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HOUSE OF REPRESENTATIVES—*Friday, October 11, 1968*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The Lord bless thee and keep thee and give thee peace.—Numbers 6: 24, 26.

God of our fathers, who art above all, and in all, and through all, we pause in Thy presence invoking Thy blessing upon us and upon the work of this year. We confess that we have fallen short of our best but in spite of our shortcomings we are grateful that we have had the high honor and the priceless privilege of working together to keep the flag of freedom and the banner of the rights of man flying in a world where freedom is denied and the rights of man are destroyed.

Now as the time of departing draws near we commit ourselves anew unto Thee and pray that Thou wilt strengthen us and continue to lead us as we endeavor to walk worthily in Thy way.

We clasp our hands together waiting for Thy blessing. May the Lord bless us and keep us, the Lord make His face to shine upon us and be gracious unto us, the Lord lift up His countenance upon us and give us peace, peace in our own hearts, peace in our beloved land, and peace in our world.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 1596. An act for the relief of Demetrios Konstantinos Georgaras (also known as James K. Georgaras);

H.R. 2263. An act for the relief of Henry E. Bullock;

H.R. 2282. An act for the relief of certain employees of the Naval Weapons Center, Concord, Calif.;

H.R. 5677. An act for the relief of Robert L. Miller and Mildred M. Miller; and

H.R. 15681. An act to consolidate and revise foreign assistance legislation relating to reimbursable military exports.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 5818. An act for the relief of Clifton R. Kindt;

H.R. 8096. An act for the relief of certain individuals employed by the Department of the Air Force at Kelly Air Force Base, Tex.; and

H.R. 15450. An act to amend section 101(a) (27) (D) of the Immigration and Nationality Act.

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate with an amendment to the bill.

H.R. 3593. An act to amend title 38 of the United States Code to eliminate certain requirements for the furnishing of nursing home care in the case of veterans hospitalized by the Veterans' Administration in Alaska or Hawaii.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1169. An act for the relief of Pine Hall Brick & Pipe Co.;

S. 1339. An act for the relief of Capt. Donald D. Folkers;

S. 2393. An act to fix the date of citizenship of Alfred Lorman for purposes of War Claims Act of 1948;

S. 2957. An act for the relief of Soon-Hie Cho Young;

S. 3392. An act for the relief of Ah Mee Locke;

S. 3517. An act for the relief of certain civilian employees and former civilian employees of the Bureau of Reclamation;

S. 3573. An act for the relief of Diego M. Giminez, Jr.; and

S. 3776. An act for the relief of Dr. Jose Ramon Portela y Margolles.

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON AGRICULTURE—WORK PLAN FOR NEW JERUSALEM, CALIF.

The SPEAKER laid before the House the following communication from the chairman of the Committee on Agriculture; which was read and, together with the accompanying papers, referred to the Committee on Appropriations:

COMMITTEE ON AGRICULTURE,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 9, 1968.

Hon. JOHN W. MCCORMACK,
Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Agriculture today considered and unanimously approved the work plan transmitted to you by Executive Communication No. 2033, 90th Congress, and referred to this Committee. The work plan involved is: New Jerusalem, California.

Yours sincerely,

W. R. POAGE,
Chairman.

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON AGRICULTURE—WORK PLAN FOR KANAWHA TWOMILE CREEK, W. VA.

The SPEAKER laid before the House the following communication from the chairman of the Committee on Agriculture; which was read and, together with the accompanying papers, referred to the Committee on Appropriations:

COMMITTEE ON AGRICULTURE,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 1, 1968.

Hon. JOHN W. MCCORMACK,
Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Agriculture today considered and unanimously approved the work plan transmitted to you by Executive Communication No. 2033, 90th Congress, and referred to this Committee. The work plan involved is: Kanawha Twomile Creek, West Virginia.

Yours sincerely,

W. R. POAGE,
Chairman.

AUTHORITY FOR SPEAKER TO DECLARE RECESSES TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that during the remainder of the day it may be in order for the Speaker to declare recesses subject to the call of the Chair.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

NURSING HOME CARE FOR VETERANS HOSPITALIZED BY VA IN ALASKA OR HAWAII

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3593) to amend title 38 of the United States Code to eliminate certain requirements for the furnishing of nursing home care in case of veterans hospitalized by the Veterans' Administration in Alaska or Hawaii with the Senate amendment to the amendment of the House to the Senate's amendment to the text of the House bill, and concur in the amendment of the Senate.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, of the House engrossed amendment, strike out all after line 12 over to and including line 15 on page 2 and insert:

"Sec. 3. Section 620 of title 38, United States Code, is amended by adding at the end thereof the following new subsection:

"'(c) In applying the provisions of section 2(b)(1) of the Service Contract Act of 1965 with respect to any contract entered into under this section to provide nursing home care of veterans, the payment of wages not less than those specified in section 6(b) of the Fair Labor Standards Act of 1938, as amended, shall be deemed to constitute compliance with such provisions.'

"Sec. 4. (a) The provisions of section 201 of the Revenue and Expenditure Control Act of 1968 shall not apply to employees of the Veterans' Administration in any month in which the number of such employees does not exceed the number of employees employed by such Administration on June 30, 1966.

"(b) In any month in which section 201 of the Revenue and Expenditure Control Act of 1968 does not apply to the Veteran's Administration by reason of the provisions of subsection (a) of this section, the employees of the Veterans' Administration shall not be taken into account in applying the provisions of such section 201 to other departments and agencies of the executive branch."

Resolved, That the Senate agree to the amendment of the House to the title of the above-entitled bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

THE HONORABLE EDNA F. KELLY

Mrs. GRIFFITHS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

Mrs. GRIFFITHS. Mr. Speaker, I cannot permit this Congress to end without acknowledging my debt to Edna Kelly, Congresswoman from New York. She is the woman who first welcomed me to Congress. Through the 14 years I have been here, I have valued her friendship and her good advice.

As the chairman of the Subcommittee on Europe, she knew the politics of Europe better than most people know their own country. During the Eisenhower administration I was invited to have lunch at the State Department. Edna's name was brought into the conversation. The Under Secretary spoke up, "That woman," he said, "knows more about Italian politics than the Vatican."

In addition, Edna was unquestionably the chicest woman who ever sat in Congress.

Words cannot convey my love and affection for her; and the sorrow with which I see her leave. I am comforted only by the secure knowledge that her advice will still be available; and that our friendship will remain.

SECRECY OF POLICE COMMUNICATIONS

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, the availability of inexpensive radio receivers which are capable of monitoring police radio communications is creating a problem for law enforcement officials throughout the country. I believe it is important, at a time when the crime rate is rising throughout the Nation, that Congress as well as States and local communities take all necessary steps to protect the secrecy of police communications and prevent their receipt by unauthorized persons.

It is true that section 605 of the Communications Act prohibits the unauthorized interception and use or divulgence of police radio communications. Some localities have enacted ordinances prohibiting the possession of receiving equipment for monitoring police communications.

There are some effective scrambling devices to enforce the secrecy of police communications. Yet the ingenuity of criminals and those simply interested in listening to police communications out of curiosity has led to the use of sophisticated unscrambling devices.

Mr. Speaker, I think it will be necessary for Congress to enact legislation which would restrict the manufacture, shipment, and sale of apparatus which would be capable of undermining the effectiveness of scramblers. I hope that the Federal Communications Commissioner, the Department of Justice, and the appropriate committees of Congress will give consideration early in the next Congress to enact legislation which will strengthen our police departments and protect their radio communications from unauthorized interference to the detriment of law enforcement.

NATIONAL BUSINESS WOMEN'S WEEK

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BRINKLEY. Mr. Speaker, in anticipation of possible congressional adjournment today, I take this opportunity to salute the Georgia State and National Federation of Business and Professional Women's Clubs on the occasion of National Business Women's Week, which will be observed from October 20 through 26, 1968.

The membership of this federation represents a force which is being effectively molded for the promotion of excellence in business and government. Their voice is the voice of conscience and concern. It is a new force on the American scene, and one which combines strength with responsibility.

Hear the words of Mrs. James Johnson, president of the Georgia Federation:

> Many ills in our society . . . in fact, I dare say most ills in our society stem from a dearth of spiritual and moral values, a failure of parental training and influence, and a permissive and indulgent philosophy which is foreign to the American Spirit.

Mr. Speaker, such clearheaded recognition of cause and effect mirrors the quality of this splendid organization.

PRESIDENTIAL DEBATE BILL SHOULD BE ACTED UPON

Mr. ADAMS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. ADAMS. Mr. Speaker, the action of Senator Dirksen in instructing the Republican Senators to remain off the floor and prevent a quorum from forming to consider the presidential debate bill is the sort of activity that destroys the respect of the American people for the legislative process.

The House of Representatives has labored long and hard in good faith to return to the Senate an amended version of the bill that passed the Senate last spring without a dissenting vote.

POINT OF ORDER

Mr. CLEVELAND. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state the point of order.

Mr. CLEVELAND. Mr. Speaker, I understood that under the rules of the House we do not refer to Members of the other body by name in a derogatory manner.

The SPEAKER. The gentleman from Washington will proceed in order.

Mr. ADAMS. Mr. Speaker, I believe the American public is entitled to have this bill voted up or down by both bodies of Congress.

This matter is now before the Senate. I, therefore, propose to vote against a motion to adjourn the Congress sine die in order that there will be an opportunity for the Senate to accept the House bill or send it to conference.

I anticipate that all other business of this Congress will have been completed by tonight. I propose, therefore, to leave for my district on Mondy morning and remain on call to return as soon as the Senate has acted on this bill.

I hope other Members of the House who believe in the legislative process going forward will join me in voting against a motion to adjourn sine die so the Congress will remain in session. This will leave the matter with the Senate. The House Members can return home to their districts and indicate as I have their willingness to return whenever the Senate has acted on the presidential debate bill.

TRIBUTE TO MR. WALLACE

Mr. ANDREWS of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ANDREWS of Alabama. Mr Speaker, the action on the part of this House Tuesday night and Wednesday morning connected with the action in the other body yesterday in connection with the so-called equal-time bill is one of the greatest tributes ever paid to Gov. George Wallace, of Alabama.

Mr. Nixon is quoted as having said that he would debate with Mr. HUMPHREY but he will not even get in the same room with Mr. Wallace.

What a great tribute that is to Mr. Wallace.

All that I can say is to quote what Mr. Wallace said when Mr. Nixon said he would not debate him. Mr. Wallace said, "He is a smart man. I would like to get him in debate."

ARMY WANTS ABM SYSTEM NEAR DOWNTOWN SEATTLE

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, in connection with the Defense Department appropriation conference report, being considered today, I wish to protest that the Defense Department continues to press for locating a Sentinel anti-ballistic-missile site within a few miles of downtown Seattle, Wash., despite their stated criteria that these ABM sites are not to be located in heavily populated areas. They also are trying to lead everyone into believing that these Seattle sites have community approval. I can assure my colleagues that community opinion is very much opposed to the close-in sites being so seriously considered by the Army at the present time.

One of the sites is just across Puget Sound, about 6 mlies from the downtown area, and one other site is bordered by a heavy concentration of fine residential homes, two miles northwest of Seattle's downtown business district. I emphasize that neither of these sites has community approval.

On the other hand, I discovered the other day that the Army is fully meeting its criteria in Boston, where they have even split the system's radar and missile installations. Both sites are removed from heavily populated areas and both have community approval.

I am, of course, happy that the Defense Department is observing the criteria laid down by the Congress in the case of Boston, but, Mr. Speaker, it is inconceivable to me that the Defense Department would violate this policy in the case of Seattle by insisting on a missile site well within this vital city's heavily populated neighborhoods.

As a Member of Congress, I have been furnished no justification for any such deviation. I want to firmly state my strong opposition to any Sentinel installation in my congressional district in the proximity of the heavily populated concentration in the heart of Seattle.

CONFERENCE REPORT ON H.R. 10790, RADIATION CONTROL FOR HEALTH AND SAFETY ACT OF 1968

Mr. FRIEDEL. Mr. Speaker, I call up the conference report on the bill (H.R. 10790) to amend the Public Health Service Act to provide for the protection of the public health from radiation emissions from electronic products, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1971)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10790) to amend the Public Health Service Act to provide for the protection of the public health from radiation emissions from electronic products, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 12, 13, 23, 24, 25, 26, 28, 29, 30, 31, 32, 33, 34, 35, 36, 45, 57, 60, 61, 63, and 104.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16, 18, 19, 20, 21, 22, 27, 38, 41, 42, 43, 44, 46, 47, 48, 49, 50, 51, 52, 53, 54, 56, 58, 59, 62, 66, 68, 69, 70, 71, 75, 76, 77, 79, 80, 82, 83, 84, 88, 89, 90, 91, 92, 93, 94, 95, 101, 102, 105, and 106; and agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "safety. Such standards may include provisions for the testing of such products and the measurement of their electronic product radiation emissions, may require the attachment of warning signs and labels, and may require the provision of instructions for the installation, operation, and use of such products. Such standards may be prescribed from time to time whenever such determinations are made, but the first of such standards shall be prescribed prior to January 1, 1970."

And the Senate agree to the same.

Amendment No. 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same wtih an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "industries and labor organizations".

And the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(f)(1)(A) The Secretary shall establish a Technical Electronic Product Radiation Safety Standards Committee (hereafter in this subpart referred to as the 'Committee') which he shall consult before prescribing any standard under this section. The Committee shall be appointed by the Secretary, after consultation with public and private agencies concerned with the technical aspect of electronic product radiation safety, and shall be composed of fifteen members each of whom shall be technically qualified by training and experience in one or more fields of science or engineering applicable to electronic product radiation safety, as follows:

"(i) Five members shall be selected from governmental agencies, including State and Federal Governments;

"(ii) Five members shall be selected from the affected industries after consultation with industry representatives; and

"(iii) Five members shall be selected from the general public, of which at least one shall be a representative of organized labor.

"(B) The Committee may propose electronic product radiation safety standards to the Secretary for his consideration. All proceedings of the Committee shall be recorded and the record of each such proceeding shall be available for public inspection.

And the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "the adequacy of safeguards against hazardous electronic product radiation and to assure".

And the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment, as follows:

On page 12 of the Senate engrossed amendments, strike out lines 1 and 2, and insert in lieu thereof the following: "the Secretary (in such manner as he shall prescribe by regulation) on the grounds that it does not assure the adequacy of safeguards against hazardous electronic product radiation or that it does not assure that electronic products comply with the standards prescribed under this section."

And the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "In the case of a notification to a person referred to in subsection (b) of this section, the notification shall also advise the person of his rights under subsection (f) of this section."

And the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment, as follows: Insert the matter proposed to be inserted by the Senate amendment.

On page 15, line 4, of the Senate engrossed amendments, insert before the comma the following: "(where known to the manufacturer)".

And the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(f) If any electronic product is found under subsection (a) or (e) to fail to comply with an applicable standard prescribed under this subpart or to have a defect which relates to the safety of use of such product, and the notification specified in subsection (c) is required to be furnished on account of such failure or defect, the manufacturer of such product shall (1) without charge, bring such product into conformity with such standard or remedy such defect and provide reimbursement for any expenses for transportation of such product incurred in connection with having such product brought into conformity or having such defect remedied, (2) replace such product with a like or equivalent product which complies with each applicable standard prescribed under this subpart and which has no defect relating to the safety of its use, or (3) make a refund of the cost of such product. The manufacturer shall take the action required by this subsection in such manner, and with respect to such persons, as the Secretary by regulations shall prescribe.

"(g) This section shall not apply to any electronic product that was manufactured before the date of the enactment of this subpart."

And the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment, as follows: Insert the matter proposed to be inserted by the Senate amendment.

On page 19, line 1, of the Senate engrossed amendments strike out "A new" and insert the following: "Any".

And the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 360A. (a) If the Secretary finds for good cause that the methods, tests, or programs related to electronic product radiation safety in a particular factory, warehouse, or establishment in which electronic products are manufactured or held, may not be adequate or reliable, officers or employees duly designated by the Secretary, upon presenting appropriate credentials and a written notice to the owner, operator, or agent in charge, are thereafter authorized (1) to enter, at reasonable times, any area in such factory, warehouse, or establishment in which the manufacturer's tests (or testing programs) required by section 358(h) are carried out, and (2) to inspect, at reasonable times and within reasonable limits and in a reasonable manner, the facilities and procedures within such area which are related to electronic product radiation safety. Each such inspection shall be commenced and completed with reasonable promptness. In addition to other grounds upon which good cause may be found for purposes of this subsection, good cause will be considered to exist in any case where the manufacturer has introduced into commerce any electronic product which does not comply with an applicable standard prescribed under this subpart and with respect to which no exemption from the notification requirements has been granted by the Secretary under section 359(a)(2) or 359(e).

"(b) Every manufacturer of electronic products shall establish and maintain such records (including testing records), make such reports, and provide such information, as the Secretary may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this subpart and standards prescribed pursuant to this subpart and shall, upon request of an officer or employee duly designated by the Secretary, permit such officer or employee to inspect appropriate books, papers, records, and documents relevant to determining whether such manufacturer has acted or is acting in compliance with standards prescribed pursuant to this subpart.

"(c) Every manufacturer of electronic products shall provide to the Secretary such performance data and other technical data related to safety as may be required to carry out the purposes of this subpart. The Secretary is authorized to require the manufacturer to give such notification of such performance and technical data at the time of original purchase to the ultimate purchaser of the electronic product, as he determines necessary to carry out the purposes of this subpart after consulting with the affected industry.

"(d) Accident and investigation reports made under this subpart by any officer, employee, or agent of the Secretary shall be available for use in any civil, criminal, or other judicial proceeding arising out of such accident. Any such officer, employee, or agent may be required to testify in such proceedings as to the facts developed in such investigations. Any such report shall be made available to the public in a manner which need not identify individuals. All reports on research projects, demonstration projects, and other related activities shall be public information.

"(e) The Secretary or his representative shall not disclose any information reported to or otherwise obtained by him, pursuant to subsection (a) or (b) of this section, which concerns any information which contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code, except that such information may be disclosed to other officers or employees of the Department and of other agencies concerned with carrying out this subpart or when relevant in any proceeding under this subpart. Nothing in this section shall authorize the withholding of information by the Secretary, or by any officers or employees under his control, from the duly authorized committees of the Congress."

And the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "(f)".

And the Senate agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "dealers and distributors of electronic products, to which there is applicable a standard prescribed under this subpart and the retail price of which is not less than $50,".

And the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "information. Any regulation establishing a requirement pursuant to clause (1) of the preceding sentence shall (A) authorize such dealers and distributors to elect, in lieu of immediately furnishing such information to the manufacturer, to hold and preserve such information until advised by the manufacturer or Secretary that such information is needed by the manufacturer for purposes of section 359, and (B) provide that the dealer or distributor shall, upon making such election, give prompt notice of such election (together with information identifying the notifier and the product) to the manufacturer and shall, when advised by the manufacturer or Secretary, of the need therefor for the purposes of section 359, immediately furnish the manufacturer with the required information. If a dealer or distributor discontinues the dealing in or distribution of electronic products, he shall turn the information over to the manufacturer. Any manufacturer receiving information pursuant to this subsection concerning first purchasers of products for purposes other than resale shall treat it as confidential and may use it only if necessary for the purpose of notifying persons pursuant to section 359(a)."

And the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "359 or 360A; or to fail to comply with the requirements of section 359(f);".

And the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "360A(b)".

And the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "360A(f); or".

And the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(5) for any person (A) to fail to issue a certification as required by section 358(h), or (B) to issue such a certification when such certification is not based upon a test or testing program meeting the requirements of section 358(h) or when the issuer, in the exercise of due care, would have reason to know that such certification is false or misleading in a material respect."

And the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "involved, or with respect to each act or omission made unlawful by section 360B,".

And the Senate agree to the same.

Amendment numbered 97: That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "$300,000;" and the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment, as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(2) Any such civil penalty may on application be remitted or mitigated by the Secretary. In determining the amount of such penalty, or whether it should be remitted or mitigated and in what amount, the appropriateness of such penalty to the size of the business of the person charged and the gravity of the violation shall be considered. The amount of such penalty, when finally determined, may be deducted from any sums owing by the United States to the person charged.

"(c) Actions under subsections (a) and (b) of this section may be brought in the district court of the United States for the district wherein any act or omission or transaction constituting the violation occurred, or in such court for the district where the defendant is found or transacts business, and process in such cases may be served in any other district of which the defendant is an inhabitant or wherever the defendant may be found.

"(d) Nothing in this subpart shall be construed as requiring the Secretary to report for the institution of proceedings minor violations of this subpart whenever he believes that the public interest will be adequately served by a suitable written notice or warning.

"(e) Except as provided in the first sentence of section 360F, compliance with this subpart or any regulations issued thereunder shall not relieve any person from liability at common law or under statutory law.

"(f) The remedies provided for in this subpart shall be in addition to and not in substitution for any other remedies provided by law."

And the Senate agree to the same.

Amendment numbered 99: That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment, as follows: Insert the matter proposed to be inserted by the Senate amendment.

On page 32, line 8, of the Senate engrossed amendments, strike out "March 17" and insert the following: "April 1".

On page 33, line 5, strike out ", including the policy implications thereof,".

And the Senate agree to the same.

Amendment numbered 100: That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment, as follows: Insert the matter proposed to be inserted by the Senate amendment.

On page 34, line 16, strike out "of Health, Education, and Welfare".

And the Senate agree to the same.

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment, as follows: Insert the matter proposed to be inserted by the Senate amendment.

On page 34, line 20, of the Senate engrossed amendment, strike out "section" and insert the following: "subpart".

And the Senate agree to the same.

HARLEY O. STAGGERS,
JOHN JARMAN,
PAUL G. ROGERS,
PETER N. KYROS,
WM. SPRINGER,
ANCHER NELSEN,
TIM CARTER,
Managers on the Part of the House.

VANCE HARTKE,
E. L. BARTLETT,
HUGH SCOTT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10790) to amend the Public Health Service Act to provide for the protection of the public health from radiation emissions from electronic products, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The following Senate amendments made technical, clerical, clarifying, or conforming changes: 1, 3, 4, 8, 11, 12, 20, 21, 28, 41, 42, 43, 46, 50, 51, 53, 54, 56, 57, 58, 59, 62, 64, 66, 68, 69, 70, 73, 79, 80, 81, 84, 85, 86, 89, 90, 91, 92, 93, 94, 95, 96, 101, 102, 105, and 106.

With respect to these amendments (1) the House either recedes or recedes with amendments which are technical, clerical, clarifying, or conforming in nature; or (2) the Senate recedes in order to conform to other action agreed upon by the committee of conference.

DEFINITION OF ELECTRONIC PRODUCT

Amendments Nos. 2 and 22: The House bill defined "electronic product" as a manufactured or assembled product which contains an electronic circuit and which emits electronic radiation. Senate amendment numbered 2 revised the definition to specifically include component parts which emit electronic product radiation, to include products which are a part of an electronic circuit, and to include products which, in the absence of effective shielding or other controls would emit electronic product radiation. Senate amendment numbered 22 requires the Secretary, in prescribing standards for components, to give consideration to the performance of the component in the finished product. The House recedes.

LIAISON AND CONSULTATION

Amendments Nos. 5, 7, 15, 16, and 17: The House bill directed the Secretary, in carrying out the radiation control program under the bill, to maintain liaison with industry, associations, and other organizations and the Department of Commerce, and to consult industry representatives on prescribing standards. These Senate amendments direct him, in carrying out the program, to maintain liaison with additional agencies and organizations (including labor organizations), and to consult with additional agencies and organizations (including labor organizations) in prescribing standards. The House recedes.

STUDY OF INTENSE-MAGNETIC FIELDS

Amendment No. 6: This amendment added to the House bill a provision requiring the Secretary to include in his electronic product radiation control program the study and evaluation of emissions of, and conditions of exposure to, intense magnetic fields. The House recedes.

RECORDKEEPING BY RECIPIENTS OF ASSISTANCE UNDER GRANTS AND CONTRACTS

Amendment No. 9: This amendment added a provision to the House bill requiring the establishment and maintenance of records by recipients of assistance provided by the Secretary through grants and negotiated contracts made or entered into for the purpose of carrying out his electronic product radiation control program. The House recedes.

STUDIES

Amendment No. 10: This amendment added to the House bill a provision directing the Secretary to make a study of the present State and Federal control of health hazards from electronic product radiation and other types of ionizing radiations, a study to determine the necessity for the development of standards for the use of nonmedical electronic products for commercial and industrial purposes, and a study of the development of practicable procedures for the detection and measurement of electronic product radiation which may be emitted from electronic products manufactured or imported prior to the effective date of any applicable standard established pursuant to this subpart. The Secretary would report to the Congress on the results of these studies on or before January 1, 1970, and from time to time thereafter as he may deem appropriate, together with his legislative recommendations.

In conducting these studies, the Secretary would be required to invite the participation of appropirate Federal agencies and State governments—particularly of States having delegated authority from the Atomic Energy Commission for the regulation of radioactive materials under its jurisdiction. Any such participants who dissent from the Secretary's findngs and conclusions would be entitled, on their request, to have their dissents included in the Secretary's report. The Secretary also would be required, upon request, to keep committees of Congress that are interested in the studies currently informed on the progress of these studies and to admit observers from such committees to meetings of the study groups. The House recedes.

ELECTRONIC PRODUCT RADIATION STANDARDS

Amendments Nos. 13 and 14: These amendments added to the provision in the House bill directing the establishment of performance standards for electronic products the following: (1) the making of standards governing the manufacture, installation, operation, use, repair, or maintenance of electronic products for the purpose of protecting individuals from injury (including genetic injury) from electronic product radiation; (2) a limitation on the standards described in clause (1) to exempt from such standards the use of electronic products by licensed doctors, dentists, and hospitals; (3) authorizing the inclusion in any performance standard of (A) provisions for testing of such products and the measurement of their electronic product radiation emissions and (B) requirements for the attachment of accessories, warning signs, and labels, and for the provision of instructions for the installation, operation, and use of such products; and (4) a requirement that the first of such standards be prescribed prior to January 1, 1970. The Senate recedes on amendment No. 13 and on the matters described in clauses (1) and (2) of the preceding sentence. The House recedes with a technical amendment on the matter described in clause (3) of such sentence and recedes on the matter described in clause (4) of such sentence.

MATTERS TO BE CONSIDERED IN THE MAKING OF STANDARDS

Amendments Nos. 18 and 19: The House bill required the Secretary to consider in prescribing a standard the technical and economic feasibility of the standard as applied to a particular electronic product. This amendment required the Secretary to consider the reasonableness and technical feasibility of the application of the standard. The House recedes with the understanding that in considering the reasonableness of the application of a standard, the Secretary will consider the economic feasibility of its application.

BIENNIAL REVIEW OF STANDARDS

Amendment No. 26: This amendment provided for review of standards at least once every 2 years. The Senate receded with the understanding that the Secretary is required to maintain a continuing review of standards necessary to carry out the purposes of the new subpart.

PRODUCT EXEMPTIONS

Amendments Nos. 27 and 88: These amendments added to the House bill two provisions—one permitting the Secretary to exempt certain electronic products (which are intended for use by, and of a type used solely by, departments or agencies of the United States and for which certain procurement specifications have been prescribed) from applicable standards prescribed by the Secretary and the other permitting the Secretary to exempt, for the purpose of research, investigations, studies, demonstrations, or training or for reason of national security, electronic products from the provision prescribing unlawful acts. The House recedes.

PARTICIPATION OF PUBLIC IN ESTABLISHMENT OF STANDARDS

Amendment No. 29: This amendment required the Secretary to permit interested persons (including electronic product manufacturers, distributors, and dealers, and individuals and organizations interested in electronic product radiation safety) an opportunity to participate fully in the establishment of standards through written submissions and oral testimony and argument. The Senate recedes.

EFFECTIVE DATE OF STANDARDS

Amendments Nos. 30, 31, 32: The House bill provided that standards prescribed by the Secretary under the bill would take effect not sooner than 1 year or later than 2 years after they are issued (subject to certain exceptions). Amendments Nos. 30 and 31 of the Senate bill provided that the standards would take effect not sooner than 180 days and not later than 1 year after their issue (subject to exceptions). Amendment No. 33 provided that a regulation prescribing a standard (or making more restrictive an existing standard) would apply only to products manufactured or assembled after the effective date of the regulation. The Senate recedes on all three amendments.

JUDICIAL REVIEW

Amendments Nos. 34, 35, and 36: The House bill provided that in a case of actual controversy as to the validity of a regulation prescribing a standard, any person who will be adversely affected by the regulation may obtain judicial review of it. Senate amendments Nos. 34, 35, and 36 provided that any person who is or will be adversely affected (including any person exposed to risk of personal injury) could obtain review of such a regulation. The Senate recedes.

TECHNICAL ADVISORY COMMITTEE

Amendment No. 37: The House bill directed the Secretary to appoint a National Advisory Committee on Electronic Product Radiation Standards of not less than nine members and to consult the Committee before prescribing standards. The members of the Committee were to be representative of industry, testing laboratories, scientific and professional organizations, and the public. Senate amendment No. 37 directed the Secretary to establish a Technical Electronic Product Radiation Safety Standards Committee, consisting of 5 governmental members, 5 industry members, and 5 public members, to which he must submit proposed standards before promulgating them. The Committee is directed to report on the proposed standards. The House recedes with amendments to the Senate amendment which require the Secretary to consult with the Committee prior to prescribing standards rather than submitting proposed standards to the Committee for a report.

TESTING PROGRAM REVIEW

Amendments Nos. 38 and 39: The House bill directed the Secretary to review and evaluate industry testing programs which are intended to assure that electronic products comply with the standards prescribed under the bill. Senate amendments Nos. 38 and 39 direct the Secretary to review and evaluate industry testing programs to assure the adequacy of safeguards of hazardous radiation and to assure that electronic products comply with such standards. The House recedes with a technical amendment.

PRODUCT CERTIFICATION

Amendments Nos. 40 and 67: Amendment No. 40 adds a new provision to the bill which requires manufacturers of electronic products to attach a label to each electronic product, certifying that the product conforms to the standards prescribed under the bill. The certification is required to be based on a test of the product or upon a testing program which is in accord with good manufacturing practice and which has not been disapproved by the Secretary. Amendment No. 67 added a provision prohibiting the importation into the United States of products not tagged and certified in accordance with the foregoing requirements. The House recedes on both amendments with technical amendments.

NOTIFICATION OF PRODUCT DEFECTS

Amendments Nos. 44, 45, 47, 48, 49, 50, 51, 52, 60, 61, 63, and 64: The House bill required the manufacturer to notify dealers, distributors, first purchasers, and subsequent transferees holding manufacturers' warranties, of defects relating to the safety of use of an electronic product or of the noncompliance of the product with applicable standards prescribed under the bill. These Senate amendments revised the notification procedure—

(1) by requiring notification of defects creating a risk of injury (including genetic injury) from electronic product radiation, instead of defects relating to safety of use by reason of such radiation,

(2) by requiring the manufacturer to immediately notify the Secretary of any such defect or any noncompliance with applicable standards which is discovered by the manufacturer,

(3) by relieving the manufacturer of the duty of notifying dealers, distributors, purchasers, and transferees if he satisfies the Secretary that the defect or noncompliance does not create a significant risk of injury (including genetic injury), and

(4) by requiring notification to subsequent transferees who do not hold a manufacturer's warranty.

The House recedes without amendment to all of these Senate amendments except to amendments Nos. 45, 60, 61, 68, and 64. On amendment 64 the House recedes with a technical amendment. On amendments Nos. 45, 60, 61, and 63 (described in clause (1) of the preceding paragraph) the Senate recedes. The effect of the Senate recession is to require the manufacturer to furnish notification of defects relating to safety of use of the product by reason of emissions of electronic product radiation. It is the position of the conference committee, however, that the term "defect which relates to the safety of use" includes a defect which could reasonably be considered to create a risk of injury (including genetic injury) to any person.

REPAIR AND REPLACEMENT

Amendments Nos. 55, 65, and 81: A provision in the House bill directed the Secretary to work with the electronic products industry, after consultation with the Advisory Committee on Standards, to establish a program under which electronic products, that are in the hands of distributors, dealers, or certain consumers and that do not meet applicable standards or are defective, would be brought into conformity with applicable standards or would have their defects remedied. The Secretary was to include in his annual report a summary of the results of the program.

Amendment No. 65 struck out the provision in the House bill and (1) specified the remedies available to distributors, dealers, and first purchasers (other than distributors or dealers) who hold nonconforming or defective electronic products. In the case of distributors or dealers holding such products, the manufacturer or distributor, as the case may be, who sold the product would be required to furnish without charge any required parts or equipment and reimburse for installation costs unless the nonconformity or defect is shown to result from acts for which the dealer or his agent is responsible. Failure of the manufacturer or selling distributor to comply with these requirements could be enforced by an action in a United States district court. In the case of first purchasers holding such products, the manufacturer would be required to bring, without cost, the product into conformity or remedy the defect or, at his option to, replace the product or to make a refund. If a purchaser had received a notification with respect to such nonconformity or defect he had to claim his rights with reasonable diligence. Further, if the manufacturer shows that the nonconformity or defect is not the fault of the manufacturer or his agent but the fault of an act done by another after the product reached such first purchaser, the remedy is against the person at fault. Finally, it was provided that the provision described above would not apply with respect to products manufactured before the date of the enactment of the act.

The House recedes with an amendment which, instead of prescribing separate remedies for the purchasing distributors and dealers and for first purchasers against manufacturers or selling distributors, as the case may be, prescribes the responsibilty of the manufacturer of a nonconforming or defective product. If a notification is required to be furnished on account of such nonconformity or defect, the manufacturer of such product shall (1) without charge, bring such product into conformity with such standard or remedy such defect and provide reimbursement for any expenses for transportation of such product incurred in connection with having such product brought into conformity or having such defect remedied, (2) replace such product with a like or equivalent product which complies with each applicable standard prescribed under this subpart and which has no defect relating to the safety of its use, or (3) make a refund of the cost of such product. The manufacturer shall take the action required by this section in such manner, and with respect to such persons (who may include distributors, dealers, or consumers), as the Secretary by regulations shall prescribe. This provision is to apply only to products manufactured after the date of the enactment of the act. Under amendment numbered 81 failure of the manufacturer to comply with the requirements of this provision was made an unlawful act. The House recedes.

Amendment No. 55 required notification of purchasers of their rights to the special remedy provided for purchasers of nonconforming or defective products. The House recedes with a conforming amendment.

AGENT FOR SERVICE OF PROCESS

Amendment No. 71: This Senate amendment required manufacturers of electronic products to be imported into the United States to designate an agent for service of process. The House recedes.

INSPECTION, RECORDS, AND REPORTS

Amendments Nos. 72, 82, and 83: Subsection (a) of this amendment authorizes the Secretary to conduct such inspections and investigations as may be necessary to enforce the provisions of the new subpart.

Under subsection (b), for purposes of enforcement, officers or employees designated by the Secretary are authorized to enter and inspect the facilities and procedures related to radiation safety in establishments in which electronic products are manufactured, operated, used, repaired, maintained, or held for introduction into commerce or held for sale after such introduction.

Under subsection (c), manufacturers of electronic products must establish and maintain such records (including testing records) and make such reports and provide such information as the Secretary may reasonably require to enable him to determine whether the manufacturer is complying with the subpart (including standards prescribed under it), and must permit inspection of relevant records and papers.

Under subsection (d), manufacturers must also provide the Secretary with performance and other technical data relating to performance and safety of electronic products. The Secretary, after consultation with the affected industry, may require a manufacturer to give notification of such data at the time of original purchase to the ultimate purchaser of the product.

Subsection (e) provides that accident and investigation reports of the Department shall be available for use in any judicial proceeding arising out of the accident to which the report relates and that the authors of the report may be required to testify in such proceedings as to the facts developed in the investigation. Such reports are to be made available to the public, but this may be done in such manner as not to identify individuals. Also, all reports on research or demonstration projects and related activities shall be public information.

Subsection (f) provides that information obtained by the Secretary under subsection (a) or (b) concerning any method, process, or economic data which as a trade secret are entitled to protection shall be considered confidential for purposes of section 1905 of title 18, United States Code, except for disclosure to carry out the subpart.

The House recedes with the following substantive amendments:

(1) In lieu of the provisions of subsections (a) and (b), it is provided that before the Secretary may make an inspection he must find for good cause that the methods, tests, or programs related to electronic product radiation safety in a particular factory, warehouse, or establishment in which electronic products are manufactured or held, may not be adequate or reliable. It is specified that a ground for good cause is the introduction into commerce by a manufacturer of a product which fails to meet an applicable standard and for which failure

no exemption from the notification requirement has been granted. The inspection authorized is limited to any area in such factory, warehouse, or establishment in which the manufacturer's tests (or testing programs) required by section 358(h) are carried out. The facilities and procedures within such area which are related to electronic product radiation safety may be inspected.

(2) Instead of permitting the Secretary or his representative to disclose where necessary information concerning any method, process, or economic data which as a trade secret is entitled to protection under section 1905 of title 18, United States Code, it is provided that he may disclose where necessary any information containing or relating to any matter referred to in such section.

Under amendments Nos. 82 and 83, conforming amendments were made to the section relating to unlawful acts. The House recedes.

MAINTENANCE OF CUSTOMER LISTS

Amendments Nos. 74, 75, 76, 77, and 78: The House bill authorized the Secretary to require retailers of color-television receivers that are subject to a standard to furnish the manufacturers with sufficient information to identify and locate the receiver's first purchasers. In addition, the Secretary could require the manufacturer to preserve such information.

The amendment authorized the Secretary (1) to require dealers and distributors of electronic products to furnish the manufacturer the information necessary to enable the manufacturer to identify and locate the ultimate purchasers of the product in the event that the required notice of a defect or noncompliance with a standard needed to be given, and (2) to require manufacturers to preserve the information so obtained. However, if the dealer or distributor so elects, the Secretary must permit him to delay transmitting this information to the manufacturer until the latter (or the Secretary) advises that it is needed for notification purposes (or until the dealer or distributor goes out of the electronic product business); a dealer or distributor making such an election must immediately notify the manufacturer of it and give the manufacturer the name and address of the dealer or distributor and identify the product.

The House recedes with an amendment which makes the record-keeping requirement applicable only with respect to an electronic product to which a standard is applicable and the retail price of which is not less than $50.

UNLAWFUL ACTS

Amendment No. 87: This amendment adds a number of additional acts to the acts made unlawful under the bill. The House recedes with an amendment which eliminates all of the additional unlawful acts except the unlawful acts which relate to failure to comply with the certification requirements under section 359(h).

MAXIMUM CIVIL PENALTY

Amendment No. 97: The House bill provided that the maximum civil penalty which could be assessed by the Secretary for a related series of violations would be $200,000. Senate amendment No. 97 raised the maximum amount to $400,000. The conference substitute provides for a maximum penalty of $300,000.

ADDITIONAL PROVISIONS RELATING TO ENFORCEMENT

Amendment No. 98: The enforcement section of the House bill provided for enforcement of the provisions of the bill by injunction and civil penalty proceedings brought in the Federal district courts. Senate amendment No. 98 added to this section—

(1) permitting the Secretary to remit or mitigate any civil penalty,

(2) specifying the district court in which injunction or civil penalty proceedings may be brought,

(3) providing for seizure of products which do not conform to the standards prescribed under the bill,

(4) permitting the Secretary to give a warning or notice rather than instituting proceedings with respect to minor violations,

(5) providing that proceedings will be brought by and in the name of the United States and that subpenas may run to any judicial district,

(6) providing that compliance with the bill does not relieve any person from *product* liability under common law or statutory law,

(7) preserving other remedies provided by law, and

(8) providing that nothing in the bill will affect workmen's compensation laws and related laws.

The conference substitute for amendment No. 98 omits items 3 (seizure), 5 (form of proceedings, subpena), and 8 (effect on workmen's compensation laws), includes without change items 1 (mitigation), 2 (venue), 4 (warnings for minor violations), and 7 (preserving other remedies), and including, with a modification, item 6. As modified, item 6 provides that compliance with the bill does not relieve any person of any liability under common law or statutory law (except for liability under State law with respect to a standard which is preempted under the first sentence of section 360F of the bill).

ANNUAL REPORT

Amendment No. 99: This amendment added a provision to the bill directing the Secretary to submit an annual report. The House recedes with an amendment to change the date for submission of the report from March 17 to April 1, and deleting a reference to policy implications of certain research activities.

FEDERAL-STATE COOPERATION

Amendment No. 100: This amendment added a provision to the House bill authorizing the Secretary to accept the assistance of State and local authorities engaged in activities related to health or safety or consumer protection. The House recedes with a technical amendment.

PROCUREMENT STANDARDS

Amendment No. 103: This amendment makes it clear that States and the Federal Government may impose procurement standards higher than the Federal standards in procuring electronic products. The House recedes with a technical amendment.

ADVISORY STANDARDS FOR MEDICAL X-RAY TECHNICIANS

Amendment No. 104: This Senate amendment directed the Secretary to develop advisory standards for licensing and training of X-ray technicians. The Senate recedes.

HARLEY O. STAGGERS,
JOHN JARMAN,
PAUL G. ROGERS,
PETER N. KYROS,
WM. SPRINGER,
ANCHER NELSEN,
TIM CARTER,
Managers on the Part of the House.

Mr. FRIEDEL. Mr. Speaker, I yield to the gentleman from Florida [Mr. ROGERS] as much time as he may consume.

Mr. ROGERS of Florida. I thank the gentleman.

Mr. Speaker, the conference report on H.R. 10790 under consideration today was passed by the House on March 20, 1968.

This is a bill which will establish radiation controls for health and safety.

There are a large number of electronic products which are capable of emitting radiation at dangerous levels. The record made in the hearings before the Committee on Interstate and Foreign Commerce established without question that legislation is needed. After full consideration by the committee and the House, the House voted 380 to 0 in favor of the legislation.

The Senate amended the House version in a number of respects. The most significant ones were: Performance standards, in-plant inspection, seizure, and advisory standards for the licensing of X-ray technicians.

In conference, the Senate receded on all of these except in-plant inspection, and the House managers were successful in modifying the Senate language to assure proper inspection without any undue or disruptive intrusion upon the manufacturing process.

Under the provision worked out in conference the Secretary of Health, Education, and Welfare before designating any officers to conduct in-plant inspections must make a finding of good cause for the inspection, and the inspection will be limited to the manufacturer's testing area.

The managers believe that we came back from the conference with all major provisions of the House bill intact and that the House now has before it a well-reasoned and effective bill, which will establish a program which should assure effective protection to the public from electronic product radiation hazards.

Mr. FRIEDEL. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. NELSEN].

Mr. NELSEN. Mr. Speaker, the House passed a very well thought out and constructed piece of legislation to protect the consuming public from radiation hazards which could and in some instances in the past had been built into electronic equipment. The provisions of the House bill approached the problem in the light of the realities of the marketplace and yet with sufficient machinery to eliminate the hazards.

The other body worked the bill over considerably and made in all 106 changes. Most of these were of no real consequence to the provisions of the bill. Nine or 10 of them, however, presented new or different provisions. Most of these changes had been considered by the House committee prior to reporting the bill to the House, and the absence of such provisions was a matter of decision and policy determination.

Without detailing all of these differences I would like to mention a few as examples. Provisions for seizure, plant inspections, notification of defects, and judicial review had to be reconciled. Only one of these provisions remains in the bill in other than the form agreed to by the House in the first instance.

As to in-plant inspections the conferees agreed on language which would allow inspections under certain limited conditions. Certain other provisions were entirely new to the bill. Examples of these are the licensing of X-ray technicians and the provisions for standards for manufacture, installation, operation, use, and maintenance of the products. These and a provision having to do with exports were entirely deleted by the conferees.

The whole matter could be summed up

by saying that your conferees met, struggled, and won. The bill we present back to you from the conference for your approval is in practically all respects the bill you originally approved, and the one change which I have mentioned concerning inspections is such that it merits your approval.

I recommend the House accept the conference report.

Mr. FRIEDEL. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent that all Members may be permitted to revise and extend their remarks on the conference report just agreed to.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. CHAMBERLAIN. Mr. Speaker, on rollcall No. 228, on July 3, I am unrecorded. I would like to have the Record indicate that had I responded, I would have voted "yea."

Further, Mr. Speaker, I would like to have the Record show that votes on October 9, my position was not recorded. Had I been present on rollcall No. 408, I would have voted "nay." Had I been present on rollcall No. 409, I would have voted "nay." Had I been present on rollcall No. 410, I would have voted "yea." Had I been present on rollcall No. 413, I would have voted "nay." Had I been present on rollcall No. 414, I would have voted "yea."

APPOINTMENT OF CONFEREES ON S. 944, PARKING FACILITIES IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, pursuant to clause 1 of rule XX of the rules of the House, and by direction of the Committee on the District of Columbia, I move to take from the Speaker's table the bill (S. 944) relating to the establishment of parking facilities in the District of Columbia. Together with the House amendments thereto, insist on the House amendments, and agree to the conference requested by the Senate.

The SPEAKER. The question is on the motion offered by the gentleman from South Carolina.

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints the following conferees: Messrs. McMillan, Abernethy, Dowdy, Whitener, Nelsen, Harsha, and Broyhill of Virginia.

IMPROVING INCOME OF PRODUCERS OF CRUDE PINE GUM, STABILIZING PRODUCTION OF CRUDE PINE GUM

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1256 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1256

> *Resolved,* That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2511) to maintain and improve the income of producers of crude pine gum, to stabilize production of crude pine gum, and for other purposes. After general debate which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. FINDLEY. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. FINDLEY. Mr. Speaker, I make a point of order against the consideration of House Resolution 1256 on the grounds that the Committee on Agriculture acted without a quorum being present when it ordered S. 2511 reported to the House on July 2, 1968.

Rule XI, clause 26(e), of the rules of the House states as follows:

> (e) No measure or recommendation shall be reported from any committee unless a majority of the committee were actually present.

I have personally checked with the staff of the Committee on Agriculture and have been informed that on July 2, 1968, there were only 14 members of the committee present and that the vote to report S. 2511 to the House was 11 to 0 in favor of such action. Since the total membership of that committee is 35, there obviously was not a majority actually present as required by rule XI, clause 26(e).

Mr. Speaker, I raise the point of order at this time in order to have it presented to the Chair in a timely fashion. The precedents indicate that such a point of order is made too late if it comes after debate has started on either the rule or on the bill itself—VIII 2223 and February 4, 1947, page 1374.

Furthermore, the Chair stated in a response to a parliamentary inquiry by the gentleman from Missouri [Mr. Hall] on Monday of this week—October 7, page 29764—that any point of order under rule XI, clause 26(e), would have to be made when the bill is called up.

Since House Resolution 1256 is the rule which calls up S. 2511 for consideration in the Committee of the Whole House on the State of the Union, I therefore insist on my point of order at this time.

The SPEAKER. The Chair states, in response to the inquiry of the gentleman from Illinois, that the point of order at this time would be premature.

The Chair might state that the appropriate time to make the point of order would be at the time the motion is made to go in the Committee of the Whole.

Mr. FINDLEY. That is after the rule is adopted?

The SPEAKER. After the rule is adopted.

Mr. FINDLEY. Mr. Speaker, I thank the Chair.

The SPEAKER. The gentleman from Texas is recognized for 1 hour.

Mr. YOUNG. Mr. Speaker, I yield to the distinguished gentleman from Ohio [Mr. Latta] 30 minutes, pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1256 provides an open rule with 1 hour of general debate for consideration of S. 2511 to maintain and improve the income of producers of crude pine gum, and for other purposes.

S. 2511 amends the Agricultural Act of 1949, as amended, to give the Secretary of Agriculture authority to make compliance payments to gum farmers on crude pine gum produced and marketed in the United States during 1968, 1969, and 1970. Compliance payments, together with other price support, could not exceed 90 percent of parity and could be made to producers who do not exceed their production goals; comply with the minimum wage provisions of the Fair Labor Standards Act; and follow one or more good forestry practices.

For more than 5 years there has been a downward trend in the income of pine gum producers because of rising labor and material costs. New production methods are now being developed to make it possible for the industry to operate on a profitable basis. S. 2511 will provide for the needed assistance to keep the industry in business while it modernizes. In so doing, it will also help to maintain employment for the more than 30,000 persons in Georgia, Florida, Alabama, Mississippi, and South Carolina who are mainly dependent for their livelihood on income derived from crude pine gum production and related industries. Many of the laborers engaged in the production of crude pine gum are unemployable in any other line of work because of age or lack of education and training.

Mr. Speaker, I urge the adoption of House Resolution 1256 in order that S. 2511 may be considered.

Mr. LATTA. Mr. Speaker, I agree with the statements just made by my friend and colleague from Texas. I have no requests for time, and I yield back the remainder of my time.

Mr. HAGAN. Mr. Speaker, the gum naval stores industry is vital to the economy of many sections of our Southern States. The industry is most vital to the well-being of the coastal region of Georgia, a large section of which I have the honor to represent.

The entire gum naval stores industry is about to go under. It would carry with it the jobs of thousands of laborers throughout the four-State Gum Belt. The alternative job prospects of these laborers are severely limited by age, or lack of education and training.

The livelihood of many gum farmers would be significantly curtailed.

To preserve the gum naval stores industry until it modernizes and improves its competitive position, I strongly urge approval of S. 2511.

Mr. YOUNG. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. POAGE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2511) to maintain and improve the income of producers of crude pine gum, to stabilize production of crude pine gum, and for other purposes.

Mr. FINDLEY. Mr. Speaker, I make a point of order against consideration of S. 2511.

The SPEAKER. The gentleman will state his point of order.

Mr. FINDLEY. Mr. Speaker, I make a point of order against the consideration of S. 2511 on the grounds that the Committee on Agriculture acted without a quorum being present when it ordered S. 2511 reported to the House on July 2, 1968.

Rule XI, clause 26(e), of the rules of the House states as follows:

> (e) No measure or recommendation shall be reported from any committee unless a majority of the committee were actually present.

I have personally checked with the staff of the Committee on Agriculture and have been informed that on July 2, 1968, there were only 14 members of the committee present and that the vote to report S. 2511 to the House was 11 to 0 in favor of such action. Since the total membership of that committee is 35, there obviously was not a majority actually present as required by rule XI, clause 26(e).

The SPEAKER. The Chair would like to inquire of the chairman of the Committee on Agriculture if a quorum was present when the bill was reported.

Mr. POAGE. Mr. Speaker, the chairman of the Committee on Agriculture was not present the day this bill was reported. The record indicates that there were only 14 members of the committee present at the time it was reported.

The SPEAKER. Does the gentleman from Texas state that the record of his committee shows there were 14 members present when the bill was acted upon and reported out?

Mr. POAGE. That is correct.

The SPEAKER. Clause 27 of rule XI clearly covers this situation. Paragraph (e) of clause 27 of rule XI states:

> No measure or recommendation shall be reported from any committee unless a majority of the committee were actually present.

Upon the statement of the chairman of the committee, a majority of the committee were not actually present. Therefore, the point of order is sustained; and the bill is recommitted to the Committee on Agriculture.

PRINTING OF COMMITTEE ACTIVITY REPORTS

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, with reference to the printing of committee activity reports for the session, I wish to remind the chairmen of all committees that the Joint Committee on Printing has very properly ruled that the printing of such reports both as committee prints and in the RECORD is duplication, the cost of which cannot be justified.

It is requested that committee chairmen decide whether they wish these reports printed as committee prints or in the RECORD since the Government Printing Office will be directed not to print them both ways.

RECESS

The SPEAKER. According to the unanimous-consent request heretofore entered into, the Chair declares a recess of the House subject to the call of the Chair. The bells will be rung 15 minutes before the House is reconvened.

Accordingly (at 12 o'clock and 31 minutes p.m.), the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 o'clock and 44 minutes p.m.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H.R. 859. An act for the relief of Public Utility District No. 1 of Klickitat County, Wash.;

H.R. 2283. An act for the relief of Dr. Ray F. McMillan;

H.R. 2288. An act for the relief of Charles B. Franklin;

H.R. 2792. An act to amend sections 281 and 344 of the Immigration and Nationality Act to eliminate the statutory prescription of fees, and for other purposes;

H.R. 4939. An act for the relief of Joseph H. Bonduki;

H.R. 8364. An act to amend the joint resolution of March 24, 1937, to provide for the termination of the interest of the United States in certain real property in Allen Park, Mich.;

H.R. 10256. An act to render the assertion of land claims by the United States based upon accretion or avulsion subject to legal and equitable defense to which private persons asserting such claims would be subject;

H.R. 10725. An act to amend the act of August 4, 1950 (64 Stat. 411), entitled "An act relating to the policing of the buildings and grounds of the Library of Congress", to provide salary increases for members of the police force of the Library of Congress, and for other purposes;

H.R. 17864. An act to amend titles 5, 10, and 37, United States Code, to codify recent law, and to improve the code;

H.R. 18612. An act to enact title 44, United States Code, "Public Printing and Documents", codifying the general and permanent laws relating to public printing and documents; and

H.J. Res. 691. Joint resolution extending greetings and felicitations to St. Louis University in the city of St. Louis, Mo., in connection with the 150th anniversary of its founding.

The message also announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2478. An act for the relief of Josefina Policar Abutan Fullar.

The message also announced that the Senate recedes from its amendment to the bill of the House of the following title:

H.R. 13058. An act to repeal certain acts relating to containers for fruits and vegetables, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14096) entitled "An act to amend the Federal Food, Drug, and Cosmetic Act to increase the penalties for unlawful acts involving lysergic acid diethylamide (LSD) and other depressant and stimulant drugs, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (H.R. 15147) entitled "An act to amend the Immigration and Nationality Act to provide for the naturalization of persons who have served in combatant areas in active-duty service in the Armed Forces of the United States, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 19908) entitled "An act making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1969, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 2012. An act to amend the District of Columbia Public School Food Services Act.

POINT OF ORDER

Mr. ASHBROOK. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count.

Mr. ASHBROOK. Mr. Speaker, I withdraw my point of order.

The SPEAKER. The gentleman from Ohio withdraws his point of order.

CONFERENCE REPORT ON H.R. 20300, SUPPLEMENTAL APPROPRIATIONS, 1969

Mr. MAHON submitted the following conference report and statement on the bill (H.R. 20300) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 1972)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 20300) "making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 8, 26, 31, 32, 33, 41, 42, 49, 53, 55, 57, 58, 59, 60, and 61.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 9, 12, 14, 16, 22, 25, 29, 36, 38, 39, 43, 44, 46, 47, 48, 52, 54, 56, 62, 64, 67, 68, and 69; and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$75,000"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$55,000,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$300,000"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$250,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$600,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$68,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$300,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$7,000,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$25,000,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$25,000,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$500,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$625,000"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,000,000"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,000,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,452,000"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$325,000"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$125,000"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,056,000"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$150,000"; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows:

"URBAN MASS TRANSPORTATION ADMINISTRATION

"Salaries and expenses

"For necessary expenses of the Urban Mass Transportation Administration, including uniforms and allowances therefor, as authorized by law (5 U.S.C. 5901–5902); hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109; $150,000, to be derived by transfer from the appropriation for 'Urban mass transportation grants'."

And the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$150,000"; and the Senate agree to the same.

Amendment numbered 70: That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment, as follows: In lieu of the sum of $750,000,000 named in said amendment, insert "$560,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 11, 15, 27, 28, 40, 45, 50, 65, and 71.

GEORGE MAHON,
JAMIE L. WHITTEN,
JOHN J. ROONEY (except as to housing and public assistance items),
OTTO E. PASSMAN,
EDWARD P. BOLAND,
WILLIAM H. NATCHER,
DANIEL J. FLOOD,
JULIA BUTLER HANSEN,
CHARLES R. JONAS,
MELVIN R. LAIRD,
E. A. CEDERBERG,
GARNER E. SHRIVER,
Managers on the Part of the House.

SPESSARD L. HOLLAND,
JOHN O. PASTORE,
LISTER HILL,
JOHN STENNIS,
ROBERT C. BYRD,
GALE W. MCGEE,
KARL E. MUNDT,
MILTON R. YOUNG,
THOMAS H. KUCHEL,
GORDON ALLOTT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 20300) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

CHAPTER I—DEPARTMENT OF AGRICULTURE

Amendment No. 1: Appropriates $75,000 for extension services in the District of Columbia instead of $150,000 as proposed by the Senate.

Amendment No. 2: Appropriates $55,000,000 for "Food stamp program" instead of $40,000,000 as proposed by the House and $90,000,000 as proposed by the Senate.

Amendment No. 3: Appropriates $300,000 for "Commodity Exchange Authority" instead of $400,000 as proposed by the Senate.

Amendment No. 4: Inserts heading.

Amendment No. 5: Appropriates $250,000 for "Farmers Home Administration, salaries and expenses" instead of $955,000 as proposed by the Senate. The conferees have agreed to these extra funds for administrative expenses with the understanding that the additional personnel ceiling needed to cover the positions to be financed from these funds shall not be transferred from any other agency of the Department of Agriculture.

Amendment No. 6: Appropriates $600,000 for "Self-help housing land development fund" instead of $1,000,000 as proposed by the Senate.

Amendment No. 7: Deletes $2,700,000 proposed by the Senate for "Mutual and self-help housing."

CHAPTER II—DISTRICT OF COLUMBIA

Amendment No. 8: Deletes Senate proposal to appropriate $150,000 in Federal funds for the "Commission on Revision of the Criminal Laws of the District of Columbia".

District of Columbia funds

Amendment No. 9: Appropriates $1,049,500 for "General operating expenses" as proposed by the Senate instead of $5,500 as proposed by the House.

Amendment No. 10: Appropriates $68,000 for "Public safety" instead of $136,000 as proposed by the Senate.

CHAPTER III—FOREIGN ASSISTANCE

Amendment No. 11: Reported in technical disagreement. The managers on the part of the House will offer a motion to concur in the amendment with an amendment to appropriate $296,000,000 for "Military assistance, foreign military credit sales" as proposed by the Senate, and to delete language "to remain available until expended".

CHAPTER IV—INDEPENDENT OFFICES

Amendment No. 12: Changes chapter number.

Amendment No. 13: Appropriates $300,000 for "Federal Trade Commission, salaries and expenses" instead of $200,000 as proposed by the House and $400,000 as proposed by the Senate.

Amendment No. 14: Appropriates $748,000 for "Operating expenses, National Archives and Records Service" as proposed by the Senate.

Amendment No. 15: Reported in technical disagreement. The managers on the part of the House will offer a motion to concur in the amendment to appropriate $40,000 for "Allowances and office facilities for former Presidents" including expenses of travel for former Presidents and not to exceed two members of their staffs as proposed by the Senate.

Amendment No. 16: Appropriates $200,000 for "Securities and Exchange Commission, salaries and expenses" as proposed by the Senate.

Department of Housing and Urban Development

Amendments Nos. 17, 18, and 19: Appropriate $7,000,000 for payments under contracts for homeownership and rental housing assistance instead of $5,000,000 as proposed by the House and $11,500,000 as proposed by the Senate; authorize $25,000,000 for annual contract authorization for homeownership assistance instead of $15,000,000 as proposed by the House and $75,000,000 as proposed by the Senate; and authorize $25,000,000 for annual contract authorization for rental housing assistance instead of $15,000,000 as proposed by the House and $75,000,000 as proposed by the Senate.

Amendment No. 20: Appropriates $500,000 for "Low and moderate income sponsor fund" instead of $2,000,000 as proposed by the Senate.

Amendment No. 21: Appropriates $625,000 for "Federal Housing Administration, salaries and expenses" for regulation of interstate sale of land instead of $1,250,000 as proposed by the Senate.

Amendment No. 22: Deletes language proposed by the House and inserts language proposed by the Senate and authorizes $350,000 for administrative expenses and $3,500,000 for nonadministrative expenses, Federal Housing Administration as proposed by the Senate instead of $3,500,000 for nonadministrative expenses as proposed by the House.

Amendment No. 23: Appropriates $2,000,000 for the Fair Housing Program instead of $1,000,000 as proposed by the House and $7,000,000 as proposed by the Senate.

Amendment No. 24: Authorizes $3,000,000 annual contract authorization for College Housing instead of $2,500,000 as proposed by the House and $4,000,000 as proposed by the Senate.

Amendment No. 25: Inserts heading.

Amendment No. 26: Deletes language proposed by the Senate relating to certain expenditures under the Government Corporation Control Act.

Amendment No. 27: Reported in technical disagreement. The managers on the part of the House will offer a motion changing the title of the Office of Emergency Planning to Office of Emergency Preparedness as proposed by the Senate.

Amendment No. 28: Reported in technical disagreement. The managers on the part of the House will offer a motion to concur in the amendment inserting language extending to three years the time permitted for certain holding companies to divest themselves of certain uninsured savings and loan institutions as proposed by the Senate.

CHAPTER V—DEPARTMENT OF THE INTERIOR

Amendment No. 29: Changes chapter number.

Amendment No. 30: Appropriates $1,452,000 for "Bureau of Indian Affairs, education and welfare services" instead of $752,000 as proposed by the House and $2,452,000 as proposed by the Senate. The increase over the House amount is for costs in connection with the conversion of the Lewis and Clark Job Corps Center.

Amendment No. 31: Provides for a repayable advance of $53,000,000 to the "Land and Water Conservation Fund" as proposed by the House instead of $92,000,000 as proposed by the Senate.

Amendment No. 32: Appropriates $55,500,000 for "Land and water conservation" as proposed by the House instead of $94,500,000 as proposed by the Senate.

Amendment No. 33: Provides $46,000,000 for liquidation of contract authorization under "Land and water conservation" as proposed by the House instead of $85,000,000 as proposed by the Senate.

National Park Service

Amendment No. 34: Appropriates $325,000 for "Management protection" instead of $100,000 as proposed by the House and $421,000 as proposed by the Senate. The increase over the House amount is for the North Cascades National Park.

Amendment No. 35: Appropriates $125,000 for "Maintenance and rehabilitation of physical facilities" instead of $50,000 as proposed by the House and $169,000 as proposed by the Senate. The increase over the House amount is for the North Cascades National Park.

Department of Health, Education and Welfare

Amendment No. 36: Appropriates $850,000 for "Public Health Service, Indian health activities" as proposed by the Senate.

Amendment No. 37: Appropriates $4,056,000 for "Public Health Service, construction of Indian health facilities" instead of $3,350,000 as proposed by the House and $4,944,000 as proposed by the Senate. The increase over the House amount is for participation in the construction of a community hospital in Juneau, Alaska.

CHAPTER VI—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Amendment No. 38: Changes chapter number.

Amendment No. 39: Inserts heading.

Amendment No. 40: Reported in technical disagreement. The Managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment which will have the effect of making available, by transfer from funds available for the purposes of title III of the Elementary and Secondary Education Act, $1,000,000 for planning and implementation of the program authorized by the Handicapped Children's Early Education Assistance Act (Public Law 90–538) instead of $3,000,000 for planning the implementation of any new and expanded programs of the Office of Education under legislation enacted during the second session of the 90th Congress.

Amendment No. 41: Strikes the appropriation of $7,741,000 for "Higher Educational Activities", Office of Education, proposed by the Senate.

Amendment No. 42: Appropriates $5,000,000 for "Juvenile Delinquency Prevention and Control," Social and Rehabilitation Service, as proposed by the House instead of $12,000,000 as proposed by the Senate. The conferees are agreed that the amount allowed includes $650,000 for support of the President's Commission on the Causes and Prevention of Violence.

CHAPTER VII—LEGISLATIVE BRANCH

Amendments Nos. 43 and 44: Change chapter number and insert a heading.

Amendment No. 45: Reported in technical disagreement. The managers on the part of the House will offer a motion to concur in the amendment.

Amendment No. 46: Appropriates $11,250 for miscellaneous items of the Senate.

Amendment No. 47: Appropriates $34,000 for "Capitol police, general expenses" as proposed by the Senate.

CHAPTER VIII—PUBLIC WORKS

Amendment No. 48: Inserts chapter heading.

Department of Defense—Civil

Department of the Army

Corps of Engineers—Civil

Construction, General

Amendment No. 49: Deletes language proposed by the Senate authorizing the provision of protection to historic archeological finds at the Marmes Rock Shelter area in connection with the construction of the Lower Monumental Lock and Dam project, Washington.

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Upper Colorado River Storage Project

Amendment No. 50: Reported in technical disagreement. The managers on the part of the House will offer an amendment to appropriate for the Upper Colorado River Basin Fund, $2,200,000, together with $500,000 to be derived by transfer to the Fund from funds available under section 8, for payment of contractor claims, instead of a direct appropriation of $2,700,000 as proposed by the Senate. The transfer shall be made from available unobligated balances of section 8 funds and shall not affect the amounts programed for project construction during the current fiscal year under the Upper Colorado River Basin Fund.

INDEPENDENT OFFICES

National Water Commission

Salaries and Expenses

Amendment No. 51: Inserts heading and appropriates $150,000 for salaries and expenses instead of $300,000 as proposed by the Senate.

CHAPTER IX—STATE, JUSTICE, COMMERCE, AND THE JUDICIARY

Amendment No. 52: Inserts chapter number and heading.

Department of Justice

Amendment No. 53: Deletes the proposal of the Senate to appropriate $136,000 for "Salaries and expenses, general administration."

Department of Commerce

Amendment No. 54: Inserts heading.

Amendment No. 55: Deletes the proposal of the Senate to provide $210,000 for "State marine schools".

Amendment No. 56: Appropriates $500,000 for "Foreign direct investment control" as proposed by the Senate.

The Judiciary

Amendment No. 57: Deletes heading.

Amendment No. 58: Deletes the proposal of the Senate to appropriate $51,000 for "Salaries of judges". Funds are presently available for the payment of salaries of judges. Later on in the fiscal year a more accurate determination can be made as to any additional amount needed for this purpose.

Amendment No. 59: Deletes the proposal of the Senate to appropriate $38,000 for "Salaries of supporting personnel".

Amendment No. 60: Deletes the proposal of the Senate to appropriate $45,000 for "Travel and miscellaneous expenses".

Amendment No. 61: Deletes the proposal of the Senate to appropriate $15,000 for "Administrative Office of the United States Courts".

CHAPTER X—DEPARTMENT OF TRANSPORTATION

Amendment No. 62: Changes chapter number.

Amendment No. 63: Provides $150,000 to be derived by transfer for administrative expenses of the Urban Mass Transportation Administration instead of $300,000 as proposed by the House.

CHAPTER XI—TREASURY DEPARTMENT

Amendment No. 64: Changes chapter number.

Amendment No. 65: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment to provide Secret Service protection for the widow of a former President until her death or remarriage and for minor children of a former President until they reach sixteen years of age.

Amendment No. 66: Appropriates $150,000 for the Council of Economic Advisers instead of $200,000 as proposed by the Senate.

CHAPTER XII—CLAIMS AND JUDGMENTS

Amendment No. 67: Changes chapter number.

CHAPTER XIII—GENERAL PROVISIONS

Amendment No. 68: Changes chapter number.

Amendment No. 69: Changes section number.

Amendment No. 70: Inserts Senate language proposal relating to Commodity Credit Corporation and grants to States for public assistance but retains amounts as set forth in the House bill: $907,000,000 for Commodity Credit Corporation and $560,000,000 for grants to States for public assistance.

Amendment No. 71: Reported in technical disagreement. The managers on part of the House will offer a motion to appropriate $100,000 for the National Council on Indian Opportunity instead of providing a total authorization of $275,000 by transfers as proposed by the Senate.

George Mahon,
Jamie L. Whitten,
John J. Rooney (except
as to housing and Public assistance items),
Otto E. Passman,
Edward P. Boland,
William H. Natcher,
Daniel J. Flood,
Julia Butler Hansen,
Charles R. Jonas,
Melvin R. Laird,
E. A. Cederberg,
Garner E. Shriver,
Managers on the Part of the House.

Mr. MAHON. Mr. Speaker, I call up the conference report on the bill (H.R. 20300) making supplemental appropriations for the fiscal year ending June 30, 1969, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

The SPEAKER. The gentleman from Texas is recognized for 1 hour.

Mr. MAHON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is the final appropriation bill of the year, except for the Defense bill which is scheduled to be called up presently and which is ready for presentation to the House.

The conference on the supplemental was agreed on at noon today. It provides a total of $446,688,727 in new budget authority.

The bill as passed by the House contained $123,532,907. It is a legitimate question to ask why the increase over the House of $323,155,820. Well, this is due primarily to the fact that the other body considered budget estimates that were not considered by the House of Representatives in the amount of $469,829,000. The biggest of the items considered by the other body but not by the House was $296,000,000 for foreign military sales. This was submitted directly to the other body, since authorizing legislation was not available when this bill passed the House. The other body considered those estimates, and the other body also considered and denied funds for the International Development Association amounting to $160 million.

The amount aproved by the conferees is only $27 million above the House for all of the items in the bill other than the $296 million for military sales not considered by the House. We have been engaged in the sale of military equipment over the years. The authorization law has been changed and has been extended. This program will contribute to our balance-of-payments account. Various countries of the world are going to buy a certain amount of military equipment. The question is—shall they have the opportunity to buy some of this equipment from the United States, or shall they buy from France, or shall they buy from Germany, or shall they buy from England? It is considered that this is a desirable piece of legislation by the majority of the Congress and certainly by the administration. Accordingly, we approved the necessary funds in conference for this purpose.

I would say one of the very, very important features of this bill is that provision which exempts expenditures of the Commodity Credit Corporation and the public assistance programs principally medicaid, from the operation of the Revenue and Expenditure Control Act of 1968.

Mr. Speaker, the House language on these exemptions was modified somewhat, although not in any significant way. The House figures were adopted by the conference for both purposes. It may be that the estimate for public assistance expenditures given to the House by the Department of HEW was too low. It is certainly not the intention of the House conferees that the conference agreement should work an undue hardship on the Department of HEW. Perhaps this problem may have to be considered again at the next session in order that these public assistance programs can be carried out so that the uncontrollable expenditures will not force total expenditure reductions in the non-exempted areas to exceed the $6 billion goal contemplated in the law.

Mr. Speaker, under leave granted, may I add that the other body concurred with the House in providing the full $5 million appropriation for the Eisenhower College at Seneca Falls, N.Y.

This is a memorial to a great American who has devoted his life to the service of his Nation.

This has been a bipartisan undertaking. We ask our Presidents, irrespective of party, to bear many burdens for the public good. Today, we honor one such President with a memorial in the form of a gift to a college bearing his name. I would hope that notwithstanding our preoccupation with our many international and domestic problems, this action will be applauded by the American people generally.

The other body added language to provide protection to the families of former Presidents which was accepted by the House conferees and is in this conference agreement.

The bill authorizes the U.S. Secret Service to protect the widow of any former President until her death or remarriage and the minor children of a former President until they reach the age of 16 years, unless such protection is declined.

It has taken the tragedies of recent years to make us aware of the need to expand Secret Service protection to the families of our deceased Presidents. The FBI and the Secret Service have shown us vivid evidence that the wives and minor children of former Presidents continue to be exposed to threats, harassments, curiosity seekers, and other risks.

The language we adopt today will continue the existing protection afforded Mrs. Kennedy and the two Kennedy children. When the unhappy day comes that former President Truman or General Eisenhower is no longer with us—and we all pray that day is far away—the bill would provide authority to protect Mrs. Truman and Mrs. Eisenhower for as long as they need or wish this assistance.

Happily, President Johnson and our beloved First Lady are in excellent health but we must legislate for all possible eventualities. The passage of this provision will insure that no First Family will ever lack the protection of a grateful Nation—and this is appropriate.

The House conferees have also concurred in two amendments of the other body relating to activities of the General Services Administration.

The amount of $748,000 has been added for the National Archives and Records Service. These funds will be used for the operation and maintenance of the six Presidential libraries.

Much has been learned over the years about the need to preserve our Presidential documents and papers. I am advised that the Lincoln papers of 100 years ago were often sold by distant relatives and are scattered through many private collections.

Presidential papers are a legacy of infinite value. Each President's papers should be collected in a single location for the education of the public as a whole and as a tool of scholarly research.

These Presidential papers will continue to increase. Our living former Presidents still receive enormous volumes of correspondence and conduct activities which result in papers and other memorabilia of historical significance. For example, I am advised that former President Eisenhower still receives approximately 50,000 letters annually. It is estimated that President Johnson will receive more than 100,000 letters next year.

Each former President has a staff allowance of $80,000 for personnel to assist him in the processing and answering of mail. But this is only one of the many functions this small staff must perform. I am told that President Eisenhower's staff has substantial difficulty keeping up with the correspondence they receive and cataloging the papers for eventual inclusion in the Eisenhower Library.

It is in the national interest that all important papers go to the Presidential libraries as their final repository. For this reason, GSA library personnel must be available to work with former Presidents and their staffs to insure that no papers or correspondence are inadvertently lost or mishandled. The appropriation in this conference agreement will enable the employment of sufficient personnel to perform this service and will pay their necessary expenses in connection with the operation and maintenance of the various Presidential libraries.

This is to be a continuing, permanent activity. GSA has estimated the allocations for each library during the remainder of fiscal year 1969—although actual expenditures may vary as needs are shown. They will be employing expert library personnel and must have assurance that these people may be retained in future years. We have been advised by GSA that they will be guided in their request for funds for fiscal year 1970 and succeeding years by the recommendations of the director of each library—an archivist who is a career public servant.

An additional $40,000 has been appropriated for the General Services Administration to provide funds for reimbursement for travel and related expenses of former Presidents and two members of their staffs. This will not provide any funds for President Johnson and his staff during the current fiscal year 1969. His expenses of this nature are covered by the Presidential Transition Act for the remainder of this fiscal year.

It will, however, immediately apply to Presidents Truman and Eisenhower and their staffs. Former Presidents are entitled to travel by military aircraft. But when their staff members precede them in advance on trips, there is no means by which they may be compensated. There is also no provision under existing law by which a former President may be reimbursed for travel by private conveyance—even though it may often be less expensive than government transportation.

The language contained in this bill provides for these situations. The provision agreed upon provides permanent authority for GSA to reimburse former Presidents and two staff members for travel and related expenses. Annual requests for funds will be made by the General Services Administration on the basis of anticipated need as a part of their budget for allowances and office facilities for former Presidents. It is impossible to predict just what travel sums may actually be necessary. If the funds are not used for the purposes set forth, they will remain in the Treasury.

This I think generally covers the report of the Managers on the part of the House. Copies of the bill as considered by the conference committee are available to all Members here today for further review.

Mr. Speaker, I yield to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Speaker, as the distinguished chairman of the committee has stated, this conference report is above the House-passed bill. That requires some explanation. The gentleman from Texas has explained it in a satisfactory way. Let me just briefly, for the RECORD, review the figures for the RECORD.

Mr. Speaker, the House considered budget estimates amounting to $270 million. The other body considered budget estimates amounting to $740 million. The House approved $123 million of the budget request submitted to our side of the Capitol. The other body approved $515 million, an increase of $392 million. But one must bear in mind that several large items were sent to the other body after the House had acted on the supplemental budget request.

Mr. Speaker, in my opinion the conference committee has worked out a good compromise. It submits to the House today a bill which contains a total of $446 million. The conference report is $293 million below the estimates that went to the Senate. It is $323 million above the House-passed bill and it is $68 million below the Senate-passed bill.

If you eliminate the $296 million for military sales, you will find that the conference report is only $27 million above the House-passed bill for the other items in the bill.

I suppose it is fair to say that no one who attends a conference with the other body, and who does not bring back a bill exactly as it passed the House, is entirely satisfied with the results. But it must be remembered that the Congress is composed of two co-equal and coordinate branches and we on the House side cannot always have our way. Also, neither can the other body expect to have its way completely. We have to meet in conference and iron out the differences and arrive at a compromise. Personally, I believe that the compromise we have worked out in conference on this bill is reasonably satisfactory to the House conferees as well as the Senate conferees. I gladly join the chairman of the Committee on Appropriations in recommending to this body the adoption of the conference report.

Mr. MAHON. Mr. Speaker, at this time, under leave granted, I am placing in the RECORD a table which sets forth the action taken by the House, the Senate and the conferees on each item considered in this supplemental bill:

SUPPLEMENTAL APPROPRIATION BILL, 1969 (H.R. 20300)—CONFERENCE SUMMARY

H. Doc. No.	Department or activity	Budget estimates	House bill	Senate bill	Conference action	Conference action compared with— Budget estimates	House bill	Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
	CHAPTER I							
	DEPARTMENT OF AGRICULTURE							
	Extension Service:							
	Cooperative extension work, payments and expenses:							
393	Payments to States and Puerto Rico	$150,000	([1])	$150,000	$75,000	−$75,000	+$75,000	−$75,000
	Consumer and Marketing Service:							
393	Consumer protective, marketing, and regulatory programs	2,000,000	([1])			−2,000,000		
393	Food stamp program	90,000,000	$40,000,000	90,000,000	55,000,000	−35,000,000	+15,000,000	−35,000,000
	Commodity Exchange Authority:							
318	Salaries and expenses	600,000	([1])	400,000	300,000	−300,000	+300,000	−100,000
	Agricultural Stabilization and Conservation Service:							
393	Indemnity payments to dairy farmers	300,000	300,000	300,000	300,000			
	Farmers Home Administration:							
393	Salaries and expenses	1,325,000	([1])	955,000	250,000	−1,075,000	+250,000	−705,000
393	Self-help housing land development fund	1,000,000	([1])	1,000,000	600,000	−400,000	+600,000	−400,000
393	Mutual and self-help housing	2,700,000	([1])	2,700,000		−2,700,000		−2,700,000
393	Housing for rural trainees	4,500,000	([1])			−4,500,000		
	Total, chapter I	102,575,000	40,300,000	95,505,000	56,525,000	−46,050,000	+16,225,000	−38,980,000
	CHAPTER II							
	DISTRICT OF COLUMBIA							
	FEDERAL FUNDS							
393	Loans to the District of Columbia for capital outlay	8,562,000	7,902,000	7,902,000	7,902,000	−660,000		
	DISTRICT OF COLUMBIA FUNDS							
393 and S. 109	General operating expenses	*(1,411,000)*	*(5,500)*	*(1,049,500)*	*(1,049,500)*	*(−361,500)*	*(+1,044,000)*	
S. 109	Public safety	*(136,000)*		*(136,000)*	*(68,000)*	*(−68,000)*	*(+68,000)*	*(−68,000)*
393	Settlements of claims and suits	*(27,900)*	*(27,900)*	*(27,900)*	*(27,900)*			
393	Capital outlay	*(11,250,000)*	*(10,590,000)*	*(10,590,000)*	*(10,590,000)*	*(−660,000)*		
	Total District of Columbia funds	*(12,824,900)*	*(10,623,400)*	*(11,803,400)*	*(11,735,400)*	*(−1,089,500)*	*(+1,112,000)*	*(−68,000)*
	COMMISSION ON THE REVISION OF THE CRIMINAL LAWS OF THE DISTRICT OF COLUMBIA							
393	Salaries and expenses	150,000		150,000		−150,000		−150,000
	Total, chapter II	8,712,000	7,902,000	8,052,000	7,902,000	−810,000		−150,000

See footnotes at end of table.

SUPPLEMENTAL APPROPRIATION BILL, 1969 (H.R. 20300)—CONFERENCE SUMMARY—Continued

H. Doc. No.	Department or activity	Budget estimates	House bill	Senate bill	Conference action	Conference action compared with— Budget estimates	House bill	Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
	CHAPTER III							
	FOREIGN ASSISTANCE							
	FUNDS APPROPRIATED TO THE PRESIDENT							
	MILITARY ASSISTANCE							
S. 109	Foreign military credit sales	$296,000,000		$296,000,000	$296,000,000		$+296,000,000	
	INTERNATIONAL FINANCIAL INSTITUTIONS							
S. 109	Subscription to International Development Association	160,000,000				−$160,000,000		
	Total, chapter III	456,000,000		296,000,000	296,000,000	−160,000,000	+296,000,000	
	CHAPTER IV							
	INDEPENDENT OFFICES							
	FEDERAL TRADE COMMISSION							
393	Salaries and expenses	400,000	$200,000	400,000	300,000	−100,000	+100,000	−$100,000
	GENERAL SERVICES ADMINISTRATION							
393	Construction, public buildings projects	(6,000,000)	(6,000,000)	(6,000,000)	(6,000,000)			
S. 109	Operating expenses, National Archives and Records Service	748,000		748,000	748,000		+748,000	
S. 109	Allowances and office facilities for former Presidents	40,000		40,000	40,000		+40,000	
	NATIONAL COMMISSION ON CONSUMER FINANCE							
393	Salaries and expenses	375,000				−375,000		
	SECURITIES AND EXCHANGE COMMISSION							
393	Salaries and expenses	200,000		200,000	200,000		+200,000	
	Total, independent offices	1,763,000	200,000	1,388,000	1,288,000	−475,000	+1,088,000	−100,000
	DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT							
	MORTGAGE CREDIT							
	Homeownership and rental housing assistance:							
	Limitation for annual contract authorization:							
393	*Homeownership assistance*	(75,000,000)	(15,000,000)	(75,000,000)	(25,000,000)	(−50,000,000)	(+10,000,000)	(−50,000,000)
393	*Rental housing assistance*	(75,000,000)	(15,000,000)	(75,000,000)	(25,000,000)	(−50,000,000)	(+10,000,000)	(−50,000,000)
393	Appropriation for payments	11,500,000	5,000,000	11,500,000	7,000,000	−4,500,000	+2,000,000	−4,500,000
393	Salaries and expenses	6,500,000		1,250,000	625,000	−5,875,000	+625,000	−625,000
393	Low and moderate income sponsor fund	5,000,000		2,000,000	500,000	−4,500,000	+500,000	−1,500,000
	Federal Housing Administration:							
393	*Limitation on administrative expenses*	(350,000)		(350,000)	(350,000)		(+350,000)	
393	*Limitation on nonadministrative expenses*	(5,350,000)	(3,500,000)	(3,500,000)	(3,500,000)	(−1,850,000)		
	DEPARTMENTAL MANAGEMENT							
393	Fair housing program	8,000,000	1,000,000	7,000,000	2,000,000	−6,000,000	+1,000,000	−5,000,000
	RENEWAL AND HOUSING ASSISTANCE							
393	*College Housing*	(7,500,000)	(2,500,000)	(4,000,000)	(3,000,000)	(−4,500,000)	(+500,000)	(−1,000,000)
393	*Salaries and expenses*	1,250,000	500,000	500,000	500,000	−750,000		
393	Grants for tenant services	15,000,000				−15,000,000		
	METROPOLITAN DEVELOPMENT							
393	Planned areawide development	5,000,000				−5,000,000		
393	Salaries and expenses	670,000				−670,000		
	FEDERAL INSURANCE PROGRAMS							
393	Flood insurance	1,500,000	1,500,000	1,500,000	1,500,000			
	SPECIAL INSTITUTION							
393	National Homeownership Foundation	250,000				−250,000		
	Total, Department of Housing and Urban Development	54,670,000	8,000,000	23,750,000	12,125,000	−42,545,000	+4,125,000	−11,625,000
	Total, chapter IV, new budget (obligational) authority	56,433,000	8,200,000	25,138,000	13,413,000	−43,020,000	+5,213,000	−11,725,000
	CHAPTER V							
	DEPARTMENT OF THE INTERIOR							
	BUREAU OF INDIAN AFFAIRS							
318	Education and welfare services	10,752,000	752,000	2,452,000	1,452,000	−9,300,000	+700,000	−1,000,000
	BUREAU OF OUTDOOR RECREATION							
393	Land and water conservation fund:							
	Appropriation (repayable advance to the fund)	(92,000,000)	(53,000,000)	(92,000,000)	(53,000,000)	(−39,000,000)		(−39,000,000)
	Appropriation of receipts (indefinite)	2,550,000	2,500,000	2,500,000	2,500,000	−50,000		
	Appropriation out of the fund (not including liquidation cash)	7,000,000	7,000,000	7,000,000	7,000,000			
	(Appropriation out of the fund to liquidate contract authorization)	[3] (85,000,000)	[2] (46,000,000)	[3] (85,000,000)	[3] (46,000,000)	(−39,000,000)		(−39,000,000)
	Total, Bureau of Outdoor Recreation	9,550,000	9,500,000	9,500,000	9,500,000	−50,000		

See footnotes at end of table.

SUPPLEMENTAL APPROPRIATION BILL, 1969 (H.R. 20300)—CONFERENCE SUMMARY—Continued

H. Doc. No.	Department or activity	Budget estimates	House bill	Senate bill	Conference action	Conference action compared with—		
						Budget estimates	House bill	Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
	CHAPTER V—Continued							
	DEPARTMENT OF THE INTERIOR—Continued							
	NATIONAL PARK SERVICE							
393 and S. 109	Management and protection	$421,000	$100,000	$421,000	$325,000	−$96,000	+$225,000	−$96,000
393 and S. 109	Maintenance and rehabilitation of physical facilities	169,000	50,000	169,000	125,000	−44,000	+75,000	−44,000
	Total, National Park Service	590,000	150,000	590,000	450,000	−140,000	+300,000	−140,000
	Total, Department of the Interior	20,892,000	10,402,000	12,542,000	11,402,000	−9,490,000	+1,000,000	−1,140,000
	DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE							
	HEALTH SERVICES							
	Contract medical care			850,000	850,000	+850,000	+850,000	
393	Construction of Indian health facilities	4,238,000	3,350,000	4,944,000	4,056,000	−182,000	+706,000	−888,000
	Total, chapter V	25,130,000	13,752,000	18,336,000	16,308,000	−8,822,000	+2,556,000	−2,028,000
	CHAPTER VI							
	DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE							
	OFFICE OF EDUCATION							
S. 109	Elementary and secondary educational activities	*(3,000,000)*		*(3,000,000)*	*(1,000,000)*	*(−2,000,000)*	*(+1,000,000)*	*(−2,000,000)*
	HIGHER EDUCATIONAL ACTIVITIES							
S. 109	Higher educational activities	12,741,000		7,741,000		−12,741,000		−7,741,000
	SOCIAL AND REHABILITATION SERVICE							
393	Juvenile delinquency prevention and control	19,200,000	5,000,000	12,000,000	5,000,000	−14,200,000		−7,000,000
	Total, chapter VI	31,941,000	5,000,000	19,741,000	5,000,000	−26,941,000		−14,741,000
	CHAPTER VII							
	LEGISLATIVE BRANCH							
	SENATE							
	SALARIES, OFFICERS AND EMPLOYEES							
	Office of the Secretary			16,570	16,570	+16,570	+16,570	
	CONTINGENT EXPENSES OF THE SENATE							
	Miscellaneous items			11,250	11,250	+11,250	+11,250	
	HOUSE OF REPRESENTATIVES							
	Gratuity to widows of deceased Members		60,000	60,000	60,000	+60,000		
	CONTINGENT EXPENSES OF THE HOUSE							
393	Reporting hearings	145,000	145,000	145,000	145,000			
	JOINT ITEMS							
393	Joint Committee on Defense Production	8,630	8,630	8,630	8,630			
393	Education of pages	18,581	18,581	18,581	18,581			
	CAPITOL POLICE							
	General expenses			34,000	34,000	+34,000	+34,000	
	LIBRARY OF CONGRESS							
393	Salaries and expenses	200,000	200,000	200,000	200,000			
	Total, chapter VII	372,211	432,211	494,031	494,031	+121,820	+61,820	
	CHAPTER VIII							
	DEPARTMENT OF THE INTERIOR—PUBLIC WORKS							
	BUREAU OF RECLAMATION							
393	Upper Colorado River storage project	2,700,000		2,700,000	2,200,000	−500,000	+2,200,000	−500,000
	NATIONAL WATER COMMISSION							
393	Salaries and expenses	500,000		300,000	150,000	−350,000	+150,000	−150,000
	Total, chapter VIII	3,200,000		3,000,000	2,350,000	−850,000	+2,350,000	−650,000
	CHAPTER IX							
	DEPARTMENT OF JUSTICE							
	LEGAL ACTIVITIES AND GENERAL ADMINISTRATION							
393	Salaries and expenses, general administration	136,000		136,000		−136,000		−136,000
393	Salaries and expenses, general legal activities	300,000				−300,000		
	Total, legal activities and general administration	436,000		136,000		−436,000		−136,000

See footnotes at end of table.

SUPPLEMENTAL APPROPRIATION BILL, 1969 (H.R. 20300)—CONFERENCE SUMMARY—Continued

H. Doc. No.	Department or activity	Budget estimates	House bill	Senate bill	Conference action	Conference action compared with— Budget estimates	Conference action compared with— House bill	Conference action compared with— Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
	CHAPTER IX—Continued							
	DEPARTMENT OF JUSTICE—Continued							
	FEDERAL PRISON SYSTEM							
393	Salaries and expenses, Bureau of Prisons	$2,000,000				−$2,000,000		
393	Support of U.S. prisoners	2,000,000				−2,000,000		
	Total, Federal prison system	4,000,000				−4,000,000		
	Total, Department of Justice	4,436,000		$136,000		−4,436,000		−$136,000
	DEPARTMENT OF COMMERCE							
	ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION							
393	Salaries and expenses (*increase in limitation*)	*(147,000)*				*(−147,000)*		
	MARITIME ADMINISTRATION							
393	State marine schools (by transfer)	*(210,000)*		*(210,000)*		*(−210,000)*		*(−210,000)*
	FOREIGN DIRECT INVESTMENT CONTROL							
393	Salaries and expenses	750,000		500,000	$500,000	−250,000	+$500,000	
	Total, Department of Commerce	750,000		500,000	500,000	−250,000	+500,000	
	THE JUDICIARY							
	COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES							
393	Salaries of judges	230,000		51,000		−230,000		−51,000
393	Salaries of supporting personnel	1,062,000		38,000		−1,062,000		−38,000
393	Travel and miscellaneous expenses	630,000		45,000		−630,000		−45,000
393	Administrative Office of the U.S. Courts	66,000		15,000		−66,000		−15,000
	Total, the judiciary	1,988,000		149,000		−1,988,000		−149,000
	Total, chapter IX	7,174,000		785,000	500,000	−6,674,000	+500,000	−285,000
	CHAPTER X							
	DEPARTMENT OF TRANSPORTATION							
	OFFICE OF THE SECRETARY							
393	Salaries and expenses	500,000	$250,000	250,000	250,000	−250,000		
	FEDERAL AVIATION ADMINISTRATION							
393	Operations	4,200,000	4,000,000	4,000,000	4,000,000	−200,000		
	FEDERAL RAILROAD ADMINISTRATION							
393	Alaska Railroad revolving fund	580,000	580,000	580,000	580,000			
	URBAN MASS TRANSPORTATION ADMINISTRATION							
393	Salaries and expenses (by transfer)	*(665,000)*	*(300,000)*		*(150,000)*	*(−515,000)*	*(−150,000)*	*(+150,000)*
	Total, chapter X	5,280,000	4,830,000	4,830,000	4,830,000	−450,000		
	CHAPTER XI							
	TREASURY DEPARTMENT							
	BUREAU OF ACCOUNTS							
393	Salaries and expenses	1,878,000	1,878,000	1,878,000	1,878,000			
	INTERNAL REVENUE SERVICE							
393	Compliance	1,575,000	1,000,000	1,000,000	1,000,000	−575,000		
	EISENHOWER COLLEGE GRANTS							
393	Construction, repair, and equipment grants	5,000,000	5,000,000	5,000,000	5,000,000			
	Total, Treasury Department	8,453,000	7,878,000	7,878,000	7,878,000	−575,000		
	EXECUTIVE OFFICE OF THE PRESIDENT							
	COUNCIL OF ECONOMIC ADVISERS							
S.Doc. 80	Salaries and expenses	[3] *(350,000)*		200,000	150,000	+150,000	+150,000	−50,000
	Total, chapter XI	8,453,000	7,878,000	8,078,000	8,028,000	−425,000	+150,000	−50,000
	CHAPTER XII							
393	Claims and judgments	35,238,696	35,238,696	35,238,696	35,238,696			
	CHAPTER XIII							
	GENERAL PROVISIONS							
	INDEPENDENT OFFICE							
	National Council on Indian Opportunity, salaries, and expenses				100,000	+100,000	+100,000	+100,000
	Grand total, all chapters	740,508,907	123,532,907	515,197,727	446,688,727	[4]−293,820,180	+323,155,820	−68,509,000

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[1] Consideration postponed until next January.
[2] Not to exceed this amount of the total repayable advance.
[3] Estimate was included in the Treasury-Post Office appropriation bill, 1969.
[4] It is estimated that this will result in a reduction of approximately $187,500,000 in budgeted 1969 expenditures.

Mr. BARRETT. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Mr. Speaker, let me say at the outset that the conferees on the supplemental appropriation bill have shown a constructive approach to the problems of our towns and cities and of our lower income families by its action. I am sure we are all pleased that some funds are included to inaugurate the homeownership aid provision of the Housing and Urban Development Act of 1968, but as one who worked all of this session of Congress in hammering out that program, I sincerely feel that a larger authorization is needed.

The original proposal was amended in both the House and the Senate to provide that interest subsidies for homeownership could be used for the existing supply of decent, safe, and sanitary housing, for high priority categories such as those displaced by Government programs. Because of this authority in the law as enacted—an amendment which had strong bipartisan support—the homeownership program can go into effect very quickly. Over and beyond that, it is vitally important that the Department be in a position to enter into contracts immediately for the construction or rehabilitation of decent homes for low-income families so that they will be available as soon as possible.

The conference report also includes funds for the new program of interest subsidies for rental and cooperative housing. Here again, I feel that there is an urgent need for a larger figure. In the basic authorization, it was made clear that these contracts would apply not only to additional housing but that it was in the interest of the Government to transfer some projects now being developed for low-income families and for housing for the elderly to this new approach. By doing so, we would relieve the current budget of the heavy impact of direct loan programs and also make it possible for lower income families and senior citizens to have the benefit of this housing since the subsidy approach can reduce the financing costs to as low as 1 percent in place of the 3 percent that prevails on direct loans. I believe it would benefit all of us to provide a larger authorization for this new program.

Mr. Speaker, the conference report does include some funds to enable the Department of Housing and Urban Development to cary out its responsibilities under the fair housing provisions of the Civil Rights Act of 1968, but again, a much higher figure is needed. Considering the scope of the Department's responsibilities and the importance of sound administration of this authority, the full administration request should have been granted.

In view of the fact that we are at the end of this session, it is important that this bill be approved today to get these programs underway. Hopefully, when the new Congress meets next January, we will appropriate the balance of the funds authorized.

Mr. MAHON. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The **SPEAKER.** The question is on the conference report.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. ASHBROOK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER.** Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 209, nays 12, not voting 210, as follows:

[Roll No. 426]

YEAS—209

Abernethy
Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Barrett
Bates
Betts
Biester
Bingham
Boggs
Boland
Bolling
Bolton
Bray
Brinkley
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, Va.
Buchanan
Burke, Mass.
Burleson
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cahill
Carey
Cederberg
Chamberlain
Clark
Clawson, Del
Cleveland
Cohelan
Colmer
Conable
Conte
Conyers
Corbett
Cramer
Culver
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dellenback
Dole
Donohue
Dorn
Downing
Dulski
Duncan
Eckhardt
Edmondson
Erlenborn
Fallon
Feighan
Findley
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Griffin
Griffiths
Grover
Gubser
Gude
Halpern
Hanley
Hansen, Wash.
Hardy
Harrison
Hechler, W. Va.
Horton
Hosmer
Hunt
Irwin
Jarman
Joelson
Johnson, Pa.
Jonas
Jones, Ala.
Karth
Kazen
King, N.Y.
Kluczynski
Kornegay
Laird
Latta
Lennon
Lloyd
Long, Md.
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McMillan
MacGregor
Machen
Mahon
Marsh
Matsunaga
May
Meskill
Miller, Ohio
Mills
Minish
Mink
Mize
Monagan
Moore
Morgan
Morse, Mass.
Morton
Murphy, Ill.
Murphy, N.Y.
Natcher
Nelsen
O'Hara, Mich.
O'Konski
O'Neal, Ga.
Passman
Patten
Pelly
Perkins
Philbin
Pike
Pirnie
Poage
Poff
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes, Pa.
Riegle
Rivers
Rodino
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roth
Roybal
Rumsfeld
St. Onge
Sandman
Satterfield
Saylor
Scherle
Schneebeli
Schwengel
Scott
Shriver
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Staggers
Stanton
Steiger, Wis.
Stubblefield
Teague, Calif.
Tenzer
Thompson, Ga.
Tiernan
Tuck
Udall
Vanik
Waggonner
Wampler
Watson
Watts
Whalen
Whalley
Whitten
Wilson, Bob
Winn
Wyatt
Wylie
Wyman
Yates
Young
Zablocki
Zwach

NAYS—12

Ashbrook
Bennett
Davis, Wis.
Dowdy
Eshleman
Hagan
Hutchinson
Jones, Mo.
Lipscomb
Myers
Rarick
Rogers, Fla.

NOT VOTING—210

Abbitt
Adair
Anderson, Ill.
Annunzio
Arends
Ashley
Ashmore
Aspinall
Ayres
Baring
Battin
Belcher
Bell
Berry
Bevill
Blackburn
Blanton
Blatnik
Bow
Brademas
Brasco
Brock
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Burke, Fla.
Burton, Calif.
Bush
Button
Cabell
Carter
Casey
Celler
Clancy
Clausen, Don H.
Collier
Collins
Corman
Cowger
Cunningham
Curtis
Denney
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Dow
Dwyer
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Esch
Evans, Colo.
Everett
Evins, Tenn.
Farbstein
Fascell
Fino
Fisher
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Goodling
Gray
Green, Oreg.
Green, Pa.
Gross
Gurney
Haley
Hall
Halleck
Hamilton
Hammerschmidt
Hanna
Hansen, Idaho
Harsha
Harvey
Hathaway
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Hicks
Holifield
Howard
Hull
Hungate
Ichord
Jacobs
Johnson, Calif.
Jones, N.C.
Karsten
Kastenmeier
Kee
Keith
Kelly
King, Calif.
Kirwan
Kleppe
Kupferman
Kuykendall
Kyl
Kyros
Landrum
Langen
Leggett
Long, La.
Lukens
McCarthy
McClory
McFall
Macdonald, Mass.
Madden
Mailliard
Martin
Mathias, Calif.
Mathias, Md.
Mayne
Meeds
Michel
Miller, Calif.
Minshall
Montgomery
Moorhead
Morris, N. Mex.
Mosher
Moss
Nedzi
Nichols
Nix
O'Hara, Ill.
Olsen
O'Neill, Mass.
Ottinger
Patman
Pepper
Pettis
Pickle
Podell
Pollock
Quillen
Reifel
Reinecke
Resnick
Rhodes, Ariz.
Roberts
Robison
Rogers, Colo.
Rostenkowski
Roudebush
Roush
Ruppe
Ryan
St Germain
Schadeberg
Scheuer
Schweiker
Selden
Shipley
Sikes
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Springer
Stafford
Steed
Steiger, Ariz.
Stephens
Stratton
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Tex.
Thompson, N.J.
Thomson, Wis.
Tunney
Ullman
Utt
Van Deerlin
Vander Jagt
Vigorito
Waldie
Walker
Watkins
White
Whitener
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Charles H.
Wolff
Wright
Wydler
Zion

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. O'Neill of Massachusetts with Mr. Arends.
Mr. Hébert with Mr. Hall.
Mr. Kirwan with Mr. Bow.
Mr. Eilberg with Mr. Taft.
Mr. Hull with Mr. Mathias of California.
Mr. Miller of California with Mr. Adair.
Mr. Blatnik with Mr. Broomfield.
Mr. Celler with Mr. Rhodes of Arizona.
Mr. Garmatz with Mr. Ayres.
Mr. Montgomery with Mr. Reifel.
Mr. McFall with Mr. Mailliard.
Mr. Sisk with Mr. Fulton of Pennsylvania.
Mr. Sikes with Mr. Schadeberg.
Mr. Shipley with Mr. Michel.
Mr. Wolff with Mr. Ruppe.

Mr. Walker with Mr. Quillen.

Mr. Teague of Texas with Mr. Smith of California.

Mr. Steed with Mr. Springer.

Mr. Green of Pennsylvania with Mr. Harvey.

Mr. Hays with Mrs. Dwyer.

Mr. Hungate with Mr. Cunningham.

Mr. Stratton with Mr. Mosher.

Mr. Brooks with Mr. Gross.

Mr. Aspinall with Mr. Collier.

Mr. Ashmore with Mr. Reinecke.

Mr. Annunzio with Mr. Minshall.

Mr. Abbitt with Mr. Brock.

Mr. Johnson of California with Mr. Don H. Clausen.

Mr. Ichord with Mr. Berry.

Mr. Jacobs with Mr. Cowger.

Mr. Kyros with Mr. Pollock.

Mr. Madden with Mr. Widnall.

Mr. Morris of New Mexico with Mr. Burke of Florida.

Mr. Moss with Mr. Utt.

Mr. Nichols with Mr. Broyhill of North Carolina.

Mr. Pepper with Mr. Mathias of Maryland.

Mr. Macdonald of Massachusetts with Mr. Clancy.

Mr. Leggett with Mr. Zion.

Mr. Thompson of New Jersey with Mr. Smith of Oklahoma.

Mr. Bevill with Mr. Blackburn.

Mr. Cabell with Mr. Bush.

Mr. Dent with Mr. Watkins.

Mr. Evins of Tennessee with Mr. Collins.

Mr. Fascell with Mr. Williams of Pennsylvania.

Mr. Farbstein with Mr. Bell.

Mr. Pickle with Mr. Snyder.

Mr. Fuqua with Mr. Mayne.

Mr. Giaimo with Mr. Devine.

Mr. Podell with Mr. Robison.

Mr. Roberts with Mr. Edwards of Alabama.

Mr. Rogers of Colorado with Mr. Denney.

Mr. Charles H. Wilson with Mr. Roudebush.

Mr. White with Mr. Esch.

Mr. Whitener with Mr. Martin.

Mr. Brademas with Mr. Harsha.

Mr. Brasco with Mr. Lukens.

Mr. Long of Louisiana with Mr. Gardner.

Mr. Wright with Mr. Kyl.

Mr. Nedzi with Mr. Keith.

Mr. Rostenkowski with Mr. Anderson of Illinois.

Mrs. Green of Oregon with Mr. Kleppe.

Mr. Hanna with Mr. Talcott.

Mr. Holifield with Mr. Battin.

Mr. Howard with Mr. Pettis.

Mrs. Sullivan with Mr. Stafford.

Mr. Hicks with Mr. Belcher.

Mr. Henderson with Mr. Thomson of Wisconsin.

Mr. Ottinger with Mr. Derwinski.

Mr. Edwards of California with Mr. Wiggins.

Mr. Roush with Mr. Button.

Mr. Hamilton with Mr. Hall.

Mr. Stuckey with Mr. Gurney.

Mr. Hawkins with Mr. Kupferman.

Mr. Nix with Mr. Schweiker.

Mr. Edwards of Louisiana with Mr. Dickinson.

Mr. Evans of Colorado with Mr. Carter.

Mr. Vigorito with Mr. McClory.

Mr. Jones of North Carolina with Mr. Curtis.

Mr. Kee with Mr. Fino.

Mr. Meeds with Mr. Hammerschmidt.

Mr. Olsen with Mr. Hansen of Idaho.

Mr. St Germain with Mr. Wydler.

Mr. Hathaway with Mr. Vander Jagt.

Mr. Haley with Mr. Steiger of Arizona.

Mr. Fulton of Tennessee with Mr. Langen.

Mr. Fisher with Mr. Kuykendall.

Mr. Dingell with Mrs. Heckler of Massachusetts.

Mr. Corman with Mr. Goodling.

Mr. Moorhead with Mr. Dow.

Mr. Burton of California with Mr. Diggs.

Mr. King of California with Mr. Karsten.

Mr. Tunney with Mr. Gallagher.

Mr. Galifianakis with Mr. Gray.

Mr. Van Deerlin with Mr. O'Hara of Illinois.

Mr. Ullman with Mr. Resnick.

Mr. Ryan with Mr. Helstoski.

Mr. Baring with Mr. Blanton.

Mr. Brown of California with Mr. Casey.

Mr. Everett wtih Mr. Stuckey.

Mr. Scheuer with Mr. Selden.

Mr. Patman with Mr. Landrum.

Mr. Kastenmeier with Mr. Willis.

Mr. McCarthy with Mr. Ashley.

Messrs. HAGAN and DOWDY changed their votes from "yea" to nay."

The result of the vote was announced as above recorded.

The doors were opened.

AMENDMENTS IN DISAGREEMENT

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 11: On page 6, line 7, insert the following:

"CHAPTER III

"FOREIGN ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT

"MILITARY ASSISTANCE

"Foreign Military Credit Sales

"For expenses of financing sales of defense articles and defense services, as authorized by law, $296,000,000, to remain available until expended."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 11 and concur therein with an amendment, as follows: Delete the following: ", to remain available until expended".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 15: On page 7, line 17, insert the following:

"ALLOWANCES AND OFFICE FACILITIES FOR FORMER PRESIDENTS

"For an additional amount for 'Allowances and Office Facilities for Former Presidents,' $40,000, and funds appropriated under this head shall be available hereafter for travel and related expenses of former Presidents and not to exceed two members of their staffs."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 15 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 27: On page 10, line 27, insert the following:

"SEC. 402. Reorganization Plan Numbered 1 of 1958, as amended, is further amended by striking out 'Office of Emergency Planning' wherever appearing therein and inserting in lieu thereof 'Office of Emergency Preparedness.' Any reference in any other law to the Office of Emergency Planning shall, after the date of this Act, be deemed to refer to the Office of Emergency Preparedness."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 27 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 28: On page 11, line 3, insert the following:

"SEC. 403. Section 408(e) (1) (A) (iv) of the National Housing Act, as amended, is amended by striking the phrase 'the control of any such institution' and inserting in lieu thereof the following: 'except that the Corporation may upon application by such company extend such one-year period from year to year, for an additional period not exceeding three years, if the Corporation finds such extension is warranted and shall not be detrimental to the public interest'."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 28 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 40: On page 13, line 7, insert the following:

"ELEMENTARY AND SECONDARY EDUCATIONAL ACTIVITIES

"HIGHER EDUCATIONAL ACTIVITIES

"Appropriations for 'Elementary and secondary educational activities' and 'Higher educational activities,' for the fiscal year 1969, shall be available in an amount not to exceed $3,000,000 for necessary expenses for planning the implementation of new and expanded programs of the Office of Education under legislation enacted during the second session of the 90th Congress, to be derived from funds available for the purposes of Title III, Elementary and Secondary Education Act, as amended."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 40 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"ELEMENTARY AND SECONDARY EDUCATIONAL ACTIVITIES

"There shall be available in an amount not to exceed $1,000,000 for necessary expenses for planning and implementation of the Handicapped Children's Early Education Assistance Act, P.L. 90–538, to be derived from funds available for the purposes of title III, Elementary and Secondary Education Act, as amended."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 45: On page 14, line 21, insert:

"SALARIES, OFFICERS AND EMPLOYEES

"OFFICE OF THE SECRETARY

"For an additional amount for office of the Secretary, $16,570: *Provided*, That the Secretary may employ a Curator of Art and Antiquities at not to exceed $22,089 per annum."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 45 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 50, on page 50, line 1, insert:

"DEPARTMENT OF THE INTERIOR

"BUREAU OF RECLAMATION

"UPPER COLORADO RIVER STORAGE PROJECT

"For an additional amount for the 'Upper Colorado River Storage Project' for the Upper Colorado River Basin Fund, $2,700,000, to remain available until expended."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 50 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"DEPARTMENT OF THE INTERIOR

"BUREAU OF RECLAMATION

"UPPER COLORADO BIVER STORAGE PROJECT

"For an additional amount for the 'Upper Colorado River Storage Project' for the Upper Colorado River Basin Fund, $2,200,000, to remain available until expended, together with $500,000 to be derived by transfer to the Fund from funds available under section 8 of the Act of April 11, 1956."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 65, on page 21, line 1 insert:

"UNITED STATES SECRET SERVICE

"Section 3056 of title 18, United States Code is amended by striking out the second clause and inserting in lieu thereof the following: 'protect the person of a former President and his wife during his lifetime, the person of the widow of a former President until her death or remarriage, and minor children of a former President until they reach sixteen years of age, unless such protection is declined'."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 65 and concur therein.

Mrs. MAY. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentlewoman from Washington.

Mrs. MAY. Mr. Speaker, I thank the gentleman for yielding.

I wanted to ask the distinguished chairman concerning some language that the Senate had put in the supplemental bill, and which was not kept in in conference, concerning the protection of the Marmes site, which is a rich archeological site in my congressional district in the State of Washington. The language was to allow the Corps of Engineers to build a levee so the area would not be flooded by the pool raising on the lower monumental dam.

I contacted the gentleman from Texas, the chairman of the committee, before the conference, and I wonder if the gentleman, for the RECORD, could give us some lead as to why that language was not accepted by the House conferees?

Mr. MAHON. By way of background, I would say to the gentlewoman from Washington that she mentioned this matter to me several days ago, and I told her that I was impressed with her very persuasive argument in favor of the amendment. I would state, however, that no budget estimate was submitted for the item and it was turned down when it came up for consideration before the Senate committee. Although it was accepted as a floor amendment by the Senate, it was with a statement that it was unbudgeted and would have rough sledding in conference. And it developed that the Subcommittee on Public Works, headed by the gentleman from Ohio [Mr. KIRWAN], had been working with this particular problem for some time, but had failed to obtain a favorable recommendation for the expenditure from the agencies involved.

In conference the situation was such that there was not a majority who were willing to agree with the position of the gentlewoman from Washington [Mrs. MAY]. Her wishes were discussed, and certainly there was concern on my part, but it was decided under all the circumstances that it would be inappropriate to authorize the Corps of Engineers to make such a large expenditure for this purpose. It was not a budgeted item, nor was there a recommendation for it from the responsible parties in the administration, so was not included in the conference report.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Wisconsin.

Mr. LAIRD. I thank the gentleman for yielding.

Mr. Speaker, I would just like to say that in the conference there was a letter from the Corps of Engineers that was discussed at some length. I have had an opportunity to talk with the gentlewoman from Washington subsequent to the conference, and the gentlewoman believes that the information contained in that letter is in error.

I believe, in fairness, that it should be read to the gentlewoman and put in the RECORD at this point because it did have some bearing on the Senate receding.

Mr. MAHON. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. BOLAND] to reply to the question.

Mr. BOLAND. Mr. Speaker, as the gentleman from Wisconsin indicated, there was an exchange of letters between General Cassidy of the Corps of Engineers to Mr. George Hartzog, Director of the National Park Service which I will include in the RECORD. I do not believe the information referred to was in error.

However, I believe that there is a misunderstanding as to how the question arose concerning possible fish losses in connection with the conference consideration of the proposed permanent dike to permit the archeological investigation to continue. The National Park Service, which is responsible for archeological investigations in the Federal Government, had advised that it was not in a position to recommend such a dike, which would cost $1,500,000, without an appropriate study which could not be undertaken until next fiscal year and would require 6 months to complete. The House conferees did not feel that such a large expenditure should be approved without at least a recommendation from the recognized authority in this field that the dike was essential and constituted a proper use of Federal funds. The question then arose as to whether it might be possible to delay raising the pool to await the results of such a study. The Corps of Engineers had stated, however, in the letter referred to that to delay raising the pool beyond the scheduled date of March 1969 would cause a loss of the spring salmon run and a loss of $4 million to commercial fisheries as the lock and dams involved in the project are scheduled to accommodate the important runs of salmon and steelhead.

In summary, the House conferees were faced with a situation that a decision had to be made at this time as to whether such a permanent dike would be constructed because of the leadtime required to have it completed prior to the raising of the reservoir pool in March of 1969. However, there was no evidence that the dike was warranted nor had it been recommended by the administration. The proposed dike was without legislative authority and no budget estimate was submitted to fund its construction. The House conferees also was concerned that if it was to be constructed by the corps with available funds, as proposed in the Senate amendment, that it could be accomplished only by diverting funds from other projects under construction which are already critically underfinanced compared with the amount needed to meet contractors' earnings during the remainder of the current year. The House conferees felt, therefore, that they had no alternative in the light of the facts but to insist that the item not be approved in this bill.

Attached is the recent exchange of letters between the Corps of Engineers and the National Park Service which I believe fully outline the background and current status of the question:

OCTOBER 1, 1968.

Hon. GEORGE B. HARTZOG, Jr.,
Director, National Park Service,
Department of the Interior,
Washington, D.C.

DEAR MR. HARTZOG: Reference is made to Brigadier General Charles C. Noble's letter to you of 10 September 1968 concerning possible protection of the Marmes Rock Shelter area on the Palouse River in the pool area of the Lower Monumental Rock and Dam Project, Washington.

Further studies since 10 September have established that the latest possible contract award date for construction of the levee to protect the Marmes Rock Shelter is 10 October 1968. These studies have resulted in a further revision of the estimated cost of the levee and pumping installation to a total of $1,500,000 plus $20,000 per year for pumping costs.

Construction of the Lower Monumental Lock and Dam has progressed to the point that the pool must be raised when high flows occur on the Snake River. Also, construction of the locks and dams on the Snake River are scheduled to accommodate the important fish runs of salmon and steelhead. The date of 10 October for awarding a construction contract takes these fish runs into consideration. Failure to complete the work by 28 February to permit raising the pool in March could cause loss of the spring salmon run and a loss of $4,000,000 to commercial fisheries. In addition, failure to raise the pool prior to high flows would cause heavy damages to railroad relocation fills because of higher velocities and this, in turn, might cause further delay of completion of the project.

In view of the above, the decision must be made by 8 October as to whether or not a permanent levee will be built to protect the Marmes Rock Shelter area. The lead time between 8 and 10 October is the minimum required to negotiate and award a contract.

The Corps of Engineers currently has no authority to construct the levee and pumping station at Marmes Rock Shelter. Your views are requested by 8 October as to whether such protection should be built, and, if so, what would be the appropriate authority and method of funding such construction.

Sincerely yours,
WILLIAM F. CASSIDY,
Lieutenant General, USA, Chief of Engineers.

U.S. DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
Washington, D.C., October 3, 1968.

L58–DAL.
Lt. Gen. WILLIAM F. CASSIDY, USA,
Chief of Engineers,
Department of the Army,
Washington, D.C.

DEAR GENERAL CASSIDY: Reference is made to your letter of October 1, 1968, amplifying General Noble's letter of September 10, 1968, concerning the construction of a permanent dike for the preservation of Marmes Rockshelter and the National Park Service's interest in its possible inclusion in the National Park System.

To review, briefly, our interest in this matter to date, the National Park Service, through its administration of the Inter-Agency Archeological Salvage program, supported the Washington State University's archeological investigations in the Lower Monumental Reservoir and Marmes Rockshelter from 1962 through 1964. Geological studies of the rockshelter and its deposits were also carried out simultaneously by the University under a grant from the National Science Foundation. The scientific significance of the rockshelter, a sequence of past human occupation and climatic changes in the Columbia Plateau of Washington extending over nearly 10,000 years, was recognized in 1964 as having national significance under the provisions of the Historic Sites Act, 49 Stat. 666. At that time the Advisory Board on National Parks, Historic Sites, Buildings and Monuments recommended to the Secretary of the Interior that the Corps of Engineers be encouraged to provide protection for the site from the high waters of the reservoir. Marmes Rockshelter was formally dedicated as a Registered National Historic Landmark in June 1967.

Important discoveries made in the summer of 1965 and further checked during the next two summers not only confirmed the significance of the site, but also uncovered fragmentary remains of human skeletal material which were evidently 11,000 or more years old. At the request of Dr. Daugherty in the earlier part of 1968, the National Park Service was pleased to support him in this request to the Corps of Engineers for an additional $70,000 to continue excavations in the rockshelter for additional human skeletal materials, cultural and geologic evidence before the shelter is flooded. Again in August, we supported his further request for an additional $50,000.

In addition to the cultural remains, the archeological excavations conducted since 1964 have recovered a wealth of scientific information relating to the fields of zoology, geology, botany, and biology wherein the stratigraphic remains exhibit the chronology of changes and developments in the flora and fauna of this region over a period of time longer than the human habitation. Nowhere else in this part of Southeastern Washington is such a clear record known.

You asked whether we desire the construction of a permanent dike at an estimated cost of $1,500,000, assuming the Marmas Rockshelter area is to be included in a national park. We cannot at this time advise you whether this area should be made a part of the National Park System. To determine this would take more time than is available before the scheduled flooding of the area. While national significance has been determined, it will also be necessary for us to ascertain if the area would be suitable and feasible for establishment as an area to be administered by the National Park Service. Such a study is estimated to cost $4,500. All of our funds for the 1969 fiscal year for such studies have now been programed. Therefore, the earliest that such a study could be programed would be the 1970 fiscal year, beginning July 1, 1969, assuming an adequate funding and staffing program. It is our judgment that a period of 6 months would be required to perform the study.

Of course, we do not know at this time what findings and recommendations the study might produce. In the event the report is favorable, it would then be necessary to obtain congressional approval and perhaps legislation to include the area in the National Park System. In these uncertain circumstances, we cannot recommend to you the construction of a permanent dike.

General Noble's letter offers the possibility, however, of a temporary dike. This Service is without authority or funds to construct such a dike. If the Corps of Engineers is authorized to proceed with a temporary dike, this course of action would allow sufficient time for Dr. Daugherty to close down his current studies in a manner that would enable some of the site to be preserved as an *in situ* exhibit in the event the area is placed in the Park System. Also, in the event, the suitability-feasibility study should be unfavorable, erection of the temporary dike would forestall flooding of the site until Dr. Daugherty has completed his salvage operations with whatever funds he may have available.

We understand your interest in this matter and appreciate the opportunity to express our views.

Sincerely yours,
GEORGE B. HARTZOG, Jr.,
Director.

Mr. MAHON. Mr. Speaker, I yield to the gentlewoman from Washington [Mrs. MAY].

Mrs. MAY. Mr. Speaker, I do not want to take up the time of this body, but I think it is very important that the RECORD show that this morning, after the action of the conferees, I was in touch with Colonel Meanor, Jr. of the Corps of Engineers and it was indicated very clearly to Mr. Hartzog that as soon as this language got in and the President signed the bill, assuming it would be next week, they would have the authority to start immediate construction on this protective levee, and they so informed the fish and wildlife people that there would be absolutely no harm to the fish.

I was in touch with Mr. Clarence Pautzke of Fish and Wildlife. He agreed that there would be no damage to fish if the levee were constructed by February 28. The Corps has said it would be quite capable of completing this protection by that time.

I am sorry that this information was not before the conferees this morning.

I would also like to point out to the gentleman from Massachusetts that it is right, surely, that this money, of course, would have to be replaced from someplace else down the line. But Senator MAGNUSON, the gentleman from Washington in the other body, had OK'd the language and said the Corps was able to transfer from existing funds for this project, the $1.2 million or the $1.5 million that was necessary to protect this very important archeological site.

I realize that this is water under the bridge now and it is an academic question. But I do thank the gentleman from Texas and the gentleman from Wisconsin, and other Members for trying to protect my position and the district in this.

But I think the RECORD should show that it was never a matter of choosing a levee versus harm to the fish because there was never any danger to the fish development in this area, and this has been so testified to by the Commissioner of Fish and Wildlife and the Corps of Engineers.

Mr. MAHON. Mr. Speaker, the membership should know that basically what we have been discussing is not presently before us in this conference report, but I did want the gentlewoman to have full opportunity to speak on this at this time.

Mrs. MAY. I appreciate that very much.

Mr. MAHON. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 71: Page 24, line 10, insert the following:

"SEC. 1303. Section 307 of the Independent Offices and Department of Housing and Urban Development Appropriation Act, 1969, is amended by striking out 'National Council on Indian Opportunity, $100,000' and inserting in lieu thereof 'National Council on Indian Opportunity, $275,000'."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 71 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert:

"INDEPENDENT OFFICE

"NATIONAL COUNCIL ON INDIAN OPPORTUNITY

"Salaries and expenses

"For expenses necessary for the National Council on Indian Opportunity, including services as authorized by 5 U.S.C. 3109, $100,000, which shall be in addition to the amount authorized by Public Law 90–550."

The motion was agreed to.

A motion to reconsider votes by which action was taken on the conference report and on the several motions was laid on the table.

GENERAL LEAVE

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members who spoke may be permitted to revise and extend their remarks on the conference report and the amendments just adopted.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

APPOINTMENT AS MEMBERS OF THE NATIONAL ADVISORY COMMISSION ON LOW INCOME HOUSING

The SPEAKER. Pursuant to the provisions of section 110(a), Public Law 90–448, the Chair appoints as members of the National Advisory Commission on Low Income Housing the following Members on the part of the House: Mr. PATMAN of Texas; Mr. BARRETT of Pennsylvania; Mr. DEL CLAWSON of California; and Mr. BROWN of Michigan.

FOR THE RELIEF OF CLIFTON R. KINDT

Mr. DOWDY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 5818) for the relief of Clifton R. Kindt, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 1, after "8348" insert "of title 5, United States Code,".

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. ASHBROOK. Mr. Speaker, reserving the right to object, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Ohio.

Mr. ASHBROOK. It is my understanding that this is merely a technical conforming amendment. It would in no way change the substance of this act.

Mr. DOWDY. Not at all.

Mr. ASHBROOK. I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

TO INCLUDE FIREFIGHTERS WITHIN THE PROVISIONS OF UNITED STATES CODE RELATING TO RETIREMENT OF GOVERNMENT EMPLOYEES ENGAGED IN CERTAIN HAZARDOUS OCCUPATIONS

Mr. DULSKI. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1507) to include firefighters within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of Government employees engaged in certain hazardous occupations.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. ASHBROOK. Mr. Speaker, reserving the right to object, I would make a point of order against the bill. I make a point of order that report No. 1945 violates rule XI, clause 26, and that a quorum was not present when the bill was passed by the Post Office and Civil Service Committee.

The SPEAKER. The Chair will state that the unanimous-consent request is for the present consideration of the bill. In the opinion of the Chair, at this point a point of order is not in order. If the consent is granted, then a point of order might be in order, though the Chair does not indicate what the decision of the Chair might be.

Mr. ASHBROOK. Mr. Speaker, I would say to the Chair, on that ground I would withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the bill, as follows:

S. 1507

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8336(c) of title 5, United States Code, is amended by inserting after "United States" the following: "or are primarily to perform work directly connected with the control and extinguishment of fires or the maintenance and use of firefighting apparatus and equipment".

SEC. 2. The provisions of section 8348(g) of title 5, United States Code, shall not be applicable with respect to benefits payable pursuant to the amendment made by this Act.

SEC. 3. The amendment made by this Act shall be applicable only in the case of persons retiring after the date of enactment of this Act.

The SPEAKER. Now does the gentleman from Ohio want to make the point of order?

Mr. ASHBROOK. Yes, Mr. Speaker. I make the point of order for the reasons already stated and request that the bill be recommitted to the Committee on Post Office and Civil Service.

The SPEAKER. The Chair would like to ask the gentleman from New York if a quorum was present in his committee when the bill was reported?

Mr. DULSKI. Mr. Speaker, the gentleman from Ohio is correct. There was no quorum present.

The SPEAKER. Under those circumstances, the Chair sustains the point of order and the bill is recommitted to the Committee on Post Office and Civil Service.

ALLOWANCE FOR EMPLOYEES ASSIGNED TO DUTY AT REMOTE WORK SITES

Mr. DULSKI. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 12881) to authorize the payment of allowances to defray commuting expenses of civilian employees of executive agencies assigned to duty at remote worksites, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. ASHBROOK. Mr. Speaker, I rise to make the same point of order against this bill and request that it be recommitted to the Committee on Post Office and Civil Service.

The SPEAKER. The Chair will inquire of the chairman of the Post Office and Civil Service Committee if a quorum was present.

Mr. DULSKI. Mr. Speaker, on H.R. 12881, a quorum was present when the bill was reported out. A quorum was present.

Mr. ASHBROOK. Mr. Speaker, based on that statement, I withdraw my point of order.

The SPEAKER. The point of order is withdrawn.

Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the bill, as follows:

H.R. 12881

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 1765 of the Revised Statutes (5 U.S.C. 70), each civilian employee in the executive branch of the Government who is assigned to duty (other than temporary duty) at a site so remote from the nearest established communities or suitable places of residence as to require an appreciable amount of expense, hardship, and inconvenience on the part of the employee in commuting to and from his residence and such worksite, shall be paid, in accordance with regulations prescribed by the President, in addition to the rate of compensation for his position, an allowance of not to exceed $10 a day. Such regulations shall establish the rates at which the allowance is to be paid and shall define and designate those sites, areas, and groups of positions to which such rates shall apply.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That (a) section 5942 of title 5, United States Code, is amended to read as follows:

"'§ 5942. Allowance based on duty at remote worksites

"'Notwithstanding section 5536 of this title, an employee of an Executive agency who is assigned to duty, except temporary duty, at a site so remote from the nearest established communities or suitable places of residence as to require an appreciable amount of expense, hardship, and inconvenience on the part of the employee in commuting to and from his residence and such worksite is entitled, in addition to pay otherwise due him, to an allowance of not to exceed $10 a day. However, the allowance shall be paid under regulations prescribed by the President establishing the rates at which the allowance will be paid and defining and designating those sites, areas, and groups of positions to which the rates apply.'

"(b) The table of contents of subchapter IV of chapter 59 of title 5, United States Code, is amended by striking out—

"'5942. Allowance based on duty on California offshore islands or at Nevada Test Site.'

and inserting in lieu thereof—

"'5942. Allowance based on duty at remote worksites.'.

"SEC. 2. Notwithstanding section 5536 of title 5, United States Code, and the amendments made by the first section of this Act, and until the effective date of regulations prescribed by the President under such amendments—

"(1) allowances may be paid to employees under section 5942 of title 5, United States Code, and the regulations prescribed by the President under such section, as in effect immediately prior to the date of enactment of this Act; and

"(2) such regulations may be amended or revoked in accordance with such section 5942 as in effect immediately prior to such date of enactment."

The committee amendment was agreed to.

Mr. DULSKI. Mr. Speaker, I rise in support of H.R. 12881.

It is the purpose of this legislation, with the committee amendment, to provide general authorization for the payment of an allowance, not to exceed $10 a day, to defray the commuting expenses of civilian employees of executive agencies assigned to duty at remote worksites.

Existing law—5 United States Code, 5942—authorizes an allowance, not to exceed $10 a day, for employees assigned to duty at only two worksites, the California offshore islands and the Atomic Energy Commission Nevada Test Site.

The committee amendment rewrites the provisions of existing law to remove references to particular worksites and provides general legislative authorization for the allowance to be provided for all employees of executive agencies, except employees on temporary duty, where valid circumstances justify the payment of such an allowance.

Mr. Speaker, our committee received extensive testimony justifying the payment of such an allowance at several additional worksites, particularly at Fort Irwin, Calif., where employees have an average daily commuting distance of 108 miles.

This legislation authorizes the administration to provide the necessary allowance where the circumstances justify the payment of an allowance to cover the cost of unusual commuting expenses.

Mr. Speaker, I urge the adoption of H.R. 12881.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

AUTHORIZING WAIVER OF CLAIMS OF UNITED STATES ARISING OUT OF ERRONEOUS PAYMENTS TO EMPLOYEES OF EXECUTIVE AGENCIES

Mr. DULSKI. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 4120), to amend title 5, United States Code, to authorize the waiver, in certain cases, of claims of the United States arising out of erroneous payments of pay to employees of the executive agencies, and for other purposes, a bill which is identical to the bill (H.R. 17954), with committee amendments, now on the Union Calendar of the House.

The Clerk read the title of the Senate bill.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

Mr. ASHBROOK. Mr. Speaker, reserving the right to object, I would direct a parliamentary inquiry to the Chair. I would raise a point of order against H.R. 17954, referred to by the chairman of the Post Office and Civil Service Committee, because my information is there was not a quorum present at the time that was reported.

The **SPEAKER.** The Chair will state that is not under consideration at this time. This is a Senate bill, another bill.

Mr. ASHBROOK. The Senate bill would be identical to H.R. 17954. Is that correct?

The **SPEAKER.** The gentleman can object to consideration, if he desires to do so.

Mr. UDALL. Mr. Speaker, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Arizona.

Mr. UDALL. Mr. Speaker, I would hope that the gentleman would not object to this bill. This bill is a long-sought objective of the General Accounting Office, and in the long run is going to save the Government a lot of money and is going to help a lot of innocent Federal employees. There has not been any objection to this bill. We had unanimous consent on both sides in the committee on the House bill. The Senate passed this bill and it could be enacted into law at this session.

The failure to have a quorum in the House committee was simply one of those things we run into in the closing days of the session. I would think, on the merits, the gentleman would have no objection to this.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

Mr. ASHBROOK. Mr. Speaker, further reserving the right to object, it is my understanding that executive agencies waive collections when the amount of the claim is less than $500 under this procedure?

Mr. UDALL. That is correct, but in the long run this will save money.

What happens is that through no fault of the employee or of the Government an overpayment of a couple of hundred dollars will be made. The General Accounting Office has to investigate. Private bills frequently are introduced. We take the time of the committee. We take the time of witnesses before the committee.

When there is no fraud and it is not the fault of the employee, this would allow the head of the executive agency, under regulations of the GAO, to waive the overpayment. We would save money.

Mr. ASHBROOK. Further reserving the right to object, Mr. Speaker, I would ask the gentleman from Arizona if this does not include general authority to apply to the future, as well as to past claims?

Mr. UDALL. Yes. The General Accounting Office spends thousands of man-hours a year on these things. This would give a general charter for the handling of these cases year after year. I assure the gentleman we would save money.

Mr. ASHBROOK. With that assurance, Mr. Speaker, I withdraw my reservation.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 4120

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subchapter VIII of chapter 55 of title 5, United States Code, is amended by adding at the end thereof the following new section:

"§ 5584. Claims for overpayment of pay

"(a) A claim of the United States against a person arising out of an erroneous payment of pay, on or after July 1, 1960, to an employee of an executive agency, the collection of which would be against equity and good conscience and not in the best interests of the United States, may be waived in whole or in part by—

"(1) the Comptroller General of the United States; or

"(2) the head of the executive agency when—

"(A) the claim is in an amount aggregating not more than $500;

"(B) the claim is not the subject of an exception made by the Comptroller General in the account of any accountable official; and

"(C) the waiver is made in accordance with standards which the Comptroller General shall prescribe.

"(b) The Comptroller General or the head of the executive agency, as the case may be, may not exercise his authority under this section to waive any claim—

"(1) if, in his opinion, there exists, in connection with the claim, an indication of fraud, misrepresentation, fault, or lack of good faith on the part of the employee or any other person having an interest in obtaining a waiver of the claim; or

"(2) after the expiration of three years immediately following the date on which the erroneous payment of pay was discovered or three years immediately following the effective date of this section, whichever is later.

"(c) A person who has repaid to the United States all or part of the amount of a claim, with respect to which a waiver is granted under this section, is entitled, to the extent of the waiver, to refund, by the employing agency at the time of the erroneous payment, of the amount repaid to the United States, if he applies to that employing agency for that refund within two years following the effective date of the waiver. The employing agency shall pay that refund in accordance with this section.

"(d) In the audit and settlement of the accounts of any accountable official, full credit shall be given for any amounts with respect to which collection by the United States is waived under this section.

"(e) An erroneous payment, the collection of which is waived under this section, is deemed a valid payment for all purposes.

"(f) This section does not affect any authority under any other statute to litigate, settle, compromise, or waive any claim of the United States.".

(b) The table of contents of subchapter VIII of chapter 55 of title 5, United States Code, is amended by inserting the following new item immediately below item 5583:

"5584. Claims for overpayment of pay.".

Mr. DULSKI. It is the purpose of S. 4120 to authorize a systematic procedure for the Comptroller General of the United States, or the head of an executive agency, to waive the collection of claims of the United States arising out of erroneous payments of pay to employees of executive agencies.

The bill is identical to H.R. 17954. It is based on recommendations made by the administration and the General Accounting Office. It was reported unanimously by our committee, and I know of no objection to its favorable consideration.

S. 4120 has received the unanimous consideration of the Senate Post Office and Civil Service Commission, and passed the Senate unanimously.

The waiver of a claim of the United States, of course, will not involve the paying out of any additional moneys. However, additional cost will be involved when refunds are necessary in those cases where the employee has paid part of the claim back to the United States before the entire claim is waived. It is the belief of the Committee that the reduction in the amounts collected on the claims that may be waived, and the refunds, will be offset in a major part by a reduction in the administrative expense necessary to process the claims for collection, or for consideration under private relief legislation.

Mr. UDALL. Mr. Speaker, it is the purpose of S. 4120 to authorize a systematic procedure for the Comptroller General of the United States or the head of an executive agency to waive the collection of claims of the United States arising out of erroneous payments of pay to employees of executive agencies.

The bill is based on recommendations made by the administration and the General Accounting Office. It was reported unanimously by our committee and I know of no objection to its favorable consideration.

S. 4120, has received the unanimous consideration of the Senate Post Office and Civil Service Committee.

The waiver of a claim of the United States, of course, will not involve the paying out of any additional moneys. However, additional cost will be involved when refunds are necessary in those cases where the employee has paid part of the claim back to the United States before the entire claim is waived. It is the belief of the committee that the reduction in the amounts collected on the claims that may be waived, and the refunds, will be offset in a major part by a reduction in the administrative expense necessary to process the claims for collection or for consideration under private relief legislation.

Mr. Speaker, the provisions of existing law do not provide an adequate or satisfactory means of dealing with erroneous overpayments of pay to employees.

The general authority under 31, United States Code, 952, is not a waiver authority and may be utilized only where there is a lack of any present or prospective financial ability to pay.

Mr. Speaker, the reported bill proposes general legislation establishing a systematic procedure for the Comptroller General or the head of an executive agency to waive claims of the United States arising out of erroneous payments of pay to an employee of an executive agency. The authority to waive is discretionary with the head of the agency or the Comptroller General and may not be exercised if there exists, in connection with the overpayment, an indication of fraud, misrepresentation, fault, or lack of good faith on the part of the employee or any person having an interest in obtaining a waiver of the claim.

The authority to waive will apply to a claim of the United States against a person arising out of an erroneous payment of pay on or after July 1, 1960, the collection of which would be against equity and good conscience and not in the best interest of the United States.

The authority of the head of an executive agency is subject to further limitations, which are:

The aggregate amount of the claim is not more than $500.

The waiver can be made only in accordance with standards prescribed by the Comptroller General.

In those cases where a person has repaid to the United States all or part of a claim with respect to which a waiver is granted, he is entitled, to the extent of the waiver, to a refund of the amount repaid if he applies for the refund within 2 years following the effective date of the waiver.

The authority to waive may not be exercised after the expiration of 3 years immediately following the date on which the erroneous payment of pay was discovered, or 3 years immediately following the effective date of this legislation, whichever is later.

Mr. Speaker, as I have indicated, this legislation was reported unanimously by our committee and has the full support of the administration. I urge favorable consideration of S. 4120 by the House today.

RELIEF OF ACCOUNTABLE OFFICERS UNDER S. 4120

It is felt that this proposal contains all the safeguards we could possibly include so as to prohibit the use of this authority in cases where the accountable officer acts in an irresponsible or negligent manner.

Subsection (b) of the new section 5584, on page 5 beginning with line 21 of the House-reported bill, prohibits the waiver of a claim when there exists any indication of fraud, misrepresentation, fault, or lack of good faith on the part of any person having an interest in obtaining the waiver. This, of course, would include the accountable officers.

Most of the cases that have been called to the attention of the committee, which could be waived under this authority, involve situations where payments were made before understandable regulations were issued, or where the paying official had no reason to doubt the validity of the payment prior to an official ruling by the Comptroller General.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 17954) was laid on the table.

GENERAL LEAVE TO EXTEND ON S. 1507, H.R. 12881, AND S. 4120

Mr. DULSKI. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks on the three bills just considered, S. 1507, H.R. 12881, and S. 4120.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

CONFERENCE REPORT ON H.R. 18707, DEPARTMENT OF DEFENSE APPROPRIATIONS, 1969

Mr. MAHON. Mr. Speaker, I call up the conference report on the bill (H.R. 18707) making appropriations for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 1970)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 18707) "making appropriations for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 15 and 16.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 9, 12, and 13, and agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$820,700,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,522,665,000"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,141,339,000"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: Delete the matter stricken and that inserted by said amendment; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the matter proposed in said amendment insert "543"; and the Senate agree to the same.

The committee of conference report in disagreement amendment numbered 17.

George Mahon,
Robert L. F. Sikes,
Jamie L. Whitten,
George W. Andrews,
Daniel J. Flood,
John M. Slack, Jr.,
Joseph P. Addabbo,
Glenard P. Lipscomb,
Melvin R. Laird,
William E. Minshall,
John J. Rhodes,
Charles R. Jonas,
Managers on the Part of the House.

Richard B. Russell,
Lister Hill,
John L. McClellan,
John Stennis,
John O. Pastore,
Stuart Symington,
Milton R. Young,
Karl E. Mundt,
Gordon Allott,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 18707) making appropriations for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—MILITARY PERSONNEL

Military personnel, Army

Amendment No. 1: Appropriates $8,000,000,000 as proposed by the Senate instead of $8,056,000,000 as proposed by the House.

Military personnel, Navy

Amendment No. 2: Appropriates $4,235,000,000 as proposed by the Senate instead of $4,250,000,000 as proposed by the House.

Military personnel, Air Force

Amendment No. 3: Appropriates $5,680,000,000 as proposed by the Senate instead of $5,710,000,000 as proposed by the House.

Reserve personnel, Marine Corps

Amendment No. 4: Appropriates $31,100,000 as proposed by the Senate instead of $31,500,000 as proposed by the House.

Reserve personnel, Air Force

Amendment No. 5: Appropriates $71,800,000 as proposed by the Senate instead of $75,800,000 as proposed by the House.

National Guard personnel, Air Force

Amendment No. 6: Appropriates $88,000,000 as proposed by the Senate instead of $96,000,000 as proposed by the House.

TITLE II—OPERATION AND MAINTENANCE

Operation and maintenance, Air National Guard

Amendment No. 7: Appropriates $267,000,000 as proposed by the Senate instead of $302,000,000 as proposed by the House.

TITLE III—PROCUREMENT

Shipbuilding and conversion, Navy

Amendment No. 8: Appropriates $820,700,000 instead of $1,033,800,000 as proposed by the House and $801,700,000 as proposed by the Senate. The amount of $269,500,000 is approved for the Poseidon/Polaris conversion program instead of $482,600,000 as proposed by the House and $203,500,000 as proposed by the Senate. The amount of $3,000,000 is approved for advanced contract design as proposed by the House, of which $2,300,000 is to be used only for the high speed nuclear submarine program. Funds proposed by the Senate in the amount of $50,000,000 for the construction of minesweepers are denied.

Other procurement, Navy

Amendment No. 9: Appropriates $2,505,600,000 as proposed by the Senate instead of $2,609,600,000 as proposed by the House.

TITLE IV—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Research, development, test, and evaluation, Army

Amendment No. 10: Appropriates $1,522,665,000 instead of $1,516,600,000 as proposed by the House and $1,528,730,000 as proposed by the Senate. Of the amount recommended, not to exceed $8,809,000 shall be available for Project Themis.

Research, development, test, and evaluation, Navy

Amendment No. 11: Appropriates $2,141,339,000 instead of $2,096,200,000 as proposed by the House and $2,171,339,000 as proposed by the Senate. Of the amount provided, not to exceed $11,207,000 shall be available for Project Themis.

The funds made available in this appropriation include $130,000,000 which shall be available only in support of the VFX aircraft program. These funds include $30,000,000 for contract definition as approved by the House and Senate; $18,000,000 for further engine development, $22,000,000 for further avionics development, and $60,000,000 for airframe development as recommended by the Senate. None of the funds made available for airframe engineering development shall be utilized until fifteen days after the Secretary of Defense has notified the Committees on Appropriations of the House of Representatives and the Senate of the cost and design characteristics of the aircraft selected.

Research, development, test, and evaluation, Air Force

Amendment No. 12: Appropriates $3,364,724,000 as proposed by the Senate instead of $3,370,300,000 as proposed by the House. Of the amount provided, not to exceed $8,484,000 shall be available for Project Themis.

Emergency fund, Defense

Amendment No. 13: Appropriates $50,000,000 as proposed by the Senate.

TITLE V—GENERAL PROVISIONS

Amendment No. 14: The committee of conference has stricken the language of Sec. 537 as proposed by the House and Sec. 537 as amended by the Senate. It is felt that new and comprehensive studies should be made of this entire area by the General Accounting Office, appropriate legislative committees, and the Appropriation Committees.

The studies should be directed towards achieving a uniform formula for the ascertaining of indirect costs on research grants throughout the entire government.

The government should set the basis for indirect costs based upon sound accounting principles and the committee feels that if such allocation is properly made between direct and indirect costs, it appears that the proper proportion of indirect costs to direct costs should not exceed 25 percent.

Amendment No. 15: Deletes language proposed by the Senate and retains language as proposed by the House relating to grants to individuals convicted of certain crimes.

Amendment No. 16: Deletes language as proposed by the Senate which would require certain reports on the amount of funds expended on chemical and biological weapons and agents.

Amendment No. 17: Reported in technical disagreement. It is the intention of the managers on the part of the House to offer a motion to recede and concur in the Senate amendment. This amendment exempts not to exceed 150,000 employees from the requirements of Section 201 of the Revenue and Expenditure Control Act, providing that the exemption shall apply only to those employees stationed in Southeast Asia Theater of Operations. Additionally, the section provides for programing of temporary and part-time positions on annual average number basis rather than the monthly numbers required in Section 201 of the Revenue and Expenditure Control Act.

Amendment No. 18: Changes section number.

George Mahon,
Robert L. F. Sikes,
Jamie L. Whitten,
George W. Andrews,
Daniel J. Flood,
John M. Slack, Jr.,
Joseph P. Addabbo,
Glenard P. Lipscomb,
Melvin R. Laird,
William E. Minshall,
John J. Rhodes,
Charles R. Jonas,
Managers on the Part of the House.

The SPEAKER. The gentleman from Texas is recognized for 1 hour.

Mr. MAHON. Mr. Speaker, I yield myself such time as I may consume.

Mr. MAHON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain tabular material.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAHON. Mr. Speaker, the Members are familiar with the broad outlines of the Defense appropriation bill. It passed the House on September 12. It passed the other body on October 3.

The authorization bill upon which much of the appropriation bill is based passed the Senate on April 19 and the House on July 11. The conference report thereon was agreed to on September 10 in the House and September 11 in the Senate.

The Defense appropriations conference report before us represents final congressional action on the largest single appropriation bill in history. In spite of its size, I wish to report that the total of $71,869,828,000 is below the budget of the President by $5,204,172,000. It is below the Senate bill by $17,065,000 and below the House bill by $369,872,000.

POLARIS-POSEIDON CONVERSIONS

The House conferees are not happy with all of the actions agreed upon. In the "Shipbuilding and conversion, Navy" appropriation, the agreement provides for the funding of only two conversions of submarines from Polaris missiles to Poseidon missiles instead of six as provided by the House and the budget. Funds were previously provided for the first two conversions in the fiscal year 1968 program. Thus funds are now available for a total of four such conversions. The managers on the part of the House were not in accord with the position of the other body, the conferees of the other body feeling that no further conversions should be undertaken until the Poseidon missile and its warhead were more extensively tested.

In other matters, the statement of the managers adequately expresses the full feeling of the conferees. A few additional references may be in order.

MILITARY PERSONNEL

Reductions in military personnel appropriations of $113,400,000, as proposed by the other body, were agreed to in recognition of the effect of the Revenue and Expenditure Control Act of 1968, and with full knowledge that there will be a supplemental amount required to finance the pay increase which was effective July 1, 1968.

RESEARCH GRANTS

As to the general provisions, the elimination of former section 537 with respect to indirect costs on research grants should not be interpreted by the Department of Defense to be a license to permit the unbridled dispensation of funds in this area. Pending the results of the studies called for and the enactment of further legislative expression on the matter, it would be prudent administration to seek to adhere to the intent expressed in the statement of the managers.

EXPENDITURE EFFECT

Defense expenditures, being so vast, are difficult of analysis outside of the Department, and somewhat difficult of projection even within the Department. The committee had estimated that the effect of its recommended reductions of $4.8 billion in new budget authority—which reductions were accepted by the House—would have been about $1.7 billion in expenditures. It was estimated that expenditure reductions resulting from the action of the other body, in reducing new appropriations by $5.2 billion, would have been $1.81 billion. The conference agreement, being slightly below the bill as passed by the other body, should result in expenditure reductions estimated at $1.85 billion.

ADDITIONAL INFORMATION REGARDING DEFENSE

Mr. Speaker, our military situation was discussed in considerable detail in the RECORD of September 11. I call special attention to the remarks which I made on that date and which appear in the temporary RECORD of September 11 beginning at page 26462.

SUMMARY OF APPROPRIATION

Mr. Speaker, I will insert in the RECORD the usual table of estimates and comparisons in regard to the programs which are financed under this bill.

DEFENSE APPROPRIATION BILL, 1969, SUMMARY OF APPROPRIATIONS

[In thousands of dollars]

Item	1968 appropriation (NOA)	1969 budget estimate (NOA)	Passed House	Passed Senate	Conference action	Conference action compared with—			Senate
						1968 appropriation	Budget estimate	House	
Title I, Military personnel	$22,091,672	$23,014,000	$22,685,000	$22,571,600	$22,571,600	+$479,928	−$442,400	−$113,400	
Title II, Operation and maintenance	19,189,090	22,787,000	21,800,000	21,765,000	21,765,000	+2,575,910	−1,022,000	−35,000	
Title III, Procurement	22,000,800	23,254,000	20,299,000	19,962,900	19,981,900	−2,018,900	−3,272,100	−317,100	+$19,000
Title IV, Research, development, test and evaluation	7,108,600	8,006,200	7,455,700	7,587,393	7,551,328	+442,728	−454,872	+95,628	−36,065
Special foreign currency program	11,200	12,800				−11,200	−12,800		
Emergency fund, Southeast Asia	3,750,950					−3,750,950			
Total	74,152,312	77,074,000	72,239,700	71,886,893	71,869,828	−2,282,484	−5,204,172	−369,872	−17,065
Distribution by organizational component:									
Army	22,698,560	24,520,564	23,265,364	23,221,494	23,215,429	+516,869	−1,305,135	−49,935	−6,065
Navy	19,863,371	22,651,000	20,656,300	20,379,939	20,368,939	+505,568	−2,282,061	−287,361	−11,000
Air Force	24,019,115	25,759,100	24,403,300	24,320,724	24,320,724	+301,609	−1,438,376	−82,576	
Defense agencies/OSD	3,820,316	4,143,336	3,914,736	3,964,736	3,964,736	+144,420	−178,600	+50,000	
Emergency fund, Southeast Asia	3,750,950					−3,750,950			
Total	74,152,312	77,074,000	72,239,700	71,886,893	71,869,828	−2,282,484	−5,204,172	−369,872	−17,065

As all of us know, this is the largest single bill ever to pass the Congress. As I think all of us also know, we have cut the President's budget to a greater extent this year in appropriations than has ever taken place in the history of our country. On the other hand, we have financed more programs through bills which have passed the Congress this year than at any other time in the history of our country.

Mr. Speaker, I now yield to the gentleman from South Carolina, the chairman of the Committee on Armed Services [Mr. RIVERS].

Mr. RIVERS. Mr. Speaker, this question in no wise deprecates the industry or the dedication of the great Committee on Appropriations, and the fine work that they have done in the manifold tasks assigned to this committee and its great chairman. However, I am disturbed about the reduction in the conversion program of the Polaris missile submarine in making it ready for the follow-on known as the Poseidon missile. I know the feeling of the other body, but we have very few new weapons in our inventory. The former Secretary of Defense does not have much to show for his tenure in office. This is one of the few new things that we have. I am sure it is going to work, as have the other missiles in this family of weapons.

Mr. Speaker, I wish to inquire of the great chairman about this $200 million reduction and whether or not it causes concern to him as chairman of his great committee. It certainly causes me concern. Also I want to know whether or not this will delay the orderly process of making ready our submarines for the advent of this missile.

Mr. MAHON. Mr. Speaker, as the gentleman has stated, the Poseidon missile for our missile-firing submarines is the follow-on to the Polaris missile.

The managers on the part of the House argued at great length in favor of the Budget position and the House position that we should provide for the conversion of six Polaris submarines to accommodate the Poseidon missile. However, the other body refused to yield. What this bill provides for is for two conversions. With the two funded last year, that makes a total of four out of a Polaris fleet of 41 vessels. The other body took the position that any delay which might be brought about its action was justifiable under all the circumstances. The other body took their position, even though the cost might be greater as a result of the modification in the conversion program which had been laid out, and we were not able to convince the other body that we ought to provide for all six conversions. So we reluctantly yielded to the other body on the matter.

But we reaffirm our conclusion that the Poseidon missile is a very large step forward in weaponry and we do not withdraw our support of it. We do provide for the conversion of these two additional submarines and this was the best we could do.

When further tests are made of the Poseidon missile and its warhead, it may be that the doubts which have been raised will disappear and we can move forward more rapidly. I believe the program will move along, but it is not moving along as rapidly as some of us would like.

Mr. Speaker, I yield to the gentleman from California [Mr. LIPSCOMB], the ranking minority member on the committee, who is very well versed in this particular item.

Mr. LIPSCOMB. I thank the chairman of the committee for yielding to me at this time.

Mr. Speaker, I would like to add that our committee is concerned, just as the distinguished chairman of the Committee on Armed Services, the gentleman from South Carolina, is concerned about this program. But we took further action beyond that which the chairman of the Committee on Appropriations mentioned. We added $66 million above the Senate amount in order to meet the program they recommend. The total fund provided for the program should be sufficient to maintain the integrity of the present schedule assuming that a decision is made by July 1969 for a full go-ahead for the program. So, we have hedged on this a little bit in order to maintain the integrity of the schedule.

Mr. RIVERS. Mr. Speaker, will the gentleman from Texas yield further?

Mr. MAHON. I yield further to the gentleman from South Carolina.

Mr. RIVERS. Then, Mr. Speaker, the gentleman from California reaffirms the belief that this missile is sound; it is coming into our inventory in an orderly follow-on process. We have expended hundreds of millions of dollars in R.D.T.

& E. on this missile. I think, as the gentleman has said, we should be very careful about any delay despite the position of the other body. They could be wrong in this—they could be wrong in this, because this missile points to a very sound weapons system. We have no reason to believe that it will not work as have the other members of this family of weapons.

Mr. LIPSCOMB. I certainly agree with the chairman of the Committee on Armed Services that we must be very careful about any delay in this program.

Mr. RIVERS. I hope the gentleman now speaking, as well as the distinguished chairman, will take the position that we cannot condone anything that will stop one of the few things in the missile family of weapons that will positively work and that is the Polaris missile that has been foolproof up to now. I hate to see the other body taking this position, but at this late date I do not know what we can do about it.

Mr. LIPSCOMB. Mr. Speaker, the distinguished chairman of the Committee on Appropriations has explained the conference report in depth. We had a fine bill when it passed the House of Representatives, but the other body has changed it to some extent. The principal change which concerned us was the Polaris/Poseidon conversion program, which has just been discussed. We have agreed to the Senate increase of $100 million for the VFX aircraft. This provides the sum of $130 million for the development of this aircraft. We have done that because the need is apparent.

Mr. Speaker, I would like to point out another amendment which concerns many Members of the House. That is the so-called Mansfield amendment pertaining to indirect costs of research grants that was placed in the bill in the other body. This has been deleted in the conference version of the bill.

Further, we have placed language in the report to the effect that we will ask the General Accounting Office to study the matter in order to see if the Congress cannot develop realistic guidelines based on sound accounting principles to meet this perennial problem.

Mr. Speaker, this a good conference report and we can support it enthusiastically.

Mr. Speaker, while I have the floor, this is the last appropriation bill which we will consider at this session of the Congress. I would like to take this opportunity therefore to commend the chairman of the full Committee on Appropriations, the distinguished gentleman from Texas [Mr. Mahon], and the minority leader, the distinguished gentleman from Ohio [Mr. Bow], also, for the dedicated work they have done in a very difficult field. These bills have been reported to the House in clear terms and have been properly handled, and I for one want to commend them for the services which they have done for the House of Representatives.

Mr. MAHON. I thank the gentleman for his very generous remarks and I wish to state that the gentleman, too, has certainly made a tremendous contribution to the success of these legislative efforts.

The gentleman from Virginia [Mr. Hardy] spoke of his interest in the EA-6B aircraft, and I now yield such time as he may consume to the gentleman from Virginia at this moment.

Mr. HARDY. Mr. Speaker, I thank the gentleman for yielding.

Procurement of the EA-6B aircraft is a matter that has been of considerable concern to the Committee on Armed Services, and as a matter of fact in the authorization bill we authorized $139 million additional in order to begin procurement of this electronics countermeasure aircraft which is so sorely needed in our inventory.

Mr. HARDY. Mr. Speaker, I wish to discuss further this one item omitted from appropriations to the Defense Department which I believe to be of immeasurable importance. I speak of the EA-6B tactical electronic warfare aircraft.

The Committee on Appropriations discussed this aircraft in hearings conducted on February 28, 1968. The Armed Services Committee held its authorization hearings on it on April 30, 1968. I mention these dates only because of significant developments which occurred in March and April.

These developments were of such importance that our Defense Posture Subcommittee held a separate hearing in the afternoon of April 30 for the express purpose of discussing only the EA-6B aircraft.

It was because of the evidence presented and the testimony before the Armed Services Committee that we autorized the additional sum of $139 million for the procurement of the EA-6B. I was surprised and deeply concerned that this amount was not approved by the Appropriations Committee.

The intervening developments that I mentioned are set forth in a secret message from Admiral Sharp, commander in chief, Pacific Forces, to the Chief of Naval Operations. This message is on file in the records of our subcommittee.

I am particularly concerned about this matter because of what our Subcommittee on National Defense Posture learned from Admiral Sharp and numerous other Navy officers and pilots during its visit to Southeast Asia in the late fall of 1967.

We held extensive hearings and gave considerable attention to the air war and particularly the adequacy and effectiveness of our equipment. We learned of the tactics being employed over North Vietnam to avoid the vicious radar-directed SAM's missiles. To avoid the highly effective SAMs, our pilots had to approach the targets at a dangerously low level, and the price we had to pay in pilots and aircraft to conventional air defense weapons was staggeringly high.

The low-flight attacks were, and still are, necessary because we lack electronic countermeasures aircraft capable of coping with the threat posed by electronically controlled guns, surface-to-surface missiles, and interceptor aircraft firing air-to-air missiles.

I have portrayed briefly the need as it existed prior to the cessation of the bombing north of the 19th parallel. The need for the EA-6B has now multiplied significantly. During this bombing pause the air defenses in the critical target areas are increasing both in quantity and sophistication.

If and when our pilots return to the Hanoi-Haiphong complex, the reception could be catastrophic.

I will review briefly some of the actions of the former Secretary of Defense which, in effect, have delayed the production of this item that is desperately needed by the Navy.

In 1967, there was a planned procurement for a certain number of EA-6B aircraft in fiscal year 1969. In mid-1967 the Secretary of Defense reduced the planned fiscal year 1969 procurement to a lesser number. His rationale here was that only a small percentage of sorties were flown in areas of intense radar direct defenses.

Parenthetically, I might add that the most sophisticated air defense system in the history of aerial warfare was then located where the large percentage of Navy sorties were being flown.

In October 1967, the Secretary of Defense further reduced the fiscal year 1969 planned procurement of EA-6B aircraft. The reason given was that an obsolescent aircraft, the EA-6A, would be provided instead.

Six days later the Secretary of Defense, without giving a reason, agreed to include a small number of EA-6B's in the fiscal year 1969 procurement.

One month later, on December 1, the Secretary again reversed his decision and directed that the EA-6B procurement be delayed until fiscal year 1970. He gave no reason for his reversal.

Following a Navy reclama, the on-again, off-again Secretary of Defense restored the procurement for fiscal year 1969 production. This occurred on December 27, 1967.

One week later, on January 3, 1968, the Secretary again changed his mind and deleted the EA-6B from the fiscal year 1969 procurement plan. He sought to justify this move on the ground that there had been slippage in the program. However, Navy development and production personnel have testified under oath that the only slippage in the program involved a component which was not critical from the standpoint of production. They further testified that the problem had been solved and that the component in question would be ready for installation in the plane on schedule.

Finally, in a reprograming action, only a short time later, we find DOD taking the position that the fiscal year 1968 funds programed for the advance procurement program of EA-6B's in fiscal year 1969 "are no longer required and are available for reprograming."

Mr. Speaker, the overall effect of these erratic and vacillating decisions of the former Secretary of Defense will delay production, and the aircraft will not be available to the Navy until January 1971. If the procurement were made in fiscal year 1969—which is now—this aircraft would begin entering our national inventory in June 1970 and be available in quantity considerably in advance of the time now planned.

So that these remarks will be completely factual it should be stated that there has been a component slippage of 2 to 3 months which, for all practical purposes, is insignificant in a program of this kind.

I want to emphasize that this requirement is not confined to the Navy. It represents a tactical air requirement because there is no ECM aircraft with the capability of the EA-6B in the national inventory today. It is required anywhere attack aircraft might be deployed.

The EA-6B represents the first electronic countermeasure aircraft built for this purpose from the ground up. It is impossible to put this total ECM capability on strike aircraft without compromising fundamental capability to carry munitions. This aircraft is the first jamming system designed to meet the threat throughout the full spectrum of radar types used in air defense.

The EA-6B is a critically important improvement in the ability to survive predicted combat environments now and in the future.

In the interest of our national security, procurement of the EA-6B ought to proceed as quickly as possible.

Mr. Speaker, I would like to ask the chairman, the gentleman from Texas, a question.

The gentleman and I had some discussion about this matter at the time the bill was before the House. I know that the chairman is also concerned with this aircraft, as well as I am. What I am interested in is finding some way to introduce this aircraft into the active inventory as soon as it is definite that there are no bugs in the aircraft.

As I understand it, the Navy is pretty well satisfied now.

Can the gentleman from Texas give me any assurances that there will be funds available for the procurement of the aircraft from some source?

Mr. MAHON. Mr. Speaker, I agree with the gentleman from Virginia that this aircraft is a very vital aircraft for defense of our country. I would say that the gentleman from Virginia, in supporting funds in the amount of $139 million above the budget for the procurement of this aircraft, indicates his confidence and the confidence of many others in this aircraft.

As he knows, the EA-6B aircraft is an advanced four-place aircraft designed specifically for electronic warfare purposes. The Appropriations Committee has repeatedly supported the development of the aircraft and attempted to push the Navy to a faster deployment.

The aircraft is still in the development stage, although the procurement of four aircraft was authorized in the fiscal year 1968. These four aircraft are to be used, however, for the Navy test and evaluation trials. First flight of the aircraft did not take place until May of this year.

As we understand it, deployment of the aircraft is not contemplated until the fall of 1971 at best. This, incidentally, represents a 2-month slippage over the deployment date given the committee in connection with the fiscal year 1968 aircraft procurement request.

The additional procurement funds authorized this year would succeed only in speeding up deployment of the aircraft by 6 or 7 months, and then only if remaining developments are completed on schedule and no other problems result therefrom.

It is an expensive aircraft. Unit cost for those discussed in connection with the fiscal years 1968 and 1969 programs are in excess of $15 million. It is a complex aircraft. It has encountered development difficulties in the past. The chief of the Naval Air Facilities Command said, in connection with the fiscal year 1968 appropriation request:

> There has been quite a change in this airplane over the last two years. So much so that the decision was made to not buy the airplane in quantity now but to go through a more normal development program.

Since it would be about 3 years before the aircraft could be deployed, and in view of the high cost, and in the light of problems which have plagued development in the past, it could be costly and wasteful to proceed with production in fiscal year 1969. Better, perhaps, to wait until fiscal year 1970 and a more normal development program for the aircraft, including further test and evaluation of the various components as well as the integrated system.

Should these various problems be wholly overcome, and the Navy seek to advance the procurement program, the committee would give any such proposition its most careful consideration.

Mr. HARDY. If the gentleman would permit just this one further inquiry: As I understand the situation, the first aircraft could probably come into inventory in early 1971, that is, beyond the research aircraft. If, however, the procurement is stepped up a little, we could save at least 6 months in bringing these aircraft into our inventory.

I do not like reprograming money any more than the gentleman from Texas does, but we all know that there are occasions when it becomes essential on some project upon which we have spent considerable money to move ahead faster.

I would hope the gentleman from Texas would look with favor on the reprograming of funds for this program if there are funds available, and if it is demonstrated that we can get this aircraft in our inventory more quickly.

Mr. MAHON. I thank the gentleman for his statement. I cannot speak for the committee, but certainly we would give very careful consideration to the matter, because we do have a very deep interest in this aircraft.

Mr. HARDY. I thank the gentleman.

Mr. DADDARIO. Mr. Speaker, I want to extend my congratulations to the distinguished chairman of the Appropriations Committee, the gentleman from Texas [Mr. MAHON] and to the other managers on the part of the House for their leadership and foresight in deleting in conference the Senate provision limiting indirect costs under Federal research grants and contracts.

This provision would have had far-reaching implications and could have affected the entire research posture of the country. I believe it is important, therefore, that it has been removed from the Defense Appropriations Act.

At the same time, I recognize that this issue has not been finally resolved, and that it may be raised again in future appropriations acts.

Consequently, the Science Subcommittee plans to look into the issue of indirect costs again, and we will report to the Congress the results of our study.

I believe it is important to take into consideration that once before we had an indirect cost limitation on research grants. However, after extensive hearings of the Science Subcommittee on the effect of the limitation, and through the efforts of the late Representative John E. Fogarty and the other members of the House Appropriations Committee, this provision was removed from the appropriation acts beginning in fiscal year 1966.

At that time, Bureau of the Budget revised Circular A-21 which provides guidelines for handling indirect costs for research grants and contracts, and issued Circular A-74 which provides guidelines for cost sharing by universities receiving Federal research grants.

We knew at the time these guidelines were issued that it would take a period of time before they could be properly implemented because of the different accounting systems then in use. Since that time we have followed their development, and they have now, I believe, reached the point of being reasonably firm.

We will, however, look into the way this has been managed and, then, if necessary conduct another study to determine the current situation and to see if it has in fact changed since our hearings in 1964.

Mr. Speaker, I again wish to commend the managers on the part of the House. I think they have done a great service, and I include at this point in the RECORD my correspondence with Congressman MAHON and Senator MANSFIELD which outlines in more detail the background on the indirect cost issue:

OCTOBER 4, 1968.

Hon. GEORGE H. MAHON,
Chairman, Committee on Appropriations, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I know you are aware of the Mansfield Amendment to H.R. 18707, the DOD Appropriations Act for 1969, which places a statutory limit on indirect costs involving research grants and contracts.

May I urge your support for the elimination of this provision in its present form when the bill is in conference?

This Committee, and the Science Subcommittee which I chair, has carefully investigated the matter in the past, concluding that such restrictions are generally undesirable. Our rationale is summarized in the attached statement.

Sincerely yours,

EMILIO Q. DADDARIO,
Chairman, Subcommittee on Science, Research, and Development.

INDIRECT COST LIMITATION

Prior to fiscal year 1966, the appropriation acts for the Department of Defense, the National Aeronautics and Space Administration, the Department of Health, Education, and Welfare, and the National Science Foundation contained a provision whereby a percentage limitation was placed on the amount of reimbursable indirect costs in research grants which a university may receive from the Federal government.

At the same time, there was in existence a Bureau of the Budget circular, Circular A–21 of January 7, 1961, which was to be used by all agencies as a basis for a uniform approach to determining the costs applicable to research and development performed by educational institutions under grants from and contracts with the Federal government.

This circular provided for the full reimbursement to educational institutions of all costs attributed to the research grant or contract under generally accepted cost accounting principles. It further broke these costs down into (1) direct costs (those directly attributable to the research grants such as salaries and materials) and (2) indirect costs (those not directly attributable, such as general administrative expenses and library expenses).

During May and June 1964, the Subcommittee on Science, Research and Development held a series of hearings to explore the issues involved in the indirect cost limitation, and its effect upon Federally sponsored research and development.

The Subcommittee found that although there were some problems involved in the way the various agencies interpreted and implemented Circular A–21, the major dissatisfaction revolved around the fact that the statutory limitation has been placed in the appropriation acts of certain government agencies limiting the amount of indirect costs as a ratio of direct costs that may be reimbursed to universities. Although the indirect cost limitation was added primarily for the purpose of effecting forced cost sharing, the method proved to be inequitable and otherwise unsatisfactory for a number of reasons. For example, a flat percentage limitation does not recognize the different types of research projects which are undertaken. If the grants called for extensive development and the use of laboratory facilities, the indirect costs would be correspondingly high and the institution would be forced to divert money from other worthwhile research and educational programs. Conversely, if the grant involved primarily a research study, indirect costs would be minimal and well within the limitation.

Consequently, in its report entitled "Indirect Costs Under Federal Research Grants", the Subcommittee recommended that the Congress omit the flat percentage limitation in future appropriation acts, and that the Bureau of the Budget promulgate a revised regulation with appropriate guidelines for cost sharing that would be compatible with the interests of the Federal government and the universities.

Subsequently, in 1965 the Bureau of the Budget issued Circular A–74 entitled "Participation in the Costs of Research Supported by Federal Grants" for immediate implementation by all agencies. The cost-sharing guidelines contained in the circular were quite general in nature and followed the recommendation of the Subcommittee that the amount of cost sharing should vary in accordance with the benefit of the grant to the interests of the university and to the Federal government.

About this same time, under the resourceful leadership of the late Representative John E. Fogarty of Rhode Island, the Appropriation Committees of the House and Senate modified their stand and removed the percentage limitation, and in its stead inserted a provision stating that the recipient university could not receive the full cost of the research project. In other words, the acts provided that there must be cost sharing by the university in each research grant, but the amount of the cost sharing was left up to the individual agency.

In explaining this new philosophy to the House in connection with the HEW appropriation, Representative Fogarty stated:

"It is the Committee's view that the so-called indirect costs are part of the proper and inescapable costs of all of the institution's activities, including research.

"The Committee believes that Federal research-support funds should be available for any legitimate expense of eligible research projects and that arbitrary distinctions between one kind of cost and another should not enter into the calculation of the support which the Federal Government is willing to provide.

"However, we should not lose sight of the fact that the grant-in-aid concept assumes that the grantor is assisting the grantee in the accomplishment of some piece of work of mutual interest. The principal justification for the grant mechanism—and its principal distinction from research contracts—is that it deals with research projects which arise from the professional or institutional interests of members of the scientific community. Federal support is made available to them because—and only to the extent that—these projects also serve important national interests which the Federal Government is anxious to promote.

"In these circumstances, it is not only fair but proper that the grantee institution be expected to bear some proportion of the cost."[1]

The concept which our Colleague recognized in 1965 and which the Senate is now ready to overturn is that there is a basic and fundamental difference between research grants to universities and research contracts to industry. In the former, by providing a research grant, the government is assisting a university in one of its fundamental responsibilities to provide research experience to graduate students, and it is therefore only right and just that the university assume some portion of the cost of the research project.

In the latter case, however, the government is purchasing a service or product from private industry, and in this case it is inappropriate to expect that industry should bear a portion of the cost. Under the free enterprise system, industry has a responsibility to its stockholders to seek a reasonable return on its investment, and it is rendering a service to the government which the government is not otherwise capable of providing. Unless we are willing also to change the system, to require industry to cost-share contracts with the Federal government, it is patently indefensible.

OCTOBER 8, 1968.

Hon. GEORGE H. MAHON,
Chairman, Committee on Appropriations, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This letter supplements my letter of October 4th in which I urged you to reject in conference the Mansfield amendment to H.R. 18707.

Since writing that letter, I have sought to obtain additional information as to the effect the amendment would have upon private industry and non-profit research institutions performing research for the Federal government. Unfortunately, I have found that precise statistical information is not available on such short notice, and that it would have to be developed from an analysis of past contracts. From my many conversations, however, I understand that indirect costs for industry and the non-profits now average about 100 percent of direct costs, and are made up of the many items shown on the attached sheet—items which are a necessary part of business and which cannot be apportioned directly to any particular contract.

As to the reasonableness of this 100 percent average, I can only point out that by way of comparison I know that the National Bureau of Standards, which performs research on a cost reimbursable basis for many other government agencies, charges those agencies an indirect cost rate of approximately 85 percent of direct labor costs, and it is important to note that the NBS has no profit motive.

It would appear, therefore, that if indirect costs are limited to 25 percent of direct costs, and if the 100 percent figure is reasonably accurate, then industry and the non-profits would be required to absorb a loss of 75 cents for each dollar of direct costs of research. The result, of course, would be a reluctance or an inability on the part of industry and the non-profits to undertake research for the Federal government, and a weakening of our extensive research base which has been developed over the last 20 years.

In my previous letter on this subject I covered the effect of the 25 percent limitation on universities, and because that is an important consideration during your deliberations, I am taking the liberty of forwarding that letter, together with a copy of this letter, to Senator Mansfield.

Unquestionably, this whole situation should be reviewed by the Congress, but to act without knowing the real effect of our proposed action is, I believe, mischievous and detrimental to the interests of both the government and the private sector.

As you are aware, in 1964 the Subcommittee on Science, Research and Development made an extensive review of indirect costs in research grants to universities, and made certain recommendations which subsequently were incorporated in the appropriation acts beginning in fiscal year 1966. This study supported the deletion of those amendments imposing an arbitrary limitation on indirect costs. This Committee has kept in touch with research matters in universities and industry, and it seems unlikely to us that this situation has changed significantly.

However, since this subject again has been raised, we would hope that you would support the idea that the matter be looked into further.

I would propose, therefore, that the Mansfield amendment be deleted at this time and considered again next year after the proper committees have had an opportunity to study the question and to gather data upon which to make an informed decision. In the meantime, this Subcommittee will prepare to conduct a detailed study of the indirect cost limitation vis-a-vis cost sharing and its effect upon universities, the non-profits, and industry.

I hope this arrangement will be agreeable to the House-Senate conferees, and that the Congress will not consider the Mansfield amendment at this time. The Congress already has eliminated these restrictions as a result of our extensive hearings on this exact subject, and these limitations should not be enforced again unless a comparable detailed study would support such action.

Sincerely yours,
EMILIO Q. DADDARIO,
Chairman, Subcommittee on Science Research, and Development.

EXAMPLES OF COMMON ITEMS OF INDIRECT EXPENSES NORMALLY INCLUDED IN RESEARCH CONTRACTS

Employee benefits: Pension, insurance, social security, workmen's compensation, unemployment insurance.

Indirect people: Plant protection, janitors, mail and messengers, telephone and telegraph, accounting, general computer work, legal, recruiters, purchasing, nurses, equipment maintenance, librarian, stock-keeper, management, clerical, stenographic, secretarial, expediters, union relations, small business liaison, equal employment opportunity liaison.

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[1] CONGRESSIONAL RECORD, vol. 111, pt. 7, p. 9366.

Controllable expenses: Standard tools, shop and office supplies, telephone and telegraph, travel and living—indirect employees, education and training, maintenance of plant and equipment, employee transfers, fuel, water, electrical energy, purchased services, patterns and special tools.

Fixed expenses: Depreciation, buildings, trucks, lifts, machine tools, etc.; rentals, amortization of leasehold costs, taxes—Federal, State, and local, insurance.

October 8, 1968.

Hon. Mike Mansfield,
U.S. Senate,
Washington, D.C.

Dear Senator Mansfield: Enclosed are copies of certain correspondence which I have sent to Congressman George H. Mahon, Chairman of the House Appropriations Committee, in which I request that action be deferred until next year on your amendment to limit indirect costs in Federal research grants and contracts.

This Committee, and the Science Subcommittee which I chair, have carefully investigated the matter in the past, and have found that such statutory limitations are generally undesirable. Our rationale is summarized in the correspondence.

I respectfully request, therefore, that you reconsider your position and delay action until the appropriate committees of the Congress have an opportunity to study the situation further and to assess the impact of the amendment.

Sincerely yours,
Emilio Q. Daddario,
Chairman, Subcommittee on Science, Research and Development.

Mr. MAHON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the Speaker announced that the ayes appeared to have it.

So the conference report was agreed to.

The SPEAKER. The Clerk will report the Senate amendment in disagreement.

The Clerk read as follows:

Senate amendment: On page 44, line 11, insert:

"Sec. 543. Effective on the date of enactment of this Act—

"(1) The provisions of section 201 of the Revenue and Expenditure Control Act of 1968 shall not apply with respect to those employees of the Department of Defense in positions established after June 30, 1966, in support of Southeast Asia operations and scheduled for abolition on termination of those operations: *Provided*, That this paragraph shall apply to not more than one hundred and fifty thousand of such employees: *Provided further*, That this paragraph shall apply only to those employees stationed in the Southeast Asia Theater of Operations.

"(2) In applying the provisions of such section to the departments and agencies in the executive branch those employees (not exceeding one hundred and fifty thousand) covered by (1) above shall not be taken into account.

"(3) Notwithstanding the provisions of section 201(a) of the Revenue and Expenditure Control Act of 1968, employment in temporary and part-time positions in the Department of Defense may be programed on an annual basis in an average number not exceeding the average number of such employees during 1967."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as folows:

Mr. Mahon moves that the House recede from its disagreement to the amendment of the Senate numbered 17 and concur therein with an amendment, as follows: In lieu of the section number of the proposed amendment insert: "542".

Mr. REID of New York. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. REID of New York. Mr. Speaker, I object to the vote on the ground——

The SPEAKER. The Chair will state that the gentleman has to be on his feet in order to address the Chair.

Mr. REID of New York. Mr. Speaker, I object to the vote on the ground——

The SPEAKER. Did the gentleman from New York address the Chair?

Mr. REID of New York. I am trying to address the Chair.

The SPEAKER. Did the gentleman from New York address the Chair?

Mr. REID of New York. I am trying most respectfully to address the Chair.

The SPEAKER. Did the gentleman from New York address the Chair a moment ago?

Mr. REID of New York. I address the Chair now.

The SPEAKER. That is not the question. Did the gentleman from New York address the Chair when the Chair put the question on agreeing to the conference report?

Mr. REID of New York. I was on my feet seeking to address the Chair.

The SPEAKER. What did the gentleman say?

Mr. REID of New York. I was on my feet seeking to address the Chair.

The SPEAKER. Is the gentleman rising on agreeing to the conference report?

Mr. REID of New York. That is correct.

Mr. MAHON. Mr. Speaker, there is no disposition to avoid a rollcall.

The SPEAKER. The Chair will state that we have gone beyond the adoption of the conference report.

The matter now pending before the House is on an amendment in disagreement and the motion made by the gentleman from Texas.

Mr. REID of New York. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Does the gentleman make a point of order that a quorum is not present—calling for a straight quorum call?

Mr. REID of New York. By way of clarification, I feel this is one of the most important bills to come before this Congress. It is the largest single appropriation bill, and the fact that much of it has been previously approved in preceding votes does not, it seems to me, excuse the Congress from voting on the final passage.

The SPEAKER. Did the gentleman address the Chair before the Chair put the question on agreeing to the conference report?

Mr. REID of New York. I would respectfully say to the Speaker that I was on my feet.

The SPEAKER. Did the gentleman address the Chair?

Mr. REID of New York. I was seeking——

The SPEAKER. The gentleman from New York is on his honor. Did the gentleman address the Chair?

Mr. REID of New York. I was on my feet.

The SPEAKER. Did the gentleman address the Chair?

Mr. REID of New York. I was seeking to reach the microphone.

The SPEAKER. Did the gentleman address the Chair?

Mr. REID of New York. Well——

The SPEAKER. Yes or no? If the gentleman on his responsibility and on his honor says that he addressed the Chair, the Chair will try to protect his rights. If the gentleman did not, then he has no right on the question of agreeing to the conference report because the gentleman did not assert his rights under the rule.

Did the gentleman address the Chair while the Chair was putting the question?

Mr. REID of New York. I was seeking to.

The SPEAKER. Did the gentleman address the Chair?

Mr. REID of New York. I was seeking to reach the microphone.

The SPEAKER. Did the gentleman say, "Mr. Speaker"?

Mr. REID of New York. I was seeking to say that into the microphone as the Chair was speaking.

The SPEAKER. Did the gentleman address the Chair?

Mr. REID of New York. I did say, "Mr. Speaker" when I reached the microphone.

The SPEAKER. The gentleman on his honor says that he addressed the Chair and said, "Mr. Speaker"?

Mr. REID of New York. Certainly.

The SPEAKER. That was before the question was put?

Mr. REID of New York. I cannot verify the precise time, but I said, "Mr. Speaker" and I was on my feet seeking to.

The SPEAKER. The Chair protects every Member and when the Chair put the question, nobody addressed the Chair.

The Clerk has reported an amendment in disagreement.

If the gentleman wants to make a unanimous-consent request to vacate the proceedings whereby the conference report was agreed to, the Chair will entertain that unanimous-consent request.

Mr. ASHBROOK. Mr. Speaker——

The SPEAKER. The gentleman from New York [Mr. Reid] has the floor.

Mr. REID of New York. What is the question the Chair is propounding at this point to the gentleman from New York?

The SPEAKER. The Chair is not propounding a question, the Chair is making an observation.

As to the conference report, the acceptance of it has been completed.

It is very clear that the gentleman did not address the Chair.

Mr. REID of New York. Mr. Speaker, is it appropriate, by way of a parliamentary inquiry, to say that the gentleman from Ohio did hear me when I was on my feet seeking recognition saying, "Mr. Speaker."

Mr. MAHON. Mr. Speaker, I ask unanimous consent to vacate the proceedings to permit the gentleman to ask for a rollcall or to make a point of order of no quorum on the vote involving the adoption of the conference report.

The SPEAKER. The Chair said that the Chair would entertain that unanimous-consent request by the gentleman from New York and the Chair now entertains the request made by the gentleman from Texas.

Is there objection to the request of the gentleman from Texas [Mr. MAHON]?

Mr. HARDY. Mr. Speaker, I object.

Mr. Speaker, I withdraw my objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. MAHON]?

There was no objection.

The SPEAKER. The question is on agreeing to the conference report.

Mr. HARDY. Mr. Speaker, I object.

I withdraw my objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the Speaker announced that the "ayes" appeared to have it.

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. REID of New York. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. One hundred thirty-one Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken, and there were—yeas 213, nays 6, not voting 212, as follows:

[Roll No. 427]

YEAS—213

Abernethy
Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Ashbrook
Baring
Barrett
Bates
Battin
Bennett
Betts
Biester
Bingham
Boggs
Boland
Bolling
Bolton
Bray
Brinkley
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, Va.
Buchanan
Burke, Mass.
Burleson
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cahill
Carey
Cederberg
Chamberlain
Clark
Clawson, Del
Cleveland
Cohelan
Colmer
Conable
Conte
Corbett
Cramer
Culver
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Dingell
Dole
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Eckhardt
Edmondson
Erlenborn
Eshleman
Fallon
Feighan
Findley
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Griffin
Griffiths
Grover
Gubser
Gude
Hagan
Halpern
Hanley
Hansen, Wash.
Hardy
Harrison
Hechler, W. Va.
Hosmer
Hunt
Hutchinson
Irwin
Jarman
Joelson
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Kazen
King, N.Y.
Kornegay
Laird
Latta
Lennon
Lipscomb
Long, Md.
McCloskey
McCulloch
McDade
McDonald, Mich.
McEwen
McMillan
MacGregor
Machen
Mahon
Marsh
Matsunaga
May
Meskill
Miller, Ohio
Mills
Minish
Mink
Mize
Monagan
Moore
Morgan
Morse, Mass.
Morton
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
O'Hara, Mich.
O'Konski
O'Neal, Ga.
Passman
Patten
Pelly
Pepper
Perkins
Philbin
Pike
Pirnie
Poage
Poff
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Railsback
Randall
Rarick
Reid, Ill.
Reid, N.Y.
Rhodes, Pa.
Riegle
Rivers
Rodino
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Roth
Roybal
Rumsfeld
St. Onge
Sandman
Satterfield
Saylor
Scherle
Schneebell
Schwengel
Scott
Shriver
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Stanton
Steiger, Wis.
Stubblefield
Teague, Tex.
Thompson, Ga.
Tiernan
Tuck
Udall
Vander Jagt
Waggonner
Wampler
Watson
Watts
Whalen
Whalley
Whitten
Wilson, Bob
Wyatt
Wylie
Wyman
Yates
Young
Zablocki
Zwach

NAYS—6

Conyers
Rees
Reuss
Rosenthal
Scheuer
Vanik

NOT VOTING—212

Abbitt
Adair
Anderson, Ill.
Annunzio
Arends
Ashley
Ashmore
Aspinall
Ayres
Belcher
Bell
Berry
Bevill
Blackburn
Blanton
Blatnik
Bow
Brademas
Brasco
Brock
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Burke, Fla.
Burton, Calif.
Bush
Button
Cabell
Carter
Casey
Celler
Clancy
Clausen, Don H.
Collier
Collins
Corman
Cowger
Cunningham
Curtis
Daddario
Denney
Dent
Derwinski
Devine
Dickinson
Diggs
Dow
Dwyer
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Esch
Evans, Colo.
Everett
Evins, Tenn.
Farbstein
Fascell
Fino
Fisher
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Goodling
Gray
Green, Oreg.
Green, Pa.
Gross
Gurney
Haley
Hall
Halleck
Hamilton
Hammerschmidt
Hanna
Hansen, Idaho
Harsha
Harvey
Hathaway
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Hicks
Holifield
Horton
Howard
Hull
Hungate
Ichord
Jacobs
Johnson, Calif.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
King, Calif.
Kirwan
Kleppe
Kluczynski
Kupferman
Kuykendall
Kyl
Kyros
Landrum
Langen
Leggett
Lloyd
Long, La.
Lukens
McCarthy
McClory
McClure
McFall
Macdonald, Mass.
Madden
Mailliard
Martin
Mathias, Calif.
Mathias, Md.
Mayne
Meeds
Michel
Miller, Calif.
Minshall
Montgomery
Moorhead
Morris, N. Mex.
Mosher
Moss
Nelsen
Nichols
Nix
O'Hara, Ill.
Olsen
O'Neill, Mass.
Ottinger
Patman
Pettis
Pickle
Podell
Pollock
Quillen
Reifel
Reinecke
Resnick
Rhodes, Ariz.
Roberts
Robison
Rogers, Colo.
Rostenkowski
Roudebush
Roush
Ruppe
Ryan
St Germain
Schadeberg
Schweiker
Selden
Shipley
Sikes
Sisk
Smith, Calif.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Steed
Steiger, Ariz.
Stephens
Stratton
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Tenzer
Thompson, N.J.
Thomson, Wis.
Tunney
Ullman
Utt
Van Deerlin
Vigorito
Waldie
Walker
Watkins
White
Whitener
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Charles H.
Winn
Wolff
Wright
Wydler
Zion

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. O'Neill of Massachusetts with Mr. Arends.

Mr. Aspinall with Mr. Smith of California.

Mr. Hébert with Mr. Halleck.

Mr. Kirwan with Mr. Bow.

Mr. Brooks with Mr. Adair.

Mr. Rogers of Colorado with Mr. Rhodes of Arizona.

Mr. Ashmore with Mr. Nelsen.

Mr. Abbitt with Mr. Gross.

Mr. Johnson of California with Mr. Ayres.

Mr. Green of Pennsylvania with Mr. Cunningham.

Mr. Giaimo with Mr. Broomfield.

Mr. Garmatz with Mr. Springer.

Mr. Roberts with Mr. Utt.

Mr. St Germain with Mr. Harvey.

Mr. Sikes with Mr. Michel.

Mr. Henderson with Mr. Berry.

Mr. Holifield with Mr. Teague of California.

Mr. Hull with Mr. Don H. Clausen.

Mr. Stratton with Mrs. Dwyer.

Mr. Podell with Mr. Devine.

Mr. Celler with Mr. Mailliard.

Mr. Daddario with Mr. Robison.

Mr. Brasco with Mr. Derwinski.

Mr. Hungate with Mr. Quillen.

Mr. Ichord with Mr. Belcher.

Mr. Annunzio with Mr. Mosher.

Mr. Wolff with Mr. Esch.

Mr. Whitener with Mr. Dickinson.

Mr. Leggett with Mr. Reinecke.

Mr. Cabell with Mr. Martin.

Mr. Montgomery with Mr. Broyhill of North Carolina.

Mr. Moorhead with Mr. Taft.

Mr. Miller of California with Mr. Harsha.

Mr. Wright with Mr. Gurney.

Mr. Madden with Mr. Horton.

Mr. Dent with Mr. Lloyd.

Mr. Evins of Tennessee with Mr. Burke of Florida.

Mr. Farbstein with Mr. Pollock.

Mr. Ottinger with Mrs. Heckler of Massachusetts.

Mr. Edwards of California with Mr. Bell.

Mr. Eilberg with Mr. McClure.

Mr. Fisher with Mr. Kyl.

Mr. Hanna with Mr. Anderson of Illinois.

Mr. Hays with Mr. Stafford.

Mr. Hathaway with Mr. McClory.

Mr. Sisk with Mr. Thomson of Wisconsin.

Mr. Staggers with Mr. Widnall.

Mrs. Sullivan with Mr. Wydler.

Mr. Taylor with Mr. Blackburn.

Mr. Rostenkowski with Mr. Zion.

Mr. Charles H. Wilson with Mr. Button.

Mr. Walker with Mr. Mayne.

Mr. Waldie with Mr. Ruppe.

Mr. Thompson of New Jersey with Mr. Goodling.

Mr. Jones of North Carolina with Mr. Brock.

Mr. Tenzer with Mr. Lukens.

Mr. White with Mr. Bush.

Mr. Kluczynski with Mr. Gardner.

Mr. Brademas with Mr. Langen.

Mr. Bevill with Mr. Hall.

Mr. Jacobs with Mr. Collier.

Mr. Blatnik with Mr. Kleppe.

Mr. Morris of New Mexico with Mr. Reifel.

Mr. Nichols with Mr. Clancy.

Mr. Blanton with Mr. Collins.

Mr. Kyros with Mr. Smith of Oklahoma.

Mr. Long of Louisiana with Mr. Carter.

Mr. Vigorito with Mr. Watkins.

Mr. Tunney with Mr. Pettis.

Mr. Patman with Mr. Denney.

Mr. Pickle with Mr. Cowger.

Mr. Fuqua with Mr. Roudebush.

Mr. Fascell with Mr. Curtis.

Mr. Casey with Mr. Edwards of Alabama.
Mr. Evans of Colorado with Mr. Fino.
Mr. Stephens with Mr. Hammerschmidt.
Mr. Corman with Mr. Wiggins.
Mr. Macdonald of Massachusetts with Mr. Talcott.
Mr. Edwards of Louisiana with Mr. Snyder.
Mr. Brown of California with Mr. Hansen of Idaho.
Mr. Karth with Mr. Keith.
Mr. Steed with Mr. Williams.
Mr. Haley with Mr. Schadeberg.
Mr. Fulton of Tennessee with Mr. Kuykendall.
Mr. Van Deerlin with Mr. Schweiker.
Mr. Hamilton with Mr. Steiger of Arizona.
Mr. Stuckey with Mr. Mathias of California.
Mr. Howard with Mr. Winn.
Mr. Meeds with Mr. Kupferman.
Mr. Kastenmeier with Mr. Mathias of Maryland.
Mr. Galifianakis with Mr. Miller of Ohio.
Mr. Gray with Mr. Ryan.
Mr. Ashley with Mr. Helstoski.
Mr. Hicks with Mr. Roush.
Mr. Hawkins with Mrs. Green of Oregon.
Mr. Gallagher with Mr. Nix.
Mr. O'Hara of Illinois with Mr. Diggs.
Mr. Dow with Mr. Burton of California.
Mr. McFall with Mr. McCarthy.
Mr. Landrum with Mr. Kee.
Mr. Ullman with Mr. Resnick.
Mr. King of California with Mr. Olsen.
Mr. Everett with Mr. Herlong.
Mr. Moss with Mr. Karsten.
Mr. Shipley with Mr. Selden.

Mr. CONYERS and Mr. SCHEUER changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

AMENDMENT IN DISAGREEMENT

The SPEAKER. The Clerk will report the amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 17. On page 44, line 11, insert:

"Sec. 543. Effective on the date of enactment of this Act—

"(1) The provisions of section 201 of the Revenue and Expenditure Control Act of 1968 shall not apply with respect to those employees of the Department of Defense in positions established after June 30, 1966, in support of Southeast Asia operations and scheduled for abolition on termination of those operations: *Provided,* That this paragraph shall apply to not more than one hundred and fifty thousand of such employees: *Provided further,* That this paragraph shall apply only to those employees stationed in the Southeast Asia Theater of Operations.

"(2) In applying the provisions of such section to the departments and agencies in the executive branch those employees (not exceeding one hundred and fifty thousand) covered by (1) above shall not be taken into account.

"(3) Notwithstanding the provisions of section 201(a) of the Revenue and Expenditure Control Act of 1968, employment in temporary and part-time position in the Department of Defense may be programed on an annual basis in an average number not exceeding the average number of such employees during 1967."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Mahon moves that the House recede from its disagreement to the amendment of the Senate numbered 17 and concur therein with an amendment, as follows: In lieu of the section number of the proposed amendment insert: "542".

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and on the motion was laid on the table.

AUTHORITY TO CORRECT SECTION NUMBERS IN H.R. 18707

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the clerk may correct section numbers in the bill H.R. 18707 as just passed.

By way of explanation, the deletion in conference of section 537 leaves the remaining section numbers—which were not in conference—out of sequence.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

GENERAL LEAVE

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may be permitted to revise and extend their remarks on the conference report in connection with the Department of Defense appropriation bill just passed, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the Defense bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 15003. An act to amend the Tariff Schedules of the United States so as to prevent the payment of multiple customs duties in the case of horses temporarily exported for the purpose of racing;

H.R. 15798. An act to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk;

H.R. 17332. An act to amend the Internal Revenue Code of 1954 regarding credits and payments in the case of certain use of gasoline and lubricating oil; and

H.R. 18101. An act to amend section 337 of the Internal Revenue Code of 1954 with respect to the recognition of gain or loss on sales or exchanges in connection with certain liquidations.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2767) entitled "An act to amend the Internal Revenue Code of 1954 to allow a farmer an amortized deduction from gross income for assessments for depreciable property levied by soil or water conservation or drainage districts, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Long of Louisiana, Mr. Smathers, Mr. Anderson, Mr. Williams of Delaware and Mr. Carlson to be the conferees on the part of the Senate.

INCREASING PENALTIES FOR UNLAWFUL ACTS INVOLVING LSD AND OTHER DEPRESSANT AND STIMULANT DRUGS

Mr. FRIEDEL. Mr. Speaker, I call up the conference report on the bill (H.R. 14096) to amend the Federal Food, Drug, and Cosmetic Act, to increase the penalties for unlawful acts involving lysergic acid diethylamide (LSD) and other depressant and stimulant drugs, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 1958)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14096) to amend the Federal Food, Drug, and Cosmetic Act to increase the penalties for unlawful acts involving lysergic acid diethylamide (LSD) and other depressant and stimulant drugs, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, and 5, and agree to the same.

Harley O. Staggers,
John Jarman,
Paul G. Rogers,
David E. Satterfield,
W. L. Springer,
Ancher Nelsen,
Tim Lee Carter,
Managers on the Part of the House.

Lister Hill,
Ralph W. Yarborough,
Harrison Williams,
Claiborne Pell,
Edward Kennedy,
J. K. Javits,
George Murphy,
Peter H. Dominick,
Managers on the Part of the Senate.

Statement

The managers on the part of the House to the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14096) to amend the Federal Food, Drug, and Cosmetic Act to increase the penalties for unlawful acts involving lysergic acid diethylamide (LSD) and other depressant and stimulant drugs, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This amendment changes the penalty provided in the House bill for convictions for the unlawful possession for personal use of depressant or stimulant drugs. The House bill provided a penalty of imprisonment for not more than one year, or a fine of not more than $1,000, or both, if there had been no previous conviction for violations of section 301(q) of the Federal Food, Drug, and Cosmetic Act (relating to certain unlawful acts involving depressant or stimulant drugs), and imprisonment for not more than three years, or a fine of not more than $10,000, or both, if there was a previous conviction for violating such section. The Senate amendment provided a penalty of imprisonment for not more than one year, a fine of not more than $1,000, or both, for the first two convictions for such unlawful possession (irrespective of any prior convictions for violations of such section 301(q), and provided a penalty of imprisonment for not more than three years, a fine of not more than $10,000, or both, for subsequent convictions for such unlawful possession. The House recedes.

Amendment No. 2: This amendment makes certain provisions of the Federal Food, Drug, and Cosmetic Act relating to depressant or stimulant drugs, their containers, and the equipment used to manufacture, compound, or process them applicable to the Canal Zone. The House recedes.

Amendments Nos. 3 and 4: These amendments are conforming amendments to Amendment No. 2. The House recedes.

Amendment No. 5: This amendment amends the act establishing the National Eye Institute in the National Institutes of Health by changing the name of the National Institute of Neurological Diseases and Blindness to the National Institute of Neurological Diseases and Stroke. The House recedes.

HARLEY O. STAGGERS,
JOHN JARMAN,
PAUL G. ROGERS,
DAVID E. SATTERFIELD,
W. L. SPRINGER,
ANCHER NELSEN,
TIM LEE CARTER,
Managers on the Part of the House.

Mr. FRIEDEL (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement of the managers on the part of the House be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, the conference report being considered by the House today is on a bill passed by the House unanimously on July 12 increasing penalties for unlawful acts involving LSD and other depressant or stimulant drugs.

The House bill provided that possession of drugs subject to controls under the legislation is unlawful except where those drugs have been obtained pursuant to a valid prescription. The House bill provided that a first offense of unlawful possession should be a misdemeanor with the second and all subsequent offenses constituting a felony. The Senate amended the bill to provide that both the first and second offenses of unlawful possession should be misdemeanors with the third and subsequent offenses constituting a felony.

Another of the amendments of the Senate makes the laws relating to depressant or stimulant drugs applicable in the Canal Zone.

The final Senate amendment would change the name of the "National Institute for Neurological Diseases" to the "National Institute of Neurological Diseases and Stroke".

Mr. Speaker, the Senate conferees were quite persuasive in their arguments for the approach of the bill, as amended by the Senate. Therefore, the House conferees agreed to accept the Senate amendments, and we recommend that the House adopt the conference report.

Mr. NELSEN. Mr. Speaker, some time ago this House passed H.R. 14096 to provide a criminal penalty for possession of LSD and similar drugs and to increase penalties for selling them. The Senate changed our bill in only one respect and that was to make the first two convictions for possession misdemeanors rather than only the first violation. The purposes of this amendment to the Drug Act seem to be accomplished by either version and so your conferees receded.

Another entirely extraneous amendment was tacked on in the other body. This would change the name of the National Institute of Neurological Diseases to the National Institute of Neurological Diseases and Stroke. Your conferees were not in favor of this latter amendment but when it appeared that the very desirable change in the LSD statute would be sacrificed unless it remained, your conferees receded. On balance I recommend that we accept the conference report.

Mr. FRIEDEL. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent that all Members may have 5 days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

ADDITIONAL POSITIONS ON U.S. CAPITOL POLICE FORCE FOR DUTY UNDER THE HOUSE OF REPRESENTATIVES

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration I submit a privileged report (Report No. 1973) on the resolution (H. Res. 1211) to provide for an additional number of positions on the U.S. Capitol Police force for duty under the House of Representatives, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. RES. 1211

Resolved, That (a) in addition to the number of positions on the United States Capitol Police force, and of personnel detailed to such police force from the Metropolitan Police force of the District of Columbia, existing on the date of the adoption of this resolution, there are hereby authorized to be established sixty-two positions on the United States Capitol Police force, for duty under the House of Representatives, as follows:

(1) fifty positions of private;
(2) three positions of sergeant;
(3) two positions of lieutenant;
(4) one position of captain; and
(5) six positions of special policeman.

(b) Each appointment to any such additional position shall be made by the Capitol Police Board, subject to prior approval of the Committee on House Administration, without regard to political affiliation and solely on the basis of fitness to perform the duties of the position. Each person appointed to any such additional position shall have, prior to such appointment, at least one year of police experience or of equivalent experience.

(c) The rate of compensation of each position of special policeman established on the United States Capitol Police force for duty under the House of Representatives shall be a single per annum gross rate equal to the sum of—

(1) the single per annum gross rate of compensation of the position of private on the United States Capitol Police force, and

(2) an amount equal to two times the multiple dollar figure, as currently in effect from time to time at which the compensation of the position of private on such force is fixed.

(d) There shall be paid out of the contingent fund of the House of Representatives, until otherwise provided by law, such sums as may be necessary to pay the rates of compensation and the costs of uniforms and equipment, and to cover other necessary expenses, incident to carrying out the purposes of this resolution.

With the following committee amendments:

On page 2, line 1 strike out last two words "special policeman" and insert in lieu thereof the word "plainclothesman".

On page 2, line 10, strike out last word "special" and insert in lieu thereof the word "plainclothesman".

Page 2, line 11, strike out the first word "policeman".

The SPEAKER. The gentleman from Maryland is recognized for 1 hour.

Mr. FRIEDEL. Mr. Speaker, I yield to the gentleman from Ohio [Mr. ASHBROOK].

Mr. ASHBROOK. Mr. Speaker, if the gentleman from Maryland would yield for several questions—there have been a few questions on our side, I will say to the gentleman, regarding the adding of some 60-odd positions this late in the session. Could the gentleman tell us how these appointments will be made?

Mr. FRIEDEL. I will be very happy to do so.

These appointments are made by the Capitol police board, subject to prior approval by the Committee on House Administration, without regard to political affiliation and solely on the basis of fitness to perform the duties of the position.

Each appointee is required to have had at least 1 year's police experience or the equivalent thereof.

This is not patronage in any way, shape, or form.

The resolution simply provides for career men to perform this duty.

Mr. ASHBROOK. The gentleman from Maryland said that these appointments would be made without regard to political affiliation; is that not correct?

Mr. FRIEDEL. That is correct.

Mr. ASHBROOK. Which clearly takes this out of the realm of patronage; is that correct?

Mr. FRIEDEL. Yes. Moreover, it should be realized that there is a real need for additional staffing of the police force because of a gradual change in the thinking of our society relating to law and order. This demands a reappraisal of security needs for Members of Congress and for the Capitol buildings and grounds.

Because of the deterioration in the respect for law and order, it is necessary for the Congress to reevaluate the quantity and quality of personnel required to preserve the peace, protect life and property, and maintain an atmosphere of law and order so that the Congress may properly carry out its legislative responsibilities.

To meet these objectives, it is believed an increase in manpower will assist the police in carrying out its responsibilities and at the same time permit the force to have on duty at all times a sufficient number of men to provide flexibility for temporary emergency situations until other personnel can be mobilized.

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

IMMIGRATION AND NATIONALITY ACT

Mr. FEIGHAN. Mr. Speaker, I call up the conference report on the bill (H.R. 15147) to amend the Immigration and Nationality Act to provide for the naturalization of persons who have served in combatant areas in active-duty service in the Armed Forces of the United States, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 1968)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15147) to amend the Immigration and Nationality Act to provide for the naturalization of persons who have served in combatant areas in active-duty service in the Armed Forces of the United States, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate; and agree to the same.

Michael A. Feighan,
P. W. Rodino,
William T. Cahill,
Clark MacGregor,
Managers on the Part of the House.
James O. Eastland,
John L. McClellan,
Everett M. Dirksen,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15147) to amend the Immigration and Nationality Act to provide for the naturalization of persons who have served in combatant areas in active-duty service in the Armed Forces of the United States, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House passed H.R. 15147 and the Senate struck out all of the House bill after the enacting clause and inserted a substitute amendment. The House disagreed with the Senate version and requested a Conference. The Senate then agreed to the Conference. The Conference Report recommends that the House recede from its disagreement to the Senate version and agree to the same.

As passed by the House, the bill provided for expeditious naturalization of aliens who have served in an active-duty status in the Armed Forces of the United States in an area designated by the President as an area involving armed conflict with foreign hostile forces. The Senate amended the House bill to provide that eligibility for these special naturalization benefits should be determined by military service during a period designated by the President as a period in which the Armed Forces of the United States were engaged in military operations involving armed conflict of the hostile foreign force.

The House conferees agreed to accept the Senate amendment for the following reasons: The Senate amendment is consistent with the existing provisions of section 329 of the Immigration and Nationality Act which it proposes to amend. This section represents a long legislative history which has made service during prescribed periods the sole criterion for eligibility without regard to the areas in which the service may have been performed. The House conferees recognized and agreed that a serviceman's availability for assignment to a combat zone is ever present and that servicemen serving during the period of the Vietnam hostilities are no less deserving of such special naturalization privileges than those who served during World War I, World War II, or the Korean conflict. Furthermore, limiting the special benefits to members of the Armed Forces serving in defined combatant areas will lead to uncertainty and become a question of fact in each case whether the serviceman has served in such an area. The conferees further agreed that the House version penalized the serviceman who is ready, willing, and able to serve in combat but is not sent to such an area of combat solely because of military orders.

The House version contained no provision to exempt members of the Armed Forces who would be eligible for naturalization under the provisions of this bill from the payment of naturalization fees. The House had previously passed legislation which provided that the payment of fees be discretionary with the Secretary of State or the Attorney General as the case may be. Thus, the Attorney General could exempt such servicemen from the naturalization fee. However, this legislation has not been enacted into law and it was agreed by the conferees that exemption from the fee should be incorporated in this bill. It is anticipated that a number of servicemen presently serving in Vietnam would go to Guam for the purpose of being naturalized and be unable to pay the established fee which could not be waived by regulation but only by legislation.

The final difference between the two bills is the amendment to section 329(b)(4) of the Immigration and Nationality Act. Section 329(b)(4) now provides that a person filing a petition for the Armed Forces naturalization benefit shall prove his service in the military by a duly authenticated certification from the Executive department under which the petitioner served, or is serving, stating whether the petitioner served honorably during World War I, World War II, or during the Korean conflict. The Senate amendment adds the Vietnam conflict to this section thus conforming with the intent of the section.

For these reasons the House conferees agreed to the Senate amendment.

Michael A. Feighan,
P. W. Rodino,
William T. Cahill,
Clark MacGregor,
Managers on the Part of the House.

Mr. ROONEY of New York. Mr. Speaker, will the distinguished gentleman from Ohio yield briefly?

Mr. FEIGHAN. I yield to the gentleman from New York.

Mr. ROONEY of New York. I wish to compliment the distinguished gentleman from Ohio [Mr. Feighan] and the members of his committee, that is, the conferees on this legislation who signed the conference report for bringing it back to the House for approval. This legislation will do for alien GI's fighting in Vietnam what the Congress and a grateful nation did for World War I alien veterans, World War II alien veterans and Korean war alien veterans. The terms of this needed legislation as now completed and improved by the other body compare with the provisions of the bill H.R. 1, which I had the pleasure of introducing on the first day of this 90th Congress.

I thank the gentleman for yielding as well as for his cooperation in aiding our alien Vietnam war veterans.

Mr. ROONEY of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. FEIGHAN. I yield to the gentleman from Pennsylvania.

Mr. ROONEY of Pennsylvania. Mr. Speaker, to the man, the Members of this Chamber wince as they ponder the loss of lives being suffered today in Vietnam. Each of us has shared the horrible experience of consoling grief-stricken parents who have recently learned the sad news that a son has been killed or seriously injured in that zone of conflict.

I have shared such times of tragedy with dozens of families within my constituency. Always, it is a personally painful experience for me, as I am sure it is for each of my colleagues. Each of us, I am certain, has debated time after time, hour upon hour, with his conscience to determine what course of action he should advocate in South Vietnam.

We have weighed human lives and suffering, we have weighed material costs, we have weighed unmet needs at home, we have weighed our national interest, and we have weighed our military role in Southeast Asia against the possible course of events there and elsewhere in the world if the United States were not in Southeast Asia today.

Each of us, in our own way, came to a conclusion. I doubt whether any two of us would recommend precisely the same course of action without deviation on one point or another. But I know that without exception, the course of action we personally believe is right for the American people, for the United States as a nation, and indeed for the world, is the one we individually believe will prove to be the best course to restore durable peace in that part of the world.

We will not see peace restored before this 90th Congress adjourns. But without exception, I know, we share a common prayer that before the 91st Congress convenes we will have found the path which will lead to peace and will be moving briskly along that path.

I know all of us share, too, a common sense of deepest gratitude for the men and women who wear the uniform of the U.S. Armed Forces in Vietnam and elsewhere around the world. Each of the brave young men and women wearing the uniform of some branch of our military services has taken on a responsibility of the greatest proportions. In some instances, in past generations and in this generation, that responsibility has been to make the supreme sacrifice in defense of this Nation and all Americans.

Each of us, I am certain, would rise gladly in a standing salute to the men and women who cherish the American dream so highly that they will wear their Nation's uniform when asked to do so and will shed their blood or lay down their lives for their Nation. If many, many thousands of our young men and women had failed to respond to their Nation's appeal in years past, perhaps this legislative body would not be in session here today and we, as the elected Representatives of our constituencies, would not be participating in the processes of representative, democractic government.

Of course, when we see a man or woman wearing the uniform of one of the U.S. military services, we feel pride that there is an American who is giving part of his lifetime to the service of his country. But if that is our conclusion, it is quite possible that this conclusion is a faulty one. That man or woman in the uniform of a U.S. military service may not be an American at all. Instead, he or she may very well be a Greek, or German, Japanese, or Pole, an Englishman or Frenchman, or Canadian.

There are, today, many thousands of aliens—citizens of other nations—who proudly and honorably wear the uniform of an American military service.

In my congressional district lives an English-born family who later became Canadian citizens and now reside near Easton, Pa. Until recently, the George Bishop family of Wilson Borough, Pa., had a son, Graham, in Vietnam. Graham Bishop wore proudly and honorably the uniform of a U.S. Army sergeant in Vietnam and he distinguished himself as a soldier, and as a would-be American.

Sergeant Graham Bishop, a Canadian in the U.S. Army, and his family have nurtured one very special wish throughout the months Graham served in Vietnam. Twice he suffered wounds in Vietnam but his wish and the wish of his family was not diminished. That wish was for Graham Bishop to earn his American citizenship while still serving in Vietnam.

Last March 4, this House passed a bill, H.R. 15147, which was intended to extend the opportunity to attain citizenship to those aliens serving honorably in the U.S. Armed Forces in that Southeast Asian combat area.

Then, the bill languished in Senate committee for months before being sent to the Senate floor where its provisions were broadened to afford the opportunity for citizenship to all qualified aliens serving in the U.S. Armed Forces. Ever since, the House and Senate differences have been assigned to conference for resolution.

Today, Mr. Speaker, we have before us the conference report on what is known as the alien GI bill. It will assist those foreign-born who wear American uniforms, and who are bearing an American responsibility with honor, to become full-fledged Americans. If you or I passed them in the street, we would accept them as Americans on first glance. Yet they know, in their own hearts, that we have not truly accepted them as Americans because they remain citizens of other lands despite the fact that they wear the American uniform.

Mr. Speaker, we have an opportunity now to do more than merely recognize them as Americans because of the uniform they wear. We can express our appreciation to these citizens of other lands for the allegiance they have pledged to our country and our people by welcoming them into American citizenship.

Across this country, hundreds of thousands of Americans during the past 6 months have signed petitions urging the Congress to grant the privilege of citizenship to these men and women. We can do so today, by passing the conference measure now before us. Let us do so without hesitation. Let us make one mother, in this Chamber now, the happiest person on earth, for that mother, Mrs. George Bishop, has worked tirelessly throughout this year to help those young men and women who are the self-adopted sons and daughters of the United States become real Americans.

For some who would have welcomed this action weeks or months ago, we already are too late. We cannot justify any further delay.

Mr. FEIGHAN. Mr. Speaker, I urge the Members of the House to vote favorably on the conference report on H.R. 15147. This legislation will place the noncitizen national serving in our forces during the Vietnam conflict on the same basis with noncitizen nationals serving in our forces during World War I, World War II, and the Korean conflict.

It will enable the noncitizen veteran to be naturalized without satisfying a residence requirement. He must serve honorably and have been either legally within the United States when he enlisted or a lawfully admitted permanent resident.

Enactment of this report will give foreign nationals serving in Vietnam fair naturalization treatment. They should obviously be afforded the same benefits as those who served our country in other wars.

The bill recommended by the conference report extends those naturalization benefits to anyone having military service during a period designated by the President as a period in which the Armed Forces of the United States were engaged in military operations involving armed conflict with hostile foreign forces.

This is consistent with the existing provisions of section 329 of the Immigration and Nationality Act which it proposes to amend. This section represents a long legislative history which has made service during prescribed periods the sole criterion for eligibility.

Moreover, this report contains a provision to exempt members of the Armed Forces who would be eligible for naturalization under the provisions of this report from the payment of naturalization fees.

The Subcommittee on Immigration and Nationality has spent considerable time on this proposal. It is only just that Vietnam veterans be treated the same as those of other wars. Therefore, I feel it is of the greatest importance that each of you vote affirmatively on this report.

Mr. CAHILL. Mr. Speaker, will the gentleman yield?

Mr. FEIGHAN. I yield to the gentleman from New Jersey.

Mr. CAHILL. I would like to say in behalf of the minority members of the committee that we share the expressions of the chairman and we are pleased to cooperate in bringing about this very desirable piece of legislation.

Mr. FEIGHAN. I thank the gentleman.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

AMENDMENT TO SECTION 101(a)(27)(D) OF THE IMMIGRATION AND NATIONALITY ACT

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 15450) to amend section 101(a)(27)(D) of the Immigration and Nationality Act, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 6, strike out "missionary,".

Amend the title so as to read: "An Act to amend section 101(a)(27)(D) of the Immigration and Nationality Act, and for other purposes".

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. ASHBROOK. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 15450) to amend section 101(a)(27)(D) of the Immigration and Nationality Act, with Senate amendments thereto, and disagree to the amendments of the Senate.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 6, strike out "missionary,".

Amend the title so as to read: "An Act to amend section 101(a)(27)(D) of the Immigration and Nationality Act, and for other purposes".

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

A motion to reconsider was laid on the table.

FOR THE RELIEF OF JOSEFINA POLICAR ABUTAN FULIAR

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 2478) for the relief of Josefina Policar Abutan Fuliar, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, after line 10, insert:

"Sec. 2. For the purposes of sections 203(a)(1) and 204 of the Immigration and Nationality Act, Maria Prescilla Caramanzana shall be held and considered to be the natural-born alien daughter of Mr. Adolfo Caramanzana, a citizen of the United States: *Provided,* That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege or status under the Immigration and Nationality Act.

"Sec. 3. For the purposes of the Immigration and Nationality Act, Josefina F. Viera shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 14, 1960.

"Sec. 4. In the administration of the Immigration and Nationality Act, Maria Balluardo Frasca may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Giovanni Frasca, citizens of the United States, pursuant to section 204 of the Act: *Provided,* That the brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

"Sec. 5. For the purposes of the Immigration and Nationality Act, Doctor Rodolfo Eduardo Bustamante y Arriola shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 20, 1962.

"Sec. 6. In the administration of the Immigration and Nationality Act, Lee Ok Ja may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, and a petition filed in her behalf by June Nelson, a citizen of the United States, may be approved pursuant to section 204 of the Act.

"Sec. 7. For the purposes of the Immigration and Nationality Act, Doctor Ramón Aixalá shall be held and considered to be lawfully admitted to the United States for permanent residence as of October 13, 1962.

"Sec. 8. For the purposes of the Immigration and Nationality Act, Doctor Eulogio Manuel Calderin Pazos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 24, 1962.

"Sec. 9. For the purposes of the Immigration and Nationality Act, Doctor Francisco Dominquez López shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 19, 1961.

"Sec. 10. For the purposes of the Immigration and Nationality Act, Doctor Miguel A. Santos-Buch shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 24, 1961.

"Sec. 11. For the purposes of the Immigration and Nationality Act, Doctor Dario Duque shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 27, 1956, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the said Act.

"Sec. 12. For the purposes of the Immigration and Nationality Act, Doctor Martin Adolfo Giner-Zaldivar shall be held and considered to have been lawfuly admitted to the United States for permanent residence as of January 26, 1962.

"Sec. 13. For the purposes of the Immigration and Nationality Act, Doctor Guillermo Sardiñas Pérez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 26, 1960.

"Sec. 14. For the purposes of the Immigration and Nationality Act, Doctor Maria del Carmen Ortiz y Gomez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 4, 1961.

"Sec. 15. For the purposes of the Immigration and Nationality Act, Doctor Antonio F. Frexes shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 9, 1963.

"Sec. 16. For the purposes of the Immigration and Nationality Act, Doctor Angela Zabarte Fandino shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 16, 1962.

"Sec. 17. For the purposes of the Immigration and Nationality Act, Doctor Jorge Ricardo Dávalos-Reyling shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 20, 1961.

"Sec. 18. For the purposes of the Immigration and Nationality Act, Doctor José Ramón Fernández-González shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 1, 1961.

"Sec. 19. For the purposes of the Immigration and Nationality Act, Doctor Reynaldo A. Geerken-Saladrigas shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 8, 1961.

"Sec. 20. For the purposes of the Immigration and Nationality Act, Doctor Rolando Guzmán-Rodriguez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 11, 1961.

"Sec. 21. For the purposes of the Immigration and Nationality Act, Doctor Esther Martha Espinosa Báez de Guzmán shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 11, 1961.

"Sec. 22. For the purposes of the Immigration and Nationality Act, Doctor Oscar F. Cartaya shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 19, 1961.

"Sec. 23. Nothwithstanding the provisions of section 212(a)(19) and for the purposes of section 203(a)(2) and 204 of the Immigration and Nationality Act, Maria de Conceicao Botelho Pereira shall be held and considered to be the natural-born alien daughter of Palmira Pereira, a lawfully resident alien in the United States: *Provided,* That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act: *And provided further,* That the exemption granted herein shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.

"Sec. 24. For the purposes of the Immigration and Natonality Act, Doctor Rafael Ramon Pascual shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 24, 1962.

"Sec. 25. For the purposes of the Immigration and Nationality Act, Doctor Joseph Moussakhani shall be held and considered to have been lawfully admitted to the United States for permanent residence on June 23, 1959, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the said Act.

"Sec. 26. In the administration of the Immigration and Nationality Act, Ricardo Siguancia Rosario may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Richard Rosario, a citizen of the United States and a lawfully resident alien of the United States, respectively, pursuant to section 204 of the Act: *Provided,* That no brothers or sisters of the said Ricardo Siguancia Rosario shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

"Sec. 27. For the purposes of the Immigration and Nationality Act, Doctor Eliseo E. Puig shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 21, 1962.

"Sec. 28. For the purposes of the Immigration and Nationality Act, Doctor Orlando Fajardo Vargas shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 9, 1963.

"Sec. 29. For the purposes of the Immigration and Nationality Act, Doctor José R. Guerra shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 29, 1961.

"Sec. 30. For the purposes of the Immigration and Nationality Act, Doctor Conrado Gonzales-Nunez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 12, 1961.

"Sec. 31. For the purposes of the Immigration and Nationality Act, Doctor Hugo Alfonso Ferrara Collazo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 9, 1961.

"Sec. 32. In the administration of the Immigration and Nationality Act, Sung Nan Lee may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Frederick W. Uthe, citizens of the United States, pursuant to section 204 of the Act. Section 204(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

"Sec. 33. For the purposes of the Immigration and Nationality Act, Doctor Orlando L. Fernandez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of October 31, 1961.

"Sec. 34. For the purposes of the Immigration and Nationality Act, Doctor Robert de la Caridad Miquel shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 8, 1961.

"Sec. 35. For the purposes of the Immigration and Nationality Act, Mario Santos Gomes shall be held and considered to have complied with the provisions of section 316 of that Act as they relate to residence and physical presence.

"Sec. 36. In the administration of the Immigration and Nationality Act, Ann Su Gibson may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Charles C. Gibson, citizens of the United States, pursuant to section 204 of the Act. Section 204(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

"Sec. 37. In the administration of the Immigration and Nationality Act, Demetroula Georgiades (formerly known as Demetroula Demetropoulos) may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Sophia and Nicholas

G. Georgiades, a lawfully resident alien and a citizen of the United States, respectively, pursuant to section 204 of the Act: *Provided*, That no brothers or sisters of the said Demetroula Georgiades shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

"Sec. 38. For the purposes of the Immigration and Nationality Act, Doctor Rodrigo Victor de Valle shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 25, 1963.

Sec. 39. In the administration of the Immigration and Naturalization Act, Nguyen Van Hue may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Master Sergeant Norman Leon Snyder, RO 43011064, United States Army, and Muriel Guest Snyder, citizens of the United States, pursuant to section 204 of the Act: *Provided*, That the natural brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

"Sec. 40. In the administration of the Immigration and Nationality Act, Elizabeth Scofield, the fiancée of Bradley Curry, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of three months: *Provided*, That the administrative authorities find that the said Elizabeth Schofield is coming to the United States with a bona fide intention of being married to the said Bradley Curry and is found otherwise admissible under the immigration laws. In the event the marriage between the above named persons does not occur within three months after the entry of the said Elizabeth Schofield, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above named persons shall occur within three months after the entry of the said Elizabeth Schofield, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Elizabeth Schofield as of the date of the payment of the required visa fee.

"Sec. 41. In the administration of the Immigration and Nationality Act, Christopher Sloane (Bosmos) may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, and a petition filed in his behalf by Marcia E. Sloane, a citizen of the United States, may be approved pursuant to section 204 of the Act.

"Sec. 42. In the administration of the Immigration and Nationality Act, Ku Eun Yong may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Robert H. Cobb, citizens of the United States, pursuant to section 204 of the Act: *Provided*, That no brothers or sisters of the said Ku Eun Yong shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

"Sec. 43. For the purposes of the Immigration and Nationality Act, Doctor Luis Ravenet shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 12, 1962.

"Sec. 44. For the purposes of the Immigration and Nationality Act, Doctor Jorge Mañach-Baños shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 21, 1961.

"Sec. 45. In the administration of the Immigration and Nationality Act, Ana Mae Yap-Diangco may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. Crisanto A. Malihan, a citizen of the United States, pursuant to section 204 of the Act: *Provided*, That the brothers or sisters of the said Ana Mae Yap-Diangco shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

"Sec. 46. For the purposes of the Immigration and Nationality Act, Doctor Isaac Cohen shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 5, 1960.

"Sec. 47. For the purposes of the Immigration and Nationality Act, Doctor Arturo Brito Santos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 4, 1961.

"Sec. 48. For the purposes of the Immigration and Nationality Act, Doctor Victor Luis Bienes Jimenez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 2, 1960.

"Sec. 49. For the purposes of the Immigration and Nationality Act, Doctor Orlando De Varona De Zayas shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 10, 1962.

"Sec. 50. For the purposes of the Immigration and Nationality Act, Doctor Antonio Matias Rubio shall be held and considered to have been lawfully admitted to the United States for permanent residence as of April 14, 1961.

"Sec. 51. For the purposes of the Immigration and Nationality Act, Doctor Luis Narciso Gonzalez y Fleites shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 12, 1961.

"Sec. 52. For the purposes of the Immigation and Nationality Act, Aydee Cordero shall be held and considered to have been lawfully admitted to the United States as of February 12, 1963.

"Sec. 53. In the administration of the Immigration and Nationality Act, Choi Sung Joo may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Gerard J. Byrne, citizens of the United States, pursuant to section 204 of the Act, Section 204(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

"Sec. 54. For the purposes of the Immigration and Nationality Act, Doctor Augusto Usategui shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 2, 1960.

"Sec. 55. For the purposes of the Immigration and Nationality Act, Doctor Rogelio Giraldo Vidal-Lopez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 18, 1961.

"Sec. 56. For the purposes of the Immigration and Nationality Act, Doctor Francisco E. Laurrauri-Laurrauri shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 5, 1961.

"Sec. 57. For the purposes of the Immigration and Nationality Act, Doctor Pedro Baudilio Napoles (Fernandez) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 19, 1962.

"Sec. 58. In the administration of the Immigration and Nationality Act, Ai Bok Chun may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Carl and Gertrude Eggebeen, citizens of the United States, pursuant to section 204 of the Act. Section 204(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

"Sec. 59. For the purposes of the Immigration and Nationality Act, Doctor Erdogan Y. Baysal shall be held and considered to have been lawfully admitted to the United States on June 27, 1957, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the said Act.

"Sec. 60. In the administration of the Immigration and Nationality Act, Zumrut Sooley may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Frank N. Sooley, citizens of the United States, pursuant to section 204 of the Act: *Provided*, That the brothers or sisters of the beneficiary shall not, by reason of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

"Sec. 61. For the purposes of the Immigration and Nationality Act, Doctor Olga Concepcion Perez de Lanio shall be held and considered to have been lawfully admitted to the United States for permanent residence on April 21, 1962.

"Sec. 62. For the purposes of the Immigration and Nationality Act, Doctor Francisco Loza Díaz shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 8, 1961.

"Sec. 63. For the purposes of the Immigration and Nationality Act, Doctor Leopold Pérez Pérez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 27, 1962.

"Sec. 64. For the purposes of the Immigration and Nationality Act, Doctor Tomas Ricardo Armstrong-Martinez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 21, 1960.

"Sec. 65. In the administration of the Immigration and Nationality Act, Cosmina Ruggiero may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, and a petition filed in her behalf by Giovanna Martinelli, a citizen of the United States, may be approved pursuant to section 204 of the Act: *Provided*, That the brothers or sisters of the said Cosmina Ruggiero shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

"Sec. 66. For the purposes of the Immigration and Nationality Act, Doctor Jaime E. Lazaro shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 29, 1957.

"Sec. 67. For the purposes of the Immigration and Nationality Act, Doctor Lydia L. Lazaro shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 25, 1958.

"Sec. 68. For the purposes of the Immigration and Nationality Act, Doctor Ernesto Jose Giro shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 28, 1960.

"Sec. 69. For the purposes of the Immigration and Nationality Act, Doctor Ramon R. Azaret shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 6, 1962.

"Sec. 70. In the administration of the Immigration and Nationality Act, Mrs. Marjorie J. Hottenroth, the widow of a United States citizen, shall be deemed to be an immediate relative and the provisions of section 204 of the Act shall be inapplicable in her case.

"SEC. 71. For the purposes of the Immigration and Nationality Act, Doctor Carlos M. Perez-Abreu shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 13, 1961.

"SEC. 72. For the purposes of the Immigration and Nationality Act, Doctor Miguel Angel Ponce De Leon shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 6, 1961.

"SEC. 73. Specialist Four Klaus Josef Strauss, a native of Germany, who served honorably in the United States Army from November 15, 1966, until his death on February 8, 1968, shall be held and considered to have been a citizen of the United States at the time of his death.

"SEC. 74. For the purposes of the Immigration and Nationality Act, Doctor Orlando Balea shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 29, 1962.

"SEC. 75. For the purposes of the Immigration and Nationality Act, Robert Quero shall be held and considered to have been lawfully admitted to the United States for permanent residence as of April 29, 1961.

"SEC. 76. For the purposes of the Immigration and Nationality Act, Doctor Jacques Charbonniez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 29, 1962.

"SEC. 77. For the purposes of the Immigration and Nationality Act, Doctor Manuel E. Tayko shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 26, 1958.

"SEC. 78. For the purposes of the Immigration and Nationality Act, Doctor Esteban G. Friera shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 9, 1959.

"SEC. 79. Ho Yee, a deceased United States citizen, shall be deemed to have resided in the United States prior to July 9, 1913, within the meaning of section 1993 of the Act of February 10, 1855 (Rev. Stat. 1878), and further, for the purposes of the said Act, Koon Chew Ho shall be held and considered to be the natural-born son of the said Ho Yee, and shall be further held and considered to have been a United States citizen at all times since July 9, 1913: *Provided*, That the said Koon Chew Ho enters the United States for permanent residence within one year after the date of the enactment of this Act."

Amend the title so as to read: "An Act for the relief of Josefina Policar Abutan Fuliar, et al."

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. ASHBROOK. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 2478) and consider the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. ASHBROOK. Mr. Speaker, reserving the right to object, it is my understanding there is going to be a further amendment to the bill.

Mr. FEIGHAN. Mr. Speaker, that is correct.

Mr. ASHBROOK. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

AMENDMENT TO SENATE AMENDMENTS OFFERED BY MR. FEIGHAN

Mr. FEIGHAN. Mr. Speaker, I offer an amendment to the Senate amendments.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Ohio.

The Clerk read as follows:

Amendment to the Senate amendments offered by Mr. FEIGHAN: On pages 19 and 20, strike out all of section 79.

The amendment to the Senate amendments was agreed to.

The Senate amendments, as amended, were concurred in.

A motion to reconsider was laid on the table.

COMMITTEE TO NOTIFY THE PRESIDENT

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 1320) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1320

Resolved, That a committee of two Members be appointed by the House to join a similar committee appointed by the Senate, to wait upon the President of the United States and inform him that the two Houses have completed their business of the session and are ready to adjourn, unless the President has some other communication to make to them.

Mr. ALBERT. Mr. Speaker, I yield one-half minute to the gentleman from Michigan [Mr. O'HARA] to make a statement.

Mr. O'HARA of Michigan. Mr. Speaker, as many Members of the House are aware, I am not in agreement with the statement in the resolution that both Houses have completed their business. I am very strongly of the opinion that the Senate has very important business remaining, but on this resolution I would not attempt to make that judgment for the Senate. I hope that they will reach that decision for themselves. I will, therefore, not oppose this resolution, Mr. Speaker, but I will, of course, reserve the right to oppose a motion to adjourn sine die.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints as members on the part of the House of the committee to notify the President, the gentleman from Oklahoma, Mr. ALBERT, and the gentleman from Michigan, Mr. GERALD R. FORD.

CAPT. THEODORE SANDERS STERN, SUPPLY CORPS, U.S. NAVY, RETIRED

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS. Mr. Speaker, one of the most dynamic and enthusiastic officers in the U.S. Navy recently retired at the end of a brilliant 28-year career. He is Capt. Theodore Sanders Stern, Suppy Corps, U.S. Navy (retired).

Captain Stern stepped down August 31 as commanding officer at the Charleston Naval Supply Center.

That was a sad day for the Navy—but the Navy's loss is Charleston's gain. After just one weekend in retirement, Ted Stern assumed the role as president of the College of Charleston, the oldest municipal college in America.

That is par for this man whose leadership has inspired both civilian and military personnel he has worked with. To look at, Ted Stern is an imposing figure, a former Olympic athlete who has kept in shape. Mere size, however, is only a small factor which contributes to the real magnitude of this man.

He is the kind of man who has no problems—only challenges. He is not the negative type. In the surrounding communities this transplanted Charlestonian has become a symbol of the "can-do" spirit. He is a man who proves it takes busy men to get things done. He has always been busy, and he does get things done.

Captain Stern was born in New York City. He received his bachelor of arts degree from Johns Hopkins University in Baltimore, Md. He has received postgraduate instruction at the Industrial College of the Armed Forces and at George Washington University.

Not waiting for the draft, Captain Stern joined a Navy Reserve unit in 1940, and his unit had the distinction of being the first in the Nation to be called to active duty.

Thus began a long and distinguished career which earned him the Bronze Star Medal with Combat "V," the Secretary of the Navy Commendation Medal, two Ecuadorian medals, the Legion of Merit, and many other ribbons.

He was commissioned an ensign in the Navy Reserve in 1941 and spent most of the Second World War in line-officer billets. In 1947 he transferred to the Regular Navy and the Supply Corps.

After many important shore and sea assignments, this fine naval officer was transferred to Charleston in September 1965.

There he demonstrated extreme competence, resourcefulness, dynamic leadership and management abilities, establishing the Center as the Navy's third-largest, and perhaps most efficient, stock point.

Under his leadership—characterized by many personal contributions—a marked improvement of the Center and the material readiness of the forces afloat and ashore it serves was noted.

Every major facet of the Supply Center operation improved under his direction. Great strides also were made in the support of the fleet ballistic missile submarine program, which the Center supports on a worldwide basis.

The workload increased; the scope of the operation and mission was expanded. Efficiency increased. At the same time the overall manpower at the Center decreased, as did the overhead costs. As an example, he cut overtime and holiday premium pay from $320,000 a year to approximately $10,000 a year at present.

He set up special programs to insure all customers of the Center would get the material they needed within the time frame they needed it. Never has the fleet had better supply support from Charleston than it has today, and, gentlemen, a lion's share of the credit goes to Capt. Ted Stern.

But this man is more than just a leader in the field of management and supply. He has also been a driving force in the Charleston community.

He has made countless trips—from one end of the State to the other—to address crowds ranging in size from a handful to hundreds, selling the U.S. Navy, Americanism, patriotism, and democracy. Maintaining a speaking schedule second to none, he has appeared before civic, service, and religious groups, as well as school and college groups.

At the same time, he holds important offices in more than a dozen educational, civic, and service organizations.

He has done much for the Navy, his community, and his Nation. This man deserves recognition as a truly great American. If the United States had more men like Ted Stern, it would not have the problems it faces today.

OUR ANTIQUATED SYSTEM OF ELECTING A PRESIDENT

Mr. LATTA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LATTA. Mr. Speaker, as this election approaches, many Americans are asking questions relating to our antiquated system of electing our President in the electoral college, as well as inquiring what would happen if one of the presidential candidates fails to receive the required 270 electoral votes necessary for his election. With three candidates dividing the vote on November 5 and the possibility of this election being decided in the House of Representatives, I believe, Mr. Speaker, these are questions which should be receiving more attention by the news media than they have received to date. For this reason, I am taking this time to briefly discuss the electoral college system as well as the election of a President by the House of Representatives.

At the outset I wish to point out that the President and the Vice President are the only elected Federal officials not chosen by a direct vote of the people. The actual voting for these two offices takes place in the electoral college. The electoral college will meet on December 16 at which time the electors will cast their votes. Under the Constitution, the electors may vote for someone other than the party candidate. However, they usually vote for their party's nominee, thereby giving him all their State's votes, provided he carries the State's popular vote. There has been some discussion in the press this year that the third-party candidate, failing in his own right to obtain the necessary votes to be elected, may attempt to have his electors vote for one of the other candidates in return for certain promises or concessions.

The electors to the electoral college will not meet in a common place on December 16, but will meet in the capitals of their respective States or in other places designated by their State legislators. Each State elects as many electors as it has Senators and Representatives in the Congress. For example, the State of Ohio has 24 Representatives, plus 2 U.S. Senators, entitling us to 26 electors, with one vote each. The 100 U.S. Senators and the 435 Representatives, plus three electors from the District of Columbia, make a total of 538 electors. After these electors meet on December 16 and cast their ballots, the record of the vote of each State's electors is certified, sealed, and mailed to the President of the U.S. Senate. At least 270 of these electors must have cast their votes for one candidate before he can be declared elected when the ballots are opened and counted in the presence of the Senate and the House of Representatives by the President of the Senate, on January 6.

The 12th amendment to the Constitution provides that should no person have such majority, meaning 270 votes, the House of Representatives shall choose the President "from the persons having the highest numbers not exceeding three on the list of those voted for as President." This means that the House of Representatives could name a President from any of the three top contenders and the one having the lowest number of popular votes could be elected President. The 12th amendment further provides that in choosing the President that the votes shall be taken by States, with each State having one vote, notwithstanding the population of the State. Under this method of voting, sparsely populated Nevada or little Rhode Island would have one vote, the same as New York, California, and Ohio. There would be only 50 votes cast—one for each State. A majority of these votes—or 26 votes—would be necessary to elect a President. The House of Representatives would be expected to continue balloting until one of the candidates received a majority.

Members of the House of Representatives from individual States would be expected to caucus by States and decide which one of the three candidates was to receive the State's one vote. Members of the House could be expected to vote for the candidate of their own party. This makes the matter of the control of individual State delegations in the next Congress exceedingly important. In this, the 90th Congress, 29 State delegations are controlled by the Democrats, 18 by the Republicans, and three are even. A Democrat candidate for President would have been elected by the House of Representatives without any difficulty, had this Congress been required to do so. Listed below is the political makeup of the present Congress by State delegations.

State	Democrat	Republican
Alabama	5	3
Alaska		1
Arizona	1	2
Arkansas	3	1
California	21	17
Colorado	3	1
Connecticut	5	1
Delaware		1
Florida	9	3
Georgia	8	2
Hawaii	2	
Idaho		2
Illinois	12	12
Indiana	5	6
Iowa	2	5
Kansas		5
Kentucky	4	3
Louisiana	8	
Maine	2	
Maryland	5	3
Massachusetts	7	5
Michigan	7	12
Minnesota	3	5
Mississippi	5	
Missouri	8	2
Montana	1	1
Nebraska		3
Nevada	1	
New Hampshire		2
New Jersey	9	6
New Mexico	2	
New York [1]	25	15
North Carolina	8	3
North Dakota		2
Ohio	5	19
Oklahoma	4	2
Oregon	2	2
Pennsylvania	14	13
Rhode Island	2	
South Carolina	5	1
South Dakota		2
Tennessee	5	4
Texas	21	2
Utah		2
Vermont		1
Virginia	6	4
Washington	5	2
West Virginia	4	1
Wisconsin	3	7
Wyoming		1

[1] 1 vacancy.

Under our present system, for example, it is entirely possible that the Republican candidate for President could receive the highest number of popular votes—but not the required 270 electoral votes—and be denied the election by a House of Representatives in which the Democrats control 26 or more of the State delegations. To further emphasize the inequities of our present system, this could conceivably happen in a Congress in which there were more Republican than Democrat Members making up the membership since the vote would be taken by States rather than by individual Members.

In 1824, Andrew Jackson defeated John Quincy Adams in both popular and electoral votes. Jackson, however, lacked the necessary majority of the electoral votes and the election went to the House of Representatives. The House of Representatives voted for Adams. I would not like to think of the harmful effect such a decision would have on representative government today, Mr. Speaker, but such a decision could still be made under our antiquated system of electing a President.

To add to the confusion, the Constitution further provides that if no candidate for Vice President has a majority, the Senate chooses from the top two, with the Senators voting as individuals and not by States. A majority of the Senators—51—would be needed to elect the Vice President. In the event the House has failed to agree on a President by

January 20, the Vice President elect would act as President until a President has been selected.

Mr. Speaker, I am convinced that the year 1968 has pointed up the need for a change in this method of selecting a President more than any election year in recent times. Let us go forward in the next Congress with a constitutional amendment to bring about this change and let us hope that we can then elect our President and Vice President by a direct popular vote of the people of America.

SOUTHERN TEXTILE WORKERS AND UNIONIZATION

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS. Mr. Speaker, the employees of J. P. Stevens & Co., Inc., the country's second largest textile firm, have thus far consistently refused to join a labor union. The wisdom of this refusal becomes more and more apparent as time goes by.

The campaign to unionize Stevens employees has been under way since 1963 and the Textile Workers Union of America has had the full backing of the National Labor Relations Board. As is well known, the Board is a staunch ally of unions in their efforts to organize workers, regardless of the circumstances. The Textile Workers Union, with support from the AFL–CIO, has pledged itself to continue its organization program indefinitely. The organization effort goes on even though, thus far, the unions have not won a single plant election, out of the 11 which have been held.

The Stevens workers apparently believe that unionization sometimes does not always benefit employees, and proves a disadvantage.

After almost every major labor agreement, weeks are required to settle disputes involving local unions which do not feel that the settlement took the interests of the individuals comprising these unions sufficiently into account.

For example, 26 unions joined in a strike affecting approximately 60,000 workers in the copper industry. It began on July 15, 1967, and lasted until April 1968. The copperworkers got an increase in wages amounting to 6 percent, or slightly more, but years will be required for the individual employee to make up losses during the layoff of more than 8 months. Some will never be able to do so.

It is apparent that the strike has hurt the entire industry. Both steel and aluminum compete heavily with copper. Both industries would benefit from the copper industry's loss of markets. But workers in all three industries belong to the same union.

Thus, in the copper strike there was the paradoxical situation which found a union, whose membership was comprised primarily of workers in industries which compete with copper, directing a strike which closed down more than 90 percent of the entire copper industry for over 8 months.

The principal objective of the strike as it were, had little to do with the welfare of the copperworkers but with bargaining provisions which increase the power of the union bosses.

There are other examples of strikes helping workers in one part of the country at the expense of members of the same union in another area. A strike at the Kingsport Press in Kingsport, Tenn., in 1963, furnishes an instance of the injury which can result from strikes which have little or nothing to do with the welfare of the employees themselves. Over 1,000 workers of the Press, a book publishing concern, which had been unionized with the cooperation of management, went out on strike. The dispute became a controversy attended with bitterness which is still reverberating in Kingsport. Most of the men and women who walked out at the Kingsport Press now have lost their jobs permanently and have been replaced by other workers.

The tragedy is that there is a good deal of evidence that the strike was called in the first place to protect other unionized book printing firms outside the Kingsport area. The majority of the workers at the Press, itself, apparently were not dissatisfied with wages and working conditions but pressure was being applied by union officials in New York, Boston, Chicago, and other large cities in the North. These had thousands of union members and the Kingsport Press had less than 2,000.

The wage scale at the Press compared favorably with that of other book printing firms. But the company could not get the facts to its employees. In this connection, rulings by the National Labor Relations Board have sharply restricted the right of employers to communicate with the workers during bargaining negotiations.

In the name of labor solidarity, thus, a strike benefited printing establishments in the North and East and hurt the interests of union members in Kingsport.

I do not know if reservations about developments of this kind are what made the J. P. Stevens employees vote against unionization. But I am concerned about workers in the South suffering to aid workers in other areas.

If the workers at the Stevens plants in the South should agree to become unionized, they might be forced out on a strike against their own long-range interests. It happened in other industries and could happen again. As can be seen from past experiences, fair wages, good working conditions, and an amicable relationship between company officials and employees do not guarantee there will not be a strike. A ruinous one took place at the Kingsport Press for reasons in no way related to the interests of the workers.

I strongly feel that a worker has a right to join a union and a corresponding right not to join. Some compulsory aspects of the union movement today and the high-handedness of some labor bosses have led to a wide gulf often existing between worker and the bosses.

The Textile Workers Union bosses are strongly urging steps which undoubtedly would hurt every employee of the Stevens Co., steps taken because of the failure of unionization efforts.

A boycott is a most dangerous weapon yet the union leaders do not hesitate to use it, regardless of the wishes of the employees.

Because the Stevens Co. has dared to state its frank opinion of unionization, union officials are urging that the Government cancel contracts it holds with the firm. By the union's own figures, these amounted to $65 million in the fiscal year, 1966, a couple of years ago. Most are with the Defense Department and undoubtedly, they have increased sharply with the prolongation of the Vietnam war. Obviously cancellation would hurt the employees of J. P. Stevens by curtailing employment but the union leaders seemingly care little about that. They intend to force unionization of the company and the workers if they can, and appear willing to injure both in the process.

In August 1966, Cyrus Vance, then Deputy Secretary of Defense, wrote Robert T. Stevens, head of J. P. Stevens, a letter which indirectly replied to the union requests for cancellation of defense contracts held by the company.

> The Department of Defense—

Vance said—

> had concluded that it did not have any authority to deny Government contracts to the J. P. Stevens & Company, Inc., on the basis that it had been found to be in violation of the National Labor Relations Act. The Comptroller General has expressly ruled that there is no authority to cancel contracts or reject bids merely because of noncompliance with the National Labor Relations Act.

This formal ruling that the Government contracts held by the Stevens Co. could not be canceled did not stop the union campaign.

A delegation, headed by George Meany, saw the President in March of last year and urged the cancellation of Stevens contracts. The Chief Executive took no action. Still union leaders persisted in urging cancellation as punishment for a concern which does not obey their dictates. In June 1968, the Textile Workers Union, at their convention in Washington, approved a resolution which, according to a press release, "called on President Johnson to issue an executive order banning the award of Government contracts to 'flagrant labor law violators' in general and J. P. Stevens & Co. in particular."

The union also is calling for a boycott of Stevens products. If such a campaign is successful, it will hurt employment at the company, and hurt the workers themselves. But all indications are that this drive has been almost completely abortive.

At its meeting in June the union approved a resolution urging the boycott of Stevens products and also a resolution urging boycott of the products of another textile manufacturer, the Kayser-Roth Corp. of Dayton, Tenn., charging that Kayser-Roth refused to bargain in good faith. The brand names of the products of both firms were listed and all in the United States and Canada were urged to join in spreading and enforcing the boycott.

Stevens has approximately 45,000 workers in 72 plants and its gross is around $800 million annually. Kayser-Roth has approximately 28,000 workers. Familiar charges that the two firms had fired workers for union activity were repeated in both boycott resolutions. But, to repeat, real losers, if the boycotts were effective, would be the employees themselves. In seeking to punish J. P. Stevens and Kayser-Roth, union officials are willing to punish the men and women who work for the textile manufacturers.

Union officials say justification for the cancellation of the contracts and the boycott lies in violations of the National Labor Relations Act by Stevens. The textile firm was held guilty by the National Labor Relations Board of unfair labor practices in five instances growing out of the attempts to organize employees of the J. P. Stevens Co. The NLRB was upheld by the Second Circuit Court of Appeals in one case. The Supreme Court refused to review the verdict, thus, legally speaking confirming the NLRB verdict.

The prounion bias of the NLRB is well known. For example, in the Stevens cases NLRB examiners found the company guilty of discriminating against prounion employees by coming to the conclusion that all the witnesses for the company, all well-respected citizens, were lying and that all the union witnesses were telling the truth. This was absolutely ridiculous.

Union leaders have always sought to force workers to join a union, regardless of the wishes of the latter. Within recent months and weeks, there have been many strikes, accompanied oftentimes by violence, affecting public employees—teachers, garbage collectors, firemen, hospital employees, and other public employees. In some cases, the strikers had legitimate grievances. In many others, paid union organizers are seeking to force the Government employees to pay dues which will fatten already fat union treasuries.

At present, there is an Executive order in effect, Executive Order No. 10988, which authorizes a Federal employee to join a union, or not to join, as he sees fit. A Labor Management Review Commission is studying the order and there have been persistent reports that changes will be made which, in effect, will force Federal employees to join up and pay dues. This is a reprehensible back-door approach and should never be tolerated.

There is little question that compulsory unionism is a factor in widespread union corruption. The so-called McClellan hearings by a Senate committee revealed hundreds of instances where corrupt officials misused the funds contributed by union members. Cases such as Dave Beck, head of the Teamsters Union, who lived in luxury on the dues paid in by his members, received wide publicity. Beck, himself, was convicted of income tax evasion and served a prison sentence. Other cases, however, less publicized, are equally revealing.

The late Senator Robert F. Kennedy, of New York, served as counsel to the McClellan committee. In his book, "The Enemy Within," published in 1960, he revealed union corruption and abuse of union power on an almost unbelievable scale. He summed up some of the most flagrant instances in an appendix compiled from police records, court records, and testimony before the committee.

From the standpoint of the southern textile industry, the attempt to force unionization upon the employees of J. P. Stevens has great potential significance for the welfare of the southern worker, the southern textile industry, and the South generally. For, undoubtedly, if the workers in the Stevens plants are organized, the same tactics will be employed against other nonunion textile plants in the Southeast.

There is little question that the textile industry moved to the Southeast area originally because of the abundance of labor, a good climate, and comparatively low living costs. If the workers had belonged to unions and the union leaders had set unrealistically high wage scales, this shift might never have taken place. Unreasonable labor demands could force some of the industry out of the South, giving more business to other areas and this may be just what some union bosses, with bigger locals in other parts of the country, are looking for.

The primary factor which developed the South, labor advantages, is anathema to union leaders, whose avowed aim is to abolish competition in wages. However, the wages paid by J. P. Stevens and other large nonunion southern textile plants compares most favorably with wages paid in unionized textile plants. In fact, Stevens only recently gave its employees a wage increase, one of several during the past few years. Most other southern textile firms, who operate nonunion, followed the example of Stevens and also raised wages.

It is apparent that the presence of a large body of nonunion workers in southern industries is a restraint on the abuse of authority by union leaders. The reckless use of power by union bosses, generally, would likely be increased if virtually all employees were union members. Workers could be ordered in and out of their places of business as union leaders decreed, even though the objectives injured the interests of these particular union members.

Unionization of the employees of J. P. Stevens was a big goal of the union movement in 1968. Today, I think unionization is further away from the Stevens workers than it was when the year began.

While prediction is a hazardous business, I venture to say that the leaders of organized labor will have other things to think about in 1968 than trying to make the Stevens company and the Stevens workers bow to their dictates.

Bob Stevens, who heads the textile firm, had the courage to tell his workers that he did not feel that membership in the Textile Workers Union would benefit them. He has gone through an ordeal because of that courage, having to stand against union leaders and the power of Government. He is to be congratulated. I have already said that I feel that union leaders will have other things to think about next year than the harasment of Bob Stevens and his firm. The former Secretary of the Army, I am hopeful, can devote his energies and abundant abilities to running one of the best and most progressive textile firms in the country.

I think also that the National Labor Relations Board next year may have something else to think about other than trying to think up new ways to foster attempts to dragoon every worker in the country into a labor union. The NLRB has hurt itself, the labor movement and the country, generally, by partisanship. Its usefulness has been greatly impaired and the wisdom of its continuation called into doubt.

I have proposed a Labor Court and shall continue to support this idea. Such a court is necessary for impartial judgments in labor-management disputes.

Unions are a part of American life and have contributed a lot. Yet, compulsory unionization can hurt workers, and can mean disadvantages that outweigh advantages. I am particularly concerned that southern workers could suffer so workers in other areas could keep their economic advantages.

To summarize, these are some of the things which could happen:

First. A union member may be called on at any time to join a strike which is against his long-range interest or against the interest of that segment of the industry in which he works, or against the interest of his area of the country.

Second. The dues of his union membership may be used for political and other purposes with which he may be in disagreement.

Third. If all workers are organized, the national union leadership can use its power to arrive at wage agreements which discriminate against southern companies and which protect the interests of companies in other parts of the country where costs are higher.

Fourth. It could become difficult to keep any check on a rise in union dues which in some industries are already higher than many people realize.

Fifth. Compulsory unionization increases the power of big union bosses while at the same time separating them further from the rank and file workers and reducing the opportunity of such workers to have their true desires heard.

COORDINATION OF FEDERAL PROGRAMS

Mr. ROTH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Delaware?

There was no objection.

Mr. ROTH. Mr. Speaker, early this summer, I introduced two pieces of legislation, each of which is now cosponsored by nearly one-third of the House. I had hoped we would have the opportunity to act on these bills before Congress adjourns.

Most of us are in agreement, I believe, that the Federal assistance programs could be doing a far better job; that the problems of our schools, the crises of our cities, and the plight of the poor demand action, and action now. For that reason, I regret that we have not had the opportunity to act on these bills, which have been cosponsored by Democrats and Republicans alike, and have met with universal support by the national press, as well as the National Governors' Conference, the National Association of Counties, and the National Legislative Conference.

These two bills are the "Program Information Act," H.R. 17915, with 122 cosponsors in the House, and the "Executive Reorganization and Management Improvement Act," H.R. 18574, with 131 House cosponsors. By delaying action now, we have postponed by 6 months to a year the opportunity of taking decisive steps in the direction of more effective program management and more effective participation of private citizens and officials at the State and local level—the very ones the Federal aid and assistance is supposed to benefit.

I especially regret that Congress has not had the opportunity to take at least the very first, but basic step, of requiring the development of information on Federal assistance programs by adopting the Program Information Act, H.R. 17915. If Federal assistance programs are to function effectively, it is obvious that there must be a centralized source of complete, up-to-date information about Federal aid programs which cuts across agency and departmental lines and is readily accessible to local government decisionmakers.

To participate in many of the new aid programs, action by local officials is required. They cannot act without adequate information. And as I have pointed out many times before: No one, anywhere, in the Government—in the White House, in the departments and agencies, or in the Congress—knows exactly how many programs there are, or what assistance is currently available to our schools, our cities, the poor, or anyone else. Very few local officials have all the information they require to make effective decisions concerning Federal aid. There is no question but that the present lack of complete, accurate, and timely information on the scope, requirements, and availability of Federal aid represents a major barrier to the effective use of Federal assistance by local governments.

I believe strongly that the Congress must, itself, deal with this information crisis. It cannot rely upon action of the executive branch. I regret to say that the announcement on August 30 by the Bureau of the Budget that it will soon publish a comprehensive catalog simply does not correct the existing information crisis. In fact, insofar as I can tell—and I hope I am wrong—the new catalog will only be an updated version of the present OEO Catalog of Federal Assistance.

The OEO catalog—for the reasons outlined in my June 25 speech on the House floor—is inadequate. Some of its inadequacies are highlighted by the letters I am including at the end of this statement. These inadequacies will not be solved by merely making the information current. I might point out that the out-of-pocket printing cost of the two previous OEO catalogs, both grossly inadequate, is in excess of $400,000.

REPORT OF BOB TASK FORCE IS DISAPPOINTING

I recently received the findings of a BOB task force looking into the requirements for a comprehensive Federal aid catalog.

Frankly, I am greatly disappointed with the results of that 12-month study. The recommendations of the task force, which was made up of representatives of numerous Federal agencies, are contained in the Bureau of the Budget's Circular No. A–89, dated August 23, 1968.

A careful study of the policy statement indicates no hard decisions on specifics, such as defining what is a Federal assistance program. By and large the report is characterized by generalities. I can only speculate as to why this is the case, but it appears to me that the report represents a compromise of the agencies, some of which are reluctant to give full information, as it may result in the elimination of unnecessary or overlapping programs as well as force the raising of the bureaucratic screen behind which some departments are now operating.

I think it is unfortunate that the Bureau of the Budget in appointing the task force did not include State and local representatives, the very people who know best what information they need. As pointed out in a Midwest Research Institute study, one reason better Federal program information is not available is the misunderstanding, on the part of Federal program administrators, as to what local officials need to know. Furthermore, I see no evidence that the task force made any use of the survey of local government needs by Midwest Research Institute for the U.S. Department of Housing and Urban Development at a cost of $30,900. This study is a most useful survey of what local officials need to know. If utilization had been made of it I am sure the report of the task force would have been quite different.

As already indicated, the recommendations of the task force are presented in the Bureau of the Budget Circular No. A–89. On the basis of this policy statement, the Bureau of the Budget announced on August 30, 1968, that a third edition of the OEO catalog would be published next year. Later, on September 20, 1968, the OEO issued its "Reporting Instructions for the 1968 Catalog of Federal Domestic Assistance, OEO Inst. 1800–1." These instructions or guidelines establish what information will be contained in the third edition of the catalog. A careful study of the task force recommendations and the OEO instructions is what has lead me to the pessimistic conclusion that there will be no substantial improvement in the information service of the Federal Government. I base this conclusion on the following:

NEW CATALOG WILL BE INADQUATE

First. The information and format of the new OEO catalog are practically identical with the existing catalog. In fact, the OEO instructions specifically authorize program descriptions contained in the present catalog to be used, unless they meet the changes in the new catalog, and except where there are significant changes. The only changes in the format for the program descriptions are: First, the popular name of the program; second, the appropriation account number; and third, the present section entitled "Who Can Apply" has been expanded to include "How To Apply." Reference has already been made as to the inadequacies of the existing OEO catalogs.

NO ATTEMPT TO DEFINE "PROGRAM"

Second. No effort is being made to define what constitutes a Federal assistance program except in the most general terms. Thus, each agency has almost unlimited discretion in reporting what constitutes a program and how it should be reported. Admittedly, the development of a sound definition is difficult in light of the expanding and diverse nature of Federal programs. Nevertheless, the task is not impossible. I believe our definition of a Federal assistance program in the Program Information Act is at least a good starting point. It defines a "Federal assistance program" as being "any program providing Federal benefits, regardless of whether it is identified as a separate program by law or by any administering agency, which can be differentiated from any other such program on the basis of its legal authority, its administering office, its specific purpose, the specific benefits it provides, or the specific qualifications of its beneficiaries."

Standardization of the term "program" is not only necessary but the same is true of all elements of Federal information. Different terms and usages only confuse those using the information.

The individual agencies not only have almost absolute discretion in defining its own programs but are also granted specific authority to omit programs that benefit highly limited areas, organizations and individuals; that are not funded and/or are not operational. Much of this information is of particular significance to the Congress in determining whether legislative action is needed, such as canceling or consolidating programs, or determining why certain programs are not being implemented. Authority to omit programs also means future catalogs, like the existing one, shall not be complete, even though the foreword in the present catalog claims otherwise.

NO CROSS-REFERENCING

Third. The OEO instructions do not require an agency to report related programs administered either by the same agency or by other agencies. This is a failure of most serious proportions as it means that local officials can never be certain whether they are seeking assistance under the programs best suited to their individual local needs. The Midwest Research Institute report finds "program cross-referencing" to be a most critical information need. On this point, the National Association of Counties, on page 47 of the June 1968 issues of its monthly publication, American County Government, states:

> The relationship between the federal government and state and local governments is a complex one. More and more federal programs are becoming available and local governments are finding it harder and harder to sort them out. The sheer number and complexity of federal programs makes it ex-

tremely difficult to place one program in context with others or even to determine which programs are available in the first place.

One question which often arises concerns what program among the four or five designed to meet the same need is most appropriate for a particular county. Sometimes federal field personnel are not informed completely about newer programs within their own areas of concern. Federal departments and agencies still have difficulty relating similar programs to each other or to the scores of different comprehensive and functional planning requirements. Each individual grant-in-aid program has its own set of special requirements, separate authorizations and appropriations, cost-sharing ratios, allocation formulas, administrative arrangements, financial procedures, and reporting requirements.

If federal assistance programs are to be of maximum benefit, every local official should have complete information on the full scope of federal programs. Without this information to assist their officials in formulating program and making decisions, many communities fail to participate in federal assistance programs for which they are eligible. Others are slow in getting programs into operation, and still others pursue programs poorly suited to meet their priorities even though more effective programs are available.

Unfortunately, our experience is that the Federal agencies themselves have little information on related programs. A quick scanning of the program descriptions contained in my catalog derived from my study shows that very few agencies answered the question asking for disclosure of related programs. Certainly, it is not too much to ask the executive branch to develop this information to permit better local planning.

NO FUNDING INFORMATION

Fourth. The OEO instructions make no provision for funding information, even though former Director of the Bureau of the Budget, Charles L. Schultze, is on record as stating at hearings held before the Senate Committee on Government Operations in November 1966, that State and local governments "need fiscal information—how much money is available under both formula and direct project grants, and for what periods." Likewise, the Midwest Research Institute lists financial information among that most needed at the local level. Yet, it is among that most difficult to obtain.

For some unexplained reason, the problem of providing adequate financial information for each program seems to cause the most difficulty for the various Federal agencies. I would assume that in the interest of sound management the agencies themselves would need up-to-date financial information. But one gathers that, at least in some agencies, the financial accounting systems are hopelessly archaic and inadequate.

The preparation of an application for Federal assistance by local officials is a complicated, costly, and time-consuming task. Certainly, they are entitled to up-to-date financial information in order to determine their chances of success in applying for assistance.

NO ESTIMATE OF PROCESSING TIME

Fifth. The time it takes to process an application is of special importance to a local planner who must dovetail the Federal program with State and local requirements. Despite this need, the OEO instructions require no information as to the average time to approve, reject, or return an application. Again, those responsible for developing the Federal catalog show little understanding of the needs of the people back at home.

NO PERIODIC UPDATING

Sixth. The new catalog is only to be published annually with no effort to keep the information up-to date on a periodic basis. Consequently, local officials will be basing their decisions on information that may be months out of date when the catalog is printed. Federal programs do change. One assistant secretary told me that his agency could not answer my questionnaire because of the rapid change in programs and personnel. In other words, its programs were in a state of constant flux. Perhaps this is accurate, but if so it raises a serious question as to the effectiveness of programing in this department. In any event, it places an impossible obstacle in the path of those who must correlate local programs with those of the Federal Government unless they are periodically advised of changes.

ADEQUATE, UP-TO-DATE INFORMATION IS NOT IMPOSSIBLE

My study showed that the furnishing of adequate, up-to-date information is not impossible. Much information is published and sold by commercial organizations. For example, Commerce Clearing House maintains a very complete service on all educational programs in which it sets forth in great detail—far greater detail than I have proposed—on a monthly basis, information of almost every type and description. If the agencies can furnish this information to commercial houses who sell it to the public, certainly they can provide the information to the public who pays the bill.

BOB SHOULD HAVE THE RESPONSIBILITY

A neutral agency, such as the Bureau of the Budget, should be responsible for the publication of the catalog. OEO with its specific mission is hardly the agency to publish a catalog of programs, many of which are unrelated to OEO activities. I believe that the Bureau of the Budget is the logical agency for this important task. It already has much of the necessary information available to it and, as an extension of the Office of the President, it is in a position to force cooperation from any agency that may be reluctant to release needed information.

ONE CENTRAL SOURCE

There should only be one catalog of Federal aid. All other Federal publications should be eliminated to avoid confusion as well as unnecessary duplication and expenses. Duplicative catalogs serve no more useful purpose than overlapping programs. There should be one catalog available to all people and it should contain full, complete, up-to-date information on all Federal assistance programs. For that reason, other catalogs, such as HEW's "grants-in-aid" should be eliminated. The policy directive of the Bureau of the Budget should specifically prohibit such duplicative effort. An overwhelming conclusion of the Midwest Research is that:

> "More of the same" simply won't do the job. People in local government today are often deluged by pound after pound, foot after foot of printed matter, all of it telling only a part of what they must know to manage intelligently.

I do not want to belabor the reasons why I am not encouraged by the prospects of the new OEO catalog, but as I have already indicated it is critically important that adequate information become available as promptly as possible to those in need of Federal assistance. I hope that as a bare minimum the Federal departments and agencies will furnish more complete and more meaningful information within the inadequate guidelines established by the Bureau of the Budget. Anyone who has spent even a minimum amount of time studying the present OEO catalog knows how extremely difficult it is to determine, in many cases, exactly what kind of assistance is available and under what conditions. Therefore, I can only hope that the program information officers of each department will make a good-faith effort to provide the kind of information that will enable local officials to act intelligently.

I also hope that the Bureau of the Budget will give consideration to expanding the kind of information to be supplied. The omissions I have discussed above are too important to be ignored. The fact that the majority of the agencies were able to supply this type of information to my questionnaire demonstrates beyond question that the information—at least in most cases—is available. The tremendous demand from the public and, indeed, from the Federal departments themselves—for example, HUD, Agriculture, HEW, to name a few—shows beyond question the need for substantial improvement in information services.

I sincerely hope the Bureau of the Budget will immediately review its policy decision and require the furnishing of such information as I have described above. Certainly, the development of a catalog by my congressional staff on a part-time basis irrefutably proves that a meaningful catalog could be published by next year if someone with adequate authority makes the decision to do so. After all, I need only point out that my staff was able to do it—and on a part-time basis.

In the final analysis, what all this points up is the need for legislation to make it mandatory that the executive branch prepare a single source catalog on all Federal assistance programs. I appreciate the support given me in the House for my Program Information Act, as well as the Executive Reorganization and Management Improvement Act. Both of these bills I believe are "must" legislation and I hope early next year they will be enacted into law.

Letters and articles pertaining to the above follow:

CITIZENS' CRUSADE AGAINST POVERTY,
Washington, D.C., June 26, 1968.
Hon. WILLIAM V. ROTH,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ROTH: I was pleased to read your remarks in the Post this morning concerning the need for some central, comprehensive repository of information on federal programs.

The Citizens' Crusade Against Poverty has been of the same view for some time now and has published an *Everyman's Guide to Federal Programs* to remedy this situation, at least partially. I am attaching a descriptive brochure of the *Guide* and should welcome an opportunity to come by your office with a complimentary copy to discuss its features with you, as well as to explore possible assistance that CCAP could offer your own efforts.

With best wishes for your work, I am,

Sincerely yours,

JOHN P. DOYLE,
Staff Associate.

CLEARWATER ECONOMIC
DEVELOPMENT ASSOCIATION, INC.,
Moscow, Idaho, July 24, 1968.

Hon. WILLIAM V. ROTH, Jr.,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. CONGRESSMAN: First, I would like to take this opportunity to congratulate you and your staff on the Herculean task you have undertaken in attempting to catalogue programs of federal aid.

The Clearwater Economic Development Association, Inc., represents a group of private individuals of varied social and economic backgrounds who are interested in planning and coordinating economic growth in a five county area of North Central Idaho. As such, we are vitally concerned with acting as a clearing house and expeditor for various individuals, firms, and public organizations in the area with feasible development projects; but inadequate knowledge of available assistance programs has hindered progress. We hope to be able to examine the individual proposals and provide guidance on the specific assistance—qualifications, terms, administering agency—which might be available for the type of project under consideration. In accomplishing this objective, a directory such as one compiled by your office would be of very great value. May we therefore, request your assistance in obtaining one? If the catalogue is not yet published, might we obtain a full copy of the June 25 Congressional Record in which, we understand, the directory has been incorporated.

Thank you for your assistance, and may we again offer congratulations on the undertaking of a task which for years has been avoided, largely, we suspect, because of the monumental effort required.

Sincerely yours,

DAVID COYLE,
Development Planner.

THE SUPERIOR COURT,
Los Angeles, Calif., July 30, 1968.

Hon. WILLIAM V. ROTH,
The House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ROTH: I have read of your catalog re domestic aid programs and am anxious to obtain a copy, for which I'll be happy to pay. I would appreciate your directing this to the proper party.

I commend you for your herculean effort in compiling a long overdue and much needed reference work in this important area.

Very truly yours,

ROBERT A. WENKE.

AMERICAN WATER RESOURCES ASSOCIATION,
August 20, 1968.

Hon. WILLIAM V. ROTH, Jr.,
House of Representatives,
Washington, D.C.

DEAR MR. ROTH: Thank you for your letter of August 1, 1968 in regard to your report on the "Availability of Federal Grants for Different Purposes".

I also want to thank you for forwarding my letter to Mr. Springer. He has already sent a copy of your report.

After studying it I have to join with your colleagues who unanimously received your ideas and report with enthusiasm.

There is no question about that such a catalog or report is needed in order to help both sides, the government and the public.

I speak from experience (like you did when you have conceived the idea on the necessity of such a report) when I say that it is very difficult to find for a *small* organization like ours—the source.

I have to congratulate you on your report and especially on the idea itself. I wish you success on your "program information act". I am going to write to Mr. Springer about that today.

Thank you for your help and cooperation.

Sincerely yours,

S. C. CSALLANY,
General Secretary.

AMERICAN ASSOCIATION OF STATE
COLLEGES AND UNIVERSITIES,
July 31, 1968.

Congressman WM. B. ROTH, Jr.,
Longworth Office Building,
Washington, D.C.

DEAR CONGRESSMAN ROTH: The Office of Federal Programs has received a request for 200 copies of the CONGRESSIONAL RECORD of June 25, 1968, which contains your report on federally operated programs providing assistance to the American public. The Office of Federal Programs would also be interested in receiving forty-five copies of that report to distribute to our participating institutions.

We would appreciate your cooperation in this matter.

Sincerely yours,

CAROL A VARGO,
Research Assistant.

STATE OF OKLAHOMA, INDUSTRIAL
DEVELOPMENT AND PARK DEPARTMENT,
Oklahoma City, Okla., August 2, 1968.

Hon. WILLIAM V. ROTH, JR.,
Congress of the United States,
Longworth House Office Building,
Washington, D.C.

DEAR MR. ROTH: We too found that "no one, anywhere, knows exactly how many Federal programs there are." Such lack of knowledge has hampered our efforts to coordinate Federal, state and regional programs. Your excellent compilation, therefore, is certainly to be admired and appreciated.

Furthermore, your speech on the 25th of July before the Congress in which you expressed, "The American people have a right to know, both as the ones who are paying the $20 billion-a-year bill for the programs and as the ones who are supposed to be benefiting from them," certainly express my feelings also. With your exhaustive listing of these programs, this right can now be exercised.

Again, let me thank you both for your dedication to this task, and the excellent results of that dedication.

Sincerely,

PAT CHOATE,
Director, Research and Planning.

STATE OF NEW JERSEY,
DEPARTMENT OF COMMUNITY AFFAIRS,
Trenton, N.J.
Trenton, N.J., September 18, 1968.

Representative WILLIAM V. ROTH, JR.,
House of Representatives,
Longworth House Office Building,
Washington, D.C.

DEAR CONGRESSMAN ROTH: Thank you for your letter of September 6. We will continue to send you copies of whatever we find as we continue our study of Federal Funds. At the present time, and until the OEO Catalog does a more complete job than it does at present, the findings of your group appear to be the most complete information available to us. It has been of great value in our work, and we appreciate the amount of labor that must have gone into its compilation.

We must agree that one of the problems with respect to the OEO Catalog, as it was published last year, is the combination of various funds into one category, despite the fact that there are differing beneficiaries, local shares, purposes and benefits involved. A single entry might even include grant and loan funds. As far as possible we broke these down to constituent elements in our own study, but we allowed similar funds to remain combined, whereas your office did a more complete job, and separated each individual fund pot.

We are quite familiar with the Federal Information Exchange System, since the State of New Jersey was one of the first to prepare to participate and co-operate in this project. In short, what is contemplated is a system whereby each State will prepare a schedule of all state funds dedicated to local programs, and will report these, in computer-tape form, to the Federal Information Exchange, quarterly. These results will then be merged, in the Computer Center with the reports from the Federal departments, and the results reported to the governors and the legislators from each state.

I do not know just what computer center will be used, but our reports are being sent to the Federal Information Exchange, Robin Building, Room 317, 7981 Eastern Avenue, Silver Spring, Maryland 20910. Mr. John Johnson, of OEO, is in charge of the project, and I am certain that all needed information can be obtained from him. A manual is published with respect to the system. The latest edition in my possession is dated January 15, 1968, and bears the GPO Reference: 1968 O-286-774.

The Federal Information Exchange attempts to classify expenditures by counties, and also by cities with populations in excess of 25,000. Information on such municipal expenditures, however, will also be reported with those for the counties in which they are situated. The latest report of the Federal Information Exchange does give information by counties, but does not, as yet, include any information by cities. As I have pointed out to Mr. Johnson, local county and municipal expenditures are not contemplated for inclusion, which is important in New Jersey, where State expenditures are only 29.7% of the total state-local expenditures. New Jersey is the lowest State in this relationship. This may not seem too important to your group, since Delaware is the highest State in this relationship, with the State supplying 78.6% of all state-local tax money.

If the FIXS works, it should be a valuable guide for State officials, as well as for legislators. There are several inhibiting factors which will make it difficult to work. It is an expensive project, and the states are expected to bear the cost. In many cases the same expense may provide more acceptable information when spent on other information-collection systems, and then considered with the quarterly federal report. In addition, in all states, various departments collect information in varying ways, and it will be expensive. and in some cases inaccurate, to conform the internal information to the FIXS requirements. In New Jersey, as an example, all State payrolls are paid from Trenton, regardless of where the employee works or lives. The question then arises as to how to apportion those payrolls, geographically, and however it is done, how accurate the results will be. As you can gather, I was responsible for the development of FIXS in New Jersey during its formative period.

In any case, we know that any compilation of information can only be as accurate as its input. Knowing the problems involved in New Jersey, where records are well kept, I wonder just how accurate the results of the entire compilation will be.

Let us again compliment you on the splendid work your group is doing with respect to Federal funding. You may have noticed that in our own reports, since the publication of your first findings in the Congressional Record, we are referring to funds by the identification code established by your office.

Sincerely,

Elmer R. Reinthaler,
Supervising Program Development Specialist.

American Institute of Planners,
Washington, D.C., August 14, 1968.

Hon. Samuel N. Friedel,
Chairman, Committee on House Administration, House of Representatives, Washington, D.C.

Dear Mr. Friedel: We understand that the Committee that you chair will be soon meeting to consider H. Con. Res. 801, which would authorize printing of the Catalogue of Federal Assistance Programs developed by Congressman William B. Roth, Jr.

We can attest to the need for wide distribution of such a document. Existing catalogues prepared by federal agencies and by other groups do not go into the detail or have the useful approach that Representative Roth's compendium does. We would like it to be possible for various groups across the country, such employees of city and regional planning organizations, to be able to write to their Congressmen to secure copies of such a document. We are advertising the existence of the compendium as being contained in the Congressional Record of June 25, but this is hardly adequate for local groups that wish to make constant reference to the various federal aid programs available.

We are certain that there will be considerable benefits to the overworked staffs of individual Congressmen and their committees in expediting requests for such information, if they have this publication available.

Yours sincerely,

David K. Hartley,
Director of Institute Development.

Southern Methodist University,
Dallas, Tex., July 25, 1968.

Hon. William V. Roth, Jr.,
Congressman, State of Delaware,
Washington, D.C.

Dear Sir: May I offer you my compliments and congratulations for your outstanding accomplishment in developing, preparing, and presenting your Program Information Act. After reviewing the Congressional Record, June 25, 1968, I was elated to discover that someone of your stature and ability had recognized the tremendous lack of information and reliability concerning our various federal programs. Your presentation and the information that you developed are an outstanding contribution.

May I wish you equal success in your future endeavors and thank you again.

Sincerely yours,

Raymond D. Noah,
Director, Systems and Data Processing.

State of Colorado,
Denver, July 17, 1968.

Hon. William V. Roth, Jr.,
Congress of the United States,
House of Representatives,
Washington, D.C.

Dear Congressman Roth: Thank you for your letter of July 10, 1968, and the enclosures concerning "The Program Information Act", which you are sponsoring.

There is certainly a crying need from the state and local government viewpoint of such information, but I hasten to say that it must be brought up-to-date frequently.

I will discuss this with Colorado Congressmen and Senators at an early date.

Sincerely,

John A. Love.

Southern Illinois University,
Carbondale, Ill., July 2, 1968.

Congressman William V. Roth, Jr.,
Longworth House Office Building,
Washington, D.C.

Dear Sir: I am currently a graduate student at Southern Illinois University (Carbondale Campus) and have just begun work on my graduate thesis in the college of education. Needless to say, research in this field as in most others requires a knowledge and understanding of much of the federally operated programs concerned with assistance in the field of education.

It is for this reason that I am taking the time to congratulate you on your recent research effort designed to alleviate many of the problems encountered in searching for information regarding federal assistance programs.

Your article in the *U.S. Congressional Record* of June 25, 1968, entitled "Federally Operated Programs Providing Assistance to the American Public" has definite merit, and should be considered to the utmost of its potential. The Program Information Act will, I'm sure, provide greater effectiveness and utilization of the taxpayer's dollar.

Your initiative in this venture is appreciated.

Respectfully yours,

Larry D. Schaake.

Carbondale, Ill.,
October 4, 1968.

Dear Congressman Roth: Thank you very much for sending me material concerning H.R. 17915, the Program Information Act. I believe you have accomplished a great public service in compiling your list of Federal assistance programs.

As you readily admit, the list is incomplete. One program I noticed that was missing is offered by the U.S. Information Agency, under the general, popular title of Bi-National Center grants. Hope you're able to gather more information about it than I ever was able to find.

You have my wholehearted support for passage of H.R. 17915.

Very truly yours,

George L. Crane.

Miami, Fla.,
July 8, 1968.

Hon. William V. Roth,
House Office Building,
Washington, D.C.

Dear Congressman Roth: I would like to take this opportunity to heartily commend you and your staff for your efforts in compiling a very excellent directory of the present Federal assistance programs. I know that your efforts in this area will result in a great convenience to many citizens and agencies throughout the Nation. It is, indeed, unfortunate that the Administrative branch has neglected to undertake this work, which had to be performed by an overburdened Legislative staff.

I urge the Congress to pass favorably on the House and Senate versions of the "Program Information Act", introduced by you in the House and by Senator Boggs in the Senate.

Sincerely yours,

Karl M. Sooder.

Kent State University,
Kent, Ohio, July 5, 1968.

Hon. William V. Roth,
Longworth,
Washington, D.C.

Dear Congressman Roth: Your study and remarks as recorded in the June 25 issue of the Congressional Record were read with interest and appreciation. As a person directly involved in the Federal Program "Hunt", I say, "God Bless You!"

For some time now, I have been trying to make the point you have expressed in the record. Enclosed is a copy of a letter to the Rockefeller Foundation, requesting a grant to do a job similar to the one you outline. Letters were also sent to the Carnegie Foundation, Ford Foundation and U.S. Steel Foundation. My plea, however, fell on deaf ears.

I wish you well in your efforts to pass the Federal Program Information Act. You know the difficulty of finding out what is available. This problem in compounded when you add the personnel factor.

Good Luck! If there is any way in which I can help you, please let me know.

Cordially,

Jerry L. Hayes,
Coordinator, Federal Relations.

State of Maryland,
Washington, D.C., September 17, 1968.

Hon. William V. Roth, Jr.,
Congressman-at-Large, Delaware, House of Representatives, Washington, D.C.

Dear Congressman Roth: We are in receipt of six copies of the Congressional Record containing the Roth Report on Federal Aid Programs, sent to us by your office.

We would like to say we found the material very informative and, as the State's Federal Liaison Office, will be able to utilize it with considerable benefit.

On behalf of Governor Spiro T. Agnew, we wish to thank you for this material. If we can return the courtesy, please feel free to call on us.

Sincerely,

Robert W. Martin.

Delmarva Advisory Council,
Salisbury, Md., September 11, 1968.

Hon. William V. Roth, Jr.,
House of Representatives,
Congress of the United States,
Washington, D.C.

Dear Congressman Roth: Your recent effort to identify with completeness and accuracy, the vast array of federal assistance programs represents a most significant public service. I am certain that the giant stride that you have taken will stimulate widespread concern among public administrators and an increased awareness of the need for more effective communications at county and other local levels.

Before offering definitive suggestions as to how the quality of federal assistance programs might be improved, I would like to consider the subject more fully. This much can be said: The effort you have recently spearheaded focuses upon the need for improved communications between (1) the agencies rendering financial assistance and (2) those the statutes clearly intended to be the prime beneficiaries. There is much to be done in this regard. There are some broad policy questions, however, which ought first to be resolved and which invoke sensitivity in Federal-State relationships. On the one hand, for example, there would doubtless be improved local understanding of Federal programs if the Federal agencies went directly to the local people or their area representatives. An operation along these lines, however, would by-pass the State structure, a result which federal legislators and administrators alike have gone lengths to avoid.

One reason why some of these administrative challenges in federal assistance programs have not been met is that there has been no persistent pressure to come up with solutions. Your important efforts and the well-deserved favorable publicity which they have excited should be a compelling force in the direction of problem solving. Again I congratulate you upon a most noteworthy contribution in the public interest. It will redound to the benefit of the Delmarva Advisory Council and like operations which must see that Federal assistance is channeled to the localities needing it most.

Sincerely yours,

Worthington J. Thompson,
Executive Director.

[From the Portland (Maine) Press-Herald, Sept. 6, 1968]

WHAT CONGRESSMAN WILLIAM ROTH FOUND: THE BUREAUCRATIC MESS

Cong. William V. Roth Jr. is the Republican Representative-at-large for the state of Delaware. Beginning last November, the congressman and his staff spent eight months studying the current form of the Federal Government. They were curious about the number of federal assistance programs, what they do and where they are administered. Convinced of the need of an over-haul, Cong. Roth has written for the current issue of "Tax Review", a publication of Tax Foundation, Inc., an account of what his staff discovered, and in an election year especially we felt our readers would be interested in these extracts from the Tax Review article:

"We found that no one, anywhere, knows exactly how many federal programs there are.

"We found that nowhere is there a central repository where meaningful information on all operating programs can be found.

"We found that at the very least, the Federal government is spending $20 billion a year administering in excess of 1,000 programs, yet potential beneficiaries have virtually no hope, without the aid of expensive consultants, of finding out about programs for which they qualify and from which they might gain benefit.

"We found that the Congress does not have available to it enough meaningful information on all programs to allow it to effectively determine desirability or need for new programs that may be proposed to the future.

"We found that the Executive Branch does not have available to it enough meaningful information on all programs to allow it to compare one with another in order to find whether overlap, duplication and lack of coordination exist, or to unify and streamline its operations.

"We found that the present system often advantages the advantaged and disadvantages the disadvantaged because only the largest cities and universities, for example, have the necessary resources and staff required just to keep abreast of new programs and changes in old programs from which they might gain benefit.

"We found, in cataloging programs of the Federal government, that many as 10 Cabinet-level departments and 15 agencies have programs devoted essentially to the same area of activity.

"A review of the study's findings, contained in the Congressional Record for Tuesday, June 25, 1968, indicates—to the layman's eye—many examples of potential overlap and duplication. In making these comparisons, I do not wish to indicate that all duplication and overlap is per se undersirable. However, if any duplication is to be maintained, it must be justified in light of current needs and the cost it entails.

"The study indicates that in the area of education there are more than 470 programs operated by 25 different departments and agencies. For college undergradute and graduate students alone there are at least 211 operating programs operated by 15 departments and agencies.

"In the area of natural resources, the study indicates there are some 117 programs spread among 12 departments and agencies, and that there are 112 programs providing assistance of direct relevance to the poor. In the Congressional Record for July 16, 1968, I listed 43 programs that relate to child health and welfare, and 74 that relate to economic and business development.

"Recent findings by the Government Operations Committee of the U.S. Senate have cast further light on the amount of potential overlap that may exist. For example:

"At last count there were 150 separate Federal departments, agencies bureaus and boards in Washington, plus more than 400 regional and field offices.

"Eight Cabinet departments and 12 agencies are involved in health.

"Eighteen separate agencies are conducting programs to improve the natural environment.

"Eight departments and four agencies are operating major credit programs and thereby affecting monetary policy.

"Then agencies in three departments are managing manpower programs.

"As a result of the finding of my study, I introduced the 'Program Information Act' requiring the President to present annually to the Congress a compendium of Federal assistance programs. The compendium would contain information of the type most needed by state and local officials in availing their communities of Federal assistance, as well as the type needed by Congress and the Executive Branch to find overlap and duplication and better coordinate and streamline Federal activities.

"The second bill I introduced based on findings of the study is the 'Executive Reorganization and Management Improvement Act' creating a modern Hoover-type commission.

Both bills have been cosponsored by more than one-fourth of the membership of the house, and received unanimous endorsement by all governors attending the National Governors' Conference, July 24 in Cincinnati, and by county government officials at the national convention of the National Association of Counties, July 31, in Washington, D.C.

"It would be demagoguery to contend that all Federal programs and activities must be redirected or that most should be abolished; yet, it would be equally absurd not to survey and evaluate the operations of all of them. In my judgment, substantial new progress in solving our problems will continue to be greatly inhibited until the operations of Federal machinery are checked out and better, more creative ways of running it are found."

[From the Honolulu (Hawaii) Advertiser, Sept. 19, 1968]

NOBODY KNOWS WHERE MILLIONS GO

Thirteen years ago, the second Hoover Commission made its final report on how best to streamline the operation of the Federal government. In the interim period, Uncle Sam has added half a million civilian employes, the Federal budget has doubled and domestic spending has increased by 170 per cent.

For fiscal year 1969, the proposed Federal budget is a whopping $186 billion. If adopted, it will mean the nation will be spending $21 million every hour, or close to $6,000 a second.

Congressman William V. Roth, Jr., Delaware Republican, decided to try and learn how, where and why the Federal government spends our money. He reported the results of his study to Congress in June. The most striking discovery: No one anywhere—in or out of government—knows exactly how many Federal programs there are.

Congressman Roth began his survey by seeking the central clearing house where necessary information on each of the government's operating programs would be filed. No such agency exists.

Roth and staff dug deeper and reached the conclusion the Federal government is spending, at the very least, $20 billion a year on more than one thousand programs. They also found the majority of this money ended up with those agencies that hired expensive consultants to find and get it for them.

It comes as no surprise that Roth decided Congress doesn't have enough information at its disposal to intelligently decide on the importance of the multitude of programs. The Executive Branch of government is in the same boat.

This breeds confusion on all levels. For instance, ten Cabinet-level departments and 15 agencies all are working on programs in the same area. In the education field, there are 470 programs operated by 25 different departments and agencies.

Congressman Roth has introduced two bills as a result of his safari into the bureaucratic jungle. The first, the Program Information Act, would require the President annually to present to Congress a list of all Federal assistance programs. The second measure calls for creating a new Hoover-type commission to tackle the job of reorganizing and improving the operation of the Federal government's assistance programs.

Congressman Roth's efforts deserve support in both houses.

[From the Charlottesville (Va.) Progress, Sept. 5, 1968]

A NEW HOOVER REPORT

One of the intriguing little mysteries in Washington which several members of Congress have been attempting to solve lately is to find out how many Federal assistance programs there are, what they do and how and where they are administered. This is not so easy a job as it may seem.

One of those addressing himself to the task was Rep. William V. Roth Jr. of Delaware, who obtained enough information to arouse interest in the House in creating another Hoover-type commission to study the Federal government and make recommendations as to how it can operate more effectively, efficiently and creatively.

There should be no objection to this, although we cannot rid ourselves of the nagging question as to why the original Hoover commission report admittedly a splendid piece of work, obviously failed to produce results in coordinating government agencies, cutting out a large part of the overlapping and producing more efficient operations at less cost to the taxpayers.

But Mr. Roth in his study made the fundamental discovery that no one, anywhere, knows exactly how many Federal programs there are, and that includes the present chief tenant of the White House.

Washington is spending some $20 billion a year on more than 1,000 programs but the average potential beneficiary has no way of finding out what programs he might qualify for and which might be of benefit to him.

As Rep. Roth pointed out, not all duplication and overlap is undesirable but where they exist, someone should be called on to prove that the duplication is justified in the light of current needs and costs involved.

The Roth study revealed that in the area of education there are 470 programs operated by 25 different departments and agencies and what jumps to attention immediately here is that only the largest cities and universities can have the necessary staff and resources to keep abreast of all these new programs and changes in old programs which would be of interest to them.

In the area of natural resources there are 117 programs spread among 12 departments and agencies, and there are 112 programs providing assistance to the poor. Rep. Roth found 43 programs relating to child health and welfare and 74 involving economic and business development.

Bear in mind this is an incomplete count, for as was pointed out earlier nobody in Washington has any real idea of how many programs there are. At his last count, Mr. Roth found 150 separate Federal departments, agencies, bureaus and boards in Washington, with more than 400 regional and field offices.

Mr. Roth is not the only one who wants a study of this situation. Sen. Jacob Javits of New York has proposed a commission to make a study and recommend priorities for future spending. Rep. Wilbur Mills also wants a study which would go into the substance of each Federal activity rather than the efficiency, which was what the Hoover Commission concentrated upon mostly.

All these members of Congress are on the right track. Not even this nation has the financial resources to meet all the demands that are made or even to do everything that might be desirable. What is needed is concentration of resources in areas of the greatest urgency, something that should be done on the basis of hard facts and not upon emotionalism.

[From the Indianapolis (Ind.) News, Sept. 19, 1968]

Federal Complexity

Officials of state and local governments who bewail the complexity of Federal programs with which they are concerned are no more confused than congressmen.

Rep. William V. Roth, R-Del., made some interesting comments recently on this subject in Tax Review. He said he and his staff spent eight months studying the Federal establishment. Specifically, they sought to learn how many Federal-assistance programs there were, to get information about them, and to learn how and where they were administered.

"We found that no one, anywhere, knows exactly how many Federal programs there are. We found at the very least the Federal government is spending $20 billion a year administering in excess of 1,000 programs, yet potential beneficiaries have virtually no hope, without the aid of expensive consultants, of finding out about the programs for which they qualify and from which they might gain benefits."

Roth said Congress does not have available to it enough information on all programs to allow it to determine the desirability or need for new programs that may be proposed. He added that even the executive branch does not have enough information on all programs to enable it to compare one with another to identify overlaps and duplications, or to co-ordinate the programs to streamline them operationally.

At the risk of setting up still another agency, a genuine and complete catalog of all Federal programs should be provided. If the legislative branch is to be a check on the executive branch, Congress should assume the lead in such a move.

It has not shown much enthusiasm even for implementing reforms recommended by the Hoover Commission on Reorganization of the Executive Department. That would be an excellent place to begin.

Having accepted additional staff as recommended by the Joint Congressional Committee on its own activities, Congress should be able to compile the needed information without much expansion of its own establishment.

[From the Jacksonville (Ill.) Journal, Sept. 6, 1968]

To Streamline Government

People who are good at figures have come up with a figure that brings the size of the federal budget down to understandable terms. Spending proceeds day in and day out, it is estimated, at about 21 million dollars an hour. That in turn boils down to nearly $6,000 a second.

This astonishing sum dramatizes the vital importance of reducing waste and needless duplication in government expenditures. The two major parties have just taken note of this in their platforms. The Republicans demand greater efficiency and economy; they seek less overlapping of government functions. The Democrats pledge to attack the problems of streamlining government processes.

As leaders of both parties cannot fail to be aware, however, this is a classic case of a thing easier said than done. The proliferation of federal programs has gone on for so long that, as Rep. William V. Roth, Jr., of Delaware has concluded after an intensive study of the matter, no one even seems to know exactly how many such programs are in operation.

Reporting on his study in Tax Review, published by the Tax Foundation, Congressman Roth notes that numerous departments and agencies maintain programs that cover essentially the same ground. The War on Poverty, for example, is not a tight, coordinated effort: all told there are more than 100 programs to help the poor. In education, 25 departments and agencies are said to operate 470 programs. There are 117 natural resource programs under the aegis of 12 departments and agencies.

The proliferation is so great that, according to Roth, though there are more than 1,000 programs "potential beneficiaries have virtually no hope, without the aid of expensive consultants, of finding out about programs for which they qualify and from which they might benefit." This is clearly a ridiculous situation.

The overlapping of federal programs is only one aspect of the matter, but bringing order out of this chaos would be a marked improvement in the general efficiency of government. Though such a step might not lead to a substantial cut in spending, since government services tend to grow rather than decline, it would at least assure making better use of what is spent.

Roth proposes the establishment of a permanent commission to keep tabs on all government programs. Such a commission would help Congress to evaluate programs and determine priorities. His bill, coupled with the Senate-approved proposal for a commission to make federal management more efficient, would go a long way toward implementing the call in both Republican and Democratic platforms for streamlining and simplifying the operations of our government.

[From the Los Angeles (Calif.) Times, Sept. 2, 1968]

Governmental Reform Is Needed Now

The Democratic platform pledges to give priority attention to simplifying and streamlining the processes of government. The GOP platform, pointing to "an entrenched and burgeoning bureaucracy," calls for more efficient and economical government and simplification of conflicting missions and functions.

Those are laudable goals. Yet even while saluting them we wonder whether the platform drafters were really aware of what they were letting their parties in for.

Writing in the current issue of the Tax Foundation's Tax Review, Rep. William V. Roth Jr. (R-Del.) gives some idea of the magnitude of the problem.

The congressman and his staff, after an eight-month study of the national establishment, concluded that no one, anywhere, knows exactly how many federal programs exist.

The survey showed that "at the very least" the federal government is spending $20 billion a year administering in excess of 1,000 programs—"yet potential beneficiaries have virtually no hope, without the aid of expensive consultants, of finding out about programs for which they qualify and from which they might benefit."

The catalog of the various services reveals that as many as 10 cabinet-level departments and 15 agencies have programs devoted to essentially the same area of activity.

In the field of education there are more than 470 programs operated by 25 different departments and agencies. Twelve departments and agencies handle 117 natural resource programs. There are 112 programs for assistance to the poor, 43 for child health and 74 on economic and business development.

There is need, Roth contends, for a permanent "little Hoover Commission" to help Congress evaluate on a continuing basis the relative priority and effectiveness of government programs.

He has introduced implementing legislation in the House and the Senate has already sent to that body a proposal for a commission to improve management efficiency in federal government.

Now that both parties have taken cognizance of the situation, maybe early congressional action will be possible.

In fact it is imperative. That becomes particularly obvious in view of the fact that the present federal budget represents an expenditure of approximately $21 million an hour—almost $6,000 a second.

[From the Jacksonville (Fla.) Times-Union, Sept. 8, 1968]

The Vat Has Overflowed

Science fiction writers, and their predecessors before that particular designation was coined, have been obsessed through the centuries with the possible consequences of man's own creative genius.

The theme often has involved a creature of man somehow assuming its own identity and becoming an uncontrollable menace rather than a subservient and pliable help to mankind. "Frankenstein" is perhaps the best known.

Edgar Rice Burroughs, whose Tarzan of the Apes has become a part of modern folklore, had a horrible passage in one of his novels about Mars. A scientist there found a way to grow living tissue in a vat and then was unable to stop the growth which threatened to take over the planet until a way was found to check it.

These tales had the comfort of unreality. There is a parallel in fact. It should become one of the dominant issues in this election campaign both for the presidency and for Congress.

Last June, Rep. William Roth (R.–Del.) announced to the House of Representatives that his staff had been involved for the past eight months in "a massive research effort designed to ferret out and obtain meaningful information about the myriad federally operated programs providing assistance to the American public."

He found that neither the Congress nor the Executive had enough meaningful information on the programs—calling for spending of some $20 billion a year—to evaluate them, determine where they were duplicative or to coordinate them.

"Failure on the part of Congress and the Executive to know exactly how the broad authorizations and appropriations are being implemented by the various departments or agencies," said Roth, "means that in effect—regardless of how high their motivations—we are allowing to be created a 'fourth establishment,' responsible to no one, self perpetuating in nature, and too often duplicative in effect."

At the time he spoke, Roth had been able to verify the existence of 1,271 federal assistance programs and believed that the actual number in operation was 1,571.

Thrust of the Delaware Congressman's remarks was aimed primarily at the necessity for compiling meaningful information in one catalogue about the programs but far more important is his long-range goal of a study to eliminate the waste and duplication.

This is campaign time. It is time to hear some firm commitments from the candidates for an attack on this problem. It must be a coordinated attack and utterly ruthless in its purpose of eliminating waste and duplication if it is to succeed.

But the alternative to this painful process is far, far worse. Government could be strangled by the out-of-control tissue its own inventiveness has spawned.

Let us quit merely talking about the problem and proceed to do something about it. The vat has long since overflowed.

[From the Oklahoma City (Okla.) Oklahoman, Aug. 31, 1968]

Impenetrable Federal Forest

Officials of state and local governments who bewail the complexity of federal programs with which they are concerned are no more confused than congressmen.

Rep. William V. Roth Jr. (R–Del.) made

some interesting comments recently on this subject in Tax Review. He said he and his staff spent eight months studying the federal establishment. Specifically, they sought to learn how many federal assistance programs there were, to get information about them, and to learn how and where they were administered.

"We found that no one, anywhere, knows exactly how many federal programs there are. We found at the very least the federal government is spending $20 billion a year administering in excess of 1,000 programs, yet potential beneficiaries have virtually no hope, without the aid of expensive consultants, of finding out about the programs for which they qualify and from which they might gain benefits."

Roth said congress does not have available to it enough information on all programs to allow it to determine the desirability or need for new programs that may be proposed. He added that even the executive branch does not have enough information on all programs to enable it to compare one with another to identify overlaps and duplications, or to coordinate the programs to streamline them operationally.

It is not always to the political advantage of an administration to consolidate the sprawling executive department. It often is difficult for a harried congressman, without the detailed information needed, to effect reforms he advocates. Usually because of a lack of information he goes along with the majority which is administration-controlled to large degree.

At the risk of setting up still another agency, a genuine and complete catalog of all federal programs should be provided. If the legislative branch is to be a check on the executive branch, congress should assume the lead in such a move.

It has not shown much enthusiasm even for implementing reforms recommended by the Hoover Commission on Reorganization of the Executive Department. That would be an excellent place to begin. Having accepted additional staff as recommended by the joint congressional committee on its own activities, congress should be able to compile the needed information without much expansion of its own establishment.

[From the Chicago (Ill.) Sun-Times, Sept. 5, 1968]

SPENDING $6,000 A SECOND

Rep. William V. Roth Jr. (R–Del.) has been looking at the operations of the federal government and has discovered some interesting facts. One is that for fiscal 1969 the United States will be spending at the rate of almost $6,000 a second, or about $21,000,000 an hour.

Roth did some digging on where the money is going and he found a considerable amount of overlapping and duplication of programs among federal departments and agencies.

In education, for example, there are more than 470 programs operated by 25 different agencies and departments. There are 117 programs dealing with natural resources that are administered by 12 separate agencies.

There are 112 different programs providing assistance to the poor. Eight cabinet departments and 12 agencies are involved in health programs. Eighteen different agencies are conducting programs to improve the natural environment. Eight departments and four agencies are operating major credit programs which effect U.S. monetary policies.

Roth has introduced a bill in the House to create an updated Hoover-type commission to make an objective analysis of all government programs, with an eye to ending duplication and overlapping wherever possible.

The bill appears to be needed. When, as Rep. Roth says, federal programs proliferate at such a rate that "no one, anywhere in government, knows exactly how many federal programs there are," then it is time that someone do something about it.

[From the San Antonio (Tex.) Express, Sept. 9, 1968]

FEDERAL GOVERNMENT IS SO BIG NOBODY KNOWS ALL ITS PROGRAMS

Big government so concerned Rep. William V. Roth of Delaware that he and his staff spent eight months trying to find out how big it really is. The conclusion: nobody knows and nobody knows where to go to find out.

He found that the federal government spends about $21 million per hour, including in excess of 1,000 programs costing around $20 billion a year to operate. The proposed outlay for all purposes in fiscal 1969 is $186 billion, almost doubling the amount of a decade ago.

Roth detailed his findings in the Congressional Record and digested them for the August issue of "Tax Review."

Roth doesn't want to dismantle the government's far-ranging programs; he just wants to find out what they are and how to evaluate and consolidate them and eliminate the surplus or merely wasteful.

One of the most serious aspects of his study is that the Congress, itself, which created all this bureaucracy, lacks meaningful data to know what programs are effective, desirable or surplus. There are as many as 10 cabinet-level departments and 15 agencies with "essentially" the same area of interests and activity.

"We have found that the present system often advantages the advantaged and disadvantages the disadvantaged because only the largest cities and universities, for example, have the necessary resources and staff required just to keep abreast of new programs and changes in old programs from which they might gain benefit," he said.

Roth has help from other sources. Sen. Abraham Ribicoff, Rep. Wilbur Mills, the National Governors Conference and others are moving in the same direction: to have the information on which intelligent decisions can be made.

Roth proposes a Hoover-type commission. Rep. Garry Brown of Michigan has proposed a program evaluation office as a part of the Congress. The Congress has the responsibility—the sole responsibility, really—of grasping the scope and impact of its creations. One of the major threats to our system of checks and balances in government is the mushrooming, almost independent federal agency that has been given legislative, executive and judicial powers in specific areas.

A new agency—to keep track of all the others—would have to be carefully structured. It might be a good idea to reorganize the General Accounting Office (an agency of the Congress), with new powers and responsibility to shortstop duplication and to keep track of obsolete or surplus programs.

One recent example of the Congress' lack of necessary information was the bitter battle over open housing. After the bill was passed it was discovered that a tougher version had been on the books 100 years.

[From the Middletown (Conn.) Press, Aug. 31, 1968]

THOSE FEDERAL PROGRAMS

No one, according to William V. Roth Jr., U.S. Representative from Delaware, is exactly sure how many federal programs are actually in existence.

"My staff and I spent eight months," he said, "studying the present form of the federal establishment. Specifically we sought to find out how many federal assistance programs there are, to obtain meaningful information about what they do, and to learn how and where they are administered. We found that no one, anywhere, knows exactly how many federal programs there are. We found at the very least, the federal government is spending $20 billion a year administering in excess of 1,000 programs, yet potential beneficiaries have virtually no hope, without the aid of expensive consultants, of finding out about the programs for which they qualify and for which they might gain benefit."

While the federal government does publish a Catalog of Federal Assistance Programs, it contains only about 500 of the more than 1,000 programs. But Representative Roth makes the valid point that the Executive branch does not really know how many programs overlap or duplicate one another. To some extent, such confusions are endemic in government, and in certain areas, such as scientific research, a certain overlapping can be desirable. In making a grant to study a certain disease, it may well be that the proper path of approach cannot be discerned, and hence several methods of approach could be used simultaneously. One or more will be wrong. But that is not to say that a solution will not be found using a duplicatory route. However, in many other fields—especially when grants to the states are made—several programs may be operating, one financed and controlled directly by the federal government, another financed by the federal government but operated by the states. Again, if there is to be further local control of federal expenditures this will be an unavoidable happening. And it's not all bad. It may be, for example, that the model cities legislation will work, or it may be that state programs which are now being developed may work better. Not every chip, in every case, should be placed on the same horse.

In general, it would seem that the government should conduct an inventory of federal programs that is a good deal more definitive than is presently available. The bureaucrats may resist such a notion. If it turns out that there are actually twice as many federal programs as anyone thought, Congress might start cutting back the numbers. For that reason we are not sure the Roth suggestion will be enthusiastically embraced. But that doesn't mean it's not a good idea.

CONGRESSIONAL REORGANIZATION

The SPEAKER. Under a previous order of the House, the gentleman from Missouri [Mr. HALL] is recognized for 30 minutes.

Mr. HALL. Mr. Speaker, as a member of the Joint Committee on the Organization of the Congress, I am disappointed that efforts to strengthen, improve, and streamline the Congress failed in the 90th Congress.

This does not mean that the problem of congressional reform has been disposed of. It will remain.

The American people, in my judgment, in November, will elect a 91st Congress with a membership and leadership so constituted as to deal effectively with the problem of legislative reorganization. In fact, enactment of the Legislative Reorganization Act of 1969 should be the first and most urgent item on the agenda of the 91st Congress.

To assist and facilitate action on congressional reform, I am incorporating in this statement documentary material, as well as my own thoughts, distilled from the work of the Joint Committee on the Organization of the Congress over the past 3½ years.

First. Attachment A is a detailed chronology of significant events in the history of the Joint Committee on the

Organization of the Congress, with appropriate documentary references.

Second. Attachment B is a listing and description of congressional reforms actually adopted.

Third. Attachment C is a revised draft of H.R. 15687, introduced February 29, 1968, by Representative H. ALLEN SMITH, ranking minority member of the House Rules Committee.

Fourth. Attachment D is a draft of a bill to establish a Commission and Counsel of the Congress.

In my statement at the opening of the hearings of the Joint Committee on the Organization of Congress May 10, 1965, I said the following:

STATEMENT OF HON. DURWARD G. HALL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MISSOURI, A MEMBER OF THE JOINT COMMITTEE

Representative HALL. Thank you, Mr. Chairman. The Congress is conducting this self-study at a unique and interesting period in American history. The wise architects of our novel system of dispersion of governmental power must have foreseen that one or the other of the three branches of our Government would at some time be in the control of strong-willed men or strong forces which would seek to be predominant and strain the equilibrium of the delicate balance of power they created through tripartite balance. These founders also recognized the power of the positive "no", if it helped to preserve eternal principles. For example, our Civil War raised emotions of hatred and other intense feelings, and resulted in the only impeachment and near removal of a President in our history. The equilibrium was strained by an excessively powerful Congress, albeit elected by the people.

In the past 3½ decades we have seen a persistent—if sometimes sporadic—accretion of power to the executive branch. Our bureaucracy has grown from 400,000 employees in 1932 to over 2.6 million today. The money—power—they dispense has grown from $4 billion to over $100 billion.

Anonymous civil servants in the lower echelons of this bureaucracy dream up ideas about new national policies, and, as the expression goes, kick them around, filter them up through superior layers—and finally some of their ideas reach light as a Presidential message to Congress, followed by a draft of an administration bill. This is the origin of much important current legislation. This is not necessarily bad, but it is the origin of much current legislation.

How many major measures can you think of which actually started in Congress? Of course, there are exceptions, to wit, my carefully researched cropland restoration bill H.R. 7614, for solution of the farm dilemma; Federal mental hospital admission bill, H.R. 785; education bill, H.R. 6547; and others. In this cropland restoration bill the irony of the situation is that to help draft H.R. 7614 it was necessary to seek technical assistance from the executive branch; namely, the Department of Agriculture, whose corps of bill drafters exceeds the entire number of legal counsel available to the House legislative counsel. Competent? Yes. But this is an example and reflects executive rather than legislative branch oversight, power, allocation of funds, and precedence.

President Kennedy and President Johnson were both Members of the House of Representatives and the Senate. But did you ever hear of a "Kennedy bill" or a "Johnson bill" until they had become President? Then, all important bills carried their names.

They say, "The President proposes; Congress disposes." Is that what our Founding Fathers contemplated when they vested "all legislative power" in the Congress of the United States?

Recently, a power play has abruptly appeared from our other coordinate branch—the judiciary.

March 26, 1962, the Supreme Court asserted the right in private litigation to order legislative bodies to make specified legislative decisions. Not only the Congress, but the legislatures of States and the people of the United States have been the targets of this judicial attack on the rights derived from our constitutional separation of powers, our tripartite balance of power. The judicial branch is, in fact, legislating and regulating.

Perhaps in the last reorganization act, 20 years ago, the legislative branch diffused too much of its power. After serving on the Armed Services Committee for three terms of Congress, I definitely feel that we should reexamine not only the effect of legislation in the Appropriations Committee, the general problem of germaneness between the two bodies, but specifically the so-called Curtis-McCormack amendment, which beyond peradventure of doubt has allowed an aggressive Secretary of Defense to overmanipulate the armed services and the constitutional prerogatives of Congress without, in my opinion, so much as reference to the armed services Secretaries, or even the Chairman and Joint Chiefs of Staff, who are men with dedicated, devoted lifetimes of duty in the armed services.

Can the study of our joint committee deal with these problems?

Can we contribute to the "shoring up" or revitalization of the Congress to withstand these powerful attacks from sister branches of the Government?

I think we can. I think this is our duty.

If our hearings, our study, our deliberations produce no more than superficial nitpicking modernizations; if we gullibly accept some suggested changes which at first glance "smack of efficiency," but in essence reduce the importance of Congress—we will have failed in our duty and I—as one Member—will regret and decry that failure.

It should be our high purpose, Mr. Chairman and members, in these hearings to search for the means of restoring to the Congress its rightful function to the end that we may prove that self-government by free individual citizens, through agents they control, is possible, even in a complex, sophisticated, and rapidly changing society.

Cochairman MONRONEY. Thank you very much, Congressman Hall.

Mr. Speaker, our committee discharged its mandate.

After exhaustive hearings and exhausting and seemingly endless executive sessions, our 12-member, bipartisan, bicameral committee agreed upon a unanimous report.

After further staff and committee work with the assistance of legislative counsel of the House and Senate, omnibus legislative reorganization bills were introduced in both Houses with bipartisan backing.

As we all know, the Senate passed S. 355, the Legislative Reorganization Act of 1967, March 7, 1967, by a vote of 75 to 9. March 9, 1967, S. 355 was referred to the House Rules Committee, where it died with the termination of the 90th Congress.

REFORMS ACTUALLY ADOPTED

Notwithstanding the killing of the omnibus legislative reorganization bill, many reforms were adopted by the Congress in one form or another, as set forth in attachment B.

To what extent these actions may be attributable to the work of the Joint Committee on the Organization of the Congress, or the focusing of the attention of the Congress and the public on the need for congressional reform, is, of course, debatable. I tend to think few of them would have become law if there had been no Joint Committee on the Organization of the Congress.

In any event, the changes, however salutary, were minor and peripheral, sweeping away a few cobwebs from the windows of a structure badly in need of attention to its beams and its joists.

THE SMITH BILL

In the House, proponents of congressional reform did their utmost to prevent the Senate-passed bill, S. 355 from being sidetracked to the House Rules Committee, but were unsuccessful.

Although the House Rules Committee took no action except to hold 1 day of hearings on S. 355, extensive efforts were made to meet criticism and opposition in the House and to arrive at a compromise bill, which could be reported by the Rules Committee.

Democratic members of the Joint Committee on the Organization of the Congress, after numerous discussions with Democratic opponents of the legislation, revised and revised S. 355 through no less than six committee prints, culminating in the introduction on June 20, 1968, of H.R. 18039 by Representative MADDEN.

Representative H. ALLEN SMITH, ranking minority member of the Committee on Rules, made an exhaustive study of S. 355 and in consultation with the Republican House members of the joint committee and with the assistance of the committee staff and the House legislative counsel drafted and introduced H.R. 15687 on February 29, 1968.

Further discussions led Representative SMITH, in consultation with the Republican leadership and members of the joint committee, to extensive revisions of H.R. 15687 and it is this revised draft which is included in this statement as attachment C.

Republican members of the joint committee were prepared to join with Democrats in cosponsoring this bill as a bipartisan vehicle for congressional reform. Unfortunately, for reasons which are not clear to me, we were unable to obtain the cooperation of our Democratic colleagues, and this draft bill was never introduced.

The principal difference between the Smith bill, H.R. 15687, and the Madden bill, H.R. 18039, was that the Smith bill retained the Joint Committee on Congressional Operations provided in the Senate-passed S. 355, and expanded its functions to include the administration of the Regulation of Lobbying Act and also to investigate lobbying with appropriated funds by the executive branch of the Government—laws forbidding which had been on the books for over four decades but never enforced.

The Joint Committee on Congressional Operations, whose primary function would be to concern itself with the interests of Congress as an institution, is a modified version of a reform which was given a great deal of consideration by the joint committee; namely, the establishment of a Commission and Counsel of the Congress.

COMMISSION AND COUNSEL OF THE CONGRESS

Attachment D is a draft of a bill to create a Commission of the Congress and the position of Counsel of the Congress.

A Commission of the Congress composed of the leadership of both Houses and aided by a staff headed by a Counsel for the Congress should be created and assigned responsibility for protecting and promoting Congress as an institution.

The Commission of the Congress would have responsibility for matters affecting Congress as a whole, including the powers and prerogatives of the Congress; the continuous study of the organization and procedures of Congress with power to report recommendations for improvement and reform from time to time; relations between Congress and the executive and judicial branches of the Government and general supervision over agencies and elected and appointed officers of the Congress and its business operations.

Much of the authority to be exercised by the Commission already resides in the leadership either expressly granted in rules and statutes or implied by reason of their offices.

Each Senator and Representative when he takes his oath to uphold and defend the Constitution of the United States becomes a guardian of the dignity and the powers and prerogatives of the Congress and of the respective House of which he is a Member. This is true to a somewhat greater degree of the leadership of the respective Houses.

But the responsibility for protecting and promoting the Congress as an institution is dispersed, and historically the function has been discharged—sometimes well, sometimes not all—as the interest of some individual legislator has led him to take up the defense of the Congress.

An agency of the Congress should be established to concern itself on a continuing basis with the well-being of the Congress as an institution—to be alert to threats to its powers and its public acceptance and to consider what, if any, action should be taken for its protection.

CONTINUING STUDY OF THE ORGANIZATION OF CONGRESS

It was quite apparent to the members of the joint committee that a study of the procedures and the organizational structure of the Congress should be a continuing one, seeking to adapt the Congress to a rapidly changing society, continuously searching for methods and facilities to enable the Congress to discharge its policymaking functions more effectively.

The members of the committee were very much interested in exploring the possibility of utilizing electronic data processing equipment as an aid to Members, committees, and the Houses of Congress. However, no final conclusion could be arrived at before the life of the joint committee expired.

Rapid development of the computer art should require some agency of the Congress to continue to follow developments to find practical and sensible applications of computer techniques to congressional activities. This is all the more so in view of the rapid growth of the utilization of electronic data processing equipment by the departments and agencies of the executive branch of the Government. It is necessary to follow the executive utilization of computers to determine in what way information developed by these devices may be made available to the Congress and its committees to provide a basis for determining national policy, or for the purpose of review of performance of executive agencies in the exercise of authority or in the expenditure of funds provided by the Congress.

It is suggested that this continual study of the organization and procedures of the Congress is so intimately related to the natural functions of leadership and the protection and promotion of Congress as an institution that this responsibility should be assigned to the Commission of the Congress.

RELATIONS BETWEEN THE CONGRESS AND THE EXECUTIVE BRANCH

The formalization of leadership responsibilities in a Commission of the Congress to deal with problems arising between the Congress and the executive branch of the Government, particularly if provided with the assistance of an able staff, should lead to the more effective representation of the interests of the Congress and its component parts when problems arise in this delicate but important area.

For example, if a committee should reach an impasse with an agency in the executive branch with respect to access to information the committee thought it needed, but the executive officials either declined to provide it at all or engaged in involved and time-consuming procedures, such as multiple clearances, the committee might well refer this problem to the Commission and enlist its assistance, either in working out a satisfactory solution or in testing the investigative power of the Congress when confronted by the doctrine of executive privilege.

Similarly, if a committee of either House believed itself aggrieved by contumacious conduct of a subpenaed witness, the matter could well be referred to a Commission of that House, because the punishment of contempt involves the power and dignity of the legislative body. The Commission might be able to secure compliance, might persuade the committee either to drop the matter in a weak case, obtain the information in some other way or, in the event it believed the authority of the House had been flouted, could proceed to uphold and enforce the powers of the legislative body by reporting an appropriate recommendation to the parent body.

Another area of service of the Commission would be to assist Members whose constituents had felt themselves aggrieved by some action or nonaction of executive departments and agencies and whose efforts to secure redress on behalf of their constituents had reached an impasse which the Member regarded as unsatisfactory.

RELATIONS BETWEEN CONGRESS AND THE JUDICIAL BRANCH

The Congress, its committees and its parties litigant. Traditionally, in these parties litigant. Traditionally, in these cases representation has been by private counsel, or by the Department of Justice.

In addition to its constitutional authority, the will or intent of Congress and even the application of parliamentary rules has been passed upon by the courts. In a few cases involving constitutional powers, the Congress has been represented by appearances by Senators, Representatives or other attorneys as amicus curiae. This representation has been on a sporadic basis and sometimes at no expense to the Congress. In contempt and perjury cases involving the powers of the Congress and its parliamentary procedures, Congress has been represented by the Department of Justice, at no expense to the Congress.

This legal representation of the Congress with respect to its vital interests is unsatisfactory and the effect upon Congress of legal decisions should be a matter of continuous concern for which some agency of the Congress should take responsibility. This would be a function peculiarly appropriate to be assigned to the Commission and its counsel.

To say that the sporadic legal representation of Congress by the Department of Justice or attorneys volunteering to appear amicus curiae has been unsatisfactory is not to reflect on the competence or skill of the representation. It is likely, however, that one familiar with parliamentary procedure could present more clearly and forcefully to the courts the effect on congressional operations of the ex post facto judicial application of parliamentary rules and precedents in a criminal proceeding based on events occurring before congressional committees.

CHANGING FISCAL YEAR TO CALENDAR YEAR

Our committee heard testimony recommending that the fiscal year of the Federal Government be changed to coincide with the calendar year.

This was strenuously urged by Senator MAGNUSON, who has introduced bills for this purpose as well as a split-session Congress—see hearings part 13, page 1875.

Also, the Honorable GEORGE MAHON, chairman of the House Appropriations Committee urged serious consideration of changing the end of the fiscal year to the end of the calendar year—see hearings, part 11, pages 1641 and 1659.

It is also noteworthy that the Honorable JOHN RHODES, of Arizona, a member of the House Appropriations Committee, has introduced bills to change the fiscal year; for example, H.R. 1167, 90th Congress, first session.

Perhaps most significant of all is the support given recently by Senator MIKE MANSFIELD, of Montana, majority leader of the Senate. His comments appear on pages 24983–24984 of the CONGRESSIONAL RECORD of August 2, 1968.

We are all aware of the confusion in Congress and in the executive agencies when the fiscal year ends and appropriation bills have not been enacted and we have to run the Government on a hand-to-mouth basis through continuing resolutions.

It would be most useful in any future consideration of congressional reform for this subject to be explored and if found salutary, its enactment recommended.

CONCLUSION

It is my hope that congressional reform will be given top priority in the 91st Congress and that the foregoing summary of the work of our Joint Committee on the Organization of the Congress will contribute to expeditious consideration of this subject.

There can be no more important objective than the strengthening and modernization of the first branch of government—the people's branch—the Congress of the United States.

ATTACHMENT A

THE JOINT COMMITTEE ON THE ORGANIZATION OF THE CONGRESS: A CHRONOLOGICAL AND LEGISLATIVE HISTORY

During the decade preceding 1965, demands for a thorough review of Congressional organization, procedures, and machinery were voiced with increasing frequency in Congress, in the press and among students of Congress. Symptomatic of the concern among interested members of the public and the academic communities was the 26th American Assembly, which met from October 29 to November 1, 1964 to discuss *The Congress and America's Future*. The Assembly adopted a comprehensive list of Congressional reform suggestions, and during the next six months regional American Assembly meetings gave further study to the same subject.

In Congress, measures to authorize studies of Congressional reform were introduced in almost every year of the 1950's and early 1960's. The proposals generally fell into two categories, one seeking establishment of a bipartisan commission whose membership would consist of Representatives, Senators, and presidential appointees, the other calling for a bipartisan joint committee of Congress. The Senate Committee on Rules and Administration reported a resolution to set up a joint committee (S. Con. Res. 1, 88 Cong., 1 sess.) on September 19, 1963, but the Senate took no further action on it. Congress did agree to a similar resolution, however, in 1965 and thus was established the Joint Committee on the Organization of the Congress.

The following chronology lists all official actions of Congress and all Congressional documents relating to the Joint Committee and its activities. The numbers in brackets are page references to the Congressional Record: to the bound edition through December 31, 1966, to the daily edition thereafter. From January 1, 1967, page references to the Congressional Record beginning with "S" indicate Senate pages, those beginning with "H" indicate House pages, and those beginning with "D" indicate Daily Digest pages. "GGR" numbers refer to multilithed Legislative Reference Service Reports.

An appendix lists serially all relevant resolutions, bills, and reports with dates of action.

1965—89TH CONGRESS, FIRST SESSION

January 4: H. Con. Res. 4, to establish a Joint Committee on the Organization of the Congress, introduced by Rep. Ray J. Madden, Ind.; referred to the House Committee on Rules. [92]

January 6: S. Con. Res. 2, identical to H. Con. Res. 4, introduced by Sen. A. S. Mike Monroney, Okla., and 54 other Senators of both parties; referred to the Senate Committee on Rules and Administration. [172–7]

February 24 and March 1: Hearings on S. Con. Res. 2 and on S. 1208 (to establish a Commission on Congressional Reorganization, introduced by Sen. Clifford Case, N.J., Feb. 18, 1965) before the Subcommittee on Standing Rules of the Senate, of the Committee on Rules and Administration. [Printed hearings, "Reorganization of Congress," 76 p.]

March 3: H. Rpt. 131, recommending adoption of H. Con. Res. 4, filed by the House Committee on Rules. [3995]

March 4: S. Rpt. 71, with minority views, recommending adoption of S. Con. Res. 2, filed by the Senate Committee on Rules and Administration. [4085]

March 8–9: Senate debate on S. Con. Res. 2: March 8 [4334, 4336–7, 4340–7, 4350, 4352–61]; March 9 [4520, 4524–45]. Adopted 88–0 on March 9. [4545] The resolution established a Joint Committee on the Organization of the Congress, defined its jurisdiction and powers, and authorized expenditures up to $150,000 from the Senate contingent fund through January 31, 1966.

March 10: Message to House announcing Senate adoption of S. Con. Res. 2 and requesting concurrence. [4697]

March 11: House debate on H. Con. Res. 4. [4768–80] Adopted by voice vote. [4780] S. Con. Res. 2 taken from the Speaker's table and concurred in; H. Con. Res. 4 laid on table. [4780]

The Speaker appointed to the Joint Committee: Mr. Madden, Ind., Mr. Brooks, Tex., Mr. Hechler, W. Va., Mr. Curtis, Mo., Mr. Griffin, Mich., Mr. Hall, Mo. [4780]

March 15: Message to Senate announcing House agreement to S. Con. Res. 2 and appointment of House members of the Joint Committee. [4899]

The Vice President appointed to the Joint Committee: Mr. Monroney, Okla., Mr. Sparkman, Ala., Mr. Metcalf, Mont., Mr. Mundt, S. Dak., Mr. Case, N.J., Mr. Boggs, Del. [4995]

March 17: First meeting of the Joint Committee. Sen. Monroney and Rep. Madden were elected cochairman. Minutes of the meeting were ordered to be inserted in the Congressional Record. [Mar. 29, 1965, p. 6240. See also: (First) Interim Report, cited below, pp. 3–4.]

March 17–April 13: The Joint Committee employed the following professional staff: W. DeVier Pierson, chief counsel; George Meader, associate counsel; Melvin W. Sneed, staff assistant; Nicholas A. Masters, research consultant. The Joint Committee was assigned two rooms in the Capitol: S–228, the former Supreme Court Chamber, as a hearing room; S–146, as a staff office.

April 13: In executive session, the Joint Committee adopted a statement interpreting the scope of its authority under S. Con. Res. 2. [See: (First) Interim Report, cited below, pp. 4–6.] Announcement was made that public hearings would begin May 10, 1965.

April 23: The cochairman sent personal letters to every Member of Congress inviting testimony before the Joint Committee.

May 10: In an executive session prior to the commencement of open hearings, the Joint Committee adopted 14 rules of procedure. [Published as a Joint Committee Print, "Rules of Procedure. . . ." 6 p. See also (First) Interim Report, cited below, pp. 6–8.]

May 10–September 23: The Joint Committee held 40 days of open hearings: May 10–13, 17–20, 24–27, June 2–4, 7–10, 21–25, August 2–5, 9–12, 16–18, 20, 24, 31, September 22–23. It received testimony from 199 persons (including 105 Members of Congress): 129 in person (including 58 Representatives and 17 Senators), 70 via statements submitted (including 26 Representatives and 4 Senators). Testimony, statements, and documents were published in 15 parts totaling 2,322 pages plus an index of 113 pages. Summaries of the testimony were prepared each hearing day by the Legislative Reference Service.

July 8: (First) Interim Report of the Joint Committee on the Organization of the Congress. S. Rept. 426. 29 p.

1966—89TH CONGRESS, SECOND SESSION

January 17: S. Con. Res. 69, to authorize further expenditures by the Joint Committee up to $140,000 from the Senate contingent fund for the period February 1, 1966 to December 31, 1966, introduced by Sen. Monroney; referred to the Senate Committee on Rules and Administration. [357]

January 19: In executive session, the Joint Committee approved action to extend its life through the 2nd session of the 89th Congress. [See: Second Interim Report, cited below, p. 6.]

Second Interim Report of the Joint Committee on the Organization of the Congress. Organization of Congress. S. Rept. 948. 29 p. Submitted to the Senate by Sen. Monroney and ordered to be printed. [589]

January 20: Second Interim Report of the Joint Committee submitted to the House by Rep. Madden. H. Rpt. 1218. [887]

January 24: Cochairman Madden announced the Joint Committee would shortly begin executive meetings to discuss recommendations for the final report. Included in his remarks the text of a Joint Committee press release on its Second Interim Report. [901]

January 26: S. Rpt. 953, recommending adoption of S. Con Res. 69, filed by the Senate Committee on Rules and Administration. [1183]

S. Con. Res. 69 considered and agreed to by the Senate, voice vote. [1196–7]

January 27: Message to House announcing Senate adoption of S. Con. Res. 69 and requesting concurrence. [1339]

S. Con. Res. 69 considered and agreed to by the House, voice vote. [1341]

January–July: The Joint Committee held more than 50 executive meetings on recommendations to be included in the final report. [See: Congressional Record, Jan. 25, 1967 (daily ed.) p. S873.]

May 16: Rep. Griffin, having been appointed to the Senate, submitted letter of resignation from the House, dated May 11, 1966, published in the Congressional Record. [10526]

May 18: Rep. Cleveland, N.H., appointed to the Joint Committee by the Speaker. [10939]

July 21: Senators Monroney and Mundt announced completion of Joint Committee's final report and submitted summaries of the recommendations. [16630–3]

July 25: Rep. Madden submitted a Joint Committee press report on the contents of its final report. [16858]

July 27: S. Res. 290, to authorize the printing of 8,000 additional copies of the Final Report, introduced by Sen. Monroney and considered and agreed to by the Senate, voice vote. [17270, 17383]

July 28: Final Report of the Joint Committee on the Organization of the Congress, with additional and supplemental views. S. Rpt. 1414. 97 p. Filed in the Senate by Sen. Monroney. [17388–9] Filed in the House as H. Rpt. 1781 by Rep. Madden. [17575]

H. Res. 939, to authorize the printing of 8,000 additional copies of the Final Report, introduced by Rep. Madden; referred to the Committee on House Administration. [17577]

August 11: H. Rpt. 1841, recommending adoption of H. Res. 939 amended to 6,450 copies, filed by the Committee on House Administration. [19166]

H. Res. 939, as amended, considered and agreed to by the House, voice vote. [19109]

August 15: S. Res. 293, to create a Special Committee on the Organization of the Congress to consider and report a bill embodying the recommendations in the Joint Committee's Final Report and to expire at the end of the 89th Congress, introduced by Sen. Monroney and cosponsored by all Senate members of the Joint Committee; referred to the Senate Committee on Rules and Administration. [19374]

August 17: Hearings on S. Res. 293 before the Senate Committee on Rules and Administration. [Printed hearings, "Special Committee on the Organization of the Congress," 17 p.]

August 18: H.R. 17138, the Legislative Reorganization Act of 1966, introduced by Rep. Madden; referred to the House Committee on Rules. [19954–5, 19979]

August 24: Further hearings on S. Res. 293 before the Senate Committee on Rules and Administration. [Printed hearings, "Special Committee on the Organization of the Congress . . . part 2," 34 p.]

S. Rept. 1490, recommending adoption of S. Res. 293 amended to extend the Special Committee's life to March 31, 1967 and requiring the Special Committee to issue no report until it gave the chairman and ranking minority member of each Senate standing committee opportunity to appear and present views, filed by the Senate Committee on Rules and Administration. [20436]

August 26: S. Res. 293, as amended, considered and agreed to by the Senate, voice vote. [20758–9]

August 31 and September 8: Hearings before Senate Special Committee on the Organization of the Congress, during which 3 Senators testified in person and 4 submitted statements. [Printed hearings, "Organization of Congress," 64 p.]

August–September: The Joint Committee prepared 7 successive preliminary versions of a proposed legislative reorganization act, published as committee prints: August 16, August 18 (No. 2, the basis for H.R. 17138), August 23 (No. 3), September 2 (No. 4), September 14 (No. 5), September 20 (No. 6), September 21 (No. 7, the basis for S. 3848).

September 21: S. 3848, the Legislative Reorganization Act of 1966, introduced by Sen. Monroney and reported by the Special Committee on the Organization of the Congress. [23567] S. Rpt. 1629, a 56 page analysis of S. 3848, filed by Sen. Monroney. [23592–4]

H.R. 17873, the Legislative Reorganization Act of 1966, differing in a few respects from S. 3848, introduced in the House by Rep. Curtis; referred to the House Committee on Rules. [23450–4, 23496]

September 26: H.R. 17963, the Legislative Reorganization Act of 1966, identical to S. 3848, introduced in the House by Rep. Madden; referred to the House Committee on Rules. [23800]

September 29: Senate Majority Leader Mansfield announced a Democratic Policy Committee decision that, because of the heavy legislative workload, the proposed Legislative Reorganization Act would not be considered by the Senate in 1966, but that it would be one of the first orders of business in January 1967. [24405; Monroney statement, Sept. 30, 1966, 24696–7]

October 10: House Republican Policy Committee adopted a statement urging immediate consideration of H.R. 17873 (Curtis bill). [Submitted for the CONGRESSIONAL RECORD on Oct. 11, 1966 by Rep. Rhodes, Ariz. 26145–6]

October 11: S. Res. 311, to authorize $15,000 for the Senate Select Committee on the Organization of the Congress in January 1967 and to authorize the Special Committee to report an omnibus reorganization bill not later than March 31, 1967, introduced by Sen. Monroney and cosponsored by all Senate members of the Joint Committee; referred to the Senate Committee on Rules and Administration. [25975–6]

October 14: S. Rept. 1740, recommending doption of S. Res. 311, filed by the Senate Committee on Rules and Administration. [26735]

October 17: S. Res. 311 considered and agreed to by the Senate, voice vote. [27214–5]

December 13: A letter from the Joint Committee signed by Representatives Madden and Curtis was sent to every Representative-elect of the 90th Congress urging support of the proposed Legislative Reorganization Act and enclosing a copy of the Joint Committee's Final Report.

December 31: The Joint Committee on the Organization of the Congress expired under the terms of S. Con. Res. 69, adopted January 27, 1966.

1967—90TH CONGRESS, FIRST SESSION

January: The Special Committee on the Organization of the Congress published as Special Committee prints 3 successive revisions of S. 3848: January 10, January 12 (No. 2), January 13 (No. 3). It also produced as a Special Committee print on January 13 a 55 page preliminary version of the report to accompany the new bill.

January 11: S. Con. Res. 2, to continue the Joint Committee on the Organization of the Congress through June 30, 1967 and to authorize $60,000 from the Senate contingent funds for the Joint Committee, introduced by Sen. Monroney and cosponsored by all Senate members of the Special Committee; referred to the Senate Committee on Rules and Administration. [S23]

January 12: H. Con. Res. 51, similar to S. Con. Res. 2, introduced by Rep. Madden. H. Con. Res. 52, similar to S. Con. Res. 2, introduced by Rep. Curtis. [H152, H184]

January 16: S. 355, the Legislative Reorganization Act of 1967, introduced by Sen. Monroney and reported by the Special Committee on the Organization of the Congress. [S251–3] S. Rpt. 1, a 55 page analysis of S. 355, filed by Sen. Monroney.

January 17: H.R. 2594, identical to S. 355, introduced by Rep. Madden; referred to the House Committee on Rules. [H252–3, H287]

H.R. 2595, almost identical to S. 355, introduced by Rep. Curtis; referred to the House Committee on Rules. [H253–4, H287]

January 23: "Amendments made to the Legislative Reorganization Act of 1946 by S. 355. . . ." Committee print of the Special Committee on the Organization of the Congress, 21 p.

January 25–March 7: Senate debate on S. 355. Debate occurred on 18 days during this 16 week period, as follows: January 25 [S872–7, S918–9]; January 26 [S1020, S1023–38]; January 30 [S1094–6, S1120–31]; January 31 [S1214, S1216–24]; February 1 [S1280–98]; February 2 [S1367, S1402–10]; February 3 [S1424–5, S1472–83, S1487–97]; February 6 [S1593–1601, S1611–22]; February 7 [S1693–1719]; February 8 [S1806–39]; February 9 [S1843. S1845, S1849–53, S1862–6]; February 15 [S1953, S2002–8]; February 16 [S2095, S2116–25]; February 21 [S2421, S2430–2]; March 2 [S2975–94]; March 3 [S3047–51, S3063–91]; March 6 [S3157–81, S3192–4]; March 7 [S3264–3311]. Motion to recommit S. 355 rejected 18–70 on February 7 [S1700].

Of 132 amendments offered on the floor, 40 were adopted, including one later withdrawn. Amendments other than those offered during debate were submitted as follows: January 23 [S639–49]; January 24 [S772–3]; January 25 [S825]; January 26 [S970–2]; January 30 [S1065–6]; January 31 [S1161]; February 1 [S1241–4]; February 3 [S1430]; February 6 [S1547]; February 7 [S1658]; February 8 [S1759]; February 15 [S1938]; February 20 [S2247]; March 2 [S2953]; March 3 [S3031]. S. 355 passed by the Senate March 7 by vote of 75–9. [S3294]

January 30: S. Rpt. 6, recommending adoption of S. Con. Res. 2, filed by the Senate Committee on Rules and Administration. [S1044]

S. Con. Res. 2 considered and agreed to by the Senate, voice vote. [S1096]

January 31: H. Rpt. 3, recommending adoption of H. Con. Res. 51, filed by the House Committee on Rules. [H803, H851]

S. Con. Res. 2 considered and agreed to by the House, voice vote. H. Con. Res. 51 laid on the table. [H807–8] Colloquy between Representatives Madden and Curtis concerning procedure for dealing with the Legislative Reorganization Act in the House. [H807–8]

March 3: S. 355, as amended by the Senate to that date, ordered printed.

March 7: S. 355, as amended, passed by the Senate by a vote of 75–9. [S3294]

March 9: Message to House announcing Senate passage of S. 355 and requesting concurrence. [H2363] S. 355 referred to the House Committee on Rules. [H2536]

March 16: Subcommittee on Research and Extension of House Committee on Agriculture approved for full committee action a resolution opposing portions of S. 355. [D184]

March 23: "Sectional Analysis of S. 355, Legislative Reorganization Act of 1967, as passed by the Senate." Committee print of the Joint Committee on the Organization of the Congress. 45 p.

April 6: S. Res. 106, to amend S. Res. 293 (89 Cong., 2 sess.) so as to extend the Special Committee on the Organization of the Congress to June 30, 1967, introduced by Sen. Monroney and cosponsored by all Senate members of the Special Committee; referred to the Senate Committee on Rules and Administration. [S4678]

April 10: S. Rpt. 160, recommending adoption of S. Res. 106, filed by the Senate Committee on Rules and Administration. [S4748]

April 11: S. Res. 106 considered and agreed to by the Senate, voice vote. [S4820]

Hearing on S. 355, H.R. 2594, and H.R. 2595, before the House Committee on Rules. Testimony of Rep. Madden heard. [D251[

"This print shows amendments made by S. 355, Legislative Reorganization Act of 1967, as passed by the Senate, to the Rules of the House of Representatives, to the Legislative Reorganization Act of 1946, and to certain other provisions of law." Committee print of the House Committee on Rules. 49 p.

April 18: "Tabulation of Senate amendments to S. 355 (Jan. 25–Mar. 7, 1967)." Committee print table of the Joint Committee on the Organization of the Congress. 7 p.

May 5: Committee print showing proposed changes in S. 355, printed for the Joint Committee.

May 11: Republican Policy Committee statement of May 9, 1967, urging House action of S. 355, published in the Congressional Record by Rep. Rhodes, Ariz. [H5352–3]

May 17: Committee Print No. 2, showing proposed changes in S. 355, printed for the Joint Committee.

June 6: S. Con. Res. 32, to continue the Joint Committee through December 31, 1967 and to authorize $50,000 from the Senate contingent fund, introduced by Sen. Monroney and all other Senate members of the Joint Committee; referred to the Senate Committee on Rules and Administration. [S7703]

S. Res. 133, to amend S. Res. 293 (89 Cong., 2 sess.) to continue the Special Committee on the Organization of the Congress through December 31, 1967, introduced by Sen. Monroney and all other Senate members of the Special Committee; referred to the Senate Committee on Rules and Administration. [S7703]

June 8: S. Rpt. 302, recommending adoption of S. Con. Res. 32, filed by the Senate Committee on Rules and Administration. [Congressional Record of June 12, 1967, p. S7940]

S. Rpt. 304, recommending adoption of S. Res. 133, with amendment, filed by the Senate Committee on Rules and Administration. [Congressional Record of June 12, 1967, p. S7940]

June 12: S. Con. Res. 32 considered and agreed to by the Senate, voice vote. [S7938] S. Res. 133, as amended, considered and agreed to by the Senate, voice vote. [S7938–9]

Message to House announcing Senate passage of S. Con. Res. 32 and requesting concurrence. [H6981] S. Con. Res. 32 considered and agreed to by the House, voice vote. [H6982–3]

H.R. 10748, a revision of S. 355, introduced by Rep. Bolling, Mo.; referred to House Committee on Rules. [H7059]

June 14: Statement by Rep. Bolling explaining selected features of H.R. 10748, introduced June 12, 1967, and comparing those features with provisions in S. 355 and with Joint Committee Print No. 2. [H7237-40]

June 16: Committee Print No. 3, showing proposed changes in S. 355, printed for the Joint Committee.

August 23: H.R. 12570, a revision of S. 355, introduced by Rep. Reid, N.Y.; referred to the House Committee of Rules. [H11095] Explanatory statement of H.R. 12570 by Rep. Reid. [H11073]

September 5: "The legislative Reorganization Act of 1967, a comparative analysis of significant features in four versions, with emphasis on those affecting the House of Representatives; S. 355 . . . Committee Print No. 3 . . . Bolling Bill . . . [and] Smith-Curtis Draft . . ." Prepared by the Legislative Reference Service for the use of the Joint Committee. 63 p. (GGR141)

October 11: House Republican Conference adopted resolution offered by Rep. Cleveland calling upon the Democratic leadership of the House to bring S. 355 to the floor under an open rule. [Congressional Record, Nov. 2, 1967, pp. H14469-70]

October 16: Rep. H. Allen Smith, Cal., circulated to members of the Joint Committee, the Committee on Rules, and the House Republican leadership a memorandum containing his suggestions for revision of S. 355. 13 p.

November 8: H. Con. Res. 578, to extend the life of the Joint Committee on the Organization of the Congress to December 31, 1968 and to authorize the Joint Committee to expend up to $100,000 from the House contingent fund, introduced by Rep. Curtis and cosponsored by Representatives Hall and Cleveland; referred to the House Committee on Rules. [H14929-30, H14948]

November 22: S. Res. 188, to amend S. Res. 239 (89 Cong., 2 sess.) to continue the Special Committee on the Organization of the Congress through January 31, 1968 and to authorize expenditures up to $10,000 from the Senate contingent fund during January 1968, introduced by Sen. Monroney; referred to the Senate Committee on Rules and Administration. [S17000, S17050-1]

November 29: S. Rept. 810, recommending adoption of S. Res. 188, filed by the Senate Committee on Rules and Administration. [17359-60]

November 30: S. Res. 188 considered and agreed to by the Senate, voice vote. [S17401-2]

December 31: Joint Committee on the Organization of the Congress expired under the terms of S. Con. Res. 32.

1968—90TH CONGRESS, SECOND SESSION

January 30: S. Res. 247, to continue the Special Committee on the Organization of the Congress through December 31, 1968 and authorizing up to $100,000 from the Senate contingent fund, introduced by Sen. Monroney and cosponsored by all other Senate members of the Special Committee referred to the Senate Committee on Rules and Administration. [S608]

January 31: Committee Print (No. 4), proposed changes in the text of S. 355 as passed by the Senate, prepared for the use of the Special Committee on the Organization of the Congress, printed for the Special Committee.

February 8: S. Rpt. 1005, recommending approval of S. Res. 247 with amendments to continue the Special Committee through June 30, 1968 and authorize $50,000, filed by the Senate Committee on Rules and Administration. [S1086]

February 29: Committee Print No. 5, proposed changes in the text of S. 355 as passed by the Senate, prepared for the use of the Special Committee on the Organization of the Congress, printed for the Special Committee.

H.R. 15687, a revision of S. 355 titled "The Legislative Reorganization Act of 1968," introduced by Rep. H. Allen Smith, Calif.; referred to the House Committee on Rules. [H1564]

March 4: Senate adopted S. Res. 262, authorizing the Secretary of the Senate to pay committee employees who would be payable if Senate resolutions on the Calendar (including S. Res. 247 relating to the Special Committee on the Organization of the Congress) were agreed to. [S2040]

March 15: S. Res. 247, as amended, considered and agreed to by the Senate, voice vote. [S2949-50]

March 22: "The Proposed Legislative Reorganization Act of 1968, a comparative analysis of significant features in three versions, with emphasis on those affecting the House of Representatives; S. 355 . . . Committee Print No. 5 . . . [and] Smith Bill [H.R. 15687]." Prepared by the Legislative Reference Service for the use of the Special Committee on the Organization of the Congress. 37 p. (GGR158)

May 14: Committee Print No. 6, proposed changes in the text of S. 355 as passed by the Senate, prepared for the use of the Special Committee on the Organization of the Congress, printed for the Special Committee.

June 20: H.R. 18039, a revised version of S. 355 based in part on Committee Print No. 6, introduced by Rep. Madden; referred to the House Committee on Rules. [H5334]

June 25: S. Res. 306, to continue the Special Committee on the Organization of the Congress to 30 days after enrollment of S. 355 or to the date of sine die adjournment of the 90th Congress, whichever came first, introduced by Senators Metcalf and Mundt; referred to the Senate Committee on Rules and Administration. [S7689]

June 26: Hearing before the Senate Committee on Rules and Administration on S. Res. 306. The Committee took no action.

June 30: The Special Committee on the Organization of the Congress expired under the terms of S. Res. 262.

APPENDIX

Numerical lists of resolutions, bills, and reports

House Concurrent Resolutions

89th Congress

H. Con. Res. 4, to establish a Joint Committee on the Organization of the Congress, introduced Jan. 4, 1965, reported Mar. 3 (H. Rpt. 131), debated, adopted, and laid on the table Mar. 11.

90th Congress

H. Con. Res. 51, to continue the Joint Committee, introduced Jan. 12, 1967, reported (H. Rpt. 3), adopted, and laid on the table Jan. 31.

H. Con. Res. 52, to continue the Joint Committee, introduced Jan. 12, 1967.

H. Con. Res. 578, to continue the Joint Committee through Dec. 31, 1968, introduced Nov. 8, 1967.

Senate Concurrent Resolutions

89th Congress

S. Con. Res. 2, to establish a Joint Committee on the Organization of the Congress, introduced Jan. 6, 1965, hearings Feb. 24 and Mar. 1, reported Mar. 4 (S. Rpt. 71), debated and adopted by the Senate Mar. 8, concurred in by the House Mar. 11.

S. Con. Res. 69, to extend the Joint Committee through Dec. 31, 1966, introduced Jan. 17, 1966, reported Jan. 26 (S. Rept. 953), adopted by the Senate Jan. 26, concurred in by the House Jan. 27.

90th Congress

S. Con. Res. 2, to continue the Joint Committee through June 30, 1967, introduced Jan. 1, 1967, reported (S. Rpt. 6) and adopted by the Senate Jan. 30, adopted by the House Jan. 31.

S. Con. Res. 32, to continue the Joint Committee through Dec. 31, 1967, introduced June 6, 1967, reported June 8 (S. Rept. 302), adopted by the Senate June 12, adopted by the House June 12.

House Resolutions

89th Congress

H. Res. 939, to authorize additional copies of the Joint Committee Final Report, introduced July 28, 1966, reported (H. Rpt. 1841) and adopted by the House Aug. 11.

Senate Resolutions

89th Congress

S. Res. 290, to authorize additional copies of the Joint Committee Final Report, introduced and adopted July 27, 1966.

S. Res. 293, to create a Special Committee on the Organization of the Congress, introduced Aug. 15, 1966, hearings Aug. 17 and Aug. 24, reported Aug. 24, (S. Rpt. 1490), adopted Aug. 26.

S. Res. 311, to extend the Special Committee through Mar. 31, 1967, introduced Oct. 11, 1966, reported Oct. 14 (S. Rpt. 1740), adopted Oct. 17.

90th Congress

S. Res. 106, to amend S. Res. 293 (89th Cong.) to extend Special Committee through June 30, 1967, introduced Apr. 6, 1967, reported Apr. 10 (S. Rpt. 160), adopted Apr. 11.

S. Res. 133, to amend S. Res. 293 (89th Cong.) to extend Special Committee through Dec. 31, 1967, introduced June 6, 1967, reported June 8 (S. Rpt. 304), adopted June 12.

S. Res. 188, to amend S. Res. 293 (89 Cong.) to extend Special Committee through Jan. 31, 1968, introduced Nov. 22, 1967, reported Nov. 29 (S. Rpt. 810), adopted Nov. 30.

S. Res. 247, to continue Special Committee through Dec. 31, 1968, introduced Jan. 30, 1968, reported Feb. 8 (S. Rpt. 1005) amended to read June 30, 1968, adopted Mar. 15.

S. Res. 306, to continue the Special Committee, introduced June 25, 1968, hearing June 26.

House Bills

89th Congress

H.R. 17138, introduced Aug. 18, 1966 by Mr. Madden.

H.R. 17873, introduced Sept. 21, 1966 by Mr. Curtis.

H.R. 17963, introduced Sept. 26, 1966 by Mr. Madden.

90th Congress

H.R. 2594, introduced Jan. 17, 1967 by Mr. Madden.

H.R. 2595, introduced Jan. 17, 1967 by Mr. Curtis.

H.R. 10748, introduced June 12, 1967 by Mr. Bolling.

H.R. 12570, introduced Aug. 23, 1967 by Mr. Reid.

H.R. 15687, introduced Feb. 29, 1968 by Mr. Smith.

H.R. 18039, introduced June 20, 1968 by Mr. Madden.

Senate Bills

89th Congress

S. 3848, introduced Sept. 21, 1966 by Sen. Monroney.

90th Congress

S. 355, introduced Jan. 16, 1967 by Sen. Monroney, debate in the Senate Jan. 25–March 7, passed Mar. 7, House hearing Apr. 11.

House Reports

H. Rpt. 131: see H. Con. Res. 4 (89 Cong.)

H. Rpt. 1218: Second Interim Report of the Joint Committee, Jan. 20, 1966.

H. Rpt. 1781: Final Report of the Joint Committee, July 28, 1966.

H. Rpt. 1841: see H. Res. 939 (89 Cong.)

H. Rpt. 3: see H. Con. Res. 51 (90 Cong.)

Senate Reports

S. Rpt. 71: see S. Con. Res. 2 (89 Cong.)

S. Rpt. 426: (First) Interim Report of the Joint Committee, July 8, 1965.

S. Rpt. 948: Second Interim Report of the Joint Committee, Jan. 19, 1966.

S. Rpt. 953: see S. Con. Res. 69 (89 Cong.)
S. Rpt. 1414: Final Report of the Joint Committee, July 28, 1966.
S. Rpt. 1490: see S. Res. 293 (89 Cong.)
S. Rpt. 1629: analysis of S. 3848, Sept. 21, 1966.
S. Rpt. 1740: see S. Res. 311 (89 Cong.)
S. Rpt. 1: analysis of S. 355, Jan. 16, 1967.
S. Rpt. 6: see S. Con. Res. 2 (90 Cong.)
S. Rpt. 160: see S. Res. 106 (90 Cong.)
S. Rpt. 302: see S. Con. Res. 32 (90 Cong.)
S. Rpt. 304: see S. Res. 133 (90 Cong.)
S. Rpt. 810: see S. Res 188 (90 Cong.)
S. Rpt. 1005: see S. Res. 247 (90 Cong.)

ATTACHMENT B

CONGRESSIONAL REFORM ACTIONS ATTRIBUTABLE TO THE JOINT COMMITTEE ON THE ORGANIZATION OF THE CONGRESS, AS OF JUNE 24, 1968

The Joint Committee on the Organization of the Congress made some 100 recommendations for reform of Congressional organization and procedures in its Final Report (Sen. Rpt. 1414, 89th Congress, 2d session) issued July 28, 1966. On March 7, 1967, the Senate passed S. 355, a proposed Legislative Reorganization Act based upon those recommendations.

The following list describes those Joint Committee recommendations and provisions of S. 355 which, prior to enactment of the bill, have already been implemented or upon which action is pending.

The subjects include:

1. Senate employees' salary rates: conversion to a gross rate system.
2. Legislative assistants for Senators.
3. Additional travel allowances for Representatives.
4. Creation of a House committee to deal with ethics.
5. Abolishment of the House Office of the Coordinator of Information.
6. Authorizing the Legislative Reference Service to acquire automatic data processing machinery.
7. Consolidation of Senators' telephone and telegram allowances.
8. GAO systems analysis assistance to Congress.
9. GAO cost-effectiveness studies for Congress.
10. Professionalization of the Capitol Police Force.
11. Creation of a Senate Committee on Veterans' Affairs.
12. Improvements in the Congressional Record.
13. Restrictions on Senators' stationery allowances.
14. Congressional Adjournment.

1. SENATE EMPLOYEES' SALARY RATES

Although not recommended in the Joint Committee's Final Report, the Senate amended S. 355 in section 324 to direct the Senate Committee on Appropriations to recommend a plan for converting Senate employees' salaries from a basic-plus-increments to a gross rate system.

Action: The Committee on Appropriations of the Senate recommended such a plan in 1967 and it was incorporated into the Legislative Branch Appropriation Act, 1968 (P.L. 90–57, 81 Stat. 127), approved July 28, 1967. The appropriate provisions are contained in section 105(a)–(c) of that Act.

2. LEGISLATIVE ASSISTANTS FOR SENATORS

The Final Report recommended that "Each Senator shall be authorized a legislative assistant at a salary not more than $1,000 less than the highest pay allowable for any member of the office staff." (pp. 36–37) The recommendation is incorporated in section 321 of S. 355.

Action: The Senate indirectly implemented this recommendation in the Legislative Branch Appropriation Act, 1968, cited above, by adopting language that permits each Senator to employ an additional staff person at the second highest salary level permissible for personal staff. Senators may now fix the salaries of two of their employees, instead of one as previously, at gross rates of not more than $23,400 per annum. (The sum was subsequently amended to $24,440 by the Postal Revenue and Federal Salary Act of 1967, P.L. 90–206, section 214(1). By order of the President pro tempore, June 12, 1968, under authority vested in him by section 212 of the 1967 Salary Act, the sum will rise to $25,870 effective July 1, 1968). Unlike the provision in S. 355, however, the 1968 Appropriations Act did not assign to this additional employee the title of legislative assistant. Moreover, Senators are not obliged to commit the additional allowance to a single employee but may use it to employ a number of additional staff at lower salaries. The authorization is contained in section 105(d)(2) of the Appropriations Act.

3. TRAVEL ALLOWANCES FOR REPRESENTATIVES

The Final Report recommended increases in travel allowances for Members and their staffs (p. 38). Section 322 of S. 355 authorizes additional travel allowances to increase from four to seven the annual number of round trips between the District of Columbia and their districts for which Representatives shall be reimbursed.

Action: H.R. 9837 (P.L. 90–86, 81 Stat. 226), passed by the House of Representatives on August 21, 1967 and approved September 17, authorizes for each Representative a number of round trips per year "not to exceed the number of months Congress is in session" in that year.

4. HOUSE ETHICS COMMITTEE

The Final Report of the Joint Committee recommended: "The House of Representatives shall create a Committee on Standards and Conduct." (p. 48) Section 131 of S. 355 as passed by the Senate would establish in the House a bipartisan Committee on Standards and Conduct to recommend necessary rules and regulations for the conduct of Members, officers, and employees of the House.

Action: H. Res. 418, adopted April 13, 1967, established a House Committee on Standards of Official Conduct and directed it to "recommend as soon as practicable such changes in laws, rules, and regulations as the committee deems necessary to establish and enforce standards of official conduct for Members, officers, and employees of the House." The Committee's report of March 14, 1968 (H. Rept. 1176) recommended a Code of Official Conduct, amendment of the House Rules to require disclosure of certain financial interests, and establishment of the Committee on Standards of Official Conduct as a permanent standing committee of the House. These recommendations were formally introduced as H. Res. 1099, amending H. Res. 418, and were adopted by the House on April 3, 1968.

5. ABOLISHING THE HOUSE OFFICE OF THE COORDINATOR OF INFORMATION

The Joint Committee recommended in its Final Report that: "The Office of the Coordinator of Information of the House of Representatives shall be abolished, and its personnel and records shall be transferred to the Legislative Research Service." (p. 42) Section 333 of S. 355 contains language to that effect.

Action: The Legislative Appropriations Act, 1968, cited above, appropriated $35,000 for the Office of the Coordinator with the proviso that no funds should be made available to it after the sine die adjournment of the first session of the 90th Congress or after October 1, 1967, whichever came first. As of this writing, all positions in the Office are vacant for lack of funds. However, the authorizing legislation for the Coordinator's office, contained in the Legislative Branch Appropriation Act, 1948, (P.L. 197, 61 Stat. 377), is still valid. The former Coordinator recently died. The location of former members of his staff is unknown. The physical resources of the Office were taken over for the most part by the Clerk of the House of Representatives.

6. AUTOMATIC DATA PROCESSING AUTHORITY FOR THE LEGISLATIVE REFERENCE SERVICE

Although not recommended in the Joint Committee's Final Report, the Senate added to section 331 of S. 355 language authorizing the Legislative Reference Service of the Library of Congress to perform machine research operations and to acquire automatic data processing equipment and personnel for that purpose.

Action: In its budget presentation for fiscal 1968, the Library of Congress requested $1,685,000 for its automation program, of which $280,000 was earmarked for "the design of related systems, principally for the Legislative Reference Service. . . ." [U.S. Congress. House. Committee on Appropriations. Hearings. . . . Legislative Branch Appropriations for 1968. p. 406.] In reporting the bill, the Committee declared that $1,300,000 was to be allotted to the Library's automation program. [H. Rpt. 323, 90th Cong., 1 sess., pp. 12–13.] The bill having passed Congress with no alteration in that sum, the Librarian of Congress made $250,000 available to the Service for fiscal 1968. For fiscal 1969, the Library requested $1,700,000 for automation purposes, of which an unspecified amount was to be allotted to the Service. [U.S. Congress. House. Committee on Appropriations. Hearings. . . . Legislative Branch Appropriations for 1969, p. 527.]

7. CONSOLIDATION OF SENATE TELEPHONE AND TELEGRAPH ALLOWANCES

In its Final Report, the Joint Committee stated: "Telephone and telegraph allowances should be consolidated under the unit system at present used by the House and should be adjusted to provide the current level of allowance for other calls based on long-distance and Western Union rates." (p. 38) Section 323(b) of S. 355 directs the Senate Sergeant at Arms, under the supervision of the Committee on Rules and Administration, to formulate a plan for consolidating the telephone and telegraph allowances of Senators.

Action: The Senate Committee on Appropriations, in its report on the Second Supplemental Appropriation Bill 1967, reaffirmed this directive. Subsequently, and upon the recommendation of the Sergeant at Arms, the Committee inserted into the Legislative Branch Appropriation Act, 1968, new language to govern payments for long distance telephone calls. The new provision is identical with previously enacted language relating to telegram allowances. According to the report of the Committee, the change "will make it possible to put both accounts on a calendar year basis. . . . With both allowances handled in the same accounting period, the Committee on Rules and Administration will be in a position to promulgate necessary rules and regulations so as to permit the interchangeability of the two allowances." [S. Rpt. 393, 90th Cong., 1 sess., p. 4.] The Rules and Administration Committee adopted such regulations on October 11, 1967 and they were put into effect at the beginning of 1968.

8. SYSTEMS ANALYSIS ASSISTANCE FOR CONGRESS BY THE GAO

Among its recomendations relating to improving Congressional fiscal controls, the Joint Committee stated: "In order to facilitate the utilization by Congress of automatic data processing capabilities and modern program evaluation techniques, the General Accounting Office shall develop systems design and cost-benefit analysis capabilities necessary to meet adequately the needs of the Congress." (p. 27) Title II, part 1 of S. 355

directs the Comptroller General to engage in a variety of activities designed to assist Congress in evaluating Federal programs along cost-benefit lines.

Action: In its GAO Newsletter of November 10, 1967, the General Accounting Office announced that it had created a Systems Analysis Section in its Office of Policy and Special Studies, evidently to carry out preliminary studies that will be of assistance to the GAO in carrying out its Title II functions.

9. COST-EFFECTIVENESS STUDIES FOR CONGRESS BY THE GAO

In its Final Report, the Joint Committee recommended that the GAO be directed to provide experts to the Appropriations Committees and the other committees of Congress "to assist them in making independent cost-effectiveness studies on programs under their jurisdictions." (p. 28) Section 205 of S. 355 translates this recommendation into authorizing legislative language.

Action: Title II of the Economic Opportunity Amendments of 1967 (P.L. 90–222, 81 Stat. 727), approved December 23, 1967, directs the Comptroller General to make a special study of the OEO programs in order to determine, among other things, "the extent to which such programs and activities achieve the objectives set forth in the relevant part of the Economic Opportunity Act of 1964 authorizing such programs or activities." The Comptroller General is to transmit his final report to the Congress not later than December 1, 1968, and that final report is to contain his findings, conclusions, and recommendations, including recommendations for additional legislation.

[For a discussion of this GAO activity, see: U.S. Congress. House. Committee on Appropriations. Hearings . . . Legislative Branch Appropriations for 1969. pp. 23–31, 89–96. See also: H. Rpt. 1576, 90th Cong., 2 sess., pp. 17–18.]

10. PROFESSIONAL CAPITOL POLICE FORCE

The Final Report of the Joint Committee recommended that the Capitol Police force be removed from patronage and be made a professional force and part of the Metropolitan Police. In the interim, existing police should be given additional instruction and training to improve the quality of their performance. (pp. 49–50) Section 422 of S. 355 requires the Capitol Police Board to formulate a plan for conversion of the Capitol Police into a professional force comparable to that of the District of Columbia.

Action: Although no formal plan has been made public, the Chief of the Capitol Police has testified that efforts are being made to recruit more professionally trained personnel without regard to patronage. The Force has also instituted special training programs for all personnel in cooperation with the Metropolitan Police Department, the FBI, and other law enforcement agencies in the Washington area. [U.S. Congress. House. Committee on Appropriations. Hearings . . . Legislative Branch Appropriations for Fiscal Year 1967. Pp. 132–141; Hearings . . . Legislative Branch Appropriations for Fiscal Year 1968. Pp. 247–253.]

11. SENATE COMMITTEE OF VETERAN'S AFFAIRS

Recommendation 4 of the Joint Committee's suggestions on realignment of committee jurisdiction in the Senate called for the creation of a Committee on Veterans' Affairs as a minor standing committee. (Final Report, p. 17–18) The recommendation is incorporated in section 121 of S. 355.

Action: On January 11, 1967, Senator Cannon of Nevada introduced S. Res. 13 on behalf of himself and eleven other Senators. The resolution would amend the Standing Rules of the Senate to establish a Committee on Veterans' Affairs. Referred to the Senate Committee on Rules and Administration, the resolution was reported by that Committee with amendments on May 13, 1968 and is at this writing on the Senate Calendar. [See: S. Rept. 1116, 90th Cong., 2 sess., May 10, 1968.]

12. CONGRESSIONAL RECORD IMPROVEMENTS

The Joint Committee suggested to the Joint Committee on Printing that it adopt a series of improvements for the Congressional Record. (Final Report, pp. 43–45)

Action: In the Congressional Record edition of January 15, 1968, the Joint Committee on Printing announced several changes in the Record, of which the following were recommended by the Joint Committee on the Organization of the Congress:

(a) The Appendix (renamed Extensions of Remarks) will hereafter be permanently bound.

(b) The Daily Digest is to carry an alphabetical listing of Members whose extensions of remarks appear in that issue, together with page references.

(c) The Joint Committee on Printing announced that it is its intention to make the body of the Record become, by the 91st Congress, "substantially a verbatim report of proceedings as required by existing law."

13. SENATORS' STATIONERY ALLOWANCE

Section 481 of S. 355, a Senate amendment to the bill, declares that stationery allowances for Representatives and Senators shall be used only for stationery and office supplies, and the part not so used shall be returned to the Treasury at the end of the fiscal year.

Action: On July 9, 1968, the Senate, by a voice vote, agreed to an amendment offered by Senator Williams, Del., to the Legislative Branch Appropriation Act, 1969 (H.R. 18038), applying the above provision to the Senate only.

14. CONGRESSIONAL ADJOURNMENT

The Final Report of the Joint Committee recommended that: "In no event . . . shall any meetings of either House be held during the month of August, except in time of war as declared by Congress." (p. 55) The intent of the recommendation was embodied in section 433 of S. 355.

Action: On August 2, 1968, the House and the Senate agreed to an amended version of H. Con. Res. 805, adjourning Congress from August 2, 1968 to noon September 4, 1968. [Congressional Record, Aug. 2, 1968, pp. S10128–9, H8149.]

ATTACHMENT C

H.R. —

A bill to improve the operation of the legislative branch of the Federal Government, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act, divided into titles, parts, and sections according to the following table of contents, may be cited as the "Legislative Reorganization Act of 1968".

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TITLE I—THE COMMITTEE SYSTEM

RULEMAKING POWER OF SENATE AND HOUSE

SEC. 101. The following sections of this title are enacted by the Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply; and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House.

PART 1—PROVISIONS APPLICABLE TO BOTH HOUSES

COMMITTEE PROCEDURE

SEC. 102. (a) Section 133(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 190a) is amended by adding at the end thereof the following new sentences: "If the chairman of any such committee, after three days' consideration, refuses or fails, upon the request of at least three members of the committee, to call a special meeting of the committee within seven calendar days from the date of said request, then upon the filing with the clerk of the committee of the written and signed request of a majority of the committee for a called special meeting of the committee, the committee shall meet on the day and hour specified in said written request. It shall be the duty of the clerk of the committee to notify all members of the committee in the usual way of such called special meeting. If the chairman of the committee is not present at any committee meeting, the senior member of the majority party who is present shall preside at that meeting.".

(b) Section 133(b) of that Act is amended to read as follows:

"(b) Except as provided by section 133A (b) of this Act with respect to committee hearings, meetings for the transaction of business of each such committee may be open to the public whenever the committee by majority vote orders such meeting to be open to the public. Each such committee shall keep a complete record of all committee action. Such record shall include a record of the votes on any question on which a record vote is demanded. With respect to each record vote by the committee on each motion to report any measure the total number of votes cast for, and the total number of votes cast against, the reporting of such measure shall be announced by the committee and included in the committee report.".

(c) Section 133(c) of that Act is amended by adding at the end thereof the following new sentences: "In any event, the report of any such committee upon a measure which has been approved by the committee shall be filed within seven calendar days (exclusive of days on which the Senate or House of Representatives, as the case may be, is not in session) after the day on which there has been filed with the clerk of the committee a written and signed request of a majority of the committee for the reporting of that measure. Upon the filing of any such request, the clerk of the committee shall transmit immediately to the chairman of the committee notice of the filing thereof.".

(d) Section 133 of that Act is amended by striking out subsections (e) and (f), and inserting in lieu thereof the following:

"(e) If, at the time of approval of a measure or matter by any such committee, any member of the committee gives notice of intention to file supplemental or minority views, each such member shall be entitled to no less than one day in which to file such views with the clerk of the committee in writing. All such views so filed by one or more members of the committee shall be included within and shall be a part of the report filed by the committee with respect to that measure or matter. The report of such committee upon such measure or matter shall be printed in a single volume which shall include all supplemental or minority views which have been submitted at the time of the filing of the committee report, and shall bear upon its cover a recital that supplemental or minority views are included as a part of the report. Nothing contained in this subsection shall preclude—

"(1) the immediate filing and printing of a committee report unless a timely request for the opportunity to file supplemental or minority views has been made as provided by this subsection; or

"(2) the filing by any standing committee of any supplemental report upon any measure which may be required for the correction of any technical error in a previous report made by such committee upon such measure.

"(f) No measure or matter shall be considered in either House of the Congress unless a committee report thereon has been available to the Members of that House for at least three calendar days (exclusive of Saturdays, Sundays, and legal holidays) prior to the consideration of such measure or matter in that House. If hearings have been held on any such measure or matter so reported in either House, the committee reported such measure or matter shall make every reasonable effort to have such hearings printed and available for distribution to Members of that House prior to the consideration of such measure or matter in that House. This subsection may be waived, with respect to the Senate, by joint agreement of the majority leader and the minority leader of the Senate. This subsection shall not apply to—

"(1) any measure for the declaration of war, or the declaration of a national emergency, by the Congress,

"(2) any executive decision, determination, or action which would become, or continue to be, effective unless disapproved by one or both Houses of Congress, and

"(3) any privileged report as described in clause 21 of Rule XI of the Rules of the House of Representatives in the Ninetieth Congress.

"(g) The foregoing provisions of this section do not apply to the Committee on Appropriations of the Senate and the Committee on Appropriations and the Committee on Rules of the House of Representatives.".

COMMITTEE HEARING PROCEDURE

SEC. 103. (a) Part 3 of title I of the Legislative Reorganization Act of 1946 is amended by inserting therein, immediately after section 133 thereof, the following new section:

"COMMITTEE HEARING PROCEDURE

"SEC. 133A. (a) Each standing, select, or special committee of the Senate and the House of Representatives shall make public announcement of the date, place, and subject matter of any hearing to be conducted by the committee on any measure or matter at least one week before the commencement of that hearing unless the committee determines that there is good cause to begin such hearing at an earlier date. Each such committee shall require, so far as practicable, each witness who is to appear before it to file, in advance of his appearance, a written statement of his proposed testimony and to limit his oral presentation at his appearance to a brief summary of his argument. The minority members of the committee shall have a reasonable opportunity to call witnesses before such hearing.

"(b) Each hearing conducted by each such committee shall be open to the public except when the committee determines that—

"(1) the testimony to be taken at that hearing may relate to a matter of national security, may tend to reflect adversely on the character or reputation of the witness or any individual, or may divulge matters deemed confidential under other provisions of law or Government regulation, or

"(2) for any other urgent reason, such hearing should not be open to the public. Whenever any such hearing is open to the public, the committee may permit, as a public service and solely under such rules as the committee may adopt, the broadcasting, telecasting, and photographing by still and motion pictures of that hearing, or the recording and filming of that hearing for later broadcasting or telecasting, except that—

"(A) no witness may be required, against his will, to give evidence or testimony while the broadcasting or telecasting of that hearing is being conducted or while a recording or filming of that hearing is being made for later broadcasting or telecasting; and

"(B) no on-the-spot broadcasting or telecasting of that hearing may be conducted under commercial sponsorship, but this prohibition shall not be construed to prevent the broadcasting or telecasting of that hearing as a part of regularly scheduled news broadcasts or telecasts under commercial sponsorship.

"(c) The foregoing provisions of this section do not apply to the Committee on Appropriations of the Senate and the Committee on Appropriations, and the Committee on Rules, of the House of Representatives.".

(b) Title I of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by inserting—

"Sec. 133A. Committee hearing procedure."

immediately below—

"Sec. 133. Committee procedure.".

COMMITTEE POWERS

SEC. 104. Section 134(c) of the Legislative Reorganization Act of 1946 (2 U.S.C. 190b (b)) is amended to read as follows:

"(c) Except as hereinafter provided, no standing committee of the Senate or the House shall sit, without special leave, while the Senate or the House, as the case may be, is in session. The prohibition contained in the preceding sentence shall not apply to the Committee on Appropriations of the Senate or to the following committees of the House of Representatives: the Committee on Appropriations, the Committee on Government Operations, the Committee on Rules, and the Committee on Un-American Activities. Any other standing committee of the Senate may sit for any purpose while the Senate is in session if consent therefor has been obtained from the majority leader and the minority leader of the Senate. Any other standing committee of the House of Representatives may conduct a hearing while the House is in general debate if consent therefor has been obtained from the Speaker and the minority leader of the House. In the event of the absence of any such officer or leader, the consent of such officer or leader may be given by a Member of that House of which such officer or leader is a Member designated by him for that purpose. Notwithstanding the provisions of this subsection, any standing committee of the Senate may sit without special leave for any purpose as authorized by paragraph 7 (paragraph 5 as redesignated by section 122(b) of the Legislative Reorganization Act of 1968) of rule XXV of the Standing Rules of the Senate.".

LEGISLATIVE REVIEW BY STANDING COMMITTEES

SEC. 105. (a) Section 136 of the Legislative Reorganization Act of 1946 (2 U.S.C. 190d) is amended to read as follows:

"LEGISLATIVE REVIEW BY STANDING COMMITTEES

"SEC. 136. (a) In order to assist the Congress in—

"(1) its analysis, appraisal, and evaluation of the application, administration, and execution of the laws enacted by the Congress, and

"(2) its formulation, consideration, and enactment of such modifications of or changes in such laws, and of such additional legislation, as it deems necessary or appropriate,
each standing committee of the Senate and House of Representatives shall review and study, on a continuing basis, the application, administration, and execution of those laws, or parts of laws, the subject matter of which is within the jurisdiction of such committee.

"(b) Each standing committee of the Senate and House of Representatives shall submit, not later than March 31 of each year beginning on or after January 1, 1969, to the Senate and House of Representatives, respectively, a report on its activities under this section during immediately preceding calendar year.

"(c) Each standing committee of the Senate and House of Representatives is authorized to employ a person as a member of the professional staff of such committee in addition to the number of members of such professional staff to which such committee otherwise is entitled. In the case of a standing committee of the Senate, such person shall be selected and appointed by the chairman of such committee, with the prior approval of the ranking minority member, on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform the duties of the position. In the case of a standing committee of the House of Representatives, such person shall be selected and appointed, by majority vote of the committee, on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform the duties of the position. Any such person appointed under this section to the professional staff of a standing committee of the Senate or House of Representatives shall, under the joint direction and supervision of the chairman and the ranking minority member, assist the committee in the performance of its review functions under this section.

"(d) The foregoing provisions of this section do not apply to the Committee on Appropriations of the Senate and the Committee on Appropriations and the Committee on Rules of the House of Representatives.".

(b) Title I of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 136. Legislative oversight by standing committees."

and inserting in lieu thereof—

"Sec. 136. Legislative review by standing committees.".

CONFERENCE REPORTS

SEC. 106. (a) The section caption of section 135 of the Legislative Reorganization Act of 1946 (2 U.S.C. 190c) is amended to read as follows:

"CONFERENCE REPORTS".

(b) Section 135 of that Act is amended by adding at the end thereof the following new subsections:

"(c) Each report of a committee of conference shall be printed as a report of each House of the Congress. As printed in each House, each such report shall be accompanied by an explanatory statement prepared jointly by the conferees on the part of both Houses. Each such statement shall be sufficiently detailed and explicit to inform both Houses as to the effect which amendments or propositions contained in such report will have upon the measure to which it relates.

"(d) If time for debate in the consideration of any report of a committee of conference upon the floor of either House of Congress is limited, the time allotted for debate thereon shall be equally divided between the majority and minority parties of each House.".

(c) The item relating to section 135 contained in the table of contents of that Act is amended to read:

"Sec. 135. Conference reports.".

PART 2—PROVISIONS APPLICABLE TO THE SENATE

JURISDICTION OF STANDING COMMITTEES OF THE SENATE

SEC. 121. Paragraph 1 of Rule XXV of the Standing Rules of the Senate is amended—

(1) by striking out in paragraph (e)—

"Committee on Banking and Currency,"

and inserting in lieu thereof—

"Committee on Banking, Housing and Urban Affairs";

(2) by adding at the end of subparagraph (e) the following item:

"10. Urban affairs generally.";

(3) by striking out in subparagraph (h) (relating to the Committee on Finance) the following numbered items—

"10. Veterans' measures generally.

"11. Pensions of all the wars of the United States, general and special.

"12. Life insurance issued by the Government on account of service in the armed forces.

"13. Compensation of veterans.";

(4) by striking out in subparagraph (m) (relating to the Committee on Labor and Public Welfare)—

"16. Vocational rehabilitation and education of veterans.

"17. Veterans' hospitals, medical care and treatment of veterans.

"18. Soldiers' and sailors civil relief.

"19. Readjustment of servicemen to civil life.";

(5) by adding at the end thereof the following new subparagraph—

"(q) Committee on Veterans' Affairs, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures generally.

"2. Pensions of all the wars of the United States, general and special.

"3. Life insurance issued by the Government on account of service in the armed forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life.

"9. National cemeteries."; and

(6) by striking out in subparagraph (k) (relating to the Committee on Interior and Insulars Affairs) the following item—

"5. Military parks and battlefields, and national cemeteries."

and inserting in lieu thereof—

"5. Military parks and battlefields."

COMMITTEE MEMBERSHIP

SEC. 122. (a) Paragraph 1 of rule XXV of the Standing Rules of the Senate, as such paragraph existed on the day preceding the date of enactment of section 121 of this Act, is amended—

(1) by striking out in subparagraph (a) the words "to consist of sixteen Senators,";

(2) by striking out in subparagraph (b) the words "to consist of fifteen Senators,";

(3) by striking out in subparagraph (c) the words "to consist of twenty-six Senators,";

(4) by striking out in subparagraph (d) the words "to consist of eighteen Senators,";

(5) by striking out in subparagraph (e) the words "to consist of fourteen Senators,";

(6) by striking out in subparagraph (f) the words "to consist of eighteen Senators,";

(7) by striking out in subparagraph (g) the words "to consist of eight Senators,";

(8) by striking out in subparagraph (h) the words "to consist of seventeen Senators,";

(9) by striking out in subparagraph (i) the words "to consist of nineteen Senators,";

(10) by striking out in subparagraph (j) (1) the words "to consist of fifteen Senators,";

(11) by striking out in subparagraph (k) the words "to consist of seventeen Senators,";

(12) by striking out in subparagraph (l) the words "to consist of sixteen Senators,";

(13) by striking out in subparagraph (m) the words "to consist of sixteen Senators,";

(14) by striking out in subparagraph (n) the words "to consist of twelve Senators,";

(15) by striking out in subparagraph (o) the words "to consist of sixteen Senators,"; and

(16) by striking out in subparagraph (p) (1) the words "to consist of nine Senators,".

(b) Paragraphs 2, 3, 4, and 5 of rule XXV of the Standing Rules of the Senate are redesignated as paragraphs 4, 5, 6, and 7 thereof, respectively.

(c) Rule XXV of the Standing Rules of the Senate is amended by inserting, immediately after paragraph 1, the following new paragraphs:

"2. Except as otherwise provided by paragraph 6 of this rule, each of the following standing committees shall consist of the number of Senators set forth in the following table on the line on which the name of that committee appears:

"Committee	Members
"Aeronautical and Space Sciences	14
"Agriculture and Forestry	13
"Appropriations	26
"Armed Services	15
"Banking, Housing, and Urban Affairs	15
"Commerce	15
"Finance	15
"Foreign Relations	15
"Government Operations	14
"Interior and Insular Affairs	14
"Judiciary	15
"Labor and Public Welfare	15
"Public Works	14.

"3. Except as otherwise provided by paragraph 6 of this rule, each of the following standing committees shall consist of the number of Senators set forth in the following table on the line on which the name of that committee appears:

"Committee	Members
"District of Columbia	7
"Post Office and Civil Service	9
"Rules and Administration	9
"Veterans' Affairs	9.".

(d) Paragraph 6 of rule XXV of the Standing Rules of the Senate (as redesignated) is amended to read as follows:

"6. (a) Except as otherwise provided by this paragraph, each Senator shall serve on two and no more of the standing committees named in paragraph 2. Except as otherwise provided by this paragraph, no Senator shall serve on more than one committee included within the following classes: standing committees named in paragraph 3; select and special committees of the Senate; and joint committees of the Congress.

"(b) Each Senator who on the day preceding the effective date of title I of the Legislative Reorganization Act of 1968 was serving as a member of any standing committee shall be entitled to continue to serve on each such committee of which he was a member on that day as long as his service as a member of such committee remains continuous after that day. Each Senator who (1) on that day was serving as a member of the Committee on Aeronautical and Space Sciences or the Committee on Government Operations, (2) on that day was entitled, under the proviso contained in the first sentence of paragraph 4 of this rule as such rule existed on that day, to serve on three committees named in that sentence, and (3) on June 30, 1971, is serving on three such committees, of which at least one is the Committee on Aeronautical and Space Sciences or the Committee on Government Operations, shall be entitled to continue to serve on each of the committees of which he is a member on June 30, 1971, so long as his service as a member of each such committee remains continuous thereafter. Each Senator who on the day preceding the effective date of title I of the Legislative Reorganization Act of 1968 was a member of more than one committee of the classes described in the second sentence of subparagraph (a) shall be entitled to serve on each such committee of which he was a member on that day as long as his service as a member of that committee remains continuous after that day. Notwithstanding the provisions of paragraphs 2 and 3, each committee of the Senate shall be temporarily increased in membership by such number as may be required to carry into effect the provisions of this subparagraph.

"(c) By agreement entered into by the majority leader and the minority leader, the membership of one or more of the standing committees named in paragraph 2 or paragraph 3 of this rule may be increased temporarily from time to time by such number or numbers as may be required to accord to the majority party a majority of the membership of all standing committees. When any such temporary increase is necessary to accord to the majority party a majority of the membership of all standing committees, members of the majority party in such number as may be required for that purpose may serve as members of three standing committees named in paragraph 2. No such temporary increase in the membership of one or more standing committees under this subparagraph or subparagraph (b) shall be continued in effect after the need therefor has ended. No standing committee may be increased in membership under this subparagraph or subparagraph (b) by more than four members in excess of the number prescribed for that committee by paragraph 2 or paragraph 3 of this rule.

"(d) Notwithstanding the limitations contained in subparagraph (a), a Senator may serve at any time on one additional committee included within the following classes: a temporary committee of the Senate or a temporary joint committee of the Congress which, by the terms of the measure by which it was established as initially agreed to, will not continue in existence for more than one Congress; or a joint committee of the Congress having jurisdiction with respect to a subject matter which is directly related to the jurisdiction of a committee named in paragraph 3 of which that Senator is a member.

"(e) No Senator shall serve at any time on more than one of the following committees: Committee on Appropriations, Committee on Armed Services, Committee on Finance, and Committee on Foreign Relations. Notwithstanding the limitation contained in this subparagraph, a Senator who on the day preceding the effective date of title I of the Legislative Reorganization Act of 1968 was a member of more than one such committee may continue to serve as a member of each such committee of which he was a member on that day as long as his service on that committee remains continuous after that day.

"(f) No Senator shall serve at any time as chairman of more than one committee included within the following classes: standing, select, and special committees of the Senate; and joint committees of the Congress, except that—

"(1) A Senator may serve as chairman of a joint committee of the Congress having jurisdiction with respect to a subject matter which is directly related to the jurisdiction of a committee named in paragraph 2 or paragraph 3 of which that Senator is the chairman;

"(2) A Senator who on the day preceding the effective date of title I of the Legislative Reorganization Act of 1968 was serving as chairman of more than one committee included within the classes described in this subparagraph may continue to serve as chairman of each such committee of which he was chairman on that day as long as his service as chairman of that committee remains continuous after that day; and

"(3) A Senator who is serving at any time as chairman of a committee included within the classes described in this subparagraph may at the same time serve also as chairman of one temporary committee of the Senate or temporary joint committee of the Congress which, by the terms of the measure by which it was established as originally agreed to, will not continue in existence for more than one Congress.

"(g) No Senator shall serve at any time as chairman of more than one subcommittee of the same committee if that committee is named in paragraph 2. Notwithstanding the limitation contained in this subparagraph, a Senator who on the day preceding the effective date of title I of the Legislative Reorganization Act of 1968 was serving as chairman of more than one such subcommittee may continue to serve as chairman of each such subcommittee of which he was chairman on that day as long as his service as chairman of that subcommittee remains continuous after that day.".

TITLE II—FISCAL CONTROLS

RULEMAKING POWER OF SENATE AND HOUSE

Sec. 201. Part 3 and part 5 of this title are enacted by the Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply; and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House.

Part 1—Budgetary and Fiscal Information and Data

DATA PROCESSING SYSTEM

Sec. 202. The Secretary of the Treasury and the Director of the Bureau of the Budget, in cooperation with the Comptroller General of the United States, shall develop, establish, and maintain, insofar as practicable, for use by all Federal agencies, a standardized information and data processing system for budgetary and fiscal data.

STANDARD CLASSIFICATIONS

Sec. 203. (a) *The Secretary of the Treasury* and the Director of the Bureau of the Budget, in cooperation with the Comptroller General, shall develop, establish, and maintain standard classifications of programs, activities, receipts, and expenditures of Federal agencies in order—

(1) to meet the needs of the various branches of the Government; and

(2) to facilitate the development, establishment, and maintenance of the data processing system under section 202 through the utilization of modern automatic data processing techniques.

(b) The Secretary of the Treasury and the Director of the Bureau of the Budget shall submit a report to the Senate and the House of Representatives on or before September 1 of each year, commencing with 1969, with respect to the performance during the preceding fiscal year of the functions and duties imposed on them by section 202 and subsection (a) of this section. The reports made under this subsection in 1969 and 1970 shall set forth the progress achieved in the development of classifications under subsection (a) of this section, and the reports made in years thereafter shall include information with respect to changes in, and additions to, classifications previously established. Each such report shall include such comments of the Comptroller General as he deems necessary or advisable.

AVAILABILITY OF DATA

Sec. 204. The Comptroller General shall provide information to the Congress, as provided in this section, on the location and nature of data available in the various Federal agencies with respect to programs, activities, receipts, and expenditures of such agencies. Upon request of any committee of either House, or of any joint committee of the two Houses, the Comptroller General shall—

(1) furnish to such committee or joint committee information as to the location and nature of such data, and

(2) to the extent feasible, prepare for such committee or joint committee summary tables of such data.

COST EFFECTIVENESS STUDIES

Sec. 205. The Comptroller General shall have available in the General Accounting Office employees who are expert in analyzing and conducting cost effectiveness studies of Government programs. Upon request of any committee of either House or of any joint committee of the two Houses, the Comptroller General shall assign, on a temporary basis, employees of the General Accounting Office to assist such committee or joint committee, or the staff of such committee or joint committee—

(1) in analyzing cost effectiveness studies furnished by any Federal agency to such committee or joint committee, or

(2) in conducting cost effectiveness studies of programs under the jurisdiction of such committee or joint committee.

CURRENT BUDGET INFORMATION

Sec. 206. (a) After the submission of the budget for any fiscal year by the President, the Comptroller General shall collect information and data available in the various Federal agencies with respect to changes in the figures shown in such budget as submitted, including changes caused by—

(1) new or supplemental requests for appropriations;

(2) the enactment of appropriation Acts, or the action of either the House or Senate on appropriation bills, or of the Committee on Appropriations of the House or Senate on appropriation bills or requests for appropriations;

(3) increases or decreases in expenditures of prior appropriations; and

(4) increases or decreases in revenue receipts or estimated revenue receipts.

(b) Upon request of any committee of either House or any joint committee of the two Houses, the Comptroller General shall, to the extent feasible, prepare and furnish to such committee or joint committee tabulations of such budget in formation and data as are collected pursuant to this section.

POWERS AND DUTIES OF COMPTROLLER GENERAL

Sec. 207. (a) The Comptroller General shall establish within the General Accounting Office such office or division, or such offices or divisions, as he deems necessary to carry out the functions and duties imposed on him by the provisions of this Part.

(b) The Comptroller General is authorized to obtain the services of individual experts and consultants in accordance with section 3109 of title 5, United States Code. Not more than fifteen such experts and consultants may be so employed at any one time and no expert or consultant may be so employed for more than one hundred and twenty days during any calendar year.

(c) The Comptroller General shall include in his annual report to the Congress information wth respect to the performance of the functions and duties imposed on him by the provisions of this Part.

CONSTRUCTION

SEC. 208. Nothing contained in this Part shall be construed as impairing any authority or responsibility of the Secretary of the Treasury, the Director of the Bureau of the Budget, and the Comptroller General of the United States under the Budget and Accounting Act, 1921, as amended, and the Budget and Accounting Procedures Act of 1950, as amended, or any other Acts.

DEFINITION

SEC. 209. As used in this title, the term "Federal agency" means any department, agency, wholly owned Government corporation, establishment, or instrumentality of the Government of the United States or the government of the District of Columbia.

PART 2—THE BUDGET

SUPPLEMENTAL BUDGET INFORMATION

SEC. 221. (a) Section 201(a) of the Budget and Accounting Act, 1921, as amended (31 U.S.C. 11), is amended by adding a new subparagraph as follows:

"(12) as to each proposal for new legislation in the budget involving creation or expansion of any function, activity, or authority, and to be in addition to those functions, activities, and authorities then existing, a tabulation showing the amount proposed in the Budget for appropriation and for expenditure for the ensuing fiscal year and the estimated appropriation required on account of such proposal in each of the following four fiscal years during which such proposal is to be in effect."

(b) Section 201 of the Budget and Accounting Act, 1921 (31 U.S.C. 11) is amended by striking out subsections (b), (c), (d), (e), and (f), and inserting in lieu thereof the following:

"(b) Not later than June 1 of each year, beginning with 1969, the President shall transmit to the Congress a supplemental summary of the Budget transmitted in January of such year for the ensuing fiscal year with his recommendations. Such supplemental summary shall reflect all changes relating to that fiscal year which have occurred since the transmittal of the Budget, including changes caused by—

"(1) revisions in estimates of expenditures and receipts,

"(2) estimated expenditures and proposed appropriations which were not included in the Budget as transmitted,

"(3) appropriations enacted after transmittal of the Budget, and

"(4) the enactment of laws (other than appropriation Acts) after the transmittal of the Budget.

Such supplemental summary also shall contain current information with respect to items covered by paragraph (8) and clauses (2) and (3) of paragraph (9) of section 201 (a) of the Budget and Accounting Act, 1921.".

PART 3—THE APPROPRIATIONS PROCESS

COMMITTEE HEARINGS

SEC. 231. (a) The Committee on Appropriations of the House and the Committee on Appropriations of the Senate shall, within thirty days after the transmittal of the Budget to the Congress each year, hold hearings on the Budget as a whole with particular reference to—

(1) the basic recommendations and budgetary policies of the President in the presentation of the Budget, and

(2) the fiscal, financial, and economic assumptions used as bases in arriving at total estimated expenditures and receipts.

(b) In holding hearings pursuant to subsection (a), the committees shall receive testimony from the Secretary of the Treasury, the Director of the Bureau of the Budget, the Chairman of the Council of Economic Advisers, and such other persons as the committees may desire.

(c) Hearings pursuant to subsection (a) shall be held in open session. A transcript of all such hearings shall be printed and a copy thereof furnished to each Member of the House or Senate, as the case may be.

(d) Hearings pursuant to subsection (a), or any part thereof, may be held before joint meetings of the two committees.

(e)(1) Section 138 of the Legislative Reorganization Act of 1946 (2 U.S.C. 190e) is repealed.

(2) Title I of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 138. Legislative Budget.".

BUDGET REVIEW

SEC. 232. The Committee on Appropriations of the House and the Committee on Appropriations of the Senate shall review the Budget transmitted for each fiscal year for the specific purpose of selective examination and review of those programs for which estimated expenditures or proposed appropriations contained in the Budget would be made by, or be under the control of, two or more Federal agencies.

PART 4—UTILIZATION OF REPORTS OF GENERAL ACCOUNTING OFFICE

ASSISTANCE TO COMMITTEES

SEC. 241. At the request of any committee of the House or Senate, or of any joint committee of the two Houses, the Comptroller General shall explain to, and discuss with, the committee or joint committee making the request, or the staff of such committee or joint committee, any report made by the General Accounting Office which would assist such committee in connection with—

(1) its consideration of proposed legislation, including requests for appropriations, or

(2) its review of any program, or of any activities of any Federal agency, which is within the jurisdiction of such committee or joint committee.

REPORTS TO COMMITTEES

SEC. 242. Whenever the General Accounting Office submits any reports to the Congress, the Comptroller General shall deliver copies of such report to—

(1) the Committees on Appropriations of the House and Senate,

(2) the Committees on Government Operations of the House and Senate, and

(3) any other committee of the House or Senate, or any joint committee of the two Houses, which has requested information on any program or part thereof, or any Federal agency, which is the subject of such report.

PART 5—LEGISLATIVE COMMITTEES

COST ESTIMATES

SEC. 251. (a) The report accompanying each bill or joint resolution reported by any committee of the House or Senate which has legislative jurisdiction shall contain—

(1) an estimate, made by such committee, of the costs which would be incurred in carrying out such bill or joint resolution in the fiscal year in which it is reported and in each of the five fiscal years following such fiscal year (or for the authorized duration of any program authorized by such bill or joint resolution, if less than five years), except that in the case of measures affecting the revenues, such reports shall require only an estimate of the gain or loss in revenues for a one-year period, and

(2) a comparison of the estimate of costs described in paragraph (1) made by such committee with any estimate of costs made by any Federal agency in the executive branch of the Government.

(b) It shall not be in order in either House to consider a bill or joint resolution if such bill or joint resolution was reported in that House after the effective date of this section and the report of the committee of that House does not comply with the provisions of subsection (a).

APPROPRIATIONS ON ANNUAL BASIS

SEC. 252. (a) Each committee of the House and Senate, and each joint committee of the two Houses, which has legislative jurisdiction shall, in recommending the enactment of legislation, endeavor to insure that all continuing programs of the Government are designed, and all continuing activities of Federal agencies are carried on, so that appropriations therefor will be made annually.

(b) Each committee of the House and Senate, and each joint committee of the two Houses, which has legislative jurisdiction over any continuing program for which appropriations are not made annually shall, from time to time, review such program to ascertain whether such program could be modified so that appropriations therefor would be made annually.

(c) Each committee of the House and Senate, and each joint committee of the two Houses, which has legislative jurisdiction over any program under which grants in aid are made, shall periodically make a complete review of such program.

COMMITTEE JURISDICTION

SEC. 253. (a) For purposes of the provisions of this Part, a committee of either House, or a joint committee of the two Houses, shall be considered to have legislative jurisdiction over any matter only if, under the rules of the respective Houses, legislation relating to such matter is referred to such committee and such committee is authorized to report and recommend the enactment of such legislation, except that the Committees on Appropriations of the two Houses shall not be considered to be legislative committees.

(b) For purposes of the provisions of section 251 of this Part, the members of the Joint Committee on Atomic Energy who are Members of the House shall be treated as a committee of the House, and the members of the Joint Committee who are Members of the Senate shall be treated as a committee of the Senate.

TITLE III—SOURCES OF INFORMATION

PART 1—STAFFS OF SENATE AND HOUSE STANDING COMMITTEES

COMMITTEE STAFFING AND RELATED PROVISIONS

SEC. 301. (a) Subsection (a) of section 202 of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 72a(a)), is amended to read as follows:

"(a) Each standing committee of the Senate and House of Representatives (other than the Committee on Appropriations of each House) is authorized to appoint by majority vote of the committee not more than six professional staff members in addition to the clerical staffs. Such professional staff members shall be assigned to the chairman and the ranking minority member of such committee as the committee may deem advisable, except that whenever a majority of the minority members of such committee so request, two of such professional staff members may be selected for appointment by majority vote of the minority members and the committee shall appoint any staff members so selected. A staff member or members appointed pursuant to a request by the minority members of the committee shall be assigned to such committee business as such minority members deem advisable. Service of professional staff members appointed by the majority vote of the committee may be terminated by majority vote of the committee and services of professional staff members appointed pursuant to a request by the minority members of the committee shall be terminated by the committee when a majority of such minority members so request.

Professional staff members authorized by this subsection shall be appointed on a permanent basis without regard to political affiliations and solely on the basis of fitness to perform the duties of the office. Such professional staff members shall not engage in any work other than committee business and no other duties may be assigned to them.".

(b) Subsection (c) of such section 202 (2 U.S.C. 72a(c) is amended to read as follows:

"(c) The clerical staff of each standing committee of the Senate and the House of Representatives (other than the Committee on Appropriations of each House), which shall be appointed by a majority vote of the committee, shall consist of not more than six clerks to be attached to the office of the chairman, to the ranking minority member, and to the professional staff, as the committee may deem advisable, except that whenever a majority of the minority members of such committee so requests, one of the members of the clerical staff may be selected for appointment by majority vote of such minority members and the committee shall appoint any staff member so selected. The clerical staff shall handle committee correspondence and stenographic work, both for the committee staff and for the chairman and ranking minority member on matters related to committee work, except that if a member of the clerical staff is appointed pursuant to a request by the minority members of the committee, such clerical staff member shall handle committee correspondence and stenographic work for the minority members of the committee and for any members of the committee staff appointed under subsection (a) pursuant to request by such minority members, on matters related to committee work. Services of clerical staff members appointed by majority vote of the committee may be terminated by majority vote of the committee and services of clerical staff members appointed pursuant to a request by the minority members of the committee shall be terminated by the committee when a majority of such minority members so request.".

(c) Such section 202 is amended by striking out subsection (h), and by adding after *subsection (f) the following new subsections:*

"(g) In any case in which a request for the appointment of a minority staff member under subsection (a) or subsection (c) is made at any time when no vacancy exists to which the appointment requested may be made, the person appointed pursuant to such request may serve in addition to any other staff members authorized by such subsections and may be paid from the contingent fund of the Senate or House of Representatives, as the case may be, until such time as such a vacancy occurs, at which time such person shall be considered to have been appointed to such vacancy.

"(h) Staff members appointed pursuant to a request by minority members of a committee under subsecetion (a) or subsection (c), and staff members appointed to assist minority members of subcommittees pursuant to authority of Senate or House resolution, shall be accorded equitable treatment with respect to the fixing of salary rates, the assignment of facilities, and the accessibility of committee records.

"(i)(1) Each standing committee of the Senate or House of Representatives is authorized, with the approval of the Committee on Rules and Administration in the case of standing committees of the Senate, or the Committee on House Administration in the case of standing committees of the House of Representatives, within the limits of funds made available from the contingent funds of the respective Houses pursuant to resolutions, which shall specify the maximum amounts which may be used for such purpose, approved by such respective Houses, to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, to make studies or advise the committee with respect to any matter within its jurisdiction.

"(2) Such services in the case of individuals or organizations may be procured by contract as independent contractors, or in the case of individuals by employment at daily rates of compensation not in excess of the per diem equivalent of the highest gross rate of compensation which may be paid to a regular employee of the committee, including payment of such rates for necessary travel time. Such contracts shall not be subject to the provisions of section 3709 of the Revised Statutes (41 U.S.C. 5) or any other provision of law requiring advertising.

"(3) The committee shall select any such consultant or organization. The committee shall submit to the Committee on Rules and Administration in the case of standing committees of the Senate, and the Committee on House Administration in the case of standing committees of the House of Representatives, information bearing on the qualifications of each consultant whose services are procured pursuant to this subsection, including organizations, and such information shall be retained by that committee and shall be made available for public inspection upon request.

"(j)(1) Each standing committee of the Senate or House of Representatives is authorized, with the approval of the Committee on Rules and Administration in the case of standing committees of the Senate, and the Committee on House Administration in the case of standing committees of the House of Representatives, and within the limits of funds made available from the contingent funds of the respective Houses pursuant to resolutions, which shall specify the maximum amounts which may be used for such purpose, approved by such respective Houses, to provide assistance for members of its professional staff in obtaining specialized training, whenever it determines that such training will aid it in the discharge of its responsibilities.

"(2) Such assistance may be in the form of continuance of pay during periods of training *or grants of funds to pay tuition*, fees, or such other expenses of training, or both, as may be approved by the Committee on Rules and Administration or the Committee on House Administration, as the case may be.

"(3) A committee providing assistance under this subsection shall obtain from any employee receiving such assistance such agreement with respect to continued employment as it may deem necessary to assure that it will receive the benefits of such employee's services upon completion of his training.

"(4) During any period for which an employee is separated from employment with a committee for the purpose of undergoing training under this subsection, such employee shall be considered to have performed service as an employee of the committee at the rate of compensation received immediately prior to commencing such training (including any increases in compensation provided by law during the period of training) for the purposes of—

"(A) subchapter III (relating to civil service retirement) of chapter 83 of title 5, United States Code,

"(B) chapter 87 (relating to Federal employees group life insurance) of title 5, United States Code, and

"(C) chapter 89 (relating to Federal employees group health insurance) of title 5, United States Code.".

(d) Subsections (e) and (f) of section 105 of the Legislative Branch Appropriation Act, 1968, are amended to read as follows:

"(e) (1) Subject to the provisions of paragraph (3), the professional staff members of standing committees of the Senate shall receive gross annual compensation to be fixed by the chairman ranging from $15,721 to $25,671.

"(2) The rates of gross compensation of the clerical staff of each standing committee of the Senate shall be fixed by the chairman as follows:

"(A) for each committee (other than the Committee on Appropriations), one chief clerk and one assistant chief clerk at $6,766 to $25,671, and not to exceed four other clerical assistants at $6,766 to $11,741; and

"(B) for the Committee on Appropriations, one chief clerk and one assistant chief clerk and two assistant clerks at $17,512 to $25,671; such assistant clerks as may be necessary at $11,940 to $17,313; and such other clerical assistants as may be necessary at $6,766 to $11,741.

"(3) No employee of any standing or select committee of the Senate (including the majority and minority policy committees and the conference majority and conference minority of the Senate), or of any joint committee the expenses of which are paid from the contingent fund of the Senate, shall be paid at a gross rate in excess of $25,671 per annum, except that—

"(A) four employees of any such committee (other than the Committee on Appropriations), who are otherwise authorized to be paid at such rate, may be paid at gross rates not in excess of $26,865 per annum, and two such employees may be paid at gross rates not in excess of $28,000 per annum; and

"(B) sixteen employees of the Committee on Appropriations who are otherwise authorized to be paid at such rate, may be paid at gross rates not in excess of $26,865 per annum, and two such employees may be paid at gross rates not in excess of $28,000 per annum.

For the purpose of this paragraph, an employee of a subcommittee shall be considered to be an employee of the full committee.

"(f) No officer or employee whose compensation is disbursed by the Secretary of the Senate shall be paid gross compensation at a rate less than $1,194 or in excess of $28,000, unless expressly authorized by law."

(2) If the annual rate of basic pay for positions in level V of the Executive Schedule under section 5316 of title 5, United States Code, is increased effective on or before May 31, 1969, to $30,000 or more, subsections (e) and (f) of section 105 of the Legislative Branch Appropriation Act, 1968, as amended by paragraph (1) of this subsection, are further amended, effective on the first day of the month following the effective date of such increase in the rate for positions in level V, by striking out "$25,671", "$26,865", and "$28,000" wherever they appear and inserting in lieu thereof "$27,860", "$29,054", and "$30,248", respectively.

(e) Nothing in the amendments made by subsections (a) and (b) of this section shall be construed—

(1) to require a reduction in—

(A) the number of staff members authorized, prior to January 1, 1969, to be employed by any committee of the Senate or House of Representatives, by statute or by annual or permanent resolution, or

(B) the number of such staff members on such date assigned to, or authorized to be selected for appointment by or with the approval of, the minority members of any such committee; or

(2) to authorize—

(A) the selection for appointment of staff members by the minority members of a committee of the Senate in any case in which two or more professional staff members or one or more clerical staff members, as the case may be, who are satisfactory to a majority of such minority members, are otherwise assigned to assist such minority members, or

(B) the appointment of additional staff members of a committee of the House of Representatives pursuant to a request by the minority members of such committee in any case in which two or more professional staff members or one or more clerical staff members, as the case may be, who are satisfactory to a majority of such minority members, are otherwise assigned to assist such minority members.

(f) The additional professional staff members authorized to be employed by a committee by the amendment made by subsection (a) of this section shall be in addition to any other additional staff members authorized, prior to January 1, 1969, to be employed by any such committee.

Part 2—Office Staffs and Allowances of Members of Congress

LEGISLATIVE ASSISTANTS FOR SENATORS

Sec. 321. (a) Each Senator is authorized to appoint a legislative assistant whose primary function shall be to assist the Senator in performing duties related to legislation. The compensation of the legislative assistant shall be fixed, in accordance with section 105(d)(2) of the Legislative Branch Appropriation Act, 1968, at a gross rate not in excess of $25,870 per annum (or, if the annual rate of basic pay for positions in level V of the Executive Schedule under section 5316 of title 5, United States Code, is increased effective on or before May 31, 1969, to $30,000 or more, not in excess of $27,263 per annum on or after the first day of the month following the effective date of such increase), said sum to be available to each Senator in addition to the aggregate amount of the compensation authorized to be paid to employees in the office of such Senator. No part of such additional sum shall be available for the salary of any employee other than the legislative assistant authorized by this section.

(b) Section 105(d)(2) of the Legislative Branch Appropriation Act, 1968, is amended by inserting after the word "employees" in clause (iii) the following: "(in addition to the legislative assistant authorized by section 321(a) of the Legislative Reorganization Act of 1968)".

ADDITIONAL TRAVEL ALLOWANCES

Sec. 322. (a) The third paragraph under the heading "Administrative Provisions" in the appropriation for the Senate in the Legislative Branch Appropriation Act, 1959, as amended (2 U.S.C. 43b), is amended by striking out "six" and inserting in lieu thereof "seven".

(b) The second paragraph under the heading "Administrative Provisions" in the Legislative Branch Appropriation Act, 1962, as amended (2 U.S.C. 127), is amended by striking out "four" and inserting in lieu thereof "five".

(c) Section 3 of the Act entitled "An Act to amend the Legislative Branch Appropriation Act, 1959, to provide for reimbursement of transportation expenses for Members of the House of Representatives, and for other purposes", approved August 28, 1965 (2 U.S.C. 127a), is amended by striking out "not to exceed two employees in the office of a Member of the House of Representatives (including the Resident Commissioner from Puerto Rico) for one round trip each, or incurred by not to exceed one employee for two round trips" and inserting in lieu thereof "employees in the office of each Member of the House of Representatives (including the Resident Commissioner from Puerto Rico) for not to exceed four round trips".

TELECOMMUNICATIONS

Sec. 323. (a) The Sergeant at Arms of the Senate and the Clerk of the House of Representatives are authorized and directed to make a thorough study of the telecommunications needs of the Congress, with a view to—

(1) developing plans for—

(A) participation in, and any necessary expansion of, the existing Government-wide leased line telephone system, or

(B) establishment of a separate leased line telephone system for the Congress; and

(2) recommending such other improvements with respect to telephone and telegraph service for the Congress as may be desirable in the light of economy and efficiency.

(b) The Sergeant at Arms of the Senate, acting under the direction and supervision of the Committee on Rules and Administration of the Senate, is authorized and directed to formulate a plan for consolidating telephone and telegraph allowance of Senators and the President of the Senate as a single allowance.

Part 3—Legislative Research Service

IMPROVEMENT OF LEGISLATIVE RESEARCH FACILITIES OF CONGRESS

Sec. 331. (a) Section 203 of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 166), is amended to read as follows:

"LEGISLATIVE RESEARCH SERVICE

"Sec. 203. (a) The Legislative Reference Service in the Library of Congress is hereby continued as a separate department in the Library of Congress and is redesignated the 'Legislative Research Service'.

"(b) It is the policy of Congress that—

"(1) the Librarian of Congress shall, in every possible way, encourage, assist, and promote the Legislative Research Service in—

"(A) rendering to Congress the most effective and efficient service,

"(B) responding most expeditiously, effectively, and efficiently to the special needs of Congress, and

"(C) discharging its responsibilities to Congress; and

"(2) the Librarian of Congress shall grant and accord to the Legislative Research Service complete research independence and the maximum practicable administrative independence consistent with these objectives.

"(c)(1) After consultation with the Joint Committee on the Library, the Librarian of Congress shall appoint the Director of the Legislative Research Service. The basic pay of the Director shall be at a per annum rate equal to the rate of basic pay provided for level V of the Executive Schedule contained in section 5316 of title 5, United States Code.

"(2) The Librarian of Congress, upon the recommendation of the Director, shall appoint a Deputy Director of the Legislative Research Service and all other necessary personnel thereof. The basic pay of the Deputy Director shall be fixed in accordance with chapter 51 (relating to classification) and subchapter III (relating to General Schedule pay rates) of chapter 53 of title 5, United States Code, but without regard to section 5108(a) of such title. The basic pay of all other necessary personnel of the Legislative Research Service shall be fixed in accordance with chapter 51 (relating to classification) and subchapter III (relating to General Schedule pay rates) of chapter 53 of title 5, United States Code, except that—

"(A) the grade of Senior Specialist in each field within the purview of subsection (e) of this section shall not be less than the highest grade in the executive branch of the Government to which research analysts and consultants without supervisory responsibility are currently assigned; and

"(B) the positions of Specialist and Senior Specialist in the Legislative Research Service may be placed in GS–16, 17, and 18 of the General Schedule of section 5332 of title 5, United States Code, without regard to section 5108(a) of such title, subject to the prior approval of the Joint Committee of Congress on the Library, by record vote of a majority of the members of the Joint Committee, of the placement of each such position in any of such grades.

"(3) Each appointment made under paragraphs (1) and (2) of this subsection and subsection (e) of this section shall be without regard to the civil service laws, without regard to political affiliation, and solely on the basis of fitness to perform the duties of the position.

"(d) It shall be the duty of the Legislative Research Service, without partisan bias—

"(1) upon request, to advise and assist any committee or Member of the Senate or House of Representatives and any joint committee of Congress in the analysis, appraisal, and evaluation of legislative proposals, or of recommendations submitted to Congress by the President or any executive agency, and otherwise to assist in providing a basis for the proper evaluation and determination of legislative proposals and recommendations generally;

"(2) upon request, or upon its own initiative in anticipation of requests, to collect, classify, and analyze in the form of translations, indexes, digests, compilations, bulletins, reports, and otherwise, data having a bearing on legislation, and to make such data available and serviceable to committees and Members of the Senate and House of Representatives and joint committees of Congress;

"(3) to prepare summaries and digests of bills and resolutions of a public general nature introduced in the Senate or House of Representatives; and

"(4) upon request made by any committee or Member of the Congress, to prepare and transmit to such committee or Member a concise memorandum with respect to one or more legislative measures upon which hearings by any committee of the Congress have been announced, which memorandum shall contain a statement of the purpose and effect of each such measure, a description of other relevant measures of similar purpose or effect previously introduced in the Congress, and a recitation of all action taken theretofore by or within the Congress with respect to each such other measure.

"(e) The Librarian of Congress is authorized to appoint in the Legislative Research Service, upon the recommendation of the Director, Specialists and Senior Specialists in the following broad fields:

"(1) agriculture;

"(2) American government and public administration;

"(3) American public law;

"(4) conservation;

"(5) education;

"(6) employment;

"(7) engineering and public works;

"(8) housing;

"(9) industrial organization and corporation finance;

"(10) international affairs;

"(11) international trade and economic geography;

"(12) labor;

"(13) mineral economics;

"(14) money and banking;

"(15) national defense;

"(16) price economics;

"(17) science;

"(18) social welfare;

"(19) taxation and fiscal policy;

"(20) technology;

"(21) transportation and communications;

"(22) veterans' affairs; and

"(23) such other broad fields as the Director may deem appropriate.

Such Specialists and Senior Specialists, together with such other employees of the Legislative Research Service as may be necessary, shall be available for special work with the committees and Members of the Senate and House of Representatives and the joint committee of Congress for any of the purposes of subsection (d) of this section.

"(f) The Director is authorized—

"(1) to classify, organize, arrange, group, and divide, from time to time, as he deems advisable, the requests for advice, assistance, and other services submitted to the Legislative Research Service by committees and Members of the Senate and House of Representatives and joint committees of Congress, into such classes and categories as he deems necessary to—

(A) expedite and facilitate the handling of the individual requests submitted by Members of the Senate and House of Representatives.

"(B) promote efficiency in the performance of services for committees of the Senate and House of Representatives and joint committees of Congress, and

"(C) provide a basis for the efficient performance by the Legislative Research Service of its legislative research and related functions generally; and

"(2) to establish and change, from time to time, as he deems advisable, within the Legislative Research Service, such research and reference divisions or other organizational units, or both, as he deems necessary to accomplish the purposes of this subsection.

"(g) In order to facilitate the study, consideration, evaluation, and determination by the Congress of the budget requirements of the Legislative Research Service for each fiscal year, the Librarian of Congress shall receive from the Director and submit, for inclusion in the Budget of the United States Government, the budget estimates of the Legislative Research Service prepared separately by the Director in detail for each fiscal year, as a separate item of the budget estimates of the Library of Congress for such fiscal year.

"(h)(1) The Director of the Legislative Research Service is authorized to procure the temporary services (not in excess of one year) or intermittent services of individual experts or consultants (including stenographic reporters) and persons learned in particular fields of knowledge—

"(A) by contract as independent contractors without regard to section 3709 of the Revised Statutes (41 U.S.C. 5) or any other law requiring advertising, or

"(B) by employment in the Legislative Research Service without regard to the civil service and position classification laws, at rates of pay not in excess of the per diem equivalent of the highest rate of basic pay set forth in the General Schedule of section 5332 of title 5, United States Code, including payment of such rates for necessary traveltime.

"(2) The Director of the Legislative Research Service is authorized to procure by contract, without regard to section 3709 of the Revised Statutes (41 U.S.C. 5) or any other law requiring advertising, the temporary services (not in excess of one year) or intermittent services of educational, research, or other organizations of experts and consultants (including stenographic reporters) and persons learned in particular fields of knowledge.

"(i) The Director of the Legislative Research Service shall file with the Joint Committee of Congress on the Library at the beginning of each regular session of Congress a separate and special report covering, in summary and in detail, all phases of activity of the Legislative Research Service for the immediately preceding fiscal year.

"(j) There are hereby authorized to be appropriated to the Legislative Research Service each fiscal year such sums as may be necessary to carry on the work of the Service.".

(b) Title II of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 203. Legislative Reference Service."

and inserting in lieu thereof—

"Sec. 203. Legislative Research Service.".

JOINT COMMITTEE ON THE LIBRARY

Sec. 332. Section 223 of the Legislative Reorganization Act of 1946 (2 U.S.C. 132b) is amended to read as follows:

"JOINT COMMITTEE ON THE LIBRARY

"Sec. 223. (a) The Joint Committee of Congress on the Library shall consist of the chairman and four members of the Committee on Rules and Administration of the Senate and the chairman and four members of the Committee on House Administration of the House of Representatives.

"(b) In order to provide for the expeditious and efficient consideration of matters within the jurisdiction of the Joint Committee, including review of the operations of the Legislative Research Service, the Joint Committee is authorized to employ one professional staff member and not to exceed two employees as members of the clerical staff of the Committee. Such professional and clerical staff members shall be appointed by majority vote of the Committee, on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform the duties of their position. The staff, under the joint direction and supervision of the chairman and the vice chairman, shall assist the Committee in the performance of its review functions with respect to matters within the general jurisdiction of the Committee and shall perform such other duties as may be prescribed by the Committee. The chairman and vice chairman shall fix their compensation at rates authorized by section 202(e) of this Act. The Committee may terminate the employment of the members of the professional and clerical staff as it may deem appropriate.

"(c) the expenses of the Joint Committee shall be paid out of the contingent fund of the House of Representatives, from funds appropriated for the Joint Committee, upon vouchers signed by the chairman of the Joint Committee.

"(d) In order to provide the Congress with current information regarding the operation of the Legislative Research Service and regarding other matters within the general jurisdiction of the Joint Committee, the Joint Committee shall submit to the Senate and House of Representatives an annual report with repect to—

"(1) the activities of the Legislative Research Service, and

"(2) such other matters within its general jurisdiction as it deems appropriate.".

ABOLISHMENT OF OFFICE OF COORDINATOR OF INFORMATION

Sec. 333. House Resolution 183, Eightieth Congress, relating to the Office of the Coordinator of Information of the House of Representatives, as enacted into permanent law by section 105 of the Legislative Branch Appropriation Act, 1948 (61 Stat. 377; Public Law 197, Eightieth Congress), is repealed.

SENATE PUBLIC ADDRESS SYSTEM

Sec. 334. (a) In order to insure that debates of the Senate may be heard in all parts of the Senate Chamber and in the galleries thereof, the majority and minority leaders are authorized to take such action as may be appropriate for the installation and operation within the Senate Chamber of a suitable electrical public address system approved by them.

(b) The expenses incurred for the installation and operation of such public address system shall be considered in the legislative appropriation bill.

TITLE IV—CONGRESS AS AN INSTITUTION

PART 1—JOINT COMMITTEE ON CONGRESSIONAL OPERATIONS

ESTABLISHMENT OF JOINT COMMITTEE ON CONGRESSIONAL OPERATIONS

Sec. 401. (a) There is hereby created a Joint Committee on Congressional Operations (hereafter in this Part referred to as the "Joint Committee").

(b) The Joint Committee shall be composed of ten members as follows:

(1) five Members of the Senate, appointed by the President pro tempore of the Senate, three from the majority party and two from the minority party; and

(2) five Members of the House of Representatives appointed by the Speaker of the House of Representatives, three from the majority party and two from the minority party.

(c) Vacancies in the membership of the Joint Committee shall not affect the power of the remaining members to execute the functions of the Joint Committee and shall be filed in the same manner as in the case of the original appointment.

(d) The Joint Committee shall select a chairman and a vice chairman from among its members at the beginning of each Congress. The vice chairman shall act in the place and stead of the chairman in the absence of the chairman. The chairmanship and the vice chairmanship shall alternate between the Senate and the House of Representatives with each Congress. The chairman during each even-numbered Congress shall be selected by the Members of the House of Representatives on the Joint Committee from among their number and the chairman during each odd-numbered Congress shall be selected by the Members of the Senate on the Joint Committee from among their number. The vice chairman during each Congress shall be chosen in the same manner from that House of Congress other than the House of Congress of which the chairman is a Member.

DUTIES OF JOINT COMMITTEE

Sec. 402. (a) The Joint Committee shall—

(1) make a continuing study of the organization and operation of the Congress of the United States and shall recommend improvements in such organization and operation with a view toward strengthening Congress, simplifying its operations, improving its relationships with other branches of the United States Government, and enabling it better to meet its responsibilities under the Constitution of the United States;

(2) make a continuing study of automatic data processing and information retrieval systems with a view to determining the feasibility of the use of such systems in the operations of the Senate or the House of Representatives, or both, and make such recommendations with respect to the use of such systems as the Joint Committee may deem appropriate;

(3) study and investigate—

(A) activities which are, within the meaning of the Federal Regulation of Lobbying Act, intended to influence directly or indirectly the passage or defeat of any legislation by the Congress of the United States;

(B) activities which are carried on in violation or evasion of section 1913 of title 18, United States Code (prohibiting lobbying with appropriated moneys), and activities and expenditures by the executive branch of the Government for publicity and propaganda purposes not specifically authorized by law; and

(C) activities which are carried on for the purpose of influencing any department, agency, or instrumentality of the United States in its legislative recommendations to the Congress or in its rulemaking or policymaking functions;

and

(4) identify any court proceeding or action which, in the opinion of the Joint Committee, is of vital interest to the Congress, or to either House of the Congress, as a constitutionally established institution of the Federal Government and call such proceeding or action to the attention of that House of the Congress which is specifically concerned or to both Houses of the Congress if both Houses are concerned.

(b) The Joint Committee shall exercise all functions vested in it by sections 406 and 407 of this Part.

(c) The Joint Committee shall report, from time to time, to the Senate and the House of Representatives their recommendations with respect to matters within the jurisdiction of the Joint Committee.

(d) Nothing in this Part shall be construed to authorize the Joint Committee to make any recommendations with respect to the rules, parliamentary procedure, practices, or precedents of either House, or the consideration of any matter on the floor of either House.

POWERS OF JOINT COMMITTEE

SEC. 403. The Joint Committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of Congress, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths and affirmations, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems advisable. The Joint Committee may make such rules respecting its organization and procedures as it deems necessary, except that no recommendation shall be reported from the Joint Committee unless a majority of the Joint Committee assent. Subpenas may be issued over the signature of the chairman of the Joint Committee or of any member designated by him or by the Joint Committee, and may be served by such person or persons as may be designated by such chairman or member. The chairman of the Joint Committee or any member thereof may administer oaths or affirmations to witnesses.

STAFF OF JOINT COMMITTEE

SEC. 404. (a) In carrying out its functions under subsections (a) and (c) of section 402 of this Part, the Joint Committee is authorized, by record vote of a majority of the members of the Joint Committee—

(1) to appoint, on a permanent basis, without regard to political affiliation and solely on the basis of fitness to perform their duties, not more than six professional staff members and not more than six clerical staff members;

(2) to prescribe their duties and responsibilities;

(3) to fix their compensation at rates authorized by section 202(e) of the Legislative Reorganization Act of 1946; and

(4) to terminate their employment as the Joint Committee may deem appropriate.

(b) In carrying out any of its functions under this Part, the Joint Committee is authorized to utilize the services, information, facilities, and personnel of the departments and establishments of the Government, and to procure the temporary (not to exceed one year) or intermittent services of experts or consultants or organizations thereof by contract at rates of pay not in excess of the per diem equivalent of the highest rate of basic pay set forth in the General Schedule of section 5332 of title 5, United States Code, including payment of such rates for necessary travel time.

RECORDS OF JOINT COMMITTEE

SEC. 405. The Joint Committee shall keep a complete record of all Joint Committee actions, including a record of the votes on any question on which a record vote is demanded. All records, data, charts, and files of the Joint Committee shall be the property of the Joint Committee and shall be kept in the offices of the Joint Committee or such other places as the Joint Committee may direct.

TRANSFER OF FUNCTIONS

SEC. 406. There are transferred to the Joint Committee all of the functions, records, and property of the Joint Committee on Disposition of Executive Papers, created by the Act approved July 7, 1943 (57 Stat. 380), and such joint committee is hereby abolished.

OFFICE OF PLACEMENT AND OFFICE MANAGEMENT

SEC. 407. (a) There is hereby established for the Congress an Office of Placement and Office Management which shall be subject to the supervision and control of the Joint Committee. The Joint Committee is authorized, by record vote of a majority of the members of the Joint Committee—

(1) to appoint, on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform his duties, a Director of the Office of Placement and Office Management to serve as the head of the staff of the Office and such personnel as the Joint Committee deems necessary;

(2) to prescribe their duties and responsibilities;

(3) to fix their compensation at a rate authorized by section 202(e) of the Legislative Reorganization Act of 1946; and

(4) to terminate their employment, as the Joint Committee may deem appropriate.

(b) It shall be the duty of the Office, upon request, to assist Members, committees, and officers of the Senate and House of Representatives seeking competent personnel with specified qualifications and to furnish advice and information with respect to office management procedures.

(c) Nothing in this section shall be held or considered to require the use of the facilities of the Office by any Member, committee, or officer of the Senate or House of Representatives, if, in the opinion of such Member, committee, or officer, the use of such facilities is inappropriate.

EXPENSES

SEC. 408. The expenses of the Joint Committee shall be paid from the contingent fund of the House of Representatives, from funds appropriated for the Joint Committee, upon vouchers approved by the Chairman.

PART 2—AUTHORITY OF OFFICERS OF THE CONGRESS

AUTHORITY

SEC. 421. (a) Any officer of the Congress having responsibility for the supervision of employees, including employees appointed upon recommendation of Members of Congress, shall have authority—

(1) to prescribe a period of training to be completed by any such employee prior to or upon his assignment to duties;

(2) to promulgate rules and regulations governing the performance by any such employee of his assigned duties;

(3) to remove or otherwise discipline any such employee (A) who fails or refuses to complete satisfactorily the period of training referred to in paragraph (1), or (B) who fails or refuses to abide by rules or regulations referred to in paragraph (2) or otherwise fails to perform his assigned duties in a satisfactory manner.

(b) As used in this section, the term "officer of the Congress" means an elected officer of the Senate or the House of Representatives who is not a Member of the Senate or House and the Architect of the Capitol.

CAPITOL POLICE

SEC. 422. (a) The Capitol Police Board is authorized and directed to formulate a plan for converting the Capitol Police force to a professional force which shall operate under rules and regulations promulgated by the Capitol Police Board. In the formulation of such plan, consideration shall be given to the feasibility of providing for the operation of such force on the basis of standards for personnel which are the same as the standards for personnel of the Metropolitan Police force of the District of Columbia. Such plan shall include provisions for giving members of the existing Capitol Police force such additional instruction and training as the Capitol Police Board shall deem necessary to improve the quality of their performance, and for replacing such members with persons recruited solely on the basis of their fitness to perform police duties.

(b) The Chief of Police of the Metropolitan Police force of the District of Columbia shall provide the Capitol Police Board with such information and assistance as it may require in carrying out its duties and responsibilities under this section.

(c) The Capitol Police Board shall make a report to the Senate and House of Representatives at the earliest practicable date setting forth the plan formulated pursuant to this section, together with its recommendations for any legislation necessary to effectuate such plan.

SENATE AND HOUSE PAGES

SEC. 423. (a) No person shall be appointed as a page of the Senate or House of Representatives unless he agrees that in the absence of unforeseen circumstances preventing such service he will continue to serve as a page for a period of not less than three months.

(b) The proviso under the heading "Office of Sergeant at Arms and Doorkeeper" in the appropriations for the Senate in the Legislative Branch Appropriation Act, 1952 (2 U.S.C. 88c) is amended to read as follows: "*Provided*, That hereafter the pay of pages shall begin not more than five days before the convening of a session of the Congress or of the Senate, and shall continue until the end of the month during which the Congress or the Senate adjourns or recesses, or the fourteenth day after such adjournment or recess, whichever is the later date, except that in any case in which the Congress or the Senate adjourns or recesses on or before the last day of July for a period of at least thirty but not more than forty-five days such pay shall continue until the end of such adjournment or recess.".

(c) The pay of pages of the House of Representatives shall begin not more than five days before the convening of a session of the Congress and shall continue until the end of the month during which the Congress adjourns sine die or recesses, or until the fourteenth day after such adjournment or recess, whichever is the later date, except that, in any case in which the House adjourns or recesses on or before the last day of July in any year for a period of at least thirty days but not more than forty-five days, such pay shall continue until the end of such period of adjournment or recess.

(d) The proviso under the heading "House of Representatives" and under the caption "Office of the Doorkeeper", which relates to the pay of pages of the House of Representatives, in the Legislative Branch Appropriation Act, 1949, as amended (62 Stat. 426, 78 Stat. 1084; Public Law 641, Eightieth Congress, Public Law 88–652; 2 U.S.C. 88c), is hereby repealed.

CAPITOL GUIDE SERVICE

SEC. 424. (a) There is hereby established an organization under the Congress of the United States to be known as the Capitol Guide Service which shall be subject to the direction, supervision, and control of a Capitol Guide Board consisting of the Architect of the Capitol, the Sergeant at Arms of the Senate, and the Sergeant at Arms of the House of Representatives.

(b) The Capitol Guide Service shall provide guide services to any person requesting a guided tour of the interior of the United States Capitol Building, without charge to such person for such services.

(c) The Capitol Guide Board is authorized—

(1) to appoint, on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform their duties, a Chief Guide, an Assistant Chief Guide, and such number of guides as the Board, with the prior approval of the Joint Committee on Congressional Operations by record vote of a majority of the members of the Joint Committee, deems necessary to carry out effectively and efficiently the activities of the Capitol Guide Service;

(2) to prescribe their duties and responsibilities;

(3) to fix their respective rates of pay at single per annum (gross) rates, with the prior approval of the Joint Committee on Congressional Operations by record vote of a majority of the members of the Joint Committee; and

(4) to terminate their employment as the Board deems appropriate.

(d) The Capitol Guide Board shall—

(1) prescribe a uniform dress, including appropriate insignia, which shall be worn by personnel of the Capitol Guide Service when on duty; and

(2) from time to time as may be necessary, procure such uniforms at a cost approved by the Joint Committee on Congressional Operations and furnish such uniforms to such personnel without charge to such personnel.

(e) The Capitol Guide Board shall establish and maintain and, from time to time, may revise, a system of annual and sick leave for employees of the Capitol Guide Service.

(f) An employee of the Capitol Guide Service shall not—

(1) charge or accept any fee, or accept any gratuity, for or on account of his official services, or

(2) in the course of his official duty, speak in praise or censure of any person.

The Capitol Guide Board may take appropriate disciplinary action, including, when circumstances warrannt, suspension from duty without pay, reduction in pay, demotion, or removal from employment with the Capitol Guide Service, against any employee of the Service who violates subparagraph (1) or (2) of this subsection.

(g) The Capitol Guide Board may detail personnel of the Capitol Guide Service to assist the United States Capitol Police by providing ushering and informational services, and other services not directly involving law enforcement, in connection with the inauguration of the President and Vice President of the United States, the official reception of representatives of foreign nations and other persons by the Senate or House of Representatives, and other special or ceremonial occasions in the United States Capitol Building or on the United States Capitol Grounds which require the presence of additional Government personnel and which cause the temporary suspension of the performance of the regular duties of the Capitol Guide Service.

(h) The Capitol Guide Board shall prescribe such regulations as the Board deems necessary and appropriate for the operation of the Capitol Guide Service.

(i) The expenses of the Capitol Guide Service shall be paid from the contingent fund of the House of Representatives, from funds appropriated for the Service, upon vouchers approved by the Capitol Guide Board.

(j) Section 2107 of title 5, United States Code, relating to the definition of "congressional employee", is amended—

(1) by striking out the word "and" at the end of paragraph (7);

(2) by striking out the period at the end of paragraph (8) and inserting in lieu thereof a semicolon and the word "and"; and

(3) by adding at the end thereof the following paragraph:

"(9) an employee of the Capitol Guide Service.".

(k) Section 8332(b) of title 5, United States Code, relating to creditable service for retirement purposes, is amended—

(1) by striking out the word "and" at the end of paragraph (4);

(2) by striking out the period at the end of paragraph (5) and inserting in lieu thereof a semicolon and the word "and";

(3) by adding immediately below paragraph (5) the following paragraph:

"(6) subject to sections 8334(c) and 8339 (h) of this title, service performed on and after February 19, 1929, and prior to the effective date of section 424 of the Legislative Reorganization Act of 1968, as a United States Capitol Guide."; and

(4) by inserting immediately after the fourth sentence thereof the following sentence: "The Civil Service Commission shall accept the certification of the Capitol Guide Board concerning service for the purpose of this subchapter of the type described in paragraph (6) of this subsection and performed by an employee.".

(l) Section 8348(g) of title 5, United States Code, does not apply with respect to annuity benefits resulting from the enactment of this section.

(m) The initial appointments, under authority of this section, of personnel of the Capitol Guide Service shall be effective on the effective date of this section. The Capitol Guide Board shall afford, to each person who is a member of the United States Capitol Guides immediately prior to such effective date, the opportunity to be appointed, at a per annum rate of pay determined under subsection (c)(3) of this section which is not less than his per annum rate of pay immediately prior to such effective date, to a comparable position in the Capitol Guide Service without reduction in level of rank and seniority. For the purposes of the initial appointments of such persons, the number of such persons shall be considered to have been authorized for the Capitol Guide Service under subsection (c)(1) of this section.

(n) The United States Capitol Police Board shall transfer, on the effective date of this section, to the Capitol Guide Board, all personnel records, financial records, assets, and other property of the United States Capitol Guides, which exist immediately prior to such effective date.

(o) As soon as practicable after the effective date of this section but not later than the close of the sixtieth day after such effective date, the Capitol Guide Board shall, out of the assets and property transferred under subsection (n) of this section, on the basis of a special audit which shall be conducted by the General Accounting Office—

(1) settle and pay any outstanding accounts payable of the United States Capitol Guides,

(2) discharge the financial and other obligations of the United States Capitol Guides (including reimbursement to purchasers of tickets for guided tours which are purchased and paid for in advance of intended use and are unused), and

(3) otherwise wind up the affairs of the United States Capitol Guides,

which exist immediately prior to such effective date. The Capitol Guide Board shall dispose of any net monetary amounts remaining after the winding up of the affairs of the United States Capitol Guides, in accordance with the practices and procedures of the United States Capitol Guides, existing immediately prior to the effective date of this section, with respect to disposal of monetary surpluses.

Part 3—Congressional Adjournment

CONGRESSIONAL ADJOURNMENT

Sec. 431. (a) This section is enacted by the Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such it shall be considered as part of the rules of each House, respectively; and such rule shall supersede other rules only to the extent inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House.

(b) Section 132 of the Legislative Reorganization Act of 1946 (2 U.S.C. 198) is amended to read as follows:

"CONGRESSIONAL ADJOURNMENT

"Sec. 132. (a) Not later than the last day in the month of July in each year, the two Houses shall adjourn—

"(1) sine die, or

"(2) to a day certain subsequent to August 31 of such year, which shall be fixed by concurrent resolution adopted in each House by rollcall vote.

"(b) This section shall not be applicable in any year if on the last day of July of such year a state of war exists pursuant to a declaration of war by the Congress.".

Part 4—Appointment of Postmasters

APPOINTMENT OF POSTMASTERS BY POSTMASTER GENERAL

Sec. 441. Section 3311 (relating to method of appointment of postmasters) of title 39, United States Code, is amended to read as follows:

"§ 3311. Method of appointment

"(a) The Postmaster General shall appoint postmasters at post offices of the first, second, and third classes in the competitive civil service without term. He shall make the appointments in accordance with the civil service laws and rules by—

"(1) competitive examinations; and

"(2) promotions from within the postal service.

"(b) The Postmaster General shall appoint postmasters at post offices of the fourth class without term."

SAVING PROVISION

Sec. 442. The amendment made by this part shall not affect the status or tenure of postmasters in office on the effective date of this part.

Part 5—Payroll Administration in the House of Representatives

CONVERSION OF PAY TO AGGREGATE RATE BASIS IN HOUSE OF REPRESENTATIVES

Sec. 451. (a) Whenever the rate of compensation of an employee, except an employee subject to the House Employees Position Classification Act (2 U.S.C. 291 and following), whose compensation is disbursed by the Clerk of the House of Representatives is fixed or adjusted on or after the effective date of this section, such rate as so fixed or adjusted shall be a single per annum gross rate which is a multiple of $199.

(b)(1) The Clerk of the House of Representatives shall convert, as of the effective date of this section, the rate of compensation of each employee whose compensation is disbursed by the clerk and, immediately prior to such date, was fixed at a basic rate with respect to which additional compensation was payable by law, to the lowest per annum gross rate which is a multiple of $199 and which is not less than the aggregate rate of compensation (basic compensation plus additional compensation provided by law) which such employee was receiving immediately prior to such date.

(2) The Clerk of the House of Representatives shall adjust, as of the effective date of this section, the rate of compensation of each employee, except an employee subject to the House Employees Position Classification Act (2 U.S.C. 291 and following), whose compensation is disbursed by the Clerk and, immediately prior to such date, was fixed at a single per annum gross rate which is not a multiple of $199, to the lowest per annum gross rate which is a multiple of $199 and which is not less than the per annum gross rate of such employee immediately prior to such adjustment.

(c) The Clerk of the House of Representatives shall prepare, establish, and maintain a compensation schedule of single per annum gross rates for all employees whose compensation is disbursed by the Clerk, except employees subject to the House Employees Position Classification Act (2 U.S.C. 291 and following). Such compensation schedule shall be designated the "House General Schedule" and have the symbol "HGS".

(d) The clerk hire allowance of each Member of the House of Representatives and the Resident Commissioner from Puerto Rico shall be at a single per annum gross rate—

(1) which is a multiple of $199;

(2) from which the aggregate of the payments to employees of single per annum gross rates of compensation at any one time shall not be at a rate in excess of such single per annum gross rate of clerk hire allowances; and

(3) which shall be determined on the basis of the population, as currently estimated by the Bureau of the Census, of the constituency of such Member or Resident Commissioner within one of the following categories, as applicable—

(A) a population of less than 500,000 or

(B) a population of 500,000 or more.

An employee shall not be paid compensation from such clerk hire allowance at a single per annum gross rate in excess of $23,482.

(e) The Clerk of the House of Representatives initially shall convert, as of the effective date of this section, to two single per annum gross rates, the two per annum basic rates of clerk hire allowance of the Members of the House of Representatives and the Resident Commissioner from Puerto Rico provided pursuant to section 11(a) of the Legislative Appropriation Act, 1956 (2 U.S.C. 60g–1), and any other provision of law supplementary thereto, as in effect immediately prior to the effective date of this section, in a manner, as determined by the Clerk, as follows:

(1) with respect to constituencies the population of which is less than 500,000, in a manner which constitutes the most favorable single projection, of the per annum basic clerk hire allowance rate applicable to those constituencies to a per annum gross clerk hire allowance rate. which may be attained by any Member or the Resident Commissioner, if his constituency is within such population category, and

(2) with respect to constituencies the population of which is 500,000 or more, in a manner which constitutes the most favorable single projection, of the per annum basic clerk hire allowance rate applicable to those constituencies to a per annum gross clerk hire allowance rate, which may be attained by any Member or the Resident Commissioner if his constituency is within such population category.

A per annum gross clerk hire allowance rate determined under subparagraph (1) or subparagraph (2) of this subsection shall be adjusted, if not a multiple of $199, to a per annum gross rate which is a multiple of $199 and which is not less than the rate determined under such subparagraph. A per annum gross clerk hire allowance rate as finally determined (or adjusted if necessary) under this subsection shall be the initial per annum gross clerk hire allowance rate of each Member and the Resident Commissioner representing the constituency to which such rate is applicable.

(f) Each allowance for personal services of employees from which payments of compensation are disbursed by the Clerk of the House of Representatives, other than a clerk hire allowance under subsection (d) of this section, shall be at a single per annum gross rate—

(1) which is a multiple of $199; and

(2) from which the aggregate of the payments to employees of single per annum gross rates of compensation at any one time shall not be at a rate in excess of such single per annum gross rate of such allowance for personal services of employees.

(g) The Clerk of the House of Representatives initially shall convert, as of the effective date of this section, to a single per annum gross rate, each per annum basic rate allowance for personal services of employees from which payments of compensation are disbursed by the Clerk, as in effect immediately prior to the effective date of this section, other than a basic rate clerk hire allowance referred to in subsection (e) of this section, in a manner, as determined by the Clerk, which constitutes the most favorable single projection of such per annum basic rate allowance for personal services of employees to a per annum gross rate allowance which may be attained by the authority having jurisdiction over such basic rate allowance for personal services. A per annum gross rate allowance for personal services determined under this subsection shall be adjusted, if not a multiple of $199, to a per annum gross rate which is a multiple of $199 and which is not less than the rate determined under this subsection prior to such adjustment. A per annum gross rate allowance for personal services as finally determined (or adjusted if necessary) under this subsection shall be the initial per annum gross rate allowance for personal services of the authority concerned.

(h) Section 202(e) of the Legislative Reorganization Act of 1946, as amended (2 U.S.C. 72a(e)), is amended to read as follows:

"(e) Each employee on the professional staff, and each employee on the clerical staff, of each standing committee of the House of Representatives shall be paid compensation at a single per annum gross rate, to be fixed by the chairman, which does not exceed the highest rate of basic pay, then currently in effect, of the General Schedule of section 5332(a) of title 5, United States Code, adjusted, if such highest rate of basic pay of the General Schedule of such section of title 5 is not a multiple of the multiple dollar figure then currently in effect with respect to the House General Schedule of single per annum gross rates of compensation disbursed by the Clerk of the House, to the lowest single per annum gross rate of compensation which is a multiple of such then currently effective multiple dollar figure and which is not less than such highest rate of basic pay of the General Schedule of such section of title 5.".

(i) (1) This subsection is enacted as an exercise of the rulemaking power of the House of Representatives with full recognition of the constitutional right of the House of Representatives to change the rule amended by this subsection at any time in the same manner, and to the same extent as in the case of any other rule of the House of Representatives.

(2) Clause 28(c) of rule XI of the Rules of the House of Representatives is amended to read as follows:

"(c) Each employee on the professional staff, and each employee on the clerical staff, of each standing committee of the House shall be paid compensation at a single per annum gross rate, to be fixed by the chairman, which does not exceed the highest rate of basic pay, then currently in effect, of the General Schedule of section 5332(a) of title 5, United States Code, adjusted if such highest rate of basic pay of the General Schedule of such section of title 5 is not a multiple of the multiple dollar figure then currently in effect with respect to the House General Schedule of single per annum gross rates of compensation disbursed by the Clerk of the House, to the lowest single per annum gross rate of compensation which is a multiple of such then currently effective multiple dollar figure and which is not less than such highest rate of basic pay of the General Schedule of such section of title 5.".

(j) In any case in which the rate of compensation of any employee or position, or class of employees or positions, the compensation for which is disbursed by the Clerk of the House of Representatives, or any maximum or minimum rate with respect to any such employee, position, or class, is referred to in or provided by statute or House resolution, and the rate so referred to or provided is a basic rate with respect to which additional compensation is provided by law, such statutory provision or resolution shall be deemed to refer, in lieu of such basic rate, to the per annum gross rate which an employee receiving such basic rate immediately prior to the effective date of this section would receive (without regard to such statutory provision or resolution) under subsection (b)(1) of this section on and after such date.

(k) Each Member of the House of Representatives and the Resident Commissioner from Puerto Rico shall certify any rearrangements or changes of salary schedules of employees in his office, in writing to the Clerk of the House, on or before the tenth day of any month in which such rearrangements or changes of salary schedules are to become effective. The Clerk of the House shall disburse the compensation of such employees in accordance with such rearrangements or changes of salary schedules.

(l) No employee whose compensation is disbursed by the Clerk of the House of Representatives shall be paid compensation at a single per annum gross rate which is less than $1,194, unless expressly authorized by law.

(m) Except as otherwise provided in this section, the foregoing subsections of this section shall not be construed to—

(1) limit or otherwise affect any authority for the making of any appointment to, or for fixing or adjusting the compensation for, any position for which the compensation is disbursed by the Clerk of the House of Representatives; or

(2) affect the continuity of employment of, or reduce the compensation of, any employee whose compensation is disbursed by the Clerk of the House.

(n) There are hereby repealed—

(1) the first section of the Act entitled "An Act to increase clerk hire, and for other purposes," approved December 20, 1944 (58 Stat. 831; Public Law 512, Seventy-eighth Congress; 2 U.S.C. 60g); and

(2) section 11(a) of the Legislative Branch Appropriation Act, 1956 (2 U.S.C. 60g–1).

(o) All provisions of law inconsistent with this section are hereby superseded to the extent of such inconsistency.

USE OF HOUSE CONTINGENT FUND TO PAY SALARIES OF EMPLOYEES PAID FROM CLERK HIRE ALLOWANCES OF MEMBERS AND ABSENT FROM DUTY BECAUSE OF ILLNESS, INJURY, OR DISABILITY

SEC. 452. (a) The contingent fund of the House of Representatives is made available to pay, in lieu of payment from the applicable clerk hire allowance, the salary of each employee—

(1) whose salary is disbursed from the clerk hire allowance of a Member of the House of Representatives or the Resident Commissioner from Puerto Rico;

(2) with respect to whom a written statement is submitted to the Clerk of the House by such Member or Resident Commissioner to the effect that such employee is currently absent from duty, and has been absent from duty for a continuous period of at least thirty days, because of his illness, injury, or disability, accompanied by a verification by a qualified physician of such illness, injury, or disability; and

(3) whose salary has been disbursed from the clerk hire allowance of such Member or Resident Commissioner for a period of at least one year, without break in service, immediately prior to such absence.

(b) Payments of salary to an employee from the contingent fund of the House, in lieu of payment from the applicable clerk hire allowance, under this section shall be made only for a period beginning on the first day of the first month following the submission to the Clerk of the House, by the Member or Resident Commissioner concerned, of the written statement described in subsection (a)(2) of this section and ending at the close of—

(1) the day on which the Clerk receives written notice from such Member or Resident Commissioner that the employee has returned to duty, that the injury, illness, or disability of the employee no longer exists, or that the degree of such illness, injury, or disability no longer warrants payments of salary to such employee from the contingent fund of the House, or

(2) the sixth month following the commencement of such payments,

whichever first occurs.

(c) Payments of salary to an employee from the contingent fund of the House under this section shall be made—

(1) without reduction in or charge to the clerk hire allowance of the Member or Resident Commissioner concerned who has submitted the written statement described in subsection (a)(2) of this section, and

(2) at a rate not more than the rate which the employee was receiving from such clerk hire allowance immediately prior to the beginning of the period for which payments of salary are made to such employee from the contingent fund of the House under this section.

(d) An employee is not entitled to receive payment of salary under this section and compensation for illness, injury, or disability under any other provision of Federal law covering the same period of time; but this provision does not bar the right of such employee to the greater benefit conferred by this section or other provision of Federal law for any part of the same period of time.

(e) The Committee on House Administration shall prescribe such regulations as may be necessary to govern the operation and administration of this section.

TITLE V—REGULATION OF LOBBYING

DEFINITION OF JOINT COMMITTEE

SEC. 501. Section 302(d) of the Federal Regulation of Lobbying Act (2 U.S.C. 261(d)) is amended to read:

"(d) The term 'Joint Committee' means the Joint Committee on Congressional Operations established by title IV of the Legislative Reorganization Act of 1968."

MINIMUM REPORTABLE EXPENDITURE

SEC. 502. Section 303(b) of the Federal Regulation of Lobbying Act (2 U.S.C. 262(b)) is amended by changing "$10" to read "$50".

TECHNICAL AMENDMENT

SEC. 503. Section 304 of the Federal Regulation of Lobbying Act (2 U.S.C. 263) is amended by changing "rendered" to read "render".

MULTIPURPOSE CONTRIBUTIONS AND EXPENDITURES

SEC. 504. (a) The caption of section 305 of the Federal Regulation of Lobbying Act (2 U.S.C. 264) is amended by changing "Clerk of House" to read "Joint Committee".

(b) Section 305(a) of that Act is amended by changing "shall file with the Clerk between the first and tenth day of each calendar quarter, a statement containing complete as of the day next preceding the date of filing—" to read "shall file with the Joint Committee, not later than the end of the first month after each calendar quarter, a statement with respect to that quarter setting forth the following information:".

(c) Section 305(a)(4) of that Act is amended by changing "$10" to read "$50".

(d) Section 305 of that Act is further amended by redesignating subsection (b) as subsection (c), and by inserting immediately after subsection (a) the following new subsection:

"(b) Where contributions are received or expenditures made in part for the purposes described in subparagraphs (a) and (b) of section 307 of this title and in part for any other purpose, the statements required to be filed by subsection (a) shall include only that part of the amount of any such contribution or expenditure which was for the purposes described in such subparagraphs. If the relative proportions cannot be ascertained with reasonable certainty, such statements shall set forth an estimate by the registrant of the part thereof which was for the purposes described in such subparagraphs, and the registrant shall also file with the Joint Committee a separate statement showing total receipts and expenditures, but this separate statement shall not be open to public inspection unless the Joint Committee shall so order.".

(e) Title III of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 305. Statements to be filed with Clerk of House."

and inserting in lieu thereof—

"Sec. 305. Statements to be filed with Joint Committee.".

PRESERVATION OF RECORDS

SEC. 505. (a) Section 306 of the Federal Regulation of Lobbying Act (2 U.S.C. 265) is amended—

(1) by changing the section heading to read "PRESERVATION OF STATEMENTS";

(2) by changing "Clerk" to read "Joint Committee" all four times it appears therein;

(3) by striking out "of the House of Representatives of the United States"; and

(4) by changing "two" to read "five".

SUBSTANTIAL PURPOSE CONTROLLING

SEC. 506. Section 307 of the Federal Regulation of Lobbying Act (2 U.S.C. 266) is amended—

(1) by changing "to be used principally" to read "a substantial part of which is to be used"; and

(2) by changing "the principal" to read "a substantial".

BROADCASTING

SEC. 507. (a) The caption of section 308 of the Federal Regulation of Lobbying Act (2 U.S.C. 267) is amended by changing "Secretary of the Senate and Clerk of the House" to read "Joint Committee".

(b) Subsection (a) of section 308 of the Federal Regulation of Lobbying Act (2 U.S.C. 276(a)) is amended—

(1) by changing "Clerk of the House of Representatives and the Secretary of the Senate and shall give to those officers" to read "Joint Committee and shall give to that committee"; and

(2) by changing "between the first and tenth day of each calendar quarter, so long as his activity continues, file with the Clerk and Secretary a detailed report under oath of all money received and expended by him during the preceding calendar" to read "not later than the end of the first month following each calendar quarter, so long as his activity continues, file with the Joint Committee a detailed report under oath of all money received and expended by him during that".

(c) The next-to-last sentence of such subsection is amended by changing "publications in which he has caused to be published" to read "publications, or any broadcasting stations, in or from which he has caused to be published or broadcast".

(d) Such subsection is further amended—

(1) by inserting "any licensed radio or television broadcasting station or" before "any newspaper or other";

(2) by changing "newspaper or periodical" to read "broadcasting station, newspaper, or periodical";

(3) by inserting "or broadcasts" before "news items, editorials,"; and

(4) by inserting "broadcasting station," before "newspaper, periodical, or individual,".

(e) Section 308 of that Act is further amended by redesignating subsection (b) as subsection (c), and by inserting immediately after subsection (a) the following new subsection:

"(b) Any person who has registered with the Joint Committee pursuant to subsection (a), but who has terminated all his activities requiring such registration and has filed all reports required pursuant to subsection (a) with respect to such activities, may terminate his registration by written notification to the Joint Committee that he has ceased such activities."

(f) Subsection (c) of that section (as so redesignated by subsection (e) of this section) is amended by changing "Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly," to read "Joint Committee shall be compiled by it and reported to the Senate and House of Representatives".

(g) Title III of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 308. Registration with Secretary of the Senate and Clerk of the House."

and inserting in lieu thereof—

"Sec. 308. Registration with Joint Committee.".

CONTINGENT FEES PROHIBITED

SEC. 508. (a) Sections 310 and 311 of the Federal Regulation of Lobbying Act are respectively redesignated as sections 312 and 313.

(b) That Act is amended by inserting the following new section immediately after section 309:

"CONTINGENT FEES PROHIBITED

"SEC. 310. (a) Except as provided in subsection (b) of this section, no person may make any agreement whereby any compensation or thing of value is to be paid to any person contingent upon—

"(1) the passage or defeat of any legislation in the Congress of the United States;

"(2) any vote cast by any Member of Congress in either House of which he is a Member or in any committee thereof;

"(3) the introduction of any legislation in either House of Congress; or

"(4) the reporting or failure to report any legislation by any committee of either House of Congress.

"(b) To the extent allowed in any private bill providing for the payment of money by the United States, or for the relief of financial liability to the United States, a contingent fee may be paid for services rendered in connection with the matter."

ADMINISTRATION BY JOINT COMMITTEE

SEC. 509. (a) The Federal Regulation of Lobbying Act is amended by inserting the following new section after the section 310 added by section 506 of this Act:

"POWERS AND DUTIES OF JOINT COMMITTEE

"SEC. 311. (a) The Joint Committee shall—

"(1) refer to the Department of Justice for appropriate action any information coming to its attention, through complaints or otherwise, of any failure to register, or the filing of any false, improper, or incomplete registration or information under this title and, in addition, any information obtained by the Joint Committee through its studies and investigations under section 402(a)(3) of the Legislative Reorganization Act of 1968 which indicates that a violation of law may have occurred;

"(2) retain, in addition to statements retained under section 306 of this title, for a period of not less than five years each report and statement filed under this title, and advisory opinions, requests therefor, and papers relating thereto, and during such period, make such reports, statements, opinions, requests, and papers or true and correct copies thereof, available as public records open to public inspection, except to the extent exempted from public inspection under the last sentence of section 305(a) of this title; and

"(3) include in its annual report to the Congress a full and complete report of its activities pursuant to this title.

"(b) The Joint Committee may issue, after notice and hearing, such regulations as it may deem appropriate to define the terms used in this title and to prescribe methods and forms for the filing of any reports, statements, or other information required pursuant to this title. Any regulation issued by the Committee pursuant to this subsection shall be published in the Congressional Record and shall be printed in the United States Code as a note to this title.

"(c) Any person believing that substantial doubt exists whether he is required to register or file any statement under this title may file with the Joint Committee a statement, in such detail as the Joint Committee may require, of the activities in which he is engaged or intends to engage. Upon the basis of such statement, the Joint Committee, under such circumstances, if any, as it may deem appropriate, may render an advisory opinion as to whether registration or filing is required. No person whose activities fall within the scope of those permitted by an advisory opinion rendered to him under this subsection may be subjected to a criminal prosecution under this Act for those activities, except for activities carried out after notice to him that the advisory opinion has been modified or revoked."

(b) Title III of the table of contents of the Legislative Reorganization Act of 1946 (60 Stat. 813) is amended by striking out—

"Sec. 310. Penalties.
"Sec. 311. Exemption."

and inserting in lieu thereof—

"Sec. 310. Contingent fees prohibited.
"Sec. 311. Powers and duties of the Joint Committee.
"Sec. 312. Penalties.
"Sec. 313. Exemption.".

VIOLATION OF REGULATIONS

Sec. 510. Section 312 of such Act (that is, the section which, prior to the redesignations made by section 206(a) of this Act, was section 310 of the Federal Regulation of Lobbying Act (2 U.S.C. 269)) is amended—

(1) by striking out "(a)" in subsection (a) thereof;

(2) by inserting "or any regulation of the Joint Committee issued pursuant to this title," immediately before "shall, upon conviction," in the first sentence thereof; and

(3) by striking out subsection (b) thereof.

TITLE VI—EFFECTIVE DATES

EFFECTIVE DATES

Sec. 601. This Act shall take effect as follows:

(1) Section 201 of title II, Parts 1, 4, and 5 of title II, Parts 2 and 3 of title III, Parts 1, 2, and 3 of title IV, and section 301(d) shall take effect on the thirtieth day after the date of enactment of this Act.

(2) Title I, Parts 2 and 3 of title II, Part 1 of title III (except section 301(d) thereof), Part 4 of title IV, and title V shall take effect on January 1, 1969.

(3) Part 5 of title IV shall take effect on the first day of the third month which begins after the date of enactment of this Act.

ATTACHMENT D

A bill to create a Commission of the Congress of the United States, the position of Counsel of the Congress of the United States, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby created a Commission of the Congress of the United States (hereafter in this Act referred to as the "Commission").

(b) The Commission shall consist of the Speaker of the House of Representatives, the Majority and Minority Leaders of the House of Representatives, and the Chairman and ranking minority member of the Committee on House Administration of the House of Representatives and the President pro tempore of the Senate and the Majority and Minority Leaders of the Senate and the Chairman and ranking minority member of the Committee on Rules and Administration of the Senate.

(c) The Speaker shall be Chairman of the Commission and the President pro tempore of the Senate shall be Vice Chairman in odd-numbered years and the President pro tempore of the Senate shall be Chairman and the Speaker shall be Vice Chairman in even-numbered years.

(d) The Commission shall—

(1) make a continuing study of the organization and operation of the Congress of the United States and shall recommend improvements in such organization and operation with a view toward strengthening Congress, simplifying its operations, improving its relationships with other branches of the United States Government, and enabling it better to meet its responsibilities under the Constitution;

(2) direct the activities of the Counsel of the Congress of the United States in accordance with subsection (i) of this section.

(e) The Commission, or any duly-authorized subdivision thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of Congress, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems advisable.

(f) The Commission is empowered to appoint and fix the compensation of such attorneys, experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable.

(g) The expenses of the Commission each year shall be paid from the contingent fund of the House of Representatives, upon vouchers signed by the Chairman.

(h) The Commission shall report from time to time to both Houses of Congress the results of its studies under this Act together with its recommendations. If the Senate, the House of Representatives, or both, are in recess or have adjourned, the report shall be made to the Secretary of the Senate or the Clerk of the House of Representatives, or both, as the case may be. All reports and findings of the Commission shall, when received, be referred to the appropriate committees of each House of Congress.

(i)(1) There is hereby created the position of Counsel of the Congress of the United States (hereafter in this Act referred to as the "Counsel"). The Counsel shall be appointed by the Commission and shall serve at its pleasure and under its direction and supervision.

(2) The duties of the Counsel shall be to advise and assist the Commission in carrying out its functions and, under the direction and supervision of the Commission, to represent the interests of the legislative branch of the United States Government in any case, controversy, or other matter affecting the Congress.

LEGISLATIVE RECORD OF HOUSE DISTRICT COMMITTEE

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, specifically, I wish to report on the overall activities of the House District Committee during the first and second sessions of the 90th Congress, as follows:

First. During this Congress, 336 bills and joint resolutions have been referred to and considered by the House Committee on the District of Columbia, 303 of these being House bills and joint resolutions and 33 being Senate-passed bills.

Second. Public hearings consuming 72 days have been held by the District Committee and subcommittees on 126 bills and resolutions which have been referred to them.

Third. Printed hearings include 3,790 pages of testimony, and in addition transcripts of hearings not printed over 548 pages.

Fourth. During this Congress, 75 bills have been favorably reported by the District Committee to the House; 70 of them passed the House, and 40 of them have been signed by the President.

ANTICRIME LEGISLATION

The most important legislation considered during this Congress by the House District Committee was the omnibus anticrime bill, which was initiated by the committee, passed overwhelmingly by the House and the Senate and approved by the President. It is aimed pointblank at the crime situation in Washington, increases prior penalties, and amends police and court procedures for the handling, treatment, and sentencing of criminals.

The purpose of this law is to give to the people in Washington, its citizens, and those temporarily sojourning here, as well as the millions of visitors who come here annually, some measure of surcease from the ever-growing criminal element which, outrageously and indefensibly, is a continuing threat to life, limb, and property in the Distirct of Columbia.

The crime rate in the Nation's Capital has been a national disgrace far too long, and the House District Committee has been in the forefront for many years endeavoring to secure enactment by the Congress of appropriate legislation to help stem the criminal tide in Washington.

The main provisions of the anticrime bill were developed on the basis of the most exhaustive hearings, executive sessions, and deliberations given to any legislation before the House District Committee in the past 12 years. In recent years, voluminous hearings were held by both the House and Senate District Committee, commencing with joint hearings of both committees in the 88th Congress, which were initiated at the suggestion of the chairman of the House District Committee.

The anticrime legislation as passed was cosponsored by 15 members of the House District Committee, and is a compromise bill. It contains most of the titles of the omnibus bill as approved in the 88th and 89th Congress—but vetoed thereafter—and most of the titles of the so-called Administration Crime Reduction Bill, of this Congress. This legislation passed the House on June 26, 1967, by the overwhelming rollcall vote of 355 to 14.

Senate amendments to the anticrime bill on December 12, 1967, in the closing week of the first session, weakened several features of the House-passed bill. However, in the interest of getting such legislation into the statute books, the House accepted the amendments on December 13, and the bill was approved by the President on December 27, 1967.

MALLORY RULE

Further in vindication of the House District Committee's long-time attempts to secure legislation to compel the courts to admit bona fide confessions made by criminals, the second session of this Congress, in passing the "Omnibus Crime Control and Safe Streets Act of 1968"—Public Law 90-351—amended the so-called Mallory rule of evidence to return to the "voluntariness" test of admissibility of confessions, which essentially the House District Committee and the House Judiciary Committee approved during the past five Congresses, and which the House repeatedly has passed. Also included in the title II of Public law 90-351 are procedural safeguards prescribed by the Supreme Court in *Miranda* v. *Arizona* (384 U.S. 436).

EXTORTION

Likewise in Public Law 90-351, Congress included legislation from this committee prohibiting extortion by telephone, telegraph, radio, oral or written message, or otherwise, in Washington, the problem of threats to businessmen and their properties having become quite serious following the April 1968, civil disturbance in the District.

OBSCENE TELEPHONE CALLS

Finally, the Congress this year also enacted criminal penalties which the House District Committee have several times reported and the House has passed, for making obsence telephone calls, or harassing and annoying calls that have disturbed many citizens and been the subject of much concern of the police.

It remains to be seen whether the reorganized District of Columbia government, and the local courts, will prove equal to the task of apprehending and convicting criminals under procedures that will assure as much protection and concern to the innocent public as is being meted out under court decisions to the lawbreakers.

POLICE, FIREMEN AND COURTS

On behalf of police and firemen, an overall average pay raise of 10.1 percent was enacted—privates, whose pay increase was 19.4 percent, to start at $8,000 per year—at a cost of $5.1 million to be added to the present annual expenditure for police and firemen's salaries of $36.5 million. Liberalizing provisions for disabled retirees and for widows also passed the House. Authority for the District government to enter into reciprocal agreements with surrounding Maryland and Virginia communities for police mutual aid was enacted, similar to legislation already in force for firemen.

Further to assist in the improvement and output of the local courts, increases in judges were provided for the District of Columbia Court of Appeals and the District of Columbia court of general sessions, and salary increases of $4,000, or 16 percent, for the judges of said courts and to the District of Columbia Tax Court.

EDUCATION

In the field of education in Washington, the Congress enacted several important bills of the House District Committee; namely, first, providing for the popular election of the board of education, in lieu of their appointment; second, qualifying the Federal City College—a public 4-year community college—as a land-grant college so as to secure the benefits of and participation in the many programs of instruction, education, training thereunder, including annual grants as well as a $7.2 million endowment; third, increasing pay of teachers and school officers by 19.2 percent—starting 10-month salary of $7,000—thus adding $13 million to the present annual expenditure for teachers' salaries of $64.5 million; fourth, liberalizing teachers' sick leave and retirement laws, and fifth, authorizing funds necessary for school lunches for needy children in the secondary schools, and pay raises for cafeteria workers in the public schools.

HEALTH

Air pollution legislation, to regulate and improve the air resources of the community, and to promote the health, safety, and welfare of the people of the District of Columbia, was passed.

Authority was given the District to furnish medical assistance to eligible residents and participate in the medicaid program. An estimated 179,000 persons in Washington will be eligible under title XIX of Social Security Amendments of 1965, at a cost to the District of $30.7 million.

Local hospitals and other medical facilities were given a boon by the Congress in legislation authorizing supplemental Federal assistance of over $80 million—$40 million in Federal project grants and $40.5 million in loans—for hospital modernization and construction, long-term and extended-care facilities, diagnostic and treatment centers, rehabilitation facilities, and centers for mental health and mentally retarded.

Another milestone was achieved by the passage of model legislation providing a comprehensive program for the control of drunkenness and the prevention and rehabilitation of alcoholics.

REVENUE

Over $100 million revenue was made available to the District through two revenue acts of the 90th Congress which together authorized: First, an increase in the annual Federal payment or contribution to the District by $30 million—from $60 to $90 million; second, an increase in authorized borrowing authority by $43.8 million—from present debt ceiling of $290 million to estimated $333.8 million in fiscal year 1968—under a formula computation to be tried for 3 years; third, an increase in individual and business income taxes to yield $11.1 million; and fourth, increases in general sales and use taxes, telephone, restaurant meals, and beverage taxes, to yield $15.3 million.

The subway routes of the authorized rail rapid transit system were changed to add a new line to serve the southwest mall area of Washington and delete a spur line to Columbia Heights, at a net increase estimated cost of $41.5 million to be financed from additional revenues estimated to be generated by the modified system.

Airspace, over and under streets and alleys, and the use and occupancy of public space on the surface of sidewalks—as for parking and cafes—and beneath sidewalks and streets—for storage vaults—became the subject of legislation authorizing the Federal and District of Columbia Governments to use, occupy, lease, or rent same.

Establishing provisions for uniform procedures for 93 administrative governmental agencies in the District government, for hearings, and for judicial review of decisions or determinations thereof, was another major legislative accomplishment.

THE HONORABLE HORACE R. KORNEGAY

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, we have become accustomed over the years to the sadness occasioned in every Congress by our friends whom we have known so well departing from this body, but it is a feeling that we never grow accustomed to or one that we lightly accept. I have that feeling today as one of the most capable Members of the House returns to private life after 8 years here.

HORACE and I were freshmen in the 87th Congress, though he preceded me by a year. Perhaps this freshman service together first started us out along the same path, but my admiration for him and our friendship, are due to many considerations other than that. HORACE has, more times than I can recall, befriended me and helped smooth the way for me. I have always sought out his advice on legislation coming from Veterans' Affairs and from Interstate and Foreign Commerce Committees, because HORACE always does his homework and his judgment can be relied on by any Member.

I will miss his counsel and I will miss him as a friend.

North Carolina will have a hard time sending us his equal to represent their Sixth District.

THE HONORABLE WILLIAM M. TUCK

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to

the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, when a man has contributed as much to the general welfare of his constituents, his State, and his Nation as has our distinguished colleague, WILLIAM M. TUCK, I count it a privilege to pay tribute to him before this body. Governor TUCK, as we know him, could have retired from public life after his term of office as Governor of Virginia and have been fully satisfied that he had discharged with great credit whatever obligation each of us has to serve the public.

But, the Governor is never satisfied with doing just enough; he always puts frosting on the cake. He has done that with an additional 15 years of public service as a Member of the House, years characterized by the same kind of devotion which marked his service as Governor.

I am proud to say that Governor TUCK has been my friend, my confidant, and my adviser as long as I have been in the Congress and I could have sought out no better man to act as a guide. As this session of Congress comes to an end, it is a sad occasion for me to know that he will not be back with us next year. He has earned many times over the retirement he now has chosen. I can only hope that our paths are not separating permanently and that our friendship will continue on. Good luck, Governor. The pleasure has been all mine.

KENNETH E. GRANT, A NEW HAMPSHIRE NATIVE, MAKES GOOD IN THE SOIL CONSERVATION SERVICE

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, it was good news for conservationists, and particularly for New Hampshire conservationists, to hear that in January, Kenneth E. Grant, now Associate Administrator of the Soil Conservation Service, will become head of that Service. I want to congratulate Ken, and extend my best wishes to him as he prepares to take over the leadership of this great conservation ageny within the U.S. Department of Agriculture.

Ken Grant was born in 1920 in Rollinsford, N.H. He graduated in 1937 from Dover, N.H., High School, and in 1941, earned a B.S. degree in agriculture from the University of New Hampshire. Following this, he served as a collaborator in soil survey with the Bureau of Plant Industry, as well as doing some graduate work in agronomy.

Mr. Grant entered the Army at the time of the attack on Pearl Harbor. Several months after his discharge from the Army following the conclusion of World War II, he joined the Soil Conservation Service in Keene, N.H., as a soil scientist. He served successively in SCS as soil conservationist, work unit conservationist and area conservationist in several locations around the State, before joining the State office program staff at Durham, N.H., in August 1955. In February of the following year, he was appointed deputy State conservationist, and was later appointed State conservationist in early 1959.

Ken Grant was selected for advance training under the Government Training Act, and in September 1963, he entered Harvard University where he earned a master's degree in public administration. Following this, he moved to Indiana, where he served as Department representative on the Interagency Wabash River Basin, the Ohio River Basin studies, and the Technical Advisory Committee of the Wabash Valley Interstate Commission. He provided the leadership in developing the first resource conservation and development project in the Nation, and stimulated accelerated cooperative efforts on local, State, and Federal agencies in multiple-purpose watershed projects in Indiana. In May 1967, Mr. Grant was appointed Associate Administrator of the Soil Conservation Service.

Some of Ken's activities during his successful career as a dedicated public servant deserve mention. His wife, Mary Gertrude Howe, was born in Nashua, N.H., and later moved to Dover. Both of their children were born during Ken's 3-year tenure in Keene, N.H., where the Ash Swamp Brook watershed project was successfully effectuated under Ken's leadership. Following his period in Keene, Ken moved to Grafton County and then took over the leadership of the north county area of Coos, Carroll, and Grafton Counties. The Dead River, Oliverian Branch Dam, Souhegan Watershed, and Baker River Watershed projects all bear the stamp of Ken Grant's leadership and thought.

Perhaps the finest contribution that this fine administrator has made to the field on conservation has been his belief that the Soil Conservation Service should not be restricted in thinking and planning to just rural areas. Ken Grant was one of the men who saw the inter-relationship between rural and urban planning, and who helped lay the groundwork for implementation of this total concern in the Soil Conservation Service.

Knowing Ken Grant personally, and knowing of his dedication, I find it most reassuring that he will become the next Administrator of the Service. I know that my colleagues will find an attentive ear when they discuss their problems with this concerned, thoughtful and dedicated public servant.

Mr. Speaker, I include in the RECORD an article which recently appeared in the Keene, N.H., Sentinel:

NEW SCS ADMINISTRATOR STILL THINKS OF KEENE AS HIS 'HOME'

WASHINGTON.—Kenneth E. Grant, newly-appointed administrator of the Agriculture Department's Soil Conservation Service (SCS), has "very fond memories of Keene."

Grant, who will leave his position as associate administrator Jan. 12 to succeed Administrator Donald A. Williams, began his career with SCS in Keene in 1946 as a junior soil scientist.

His two children, Beverly, 21, and Ronald, 19, were born in Keene.

Cheshire County was the first Soil and Water Conservation District that became operative in New Hampshire, and he was the first Work-Conservationist in it.

He worked on Ash Swamp Brook Watershed, one of the first watershed projects in the state.

Grant says he "still considers it home country."

"My time in Keene was a very fine experience," the 48-year-old Grant said, "but the focus of conservation there has changed a lot since I worked there."

"The boundary fences between rural and urban problems are down now," Grant said. "People have understood, through watershed programs and planning for both rural and urban expansion, that soil and water conservation is a common interest—the province of everyone in the community."

"At one time," Grant said, "conservation problems were considered to be the province of individual land owners. But now, soil and water conservation has moved from the problems of the individual land owner to the inter-related problems of private land owners and the interests of the total community."

Grant, who has just returned from a SCS project in West Pakistan, said that there is a need for a "conservation ethic"—all people recognizing the importance of conservation as a national goal.

"The mix of various population shifts—rural to urban, urban to suburban—has had an impact on soil conservation," Grant said.

"Areas that were in agricultural production are no longer in agricultural production. Especially in New Hampshire, this land is being used for retirement homes and second homes.

"These people in suburbia are concerned with the total quality of their environment," he said. "In this intermix of rural and urban people are problems that both have to understand."

Grant said that New Hampshire, in particular, had to make proper use of the land that surrounds developing towns and cities, properly planning open spaces and industrial placements.

"New Hampshire has to provide an environment which is desirable for agriculture, industry, and recreation," he said. "There is no reason why all can't be made completely compatible."

The new SCS Administrator praised New Hampshire's efforts for soil and water conservation.

"New Hampshire has historically been a leader in conservation," he said, "giving strong support to projects on both the state and local level."

He said that New Hampshire has continually increased its dollar input in conservation programs, citing specifically the soil surveys being made jointly by the SCS and the N.H. State Experiment Station.

Grant, who hunts and fishes regularly in the Connecticut Lakes and Milan areas, said that New Hampshire is his "real home in many ways."

Grant and his wife, the former Mary Gertrude Howe of Nashua, met at the University of New Hampshire. He said he often returns to New Hampshire to visit his parents, who still live in Rollinsford.

A native of Rollinsford, outside of Dover, he was graduated with a B.S. degree from the University of New Hampshire in 1941, and from Harvard University with a master's degree in public administration in 1964.

A VIBRANT GREEK COMMUNITY CONSECRATES ITS CHURCH

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, with your permission, I ask my colleagues to pause during our busy schedule of legislation in order to share with me a very meaningful and moving experience.

Last month, in Rochester, N.Y., I was privileged to share with the Rochester Greek community what was aptly described by the Rochester Democrat and Chronicle as "a once in a lifetime religious service."

The occasion was the dedication of the Greek Orthodox Church of the Annunciation and the celebration of the congregation's 50th anniversary. The Annunciation Church, which was completed in 1963, stands on the tree-lined East Avenue of Rochester and represents the growth of the Greek community for 50 years.

A special exception had been made to the rule that a new church cannot be consecrated until it is completely paid for, as only a small amount remained unpaid and the celebration of both events on the same day were certain to be a day of great joy and happiness for the entire Greek community of Rochester.

The ceremony was truly moving, deeply religious, yet gay and festive at the same time. It was the spirit of the Greek people and of the Greek-American community in Rochester, the personification of America, the melting pot of nations, the land of religious freedom.

The guest of honor presiding at the service was the world renowned Archbishop of the Greek Orthodox Diocese of North and South America, the Most Reverend Iakovos.

This articulate and esteemed spokesman of the Ancient Ecumenical Patriarch, of Constantinople, spoke of the building of a dream in America. He quoted from the Bible:

> All things are possible with him who believed.

Archbishop Iakovos, president of the World Council of Churches and vice president of the National Council of Churches, has under his jurisdiction some 1,500,000 communicants and some 450 parishes. Yet, to him the consecration of the Church of the Annunication was the vitality of the Greek community in America, the realization of a struggle to keep the Greek Orthodox Church alive.

The holiness of the ceremony captured the complete attention and dedication of everyone present. The consecration service is one steeped in ritual, with every congregant being involved throughout the pre-consecration procession, the consecration service and consecration divine liturgy.

To those who have never attended a rite such as this, I would urge "Do so." It is the best way to appreciate the warmth, the closeness of the Greek-American community and the place that religion plays in its life.

One of the most interesting aspects of the event for me was a reading of the history of the Greek community in Rochester.

I gained a renewed understanding of America as a melting pot of people. I relived, in that memorable experience, the sprouting of the first roots of the Greek neighborhood. I heard the story of a handful of ambitious pioneers who, dissatisfied with their progress in the large port cities of New York and Baltimore in the late 1800's, migrated to upstate New York in search of a better way of life. I heard about the other Greek families who followed, and I shared the experience of helping these families get settled, both financially and spiritually, as had been done by the first Greek settlers.

Mr. Speaker, the consecration of the Church of the Annunciation and the 50th anniversary celebration was a moving and thrilling experience. It brings home to me the fact that the Greek community in Rochester takes the adage, "Am I My Brother's Keeper?" quite seriously. I am honored to represent these fine Americans here in Congress.

Today, this same community—whose history is recorded in 14 documented pages of church records is sustained by the same closeness within that made it prosper and grow. It is a community that is willing to accept newcomers, and it now stands 1,000 families strong. The beautiful Church of the Annunciation is a far cry from the room over the drugstore where the first services were conducted, and the spirit of the people is stronger than ever.

The Rochester Greek community was fortunate to have two esteemed pastors head its congregation through the past 49 years. Rev. Fr. George Gallos was pastor from 1947 to 1954, and Rev. Fr. Peter Remoundos spoke from the pulpit from 1954 to 1967.

The Church of the Annunciation is now headed by the esteemed clergyman, Rev. Fr. George Nicozisin.

From the pastor of the church to the Order of the AHEPA, an organization established 43 years ago to welcome new families into the Greek community and help them become American citizens, the Rochester Greek community radiates a glow of strength, warmth, and a deep love of life. God and the church play an important part in this life, as it did on September 8 when this holy and joyous occasion was celebrated.

Although I cannot possibly mention all of those Greek Americans who participated in the consecration events, I would like to share with my colleagues the names of those, representing many groups in Rochester, whose appearance and participation with the Greek community helped to make September 8 a memorable day in my life. They follow:

Bishop Theodosios, Ninth Archdiocesan District, Toronto, Canada.

Nick Nickson, general chairman.

Andrew Mickles, banquet chairman.

Hon. Frank Lamb, mayor, city of Rochester.

Jordan Pappas, president, Annunciation Parish Council.

Rev. Marvin Chandler, associate director, Rochester Area Council of Churches.

Dr. Mark Ellingson, president, Rochester Institute of Technology.

Rev. Fr. Stephen Upson, editor, Syrian Orthodox Archdiocese publications.

Hon. Barber B. Conable, Jr., U.S. Congress, 37th District, State of New York.

Bishop George W. Barrett, Episcopal Diocese of Rochester.

Bishop Fulton J. Sheen, Diocese of Rochester.

Rev. Fr. George Gallos, pastor, 1947–54.

Rev. Fr. Peter Remoundos, pastor, 1954–67.

Rev. Fr. George Nicozisin, pastor, 1967 to present.

His Eminence Archbishop Iakovos, Primate of the Americas.

I would be remiss, Mr. Speaker, if I did not recognize Evelyn Mickles, who made available to me the history of the Rochester Greek community, and my good friend and fellow attorney, Dennis J. Livadas, who along with Nick Nickson, has always kept me informed not only about important events and issues in the Greek community, but also about the still tense military and political situation in Greece.

It was a pleasure to participate with this fine community in its finest hour. I know all of my colleagues join me in expressing to Rochester's Greek community our very best wishes for continued growth and strength in their new house of worship.

SENATOR CARLSON TRIBUTE

Mr. MIZE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. MIZE. Mr. Speaker, when the bells sound marking the adjournment of the 90th Congress, our Nation will lose one of its greatest Senators, the beloved senior Senator from Kansas, Frank Carlson, who is retiring after 18 years of service in the Senate, 12 in the House, and 4 as Governor of our great State.

Hundreds of tributes have been written about the Senator's ability, his accomplishments and his statesmanship; but I could not let this session close without adding a word about his "manship"—his unexceptionable principles relative both to character and religion.

Always upright, Senator Carlson is attached to just principles and actuated by the same, governed by the highest motives. He is good for the sake of goodness.

Truthfulness, integrity and goodness, united with strength of purpose, have made his an irresistible power.

Some attract us through the splendor of some special faculty, or the eminency of some special virtue, but in Senator Carlson's case it is the whole individual we admire and love—the whole man.

Even though our friend and colleague, Frank Carlson, has cast his last Record rollcall vote, his love and kindness will cast its imperishable influence on future deliberations of this body.

Senator Carlson goes, but he leaves an influence behind that stays.

The Congress is a better place because Frank Carlson was in it. He has lit our candle with his own—his has lost none of its brilliancy by what ours have gained.

To men of good will, who have sometimes forgotten the quality of Christianity, follow the shadow of Senator CARLSON's footsteps as he leaves the Chamber. By living as he lives he has enriched the heritage of every citizen in every part of our land.

Walk as he walks—and we will move forward together on the pathway of peace.

SALUTE TO EISENHOWER WEEK

Mr. MIZE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. MIZE. Mr. Speaker, on October 14 the Nation is preparing to observe the 78th birthday of Dwight David Eisenhower, the 34th President of the United States.

All across the Nation, the millions who hold this great American foremost in their thoughts and prayers will be participating in events as part of "Salute to Eisenhower Week," authorized by an act of Congress and officially proclaimed as such by the President of the United States.

Nowhere will the observance be more meaningful than in Abilene, Kans., where President Eisenhower's boyhood home still stands and where the Eisenhower Center, with its library, museum, and chapel, provides a permanent memorial to this greatness of this soldier-statesman.

The Eisenhower Center will be the focal point of a week-long tribute to Abilene's first citizen. Displays will highlight the many facets of his service as a citizen, as a military leader, as President and as a world-renowned figure.

The people of Abilene have already taken note of the week which will have so much meaning to Kansas. During a political rally in Abilene this week a resolution was adopted which authorized a pre-birthday telegram to the former President to be sent to his suite at Walter Reed General Hospital. That resolution read as follows:

RESOLUTION

Whereas, the residents of Abilene and Dickinson county, and especially members of the Republican party, have always held Former President Dwight D. Eisenhower in the highest esteem, as our most famous native son, as a military leader and as President of the United States.

Be it therefore resolved, that this gathering of 300 Republicans meeting in Abilene at a pre-election rally, unanimously authorizes the Chairman to send a telegram to President Eisenhower, stating our prayerful hope for his complete recovery, extending our collective best wishes for another Happy Birthday next Monday, and advising him that friends and well-wishers in his home town will be remembering him in various ways all through the national "Salute to Eisenhower" week.

The good citizens of President Eisenhower's hometown are now circulating a followup greeting to him in what they call a "mile-long letter." This letter will carry in excess of 5,000 signatures of Kansans from all walks of life who wish to be remembered to Ike on his birthday.

Next Tuesday, Abilene will entertain two young guests who are an important part of the Eisenhower story—Julie Nixon, daughter of former Vice President Nixon who served with President Eisenhower, and David Eisenhower, the famous grandson of the former President. This young couple will be at the Eisenhower Center in Abilene and will help the people from this section of the State say, "Happy birthday, Ike" in an outpouring of warm affection and deep-seated admiration.

As we honor Dwight David Eisenhower on his 78th birthday, my mind returns at this point to an article by Hugh Sidey which appeared recently in Life magazine. The point constantly made, and I think validly, was that in the realm of the Presidency, and I quote, "all the programs espoused and the bills passed and the billions spent are only a part of this thing of being President and maybe even the lesser part in a time of dispirited affluence." How true that statement is and how closely it fits our present time. Our present "dispirited affluence" is beyond question. But moreover, it is the real criterion against which we should, and I am confident ultimately will, come to judge this man and his Presidency. For using it one sees only too clearly the decency, the genuineness, the granite-rooted love of country that are only but a few of the virtues that flash like a beacon from his every smile, only but a few of the inner strengths that made his time so meaningful in that more important part of being President, the job of being a leader.

What a commentary itself on the General's true place in history it is that he will always be remembered for that simple, yet human and warm manifestation of the inner man—his smile, the Eisenhower smile. There is some kind of hunger there, some sort of national longing, and he satisfies it with that smile and with all the inner conviction, inner strength and inner faith that it represents. That same hunger is abroad in the land again, more deep and gnawing than ever before. How much more can we envy that time when he was able to do his part, great or small, in lessening that hunger; how much more can we now realize the profound appropriateness of Mr. Sidey's final remarks, if I may quote them again: "that his soothing spirit, the innate goodness of the man himself, did more to lift up the hearts of Americans and hold them together in a reasonable state of public happiness than many of the social reforms that have been propounded since." In these times of downcast hearts and of a divided and unhappy public, such an accomplishment is truly that of giant among men.

It is appropriate to recall the General's own words, spoken by him at the groundbreaking ceremonies for the Eisenhower Library in Abilene. For in speaking of his hopes for the library he spoke eloquently of those elements that guided his own life. I quote, "concerned primarily with the ideals, principles, and trends that provide guides to a free, rich, peaceful future in which all peoples can achieve ever-rising levels of human well-being." This is the essence of the man whom we honor on his birthday. But more than that, these are the ideals, principles, and trends that we should and must evoke again, as perhaps the best way to make sure the Eisenhower imprint upon this Nation is never dissipated.

TRIBUTE TO SENATOR FRANK CARLSON

Mr. DOLE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DOLE. Mr. Speaker, when this session of the 90th Congress adjourns many effective and able legislators will be retiring from the Congress of the United States. One of these is a great Kansan, Senator FRANK CARLSON, who, after 40 years of public service, has chosen to return to Kansas where he and Mrs. Carlson can enjoy their home and farm in Concordia and above all their grandchildren in Junction City, Kans.

When approached about running for the Kansas State Legislature some 40 years ago, the then farmer CARLSON said, "I'll run just as long as I don't get elected. I've got too many things to do on my farm." Senator CARLSON enjoys telling a part of this story though never adding that he was elected then by a wide margin which started a political career unmatched in the annals of Kansas history.

All of us in the Kansas delegation have worked closely with Senator CARLSON and have benefited from his wise counsel and advice over the years. While he will be missed by hundreds on the Washington scene, everyone recognizes that both he and Mrs. Carlson have earned a rest and the opportunity to return to Kansas.

GREAT INFLUENCE IN THE CONGRESS

Senator CARLSON has had great influence in the Congress of the United States for many, many reasons. First of all, he is a recognized expert on taxation; a ranking authority on international affairs, a solid supporter of the Federal career employee in his position as ranking Republican and former chairman of the Senate Post Office and Civil Service Committee. In agriculture, Senator CARLSON is known as "Mr. Wheat" to thousands of wheat producers in Kansas and across the country and as a farmer he has demonstrated with positive action in the Congress his concern for rural America.

Certainly another important factor is that Senator CARLSON has served as President of the International Council for Christian Leadership and he initiated prayer breakfasts, where national leaders meet weekly to seek divine guidance. The presidential prayer breakfast has become an annual event.

A few other activities include: member of the board of governors, the Menninger Foundation, Topeka; Institute of Logopedics, Wichita; and the Agricultural Hall of Fame. A graduate of Kansas

State College, he has received seven honorary doctor of law degrees from universities throughout the Nation.

SUMMARY

When Senator CARLSON leaves the Senate Chamber at the close of this session it will not end an illustrious career, but only another chapter in the life of a great man who every day, every month, and every year, has placed service above self. Always a gentleman, FRANK CARLSON has been a public servant of the highest order whose modesty, dedication, dignity, and honor all public officials should strive to emulate.

I have been particularly proud of the fact that Senator CARLSON has resided in my congressional district. I can speak for all the people of Kansas, regardless of political affiliation, in expressing our gratitude for the great service Senator CARLSON has rendered and in extending Senator and Mrs. Carlson every good wish for many, many years of health and happiness.

GOODBY

Mr. DOLE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DOLE. Mr. Speaker, as a retiring Member of the House of Representatives I want to briefly thank the Speaker, Mr. McCORMACK, the majority leader, Mr. ALBERT, my leaders, Mr. FORD and Mr. ARENDS, for the many, many courtesies extended to me.

Serving in the U.S. House of Representatives has been a great and rewarding experience and I have enjoyed my association with my Democrat and Republican colleagues. While philosophies may differ, I am convinced the great majority of Members are hard-working, honest men who attempt to reflect the views of their constituencies.

In the years ahead this House will undergo many changes and many challenges and whatever changes are made will, I am certain, be for the better. The U.S. House of Representatives is to me the most important link between the people and their Government and should remain so.

In my opinion, the House is not only the greatest deliberative body in the world, but by its very makeup most answerable to the people we serve. Those who have had the responsibility of leadership during my tenure in Congress deserve special praise as do my many, many friends on both sides of the aisle.

PRESIDENT JOHNSON BACKS HUMPHREY IN RADIO ADDRESS

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, following is the text of an address that President Johnson made on October 10 over the National Broadcasting Co.'s radio network supporting Vice President HUMPHREY's candidacy in the presidential race. The speech was taped for the 1968 campaign committee program of the International Ladies' Garment Workers' Union:

TEXT OF JOHNSON TALK BACKING HUMPHREY

Thank you, Mr. Stulberg.

This is the third time that I have had the pleasure of appearing on this series of programs—in 1960, 1964, and now again this year.

Tonight I want to give you my thoughts about what is really at stake in this election. I should like to tell you why I feel that Americans should vote for Hubert Humphrey and Edmund Muskie—and a Democratic Congress on Nov. 5th.

The other evening, Mrs. Johnson and I sat on the White House balcony—the one President Truman added 20 years ago. We looked across to the Washington Monument and to the Jefferson Memorial—the symbols of the greatness of our nation's past. We could see the broad avenue that runs between the White House and the Capitol—the home of Congress.

Looking on this scene, our thoughts went back to some of the triumphs of past years: triumphs of the people; triumphs of progress over the status quo. T.V.A., R.E.A., the S.E.C. and the Social Security Act. The Minimum Wage Act. Then, in the nineteen-sixties Medicare, aid for elementary and secondary schools, and the Higher Education Act. The Peace Corps. The test ban treaty. The Civil Rights Act of 1964, and voting rights in 1965. The war on poverty. A massive housing act that puts a decent home within the reach of every American family.

My fellow citizens, these were your triumphs.

President Kennedy and I—Vice President Humphrey and the Senators and Congressmen who wrote these laws—were your chosen instruments.

AMERICAN ACHIEVEMENTS

It was your support that made it possible for us to turn Democratic ideals into American achievements.

In 1960—and again in 1964—you rejected do-nothing, stand-pat politics. A great Congress went to work for you in 1965—went to work to heal and to build America.

But it is not enough to salute the past. America cannot stand still. And, as Mrs. Johnson and I sat there in the evening on that balcony, we thought of the challenges that the next President is going to face. And—yes—we thought of the challenges that our country faces right now in this election campaign.

On the one hand, there are harsh political voices in the air that seek to divide our country and our people, to set them against each other in mutual fear and suspicion. The man who stood at the school-house door, defying the law, is now pretending to be the apostle of order.

I don't believe many Americans will be fooled by that pose. I don't believe many people will be beguiled into thinking that order—in a Democracy—can ever be achieved by empty rhetoric and violent appeals to emotion. Americans are too wise to waste their votes on a false prophet of fear.

Neither will they agree with Mr. Wallace when he says, "There is not a dime's worth of difference" between Mr. Nixon and Vice President Humphrey. Because the people know the record of both of these candidates.

NIXON WAS THE ONE

They know that Nixon is the one who cast the tie-breaking vote that killed aid to education back when he was Vice President. They know that Nixon is the one who said that Medicare "would do more harm than good." And they know that Nixon is the one who speaks for the Republican party—Mr. Nixon's Republican party—that always opposes so much vital and progressive legislation.

The voters have now heard Mr. Nixon recently call for "delay" in adopting the treaty against the spread of nuclear weapons—the treaty we worked for, in so many forums, for so long a time— though further delay on our part will delay and jeopardize the acceptance of the treaty by other important nations, I think, to the lasting detriment of world peace and to our own American security.

So I warn those who postpone and procrastinate or delay this treaty. They will live to regret the day when they threw overboard everything that America has worked so long and so hard to try to achieve.

So then the record and the differences are quite clear. There is all the difference of daylight and darkness between the Nixon-Agnew-Republican record of reaction and recession—and the kind of forward-looking leadership that the Humphrey-Muskie ticket offers to you Americans.

A 20-YEAR RELATIONSHIP

I have known and I have worked with Hubert Humphrey for 20 years. When I was majority leader of the Senate, he was a leader of the progressive forces in the Senate. When I was Vice President, he was responsible for many of the finest legislative achievements of the Kennedy-Johnson Administration—as one of the Senate leaders—including the Peace Corps and the nuclear test ban treaty. He was also first to sponsor Medicare and the Food for Peace program.

I asked Hubert Humphrey to be my running mate in 1964, for one simple reason: because I believed him to be the best qualified man to serve as President, in the event that I did not serve out my term. That was a paramount consideration for me—as it should be for every voter this year.

There have been 12 Presidents in this century. Four of them—one-third of our 20th-century Presidents—did not get to live to finish the term to which they were elected. So the intelligence, experience, and the integrity of the Vice-Presidential nominee was of crucial significance to me back in 1964—as it must be to every American in 1968. Vice President Humphrey's choice of a running mate—Senator Edmund Muskie—has shown himself fit in every way, to serve a heartbeat from the Presidency.

Vice President Humphrey and Senator Muskie are among the ablest and most active leaders ever to serve this nation. They have been strong and forceful voices for creative new programs, and for the enduring values of our democracy.

Few men that I have ever known have understood our urgent national needs so well as Hubert Humphrey and Edmund Muskie.

From Hubert Humphrey's past—from so many years of elected responsibility—the direction his Presidency will take is quite clear. It is toward that better educated, better housed, healthier, more prosperous America that we have begun to achieve—all of us—during these past five years.

My fellow Americans, the gains America has made in these years were not won by the Republican party; and they are not going to be held and enlarged by the Republican party. Indeed, by their words in this election campaign, Republican candidates for the Presidency, the Vice Presidency and the Congress, have already promised to dismantle what you—the American people—have built in these years.

They propose nothing more or less than to pull this nation downward, and to pull it back into another cycle of Republican reaction and inaction. And in doing so, they really promise to pull America apart.

So, as Nov. 5th approaches, I ask you to consider the stakes—for you, consider the stakes for your family and your country. When that day comes, go to the polls then and vote your conscience. Vote for housing for yourself and for all Americans. Vote for jobs for your family and an expanding economy. Vote for better schools for your children and every child. Vote for better health for your family and every family.

Vote for men who will continue the search for ways to reduce the awful danger of nuclear war—who will work for an honorable settlement of conflicts that threaten world peace.

THE FIGHT FOR JUSTICE

Vote for men whose entire lives have been given to the fight for justice and for progress, for human dignity in this great land of ours.

When you vote for Hubert Humphrey and Edmund Muskie, you will be voting for all of this—for progressive Democratic leadership in America.

During the last five years, this Administration, with Hubert Humphrey's and Edmund Muskie's tireless efforts, has fought to give a decent education to all of our children—from Head Start to graduate degrees. We have fought to improve the health of all of our people—from pre-natal care to Medicare.

We have fought to conserve and to beautify our land and waters, from city parks to national seashores—adding 2 million acres to our public recreation areas. We have fought to bring justice to all—from minorities that are denied full citizenship, to men denied an equal chance for a good job and a good home. We have fought to lift the curse of poverty from our land—and from the city tenement to rural slums.

And, while we have been doing all of this, we have broken all records for sustained and widespread prosperity. All of our people have shared in the blessings of 59 months of unparalleled growth, unprecedented job opportunities, unmatched earnings.

As we have helped ourselves, so have we reached out a hand to the weak and struggling nations who live in this world. We have helped them to build and to guard themselves from Communist aggression. And not a foot of free soil has been lost to Communism during this time.

I deeply regret that we have thus far been unable to bring the Vietnam conflict to an end—to achieve an honorable settlement of a war that we did not invite, but from which we could not run.

On March 31, I did all that I knew to do when I announced the first steps in what I hoped would be a mutual de-escalation of the hostilities. As you know, talks followed in Paris. I have high hopes that from the conference table in Paris will ultimately come an agreement to end the war. As you, of course, can imagine, I hope it will come soon—within the next few months.

But if it does not come then—if North Vietnam maintains an intransigent policy that does not meet the minimal requirements of fairness, and that would jeopardize the lives of our men and the people of South Vietnam—I am determined that the next Administration will find America, South Vietnam and our allies in a strong position on the battlefield.

The next President will have to face difficult foreign policy issues. Just as President Kennedy and I had to face these issues. From what I have observed of Vice President Humphrey over more than 20 years, I believe that he has—in a unique measure—the understanding, the imagination, the commitment to freedom that this responsibility requires.

I know of his love for this country. It is deep and it is genuine. I know of his great capacity to do good. It is endless. I believe that his new responsibility as President will enable both him and our country to achieve a new greatness. I look forward to the day when Hubert Humphrey will assume the splendid misery—the burdens and the magnificent opportunities of the President of the United States.

I thank all of you. God bless you.

TRIBUTE TO THE HONORABLE JOSEPH Y. RESNICK

Mr. BARRETT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARRETT. Mr. Speaker, at the close of this Congress the House will lose one of its most energetic Members. I refer to the Honorable Joseph Y. Resnick.

When Joe Resnick ran for his second term in the House in 1966, his campaign billboards urged residents of the 28th District of New York to "send back the fighter." I do not think there is one Member of this body who does not associate Joe Resnick with some causes for which he has battled—be it the Liuni adoption case, the pet protection legislation, the American Farm Bureau Federation, or the Arnheiter case.

And, whether or not we have agreed with him, we have always admired the zeal and tenacity with which he fought for what he believed was right.

As a friend and colleague of Joe Resnick, I take this opportunity to pay tribute to his service and extend best wishes on his retirement. He is and has been a strong and effective advocate of civil rights, and a champion of the poor, the hungry, the uneducated, the ill housed. He has never hesitated to speak out loud and clear when he felt injustice had been done.

He saw his most important function as a U.S. Congressman in his service to his district, and, as a result, spent a great deal of time with his constituents. He never turned a deaf ear when asked for help, and his offices became a virtual "court of last resort" for countless people who, lost in the gigantic tangles of bureaucracy, felt they had exhausted all forms of redress and had nowhere else to turn.

Joe Resnick served as a Member of this body a relatively short period of time, but those of us who served with him and those constituents who were served by him will not soon forget their fighting Congressman—Joe Resnick.

THE RETIREMENT OF SENATOR LISTER HILL

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JONES of Alabama. Mr. Speaker, the senior Senator from Alabama, a former Member of this House, will retire at the end of this Congress.

I take this opportunity to commend him for his long and faithful service to the people of the Nation, our State, and the district which has elected me as their Representative.

The noted newsman, William S. White, has commented that—

> Countless millions owe their lives to Lister Hill. He has done more for the public health than any American in history.

It is true that Lister Hill's contributions to health in this Nation are the first magnitude. His legislative pacesetting has made the name of Lister Hill synonymous with improved health.

His accomplishments in the field of health legislation exceed the boldest dreams of most men. He has the important combination of imagination, knowledge, skill, and authority to put his dreams for better health programs into reality. As great as these accomplishments have been, they are not the only reason all the people of this Nation have to be grateful to Lister Hill.

Through his chairmanship of the Senate Labor and Public Welfare Committee, Senator Hill also has left an impressive and enduring imprint on legislation dealing with education, labor, welfare, and veterans affairs. As a ranking member of the Senate Appropriations Committee and chairman of the subcommittee handling appropriations for education and welfare agencies, Senator Hill's influence has been magnified in these areas so important to the wealth and welfare of this Nation.

As magnificent as Senator Hill's contributions in these fields have been, the people of north Alabama honor him for another significant accomplishment—his work as a Member of this House more than 35 years ago, which provided for the unified development of the Tennessee River basin as a total economic unit.

While this idea for unified development of the Tennessee Valley has been the basis for the extraordinary economic gains for the people of the area, it also has provided all the citizens of this nation with benefits beyond measure. It has been of particular value during times of international crisis when the resources and power of the region provided the Nation with munitions, aluminum and, ultimately, the Oak Ridge atomic fission plant.

His vision has made the Tennessee River the largest completely controlled river in the world. This example is sought out by every river development organization and government throughout the world with an interest in proper use of water resources. No stream has ever utilized every drop of water as completely as the Tennessee River through the Tennessee Valley Authority program.

A year before Lister Hill was elected to the House of Representatives in August of 1923, Senator George Norris, of Nebraska, had introduced the first of what was to be a series of bills providing for public operation of the hydroelectric and nitrate facilities at the Muscle Shoals on the Tennessee River.

The young Congressman Hill joined Senator Norris in sponsorship of additional bills during the next 2 years. Each of the successive bills enlarged upon its predecessor. The proposals in 1928 and 1931 were approved by the Congress only to be vetoed by the Presidents.

The prospects for the Norris-Hill legislation changed after the election of President Franklin D. Roosevelt. In March of 1933, President Roosevelt, Senator Norris and then Representative HILL consolidated their ideas on development of the river basin as an economic unit under unified management. Senator Norris and Representative HILL introduced the legislation in their respective Chambers. The House version was enacted, and on May 18, 1933, President Roosevelt signed into law the legislation establishing the Tennessee Valley Authority.

Subsequently, Congressman HILL became chairman of the House Military Affairs Committee, which then handled TVA matters, and he was able to sponsor perfecting amendments for the original legislation.

The fact that, as a Congressman, LISTER HILL represented a district far removed from the Tennessee Valley area makes his interest in and contributions to the establishment of the TVA more meaningful to the people directly involved.

LISTER HILL resigned from the House to take a seat in the U.S. Senate on January 10, 1938. In that body he continued his intense support for the Tennessee Valley Authority.

Through the 1950's, when the future of the TVA was in serious doubt, Senator HILL, through his position on the Senate Appropriations Committee, was always at the forefront of the struggle for sufficient funds to keep the agency alive and functioning in the manner for which it had been commissioned by the Congress.

When the Dixon-Yates proposal, which would have made the valley dependent on outside sources for electric power, was uncovered, Senator HILL's disclosures of conflicts of interest in the scheme were important in the ultimate defeat of that plot.

In more recent years, Senator HILL has always been a prime mover in TVA legislation for adequate funding, self-financing of the electric power programs, and general development.

His knowledge, skill, and ability to advance the program of unified river development for the Tennessee Valley will be greatly missed. His dedication will be an inspiration for those of us who remain to carry on this work.

During his more than 45 years service in the Congress of the United States, Senator HILL has created an unexcelled record of service for all the people of this Nation. He has been a truly skillful legislator, compelled by noble impulses, high ideals and imagination.

He has been an excellent representative of our State and has long sat at the council tables where national policies have been devised. I can think of no Alabamian in all our history who has distinguished himself more than LISTER HILL.

Those of us who have served with him will miss his leadership and his friendly companionship.

We know, however, that he has earned the right, after such long and distinguished service, to devote more time and attention to his lovely wife, fine family and many friends.

I wish for him, after his tenure, a pleasant life which I know will continue to be filled with action for the improvement of the condition of mankind.

CASIMIR PULASKI DAY

Mr. JOELSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOELSON. Mr. Speaker, Poland has played a long and distinguished role in the history of Western civilization. Despite her history, or because of it, Poland has contributed more than her fair portion of heroism to the annals of both Europe and America. And because of her heroic past, always in defiance of despair, Poland has excited the imagination and captured the hearts of all those who love liberty and freedom.

One of Poland's most heroic patriots, and one of America's most honored patriots, is Gen. Casimir Pulaski. October 11 marks the 189th anniversary of the death of General Pulaski during the siege of Savannah in 1779. On this date we pay tribute to this courageous defender of freedom who fought for American independence.

Casimir Pulaski was born to wealth, by birth a Polish nobleman. But he was not content with the amenities of an idle life, and joined, at the age of 20, a Polish underground group dedicated to driving the Russians from Polish soil. The uprising was crushed and its leaders, Pulaski among them, forced into exile. His lands and his fortune were seized. The following years brought the three partitions of Poland by Austria, Russia, and Prussia which erased Poland from the map of Europe.

Pulaski, consequently, found himself wandering about Europe, seeking a means of assisting his beleaguered homeland. In 1775 he met Benjamin Franklin in Paris and was convinced by the American statesman that the cause of American independence could use his considerable talents and willing service. Thus Pulaski arrived in Philadelphia in 1777 and was placed on Washington's staff as a volunteer.

Pulaski's infectious enthusiasm, his determination and idealism, did much to inspire and arouse the American troops to action. At Brandywine, at Trenton, at Fleming, and finally at Savannah, Count Pulaski distinguished himself for all time by his valor, his gallantry, his bravery, and his skill as a soldier. We owe to him both our admiration and our gratitude for his assistance in the darkest days of our history.

The spirit of Poland is still alive, as is the spirit of American democracy. So long as the heart of man yearns for freedom, that spirit will not die.

AMERICA: REBIRTH

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCORMACK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McCORMACK. Mr. Speaker, on August 28, 1968, at the annual convention of the Delta Tau Delta Fraternity, Ward L. Quaal, president of WGN Continental Broadcasting Co., made an interesting and informative address which I am pleased to include in my remarks, as follows:

AMERICA: REBIRTH

(Address by Ward L. Quaal, president, WGN Continental Broadcasting Co., annual convention, Delta Tau Delta Fraternity, New York, N.Y., August 28, 1968)

It is such a great pleasure and, indeed, a rare privilege to have this opportunity to address you this evening.

I could take all of the time assigned to me for this talk and I still would not be able to come within one percent of telling you of my profound gratitude to our beloved fraternity and all that for which it stands and all that it did for me in my undergraduate days at the University of Michigan in Ann Arbor and since that time. As members of Delta Tau Delta, we have the good fortune of being brothers in not only the greatest of all fraternities, but a fraternity directed by men of superior intelligence who realize that no matter what our record of the past has been, or is presently, it must be and will be better "tomorrow". To that end each of us is dedicated.

Ladies and gentlemen, our nation finds itself in grave trouble, at home and at many points abroad. That is why we are going to be a little bit serious this evening because these are serious times and they call upon each one of us to give the best he has in behalf of his country.

I would like this grand audience to take a little "trip" with me this evening. No, I am not suggesting that we offer you "pot" or "acid" and you need no hallucinatory drugs, no passport writ in the dim maunderings of Freud, Timothy Leary or Doctor Spock. Instead, I invite you to come with me on a trip that celebrates common sense, intelligence, imagination and morality—a pilgrimage that I might designate as "Squaresville Revisited".

Yes, this is going to be a "square" speech. I do not say that apologetically—although I know the scorn, ridicule and derogation that word "square" epitomizes today. Rather, I state it boldly, even passionately. For I am firmly convinced that much of what ails this country—much that threatens it—is closely intertwined with this strange fashion of our times that so brutally deprecates that honest and useful word. Think of it! All of us can recall when there scarcely was higher praise than to be called a "square shooter" or to be said to offer a "square deal".

How things have changed! Nowadays, if you really want to hurt a guy . . . reduce him to dust . . . leave him without a comeback . . . you merely have to curl your lip, lift an eyebrow and suggest he is "square". There's a built-in sneer there: Ward Quaal's a square! (Tom Clark's) a square! I'm even told that membership in college fraternities is considered square in some quarters!

This has been a creeping, insidious thing, and it is not very clear just how it came about. But I have a strong feeling that it pinpoints what has been going on—and going wrong—in our great country. And I believe further that it is important for us to take a close look, to face the issue squarely, I am tempted to say, and to try to discover just why so many of our time-honored virtues—those foundation stones upon which our nation was built—have all at once become not only obsolete, but infamous as well.

More to the point, just who is so intent—and why—upon destroying these foundation stones, and thus, it seems, bringing down the magnificent structure above them?

The storied Four Horsemen of the Apocalypse symbolized pestilence, war, famine and death. Today, another quartet of riders, equally grim, equally deadly, menace our land. They are irresponsibility, cynicism, permissiveness and guilt.

Surely, we live in times more desperate than any we have known before—and yet, I doubt that they are more confusing or more foreboding than other men in other ages throughout history have thought confronted them and them alone.

"The time is out of joint," brooded Shakespeare's Melancholy Dane.

"These are the times that try men's souls," wrote Thomas Paine in 1776.

Churchill intoned his formula of "blood, toil, tears and sweat", and the Bible warns that "man is born unto trouble, as the sparks fly upward".

Ironically, we live in unquestionably the most glorious period of achievement man has known. The sum total of cultural, moral and scientific knowledge is at our fingertips. New technological advances crowd upon us until our biggest problem becomes that of knowing how to use them all. Old myths are dispelled, but new ones take their place. Dark and nameless fears are put to rout, and we invent others in their stead.

We attain what we know to be new pinnacles of human dignity, compassion and understanding. Yet, we are shocked, benumbed and sickened by assassinations, violence and a distant war that splits our homeland asunder.

"Our society is sick, sick, sick," the cry arises. "We are all guilty," croak the crepe hangers, wringing their hands in eloquent agony.

Nonsense! Our society is not sick, except to the degree that it has become infected with the psychosomatic illness of a self-induced "guilt complex". Yes, indeed, there is plenty wrong, plenty to fixed up in our land, but believe me, it is not a job for a sick man—or a sick society!

It is a job that will require strength and perseverance and sleeves-rolled-up hard work and, most of all, the self-reliance that can spring only from firm purpose and conviction.

Let us take a look at some of the symptoms of our so-called "sickness" and then consider what we can do about them.

First, let us freely acknowledge the many miles we have yet to travel to make our *society not merely "Great" but as nearly perfect* as man can devise. There is no one in this room so short-sighted, so self-satisfied, so smug, so callous as to deny the bigotry the slum conditions, the crime and violence—yes, the injustice—that surround us. But we have the right to demand that our society be measured by its *achievements*, not its shortcomings. Otherwise, we are like a builder criticized because the rains come into his house before he has had a chance to complete its roof.

Shall we put it on the record? Our economy—despised though it may be in some quarters—sustains 170 million people at a standard of living unprecedented throughout the world! True, we are told that of the 200 million Americans, there are some 30 million poor—and that's 30 million too many—if indeed we can categorize that number as "poor"—but, while it may be of scant comfort to them, they would be considered *privileged citizens in most other nations in this world*. And, I think it is significant in the context of what we are discussing that, even though one-quarter of all U.S. families live on less than $4,000 a year, half of these own their own homes, and 60 percent own automobiles. How many other countries do you think can make such a statement?

In his penetrating and important book, "The American Challenge", the French journalist and author, J. J. Servan-Schreiber, states:

"What we"—that is, the European nations—"are faced with is not classic imperialism driven by a desire for conquest, but an overflow of power due to the difference in 'pressure' between America and the rest of the world. America's enormous power is widely felt, but little understood. . . .

"American industry produces twice the goods and services of all European industry combined, including both Britain and the Common Market, and two-and-a-half times more than the Soviet Union, which has a greater population than the U.S. It produces a third of the total production of all other countries in the world. The Americans have achieved this with only seven percent of the surface of the globe and six percent of its population.

"One third of all students in the world pursuing a higher education are American. The number of students, as compared to the total population, is double that of any other country. For every 1,000 inhabitants there are 29 Americans studying at a university, 18 Russians, 10 Dutchmen, and 10 Swedes.

"All by themselves the Americans consume a third of the total world production of energy, and have one third of all the world's highways. Half the passenger miles flown every year are by U.S. airlines. Two trucks of every five on the road are American-made and American-based. Americans own three out of every five automobiles in the world.

"Advanced technology and management skills have raised per capita production in the United States to a level of 40 percent above that of Sweden (next highest), 60 percent above Germany, 70 percent above France, and 80 percent above Britain. The driving force behind this power is *American business!* The combined profits of the ten biggest firms in France, Britain and Germany (30 in all) are $2 billion. The profits of General Motors *alone* are $2.25 billion. To equal the profits of General Motors you would have to add the ten leading Japanese firms to the European total. These 40 firms employ 3.5 million people, while General Motors employs 730,000—or about a fifth."

Mr. Servan-Schreiber continues in this vein, but I think you get the point. Furthermore, *lest you believe that I am applying* only the yardsticks of materialism and economic power, I challenge anyone to tell me where or when individual freedom, dignity and opportunity have reached a higher level.

Let us return to Mr. Servan-Schreiber, who, *incidentally, has not been writing a love tribute to the American system, although he* obviously is impressed by it. Mr. Servan-Schrieber says:

"Behind the success story of American industry lies the talent for accepting and mastering *change*. Technological advance depends on virtuosity in management. Both are rooted in the dynamic vigor of American education. There is no miracle at work here. America is now reaping a staggering profit from the most profitable investment of all—the education of its citizens."

I ask you to keep that statement in mind, as I will return to this subject of education in a little while.

Verily, there is really nothing new under the sun. The "new" thought and the "new" politics, so raucously espoused by the "new" left and others, really are nothing more than manifestations of mankinds oldest form of *social behavior—and that is, simply put,* anarchy.

Violence? Crime? Of course, there is too much of both—far, far too much. But violence and crime are not the result of "sickness" or decay or rottenness in our society as a whole, at least not in the way that the bleeding hearts would have us believe. They are the result, purely and simply, of an erosion of *individual responsibility* through an overdose of permissiveness—permissiveness and indulgence and excuse-making that begins in the home, the schools and the churches and goes on and on, right up through the highest levels of government and even the Supreme Court.

"I would like to know the source of Sen. Eugene McCarthy's political power," asks a questioner in Walter Scott's Personality Parade in a recent edition of Parade, the Sunday newspaper supplement.

Comes the answer:

"His power lies in the youth of the nation and the ability of this youth to sway the parents who, loving them and wanting to help them, will listen to them."

May I suggest that the parents, loving them and wanting to help them, might much better try applying the palm of the hand, fingers extended and together, to the back of the mini-skirt or its masculine equivalent?

Either hand, it doesn't really matter so long as the parent puts all his or her love and wanting-to-help into the stroke!

This, I guess, might be called Parent Power, and there ought to be equivalents called Teacher Power and Preacher Power and even Congressional Power and Supreme Court Power.

The "old time" woodshed may have vanished, a pawn in the path of progress, but it is the least essential part of The Treatment.

Sick Society? The indicated prescription is not revolution or insurrection or a whole new code of behavior. It is, rather, a return to old ways, quaint ways, tried and true ways—yes, "square" ways. Ways that have taken a few dozen centuries to evolve and have proven pretty effective, all things considered.

Within the past five years, we have been profoundly shaken by the assassination of three prominent Americans—John and Robert Kennedy and Martin Luther King. This has given quick and easy rise to three false assumptions: one, the "sick society" syndrome; two, what is probably the most massive guilt complex in history; and, three, the idea that television, somehow, is responsible for it all.

Each of these is ridiculous!

It was not a "sick society" that shot the Kennedys and the Reverend Doctor King: it was three sick *dropouts from society*—and that is quite a difference.

You may pull a blanket of guilt over your head if you want to, but I believe this is the easy way—the cowardly way—out of facing up to today's reality.

And if you expect me, as a representative of the television industry, to shoulder the blame, you've got the wrong Quaal. Sorrow? Certainly. Shame? Yes. Agreement that it shouldn't be allowed to reoccur? Of course. But guilt? No. To be blunt about it, three presidents—Lincoln, Garfield and McKinley—were *assassinated before television or* radio or even motion pictures were a factor in American lives.

Again to be blunt, I think we must take note of the fact that some civil rights leaders and some high ranking government officials have, in varying degrees, suggested—in fact, invited—those who didn't believe in our nation's laws to rewrite them to suit themselves. One very prominent incumbent of a high office stated that if he lived in the slums, he had enough spark in him "to lead a mighty good revolt." Actually I should quote these individuals by name but because we are in the heat of a new political season this would hardly be proper. Ours is a nation founded on law and respect for law. Government by consent is the essence of democracy. But it also goes without saying that our system includes, and depends upon, guarantees that we will not be locked in by unjust laws.

But the tools of democratic government are many: the ballot box . . . petitions . . . the freedom to assemble, to be heard, to demonstrate . . . and ultimately the ability, through popular legislative assembly, to get new laws passed. Of course, our government was provided, too, with a wonderful system of checks and balances as represented by our legal system.

Justice Abe Fortas, who is now on a difficult and "winding road" toward confirmation as Chief Justice of the Supreme Court, has summed this up rather cogently, I think, in a little book entitled, "Concerning Dissent and Civil Disobedience".

"We are a government and a people under law," states Justice Fortas. "It is not merely *government* that must live under law. Each of us must live under law. Just as our form of life depends upon the government's subordination to law under the Constitution, so it also depends upon the individual's subservience to the laws duly prescribed. Both of these are essential.

"Just as we expect the government to be bound by all laws, so each individual is bound by all of the laws under the Constitution. He cannot pick and choose. He can not substitute his own judgment or passion, however noble, for the rules of law."

Now this is basic, it is sensible—but go try to explain it to Stokely Carmichael and other black militants who have been subjected to discrimination and bigotry—which are two different things—and who lack the education, the background, the perspective—in short, the incentive—to make the fine distinction laid down by Justice Fortas.

Patrick L. O'Malley, President of the Canteen Corporation, related in a recent talk the story of a black militant who prefaced an address to a group of businessmen like this:

"Now before I start, let's get one thing clear. We don't want jobs with your companies. We don't want to live in your neighborhoods or go to your schools. We want to destroy the institutions you represent and replace them with our own!

"What was he saying?" asked O'Malley, "Destroy the State? The Church? The schools? Destroy business? Stop the economy? Yes, sir, that's the idea. But here's the rub.

"When this young man was asked what institutions he would substitute in place of the existing ones, he answered: 'We haven't thought that through yet, but we're sure it will work out.' "

Then O'Malley went on to say:

"When Jefferson and Washington made revolution in 1776, they had a program.

When Lenin made revolution in 1917, he had a program.

"*Where is the program of the revolutionists* in 1968?

"I'd like to see it. I might even like it. Before I surrender power, I'd like to know specifically what the new power holders have in mind.

"Individual freedom without responsibility and respect for law is *no freedom at all!* It is *anarchy*, and anarchy is no program—it is no prescription to solve the ills of our society."

O'Malley had some suggestions about all of this, and so do I, but we will return to them later. Before we do, however, I think we must talk about another aspect of how you cool off a warm society . . . warm up a cool one . . . or round off a square one . . . I'm a little bit confused.

Lawrence H. Rogers II, President of the Taft Broadcasting Company, sort of rounded off—or squared off—this situation a few weeks ago in this fashion:

"We have been told by the demographers that more than half our population by 1971 will be under 25 . . .

"We have been told by the Black Power revolutionaries that White America enslaved the African for 300 years . . .

"We have been told by the economists that our society is built upon exploitation and waste . . .

"We have been told by aspiring political leaders that we have not done enough to achieve classic greatness . . .

"We have been told by the social engineers that too much of our society wallows in the abjectness of utter poverty . . .

"We have been told by our educational philosophers that the students should govern their own destinies . . .

"We have been told by every kind of radical kook, free love artist, pornographer, promoter and barnacle on the Ship of State that the world owes them a living . . .

"And I was even told by a noted sociology professor last week at a seminar sponsored by a famous university that I was probably already on LSD but unwilling to admit it. And he broadly hinted it might be a good thing!"

Well, remember that's Bud Rogers talking, and not me.

One of the problems, it seems to me, is that, in our zeal for free speech and justice for all, we have fallen into a trap. We are being exploited and taken advantage of by everyone with an axe to grind, whatever its merits may be. "Visibility" is a popular word these days, but isn't it unfortunate that, the more visible our various minorities become, the more invisible the great, middle-of-the-road masses get—precisely because they go about their business quietly, conscientiously and without trying to attract attention to themselves?

A few minutes ago, I denied that the television industry should be burdened with blame for the tide of violence sweeping over our country. I did not intend to shrug off the issue quite that casually. Along with every other responsible element of society, the communications media must plead guilty to a sort of overkill—to emphasizing our areas of "sickness" to the detriment of those things that are normal, positive, and wonderful. We need to remember that the person who goes around continually talking about his aches and pains and ailments is a bore and likely to become a pariah. Obsession with the "sick" elements of the society is no different.

However, isn't it a comforting thought that we have found ways to amputate or remove certain diseased members of the body and get along very well without them!

Now, I am going to talk about campus revolts.

You can forgive a great deal where college students are concerned, and I suppose that some of us would like to shrug off today's "revolts" and demonstrations as just another manifestation of the panty raids of my own youth. The truth is quite different and—although I can't recall anything very uplifting about panty raids—as I say, the truth today is more squalid.

I happen to have the good fortune and the great responsibility of serving on the Board of Trustees of two fine colleges. One is Hillsdale in Michigan, where our son, Graham, is a member of Kappa Chapter. Never was I more proud of a college Board of Trustees than ours at Hillsdale when there was unanimous and enthusiastic approval of the letter suggested by the institution's brilliant President, Dr. J. Donald Phillips, that letters be directed to all students far in advance of the opening of the fall term telling them of their responsibilities in matriculating at Hillsdale. In this letter, with the most firm language possible, Dr. Phillips stressed that attendance at Hillsdale College *is a privilege, not a right*. He stressed that the college administration would preserve law and order and that it had the responsibility to conduct the affairs of the institution. Further, the letter warned that if any prospective student did not like this kind of "atmosphere" and basic request for law and order that student should not even make the trip to Hillsdale this fall but should be looking now for another academic institution. Indeed, Dr. Phillips suggested that perhaps Hillsdale could be of help in relocating such students at other colleges or universities. Actually, I can assure you there was little chance of any problem manifesting itself at Hillsdale this fall or at any time in the future, but the sound step taken by Dr. Phillips should preclude even the most minor "uprising".

This is quite a contrast to the incredible "performance" of Dr. Grayson Kirk of Columbia. Actually, Dr. Kirk in negotiating with the filthy bums who invaded his office and destroyed his private and university property harmed the image of the total academic world.

Kingsley Amis, the author, participating in a "Book World" symposium on campus dissent, had this to say:

"Dissent and political action are in themselves, of course, perfectly legitimate. But this sort must already have dealt a grave blow at academic standards, and will do further damage every time university authority yields to student pressure. In particular, to allow students a say in what they shall be taught is a shameful disservice to culture. They are not yet qualified to hold views on the matter—otherwise, in what sense are they students? The one certain and irreversible result of campus 'dissent' is that future generations will know even less, and think even more feebly and incoherently, than the present one."

One easy explanation for this situation again is that of too much permissiveness. Just as our courts of law have pulled their punches with criminals, our government has removed the incentive to work with its open-handed welfare policies and men in high places have encouraged minorities to bend the laws to suit themselves. So, too, have our youth been robbed of the excitement and challenge of life through the misguided indulgence of parents and other adults.

Such an explanation is charitable but, unfortunately, an over-simplification. For there seems to be little question that sinister forces are taking advantage of the fruits of permissiveness and the breakdown of self-reliance and individual responsibility. It is a matter of open record that the SDS—which ought to stand for Students for Destruction of Society, not Students for a Democratic Society—plotted, far ahead of time, the fomenting and exploitation of campus "revolts" all across the nation this spring.

The Chicago Tribune, in a recent editorial entitled "Forewarned but Not Forearned," charged:

"The waves of burning, looting and killing in major American cities in the summer of 1967 and in April of this year, after the murder of Martin Luther King, and the student insurrections that have disrupted and threatened to destroy leading universities were the natural consequences of planning and organization by revolutionaries who disdained to conceal their aims."

The newspaper reported the publication by Mrs. Alice Widener, a long-time reporter of activities and plans of subversive groups, of a special issue of her periodical, U.S.A., which it said was a "hair-curling record of the last three years of communist-socialist, faculty-student, black power revolutionary coalition."

Among others who have spoken out authoritatively on the subject has been Miss Lola Belle Holmes, who infiltrated the Communist apparatus for the FBI in 1956 and for seven years helped to carry out attempts to use the civil rights movement to start a revolution in America. Likewise, the Rev. E. Freeman Yearling, who made a courageous challenge of New York Congressman Adam Clayton Powell in last year's special election, has founded an organization, the National Negro Congress of Racial Pride, the better to raise an urgent voice of warning.

The Rev. Mr. Yearling lists among his objectives:

"To expose and eradicate Communist activity throughout the United States, especially among ethnic minorities . . . To encourage the American Negro, through education, precept and example to become part of the American answer, not the American problem; and to this end, to encourage among American Negroes the realization that an honest day's work, in any honorable calling, however humble, is among the noblest callings of any American. To encourage American Negroes to spurn the 'free' handouts of the welfare statists for what they really are: The crassest form of economic slavery, which can only lead the Negro on an ever downward spiral of misery and dependency."

"The past," warned the Tribune editorial, "is only prelude." But there has been a curious reluctance to heed the warnings and the evidence—perhaps, as Dr. Logan Wilson, President of the American Council on Education, said about the university administrators, because of fear of being accused of "McCarthyism".

I hope that by this time you are asking yourself, "What can we do, individually and as a great nation, about all of this?" There are a number of important steps we must take.

First, we must stiffen our backbones, thrust out our chins and cast off our national guilt complex.

Second, we must reject the idea that there is something outmoded about law and order, codes of ethical and moral behavior and the willingness to exercise individual responsibility.

Third, we must act to strengthen family ties and responsibilities. A general relaxation of parental authority and the family role as the center of daily life is as tragic for the rebellious college student as it is for the ghetto dweller.

Fourth, we must put America back to work. It does not make much sense to know that there are more than 870,000 persons receiving public assistance for their living needs right here in New York City—while thousands of jobs go begging. It is time to clear off those relief roles—not blindly or ruthlessly, but methodically and compassionately in a manner that restores dignity and self-respect—and, at the same time, gives a little relief to the rest of us. Where job training or retraining is required, it should be made possible. But above all, we must correct the frame of mind that finds it easier to accept a handout than to go to work. Employable people should be employed—because people working are people rewarded, and people rewarded are proud people, headed toward goals; productive people, building bastions for themselves and their fellow men.

Fifth, we must begin to exercise Business Power as an antidote to Black Power or Student Power—or Government Power. As business and professional men, we must act instead of react—must seek solutions for all these problems that our government has tried for a very long time to solve without very marked success. We must learn to anticipate the changes that lie ahead, must clean up our air and our water, must devise and carry out programs to train the unmployable and eliminate the ghettos. We must exert moral leadership that takes the ball away from the extremists and disciples of violence and restores faith in our society.

Sixth, it follows that, by the same token we must stop the ever-increasing size and influence of government. The report of the Joint Committee on Reduction of Federal Expenditures discloses that civilian employment in the Federal establishment in June totaled 3,026,376, a gain of 95,350 employees over the previous month and ". . . the highest civilian employment level since November, 1945."

Now, Secretary of Labor Wirtz has joined a procession of labor leaders and labor-backed congressmen who want the Democratic Party to promise a government job to anybody who wants to work and can't find a suitable private job. This is certainly not what the people want. To paraphrase the late President Kennedy, one of the most important things we can do for our country is to make certain that it doesn't do too much for us.

These are some of the things we should do—we must do. Alexis de Tocqueville, commenting on the stifling effect of governments, once wrote:

"The power of government covers the surface of society with a network of small complicated rules, minute and uniform, through which the most original minds and the most energetic characters cannot penetrate, to rise above the crowd. The will of man is not shattered but softened, bent and guided; men are seldom forced by it to act, but they are constantly restrained from acting. Such a power . . . does not tyrannize, but it compresses, enervates, extinguishes and stupefies a people, until each nation is reduced to nothing better than a flock of timid and hard-working animals, of which the government is the shepherd."

Not a very attractive alternative, is it, to the anarchy the radical activists would impose upon us? Fortunately, there is still time and opportunity to strike and maintain the delicate balance that lies between these two extremes. The responsibility is ours, and we cannot fail to accept it.

AN ANALYSIS OF VICE PRESIDENT HUMPHREY'S SOCIAL SECURITY SPEECH

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include tables.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, nearly 20 million of our elderly citizens rely on the social security program for retirement benefits. Nearly all of our 200 million citizens look to the social security program for economic security in the event of disability or death of the family breadwinner. We have a great responsibility to all of our citizens to see that the system is maintained on a responsible and sound basis adequate to insure the capacity of the system to meet its commitments to the American people.

The last thing we should do is endanger the soundness of the social security program by playing partisan politics with the system. Unfortunately, in a recent speech entitled "A New Day for Older Americans" this is precisely what Vice President HUMPHREY did. It is in the interest of a sound approach to our social security system that I today take the time to set the record straight.

In his speech Vice President HUMPHREY proposed extensive revisions in the present OASDHI system. These proposals would alter the present framework of the system and undermine the self-supporting insurance basis of the program. The Vice President proposed a 50 percent benefit increase coupled with a $100 minimum achieved over a 4-year period; transfer of the voluntary medical insurance program to the payroll financed hospital insurance program; coverage of drugs under the hospital insurance program; covering the disabled under medicare; liberalization in the retirement test; and automatic cost-of-living increases in the future.

The proposals would cost about $19 billion in 1972—when fully implemented—and increase sharply in the future. In order to finance these enormous costs, the Vice President proposes to use general Federal revenues to pay social security benefits, thus introducing welfare elements into the system and subjecting benefits to annual appropriations and the vicissitudes of budgetary politics.

The Vice President's recent speech also represented an attempt to distort and misrepresent the Republican record on social security. The speech coupled errors of fact with an attempt to misrepresent history in order to diminish the contributions the Republicans have made to the social security system, and to create the impression that the Republicans have been and still are opposed to improvements in the program.

I am taking this opportunity to correct the errors and misrepresentations of the Vice President's blatantly partisan remarks. I will first review the substantial contributions of the Republicans to improvements in the social security system from the beginning of the Eisenhower-Nixon administration until the present time. Then I will analyze the Vice President's proposals in the light of the tremendous costs involved, the burden they would impose on younger workers, and the adverse impact they would have on the growth and health of private pension programs.

I. CONTRIBUTIONS OF REPUBLICANS TO THE SOCIAL SECURITY PROGRAM

A. THE EISENHOWER-NIXON YEARS

In his first state of the Union message, President Eisenhower clearly and emphatically called for broad improvements in the social security program. In the spring of 1953 a group of expert consultants was called together by the Department of Health, Education, and Welfare to consider extending the protection of the social security program to additional groups of workers and self-employed persons. In the Republican Congress, a subcommittee of the Ways and Means Committee also conducted comprehensive hearings on the social security system.

In January of 1954, President Eisenhower proposed to the Congress some of the most comprehensive recommendations for expanding and improving the social security program since its inception. As a result of these recommendations, the Social Security Amendments Act of 1956 was enacted with overwhelming bipartisan support in both Houses of Congress. This legislation extended coverage to about 10 million more workers; substantially increased benefit payments for all beneficiaries, raising maximum benefits by 28 percent, and minimum benefits by 20 percent; adopted a more generous formula for calculating benefits; preserved the rights of disabled workers to benefits they had earned by providing for a "disability freeze"; and substantially liberalized the retirement test. This legislation and the careful manner in which it had been worked out was a testament to the importance the Eisenhower-Nixon administration placed on a sound social security system adequate to meet the needs of all of our people who look to our social security program for protection against lost income.

The Eisenhower-Nixon administration and the Republicans in the Democrat-controlled 84th Congress also played a constructive role in developing improvements contained in the 1956 social security amendments. Mr. HUMPHREY completely misrepresented the record when he stated in his speech that "In 1956 the Democrats finally passed the [disability insurance] program over the protest of Nixon Republicans." This is simply not the truth.

In response to a recommendation of the Eisenhower-Nixon administration, a Republican Congress enacted the disability freeze provisions in 1954 that took the first step toward building an adequate disability insurance program. The 1956 amendments simply built on the Republican initiative of 1954. This is clearly demonstrated by the following House floor statement of the Democratic chairman of the Ways and Means Committee, Congressman COOPER:

> It will be recalled that the social security amendments of 1954 provided for a freeze of the wage record of permanently and totally disabled workers so as to preserve their insurance rights. The pending bill would go one step further and would provide for the payment of disability insurance benefits upon a worker's becoming permanently and totally disabled.

In later years Republicans built on their earlier contributions by supporting the elimination of the age 50 requirement for collecting disability benefits, pioneering in efforts to provide benefits for disabled widows, and cooperating in improving the criteria for paying benefits to younger disabled workers.

The events in 1955 that the Vice President's distorted remarks refer to must be reviewed to show the American people how little truth Mr. HUMPHREY's remarks contained. In that year the Democrats in control of the House attempted to enact a disability insurance program before experience with the disability freeze provisions could be developed without appropriate consultation with the Department of Health, Education, and Welfare, without adequate cost data, and without any public hearings. A major social security bill affecting millions of people was then brought to the floor of the House under a procedure permitting only 20 minutes of debate for each side. The Republicans naturally objected to this ramrod closed-door procedure and asked that the public have an opportunity to comment on this legislation in open hearings and that interested groups be permitted to lend their expertise to the development of any legislation.

Mr. HUMPHREY's proposal to make the Republican objections to the outrageous procedure employed in 1956 into a substantive objection to the legislation itself is both misleading and false. The debate time and again makes clear that the Republicans supported many of the proposals and that their objections only went to the procedures used.

The substantive improvements of the 1956 social security amendments were supported by the majority of Republicans. These improvements included benefits for women at age 62, full benefits for widows at age 60, disability insurance benefits, and other improvements in the law.

In 1958 with the cooperation of the Eisenhower-Nixon administration, the Congress enacted legislation with bipartisan support increasing benefits across the board by 7 percent and minimum benefits by 10 percent. The legislation also improved the retirement test and increased the amount of earnings that could be counted toward computation of benefits for future retirees. The fact that these improvements were enacted with bipartisan support is clearly indicated by the statement of the chairman of the Ways and Means Committee, Congressman MILLS, during floor debate. He noted that the legislation had been worked out in a "bipartisan manner as evidenced in this instance by the fact that the bill which the committee developed is not just the chairman's bill, but a committee bill as demonstrated by the fact that the distinguished ranking minority member of the committee, the gentleman from New York [Mr. REID], joined in the introduction of the bill."

This review of social security improvements during the 1950's clearly demonstrates that under the responsible stewardship of the Eisenhower-Nixon administration, the social security system was strengthened and improved. In 1952, the last year before the Eisenhower-Nixon administration, social security benefit payments totaled $2.2 billion. By 1960, the last year of the Eisenhower-Nixon administration, social security benefits increased approximately sixfold to $11.3 billion. During the same period average monthly benefits grew from $47 to $70, an increase of nearly 50 percent, and the total number of individuals receiving social security benefits increased from 5,025,000 to 14,000,000.

B. THE KENNEDY-JOHNSON ADMINISTRATION

Between 1958 and 1965 the Consumer Price Index rose by over 8 percent. Despite this sharp increase in the cost of living, no benefit increases were enacted during the first 4 years of the Kennedy-Johnson administration. Republicans during this period were calling for an immediate benefit increase. Although recognizing the problem of the elderly in regard to medical care, they felt that due to increases in the cost of living, benefits should be immediately raised and not held up pending disposition of complicated issues relating to medical care. The Democrats refused to go along. In the 88th Congress, they killed a bill providing benefit increases and other improvements by insisting that any benefit increase be delayed until action was taken on medicare.

The Social Security Amendments Act of 1965 provided broad changes in the social security program. The bill recommended by the administration was little more than a hospital insurance program with a 1-percent benefit increase. Due to the recommendations and the cooperation of the Republicans the social security part of the bill was expanded by the Congress to include liberalizations in the earnings test; benefits to individuals over age 72 with fewer quarters of coverage than required by the existing law; benefits to children between the ages of 18 and 22 who are students; reduced benefits for widows at age 60; and other improvements.

Again, due to the leadership of the Republicans, the hospital insurance provisions were also expanded to include not only hospital insurance, but a supplementary medical insurance plan covering doctors' bills—whether in the hospital, the home, or the doctor's office and other medical services. The Republicans in the House pointed out that the administration's bill was inadequate and misleading. Although the administration created the impression that the bill provided comprehensive health insurance, it failed to protect the aged against medical or surgical services, drugs outside of the hospital, and many other items.

Congressman JOHN W. BYRNES, ranking Republican on Ways and Means, introduced legislation on behalf of the Republicans providing comprehensive protection for all of these health needs of the elderly. The Republican bill provided hospital insurance, doctors' fees whether in the hospital, the home, or the doctor's office, as well as drugs both in and out of the hospital. It was estimated that 80 to 95 percent of the elderly would elect to participate in the voluntary Republican plan which was financed two-thirds from general Federal revenues and one-third from premium contributions on the part of the electing participants.

Wilbur Cohen, then Under Secretary of HEW and currently the Secretary of HEW, stated that the Republican plan proposed "a much more comprehensive, broader scope of medical benefits * * * as broad as any insurance contract would insure * * *" Mr. Cohen added that the Republican proposal "pre-empts in the government plan the total area of insurability for people 65 and over that would meet the general consensus of informed people in this field at the present time."

Realizing the superiority of the Republican measure and the inadequacy of their own, the Democrats agreed to include the supplementary medical insurance plan—adapted from the Republican bill—in the final law. The chairman of the Ways and Means Committee, Congressman MILLS, generously gave Congressman BYRNES credit for this during House debate on the bill when he stated:

> Mr. Chairman, where did we get the idea of the supplementary health benefits plan? Out of that fertile brain of the distinguished gentleman from Wisconsin [Mr. BYRNES].

During the debate, Congressman BYRNES pointed out that most of the improvements proposed in the social security system had bipartisan support, that both parties recognized the problem of our aged citizens in regard to medical care, and that the only difference concerned the form of medical care program that Congress should enact. Again Chairman MILLS gave recognition to the contributions of both parties to the entire final bill that passed the House:

> There is not a member of the Committee on Ways and Means whom I could not name today who has not made a major contribution to this bill by the inclusion of ideas of his own.
>
> * * * * *
>
> Where did we get this idea and that idea? Out of the fertile brain of some other Democratic member or some other Republican member of the Committee on Ways and Means.

In view of this record, it is clear that, in the style of the Johnson-Humphrey administration, Mr. HUMPHREY grossly perverted the truth when he stated in his speech that "in 1965, 93 percent of the Nixon Republicans in the House notwithstanding, the Democrats passed medicare." Mr. HUMPHREY was attempting to make it look like the Republican motion to recommit the bill with instructions to report out the more generous Republican medical care plan was a vote against medical care for the elderly. When a bill is debated on the House floor under a closed rule, the only opportunity to improve it through amendments is by a motion to recommit the bill to the committee with instructions to report the bill again with the desired amendments. Like Mr. Johnson in the past, Mr. HUMPHREY took advantage of those not familiar with this legislative process to perpetrate a gross falsehood. By this action he demeans the democratic process to advance his own cause.

If the Republican recommital motion had carried, the only real difference in the final legislative product would have been a more liberal medical care plan, including the coverage of drugs out of the hospital. The Vice President now recommends covering drugs—3 years after the Democrats killed the more generous Republican bill that included drugs. It was this more adequate health care plan that "93 percent of the Republicans" voted for, but the Vice President chose to ignore this fact. The Vice President also ignored the fact that the final 1965 legislation passed the House with overwhelming bipartisan support.

Shortly after the passage of the 1965 amendments, the runaway inflation of the Johnson-Humphrey administration again severely eroded the value of social security benefits. On July 20, 1966, the ranking Republican on Ways and Means, Congressman JOHN BYRNES, of Wisconsin, was joined by 45 Republicans in introducing legislation providing automatic cost-of-living increases. The bill, patterned after provisions in the Civil Service and Military Retirement Acts as well as many labor-negotiated plans, was eventually introduced by a total of 86 Republicans, endorsed by the Republican policy committee and the Republican coordinating committee, and now is contained in the Republican platform of 1968. The administration did not support this Republican initiative to provide parity of treatment to social security beneficiaries. It is significant that although Congressman BYRNES pointed out the need for this legislation as early as 1958, the Democrats are only getting around to advocating this measure now—10 years later.

In view of the continued inflation and failure of the Democrats to support the Republican initiative to provide parity to our social security beneficiaries, Congressman BYRNES introduced legislation on October 13, 1966, calling for an immediate increase in benefits before Congress adjourned. Since inflation had already eroded benefits, the Republicans felt there was no need to delay the increase until more comprehensive legislation was considered by the new Congress. Lack of cooperation by the Democratic administration resulted in the benefits being delayed until the 90th Congress convened in 1967.

During the 90th Congress the Social Security Amendments Act of 1967 was enacted with bipartisan support. This measure increased social security benefits by 13 percent; provided benefits to disabled widows; liberalized the earnings test; improved the financial status of the fund; strengthened the insurance basis of the system; increased the Republican-sponsored provision providing benefits to those 72 and over not otherwise qualified; and made other improvements in the Social Security Act. The bill also greatly improved the public welfare system by providing for increased training opportunities, increased earnings exemptions as an incentive to seek employment, and increased day care and social services.

The legislation was the result of efforts by both Democrats and Republicans in the Congress. The administration had recommended legislation—H.R. 5710—that the Congress found did not measure up to the problems our citizens faced. The administration bill would have taxed social security benefits paid to recipients on the basis of a formula taking account of need. The bill would have further undermined the insurance basis of the benefit formula.

The legislation that finally became law was introduced jointly by the chairman of the Ways and Means Committee, the gentleman from Arkansas, Congressman MILLS, and the ranking Republican member, the gentleman from Wisconsin, Representative BYRNES. The administration gave only lukewarm support to the bill. In connection with the floor debate, Chairman MILLS stated:

> This bill, Mr. Chairman, is in every sense, a Committee bill. I introduced it on behalf of myself and the gentleman from Wisconsin [Mr. Byrnes] at the direction of the Committee. I understand, from reading the newspaper recently, that there are parts of it which certain people within the Administration want to disown. This emphasizes the fact that it does vary in many instances from the bill which was introduced to carry out the Administration's suggestions—H.R. 5710.
>
> The major provisions of H.R. 12080 originated in and were formulated by the Committee.
>
> I want to take occasion, Mr. Chairman, to express my own deep appreciation for the attendance given us in the Committee by every member of the Committee on both sides in the development of the provisions of the bill.

From this historical background, it is clear that the Republicans have played a constructive part through the years in building our social security program. The Republican platform promises to build on this record by providing for automatic cost-of-living increases, a liberalized retirement test, increased widows' benefits, and improvements in the benefits now provided individuals who retired before having an opportunity to earn sufficient coverage. Vice President HUMPHREY's intellectually dishonest attempt to distort the Republican contributions will not stand up under a review of the record.

II. VICE PRESIDENT HUMPHREY'S PROPOSAL

A. USE OF GENERAL FEDERAL REVENUES

The Vice President's proposal would destroy the self-supporting, insurance basis of the social security system by providing for general revenue financing. A provision was added to the law in the 1940's authorizing appropriations from general revenues for social security benefits. This provision was never used and was repealed in 1950 with bipartisan support by a Democratic Congress. Mr. HUMPHREY's proposal ignores the careful reasoning of the Democrats and Republicans on the Ways and Means Committee who precluded general revenue financing after the most careful consideration. They stated:

> The time has come to reaffirm the basic principle that a contributory system of social insurance in which workers share directly in meeting the cost of the protection afforded is the most satisfactory way of preventing dependency. A contributory system, in which both contributions and benefits are directly related to the individual's own productive efforts, prevents insecurity while preserving self-reliance and initiative.
>
> Under social insurance, benefits are computed individually in each case, on the basis of earnings in covered employment. Because benefits are related to average earnings and hence reflect the standard of living which an individual has achieved, ambition and effort are rewarded; since they are also related to length of service in covered work, individual productivity is encouraged and the Nation's total production is increased.
>
> Because benefits under the insurance system are paid as a matter of right following cessation of substantial covered employment, the worker's dignity and independence are preserved.
>
> Knowing that any assets and resources he may accumulate will not disqualify him and his dependents for benefits, the worker is encouraged to make private savings in order to supplement his social insurance benefits.

This makes it clear that the distinguishing feature of the social security program is that benefits are payable as a matter of right. Benefits are payable as a matter of right because they are related to the wages on which a worker has paid taxes—they are wage related. This distinguishes social security from welfare which is financed by general revenues and based on need. When general revenues are used to provide benefits, as Mr. HUMPHREY proposes, there is no relationship between the benefits provided and wages on which a tax was paid. The benefits can only be related to "need," as they have always been when general revenues are used to provide welfare benefits. Mr. HUMPHREY's proposal would take a long stride toward converting social security into a welfare program.

Under express provisions of existing law, social security taxes may only be used for the payment of social security benefits. To the extent not needed, they must be invested in interest-bearing bonds retained in a trust fund for the payment of future benefits. However, if social security beneficiaries have to rely on general revenues as the Vice President proposes, they will be competing with all other Federal programs, including the poverty program, for maintenance of an adequate benefit level. Additionally, the benefits will depend upon annual appropriations that must be made each year, will be contingent upon the Government's financial status year to year, and will be subject to the politics of the budgetary process.

In recent years, the policy of the administration has been to regard the social security program as another means of combating poverty. Consistent with this, in 1967 the administration proposed to tax social security benefits where the income of the recipient exceeded a minimum exemption. If social security benefits are to be financed out of general revenues, without regard to the wage base on which taxes have been paid, the next step will be to subject the benefits to the income tax.

The resort to general revenues for financing in the HUMPHREY plan constitutes an acknowledgment of the fact that the payroll tax cannot carry the burden both of increased social security benefits and medicare. It would be wholly appropriate, as the Republicans proposed, to finance medicare benefits through general revenues. These benefits are unrelated to the wages on which a worker pays tax—indeed, the principle of benefits payable as a matter of right is founded on the wage-related character of benefits.

It would therefore be appropriate to use general revenue for medicare benefits, but inappropriate to use general revenue for cash benefits. Mr. HUMPHREY's recent proposal reverses the order. He advocated putting the supplementary medical insurance program, now financed from general revenues, under the payroll program, and using general revenues to pay cash benefits.

The aged now pay one-half of the cost of the supplementary medical insurance program, and the actuaries say that this provides some protection against overutilization. In his "promise everyone anything" election year politicking, the Vice President proposed to turn the social security program upside down and inside out in order to relieve the elderly from any premium contributions regardless of their ability to pay.

B. ENORMOUS COST OF HUMPHREY PROPOSALS

The Vice President chose to ignore the enormous costs his proposal would impose on American workers who are trying to raise and educate families, pay off home mortgages, and meet the steep increases in taxes that have marked the Johnson-Humphrey administration. Financed through the traditional payroll tax, the Vice President's proposal would require an immediate 80-percent increase in existing tax rates on the present wage base of $7,800. The combined rate attributable to an employee's wages would eventually reach 18.7 percent. And this is not all, for the Vice President's proposals would require periodic increases in the wage base.

The following chart assumes that the Humphrey proposal is enacted next year effective in the latter part of 1969 or early 1970. It shows the relative burden that the payroll taxes would represent in relation to the income tax. In each of the typical cases illustrated the payroll taxes would far exceed the income taxes the worker pays.

WORKER WITH A WIFE AND 3 CHILDREN

Wages	Federal income tax	OASDHI taxes	Taxes
$7,000	$501	242.90	48.5
$6,000	354	496.20	850.20
$5,000	215	413.50	628.50
$4,000	70	330.80	400.80
$3,000	0	248.10	248.10

The following chart uses the same illustrative workers to show the amount of the increase in payroll taxes relative to the income tax. The final column shows the percentage increase in income tax that would be required to raise the increased payroll taxes through an income tax.

WORKER WITH A WIFE AND 3 CHILDREN

Wages	Federal income taxes	Humphrey increase in OASDHI taxes	Percent increase in payroll tax equivalent to income tax increase
$7,000	$501	242.90	48.5
$6,000	354	208.20	58.8
$5,000	215	173.50	80.7
$4,000	70	138.80	198.0
$3,000	0	104.10	....

In the case of the $4,000 wage earner, the increased payroll taxes would be equivalent to nearly a 200-percent increase in income taxes. The $3,000 wage earner—with three children—will be below the poverty level and yet would be required to pay an additional $104.10 although he pays no Federal income tax.

Thus Mr. HUMPHREY's proposal involves a choice among unacceptable alternatives: turn the social security program into a welfare program by imposing heavy new taxes on the general taxpayer; or impose crushing burdens on today's worker—including those at or near the poverty level—in the form of increased payroll taxes.

C. IMPACT OF PROPOSALS ON PRIVATE PENSION SYSTEMS

The Vice President's program would have serious adverse effects on private pension plans, many of them negotiated by representatives of workers themselves which have been growing in recent years. The Vice President's remarks fail to even recognize the existence of private pensions. Under his proposal the capacity of private pension plans to grow and remain healthy would be dealt a severe blow.

In addition to the growth in recent years of personal savings, annuities, life insurance, and other forms of investment, private pension systems have been expanding. As evidence of "the tremendous strides in private economic security measures in the last 15 years" experienced by employee-benefit plans, a recent study by the Social Security Administration points out:

> Benefit payments [in 1965] amounted to $13.0 billion (10.5 percent more than in 1964), and contributions reached the level of $19.1 billion (about 11 percent more than a year earlier).
>
> * * * * *
>
> As 1965 ended, 122 million persons had hospital expense coverage, 47 million had life insurance protection, 28 million had temporary disability protection, and over 25 million had retirement coverage.

Recognizing the value of this growth, the 1965 report by the President's Cabinet Committee on Corporate Pensions and Other Retirement and Welfare Programs, entitled "Public Policy and Private Pension Programs," concluded that private pension plans "should continue as a major element in the Nation's total security program." However, recent expansions in the social security program and increases that must necessarily take place in future years to finance them have already absorbed many of the resources that private pension plans can call on.

It has been contended that the present scope of the program leaves little leeway for the average man to save outside of the social security program. In opposing legislation in the 89th Congress to provide further incentives to self-employed individuals to establish private pension plans for themselves and their employees, the Democrat administration pointed out that:

> For middle and lower income people, Social Security tax payments represent a significant financial outlay toward retirement. For example, a self-employed person with earnings of $6,600 must in 1967 and 1968 pay 6.4 percent of his income toward Social Security and Medicare. A $10,000 a year man must devote 4.2 percent of his income for this purpose. These percentages will rise to 7.1 and 4.7, respectively, in 1969. It is doubtful that many individuals at these income levels can afford to devote appreciably more to their retirement in the form of a long-term program.

Now, the Democrat administration's argument is even more forceful since under the Social Security Amendments of 1967 an individual will pay even higher taxes in the future. The wage base is now $7,800 a year and next year the combined employer-employee rate will be 9.6 percent, and will ultimately go to 11.8 percent under existing law. The Vice President's proposal would eventually require a combined rate of 18.7 percent on $7,800 in order to finance his proposal. The resources available to finance private pensions tailored to the desires of individual groups of employees will be consumed by government if Vice President HUMPHREY's proposals are enacted into law.

Mr. HUMPHREY's proposals would drastically alter both our private pension system and the social security system in order to advance his own sinking cause. The fiscal integrity that is necessary to the health of these systems should cause the Nation to carefully consider whether a Humphrey administration would be a careful steward of the retirement programs all of our citizens look to for economic security in time of death, disability, and old age.

The following is a chart indicating the costs of Mr. HUMPHREY's proposal:

COST OF HUMPHREY PROPOSAL

[In billions]

	1st-year costs, calendar 1970	Level costs of payroll
1. 50 percent benefit increase with $100 minimum benefit [1]	$15. 1	$5. 17
2. Increase the earnings limitation from $1,680 to $2,280 ($50 per month) [2]	. 8	. 24
3. Cover drugs under medicare with a separate $25 deductible and a 20 percent co-insurance factor [3]	. 6	. 20
4. Cover disabled under medicare	1. 6	. 57
5. Transfer the supplementary medical insurance to the payroll part of the program	1. 8	. 75
Total	19. 9	6. 93

[1] Vice President called for an immediate 20% increase with a $70 minimum raised over 4 years to a 50% increase and a $100 minimum over a 4-year period. A 20% increase with a $70 minimum that is not subsequently raised would cost $6 billion in first year costs and 1.9% of payroll.

[2] Vice President merely called for liberalization of the earnings test. Specifications were assumed to permit costing of his package.

[3] Vice President merely called for coverage of drugs. Specifications are reasonable assumptions added to permit costing.

Source: Chief actuary, Social Security Administration.

PERSONAL EXPLANATION

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, I appreciate having a few moments in these closing hours of the 90th Congress to make a brief statement of facts concerning the erroneous recording of my name on certain rollcalls in the House during September.

As outlined in a letter of September 26 from the Clerk of the House to the Speaker, I was erroneously recorded as present and voting on various intermittent rollcalls on September 9, 10, and 16—days when I was in my home district making public speeches.

My office staff discovered the three erroneous recordings of September 16 the next day on September 17 and immediately notified the Clerk in the Republican cloakroom of these errors and advised that they would be corrected upon my return to Washington. In checking further, my staff also discovered that my name had been erroneously recorded on September 9 and 10. I returned to Washington on September 18. When I was advised of these errors I immediately instructed my staff to make a check of all days on which I had been absent in this session, but no other discrepancies were discovered.

On the following day after this lengthy check was completed and before any public notice had been made of the errors, I asked for and was granted permission to have the RECORD changed to show that I was not present on these days.

Eight days later, a newspaper column appeared accusing me of falsifying the RECORD.

Later, I learned through the press that the Speaker had referred the matter to the House Ethics Committee for investigation, I immediately dispatched a letter to the committee chairman, the Honorable MELVIN PRICE, and offered my fullest cooperation.

In response to press inquiries, I stated that I had no knowledge of how these vote recording irregularities occurred and I repeat that statement now. I made no request to anyone that I be illegally recorded while absent. In fact, I discovered that one of the paired votes recorded in my name on one of those days was actually contrary to a position I had taken publicly. Neither my staff nor I had asked the pair clerk to pair me on the days in question, so nobody could have known my voting position.

The dilemma in which I find myself today is that Congress is about to adjourn and the Ethics Committee, in the brief time that the matter has been before it, has evidently not yet been able to conclude its investigation on these vote recording irregularities. I have cooperated with the committee to the fullest extent and have submitted detailed evidence which verifies my statement that neither my office nor I knew of these irregularities at the time they occurred and that I acted promptly on my own volition to correct them.

I was one of those who first introduced legislation to establish the Ethics Committee. It has and should have a strong nonpartisan flavor. I believe this committee holds great promise in protecting the integrity of the House and its Members. I would hope that this matter could be resolved at the earliest possible moment not only because of the unfortunate timing and subsequent political implications but primarily because of my understandable personal concern that my integrity as a Member of Congress has been challenged before this great body.

MARMES ROCK SHELTER

Mrs. MAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mrs. MAY. Mr. Speaker, during this afternoon's consideration of the supplemental appropriations bill, I held a short colloquy with the distinguished chairman of the committee, the gentleman from Texas [Mr. MAHON], concerning the urgently needed language in the bill to protect the site of the Marmes Rock Shelter—an important and historic archeological find—in the State of Washington. I am taking this further time to put this situation in its proper perspective and to express my view that the failure of the National Park Service to recognize the value of this site must largely figure in the failure of the conference committee to approve the needed language in the bill.

The importance of the Marmes site, which will soon be inundated forever by the backwaters from the Lower Monumental Dam on the Snake River in my State, is unquestionable. Important discoveries made in the summer of 1965 and further checked during the next two summers confirmed the significance of the site. And just this summer, Mr. Speaker, the fragmentary remains of human skeletal material, including the skull of the famed "Marmes Man," were uncovered. These remains are evidently 11,000 or more years old and are considered an outstandingly important find. In more recent weeks, additional discoveries have been uncovered, including a bone needle, apparently the oldest historic tool or implement yet discovered. And other stratigraphic remains exhibit the chronology of changes and developments in the flora and fauna of this region over a period of time longer than human habitation.

The urgency of protecting this site, Mr. Speaker, is readily realized when it is pointed out that the pool of the Lower Monumental lock and dam project must be raised by the Army Corps of Engineers no later than February 28 of next year. Delay beyond that date is not practicable because of the damage to fish runs on the Snake River.

The corps, however, was prepared to take immediate action to construct a permanent dike or levee to protect the Marmes Rock Shelter. All that was required was the language in the supplemental appropriations bill which stated:

> The Secretary of the Army, acting through the Chief of Engineers, is authorized, in connection with the construction of the Lower Monumental Lock and Dam project, Washington, to provide protection to the historic archeological finds at the Marmes Rock Shelter area adjacent to the Palouse River, Washington, and to pay for such protection from any funds available for the project.

On October 8, Mr. Speaker, Senator MAGNUSON advised me in a telephone call that the foregoing language had been added to the supplemental appropriations bill in the Senate. On that date I contacted the distinguished chairman of the committee, the ranking minority member of the committee, and all minority members of the conference committee on the House side. I described the importance of the Marmes finds and all of these Members assured me they recognized the urgency of the situation and were willing to accept the needed language.

The conference committee met today, and after the report was finalized I was advised that after a short discussion of the Marmes Rock Shelter protective provisions, the Senate Members had receded from their support of the language because questions had been raised by one or two House conferees, based on correspondence from the National Park Service. It seemed to be the impression that the building of the levy would delay the raising of the pool and therefore result in damage to the salmon run. May I say, Mr. Speaker, that it was never contemplated that the raising of the pool would be delayed beyond February 28, and such an argument is completely without any foundation, whatsoever. It also seemed to be the impression left with the conferees that the Corps of Engineers could not proceed with the building of the levy until they had received a favorable recommendation from the National Park Service, which needed from 6 to 8 months to determine whether the site was worth protecting. Again, Mr. Speaker, the Corps of Engineers needed no such recommendation from the Park Service.

As soon as I heard these reports, I contacted by telephone the executive director for civil works of the Corps of Engineers, who confirmed that the corps did not have to wait on construction of the levy for a finding from the National Park Service. He affirmed that the proposed language in the supplemental appropriations bill would have allowed them to start immediate construction of the protective levy, that it could have been completed by February 28, and any flooding of the Marmes Rock Shelter would have been avoided.

The Commissioner of Fish and Wildlife in the Department of the Interior was also contacted, and he confirmed that his agency had no fear of damage to fish as long as the protective levy was completed by February 28.

Mr. Speaker, I deeply regret that completely false information seemed to be an important part of the basis on which the decision was made in the conference committee to delete authorization to the Corps of Engineers to protect the Marmes Rock Shelter.

I stated at the outset of my remarks that in my view the failure of the National Park Service to recognize the value of this site must largely figure in the failure of the conference committee to approve the needed language in the bill. I say this, Mr. Speaker, because the Advisory Board on National Parks, Historic Sites, and Buildings and Monuments recommended to the Secretary of the Interior that the Corps of Engineers be encouraged to provide protection for the Marmes Rock Shelter site in 1964. I am unaware that such a request was ever passed on to the Corps of Engineers, nor was the corps ever informed that such a recommendation had been made. It is puzzling, to say the least, why the National Park Service now says it needs 6 or 8 months to study the matter before arriving at a decision. This is what caused the misunderstanding in the conference committee, according to my information, and even though the Park Service statements have no bearing on the need for Corps of Engineers authorization from Congress to construct the levee, the Park Service has managed to kill effectively and forever, the preservation of a truly historic archeological find in the State of Washington.

I am sure the scientific exploration of the site will continue at a feverish pace until the floodwaters come in February, Mr. Speaker. I hope very much that whatever undiscovered and valuable cultural remains as may exist at the site can be excavated in time. But I am afraid that because of the situation I have just described, the world will never know.

TIME FOR A DIFFERENT APPROACH

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the phrase, "telling it like it is," would seem to apply with special emphasis to accounts of the success of segments of the war on poverty.

The October 7 issue of Barron's deals with the facts and fables surrounding a local arm of the poverty program, Pride, Inc. The findings of Barron's are certain to cause a stir but we have seen enough misuse of funds, enough misdirection, to know that only a new Republican administration will begin cleaning up. The tragedy is the tragedy of people and as Barron's puts it, we have been promised capitalism but the result is without capitalists, investments but without the hope of returns, pride without honor. The conclusion is also valid:

> The war on poverty is really a war on society. Taxpayers owe it no allegiance.

It is enigmatic how some who profess so much concern for the disadvantaged have succeeded only in fouling up their chances for true progress. And then, when exposed, their concern dissolves as it comes around to the time to save face. It is time for a different approach, is it not; for telling it like it is, and doing something about it?

The article follows:

False Pride—The War on Poverty Is a War on Society

"Marion Barry and Rufus Mayfield are angry young men. Former national head of the Student Nonviolent Coordinating Committee (SNCC), Mr. Barry in August 1965 took part in a protest demonstration organized by the so-called Assembly of Unrepresented People. He was arrested and charged with disorderly conduct while leading demonstrators onto the Capitol grounds. 'Riot power and rebellion power,' he was quoted as saying last week, 'might make people listen now.' Mr. Mayfield is a Black Muslim. Twenty-one years old, he has spent most of the past eight years in prison for various offenses, including petty and grand larceny. This month Marion Barry acquired gainful employment. He was hired as a $50-per-day consultant by the United Planning Organization, top anti-poverty agency for the District of Columbia. Rufus Mayfield, according to Rep. Joel P. Broyhill (R., Va.), will serve as Barry's 'back-up man.' "

Thus began an editorial titled "Poverty Warriors," which appeared on the front page of Barron's on July 31, 1967. Since then the dynamic duo has been making headlines regularly. "Catfish" Mayfield, as he is known, leaped into prominence later that summer when he moved up to chairman of the board of Youth PRIDE, Inc., an anti-poverty group funded—with roughly $6 million of taxpayers' money to date—by both the Office of Economic Opportunity and the U.S. Department of Labor. Last fall, when his consultant role came to an end, Marion Barry signed on with PRIDE, which, militance undiminished, he now serves as director of program operations and highly vocal spokesman. White merchants who hope to operate in the Washington "ghetto," he told the Federal Bar Association last spring, must be ready to take in Negro partners and earmark a share of the profits for the community. "Business as usual," he warned, is out; "If they're built back the same way, they are going to be burned again."

To Life magazine, which recently glowed with PRIDE, the organization "exemplifies the way that, in Washington and a score of other cities, youth gangs are turning from crime to capitalism." If so, then capitalism, as its radical critics have argued all along, assuredly covers a multitude of sins. For example, a preliminary investigation by the General Accounting Office, federal government watchdog, has uncovered evidence of widespread fraud in PRIDE's operations. According to Rep. Broyhill, PRIDE's young entrepreneurs peddled posters of Dr. Martin Luther King to neighborhood merchants; "the fee for purchasing the posters ranged from $1 up to $25 or more, but the penalty for not buying them was made quite clear—buy or you are next." In PRIDE, finally, contempt for law and order starts right at the top, notably with Secretary of Labor Willard Wirtz, who, in defiance of a clear-cut directive from the Senate Appropriations Committee, recently gave the agency a fresh grant of funds and a new lease on life. In making public the award, Secretary Wirtz said that whereas a year ago he had gambled $300,000 on the project, "today I announce an investment, not a gamble, of $3,772,010." Humpty Dumpty—"When I use a word it means just what I choose it to mean"—and the Mad Hatter would have felt right at home.

Even in the Great Society, to be sure, nobody can spend millions of dollars without something to show for it. Hence Life could point with PRIDE to a number of the agency's achievements. Some 1,080 ghetto youths—many, like the first chairman of the board, with impressive prison records—have gained a chance to earn a presumably honest dollar, mostly in street-cleaning and rat control in Washington's slum areas, but also in relatively skilled trades like landscaping, painting and automotive repair (contracts for such work come largely from sympathetic federal agencies). On this score, Life cites the cases of Roscoe Brockenberry and Leo Brown, eager new bread-winners who lately have managed to stay out of trouble for an unprecedented length of time. Thanks to PRIDE, the magazine summed up: "The dudes show that with a little help they can help themselves."

Good for the do-gooders, one is tempted to conclude. Then—unless one happens to write for Life—one takes a harder look. The glittering coin of so-called black capitalism, on closer scrutiny, turns out to have a dimmer side. Like many other federally funded fledgling ventures (so the General Accounting Office learned after a hasty audit), PRIDE never bothered much about keeping books. Internal controls over the disbursement of moneys were either inadequate or non-existent: the same personnel, for example, were responsible both for maintaining the records of time on the job and for paying workers. (Some of the technical shortcomings have since been corrected.) Carelessness, moreover, was compounded by widespread fraud. Here is what GAO reported to Senator Robert C. Byrd (D., W. Va.), chairman of the Senate Appropriations Committee: "Through September 3, 1968, we had completed interviews with 80 enrollees, or in a few instances with their parents, of whom 70, of 87.5%, made one or more allegations of irregularities in activities carried out by PRIDE. The more significant allegations appear to involve criminal violations, such as payroll padding, kickbacks of wages, and other irregularities involving enrollees' wages. Also, Department of Labor investigators, in following up on certain questionable endorsements through interviews of 28 enrollees or their parents, found 12 cases of apparent fraudulent check endorsements. The Department of Labor referred its findings to the Department of Justice."

Justice—for reasons undisclosed to date—has chosen to remain deaf, dumb and blind.

In turn, Secretary Wirtz, undisturbed by either the findings of his own investigators or those of GAO—and in cool disregard of the Senate Appropriations Committee, which ordered him to withhold further funds from PRIDE pending a complete investigation—eight weeks ago announced the $3.7 million grant cited above. In reply to a newsman's query, the Cabinet officer averred that he did not propose to "kill PRIDE by inches and weeks" while awaiting the verdict of Congress. The agency, he added, "has given me more satisfaction than anything else around here in a long time."

There's no accounting for tastes, of course; even in an increasingly collectivized world, each man gets his kicks in his own way. Nonetheless, we find the Secretary's statement disquieting. For as the Labor Department must know, PRIDE has been guilty of far worse than fraud. Agency personnel have used intimidation and coercion, not merely to push merchandise, but also to quell dissent in its own ranks. In an impassioned speech to the House, Rep. Broyhill alleged: "When the Washington riots occured in April, as many as 52 PRIDE employees were involved, with Winston Staton, the new chairman of the board, standing in one police precinct posting bond for them as they were brought in. When the riots ended, the harassment of merchants began. . . . in early May, a PRIDE supervisor took his crew along to the liquor store of Ben Brown, and shot Mr. Brown fatally when he protested. . . . I said before and I say again, Mr. Chairman, that to vote funds for agencies and policymakers who lack basic moral and spiritual judgment, makes as much sense as giving the keys to the Treasury to every thug and footpad in the country."

Capitalism without capitalists; investment without hope of return; PRIDE without honor. That's what Life's shining example stands for, and, baby, it's what's happening: In Chicago, where the Office of Economic Opportunity financed the notorious Blackstone Rangers, and in New York City, where a former executive of the so-called Human Resources Administration, OEO-funded agency, was charged last week with second-degree embezzlement. The war on poverty is really a war on society. Taxpayers owe it no allegiance.

JOURNALISM?

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, we have heard quite a bit about the TV coverage of the Democrat Convention in Chicago recently, but at least one seasoned journalist is far from satisfied as to how the Republican Convention in Miami was treated by both TV and press. Jim Bishop, a columnist and author of long standing, took issue recently with the manner in which some of the TV people spoon fed the activities of the convention to the viewing public, laced, of course, with a generous dose of their own editorializing.

In the field of the printed word also, Bishop does not like what he sees:

> Nor do I excuse my fellow newspaper reporters, who have become addicted to telling us what is going to happen, rather than reporting the news.

As in other fields, the unbalanced emphasis on freedom at the expense of responsibility could well lead to a distortion of the basic purpose of the medium and only public protest can set it aright.

I include the column by Jim Bishop entitled, "Journalism?" appearing in the Columbus, Ohio, Citizen-Journal on August 19, 1968, in the Record at this point:

Journalism?

(By Jim Bishop)

> It is fashionable, among my conferees of the press, to write the big putdown. People have become no damn good. Motivation, rather than events, makes good stories.
>
> This is not to say that I do not love my profession and the men in it, for me, there is no other life. I stand by the journalistic neophyte, but I am not blind to his pimples. Nor am I conned by his frantic search for the clever, deprecating phrase that pleases him but activates the old duodenal ulcers on the copy desk.
>
> A couple of us, each with more than 25 years in the business, were sipping Geritol on the rocks at Miami Beach as the Republican convention broke up and we autopsied the event.
>
> In my judgment, the television reporters were the stars of the convention. This time, the Cronkites, the Severeids, the Huntleys and Brinkleys, the Howard K. Smiths took the play away from the candidates. They just walked off with it. I would like to have heard some of the speeches, but the commentators had read the advance copies and decided to interpret for America what was now being enunciated from the lectern.
>
> Gerald Ford, the permanent chairman, was still speaking when Walter Cronkite asked Eric Severeid what he thought of it. Old Uncle Ev Dirksen brought the party platform to life, and the broadcasters cut in with tolerant grins to concede that, whatever else you may think of Senator Dirksen, he sure puts on a show.
>
> The network directors made a mockery of the proceedings by putting the speaker on the sound track, but placing the cameras on delegates who were reading newspapers, yawning or sleeping.
>
> We who waited patiently to hear Republican leaders had to listen to interpreters interpret the words denied to our ears. They, who had never run for office, could tell us what each candidate had to do to win, and what the GOP will require for victory in November.
>
> Nor do I excuse my fellow newspaper reporters, who have become addicted to telling us what is going to happen, rather than reporting the news. We are in the age of the Think Piece. It has become unforgivable for a reporter to write that a politician is personable, sincere, respected. Or worse, that he is patriotic.
>
> These are the men who caused at least two presidents to cancel subscriptions to certain newspapers. It does not involve freedom of the press, because nothing in the world is freer than the American newspaper.
>
> It's the snide slant that hurts.
>
> To denigrate, to deride and defile is the new brain of journalism. This is the first time I've tired of it.

JOHNSON-HUMPHREY ADMINISTRATION SABOTAGES TEXTILE INDUSTRY

Mr. WATSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WATSON. Mr. Speaker, just recently the Commerce Department announced that during the month of August a new all-time high level of textile imports flowed into this country.

In fact, the monthly total in August, for the first time in history, exceeding 300 million square yards. Manmade fiber apparel and yarn imports during the first 8 months of this year already are greater than all of last year.

Mr. Speaker, this flood of foreign textile imports must be stopped. Imports of cotton, wool, and manmade fiber textiles are 35 percent above this previous year.

These alarming statistics indicate one thing—the Johnson-Humphrey administration is sabotaging the American textile industry, and unless the fantastic growth rate of foreign, low-wage imports is curtailed, this vital industry will soon pass from the American industrial scene.

Hubert Humphrey spends a lot of time talking about jobs, and yet he has been in the forefront of those free traders who want to export jobs overseas. No other public figure in the country today is more identified with blowing down our tariff walls at the expense of domestic industries than Hubert Horatio Humphrey. During his years as the darling of ADA, Humphrey took the leading role in convincing key Government officials that the way to appease unfriendly and so-called neutral nations was to break down our tariff barriers while allowing these same countries to erect high tariffs against our exports.

This Humphrey philosophy has found its ultimate expression in the current administration as witnessed by the ridiculous report issued earlier this year by the U.S. Tariff Commission to the effect that the American textile industry was healthy.

But, Mr. Speaker, the height of absurdity occurred not long ago when the State Department had the unmitigated gall to tell me in a letter that the reason new agreements had been signed increasing Polish imports of textiles was because this was a method to polarize the Communist nations of Eastern Europe. Of course, we just saw a little example of that polarization in the occupation of Czechoslovakia. Poland played a leading role in this act of international gangsterism.

In my judgment, one of the most important items on the agenda for Congress in January is to enact a trade bill to control the flow of imports to the United States. As a sponsor of individual import quota bills as well as an omnibus bill, I am convinced that unless Congress acts to recapture its constitutional authority in foreign trade there is going to be a substantial decrease in our industrial superiority among the nations of the world.

THE 50TH ANNIVERSARY OF FREE CZECHOSLOVAKIA — CATHEDRAL OF THE PINES

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, on Sunday, October 6, 1968, I was highly honored and privileged to attend the most impressive commemorative service at the world-famed Cathedral of the Pines at Rindge, N.H., celebrating the 50th anniversary of free Czechoslovakia.

On this beautiful spot high in the New England hills, overlooking a lovely lake and sweeping forests touched with the brilliant colors of autumn, the program of the American Czechoslovak Society of Boston was presented by distinguished spiritual, intellectual, and civic leaders, before a profoundly concerned audience of rapt listeners.

The order of service was arranged by the talented educator, leader, and patriot, Dr. Marie Dolanska, and was conducted by the eminent spiritual leader and friend, Rev. Lawrence M. Jaffa, of the First Parish Church, Ashby, Mass., in my district, whose moving prayers and remarks were deeply impressive. The organ prelude and singing of Mrs. Dolanska and the chorus were most appealing and inspirational.

The historic meaning of the occasion was admirably expressed by the gifted president of the Masaryk Club of Boston, Mrs. Ilka Williams, whose outstanding, eloquent address I am making part of my own remarks.

The dedication of the Czechoslovak flag, which was presented to the Cathedral of the Pines to be exhibited and flown together with the flags of many other nations, was fittingly most impressively accomplished by Reverend Jaffa with appropriate remarks by Mr. Joseph J. Suk and Mr. George Pavlik, president of the American Czechoslovak Society of Boston, and the flag was acknowledged with some very well chosen remarks by the able and distinguished Dr. Douglas Sloane, who accepted the flag for the cathedral.

After the exercises, Mrs. Lawrence Jaffa invited the guests to the Unitarian Church on Ashby Common for coffee and New England apple pie.

Few events of this kind that I have ever attended impressed me so deeply. I only wish that all Americans might have the privilege that I had to listen to these courageous sons and daughters of Czechoslovakia, now here in our own great country, pouring out their hearts and speaking their courageous word of loyalty, determination and fervor for the cause of their afflicted native land, currently beset by oppression, tyranny and cruel suppression of liberty and human rights.

The cry of these wonderful, gifted people rang out across the New Hampshire hills in unmistakable terms of loyalty, courage, sustaining faith and unflinching purpose to support the people of their cherished native land. Everyone of them spoke with firmness and irreconcilable spirit in resolute demand for the end of oppression and the return of personal liberty and freedom to the tyrannized Czech people.

It was my honor to join these strong Czech leaders in these pleas, to voice my own protest against the ruthless aggression they suffer, to demand their liberation from the mailed-fist domination of Soviet oppressors, and the encouragement and assistance of our own great Nation to enable them as soon as possible to take their place once again among the free nations of the earth.

This great free Nation of ours, which was born in bitter struggle against tyranny and oppression and the mailed-fist in a nearlier stage of world history, must always be mindful of our own origin, always resolved to hold out the warm hand of friendship, brotherhood, succor, and assistance to other nations, and other people like the Czechs, striving to breathe the air of freedom, and to find their human destiny under free institutions.

Thanks to God-loving, liberty-loving Czechs and their friends, in my district, State, and New England, the unstained flag of Czechoslovakia will fly side by side henceforth at the Cathedral of the Pines in the rugged, eternal hills of New England.

May the day be soon at hand when this banner of freedom will fly once again over a nation and a gallant people, liberated from fear, suppression and ruthless denial of their basic human rights.

Peace, security, and freedom for all.

Mr. Speaker, I include as part of my remarks the eloquent address of Mrs. Ilka Williams and the official program of the 50th anniversary of free Czechoslovakia and the press release.

Czechoslovakia and the Meaning of October 28

(NOTE.—October 28 is to Czechoslovakia what 4th of July is to United States of America, Day of Independence)

(Speech delivered by Ilka Williams on October 6, 1968, at the dedication of the Czechoslovak flag to the Cathedral of the Pines, Rindge, N.H.)

Ladies and Gentlemen, Boys and Girls: Speaking of my native country, Czechoslovakia, I cannot help but note the beauty which surrounds us here today—and remember the beauty which I recall from the days of my childhood. Valleys and hills—meadows and rivers—all beautifully worked into a colorful quilt—with mountain ranges around the edges for natural protection. This then is the setting of the completely landlocked heart of Europe—Czechoslovakia. Her size equals that of our State of Florida, but her importance has been felt throughout centuries. As the saying goes: "He who rules the Kingdom of Bohemia—rules all of Europe." In the Middle Ages that was literally so.

And while the people and the trees have been there for hundreds of years, the name Czechoslovakia and the government form of Democratic Republic are a mere 50 years old this month.

Czechoslovakia is considered a Godchild of the United States of America—and this is true. The Declaration of Independence proclaiming Czechoslovakia a free sovereign state at the end of World War I and her territorial form, were approved by President Woodrow Wilson in Washington on October 18, 1918—and in Prague on Ocotber 28th. Even the Czechoslovak flag—the symbol of national pride, which we are presenting here today—was designed in New York.

It is true that the legal form was established in October of 1918 but that by no means implies that freedom was handed to Czechoslovakia without any efforts on her people's part.

During World War I, Czechoslovak Legions, 100,000 strong, formed under Thomas G. Masaryk's leadership in France, Italy and Russia, and fought most actively on the side of the Allies to a final victory in 1918. I am proud to say that my own Father was one of those men.

A very brief historical sketch will show that Czechoslovakia was entitled to her freedom. Let's go back in history to Good King Wenceslaus who was not merely a character in an Old English Carol, but who was actually a Bohemian King, who reigned in Bohemia until 929.

It was the practice of Bohemian Kings to invite foreign artisans into the territory in the XII. and XIII. century to help enlarge the national product, mainly processing rich silver deposits. Minting of coins created prosperity which attracted tradesmen, architects and artists from many lands, particularly from Italy. In the XIV. century the line of Luxemburg dynasty emerged of which the outstanding King was Charles the IV.—beloved Charles the IV. He enlarged Prague, the capital city of Bohemia, and founded the Prague University which then ranked immediately after Sorbonne in France.

The daughter of King Charles the IV, Anne married England's Richard II. Anne was sympathetic with the teachings of the reformer John Wycliffe. Wycliffe's teaching inspired Jan Hus, a Bohemian preacher who translated Wycliffe's works into the Czech vernacular and used these theories in his discourses on the need of purer Christianity. Hus had a strong following of his countrymen, but at length he was deceived into appearing before the Council in Constance, where he was declared a heretic and burned at the stake. This event produced the Hussite Wars for religious freedom—thus the Czechs became the first people to fight successfully for religious freedom—and they are still fighting for freedom. Out of the Hussite movement emerged George of Podebrady who first attempted to create a League of Christian Nations.

In 1526 Archduke Ferdinand of Austria claimed the empty Bohemian throne through hereditary rights and succession pacts and the long darkness of the reign of Hapsburgs descended upon the Czechoslovak people. Religious persecution, oppression, limitation of privileges, the strangling of constitutional, national and intellectual rights followed.

Concord, Massachusetts boasts of a shot that was heard around the world—in 1775; Prague has a defenestration early in the 1520s which unleashed a terrible 30-year War. 2 notables were hurled out of the windows of the castle into a moat below. * * *

In November of 1620 this rebellion was frustrated at the Battle of the White Mountain at the gates of Prague—and there followed a wholesale execution of Bohemian leaders, confiscation of land, and exiling of nobles. It is recorded that some 40,000 families left the country at that time—some of them reaching our shores. And the rest of the nation at home was enslaved. And it took 300 years to break the death grip of the Hapsburg monarchy. One of the exiles was Jan Amos Komensky—Comenius the Thinker who was the spiritual leader of his nation during the 30 Year Wars. He combined in his personality the true morality of the Reformation and the artistic thought of the Renaissance.

Comenius was a bishop of the Moravian Brethren and in his writings on education he combined singing, politics, world history, geography, reading, arts and crafts into a comprehensive system of teaching. He is truly the Father of modern Education as we know it today. Comenius was at one time invited to lecture at Harvard University which was then a mere fledgling of an institution of higher learning.

It was the spark of the French revolution and the Anglo-American political ideas of the XVIII century that kindled the rebirth of the Czechoslovak nation and her struggle for basic national rights within the framework of the Austro-Hungarian Monarchy, with its central dictatorship in Vienna.

In the person of Thomas Masaryk culminated the nation's struggle for freedom and national recognition. Masaryk, who was born in Hodonin in 1850, the son of servants on the Emperor's estate became Professor of Philosophy, a truly modern Statesman and finally the President of Czechoslovakia. Through his talent, diligence, moral strength, unceasing devotion to duty as he saw it—he became the Teacher and Liberator of his people. Of humble origin, he rose to the highest position in his nation, retaining his humility to the very end.

Thomas Masaryk married a Brooklyn girl, Miss Charlotte Garrigue and out of respect for her—adopted her maiden name in his signature. The familiar T.G.M.—so dear to all of us—stands for Thomas Garrigue Masaryk.

When I was about 10 years old, I had the opportunity to ask President Masaryk for his autograph, and to this date, it is one of my dearest possessions. I will never forget the impression of the strength of character which seemed to emanate from him and permeate the entire atmosphere around him.

Masaryk, leaving behind his family, who were later incarcerated, departed from Prague during the First World War to fight for the freedom of his people at the age of 65! A retiring senior citizen? Never! His energy, though never spent needlessly, seemed boundless, his efforts for the rights of his nation never ceasing!

His philosophy was fully tested in the field of practical politics and his theories withstood the acid test of time. He was able to accomplish his purposes one after another during his 4 terms of Presidency.

Other men of simple origin shared in the molding of the character of the newly born nation. General Rastislav Stefanik, cofounder of the Czechoslovak Republic, was a son of a Minister.

Dr. Eduard Benes, Masaryk's student, follower and co-worker, first as the Minister of Foreign Affairs, later as President himself, was a son of a small farmer. Dr. Benes once taught French at my alma mater—The First Slavic Academy in Prague.

All these men, and many others, who stood at the cradle of the newly emerging country had one quality in common: "Sterling unwavering character! And so Czechoslovakia grew and flourished—both politically and economically.

I need not recount the events of World War II—most of us know it only too well, too intimately—and the soil from the Czech village of Lidice and the stone from Czechoslovakia here at the Cathedral of the Pines bear witness to the atrocities committed against the Czechoslovak nation.

Under the leadership of Dr. Benes and Jan Masaryk (the son of Thomas G. Masaryk), Czechoslovak armed units fought on the side of the Allies in the early desperate days of World War II in France, flew in the Battle of Britain and on to the final victory in 1945—while the nation at home under Nazi occupation suffered and bled under oppression and terror.

In May 1945 freedom and independence were once again restored to the Czechoslovak people, who were again ready to take up the successful management of their own affairs.

But it seems that the suffering of Czechoslovakia is never ending! A small nation of great importance is presently a great thorn in the hide of the Russian Bear. Where, oh where, is the right, small spot, to start ripping apart the seams of this overstuffed terrorist? To knock out from under him the clay feet of oppression from fear? Surely a small country—such as Czechoslovakia cannot economically endanger a giant such as the Soviet Union—or could she? Is Ivan so afraid of the spark of freedom of one small, brave Czechoslovakia—just freedom of speech, press, religion, travel and economic relations—or is he? Is he afraid?

Why is not enough pressure applied to that particular, little spot that little beginning—to start that Big Bear bleeding? It is his time to bleed now—now—or never!

When plans were formed to mark the 50th anniversary of the founding of Czechoslovakia it seemed only right to place a flag of Czechoslovakia—flag of a living, pulsating, suffering nation alongside the flags of other nations who paid dearly for their freedom.

May the spark of courageous people never be dimmed to a point where it is forgotten that freedom is an absolute necessity of life itself—for without liberty there is no life!

Fiftieth Anniversary of Free Czechoslovakia

In commemoration of the 50th Anniversary of Independence of Free Czechoslovakia several events are planned in New England prior to the historic date of October 28 by Americans of Czech and Slovak background.

The Boston Symphony will dedicate its program of October 4th and 5th to the music of Czechoslovak composers.

The Czechoslovak flag will be presented to the Cathedral of the Pines, Rindge, New Hampshire, at a special dedication service on Sunday, October 6th, at two o'clock. The Rev. Mr. Lawrence Marvin Jaffa, minister of the First Parish Church, Unitarian of Ashby and First Parish, Unitarian of Hubbardston will be officiating. Public is cordially invited. Address on the historic meaning of October 28th, 1918, will be delivered by Mrs. Ilka Williams, President of Masaryk Club of Boston. The Czechoslovak flag will be presented by Mr. George Pavlik, President, and Mr. Josef Suk of Quincy, in behalf of the American Czechoslovak Society of Boston. Dr. Douglas Sloane, founder of the Cathedral of the Pines, Altar of the Nation, will accept the Czechoslovak flag to be displayed in the Cathedral's museum along with flags of other nations who fought to preserve peace. Beside the American and Czechoslovak national anthems, the congregation will sing the ancient chorale "St. Wenceslas" (king of Bohemia to 929), to whom the nation appeals for protection in times of oppression, and the Hussite chorale "Ye Warriors of God" which gave the Czechs courage to resist their enemies who would deny their religious and political freedom ever since 1415 when Jan Hus, priest and rector of Charles University of Prague was burned. Dr. Marie Dolanska of Wellesley will play the organ. Mr. Charels R. Kalina of Cambridge is Program coordinator and Mrs. Lawrence M. Jaffa of Ashby in charge of publicity for the event.

As culmination of the anniversary celebration a dinner and cultural evening at the Harvard Club of Boston is planned for October 27th with His Excellency Gov. John A. Volpe among the guests of honor. Marcia Davenport, noted author and lifelong friend of Czechoslovakia will be guest speaker. Included in the program is a dance group from the Boston Conservatory of Music and a string ensemble of the Boston University Department of Music. Reservations may be made through the International Institute of Boston. Mr. Miroslav Kerner is chairman of the Anniversary Committee, Mrs. J. Philip Lane and Mrs. Malcolm Donald, Dinner Chairmen, Dr. Edith Vogl-Garrett, Music Chairman, Mr. Milo Benicek, treasurer, Mrs. Helen Miller, corresponding secretary, Mrs. Marie Dolanska, recording secretary. Other members of the committee are: Mesdames Jarmila Jaffa, Iva Mostecka, Helen Prochazka, Vera Vida and Mrs. George Stacho. There will be special library and other cultural and educational centers exhibits on Czechoslovakia, as well as radio and television programs, all sponsored by the Czechoslovak Academy of Arts and Sciences in America, Boston Chapter, the Masaryk Club of Boston and the American Czechoslovak Society of Boston.

Fiftieth Anniversary of Free Czechoslovakia

(Commemorative service, Cathedral of the Pines, Altar of the Nations, Rindge, N.H., Oct. 6, 1968, under the auspices of American Czechoslovak Society of Boston)

Let us continue our commemorative celebration at the Cultural Evening and Dinner under the auspices of the Masaryk Club of Boston, honoring the 50th anniversary of founding of Democratic Czechoslovakia, on Sunday, October 27, 1968. Reservations are available through the International Institute of Boston, 287 Commonwealth Avenue, Boston, Mass. 02115.

ORDER OF SERVICE

Organ prelude: Dr. Marie Dolanská.

Call to worship: Rev. Mr. Lawrence M. Jaffa, Minister, First Parish Church, Unitarian, Ashby; First Parish, Unitarian, Hubbardston.

*Hymn**

God of our Fathers

"God of our fathers
Whose Almighty hand
Leads forth in beauty
All the starry band
Of shining worlds in splendor
Thru the skies
Our grateful songs
Before thy throne arise
Thy love divine
Had led us in the past
In this free land by thee
Our lot is cast;
Be thou our ruler, guardian,
Guide and stay
Thy word our law
Thy paths our chosen way. Amen."

Invocation and the Lord's Prayer*: Rev. Mr. Lawrence M. Jaffa.

*St. Wenceslaus Chorale**

Svaty Vaclave

"Svaty Václave, vevodo ceské zeme
Kníze nás
Pros za nás Boha
Svatého Ducha
Kriste Elejson
Ty jsi dédic ceské zemé
Rozpomen se na své plémé
Nedej zahynouti
Nám ni budoucím
Svaty Václave
Kriste Elejson!"

Reading:

"Zpev Domovu"

Poem by Pavel Javor read by Dr. Ladislav Dolansky.

Hussite hymn *

Kdoz jste bozi bojovnici (Ye Warriors of God)

"Kdoz jste bozi bojovnici
"A zakona jeho
"Prostez od Boha pomoci
"A doufejtez v neho
"Ze konecne s nim vzdycky zvitezite
Ze konecne s nim vzdycky zvitezite"

Address: "The Historic Meaning of October 28, 1918," Mrs. Ilka Williams, President, Masaryk Club of Boston.

Dedication of the Czechoslovak flag

American National Anthem.*

Brief address by The Hon. Philip J. Philbin, 30 District Massachusetts.

Prayer of consecration: Rev. Mr. Lawrence M. Jaffa.

Presentation: Mr. Joseph J. Suk, Honorary President; Mr. George Pavlik, President, American Czechoslovak Society of Boston.

Czechoslovak National Anthems.*

Acceptance: Dr. Douglas Sloane.

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* Congregation standing.

Recessional hymn

Forward through the Ages
"Forward through the ages
"In unbroken line
"Move the faithful spirits
"At the call divine
"Gifts in differing measure
"Hearts of one accord
"Manifold the service
"One for sure reward
"Forward through the ages
"In unbroken line
"Move the faithful spirits
At the call divine. Amen."

Benediction: Rev. Mr. Lawrence M. Jaffa.

Contributions for the support of the Cathedral of the Pines may be placed in the boxes at the exit.

Mrs. Lawrance Jaffa cordially invites all to the Unitarian Church on Ashby Common for coffee and apple pie.

SIGNING CEREMONIES FOR CONSERVATION BILLS

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, one of the most impressive ceremonies I have attended at the White House was the recent one at which four important conservation bills were signed into law, for the Redwood National Park, North Cascades National Park, the National Trails System, and the Wild and Scenic Rivers System, by President Johnson before a very distinguished group.

In attendance from Massachusetts were several enthusiastic conservationists who have made great contributions to the cause of preserving our natural resources, including, Mrs. Stuart B. Avery, Lincoln Road, Lincoln, Mass., in my district, chairman of the conservation committee, Appalachian Mountain Club, and her distinguished husband, Mr. Avery; Mr. C. Francis Belcher, executive director, Appalachian Mountain Club, Boston, Mass.; and my valued, personal friend, the gracious and charming Mrs. Louise Brooks Van Everen, Andover, Mass., ardent mountain-climber and member of the Appalachian Mountain Club.

I am very proud of the contributions these good folks from Massachusetts have made personally and as members of outstanding, conservation clubs and organizations to the overall, national cause of conservation. We were especially fortunate this year that we were so successful in our most energetic efforts in getting these measures passed through Congress. It represents progress and encouraging achievement.

Since I have been working for conservation throughout my entire public life and introduced companion bills on the Appalachian Trail and national park measures and also strongly supported the other bills, I thought that the impressive ceremony at the White House signalized some of our most significant victories, and I want to thank the dear friends and constituents from Massachusetts mentioned above, and their great, dedicated organizations, and all those who helped in any way to bring to reality these fine pieces of legislation.

I thought that the President's speech at the signing was especially well done and most appropriate, and I include it as part of my remarks:

REMARKS OF THE PRESIDENT UPON SIGNING S. 2515, REDWOOD NATIONAL PARK; S. 1321, NORTH CASCADES NATIONAL PARK; S. 827, THE NATIONAL TRAILS SYSTEM; S. 119, THE WILD AND SCENIC RIVERS SYSTEM

Mr. Chief Justice, Secretary Udall, Senator Mansfield, Senator Kuchel, Senator Anderson, Congressman Saylor, Distinguished Members of Congress, Ladies and Gentlemen:

This is the fourth time this week that we have met here in the White House to further the cause of conservation.

I believe that all of us who have served in the Government, and particularly in the Congress, during this decade of the 60's will always be proud of this great treasure that together we have conserved.

There are now 24 million acres in our National Park System. Out of that 24 million acres, 2,400,000 acres—or at least 10 percent of the total acreage that the Nation has—has been put into that park system since 1961. That compares with fewer than 30,000 acres that were acquired in the entire previous decade.

The 1960's, therefore, have been truly an era of conservation in this country. But no achievement of these past eight years can surpass what we are about to achieve this afternoon. I speak of saving the great redwoods of California.

Half a century ago, a great conservationist said, "The forests of America, however slighted by man, must have been a great delight to God, for they were the best that he ever planted."

In the past 50 years, we have learned—all too slowly, I think—to prize and to protect God's precious gifts. Because we have, our own children and grandchildren will come to know and come to love the great forests and wild rivers that we have protected and left to them.

I believe this Act establishing the Redwood National Park in California will stand for all time as a monument to the wisdom of our generation. It will surely be remembered, I think, as one of the great conservation achievements of the 90th Congress.

It is a great victory for every American in every State, because we have rescued a magnificent and a meaningful treasure from the chain saw. For once we have spared what is enduring and enobling from the hungry and hasty and selfish act of destruction.

The redwoods will stand because the men and women of vision and courage made their stand—refusing to suffer any further exploitation of our national wealth, any greater damage to our environment, or any larger debasement of that quality and beauty without which life itself is quite barren.

Yes, the redwoods will stand. So long, as they do, they will give delight. They will give instruction, of God's work as well as nature's miracles. They will declare for all to hear, when other great conservation battles are being fought. We stand because a nation found its greatest profit in preserving for its heritage its greatest resource—and that is the beauty and the splendor of its land.

The Redwood National Park will contain some 58,000 acres. Its boundaries will surround three State parks. With the approval of the California State Legislature, these may some day become part of this great National Park System.

So today we are also approving an Act of Congress that sets aside another 1,200,000 acres of parks and recreation in the State of Washington. The North Cascades National Park and its adjoining acres in what have been called the "American Alps" is next door to the Pacific Northwest's most populous communities.

We are preserving for the pleasure of these people one of the most beautiful regions on God's earth. I also have before me the first Federal legislation providing a national system of both urban and rural trails.

The simple pleasure and healthful exercise of walking have been almost impossible for the millions of Americans who live in the cities. Where natural areas exist within the cities, they usually are not connected by walkways. In many cities, there are simply just no footpaths that lead out of the city into the countryside.

Our history of wise management of America's national forests has assisted us in designating the initial elements of the National Trails System. Two National Scenic Trails, one in the East and one in the West, are being set aside as the first components of the Trails System. The Appalachian Trail and the Pacific Crest Trail.

The legislation also calls for study of 14 additional routes for possible inclusion in the Trails System.

A few summers ago, after Secretary Udall took his lovely family on a float trip of high adventure down the turbulent Colorado River, he returned to Washington and said that every individual and every family should get to know at least one river.

Today we are initiating a new national policy which will enable more Americans to get to know more rivers. I have been informed as recently as this morning that I am going to have the rather novel experience of getting to know the Pedernales a good deal after January. I played on it as a child. I roamed it as a college student and I visited it frequently as President. But my wife has some more specific plans for me to go back and walk it with her—both sides, I think.

I am signing an Act today which preserves sections of selected rivers that possess outstanding conservation values.

An unspoiled river is a very rare thing in this nation today. Their flow and vitality have been harnessed by dams and too often turned into open sewers by communities and by industries. It makes us all very fearful that all rivers will go this way unless somebody acts now to try to balance our river development.

So we are establishing a National Wild and Scenic Rivers System which will complement our river development with a policy to preserve sections of selected rivers in their free-flowing conditions and protect water quality and other conservation values.

The National Wild and Scenic River System Act will give immediate protection to portions of eight rivers and a ribbon of land along each river bank.

Five of the eight wild and scenic rivers are located in the National Forest System. Our opportunity to designate these scenic streams depends in large measure on the bold efforts of Secretary Freeman and his Forest Service in preserving their very special qualities.

The Act further names 27 rivers as potential additions to the Wild and Scenic River System sometime in the future.

I wish we could find the time—or, if we need to—the courage, to tell our American people more about some of these things than what we are having to listen to.

So, today I want to pay a very special tribute to some of the leaders in Congress who have made some of these things possible—these men who were all fearless and who were skilled and forceful and whose vitality has given us these magnificent options for conservation. I want to thank Congressman Aspinall, Congressman Saylor, Congressman Taylor, Senator Jackson, Senator Anderson. This must be a proud day for our beloved friend Senator Kuchel and Senator Bible, who is not with us.

Above all, I want to pay my very special thanks to our beloved Chief Justice who stands for all that is good in this country, and to Mr. Grovner of the National Geographic, who has given me inspiration when I needed it most and has given me courage when I thought I needed some more.

Finally, to Mrs. Johnson, who has been an ardent, enthusiastic, pernicious, tenacious advocate—long before she ever dreamed that she would be in this house—but every minute that she has been in it, for the complete cause of conservation.

I hope that I may be able to visit some of the locations that you have helped us to preserve for the American people.

To the businessmen, to the labor people, to all of you, we say thank you. We are very grateful. The American people should say to you, "well done." This is really a monument to you, Secretary Udall. Our children will remember your great adventures and pioneering.

Now it gives me great pleasure to approve these bills which I think will add still more to the scenic wealth of our country and which I think is going to mean so much to my little grandson and all the others like him who will live in a beautiful America during their lives.

I just have one thought; you know sometimes we hear "Is there a doctor in the house?" in connection with a crisis. I am just wondering if there is a Member of the Appropriations Committee in the house. I can see that we have the vision and Senator Jackson and Members of the House, Congressman Saylor and Congressman Taylor and others, are authorizing legislation—now it is going to take some help from the Appropriations Committee.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. BURLESON in two instances and to include extraneous matter in one instance.

Mr. MCMILLAN in two instances.

Mr. MAHON to revise and extend his remarks on the supplemental appropriation bill conference report.

Mr. HAGAN to revise and extend his remarks during the debate on the rule to the Crude Pine Gum Act.

Mr. RANDALL in five instances and to include extraneous matter.

Mr. JOHNSON of California (at the request of Mr. RANDALL) in two instances and to include extraneous matter.

Mr. HORTON in five instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1169. An act for the relief of the Pine Hall Brick and Pipe Company; to the Committee on the Judiciary.

S. 1339. An act for the relief of Capt. Donald D. Folkers; to the Committee on the Judiciary.

S. 2393. An act to fix date of citizenship of Alfred Lorman for purposes of War Claims Act of 1948; to the Committee on the Judiciary.

S. 2957. An act for the relief of Soon Hie Cho Young; to the Committee on the Judiciary.

S. 3392. An act for the relief of Ah Mee Locke; to the Committee on the Judiciary.

S. 3517. An act for the relief of certain civilian employees and former civilian employees of the Bureau of Reclamation; to the Committee on the Judiciary.

S. 3573. An act for the relief of Diego M. Gimenez, Jr., to the Committee on the Judiciary.

S. 3776. An act for the relief of Dr. Jose Ramon Portela y Margolles; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 653. An act to amend the Tariff Schedules of the United States with respect to the rate of duty on certain nonmalleable iron castings, and for other purposes.

H.R. 2263. An act for the relief of Henry E. Bullock.

H.R. 2282. An act for the relief of certain employees of the Naval Weapons Center, Concord, Calif.

H.R. 3865. An act for the relief of Mauritz A. Sterner.

H.R. 5677. An act for the relief of Robert L. Miller and Mildred M. Miller.

H.R. 7417. An act to prescribe administrative procedures for the District of Columbia government.

H.R. 7735. An act to continue for 3 years the existing suspension of duties on certain alumina and bauxite, and for other purposes.

H.R. 14096. An act to amend the Federal Food, Drug, and Cosmetic Act to increase the penalties for unlawful acts involving lysergic acid diethylamide—LSD—and other depressant and stimulant drugs, and for other purposes.

H.R. 17324. An act to extend and amend the Renegotiation Act of 1951, and for other purposes.

H.R. 17735. An act to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms.

H.R. 18248. An act to amend the act of August 9, 1955, relating to certain common carrier operations in the District of Columbia.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 2938. An act to extend expiring provisions under the Manpower Development and Training Act of 1962, as amended, and for other purposes.

S. 3615. An act to authorize the Secretary of the Army to convey to the port of Cascade Locks, Oreg., a certain interest in lands in the State of Oregon for municipal purposes.

S. 4158. An act to amend title 37, United States Code, to clarify the conditions under which physicians and dentists who extend their service on active duty in a uniformed service may be paid continuation pay.

BILL PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 18037. Making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1969, and for other purposes.

TELL IT LIKE IT IS

The SPEAKER. Under a previous order of the House, the gentleman from Louisiana [Mr. BOGGS] is recognized for 60 minutes.

Mr. BOGGS. Mr. Speaker and my colleagues, what I am about to do here verifies the old business about truth being stranger than fiction. I am going to tell it like it is. That is the way they talk today.

Mr. Speaker, I want to tell a story, to recount a series of events which I think will point up the kind of society in which we live today. I think it might have some impact upon congressional races and upon the presidential race.

POINT OF ORDER

Mr. LATTA. Mr. Speaker, a point of order.

Mr. BOGGS. I do not yield to this gentleman, Mr. Speaker. I refuse to yield.

Mr. LATTA. Mr. Speaker, a point of order.

Mr. BOGGS. Mr. Speaker, I refuse to yield.

Mr. LATTA. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. BOGGS. Mr. Speaker, I am going to make this speech if he makes a thousand points of order. He can suit himself about it. It is up to him, but I assure him the speech will be made. I just tell the gentleman what is going to happen. I tell it like it is.

Mr. LATTA. I insist upon my point of order, Mr. Speaker.

CALL OF THE HOUSE

The SPEAKER. The gentleman from Ohio insists upon his point of order that a quorum is not present, and evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 428]

Abbitt
Adair
Anderson, Ill.
Annunzio
Arends
Ashley
Ashmore
Aspinall
Ayres
Barrett
Belcher
Bell
Berry
Bevill
Bingham
Blackburn
Blanton
Blatnik
Bow
Brademas
Brasco
Brock
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Burke, Fla.
Burton, Calif.
Bush
Button
Cabell
Carter
Casey
Celler
Clancy
Clausen, Don H.
Clawson, Del
Cohelan
Collier
Collins
Conte
Conyers
Corman
Cowger
Culver
Cunningham
Curtis
Daddario
Davis, Ga.
Denney
Dent
Derwinski
Devine
Dickinson
Diggs
Donohue
Dow
Dwyer
Eckhardt
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Esch
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Fino
Fisher
Flood
Ford, William D.
Fraser
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gross
Gurney
Haley
Hall
Halleck
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hardy
Harsha

Harvey
Hathaway
Hawkins
Hays
Hébert
Heckler, Mass.
Helstoski
Henderson
Herlong
Hicks
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Ichord
Jacobs
Johnson, Calif.
Jones, N.C.
Karsten
Kastenmeier
Kee
Keith
Kelly
King, Calif.
Kirwan
Kleppe
Kluczynski
Kupferman
Kuykendall
Kyl
Kyros
Landrum
Langen
Leggett
Lloyd
Long, La.
Lukens
McCarthy
McClory
McClure
McFall
Macdonald, Mass.
Madden
Mailliard
Martin
Mathias, Calif.
Mathias, Md.
Mayne
Meeds
Michel
Miller, Calif.
Minshall
Montgomery
Moorhead
Morris, N. Mex.
Mosher
Moss
Nedzi
Nelsen
Nichols
Nix
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Patman
Pettis
Pickle
Podell
Pollock
Pucinski
Purcell
Quillen
Reifel
Reinecke
Resnick
Rhodes, Ariz.
Roberts
Robison
Rodino
Rogers, Colo.
Ronan
Rostenkowski
Roudebush
Roush
Ruppe
Ryan
St Germain
Sandman
Schadeberg
Scherle
Scheuer
Schweiker
Schwengel
Selden
Shipley
Sikes
Sisk
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Steed
Steiger, Ariz.
Stephens
Stratton
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Tenzer
Thompson, N.J.
Thomson, Wis.
Tiernan
Tunney
Udall
Ullman
Utt
Van Deerlin
Vigorito
Waldie
Walker
Watkins
Whalen
White
Whitener
Widnall
Wiggins
Williams
Willis
Wilson, Charles H.
Winn
Wolff
Wright
Wydler
Yates
Zion

During the call of the roll a message was received from the President of the United States and from the Senate.

The SPEAKER. One hundred eighty-eight Members are present, not a quorum.

The Chair recognizes the gentleman from Oklahoma.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 53 minutes p.m.), the House adjourned until tomorrow, Saturday, October 12, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2268. A letter from the Director, Administrative Office of the U.S. Courts, transmitting proposed amendments to the Criminal Justice Act of 1964 (18 U.S.C. 3006A), pursuant to the action of the Judicial Conference of the United States at its meeting on September 19 and 20, 1968; to the Committee on the Judiciary.

2269. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of an order entered under the authority of section 13(b) of the act of September 11, 1957, pursuant to the provisions of section 13(c) of the act; to the Committee on the Judiciary.

2270. A letter from the Secretary of Transportation, transmitting a report on the estimated costs of carrying out the provisions of the Highway Safety Act of 1966; to the Committee on Public Works.

REPORTS OF COMMITTEE ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MAHON: Committee of conference. Report on H.R. 20300. A bill making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes (Rept. No. 1972). Ordered to be printed.

Mr. DAVIS of Georgia: Committee on House Administration. House Resolution 1211. Resolution to provide for an additional number of positions in the U.S. Capitol Police force for duty under the House of Representatives (Rept. No. 1973). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of Utah:

H.R. 20494. A bill to amend the Small Business Act; to the Committee on Banking and Currency.

H.R. 20495. A bill to amend section 1498 of title 28, United States Code, to permit patent holders to bring civil actions in district courts against Government contractors who infringe patents while carrying out Government contracts; to the Committee on the Judiciary.

By Mrs. DWYER:

H.R. 20496. A bill to establish a system for the sharing of certain Federal revenues with States and local governments for priority purposes; to the Committee on Ways and Means.

By Mr. JACOBS:

H.R. 20497. A bill to provide for the punishment of persons committing a third or subsequent violent crime in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MATHIAS of Maryland:

H.R. 20498. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer or spouse who is permanently and totally disabled; to the Committee on Ways and Means.

By Mr. MOORHEAD:

H.R. 20499. A bill to provide the Civil Aeronautics Board with authority to assist in relieving airport congestion; to the Committee on Interstate and Foreign Commerce.

By Mr. RESNICK:

H.R. 20500. A bill to amend title 5, United States Code, to provide for the reclassification of employees of Federal agencies in positions of nursing assistant who are licensed as practical nurses, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CUNNINGHAM:

H.R. 20501. A bill to amend title 39 of United States Code in order to restrict the jurisdiction of the postal inspection service to nonadministrative postal matters, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROYBAL:

H.R. 20502. A bill to amend section 592 of the Tariff Act of 1930 (19 U.S.C.A. 1592), and for other purposes; to the Committee on Ways and Means.

H.R. 20503. A bill to establish a community self-determination program to aid the people of urban and rural communities in securing gainful employment, achieving the ownership and control of the resources of their community, expanding opportunity, stability, and self-determination, and making their maximum contribution to the strength and well-being of the Nation; to the Committee on Ways and Means.

H.R. 20504. A bill to provide for the establishment of an Institute on Retirement Income which shall conduct studies and make recommendations designed to enable retired individuals to enjoy an adequate retirement income; to the Committee on Ways and Means.

By Mr. SAYLOR (for himself, and Mr. SKUBITZ):

H.R. 20505. A bill to amend the authority of the Secretary of the Interior under the act of July 19, 1940 (54 Stat. 773), to encourage through the National Park Service travel in the United States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. VANIK:

H.R. 20506. A bill to provide that disabled individuals entitled to disability insurance benefits under section 223 of the Social Security Act or to child's or widow's insurance benefits on the basis of disability under section 202 of such act, and individuals in the corresponding categories under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age; to the Committee on Ways and Means.

By Mr. BOGGS:

H.R. 20507. A bill to amend the bribery provisions of title 18; United States Code; to the Committee on the Judiciary.

By Mr. SAYLOR (for himself and Mr. SKUBITZ):

H.J. Res 1471. Joint resolution to provide for the development of the Eisenhower National Historic Site at Gettysburg, Pa., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BROWN of Ohio:

H.J. Res. 1472. Joint resolution proposing an amendment to the Constitution of the United States with respect to the appointment of Judges of the Supreme Court; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 20508. A bill for the relief of George Antonopoulos; to the Committee on the Judiciary.

H.R. 20509. A bill for the relief of Carmelo DiFiore; to the Committee on the Judiciary.

H.R. 20510. A bill for the relief of Emmanuel E. and Dalva Lazidis and minor children, Elena and Triantafyllia Lazidis; to the Committee on the Judiciary.

Mr. ANNUNZIO:

H.R. 20511.A bill for the relief of Helen Bantounas and Frank Bantounas to the Committee on the Judiciary.

By Mr. BENNETT:

H.R. 20512. A bill for the relief of Carmen Pinto; to the Committee on the Judiciary.

By Mr. BOW:

H.R. 20513. A bill for the relief of Enrique M. and Margarita Lopez; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 20514. A bill for the relief of Antonina Amadeo; to the Committee of the Judiciary.

H.R. 20515. A bill for the relief of Angelo Grella; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 20516. A bill for the relief of James M. Buster; to the Committee on the Judiciary.

H.R. 20517. A bill for the relief of Demetrios Kaldis; to the Committee on the Judiciary.

By Mr. BURKE of Florida:

H.R. 20518. A bill for the relief of Mrs. Lee Yin Har; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 20519. A bill for the relief of Aniello Silvestro; to the Committee on the Judiciary.

H.R. 20520. A bill for the relief of Pak Yang Ch'a Andrewin; to the Committee on the Judiciary.

H.R. 20521. A bill for the relief of Pasquale Armetta; to the Committee on the Judiciary.

By Mr. DE LA GARZA:

H.R. 20522. A bill for the relief of Jose de Luna-Segovia; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 20523. A bill for the relief of Maria Bouloudakis Bounatsos; to the Committee on the Judiciary.

H.R. 20524. A bill for the relief of Donado Iezzi; to the Committee on the Judiciary.

H.R. 20525. A bill for the relief of Irene Moreno; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 20526. A bill for the relief of Maria Giovanna Lojero; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 20527. A bill for the relief of Girolamo Asaro, Francesca Asaro, and Maria Antonina Asaro; to the Committee on the Judiciary.

By Mr. GERALD R. FORD:

H.R. 20528. A bill for the relief of Jack A. Zondag; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 20529. A bill for the relief of Dr. Humberto DeGuzman Hernandez; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 20530. A bill for the relief of Renate Evelin Sayfried; to the Committee on the Judiciary.

H.R. 20531. A bill for the relief of Dr. Venkatachala Iyengar Sreenivas; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 20532. A bill for the relief of Mr. Jose Maria Lopez Herrero; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 20533. A bill for the relief of Agnes Renee Davis; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 20534. A bill for the relief of Jadwiga Adamkiewicz; to the Committee on the Judiciary.

H.R. 20535. A bill for the relief of Muammer Onguner, her son, Erol Onguner, and her granddaughter, Yasemin Onguner; to the Committee on the Judiciary.

By Mr. HECHLER of West Virginia:

H.R. 20536. A bill for the relief of Dr. Osias M. Villaflor; to the Committee on the Judiciary.

By Mr. HOWARD:

H.R. 20537. A bill for the relief of Salvatore Mannino, his wife, Rosalie Mannino, and their children, Giuseppa Mannino and Stefania Mannino; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 20538. A bill for the relief of Lenny Alikpala; to the Committee on the Judiciary.

H.R. 20539. A bill for the relief of Myrna Flowers; to the Committee on the Judiciary.

H.R. 20540. A bill for the relief of Ayako Murao; to the Committee on the Judiciary.

H.R. 20541. A bill for the relief of Mrs. Ho Pool-Man Tong; to the Committee on the Judiciary.

H.R. 20542. A bill for the relief of Peter Wenzke; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H.R. 20543. A bill for the relief of Dominador Flaviano Santos, Jr.; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 20544. A bill for the refief of Patrick Oliver Birmingham; to the Committee on the Judiciary.

H.R. 20545. A bill for the relief of Francesco Gonnella; to the Committee on the Judiciary.

By Mr. MORGAN:

H.R. 20546. A bill for the relief of Wong Kwai Ming; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 20547. A bill for the relief of Mr. and Mrs. Laurie Thompson Lunn; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 20548. A bill for the relief of Accursia Billera; to the Committee on the Judiciary.

H.R. 20549. A bill for the relief of Nunzia Uccellatore; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 20550. A bill for the relief of Jose and Maria Luiza da Cunha Cirilo; to the Committee on the Judiciary.

H.R. 20551. A bill for the relief of Francisco Correia de Mendonca; to the Committee on the Judiciary.

H.R. 20552. A bill for the relief of Domingos Casanova Fidalgo; to the Committee on the Judiciary.

H.R. 20553. A bill for the relief of Dimitra Kassola; to the Committee on the Judiciary.

H.R. 20554. A bill for the relief of Luisa Clelia La Pietra; to the Committee on the Judiciary.

H.R. 20555. A bill for the relief of Dr. Athanassios Tsamtsouris and Mrs. Anthi Tsamtsouris; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 20556. A bill for the relief of Audrey Jones; to the Committee on the Judiciary.

H.R. 20557. A bill for the relief of Maria Luchi; to the Committee on the Judiciary.

By Mr. RIEGLE:

H.R. 20558. A bill for the relief of Giuseppe Palozzolo; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 20559. A bill for the relief of Mrs. Josefina Ferrer Marasigan; to the Committee on the Judiciary.

H.R. 20560. A bill for the relief of Dr. Bernadette C. F. Soong; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 20561. A bill for the relief of Elma Cynthia Cornwall; to the Committee on the Judiciary.

H.R. 20562. A bill for the relief of Fanny G. Chavez; to the Committee on the Judiciary.

H.R. 20563. A bill for the relief of Guiseppe Galdo; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 20564. A bill for the relief of Choi Bok Kim; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 20565. A bill for the relief of Nguyen Thi Thu Cuc; to the Committee on the Judiciary.

H.R. 20566. A bill for the relief of Eunice Carter; to the Committee on the Judiciary.

H.R. 20567. A bill for the relief of Victorino and Natividad Nepomuceno; to the Committee on the Judiciary.

H.R. 20568. A bill for the relief of John Sellars Lyle; to the Committee on the Judiciary.

By Mr. TIERNAN:

H.R. 20569. A bill for the relief of Mrs. Maria de Lourdes Gomes and dependent children; to the Committee on the Judiciary.

H.R. 20570. A bill for the relief of Pasquale Minichillo; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 20571. A bill for the relief of Rudolf Sandor, and his wife, Klara Sandor, and their son, Rudolph Sandor; to the Committee on the Judiciary.

By Mr. VANIK:

H.R. 20572. A bill for the relief of Milan Michal Masaryk; to the Committee on the Judiciary.

By Mr. WATSON:

H.R. 20573. A bill for the relief of Charles R. Goddard and Janetta H. Goddard Love; to the Committee on the Judiciary.

By Mr. WILLIS:

H.R. 20574. A bill for the relief of Ante Lepetic; to the Committee on the Judiciary.

H.R. 20575. A bill for the relief of Nedjelko Tesvic; to the Committee on the Judiciary.

H.R. 20576. A bill for the relief of Ivo Tomasovic; to the Committee on the Judiciary.

By Mr. HOWARD:

H. Res. 1321. A resolution to refer the bill, H.R. 20016 entitled "A bill for the relief of Louise Gorna" to the Chief Commissioner of the Court of Claims in accordance with sections 1492 and 2509 of title 28, United States Code; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

407. The SPEAKER presented a petition of Donald P. Walker, Leavenworth, Kans., relative to redress of grievances to the Committee on the Judiciary.

SENATE—*Friday, October 11, 1968*

The Senate met at 11 a.m., and was called to order by the President pro tempore.

Rev. George M. Booker, synod of New Jersey, United Presbyterian Church, East Orange, N.J., offered the following prayer:

Our Father, the challenges that confront us and the thoughts of what lies before us this day seem to leave us little to think of Thee, but may the silence of this moment make us aware that though we may forget Thee, Thou dost not forget us, nor does Thy love for us ever falter. We know deep down in our hearts that without Thy guidance we as individuals and as a nation can do nothing, but with Thee we can accomplish great things.

In these days when men harshly judge and criticize each other, remind us all that Thou dost require that we apply to ourselves the standards of conduct that we demand of others. Forgive our unwillingness to see the good in others and our unwillingness to see the evil in ourselves. Help us better to know ourselves, to understand others that we may look upon their shortcomings with charity, their virtues with appreciation, and their kindness with gratitude. Help us to think clearly, to act kindly, to love truly, that we may leave Thy world better for having lived.

May the love of God, which is greater than the comprehension of man's mind;

the grace of our Lord Jesus Christ, which is sufficient for all our needs; and the fellowship of the Holy Spirit, who shall lead us into all truth, be with us all this day. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting a nomination were communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendments of the Senate numbered 2, 4, 6, and 7 to the bill (H.R. 16025) to amend title 38 of the United States Code with respect to eligibility for, and the period of limitation on, educational assistance available under part III of such title, and for other purposes; and that the House had receded from its disagreement to the amendments of the Senate numbered 1, 3, and 5 to the bill, and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7735) relating to the dutiable status of aluminum hydroxide and oxide, calcined bauxite, and bauxite ore.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H.R. 18037) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1969, and for other purposes, and it was signed by the President pro tempore.

COMMITTEE MEETING DURING SENATE SESSION

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Government Operations be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE EQUAL-TIME DEBATE

Mr. LONG of Louisiana. Mr. President, in this morning's issue of the Washington Post there appears a very devastating cartoon which is typical of the great cartoonist Herblock. It pictures Richard Nixon hiding beneath the training table in a dressing room, with two big pictures on the wall. In one picture he is holding up his hands as a champion going into the ring, and in the other he has his boxing gloves in front of him.

The cartoon depicts the GOP Senator saying, "It's OK to come out now—we just tore down the ring."

In the background one sees Senators chopping down the boxing ring.

Mr. President, I know that George Wallace is a tough man to compete with. I once had an argument with George Wallace. I think that if "Richard the Fainthearted" cannot face George Wallace, I do not see how he can face a confrontation with Castro, who is a tough man himself; with the present head of the Soviet Union; or with Mao Tse-tung, who is even more radical.

All this talk about George Wallace appealing to prejudice and hatred and all that is completely unfair, and it is not right. Even if it were true, if George Wallace can come out and confront all the people, favorably or unfavorably, and if Hubert Humphrey can take them all on, I cannot understand why Richard Nixon cannot subject himself to some cross-examination. Then people can see if he is the same old Nixon or if he has changed, and they can see just who this man really is being proposed for the President of the United States. It would be a very sad thing if that were the case.

There is also an editorial which was published in the Washington Post today which tends to criticize our great minority leader. I think most Senators are aware of the editorial. Mr. President, fully understanding that the editorial is critical of the minority leader, if there is no objection, I ask unanimous consent that the editorial entitled "Hatchet Man" be printed in the Record at this point.

Mr. DIRKSEN. The minority leader would be delighted.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Hatchet Man

The Dirksen filibuster which has apparently killed the bill to permit free television debates by the presidential candidates leaves an ugly smear on the Senator's record. The Senate long ago passed a bill to relieve the networks from the burden of giving equal time to fringe candidates so that they could conduct debates among the real candidates. When the House also belatedly passed a similar bill on Wednesday, it was bowing to the will of the country. The Senate should have found a way to reconcile the two measures or, as a last resort, to accept the less desirable House bill.

The killing of the bill by means of a filibuster directed by the Republican leader of the Senate is a grave reflection upon the GOP in general. It can be explained only by unwillingness of Republican Candidate Nixon to debate his opponents in the race, although he had indicated a willingness to meet Mr. Humphrey on TV. It is beside the point that the Democrats rejected a similar bill in 1964 to prevent pressure on President Johnson to debate with Senator Goldwater. Two wrongs do not make a right. Against the overwhelming demands of the country, the Republican spokesman in the Senate has used the Senate's discredited stalling device to prevent the public from seeing the presidential candidates in direct confrontation. It is a shocking disservice to 70 million voters, and we suspect that they are not going to let Mr. Dirksen forget about it.

Mr. LONG of Louisiana. Mr. President, the American people are demanding more and more that there be a face-to-face debate between the presidential candidates.

I quite realize that when he was Vice President Nixon went on television to debate when he was almost a certain winner, but after the people saw him in a face-to-face confrontation with John Kennedy, they elected John Kennedy to be President, but that is a chance a man should take if he wants to be President of the United States.

While there are still those who spoof and laugh at Wallace, according to the latest Gallup poll he has at least 20 percent of the people favoring him. There is no doubt in my mind that he will have a lot of electoral votes. I took a poll in Louisiana and he has more votes moving in his direction than Nixon and Humphrey together.

Mr. President, I personally feel it is the duty of the Senate to offer this opportunity to the American people to see a face-to-face confrontation between these major candidates for President. It is my judgment that we would be derelict in our duty if we went home without deciding this important issue.

We did not act on the nomination of Justice Fortas. A cloture petition was filed, and I voted against it, but at least the proponents tried to force it to a vote. We should go to the extent of trying to file a cloture petition in this instance to see if we can force a face-to-face confrontation before the public. We would be derelict if we permitted this great issue to go undecided for lack of a quorum. If need be, I would even favor issuing warrants and bringing Senators in here under guard and arrest so that we may do our duty to the American people and vote on this important issue. It would be unworthy of us if this matter were to go undecided when the people want to see both candidates. They want to see a confrontation with even a challenger like George Wallace, who I say is a courageous man. All candidates should be required to prove their mettle before the American people if they want to be President.

There was some of this same concern 4 years ago. At that time the man who was President could in all good conscious decline to appear with others on a program, because one can rely on the dignity of the office and there is the danger of inadvertently disclosing secrets. But there is no such excuse here. Mr. Nixon has debated before; he agreed to do so before; he is not now President. He is being challenged by two great Americans, the Vice President and George Wallace.

In my judgment the people of this country will think less of us and they will think less of "Richard the Fainthearted" if they find out that here is a man who would be President and have the duty of confronting the Communist leaders of the world, who would have the duty of maintaining law and order, the duty of putting down riots in the streets, and the duty of protecting the lives and property of citizens, does not have the courage to go on television and confront his adversaries.

Mr. President, this is an enormous issue. If this issue were submitted to the American people, 99 percent of them would vote to require any man who wants to be President to face his opponents so they can judge the man. People would like to know where he stands on the issues, what he would do about Vietnam, and what he would do about law and order besides mouthing words.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of unobjected-to items on the calendar.

Mr. CASE. Mr. President, reserving the right to object, and I shall not object, could it be understood that there will be no extraneous amendments offered to these bills, amendments which are not germane?

Mr. MANSFIELD. Yes. As far as I know, they are not objected to, and they have been cleared on both sides.

Mr. CASE. I thank the Senator.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the unobjected-to items on the calendar beginning with Calendar 1616 and then proceeding to Calendar Nos. 1618, 1622, 1626, 1628, 1637, 1638, 1643, 1644, 1662, and 1663.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LUDGER J. COSSETTE

The bill (S. 2584) for the relief of Ludger J. Cossette, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2584

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ludger J. Cossette, of Gonic, New Hampshire, a retired employee of the Post Office Department, the sum of $84.96, in full satisfaction of all claims of the said Ludger J. Cossette for additional compensation for emergency services performed by him for such Department at its request, payment heretofore received by him for such services having been limited, by reason of his retired status, to the difference between the amount earned and the amount payable to him for the same period as retirement annuity: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1627), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the bill is to pay to Ludger J. Cossette of Gonic, N.H., a retired employee of the Post Office Department, the sum of $84.96 for additional compensation for emergency services.

STATEMENT

The U.S. Civil Service Commission has advised the committee that it would have no objection to the enactment of the bill.

In its favorable report to the committee, the Civil Service Commission said:

"Mr. Cossete, a retired employee of the Post Office Department, was reemployed for a total of 36 hours during the pay period beginning February 26, 1966. His net earnings for the service were $7.56. These earnings were limited by reason of his retired status, to the difference between his annuity and the amount that he would otherwise have earned if he had not been a retired employee. The civil service retirement law requires that the salary of a reemployed retired employee, such as Mr. Cossette, be reduced by the annuity allocable to the period of employment. The purpose of this provision is to prevent a reemployed retired employee from receiving a windfall of both salary and annuity covering the same period of time.

"S. 2584 would authorize payment of $84.96 to Mr. Cossette. This is the amount by which his earnings were reduced because of his retired status. The Commission has consistently viewed as undersirable any private bill which would single out one person for benefits not available to others similarly situated. In this case, however, we believe such legislation may be justified. Mr. Cossette did not seek this employment but performed the service on an emergency basis as a favor to the postmaster. It also does not appear that he was ever informed that his pay would be limited to the difference between his gross earnings and annuity for the period of employment. We therefore consider it patently unfair that Mr. Cossette, an experienced postal employee, worked almost a full week for $7.56.

"In view of these exceptional circumstances, the Commission would have no objection if Congress acted favorably on S. 2584."

The committee believes that the bill is meritorious and recommends it favorably.

CHARLES B. FRANKLIN

The bill (H.R. 2288) for the relief of Charles B. Franklin was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1622), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the bill is to pay to Charles B. Franklin $3,346.50 as compensation for service-connected disability not paid him in the period from August 30, 1951 through November 30, 1962, due to the inability of the Veterans' Administration to locate him.

STATEMENT

The bill as introduced in the House of Representatives provided for the payment of $4,655.50 to the claimant. After careful consideration, the Committee on the Judiciary of the House of Representatives amended the bill to pay the claimant $3,346.50 and the bill was approved by the House of Representatives in this amended form.

In its favorable report on the bill, the Committee on the Judiciary of the House of Representatives said:

"As stated in the report of the Veterans' Administration to the committee on the bill, Charles B. Franklin served honorably in the Armed Forces of the United States from September 27, 1935, to March 27, 1936 from December 7, 1940 to November 16, 1945 and from December 2, 1946, to March 24 1947. On July 7, 1948, he was admitted to the Veterans' Administration Hospital, Gulport, Miss.

"While hospitalized, on July 13, 1948, a Veterans' Administration contract representative filed a claim for disability compensation in the veteran's behalf on account of his nervous condition. Service connection for the personality disorder was denied since the condition was regarded as a constitutional or developmental abnormality which, under the law, is not considered a disability.

"In September 1949, Mr. Franklin reopened his claim for disability compensation, alleging a back disability. He was examined at the Veterans' Administration hospital, Jackson, Miss., in December of that year. X-rays of his spine were negative and the examining physician reported that there were no objective findings of a back condition. He was hospitalized at the same hospital in January 1950 at which time a diagnosis of lumbosacral strain, mild, was made, even though X-rays taken of his spine were again reported as normal. Following this period of hospital care, service connection was established for a mild lumbosacral strain, which was evaluated as being zero percent disabling.

"Mr. Franklin was admitted to the Veterans' Administration hospital, Houston, Tex., on August 30, 1951, because of recurrent low back pain. The report of his examination included the following findings:

" 'Back: No list noted, normal lumbar lordosis, forward bending to 4 inches from the floor with fingertips. Extension OK. No decrease in lateral bending. Straight leg raising to 80 degrees bilaterally without pain. No tenderness in back to palpation, no muscle spasm, no CVA tenderness.

" 'X-ray on August 30, 1951, of lumbar and sacral spine was normal. There was slight spurring of the vertebrae. * * * Lumbar and sacral spine normal. Slight spurring is present.'

"The report noted that the veteran's back pain acutely decreased following bed rest and that he was fitted with a back brace and given a leave of absence on September 20, 1951. When he failed to return, he was discharged as absent without leave on October 18, 1951; the final diagnosis being lumbosacral strain, acute, recurrent, treatment, improved.

"Based on the latter report, the veteran's lumbosacral strain was rated as 20 percent disabling from August 30, 1951. A letter advising him of the award of disability compensation was mailed on November 16, 1951, to his most recent address of record, i.e., Antlers Hotel, Houston, Tex., and a copy was sent to the Veterans of Foreign Wars, his duly authorized service representative. The letter to the veteran as well as two disability compensation checks were returned by the Post Office Department as unclaimed. In response to a further inquiry by the Veterans' Administration, the postmaster at Houston advised that he did not have a forwarding address for Mr. Franklin. Accordingly, payments of disability compensation were stopped because the veteran's whereabouts are unknown.

"The Veterans' Administration noted that Mr. Franklin did not inquire of the Veterans' Administration concerning his claim for disability compensation and further noted that on July 15, 1963, he asked that his claim for compensation be considered. In an affidavit by Mr. Franklin furnished to the committee, he stated that when he was hospitalized in Jackson, Miss., in 1952, he does not recall having been advised that he would be awarded a service-connected disability rating. Mr. Franklin further noted that in the 12-year period prior to his request for a reopening of his claim in 1963, he was hospitalized by the Veterans' Administration. This is noted in the report of the Veterans' Administration in that it states that he was hospitalized on two occasions, first in the Veterans' Administration Center at Jackson, Miss., from September 29, to October 6, 1952, and the Veterans' Administration hospital at Roseburg, Oreg., from May 14 to June 4, 1956. In addition, he applied for hospital care but was not hospitalized on two other occasions—first on December 3, 1951, and secondly, on October 27, 1953, at the same Veterans' Administration Center. In this connection the Veterans' Administration noted that the Board of Veterans Appeals ruled that the various addresses given by the veteran on these occasions could not be considered as notice of official change of address for compensation purposes. The Veterans' Administration in its report indicates that it was adverse to relief because of the veteran's failure to contact the Veterans' Administration and advise it of his correct address. Mr. Franklin in his affidavit contests this point and indicated that he felt that the addresses he furnished and the forwarding addresses he left at his various residences were sufficient to enable the Veterans' Administration to send him his compensation checks."

"The committee has carefully considered this case, including the aspects discussed in the Veterans' Administration report, and has concluded that the matter can be most equitably adjusted by a payment of the reduced amount stated in the committee amendment. The significant fact in the case is that this veteran was found by the Veterans' Administration to be disabled and to be entitled to compensation, and further that he did not receive any compensation in the period from August 30, 1951, to November 30, 1962. The committee is advised that in cases such as this, it would be normal for a veteran to be reexamined after an interval of 5 years. If it is assumed that after a 5-year period Mr. Franklin would have been reexamined and his disability be reduced to 10 percent, it is then possible to compute the compensation he was not paid. Thus, it would be assumed that he would have been compensated at a rate of 20 percent from August 30, 1951, to October 30, 1956, and at 10 percent from November 1, 1956, to November 30, 1962. At the request of the committee, the Veterans' Administration advised that the amount which would have been paid on this basis would have been $3,346.50. This is the amount stated in the committee amendment.

"In view of the facts outlined in this report and in the report of the Veterans' Administration, it is recommended that the bill, amended to provide for a payment of $3,346.50, be considered favorably."

The committee believes that the bill as amended by the House of Representatives is meritorious and recommends it favorably.

ENACTMENT OF TITLE 44, UNITED STATES CODE, "PUBLIC PRINTING AND DOCUMENTS"

The bill (H.R. 18612) to enact title 44, United States Code, "Public Printing and Documents," codifying the general and permanent laws relating to public printing and documents was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1621), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of this bill is to restate in comprehensive form, without substantive change, the statutes in effect on January 14, 1968, relating to public printing and documents, and to enact title 44, United States Code. In the revised title, simplified language is substituted for awkward and obsolete terms, and superseded, executed, and obsolete statutes are eliminated. This bill is a part of the program of the Committee on the Judiciary of the House of Representatives to enact all 50 titles of the United States Code.

STATEMENT

The purpose of this legislation is to continue the codification of all of the titles of the United States Code.

HISTORY

The statutes relating to public printing and documents were consolidated during the third session of the 53d Congress, in the Printing Act of 1895. Since that time many laws have been enacted affecting that statute, although not uniformly amending it, with the result that the body of printing laws has grown haphazardly.

During the first session of the 90th Congress, the Committee on the Judiciary decided to prepare a codification of those laws, to be enacted as title 44, United States Code. The chairman of the Joint Committee on Printing, Senator Carl Hayden, and the Public Printer, Mr. James Harrison, graciously offered their cooperation in this endeavor. A bill was drafted under the direction of this committee's law revision counsel, Dr. Charles J. Zinn, with the full cooperation and assistance of the Joint Committee and the Government Printing Office. This committee expressed its deep appreciation of their cooperation and assistance and that of Mr. John Haley, staff director, and Mr. Louis Anderson, of the staff of the Joint Committee.

A bill, H.R. 14144, to accomplish the codification was introduced by Mr. Willis on November 22, 1967. The committee invited an expression of views from the departments and agencies interested in the title, as well as the Joint Committee on Printing. Thereafter, upon receipt of such views, a complete review of the bill was made by this committee's law revision counsel and a number of amendments proposed with respect to changes in terminology and other minor matters. As a result, Subcommittee No. 3 of this committee authorized its chairman, Mr. Willis, to introduce a clean bill (H.R. 18612), which is now favorably reported by the Committee on the Judiciary.

STATEMENT BY COMMITTEE

The Committee on the Judiciary of the U.S. Senate desires to join in stating its appreciation to Senator Carl Hayden, the chairman of the Joint Committee on Printing, the Public Printer, Mr. James Harrison, and to the assistance given by Mr. John Haley, staff director, and Mr. Louis Anderson, of the staff of the Joint Committee.

DR. ANDRES RAUL FERNANDEZ

The bill (S. 3373) for the relief of Dr. Andres Raul Fernandez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Andres Raul Fernandez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 18, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1633), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. PEDRO SARDUY BRITO

The bill (S. 3440) for the relief of Dr. Pedro Sarduy Brito (Pedro S. Sarduy) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Pedro Sarduy Brito (Pedro S. Sarduy) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 19, 1962.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1635), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. FRANCISCO A. AVILES

The Senate proceeded to consider the bill (S. 3289) for the relief of Dr. Francisco A. Aviles which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "of" strike out "December 23, 1961." and insert "December 25, 1961."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Francisco A. Aviles shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 25, 1961.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1644), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The purpose of the amendment is to reflect the proper date upon which he was paroled into the United States.

DR. KENNETH SIU

The Senate proceeded to consider the bill (S. 3464) for the relief of Dr. Kenneth Siu which had been reported from the Committee on the Judiciary with an amendment on page 1, line 6, after the word "of" where it appears the first time, strike out "October 9, 1959, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available."; and insert "July 29, 1953, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of such Act."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of the Immigration and Nationality Act, Doctor Kenneth Siu shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 29, 1953, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of such Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1645), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The bill has been amended in accordance with established precedents.

STATEMENT OF FACTS

The beneficiary of the bill is a 40-year-old native and citizen of China who first entered the United States on July 29, 1953, as an exchange student. He was granted a waiver of the 2-year foreign residence requirement applicable to exchanges on August 20, 1959, and his status was thereafter adjusted to that of permament residence on October 9, 1959. He returned to Hong Kong October 26, 1959, and reentered the United States on July 11, 1961. He again departed to Hong Kong December 18, 1963, and was readmitted to the United States as an immigrant on May 1, 1968. He presently resides with his U.S. citizen wife and five children in Jefferson City, Mo., where he is employed by the Missouri Department of Social Welfare and is a doctor of medicine. He desires U.S. citizenship as soon as possible in order that he may qualify to enter into the private practice of medicine in Missouri.

JOSEFINA POLICAR ABUTAN FULIAR

The Senate proceeded to consider the bill (H.R. 2478) for the relief of Josefina Policar Abutan Fuliar which had been reported from the Committee on the Judiciary, with an amendment, on page 1, after line 10, insert a new section, as follows:

SEC. 2. For the purposes of sections 203 (a) (1) and 204 of the Immigration and Nationality Act, Maria Prescilla Caramanzana shall be held and considered to be the natural-born alien daughter of Mr. Adolfo Caramanzana, a citizen of the United States: *Provided,* That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege or status under the Immigration and Nationality Act.

On page 2, after line 7, insert a new section, as follows:

SEC. 3. For the purposes of the Immigration and Nationality Act, Josefina F. Viera shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 14, 1960.

After line 11, insert a new section, as follows:

SEC. 4. In the administration of the Immigration and Nationality Act, Maria Balluardo Frasca may be classified as a child within the meaning of section 101(b) (1) (F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Giovanni Frasco, citizens of the United States, pursuant to section 204 of the Act: *Provided,* That the brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

After line 20, insert a new section, as follows:

SEC. 5. For the purposes of the Immigration and Nationality Act, Doctor Rodolfo Eduardo Bustamante y Arriola shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 20, 1962.

At the top of page 3, insert a new section, as follows:

SEC. 6. In the administration of the Immigration and Nationality Act, Lee Ok Ja may be classified as a child within the meaning of section 101(b) (1) (F) of the Act, and a petition filed in her behalf by June Nelson, a citizen of the United States, may be approved pursuant to section 204 of the Act.

After line 6, insert a new section, as follows:

SEC. 7. For the purposes of the Immigration and Nationality Act, Doctor Ramón Aixalá shall be held and considered to be lawfully admitted to the United States for permanent residence as of October 13, 1962.

After line 10, insert a new section as follows:

SEC. 8. For the purposes of the Immigration and Nationality Act, Doctor Eulogio Manuel Calderín Pazos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 24, 1962.

After line 14, insert a new section, as follows:

SEC. 9. For the purposes of the Immigration and Nationality Act, Doctor Francisco Dominquez López shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 19, 1961.

After line 18, insert a new section, as follows:

SEC. 10. For the purposes of the Immigration and Nationality Act, Doctor Miguel A. Santos-Buch shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 24, 1961.

After line 22, insert a new section, as follows:

SEC. 11. For the purposes of the Immigration and Nationality Act, Doctor Dario Duque shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 27, 1956, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the said Act.

On page 4, after line 4, insert a new section, as follows:

SEC. 12. For the purposes of the Immigration and Nationality Act, Doctor Martin Adolfo Giner-Zaldivar shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 26, 1962.

After line 9, insert a new section, as follows:

SEC. 13. For the purposes of the Immigration and Nationality Act, Doctor Guillermo Sardiñas Pérez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 26, 1960.

After line 13, insert a new section, as follows:

SEC. 14. For the purposes of the Immigration and Nationality Act, Doctor Maria del Carmen Ortiz y Gomez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 4, 1961.

After line 17, insert a new section, as follows:

SEC. 15. For purposes of the Immigration and Nationality Act, Doctor Antonio F. Frexes shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 9, 1963.

After line 21, insert a new section, as follows:

SEC. 16. For the purposes of the Immigration and Nationality Act, Doctor Angela Zabarte Fandino shall be held and considered to have been lawfully admitted to the United

States for permanent residence as of February 16, 1962.

At the top of page 5, insert a new section, as follows:

Sec. 17. For the purposes of the Immigration and Nationality Act, Octor Jorge Ricardo Dávalos-Reyling shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 20, 1961.

After line 5, insert a new section, as follows:

Sec. 18. For the purposes of the Immigration and Nationality Act, Doctor José Ramón Fernández-González shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 1, 1961.

After line 9, insert a new section, as follows:

Sec. 19. For the purposes of the Immigration and Nationality Act, Doctor Reynaldo A. Geerken-Saladrigas shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 8, 1961.

After line 13, insert a new section, as follows:

Sec. 20. For the purposes of the Immigration and Nationality Act, Doctor Rolando Guzmán-Rodríguez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 11, 1961.

After line 17, insert a new section, as follows:

Sec. 21. For the purposes of the Immigration and Nationality Act, Doctor Esther Martha Espinosa Báez de Guzmán shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 11, 1961.

After line 22, insert a new section, as follows:

Sec. 22. For the purposes of the Immigration and Nationality Act, Doctor Oscar F. Cartaya shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 19, 1961.

On page 6, after line 2, insert a new section, as follows:

Sec. 23. Notwithstanding the provisions of section 212(a)(19) and for the purposes of sections 203(a)(2) and 204 of the Immigration and Nationality Act, Maria de Conceicao Botelho Pereira shall be held and considered to be the natural-born alien daughter of Palmira Pereira, a lawfully resident alien in the United States: *Provided*, That the natural parents or brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act: *And provided further*, That the exemption granted herein shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.

After line 15, insert a new section, as follows:

Sec. 24. For the purposes of the Immigration and Nationality Act, Doctor Rafael Ramon Pascual shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 24, 1962.

After line 19, insert a new section, as follows:

Sec. 25. For the purposes of the Immigration and Nationality Act, Doctor Joseph Moussakhani shall be held and considered to have been lawfully admitted to the United States for permanent residence on June 23, 1959, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the said Act.

On page 7, after line 3, insert a new section, as follows:

Sec. 26. In the administration of the Immigration and Nationality Act, Ricardo Siguancia Rosario may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Richard Rosario, a citizen of the United States and a lawfully resident alien of the United States, respectively, pursuant to section 204 of the Act: *Provided*, That no brothers or sisters of the said Ricardo Siguancia Rosario shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

After line 14, insert a new section, as follows:

Sec. 27. For the purposes of the Immigration and Nationality Act, Doctor Eliseo E. Puig shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 21, 1962.

After line 18, insert a new section, as follows:

Sec. 28. For the purposes of the Immigration and Nationality Act, Doctor Orlando Fajardo Vargas shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 9, 1963.

After line 23, insert a new section, as follows:

Sec. 29. For the purposes of the Immigration and Nationality Act, Doctor José R. Guerra shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 29, 1961.

On page 8, after line 3, insert a new section, as follows:

Sec. 30. For the purposes of the Immigration and Nationality Act, Doctor Conrado Gonzales-Nunez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 12, 1961.

After line 8, insert a new section, as follows:

Sec. 31. For the purposes of the Immigration and Nationality Act, Doctor Hugo Alfonso Ferrara Collazo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 9, 1961.

After line 13, insert a new section, as follows:

Sec. 32. In the administration of the Immigration and Nationality Act, Sung Nan Lee may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Frederick W. Uthe, citizens of the United States, pursuant to section 204 of the Act. Section 204(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

After line 22, insert a new section, as follows:

Sec. 33. For the purposes of the Immigration and Nationality Act, Doctor Orlando L. Ferdnandez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of October 31, 1961.

On page 9, after line 2, insert a new section, as follows:

Sec. 34. For the purposes of the Immigration and Nationality Act, Doctor Roberto de la Caridad Miquel shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 8, 1961.

After line 7, insert a new section, as follows:

Sec. 35. For the purposes of the Immigration and Nationality Act, Mario Santos Gomes shall be held and considered to have complied with the provisions of section 316 of that Act as they relate to residence and physical presence.

After line 11, insert a new section, as follows:

Sec. 36. In the administration of the Immigration and Nationality Act, Ann Su Gibson may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Charles C. Gibson, citizens of the United States, pursuant to section 204 of the Act. Section 204(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

After line 20, insert a new section, as follows:

Sec. 37. In the administration of the Immigration and Nationality Act, Demetroula Georgiades (formerly known as Demetroula Demetropoulos) **may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Sophia and Nicholas G. Georgiades, a lawfully resident alien and a citizen of the United States, respectively, pursuant to section 204 of the Act: *Provided*, That no brothers or sisters of the said Demetroula Georgiades shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.**

On page 10, after line 7, insert a new section, as follows:

Sec. 38. For the purposes of the Immigration and Nationality Act, Doctor Rodrigo Victor de Valle shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 25, 1963.

After line 11, insert a new section, as follows:

Sec. 39. In the administration of the Immigration and Naturalization Act, Nguyen Van Hue may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Master Sergeant Norman Leon Snyder, RO 43011064, United States Army, and Muriel Guest Snyder, citizens of the United States, pursuant to section 204 of the Act: *Provided*, That the natural brothers or sisters of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

After line 22, insert a new section, as follows:

Sec. 40. In the administration of the Immigration and Nationality Act, Elizabeth Schofield, the fiancée of Bradley Curry, a citi-

zen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of three months: *Provided*, That the administrative authorities find that the said Elizabeth Schofield is coming to the United States with a bona fide intention of being married to the said Bradley Curry and is found otherwise admissible under the immigration laws. In the event the marriage between the above named persons does not occur within three months after the entry of the said Elizabeth Schofield, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above named persons shall occur within three months after the entry of the said Elizabeth Schofield, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Elizabeth Schofield as of the date of the payment of the required visa fee.

On page 11, after line 17, insert a new section, as follows:

Sec. 41. In the administration of the Immigration and Nationality Act, Christopher Sloane (Bosmos) may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, and a petition filed in his behalf by Marcia E. Sloane, a citizen of the United States, may be approved pursuant to section 204 of the Act.

After line 23, insert a new section, as follows:

Sec. 42. In the administration of the Immigration and Nationality Act, Ku Eun Yong may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Robert H. Cobb, citizens of the United States, pursuant to section 204 of the Act: Provided, That no brothers or sisters of the said Ku Eun Yong shall thereafter, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

On page 12, after line 8, insert a new section, as follows:

Sec. 43. For the purposes of the Immigration and Nationality Act, Doctor Luis Ravenet shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 12, 1962.

After line 12, insert a new section, as follows:

Sec. 44. For the purposes of the Immigration and Nationality Act, Doctor Jorge Mañach-Baños shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 21, 1961.

After line 16, insert a new section, as follows:

Sec. 45. In the administration of the Immigration and Nationality Act, Ana Mae Yap-Diangco may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. Crisanto A. Malihan, a citizen of the United States, pursuant to section 204 of the Act: *Provided*, That the brothers or sisters of the said Ana Mae Yap-Diangco shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

At the top of page 13, insert a new section, as follows:

Sec. 46. For the purposes of the Immigration and Nationality Act, Doctor Isaac Cohen shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 5, 1960.

After line 4, insert a new section, as follows:

Sec. 47. For the purposes of the Immigration and Nationality Act, Doctor Arturo Brito Santos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 4, 1961.

After line 8, insert a new section, as follows:

Sec. 48. For the purposes of the Immigration and Nationality Act, Doctor Victor Luis Bienes Jimenez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 2, 1960.

After line 12, insert a new section, as follows:

Sec. 49. For the purposes of the Immigration and Nationality Act, Doctor Orlando De Varona De Zayas shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 10, 1962.

After line 17, insert a new section, as follows:

Sec. 50. For the purposes of the Immigration and Nationality Act, Doctor Antonio Matias Rubio shall be held and considered to have been lawfully admitted to the United States for permanent residence as of April 14, 1961.

After line 21, insert a new section as follows:

Sec. 51. For the purposes of the Immigration and Nationality Act, Doctor Luis Narciso Gonzalez y Fleites shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 12, 1961.

On page 14, after line 2, insert a new section, as follows:

Sec. 52. For the purposes of the Immigration and Nationality Act, Aydee Cordero shall be held and considered to have been lawfully admitted to the United States as of February 12, 1963.

After line 6, insert a new section, as follows:

Sec. 53. In the administration of the Immigration and Nationality Act, Choi Sung Joo may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Gerard J. Byrne, citizens of the United States, pursuant to section 204 of the Act, Section 204(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

After line 15, insert a new section, as follows:

Sec. 54. For the purposes of the Immigration and Nationality Act, Doctor Augusto Usategui shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 2, 1960.

After line 19, insert a new section, as follows:

Sec. 55. For the purposes of the Immigration and Nationality Act, Doctor Rogelio Giraldo Vidal-Lopez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 18, 1961.

After line 24, insert a new section, as follows:

Sec. 56. For the purposes of the Immigration and Nationality Act, Doctor Francisco E. Laurrauri-Laurrauri shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 5, 1961.

On page 15, after line 4, insert a new section, as follows:

Sec. 57. For the purposes of the Immigration and Nationality Act, Dr. Pedro Baudilio Napoles (Fernandez) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 19, 1962.

After line 9, insert a new section, as follows:

Sec. 58. In the administration of the Immigration and Nationality Act, Al Bok Chun may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Carl and Gertrude Eggebeen, citizens of the United States, pursuant to section 204 of the Act. Section 204(c) of the Immigration and Nationality Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

After line 17, insert a new section, as follows.

Sec. 59. For the purposes of the Immigration and Nationality Act, Dr. Erdogan Y. Baysal shall be held and considered to have been lawfully admitted to the United States on June 27, 1957, and the periods of time he has resided in the United States since that date shall be held and considered to meet the residence and physical presence requirements of section 316 of the said Act.

After line 24, insert a new section, as follows:

Sec. 60. In the administration of the Immigration and Nationality Act, Zumrut Sooley may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Frank N. Sooley, citizens of the United States, pursuant to section 204 of the Act: *Provided*, That the brothers or sisters of the beneficiary shall not, by reason of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

On page 16, after line 8, insert a new section, as follows:

Sec. 61. For the purposes of the Immigration and Nationality Act, Doctor Olga Concepcion Perez de Lanio shall be held and considered to have been lawfully admitted to the United States for permanent residence on April 21, 1962.

After line 12, insert a new section, as follows:

Sec. 62. For the purposes of the Immigration and Nationality Act, Doctor Francisco Loza Diaz shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 8, 1961.

After line 16, insert a new section, as follows:

Sec. 63. For the purposes of the Immigration and Nationality Act, Doctor Leopoldo Pérez Pérez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 27, 1962.

After line 20, insert a new section, as follows:

Sec. 64. For the purposes of the Immigration and Nationality Act, Doctor Tomas Ricardo Armstrong-Martinez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 21, 1960.

At the top of page 17, insert a new section, as follows:

Sec. 65. In the administration of the Immigration and Nationality Act, Cosmina Ruggiero may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, and a petition filed in her behalf by Giovanna Martinelli, a citizen of the United States, may be approved pursuant to section 204 of the Act: *Provided*, That the brothers or sisters of the said Cosmina Ruggiero shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

After line 9, insert a new section, as follows:

Sec. 66. For the purposes of the Immigration and Nationality Act, Doctor Jaime E. Lazaro shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 29, 1957.

After line 13, insert a new section, as follows:

Sec. 67. For the purposes of the Immigration and Nationality Act, Doctor Lydia L. Lazaro shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 24, 1958.

After line 17, insert a new section, as follows:

Sec. 68. For the purposes of the Immigration and Nationality Act, Doctor Ernesto Jose Giro shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 25, 1958. 1960.

After line 21, insert a new section, as follows:

Sec. 69. For the purposes of the Immigration and Nationality Act, Doctor Ramon R. Azaret shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 6, 1962.

At the top of page 18, insert a new section, as follows:

Sec. 70. In the administration of the Immigration and Nationality Act, Mrs. Marjorie J. Hottenroth, the widow of a United States citizen, shall be deemed to be an immediate relative and the provisions of section 204 of the Act shall be inapplicable in her case.

After line 5, insert a new section, as follows:

Sec. 71. For the purposes of the Immigration and Nationality Act, Doctor Carlos M. Perez-Abreu shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 13, 1961.

After line 9, insert a new section, as follows:

Sec. 72. For the purposes of the Immigration and Nationality Act, Doctor Miguel Angel Ponce De Leon shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 6, 1961.

After line 13, insert a new section, as follows:

Sec. 73. Specialist Four Klaus Josef Strauss, a native of Germany, who served honorably in the United States Army from November 15, 1966, until his death on February 8, 1968, shall be held and considered to have been a citizen of the United States at the time of his death.

After line 18, insert a new section, as follows:

Sec. 74. For the purposes of the Immigration and Nationality Act, Doctor Orlando Balea shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 29, 1962.

After line 22, insert a new section, as follows:

Sec. 75. For the purposes of the Immigration and Nationality Act, Roberto Quero shall be held and considered to have been lawfully admitted to the United States for permanent residence as of April 29, 1961.

On page 19, after line 2, insert a new section, as follows:

Sec. 76. For the purposes of the Immigration and Nationality Act, Doctor Jacques Charbonniez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 29, 1962.

After line 6, insert a new section, as follows:

Sec. 77. For the purposes of the Immigration and Nationality Act, Doctor Manuel E. Tayko shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 26, 1958.

After line 10, insert a new section, as follows:

Sec. 78. For the purposes of the Immigration and Nationality Act, Doctor Esteban G. Friera shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 9, 1959.

After line 14, insert a new section, as follows:

Sec. 79. Ho Yee, a deceased United States citizen, shall be deemed to have resided in the United States prior to July 9, 1913, within the meaning of section 1993 of the Act of February 10, 1855 (Rev. Stat. 1878), and further, for the purposes of the said Act, Koon Chew Ho shall be held and considered to be the natural-born son of the said Ho Yee, and shall be further held and considered to have been a United States citizen at all times since July 9, 1913: *Provided*, That the said Koon Chew Ho enters the United States for permanent residence within one year after the date of the enactment of this Act.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Josefina Policar Abutan Fuliar, et al."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1654), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant lawful residence in the United States retroactively and enable petitions for naturalization to be filed in behalf of 58 beneficiaries; to provide for the admission to the United States or adjustment of status of 17 beneficiaries adopted or to be adopted by U.S. citizens or lawful resident aliens; to preserve immediate relative status in behalf of one alien who is the widow of a U.S. citizen; to provide for the admission to the United States of one alien for the purpose of marrying a U.S. citizen; to grant posthumous citizenship to a soldier killed in action in Vietnam; and to provide that the son of a deceased U.S. citizen shall assume his status as a U.S. citizen based upon his father's residence in the United States prior to July 9, 1913, the date of the beneficiary's birth.

The bill has been amended to include 77 beneficiaries, who were the subjects of individual House bills, and one beneficiary who was the subject of a Senate bill.

STATEMENT OF FACTS

The beneficiaries of the bill were subjects of the following individual private bills:

H.R. 2478—Mr. Reinecke.
H.R. 3010—Mr. Leggett.
H.R. 3527—Mr. Pepper.
H.R. 5029—Mr. Hunt.
H.R. 6323—Mr. Fuqua.
H.R. 6673—Mr. Rumsfeld.
H.R. 7047—Mr. Polanco-Abreu.
H.R. 7900—Mr. Polanco-Abreu.
H.R. 7901—Mr. Polanco-Abreu.
H.R. 7902—Mr. Polanco-Abreu.
H.R. 7957—Mr. Pepper.
H.R. 8245—Mr. Fulton (Tennessee).
H.R. 8816—Mr. Polanco-Abreu.
H.R. 9022—Mr. Fascell.
H.R. 10415—Mr. Fuqua.
H.R. 10457—Mr. Pepper.
H.R. 10854—Mr. Polanco-Abreu.
H.R. 10857—Mr. Polanco-Abreu.
H.R. 10859—Mr. Polanco-Abreu.
H.R. 10861—Mr. Polanco-Abreu.
H.R. 10862—Mr. Polanco-Abreu.
H.R. 10863—Mr. Polanco-Abreu.
H.R. 10989—Mr. Keith.
H.R. 11085—Mr. Stephens.
H.R. 11253—Mr. Blackburn.
H.R. 11322—Mr. Pelly.
H.R. 11591—Mr. Fuqua.
H.R. 11592—Mr. Gibbons.
H.R. 11593—Mr. Gibbons.
H.R. 11787—Mr. Joelson.
H.R. 11901—Mr. Fascell.
H.R. 12071—Mr. Arends.
H.R. 12115—Mr. Moore.
H.R. 12116—Mr. Pepper.
H.R. 12246—Mr. Rodino.
H.R. 12306—Mr. Fascell.
H.R. 12378—Mr. Moorhead.
H.R. 12419—Mr. Brock.
H.R. 12420—Mr. Flynt.
H.R. 12502—Mr. Moore.
H.R. 12816—Mr. St. Onge.
H.R. 12850—Mr. Ayres.
H.R. 12860—Mr. Stephens.
H.R. 13159—Mr. Polanco-Abreu.
H.R. 13351—Mr. Edwards (California).
H.R. 13353—Mr. Pepper.
H.R. 13380—Mr. Polanco-Abreu.
H.R. 13381—Mr. Polanco-Abreu.
H.R. 13382—Mr. Polanco-Abreu.
H.R. 13460—Mr. Blanton.
H.R. 13577—Mr. Fascell.
H.R. 13650—Mr. Rodino.
H.R. 13863—Mr. Gathings.
H.R. 14016—Mr. Fascell.
H.R. 14017—Mr. Fascell.
H.R. 14238—Mr. Gibbons.
H.R. 14324—Mr. Patten.
H.R. 14380—Mr. Ford (Michigan).
H.R. 14389—Mr. Moore.
H.R. 14513—Mr. McClory.
H.R. 14654—Mr. Matsunaga.
H.R. 14658—Mr. Polanco-Abreu.
H.R. 14660—Mr. Polanco-Abreu.
H.R. 14751—Mr. Colmer.
H.R. 14786—Mr. Annunzio.
H.R. 15060—Mr. Moore.
H.R. 15061—Mr. Moore.
H.R. 15174—Mr. Stephens.
H.R. 15210—Mr. Quillen.
H.R. 15476—Mr. Pettis.
H.R. 15634—Mr. Fuqua.
H.R. 15840—Mr. Burke (Florida).
H.R. 15969—Mr. Wright.
H.R. 16238—Mr. Quillen.
H.R. 17222—Mr. Blatnik.
H.R. 18174—Mr. Moore.
H.R. 18274—Mr. Moore.

H.R. 18316—Mr. Moore.

S. 608—Mr. Fong.

Reports from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary of the House of Representatives were contained in the House reports which accompanied each individual House bill. A report from the Commissioner of Immigration and Naturalization to the chairman of the Senate Committee on the Judiciary is contained in the files of the Senate Judiciary Committee and was included in Senate Report No. 171, which accompanied the bill prior to its passage by the Senate on April 14, 1967.

Senator Herman Talmadge has introduced in the Senate S. 3489. In view of the fact that this beneficiary is included in the instant bill, the bill, S. 3489, will be indefinitely postponed.

The committee, after consideration of all the facts in each case included in the bill, is of the opinion that the bill (H.R. 2478), as amended, should be enacted.

PUBLIC UTILITY DISTRICT NO. 1 KLICKITAT COUNTY, WASH.

The bill (H.R. 859) for the relief of Public Utility District No. 1 of Klickitat County, Wash., was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1664), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to pay the Public Utility District No. 1 of Klickitat County, Wash., $31,000 representing amounts expended by it to construct a sewer and water system for the unincorporated city of Roosevelt, Wash., which was relocated because of the flooding of the original townsite by the waters of the reservoir formed because of the construction of the John Day lock and dam project of the Department of the Army.

STATEMENT

The facts in the case as stated in House Report 1357 are as follows:

The bill, H.R. 859, was the subject of a subcommittee hearing on March 28, 1968. At the hearing it was pointed out that the John Day lock and dam was authorized by the Flood Control Act of 1950 for the purposes of navigation, flood control, and power. One community in the State of Washington and three in Oregon are affected by inundation by the reservoir.

The John Day lock and dam is located on the Columbia River, Oreg. and Wash., approximately 240 miles upstream from the river's mouth. The old site of the unincorporated community of Roosevelt, Wash., was located in the John Day Reservoir area on the right bank, Columbia River, about 27 miles upstream from the dam. This site will be completely inundated when the John Day project is completed.

There were, at the time of initiation of the project, about 25 homes in the community, and about 60 inhabitants. In March and April of 1958, two public meetings were held in the town, at which most of the people expressed a desire to remain in the general area. After these meetings the district engineer, U.S. Army Engineer District, Walla Walla, Wash., requested the determination of the attorney general of the State of Washington as to whether the community enjoyed an identifiable legal status under the laws of the State. The attorney general determined that the community, or town, of Roosevelt was unincorporated.

As the town was unincorporated, there was no political body with which to negotiate and contract for the relocation of the town as a whole, and it was necessary to accomplish the relocation on an individual basis.

All of the individual properties within the old townsite were acquired from their owners by the Government, and the residents were encouraged to select a new site for reestablishment of the community. Relocation agreements with public utility companies for the relocation of power and telephone service, and with Klickitat County for the relocation of county roads, were negotiated. The existing grade school was relocated under the authority of section 111 of Public Law 85-500, approved July 3, 1958.

At the hearing it was further pointed out that the inhabitants at the original townsite wished to retain their community identity after relocation. Accordingly, the residents of the town of Roosevelt in 1960 decided by popular vote to relocate their town at the new site where it is presently located. The county sanitarian reported to the county commissioners that the proposed site here concerned was "probably the best possible location," and the county planning commission recommended that the county commissioners give favorable consideration to the site as the location of the new Roosevelt.

At the old townsite, residents had provided their own water and sewage facilities, which consisted of individual wells and septic tanks. Due to State and county health regulations, however, the new community could not be formed without having water and sewage facilities which met certain standards. The committee notes that this is an important factor in this case. The use of the individual septic tanks and wells did not meet these requirements, so it was necessary, therefore, to make arrangements for an acceptable community water and sewage system.

The Army report refers to this situation in its report and observed that the Federal Government had no legal authority or obligation to provide the required central water supply or sewage disposal facilities at the new site. While the people were paid for individual wells and septic tanks, this was far less than the cost of the construction and installation of the new community water and sewer system required by law.

The residents who were attempting to relocate at first attempted to secure Federal grants under existing programs of the Department of Health, Education, and Welfare and the Housing and Home Finance Agency but these attempts were unsuccessful. Unable to obtain financing for the required water and sewage system, the people of Roosevelt turned to Public Utility District No. 1 of Klickitat County. After securing special permissive legislation through the Washington State Legislature, the public utility district borrowed money internally from electric revenues in order to make a loan to the people of Roosevelt.

The Army report stated that the total construction cost of the water and sewage systems was $59,167.81, and further stated that the Corps of Engineers provided $24,000 of this amount under the Roosevelt School relocation contract for hookup to the sewage disposal system. The Army also fixed the amount advanced by the public utility district at $30,637 and stated that the balance was raised by the residents of the town. Thus, the Army report indicated that the balance assumed by Public Utility District No. 1 of Klickitat County was an amount different from that stated in the bill. The committee secured additional information from the utility district and was furnished with a March 31, 1966, financial and statistical statement which shows its capitalization of the system at $58,964.10. That statement is set out at the end of this report. It had contributions in the amount of $27,959 from the customers divided into two general parts: $23,419 from the school district, the amount paid to the school by the Corps of Engineers for reestablishment of the school sewer system; and $4,540 contribution from the original 11 or 12 customers of the townsite. The $27,959 subtracted from the total original $58,964.10 investment leaves $31,005.10, which was rounded off to $31,000 for the purpose of the amount stated in the bill.

At the present time there are 14 hookups to the system. The revenue ($1,758 for 1966) is insufficient to even begin retirement of the capital expenditure. There is no prospect of sufficient additional hookups to retire these costs, and the residents are therefore unable to repay the debt incurred to the public utility district. Should the debt be retired, the present rate would be about sufficient to cover the operation and maintenance and depreciation. The committee was advised at the hearing that if the capital costs are not reduced to near zero, the system will forever be in the red, and may even go defunct.

Following construction of the system, Public Law 89-240 was enacted October 7, 1965. This law authorized an enlarged Farmers Home Administration program of loans for rural community water systems, including grants when necesary to build these systems. This law, for the first time, brought rural people up to a status approaching par with the urban populace in their opportunity to have the modern, safe water supplies and sewer services in keeping with the American standard of living. However, the FHA regulations prohibit grant assistance for projects where final financing arrangements have been made or the work has already been initiated.

The report of the Department of the Army on the bill recognized the problems faced by the inhabitants and the public utility district when it stated:

"The Department of the Army realizes the unfortunate situation in which the residents of Roosevelt find themselves and is not sympathetic. Through a combination of circumstances, one of which was the required relocation of the old town of Roosevelt, the residents have been required to construct community facilities beyond their financial capability."

However, the Department of the Army stated it was unable to support the enactment of the bill because of policy implications and its conclusion that legislative relief would grant preferential treatment to the utility district. The committee disagrees for the reason that this is not the usual case encountered in situations of this kind. Furthermore, the plight of these people was created by the Government and this committee feels that it would be inequitable to deny relief in this instance. Accordingly, it is recommended that the bill be considered favorably.

THE 150TH ANNIVERSARY OF THE FOUNDING OF ST. LOUIS UNIVERSITY

The joint resolution (H.J. Res. 691) extending greetings and felicitations to St. Louis University and in the city of St. Louis, Mo., in connection with the 150th anniversary of its founding was considered, ordered to a third reading, read the third time, and passed.

LAND TRANSFER TO ALLEN PARK, MICH.

The bill (H.R. 8364) to amend the joint resolution of March 24, 1937, to provide for the termination of the interest of the United States in certain real property in

Allen Park, Mich., was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1669), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXPLANATION OF THE BILL

This bill authorizes the Administrator of Veterans' Affairs to convey approximately 1 acre of the Veterans' Administration hospital reservation, Dearborn, Mich., to the heirs of Mr. and Mrs. Henry Ford. The heirs would be required, in turn, to convey such 1 acre to the city of Allen Park, Mich., for the purpose of being used as a site for a fire station.

The maintenance of the fire station on the property in question will, in the opinion of the Veterans' Administration be advantageous to the Government in that it will provide better fire protection to the hospital and its patients.

The tract in question is a part of the ground originally made available to the Government in 1936 by the late Henry Ford and his wife, Clara J. Ford, for the purpose of constructing a Veterans' Administration hospital.

The legislation has been reviewed with respect to the application of the Morse formula, which provides that upon the disposition of property provided to the Federal Government fair compensation be paid by the recipient to the extent of 50 percent for any public use and 100 percent for any private or commercial use.

The conveyance contained in the bill is not subject to the application of this formula by virtue of the fact that the land in question never became the absolute property of the Federal Government in fee simple. Its donation was for a single purpose, with a reversionary interest in the event this purpose was terminated, and was accepted subject to this specific condition in an extraordinary action by the Federal Government. This particular history makes it clear that a termination with respect to one or all of the 38 acres, as provided in the conveyance, would not bring the Morse formula into play.

There would be no additional appropriation required as a result of the transfer of this property.

AUTHORIZATION FOR SECRETARY OF THE SENATE TO MAKE TECHNICAL CORRECTIONS IN A BILL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to make certain technical corrections in the engrossment of the Senate amendments to H.R. 8096.

The PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT OF DISTRICT OF COLUMBIA PUBLIC SCHOOL FOOD SERVICES ACT

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 2012.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2012) to amend the District of Columbia Public School Food Services Act which was to strike out all after the enacting clause, and insert:

That section 2(d) of the District of Columbia Public School Food Services Act (65 Stat. 368; D.C. Code, sec. 31–1402) is amended by striking out "at rates of pay to be fixed by said Board without reference to the Classification Act of 1949," and inserting in lieu thereof a period and the following: "The Commissioner of the District of Columbia shall fix and adjust, from time to time, the rates of pay of such personnel in accordance with the rates of pay of personnel in positions of similar levels of duties, responsibilities, and qualification requirements, as determined by the Commissioner,".

SEC. 2. The last sentence of section 5 of the District of Columbia Public School Food Services Act (65 Stat. 369; D.C. Code, sec. 31–1404) is amended to read as follows: "The Food Services Fund shall be available for the payment of all expenses, other than personal services, necessary for the operation of the Department of Food Services, to the extent that appropriations, other than appropriations for personal services, are not available or are insufficient to pay such expenses in the fiscal year concerned".

SEC. 3. Section 6 of the District of Columbia Public School Food Services Act (65 Stat. 369; D.C. Code, sec. 31–1405) is amended to read as follows:

"SEC. 6. Appropriations are authorized for the payment of compensation for all personal services necessary for the operation of the Department of Food Services and for the acquisition, maintenance, and replacement of equipment for use in that operation.".

SEC. 4. Unobligated funds, not to exceed $148,000, appropriated to the general fund of the government of the District of Columbia for the fiscal year ending June 30, 1968, may be used to increase the compensation of employees in the Department of Food Services in the public schools of the District of Columbia, for the period beginning February 11, 1968, and ending June 30, 1968.

SEC. 5. (a) Retroactive pay is authorized for the period beginning on February 11, 1968, and ending on the date on which adjustments in rates of pay are officially ordered by the Commissioner of the District of Columbia as a result of the enactment of this Act; but such retroactive pay shall be paid only—

(1) in the case of an individual in the service of the Board of Education of the District of Columbia (including service in the Armed Forces of the United States) on the date on which such adjustments in rates of pay are so ordered;

(2) to a former employee within the classes of employees whose pay is adjusted, by official order of the Commissioner of the District of Columbia as a result of the enactment of this Act, who retired during the period beginning on February 11, 1968, and ending on the date on which such adjustments in rates of pay are so ordered, for services rendered during such period; and

(3) in accordance with subchapter VIII of chapter 55 of title 5, United States Code, relating to settlement of accounts of deceased employees, for services rendered, during the period beginning on February 11, 1968, and ending on the date on which such adjustments in rates of pay are so ordered, by a former employee within the classes of employees whose pay is adjusted by official order of the Commissioner of the District of Columbia as a result of the enactment of this Act, who died during such period.

(b) For the purposes of this section, service in the Armed Forces of the United States, in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service, shall include the period provided by law for the mandatory restoration of such individual to a position in or under the government of the District of Columbia.

SEC. 6. (a) The preceding sections of this Act shall become effective as of July 1, 1968.

(b) For the purposes of determining the amount of insurance for which an individual is eligible under chapter 87 of title 5, United States Code, relating to group life insurance for Government employees, all adjustments in rates of pay, which are officially ordered by the Commissioner of the District of Columbia as a result of the enactment of this Act and which become effective in any period prior to the date on which such adjustments in rates of pay are so ordered, shall be held and considered to become effective on the date on which such adjustments are so ordered.

And amend the title so as to read: "An act to amend the District of Columbia Public School Food Services Act to provide for the payment of salaries of food service employees from appropriated funds, to provide for adjustments in those salaries, and for other purposes."

Mr. PROUTY. Mr. President, the Food Services Department of the District of Columbia is facing a financial crisis primarily because of increased wages and expenses of operation. The food services fund whose principal income is derived from the sale of lunches to school children must pay all costs of operation of the school lunch program and expenses of operation have exceeded revenues for some time. The deficit for the school year 1966–67 was $50,000 and $59,000 in 1965–66. These deficits have been absorbed by reserves from prior years but the remaining reserves in the fund may be exhausted by the middle of the present fiscal year.

In response to this pressing situation, the Senate on October 10, 1967, passed and sent to the House S. 2012 which provided, among other things, authorization for appropriations of public funds to pay salaries and related costs of operating the Office of Central Management of the Food Services Department and authorization for appropriation of public money to pay for lunches furnished to all needy elementary and secondary public school children whose parents are not recipients of public welfare.

The House amended S. 2012 on recommendation of the District government to cover substantial increases in operating costs, particularly for increased wages negotiated in February 1968 subsequent to passage of S. 2012 by the Senate.

The health and welfare of our children should be our first concern. Many children in the District of Columbia are in need of the school lunch program to meet their health needs. A child who is hungry cannot learn. A child who does not have proper food suffers severe and permanent damage. This country which has done so much to ease hunger abroad must also show as great concern for its own children. There are insufficient funds in the food service fund to continue the program. The provisions of S. 2012 are urgently needed by the residents of the District of Columbia, and I hope the Senate will swiftly adopt this measure.

Mr. MANSFIELD. Mr. President, the amendment of the House is acceptable and I move that the Senate concur in the House amendment.

The motion was agreed to.

Mr. MANSFIELD. Mr. President, the purposes of this bill are to authorize direct appropriations to pay the cost of salaries of employees of the District of Columbia Department of Food Services, which administers the District of Columbia school lunch program. The bill will relieve the food services fund, which is generated principally by the sale of lunches to the schoolchildren, of such labor costs. Second, S. 2012 will authorize funds needed to provide free lunches for certain needy children in the District's secondary schools. Third, the bill will help obviate the need for further increases in cost of lunches to schoolchildren; and fourth, it will prevent imminent substantial deficits in the food services fund.

The District of Columbia Public School Food Services Act provides that all income from the operation of the school lunch program be deposited in the food services fund. Under existing law, all the costs of operation of the school lunch program must be paid from the food services fund. This includes the cost of salaries of all employees, the cost of food, and the purchase of supplies and materials, equipment, and trucking services. In recent years, the costs of operating the school lunch program have exceeded revenues from such operations. The only recourse in such situations is to raise the prices of lunches to schoolchildren. When this is done, the result is a decline in the number of lunches sold. A 5-cent increase may cause a needy child to go hungry.

In an effort to reduce the financial burden on the food services fund, the Senate passed S. 2012 during the first session of the 90th Congress. As passed by the Senate, the bill authorized appropriations of public funds to pay salaries and related costs of operating the Office of Central Management of the Food Services Department and authorized the appropriation of funds to pay for lunches furnished all needy elementary and secondary public schoolchildren without regard to whether their parents are recipients of public welfare.

In February 1968, after the Senate had passed S. 2012, a new wage contract negotiated between the District of Columbia Board of Education and the school lunch program employees further unbalanced the financial stability of the program. To meet this emergency, the Commissioner of the District proposed to the House District Committee that S. 2012 be amended to transfer all personnel costs from the food services fund to make them payable out of direct appropriations for the District of Columbia.

The amendment approved by the House provides for payment of all food service employees from appropriated funds. The number of persons affected by this change would be approximately 635 employees. The February 1968 wage agreement increased the minimum wage for food service employees from $1.35 to $1.65 per hour. Because of the lack of funds in the food services fund, the agreed-upon wage increase could not be made immediately effective. Therefore, the House amendment authorizes the pay raises for food service employees retroactive to the February 11 effective date of the wage agreement, to be paid from unobligated appropriations for the fiscal year that ended June 30, 1968.

The House amendment would require additional appropriations to the District of Columbia of approximately $627,500 for the current fiscal year.

EXECUTIVE SESSION

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate go into executive session to consider executive business.

The PRESIDING OFFICER (Mr. HARRIS in the chair). Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I ask that all nominations on the Executive Calendar, except those of postmasters, be passed over.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will report the nominations of postmasters.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR SENATE DEMOCRATIC POLICY COMMITTEE TO HAVE PRINTED A SENATE DOCUMENT

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate Democratic policy committee be permitted to have printed as a Senate document the yearend report of the second session of the 90th Congress, together with a statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF THE INTERNAL REVENUE CODE OF 1954

MEDICAID, THE BILLION DOLLAR MISUNDERSTANDING

Mr. LONG of Louisiana. Mr. President, I want to take this opportunity to apologize for misleading the Senate. At the time the Senate approved my amendment to H.R. 2767, which would reduce Federal matching for medicaid, I said that HEW's cost estimates for fiscal 1969 were $700 million more than the figure given by the Department to the House-Senate conferees in December 1967. Based upon the latest departmental estimate, the gap is not $700 million but more than $1 billion. Mr. President, all I can say about the costs of medicaid is "Going, going, gone."

Mr. President, regretfully, I find it necessary to move to strike my own amendment from the revenue bill which has been before the Senate for the past few weeks. I have discussed this matter with a number of Senators. It would require unanimous consent to make this move during the morning hour. Permit me to say that I am even more confident than I have ever been regarding the need for the amendment. As I have just stated, the estimated Federal cost of medicaid for fiscal 1969 is not $700 million more than the HEW estimate but $1 billion more, according to the latest figures.

This is a matter which I realize we must legislate on next year. As one who has done quite a bit of filibustering in his time, I know when I see a successful filibuster and I am going to have to yield to it.

Mr. President, I know that a motion would be in order after morning business has been concluded, and that it would require unanimous consent during the morning business. But in view of the fact that it was my amendment, I would hope the Senate would show me the courtesy of allowing me to have my own amendment stricken from the bill.

Mr. President, I ask unanimous consent that H.R. 2767 be recommitted to the Senate Committee on Finance with orders to report it back forthwith minus the medicaid control amendment.

Mr. WILLIAMS of Delaware. Mr. President, reserving the right to object——

Mr. CASE. Mr. President, reserving the right to object——

Mr. WILLIAMS of Delaware. The Senator from Louisiana offered the amendment and he made such an eloquent plea, such a brilliant explanation of it, that it was adopted by the Senate by an overwhelming vote. I therefore feel that it is not any longer an amendment of the Senator from Louisiana but a Senate amendment. I would have to object to its being done by unanimous consent at this time.

Mr. CASE. May I now reserve the right to object——

Mr. WILLIAMS of Delaware. The reason is, normally, I would go along, but this item is costing about three to four times what the administration told our committee it would cost. It seems that the hour is very late when something is asked to be done on this. We should take this step in the right direction.

Mr. LONG of Louisiana. Would the Senator from Delaware withhold his objection long enough to permit a colloquy between the Senator from New Jersey and myself?

Mr. WILLIAMS of Delaware. Of course.

Mr. CASE. The Senator from Louisiana and the Senator from Delaware are customarily, in accordance with their natural instincts, charitable and gracious. The only reason why I asked for recognition was to make it specific that I was one of those who were in this successful filibuster against the outrageous amendment of the Senator from Louisiana. Will the Senator acknowledge that?

Mr. LONG of Louisiana. I will acknowledge that it was a successful filibuster but I will not acknowledge that my amendment was not a good one.

Now, responding to my good friend from Delaware, let me say that inasmuch as he believes my points on this subject were good and persuasive, I shall make them again next year. I now withdraw my request, but I shall make my motion after morning business has been concluded.

SENATOR CASE URGES RECONSIDERATION OF THE LONG MEDICAID AMENDMENT

Mr. CASE. Mr. President, the recent action of the Senate in cutting back on Federal participation in the medicaid program seriously impairs a commitment Congress made several years ago to provide better health care for the Nation's low-income citizens. Moreover, it places a very heavy burden—retroactively—on the States at a time when every State is finding it increasingly difficult to keep pace with the rising cost of government.

When Congress enacted the Kerr-Mills medical assistance bill in 1960, it recognized that the Federal Government had a responsibility to help achieve a higher level of health care in this Nation. This commitment was substantially broadened and reemphasized in 1965 when we passed the medicare bill. Title 19 of the bill authorized the medicaid program.

At that time we told the States that if they developed a State program to provide medical care for those whose income was just above the poverty line, the Federal Government would pay a certain percentage of the costs of the program. The people we were concerned about were those who were generally self-supporting, but whose incomes were not high enough to be able to afford decent medical care, though too high to qualify for welfare assistance.

Thirty-nine States have already responded to the challenge by implementing title 19 medicaid programs. Others, including my own State of New Jersey, are currently in the process of developing programs. According to HEW, more than 8.5 million people will receive medical help this year under title 19. Of this number, 1.25 million are medically needy people who are not on welfare rolls.

In its hasty adoption of the Long of Louisiana amendment, however, the Senate took an action which would undo much of the progress we have already made. If this amendment is allowed to stand, it means purely and simply that we are reneging on our commitment to upgrade the level of health care in this country.

The Long amendment will have a drastic effect on those States which have shown their concern and which have been willing to take on the financial responsibility of implementing medicaid programs. Under the formula in the amendment, the States which have been doing the most to help people in need will be hurt the most.

New York, California, and Connecticut, for example, would have their Federal share cut in half. So would Illinois, Maryland, Massachusetts, and Michigan. My own State of New Jersey which has spent the past year and a half working out a program based on a 50-percent Federal matching share would find that program emasculated, since the Federal share would drop to 25 percent. Some States have already indicated that they may have to discontinue aid to the medically needy altogether.

Last week the 24 States having title 19 programs for the medically needy estimated the loss of Federal funds in fiscal year 1969 under the Long amendment. Among the States which would suffer substantial losses are:

Amount of reduction in Federal funds, fiscal year 1969

[In millions]

State:	
California	$27.5
Connecticut	6.0
District of Columbia	4.0
Illinois	6.9
Maryland	8.5
Massachusetts	40.0
Michigan	8.9
Minnesota	16.0
New York	129.1
Pennsylvania	30.5
Washington	9.0

This is not a regional or sectional matter. It is a national one and represents a national commitment. The principal argument being made against continuing the present level of Federal sharing in the medicaid program is that it is costing more than originally estimated. While it is unfortunate that we were not given more accurate estimates, this is no excuse for abdicating our responsibility for a program with so much potential for helping millions of people. If the question were simply one of saving the Government $500 million this year, as proponents of the amendment argue is necessary, I am certain those savings could be found without jeopardizing the health of the Nation's poor and without placing an intolerable financial burden on the States.

As one who believes we should maintain a strong commitment to provide decent health care for the needy, I urge the Senate to reconsider this matter. I am certain we can afford the dollars the amendment purports to save. I suggest we can ill afford the permanent damage the amendment would do to the medicaid program.

BOMBING HALT IN NORTH VIETNAM

Mr. BYRD of Virginia. Mr. President, there is a great deal of discussion these days as to whether there should be an unconditional halt in the bombing of North Vietnam.

The President has stated time and again that he will order a halt to the bombing when there is evidence of reciprocal action on the part of the enemy.

Obviously, a decision by the United States to eliminate all bombing of North Vietnam would remove an important weapon in protecting the 540,000 U.S. troops now stationed in Vietnam.

In fact, since the President on April 1 eliminated bombing in 80 percent of North Vietnam, the amount of shipping through Haiphong has doubled and enemy infiltration from north to south increased from 8,000 men per month to 30,000 per month. American casualties for 1966–67 averaged 1,000 per week yet during 1968 U.S. casualties are averaging 2,200 per week.

Today I received a letter written on the stationery of Walter Reed General Hospital of Washington, D.C. from S. Sgt. Herman E. Jones III, of Pearisburg, Giles County, Va., who wrote in part:

> Sir, in January of 1966, I was a Platoon Sergeant in Vietnam.
>
> We got the word that the bombing was to be stopped for three days.
>
> I was wounded during those three days by North Vietnamese Army artillery that was brought into South Vietnam during those three days.
>
> When the bombing was stopped in the latter part of 1967, I was again wounded in a North Vietnamese ambush that practically killed my entire company.
>
> The North Vietnam Army unit that hit us was the First North Vietnam Army Regiment which had never been South before in the three years that I'd spent in South Vietnam.

This letter from the twice-wounded Army sergeant, gives a firsthand report of just how the bombing pauses have been used by the enemy in the past.

Is there any evidence to suggest that the enemy will act differently in the future?

We must not let the American troops in Vietnam become the forgotten men.

Mr. LAUSCHE. Mr. President, will the Senator from Virginia yield?

Mr. BYRD of Virginia. I yield.

Mr. LAUSCHE. I join the Senator in the thoughts he has just expressed. We have stopped the bombing half a dozen times, in one instance for 37 days; but not one single time did Ho Chi Minh's Communist forces reciprocate in any way or show any willingness to cooperate. Rather, they accelerated their movements and, as the Senator from Virginia has stated, inflicted grave injuries upon our men and destruction upon our property.

This young man who wrote to the Senator has no ulterior motive except to tell his reaction. There he was, as a soldier of the U.S. Army. He had a right to expect that we would use all our efforts to prevent the shipment of military equipment and personnel into South Vietnam from the North. That was the least he had the right to expect. In other words, when stopping of the bombing is urged, in effect it is said to our youth: We will stop the bombing of the North. We will allow the enemy to ship in troops and equipment without regard to the impact that it will have upon your lives.

I join fully in what the Senator from Virginia has said. The time has come for Ho Chi Minh to show some reciprocity in this. As I understand it, 80 percent of the area of the North has been free from bombing.

Mr. BYRD of Virginia. The Senator is correct.

Mr. LAUSCHE. Under the order that President Johnson issued a few months ago.

Mr. BYRD of Virginia. March 31.

Mr. LAUSCHE. Yes.

Mr. BYRD of Virginia. I think the Senator from Ohio is completely correct when he says that this young Army sergeant, who wrote to me, was not attempting to suggest what the policy of our country should be, but he was letting one Senator know what happened to him, as an enlisted man, sent to Vietnam to fight for our country. He was letting one Senator know what happened to him on two different occasions when there was a pause and a halt in the bombing. On each of those occasions he was wounded. He is a twice-wounded veteran of Vietnam. He is now in Walter Reed Hospital.

I regret to say he is not an isolated case. Casualties have been increasing from an average of 1,000 per week—U.S. casualties over the period of 1966 to 1967—to the 2,200 casualties per week average that we are now suffering.

I say we should not take our attention away from Vietnam. We should keep our eye on the ball. We should not be taking any course during the Paris talks that would expose American soldiers to being killed and wounded.

Mr. ERVIN. Mr. President, I want to commend the statement of the Senator from Virginia. From time to time I have received letters from North Carolina boys in Vietnam similar to that of the sergeant alluded to by the distinguished Senator from Virginia. These men have written me that when the bombing halt had been ordered in times past, all it has meant has been to enable the enemy to kill and wound more Americans.

Frankly, I think when the politicians or statesmen—or whatever you choose to call them—fail to such an extent that war comes, the tactics of conducting the war, whether bombing or otherwise, should be left to the generals and the admirals and taken away from the politicians or statesmen, whatever you choose to call them.

Mr. LONG of Louisiana. Mr. President, I would like to associate myself with what the distinguished Senator from Virginia and other Senators have said. It has come to my attention, from conversations with other Senators who have greater familiarity with this matter than has the Senator from Louisiana, that in some instances our pilots have been and are being required to approach military targets at an angle that is less advantageous to the pilots and more dangerous to him, for fear that if he misses the target he may hit some civilians or homes. That is a case in which the United States is sacrificing American lives to try to save lives of Vietnamese civilians against whom we are fighting. That is unprecedented in warfare, as far as the Senator from Louisiana is concerned. We certainly did not do it in World War II.

When we dropped the bomb on Hiroshima, civilians as well as military had to suffer, and there were more civilian than military casualties. But it saved lives. It saved 1 million lives or more than it would have cost had the war continued without our using the atomic bomb. So it was better for the Americans and for the Japanese that we used a weapon that was not available to the enemy.

In other wars we have bombed places like Berlin as if we were going to blast the place to the ground, and we did just about that.

To expect our men not to be protected by the bombing is most unfair. I was against the bombing restriction when it was imposed by the President. I believed it was a mistake. I believe events have proved it to be a mistake.

Unless there are indications of sincerity on the part of Hanoi at the Paris talks, it is my judgment that we should bomb everything in that country, and everything that moves, and we should not be fearful of hurting civilians by bombing everything that should be bombed in the north and doing everything else necessary so long as they insist on continuing the war.

We have had no indications that by lifting the bombing on the north there has been any response from Hanoi. That being the case, I do not think there is any justification in continuing the bombing halt.

Mr. BYRD of Virginia. The Senator from Louisiana is correct in his assertion that we have gained nothing whatever by the further restriction of the bombing which the President decreed on April 1. On the contrary, shipping to the enemy has doubled, and infiltration of troops from the north has increased from 8,000 to 30,000 per month, and American casualties have been greater. So the facts substantiate the statement made by the Senator from Louisiana.

I may say, in regard to this matter, that the Senator from Louisiana has stood on this floor for 3 years, time and time again, in support of the American fighting men in Vietnam. He has taken a determined, active part to try to focus attention on the needs of our men and the vital importance of giving them the weapons and giving their commanders the weapons to protect themselves. That is what we are talking about. The purpose of the bombing of certain military targets in Vietnam is to have it act as a weapon to protect Americans fighting against the enemy. Our fighting men did not go there by themselves. They went there because the Government drafted them, took them away from their homes and families, and sent them there to fight. Are we going to to take away the weapons to protect them? I submit it would be unwise to take away from their military commanders any effort to protect American soldiers, so long as we keep them in Vietnam.

Mr. LONG of Louisiana. The Senator from Louisiana is opposed to sending American fighting men anywhere outside the territorial limits of this country unless those men are sent there with all the backing that the United States is able to give them. In my opinion, it is an outrage to send a man to fight for his country when this country is not giving him all the support it can.

JUNK MAIL

Mr. LAUSCHE. Mr. President, in this morning's mail I received a communication from Mr. Walter Blodgett, of Cleveland, Ohio. With the communication, he enclosed a copy of an editorial statement by Carl George, a radio commentator of radio station WGAR in Cleveland.

The editorial points up a conflict in the application of business principles to Government operations on the one hand and private business on the other.

Mr. George states:

> When Chrysler Corporation recently announced a price increase on 1969 cars of roughly three per cent, a great hue and cry came out of Washington about inflation and imposing a burden on the consumer. The Administration charged the auto companies were making too much money anyway.
>
> Some months ago when postal rates went up by twenty per cent, not a peep was heard out of Washington. Now, parcel post rates are going up by ten per cent. Next January, Social Security withholding goes up again by ten per cent—and there's talk of increasing salaries of Congressmen by roughly thirty per cent. No great hue and cry from the Administration about the poor taxpaying consumer. It all depends on whose ox is being gored.

The thoughts expressed in this editorial comment by Mr. George are, I believe, worthy of consideration. We forget what we are doing in our own house, but are very prone to condemn what others are doing in theirs. What we expect of private industry we ought to expect of the Government here in Washington, but we do not follow that logical rule.

REPEAL OF CERTAIN ACTS RELATING TO CONTAINERS OF FRUITS AND VEGETABLES

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 13058.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives on the bill (H.R. 13058), entitled "An act to repeal certain acts relating to containers for fruits and vegetables and for other purposes," which was:

> *Resolved*, That the House disagree to the amendment of the Senate to the bill (H.R. 13058) entitled "An Act to repeal certain Acts relating to containers for fruits and vegetables, and for other purposes."

Mr. MANSFIELD. Mr. President, I move that the Senate recede from its amendment.

The motion was agreed to.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT—CONFERENCE REPORT

Mr. MANSFIELD. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15147) to amend the Immigration and Nationality Act to provide for the naturalization of persons who have served in combatant areas in active-duty service in the Armed Forces of the United States, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MANSFIELD. On March 4, 1968, the House of Representatives passed H.R. 15147, to grant special naturalization benefits for members of our Armed Forces who serve in combatant zones. On June 20, 1968, the Senate passed H.R. 15147 with amendments to grant such naturalization benefits to alien members of our Armed Forces who serve after February 28, 1961, during any period designated by the President by Executive order as a period in which Armed Forces of the United States are or were engaged in military operations involving armed conflict with a hostile foreign force.

After a conference between the Senate and House conferees, the House has agreed to recede from its disagreement to the amendments of the Senate, and has agreed to the same.

I move the adoption of the conference report.

The motion was agreed to.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, October 10, 1968, be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 1603, 1619, 1620, 1623, 1624, 1633, and 1645, in that order.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

The clerk will state the first bill.

POLICING OF BUILDINGS AND GROUNDS OF THE LIBRARY OF CONGRESS

The bill (H.R. 10725) to amend the act of August 4, 1950, entitled "An act relating to the policing of the buildings and grounds of Library of Congress" to provide salary increases for members of the police force of the Library of Congress, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a companion Senate bill, Calendar No. 1575, S. 1943, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

DR. RAY F. McMILLAN

The bill (H.R. 2283) for the relief of Dr. Ray F. McMillan was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1629), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve Dr. Ray F. McMillan, of Kensington, Calif., of all liability to refund amounts paid him which were subsequently ruled to have been excess compensation for the period July 1, 1957, to September 10, 1966, which resulted from continuing administrative errors.

STATEMENT

The Department of the Navy and the Comptroller General of the United States have no objection to the enactment of this legislation.

The report of the House Judiciary Committee relates the facts of the case as follows:

The Comptroller General of the United States in the report of the General Accounting Office submitted to this committee in connection with this bill indicated that it was felt that there was a sufficient basis for enactment of the legislation with the amendments recommended by the committee. The Department of the Navy in its report stated that it had no objection to the bill.

Dr. Ray F. McMillan was appointed as a career conditional employee in the position of medical officer, grade GS–12, step f ($8,645 per annum) effective July 1, 1957, at the U.S. Naval Air Station, Alameda, Calif. On July 1, 1960, his appointment was converted to a career appointment, and on September 17, 1961, he was promoted to grade GS–14, step c, at $12,730 per year. While he was employed at the naval air station, Dr. McMillan had been compensated at the special salary rate established by the U.S. Civil Service Commission under the authority of section 803 of the Classification Act of 1949, as amended, 5 U.S.C. 1133 (1958 edition) and section 504 of the Federal Salary Reform Act of 1962, Public Law 87–793, 76 Stat. 842, now codified as 5 U.S.C. 5303.

Dr. McMillan received official notification that it had been determined that he had been overpaid compensation for a period of more than 9 years in the period from July 1, 1957, through September 10, 1966. The report of the Comptroller General quoted from the letter of September 20, 1966, from the commanding officer of the naval air station advising the doctor of the error, and the quoted language is as follows:

"1. It has been brought to the attention of this command that an error has been made in reporting your daily time worked for payroll purposes. You have been officially reported in a pay status for 80 hours each pay period. However, it has been determined that you have been working at the station medical dispensary 4½ hours daily each week, when not in a leave status, for a total of 63 hours per pay period. On occasion, you are reported to have worked beyond the 4½ hours scheduled to complete work assignments as required. In addition, you were occasionally called in to perform medical services of an urgent or emergency nature. No official record was made of these irregular hours worked. As a medical officer and senior civilian (GS–12 promoted to GS–14), you are not required to record your hours of work on a time clock.

"2. The erroneous reporting of time worked has existed since your employment on July 1, 1957, to September 10, 1966. In accordance with reference (a), it will be necessary for you to reimburse the Government for the resulting overpayment accruing to your account during your tenure of employment. * * *"

As is obvious from the foregoing quotation, the problem in this case relates to the manner in which the work was performed and reported. The General Accounting Office recognized that this was a situation in which Dr. McMillan performed work in excess of the 63-hour determination reflected in the commanding officer's letter. Effective as of September 11, 1966, Dr. McMillan's employment status was changed to indicate that his services were to be performed on a part-time basis and specifying the periods during which those services were to be performed.

The determination by the naval air station that resulted in the ruling that he had been overpaid to the extent of $26,249.37 was based upon statements of various officers under whose direction Dr. McMillan worked during the period involved. On the other hand, employment timecards now available beginning with the year 1964 reflect that Dr. McMillan ordinarily worked 8 hours a day and further that he was charged 8 hours of leave on days that he did not report to duty. Dr. McMillan himself indicates that when performing part-time work he was required to work 4½ hours per day for 7 days a week. Further it appears that when he was employed the medical officer indicated that he did not expect the doctor to work 8 hours a day but the indication was that additional work on Saturdays and Sundays would complete the necessary number of hours to equal 40 hours of work each week. The evidence before the General Accounting Office led it to conclude:

"While the preponderance of the evidence before our office indicates that Dr. McMillan did not have a regularly scheduled tour of duty of 40 hours per week, the number of hours of work actually performed by him during the period under consideration remains a question of fact which we are incapable of resolving."

In views of the pertinency of the facts relating to the arrangements concerning hours of work, the subcommittee considering the bill secured additional information as to this aspect of the case from the sponsor of the bill. The evidence before the committee establishes the fact that when Dr. McMillan was interviewed for the job it was agreed that he would not work the usual 8-hour day, 5 days a week, but rather would work approximately 4½ hours a day for 7 days a week and would work the same schedule on holidays and be available for emergency calls. Based on this understanding, Dr. McMillan accepted the position of medical officer with the naval air station. For the entire period of his employment Dr. McMillan performed services in accordance with this agreement. In addition, Dr. McMillan was called on numerous occasions at his private office of his residence by other doctors working at the dispensary and also by Navy patients.

In this connection the General Accounting Office noted that while the evidence was not clear as to just how many hours of work were performed, there was an apparent misunderstanding in the initial employment. That office further found that the evidence does support a conclusion that he performed work in excess of the 63 hours per pay period fixed administratively by the naval authorities. In this connection, the General Accounting Office report stated:

"In view of the apparent misunderstanding in the initial employment of Dr. McMillan and as he at least performed some work in excess of the 63 hours per pay period and probably was subject to call at other times, it would seem that a sufficient basis exists for enactment of the proposed relief legislation.

"On its part, the Navy found that the error in reporting was entirely without any fault on Dr. McMillan's part and was the result of administrative error by Government personnel."

On the basis of the facts of this case and the factors outlined in the reports and, in particular, the report of the General Accounting Office, it is recommended that the bill be considered favorably.

The General Accounting Office has noted that it would be well to make two amendments to the bill, first, a technical amendment relieving certifying or disbursing officers for any amounts relieved in accordance with the provisions of the bill and, secondly, a provision permitting a refund of any amounts withheld or repaid by reason of the liability referred to in the bill. It is recommended that the bill, as amended be considered favorably.

The committee concurs in the action of the House of Representatives and recommends that the bill, H.R. 2283, be considered favorably.

JOSEPH H. BONDUKI

The bill (H.R. 4939) for the relief of Joseph H. Bonduki was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1623), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to confer jurisdiction on the Court of Claims to hear, determine, and render judgment on the claim of Joseph H. Bonduki that he was wrongfully separated from his employment with the International Information Administration on February 14, 1953. The action authorized by the bill would have to be filed within 1 year of its enactment into law.

STATEMENT

The House report on this claim relates the following:

The bill H.R. 4939 as originally introduced would have authorized the payment of an amount equal to that which Joseph H. Bonduki would have earned as an employee of the U.S. Information Agency from February 14, 1953, to the date that the bill would be enacted into law. The bill was the subject of adverse reports from the U.S. Civil Service Commission and the U.S. Information Agency and was the subject of a subcommittee hearing on March 9, 1967.

At the hearing on the bill, the claimant appeared and testified concerning the circumstances of his termination on February 14, 1953, as an employee of the International Information Administration which, at that time, was a part of the Department of State. He had served as a multilingual translator and monitor for the "Voice of America" from January 1951 to February 14, 1953. In his testimony before the subcommittee, the claimant challenged the basis of his separation and indicated that while he had appealed the separation administratively, he had been discouraged from asserting his rights in connection with a judicial review of the matter. A review of the testimony at that proceeding and also the reports received from the U.S. Information Agency and the U.S. Civil Service Commission indicate that Mr. Bonduki in 1961 did seek judicial review of the matter but the ultimate result was that the complaint was dismissed because of laches. However, the committee feels that the testimony presented at the hearing does indicate that Mr. Bonduki may have been given an erroneous impression which led to his conclusion that he should not seek judicial review following the final rejection of his administrative appeal.

The fact that he did seek administrative review shows that Mr. Bonduki was diligent in seeking a further review of this matter. The committee further feels that the Congress is not the proper forum for the relief sought by Mr. Bonduki in his bill. The Court of Claims considers cases involving the rights of employees and is particularly well qualified to pass on the issue of the validity of the separation as originally outlined in the bill as introduced. Accordingly, it has been concluded that the best way to resolve the matter would be to provide for jurisdiction in the Court of Claims to enable that court to consider the case on its merits and render whatever decision it finds appropriate. Accordingly, it is recommended that the bill, as amended, be considered favorably.

The committee has studied the transcript of the House hearing on H.R. 4939 which was held on March 9, 1967. There appear to be two questions which arise in this matter as follows: First, the mental health of the claimant, and second, his failure to prosecute whatever rights he may have had before a court of competent jurisdiction within a reasonable length of time.

On page 2 of the transcript, the claimant Mr. Bonduki states as follows: "My dismissal was for reason of mental health, although on that same day of my discharge I was examined by two prominent psychiatrists in New York City, who came to the conclusion and certified that I was free of any mental deterioration." Other references throughout the transcript deal with the conflict of whether or not Mr. Bonduki had a mental problem.

As to the claimant's failure to pursue what remedies he might have had before a court, Mr. Bonduki in his testimony states in effect that he was directed by an agent of the United States from taking such a course and when he was directed not to seek legal action he inquired as to what he should do and was told that he could appeal to the Agency, to the Civil Service Commission, to the Board of Commissioners, or to the President. On page 5 of the transcript in his contact with the Government agent, Mr. Bonduki states in his testimony that he was not so advised but that he was directed not to proceed in court. He states that the agent told him not to sue and made it more forceful that he was not to seek legal action. On the basis of Mr. Bonduki's testimony, he failed to prosecute in court within a reasonable length of time because of these admonitions.

The committee does not intend to comment upon the correctness of Mr. Bonduki's testimony, but does accept it to the extent that it believes there is enough conflict raised by the reports by the agent involved and the testimony of Mr. Bonduki to render this matter one which requires a resolution by a proper forum. The bill confers jurisdiction on the Court of Claims to hear, determine, and render judgment on this matter and the committee believes that such a bill is the proper vehicle to adequately dispose the questions raised.

The committee therefore concurs in the action of the House of Representatives and recommends that the bill, H.R. 4939, be considered favorably.

AMENDMENT OF UNITED STATES CODE

The bill (H.R. 17864) to amend titles 5, 10, and 37, United States Code, to codify recent laws, and to improve the Code was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1624), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The general purpose of the bill is as stated in its title.

Specifically, the bill will amend titles 5, 10, and 37, United States Code, which have been enacted into law, to reflect recent changes in the substance of those titles by laws or reorganization plans which did not specifically amend those titles.

The bill makes no change in the substance of existing law.

STATEMENT

As stated in the purpose of the bill, this legislation is to reflect recent changes in the substance of those titles involved by laws or reorganization plans which did not specifically amend those titles.

The detailed section analysis shows the changes in law. The committee again reiterates that the bill makes no change in the substance of any existing law dealt with in this legislation.

ASSERTION OF LAND CLAIMS BY THE UNITED STATES

The bill (H.R. 10256) to render the assertion of land claims by the United States based upon accretion or avulsion subject to legal and equitable defense to which private persons asserting such claims would be subject, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1631), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF BILL

The purpose of H.R. 10256 is to permit a resolution by judicial determination of a dispute between certain private persons and the Federal Government as to the ownership of specific tracts of land in the Palo Verde Irrigation District, Riverside County, Calif. It would achieve this purpose by providing that the defendant-claimants to the lands shall have available to them the same legal and equitable defenses that would be available under the laws of California if the plaintiff, in this case the United States, were the State or a private party. This waiver of immunity on the part of the Federal Government from such legal and equitable defenses is, however, subject to two exceptions: First, the private parties could not plead statutes of limitations under sections 318 and 319 of the California Code of Civil Procedure. Second, proof of adverse possession, under sections 321, 322, 325, and 326 of the California Code of Civil Procedure, for a period of 5 years would not be a defense. In lieu of these and any comparable statutory time limitations, the act would fix a just and reasonable period, but not less than 5 years.

H.R. 10256, which was sponsored by Congressman John Tunney, in whose 28th California Congressional District the subject lands lie, is a companion measure, as introduced, to S. 1790, the sponsors of which are the two Arizona and the two California Senators; namely, Senators Hayden, Fannin, Kuchel, and Murphy. All the sponsors support the measure as amended by the House and as it now is before the Senate.

BACKGROUND OF PROPOSED LEGISLATION

The lands which are the subject of H.R. 10256 comprise some 2,100 acres lying along the west bank of the Colorado River below the Ehrenberg Bridge near Blythe, Calif.

They are occupied and used by 19 individuals and corporations who claim title by virtue of a chain of succession they trace through many decades back to patents issued by the State of California in the 1870's. The lands in dispute have "accreted" to these State-patented lands, these occupants assert, and under the accepted legal doctrine such accretions belong to the upland owner.

The Federal Government, on the other hand, contends that these lands were created over the years from erosion of the California bank of the river, with the eroded material being deposited on the Arizona side where the land created became attached to and part of a federally withdrawn area; then in 1924 the irrigation district changed the course of the river by manmade cuts or channels, that is, through "avulsion," and that this avulsive change put the subject lands on the California side. Since the change was the result of avulsion, the ownership of the lands did not pass from the former owners and hence the tracts still belong to the United States, under the Federal Government's theory.

Legal doctrines

The committee believes the issues presented by the bill will be clarified if the legal doctrines of accretion and avulsion are reviewed, briefly. Accretion is the gradual and imperceptible accumulation of land by natural causes, as out of the sea or a river. Erosion is the gradual and imperceptible reduction of land by such action. Title accrues to the upland owner by accretion. It is lost by erosion.

Avulsion is the sudden and perceptible shifting of the course or location of a river or body of water. It may be natural or artificial. Title to the avulsed land is not lost by its former owner, nor does it accrue to the owner of what was formerly the opposite bank.

Application of these legal doctrines, standing by themselves—there are, however, other cogent factors involved—would mean that if the cuts made by the irrigation district in 1924 did in fact cause a relatively sudden and abrupt change in the course of the Colorado River, channeling it through lands which had been on the east bank, in Arizona, and thereby making them a part of the west bank, in California, then the title to these lands remains in the former owners; that is, in this case, the United States. If, on the other hand, the cuts did not result in such an avulsive change, and the lands were built up by the accretive process, then the title to such lands would vest in the upland owners on the west bank.

History of lands

The State of California acquired large tracts of Colorado River bottom lands, including the uplands to which the subject lands are now attached, under the Swamp and Overflow Act of 1850. During the 1870's the State issued patents to these upland areas to Thomas Blythe, a pioneer settler. These patents describe the land based on a survey of 1874.

The property that Thomas Blythe acquired was for the most part wild, unsettled, and of relatively little value. The Colorado River flooded frequently, inundating on occasion as much as 60,000 acres, and it has been known to change its course by as much as a full mile in a single day. The river continued these wild, sudden changes until the Hoover Dam was closed in 1935.

Before that time, the lands in question were sometimes on the east side of the river, sometimes on the west side of the river, and quite often under the river, since they were in the flood plain.

By 1923 the Colorado River had formed several substantial westerly bends in the area of the Palo Verde Irrigation District. During the flood season, the river would overflow, particularly in the bends, breaking through the irrigation district levees, and inundating the farms. To prevent damage and to protect its levees, the irrigation district attempted to make cuts across the necks of these bends and divert the water of the river from the old channel in the bends into the new artificial channel formed by the cuts.

Between 1922 and 1924 such channels were dug across the necks of the so-called Raab, Hauser, and Comer Bends. Whether these cuts were successful in causing the river to abandon its old or natural bed in the bends and adopt new channels in the cuts is a matter of sharp difference of opinion.

The answer is a keystone to the legal issues.

The claimants, that is, the present occupants, contended vigorously through their spokesmen that these cuts did not change the river channel and that the lands were built up and attached to the California-patented uplands by accretion over the years.

The Department of the Interior on the other hand, contended with equal vigor that the cuts were in fact successful, causing the river to change its course to flow through lands that had been on the Arizona side. Such an avulsive change, the departmental spokesmen insisted, did not cause the Federal Government to lose title to the lands separated from the Federal reservation on the Arizona side.

NEED

As previously indicated, H.R. 10256 deals with the same land and title uncertainty as that covered by H.R. 13955, 89th Congress, which was the subject of a pocket veto by the President.

That bill provided that, in order to settle the dispute between the private parties and the Federal Government with respect to the ownership of land along the Colorado River between river points 13.00 and 13.17, the location of the river as determined by the interstate compact between Arizona and California, approved by the act of August 11, 1966 (Public Law 89–531; 80 Stat. 340), would be recognized as the present boundary of the river, and that all changes in the course of the river prior to the date of enactment of H.R. 13955 would be conclusively presumed to be accretive changes. The net effect of H.R. 13955 would have been to invalidate the claims of the Federal Government to approximately 2,100 acres of disputed land and to confirm title in 19 individuals and corporations. In his memorandum of disapproval of H.R. 13955, dated November 14, the President concluded with the following statement:

> The courts are the traditional forum for determining legal questions relating to landownership and I see no reason for making a special exception here and interfering with the orderly judicial process. If the case is resolved in favor of the claimants, they will receive title to the land without the present bill. If the case is resolved against the claimants and the Congress believes that the equities were so compelling that relief should have been granted, the Congress can act after the factual issues have been fully litigated and a complete record has been assembled.

Unfortunately, however, in the absence of enabling legislation, the claimants would be unable to fully litigate the factual issues and a complete record could not be assembled because in an action brought by the Government with respect to land claimed by it, they have no recourse to the legal and equitable defenses that would apply in an action brought by a private litigant. For example, they cannot assert the defenses of statutes of limitation, laches, equitable estoppel or adverse possession. In short, they cannot demonstrate their equities in court.

The present bill, H.R. 10256, proposes that the parties to the dispute proceed with the litigation in court. H.R. 10256, as approved by the House would permit the private parties to plead their equities, if any, including but not limited to, adverse possession for a reasonable period, as determined by the court, laches and equitable estoppel. Thus, a full and complete record could be developed for the consideration of the court, and the record deemed to be essential by the President could be completely developed. A decision by the court would be based upon consideration of a full and complete record.

NOT A PRECEDENT

The committee concurs with the statement in the report of the Department of the Interior, set forth in full below, that there are sound reasons of public policy why the doctrines of equitable estoppel, adverse possession, and laches should not run against the Government. Land belonging to all of the people should not be lost by the people merely because an agent of the Government did not act promptly in a given case of encroachment. Well over 450 million acres of land are owned by the Federal Government. Its agents cannot possibly police each of these areas against invasion by a private party.

However, with respect to this particular case and the unique facts and circumstances surrounding the long occupancy by the claimants or their predecessors, the committee is convinced that equity demands they be allowed to come into court to have their case adjudicated on legal and equitable principles as would be the case were the plaintiff anyone but the Government of the United States.

At the same time, the committee wishes to make the record clear that it in no way will regard this case as a precedent for future action regarding Federal ownership, or asserted ownership.

HOUSE AMENDMENTS

In testimony given before the House Committee on Interior and Insular Affairs, the Department of the Interior pointed out that H.R. 10256, as introduced, would make effective against the United States the 5-year statute of limitations and period of adverse possession contained in California Code of Civil Procedure. As all claimants to this land have asserted title for periods much longer than 5 years the retention of this provision would preclude adjudication of the title on its merits. For this reason, the House adopted amendments which modify the bill in the following ways:

(1) Statutes of limitations: Sections 318 and 319 of the California Code of Civil Procedure provides that with respect to cases of the type with which H.R. 10256 deals, failure to initiate a legal action for a period of 5 years constitutes a forfeiture of the right to initiate such an action thereafter. Thus the retention of the provision allowed by the California statute of limitations would have permitted the private parties to obtain a decision without reference to the merits of the case. The entire intention of the bill; namely, to provide an opportunity for the development of a complete court record, including the presentation of equities, would have been voided.

(2) Adverse possession: Sections 321, 322, 325, and 326 of the California Code of Civil Procedure provide that proof of adverse possession for a period of 5 years is an absolute defense for landowners. As in the preceding situation the retention of this feature, without modification, would have permitted a decision not necessarily related to the merits of the case. It was the opinion of the committee that the 5-year period may be unreasonably short to apply against the Federal Government. However, the committee did not wish to eliminate the defense of adverse possession in its entirety. Therefore, it felt that the court should be given latitude to determine what period of years may be reasonable, provided that such period is not less than 5 years.

In summary, the amendments adopted by the House would allow the litigation to continue in the courts as stated in the President's veto message. The private parties would be required to defend themselves in the same manner as if being sued by individuals or by the State but statutes of limitation and adverse possession for a period of 5 years would not be absolutely determinative.

The amendment would permit the development of the record desired by the President but would not prevent the defendants from showing their equities.

A second amendment adopted by the House limits the coverage of this bill to the area between river points 13.00 and 13.17, as defined in the interstate compact defining the boundaries between Arizona and California. The Senate Interior Committee concurs in these amendments.

COST

Enactment of H.R. 10256 will not require dditional budgetary expenditures.

AMENDMENTS TO IMMIGRATION NATIONALITY ACT

The bill (H.R. 2792) to amend secs. 281 and 344 of the Immigration and Nationality Act to eliminate the statutory prescription of fees, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1640), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to eliminate all statutory references to the fees to be charged pursuant to sections 281 and 344 of the Immigration and Nationality Act, thus permitting such fees to be set by the Attorney General and the Secretary of State on a fair and equitable basis commensurate with the services rendered.

STATEMENT

The Immigration and Nationality Act of 1952, as amended, set forth in sections 281 and 344 fixed statutory fees for specified immigration and nationality benefits, and services rendered, including those pertaining to nonimmigrant and immigrant visas, adjustment of status to permanent residence, and naturalization. These sections of law have remained unchanged as to fee amounts since December 24, 1952, a period in excess of 15 years. During this period, the cost of many of these benefits and services has risen considerably. In five examples cited by the Department of Justice, the annual costs exceeded the existing fee revenues by over $1,804,700.

STATUTORY FEES AT LEVEL BELOW COST, OCT. 31, 1967

	Item	Annual volume	Unit cost	Present fee	Annual loss
I-140	Filing petition for immigrant status (sec. 204(b))	37,300	$21.33	$10.00	$422,600
I-256A	Application for suspension of deportation	800	50.35	25.00	20,300
N-405	Filing petition for naturalization	108,000	21.16	10.00	1,205,300
I-600	Petition to classify alien as an eligible orphan (sec. 204(a))	2,200	80.60	10.00	155,300
N-585	Information from records	4,500	.77	.50	1,200
	Total				1,804,700

Since these fees are prescribed by statute they cannot be altered administratively to reflect changes in corresponding costs or to reduce the resulting losses. The instant bill would provide the solution to this problem.

The bill would eliminate all prescribed statutory fees to be charged pursuant to sections 281 and 344 of the Immigration and Nationality Act and permit such fees to be set by executive agencies pursuant to title V of the Independent Offices Appropriation Act of 1952, thus allowing the Attorney General and the Secretary of State to set such fees on a fair and equitable basis, commensurate with the services rendered, and in the direction of fuller implementation of the user charge principle advocated by this and prior administrations. This financing of special benefits to users by adequate charges will aid in reducing the present losses incurred.

The bill also eliminates the requirement that fees for nonimmigrant services be strictly on a reciprocal basis by substituting the words "in amounts corresponding as nearly as practicable" with the words "if practical, in amounts corresponding." This will give the Secretary of State greater flexibility to attract foreign tourists. User fees for State Department services in connection with immigrant visas would be governed in accordance with the provisions of title V of the Independent Offices Appropriation Act of 1952.

Officials of the Department of State and the Department of Justice appeared before the Committee on the Judiciary of the House of Representatives in support of the bill.

AMENDMENT OF ACT RELATING TO APPEALS IN CERTAIN ANTITRUST ACTIONS

The bill (S. 2721) to amend section 2 of the act of February 11, 1903, relating to appeals in certain antitrust actions and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of America in Congress assembled, That section 2 of the Act of February 11, 1903 (32 Stat. 823, as amended; 15 U.S.C. 29, 49 U.S.C. 45), commonly known as the Expediting Act, is amended to read as follows:

"Sec. 2. (a) Except as otherwise expressly provided in this section, in every civil action brought in any district court of the United States under any of said Acts in which the United States is the complainant and equitable relief is sought, appeal may be taken only to the court of appeals. Appeals from final judgments entered in such action shall be so taken pursuant to section 1291 of title 28 of the United States Code. Appeals from interlocutory orders entered in such actions shall be so taken pursuant to sections 1292(a)(1) and 1292(b) of title 28 of the United States Code. Any judgment entered by the court of appeals in any such action shall be subject to review by the Supreme Court upon a writ of certiorari as provided in section 1254(1) of title 28 of the United States Code.

"(b) In any such action an appeal from a final judgment or an interlocutory order of a three-judge district court designated pursuant to the first section of this Act (15 U.S.C. 28, 49 U.S.C. 44) shall lie directly to the Supreme Court in accordance with section 1253 of title 28 of the United States Code.

"(c) In any such action before a district court other than such a three-judge district court an appeal from the final judgment of the district court shall lie directly to the Supreme Court if (1) the district court, upon application of a party or upon its own motion, certifies that immediate review by the Supreme Court is appropriate in the interest of justice, or (2) the Attorney General certifies that in his opinion immediate review of the action, or of a particular question of law therein, by the Supreme Court is of general public importance in the administration of justice.

"(d) Any such certificate made by the Attorney General or by the district court upon its own motion, and any application for such a certificate made by any party to the district cation made by a party to the district court within seventy days after the entry of final judgment by the district court. Any application made by a party to the district court for such a certificate shall be deemed to have been denied unless such application is granted within eighty days after the entry of such final judgment.

"(e) When a direct appeal is taken upon a certification made under subsection (c), the Supreme Court may (1) allow the appeal and require the record of proceedings before the district court to be transmitted to the Supreme Court for decision of the entire matter in controversy, or (2) dismiss the appeal and remand the action to the district court with binding instructions for the disposition thereof. Subject to such instructions in any action so remanded, an appeal from the judgment of the district court may be taken to the court of appeals as provided by section 1291 of title 28 of the United States Code. The time allowed for such appeal shall run from the date of entry of the order of the Supreme Court remanding the action to the district court."

Sec. 2. The amendment made by this Act shall not apply to any action in which a notice of appeal to the Supreme Court has been filed on or before the date of enactment of this Act. Appeal in any such action shall be taken pursuant to the provisions of section 2 of the Act of February 11, 1903 (32 Stat. 823, as amended; 15 U.S.C. 29, 49 U.S.C. 45), which were in effect on the day preceding the date of enactment of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1649), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the proposed legislation is to amend the Expediting Act so as to require that final judgments and interlocutory orders in certain civil antitrust cases and cases arising under the Interstate Commerce Commission Act, if appealed, be heard by the circuit courts of appeals.

STATEMENT

The Expediting Act requires, inter alia, that final judgments in all civil antitrust cases and cases arising under the Interstate Commerce Commission Act, where the Government is the plaintiff, be appealed directly to the Supreme Court.

The Expediting Act became law in 1903, a time when the Sherman Act was relatively new and an untried method of restraining combinations and trusts. There was apprehension that the newly created system of courts of appeals, because of their supposed unfamiliarity with the new law and because of the additional time required by their procedures, would delay and frustrate the efforts to control monopolies. Responding to that concern the Attorney General recommended the expediting legislation and it became law after Congress approved it without debate.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

RATIFICATION OF THE TREATY ON NONPROLIFERATION OF NUCLEAR WEAPONS SHOULD NOT BE DELAYED

Mr. YOUNG of Ohio. Mr. President, for the peace of the world it is certain that prompt action on the Treaty on the Nonproliferation of Nuclear Weapons should be immediately taken up in the Senate of the United States. The Senate should, by a near-unanimous margin, consent to the ratification of this treaty. The Foreign Relations Committee of the Senate, by an overwhelming vote of 13 to 3 sometime back, recommended ratification of this treaty. It is a matter of real concern to all of the people of the United States that if the Senate does not act affirmatively on this treaty then soon the treaty itself may be in jeopardy.

Ours is the Nation which has been the principal proponent of the adoption of this treaty by the nations of the world. Certainly, when the country which has been the treaty's principal architect hesitates, those chiefs of state of various nations who are going along with us without real enthusiasm will possibly reconsider. Officials of more than 80 nations have already signed this treaty. If the Senate votes for ratification, then, without a doubt, one country following another will join in signing the treaty.

The purpose of this treaty is to prevent the spread and the proliferation of nuclear weapons. It is to accomplish this that the treaty was drafted.

Unfortunately, there are a few Senators who take the view that because the armed forces of the Soviet Union and four of its satellites recently occupied a nation of the Communist bloc and a signatory to the Warsaw Pact, Czechoslovakia, that our Nation should withdraw from its efforts to have other nations ratify this treaty which we, and not the Soviet Union, first proposed.

This treaty was open for signature on July 1, 1968. Ninety-five members of the United Nations voted to commend it and to request that it be made available for signature and ratification at the earliest possible date. In a historic ceremony at the White House last July 1, this Treaty on the Nonproliferation of Nuclear Weapons was signed by ambassadors and top officials of the United States, the United Kingdom of Great Britain, the Union of Soviet Socialist Republics, and 53 other states. Furthermore, since that time the chiefs of state of other nations have indicated their intention to sign the treaty.

This treaty proposed by our Nation is a triumph of sanity and of man's will to survive. In the introductory part of the treaty, or preface to it, the reasons and intent of the treaty and its purposes were stated. Among the numerous paragraphs in the preamble is the following, which was recently adverted to by the senior Senator from Connecticut [Mr. DODD]. Of the 12 different purposes of the Treaty on the Nonproliferation of Nuclear Weapons as set forth in the preamble the senior Senator from Connecticut [Mr. DODD] adverted to the final one which reads as follows:

> Recalling that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations, and that the establishment and maintenance of international peace and security are to be promoted with the least diversion for armaments of the world's human and economic resources, . . .

Mr. President, in this grim period of cold war we must seek coexistence. The senior Senator from Connecticut, were his counsel to be followed, would lead us away from a policy of coexistence; and the only alternative to that is coannihilation.

Those who seek to delay ratifying this nonproliferation treaty and who oppose it altogether make a very unsound argument in insisting that on-the-spot inspection teams should be included in the treaty to determine by on-the-spot inspection that the Soviet Union is complying with its treaty obligation. The facts are that both the Soviet Union and the United States have space satellites. We have more and better satellites in orbit than has the Soviet Union. Our satellites observe and our scientists and our top officials in the Pentagon know whenever even one additional missile base is erected any place within the Soviet Union or any of its satellite nations or, for that matter, in Communist China. Without a doubt the Soviet space satellites maintain the same sort of surveillance and have the same knowledge of our activities. This is a silly and unsound argument against ratification of this treaty.

The Limited Nuclear Test Ban Treaty was sought for patiently and persistently by three Presidents of the United States and finally achieved by our late great President John F. Kennedy with the patience, understanding, and great diplomatic ability of Ambassador Averell Harriman, who greatly aided him. This treaty was, as President Kennedy said:

> The first step in that long journey toward permanent peace.

No local inspection teams were provided in that treaty for representatives of the Soviet Union to be in the United States and our representatives to be in the Soviet Union. Despite any claim to the contrary, the facts are that this treaty has been fully complied with by the Soviet Union and by the United States. Since its ratification there has been no suspicion that either the Soviet Union or the United States has conducted any nuclear tests in violation of the treaty. All nuclear tests have been conducted underground and in a manner so that no nuclear poison would be spread in the atmosphere. Incidentally, all these underground tests have never been concealed and scientists of both our great nations have known about them.

The necessity that we consent to the ratification of this treaty should be evident, for the facts are that a number of nations including West Germany, India, China, Japan, and France have the nuclear ability and know-how at this time to produce and place in firing positions nuclear weapons aimed at nations beyond their borders.

It seems there are some timid persons in our country who are urging that ratification of this treaty be delayed. Mr. Nixon, who, in his own mind expects to become President next January 20, urges delay. Why delay? This treaty is a result of 4 years of patient negotiations conducted by President Johnson and other leaders of this Nation. If Mr. Nixon urges delay on the ground that Senate action at this time on this all-important treaty would be regarded as an affront to the Soviet Union, that is an unsound argument.

Furthermore, if he has any reservations about any section of the treaty, is it not his duty to state frankly what are those objections? We heard the argument on the Senate floor for delay as no on-the-ground inspection was provided. We know this is an unsound argument, as the space satellites above the United States and above the Soviet Union and other areas of the world provide constant surveillance far more adequate and reliable than could be given by any inspection team.

Delay now might possibly lead to final rejection of the treaty, and then the two great nuclear powers instead of having reached what is termed a detente would continue on a collision course toward coannihilation instead of coexistence.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OCEANOGRAPHY MUST NOT BE NEGLECTED IN OUR RACE TO THE MOON

Mr. YOUNG of Ohio. Mr. President, the Senate recently passed Senate Concurrent Resolution 72 urging that the United States participate in and give full support to an expanded and intensified program of ocean exploration, including participation in the International Decade of Ocean Exploration during the 1970's.

Mr. President, more than $30 billion of taxpayers' money has been spent and is being spent in the exploration of outer space, in the race to land a man on the moon. While our astronauts at this very moment are orbiting the earth in a major step toward an eventual moon landing, at the same time, we have virtually ignored the exploration and exploitation of the oceans, on which we have spent only one-fifteenth as much as on space exploration.

However, if we compare the benefits received from our outer space efforts with the profits to be derived from a greater study of oceanography, it would be fair to say that while racing to the moon will give us access to new knowledge, delving to the bottom of the ocean may be the salvation of mankind. It is my fervent hope that this country will make a more determined effort to explore, research, farm, and mine the oceans of the earth. If only a fourth of the money spent on space were spent on oceanography, the benefits to the Nation and mankind would be enormous.

We should focus much more of our Nation's scientific know-how on the challenges of the oceans. The exploration of the seas and the life that it nurtures is the most challenging and rewarding scientific activity into our environment that this country can undertake. The importance of developing the resources of the oceans cannot be overemphasized. Today we understand very little of the oceans, their properties, their life and their processes. We must develop scientists and facilities and research programs that will answer the needs of the future. We must without delay begin a full program of exploiting the seas.

The sea offers us fresh water—the key to a new and better life for many of the less developed regions of the world.

The tides offer us energy to provide an inexpensive source of power from which new industries and cities can be supported throughout the world.

The bottom of the oceans hold untapped reserves of minerals, oil, gas and precious metals in quantities almost difficult to comprehend.

The ocean currents offer a key to the climate of the world and can turn arid deserts and plateaus and drenched marshlands into rich agricultural areas and farmlands.

Coastal zones of the oceans offer a major area for rest and recreation to satisfy the increased leisure time of millions of people.

Most important, the oceans offer the only possible answer to man's never-ending need for new food supplies. Only the oceans offer any hope of providing a minimal existence for the 1 billion 500 million starving or hungry people who now make up half the population of the world, and for additional billions in generations to come. Today, more than 80 percent of the earth's surface is covered by water; but not more than 1 percent of its food supplies are derived from it. Our planet's food problem is acute. The earth's population, especially in less developed countries, is growing faster than the food supply. We must search for ways to balance population with natural resources.

The critical need for increased production and better distribution of high protein foods emphasizes the urgency of this problem. The technological development of an inexpensive fish protein concentrate already being produced in some nations will be vital for alleviating protein deficiencies in people living in underdeveloped and overpopulated areas.

Mr. President, the oceans hold great promise for the welfare of mankind. However, all these riches and all their potential will have to be developed at great expense. We need much greater scientific study to fully understand the oceans and to develop the technology to implement our goals.

It is obvious that to do all of this will require a great deal of money. Congress has taken the initiative in drawing the Nation's attention to the future of the oceans. We have enacted into law the Marine Resources and Engineering Development Act of 1966 containing the Sea Grant College and Program Act. We in the Senate have been fortunate to have the outstanding leadership of the distinguished senior Senator from Washington [Mr. MAGNUSON] and the distinguished junior Senator from Rhode Island [Mr. PELL] who have consistently fought for a greater emphasis on the national effort toward the oceans. What has been done is hardly a drop in the bucket when compared to the space budget. A mere $10 million was appropriated for oceanography in 1953. In fiscal year 1958 it was $24 million. The space budget for the same year was close to $350 million. After enactment of the Marine Resources Act of 1966, the oceanography appropriations increased to $409 million for fiscal year 1967 and $462 million for 1968. This does represent a dramatic increase, but it is hardly comparable with the $6.6 billion spent for the space program in fiscal year 1968.

Mr. President, the very life, welfare and happiness of our people may one day depend on the oceans and our knowledge of them. We must make a much greater effort toward implementing and enhancing our oceanographic effort.

Mr. President, other nations of the world have also wisely come to realize that their future lies in and beneath the sea. This is evident in the intensified activities and the international concern with which ocean resources and their peaceful uses are being considered, by the Soviet Union, Japan, and other leading maritime nations.

On March 8, 1968, President Johnson proposed the launching of "an historic and unprecedented project—an International Decade of Ocean Exploration for the 1970's." The President invited and encouraged the efforts of other nations in exploiting the promise of the sea. He asked the Secretary of State to explore with other nations the possibilities of joining together with them in long-term ocean exploration. The 46 nations that have been approached to date by officials of the State Department have not officially responded, but indications are that the Soviet Union, among others, is favorably inclined to the IDOE. The share of the United States in this cooperative program would be somewhat between 30 and 40 percent, roughly $3 billion to $5 billion over a 10-year period. The balance will be furnished by the Soviet Union and other participating nations.

For several years the exploration of the vast Antarctic region for peaceful purposes has been proceeding as a joint undertaking of scientists of the United States and the Soviet Union. Also, I have joined with other Senators in urging administration officials to seek to effect a treaty with the Soviet Union for the joint exploration of outer space for peaceful purposes, including efforts for a joint lunar landing. *Why not establish* cooperation instead of competition? The tremendous expense would be shared equally by both nations, and taxpayers of our country would be saved at least $1 billion next year and billions of dollars in future years. In addition, if both nations were no longer engaged in this race for space achievements, both the United States and the Soviet Union could devote more money, resources, and talent to exploration of the oceans. This would be a great advance toward permanent peace.

It is to our advantage to take the lead in oceanography for our national security as well as for economic reasons. However, we must at the same time cooperate with other nations in this endeavor. The Congress must give stronger support to our national and international oceanographic programs.

Mr. President, the benefits that can be derived from the ocean can clearly be powerful weapons to attack and defeat mankind's most ancient enemy, hunger. We as the most technologically advanced nation in the world have a responsibility to devote a part of our tremendous scientific and material resources to this challenge. It makes little economic and social sense to spend tens of billions on space exploration and to pinch pennies insofar as oceanographic research is concerned. Space is essentially void, while the sea teems with food and energy. The sea can provide food, jobs, water, and hope to billions of people throughout the world. Although science fiction writers speak of transferring populations from planet to planet, the facts of life are that right here on this earth man will have to provide food, shelter and space for some 7 billion people by the year 2000. The only way to do this is to tap and manage the vast resources of the world's oceans.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. YOUNG of Ohio. I yield.

Mr. SMATHERS. Mr. President, I should like to associate myself with the very splendid remarks made by the distinguished Senator from Ohio. The State of Florida has 1,600 miles of coastline, and we fully appreciate the value of what he has said.

Mr. YOUNG of Ohio. I thank the distinguished Senator from Florida.

THE NOMINATION OF JOHN B. REHM

Mr. LONG of Louisiana. Mr. President, the Senator from Louisiana is aware that the President has submitted the name of John B. Rehm as a nominee for the position of Deputy Special Representative for Trade Negotiations with rank of ambassador. This nomination was referred to the Committee on Foreign Relations for its consideration.

In my judgment, that was an error. This nomination should have been sent to the Committee on Finance, because the Committee on Finance handles legislation dealing with trade matters.

I see in the Chamber two Senators who have served on both committees—the Senator from Florida [Mr. SMATHERS], and the Senator from Delaware [Mr. WILLIAMS].

I once had the honor of serving on that committee; and, having served on both committees, there is no doubt in my mind that this nomination should have been sent to the Committee on Finance. Perhaps one reason why it was sent to the Committee on Foreign Relations is that the executive branch knows how the Committee on Finance feels about Mr. Rehm.

This man tried to repeal an act of Congress by a mere executive agreement. The Senator from Florida [Mr. SMATHERS], went to Geneva twice and alerted us about this matter. The Senator from Connecticut [Mr. RIBICOFF], alerted us about the matter. The Senator from Georgia [Mr. TALMADGE], went to Geneva and saw this going on and alerted us about the matter.

We then passed a resolution unanimously in the Committee on Finance to tell these people they were exceeding their authority and that they should not try to negotiate beyond the authority that Congress gave them.

They had the audacity to inform us—Mr. Rehm being the attorney for the group—that they were going to negotiate on that matter, anyway. They said they would submit to Congress what they did that went beyond their legislative authority. They did submit their proposal to change the American selling price method of valuing certain imports, but they did not submit to us what they had a duty to submit in the way of an antidumping code.

Because of that, a bitter fight ensued between the House and the Senate, in which the Senate eventually prevailed, declaring that an act of Congress cannot be repealed by a mere executive agreement.

This man tried to do that. He advised Ambassador Roth, who is not a lawyer, that he could get away with this kind of thing.

Mr. President, people of that sort do not belong in any negotiations as a representative of the United States. They should be rejected and kept out.

I would hope that when Congress adjourns, if it adjourns without having voted on Mr. Rehm, the President will not name him as an interim appointee; because I would deem it my duty next year to oppose his continuing in that capacity.

We have had enough of fighting on the floor of the Senate in attempting to protect the laws of this country against usurpation by the executive branch. The President once served in this body, and it is my judgment that he would not try to do something of that sort, unless somebody had put him on the spot by creating a fait accompli, and saying ,"We have already committed ourselves."

It seems to me that we should request that this matter be referred to the Committee on Finance. I shall not make the request at this time. I shall try to contact the distinguished chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. FULBRIGHT], whom we are proud to have with us as a member of the Committee on Finance, and advise him that we would be pleased to consider the nomination.

But we know about Mr. Rehm's credentials. We know what he has done. We know he has trespassed on the prerogatives and the jurisdiction of Congress. We want to examine this man before his nomination is voted on by the Senate. I am frank to say, unless I miss my guess, that he would be very fortunate to muster a single vote before the Committee on Finance—a very much sought after committee—which has 17 outstanding Senators.

Mr. SMATHERS. Mr. President, I wish to associate myself with the remarks of the distinguished Senator from Louisiana, who is the chairman of the Committee on Finance.

There is no question but that this nomination should have been sent to the Committee on Finance, or, at least, we should have shared in the jurisdiction of it. After all, the law which creates this job and creates the work which is to be done under the law comes from our committee.

As the distinguished chairman of the committee has so well said, it is rather obvious that the members of our committee were not going to approve this gentleman because he apparently put himself—or felt that he could put himself—above the actions of Congress in this regard; and we therefore were not going to approve him.

I would hope, as I am sure the other members of our committee would hope—as expressed by our chairman—that this nomination will not be presented this session. If it is, we would then be required to vote against it.

Mr. LONG of Louisiana. An additional reason why I regret to see this name come before us is that this man caused the Senator from Louisiana and other Democratic members of our committee to become engaged in a very heated dispute with the President of the United States over a matter that should not have occurred in the first instance. I do not believe the President would have permitted an executive agreement to repeal an act of Congress.

Only a negotiator with twisted and distorted objective would try to do a thing of that sort. Certainly, a negotiator who is intellectually honest would not do it. I assume that people do that and come back and tell the President, "Mr. President, we think we have done a fine thing. We have committed ourselves to the other countries to go ahead with this matter, and we deem it your duty to go ahead with it." They do not inform the President that they are violating the doctrine of the separation of powers and that they are doing something unconstitutional.

Mr. President, the difficulty with all that is that we then have to do what we have now done on the antidumping matter. There would have to be passed a subsequent act of Congress to reenact the act we had to begin with.

We do not need people in high office who stir up trouble of this sort between the executive branch and the legislative branch. We do not need people who usurp the authority of Congress to represent the United States in these negotiations.

In due course, if this matter can be cleared with the distinguished chairman of the Committee on Foreign Relations and the ranking minority member, I shall ask that this nomination be referred to the Committee on Finance, which should have jurisdiction in this matter. It is my understanding that Governor Herter's name was referred to the Committee on Foreign Relations some years back for the sole reason that then-Senator Harry F. Byrd, who served with such distinction in this body, and who was the chairman of the Committee on Finance at that time, did not make the point of order at the time the nomination was referred to the committee. I certainly will make the point and I certainly will insist that jurisdiction of the Committee on Finance be respected in this matter.

In due course, I understand the Senator from Indiana [Mr. HARTKE] will be present to voice a protest about this nomination. We have great Americans available to us who can negotiate matters of this sort. We have great Senators here who are retiring who could handle a matter of this sort ably and with great distinction and render a great service to this Nation. I see two of them smiling now. I see the distinguished Senator from Florida [Mr. SMATHERS] and the distinguished Senator from Ohio [Mr. LAUSCHE], either one of whom I would trust to represent this Nation in international negotiations.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. SMATHERS. Mr. President, I am very flattered by the remarks of the distinguished chairman of our committee, but I must say in all candor that I am not looking for a job.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. LAUSCHE. Mr. President, I was going to remain silent, but I was afraid my silence would be construed as meaning that I am looking for a job.

Mr. LONG of Louisiana. Mr. President, I regret to learn that these two great statesmen will not be available to fill this position with distinction and honor and bring great credit to our country. I am sure the two great Senators would be available if pressed by the President to do their patriotic duty even though it would cost both of them a great deal of income compared with what they could make in the lush field of private enterprise. It is men of their caliber that we need.

Senators make those kinds of sacrifices and other great men in public life make sacrifices. I have no doubt that people might be found who could help us to get something instead of giving things away. I know there are people who feel that we should get something of value and who at least would not give away something that belongs to the taxpayers of this country. I am sure that fine men could be found.

As a matter of fact, if he would be willing to represent this Nation at some future date, perhaps the President himself might be willing to be the trade representative of this Nation in trade matters of this sort. I expect to keep this job open so it will be available for him if he could represent this country in those negotiations. I am sure he would not try to repeal the work of Congress by mere executive agreement between the President and Princess Grace or Prince Rainier, when these matters have been passed by Congress and signed by the President.

Mr. DIRKSEN. Mr. President, the question of whether or not the appointment of John B. Rehm, who has been nominated Deputy Special Representative for Trade Negotiations, should be considered without the Finance Committee having had an opportunity to examine the nominee, has been discussed here today.

The nomination was referred to the Committee on Foreign Relations. In examining the jurisdiction of the Finance Committee and the work that John Rehm would be doing and the laws under which he would be operating in the field of foreign trade, it seems abundantly clear to me that the nomination should be re-referred to the Finance Committee as it is clearly a matter within its jurisdiction.

Obviously, at this late date, the committee will not be able to consider the nomination until the next session of Congress. That being the case I would certainly hope that no interim appointment of Mr. Rehm would be made.

Mr. HARTKE. Mr. President, I rise and join with the distinguished Senator from Louisiana [Mr. LONG], in opposing the nomination of Mr. John Rehm as a Deputy Special Representative for Trade Negotiations. When the distinguished Senator from Louisiana says that Mr. Rehm is not entitled to be appointed to represent this Nation in trade negotiations, I can assure the Members of this body that he makes no hasty judgment. Whether Mr. Rehm's nomination should be considered by the Finance Committee or the Foreign Relations Committee—and I agree with the Senator that the appropriate committee jurisdiction is the Finance Committee—the record Mr. Rehm has made in his capacity as a legal adviser to Ambassador Roth, compels that neither committee give him favorable consideration. His nomination is not meritorious; along with the Senator from Louisiana, the Senator from Florida [Senator SMATHERS], I urge that this body not accede to it. I also urge the President not to afford Mr. Rehm an interim appointment—but if the President should see fit to do so, I, too, like the Senator from Louisiana, would deem it my duty in the next Congress to oppose Mr. Rehm's continuing in it.

APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, in accordance with Senate Resolution 115, 90th Congress, first session, appoints the following Senators to attend the 14th meeting, Commonwealth Parliamentary Association, to be held at Nassau, Bahamas, on October 30–November 7, 1968: The Senator from West Virginia [Mr. RANDOLPH], the Senator from North Carolina [Mr. JORDAN], and the Senator from Ohio [Mr. YOUNG].

The Chair, on behalf of the Vice President, under the provisions of Public Law 84–689, appoints the Senator from Montana [Mr. METCALF], as alternate delegate to the North Atlantic Assembly, to be held at Brussels, Belgium, November 11–16, 1968.

The Chair, on behalf of the Vice President, in accordance with Public Law 88–606, appoints the Senator from Arizona [Mr. FANNIN], to the Public Land Law Review Commission in lieu of the Senator from California [Mr. KUCHEL], resigned.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

Report on Reapportionment of an Appropriation

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Justice for "Salaries and expenses, Bureau of Prisons," for the fiscal year 1969, has been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

Report on Reapportionment of an Appropriation

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Justice for "Support of United States prisoners," for the fiscal year 1969, has been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

Report of Office of Emergency Planning

A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting, pursuant to law, a report on borrowing authority for the period ended June 30, 1968 (with an accompanying report); to the Committee on Banking and Currency.

Proposed Amendment of Federal Aviation Act of 1958

A letter from the Acting Secretary of Transportation, transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958, "To implement the Convention on Offenses and Certain Other Acts Committed on Board Aircraft," and for other purposes (with an accompanying paper); to the Committee on Commerce.

Report on Requirements for Motor Vehicle and Highway Safety Research and Test Facilities

A letter from the Acting Secretary of Transportation, transmitting, pursuant to law, a report which identifies the types of research, development and test facilities which are needed to carry out the responsibilities of the Department as set forth in the legislation authorizing the motor vehicle and highway safety program (with an accompanying report); to the Committee on Commerce.

Report on Receipts and Expenditures in Connection With Administration of Outer Continental Shelf Lands Act of 1953

A letter from the Deputy Assistant Secretary for Administration, Office of the Secretary of the Interior, reporting, pursuant to law, on the receipts and expenditures of the Department in connection with the administration of the Outer Continental Shelf Lands Act of 1953; to the Committee on Interior and Insular Affairs.

Suspension of Deportation of Aliens—Withdrawal of Name

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Mr. Andreas Elias Eliopoulos from a report relating to aliens whose deportation has been suspended transmitted to the Senate on March 1, 1968 (with an accompanying paper) to the Committee on the Judiciary.

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Mr. Kyong Hwan Chang from a report relating to aliens whose deportation has been suspended transmitted to the Senate on February 1, 1967 (with an accompanying paper); to the Committee on the Judiciary.

Report of Claims Settled Under Military Personnel and Civilian Employees' Claims Act of 1964

A letter from the Director, U.S. Information Service, transmitting, pursuant to law, a report of claims settled by the U.S. Information Agency under the Military Personnel and Civilian Employees' Claims Act of 1964, during the period September 1, 1967, through August 31, 1968 (with an accompanying report); to the Committee on the Judiciary.

Proposed Amendments to the Criminal Justice Act of 1964

A letter from the Director, Administrative Office of the United States Courts, transmitting for the consideration of the Congress proposed amendments to the Criminal Justice Act of 1964 (with an accompanying paper); to the Committee on the Judiciary.

Judicial Actions in Customs Cases

A letter from the Attorney General of the United States, transmitting a draft of proposed legislation to amend the statutory provisions relating to judicial actions and administrative proceedings in customs matters, and for other purposes (with accompanying papers); to the Committee on the Judiciary.

Report of Estimated Costs of Carrying Out Provisions of Highway Safety Act of 1966

A letter from the Secretary of Transportation, transmitting, pursuant to law, a report on the estimated costs of carrying out the provisions of the Highway Safety Act of 1966 (with an accompanying report); to the Committee on Public Works.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. SPARKMAN, from the Committee on Foreign Relations, with an amendment:

S. 3378. A bill to provide for increased participation by the United States in the International Development Association, and for other purposes (Rept. No. 1670).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. YARBOROUGH, from the Committee on Post Office and Civil Service:

Thirty-four postmaster nominations.

By Mr. SPARKMAN, from the Committee on Foreign Relations:

Nathaniel Davis, of New Jersey, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to Guatemala; and

Covey T. Oliver, of Pennsylvania, to be U.S. Executive Director of the International Bank for Reconstruction and Development.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. HRUSKA (by request):

S. 4186. A bill for the relief of David Guissin, his wife Estair Guissin, and their children, Avraham, Gitel Gila, and Ariella Guissin; to the Committee on the Judiciary.

By Mr. HANSEN:

S. 4187. A bill to establish a Postal Corporation; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. HANSEN when he introduced the above bill, which appear under a separate heading.)

By Mr. DODD:

S. 4188. A bill for the relief of Donato Vitiello; to the Committee on the Judiciary.

By Mr. DIRKSEN:

S. 4189. A bill to amend the Internal Revenue Code of 1954 to allow an income tax deduction for certain State and local utility taxes; to the Committee on Finance.

By Mr. HANSEN:

S. 4190. A bill to provide for the orderly leasing of publicly owned oil shale and associated minerals; to provide the consumer with a long-range and dependable source of low cost synthetic fuels; to provide substantial revenues to the United States and affected States; to foster the development of a competitive oil shale and associated minerals industry; to enhance our national security; to improve our international balance of payments; and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. HANSEN when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG of Louisiana (for Mr. BREWSTER):

S. 4191. A bill for the relief of Eckard Natter; to the Committee on the Judiciary.

By Mr. McGEE (by request):

S. 4192. A bill to revise the laws relating to the transportation of mail so as to provide the Postmaster General greater flexibility in the procurement of such transportation; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. McGEE when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 4193. A bill to provide for the relief of Louise Margotta Gorna; to the Committee on the Judiciary.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. MANSFIELD (for Mr. TYDINGS, by request):

S. 4194. A bill to amend the statutory provisions relating to judicial actions and administrative proceedings in customs matters, and for other purposes; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota:

S. 4195. A bill for the relief of Basil Janavaras; to the Committee on the Judiciary.

By Mr. BROOKE:

S. 4196. A bill for the relief of Johanna Wingelaar; to the Committee on the Judiciary.

S. 4187—INTRODUCTION OF BILL TO STREAMLINE THE POST OFFICE

Mr. HANSEN. Mr. President, on April 8, 1967, President Johnson established by Executive Order No. 11341, a Commission on Postal Organization and instructed it to "conduct the most searching and exhaustive review ever undertaken of the American postal service."

In June 1968, that Commission completed its study and transmitted to the President its report. In the letter that accompanied the report, Frederick R. Kappel, Chairman of the Commission wrote:

> You asked us to determine whether the postal system as presently organized is capable of meeting the demands of our growing economy and our expanding population. We have concluded that it is not.
>
> . . . It has become evident . . . that the postal service cannot keep pace with the demands of our society unless it is given a basic change in direction.

The report itself is a startling document. The facts set forth in the Commission's study confirm many of the public's worst suspicions with regard to the processing of the mails. But like the iceberg, only a small portion of the inefficiencies which occur within the Post Office ever surface. As the report points out:

> From a distance the mail service is not bad, but the more you use and depend on it, the less satisfactory it seems.

The report goes on:

> The Post Office's inefficiency is starkly apparent to anyone who walks across a workroom floor. In most offices men and women lift, haul and push mail sacks and boxes with little more mechanical assistance than the handcart available centuries ago. In this electronic era, the basic sorting device remains the pigeonhole case into which letters are placed, by hand, one by one. The basic parcel post container is the canvas sack, filled, lifted and "dumped" by human labor.

The report listed numerous instances of the inefficient operations which characterize the postal system:

> In October 1966, the 13-story, 60-acre Chicago Post Office—the world's largest postal facility—stopped functioning. Breakdowns in management authority and in physical plant paralyzed service in one of the nation's biggest cities and delayed millions of cross-country letters and parcels normally routed through Chicago. The crisis lasted nearly three weeks.
>
> The backlog of mail exceeded 10 million pieces. Railroad cars and trailer trucks clogged approaches to the post office. Millions of citizens were inconvenienced; hundreds of businesses suffered financial losses.
>
> The Commission visited one major post office to which five new automatic machines had been delivered nine months previously. Only one machine had been installed, and it was not working properly. The other four were still in packing crates.
>
> About 85% of all postal employees are in the five lowest grades, and over 80% finish their careers at the same grade level at which they start them. The small number of higher positions in the personnel structure, the patronage and residency requirements for postmaster appointments, the practice of not transferring supervisors from one office to another and the extraordinary emphasis on seniority not only hampers management, but seriously limits postal career opportunities despite a tradition of promotion from within to non-patronage jobs.
>
> It takes at least 13 weeks to hire an employee, and a recent Post Office survey showed that 67% of job applicants in 17 large metropolitan areas did not wait around to complete the process.
>
> In spite of increased postal fees and rising salaries for postal employees, the productivity of the Post Office Department has been rapidly declining to the point that the Department presently incurs an annual deficit of $1.17 billion.

The Commission summarizes the entire problem quite simply:

> The Post Office today is failing—failing the users by not providing the quality of service they deserve; failing the public by costing far more than it should; and failing its employees by stifling their potential.

The report, completed after a year's study, lists the causes and effects of, as well as possible solutions to, the problems of the Post Office Department. The Commission reports that if its suggestions were adopted a savings of over $1 billion each year could be achieved. Further, savings could be gained from the utilization of more advanced technology and the institution of more business-like operating procedures.

The reaction of the administration was as might have been expected. On Thursday, July 18, 1968, the Postmaster General appointed a nine-member task force to study the report of the President's Commission on Postal Organization.

I am not surprised by the failure of the executive branch to take action on the recommendations of the President's Commission. The failure to implement the proposals and recommendations of blue-ribbon panels has been a hallmark of the Johnson administration. The Library of Congress tells me that since Lyndon Johnson assumed the Presidency, over 170 boards and commissions have been created to study some particular issue or problem area. Yet, in most cases, the President has ignored the suggestions of the panels which he himself has created.

In 1964, President Johnson appointed a task force to study the question of revenue sharing. The report of that commission was never released.

In 1966, President Johnson established the National Advisory Commission on Selective Service. The Commission made several recommendations for changes in the Nation's draft policy. These recommendations were ignored. The inequities which existed in the Selective Service System when the Commission made its study still exist today.

In 1967, in the wake of the riots in Detroit, Newark, and numerous other cities, President Johnson established the National Advisory Commission on Civil Disorders, headed by then Illinois Gov. Otto Kerner and New York Mayor John Lindsay. On March 2, 1968, the Commission made public its long-awaited report. Nearly 7 months have passed since President Johnson received the Commission's report. As yet, no action of consequence has been taken.

I do not wish to speculate as to why action has not followed in these areas. Nor do I wish to comment on what I feel must be done with regard to the problems uncovered by the numerous commissions which have met in the past 5 years.

But I do want to bring to the attention of the Senate today the crisis in our Nation's postal system. The existence of such a situation is a point well made by the Commission's report.

But the overall conclusion of the Commission—that the Nation's postal system is in a state of crisis—has not been missed by the citizen who purchases services from the Post Office. As the report points out:

> The Commission has found a pattern of public concern over the quality of mail service. Delayed letters, erroneous deliveries, damaged parcels and lost magazines are everyday experiences.

I have in my office a thick file of letters from constituents complaining about the type of service which they are currently receiving from the postal system. Allow me to quote from just a few of these letters:

From Casper, Wyo.:

> The postal service in Casper is awful and getting worse . . .
>
> I can buy a *Denver* (Colorado) *Post* printed at 5:00 P.M. in Casper at 6:00 A.M. every day of the year . . . So for ten cents I can get a great, big, fine paper in 12 hours with all the day's latest news and financial transactions.
>
> Air mail letters mailed (from Denver) at 2:00 P.M., three hours sooner, never arrive in Casper the next morning. They rarely get in the next afternoon, but usually the following day or 36 hours later.

From Cheyenne, Wyo.:

> On January 2nd my office sent to a firm of New York broker-dealers listed on the New York Stock Exchange forms required to qualify them to do business in the State of Wyoming. These forms of individual statement were sent third class. The securities firms did not receive our mailing until one full month later—February 2nd.

From Thermopolis, Wyo.:

> For some time now I have been upset by the condition in which rejected manuscripts get back to me. They're bent, smashed, torn and punctured. The crowning blow came when a box of transparencies were returned to me by the New York City Postmaster. They had been found loose in the Post Office. These transparencies were part of a manuscript package sent to an outdoor magazine. Somewhere along the line, the envelope was ripped open and they fell out. Although I have not heard as yet, the arrival of the manuscript on the eidtor's desk without the proper pictures may well prevent its sale and cost me a month's wages, and I don't like it one bit.

From Cheyenne, Wyo.:

> I am enclosing an envelope mailed from Cheyenne to Norfolk, Nebraska, on the 18th of September. As you can see by the notation made on the outside of the envelope, this was not received until October 10th.
>
> This letter contained money that my mother needed. She is not well and mail is one of the things she looks forward to. It seems to me quite inexcusable for first class mail to take so long to reach its destination.

From Cheyenne, Wyo.:

> I recently made a trip to Washington, D.C. A friend whom I had met there sent me some cheese from Bristol, Wisconsin. This box as you will see plainly marked "Perishable, Rush" was mailed from Bristol, Wisconsin, on January 25, 1968 and was received February 2, 1968 in Cheyenne, Wyoming.

From Burns, Wyo.:

> My concern is the deplorable condition in which the government of the United States has placed the mail service. . . . We found last week that a letter mailed to us from Greeley, Colorado, took 11 days to reach Burns. Pony express could have done a more efficient job of delivery.

I am particularly interested in the first sentence of that last letter wherein the writer expresses concern with "the deplorable condition in which the Government of the United States has placed the mail service." Perhaps unknowingly, this individual has hit upon a point which underlies much of the report of the President's Commission on Postal Organization. That is, that the difficulties currently being encountered by the Post Office Department are a direct result of its position as a Cabinet agency. In the words of the Commission's report:

> Although the Post Office is one of the nation's largest businesses, it is not *run* as a business but as a Cabinet agency of the United States Government.

The report goes on:

> The Post Office has always been operated as if it were an ordinary government agency: its funds are appropriated by Congress; its employees are part of Civil Service, its officials are subject to a host of laws and regulations governing financial administration, labor relations, procurement and purchase of transportation. Major managerial decisions are made through the legislative process; Congress sets postal rates and wages, governs Postmaster appointments and approves or rejects construction of individual post offices.

Yet there can be no question but that the Post Office is a business—a big business:

> In Fiscal Year 1967, the Post Office collected $4.96 billion in revenues and spent over $6.13 billion. (The $1.17 billion deficit was made up by the Federal Treasury.) Its 716,000 employees, working in over 44,000 facilities in virtually every city and town in the land processed almost 80 billion pieces of mail last year, three-fourths of which was originated by business. Within 10 years, total volume is expected to exceed 110 billion pieces.

Given these facts, the Commission concludes:

> The procedures for administering the ordinary executive departments of government are inappropriate for the Post Office. We recommend, therefore, that Congress charter a government-owned corporation to operate the postal service.

For many years I have felt that reforms in the Nation's postal system were necessary. Since coming to Washington, I have become increasingly aware of the inefficiencies being perpetuated by the outmoded organizational structure of the Post Office Department. Last year I commended then Postmaster General O'Brien for his proposal to turn the Post Office over to private industry.

The report of the President's Commission on Postal Organization only strengthens my belief that a basic change must be made in America's postal system. The inefficiencies and inequities which permeate the present system cannot be eliminated without a total change in postal organization.

For this reason I am introducing legislation which would put into effect the recommendations of the President's Commission. This legislation would establish a Government-owned corporation. The corporation would be headed by a nine-member board, six members of which would be appointed by the President with the approval of the U.S. Senate. The six appointed Directors—who would serve but part time—would select a full-time chief executive officer. He would also serve as a Director and Chairman of the Board of the Corporation and would, in concert with the six appointed members of the Board, select a chief operating officer and a second corporate officer who would also serve as Directors.

No longer hampered by a complicated bureaucracy or delaying congressional action, this Board of Directors could engage in collective bargaining with postal employees establishing pay, hours, job descriptions and benefits; determine—with the approval of Congress—all postal rates and fees; establish employee training programs; secure capital and seek to improve the technology of the postal industry. In short, the Post Office could be run as a business—a business seeking the greatest output at the lowest possible cost.

The bill which I am introducing today is designed to serve as a guide for the passage of effective postal legislation during the 91st Congress. The provisions of the bill reflect the basic recommendations of the President's Commission on Postal Organization. Because of the time limitations in preparing this bill for introduction during the 90th Congress, many subjects will have to be studied further and added to the legislation to completely incorporate all of the recommendations of the Commission.

It is my hope that my colleagues will find time before the convening of the 91st Congress to carefully consider this bill and that Congress, working through its appropriate committees, will therefore be able to act more quickly to provide the much-needed legislation for postal reorganization.

Some time ago former Postmaster General Lawrence F. O'Brien described the Post Office Department as a "restrictive jungle of legislation and custom," and said, "This Department must win its race with catastrophe because the service it gives is so essential to our society and our economy."

One thing is clear—the post office cannot win that "race with catastrophe" with its present organizational structure. A new postal system must be established. It is my belief that the system proposed in this legislation is the kind of system that is necessary for the effective and efficient operation of one of our Nation's largest businesses.

I ask unanimous consent that the text of the bill and an analysis be printed in the Record.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill and analysis will be printed in the Record.

The bill (S. 4187) to establish a Postal Corporation, introduced by Mr. Hansen, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the Record, as follows:

S. 4187

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Postal Corporation Act".

ESTABLISHMENT

Sec. 2. There is hereby created a body corporate to be known as the Postal Corporation (hereinafter referred to as the "Corporation"). The Corporation shall have perpetual succession unless dissolved by Act of Congress.

PURPOSES

Sec. 3. The Corporation shall—

(1) develop, promote, and provide adequate and efficient postal services at reasonable and equitable rates and fees;

(2) provide facilities and equipment which will meet the needs of postal users;

(3) provide adequate facilities and equipment to officers and employees of the Corporation; and

(4) employ individuals on the basis of merit and without regard to any political consideration.

BOARD OF DIRECTORS

SEC. 4. (a) The Corporation shall have a board of directors (hereinafter referred to as the "board") consisting of nine members. Six of the members shall be appointed by the President, by and with the advice and consent of the Senate, and without regard to political affiliation. Such six members shall appoint a seventh member who shall also serve as chairman of the board and as the chief executive officer of the Corporation. The chairman and the six members of the board shall appoint the eighth and ninth members, one of whom shall be designated as the chief operating officer of the Corporation and the other as an officer of the Corporation. The titles and the nature of the duties of the eighth and ninth members shall be determined by all the members of the board.

(b) The board shall exercise all powers necessary to carry out the purposes, functions, powers, and duties of the Corporation. The board may delegate to any officer, employee, or agency of the Corporation such powers vested in the board or in any other officer or employee of the Corporation as the board deems appropriate.

(c) The six members of the board appointed by the President pursuant to subsection (a) of this section shall serve as directors for six years except that—

(1) the terms of the six members first taking office shall expire as designated by the President at the time of appointment, one for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years, and one for a term of six years; and

(2) any such member appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall serve for the remainder of such term. The chief executive officer shall serve for such term as the six members of the board appointed by the President shall determine. The eighth and ninth members shall serve for such terms as such six members and the chief executive officer shall jointly determine.

(d) The six members of the board appointed by the President shall each receive $5,000 annually and $300 and expenses for every meeting of the board attended. Such members shall fix the rate of compensation of the chief executive officer and the eighth and ninth members serving as officers of the Corporation.

(e) Vacancies in the board, as long as there are five members in office, shall not impair the powers of the board to execute the purposes, functions, and duties of the Corporation. Five of the members in office shall constitute a quorum for the transaction of business, except that—

(1) in the appointment of the chief executive officer, three of the six members appointed by the President shall constitute a quorum for such appointment; and

(2) in the appointment of the eighth or ninth member of the board, serving as an officer of the Corporation, any four members from among the chief executive officer and the six members appointed by the President shall constitute a quorum for any such appointment.

(f) The board is authorized to establish such committees of the board, and delegate such powers to any committee, as the board deems appropriate to carry out its functions and duties.

RATES

SEC. 5. (a) In accordance with the provisions of this section, the Corporation shall have the sole authority to establish reasonable classes of mail and reasonable and equitable rates of postage and fees.

(b)(1) The Congress shall have the authority to determine which postal users shall be allowed to mail free of postage or at rates less than those established by the Corporation. The rates of all such users shall be adjusted by the Corporation so that the amount of postal revenues received from them, plus the amount received from the postal surcharge provided for in paragraph (2) of this subsection, shall equal the amount of postal revenues that would have been received from such users if the Congress had not authorized the postal users to mail free of postage or at reduced rates.

(2) Except for those postal users authorized to mail free of postage or at reduced rates under paragraph (1) of this subsection, the rates of all postal users shall be adjusted to include a surcharge to cover the costs of free postage and reduced rates authorized under such paragraph. The revenues received from such surcharge shall never exceed three percent of the postal revenues received from the mail users paying the surcharge.

(c) Except as provided in subsection (d) of this section, all classes of mail and rates and fees enacted by Congress on or before the effective date of this section shall be effective until changed by the Corporation in accordance with the provisions of this Act.

(d) The Corporation may not adopt any change which would have the effect of modifying chapters 51 and 57 of title 39, United States Code.

RATEMAKING

SEC. 6. (a)(1) Within the Corporation there shall be an officer known as the rate manager. He shall have the responsibility for initiating and recommending to the board a change in rates or fees, in classes of postal users, and in the rate structure and design.

(2) The rate manager shall be provided an adequate staff of rate experts, statisticians, economists, engineers, accountants, market analysts, and clerical assistants. He and his staff shall not be subject to the supervision of financial management, sales, or operations.

(b)(1) There is hereby established within the Corporation a panel of three rate commissioners (hereinafter referred to as the "commissioners") appointed by the board. One of the commissioners shall be designated by the board as chief commissioner. The commissioners shall serve for terms of nine years except that—

(A) the terms of the commissioners first taking office shall expire as designated by the board at the time of appointment, one for a term of three years, one for a term of six years, and one for a term of nine years; and

(B) any such commissioner appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall serve for the remainder of such term.

The commissioners shall receive compensation at the rate prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(2) If the board proposes to adopt a change recommended by the rate manager, such change shall be forwarded to the commissioners. They shall have the proposed change published in the Federal Register together with a notice of the time and place of hearings on such change. The commissioners shall thereupon conduct hearings on the change and render an opinion. The opinion, together with the record, shall be referred to the board.

(3) Any complaint, except one involving a change in rates or fees, classes of postal users, or the rate structure and design, shall be referred to the commissioners for their consideration, and they shall hold a hearing if necessary. The commissioners shall make a report to the board on the complaint, and the board shall take such action on the complaint and report as it deems appropriate. A complaint involving a change in rates or fees, classes of postal users, or the rate structure or design shall be referred to the rate manager for his consideration.

(4) The commissioners shall promulgate rules and regulations and establish procedures to carry out its responsibilities under paragraphs (2) and (3) of this subsection. Such rules, regulations, and procedures shall not be subject to any change or supervision by the board.

(5) The board shall provide the commissioners with a small professional and clerical staff and facilities appropriate and reasonable to carry out the purposes of this subsection. The staff shall be responsible solely to the commissioners.

(6) The chief commissioner shall have the administrative responsibility for assigning the business of the commissioners to each commissioner and for the staff.

(c)(1) Upon receiving the opinion and record from the commissioners, relating to a proposed change, as provided in subsection (b)(2) of this section, and after careful consideration of the opinion and record, the board may adopt any change it deems appropriate. The board shall transmit the change to both Houses of the Congress on the same day and to each House while it is in session. The change shall become effective at the end of the first period of 60 calendar days of continuous session of the Congress after the date on which the change is transmitted unless, between the date of transmittal and the end of the 60-day period, the Congress passes a concurrent resolution stating in substance that the Congress does not favor the change.

(2) The continuity of a session is broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of the 60-day period.

(3) The proposed change may include a provision that the change may be effective at a time later than the day on which the change is otherwise effective.

(4) A change which is effective shall be printed (1) in the Statutes at Large in the same volume as the public laws and (2) in the Federal Register.

PERSONNEL

SEC. 7. (a) The board shall have the power to appoint and employ such officers and employees and to vest them with such powers and duties as it deems necessary. All appointments, promotions, and separations shall be made on the basis of merit and efficiency, and no political tests or qualifications shall be permitted or considered.

(b)(1) Except as otherwise provided in this section, rates of pay, hours of employment, employee benefits, and other conditions of employment of nonmanagerial and nonprofessional employees shall be determined by collective bargaining.

(2) In the event that no agreement is reached through collective bargaining, or a dispute arises out of a collective bargaining agreement or its interpretation, and the parties are unwilling to submit to binding arbitration or other means of reaching a decision which shall be binding, the disagreement or dispute shall be referred to the President. He shall settle the disagreement or dispute in the manner he deems appropriate, and such settlement shall be final and binding on all parties.

(c) Rates of pay, hours of employment, benefits, and other conditions of employment of managerial and professional officers and employees shall be determined by the board.

(d)(1) An officer or employee of the Post Office Department occupying a nonmanagerial or nonprofessional position in the Department on the effective date of this section shall be transferred to the Corporation and shall be employed by the Corporation.

(2) The rates of pay, wages, leave, and seniority for any such officer or employee shall continue until otherwise provided by collective bargaining.

(3) Any such officer or employee transferred from the Post Office Department to the Corporation, who was subject to the provisions of subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, on the date of transfer shall, as long as his employment with the Corporation continues without a break in continuity of service, continue to be subject to such provisions. Such employment shall be deemed employment by the Government of the United States for the purposes of such provisions. The Corporation shall contribute to the Civil Service Retirement and Disability Fund a sum as provided by section 8334 (a) of title 5, United States Code, except that such sum shall be determined by applying to the total basic pay (as defined in section 8331 (3) of such title and except as hereinafter provided) paid to the employees of the Corporation who are covered by the civil service retirement law, the percent rate determined annually by the United States Civil Service Commission to be the excess of the total normal cost percent rate of the civil service retirement system over the employee deduction rate specified in section 8334 (a) of such title. The Corporation shall also pay into the Civil Service Retirement and Disability Fund such portion of the cost of administration of the fund as is determined by the United States Civil Service Commission to be attributable to its employees. Notwithstanding the foregoing provisions, there shall not be considered for the purposes of the civil service retirement law that portion of the basic pay in any one year of any officer or employee of the Corporation which exceeds the basic pay provided for in section 5312 of such title, on the last day of such year.

(e) (1) An officer or employee of the Post Office Department occupying a managerial or professional position with the Department on the effective date of this section shall not be transferred to a position of employment with the Corporation unless the board so specifically provides.

(2) Any office of or position of the Post Office Department created by law or administratively is hereby abolished on the effective date of this section.

(f) the provisions of sections 7311–7313, and 7321–7327 of title 5, United States Code, shall apply to officers and employees of the Corporation. Any reference contained therein to the Civil Service Commission or the President shall be deemed to be a reference to the Corporation. The provisions of chapter 11 of title 18, United States Code, shall also apply to such officers and employees to the maximum extent practicable.

BONDING AUTHORITY

Sec. 8. (a) The Corporation is authorized to issue such notes, debentures, or other obligations as it determines necessary to carry out the purposes of this Act. Such obligations shall not exceed $2,000,000,000 outstanding at any one time. Such obligations shall pledge the full faith and credit of the Corporation, but shall not be obligations of, nor shall payment of the principal thereof or interest thereon be guaranteed by, the United States. The proceeds realized by the Corporation from issuance of obligations and from other sources shall not be subject to apportionment under the provisions of section 3679 of the Revised Statutes, as amended (31 U.S.C. 665).

(b) The obligations of the Corporation shall be in such forms and denominations, shall be sold at such times and in such amounts, shall mature at such time or times not more than fifty years from their respective dates, shall be sold at such prices, shall bear such rates of interest, may be redeemable before maturity at the option of the Corporation in such manner and at such times and redemption premiums, may be entitled to such relative priorities of claim on the assets of the Corporation with respect to principal and interest payments, and shall be subject to such other terms and conditions as the Corporation may determine. At least fifteen days before selling each issue of obligations hereunder the Corporation shall advise the Secretary of the Treasury on the amount, proposed date of sale, maturities, terms and conditions and expected rates of interest of the proposed issue in the fullest detail possible and, if the Secretary shall so request, shall consult with him or his designee thereon, except that the sale and issuance of such obligations shall not be subject to approval by the Secretary of the Treasury except as to the time of issuance and the maximum rates of interest of the obligations. If the Secretary of the Treasury does not approve a proposed issue of obligation hereunder within seven working days following the date on which he is advised of the proposed sale, the Corporation may issue to the Secretary interim obligations in the amount of the proposed issue, which the Secretary is directed to purchase. If the Corporation determines that a proposed issue cannot be sold on reasonable terms, it may issue to the Secretary interim obligations which the Secretary is authorized to purchase. Notwithstanding the foregoing provisions of this subsection, not more than $500,000,000 in obligations issued by the Corporation to the Secretary shall be outstanding at any one time. They shall mature on or before one year from the date of issue, and shall bear interest equal to the average rate (rounded to the nearest one-eighth of a percent) on outstanding marketable obligations of the United States with maturities from dates of issue of one year or less as of the close of the month preceding the issuance of the obligations of the Corporation. If agreement is not reached within eight months concerning the issuance of any obligations which the Secretary has failed to approve, the Corporation may nevertheless proceed to sell such obligations on any date thereafter without approval by the Secretary in amount sufficient to retire the interim obligations issued to him and such interim obligations shall be retired from the proceeds of such obligations. For the purpose of any purchase of the Corporation's obligations the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the applicable provisions of chapter 12 of title 31, United States Code, and the purposes for which securities may be issued under such chapter are extended to include any purchase of the Corporation's obligations hereunder.

(c) The Corporation may—

(1) sell obligations by negotiation or on the basis of competitive bids, subject to the right, if reserved, to reject all bids;

(2) designate trustees, registrars, and paying agents in connection with said bonds and the issuance thereof;

(3) arrange for audits of its accounts and for reports concerning its financial condition and operations by certified public accounting firms (which audits and reports shall be in addition to those required by sections 105 and 106 of the Government Corporation Control Act (31 U.S.C. 850, 851); and

(4) subject to any covenants contained in any agreements entered into with the purchasers or holders of its obligations, invest the proceeds from the sale of bonds and other funds under its control in any securities approved for investment of national bank funds and deposit said proceeds and other funds, subject to withdrawal by check or otherwise, in accordance with section 302 of the Government Corporation Control Act (31 U.S.C. 867).

(d) Obligations issued by the Corporation hereunder shall contain a recital that they are issued pursuant to this Act, and such recital shall be conclusive evidence of the regularity of the issuance and sale of such obligations and of their validity.

(e) Obligations issued by the Corporation shall be lawful investments and may be accepted as security for all fiduciary, trust, and public funds, the investment or deposit of which shall be under the authority or control of any officer or agency of the United States. The Secretary of the Treasury or any other officer or agency having authority over or control of any such fiduciary, trust, or public funds, may at any time sell any of the obligations of the Corporation acquired by them under this subsection.

GENERAL POWERS

Sec. 9. The Corporation shall have the following powers:

(1) to adopt, alter, and use a corporate seal;

(2) to adopt, amend, and repeal bylaws, rules, and regulations governing the manner of its operations, organization, and personnel, and the performance of the powers and duties granted to or imposed upon it by law;

(3) to keep accounts and prepare a budget in the manner the board deems appropriate (and any such budget shall not be required to be submitted to the United States Government or to be included in the budget of the United States Government);

(4) to sue and be sued in its corporate name, except that nothing herein shall be construed to exempt the Corporation from the application of sections 517, 547, and 2679 of title 28, United States Code;

(5) to have the priority of the United States with respect to the payment of debts out of bankrupt, insolvent, or decedent's estates;

(6) to acquire by purchase, lease, condemnation, or in any other lawful manner, any real or personal property, tangible or intangible, or any interest therein; to hold, maintain, use, and operate the same; to provide services in connection therewith, and to charge therefor; and to sell, lease, or otherwise dispose of the same at such time, in such manner, and to the extent deemed necessary or appropriate by the board for the conduct of the business of the Corporation and to carry out the corporate purposes;

(7) to construct, operate, lease, and maintain buildings, facilities, and other improvements, on the property transferred to it pursuant to section 4, as may be required to carry out the purposes of this Act, and to charge for the use of the foregoing;

(8) to accept gifts or donations of services or personal property, tangible or intangible, in aid of any of the purposes of the Corporation;

(9) to obtain the services of experts and consultants;

(10) to enter into contracts or other arrangements or modifications thereof, with any government, any agency or department of the United States, or with any person, firm, association, or corporation, and such contracts or other arrangements, or modifications thereof, may be entered into without legal consideration, without performance or other bonds, and without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5);

(11) to determine the character of and the necessity for its obligations and expenditures, and the manner in which they shall be incurred, allowed, and paid, subject to the provisions of this Act;

(12) to make advance, progress, and other payments which the board deems necessary under this Act without regard to the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529);

(13) to execute, in accordance with its bylaws, rules, and regulations, all instruments necessary or appropriate in the exercise of any of its powers;

(14) to settle and adjust claims held by the Corporation against other persons or

parties and claims by other persons or parties against the Corporation; and

(15) to take such action as may be necessary to carry out the powers conferred upon the Corporation.

PRINCIPAL OFFICE; VENUE

Sec. 10. (a) The principal office of the Corporation shall be in Washington, District of Columbia.

(b) For purposes of venue in civil actions, the Corporation shall be deemed to be a resident of Washington, District of Columbia.

TAXATION

Sec. 11. The Corporation, its property, assets, income, and obligations (including principal and interest) are exempt from taxation in any manner or form by the United States, a State, or political subdivision thereof, the District of Columbia, or territory or possession of the United States except for estate, inheritance, or gift taxes assessed against obligations of the Corporation.

TRANSFER PROVISIONS

Sec. 12. (a) There are hereby transferred to the Corporation all the functions, powers, and duties of the Postmaster General and the Post Office Department, and the office of Postmaster General and the Post Office Department are abolished.

(b) The assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available or to be made available, of the Post Office Department are hereby transferred to the Corporation.

(c) Postal revenues and fees collected on and after the effective date of this Act shall be considered assets of the Corporation.

SAVINGS PROVISIONS

Sec. 13. (a) All orders, determinations, rules, regulations, permits, contracts, certificates, licenses, and privileges—

(1) which have been issued, made, granted, or allowed to become effective—

(A) under any provision of law amended by this Act, or

(B) in the exercise of duties, powers, or functions which are transferred under this Act,

by (i) any department or agency, any functions of which are transferred by this Act, or (ii) any court of competent jurisdiction, and

(2) which are in effect at the time this Act takes effect, shall continue in effect according to their terms until modified, terminated, superseded, set aside, or repealed by the board (in the exercise of any authority respectively vested in it by this Act), by any court of competent jurisdiction, or by operation of law.

(b) The provisions of this Act shall not affect any proceedings pending at the time this section takes effect before any department or agency (or component thereof), functions of which are transferred by this Act; but such proceedings shall be continued before the Corporation. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this Act had not been enacted; and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or repealed by the board (in the exercise of any authority respectively vested in it by this Act), by a court of competent jurisdiction, or by operation of law.

(c)(1) Except as provided in paragraph (2)—

(A) the provisions of this Act shall not affect suits commenced prior to the date this section takes effect, and

(B) in all such suits proceedings shall be had, appeals taken, and judgments rendered, in the same manner and effect as if this Act had not been enacted. No suit, action, or other proceeding commenced by or against any officer in his official capacity as an officer of any department or agency, functions of which are transferred by this Act, shall abate by reason of the enactment of this Act. No cause of action by or against any department or agency, functions of which are transferred by this Act, or by or against any officer thereof in his official capacity shall abate by reason of the enactment of this Act. Causes of actions, suits, actions, or other proceedings may be asserted by or against the Corporation or such official of the Corporation as may be appropriate and, in any litigation pending when this section takes effect, the court may at any time, on its own motion or that of any party, enter an order which will give effect to the provisions of this subsection.

(2) If before the date on which this Act takes effect, any department or agency, or officer thereof in his official capacity, is a party to a suit, and under this Act—

(A) such department, agency, or officer is transferred to the Corporation, or

(B) any function of such department, agency, or officer is transferred to the Corporation.

such suit shall be continued by the Corporation.

(d) With respect to any function, power, or duty transferred by this Act and exercised after the effective date of this Act, reference in any other Fderal law to any department or agency, officer or office so transferred or functions of which are so transferred shall be deemed to mean the officer or agency of the Corporation in which this Act vests such function after such transfer.

ANNUAL REPORT

Sec. 14. The board shall, as soon as practicable, after the end of each corporate fiscal year, make a report in writing for submission to the Congress on the activities of the Corporation during the preceding corporate fiscal year.

MISCELLANEOUS PROVISIONS

Sec. 15. (a) Any reference in any provision of law, regulation, rule, record, or document to the Post Office Department, the Postal Service, or postal field service shall be deemed to be a reference to the Corporation. Any reference to any officer or employee of the Post Office Department, the Postal Service, or postal field service shall be deemed a reference to the appropriate officer or employee of the Corporation unless the position of such officer or employee has been abolished by this Act.

(b) The provisions of title 5, United States Code, and the Federal Property and Administrative Services Act of 1949 shall not apply to the Corporation unless specifically so provided.

(c) Section 101 of the Government Corporation Control Act (59 Stat. 597), as amended (31 U.S.C. 346), is amended by inserting "the Postal Corporation;" after "Panama Canal Company;".

RESERVING RIGHT TO AMEND OR REPEAL

Sec. 16. The right to alter, amend, or repeal this Act is expressly declared and reserved, but no such amendment or repeal shall operate to impair the obligation of any contract made by the Corporation, prior to the effective day of such amendment or repeal, under any power conferred by this Act.

AUTHORIZATION FOR APPROPRIATIONS

Sec. 17. There are hereby authorized to be appropriated such sums as may be necessary for purposes of capital improvements and such sums as may be necessary to establish the Corporation and to place the Corporation on a self-supporting basis. Any such sum so appropriated shall be available until expended.

EFFECTIVE DATE

Sec. 18. Sections 1 through 4, subsections (a) and (b) (1), (5), and (6) of section 6 and subsections (a) and (c) of section 7 (insofar as they apply to managerial and professional positions) shall be effective on the date of enactment of this Act. All other provisions of this Act shall be effective one hundred and eighty days after the date of enactment of this Act.

The analysis, presented by Mr. Hansen, is as follows:

Section-by-Section Analysis of the Postal Corporation Act

Section 2: Section 2 provides for the establishment of a postal corporation which shall have perpetual succession unless dissolved by act of Congress.

Section 3: Section 3 states the purposes for establishing the corporation include providing adequate and efficient postal services, providing needed equipment and facilities to postal users and postal officers and employees, and providing employment to individuals on the basis of merit and without regard to any political consideration.

Section 4: Section 4 provides for a board of directors consisting of nine members, six of whom are appointed by the President, the seventh appointed by those six members and the eighth and ninth appointed by the first seven members of the board. The board members shall have six year terms and shall exercise all powers necessary to carry out the purposes, functions, powers and duties of the Corporation.

Section 5: Section 5 grants to the corporation sole authority to establish reasonable and equitable rates of postage and fees and provides for a system by which certain postal users determined by Congress shall be allowed to mail free of postage or at rates less than those established by the Corporation. The Corporation would not have the power to effect changes relating to non-mailable matter or penalty and franked mail.

Section 6: Section 6 provides for a corporation officer to be known as the rate manager who shall recommend rate changes to the Board and for a panel of three rate Commissioners who, on receiving a proposal of a rate change from the Board, shall be responsible for giving public notice, conducting hearings, and rendering an opinion to the Board. Commissioners shall also hear complaints, promulgate rules and regulations and establish rules and procedures. After careful consideration of the opinion, the Board may adopt any rate change it deems appropriate. Unless Congress passed a concurrent resolution stating in substance that the Congress does not favor the change, the change becomes effective at the end of the first period of 60 calendar days of continuous session of Congress.

Section 7: Section 7 provides that no political tests or qualifications shall be permitted or considered by the Board when hiring officers and employees. Collective bargaining shall determine the conditions of employment of non-managerial and non-professional employees, and any disagreement or dispute that cannot be settled otherwise shall be referred to the President for final and binding settlement. The Board shall determine the conditions of employment of managerial and professional officers and employees. Non-managerial and non-professional employees of the Post Office Department, on the effective date of this section, shall be employed by the corporation without loss of accrued Civil Service benefits. Managerial and professional employees of the Post Office Department, on the effective date of this section, shall not be transferred to the Corporation unless the Board so specifically provides. The offices and positions of the Post Office Department are abolished. Federal laws pertaining to loyalty, securing, striking, and political activities shall apply to the officers and employees of the Corporation, but the Corporation shall replace the Civil Service Commission in carrying out the provisions of those laws. Federal criminal provisions concerning bribery, graft, and conflicts of interest will also apply to the Corporation officers and employees to the extent practicable.

Section 8: Section 8 provides for Corporation bonding authority not to exceed $2 billion outstanding at any one time. This provision will aid the Corporation in providing much needed facilities and equipment. Such obligations are not subject to the approval of the Secretary of the Treasury except as to the time of issuance and the maximum rates of interest of the obligations. If the Secretary does not approve a proposed issue of obligations within 7 working days, the Corporation may issue interim obligations to the Secretary in the amount of the proposed issue, and the Secretary is directed to purchase such obligations. The Secretary is also authorized to purchase interim obligations if the Corporation determines that a proposed issue cannot be sold on reasonable terms. Not more than $500 million in obligations issued by the Corporation to the Secretary shall be outstanding at any one time. If agreement is not reached within 8 months concerning the issuance of obligations which the Secretary has not approved, the Corporation may proceed to sell such obligations without the approval by the Secretary in amounts sufficient to retire the interim obligations. The Corporation may sell its obligations by negotiation or on the basis of competitive bids, subject to the right, if reserved, to reject all bids.

Section 9: Section 9 provides for the general powers of the Corporation. The Corporation's budget is not required to be submitted to or to be included in the budget of the United States Government. The Corporation has the priority of the United States with respect to the payment of debts out of bankrupt, insolvent or decedent's estates. The Corporation is empowered to enter into contracts and other arrangements with any government, any agency or department of the United States, or with any person, firm, association or corporation. Such contracts may be entered into without legal consideration, without performance or other bonds, and without regard to Federal requirements of advertisements for proposals for purchases and contracts for supplies or services.

Section 10: Section 10 provides that the principal office of the Corporation shall be in the District of Columbia and that for purposes of venue in civil actions the Corporation shall be deemed a resident of the District of Columbia.

Section 11: Section 11 exempts the Corporation, including its property, assets, income and obligations from taxation by the United States, States or political subdivision thereof, the District of Columbia or territories of the United States, except for estate, inheritance, or gift taxes assessed against obligations of the Corporation.

Section 12: Section 12 consists of complete provisions for the transfer of the postal system from the Post Office Department to the Corporation and for the abolishment of the office of Postmaster General and the Post Office Department.

Section 13: Section 13 contains the savings provisions of the act. All orders, determinations, rules, regulations, etc., shall continue in effect until modified, terminated, superseded, set aside, or repealed by the Board of Directors. The act shall not affect any proceedings, pending at the time this section takes effect, before any department or agency, functions of which are transferred by this act; such proceedings shall be continued before the Corporation. Suits commenced prior to the date this section takes effect shall not be affected by this act and proceedings shall be had in the same manner and effect as if this act had not been enacted. The enactment of this act shall not cause the abatement of any suit, action or other proceeding commenced by or against any officer in his official capacity or any department or agency, functions of which are transferred by this act. References in other federal laws to departments or officials transferred would now refer to the department or officer of the Corporation.

Section 14: Section 14 requires the Corporation to submit the report of its activities to Congress at the end of each fiscal year.

Section 15: Section 15 provides that references to the Post Office Department, the postal service or postal field service shall be references to the Corporation and provides that the Federal Property and Administrative Services Act of 1949 does not apply to the Corporation unless specifically provided. The Government Corporation Control Act applies to the Postal Corporation.

Section 16: Section 16 expressly declares and reserves the right to alter, amend or repeal this act.

Section 17: Section 17 authorizes the appropriation of sums necessary for capital improvements, the establishment of the Corporation and the placement of the Corporation on a self-supporting basis.

Section 18: Section 18 provides for the effective date of the provisions of the act.

S. 4190—INTRODUCTION OF OIL SHALE AND ASSOCIATED MINERALS LEASING ACT OF 1968

Mr. HANSEN. Mr. President, I introduce, for appropriate reference, a bill to provide for the orderly leasing of publicly owned oil shale and associated minerals, to provide the consumer with a long-range and dependable source of low-cost synthetic fuels, to provide substantial revenues for the United States and affected States, to foster the development of a competitive oil shale industry, to enhance our national security, to improve our international balance of payments, and for other purposes.

Mr. President, I ask unanimous consent that the text of this bill together with a section-by-section analysis of the bill's provisions be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and analysis will be printed in the Record.

The bill (S. 4190) to provide for the orderly leasing of publicly owned oil shale and associated minerals; to provide the consumer with a long-range and dependable source of low-cost synthetic fuels; to provide substantial revenues to the United States and affected States; to foster the development of a competitive oil shale and associated minerals industry; to enhance our national security; to improve our international balance of payments; and for other purposes introduced by Mr. Hansen, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

(See exhibits 1 and 2.)

Mr. HANSEN. Mr. President, I have spoken out repeatedly and at length in the U.S. Senate on the need for a national policy for the development of oil shale and associated minerals. I gave the first of these speeches on February 2, 1967 and it appears in the Congressional Record, volume 113, part 2, page 2333. Then again this year I delivered a major speech to the Senate on April 1, 1968, which appears in the Congressional Record at page 8450.

Today I have introduced legislation to provide for a full-scale leasing program of oil shale and associated mineral resources. In my previous speeches on this subject, I have pointed out what a major contribution the development of oil shale could make to our long-range international balance-of-payments problems. I pointed out that this country needs some new, ambitious and aggressive thinking with respect to its domestic fuel and mineral resources. Oil shale and other minerals certainly can help us reach a better stance of international liquidity 10 years down the road. Further, I indicated that a show of realistic resolve by our Government now, today, with respect to domestic minerals and fuels policy will have a real effect on the governments of foreign oil producing states that are clubbing us over the head every day that we become more reliant on foreign produced imports. They are clubbing us with expropriations—the most recent instance of which just occurred this week in Peru—with unilateral revisions of concession contracts, with terrific increases of taxes, and now, most importantly, with a de facto devaluation of the U.S. dollar in the capitols of foreign oil producing states. Apropos of my previous remarks calling attention to the instability of foreign oil production, I ask unanimous consent that articles appearing in yesterday's New York Times and Washington Post be printed in the Record at this point.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times]

Oil Field Seized by Junta in Peru—U.S.-Owned Property Taken—Refinery Also Affected

Lima, Peru, October 9.—Peru's revolutionary military government took possession of the $200-million oil field, refinery and related property of the International Petroleum Corporation today.

"At this moment the armed forces are entering Talara, site of the refinery, and are taking possession of the entire industrial complex," Maj. Gen. Juan Velasco Alvarado, Peru's new President, said in a broadcast speech to the nation.

The seizure of the property, the country's major petroleum operation, followed years of dispute. Its center is in north Peru in one of the Western Hemisphere's oldest producing oil fields Labrea-Parinas. International Petroleum's other oil fields in Peru were not mentioned in General Velasco's speech as having been seized.

The action is expected to have repercussions in Washington and to affect Peruvian-American relations. It could worsen the climate for foreign investment, badly needed by Peru. International Petroleum is a subsidiary of the Standard Oil Company (New Jersey).

General Velasco, a member of the group that overthrew and exiled President Fernando Belaunde Terry last Thursday, made it plain that the armed forces were moving out of a spirit of pride and nationalism.

"The revolution is on the march," he said. This declaration drew a tremendous round of applause from several hundred military officers crowded into the ballroom of the presidential palace.

General Velasco and other generals in his cabinet sat in a small antiroom off the ballroom, but his speech was transmitted throughout the palace and to the streets by loudspeakers.

CONTRACT DENOUNCED

One day after the coup, the new regime issued a communique denouncing a contract, signed Aug. 13 under President Belaunde's direction, that provided for the Peruvian oil agency, Empresa Petrolero Fiscal, to take over International Petroleum's La Brea-Parinas fields.

Under this contract the company would have continued to operate its Talara refinery and would have bought crude oil from Empresa Petrolero Fiscal.

Soon afterward, Carlos Loret de Mola resigned as president of the Peruvian agency and set off a cabinet crisis by saying Page 11 of the contract had disappeared. He said the "missing page" contained his personal notation that payment would be in dollar equivalent—a protection against a decline in the value of the Peruvian currency.

The revolutionary government said it would bring to justice the officials responsible "for this grave defraudation of the country." Former Premier Osvaldo Hercelles and three members of his cabinet have since been arrested.

ACTION CALLED ILLEGAL

A spokesman for Standard of New Jersey said last night that the company had been advised by its legal counsel that the abrogation of the agreements on and the seizure of the properties yesterday were "a clear violation of international law and the laws of Peru."

However, the company said that the full implications of the actions by the military regime were not yet clear. The company hoped, the spokesman said, that once the regime understood the true nature of the prior settlement it would recognize its legality.

[From the New York Times]

ARGENTINE RECOGNITION SEEN

UNITED NATIONS, N.Y., October 9.—Argentina will extend diplomatic recognition to the Peruvian military junta by Friday, responsible sources said today.

This was expected to begin a succession of similar actions by other Latin American governments that believe the junta, constituted after the overthrow of President Beláunde a week ago, is in effective control of Peru.

The announcement by the junta today that it was confiscating properties of the International Petroleum Company poses a diplomatic problem for the United States, which has withheld recognition of the junta.

Mr. Beláunde arrived in New York early today from Argentina, where he had been sent by the Peruvian military junta by airplane after the overthrow. The former president accused Argentine military authorities of having encouraged the military coup that ousted him.

[From the Washington Post, Oct. 10, 1968]

PERU SEIZES OIL PROPERTY OF U.S. FIRM

(By John M. Goshko)

LIMA, October 9.—Peru's new military government today expropriated the major holdings of the International Petroleum Company, a Standard Oil of New Jersey subsidiary whose total Peruvian investment amounts to $208 million.

The expropriation includes the 643-square-mile La Brea Parinas oil field. Title to the field has long been disputed by IPC and the government, and the issue provided the pretext for last week's coup that ousted civilian President Fernando Belaunde Terry.

The expropriation decree also includes the IPC refinery at Talara, adjacent to La Brea, together with all its subsidiary plants, storage and dock facilities and transportation equipment. It means, in effect, that IPC, one of the two biggest corporate entities in Peru, is reduced to almost nothing.

The decree said that compensation for the seized IPC assets would be computed "in accordance with the debts owed by the company to the government of Peru." Since the government claims IPC owes it $841 million in back taxes and "illicit" profits, the company obviously will be paid nothing.

IPC has maintained that it held bona fide title to the La Brea field and therefore had no such debts. Company officials here refused to comment on the expropriation.

(In New York, a spokesman for the Standard Oil Company of New Jersey called the take over a "clear violation of international law and the laws of Peru.")

In announcing the move, Gen. Juan Velasco Alvarado, the army commander who succeeded Belaunde as President, called it "an emancipation of the national dignity and sovereignty."

Despite the note of almost defiant jubilation, the seizure is expected to have far-reaching and immediate consequences for Peru.

Almost certainly it will mean a worsening of relations with the United States and block any hope of Peru's receiving large-scale U.S. financial aid. Also it could seriously impede Peruvian efforts to ease a serious fiscal crisis by refinancing the foreign debt and attracting new investment from abroad.

In his broadcast speech, Velasco did take note of this point, saying that the expropriation was "not an attack on foreign investment but simply a defense of Peruvian interests." The formal expropriation decree also contained a similarly worded passage.

Otherwise, however, the speech literally bristled with nationalistic sentiments and repeated references to Peruvian sovereignty and dignity. The immediate effect was to create the impression in local political and business circles that the Velasco regime is controlled by a military faction sympathetic to ultra-nationalist demands for government control of Peruvian natural resources.

"The message should be heard on all continents that from this moment on the sovereignty of Peru is true and emancipated," Velasco told several hundred military officers assembled in the Presidential Palace.

Earlier, the decree had been read by an army colonel. Although it specified that all parts of the Talara-La Brea complex were to be taken over, it left unclear the status of such other IPC assets in Peru as its network of retail gasoline outlets, its bank accounts and its participation in another oilfield operated under government concession.

The root of the controversy rests in the fact that La Brea was the only oilfield in Peru owned by the operating company and not operated under government concession.

Over the years, IPC's special status came under increasing fire from nationalist elements, and, in 1963, after Belaunde's election, Peru unilaterally repudiated a 1922 international arbitration under which IPC held title. Last year, the Congress passed legislation saying that the subsoil of the La Brea field was the property of the state and directed that it be registered in the government's name.

Despite Peru's claims for back taxes dating back to 1924, the company continued to operate the field. Then, late in July, Belaunde suddenly announced that an agreement had been reached with IPC, and on Aug. 12 both parties signed the so-called Act of Talara.

Under the proposed agreement, IPC was to turn over its title to La Brea and all its surface installations on the field to the government. In return, the company was to receive a "quit claim" releasing it from all tax and illegal profit claims and a marketing agreement allowing it to purchase the La Brea output for its Talara refinery.

The agreement came under immediate heavy fire from nationalist elements, who charged Belaunde with a "sellout." This, plus the fiscal crisis that has gripped Peru for the past year, created the climate of tension that culminated in last week's coup.

Mr. HANSEN. I have previously argued that the time has come for our Government to look to the future from a position of strength instead of weakness. I am sure that these foreign capitals will get the message if and when we proceed to develop our own fantastic domestic resources in an orderly manner.

I have repeatedly characterized oil shale as a great public resource that could bring local, State, and Federal governments huge amounts of dollar revenues. Oil shale and the minerals associated with it represent a public treasure. But this is a treasure only of potential or future value, for as of this date not one single dollar of revenue has ever been earned and returned to the people of the United States for this great resource they own. I am sure that the people of this country believe that if we have got a valuable resource that can be developed consistent with recognized social values, then we should develop it. I believe that it would be a great dereliction of our duty to the public to allow a resource of such fabulous proportions as the Green River formation of Colorado, Utah, and Wyoming to simply sit and rot in the ground.

So as I have stated before, I believe that the time is ripe for us to progress as quickly as possible with the formulation of a policy for this development effort. Our neighbor to the north, Canada, has already formulated policies with respect to its domestic resources. Canada has made the hard decisions. They have met the questions of conservation and mined land reclamation, they have met the question of pollution regulation, the question of taxes and of return of revenues to the Government. They have taken the dare with respect to these complex social issues and they will be rewarded for their decisiveness. They will soon be producing oil from their Tar Sands at the rate of 150,000 barrels a day. And oil from these Tar Sands could soon be coming into U.S. markets through refineries in Chicago.

In addition to the potential value of oil shale as a synthetic fuel source, recent discovery of other minerals associated with this oil shale makes the largely federally-owned Green River formation deposits of great economic, strategic, and social value to this country.

Dawsonite, which is an aluminum carbonate, is found in conjunction with nahcolite, a sodium carbonate. These two carbonates make up so-called "saline sections" which lie interbedded within the strata of oil shale. Dawsonite is a potential source for commercial quantities of aluminum. As Dr. Hibbard, former Director of the Bureau of Mines, pointed out in his testimony before the Interior Subcommittee on Minerals, Materials and Fuels, earlier this year, the United States is almost wholly dependent upon foreign overseas sources for aluminum.

Nahcolite has recently been found to be of great potential value for the control of air pollution. Vast quantities of this nahcolite are located within the federally-owned deposits of the Green River formation.

Last year a member of my staff traveled with some scientists to the National Air Pollution Control Center in Cincinnati, Ohio. The group presented the Air Pollution Center with samples of nahcolite which have since been used to conduct tests on the so-called baghouse technique for the removal of sulphur from flue gas. Preliminary results of that testing show that this nahcolite is extremely well-suited to the removal of very large quantities of sulphur from the flue gas which is causing such horrible air pollution in the large population centers throughout the world.

I believe that these are two dramatic developments to which our Government could well give some immediate attention.

By introducing this legislation today, I hope to set in motion the first effort to provide for the full-scale leasing of oil shale and associated minerals since the passage of the Mineral Leasing Act of 1920. Unfortunately, the provisions of the Mineral Leasing Act of 1920 dealing with oil shale leasing have never been implemented for a number of reasons. Oil shale was placed in a withdrawn status by Executive order in 1930 and because of inaction and inattention by both the executive and legislative branches of our Government oil shale has remained in this dormant category for almost 40 years. The courage to define policy and then to act upon it has been sadly lacking. The bill I introduce today will hopefully serve as a catalyst for such needed policy definition.

I introduce this bill knowing full well that it cannot be acted upon in the 90th Congress. But I introduced it at this time so that all persons and groups who are interested in the subject of oil shale policy can address themselves to a specific proposal in the coming months. Their comments, criticisms and suggestions may well show the desirability of revising some of the provisions of this bill.

Shortly after the 91st Congress convenes in Washington next year, I will be prepared, I hope in the company of many of my fellow Senators, to introduce similar legislation which would accomplish the general purposes which I have set out in the bill I present today. I would hope that conservation groups, consumer interest groups, members of private industry, Members of Congress and members of the executive branch will all participate in the formulation of this needed policy in the 91st Congress next year. I particularly invite comments and suggestions from such distinguished public servants as former Senator Paul Douglas and the senior Senator from Michigan and the senior Senator from Wisconsin. I was privileged to hear Senator Douglas testify on several occasions before several committees of the Congress on the oil shale development question.

In addition, I was greatly privileged to be allowed to sit in on hearings that were chaired by the senior Senator from Michigan before his Subcommittee on Antitrust and Monopoly. One presentation before Senator Hart's subcommittee was particularly relevant to the question of oil shale leasing. Prof. Walter J. Mead, of the department of economics, University of California, Santa Barbara, addressed himself most intelligently to the problems of competition in the leasing of publicly owned natural resources. His recommendations made a major contribution to the drafting of the leasing bill I offer today. I ask unanimous consent that his testimony before the Subcommittee on Antitrust and Monopoly on May 5, 1967, be printed in the Record at this point.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Statement of Prof. Walter J. Mead, Department of Economics, University of California, Santa Barbara, Calif.

Dr. Mead. Thank you. I am pleased to be back before the subcommittee. I want to restate that my interest in competition for natural resources goes back several years to a study of timber resource sale policy. And many of the same problems are coming up again that confront us in timber sale policy.

I also want to point out that the present study is financed by a research grant from resources for the future, and that Organization, which was created by the Ford Foundation, attaches no strings whatsoever to its grant. I have complete freedom in carrying out my studies. And I have been on this study for about 2 years.

My paper is divided into two parts. The first part identifies some of the problems that plague lease administration in this area, and I will identify four problems. The second part concerning policy recommendations.

I am willing to proceed any way you like. I can present my paper. If I do so, it will take about 35 minutes. Or I can simply discuss questions that you wish to raise. How do you wish me to proceed?

Senator Hart. Well, don't feel under any strain of time. As you go through, why don't you emphasize the points you think are of greatest concern and relevance and if you skip, as you go along help us by saying "I will now skip page 7"—that kind of thing.

Dr. Mead. This paper is concerned with the use of competitive markets in Federal oil shale leasing policy. My interest in competitive markets for natural resources goes back about 5 years and started with an analysis of competition for Federal timber resources in the Pacific Northwest. This study indicated that competitive bidding was a satisfactory method of selling timber, but that the effectiveness of competition varied widely.[1] I found that large firms were able to obtain their national forest timber at a distinct price advantage compared to smaller firms and that in some geographical submarkets competition was negligible, while in others it approached a cutthroat level. This study clearly indicated that protection of the public interest required a more careful determination of the refusal price (the appraised price).

The timber resource study raised similar questions concerning the effectiveness of competition in the oil and gas resource market and in the coming oil shale markets where the buyer structure is even less competitive.

This statement will be divided into two parts: In part I some of the basic competitive problems related to oil shale leasing policy will be set forth. In part II, the policy alternatives will be discussed and recommendations advanced.

1. BASIC COMPETITIVE PROBLEMS RELATED TO OIL SHALE LEASING POLICY

A. Competition among oil firms may be restrained by the many joint ventures among them

In at least the early years of an oil shale industry, the potential participants will be few in number. The number will be limited by two factors:

First, there are only about 20 firms, at most, that have a sufficient technological background to be considered serious contenders for oil shale leases. Nine of these are presently partners in two joint research ventures.

The Colony Development Co. is a joint venture organized by the Oil Shale Corp. (TOSCO), Standard Oil Co. of Ohio, and Cleveland Cliffs Mining Co. The Anvil Points group operating under contract with the Colorado School of Mines is a joint venture made up of Mobil Oil Co., Humble Oil Co., Pan American Petroleum Co., Sinclair Oil Co., Phillips Petroleum Co., and Continental Oil Co.

Second, the capital requirement for entry, including a retort and an upgrading plant to produce synthetic crude, but not including the cost of the resource itself, is estimated from $100 to $150 million. Thus the barriers to entry at least initially are relatively high. Further, the bonus cost of the resource itself will add to the capital cost and the bigger the unit of sale, the greater will be this additional barrier to entry.

Effective arm's-length competition for oil share resources is further called into question by the existence of a multitude of joint ventures in the oil industry. A recent study of international oil companies found that "the outstanding characteristic of the world's petroleum industry is the dominant position of seven international companies. The seven companies that conduct most of the international oil business include five American companies. The seven companies that conduct most of the international oil business include five American companies—Standard Oil Co. (New Jersey), Standard Oil Co. of California, Socony-Vacuum Oil Co., Inc. (now called Mobil Oil Corp.), Gulf Oil Corp., and the Texas Co. . . ."[2] This study further concluded that "in 1949 the seven international petroleum companies owned 65 percent of the world's estimated crude oil reserves."[3] The competitive implications of these findings are stated as follows: "Such a maze of joint ownership obviously provides opportunity, and even necessity for joint action. With decisionmaking thus concentrated in the hands of a small number of persons, a common policy may be easily enforced."[4]

Domestically, as internationally, widespread use has been made of the joint venture organization to perform various functions. This device unites two or more companies as partners for some specific purpose. It has been noted that "perhaps in no other American industry is there so much use made at present of the joint venture corporation as in the oil and gas industry."[5]

For example, the Colonial Pipeline Co. is a joint venture organized to construct a $350 million, 1,600-mile pipeline in the United States. The partners in this joint venture are nine large and fully integrated American oil companies as follows: American Oil Co. (a subsidiary of Standard Oil Co. of Indiana), Cities Service Co., Continental Oil Co., Gulf Oil Corp., Phillips Petroleum Co., Pure Oil Co., Sinclair Pipeline Co. (a subsidiary of Sinclair Oil Corp.), Socony-Mobil Oil Co., and the Texas Co.[6] In the oil and gas resource market where the risks of loss are great and capital requirements are high such as in the Gulf of Mexico, the Outer Continental Shelf on the Pacific coast, and in Alaska, joint ventures are common. For example, in the Gulf of Mexico leases offered by the U.S. Department of the Interior from 1954 through 1964, 624 joint bids were submitted compared to 1,577 single bids for tracts having two or more bids received. Thus, 28 percent of all such bids were joint bids.[7]

Joint ventures are in many cases thoroughly justified on economic grounds. First, the capital requirements for achieving optimum scale economies may be so great that only a few presently existing firms are potential

Footnotes at end of article.

entrants. A combination of two or more existing firms through a joint venture may permit entry.

Second, risks associated with entry and operation in a given industry or geographical market may be so great that few or no existing firms are able or willing to assume such risks alone.

Third, separate operations may be economically wasteful as a means of performing some necessary function. This is the conventional "natural monopoly" case. A joint venture may permit the few firms interested in performing a given function to join together and not only safeguard whatever legitimate economic interest is involved, but do so more efficiently as well. The Colonial Pipeline joint venture may be an illustration not only of this third point, but the heavy capital requirement point as well.

While many joint ventures may have adequate economics justification, they still raise doubts about the ability of firms that are partners in a series of horizontal joint ventures to effectively compete at arm's length where competition rather than cooperation is expected. The hypothesis that competition will be restrained frequently has been alleged but never tested. These and other hypotheses may be tested in the market for publicly owned gas and oil resources. The findings will be particularly relevant for the future market in shale since it will be quite similar in structure, capital requirements, and risk to the Outer Continental Shelf and Alaskan oil and gas resource markets.

Federal oil and gas leases on known geological structures are normally offered for competitive sealed bidding in groups of tracts which, in the Gulf of Mexico, have varied in number from 19 up to 410. Ten such sales have occurred from 1954 through 1964. The competitive effect of joint bidding may be examined, first, independent of time—that is, among the several tracts offered for competitive bidding within any given sale—and, second, over a series of sales in successive points in time.

First, in any given sale it is obvious that when four firms such as the CATC group,[8] each able to bid independently, combine to submit a single bid, that three interested potential bidders have been eliminated.

Further, it can be shown that within any given sale and geographical market—for example, Alaska or the Gulf of Mexico—when firms are partners in a joint bidding venture they very rarely bid against each other for other tracts offered as part of the same sale. In Alaska where 885 bids were examined, only 16 cases were found where partner firms bid against each other in the same sale in which they had participated as joint bidders.[9] As one should expect on theoretical grounds, simultaneous joint bidding and competitive bidding between the same firms is a rare event.

On the other hand, as part of a combine any one firm may well participate more frequently than would be possible if joint bidding were not permitted. The total financial exposure could be the same in either case and the total number of bids submitted could also be the same. The risk of great gains or great losses for any one firm would be reduced as a member of a combine. But in any given sale, the combine, having eliminated some bidders, might have restrained competitive bidding.

If the partners to a joint bidding arrangement are not able to bid independently because of the risk and capital requirements, then a combination not only does not eliminate bidders, it increases the number of bidding units by one.

Second, over a series of sales we may examine the effect of any joint bidding arrangement on bidding within the same geographical market, and in adjacent markets. We will examine the effect of combine bidding on subsequent bidding between partners in a 2-year period after a combine has ceased to operate, then in a 4-year period.

If a joint bidding partnership does not, in fact, restrain bidding among the partners in subsequent sales, then we would expect to find former partners bidding against each other with the same frequency that they bid against all other bidding units.

Examining the State of Alaska oil and gas leases first, we find that from 1959 when the first sale occurred, through 1966, 28 firms were involved in joint bidding agreements. Some of these agreements were terminated and former partners subsequently engaged in single bidding. Within the limits of a 2-year period following a breakup of a joint bidding agreement, 16 former partners bid separately.

What we would expect is that they would bid against former partners and others with the same frequency. But what we find is only one of these 16 firms bid more frequently against former partners than against nonpartners.[10]

Of the 15 firms bidding less frequently against former partners, five bid not at all against former partners, while bidding 3.4 times against the average nonpartner. The remaining 10 firms bidding against both former partners and nonpartners bid 3.1 times against the average former partner while bidding 10.6 times against the average nonpartner.

When the period of time is lengthened to 4 years following the termination of a joint bidding agreement, the tendency for bidding between former partners to be restrained clearly diminishes. In the 4-year period, 17 of the former Alaskan partners bid separately. Five of the 17 bid more frequently against former partners than against nonpartners. The remaining 12 bid less frequently against former partners. Of these 12, three did not bid against former partners but bid 4.1 times against the average nonpartner. The remaining nine firms recorded 4.8 bids against the average former partner, while bidding 10.3 times against the average nonpartner.

The relationships described above are shown in table 1.

(The table referred to follows:)

TABLE 1.—ANALYSIS OF BIDDING CONFLICT AND FREQUENCY, ALASKA AND GULF OF MEXICO

Item	Alaska (period following termination of agreement)		Gulf of Mexico (period following termination of agreement)	
	2 years	4 years	2 years	4 years
Number of former partners bidding against anyone	16.0	17.0	14.0	21.0
Number bidding more frequently against former partners than against nonpartners	[1] 1.0	[2] 5.0	[1] 2.0	[1,3] 3.0
Number bidding less frequently against former partners than against nonpartners	[1] 15.0	[2] 12.0	[1] 12.0	[1,3] 17.0
Number not bidding against former partner	5.0	3.0	3.0	6.0
Frequency of bidding against average nonpartners	3.4	4.1	2.5	2.9
Number bidding against both partners and nonpartners	10.0	9.0	9.0	11.0
Frequency of bidding against former partners	3.1	4.8	5.6	3.2
Against nonpartners	10.6	10.3	5.6	8.3

[1] Actual frequencies deviate from expected too far to be explained by chance, using a 0.01 level of significance.

[2] The deviation of actual frequencies from expected could be due to chance, using a 0.01 level of significance.

[3] 1 firm bid with the same frequency against both former partners and nonpartners.

Dr. MEAD. In addition, table 1 shows the same analysis for the Gulf of Mexico. The record in the gulf further confirms that joint bidding partners do not bid against each other with the same frequency that they bid against nonpartners. The only significant difference between the Alaskan and Gulf record is that in the latter case the evidence of bidding restraint carries into a 4-year period, only slightly diminished.

Cooperation among horizontally related parents not only tends to be limited over time, it is also limited geographically. The bidding record of 10 large oil companies with joint bidding ventures in Alaska, offshore California, and in the Gulf of Mexico was analyzed to determine whether in Alaska they bid less intensively against bidding partners compared to nonpartners in other geographical markets.

The method used to analyze bidding intensity between partners and nonpartners was the same as described above for Alaska and the Gulf of Mexico. The results showed that bidding partnerships in other areas had no effect on the bidding in Alaska. Five of the 10 firms bid in Alaska against partners in other areas with greater frequency than against nonpartners, four bid less frequently, and one bid with the same frequency. This result is consistent with the geographical division organization of large firms. Landmen—the people who formulate the bids—are apparently well aware of partnership arrangements in their own division, but are either not aware of or are unconcerned about such arrangements in other areas. Where extremely large sums of money are involved, decisions are moved higher in the corporate hierarchy where important partnership arrangements might be given more careful consideration.

Thus, the record appears to be consistent with the hypothesis that joint bidding ventures restrain competition among the partner firms, although such restraint is limited in both time and space.

The operation of a joint bidding agreement, including joint exploration of any successful bid, and joint production from any successful well, brings operators into a necessarily close working relationship. Landmen must work together in developing bids within the joint area of interest. Each becomes familiar with the other's areas of special interest and even with their methods of evaluation.

Information must be exchanged on changing interests of the partners and some contracts even require an exchange of information. This process of "learning to live with each other" is one of the essential characteristics of oligopolistic behavior (oligopsony, in this case).

We should expect that men in a close working relationship would learn to consider the interests and behavioral patterns of each other. This is obvious during the tenure of any joint bidding agreement, as I have shown. It is not surprising that such consideration extends beyond the termination of a joint agreement. Nor is it surprising as in Alaska that as the timespan following termination is extended from 2 to 4 years, that evidence of cooperation becomes weaker. This analysis bears directly on the quality of completion that should be expected in the developing oil shale market. It suggests that careful measures must be taken to protect the public interest.

B. The value of shale resources is subject to great uncertainty

The value of shale resources to a prospective buyer is a function of expected revenue minus all costs, including necessary profit, with both costs and revenues appropriately discounted to the present and adjusted for uncertainty.

The value uncertainty for oil shale may be compared to Outer Continental Shelf oil and gas resources. There is much more certainty

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Footnotes at end of article.

with respect to the presence and the quality of oil shale resources compared to oil and gas resources (in the submerged lands), but much less certainty regarding the technology and costs of shale recovery and processing.

In the 1964 Gulf of Mexico sale, the average lessee paid, $2.6 million for his lease. They dry hole cost for one 15,000-foot exploratory well adds about $850,000 to the cost before the lessee can confirm his hopes that oil is present. In contrast, not only are the shale resources known to exist, but a great deal is known about the thickness of the seam and its oil (kerogen) content at various depths. Since an oil shale industry does not yet exist, costs are subject to a wide estimating error.

Steele has estimated that as of 1960 the total cost of developing new reserves of crude petroleum amounted to $4.15 per barrel including finder cost amounting to $2.08 per barrel. This is compared with an estimated $1.46 per barrel total production cost for oil from shale. Thus, the Steele estimates indicate a presently profitable position for shale.[11] Whatever the early production cost for shale oil relative to crude petroleum, dynamic changes likely to take place will bring about important increases in the value of oil shale resources. The two important dynamic factors are, first, rapid technological improvements in the early stage of the industry's growth, and second, a continuing increase in the rapidly rising finder cost for crude oil.[12] In view of the uncertainty about the cost of producing oil from shale, it is difficult to estimate the value of the resources. Further, in view of the highly probable dynamic changes which will affect values, long-term commitments cannot be made with any degree of confidence.

The uncertainty characteristic is in turn related to lease policy. Where uncertainty is great, buyers' preference tend toward royalty bidding rather than bonus bidding. On the other hand, where future costs and revenues are subject to a narrow margin of error, lump-sum or bonus bidding becomes more appropriate and preferred by buyers.

C. Royalty is a nonreal marginal cost

Oil and gas resources are normally leased on the basis of bonus bidding plus a fixed royalty per barrel of oil. But a royalty payment is nothing but economic rent paid by the processor to the Government. It is a transfer payment for which there is no corresponding real cost. Further, the royalty is a marginal or incremental cost; that is, it applies to each barrel of oil produced. As such, it results in inefficient resource utilization.

This problem can be illustrated with the aid of figure 1.

(Figure 1 referred to follows:) [not printed in RECORD.]

Dr. MEAD. The horizontal line shows that revenue per barrel of oil is approximately constant at $3 per barrel as a given well or shale reserve is exploited. As a specific lease reaches its point of exhaustion, the marginal cost of production excluding royalty rises and crosses the revenue line at point X.

In the absence of a royalty payment, recovery would be discontinued at this point since the increment in cost equals the increment in revenue. This is the optimum point for efficient resource utilization because the incremental cost of resources used up equals incremental gain of new resources. If a substantial royalty charge is levied in addition and is payable per barrel of oil recovered, then the marginal cost including royalty would be discontinued at point Y.

At this point, however, the producer stops short of optimum resource utilization. At point Y, the incremental value of resource used up is YA, whereas the incremental value of resources that might be gained is greater at YB. Thus, royalty payments calculated and payable on a unit of production basis result in a misallocation of resources and should be avoided. We should not use them.

Oil shale is a heterogeneous resource. Some shale reserves lie exposed as outcrops, whereas other resources lie below as much as 1,000 feet of overburden. Similarly, the oil content per ton of marlstone rock varies widely from a negligible content to as high as 75 gallons per ton of rock.

Some oil shale mining methods, such as room and pillar mining, may be on a small-scale basis and permit relatively small leases which in turn minimize the risk due to dynamic changes in costs. On the other hand, if open pit mining is used where the oil shale thickness is 2,000 feet and lies under 1,000 feet of overburden, the optimum scale of operations must be relatively large. Uncertainty is correspondingly larger and sale terms will necessarily emphasize royalty payments or a profit share rather than place primary reliance on a bonus.

Mr. CHUMBRIS. At this point, could you estimate how many billion barrels of oil will be in the area that you are talking about?

Dr. MEAD. No—

Mr. CHUMBRIS. In contrast to the 2 trillion we are talking about generally?

Dr. MEAD. No; I cannot. The reason I cannot is that as this industry gets started, I think it will use these small-scale mining methods, but in 20 years we may very well go to very large-scale open pit. And I don't know. So there is no way I can say how many barrels will be taken out by one method. There is too much uncertainty on those methods. So I cannot answer you.

Mr. CHUMBRIS. But you predict it would take about 20 years before we get into this big operation?

Dr. MEAD. It may. Some of the open pit mining methods may be employed out on the periphery of this resource, where the overburden is not great. Private companies own a lot of that.

Mr. CHUMBRIS. Thank you. Please proceed.

Dr. MEAD. Leasing policy alternatives and recommendations.[13]

A set of policy recommendations inevitably reflects the author's system of values, and the policies which a nation ultimately accepts will reflect society's value judgments. The policy recommendations which follow have been formulated within a system of personal values which appear to the author to be generally accepted in American society.

These guiding economic values may be set forth as follows: The basic economic problems of who among several potential lessees is to be seletced as the lessee, how much of the resource is each lessee to obtain, what price is each lessee to pay for the resource, and how is he to process the resource into oil products, should all be determined insofar as possible by competitive processes. Those are the basic economic questions.

Where competition is in any way restrained, the public interest should be protected through minimum refusal prices.

Negotiated solutions to the above basic economic questions should be avoided in favor of impersonal market solutions. The rules for exploiting the resource should be set prior to the point where market judgment is exercised and should not be changed during the life of a given lease.

The value of the resource should be maximized for the buyer and, therefore, to the seller representing the public interest. This requires that regulations which are costly to administer for both buyer and seller should be avoided where possible. Regulations which have a greater social cost than social benefit should be avoided. These basic economic value commitments underlie the recommendations which follow.

A. Should competitive bidding be by oral auction or sealed bidding?

Present regulations permit either oral auction or sealed bidding methods. In the highly developed auction markets for timber in the Pacific Northwest, oral bidding is used almost exclusively by both the U.S. Forest Service and the Bureau of Land Management. These decisions reflect a strong preference on the part of timber buyers. In oil and gas resource markets, the University of Texas uses oral bidding for lands within its jurisdiction. The State of New Mexico uses both oral and sealed bidding procedures. On the other hand, the Bureau of Land Management in all of its onshore and Outer Continental Shelf oil and gas leasing uses sealed bidding.[14]

Under either bidding procedure, potential bidders normally prepare in advance of bidding their own estimate of the value of resource being offered. In an oral bidding situation one is then confronted openly with his bidding opponents, if any, and has an opportunity to react to their bids. Thus the strength of competition is known before bidding is closed. In single bidder situations, or where competition is restrained, oral bidding is normally limited to the minimum acceptable price. Where competition is vigorous, and possibly even cutthroat, prices may be bid far above the minimum price.

In contrast, under sealed bidding procedures, the bidder never knows with certainty how many bidders will be present or their bid prices until it is too late to change his bid. Uncertainty above the strength of competition is a distinguishing characteristic of sealed bidding procedures.

As a result of uncertainty, under sealed bidding procedures bidders tend to adjust their estimate of value with another estimate of the strength of competition, and then to cast their bid. One force, knowledge that there is no second opportunity to bid on the same tract, tends to press sealed bidding upward. Another force, fear of leaving an excessive and embarrassing amount of "money on the table," tends to restrain sealed bidding. In oral bidding, the high bids seldom exceed the second high by more than 1 percentage point.

In a recent Alaskan sale under sealed bidding conditions, the high bid of Tenneco Oil Co., bidding $826,446 for a single tract, exceeded the second high bid by a ratio of 95 to 1.[15] In another case the Shell Oil Co. in the Gulf of Mexico bid $26,105,000, winning a 2,500-acre tract and leaving $12,367,367 "on the table" over the second high bid.[16] Because the oral auction bidding procedure allows bidders to react to the bids of others, and because competition is known and varies all the way from noncompetitive to intensely competitive, oral bidding sales yield a much wider range of values than is present in sealed bidding sales. In the State of New Mexico where both methods are utilized, oral auction sales produced a standard deviation of $100.33 compared to a standard deviation for sealed bidding of only $27.85.[17]

The choice of bidding method should be determined by the basic economic characteristics of the acquiring industry. In the case of oil shale, the dominant characteristic which should determine the bidding method is the questionable competitive structure of the future industry, characterized as it is likely to be by relatively few bidders who are business partners in a multitude of joint ventures.

As indicated in detail in part I, there are substantial doubts about the ability of potential lessees to compete at arm's length with one another. In this situation, the uncertainty feature of sealed bidding becomes important. Not knowing with certainty who will be bidding or how much may lead firms to submit what they believe to be a winning bid. Sealed bidding minimizes the opportunity for either implicit or explicit collusion among bidders and improves the probability that the public owners will obtain a competitive price for the resource.

Footnotes at end of article.

B. What should be the object of bidding and what prices should be fixed?

There are two functions performed simultaneously by the bidding process: One is to select the lessee by the impersonal market process, and the other is to determine the price.

Four alternative objects of bidding may be identified. First, bidding may be limited to the bonus paid by the lessee to the lessor. This method is used exclusively by the Bureau of Land Management in its oil and gas leases, both continental and offshore.

The Bureau of Land Management also uses bonus bidding for its timber resources in the Pacific Northwest. The principal advantage of using the bonus as the object of bidding is that it avoids imposing a nonreal marginal cost on log production and thereby avoids a misallocation of timber resources. Second, bidding may be limited to the amount of the royalty. The State of California allows its State lands commission to select either bonus or royalty bidding for oil and gas leases.

Where royalty bidding is selected, the commission may specify either that bidding shall be on the basis of a flat rate of royalty or on the basis of a "factor to be applied to the scale of oil royalties specified in the offer to bid * * *."[18] The U.S. Forest Service also uses royalty bidding in its timber sales. The advantage of royalty bidding from the buyer point of view is that it shifts some of the risk from the buyer to the seller. The specific risks shifted involve primarily the presence of and quantity of resources, and second, their market prices.

Third, bidding may be on a profit share. For the vast oil reserves in the offshore East Wilmington oilfield in California, bids were invited on the percent of profit which would be paid by the buyer to the seller. In the largest unit of this sale involving 80 percent of the field's oil reserve, the successful bidder was the so-called THUMS group.[19] This combine bid 90.5 percent of the net profits from crude oil production and obtained control over distribution of the oil.

The advantages of profit share bidding are, first, great risks and uncertainties are shared between the buyer and the seller, and second, since it does not impose a fixed marginal cost on each unit of production, the disturbance of optimal resource allocation is minimal. The principal disadvantage of profit share bidding is administrative. In order to protect the public interest, the Government must obviously audit the operator's accounting records and pass judgment on expense allocations as well as on revenue calculations. Expensive administration and even adjudication must be expected as conflicts arise between the interest of the buyer and seller.

Fourth, bidding may be on two or more objects, simultaneously. The State of Louisiana permits combined bonus and royalty bidding. For example, one firm may bid $100,000 bonus plus one-eighth royalty, while another firm may bid a lower bonus, $75,000, and a higher royalty, one-sixth. Further, one firm may submit several bids involving different combinations of bonus and royalty offers.

The obvious disadvantage of this system is that where combinations overlap, as in the illustration above, it is mathematically impossible to objectively determine which bid is high where the presence and quantity of the resource is unknown. Selection of the high bidder becomes a subjective judgment which must be exercised by the State mineral board. The administrative board then becomes vulnerable to the charges of favoritism and corruption. One would be hard pressed to name any advantages which would offset this problem arising out of mixed bidding objectives.

The guiding principle in selecting the object of bidding from the four alternatives given above concerns the degree of uncertainty about the quantity and value of the resource being transferred. Where this uncertainty is relatively low, bonus bidding becomes more desirable from the point of view of optimum resources utilization.

Bonus bidding with a low fixed royalty and a high annual rental requirement[20] is recommended as the means of buyer selection and price determination for oil shale leasing where the relatively small-scale mining methods are used such as room and pillar or block caving. Since the presence of the oil shale resource is positively known and a great deal is known about its quality, there is much less value uncertainty involved in oil shale bidding than in Outer Continental Shelf oil bidding. There is greater uncertainty in the cost of production, but this degree of uncertainty will be substantially reduced as production commences.[21]

C. How do you determine the sale size?

In selecting the size of a shale resource parcel to be offered for lease, the hazards of "too small" and "too large" should be clearly understood. Regardless of the method of mining and retorting employed, a large capital investment is required for mining and processing oil shale. The minimum capital investment is believed to be about $100 million for mining, crushing, retorting, and upgrading facilities. This investment may go as high as $150 million for some processing methods, and far higher if deep open pit mining is used in the center of the shale region.

If the size of the lease parcel is too small, it will not permit an operator to fully amortize the investment required for efficient processing.

On the other hand, the hazard of very large initial lease blocks is that, given the technological uncertainty present in this nonexisting industry, great pricing errors can be committed which would prove embarrassing to either or both the lessor and lessee.

Further, the quality of the shale resources varies geographically. This fact makes any minimum or maximum based on acreage unreasonable. For example, in the center of the Piceance Basin where the shale is about 2,000 feet thick and contains an average of 25 gallons of kerogen per ton of rock, the recoverable oil content under an acre of ground is about 50 times the oil recoverable under a similar acre containing shale only 100 feet thick and yielding 10 gallons per ton. Thus, any attempt to fix an optimum parcel size in terms of a fixed number of acres without specifying the location or shale quality would produce unreasonable results.

The optimum lease parcel should be calculated in terms of the quantity of oil shale needed to amortize the probably optimum processing facilities. Most current estimates hold that the initial retorts will be constructed to produce approximately 50,000 barrels of oil per day, or 18 million barrels per year. If a minimum amortization period necessary in order to bring forth the required processing investment is 25 years, then we may calculate that the minimum lease parcel should be that which will yield about 450 million barrels of shale oil.

Assuming a 75-percent extraction rate of shale from a mine by the room and pillar method, and a 90-percent retorting efficiency, about 200 acres in the heart of the Piceance Basin where the shale is 2,000 feet thick and yields an average of 25 gallons per ton would provide an adequate parcel for initial leases, and I restate I am not talking about open pit mining or in situ process.

The optimum lease parcel calculated in this manner would be fully adequate to justify an investment in an efficient plant. It would also minimize the effect of any errors arising out of the inevitable cost uncertainty present in the early life of a new oil shale industry. A series of relatively small tracts as calculated above should be offered at regular intervals, perhaps one every 6 months. There should be no limit on the number of leases acquired by any one lessee. This provision would be necessary in order to provide an economic incentive for each operator to fully maintain and modernize his production facilities and still permit an adequate period for amortization. Thus, it would be presumed that subsequent leases could be obtained by any efficient and profitable operator in order to insure continuous production. Sale of subsequent leases, however, should be on the basis of competitive bidding only.

Free transfer of leases between lessees should also be allowed, with one limitation. Overriding royalties should not be permitted. Royalty requirements lead to inefficient resource allocation and should, therefore, be minimized. Free transfer of oil shale resources, as of any other asset, is necessary in order to permit the highest possible level of use.

The method suggested here for calculating the sale size is designed not only to meet the requirement of amortizing an efficient plant investment, but also to meet the legitimate fears frequently expressed that the public's valuable resources will be subject to a gigantic giveaway.

A request has been submitted to the U.S. Department of the Interior for a 50,000-acre lease in the heart of the Piceance Basin.[22] Based upon the same recovery assumptions stated earlier, this area would yield 122 billion barrels of oil. This is nearly four times the present known crude petroleum reserves in the United States.[23] Even a more modest request submitted by several companies calling for 5,120 acres in the Piceance Basin would yield 12.5 billion barrels of oil, or 694 years of oil production from a presently assumed optimum-size plant. Given the cost uncertainty which must prevail in the initial years of shale oil production, leases of this size cannot be seriously considered. If they were in fact made, they would probably become either scandalous or ruinous, and the former is more likely than the latter.[24]

D. How do you determine the royalty rate?

Any royalty requirement leads to premature abandonment of resource recovery and to a less than optimum degree of resource utilization. If a royalty is nevertheless required, due to the technological uncertainty present in the early years of an oil shale industry, then the royalty rate should at least be kept to a minimum. A minimum rate of 5 percent might, therefore, be applied. It should be understood that if competition is reliable, bonus bids will be relatively high corresponding to low royalty rates. If completion is not reliable, then the public interest must be protected by adjustments in the refusal price. Low royalty rates, therefore, should not result in "bargain prices" for oil shale resources.

As indicated in part I, a royalty payment requirement does not become a problem in resource allocation until the point is reached where marginal production costs including the royalty payment rise to equal marginal revenue.

Given the degree of uncertainty concerning true value of oil shale resources, it is probably necessary to require a royalty payment. In order to avoid the underutilization problem, the following proposal should be given consideration for the relatively small scale mining processes: Where a lease parcel is identified to yield an estimated 450 million barrels of oil, a relatively high royalty (for example, 10 percent on the oil valued at retort) may be levied on the first 75 percent of the oil produced; that is, on the first 360 million barrels.

At this point, royalty payments would be eliminated on the estimated 90 million barrels remaining to be recovered. Presumably

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Footnotes at end of article.

it is in this area where marginal costs will rise to equal marginal revenue. Since royalty would be zero, the resource misallocation problem would be eliminated. The objective of this proposal would be to eliminate the marginal royalty cost in the area where it becomes operational for decisionmaking purposes. There are, however, other advantages to this proposal. It would provide an important incentive to increase mining and retorting efficiency. Increased efficiency at these two points would result in production of more than the estimated 450 million barrels of oil and any such increase would bear no royalty charge.

While this proposal would lead to better resource utilization and thereby serve the national interest, it would not materially change the resource cost to the buyer or the revenue to the seller. The details of this pricing arrangement would be known at the point of bidding and presumably any expected changes in royalty costs would be fully discounted and reflected in bonus bids. This would result if competition is effective. Where doubts prevail about the effectiveness of competition, minimum acceptable bonus requirements should be adjusted accordingly.

E. How do you determine the annual rental?

Present legislation requires payment of 50 cents per acre per year annual rental on oil and gas leases and presumably on oil shale leases. It has already been shown that any change on a per acre basis is unreasonable in view of the approximately 50-to-1 range in oil content below the richest and poorest oil shale acreage. Accordingly, this rental arrangement should not be used on oil shale land.

A rental requirement may, however, be modified and introduced in order to accomplish another objective, that of providing a market incentive to proceed with production and to make speculative holding of oil shale leases expensive.

If, as a matter of public policy, we wish to avoid speculative holding of shale lands, then rather than specify contractual steps for compliance, a significant rental cost may be specified.

Any such significant rental requirement should be credited against royalty payments due annually. Therefore, rent in effect becomes zero when production is started and royalties exceed the required rent.

In order to be an effective stimulant to avoid speculative holding and to initiate production, the rental requirement must be significant. It might be computed by charging 0.08 cents ($0.0008) per barrel of estimated recovery. Thus, for a lease estimated to recover 450 million barrels, the annual rental requirement would be $360,000. This is equal to approximately one-fifth of the royalty when production reaches a 50,000-barrel-per-day state. As production commences and rises above 10,000 barrels per day, rent in effect ceases.[25] Like the royalty proposal above, a high rental requirement prior to production would not necessarily alter the resource cost to the buyer or the revenue for the seller. If competition is reasonably effective, then the expected rental payments would be fully discounted in a lower bonus bid.

If a rental is imposed that is significantly lower than outlined here, then it would correspondingly reduce the penalty for speculative retention of shale lands and reduce the incentive to commence production. In this event, achieving a public policy objective of stimulating production would require specific contract specifications setting forth dates at which various stages of production must be met under various penalties. The rental proposal, utilizing the market mechanism as it does, is believed to be a superior means of accomplishing the same objectives while avoiding unnecessary conflict between lessor and lessee, and perhaps also, avoiding costly litigation.

F. Should a lease contract specify research and development requirements?

The objective of specifying a research and development requirement as a condition of a production contract is to insure that the lessee commit a minimum expenditure for this purpose.

A requirement of this kind is neither necessary nor desirable. The type of research needed is of the product and process type which is profit oriented, in contrast to the basic type of research which is not directly related to profits.

The need to minimize cost in order to maximize profit provides adequate incentive for the product and process type of research. This incentive would be stimulated further by the royalty proposals contained in section D, above.

The problems of specifying a research requiremnt are great. It is impossible to specify a research and development "product," hence it is not possible to know when the research requirement is completed. This condition necessitates specifying, instead, that a certain sum of money be spent on research and development over a period of time, some sort of a cost-plus contract. But then one must specify the kind of expenditure that will be classified as research and even the place and time of expenditure. One firm that has engaged in oil shale research for about 20 years, proposed that "credit should be given prospective lessees for research and development expenditures made for oil shale projects in the 20-year period immediately preceding the date of lease offering."[26] An equity issue arises between companies that have in fact invested large sums of money in research, relative to those that have not. These and other problems arising out of a specified research requirement can be avoided by allowing the market mechanism to perform its usual functions.

G. Is a refusal price needed?

Analysis presented in part I indicates that competition may be substantially less than perfect in the market for oil shale resources. The public interest must, therefore, be safeguarded against imperfections in competition. This requires that a refusal price be set, a price below which offers to lease would be refused. The refusal price might be specified in the announcement to lease, or it might be a secret refusal price, in which case the offer to lease would specify that the Government reserves the right to reject any and all bids.

H. How to obtain data to determine a refusal price?

In order to intelligently determine a refusal price, the lessee must estimate the value of a lease parcel. This requires accurate information on resource recovery, costs, and revenues. Unless the Government is to be in the shale oil production business itself, it must have access to the cost records of its lessees. This kind of examination by the Internal Revenue Service has been routine for years. While most firms would prefer to avoid an extension of this kind of inspection, most would regard it as preferable to Government entry into shale oil production.

I. Should the seller identify quantity and quality of the resource offered?

In oil and gas leases, the Government simply defines an area of ground and offers a lease for exploration and development. In the case of shale, the presence of the resource is already known. Uncertainty about its quality should be further reduced by systematic core drilling to identify the thickness of the vein and its oil content at various levels. Intelligent bidding requires this kind of information. It would be unnecessarily wasteful to require each interested bidder to duplicate the necessary core drilling. Accordingly, the seller should provide this kind of information to all potential buyers. Presumably, the costs of core drilling would be returned to the seller as a result of competitive bidding. Interested parties desiring information beyond the description provided by the seller should be free to conduct additional exploratory research.

J. What should be the public policy regarding joint bidding?

As indicated in part I, joint bidding for oil and gas resources on the submerged lands in Alaska is commonplace, but it involves hazards for competitive markets. A joint bid among two or more firms that are capable of bidding separately clearly eliminates one potential bidder. In the early phases of the oil shale industry there will probably be few serious bidders at best. In other words, none to spare.

On the other hand, some smaller companies that are not financially able to bid separately, may submit a joint bid. A combination of this kind would result in an increase in effective bidders. Clearly, a per se rule declaring all joint bidding illegal would be unwise. Joint bidding should be permitted where justified by evidence that such bidders could not bid separately. A joint bid may be regarded as a partial merger. In Clayton Act terminology, where the effect of joint bidding "may be substantially to lessen competition" such joint bidding should not be permitted.

This is the end of my statement. I have made many recommendations here. I think they will serve as an area for discussion.

Senator Hart. Professor, the reaction up here is that your paper is a brilliant one.

Dr. Mead. Thank you.

Senator Hart. We go that far out on the limb helped by the fact that we had several days to absorb it. You were kind enough to let us have it well in advance.

And it is a discussion which I believe anyone and everyone responsible for developing the program on the part of the Government profitably could read.

Dr. Mead. Thank you.

Senator Hart. And should.

FOOTNOTES

[1] Walter J. Mead, "Competition and Oligopsony in the Douglas-Fir Industry" (Berkeley: University of California Press, 1966).

[2] The International Petroleum Cartel, staff report to the Federal Trade Commission, submitted to the Subcommittee on Monopoly of the Select Committee on Small Business, U.S. Senate (Washington: 1952), 22–23.

[3] Ibid., p. 23.

[4] Ibid., p. 29.

[5] Thomas F. Broden and Alfred L. Scanlon, "The Legal Status of Joint Venture Corporations," Vanderbilt Law Rev., 1958, 11, p. 689.

[6] New York Times, Apr. 8, 1962, sec. 3, p. 1, col. 1.

[7] U.S. Department of the Interior, Bureau of Land Management, oil and gas lease sale reports, New Orleans. 1954–64.

[8] The member firms are Cities Service Co., Atlantic-Richfield Corp., Tidewater Oil Co., and Continental Oil Co.

[9] State of Alaska, Department of Mineral Resources, "Results of Competitive Oil and Gas Lease Sales," Anchorage, Alaska.

[10] Frequency or intensity of bidding is measured by counting the number of instances of sealed bidding opposition between any one firm and each former partner, or each firm not a former partner, summing each group, then dividing by number of former partner firms found in bidding opposition, and the number of nonpartner firms, respectively. Frequencies calculated in this manner can then be compared. We will also refer to frequency and bidding against the average former partner or nonpartner. This is the same concept as above and is measured in the same way—total instances of bidding opposition divided by the number of firms involved.

[11] Henry Steele, "The Prospects for the Development of a Shale Oil Industry," Western Economic Journal, Fall 1963, 2, p. 82.

[12] Ibid., p. 60.

[13] This paper is concerned with leasing policy only; hence, does not include such issues as depletion allowances and import quotas.

[14] For a systematic listing and discussion of bidding policies followed by all of the public agencies selling timber and oil and gas resources, see Walter J. Meed, "Natural Resource Disposal Policy—Oral Auction Versus Sealed Bidding," Natural Resources Journal, April 1967, 7, 194–224.

[15] State of Alaska, Department of Natural Resources, "Results on the 16th Competitive Oil and Gas Lease Sale," mimeographed, 1966, tract No. C16–191.

[16] U.S. Department of the Interior, "List of All OCS Sales Held to Date, Oct. 9, 1962," mimeographed, tract No. 694.

[17] Mead, loc. cit., p. 215.

[18] State of California, Public Resources Code, division 6, pt. II, ch. 3, art 2.

[19] This group consists of Texaco, Inc., Humble Oil & Refining Co., Union Oil Co. of California, Mobil Oil Corp., and Shell Oil Co.

[20] The royalty and rental questions are discussed in detail below.

[21] For the larger scale mining methods, such as deep open pit mining in the Piceance Basin, some form of profit share on royalty bidding may be necessary in view of the relatively greater value uncertainty.

[22] Letter to Stewart L. Udall, Secretary of the Interior, from W. A. Alexander, vice president, Shell Oil Co., dated Mar. 19, 1963.

[23] Known crude petroleum reserves in the United States as of 1965 amounted to 31.3 billion barrels. (Bureau of the Census, Statistical Abstract of the United States, 1966, p. 715.)

[24] The method proposed here for determining sale size would not be suitable for a relatively large-scale deep open pit mining operation. This mining process would require a much larger parcel. Presumably an operation of this type would be avoided in the early years of an oil shale industry.

[25] These calculations assume that royalties would amount to approximately 10 cents per barrel.

[26] Letter to Stewart L. Udall, Secretary of the Interior, from Fred L. Hartley, vice president, Union Oil Co. of California, dated Mar. 30, 1964, p. 3.

Mr. HANSEN. Finally, the Senior Senator from Wisconsin has previously introduced legislation to provide for a federally oriented oil shale study program and I appreciate very much the opportunity I had to review the proposals which he set forth in his bill, S. 2754, and to borrow several of those concepts for inclusion in the bill I introduce today.

I would certainly hope that members of the House of Representatives and Members of the Senate who represent the great States of Colorado, Utah and Wyoming would give the legislation which I offer today serious consideration and would join with me at the beginning of the 91st Congress in introducing similar legislation which would be acceptable to all three of these great States. I address this invitation specifically to the senior Senator from Colorado who has long been recognized as the most knowledgeable Member of the Senate on the subject of oil shale development, and to the very distinguished chairman of the House Committee on Interior and Insular Affairs.

As I have mentioned, the provisions dealing with oil shale leasing found in the Mineral Leasing Act of 1920 have never been acted upon by the Department of the Interior. But within the past several weeks, the Department of the Interior, through the Office of the Solicitor, has come forward with a very comprehensive lease form to be used in offering selected sites for test lease purposes. I commend the Secretary of the Interior, the Solicitor, and his very able staff for the effort they have put into this lease form. I believe that their efforts should be recognized by the Congress and should be approved by the Congress in the form of substantive legislation setting out congressional policy.

I ask unanimous consent that a draft copy dated September 27, 1968, of oil shale lease form No. 1 be printed in the RECORD at this point.

There being no objection, the lease was ordered to be printed in the RECORD, as follows:

[Oil shale lease form No. 1]

U.S. DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT OIL SHALE LEASE

(Land Office serial number)

This lease, entered into on ———, by the United States of America, the lessor, through the Bureau of Land Management, and ———, the lessee, pursuant and subject to the terms and provisions of the Act of February 25, 1920 (41 Stat. 437), as amended, 30 U.S.C. § 181 *et seq.*, hereinafter referred to as the Act, and pursuant and subject to all regulations of the Secretary of the Interior now or hereafter in force when not inconsistent with any express and specific provisions herein.

Witnesseth:

Sec. 1. *Definitions.*

(a) *Oil Shale.* As used herein, the term "Oil Shale" means sedimentary rock containing organic matter which yields substantial amounts, as determined by the Secretary, of oil or gaseous products by destructive distillation. The term includes all the minerals which are components of the rock, but does not include:

(1) deposits of minerals which may be interbedded with the said rock and which the Secretary determines can be mined (i) without removal of significant amounts of organic matter and (ii) without significant damage to or disturbance of Oil Shale; and

(2) deposits subject to lease as oil and gas, asphaltic minerals, or coal.

(b) *Associated Minerals.* As used herein, the term "Associated Minerals" means deposits of minerals which, while not Oil Shale as herein defined, are interbedded or closely physically associated with the Oil Shale, other than oil or gas, asphaltic materials or coal, which the Secretary determines fall within the provisions of this lease. The term also includes those minerals which are components of Oil Shale as herein defined but are not Shale Oil as herein defined.

(c) *Shale Oil.* As used herein, the term "Shale Oil" shall mean all hydrocarbons, other organic materials, and sulphurous and nitrogenous substances susceptible of being produced from the Oil Shale.

(d) *Leased Deposits.* As used herein, the term "Leased Deposits" shall mean all Oil Shale, Shale Oil, and Associated Minerals present on the leased premises.

(e) *Produced in Paying Quantities.* As used herein, the term "Produced in Paying Quantities," shall mean that the receipts from the sale or other commercial use of the Leased Deposits exceed operating and marketing expenses on the leased premises for the six months preceding the date on which the calculation is made.

(f) *Secretary.* As used herein, the term "Secretary" shall mean the Secretary of the Interior or his authorized delegate.

(g) *Supervisor.* As used herein, the term "Supervisor" shall mean the Regional Mining Supervisor of the United States Geological Survey in the region in which the Leased Deposits are located, or his authorized delegate.

(h) *Authorized Officer.* As used herein, the term "Authorized Officer" shall mean that officer of the Bureau of Land Management authorized to act in regard to the subject matter under discussion or consideration.

Sec. 2. *Rights of lessee.* The lessor, in consideration of the bonus, rents and royalties to be paid and the conditions to be observed as hereinafter set forth, does hereby grant and lease to the lessee the exclusive right and privilege to mine, extract, and dispose of all Leased Deposits, in, upon, or under the following-described tracts of land, situated in the State of Colorado containing — acres, more or less, together with the right to construct on such land all such works, buildings, plants, structures, and appliances as may be necessary and convenient for the mining, processing, reduction and preparation of the Leased Deposits for market and the housing and welfare of employees; and subject to the conditions herein provided, the right to use so much of the surface of the above-described lands and of adjacent lands as the Secretary determines are necessary for the construction of facilities or the disposal of waste materials. Subject to the conditions contained herein, this lease shall be for a term of 20 years, and so long thereafter as Shale Oil or Associated Minerals are Produced in Paying Quantities, subject to a readjustment in the terms and conditions of this lease by the Secretary as provided in Section 4(d) of this lease.

Sec. 3. *The lessee hereby agrees:*

(a) *Bonds.* (1) To maintain in the amount of that part of the bonus then outstanding the bonus bond furnished upon the issuance of this lease, which bond initially shall be in the amount of the bonus which was bid by the lessee at the lease sale, until such bonus shall be paid in full according to the provisions of Section 3(d) of this lease or by the application of credits as herein provided.

(2) To maintain the performance bond furnished upon the issuance of this lease in the amount of $100,000, which bond is conditioned upon compliance with all the provisions of the lease, and to increase the amount of or furnish such other bond as may be required.

(b) *Rental.* To pay to the lessor, annually, in advance, 50 cents rental for each acre or part thereof covered by this lease, beginning with the date of execution of the lease, such rental to be credited against royalties accruing in the year succeeding payment of the rentals.

(c) *Royalties.* To pay royalties monthly in the amounts set out below.

(1) *Oil Shale.* To pay to the lessor a royalty of 14 cents on each 2000 pounds of Oil Shale mined containing 30 gallons of Shale Oil. The royalty shall increase or decrease one cent, or fraction thereof, per 2000 pounds for each gallon or fraction thereof, of increase or decrease in Shale Oil content above or below 30 gallons per 2000 pounds, but in no case shall the royalty be less than 4 cents per 2000 pounds. In addition, the royalty rate shall increase or decrease in the same percent as the percentage increase or decrease of the 3-state average value per barrel of all crude oil and crude shale oil produced in the States of Colorado, Utah and Wyoming as listed in the latest volume of the Minerals Yearbook published by the Department of the Interior, or, in the case of unavailability of the Minerals Yearbook, as determined by the Secretary. Increases or decreases in royalties due to a fluctuation in the value of crude oil and crude shale oil are to be determined on January 1st of each year and are to be effective for the ensuing year. Initial value for these calculations shall be that value determined for the year in which the lessee

first commences payment of royalties on production. The Shale Oil content of the Oil Shale be determined by the Modified Fischer assay method and the royalty shall be based on the weighted monthly average of Shale Oil content per ton of Oil Shale mined. All quantities, assays and royalty rates shall be rounded to the nearest hundredth for calculating purposes.

If paid in kind, the royalty on Oil Shale or Shale Oil shall be the amount of Oil Shale or Shale Oil which is equivalent in value to the cash royalty which would have been paid for the same production, as determined by the Secretary.

The royalty on Shale Oil recovered by in situ methods shall be 12½ percent of the quantity or gross value of the Shale Oil produced from the leased lands, computed in accordance with the Oil and Gas Operating Regulations, 30 C.F.R., Part 221.

(2) *Associated Minerals.* To pay to the lessor a royalty of 5 percent of the gross value or equivalent value in kind as determined by the Secretary of all production of Associated Minerals susceptible of being sold or disposed of from the leased premises, such royalty to be calculated at the point of shipment to market. For the purpose of computing royalty on Associated Minerals, and when necessary for computing royalty on Shale Oil, the Secretary may establish reasonable values for such Associated Minerals or Shale Oil due consideration being given to the highest price paid for a part or a majority of the production of like quality products or crude oil from the same general area, the price received by the lessee, posted prices, and other relevant information.

(3) *Payment in kind: procedures.* Royalties may be paid in kind only at the option of and with the written consent of the Secretary. When royalty is to be taken in kind the lessee will be notified three months in advance that delivery of royalty Oil Shale, Shale Oil or Associated Minerals will be required for a stated period not exceeding 12 months. When paid in kind, royalty Oil Shale, Shale Oil or Associated Minerals shall be delivered in merchantable condition at the point of shipment without cost to the lessor at such time and in such storage facilities provided by the lessee as may reasonably be required by the lessor, *provided* that the lessee shall not be required to hold the royalty Oil Shale, Shale Oil or Associated Minerals in storage for more than 60 days beyond the end of the month in which produced, and *provided further,* that the lessee shall in no manner be responsible or held liable for the loss of destruction of the royalty Oil Shale, Shade Oil or Associated Minerals in storage from unforeseeable causes without the fault or negligence of the lessee.

(4) *Time of payment.* All royalties on production shall be due and payable monthly on the last day of the calendar month following the calendar month in which the minerals or substances subject to royalty were produced.

(5) *Royalty credits.* All royalties paid during the first 11 years of this lease, other than minimum royalties, shall be credited against the bonus to be paid by the lessee to an amount not exceeding $30,000,000 [on Tracts 1 and 3] or $20,000,000 [on Tract 2].

(6) *Minimum royalty.* To pay the lessor monthly from the eighth anniversary of the date of issuance of this lease to the termination of this lease a minimum royalty of ten dollars per acre [on Tract 2] or fifty dollars per acre on [Tracts 1 and 3] or fraction thereof per month for each month in which the royalty otherwise payable on Shale Oil or Associated Minerals would be less than that amount. Such minimum royalty shall not be credited against the bonus paid by the lessee, and for any month in which they accrue no other royalty shall be payable. Minimum royalties shall be paid on the last day of the month in which they accrued.

(d) *Bonus.* To pay to the lessor the bonus which was bid at the lease sale in five equal annual installments commencing on the seventh anniversary of the date of issuance of this lease and on each anniversary date thereafter, *provided* that if this lease terminates prior to the eleventh anniversary date, any unpaid balance of the bonus shall be due and payable at the date of termination. Royalty credits accumulated prior to the seventh anniversary shall be credited against the first installment of the bonus and any credits existing or accruing after initiation of the payments of the bonus shall be credited against successive bonus installments.

(e) *Diligence requirements.* If, by the eleventh anniversary of the date of issuance of this lease, the lessee has not produced an average of 25,000 barrels per day [on Tract 2] or 40,000 barrels per day [on Tracts 1 and 3] of Shale Oil over the preceding three calendar years, as determined by the Supervisor, this lease shall be subject to cancellation under the procedures described in Section 6 of this lease. The measure of the number of barrels produced shall be taken at the point where the Shale Oil is collected from the retort, or, in the case of production by in situ methods, where the Shale Oil is collected on the surface.

Upon showing to the satisfaction of the Secretary that the production requirements of this Section were unattainable because of unforeseeable causes without the fault or negligence of the lessee, the lessee shall be afforded an extension of time equal to the delay occasioned thereby, but not to exceed three years, in which to comply with the production requirements of this Section. In case of disputes arising under this Section 3(e) the lessee shall have the right to present evidence to the Secretary prior to the commencement of cancellation proceedings.

(f) *Payments.* To make rental and bonus payments to the Authorized Officer, except that when this lease becomes productive or minimum royalty payments are required, all rentals, royalties and bonuses shall be paid to the Supervisor, with whom all reports concerning operations under the lease shall be filed. All payments shall be made by certified or cashier's check or bank draft on a solvent bank, or by money order, or by cash. All remittances to the Authorized Officer shall be made payable to the Bureau of Land Management, those to the Geological Survey shall be made payable to the United States Geological Survey.

(g) *Plats, reports, maps.* At such times and in such form as the Supervisor prescribes, to furnish a plat showing development work and improvements on the leased lands and a report with respect to stockholders, investment, depreciation, and costs. To furnish in such form as the Supervisor prescribes, within 30 days from the expiration of each month a report covering such month, certified by the superintendent of the operations, or by such other agent having personal knowledge of the facts as may be designated by the lessee for such purpose, showing the amount and weight of Leased Deposits mined or produced during the month; the character and quality thereof, including assays showing the Shale Oil content of the Oil Shale mined; the amount of Leased Deposits sold and price received therefor; the amount in storage or held for sale and their market value; and the amount used or consumed in the production process. To maintain the books, accounts, records and supporting documentation relating thereto from which the reports referred to in this Section 3(g) are compiled in accordance with generally accepted accounting principles and procedures and to preserve them for six years from the date such report is submitted.

(h) *Weights.* Subject to the supervision of the Supervisor, to determine accurately the quality and quantity of all leased Deposits mined or produced, and to enter accurately the quantity and quality thereof in a form to be prescribed by the Supervisor in books to be kept and preserved by the lessee for such purposes.

(i) *Inspection and records.*

(1) To permit at all times inspection by any duly authorized officer of the Department of the Interior of the leased premises and all surface and underground improvements, works, machinery and equipment.

(2) To maintain books, accounts, and records in accordance with generally accepted accounting principles and procedures, and in sufficient detail to reflect properly all direct and indirect costs of labor, materials, equipment, supplies, services and other costs and expenses of whatever nature incurred in connection with this lease. To preserve such books, accounts and records, and supporting documentation relating thereto, during the life of this lease and until six years thereafter.

(3) To permit at all times inspection and reproduction by any duly authorized officer of the Department of the Interior of all such books, documents, papers, accounts and records and any supporting documentation, and of all maps and other materials pertaining to operations, surveys, or investigations under this lease. To permit the auditing of all such books, documents, papers, accounts, and records and supporting documentation at all reasonable times during said records retention period and to permit at all reasonable times the inspection and evaluation of work performed under this lease, and the plant, laboratories, shops, offices or other premises where the work is being performed. Officers and employees of the lessee assigned to or engaged in the performance of the work shall be available for consultation at all reasonable times.

(j) *Assignment.* (1) To file for approval with the Secretary of the Interior within 90 days from the date of execution, any assignment or transfer made of this lease, whether by direct assignment, operating agreement, sublease, working or royalty interest, or otherwise. Such instrument will take effect the first day of the month following approval by the Secretary, or if the assignee requests, the first day of the month of approval.

(2) Assignment of this lease may be either in whole or in part *provided* the Secretary determines that the public interest will not be impaired thereby.

(3) Evidence of the qualifications of the transferee or assignee to hold the lease or interest acquired therein, as required by the notice of lease offering appearing at ——— Fed. Reg. ——— must be submitted simultaneously with the instrument of assignment and request for approval. Before an assignment or transfer of a lease or interest therein will be approved, the consent of the surety to the substitution of the transferee or assignee as principal, or new bonds as required by Section 3(a) of this lease, with the transferee or assignee as principal, must be submitted. If the transfer or assignment is for part of the leased land only it must be for a legal subdivision and (1) the consent of the surety to the transfer and its agreement to remain bound as to the interest retained by the lessee must be submitted, and (2) new bonds as required by Section 3(a) of this lease with the transferee or assignee as principal covering the portion of the lands transferred must be submitted. The account under the lease must be in good standing before approval of a transfer or assignment will be given.

(4) An application for approval of any instrument transferring or assigning a lease or interest therein must be accompanied by a

service fee of $25. An application not accompanied by such a fee will not be accepted. The fee will not be returned even though the application is later withdrawn or rejected.

(5) No transfer or assignment will be approved if the transferee or assignee is not qualified to take and hold a lease or interest therein or if his bond is insufficient.

(6) The assignor or transferor and his surety will continue to be responsible for the performance of any obligation under this lease until the assignment or transfer is approved. If the assignment or transfer is not approved, their obligations shall continue as though no such assignment or transfer had been filed for approval. After approval the assignee or transferee and his surety will be responsible for the performance of all lease obligations notwithstanding any terms in the assignment or transfer to the contrary.

(k) *Equal opportunity.* During the performance of this lease the lessee agrees as follows:

(1) The lessee will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The lessee will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The lessee agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the leasing officer setting forth the provisions of this nondiscrimination clause.

(2) The lessee will, in all solicitations or advertisements for employees placed by or on behalf of the lessee, state that all qualified applicants will receive consideration without regard to race, color, religion, sex or national origin.

(3) The lessee will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency leasing officer, advising the labor union or workers' representative of the lessee's commitments under Section 202 of Executive Order No. 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The lessee will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations and relevant orders of the Secretary of Labor.

(5) The lessee will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the leasing agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(6) In the event of the lessee's noncompliance with the nondiscrimination clauses of this lease or with any of such rules, regulations, or orders, this lease may be canceled terminated or suspended in whole or in part and the lessee may be declared ineligible for further Government leases or contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(7) The lessee will include the provisions of paragraphs (1) through (7) of Section 3(k) of this lease in every subcontract, sublease, or assignment of interest or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor, sublessee, interest holder or vendor. The lessee will take such action with respect to any subcontract, sublease, assignment of interest or purchase order as the leasing agency may direct as a means of enforcing such provisions including sanctions for noncompliance: *Provided, however,* that in the event the lessee becomes involved in, or is threatened with, litigation with a subcontractor, sublessee, interest holder or vendor as a result of such direction by the leasing agency, the lessee may request the United States to enter into such litigation to protect the interests of the United States.

(l) *Lands disposed of with Leased Deposits reserved to the United States.* If the lands embraced herein have been or hereafter shall be disposed of under laws reserving to the United States the Leased Deposits therein, the lessee shall comply wtih all conditions as are or hereafter may be provided by the laws and regulations reserving such deposits.

(m) *Operations, wages, freedom of purchase.* To comply with the Operating and Safety Regulations contained in Title 30 C.F.R., Part 231, or Part 221 if Shale Oil is recovered by in situ methods; to exercise reasonable diligence, skill, and care in the operation of the property, and to carry on all operations in accordance with approved methods and practices as provided in the Operating and Safety Regulations, having due regard for the prevention of injury to life, health, or property, and of physical waste, or damage to any water or mineral deposits; to pay all wages due miners and employees both above and below ground, at least twice each month in lawful money of the United States; to accord all miners and employees complete freedom of purchase; to restrict the workday to not exceeding 8 hours in any one day for underground workers, except in cases of emergency; to employ no boy under the age of 16 and no girl or woman, without regard to age, in any mile below the surface.

(n) *Taxes.* To pay when due all taxes lawfully assessed and levied under the laws of the State or the United States upon improvements, output of mines, or other rights, property, or assets of the lessee.

(o) *Overriding royalties.* Not to create, by assignment, reservation or otherwise, an overriding royalty or royalties in excess of 20 percent of the royalty on production paid to the lessor under this lease unless the owner or owners of the interest or interests to be created include in the instrument creating such an interest a provision that such interest or interests are subject to reduction or suspension to a total of not less than 20 percent of the royalty on production paid to the lessor, whenever, in the interest of conservation, the Secretary determines that it is necessary to do so in order to (1) prevent premature abandonment or (2) make possible the economic mining and development of marginal or low-grade deposits on the leased lands or any part thereof, and file with the Secretary in writing their consent to the exercise of such right to reduce or suspend the overriding royalties. Among the holders of overriding royalties, such reduction or suspension shall be proportionate to the size of the interest held by each to a total of not less than 20 percent of the royalty on production paid to the lessor.

(p) *Delivery of premises in case of forfeiture, cancellation, or termination.* In case of forfeiture, cancellation or termination of this lease to deliver up to the lessor in good order and condition the land leased, including all underground timbering, buildings, and such other supports and structures as are necessary for the preservation of the mine or Leased Deposits.

(q) *Extraction by solution.* Where the minerals are taken from the earth by in situ methods or in solution, with the written consent of the Supervisor which must first be obtained, such extraction shall not be within 500 feet of the boundary of leased lands without the permission of or unless directed by the Supervisor.

Sec. 4. *The lessor reserves the following rights:*

(a) *Easements and investigations.* (1) The right to permit for joint or several use such easements or rights-of-way, including easements in tunnels, upon, through, or in the land leased, occupied, or used as may be necessary or appropriate to the working of the same or other lands containing the deposits described in the Act, and the treatment and shipment of the production therefrom by or under authority of the United States, its lessees or permittees, and for other public purposes.

(2) The right to conduct geological and geophysical investigations on the leased lands which do not interfere with or endanger operations under this lease.

(b) *Disposition of surface.* The right to lease, sell or otherwise dispose of the surface of the leased lands under existing law or laws hereafter enacted, insofar as said surface is not necessary for the use of the lessee in the extraction and removal of the Leased Deposits therein, or to dispose of any resource in such lands which will not unreasonably interfere with operations under this lease.

(c) *Monopoly and fair prices.* Full power and authority to promulgate and enforce all orders and regulations issued under the provisions of Section 30 of the Act, as amended (30 U.S.C. § 187) to the United States and to the public at reasonable prices, to prevent monopoly, and to safeguard the public welfare.

(d) *Readjustment of terms.* Unless otherwise provided by law at the time of expiration of such period, the terms and conditions of this lease shall be subject to readjustment by the Secretary 20 years from the date of issuance of this lease and every 20 years thereafter, *provided* that for the purpose of readjustment of royalties by the Secretary the first 20-year period shall commence on the first day of the calendar year in which the lessee first produces a daily average of 25,000 barrels per day [on Tract 2] or 40,000 barrels per day [on Tracts 1 and 3] of Shale Oil or on the fifth anniversary of the date of issuance of this lease, whichever first occurs, and subsequent readjustment of royalties may be made by the Secretary at 20-year intervals thereafter. Unless the lessee files objection to the proposed terms or a relinquishment of the lease, the right to which shall be absolute under this Section 4(d) notwithstanding the provisions of Section 5 of this lease, within 30 days after the receipt of the notice of proposed terms, he will be deemed to have agreed to such terms. Notice of the proposed readjustments will be given, whenever feasible, before the expiration of each such 20-year period. Receipt of notice after each such 20-year period shall not be deemed a waiver of the right to readjust the terms and conditions of the lease.

Sec. 5. *Relinquishment of lease.* Unless the Secretary determines that the public interest will be impaired, the lessee may surrender the entire lease or any legal subdivision thereof. A relinquishment must be filed, in duplicate, in the proper Land Office of the

Bureau of Land Management. Upon its *acceptance it shall be effective as of the date* it is filed, subject to the continued obligation of the lessee and his surety to make payment of the bonus and all accrued rentals and royalties, and to provide for the preservation of any mines or productive works or permanent improvements on the leased lands in accordance with the regulations and terms of the lease.

Sec. 6. *Cancellation of lease.*

(a) If the lessee shall fail to comply with the provisions of the Act, or of the regulations promulgated and in force at the date of the lease or at the effective date of any readjustment of the terms and conditions thereof, or make default in the performance or observance of any of the terms, conditions, covenants or stipulations of this lease and such failure or default shall continue for 30 days after service of written notice thereof by the lessor, then the lessor may, at its option, institute appropriate proceedings in a court of competent jurisdiction for the forfeiture and cancellation of the lease as provided in Section 31 of the Act (30 U.S.C. § 188). The waiver of any particular cause of forfeiture shall not prevent cancellation of this lease for any other cause, or for the same cause occurring at a different time. All waivers must be in writing and signed by the Secretary.

(b) Cancellation or termination of this lease for any reason shall not relieve the lessee of any obligation for the payment of the bonus, the payment of rentals or royalties accruing up to the date of cancellation, or any obligation for the restoration of land or water quality as required by the provisions of this lease.

Sec. 7. *Protection and restoration of the leased premises; prevention of pollution.*

(a) *General requirements and mining plan.* [Formulation of specific requirements regarding mining operations, waste disposal, pollution control, reclamation, and submission of a mining plan is being completed by a Departmental task force. These requirements will be included as Section 7(a) of this lease. They will be made public by mid-October, 1968].

(b)(1) If the lessee fails to comply with the provisions of this Section 7, or with any orders or instructions of the Supervisor, the Supervisor shall have authority to require him by written order to suspend any or all operations on the leased lands. This suspension shall remain in force until the lessee complies with the provisions or orders that have been violated or until such order of suspension has been revoked: *provided,* that if the continuance of any such operation required to be suspended does not endanger life or threaten immediate, serious and irreparable damage to air or water quality, the Supervisor, on petition in writing made by the lessee within ten days from the issuance of the order of suspension, shall temporarily waive compliance with the order of suspension pending an appeal to and review by the Secretary.

(2) Any appeal to the Secretary must be filed in duplicate with the Supervisor for transmittal to the Secretary within thirty days from the issuance of the order of suspension.

(c) If the lessee is required to cease operations either by reason of an order issued pursuant to this Section or by reason of an order issued by any Federal, state or local authority having jurisdiction pursuant to any applicable air or water pollution control law or regulation, or any other applicable law or regulation, the lessee shall thereupon pay to the Supervisor on the last day of every month as liquidated damages, for every day of that month on which operations were ceased, an amount equal to the average daily royalty paid to the lessor over the previous 12 months, or the daily royalty which would *have been paid on the mining of 50,000 tons* (100,000,000 pounds) of Oil Shale averaging thirty gallons of Shale Oil per 2,000 pounds, whichever is higher, until the lessee undertakes action which the Secretary determines will, under operating conditions, secure compliance with the approved mining plan, abatement of the pollution caused by such violation, or compliance with applicable laws or regulations.

If it is determined in a final and unappealed determination by a court of competent jurisdiction that liquidated damages were collected erroneously, such liquidated damages shall be returned in full to the lessee.

Sec: 8. *Removal of equipment, etc., on termination of lease.* Upon termination of this lease by any means, the lessee shall have the privilege within a period of 120 days thereafter of removing from the premises all machinery, equipment, tools, and materials placed in or on the leased lands by the lessee. The right of removal shall not extend to underground timbering, support or other things necessary for the preservation of the mine or leased Deposits. Any materials, tools, appliances, machinery, structures, and equipment subject to removal as above provided, which are not removed by the lessee shall become the property of the lessor on expiration of the 120-day period. Extension of the period of removal shall be in writing by the Director, Bureau of Land Management or his authorized agent and shall be granted only upon a showing by the lessee that removal during the initial 120-day period was prevented by unforeseeable causes without the fault or negligence of the lessee.

Sec. 9. *Lessor's entrance upon premises in case of default or for other cause.* If the lessee fails to take prompt and necessary steps to prevent loss of or damage to the mine property, or leased premises, or danger to the employees, or for other cause as determined by the Secretary, the lessor may enter on the premises and take such measures as may be deemed necessary to prevent such loss or damage or to correct the dangerous or unsafe condition of the mine, or works thereof, which shall be at the expense of the lessee. However, the lessee shall not be held responsible under this Section for delays or casualties occasioned by unforeseeable causes without the fault or negligence of the lessee.

Sec. 10. *Heirs and successors in interest.* Each obligation hereunder shall extend to and be binding upon, and every benefit hereof shall inure to, the heirs, executors, administrators, successors, transferees or assigns of the repective parties hereto.

Sec. 11. *Multiple use of lands for development.* This lease is subject to the terms and conditions of Secretarial Order No. 2906 and Title 43 C.F.R. Part 3100.3 regarding multiple development of mineral deposits and other resources on the leased lands. Oil Shale development shall be considered the dominant use of the leased lands. Except for that portion of the surface being used by the lessee, authority for the management of surface resources shall remain with the Bureau of Land Management. In the event that drilling operations or production of oil and gas, or mining operations for other minerals are being conducted on the leased lands on the date of issuance of this lease by or under the authority of the United States, or have been suspended by order of the Secretary or otherwise, the lessee shall be required to conduct operations in such a way as will not materially interfere with the operations or damage the equipment of the oil and gas or other mineral operation.

Sec. 12. *Duties of lessee.* No express obligation imposed upon the lessee shall relieve it of any otherwise existing duty imposed by rule, regulation, order, statute or otherwise.

Sec. 13. *Acts of subsidiaries, etc.* In *determining whether the lessee has complied with* its obligations, the acts of corporations or associations bearing the relation to the lessee of parent, subsidiary, affiliate, or associate shall be treated as the act of the lessee.

Sec. 14. *Adjustment of bonus.* In the event of a final and unappealed determination by a court of competent jurisdiction that any portion of the Leased Deposits are not subject to lease by the lessor, an equitable adjustment shall be made by the Secretary in the bonus to be paid by the lessee. The lessee shall be permitted an opportunity to be heard and to offer evidence on the amount of the equitable adjustment.

Sec. 15. *Finality of decisions.* Any decision made by a representative of the lessor under this lease shall be final unless the same is fraudulent or capricious or arbitrary or so grossly erroneous as necessarily to imply bad faith or is not supported by substantial evidence. This Section shall not be construed as precluding the exercise of supervisory jurisdiction by the Secretary over acts and decisions of subordinate officers or employees.

Sec. 16. *Patents.*

(a) "Leasing Program" as used in this Section means a competitive production oil shale leasing program to be developed by the Department of the Interior, such as is set forth broadly on pages 130 to 133 of the Department's report of May 1968 entitled "Prospects for Oil Shale Development—Colorado, Utah and Wyoming." "Commencement of the Leasing Program" shall be deemed to occur when the Secretary of the Interior formally announces the start of an Oil Shale Leasing Program of this nature.

(b) It is agreed that the lessee shall retain the entire right, title and interest in and to any invention or discovery made during the course of and under work done in connection with this lease.

(c) The lessee agrees that it will grant a nonexclusive and nondiscriminatory license to any responsible applicant at his request under any such invention or discovery made prior to the Commencement of the Leasing Program or five years from the date of this lease, whichever is the earlier. Such license shall be at a reasonable royalty and may be limited for use in treatment and recovery of Oil Shale, Shale Oil, or Associated Minerals and need not be granted until Commencement of the Leasing Program, or five years from the date of this lease, whichever is the earlier. In the event of a dispute as to the responsibility of an applicant for a license the Secretary shall make a determination on the matter which shall be final and binding.

(d) If the lessee and applicant cannot agree upon a reasonable royalty for the use of such license, the lessee agrees that the royalties may be fixed by an arbitrator or arbitrators selected by the involved parties, or alternatively and as may be applicable, not to seek any injunction and to recover only reasonable royalties in a patent infringement suit.

(e) Thee months after the Commencement of the Leasing Program, or five years and three months from the date of this lease, whichever is the earlier, the lessee shall submit a report to the Secretary setting forth the information, results and data achieved during the course of the work under this lease from its inception to the Commencement of the Leasing Program, or five years from the date of this lease, whichever is earlier, in a manner sufficiently detailed to enable a person skilled in the art fully to comprehend the work accomplished. Such report shall include in addition a listing of all inventions and discoveries made and a description thereof in sufficient technical detail to convey a clear understanding thereof to a person skilled in the art to which such invention or discovery pertains.

(f) If the lessee does not publish the information, results and data set forth in the report under subparagraph (e) within six months after the report is required to be submitted to the Secretary, the United States may publish all of the subject matter in the report or that subject matter which was required to be reported, or any parts thereof, after giving notice to the lessee of its intention. Any manuscript on the subject of the work done under the contract prepared by or for the United States will be submitted to the lessee for comment prior to publication. The United States will make any changes which in its opinion are reasonable, including changes required to avoid premature disclosures which would affect the lessee's patent rights. If the United States does not receive the lessee's comments within 90 days after submission of the manuscript it will be deemed to be approved.

Sec. 17. *Unlawful interest.* No member of, or Delegate to, Congress, or Resident Commissioner, after his election or appointment, or either before or after he has qualified and during his continuance in office, and no officer, agent, or employee of the Department of the Interior shall be admitted to any shore or part in this lease or derive any benefit that may arise therefrom; and the provisions of Section 3741 of the Revised Statutes of the United States (41 U.S.C. Sec. 22), as amended, and Sections 431, 432, and 433, Title 18 U.S.C., relating to contracts, enter into and form a part of this lease so far as the same may be applicable.

The United States of America
By ——— ———,
(Authorized officer.)
——— ———,
(Title.)
——— ———,
(Date.)
——— ———,
(Signature of lessee.)
——— ———,
(Signature of lessee.)
——— ———,
(Signature of lessee.)

Mr. HANSEN. The Mineral Leasing Act of 1920, despite the fact that its provisions dealing with oil shale leasing have never been utilized, remains on the books as the instrument limiting the Department of the Interior in its action with respect to disposal of Federal oil shale deposits. The 1920 act contains several provisions having to do with the payment of rentals on a per acre basis and a limitation as to the number of acres which can be leased to a single company. These provisions have now proven to be obsolete in the face of known technology and known values for oil shale deposits. The Solicitor of the Department of the Interior and representatives of his office have discussed the need for legislation to supplement the restrictions of the 1920 Mineral Leasing Act. The bill I introduce today would repeal by implication all features of the Mineral Leasing Act which are incompatible with the provisions of this bill. Such an updating is clearly desirable at the present time and should be accomplished by the Congress.

The Department of the Interior under the leadership of Secretary Stewart L. Udall, has taken what I consider to be a bold step in the issuance of a lease form for applicants for test leases. I would point out, however, that these test leases will serve to limit broad participation in the development of oil shale and associated mineral resources. Present plans *of the Department of the Interior are to* initially issue only three test leases. I am concerned that this limitation with respect to participating companies might serve to dangerously impair free competition in this emerging industry. Since the Department of the Interior has concluded that leasing is possible at the present time, I would urge that the Congress should assume responsibility for bringing up to date the mandate given to the Department of the Interior and set forth policy guidelines under which leases can be offered to all interested parties. I believe that there is sufficient flexibility in the bill which I propose today to allow for readjustments in leasing terms as increased knowledge is acquired about costs, values, and technological possibilities. Therefore, I would urge that future leasing be on as broad and on as competitive a basis as possible under the guidelines set down in the legislation which I propose.

I look forward to discussing this proposed legislation with any and all interested parties and I will be pursuing this matter when Congress reconvenes next year.

EXHIBIT 1

S. 4190

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Oil Shale and Associated Minerals Leasing Act of 1968".

SEC. 2. The Congress hereby finds and declares that the oil shale deposits located in the Green River Formation of Colorado, Utah and Wyoming contain the greatest known fossil fuel energy resource in the world and that this energy resource and associated minerals found with it are of vital importance to the future economic well-being and security of the United States. The Congress further finds that the forecast future demands on all petroleum products will exceed the forecast capacity of domestic conventional petroleum resources. The Congress declares it to be in the national interest to stimulate the development of domestic sources of synthetic fuels in order that the United States is not relegated to a position of undue dependence upon foreign supplies for its domestic needs. The Congress further declares that it is its policy that there be carried out by the Secretary of the Interior an orderly multiple-use program to stimulate the development of economically competitive and feasible methods of extracting and processing oil shale and associated minerals; to foster the development of a competitive oil shale industry; to protect the affected development areas against damage to the environment; to foster an abundant future domestic supply of liquid petroleum products to meet the Nation's economic and national security requirements at a low cost to the consumer; to provide strong protections against private monopolizations; and to employ the revenues from any leasing program authorized by the Congress in such fashion as to enhance the general welfare.

SEC. 3. As used in this Act, the term—

(1) "oil shale" means sedimentary rock containing organic matter which yields substantial amounts, as determined by the Secretary, of oil or gaseous products by destructive distillation. The term includes all the minerals which are components of the rock, except—

(A) deposits of minerals which can be mined and processed in a manner which will increase the potential shale oil gallon-per-ton yield of the remaining material or which *will facilitate the conversion of that material to shale oil; and*

(B) deposits of minerals which may be interbedded with such rock and which the Secretary determines can be mined or removed (i) without removal of significant amounts of organic matter and (ii) without significant damage to or disturbance of oil shale; and

(C) deposits subject to lease as oil and gas, asphaltic minerals, or coal.

(2) "associated minerals" means deposits of minerals which, while not oil shale as herein defined, are interbedded or closely physically associated with the oil shale, other than oil or gas, asphaltic minerals or coal, as determined by the Secretary.

(3) "shale oil" means all hydrocarbons, other organic materials, and sulfurous and nitrogenous substances susceptible of being produced from the oil shale.

(4) "Secretary" means the Secretary of the Interior.

SEC. 4. (a) The Secretary is authorized to grant to the highest responsible qualified bidder by competitive bidding under regulations promulgated in advance, leases to deposits of oil shale, or both oil shale and associated minerals within the Green River Formation of Colorado, Utah and Wyoming: *Provided,* That, no more than one lease shall be granted within any one State under this section to any one person, association or corporation within any three year period. The bidding shall be (1) by sealed bids, and (2) on the basis of a cash bonus, payment of which may be deferred by the Secretary, with a royalty fixed by the Secretary at not less than 5 per centum and not more than 12.5 per centum in amount or value of the production saved, removed, or sold.

(b) Any such regulations promulgated by the Secretary pursuant to subsection (a) of this section shall provide that the Secretary, in his discretion, may specify in any announcement to lease deposits pursuant to this Act a price below which offers to lease such deposits would be refused by the Secretary. Such regulations shall further provide that the Secretary, in his discretion, may specify in any such announcement that joint bidding shall be permitted in connection with any such lease. In no case, however, shall the Secretary permit joint bidding unless he has first (1) determined that the effect of such joint bidding will not be to substantially lessen competition and (2) notified the Attorney General of the United States of his intention to permit such joint bidding sixty days prior to any announcement to lease such deposits.

(c) Any lease of such deposits of oil shale or of both oil shale and associated minerals issued by the Secretary pursuant to this section shall (1) cover a compact area not to exceed an area containing sufficient oil shale deposits to produce 100,000 barrels per day of shale oil for a period of at least 30 years, as the Secretary may determine; (2) be for a period of 20 years and as long thereafter as mineral products are produced from oil shale and associated minerals in paying quantities on lands covered by such lease; except that such lease shall be subject to readjustment by the Secretary 20 years from the date of issuance and every 20 years thereafter; (3) require the payment of a royalty, payment of which may be credited to the bonus by the Secretary, and which may be set at a declining rate by the Secretary, of not less than 5 per centum and not more than 12.5 per centum, in the amount or value of the production saved, removed or sold from the lease; and (4) contain such rental provisions and such other terms and provisions as the Secretary may prescribe at the time of offering the area for lease.

(d) Nothing in this Act shall be construed as affecting in any way the disposition of deposits of only associated minerals.

(e) Notice of sale of leases, and the terms of bidding, authorized by this section shall be published at least thirty days before the date of sale in accordance with rules and regulations promulgated by the Secretary.

(f) Any lease issued pursuant to this Act shall contain a provision whereby authority is vested in the Secretary, upon a recommendation of the Secretary of Defense, during a state of war or national emergency declared by the Congress or the President of the United States, to suspend operations under any such lease. Any such lease shall further contain provisions for the payment of just compensation to the lessee whose operations are thus suspended. In any case in which operations are so suspended, any payment of rentals, minimum royalty, or royalty prescribed by such lease shall be suspended during such period of suspension of operations, and the term of the lease shall be extended by adding thereto any such suspension period.

(g) All moneys received by the Secretary for or under any lease granted pursuant to this Act shall be disposed of as follows:

(1) 37½ per centum of such moneys received by the Secretary pursuant to any such lease of deposits shall be paid to the State within such deposit is situated; and

(2) 62½ per centum of such moneys so received shall be deposited in the Treasury of the United States and credited to miscellaneous receipts.

SEC. 5. (a) There is hereby established in the Department of the Interior an office to be known as the Office of Oil Shale and Associated Minerals Development, to be headed by a Director to be appointed by the Secretary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service. The Director shall be compensated in an amount determined by the Secretary without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(b) The Director is authorized to appoint such officers and employees as he deems necessary in order to carry out the provisions of this Act. The Director is further authorized, with the approval of the Secretary, to utilize the services of such employees of the Department of the Interior as the Director may deem necessary or desirable to enable him to effectively carry out the provisions of this Act.

(c) The Director shall be responsible for carrying out the various aspects of programs authorized by this Act, including investigations, research and development, and leasing. In carrying out his duties under this Act, the Director shall coordinate the oil shale activities of existing agencies of the Department of the Interior, and other affected Federal departments and agencies, and shall work with the several States and localities in which the oil shale deposits are located, and with private corporations, associations, or individuals.

(d) The Director shall prepare an annual report on the operations of the Office of Oil Shale and Associated Minerals Development for submittal by the Secretary to the Congress and the President. Such report shall include the recommendations of the Director as to improvement of the program, together with his recommendation for legislation which he determines necessary or desirable.

SEC. 6. (a) For purposes of this Act, the Secretary shall accelerate his administrative and legal steps to clarify the legal title to all lands and minerals in the Green River Formation of Colorado, Utah, and Wyoming with respect to which there is a dispute pending on the date of the enactment of this Act involving the question of title thereto. The Secretary shall submit a progress report to the Congress on his efforts under this section not later than one year following the date of the enactment of this Act.

(b) Any person locating claims for other minerals within the Green River Formation as defined by the Secretary shall, notwithstanding any other provision of law, file the original claim with the Bureau of Land Management, with a copy to the recorder of the county in which the claim is located. Failure to so file shall be deemed a forfeiture of such claim.

SEC. 7. The Secretary shall cooperate with States in which oil shale resources are located and with emerging localities built around oil shale processing establishments by classifying, pursuant to the Act of September 19, 1964 (78 Stat. 986), land for disposal for municipal, recreational, roads and highway access lands, subject to meeting the criteria in such Act.

SEC. 8. The Attorney General of the United States shall annually review the leasing program authorized by this Act and report to the Congress and the President as to whether the policies of this Act with respect to establishing a competitive oil shale and associated minerals industry are being complied with.

SEC. 9. (a) The consent of Congress is hereby given to the States of Wyoming, Colorado, and Utah to negotiate and enter into a compact for the purpose of regulating natural resource values, air, water, and land pollution, and the conservation of mineral resources, within such States.

(b) Such consent is given upon the following conditions:

(1) A representative of the United States, who shall be appointed by the President of the United States, shall participate in such negotiations and shall make a report to the President and the Congress of the proceedings and of any compact entered into; and

(2) Such compact shall not be binding or obligatory upon any of the States involved unless and until it has been ratified by the legislature of each of such States and approved by the Congress of the United States.

(c) The right to alter, amend, or repeal this section is hereby expressly reserved.

(d) The authority conferred by this section shall terminate upon the expiration of four years following the date of enactment of this Act unless any such compact entered into by the aforementioned States has been ratified by their respective legislatures and submitted to the Congress for its approval within such four-year period.

SEC. 10. The Secretary is authorized to enter into agreements with private parties or States providing for the exchange of public lands containing oil shale or both oil shale and associated minerals for privately or State owned lands, if he determines that any such exchange is in the public interest, and will promte economic recovery of shale oil or both shale oil and associated minerals. Such exchanges shall be made pursuant to such regulations as may be promulgated by the Secretary.

SEC. 11. (a) Section 613(b) of the Internal Revenue Code of 1954 (relating to percentage depletion rates) is amended—

(1) by striking out "and" at the end of paragraph (3)(A);

(2) by striking out the period at the end of paragraph (3)(B) and inserting in lieu thereof "; and ";

(3) by inserting after paragraph (3)(B) the following new subparagraph:

"(C) oil shale, coal, bituminous sand, and other natural deposits, when mined or retorted in place as a source of oil or gas.";

(4) by inserting after "coal" in paragraph (4) "(if paragraph (3)(C) does not apply)";

(5) by inserting after "sand" in paragraph (6)(A) "(except sand described in paragraph (3)(C))"; and

(6) by striking out "shale described in paragraph (5)" in paragraph (6)(A) and inserting in lieu thereof "shale described in paragraph (3)(C) or (5)".

(b) Section 613(c)(2) of such Code (relating to definition of mining) is amended by adding at the end thereof the following new sentence: "In the case of oil shale, coal, bituminous sand, or other natural deposits retorted in place as a source of oil or gas, the term 'mining' includes bringing the oil or gas to the surface of the ground."

(c) Section 613(c)(4) of such Code (relating to treatment process considered as mining) is amended—

(1) by striking out "and" at the end of subparagraph (G); and

(2) by redesignating subparagraph (H) as (I) and by inserting after subparagraph (G) the following new subparagraph:

"(H) in the case of oil shale, coal, bituminous sand, or other natural deposits to which paragraph (3)(C) of section (b) applies—when mined as a source of oil or gas, crushing, retorting, and other processes necessary to derive oil or gas from the mineral; and when retorted in place, all processes necessary to derive oil or gas from the mineral; and".

(d) The amendments made by this section shall apply with respect to taxable years ending after the date of the enactment of this Act.

SEC. 12. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

EXHIBIT 2

SECTION-BY-SECTION ANALYSIS

(Section-by-section analysis of the provisions of the Oil Shale and Associated Minerals Leasing Act of 1968, a bill to provide for the orderly leasing of publicly owned oil shale and associated minerals; to provide the consumer with a long-range and dependable source of low cost synthetic fuels; to provide substantial revenues to the United States and affected States; to foster the development of a competitive oil shale and associated minerals industry; to enhance our national security; to improve our international balance of payments; and for other purposes)

SECTION 2—FINDINGS AND DECLARATIONS OF CONGRESS

Section 2 sets forth findings and declarations of policy by the Congress of the United States.

SECTION 3—DEFINITIONS

Section 3 gives definitions for the terms used in the Act.

1. A general definition for "oil shale," as has been used by the Department of the Interior, is utilized for the purposes of this Act. Three separate exclusions to that definition are set out. The first exclusion has to do with minerals which can be mined and processed in a manner which will increase the potential shale-oil-gallon-per-ton yield of the remaining oil shale rock or which will facilitate the conversion of that material to shale oil. This definition will be brought into play by economic factors employed under specific technical circumstances. The second exclusion removes from the definition of oil shale those deposits of minerals which are interbedded with oil shale but which can be removed without causing significant damage to the oil shale deposits. The third exclusion has to do with oil and gas, asphaltic minerals, or coal, all of which are covered by other operative sections of the Mineral Leasing Act of 1920.

"Associated Minerals" are defined as those which are interbedded or closely physically associated with oil shale.

"Shale oil" is defined as all hydrocarbons, other organic materials, and sulphurous and nitrogenous substances susceptible of being produced from the oil shale.

SECTION 4—LEASING PROVISIONS

Section 4 constitutes the heart of the bill and sets out the provisions for the leasing of oil shale deposits or oil shale and associated mineral deposits in appropriate circumstances.

Where minerals are found in the Green River Formation, it is the clear intent of the bill that if these minerals fall under one of the three stated exceptions to the definition of oil shale in the previous section, then these excluded minerals will be disposed of in accordance with other laws in effect on the date of the enactment of this Act. Thus, the leasing provisions of this Act are intended to cover only leases of oil shale deposits or of deposits of oil shale and associated minerals where these deposits can only be developed in conjunction with one another.

The leasing provisions set out in this section follow as closely as possible the recommendations put forward by Professor Walter J. Mead of the University of California, Santa Barbara. The leasing will follow a pattern established by the Congress with the passage of the Outer Continental Shelf Lands Act of 1953 (67 stat. 29). Lease sales will be on a competitive basis upon the submission of sealed bids by interested applicants. A cash bonus offered by these applicants will determine the successful bidder and royalties of not less than 5% and not more than 12.5% will be required in accordance with regulations issued in advance by the Secretary of the Interior. In order that early production can be stimulated, the payment of the cash bonus may be deferred by the Secretary of the Interior. Similarly, payments of the specified royalty may be credited to the bonus by the Secretary and may be set at a declining rate by the Secretary. In addition, the Secretary may provide for such rental provisions and other terms to be prescribed at the time of offering the area for lease.

No more than one lease can be granted within any one state to any one person, association, or corporation within any three year period.

Leases for deposits of oil shale or for deposits of oil shale and associated minerals will be limited to a compact area not to exceed an area containing sufficient oil shale deposits to produce 100,000 barrels per day of shale oil for a period of at least 30 years. Leases will be subject to renegotiation at the end of a 20 year period and for every 20 years thereafter.

Subsection B of Section 4 provides that joint bidding may be allowed by the Secretary if it has first been determined that the effect of such joint bidding will not substantially lessen the competition and if notification has been given to the Attorney General of the United States 60 days prior to the issuance of any such lease.

Subsection B of Section 4 also provides that the Secretary may specify in advance a refusal price below which leases offers will not be accepted by the Government.

Subsection F of Section 4 provides for a suspension of operations under any such lease upon a recommendation of the Secretary of Defense, during a state of war or national emergency declared by the Congress or the President of the United States.

Subsection G of Section 4 provides that revenues received for leases under this Act shall be distributed on the basis of 37.5% to states of origin and 62.5% to the Federal Treasury.

SECTION 5—ESTABLISHMENT OF AN OFFICE OF OIL SHALE AND ASSOCIATED MINERALS DEVELOPMENT

Section 5 establishes within the Department of the Interior an office to be known as the Office of Oil Shale and Associated Minerals Development.

The creation of this office is patterned after Public Law 86-599 of July 7, 1960 (74 Stat. 336) which established a similar Office of Coal Research within the Department of the Interior. The Office of Oil Shale and Associated Minerals Development will be charged with the responsibility of coordinating all oil shale development activities within the Federal Government and of implementing the leasing provisions of this Act.

SECTION 6—MINING CLAIMS AND CLEARANCE OF TITLES

Section 6 requires that the Secretary of the Interior *accelerate* his administrative and legal *steps to clarify the legal title to all lands* and minerals in the Green River Formation of Colorado, Utah and Wyoming. Cloudy title to lands within the Green River Formation represents one of the most serious impediments to the early development of this national resources.

Subsection B of Section 6 requires that any person *filing any future* mineral claims in the Green River Formation will be required to file *such a claim* with the *Bureau of Land Management* in addition to any local requirements of filing with the Recorder of the County in which the claim is located.

SECTION 7—LAND CLASSIFICATIONS FOR EMERGING LOCALITIES IN COOPERATION WITH STATE AND FEDERAL GOVERNMENTS

Section 7 requires the Secretary of the Interior to cooperate with states and with emerging localities built around oil shale processing establishments by classifying appropriate lands for disposal subject to the Act of September 19, 1964 (78 Stat. 986).

SECTION 8—ATTORNEY GENERAL'S REVIEW AND REPORTING

Section 8 requires the Attorney General of the United States to review annually the leasing programs authorized by this Act and to report to the Congress and the President of the United States as to whether the policies of this Act with respect to establishing a competitive oil shale and associated minerals industry are being complied with.

SECTION 9—INVITATION TO ENTER INTO INTERSTATE COMPACT FOR REGULATION OF LAND, AIR, WATER, AND MINERAL CONSERVATION

Section 9 provides for the formulation of an interstate compact between the States of Colorado, Utah and Wyoming for the purposes of regulating natural resource values, air, water and land pollution, and the conservation of mineral resources. A representative of the Federal Government appointed by the President of the United States is required to participate in such compact negotiations and to report back to the President and the Congress of the proceedings and any compact entered into. The states are given four years with which to enter into such a compact. Ratification of the compact will be by respective state legislatures and by the Congress of the United States.

The purpose of this section is to *invite the affected states to join* with the Federal Government in meeting the *problems of air, water and land conservation* regulation. Such an invitation to prospectively enter into an interstate compact appears to be the best vehicle for dealing with these prospective problems.

SECTION 10—AUTHORIZATION TO EXCHANGE LANDS FOR ECONOMIC "BLOCKING-UP"

Section 10 authorizes the Secretary to enter into exchange agreements with private parties or states for the purposes of blocking up into economic units lands containing oil shale and associated mineral deposits.

SECTION 11—AMENDS INTERNAL REVENUE CODE WITH RESPECT TO PERCENTAGE DEPLETION ALLOWANCES

Section 11 amends the Internal Revenue Code with respect to percentage depletion rates by providing that all sources of synthetic fuel in the future will be afforded the depletion rate of *15%* which presently applies to oil shale. It is intended that this rate should apply to shale oil or to any other synthetic fuel produced from *oil shale, coal, bituminous sands* and other natural deposits when such minerals are either mined or retorted in place. In the case of *above ground retorting the depletion rate should apply at the retort* and in the case of underground retorting the depletion rate should *apply at the well head*.

SECTION 12—AUTHORIZATION FOR APPROPRIATIONS

Section 12 authorizes to be appropriated such sums as may be necessary to carry out the provisions of this Act.

S. 4192—INTRODUCTION OF BILL TO REVISE LAWS RELATING TO THE TRANSPORTATION OF MAIL

Mr. McGEE. Mr. President, I am introducing today, at the request of the Post Office Department, a bill which would provide the Postmaster General greater flexibility in the procurement of transportation facilities for movement of the U.S. mail.

During the past several years we in the United States have seen some dramatic changes and improvements in transportation. All segments of the transportation industry have developed new techniques, designed and provided new equipment, and have pioneered new concepts to keep abreast of these ever-changing times. With the advent of the supersonic transport and high-speed rail facilities, it is apparent to all of us that continued progress will be made in providing this country with the most advanced and efficient transportation system in the world.

Unfortunately, however, while transportation has progressed, the Post Office Department is required to continue to operate under statutory laws and restrictions which, in many cases, do not lend themselves to the solution of modern-day problems and challenges. In far too many cases, the Post Office Department, through no fault of its own, has not been permitted to take advantage of the improvements in the transportation industry. Unless Congress faces up to this problem and enacts some statutory changes, the Department will not be in any position to utilize the more efficient forms of transportation which have been developed.

We are all aware of the tremendous increase in the volume of mail which is handled by the Post Office Department. This trend will continue. If we expect the Department to respond adequately and efficiently to the increasing demands upon it, we must see to it that it has the necessary authority and flexibility to be able to choose the best mode of transportation in a given situation and in a given area. This bill which I introduce today is directed toward that end.

This bill is rather comprehensive in nature, and, like all other bills which are introduced in Congress, will be subject to detailed study and hearings before the legislative committees of both Houses of Congress. Undoubtedly during the course of this process, the bill can be further refined and improved.

It is obvious that this bill will not receive consideration in the present session of Congress due to the time limitation with which we are faced. I introduce it at this time, however, so that all parties concerned will have an opportunity to study it in some detail in the months ahead. I am relatively certain that similar legislation will be introduced in the 91st Congress which convenes in January 1969, and I thought that those interested in this bill might welcome the opportunity to consider it between now and then.

No doubt there will be some who will oppose certain portions of this bill. Indeed, I reserve that right for myself. Generally speaking, however, I believe that the concept of granting to the Postmaster General greater flexibility in his selection of transportation facilities is a good one, and I feel that this bill is a good starting place to accomplish this result.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred.

The bill (S. 4192) to revise the laws relating to the transportation of mail so as to provide the Postmaster General greater flexibility in the procurement of such transportation, introduced by Mr. McGEE, by request, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

S. 4193—INTRODUCTION OF BILL FOR THE RELIEF OF LOUISE MARGOTTA GORNA, A GALLANT NURSE

Mr. **WILLIAMS** of New Jersey. Mr. President, I am introducing a private bill for the relief of Louise Margotta Gorna. I wish to make a short statement explaining the purpose of this bill.

It would provide some measure of compensation to Louise Margotta Gorna, who was born in Cleveland, Ohio, on June 27, 1906, and has remained an American citizen throughout her entire life. She presently resides in New Jersey. The story of this valiant nurse and her experiences during World War II is both heroic and pitiful.

Mrs. Gorna was caught in Poland at the outbreak of the war. She was given no warning to leave, and there was no official American representative in Poland to whom she could turn. She tried through the Red Cross and the representatives of other countries to arrange to return to the United States, without success, and finally she was arrested by the Gestapo and sent to the concentration camp at Auschwitz. From there she was forced to walk on the infamous death march to the camp at Ravensbruck. Being a nurse, she gave aid to the other prisoners both in the camps and on the march. For her efforts she was kicked and beaten, resulting in permanent injury to her head and ears, and from the exposure, she suffered a partial loss of use of her legs and feet, with the result that she has been unable to resume her nursing activities.

Finally, with the arrival of the allied forces in 1945, she was released and repatriated to the United States, where he was treated by the Army and released, being the only American of the 14 in the camp who survived.

Legislation has been enacted providing for compensation to Americans who suffered property losses at the hands of the Germans and who were interned by the Japanese. Although recommended by the War Crimes Commission, no provision has been made for such unusual cases as hers, the feeling being that Americans should have been able to leave Europe, as was true in most countries, but not in Poland.

Here is an individual case where, due to her efforts in helping Americans and others in the camps, a valiant lady and nurse has been deprived of the ability to earn a living, and has become an object of charity. There are funds remaining from German property seized in the United States during the war, from which payment for the injuries suffered by her, in violation of all principles of humane treatment of internees and conventions established for their protection were violated, should be made. The bill which I am introducing would compensate her in the amount of $100,000. This figure is based on nothing more than my own opinion, and serves only as a point of reference from which to calculate the losses this poor woman has suffered.

I realize that this is the last, or close to the last, day of this session in the Congress, and that no action will be taken on the bill at this time. However, I introduce it in the hope that it will serve as notice to the departments of the executive branch involved of my concern about the injustices this woman has suffered, and I wish them to know that it is my intention to introduce this bill in January in the new Congress, and press strongly for its enaction.

At that time it will be helpful, therefore, if the departments concerned prepare their reports in anticipation of the bill's introduction in January.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred.

The bill (S. 4193) for the relief of Louise Margotta Gorna, introduced by Mr. WILLIAMS of New Jersey, was received, read twice by its title, and referred to the Committee on the Judiciary.

CONCURRENT RESOLUTIONS

SENATE CONCURRENT RESOLUTION 82—CONCURRENT RESOLUTION AUTHORIZING THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE TO SIGN ENROLLED BILLS AND RESOLUTIONS

Mr. **MANSFIELD** submitted a concurrent resolution (S. Con. Res. 82) authorizing the President of the Senate and the Speaker of the House to sign enrolled bills and resolutions, which was considered and agreed to.

(See the above concurrent resolution printed in full when submitted by Mr. MANSFIELD, which appears under a separate heading.)

SENATE CONCURRENT RESOLUTION 83—CONCURRENT RESOLUTION ESTABLISHING ADJOURNMENT DATE OF THE CONGRESS

Mr. **MANSFIELD** submitted a concurrent resolution (S. Con. Res. 83) establishing that when the two Houses of Congress adjourn on Friday, October 11, 1968, they stand adjourned sine die, which was considered and agreed to.

(See the above concurrent resolution printed in full when submitted by Mr. MANSFIELD, which appears under a separate heading.)

RESOLUTIONS

SENATE RESOLUTION 417—RESOLUTION TO AUTHORIZE PRINTING OF A COMPILATION ENTITLED "MINERAL AND WATER RESOURCES OF COLORADO" AS A SENATE DOCUMENT

Mr. **ALLOTT** submitted a resolution (S. Res. 417) to authorize the printing of a report of the U.S. Geological Survey entitled "Mineral and Water Resources of Colorado" as a Senate document, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. ALLOTT, which appears under a separate heading.)

SENATE RESOLUTION 418—RESOLUTION TO AUTHORIZE THE SECRETARY OF THE SENATE TO MEET DEFICIENCY OBLIGATIONS

Mr. **RUSSELL** submitted a resolution (S. Res. 418) to authorize the Secretary of the Senate to meet deficiency obligations occurring during the adjournment of the Senate, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. RUSSELL, which appears under a separate heading.)

SENATE RESOLUTION 419—RESOLUTION APPOINTING COMMITTEE TO NOTIFY THE PRESIDENT RELATING TO ADJOURNMENT

Mr. **MANSFIELD** submitted a resolution (S. Res. 419) appointing a committee to notify the President concerning the proposed adjournment of the session, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. MANSFIELD, which appears under a separate heading.)

SENATE RESOLUTION 420—RESOLUTION TENDERING THE THANKS OF THE SENATE TO THE ACTING PRESIDENT PRO TEMPORE

Mr. **HRUSKA** submitted a resolution (S. Res. 420) tendering the thanks of the Senate to the Acting President pro tempore for the courteous, dignified. and impartial manner in which he has presided over the deliberations of the Senate, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. HRUSKA, which appears under a separate heading.)

SENATE RESOLUTION 421—RESOLUTION AUTHORIZING THE PRESIDENT OF THE SENATE TO MAKE CERTAIN APPOINTMENTS AFTER THE SINE DIE ADJOURNMENT

Mr. **MANSFIELD** submitted a resolution (S. Res. 421) authorizing the President of the Senate to make certain appointments after the sine die adjournment of the present session, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. MANSFIELD, which appears under a separate heading.)

SENATE RESOLUTION 422—RESOLUTION TENDERING THE THANKS OF THE SENATE TO THE VICE PRESIDENT

Mr. **HRUSKA** submitted a resolution (S. Res. 422) tendering the thanks of the Senate to the Vice President for the courteous, dignified, and impartial manner in which he has presided over the deliberations of the Senate, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. HRUSKA, which appears under a separate heading.)

SENATE RESOLUTION 423—RESOLUTION TENDERING THE THANKS OF THE SENATE TO THE PRESIDENT PRO TEMPORE

Mr. **HRUSKA** submitted a resolution (S. Res. 423) tendering the thanks of the Senate to the President pro tempore for the courteous, dignified, and impartial manner in which he has presided over the deliberations of the Senate.

(See the above resolution printed in full when submitted by Mr. HRUSKA, which appears under a separate heading.)

AUTHORITY TO PRINT END-OF-THE-SESSION REPORT OF THE MINORITY LEADER

Mr. **DIRKSEN**. Mr. President, I ask unanimous consent that the customary end-of-the-session report of the minority leader be printed in due course in the RECORD, and as a Senate document. This request is made at this time since the complete text of the report will not be available until shortly after the expected sine die adjournment of the 90th Congress.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

AUTHORITY TO PRINT LAWS DIGEST

Mr. **DIRKSEN**. Mr. President, I ask unanimous consent that the major laws digest be printed in the RECORD at a later date, and that the customary number of copies be printed as a separate Senate document.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

PRINTING AS A SENATE DOCUMENT OF STUDY RELATING TO HIGHWAY FACILITIES

Mr. **RANDOLPH**. Mr. President, I ask unanimous consent that a study implementing S. Res. 250 entitled "The Relationship Between Highway Facilities and Other Modes of Commuter Service in the Movement of People to and From the Washington, D.C., Area From Areas Beyond the Proposed Range of Projected Mass Transit and Urban Freeway Facilities," be printed as a Senate document, together with illustrations.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

PROPOSED AMENDMENT TO CIVIL AGREEMENT FOR COOPERATION WITH KINGDOM OF GREECE

Mr. **GORE**. Mr. President, the executive branch has submitted to the Joint Committee on Atomic Energy a proposed amendment to this country's agreement for cooperation with the kingdom of Greece in the peaceful uses of atomic energy. The Atomic Energy Act of 1954 requires that the proposed amendment lie before the joint committee for a period of 30 days while Congress is in session before becoming effective.

In order that the Congress will be apprised of this new agreement, I ask unanimous consent that it be included at this point in the RECORD together with necessary supporting documents.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., September 27, 1968.
Hon. JOHN O. PASTORE,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR SENATOR PASTORE: Pursuant to Section 123c of the Atomic Energy Act of 1954, as amended, there are submitted with this letter copies of the following:

a. A proposed amendment to the "Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdom of Greece Concerning Civil Uses of Atomic Energy;"

b. A letter from the Commission to the President recommending approval of the amendment; and

c. A letter from the President to the Commission containing his determination that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and approving the amendment and authorizing its execution.

The amendment has been negotiated by the Department of State and the Atomic Energy Commission pursuant to the Atomic Energy Act of 1954, as amended. It will revise the Agreement for Cooperation between the United States of America and the Kingdom of Greece which was signed on August 4, 1955, as amended by the agreements signed on June 11, 1960, April 3, 1962, June 22, 1962, and June 8, 1964.

The main purpose of the amendment, provided for in Article I thereof, is to allow the transfer of uranium enriched to greater than 20% in the isotope U–235 when the Commission finds such transfer technically or economically justified.

Article II of the amendment revises Article IV of the Agreement for Cooperation, in reflection of the "Private Ownership" legislation of 1964, to permit arrangements for the transfer of special nuclear material and performance of services to be made between either Party or authorized persons under its jurisdiction and authorized persons under the jurisdiction of the other Party. Such arrangements would be in addition to those between the Governments allowed under the current agreement and would be subject to the policies of the United States and Greece concerning such transactions as well as applicable laws, regulations, and license requirements.

Article III of the amendment revises the safeguards article, Article VI, of the agreement to incorporate the standard United States' comprehensive safeguards rights. These rights respecting materials and facilities transferred under the Agreement for Cooperation would remain suspended during the time and to the extent that the International Atomic Energy Agency applies safeguards pursuant to the trilateral agreement among the U.S., Greece and the Agency signed in 1964.

The remaining revision, pursuant to Article IV of the amendment, updates the formulation of the "peaceful uses" guarantee given by Greece in conformity with our current Agreements for Cooperation.

The amendment will enter into force on the date on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for entry into force.

Cordially,

GERALD F. TAPE,
Acting Chairman.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., September 10, 1968.
The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed amendment to the "Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdom of Greece Concerning Civil Uses of Atomic Energy," determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution. The Department of State supports the Commission's recommendations.

The proposed amendment has been negotiated by the Department of State and the Atomic Energy Commission pursuant to the Atomic Energy Act of 1954, as amended. It would revise the Agreement for Cooperation between the United States of America and the Kingdom of Greece which was signed at Washington on August 4, 1955, as amended by the agreements signed on June 11, 1960, April 3, 1962, June 22, 1962, and June 8, 1964.

The principal purpose of the proposed amendment is to revise Article II of the agreement to provide that special nuclear material enriched to greater than 20% in the isotope U–235 may be made available when the Commission finds such transfer technically or economically justified. This modification will permit the transfer of fuel enriched above the current limit of 20% in the agreement. By virtue of proposed Article II, Article IV of the Agreement for Cooperation would be revised to reflect the "Private Ownership" legislation of 1964, permitting arrangements for the transfer of special nuclear material and performance of services to be made between either Party or authorized persons under its jurisdiction and authorized persons under the jurisdiction of the other Party. Such arrangements would be in addition to those between the Governments allowed under the current agreement and would be subject to the policies of the United States and Greece concerning such transactions as well as applicable laws, regulations, and license requirements.

In addition to these major changes, the proposed amendment includes two other modifications. As a consequence of the incorporation of provision for the transfer of highly enriched material, the standard provisions for comprehensive United States' safeguards rights have been included pursuant to proposed Article III. Our bilateral safeguards rights respecting materials and facilities transferred under the present agreement would remain suspended during the time and to the extent that the International Atomic Energy Agency applies safeguards pursuant to the trilateral agreement signed in 1964. The remaining Article in the proposed amendment, Article IV, updates the formulation of the "peaceful uses" guarantee given by Greece in conformity with our current Agreements for Corporation.

Following your approval, determination, and authorization, the proposed amendment will be formally executed by appropriated authority of the Government of the United States of America and the Government of the Kingdom of Greece. In compliance with Section 123c of the Atomic Energy Act of 1954, as amended, the amendment will be placed before the Joint Committee on Atomic Energy.

Respectfully yours,

——— ———,
Chairman.

THE WHITE HOUSE,
Washington, D.C., September 23, 1968.

Hon. GLENN T. SEABORG,
U.S. Atomic Energy Commission,
Washington, D.C.

DEAR DR. SEABORG: In accordance with Section 123a of the Atomic Energy Act of 1954, as amended, the Atomic Energy Commission has submitted to me a proposed "Amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdom of Greece Concerning Civil Uses of Atomic Energy" and has recommended that I approve the proposed Amendment, determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security, and authorize its execution.

Pursuant to the provisions of Section 123b of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby:

a. Approve the proposed Amendment, and determine that its performance will promote and will not constitute an unreasonable risk to the common defense and security of the United States of America;

b. Authorize the execution of the proposed Amendment on behalf of the Government of the United States of America by appropriate authorities of the Department of State and the Atomic Energy Commisison.

Sincerely,

LYNDON B. JOHNSON.

AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE KINGDOM OF GREECE CONCERNING CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America and the Government of the Kingdom of Greece,

Desiring to amend the Agreement for Cooperation Between the Government of the United States of America and the Government of the Kingdom of Greece Concerning Civil Uses of Atomic Energy, signed at Washington on August 4, 1955 (hereinafter referred to as the "Agreement for Cooperation"), which was amended by the Agreements signed on June 11, 1960, April 3, 1962, June 22, 1962, and June 8, 1964,

Agree as follows:

ARTICLE I

Article II of the Agreement for Cooperation, as amended, is amended to read as follows:

"A. As may be agreed, the Commission will transfer to the Government of the Kingdom of Greece or authorized persons under its jurisdiction, uranium enriched in the isotope U–235 for use as fuel in defined research applications, including research reactors and reactor experiments, which the Government of the Kingdom of Greece decides to construct or operate or authorizes private persons to construct or operate in Greece. Contracts setting forth the terms, conditions, and delivery schedule of each transfer shall be agreed upon in advance.

"B. The quantity of uranium enriched in the isotope U–235 transferred under this agreement and within the jurisdiction of the Government of the Kingdom of Greece shall not at any time be in excess of six (6) kilograms of contained U–235 in enriched uranium, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling in Greece or while fuel elements are in transit, it being the intent of the Commission to make possible the maximum usefulness of the six (6) kilograms of said material.

"C. The enriched uranium supplied hereunder may contain up to twenty percent (20%) in the isotope U–235. All or a portion of the foregoing special nuclear material may be made available as uranium enriched to more than twenty percent (20%) by weight in the isotope U–235 when the Commission finds there is a technical or economic justification for such a transfer for use in research reactors and reactor experiments, each capable of operating with a fuel load not to exceed six (6) kilograms of the isotope U–235 contained in such uranium.

"D. When any source or special nuclear material received from the United States of America requires reprocessing, such reprocessing shall be performed at the discretion of the Commission in either Commission facilities or facilities acceptable to the Commission, on terms and conditions to be later agreed; and it is understood, except as may be otherwise agreed, that the form and content of any irradiated fuel elements shall not be altered after removal from a reactor and prior to delivery to the Commission or the facilities acceptable to the Commission for reprocessing.

"E. Special nuclear material produced as a result of irradiation processes in any part of fuel leased hereunder shall be for the acmount of the lessee and, after reprocessing as provided in paragraph D of this Article, shall be returned to the lessee, at which time title to such material shall be transferred to the lessee, unless the Government of the United States of America shall exercise the option, which is hereby granted, to retain, with a credit to the lessee based on the prices in the United States of America referred to in paragraph F of this Article, any such special nuclear material which is in excess of the needs of the Kingdom of Greece for such material in its program for the peaceful uses of atomic energy.

"F. With respect to any special nuclear material not owned by the Government of the United States of America produced in reactors while fueled with materials obtained from the United States of America by means other than lease which is in excess of the needs of the Kingdom of Greece for such material in the Greek program for the peaceful uses of atomic energy, the Government of the United States of America shall have and is hereby granted (a) a first option to purchase such material at prices then prevailing in the United States of America for special nuclear material produced in reactors which are fueled pursuant to the terms of an Agreement for Cooperation with the Government of the United States of America, and (b) the right to approve the transfer of such material to any other nation or group of nations in the event the option to purchase is not exercised.

"G. Some atomic energy materials which the Commission may be requested to provide in accordance with this Agreement are harmful to persons and property unless handled and used carefully. After delivery of such materials, the Government of the Kingdom of Greece shall bear all responsibility, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials. With respect to any source or special nuclear material or reactor materials which the Commission may, pursuant to this Agreement, lease to the Government of the Kingdom of Greece or to any private individual or private organization under its jurisdiction, the Government of the Kingdom of Greece shall indemnify and save harmless the Government of the United States of America against any and all liability (including third party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such source or special nuclear material or reactor materials after delivery by the Commission to the Government of the Kingdom of Greece or to any private individual or private organization under its jurisdiction."

ARTICLE II

Article IV of the Agreement for Cooperation is amended to read as follows:

"A. With respect to the application of atomic energy to peaceful uses, it is understood that arrangements may be made between either Party or authorized presons under its jurisdiction and authorized persons under the jurisdiction of the other Party for the transfer of equipment and devices and materials other than special nuclear material and for the performance of services with respect thereto.

"B. With respect to the application of atomic energy to peaceful uses, it is understood that arrangements may be made between either Party or authorized persons under its jurisdiction and authorized persons under the jurisdiction of the other Party for the transfer of special nuclear material and for the performance of services with respect thereto for the uses specified in Articles II and III (A) and subject to the limitations of Article II, paragraph B.

"C. The Parties agree that the activities referred to in paragraphs A and B of this Article shall be subject to the limitations in Article V, to the applicable laws, regulations and license requirements of the Parties, and to the policies of the Parties with regard to transactions involving the authorized persons referred to in paragraphs A and B."

ARTICLE III

Article VI of the Agreement for Cooperatioan, as amended, is amended to read as follows:

"A. The Government of the Unitde States of America and the Government of the Kingdom of Greece emphasize their common interest in assuring that any material, equipment or devices made available to the Government of the Kingdom of Greece or any person under its jurisdiction pursuant to this Agreement shall be used solely for civil purposes.

"B. Except to the extent that the safeguards rights provided for in this Agreement are suspended by virtue of the application of safeguards of the International Atomic Energy Agency, as provided by Article VII (A), the Government of the United States of America, notwithstanding any other provisions of this Agreement, shall have the following rights:

"(1) With the objective of assuring design and operation for civil purposes and permitting effective application of safeguards, to review the design of any

"(a) reactor and

"(b) other equipment and devices the design of which the Commission determines to be relevant to the effective application of safeguards, which are to be made available under this Agreement to the Government of the Kingdom of Greece or to any person under its jurisdiction by the Government of the United States of America or any person under its jurisdiction, or which are to use, fabricate, or process any of the following materials so made available: source material, special nuclear material, moderator material, or other material designated by the Commission;

"(2) With respect to any source or special nuclear material made available under this Agreement to the Government of the Kingdom of Greece or to any person under its jurisdiction by the Government of the United States of America or any person under its jurisdiction and any source or special nuclear material utilized in, recovered from, or produced as a result of the use of any of the following materials, equipment or devices so made available:

"(a) source material, special nuclear material, moderator material, or other material designated by the Commission,

"(b) reactors, and

"(c) any other equipment or devices designated by the Commission as an item to be made available on the condition that the provisions of this paragraph B (2) will apply.

"(i) to require the maintenance and production of operating records and to request and receive reports for the purpose of assisting in ensuring accountability for such materials, and

"(ii) to require that any such materials in the custody of the Government of the Kingdom of Greece or any person under its jurisdiction be subject to all of the safeguards provided for in this Article and the guarantees set forth in Article VII;

"(3) To require the deposit in storage facilities designated by the Commission of any of the special nuclear material referred to in paragraph B (2) of this Article which is not currently utilized for civil purposes in the Kingdom of Greece and which is not retained or purchased by the Government of the United States of America pursuant to Article II, transferred pursuant to Article II, or otherwise disposed of pursuant to an arrangement mutually acceptable to the Parties;

"(4) To designate, after consultation with the Government of the Kingdom of Greece, personnel who, accompanied, if either Party so requests, by personnel designated by the Government of the Kingdom of Greece, shall have access in the Kingdom of Greece to all places and data necessary to account for the source and special nuclear material which are subject to paragraph B(2) of this Article to determine whether there is compliance with this Agreement and to make such independent measurements as may be deemed necessary;

"(5) In the event of non-compliance with the provisions of this Article or the guarantees set forth in Article VII and the failure of the Government of the Kingdom of Greece to carry out the provisions of this Article within a reasonable time, to suspend or terminate this Agreement and to require the return of any materials, equipment and devices referred to in paragraph B(2) of this Article;

"(6) To consult with the Government of the Kingdom of Greece in the matter of health and safety.

"C. The Government of the Kingdom of Greece undertakes to facilitate the application of the safeguards provided for in this Article."

ARTICLE IV

Article VII of the Agreement for Cooperation is amended to read as follows:

"The Government of the Kingdom of Greece guarantees that:

"(1) Safeguards provided in Article VI shall be maintained.

"(2) No material, including equipment and devices, transferred to the Government of the Kingdom of Greece or authorized persons under its jurisdiction by purchase or otherwise pursuant to this Agreement and no special nuclear material produced through the use of such material, equipment or devices, will be used for atomic weapons, or for research on or development of atomic weapons, or for any other military purposes.

"(3) No material, including equipment and devices, transferred to the Government of the Kingdom of Greece or authorized persons under its jurisdiction pursuant to this Agreement will be transferred to unauthorized persons or beyond the jurisdiction of the Government of the Kingdom of Greece, except as the Commission may agree to such a transfer to another nation or group of nations, and then only if, in the opinion of the Commission, the transfer of the material is within the scope of an Agreement for Cooperation between the Government of the United States of America and the other nation or group of nations."

ARTICLE V

This Amendment shall enter into force on the date on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such Amendment and shall remain in force for the period of the Agreement for Cooperation, as amended.

In witness whereof, the undersigned, duly authorized, have signed this Amendment.

Done at Washington, in duplicate, this twenty-seventh day of September, 1968.

For the Government of the United States of America:

STUART W. ROCKWELL,
Deputy Assistant Secretary of State for Near Eastern and South Asian Affairs.
GERALD F. TAPE,
Acting Chairman, U.S. Atomic Energy Commission.

For the Government of the Kingdom of Greece:

CHRISTIAN XANTHOPOULOS PALAMAS,
Ambassador E. and P., Embassy of Greece.

Certified to be a true copy:

BARBARA H. THOMAS,
SEPTEMBER 27, 1968.

CONFERENCE ACTION ON APPROPRIATION FOR TITLE I, ELEMENTARY AND SECONDARY EDUCATION ACT, EDUCATION PROGRAMS FOR EDUCATIONAL DEPRIVED CHILDREN

Mr. HART. Mr. President, the House-Senate conference committee on the Department of HEW-Labor appropriation bill has agreed to an amount of $1,123,127,000 for title I of the Elementary and Secondary Education Act, $77 million less than the $1.2 billion included in the Senate bill, and $68 million less than was available in fiscal year 1968.

I have no doubt that the Senate conferees held firm to the Senate priority for the $1.2 billion necessary to maintain the 1968 funding level for local educational agencies to conduct programs for educationally deprived children. Undoubtedly, it was impossible for them to overcome the requirements to save $6 billion contained in the Revenue and Expenditure Control Act and thus the compromise on a lesser amount.

This is typical of the problems that I foresaw when the Revenue and Expenditure Control Act was up for consideration by the Senate, and was one of the reasons I voted against it.

Programs which should be considered on their merits are sacrificed in the name of economy. The orderly review of appropriation requests and determination of appropriate levels of funding disappear in the face of mandated requirements to cut appropriation levels with no consideration being given to the national priorities of programs, particularly those of education, nor to the long-range impact such cuts will have.

The effects of a reduction in the title I programs have already been made amply clear, and were furnished the Senate at the time I offered the amendment to increase the Senate committee allowance from $1,123,127,000 to $1,200,000,000. I should like to restate briefly what these reductions will mean.

Allocations to local school districts are reduced by approximately $80 million. Approximately 800,000 economically deprived children will be affected by this reduction in 16,000 school districts, by the elimination or curtailment of specialized activities designed to overcome the educational deficiencies of these children. There will be fewer teachers and other specialized staff. The number of teacher aides will be drastically reduced. Health and food programs will have to be cut back if the academic program is to continue. Summer programs will be eliminated.

The amount which will now be made available is a reduction of 8 percent below the allocations for last year. This reduction, coupled with a 5-percent increase in the cost of education in the past year, will require a 13-percent reduction in program activities from the 1968 level. When we consider that the cost of education has increased 22 percent since 1966, the first year of title I when the program level authorized was greater than it is in 1969, it is readily apparent that program impact in bringing 9 million educationally deprived children up to their proper grade level is continually being diluted.

Experience has shown that gains in educational achievement made by deprived children must be reinforced in succeeding years if the gains are to be made permanent. Any reduction which involves the curtailment or elimination of services to almost a million educationally deprived children in our Nation will result in the need for more services in future years if their educational deficiencies are to be overcome—if, indeed, it will be possible to overcome them at all.

Since the cost of education continues to increase more rapidly than the cost of living, more massive amounts of Federal aid will be needed in the future to offset the effects of our present so-called economy efforts. We are being pennywise and pound foolish in refusing to at least continue the 1968 level of funding for title I.

A table showing the reductions on a State basis has been prepared by the Department of Health, Education, and Welfare. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the table is ordered to be printed in the RECORD, as follows:

ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965, PUBLIC LAW 89-10, AS AMENDED—TITLE I, ASSISTANCE FOR EDUCATIONALLY DEPRIVED CHILDREN

COMPARISON OF FISCAL YEAR 1968 APPROPRIATION AND FISCAL YEAR 1969 CONFERENCE COMMITTEE REPORT

	1968 appropriation	1969 appropriation (92 percent of 1968)	Increase or decrease
Alabama	$36,988,984	$34,029,865	−$2,959,119
Alaska	1,805,503	1,661,063	−144,440
Arizona	8,422,776	7,748,954	−673,822
Arkansas	22,673,547	20,859,663	−1,813,884
California	78,008,208	71,767,551	−6,240,657
Colorado	7,798,580	7,174,694	−623,886
Connecticut	7,907,261	7,274,680	−632,581
Delaware	2,084,729	1,917,951	−166,778
Florida	26,445,029	24,329,427	−2,115,602
Georgia	36,829,728	33,883,350	−2,946,378
Hawaii	2,226,608	2,048,479	−178,129
Idaho	2,475,984	2,277,905	−198,079
Illinois	46,230,999	42,532,519	−3,698,480
Indiana	14,580,136	13,413,725	−1,166,411
Iowa	15,153,804	13,941,500	−1,212,304
Kansas	9,608,706	8,840,010	−768,696
Kentucky	32,483,284	29,884,621	−2,598,663
Louisiana	31,530,268	29,007,847	−2,522,421
Maine	3,403,277	3,131,015	−272,262
Maryland	14,590,115	13,422,906	−1,167,209
Massachusetts	16,422,153	15,108,381	−1,313,772
Michigan	30,670,217	28,216,600	−2,453,617
Minnesota	18,867,365	17,357,976	−1,509,389
Mississippi	38,788,595	35,685,507	−3,103,088
Missouri	23,086,158	21,239,265	−1,846,893
Montana	2,993,356	2,753,888	−239,468
Nebraska	5,666,795	5,213,451	−453,344
Nevada	879,759	809,378	−70,381
New Hampshire	1,296,376	1,192,666	−103,710
New Jersey	22,865,209	21,035,992	−1,829,217
New Mexico	$9,629,504	$8,859,144	−$770,360
New York	115,776,356	106,514,248	−9,262,108
North Carolina	51,096,076	47,008,390	−4,087,686
North Dakota	4,042,272	3,718,890	−323,382
Ohio	34,197,997	31,462,157	−2,735,840
Oklahoma	17,214,771	15,837,589	−1,377,182
Oregon	6,982,937	6,424,302	−558,635
Pennsylvania	46,699,583	42,963,616	−3,735,967
Rhode Island	3,481,096	3,202,608	−278,488
South Carolina	31,540,454	29,017,218	−2,523,236
South Dakota	5,649,685	5,197,710	−451,975
Tennessee	33,763,326	31,062,260	−2,701,066
Texas	65,260,201	60,039,385	−5,220,816
Utah	2,724,300	2,506,356	−217,944
Vermont	1,484,141	1,365,410	−118,731
Virginia	28,130,476	25,880,038	−2,250,438
Washington	9,840,169	9,052,955	−787,214
West Virginia	17,193,348	15,817,880	−1,375,468
Wisconsin	14,357,585	13,208,978	−1,148,607
Wyoming	1,235,793	1,136,930	−98,863
District of Columbia	5,397,367	4,965,578	−431,789
Outlying areas and Department of Interior	31,806,653	30,497,046	−1,309,607
Undistributed [1]		7,289,752	+7,289,752
Subtotal, LEA	1,100,287,599	1,020,789,269	−79,498,330
State agency programs	76,721,593	89,011,612	12,290,019
State administration	13,990,808	13,326,119	−664,689
Total	1,191,000,000	1,123,127,000	−67,873,000

[1] To be distributed on the basis of the maximum authorization for fiscal year 1969, ratably reduced to appropriations, with no State receiving less than 92 percent of fiscal year 1968 allocations for local educational agencies.

INTERVIEW WITH SENATOR BYRD OF WEST VIRGINIA, ON CAMPAIGN HECKLING, ASSESSMENT OF CAMPAIGN, AND RECORD OF 90TH CONGRESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that there be printed in the RECORD a transcript of questions asked of me during a television interview October 9, 1968, and of my answers thereto.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

Q. Senator Byrd, what do you think of the heckling that various candidates have been receiving in the campaign?

A. I think it is disgraceful. No candidate deserves such treatment. It is undemocratic and un-American. The objective of the hecklers, of course, is to disrupt the normal election campaign activities. They employ their dirty tactics in a calculated effort to discredit the candidates, and to harangue and harass and intimidate them and keep them from making their views known.

The repulsive thing about it is that the hecklers have been acting in the name of free speech. What it all comes down to is that they simply don't want the public to hear anyone's views except their own.

It is interesting to note that usually, when they are challenged, the hecklers really don't have any views, or intent except obstruction. They just want to shout everybody else down.

Now, legitimate dissent is a cherished right in America, but the organized heckling is something new and sinister. Anyone who has legitimate comments to make about the election has any number of avenues of expression open to him. I believe, therefore, that anyone who heckles a candidate in such a manner as to keep him from being heard should be promptly and unceremoniously hustled away by the police, and I am glad to note that this is increasingly being done.

Q. Senator Byrd, how do you assess the Presidential campaign at this point?

A. Looking at the campaign objectively and avoiding partisanship, Mr. Nixon is ahead at this point. However, a little over three weeks remain before the election, and, in all probability, Mr. Humphrey's position will improve during that period. Whether he can climb fast enough and far enough and soon enough remains to be seen.

This is an unusual election.

Mr. Nixon has the problem of possibly having peaked too early. He also has an image as a loser in earlier elections. He appears to be a new Nixon, but is he new enough?

Mr. Humphrey has the problem of appearing to be his own man while at the same time not repudiating the administration of which he is a part, and which has been severely criticized on the issues of Vietnam and inflation and crime in the streets. The effect of LBJ's active support in his behalf remains to be seen.

The big question mark, of course, is Mr. Wallace and the impact he will have on both Mr. Nixon and Mr. Humphrey. In some states he will take votes away from the Republicans and, in others, from the Democrats. He was grossly under-estimated at the outset, and he has gradually and increasingly picked up strength.

His selection of General LeMay as a running mate may not have helped his campaign. And the question, here again, is whether or not he has hit or passed his peak.

Mr. Wallace conceivably could throw the election into the House of Representatives, and, without question, his third party movement is a strong one. He will get a very large protest vote, and many people will vote for him because of the rough treatment he has had at the hands of hecklers and from some of the news media.

I foresee a very large turnout—and possibly a record turnout—of voters in the election.

Mr. Nixon would win today. But who will win on November 5 is anybody's guess at this point.

Q. Senator Byrd, briefly how would you view the record of the 90th Congress?

A. It passed a Social Security law providing at least a 13 percent increase in benefits and raising the minimum monthly benefit to $55.

Landmark housing legislation was enacted, paving the way for poor families to become home owners rather than tenants.

Major crime legislation was passed, unshackling the police from some of the strictures placed upon them by the Supreme Court.

Gun legislation was enacted banning the interstate mail order sales and restricting over-the-counter sales of hand guns and long guns, but not requiring registration and licensing.

Consumer protection legislation was approved, calling for mandatory inspection of food and poultry products sold for human consumption.

The food stamp program was extended to 1970, and important health and education and conservation measures were passed.

It would be impossible to enumerate all of the achievements of the 90th Congress, but I think that on balance the American people can be proud of its record.

RESULTS OF RIBICOFF HEARINGS ON U.S. AID PROGRAM IN VIETNAM

Mr. McCLELLAN. Mr. President, before the Senate adjourns I want to call to the attention of this body an outstanding achievement by one of our colleagues, the Senator from Connecticut [Mr. RIBICOFF].

I refer to the investigation and hearings Senator RIBICOFF conducted on improper practices of the U.S. aid program in South Vietnam.

I appointed Senator RIBICOFF as acting chairman of the Permanent Subcommittee on Investigations to conduct hearings during 1967 and 1968. He also supervised staff investigations both before the hearings began and in the months since they have ended. In December of 1967, Senator RIBICOFF conducted an on-the-spot investigation in Vietnam and other countries.

Few investigations are as successful in carrying out the mission of the Committee on Government Operations as these hearings have been.

The committee is charged with studying the operation of government activities at all levels with a view to determining its economy and efficiency.

Senator RIBICOFF's hearings resulted in four major actions that have improved the efficiency and economy of government. They are the following:

First. The U.S. Government has recovered, or has taken legal action to recover, more than $1.5 million in "kickbacks" and other illegal payments.

A total of $215,729 in payments of "kickbacks" on pharmaceuticals to Vietnamese importers has already been recovered. Action is underway to recover another $1,349,000 relating to "kickbacks," overpricing, and other irregularities.

In one of these cases, a U.S. manufacturer sent a shipment of worthless battery additive to Vietnam in lieu of pharmaceuticals. The case has been referred to the Department of Justice and a civil suit has been filed to recover $440,000.

In another case brought to light by the hearings, an affiliate of a French pharmaceutical company engaged in overpricing AID-financed sales to a Vietnam affiliate by $458,000. Of this, $169,000 has been recovered and a suit for the remaining $289,228 is pending.

Second. Greater controls on the eligibility of suppliers was imposed.

A total of 74 suppliers involved in irregularities have been suspended by the Agency for International Development.

Furthermore, as a direct result of the August 1967 hearings which Senator RIBICOFF conducted, AID decided to discontinue the financing of pharmaceuticals to Vietnam effective as of July 15, 1967. During the phase-out period, all pharmaceutical transactions involving shipments to that country were subject to prior review.

The committee's revelation of widespread irregularities involving the financing of pharmaceuticals to Vietnam under the Vietnam Commercial Import Program was the principal cause of this action.

Third. AID has instituted additional systems of review and audit in order to avoid a repetition of the situations that caused the investigation.

The disclosure that AID had financed such worthless items as battery additive and bottled sea water underscored the weakness of the review and audit system within the agency.

Before the hearings, AID had relied exclusively on a "post-audit" system of review.

In other words, AID would finance a transaction and only later, as they looked into such matters as the eligibility of the price, the propriety of the procurement, and the usefulness of the product, would AID have an opportunity to prevent abuses and irregularities.

Clearly, this procedure, which had remained unchanged since the Marshall plan days, was unsatisfactory. A wiser and more efficient procedure would be one in which the whole transaction was reviewed before financing.

As a result of the hearings, a new directive, dated May 3, 1968, was put into effect which reads as follows:

> The Agency for International Development is instituting a new procedure whereby a determination of commodity eligibility for AID-financing will be made by AID prior to the financing of a shipment of merchandise under the foreign assistance program.
>
> This new procedure has been deemed necessary to prevent the type of abuses in procurement which have been a source of embarrassment to the Agency in recent months. The new requirement for obtaining AID approval of commodity eligibility for proposed shipments to aid receiving countries will supplement rather than replace the post-audit system under which AID and its predecessor agencies have been operating since the Marshall Plan days. Transactions financed by AID will continue to be subject to an intensive post-audit review to determine compliance with the pricing requirements and other pertinent provisions of AID regulation I. A supplier who violates AID's commodity eligibility rules by shipping commodities which have not been approved as eligible for AID-financing, or which are contrary to the supplier's declaration and certification in obtaining AID approval, exposes himself to penalties.

Besides instituting a "pre-audit" system to permit AID to uncover worthless items, the agency has also developed a "prior review" procedure for financial transactions.

Before a supplier can be paid by the bank, he must submit all documents to AID so they can review the transaction from every aspect: price, whether the procurement is proper, and so forth.

The approval of AID is needed before the bank will pay a supplier.

Within this context, it should be noted that AID has made all transactions involving the shipment of textile fabrics to Ghana, Indonesia, Vietnam, and the Democratic Republic of the Congo subject to prior review.

Fourth. AID has revised its policies so that AID-financed transactions will be more open to free competition among businessmen.

Before the hearings, procurements of less than $10,000 were not advertised in the AID small business circulars. Since the hearings, any procurement of $5,000 or more must be advertised in the small business circulars.

Mr. President, this is a truly impressive record.

Senator RIBICOFF's work in the domestic field, notably in the areas of urban problems, health, traffic safety, the environment, and the reorganization of the Federal Government, are well known to the Senate and to the public at large.

His hearings as acting chairman of the Permanent Subcommittee on Investigations have brought a high degree of efficiency and economy to our program of foreign aid.

He did an excellent job, and I am grateful to him.

TRIBUTE TO SENATOR KUCHEL

Mr. PERCY. Mr. President, I pay tribute today to a Senator who has served his State, his party, his country, and this body with honor, wisdom, a rare sense of dedication and purpose, and at times a welcome sense of humor.

THOMAS KUCHEL has long provided the kind of leadership in public office that this Nation can least afford to do without. He has not hesitated to speak up for what he thought was right, no matter what the risks to his own personal career. At a time of turmoil, uncertainty, and fear, when dissident voices are increasingly heard in the land, TOM KUCHEL's has always been a voice of calm and of reason, urging his country to follow its own best instincts.

He has provided progressive leadership within the Republican Party, in California, and here in the Halls of Congress. To those of us who are new to this body, he has given freely of his time and himself, always providing wise and friendly counsel. To all of us, he stands as a notable—and noble—example of personal integrity, independence, and courage in office.

For his ability, his intellect, his character, his sense of purpose, and his warmth, we shall sorely miss TOM KUCHEL in the U.S. Senate. But I am confident that in the years ahead, he will continue to serve his Nation with great distinction, and that here in Washington we shall continue to listen whenever and wherever he speaks.

THE NIXON-WALL STREET AFFAIR—PART TWO

Mr. McINTYRE. Mr. President, last week I informed the Senate of the secret promises which the Republican nominee for President had made to certain campaign contributors on Wall Street that, if elected, he would see to it that the securities laws which were enacted for the protection of small investors would not be enforced.

As a result of the national outcry which arose following the publication of Mr. Nixon's secret memorandum, his campaign headquarters took the unusual step of disassociating itself from the memorandum—even though it bore Mr. Nixon's own signature.

According to Nixon headquarters, the statement had not been prepared by the candidate's own economic advisers, but rather by a "key issues committee" which presumably operated independently from the candidate himself.

This reaction came as no great surprise to those of us who have been following the campaign. The entire thrust of the Nixon campaign seems to be—avoid any commitment on policy positions in public. Fudge the issues. Slip and slide away from the difficult questions. And above all—do not take any firm public stand.

The publication of Mr. Nixon's secret memorandum obviously threatened to violate this basic theme of his campaign. So, as I have stated, it was really no great surprise when the Nixon camp promptly disassociated itself from the specific stands taken in the secret letter.

This morning the Wall Street Journal came up with an interesting addition to the growing scandal. It has now been discovered that the "key issues committee," the one which Nixon campaign headquarters says prepared the secret letter to Wall Street, has a staff—a committee counsel. And the counsel to this committee—which promised that Mr. Nixon would take a relaxed view of protection for investors—is Charles Colson, Esq., of Washington, D.C.

I happen to know Mr. Colson, and I have a high regard for his legal abilities. I have had the chance to see his legal skills at work, most often, in fact, as a lobbyist for many of the largest mutual funds in Wall Street.

Indeed, while the Senate Committee on Banking and Currency was considering the mutual fund investors protection legislation this year, Mr. Colson was often in my office with all sorts of ingenious proposals on behalf of his clients to legitimize the undue extraction of money from widows, orphans, and others who are sometimes the beneficiaries of hastily considered estate plans relying upon mutual fund shares. Fortunately for the public, all of these proposals were rejected by the committee.

I think it most interesting that Mr. Nixon's policies on securities regulation, which are not Mr. Nixon's but some separate committee's, were presumably written by a committee having as counsel a lobbyist for giant mutual funds. Once again, Mr. Nixon's actions have raised the ugly spectre of government by favoritism, of secret deals with lobbyists to the harm of the public, of casting aside the interests of small investors in favor of the need of wealthy special interests.

I could not finish this statement without indicating to the Senate my sense of bewilderment at the latest piece of fantasy surrounding the entire Nixon-Wall Street affair. For after the discovery, thanks to sound investigative reporting by the Wall Street Journal, that counsel to the "key issues committee" was Mr. Colson, Mr. Colson denied that he had played an "active" role in preparing the policy memorandum.

And so the pattern continues. Mr. Nixon wrote a secret letter. When the secret letter was made public, Mr. Nixon denied that he had written the letter. He said it was written by a committee.

The committee had a secret counsel. When that secret was made public, the counsel denied that he had written the letter and so it goes.

Once again, the Nixon camp is busily engaged in the denials, coverups, and other signs of guilt over getting caught with a hand in the cookie jar.

The Nixon-Wall Street affair is just one more reason why Mr. Nixon should work up his courage and agree to meet his opponent in open, public debate with open, public statements. Only through debate will Mr. Nixon finally be forced to take a definite stand on the issues. Only that way will he be unable to hide behind a smokescreen of secret letters, committees, and secret lobbyist staffs.

I might point out in closing that the last time that Mr. Nixon engaged in open, public debate with his opponent and permitted the American people to learn what his position on the issues was, he lost. The lesson of the past is clear to me. Perhaps it is all too clear to Mr. Nixon's staff as well.

REVISION OF CIRCULAR A-76 BY BUREAU OF THE BUDGET

Mr. MONTOYA. Mr. President, it has come to my attention that the Bureau of the Budget is currently considering a revision of circular A-76, its policy directive which sets forth the basic national policy of relying upon the private sector to supply, wherever possible, the Government's requirements for products and services.

The scope of the Bureau's review at this point of time appears limited to the Government's procurement policies in connection with the provision of support services by the private sector to the Government. It has been estimated that more than $8 billion of support services are provided to the Government annually, pursuant to contract, by private firms. I am bringing this matter to the attention of my colleagues because of the importance of this proposed revision, and because of the broader implications which it might have on our national policy as it concerns products as well as services.

I have some personal familiarity with this issue because the Senate Committee on Government Operations held detailed hearings in the first session of the 90th Congress on the question of "Government Policy and Practice with Respect to Contracts for Technical Services." Our committee issued a staff status report on those hearings on May 17, 1968.

The hearings demonstrated the need for clear and unambiguous cost standards so that the Government can determine whether it is less expensive to procure certain services and products from the private sector rather than from in-house sources. The testimony and exhibits made clear to me that the present standards of circular A-76 were inadequate to provide sufficient guidance and insure fair and objective cost comparisons.

Because of the deep concern I have that both private contractors and civil servants be treated fairly and impartially and because of the need to develop objective cost comparison standards to insure that the taxpayer gets the best bargain for his tax dollar, it is imperative that any necessary changes in circular A-76 be made only after the most careful deliberation and consideration. Therefore, I have asked the appropriate officials of the Bureau of the Budget to consult with members of my staff prior to the implementation of any of the revisions of circular A-76 recommended by the House committee. I ask unanimous consent that my letter of October 11, 1968, to Phillip S. Hughes, Deputy Director of the Bureau of the Budget, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

Mr. PHILLIP S. HUGHES,
Deputy Director, Bureau of the Budget,
Washington, D.C.

DEAR MR. HUGHES: You will recall that the Senate Committee on Government Operations held hearings on March 22, April 13, 14, and 17, 1967, on the subject of "Government Policy and Practice with Respect to Contracts for Technical Services." On May 17, 1968, the Committee published a status report prepared by the Committee staff. That Report reflected the concern of many of us who heard and studied the hearing record. The Report indicated that "the hearings reveal an urgent need for a reexamination, revision, and clarification of Government policy and procedures in this field in order to provide clear and unambiguous guidelines for both Government agencies and industry." (p. 4) Specifically, the staff Report noted that "there is a clear need for substantial improvement in the comparative cost analysis criteria as set forth in BOB Circular A-76, as revised, and in DOD directives and instructions implementing the Circular." (p. 11)

It has come to our attention that the House Committee on Government Operations has recently issued a Report entitled "Criteria for Support Service Cost Comparisons" which has made a number of recommendations for revision of Circular A-76. We understand that these recommendations currently are under study and review by the Bureau of the Budget. These recommendations appear to be in some regards consistent with the conclusions of the staff Report of the Senate Committee and in some instances might be incompatible with these conclusions.

Because of the long-standing concern of the Senate Government Operations Committee with this problem, I would greatly appreciate the opportunity to review with you any proposed action which the Bureau of the Budget might take in response to the recommendations of the House Report noted above. I would appreciate your contacting my Administrative Assistant, Paul Demos, to determine the earliest possible opportunity to review this matter in full detail with you.

Very truly yours,

JOSEPH M. MONTOYA.

TRIBUTE TO SENATOR FRANK LAUSCHE

Mr. DODD. Mr. President, the last days of the session are always an occasion for reflection.

It is the time when we think of our accomplishments and of our shortcomings.

It is a time when, especially after a long, hard session, we all rejoice, because our work is done.

But it is also time for sorrow, because, as every session comes to a close, we must take leave of valued colleagues whom we have known as friends and with whom we have shared the burden of the Senate and the common goal of a better America.

It is a particularly saddening thought that many of our colleagues will not be with us in the new session.

I know that all of those who will not be with us for reasons of health or of age or of the fortunes of politics will be missed by their colleagues.

A Senator who will be missed particularly, however, is the senior Senator from Ohio [Mr. LAUSCHE].

Few men have so distinguished a career of public service.

I shall not attempt to describe his many accomplishments as mayor of Cleveland and five-time Governor of Ohio. But I do wish to say a few words about the contribution he has made to the Senate.

It has been said of FRANK LAUSCHE that he looks more like a Roman senator than any other Member of the Senate. Whether this is true or not is of secondary importance.

But it is important that he has comported himself in a manner that would have done credit to the greatest figures of the Roman Senate.

No Senator has been more studious or more earnest in his application to his duties or more independent or resistant to pressure groups in coming to his decisions.

No Senator has shown a greater capacity for indignation over those things that call for indignation.

No Senator, in the many years that I have watched the Senate and have been a Member of it, has borne himself with greater dignity or greater integrity.

The Senate will be a sadder and less luminous place for his leaving.

All of us who remain will hear the echo of his good, strong voice expressing compassion and concern for the people of Ohio, and of the United States, and, indeed, of the world.

With his leaving, freedom will have lost one of its greatest advocates, and integrity one of its greatest symbols.

At this critical hour in history, he will be greatly missed, but his thoughts and words wil live on as encouragement for those who remain.

In my time in the Senate I have been privileged to sit beside two great oaks, Senator Paul Douglas, of Illinois, and Senator FRANK LAUSCHE, of Ohio. This is rich blessing indeed, and I am grateful for it.

I know that all Senators join me in wishing the senior Senator from Ohio many more years of life and happiness.

AMENDING MEDICARE ACT TO PROHIBIT SALES OF DRUGS BY DOCTORS

Mr. HART. Mr. President, this Nation—one of the most idealistic ever conceived—was established nevertheless by pragmatic men. Recognizing man's natural inclination to look out for his own best interests, an elaborate system of checks and balances was built into our Government.

This philosophy that someone must always check up on the other guy traditionally has been part of each new law. This is not because legislators feel no one can be trusted—but because they know not everyone can be trusted.

And the most careful safeguards always have been written for situations where any man is asked to make a decision which could add to his own income.

Therefore, I am—and I can find no lesser word for it—appalled at a revision of the medicaid regulation issued a few weeks ago by the Department of Health, Education, and Welfare.

As the Senate is well aware, the Antitrust and Monopoly Subcommittee for 4 years has been investigating the ill effects of doctor-merchandising—that is of doctors first saying what products a patient needs and then turning around and selling them.

A bill—S. 260—which would prohibit physicians from selling what they prescribe, with limited exemptions, has been before the subcommittee. Hearings before and after that bill was drafted total more than 3,000 pages. They are heavily laden with distressing stories of overcharging, overprescribing, dispensing of out-of-date medication, poor recordkeeping, improper labeling, and general huckstering.

Just this year, and even without a detailed search, the subcommittee has discovered 65 persons who apparently died from indiscriminate selling of diet pills by doctors.

Yet—against all this background, despite my protestations and before Congress has had a chance to speak—HEW has done a flip-flop in its position and is now encouraging doctor-merchants.

Mr. President, briefly what has occurred is:

The original regulations HEW drafted as to when the Federal Government would share the cost of drugs dispensed under medicare read:

> Federal-financial participation is available in expenditures for drugs dispensed by licensed pharmacists and, when dispensed by legally authorized practitioners, where no adequate pharmacy services exist or are available when needed.

This language was compatible with S. 260.

But various members of the medical profession were unhappy with that language, I was told after it was adopted, and began arguing for changing it.

Based on our hearing record, I can imagine how strong the motivation was for a few of them. For example, we learned of one physician who wrote $10,000 in welfare prescriptions one year and the next—after he bought a pharmacy—wrote $50,000 worth.

Nor am I surprised at the persuasiveness of doctor-merchants. For the story of the revision of the HEW regulations is simply a rewrite of the revision of the American Medical Association Code of Ethics.

For years the AMA banned sales by doctors of the products they prescribed.

In 1955, under pressure from doctor-merchants—that ban was modified to allow product sales "in the best interests of the patient"—and, of course, the dispensing physician decides if his patient's best interest is being served.

In 1962, after a study of the harmful effects of doctor-merchants, AMA's judicial council recommended the association reinstate that ban. The trade press reported the meeting to consider the recommendation "had to be moved to a larger room to accommodate the crowd, largely composed of M.D.'s opposed to the ban." And Dr. George A. Woodhouse, chairman of the council at the time, in telling the subcommittee how he lost, admitted:

> They really ground me up pretty fine. I looked like I had come out of a meat grinder.

In sum, the doctor-merchants were successful in gaining AMA approval in 1955, in keeping it in 1962 and in getting the OK from HEW in 1968. For the new regulation of HEW in effect now says: Uncle Sam will subsidize any doctor who wants a drug business on the side.

Mr. President, I submit this is going to cost Uncle Sam—in other words the American taxpayer—greatly. For there is strong evidence that some doctors prescribe more when there is money in it for them.

Let us look at the subcommittee record for some examples:

In one Kansas county with two pharmacies, one owned by a physician and one by a pharmacist, the doctor-owned pharmacy in the second quarter of 1964 submitted 94 percent of all the welfare prescription claims originated from the two pharmacies.

In a study in Wisconsin, doctor-owned pharmacies averaged 33,349 to 47,747 prescriptions per year compared to 6,314 to 16,790 for independently-owned pharmacies.

Doctors can do well when they channel prescriptions to their own pharmacies. But they apparently can do even better if they hire a girl in a white dress to hand out pills in their office.

For example, William B. Ashcraft, assistant director of the Kansas City office of the Bureau of Drug Abuse Control, told the subcommittee this year of the profits two doctors make on medication.

One, he said, paid $71 for 100,000 pills and sold them to his patients for $12,000, a return on investment of 16,901 percent. The other didn't do quite so well. He bought 1½ million pills for $2,000 and sold them for $150,000—a return of only 7,500 percent.

Some doctor-merchants apparently get even better returns—by selling samples given them free by drug companies they avoid the investment side entirely. There are several examples of that in our hearing record.

Mr. President, a very conservative estimate is that one-fourth of the 190,000 doctors in private practice sell products they prescribe. Many—no doubt the majority—of these are dispensing truly as a service to their patient. However, this still leaves us with several thousand men who apparently see nothing wrong with making a little money in the pill market along with their professional fee.

Many of the doctors who do dispense pills do so to save their patients money—by supplying medication at cost for those who would suffer if they had to pay full price. But this humanitarian motive is not part of the question when the Government is picking up the bill. Certainly this has been proven in the past. A Louisiana study showed that while the average patient receives 3.3 welfare prescriptions per month, those of doctors who owned pharmacies got an average of 12 welfare prescriptions per month.

Mr. President, it is too late to act this Congress, but next year I will propose an amendment to the Medicare Act which will make the original HEW regulation the policy for medicaid. There is no need in most of this highly urbanized Nation for physicians to sell drugs. And there is impelling reason—when taxes are a burden for our citizens—to stop those doctors who see medicaid as a way to put themselves into the drug business.

There is also an impelling reason to see that the Government does not assist those doctors who in the past have allowed greed to harm their patients' health—and even cost them their lives.

A bill—S. 2936—before the Senate during this Congress, was introduced by the Senator from New Mexico [Mr. MONTOYA], and 38 cosponsors, including me, would have extended medicare to cover not only drugs used in hospitals but all prescriptions of our aged citizens. Hopefully next year we can act on that.

It has been estimated that it will take 1 million prescriptions a day to provide for patients on home care under medicare. We are currently spending $250,000 a year for drugs under medicaid. If coverage is extended by the additional 1 million scripts a day, at an average cost of $4, another $1½ billion will be added to that annual bill.

With the record of the tendency of certain doctors to overprescribe when they profit from drug sales, this figure could be much, much more.

Mr. President, Congress has recognized the desire of the American public to provide adequate medical care for those who cannot do it themselves. But in doing so, we must be alert that adequate safeguards assure the taxpayers full value for each dollar spent.

In other words, we must develop as much concern over medical profiteering as we have had traditionally over war profiteering.

One is as reprehensible as the other. Yet—human nature being what it is—we can be sure of profiteering by some when the checks and balances are not in play.

THE MARTIN LUTHER KING, JR., NEIGHBORHOOD HEALTH CENTER

Mr. PERCY. Mr. President, residents of the North Lawndale area of Chicago are the fortunate recipients of a recently opened comprehensive neighborhood health center. Dedicated the Martin Luther King, Jr., Neighborhood Health Center, the facility is located in a new two-story building at 3312 West Grenshaw.

I was especially pleased with the cooperative nature of this effort. The concept of the neighborhood health center was initiated by the office of economic opportunity. OEO and the children's bureau of HEW provide the funds for this center's operating expenses. Sears Roebuck Foundation loaned the $550,000 needed for construction of the center. Mr. President, this is the kind of cooperation with private enterprise that the Office of Economic Opportunity has always tried to promote and which we in the Congress should support.

Among those present at the center's dedication ceremonies were Judge Otto Kerner, Chairman of the National Advisory Commission on Civil Disorders, and the Reverend Calvin Morris, who spoke on behalf of the Southern Christian Leadership Conference. Judge Kerner praised the neighborhood health center concept as "one of the ideals we recommended in the report." Reverend Morris felt that this dedication was a fitting tribute to Dr. Martin Luther King.

Mr. President, I would like to add my own support to that expressed by those present at the dedication ceremonies of the Martin Luther King, Jr., Neighborhood Health Center. I ask unanimous consent to have printed in the RECORD an article published in the Chicago Sun Times of September 9, describing the event.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

KERNER HAILS DR. KING HEALTH CENTER

The Martin Luther King Jr. Neighborhood Health Center was hailed by U.S. Court of Appeals Judge Otto Kerner as a step toward better local health care Sunday at dedication ceremonies.

The new two-story building at 3312 W. Grenshaw will provide comprehensive health care for residents of North Lawndale.

Kerner, who was chairman of a presidential commission which reported on urban riots, said the neighborhood center embodies "one of the ideals we recommended in the report."

This recommendation was to "take services to people where they're needed," rather than to concentrate them in centralized locations.

The Rev. Calvin Morris, associate director of Chicago's Operation Breadbasket, affiliated with the Southern Christian Leadership Conference, said the center was an appropriate tribute to Dr. King, who headed the SCLC.

FORMER CENTER BURNED

The Rev. Mr. Morris spoke in place of the SCLC national director, the Rev. Ralph D. Abernathy, who was unable to attend.

Begun a year ago, the facility replaces a storefront center at 3216 W. Roosevelt that was damaged by fire April 5 during riots after the murder of Dr. King.

Service was temporarily provided at the Urban Progress Center at 3140 W. Roosevelt.

The $550,000 needed for the building was loaned by the Sears Roebuck Foundation, which has funded 150 community health centers across the country. Land for the center was donated by Sears Roebuck & Co. near its main offices.

DIRECTED BY PANEL

The center is expected to treat 60,000 patients a year after it opens in a few days, according to its medical director, Dr. Robert A. Synder.

Among the professional staff of 15 physicians and 51 nurses will be several from Mount Sinai Hospital, which administers the center with the guidance of a panel of Lawndale residents.

Funds for the center's operation come from the U.S. Office of Economic Opportunity which provides $2,100,000 for comprehensive health care, and the Children's Bureau of the Department of Health, Education and Welfare, which donates $586,000 yearly for children's care and services to expectant mothers.

A second neighborhood health center is operated by Presbyterian-St. Luke's Hospital, and four more are planned under Model Cities funds, according to Dr. David M. Greeley of the Chicago Board of Health.

REPORT OF ACTIVITIES AND ACCOMPLISHMENTS OF THE JOINT COMMITTEE ON ATOMIC ENERGY DURING 90TH CONGRESS, SECOND SESSION

Mr. PASTORE. Mr. President, as chairman of the Joint Committee on Atomic Energy and on behalf of all the members, I am privileged to submit the report of activities and accomplishments of the Joint Committee on Atomic Energy during the 90th Congress, second session. I would like to have this report printed at the conclusion of my remarks.

This has been a year of considerable accomplishment and also some disappointment; however, I believe that this report presents a useful review for those who follow atomic energy matters.

I was extremely pleased with the expeditious way the Joint Committee responded to the wishes of the leadership in both Houses that our legislative activities be consummated at an early date in the session. The day following the delivery of the President's budget message, the Joint Committee began its review of the Atomic Energy Commission authorization request and reported out the AEC authorization bill in record time. The AEC authorization bill was signed into law by the President on April 19, 1968.

The Joint Committee held executive hearings concerning the military aspects of atomic energy during the AEC authorization review. Included in this analysis were questions relating to the proposed antiballistic missile system. This so-called light ABM system has been the subject of lengthy debate in the Senate, including the executive session of the Senate on October 2, 1968. I have strongly supported this defensive system for the reasons which I clearly spelled out on the floor of the Senate on June 24, 1968, and in the debate on October 2, 1968, prior to the defeat of an amendment to the Department of Defense appropriations bill, which would have deleted $387.4 miltinel anti-ballistic-missile system. Because of the large sums of money involved in this undertaking, the Joint Committee has asked the General Accounting Office to assist the committee in closely reviewing the ABM program on a continuing basis.

The Joint Committee has been in the forefront of the fight to insure that the lead that our Polaris and nuclear attack submarines have given us, is not lost. In this connection, the committee held hearings in February, June, and July of this year. During and following these hearings, the committee strongly urged that the United States proceed with the development of nuclear submarines of advanced design. I am sorry to report that as of today the Department of Defense still has not lifted a restriction on proceeding with the construction of a very quiet nuclear submarine of advanced design which the Joint Committee and several other committees of the Congress urged.

It is also with considerable disappointment that I note that the Senate consent to the ratification of the Nonproliferation Treaty appears to have been delayed at least until next January. I regret this very much. The Nonproliferation Treaty does not favor either the United States or the Soviet Union, but merely seeks to restrict in an equitable fashion the number of nations that will possess nuclear weapons. As each new nation is added to the nuclear club, the chances of nuclear war increase. I hope that the Nonproliferation Treaty, which in my opinion constitutes a giant step away from the abyss of nuclear disaster, will be considered by the Senate at the earliest possible moment.

At the beginning of the 91st Congress next January, the committee expects to conduct a thorough review of the U.S. civilian nuclear power program. Included will be the review of the question of "practical value" under section 104(b) of the Atomic Energy Act of 1954, as amended.

I wish to thank all the members of the committee for their hard work and fine cooperation in the committee's work.

Mr. President, I ask unanimous consent that the Joint Committee's report be printed in the RECORD.

There being no objection, the report

was ordered to be printed in the RECORD, as follows:

ACTIVITIES AND ACCOMPLISHMENTS OF THE JOINT COMMITTEE ON ATOMIC ENERGY IN THE 90TH CONGRESS, SECOND SESSION, 1968

FOREWORD

The following report on the activities of the Joint Committee on Atomic Energy during the second session of the 90th Congress (1968) has been prepared at the direction of the Chairman for the information of the Congress, the Executive Branch, and the public. (The report for the first session of the 90th Congress was printed in the daily CONGRESSIONAL RECORD of January 2, 1968, pages A6559–63.)

The Joint Committee on Atomic Energy was first organized on August 2, 1946, and is a House-Senate Committee consisting of nine members from each body, of which no more than five from each body can be members of the same party. Following is a listing of the present membership:

John O. Pastore, Rhode Island, Chairman; Chet Holifield, California, Vice Chairman; Richard B. Russell, Georgia; Clinton P. Anderson, New Mexico; Albert Gore, Tennessee; Henry M. Jackson, Washington; Bourke B. Hickenlooper, Iowa; George D. Aiken, Vermont; Wallace F. Bennett, Utah; Carl T. Curtis, Nebraska; Melvin Price, Illinois; Wayne N. Aspinall, Colorado; Thomas G. Morris, New Mexico; John Young, Texas; Craig Hosmer, California; William H. Bates, Massachusetts; John B. Anderson, Illinois; and William M. McCulloch, Ohio.

The Joint Committee is one of the few committees established by statute, rather than by rule of each House and is unique in several respects. For example, it is the only Joint Committee of the Congress with legislative functions, including the receipt and reporting of legislative proposals. The Committee is also charged by law with legislative responsibility as "watchdog" of the U.S. atomic energy program. As part of its responsibilities, the Committee follows closely the classified activities of executive agencies, including the Atomic Energy Commission and the Departments of Defense and State, concerning the military applications of atomic energy.

In all these activities, the Joint Committee on Atomic Energy, as representative of Congress and the public, seeks to assure the implementation of the following statutory policy expressed in the Atomic Energy Act of 1954:

"* * * the development, use and control of atomic energy shall be directed so as to make the maximum contribution to the general welfare, subject at all times to the paramount objective of making the maximum contribution to the common defense and security * * *."

During the 90th Congress, second session, the Joint Committee met on a total of 40 different occasions, 28[1] of which were public and 12 of which were executive meetings.

A total of 16 publications consisting of hearings and committee prints were published or are in the process of being printed by the Joint Committee in the second session of the 90th Congress. These publications include testimony taken in executive session with classified material deleted before printing. A list of the publications follows:

Year 1968 (90th Cong., 2nd Sess.)

AEC Authorizing Legislation, Fiscal Year 1969:

Part 1 (General and Reactor Development Program): Hearings January 30, 31 and February 5 and 6.

Part 2 (Nuclear Rocket (Rover); Space Electric Power; Physical Research; Raw Materials; Isotopes Development; Biology and Medicine; Plowshare; Special Nuclear Materials; Community; Program Direction and Administration; Training, Education, and Information; and Weapons): Hearings February 7 and 21.

Report (S. Rept. 1074; H. Rept. 1266): April 1968.

Atomic Energy Legislation through the 90th Congress, 2nd Session: Committee print, December (Available when printed.)

Commercial Plowshare Services: Hearing, July 19.

Current Membership of the Joint Committee on Atomic Energy: Committee print, February.

Nonproliferation Treaty: Hearings July 10, 11, and 17 before the Senate Foreign Relations Committee and the Senate Section of JCAE.

Naval Nuclear Propulsion Program 1967–68: Hearings, March 16, 1967 and February 8, 1968.

Nuclear Power Economics, 1962 through 1967: Committee print, February.

Nuclear Submarines of Advanced Design:

Part 1: Hearing, June 21.

Part 2: Hearing, July 19.

Participation by Small Electrical Utilities in Nuclear Power:

Part 1: Hearings, April 30, May 1, 2 and 3.

Part 2: Hearings, June 11, 12 and 13.

Proposed Agreements for Cooperation with Japan, Denmark, Ireland, and the Philippines: Hearing, June 26. (Available when printed.)

Radiation Exposure of Uranium Miners: Summary-Analysis of hearings December 1967.

Status of the Food Irradiation Program: Hearings July 18, 30 (Available when printed.)

I. LEGISLATIVE ACTIVITIES

A. Atomic Energy Commission fiscal year 1969 authorization act (Public Law 90–289)

The Joint Committee's review of the Atomic Energy Commission's fiscal year 1969 budget request for authorization of appropriations began on January 30, 1968, the day following delivery of the President's budget message. Hearings on the proposed authorization bill (S. 2880, H.R. 14905) were held by the Joint Committee over a period of four weeks, and included review not only of the Commission's operating funds authorization but also its request for authorization of funds for plant and capital equipment obligations. Two such hearings—concerning the AEC's weapons program and the naval nuclear proplusion program—were held in executive session because they involved the review of classified information. The record of these hearings, except for those held in executive session because of the classified nature of the subject matter, was published in two volumes under the title "AEC Authorizing Legislation, Fiscal Year 1969."

In accordance with the request of the House and Senate leadership for expedited action by committees with responsibilities for reviewing requests for authorization of appropriations, the Joint Committee reported out the AEC's authorization measure in record time. "Clean bills" were introduced on March 29, 1968, by Senator Anderson, for himself and Chairman Pastore (S. 3262), and on April 1, 1968, by Vice Chairman Holifield (H.R. 16324). Reports thereon were filed in the House on April 2 and in the Senate on April 3, 1968, respectively (House Report No. 1266, Senate Report No. 1074).

The recommended authorization bill, which amounted to nearly $300 million less than the Administration had requested, was passed without amendment by the House on April 4 and the Senate on April 10, and was signed into law by the President on April 19, 1968 (P. L. 90–289). As approved, the law authorized appropriations to the Atomic Energy Commission for fiscal year 1969 in the amount of $2,618,301,000, as follows:

Operating expenses	$2, 174, 550, 000
Plant and capital equipment	443, 751, 000
Total authorization	2, 618, 301, 000

Among the highlights of the Joint Committee report which accompanied the authorization bill were the following:

With respect to the Weapons Program, the Committee expressed its vigorous support of the executive branch decision of September 18, 1967 to proceed with deployment of an ABM (antiballistic missile) system. The Committee strongly recommended approval by Congress of the full authorization requested by the AEC for its weapons program—$840.7 million for operating funds and $294.6 million for plant and capital equipment obligations. The Committee also announced that, due to the national importance of the ABM system and the large sums of money involved, it had arranged to obtain the assistance of the General Accounting Office, the auditing arm of the Congress, in maintaining a continuing surveillance of the actions being taken in connection with the ABM development and deployment program.

The Committee recommended an increase of $8.5 million over the amount ($115.3 million) requested by the AEC for the Naval Propulsion Reactors Program in order to expedite work on a new design-nuclear propulsion plant for attack submarines. The Committee stated that it considered this a matter of utmost importance, since testimony taken in executive session indicates substantial progress by the Soviet Union in this vitally important field. (See the Foreword of the Committee's publications on nuclear submarines entitled "Nuclear Submarines of Advanced Design" Parts 1 and 2, for a comprehensive statement of the issues.)

In the Civilian Power Reactor Program, the Committee said it was inclined to express some notes of caution: first, that in its efforts to achieve an objective of great potential value to the country—namely, development of the breeder reactor—the AEC should avoid putting "all its eggs in one basket" by investigating more seriously alternate coolant concepts to the sodium coolant concept involved in the AEC's high-priority Liquid Metal Fast Breeder Program; and second, that particular vigilance must be exercised by all concerned to anticipate and minimize difficulties that may be experienced as significant numbers of large new nuclear central station plants begin to come on line in 1971. As to the former, the Committee recommended a relatively modest budget increase to permit additional AEC work on alternate breeder concepts; as to the latter, the Committee urged the Nation's utilities to acquire and maintain in-house technical organizations with competence in all aspects of nuclear power generation.

In connection with the AEC's Physical Research Program the Committee reaffirmed its conviction that the proposed National Accelerator Laboratory at Weston, Illinois—the so-called 200 Bev accelerator—is important to the Nation's scientific effort and should continue to be supported. Accordingly, the Committee recommended an additional $25 million authorization for the project in fiscal 1969, an amount sufficient to permit continued orderly progress pending expected full project authorization for fiscal year 1970.

B. Participation by small electrical utilities in nuclear power (S. 2564; H.R. 13828, H.R. 15273)

During the second session of the 90th Congress the Joint Committee held extensive hearings on S. 2564, H.R. 13828 and H.R. 15273, bills which would amend the Atomic Energy Act of 1954 "to insure a reasonable opportunity for all electrical utilities to participate in the benefits of nuclear power." To this end the legislation would require, among other things that the AEC withhold any license for a nuclear powerplant unless it finds that the license applicant, first, has granted to all other utilities an opportunity to participate to a fair and reasonable extent in the ownership of the reactor, and second, has agreed to make the output of the plant available for sale to other utilities on fair and nondiscriminatory terms.

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[1] 5 of the 258 public hearings were held in conjunction with the Senate Foreign Relations Committee. (These hearings dealt with the Nonproliferation Treaty.)

S. 2564 was introduced on October 23, 1967, by Senator Aiken for himself and the late Senator Kennedy of New York. H.R. 13828 and H.R. 15273 were introduced on November 2, 1967 and February 8, 1968, respectively, by Representative Johnson of California and Representative Hathaway.

In the first part of the hearings on this proposed legislation held on April 30–May 3, 1968, the Committee heard from representatives of various Federal agencies and departments interested in or affected by the proposed legislation. During the second part of the hearings, held on June 11–13, 1968, interested members of the public were afforded an opportunity to express their views on the proposals. The record of these hearings was published in two parts under the title "Participation by Small Electrical Utilities in Nuclear Power." No final action on these measures was taken by the Committee before adjournment of Congress.

C. *Proposed legislation to eliminate requirement for finding of practical value (H.R. 18667; S. 3851, S. 3960; H.R. 18767 et al.)*

Late in the second session bills were introduced and referred to the Joint Committee which would abolish the requirement under Section 102 of the Atomic Energy Act for a finding of "practical value" as to nuclear power reactors and other utilization or production facilities. The principal effect of the proposed legislation would be to require that all or virtually all nuclear powerplants be licensed under the commercial licensing section of the Act, rather than under the research and development section as is now the case.

One proposal, submitted by the AEC and introduced on August 1, 1968 as S. 3960 by Chairman Pastore (by request), would eliminate any distinction between commercial and developmental reactors by consolidating them under a new licensing section essentially the equivalent of the present commercial licensing section of the Act. Another proposal (H.R. 18667, S. 3851), introduced on July 17, 1968 by Representatives Holifield and Price (Ill.) and Senators Anderson and Aiken, respectively, would retain a licensing distinction between strictly commercial plans and those whose principal purpose is the performance of substantial research and development; however, unless the license applicant demonstrated and the AEC determined that the plant was principally for the performance of substantial research and development, the plant would be licensed pursuant to the commercial licensing section. The latter bills would also confer upon the Atomic Energy Commission regulatory authority over and responsibility for controlling the thermal effects of heated liquid effluents discharged from licensed nuclear powerplants. On October 3, 1968, Representative Robinson introduced a bill (H.R. 20207) identical to H.R. 18667 and S. 3851.

A third and somewhat related proposal (H.R. 18767) introduced by Representative Saylor and others on July 19, 1968, would amend the Atomic Energy Act to require that Congress approve each license proposed to be issued by the AEC for the commercial generation of electrical power. Several bills identical to H.R. 18767 have been introduced by other representatives in Congress.

Preliminary hearings on this matter were held on July 19, 1968. However, the written comments of the various agencies interested in or affected by this legislation—including the AEC, Interior Department, Justice Department, Federal Power Commission and Department of Agriculture—were received too late to permit the scheduling of additional hearings during this session of Congress. (The comments of these agencies are set forth in appendix 20 of Part 2 of the Committee's print entitled "Participation by Small Electrical Utilities in Nuclear Power"; the record of the Committee's initial hearings on this legislation is set forth in appendix 14 of the same print.) The Committee expects to hold hearings on this matter during the next session of Congress.

D. *Legislation to authorize commercial plowshare services (H.R. 18448, S. 3783, H.R. 18701)*

On July 19, 1968, the Joint Committee held hearings on H.R. 18448, S. 3783, and H.R. 18701, bills which would authorize the AEC to make peaceful nuclear explosive services available on a commercial basis as various applications of nuclear explosive devices for peaceful purposes achieve commercial feasibility. H.R. 18448 was introduced on July 10, 1968, by Representative Hosmer for himself and Representatives Holifield, Price of Illinois, Aspinall, Morris, Young, Bates, Anderson of Illinois, and McCulloch. S. 3783, an identical bill, was introduced on July 15, 1968, by Senator Pastore, for himself and Senators Anderson and Bennett. A third bill, also identical, was introduced on July 18, 1968, by Representative Podell.

Representatives of the AEC, Department of State, and Arms Control and Disarmament Agency who testified during hearings on these measures expressed support for their enactment. Since these bills would in part implement certain provisions of the Nonproliferation Treaty, no final action on them was taken by the Committee pending completion by the Senate of its responsibility to advise and consent to this Nation's proposed adherence to the Treaty.

II. AGREEMENTS FOR COOPERATION

Under the Atomic Energy Act of 1954 proposed agreements for cooperation in the peaceful uses of atomic energy are required to be submitted to the Joint Committee for a period of thirty days while Congress is in session before becoming effective. In accordance with this requirement five civil agreements were submitted to the Committee by the Department of State and the Atomic Energy Commission during 1968.

Of the five agreements considered by the Committee, two were new civilian power agreements under which the United States gave long-term assurances as to the availability of nuclear fuel for reactors constructed under the cooperating countries' atomic power programs. These agreements are with Japan and the Philippines. The other agreements submitted were amendments to research-type agreements for cooperation already in existence with Denmark, Ireland and Greece. All of the agreements provide for the application of safeguards by the International Atomic Energy Agency to insure against the diversion of fissionable materials to military purposes.

During hearings on June 25, 1968, concerning the proposed Japanese agreement, the Committee discussed with the AEC the report prepared by a review board consisting of technical investigators from the AEC's Division of Naval Reactors who visited Japan from May 14–25, 1968, to investigate allegations that abnormal radioactivity readings noted in the Port of Sasebo on May 6 were caused by the USS SWORDFISH. That report concluded: (1) There is conclusive evidence that the USS SWORDFISH did not at any time while in or near the Port of Sasebo during the period of May 2 through 11 discharge reactor coolant or radioactivity of any kind to the atmosphere or to the surrounding waters, and (2) The abnormal readings noted in Sasebo on the morning of May 6, 1968, were not caused by radioactivity discharged from the USS SWORDFISH. The Commission informed the Committee that in its opinion these conclusions were "unassailably correct."

The record of the public hearings held during 1967 and 1968 on various agreements for cooperation will be published under the title, "International Agreement for Cooperation—1967–68." The aforementioned report of the board which investigated alleged incidents in the Port of Sasebo will be included in this print.

III. INFORMATIONAL HEARINGS

A. Food irradiation

On July 18 and July 30, 1968, the Joint Committee held public hearings on the current status of the Food Irradiation Program with particular emphasis on the circumstances surrounding the withdrawal by the Army of the petition made to the Food and Drug Administration for approval for human consumption of irradiated canned smoked ham. Witnesses included representatives of the Department of the Army, the Atomic Energy Commission, and the Food and Drug Administration.

The Food and Drug Administration representatives testified that additional data was required prior to the completion of action on the ham petition. The Army agreed to make further feeding studies to obtain the data. Information presented indicates that at least two years will be required to obtain the additional experimental data which was requested.

B. Nonproliferation Treaty

The Joint Committee has been in the forefront of discussions and negotiations on the Nonproliferation Treaty (NPT). Senator Pastore, Chairman of the Joint Committee, was the author of Senate Resolution 179 which commended the President's serious and urgent effort to negotiate a treaty banning the spread of nuclear weapons. On May 17, 1966, the Senate passed this resolution by a vote of 84–0.

The Joint Committee on Atomic Energy held an executive hearing on February 5, 1968, concerning the nuclear Nonproliferation Treaty at which Representatives from the Arms Control and Disarmament Agency discussed in depth the NPT. Also for four days in July the Senate section of the Joint Committee together with the Senate Foreign Relations Committee held public hearings on the NPT.

On September 17, 1968, the NPT was reported favorably by the Foreign Relations Committee to the Senate.

C. Antiballistic missile program

The Joint Committee held a hearing in executive session on February 20, 1968, on the Atomic Energy Commission Weapons Program with particular emphasis on the status of development of warheads for an antiballistic missile. As noted earlier in this report, the Joint Committee has requested the General Accounting Office to assist the Committee in its continuing surveillance of the Sentinel Antiballistic Missile Program.

The Joint Committee has strongly supported the development of an ABM system. Chairman Pastore in a speech on September 9, 1967, advocated the development of an ABM system, prior to Secretary McNamara's decision to build a "light" system.

D. Safeguards under Limited Test Ban Treaty

The Joint Committee has continued to maintain a careful scrutiny of the Department of Defense and Atomic Energy Commission activities in support of the four safeguards established in connection with the Limited Nuclear Test Ban Treaty. Testimony was heard concerning implementation of the safeguards in open session during the Authorization Hearings on January 30, 1968, and in executive session of February 20, 1968. On September 25, 1968, Senator Jackson spoke on the floor of the Senate on this matter. (See CONGRESSIONAL RECORD, p. 28129.)

E. B-52 crash in Greenland

A hearing was held in executive session on March 20, 1968, on the circumstances surrounding the crash near Thule Air Base, Greenland, January 21, 1968, of a U.S. Air Force B-52 carrying unarmed nuclear weapons. Representatives of the Defense Department and the Atomic Energy Commission testified on the status of the clean-up operations and the international aspects of the crash as well as possible causes.

F. Advanced nuclear submarines

The Committee held hearings on nuclear submarines of advanced design on February 8, June 21 and July 25, 1968. On February 8, the Committee received testimony on the status of the U.S. Navy's nuclear submarine program. Subsequent to this hearing the Committee was provided with the latest intelligence information which indicated that important advances had been achieved by the Soviets in their nuclear submarine program. During the June 21 and July 25, 1968, hearings, the Committee received testimony from Defense Department and Navy experts. The overwhelming evidence was in support of the need for an advanced design "Electric Drive" nuclear attack submarine and a fast submarine of advanced design. The Joint Committee in reports included in the Forewords of both the June 21 and July 25 hearings entitled "Nuclear Submarines of Advanced Design", parts 1 and 2, urged the Department of Defense to proceed with the design and construction of these advanced nuclear submarines on a priority basis.

G. Romanian cooperation

On May 28, 1968, the Joint Committee received testimony in executive session concerning a proposal to increase cooperation between American industries and the Government of Romania.

H. Confirmation hearings

The Senate section of the Joint Committee met in public session on June 26, 1968, to consider the nomination (reappointments) of Chairman Glenn T. Seaborg and Commissioner James T. Ramey to be members of the Atomic Energy Commission for the terms of two years and five years respectively.

Chairman Seaborg's term expired on June 30, 1968. Commissioner Ramey's term would have expired on June 30, 1969. The President appointed Chairman Seaborg for an additional two-year term expiring June 30, 1970, and Commissioner Ramey for a full five-year term expiring June 30, 1973.

On September 20, 1968, the President sent to the Senate the nomination of Francesco Costagliola to be a member of the AEC for the remainder of the term expiring June 30, 1969. The Senate section of the Joint Committee held a hearing on the nomination on September 23, 1968, and the Senate approved the nomination. Captain Costagliola was sworn in as a Commissioner on October 1, 1968.

IV. CLASSIFIED ACTIVITIES

A. NATO

The Joint Committee held a hearing in executive session and received numerous briefings on the classified aspects of the United States commitments to NATO. The Joint Committee has maintained active interest, and members and staff have visited selected NATO installations during 1968, in connection with arrangements made under the agreement for cooperation with NATO.

B. Intelligence briefings

Representatives of the Central Intelligence Agency, Department of Defense and the Atomic Energy Commission have presented briefings on intelligence matters with particular reference to Communist China and the USSR.

C. U.S.S. "Scorpion"

A hearing was held in executive session May 28, 1968, on the search operations being conducted for the nuclear submarine U.S.S. *Scorpion* which failed to arrive at Norfolk, Virginia, on May 27, 1968, as scheduled. The Chairman designated a member of the Joint Committee staff as a special observer on the search operations. The observer remained at *Scorpion* search headquarters in Norfolk during the first several weeks of the operation and then sat as an official observer during the Court of Inquiry which was appointed to look into the circumstances surrounding the loss. The findings of the Court are expected to be released in October, 1968. The search is still continuing.

V. OTHER ACTIVITIES

A. IAEA

Two representatives of the Joint Committee on Atomic Energy participated in the 12th General Conference of the International Atomic Energy Agency (IAEA) which began September 24, 1968. At the Conference the Committee members attended a special briefing to review plans and programs of the IAEA concerning the safeguard inspection procedures covered in the Nonproliferation Treaty to insure that nuclear material is not diverted from peaceful purposes to nuclear weapons development.

B. 200 Bev accelerator

The Atomic Energy Commission requested $242,667,000 additional authorization for the 200 Bev Accelerator Laboratory and $25,000,000 in appropriations for Fiscal Year 1969 to continue planning and initiate construction of the accelerator. The Committee recommended a reduction in the authorization to only the $25,000,000 needed for the project in fiscal year 1969. This would provide for continuation of design and engineering services, procurement of various technical components of the accelerator, site preparation, utility installations and initiation of construction on conventional facilities as well as the accelerator itself.

The House cut $17,900,000 from the $25,000,000 and restricted the use of the money to Architect-Engineering only. The Senate Appropriations Committee recommended restoration of $12,900,000 to the House bill to provide a total of $20,000,000 in new obligational authority for the 200 Bev Accelerator and removing the AE only restriction. The final bill was amended to increase the funds to a total of $14,574,000 including carry-over funds of $2,500,000. The AE only restriction was removed.

Following the reduction in funds and the restriction of the money to AE only by the Appropriations Committee (referred to above) Congressman Melvin Price had a Joint Committee staff study made of the probable effects that this cut would have on the Nation's accelerator program. The Joint Committee's Subcommittee on Research, Development, and Radiation, of which Congressman Price is Chairman, reviewed and approved the staff report which pointed out the deleterious effect of such a reduction in funds. Congressman Price then provided a copy of the report to key members of both the Senate and the House Appropriation Committees stressing the importance of this program. In the forwarding letter Congressman Price summarized the adverse effects that a funding curtailment would have on the project. Subsequently, the funds for the 200 Bev were increased to $14,574,000 and the restriction to architect engineering work was lifted.

C. Foreign trips

Foreign inspection and informational visits were made by the Committee and staff as follows:

Brown Boveri Corporation, Heidelberg, Germany.

Karlsruhe Laboratory, Germany.

Mol Nuclear Energy Center, Belgium.

Moscow, Dubna, Leningrad, Novosibirsk, Yerevan, Serpukhov, USSR.

NATO installations in Brussels, Belgium; London, England; Vienna, Austria; and Paris, France.

Second International Thermionics Conference, Stresa, Italy.

Various military installations in the Middle and Far East.

D. Domestic installation trips

The Committee members and staff continued their practice of obtaining firsthand information by visiting various Atomic Energy Commission, Department of Defense, and U.S. Government contractor installations in the United States. During the second session, 90th Congress, visits were made to the following facilities, among others:

American College of Radiology, Chicago, Illinois.

Argonne National Laboratory, Chicago, Illinois.

American Broadcasting Co. re possible special TV newscase on JCAE, New York, New York.

American Public Power Association, Seattle, Washington.

Atomics International, Downey, California.

200 Bev site, Weston, Illinois.

Brookhaven National Laboratory, Long Island, New York.

Charleston Naval Shipyard, Charleston, South Carolina.

Conference on Nuclear vs. Fossil Fuel, Morgan Guaranty Trust Co.-Kuhn-Loeb Co., New York, New York.

Edison Electric Institute, Philadelphia, Pennsylvania.

General Electric, Advanced Products Operation, Sunnyvale, California.

General Electric, Atomic Products Division, Vallecito, California.

Gulf General Atomic, La Jolla, California.

Health Physics Society, 13th Annual Meeting and Uranium Mining Health Physics Workshop, Denver, Colorado.

International Atomic Energy Agency Symposium on Airborne Radioactive Wastes, United Nations, New York.

AEC Joslin-Halfstad Citation, Chicago, Illinois.

AEC Las Vegas Operations Office, Las Vegas, Nevada.

Lawrence Radiation Laboratory, Livermore, California.

Los Alamos Laboratory, Albuquerque, New Mexico.

Marshall Space Flight Center, Huntsville, Alabama.

Massachusetts Institute of Technology Laboratory, Boston, Massachusetts.

Meson Accelerator Facility, Los Alamos, New Mexico.

Naval Reactor Test Facility, Albany, New York.

Nuclear carrier *Nimitz* keel laying, Norfolk, Virginia.

Norfolk, Virginia, as official observer at search headquarters concerned with locating USS *Scorpion*.

Nuclear Material Management Institute, Chicago, Illinois.

Nuclear Rocket Test, Las Vegas, Nevada.

Nuclear Week in New York, New York.

Oyster Creek Nuclear Powerplant, Forked River, New Jersey.

AEC Pacific N. W. Laboratory, Richland, Washington.

Public Relations Institute of America Conference, Las Vegas, Nevada.

San Onofre Nuclear Powerplant, Los Angeles, California.

Sandia Corporation, Nuclear Weapons Laboratory, Albuquerque, New Mexico.

Atomic Safety & Licensing Board Hearing on Ft. St. Vrain Reactor, Greeley, Colorado.

MIDWESTERN BRAIN DRAIN

Mr. LAUSCHE. Mr. President, the March issue of Fortune magazine contains an article by Dr. Ralph E. Lapp contending that the lack of Federal stimulus through research and development contracts to the Midwest is because "the brains" are not located there.

I have received a critique of Dr. Lapp's article prepared by Dr. William Papier who is the director of research and statistics of the Ohio Bureau of Unemployment Compensation.

Dr. Papier's critique illustrates that "the brains" are not in the Midwest largely because there is a glaring imbalance in the awarding of research and development contracts among the various States. He notes that particularly the States of California and Texas receive excessive contracts to the extent that they are able to drain other areas of the country—particularly the Midwest—of their own native scientists, attracting them by artificially high salaries.

The President recommended in 1965 that research funds be distributed with more equity throughout the country, and his position was supported by many experts in the scientific field. Dr. Papier cites some particularly interesting statistics, using a control group of 10,000 holders of Ph. D. degrees in science. He notes that Midwestern institutions awarded 40 percent of the doctorates between 1935 and 1960; however only 25 percent presently work in the Midwest. On the other hand, the South conferred 12 percent of the doctorates but employs 24 percent, and the West awarded 12 percent while it employs 18 percent.

I would like to quote from Dr. Papier's concluding remarks:

> The communities and the individual states clearly cannot counter the power and practices of federal agencies whose actions tend to drain their ablest manpower resources. Implicit in the President's policy directive of September 1965 is recognition that the federal government has both the power and the responsibility to help all of the states. The extent to which his views and directive will be effectively implemented, however, remains to be seen.

In the past I have called attention to this problem, and I greatly regret that the imbalance has never been corrected. If a sound scientific climate is the object of the Federal Government, I am convinced that the problem will have to be corrected.

Because Mr. Papier's critique is of considerable interest, I ask unanimous consent that it be printed in the Record.

There being no objection, the critique was ordered to be printed in the Record, as follows:

Critique of "Where The Brains Are" by Dr. Ralph E. Lapp in Fortune, March 1966[1]

Dr. Lapp starts off with the visit of 15 Midwestern Congressmen with Secretary of Defense McNamara during the summer of 1962. They asked him why their region lagged so far behind others in winning federal research and development contracts. He quotes the Secretary, replying to the Congressmen, as follows:

"We seek the best brains and we go where they are. And generally speaking, they are not in the Midwest."

Dr. Lapp endeavors to support Mr. McNamara's views in this article. In assessing the author's qualifications and objectivity it should be observed that he is noted as a nuclear physicist rather than as an expert in the field of professional manpower. He also served as an adviser to the Department of Defense.

There's no basis for disagreement with some of his views. He notes, for example, that "States such as Illinois and Wisconsin, which educate more Ph.D. scientists than they employ, can be said to suffer a special kind of 'brain drain,' while other states such as California and New York, which experience an in-migration of scientific talent, enjoy a 'brain gain.'"

Nor can we argue with his statement that "To an ever increasing degree today's innovator is a scientist with twenty years or more of formal education leading to the award of a doctorate. Gaining or losing him may well mean the difference between growth and stagnation of a regional economy."

He reports that "The research-and-development industry is nourished by an annual federal outlay of $16 billion, to which private industry adds about half as much." He points out, and endeavors to justify the fact that during fiscal years 1961 through 1965 "California managed to acquire 38.5 percent of federal R. and D. funds," despite the further fact that "based on a head count of scientists . . . California would receive only about a third as much federal funding as it gets today."

He argues that the quality of the California scientists is superior; that "Almost half of America's Nobel Prize men are concentrated in California"; and that at least 158 of the 705 Americans elected to the National Academy of Sciences "hail from California."

"Even one or two Academy members," he points out, "can be extremely valuable to an institution because of their influence in the awarding of research grants and contracts." He contends furthermore that "in science brains go where brains are."

"Last September," Dr. Lapp reports, "President Johnson issued a policy statement in which he urged a more equitable distribution of research funds. . . ." Nevertheless, he believes that "In research, bigness begets bigness. For this reason the regional character of R. and D. funding is likely to persist."

In other words, he defends the views of the Secretary of Defense and others responsible for the remarkable concentration among a few states of federal research and development projects and contracts. And, despite the President's policy directive to the contrary, he foresees no prospective change in this pattern.

The President's "Memorandum to the Heads of Departments and Agencies," dated September 13, 1965 was titled "Strengthening Academic Capability for Science Throughout the Country." It was clearly intended to change the patterns of the past. The geographic concentration of federally-financed research projects had long been noted and criticized by prominent and eminently-qualified observers. Dr. Philip H. Abelson, distinguished scientist and editor of *Science* magazine, editorialized in his October 25, 1963 issue as follows:

"The present allocation of funds for research is not in the long-term national interest. One can only be amazed that congressmen from the underprivileged states have been so remiss in safeguarding the interests of the nation and of their constituents."

A New York Times editorial of March 8, 1964 pointed out that businessmen, educators, and scientists agreed with the views of a congressional committee on government research, that "too much research is concentrated in too few states."

There are a few points that Dr. Lapp has clearly understressed or overlooked. He fails to give full weight, for example, to the "influence" of science panelists who participate in the allocation of federal research and development funds. Daniel S. Greenberg, a research fellow in the history of science at Johns Hopkins University, writing on "The Scientific Pork Barrel" in the January 1966 issue of Harper's Magazine, points out that the choice of federally-financed research projects has been "governed by the peer system—committees of recognized scientists met regularly in Washington and evaluated grant applications."

"As it turned out," Mr. Greenberg notes, "the best recognized researchers were quite understandably concentrated at the institutions that were getting most of the federal money." Holmes Alexander, in a nationally syndicated column of May 18, 1965, reported that "The University of California has 147 faculty members sitting on federal advisory panels . . . that got their university $82.4 million in research contracts last year."

In his *Fortune* article Dr. Lapp quotes Dr. Fred Harrington, President of the University of Wisconsin, as follows:

"Scientists' high educational and income level, their high prestige and cultural level create islands of special advantage in our democracy. In these places the schools are likely to be better, and more of the young people go on to college. Industrial development proceeds, with a snowball effect."

This quotation, whose source was not cited by Dr. Lapp, appears in Dr. Harrington's testimony on June 2, 1965 before the Subcommittee on Technical Manpower of the U.S. Senate. The very next paragraph of Dr. Harrington's statement presents his further views, as follows, which Dr. Lapp apparently overlooked:

"Compare a favored state, California, with my midwestern state of Wisconsin. With roughly four times the population of Wisconsin, California has more than seven times as many scientists and engineers. As of 1963 California had produced 6,136 Ph.D.'s in the sciences and engineering, but had 8,005 employed in the state. Wisconsin, in the same period, had produced 3,286 Ph.D.'s, but employed only 1,226.

"It is clear where some of California's 'best brains' are trained.

"Does this show that the contracts go 'where the brains are?' No, it means that the brains go where the contracts are."

Dr. Lapp minimizes the pulling power of mere money, arguing that contracts go where the brains are, rather than vice versa. Nevertheless, he makes note of the fact that New York recently scored an "intellectual coup," appointing a Nobel laureate as an Einstein Professor of Science at $45,000 per year.

The Aerospace Corporation, of California—a non-profit corporation created by the Department of Defense—apparently believes that generous, federally-financed salaries and perquisites *can* effectively pull professional talent from other employers and other states. The August 12, 1965 "Report of the Subcommittee for Special Investigations" of the House Committee on Armed Services states that:

"Aerospace had advertising expenditures that averaged over $200,000 a year, virtually all of it for recruiting. The result in large part was to recruit at increased salaries people who were already working on military programs of other organizations financed by government contracts."

The Report cites examples, including a physics professor earning $14,055, hired by Aerospace at $28,000; and an NASA employee, earning $17,500, starting with Aerospace at $24,000. In addition to much higher starting salaries unusual increases were granted—

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[1] By William Papier, Director of Research and Statistics, Ohio Bureau of Unemployment Compensation, Columbus, in memo of March 17, 1966 to Willard P. Dudley, Administrator.

$10,000 per year and more—after periods of remarkably short service. Furthermore, an incentive compensation plan—applying *only* to those earning $20,000 per year or more—yielded 55 of the top staff "bonuses" ranging in 1964 from $1,171 to $15,288, and totalling nearly $268,000.

Although he recognizes—but apparently underestimates—the influence of science panelists in the allocation of federal funds for research and development, Dr. Lapp completely overlooks the influence of Congressmen, who in the last analysis must face the constituents of their home states if they hope to be re-elected. In an article entitled "The Pork Barrel Goes Into Orbit" in the August 1964 issue of *Reader's Digest* the author, Joe Alex Morris, points out that "certain Congressional committee hold life-or-death power over the space program because they recommend approval or disapproval of NASA's budget, and their recommendations are usually decisive." The Chairman of the House Science and Astronautics Committee is Congressman George P. Miller, of California. Mr. Morris observes that "while about 44 percent of NASA funds in the 1964 budget went to California, 17 states received less than .01 percent."

Texas, using Dr. Lapp's definition and figures, has only 3,368 scientists while Ohio has 4,855—or 44 percent more. Yet in 1963–64 Defense military procurement going to Texas surpassed Ohio's total by $266 million. Defense research and development funds going to Texas exceeded Ohio's total in that year by nearly $178 million. And whereas NASA awarded over $131 million in prime contracts to Texas agencies in 1963–64, Ohio agencies got only $15 million. The pattern has been much the same, year after year.

Since Texas has not been noted either for the number or eminence of her native scientists, or for exceptional educational or cultural resources, Dr. Lapp explains that Texas "is striving," having "imported Dr. Lloyd V. Berkner to raise its intellectual-industrial sights." The fact remains, however, that some factor or factors other than existing brainpower pulled or pushed hundreds of millions of federal defense, space, and research dollars into Texas. Mr. Morris comments as follows:

"Texas has long had a powerful delegation in Congress, including members with a special interest in the space program. As Vice President, Lyndon B. Johnson was chairman of the National Aeronautics and Space Council and a vigorous advocate of building up a space-oriented educational and industrial complex in his state. Rep. Olin E. Teague, also of Texas, is a senior member of the House Science and Astronautics Committee, and his close friend, Rep. Albert Thomas of Houston, is the powerful chairman of the House Appropriations Subcommittee for Independent Offices, which controls funds for NASA."

Federally-financed contractors in favored states such as California and Texas have not relied solely upon their native resources to supply the scientists and engineers needed to fulfill their contracts. As in the case of the Aerospace Corporation they have devoted tens of thousands of dollars to advertising and recruiting campaigns in other states—apparently concentrating on the Midwest—where privately-financed salaries and perquisites for scientists and engineers were presumably less attractive. If employers of such personnel in private industry were to adopt the practices of Aerospace, in an effort to compete, they would soon be bankrupt. During the months of July and August 1965 alone, more than a score of large California employers and an even greater number of major employers in Texas, Alabama, and Florida ran display ads in several Ohio cities, endeavoring to recruit scientists, engineers and other professional talent. Despite the views of Secretary of Defense McNamara and Dr. Lapp, federal contractors—doubtless based upon prior successful hiring efforts—believe there's a substantial supply of well-qualified "brainpower" in the Midwest. Since 1965 recruitment campaigns in the Midwest, by out-of-state federally-financed contractors have apparently been stepped-up. At any rate, the number and size of their advertisements in Ohio papers have increased.

Regardless of whether "money pulls brains" or "brains pulls money," or both, the fact remains that the Midwest has been suffering a "brain drain" while the Far West and the South have benefited from a "brain gain." Midwestern taxpayers have been subsidizing states like California and Texas not only through the long-continued pattern of preferential allocations of federal projects and contracts, but also by paying a substantial share of the costs of training their scientists, engineers, and other professional staff. A recent study of Profiles of Ph.D.'s in the Sciences, published by the National Academy of Sciences—National Research Council, examined the careers of 10,000 holders of doctorates who graduated from United States universities at five-year intervals between 1935 and 1960. Findings, cited in the February 1966 issue of Industrial Research, include:

"Institutions in the Midwest awarded 40% of the doctorates, but only 25% work in the Midwest at present."

"The South conferred only 12% of the doctorate degrees, but employs 24% currently."

"The West, where 12% also received their degrees, now employs 18%."

The National Science Foundation prepared a study in May 1965 which noted that the East-North Central States (Illinois, Indiana, Ohio, Michigan, and Wisconsin) were the principal producers of doctoral scientists; and that nearly seven out of every ten of these Ph.D.'s were natives—that is, they finished high school in the same states. This study also showed that the greatest absolute and percentage declines in employment of doctoral scientists between 1960 and 1964 occurred in the East-North Central States—greater than in any other region of the nation. The Pacific States, which include California, had the greatest absolute and relative gains.

Senator Paul H. Douglas of Illinois, now an elder statesman and an internationally renowned labor economist, formerly at the University of Chicago, expressed misgivings about the geographic distribution of federal contracts at the April 27–29, 1965 Congressional hearings on the "Economic Impact of Federal Procurement." He said:

"I once talked to a scientist [presumably concerned with allocation of federal research and development projects] about the placement of one of these contracts. I said 'What are you trying to do? Are you trying to make the Midwest a cultural wasteland by concentrating intellectual excellence on the two coasts?' Not at all shamefacedly, but rather brazenly, he stated that was precisely his purpose."

In Dr. Lapp's Fortune article he agrees that "The nomad nature of the Ph.D. scientist makes them fair game for raiders who cross state lines to pick up personnel." He fails to make the point, however, that a state like California, getting nearly two out of every five of the billions of dollars of federal research and development funds, has machine guns as raiding weapons, in contrast with water pistols available to less-favored states.

"States accustomed to reckoning their resources in topsoil or in mineral and oil deposits will have to adjust to a resource level five feet above the ground, and make a strenuous effort to conserve it," according to Dr. Lapp. He leaves the unwarranted impression, however, that results are solely up to the states; and that federal agencies allocating tens of billions of dollars over the years have played little or no part in strengthening some states at the expense of others. Yet the fact remains that no matter how highly a state esteems its professional manpower resources, it cannot retain them if the projects and contracts requiring and generously compensating their talents are located elsewhere.

Dr. Lloyd V. Berkner, President of the Graduate Research Center of the Southwest in Texas, contends in the February 1964 issue of Spectrum that:

"Those communities that can produce and retain men of advanced education will have the most intimate access to and control of the new technology from which the industry and wealth of the future will flow. They will have the power to create opportunity for full employment at all levels."

The communities and the individual states clearly cannot counter the power and practices of federal agencies whose actions tend to drain their ablest manpower resources. Implicit in the President's policy directive of September 1965 is recognition that the federal government has both the power and the responsibility to help all of the states. The extent to which his views and directive will be effectively implemented, however, remains to be seen.

In any event, Dr. Lapp's article "Where the Brains Are" only partially and weakly supports his thesis. A much more realistic and effective article could and should have been written on "Where the Money Goes."

RECENT REFUSAL BY SENATE TO DELETE A DISCRIMINATORY SECTION IN H.R. 2767

Mr. HART. Mr. President, I ask unanimous consent to have printed in the RECORD an article, written by Sylvia Porter, dealing with recent action of the Senate in refusing to delete a discriminatory section in H.R. 2767, as urged by the Senator from Indiana [Mr. HARTKE], and myself.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

YOUR MONEY'S WORTH: JOB SEX EQUALITY IN DANGER

(By Sylvia Porter)

The principle of equality for the sexes in employment, written into the Civil Rights Act of 1964, appears to be in danger.

It will be seriously undermined if a seemingly innocuous, apparently dull rider attached to the "Christmas Tree" tax bill is not eliminated before it becomes law.

This rider would provide for an exemption under Title VII of the Civil Rights Act in order to permit different compulsory and optional retirement ages for men and women solely on the basis of sex. As an illustration, the rider would allow a corporation to create or to continue a retirement plan under which all employes would retire at age 65 but with women permitted or compelled to retire at age 62.

Under today's guidelines to Title VII, this retirement plan's distinctive "conditions" would be a violation of sex equality. Simple and dull enough . . . and the measure has been hailed as favoring women and favored by women.

Actually, this one amendment would strike at the heart of equality between the sexes in employment.

Whether the condition of employment is starting pay or retirement age, what we have been battling for is equality in the condition, and any backing away from this must be recognized as retreat and defeat.

Lined up behind the amendment have been the Bell Telephone companies in particular, leading employers of women in lesser paid jobs. As Michigan Representative Martha W. Griffiths puts it in an analysis of the rider, the Bell Telephone companies "fear that the elimination of sex differentials in retirement age may result in earlier retirement for men, or longer service and increased credits for women, and thereby increase the companies' costs."

Lined up against the amendment has been, as you might suspect, the Equal Employment Opportunity Commission, which administers Title VII. The EEOC insists that it could, by regulation, ease adjustments in existing retirement plans to protect the rights of women nearing retirement age and that no legislation is necessary.

Conspicuously not lobbying for the amendment are the leading women's organizations, ranging from business and professional women's clubs to general women's groups.

Although it's a "sleeper," this amendment has generated great emotion in some circles. Here's a rundown:

Claim: Pension plans with different retirement ages for men and women are commonplace.

Rebuttal: More than 95 percent of all retirement and pension plans do not have sex differentials. Only 5 percent differentiate on the basis of sex, with the plans of the Bell Telephone companies affecting the most employes...

Claim: The Social Security System has different retirement ages for men and women.

Rebuttal: It does not. The normal retirement age under Social Security is 65 for both men and women. In 1956, the act was amended to permit women to retire at age 62 with reduced benefits. In 1961, the act was amended again to permit men also to retire at age 62 with reduced benefits.

There is no sex differential in retirement ages for men and women employes under the Federal Civil Service Retirement System.

Claim: The amendment refers only to optional retirement.

Rebuttal: The amendment would permit the sex differential in either optional or compulsory retirement. It is entirely possible that it would pave the way for forced earlier retirement of women under existing pension plans.

It certainly would make it easier for employers to deny promotions to qualified women on the ground that they might be retiring at an earlier age or exert pressure on women to retire earlier so they could be replaced with younger, less expensive workers.

But all these are details; important, but still details which pale against the fact that this amendment would represent a retreat from the equality for which we have fought so long, so hard.

No matter how well intentioned the amendment's backers may be, this fact alone demands that the rider be wiped out of the bill.

RECENT DEPARTMENT OF JUSTICE DIRECTIVE RELATING TO CRIME CONTROL

Mr. BAKER. Mr. President, on June 19, the President signed into law the comprehensive Omnibus Crime Control and Safe Streets Act of 1968. On August 30, Mr. Fred M. Vinson, Jr., Assistant Attorney General, Criminal Division, issued a directive to all U.S. attorneys stating that they should not in any prosecution utilize the provisions of title II of this statute relating to the admissibility of confessions and eyewitness testimony in Federal criminal prosecutions.

As a result of this directive, I addressed a letter to the Attorney General inquiring as to when these provisions of the statute might be put into effect. While I did receive an acknowledgment, I have not as yet received a reply to this inquiry.

Mr. President, Congress labored diligently to enact a meaningful statute to aid the Department of Justice in combating crime and lawlessness. Having enacted these provisions into law it, of course, becomes the constitutional responsibility of the Department of Justice to execute and administer this law, giving full force and effect to the provisions therein.

I do not know why the Department of Justice has thus far refused to utilize the the authority given it by title II. I do know that at the time the directive was issued on August 30, many district attorneys were proceeding to utilize these provisions, that they are of the opinion that this title would be helpful to them, and that these provisions would now be in full force and effect were it not for the order of Mr. Vinson.

It would seem to me that 16 weeks is time enough for the Department of Justice to put into effect almost any law. Accordingly, I renew my request to the Attorney General to make known when the Justice Department might formulate its position with respect to title II and when these provisions of the statute might be put into effect.

THE ABE FORTAS NOMINATION

Mr. ERVIN. Mr. President, on July 11, 1968, the Winston-Salem, N.C., Journal & Sentinel published an editorial dealing with the Abe Fortas nomination, and on July 25, 1968, I wrote the editor of the Winston-Salem Journal & Sentinel a letter making comments on the editorial.

On July 25, 1968, the Winston-Salem Journal published an editorial concerning the Abe Fortas nomination, and on August 1, 1968, I wrote the editor of the Winston-Salem Journal a letter making comments upon such editorial. I ask unanimous consent that my letters be printed in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

U.S. Senate,
Washington, D.C., July 25, 1968.

The Editor,
Winston-Salem Journal & Sentinel,
Winston-Salem, N.C.

Dear Sir: I am a staunch advocate of the freedom of the press, and recognize the right of the editor to chastise a public officer for his official actions.

Elbert Hubbard said: "Never explain. Your friends don't require it, and your enemies won't believe you anyway."

As a general rule, a public officer should follow Elbert Hubbard's admonition and accept editorial chastisement without murmur or reply.

On rare occasions, however, a public officer should point out to the editor as well as to his constituents why he thinks he does not merit editorial chastisement.

This is true in respect to the editorial entitled "Semantical Hairsplitting" which appeared in the Winston-Salem Journal on July 11, 1968, and the editorial entitled "Bad Theater On The Bench" which appeared in the Sunday Journal & Sentinel on July 21, 1968.

These editorials related to my official action in respect to the proposal of The President that Associate Justice Fortas be made Chief Justice of the Supreme Court of the United States. The editorials implied that the Senate should confirm Associate Justice Fortas without either inquiry or delay, and that I committed *lese majesty* by insisting that the Senate should not do so until it had determined its power to take such action under the relevant act of Congress, and until it had closely scrutinized the three your judicial record of Mr. Fortas as an Associate Justice, and had reached the conclusion that Mr. Fortas was able and willing to exercise the restraint inherent in the judicial process when that process is properly understood and applied. The restraint inherent in the judicial process is the ability and willingness of the occupant of a judicial office to lay aside his personal notions as to what the Constitution ought to have said, and to be guided in his decisions solely by what the Constitution actually does say.

Chief Justice Marshall pointed out the reason why Supreme Court Justices should do this in his great opinion in *Gibbons v. Ogden*, 22 U.S. 1, when he declared that "the enlightened patriots who framed our Constitution and the people who ratified it must be understood * * * to have intended what they said."

The first editorial asserts that I am "in no position to question the appointment of Justice Fortas on its merits" because I voted for his confirmation as Associate Justice in 1965, and that I was "splitting semantical hairs" in pointing out that the relevant act of Congress denied the President and the Senate the power to appoint a successor to Chief Justice Warren prior to his retirement.

Mr. Fortas had no judicial experience prior to his appointment as Associate Justice in 1965. Consequently, he had not then participated in any judicial opinions and had not revealed in any tangible manner his concept of the role of a Supreme Court Justice. For this reason, I had no substantial foundation at that time for rejecting his nomination to the post of Associate Justice, and for that reason assumed that he would exercise judicial restraint and interpret the Constitution according to its true intent.

It is otherwise now. Since that time Mr. Fortas has participated in the rendition of many Supreme Court decisions which clearly indicate to me his willingness to depart from the words and history of the Constitution. In consequence of these things, it is clearly unsound to suggest that I am not at liberty in 1968 to consider the qualifications of Mr. Fortas to be Chief Justice of the United States merely because I voted in 1965 to confirm his nomination as an Associate Justice.

The communications between Chief Justice Warren and The President make it clear that the Majority Leader, Senator Mansfield, spoke the truth when he said that the Senate must either take Mr. Fortas or keep Mr. Warren as Chief Justice. These communications also make it obvious that Chief Justice Warren and the President are professing to act under the statute governing the retirement of Supreme Court Justices. This statute, which is found in section 371 of Title 28 of the United States Code, makes it plain that the President and the Senate do not have the power to appoint a successor to a Supreme Court Justice until he "retires", and that a Supreme Court Justice does not retire unless he "retires from regular active service" as a Supreme Court Justice.

Chief Justice Warren has certainly not retired within the meaning of this statute. Indeed he stated, in substance, in a press conference called by him that he would not retire unless Mr. Fortas is confirmed as his successor.

I happen to believe that the act of Congress relating to the retirement of Supreme Court Justices is just as binding on the President and the Senate as the law prohibiting burglary is binding on a burglar. Hence, I cannot concur in your view that in pointing this out I am merely engaging in semantical hairsplitting.

To be sure the Senate has sometimes confirmed the nominations of judges of inferior federal courts in cases where their predecessors announced their purpose to retire when their successors were qualified. This fact does not alter in any degree the words of the act of Congress. Murder and larceny have been committed in all generations, but such precedents have not made murder meritorious or larceny legal.

This brings me to the second editorial entitled "Bad Theater On The Bench", in which you charge me with arrogance because I insist that the Senate should closely scrutinize Mr. Fortas' judicial record of the past three years, and reject his nomination to be Chief Justice in the event it reaches the conclusion that such record renders it probable that he will not exercise in the office of Chief Justice the highest of all judicial virtues, namely, the judicial virtue of self-restraint.

According to my understanding of the term, the word "arrogance" implies either that one is insolently proud, or that he assumes the right to make decisions he is without power to make. The editorial entitled "Bad Theater On The Bench" implies that my official action in respect to the Fortas nomination has been arrogant in both of these respects. It states in substance that I am convinced that my interpretation of the Constitution is "part of the higher wisdom."

I will leave to the determination of others whether I have been arrogant in the first of these respects after I have spoken a few words in my own behalf.

In my participation in the Senate Judiciary Committee hearings on the Fortas nomination, I have endeavored to be courteous in all respects. I will confess, however, that I have some positive convictions concerning the Constitution and the necessity of Supreme Court Justices interpreting it aright if constitutional government is to endure in the America we love. Let me disclaim, however, any idea that my positive convictions on this score constitute a part of the higher wisdom. I did not acquire these positive convictions concerning the Constitution from on high. I acquired them by the drudgery inseparable from years of study of constitutional history and law.

I will take issue, however, with the implied assertions of the editorial that I was arrogant in respect to the Fortas nomination in the second sense of that term.

The Constitution expressly provides that the President may appoint a Supreme Court Justice only by and with the advice and consent of the Senate. Hence, a Senator does not assume the right to make a decision he is without power to make when he undertakes to perform his duty to judge the advisability of accepting or rejecting a presidential nomination for a Supreme Court Justice.

This is made plain by a recurrence to the fundamentals. The good and wise men who fashioned the Constitution had earth's most magnificent dream.

They dreamed they could enshrine the fundamentals of the Government they desired to establish and the liberties of the people they wished to secure in the Constitution, and safely entrust the interpretation of that instrument according to its true intent to a Supreme Court composed of mere men.

They knew that some dreams come true and others vanish, and that whether their dream would share the one fate or the other would depend on whether the men chosen to serve as Supreme Court Justices would be able and willing to lay aside their own notions and interpret the Constitution according to its true intent.

They did three things to make their dream come true.

They decreed that Supreme Court Justices should be carefully chosen. To this end, they provided that no man should be elevated to the Supreme Court until his qualifications for the office had been twice scrutinized and approved, once by the President and again by the Senate.

They undertook to free Supreme Court Justices from all personal, political, and economic ambitions, fears, and pressures which harass the occupants of other public offices by stipulating that they should hold office for life and receive for their service a compensation which no authority on earth could reduce.

They undertook to impose upon each Supreme Court Justice a personal obligation to interpret the Constitution according to its true intent by requiring him to take an oath or make an affirmation to support the Constitution.

It is no exaggeration to say that the existence of constitutional government in America hinges upon the capacity and willingness of a majority of the Supreme Court Justices to interpret the Constitution according to its true intent. In consequence, no more awesome responsibility rests upon any Senator than that of determining to his own satisfaction whether or not a Presidential nominee to the Supreme Court possesses this capacity and this willingness.

These things mean little or nothing to those who would as soon have our country ruled by the arbitrary, uncertain and inconstant wills of judges as by the certain and constant precepts of the Constitution. But they mean everything to those of us who love the Constitution and believe it evil to twist its precepts out of shape even to accomplish ends which may be desirable.

If desirable ends are not attainable under the Constitution as written, they should be attained in a forthright manner by an amendment conforming to Article V and not by judicial alchemy which transmutes words into things they do not say. Otherwise the Constitution is a meaningless scrap of paper.

I love the Constitution because I know that apart from the faithful observance of its precepts by the Congress, the President, and the Supreme Court, neither our country nor any single human being within its far flung borders has any security against tyranny on the one hand and anarchy on the other. For this reason, I will do everything within my limited power to preserve government according to the Constitution for all generations of Americans.

Inasmuch as the second editorial appeared in the Sunday Journal & Sentinel, I request that you publish this statement on the editorial page in an early edition of the Sunday Journal & Sentinel. I think that fairness to me and your obligation to your readers requires such action.

Sincerely yours,

SAM J. ERVIN, Jr.

U.S. SENATE,
Washington, D.C., August 1, 1968.

The EDITOR,
The Winston-Salem Journal,
Winston-Salem, N.C.

DEAR SIR: As that colorful character, the late Mose Harshaw, of Caldwell County, would have said, the editorial entitled "Legislative Tyranny" which appeared in the Journal on July 25, 1968, "hurls epitaphs at me."

While I do not relish "the epitaphs", I know the editorial was based on press dispatches which purported to report the Senate Judiciary Committee hearing on the Fortas nomination to the Chief Justiceship, and which may have been somewhat lacking in the factual objectivity the fourth estate deems desirable.

Be this as it may, I plead not guilty to the charges that on that occasion I engaged in "intemperate tactics" or "browbeat" Mr. Fortas or sought to humiliate him. I certainly agree with you "that North Carolina stands for something better than" that. And so do I.

I merely undertook to perform forthrightly my obligation as a member of the Senate Judiciary Committee and the Senate to make known the qualifications of Mr. Fortas for the post of Chief Justice. This obligation arises out of Article II of the Constitution which provides that the President appoints Supreme Court Justices "by and with the advice and consent of the Senate."

The gravity of the obligation which this constitutional provision imposes on a Senator is clearly revealed by the nature of the office a Supreme Court Justice occupies and the awesome power he exercises in it. Supreme Court Justices hold office for life, and are not responsible in any way to the people. After they ascend the bench, no authority external to themselves can control their official conduct or make them keep their oaths to support the Constitution.

As Chief Justice Stone declared in the Butler Case: "While unconstitutional exercise of power by the executive and legislative branches of the government is subject to judicial restraint, the only check upon our exercise of power is our own sense of self-restraint."

Since Mr. Fortas has been a Supreme Court Justice for about three years, the important question confronting the Senate is whether he ought to be elevated for life to the more prestigious office of Chief Justice—an office more powerful than that of the Presidency in its impact upon constitutional government.

The reason why it is essential for Supreme Court Justices to abide by their oaths to support the Constitution is clearly disclosed by Justice Benjamin N. Cardozo in his book "The Nature of the Judicial Process." In disapproving the theory that judges are privileged to substitute their individual sense of justice for established rules of law when they decide cases, Justice Cardozo said: "that might result in a benevolent despotism if the judges were benevolent men. It would put an end to the reign of law."

Let me recount my actions at the hearing on the Fortas nomination.

I questioned Justice Fortas for a comparatively short time concerning general matters relating to the Constitution and his extrajudicial activities, and he freely responded to my questions.

I then informed Justice Fortas that I did not think it proper to put to him any questions relating to his future judicial actions and would not do so.

I informed him, however, that I did wish to make inquiry of him concerning past decisions in which he had joined in his capacity as an Associate Justice. The objective of my proposed inquiry was to ascertain whether he could reconcile those decisions with the words of the Constitution and the numerous prior decisions of the Court placing contrary interpretations upon them.

Upon being advised by Mr. Fortas that he did not feel free to answer questions relating to past decisions in which he has participated, I informed him I would not insist on his doing so, and that I would state my interpretation of those cases myself for the hearing record and then insert all the opinions filed in them in the hearing record so any interested person could thereby determine whether I had interpreted the cases correctly. Incidentally, a committee hearing record is made for the information of the Senate when it passes on committee recommendations.

Before stating my interpretation of the cases and inserting the opinions in them in the record, I advised Justice Fortas that as far as I was concerned he was at liberty to depart from the hearing. I added, however, that in the event he elected to remain he would be at liberty to make any comments he desired respecting the accuracy of any interpretation I placed upon any of the cases. Justice Fortas voluntarily elected to remain while I was stating my interpretation of the cases for the record and inserting the opinions in them in the record. My performance of this task necessarily consumed much time because the cases were numerous and the opinions in them rather lengthy.

Let me assure you that I was courteous to Justice Fortas throughout the hearing and treated him just exactly like I would have liked to have been treated had our positions been reversed.

In my deliberate judgment, the cases make it plain that in the performance of his work as an Associate Justice, Mr. Fortas has undertaken to carry into effect the words he spoke at American University on March 20, 1968. At that place and time he declared:

"But the words of the Constitution were not written with a meaning that persists for all time. Words are not static symbols. Words may be carved in impervious granite, but the words themselves are as impermanent as the hand that carved them. They reflect light and shadow, they are modified by rain and sun, they are subject to the changes that a restless life brings upon them. So the specific meaning of the words of the Constitution has not been fixed and unchanging. They never will be fixed and unchanging. The Constitution is not static. But the changes in those words—changes in the meaning of those words—have not, as one might think, been arbitrary or haphazard."

After reading these words of Justice Fortas, I wondered why George Washington, Benjamin Franklin, James Madison, Alexander Hamilton, and the other good and wise men who framed the Constitution put provisions in that document requiring Supreme Court Judges to take oaths to support a Constitution whose words Justice Fortas says have no fixed meaning, and specifying that the Constitution can be amended, i.e., changed, only by the joint action of Congress and the States.

Sincerely yours,

Sam J. Ervin, Jr.

TRIBUTE TO SENATOR HILL

Mr. FANNIN. Mr. President, before this session of Congress closes, I wish to have a voice in expressing my pleasure in having had the opportunity to serve in the Senate with so distinguished a colleague as Senator Lister Hill, of Alabama. It has been my good fortune to serve on the Committee on Labor and Public Welfare, of which he is chairman, and I would feel remiss if I did not say to the Senate that he has at all times displayed the talent and gentlemanly courtesy for which he is justly famous.

Mr. President, we shall all miss the services of the distinguished and capable Senator from Alabama, his warm humanity, and his never-failing good humor. He has distinguished himself by his services in the legal profession as well as his educational accomplishments and his long record of service to Alabama and the Nation in both the House and the Senate. Hill-Burton legislation is known to all Americans.

I know that all Senators join in wishing the Senator from Alabama many, many years of enjoyable retirement, and we shall expect to have him rejoin us here in fellowship as often as possible.

UNKEPT PROMISE OF FISCAL RESTRAINT

Mr. WILLIAMS of Delaware. Mr. President, yesterday the Senate by a yea-and-nay vote practically eliminated whatever was remaining of the proposed $6 billion mandatory expenditure reduction for fiscal 1969.

Since April 2, when Congress first enacted this proposal, supported at that time by the administration, the Johnson administration has been trying to undermine its effectiveness.

As one who felt that both Congress and the administration has a moral commitment to cut Federal expenditures, it has been with regret and disappointment that I have seen this proposed reduction gradually eroded.

As evidence of the Johnson administration's bad faith from the beginning I ask unanimous consent that there be printed in the Record an article written by Mr. Edwin L. Dale, Jr., and published in the New York Times of Thursday, September 12.

It will go down in history that the Johnson administration has betrayed the American taxpayers in their unkept promise of fiscal restraint.

There being no objection, the article was ordered to be printed in the Record, as follows:

U.S. Aides Concede Budget "Gimmicks"—Painless Cuts of $1 Billion Made in Loan Programs

(By Edwin L. Dale, Jr.)

Washington, September 11.—The Johnson Administration has used what amounts to budgetary "gimmicks," chiefly in the lending field, to achieve about one-quarter of the $6-billion spending reduction ordered by Congress, officials readily acknowledged today.

Most of the rest of the cuts comes from a $3-billion reduction in military spending not connected with Vietnam, and normal Congressional reductions in appropriations bills. The result is that the regular programs of the Government, including the newer social programs, have escaped almost untouched, except insofar as Congress has moderately reduced them.

EXEMPTION MOVE UNDERWAY

In only two areas outside of defense—agriculture payments and various programs of the Department of Health, Education and Welfare—would the $6-billion mandatory reduction potentially create the need for significant program cutbacks.

But this problem, created by unavoidable increases above budget estimates in farm price supports and some welfare outlays, is on the way to being solved by a move in Congress to exempt the items that have gone up and thus remove the need to cut other programs.

The budgetary "gimmicks" in the lending area—crucial to making the over-all cuts relatively painlessly—come to more than $1-billion. They are essentially devices whereby the budget results look better with little or no reductions in actual loans in the programs involved. These are the main areas:

Export-Import Bank—The bank will go on making loans as before, chiefly to promote United States exports. But it will sell to private investors, here and abroad, some of the better "seasoned" loans already in its portfolio. These sales count as an offset against new loans, and hence against total budget outlays. The "saving" would be $350-million.

Farm Credit—For many years the intermediate credit banks and the banks for cooperatives, which raise their own funds in the market and lend to farmers, have operated independently of Presidential control, simply submitting estimates of their net lending for inclusion in the budget totals. The tax-expenditure bill with the $6 billion reduction gave President Johnson control over them for the first time.

He has simply put on their lending a ceiling $650 million below their original estimate, which may have been high anyway. It is doubtful that any farmer will be denied credit. The "saving" would be $650 million.

A bill has just been introduced in Congress by the chairmen of the House and Senate Agriculture Committees to remove these banks from the budget altogether, thus making sure no farmer would be denied credit. The bill, which may pass, has Administration blessing. The "saving" would remain.

Small Business—The Small Business Administration has been ordered to make more of its loans through the device of guaranteeing private bank loans instead of lending the money itself. Although a few business borrowers may be denied credit, the program will be essentially unchanged. The "saving" would be $100 million.

Federal National Mortgage Association—The agency will continue buying mortgages as before in huge volume, but it is being converted to "private" status technically, and thus will be outside the budget. The date of the transfer has proved to be earlier than expected, and thus it will be "in" the budget for fewer months of the fiscal year. The "saving" is not precisely known but would be perhaps more than $100 million.

AIDED BY OIL ROYALTIES

An additional "saving" of about $300 million, not connected with lending, has no effect on Government programs. This is an unexpectedly large flow of royalty payments from offshore oil leases to the Interior Department, which count as an offset against expenditures.

Despite these devices, and others such as differal of highway contracts for about six months to save another $200 million, the Administration was still hard put to avoid curtailing regular Government programs because of a piece of "bad luck". But this problem is on the road to being rectified.

The bad luck was that two programs—farm price supports and grants to the states for welfare and Medicaid—where spending is beyond the Federal Government's control, are now estimated at a total of $1-billion higher than when the budget was drawn up last January. This meant, in effect, that the total reductions had to be $7-billion, not $6-billion.

In the midyear review of the budget published last weekend the two departments concerned—Agriculture and Health, Education and Welfare—were ordered to make unspecified reductions in their other programs to offset these unavoidable increases. At the same time, however, Congress was asked to exempt the two items from the spending controls.

Congressional leaders have now agreed to do so and the necessary legislation is in the works. If it passes, the reductions in the two departments will not have to be made.

As an illustration of how little affected normal Government operations are by the mandatory spending reduction, these are the planned cuts in spending by several major departments from the January estimates:

Commerce Department—$5-million.
State Department—zero.
Treasury Department—$6-million.
Justice Department—$4-million.

In some cases these agencies suffered modest additional reductions because of Congressional appropriations cuts.

NASA'S JIM WEBB

Mr. ANDERSON. Mr. President, the Wall Street Journal of today, Friday, October 11, 1968, contains an interesting article entitled, "NASA's Jim Webb—A Rare Bureaucrat," written by Jonathan Spivak. In the article, Mr. Spivak says:

Mr. Webb probably deserves far more credit than he will ever receive for his achievements with the space program. Beneath the bluster, NASA's administrator was smart, honest and independent. Most of all, he had the courage to confront the conflicts—with astronauts, associates, contractors and Congress—which threatened to undermine the agency.

I think that is a pretty accurate description of Jim Webb's operation of the agency and I agree that he probably never will receive all the credit due him. Mr. President, the article describes other of Jim Webb's contributions to the U.S. programs in aeronautics and space. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NASA's JIM WEBB—A RARE BUREAUCRAT

(By Jonathan Spivak)

Jim Webb's sudden departure as the nation's space boss just at the spectacular start of the Apollo Moon flights at first glance seems somewhat mystifying.

Bouncy and belligerent as ever, and at 62 years of age not eager for retirement, Mr. Webb could surely have held NASA's reins until next January and perhaps even longer. Meanwhile, the Moon flights would be well under way and, after an otherwise undramatic career, Mr. Webb might have harvested the plaudits for his part in the nation's most complex and costly technical undertaking.

So why quit now, before the glory and glamour? Only Mr. Webb, of course, knows all the answers. But in many ways his resignation is a reflection of the role he played supremely well for almost eight years as space agency administrator—faithful Federal bureaucrat. He steps down, so he insists, to devote his time to helping younger men advance their careers. And he urgently advocates that acting NASA Administrator Thomas Paine, his deputy, be permanently promoted to the top spot.

OFTEN DERIDED

As neither scientist nor engineer, Mr. Webb's contributions to the nation's space program were often denounced and derided. Many reporters and space buffs considered him evasive and overbearing, more eager to filibuster than furnish the facts . . . in short, a pompous politician. The academic scientists scoffed at his protestations about practical "spinoffs" from space activities and his cloudy philosophizing about engineering solutions to urban ills. The hard-driving lunar engineers were angered at his inability to coax unlimited funds from Congress, his propensity for public relations projects and his refusal to turn Apollo into a crash program, akin to the wartime Manhattan Project.

A good deal of this criticism may be unfair and exaggerated, and most of it misses the point. Mr. Webb probably deserves far more credit than he will ever receive for his achievements with the space program. Beneath the bluster, NASA's administrator was smart, honest and independent. Most of all, he had the courage to confront the conflicts—with astronauts, associates, contractors and Congress—which threatened to undermine the agency. "He had guts and imagination," concedes one non-admirer.

Mr. Webb's major concern was to put the broad aims of NASA—and the nation—ahead of the more parochial goals of the agency's powerful program managers. In some aspects the struggle was similar to that faced by Robert McNamara at the Pentagon, though at NASA the confrontations were never carried out by computer; they were flesh and blood affairs (Webb trucks once rolled onto Wernher von Braun's Huntsville preserve to take physical possession of the languishing Centaur rocket and move it to another field center at Cleveland).

Each year, at budget time, Mr. Webb talked endlessly and enthusiastically about a "balanced" space program; it neither pleased the public nor satisfied the space specialists. NASA rocket builders single-mindedly sought bigger and bigger boosters; the manned flight fanciers fought to tackle Mars even before the Moon was mastered; the space scientists urged ever more complex contraptions to orbit the Earth and other planets.

But the Webb approach, a little bit of everything, turned out to be the sensible and successful one. There were communications and weather satellites for Earth applications; instrument-laden probes to the Moon, Mars and Venus for space science; a series of increasingly commodious craft—Mercury, Gemini and now Apollo—to master manned flight.

At first, when Congress' enthusiasm for space was soaring, selling the balanced program was a cinch. Indeed, Mr. Webb probably erred in letting NASA overconfidently undertake too many assignments. Costly spacecraft and experiments were started in a rush, then scrapped when technical difficulties proved overwhelming. Supervision was slack at NASA's Jet Propulsion Laboratory in California and Goddard Space Flight Center in Maryland.

But later, when budget pressures mounted and political opposition arose, Mr. Webb showed his strength and resourcefulness. The easy course politically would have been to concentrate on the competitive and glamorous lunar landing commitment and let other space efforts go by the boards. Instead, Mr. Webb successfully sustained the less popular part of the program—space science. He staved off disastrous budget cuts for such strange-sounding satellites as OGO, OSO and IMP, which the public cared scarcely a whit about. The knowledge these craft cull from the cosmos may prove far more fundamental than the findings of the Apollo astronauts.

HIDDEN TALENTS

In many ways, the vaunted Webb verbosity and his obsession with the obscure (he can talk of "conceptualization of reality") hid his talents as an administrator. He picked and promoted able associates—men like Harold Finger, a bright young nuclear expert; Edgar Cortright, a lunar and planetary specialist; and Joseph Shea, an intense engineer whose NASA career was sacrificed, probably unfairly, in the tragic Apollo fire.

Boldly Mr. Webb launched a NASA training program for Ph.D. scientists that has proved a boon to graduate education. Space agency money, for example, helped make an otherwise mediocre school, the University of Maryland, outstanding in physics and mathematics.

Successfully he supported his own technicians in a bitter battle with Jerome Wiesner, then President Kennedy's influential science adviser, over the preferred technique for achieving a lunar landing. Any Webb wavering probably would have further delayed the Moon mission and could have been disastrous to agency morale.

As much as anyone, Mr. Webb was responsible for making sure that NASA had the technical competence to oversee the work of space contractors. "It was a new pattern," he remarks. "We didn't want a Government agency prisoner of the contractors or of a non-Government agency" like the Air Force Rand Corp.

Politics probably figured in the Webb preference for locating NASA's big industrial complexes in rural regions, but it also sped the economic development of the South. No doubt the space program distributed its share from the pork barrel, but associates insist that Mr. Webb resisted White House and partisan pressures when it counted. In any event, the integrity of Mr. Webb's major contract awards remains unchallenged, even by his most bitter detractors.

Finally, Mr. Webb did not back off from the wrangles required to establish the ascendancy of NASA's management, particularly over the astronauts who thought they really ought to run the agency. The critical test was probably the mid-1963 struggle over an extra manned Mercury mission, the so-called MA-10 flight.

The planned flights, of only a few hours duration, had all been completed and the Mercury program was scheduled to end. But the astronauts were eager to undertake a more ambitious day-long flight, and their supervisors at NASA's Houston Manned Spacecraft Center had—without Washington's knowledge—spent $1 million to modify the one-man Mercury spaceship for a longer mission.

When Mr. Webb and his associates found out, they scotched MA-10, saying it needlessly diverted men and money from the just-starting Gemini program. The issue—agency policy versus astronaut ego—was resolved only after the spacemen unsuccessfully carried their case direct to President Kennedy at a White House reception.

A POLITICAL CHOICE

When Jim Webb was named to succeed T. Keith Glennan as NASA administrator back in 1961, many people thought he was chosen mainly because of his close political ties with th late Sen. Robert Kerr and then Vice President Lyndon Johnson. The deputy administrator, the late Hugh Dryden, was a scientist of immense international standing who had hoped to head the agency; he labored loyally on until his death in December 1965. The agency's number three man, Robert Seamans Jr., who resigned last Jan. 1, was a brilliant engineer with an incredibly detail grasp of NASA's endeavors.

Between these two, there seemed little left for a man of Mr. Webb's non-technical talents. Indeed, most of the time NASA was run by a triumvirate, and the key scientific decisions were made by Messrs. Dryden and Seamans. But it was Jim Webb who successfully piloted NASA past the earthly struggles that threatened its achievements in space—as only a good bureaucrat could.

MERIT EMPLOYMENT COMMITTEE REPORT

Mr. PERCY. Mr. President, the Merit Employment Committee is composed of businessmen in Chicago who employ more than one-third of all the workers in the city. They have formed a committee to attempt to increase the number of nonwhite employees in their companies. I am happy and proud to report that during the last year they have increased the number of nonwhite employees by 182,000 persons. This represents a 3.3-percent increase over the year.

The Merit Employment Committee is an excellent example of what the business community can accomplish when it acts in a concerted organized effort to solve a major public problem. I commend the committee and its members for their fine work in this area. I ask unanimous consent that an article published in the Chicago Sun-Times of September 28, 1968, describing the Merit Employment Committee program, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CHICAGO FIRMS HIRING MORE NONWHITES, PANEL REPORTS

A rise from 17.2 to 20.5 per cent in nonwhite employees in the work forces of 1,507 companies was reported Friday by the Merit Employment Committee of the Chicago Assn. of Commerce and Industry.

The report was made by John D. Gray, retiring chairman, at a committee luncheon at the Pick-Congress Hotel.

The companies, who are members of the committee, raised their nonwhite employment during the last year by 182,000 persons, Gray said. The companies employ more than 1,012,000 persons in the Chicago metropolitan area. This is more than one-third of all the workers in the area.

Gray, president of Hart, Shaffner & Marx, turned the committee chairmanship over to L. W. Moore, president of the American Oil Co. Gray will remain a member of the steering committee. He was chairman for two and a half years.

Gray said surveys show suburban employers have difficulty attracting employes from minority groups because of transportation problems. He said company buses appear to be a partial solution, but the committee will try in the months ahead to find others.

Nevertheless, it was reported that businesses in the eight-county Chicago area have hired 4,500 formerly hard-core unemployed workers in an effort to meet the area's employment pledges of 15,400 permanent full-time jobs by July, 1969.

The Chicago Alliance of Business, a branch of the National Alliance of Business, which was formed by private businessmen last March to implement President Johnson's program for Job Opportunities in the Business Sector, said Friday that of the 4,500 hired so far, 3,400 are still on the job.

The Chicago Alliance, which plans to make monthly progress reports, said the majority of the jobs provided for the hard-core unemployed pay between $2.25 and $2.50 an hour. Why 1,100 persons left these jobs is a question not within the realm of the survey, a spokesman said.

The majority of the jobs are in production and assembly.

The Chicago Alliance and U.S. Labor Dept. have scheduded a meeting of prospective employers of the hard-core unemployed for Oct. 17 at the Conrad Hilton Hotel. The meeting has been called to explain how employers can receive federal funds to cover costs of training.

ALTERNATIVES TO PRESENT OIL IMPORT PROGRAM NEEDED

Mr. PROXMIRE. Mr. President, yesterday I called the attention of the Senate to the inadequacies of the present oil import program and the injuries perpetrated by it on the American consumer. After I delivered my statement, I had the opportunity to examine the article from the Wall Street Journal on the proposed Maine Foreign-Trade Zone which Senator Hansen inserted into the Congressional Record yesterday.

If the proposed foreign-trade zone is approved by the Foreign-Trade Zone Board and the oil import allocation requested is approved by the Department of the Interior, Occidental Petroleum Corp. plans to construct a refinery in a subzone.

The benefits promised by Occidental from such a refinery are very impressive. Occidental promises to lower the price of gasoline by 2½ cents a gallon, keep the price of home heating oil 10 percent under the market price, lower the cost of defense fuels, provide employment in a depressed area, prevent the export of our refinery capacity, aid the balance-of-payments picture by about $50 million a year, and strengthen our defense posture by dispersing our refinery capacity while adding to the refinery capacity under the control of the Pentagon in an emergency.

The opposition to such a foreign-trade zone proposal seems to be centered around the argument that such a plan would destroy the present oil import program which, by keeping the price of oil high, encourages the domestic exploration for oil. Secondarily, the opponents argue that approval of such a proposal would take import quotas away from established refiners and, therefore, deprive them of the $1.25 a barrel subsidy they receive for each barrel of foreign oil they are allotted.

The first point the opponents of foreign-trade zones make may very well be valid—it may mark the beginning of a significant change in the oil import program. But so what. Such a change is long overdue. It is quite clear that the program has increased the price of oil and therefore the costs the consumer must bear, but it is not clear that the program has encouraged the domestic exploration for oil. As the plan presently operates, the refiners get the import tickets worth $1.25 a barrel, not the producers. Why not the producers who have to do the exploring? I have sent out to interested individuals for their comments two plans which would do just this. As soon as I have had the responses analyzed, I will make a full report.

Occidental's response to the second point made by the opponents is that no established refinery need take a cut in its subsidy. Their requested quota they feel could come from the unused portion of the oil quota and from the projected increase in imports. Since the level of imports is set at 12.2 percent of estimated domestic consumption of petroleum, the increase in consumption should provide enough increase in imports to take care of their request.

However, to my mind the important point and the one to which all parties to the controversy agree is that Occidental, despite all these price concessions, will still make a handsome profit on the project. This, I think, indicates the enormous cost the American consumer is being asked to bear for a program which has never been analyzed as to its effectiveness. If we listen to the IPAA, it has not been effective since domestic exploration is declining.

It is time for a change. Even the Oil & Gas Journal, the spokesman for the oil industry, agrees. Occidental's proposal marks a step in the right direction. Perhaps, by enabling the consumers to focus upon one concrete plan, Occidental's proposal will give the consumers enough leverage to protect themselves.

I, for one, intend to continue doing all that I can to protect the consumers.

I asks unanimous consent that the article entitled "Consumer Looms Big in Import Controls" published in Oil & Gas Journal of October 7, 1968, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

CONSUMER LOOMS BIG IN IMPORT CONTROLS

(Note.—Obscure point in import-control proclamation becoming spearhead for critics, east coast marketers who champion consumer protection and aid to small business. Price to play bigger role in import decisions.)

(Gene T. Kinney)

The consumer stake in oil-import controls will be invoked increasingly in the years ahead.

This will be true regardless of who controls the White House.

The shift away from emphasis on the basic premise for controls has been under way for at least a year and a half. The need for some limits on imports in order to maintain a healthy domestic industry in the interests of national security is still conceded on all sides.

Without controls, it is agreed, U.S. oilmen would be swamped in a sea of cheap foreign oil. With much of the domestic industry in ruins, the consumer would then be at the mercy of uncertain foreign supplies.

So the debate will not center on the need for limits on oil imports. Rather it will focus on their administration to meet other objectives. The avoidance of price inflation has already become a primary issue in the dialogue, and will become steadily more important. This will work against any tightening of controls.

Reason for shift. The trend toward greater deference toward the consumer did not begin with a specific event.

But things have never been quite the same since February of 1967. That was when the Council of Economic Advisers, working through Charles F. Luce, under secretary of the Interior, warned refiners to rescind a 1-cent increase in the price of gasoline. They threatened to flood the country with imports and break the price if the industry did not back off voluntarily.

There was some price erosion. And the threat was not carried out. But the spotlight on prices has remained.

The continuing congressional pressure on products prices was illustrated last week in a letter demanding antitrust probes of price increases earlier in the year.

The letter was signed by Sen. William Proxmire (D-Wis.), the instigator, and 17 other senators, including Sen. Edward M. Kennedy (D-Mass.), as well as 35 congressmen.

They asked the Federal Trade Commission and the Department of Justice to determine whether "the simultaneous rise in the price of gasoline and home-heating oil was coincidental or collusive." They asked the antitrust-enforcement agencies to see whether the increases were part of any "long-range pattern of collusive or predatory practices."

Consumer-state congressmen, particularly on the eastern seaboard, have become more interested in imports. They helped to end most restrictions on imports of residual fuel oil, in the name of the consumer, and recently have turned their guns on No. 2 fuel oil used for heating homes. Over the years they have become far more sophisticated in how the controls can be revised to suit their interests, or those of their constituents—particularly influential resellers and utility customers.

Their increasing lobbying on import controls has resulted in large part from conflict within the industry. Independent marketers and, terminal operators have accused their big refiner suppliers of trying to squeeze them out, either by a price structure, cutting off supplies, or taking over markets directly.

Congressmen have eagerly fielded such complaints. The President's Office of Emergency Planning, while not necessarily buying independent marketers' cases, has recently served their cause in attacking the majors. The Interior Department under intense pressure has been sympathetic.

OEP has rediscovered the mandate in the original presidential proclamation to check on price increases to see if they are essential to national security. At the same time, the Council of Economic Advisers has become actively engaged in fighting inflation generally.

Interior itself, while stressing the need to protect the domestic industry in administering controls, came down hard against price increases in its report on future supply in July. Controls, the report declared, should not provide an umbrella for any increase in the existing spread between foreign and domestic prices for oil.

Lawmakers from producing states have unintentionally contributed to this spotlight on price. Representatives from consuming states have been irked by what they consider to be their colleagues' narrow and proprietary attitude toward a program with substantial impact on consumers.

Executive branch attitude. Since there will be a new occupant in the White House Jan. 20, regardless of who wins the election in November, there is a chance for a change in philosophy.

There will surely be a review of all aspects of the imports program, especially of such burning issues as the size of quotas for chemical plants.

But the pressures to which Interior, CEA, and OEP have responded will still be there. So will many of the staff people advising policy-makers, Democratic or Republican.

Interior has already set precedents for issuing product import quotas to marketers for economic reasons through the Oil Import Appeals Board. It has done so for heating oil and asphalt as well. And OIAB has issued still more heating-oil quotas, although consumers are in no danger of a shortage.

The purpose is to placate complaining marketers who have found political muscle in Washington; to discourage any price increases by major refiners, in the name of consumer protection and preventing inflation; and to prevent elimination of independent marketers as competitors of the majors.

The twin flags of consumer protection and aid to small business will not readily be furled by the next administration.

OEP, while not necessarily favoring increased imports to keep prices down, is aiding those who would do so. It is feeding analyses to congressmen, the Department of Justice, and Federal Trade Commission, tending to imply major refiners are guilty of price fixing. These reports have stated that recent increases in the price of No. 2 oil on the East Coast went counter to inventory trends; therefore, it was concluded, hikes were unjustified. Companies defended the move on grounds of increased costs.

The CEA, which in private gives a truly chilling impression of its concern over inflation, doesn't want any increases, regardless of past performance or current reasons.

In the CEA-OEP view, only a shortage is economic justification for a price increase. And from there it is only one short step to advocating increased imports as the solution to shortage, if one should develop. Reports by these agencies certainly give rise to such demands or other moves to cut prices from Sen. William Proxmire (D-Wis.) and other critics in Congress.

Independents find key. Distributors concerned about supplies, prices, or both, have found a way to win products quotas worth $1.35/bbl on the East Coast.

They have not yet won permanent access to a share in imports, having thus far been limited to awards from the appeals board. But allocations for these terminal operators at least may very well be the next step.

They have become more sophisticated about getting things done in Washington and about import controls, and have helped their congressmen to do the same.

They have found the right lawyers, for one thing—former White House aides of John F. Kennedy, for example, who know the ins and outs of the program as well as anyone.

This expertise, in combination with persistent lobbying by strong congressional delegations led by such stalwarts as the late Sen. Robert F. Kennedy (D-N.Y.), Sen. Edward M. Kennedy (D–Mass.), and Sen. Edmund S. Muskie (D–Me.), the new Democratic vice-presidential nominee has gotten results.

New congressional interest. Thus imports controls afford eastern congressmen especially an opportunity to serve their small business constituents and side with the angels on consumer prices too.

In the process congressmen have found ways to operate with growing effectiveness. They have learned to tap expert and responsive sources in the administration, among law firms staffed by former administration officials, and among dissident industry segments and qualified consultants as well.

They are now, therefore, at the point of claiming a strong voice and stake in imports-policy decisions as they affect consumer interests.

Promoters of special deals, and their supporters, have learned to stress the advantages to consumers and small business.

Part of the output of the Hess refinery in the Virgin Islands is to be available in winter to independent fuel-oil marketers on the East Coast. The 100,000-b/d products import quota sought for shipments from Occidental's proposed 300,000-b/d refinery in a foreign-trade zone in Machias, Me., would provide supplies for independents. The prices will be below market levels, officials are promised. Sen. Muskie has been a principal lobbyist for this plum for his state.

Consumer-state revolt. Independent producers' attempts to put pressure on the administration to stop further deviations from the original course of import controls backfired somewhat this summer.

The forum for developing sentiment for tightening controls was the subcommittee on mines and mining of the House Interior Committee. The subcommittee was safely in the hands of Rep. Ed Edmondson (D–Okla.), a strong oil-state lawmaker sympathetic to the cause of strengthening controls to stimulate domestic exploration.

Independent producers and others duly presented their cases against recent exceptions to original control objectives. The subcommittee drafted a report predictably finding the Interior Department had strayed from the national-security path in making decisions to control air pollution, aid Caribbean economies, and achieve other purposes alien to the imports proclamation.

But, before getting through the full committee, the draft upset members sensitive to arguments of chemical companies, backers of bonus quotas to make nonpolluting residual fuel oil, consumer advocates, and others who hadn't thought much about any of it before.

The report, by the reckoning of opponents, too narrowly defined national security to exclude these issues and some problems unique to the West Coast and Hawaii.

The dissent quickly tied national security to consumer prices as well as to a healthy domestic industry.

It was written with a sure instinct for weaknesses in the majority report and with expert knowledge of import controls. It quoted from the little-noticed provision in the presidential proclamation setting up controls in March 1959, requiring an OEP determination as to the need for any oil-price increase to meet national-security objectives of the program.

This minority view, while signed by only six members, nonetheless took some of the force from the majority's findings. Its theme, requiring recognition of the consumer interest in defining national security, is one that will be sounded again and again.

New debate issue. The dissent, like the majority report, was not very important in itself.

But it signaled the determination of consuming states to seize a more active role in shaping imports policy. This in turn will tend to focus more attention on prices, not on conditions and levels of activity in the domestic producing industry.

Officials will be pressed to bend controls in the name of the consumer, even when some other purpose is served.

The greater emphasis on price, however, need not be all bad. While the Government is against any price increase at this time, oilmen should be able to hold their own in any statistical argument on levels before and during import controls.

Consumer advocates are fond of quoting the cost of import controls in the billions of dollars per year. They multiply the volume of imports times the value of an import ticket. This of course yields only a hypothetical figure, since no one knows what the delivered price for foreign oil in the U.S. would be if this huge market were opened wide to imports.

Domestic oilmen will be able to counter with comparisons of U.S. vs. foreign consumer prices. The U.S. consumer, under controls and a secure supply, fares very well compared with consumers of light products in countries where "cheap" foreign oil is imported without curbs.

ORIGIN AND FORMATION OF THE AMERICAN LEGION PREAMBLE

Mr. MUNDT. Mr. President, I have recently been furnished with a copy of a speech made by a respected former colleague in the House of Representatives, Hon. Hamilton Fish.

The occasion for former Representative Fish's speech was the 50th anniversary dinner of the Kingston, N.Y., American Legion Post on October 3, 1968. Mr. Fish spoke concerning the origin and formation of the American Legion Preamble which is frequently referred to as one of our great American documents.

As one of the founders of the American Legion and chairman of the committee of three that wrote the preamble, the speech by Mr. Fish reflects the serious intent of himself and his colleagues to produce a document completely American in content and dedication.

I commend Mr. Fish's speech to the attention of Senators and ask unanimous consent that it be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

The Origin and Formation of the American Legion Preamble

(Speech of Hon. Hamilton Fish at American Legion Kingston Post 50th anniversary dinner at Governor Clinton Hotel, Kingston, N.Y., Thursday, October 3, 1968)

It is a great honor and privilege for me to come here tonight as a member of the Kingston Post to receive a 50th anniversary decoration for membership in the American Legion, one of the greatest veteran and civic organizations in the world, dedicated to God, country and the preservation of the Constitution, freedom, justice and democracy. When I say Freedom, I mean free speech, free press, free assembly, freedom of religion, freedom from fear of concentration and slave labor camps, and totalitarian, despotic governments and the World Communist Conspiracy. That is the difference between Freedom and Communism.

The Legion, thank God, has always stood out openly and courageously against Communist and all subversive activities aimed to destroy our free institutions and Republi-

can form of government. The preservation of freedom is the greatest issue in the world; greater than either the Democratic or Republican Party. There is no substitute for freedom.

Soviet Russia in desperation, crushed the birth of freedom in Czechoslovakia because wherever freedom exists, Communism is doomed.

I am very happy to come here as one of the founders of the American Legion and as chairman of the committee of three that wrote the preamble of the American Legion, which is still followed in every Post in the nation, and as chairman of the first Congressional committee to investigate Communism.

I have been asked to give you a brief account of the origin and formation of the American Legion preamble which took place at the St. Louis Caucus in May, 1919. I was a member of the Constitutional committee at the American Legion Caucus, and was designated by the chairman of that committee to head a committee of three to write the preamble, and empowered to appoint the other two members. I appointed Col. John Greenway of Arizona who had previously served in the Roosevelt Rough Riders and was one of the outstanding engineers and citizens of Arizona whose statue now stands in World War I uniform as one of the two men to represent the State of Arizona in Statuary Hall in the Capitol at Washington. The other was Judge George Davis of Oregon, later of Wilmington, Delaware, both of whom had been ardent supporters of Theodore Roosevelt, like myself. I knew that they would favor an outspoken, dynamic, patriotic preamble in the interest of all our veterans and our country. We held our sessions mostly behind closed doors for almost 36 hours, with very few hours for sleep, formulating what eventually was to be your preamble. It has been customary to give the chairman full credit as in the case of Thomas Jefferson who had a distinguished committee of 5 members that wrote the Declaration of Independence, but I think it is only fair for me to give the other two members their full share of credit in the final writing of the preamble. Each one wrote out numerous versions and then we would combine them and either extend or modify them until finally we agreed, word by word, sentence by sentence, to the whole preamble, which I presented to the chairman of the committee on the Constitution, which was approved with one slight amendment. It was adopted unanimously by the St. Louis Caucus and has not been changed since, except to put in the word wars instead of war.

One attempt was made at the first Legion convention at Minneapolis by Harry Fisher Wood, who persuaded Elihu Root, a great lawyer and statesman, to write an entirely new preamble. This was submitted to the committee on Resolutions at our first convention at which time I was a member of the Resolutions Committee and after Mr. Wood had made his presentation, I related the origin and formation of the American Legion Preamble, paragraph by paragraph and the vote was taken and our present preamble was reaffirmed unanimously with the exception of Mr. Harry Fisher Wood's vote. Since then, no other attempt has been made to change the preamble. It has been referred to by Gen. Pershing, President Truman and other of our highest officials as being one of our greatest American documents. The only part I want to emphasize here tonight is that which calls for community service and I believe every Legion Post should participate in that type of service and have public relations representatives who will give full publicity to the constructive Legion Community Service Program. If that is done, I am sure the membership of every Post will increase rapidly.

The American Legion will exist in the U.S. as long as it adheres to our preamble and to the preservation of freedom, but if freedom is ever destroyed, then the American Legion will cease to exist.

Let me conclude by saying that the Communists, the Reds, the Pinks, the fellow travelers and the Yellows, denounce everything as wrong, rotten, and corrupt in America. Let me tell you that our wage earners are the best paid, the best housed, the best fed, the best clothed, the most contented and the freest in the world. These same Communists, Reds, and fellow travelers also tell the American people that the Constitution is a scrap of paper, outmoded and archaic. Let me tell you as one who served in Congress for 25 years, that the Constitution is the greatest charter of human liberty and freedom ever devised by the mind of man. It represents your rights as free, sovereign American citizens and as Al Smith justly said, "It is the civil bible of the minorities. It represents the rights and liberties of all racial and religious minorities." We Americans, Republicans and Democrats, do not propose to surrender one iota of our freedom or liberties for any foreign form of government, Fascism, Nazism, Totalitarianism, or Communism. If there is any country worth living in, any country worth defending, any country worth fighting for, or dying for, it is the United States of America. God bless Freedom and the American Legion.

NOMINATION OF JUSTICE FORTAS

Mr. HART. Mr. President, it will no doubt be some time before the grave consequences of the Senate's failure to confirm Abe Fortas as Chief Justice of the United States are fully known. In many respects we will have to await the judgment of history. For my own part, I made it abundantly clear during the debate that the filibuster which prevented the Senate from considering the nomination upon its merits will be recorded as a most unfortunate chapter in the history of the Senate. This same view is reflected by contemporaneous press accounts of the Senate action. I ask unanimous consent that a number of recent editorials upon this question be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the New York Times, Oct. 3, 1968]

DEFEAT FOR DEMOCRACY

The withdrawal of the nomination of Associate Justice Fortas to be Chief Justice is a defeat for democracy at the hands of those Senators who have been most strident in condemning the excesses of ruthless minorities.

The unsuccessful attempt to end the filibuster Tuesday had provided strong basis for belief that a majority of the Senate wanted to approve the nomination. But the vote provided even more conclusive evidence that the Senate would never get a chance to declare its will—yea or nay. Mr. Fortas was obliged to bow to that unhappy reality in asking President Johnson to withdraw his name.

It is tragic that in a Presidential campaign in which concern for "law and order" has become suffocatingly omnipresent the Senate of the United States has been coerced into nonfulfillment of its constitutional duty. The Southern Democrats and the conservative Republicans have set a wretched example of respect for democratic process and majority rights.

We are glad that Justice Fortas did not let his disappointment drive him from the Supreme Court. He has already made a distinguished contribution to the Court, a contribution sure to grow with the years. His promotion became a casualty of punitive politics, for all the effort of his critics to magnify his occasional minor lapses of judgment into basic challenges of his fitness.

We are glad, too, that Chief Justice Warren—in his letter of intention to retire last June—emphasized that no considerations of health or other difficulties stood in the way of his continuing on the bench. For all of his 77 years, he remains the possessor of one of the liveliest and most admirable minds in public life.

The nation is fortunate that he is able to preside over the opening of the new term this Monday. Time is not standing still for the Chief Justice, but his vision of what American justice and democracy mean remains clearer than that of those who revile the "Warren Court" and then evade their constitutional responsibility.

[From Baltimore News-American, Oct. 7, 1968]

PYRRHIC VICTORY

The withdrawal of the nomination of Abe Fortas as Chief Justice of the United States, made at his request, is a sensational political victory for the Senate foes of President Johnson. Not since the days of George Washington has a chief executive been similarly repudiated in a nomination to head the nation's highest court.

To achieve the victory, the group of anti-Johnson Republicans and Southern Democrats first resorted to insulting inquisition and cheap smear tactics. Then they blocked the Senate from fulfilling its constitutional duty to vote on the nomination by staging the worst kind of undemocratic filibuster.

So a sensational political victory has been won. But it is not President Johnson nor the able Justice Fortas who have been demeaned. It is the United States Senate whose escutcheon carries a black stain of ignoble disgrace for future generations to read about in their American history books.

[From the Courier-Journal, Oct. 3, 1968]

MR. FORTAS IS BETTER IN DEFEAT THAN HIS OPPONENTS IN VICTORY

Under the circumstances, Justice Abe Fortas acted with the good sense that has characterized his career in asking President Johnson to withdraw his nomination to be Chief Justice of the United States. It is the band of obstructionists in the Senate, who resorted to a filibuster rather than let the issue come to a vote, who perhaps someday will reap the scorn they deserve today.

In another controversial case in the past, the nomination of the late Louis D. Brandeis to the Supreme Court, the opposition did its worst to smear his reputation; the hostility of the anti-Brandeis crowd to both the nominee and to President Wilson was limitless. Even so, no one suggested that his confirmation be blocked by a filibuster, and after months of bitter debate, the issue finally came to a vote, on June 1, 1916, and the Senate confirmed Mr. Brandeis by a vote of 47 to 22.

We'll never know how the vote would have gone on Justice Fortas. Not all of the opponents of confirmation supported the filibuster tactic. Senator John Sherman Cooper of Kentucky, for example, said that while he would vote against confirmation he also was against the filibuster and he was one of a few Republicans who voted to break the talkathon and let the majority work its will.

Richard M. Nixon, however, did not raise his voice against the filibuster, and his performance on this issue may come back to haunt him if he is elected President. The use of the filibuster in this way is unprecedented. By failing to speak out against this tactic when a word from him could have made all the difference he will be in no position to condemn it if it is used against one of his nominees in the future.

A STRIKING CONTRAST

In asking the President to withdraw his nomination, Justice Fortas provided a striking contrast to the narrow partisanship of most of the opposition. He said:

"Continued efforts to secure confirmation of that nomination, even if ultimately successful, would result in a continuation of the attacks upon the court which have characterized the filibuster—attacks which have been sometimes extreme and entirely unrelated to responsible criticism. Attacks of this sort would be especially inappropriate and harmful to the court and the nation if they should continue while the court is in session, engaged in the adjudication of issues of great importance to the nation and to the litigants."

Mr. Fortas indicated that he will continue to serve on the court as an Associate Justice and he should. Chief Justice Earl Warren also should stay on a while longer, so that another battle over his successor will not erupt in this election year. If the vacancy should be filled by the new President it could not be filled in any case until some time after January 20. Then action by the Senate would have to follow, and the chances are that the term of the Supreme Court would be half over before a new Chief Justice could be seated.

[From the St. Louis Sentinel, Oct. 5, 1968]

FORTAS FIASCO—BALLOT WIT

(By Robert G. Spivack)

WASHINGTON.—Americans have always admired the men in public life who talk straight, even when they disagree with them. That's why this year, for example, certain contenders for the Presidency won admiration for "telling it like it is."

On the other hand, there is no surer way to lose public respect than to fuzz up your language so that the ordinary citizen either misunderstands what you are saying or does not understand it at all.

That, unfortunately, is exactly what has been happening thus far in the "trial" of Justice Abe Fortas as it has begun to unfold on the floor of the U.S. Senate.

To start with a small bloc of Southern Senators have determined that there shall be no debate over Justice Fortas' qualifications to be Chief Justice or if he lacks the qualifications. There has been excessive wordage on many other subjects as the filibuster got under way, but not on Justice Fortas' competence.

Even if the filibuster should be broken, I fail to see in what way the Senators who have participated in it are one whit more justified in their behavior than the Yippies and Hippies, who will not let a candidate for President speak without interminable interruption.

This is totalitarian behavior whether engaged in by the great unwashed or by immaculate, impeccable members of the U.S. Senate.

What is wrong, though, about the non-debate on Justice Fortas is that very few of his critics thus far have had the good grace to say why they really oppose him.

Isn't it simply that they want to change Court decisions by political pressure? Would Sens. Thurmond and Ervin and Griffin be carrying on this fight if the "Warren Court" had invalidated civil rights laws or rendered other decisions more to their liking?

Humor has been in short supply thus far in the Presidential campaign. It's no secret that there isn't a lot to laugh about. Hubert Humphrey did once, rather daringly, talk about the "Politics of Joy".

But good humor is as indigenous to America as apple pie. Now, in small ways, it's rising to the surface again.

When Spiro T. Agnew spoke recently at the National Press Club, two good-looking girls picketed the buildings with signs that read, "Apologize now, Spiro, it saves time later."

The Republicans aren't exactly leaving all the jokes to the Democrats, either. One bumper sticker reads, "Don't blame me, I didn't vote Democratic." Another, referring to inflation, reads "Prices are going HHH" and in small type are the words "higher, higher, higher."

Oddly, enough the Republicans are also taking to spoofing Agnew.

One right-wing publication shows him and Nixon walking along the runway at an airport and Nixon says, "Spiro, after this is all over, tell me about yourself sometime."

The best show, thus far, has been that of Sen. Ed Muskie, the Democratic vice presidential candidate. His device of inviting a heckler to the speakers' stand to talk 10 minutes without interruption has caused more confusion on the lunatic Left than anything done by the Chicago police department.

The one thing they cannot stand is being laughed at. That makes it a pretty good bet that is exactly the kind of treatment they are going to get more of, especially from Muskie, who dead pan, can make them look silly.

Laughter, of course, can be infectious. In the right hands it's a dangerous weapon.

ANOTHER KOREAN WAR?

Mr. PEARSON. Mr. President, I have long been concerned about the deleterious effect our growing preoccupation with the war in Vietnam is having on our diplomatic and military policies in other areas of the world. Nowhere else is the harvest of neglect more plain than in Korea, where we lost the *Pueblo* and her crew without being able to respond and where the rising rate of border clashes threatens to bring on a new war.

Last year, there were more skirmishes along the demilitarized zone than in all the previous years which have followed the truce. As Mr. Denis Warner observes in a penetrating article in this week's Look, magazine, entitled "The New War in Korea," nearly 100 Americans were killed or wounded in these battles.

Mr. President, the situation in Korea is quite grave and deserves our close attention. The North Koreans are apparently being led by a near madman who is more concerned about his place in Communist history than he is in bringing peace and prosperity to his divided and troubled land.

I ask unanimous consent that Mr. Warner's article be printed in the RECORD, so that we all might give consideration to the serious implications of his report.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE NEW WAR IN KOREA

(By Denis Warner)

(NOTE.—Communist infiltration, bloody border battles and daring commando raids add up to the reality of war.

Wind and distance often distort the message as it carries from the big black North Korean amplifiers across the 4,000-meter width of the demilitarized zone. But the GI's manning the military barrier south of the demarcation line know it by heart. "Pyongyang Polly" introduces the speaker as the operations officer of the U.S. intelligence ship *Pueblo*, hijacked with its crew of 83 off the North Korean port of Wonsan last January 23. "I am ashamed of my criminal acts against the People's Republic of Korea," says the speaker, with what seems to be a genuine American accent. "I pray for the People's Republic of Korea to forgive us so that we may go home. . . ."

The broadcast begins late in the afternoon and is repeated at intervals through the night. It is heard by men lying silently in ambush in the woods along the Kim Il Sung trail north of the chain link fence that now stretches across hill and valley on the DMZ. It carries to every post along the line where U.S. troops stand watch. Like the sharp and repeatedly bloody exchanges of fire that disturb the night on the DMZ, it is part of the new, but still little war in Korea.

On July 5, 1950, I was confronted by a Russian-built tank on the Seoul-Taegu road and not long afterward saw it kill an American ammunition carrier. His name, I recall, was Pvt. Kenneth Shadrick. He was among the first of nearly 34,000 who were killed in action in the Korean War before the armistice was finally signed on July 27, 1953.

For years thereafter, most Americans took for granted the preservation of the uneasy truce—a tedious, half-forgotten chore. Today, in Korea at least, there is no such complacency. Is it conceivable that once again we may be called on to fight another land war in Asia, where we fought once before with such cruel losses, against the same enemy and for the same reasons?

Now, scarcely a night passes that North Korean patrols do not come south to probe the defenses. Last year, there were more fire fights along the DMZ than in all the previous years following the war. Nearly a hundred Americans were killed or wounded.

The bloodiest North Korean attack so far this year occurred on Easter Sunday night. A six-man Military Police detachment was ambushed on the "safe" and "neutral" road leading to Panmunjom. The Northerners caught the truck with its headlights on and its occupants armed, according to the terms of the armistice agreement, only with pistols. They stopped the truck with machine-gun fire and moved in to finish off the survivors. Only one American, thrice-wounded, lived. Such incidents are not accidents.

The armistice separated the assailants but solved none of the nationalistic and ideological issues that caused the war. Both North and South want reunification. The South, with 30 million, would be happy to see the issue decided by ballot. The North, with only 12 million puts its faith at present in bullets.

Today, eight North Korean infantry divisions face the American and ROK (Republic of Korea) forces along the demilitarized zone. The Northern positions are heavily fortified. Another ten divisions, backed by 500 Soviet-built medium and heavy tanks, and a Red Guard militia of 1.2 million, are in reserve. The Northern air force is no less formidable. Sixty MiG–21 jet interceptors operate from underground hangars at 24 airfields. These are backed by a strike force of 80 Il–28 (Beagle) light jet bombers and by 400 MiG–17 and MiG–15 jet fighter-bombers. Weapons recently acquired from the Soviet Union include SAM guided missiles, four submarines and new radar installations. Sixty-six surface-to-air missile sites have been identified along with three surface-to-ship missile sites. The North Korean Navy is also equipped with Komar missiles of the type that the Egyptian Navy used to sink an Israeli destroyer.

"The storage depots are deep down and hard-capped," said an intelligence officer. "Even their factories, many of them now turned to war production, have gone underground. All of this has meant a heavy setback for the economy. The Seven Year Plan is running three years behind schedule."

From the end of the Korean War until late in 1966, North Korea, under the leadership of Premier Kim Il Sung and the North Korean Communist party, made appreciable industrial progress. Heavy industry had priority over the production of consumer goods, but housing was plentiful and food cheap. The change came with the 1966 meeting of the North Korean Workers' (Communist) party. In the keynote address, Premier and Secretary-General Kim said that North Korea had two basic tasks: one was to complete the "Socialist" revolution in the North, the other was to serve as the main revolutionary base for the "liberation" of the South.

By early 1967, North Korea had become an armed camp. Australian Communist publicist Wilfred Burchett ,one of the creators of the spectacularly successful germ-warfare propaganda campaign in Korea in 1951, visited Pyongyang, the capital, with the idea of retiring there. "Don't come here to live," Kim told him. "We're going to war. In a couple of years, this place will be in ruins."

As his speech made clear, however, Kim was no longer thinking merely in terms of a conventional invasion of the South. As he was now well aware, the weakness of his attack in 1950 lay in the lack of local preparation. When the North Koreans broke through after their first encounter with the American forces south of Seoul, all they needed was a couple of battalions of regional troops to destroy the tenuous Allied supply line north of Taejon. Even a ten-man team of local guerrillas might have been enough. Kim had none. This time if his plans work out, things will be different.

"Kim Il Sung has started preparing for war in what can only be called a mad way," says South Korea's Prime Minister Il Kwon Chung. "He's now 59. According to our tradition, a man's life ends at 61, and Kim Il Sung is in poor health. He will try to unify the country before he is 61. This is not guesswork. We have captured documents showing that he intends unification before 1971."

All his life. Kim has been a fighter and a leader. He joined the Communist party in 1932, and soon became the head of an anti-Japanese guerrilla unit. "For the people of North Korea, Kim Il Sung is not a human being but a god. says Kim Shin Jo, a captured North Korean commando. "It is unthinkable to regard him as just a dictator."

Eighteen years ago, Kim could count on willing Chinese support. Now, as a member of the Soviet camp, he is described by Peking as a "fat revisionist" and the two countries hurl insults at each other across their common border, the Yalu River. Unlike Mao and Ho and Castro, Kim has failed to establish his place among the great practitioners of national revolutionary war, and time is running out. As an international revolutionary, he sees himself as cast in the mold of Che Guevara. Both contributed articles to the first issue of the revolutionary journal *Tricontinental*, published in Havana in August, 1967. Guevara made a generalized call for many more Vietnams. Kim was specific: He wanted a war of national liberation in Korea.

Under the command of a major general, North Korea now has a force of some 15,000 agents and commandos training for special operations in the South. Among them are eight battalions of mixed Northerners and Southerners. Each battalion has been assigned a province in South Korea for its operations. Highly trained, heavily equipped and liberally supplied with money, the agents come either by land across the demilitarized zone or by sea in one of a fleet of 45 80-foot 30-knot boats that the North has built for the purpose. They are almost indistinguishable from South Korean fishing boats. The agents' tasks include contact with friends or relatives—there are at least six million North Koreans living in the South—transmission of intelligence, establishment of political cells, creation of guerrilla bases in the mountains and commando actions.

Their most outstanding and, considering the risks of war involved, most dangerous mission occurred on January 21 when a 31-man team drawn from the agent-commando pool got within a few hundred yards of President Chung Hee Park's Blue House in Seoul in an effort to assassinate the President. Dressed in South Korean uniforms, they came undetected through the U.S. 2nd Infantry Division's positions on the night of January 18, cut a hole in the fence south of the DMZ and headed for Seoul.

Although they were reported by a group of woodcutters who had stumbled on them, and were for a time held captive, they advanced on the capital at a speed that shook both the South Koreans and the Americans. While the U.S. 2nd Division was protesting that no one could have come through its lines, and the South Koreans were searching just behind the front, the commandos, who had trudged across 60 miles of mountainous country under harsh winter conditions, were on the outskirts of Seoul. With snow caps and civilian topcoats to hide their weapons they pretended to be members of a counter-intelligence unit on a training hike. Their luck, and perhaps their nerve, gave out at the last moment. A wrong turn, with the presidential palace in sight, brought them to a police post. Even now, they might have bluffed their way through. Instead, one of the group opened fire, killing a policeman and sounding the alert. Says a senior American official, "But for these last-minute errors, they would have made it."

In American, but not in South Korean, eyes, the raid was quickly overshadowed by the hijacking two days later of the *Pueblo*. The twin crises created a since-repaired breach in U.S.-South Korean relations, and revealed the shortcomings in the Allied defenses. There is no talk of bringing back the two South Korean divisions from Vietnam. The South Korean Government feels that their presence there has been useful internationally and as a form of insurance, but it pressures insistently for the heavy re-equipment of the 17 frontline ROK divisions in Korea and the building up of the navy and air force.

The government was unhappy that the U.S. did not react with force to both the *Pueblo* and Blue House incidents quickly and effectively. Later, the South Koreans were even unhappier when the delegates from the U.S. and North Korea met alone in Panmunjom to discuss the return of the *Pueblo* crew.

A heavy increase in American air strength in Korea and the promise of an additional $100 million in military aid, half of which will be used to provide the small South Korean Air Force with a squadron of Phantom jet fighters, have assuaged official feelings in Seoul. But the government's wants are far from satisfied.

I asked the Prime Minister if he now had what he needed. "No," Chung replied. "We need more military aid. The enemy air force is still far superior. There are nearly 700 aircraft in the North. We have less than half that number. We want the Americans to continue to reinforce. The enemy has four submarines. We don't have any. The two U.S. divisions here must be brought up to strength, and the Americans must maintain a first-class air base in Korea, not just jet fighters, but bombers also." The Prime Minister arrives at approximately a billion dollars when he discusses more military aid. "U.S. military aid is running at $160 million a year," he said. "We need an additional $100 million a year; $260 million for three or four years will be enough."

Five main lines of defense are being built to prevent the fall of Seoul to an Israeli-style sudden attack. The U.S. 2nd and 7th divisions sit astride the traditional invasion routes, the emerald valleys along which the North Koreans raced for Seoul in June, 1950. Behind them, artillery defenses are both conventional and nuclear. "You can say the artillery haven't wasted their time here in the past 15 years," said a briefing officer. "Every conceivable target is pinpointed."

The actual front is less securely held. North of the Imjin River, the Americans' burglar alarm—in military terms, it is scarcely more than that—is the chain link fence, capped with a roll of barbed wire. This is reinforced with steel stakes, minefields and newly built blockhouses, which provide interlocking visibility and firepower along the line. By day, patrols search endlessly through the green undergrowth that now covers the southern half of the demilitarized zone. By night, GI's lie in ambush.

The North's intention quite clearly is to follow the Vietnam precedent, but South Korea is not South Vietnam. The bitterness against the Communist regime is deeply ingrained, at least among the older generation. And, here, unlike South Vietnam, there is not a populated rural area or a hilltop village without its police post. If the police are unloved, their reputation has at least improved since the Syngman Rhee era, when they served as the administration's Gestapo. The people appear willing to turn in infiltrators from the North. The reward for doing so is high, and the punishment for failing to, heavy.

One man who had gone North during the Korean War recently returned to his wife and grown-up sons to begin his clandestine operations. They hid him for two days, trying to persuade him to surrender. When he refused, they went to the police and gave him away.

After the Blue House raid, one of the survivors, suffering from lack of food and exposure and with his feet badly frostbitten, staggered into a peasant's cottage within sight of the DMZ. The peasant and his wife bathed and bandaged his feet and gave him a meal. Warmed and comforted, the man fell asleep. He awoke only to die when security forces, tipped off by the peasant, burst in.

Two areas, in particular, have commanded the attention of agents, the Taeback mountains east of Seoul and the Chiri mountains, far to the south. But even here, when the infiltrators run short of food, they come out, and mostly they appear to be caught.

Yet the threat of a guerrilla buildup is ever present. "In this society, ideological attitudes are extremely hard to detect," says a worried Korean intellectual. "People are forced to profess anti-Communist attitudes; otherwise, they are suppressed. And the new generation doesn't have the same spirit of anti-communism as the old. It is growing up in a society rotten with corruption and exposed to the propaganda broadcasts from North Korea."

Broadcasts from Pyongyang about events in the South are fast and accurate, and much of the information clearly comes from agents, whether infiltrated or indigenous. Some 300,000 former Communists have been screened since the war and are now at liberty. Of these, fewer than 60,000 are still under surveillance. Some Koreans with liberal but strongly anti-Communists attitudes doubt that all of them have changed, and that the police, who are underpaid, are invulnerable to bribery. "It took two divisions to track down the Blue House raiders," said a Korean professional man. "What will happen if North Korea turns loose all its 15,000 trained infiltrators?"

There is, as usual, considerable political unrest. Angry and substantiated charges of ballot stuffing and election rigging were made against the ruling Democratic party last year. These led to a five-month boycott of Parliament by Opposition members and aroused fears that the government intends to alter the Constitution to enable President Park to stand for a third term in 1971. Such a decision would certainly set off another major political crisis.

Constitutionally, power is vested in the president, and Park makes full use of it. Having taken over by a coup d'etat in 1961, he confirmed himself constitutionally in office by elections in 1963 and 1967. By general Asian standards, both elections were fair. But Park has little use for the democratic processes as he has seen them at work in Korea. Former military men run many government corporations, and loans flow to those businessmen who support the regime. But nothing can take away from Park the credit for having provided the leadership for South Korea's extraordinary industrial revolution.

I was in the office of Deputy Prime Minister Choong Hoon Park, who is also minister of the Economic Planning Board, just a few minutes after he had received the Bank of Korea's analysis of the economy for the first half of 1968. "Our exports were only $30 million in 1960," he said. "They were $358 million last year. This year, we are aiming for $500, and the Bank now tells me that we're ahead of plan. Between January and June, our exports were up by 42.3 percent. We'll reach our goal."

South Korea has little to offer but cheap and effective labor and a warm welcome for foreign investment. This is enough. The rural areas have always been characterized by vast underemployment, and all around Seoul, Inchon, Pusan and Ulsan, the major manufacturing centers, new factories are springing up next to the villages.

All the story, however, is not that encouraging. Corruption far exceeds tolerable levels. Progress in agriculture has been slow, and there are signs that the peasants have not responded happily to compulsory service in the militia, which interrupts their not-very-rewarding work in the fields.

Borrowing rates are astronomical. They have helped to increase the average peasant family's indebtedness from about 4,000 *won* in the early 1960's to around 30,000 *won* today, adding a new grievance to the most vulnerable section of the society.

One cannot doubt that there will be reverses, even without an assist from the North. Fortunately, the Russians seem no less interested than we in applying the brakes to their ally's military adventurism. North Korea's allegiance in the Soviet Union's bitter quarrel with China has been bought with vast quantities of military and economic assistance, yet the Russians show a healthy concern for the preservation of peace. At a banquet in Pyongyang in June in honor of Soviet Deputy Chairman V. N. Novikov, Lee Joo Yun, the North Korean Deputy Prime Minister, made a typically bellicose speech. Novikov, in reply, removed the fuses when he spoke of Soviet support for North Korea on the basis of peaceful reunification with the South, a theme now repeatedly reiterated in Russian broadcasts to Asia.

War may come by inadvertence or by an act of provocation by North or South. Scarcely a day passes that pro-government newspapers in Seoul do not fly a new trial balloon calling for greater freedom of action in replying to North Korean attacks. However, the secret Taejon agreement, signed by the United States and the Republic of Korea during the early critical days of the Korean War, gives Gen. Hartwell Bonesteel III, as UN and Eighth Army commander, what one senior officer called "comprehensive" control of all Allied forces, American and Korean, and while Korean demands for effective rearmament seem likely to be met this control is not likely to be relaxed.

It would be as foolish to exaggerate, as to minimize, the threat. Next to Vietnam, Korea has become the most critical and most important front in Asia. The challenge is real. But the prospects of meeting it successfully, and without a full-scale war, are higher than they ever were in Vietnam.

THE CONCENTRATED EMPLOYMENT PROGRAM—A LITTLE KNOWN SUCCESS STORY

Mr. PROXMIRE. Mr. President, yesterday's Washington Star carried a fascinating article written by Sylvia Porter on a little known but very important jobs program—the concentrated employment program. As the article points out, this program has met with unqualified success in helping the hard-core unemployed to find meaningful and productive work, thus becoming taxpayers rather than taxeaters.

CEP attempts to gather under one roof all the manpower programs administered by the Labor Department. As Miss Porter states so well in her article, CEP makes available such services as orientation, basic education, counseling, physical exams, medical treatment, day care for children, work experience, training, job development, and job placement.

The American taxpayer is truly getting his money's worth through this Federal investment in human dignity. CEP has moved the hard-core unemployed into jobs at a cost to the Federal Government of less than $2,000 a year. This amount will be returned to our Government in a very few years through an increase in tax revenues from those who, before CEP went to work, have had little or no earned income.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

YOUR MONEY'S WORTH: HELP FOR HARD-CORE JOBLESS

(By Sylvia Porter)

Jaime Juarez is an American of Mexican descent with a history as a school dropout, a drifter and an odd-job man who had never earned more than $2,000 in a whole year.

Juarez was 37 and had a wife and three children when he joined the Concentrated Employment Program in San Antonio in the spring of 1968.

After testing, counseling and tending to his medical needs, CEP sent him last April to General Dynamics, a giant company actively participating in President Johnson's JOBS (Job Opportunities in the Business Sector) program, spearheaded by the National Alliance of Businessmen.

For the first several weeks at General Dynamics, Juarez went through more testing, guidance, "special conditioning," training in metal working and woodworking. He listened well, learned well and worked well—well enough to be appointed, after three months, as a plant supervisor in charge of 25 of the plant's 107 employes. He now earns $535-a-month base pay, compared to a maximum of $35-$40 a week in the past.

The federal government has a training investment of about $3,500 in Juarez. In less than five years, that investment will be returned.

33,300 SUCCESS STORIES

This is only one of more than 33,300 success stories about hard-core unemployed people who have moved into jobs via the Concentrated Employment Program, at a cost to the federal government averaging less than $2,000 each. Yet, outside of the professionals and those intensely interested in this problem, few Americans have even heard about CEP.

Despite so many years of unprecedented prosperity, there are still about 1,500,000 hardcore unemployed in this country, including about 500,000 in the 50 largest cities. "Hard-core unemployed" means a poor person who does not have a job and who also is one or more of these: a school dropout, a member of a minority, under 22 or over 45 years of age, or handicapped.

It was to help these hard-to-help Americans that CEP was created in March 1967 by Labor Secretary Willard Wirtz.

Today there are 72 CEPs in operation, 60 urban and 12 rural. Most are just gearing up, but they are expected to serve at least 150,000 people in the next 12 months.

UNIFIED EFFORT

What the CEP tries to do is bring together in one unified effort all the Labor Department's various manpower programs to help the hard-core disadvantaged get ready for, find and hold permanent jobs.

Operating through a single local sponsor—a community action agency or a municipality—CEP seeks out the hard-core jobless in ghettos and other areas of concentrated unemployment and makes available such services as orientation, basic education, counseling, physical exams, medical treatment, day care for their children, work experience, training, job development and job placement.

It also identifies and locates the disadvantaged for the JOBS program, as in the case of Juarez and General Dynamics. A corporation trains the recruits and offers them jobs, with the corporation bearing the normal cost of training and the government paying for the additional costs of essential services.

As of Sept. 15, about 514 private firms in the JOBS program had hired and trained 49,410 people, at a federal investment of $141 million.

OTHER PROGRAMS

The CEP also operates through several other Labor Department programs. These include:

The Work Incentive Program, which helps shift people 16 years or older from welfare into productive employment.

The Neighborhood Youth Corps, which is designed to help poverty-level youths get part-time or nearly full-time jobs.

New Careers, which seeks to relieve critical manpower shortages by opening up subprofessional job opportunities for poverty-level adults at least 22 years old.

Operation Mainstream, which seeks permanent jobs at decent wages for adults with a history of chronic unemployment.

No matter who is the next president, all these manpower programs will be exhaustively reviewed. And they should be. But let us not permit the horror stories of waste, corruption and inefficiency to blind us to the brilliant value, in dollars as well as in social terms, of programs which can create today's Jaime Juarez.

THE ABE FORTAS NOMINATION

Mr. ERVIN. Mr. President, on July 15, 1968, and July 29, 1968, the Greensboro, N.C., Daily News published certain editorials on the Abe Fortas nomination. On July 26, 1968, and August 1, 1968, I wrote letters to the editor of the Greensboro Daily News making comments upon these editorials. I ask unanimous consent that the text of these letters be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., July 26, 1968.

The EDITOR,
Greensboro Daily News,
Greensboro, N.C.

DEAR SIR: I am a staunch advocate of the freedom of the press, and recognize the right of the editor to chastise a public officer for his official actions.

Elbert Hubbard once said: "Never explain. Your friends don't require it, and your enemies won't believe you anyway."

As a general rule, a public officer should follow Elbert Hubbard's admonition and accept editorial chastisement without murmur or reply. On rare occasions, however, a public officer should point out to the editor as well as to his constituents why he thinks he does not merit editorial chastisement.

This is true in respect to the editorial entitled "Fun for the senators" which appeared in the Greensboro Daily News on July 15, 1968.

This editorial related to my official action in respect to the proposal of The President that Associate Justice Fortas be made Chief Justice of the Supreme Court of the United States. The editorial implied that the Senate should confirm Associate Justice Fortas without either inquiry or delay, and that I committed *lese majesty* by insisting that the Senate should not do so until it had determined its power to take such action under the relevant act of Congress, and until it had closely scrutinized the three year judicial record of Mr. Fortas as an Associate Justice, and had reached the conclusion that Mr. Fortas was able and willing to exercise the restraint inherent in the judicial process when that process is properly understood and applied. The restraint inherent in the judicial process is the ability and willingness of the occupant of a judicial office to lay aside his personal notions as to what the Constitution ought to have said, and to be guided in his decisions solely by what the Constitution actually does say.

Chief Justice Marshall pointed out the reason why Supreme Court Justices should do this in his great opinion in *Gibbons v. Ogden*, 22 U.S. 1, when he declared that "the enlightened patriots who framed our Constitution and the people who ratified it must be understood * * * to have intended what they said."

Your editorial asserts that it is somehow less than honest for me to question the appointment of Justice Fortas now because I voted for his confirmation as Associate Justice in 1965, and that I was engaging in "legalistic casuistry" in pointing out that the relevant act of Congress denied The President and the Senate the power to appoint a successor to Chief Justice Warren prior to his retirement.

Mr. Fortas had no judicial experience prior to his appointment as Associate Justice in 1965. Consequently, he had not then participated in any judicial opinions and had not revealed in any tangible manner his concept of the role of a Supreme Court Justice. For this reason, I had no substantial foundation at that time for rejecting his nomination to the post of Associate Justice, and for that reason assumed that he would exercise judicial restraint and interpret the Constitution according to its true intent.

It is otherwise now and I agree with your comment after studying some of the recent Supreme Court decisions of the last three years, that a "mysterious transformation" has occured—not of Mr. Fortas, however, but of the plain words in the Constitution as interpreted by Mr. Fortas. Since 1965, Mr. Fortas has participated in the rendition of many Supreme Court decisions which clearly indicate to me his willingness to depart from the words and history of the Constitution. In consequence of these things, it is clearly unsound to suggest that I am not at liberty in 1968 to consider the qualifications of Mr. Fortas to be Chief Justice of the United States merely because I voted in 1965 to confirm his nomination as an Associate Justice.

Concerning my contention that there is no vacancy on the Court until Chief Justice Warren retires, the communications between Chief Justice Warren and the President make it clear that the Majority Leader, Senator Mansfield, spoke the truth when he said that the Senate must either take Mr. Fortas or keep Mr. Warren as Chief Justice. These communications also make it obvious that Chief Justice Warren and the President are professing to act under the statute governing the retirement of Supreme Court Justices. This statute, which is found in section 371 of Title 28 of the United States Code, makes it plain that the President and the Senate do not have the power to appoint a successor to a Supreme Court Justice until he "retires", and that a Supreme Court Justice does not retire unless he "retires from regular active service" as a Supreme Court Justice. Incidently, this statute deals explicitly with the Supreme Court Justices and Federal Judges and not "government officials" generally as your editorial talked about. I am enclosing a copy of this statute.

Chief Justice Warren has certainly not retired within the meaning of this statute. Indeed he stated, in substance, in a press conference called by him that he would not retire unless Mr. Fortas is confirmed as his successor.

I happen to believe that the act of Congress relating to the retirement of Supreme Court Justices is just as binding on the President and the Senate as the law prohibiting burglary is binding on a burglar. Hence, I cannot concur in your view that in pointing this out, I am merely engaging in "legalistic casuistry".

To be sure the Senate has sometimes confirmed the nominations of judges of inferior Federal courts in cases where their predecessors announced their purpose to retire when their successors were qualified. This fact does not alter in any degree the words of the act of Congress. Murders and larceny have been committed in all generations, but such precedents have not made murder meritorious or larceny legal. As an editorial in The New Republic concluded recently, "The practice of retiring or resigning, as Chief Justice Warren did, effective upon the qualification of a successor, is unprecedented in the Supreme Court. It seems to have grown up among lower Federal judges. It has nothing to commend it."

Also, the fact that Chief Justice Warren should resign before a successor is appointed would in no way disturb the "smooth continuity" of the office as your editorial implied. Title 28, section 3, of the U.S. Code, provides that "Whenever the Chief Justice is unable to perform the duties of his office or the office is vacant, his powers and duties shall devolve upon the associate justice next in precedence who is able to act, until such disability is removed or another Chief Justice is appointed and duly qualified. June 25, 1948, c. 646, 62 Stat. 869." Thus, Justice Black, with his many years on the Court, would certainly be able to handle the chores of the office of Chief Justice until a new Chief Justice is confirmed by the Senate.

Concerning the last paragraph of your editorial, I find no fault with the fact that Mr. Fortas has been appointed during the last few months of the present Administration, and I do not believe, as you seem to imply, that someone else would be better qualified to appoint a successor to Mr. Warren than our present President. Which President selects a Supreme Court Justice is of no constitutional concern to me but it is my constitutional concern to judge The President's nominee and vote to accept or reject him after I have determined his qualifications.

After taking me to task for bringing up the Federal statute which makes it clear that there is no vacancy on the Court, your editorial seems to suggest that there is something inconsistent in my also insisting that the Senate closely scrutinize Mr. Fortas' judicial record of the past three years, and reject his nomination to be Chief Justice in the event it reaches the conclusion that such record renders it probable that he will not exercise in the office of Chief Justice the highest of all judicial virtues, namely, the judicial virtue of self-restraint.

The Constitution expressly provides that The President may appoint a Supreme Court Justice only by and with the advice and consent of the Senate. Hence, a Senator does not assume the right to make a decision he is without power to make when he undertakes to perform his duty to judge the advisability of accepting or rejecting a presidential nomination for a Supreme Court Justice.

This is made plain by a recurrence to the fundamentals. The good and wise men who fashioned the Constitution had earth's most magnificent dream.

They dreamed they could enshrine the fundamentals of the Government they desired to establish and the liberties of the people they wished to secure in the Constitution, and safely entrust the interpretation of that instrument according to its true intent to a Supreme Court composed of mere men.

They knew that some dreams come true and others, vanish, and that whether their dream would share the one fate or the other would depend on whether the men chosen to serve as Supreme Court Justices would be able and willing to lay aside their own notions and interpret the Constitution according to its true intent.

They did three things to make their dream come true.

They decreed that Supreme Court Justices should be carefully chosen. To this end, they provided that no man should be elevated to the Supreme Court until his qualifications for the office had been twice scrutinized and approved, once by The President and again by the Senate.

They undertook to free Supreme Court Justices from all personal, political, and economic ambitions, fears, and pressures which harass the occupants of other public offices by stipulating that they should hold office for life and receive for their service a compensation which no authority on earth could reduce.

They undertook to impose upon each Supreme Court Justice a personal obligation to interpret the Constitution according to its true intent by requiring him to take an oath or make an affirmation to support the Constitution.

It is no exaggeration to say that the existence of constitutional government in America hinges upon the capacity and willingness of a majority of the Supreme Court Justices to interpret the Constitution according to its true intent. In consequence, no more awesome responsibility rests upon any Senator than that of determining to his own satisfaction whether or not a Presidential nominee to the Supreme Court possesses this capacity and this willingness.

These things mean little or nothing to those who would as soon have our country ruled by the arbitrary, uncertain and inconstant wills of judges as by the certain and constant precepts of the Constitution. But they mean everything to those of us who love the Constitution and believe it evil to twist its precepts out of shape even to accomplish ends which may be desirable.

If desirable ends are not attainable under the Constitution as written, they should be attained in a forthright manner by an amendment conforming to Article V and not by judicial alchemy which transmutes words into things they do not say. Otherwise the Constitution is a meaningless scrap of paper.

I love the Constitution because I know that apart from the faithful observance of its precepts by the Congress, The President, and the Supreme Court, neither our country nor any single human being within its far flung borders has any security against tyranny on the one hand and anarchy on the other. For this reason, I will do everything within my limited power to preserve government according to the Constitution for all generations of Americans.

I respectfully request that you publish this statement on your editorial page as soon as possible. I think that fairness to me and your obligation to your readers requires such action.

Sincerely yours,

Sam J. Ervin, Jr.

U.S. Senate,
Committee on the Judiciary,
August 1, 1968.

The Editor,
The Greensboro Daily News
Greensboro, N.C.

Dear Sir: As that colorful character, the late Mose Harshaw, of Caldwell County, would have said, the editorial entitled "This is Deliberation", which appeared in the Daily News of July 29, 1968, "hurls epitaphs at me."

While I do not relish "the epitaphs", I know the editorial was based on press dispatches which purported to report the Senate Judiciary Committee hearing on the Fortas nomination to the Chief Justiceship, and which may have been somewhat lacking in the factual objectivity the fourth estate deems desirable.

Be this as it may, I demur to the charges that I have "trotted out a string of clever but shoddy arguments against the nomination" of Mr. Fortas for the post of Chief Justice or that I have embarrassed the Senate and rendered a disservice to the Nation. To be sure, my constituents in North Carolina are grand people and it is quite likely that I have been "a small ornament" to them.

I merely undertook to perform forthrightly my obligation as a member of the Senate Judiciary Committee and the Senate to make known the qualifications of Mr. Fortas for the post of Chief Justice. This obligation arises out of Article II of the Constitution which provides that the President appoints Supreme Court Justices "by and with the advice and consent of the Senate."

The gravity of the obligation which this constitutional provision imposes on a Senator is clearly revealed by the nature of the office a Supreme Court Justice occupies and the awesome power he exercises in it. Supreme Court Justices hold office for life, and are not responsible in any way to the people. After they ascend the bench, no authority external to themselves can control their official conduct or make them keep their oaths to support the Constitution.

As Chief Justice Stone declared in the Butler Case: "While unconstitutional exercise of power by the executive and legislative branches of the government is subject to judicial restraint, the only check upon our exercise of power is our own sense of self-restraint."

Since Mr. Fortas has been a Supreme Court Justice for about three years, the important question confronting the Senate is whether he ought to be elevated for life to the more prestigious office of Chief Justice—an office more powerful than that of the Presidency in its impact upon constitutional government.

The reason why it is essential for Supreme Court Justices to abide by their oaths to support the Constitution is clearly disclosed by Justice Benjamin N. Cardozo in his book "The Nature of the Judicial Process." In disapproving the theory that judges are privileged to substitute their individual sense of justice for established rules of law when they decide cases, Justice Cardozo said: "that might result in a benevolent despotism if the judges were benevolent men. It would put an end to the reign of law."

Let me recount my actions at the hearings on the Fortas nomination.

I questioned Justice Fortas for a comparatively short time concerning general matters relating to the Constitution and his extra-judicial activities, and he freely responded to my questions.

I then informed Justice Fortas that I did not think it proper to put to him any questions relating to his future judicial actions and would not do so.

I informed him, however, that I did wish to make inquiry of him concerning past decisions in which he had joined in his capacity as an Associate Justice. The objective of my proposed inquiry was to ascertain whether he could reconcile those decisions with the words of the Constitution and the numerous prior decisions of the Court placing contrary interpretations upon them.

Upon being advised by Mr. Fortas that he did not feel free to answer questions relating to past decisions in which he has participated, I informed him I would not insist on his doing so, and that I would state my interpretation of those cases myself for the hearing record and then insert all the opinions filed in them in the hearing record so any interested person could thereby determine whether I had interpreted the cases correctly. Incidentally, a committee hearing record is made for the information of the Senate when it passes on committee recommendations.

Before stating my interpretation of the cases and inserting the opinions in them in the record, I advised Justice Fortas that as far as I was concerned he was at liberty to depart from the hearing. I added, however, that in the event he elected to remain he would be at liberty to make any comments he desired respecting the accuracy of any interpretation I placed upon any of the cases. Justice Fortas voluntarily elected to remain while I was stating my interpretation of the cases for the record and inserting the opinions in them in the record. My performance of this task necessarily consumed much time because the cases were numerous and the opinions in them rather lengthy.

Let me assure you that I was courteous to Justice Fortas throughout the hearing and treated him just exactly like I would have liked to have been treated had our positions been reversed.

In my deliberate judgment, the cases make it plain that in the performance of his work as an Associate Justice, Mr. Fortas has undertaken to carry into effect the words he spoke at American University on March 20, 1968. At that place and time he declared:

"But the words of the Constitution were not written with a meaning that persists for all time. Words are not static symbols. Words may be carved in impervious granite, but the words themselves are as impermanent as the hand that carved them. They reflect light and shadow, they are modified by rain and sun, they are subject to the changes that a restless life brings upon them. So the specific meaning of the words of the Constitution has not been fixed and unchanging. They never will be fixed and unchanging. The Constitution is not static. But the changes in those words—changes in the meaning of those words—have not, as one might think, been arbitrary or haphazard."

After reading these words of Justice Fortas, I wondered why George Washington, Benjamin Franklin, James Madison, Alexander Hamilton, and the other good and wise men who framed the Constitution put provisions in that document requiring Supreme Court Judges to take oaths to support a Constitution whose words Justice Fortas says have no fixed meaning, and specifying that the Constitution can be amended, i.e., changed, only by the joint action of Congress and the States.

Sincerely yours,

SAM J. ERVIN, JR.

THE DIET PILL BUSINESS

Mr. NELSON. Mr. President, those who like to measure the effectiveness of Congress by tallying up the laws enacted each year ignore one of the most important functions of the Congress—keeping watch over the agencies.

The distinguished Senator from Michigan [Mr. HART] has added a dramatic example of this valuable work to the record books this year.

Senator HART, as chairman of the Subcommittee on Antitrust and Monopoly, revealed that apparently a number of persons have died through the improper use of diet pills. Testimony taken at public hearings revealed that while the Food and Drug Administration had information for some 23 years about the hazardous effects of these drugs, it had not exercised its enforcement powers.

The shocking disclosures uncovered by the Hart investigation prompted the Food and Drug Administration to initiate court action against several companies who were marketing the deadly thyroid-digitalis combination pills. In their first prosecution the Government won a great victory. For this the legal arm of the FDA should be commended.

However, the Government's successful prosecution of lawbreakers is not the final answer to the problem of how best to protect the public from dangerous diet pills and other harmful drugs. Senator HART has introduced legislation which is another step in the right direction.

I commend Senator HART for his efforts and hope that Congress will seriously consider the enactment of the new legislation he has proposed.

An article in the September 27, 1968, issue of Life magazine written by Susanna McBee spells out a part of the diet pill story. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A LEGAL BLOW AT THE DIET PILL BUSINESS

(By Susanna McBee)

(NOTE.—Correspondent Susanna McBee undertook a six-week investigation of the diet pill business and "fat doctors" for Life last winter.)

The diet pill industry, whose scandalous operations were first revealed here several months ago (Life, Jan. 26), has at last been dealt a legal blow. In Dallas, U.S. District Judge Sarah T. Hughes ordered the Lanpar Company, the nation's largest diet pill firm—it grossed $1.5 million in 1967—to destroy all dosages containing both thyroid and digitalis and to cease selling such combined dosages in interstate commerce. She further ruled that digitalis alone can no longer be sold at all across state lines for obesity treatment, and that if thyroid is thus sold, it must bear a special label warning of possible dangerous side effects. Until now, these two drugs have been used—in combination and alone—by "fat doctors" promising quick and easy weight loss. Their misuse is suspected of having resulted in scores of deaths.

The injunction against Lanpar, requested by the Food and Drug Administration, is a victory for the Senate Antitrust Subcommittee, headed by Senator Philip Hart of Michigan. Subcommittee investigator Dorothy Goodwin began looking into the abuses of the diet pill industry last fall, and it was her probing, plus Life's, that spurred the Food and Drug Administration into action. Although the FDA knew about diet pill quackery for 23 years, it had done nothing. During hearings in January, Hart said the FDA's inaction resulted from "lousy judgment." Subsequently, however, the agency acted forcefully. Since January, it has seized some 45 million pills worth $636,000 from 26 different firms and doctors on grounds that, contrary to labels, the drugs were not safe and effective for weight control.

Testimony presented at the hearings shows that more controls still need to be applied. Medical experts observed that most of the drugs commonly used for weight control—they include sex hormones, barbiturates, amphetamines, laxatives and diuretics as well as thyroid and digitalis—are bad in the long run, either because they won't work or because of adverse effects. Amphetamines, for example, when used for any longer than six or eight weeks, can irritate the heart and cause nervousness and insomnia. Thyroid, according to Dr. William J. Evans of the FDA's Bureau of Medicine, "is not effective in weight control if it is safe, and it is not safe if it is effective." In other words, small doses in normal patients are useless, and large doses—say six grains—cause a marked increase in metabolism, producing heart palpitations, nervousness and chest pains.

Perhaps the best statement on the function of diet pills generally came from a "fat doctor" named Dr. Gordon L. Green, who has 19 offices in New York and grosses about a million dollars a year. Asked what would happen if his patients dieted without taking pills, he replied candidly, "They would lose weight anyway, but try it sometime. It is very difficult. Those pills don't take the weight off. . . . I never told a patient in my life there is any pill that would take weight off."

Despite the Lanpar injunction, there is nothing in law or FDA regulations that can stop a doctor from dispensing any diet pills—no matter how dangerous or pointless—to the patient. The profit motive is obvious: the 5,000 to 7,000 "fat doctors" in the U.S. see up to 10 million patients, sell two billion diet pills and gross up to half a billion dollars a year. One doctor, according to testimony given the subcommittee, paid $71 for 100,000 pills and retailed them to his patients for $12,000—a 16,900% profit!

Profiteering is only one aspect of the problem. Mrs. Goodwin reports that the Hart subcommittee has learned of at least 60 deaths and many other injuries that may have been caused by diet pills. "In all cases I've heard about," says Mrs. Goodwin, "the pills have been obtained in doctors' offices. No prescriptions were involved. These doctors won't write prescriptions for these irrational drugs, but they'll hand them out, unlabeled, in paper sacks." At least a dozen lawsuits are pending in several states, involving cases in which diet pills are suspected of causing death or injury.

In one recent case, a doctor implicitly admitted responsibility by settling out of court a suit against him. After the death in July 1966 of a 17-year-old Van Nuys, Calif. girl, Pamela Jean Morris, her parents sued and collected $25,000. In statements to the subcommittee and to Life, the parents, Mr. and Mrs. Everett E. Morris, said the doctor had given Pamela Jean thyroid, vitamins, an appetite suppressant, protein, sleeping pills, laxatives and shots of an unnamed drug along with four ounces of meat a day. When this regimen made her ill, the doctor "took her off of food entirely and wanted her to do as he asked her to and not pay attention to anyone else," Mrs. Morris said. "She existed only on the pills she consumed. She went from 218 pounds to 135½ in four months. But then she collapsed with muscular cramps all over her body and finally died after a series of cardiac arrests." On her death certificate the cause of death was listed as "hypokalemia [loss of potassium from the body] due to malnutrition."

The hearings and the publicity generated by them have done some good, Senator Hart says. "We have learned that certain doctors have voluntarily stopped using digitalis and that many 'fat doctors' are checking their patients more carefully. And the FDA finally did move. That's a beginning." But he believes that what he calls "a disastrous situation" cannot be entirely corrected without legislation. He has proposed a bill that would:

Prohibit doctors from owning stock in any drug repackaging company (about 5,000 doctors own stock in such companies).

Prohibit doctors from owning a pharmacy in the area where they practice.

Prohibit doctors from dispensing the drugs they prescribe except in certain extraordinary cases, such as in rural areas where drugstores are scarce or during emergencies or to impoverished patients.

The bill has enormous opposition—the American Medical Association, for example, which agrees in principle but does not want such matters spelled out in federal legislation. It has not even emerged from Hart's subcommittee, partly because of delaying tactics by conservative senators on the subcommittee and partly because of more pressing business. Undismayed, Hart recalls that it took three years, plus publicity about thalidomide, to pass legislation broadening the powers of the FDA and requiring drugs to be effective as well as safe. "It may take as long, or longer, to get a law preventing doctors from profiteering on drugs," Hart predicts, "but we'll be back with the bill next year, and, by God, ultimately we'll win."

PENTAGON POLITICS?

Mr. CURTIS. Mr. President, Secretary of Defense Clark Clifford announced on September 26 that the Pentagon is going to attack the "social ills of the Nation." With the national elections a month away, this came as no surprise. We are in the season for high-sounding declarations.

However, relatives of boys fighting in Vietnam will have trouble understanding how the Pentagon can take any time out for politicking while serious flaws continue to crop up in the conduct of its primary mission: keeping America strong and getting the war over.

Secretary Clifford is reported by the Washington Post to have directed the Pentagon's military and civilian chiefs to come up with recommendations by November 30—25 days after the election—on how to help alleviate "our most pressing problems." I ask unanimous consent that the Post article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, Oct. 27, 1968]

Clifford Puts Pentagon in Fight Against Nation's Social Problems

(By George C. Wilson)

Defense Secretary Clark Clifford said last night he is mobilizing the Pentagon for an attack on the social ills of the Nation.

He said the military services and the Pentagon's civilian leaders have been directed to submit recommendations by Nov. 30 on ways the Defense Department can help alleviate "our most pressing domestic problems."

Clifford said the world's largest military establishment, in concert with its contractors, "can do more" for employment, education, housing and health.

He told the National Security Industrial Association that "we in the Department of Defense have not only a moral obligation but an opportunity to contribute far more to the social needs of our country than we have ever done before."

The Defense Secretary, marking his seventh month in office, said he was not about to turn the Department into a welfare agency but instead was out to fulfill its social obligations to the people.

Citing housing as a case in point, he said the Pentagon, as "the Nation's biggest single user of housing," can afford to put some of its money into finding ways to cut costs.

The lessons learned in this research program—which most private builders cannot afford to undertake—would then be passed along to cities trying to find a practical way of improving their slums, he said.

Clifford's speech was coolly received by the military contractors, judging from their comments afterward.

Such statements as "I thought he was Secretary of Defense, not Welfare" and "He'll be murdered in the press for this one, at least he should be" were among the negative reactions heard.

Clifford delivered the speech without once being interrupted by applause. The applause at the end was respectful but not enthusiastic.

Clifford's blueprint amounts to broadening the Pentagon's vision to include domestic needs as it embarks upon programs for the military.

Today's tight budget and the nearness of the national elections mean that it will be left largely to the new administration to implement the recommendations Clifford has called for—if it sees fit to.

The recommendations aside, what Clifford's speech did was set forth a philosophy for the Defense Department that the new President may very well find attractive as he surveys the troubled domestic scene.

GIVES JUSTIFICATION

Here is how Clifford—an architect of the Truman Doctrine while a White House adviser in the 1940s—justified a new Pentagon emphasis on the Nation's social problems:

"What are the basic elements of our total security?" he asked his audience of defense contractors last night. "First, the power of the weapons of our armed forces. Second, the quality of the training and leadership of those forces. Third, the unity of the American people.

"The most modern of weapons will be inadequate to insure our survival in today's world," he continued, "unless our society is keyed to the steady improvement of our political institutions and concerned that all our people participate and share in the benefits of that society."

Without ignoring weapons or military training, Clifford said, the Defense Department, which spends half of all the Federal tax dollars, must "devote more of its time and more of its thinking and more of its resources to those aspects of our domestic problems which are important to our total national security."

Elaborating on the promise of breakthroughs in low-cost housing, Clifford said "first reports" indicate savings as high as 15 per cent.

The cost-cutting techniques include mass buying, modular design and assembly-line construction methods. Clifford said a prototype low-cost housing project is planned for George Air Force Base, Calif. The cost is estimated as $6 million for 200 housing units.

Similarly, he said, the resources of the Pentagon and industry can be applied to the design of a "whole new generation of hospitals."

The idea, he said, is to plan beyond just putting up the building. The Pentagon and its industry partners, Clifford said, could exploit their expertise in the systems approach—viewing the building and its operation as one package.

AUTOMATED HOSPITALS

The Pentagon will ask contractors to design hospitals "so automated that labor costs can be cut drastically and routine services transferred from the overworked doctor and nurse to the sophisticated machine," Clifford said.

In education, Clifford saluted Project 100,000, initiated by his predecessor, Robert S. McNamara. This calls for giving special training to young men who ordinarily would not be accepted by the armed services because of their poor education.

The project, Clifford said, has proved "a spectacular success" with 90 per cent of the men performing effectively on active duty. He said the Pentagon and industry must continue the effort. Education for the average or below average youngster "has been scarcely affected by the scientific revolution since World War II," he said.

He also called for an expanded effort to bring employment to the ghetto. One step, he said, would be to enlarge the program of the National Alliance of Businessmen which is putting "so-called unemployables" to work.

Yesterday, Clifford said, the Pentagon took another step designed to encourage military contractors to put plants in areas of high unemployment. The Armed Service Procurement Regulations were revised toward this end.

The time has come, he said, to re-examine the legislative policy which restricts the freedom of the Pentagon to award contracts to relieve high unemployment.

Mr. CURTIS. Mr. President, there is ample evidence that the Pentagon already has enough problems to work on—problems directly connected with the security of our Nation. I have before me press accounts and testimony on shortcomings discovered in Defense Department development of aircraft, submarines, missiles, and infantry weapons. I ask unanimous consent to place these items at this point in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Baltimore Sun, Sept. 5, 1968]

Senate Report Calls Army's M–16 Purchase "Most Inept"

(By Albert Schistedt, Jr.)

WASHINGTON, September 4—Congressional investigators today criticized the Army for a "most inept performance" in buying the M–16 automatic rifle, used by American troops in Vietnam.

The criticism was contained in the latest of a series of Senate reports on the rifle, which has been the subject of some disagreement between Capitol Hill and the Pentagon in the past.

TIME SAVINGS CLAIMED

In May, the Army had issued a statement supporting its procedures in buying the rifles. The Army statement said in effect that the rifles were needed quickly and that the method of selecting the weapons got them to Vietnam seven months sooner than would have otherwise been the case.

However, today's congressional review took issue with the Army's selection of two contractors for the rifles, and suggested that the choice cost an extra $20,000,000.

The report was issued by a special subcommitte of the Senate preparedness subcommittee of the Armed Services Committee. The chairman of the special subcommittee was Senator Cannon (D., Nev.).

PRICE NOT CONSIDERED

Reviewing the procedures for choosing the rifle producers, the report said the Army's methods eliminated two companies before considering the prices they would have submitted.

One of the companies selected was General Motors Corporation which, the senators stated, was chosen without considering that its price was $20,000,000 more than other firms considered competent by the Army to do the work.

The Army also selected another company, Harrington and Richardson, which had a lower price than General Motors, but a higher price than the two firms which had been eliminated.

Summing up, the subcommittee declared:

"The process of obtaining additional production of M–16 rifles reflects no credit on those involved in supervising and directing the action. It has been, to say the least, a most inept performance.

AWKWARD, UNREASONABLE

"The comptroller general has decided that the contracts will not be called illegal. It would not now serve the national interest to call a halt to the production efforts already underway.

"Certainly, however, this should be the last time that any defense agency conducts a procurement in such an awkward, unreasonable manner."

In May, Stanley R. Resor, Secretary of the Army, issued a statement saying the contract procedures had apparently been misunderstood.

"Time, quality and ability to produce were the deciding issues," Mr. Resor said.

240,000 RIFLES EACH

The Cannon subcommittee said in its report today the Army had opened competitive bidding procedures for the M–16 last September to obtain other sources of production for the rifle. The rifle was being produced only by Colt Industries, Inc., at that time.

But by the end of March, 1968, the competitive bidding procedure had been stopped, the subcommittee continued, and another procedure was undertaken to select two companies from the original four which had been interested in producing the M–16.

On April 19, the Army announced it had selected General Motors and Harrington and Richardson to produce 240,000 rifles each.

The ceiling price from General Motors was $56,304,000, or about $232 per rifle. The ceiling price from Harrington and Richardson was $41,522,000 or about $179 per rifle.

Production of the M–16 is being stepped up as part of a plan for equipping the South Vietnamese forces and other allies with more modern weapons, as well as attaining a wider use of the rifle among American forces.

Clark M. Clifford, Secretary of Defense, said April 11 that the Administration had made a major war policy decision "to turn over gradually the major effort to the South Vietnamese."

[From the Washington Post, September 25, 1968]

F–111A's Grounded After Crash

The Air Force yesterday grounded all its F–111A fighter-bombers while investigators sought the cause of the ninth crash of the swing-wing plane in less than two years.

The temporary action affects some 90 operational F–111As including five in Thailand that were already under flying limitations while the Air Force studied a recent test failure.

The latest F–111A crash occurred Monday at Nellis Air Force Base in Nevada when the pilots were "unable to maintain aircraft control" and ejected, the Air Force said.

The plane smacked down 250 feet short of the runway. A panel was ordered to investigate the accident.

It was only the most recent in a flock of difficulties which, in the eyes of some critics, cast doubts on the swing-wing series.

By conservative estimate the Air Force has now lost at least $60 million in the nine F–111A crashes.

[From the New York Times, Sept. 13, 1968]

Soviets Said To Cut U.S. Missile Lead—Institute in London Assays World's Military Forces

(By Alvin Shuster)

LONDON, September 12.—An authoritative private study issued today reports that the Soviet Union has rushed construction of land-based intercontinental ballistic missiles and now has almost as many as the United States.

The Institute for Strategic Studies, a nonprofit group specializing in military research, said the Soviet Union now had almost twice as many missiles as last year, and by the end of the year is expected to have reached the American total, which was put at 1,054.

Moreover, the institute found evidence of growing diversification in the Soviet military forces, with new emphasis given to preparation for both nuclear and conventional conflict.

It said this suggested a "possible Soviet adoption of a policy of 'flexible response' similar to that adopted by the North Atlantic Treaty Organization."

PEKING'S SEEN AS SLOWED

The report, a world-wide survey entitled "The Military Balance," also said that Communist China's nuclear weapons program had been slowed by the political struggle there and that the Arab countries had rearmed significantly since their defeat by the Israelis in the war in June, 1967. But officials said the Arabs were perhaps a year away from again reaching a "state of readiness."

Although the report was written before the Soviet-led invasion of Czechoslovakia, institute officials said the Soviet's intensified training of airborne forces, for example, was reflected in the smooth and expert use of such troops in the military action.

Alastair Buchan, the institute's director, said at a news conference that he did not think the "balance of power" in Europe had been changed by the Soviet's massive movement of troops into Czechoslovakia.

The Deputy Director, Kenneth Hunt, agreed, saying that the "same number of NATO forces still face the same number of Warsaw Pact forces."

NATO SHIFT FORESEEN

"What has changed along with the new deployment of troops," Mr. Hunt said, "is the political environment. NATO may now want to change its deployment of forces in Europe."

The report says that before the invasion of Czechoslovakia the Atlantic port countries had 115,000 fewer troops in Europe than the Communist block, with forces totaling 990,000.

The Warsaw Pact countries also had more than twice the number of tanks, but the report says that Atlantic port forces have a "greater superiority" in antitank defenses.

Comparing tactical aircraft available in Europe, the 61-page report says that most of the Warsaw Pact aircraft are interceptors, intended for air defense.

In contrast, the Atlantic port forces rely primarily on strike or ground-attack aircraft. The study noted that the West's aircraft had a substantially higher performance.

The report noted that while the Soviet Union now had somewhat fewer missiles, these carried larger warheads.

But, it said, 1,000 American Minutemen missiles had solid fuel, enabling quick-firing. Only a small number of the Soviet long-range missiles, the report added, are solid-fueled.

The United States also maintains substantial superiority in submarine-launched ballistic missiles, the report said, with 625 against 125 for the Soviet Union.

It noted, however, that a new class of nuclear-powered ballistic missile submarines, similar to the American Polaris, was now coming into service in the Soviet navy.

The institute has issued an annual report assessing the military balance since it was established 10 years ago as an international center with a grant from the Fort Foundation.

It has an international council drawn from 15 countries, an international staff and a membership representing 32 countries.

With a budget of about $200,000 a year, it is now largely financed by grants from American foundations, but those in Canada and Britain also contribute. Funds also come from donations from industry and its own membership.

The report costs $2 and may be obtained from the institute's offices, 18 Adam Street, London, W.C. 2.

[From the hearings before the Joint Committee on Atomic Energy, July 25, 1968, on Nuclear Submarines of Advanced Design, testimony of Adm. Hyman L. Rickover]

JOINT COMMITTEE QUESTIONS FOR ADMIRAL RICKOVER AND HIS RESPONSES

1. Question: From your point of view, will you please tell the committee what has happened on the electric drive submarine since our hearing on the 21st of June? For the record, would you please update the electric drive submarine chronology you provided us during the June 21 hearing.

Answer: The electric drive submarine is still being delayed on a day-for-day basis because the May 28, 1968, memorandum from the Director of Defense Research and Engineering to the Secretary of the Navy is still in effect. This memorandum stopped further commitment of funds to this submarine.

Since the JCAE hearing on the 21st of June, the Department of Defense has been conducting numerous studies of the electric drive submarine. In my view the objective of these studies has been to get the Navy to agree with the Department of Defense that there isn't sufficient technical justification for proceeding with this submarine. The Navy has not agreed, and I think it is evident from the testimony given to the JCAE by Admiral Moorer and Dr. Frosch that the Navy does not intend to help the Department of Defense build a case to cancel this submarine. In addition to questioning the technical justification for the electric drive submarine, the Department of Defense staff has been trying to prove that it will cost too much. They are trying to increase the Navy's estimate so that cancellation of the electric drive submarine can be attributed to the budget cut requested by Congress. All of this is outlined in the attached updating of the electric drive submarine chronology.

2. Question: In your opinion, why is it taking so long for the Department of Defense to make up its mind on this submarine?

Answer: In my view the Department of Defense has definitely decided to cancel the electric drive submarine. They have been trying since the May 28 order to develop a rationale for canceling it. They know that Congress is interested in this issue and because of the strong Navy support they know Congress will require a full explanation if it is canceled. It takes a long time to develop a rationale to cancel a new design submarine when the evidence shows that we should be building more new design submarines, not canceling those already authorized.

3. Question: At our hearing held on the 21st of June, you discussed your comment that the Department of Defense was getting too deeply involved in detailed design of submarines. Has this trend continued during the past month?

Answer: The trend has increased during the past month. For example, the Department of Defense suggested, as an alternate to the electric drive submarine, the [classified matter deleted]. The Navy then had to explain in detail the numerous technical reasons why such an installation would not be desirable. We had already considered this specific possibility in 1966 prior to authorization of the electric drive submarine; we had concluded it should not be done. Since there were no new facts, our conclusion was the same when we were required to re-examine this possibility during the past month, because someone in the Department of Defense thought it looked promising as a substitute for the electric drive submarine.

The Department of Defense staff continues to try to design submarines. When they don't like a design proposed by the qualified technical personnel in the Navy, they think up their own design and the Navy is required to prove that the DOD design is not feasible. There is no limit to the number of designs the Department of Defense can contrive. And while all of this is going on, the Soviets are [classified matter deleted] building classes of [classified matter deleted] nuclear submarines. We make studies; they build ships.

4. Question: In your July 18 letter to Mr. Conway you stated that you had submitted comments to the Chief of Naval Operations on a Defense Department memorandum concerning the electric drive submarine. Would you please provide a copy of your comments for the record?

Answer: I am attaching a copy of my memorandum dated July 16, 1968, to the Chief of Naval Operations. It contains the comments referred to in my July 18 letter to Mr. Conway. (See app. 3, p. 203.)

5. Question: One of the comments in your July 18 letter to Mr. Conway indicated that the Office of the Secretary of Defense estimates a much higher cost for the electric drive submarine than the Navy estimates. Can you explain the difference in the estimates?

Answer: The Navy estimate for the cost of the electric-drive submarine is [classified matter deleted] million and the Navy has offered to make these funds available by canceling other ships if necessary. The Department of Defense has tried during the past month to get the Navy to say that the estimate should be [classified matter deleted]. When questioned on the basis for their estimate of [classified matter deleted] the Department of Defense changed their estimate to [classified matter deleted]; but they could specifically identify only [classified matter deleted] above the Navy's estimate. The Navy has advised the Department of Defense that the [classified matter deleted] estimate is still valid. It has stated the [classified matter deleted] additional budget charges listed by the Department of Defense are either already included in the Navy's [classified matter deleted] estimate or are not valid additions for the electric drive submarine. I have attached for the record the two memorandums which discuss this subject in detail. (Since these memorandums contain internal DOD cost estimates they are not included in the public record.)

6. Question: As you know the committee is deeply concerned about the way the Department of Defense delayed the high-speed submarine and is delaying the electric drive submarine. Would you provide the committee with your views as to why this is happening?

Answer: I have given this much thought over the past several years and I have expressed my ideas at length before committees of Congress—this committee, the House Armed Services Committee, the Senate Preparedness Subcommittee, the House Appropriations Committee, and most recently the Senate Foreign Relations Committee. If I talk about a matter not within my assigned area of responsibility, this should be attributed to affection for my country rather than presumption.

What is basically wrong with the Defense Department, in my opinion, is the excessive size of its headquarters, its civilian general staff, which has grown at such a prodigious rate in the last 8 years that it has now reached what in an atomic bomb is called a "critical mass." As you know, when a critical mass is reached, the bomb "takes off"; it is out of control. The DOD headquarters staff has become so vast that it has gone out of control of its own leaders.

There are so many layers of administrators that they constitute a thicket impeding action on vital matters for which DOD approval must be obtained. At numerous points there are barriers—often manned by relatively minor administrators—which check progress. In consequence, almost nothing can now be decided without inordinate delay. It is bad enough to make wrong decisions but infinitely worse to make none at all—as happened with the aircraft carrier *John F. Kennedy*. By simply refusing to act on the request of the Armed Forces and of Congress that the carrier be nuclear powered, the civilian general staff killed the project and got its wish to have it powered by conventional fuel. Currently, the building of the electric drive submarine is being held up possibly with the hope for the same result. This is a dangerous game. Our enemies will not politely hold their hand while still another study is made by the Defense Department.

Obsessed with the fallacy that the decisionmaking process can be made "scientific," the civilian general staff has built a complex apparatus for the evaluation of military hardware requested by the Armed Forces. The deciding criterion has been "cost-effectiveness," a social-science concept that gives inadequate weight to the factor of military effectiveness, which cannot readily be quantified and fed into computers.

Men without the necessary technical training and practical experience hold positions of authority within the civilian headquarters organization, positions that permit them to decide technical and operational matters. Lacking the hard experience of those who must solve complicated technical problems, who daily come up against the difficulty of getting anything concrete accomplished in this world, the administrators and systems analysts of the Defense Department make little allowance for technical expertise in their "scientific" decisionmaking process. They have little if any comprehension of the elusive attribute of exceptional personal perception and ability that anyone involved in a new technology must possess if he is to succeed. They customarily substitute "method" for "substantive knowledge."

This is typical of the social-science approach which at present permeates the civilian headquarters of the Defense Department where social scientists hold high position. In education, it has led to the dogma of the progressive educationists that knowing how to teach is more important than knowing what to teach. In management, it fosters the delusion among high-ranking administrators that the position they hold of itself invests the holder with competence in all areas of his domain.

That the Defense Department is a huge and costly institution bound by inordinately involved and time-consuming procedures is self-evident and fairly well known. Not so well known and potentially more dangerous is the fact that, by virtue of sheer power and blinded by their own propaganda, those in charge consider themselves competent to engage in actual design of complex technical equipment and in the detailed direction of military operations.

Some examples: A very high DOD civilian official used to conduct weekly design meetings with a contractor during which the design of a most complex weapons system was evaluated in detail. Another high civilian DOD official held meetings attended by other leading civilians of the headquarters staff and by military line officers where the design of the complex equipment of a new submarine was evaluated. None of those present was experienced in the relevant technology. On other occasions, the DOD general staff has bypassed the Navy Department and gone directly to subcontractors to obtain technical and financial information. The financial information was requested on a contract then under negotiation by the Navy's contractor. The result may be an increase in cost.

What is forgotten by those who set up these elaborate decisionmaking processes is that the military is an operational organization with specific technical tasks to perform, and that these require a high degree of specialized technical knowledge and experience.

They are tasks which are not amenable to purely management techniques. They lie in two different areas of human competence, and are not interchangeable.

Different elites disagree with each other. The problems with which administrators deal spill over into areas where they are not specialists, and they must either hazard amateur opinions or ignore larger issues—which is even worse. We have created a form of organized disorganization because the chief administrative goal of the Department of Defense appears to be the exercise of control in areas where their staff is not expert. This is why their dream of total efficiency through a new "science" of management has so often been shipwrecked on the hard rock of reality.

The vast organizational structure built up by the civilian general staff is out of proportion to the administrative work that needs to be done. It is designed to serve two additional purposes—neither of them contributing in any significant manner to military effectiveness. First, it gives play to the theoretic concepts of the social scientists and to their postulates on how decisions should be arrived at. Second, it offers "proof" to the uninitiated public that the job is getting done. This is accomplished by complex charts and lengthy "word-engineered" organizational descriptions. The civilian general staff can point to these and to its large number of administrators as "proof," as uncontradictable authority that everything necessary is being done. And all of this is expounded and celebrated by the DOD public relations staff—its propaganda arm. They will "prove," when profits on military contracts increase, that in fact the Defense Department is "saving" money. They will counter congressional questioning of Defense Department decisions by "proving" that a highly scientific decision-making process is at work and Congress need entertain no doubts or misgivings.

Their anonymity and their control of a vast public relations staff—paid for by the American taxpayer—protects high level administrators who commit errors. They should not thus place themselves above public criticism. Other public officials are judged by their performance, by the results they achieve. A simple measure of the efficiency of the civilian management of our Military Establishment is the leadtime it requires to produce new military weapons. On this point, let me quote from a press conference held October 27, 1959, by Chairman John A. McCone of the Atomic Energy Commission, on his return from a visit to Russia:

"Question. I wonder if you could tell us from the administrative side whether you found that their administration is perhaps abler to put policies into practice a little bit faster than we are? What comparisons you might draw on the administrative side.

"Chairman McCone. We were quite surprised with the speed with which they could accomplish certain specific objectives. Their plan of organization, under which their institutes which correspond to our laboratories are operated by their Academy of Science, seem to give them a facility for mustering and directing their scientific and technical talent in such a way that they get things done in remarkably short time.

"Question. Does this business of expedition in making decisions and mustering their financial and brainpower have any application in this country? Is this something that we have to improve on?

"Chairman McCone. I think that is right."

I mention these comments of Chairman McCone because, if anything, they are even more pertinent today than when he made them in 1959. What I call the "administrative timelag" has grown immeasurably in the interval. I believe there is a direct relation between this increase and the vast expansion of the Defense Department's civilian general staff in the last 8 years. There is a saying that no one can be called a great economist who causes an economic disaster. By the same token no one engaged in managing our Military Establishment can be called a great administrator when, under his administration, our own competitive position vis-a-vis a potential enemy deteriorates.

Recently I testified that we may find ourselves in the midst of elaborate cost-effectiveness studies when our opponents demonstrate they have outproduced us in the sinews of war. But so strong is the civilian general staff's enthrallment with studies, that even when actual proof is presented that the Soviets are outdistancing us in submarines, it is impossible to break the spell—the studies must continue.

Lack of funds cannot be used to excuse the DOD's delay in authorizing new design submarine construction. Congress has not only made the necessary funds available but has repeatedly urged that the new type submarines be built without delay. Further, the Navy has offered to provide funds from other Navy programs for the increased cost.

The manner in which the electric drive submarine has been handled by the Department of Defense is far more important than the specific issue of the submarine itself. If this manner of doing business—where the highest levels of civilian and military administration in the Department of Defense become involved in details of warship design, including submarines—is indicative of the way other Department of Defense projects are being handled, we are in serious trouble.

I believe it is incumbent on those of us who are familiar with the fundamental principles involved in the issue of the electric drive submarine to express our deep concern.

7. Question. Would you provide your recommendations on what needs to be done in the Department of Defense to correct this situation?

Answer. I believe what I have just said leads to some obvious simple remedies.

First, I would require the DOD headquarters—the civilian general staff—to be drastically reduced in number. As an immediate step I would require that it be reduced to the level of numbers and of high-level positions it had in 1960.

Second, I would return to the three Services the right to run their own departments—and not remain the servants of the vast defense headquarters civilian directorate.

The DOD has become unmanageable because of its huge size. This would be equally true of any other centrally controlled organization with similar responsibilities and with many billions of dollars to spend. The immense growth of recent years was never the intent of Congress, and it is Congress that can and should require immediate return to the basic concept of the Defense Department. The Lord hasn't created people with sufficient wisdom to run these vast organizations. The corrective judgment of the legislative process must therefore be used.

The Military Establishment should, of course, be managed by a civilian headquarters staff, but the staff should set policy and not engage in detailed administration and operation, and in the design of military equipment, as it now does. In a homely manner of speaking, the Department of Defense is constipated; it must be purged or it will become increasingly torpid.

I well know the reluctance of the legislative branch to interfere with an agency of the executive branch. But after all, Congress does have the constitutional authority to "raise and support" our military forces. Surely this means more than merely appropriating funds. As the representative of the people in whom all authority ultimately resides, the Congress has the responsibility of "oversight"—of making certain that the taxes paid by the people are spent wisely and in the public interest.

Should we ever lose a war, to what avail would it then be to say: It was not the business of Congress to meddle in affairs of the executive branch.

One of the reasons you do not have a full picture of what goes on in the Defense Department is that you permit witnesses to use "metatalk"—the diplomatic language which is expressive of bureaucratic caution. It is highly serviceable for fending off questions one does not wish to answer. It is effective because it takes advantage of and plays on the courtesy of congressional committees who try not to embarrass witnesses.

Lately, I find myself thinking of the commission set up after the end of World War I by the Weimar Republic to study and report on the causes of Germany's defeat. The commission found that a major cause of this defeat was the amount of paper work required of the armed forces. Toward the end, they were literally buried in paper.

I hope we will never have to appoint a similar commission.

Mr. CURTIS. Mr. President, national defense must get top priority. The needs of our fighting men, the Nation's defenses, must not be neglected—election or no election.

EFFORTS FOR HUMAN RIGHTS RATIFICATION MUST CONTINUE THROUGH SENATE SUBCOMMITTEE

Mr. PROXMIRE. Mr. President, presuming that today will see the adjournment of the 90th Congress, I wish to congratulate the membership of the Subcommittee on Human Rights of the Committee on Foreign Relations.

Their efforts, in spite of the disagreement of a majority of the full committee, to secure ratification of several human rights conventions are to be commended. Chairman Dodd, Senator Pell, and Senator Clark have fought a good fight and their success in the instances of the Slavery Supplement Convention and the Protocol on the Status of Refugees shows the way for favorable consideration and eventual ratification of the remaining human rights conventions.

These and other Senators have joined in calling for ratification of the conventions. During the past 2 years we have called the Senate's attention to specific instances throughout the world in which the basic rights of men were being violated. We have attempted to show there is an incontrovertible connection between these instances of deliberate inhumanity and the failure of the United States to reassert a practical leadership in the human rights field.

Mr. President, during this Congress I have at times had critical statements to make about this delay in ratification. I do not regret saying what I had to say, only the necessity for having to do so in the first place. I trust the first session of the 91st Congress will see the Senate ratify the human rights conventions, beginning with that against genocide. We have had far too many examples of human rights violations these past 2 years to any longer doubt that failure to extend human rights to all men will inevitably bring about a lessening of the belief in and protection of our own human rights here at home.

VOTING AGE SHOULD BE LOWERED TO PROVIDE NEEDED YOUTH PARTICIPATION

Mr. RANDOLPH. Mr. President, the 90th Congress is nearing its close and, as is always the case, there is unfinished business. No person would contend that a single Congress can consider and attempt to resolve all of the proliferating issues—national and international—which face our Nation and the world.

Nevertheless, I am compelled to voice my regret and disappointment that the Senate has not taken affirmative action on a constitutional amendment to lower the voting age to 18. Mr. President, in the early stages of the 90th Congress I was firmly convinced that lowering the voting age was an idea "whose time had come." Leaders of both parties in the Senate and many Members expressed their advocacy of a lower voting age—but we failed to act. We continued to extend the time during which our young people are denied the right to become full partners in our society. As a nation, we pursue a course of welcoming young citizens into the ranks of service organizations; of urging political and governmental participation; of expounding platitudes on the need for youth involvement; and of demanding responsible actions by young persons. And we continue to withhold from them the most vital outlet of expression—the ballot.

The march of democracy has been strengthened over the years by enlarging participation in the political process. Our Nation has manifested wisdom in extending the right to vote by including women in the electorate in 1920, and by not requiring payment of a poll tax in 1964, so that our Government will function on the broadest possible scale of participation. These were realized through constitutional amendment. We now have the opportunity to afford this right to more than 10 million citizens between the ages of 18 and 21. Our country would benefit from this action.

Since 1942, when I introduced a constitutional amendment in the House of Representatives, I have constantly advocated lowering the voting age. It has been my privilege to introduce this measure eight times in the Congress. The arguments for a lower voting age are well known and numerous. However, I point out that the Democratic platform in the section on youth states:

> We will support a Constitutional amendment lowering the voting age to 18.

I was gratified to be a member of the platform committee and to testify on behalf of this provision. This is a commitment of the party of progress to the young people of our Nation, and I pledge that my efforts in the 91st Congress will be unceasing in the effort to fulfill this commitment.

WORK OR STUDY ABROAD SCHOOLS, LTD.

Mr. NELSON. Mr. President, international programs of work and/or study in foreign countries can be a very meaningful experience. The cultural and educational value of a student trip to a foreign country can be most worthwhile.

In 1963, a Wisconsin group formed an enterprise to bring study and travel opportunities to vast numbers of young people. Work or Study Abroad Schools, Ltd., has achieved remarkable success for its work in bringing the American student in closer contact with his foreign counterparts. Since 1963, this company has grown to be the largest organization of its kind.

Last summer a representative of the Higher Educational Approval Council of the State of Wisconsin visited many of the campuses where the WSA program operates.

I ask unanimous consent that the summary and conclusions of a report made by Mr. Lauren P. Gordon evaluating what he observed be printed in the RECORD.

There being no objection, the item was ordered to be printed in the RECORD, as follows:

SUMMARY AND CONCLUSIONS

I think it is obvious from this report that I was favorably impressed with this operation. WSA is relatively new, and this is the first year it was really "big time", and yet things went off with a minimum of problems as far as I could see. Next year's operations will be even larger, and the experience gained this year will be very helpful in planning next year's operation. It appears that there will probably be between 2,000 and 3,000 students going abroad next year. WSA has already made reservations for 2,300 with leading airlines, such as TWA and others, to transport their students.

The WSA program is definitely a study program. This was very evident at each location I visited and was verified by the chaperones in charge. All of these chaperones are teachers in the fields involved, and since many do have students from their own schools in attendance, they felt responsible and are concerned that the programs are worthwhile.

Institutions in the United States should have no hesitancy in granting credit for work done at these schools operated and sponsored in Europe by WSA. The classes meet for 3 hours per day, 5 days a week for 5 weeks which totals 75 hours. This is equal in clock hours to a semester in most United States schools, and with the tours and other experiences in the various communities I feel will exceed the work that would be done in a similar semester course at home. What better way can there be to study a language than in the country itself, living with a native family, mingling with local residents, and hearing practically nothing but that language all of the time?

The cost of the program is very reasonable. In calculating travel, board and room, instruction at the various schools, and administrative costs, it is obvious the rate has been held to a minimum.

The WSA program with 5 weeks of study and one week of tour seems to be about right. A shorter period of study would hardly be worthwhile, and the final tour is a fine way to conclude the experience.

The WSA system of providing chaperones at each campus who are so well qualified assures that everything possible will be done to make the program worthwhile. These people would not tolerate anything less.

It was a privilege for me to make this evaluation. WSA made every effort to make the trip a pleasant one. I was given the opportunity to observe all phases of the operation. I tried to be objective and critical, but I found very little to criticize. WSA officials are aware of the problems that I did mention, and from discussions I heard, I know that these will be taken care of next year. The attitudes of WSA and staff are important. Most of them are young and are energetic and eager to build an organization for the future, and are not primarily interested in financial gain. There were many places they could cut corners and save money, but as far as I could see, they were more interested in providing a good program for the boys and girls involved. I have no reservations in recommending WSA to anyone interested in summer study abroad.

MR. LAURIN P. GORDON.

AUGUST 15, 1967.

WHY NOT A TRUTH-IN-GOVERNMENT LAW?

Mr. YOUNG of Ohio. Mr. President, one of the great needs in this country is that we in the Congress should pass a "truth in government" law.

One million, nine hundred thousand of the finest young men in America have been sent overseas to Vietnam and Thailand to fight in a undeclared war which is an immoral war and has now become the longest war ever fought by our country and the most unpopular. Unfortunately, of this vast total of nearly 2 million men more than 200,000 have been killed and wounded in combat in South Vietnam and shot down over North Vietnam. Approximately 2,000 American fighting men are missing in action or prisoners of war. In addition, many thousands have been afflicted with bubonic plague, malaria fever, and other jungle diseases. Thousands have died in addition to thousands killed in combat, and more, many more, thousands will suffer from malaria and the effects of other jungle diseases as long as they live. Some 30,000 young widows and the fathers and mothers of young men who lost their lives due to President Johnson's involving our Nation in an ugly civil war in South Vietnam, are asking "why?" "Why was the priceless life of my husband, or of our boy, lost in a war in South Vietnam which is not and has never been of any strategic or economic importance to the defense of the United States?"

Now, in the Defense Department appropriations bill hundreds of millions of dollars of taxpayers' money are appropriated and will be spent for a thin antimissile defense against the so-called nuclear threat from Red China. This is the forerunner or contemplated expenditure of $40 billion to ring our cities with so-called antinuclear missile defenses which will be ineffective and obsolescent by the time they are installed, just as were the Nike-Zeus missiles for which so many million dollars of taxpayers' money has been wasted and is presently being wasted.

Communist China has only a crude nuclear capacity. The fact that in Communist China there have not been any nuclear tests, or nuclear explosions, in 16 months is ignored. Furthermore, despite the fact that with our tremendous air power we have dropped many more tons of high explosives to destroy North Vietnam than were hurled from our warplanes throughout the entire period of World War II, and despite the fact that by our napalm bombing and bombing with high explosives and more recently by shells of high explosives fired from the 16-inch guns of our battleship New Jersey each shell weighing 2,700 pounds we have killed and maimed hundreds of thousands of Vietnamese civilians, mostly women and children, the rulers of Hanoi have not invited the rulers of Communist

China to help. It is evident that Ho Chi Minh does not want the forces of Red China in North Vietnam any more than he wants the forces of the United States in South Vietnam. Why should he?

Had President Johnson not involved us in a civil war in Vietnam, had he not directed our bombers to devastate North Vietnam, that small nationalist Communist country would have been a barrier against expansion southward by Communist China. In other words, North Vietnam could have been an Asiatic Yugoslavia and Ho Chi Minh as Asiatic Tito. Furthermore, it should not be forgotten by our leaders in Washington that in 1945 and 1946 Ho Chi Minh was brutally imprisoned in a dungeon by the Chinese Communists and confined in that dungeon for more than a year and was supposedly near death when he was finally released.

The facts are that no Chinese soldiers have come into North Vietnam or have infiltrated into South Vietnam to participate in the struggle going on there.

One is reminded that Nikita Khrushchev, in an interview after he had been removed as Premier of the Soviet Union, was asked his view regarding the Cuban missile crisis. Khrushchev answered:

> I don't consider the settlement as a defeat for the Soviet Union because we retained a communist government in Cuba and we did not lose a man.

Contrast this with our so-called diplomacy in the civil war which has been raging in Vietnam since 1946. From 1946 to May 7, 1954, the French were the aggressors as they sought to reestablish their lush Indochinese empire. The French dream of reestablishing its colonial Indochinese empire ended at Dienbienphu on May 7, 1954, when the Viet Minh of the National Liberation Front overran that outpost and compelled 12,000 of the French Foreign Legion to surrender. Then later in 1954, France signed the Geneva accords and withdrew its 240,000 fighting men from Vietnam. From 1954 to the present time and particularly from November 1963, the United States in world opinion has replaced the French as aggressors in Vietnam.

President Johnson has continually yielded subservience to State Secretary Rusk, Walt Rostow, Gen. Maxwell D. Taylor and to the generals of the Joint Chiefs of Staff. They have constantly urged expansion and escalation of our fighting and bombing in Vietnam. Their joint views and advice have led to the United States waging an unpopular and immoral undeclared war. These men are proponents of evil policies of the industrial-military complex. When President Eisenhower left the White House in 1961 the United States had fewer than 685 military advisers in South Vietnam but no combat troops. In his farewell statement to the American people President Eisenhower warned against the power of the industrial-military complex.

Americans, and I refer to the rank and file of the men and women of our country, know that the greatest and strongest defense against communism is to make our American system of government work in every respect so that men and women the world over may have every reason to regard the United States as the land of opportunity and a Nation where all citizens, regardless of race or color, are liberty-loving Americans enjoying equal opportunities and complete freedom.

It is high time that the American people were told the truth regarding our involvement in an ugly civil war in Vietnam. The truth is that 600,000 young Americans are fighting in Southeast Asia and many of them dying because the administration refuses to admit our mistake in attempting to create a pro-American, anti-Chinese buffer state in South Vietnam following the time the French withdrew in 1954.

DEFENSE SPENDING: IS IT OUT OF PERSPECTIVE?

Mr. PROXMIRE. Mr. President, the Milwaukee Journal for October 8, 1968, carried an editorial on the $71.9 billion appropriation which this Congress has just approved for defense. This is far and away the largest single appropriation in our history.

Mr. President, as a nation we stand at a critical juncture in our development. We are beseiged by a multitude of domestic problems—problems which demand attention now. In order to be able to deal with these problems, it is vital that we pare our defense outlays to a minimum, consistent with national security considerations.

Although $5 billion has already been pared from the administration's request, I believe there is still far too much slack in the defense budget. Let me emphasize that I am not referring to Vietnam spending; there is great room for saving apart from our expenditures in Vietnam.

Possible candidates for cutting come to mind easily. The antiballistic system is a prime candidate; there is no evidence that such a system would substantially increase the Nation's security. Spending for the ABM could be sharply reduced, or eliminated entirely. Personnel cuts could be made in many areas without decreasing departmental efficiency one iota. Military facilities in local districts are often little more than sheer boondoggles; many of these could easily be curtailed. In all, over $10 billion could be saved, according to an extremely well-written article which appeared in the Congressional Quarterly several months back.

Mr. President, the Milwaukee Journal suggests that defense spending should be one of the critical issues of the current presidential campaign. I ask unanimous consent that the Journal editorial, entitled "$71.9 Billion for Defense," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FOR DEFENSE: $71.9 BILLION

The senate has just passed the largest appropriations bill in the nation's history—$71.9 billions, and all for defense. Even this does not accurately reflect the total cost of supporting the military establishment. If the Vietnam war continues, a supplemental appropriations bill of perhaps several billion dollars will very likely be requested next spring.

This mammoth level of spending is out of line for a nation that desperately needs massive transfusions of money to rebuild its cities and alleviate its complex social problems. Yet funds for these purposes are being cut back all along the line, in education, welfare, city planning and reconstruction.

What we are seeing is the growth of what was once called an estate of government—largely autonomous, largely free from democratic review. It is a relatively new and dangerous development, all the more difficult to perceive and deal with because it represents no conscious plot. The military-industrial complex represents, rather, a confluence of interests, each of which has a material stake in a war economy.

The enormous political power implicit in a $70 billion, and more, annual military budget poses a threat, or at least a grave challenge, to governmental procedures and institutions. For instance, congressmen with large defense establishments in their districts are reluctant to curtail military funds, even when the money is going for obsolete functions or for questionable new purposes, such as the ill advised antimissile system.

President Eisenhower warned of these developments in his farewell address of January, 1961. "In our councils of government," he said, "we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist."

Yet, in the current election campaign, no major candidate has addressed himself to what surely is one of the fundamentally crucial issues of the election. It's time they started, for it makes no sense for a nation to spend so much for defense while neglecting to fund adequately other sources of national strength, such as the health and education of citizens.

FORD MOTOR CO. MARKUPS

Mr. NELSON. Mr. President, on Wednesday, September 25, 1968, in a speech on the floor of the U.S. Senate, I made public information that heretofore had never been known to the American public. The exhibits that I placed into the CONGRESSIONAL RECORD were authentic Ford Motor Co., documents that dramatically illustrated the enormous percentage markups that Ford was taking in 1966.

In a letter to me on October 1, 1968, the Ford Motor Co., has proffered its reply. I ask unanimous consent that this letter and my reply of October 3, 1968, be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

FORD MOTOR CO.,
Washington, D.C., October 1, 1968.

HON. GAYLORD NELSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR NELSON: It was with some surprise that we read the press reports last week of your comments on Ford profit margins. We have now had an opportunity to review the text of your speech in the Senate along with the accompanying statistical tables which apparently were extracted from inventory valuation records of a Ford Motor Company assembly plant for the month of July, 1966.

Our published financial statements show clearly that Ford profit margins are much smaller than you have pictured them. Your conclusions apparently were based on a misunderstanding of the nature and contents of these inventory valuation records. Assembly plant inventory values for various passenger car models and options have been subtracted, by your staff, from the company's 1966-model selling prices to its dealers. The differences are described as the "mark up" or profit earned by Ford on the sales of the products in question. For example, it is stated that the "mark up" on a 1966 Galaxie 500 4-door sedan with selected options was $596.89—equal to 23.8 per cent of our selling price to a dealer.

In fact, our published financial statements show that the company earned 9½ per cent on sales (before taxes) in 1966. Our return on the principal part of our business, sales of vehicles and related equipment in the United States (comprising nearly 70 per cent of total sales volume in that year), is generally consistent with our over-all profit margin.

The principal purpose of the inventory valuation records is to determine changes in inventory levels at specific plants during specific periods. They reflect only those elements of cost that are charged to assembly plants in the Ford accounting system. Many significant cost elements are never entered on the books of assembly plants, including special tool amortization, selling and marketing expense, engineering and research costs, warranty and policy costs, and general administrative expenses. Subtracting inventory values at a single plant from the final selling prices of our end products to dealers yields numbers which do not remotely resemble the profits earned by the company on its automotive business.

By the usual objective standards, Ford's profit margins are not abnormal or excessive. Ford's 1966 pre-tax profit margin of 9½ per cent on sales was lower than in any of the seven previous years, and it was lower than the average margin reported for the 30 companies in the Dow Jones Industrial Average, and about the same as the average for all manufacturing companies.

I should also like to comment on your apparent misunderstanding of the reasons why we have not divulged detailed information about our costs. As far as Ford is concerned, no claim has ever been made that we do not know our costs in detail. To the contrary, Mr. Arjay Miller, Vice Chairman of Ford Motor Company, stated last May before the Senate Subcommittee on Executive Reorganization, that we do know, in considerable detail, the costs of our products. Our unwillingness to disclose such information publicly is based on our conviction that publication would cause us competitive injury. Indeed, disclosure of basic cost information to competitors has long been regarded with disfavor under the antitrust laws.

In the interest of fairness and accuracy, and in view of the fact that your speech and supporting materials have been entered into the *Congressional Record*, we request that this response also be published in the *Congressional Record*.

Sincerely,

R. W. MARKLEY, Jr.

U.S. SENATE,
Washington, D.C., October 3, 1968.

Mr. RODNEY W. MARKLEY, Jr.,
Vice President,
Ford Motor Co.,
Washington, D.C.

DEAR MR. MARKLEY: Thank you very much for your letter of October 1, in which you comment on the Ford Motor Company documents which I inserted in the Congressional Record on September 25 in order to provide the first authentic information ever made available to the Congress and the public on the actual costs of producing automobiles.

Nothing in your letter of October 1 changes or refutes any of the statements which I made in my Senate speech on September 25.

First of all, I am pleased that you accept the authenticity of the Ford Company computerized unit cost analysis which was turned over to our Monopoly Subcommittee and which I placed in the record. It is helpful to have this further assurance that these are authentic documents and that they can be used for a thorough and responsible discussion of actual production costs.

Secondly, you make no rebuttal at all to the fact that these documents indicate that the Ford Motor Company took truly astonishing markups on "optional equipment" which has become almost standard on a large percentage of the cars which you produce. Our study of your cost analysis indicated that your assembly plant used a markup of 259% for a type of oversized tires; 149% for a heater; 293% for a V–8 engine, and so forth. These markups were computed by comparing the actual cost to the assembly plant and the price charged the local automobile dealer. Since you do not attempt to refute this information, I assume it is accepted as correct that your company takes markups over assembly plant costs, in the indicated ranges, on optional equipment which certainly has an important bearing on the profit earned on the car as a whole.

Third, you devoted much of your letter to contending that you do not earn a profit of 23.8% on the car as a whole. You contrasted this 23.8% figure with a 9.5% figure which you say your published financial statements show for 1966 for the Ford Motor Company, on its automobile production and other activities combined.

In my Senate speech, I made no allegation that you earned a 23.8% profit. What I did say is that the Ford Motor Company cost analysis indicated that the firm in 1966 "was making very handsome markups over its costs of automobiles and parts—far higher than it lets its dealers charge, far higher than most manufacturers and wholesalers and retailers are able to charge in markets in which real and serious competition exists."

I said that the information provided by your cost analysis data raises serious question as to whether there was any possible justification for automobile price increases at a time when the nation is experiencing a severe threat of inflation. I concluded that the only way to resolve this question was for the Ford Motor Company to appear before the subcommittees chaired by Senator Morse and myself for a full and thorough discussion of the cost analysis documents which are now a part of the public record.

Let me renew that invitation and let me re-emphasize the urgency of such a discussion. The Big Three of the automobile industry are experiencing record-breaking sales and are earning very generous profits. The detailed computer cost analysis from your own company records indicates that your firm is earning a handsome profit on the basic car and is marking up accessories by as much as 293%. This material, which still stands unrefuted, indicates that the recent price increases are unjustified by your own cost and profit statistics and that they will have an inflationary effect on the economy. As a responsible American corporation, I think that the Ford Motor Company should appear before our subcommittees and explain these high profit figures or else rescind the recent price increases immediately.

Obviously, questions such as we are discussing—which have a great bearing on the public interest—are never going to be settled through an exchange of letters. I should think that a full and impartial hearing before duly constituted Senate committees would be in the best interests of the Ford Motor Company as well as in the public interest.

Sincerely yours,

GAYLORD NELSON,
U.S. Senator.

Mr. NELSON. Mr. President, it is still my belief that the auto industry has irresponsibly raised prices on their 1969 model. There is little doubt that increased prices will further aggravate the inflationary cycle our wartime economy is now experiencing.

As of today, I have not been offered any justification for the price increases. I believe that they are unjustified and should be rescinded. However, I would welcome the opportunity to discuss this matter with the auto industry. In my letter of October 3, 1968, to Ford, I renewed my invitation for Ford executives to testify before the Senate Small Business subcommittees presided over by the Senator from Oregon [Mr. MORSE] and myself. I think a full and impartial hearing on this vital issue would be in the public interest.

HOME CAPITAL FUND, INC.

Mr. PERCY. Mr. President, we hear a great deal today about how private industry is losing its creativity and is depending on the Federal Government more and more. This seems to be especially true in the fields of housing and housing finance.

I have recently had brought to my attention a new imaginative cooperative effort started last year by 15 of the country's leading building product manufacturers, without any Government assistance, to stimulate and encourage the production of new houses and to assist prospective home buyers to purchase new as well as existing houses.

The company, Home Capital Funds, Inc.—HCF—is a new company organized in March 1967, to provide a pool of capital with which to buy interests in high-ratio insured first mortgages. The founders, consisting of 15 leading building-supply companies subscribed $4.250 million equity capital and since that time various lending institutions have agreed to furnish senior money.

The companies are the Andersen Corp., Armstrong Cork Co., Canadian Pacific Investments, Ltd., Carrier Corp., Flintkote Co., Kaiser Industries Corp., Masonite Corp., Owens-Corning Fiberglas Corp., Potlatch Forests, Inc., Reynolds Metals Co., Sherwin-Williams Co., Trane Co., U.S. Plywood-Champion Papers, Inc., Westinghouse Electric Corp., and Willamette Industries, Inc.

In 18 months HCF has already demonstrated that it will be a profitable operation. It, together with its senior investors, has financed—or committed to finance—the purchase of over 3,000 homes that might otherwise not have been built or sold. The total dollar amount of mortgage loans which have been, or will be, made under HCF's program on these houses is over $72 million. I believe this is truly a remarkable record, and that in the future the company's contributions will continue at an even greater rate. Some additional details of the company's operations are as follows:

Background: Residential mortgage lending has been undergoing an evolution for several decades, an evolution which has meant the availability of more funds and better terms for home buyers. The fact that 35 million American families are homeowners is due, to a large degree, to the increasing flexibility of mortgage lending terms which began about 30 years ago and continues today. A program of mortgage loan insurance instituted by the Government to stimulate homeownership following a period of national financial crisis was perhaps the first link in the chain of events which has led to the widespread ownership of homes now so evident across the country. Homeownership has long been an American tradition but realization of this has never before been within the grasp of so many. The Government's successful programs evidenced the need and soundness of high-ratio mortgage lending when loans are properly underwritten.

A further development in mortgage lending was the institution of private mortgage loan insurance which made it possible for institutional investors to have the sound protection of an insured mortgage loan without the limitations and restrictions which have in too many instances become associated with the Government's programs. The growth of private mortgage loan insurance since 1957 has demonstrated that well underwritten high-ratio conventional loans are sound investments and may be included in a prudent mortgage loan portfolio.

The formation of Home Capital Funds, Inc., adds a new and important technique of joint mortgage lending to institutional mortgage investors. The investors, many of which were heretofore restricted in their ability to make conventional high-ratio loans, are now able to direct their mortgage funds into the growing high-ratio mortgage market in partnership with Home Capital Funds, Inc.

THE HCF PROGRAM—A NEW SOURCE OF HIGH RATIO MORTGAGE FUNDS

Home Capital Funds, Inc., joins with institutional mortgage investors, such as insurance companies, savings institutions and commercial banks, in funding conventional residential mortgage loans of higher loan to value ratios than an institutional mortgage investor—IMI—wishes to fund alone.

The principal IMI at the present time is the Metropolitan Life Insurance Co., although there are approximately 10 other lending institutions which have signed agreements with HCF.

Many investors either must, or prefer to limit their lending to conventional loans which do not exceed 75 percent of the value of single-family owner-occupied residential properties. Home Capital Funds adds its investment to an IMI's 75 percent mortgage loan and the home buyer receives a 90 percent total loan. Many home buying families prefer to limit their cash investment and increasingly seek loans of up to 90 percent of value so as to avoid the high costs and disadvantages of second mortgages. Many home buyers also wish to avoid the restrictions and complications of governmental insurance programs. The principal source of conventional high ratio mortgage loans in the past has been local savings institutions which have limited funds and which operate under regulations restricting their ability to fill the growing demand. The joint loan program of HCF brings new money from different investors into this market, thus enabling more qualified families to purchase homes without the necessity of waiting to accumulate a large downpayment.

A PARTNERSHIP OF INVESTORS

HCF does not originate loans. Instead, it agrees with an IMI to supply one-sixth of the amount of a joint loan, up to 90 percent of property value, which the IMI either originates directly or authorizes its experienced correspondents to originate. A joint loan must meet the underwriting standards of both the IMI and Mortgage Guaranty Insurance Corp.—MGIC—of Milwaukee, which insures each joint loan against loss.

A home buyer signs only one mortgage for the entire joint loan which is made at a competitive interest rate and administered for both investors by the IMI or by a correspondent-originator-servicer designated by the IMI and approved by both HCF and MGIC. When the IMI acquires its five-sixths of a joint loan it acquires all the rights of a first mortgagee and holds the loan documents for the interest of both investors. An agreement between the IMI and HCF provides that HCF shall have priority in any claim against MGIC in the event of default and repossession of the property. Since MGIC's insurance covers a maximum of 100 percent of a claim, and a minimum of 20 percent of a claim amount, HCF's one-sixth interest—16⅔ percent—in a joint loan is completely insured against loss and the IMI's 83⅓-percent interest in a loan—which never exceeds 75 percent of the property value—is protected as usual by a first lien on the property or by a 100-percent claim settlement from MGIC which, in that event, takes possession of the property.

Principal payments on a joint loan are allocated pro rata between the investors, five-sixths to the IMI and one-sixth to HCF. Since interest rates on 75 percent of value loans are at least one-fourth of 1 percent lower than interest rates on 90 percent of value loans, the IMI will, on its senior investment, receive the 75-percent loan rate of one-fourth of 1 percent less than the rate paid by the mortgagor. HCF receives on its junior investment the mortgagor rate plus the one-fourth of 1 percent which is not received by the IMI on its five-sixths of a joint loan. The rate at which IMI is willing to invest in any given loan will determine the mortgagor rate.

For example, assume a joint loan of $24,000 is written at 6¾ percent interest. The IMI would invest $20,000 to yield 6½ percent before paying the correspondent for servicing and HCF would invest $4,000 to yield 8 percent—including the one-fourth of 1 percent override of the $20,000 lent by the IMI—before paying the correspondent for servicing. The cost of any specific joint loan is necessarily competitive and depends upon local interest rates and market fees.

Joint loans are available for a maximum term of 30 years and with no requirement that the product of any manufacturer—or any product by type—be included in home construction. HCF's emphasis is on new residential construction, but qualified existing homes are considered, particularly where they contribute to new house sales. HCF's management indicates that it may request authority from its Board to invest in interests in real estate loans on other than single family residences provided that mortgage loan insurance is available. The maximum amount of a joint loan is determined by the IMI. HCF funds its junior investment in a loan of any amount which has been approved by IMI and MGIC. Generally, loans exceeding $40,000 are for less than 90 percent of value but HCF, the IMI and MGIC will consider exceptions where circumstances warrant.

The MGIC insurance premium may be paid by the borrower or by anyone else on his behalf. Two methods of payment are available: First, a premium of 2 percent of the original principal amount of the loan, payable on closing, for coverage for 10 years; or, second, a premium of one-half of 1 percent of the original principal amount of the loan, payable at closing, for coverage for the first year, and annual premiums of one-fourth of 1 percent on the outstanding principal balance of the loan payable thereafter. The first premium payable is increased by $20 on loans which exceed 80 percent of appraised value. Since joint loans will be originated at market rates, it is not expected that discounts will be required. However, HCF may require payment of a marketing fee. The amount of this fee, or whether it will be required, will vary depending upon circumstances. At the present time, the marketing fee is five-tenths of 1 percent of the loan amount and, although future competitive circumstances may reduce this rate, no present plans call for its reduction or elimination.

ADVANTAGES TO FINANCIAL INSTITUTIONS

To mortage loans originators the HCF plan offers a viable solution to the problems which have been plaguing the industry in the wake of the erratic course of Government-sponsored mortgage activity of recent years. Mortgage originators have seen times recently when literally no investors were in the market for any residential loans on a competitive basis. They have felt, nonetheless, obligated to maintain their organizations to produce residential loans, looking toward the time when they would again be called upon to do so.

Using the HCF program, a mortgage originator can again offer residential loans at attractive yields. He will once more stand ready competitively to serve his building and realtor clients. He will not have to be concerned with troublesome governmental regulations and restrictions. He will be able to offer prompt and efficient action on loan requests. He will no longer need to demand substantial discounts from builders or borrowers. The troublesome second mortgage is also eliminated.

The insured joint mortgage technique of high-ratio lending should receive serious consideration by institutional mortgage investors in single-family home loans, especially those restricted by statutes designed to protect the moneys of policyholders, pension funds, or trusts under administration. The joint loan technique enables such an IMI to acquire single-family home loans, within its lending restrictions, at a risk actually less than at present under normal 75-percent programs. An institutional mortgage investor, in making a senior investment in a joint loan, has a much surer knowledge that the loan it is making does not exceed 75 percent of value. At the time of origination the borrower's ability to undertake the financial obligation of the whole loan is taken into consideration. The overall joint loan is amortized over a period of up to 30 years and repaid in monthly installments over this period. The risk of default is much reduced by the avoidance of an uncontrolled second mortgage usually made at a high rate of interest, amortized over a short period of time and often providing for a balloon payment at the end of 5 or 6 years. As every joint loan must be insured, an additional check is provided by the mortgage insurer underwriting each loan at arm's length.

Furthermore, while the institutional investor's participation is up to 75 percent of appraised value, mortgage insurance in every case covers the top 20 percent of the joint loan. Inasmuch as each loan is split 16⅔ percent to HCF, and 83⅓ percent to the IMI, mortgage insurance in every case overlaps onto the senior investment. Thus, in the case of a 90-percent loan, the application of the insurance proceeds results in initially limiting the senior investment risk to 72 percent of appraised value.

Finally, one of the most valuable clauses in the investor's agreement is the option permitting the IMI to purchase Home Capital Funds, Inc.'s junior portion of any loan made jointly with that institution. This option may be taken up by the IMI when the joint mortgage has been amortized to the point where an appraisal indicates that the joint loan represents no more than 75 percent of value. On an amortization basis this would normally come about the 10th year when the mortgage would be seasoned and the IMI could quickly review the borrower's record of payments over the period. In most cases, the loan would surely be attractive. Thus, at a very modest expense the IMI could increase its existing investment by 20 percent and, at the same time, increase the overall yield on its investment by one-fourth of 1 percent. This attractive option provides the IMI with the means to add seasoned assets simply and at modest expenditure, thereby increasing the flexibility of its investment portfolio. The primary IMI has expressed its intention to reappraise at the end of 5 years. If the reappraisal indicates the loan to be 75 percent or less of the value at that time, the right of call will probably be exercised. HCF estimates that its average portfolio term will probably therefore not extend greatly beyond 5 years.

LOCATION OF BUSINESS

Headquarters of the company are presently at Austin, Tex., partly for the reason that HCF is able there to share certain office and computer facilities with Lumbermen's Investment Corp. It is likely that HCF will relocate within a year or two in a more convenient place, possibly in the Central Atlantic States.

As to source of business, HCF has purchased interests in loans originated in 31 States.

PRINCIPAL OFFICERS

The principal officers of the company, all of whom are directors, are as follows:

Chairman of the board: Earl C. Swanson, chairman of the executive committee, Andersen Corp., of Bayport, Minn.

President, treasurer, and chief executive: C. William Smith. Mr. Smith is a graduate of Columbia University and for the 5 years prior to his employment as president of HCF was a senior vice-president of Mortgage Guaranty Insurance Corp., of Milwaukee.

Vice president, secretary, and legal counsel: Samuel E. Neel, partner of Neel, Siegler & Kronfeld, attorneys at law, Washington, D.C. Mr. Neel is also general counsel of the Mortgage Bankers Association of America.

Vice president: Julian H. Zimmerman, president, Lumbermen's Investment Corp., Austin, Tex. Mr. Zimmerman was FHA Administrator under President Eisenhower.

DIRECTORS

E. Colin Baldwin, president, the Sherwin-Williams Co.

Michael Boyd, partner, Fry & Co. Ltd., Montreal. Mr. Boyd is financial advisor to HCF and represents Canadian Pacific Investments Ltd., one of the founding companies.

Gene C. Brewer, president, U.S. Plywood-Champion Papers, Inc.

Donald Browne, treasurer and vice president, Kaiser Industries Corp.

Benton R. Cancell, president, Potlatch Forests, Inc.

John M. Coates, president and board chairman, Masonite Corp.

Roy W. Davis, treasurer, Reynolds Metals Co.

Thomas Hancock, chairman of the board, the Trane Co.

Robert E. Kirby, executive vice president, Westinghouse Electric Corp.

Melvin C. Holm, chairman of the board, Carrier Corp.

George J. Pecaro, president, the Flintkote Co., Inc.

C. E. Peck, vice president, Owens-Corning Fiberglas Corp.

William Swindells, Sr., president, Willamette Industries, Inc.

M. J. Warnock, chairman of the board, Armstrong Cork Co.

NATION'S LARGEST MUTUAL FUND COMPLEX RAPS NIXON LETTER

Mr. PROXMIRE. Mr. President, I think it is particularly interesting that the Nation's largest mutual fund complex, Investors Diversified Services, Inc., has expressed its concern to presidential candidate, Richard Nixon, concerning Mr. Nixon's attempts to interfere with the traditional nonpartisan administration of our securities laws. This letter has particular significance owing to the fact that until last February, Mr. Nixon was a director of Investors Mutual Fund, Inc.—one of the funds managed by IDS.

The letter expressed concern that Mr. Nixon's secret letter to securities dealers may have given the implication that the administration of our securities laws, which were enacted to protect the investor, is somehow a political partisan issue. Mr. Loeffler maintained that:

> As your statement properly notes, the maintenance and regulation of the securities markets involves "sophisticated, complex questions." By and large, the Securities and Exchange Commission has for some 35 years, during both Democratic and Republican administrations, ably discharged the duties which the securities statutes impose upon it. During this time it has been the practice of the securities industry to try and work with the Commission toward the resolution of any problems or difficulties within the intendment and objectives of the securities law. While we have frequently had differences with the SEC, those differences have almost invariably involved the specifics by which certain objectives were sought to be achieved rather than differences with the objectives themselves. These problems, involving as they do "sophisticated, complex questions," have never been the subjects of political differences. The political arena is, we believe, a difficult and unsuitable forum for the resolution of technical questions, which involve no difference in objectives between political parties. We have been concerned lest your statement might imply the existence of a political issue which we do not believe exists, or that the statement might be construed as suggesting that the ballot box is an appropriate place for the resolution of such questions.

I ask unanimous consent that Mr. Loeffler's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INVESTORS DIVERSIFIED SERVICES, INC.,
Minneapolis, Minn., October 9, 1968.
Hon. WILLIAM W. PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: Enclosed is a copy of my letter of October 8 to Mr. Richard M. Nixon with reference to his statement on "The Role of the Securities Industry in the National Economy" issued by Mr. Nixon on September 25.

In view of your interest in the securities markets as a member of the Committee on Banking and Currency, and our interest in the maintenance of the health of the securities markets, I wished to make the enclosed letter of comment to Mr. Nixon on his statement available to you.

Your very truly,
ROBERT M. LOEFFLER.

INVESTORS DIVERSIFIED SERVICES, INC.,
Minneapolis, Minn., October 8, 1968.
Mr. RICHARD M. NIXON,
New York, N.Y.

DEAR RICHARD M. NIXON: This letter is prompted by your statement on "The Role of the Securities Industry in the National Economy" issued on September 25. While the statement contains much with which we concur, it also contains certain comments and implications which cause us to register some concern.

The enforcement of the securities laws for the past several decades by the Securities and Exchange Commission, particularly the registration and disclosure requirements, has been a very constructive and vitally important force in maintaining the health of the securities industry and public confidence in the securities markets. We are, therefore, pleased to read in your statement your unqualified endorsement for the continued "full enforcement of the securities law to assure absolute protection for the investor."

What concerns us is the implication in your statement that the activation of certain proposals made by the Justice Department and the Securities and Exchange Commission, and to a certain extent concurred in by the New York Stock Exchange, should be deferred pending the completion of a comprehensive economic study, or that such proposals should be rejected if there is a possibility of unfavorable impact on some broker/dealers even though the overall effect would be beneficial to the securities industry and the public investors.

This summer IDS publicly endorsed a proposal made by the Department of Justice last April for a basic revision in the rate structure of the stock exchanges as applied to institutional customers. We felt that that proposal represented the most feasible alternative of any suggestions yet made for the elimination of certain practices which had been generally criticized and found undesirable by large segments of the securities industry. The Securities and Exchange Commission has neither rejected nor espoused the proposal made by the Department of Justice, and public hearings in which that proposal along with other matters is being considered are currently in progress before the SEC.

More recently, the New York Stock Exchange has made a proposal, conditionally accepted by the SEC, for a substantial revision of its rate structure and its rules. That proposal is scheduled to be put into effect on December 5 if it receives the approval of the membership of the New York Stock Exchange. The proposal would reduce the portfolio commission cost on exchange transactions for most persons who maintain investments in institutional accounts. These would include millions of mutual fund shareholders, holders of insurance policies, beneficiaries of pension plans, and others. In addition, the proposal would restrict the disposition of portfolio brokerage commissions by means of the customer directed "give up." While we do not believe that the proposal of the New York Stock Exchange is necessarily the best ultimate solution to certain problems which have been found to exist, nor that it is preferable to the proposal made by the Department of Justice, we do believe that it is certainly a step in the right direction and that there should be no delay in its implementation as an interim measure pending the ultimate conclusions from the proceedings now in progress. We have been concerned lest your statement be interpreted, or perhaps misinterpreted, as a suggestion for such delay.

Secondly, as your statement properly notes, the maintenance and regulation of the securities markets involves "sophisticated, complex questions." By and large, the Securities and Exchange Commission has for some 35 years, during both Democratic and Republican administrations, ably discharged the duties which the securities statutes impose upon it. During this time it has been the practice of the securities industry to try and work with the Commission toward the resolution of any problems or difficulties within the intendment and objectives of the securities law. While we have frequently had differences with the SEC, those differences have almost invariably involved the specifics by which certain objectives were sought to be achieved rather than differences with the objective themselves.

These problems, involving as they do "sophisticated, complex questions," have never been the subjects of political differences. The political arena is, we believe, a difficult and unsuitable forum for the resolution of technical questions which involve no difference in objectives between political parties. We have been concerned lest your statement might imply the existence of a political issue which we do not believe exists, or that the statement might be construed as suggesting that the ballot box is an appropriate place for the resolution of such questions. We are confident that no such implication was intended, but wish to express our concern that your statement might be so misconstrued.

Yours very truly,

ROBERT M. LOEFFLER.

A LESSON FOR THE SUPREME COURT

Mr. WILLIAMS of Delaware. Mr. President, the Wall Street Journal of October 10 contains an editorial entitled "A Lesson for the Court."

I ask unanimous consent that the editorial be printed in the RECORD. I most respectfully suggest that it should be read by every member of our judicial system.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A LESSON FOR THE COURT

The Supreme Court started its fall session in the immediate wake of the successful effort to deny Abe Fortas confirmation as Chief Justice. Both the Court and the Republic will be well served if the Justices heed the warning implicit in the episode.

Senators leading the fight against the appointment were embarrassed by the support of a few segregationist colleagues and denied their movement was intended to "discipline" the Court. And the notion that Court appointments are somehow above politics is still strong enough that the appointment would probably not have been defeated except for the misjudgments of Justice Fortas and his Presidential sponsor.

Yet clearly the fight did involve political purposes, most of which had nothing to do with race. The last nail was driven into the appointment's coffin, for example, when Senator Everett Dirksen stopped supporting it. One reason for his shift was that members of his home state bar complained forcefully about Witherspoon v. Illinois. This case is worth a look as an example of why many other Senators opposed the appointment in the belief that the Court majority has a distorted view of its own function.

Witherspoon shot and fatally wounded a policeman, who from his deathbed identified the assailant. He was convicted and sentenced to death. After a series of unsuccessful appeals on a variety of grounds, his attorneys finally hit upon the contention that his trial was unfair because the laws of Illinois exclude persons opposed to capital punishment from juries that try cases involving that penalty. The Court upheld the conviction, but said such a jury could not Constitutionally impose the death penalty. The ruling will also upset the sentences against other convicts, most notably mass murderer Richard Speck.

As Justice Black pointed out in his dissent, it is necessary to consider the decision on two levels. In strictly literal terms, it holds that to exclude jurors a state must ask them not merely whether they have "conscientious or religious scruples" against capital punishment, but whether they would automatically vote against the penalty. Justice Black properly dismissed this as a semantic exercise, adding, "The states will have been put to a great deal of trouble for nothing."

On another level—and the dissenting Justices seem to think this is what was on the majority's mind—the decision was an invitation to attack the composition of any jury imposing a death sentence. Justice Black tartly observed, "If this Court is to hold capital punishment unconstitutional, I think it should do so forthrightly, not by making it impossible for the states to get juries that will enforce the death penalty."

In a separate dissent, Justice White was even more direct. "If the Court can offer no better Constitutional grounds for today's decision than those provided in the opinion, it should restrain its dislike for the death penalty and leave the decision about appropriate penalties to branches of government whose members, selected by popular vote, have an authority not extended to this Court."

This is precisely the central accusation against the present Court—that it does not confine itself to the legislative function of deciding what the law is; it too often usurps the legislative functions of deciding what the law ought to be. Its decisions too often concern not law but politics. The accusation does not come merely from a few backward Senators or newspapers but from the Supreme Court bench itself.

In its deepest sense, the meaning of the Fortas episode is that these repeated intrusions into the legislative arena will not be forever ignored. The Senate is serving notice—and quite properly, we think—that the Court cannot have it both ways. It cannot be both above politics and deeply involved in politics.

If rulings by the Court regularly decide political questions, then appointments to the Court will be subject to political battles.

MASSIVE SUFFERING IN NIGERIA DEMANDS POSITIVE RESPONSE

Mr. YARBOROUGH. Mr. President, there are moments in the history of mankind in which the demands upon the human conscience are so great that political barriers, must be transcended, and the rhetoric of propaganda ignored. Now is such a time.

The cry of suffering is so loud, and the scope of need so vast, that surely this great body can respond in some positive way to this crisis that has reached such staggering proportions in the last few weeks.

Today, as we conduct the business of the Senate, 6,000 human beings in Nigeria will die—most of them children, and most by starvation. Tomorrow another 6,000 will die. We cannot pretend that we are unaffected or uninvolved, and we cannot say that it does not concern us. We are painfully affected because we know that each man's death diminishes our own life; we are intimately involved because our membership in the great family of humanity demands our involvement.

The area known as Biafra has shrunk from its original 29,000 square miles and 13 million people to 3,000 square miles and 6 million people. If starvation continues at the present rate, in 10 months half of the population in the remaining Biafran territory will be dead. Yet, in reality the mortality level will be higher than that, for those in the areas under Federal Nigerian control continue to suffer from fatal malnutrition at a rate which remains substantially unabated by relief efforts.

Prof. David Scanlon in his testimony before the Africa subcommittee of the Senate Foreign Relations Committee on October 4, 1968, emphasized that the Nigerian Government faces the prospect of caring for five to six times the present number of refugees once the fighting comes to an end. In addition, the condition of refugees who have hidden in the bush is reported to be far worse than those in the camps. Further complicating the already crucial situation, is the fact that as soon as the rainy season ends the season of epidemics will begin.

Commenting on his recent visit to areas reoccupied by the Federal forces of Nigeria as well as areas within secessionist Biafra, Professor Scanlon declared:

> I can attest to the severity of the need for both food and medicines on the part of many hundreds of thousands of civilian victims of the civil war, particularly women and children.

Many of the children he saw were suffering from prolonged protein deficiency, and would not survive the day he saw them.

We could easily fill the Record with page after page of testimony such as Prof. Scanlon offered, but surely we have heard and seen enough to make us painfully aware that we are indeed faced with an intolerable affront to human dignity. The point is, Mr. President, the time for action is now. As my colleague Senator Brooke and others have pointed out, politically and geographically this is an African problem—and must ultimately have an African solution. It is not our purpose to impose external solutions to a basically internal political and ethnic struggle. But we cannot help being deeply concerned when a whole generation of Biafrans is under the threat of annihilation.

Children between 1 and 5 years of age are most susceptible to protein starvation and thus make up a high percentage of the 6,000 who die every day in Biafra. This loss only adds to the already tragic consequences of the civil war. Surely, as we record the statistics and chronicle the course of the Nigerian conflict, human compassion must cause us to cry out against the grim specter of death by starvation of thousands, perhaps millions, of persons in Nigeria, young and old. We must take swift and effective initiatives to relieve this massive suffering and check this horrible death toll.

Mr. President, I wish to go on record in support of Senate Resolution 415, calling on the President to make available surplus aircraft and other vehicles of transportation to aid in international relief efforts in Nigeria, as submitted on October 9, 1968, by Senators Pearson and Brooke. I also support Senators Kennedy and Proxmire in their efforts to act in this extremely difficult and disturbing situation, and I express the fervent hope that our efforts will help to bring this horrible tragedy of human suffering to an end.

HOW SHOULD THE CHURCH REACT TO TODAY'S PROBLEMS?

Mr. MUNDT. Mr. President, the Church and Society Committee of the Presbytery of Black Hills, representing United Presbyterian Churches in the West River area of South Dakota, has forwarded to me a resolution which I feel will be of interest to all Members as well as to those who read the Record. This resolution, relating thinking on education and the problems of rural areas, gives evidence of deep thought and sincere convictions. I commend it to the attention of Senators.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution by Church and Society Committee

(Presented to Black Hills Presbytery, September 21, 1968)

One of the major issues we face today is this: How shall the church react to problems of society?

There seems to be three main divisions of opinion within our constituency. These three attitudes might be defined as (1) withdrawal, (2) identification, and (3) protagonist.

Those who advocate withdrawal prefer that the church remain aloof and let the world go its sinful, secular way.

Then there are those who wish the church to identify with certain social issues . . . get on the bandwagon, so to speak.

Probably the largest group feel that the church should be well informed, open minded and exert its influence by pricking the consciences of those in authority. Emotion should be played down, common sense played up. The long haul should be the basic consideration rather than the short pull, long term benefit, rather than what will it do for me now? Actually, most of the church influence will be in the realm of individual Christians witnessing to their faith.

With this in mind, there are two areas of grave concern upon which the church in South Dakota might well focus attention: education, and the problems of rural areas.

In the field of education, the teaching profession, improved curriculum, reorganization, student unrest, revenue sources, are only a few of the many problems which require intelligent, Christian thought, study, and action.

The plight of the cities can be related to the migration of displaced rural people, unskilled for city jobs and lacking experience to cope with the strange new customs of city life. This problem is magnified by poorly implemented federal programs, increasing size of farms and ranches, the bulk of federal defense monies being channeled to the big city areas, federal reserve and the banking industry's being big city oriented, and lack of interest in the rural areas by the private sector of business. The economy of the great plains area must be reoriented to attract and hold those who prefer the less densely populated community life which we enjoy in this area. The church can and should speak to this dilemma now before the trend is irreversible. Let us work to keep a diversified culture rather than a megalopolis society.

Perhaps if concerned Christians focus their attention on these and others of society's perplexing dilemmas, solutions will be forthcoming which will improve the quality and meaning of life for all people everywhere.

Respectfully submitted.

Howard Owens,
Church and Society Chairman.

ICC RECOGNIZES THE NEED FOR GOOD PASSENGER SERVICE

Mr. McGEE. Mr. President, there are now pending before the Commerce Committees of both the Senate and the House bills that will assist the Interstate Commerce Commission in insuring that necessary railroad passenger service will be maintained in this country. These bills, S. 38614 and H.R. 18212, incorporate the recommendations which the ICC made to the Congress in a very fine report earlier this year. I am sorry that in the press of business at the end of the session the committees have not been able to act on these measures. But the ICC is to be congratulated for its careful attention to the problem of declining passenger service and for its farsighted recommendations.

Mr. President, in testifying in opposition to these bills the railroad industry spokesmen were loud in their complaints about the losses they suffered from running passenger trains and in their statements that the public no longer wanted or needed passenger trains. I do not think that these statements were entirely accurate. Just recently we have had evidence that certain railroads are deliberately discouraging passengers from riding on trains, because they want to get out of the passenger train business entirely. The ICC took the Southern Pacific to task when it refused to let the Southern Pacific discontinue its Chicago to San Francisco train, "The City of San Francisco," for actively discouraging passengers and running poorly maintained and operated trains. In another case involving the Southern Pacific, the ICC's Bureau of Enforcement has filed a brief severely criticizing the Southern Pacific's methods in operating the Sunset Limited between New Orleans and Los Angeles. From reading this brief, it becomes clear that the Southern Pacific, by removing dining cars and sleepers from a transcontinental train, attempted to create a situation where the ICC would be compelled to let it stop operating the train because of the financial loss it caused the railroad. But in its application to the ICC, the Southern Pacific grossly overstated the losses caused by the Sunset Limited—the railroad alleges an out-of-pocket cost of more than $3 million, while a careful analysis by the ICC staff reveals that actual loss is closer to $400,000 a year. The Bureau of Enforcement urges the Commission to keep this train running because it serves a clear public need and is not an undue burden on a very prosperous railroad.

Mr. President, I hope the railroad industry will take careful note of recent ICC decisions in passenger train cases. They show that the ICC will not tolerate railroads deliberately running bad trains and poor service so as to artificially create a better case for themselves when they seek permission to discontinue trains. The ICC quite properly recognizes that passenger trains are a necessary part of a healthy transportation system and that they serve a real public need. I am glad that the ICC clearly sees its role as protector of the public interest and is acting to make sure that the riding public has the railroad passenger service it needs and wants.

PRESIDENT JOHNSON'S REMARKS ON CONSERVATION POINT OUT RECENT PROGRESS THROUGH LEGISLATION

Mr. YARBOROUGH. Mr. President, it was my great privilege on October 2, of this year to be present in the East Room of the White House when President Johnson signed four important conservation bills into law. These included such outstanding projects as the Wild and Scenic Rivers Act, the National Trails System Act, the North Cascade National Park and Recreation Areas

Act, and a bill to establish the Redwood National Park. I was especially honored to be a part of this gathering, since the cause of conservation has been one of my major concerns throughout the 11 years I have served as a U.S. Senator.

In his remarks, President Johnson pointed out that the past 8 years have been a great era of conservation for our country—and we have been able to accomplish a great deal. In fact, we have only recently seen further legislation enacted which would enable the procurement of lands for the Padre Island National Seashore to continue, hastening the day when the final preservation of the scenic beauty of this natural seashore will become a reality.

Though we have indeed achieved "great victories" for the "magnificent and meaningful treasures" of our country, we must not feel that we have in any sense completed our task. My bill (S. 4) seeks to preserve another unique and valuable area of our Nation, the Big Thicket in southeast Texas. The need for immediate action on this bill is imperative, for many of the most beautiful and biologically important parts of the Big Thicket are being destroyed daily by selfish exploitation and spoilation.

Another vitally important piece of legislation is my bill, S. 2984, to protect certain rare and endangered species from almost certain extinction. This bill has been endorsed by numerous conservationist groups, and has already passed the House. The Senate Commerce Committee has reported it and it now awaits action by the Senate. Unfortunately, as with all conservation legislation, we do not have the luxury to take our time in acting to protect our valuable heritage of plants, wildlife, and other natural resources.

Too many times this Nation has looked back and seen the mistakes made by man—irreparable mistakes. I think it is time to look forward—to see what we can do to avoid the perils of overdevelopment of some of our most unique lands. Nature does not allow even one mistake in destroying her habitats. If mankind drives even one animal or bird or species of plant life into extinction, no act of Congress and no amount of money can recreate it.

Mr. President, inasmuch as President Johnson's remarks of October 2, on the conservation and recreation area bills, express the progress and future hopes of conservation legislation, I ask unanimous consent that they be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Conservation and Recreation Area Bills—The President's Remarks Upon Signing Four Bills Into Law, October 2, 1968

Mr. Chief Justice, Secretary Udall, Senator Mansfield, Senator Kuchel, Senator Anderson, Congressman Saylor, distinguished Members of Congress, ladies and gentlemen: This is the fourth time this week that we have met here in the White House to further the cause of conservation.

I believe that all of us who have served in the Government, and particularly in the Congress, during this decade of the sixties will always be proud of this great treasure that together we have conserved.

There are now 24 million acres in our National Park System. Out of that 24 million acres, 2,400,000 acres—or at least 10 percent of the total acreage that the Nation has—has been put into that park system since 1961. That compares with fewer than 30,000 acres that were acquired in the entire previous decade.

The 1960's, therefore, have been truly an era of conservation in this country. But no achievement of these past 8 years can surpass what we are about to achieve this afternoon. I speak of saving the great redwoods of California.

Half a century ago, a great conservationist said, "The forests of America, however slighted by man, must have been a great delight to God, for they were the best that He ever planted."

In the past 50 years, we have learned—all too slowly, I think—to prize and to protect God's precious gifts. Because we have, our own children and grandchildren will come to know and come to love the great forests and wild rivers that we have protected and left to them.

I believe this act establishing the Redwood National Park in California will stand for all time as a monument to the wisdom of our generation. It will surely be remembered, I think, as one of the great conservation achievements of the 90th Congress.

It is a great victory for every American in every State, because we have rescued a magnificient and a meaningful treasure from the chain saw. For once we have spared what is enduring and enobling from the hungry and hasty and selfish act of destruction.

The redwoods will stand because the men and women of vision and courage made their stand—refusing to suffer any further exploitation of our national wealth, any greater damage to our environment, or any larger debasement of that quality and beauty without which life itself is quite barren.

Yes, the redwoods will stand. So long as they do, they will give delight. They will give instruction, of God's work as well as nature's miracles. They will declare for all to hear, when other great conservation battles are being fought: We stand because a nation found its greatest profit in preserving for its heritage its greatest resource—and that is the beauty and the splendor of its land.

The Redwood National Park will contain some 58,000 acres. Its boundaries will surround three State parks. With the approval of the California State Legislature, these may some day become part of this great National Park System.

So today we are also approving an act of Congress that sets aside another 1,200,000 acres for parks and recreation in the State of Washington. The North Cascades National Park and its adjoining acres in what have been called the "American Alps" is next door to the Pacific Northwest's most populous communities.

We are preserving for the pleasure of these people one of the most beautiful regions on God's earth. I also have before me the first Federal legislation providing a national system of both urban and rural trails.

The simplest pleasures and healthful exercise of walking in an outdoor setting have been almost impossible for the millions of Americans who live in the cities. And where natural areas exist within the cities, they are usually not connected by walkways. In many cities, there are simply just no footpaths that lead out of the city into the countryside.

Our history of wise management of America's national forests has assisted us in designating the initial elements of the National Trails System. Two National Scenic Trails, one in the East and one in the West, are being set aside as the first components of the Trails System: the Appalachian Trail and the Pacific Crest Trail.

The legislation also calls for study of 14 additional routes for possible inclusion in the Trails System.

A few months ago, after Secretary Udall took his lovely family on a float trip of high adventure down the turbulent Colorado River, he returned to Washington and said that every individual and every family should get to know at least one river.

Today we are initiating a new national policy which will enable more Americans to get to know more rivers. I have been informed as recently as this morning that I am going to have the rather novel experience of getting to know the Pedernales a good deal after January. I played on it as a child. I roamed it as a college student and I visited it frequently as President. But my wife has some more specific plans for me to go back and walk it with her—both sides, I think.

I am signing an act today which preserves sections of selected rivers that possess outstanding conservation values.

An unspoiled river is a very rare thing in this Nation today. There flow and vitality have been harnessed by dams and too often they have been turned into open sewers by communities and by industries. It makes us all very fearful that all rivers will go this way unless somebody acts now to try to balance our river development.

So we are establishing a National Wild and Scenic Rivers System which will complement our river development with a policy to preserve sections of selected rivers in their free-flowing conditions and protect water quality and other conservation values.

The National Wild and Scenic Rivers System Act will give immediate protection to portions of eight rivers and a ribbon of land along each river bank.

Five of the eight wild and scenic rivers are located in the National Forest System. Our opportunity to designate these scenic streams depends in large measure on the bold efforts of Secretary Freeman and his Forest Service in preserving their very special qualities.

The act further names 27 rivers as potential additions to the Wild and Scenic Rivers System sometime in the future.

I wish we could find the time—or, if we need to—the courage, to tell our American people more about some of these things than what they are having to listen to.

So, today I want to pay a very special tribute to the leaders in Congress who have made some of these things possible—these men who were all fearless and who were skilled and forceful and whose vitality has given us these magnificent options for conservation. I want to thank Congressman Aspinall, Congressman Saylor, Congressman Taylor, Senator Jackson, Senator Anderson. This must be a proud day for our beloved friend Senator Kuchel and Senator Bible, who is not with us.

Above all, I want to pay my very special thanks to our beloved Chief Justice who stands for all that is good in this country, and to Mr. Grosvenor of the National Geographic, who has given me inspiration when I needed it most and has given me courage when I thought I needed some more.

Finally, to Mrs. Johnson, who has been an ardent, enthusiastic, pernicious, tenacious advocate—long before she ever dreamed that she would be in this house, but every minute that she has been in it—for the complete cause of conservation.

I hope that I may be able to visit some of the locations that you have helped us to preserve for the American people.

To the business people, to the labor people, to all of you, we say thank you. We are grateful. The American people should say to you, "Well done." This is really a monument to you, Secretary Udall. Our children will remember your great adventures and pioneering.

Now it gives me great pleasure to approve these bills which I think will add still more to the scenic wealth of our country which I think is going to mean so much to my little

grandson and all the others like him who will live in a beautiful America during their lives.

Thank you.

[At this point, Secretary Udall spoke on Federal conservation and recreation programs using a map of the United States showing lands acquired by the Government during the period 1961–68. The President then resumed speaking.]

I just have one thought: You know sometimes we hear "Is there a doctor in the house?" in connection with a crisis. I am just wondering if there is a member of the Appropriations Committee in the house. I can see that we have the vision and Senator Jackson and Members of the House, Congressman Saylor, Congressman Taylor and Congressman Aspinall and others, are authorizing legislation—now it is going to take some help from the Appropriations Committee.

(Note.—The President spoke at 1:15 p.m. in the East Room at the White House.)

As enacted, the bills signed by the President are as follows:

S. 119, Wild and Scenic Rivers Act—Public Law 90–542.

S. 827, National Trail System Act—Public Law 90–543.

S. 1321, To establish the North Cascades National Park and Ross Lake and Lake Chelan National Recreation Areas, to designate the Pasayten Wilderness and to modify the Glacier Peak Wilderness, in the State of Washington—Public Law 90–544.

S. 2515, To establish a Redwood National Park in the State of California—Public Law 90–545.

A LETTER FROM A SOLDIER KILLED IN BATTLE IN VIETNAM

Mr. WILLIAMS of Delaware. Mr. President, the U.S. News & World Report of October 1, 1968, contains excerpts from a letter written by Sgt. Jeffrey A. Davis, Brownsburg, Ind., who was recently killed in a battle in Vietnam.

The letter was written to his wife with instructions that it be opened only in the event of his death.

The letter should be read by every American, particularly by those who insist upon their right to protest. I ask unanimous consent that it be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Letter From a War Veteran: "I Died for Guys With Protest Signs"

(Note.—Sgt. Jeffrey A. Davis of Brownsburg, Ind., killed recently in battle in Vietnam, knew whom and what he was fighting for. A letter to his wife, with instructions to open it only in event of his death, told the story. Here are excerpts, as published by "The Indianapolis Star" on September 20:)

It is too bad I had to die in another country. The United States is so wonderful, but at least I died for a reason, and a good one.

I may not understand this war, or like it, or want to fight it, but nevertheless I had to do it and I did.

I died for the people of the United States. I died really for you; you were my one real happiness. I died also for your mom and dad so that they could go on working. . . . For your brothers that they could play sports in freedom without Communist rule.

I died for my parents that they could enjoy my dad's retirement in freedom, go on vacations and have fun. . . . For others also who enjoy this wonderful country and who appreciate what they have and thank God every day for it.

. . . I died for the guys with the long hair and protest signs. The draft-card burners, the hippies, the anti-everything people who have nothing better to do. The college kids who think they shouldn't have to serve because they are too good—I died so these people could have a little longer time to try to get straightened out in life.

God knows they need it. Yes, I died for the so-called "younger generation" of which I was a part but for some unknown reason I never became an active member. I guess I was a "square" or something with short hair, no police record, didn't drink or smoke (pot included) and volunteered for the service.

I died for the parents of these kids also, God forgive them. I died so these members, active members, of the "young generation" could have the right to do what they do. To protest, have long hair, go to the college of their choice, wear weird clothes, and run around mixed up, with no direction at all.

I died so they could protest the war I fought and died in. Without it, what would they protest? But I also died for the many thousands who died in this war and other wars before for these same reasons. For the men who fought gallantly on the many battlefields of many wars to keep this country free. I guess that in order to gain freedom there must be war. I died for the United States.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS, 1969

Mr. HILL. Mr. President, the Senate on Wednesday, October 9, 1968, adopted the conference report on the disagreeing votes of the two Houses on the bill (H.R. 18037) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1969, and agreed to the House amendments to certain amendments reported in disagreement except for Senate amendment No. 10, providing funds for the payment to school districts under Public Law 874. On this latter amendment, the Senator from South Dakota [Mr. Mundt] moved that the Senate further insist on its amendment, after the Senate had rejected a motion to concur in the House amendment to Senate amendment No. 10. Senator Mundt's motion was agreed to and further conference was requested of the House.

The House on yesterday, October 10, 1968, voted to concur in the Senate amendment No. 10, concluding action on the Labor-HEW appropriation bill.

I think it necessary to call attention to comments in the House on our amendment No. 10. Mr. Flood, the subcommittee chairman, stated that section 406 of the Vocational Education Act amendments "seems to many and, I must say, not to others, to cover what the language in disagreement seeks to do." My subcommittee wondered about the applicability of the cited section to this item, and asked the budget officials of the Department to give us a memorandum on it. We were first told orally that it was felt section 406 would accomplish what the Senate language sought to accomplish. But we were later handed a memorandum which concluded that the item, amendment No. 10, was beyond the reach of section 406.

I ask unanimous consent that the memorandum be printed at this point in the Record.

There being no objection, the memorandum was ordered to be printed in the Record, as follows:

Effect of § 406 of title IV of the Elementary and Secondary Amendments of 1967, as amended by H.R. 18366 (now before the President) on Senate Amendment No. 10 of the fiscal year 1969 HEW appropriation bill (H.R. 18037) as it would read with the modification made on the floor of the House of Representatives:

Section 406 as it would be enacted by H.R. 18366, reads as follows:

"AVAILABILITY OF APPROPRIATIONS

"Sec. 406. Notwithstanding any other provision of law, unless expressly in limitation of the provisions of this title, funds appropriated for any fiscal year to carry out any of the programs to which this title is applicable [i.e., any program for the administration of which the Commissioner of Education is responsible,] shall remain available for obligation until the end of such fiscal year."

Senate Amendment No. 10 to H.R. 18037, as modified on the House floor, reads as follows:

"For grants and payments under the Act of September 30, 1950, as amended (20 U.S.C., ch. 13), and under the Act of September 23, 1950, as amended (20 U.S.C., ch. 9), $90,965,000, fiscal year 1968."

It appears that § 406 would not apply to this FY 1968 appropriation item because, by its terms, § 406 establishes a protective shield for an appropriation only until the end of the fiscal year for which the appropriation is made. In the case of the item involved in the pending appropriation bill, the appropriation is in the nature of a supplemental one for a fiscal year (1968) which has already expired; while this would not impair the continued efficacy of the appropriation itself upon its enactment, it does appear to put this item beyond the reach of § 406. Incidentally, this result happens to be also in consonance with the thrust of the action of the House in striking from Senate Amendment No. 10 the following provisos: "*Provided*, That these funds shall not be subject to the provisions of the Anti-Deficiency Statute, Revised Statutes, 3679, section 665(c), title 31, United States Code: *Provided further*, That the expenditure of this appropriation shall not be taken into consideration for the purposes of title II of the Revenue and Expenditure Control Act of 1968."

Mr. HILL. Mr. President, the fact that the committee had been informed that section 406 did not cover our amendment was taken into consideration when the Senate asked for further conference. We are glad the House conferees moved to accept the Senate amendment No. 10, clearing the bill for transmission to the President for his approval.

AMERICAN BASES IN SPAIN: ARE THEY WORTH THE PRICE?

Mr. PEARSON. Mr. President, I view with deep concern the inability of our Government to reach an agreement with Spain to extend our military base rights in that country for another 5 years. At the moment we operate an important naval base at Rota and have three airbases, one in Torrejon, one in Moron, and another on standby at Zaragoza. Recently the deadline for renewing our 15-year-old lease on these bases passed without any understanding in sight. We are now negotiating with Spain under a 6-month grace period, which will expire on March 26, 1969. If no agreement is reached by that date we will have to vacate our bases and move our planes and ships elsewhere.

The implications of such a step disturb me greatly, particularly when they are viewed in light of our overall Mediterranean position. In 1962, at the time of the Cuban missile crisis, the U.S. 6th Fleet sailed supreme and the Mediterranean was virtually an American lake. The Soviet Union had only two ships on the entire million-square-mile expanse of ocean. As time wore on the Soviets gradually increased their naval presence. Yet as late as January 1967, Russia still had no more than 10 or 12 ships in the area. But with the Arab-Israeli war in June last year, the U.S.S.R. suddenly deployed 47 ships and were nearly equal in number to our 50-ship 6th Fleet. They have since added a helicopter carrier to their force, making it clear that along with their LST's, the Soviets now have offensive capabilities in the Mediterranean that seriously challenge our naval superiority.

This change in the character and size of the Soviet Mediterranean Fleet is particularly dramatic in light of the fact that the Russian Navy has historically always been defense-oriented and designed primarily to operate close to the shores of the U.S.S.R. The recent transformation of their fleet reflects a new and alarming determination by the Soviets to extend their influence in this vital part of the world. And it is just at this critical period that we are now threatened with the loss of our biggest and best naval base in the entire region along with several important airfields.

Let us also remember that we have already lost our former bases in Morocco and are now negotiating an early withdrawal from Wheelis Air Force Base in Libya. If we also leave our bases in Spain we will only have the fields at Cigli, Incirlik, and Ankara in Turkey, along with the installation in Aviano, Italy, to meet the needs of our Air Force. At the same time, the loss of the base at Rota will leave us only with a tender at Malta and another at Naples to meet the service requirements of the 6th Fleet.

Mr. President, this gradual elimination of our military bases also coincides with a planned retrenchment by our British allies that has greatly reduced their military presence in the Middle East and Mediterranean area. They have withdrawn from Aden, Cyprus, and Malta and are now in the process of phasing out their two air bases in Libya as well. As a result, the British no longer have great strength in the region and we cannot depend upon them for substantial military assistance should any be needed. In fact, it was estimated recently that the French will soon have a fleet larger than Britain's entire navy. Thus, it appears as though the proud days of the British fleet, at least in the Mediterranean, are gone forever.

As a result of all these changes, our 6th Fleet stands nearly alone against a Russian force that has grown considerably in just the past 18 months and shows every sign of growing still more. We must also remember that the diplomatic tide in the region has been running against us. As a result of Arab hostility toward our pro-Israeli position, we are unwelcome in many Arab ports where the Soviets are now received with open arms.

In sum, if we lose our air and naval facilities in Spain, the number of our military bases in the Mediterranean will have been cut in half. There are alternatives, of course. We could send some of our Polaris submarines now based at Rota to a submarine base in Scotland, for example. Others could return to U.S. ports. Our fighters and tankers could be reassigned elsewhere, too, of course, perhaps to the Azores or West Germany. But let us not forget that these alternatives will cost us heavily in extra expenses, inconvenience, and, to some degree, the availability of adequate service facilities. The question at issue, of course, is whether the price Spain is demanding is higher than the cost of the alternatives.

Mr. President, the base concessions we are now discussing were first obtained from the Spanish in 1953 with the right to negotiate two optional 5-year extensions. In 1963, the first of these extensions was agreed upon, it is the second that is now under discussion. If this series of negotiations eventually proves successful, the entire treaty, not just the portion dealing with base rights, will be reconsidered in 1973. As far as the renewal of base rights are concerned, the Spanish are currently interested in obtaining economic concessions, a strengthened defense agreement, and military aid.

In the first category it is my understanding that the Spanish are anxious to have our Government ease its curb on overseas investments—at least as far as it affects their country. Another fact to be considered is that our Government has declared Spain to be a developed country and that as a result certain tax advantages American capital used to be able to obtain when investing in Spain are no longer applicable. The Spanish, I understand, would like some of these advantages reinstated.

Mr. President, before going further I would like to point out that the exact terms of the Spanish demands and our counter-offers are not public information and that it has been impossible to obtain official verification in every case, though these matters have been discussed several times in the public press. For example, it has also been said the Spanish would like to get the United States to help them put added diplomatic pressure on the British to get out of Gibraltar, though given our frequent public statements of neutrality on the question, this would seem a forlorn hope at best.

The Spanish also seem quite concerned about strengthening the defense agreement they now have with the United States. In fact, some sources have said that while they might eventually settle for a strengthened executive agreement, the Spanish would really prefer to have a mutual defense treaty. The chances of obtaining the latter would also appear quite slim in light of the many reservations expressed in the Senate about committing our Government to any more mutual defense pacts.

Another variation on this theme is that the Spanish would like to be admitted to NATO and are using the base agreement as a lever to force the United States to support their entry. Whether or not these bargaining positions have been reported accurately in every detail, it seems obvious that the defense understanding, along with the status of forces agreement, is one of the current bones of contention.

The major area of disagreement, however, seems to be the amount of military aid Spain is demanding to allow us use of the bases for another 5 years. The Spanish reportedly asked initially for $1.2 billion in military aid and have now scaled down this request to a "mere" $700 million, or $560 million more than our highest counter offer of $140 million. Among other items, the Spanish are interested in obtaining a second Hawk antiaircraft-missile battalion, radar picket ships, and F-4 Phantom jet fighters to strengthen their armed forces.

These appear to be the main points at issue. The negotiations will probably last until the last minute, as they did in 1963, if they prove successful at all. One factor that will certainly encourage Spain to delay is the possibility that the new administration to be installed on January 20 will give them a better deal than they are currently being offered.

How much are our base rights worth? What diplomatic and economic price should we pay? There are no easy answers to these questions, for while it is obvious that they are worth a great deal, it is equally obvious that there are limits to what we can and should pay. The Soviet military presence in the Mediterranean is growing rapidly. Our base rights elsewhere in the region have been reduced and our British allies have virtually withdrawn to the Atlantic. We now are allowed overflight rights by France only on a month-to-month basis, a tenuous situation that could change at any time. In sum, loss of the Spanish bases could work a serious inconvenience, if not hardship, on our Mediterranean air and naval units at the very time when they are most seriously challenged.

On the other hand, let us also remember that we are supporting 25,000 servicemen and dependents at our Spanish installations at considerable cost to our balance of payments and at considerable benefit to the Spanish economy.

Perhaps one other, very fundamental point should be considered in weighing the value of our base rights in Spain. And that is the political and diplomatic cost of maintaining permanent bases anywhere outside our own possessions. Every time we buy or rent a piece of land from another country, plant an American flag there, and send thousands of servicemen and dependents in to support it, political problems inevitably arise. Local pride is often offended, status of forces agreements to govern the treatment of our personnel have to be negotiated and renegotiated, our balance of payments suffers a continuing drain, the rental fee almost inevitably soars with each renegotiation period, and we are continually threatened by expulsion with all its attendant diplomatic embarrassment if we do not behave ourselves to our hosts' satisfaction.

Perhaps we should learn from the Russians in this respect. They have not acquired a single base in the Mediterranean, yet they have demonstrated a great ability to maintain an effective military presence in the area. They have gone to the Arab governments which are friendly toward them and said in effect, "Look, we are not interested in acquiring any of your territory. We do not want to send hordes of our military personnel ashore. All we would like is the right for our ships to use your harbor as a port of call where we can obtain fuel, water, and food, while making any minor mechanical repairs that are necessary."

Perhaps we should take the same approach, if not in the Mediterranean, then in certain other parts of the globe. In the nuclear age, there is no question that one bomb or missile could completely destroy any base we might build. In addition, were we to adopt such a philosophy, there is little doubt that we would avoid a number of political headaches we now incur because of our foreign bases in certain areas.

There are other important considerations that favor retaining our bases, however, not the least of which is that our ships in the 6th Fleet are much farther from their home ports than their Soviet counterparts. Moreover, while aerial refueling may have greatly lengthened the distances which our fighters, transports, and bombers can fly without landing—as in the case of the ships of the 6th Fleet—it is of considerable advantage to have complete service facilities nearby. In sum, there is little doubt that our Mediterranean Armed Forces operate more efficiently because of their access to the bases at Rota, Torrejon, Moron, and Zaragoza.

These are only a few of the factors that impinge upon a very complex and vital issue that now confronts our Government. It has been largely ignored during this election year because of the demands of other, more urgent events. But we can continue to ignore it only at great risk. We should not submit to unreasonable demands. But neither should be be so intransigent as to lose some of our most important overseas bases. And let us not forget that the Spanish too have a great deal to lose by being overly rigid in their demands. And it is this fact that gives me hope an equitable compromise will be reached before the 6-month grace period expires. For the truth is—both parties need the bases, and I would hope our Government will do all it can to retain them.

RETIREMENT OF SENATOR MORTON

Mr. YOUNG of North Dakota. Mr. President, retirement this year is claiming one of our most valued colleagues. I was deeply saddened when the Senator from Kentucky [Mr. MORTON] announced earlier this year that he would not seek reelection.

THRUSTON MORTON has a long and distinguished record of public service in the Congress and executive branch. His wide experience and thorough knowledge both in international and national affairs has placed him in a position of great leadership in the Senate. Few Senators since my time have won the wide respect and admiration that our friend from Kentucky has gained.

It has been a great pleasure for me to work with him during his many years in the Senate. Through his service on the Committee on Commerce and the Committee on Finance, Senator MORTON has made lasting contributions to the welfare of millions of Americans. His accomplishments and dedication to his work in the Senate will long be remembered.

THRUSTON MORTON is an honorable, decent person and one for whom I have come to have great affection and respect. He has helped me many, many times as a Member of the Senate, as chairman of the Republican National Committee, and as chairman of the Republican senatorial campaign committee.

The people of Kentucky and the Nation as a whole will lose a strong advocate with THRUSTON MORTON's retirement. I find it hard to believe, however, that this active, able man will not continue to be prominent in the affairs of his State and Nation. I do want to extend my sincere best wishes to both Mrs. Morton and "THRUS"; and, too, I hope I shall be seeing them often in the future.

HOW FREE IS THE FIRST FREEDOM?

Mr. McINTYRE. Mr. President, in the early days of radio, Herbert Hoover, then Secretary of Commerce, feared that broadcasting would "come under the arbitrary power" of a person or a group who could influence or dominate its contents.

Unfortunately, events in the short history of broadcasting have served to justify Mr. Hoover's fears. As broadcasting has grown from infancy to its current position as the Nation's most popular and influential source of information, the control of radio and television facilities has increasingly concentrated into the hands of large and powerful corporations. Several of these corporations are conglomerates with diverse business interests.

An article entitled "Let's Protect Our Dying First Freedom," written by Bryce W. Rucker, and published in the current issue of the Grassroots Editor discusses the important question of who controls the media. I ask unanimous consent that the article be printed in the RECORD at the conclusion of my remarks. The situation the article describes is not a happy one. Mr. Rucker says:

> You know, of course, that the owners of the mass media own oil interests, mining, airlines, railroads, farm lands, patent medicine, munitions manufacturing, even ice shows. Some are prime government contractors. And you realize that broadcasters are increasingly buying into professional athletics so they may assure themselves daytime, weekend programming.

In a recent book, "The First Freedom," Mr. Rucker also pointed out that in 1965, nine mutual funds each owned 1 percent or more of the stock of the Nation's largest broadcasting chains. Of course, many funds owned stock in several broadcasters.

I think that Mr. Rucker's observations prompt several important questions.

First, how many people do, in fact, know that a space program contractor or an appliance manufacturer may own their favorite television station?

Second, what are the chances that the economic self-interest of the parent company will influence the editorial independence of a broadcasting subsidiary?

Third, how often does a business interest determine editorial content?

It is the responsibility of the Congress to find the answer to these questions, for an issue basic to the welfare of the Nation underlies them: the quality of the information on which a democratic society bases its decisions. Evidence indicates that business interests too often govern broadcasting content. Where are we to turn for our information if the media acts as the public relations arm of gigantic corporate empires?

The corporations which control the mass media have immense economic power and vast financial interests. At times a conglomerate must be unable to resist the temptation to use its communications outlets as a tool to improve its corporate image or to further corporate aims.

A story in the May 28 issue of Variety clearly showed that the Columbia Broadcasting System's interest in the New York Yankees is not sparate from its broadcasting power. The management of WCBS radio in New York issued a memo urging that the utmost care and speed be applied to broadcasting Yankee scores. The memo read in part:

> Gentlemen, this has got to stop once and for all. If I have to spell it out for you I will: CBS owns the New York Yankees. There are many people in this organization who are vitally interested in how the Yankees fare on the field. To find out they listen to WCBS Radio. It's up to us to tell them and tell them quickly.
>
> It is the responsibility of every man in this shop, not just the desk assistants, to see that we MOVE in this area. You cannot rest for an instant whenever a Yankee game is in progress. If that sounds melodramatic, then so be it. The simple facts of life are that ALL our jobs depend on the littlest of details. And this is by no means the littlest of our problems.

I suggest to the Senate that this type of economic arm twisting on the part of media owners is by no means the littlest of our problems either.

There is nothing to prevent a large company from using similar forceful means of persuasion to dictate the tone and content of the coverage a broadcast subsidiary gives to a government program that affects a publishing or manufacturing operation that the parent company also owns.

We cannot afford to let economic self-interest determine the content of the news. The decisions of the electorate can be no better than the information on which they are based. It is the responsibility of Congress to insure that the media remains free from the corporate interests which could turn it into a continuous electronic advertisement.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LET'S PROTECT OUR DYING FIRST FREEDOM

(By Bryce W. Rucker)

(EDITOR'S NOTE.—Members of the Association for Education in Journalism were invited to submit topics for papers to be read at the annual convention in August at the University of Kansas. Professor Bryce W. Rucker, director of research and graduate studies in the Department of Journalism, Southern Illinois University, proposed to relate findings in his recent book, The First Freedom, to the problems of journalism education. He was encouraged to submit a manuscript. Later Rucker was advised by John M. Kittross, chairman of the AEJ Mass Communications and Society division, that his copy had arrived one day too late for consideration. Presented here without change, except that the editor has marked certain paragraphs for italics, is the text of Professor Rucker's proposed paper.)

If I am successful during the minutes allotted to me, you probably will be angry . . . at me or someone. I expect that some of you will stalk out, probably slamming the door behind you. Others will want to read me out of the AEJ for heresy. At the risk of these and other repercussions, I want to talk with you about some things I learned while writing *The First Freedom*, issued by the Southern Illinois University Press in May. Figures cited come from that source. Having forewarned you, I shall launch forth.

It seems to me it is time journalism teachers rejoined the human race as thinking, participating, responsible citizens. For years we have stood mute, occasionally whispering fears that all is not well. A few, all too few, have timidly ventured forth for fleeting seconds to lament practices all of us know are harmful to our nation and to mass communications. But almost invariably we have retreated, even recanted at the first opposition to our stances.

Last year at the AEJ convention you heard pleas that national, regional, and local press councils be established to serve as the watchdogs over the communications media. Some proposed an associationwide press council. Quite obviously the odds against forming an AEJ national council approach zero, and were it organized it is highly doubtful if it would function with even a modicum of effectiveness. Undoubtedly, this explains why the Mellett Fund has invested in local councils. Two of the first four of which, incidentally, were formed through Southern Illinois University's Journalism Department. And while I shall not discuss those two councils, I can assure you that they have succeeded beyond the wildest dreams of those who established them.

Instead of attempting to organize a national press council, I would urge that we as individuals become deeply involved in righting some of the serious problems which plague the mass media. Here I refer to the ever-expanding chains; they control half of the daily newspapers, three-fourths of the television stations, and a third of the radio stations, and virtually all of the magazines in the United States. To illustrate, the British-Canadian Roy Thomson has expanded his United States newspaper ownerships during the past six years from 3 to 36, Gannett from 15 to 30, Scripps-League from 16 to 27, Newhouse from 19 to 22, Donrey from 14 to 21. The 19 largest chains, those owning 10 or more newspapers, now own more than 330 dailies. Roy Thomson said this year he sees no reason why he should not own 100.

Quite frankly, I find such crass money-chasing at the expense of press freedom reprehensible.

I refer also to the serious problem of local monopolies; in all but 64 of the 1,547 daily newspaper cities one ownership controls all of the newspapers. In 85 cities the owners of the only daily newspaper also hold financial interests in the only AM radio station; in 27 cities the owners of the only daily newspaper also have interests in the only VHF (channels 2 to 13) television station. In three cities (Rock Island, Ill.; Temple, Texas; Zanesville, Ohio) the only daily newspaper owns majority interest in the only AM radio station and the only VHF television station.

I refer to the plague of cross-media ownerships. Newspaper interests own 10 per cent of the AM and almost 15 per cent of FM radio stations and a third of the VHF television stations. Among newspaper chains which own broadcasting facilities are Newhouse, Chicago Tribune, Gannett, Triangle, Glassman, Lindsay-Schaub, Harte-Hanks, Cox, Donrey, Scripps-Howard, Ridder, Cowles, John P. Harris, Corinthian, Lee Enterprises, Stauffer Publications, Booth, Panax, Ottaway, Steinmen, and many, many more. Cross-media ownerships entwine magazines, too, as you will recognize from several of the above listings, notably Newhouse, Hearst, and Cowles. Add to these Time-Life, Meredith, Crowell-Collier, and Hunt. You will, no doubt, recognize several large book publishers in the above lists. Indeed, E. B. Weiss warned recently that with RCA-NBC, IBM, General Electric, Xerox, and others expanding into "giant electronic publishers" we may well need "new federal regulations to insure freedom of expression in the public interest."

So much for size. Equally important is who owns the mass media. Did you know that control of two of our large cross-media giants now is held by liquor interests? Time-Life has been taken over by Seagram distilleries. And that firm recently bought control of Metro-Goldwyn-Mayer. Norton Simon has recently linked his McCall's magazine empire and his Hunt Foods and Industry complex with Canada Dry, distillers of brandy, gin, scotch, vodka, and whiskey. Theater interests of RKO and Stanley Warner and Schenley have been merged.

Did you know that the chief publicly stated reason International Telephone and Telegraph gave for wanting to absorb American Broadcasting Company was to "improve its image in the United States?" How many of you lifted a finger to oppose that travesty on communications?

Did you know that advertising agencies are buying into the mass media, even to the extent of obtaining newspaper-radio monopolies, so they may use them as "test markets?"

Did you know that religious groups use broadcasting for profit and propaganda? The largest two—the Roman Catholic and Mormon churches—earn huge profits on their radio-television holdings on which they, as religious bodies, are required to pay little or no tax. Of the remaining commercial broadcasting licenses held by religious groups, approximately 80 per cent are in the hands of fundamentalist sects. This isn't to mention their "educational" broadcasting chains. I'll give you two examples—Northwestern College of Minneapolis (enrollment about 300 students) operates AM–FM combinations in Minneapolis, Fargo, N.D., Sioux Falls, S.D., and Waterloo, Iowa. Then there is Alma White College (50 students) and its Pillar of Fire chain with stations in Cincinnati, Denver, and Zarepath, N.J. Even Oral Roberts, the faith healer, through his "university" owns an AF–FM in Tulsa. And how about those who enrich themselves by selling healing rags and other trappings over the air, some earning a million dollars a year. One charlatan even sold "autographed pictures of Jesus Christ."

We are talking about valuable natural resources the Federal Communications Commission has licensed to broadcast "in the public interest."

Do you know the story behind the demise of the *Herald Tribune, World Telegram & Sun,* and *Journal American* and their offspring the *World Journal Tribune* owner John Hay Whitney; his story is so fantastic I doubt if anyone could fabricate it.

Did you know that our supposedly competitive media owners are linked into cartels? They entwine such respected names as Hearst, Scripps-Howard, Newhouse, Block, Pulitzer and others.

Did you know that John S. Knight of the Knight chain recently asked the Michigan Legislature to pass a law making it illegal to start a new newspaper in the territory of an established newspaper closed during a strike? All in the name, no doubt, of freedom of the press.

Many large newspaper publishers have operated beyond the pale of the law so long they assume they are immune. Then when they are called to task they rush to Congress pleading for relief.

You know, of course, that owners of the mass media own oil interests, mining, airlines, railroads, farm lands, patent medicine, munitions manufacturing, even ice shows. Some are prime government contractors. And you realize that broadcasters are increasingly buying into professional athletics so they may assure themselves of daytime, weekend programming. If you think this is limited to CBS's ownership of the New York Yankees, you are underinformed. Communicators own interests in professional football, professional basketball, professional soccer, professional ice hockey, and, of course, other major league baseball teams. Approximately half of the franchises for a proposed professional boxing league have been assigned to broadcasters.

What is to come of the mass media as they increasingly fall into the hands of those who use them to promote their wages and bar competitors from their use, oppose legislation which might more equitably tax and regulate their holdings, push bond issues which will further their economic interests, ad infinitum. And the suckers, the general public, doesn't even know what's going on. They're not aware of the special interest holdings of their news-information sources.

And here we sit. Assuming our proper role is to provide a trained, cheap labor supply to the industry, all to the noble purpose of informing the public.

No wonder our brighter students are protesting about the kind of education we provide them. No wonder so few journalism graduates remain in the newspaper industry after graduation. They resent being used by those who are the greatest threats to our basic freedom, the selfish, expanding, egoistic mass media owners whose driving force is the dollar. (I must emphasize that these and other charges do not refer to the large number of honest, responsible, concerned media owners.) The ends, extra-legal and illegal, to which some have gone to bankrupt their competitors to forge monopolies is one of the saddest chapters in journalism history, but our journalism history texts ignore it. Reading U.S. Department of Justice cease-and-desist orders involving newspapers is enough to sicken strong men.

Here, then, lies the major threat to press freedom.

Is it too late? Has press freedom been lost? Nicholas Johnson of the FCC says he fears it has. Yet instead of joining battle against these forces we let media owners distract us with such claptrap as the Reardon Report, governmental news management and closed city council meetings. And we, Pavlovianly bay in unison at the moon; indeed we justify their crimes by mouthing their propaganda that "monopoly makes for better newspapers." If you have swallowed that line, just check any list of the 10 or 15 outstanding U.S. newspapers and see how many are monopoly rags. Even worse, we have been willing tools in media owners' ignoble acts, most recently by supporting the ANPA's so-called "failing newspaper bill." If Congress adopts anything resembling that politically-bought bill, we will have even more "failing newspapers." The moneyed communicators will see to that.

So let's admit we have been duped. Then let's, each one of us, join the fight to prove Nicholas Johnson wrong. Keep an eye on your local mass media. Learn who owns them and what their other ownerships are. Analyze the media to learn if they are being used for the owner's economic gain. Become aware of pressures being applied by one medium to another. Often it is painful, as in the case of the recent profit-sharing exposure of the esteemed St. Louis *Post-Dispatch* and Newhouse's St. Louis *Globe-Democrat*. But I sincerely believe our basic freedoms become more secure and our mass media better through this cleansing process. So let's expose the crooks. It is our duty. We could aspire to no greater public, indeed socially responsible, service.

All of us should become involved. We have too long left this dirty task to one or two men, and we, in our stupidity, have ridiculed them. The undertaking is too great and too important for us to remain silent. But let me caution you. Smitten media owners fight back. Since we at Southern Illinois University have become increasingly involved in various of these skirmishes we have lost a few scholarships, lost an oil-sponsored national contest, lost support on a couple of other projects, received pressures and threats from some of the giant monopoly-chain-crossmedia owners, heard hints of legal action, received crank "You dirty Communist" letters. However, we sleep better at night, new friendships and support have come from unexpected sources both inside and outside the profession, we have gained governmental and nongovernmental contacts throughout the country who have helped implement change. And through it all, our students have gained a deeper respect for egg-head professors, journalism education, and education in general.

During the past year we have been involved in a diversity of activities, among them opposing the FCC-approved ITT–ABC merger. That battle was won. We helped rally support and otherwise fought the so-called "Failing Newspaper Bill." The shockwaves from that ill-conceived power play have alerted members of Congress, the Justice Department, the Federal Trade Commission, and possibly even the FCC to the grave monopoly dangers in the mass communications media. The Justice Department recently announced new merger guidelines which will limit horizontal mergers. The SIU Journalism Department chairman, Dr. Howard R. Long, has been deeply involved in the oil shale controversy from the outset. Without his help and that of others it is doubtful if J. R. Freeman would have achieved the limited success he has. Now you know why The American Oil Company withdrew its contest. But which is more important, the recognition and publicity gained through conducting a national contest or blocking a multi-trillion dollar government giveaway to the oil industry.

Despite my pleas, I fear you will not become involved. Indeed, I suspect that those of us at SIU enmeshed in these and other fights could not have done so at many of your schools. That is the most depressing prospect of all.

Every one of us knows that educators in other disciplines contribute heavily to and frequently criticize their professions. University law professors and law journals regularly stimulate the development of the law. Medical progress would be stymied without the research and experimentation conducted at university medical schools. Much current economic and political theory have been developed on campus. These educators have recognized and so must we that we can rely on business and industry to undertake research, introduce reforms, develop new ideas only in areas where the expectation of profits accrues.

If my message were to be summarized in a simple thought it would be, Our basic freedoms are in grave danger because we have entrusted them too long to those whose primary concern is with profits. We share a high responsibility to protect these precious birthrights. The hour is late; much has been lost. We must shoulder our burden.

Thank you.

TRIBUTE TO SENATOR SMATHERS BY U.S. SENATE SPECIAL COMMITTEE ON AGING

Mr. WILLIAMS of New Jersey. Mr. President, many tributes have been paid to Senator George Smathers, of Florida, who will retire at the end of this term of service after 22 years in Congress.

Those tributes have been heartfelt, and they have been varied; for Senator Smathers has made many contributions toward many legislative objectives. For my own part, I will discuss only his service on the Senate Special Committee on Aging.

Senator Smathers was one of the original members of that committee in 1961. As its chairman from 1963 until early 1967, he provided outstanding leadership and understanding of its special purpose.

Recently, all other members of that committee presented Senator Smathers with a resolution which expresses, better than I can, the high regard of his colleagues. I ask unanimous consent that it be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution of the Special Committee on Aging of the U.S. Senate

Whereas Hon. George A. Smathers of Florida served from March 14, 1963, to January 16, 1967, as Chairman of this Committee, and

Whereas Senator Smathers directed the Committee with deep and compassionate understanding of the needs and hopes of the millions of Americans who are aging or aged, and

Whereas Senator Smathers paid personal attention to the special problems of our elders who live in poverty and our younger people who give direct support to their parents, and

Whereas Senator Smathers effectively advanced legislation intended to assist older Americans while preserving their dignity and independence, and

Whereas Senator Smathers, through the force of his example and his cordial leadership, encouraged his colleagues on the Committee to participate in studies of vital importance to all Americans, and

Whereas Senator Smathers served with distinction as a Committee member before his Chairmanship and now serves with great distinction as Chairman of the Subcommittee on Health of the Elderly. Now, therefore, be it

Resolved, That the Special Committee on Aging hereby expresses its sincere appreciation to Senator Smathers for his achievements as Chairman, for his faithful service to the Committee, and for his continuing interest in its objectives and assignment.

WHAT THE VIETNAM WAR IS ABOUT

Mr. DODD. Mr. President, because the campus opponents of our Vietnam commitment are so vocal, there is an impression in this country and abroad, that the American student body in its overwhelming mass is opposed to our Vietnam commitment. This is not so.

There is, admittedly, less support for our Vietnam commitment on the campuses since the Tet offensive. But prior to that time a whole series of student polls revealed that, with minor variations from one campus to another, 60 percent or more of our college students believed that we were right to come to the defense of South Vietnam.

Recently, an organization which calls itself the Student Coordinating Committee for Freedom in Vietnam and Southeast Asia, came into existence. Having met with some of the student leaders of this movement, I must say that I have been greatly impressed by their earnestness and knowledge and understanding.

As an example of the carefully researched statements that have been made by pro-Vietnam student leaders in debates across the country, I want to call to the attention of my colleagues a speech which has recently come to my notice. The speech in question was delivered at Queens College, Flushing, N.Y., in the course of a teach-in on Vietnam last April, by Daniel E. Teodoru, a member of the secretariat of the Student Coordinating Committee for Freedom in Vietnam and Southeast Asia.

After discussing the wave of isolationism which destroyed President Wilson and which helped the Bolsheviks consolidate their power base in the Soviet Union, Mr. Teodoru said:

> Today again America faces a moment of decision—one which I believe will decide the fate of millions of people. Let us entertain no illusions as to what U.S. withdrawal from Vietnam would mean. Even anti-war groups admit the consequences quite readily. As the Leftist journal *Dissent* stated in an editorial:
>
> "But if continuing the present policy means a hopeless attrition of the Vietnamese people, it must be stressed that simply for the U.S. to pull out of the country would mean something quite as inhumane. For it would be a matter of months at most before the country was completely under Communist control and there would almost certainly follow a slaughter in the South of all those who have fought against the Communists. To abandon these people now, after years of bitter civil war, would be an act of callousness."

Mr. Teodoru does not pretend that all is perfect in South Vietnam. He makes it clear that he believes that there must be a far greater emphasis on the economic and social aspects of the struggle than there has heretofore been. Among other things, he recommends that the United States concentrate on the following priorities:

(1) Security;
(2) Reconstruction;
(3) Redistribution of land;
(4) Modernization of agriculture, industry and distribution;
(5) Cultural (communication and education) modernization.

Mr. Teodoru concludes:

> Whatever we do we *must not* abandon our (for better or worse) Vietnamese allies. For, as Miss Gail Kelly, former national secretary of the Student Peace Union wrote in the socialist journal *New Politics:*
>
> "If, as the facts indicate, a victorious NLF will follow in the steps of its predecessor, the

Viet Minh, then no one who is interested in human progress and in saving lives can favor the victory of the NLF."

To quit now is to favor the NLF.

Mr. President, I ask unanimous consent to have printed in the RECORD the entire text of Mr. Teodoru's speech at Queens College.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SPEECH DELIVERED BY DANIEL E. TEODORU, AT QUEENS COLLEGE, FLUSHING, N.Y., TEACH-IN ON VIETNAM, APRIL 24, 1968

Defying the councils of American presidents from George Washington on to "avoid foreign entanglements," Woodrow Wilson brought America into World War I. This act and all the consequences thereof on a people, who above all else were wary of anything which might imperil their liberties was not justified on grounds of "national self-interest." Rather, as Wilson said:

"The United States entered the war, not because our national interests were directly threatened or because any special obligations to which we were parties had been violated, but only because we saw the supremacy, and even the vitality, of right everywhere put in jeopardy and free government likely to be everywhere imperiled by the intolerable aggression of a power which respected neither right nor obligation . . . We entered the war as the disinterested champions of right."

In other words, America had put itself in the noble role of mighty champion of right because it realized that, though protected by two unbridgeable oceans, it, as a great power, had an inescapable responsibility in the making of world history.

However, when the great "War to end all wars" had come to an end and the time had come for America to take her role as the leading force in the making of a "just and durable peace," President Wilson met with an overwhelming wave of "isolationism"—America had had enough; it only wanted to be left in peace. This wave which was to destroy Wilson mentally, physically and politically, just as the present wave about to break the present President, was led by the chairman of the Senate Foreign Relations Committee. But his name was not Fulbright; it was, ironically, Henry Cabot Lodge. This wave of isolationism was not without its consequences—for which America paid dearly a short time later.

The je m'en fou attitude of that very nation which entered World War I so as to bring justice to mankind, permitted it to idly watch the vicious butchery of what is claimed to be as many as six million helpless people go on before its very eyes.

No sane American today does not deeply regret and feel shame for his nation's inaction during that inter-war period of horror for, as we all know well, America's self-extrication from the problems of our battered world led to those atrocities.

Today again American faces a moment of decision—one which I believe will decide the fate of millions of people. Let us entertain no illusions as to what U.S. withdrawal from Vietnam would mean. Even anti-war groups admit the consequences quite readily. As the Leftist journal *Dissent* stated in an editorial:

"But if continuing the present policy means a hopeless attrition of the Vietnamese people, it must be stressed that simply for the U.S. to pull out of the country would mean something quite as inhumane. For it would be a matter of months at most before the country was completely under Communist control and there would almost certainly follow a slaughter in the South of all those who have fought against the Communists. To abandon these people now, after years of bitter civil war, would be an act of callousness."

Thinking along the same vein, Diana Trilling, another unilateral dove, recently wrote in the *New York Review of Books:*

"I, too, oppose this war and urge our withdrawal from Vietnam . . . But even as I take this stand, I confront the grim reality that in withdrawing from Vietnam we consign untold numbers of S.E. Asian opponents of Communism to their death and countless more to the abrogation of the right of protest which we American intellectuals hold so dear."

Indeed this would be the case. America would, in fact, be abandoning untold numbers to a terrible fate. And, let us not deceive ourselves, just as the Jews of Europe, they would be trapped—they would have no escape. As even the communist journalist, Wilfred Burchett, who speaks for Hanoi recently wrote:

"(When the U.S. pulls out) A handful (of U.S. supporters) at the top may pull out with the Americans, but the vast majority (will) have to live in a Vietnam where everything connected with the U.S. is hated and despised."

So, what is it that got America involved in this seemingly hopeless situation in which it now finds itself? To answer this question, let me begin by saying that the main cause for America's failure and the present "quagmire," as one author called it, in which America finds itself, is, as Walter Mills, the military analyst, wrote in the *Herald Tribune* back in 1954, that, "America is trying to use its money to get others to fight its wars."

Towards the end of World War II, when in keeping with Roosevelt's policy of denying France re-entry to Indochina, America could have patronized and guided Vietnam into independence as it did with the Philippines, it chose to stay out of the whole affair and, though not actively supporting a French comeback it did not interfere with it.

With chances of France going Communist at the time, Ho Chi Minh under orders from Moscow, was most conciliatory and by signing the March 6, 1946 agreements gave Vietnam back to Paris. This he did for two reasons: (a) now, should France go Communist Vietnam, as a French possession would, skipping the capitalist stage, become communist, and (b) having come to terms with the French, Ho got the assistance necessary to crush the other die-hard nationalists who could not accept betrayal of their sacred cause of independence.

This is the stuff good Communists are made of—a most successful breed of men.

So, while the pleas of Vietnamese to Washington fell on deaf ears (Ngo Dinh Diem was thrown out by MacArthur in Tokyo when he came pleading for help) and while the French, greedily seeking to hold on to their privileged position in Indochina, played into the Communists' hands, America did nothing.

With the fall of the Communists and the end of all hopes for taking over in Paris, war broke out in Vietnam and still America, the only nation in the world powerful enough to impose justice, did nothing.

In 1950, Secretary of State Dean Acheson, after defining the American "defense perimeter" as only including the Aleutians, Japan, the Ryukyus and the Philippines, said:

"So far as the military security of other areas in the Pacific are concerned, it must be clear that no person can guarantee those areas against military attack . . ."

The North Koreans, aided and directed by Moscow and Peking, promptly responded by invading South Korea.

At that point, America realized that it was involved in another war, no different from the one just fought in Europe, but this time on the Asian continent.

The struggle in Indochina, rightly, was viewed in the same light.

But, though desiring independence for the French colonies of Indochina, America saw that, just like South Korea, the state of Vietnam (which it recognized that year) was too weak to hold out alone against the Communists and would need direct American assistance. However, seeking a shortcut by which it could get others to do the fighting it (as the world leader) should be doing, America, though aware of the fact that French greediness alone was responsible for the Communists' strength, chose to support France as the only military force in Indochina strong enough to make U.S. manpower unnecessary.

Split between its moral commitment to independence and its practical awareness of the need for force, America from late 1950 on half-heartedly supported the French effort.

By 1953 when the Korean war came to an end and all the Communist effort was concentrated on Indochina, America not only realized that without independence from France Vietnam was lost, but that the Communist momentum had gained such force as to put the French position in jeopardy.

It must, however, be kept in mind that what America wished above all was independence for Vietnam. To the dismay of the French, General "Iron Mike" O'Daniels, the Chief of the U.S. Military Mission, was often heard preaching to Vietnamese officers: "Don't lift a finger until they give you complete independence." The U.S. Ambassador to Vietnam had publicly stated that:

"The war was not merely a military struggle . . . but a political one as well, and the French-Viet efforts to combat the communist forces would be greatly helped by an outright French engagement to grant absolute sovereignty to the Associated States (of Vietnam, Laos and Cambodia.)"

But France, however, felt that her interests in Indochina were primary. A State Department communique presented France's role in Indochina as: ". . . Engaged against the forces of Communist aggression . . . in an integral part of the world-wide resistance by the Free Nations to Communist attempts at conquest and subversion."

But the real reason for France's efforts at holding its position in Indochina was more correctly expressed by General de Gaulle in 1946 when he said:

"United with the overseas territories which she opened to civilization, France is a great power. Without these territories she would be in danger of no longer being one."

Though supplying some 80% of the French materiel used in Indochina, America was in no position to dictate terms because back on the European continent the U.S. was seeking French approval for a deterrent force against further Soviet advance westward—the European Defense Community (EDC). Too much pressure for Vietnamese independence, it was feared, might antagonize the French and lead to rejection of the E.D.C.

However, as the French got themselves caught in a desperate situation at Dien Bien Phu, it became quite clear, as Admiral Radford, U.S. Chief of Staff, put it that:

"There is no chance of keeping the French in the fight unless they know that we would do what we can within the President's constitutional powers to join them . . . Unless we participate in an air strike, the battle then going on for (Dien Bien Phu) itself would be their 'last battle.'"

After a check with various Congressmen and Senators, the President found no support for U.S. involvement. The reason was well described in the Soviet journal *International Affairs*. Mocking an American weakness with which the USSR never has to cope, it asked:

"Why were the (senators and congressmen) so peace minded? The fact is that a mid-term election was on in the autumn of 1954 and the whole House and one-third of the Senate would be up for re-election. U.S. public opinion, which had but recently wrested the Korean armistice from the Administration, would feel strongly about another gamble. On the eve of the elections, the congresmen were not prepared to flaunt the mood of the voters."

The Communists, depending on this fact, proved correct. Defeated at Dien Bien Phu, the French were ready to settle for anything that would extricate them from a war which, even at best, would not return their old status in Indochina. All U.S. warnings and menacing "shows of strength" came to naught. As then Senate Majority Leader Lyndon B. Johnson—almost anticipating the crisis of his administration—said:

"American foreign policy has never in all its history suffered such a stunning reversal. We have been caught bluffing by our enemies. Our allies and friends are frightened and wondering, as we do, where we are headed. We stand in clear danger of being left naked and alone in a hostile world."

As far as the French were concerned this was indeed the case. Feeling betrayed by the Americans, the French government, ripe for any settlement, made a deal with the Soviet Union—a peace treaty which resolved nothing but permitted the French to get out gracefully in return for sabotage of the EDC—the one thing that stood in the way of American enforcement of its desire for total independence of Indochina.

Indeed, we see here how seeking someone else to do the job America as the leader of the Free World had to do, led to failure all around.

II

Sitting opposite each other at Geneva were governments which refused to recognize each other's existence. The U.S. naturally did not recognize China. Also present were two Vietnams, the State of Vietnam, recognized by 35 nations, and the Democratic Republic of Vietnam, recognized by the entire Communist bloc. Each of the two regimes claimed to be the ONLY legitimate government for all of Vietnam.

The French, the primary negotiators opposite the Viet Minh, took the following position as stated by the French Foreign Minister Bidault:

"For France, there is a Vietnam State of which the unity, territorial integrity and independence must be respected. With the presence at this conference of a party which, in order to fight against this State, has organized armed forces, has been admitted as a necessity with a view to bring about a cessation of hostilities, this presence must not be interpreted as implying on our side any kind of recognition."

He, therefore, made it clear that no agreement was acceptable unless it had the full approval of the "independent State of Vietnam."

However, when it came to the final agreement which was purely a military cease-fire accord, signed not by any heads of state but only the military commanders of the French and the Vietminh forces, the representative of the State of Vietnam rose and declared that: ". . . the Government of the State of Vietnam requests that this Conference note that it does protest solemnly against the way in which the armistice has been concluded and the conditions of this armistice without taking into account the deep aspirations of the Vietnamese people, and it reserves its full freedom of action in order to safeguard the sacred right of the Vietnamese people to territorial unity, national independence, and freedom."

Thus, the stage was set for a total disregard of the agreements and the amorphous elections alleged to in the unsigned declaration appended to the agreement. The South Vietnamese government, in other words, made it clear that the Geneva Agreements were only binding between the Vietminh and the French. Since the French were to pull out in the course of the next year, in effect, with their disappearance, the whole agreement disolved and a new relationship developed between Hanoi and Saigon.

What followed the French departure was a de facto existence of two Vietnams, each representing a different bloc. Beyond platitudinal talk of a "just reunification," the Saigon government was willing to accept the division as something it could do nothing about. The Hanoi regime, on the other hand, having maintained an apparatus in the South, had other ideas. It sought reunification above all else—especially since it badly needed the rice of the lush Mekong Delta.

To see how natural or unnatural the present division is, we must keep the history of Vietnam in mind. The true Vietnamese are only those people occupying the Tonkin area of North Vietnam. It is only after Southern expansion that Vietnam grew to include its present area. However, being drawn thin at the center by the limiting Annamite Ranges of Central Vietnam, the geography of Vietnam was not conducive to unity. What resulted is a split of the nation somewhere near the 17th parallel into two warring states. This separation lasted a good 400 years. Vietnam was only united in 1802 when Gia Long, with the aid of French forces, conquered the North. Shortly afterwards, the French took over Vietnam and, exasperating existing regionalisms, broke it into three separate administrative areas. This is important for, as Bernard Fall points out in *The Two Vietnams:*

"Thus, much of what today is the Republic of Vietnam south of the 17th parallel has been Vietnamese for a shorter span of time than the Eastern seaboard has been American. This is a reality that cannot be simply talked away, for it affects the very fabric of the nation in times of stress and crisis as in the 1960's."

Going even further, Dennis Duncanson in *Government and Revolution in Vietnam* notes that:

"The extraordinary shape of the national territory as finally settled by the ethnic Vietnamese (1,500 miles long, but in places barely two miles wide, with the two main concentrations of population more than 1,000 miles apart) has further weakened central government and national cohesion, leading to repeated partitions at points between the 16th and 18th parallels for nearly half a millenium; the present division is, by historical criteria, normal not exceptional . . . the Cold War was not the essence of the matter, and, if historical precedent is anything to go by, it is probable that, even if there had been no Communist factor, independence would have been followed just the same by regional partition . . ."

This was a lesson the Communists, clandestinely operating in the South, learned the hard way after 1954. When in 1955, it became clear that no elections would be held, an attempt was made by the Hanoi authorities to mobilize popular support for reunification under the Vietnam Fatherland Front. But, the Communists soon found that they could not gather much Southern support for a program based on reunification. As Phillipe Devillier, something of a sympathizer with the reunification cause, admitted:

"For the people of the South, unification is not an essential problem. Peace, security, freedom, their standard of living, the agrarian question—these are far more important questions to them."

Here, in a nutshell, is the whole problem.

Realizing this, the Hanoi authorities reorganized their Front into the Front for the National Liberation of South Vietnam, which they claimed to be a Front "purely Southern in character." They played down the reunification issue and concentrated on the most local of issues working through the Party's cell structure.

To perform this function, Southerners who have moved to the North in 1854 and had undergone intensive training and indoctrination were sent South to reorganize the clandestine cadres left behind.

According to the reliable French estimates (Frenchmen who have contact with the Viet Cong) there were up to 70,000 such cadres sent during the first ten years. At the 1962 conference on Laos, a high ranking senior North Vietnamese official let it be known that several members of the Dong Lao Dong's Politbureau were in the South leading the NLF. He also gave some of the names.

With them, they carried large stocks of World War II vintage American and French arms captured in Korea and during the war against the French. Besides these, they had large hidden supplies which they secretly buried after the Geneva Cease Fire Agreements. Because the arms issued by the U.S. to the South Vietnamese Army were (and still are) old weapons of World War II vintage, it was impossible to distinguish between the arms of the Viet Cong and theirs. Thus, many people assumed that the Viet Cong were depending only on arms captured from the South Vietnamese Army. Only a small number of Soviet and Chinese arms showed up in the early period because these were exclusively issued to the very elite Viet Cong units.

On the political side, the Viet Cong success is based on three factors: (1) Since traditionally in the South the seat of power rests in the village (an old Vietnamese proverb goes, "The emperor's authority ends at the village's bamboo wall."), by entering one village at a time and exploiting local issues, the Viet Cong managed to slowly gather some sympathy from local people. (2) By putting every villager into some well-structured and well-run organization so that his behavior, even his personal life, could be controlled, the NLF turned initial sympathy into inescapable commitment. (3) By myths and propaganda links between the people of villages, through travelling propaganda teams, newspapers, radio, etc., the NLF became the only link people had with the world beyond their village so that their attitudes and thoughts could be controlled.

The government, on the other hand, was highly centralized. All orders down to the most minute details came from Saigon. Propaganda and slogans were also prepared in far off Saigon. The government teams were charged with forcing allegiance to the central government. Such an "ask not what your country can do for you but what you can do for your country" attitude was contrary to the way of life of the Southern peasants. Therefore, as Professor P. J. Honey points out:

"Since 1954, the peasants have been fed on a diet of puerile and frequently offensive slogans by the Ministry of Information. These serve, if indeed they serve any purpose at all, to make the peasant distrust the Government . . . Any political experience among the peasantry, then, is more likely to prove a liability than an asset to any Government."

Unlike Saigon which sent directives from above, the Viet Cong "agit-prop" teams were instructed to adapt to local conditions. As stated in a document dated 1959:

"If we want to activate people to revolution, first we must investigate and study those people. If we want to make an assertion about a locality we also must investigate the actual situation in that area before the assertion can be utilized."

The same document instructs the cadres to keep studying the enemy carefully, to keep the people active in tight organizations and get them involved in activities which will alienate them from the government. It further instructs cadres to, while imbuing the people with a "Marxist outlook" and "praising the wonders of socialism in the North," avoid exposing party cells, party structures, members and the fact that the Communist Party "controls" the Front.

On the question of reunification, the Viet Cong also show great flexibility. While in Hanoi the propaganda refers to *tai thong nhut* (reunification), in the South they speak of only *thong nhut* (unification) as if it is some distant goal. But, that reunification, as Hanoi sees it, is a matter of first priority after the war is evident from this report made by Burchett last year:

"Ta Quang Buu . . . minister of higher education, was open about the fact that the trebling of intake of students for higher education in the last two years was aimed at providing technical and scientific cadres for a unified Vietnam of 35 million population."

It must be made clear that Hanoi's success through the NFL in the early years was not because people rebelled against Diem. In fact it was a matter of filling the vacuum in the vast areas where Diem's authority never reached. NLF cadres organized openly and unmolested. Furthermore, in Diem controlled areas, things were not that oppressive, as can be attested to in NLF manuals which instruct cadres to concentrate on "legal" activities and "legal" protests in order to stir up the people.

Open dissension, as elsewhere, was dealt with most severely only when practiced by the intellectuals. They, not the Communists, are the ones who, with the Buddhist monks and the military, finally brought Diem down. All this should show that we are up against an enemy who for years has been successfully exploiting our errors and our absence. But, despite their tremendous windfall and our own stupidity, the Communists never got the staunch supoprt of more than a minority of the population. The battle is now on for the "uncommitted mass."

We know what the Vietnamese revolution is all about. Pham Van Dong, North Vietnam's Premier, made it clear in 1958 when he declared:

"Today the society of man can take only one of two paths, the road to capitalism or the road to socialism . . . together with the Socialist countries, at whose head is the Soviet Union, the people of Vietnam take an oath to consolidate the bloc of countries allied on the basis of the Marxist-Leninist doctrine of the international proletariat."

I, for one, take this as a challenge. I am not by any means satisfied with the status quo in Vietnam. We must bring revolution rather than destruction to these people. I fully subscribe to the view of Professor Trung of Saigon University:

"Communism is a method to implement social revolution. One can perhaps oppose Communism, meaning opposition to a specific method of implementing social revolution; but one can never oppose Communism in order to avoid making a revolution, because not making it means the Communists will make it and in their own way."

To this end, I think if the U.S. concentrates on the following priorities:

(1) security
(2) reconstruction
(3) redistribution of land
(4) modernization of agriculture, industry and distribution
(5) cultural (communication and education) modernization

it can come up with a strong Vietnam that can take its place among the truly independent and neutral nations of the world.

Much devastation has been wrought on Vietnam. It is now late in the game, what with all the 300,000 North Vietnamese troops in the South. But it is not too late. We must continue to outpace destruction with construction. There is clearly no genocide going on with the population increasing by 3% annually, but the increasing number of refugees indicates the need for radical change in our construction program.

Whatever we do, we must not abandon our (for better or worse) Vietnamese allies. *For, as Miss Gail Kelly, former national secre*tary of the Student Peace Union wrote in the socialist journal *New Politics:*

"If as the facts indicate a victorious NLF will follow in the steps of its predecessor, the Viet Minh, then no one who is interested in human progress and in saving lives can favor the victory of the NLF."

To quit now is to favor the NLF.

IN MEMORY OF EDWARD R. MURROW—REMARKS BY FRANK STANTON

Mr. McGEE. Mr. President, last Thursday a dedication ceremony was held in Greenville, N.C., for a new short-wave complex for the Voice of America.

That ceremony was held in honor and memory of the late Edward R. Murrow—a great journalist and a great American.

The dedicatory remarks delivered on that occasion by Dr. Frank Stanton, chairman of the U.S. Advisory Commission on Information, were stirring reminders to us all. I ask unanimous consent that they be printed in the RECORD.

IN MEMORY OF EDWARD R. MURROW

(Remarks by Frank Stanton, chairman, U.S. Advisory Commission on Information, Washington, D.C., October 3, 1968)

The Voice of America transmitting complex we dedicate today is the most powerful in the world. That means—so long as this nation above all others stands for life, liberty and the pursuit of happiness—it is a beacon of hope whose light will help lead the people of the world to awareness and mutual understanding, to the organization of a peaceful society, and to a greater appreciation of what freedom means to mankind.

So it is right that harnessing such great capacity with such noble purpose calls up the memory of Edward R. Murrow. For this man devoted his life to transmitting a message of freedom, justice and hope to his nation—and to the world.

In honoring him today, you are honoring even more the ideal which made possible his exceptional achievement as a journalist of outstanding integrity and dedication. It was this ideal, in fact, that made Ed Murrow one of the handful of journalists in history whose stature as a man of his times—and for all times—came to overshadow even his towering stature as a broadcaster.

Those of us who worked with Ed Murrow and now look back at his life and career recognize three great forces that guided him. There was his strong faith in the power of education and enlightenment. There was his never-ending quest for perfection. And there was his passionate devotion to his duties as a journalist. His concept of those duties was to help the public—as he put it—"know the facts as far as they are ascertainable, and so to illuminate and explain facts and situations as fairly as possible, as to enable the listener to judge and weigh them for himself."

Ed used to say that all he knew about radio was that the short waves are long and the long waves short. That, of course, was part of his gift for understatement and humor. But beyond that, he had a rare capacity for conveying the deeper meaning and the emotional quality of world events. They flowed through him like a stream. We saw it vividly on that historic day in March 1938 when he went on the air from Vienna to report on the Anschluss of Austria and what we all recognized later as the beginning of the Second World War. That broadcast, the first CBS World News Roundup, was a milestone in journalism, tying the world together with live on-the-spot coverage of events as they were happening. In the three decades since then, this format has become the hall*mark of electronic journalism—bringing together* correspondents from world capitals, battlefields, disaster areas—wherever the news is breaking.

During the blitz of London, it was the measured tones and perceptive reporting of Ed Murrow that awakened Americans to the ugly realities of the war then raging through Europe. With deep compassion and concern for the suffering he saw, he brought the burning city into our living rooms. He carried the dead to our doors, and we knew they were more than the dead of London—they were the dead of mankind. He followed Londoners on their way to air-raid shelters and caught their measured footsteps on his microphone. He joined RAF bomber pilots on their raids over Germany and described the flak and fire.

This man destroyed the dangerous illusion of distance and time that insulated our nation from the grim events taking place in Europe. He destroyed the myth in many American minds that what is done 3,000 miles away is not really done at all. "There are no words to describe the thing that is happening here," he said of the inferno raging in London. But he somehow found the words—simple ones. As the first American correspondent to enter Buchenwald, he expressed the same inability to describe the horrors found there—but somehow did.

Back in this country after the war, Ed became even more widely known for such pioneering television series as "See it Now," "Person to Person" and "Small World." In the 1950's at a time when few others dared challenge Senator Joseph McCarthy, he documented McCarthyism, and thus helped turn the tide against the witch hunts of that period. "We cannot defend freedom abroad," Ed said, "by deserting it at home."

Finally, as head of the U.S. Information Agency, Ed Murrow soon became a member of John Kennedy's inner councils. He could not have served on any other terms; for he knew that what the USIA tried to say to the world could only be as effective as the policies it tried to translate. At the same time, he demanded that the USIA also give *all* the news about America—"the warts and blemishes," to use his words, as well as the "sunshine."

Ed Murrow left an important legacy to all of us. It is a legacy of reality reporting—vigorous, wise, honest, committed to the best in America and in humanity. Eric Sevareid, a longtime friend and colleague, summed it all up three years ago in his unforgettable eulogy: "Ed was an artist, passionately alive; living each day as if it were his last, absorbing the glories and miseries of his generation. The men, the machines, the battles, the beauties—the poetry of America was in his bones."

With that thought we dedicate the Voice of America short-wave complex in Greenville, North Carolina, to the memory of Edward R. Murrow.

RETIREMENT OF SENATOR HICKENLOOPER

Mr. YOUNG of North Dakota. Mr. President, I join with other Senators in paying tribute to our friend from Iowa, Senator BOURKE HICKENLOOPER. It was with real sadness that all of us learned some time ago that he had decided not to seek reelection.

BOURKE has been one of the most highly respected and admired Members of the Senate. Few have contributed as much toward a better America. In his republicanism and conservatism he has been as solid as an oak stump. The Senate is losing one of its most able and dedicated Members.

BOURKE HICKENLOOPER has a long and distinguished career as a public servant. As a Member of the U.S. Senate he has served 24 years—or longer than any other Member of the Senate elected from Iowa by a popular vote. His career as a public servant started long before when he served in the capacity of State legislator, Lieutenant Governor, and Governor before coming to the Senate in 1945.

In the Senate he has rendered marked service as a member of the Senate Agriculture Committee, the Banking and Currency Committee, the Joint Atomic Energy Committee and as the ranking member of the Senate Foreign Relations Committee for many years. Many of our problems around the world would not be with us today if his advice had been heeded more closely in executive circles.

We have always looked to BOURKE for sound counsel and advice on the matters handled by the committees of which he was a member. Under his direction, the Senate Republican policy committee has been able to provide invaluable assistance to me and the other Republican Members of the Senate. His duties as chairman of this group have been demanding and have added greatly to a heavy workload. He has never shied from this, however. For as long as I have known him, hard work and additional duties have only been a challenge to him. Few have met these challenges so well.

I shall always cherish the years I have been privileged to serve with him in the U.S. Senate. May BOURKE and Mrs. Hickenlooper enjoy many more years of good health and happiness.

ON PASSAGE OF THE LABOR-HEW APPROPRIATIONS BILL—H.R. 18037

Mr. YARBOROUGH. Mr. President, yesterday, H.R. 18037, the Labor-HEW appropriations bill for fiscal 1969 was sent to the President for signature into law. I wish to commend the conferees of both the House and the Senate and men of good will of both parties in both the House and the Senate who have agreed to fund the Bilingual Education Act at $7.5 million during fiscal 1969. Although the Bilingual Education Act authorized expenditure of $30 million for this year—and there is no doubt that even a full appropriation of $30 million would be far short of the need experienced by the more than 3 million children in this country who go hungry for learning each day because they cannot speak English—I am pleased that the Congress has shown the vision to provide $2.5 million more than was requested by the Bureau of the Budget and $7.5 million more than the House initially voted for.

Although this sum is modest, at least we will be able to get under way with what is perhaps the most neglected problem in education now facing America.

Additionally, I am pleased that the conferees have increased the funds available for title I of the Elementary and Secondary Education Act over the amount recommended by the House. Although falling short of the $1.2 billion suggested by the Senate, the $1.1 billion is half a loaf better than the $1.0 billion suggested by the House. I have received considerable correspondence from principals, superintendents, and board of education members in Texas expressing deep concern over the funding of title I and I am happy that I will now be able to report to them that some progress has been made toward fulfilling the needs of the disadvantaged children they serve. The effect of this bill on individual schools is now that they will receive at least 92 percent as much funding as they did in fiscal 1968. Had the House provision prevailed, these schools would have received a floor of only 85 percent.

Also, I am pleased to note that the House has adopted the Senate action in appropriating $91 million for our impacted schools. This is a most serious problem, particularly in my home State of Texas and I take this opportunity to urge the administration to act swiftly to expend these funds now on behalf of the children who attend these schools.

WESTERN AID TO BIAFRA

Mr. DODD. Mr. President, I should like to take a few minutes of the Senate's time in these final hours of the session to commend the ecumenical spirit and humanitarianism of church and other private relief groups that are making an 11th hour effort to halt mass starvation in Biafra.

At this moment, an American-made high-protein additive is being airlifted to Biafra via Amsterdam, Holland, to the Portuguese West Africa island of Sao Tome, for transshipment to a war torn area in which several thousand persons are perishing daily of starvation.

The shipments going from John F. Kennedy International Airport, New York, are fish protein concentrate, also known as marine protein concentrate, along with canned fishbread, a soy product and cereals, among other special foods. The fish protein concentrate—FPC—is made in New Bedford, Mass., and will soon go on the American market, thanks to the long battle waged by the former senior Senator from Illinois, Paul H. Douglas; the former senior Senator from Massachusetts, Leverett Saltonstall, and others who fought for certification of this much needed additive by the Food and Drug Administration as acceptable for human consumption.

As the senior Senator from Massachusetts [Mr. KENNEDY] eloquently points out, this product is part of the church workers' "arsenal of mercy," in the mission to end starvation among thousands of Biafran children and eventually to succor a billion people on this planet who are chronically hungry.

The first of 11 tons of fish protein concentrate left New York by chartered jetliner September 27. On that occasion, Senator KENNEDY declared:

> The development and shipments of FPC—this spectacular technological breakthrough (offering) hope of relief for millions of starving people throughout the world . . . will save lives in Nigeria.

Concern for the Biafran people is shared by Americans of all faiths and denominations. This was evidenced late last month when Rabbi Joseph Karasick, chairman of the Union of Orthodox Jewish Congregations, called for U.N. emergency action to enable relief workers of his and other religious groups to have safe conduct for carrying out their mercy mission in Biafra. The occasion was Yom Kippur, the most solemn of the high holy days of the year for world Judaism. On that day, an International Red Cross committee reported that as many as 9,000 Biafrans were dying every day of starvation.

The planes from Sao Tome go in nightly with the shipments that began out of New York on September 27. The third of 11 tons of FPC is due to go this weekend. There is only one landing strip held by the Biafrans, and even this is within shelling range of Nigerian artillery. The flights are made at night because, in daylight, the aircraft would be fired on. If necessary, should the Nigerian Federal troops overrun the airstrip, the FPC and other high-protein additives will be dropped by parachute.

In closing, I again want to commend in the warmest terms the self-sacrifice and dedication of the missionaries and fieldworkers of many religious denominations who are seeking to bring relief to the starving people of Biafra under such difficult circumstances. Their work has been rendered all the more difficult by the failure to date of the UN and the Organization of African Unity to use all their influence to bring about a cease-fire and to arrange for emergency food distribution throughout those areas now afflicted by mass starvation.

Mr. President, I ask unanimous consent to have printed in the RECORD a number of articles dealing with starvation in Biafra and with the efforts that are being made to alleviate it.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

A CATHOLIC RELIEF SERVICES, NEWS RELEASE

New York, September 27.—New hope for the starving millions of Biafra will be aboard an 11-ton airlift leaving Kennedy Airport tonight on a Catholic Relief Services chartered flight.

The air shipment will contain one ton of marine protein concentrate (MPC), a major technological breakthrough in food production from world fisheries which is regarded by biologists as one of the most potent weapons against starvation.

Also included in this chartered flight are $17,000-worth of other high protein foods and medicines and four self-propelled ground power units, valued at over $6,000 each.

The power units are to service the aircraft in use for the nighttime shuttles into blockaded Biafra under the auspices of the Committee of International Church Relief Organizations from the Portugese West Africa island of Sao Tome. Last week, the American Catholic overseas aid agency also airshipped 45 tons of aluminum loading planks and gravity conveyors to help facilitate the increased number of nightly mercy flights from Sao Tome into the stricken area.

Marine protein concentrate is made from whole ground fish and as little as six grams daily will be sufficient to relieve and reverse the effects of the physical pain and organic breakdown caused by severe protein deficiency.

One ton of MPC can provide the life saving equivalent of 150,000 child-days of health where the basic health problem is identified as protein deficiency, which is the case in Biafra.

Alpine Marine Protein Industries, Inc., of New Bedford, Mass., producers of the revolutionary fish concentrate, donated one ton of the MPC to Catholic Relief Services for today's Biafra airlift and the agency has purchased 10 more tons of it, which will be airlifted next week.

Senator Edward M. Kennedy of Mass. today sent a telegram to Msgr. Andrew P. Landi of Catholic Relief Services lauding the agency's efforts for the suffering on both sides of the Nigerian conflict. The telegram read, in part:

"I want to pay high tribute to you and your associate for the very dedicated efforts all of you are making to assist the suffering people in Eastern Nigeria. We are conditioned in the world we have created to accept suffering and injustice—especially in our time when violent conflict and oppression are active in so many areas. But the newer world we seek will not evolve if we ignore these challenges to leadership and take comfortable refuge in the mundane patterns and attitudes of the past.

"So, I am extremely gratified that the historic compassion of the American people, as reflected in the voluntary services of this organization, is so active in Nigeria, and I am extremely gratified to know as well that marine protein concentrate is part of your arsenal of mercy. This spectacular technological breakthrough offers hope of relief for millions of starving people throughout the world. The shipment today will save lives in Nigeria. Best wishes as you continue your effort."

[From the New York Post, Oct. 10, 1968]

The Growing Airlift Keeps Biafra Alive

(By Raymond R. Coffey)

Uli, Biafra.—Two rows of kerosene lamps mark the runway here where pilots of mercy-mission flights jolt down to a rough landing on airstrip Annabele.

The lamps are quickly extinguished after the plane taxis to a halt. Within seconds, the cargo doors are thrown open and swarms of Biafrans—working in pitch darkness—unload a cargo of medicines and food.

Annabele—code name for an airstrip that is actually only a widened road near here—is warring Biafra's lone link to the world. A parked DC–7 bears the read and white colors of Transair Sweden.

It is part of the principally church-supported airlift that is keeping Biafra—or what is left of Biafra—alive.

It is a scary kind of business. The planes fly only at night to avoid fire from the antiaircraft guns of the encircling Nigerian federal forces.

Food and medicine—and guns for the secessionist Biafrans—are getting through in steadily increasing volume. Some weeks ago only one or two planes a night were running the blockade. Now, up to 20 planes a night are making it through.

About half of them come from San Tome, a Portuguese island in the Gulf of Guinea about an hour and one-half offshore. Other flights, run by the International Red Cross, come from another island, Fernando Po.

Though everyone concerned—principally the French—denies it, gun-running flights come in from Libreville in Gabon, a former French territory.

The operation on San Tome is a model of ecumenical co-operation between Caritas, the international Catholic relief agency, the World Council of Churches and Nord-Church, a group of Scandinavian churches.

The relief operation on San Tome is coordinated by the Rev. Anthony Byrne, an Irish Catholic missionary, and Joe Galano, a New Yorker who works for Catholic Relief Services.

The crews—mostly Germans, Scandinavians and Americans—are paid $500 per flight for pilots, a pretty fancy price—but it's pretty dangerous work.

An Article From the Ocean Science News, October 11, 1968

The third of 11 tons of marine protein concentrate is due to be airlifted from New York's JFK this weekend to the breakaway province of Biafra via Amsterdam and the Portugese West African island of Sao Tome, off Nigeria's coast. The MPC is being delivered in nightly flights from Sao Tome on Biafran landing strips to International Church Service workers, along with consignments of baby food, canned fishbread, a soy product, and cereals. The 50-lb. sacks contain instructions for MPC use as an additive in rations for children. If Nigerian federal troops should overrun the airstrips, the church groups will drop supplies by parachute. Preparations have been made for such delivery even though the Biafrans are managing militarily to keep the nightly airlift going. Planes would be shot at during daylight flights.

An Article From the Ocean Science News, October 4, 1968

Eleven tons of marine protein concentrate (MPC) are being shipped to relieve starvation in Biafra—the break-away Nigerian state. The above quote is extracted from a telegram sent to Catholic Relief Services on the occasion of the shipment of the first ton from Kennedy International Airport September 27. This first ton was donated free of charge by Alpine Marine Protein Industries, Inc., New Bedford, Mass. The other 10 tons are being purchased from Alpine by Catholic Relief. A recent radio link into the East Orange, N.J., Red Cross quoted a Catholic missionary in Biafra as saything that estimates of 6,000—mostly women and children—dying each week in Biafra from starvation are conservative. One ton of MPC will provide 150,000 child-days of health in terms of minimum daily nutritional requirements

The MPC is being flown by jet from New York to Armsterdam where it is transferred to a smaller aircraft. Thence it is flown to Sao Tome, a Portuguese island off the Nigerian coast. From these it is flown into Biafra at night by helicopter. State Department's Dr. George Parman (Agency for International Development) gave Alpine permission to divert the 11 tons from materials being stockpiled to fulfill the 1,050-ton order from AID.

[From the New York Times, Oct. 7, 1968]

Doctors in Biafra Despair Over Shortages

Paris, October 6.—The lack of food and medical supplies to give proper care to an overwhelming number of starving and diseased Biafrans has plunged the many struggling doctors in Biafra into grim anger, frustration and despair.

They expressed these emotions recently in talks with a correspondent in Biafra, and they have continued to send out pleas for help through people who have left in the last few days as Nigerian forces bear down on the beleagured Ibo heartland.

Thousands and thousands of people in various stages of collapse can be seen on the roads leading to the seven remaining, hopelessly overcrowded hospitals, bearing witness to the testimony of the doctors who are struggling amid a catastrophe to save even a few lives.

"This is the most collossal human misery since the worst of World War II tragedies," said Dr. Clyne Shepherd, a tall, lean Scotsman who runs Queen Elizabeth Hospital in Umuahia. "Look at these kids and the adults too," he said as he pointed to hundreds of families pressing around his long, low hospital building. Many were peering in the windows and doors, the children unnaturally quiet from hunger and weakness.

FATAL DISEASES GET PRIORITY

"I just try to deal with the diseases that kill people the most quickly—malaria in children, pneumonia and dysentery," said Dr. Wallace Shellenberger, 29 years old, of Goshen, Ind. "You don't try to find out what else is wrong. Ninety percent of the people at the clinics have protein malnutrition, and I can't do anything about it."

Dr. Shellenberger, a short, stocky man with a squarish face and heavy glasses, tends to speak in low tones, his voice drained of emotion as he tells of caring for 200,000 people in his sector, 90,000 of them war refugees.

He and his wife, Evie, a trained nurse, run makeshift clinics in the thick bush around the Mennonite Hospital at Abiriba. About 5,000 diseased people gather daily at the village clinics, and they have only one Biafran doctor to help them.

The Shellenbergers have just completed a two-year assignment for the Mennonite Church at Abiriba "without a single day off" and have returned to the United States.

"You see the problem every day, every day," says Mrs. Shellenberger, a petite woman with short blond hair. "Thousands and thousands of malnourished, not just children but adults. You can't do anything. Even with all the medical help in the world, they still need food. If we can't give them food, we are not doing them any good at all. It is so depressing."

CONDITIONS WORSEN

Until about a month ago, the Shellenbergers received about 20 bags of milk a month from relief agencies to distribute among 90,000 refugees.

"Now we are given money by the World Council of Churches to purchase local food during the harvest," Mrs. Shellenberger said. "But the nutritional state of the local people is as bad as that of the refugees. And by the end of December, when the harvest of yams and cassava is exhausted, there will be a carbohydrate famine."

Until recently Biafra's starvation mainly stemmed from malnutrition—a lack of such protein foods as meat, fish, eggs and milk. A carbohydrate famine would result from lack of basic starchy foods.

The medical condition of the Biafrans has worsened dramatically in recent months as they have fled before the advancing Nigerian troops into an area an eighth as big as their original territory, leaving many hospitals in Nigerian hands.

The Biafrans have only seven hospitals left. Some have run out of general anesthetics and doctors are using local herbal painkillers in operations. When the supply of surgical bandages is exhausted, nurses dress wounds with towels and bedsheets.

At Biafra's best hospital, the Queen Elizabeth in Umuahia, Dr. Shepherd showed his surgical ward as an example of the general overcrowding. Seventy patients were cramped into a space built for 20. Wounded boys recovering after surgery lay on fiber mats on the concrete floor.

"We get 40 to 50 wounded soldiers a day here, and the same is true for the other hospitals," Dr. Shepherd said. He made a quick calculation: "That means that over 2,000 soldiers are wounded each week on this side of the war, and it has been going on like this for months."

HOSPITAL DAMAGED

Dr. Shepherd has worked for 12 years in several of the Church of Scotland's five hospitals in what is now known as Biafra. Only the Queen Elizabeth is still functioning.

In recent weeks a number of hospitals have been overflowing with civilian wounded.

Priests and doctors in the areas say the wounded are victims of Nigerian air raids that have taken the lives of about 800 civilians.

One of Biafra's remaining hospitals, Our Lady of Lourdes in Ihiala, was heavily damaged by two Nigerian MIG's on Sept. 2. According to the Ihiala parish priest, the Rev. Frank McNulty, the toll was 75 patients dead and 270 wounded.

Dr. Shepherd said that he was worried most about the mass flight of Biafrans into the bush away from Nigerian troops and any medical help.

"Their medical condition defies description," he said. "Already we see children carried in from the villages not just with the ordinary signs of deficiencies, but with secondary infections and ulcerations about the eyes and face."

"The only way we can begin to reach these people," he added, "is with doctors in helicopters."

So far the International Committee of the Red Cross has experimented with the use of two helicopters around Calabar, in the southeast, to fly food supplies but not doctors to people in the bush. However, the loss of a plainly marked Red Cross helicopter to Nigerian antiaircraft fire at the Benin three weeks ago has apparently retarded greater use of the craft.

PRESIDENT JOHNSON'S FARM PROGRAMS HELP ALL THE PEOPLE

Mr. MONTOYA. Mr. President, during the past 5 years, under the leadership of President Lyndon B. Johnson, the Nation has made remarkable strides in improving opportunity for our people on farms and in villages and towns throughout rural America. We have also made striking progress in the use of our food abundance and agricultural know-how to attack hunger both at home and abroad.

These efforts are part of a long, continuing struggle by the American people that was born in the misery of the depression of the 1930's—and that will continue until the goal of a good life is finally won.

During President Johnson's term of office, Congress passed more laws to protect our land, our forests, our rivers, and to create parks and recreation areas than in any other comparable period in history.

We can all be proud of that record.

We can be proud of the Food and Agriculture Act of 1965 which set the course of a farm policy geared to American growth; and of the Food Stamp Act of 1964; and the Child Nutrition Act of 1966; and of the Wholesome Meat Act of 1967 and the Wholesome Poultry Products Act of this year.

We can be proud of the food for freedom program enacted in 1966—it opened a new chapter in cooperative self-help in the war on world hunger.

These laws are building a better life for people, not only on farms and in villages and towns in rural America, but a better life for people in the cities—and not just people here in America, but people in more than 100 countries throughout the world.

For example, net income per farm last year was about $1,000 higher than it was in 1963. It will be still higher this year. Farm people also have more off-farm earnings. On a per capita basis, off-farm income rose 56 percent between 1963 and 1967. As a result, a farm family of five persons had about $3,135 more disposable income last year than in 1963. And there will be a further gain this year.

Five years ago, farm people had less than two-thirds as much spendable income per person as other people in the Nation. We have raised it to about three-fourths today.

Income, however, is not the total answer to parity of living. For decades there has been a deterioration in the quality of life throughout much of rural America. Farm and rural people have had far more than their share of the Nation's poverty—and of the Nation's bad housing—of antiquated water and sewer systems. They have far less than their share of doctors, dentists, nurses, hospitals, schools, and libraries.

We set out to remedy these failings.

In November 1964, President Johnson gave this mandate to Secretary Freeman:

> It is time that the Department of Agriculture, which has served the farmers and the consumers of America so well for over a century, assume a full leadership role within the Federal Government to help rural America, as a whole, attain its rightful place within our society.

Here are some results of our efforts to revive rural America. By the end of this year, the 1964–1968 record will show that we have financed new or improved homes for more than 800,000 rural people, financed modern water or sewer systems for 3,300 rural communities, built watershed projects which provide water supply for 50 cities with a total population of 245,000, helped 56,000 farm families buy or engage their farms, aided about 75,000 low-income rural families start or improve self-employment enterprises, helped bring electricity to 800,000 new rural consumers and modern telephone service to 450,000 subscribers, and assisted thousands of farmers and hundreds of communities in developing recreation facilities.

Our housing and community water and sewer programs have created more than 150,000 man-years of onsite employment. Our watershed and resource conservation and development projects have provided about 85,000 man-years of construction work and also created about 43,000 permanent new jobs. Projects established with the help of REA electric and telephone borrowers under the rural areas development program have created some 140,000 jobs.

Though we have the finest system of agriculture and the most abundant food supply the world has even known, there is still hunger and undernutrition in America.

About a year ago, we were faced with the fact that more than one-third of the 1,000 poorest counties in the Nation were not being reached by either the family food donation program or the food stamp program.

A strong effort was immediately launched to establish a program in these nonparticipating low-income areas. As of September 1, 1968, 991 of these counties had a food assistance program and the rest were scheduled to start during September.

We are making good progress in our war on malnutrition. In 1960, only one-third of the Nation's counties had a family food aid program. Only five surplus commodities were being distributed to about 3.5 million needy Americans. By 1963, 15 commodities were being donated to the needy in about half the Nation's counties. A food stamp program was operating in about 40 areas. Today, through these two programs, we are reaching about 6 million needy people in over three-fourths of the Nation's counties. Twenty-two foods—providing most of the requirements of a nutritious diet—are being distributed through the family food donation program. The food stamp program alone is helping about 2.5 million low-income people in some 1,100 areas buy better diets at their local stores.

It was not easy to get this program established as a permanent part of our fight against hunger. But President Johnson insisted that the Nation needed it and Congress responded by enacting the Food Stamp Act of 1964.

In 1963, about 15 million children were served by the school lunch program. This fall, nearly 20 million children will be getting nutritious, low-cost, or free lunches every schoolday.

In 1963, there was no school breakfast program. Last spring, almost 160,000 needy children were getting free or low-cost breakfasts at school. By next spring, we estimate this number will rise to about 290,000.

If we continue this progress, we can wipe out widespread undernutrition in the United States by the early 1970's.

Now let me say a few words about world hunger.

It is a matter of deep concern to every thinking American that in many parts of the world the bodies of millions of children are stunted, energy is dulled, and health is impaired because they lack food or the right kinds of food.

For decades, Americans have generously helped meet world food needs with massive contributions from our agricultural abundance. Since the beginning of the Public Law 480 program in 1954 to the present, we have provided about $20 billion worth of agricultural products to well over 100 countries containing almost half of the world's population. During President Johnson's term in office through this year, we will have provided agricultural commodities worth about $7.5 billion.

Our grain shipments averted starvation for millions during the Indian food crisis of 1966 and 1967.

In 1966, the President proposed that the United States lead the world in a war against hunger. He asked the Congress to implement our role through a new Food for Freedom program. The heart of that program was emphasis on self-help—the stipulation that the developing regions take realistic steps to improve their own capacity to provide food for their own people. We also encouraged other countries to join us in contributing goods, credit, and services.

These efforts now appear to be bearing fruit beyond our fondest expectations.

The gloomy world prospects of 2 or 3 years ago are being dissipated by a remarkable upturn in actual food production, and particularly in potential production. In 1967, food output per person in the less-developed countries rose an estimated 6 percent. A further substantial increase is in prospect this year. India bounced back from her droughts of 1965 and 1966 with bumper grain crops of 100 million tons this year—12 percent above any previous harvest. Pakistan has also made remarkable gains in grain production. The Philippines, for the first time since the beginning of this century, became a net exporter of grain this year.

We believe this progress will continue. There is a growing awareness by the developing nations that they must give higher priority to agriculture. They are making more fertilizer available, improving irrigation facilities, extending more credit to farmers, building farm to city roads, and establishing more adequate price supports for farmers.

And these advances are paralleled by potentially far-reaching progress in food technology. New high protein foods are being developed. Existing foods are being fortified with proteins, vitamins, and minerals to provide a far more nutritious diet. The war on world hunger has not yet been won. But very real and very exciting progress is being made.

There are some who may ask, "What will our farmers do for exports if the developing nations become relatively self-sufficient in food?"

The answer is: "We will export more." These nations will want higher quality foods. And we will export for dollars instead of foreign currency. Economic development creates cash customers. This is the clear lesson of recent history. We helped Japan rebuild her economy after World War II, and Japan is now our biggest cash customer for agricultural products. We helped the nations of Western Europe, and the EEC countries alone buy more than a billion dollars worth of U.S. farm products every year. We helped Spain, and she became a prime cash customer for U.S. crops.

Our exports have been climbing throughout this decade and they will continue to climb. During President Johnson's first year in the White House our agricultural exports exceeded $6 billion for the first time. They have been above that figure every year since.

This is the record. It is the record of the Johnson administration and of Congresses which have responded to his leadership in developing farm programs to help all the people.

RETIREMENT OF SENATOR CARLSON

Mr. YOUNG of North Dakota. Mr. President, at the end of this current session one of our most respected associates will retire from a lifetime of service to his native State of Kansas and the Congress of the United States. I know we all have a feeling of sadness that our colleague, Senator Frank Carlson, will not be here when the 91st Congress convenes next January.

Senator Carlson's career in public office goes back to 1929. During these years he has served as State legislator, Member of Congress, Governor, and U.S. Senator. Few can match the record of excellence he has established in every position he has ever held. Those of us who have been privileged to work with him here in the Senate since 1950 will always remember the effective leadership he has provided and the good and wise counsel he has so ably given.

Kansas is a great agricultural State as is my home State of North Dakota. Kansas ranks first in the Nation in the production of wheat. The American farmer has never had a more effective spokesman here in Washington than Frank Carlson. His knowledge of farm problems and his concern for the welfare of American agriculture have placed him in the forefront of the battle for equitable treatment for farmers.

Frank has been a true, loyal, and dedicated friend of farmers. He has been a very influential advocate of farmers' interests. The great respect in which he is held by every Member of Congress made his voice very powerful in speaking for the interests of farmers. Frank's interest and work has gone far beyond that of agriculture. His has been an influential voice in international affairs as well as on major problems concerning the average American.

Senator Carlson has always been one of the hardest working members of this body. A review of his committee assignments is ample evidence of that. As ranking minority member of the Senate Post Office and Civil Service Committee, he has been an effective leader in bringing about great improvements in the situation of the employees of the Federal Government. As a member of the Senate Finance Committee and the Joint Committee on Internal Revenue Taxation, he has ably served the interests of taxpayers throughout the Nation.

In his role as a member of the Foreign Relations Committee he has been especially diligent in helping to guide our Nation's foreign policy and relations with other countries. In this capacity, he devoted a great deal of time to serving as a representative to the Kennedy round of trade negotiations which were conducted in Geneva 2 years ago. He is also serving as a member of the Special Committee on Aging and the Joint Committee on the Disposition of Executive Papers.

Despite all of these assignments and other necessary and pressing work, Frank Carlson has always had time to provide assistance and counsel to anyone who sought it. We are going to miss him sorely here.

I hope that Frank and Mrs. Carlson are going to enjoy some richly deserved relaxation from the heavy load of work he has carried in public life for nearly half a century.

ACTIVITIES OF THE COMMITTEE ON GOVERNMENT OPERATIONS, 90TH CONGRESS, SECOND SESSION

Mr. McCLELLAN. Mr. President, shortly after the 91st Congress convenes, the Committee on Government Operations will file a comprehensive report of its activities in the 90th Congress. In the meantime, at the request of the leadership, I am submitting a brief résumé of the work of the committee in the second session of the 90th Congress and ask unanimous consent that it be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

LEGISLATION ACTED UPON BY THE COMMITTEE

A total of 21 bills were referred to this Committee in the 2nd session of the 90th Congress and, of that number, six were considered by sub-committees. Five bills were approved by the Senate, two became law, one was not acted upon by the House of Representatives and two were passed with amendments in the House. One of these was then passed by the Senate.

S. 2886: To provide for the operation of the William Langer Jewel Bearing Plant at Rolla, North Dakota, and for other purposes, was reported by the Committee. This bill was set aside and the Senate passed the House bill, H.R. 15864. It became Public Law 90–469.

S. 3640: To establish a commisison to study the organization, operation, and management of the executive branch of the Government, and to recommend changes necessary or desirable in the interest of governmental efficiency and economy, was reported favorably by the Committee (S. Rept. 1451), passed the Senate and was referred to the House Committee on Government Operations which took no action on it.

S. 3416: To amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the rendering of direct assistance to and performance of special services for the Inaugural Committee was reported favorably by the committee (S. Rept. 1450) and passed the Senate. The House reported a companion bill, H.R. 18040, which was adopted in the House by a voice vote. Subsequently the House vacated this passage and passed S. 3416 in lieu, after amending the bill to contain the House-passed language.

S. 698: To achieve the fullest cooperation and coordination of activities among the levels of government in order to improve the operation of our Federal system in an increasingly complex society, to improve the administration of grants-in-aid to the States, to permit provision of reimbursable technical services to State and local government, to establish coordinated intergovernmental policy and administration of development assistance programs, to provide for the acquisition, use, and disposition of land within urban areas by Federal agencies in conformity with local government programs, to provide for periodic Congressional review of Federal grants-in-aid, and for other purposes. This legislation passed the Senate July 29, 1968 and was passed in the House, with amendments, September 16, 1968. The House agreed to conference report on the bill on October 1, 1968 and the Senate agreed to the conference report on October 4, 1968. At the time this report was submitted, the legislation had not been signed into law.

S. 2060: To amend Section 503(f) of the Federal Property and Administrative Services Act of 1949 to extend for a period of 5 years the authorization to make appropriations for allocation and grants for the collection and publication of documentary sources significant to the history of the United States. This legislation was passed in the Senate on May 3, 1968 and was approved by the House on July 31, 1968. It became Public Law No. 90–461.

In addition, a total of 17 resolutions were considered and approved in committee.

REORGANIZATION PLANS OF 1968

Under authorization given to him by the Reorganization Act of 1949, as amended, the

President may submit plans to the Congress to reorganize the executive branch of the Government. Such plans become effective within 60 calendar days following submission to the Congress, unless disapproved by a majority vote of either the House or the Senate.

In 1968, the President submitted four reorganization plans to Congress. Hearings were held by the full committee or the Subcommittee on Executive Reorganization on Reorganization Plans 1, 2, and 3. All four plans became effective. The plans were as follows:

Reorganization Plan No. 1 of 1968—Creating a new bureau of Narcotics and Dangerous Drugs within the Department of Justice. Plan became effective April 8, 1968.

Reorganization Plan No. 2 of 1968—Transferring certain functions of the Department of Housing and Urban Development to the Department of Transportation. Plan became effective May 7, 1968.

Reorganization Plan No. 3 of 1968—Bringing recreation programs under the authority of the District of Columbia Commissioner. Plan became effective May 23, 1968.

Reorganization Plan No. 4 of 1968—Transferring from the President to the District of Columbia Commissioner authority to appoint members of the D.C. Redevelopment Land Agency and to prescribe rules and regulations for RLA. Plan became effective May 23, 1968.

GAO AUDIT REPORTS

Pursuant to the requirements of the Legislative Reorganization Act of 1946, and the rules of the Senate, a total of 56 audit reports and other communications relating to fiscal and related operations of the Government were submitted to the Senate by the Comptroller General of the United States, and referred to the committee. These reports were reviewed by the staff of the committee and, when warranted, by the Senate Permanent Subcommittee on Investigations. The majority of the reports relate to excessive expenditures or agency actions which are considered to be irregular or not in accord with existing law. Unless some specific recommendations for action were suggested by the Comptroller General, the committee took no further action on these reports.

In addition, the committee received 42 Executive Communications on various legislative items.

CHART OF GOVERNMENT ORGANIZATION

Since the 80th Congress, the committee has compiled an annual chart showing the organization of government, reflecting the increases or decreases in personnel of all departments and agencies of government. The chart for the calendar year of 1967 was printed on May 9, 1968. This organization chart is a tabulation of personnel assignments to major operating components of each agency and department and was so constructed as to make an accompanying report unnecessary.

SURPLUS PROPERTY DISPOSAL

Pursuant to the provisions of Public Law 152, 81st Congress, as amended, the General Services Administration notifies the committee of negotiated sales of Federal surplus property. In 1968, GSA sent 56 reports of such sales to the committee for investigation and consideration.

SUBCOMMITTEE ACTIVITIES

Summary of the activities of the Senate Permanent Subcommittee on Investigations for 1968

Senate Resolution 216 of the 90th Congress, 2nd Session, passed by the United States Senate on March 15, 1968, authorized and directed the Committee on Government Operations to conduct investigations in five fields. These areas of jurisdiction are: (1) waste and inefficiency in government operations; (2) improprieties in labor-management affairs; (3) organized crime in interstate or international commerce; (4) all other aspects of crime and lawlessness within the United States which affect the national health, welfare and safety, and (5) urban riots and civil disorders.

The Committee on Government Operations delegated its authority to conduct studies and investigations in the fields described above to the Senate Permanent Subcommittee on Investigations.

1. Urban Riots and Civil Disorders

Senate Resolution 216 authorized and directed the Committee on Government Operations to make a complete study and investigation of riots, violence, disturbances of the peace, vandalism, civil and criminal disorders, insurrection and kindred matters, and to ascertain the immediate and long-standing causes of such occurrences, and to determine the measures necessary for their immediate and long-range prevention. The Subcommittee devoted a large part of its efforts during the latter part of 1967 and throughout 1968 to carrying out its responsibilities under the Senate directive.

During 1967, the Subcommittee held hearings on riots in Houston, Texas; Nashville, Tennessee; and Plainfield, New Jersey. During the first 10 months of 1968, hearings were conducted on the two largest and most destructive riots which occurred in the summer of 1967 in Detroit, Michigan, and Newark, New Jersey. Additionally, hearings were held on other matters related to urban disturbances—specifically, the use of Federal funds through grants from the Office of Economic Opportunity for the benefit of street gangs in Chicago, Illinois, and Wilmington, Delaware.

Considering the investigation of riots and civil disturbances in its entirety, the Subcommittee, in late 1967 and through 1968 to date, has held 42 days of hearings, and the testimony is contained in 14 volumes. A number of executive hearings relating to riot-connected matters were conducted during 1968, although the practice of the Subcommittee is to hold such closed sessions to a minimum whenever practicable.

The riot investigation will continue throughout the remainder of 1968, and the Subcommittee plans extensive work in several areas of inquiry which will likely result in additional public hearings. The specific matters in which the staff has been authorized to conduct inquiries are described in a following section of this memorandum, headed "Future Work."

The Subcommittee also has placed in the printed record and disseminated as public information a staff study of major riots and civil disorders from 1965 through July 31, 1968. This study of statistics on 166 riots is considered to be the most reliable and comprehensive compilation of data made thus far to measure the scope of the nation's riot problem.

2. Improprieties in Aid Program for Vietnam

During 1968, the Subcommittee continued its inquiry into matters related to the Commodity Import Program for Vietnam of the Agency for International Development. During 1967, a number of public hearings were held which exposed graft and corruption connected with the importation of pharmaceuticals and other products into Vietnam, financed by U.S. funds.

In January of 1968, an additional hearing was conducted which disclosed a number of instances of further dishonesty and corruption in this field, notably in the shipment of common sea water to the Vietnamese market for use as a pharmaceutical treatment of certain medical conditions. The sea water was bottled and shipped to Vietnam under the AID program, and its importation was financed by Federal funds.

In May of 1968, Senator Abraham Ribicoff, a member of the Subcommittee, made an official report to the Chairman, regarding his visit to Vietnam and other Southeast Asian and Middle Eastern countries. At the time, Senator Ribicoff was designated by the Chairman as acting chairman of the Subcommittee to conduct the field investigation. He was accompanied during his trip to Southeast Asia by Jerome S. Adlerman, General Counsel of the Subcommittee, and Philip W. Morgan, Chief Counsel to the Minority. Senator Ribicoff's report was printed, with its conclusions and recommendations, and was distributed for the information of the Congress and the public.

One of Senator Ribicoff's recommendations was that the Subcommittee expand its inquiries in the AID field, and further inquiries are under way. Additional public hearings likely will be conducted by the Subcommittee.

3. F–111 Aircraft (TFX)

The Subcommittee's investigation of the TFX contract award, which started in 1963, has continued since that time, although the Subcommittee has not conducted further hearings following the extensive executive sessions which were held from February through November 1963. The staff has, however, maintained a close and thorough study of the program and its progress.

During 1968, the Congress denied further funds for the Navy version of the TFX (F–111B) and that program has been cancelled by the Department of Defense. During Congressional deliberations relating to the TFX program, the Subcommittee cooperated extensively with the Senate Armed Services and Appropriations Committees to assure that much of our considerable information on the F–111 aircraft was available to aid members of Congress in making determinations.

4. Small Business Investment Companies

In January of 1968, the Subcommittee submitted a report to the Senate relating to its investigation into the Small Business Investment Company program of the Small Business Administration. This report contained summaries of information about revisions in administration and supervision of these companies by the SBA, and strengthening of the controls on the program by SBA in efforts to eliminate and prevent the kinds of improprieties disclosed in the program by earlier Subcommittee hearings. The report also contained statistical information on the effects of the SBA's effort to improve the SBIC program.

5. Other Reports

The Subcommittee has a number of reports of its investigations in preparation for submittal to the Senate, including reports on improper practices in the Vietnamese aid program, the investigation of riots and civil disorders, and the TFX contract investigation.

6. Future Work

The Subcommittee has a number of continuing investigations and several preliminary inquiries under way in varied fields of its jurisdiction. The continuing investigations are: riots and civil disorders, TFX, and Vietnamese aid.

Several new inquiries were authorized by the Subcommittee in 1968. Some of them are related to the over-all investigation of riots and civil disorders previously authorized. Among the new inquiries now under way are: irregularities and inefficiencies relating to several programs funded by the Office of Economic Opportunity; the operation and financing of certain funds of the Seafarers International Union, and an inquiry relating to Federal funds used to support the organization known as Pride, Inc., in Washington, D.C.

Subcommittee on National Security and International Operations' activities report, 90th Congress, second session

In the 90th Congress, second session, the Subcommittee on National Security and International Operations, under the chairmanship of Senator Henry M. Jackson, carried forward its major inquiry into the Planning-Programming-Budgeting System (PFPS) as applied in the Department of Defense starting in 1961 and extended to most of the other federal departments and agencies by President Johnson in August 1965. Consistent with its jurisdiction, the Subcommittee's review has been focused on the operation of the PPB system in the national security area. The spirit of the inquiry is nonpartisan and professional.

The Subcommittee has been examining the risks and limits as well as the opportunities in the application of planning, program budgeting, systems analysis and cost-effectiveness study in the national security departments and agencies, and the implications of the PPB system for Executive Branch organization and for the powers and responsibilities of Congress. It is seeking to get the basic questions and problems involved in these tools and management techniques out in the open, to encourage, to the extent possible, a sound and balanced estimate of their worth.

During this session executive hearings were held in March and July. The Subcommittee released this testimony in two parts.

Part 3: with Elmer B. Staats, Comptroller General of the United States, March 26, 1968

Part 4: with William S. Gaud, Administrator, Agency for International Development, July 11, 1968

In connection with its inquiry, the Subcommittee requested and included in Part 4 of its hearings statements from the State Department, USIA, and the Peace Corps on the status of the application of PPB in these departments or agencies and on the main limitations, values, and problems in using PPBS in foreign affairs decision-making. Also included in Part 4 is a memorandum, prepared at Subcommittee invitation, by U. Alexis Johnson, U.S. Ambassador to Japan, giving his views from the perspective of an ambassador in the field on the application of the PPBS to foreign affairs agencies.

The following additional publications on PPB were issued this year:

"Planning-Programming-Budgeting: PPBS and Foreign Affairs," a Memorandum prepared at Subcommittee request by Dr. Thomas C. Schelling, Professor of Economics and Member of the Faculty of Public Administration at Harvard University.

"Planning-Programming-Budgeting: Uses and Abuses of Analysis," a Memorandum prepared at Subcommittee request by Dr. James R. Schlesinger, Director of Strategic Studies at the RAND Corporation.

"Planning-Programming-Budgeting: Budget Bureau Guidelines of 1968," which makes available the revised Budget Bureau guidelines on PPBS with a commentary by Charles J. Zwick, Director, Bureau of the Budget.

In the near future, certain other publications and comments in the Subcommittee's PPB study will be issued.

Activities report of the Subcommittee on Intergovernmental Relations, Senate Committee on Government Operations, 90th Congress, second session

Under S. Res. 221, adopted at the beginning of the second session of the 90th Congress, the Subcommittee on Intergovernmental Relations, chaired by Senator Edmund S. Muskie, of Maine, continued to examine, investigate, and make a complete study of intergovernmental relations . . .

One responsibility of the subcommittee is to review and report on legislation referred to it by the parent Committee on Government Operations. Another is to conduct research and provide information on problems and activities within the field of its jurisdiction.

Legislative Activities

During this session of Congress, the subcommittee concentrated its legislative efforts on S. 698, introduced on January 26, 1967 as the Intergovernmental Cooperation Act of 1967. This bill was cosponsored by 31 Senators. It was the result of more than six years of subcommittee work.

The Subcommittee held hearings on S. 698 and related legislation on May 9, 10, 14, 15, 16, 21, 22, 28, 29, 1968. In executive sessions on June 17 and 18, the Subcommittee approved S. 698, with amendments. After a polling of Members, the full Committee on Government Operations reported S. 698 to the Senate on July 24. It was passed unanimously on July 29. The House of Representatives on September 16 passed a companion bill, H.R. 18826, and amended S. 698 by substituting for its provisions those of the House passed bill. On September 30, a committee of conference met to resolve differences between S. 698 and the House amendment (H.R. 18826), and agreed on a substitute bill. The House agreed to the conference report on October 1 and the Senate on October 4, thus completing action on S. 698.

In the hearings on S. 698 during May, the subcommittee also took testimony on S. 2981, a bill to provide temporary authority to expedite procedures for consideration and approval of projects drawing upon more than one Federal assistance program, to simplify requirements for the operation of those projects, and for other purposes. This bill had been introduced on February 16 by Chairman McClellan of the Committee on Government Operations and was referred to the subcommittee on May 8. It was approved by the subcommittee without amendment in executive session on June 18, and was transmitted with the favorable recommendation of the subcommittee to the full Committee on Government Operations on July 2. No further action was taken.

One additional bill S. 3732, to create a catalog of Federal assistance programs, and for other purposes, was referred to the subcommittee on August 1. No action beyond referral for departmental reports has been taken on this legislation.

Reports of the ACIR

The subcommittee continued to receive and review reports of the Advisory Commission on Intergovernmental Relations. Three major reports were received, in final or preliminary form, as follows:

The published report entitled "Fiscal Balance in the American Federal System."

Summary of report and recommendations on "Intergovernmental Policies for Urbanization and New Community Development" and "Intergovernmental Problems in Medicaid".

Publications

The Subcommittee continued to distribute, upon request, copies of reports and prints published in prior years, and reprinted one report for which the supply was insufficient to meet an active demand, "Criteria for Evaluation in Planning State and Local Programs".

Executive Reorganization Subcommittee

The Subcommittee on Executive Reorganization, Committee on Government Operations, has held a total of 14 days of hearings, heard from 46 witnesses and issued two reports.

Action was taken on six pieces of legislation pending before the Subcommittee. Three days of hearings were held on S. 2116, S. 47, S. 2832, S. 1929, and S. 2032, bills to Establish a Commission on the Organization and Management of the Executive Branch. These bills were passed by the Senate on July 27 as S. 3640 and accompanied by Report No. 1451.

Three days of hearings were held on S. 2865, a bill to Amend the Federal Property and Administrative Services Act of 1949 to Require the Disclosure of the Price of Items of Safety Equipment in the Procurement of Motor Vehicles.

Eight days of hearings were held on the subject of Health Care in America: Examination and Review of the Organization, Financing and Delivery of Health Care and the Coordination, Efficiency and Economy of Public and Private Activities and the Role of the Federal Government.

A 300 page index on the Federal Role in Urban Affairs, hearings held in 1966 and 1967, is presently being prepared for publication.

Also being considered is a report on the Organization and Coordination of Federal Drug Research and Regulatory Programs: LSD, hearings held by the Subcommittee in 1966. The report has been approved by the Committee and is awaiting filing with the Senate.

No objection was filed on the four reorganization plans referred to the Subcommittee by the President.

Subcommittee on Foreign Aid Expenditures

During the second session of the 90th Congress, the Subcommittee on Foreign Aid Expenditures held a series of hearings on the improper payment of port charges on foreign aid shipments. These hearings were based on investigations of the Subcommittee into the ocean transportation costs on shipment of economic and military assistance commodities to foreign countries. The investigations disclosed that since the start of the foreign aid programs in 1954 the U.S. Government had been paying foreign governments for port services overseas including stevedoring, customs charges, dockage fees, pilot fees and duties even though agreements between the foreign governments and the United States provided that these costs would be borne by the recipient countries for all economic and military aid shipments. It was estimated that about $300 million had been improperly spent on these items since 1954 and that the current improper payments amounted to at least $20 million annually. The Agency for International Development and the Department of Defense were unaware of these improper payments until they were disclosed by the Subcommittee because the charges were buried in flat ocean freight tariffs, the makeup of which the agencies had never inquired into.

As a result of the hearings the Agency for International Development began negotiations with foreign countries to eliminate port charges from future billings and advised the Subcommittee that it expected to eliminate about $13 million each year when the negotiations are completed. The Department of Defense took immediate action to eliminate payments of about $200,000 each year and is further studying ocean freight charges to avoid additional payments. These savings will affect favorably the U.S. balance of payments position since they represent a dollar outflow to foreign countries.

In April 1968, the Subcommittee issued a report on AID's mismanagement of the excess property program. Under this program AID acquires excess property from the military services in the United States and overseas which it turns over to private contracts for repair and overhaul before it is shipped to foreign countries under the economic assistance program. Since the start of the excess property program in 1960 about $400 million in excess property has been acquired and shipped overseas. The Subcommittee's investigations disclosed that the private repair contractors had been overcharging the U.S. Government on repair work, that the equipment had not been properly repaired and in many cases broke down or could not be used in the foreign countries, and that in many other cases equipment and supplies had been shipped abroad when there was no real need for the items.

As a result of the Subcommittee's investigations, AID initiated action against the private contractors and recovered over $700,000 in excessive and improper payments, discharged a number of the top administrative personnel responsible for this situation and sharply curtailed the program in line with the capabilities of the agency to properly administer the program.

The Subcommittee continued its investigations of the economic aid program in Vietnam and disclosed several significant instances of graft and corruption on the part of South Vietnamese officials involving aid shipments and other matters.

In the second session of the 90th Congress the Subcommittee continued its series of in-depth hearings on the population crises and S. 1676, Senator Gruening's bill to coordinate and disseminate birth control information upon request at home and overseas. Since the initial hearing on June 22, 1965, the Subcommittee has held 31 public hearings on S. 1676.

The first of two hearings this session dealt with the great advances mankind has made in a number of areas relating to health improvement, to determine, if possible, how these advances have affected birth rates, death rates, and the well-being of mankind. The January 31st seminar was arranged through the cooperation of the National Institutes of Health.

The February 1st hearing dealt with programs of our Federal government and our expenditures overseas in the family planning field. The printed hearing, just released, contains a complete accounting of the population program assistance by the Federal government, other nations, and international and private agencies as of August 1968.

The Subcommittee's work in the field of population is credited with having made possible a national population dialogue which has resulted in federal programming in the population field with expenditures rising from less than $1 million in the early 1960's to more than an estimated $100 million in Fiscal Year 1969.

Certain of the proposals in S. 1676 have taken place. The Department of Health, Education and Welfare has a deputy assistant secretary for Population and family planning; the Secretary of State has a special assistant for population; the Agency for International Development has a Population Service. Perhaps most important the federal government at the Subcommittee's urging has taken steps through the Departments of State and HEW to inform its field personnel that the United States is ready to help its own citizens and citizens of other nations meet and solve the worldwide population crisis.

Subcommittee on Government Research

Legislation Pending

S.J. Res. 145—to Create a National Commission on Health Science and Society. Draft report pending in Subcommittee.

S. Res. 110—Distribution Among the States of Research and Development Funds Made Available by Government Agencies. Draft report pending in Subcommittee. Hearings completed in 90th Congress, 1st Session.

S. 836—A Bill to Create a National Foundation for the Social Sciences. Reported as amended to full committee. Hearings completed in 90th Congress, 1st Session.

S. 843—The Full Opportunity and Social Accounting Act of 1967. Draft report pending in Subcommittee. Hearings completed in 90th Congress, 1st Session.

Activities of Subcommittee

Hearings—S.J. Res. 145, to create a National Commission on Health Science and Society: March 7, 8, 21, 22, 27, 28 and April 2, 1968. 23 Witnesses, 6 additional prepared statements submitted in the Record.

Hearings—Human Resources Development: Deprivation and Personality—A New Challenge to Human Resources Development. April 8, 10, 18, 23, 24. 18 Witnesses, 6 additional prepared statements submitted in the Record.

Conference—*The Rural to Urban Population Shift—A National Problem:* National Manpower Conference cosponsored by Senate Subcommittee on Government Research, The Ford Foundation, Oklahoma State University, Stillwater, Oklahoma, May 17 and 18. 28 Witnesses.

The Subcommittee has held a total of 12 days of hearings and a two day conference during 1968, at which a total of some 69 witnesses have appeared.

Publications

An inventory of Congressional Concern With Research and Development, Part III, 51 pages. Document has been printed and distributed.

The Full Opportunity and Social Accounting Act of 1967—S. 843—(Seminar) Part I, 124 pages. Document has been printed and distributed.

The Full Opportunity and Social Accounting Act of 1967—S. 843—Parts II and III, 405 pages. Document has been printed and distributed.

National Commission on Health Science and Society—S. J. Res. 145, 532 pages. Document has been printed and distributed.

Deprivation and Personality—A New Challenge to Human Resources Development, Parts I and II, 291 pages. Document has been printed and distributed.

The Rural to Urban Population Shift—A National Problem, National Manpower Conference, May 1968, Stillwater, Oklahoma, 190 pages. Document has been printed and distributed.

Reports

A bill to Create a National Foundation for the Social Sciences, S. 836. Draft report was prepared and reported to the Government Operations Committee.

S. Res. 110—Distribution Among the States of Research and Development Funds Made Available by Government Agencies. Draft report was prepared and is pending in Subcommittee.

S. 843—The Full Opportunity and Social Accounting Act of 1967. Draft report was prepared and is pending in Subcommittee.

S. J. Res. 145—to create a National Commission on Health Science and Society. Draft report was prepared and is pending in Subcommittee.

THE NATIONAL RIFLE ASSOCIATION AND THE CRIMINALS

Mr. DODD. Mr. President, the National Rifle Association's overeager campaign to recruit a larger membership by using the public's sincere concern over the rise in violence in America has reached ridiculous proportions.

It is true that the National Rifle Association has about doubled its membership during the years it has been in headlong conflict with the public in opposing strict Federal firearms control laws.

A National Rifle Association officer once bragged that if no law is passed until the end of the next Congress, the organization's membership would double again.

If the National Rifle Association leadership is more concerned with the success of its widely advertised membership campaign than it is with promoting welfare, then so be it. Let them live with that if they can.

However, it is the concern of the public, and hence of Congress, if this wealthy, tax-free, special-privilege organization, in a drive to increase its membership, is doing the public more harm than good.

That is a legitimate concern of those on the side of law and order.

I received a letter from one such person on the side of law and order. He is the chief of police of Norwalk, Conn., who has had occasion to test the "rule of reason" used by the National Rifle Association in cranking out cards to hundreds of thousands of new members.

The letter, and the supporting material, which I ask to be printed at the conclusion of my remarks, explains how Police Chief Francis E. Virgulak took the name of one of America's "10 most wanted criminals" from the post office bulletin board and enrolled him in the National Rifle Association.

True to form and routine practice in the executive offices of the National Rifle Association's glass palace in downtown Washington, a membership card was issued immediately to one Joseph Raymond Carey, a fugitive from justice, known to be armed, and with a previous record of possession of automatic weapons.

A few weeks prior to that, an employee of the Senate Juvenile Delinquency Subcommittee, a college graduate, contacted the National Rifle Association and offered to join.

She told the National Rifle Association she was interested in an advertised offer for membership she had read in a magazine because along with the membership she was to receive as a bonus three books on firearms.

She never did join, but did receive by return mail the three books on the "basics" of firearms. All three are published and normally sold by the National Rifle Association.

They are entitled "Basic Rifle Marksmanship," "Basic Shotgun Instruction," and "Basic Pistol Marksmanship."

These books retail for 25 cents each.

It is interesting to speculate on how many fugitives from justice have availed themselves on this 25-cent course in "Basic Marksmanship" being peddled by the National Rifle Association, or being offered free to new members.

It seems a reasonable question.

If Joseph Raymond Carey, one of the Federal Bureau of Investigation's "10 most wanted men" joined during the same month as a secretary on the Juvenile Delinquency Subcommittee, he probably received the same "basic" course in marksmanship that arrived in our office with a letter addressed: "Dear Fellow Sportsman."

Mr. President, I ask that these documents also be printed in the RECORD at the conclusion of my remarks.

This is not the first illustration of the inadequacy of the National Rifle Association's social welfare program in spreading the word about firearms.

Similar incidents have been spread on this record a dozen times.

The idea of joining a rifle or gun club to get training and preferred treatment in dealing with firearms is not new, nor unique. It is not a new idea to criminals. In fact, there is a long history of such activity available to anyone who cares to search it out.

I have here a most recent example.

The Aiuppa Hunt Club, in the Chicago area, just recently had its private hunting club license revoked by the Governor of Illinois on the grounds that hoodlums used club privileges to arm themselves.

Mr. President, the story is told in full in a story in the Chicago Tribune of October 8, 1968, by William Jones. I ask unanimous consent that this item also be be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

Department of Police Service,
Norwalk, Conn., October 2, 1968.

Hon. Thomas Dodd,
U.S. Senator,
Senate Office Building,
Washington, D.C.

Dear Senator: I hate to annoy you with any more data regarding Gun Controls but as you know I have been the focal point of a great deal of Venom from those who think that I want to turn my Country over to the Communists.

As a result of my statements supporting rigid Firearms Controls, I have been invited to be the "Guest Speaker" (target) by several groups. Prior to addressing the local branch of the Junior Chamber of Commerce, I performed an experiment in an effort to prove a point which I have been stressing—that Criminals and Gangster Organizations can and do obtain membership in the National Rifle Association without any form of check of character or investigation into background being made. After these Criminals obtain membership, they receive the magazine, The American Rifleman, in which all types of firearms are advertised for sale at bargain prices.

I submitted the name of a man who is the subject of a Wanted circular by the F.B.I.—one Joseph Raymond Carey—F.B.I. #910,271E with a Postal Money Order in the amount of $6.00 with an application form for membership to the National Rifle Association.

The Xerox copies which I enclose speak for themselves.

1. The Wanted circular.
2. The N.R.A. Response.
3. The back inside cover of The National Rifleman—Sept. 1968 which was mailed to Joseph R. Carey.

Any legislation which reflects a total lack of intestinal fortitude by providing exemptions for the National Rifle Association and its members is an act of TREASON.

Sincerely,

Francis E. Virgulak, *Chief.*

[FBI No. 910.271 E]

Bail Jumper Wanted by FBI: Joseph Raymond Carey

Aliases: Joseph Raymond Sargent Jones (true name), Joe Raymond Carey.

DESCRIPTION

Age: 31, born May 24, 1934, San Antonio, Texas.

Height: 5′9″.
Weight: 150 pounds.
Build: medium.
Hair: brown.
Eyes: blue.
Complexion: light.
Race: white.
Nationality: American.

Occupations: aircraft assembler; aircraft, automobile and marine mechanic; electrician; stockman; theater usher.

Scars and marks: scar upper lip, scar right side, scar left knee; tattoo: "Joe" left shoulder.

Remarks: has reportedly suffered from ulcers and severe headaches.

CAUTION

Carey, previously arrested in possession of automatic rifle, other weapons and large amount of ammunition. Has reportedly carried weapon in shoulder holster. Consider extremely dangerous. He may be accompanied by Keith Gilbert, identification order No. 3925, who is also considered extremely dangerous.

A Federal warrant was issued on April 15, 1965, at Los Angeles, California, charging Carey with bail jumping (Title 18, U.S. Code, Section 3146).

If you have information concerning this person please contact your local FBI office.

(Identification Order No. 3946, August 6, 1965.)

J. Edgar Hoover,
Director, FBI.

Invoice for Your NRA Membership-American Rifleman Magazine Subscription

Date this notice mailed: 68/09/16.

Term for which enrolled: 1 year.

Please pay this amount: $6 by August 1969.

To Joseph R. Carey, 37 Glen Ave., Norwalk, Conn.

Make check payable to "NRA."

Please return this card with your payment to: National Rifle Association, Washington, D.C.

Please send payment right away so we can continue your NRA membership-American Rifleman subscription. Thank you.

World's Greatest Armschest—World's Lowest Prices—Three of the Rarest Military Arms Ever Made

NRA good rare Siamese/Arisaka carbines, only $25.

Unknown in any collection . . . until now! A rare, hybrid variant of the Arisaka type 38 carbine . . . a stronger, safer action than the Springfield! A recessed bolt face and twin gas ports machined into the receiver-**ring plus the knurled safety which acts as a gas shield establishes this as one the of the "highest developments of the basic Mauser type." (See AR, Feb., 1958). This model bears the Royal Siamese crest and a turned-down bolt handle similar to the type 99 Arisaka. Exceptionally well-finished and NRA Good.**

With Royal Thai (Siamese) crest.

NRA good untra-rare Siamese Mauser rifles, only $25.

First offering of this unusually rare Mauser system. Produced under special contract by the Japanese in their Tokyo arsenal. Only one example of this rarity is known in the United States. Exceptionally fine workmanship with features of both Mauser and Arisaka systems. Built with sliding bolt-cover, dust shield and hinged floor plate. Original 8 x 52R Siamese ammunition with Siamese headstamp only $8.50 per 100 rounds. A once-in-a-lifetime opportunity for collectors. Order now and watch your investment grow.

With Royal Thai (Siamese) crest plus Tokyo arsenal proof-mark.

NRA very good Royal Thai Enfield No. 4 service rifles, only $33.

Known as the undisputed best of the entire Enfield series, these have additional collector appeal and value because of the Royal Thai (Siamese) crest on the receiver. Like the above models, arms with these markings are virtually unknown throughout the world. These No. 4's are in NRA Very Good condition and deserve a place of honor in any fine collection of martial arms. A very limited supply—order yours today!

With Siamese Crest, original spike bayonets only 50¢.

* * * * *

National Rifle Association of America,
Washington, D.C.

Dear Fellow Sportsman: Many thanks for your application for membership in the National Rifle Association. I extend a warm welcome to you.

The "bill" for membership dues, as checked on your application is enclosed. Your subscription to the American Rifleman magazine starts with the next issue. You will receive your first copy shortly .

The Rifleman is one of many benefits of belonging to NRA. Highlights of these benefits and services are outlined in the enclosed folder.

The enclosed invoice-envelope is self-addressed and requires no postage. Just enclose your dues, fold, seal and mail. If there are any corrections to be made in your name or address, you may make them right on the invoice.

We look forward to hearing from you and to taking all steps that will make you an active member of America's oldest and ever-growing shooting fraternity.

Cordially,

W. J. Christner,
NRA Membership Service.

These Popular NRA Services, Too

HUNTING SERVICE

NRA Hunter Bulletins and *American Rifleman* articles cover game availability, shooting preserves, gun laws and game laws. NRA Hunter Awards are issued for deer, antelope, elk and big horn sheep. Marksmanship improvement programs are conducted the year around, including a nation-wide "Sighting-In Day" as a public service to hunters.

FIREARMS INFORMATION SERVICE

Qualified and experienced men give prompt, practical answers to queries related to guns and shooting. New gun owners are just as welcome to write as are veteran shooters. Detailed plans for shooting ranges are also available.

RECREATIONAL SHOOTING SERVICE

Hometown matches and leagues are provided for NRA members using .22 caliber and high power rifles and all calibers of pistols. Competition continues through state, national and international tournaments. A National Classification system insures equal opportunities for winning awards. Qualification courses, fun matches, plinking courses and informal shooting games are provided. Basic marksmanship courses and instructor certification round out NRA's services to shooters.

GOVERNMENT EQUIPMENT SALES

As available, NRA members are eligible to purchase from the Army rifles and pistols at surplus or cost-to-government prices. Ammunition, spare parts and military targets are also available to NRA members.

FIREARMS LEGISLATIVE SERVICE

NRA members receive monthly gun legislation information through the *American Rifleman*. Bills requiring emergency action are reported to members concerned through special bulletins. Information from the NRA library is furnished to interested individuals and groups. NRA vigorously assists in combating unwise gun control measures that would impose severe restrictions on law-abiding members of the community.

National Rifle Association of America,
Washington, D.C.

NRA Membership Helps You Preserve Your Right To Own Guns

Every citizen has a vital interest in his right to possess and use firearms. Since 1871 the National Rifle Association has stood against ill advised attempts to disarm our citizens through anti-firearms laws. NRA must continue to take the lead in turning the tide of uninformed anti-firearms opinion. We need the voice and support of every American citizen who believes in the fundamental concept of the right to keep and bear arms.

YOUR SUBSCRIPTION TO THE AMERICAN RIFLEMAN HAS BEEN ENTERED

The world of guns and shooting is thoroughly covered in NRA's magazine—*The American Rifleman*. Readers keep abreast of shooting and hunting activities, relive firearms history, learn the practical use of guns—how to buy, shoot, and care for them—and where and how to hunt for maximum enjoyment. Ammunition, reloading equipment and methods, amateur gunsmithing, shooting programs and gun legislation are subjects fully presented on a continuing basis.

The American Rifleman is just one of the advantages of NRA membership.

[From the Chicago (Ill.) Tribune, Oct. 8, 1968]

State Takes License Used by Hoodlums—1968 Conviction Is Cited

(By William Jones)

Gov. Shapiro yesterday ordered the revocation of game-breeding licenses the state issued to a private hunting club used by Chicago hoodlums.

The action came less than a week after disclosures in Tribune news stories and the Tower Ticker column that Joseph (The Doves) Aiuppa, Cicero rackets boss, helps operate the Yorkshire Quail club in Kankakee county.

The investigation disclosed that the conservation department approved and helped develop the 1,000-acre private hunting club while it hosted hoodlum hunting parties.

LODGE TELLS REASON

William T. Lodge, state conservation director, said he revoked the licenses on a provision in state game laws that permits such action "in the public interest." More specifically, Lodge cited Aiuppa's 1962 conviction for violation of migratory game bird laws in Kansas federal District court.

"The governor and I want to emphasize that this action was taken after a thoro investigation of the matter by my department and a decision by the governor," said Lodge. He said the club could appeal within 15 days.

As a state-approved, game-breeding area, the club provided a hunting retreat for Aiuppa and his friends five months a year. Other hunters are limited to 45-day hunting seasons under state law.

ARRESTED IN 1962

Aiuppa's conviction in Kansas followed his arrest in 1962 for illegal possession and transportation of more than 500 mourning doves. The birds were shot during a hunting trip in Kansas where the legal limit is 24.

During the trial, a federal judge observed the evidence that Aiuppa's party had killed between 900 and 1,400 of the migratory birds and termed it an "unconscionable slaughter."

State records show that the game breeding permit was held by Sam Aiuppa Jr., a nephew of the mob boss. Aiuppa was listed as an "assistant" in club operations.

ACCREDITED CORRESPONDENCE SCHOOLS

Mr. HARTKE. Mr. President, in view of the fact that more than 1,500,000 Americans, including veterans and those having insured tuition loans under the National Student Vocational Loan Insurance Act, are taking private home study or correspondence courses, it is most important that citizens in the several States, veterans, and persons abroad who desire to continue their education know where to find an accredited school with the courses they need. This information is not in the various sections of the Education Directory published by the Office of Education, and no agency of the Federal Government has made an official directory available for the guidance and protection of the public.

In 1959, the Commissioner of Education designated the Accrediting Commission of the National Home Study Council, 1601 18th Street NW., Washington, D.C., as a "nationally recognized accrediting agency" under acts of Congress. This commission, headed by Prof. Herold C. Hunt of Harvard University, has currently accredited 106 private home study schools. Information on the courses offered by each is available from the Home Study Council's Washington office.

I ask unanimous consent that the letter of Dr. Derthick officially approving the Accrediting Commission of the National Home Study Council, together with the list of accredited private home study schools for 1968, be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

Department of Health, Education, and Welfare, Office of Education,
Washington, D.C., April 20, 1959.

Dr. Robert Allen,
Executive Secretary, Accrediting Commission, National Home Study Council, Washington, D.C.

Dear Dr. Allen: This is to advise you concerning action on the application of the Accrediting Commission of the National Home Study Council for designation by the Commissioner of Education as a "nationally recognized accrediting agency or association" within the meaning of Section 253 of Public Law 82–550 and Section 103 of Public Law 85–864.

The application presented by your Accrediting Commission has been carefully reviewed by the Office of Education's committee in the light of criteria published by the Office in the *Federal Register*, October 4, 1952, as conditions precedent to such recognition. On the basis of the foregoing review and the recommendation of our committee, the Accrediting Commission of the National Home Study Council has been approved as a "nationally recognized accrediting body" and will be included in the list published by the Office of Education under the terms of Public Laws 82–550 and 85–864. Following this designation, accreditations by the Accrediting Commission of the National Home Study Council may be recognized by the State Approving Agencies under Section 253(a)(1) of Public Law 82–550.

Sincerely yours,

L. G. Derthick,
U.S. Commissioner of Education.

Accredited Private Home Study Schools

1. Academy for Home Study, 417 S. Dearborn Street, Chicago, Illinois 60605. Founded 1959.
2. Academy of Millinery Design, Little Falls, New Jersey 07424. Founded 1949.
3. Advance School of Business, 5944 N. Newark Avenue, Chicago, Illinois 60631. Founded 1952.
4. Advance Trades School, 5944 N. Newark Avenue, Chicago, Illinois 60631. Founded 1952.
5. Airline Personnel Training by Humboldt, Inc., 2201 Blaisdell Avenue, Minneapolis, Minnesota 55404. Founded 1895.
6. Allied Institute of Technology, 1338–42 S. Michigan Avenue, Chicago, Illinois 60605. Founded 1929.
7. American Association of Medical Record Librarians, 211 East Chicago Avenue, Chicago, Illinois 60611. Founded 1928.
8. American Institute of Maintenance, 710 West Wilson Avenue, Glendale, California 91209. Founded 1958.
9. American Landscape School, 4040 42nd Street, Des Moines, Iowa 50310. Founded 1916.
10. American School, Drexel Avenue at 58th Street, Chicago, Illinois 60637. Founded 1897.
11. American School of Photography, 835 Diversey Parkway, Chicago, Illinois 60614. Founded 1922.
12. American Technical Society, 850 East 58th Street, Chicago, Illinois 60637. Founded 1898.
13. American Technological Institute, 35 Mason Street, Greenwich, Connecticut 06830. Founded 1965.
14. Art Instruction Schools, 500 S. Fourth Street, Minneapolis, Minnesota 55415. Founded 1914.
15. Atlantic School, 2020 Grand Avenue, Kansas City, Missouri 64108. Founded 1949.
16. Automation Training, Inc., 5701 Waterman Avenue, St. Louis, Missouri 63112. Founded 1959.
17. Belsaw Institute, 315 Westport Road, Kansas City, Missouri 64111. Founded 1962.
18. Britannica Institute for Executive Development, 425 North Michigan Avenue, Chicago, Illinois 60611. Founded 1965.
19. Britannica Schools, Inc., 425 North Michigan Avenue, Chicago, Illinois 60611. Founded 1960.
20. Business Electronics, 209 W. Jackson Boulevard, Chicago, Illinois 60606. Founded 1955.
21. Career Academy's Division of Famous Broadcasters, 825 North Jefferson Street, Milwaukee, Wisconsin 53202. Founded 1960.
22. Career Academy's Division of Investment Banking, 825 N. Jefferson Street, Milwaukee, Wisconsin 53202. Founded 1967.
23. Career Academy's Division of Medical Office Assisting, 825 North Jefferson Street, Milwaukee, Wisconsin 53202. Founded 1955.
24. Central Technical Institute, 1644 Wyandotte Street, Kansas City, Missouri 64108. Founded 1931.
25. Chicago School of Interior Decoration, 835 Diversey Parkway, Chicago, Illinois 60614. Founded 1954.
26. Chicago Technical College, 2000 S. Michigan Avenue, Chicago, Illinois 60616. Founded 1904.
27. Cleveland Institute of Electronics, 1776 E. 17th Street, Cleveland, Ohio 44114. Founded 1934.
28. Commercial Trades Institute, 1400 W. Greenleaf Avenue, Chicago, Illinois 60626. Founded 1942.
29. CREI, Home Study Division, McGraw-Hill Book Co., 3224 Sixteenth Street, N.W., Washington, D.C. 20010. Founded 1927.
30. DeVry Institute of Technology, 4141 Belmont Avenue, Chicago, Illinois 60641. Founded 1931.
31. Doll Hospital School, 2251 Barry Avenue, Los Angeles, California 90064. Founded 1944.
32. Educational Institute of the American Hotel & Motel Association, Michigan State University, Kellogg Center, East Lansing, Michigan 48823. Founded 1954.
33. Famous Artists Schools, Westport, Connecticut 06881. Founded 1947.
34. Famous Photographers School, Westport, Connecticut 06881. Founded 1961.
35. Famous Writers School, Westport, Connecticut 06881. Founded 1960.
36. Gemological Institute of America, 11940 San Vicente Boulevard, Los Angeles, California 90049. Founded 1931.
37. Good Dressmaking Institute, 2251 Barry Avenue, Los Angeles, California 90064. Founded 1944.
38. Grantham School of Electronics, 1505 N. Western Avenue, Hollywood, California 90027. Founded 1951.
39. Hadley School for the Blind, 700 Elm Street, Winnetka, Illinois 60093. Founded 1920.
40. Hemphill Schools, 1584 W. Washington Boulevard, Los Angeles, California 90007. Founded 1920.

41. Henry George School of Social Science, 50 E. 69th Street, New York, New York 10021. Founded 1932.

42. Hill's Business University, 920 North Robinson Avenue, Oklahoma City, Oklahoma 73102. Founded 1907.

43. The Holmes Institute, 3224 Sixteenth Street, N.W., Washington, D.C. 20010. Founded 1949.

44. Home Study Institute, 6940 Carroll Avenue, Takoma Park, Maryland 20012. Founded 1909.

45. Industrial Training School, Inc., 11130 Grand River Avenue, Detroit, Michigan 48204. Founded 1947.

46. Institute of Applied Science, 1920 Sunnyside Avenue, Chicago, Illinois 60640. Founded 1916.

47. Institute for Training in Municipal Administration, International City Managers' Association, 1140 Connecticut Avenue, N.W., Washington, D.C. 20036. Founded 1935.

48. International Accountants Society, Inc., 209 W. Jackson Boulevard, Chicago, Illinois 60606. Founded 1903.

49. International Correspondence Schools, Scranton, Pennsylvania 18515. Founded 1890.

50. ITT Educational Services, Inc., Extension Division, 1720 East 38th Street, Indianapolis, Indiana 46218. Founded 1963.

51. John Tracy Clinic, 806 West Adams Boulevard, Los Angeles, California 90007. Founded 1942.

52. Labor Department of the National Safety Council, 425 North Michigan Avenue, Chicago, Illinois 60611. Founded 1913.

53. La Salle Extension University, 417 S. Dearborn Street, Chicago, Illinois 60605. Founded 1908.

54. Lewis Hotel-Motel Training School, 2301 Pennsylvania Avenue, N.W., Washington, D.C. 20037. Founded 1916.

55. Lifetime Career Schools, 2251 Barry Avenue, Los Angeles, California 90064. Founded 1944.

56. Lincoln Extension Institute, 1401 West 75th Street, Cleveland, Ohio 44102. Founded 1922.

57. Locksmithing Institute, Little Falls, New Jersey 07424. Founded 1948.

58. Massey Technical Institute, Inc., 148 East 7th Street, Jacksonville, Florida 32206. Founded 1894.

59. Metals Engineering Institute, American Society for Metals, Metals Park, Ohio 44073. Founded 1954.

60. Midwest Automation Training-Kansas City, Inc., 2022 Main Street, Kansas City, Missouri 64108. Founded 1965.

61. Motor Transportation Division of the National Safety Council, 425 North Michigan Avenue, Chicago, Illinois 60611. Founded 1913.

62. National Baking School, 835 Diversey Parkway, Chicago, Illinois 60614. Founded 1936.

63. National Camera Repair School, 2000 W. Union Avenue, Englewood, Colorado 80110. Founded 1952.

64. National Floral Institute, 2251 Barry Avenue, Los Angeles, California 90064. Founded 1944.

65. National Institute of Drycleaning, Correspondence School, 909 Burlington Avenue, Silver Spring, Maryland 20910. Founded in 1954.

66. National Institute of Meat Packing, 520 North Seymour Avenue, Mundelein, Illinois 60060. Founded 1958.

67. National Landscape Institute, 2251 Barry Avenue, Los Angeles, California 90064. Founded 1944.

68. National Photo Coloring School, 835 Diversey Parkway, Chicago, Illinois 60614. Founded 1924.

69. National Radio Institute, 3939 Wisconsin Avenue, N.W., Washington, D.C. 20016. Founded 1914.

70. National School of Dress Design, 835 Diversey Parkway, Chicago, Illinois 60614. Founded 1940.

71. National School of Forestry and Conservation, 2000 P Street, N.W., Washington, D.C. 20036. Founded 1958.

72. National School of Home Study, 229 Park Avenue South, New York, New York 10003. Founded 1954.

73. National Schools, Figueroa and Santa Barbara Avenues, Los Angeles, California 90037. Founded 1905.

74. National Tax Training School, Monsey, New York 10952. Founded 1952.

75. National Technical Schools, 4000 South Figueroa Street, Los Angeles, California 90037. Founded 1905.

76. New York Institute of Photography, 10 West 33rd Street, New York, New York 10001. Founded 1910.

77. New York School of Writing, 2 East 45th Street, New York, New York 10017. Founded 1931.

78. Newspaper Institute of America, Two Park Avenue, New York, New York 10016. Founded 1925.

79. Niles Bryant School, 3631 Stockton Boulevard, Sacramento, California, 95820. Founded 1898.

80. North American School of Advertising, 4401 Birch Street, Newport Beach, California 92660. Founded 1964.

81. North American School of Conservation, 4401 Birch Street, Newport Beach, California 92660. Founded 1959.

82. North American School of Drafting, 4401 Birch Street, Newport Beach, California 92660. Founded 1966.

83. North American School of Travel, 4401 Birch Street, Newport Beach, California 92660. Founded 1966.

84. Palmer Writers School, 500 S. Fourth Street, Minneapolis, Minnesota 55415. Founded 1917.

85. Philco Technical Institute, 219 N. Broad Street, Philadelphia, Pennsylvania, 19107. Founded 1955.

86. Radio Television Training of America, 229 Park Avenue South, New York, New York 10003. Founded 1949.

87. RCA Institutes, Inc., 320 West 31st Street, New York, New York 10001. Founded 1909.

88. Safety Training Institute, National Safety Council, 425 N. Michigan Avenue, Chicago, Illinois 60611. Founded 1913.

89. School of Modern Photography, Little Falls, New Jersey 07424. Founded 1939.

90. School of Speedwriting, 55 West 42nd Street, New York, New York 10036. Founded 1942.

91. The Slip Cover School, Little Falls, New Jersey 07424. Founded 1947.

92. Southern States Academy, Westbury Square Professional Building, Houston, Texas 77035. Founded 1950.

93. Technical Home Study Schools, Little Falls, New Jersey 07424. Founded 1939.

94. Technical Training International, Inc., 203 Lincoln-Broadway Building, 1475 N. Broadway, Walnut Creek, California 94596. Founded 1939.

95. Truck Marketing Institute, 2942 De La Vina Street, Santa Barbara, California 93105. Founded 1964.

96. Typewriter and Business Machine Repair School, Little Falls, N. J. 07424. Founded 1959.

97. Upholstery Trades School, Little Falls, New Jersey 07424. Founded 1947.

98. U.S. School of Music, 145 Main Street, Port Washington, New York 11050. Founded 1898.

99. Utilities Engineering Institute, 417 South Dearborn Street, Chicago, Illinois 60605. Founded 1927.

100. Washington School of Art, 145 Main Street, Chicago, Illinois 60605. Founded 1943. Founded 1914.

101. Wayne School, 417 South Dearborn Street, Chicago, Illinois 60605. Founded 1943.

102. Weaver Airline Personnel School, 3521 Broadway, Kansas City, Missouri 64111. Founded 1952.

103. Weaver Institute of Property Management, 3521 Broadway, Kansas City, Missouri 64111. Founded 1967.

104. Weaver School of Real Estate, 3521 Broadway, Kansas City, Missouri 64111. Founded 1936.

105. Writer's Digest, 22 East 12th Street, Cincinnati, Ohio 45210. Founded 1930.

106. Writers Institute, Two Park Avenue, New York, New York 10016. Founded 1925.

MATTHEW FONTAINE MAURY: OUTSTANDING MEMORIALIZATION AT FREDERICKSBURG, VA., OCTOBER 4, 1968

Mr. BYRD of Virginia. Mr. President, as a Virginian, I am naturally proud of the great and manifold services of my State in the formation and growth of the United States.

As the first and most powerful permanent English colony in North America, Virginia projected civilization westward; provided the "tongue," the "pen" and the "sword" for the War of American Independence; colonized West Virginia and Kentucky; conquered the old Northwest Territory and ceded it without any reimbursement to the United States; served as the principal architect of our national Constitution and our Union of sovereign States; supplying the Father of Our Country and its first President—George Washington. She aided vastly in extending the United States to the Pacific and, in so doing, became the mother of both statesmen and States.

The roster of Virginia's celebrated sons includes some of the most distinguished soldiers, sailors, orators, statesmen, scientists, jurists, Governors, Senators, and Representatives in history, with seven of them since Washington becoming Chief Magistrates of the Republic. Their contributions have made the Old Dominion illustrious in the annals of our country and, indeed, in the history of constitutional liberty, making her a fountainhead with streams flowing to all other States of the Union.

Among the many eminent statesmen who have served in the U.S. Senate none have excelled Daniel Webster as an expounder of the Constitution. In an address before this body on March 12, 1838, describing the passage on January 21, 1786, by the Virginia House of Delegates, of a resolution calling for the appointment of commissioners to meet with representatives of other States to discuss matters of trade, Webster recognized this action as the first step in a series of events that led to the writing and adoption of the Constitution.

In an eloquent tribute to Virginia that has never been surpassed, Webster stated:

> I here acknowledge the Commonwealth of Virginia to be entitled to the honor of commencing the work of establishing this Constitution. The honor is hers; let her enjoy it; let her forever wear it proudly; there is not a brighter jewel in the coronet that adorns her brow. Let this resolution stand, illustrating her records, and blazoning her name through all time.

Mr. President, one of the oldest cities in Virginia is Fredericksburg, incorporated in 1727. Strategically located at the head of navigation on the Rappahannock and on north-south land transportation routes, history has converged on her twice: in 1765–76 and during 1861–65.

During the first crisis, the epic days of the American Revolution had their start in the minds of leaders who called Fredericksburg their home, among them Fielding Lewis, Hugh Mercer, John Paul Jones, and George Washington. Here lived and was buried Mary Washington, the mother of the Father of our Country.

During the second crisis of the Civil War and almost within sight of the church spires of the city, some of the bloodiest battles of that tragic fratricidal conflict occurred—Chancellorsville, Fredericksburg, Spotsylvania Court House, and the Wilderness.

Others whose lives are associated with Fredericksburg include George Rogers Clark, father of Kentucky and conqueror of the old Northwest Territory; William Lewis Herndon, explorer of the Amazon; James Monroe, our fifth President and promulgator of the Monroe Doctrine; and Matthew Fontaine Maury, the father of the science of oceanography and of the Virginia Polytechnic Institute.

In spite of the desolation of war, some historic structures in Fredericksburg still survive, including the home of Mary Washington and the building in which Monroe started his public career. An impressive shaft, dedicated in 1894 by President Cleveland, marks the burial spot of Mary Washington. Her memory is further perpetuated in the name of the Mary Washington College of the University of Virginia located in Fredericksburg.

It was in this historical setting that the Literary Club of Fredericksburg, of which Mrs. S. P. Powell is president and Mrs. Lynn W. Franklin, Sr., is program chairman, on the campus of the Mary Washington College on October 4, 1968, commemorated the life and achievement of Matthew Fontaine Maury.

The principal speaker was Capt. Miles P. Du Val, Jr., of Portsmouth and Richmond, a distinguished naval officer, historian of the Panama Canal and authority on interoceanic canal problems.

The preparation of Captain Du Val's address required intensive research over a long period and a background of naval experience. He obviously recognized the opportunity afforded by the study of Maury's career and undertook to perform a greatly needed, long delayed, and important public service in evaluating and revitalizing his life and achievements.

Because Matthew Fontaine Maury was appointed as a midshipman in the Navy in 1825 by another Virginian, Representative Sam Houston, of Tennessee, and thus became a protege of him who later became a great figure in the history of Texas, I shall mention some highlights of Houston's extraordinary career.

Born in Rockbridge County, Va., Houston moved to Tennessee in early life, served as a Representative in the Congress from Tennessee, 1823–27, when he appointed Maury; was Governor of Tennessee, 1827–29; served as commander in chief of the Texas Army in the war of liberation from Mexico, becoming the hero of the decisive Battle of San Jacinto, 1836; was elected as the first constitutional President of Texas, 1841–44; served as one of the first Senators in the Congress of the United States from Texas 1846–59; and, finally, was elected as Governor of Texas in 1859 and served until he was deposed in 1861 because of his refusal to take the oath of allegiance to the Confederate States. Sam Houston always viewed the epochal achievements of Maury with pride, a fact that will be of the greatest interest to all Virginians as well as Tennesseans and Texans.

It was particularly fitting that in his opening remarks, Captain Du Val dedicated his address to the memory of the late Judge Alvin T. Embrey of Fredericksburg, a lifelong student of local history and especially of Maury.

Other parts of the planned program included a sonnet on Maury by former Congressman Maurice H. Thatcher from Kentucky; also a presentation by Captain Du Val, on behalf of the Director of Naval History of the Navy Department, of a splendid reproduction in color of the recently painted portrait of Maury by Charles Bittenger, of Washington, D.C., and Duxbury, Mass.

Mr. President, I ask unanimous consent that Captain Du Val's address be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Matthew Fontaine Maury: Universal Man

(By Miles P. Du Val, Jr.)

CAREER EVALUATION

Born January 14, 1806—Died February 1, 1873.

Appointed February 1, 1825—Resigned April 20, 1861.

Author, First Book on Nautical Science by an American Naval Officer, 1836.

First Superintendent, U.S. Naval Observatory, 1844–61.

First Hydrographer, U.S. Navy, 1844–61.

Precursor, U.S. Weather Bureau, 1843–57.

Path Finder of the Seas.

Locator of the First Trans-Atlantic Cable.

Father of World Meteorology.

Founder of the Science of Oceanography.

Champion for Establishment of the U.S. Naval Academy.

Advocate of Naval Reform and Reorganization.

Prophet of the Panama Canal.

Planner for Amazonian, Mississippian and Antarctic Explorations.

Leader for International Cooperation in Antarctic Research.

Inventor of the First Electrically Controlled Submarine.

Mine Successfully Used in Warfare.

Introducer of Quinine Cultivation into Mexico.

Author of Public School Geographies.

Father of the Virginia Polytechnic Institute.

Madame President, Members of the Fredericksburg Literary Club, ladies and gentlemen: It is indeed a great privilege to address this fine gathering in historic Fredericksburg, the city that was so closely associated with the life and career of the distinguished naval officer whose mighty scientific accomplishments have become universal in their influence—Matthew Fontaine Maury.

Who was he and what is the story behind his vast achievements and fame?

EARLY YEARS, 1806–25

Born on a farm in Spotsylvania County, Virginia, near Federicksburg, on January 14, 1806, he was of distinguished mixed Huguenot, Dutch and English ancestry, with traditions of culture and scholarship, and with lines tracing to early Jamestown. From his father, Richard Maury, he inherited much of his amiability and high-mindedness; from his mother, Diana Minor Maury, he derived the qualities of great decision and strength of character.

In his fifth year, the Maury family, like so many others of that period, moved to Tennessee and established a new home near Franklin in Williamson County south of Nashville. Working on the farm and attending an "Old Field" school, where young Matthew took part in "singing geography" with pupils ranged around the room to chant geographical facts, he seemed destined for a life behind the plough but, when he was twelve years old, something happened. In the exercise of his boyish instinct for adventure, he climbed a tree and fell 45 feet to the ground. Taken up apparently lifeless, he was found to have injured his back so seriously as to unfit him for farm work. This resulted in his father deciding, because of his son's high aptitude for study, to send him to Harpeth Academy near Franklin, then headed by Rev. James H. Otey, afterward the first Anglican Bishop of Tennessee.

At Harpeth, Maury's active mind and studious habits quickly attracted the notice of its capable teachers who encouraged him. In the study of Latin, he covered the grammar in seven days, making a record for the academy and demonstrating high capacity for learning languages. Moreover, he helped to support himself by assisting his instructors and coaching pupils. His greatest interest became science.

The inspiration for this ambition was a shoemaker, an old Mr. Neal, who was a mathematician. He worked his problems with an awl on leather and returned repaired shoes with soles covered with X's and Y's. "The example of that man," Maury later wrote, "first awakened in my breast the young spirit of emulation; for my earliest recollections of the feelings of ambition are connected with the aspiration to emulate that man in mathematics."

CHOOSING A NAVAL CAREER, 1825

When the time came for further education, young Maury, sufficiently recovered, considered going to West Point but his father did not approve. Inspired by the adventures of his oldest brother, John Minor Maury, who had served under David Porter on the famous cruise of the Essex in the Pacific during the War of 1812, Matthew determined to enter the Navy and secured an appointment as an acting midshipman from Representative Sam Houston of Tennessee.

Faced with the opposition of his father who wished his son to be a physician, Matthew proved resourceful. He arranged for the purchase of a horse for $75 to be paid on reaching his destination and was given $30 by one of his most admired teachers, William C. Hasbrouck, for his services in coaching young pupils. Then, on a Sunday morning in the spring of 1825, the 19 year old Maury set out alone on the long ride to Washington to start his career with the determination to succeed by following the old maxim, "Make everything bend to your profession."

Stopping by the Spotsylvania home of an uncle by marriage, Edward Herndon, to whom he sold the horse, Maury immediately sent the money to the owner in Tennessee. But more important, he met Ann Hull Herndon, daughter of Dabney Herndon of Fredericksburg who, though only 13, recognized his quality and evinced an affectionate regard for him that the young midshipman never forgot.

FIRST CRUISE ON THE "BRANDYWINE" 1825–26

Reaching Washington penniless, Maury received 15 cents per mile travel allowance, which was ample for his needs. He was ordered to the new frigate *Brandywine* then at anchor in the Potomac and reported on board on August 13, 1825. His first assignment proved a stroke of fortune. The *Brandywine*, named for the Battle of Brandywine Creek in which Lafayette was wounded, had been selected to return the distinguished soldier to France. As an honor to him, her officers had been selected from as many states as possible and, where practicable, from descendants of persons who had distinguished themselves in the American Revolution. Thus, Maury had an opportunity not only to make new friends from different parts of the Nation but also to converse with the war time associate of Washington.

After Lafayette departed, the *Brandywine* underwent repairs in England and, in early November, joined the United States Squadron at Gibraltar. She cruised in the Mediterranean and returned to New York in May 1826.

Right from the start of this assignment, Maury impressed his superiors and fellow cadets as one resolved to master the theory and practice of the naval profession. To this end he resorted to various artifices. While on watch he would chalk problems in spherical trigonometry on round-shot mounted in racks so he could ponder them while pacing the deck. When going below for a moment, he would get hold of a book or dictionary, note a word or a sentence, and reflect upon it on deck. Required to study navigation, he used a Spanish text book so as to learn a new language at the same time.

Having crossed some of the paths of Columbus, Magellan, Drake and Nelson, seen new countries and peoples, and applied himself assiduously, Maury completed his first cruise with his education advanced, his vision broadened, and his ambition spurred by the leadership of such men as Captain Charles Morris, who, as a midshipman, had served under Stephen Decatur in Tripoli, and Lieutenant David Glasgow Farragut, who later became the first admiral of the U.S. Navy.

AROUND THE WORLD, 1826–30

After receiving his official warrant as midshipman dated back to February 1, 1825, Maury took leave in Fredericksburg and was again ordered to the *Brandywine*, then fitting out at New York for a three year cruise in the Pacific. Sailing from the outer harbor on September 3, 1826, the vessel arrived at Rio de Janeiro on October 28—a voyage of 55 days. After cruising in Brazilian waters, his ship went to Montevideo at a time of war between Brazil and Argentina. There Midshipman Maury was able to observe history in the making and to record his experiences and impressions of people.

Rounding Cape Horn into the Pacific in late 1826, the *Brandywine* after a stay at Valparaiso, Chile, went on to Peru, arriving on February 9, 1827, at Callao. There, on March 10, Maury was transferred to the *Vincennes*, a sloop of war then patrolling the West Coast of South America.

For more than two years in this area, Maury was thus able to view the matchless Andes while his vessel was at sea until their peaks became familiar landmarks, observe volcanoes in thunderous eruption, and when ashore in Ecuador, to witness fighting at Guayaquil.

After hostilities ended, the *Vincennes*, on July 4, 1829, sailed from Callao toward the Far East. The first stop was at Nukahiva Islands in the Marquesas, the island where Maury's oldest brother, John, had been marooned for two years and later rescued.

To learn the story directly from the native chief, Midshipman Maury studied the native language and, within a period of three weeks, became able to converse with the man who had saved his brother's life.

The next visit was at Tahiti, after which the *Vincennes* sailed to the Hawaiian Islands. On Hawaii, Maury saw the Cascade of the Rainbow and, no doubt, visited the volcano of Kilauea; on Oahu, he saw Diamond Head and enjoyed Honolulu.

Setting sail for China, the *Vincennes* passed between Formosa and Luzon and, on January 3, 1830, anchored in Macao Roads—the second American man of war to visit Chinese waters. Promptly sailing for the Philippines for a stop at Manila, the *Vincennes* started on her homeward voyage through the Straits of Sunda between Sumatra and Java, thence across the Indian Ocean and around the Cape of Good Hope to Capetown, thus retracing some of the trails of the great Portuguese navigators, Vasco da Gama and Bartholomew Diaz.

The next port was at St. Helena where Maury saw the temporary tomb of Napoleon, who had died nine years previously after six years as a prisoner of war.

Arriving in New York on June 8, 1830, nearly four years after he had sailed from New York on the *Brandywine*, during which he had circumnavigated the earth, Midshipman Maury returned as an experienced young officer of unusual promise and a wealth of knowledge.

PREPARATION FOR SCIENTIFIC INVESTIGATIONS, 1831–34

In the months on shore following his detachment from the *Vincennes*, Maury studied for promotion examinations. After passing them he had the rank of Past Midshipman. During the next winter spent in Washington Ann Hull Herndon, then a charming young lady, also happened to visit relatives in Georgetown; and again they met. They became engaged and Maury considered resigning from the Navy but his hope for employment as a surveyor did not materialize.

Assigned at the age of 25, after six years service, to the responsible position of sailing master on the sloop of war *Falmouth*, bound for the Pacific, Past Midshipman Maury wished to make a speed record for the voyage. A diligent search by him for information about the winds and currents that would be encountered and the best routes to follow, proved fruitless. Thus the *Falmouth* had to depart in June 1831 without the advantage of the navigational experience of others in recorded form. Because of this obvious need, young Maury determined to be the one to supply such information and, on the way to Rio, conceived the idea of his wind and current charts and began to collect data from every available source.

When rounding Cape Horn, he observed its dangers of navigation and investigated the "curious" phenomenon of "low barometer" there. Arriving at Valparaiso in October, the *Falmouth* tarried for about a year and went on to Callao. There Maury made a survey of San Lorenzo Island just outside the harbor.

Landing on some rocks to the westward of the island to take the necessary observations at a time when the sea was smooth, Maury went ahead with his work while his assistant, Midshipman William B. Whiting, stood by in a boat. A wind arose and the sea roughened to the point that the boat could not land.

Maury climbed to a high point on the rock, removed his jacket, wrapped his sextant and watch with it, tied the pack with a string he had in his pocket, and threw the roll into the water near the boat, where it was picked up with a boat hook. Then, when the water rose to a favorable height, he leaped into it, and swam to the boat. No wonder Midshipman Whiting after return from the outing asserted to his shipmates that there was in Maury something that "could not be kept down" and that he "would be a distinguished man". As could be expected of young officers, they ridiculed this prediction of future greatness.

Maury was transferred from the *Falmouth* at Callao on August 20, 1833, to the schooner *Dolphin*. After a few weeks on routine duties he was ordered to the frigate *Potomac*, which started upon its long voyage home, arriving at Boston in the early summer of 1834.

This cruise, 1831–34, which was his last, had not only enabled Maury to start his scientific investigations in meteorology and oceanography, supplied data for his first writings and provided a solid foundation for his later contributions, but also had afforded an opportunity to read many classics of literature during long hours at sea. His favorites were the Bible and Shakespeare, which he constantly read and frequently quoted, and which are reflected in the philosophy and clarity of his writings.

EARLY SUCCESS MARRED BY CALAMITY, 1834–39

Obtaining leave, Maury went to Fredericksburg and, on July 15, 1834, he and Ann Hull Herndon were married in nearby Spotsylvania County in the same house in which the two first met, and then established their home in the city. Also in this July were published in the *American Journal of Science and Arts*, Maury's first two scientific articles, both in the same issue. The first, "On the Navigation of Cape Horn," described the dangers of passage around that cape and the peculiar rise and fall of the barometer that he had observed there. The other, on a "Plan of an Instrument for Finding the True Lunar Distance," concerned an instrument that he had invented.

Thus encouraged, Past Midshipman Maury, then only 28, decided to prepare a textbook on navigation. Assembling his notes, written mostly on board men of war "in the midst of the various calls of duty, and the thousand interruptions incident to such a place," he prepared the manuscript for his book, *A New Theoretical and Practical Treatise on Navigation*, published in 1836. This was the first book on nautical science by an American naval officer. It was immediately adopted for the instruction of young officers at sea and was later used at the Naval Academy.

Among its reviewers was Edgar Allen Poe, who stated: "The spirit of literary improvement has been awakened among the officers of our gallant Navy. We are pleased to see that science also is gaining votaries from its ranks. Hitherto how little have they improved the golden opportunities of knowledge which their distant voyages held forth, and how little have they enjoyed the rich banquet which nature spreads for them in every clime they visit. But the time is coming when, imbued with a taste for science and a spirit of research, they will become ardent explorers of the regions in which they sojourn."

While in Fredericksburg, Maury lectured on science, studied minerology, geology and drawing, spent the summer of 1836 qualifying himself to superintend a nearby United States Gold Mine, and was offered a position as mining engineer. His appointment on June 10, 1836, as lieutenant caused him to decide to remain in the Navy and he became interested in the naval South Sea Exploring Expedition, which, in the fall of 1836, was fitting out at Norfolk under Captain Thomas Ap Catesby Jones. Failing to secure command of one of the ships, on March 18, 1837, he was attached temporarily to the *Macedonian*.

In September, Lieutenant Maury joined the Exploring Expedition as "astronomer" and "hydrographer"—its two most significant positions. In preparing for this assignment, he went to Philadelphia, and studied and worked at a small astronomical observatory on Rittenhouse Square and there obtained invaluable scientific knowledge and experience.

When Captain Catesby Jones' health failed and he was succeeeded in command of the expedition by Lieutenant Charles Wilkes, the only officer in the Navy with whom Maury would not cooperate, in the spring of 1838 Maury requested to be detached and was assigned duty on the steamboat *Engineer* to assist in surveying our Southern harbors.

In the summer that followed, Maury published an interesting series of articles in a Richmond newspaper under the pen name of Harry Bluff, U.S. Navy. Highly critical of the previous Secretary of the Navy, they called upon his successor, Secretary Paulding, to restore the prestige of the Navy. In December, he published three more in the same paper giving detailed information on the

inefficiency of the Navy which were inscribed "From Will Watch, to his old messmate Harry Bluff."

Stressing the importance of better training for officers, he stated: "There is not, in America, a naval school that deserves the name, or that pretends to teach more than the mere rudiments of navigation. . . . Why are not steps taken to have our officers educated and fitted for this high responsibility? The idea of a naval academy has been ridiculed."

Again Maury toyed with the idea of leaving the Navy and, in February and August 1839, offered his services as head of a triangulation party to Ferdinand R. Hassler, the chief of the U.S. Coast Survey, but Hassler did not accept them.

Detached from the *Engineer* in August of 1839, Maury took leave to spend some time at his home in Fredericksburg and to visit his parents in Tennessee. Leaving Harpeth by stage coach to join the brig *Consort* at New York to continue his survey work, he gave up his seat inside to an aged negress and rode on the outside with the driver. On a rainy night at one o'clock in the morning, on October 17, 1839, near Lancaster, Ohio, the coach was upset, and Maury, who was the only person seriously hurt, sustained a severe dislocation of the right knee-joint and a fracture of the right thigh-bone. These injuries, at the time, seemed to him as the "great calamity" of his life endangering his naval career.

CALAMITY FORCES CONCENTRATION ON SCIENCE, 1839–42

Maury's recovery, complicated by the necessity of re-breaking and re-setting the bone at a time when there was no anesthesia, was slow and painful. He managed, however, to keep up his courage during three long months at the Hotel Phoenix in nearby Somerset by studying French. Sufficiently recovered by January 1840 to travel, he went to New York to join his ship but, finding that she had sailed, he made his way to his home in Fredericksburg to recover his health and strength.

The compelled physical inaction forced Maury to focus on the scientific aspects of the naval profession and gave him an opportunity to write a series of remarkable articles, published in Richmond during 1840–41 under his previous pen name of Harry Bluff. He called them "Scraps from the Lucky Bag."

Elaborating on the ideas presented in his earlier "Harry Bluff" and "Will Watch" writings, Maury urged reform of the Navy, which was then in a condition of dry rot. He advocated steam for ship propulsion, the importance of the Northwest in developing trade with the countries on the rim of the Pacific, the improvement of the promotion system for officers to spur their ambition, and the founding of a Naval academy with a four year course, followed by two years at sea, to replace the ineffective school master system then obtaining on ships. His strong leadership for the last was probably the greatest single factor in bringing about in 1845 the creation of the Naval School at Annapolis and has won Maury wide acclaim as "Father of the Naval Academy."

Even more significant, however, was his pleading for distribution of the work of the Navy Department among bureaus on functional lines, with officer specialists heading these bureaus and responsible to the Secretary of the Navy. He even envisioned assignment of an experienced officer as the principal naval adviser of the Secretary to coordinate the work of the bureaus.

As Maury's writings aroused high enthusiasm among naval officers, some of them arranged for large editions of the "Scraps from the Lucky Bag" for free distribution. Finally, in July 1841, Maury was identified as the real author. Congress jumped into the fray, and many of the naval reforms that Maury advocated were effected immediately **or eventually adopted. There were also demands for the President to appoint Lieutenant Maury as the Secretary of the Navy, but this did not appeal to him for he was already dedicated to science.**

Feeling sufficiently recovered to perform light duties at sea, Maury, in November 1841, requested assignment in the Pacific Squadron under Commodore Thomas Ap Catesby Jones, but his physicians in Fredericksburg opposed and he was retained on the "waiting orders" list.

He did not have to wait long. The publication of his book on navigation in 1836 and his "Scraps from the Lucky Bag" in 1840 and 1841 had already laid the foundation for his future. On the recommendation of other naval officers, Lieutenant Maury on July 1, 1842, at the age of 36, was designated by Secretary Upshur as officer in charge of the Depot of Charts and Instruments of the Navy Department. For one of his intelligence, vision and drive, this was the challenging opportunity for which he had been waiting and he undertook the task with the zeal and abundance of genius.

SETTING THE COURSE FOR THE NAVAL OBSERVATORY, 1842–47

When Maury assumed control of the Depot of Charts and Instruments, it was already planned that its functions would include four important fields related to the problems of navigation: astronomy, hydrography, magnetism and meteorology.

When new buildings, which included an astronomical observatory, were completed, Lieutenant Maury, on October 1, 1844, was ordered to take charge of all astronomical operations as the first Superintendent of the Naval Observatory. In assuming this responsibility, Maury was no mere figurehead administrator but an inspiring leader. Working at times from 8 or 9 in the morning until 11 at night, he was effective in obtaining and installing new instruments until the Observatory became one of the best equipped in the world. As a principal observer of celestial bodies during his first years as Superintendent, his name is recorded in published abstracts of observations. That he found such work stimulating is shown by this description in an 1849 address before the Virginia Historical Society: "To me the simple passage through the transit instrument of a star across the meridian is the height of astronomical sublimity.

"At the dead hour of the night, when the world is hushed in sleep and all is still; when there is not a sound to be heard save the dead beat escapement of the clock, counting with hollow voice the footsteps of time in ceaseless round, I turn to the Ephemeris and find there, by calculations made years ago, that when that clock tells a certain hour, a star which I never saw will be in the field of the telescope for a moment, flit through and then disappear. The instrument is set; the moment approaches and is intently awaited;—I look;—the star mute with eloquence that gathers sublimity from the silence of the night, comes smiling and dancing into the field, and at the instant predicted even to the fraction of a second, it makes its transit and is gone! With emotions too deep for the organs of speech, the heart swells out with unutterable anthems; we then see that there *is* harmony in the heavens above; and though we cannot hear, we feel the 'music of the spheres'."

Understanding the function of time in the determination of longitude, Maury recognized the value of the electro-chronograph when it was invented and arranged for its installation at the Observatory—the forerunner of daily time signals.

Starting in 1845 a major project of cataloguing the stars, this work reached the total of 100,000 in 1855, but the results were not published until 1873. Nevertheless, his 1846 report, which Maury described as the "first volume of Astronomical Observations that has ever been issued from an institution properly entitled to the name of an observatory on this side of the Atlantic," won wide approval.

Deploring the fact that, if not supplied with nautical almanacs by foreign countries, American vessels of war could not navigate on the high seas, Maury planned to make the preparation of an American Ephemeris and Nautical Almanac as prime functions of the Observatory. Because of the eminent professors at Harvard, the Nautical Almanac Office was initially established there in 1849 but many years later was moved to the Observatory. The first Nautical Almanac was published in 1852 for the year 1855.

While Maury's scientific endeavors were being acclaimed, a young astronomer in France, aided by another in Germany, discovered the planet Neptune, hailed by astronomers as "one of the proudest triumphs of the age." Because of its apparent slow movement, the calculation of its orbit would have required many years.

Maury, realizing that data which the "tedious future is sure to supply" might be obtained from the records of the past, in the fall of 1846, assigned the task of searching earlier observations to one of his astronomers, Sears C. Walker. On February 2, 1847, after months of work, Walker discovered that the planet Neptune had been erroneously identified in 1795 as a fixed star. Maury, in a letter on February 9, 1847, to the Secretary of Navy reporting the discovery, commended Walker for his service. This identification saved astronomers more than 50 years in determining the orbit of Neptune.

It was by such leadership that Lieutenant Maury launched the Observatory on its path to greatness in the course of which he never failed to give full credit to his able assistants.

Many have wondered why Maury who was not a professional astronomer, should assume the responsbility of heading the Observatory. He later explained that he wished to prove "that Navy officers are fit for something else than scrubbing decks at sea and tacking ship".

CHARTING THE WINDS AND CURRENTS OF THE SEA, 1842–51

Soon after taking charge of the Depot, Maury started examining old navigational log books then treated as little more than trash and discovered that they contained useful information for plotting winds and currents encountered by ocean navigators. By 1847 his researches had reached the stage where he was able to publish his first "Wind and Current Chart" of the North Atlantic.

Accompanied by special logs with forms to be filled and instructions, copies of these charts were distributed to mariners who would agree to cooperate. Interest spread rapidly and by 1851 more than 1,000 vessels in all oceans were sending him reports. From these were constructed Track Charts, Trade Wind Charts, Pilot Charts, Thermal Charts and Whale Charts in addition to the Wind and Current Charts. Moreover, Maury was the first to make a comprehensive study of the Gulf Stream.

How well did Maury's plan for taking advantage of winds and currents work? Previously the average passage from New York to San Francisco required 188 days but in 1851 the *Flying Cloud*, one of the famous Yankee clippers of that era, made this voyage in 89 days and 21 hours. The voyage to Australia, previously requiring 120 days each way, was reduced by one third and that to the equator by 10 days. Such savings in sailing time meant many millions annually to ocean commerce and won the praise of the world, especially from mariners, one of whom wrote Maury that ". . . until I took up your work, I had been traversing the ocean blindfolded."

In examining Maury's carefully drawn original charts, made clear by the use of colors, one is impressed by the depth and scope of

Maury's vision, by the magnitude of the task, and by the tremendous drive required to see it through to completion; by the trade routes clearly defined and by the intense concentration of sailing observations around key points, such as Cape Horn and the Cape of Good Hope.

There is no wonder that he developed a keen strategic insight and, when commenting on the ultimate result of constructing the Panama Railroad, he could write: "The railroad across the Isthmus of Panama will speedily lead to the construction of a ship canal between the two oceans, for a railroad cannot do the business which commerce will require for it; and by showing to the world how immense this business is, men will come from the four quarters to urge with purse and tongue the construction of a ship canal." That was a century and a quarter ago!

Even more gratifying, however, when examining Maury's original charts, is to see how he unfailingly allowed his subordinates who did the laborious work to take full credit by inscribing their names on charts prepared under his guidance. Not only that he knew the value of praise. No wonder Maury was able to attract and to hold men of capacity to help in a work that revolutionized navigation and established Maury as the founder of the science of oceanography!

The navigational investigations of Maury were not limited to the oceans. In 1843, he published an article advocating systematic observations of the rise and fall of water on the Mississippi and its tributaries. A naval lieutenant, selected for this purpose, was directed by Maury to make an accurate cross-section of the river off Memphis and observe the velocity of the current at the bottom and near the surface so as to obtain data for calculating the volume of flow; to take daily samples of river water, evaporate it, and determine the amount of silt; and to make daily observations of air and water temperature, evaporation and rainfall.

These carefully made observations, later digested by Maury, formed the foundation for all subsequent research and study of that great river.

Appreciating the needs of river navigators, Maury originated the plan for placing water marks or gauges at principal towns on the Mississippi so that captains of river boats could be informed by telegraph of the stage of the water. He foresaw that the data supplied by these gauges would enable the determination of the effects of upstream freshets on the lower sections of the river.

No wonder that his daughter, Diana Fontaine Maury Corbin, could write of her father: "Every feature and lineament of his bright countenance bespoke intellect, kindliness, and force of character. His fine blue eyes beamed from under his broad forehead with thought and emotion, while his flexible mouth smiled with the pleasure of imparting to others the ideas which were ever welling up in his active brain."

DRIVE FOR A COMPREHENSIVE WEATHER SERVICE, 1843–57

The full organization that Maury hoped to create was to include a comprehensive weather service as well as astronomy and hydrography. Having started small scale meteorological work, he sent his first "weather journal" for the week ending January 14, 1843, to a Washington paper for publication, and before 1851, conceived the idea of a universal system of meteorological observation on both land and sea.

At that time weather activities "under the control of the different States, of the institutions, and of the private citizens" of the Nation amounted to several hundred and the United States had "no control whatever" over their "time for observation, their mode and means for observing, and their method of recording results". Maury sought to create under his direction a "Telegraphic Meteorological Bureau" to receive and evaluate reports and formulate weather forecasts.

Viewing the atmosphere as an "ocean of the air" enveloping the earth, in many addresses he urged the farmers of the nation to do on land what ships had done on the seas, as they would be benefitted in respect to their crops as had been navigation and commerce. Blocked by official obstructions, he revealed this difficulty in 1856 before the North Alabama Mechanical and Agricultural Society in fighting words: "Take notice now, that this plan of crop and weather reports is 'my thunder'; and if you see some one in Washington running away with it, then recollect, if you please, where the lightning came from."

Although an 1857 bill to create the telegraphic meteorological bureau as part of the Observatory and Hydrographical Office was reported favorably, the Congress did not act and Maury was diverted from this great objective by mounting domestic tensions.

Nevertheless, by planting the seeds for what later transpired, he was the precursor of the Weather Bureau.

LOCATING THE FIRST TRANS-ATLANTIC CABLE, 1849–58

So well did the oceanographic researches of Maury progress that by March 1849 he could state that "some new discovery, some new fact or law of nature is constantly starting up before us as we proceed with our investigations." One of his objectives was exploration of the ocean bottoms and he started taking soundings of the Atlantic—a necessary prelude for locating the first trans-Atlantic cable.

By the fall of 1852, Maury constructed a contour map of the North Atlantic Ocean bottom with a profile on latitude 39°, off the coast of New Jersey to Europe as a preliminary survey essential for making a sound recommendation on so important a matter and to show that some of the deepest water was along this parallel.

Aided by a deep-sea sounding apparatus designed at the Observatory, he was able to secure the first specimens from the ocean bottom in 1853, to determine their composition, and to establish the existence of a submarine plateau. In a letter to Secretary of the Navy Dobbin on February 22, 1854, he described this plateau as having been "placed especially for the purpose of holding the wires of a submarine telegraph and of keeping them out of harm's way. It is neither too deep nor too shallow. . . ." He called it the "telegraphic plateau".

Thus, it was only natural that Cyrus W. Field, the able leader for the trans-Atlantic cable, should consult Maury. Their close association lasted until the cable was laid from "Newfoundland to Ireland" along the line on the "Telegraphic Plateau" as recommended by Maury. The first official message over it was sent on August 16, 1858. Field, Maury and others who contributed received the praise of the world.

In the light of the facts now available, it is clear that it was Maury's knowledge that made this great achievement possible and established him as the locator of the first trans-Atlantic cable.

STARTING WORLD METEOROLOGY, 1853

In the course of his work on Wind and Current charts, Lieutenant Maury saw that there were vast areas of the world for which he had insufficient data on weather as well as on ocean currents and that other nations could aid in gathering information. By 1851, he was striving for a world meteorological organization.

Drawing up a proposal for an international maritime conference as the first step, he was able to arrange for the United States to send out official invitations for a meeting convened on August 23, 1853 at Brussels, Belgium. This was one of the first, if not the first, international scientific congress devoted to consideration of one scientific subject ever to be held.

Invited to preside, Maury declined but he did make the opening address outlining the purposes of the Congress. Adopting the program for standardizing forms and instructions on reporting meteorological observations by vessels at sea, the conference served to spread Maury's ideas, and other nations joined the original ten for putting them into effect.

Adjourning on September 8, the Brussels Conference was a huge success and Lieutenant Maury, age 47, returned to Washington laden with honors. These included recognition by Alexander Von Humboldt, the great German scientist, who declared that Maury had founded a new science, the "Physical Geography of the Sea".

Resuming his work with renewed confidence and enthusiasm, Maury, when describing results of conference, wrote: "Rarely has there been such a sublime spectacle presented to the scientific world before: all nations agreeing to unite and cooperate in carrying out according to the same plan one system of philosophical research with regard to the sea. Though they may be enemies in all else, here they are friends. Every ship that navigates the high seas with these charts and blank abstract—logs on board may henceforth be regarded as a floating observatory—a temple of science." Moreover, the conference served to hasten the day for extending the uniform system of weather observations to the land as well as the sea, making Maury the father of world meteorology.

What were the physical characteristics of Maury at this time of his prime? As described by his daughter, he was ". . . a stout man, and about five feet six inches in height; he had a fresh, ruddy complexion, with curling brown hair, and clear, tender blue eyes. His massive head and strong neck surmounted broad and square shoulders, and a chest deep and full. His arms were long and strong, with hands small, soft, and beautifully formed—he was apt to use them in graceful gestures while conversing." His striking countenance clearly revealed great strength of character, tireless energy, high purpose and decision.

PHYSICAL GEOGRAPHY OF THE SEA, 1855

In the 6th edition of his *Sailing Directions* of 1854, Maury included ninety pages of new information under the title suggested by Von Humboldt, "The Physical Geography of the Sea". His publishers in Philadelphia, recognizing its value for publication as a book, promptly warned Maury that some other publisher might "steal his thunder and reap a fortune on it."

Thereupon, Lieutenant Maury, in the spring of 1854, started preparing what he then thought would be his "great work". Published in 1855 under the title of *The Physical Geography of the Sea,* the volume proved immensely popular and went through eight editions in the United States. The last, published in 1861 under the title of *The Physical Geography of the Sea, and its Meteorology,* was dedicated to William C. Hasbrouck, his former teacher at Harpeth Academy in grateful appreciation of instruction accorded in earlier days and as "a token of the friendship and esteem, from boyhood till now, of his former pupil." In Europe, the book was published in several languages and went through nine editions.

Its first paragraph is dramatic: "There is a river in the ocean. In the severest droughts it never fails, and in the mightiest floods it never overflows. Its banks and its bottom are of cold water, while its current is of warm. The Gulf of Mexico is its fountain, and its mouth is in the Arctic Seas. It is the Gulf Stream."

While this volume was significant for many reasons it is notable for it contained the "first satisfactory general circulation theory of the atmosphere."

This success did not divert Maury from other tasks. Aroused by a dreadful collision in October 1854 in the North Atlantic between the U.S. Mail Streamer *Arctic* and the French Steamer *Vesta* in a thick fog 40–50 miles east of Cape Race, when some 300 persons were lost, Lieutenant Maury studied the benevolent suggestions that were made with the view of prevention rather than cure. The result was publication in 1855 of a chart double-tracking the North Atlantic for steamers—a lane for westbound traffic and another for eastbound.

While in the midst of his constructive program and at the height of his fame, Maury received, without warning, a letter from the Secretary of the Navy dated September 17, 1855. This advised him that the President had approved the recommendation of the Board of Naval Officers, created under the Act of Congress to promote the efficiency of the Navy, for the transfer of Maury from the Active Service List to the Reserved List on leave-of-absence pay. It is significant, however, that the Secretary did not detach him from the Naval Observatory but directed that he continue his duty there.

Shocked by such treatment from a board engaged in implementing reforms for which Maury had worked so hard, he was severely wounded but fought back. Eventually, under the leadership of Senator Sam Houston of Texas, who, over the years, had watched his protege's career with pride, the Congress set aside the action of the Naval Board responsible for Maury's forced retirement and, by special act, reinstated him on the active list with promotion to the rank of Commander.

Few of the members of this board are known today except in connection with the attempted retirement of Lieutenant Maury.

EFFORTS TO SAVE THE UNION AND RESIGNATION, 1855–61

Long before 1855, Maury had discerned "tendencies toward disunion" of the United States and sought to avoid that catastrophe. Deploring slavery as a curse and knowing the Amazon from the 1853 report of its exploration by Lieutenant William Lewis Herndon, also of Fredericksburg, he saw the fertile valley of that mighty and unmatched stream as offering a possible means for saving the Union. Urging an agreement with Brazil to open the Amazon for free navigation for merchant vessels of all nations, he proposed the purchase and transfer of surplus slaves from the South to Brazil, then a slave country, but events were moving too rapidly for the plan to succeed.

Recalling how Virginia in 1832 had stepped forward as mediator in the time of nullification in South Carolina, in 1860 Maury addressed appealing letters to the Governors of Pennsylvania, New Jersey, Maryland and Delaware urging them "to stand in the breach and stop this fratricidal strife."

Notwithstanding the mounting domestic crisis in the United States, Maury, on March 31, 1860, wrote Secretary of the Navy Toucey urging an expedition to the South Pole. To his scientific colleagues abroad, he addressed many letters promoting "international cooperation" in Antarctic research. This campaign culminated on April 10, 1861, in official United States Government letters to European nations and Brazil, with detailed discussions for "international investigation" of Antarctica based upon Maury's experience over the two previous decades with many nations in ocean wind and current researches.

Meanwhile, struggling heroically to avoid war between the sections of our country, he urged the "barrier states", including Virginia, to remain in the Union, opposed coercion of the seceded states, and advocated making the 1864 Presidential issue one for re-annexation for a union that would be "happier and greater, and more glorious than ever." But all his efforts were in vain. The first shot of the Civil War was fired on April 12, 1861, at Fort Sumter, when he was working on plans for an expedition to the South Pole. Maury, forced by Virginia's secession to choose between participation in an invasion of his homeland or defending it, for better or worse, decided to share the fortunes of his state.

Working as hard as usual until 3 in the afternoon on April 20, the same day that General Lee resigned from the U.S. Army, Maury called in his secretary of twenty years service, Thomas Harrison, and requested him to write his resignation from the U.S. Navy. This loyal secretary, like the disciples of Socrates when the time came for that philosopher to drink the fatal cup of hemlock, felt that Maury's resignation would cause the death of the scientific career of his illustrious superior and was overcome. He said, "I cannot write it, sir!" Maury then wrote his own and left for Richmond, apprehensive of the tragedies that the war would inevitably bring.

WAR, BANISHMENT, EXILE AND DEATH, 1861–73

Commissioned by Governor Letcher on April 23, 1861, as a commander in the Navy of Virginia, Maury was made a member of the Governor's Executive Council to prepare plans for defending the State in the shortest time. He assisted in fortifying Jamestown Island on the James River and Gloucester Point on the York to defend Richmond and sat with the Council almost daily.

After the Virginia Navy was consolidated with that of the Confederacy, Maury was made a commander in the Confederate States Navy. Appointed as Chief of the Naval Bureau of Coast, Harbor, and River Defense, Maury, worked in his residence at 1105 East Clay Street in Richmond on developing the first electrically controlled submarine mine "successfully used against an enemy in warfare", which eventually caused the loss of more vessels than from "all other causes whatever". He supported the raising and rebuilding of the Merrimac and personally led a night attack by small craft on Federal Vessels in Hampton Roads.

Conscious of the lack of a Navy by the South, Maury campaigned in the press for building one. As a consequence, demands grew for him to be appointed as Secretary of the Navy of the Confederate States. The end result was that in September 1862, Maury was ordered to England on "special service", partly because of the need by the Southern Cause for a man of his stature in Europe and partly to banish him because of the jealousy of superior officials.

Arriving in England in November, Maury's activities included the purchase and fitting out of vessels for raiding Federal commerce, writing letters to newspapers, assisting in organizing a society for promoting the "cessation of hostilities", and drawing up petitions to the people of the United States for peace. He established relations with Emperor Napoleon III of France and Archduke Maximilian of Austria, who, on April 10, 1864, was proclaimed Emperor of Mexico, and devoted much time and attention to the development of mine warfare.

Sailing on May 2, 1865, to return home ready to assist in the war, Maury learned on reaching the West Indies of the collapse of the Confederacy and, on the advice of General Lee and other friends, decided not to return to Virginia. Instead, he sent a letter of surrender to the Commander of the United States Forces in the Gulf of Mexico and went into voluntary exile to Mexico where he entered the service of Maximilian as Imperial Commissioner of Colonization.

Maury's plan was to encourage Virginians to migrate to Mexico and to establish a new Virginia. On learning of the proposal, General Lee wrote Maury: "The thought of abandoning the country, and all that must be left in it, is abhorrent to my feelings, and I prefer to struggle for its restoration, and share its fate, rather than to give up all as lost." The plan did not win popular support and failed.

Maury returned in March 1866 to England where his family was waiting to greet him. So changed in appearance had he become from the anxieties and hardships that he had experienced during the long separation that his children did not know him.

Maximilian, forced by a mounting opposition to his rule, soon abolished the immigration scheme but offered to make Maury the director of the National Observatory, which was declined.

Maury never returned to Mexico but had been able to make one lasting contribution to that country. Studying the climate of the area in South America on the eastern slope of the Andes from Colombia to Bolivia where the cinchona tree is native, he found a comparable climate in the State of Vera Cruz. Obtaining seeds through British friends, he introduced the cultivation of this medicinal tree, from the bark of which quinine is obtained.

Engaged while in England by a New York publisher to write geographies for public schools, Maury started upon a series that proved a tremendous success. Finally, offered an appointment at the Virginia Military Institute as professor of physics, he took advantage of a general amnesty and returned to New York in July 1868 to resume his life in his homeland, adjacent to Washington College in Lexington, Virginia, where General Lee was the Rector. While there Maury undertook the preparation of the "Physical Survey of Virginia" and lectured extensively, resuming his campaign for a universal system of telegraphic meteorological observations. In addition, he urged the creation of a State agricultural college as an adjunct to the Virginia Military Institute. This led to the establishment in 1872 at Blacksburg of the Virginia Agricultural and Mechanical College. Approached to see if he would accept appointment as its first president, Maury, because of his advancing years, declined.

After a strenuous lecture tour, Maury became ill, returned to his home at the Institute and died on February 1, 1873. Honored as one of Virginia's most illustrious sons, he was finally interred at Hollywood Cemetery in Richmond close to the graves of Presidents Monroe and Tyler.

SUMMATION OF ACHIEVEMENTS

Many have theorized as to the explanation for the greatness of Maury's career in achievement but no explanation is so satisfying as that written on August 31, 1840, by the young Maury soon after the serious injury that changed the current of his life and caused him to focus on science: "When I became old enough to reflect, it was the aim at which all my energies were directed to make myself a useful man. I soon found that occupation, for some useful end or another, was the true secret of happiness."

The strength of his youthful self-dedication is best shown by his sustained activities and achievements.

He was the author of the first book on nautical science by an American naval officer, the first Superintendent of the U.S. Naval Observatory, the first Hydrographer of the U.S. Navy, and precursor of the U.S. Weather Bureau.

He was the founder of the science of oceanography, father of world meteorology, pathfinder of the sea, and the locator of the first trans-Atlantic cable.

He was an effective advocate of naval reform and reorganization, champion for establishment of the U.S. Naval Academy, supporter of the construction of the Panama Railroad, prophet of the Panama Canal, planner for Amazonian, Mississippian and Antarctic explorations, and leader for international cooperation in Antarctic research.

He was the inventor of the first electrically controlled submarine mine successfully used in warfare and introducer of cinchona-quinine cultivation into Mexico.

He was the author of public school geographies and father of the Virginia Polytechnic Institute.

No wonder Maury has been acclaimed as having left his mark on every organization with which he worked and on every country in which he lived.

IN PERSPECTIVE

Were it possible for Maury to return to earth today, he would find that he had built far better than he realized, for the seeds he planted took root, sprouted and developed into vital organizations and scientific activities.

At the Naval Observatory, he would see today one of the greatest astronomical organizations in the world, providing the essentials for safe navigation on the sea, in the air, and in space, in the form of accurate time and astronomical data. In its library he would find one of the finest collections of scientific literature. His bust in thoughtful expression looks over researchers as if to encourage them in the quest for knowledge.

At the Hydrographic Office, now renamed as the Naval Oceanographic Office, he would find it engaged in extensive research and world wide surveying of the oceans, on and beneath the surface of the sea, publishing improved versions of his "Sailing Directions", still receiving reports that he initiated, from thousands of cooperating merchant vessels, and distributing modern editions of pilot charts, inscribed as being "founded upon the researches made in the early part of the nineteenth century by Matthew Fontaine Maury, while serving as a lieutenant in the United States Navy."

At the Weather Bureau, he would see the full realization of his plan for a "telegraphic meteorological bureau" in the form of highly effective weather services for the entire nation, on land and sea, and in the air, utilizing the reports of thousands of volunteer observers as was urged by him as well as of regular stations and meteorological satellites, and engaging in vast research programs for bettering these services.

At Geneva, Switzerland, he would find the World Meteorological Organization with its 120 member nations, which traces its origin to the 1853 Brussels Conference led by himself, engaged in standardizing weather observation methods for all nations and encouraging reports from areas insufficiently covered by observers; and at Monaco, he would see the International Hydrographic Bureau where 41 maritime nations pool their hydrographic and oceangraphic knowledge for the benefit of the world.

At the Naval Academy, he would find a vigorous institution for instructing young naval officers, capable of adjusting its curricula to the demanding needs of modern science.

At the Navy Department, he would see it organized into commands and bureaus along functional lines headed by officer specialists, with a chief of Naval Operations as the Secretary's principal naval adviser and executive, as originally advocated by Maury.

As to the oceans, he would see vessels in the North Atlantic using "double-track" traffic lanes along the lines designed by him. Beneath its surface he would discover communication cables traversing all the seas, and his pioneer ocean-bottom investigations expanded into major activities for securing food and minerals. Even more satisfying, he would see republished in 1963 the eighth edition of his 1861 "great work", *The Physical Geography of the Sea, and Its Meteorology.*

In Mexico, he would find the cinchona-quinine tree still in cultivation; in Brazil, he would find free and open navigation of the Amazon to ports in Colombia and Peru; in Virginia, he would see a flourishing agricultural college at Blacksburg, known as the Virginia Polytechnic Institute; and in the United States and other countries, he would find electrically controlled mine fields protecting harbors during war.

In science, he would find that, during the International Geophysical Year 1957–1958, some 70 nations had pooled their resources in a vast cooperative effort to study the earth and the sun and that twelve of these participated in Antarctic research, unbarring, as Maury had predicted, the "gates of south" and becoming "fellow citizens in the great republic of knowledge". He would also find that the 10th Pacific Science Congress at Hawaii, August 21–September 6, 1961, had signally honored him by dedicating this Congress to his memory and by designating the published volume of its scientific papers as the Matthew Fontaine Maury Memorial Symposium.

Not withstanding the magnitude of Maury's achievements and the wealth of individual honors that his works received during his life and thereafter, including election in 1930 to the Hall of Fame for Great Americans, the full significance of Maury's contributions has remained clouded, caused primarily by the passions of 1861–65 and the failure to collect in convenient form his extensive writings, which still remain diffused among the libraries of our own and foreign countries.

Now, the significance of Maury's benevolent achievements and what grew out of them can be evaluated objectively. They transcend the boundaries of Virginia and Tennessee, the United States, Mexico and other countries, the naval profession, and even the oceans. Indeed, his mighty achievements and scientific impulses may be likened to the great ocean currents themselves, carrying beneficience to all lands and peoples. Thus, his influence has become universal, and places him in the galaxy of the Nation's immortals as a Benefactor of Mankind.

IMPACT OF GRAPE BOYCOTT

Mr. WILLIAMS of New Jersey. Mr. President, S. 8, a bill I introduced last year, obviously does not now have a chance for passage during this 90th Congress. The bill would have included the agriculture industry under the protective and beneficial provisions of the National Labor Relations Act, thereby correcting that industry's discriminatory exclusion over 30 years ago.

The interest that I and many other Senators had in passing S. 8 was not limited solely to the issues of the dignity of the impoverished farmworker, and assuring his right to organize and bargain collectively with his employer to raise himself from the bottom rung of the economic ladder. Our interest extended to the entire agriculture industry, in the hope that legislative action would stave off smoldering economic warfare that has now broken into full blaze.

The agriculture economy, and particularly the California grape industry, is now feeling the impact of a consumer boycott of grapes instigated by the United Farm Workers Organizing Committee, and supported by many politicians, church and civic leaders, organized labor, and individuals.

Statistical evidence of the boycott's impact is now available from the Department of Agriculture, and I wish to share it with the public. I ask unanimous consent to have printed at this point in the Record, tables I and II.

There being no objection, the tables were ordered to be printed in the Record, as follows:

TABLE I.—RAIL AND TRUCK UNLOADS OF CALIFORNIA TABLE GRAPES IN NEW YORK CITY, BY WEEKS, 1966 AND 1968 SEASONS

[In cars and carlot equivalents]

Week ending—	1966	1968
May 31	3	9
June 7	16	15
June 14	37	13
June 21	32	4
June 28	37	6
July 5	49	3
July 12	73	4
July 19	78	9
July 26	96	26
Aug. 2	90	31
Aug. 9	126	34
Aug. 16	112	63
Aug. 23	88	44
Aug. 30	110	76
Sept. 6	115	70
Sept. 13	105	90
Sept. 20	137	124
Sept. 27	92	86
Oct. 4	103	78
Oct. 11	80	
Oct. 18	120	
Oct. 25	125	

Table II.—*Rail and truck unloads of California table grapes in 41 U.S. cities, June 1–Sept. 30, 1965, through 1968*

	Cars and carlot equivalents
1965	10, 251
1966	9, 286
1967	6, 758
1968	7, 583

Mr. WILLIAMS of New Jersey. Mr. President, the data in table I shows that rail and truck unloads of California table grapes in New York City have declined substantially in 1968, as compared with 1966, which was a comparable year in terms of size of the crop. Table II shows that rail and truck unloads of California table grapes in 41 U.S. cities are down almost 1,500 cars and carlot equivalents, which is a clear indication of the impact of the boycott. Where markets were not available in these 41 U.S. cities, the California grape industry has been forced to find other and new markets, sometimes at added expense, and sometimes with added wastage to the very perishable product involved.

We have full economic warfare through the consumer boycott of California table grapes, and its impact is being felt throughout our entire agricultural economy, including the producer, distributor, wholesaler and retailer.

The way to put an end to this economic jungle warfare, Mr. President, is for Congress to pass, as soon as possible, legislation to include agricultural employees under the National Labor Relations Act. You can be assured that I will introduce and push for the passage of such legislation in the next Congress.

CONSTITUTIONAL RIGHTS OF A FREE PRESS AND TO FAIR TRIAL—SENATE HEARINGS

Mr. ERVIN. Mr. President, in recent years we have seen increasing evidence of the conflicting demands of two basic constitutional rights—the people's right to knowledge of the proceedings of their government and the right of the individual to the essentials of a fair trial when he is accused of crime.

The Constitutional Rights Subcommittee has studied this problem for a number of years and in 1965, conducted joint hearings with the Subcommittee on Judicial Machinery to consider proposed legislation on the subject.

Since that time the dialog between the press and the bar has become more substantial and fruitful; the Federal Government as well as State and local governments have demonstrated their concern by issuing guidelines.

It was in recognition of these crucial issues that the Judicial Conference of the United States 2 years ago undertook an analysis of the problem of how to shield Federal juries from prejudicial publicity. Their definitive report and thoughtful recommendations will interest all those who have struggled with this problem.

The committee has recommended action in three major areas:

Action by local U.S. district court rule to restrict release of prejudicial information by attorneys who are members of the bar of that court;

Action by local district court rule to prohibit prejudicial disclosures by courthouse personnel, such as bailiffs, clerks, marshals, and court reporters;

Action by local district court rule to provide for special orders governing proceedings in any case in which prejudicial influences might otherwise penetrate into the trial; and

Action by local rule to implement the Federal Rules of Criminal Procedure to prohibit not only photography but also radio and television broadcasting, in both the courtroom and its environs.

Fortunately, the committee has recognized the overwhelming contributions which a free press makes to a society of free men. It found that any direct curb or restraint of press publication of potentially prejudicial material would not only be unwise policy but would pose serious constitutional problems.

The committee decided not to recommend at this time court restrictions on release of information by Government agencies.

It points to encouraging signs that Government agencies as well as the press and bar groups are willing to develop stronger codes for self-regulation.

The Constitutional Rights Subcommittee is inviting representatives of the Judicial Conference, the American Bar Association, and a number of press associations to present to us their reports and recommendations for administrative or legislative action in this important area of the law. We expect to schedule these hearings early in the next session.

So that Senators may have the benefit of the excellent report of the Judicial Conference, I ask unanimous consent to have printed in the RECORD the report of the Committee on the Operation of the Jury System, a New York Times editorial of September 25, 1968, and a news article of September 20, 1968.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

REPORT OF THE COMMITTEE ON THE OPERATION OF THE JURY SYSTEM, SEPTEMBER 20, 1968

(NOTE.—The following is an extract of the Report of the Committee on the Operation of the Jury System to the Judicial Conference of the United States at its session on September 19 and 20, 1968, the release of which was authorized by the Conference together with the attached Report on "Free Press—Fair Trial" as approved by the Conference:)

ITEM 1. REPORT OF THE COMMITTEE ON THE OPERATION OF THE JURY SYSTEM ON THE "FREE PRESS—FAIR TRIAL" ISSUE

A. As previously reported, the Committee was first authorized by the Conference at its session in September 1966 to undertake a study of proper guidelines to shield federal juries from prejudicial publicity in the light of the Supreme Court's decision in *Sheppard* v. *Maxwell*, 384 U.S. 333. The efforts of the Committee to canvass the diverse viewpoints of the news media, the bench and the bar, and to find effective solutions within an area of reasonable accommodation, are more fully described in the Committee's report on "Free Press—Fair Trial" submitted to the Conference at its session in February 1968, as well as in earlier reports to the Conference as the study progressed.

At its last session the Conference agreed to accept the Committee report on "Free Press—Fair Trial" for study and to that end directed that it be circulated forthwith to all federal judges with a request that their comments and suggestions on the report be communicated to the Committee through the Administrative Office no later than July 1, 1968. The Conference instructed the Committee to report back to it at its September 1968 session on this subject matter. Accordingly, at the July meeting of your Committee, the Committee Chairman, Irving R. Kaufman, reported to the Committee in detail on the responses received both from individual judges, from courts, and from circuit conferences. Prior to the meeting the Administrative Office had distributed copies of such communications as well as a tabular summary of the viewpoints expressed.

Generally the responses were enthusiastic over the report as written and the overwhelming number expressed views most favorable to all its recommendations. Views were received from 58 individual judges (writing for themselves and not a court), of whom 46 fully approved the report, and 12 approved in part or with some relatively minor qualification or suggestion. Three courts, totaling 24 judges, also approved the report in part or with similar qualifications or suggestions. Some individual comments proposed the extension of the recommendation to encompass additional subjects not covered in the report or more stringent restraints on the press.

In addition to these individual and courts' comments, the First, Fourth, Fifth, and Eighth Circuit Conferences each approved the report, by a total vote of 118 judges in favor[1] to 32 opposed. The Sixth Circuit Conference permitted non-judicial members to vote with the judges of the Circuit. The report was approved by a narrow margin but in light of the intermingling of the votes of the lawyers present at the Conference with those of the judges attending, we cannot determine the number of votes cast only by judges of the Circuit.

Thus, based on responses received from individual judges, courts and conferences (excluding the Sixth Circuit), the report was approved in full by 164 judges, approved in part by 36 judges and disapproved by 32. As to the remaining number of judges not responding, it is fair to assume that their silence indicated no disagreements with the Committee's recommendations.

In whatever light the vote is analyzed, all parts of the Committee's report were approved by a large majority, and as noted under Subsection C of this report (*infra*, pp. 6–7), further amendments have been made by the Committee to meet or clarify some of the points raised in comments. It is also relevant to note favorable editorials on the Committee's report by the New York Times, Time Magazine, and the Los Angeles Times, copies of which have previously been distributed to the judges.

B. Following the last session of the Conference, the Administrative Office immediately sent to every federal judge a copy of the Committee report on "Free Press—Fair Trial" and the Conference's resolution soliciting comments by July 1. Subsequently it distributed two other documents to all federal judges. The first of these was a speech delivered by Circuit Judge George C. Edwards, Jr., at the University of Michigan Law School which took issue with the new version of Canon 20 of the Canons of Legal Ethics of the American Bar Association as contained in the Reardon Report and in Recommendation A of your Committee's report. The second document distributed was a letter by Harvard Law School Professor David L Shapiro to Committee Chairman Judge Kaufman in response to Judge Edwards' speech. Professor Shapiro was the Reporter of the Reardon Committee of the American Bar Association which formulated the revised Canon 20.

In order further to explore Judge Edwards' views in opposition to revised Canon 20, Judge Edwards was invited by the Committee Chairman to meet with the Committee at its July 18th meeting in San Francisco. Chief Judge Edward J. Devitt of the District of Minnesota was also invited to this meeting to explain his position in favor of Recommendation A of your Committee's report (the revised Canon 20 of the Reardon Report). Judge Devitt was invited in his capacity as Chairman of the Legal Advisory Committee on Fair Trial—Free Press of the American Bar Association. Both guests appeared and fully expressed their views. The major portion of the Committee's meeting was devoted to hearing these views and discussion by and deliberation of the Committee's members.

C. In its deliberations on the objection to Recommendation A of its report, the consensus of the Committee was that some of the problems cited by critics of revised Canon 20 could readily be overcome by clarifying language in the commentary following Recommendation A. As evidenced by the arguments advanced, the Committee was of the view that three important features of the revised version of Canon 20 were overlooked.

First, the touchstone to the interpretation of the more specific provisions of the Canon which follow is contained in the first paragraph of the Canon. There it is stated that a dissemination is prohibited only ". . . if there is a reasonable likelihood that such dissemination will interfere with a fair trial or otherwise prejudice the due administration of justice."

Thus many statements made which are deemed essential to protect a defendant's reputation or to correct published error (as cited by critics of the Canon) but which do not create a "reasonable likelihood" of prejudice to a fair trial, would not be violative of the Canon.

Second, the Canon does not apply to the defendant himself but only to his attorney as an officer of the court.

Third, if there is an extraordinary situation where a local rule incorporating the Canon might be deemed to inhibit any vital disclosure of information, the rule, like any other rule of court, could be waived upon an appropriate showing to the court.

Since the Committee was of the opinion that this was the clear intent of the Reardon Report and Recommendation A of its own report, the Committee decided to amend its report to include the following language [2] in its commentary on Recommendation A and that such insertion would amply suffice to clarify any misapprehensions:

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[1] It should be noted, however, that the 17 affirmative votes of the Fourth Circuit were cast on the assumption "that it was the intention of the draftsman to permit a lawyer for a defendant to advise his client whether to make a statement for publication and, if so, what to say. . . ." The consensus of the Committee was that as thus broadly stated, the assumption was incorrect (see *infra* p. 6).

"Several limitations on the broad sweep of this Canon should be noted. The first paragraph of the proposed Canon 'is not designed to serve as the basis for the application of sanctions but rather to state the broad principle underlying the specific recommendations which follow'. Reardon Report, Tentative Draft, p. 85. And these restrictions do not apply to the defendant himself, who lacks the lawyer's fiduciary relationship to the court. See Reardon Report, Proposed Final Draft, p. 20. Lastly, like all rules of court, it could be waived upon an appropriate showing. See Reardon Report, Tentative Draft, p. 102."

As thus amended the Committee again voted that its report be approved.

The Committee accordingly recommends that in light of the foregoing and the overwhelming approval given the report by the federal judges, that the Conference now approve its report on the "Free Press—Fair Trial" Issue in the form of the copy attached (with the additional clarification noted above, appearing on p. 28 of its report).

It is further recommended that the Conference authorize immediate release of this section of the report and the attached "Free Press—Fair Trial" Report.

IRVING R. KAUFMAN,
Chairman, Committee on the Operation of the Jury System.

Committee on the Operation of the Jury System: Irving R. Kaufman, Chairman (2d Cir.), Robert A. Ainsworth, Jr. (5th Cir.), J. Braxton Craven, Jr. (4th Cir.), William H. Becker (W.D. Mo.), Howard C, Bratton (Dist. of N.M.), Bernard M. Decker (N.D. Ill.), Edward T. Gignoux (Dist. of Maine), A. Leon Higginbotham, Jr. (E.D. Pa.), Alexander Holtzoff (Dist. of D.C.), William J. Jameson (Dist. of Mont.), Sylvester J. Ryan (S.D. N.Y.), Frank W. Wilson (E.D. Tenn.).

[Jury System, September 1968]

REPORT OF THE COMMITTEE ON THE OPERATION OF THE JURY SYSTEM ON THE "FREE PRESS—FAIR TRIAL" ISSUE

To the Chief Justice of the United States, Chairman, and the Members of the Judicial Conference of the United States:

The Committee on the Operation of the Jury System at its meetings on January 26, 1968 and July 18, 1968 has twice given its approval to the following report and to the guidelines and recommendations contained therein. It respectfully recommends adoption of the Report by the Judicial Conference of the United States at this time.

INTRODUCTION

This report is based on approximately two years of deliberation and research by the full Committee and by a subcommittee of the full Committee, the Subcommittee to Implement *Sheppard* v. *Maxwell*, whose report was circulated prior to the January 26th meeting for review and critical analysis by the members of the full Committee. The genesis of this study relates back to the first meeting of the reactivated Committee on the Operation of the Jury System on September 12, 1966. Then, at the suggestion of the Committee chairman, Judge Irving R. Kaufman, the Committee considered as a possible subject of further study the necessity of promulgating guidelines or taking other corrective action to shield federal juries from prejudicial publicity in light of the Supreme Court's recent decision in *Sheppard* v. *Maxwell*, 384 U.S. 333 (1966). After discussion, the Committee authorized the chairman to request authority from the Judicial Conference to proceed with such a study. The Conference, at its September 1966 meeting, approved this request, and the Committee chairman subsequently appointed the following Subcommittee to consider the problem:

Honorable Robert A. Ainsworth, Jr., U.S. Circuit Judge (5th Cir.).

Honorable William H. Becker, U.S. District Judge (W.D. Mo.).

Honorable J. Braxton Craven, Jr., U.S. Circuit Judge (4th Cir.)*.

Honorable Bernard M. Decker, U.S. District Judge (N.D. Ill.).

Honorable Edward T. Gignoux, U.S. District Judge (D. Me.), Chairman.

Honorable Alexander Holtzoff, U.S. District Judge (D. D.C.).

Honorable William J. Jameson, U.S. District Judge (D. Mont.).

During the period that the Subcommittee has been studying the subject, the full Committee has been kept fully informed on the progress of the study by Judge Kaufman as Committee chairman and by Judge Gignoux as chairman of the Subcommittee to Implement *Sheppard* v. *Maxwell*. As reported to the session of the Conference, at the meeting of the full Committee in San Francisco on July 28, 1967, "free press-fair trial" was the principal topic of discussion, as it was at the subsequent meetings on January 26, 1968 and July 18, 1968. The time and effort that went into this study, and the efforts both of the Subcommittee and the full Committee to canvass all views on the subject matter are more fully described herein.

The Committee's Report on measures which might be taken by the federal courts to meet the problem of prejudicial publicity in connection with criminal cases,[1] is as follows:

I. THE NATURE AND BACKGROUND OF THE PROBLEM

The crux of the problem at hand lies in applying simultaneously to the administration of criminal justice in the federal courts two constitutional limitations—the right of the news media to publish on the one hand, and the right of the individual accused of crime to a fair trial by an impartial jury on the other. The First Amendment provides in part:

"Congress shall make no law . . . abridging the freedom of speech, or of the press. . . ."

The Sixth Amendment provides in part:

"In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed. . . ."

As the Court of Appeals for the Tenth Circuit stated in a recent case:

"The problem presented is incapable of a satisfactory solution. Media of publicity have the right to report what happens in open court. An accused has a right to a trial by an impartial jury on evidence which is legally admissible. The public has the right to demand and expect 'fair trials designed to end in just judgments.' These rights must be accommodated in the best possible manner." (*Mares* v. *United States*, 383 F.2d 805, 808 (10th Cir. 1967).)

In arriving at what it believes a satisfactory accommodation, the Committee has firmly kept in mind the substantial contributions which the news media has made, and will continue to make, to virtually every phase of the administration of criminal justice, from the exposure of corruption and miscarriages of justice to the uncovering of evidence germane to establishing guilt or innocence. As the Supreme Court pointed out in *Sheppard*, "a responsible press has always been regarded as the handmaiden of effective judicial administration, especially in the criminal field. Its function in this regard is documented by an impressive record of service over several centuries. The press does not simply publish information about trials but guards against the miscarriage of justice by subjecting the police, prosecutors, and judicial processes to extensive public scrutiny and criticism." (*Id.* at 350.)

Yet, while recognizing the interest of the public in being informed about the administration of justice and the duty of the news media to report thereon, the Committee cannot ignore the fact that it has become increasingly apparent that in a widely publicized or sensational case, the right of the accused to trial by an impartial jury can be seriously threatened by the conduct of news media prior to and during trial. As Justice Frankfurter remarked in *Irvin* v. *Dowd*, 366 U.S. 717, 729 (1961) (Concurring Opinion):

"Not a Term passes without this Court being importuned to review convictions, had in States throughout the country, in which substantial claims are made that a jury trial has been distorted because of inflammatory newspaper accounts—too often, as in this case, with the prosecutor's collaboration—exerting pressures upon potential jurors before trial and even during the course of trial, thereby making it extremely difficult, if not impossible, to secure a jury capable of taking in, free of prepossessions, evidence submitted in open court. Indeed such extraneous influences, in violation of the decencies guaranteed by our Constitution, are sometimes so powerful that an accused is forced, as a practical matter, to forego trial by jury." (*Id.* at 730.)

The problem is by no means new.[2] American legal history is studded with notorious examples of the impact of widespread and uncontrolled inflammatory publicity upon the administration of criminal justice. The trial of Professor Webster in 1850, the Lizzie Borden case in 1893, the Hall-Mills case, the trial of Sacco and Vanzetti, and the Hauptmann case are only a few instances.[3] The events surrounding the assassination of President Kennedy in November 1963 graphically illustrate the effect of pervasive news coverage and publicity on the right of a defendant to a trial by an impartial jury. Because of this publicity, the President's Commission felt, "it would have been a most difficult task to select an unprejudiced jury, either in Dallas or elsewhere." [4]

In a series of recent decisions the Supreme Court has made it clear that convictions obtained under conditions permeated with prejudicial publicity cannot stand. *Marshall* v. *United States*, 360 U.S. 310 (1959) (new trial ordered where jurors had seen newspaper accounts containing matter prejudicial to defendant which was not admissible at trial); *Irvin* v. *Dowd*, supra (failure of state court judge to grant motion for second change of venue and to adequately insure that jury was impartial in face of widespread inflammatory and prejudicial publicity held denial of fair trial and due process); *Rideau* v. *Louisiana*, 373 U.S. 723 (1963) (denial of change of venue by state court judge where an interview in which defendant confessed to crime had been televised repeatedly in the area from which jurors were drawn held denial of fair trial and due process); *Estes* v. *Texas*, 381 U.S. 532 (1965) (televising of criminal proceeding held to be inherently prejudicial and a denial of due process without any showing of specific prejudice to defendant). See also *Mares* v. *United States*, *supra*, (new trial ordered because of failure of trial court to ascertain whether any jurors had been exposed to prejudicial newspaper publicity).

It was in *Sheppard* v. *Maxwell*, 384 U.S. 333 (1966), that the Supreme Court laid down a mandate to the courts to deal with the problems caused by the impact of publicity on the jury system. In that case, Dr. Sheppard was accused of the murder of his wife, Marilyn. During the course of the investigation and trial the Cleveland news media, particularly the *Cleveland Press,* saturated the area where the trial was to be held with highly inflammatory news stories and editorials about the defendant and the trial. Sheppard was convicted of second-degree murder after a sensational trial lasting several weeks, which was the subject of fever-pitch press coverage. The Ohio Supreme Court affirmed the conviction, 165 Ohio St. 293, 135 N.E. 2d 340 (1956), and the United States Supreme Court denied certiorari, 352 U.S. 910 (1956). Eight years later, on a writ of habeas corpus the United States District Court found that Sheppard had been denied due process because of this prejudicial publicity and the total failure of the trial judge to adequately insulate the jury from its effects. 231 F. Supp. 37 (S.D. Ohio 1964). The Court of Appeals reversed by a divided vote. 346 F. 2d 707 (6th Cir. 1965). On certiorari the Supreme Court reversed the Court of Appeals and affirmed the grant of the writ by the District Court. The Court found that without doubt the "deluge of publicity reached at least some of the jury," 384 U.S. at 357; and that "bedlam reigned at the courthouse during the trial and newsmen took over practically the entire courtroom." 384 U.S. at 355. It ruled that "the state trial judge did not fulfill his duty to protect Sheppard from the inherently prejudicial publicity which saturated the community and to control disruptive influences in the courtroom. . . ." 384 U.S. at 363. The Court stated,

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[2] See attached Report on the "Free Press—Fair Trial" Issue, p. 28.

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"From the cases coming here we note that unfair and prejudicial news comment on pending trials has become increasingly prevalent. Due process requires that the accused receive a trial by an impartial jury free from outside influences. *Given the pervasiveness of modern communications and the difficulty of effacing prejudicial publicity from the minds of the jurors, the trial courts must take strong measures to ensure that the balance is never weighed against the accused.* And appellate tribunals have the duty to make an independent evaluation of the circumstances. . . ."

". . . But we must remember that reversals are but palliatives; the cure lies in those remedial measures that will prevent the prejudice at its inception. *The courts must take such steps by rule and regulation that will protect their processes from prejudicial outside interferences.* Neither prosecutors, counsel for defense, the accused, witness, court staff nor enforcement officers coming under the jurisdiction of the court should be permitted to frustrate its function. (383 U.S. at 362–363 (Emphasis supplied).)

The adjuration of *Sheppard* v. *Maxwell* has given impetus to one of the most searching debates in recent legal history as to methods of solving the problems of fair trial and free press. In December 1966, the American Bar Association's Advisory Committee on Fair Trial and Free Press under the chairmanship of Justice Paul C. Reardon of the Massachusetts Supreme Judicial Court released a tentative draft of its report. This report, the product of more than 20 months of study and labor by the Committee and its Reporter, Professor David L. Shapiro of the Harvard Law School, contains specific recommendations on how the impact of publicity on the administration of criminal justice can be controlled. It has been the subject of widespread discussion and debate by the bar and the news media.[5] In January 1967, the American Newspaper Publishers Association released its report and recommendations.[6] Shortly thereafter, a committee of the Association of the Bar of the City of New York chaired by Senior Judge Harold R. Medina of the U.S. Court of Appeals for the Second Circuit issued its final report.[7] In addition, a large number of articles, pamphlets and books written from many viewpoints have appeared both before and after *Sheppard* v. *Maxwell* and have added different and useful perspectives to the debate.[8]

Commencing even prior to *Sheppard* v. *Maxwell,* and continuing at an accelerated pace since that decision, various federal, state and local law enforcement agencies, state and local press-bar groups and even courts have proposed and adopted measures designed to cope with the problem of prejudicial publicity. In September 1964 the Judicial Conference of the United States approved a proposed bill which would have made it a contempt of court for parties and their counsel or their agents, "to furnish or make available for publication information not already properly filed with the court which might affect the outcome of any pending criminal litigation, except evidence that has already been admitted at the trial."[9] On April 17, 1965, the Attorney General promulgated the so-called "Katzenbach Rules" governing the release of information by personnel of the Department of Justice relating to criminal proceedings,[10] and a number of state and local law enforcement agencies have adopted similar regulations.[11] In Massachusetts, a comprehensive "Guide for the Bar and News Media" was proposed in 1963 by a committee of representatives of the bar and the press. This has been adopted by many Massachusetts newspapers and the Massachusetts Broadcasters Association.[12] In Washington, Oregon, and Louisiana similar guidelines regulating criminal reporting have been adopted by groups representing the bar and the news media.[13] In some areas, news media have voluntarily adopted policies of restraint with respect to potentially prejudicial criminal reporting.[14]

The Supreme Court of New Jersey has given notice that it will interpret the present Canon 20 of the American Bar Association Canons of Professional Ethics as banning "statements by attorneys which have the capacity to interfere with a fair trial," including the release to the press of information which might prejudice the right of the accused to trial by an impartial jury. *State* v. *Van Duyne,* 43 N.J. 369, 389, 204 A.2d 841, 852 (1964) (cited with approval in *Sheppard* v. *Maxwell, supra* at 361). However, despite this intense activity on the part of many groups and agencies, as of the present time there is still no universal or widespread effective system of regulation which adequately insures an accused a fair trial free from the spectre of prejudicial news media publicity.

In arriving at its recommendations, the full Committee and the Subcommittee have considered much of the material which is currently available on this problem, including notably the reports of the Reardon and Medina Committees. In addition, the Subcommittee met on May 17, 1967, with Assistant Attorney General Fred M. Vinson, Jr., Criminal Division, Department of Justice, and Mr. Clifton Daniel, Managing Editor, New York *Times.* Mr. Vinson discussed the Katzenbach Rules, and Mr. Daniel gave his recommendations as a member of the press corps on ways to safeguard the right to fair trial by an impartial jury without restricting the freedom of the press.[15] Later at the meeting of the full Committee in San Francisco on July 28, 1967, the Committee heard from spokesmen for the television, raido, and newspaper media. These included W. Theodore Pierson, Esq., General Counsel of the Radio and Television News Directors Association, Douglas Anello, Esq., General Counsel of the National Association of Broadcasters, and Messrs. Nicholas Williams, Edward Guthman, and William Thomas, all editors of the Los Angeles *Times.* At its February 1968 session, the Judicial Conference of the United States agreed to accept this report for study, and to that end directed that it be circulated to all federal judges with a request that their comments and suggestions be communicated to the Committee no later than July 1, 1968. The individual and collective opinions of federal judges reported to the July 18th meeting of the Committee overwhelmingly reflected general satisfaction with all recommendations of the report. At this meeting the Committee's two guests, Judge George C. Edwards, Jr., and Chief Judge Edward J. Devitt (Chairman of the ABA Legal Advisory Committee on Fair Trial-Free Press) met with the Committee to explain their contrasting opinions on Recommendation A, *infra,* which incorporates the ABA revision of former Canon 20 of the Canons of Legal Ethics. As a result of this dialogue, the Committee added further explanatory language to the commentary following Recommendaton A, and again voted approval of the report.

The Committee has had the benefit of the viewpoints of all these persons in its consideration of the problem at hand, and it appreciates their assistance.[16]

II. GENERAL CONSIDERATIONS AND SUMMARY OF RECOMMENDATIONS

In considering this problem, and making its recommendations, the Committee has been guided by certain general principles. The Supreme Court has indicated in *Sheppard* v. *Maxwell* that the courts have both the power and the responsibility to insure that a fair trial by an impartial jury is afforded every criminal defendant. However, the power of the courts to control the news media and other sources of possible prejudice to a defendant is, under the Constitution, not without limits. See, *e.g., Wood* v. *Georgia,* 370 U.S. 375 (1962). The Committee has attempted, within the framework of present constitutional doctrine, to find practical remedies to the problems raised by news media publicity in connection with criminal trials. In doing so, it has endeavored to reasonably accommodate the divergent interests concerned. Its proposals are necessarily limited in scope.

However, the Committee does believe that active implementation of its recommendations will substantially ameliorate the present serious situation. It is hopeful that affirmative action by the courts will stimulate the news media and other groups to act in the areas of their primary responsibilities to give greater substance to the constitutional guarantee of a fair trial in the land of a free press.

The Committee recommends action in three major areas. First, it feels that each United States District Court has the power and the duty to control the release of prejudicial information by attorneys who are members of the bar of that court, and it recommends action by local rule to restrict the release of such information on penalty of disciplinary action. Second, the Committee believes that the court has a similar power and duty to prohibit prejudicial disclosures by courthouse personnel, such as bailiffs, clerks, marshals, and court reporters. It recommends that each District Court act by local rule to forbid such disclosures. Finally, it is clear that the court has the power and the duty to regulate the conduct of a trial so as to insulate the proceedings from prejudicial influences. The Committee recommends that each District Court provide by local rule for special orders governing the proceedings in any case in which prejudicial influences might otherwise penetrate into the trial. It also recommends that the District Courts make more liberal use of traditional techniques for ensuring a fair trial.

In addition, the Committee is of the view that developments in the communications industry and constitutional doctrine (See, *e.g., Estes* v. *Texas, supra*) suggest implementation by local rule of Fed. R. Crim. p. 53 to prohibit not only photography but also radio and television broadcasting, in both the courtroom and its environs, in connection with judicial proceedings, including pro-

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ceedings before a United States Commissioner. It accordingly recommends that each District Court adopt such a local rule.

The Committee does not presently recommend any direct curb or restraint on publication by the press of potentially prejudicial material. Such a curb, it feels, is both unwise as a matter of policy and poses serious constitutional problems.[17] The Supreme Court has not definitively decided whether the courts by the use of the power to punish for contempt, or by other direct measures, may control news media to the extent of requiring them to refrain from publishing prejudicial information not brought out in court, or from making prejudicial comments, whether in editorial or news reports. See Barist, The First Amendment and Regulation of Prejudicial Publicity—An Analysis, 36 Fordham L. Rev. 425 (1968). In several cases the Supreme Court has decided that, under the particular facts presented, the power to punish for contempt should not have been exercised. *Bridges* v. *California*, 314 U.S. 252 (1941); *Pennekamp* v. *Florida*, 328 U.S. 331 (1946); *Craig* v. *Harney*, 331 U.S. 367 (1947); *Wood* v. *Georgia*, *supra*. On the other hand, Mr. Justice Frankfurter and Mr. Justice Jackson, among others, have expressed the opinion that such a power exists and should be exercised when necessary. *Maryland* v. *Baltimore Radio Show*, 338 U.S. 912 (1950) (Opinion of Mr. Justice Frankfurter respecting the denial of petition of writ of certiorari); *Craig* v. *Harney*, *supra* at 384 (Dissenting Opinion of Mr. Justice Frankfurter), at 394 (Dissenting Opinion of Mr. Justice Jackson); *Pennekamp* v. *Florida*, *supra* at 350 (Concurring Opinion of Mr. Justice Frankfurter).[18] In this connection it should be pointed out that the problem of prejudicial editorial comment still remains and will not be directly affected by the proposed restraints on the release of information by attorneys and courthouse personnel. It is hoped that this problem will be solved by self-restraint on the part of the news media, so that the courts will not have to consider the imposition of direct controls.

Moreover, the Committee has decided not to make any recommendation at this time with respect to the exclusion of the press from preliminary hearings and other hearings held outside the presence of the jury. It was the consensus of the Committee that since the procedures and experiences in the state courts differ from those in the federal courts, it was more appropriate for us to accumulate a body of experience flowing from the guidelines recommended herewith before suggesting the enactment of a rule embracing preliminary hearings. In the interim any exceptional circumstances, the Committee believes, can be the subject matter of consideration under Recommendation C–1.

The Committee recognizes that without regard to whether or not the right of the accused to a fair trial by an impartial jury may be endangered by a public proceeding it is the established practice in many districts for bench conferences and conferences in chambers to be conducted out of the hearing of all persons except the participants. The subjects of such conferences are numerous—varying from the admissibility of evidence to the possibility of entering a plea.

The Committee also does not at this time recommend any judicially-imposed restrictions on the release of information by federal law enforcement agencies. The Committee is encouraged by the steps which have been taken by these agencies to set their own houses in order.[18a] It is confident that with their increased awareness of the seriousness of the problems posed by prejudicial publicity, these agencies will continue to adopt measures of self-regulation without the necessity of direct intervention by the courts.[19]

III. SPECIFIC RECOMMENDATIONS

A. Recommendations relating to the release of information by attorneys in criminal cases

It is recommended that each United States District Court adopt a rule of court regulating public discussion by attorneys of pending or imminent criminal litigation, and that this rule contain substantially the following:

"It is the duty of the lawyer not to release or authorize the release of information or opinion for dissemination by any means of public communication, in connection with pending or imminent criminal litigation with which he is associated, if there is a reasonable likelihood that such dissemination will interfere with a fair trial or otherwise prejudice the due administration of justice.

"With respect to a grand jury or other pending investigation of any criminal matter, a lawyer participating in the investigation shall refrain from making any extrajudicial statement, for dissemination by any means of public communication, that goes beyond the public record or that is not necessary to inform the public that the investigation is underway, to describe the general scope of the investigation, to obtain assistance in the apprehension of a suspect, to warn the public of any dangers, or otherwise to aid in the investigation.

"From the time of arrest, issuance of an arrest warrant or the filing of a complaint, information, or indictment in any criminal matter until the commencement of trial or disposition without trial, a lawyer associated with the prosecution or defense shall not release or authorize the release of any extrajudicial statement, for dissemination by any means of public communication, relating to that matter and concerning:

"(1) The prior criminal record (including arrests, indictments, or other charges of crime), or the character or reputation of the accused, except that the lawyer may make a factual statement of the accused's name, age, residence, occupation, and family status, and if the accused has not been apprehended, a lawyer associated with the prosecution may release any information necessary to aid in his apprehension or to warn the public of any dangers he may present;

"(2) The existence of contents of any confession, admission, or statement given by the accused, or the refusal or failure of the accused to make any statement;

"(3) The performance of any examinations or tests or the accused's refusal or failure to submit to an examination or test;

"(4) The identity, testimony, or credibility of prospective witnesses, except that the lawyer may announce the identity of the victim if the announcement is not otherwise prohibited by law;

"(5) The possibility of a plea of guilty to the offense charged or a lesser offense;

"(6) Any opinion as to the accused's guilt or innocence or as to the merits of the case or the evidence in the case.

"The foregoing shall not be construed to preclude the lawyer during this period, in the proper discharge of his official or professional obligations, from announcing the fact and circumstances of arrest (including time and place of arrest, resistance, pursuit, and use of weapons), the identity of the investigating and arresting officer or agency, and the length of the investigation; from making an announcement, at the time of seizure of any physical evidence other than a confession, admission or statement, which is limited to a description of the evidence seized; from disclosing the nature, substance, or text of the charge, including a brief description of the offense charged; from quoting or referring without comment to public records of the court in the case; from announcing the scheduling or result of any stage in the judicial process; from requesting assistance in obtaining evidence; or from announcing without further comment that the accused denies the charges made against him.

"During the trial of any criminal matter, including the period of selection of the jury, no lawyer associated with the prosecution or defense shall give or authorize any extrajudicial statement or interview, relating to the trial or the parties or issues in the trial, for dissemination by any means of public communication, except that the lawyer may quote from or refer without comment to public records of the court in the case.

"After the completion of a trial or disposition without trial of any criminal matter, and prior to the imposition of sentence, a lawyer associated with the prosecution or defense shall refrain from making or authorizing any extrajudicial statement for dissemination by any means of public communication if there is a reasonable likelihood that such dissemination will affect the imposition of sentence.

Nothing in this Rule is intended to preclude the formulation or application of more restrictive rules relating to the release of information about juvenile or other offenders to preclude the holding of hearings or the lawful issuance of reports by legislative, administrative, or investigative bodies, or to preclude any lawyer from replying to charges of misconduct that are publicly made against him."

Committee Comment

One of the chief sources of prejudicial publicity in a criminal case is the prosecution or defense attorney who releases to the news media information about the defendant and the trial.[20] Unquestionably the courts have the power to regulate this particular source of information, and there now seems to be general agreement that they have the duty to do so. Indeed, such is the plain mandate of *Sheppard* v. *Maxwell*, where the Supreme Court stated:

"The fact that many of the prejudicial news items can be traced to the prosecution, as well as the defense, aggravates the judge's failure to take any action. See *Stroble* v. *California*, 343 U.S. 181, 201 (1952) (Frankfurter, J., dissenting). Effective control of these sources—concededly within the court's power—might well have prevented the divulgence of inaccurate information, rumors, and accusations that made up much of the inflammatory publicity, at least after Sheppard's indictment." (384 U.S. at 361.)

Although the Canon 20 which had been in effect for over 50 years had long been a part of the local rules of many District Courts, it was vaguely worded and seldom enforced. Recognizing the lack of effectiveness of this canon, both the Reardon and the Medina Committees have proposed major revisions of the canon to specifically delineate the responsibility of attorneys in this area. While the recommendations of the two Committees vary somewhat in language, both contemplate an absolute prohibition of extrajudicial disclosure by attorneys of prior criminal records, confessions, tests, witnesses, opinions as to the guilt or innocence of the accused, the merits of the case or the evidence involved, as well as other described matters potentially prejudicial in nature.

The Committee is recommending the adoption in substance of the proposed Canon as it appears in Section 1.1 of the Proposed Final Draft of the Reardon Report. In the interest of establishing a uniform standard of conduct for attorneys in criminal cases in both the state and the federal courts throughout the country, the Committee feels that there is merit in adopting in substance the formulation proposed to be included in the American Bar Association's Code of Professional Responsibility.

Several limitations on the broad sweep of this Canon should be noted. The first paragraph of the proposed Canon "is not designed to serve as the basis for the application of sanctions but rather to state the broad prin-

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ciple underlying the specific recommendations which follow." Reardon Report, Tentative Draft, p. 85. And these restrictions do not apply to the defendant himself, who lacks the lawyer's fiduciary relationship to the court. See Reardon Report, Proposed Final Draft, p. 20. Lastly, like all rules of court, it could be waived upon an appropriate showing. See Reardon Report, Tentative Draft, p. 102.

Implicit in the Committee's recommendation is the assumption, fully endorsed by the Supreme Court in *Sheppard* v. *Maxwell, supra*, that the District Court has the inherent power by disciplinary proceedings, and in appropriate cases by contempt, to punish attorneys for infractions of its rules and orders.

B. Recommendations relating to the release of information by courthouse personnel in criminal cases

It is recommended that each United States District Court adopt a rule of court prohibiting all courthouse personnel, including among others, marshals, deputy marshals, court clerks, bailiffs and court reporters, from disclosing to any person, without authorization by the court, information relating to a pending criminal case that is not part of the public records of the court. Such a rule should specifically forbid the divulgence of information concerning arguments and hearings held in chambers or otherwise outside the presence of the public.

Committee Comment

Both the Reardon and the Medina Committees recommend a prohibition of unauthorized disclosures of matters not of public record by courthouse personnel, who are "not infrequently an undisclosed source of potentially prejudicial information in pending criminal cases." Reardon Report, Tentative Draft, p. 111.[21] There can be little question of the wisdom of such a rule. *Cf. Parker* v. *Gladden*, 385 U.S. 363 (1966) (bailiff's statement as to guilt of accused which was overheard by jurors required reversal of conviction).

It can hardly be doubted that a District court has sufficient authority to promulgate such a rule and enforce it by contempt.[22] In fact, *Sheppard* v. *Maxwell* contains a clear direction to the courts to take such steps.

"More specifically, the trial court might well have proscribed extrajudicial statements by any lawyer, party, witness, or *court official* which divulged prejudicial matters. . . . (384 U.S. at 361 (emphasis supplied).)

"The courts must take such steps by rule and regulation that will protect their processes from prejudicial outside interferences. Neither prosecutors, counsel for defense, the accused, witnesses, *court staff nor enforcement officers coming under the jurisdiction of the court* should be permitted to frustrate its function." (384 U.S. at 363 (emphasis supplied).)

With respect to the conduct of judges themselves, potentially prejudicial statements are disapproved under the present American Bar Association Canons of Judicial Ethics.[23]

C. Recommendations relating to the conduct of judicial proceedings in criminal cases

1. Provisions for Special Orders in Widely Publicized and Sensational Cases

It is recommended that each United States District Court adopt a rule of court providing in substance as follows:

In a widely publicized or sensational case, the Court, on motion of either party or on its own motion, may issue a special order governing such matters as extrajudicial statements by parties and witnesses likely to interfere with the rights of the accused to a fair trial by an impartial jury, the seating and conduct in the courtroom of spectators and news media representatives, the management and sequestration of jurors and witnesses, and any other matters which the Court may deem appropriate for inclusion in such an order.

Committee Comment

The proposed rule would provide a basis for special orders by the court in widely publicized or sensational cases likely to receive massive publicity and where the court's standing rules and orders might be inadequate to eliminate prejudicial influences from the courtroom. Such a case was *Sheppard* v. *Maxwell* itself, where the Court said, "The carnival atmosphere at trial could easily have been avoided since the courtroom and the courthouse premises are subject to the control of the court." (384 U.S. at 358.)

Although neither the Reardon nor the Medina Committee explicitly recommends a rule of the type proposed here, both committees urge that in a case which is likely to attract unusual publicity the trial judge should regulate and control the proceedings by special directions to trial participants, spectators and news media representatives where necessary to preserve decorum in and around the courtroom and to maintain the integrity of the trial. Reardon Report, Recommendation 3.5 (a), (c), (e), Tentative Draft, pp. 140–145; Medina Report, pp. 47–50. Such a special order might be addressed to some or all of the following subjects:

(1) A proscription of extrajudicial statements by participants in the trial, including lawyers, parties, witnesses, jurors, and court officials, which might divulge prejudicial matter not of public record in the case.[24]

(2) Specific directives regarding the clearing of entrances to and hallways in the courthouse and respecting the management of the jury and witnesses during the course of the trial to avoid their mingling with or being in the proximity of reporters, photographers, parties, lawyers, and others, both in entering and leaving the courtroom and courthouse, and during recesses in the trial.[25]

(3) A specific direction that the jurors refrain from reading, listening to, or watching news reports concerning the case, and that they similarly refrain from discussing the case with anyone during the trial and from communicating with others in any manner during their deliberations.[26]

(4) Sequestration of the jury on motion of either party or the court, without disclosure of the identity of the movant.[27]

(5) Direction that the names and addresses of jurors or prospective jurors not be publicly released except as required by statute, and that no photograph be taken or sketch made of any juror within the environs of the court.[28]

(6) Insulation of witnesses from news interviews during the trial period.[29]

(7) Specific provisions regarding the seating of spectators and representatives of news media, including:

a. An order that no member of the public or news media representatives be at any time permitted within the bar railing; [30]

b. The allocation of seats to news media representatives in cases where there are an excess of requests, taking into account any pooling arrangement that may have been agreed to among the newsmen.[31]

The list of subjects mentioned above is not intended to be exhaustive, but is merely illustrative of some of the matters which might appropriately be dealt with in such a special order. The special order to be adopted in the highly publicized case is not proposed as a substitute for the other local rules recommended in this report, but is designed to supplement them in cases where more explicit controls are required. An example of such an order in a highly sensational recent case is the amended order entered by Judge Paschen in the *Speck* case.[32] The Committee does not necessarily approve the specific content of this order, but mentions it as an illustration of the form which such an order can take.

2. More Liberal Use of Traditional Techniques for Insuring an Impartial Jury (Continuance, Change of Venue, Sequestration of Jurors and Witnesses, *Voir Dire, Cautionary Instructions to Jurors*)

It is recommended that in criminal cases likely to attract substantial public interest the United States District Courts make more extensive use of existing techniques designed to ensure an impartial jury.

Committee Comment

This recommendation is included primarily to make it clear that the Committee believes that in several cases where the problem of prejudicial publicity is present, the utilization of one or more of the traditional methods of controlling the effects of prejudicial publicity upon a jury will be effective to preserve for the accused a fair trial. These techniques include continuance,[33] change of venue,[34] sequestration of the jurors,[35] sequestration of the witnesses,[36] voir dire if prospective jurors,[37] and cautionary instructions.[38] On the other hand, in many cases, particularly those of a highly sensational nature, the use of one or more of these traditional measures has not proven sufficient to assure the defendant a fair trial. Moreover, some of them will involve additional complications such as, in the case of a protracted continuance, prejudice to the right of a defendant to a speedy trial and the interest of the public in the prompt administration of justice.

D. Recommendation relating to the use of photography, radio, and television equipment in the courtroom and its environs

It is recommended that each United States District Court adopt a rule of court providing in substance as follows:

The taking of photographs in the courtroom or its environs or radio or television broadcasting from the courtroom or its environs, during the progress of or in connection with judicial proceedings, including proceedings before a United States Commissioner, whether or not court is actually in session, is prohibited.

Such a rule should define the area included as environs at each place where judicial proceedings are held.

Committee Comment

Fed. R. Crim. P. 53 presently provides:

"The taking of photographs in the court room during the progress of judicial proceedings or radio broadcasting of judicial proceedings from the court room shall not be permitted by the court."

Since the enactment of this Rule the Judicial Conference has acted twice, by resolution, to expand the scope of its prohibition to cover television broadcasting and to include the environs of the courtroom and proceedings before United States Commissioners.[39] *Estes* v. *Texas, supra*, the Supreme Court approved the policy of the Rule and gave it a constitutional basis. Recently, the Court of Appeals for the Fifth Circuit upheld the contempt conviction of a television news photographer who, in violation of a standing order of the court, took television photographs of a defendant and his attorney in the hallway outside a courtroom after the defendant's arraignment. *United States* v. *Seymour*, 373 F. 2d 629 (5th Cir. 1967). See *Tribune Review Publishing Co.* v. *Thomas*, 254 F. 2d 883 (3d Cir. 1958). It is now the recommendation of the Committee that the present policy of the Judicial Conference be implemented by each District Court by a local rule similar to that suggested above.

IV. CONCLUSION

The Committee presents the foregoing recommendations for the consideration and

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Footnotes at end of article.

approval of the Judicial Conference of the United States.

Respectfully submitted.

IRVING R. KAUFMAN,
Chairman, Committee on the Operation of the Jury System.

(Committee on the Operation of the Jury System: Irving R. Kaufman, Chairman, Robert A. Ainsworth, Jr., J. Braxton Craven, Jr., William H. Becker, Howard C. Bratton, Bernard M. Decker, Edward T. Gignoux, A. Leon Higginbotham, Jr., Alexander Holtzoff, William J. Jameson, Sylvester J. Ryan, and Frank W. Wilson.)

FOOTNOTES

*Judge Craven was appointed to fill the vacancy on the Committee created by the untimely death of the Honorable J. Spencer Bell, U.S. Circuit Judge (4th Cir.), who had been chairman of the Subcommittee.

[1] The Committee has limited its study to the impact of prejudicial publicity in criminal cases. It feels that the related problem of prejudicial publicity in connection with civil cases is not within its purview.

[2] In the trial of Aaron Burr before Chief Justice Marshall in 1807 defense counsel urged that jurors had been prejudiced against Colonel Burr by inflammatory articles carried in the Alexandria *Expositor* and other newspapers. Chief Justice Marshall noted:

> The jury should enter upon the trial with minds open to those impressions which the testimony and the law of the case ought to make, not with those preconceived opinions which will resist those impressions.

U.S. v. *Aaron Burr,* 25 F. Cas. 2, 50 (C.C.D. Va. 1807). See also *U.S.* v. *Holmes,* 26 F. Cas. 360, 363 (C.C.E.D. Pa. 1842), a sensational murder case in which Justice Baldwin ordered "that no person will be allowed to come within the bar of the court for the purpose of reporting, except on condition of suspending all publication until after the trial is concluded."

[3] See Lofton, *Justice and the Press* (1966) pp. 70–110; Friendly and Goldfarb, *Crime and Publicity* (1967) pp. 11–12.

[4] Report of the President's Commission on the Assassination of President Kennedy (1964) p. 238.

[5] In this report, the American Bar Association's Advisory Committee's Report on Fair Trial and Free Press is hereafter referred to as the Reardon Report. Citations to that report either refer to the Tentative Draft of Standards published in printed form in December 1966, or to the Proposed Final Draft published in December 1967. The latter was approved by the ABA House of Delegates in February 1968.

[6] A special committee of distinguished newspaper executives was authorized by the Board of Directors of the American Newspaper Publishers Association and appointed on February 3, 1965. Over a two-year period this committee studied the relationship between a free press and fair trial. Its report, "Free Press and Fair Trial" was issued on January 5, 1957.

[7] The Special Committee on Radio, Television, and the Administration of Justice of the Association of the Bar of the City of New York was originally organized in 1963. In the fall of 1965 it issued its Interim Report entitled, *Radio, Television and the Administration of Justice: A Documented Survey of Materials.* In early 1967 its Final Report with Recommendations entitled *Freedom of the Press and Fair Trial* was published. Hereinafter this final report is referred to as the Medina Report.

[8] See, for example, Friendly and Goldfarb, *supra* note 3; Lofton, *supra* note 3; Gillmor, *Free Press and Fair Trial* (1966); Gillmor, "The Reardon Report: A Journalist's Assessment," 1967 Wisconsin L. Rev. 215 (1967); Shenker and Siegel, "The Cause Celebre: The Problem and the Solutions," 11 St. Louis U. L. J. 152 (1967); Hudon, "Freedom of the Press versus Fair Trial: The Remedy Lies with the Courts," 1 Valparaiso L. Rev. 8 (1966); Daniel, "Fair Trial and Freedom of the Press," 71 Case and Comment 3 Sept.-Oct., 1966, at 3; Douglas, "The Public Trial and the Free Press," 46 American Bar Association Journal 840 (1960); Holtzoff, "The Relation Between the Right to a Fair Trial and the Right of Freedom of the Press," 1 Syracuse L. Rev. 369 (1950); Kaufman, "The Crime News Reporting Dilemma," Los Angeles *Times*—November 5, 6, 7, 8 (1967).

[9] See Ann. Report of Jud. Conference (1964) pp. 84–85. This bill was introduced as S. 1802 in the 88th Congress and as S. 290 in the 89th Congress. Senate hearings brought forth an entire spectrum of viewpoints on the subject, but no further action has been taken on the bill. See, Hearings (Aug. 17–20, 1965) before the Subcommittees on Constitutional Rights and Improvements in the Judicial Machinery of the Senate Judiciary Committee on S. 290.

[10] 28 C.F.R. 50.2 (Release of Information by Personnel of the Department of Justice Relating to Criminal Proceedings), reprinted in Reardon Report, Tentative Draft, app. D. Apparently, all major federal agencies involved in criminal law enforcement have adopted thee rules. See Hearings on S. 290, *supra* note 9, at 42.

[11] See, for example, Guidelines Issued by Prosecuting Attorney, St. Louis County, Missouri, reprinted in Reardon Report, Proposed Fnal Draft, app. B.

[12] "Massachusetts Guide for the Bar and News Media—1963," reprinted in Reardon Report, Tentative Draft, app. D.

[13] See Friendly and Goldfarb, *supra* note 3, pp. 123–126. The "Statement of principles of the Bench-Bar-Press of the State of Washington" (1966) and "Guidelines for the Reporting of Criminal Proceedings" (1967) are reprinted in Reardon Report, Proposed Final Draft, app. A.

[14] Such a policy was adopted in Toledo, Ohio, by the *Blade* and the *Times.* Toledo *Blade,* August 21, 1966, pp. 1, 8, reprinted in Medina Report, pp. 65–67. The Kentucky Press Association adopted a "Statement of Principles for Pre-Trial Reporting" in June 1965, reprinted in Lofton, *supra* note 3, pp. 365–371. See Lofton, *supra* note 3, pp. 277–289 and App. B, for a discussion of voluntary restraints by the press.

[15] See Daniel, "Fair Trial and Freedom of the Press," *supra,* note 8.

[16] The Committee also wishes to acknowledge, with appreciation, the assistance it has received from Carl H. Imlay, Esq., General Counsel, Administrative Office of the United States Courts, Washington, D.C., in contributing research material and for his assistance in drafting its report.

[17] Both the Reardon and the Medina Committees reject an expanded use of the contempt power to control the news media. Because of "the constitutional problems that would be raised" and "the inhibitory effect on speech that ought not to be prohibited," the Reardon Committee proposes the use of the contempt power only, "when a serious threat to the fairness of an ongoing trial by jury is created by an extrajudicial public statement calculated to affect the outcome of that trial." Reardon Report, Recommendation 4.1, Proposed Final Draft, p. 27. The Medina Committee is of the view that "as a matter of both constitutional law and policy, . . . extension of the contempt power is neither feasible nor wise. . . ." (Medina Report, p. 11.)

[18] Constitutional limitations on the exercise of the contempt power to control the news media are discussed in the Reardon Report, Tentative Draft, pp. 68–73, Proposed Final Draft, pp. 27–28, and in the Medina Report, pp. 1–11.

Apart from constitutional inhibitions, the power of a federal court to punish for contempt by publication is presently limited by the federal criminal contempt statute to "misbehavior of any person in its presence or so near thereto as to obstruct the administration of justice," 18 U.S.C. 401(1) (1964), and to "disobedience or resistance to its lawful writ, process, order, rule, decree or command." 18 U.S.C. 401(3) (1964). In *Nye* v. *United States,* 313 U.S. 33 (1941), the Supreme Court ruled that the power conferred by the first portion of this statute is restricted to the immediate geographical vicinity of the courtroom.

[18a] See page 12, *supra.*

[19] Both the Reardon and the Medina Committees favor self-regulation by law enforcement agencies, at least until these agencies have had a reasonable opportunity to adopt appropriate internal regulatory measures controlling the release of potentially prejudicial information by law enforcement officers. Reardon Report, Recommendations 2.1, 2.2, Proposed Final Draft, pp. 21–24; Medina Report, pp. 27–35.

See also, *Sheppard* v. *Maxwell, supra,* where the Court said:

> Being advised of the great public interest in the case, the mass coverage of the press and the potential prejudicial impact of publicity, the court could also have *requested* the appropriate city and county officials to promulgate a regulation with respect to dissemination of information about the case by their employees. (384 U.S. at 362 (emphasis supplied).

[20] See Reardon Report, Tentative Draft, pp. 76–77; Medina Report, pp. 14–19.

[21] See Reardon Report, Recommendation 2.3, Tentative Draft, pp. 110–111; Medina Report, pp. 38–39.

[22] The criminal contempt statute authorizes a federal court to punish as contempt "(2) Misbehavior of any of its officers in their official transactions"; 18 U.S.C. 401(2) (1964). See also Reardon Report, Tentative Draft, pp. 110–111; Medina Report pp. 38–39.

[23] See American Bar Association, Canons of Judicial Ethics 4, 34.

[24] "More specifically, the trial court might well have proscribed extrajudicial statements by any lawyer, party, witness, or court official which divulged prejudicial matters, such as the refusal of Sheppard to submit to interrogation or take any lie detector tests; any statement made by Sheppard to officials; the identity of prospective witnesses or their probable testimony; any belief in guilt or innocence; or like statements concerning the merits of the case." *Sheppard* v. *Maxwell, supra* at 361. See Reardon Report, Recommendation 3.5(c), Tentative Draft, pp. 142–143; Medina Report, p. 50.

[25] "Participants in the trial, including the jury, were forced to run a gauntlet of reporters and photographers each time they entered or left the courtroom." *Sheppard* v. *Maxwell, supra* at 355. See Medina Report, pp. 48–49.

[26] ". . . The Sheppard jurors were subjected to newspaper, radio and television coverage of the trial while not taking part in the proceedings. They were allowed to go their separate ways outside of the courtroom, without adequate directions not to read or listen to anything concerning the case." *Sheppard* v. *Maxwell, supra* at 353. ". . . jurors were allowed to make telephone calls during their five-day deliberation." *Id.* at 355. See Reardon Report, Recommendation 3.5(e), Tentative Draft, pp. 144–145; Medina Report, pp. 52–53.

[27] "In addition, sequestration of the jury was something the judge should have raised *sua sponte* with counsel." *Sheppard* v. *Maxwell, supra* at 363. See *United States* v. *Hoffa,* 367 F. 2d 698 (7th Cir. 1966) (sequestration of jury proper in notorious trial). Reardon Report, Recommendation 3.5(b), Tentative Draft, pp. 141–142; Medina Report, p. 58.

[28] "Moreover, the jurors were thrust into the role of celebrities by the judge's failure to insulate them from reporters and photographers. See *Estes* v. *Texas, supra* at 545–546. The numerous pictures of the jurors, with their addresses, which appeared in the newspapers before and during the trial itself exposed them to expressions of opinion from

both cranks and friends. The fact that anonymous letters had been received by prospective jurors should have made the judge aware that this publicity seriously threatened the jurors' privacy." *Sheppard* v. *Maxwell, supra* at 353. See *United States* v. *Hoffa, supra* note 27 (jury panel list withheld from all trial participants until trial); Medina Report, p. 54.

[29] "Secondly the court should have insulated the witnesses. All of the newspapers and radio stations apparently interviewed prospective witnesses at will, and in many instances disclosed their testimony. A typical example was the publication of numerous statements by Susan Hayes, before her appearance in court, regarding her love affair with Sheppard. Although the witnesses were barred from the courtroom during the trial the full verbatim testimony was available to them in the press. This completely nullified the judge's imposition of the rule." *Sheppard* v. *Maxwell, supra* at 359. See Reardon Report, Recommendation 3.5(c), Tentative Draft, pp. 142–143; Medina Report, p. 56.

[30] "The erection of a press table for reporters inside the bar is unprecedented. The bar of the court is reserved for counsel, providing them a safe place in which to keep papers and exhibits, and to confer privately with client and co-counsel. It is designed to protect the witness and the jury from any distractions, intrusions or influences, and to permit bench discussions of the judge's rulings away from the hearing of the public and jury." *Sheppard* v. *Maxwell, supra* at 355. See Reardon Report, Recommendation 3.5(a), Tentative Draft, pp. 140–141; Medina Report, pp. 48–49.

[31] "As we stressed in *Estes*, the presence of the press at judicial proceedings must be limited when it is apparent that the accused might otherwise be prejudiced or disadvantaged. Bearing in mind the massive pretrial publicity, the judge should have adopted stricter rules governing the use of the courtroom by newsmen, as Sheppard's counsel requested. The number of reporters in the courtroom itself could have been limited at the first sign that their presence would disrupt the trial." *Sheppard* v. *Maxwell, supra* at 358. See Reardon Report. Recommendation 3.5(a), Tentative Draft, pp. 140–141; Medina Report, pp. 48–49.

[32] *State of Illinois* v. *Richard Franklin Speck,* Circuit Court of the Tenth Judicial Circuit of Illinois, Peoria County, Feb. 14, 1967, modified, Feb. 22, 1967.

[33] "Without regard to whether the judge's actions in this respect reach dimensions that would justify issuance of the habeas writ, it should be noted that a short continuance would have alleviated any problem with regard to the judicial elections. The court in *Delaney* v. *United States,* 199 F.2d 107, 115 (C.A. 1st Cir. 1952), recognized such a duty under similar circumstances, holding that 'if assurance of a fair trial would necessitate that the trial of the case be postponed until after the election, then we think the law required no less than that.'" *Sheppard* v. *Maxwell, supra,* 354, n. 9. See Reardon Report, Recommendation 3.2, Tentative Draft, pp. 120–128.

[34] "But where there is a reasonable likelihood that the prejudicial news prior to trial will prevent a fair trial, the judge should continue the case until the threat abates or transfer it to another country not so permeated with publicity." *Sheppard* v. *Maxwell, supra* at 363; *Rideau* v. *Louisiana, supra*; *Irvin* v. *Dowd, supra*. See Reardon Report, Recommendation 3.2; Tentative Draft, pp. 120–128.

Calling a jury from a locality other than that in which the trial is to be held (although recommended in the Reardon Report (Recommendation 3.4(c), Tentative Draft pp. 137–138)), runs counter to the spirit of the Federal Jury Selection and Service Act of 1968, P.L. 90–274, 82 Stat. 53.

[35] "In addition, sequestration of the jury was something the judge should have raised *sua sponte* with counsel." *Sheppard* v. *Maxwell, supra* at 363. See *United States* v. *Hoffa, supra* note 27; Reardon Report, Recommendation 3.5(b). Tentative Draft, pp. 141–142; Medina Report, p. 58.

[36] "Secondly, the Court should have insulated the witnesses. . . . Although the witnesses were barred from the courtroom during the trial the full verbatim testimony was available to them in the press. This completely nullified the judge's imposition of the rule." *Sheppard* v. *Maxwell, supra* at 359. *Compare* Reardon Report, Recommendation 3.5(c), Tentative Draft, pp. 142–143, *with* Medina Report, p. 56.

[37] "Likewise in *Irvin* v. *Dowd,* 366 U.S. 717 (1961), even though each juror indicated that he could render an impartial verdict despite exposure to prejudicial newspaper articles, we set aside the conviction holding: 'With his life at stake, it is not requiring too much that petitioner be tried in an atmosphere undisturbed by so huge a wave of public passion. . . . At 728.'" *Sheppard* v. *Maxwell, supra* at 351. See Reardon Report, Recommendation 3.4, Tentative Draft, pp. 131–138; Medina Report, pp. 50–52. The Reardon Recommendation and the accompanying commentary spell out in detail the procedure to be followed on voir dire to screen out potentially prejudiced jurors.

[38] "On the contrary, the Sheppard jury were subjected to newspaper, radio and television coverage of the trial. . . . They were allowed to go their separate ways outside of the courtroom, without adequate directions not to read or listen to anything concerning the case." *Sheppard* v. *Maxwell, supra* at 353. See Reardon Report, Recommendation 3.5(e), Tentative Draft, pp. 144–145; Medina Report, pp. 52–53.

[39] At its March 1962 meeting, the Judicial Conference voted to condemn the taking of photographs in the courtroom or its *environs* in connection with any judicial proceeding and to extend the policy of Rule 53 to television broadcasting. Ann. Rep. of Jud. Conf. (1962) pp. 9–10. At its March 1965 meeting the Conference reaffirmed this position and extended the ban to specifically cover proceedings before a United States Commissioner, whether held on federal property, at the private office of the Commissioner, or elsewhere. Ann. Rep. of Jud. Conf. (1965) p. 11.

[From the New York Times, Sept. 25, 1968]

INSURING FAIR TRIAL

The Judicial Conference of the United States, chief arbiter of conduct in all Federal courts, has made a notable contribution to establishing a more secure balance between the constitutional guarantees of fair trial and free press.

By approving the report of a committee headed by Judge Irving R. Kaufman of the United States Court of Appeals, the conference has laid down sound rules for restraint by lawyers and court officers in the release of prejudicial information. The report, as we observed when it was made public last March, is one of the more satisfactory of the endeavors by representatives of bench or bar to protect the right of every accused person to a fair trial without muzzling the press.

The report still seems to us excessively restrictive in its total ban on photography or broadcasting in the "environs" of a courtroom, although such a rule has unquestionable validity in the courtroom itself. For the rest, however, the Federal judges have wisely avoided attempts at direct curbs on the press and have concentrated on guidelines for members of the bar and others in their capacity as officers of the court. The rules do not limit the freedom of utterance of the defendant himself and, even in their application to lawyers, disclosures are prohibited only if there is a "reasonable likelihood" that they will interfere with a fair trial. Moreover, judges are empowered to waive the prohibitions altogether if they block any disclosure deemed vital to the administration of justice.

The overwhelming support given to the new code by Federal judges in all parts of the country reflects a recognition on their part that changes in procedure are necessary to guard against collisions between the fair trial guarantees of the Sixth Amendment and the free press guarantees of the First.

The press also shares in the responsibility for reducing the danger of such collisions. The Judicial Conference expresses the hope that the problem of prejudicial news and editorial comment—of the kind so rampant in the Oswald, Ruby and Sheppard cases—will be solved by self-restraint on the part of the news media so that the courts will not have to consider the imposition of direct controls. That is a challenge every newspaper, magazine and television and radio station must meet in the same sensible and constructive manner as the Federal bench.

[From the New York Times, Sept. 20, 1968]

U.S. JUDICIAL CONFERENCE ADOPTS RECOMMENDATIONS ON THE ISSUE OF FREE PRESS AND FREE TRIAL

(By Edward Ranzal)

The Judicial Conference of the United States adopted yesterday recommendations designed to ameliorate the abrasive clash of two constitutional rights—free press and fair trial.

The recommendations, embodies in a committee report, suggested that judges in Federal court trials wield judicial power to exert tight control over lawyers, both for the prosecution and the defense, as well as over court personnel.

But as to press coverage of a trial, the committee said it "does not presently recommend any direct curb or restraint on publication by the press of potentially prejudicial material."

"Such a curb, it feels, is both unwise as a matter of policy and poses serious constitutional problems," it said.

The report of the Committee on the Operations of the Jury System was adopted in Washington and its text was made available here.

The committee's report to the conference was the result of an exhaustive two-year study. It was submitted to the conference by the committee chairman, Judge Irving R. Kaufman of the United States Court of Appeals for the Second Circuit, who was appointed by Earl Warren, Chief Justice of the United States.

The Chief Justice heads the Judicial Conference, which is composed of the chief judges of the 11 United States Courts of Appeals, the chief judge of every Federal District Court, the chief judge of the Court of Claims and the chief judge of the Court of Customs and Patents.

Adoption of the report virtually makes it a directive to the Federal judiciary. It is also expected that many state courts will formulate rules in accordance with Federal policy. The Kaufman committee recommended that courts act in three major areas:

1. Using their power to control the release of prejudicial information by lawyers under penalty of disciplinary action.

2. Prohibiting prejudicial disclosures by courthouse personnel such as bailiffs, clerks, marshals and court reporters.

3. Providing rules for special orders governing the proceedings in any case in which prejudicial influences might otherwise penetrate into the trial.

No recommendations were made to exclude the press from preliminary hearings and other hearings held outside the presence of the jury.

It also did not recommend any judicially imposed restrictions on the release of information by Federal law enforcement agencies. The committee said it was encouraged by corrective steps taken by these agencies.

PHOTOGRAPHS BARRED

The committee was adamant in telling the courts to adopt rules prohibiting the taking of photographs or radio or television broadcasting from the courtroom or its environs. The environs might take in an entire courthouse, it suggested.

The Kaufman committee said it had studied and adopted many recommendations of two other committees. One panel, headed by Justice Paul C. Reardon of the Supreme Judicial Court of Massachusetts, made recommendations to the American Bar Association; the other, headed by Judge Harold R. Medina of the United States Court of Appeals, reported to the Association of the Bar of the City of New York.

However, the Kaufman panel did not follow the Reardon proposals that courts use their contempt powers to control the press and the police.

In addition to studying the Reardon and Medina reports, the Kaufman committee on May 17, 1967, heard the recommendations of Assistant Attorney general Fred M. Vinson Jr. and Clifton Daniel, managing editor of The New York Times.

[Excerpts from report]

A. RELEASE FROM INFORMATION BY ATTORNEYS

It is recommended that each United States District Court adopt a rule of court regulating public discussion by attorneys of pending or imminent criminal litigation, and that this rule contain substantially the following:

It is the duty of the lawyer not to release or authorize the release of information or opinion for dissemination by any means of public communication, in connection with pending or imminent criminal litigation, with which he is associated, if there is a reasonable likelihood that such dissemination will interfere with a fair trial or otherwise prejudice the due administration of justice.

With respect to a grand jury or other pending investigation of any criminal matter, a lawyer participating in the investigation shall refrain from making any extrajudicial statement, for dissemination by any means of public record or that is not necessary to inform the public that the investigation is under way, to describe the general scope of the investigation, to obtain assistance in the apprehension of a suspect, to warn the public of any dangers, or otherwise to aid in the investigation.

From the time of arrest, issuance of an arrest warrant or the filing of a complaint, information, or indictment of any criminal matter until the commencement of trial or disposition without trial, a lawyer associated with the prosecution or defense shall not release or authorize the release of any extrajudicial statement, for dissemination by any means of public communication, relating to that matter and concerning:

[1]

The prior criminal record (including arrests, indictments, or other charges of crime), or the character or reputation of the accused, except that the lawyer may make a factual statement of the accused's name, age, residence, occupation, and family status, and if the accused has not been apprehended, a lawyer associated with the prosecution may release any information necessary to aid in his apprehension or to warn the public of any dangers he may present;

[2]

The existence of contents of any confession, admission, or statement given by the accused, or the refusal or failure of the accused to make any statement;

[3]

The performance of any examinations or tests or the accused's refusal or failure to submit to an examination or test;

[4]

The identity, testimony, or credibility of prospective witnesses, except that the lawyer may announce the identity of the victim if the announcement is not otherwise prohibited by law;

[5]

The possibility of a plea of guilty to the offense charged or a lesser offense;

[6]

Any opinion as to the accused's guilt or innocence or as to the merits of the case or the evidence in the case.

The foregoing shall not be construed to preclude the lawyer during this period, in the proper discharge of his official or professional obligations, from announcing the fact and circumstances of arrest (including time and place of arrest, resistance, pursuit, and use of weapons), the identity of the investigating and arresting officer or agency, and the length of the investigation; from making an announcement, at the time of seizure of any physical evidence other than a confession, admission or statement, which is limited to a description of the evidence seized; from disclosing the nature, substance, or text of the charge, including a brief description of the offense charged; from quoting or referring without comment to public records of the court in the case; from announcing the scheduling or result of any stage in the judicial process; from requesting assistance in obtaining evidence; or from announcing without further comment that the accused denies the charges made against him.

"During the trial of any criminal matter, including the period of selection of the jury, no lawyer associated with the prosecution or defense shall give or authorize any extrajudicial statement or interview, relating to the trial or the parties or issues in the trial, for dissemination by any means of public communication, except that the lawyer may quote from or refer without comment to public records of the court in the case.

B. RELEASE OF INFORMATION BY COURTHOUSE PERSONNEL

It is recommended that each United States District Court adopt a rule of court prohibiting all courthouse personnel, including among other, marshals, deputy marshals, court clerks, bailiffs and court reporters, from disclosing to any person, without authorization by the court, information relating to a pending criminal case that is not part of the public records of the court. Such a rule should specifically forbid the divulgence of information concerning arguments and hearings held in chambers or otherwise outside the presence of the public.

C. CONDUCT OF JUDICIAL PROCEEDINGS

[1]

It is recommended that each United States District Court adopt a rule of court providing in substance as follows:

In a widely publized or sensational case, the court, on motion of either party or on its own motion, may issue a special order governing such matters as extrajudicial statements by parties and witnesses likely to interfere with the rights of the accused to a fair trial by an impartial jury, the seating and conduct in the courtroom of spectators and news media representatives, the management and sequestration of jurors and witnesses, and any other matters which the court may deem appropriate for inclusion in such an order.

[2]

It is recommended that in criminal cases likely to attract substantial public interest the United States District Courts make more exensive use of existing techniques designed to ensure an impartial jury.

D. PHOTOGRAPHY, RADIO AND TELEVISION EQUIPMENT

It is recommended that each United States District Court adopt a rule of court providing in substance as follows:

The taking of photographs in the courtroom or its environs or radio or television broadcasting from the courtroom or its environs, during the progress of or in connection with judicial proceedings, including proceedings before a United States commissioner, whether or not court is actually in session, is prohibited.

Such a rule should define the area included as environs at each place where judicial proceedings are held.

PUBLIC SOUGHT "LONG-ARM" AMENDMENT

Mr. DODD. Mr. President, I have had called to my attention a number of newspaper articles favoring the adoption of strong Federal firearms legislation.

These articles were written prior to the final adoption of the "long-arm amendment" by the House of Representatives yesterday, and which is now awaiting the signature of President Johnson.

Nevertheless I believe the record should contain these expressions of public opinion on the need to cut down gun crimes and on the need for the Federal Government to lead the way in attacking this crime problem.

I think it is important that Members of Congress be aware of all the facets of the 7-year-plus effort to secure the firearms legislation which was finally adopted by the 90th Congress.

I particularly invite the attention of Senators to the detailed views of the Lewiston, Idaho, Tribune of September 14, 1968, on the part that the National Rifle Association has played in withholding effective firearm laws from the American public.

I ask unanimous consent that these articles be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Lewiston (Idaho) Tribune, Sept. 11, 1968]

THE NRA SHOULD EMULATE AGNEW

Republican vice presidential nominee Spiro T. Agnew demonstrated that he is a man of honor and an astute one, too, when he apologized Thursday for suggesting earlier in the week that Hubert H. Humphrey is "squishy soft" on communism.

Agnew said in his retraction that "if I left the impression that I think the vice president is not a loyal American I want to rectify that. I think he's a man of great integrity and I have high respect for him. I've never been one to go the low road in politics. I want to get off the low road. I said squishy soft and I'm not proud of it." Agnew conceded.

It was an important concession. It means Agnew recognizes that there are rational limits on how far honorable men can go in challenging each other for public office. One of the limits is that you don't question the patriotism of an opponent, either directly or indirectly. You may call him a reactionary, an ultra-liberal or even a damned fool. And you may dispute his ideas and his programs.

But we must begin any election, whether for the presidency or for precinct committeeman, on the assumption that the patriotism of an opponent is not in doubt. His ideas, maybe, but not his devotion to country. That is the way of gentlemen, and Agnew has demonstrated that he is one.

On the same subject, *The American Rifleman*, organ of the National Rifle Ass'n, would do well to emulate the Agnew example. The September issue of the magazine carries an editorial noting that a Communist publication and several individuals "identified with Communist causes" support attempts to pass gun control legislation.

The *Rifleman* offers the opinion at one point that "the Communists in this country are, of course, only a tiny fraction of the multitude who profess a wish to separate Americans from their firearms. Most of those who would repress private ownership of guns are non-Communist or anti-Communists."

And then, having thus cleared its conscience for writing the article in the first place, the *Rifleman* proceeds to ponder at length the interesting fact that some Commies are on the same side of the fence with those who would impose federal gun controls.

The intended implication is clear, and dishonest: If the Communists are for it, it must be bad. And is gun regulation really a course that good Americans would follow? The *Rifleman* says it is aware that the poor simps mean well, but isn't it unfortunate that so many Americans have been deluded into playing ball with the Reds, the enemies of America? There are only two sides on this question—the American side and the Communist side, and look who's on the Communist side of this question. That is the intended message of the NRA publication. It is unworthy of this organization to take the low road that Agnew and more careful citizens disdain.

In fairness, the NRA has been subjected to similar claptrap; there are some zealots among the gun law set who have repeatedly accused the NRA of being totally insensitive to the carnage of guns and unwilling to do anything about it. That is, of course, incorrect. The NRA may be relatively inflexible in its position on the laws needed, but the leaders of that organization clearly want the best for the nation and the people of the nation. They merely differ on how best to achieve it.

But you would think that an organization that has been subjected of late to so much direct and indirect slander itself would not now be practicing indirect slander against others. Two wrongs don't make a right. Marveling at the "strange bedfellows" who favor gun control legislation is on a par with accusing the NRA of supporting brutality, as some have.

The NRA cannot protect itself from mudslinging by slinging mud at others. When you adopt such tactics, you don't defeat unprincipled opponents. But you do risk coming to resemble them—B. H.

[From the Detroit (Mich.) Free Press, Sept. 23, 1968]

LET'S CONTROL FIREARMS FOR THE PUBLIC SAFETY

Common Council has already reduced the potential effect of gun control legislation by its slowness in acting. The same can be said of Congress.

And now that the council, like Congress, is finally ready to enact a limited bill, some of the members are determined to reduce its effectiveness even more.

For instance, there is scarcely a prayer that the council will support the mayor's recommendation that it require registration of all rifles and shotguns purchased in the future. Even that would have a limited effect, since it would do nothing at all about weapons already purchased.

Moreover, the council is not likely to support the suggestion of its president, Ed Carey, that ammunition sellers be required to keep records of persons buying ammunition. Councilman Billy Rogell apparently thinks it would be too much of an inconvenience, and Louis Miriani thinks it would drive business away from Detroit.

Apparently, two arguments are having the greatest weight with the council as it chops away at the gun control package: The inconvenience that legislation might impose on legitimate sportsmen, and the old canard that registration can be a prelude to confiscation.

The first argument, inconvenience, is no doubt partially valid. But it seems to us that sportsmen, especially in a city, should be willing to accept in the public interest the kinds of controls that we now apply to the operation of an automobile. We in this country have never quite accepted the fact that guns are dangerous and that their use is a fit subject for regulation.

The old confiscation bit seems to us almost too absurd to approach seriously. But if people really do believe it, surely they must do so only because they have a romantic, out-of-date notion of what tyranny is and how it can be resisted. The sniper's rifle can be an effective instrument of disruption, but it could soon be silenced by a government or invader bent on tyranny. Registration would be beside the point in such an atmosphere.

The far greater danger is that the lonely sniper in a non-tyrannical society will impose his own, non-governmental kind of tyranny on law-abiding citizens. This has already happened often enough to be a fearsome fact of American life today.

Common Council ought to look beyond the spurious arguments that have led it to the point of weakening the mayor's gun ordinance. Gun control is no panacea, especially after the great arms race that has gone on while the council and Congress have dallied. But reasonable controls constitute a practical necessity. This is an appropriate place for the council to act to protect the public interest.

[From the Louisville (Ky.) Times, Sept. 20, 1968]

THE SENATE BROADENS GUN CONTROLS

Though short of the administration's goal the firearms bill passed by the Senate this week promises a more effective curb on the loose traffic in guns than seemed likely, or even possible, just a few months ago.

Until the shock of Sen. Robert F. Kennedy's assassination in June, Congress appeared content to rest upon passage earlier this year of a law banning the mail-order sale of handguns only. Now both houses have voted to extend the ban to rifles and shotguns, as they should have done in the beginning.

On the debit side, the Senate repeated the House's mistake in rejecting the firearms registration and licensing provisions President Johnson had asked for. This leaves a void which we hope will be filled in time by state and local legislations. Nevertheless, the measure that swept through the Senate, 70 to 17, is much stronger medicine than the National Rifle Association's once-powerful lobby had expected, and that in itself is a recommendation.

It is a better bill than the version approved several weeks ago by the House, although both are in accord on the essential feature—the outlawing of mail-order sales of rifles and shotguns. The differences, yet to be worked out in conference, mainly involve ammunition sales via mail and restrictions on over-the-counter gun sales to nonresidents of a state.

The Senate approached both these problems realistically. This bill would apply the mail-order ban to ammunition of all types, thus closing a big loophole that was left in the House bill when that body voted certain exemptions.

Under the Senate proposal, a resident of an adjoining state (but no other nonresident) could make a store purchase of firearms, but only if this was permissible under the laws of both states. Such a buyer would have to give an affidavit of eligibility, and the seller would be required to delay delivery for seven days to give police opportunity to object. This accommodates border-area residents having a legitimate need for firearms, and at the same time erects effective safeguards against those who would cross a state border to evade the gun laws of their own state.

By accepting the Senate version, the House can share with the upper chamber credit for a notable contribution to the 1968 legislative record.

[From the Milwaukee (Wis.) Journal, September 19, 1968]

SMALL MOVE TO GUN CONTROL

The gun control bill passed by the senate, deficient as it is in parts, is still needed. To the extent that it will curb even part of the scandalous gun traffic, it is a move in the right direction.

Like the house measure passed July 24, it would ban interstate mail order sales of rifles, shotguns and ammunition. About half of the estimated two million guns bought by Americans every year are sold through the mail. Congress last May banned mail order sales of handguns.

For mail order sales within a state, the senate bill provides a seven day waiting period and the filing of an affidavit of eligibility by the purchaser.

One of the senate bill's most odious features is the bald intrusion into the judiciary with the provision that any person carrying a firearm while committing a federal crime of violence may be imprisoned for life. Fortunately, the "may" was preserved, thus extracting some of the sting from the measure. Other amendments proposing restriction on supreme court powers were wisely withdrawn.

The bill's major deficiency is the absence of any registration or licensing provision. The house bill also lacks this essential ingredient. That amendments incorporating such provisions were defeated is evidence again of the hammerlock the National Rifle association, self-appointed guardian of the American's right to bear arms, has on Congress. This power must eventually be broken, for no control system can ever be truly effective without the deterrent that a strong registration and licensing clause can provide.

[From the Miami (Fla.) Herald, Sept. 20, 1968]

A STEP NEARER GUN SANITY

One long step down the road to effective and sane gun control in this country was taken when the Senate voted to stop the interstate sales of shotguns, rifles and ammunition.

The National Rifle Association lost an important round in its battle to protect the interests of the gun dealers. It was the first significant defeat for the gun dealers' lobby in more than two decades.

Perhaps it was silly to hope that Sen. Tydings would succeed in the effort to require the registration of guns and the licensing of owners. It took a while to get it done with automobiles, so perhaps this needed amendment will have its day.

Hopefully it will not take the assassination of another President, a major candidate or a national figure to compel the Senate and House to do what is required to cut down on violence and reduce the crime rate in the nation.

It is disheartening to hear Nebraska Republican Sen. Roman Hruska say there is no proof that easy access to guns contributes to the rising rate of crime. A first-grader could figure the connection between the robbing of citizens and the availability of the weapons required to pull off the crime.

It is disheartening to hear North Carolina

Democrat Sam Ervin say that registration won't do any good because only the honest, law-abiding citizens will do it. Doesn't the senator recognize the possibility of sending directly to jail unlicensed owners of unregistered weapons found in areas of violence? The police would not have to prove a sniper was firing into the streets. Possession of an illegal weapon would be 100 per cent guarantee of a jail term.

We have no explanation for the attempt by California Republican Sen. George Murphy to make it easier for foreign gun dealers to dump cheap surplus weapons into this country. Only five other senators went along with that act of irresponsibility.

With the Senate bill so close to the House version, the country can expect soon there will be a law banning mail-order sales of rifles to join the earlier legislation that cuts down traffic in handguns.

Progress is a long time coming.

[From the Garden City (N.Y.) Newsday, Sept. 20, 1968]

Gun Control

With Senate passage of a bill banning the interstate mail-order sale of rifles and shotguns, both houses of Congress have now acted on gun control. Both versions of the bill are more responsive to the desires of rural sportsmen than to the fears of urban citizens.

But, on balance, this action by the Congress has to be regarded as a legislative breakthrough. Even the relatively minor restrictions on the commerce in firearms contained in this legislation would not have been possible as recently as five years ago. It took events of enormous magnitude to force Congress to make firearms a little less easy to obtain than lollipops. The assassination of President John F. Kennedy with a mail-order rifle on Nov. 22, 1963 gave the movement some momentum, but not enough. Renewed legislative pressure was supplied earlier this year on April 4 and June 6 when easily-obtained guns ended the lives of the Rev. Martin Luther King Jr. and Sen. Robert F. Kennedy.

Both houses of Congress rejected the two most important provisions that must become law before real gun control becomes a reality in the U.S. These are: (1) the registration of all guns and (2) the licensing of all gun owners. But there was a vigorous minority in both houses that supported these provisions, and the way has been cleared for renewed efforts during the next session of Congress to make them the heart of a real gun control law.

[From the Charlotte (N.C.) News, Sept. 16, 1968]

Curb the NRA

Voting begins in the Senate today on a bill to ban the inter-state mail order sale of rifles and shotguns, and although a similar bill has already been passed by the House, the prospects do not look good.

It has been difficult to arouse support for the bill partly because the congressmen are not eager to get involved in anything that will delay their ending this lame-duck session and getting back to their fall election campaigns. Part of the difficulty has been that the Congress has already gone farther on gun control than anybody thought it would, and many legislators just aren't of a mind to do more at the moment.

And part of it has been, as usual, the vigorous anti-legislation lobbying of the National Rifle Association, which Sen. Thomas Dodd of Connecticut has called "the most wrong-headed, the most persistent, the most unscrupulous and the most effective lobby in the history of our country." The epithets are Senator Dodd's own, but it is plain that the NRA is a highly determined organization that operates in fact as a lobby even if it has never been forced to register as one. Surely it's time that organization was brought into line.

[From the Oakland (Calif.) Voice, Aug. 30, 1968]

Gun Controls

Even the assassinations of Rev. Martin Luther, Jr. and Senator Robert Kennedy and a mountain of mail in favor of gun control have not been sufficient to persuade Congress to ignore the gun lobby and pass a meaningful gun-control law. Instead it has piddle around with weak measures full of loopholes, echoing George Wallace's claim that Federal gun control legislation will do litte, if anything, to combat crime. The Congressional action is so weak that National Rifle Association Advocates say that they "can live with it." To which Congressman Charles S. Joelson (D., N.J.) rightly added. "Tens of thousands of Americans can die with it."

A Columbus, Ohio merchant moved by the Robert Kennedy association, turned over to police his entire stock of guns, valued at $20,000. Marty J. Rosen, president of a chain of Central Ohio discount stores, told why. For years, his stores kept records of persons buying guns. "We'd look in the papers and see a story about a murder, or a suicide, or an armed robbery. Then we'd recognize the name and find it in our files. It's a sad state of affairs when a man can come in a store like mine and buy a lethal weapon. It's a terrible thing to have on a man's conscience."

[From the Chattanooga (Tenn.) Post, Sept. 18, 1968]

Realistic Way

There has been a lot of talk in Congress about "gun controls" that really do not control guns in the important sense of keeping them out of the hands of criminals. But yesterday, for a change, the Senate voted for a kind of "gun control" that could be effective if applied.

The Senate called for life imprisonment to be made applicable to every criminal who uses a gun in violating Federal laws against crimes of violence.

Crooks are going to get guns regardless of mail order or registration laws. But if crooks face the possibility of being put away for life for using a gun—and have that prospect indelibly etched in their minds by putting some violators away for the long stretch—there might be discouragement to the illegal use of guns.

The way to reduce the number of gun crimes is to provide tough penalties for violation and apply them. Too often, there are only token fines. The Senate vote yesterday was sound. In addition, local authorities ought to start giving maximum penalties for all violations of existing gun laws. That's the realistic way to deal with the problem.

[From the Newark (N.J.) Star-Ledger, Sept. 18, 1968]

Effective Gun Controls

The gun control bill being considered by the U.S. Senate is so riddled with weakening amendments that it has been rendered virtually meaningless in the state as reported out of the Judiciary Committee.

Sixty-three amendments have been tacked on to the gun control measure by the committee. Supporters of effective gun control legislation won a significant victory when they defeated an amendment that would exempt most ammunition sales from the federal regulation proposed by the Administration. If this committee revision had been permitted to stand, it would have critically diluted the bill, since there would be no controls over more than 90 per cent of ammunition for all firearms.

The committee revisions incorporated in the measure represent the stiff price paid as a political accommodation to Sen. Strom Thurmond, South Carolina Republican, to get the bill out of committee.

Only a small part of the original measure proposed by the Administration remains in the bill being debated in the Senate. The committee revisions appear on the surface to be technical in nature, but the Justice Department contends they would create big loopholes in proposed controls over interstate sales of firearms and ammunition.

Sen. Thomas J. Dodd, Connecticut Democrat who has been trying for five years to get some form of federal gun control legislation agreed to the modifications rather than to have the measure bottled up in committee by Sen. Thurmond. But his disenchantment was evident in his condemnation of the powerful gun lobby.

But condemnation of the gun lobby does not undo the grave dilution of the effectiveness of the proposed gun control measure. Among the more onerous modifications is a new definition of a gun dealer that would qualify almost anyone to purchase firearms by paying a $10 fee.

Another revision represents a flagrant concession to the gun lobby; the change would permit interstate shipment of firearms and ammunition to any member of the National Rifle Association.

If these amendments remain in the Senate bill, the legislation would be so diminished that it would probably be better to have no law than to be saddled with a statutory hyprocisy and sham that provides few real effective controls over the interstate sale of firearms.

Weapons have an intimate involvement with crime, particularly violent crime. Legislators who publicly profess a mounting concern over the wave of lawlessness could give substance to their utterances by passing a real firearms control law. It would be a solid demonstration of their determination to protect the public, placing it above the gun lobby.

[From the Lewiston (Maine) Sun, July 27, 1968]

The New Gun Law

Congress has done all it is going to do before the national political convention on a new law to control the sale of guns. The bill which won passage in the House of Representatives this week falls far short of the objectives sought by President Johnson, but it does provide for controls which do not now exist. In that respect, it represents an improvement.

But the final form of the new gun law has yet to be determined. When Congress reconvenes in September, as expected, the Senate and House will face the problem of hammering out a bill to which both branches will be agreeable. Current indications are that the compromise version will ban the interstate sale of rifles and shotguns (such sale of pistols and revolvers was barred by a new law earlier this year); prohibit the sale of guns and ammunition to anyone under 18 years of age, to felons, fugitives, narcotics users or mental defectives; and require importers or dealers in firearms and ammunition to be licensed. Those are among the major provisions of the House bill and most likely to win Senate approval.

The presidential request for registration of all guns, and licensing of owners and users, failed to win approval in either branch. There appears little chance that either provision will find its way into the final law.

We hope the lawmakers give additional consideration to a clause which would make anyone using or in possession of a gun while committing a felony liable to a mandatory prison sentence. That clause would strike at a critical danger point: The armed criminal.

HUBERT HUMPHREY SUPPORT FOR MEXICAN AMERICANS, VICENTE T. XIMENES, FARMWORKER COLLECTIVE BARGAINING

Mr. WILLIAMS of New Jersey. Mr. President, there are over 7 million Mexican Americans in our Nation, and for many of them the promise of America is still unfulfilled. The Mexican American continues to face severe handicaps in language, jobs, education, health, and housing opportunities.

Vice President Hubert H. Humphrey is particularly aware of the injustices they face. Long ago he exposed those injustices; and he sought legislative relief long before they became a matter of wide public attention. This unequivocal commitment on the part of the Vice President goes far beyond campaign rhetoric and sloganeering. As far back as 1952, a Labor and Public Welfare committee which he chaired, issued a report setting forth a highly informative survey of the problems faced by the workers during the period 1936–52.

His interest has carried forth in his speeches and letters while campaigning for the Presidency. He has not avoided the issues. He stated that Congress should enact collective bargaining legislation because "with this step migrant farmworkers will have won a major and well-deserved victory in their struggle for full and equal rights in the American economy."

I think these citizens are hopeful that the efforts of the Johnson-Humphrey administration will continue. These include a program announced by President Johnson in 1967 to focus our efforts more intensely on the Mexican American. Simultaneously, the administration established a Cabinet level, Inter-Agency Committee on Mexican American Affairs. This committee was charged with the responsibility of assuring that Federal programs are reaching the Mexican American and providing the assistance they need, and to seek out new programs that may be necessary to handle problems that are unique to the Mexican American community.

The Honorable Vicente T. Ximenes, who is a commissioner of the Equal Employment Opportunity Commission, was appointed as chairman of the Cabinet-level group.

Mr. Ximenes has performed admirably in his efforts as a responsible leader of the Mexican American community and as a dedicated public servant. He has indicated a particular awareness that Mexican Americans make up nearly half of our Nation's migrant agricultural workers. These forgotten Americans and their families, lead hard, uncertain lives, and their employment is determined by the season, not necessarily by their abilities or opportunities.

The Subcommittee on Migratory Labor and many executive agencies, have been engaged in a vigorous effort to improve the status, health, economic security, education, and potential of these migrant farmworkers. An example of progress is the recently passed appropriation for the implementation of the Bilingual Education Act.

Many of these farmworkers, Mr. President, are seeking to make progress for themselves, by choosing a majority representative, and bargaining collectively with their employer about their living and working conditions. They are frustrated in these efforts, however, by the discriminatory exclusion of agricultural employees from the provisions of the National Labor Relations Act.

Mr. Ximenes sees inclusion under the National Labor Relations Act as a basic need not only for the Mexican American, but all farmworkers. His views are based on a record of succesful collective bargaining efforts by Mexican Americans, such as Cesar Chavez, who have obtained respect and dignity as workingmen in the California wine industry. As an example of progress, Mr. Ximenes cites a successfully negotiated contract recently signed in Ohio.

I ask unanimous consent that Mr. Ximenes' letter be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Inter-Agency Committee on
Mexican American Affairs,
Washington, D.C., September 20, 1968.

Hon. Harrison A. Williams,
Chairman, Subcommittee on Migratory Labor Senate Committee on Labor and Public Welfare, Washington, D.C.

Dear Senator Williams: As a Cabinet-level Committee established by the President to focus on the needs of the Mexican American community, we have a very special interest in the proposed amendment to the National Labor Relations Act to broaden its coverage to include protection of agricultural employees.

Opponents of this amendment have suggested that the nation's growers can not afford the imposition of required bargaining; that organized laborers would ultimately drive them to bankruptcy.

We know, of course, that contracts have been won in some areas and that, in these instances the growers have survived well. The success of Cesar Chavez, with some of the California wine producers and their continued economic well being, attest to the fact that growers can absorb the rigors of collective bargaining.

We are happy to report another instance of successful collective bargaining by farm workers and growers. In the Toledo, Ohio area, where tomatoes are grown for processing, an independent farm workers union, the Farm Labor Organizing Committee, has recently signed contracts with twenty-two tomato processors. The union, headed by a Blufton College student, Baldemar Velasquez, has successfully negotiated contracts calling for the union shop, mandatory renegotiation, arbitration of disputes arising under the contracts, and a 10% wage increase. In addition, the growers have agreed by contract to abide by the Secretary of Labor's regulations concerning migrant housing. We laud Mr. Velasquez and we congratulate the growers for sitting down with the farm workers in collective bargaining sessions.

We know collective bargaining can work on the farm; Cesar Chavez and the California wine producers have proven that to us. We are happy to see this new evidence in the Midwest. Perhaps the opponents of collective bargaining for agricultural employees will take a second look at their position in light of the developing evidence.

We wish you success in your effort to amend the National Labor Relations Act and we urge you to seek its passage at the earliest moment.

Sincerely,

Vicente T. Ximenes,
Chairman.

Mr. WILLIAMS of New Jersey. Mr. President, it is clear that no other man is better equipped to carry forth the programs to solve the problems of the Mexican American than Hubert H. Humphrey.

Progress for these citizens must continue, and we must aid their struggle by enacting collective bargaining legislation, and short of that, joining hands with them as they strive to help themselves.

RETIREMENT OF SENATOR LAUSCHE

Mr. YOUNG of North Dakota. Mr. President, when the 91st Congress convenes in January, one of our most beloved colleagues will not be with us. I take this opportunity to pay a richly deserved tribute to the senior Senator from Ohio [Mr. Lausche].

Frank Lausche has devoted years to serving the citizens of his native Ohio and the United States. As a distinguished jurist, mayor of Cleveland, Governor of Ohio, and U.S. Senator, he has established a record of accomplishment that few even dream of equaling.

The Senator has the deepest love of country of any man I have known. His untiring efforts to strengthen our Nation and to help maintain the position of the country in the family of nations have earned him the undying gratitude of his countrymen. He is truly a great American.

It has been my good fortune to serve with Senator Lausche. His service on the Committee on Commerce and the Committee on Foreign Relations have been invaluable to this body and to the Nation.

I consider myself fortunate indeed to have been able to know and work with this man. I count him among the best friends I have and want to wish Mrs. Lausche and Frank many years of health and happiness. May Frank's fortunes always be high and his golf scores low.

QUARANTINE CENTER FOR LIVESTOCK IMPORTS INTO UNITED STATES

Mr. HRUSKA. Mr. President, our livestock industry is the most wholesome and productive in the world. Besides providing the Nation with ample meat and dairy products to feed our growing population, these livestock provide numerous allied industries with the basic supplies for their ultimate products. Cash receipts from sale of meat animals in 1967 were $14.6 billion, and cash receipts from dairy products amounted to $5.8 billion, a total of over $20 billion. There can be little doubt then that the livestock industry is a major industry, and vital to our economic as well as our physical health.

A great challenge faced by the livestock industry today is increasing its productivity at the necessary rate to keep up with demand, and to do so on increasingly smaller amounts of land. One answer to this challenge is to improve the quality of the animals so that fewer animals can provide a greater quantity of produce.

Seeking to improve the quality of American animals, the livestock producers have become vitally concerned with "hybrid vigor," which is the description used for new germ plasm for breeding stock.

Hybrid vigor from new blood lines can have many salutary advantages for the stock. It can improve productivity, that is, the ratio of the number of births to the number of head of breeding stock each year. New germ plasm can greatly improve the survival rate, and reduce the loss of young stock.

This crossbreeding can promote more rapid growth of livestock, and enable producers to market them sooner. And finally, crossbreeding can improve the feed conversion rate of the livestock, which means that they can put on weight more quickly with less amounts of feed. For these reasons, American livestock industries are vitally interested in obtaining new bloodlines.

The demand for new bloodlines has directed attention to importing into the United States new and different breeds from foreign countries. Importing new bloodlines is not an easy task, however, because of the threat of foot-and-mouth disease.

Only a few countries are free of foot-and-mouth disease—all of North America and Central America, most of the countries or islands of the Caribbean area, Austrialia, New Zealand, Japan, Republic of Ireland, North Ireland, Channel Islands, and Norway. All other European countries, Soviet Union, South America, and African nations and the Middle and Far Eastern countries are recurring sources of the disease for the rest of the world.

After the United States eradicated the remnants of the disease in 1929, and poignantly aware of the resulting losses, the Congress in 1930 passed a law to regulate strictly importation of products which are potential carriers of foot-and-mouth disease. This legislation was embodied in the Tariff Act of 1930. It prohibits importation of susceptible animals and fresh-chilled or frozen meat from countries where foot-and-mouth disease exists. Since its enactment, this disease has been effectively precluded from this country. But, the restrictions under this law, while once wholly effective, do not provide the same protection today, in an era of increasing efforts of other nations to export their livestock to the United States to meet the breeding needs of our livestock industry.

For many years, new breeding stock has been obtained from Great Britain. Although Britain has had its share of outbreaks of foot-and-mouth disease, that country has always promptly and completely eradicated the infection by whatever radical measures necessary. Nevertheless, livestock cannot be imported directly from Britain, but must go to Scotland, which has been free for many years, and then to Canada. In Canada, the livestock pass through the quarantine station at St. John's for 60 days, after which they can be imported into the United States with a permit issued by the Department of Agriculture.

Although Britain will continue to be a source of new breeding stock, apparently most of the best features of British herds have now been bred into American livestock, and there is increasing need for new and distinctly different lines. One line of cattle stock that appears most advantageous to U.S. beef interests is the Charolais breed of France. Of course, since France is afflicted, this new line cannot be imported directly under U.S. tariff law.

Various livestock lines from countries with continual affliction, such as France, have, however, been imported indirectly through Canada. The Canadian Government created a second animal quarantine control center at Grosse Ile to receive livestock from such countries and established a strict procedure of maximum quarantine. This elaborate procedure has involved quarantine in the foreign land for a period of time, strict supervision by a veterinarian for the entire period including the trip across the ocean, a sterilized compartment for transportation, as well as subsequent isolation at the Canadian quarantine center at St. John's.

U.S. livestock interests have then been able to purchase livestock from the Canadians after the animals were declared safe by the Canadian Government. This total procedure, however, has become very costly. It has been estimated to cost at least $5,000 per head for this quarantine procedure.

The Canadian Government deserves to be commended for its high standards. Requiring very thorough, extensive and elaborate controls on livestock coming from countries such as France, and then requiring a period of quarantine at Grosse Ile and at St. John's, the Canadian Government has been able to exclude completely any animal carrying foot-and-mouth disease from ever being released from the center.

The United States has relied upon the Canadians to apply the strictest controls and the Canadians have not breached that trust. This relationship has been, and I am confident would continue to be, satisfactory and wholly responsible. The Canadians, of course, have reason enough to be dissatisfied with this as a permanent arrangement because many of the livestock head are ultimately sold in the United States even though Canada supervises the importation and quarantine. In fact, the Canadians have now imposed a 3-year embargo on export of livestock which has come into Canada through Grosse Ile, and after finding Charolais cattle to be a national asset, have prohibited any export of that breed.

Also the United States has reason to be concerned only for the fact that since many of the livestock head do come to the United States, that the United States does not control the apparatus of importation and quarantine. The Department of Agriculture has considered this lack of control as a minimal risk. In order to eliminate any doubts, however, it has ordered American veterinarians to meet at Grosse Ile any livestock shipments from foreign lands to Canada which would ultimately be bought by U.S. interests. This, the Department concedes, is expensive and a burdensome procedure. These are not the major reasons, though, for seeking U.S. control of importation and quarantine.

Other countries, such as Japan and Ireland, which are considered free of the disease under the tariff law of 1930, are now also seeking to establish quarantine centers for foreign livestock from afflicted countries for ultimate export to the United States.

The Department of Agriculture cannot continue to send American veterinarians to these nations to accompany those foreign livestock through all of the elaborate quarantine controls. Nor can the Department afford to take the risk of not sending those veterinarians.

The more disease-free countries that seek to do this, the greater the expense to the American Government, and the more difficult it is to supervise the increasingly diverse systems of quarantine control of other countries.

A similar situation has arisen for the import of zoo animals. Around the world, and especially in Africa, the rare species of animals are being rapidly depleted and threatened with extinction.

American groups and zoos interested in the preservation of these species are under great pressure to import these species as rapidly as possible. However, under the present system, the U.S. Government must require these animals to spend long periods of quarantine at control stations off the coast of West Germany, Italy, and Africa. This is becoming expensive and unsuitable for the increasing number of animals and species desired for importation. Again the U.S. Government does not have direct control over the quarantine centers and must provide large staffs to go abroad to supervise at these many control points.

For these reasons, Mr. President, it would seem to be eminently proper for us at this time to give serious consideration to the establishment of a quarantine control center here in the United States.

The Agricultural Research Service is presently studying such a control center. Although the proposal has not yet been adopted by the Department of Agriculture, it would certainly appear that there are compelling reasons, and substantial advantages to be gained by such a quarantine control center.

I would hope that this proposal can be given the thorough review that it merits, and that the Congress will soon be consulted on the proposal to gain a better understanding of the project, and to have a deeper sense of the priority that it deserves.

Mr. President, in an age when population growth of our Nation and of the world requires a constantly increasing demand on protein sources for healthy people, and when America is so blessed with a livestock industry capable of meeting the needs of our people with the greatest source of high protein meats and dairy products, which are a luxury and unattainable commodity in many lands, we must provide that industry with the necessary new blood lines to improve its livestock, but, on the other hand, we cannot, and we must not expose this great industry to, and must protect it from all risks of this smallest of virus which could cause the greatest of tragedies.

A quarantine center owned and operated by the United States for all livestock imports from diseased areas of the world would be an ideal solution.

A FACTUAL REBUTTAL TO THE FARMERS AND GROWERS ATTACK ON OUR NATION'S FARMWORKERS

Mr. WILLIAMS of New Jersey. Mr. President, in September the United Farm Workers Organizing Committee, AFL–CIO—UFWOC—began the third year of their strike and boycott against California growers of fresh table grapes. They are solemnly dedicated to nonviolent, direct action as a tactic to obtain human dignity, and to guarantee by contract improved living and working conditions through collective bargaining with their employers.

The recent impact of the boycott is indicative not of worker desperation, but of increasing worker commitment to their cause, which heretofore has been frustrated by grower intransigence. Employer importation and use of strikebreakers, presence of Mexican alien greencarders, and court injunctions severely limiting the union's right to picket, left no recourse for the workers but to seek public support through a consumer boycott of grapes.

It is not meaningful to characterize the consumer boycott of California table grapes as successful or unsuccessful, for any such measure is ambiguous. A boycott is costly—workers do not like to strike or boycott; the grower suffers economic hardship; and, our entire agriculture economy is affected.

The reports from the Department of Agriculture indicate a slowdown in the transporting, wholesaling, and distribution of grapes; the prices are lower than in previous years; and, the number of sales on consignment have increased. The response from the industry to the boycott, rather than an expression of purpose to mediate with the union, has been a resort to an extensive newspaper, radio, and television campaign allegedly to inform the public of the industry's position.

The zeal of the growers in resisting progress has been accompanied by the raising of the strawmen as issues; reliance on misleading and untruthful statements; and, the imposition of unacceptable conclusions on the public.

THE GROWERS SAY THAT THE WORKERS DO NOT WANT A UNION

This conclusion is based on pure speculation. The best way to resolve the issue of fact of whether the employees want a union is to have a fair, secret ballot election in the best of democratic traditions. It is just this type of election proceeding that is provided by the National Labor Relations Act—NLRA. But the agriculture industry is specifically excluded from NLRA, and Congress has again this year failed to enact my bill to extend this law.

Furthermore, if it is so obvious that the workers oppose a union, why do not growers agree to elections to prove their point. Prior to every strike and boycott, UFWOC offers to join with the grower involved to set up fair elections to determine the will of the workers. In every case the grower has refused even to discuss such an election. After having closed the door on the only democratic method available to convince the public that their workers are content, the growers then ask the American public to accept their word about the feelings of their workers.

Whenever an election has been held, the field workers have voted overwhelmingly to be represented by the union. And the labor situation has been peacefully stablilized to the equal satisfaction of both farmer and employee. These elections are the only hard evidence we have as to the will of the workers.

GROWERS SAY THAT WORKERS ARE HAPPY AND DON'T WANT A UNION, AS PROVEN BY WORKERS NOW IN THE FIELDS

When the strikes were first called, workers left the fields to join the strikes. The companies then proceeded to recruit strikebreakers. As strikebreakers come in, the union is able to get some of them to join the strike, but the companies then recruit more strikebreakers to take their place. This cycle continues.

Many of these strikebreakers are greencard immigrants who live in Mexico and commute seasonally to California to cash in on the harvest season. Others cross the border illegally, and the few who are caught, several hundred a month, are returned to Mexico. They do not support their families on the U.S. cost of living index. Their major objective is to make as much as they can, as fast as they can, so they can return to Mexico and invest it in their homes, businesses, and families there. They are, in this latter respect, perfect strikebreakers. Although the cost of labor for the harvest is increased tremendously by extensive recruiting and other costs, the growers are apparently willing to pay the cost in order to fight the union. Many of the grape strikers meanwhile are forced to take other jobs, or go back into the fields, by economic necessity.

THE GROWERS SAY THAT 90 PERCENT OF THEIR WORKERS ARE LOCAL PEOPLE; NOT MIGRANTS, AND THAT THEY HAVE YEAR-ROUND WORK IN TABLE GRAPES

The figures of the Farm Labor Service say something else. There are three major work periods in table grapes; in Kern County, Calif., in 1967–68, for example:

Pruning and tieing peak: December 18–January 27, 6 weeks, 3,200 workers needed at peak.

Thinning and girdling peak: May 13–June 1, 3 weeks, 3,500 workers needed at peak.

Harvest peak: August 7–September 2, 4 weeks, 6,000 workers needed at peak.

There are migrants at work in each of these seasons. At the peak of the harvest approximately 50 percent of the fieldworkers are migrants. At other times of the year there is less work; for example, October 28, 1967: 3,000 workers; December 2, 1967: 200 workers; February 24, 1968: 200 workers; March 30, 1968: 0 workers; July 13, 1968: 800 workers. In the United States, there are well over 1 million migratory seasonal workers. In California, there are over 200,000—about one-third migrants and two-thirds local seasonals.

RECENT FULL-PAGE ADVERTISEMENTS HAVE ASSERTED THAT FARMWORKERS HAVE SAID PUBLICLY THAT THE REAL WORKERS DO NOT WANT A UNION

This is not true and there is no evidence to substantiate it. The only public evidence that we have—elections and card checks—proves the opposite: that fieldworkers want the protections of a contract negotiated by UFWOC. From the beginning of the strike the growers have supported and made use of labor contractors, local business people, and a small number of farmworkers in their efforts to oppose unionization. The first group was the Kern-Tulare Independent Farm Workers, exposed by the late Senator Robert Kennedy in hearings of my subcommittee as a "company union" with no actual farmworker leadership.

Subsequently there has been the Facts From Delano group, Mothers Against Chavez, Men Against Chavez and now the Agricultural Workers Freedom to Work Association—AWFWA. The AWFWA has been sued by UFWOC as an employee organization financed and controlled by employers in violation of the California code. This case is pending. It calls UFWOC a Communist conspiracy, and is alined with the National Right to Work Committee and other antiunion forces of the State and Nation. This organization appears to be only another pitiful example of man's willingness to sell out the rightful aspirations of his brothers for the sake of personal gain.

OPPONENTS OF THE UNION SAY THAT CALIFORNIA GRAPE WORKERS MAKE $2.50 PER HOUR AND MORE

It is true that some workers earn more than $2 per hour during certain parts of the harvest season. Of course, the work is backbreaking. But the harvest season is short and families should live in decency year-around. Through the whole year, day in and day out, hourly wages in California agriculture average $1.62. Even this low wage level has been reached as a result of union pressure for higher wages, and the recent termination of the bracero importation program. Add to these low wages the seasonal nature of farm labor and it is then easy to understand why annual income for male farmworkers in California is just under $2,000 and family income is between $2,500 and $3,000 per year.

Average hourly wage for all farmworkers—including year-around hired hands—in 1967 was $1.33 for the entire Nation, and $1.62 for California.

In 1965, average hourly earnings of farmworkers in the United States and California was one-half that of factory workers.

Average annual earnings for migrant workers in the Nation in 1967 was $1,307.

The average migrant only finds 82 days of farmwork a year and supplements his meager income with other low-paid work. Very few workers get any free food, transportation, or housing. Even for those who do, the value does not come close to the paid insurance, vacations, and other fringe benefits common in America.

GROWERS SAY THAT THE SMALLER LANDOWNERS, THE MARGINAL TABLE GRAPE GROWERS, WILL BE DESTROYED BY THE BOYCOTT

A boycott is costly to all involved, and the workers do not like to strike or boycott. They have given assurances that they will call off their economic warfare activities anytime their employers agree to bargaining.

Meanwhile, the union has offered to use the boycott machinery to market the grapes of any grower who will sit down with his organized workers. Some chainstores which have stopped selling grapes would unquestionably prefer to sell union-harvested grapes.

However, neither large nor small farmers can justify their own survival in business if it is purchased at the cost of suffering for farmworkers and their children.

Furthermore, the union fully realizes that small farmers are often exploited at the marketplace. Both small family farmers and fieldworkers are at a competitive disadvantage vis-a-vis the huge agribusiness concerns in selling their labor and their products. In California, for example, 10 percent of the farms employ 80 percent of the farmworkers, 6 percent of California's farms own 75 percent of the land, and 5.2 percent of California's farms pay 60.2 percent of the farm labor wages.

The unionization of these gigantic farming operations will help the small farmer by making his own labor worth more. In fact, the National Farmers Union and the National Farmers Organization have raised their voices in support of UFWOC's demands for union recognition and the inclusion of farmworkers under the NLRA. Farmers need to get together to change injustices caused by agribusiness just as their workers are getting together to change longstanding injustice in the fields.

By extending the NLRA, an equalization of bargaining power would be accomplished and both employer and union would be subject to provisions of the act forbidding ruthless power that intimidates and threatens other parties and individuals covered by the act.

THE GROWERS SAY THEY FAVOR UNIONIZATION, BUT THAT UFWOC AND CESAR CHAVEZ ARE UNTRUSTWORTHY

Some agricultural organizations have consistently opposed the extension of the NLRA to agriculture. The Council of California Growers, the California Farm Bureau Federation and the American Farm Bureau Federation are among the major opponents of present efforts to extend the NLRA. The big business segments of the agricultural industry have given lipservice to the rights of their workers to organize but in every specific instance they have bitterly opposed unionization. Cesar Chavez is proving to the world his dedication to the aspirations of his own people, and indeed to the needs of all men. He is a leader in nonviolence, known and supported by the major religious bodies in this country, and the Nation's labor movement is firmly supporting his efforts.

Cesar Chavez and the workers with him have no desire to destroy anyone, least of all their own employers. The agricultural industry may someday recognize with gratitude that they can choose to bargain with humane and reasonable men.

WHAT ARE SOME OF THE PROVISIONS OF THE EXISTING UFWOC CONTRACTS?

There are now nine contracts negotiated between organized workers and their employers. These contracts provide for better wages, establish grievance and arbitration procedures, and make provision for job security, overtime pay, rest periods, a jointly administered health benefit plan, certain holidays and vacations with pay, health and safety protections on the job, and other benefits. The contracts include "no-strike" clauses for the life of the contract with stringent immediate binding mediation and court action in the event of a violation of this clause.

GROWERS SAY THAT COLLECTIVE BARGAINING IS NOT POSSIBLE OR FEASIBLE IN THE AGRICULTURAL INDUSTRY, BECAUSE OF THE PERISHABLE NATURE OF FRUITS AND VEGETABLES

These nine contracts between the UFWOC workers and their employers, each including a "no-strike" clause, serve as adequate evidence that collective bargaining can and does work. Furthermore, other industries with perishable products that have a seasonal need for a large number of temporary employees are covered by the NLRA, and have successful collective bargaining relationships. An example of such industries, related to agriculture, are fruit and vegetable packing, canning and freezing, sugar processing, and fishing. In Hawaii, there is a long history of collective bargaining for sugar and pineapple industry field employees. And in many foreign countries, agricultural employees have long been permitted to form and join labor organizations for the purpose of collective bargaining.

THE GROWERS SAY THAT THE UNION HAS NOT OFFERED TO BARGAIN

This is false. UFWOC has corresponded directly with all California table grape growers and their representatives, offering to discuss union representation elections and other matters of concern to growers and workers. To date there have been no responses to those offers. Further, UFWOC has repeatedly offered to join growers in establishing fair procedures through various third parties for secret ballot elections which would determine whether the workers want to be represented by UFWOC. The growers have rejected all efforts to mediate the dispute.

COLLECTIVE BARGAINING THREATENS TO DESTROY THE GROWER AND FARMER

Contracts with workers that provide humane wages and just working conditions do cost money. No one has ever denied they cost money. One company, Di Giorgio, that does bargain with a union, has recently sold table grape acreage, but this was in accordance with a Government agreement that in return for publicly subsidized irrigation water for 160 acres of its land, Di Giorgio would sell its excess acreage.

GROWERS SAY THAT THE MIGRANT IS SURVIVING AND WORKING

Death rates of migrant farmworkers as a percent of the national rates in 1967 are shocking:

Infant mortality: 125 percent higher than the national rate.

Maternal mortality: 125 percent higher than the national rate.

Influenza and pneumonia: 200 percent higher than the national rate.

Tuberculosis and other infectious diseases: 260 percent higher than the national rate.

Accidents: 300 percent higher than the national rate.

Life expectancy for migrants is 49 years, as opposed to 70 for all others.

Wages paid farmworkers are only a small part of food costs; for example:

	Cents
Retail price in 1965:	
Lettuce (per head)	21
Lemons (per pound)	24
Field labor cost in 1965:	
Lettuce (per head)	1.2
Lemons (apiece)	0.8

Farmworkers are specifically excluded from unemployment insurance and collective bargaining laws. They are discriminated against in minimum wage coverage—$1.15 for farmworkers, $1.60 for others—and social security laws. Children working in agriculture are excluded from child labor and school attendance laws. Without contracts, farmworkers do not have protections that other workers take for granted; for example, job security, overtime pay, holidays and vacations with pay, sanitary toilets and drinking water, health insurance, grievance procedure, rest periods, and so forth.

MANY PUBLIC FIGURES SAY THE BOYCOTT IS ILLEGAL

Contrary to the statements of some misinformed persons, it is perfectly legal to engage in a primary boycott, variously called a primary, or product, or consumer boycott, calling on consumers to stop purchasing a product directly involved in a labor dispute—for example, California table grapes. It is also legal under Federal law for farmworkers to engage in a secondary boycott, since the NLRA, which prohibits a secondary boycott, specifically excludes agriculture from its protections and benefits. When four unions in New York that are actually covered by the NLRA were charged with participation in a secondary boycott, the unions stipulated that they would not participate in the future in such activity surrounding the grape dispute. This action has nothing to do with the legality of the consumer boycott.

WHY DO FARMWORKERS NOT USE THE LEGAL MACHINERY THAT IS AVAILABLE TO GET ELECTIONS AND SETTLE THE STRIKE, AS SOME POLITICIANS HAVE SUGGESTED

Farmworkers are specifically excluded from the National Labor Relations Act—NLRA. They have no rights under the law to seek elections that might lead to collective bargaining. If growers refuse elections—as the table grape growers have—workers have only one recourse: to apply economic pressure until they have gained union recognition and collective bargaining.

The union has attempted to gain private agreements with growers and farmers to have impartial parties conduct elections and supervise collective bargaining. This method of private settlement had proved successful in the wine grape industry, but the table grape growers' unwillingness to accept similar mediation now is a primary cause of the present boycott.

THE GROWERS SAY THAT CESAR CHAVEZ AND OTHER UNION LEADERS ARE POWER- AND MONEY-HUNGRY LABOR AGITATORS

Cesar Chavez was a migrant farmworker and came from a family of migrants. He was a community organizer for the Community Service Organization—CSO—from 1952 to 1962. Because of his deep feelings about the suffering of farmworkers and his conviction that farmworkers had to protect themselves and improve their conditions through their own organization, he left his job at CSO in 1962; and his wife, Helen, and their eight children moved to Delano, Calif. They lived on farmwork and began organizing the National Farm Workers Association. Before the strike, Chavez's union salary was less than $75 per week. Since the strike began he has been supported by the union; food comes from the strike store or kitchen; and only $5 per week is paid to him, as all adults who work in the strike. The food and money come from unions, churches, individuals, et cetera. Without these contributions, there would be no strike.

WHAT DO THE FARMWORKERS INTEND TO ACCOMPLISH BY THEIR BOYCOTT OF GRAPES?

The primary goal is to obtain union recognition and assurance of good faith collective bargaining from their grower and farmer employers.

The best way to achieve this goal would be to include the agricultural industry under the protective provisions of the National Labor Relations Act.

With the elementary rights of union recognition and collective bargaining, in addition to all the other protections of the NLRA, the farmworkers and farmers and growers would have access to the same legal protections and forum that has been so very successful in the past 30 years for all other industry, so that they can work together with their employers toward:

A living wage, so that their children do not have to quit grammar school to help earn food;

Sanitary facilities placed in the field to protect themselves, and the consumer, from disease;

The right to work and live with dignity;

Recognition of the worker's basic humanity and dignity as a free moral agent who may exercise his right to help form his own destiny and to responsibly better his own conditions;

Securing collective bargaining agreements, similar to the nine already signed, that provide for higher wages, grievance procedures, overtime pay, job security, rest periods, health insurance, holidays and vacations with pay, and other benefits;

Strong and strict enforcement of laws already on the books that are intended to regulate farm labor contractors and crewleaders, transportation, sanitation, child labor and school attendance, discrimination in employment, workmen's compensation insurance, minimum wage, wage payment and collection, State labor relations acts, unemployment insurance, temporary disability insurance, health and welfare benefits, and social security laws.

The grape strikers do not ask for pity or charity, only their rights. They are not rejoicing in the boycott. It is tragic that the grape industry will not talk with representatives of their employees. It is tragic that the boycott toll will be measured not only in present sales and price decline, but measured by a taint on grapes not easily removed in the future. Wholesalers, for example, who will not handle grapes now, will no doubt be disinclined to reenter the market and reestablish lost customers. The half-life of the spirit and purpose of the boycott will likely continue as an economic scar on the industry for years.

But the farmworkers solemnly feel they are resorting to nonviolent action as the only way to obtain their liberation from decades of poverty and exclusion as the forgotten Americans.

They want to expose to the American public the continued resistance by the farmers and growers to the union's demands for recognition and the right of collective bargaining. They want to explain that they have a just cause, and that the continued resistance to their demands constitutes a denial of social justice and provides the basis for continued exploitation, discrimination, and other antisocial behavior on the part of the producers of food products. They want growers to recognize their worth and dignity, and bargain with them as men.

The consumer's interest in the boycott shows that the American public will not remain indifferently silent or inactive when our fellow human beings are deprived and ignored. Citizens of this Nation will help those on the lower rungs of the ladder. The greatness of our country lies in the sympathy and support each of us renders to our fellow citizens. We must put forth every effort to secure justice and righteousness as the foundation of our civilization.

Passage of legislation to include the agriculture industry under the protective provisions of the National Labor Relations Act will be the first step in that direction.

RETIREMENT OF SENATOR KUCHEL

Mr. YOUNG of North Dakota. Mr. President, when the 91st Congress convenes in January, the Senate will miss one of its most able members. The Senator from California [Mr. Kuchel] will no longer be with us.

Throughout a long career in public office, the distinguished minority whip has served his State and Nation with unvarying skill and devotion. It has been my privilege to work closely with him since he came to the Senate in 1953.

The Senator has made outstanding contributions to the welfare of the Nation through his tireless work as ranking Republican on the Senate Interior Committee. He has recognized the need to maintain and preserve as a part of our national heritage key historic sites, national park areas, and establish recreational areas for our growing population.

His contributions to the formation and enunciation of an effective policy for the development of our water resources will long be remembered. Few members have had the interest of Americans of today and of the future so much in mind as they proceeded with their work here in the Senate.

As a fellow member of the Senate Appropriations Committee, Tom Kuchel has always amazed me with his thorough knowledge of a wide range of complex issues. His counsel and assistance has been invaluable and I shall miss working with him greatly. I know I join all Members of the Senate in wishing Mrs. Kuchel and Tom every success in the future.

TRADE WITH THE COMMUNIST BLOC WILL STRENGTHEN THE ENEMY

Mr. HRUSKA. Mr. President, a few days ago in this Chamber the Senator from South Dakota [Mr. Mundt] offered a most thorough and searching analysis of the manner in which our control over exports—or rather in some cases our lack of control—is permitting American goods to flow into the hands of those abroad who will use them against us. In graphic fashion he showed us how American raw materials and machinery shipped to Communist bloc countries in Eastern Europe can be used by them in the production of the weapons and other equipment supplied to our enemy in Vietnam.

The Senator from South Dakota [Mr. Mundt] is to be commended for his careful study of this difficult subject, and for the leadership he has given the country in this matter. In recent years the Congress has found it necessary again and again to reject proposals by the Johnson-Humphrey administration aimed at expanding our economic relationships with the Communist bloc. Of particular importance, last year and this year the Congress rejected firmly the administration proposals that loans be granted to the Communist countries through the use of the facilities of the Export-Import Bank, which is owned by the Government. In the development of that policy, also, the Senator from South Dakota played a leading part.

By these various actions we have made a start toward bringing our foreign trade policies into conformity with our diplomatic policies and our military position. We are at war in Vietnam. Our enemy there is not primarily the government of a small Asiatic nation, but rather it is the force of international communism. Does anyone doubt that fact? The war has been fostered and supported by the Communist bloc of nations, led primarily by the Union of Soviet Socialist Republics.

We are at war and to date our killed in action number 28,458. That is the number of dead, but the number of wounded is much larger, of course. I do not know why we so commonly refer only to the dead but neglect to mention the crippled and the injured, of whom even those who recover in many cases must spend long weeks and months in painful convalescence. The number of our wounded in Vietnam to date is 178,000. With the dead they amount to more than 200,000 casualties. That is the price in blood that has been paid so far by our youth, and the end is not yet clearly visible.

We are at war and the question is what kind of foreign economic policies are appropriate toward those who sustain the strength of our enemies.

Surely we cannot forget that the planes, the guns, the missiles, the other sophisticated military equipment without which this war would soon come to an end are being supplied by countries of the Communist bloc, principally by Soviet Russia. In truth, Soviet Russia is the arsenal of communism, just as the United States has been and is the arsenal of democracy.

EAST-WEST TRADE BILL

In the face of this fact, it is appropriate to look at the broad outlines of policy proposed by this administration regarding trade with the Communist bloc. Despite repeated rebuffs on all manner of political questions by the Russians, despite continued behavior such as was illustrated by the recent tragic events in Czechoslovakia, the administration continues to work for an expansion of trade relations with the Communist bloc. In this connection, of particular importance is the President's expressed desire for enactment of the East-West trade relations bill.

This is the proposal which would permit the President to grant to individual countries of the Communist bloc what is called most-favored-nation status, which means that on imports of merchandise into this country from them, the rates of duty levied would be the same as those collected on similar merchandise from most other countries of the world. On most kinds of merchandise this would mean a reduction in duty of 50 to 75 percent on goods from those Communist countries.

This proposal has been repeatedly requested or endorsed by the administration. Last January it was specifically requested in the President's economic report to the Congress in these terms:

> During the year ahead, opportunities may develop to expand peaceful trade with the countries of Eastern Europe and the Soviet Union. I again urge the Congress to provide the necessary authority for us to pursue such opportunities should they develop.

Before we adopt any such policies, it is hoped that there may be the most thoroughgoing analysis of the economic factors involved, and the relationship of economics to our diplomatic and military situation.

BUILDING BRIDGES TO COMMUNISM

The President has argued that the expansion of commerce may be the means, directly or indirectly, of softening antagonisms between the Communist world and the West, and "building bridges" of understanding which may lead to the settlement of outstanding disputes. It is my purpose to point out some of the fallacies of this line of reasoning.

Let us start by attempting to get a clear conception of what kind of trade is likely to be involved in case this administration should be successful in expanding the level of commerce with them. First of all, it should be understood that there is no commodity of great importance coming from Communist sources which we greatly need. There is very little they produce that we particularly want to buy, no matter how low the tariff rate may be reduced. We do now import a few things from the U.S.S.R.—furs, Russian caviar, precious metals, and so on. There are items such as food specialties from certain Eastern European countries which have an established market in this country, but supplies of these products are in no sense essential to our country. There may have been a time when we were somewhat dependent on Russia for a few metallic ores, such as manganese ore, but that is true no longer.

Altogether, the Communist countries are not of importance to us as a source of supply from an economic standpoint.

From the point of view of exports, sales to the Communist countries can presumably be a source of profit, like sales to anyone else. This means something, but surely it does not mean very much. Last year, our exports to the Communist bloc countries—excluding Yugoslavia—was $195 million—only about two-thirds of 1 percent of our total exports to all countries.

In short, trade with the Communist bloc is not particularly essential to us. It is essential to them. We do not need them, but they do need us.

Even if the profit possibilities from expanded East-West trade were far greater than they are, it would still have to be said that they are of minor importance. From the character of the public campaign for this proposal, it is obvious that much of its backing comes, not from those who hope to have an impact on Soviet diplomatic policies, but from commercial motives. In other words, it comes from those who believe that East-West trade will be profitable. I do not disdain the pursuit of profit, but private profit must always be subordinated to national security considerations in this dangerous world. Do we really need this kind of profit? Do we want profits at the cost of American casualties in Vietnam?

Looking at the longer range prospects of East-West trade, what is it that we expect to sell to the Communists in volume sufficiently great to justify dealing with them? What lines of our trade may we expect will be benefited over the long pull?

The fact is that nothing about the Communist system encourages us to hope for a stable, growing market there for peacetime goods.

The Communist countries want to purchase our goods when they have a temporary shortage of some necessary product, as may result from a crop failure. When their wheat crop fails, they buy wheat. But such markets are only temporary, because the Soviets immediately set to expand production and thus make up the shortage in future years. Thus, imports in 1 year should not give rise to hope for future sales. On the contrary, their need for imports in 1 year convinces them they must develop their own production to avoid such imports in the future.

In a few instances the Communist countries will import products they cannot produce themselves, or raw materials they must have but for which they lack the domestic resources for home production. Such Communist purchases will continue, of course, regardless of our policies on East-West trade.

ONE-OF-A-KIND SALES

Of more importance, however, are the Communist purchases of machinery and the like. The difficulty here is that sale of an American machine does not lead to the development of a steady volume of trade with a satisfied customer. Instead, it is more likely that the Communists will buy one machine, then copy it themselves or study it as a specimen, to extract such ideas about design, and so on, as they find useful. A clear pattern of this procedure is already apparent and requires no elaboration.

From their point of view, ideally they would hope to buy one each of every product of advanced technology that we make, then manufacture the copies of that sample to suit their own purposes. In other words, they are more interested in buying technology and know-how than in buying merchandise.

This psychology lays no basis for the increasing and mutually profitable trade relations. The Communist policy is not aimed at getting rid of trade barriers in order to help them buy in the cheapest market, and so on. It is aimed at the reduction, not at the expansion, of trade volume.

As a matter of logic, if they catch up completely with our technology, they can stop buying from us entirely.

In short, the whole attitude of the Communist leaders toward trade is entirely different from ours. In the short run, they may want an expansion of trade, but only for the purpose of building an industrial base which will enable them to dispense with such trade in the future. In the face of such psychology as that, what is the use of building our policy on the basis that East-West trade will "build bridges" toward understanding with the Soviet people?

WHAT WILL THEY SELL US?

In the third place, there is the question of what they will sell to us, if the trade is to be a two-way street. Practically speaking, it has been our experience that they do not produce a great deal that our people want to buy. Their manufactures are mostly not of a quality to attract the American consumer. At times, Communist merchandise has been sold very cheap here on a subsidized, dumped basis. If it is priced cheap enough, of course, sometimes a large volume can be sold here. But we cannot accept imports on that basis. We must insist that anything sold here be on a basis of fair competition, and we have laws to prevent the dumping of foreign merchandise here.

In practice, therefore, the Communist countries have had great difficulty earning the wherewithal with which to make purchases. In some of the underedeveloped areas of the world, they have financed imports by forcing their manufactures into export on a barter basis. In a few cases, they have bartered raw materials such as oil in Western Europe, as a means of financing their purchases. At times, they have paid for imports of wheat and the like wtih newly mined gold.

In general, all these and other devices combined have not provided them with sufficient funds to finance any great expansion of imports. That fact has not worried the Communists nearly as much as it ought to worry their suppliers in the West. What has happened is this: the businessmen and the governments of Western Europe, who are pushing East-West trade most energetically, have found themselves forced into granting greater and greater credits for longer and longer terms.

TRADE AND CREDIT

It develops that trade is not a two-way street after all. It is trade one way, and credit the other way. And so, it turns out not to be trade at all, but a kind of aid. Then the question is posed starkly, should we give foreign aid to our enemies as well as our friends? What has happened to the original justification for the foreign aid program, that it was to check Communist expansion?

It is not my purpose to discuss at this time every aspect of our trade policy vis-a-vis the Communist countries. The possible ramifications of this question are enormous and should be thoroughly explored. We should also explore just how much impact has been felt within those Communist countries as a result of the commercial benefits they have already received from Western Europe and Japan.

In support of the President's recommendations there is often quoted a report made in April of 1965 by the Special Committee appointed by the President on U.S. Trade with East European countries and the Soviet Union. That Committee recommended certain guarded steps toward expanding trade with the Communist bloc, and parts of its report have been widely quoted by proponents of the President's policies.

It is not often mentioned that at the time that report was made we were not then militarily engaged in Vietnam as we are now. The recommendations of that Committee had to do with trading relations with countries with which we were at peace.

Even so, the Committee was most cautious in its suggestions. It recommended, for example, that we should adhere to the 5-year limit on credits, that we should insist upon settlement of past-due obligations such as lend-lease debts. and the like. It stated bluntly:

> Trade cannot settle the major outstanding issues between ourselves and the Communists.

Most persuasive of all in my judgment, however, was the individual comment of a member of that special committee, Nathaniel Goldfinger, director of research of the AFL–CIO, who said:

> We should have no illusions about the ability of trade, in itself, to alter Communist attitudes and policies. Neither is trade, as such, a sure force for peace, as indicated by the two World Wars between trading nations.
>
> Recognition of these realities should result in greater emphasis on the principle of quid pro quo concessions than is contained in the Report. In my opinion, there should be no expansion of trade, extension of Government-guaranteed credit or most-favored-nation treatment without political quid pro quo concessions from them.

If those comments were sound in April of 1965 before today's extent of our commitment in the Vietnam conflict, how much more sound they are now.

COMMISSION ON HEALTH SCIENCE AND SOCIETY

Mr. MONDALE. Mr. President, in introducing Senate Joint Resolution 145, to create a Commission on Health Science and Society, last February, I detailed the vast array of legal, social, ethical, and public policy issues surrounding the then headline-making areas of transplantation and genetic intervention. Hearings on this joint resolution held during March and April corroborated my concerns.

It is now near the end of this session, and it seems clear that no action will be taken on the Commission resolution. I feel strongly that the case made during the hearings for such a body still stands. I intend in the next session of Congress to push forward for national discussion of the issues involved.

But in the interim, I think it is important that the American people, particularly State legislators, be made aware of something that they can and must do immediately to help resolve some of the legal issues raised by the modern miracle of transplantation.

Mr. President, one of the most interesting discussions of the Health Commission hearings concerned the then-pending Uniform Anatomical Gift Act, drawn up by the Commissioners on Uniform State Laws. This act, carefully developed over 3 years, was designed to end some of the conflicts between existing statutes and the medical realities of today. Some States adopted versions of the act in draft form, action unprecedented and showing the keen interest in this area. These States are Kansas, Maryland, Louisiana, and California. But the rest of the States will have a final draft to work with, the draft completed at the end of July, and endorsed by the American Bar Association August 7, 1968.

In developing the Health Commission legislation, I was fortunate to have the assistance of the medical-legal team of Alfred and Blair Sadler of the National Institutes of Health. In a fascinating article, due to be published in the Georgetown Law Journal, they give a comprehensive review of the legal issues involved in tissue transplantation. Further, they discuss in great detail the inadequacies of existing State laws, and how the proposed Uniform Anatomical Gift Act would resolve many of the difficulties.

As they conclude:

> The Uniform Anatomical Gift Act represents a great achievement and a great challenge. It is a great achievement because it has swept away the antiquated principles of the common law and the inadequate provisions of exiting donation legislation, thus eliminating many of the impediments to the transplantation of vital organs . . . It also represents a great challenge. The medical and legal professions and the general public must now work together to ensure the adoption of this Act by all jursidictions.

I join with the many who have worked on this act in hoping that the rest of the States will move quickly to pass uniform legislation in this area.

Mr. President, I ask unanimous consent to have printed in the RECORD the text of the article as it will appear in the Georgetown Law Journal.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TRANSPLANTATION AND THE LAW: THE NEED FOR ORGANIZED SENSITIVITY

(By Alfred M. Sadler, Jr.* and Blair L. Sadler**)

(NOTE.—As all society has become increasingly involved in the ramification of the transplantation of human organs and tissue, the need has evolved for a balancing of societal needs and individual rights. The Sadlers believe that this balance has been satisfactorily achieved by the drafters of the Uniform Anatomical Gift Act. After analyzing the Act's 13 salient provisions, the authors conclude that with the Uniform Act as a model, the medical and legal communities and the lay public are closer to attaining the desired end; what is needed is the development of an organized sensitivity to the problems resolved by the Uniform Act and to those which remain.) *

It is difficult to recall on event which has so dramatically displayed the many multidisciplinary ramifications of the current scientific revolution than has the first transplantation of a human heart on December 3, 1967.[1] Despite its obvious appeal as a medical landmark, that event, and its progeny[2] received a colorful spectrum of epithets ranging from, "a miracle" and "the answer to heart disease," to "exceedingly premature," "immoral," and "criminal." Such emphatic reactions must come as a surprise to some, for many of the ethical, social, and legal questions raised by heart transplantation are not new, but have been raised previously by the transplantation of other organs and the use of human tissue for medical and scientific purposes.[3]

One result unique to the transplantation of a human heart is that many of these extremely perplexing questions are now subjects of considerable concern among the lay public. In part this interest results from the many emotional, aesthetic, and religious ties with the heart which make it more, in the minds of most, than the anatomy professor's typical description of it as a "muscular bag." It is reflected in the repeated, wide-ranging discussions which appear in every form of mass media. The cartoon,[4] the bumper sticker,[5] and the Gallup poll[6] all attest to both the public's interest and concern. Appropriately, Congress has shown considerable interest as well.[7]

The heart transplant operations have raised a veritable merry-go-round of issues, involving medicine, law, ethics, morality, sociology, philosophy, religion, psychology, economics, and politics.[8] As with most merry-go-rounds, the perspective one has upon getting off may be largely a function of that which he had when he stepped on. In order to define the existing problems and to suggest solutions, it is critical to delineate these various areas to the extent that their interlocking nature allows. To state the task is to admit that the distinctions drawn may be artificial in the individual case.

For purposes of this analysis, several of the questions raised shall be treated as falling primarily within one of the above disciplines. For example, the establishment of the criteria for the selection of transplant do-

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Footnotes at end of article.

nors, the proper selection of transplant recipients,[9] and the development of criteria for determining time of death are all issues which require specialized medical expertise. The task of labeling new medical or surgical techniques as "therapeutic" or "experimental" or determining whether a certain procedure is "premature" rapidly enters the realm of medical ethics.[10] Social and economic factors play painfully relevant roles in the "medical" selection of recipients for a transplant or candidates for an established, but inadequately available, mode of treatment, such as hemodialysis.[11] Some of the larger questions, such as establishing priorities between support of transplantation, artificial devices, or basic research in the causes of heart or kidney disease, are public policy determinations.[12] Finally, there are those issues which properly fall within the scope of the law. This article focuses on an examination of this latter area, analyzing what responsible legislation can and should do. In this regard, a few words of perspective are in order.

The donation and procurement of human tissue can be effected from both living and dead persons. In the former case, such as in the transplantation of a kidney or the taking of skin for grafting, the primary legal concern is to obtain both adequate and informed consent authorizing the surgical removal.[13] This may become complicated if the prospective donor is a minor or incompetent.[14] The crucial point, however, is that while donation and procurement of tissue from a living donor may produce serious ethical and legal issues, there is no doubt as to the right of a competent adult to make such a donation; thus, there is no need for statutory donation authority.

An altogether different situation arises when an organ or tissue is utilized after the death of the donor and the validity of the individual's donation is unclear. Many additional questions result from the existence of several very important, but frequently competing, interests which the law has endeavored to recognize. In addition to the wishes of the deceased and those of the surviving spouse and other appropriate next of kin,[15] modern medical science's need for organs, tissue, and cadavers and society's requirement that cause of death be determined in certain circumstances[16] must also be taken into account. The attempted reconciliations of these conflicting interests by piecemeal legislation and the many recent technological advances in transplantation and research have produced the legal problems which are the subject of this analysis.

The present law concerning transplantation is an unwieldy morass of archaic common-law principles; related, but not relevant, autopsy, unclaimed body, and medical examiner statutes; and incomplete, highly irregular donation legislation. The Uniform Anatomical Gift Act,[17] prepared by the Commissioners on Uniform State Laws, represents an important step forward in the creation of the needed legal structure to guide the donation and use of organs and tissue for transplantation and other medical purposes. With this model completed,[18] both the medical and legal communities and the general public must develop an organized sensitivity to the problems and the solutions provided by the Act. Without such an organized and comprehensive awareness, the model will be only a model and the existing confusion will remain. In order to appreciate the present dilemma, it is necessary to understand the void which had existed prior to the appearance of the Uniform Act.

JUDICIAL INADEQUACIES OF THE COMMON LAW

In medieval England, matters concerning dead bodies were subject to the jurisdiction of the ecclesiastical courts.[19] In keeping with the traditional Western emphasis on the dignity and sanctity of the individual, the body was considered incapable of being owned in the commercial sense, and thus, could not be bought or sold. This resulted in the refusal of early common-law decisions to recognize any property rights in the body of a deceased person.[20] This "no property" doctrine was reiterated in subsequent English cases. In *Williams v. Williams*,[21] the court concluded that since a body is not property, it is not a part of the decedent's estate; thus, a person could not direct the manner of his burial.

Although early decisions in American courts adopted the "no-property" rule,[22] the more recent trend is to recognize that an individual has certain interests—frequently termed "quasi-property" rights[23]—which give some authority to his directing the post-mortem disposition of his body. Generally, these rights have been limited to directing the place and manner of burial[24] or to agreements in insurance policies by which the insured authorizes an autopsy of his body.[25]

Only two reported cases have been found which deal with the donation of a body for scientific purposes. In the first, *In re Johnson's Estate*,[26] the New York County Surrogate Court was concerned with a codicil to a will in which the deceased had bequeathed her body for medical research. Distinguishing English precedent, it overruled earlier decisions which had held that there were no property rights in a dead body, and upheld the codicil. This decision is of limited import, however, since no next of kin contested the donation and New York had, at that time, a statute which specifically granted a person the right to direct the disposition of his body.[27]

Of greater weight is *Holland v. Metalious*,[28] where the author of *Peyton Place* had agreed to donate her body to either of two medical schools "for the purposes of experimentation in the interest of medical science."[29] The litigation arose when both schools declined to accept the body for the will also contained the provision that "no funeral services be held." Both the surviving spouse and the children objected to the latter clause and requested that a "brief and simple" funeral service be held. The executor and the administrator moved to enjoin the funeral as being an act contrary to the expressed intentions of the decedent.

Discussing the question before it, the court referred to the "general principle accepted in most jurisdictions that the surviving spouse and the next of kin, in that order, are accorded proprietary rights to determine matters relating to burial, at least in the absence of testamentary or other direction of the decedent."[30] While recognizing that a person's wishes with regard to the interment or other disposition of his body "should be respected and followed in preference to opposing wishes of his survivors,"[31] it cautioned that "rights in matters of burial or disinterment are not absolute, and will be governed 'by rules of propriety and reasonableness. . . .'"[32] Because her will had coupled the desire to have no funeral services with an attempted donation for scientific purposes, the court concluded that upon the failure of the "primary purpose . . ., it was not unreasonable to conclude that the wishes of her surviving spouse and children should take precedence."[33]

Although the decision seems to favor the wishes of the next of kin, it also contains language that under ordinary circumstances the rights of the decedent should be controlling. Thus, it may be a weak precedent for either view, especially in light of the court's statement that no question arose in that case "concerning the validity of a testamentary provision for donation of the body of a testatrix to a medical school for scientific study."[34] In fact, the most significant aspect of the *Metalious* case is the court's recognition that "in the light of current medical advances . . . existing 'anatomical' statutes . . . are inadequate, *and the need for appropriate statutory provision to implement the desires of the dying to aid the living is increasingly urgent.*"[35]

As a result of the scarcity of judicial declarations dealing specifically with donations, the existence of any common-law right of an individual to donate his own organs or tissue for use after his death may only be derived by analogy from a closely related situation—where a decedent has directed his manner or place of burial. Unfortunately, an examination of these cases proves similarly inconclusive.

Courts are in accord that a person's direction regarding the post-mortem disposal of his body, whether oral[36] or in writing,[37] is entitled to be given considerable weight. Whether the wishes of the deceased prevail over those of the surviving spouse or next of kin depends upon the facts of the individual case. Although there is some authority for the proposition that a testator's wishes, as expressed in his will, are paramount to those of his next of kin,[38] there exists a line of cases which has concluded that such testamentary dispositions are not binding on the latter.[39] This seeming inconsistency has caused one commentator to conclude: "In the absence of specific statutory authority, a person has, at best, a very qualified assurance that the testamentary disposition that he makes of his own body will be fulfilled. . . . And the chances against fulfillment becomes vastly greater if he desires to donate his body, or parts thereof, for scientific or medical purposes."[40]

The rights of the next of kin to donate all or part of the deceased's body have also had a curious ancestry. Due to the well recognized right which each individual has to a proper burial[41] and the concomitant societal interest in the adequate disposal of bodies, the next of kin have long been obligated to provide for the decedent's burial.[42] To adequately discharge this duty, courts have created the right to possession of the body in the same condition it was in at the time of death and have provided a cause of action if the body should be mutilated.[43] Under this rationale, an unauthorized removal of organs for transplantation or research would be an actionable wrong.[44]

The right to donate all or part of the decedent's body for medical or scientific purposes is not synonymous with the common-law right to provide the body with a decent burial.[45] However, the practice of obtaining donation consent from next of kin is so widely recognized today that such permission is not likely to be challenged. Acceptance of this proposition is evidenced by the fact that several states specifically permit donation by next of kin,[46] while none prohibit this right.

The paucity of cases dealing with donation of tissue, by either the decedent or next of kin, and the conflicting judicial treatment of the questions dealing with the place and manner of burial, provide little assurance that an individual has the authority to control the disposition of his body. The severe time demands requiring the speedy removal of tissue and the reluctance on the part of those involved to resolve disagreements over donations by litigation explain the almost total lack of case law on this subject. Consequently, guidance must be sought from statutory law.

THE STATUTORY FRAMEWORK

Three types of statutes have been enacted which affect the various interests associated with a decedent's body. However, since none was designed to satisfy the complex needs of transplantation; they provide no solution to the vagaries of the common law.

Autopsy statutes

A large number of states have enacted autopsy statutes which permit the next of kin to authorize an autopsy on the deceased. These statutes are of substantial help to

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doctors in that they usually enumerate the appropriate next of kin for obtaining autopsy consent; some even establish an order of priority based upon the degree of familial kinship.[47] Approximately one-half specifically provide an individual the right to authorize an autopsy of his remains.[48]

It is doubtful whether present statutory autopsy authority is broad enough to include the procurement of organs and tissue for medical purposes, such as transplantation,[49] since this is beyond the scope of the routine autopsy and none of the statutes have attempted to redefine the term.[50] It has been suggested that permission for an autopsy, in effect, authorizes the removal of tissue for scientific use.[51] Such a view is based upon the belief that permanent removal of certain organs is the customary practice.[52] This presumption is probably not justified; the public is not adequately aware of the nonreplacement practices regarding autopsies, and cannot be assumed to have intended such a broad authorization.[53]

Moreover, the cases do not reveal a judicial willingness to extend the scope of autopsies by implication. Where performance of an autopsy requires the removal of tissue for microscopic examination, this has been allowed,[54] but only to the extent necessary to complete the autopsy.[55] Likewise, it generally has been recognized that a person has the right to place limitations on the autopsy consent provided.[56] Thus, although most states have enacted autopsy statutes, they have not been expanded by the legislatures to specifically include the taking of organs or tissue for transplantation or other medical purposes.

Unclaimed body statutes

In addition to autopsy statutes, a number of jurisdictions have passed legislation providing for the delivery of unclaimed bodies to medical schools and hospitals for educational and scientific purposes.[57] These statutes, known as either "unclaimed body" or "anatomy" statutes, usually contain a waiting period of at least 24 hours, during which time the hospital in possession of the deceased's body must make a reasonable search for the next of kin.[58] Until this has been made, and the waiting period has passed, the body is not "unclaimed" within the meaning of the statute. These requirements, in themselves, preclude the use of unclaimed bodies for transplantation and most medical research purposes.[59]

The possible applicability of an unclaimed body statute for the purpose of transplantation was raised during a recent heart transplant operation in Richmond, Virginia, on May 25, 1968. According to newspaper accounts, the body of the donor was declared "unclaimed" by the state medical examiner's office.[60] Under section 32–356 of the *Virginia Code*, the State Health Commissioner is authorized to distribute a body only "if said body is unclaimed and there be no objection by the next kin of the deceased. . . ."[61] This is qualified, however, by the following section which requires the body be held "in the city or county where death occurs not less than twenty-four hours."[62] Whether the statute was complied with is unclear from all available information.[63] What is clear is that this case serves to highlight the problems which may arise when laws enacted for one purpose are extended to cover situations for which they were not designed.

Medical examiner and coroner statutes

It is well established that the rights of the next of kin must yield to the right of the public to investigate the cause of death in certain circumstances.[64] Despite the longstanding tradition of allowing the next of kin to control the disposition of the remains, a complete post-mortem examination of a body is often essential to determine the cause of death, establish the existence of a crime, or provide necessary evidence at trial. Consequently, statutes exist in every jurisdiction which authorize a medical examiner or coroner to perform post-mortem examinations in those situations where he believes death to have occurred as the result of violence or in other suspicious circumstances.[65] Because of the clear public interest involved, he is authorized to perform an autopsy without the next of kin's consent.

The medical examiner could be an ideal person to sanction the procurement of tissue from victims of fatal accidents or other cases over which he has jurisdiction.[66] His stated authority is limited to performing an autopsy, however, and does not include the donation of organs and tissue for transplantation and medical research.[67] Consequently, if such a donation were made by a medical examiner without the consent of the next of kin, it might be successfully challenged. Several exceptions should be noted.

In California, section 7113 of the *Health and Safety Code* stipulates that "a coroner or any other duly authorized public officer" may grant an autopsy.[68] Section 7115 provides that all those who may grant autopsies may authorize the removal of tissue for therapeutic or scientific use.[69] When the two sections are read in concert, they appear to give a coroner the authority to take and donate tissue for transplantation. Hawaii reached the same result by a more direct route, amending its medical examiner provision to read: "The coroner's physician or medical examiner . . . shall have the right to retain tissues, including fetal material, of the body removed at the time of autopsy to be used for necessary or advisable scientific investigation, including research, teaching and therapeutic purposes."[70] The intent of the Californian and Hawaiian legislators is quite clear—to extend the medical examiner's authority beyond present bounds.

Virginia recently amended its medical examiner statute to provide:

"[W]here a patient is in immediate need for an internal organ as a transplant, the Chief Medical Examiner . . . may provide a suitable organ for transplant [if] there is insufficient time to contact the next of kin of the decedent in order to maintain the viability of the organ to be transplanted, and [if] no known objection by the next of kin is foreseen . . .; the Chief Medical Examiner or his deputies may in their discretion where providing the organ for transplant will not interfere with subsequent course of the investigation or autopsy provide such organ on the request of the transplanting surgeon."[71]

The Virginia provision would help satisfy society's needs for organs and tissue, but this would be achieved only at the expense of the other competing interests.

Although these three statutes indicate that there does exist some public receptiveness to enlarging the medical examiner's authority, it is not at all clear that a similarly favorable climate is the rule elsewhere. Expansion of this "trend" will probably not be readily forthcoming, because of the common-law tradition against taking tissue for transplantation and research without the express consent of the next of kin.[72]

The District of Columbia Tissue Bank Act[73] specifically grants authority to the coroner to allow the removal of tissue from any dead human body in his custody or under his jurisdiction, *but only if* approval is received from the person having a right to such body for burial, and *if* such tissue removal will not interfere with the other functions of his office.[74] Unlike the previous three statutes, this Act creates no additional authority, for it is assumed that all medical examiners may remove tissue at the autopsy for transplantation purposes if they have the consent of the appropriate next of kin. Even if this consent is obtained, however, the situation may still arise whereby the answering of an urgent request for an organ to be transplanted might interfere with the performance of a complete post-mortem examination required by law.[75]

The medical examiner statutes, like the preceding statutory groupings, represent an attempt through legislation to deal with some of the interests in dead bodies. No one type is intended to be capable of satisfying *all* of these needs and interests. The rights of the public to determine the cause of death, in certain circumstances, has been codified; provision has been made for the use of unclaimed bodies for dissection; and autopsy authority has been clarified. With the advent of transplantation, however, many new problems have arisen; and some states have responded with the passage of new legislation.

DONATION STATUTES—THE CONTROLLING LEGAL MECHANISM

Statutes have been enacted in 41 jurisdictions which specifically provide authority for the ante-mortem donation of all or part of a body for medical, scientific, or therapeutic purposes.[76] Donation legislation represents a fundamental departure from the common law by providing an individual the right to direct the disposition of all or part of his body for medical or scientific purposes. Although a considerable improvement, the existing donation statutes, for the most part, have failed to fill the void left by both the common law and those statutes relating to autopsies, unclaimed bodies, and medical examiners. This failure has taken two forms. First, many important issues are either overlooked or ignored. The result is an uncertainty which restricts those physicians and scientists who often work under the most severe time restrictions.[77] Second, most donation statutes have failed to recognize the unique demands of organ and tissue donation. All too frequently the act of donating has been viewed merely as an extension of the testamentary disposition of property, an approach which has produced unnecessary formality and rigidity.

THE IDEAL DONATION STATUTE—THE UNIFORM ANATOMICAL GIFT ACT

In response to these legislative shortcomings and in the face of the increasing number of transplantations and the correlatively increasing need for more human tissue, the Commissioners on Uniform State Laws created a special committee chaired by Professor E. Blythe Stason. Its task was to draft a uniform donation statute, one which would serve as a model for the individual states and provide a uniform, favorable legal setting for the donation and use of organs and tissue in medical research and therapy—specifically, transportation. Three years later, on July 30, 1968, the Uniform Anatomical Gift Act received final approval from the Commissioners. It has since been endorsed by the American Bar Association[78] and will be distributed to the legislatures of the individual states for consideration during the next legislative sessions.

The Uniform Act is based on the belief that each individual should be able to control the disposition of his body after death without having his wishes frustrated by anyone, including his next of kin. To encourage donation and to help meet the need for organs and tissue, unnecessary and cumbersome formalities have been eliminated and only those safeguards required to protect the varied interests have been included. An attempt has been made to protect the rights of the appropriate next of kin, physicians working in this area, and the public interest in a dead body. With this philosophy in mind, a detailed analysis of the 13 most important provisions of the Uniform Act follows. Any enactment whose purpose is to protect the above rights and interests should include these provisions. As the chart included in the appendix[79] indicates, prior to March of

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this year,[80] none of the existing state laws contained more than eight of these provisions, while many contained only five or six.

I. Individual authority to donate

The core philosophy of the Uniform Act is embodied in the provision which grants authority to "[a]ny individual of sound mind and 18 years of age or more [to] give all or any part of his body for any purpose specified in [the Act], the gift to take effect upon death." [81] This crucial provision provides the ante-mortem donation authority not found at common law. The age of 18 was chosen because the Commissioners believed that a person of this age has attained sufficient maturity to comprehend the implications of making a donation. Only four states presently grant donation authority at age 18.[82] Most of the remaining jurisdictions have various requirements based on age—"21 years of age," [83] "legal age," [84] "full age" [85] or "any person not a minor." [86] Others require competency to make a will,[87] or, in addition to an age requirement, that the donor be a "resident or inhabitant" of the state.[88] The latter residency provisions are restrictive and unnecessary.

II. Next of kin authority to donate

The Uniform Act specifically authorizes the next of kin to donate all or any part of the body of the deceased. Included is an enumerated order of priority, beginning with the surviving spouse.[89] It is important to include this provision in every donation statute, since common-law authority for donations by the next of kin is, at best, ambiguous. Only 16 of the existing statutes contain a provision granting this authority.[90]

III. Possible conflict between wishes of donor and next of kin

In order to avoid the uncertainty that would otherwise confront physicians, some clarification is needed concerning the establishment of priorities between the donor and his next of kin and between the conflicting wishes of the next of kin. Uncertainty could arise in any of a number of situations.

If an individual expressed the desire not to have his body or parts donated, the basic philosophy of the Uniform Act ensures that his wishes will prevail. [91] A similar result will be reached when an individual makes a valid donation under the statute, and a next of kin objects after the donor's death. That a next of kin will object, however, is largely academic. It is not likely that he will attempt to prevent the wishes of the deceased from being carried out since, a person interested in donation usually will have discussed his intentions with the others concerned and will have reached an agreement before death. Still 20 states have dealt with this possible conflict by statute, specifically providing that next of kin shall comply with the wishes of the deceased. [92] The Uniform Act likewise requires the prior donation by the deceased to be paramount to the wishes of the next of kin. [93] As a practical matter, if a donee-physician were aware of such objections, he probably should not attempt to effectuate the gift, thus avoiding the resultant controversy and unfavorable public reaction. To provide for that situation in which the wishes of the various next of kin conflict, the Act creates six classes of donating priority, beginning with the surviving spouse. If it is known by the donee that a gift by a member of one class is opposed by a member of the same or a prior class, the gift may not be accepted. [94] The need for a clear order of priority is obvious; physicians must know which next of kin to contact and whose authority is paramount should a conflict arise. Only Maryland and Kansas are even adequate in this regard.

IV. Donees

Permissible Donees

Existing statutes reveal considerable diversity concerning possible donees. While certain statutes attempt to limit this right to specified parties, others have no provision to achieve this end. [95] It is desirable to restrict donees to those persons or institutions licensed or authorized to practice medicine or to engage in tissue banking or related matters. The Uniform Act specifically includes licensed hospitals, tissue banks, and accredited medical and dental schools as valid potential donees. [96]

Obligations of the donee

Although the donee should be under no obligation to accept a gift, most statutes are silent on this point. [97] By contrast, the Uniform Act provides that a donee may reject a gift; however, if he should cause the part to be removed, he must do so without unnecessary mutilation. [98] After such removal, custody of the remainder of the body vests in the person obligated to dispose of it. [99]

The Open-Ended Donation and the Unavailable Donee

Most statutes are similarly silent on the problems of open-ended donations and unavailable donees.[100] The Uniform Act provides that if a gift is open-ended, in that no donee is named, it may be accepted by the attending physician. Furthermore, if a donee is designated but not readily available, the attending physician may accept the gift.[101] In light of the time considerations and other problems unique to organ transplantation, the lack of such provisions would result in the failure of donations being used to their most desirable end.

V. Purposes for which donations can be made

There is a considerable diversity among the statutes with respect to donative purposes. Some statutes are unduly restrictive or vague [102] and do not provide for all possible, relevant purposes, thus stifling the use of donations. The drafters of the Uniform Act were cognizant of this problem; its provisions relating to this area are very broad, and include medical and dental education, research, advancement of medical or dental science, therapy, and transplantation.[103]

VI. Mechanism of gift—Wills

Many of the statutes, particularly those first enacted, are based on laws relating to wills.[104] Consequently, many donations are invalid unless made in accordance with highly restrictive notarization, recording, and filing requirements,[105] which severely reduce the number and effectiveness of donations. The Uniform Act eliminates these impediments by providing that a donation is effective immediately upon death without having to wait for probate. It further provides that if the will is not probated or is subsequently declared invalid for testamentary purposes, the gift, to the extent that it has been acted upon in good faith, shall nevertheless be "valid and effective." [106]

VII. Mechanism of gift—Other written instruments

Many statutes also stipulate that any "written instrument" is a valid donation mechanism. Witnessing requirements vary considerably.[107] Ohio and Massachusetts further require that any person affiliated with the donee be disqualified from serving as a witness. In Massachusetts, a gift is not effective "unless a certificate of a registered physician is attached thereto the effect that . . . the donor was, in the opinion of the said physician, of sound mind and not under the influence of narcotic drugs." [108] The advantage of these disqualification provisions in guarding against possible abuses is more than outweighed by their highly cumbersome and restrictive effect. For example, if a patient in a hospital wishes to make a donation to that hospital, the Ohio and Massachusetts statutes would prohibit all hospital personnel from witnessing the donation instrument. The Uniform Act requires two witnesses and nothing more. This, it is believed, will assure the validity of the donation instrument, without placing an undue burden on the donor.

The use of a written instrument represents a considerable improvement, for it provides greater flexibility and eliminates many of the procedural technicalities involved in drafting wills. However, it may not be helpful in accident situations, where time is frequently very limited, the prospective donor unconscious, and the existence of the written donation instrument unknown.

VIII. Mechanism of gift—Cards

In light of such problems, it would be highly desirable if an easily carried card could serve as a valid mechanism. Only Florida, Kansas, Maryland and the Uniform Act [109] specifically provide that a properly executed card, carried on the donor's person or in his effects will suffice. Although the language "written instrument" in many of the other statutes would literally include such a card, it is unlikely that many legislatures had that result in mind. We believe it to be highly desirable to include this mechanism in a statute in order to insure greater visibility and to receive legislative acknowledgement.

It would be equally desirable to develop a uniform instrument of gift which would apply to all tissue and be universally accepted. The commentaries of the Uniform Act will contain model forms to be used by an individual or his next of kin.

IX. Mechanism of gift by next of kin—recorded telephonic consent

The Uniform Act simplifies the gift procedure for the next of kin in two important ways. First, the witness requirement is eliminated. Witnesses are not needed to assure the authenticity of a donation instrument when it is a next of kin making the donation. Second, consent may be made by telegraphic, recorded telephonic, or other recorded message.[110] The advantages of allowing consent to be obtained from the next of kin by telegraph or recorded telephone messages are clear when the deceased's body and the next of kin are far apart and time is limited. At the present time, Maryland has the only statute which provides that consent from the next of kin may be obtained by telegraph.[111]

X. Revocation or amendment of gift

Only Kansas and Maryland have adequate provisions for amendment or revocation. The majority of the statutes merely provide that a donation may be revoked in the same manner in which it was made.[112] In the interest of respecting the final wishes of the donor, every reasonable means for changing one's donation should be made available, including oral deathbed revocations. The Uniform Act lists six ways in which a donation can be modified or revoked, including an oral statement made in the presence of two persons and communicated to the donee, and a statement made during a terminal illness addressed to an attending physician and communicated to the donee.[113]

XI. Protection from liability for doctors and others acting in accordance with the statute

Many statutes contain provisions which protect the physician removing the donated organ or tissue.[114] Only eight, however, extend this protection to include criminal proceeding.[115] While many of the provisions contain a "good faith" requirement,[116] others also require the doctor to have acted without knowledge of subsequent revocation.[117] The Uniform Act covers "a person who acts in good faith in accord with the terms of this Act, or under the anatomical gift laws of another state [or of a foreign country]";[118] thus, it protects all persons concerned, whether they be next of kin, funeral directors, medical examiners, or the attending physicians. The protection under the Act applies in both civil and criminal proceedings.[119]

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XII. The problem of conflicts of laws

Until the Uniform Act is universally adopted, conflicts between diverse donation laws are inevitable. For example, if a resident of state *X* makes a valid donation under that state's statute and then dies in state *Y* which either has no donation statute or has one with which the donor had not complied, which law should apply? There are no cases on point; the pressures of time in transplant procedures probably preclude the resolution of this question by the courts. Nonetheless, one writer has attempted to predict the result a court might reach, were it ever confronted with the problem, by drawing upon conflicts principles from analogous areas.[120] As he observed, the law of the decedents prior domicile has traditionally been controlling when the disposition of his estate is involved. However, in a tort action brought by the next of kin against a donee who accepted the gift, the law of the state where the removal occurred may well be controlling.[121] In the midst of this confusion, the author reached an obvious conclusion: "There remains sufficient uncertainty to require uniform legislation. [122]

The new Maryland statute is one of only two existing donation laws which has attempted to deal with this question. It provides that a document of gift, executed in another state and in accord with the latters relevant laws, will be deemed a valid document of gift in Maryland.[123] Recognizing that the conflicts problem is primarily one of protecting uncertain doctors under the pressure of time, the Commissioners extended the protection provision to include any person who acts "under the anatomical gift laws of another state [or a foreign country]." [124] This form is superior to that of the Second Tentative Draft of the Act, the one adopted by Kansas, which applied to "the terms of a gift under this act, or any similar act." The final form avoids the ambiguity in ascertaining whether a divergent donation statute of another state is a "similar act." The approach of the Commissioners to the conflicts problem through a broad protection provision is a sensible and workable one.

XIII. The time of death

The definition of death is among the most widely discussed and least understood issues relating to heart transplantation. There are those who believe that a simple and proper solution to this highly complex matter would be to incorporate a definition of death into statutory law.[125] After lengthy consideration, the Commissioners decided against such a step.

In the United States, the moment of death has traditionally been considered to be a matter for medical determination and not the proper subject for legal codification. Because this is primarily a medical question, the Commissioners concluded that it would be inappropriate to incorporate a definition of death into the Uniform Act. However, they believed it appropriate to deal with the possible conflict of interest which could arise if one physician were to care for both the potential donor and potential recipient of a transplantable organ.[126] On the other hand, they also recognized the importance of maintaining adequate channels of communication between those physicians representing the donor and those physicians administering to the recipient. Effective communication is essential to the successful transplantation of a vital organ. Consequently, the Second Tentative Draft of the Uniform Act, which provided that the physician who determines the death of the donor "shall not be a member of the team of surgeons which transplants the part," was narrowed in the final Act to "shall not participate in the procedures for removing or transplanting a part." [127] This action by the Commissioners to guard against a potential conflict of interest by the transplant surgeon, while maintaining adequate channels of communication between doctors treating the donor and other members of the transplant "team," successfully balances these competing concerns.

Medical authorities are currently seeking to reach some consensus on relevant and modern criteria for determining the time of death. The traditional determinants, namely, the ability to maintain circulatory and respiratory functions, are largely inadequate due to the widespread availability of methods which are capable of artifically supporting both of these systems.[128] Efforts are now focused on establishing a definition based on neurological criteria. The following guidelines have been suggested by two commentators;[129] (1) no reflexes, spontaneous breathing, or muscle activity; (2) no clinical or electroencephalographic (EEG) response to noise or pinch; and (3) repeat conditions (1) and (2) at 24 or 48 hours. Further, it must be demonstrated that the patient is not under the influence of hypothermia or anesthetic drugs capable of depressing the central nervous system.

This triad—no reflexes, no spontaneous respirations, and flat isoelectric EEG—all to be repeated after 24 hours, has found acceptance with others.[130] Recently, irreversible coma has been discussed and defined as a new criterion of death by an ad hoc committee of the Harvard Medical School.[131] Four requirements were proposed as defining a permanently nonfunctioning brain: (1) unreceptivity and unresponsiveness to externally applied stimuli and inner need; (2) no movement or breathing; (3) no reflexes; and (4) flat EEG, all repeated at least 24 hours later with no change.[132]

The similarity of these various criteria indicates that the medical community is moving toward a consensus on this important issue,[133] the Commissioners were justified in choosing not to attempt to include an arbitrary definition of death in the Act.

REMAINING IMPORTANT PROVISIONS OF THE UNIFORM ACT

These 13 provisions comprise what the authors believe to be the foundation of the Uniform Act. There are, however, additional provisions in the Uniform Act which deserve brief mention.

Under the Act, a donation also authorizes "any examination necessary to assure medical acceptability of the gift for the purposes intended." [134] This provision is essential to a proper evaluation of the donor's condition and to prevent the transmission of any disease from donor to recipient.[135] To expedite the donation procedures required upon death, an instrument of gift or an executed copy made to a specified donee may be delivered at an earlier date to that donee. The Act, however, does not require delivery as a prerequisite to a valid gift. This instrument may also be deposited in any hospital, bank, storage facility, or registry office that accepts such "for safekeeping or for facilitation of procedures after death." [136] Finally, the Commissioners provided in the Act that its provisions are subject to the relevant autopsy laws of each state.[137] As a gift statute, its scope is to be limited to the voluntary donation of tissue for medical purposes and not the possible expansion of a medical examiner's authority to include the removal of organs or tissue without consent. Although the Uniform Act has succeeded in clarifying this and many areas, there still exist unanswered questions and unsatisfied needs.

THE UNSATISFIED NEEDS

The Uniform Act was not intended to be a panacea for all the medical and legal problems accompanying transplantation.[138] The Commissioners have left certain areas untouched. Although the Uniform Act is not the correct vehicle to deal with these areas, society would benefit by a similar organized sensitivity to them.

Logistics

The utilization of anatomical gifts for scientific and humanitarian purposes raises complex logistical problems. This was discussed by Dr. Couch in 1964: "[P]otential donors often do not die in institutions performing kidney transplants, so that from the standpoint of transplantation teams there is maldistribution of cadaver donors." [139] As laws permitting organ donations are improved, the practical but complicated problem of getting donor and recipient together becomes the chief obstacle to the facilitation of transplantation. Adequate whole organ preservation will render this problem less acute, but the questions of logistics and coordination of hospitals will remain.

Information Exchange

In 1963 the first registry for human kidney transplant data was created.[140] It includes a listing of survival data and a comparison between the results of cadaver and living donor transplants. A similar registry for data on the transplantation of other vital organs could make a substantial contribution in disseminating information and assisting in research. It would be especially valuable to document methods of tissue matching, immunosuppression, and other post-operative adjuncts to patient care and to make this information readily available to all groups working on these problems.

The Need for Quality Control in Tissue Banking

Another area of emerging importance is the need to devise adequate standards for the quality of tissue preservation and banking. As tissue preservation methods become more sophisticated, it will be important to ensure that the nation's tissue banks achieve and maintain a high level of quality. Some of the questions pertinent to blood banking will also be relevant here. For example, a physician, when considering the use of preserved tissue or organs, will want to know enough about the source of the tissue to be assured, to whatever degree possible, that no neoplastic or infectious process will be transmitted.[141] Eventually, the answer to this dilemma may be the licensing of tissue banks.[142]

Remuneration for Donations

There is considerable sentiment against the remuneration of a tissue donor. The Uniform Anatomical Gift Act does not specifically provide for this prohibition, but words such as "gift," "donation," and "donor" strongly imply a nonprofit transaction. Several existing statutes do prohibit donations to profitmaking concerns; [143] however, the draftsmen of the Uniform Act believed it improper to include an absolute bar to commercial relationships and concluded that this would best be handled at the local level, by the medical community.

The use of professional donors for blood transfusions and blood banking may foreshadow a similar development in the transplantation area. Although professional tissue donors are not presently foreseeable, commercial tissue banks may eventually develop as preservation methods improve and the needs for tissue continue to expand.

State Transportation Requirements

When a donor dies in one state and the recipient is located in another, additional problems arise. All states have statutes relating to the transportation of dead bodies. Many provide that a body may not be moved out of the state or out of the country without a removal permit;[144] others require a body to be embalmed before it may be transported.[145] Although some statutes do exempt donations from these provisions,[146] the great majority merely provide that the commis-

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Footnotes at end of article.

sioner of health or appropriate health agency may issue regulations dealing with such transportation problems.[147] When using organs or tissue which cross state lines, this additional problem must be recognized.

CONCLUSION

The Uniform Anatomical Gift Act represents a great achievement and a great challenge. It is a great achievement because it has swept away the antiquated principles of the common law and the inadequate provisions of existing donation legislation, thus eliminating many of the impediments to the transplantation of vital organs. At the same time, it recognizes and protects the other important interests in a dead body, such as the wishes of the next of kin for funeral and burial services and the need for society to determine the cause of death in certain circumstances. In so doing, it assumes a position of prominence among the laws relating to autopsies, unclaimed bodies, and medical examiners. Finally it has demonstrated masterful restraint by not legislating those matters which are properly within the province of medicine, ethics, and the other disciplines or better dealt with by the individual states. It also represents a great challenge. The medical and legal professions and the general public must now work together to ensure the adoption of this Act by all jurisdictions. It will be essential that all of these groups become aware of, and sensitive to, this endeavor in an organized and comprehensive fashion.

FOOTNOTES

*A.B., 1962, Amherst College; M.D., 1966, Hahnemann Medical College; Interim, 1967, Hospital of the University of Pennsylvania.

**A.B., 1962, Amherst College; LL.B., 1965, University of Pennsylvania. Member of the Pennsylvania Bar.

†The authors have been involved in a study of these matters at the National Institutes of Health in Bethesda, Md. They also served as consultants to the National Conference of Commissioners on Uniform State Laws and served on the Maryland Attorney General's Study Commission which participated in the revision of the Maryland Anatomical Gift Act. The views expressed in this article do not necessarily reflect official positions of the National Institutes of Health.

The authors wish to express their deep appreciation to Professors Anthony G. Amsterdam and Paul J. Mishkin of the University of Pennsylvania Law School whose inspiration and insights have been instrumental to their collaboration in medicine and law.

[1] N.Y. Times, Dec. 4, 1967, § A, at 1, col. 2.

[2] By the time of this writing, Aug. 22, 1968, 31 heart transplant operations had been performed.

[3] Corneas were successfully transplanted in the 1940's; their use as a therapeutic modality today is widely accepted and commonplace. Transplantation of a human kidney in 1954 demonstrated the feasibility of the use of whole organs. Many other tissues are now being successfully transplanted, including skin, cartilage, tendon, nerve, artery, heart valve, and bone. More recently, the pancreas, thymus, liver, and lung have been transplanted in man.

Although transplantation is the most dramatic use for human tissue, it is only one of many uses in medical research and therapy. For example, growth hormone is obtained from cadaver pituitary glands to enable study of conditions such as hypopituitary dwarfism. Since one pituitary yields a very small quantity of this hormone, a procurement program of national scope is necessary. To achieve this end the National Pituitary Agency was established in 1963 to coordinate a procurement program and to provide for the extraction and distribution of growth hormone and other pituitary hormones. In addition, temporal bone banks have been established to study conditions relating to impairment of hearing and balance. Fetal tissue is required for cell culture studies in cancer research and for the investigation of the anatomy of growth and development. Finally, whole bodies are required for dissection in the instruction of medical and dental students.

These are just a sample of the great variety of medical uses of human tissue. The quantity of tissue required is also considerable; it is estimated, for example, that six to eight thousand persons with end-stage kidney disease are suitable candidates for kidney transplantation each year. *See* B. Burton Kidney Disease Program Analysis, A Report to the Surgeon General 208 (1967). Nevertheless, only several hundred kidney transplants are being performed annually. *See* Murray, Barnes & Atkinson, *Fifth Report of the Human Kidney Transplant Registry,* 5 Transplantation 752 (1967).

[4] One depicts a sleeping hospital patient partly covered by a large sign which warns: "Patient asleep—not a heart donor."

[5] *E.g.*, "Drive carefully—Dr. Barnard may be watching."

[6] "Seven persons in every 10, or a projected 80 million Americans, say they would be willing to have their heart or other vital organs donated to medical science upon their deaths, the Gallup poll reported . . ." N.Y. Times, Jan. 17, 1968, § A, at 18, col. 4.

[7] On Feb. 8, 1968, Senator Walter F. Mondale introduced a resolution which would provide for the establishment of a 15 member Presidential Commission on health science and society composed of representatives of medicine, law, science, theology, philosophy, ethics, and government. S.J. Res. 145, 90th Cong., 2d Sess. (1968).

[8] *See Hearings on S.J. Res. 145 Before the Subcomm. on Government Research of the Senate Comm. on Government Operations,* 90th Cong., 2d Sess. 3 (1968). Senators Mondale and Harris stressed repeatedly during the hearings that the function of the proposed Commission would not be to hinder medical research but to encourage it. *See id.* at 4, 6. The Commission's purpose would be to assure that the social, ethical, and legal implications of the products of such research are fully and responsibly treated. *Id.* at 445–51. This body could provide a substantial contribution toward the organized sensitivity the authors believe is so essential.

S.J. Res. 145 is only one indication of the growing interest of society in the implications of advances in the fields of science and technology. *See Grad, Legislative Responses to the New Biology: Limits and Possibilities,* 15 U.C.L.A.L. Rev. 480 (1968); Stason, *The Role of Law in Medical Progress,* 32 Law & Contemp. Prob. 563 (1967). *See also* L. K. Caldwell, Science, Technology and Public Policy—A Selected and Annotated Bibliography (1968).

[9] Better results in kidney transplantation have been obtained by using kidneys of related living donors rather than cadaver kidneys. *See* Murray, Barnes & Atkinson, *supra* note 3, at 772. Similar genetic makeup of a recipient's close relatives mollifies the severity of the rejection phenomenon, an important determinant of long-term survival. As might be expected, the best results are obtained in monozygotic twins, a matter of special interest to the authors.

[10] The question of whether a medical procedure has reached that stage of acceptance to be deserving of the label "therapeutic" rather than "experimental" frequently comes down to nothing more than an exercise in semantics. There is no litmus paper test. We believe the therapy-experiment dichotomy is best viewed as a continuum ranging from routine procedures at one end to investigational procedures, involving "normal volunteers" or "normal controls," at the other. While with the former, the risks and benefits of the procedure are well known and the reason for its use is to benefit the patient directly, with the latter, the new procedure is applied to a healthy, "normal," person with the intention of gaining important medical knowledge. A new surgical operation, such as the first heart transplant performed on Louis Washkansky, on Dec. 3, 1967, represents a blend of both. *See* note 1 *supra*. Having never been performed on a human being prior to that date, its risks and uncertainties were clearly high. While the knowledge to be gained from the operation, whether it be a "success" or a "failure," would be invaluable in subesquent operations, no one could deny that to Louis Washkansky and the doctors involved, the operation represented the lone hope for a prolonged life, all other reasonable alternatives having failed.

The question of the premature application of a potentially life-saving or life-improving procedure to man is partly a question of maturity of the state of the art—to what degree of sophistication has the knowledge base, in such areas as surgical technique, immunosupression, and tissue matching developed? Also to be considered is the degree of inefficacy and hopelessness of the available alternatives. In the individual case, only the most highly specialized medical expertise can determine this. It is precisely this type of question which is not properly resolved by legislation.

[11] *See* Sanders & Dukeminier, *Medical Advance and Legal Lag: Hemodialysis and Kidney Transplantation,* 15 U.C.L.A. L. Rev. 357, 362–80 (1968).

[12] B. Burton, *supra* note 3, at 5.

[13] The complex question of informed consent as it relates to medical research as received increasing attention in recent years. *See, e.g.,* Beecher, *Ethics and Clinical Research,* 274 N. Eng. J. Med. 1354 (1966); Fletcher, *Human Experimentation: Ethics in the Consent Situation,* 32 Law & Contemp. Prob. 620 (1967); Freund, *Ethical Problems in Human Experimentation,* 273 N. Eng. J. Med. 687 (1965); Stickel, *Ethical and Moral Aspects of Transplantation,* 3 Monographs in the Surgical Sciences 267, 278 (1966).

[14] *See* Curran, *A Problem of Consent: Kidney Transplantation in Minors,* 34 N.Y.U. L. Rev. 891 (1959).

[15] "Next of kin" shall hereinafter include the surviving spouse.

[16] Stason, *supra* note 8, at 569.

[17] Appendix A [hereinafter cited as Act].

[18] *See* note 80 *infra*.

[19] The historical development of the law relating to cadavers has been discussed in depth elsewhere and will only be highlighted here. *See, e.g.,* Vestal, Taber & Shoemaker, *Medico-Legal Aspects of Tissue Homotransplantation,* 18 U. Det. L. J. 171 (1955); Wasmuth & Stewart, *Medical and Legal Aspects of Human Organ Transplantation,* 14 Clev.-Mar. L. Rev. 442 (1965); Comment, *The Law of Dead Bodies: Impeding Medical Progress,* 19 Ohio St. L. J. 455 (1958). *See generally* P. Jackson, The Law of Cadavers (1936).

[20] *E.g.,* Regina v. Sharpe, 169 Eng Rep. 959 (Ct. Crim. App. 1857). One author has suggested that the rule was probably the result of a statement by Lord Coke that a buried corpse was "coro data vermibus" (flesh given to the worms) and that matters involving corpses were not a proper subject for Common Law Courts. P. Jackson, *supra* note 19, at 118.

[21] 20 Ch. Div. 659 (1882).

[22] *E.g.,* Enos v. Snyder, 131 Cal. 68, 63 P. 170 (1900); *see* McEntee v. Bonacum, 66 Neb. 651, 92 N.W. 633 (1902); Toppin v. Moriarty, 59 N.J. Eq. 115, 44 A. 469 (1899).

[23] *E.g., In re* Henderson's Estate, 13 Cal. App. 2d 499, 57 P.2d 212 (App. 1936); Fidelity Union Trust Co. v. Heller, 16 N.J. Super. 285, 84 A.2d 485 (1951); Pierce v. Proprietors of Swan Point Cemetery, 10 R.I. 227, 238 (1872). "Although a minority of jurisdictions technically adhered to this bit of legal antiquity, the great majority of American courts have

recognized this concept as a medieval survival and treated it with benevolent disregard." Note, *The Law of Testamentary Disposition—A Legal Barrier to Medical Advance!*, 30 Temp. L. Q. 40, 42 (1956). Unfortunately, this is probably an overstatement, for some courts have continued to treat the "no property" doctrine with more benevolence than disregard.

[24] *See, e.g.*, Thompson v. Deeds, 93 Iowa 228, 61 N.W. 842 (1895); Wilson v. Reed, 74 N.H. 322, 68 A.37 (1907); Pettigrew v. Pettigrew, 207 Pa. 313, 56 A.878 (1904).

[25] *E.g.*, Aetna Life Ins. Co. v. Lindsay, 69 F.2d 627 (7th Cir. 1934); Painter v. Fidelity and Guar. Co., 123 Md. 301, 91 A. 158 (1914).

[26] 169 Misc. 215, 7 N.Y.S.2d 81 (Sur. Ct. 1938).

[27] Penal Law of 1909, ch. 88, § 2210, [1909] N.Y. Laws (repealed 1955).

[28] 105 N.H. 290, 198 A.2d 654 (1954).

[29] *Id.* at 292, 198 A.2d at 655.

[30] *Id.* at 292–93, 198 A.2d at 655.

[31] *Id.* at 293, 198 A.2d at 656.

[32] *Id.*, 198 A.2d at 655, *citing* Wilson v. Reed, 74 N.H. 322, 326, 68 A. 37, 40 (1907).

[33] *Id.* at 294, 198 A.2d at 656.

[34] *Id.*

[35] *Id.* at 293, 198 A.2d at 656 (emphasis added). The "statutes" to which the court was referring were the "unclaimed body" statutes. *See* notes 57–63 *infra* and accompanying text.

[36] *E.g.*, Wales v. Wales, 21 Del. Ch. 349, 190 A. 109 (Ch. 1936).

[37] *E.g.*, O'Donnell v. Slack, 123 Cal. 285, 55 P. 906 (1899); Thompson v. Deeds, 93 Iowa 228, 61 N.W. 842 (1895); Cooney v. English, 86 Misc. 292, 148 N.Y.S. 285 (Sup. Ct. 1914).

[38] *In re* Henderson's Estate, 13 Cal. App. 2d 449, 57 P.2d 212 (App. 1936); *In re* Eichner's Estate, 173 Misc. 664, 18 N.Y.S.2d 573 (Sur. Ct. 1940).

[39] *See* Enos v. Snyder, 131 Cal. 68, 63 P. 170 (1900); Guerin v. Cassidy, 38 N.J. Super. 454; 119 A.2d 780 (Super. Ct. Ch. 1955); Fidelity Union Trust Co. v. Heller, 16 N.J. Super. 285, 84 A.2d 485 (Super. Ct. Ch. 1951).

[40] Annot., 7 A.L.R.3d 747, 749 (1966); *see* P. Jackson, *supra* note 19, at 42; Note, *Donation of Dead Bodies and Parts Thereof for Medical Use*, 21 U. Pitt. L. Rev. 523 (1960); Comment, *The Law of Dead Bodies*, *supra* note 19, at 466.

[41] *E.g.*, Finley v. Atlantic Transp. Co., 220 N.Y. 249, 115 N.E. 715 (1917); Persinger v. Persinger, 39 Ohio Op. 315, 86 N.E.2d 335 (Fayette County Ct. C.P. 1949).

[42] Kenyon v. Brightwell, 120 Ga. 606, 48 S.E. 124 (1903); Messina v. La Rosa, 337 Mass. 438, 150 N.E.2d 5 (1958).

[43] Stason, *supra* note 8, at 569.

[44] *See* Patrick v. Employers Mut. Liab. Ins. Co., 233 Mo. App. 251, 118 S.W.2d 116 (1938); Phillips v. Newport, 28 Tenn. App. 187, 187 S.W.2d 965 (1945).

[45] "Since the courts generally feel that every human wants to be laid to rest . . . without mutilation of his body, it is likely that scientific use of the body without the permission of the deceased would be held to violate his right of decent burial." Comment, *The Law of Dead Bodies*, *supra* note 19, at 469. Absent an affirmative indication by the deceased that he did not want his body used for medical or scientific purposes, it is unlikely that a court would take such a stringent view of the deceased's right to a decent burial. Donation of an organ or tissue is not necessarily irreconcilable with a decent burial.

[46] *See* Appendix B.

[47] U. Pitt. Health Law Center, Hospital Law Manual *Dead Bodies* § 2–1 (1967).

[48] *Id.* § 2–2.

[49] Packel, *Spare Parts for the Human Engine*, 37 Pa. Bar Ass'n Q. 71, 75 (1965).

[50] An autopsy is "[t]he dissection of a dead body for the purpose of inquiring into the cause of death." Black's Law Dictionary 170 (4th ed. 1951). *But cf.* Wasmath and Stewart, *supra* note 19, at 458: "An autopsy is a postmortem examination of the body of the deceased for the purpose of scientific interest in determining the cause of death and *other information that may be obtained that might aid medical science.*" (Emphasis added).

[51] Vestal, Taber & Shoemaker, *supra* note 19, at 192.

[52] *Id.* at 190.

[53] Note, *Legal Problems in Donations of Human Tissues to Medical Science*, 21 Vand. L. Rev. 352, 355 (1968); Comment, *The Law of Dead Bodies*, *supra* note 19, at 465 (1958).

[54] Winkler v. Hawkes, 126 Iowa 474, 102 N.W. 418 (1905); Hassard v. Lehane, 150 App. Div. 685, 135 N.Y.S. 711 (1912).

[55] *In re* Disinterment of Body of Jarvis, 244 Iowa 1025, 1032, 58 N.W. 2d 24, 28 (1953); Hassard v. Lehane, 150 App. Div. 685, 135 N.Y.S. 711 (1962).

[56] U. Pitt. Health Law Center, *supra* note 47, § 2–5; *see* Koerber v. Patek, 123 Wis. 453, 102 N.W. 40 (1905) (deceased's son authorized that stomach be examined, not removed). Such restrictions must be followed; failure to satisfy those imposed may result in liability as in *Koerber*.

[57] *See* Vestal, Taber & Shoemaker, *supra* note 19, at 180.

[58] *See, e.g.*, Ala. Code tit. 22, § 5–178 (1958). Even after the 24-hour waiting period, the recipient of the body must embalm and store it without mutilation for an additional 60 days during which time a relative or friend may still reclaim it. *Id.* § 5–180.

[59] Additional theories have been proferred as to the incapacity of the unclaimed body statutes to meet transplantation needs. *See* Note, *Legal Problems in Donations*, *supra* note 53, at 355–56.

[60] Washington Post, June 14, 1968, § A, at 8, col. 1.

[61] Va. Code Ann. § 32–356 (1950).

[62] *Id.* § 32–357.

[63] The newspaper article suggested that the statute may not have been complied with and that an action was being considered by the next of kin. Washington Post, June 14, 1968 § A, at 8 cols. 1–8.

[64] Gahn v. Leary, 318 Mass. 425, 61 N.E.2d. 844 (1945). *See also* Stason, *supra* note 8, at 569.

[65] C. Wecht, E. Turshen & W. Rule, The Autopsy Laws of the Fifty States and the District of Columbia (1966). The actual authority varies from state to state.

[66] Stevenson, Burdette, Head, Murray, Sadler & Sadler, A Report to the Committee on Tissue Transportation of the National Academy of Sciences—National Research Council from the Ad Hoc Committee on Medical-Legal Problems 4–5 (June 6, 1968).

[67] *See* notes 49–56 *supra* and accompanying text.

[68] Cal. Health & Safety Code Ann. §7133 (West 1955).

[69] *Id.* § 7115.

[70] No. 188, § 2, [1967] Hawaii Sess. Laws 183, *amending* Hawaii Rev. Laws § 260–14 (1955).

[71] Va. Code Ann. § 19.1–46.1 (Add. Supp. 1968).

[72] *See* note 44 *supra* and accompanying text.

[73] D.C. Code Ann. §§ 2–251 to –260 (1967).

[74] *Id.* § 2–258.

[75] The problems of attempting to adjust a medical examiner's authority to provide necessary organs, tissue, or parts was highlighted by the heart transplant operation performed in Houston, Tex., on Apr. 23, 1968. There was evidence to indicate that the donor was the victim of a violent beating; thus, his body came within the jurisdiction of the local medical examiner who aptly posed his dilemma: "We want to benefit humanity, but we do not want to block prosecution of murderers." N.Y. Times, May 13, 1968, § C, at 18, col. 3. The problems, unfortunately, do not end with initial determination by the medical examiner. As the Houston incident vividly portrayed, a legal question may remain—can a defendant be tried for homicide when the victim's heart still beats in the body of another? While the viability of this argument is questionable in light of the new definitions being offered for death, it does deserve some consideration. *See* notes 125–133 *infra* and accompanying text.

[76] Alaska, Georgia, Maine, and West Virginia have donation statutes restricted to the donation of eyes, legislation stimulated by the early transplantation of corneas. This was the case in quite a few states, but subsequent legislation was passed to extend donation to include the remainder of the body. At present, only Delaware, Idaho, New Hampshire, Utah, Vermont, and Wyoming have no donation statutes.

[77] Similarly, these limitations would preclude solution through the judicial process.

[78] Telephone interview with William J. Pierce, President of the National Conference of Commissioners on State Laws, in Ann Arbor, Mich., Aug. 12, 1968.

[79] Appendix B. Those provisions considered to be reasonably comprehensive, although often less than adequate, are designated by an X.

[80] In early Mar. 1968, Kansas, which previously had no tissue donation statute, adopted the second Tentative Draft of the Uniform Act verbatim. Kan. Stat. Ann. §§ 65-3201-to-3208 (CC Advances Sess. L. Rep., Kansas 451 (1968). Later the same month, the state of Maryland, after studying the second draft, passed a donation statute which contains many of the provisions now included in the Act's final form. Md. Ann. Code art. 43, §§149E–P (Supp. 1968). The Maryland statute is presently the most comprehensive donation statute in the nation. The Kansas and Maryland experience, along with the Pennsylvania State Legislature's present consideration of the Act's second draft, underscores the favorable climate emerging at the state level.

[81] Act § 2(a).

[82] Montana, Missouri, North Dakota, and New York.

[83] Alabama, Arkansas, Connecticut, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Ohio, Tennessee, Virginia, West Virginia, Wisconsin, and Mississippi.

[84] Alaska, Georgia, Maine, New Jersey, New Mexico, Oklahoma, Rhode Island, Texas, and Washington.

[85] Michigan and South Carolina.

[86] Minnesota.

[87] Arizona, District of Columbia, Hawaii, Illinois, Indiana, Kansas, North Carolina and Oregon.

[88] Alabama, Alaska, Arkansas, Iowa, Louisiana, New Mexico, Oklahoma, Texas, and Virginia. New Mexico further requires that the donor die in that state.

[89] Act § 2(b).

[90] *See* Appendix B. New York provides that the surviving spouse or next of kin may authorize dissection for the purpose of ascertaining cause of death or "for any other purpose." N.Y. Pub. Health Law § 4210(3) (McKinney 1954). It is not clear whether this language would include the authority to donate for transplantation or other medical purposes. Likewise, the Missouri statute appears to authorize donations by the next of kin. *See* Appendix C.

[91] Act § 2(b). Only Washington, Kansas, and Maryland contain such provisions at this time.

[92] *See* Appendix B.

[93] Act § 2(e).

[94] *Id.* § 2(c).

[95] Appendix C: *compare* Kansas and Maryland, *with* Alabama and Colorado.

[96] Act § 3.

[97] Hawaii, Kansas, Maryland, and Wisconsin expressly provide that a donee may reject a gift; this right is only implicit in the other statutes. *See* Appendix C.

[98] Act § 7(a).

[99] *Id.*

[100] Arizona, Florida, Kansas, Maine, Maryland, Massachusetts, New York, North Carolina, Oklahoma, Texas, and West Virginia provide for an open-ended donation. Florida, Kansas, Maryland, New Mexico, New York, North Carolina, Ohio, Oklahoma, and Texas include provisions for the unavailable donee.

[101] ACT § 4(c).

[102] *See, e.g.*, Hawaii and Pennsylvania.

[103] ACT § 3.

[104] This is exemplified by those states (Minnesota and North Carolina) which permit donation only by will.

[105] *See, e.g.*, Alabama (executed as a deed and filed for record), Michigan (deposit and file), Tennessee (notarization required), and Mississippi (prepared as a contract).

[106] ACT. § 4(a). Arizona, California, Connecticut, District of Columbia, Hawaii, Illinois, Indiana, Kansas, Maryland, Nebraska, Nevada, North Carolina, Pennsylvania, Tennessee, Montana, and Missouri contain a similar provision.

[107] Connecticut, District of Columbia, Georgia, Hawaii, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Michigan, Missouri, New Jersey, New Mexico, New York, Ohio, Oklahoma, Oregon, Rhode Island, South Carolina, Tennessee, and Texas require two witnesses. North Dakota requires only one, while Massachusetts requires three.

[108] MASS. ANN. LAWS ch. 113, § 7 (Supp. 1967).

[109] ACT § 4(b).

[110] ACT § 4(e).

[111] *See* APPENDIX C.

[112] *See, e.g.*, Alabama, Massachusetts, Michigan, and Virginia.

[113] ACT § 6.

[114] APPENDIX C.

[115] Georgia, Hawaii, Maine, New York, Oklahoma, South Carolina, Texas, and West Virginia.

[116] APPENDIX C: *see, e.g.*, Maryland, Massachusetts, and Ohio.

[117] APPENDIX C: *see, e.g.*, Illinois and Indiana.

[118] ACT § 7(c).

[119] *Id.*

[120] Note, *Legal Problems in Donations*, *supra* note 53, at 367 & n. 100.

[121] *Id.* at 367.

[122] *Id.*

[123] *See* APPENDIX C.

[124] ACT § 7(c).

[125] Editorial, Washington Post, May 18, 1968, § A, at 14, col. 4.

[126] Ad Hoc Committee of the Harvard Medical School to Examine the Definition of Brain Death, *A Definition of Irreversible Coma*, 205 J.A.M.A. 337, 339 (1968); Stickel, *Organ Transplantation in Medical and Legal Perspective*, 32 LAW & CONTEMP. PROB. 597, 611 (1967); Stickel, *supra* note 13, at 288–89.

[127] ACT § 7(b).

[128] Stevenson, *et al.*, *supra* note 66, at 18.

[129] Paper by S. E. Rosoff & R. S. Schwab, EEG in Establishing Brain Death: 10-year Report, with Criteria and Legal Safeguards in 50 States, American Electroencephalographic Society Meeting, June 8, 1967.

[130] *See, e.g.*, 203 J.A.M.A. 998 (1968).

[131] Ad Hoc Committee, *supra* note 126.

[132] *Id.* at 337–38. The presence of hypothermia, a temperature below 90° F, or central nervous system depressants, such as barbiturates, invalidate such criteria. *Id.* at 338.

[133] *See also* Beecher, *Ethical Problems Created by the Hopelessly Unconscious Patient*, 278 N. ENG. J. MED. 1425 (1968); Fletcher, *Legal Aspects of the Decision Not to Prolong Life*, 203 J.A.M.A. 65 (1968); Halley & Harvey, *Medical vs. Legal Definition of Death*, 204 J.A.M.A. 423 (1968); Editorial, *What and When Is Death?*, 204 J.A.M.A. 539 (1968).

[134] ACT § 2(d).

[135] *See* Stickel, *supra* note 13, at 289–90.

[136] ACT § 5.

[137] *Id.* § 7(d).

[138] An alternative to the Act's approach has been proposed in two recent articles by a doctor and lawyer team. Dukeminier & Sanders, *Organ Transplantation: A Proposal for Routine Salvaging of Cadaver Organs*, 279 N. ENG. J. MED. 413 (1968); Sanders & Dukeminier, *supra* note 11.

After noting what they believed to be the "[t]wo legal doctrines [which] hamper the advancement of medical science in homotransplanation"—the inability of an individual, in the absence of a statute, to donate his body to medical science and the need for a next of kin's consent in order to remove organs from a cadaver—Dukeminier and Sanders conclude that even a "carefully drawn" donation statute will not be able to solve these problems satisfactorily. Dukeminier & Sanders, *supra*, at 413–15.

Instead of donation legislation, they propose a system in which the attending physician would be allowed to remove cadaver organs "routinely . . . unless there were some objection entered before removal. The burden of action would be upon the person who did not want the organs removed to enter his objection." Sanders & Dukemeinier, *supra* note 1, at 412–13. These commentators ignore the Uniform Act, save for the notion that it would avoid the "ceremony" associated with the usual donation statute, for it would permit "the document of gift to take the form of a wallet-sized card carried on the donor's person," a prospect the authors considered "macabre." Dukeminier & Sanders, *supra*, at 415. The fact is that it would be more macabre and unacceptable to allow any surgeon to remove an organ or tissue upon death without having an obligation to give notice to anyone. It is difficult to imagine public acceptance of such a proposal.

Moreover, their proposal would be of uncertain constitutionality. Although they recognized the possible abridgment of religious freedom, they disregarded altogether the argument that any statute which authorized such wholesale removal would, likewise, violate due process of law.

Finally, they suggest that "[t]he bereaved survivors usually do not want to know what has happened to the body of the deceased in the hospital;" and to ask a relative of one who is about to die "for the kidneys" seems "a ghoulish request." *Id.* at 416. Such a request would not be objectional if it were properly posed and the need sensitively raised. To many people, such a gift provides an opportunity to look beyond their loss and help someone who may be near death. To obtain permission for the removal of an organ for transplantation is not ghoulish; it demonstrates respect for the wishes of others concerned. Not to be told of such practices or to be informed only after the fact would indeed be ghoulish.

[139] Couch, *Supply and Demand in Kidney and Liver Transplantation: A Statistical Survey*, 4 TRANSPLANTATION 572, 595 (1966). To support his position, he suggested that "if logistics had been perfect, patients dying with subarachnoid hemorrhage could have supplied about 10,600 kidneys for the 7,644 potential kidney recipients, at the same time, they could have donated about 6,000 livers to the approximately 4,000 potential liver recipients." *Id.* at 595.

[140] Murray, Barnes & Atkinson, *supra* note 3.

[141] *See* Couch, Curran & Moore, *The Use of Cadaver Tissues in Transplantation*, 271 N. ENG. J. MED. 691 (1964).

[142] The District of Columbia is presently the only jurisdiction with a licensing requirement. D.C. CODE ANN. § 2–258 (1967).

[143] APPENDIX C: *See, e.g.*, Georgia, Massachusetts, and Mississippi. The Mississippi statute views the donation of tissue as a contract and bases all of its provisions on that premise.

[144] *E.g.*, CONN. GEN. STAT. REV. §§ 7–68 to –70 (1958); DEL. CODE ANN. tit. 16, §§ 3151–54 (1953).

[145] *E.g.*, CAL. HEALTH & SAFETY CODE § 7355 (West 1955).

[146] *E.g.*, ALA. CODE tit. 22, § 184 (1958), § 87(1) (Supp. 1967); *see* D.C. CODE ANN. § 27–1198 (1967) (licensed tissue banks may be exempted from transportation requirements).

[147] *E.g.*, ALASKA STAT. § 18.05.040(7) (1962); ARIZ. REV. STAT. ANN. § 36–105(2) (1956).

APPENDIX A

UNIFORM ANATOMICAL GIFT ACT

An act authorizing the gift of all or part of a human body after death for specified purposes

SECTION 1. [Definitions.]

(a) "Bank or storage facility" means a facility licensed, accredited or approved under the laws of any state for storage of human bodies or parts thereof.

(b) "Decedent" means a deceased individual and includes a stillborn infant or fetus.

(c) "Donor" means an individual who makes a gift of all or part of his body.

(d) "Hospital" means a hospital licensed, accredited or approved under the laws of any state and includes a hospital operated by the United States government, a state, or a subdivision thereof, although not required to be licensed under state laws.

(e) "Part" includes organs, tissues, eyes, bones, arteries, blood, other fluids and other portions of a human body, and "part" includes "parts".

(f) "Person" means an individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership or association or any other legal entity.

(g) "Physician" or "surgeon" means a physician or surgeon licensed or authorized to practice under the laws of any state.

(h) "State" includes any state, district, commonwealth, territory, insular possession, and any other area subject to the legislative authority of the United States of America.

SECTION 2. [Persons Who May Execute an Anatomical Gift.]

(a) Any individual of sound mind and 18 years of age or more may give all or any part of his body for any purposes specified in Section 3, the gift to take effect upon death.

(b) Any of the following persons, in order of priority stated, when persons in prior classes are decedent, or actual notice of opposition by a member of the same or a prior class, may give all or any part of the decedent's body for any purposes specified in Section 3:

(1) the spouse,

(2) an adult son or daughter,

(3) either parent,

(4) an adult brother or sister,

(5) a guardian of the person of the decedent at the time of his death,

(6) any other person authorized or under obligation to dispose of the body.

(c) If the donee has actual notice of contrary indications by the decedent, or that a gift by a member of a class is opposed by a member of the same or a prior class, the donee shall not accept the gift. The persons authorized by subsection (b) may make the gift after death or immediately before death.

(d) A gift of all or part of a body authorizes any examination necessary to assure medical acceptability of the gift for the purposes intended.

(e) The rights of the donee created by the gift are paramount to the rights of others except as provided by Section 7(d).

SECTION 3. [Persons Who May Become Donees, and Purposes for Which Anatomical Gifts May be Made.]

The following persons may become donees of gifts of bodies or parts thereof for the purposes stated:

(1) any hospital, surgeon, or physician, for medical or dental education, research,

advancement of medical or dental science, therapy or transplantation; or

(2) any accredited medical or dental school, college or university for education, research, advancement of medical or dental science or therapy; or

(3) any bank or storage facility, for medical or dental education, research, advancement of medical or dental science, therapy or transplantation; or

(4) any specified individual for therapy or transplantation needed by him.

Section 4. [Manner of Executing Anatomical Gifts.]

(a) A gift of all or part of the body under Section 2(a) may be made by will. The gift becomes effective upon the death of the testator without waiting for probate. If the will is not probated, or if it is declared invalid for testamentary purposes, the gift, to the extent that it has been acted upon in good faith, is nevertheless valid and effective.

(b) A gift of all or part of the body under Section 2(a) may also be made by document other than a will. The gift becomes effective upon the death of the donor. The document, which may be a card designed to be carried on the person, must be signed by the donor, in the presence of 2 witnesses who must sign the document in his presence. If the donor cannot sign, the document may be signed for him at his direction and in his presence, and in the presence of 2 witnesses who must sign the document in his presence. Delivery of the document of gift during the donor's lifetime is not necessary to make the gift valid.

(c) The gift may be made to a specified donee or without specifying a donee. If the latter, the gift may be accepted by the attending physician as donee upon or following death. If the gift is made to a specified donee who is not available at the time and place of death, the attending physician upon or following death, in the absence of any expressed indication that the donor desired otherwise, may accept the gift as donee. The physician who becomes a donee under this subsection shall not participate in the procedures for removing or transplanting a part.

(d) Notwithstanding Section 7(b), the donor may designate in his will, card or other document of gift the surgeon or physician to carry out the appropriate procedures. In the absence of a designation, or if the designee is not available, the donee or other person authorized to accept the gift may employ or authorize any surgeon or physician for the purpose.

(e) Any gift by a person designated in Section 2(b) shall be made by a document signed by him, or made by his telegraphic, recorded telephonic or other recorded message.

Section 5. [Delivery of Document of Gift.]

If the gift is made by the donor to a specified donee, the will, card or other document, or an executed copy thereof, may be delivered to the donee to expedite the appropriate procedures immediately after death, but delivery is not necessary to the validity of the gift. The will, card or other document, or an executed copy thereof, may be deposited in any hospital, bank or storage facility or registry office that accepts them for safekeeping or for facilitation of procedures after death. On request of any interested party upon or after the donor's death, the person in possession shall produce the document for examination.

Section 6. [Amendment or Revocation of the Gift.]

(a) If the will, card or other document or executed copy thereof, has been delivered to a specified donee, the donor may amend or revoke the gift by:

(1) the execution and delivery to the donee of a signed statement, or

(2) an oral statement made in the presence of 2 persons and communicated to the donee, or

(3) a statement during a terminal illness or injury addressed to an attending physician and communicated to the donee, or

(4) a signed card or document found on his person or in his effects.

(b) Any document of gift which has not been delivered to the donee may be revoked by the donor in the manner set out in subsection (a) or by destruction, cancellation, or mutilation of the document and all executed copies thereof.

(c) Any gift made by a will may also be amended or revoked in the manner provided for amendment or revocation of wills, or as provided in subsection (a).

Section 7. [Rights and duties at Death.]

(a) The donee may accept or reject the gift. If the donee accepts a gift of the entire body, he may, subject to the terms of the gift, authorize embalming and the use of the body in funeral services. If the gift is of a part of the body, the donee, upon the death of the donor and prior to embalming, shall cause the part to be removed without unnecessary mutilation. After removal of the part, custody of the remainder of the body vests in the surviving spouse, next of kin or other persons under obligation to dispose of the body.

(b) The time of death shall be determined by a physician who attends the donor at his death, or, if none, the physician who certifies the death. This physician shall not participate in the procedures for removing or transplanting a part.

(c) A person who acts in good faith in accord with the terms of this Act, or under the anatomical gift laws of another state [or a foreign country] is not liable for damages in any civil action or subject to prosecution in any criminal proceeding for his act.

(d) The provisions of this Act are subject to the laws of this state prescribing powers and duties with respect to autopsies.

Section 8. [Uniformity of Interpretation.]

This Act shall be so construed as to effectuate its general purpose to make uniform the law of those states which enact it.

Section 9. [Short Title.]

This Act may be cited as the Uniform Anatomical Gift Act.

APPENDIX B

EXISTING DONATION STATUES—QUICK INDEX

	1. Individual authority to donate	2. Next of kin authority to donate	3. Individual donation overrides next of kin	4. Donees[1]	5. Comprehensive provision of purposes	6. Donation by will	7. Donation by written instrument	8. Donation by card carried by person	9. Donation by next of kin by recorded telephonic consent	10. Adequate revocation mechanism[2]	11. Protection from liability	12. Conflict-of-laws provision	13. Time of death
Alabama	X		X		X		X			X			
Alaska[3]													
Arizona	X			X	X	X	X				X		
Arkansas	X		X		X		X						
California	X	X	X	X	X	X	X				X		
Colorado	X						X				X		
Connecticut	X		X		X	X	X			X	X		
Delaware[4]													
District of Columbia	X	X			X	X	X						
Florida	X		X	X	X	X	X	X			X		
Georgia[3]													
Hawaii	X		X	X	X	X	X			X	X		
Idaho[4]													
Illinois	X			X	X	X	X				X		
Indiana		X	X		X	X	X	X				X	
Iowa		X	X			X	X	X			X		
Kansas		X	X		X	X	X	X	X		X	X	
Kentucky		X	X		X	X	X	X			X		
Louisiana		X		X		X		X			X	X	
Maine[3]													
Maryland		X	X		X	X	X	X	X		X	X	X
Massachusetts		X			X	X	X	X			X	X	
Michigan		X				X		X			X	X	
Minnesota		X			X	X	X						
Mississippi		X		X	X	X		X					
Missouri		X ?		X	X	X	X	X			X	X	
Montana		X		X		X	X	X				X	
Nebraska		X	X	X	X		X	X				X	
Nevada		X	X	X	X	X	X	X				X	
New Hampshire[4]													
New Jersey		X	X	X	X	X		X			X	X	
New Mexico	X	X		X	X		X			X			
New York	X		X	X	X		X			X	X		
North Carolina	X			X	X	X					X		
North Dakota	X	X			X		X			X	X		
Ohio	X		X	X	X		X			X	X		
Oklahoma	X			X	X	X	X				X		
Oregon	X	X	X	X	X	X	X				X		
Pennsylvania	X		X	X		X	X						
Rhode Island	X	X	X	X	X	X	X			X			
South Carolina	X						X			X	X		
South Dakota	X												
Tennessee	X		X	X	X	X	X			X	X		
Texas	X			X	X	X	X			X	X		
Utah[4]													
Vermont[4]													
Virginia	X	X			X	X	X			X			
Washington	X	X		X	X		X			X	X		
West Virginia[3]													
Wisconsin	X		X	X	X		X			X	X		
Wyoming[4]													
Uniform Act	X	X	X	X	X	X	X	X	X	X	X	X	X

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[1] Only those statutes which considered either the open-ended donation or the unavailable donee received an X.

[2] Although many statutes provide that a donation may be revoked in the same manner in which it was made, only 2 statutes are adequate under the standards of the Uniform Act.

[3] Eyes only. Because statutes limited to eyes do not authorize donations of other organs or tissue, no X has been given to any of their individual provisions.

[4] No applicable statute.

Appendix C

Existing Donation Statutes—Analysis by Jurisdiction

Each jurisdiction is discussed below in alphabetical order as to its treatment of, and by reference to, each of the following provisions:

1. Individual authority to donate.
2. Next of kin authority to donate.
3. Possible conflict between wishes of the donor and the next of kin.
4. Donees.
5. Purposes for which donations can be made.
6. Mechanism of gift—Wills.
7. Mechanism of gift—Other written instruments.
8. Mechanism of gift—Cards.
9. Mechanism of gift by next of kin—Recorded telephonic consent.
10. Revocation or amendment of gift.
11. Protection from liability for doctors and others acting in accordance with the statute.
12. The problem of conflicts of law.
13. The time of death.

ALABAMA

[Ala. Code tit. 22, §§ 184(1)-(3) (1958)]

1. Any person, 21 years of age or more, of sound mind, and an inhabitant of this state may donate all or part of his body.

3. Any person, firm, association, or corporation who interferes with the disposition of the body according to a donation is guilty of of a misdemeanor.

5. Donation may be made for the advancement of medical science, the replacement of diseased or wornout parts of other humans, or the rehabilitation of human parts or organs.

7. Donation may be accomplished by an instrument in writing, executed as a deed, and filed for record in the office of the judge of probate of the county of the donor's residence or of the county in which the donor is confined in a hospital.

10. Revocation is permitted by filing a similar written instrument in one of the two places mentioned above, provided it is filed before the donor's death.

ALASKA

[Alaska Stat. § 13.05.035 (1962) (authority provided for eyes only)]

1. A person of legal age and sound mind and a resident of this state may donate his eyes.

3. The donated eyes are to be removed by a licensed physician after the donor's death with no consent of the donor's heirs or devisees being required.

4. Donation may be made to a person or a hospital.

7. Donation may be made by written instrument.

ARIZONA

[Ariz. Rev. Stat. Ann. §§ 36-841 to -845 (1956)]

1. Any person who may make a will is permitted to direct the disposition of the whole or any part of his body.

4. Donees may include any teaching institution, university, college, the state department of health, a facility designated by the Anatomy Board of Arizona, a legally licensed hospital, or agency operating a tissue, eye, bone, cartilage, or blood bank. Provision is made for the nondesignated donee.

5. Donations may be made for the purposes of medical science and the rehabilitation of the maimed.

6. Donations may be made by will.

7. Donations may be made by a signed, acknowledged instrument. A gift made by will, codicil, or other signed and acknowledged written instrument shall become effective immediately upon the death of the donor or testator.

11. A person, association, or corporation shall not be subject to liability for any act performed in carrying out instructions of the donor or testator as to disposal of his body for the purposes specified in the act.

ARKANSAS

[Ark. Stat. Ann. §§ 82-408 to -410 (1960); §§ 82-410.1 to -410.3 (Supp. 1967)]

1., 3., 5., and 9. Same as ALABAMA, *supra*.

7. The only appreciable difference is that Arkansas does not require the instrument to be "executed as a deed."

CALIFORNIA

[Cal. Health & Safety Code Ann. §§ 7100, 7113, 7115, 7116 (West Supp. 1967); Cal. Prob. Code Ann. § 20 (West Supp. 1967)]

1. Any person of 18 years and of sound mind may donate.

2. Next of kin may also donate according to an order of priority concluding with the public administrator, when the deceased died with sufficient assets.

3. The person(s) otherwise entitled to control the disposition of the remains under the provisions of this section shall faithfully carry out the directions of the decedent, subject only to the duties of the coroner.

4. A teaching institution, university, college, legally licensed hospital, the state Director of Public Health, or any nonprofit blood bank, artery bank, or other therapeutic service operated by an agency approved by the Director of Public Health may become a donee.

5. The donation of any structure or organ can be made for therapeutic or scientific uses.

6. Donation is permissible by will and such instruction shall be immediately carried out regardless of the validity of the will or the fact that the will may not be offered to probate until a later date.

7. Donation can also be made by other written instruments.

11. Those proceeding within the provisions of this statute shall not be held liable in any civil action.

COLORADO

[Colo. Rev. Stat. Ann. § 91-3-9 (1963)]

1. A person may provide for the disposition of all or any portion of his body upon death.

7. Donation shall be by written consent.

11. No cause of action for damages shall accrue to any person arising out of the removal of all or any portion of the body of a deceased, provided said person had no actual knowledge of any revocation of such consent.

CONNECTICUT

[Conn. Gen. Stat. Ann § 19-139a to-139c (Supp. 1966)]

1. Any person of 21 years of sound mind may donate all or part of his body.

3. The next of kin, or other person legally in custody of the body, shall carry out the direction of the decedent and notify the donee.

4. Any hospital or medical institution approved by the Commissioner of Health may be a donee. When no donee is named, the Commissioner may designate one.

5. Donation may be made for scientific, educational, or therapeutic use. Delivery of the body is prohibited when death results from certain enumerated diseases. Donation of the entire body shall take precedence over donation of any part thereof.

6. A will is a valid mechanism which becomes effective immediately upon death regardless of whether it is ever probated.

7. Donation may be made by any written instrument signed by the donor and witnessed by two competent witnesses.

10. Revocation may be accomplished by an instrument similar to the one used for donation.

11. The proper use of a designated part of the body shall not be the basis for civil liability.

DELAWARE

No applicable statute.

DISTRICT OF COLUMBIA

[D.C. Code Ann. § 2-251 to -257 (1967)]

1. Any person who, in this jurisdiction, has the capacity to make a will may donate his tissue.

2. Any person having the right to a body for the purpose of burial may donate any tissue from such body. An order of priority is included in the statute. Any such person may make such donation, provided that tissue shall not be removed pursuant to a donation made by any one of such persons designated in this subsection if, before such tissue is removed, any one of such persons shall, in writing, notify the tissue bank which is to remove the tissue that he objects to such removal.

4. Donations may be made to any "tissue bank" licensed under this act. Any physician or hospital validly operating a tissue bank shall have full authority to take the tissue so donated and use the same for the purposes enumerated.

5. Any person who donates his tissue may, but shall not be required to, designate the purpose for which his tissue is to be used.

6. Donations may be made by a will or codicil, becoming effective immediately upon the death of the testator or donor and constituting the authority for any physician or hospital to operate a tissue bank to remove said tissue.

7. Donations may be made by any written statement, signed by the donor and witnessed by two persons of legal age, and shall be liberally construed to effectuate the intent and purpose of the person desiring to donate. If any one of the specified next of kin donate tissue by a written statement, such statement shall be signed by him and similarly witnessed.

FLORIDA

[Fla. Stat. Ann. §§ 245.11-.12 (1961); §§736.08-.18 (1964)]

1. A person may donate any part of his body. A person of sound mind who dies within the state may leave his body to the anatomical board by will.

3. No consent or permission from the personal representative or the heirs of the deceased is required.

4. Donation can be made to any state, county, or district hospital or medical school, private hospitals, eyebanks, body banks, or to a specific beneficiary. Specific provisions are included which deal with the open-ended donation and the unavailable donee. The trustee of a trust may also be a valid donee.

5. Donation can be made to the anatomical board to provide material for study in medical schools, dental schools, and teaching hospitals; for eyesight restoration purposes; for grafting or transplantation; or for experimentation and scientific research purposes.

6. Donation can be made by last will and testament or codicil. Subsequent probate shall not affect the validity of the donation.

7. Any written instrument is a valid instrument. No witness is required and no particular wording is necessary.

8. A wallet sized card is a valid instrument. A model form is included.

10. Revocation is specifically provided for only when the bequest is made to a trustee.

11. No liability shall result against any bank, hospital, medical school, physician, or surgeon who acts under the provisions of this act.

GEORGIA

[Ga. Code Ann. §§ 88-2001 to -2009 (Supp. 1967) (authority provided for eyes only)]

1. Any person of legal age and sound mind may donate his eyes.

2. The surviving spouse or all of the immediate next of kin may donate.

4. Donees include nonprofit eyebanks or institutions or persons operating or working in such institutions.

5. Purposes include sight preservation or restoration and medical education or instruction.

7. Donation shall be made by a written instrument which shall designate the donee eyebank. It must be signed by the donor in the presence of two witnesses and must be filed with the parties maintaining the donee eyebank.

10. Revocation may be executed in a manner similar to donation with the donee eyebank acknowledging receipt of the revocation instrument within a period of ten days following its receipt.

11. No civil or criminal liability shall accrue to persons proceeding in accordance with the act's provisions.

HAWAII

[Act 94, ch. 50F, §§ 1–8, [1967] Hawaii Laws 91]

1. Every person of testamentary capacity may provide for the disposition of his body after death.

3. The person or persons otherwise entitled by law to control the disposition of a decedent's body shall faithfully carry out the directions of the decedent.

4. Donations may be made to a university, hospital, or institution within the state authorized to teach or conduct research in medicine, anatomy, or surgery, or having a medical preparatory or medical graduate course of instruction. A donee may refuse the gift under specified circumstances.

5. The donee shall use the donated parts solely for the purpose of teaching and research to promote medical science and education, including the retention of such material as may be needed for such purpose. This would not appear to include transplantation or other purely therapeutic purposes.

6. Donations may be made by will. The directions of the testator shall be immediately carried out regardless of the validity of the will in other respects or of the fact that the will may not be offered for or admitted to probate until a later date.

7. Donations made by a written instrument other than a will shall be witnessed by two persons and provide for written consent to the donation by specified persons. No particular words shall be necessary, and a donation shall become effective immediately upon the death of the donor.

10. A donation may be revoked by the donor at any time prior to his death by the execution of a subsequent written instrument.

11. A university, hospital, or institution to which a body is donated or any agent, officer, or employee of such shall not be liable for any damage or subject to criminal prosecution for using the body or parts thereof for teaching or scientific research purposes.

IDAHO

No applicable statute.

ILLINOIS

[Ill. Ann. Stat. ch. 3, § 42a (Smith-Hurd 1961)]

1. Every person of testamentary capacity may donate all or part of his body.

4. A charitable, educational, or research institution, university, college, State Director of Public Health, State Director of Public Welfare, legally licensed hospital, or any other organization intended and equipped to distribute human bodies or parts thereof for the purposes expressed in this act may receive such a gift.

5. The donor may designate the purpose of the gift or may use the gift as he sees fit.

6. Donation by will becomes effective immediately upon the death of the donor.

7. Any written instrument signed by the donor in the presence of two or more credible witnesses also is valid.

11. No person acting in good faith pursuant to the direction of the instrument and without knowledge of a subsequent revocation shall be liable for such actions.

INDIANA

[Ind. Ann. Stat. § 63–603 (1961); §§ 6–510 to –512 (Supp. 1968)]

1. Every person of testamentary capacity may give the whole or any part of his body.

2. Section 63–603 provides that any duly incorporated medical or dental college, or any duly licensed physician or surgeon shall not be prevented from acquiring, by gift or otherwise, from persons having lawful authority to dispose of the same, the dead body of any human being for the purpose of post-mortem examination, dissection, or other scientific use. Although this is hardly a donation clause and the term "scientific use" is very general, a broad reading of this section might allow donation for medical purposes by the persons having lawful authority to dispose of the deceased.

4. Donees may include the state anatomical board or any college or university, or other person, corporation, association, or agency, public or private, which is willing and equipped to receive and to use the donated body for the enumerated purposes.

5. Donation by the decedent is valid for scientific, educational, therapeutic, or medical use or for other similar uses.

6. Donation by will becomes effective immediately upon the death of the donor.

7. Any written instrument, if signed by the donor in the presence of two witnesses and then signed by those witnesses, shall be a valid donation mechanism.

11. No person acting in good faith within the provisions of this act shall be subject to liability unless he has knowledge that said donation has been revoked.

[Iowa Code Ann. § 142.12 (Supp. 1968)]

1. Every inhabitant of this state of the age of 21 years or more and of sound mind may donate all or any part of his body within the provision of this act.

2. The person(s) having the right to a body for burial may consent to such use of the body or parts thereof.

5. Donation may be made for the purpose of scientific use, or for other advancement of medical science, or for the replacement or rehabilitation of diseased or wornout parts or organs of other humans.

6. A will shall be a valid donation instrument.

7. Donation may also be made by a written instrument executed in the same manner as a deed.

IQ. Revocation may be accomplished in a manner similar to the original donation.

KANSAS

[Kan. Stat. Ann. §§ 65–3201 to –3208 (CCH Advance Sess. L. Rep., Kansas 451 (1968)]

1. Any individual who is competent to execute a will may give all or any part of his body.

2. *See* ACT §§ 2(b) & 2(c).

4. *See* ACT § 3.

5. *See* ACT § 3.

6. *See* ACT § 4(a).

7. and 8. *See* ACT § 4(b).

10. *See* ACT § 6.

11. *See* ACT § 7(c).

12. This problem is largely alleviated by the protection provision which applies to "the terms of a gift under this act, or any similar act."

13. The time of death shall be determined by the physician in attendance upon the donor's terminal illness or death; he shall not be a member of the team of surgeons which transplants the part to another individual. *Compare* ACT § 7(b).

KENTUCKY

[Ky. Rev. Stat. Ann. § 72.070 (1963)]

1. Any person in the Commonwealth of the age of 21 years or more and of sound mind may make a gift, grant, or bequest of all or part of his body.

2. The persons having the right to a body for burial may likewise consent to such use of the body or part thereof as set forth in this statute. An order of priority is included.

4. Acceptable donees include any professor, medical school, or college, or any responsible person or group of persons, natural or corporate, whom the State Board of Health finds is equipped to properly carry out the purposes of this act.

5. Included among purposes are educational or scientific study and transportation.

6. Donation may be executed by will.

7. Donation may be made by a written instrument executed in the presence of at least two attesting witnesses.

10. Revocation can be accomplished in the same manner as the original legacy or grant.

LOUISIANA

[La. Rev. Stat. Ann. §§ 17.2351–.2355 (1963)]

1. Every inhabitant of this state of the age of 21 years or older, and of sound mind may donate all or any part of his body after death for the purposes stated in this act.

3. The body or body part may be used in accordance with the terms of the donation immediately upon the death of the donor and without order of court or authorization by next of kin, of any other person.

5. Donation may be made for the purpose of advancing medical science, or for the replacement or rehabilitation of diseased or injured parts or organs.

7. The donation shall be in writing signed by the person making same, and duly attested by two or more competent witnesses who reside in the parish wherein the donation is made and filed for record. The form of the written donation shall not be sacramental, provided it conveys the clear intention of the donor and is within the purposes of this act.

10. Revocation may be accomplished in the same manner in which the donation was executed.

11. No liability shall accrue against any doctor, nurse, hospital, or other person or organization, corporate or otherwise, out of the use of any body or part thereof when properly authorized within the terms set forth in this act.

MAINE

[Me. Rev. Stat. Ann. tit. 22, §§ 2881, 2889 (1965)]

Section 2881 provides that if any resident of the state requests or consents that after death his body be delivered to a regular physician or surgeon for the advancement of anatomical science, it may be used for that purpose, unless some kindred or family connection makes objection. This authority is thus narrowly circumscribed in purpose and is not valid without approval of next of kin.

The donation authority presented in § 2889 provides for the donation of eyes only.

1. A person of legal age and sound mind has the right to direct the manner in which his eyes shall be disposed of after his death.

4. A donee may be an individual, hospital, institution, or agency engaged in sight restoration or a bank maintained for the storage, preservation, and use of human eyes or parts thereof. The donee need not be designated.

5. Donation can be made for the advancement of medical science or for the replace-

ment or rehabilitation of diseased eyes or wornout or injured parts of the eyes of living human beings.

7. Authorization for donation shall be by written instrument signed by the donor and witnessed by two persons of legal age. No particular form or words shall be required, provided that the instrument conveys the clear intention of the purpose of the donor.

10. The gift may be revoked in a manner similar to the original grant.

11. The donee or physician shall not be liable civilly or criminally for removing eyes under authorization valid within the terms of this act.

MARYLAND

[Md. Ann. Code art. 43 §§ 149E–P (Supp. 1968)]

1. Any person who is over 21 years of age and competent to execute a will may donate all or any part of his body.

2. *See* ACT §§ 2(b) & (c).

4. and 5. *See* ACT § 3.

6. *See* ACT § 4(a).

7. and 8. *See* ACT § 4(b).

9. If the gift is by next of kin designated in the act, it shall be by written or telegraphic consent.

10. *See* ACT § 6.

11. *See* ACT § 7(c).

12. A document of gift executed in another state and in accord with the laws of that state thereunto pertaining or executed in a territory or possession of the United States under the control and dominion of the federal government and in accord with a federal law, shall be deemed valid as a document of gift within this state.

13. The time of death shall be determined by the physician in attendance upon the donor's terminal illness or certifying his death, and said physician shall not be a member of the team of physicians which transplants the part to another individual. *Compare* ACT § 7(b).

MASSACHUSETTS

[Mass. Ann. Laws ch. 113, §§ 7–10, (Supp. 1967)]

1. Any person who has attained the age of 21 years may make a gift of his tissue or organs, to take effect prior to embalmment of his body.

4. Donees include any hospital, entity organized for the purpose of collecting or storing human tissue or organs, or medical school licensed by the Commonwealth. A provision dealing with the open-ended donation is included. Except in the case of a gift of the entire body, the donee shall have 24 hours following the death of the donor to remove the part(s) of the body given to the donee; and thereafter, whether or not the donee has so acted, the donor's body may be claimed by the person(s) otherwise entitled thereto. The provisions of this section shall in no way prevent the final interment of any human body.

5. Gifts may be made for medical or scientific research, for the dissemination of information relative thereto, for transplantation to living persons, or for the promotion of anatomical study and teaching.

6. Gifts made by will, if signed by the donor and witnessed by three persons, are valid whether or not the will is offered for probate.

7. Donations may be made by a written instrument signed by the donor and witnessed by three persons. No "instrument shall be effective . . . unless a certificate of a registered physician is attached thereto to the effect that at the time said donor signed said instrument the donor was, in the opinion of said physician, of sound mind and not under the influence of narcotic drugs." An agent, servant, or employee of the donee shall be disqualified from witnessing any such instrument.

10. An instrument of gift may be revoked by destruction by the donor or by a written instrument of revocation signed by the donor, which need not be witnessed.

11. Whoever, in good faith relies upon an instrument purporting to make a gift, delivers the tissue, organs, or whole body or any part of a donor to a donee shall not be liable for having made such delivery.

MICHIGAN

[Mich. Comp. Laws Ann. § 328.251 to –.257 (1967)]

1. Any person of full age and sound mind may donate all or any part of his anatomy.

4. Any medical or educational institution or any person may be a donee.

5. The donor can specify any purpose; if no purpose is specified, the donee can use the body part for any medical or educational purpose.

7. Donation may be made by written instrument signed by the donor in the presence of two competent witnesses who shall also sign the instrument. The written instrument shall be retained on file with the donee, who shall produce the same upon demand of any interested person at the time of the donor's death.

10. The donor may revoke the gift by demanding return of the written instrument and any copies thereof.

11. Any licensed medical practitioner or medical or educational institutional who removes the part designated shall not be liable for damages in a civil suit for removal of the part.

MINNESOTA

[Minn. Stat. Ann. § 525.18 (Supp. 1967)]

1. Every person of sound mind, not a minor, may dispose of the whole or any part of his body.

4. Donations may be made to a teaching institution, university, college, State Board of Public Health, or legally licensed hospital.

5. Donations may be made for the use of one of the above donees or as expressly designated by the donor.

6. Donations may be executed by a will attested and subscribed in the donor's presence by two or more competent witnesses.

MISSISSIPPI

[Ch. 480, §§ 1–3, [1966] Miss. Laws 899–900]

1. Any person 21 years of age and over and of sound and disposing mind may enter into a contract to donate his eyes, heart, kidney, or other transplantable part of his human body.

3. Any contract entered into under the terms of this act is binding upon the surviving spouse or other heirs of the deceased who have the right under general law to claim his body.

4. Contracts may be made with a qualified hospital or medical school.

5. Contracts may be made for medical science or other medical purposes.

10. Any person entering into "such a contract" may, during his or her lifetime, revoke by written instrument signed by both parties, said contract in its entirety, provided, however, that if any such person has received any monetary consideration for entering into the contract, he shall repay such consideration to those from whom he received it, in full, plus 6% interest from the date of the signing of the contract.

MISSOURI

[Mo. Ann. Stat. § 194.190 (Supp. 1967)]

1. Any person of sound mind and 18 years of age or older may donate all or any part of his body.

2. Although there is no provision which affirmatively gives the next of kin donation authority, one section provides that no cause of action in tort shall accrue to any person out of the removal or use of a body part, "if the consent of the decedent was given, *or consent was given by a person upon whom devolves by law the right to control the disposition of the remains of a deceased person as defined herein . . .*" (emphasis added). This may be interpreted to give donation authority to next of kin.

3. The person legally in custody of the body for burial shall faithfully carry out the directions of decedent.

4. The donee shall be any college, university, licensed hospital, or the State Anatomical Board.

5. The donation may be for scientific, educational, or therapeutic use.

6. A bequest in a will shall become effective immediately upon the death of the donor without regard to whether it is ever offered or admitted to probate.

7. Any writing will suffice and no special words of gift shall be necessary, provided the written authorization is signed by the donor and witnessed by two persons of legal age or acknowledged as is required of deeds to real estate.

10. This gift may be revoked by a similar writing.

11. Provision 2 above provides the basic protection, which is applicable, notwithstanding the invalidity of such consent, if the person relying thereon acted in good faith or had no actual knowledge of the revocation of such consent.

MONTANA

[Mont. Rev. Code Ann. §§ 69–2311 to –2314 (Supp. 1967)]

1. A person 18 or older may provide for the disposition of all or any part of his body upon death.

5. Donations may be made for purposes of education or research or any therapeutic use.

6. Authorization may be made by will; the instructions shall be carried out, even though the will cannot be admitted for probate until a later date.

7. Donations may also be made by an acknowledged written instrument.

11. There shall be no civil liability for reliance on the terms of a written authorization given in accordance with this act.

NEBRASKA

[Neb. Rev. Stat. §§ 71–1339 to –1341 (1966)]

1. Any person may direct the disposition of all or part of his remains.

2. Those persons having the right to control the disposition of the remains may, when not inconsistent with directions given by the decedent, authorize the removal of any specifically named organ or organs.

3. The persons entitled to control the disposition of the remains shall faithfully carry out the directions of the decedent.

4. Donees include a teaching institution, university, college, legally licensed hospital, the Director of Health, or any nonprofit blood bank, artery bank, or other therapeutic service operated by any agency approved by the Director of Health.

6. If instructions are contained in a will, they shall be immediately carried out, regardless of the adequacy of the will in other respects or of the fact that the will may not be probated until a later date.

7. Donations may be made orally or by any written instrument.

11. A funeral director, physician, or cemetery authority shall not be liable to any person(s) for carrying out the decedent's instructions, or the eligible donee for accepting the gift.

NEVADA

[Nev. Rev. Stat. §§ 451.440–.450, –.470 to –.480 (1963)]

1. A person, prior to his death, may direct the disposition of all or part of his body.

2. A relative qualified to authorize an autopsy can also authorize the removal of any structure or organ from any human remains for the purposes described in this statute.

3. The person(s) otherwise entitled to control the disposition of the remains under the provisions of this section shall faithfully carry out the directions of the decedent.

4. A donee may be a teaching institution, university, college, licensed hospital, nonprofit blood bank, nonprofit artery bank, or nonprofit eyebank, or other agency approved by the State Board of Health.

5. Donation can be made for the advancement of medical science or for other therapeutic or scientific use.

6. A will shall be a valid instrument of donation, and tissue removal shall proceed immediately after death, regardless of the validity of the will in other respects.

7. Donation may also be accomplished by any other written instrument.

11. No funeral director, physician, or cemetery authority shall be liable to any person for carrying out the instructions of the decedent.

NEW HAMPSHIRE

No applicable statute.

NEW JERSEY

[N.J. Stat. Ann. §§ 26:6-51 to -56 (Supp. 1967)]

1. Any person of legal age may direct the disposition of all or any part of his body.

2. Any person entitled to control the disposition of the remains may direct the disposition of any part or parts of the body of such person.

3. No disposition shall be directed by any person included in provision 2 if he has reason to believe after reasonable inquiry: (a) that the decedent has left instructions for disposition of his body inconsistent therewith; (b) that decedent has expressed objections to such use during his last illness; or (c) that the surviving spouse or any surviving near relative of decedent objects. The person(s) included in provision 2 shall permit the proper execution of such disposition made by the deceased. When the requisite parts of the body have been removed in cases where the disposition of the entire body has not been directed, the remains of such person, not so removed, shall be the responsibility of and shall be under the control of the person having by law the right to disposition thereof.

4. The donee may be, but does not have to be, a government agency, eyebank, teaching institution, hospital, or physician, or a committee or group of physicians or others, to take such action as may be necessary to accomplish said purpose upon his death. The instrument of gift shall be delivered to the person designated therein to carry out the purposes of said instrument.

5. A donation may be made for the advancement of medical science or the replacement or rehabilitation of diseased or wornout organs of similar character of another living person.

7. Donations may be made by written instrument signed by the donor and witnessed by two persons of legal age.

10. An instrument of gift may be revoked only by an instrument similarly executed and delivered to the person to whom the original instrument was delivered, or in whose custody the instrument is at that time.

11. Any person acting or authorizing such action in accordance with the provisions of this act shall not be liable in damages for any action taken in making or carrying out such instrument, unless he shall have actual knowledge of the delivery of an instrument revoking the power contained therein, except for willful negligence or international wrong doing.

NEW MEXICO

[N.M. Stat. Ann. §§ 12–11–1 to –5 Supp. 1967)]

1. Every person of legal age who inhabits and dies within the state may dispose of all or any part of his body.

2. Persons having the right to burial may also consent to such disposition.

4. The donee may be an individual, hospital, institution, or bank maintained for the storage, preservation, and use of human bodies or organs, members, or parts thereof. A provision is included for the unavailable donee.

5. Purposes include the advancement of medical science and the replacement or rehabilitation of diseased or wornout organs, members, or parts of the bodies of living humans.

7. Although the donation must be by written instrument witnessed by two persons of legal age, no particular form or words is necessary provided that the instrument conveys the clear intention of the donor.

10. Revocation is permitted by a written instrument signed by the donor and witnessed by two persons of legal age.

NEW YORK

[N.Y. Pub. Health Law §§ 4201, 4210 (McKinney Supp. 1967)]

1. Any person 18 years of age or older has the right to direct the manner in which his body shall be disposed of after death. "Body" refers to the whole or any part thereof, including blood.

2. The surviving spouse or next of kin of the deceased, being charged by law with the duty of burial, may authorize dissection for the sole purpose of ascertaining the cause of death or "'may authorize dissection for any other purpose." This section, not part of the rest of the donation statute, would appear to authorize donations by appropriate next of kin for medical research and therapy.

4. A donee may be an individual, a licensed hospital, institution, or agency engaged in the advancement of medical science or the restoration of diseased, wornout, or injured parts of living human beings, or a bank maintained for the storage, preservation, and use of parts of the body. Provisions are made for the open-ended donation and the unavailable donee.

5. Donations may be made solely for the advancement of medical science or for the replacement or rehabilitation of diseased, wornout, or injured parts of the bodies of living human beings.

7. Donations shall be made by written authorization of the deceased made during his lifetime and signed by him in the presence of at least two witnesses, aged 18 or over, who shall also sign the document. No particular form of words shall be necessary, provided that the instrument conveys the clear intention of the donor.

10. Revocation is permitted by a written instrument signed by the donor and witnessed by two persons, aged 18 or over.

11. Any licensed hospital, donee, nurse, or physician who removes body parts pursuant to a valid donation shall not be civilly or criminally liable.

NORTH CAROLINA

[N.C. Gen. Stat. Ann. §§ 90–216.1 to -.5 (1965)]

1. Any person who may otherwise validly make a will in this state may dispose of the whole or any part of his body.

4. Donations may be made to a teaching institution, university, college, State Department of Health, legally licensed agency or commission operating an eyebank, bone or cartilage bank, a blood bank, or any other bank of a similar nature designated for the rehabilitation of the maimed. The donor may designate the donee. Provisions are made for the open-ended donation and the unavailable donee.

5. The donor may expressly designate the purpose for which his body or part may be used, but such is not necessary. If no purpose is designated, the body or part shall be used in accordance with the intention of the statute.

6. A donation may be made by will and testament or codicil and becomes effective immediately upon the death of the testator. No particular form or words shall be necessary or required, and the donation statement shall be liberally construed to effectuate the donor's intent.

11. Any provision in any will or codicil donating the whole or any part of the testator's body shall become effective immediately upon death. Any donee acting under the authority of said instrument will be protected from liability.

NORTH DAKOTA

[N.D. Cent. Code Ann. §§ 23-06-01 to -01.2 (Supp. 1967)]

1. Every person over the age of 18 years and every person under the age of 18 years with the written consent of one parent or guardian has the right to direct the manner in which his body shall be disposed of after death.

2. If the deceased person has left no written instruction regarding the disposal of his body, the person charged with the duty of burial may, in the same manner, consent to the use of the body or any organ, member, or parts thereof for the same purposes.

5. Donations may be made for medical-surgical research, the development of reconstructive medicine and surgery, or the replacement or rehabilitation of diseased or wornout parts or organs of other humans.

7. Donations shall be made in writing before one subscribing witness.

10. Revocation is permitted by the donor executing a written instrument in the same manner as the original grant.

11. A physician licensed in or authorized to practice medicine in this state who in good faith and as authorized by this act removes any organ, member, or part thereof from the body of a deceased person shall not be liable in any civil action arising out of his reliance upon the terms of the written authorization.

OHIO

[Ohio Rev. Code Ann. §§ 2108.01–03 (Anderson Supp. 1967)]

1. A person who is 21 years of age or older and of sound mind may make a gift of all or any part of his body effective upon his death.

3. The rights of a donee or his agent under a gift are superior to those of any person claiming as spouse, relative, guardian, or any other relationship, and as such, rights may be limited by the instrument of donation.

4. and 5. The following persons may be named as donee in a gift for the purposes indicated: (a) a licensed physician or surgeon, or a hospital for medical education, research, the advancement of medical science, aid in therapy, or transplantation to replace diseased or deteriorated parts of other persons; (b) a medical school, college, or university engaged in medical education and research, for its educational research or scientific purposes; (c) a nonprofit blood bank, artery bank, eyebank, or other storage facility for human parts to be used for therapy or transplantation for other persons, or for medical education and research; (d) a named individual for transplantation or therapy needed by him; and (e) any licensed physician or surgeon claiming the body, not naming him, for any of the above purposes. A gift made under this section, in addition to the authorizations contained in the instrument of gift, authorizes the donee or his agent to perform only the surgical procedure necessary

to carry out the gift. When the gift is of only a part(s) of the body, immediately following the removal of the part(s) named, custody of the body shall be transferred to the next of kin.

7. Donations may be made by a written instrument signed by the donor or by some person in his presence and at his express direction and subscribed by two witnesses in the presence of the donor. Neither witness may have any affiliation with the donee or the donee institution. Delivery or acceptance is not necessary. If the entire body has been donated, next of kin may arrange last rites before the body is claimed by the donee.

10. A gift may be revoked in the same manner as executed.

11. A person who, in good faith and in reliance upon an authorization made under this act, and without notice of revocation thereof, takes possession of, performs surgical operations upon, removes tissue, subtances, or parts from a human body, refuses such a gift, or unknowingly fails to carry out the wishes of the donor according to this act is not liable for damages in a civil action for such an act.

OKLAHOMA

[Okla. Stat. Ann. tit. 63, §§ 105–108 (1964)]

1. Any inhabitant of this state of legal age and of sound mind may arrange for the disposition, after death, of his body or any organ, member, or part thereof.

4. Each instrument may designate the donee, but such shall not be necessary to its validity. A donee may be an individual, hospital, institution, or a bank maintained for the storage, preservation, and use of human bodies or the organs, members, or parts thereof. Provision is made for the open-ended donation and the unavailable donee.

5. Donations may be made for the purpose of advancing medical science or for the replacement or rehabilitation of diseased or wornout organs, members, or parts of the bodies of living humans.

6. Donations may be made by will. No appointment of an administrator, executor, or court order is necessary before the removal of said organs.

7. Donations may be authorized by a written instrument signed by the person making the same and witnessed by two persons of legal age.

11. The hospital, physician, or licensed embalmer shall not be liable civilly or criminally for removing any part from the body, providing the donor has, prior to death, executed a valid written agreement as provided herein.

OREGON

[Ore. Rev. Stat. §§ 97.130–.134 (1967)]

1. A person of testamentary capacity may give the whole or part of his body.

2. The right to control the disposition of the remains of the decedent, unless other directions have been given by him, vests in his surviving spouse, his surviving children, his surviving parents, and the kindred to him, in that order. It is not clear whether "disposition" would include the donation of organs or tissue for transplantation or other medical purposes.

3. The decedent's directions as to donation would apparently override those of his next of kin.

4. The donee may be a charitable, educational, or research institution or organization, or licensed hospital.

5. Donations may be made for scientific and medical purposes designated by the donor or determined by the institution, organization, or hospital.

6. Gifts may be made by a will and shall be effective upon the death of the testator or donor.

7. Donations, other than by will, may be made by an instrument executed by the donor or some person in his presence, by his direction, and attested to in the presence of the donor by two or more competent witnesses.

10. Revocation or modification is implied from other provisions, but actual mechanisms are not discussed.

11. No person acting in good faith pursuant to the directions contained in such will or other instrument without knowledge of the subsequent revocation or modification, if any, of such will or other instrument shall be liable to the surviving spouse or next of kin for performing acts necessary to carry out the gift of the donor.

PENNSYLVANIA

[Pa. Stat. Ann. tit. 35, §§ 5001–5003 (1964)]

1. Any person may direct that any part of his remains be given.

3. If such a direction has been made, the person(s) otherwise entitled to control the disposition of the remains of the decedent shall faithfully and promptly carry out the directions of the decedent.

4. Donations may be made to any nonprofit eye or body part bank. A written donation shall authorize any representative of the donee to take the necessary action to remove and preserve such material within 24 hours after the death of the donee and shall not require the consent of the personal representative of the decedent. After the removal of such material, the remains of the decedent shall be the responsibility of the person(s) otherwise entitled to control the disposition of the remains of such decedent.

6. A gift may be made by will and shall be immediately carried out, regardless of the validity of the will or the fact that it may not be offered for or admitted to probate until a later date.

7. Donations may be made by any written instrument; no witnesses are required.

RHODE ISLAND

[R.I. Gen. Laws Ann. §§ 23–42–1–18 (Supp. 1966)]

1. Any person of legal age and sound mind may donate his remains.

2. Donations may also be made by the surviving spouse or the deceased's lawful heirs. Any person who by law controls the disposition of the remains of a deceased minor child may, by written instrument, authorize a medical school to use said minor decedent's body or any part thereof for any medical purpose. The operation of this section applies to stillborn infants.

3. The right to control the disposition of the remains shall be in accord with the following priority: the deceased, the spouse of the deceased, and any of the deceased's lawful heirs.

4. Donations may be made to a "medical school," which is defined as a university or college conducting a medical curriculum at the graduate level.

5. Donations may be used for such "medical purposes" as may have been designated, or in the absence of any such designation, for such "medical purposes" as the named donee may determine.

6. Dispositions may be made by will.

7. Any donation shall be by written instrument signed by the person donating and witnessed by two persons of legal age. No particular form or words shall be necessary for such donation or authorization provided that the instrument conveys the clear intention of the person making the donation.

10. Any such disposition may be revoked by the donor at any time prior to his death by the execution and delivery to the donee, if one is specified, of a written instrument in the same manner as the original donative instrument. If the original instrument specifies no donee, the same shall be revoked by burning, tearing, or otherwise destroying such and all executed copies thereof.

11. The director of health and his designate or designates shall not be liable to any person for any act done in accomplishing the purposes of the act unless performed in bad faith.

SOUTH CAROLINA

[S.C. Code Ann. §§ 9–521 to –527 (Supp. 1967)]

1. Every person of full age and sound mind may give all or part of his anatomy.

4. Gifts may be made to the Board for Distribution of Dead Bodies. Upon the death of the donor, the Board or its agent may claim the body and remove from the donor that portion of his anatomy given to the Board; the Board or its agent shall use reasonable care in removing that portion of the anatomy to avoid undue mutilation of the body. The Board will cooperate with the surviving spouse of the next of kin in carrying out satisfactory religious services.

5. The part of the donor's anatomy shall be used for the purpose specified in the instrument. If no purpose is specified, the Board may use it in any manner authorized by the act. It is not clear that the Board for Distribution of Dead Bodies has the authority to use the organs and tissue for transplantation, since § 9–505 provides in part that colleges and schools shall first be supplied with bodies needed for lectures and demonstration. However, since the donor may specify the purpose, and no limitation is included, authority to donate for transplantation probably exists.

7. A donation shall be made by a written instrument signed by the donor in the presence of two competent witnesses and acknowledged before any person who is authorized to take acknowledgements within the state. The written instrument shall be deposited and retained on file in the probate court of the county wherein the donor resides.

10. The gift of any person of all or a portion of his anatomy made pursuant to the provisions of the act may be revoked by the donor by demanding return to him of the written instrument of gift, and any duplicate originals thereof, from the Board or person in possession of the same or by written instrument executed and filed in the same manner as the original gift.

11. The Board and any person authorized by it to remove a portion of any donor's anatomy shall not be liable for damages in any civil suit for the removal of that part unless the gift has been revoked in the manner prescribed. Likewise, any person who delivers or permits the removal of any part of the donor's anatomy, or fails to do such, shall not be liable in any manner unless he has knowledge of a revocation.

SOUTH DAKOTA

[S.D. Code §§ 27.1301, 1304 (1939)]

1. Any person has the right to direct the manner in which his body is to be disposed of, in whole or in part.

TENNESSEE

[Tenn. Code Ann. §§ 32–601 to –608 (Supp. 1967)]

1. Any person of sound mind and 21 years of age or older may dispose of the whole or any part of his body.

3. If the donee shall elect to accept the gift, its rights and interests therein and the right of possession shall be superior to the rights and interests of the surviving spouse or next of kin. The surviving spouse and other next of kin who have actual knowledge that the donor has disposed of his body or parts thereof in accordance with the provisions of the act shall have no rights of possession

and disposition of the body of the donor until the donee has claimed and removed the portions of the body given to it or has rejected the gift of the body or portions thereof.

4. The gift must name as donee a medical or dental institution that is in active operation or the State Anatomical Commission. Upon the death of the donor, the donee or its agent may take possession of the body of the donor and remove those portions of the anatomy donated. The donee or its agents shall use reasonable care in removing the portions of the anatomy so given to avoid unnecessary mutilation of the body. The surviving spouse or next of kin shall have the right to claim the remainder of the body and dispose of it by burial or by other customary and proper manner. If the donor has given to the donee his entire body, the donee shall give the surviving spouse or next of kin an opportunity to provide last rites for the deceased.

5. The donee shall use such gift for the purpose specified. If no purpose is specified, the donee may use it for any medical or educational purpose.

6. Gifts may be made by a will or codicil and shall be valid regardless of the fact that the document may not be offered for or admitted to probate until a later date.

7. All other written instruments shall be signed by the donor in the presence of two competent witnesses and acknowledged before any person who is authorized to take acknowledgments within the state. Such written instruments shall be delivered by the donor to the donee.

10. The gift may be revoked by the donor by notice to the donee and demand that the donee return to him the written instrument of gift or, if the gift is contained in a will or codicil, by any method legally effective to revoke a will.

11. The donee, any licensed medical practitioner, or medical or educational institution who removes the portions of any donor's anatomy or takes possession of the body when the entire body is given shall not be liable for damages in any civil suit for the removal of the portions so given or for possessing the body, unless the gift has been revoked and the person or the institution involved has received actual notice of such prior to removal or prior to taking possession of the body. Any person who delivers or permits, or fails to deliver or permit, the removal of all or any portion of the donor's anatomy shall not be liable in any manner unless he has actual knowledge of the revocation or, in the latter case, has actual knowledge of the gift which has not been revoked.

TEXAS

[Tex. Rev. Civ. Stat. art. 4590–1 (1960), *as amended,* (Supp. 1967)]

1. Any inhabitant of this state of legal age and of sound mind may arrange for the disposition, after death, of his body or any organ, member, or part thereof.

4. Each instrument may designate the donee, but such shall not be necessary. A donee may be an individual, hospital, institution, or a bank maintained for the storage, preservation, and use of human bodies or the organs, members, or parts thereof. Provision is made for open-ended donations.

5. Gifts may be made only for the replacement or rehabilitation of diseased or wornout organs, members, or parts of the bodies of living humans.

6. Gifts may be made by will.

7. Donations may be made by written instruments signed by the donor and witnessed by two persons of legal age. No particular form or words shall be necessary, provided the instrument conveys the clear intention of the person making the same.

10. The donor may revoke at any time prior to death any disposition previously made by execution of a written instrument in the same or a similar manner as the original donation and bequest.

11. The hospital or physician shall not be liable civilly or criminally for removing said organs or any part thereof from the body, providing the donor has, prior to death, executed a valid written agreement as provided in the act.

UTAH

No applicable statute.

VERMONT

No applicable statute.

VIRGINIA

[Va. Code Ann. § 32–364.] (Supp. 1968)

1. Every inhabitant of this state of the age of 21 or older and of sound mind may arrange for the disposition, after death, of his body or any part thereof.

2. The person(s) having the right to a body for burial may likewise consent to such use of the body or any part thereof.

5. Donations must be made for the purpose of scientific use, other advancement of medical science, or the replacement or rehabilitation of diseased parts of the bodies of other humans.

6. Donations may be made by will.

7. Donations may be made by an instrument executed in the same manner as a will.

10. Any such disposition may be revoked by the testator or grantor at any time prior to his death by the execution of a written instrument in the same manner as the original grant.

WASHINGTON

[Wash. Rev. Code Ann. §§ 68.08.250–.280 (1962)]

1. Any person of legal age and sound mind may donate the whole or any part of his remains.

2. and 3. Any person who has the right to control the disposition of the remains of a deceased person may also authorize the use of the decedent's body or any part thereof, unless contrary directions have been given by the decedent. The operation of this section shall not be barred by the decedent's not having reached the age of majority. This section shall also be applicable to stillborn infants.

4. Gifts may be made to a teaching institution, university, college, the Director of Health of the State, any public or nonprofit therapeutic agency approved by the Director of the State Board of Health under rules and regulations established by the director or board or any legally licensed hospital.

5. Donations may be used for such "medical purposes" as may have been designated, or in the absence of any such designated, for such medical purposes as the named donee may determine.

7. Donations are made by executing a written instrument.

10. Written instruments of donation may be revoked by the donor in writing; and if the instrument has been delivered to the donee, he shall redeliver it to the donor forthwith upon receipt of the revocation.

11. A donee shall not be liable to any person for carrying out the decedent's instructions.

WEST VIRGINIA

[W. Va. Code Ann. §§ 16–9–1 to –3 (1966) (authority provided for eyes only)]

1. A person 21 years or older and of sound mind may prescribe the disposition, after death, of his eyes or any part thereof.

2. The person(s) having the right to a body for burial may consent to such use of the eyes or parts thereof.

4. Each instrument may designate the donee, but such shall not be necessary. A donee may be an individual, hospital, institution, agency engaged in sight restoration, or a bank maintained for the storage, preservation, and use of human eyes or parts thereof. Provision is made for open-ended donations.

5. Donations must be made for the purpose of advancing medical science or for the replacement or rehabilitation of diseased eyes or wornout or injured parts of the eyes of living human beings.

7. Donations may be made by a dated written instrument signed by the person making or giving the same and witnessed by two persons of legal age. No particular form or words shall be necessary for such donation, provided the instrument conveys the clear intention of the person making the same.

10. Any disposition may be revoked by the donor at any time prior to his death by the execution of a written instrument in the same manner as the original grant.

11. No hospital, donee, or physician who reasonably relies upon a dispositive instrument appearing to have been made in conformity with the provisions of the act shall be liable civilly or criminally for removing eyes or parts thereof from the body of a deceased donor.

WISCONSIN

[Wis. Stat. Ann. § 155.06 (Supp. 1968)]

1. Every person 21 years or older and of sound mind may make a gift during his lifetime of all or any part of his body.

3. Such body or parts thereof may be made available to a medical school or bank after the death of the donor by the person having custody of the body.

4. The gift may be made to any medical school or bank handling parts of the body. The donee may accept or reject the gift. If the donee accepts, he or his agent may cause to be removed from the body that portion given to the donee. If the entire body is given, it shall not be delivered to the donee or his agent until after the surviving spouse or other person who assumes custody of the body has had an opportunity to provide a funeral service or other last rites for the deceased.

5. Gifts may be made for scientific, medical, or educational purposes.

7. Such a gift shall be evidenced by a written instrument signed by the donor and two competent witnesses who know the signature to be that of the donor.

10. The gift may be revoked by the donor at any time during his lifetime.

11. No person acting in good faith to carry out the written directions of the donor shall be liable for damages in any civil suit for his actions, notwithstanding the fact that, for any reason, the supposed gift is invalid.

WYOMING

No applicable statute.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS, 1969

Mr. HILL. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a tabulation setting forth the appropriations for fiscal year 1968, the budget estimates for 1969, the House allowances, the Senate allowances, and the conference agreement for the Departments of Labor, and Health, Education, and Welfare, and related agencies.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATION ACT, 1969, H.R. 18037

Item	Appropriation, fiscal year 1968	Budget estimates, 1969	House allowance	Senate allowance	Conference agreement
TITLE I—DEPARTMENT OF LABOR					
MANPOWER ADMINISTRATION					
Manpower development and training activities	$398,497,000	$413,096,000	$400,000,000	$400,000,000	$400,000,000
Office of Manpower Administrator, salaries and expenses	30,696,000	29,422,000	26,722,000	26,722,000	26,722,000
Bureau of Apprenticeship and Training, salaries and expenses	8,267,000	9,262,000	9,055,000	9,055,000	9,055,000
Grants to States for unemployment compensation and employment service administration	(556,932,000)	(616,573,000)	(604,073,000)	(604,073,000)	(604,073,000)
Unemployment compensation for Federal employees and ex-servicemen	93,000,000	92,200,000	92,200,000	92,200,000	92,200,000
Trade adjustment activities		1,300,000	1,300,000	1,300,000	1,300,000
Bureau of Employment Security, salaries and expenses	2,630,000	3,026,000	2,900,000	2,900,000	2,900,000
Trust fund transfer	(17,990,000)	(20,947,000)	(20,073,000)	(20,073,000)	(20,073,000)
Advances to employment security administration account		43,000,000	43,000,000	25,000,000	25,000,000
LABOR-MANAGEMENT RELATIONS					
Labor-Management Services Administration, salaries and expenses	8,533,000	9,063,000	9,063,000	9,063,000	9,063,000
WAGE AND LABOR STANDARDS					
Wage and Labor Standards Administration, salaries and expenses		12,177,000	11,777,000	11,777,000	11,777,000
Bureau of Employees' Compensation, salaries and expenses	5,408,000				
Trust fund transfer	(68,000)				
Bureau of Labor Standards, salaries and expenses	4,429,000				
Women's Bureau, salaries and expenses	912,000				
Employees' compensation claims and expenses	56,061,000	52,691,000	52,691,000	52,691,000	52,691,000
Wage and Hour Division, salaries and expenses	24,166,000	26,211,000	25,711,000	25,911,000	25,811,000
BUREAU OF LABOR STATISTICS					
Salaries and expenses	20,933,000	22,669,000	21,763,000	21,763,000	21,763,000
BUREAU OF INTERNATIONAL LABOR AFFAIRS					
Salaries and expenses	1,348,000	1,410,000	1,386,000	1,386,000	1,386,000
Special foreign currency program	75,000	360,000	50,000		
OFFICE OF THE SOLICITOR					
Salaries and expenses	5,741,000	6,226,000	6,126,000	6,126,000	6,126,000
Trust fund transfer	(144,000)	(144,000)	(144,000)	(144,000)	(144,000)
OFFICE OF THE SECRETARY					
Salaries and expenses	4,388,000	5,128,000	4,878,000	4,878,000	4,878,000
Trust fund transfer	(538,000)	(538,000)	(538,000)	(538,000)	(538,000)
Federal contract compliance and civil rights program	1,103,000	1,456,000	904,000	904,000	904,000
Trust fund transfer		(762,000)	(512,000)	(512,000)	(512,000)
Preventing age discrimination in employment		1,000,000	500,000	500,000	500,000
Total appropriations, Department of Labor	666,187,000	729,697,000	710,026,000	692,176,000	692,076,000
TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE					
FOOD AND DRUG ADMINISTRATION					
Salaries and expenses	66,000,000	71,001,000	67,296,000	67,296,000	67,296,000
Buildings and facilities	1,150,000	100,000			
Total, Food and Drug Administration	67,150,000	71,101,000	67,296,000	67,296,000	67,296,000
OFFICE OF EDUCATION					
Elementary and secondary educational activities	1,677,907,000	1,561,703,000	1,330,753,000	1,564,826,000	1,476,993,000
Advance appropriation for 1970 (indefinite)		1,200,000,000	965,814,300	1,080,000,000	1,010,814,300
School assistance in federally affected areas	530,102,000	410,335,000	520,845,000	520,845,000	520,845,000
1968 special funds				90,965,000	90,965,000
Education professions development activities		215,913,000	126,900,000	196,900,000	171,900,000
Teacher Corps	13,500,000	31,235,000	15,000,000	31,200,000	20,900,000
Higher educational activities	1,158,194,000	708,127,000		696,307,000	696,307,000
Higher education facilities loan fund		100,000,000	100,000,000	100,000,000	100,000,000
Participation sales authorization	100,000,000				
Payment of participation sales insufficiencies	925,000	3,275,000	3,275,000	3,275,000	3,275,000
Expansion and improvement of vocational education	252,900,000	249,995,000	248,216,000	248,216,000	248,216,000
Libraries and communities services	156,500,000	149,199,000	94,894,000	143,644,000	143,144,000
Educational improvement for the handicapped	53,400,000	85,225,000	78,850,000	78,850,000	78,850,000
Research and training	90,967,000	142,300,000	86,417,000	92,967,000	89,417,000
Foreign language training area programs	15,700,000	19,250,000		15,700,000	15,700,000
Educational research and training (special foreign currency program)		4,000,000	1,000,000	1,000,000	1,000,000
Salaries and expenses	37,385,000	46,100,000	42,000,000	42,000,000	42,000,000
Total, new budget (obligational) authority, Office of Education	4,087,480,000	4,926,657,000	3,613,964,300	4,906,695,000	4,710,326,300
Consisting of—					
Definite appropriations:					
Regular	3,987,480,000	3,726,657,000	2,648,150,000	3,735,730,000	3,608,547,000
1968 special funds				90,965,000	90,965,000
Indefinite appropriations: Advance for 1970		1,200,000,000	965,814,300	1,080,000,000	1,010,814,300
Authorization to spend debt receipts (participation sales authorization)	100,000,000				
PUBLIC HEALTH SERVICE					
Salaries and expenses	8,358,000	9,073,000	9,073,000	9,073,000	9,073,000
Comprehensive health planning and services	140,676,000	195,383,000	165,604,000	168,604,000	167,104,000
Health manpower education and utilization	155,028,000	186,227,000	172,176,000	172,176,000	172,176,000
Dental health activities	9,635,000	11,173,000	10,224,000	11,173,000	10,224,000
Construction of health educational facilities	203,000,000	84,800,000	84,800,000	84,800,000	84,800,000
Participation sales authorization	15,000,000				
Payment of participation sales insufficiencies	250,000	200,000	200,000	200,000	200,000
Chronic diseases	27,942,000	29,779,000	27,942,000	30,942,000	28,942,000
Communicable diseases	72,109,000	63,407,000	62,144,000	62,144,000	62,144,000
Air pollution	64,185,000	106,733,000	86,733,000	94,033,000	88,733,000
Urban and industrial health	41,750,000	45,611,000	42,875,000	43,375,000	42,995,000
Radiological health	15,687,000	18,077,000	17,743,000	17,743,000	17,743,000
Community health services	54,234,000	59,500,000	42,731,000	50,831,000	49,931,000
Trust fund transfer	(4,075,000)	(4,320,000)	(4,320,000)	(4,320,000)	(4,320,000)
Patient care and special health services	63,230,000	71,193,000	70,443,000	70,443,000	70,443,000
Hospital construction activities	293,357,000	258,368,000	258,368,000	319,567,000	258,368,000

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATION ACT, 1969, H.R. 18037 —Continued

Item	Appropriation, fiscal year 1968	Budget estimates, 1969	House allowance	Senate allowance	Conference agreement
TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—Continued PUBLIC HEALTH SERVICE—Continued					
National Institutes of Health:					
Biologics standards	$8,649,000	$8,499,000	$8,499,000	$8,499,000	$8,499,000
National Cancer Institute	183,356,000	187,707,000	182,592,000	191,592,000	185,149,500
National Heart Institute	167,954,000	169,735,000	164,120,000	172,120,000	166,927,500
National Institute of Dental Research	30,307,000	30,414,000	29,553,000	30,414,000	29,983,500
National Institute of Arthritis and Metabolic Diseases	143,954,000	146,489,000	141,287,000	147,287,000	143,888,000
National Institute of Neurological Diseases and Blindness	128,633,000	131,195,000	126,674,000	132,674,000	128,934,500
National Institute of Allergy and Infectious Diseases	94,422,000	98,562,000	95,119,000	99,119,000	96,840,500
National Institute of General Medical Sciences	160,284,000	165,777,000	161,250,000	166,250,000	163,513,500
National Institute of Child Health and Human Development	68,621,000	75,394,000	70,859,000	76,359,000	73,126,500
Regional medical programs	58,814,000	68,922,000		68,922,000	61,907,000
Environmental health sciences	17,289,000	18,099,000	17,541,000	18,099,000	17,820,000
General research and services	81,141,000	86,900,000	82,719,000	94,823,000	84,809,500
Grants for construction of health research facilities	35,000,000	8,400,000	8,400,000	8,400,000	8,400,000
John E. Fogarty International Center for Advanced Study in the Health Sciences	500,000	600,000	600,000	600,000	600,000
General research support grants	(59,700,000)	(60,700,000)	(60,700,000)	(60,700,000)	(60,700,000)
Subtotal, National Institutes of Health	1,178,924,000	1,196,693,000	1,089,213,000	1,215,158,000	1,170,399,000
Mental health research and services	246,741,000	277,639,000	263,139,000	277,639,000	263,139,000
Community mental health resource support	100,168,000	87,300,000	79,300,000	87,300,000	87,300,000
St. Elizabeths Hospital, salaries and expenses (indefinite)	9,751,000	11,077,000	11,077,000	11,077,000	11,077,000
St. Elizabeths Hospital, buildings and facilities	1,237,000	1,302,000			
National health statistics	8,317,000	9,501,000	8,230,000	8,230,000	8,230,000
National Library of Medicine	19,912,000	19,172,000	17,149,000	19,172,000	18,160,500
Buildings and facilities	10,715,000	12,495,000		5,310,000	
Scientific activities overseas (special foreign currency program)	15,000,000	30,000,000	15,000,000	15,000,000	15,000,000
Retired pay of commissioned officers (indefinite)	13,800,000	15,090,000	15,090,000	15,090,000	15,090,000
Total new budget (obligational) authority, Public Health Service	2,769,006,000	2,799,793,000	2,549,254,000	2,789,080,000	2,651,271,500
Consisting of—					
Definite appropriations	2,730,455,000	2,773,626,000	2,523,087,000	2,762,913,000	2,625,104,500
Indefinite appropriations	23,551,000	26,167,000	26,167,000	26,167,000	26,167,000
Authorization to spend debt receipts (participation certificates)	15,000,000				
SOCIAL AND REHABILITATION SERVICE					
Grants to States for maintenance payments		3,051,900,000	3,051,900,000	3,051,900,000	3,051,900,000
Work incentive activities		135,000,000	135,000,000	100,000,000	117,500,000
Grants to States for medical assistance		2,118,300,000	2,118,300,000	2,118,300,000	2,118,300,000
Social services, administration, training, and demonstration projects		594,800,000	594,800,000	594,800,000	594,800,000
Grants to States for public assistance	5,259,300,000				
Assistance for repatriated U.S. nationals	525,000	545,000	545,000	545,000	545,000
Grants for rehabilitation services and facilities	311,550,000	375,490,000	345,900,000	375,490,000	368,990,000
Mental retardation		30,056,000	30,056,000	32,556,000	32,556,000
Maternal and child health and welfare	235,600,000	297,500,000	265,400,000	265,400,000	265,400,000
Development of programs for the aging	18,450,000	26,000,000	23,000,000	23,000,000	23,000,000
Cooperative research or demonstration projects	3,150,000	5,000,000	3,150,000	3,150,000	3,150,000
Rehabilitation research and training	63,937,000	67,925,000		65,000,000	64,000,000
Research and training (special foreign currency program)	5,000,000	7,500,000	5,000,000	5,000,000	5,000,000
Salaries and expenses	21,380,000	27,800,000	26,383,000	26,383,000	26,383,000
Trust fund transfers	(336,000)	(348,000)	(348,000)	(348,000)	(348,000)
Grants for correctional rehabilitation study	800,000				
Total, Social and Rehabilitation Service	5,919,692,000	6,737,816,000	6,599,434,000	6,661,524,000	6,671,524,000
SOCIAL SECURITY ADMINISTRATION					
Limitation on salaries and expenses	(715,328,000)	(778,145,000)	(768,145,000)	(768,145,000)	(768,145,000)
Payment to trust funds for health insurance for the aged	1,279,659,000	1,360,227,000	1,360,227,000	1,360,227,000	1,360,227,000
Payment for military service credits	105,000,000	105,000,000	105,000,000	105,000,000	105,000,000
Payment for special benefits for the aged		225,545,000	225,545,000	225,545,000	225,545,000
Total, Social Security Administration	1,384,659,000	1,690,772,000	1,690,772,000	1,690,772,000	1,690,772,000
SPECIAL INSTITUTIONS					
American Printing House for the Blind, education of the blind	1,225,000	1,340,000	1,340,000	1,340,000	1,340,000
National Technical Institute for the Deaf	2,615,000	800,000	800,000	800,000	800,000
Model secondary school for the deaf:					
Salaries and expenses	425,000	400,000	400,000	400,000	400,000
Construction	275,000	445,000	445,000	445,000	445,000
Salaries and expenses, Gallaudet College	2,878,000	3,785,000	3,635,000	3,635,000	3,635,000
Construction, Gallaudet College	2,196,000	675,000			
Salaries and expenses, Howard University	15,300,000	18,330,000	17,830,000	17,830,000	17,830,000
Construction, Howard University	3,926,000	2,209,000	2,209,000	2,209,000	2,209,000
Salaries and expenses, Freedmen's Hospital	6,700,000	8,739,000	8,739,000	8,739,000	8,739,000
OFFICE OF THE SECRETARY					
Salaries and expenses	7,139,000	10,705,000	8,405,000	8,405,000	8,405,000
Reappropriation	40,000				
Transfer from trust funds	(1,211,000)	(1,459,000)	(1,282,000)	(1,282,000)	(1,282,000)
Office of Field Coordination, salaries and expenses	2,209,000	2,908,000	2,508,000	2,508,000	2,508,000
Transfers	(1,815,000)	(2,379,000)	(2,079,000)	(2,079,000)	(2,079,000)
Office of the Comptroller, salaries and expenses	6,768,000	9,144,000	8,544,000	8,544,000	8,544,000
Transfer from trust fund	(991,000)	(1,335,000)	(1,255,000)	(1,255,000)	(1,255,000)
Office of Administration, salaries and expenses	2,427,000	3,312,000	2,612,000	2,612,000	2,612,000
Transfer from trust funds	(271,000)	(352,000)	(302,000)	(302,000)	(302,000)
Surplus property utilization	1,119,000	1,186,000	1,186,000	1,186,000	1,186,000
Office of the General Counsel, salaries and expenses	1,935,000	2,125,000	2,125,000	2,125,000	2,125,000
Transfers	(1,373,000)	(1,375,000)	(1,375,000)	(1,375,000)	(1,375,000)
Educational broadcasting facilities		13,087,000	4,375,000	4,375,000	4,375,000
Public broadcasting program		9,000,000		6,000,000	5,000,000
Higher education for international understanding		10,820,000			
Total, Office of the Secretary	21,637,000	62,287,000	29,755,000	35,755,000	34,755,000
Total, new budget (obligational) authority, Department of Health, Education, and Welfare	14,285,164,000	16,325,149,000	14,585,873,300	16,186,520,000	15,861,342,800
Consisting of—					
Definite appropriations:					
Regular	14,146,573,000	15,098 982,000	13,593,892,000	14,989,388,000	14,733,396,500
1968 special funds				90,965,000	90,965,000
Indefinite appropriations:					
Regular	23,551,000	26,167,000	26,167,000	26,167,000	26,167,000
1970 advance		1,200,000,000	965,814,300	1,080,000,000	1,010,814,300
Reappropriation	40,000				
Authorization to spend debt receipts (participation sales authorization)	115,000,000				

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATION ACT, 1969, H.R. 18037—Continued

Item	Appropriation, fiscal year 1968	Budget estimates, 1969	House allowance	Senate allowance	Conference agreement
TITLE III—RELATED AGENCIES					
National Labor Relations Board	$32,288,000	$35,074,000	$35,074,000	$35,074,000	$35,074,000
National Mediation Board	2,150,000	2,242,000	2,242,000	2,492,000	2,492,000
Railroad Retirement Board:					
Limitation on salaries and expenses	(14,150,000)	(14,490,000)	(14,490,000)	(14,490,000)	(14,490,000)
Payment for military service credits	17,839,000	18,446,000	18,446,000	18,446,000	18,446,000
Federal Mediation and Conciliation Service	7,425,000	8,090,000	7,662,000	8,090,000	8,090,000
U.S. Soldiers' Home (trust fund appropriations):					
Operation and maintenance	(8,024,000)	(8,602,000)	(8,602,000)	(8,602,000)	(8,602,000)
Capital outlay	(305,000)	(726,000)	(726,000)	(726,000)	(726,000)
Office of Economic Opportunity	1,778,000,000	2,180,000,000	1,873,000,000	2,088,000,000	1,948,000,000
Federal Radiation Council	131,000	127,000	127,000	127,000	127,000
President's Committee on Consumer Interests	337,000	700,000	421,000	421,000	421,000
National Commission on Product Safety		2,000,000		2,000,000	500,000
Grand total, new budget (obligational) authority	16,789,521,000	19,301,525,000	17,232,871,300	19,033,346,000	18,566,568,800
Consisting of—					
Definite appropriations:					
Regular	16,650,930,000	18,075,358,000	16,240,890,000	17,836,214,000	17,438,622,500
1968 special funds				90,965,000	90,965,000
Indefinite appropriations:					
Regular	23,551,000	26,167,000	26,167,000	26,167,000	26,167,000
Advance for 1970		1,200,000,000	965,814,300	1,080,000,000	1,010,814,300
Reappropriations	40,000				
Authorization to spend debt receipts (participation certificates)	115,000,000				

TRIBUTES TO SENATORS CARLSON AND MORTON

Mr. **LONG** of Louisiana. Mr. President, I ask unanimous consent to have printed in the RECORD two resolutions unanimously adopted by the Committee on Finance.

There being no objection, the committee resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTION, COMMITTEE ON FINANCE, U.S. SENATE

Whereas, Frank Carlson, of Kansas, served honorably and faithfully as a member of the Committee on Finance from January 13, 1953, to January 3, 1969, and

Whereas, Frank Carlson generously devoted his knowledge and energy to the consideration of the many complex issues before this Committee during this period, and

Whereas, Frank Carlson unceasingly advanced the development of legislation relating to trade, government finance, and social welfare in execution of the broad responsibilities of this Committee: Now, therefore be it

Resolved, That the Committee on Finance hereby expresses to Frank Carlson its sincere appreciation and gratitude for his outstanding contributions to the fulfillment of the obligations of this Committee, and for his faithful and devoted service as a member of this Committee.

Given at Washington, District of Columbia, this eighth day of October, 1968.

RESOLUTION, COMMITTEE ON FINANCE, U.S. SENATE

Whereas, Thruston B. Morton, of Kentucky, served honorably and faithfully as a member of the Committee on Finance from January 18, 1960, to January 3, 1969, and

Whereas, Thruston B. Morton generously devoted his knowledge and energy to the consideration of the many complex issues before this Committee during this period, and

Whereas, Thruston B. Morton unceasingly advanced the development of legislation relating to trade, government finance, and social welfare in execution of the broad responsibilities of this Committee: Now, therefore be it

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Given at Washington, District of Columbia, this eighth day of October, 1968.

THE SENATE MUST ACT TO PROHIBIT THE IMPORTATION OF ENDANGERED SPECIES

Mr. YARBOROUGH. Mr. President, I had hoped that the Senate might find time today to consider H.R. 11618, a bill to protect rare and endangered species. This bill, as reported from the Commerce Committee only yesterday, represents an important step toward the ultimate goal of conservation—the preservation of all the many beautiful and valuable species of wildlife that populate our earth. Earlier this year, I introduced S. 2984, the Senate version of this endangered species bill. On July 24, 1968, in the Subcommittee on Merchant Marine and Fisheries, I offered testimony in favor of this legislation.

I deeply regret that in these waning moments of the 90th Congress, the Senate will not have the opportunity to consider this legislation. Already, the House has passed H.R. 11618. It was my hope that the Senate could act on this measure today, before this Congress adjourns, so that we could send this needed bill to the White House for the President's signature. It appears now, that the Senate will not be able to act.

H.R. 11618 would prevent importation of illegally captured endangered species into the United States. Since the United States is presently the largest importer of animal skins, it is especially urgent that such protecting measures be taken by our country. Also, the bill would restrict commercial traffic in illegally captured domestic animals and animal products. Practically speaking, this action would offer such endangered species as the American alligator urgently needed protection, and would prevent the almost certain extinction of many of our most unique and valuable wildlife.

From the time this bill was introduced in 1967, support continued to mount. Numerous conservationist groups, including many international organizations, notified me of their concern that such a bill be passed. I was only recently advised by the International Union for Conservation of Nature and Natural Resources that 66 nations were contemplating similar legislation, and were only waiting for the Congress of the United States to take the initiative.

Mr. President, I assure all of those who have worked so hard with me for passage of this legislation that we are only down, and not out. Our fight will go on. When the 91st Congress convenes in January 1969, I again will introduce legislation to protect endangered species. It is my hope that that Congress will respond to this great need.

The Corpus Christi Caller of Tuesday, October 1, 1968, contained an editorial which expresses very clearly the reason why such action is needed. I ask unanimous consent that this editorial entitled, "Fashions That Endanger Rare Wildlife Due Control," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FASHIONS THAT ENDANGER RARE WILDLIFE DUE CONTROL

Sen. Ralph Yarborough, D-Texas, is no enemy of haute couture as profitable private enterprise. With domestic unrest aggravated by the glaring gap between affluence and poverty, conspicuous consumption may be as unwise as it is gauche, but what people want to spend on faddish self-adornment is really their own business.

What upsets Yarborough and many other conservationists is a fashion trend that threatens extinction to rare and beautiful forms of wildlife. This is nothing new; long ago it was the Old West's beaver; earlier this century it was the feather fad that almost wiped out a number of bird species. Now it is the fashion industry's pushing of garments, for men as well as women, made of the pelts of exotic fur-bearing wildlife.

Hence the House-passed bill that sponsor Yarborough is trying to dislodge from the Senate Commerce Committee before adjournment. It would authorize the Secretary of the Interior to ban importation of any pelts from animals on the "endangered species" lists of countries of exportation.

Some nations in Africa, Latin America and Asia are trying to preserve vanishing species, but profitable poaching and smuggling of illicit pelts are hard to cope with when the stakes are high. As the U.S. is the main market for such expensive furs, an import ban would be a big help to conservationists worldwide.

We doubt that the American way of life would be shattered if madame had to forego a spotted-cat hostess costume. The Yarborough bill should be passed. And we wonder why Senate Commerce Committee Chairman Warren Magnuson of Washington State, of all unlikely places, is holding it up.

HUMPHREY'S "NEW" POSITION REALLY ISN'T

Mr. MUNDT. Mr. President, apparently the Vice President's "if, as, and when" Salt Lake City TV speech did more to confuse the issue than it did to clarify it insofar as HUBERT HUMPHREY'S position on the war in Vietnam is concerned. I doubt that even a clairvoyant or a soothsayer could read that speech and determine whether he was simply reiterating President Johnson's wartime strategy and position by rearranging the sentences a bit, or whether he was really flirting with the idea of repudiating the Johnson position and trying to discover a new one for himself.

Probably the best answer to that riddle is the fact that Lyndon Johnson, at least, who has talked with HUBERT on the telephone about that speech, believes it is a blanket endorsement of the Johnson-Humphrey war policies, since last night in a national radio program the President went all out for his Vice President.

Any of us who have been privileged to know Lyndon Johnson can bear testimony to the fact that the President does not embrace or endorse those who throw knives in his back or repudiate his policies.

Indicative of the confusion created by the HUMPHREY television talk from Salt Lake City is an editorial sent me by a friend in Eugene, Oreg. I ask unanimous consent to have the editorial printed in the RECORD, entitled "Humphrey's 'New' Position Really Isn't."

It is likewise to be noted that Senator EUGENE MCCARTHY was neither fooled nor seduced by the "now you see it and now you don't see it" final—until the next speech—of HUMPHREY'S definition of his position and policies on Vietnam.

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[From the Eugene (Oreg.) Register-Guard, Oct. 2, 1968]

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But he brought forth a mouse.

His remarks are interpreted to mean that he would stop the bombing of the North if he were president. And for this Richard Nixon has criticizd him extensively. The Nixon position is that such speculation damages the Paris peace talks, if peace talks is not too strong a term, because the bombing of the North is this country's trump card. It's what we have for negotiation.

Actually, the Humphrey position is not far removed from the position of President Johnson, nor, one suspects, from the position that Mr. Nixon would adopt if he were president. The vice president did not say flatly that he would stop all bombing of the North, nor that he would stop it "unconditionally" as the North Vietnamese and some Americans demand. He said that in "weighing the risk" of stopping the bombing and "before taking action" as. president, he would place key importance on evidence—"direct or indirect, by deed or word"—of Communist willingness to restore the demilitarized zone between the North and South.

"If," he added, "the government of North Vietnam were to show bad faith, I would reserve the right to resume the bombing."

So there, on two points, he agrees with the present administration, and Mr. Nixon, and disagrees with the forces that sought to deny him the nomination in Chicago. He would ask something in return for stopping the bombing and he would resume it if the situation called for it.

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Both Mr. Nixon and Mr. Humphrey would, as president, like to stop not only the bombing, but also the whole miserable war. But neither could be expected to stop the bombing if that were an open invitation to the North to move in and slaughter American troops. And it's doubtful if Senator Eugene McCarthy, if he had made it to the White House, would have moved to place American troops in greater peril, as some of his supporters had urged.

EQUALITY OF OPPORTUNITY IN THE FIELD OF HIGHER EDUCATION

Mr. MONTOYA. Mr. President, one of the most important facets to the equality of opportunity, which we hear discussed, is in the field of higher education. Where are tomorrow's leaders going to come from, if not from those studying today at our colleges and universities?

If access to these universities is cut off for a particular segment of the society, for a particular ethnic group, then that group is suffering under a tremendous handicap.

With that in mind, I would like to call to the attention of this body a particularly troublesome problem in the State of California; a problem that is not duplicated in my State. In 1968, five California State colleges had 6,400 June graduates of which only 247 were Mexican American. This minute number is incredible in an area that has more Mexican Americans than any other State.

The situation is worse with the university system; last June only 1 percent of the graduates had Spanish surnames—and probably some of those were from Latin America. In fact, the two best known campuses gave these figures: Berkeley, 38 Spanish-surnamed graduates out of more than 4,500, or eight-tenths of 1 percent; and UCLA, only 29 out of more than 4,000, or seven-tenths of 1 percent of the total.

The figures I have been citing are all at the college graduate level, but the problem is not to be laid solely at the feet of the universities—for the school systems of our country tend to push out the Spanish-speaking youngster long before he even thinks about college. At its worst, the school system confronts a small child who sometimes speaks little or no English with a teacher who not only speaks no Spanish, but will punish—sometimes physically—that child if he speaks the language of his parents. Most of the time the school system makes no attempt to either fortify the youngster's knowledge of Spanish, or teach him English as a second language—which it is in many cases.

The school system of the State of California should be reviewed. It is my belief that Mexican-American students are being screened out and that a discriminatory system in violation of equal educational opportunities may be in existence in California.

The new president of the university, Mr. Charles Hitch, has been made abundantly aware of this disgraceful situation. He has acknowledged that systematic correction of such conditions is called for, and has described to me several steps he claims are being taken to do so. They are as follows:

According to the president, the university is making efforts to increase the numbers of Spanish-speaking Americans on its campuses. In regard to the Berkeley campus, he stated to me that Spanish-speaking Americans are increasingly being represented on the educational opportunity program, and that there are, at last notice, at least 115 Spanish-speaking students in this program this year at the university.

He states that a Spanish-speaking American has been hired as the associate director of the program.

He further states that a Spanish-speaking American is director of high school recruitment, and that the university is in the process of finding funds for a student counselor of Spanish-speaking background.

The president expressed optimism regarding the Upward Bound program on the Berkeley campus which, he says, has 37 Spanish-speaking students enrolled in it.

The president further informs me that on the Berkeley campus there has been recruited a teacher of Spanish culture, and that a course will be offered if enough people sign up for it. He states that the university is now negotiating with a Spanish-speaking person who would become associate director of the Berkeley campus Upward Bound program.

On all levels of the university, there is supposed to be an upswing in the number of Spanish-speaking employees. Further, it is my understanding that as of the beginning of the fall term on the Berkeley campus, there were in excess of 225 Spanish-speaking students enrolled on that campus alone. All these are positive signs, Mr. President. They seem to indicate a willingness to change direction on the part of the university in order to open their doors wider to Spanish-speaking students. This is long overdue and should be extended to other levels of the California educational establishment.

Mr. President, I ask unanimous consent to have printed in the RECORD the list of the figures which I have cited.

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(California State College at Dominguez) (Not in S.S. Book.).			
(2 California State polytechnical institutes.)			
Total	6,417	247	3.8
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University of California at Riverside	572	[1] 5	.8
University of California at Santa Barbara	1,455	[1] 25	1.7
University of California at Davis	1,093	[1] 20	1.8
University of California at Santa Cruz	80	[1] 2	2.5
University of California at San Diego (not in S.S. book)			
University of California at San Francisco (not in S.S. book)			
Total	12,148	122	1.0

[1] Spanish Surnamed College Book lists a June graduation only. Perhaps there is only a June graduation at these schools (no midyear grads).

Note: S.S. is 9.1 percent of total California population; 9.3 percent of Los Angeles. Number of graduates in all University of California colleges, 12,351; number of graduates in all California State colleges, 23,858.

JAMES E. WEBB

Mr. SYMINGTON. Mr. President, today the Apollo 7 rocket left the launching pad at Cape Kennedy carrying three astronauts into orbit around the earth; and with this launching the United States took one more step in its exploration of outer space. It is fitting that during this same week we honor one man who has done much to bring the United States strongly and proudly into the age of space—James E. Webb, retiring Administrator of the National Aeronautics and Space Administration.

For nearly 8 years he has been the strong leader of a team of well-qualified men who have given this Nation many proud moments and laid the foundation for many more to come. He has accepted and met the challenge of the position of high trust he assumed in 1961. President Kennedy wanted a man who could get America really moving in space, who could, in fact, from a relatively small beginning and late start turn this Nation into the world's first spacefaring nation. Jim Webb was such a man.

As head of NASA, under both Presidents Kennedy and Johnson, Jim Webb has served faithfully and well. President Johnson has been unstinting in his praise of Jim Webb, saying:

> I doubt that I have ever known a more genuine or competent or dedicated administrator than Jim Webb. How he could come in here (at NASA) and with his bare hands and lead this group to the achievements that have come up to pass is nothing less than phenomenal.

One of Jim Webb's greatest contributions was the skill, effort, and experience he brought to bear to get effective cooperation between NASA and the Department of Defense to make the Space Act of 1958 work in the manner the Congress had intended. Such ability is, indeed, a tribute to his character and dedication to achieving the best programs for our Nation as a whole.

For many years it has been my privilege to count Jim Webb as a friend; and in more recent years, I have welcomed the opportunity to work with him in connection with my duties on the Aeronautical and Space Sciences Committee. Jim Webb has been an able administrator of NASA and that agency has suffered a loss at his retirement; however, I know he leaves NASA in good hands with Dr. Thomas Paine as Acting Administrator and a well-chosen staff of young men to assist him.

In this connection, I ask unanimous consent that an article from the Wall Street Journal of October 11, "NASA's Jim Webb—A Rare Bureaucrat," be inserted at this point in the RECORD.

There being no objection, the article is ordered to be printed in the RECORD, as follows:

NASA's JIM WEBB: A RARE BUREAUCRAT

(By Jonathan Spivak)

Jim Webb's sudden departure as the nation's space boss just at the spectacular start of the Apollo Moon flights at first glance seems somewhat mystifying.

Bouncy and belligerent as ever, and at 62 years of age not eager for retirement, Mr. Webb could surely have held NASA's reins until next January and perhaps even longer. Meanwhile, the Moon flights would be well under way and, after an otherwise undramatic career, Mr. Webb might have harvested the plaudits for his part in the nation's most complex and costly technical undertaking.

So why quit now, before the glory and glamour? Only Mr. Webb, of course, knows all the answers. But in many ways his resignation is a reflection of the role he played supremely well for almost eight years as space agency administrator—faithful Federal bureaucrat. He steps down, so he insists, to devote his time to helping younger men advance their careers. And he urgently advocates that acting NASA Administrator Thomas Paine, his deputy, be permanently promoted to the top spot.

OFTEN DERIDED

As neither scientist nor engineer, Mr. Webb's contributions to the nation's space program were often denounced and derided. Many reporters and space buffs considered him evasive and overbearing, more eager to filibuster than furnish the facts . . . in short, a pompous politician. The academic scientists scoffed at his protestations about practical "spinoffs" from space activities and his cloudy philosophizing about engineering solutions to urban ills. The hard-driving lunar engineers were angered at his inability to coax unlimited funds from Congress, his propensity for public relations projects and his refusal to turn Apollo into a crash program, akin to the wartime Manhattan Project.

A good deal of this criticism may be unfair and exaggerated, and most of it misses the point. Mr. Webb probably deserves far more credit than he will ever receive for his achievements with the space program. Beneath the bluster, NASA's administrator was smart, honest and independent. Most of all, he had the courage to confront the conflicts—with astronauts, associates, contractors and Congress—which threatened to undermine the agency. "He had guts and imagination," concedes one non-admirer.

Mr. Webb's major concern was to put the broad aims of NASA—and the nation—ahead of the more parochial goals of the agency's powerful program managers. In some aspects the struggle was similar to that faced by Robert McNamara at the Pentagon, though at NASA the confrontations were never carried out by computer; they were flesh and blood affairs (Webb trucks once rolled onto Wernher von Braun's Huntsville preserve to take physical possession of the languishing Centaur rocket and move it to another field center at Cleveland).

Each year, at budget time, Mr. Webb talked endlessly and enthusiastically about a "balanced" space program; it neither pleased the public nor satisfied the space specialists. NASA rocket builders single-mindedly sought bigger and bigger boosters; the manned flight fanciers fought to tackle Mars even before the Moon was mastered; the space scientists urged ever more complex contraptions to orbit the Earth and other planets.

But the Webb approach, a little bit of everything, turned out to be the sensible and successful one. There were communications and weather satellites for Earth applications; instrument-laden probes to the Moon, Mars and Venus for space science; a series of increasingly commodious craft—Mercury, Gemini and now Apollo—to master manned flight.

At first, when Congress' enthusiasm for space was soaring, selling the balanced program was a cinch. Indeed, Mr. Webb probably erred in letting NASA overconfidently undertake too many assignments. Costly spacecraft and experiments were started in a rush, then scrapped when technical difficulties proved overwhelming. Supervision was slack at NASA's Jet Propulsion Laboratory in California and Goddard Space Flight Center in Maryland.

But later, when budget pressures mounted and political opposition arose, Mr. Webb showed his strength and resourcefulness. The easy course politically would have been to concentrate on the competitive and glamorous lunar landing commitment and let other space efforts go by the boards. Instead, Mr. Webb successfully sustained the less popular part of the program—space science. He staved off disastrous budget cuts for such strange-sounding satellites as OGO, OSO and IMP, which the public cared scarcely a whit about. The knowledge these craft cull from the cosmos may prove far more fundamental than the findings of the Apollo astronauts.

HIDDEN TALENTS

In many ways, the vaunted Webb verbosity and his obsession with the obscure (he can talk of "conceptualization of reality") hid his talents as an administrator. He picked and promoted able associates—men like Harold Finger, a bright young nuclear expert; Edgar Cortright, a lunar and planetary specialist; and Joseph Shea, an intense engineer whose NASA career was sacrificed, probably unfairly, in the tragic Apollo fire.

Boldly Mr. Webb launched a NASA training program for Ph.D. scientists that has proved a boon to graduate education. Space agency money, for example, helped make an otherwise mediocre school, the University of Maryland, outstanding in physics and mathematics.

Successfully he supported his own technicians in a bitter battle with Jerome Wiesner, then President Kennedy's influential science adviser, over the preferred technique for achieving a lunar landing. Any Webb wavering probably would have further delayed the Moon mission and could have been disastrous to agency morale.

As much as anyone, Mr. Webb was responsible for making sure that NASA had the market for such expensive furs, an import ban would be a big help to conservationists worldwide.

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Note: S.S. is 9.1 percent of total California population; 9.3 percent of Los Angeles. Number of graduates in all University of California colleges, 12,351; number of graduates in all California State colleges, 23,858.

JAMES E. WEBB

Mr. **SYMINGTON**. Mr. President, today the Apollo 7 rocket left the launching pad at Cape Kennedy carrying three astronauts into orbit around the earth; and with this launching the United States took one more step in its exploration of outer space. It is fitting that during this same week we honor one man who has done much to bring the United States strongly and proudly into the age of space—James E. Webb, retiring Administrator of the National Aeronautics and Space Administration.

For nearly 8 years he has been the strong leader of a team of well-qualified men who have given this Nation many proud moments and laid the foundation for many more to come. He has accepted and met the challenge of the position of high trust he assumed in 1961. President Kennedy wanted a man who could get America really moving in space, who could, in fact, from a relatively small beginning and late start turn this Nation into the world's first spacefaring nation. Jim Webb was such a man.

As head of NASA, under both Presidents Kennedy and Johnson, Jim Webb has served faithfully and well. President Johnson has been unstinting in his praise of Jim Webb, saying:

> I doubt that I have ever known a more genuine or competent or dedicated administrator than Jim Webb. How he could come in here (at NASA) and with his bare hands and lead this group to the achievements that have come up to pass is nothing less than phenomenal.

One of Jim Webb's greatest contributions was the skill, effort, and experience he brought to bear to get effective cooperation between NASA and the Department of Defense to make the Space Act of 1958 work in the manner the Congress had intended. Such ability is, indeed, a tribute to his character and dedication to achieving the best programs for our Nation as a whole.

For many years it has been my privilege to count Jim Webb as a friend; and in more recent years, I have welcomed the opportunity to work with him in connection with my duties on the Aeronautical and Space Sciences Committee. Jim Webb has been an able administrator of NASA and that agency has suffered a loss at his retirement; however, I know he leaves NASA in good hands with Dr. Thomas Paine as Acting Administrator and a well-chosen staff of young men to assist him.

In this connection, I ask unanimous consent that an article from the Wall Street Journal of October 11, "NASA's Jim Webb—A Rare Bureaucrat," be inserted at this point in the RECORD.

There being no objection, the article is ordered to be printed in the RECORD, as follows:

NASA's JIM WEBB: A RARE BUREAUCRAT

(By Jonathan Spivak)

Jim Webb's sudden departure as the nation's space boss just at the spectacular start of the Apollo Moon flights at first glance seems somewhat mystifying.

Bouncy and belligerent as ever, and at 62 years of age not eager for retirement, Mr. Webb could surely have held NASA's reins until next January and perhaps even longer. Meanwhile, the Moon flights would be well under way and, after an otherwise undramatic career, Mr. Webb might have harvested the plaudits for his part in the nation's most complex and costly technical undertaking.

So why quit now, before the glory and glamour? Only Mr. Webb, of course, knows all the answers. But in many ways his resignation is a reflection of the role he played supremely well for almost eight years as space agency administrator—faithful Federal bureaucrat. He steps down, so he insists, to devote his time to helping younger men advance their careers. And he urgently advocates that acting NASA Administrator Thomas Paine, his deputy, be permanently promoted to the top spot.

OFTEN DERIDED

As neither scientist nor engineer, Mr. Webb's contributions to the nation's space program were often denounced and derided. Many reporters and space buffs considered him evasive and overbearing, more eager to filibuster than furnish the facts . . . in short, a pompous politician. The academic scientists scoffed at his protestations about practical "spinoffs" from space activities and his cloudy philosophizing about engineering solutions to urban ills. The hard-driving lunar engineers were angered at his inability to coax unlimited funds from Congress, his propensity for public relations projects and his refusal to turn Apollo into a crash program, akin to the wartime Manhattan Project.

A good deal of this criticism may be unfair and exaggerated, and most of it misses the point. Mr. Webb probably deserves far more credit than he will ever receive for his achievements with the space program. Beneath the bluster, NASA's administrator was smart, honest and independent. Most of all, he had the courage to confront the conflicts—with astronauts, associates, contractors and Congress—which threatened to undermine the agency. "He had guts and imagination," concedes one non-admirer.

Mr. Webb's major concern was to put the broad aims of NASA—and the nation—ahead of the more parochial goals of the agency's powerful program managers. In some aspects the struggle was similar to that faced by Robert McNamara at the Pentagon, though at NASA the confrontations were never carried out by computer; they were flesh and blood affairs (Webb trucks once rolled onto Wernher von Braun's Huntsville preserve to take physical possession of the languishing Centaur rocket and move it to another field center at Cleveland).

Each year, at budget time, Mr. Webb talked endlessly and enthusiastically about a "balanced" space program; it neither pleased the public nor satisfied the space specialists. NASA rocket builders single-mindedly sought bigger and bigger boosters; the manned flight fanciers fought to tackle Mars even before the Moon was mastered; the space scientists urged ever more complex contraptions to orbit the Earth and other planets.

But the Webb approach, a little bit of everything, turned out to be the sensible and successful one. There were communications and weather satellites for Earth applications; instrument-laden probes to the Moon, Mars and Venus for space science; a series of increasingly commodious craft—Mercury, Gemini and now Apollo—to master manned flight.

At first, when Congress' enthusiasm for space was soaring, selling the balanced program was a cinch. Indeed, Mr. Webb probably erred in letting NASA overconfidently undertake too many assignments. Costly spacecraft and experiments were started in a rush, then scrapped when technical difficulties proved overwhelming. Supervision was slack at NASA's Jet Propulsion Laboratory in California and Goddard Space Flight Center in Maryland.

But later, when budget pressures mounted and political opposition arose, Mr. Webb showed his strength and resourcefulness. The easy course politically would have been to concentrate on the competitive and glamorous lunar landing commitment and let other space efforts go by the boards. Instead, Mr. Webb successfully sustained the less popular part of the program—space science. He staved off disastrous budget cuts for such strange-sounding satellites as OGO, OSO and IMP, which the public cared scarcely a whit about. The knowledge these craft cull from the cosmos may prove far more fundamental than the findings of the Apollo astronauts.

HIDDEN TALENTS

In many ways, the vaunted Webb verbosity and his obsession with the obscure (he can talk of "conceptualization of reality") hid his talents as an administrator. He picked and promoted able associates—men like Harold Finger, a bright young nuclear expert; Edgar Cortright, a lunar and planetary specialist; and Joseph Shea, an intense engineer whose NASA career was sacrificed, probably unfairly, in the tragic Apollo fire.

Boldly Mr. Webb launched a NASA training program for Ph.D. scientists that has proved a boon to graduate education. Space agency money, for example, helped make an otherwise mediocre school, the University of Maryland, outstanding in physics and mathematics.

Successfully he supported his own technicians in a bitter battle with Jerome Wiesner, then President Kennedy's influential science adviser, over the preferred technique for achieving a lunar landing. Any Webb wavering probably would have further delayed the Moon mission and could have been disastrous to agency morale.

As much as anyone, Mr. Webb was responsible for making sure that NASA had the technical competence to oversee the work of space contractors. "It was a new pattern," he remarks. "We didn't want a Government agency prisoner of the contractors or of a non-Government agency" like the Air Force RAND Corp.

Politics probably figured in the Webb preference for locating NASA's big industrial complexes in rural regions, but it also sped the economic development of the South. No doubt the space program distributed its share from the pork barrel, but associates insist that Mr. Webb resisted White House and partisan pressures when it counted. In any event, the integrity of Mr. Webb's major contract awards remains unchallenged, even by his most bitter detractors.

Finally, Mr. Webb did not back off from the wrangles required to establish the ascendancy of NASA's management, particularly over the astronauts who thought they really ought to run the agency. The critical test was probably the mid-1963 struggle over an extra manned Mercury mission, the so-called MA–10 flight.

The planned flights, of only a few hours duration—had all been completed and the Mercury program was scheduled to end. But the astronauts were eager to undertake a more ambitious day-long flight, and their supervisors at NASA's Houston Manned Spacecraft Center had—without Washington's knowledge—spent $1 million to modify the one-man Mercury spaceship for a longer mission.

While Mr. Webb and his associates found out, they scotched MA–10, saying it needlessly diverted men and money from the just-starting Gemini program. The issue—agency policy versus astronaut ego—was resolved only after the spacemen unsuccessfully carried their case direct to President Kennedy at a White House reception.

A POLITICAL CHOICE

When Mr. Webb and his associates found Keith Glennan as NASA administrator back in 1961, many people thought he was chosen mainly because of his close political ties with the late Sen. Robert Kerr and then Vice President Lyndon Johnson. The deputy administrator, the late Hugh Dryden, was a scientist of immense international standing who had hoped to head the agency; he labored loyally on until his death in December 1965. The agency's number three man, Robert Seamans Jr., who resigned last Jan. 1, was a brilliant engineer with an incredibly detailed grasp of NASA's endeavors.

Between these two, there seemed little left for a man of Mr. Webb's non-technical talents. Indeed, most of the time NASA was run by a triumvirate, and the key scientific decisions were made by Messrs. Dryden and Seamans. But it was Jim Webb who successfully piloted NASA past the earthly struggles that threatened its achievements in space—as only a good bureaucrat could.

PUBLIC LAW 874 FUNDS

Mr. HARTKE. Mr. President, I ask unanimous consent to have printed in the Record a statement prepared by the Senator from Alaska [Mr. Bartlett].

There being no objection, the statement was ordered to be printed in the Record, as follows:

Mr. Bartlett. Mr. President, the continuing story of congressional attempts to secure full funding of the PL 874 program for fiscal year 1968 reads like a legislative version of *The Perils of Pauline*.

The latest peril was that the House initially refused to accept a Senate amendment appropriating $90 million for the program and including language designed to ensure that the administration releases the money.

Fortunately, when the appropriation bill for the Department of Health, Education, and Welfare came back to the Senate without the accompanying language, the Senate insisted on its version of the P.L. 874 amendment.

Yesterday, the House receded, and once again money has been appropriated to allow the federal government to meet its commitment to federally impacted school districts for fiscal year 1968.

I was pleased to have been a co-sponsor of the amendment which was finally approved yesterday.

TRIBUTE TO SENATOR HICKENLOOPER

Mr. HANSEN. Mr. President, it was my privilege to know Senator Hickenlooper long before I came to the U.S. Senate.

This distinguished American's reputation for honesty, faithful representation, and hard work is widely acclaimed. Accordingly, he has spoken most persuasively and convincingly not alone for his own State of Iowa but for America.

Before coming to the Senate, Bourke Hickenlooper was Governor of Iowa.

He has served this country well.

As the 91st Congress convenes next January, we will miss the steadying influence of our beloved colleague. For the past 2 years, those of us on the Republican side of the aisle have had the benefit of his wisdom and leadership under his chairmanship of the Republican policy committee.

But I shall miss him, as will many of his colleagues on both sides of the aisle, because we admire, respect, and love him as a man.

I join with his legion of friends in wishing him the very best.

PRESIDENTIAL DEBATES

Mr. HARTKE. Mr. President, as a member of both the Senate Committee on Commerce and the Subcommittee on Communications, I want to express my profound disappointment that the presidential debate bill, which I cosponsored has met defeat here in the Senate even after its initial passage in both Houses and passage of the conference version by the other body.

I am particularly disappointed since I not only cosponsored this particular bill, but was the author of a similar measure in 1960 which was enacted into law, leading to the so-called Nixon-Kennedy great debates. Those debates of 1960 were of great importance in determining which candidate was better suited for the Presidency. They provided an insight to each man and how he would react under a given set of circumstances. Such open appraisal by television for the public is very important for the public, very few of whom comparatively are able to see the candidates in person or see their responses under strain and pressure of direct confrontation with each other. I believe those debates were decisive and served the public well, in the purpose for which they were intended.

We are faced with much the same set of circumstances again in this presidential election year, yet each and every voter is going to be denied his right to judge the candidates in an atmosphere of equality where antagonistic groups cannot yell and scream obscenities—so as to disrupt and even prohibit a candidate from stating his view on the important issues of the day. I deplore both the result and the tactics by which the Senate has been forced to forgo the final vote and enactment of this bill.

DR. CORNELIUS H. TRAEGER

Mr. HILL. Mr. President, on Tuesday, September 24, 1968, Dr. Cornelius H. Traeger died of a heart attack. No doctor and no scientist had been more helpful to our Senate Committee on Labor and Public Welfare in establishing and advancing our health programs than Dr. Traeger. And no doctor and no scientist had been more helpful to our Committee on Appropriations for appropriations for the National Institutes of Health and for the many other tremendously vital health and research programs than Dr. Traeger. Time and again, he came down to Washington to testify in behalf of the programs and the appropriations. He was always so eloquent and so challenging in his presentations—so informative and so dedicated. The people of America and of the world owe a deep debt of appreciation and of gratitude to Dr. Traeger. His was indeed one of the few, the immortal names not born to die, and I ask consent to have printed in the Record at this point the article in the New York Times of September 25, 1968, telling of Dr. Traeger and of much of his life work.

There being no objection, the article was ordered to be printed in the Record, as follows:

Dr. Cornelius H. Traeger Dies—Director of Rheumatism Groups

Dr. Cornelius H. Traeger, an authority on rheumatism and arthritis, died yesterday at his home at 122 East 76th Street. He was 72 years old.

He maintained a practice at 899 Park Avenue and was a consultant at Roosevelt Hospital.

Dr. Traeger served as a spokesman for groups seeking Federal support in the fight against various afflictions. He had been medical director of the National Multiple Sclerosis Society, president of the New York Rheumatism Association and vice president of the American Rheumatism Association. From 1954 to 1957, he was a special consultant to the Surgeon General and the United States Public Health Service.

He was a member of the advisory council of the National Institute of Health for Neurological Diseases and Blindness and a director and member of the board of governors of the American Rheumatism Medical College and the American Rheumatism Foundation.

Dr. Taeger, who was born in St. Louis, was graduated from Columbia College in 1923 and received his medical degree from Columbia University in 1927. He was an attending physician and co-chief of the Rheumatic Diseases Clinic of the Hospital for Special Surgery and was an assistant professor of clinical medicine at the Cornell Medical College from 1954 to 1964.

He was a fellow of the New York Academy of Medicine, the American College of Physicians and a member of the American Geriatrics Society and the American Academy of Neurology.

From 1965 to 1967, he was a member of the National Advisory Council on Regional Medical Programs for Heart, Cancer and Stroke. He published numerous articles in medical journals. Bird photography and the violin were his hobbies.

In 1960, Dr. Traeger was named editor of the Radio Corporation of America's Medical

Radio System, which was established to help doctors keep abreast of new information from research.

He is survived by his widow, Janet; a a son, Charles; a brother, Irving; a sister, Mrs. Gertrude Oelbaum, and a grandson.

GOV. MAURICE H. THATCHER

Mr. COOPER. Mr. President, earlier this year the Sunday magazine of the Louisville Courier-Journal and Times published an excellent article by William Greider of its Washington staff about one of Kentucky's distinguished citizens and former Members of Congress, Gov. Maurice H. Thatcher.

I know that Governor Thatcher is known to many of my colleagues including the President pro tempore, Senator HAYDEN—an acquaintance of many years—Senator LISTER HILL of Alabama, and many others. I now take this opportunity, as I have in the past, to pay tribute to a career of constructive work for conservation, protection of natural beauty, and preservation of historic values which has earned Governor Thatcher a place among those who will be remembered as leaders of conservation, and in the hearts of those who share his goals.

Humane, thoughtful, full of vitality, combining the great qualities of patience and delightful wit with a working knowledge of government, and a practical sense of the art of accomplishment, Governor Thatcher brings inspiration to all around him.

A former Member of the House of Representatives from Kentucky, Louisville and Jefferson County, the Republican Party nominee for U.S. Senator, Governor of the Panama Canal Zone, father of park systems and roads, he is still laboring and leading in the field of conservation.

This article well describes his interests and accomplishments. It will give all who know him pride and satisfaction, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ALWAYS A CONGRESSMAN

(By William Greider)

WASHINGTON.—In one of those distinguished old buildings along 16th Street in northwest Washington, the honorable Maurice H. Thatcher, former member of Congress, lives alone and quietly.

His spacious apartment is decorated in the good taste of an earlier era. Miniature landscapes and gilt-framed portraits line the walls. A large oil painting of Thatcher himself is flanked by cherished mementos, on one side his decorations from Latin American countries, framed on green velvet, and on the other side 14 pens that presidents from Coolidge to Johnson used to sign legislation that Thatcher helped obtain.

Small Oriental rugs are positioned about and around the dark and ornate furniture. The light from a bank of windows is screened by a row of tall philodendrons and snake plants which Thatcher has tended faithfully since his wife died in 1960. The air is warm and sweet-scented.

When I arrived, Thatcher did not come to the door. He had already opened it in anticipation; one of his legs has been stiff since he broke his hip several years ago. Otherwise, he appeared in good health. His hair was wispy white and his eyebrows were shaggy. He wore a double-breasted coat of blue with gray-striped trousers.

Things were arranged around his easy chair so he could work with a minimum of walking. He had stacks of files and correspondence on two side tables, sheaths of poetry he has written, a telephone, reading glasses, and, incongruously, a shiny short-wave radio set. Its silver antenna jutted high in the air, making him seem smaller beside it.

Thatcher was born 97 years ago, when General Grant was serving his first term as president, a generation before Marconi's invention. He grew up in Butler County, Ky., and became a lawyer in Frankfort and Louisville. In April, 1910, President William Howard Taft appointed him to the Isthmian Canal Commission and Thatcher became civil governor of the U.S. Canal Zone during the canal construction.

Later, when Harding was in the White House, the people of Louisville and Jefferson County elected Thatcher to Congress (Vice President Coolidge helped him open the campaign), and he served as the Third District representative for 10 years.

That was 35 years ago. He has made regular trips back to visit Kentucky over the years but, like the proverbial senator who never returned to Pocatello, Thatcher has remained by the Potomac.

Some would say he is afflicted with Potomac fever, but the former congressman does not feel that way about his temporary home in the nation's capital.

"I keep my citizenship back in Kentucky," he explained, "but I am domiciled here. I stayed here because of these public matters I was interested in. I felt I could do more good by staying here and could serve Kentucky and the Panama Canal better than I would by going back."

Perhaps the name of Maurice H. Thatcher has passed from popular knowledge in his home state, but Thatcher still considers that he is serving Kentuckians, pursuing many of the same things that interested him as a congressman.

He retains his voting rights in Kentucky, though he is no longer active in politics.

"I've always been for conservation," he said, and he is still promoting it. His present goal is one that he has pursued since 1931—a national parkway that would link the Mammoth Cave National Park and Natchez Trace Parkway with other major national parks of the southeast, Cumberland Gap, the Great Smoky Mountains, and Shenandoah. It is called the Cumberland Parkway project.

Over the years, with his aid, the proposal has worked its way through channels, including hearings on a Senate bill, and a survey by the National Park Service. The survey report is stalled for the time being because of the tight budget situation resulting from Vietnam.

"I'm still pursuing it all the time," Thatcher said in a crisp tone. "Senator Cooper and Congressman Natcher have been especially active on it. It just shows how you have to keep at it. Work, work, work. It takes great patience and something of the know-how."

He reflected for a moment on the length of the struggle.

"Of course," he said, "life is filled with uncertainty. I have worked hard, with good cooperation and good luck, but a thing isn't done until it's done."

Thatcher's efforts when he was in Congress, did leave an imprint on Louisville and his homestate and the Isthmus of Panama. He served on the House Appropriations Committee throughout his congressional tenure, a choice spot for influencing government decisions about such things as parks and roads. He savors the memories of those days, the complicated parliamentary maneuvering and the bureaucratic delays he had to overcome.

Largely through his efforts, Camp Knox was converted to Fort Knox, a giant military establishment and repository for U.S. gold. The George Rogers Clark Memorial Bridge was built over the Ohio at Louisville.

The list goes on . . . the "new" Post Office building in Louisville, the Veterans Hospital at Lexington, the old Marine Hospital (now Louisville Memorial) and another at Ft. Knox.

The battle cruiser "Louisville" was built on Puget Sound. Congressman Thatcher delivered the launching address and Mrs. Thatcher acted as hostess for the occasion.

"There were only going to be 10 more cruisers built and there was a spirited fight among the cities over the names," Thatcher said. "I rendered the necessary support."

The cruiser, he remembered, "survived World War II and, I don't know, at last count it seemed it was going to be liquidated. I don't know. The Navy could tell you." (The "Louisville" was rated unfit for further service in 1951, then sold for scrap in 1959 to a New York firm.)

Perhaps Thatcher's favorite recollections involve conservation. He sponsored the bill that provided $100,000 to clean up and preserve the Lincoln birthplace at Hodgenville and to authorize all necessary funds for the future. He led the congressional push to establish Mammoth Cave National Park. His efforts produced Zachary Taylor National Cemetery at Louisville, a project dear to the Louisville Outdoor Art League.

The Lincoln birthplace, he recalled, had been taken over by the federal government after a private restoration of the cabin, but no money was provided to maintain the property.

"It had grown up in bushes and briars," Thatcher said. "There was no roadway into or out of the 110 acres where the cabin stood. The spring wasn't looked after and the water was not potable."

He said with pride: "It's a lovely spot now and it's free to the public. I have the pen up here that President Coolidge used to sign the bill. By the way, we got a bottle of that water from the Lincoln spring and used it to christen the cruiser 'Louisville.' "

Mammoth Cave was mentioned and Thatcher tapped his fingertips on his lip as he called back the details.

"Dr. Work was Secretary of Interior." Thatcher said. "He was an able man, but he was from Colorado and he had never seen our cave country. I heard that he was making a report to Congress of an adverse nature."

Congressman Thatcher went to call on the secretary.

"He said, 'Oh, all you've got down there are some old smoked caves. It hasn't national-park status.'

"I said, 'That's not quite correct. There are newer sections which haven't been smoked up by lanterns. Furthermore, some of the smoked sections may have resulted from the production of saltpeter to make gunpowder to help win the Battle of New Orleans!' "

Thatcher then showed the secretary his own annual report from an earlier year. It specifically stated that the Mammoth Cave region "possessed national park status and should be preserved for national-park purposes."

The secretary, Thatcher said, "read this portion of the report and then, in perfect good humor, expressed his willingness to change his position."

In the end, Kentucky got its national park under legislation sponsored by Thatcher.

"The people in Kentucky never knew the full story about the narrow escape we had," he said. "All the fine work of the Mammoth Cave National Park Association and others would have come to naught."

His memory shifted to Zachary Taylor and the struggle to get a respectable resting place for the 12th president and his wife, and to establish a national cemetery in the president's honor.

"They were in sarcophagi, sodded over like an old-fashioned springhouse," Thatcher said. "It was a national disgrace. Everything went smoothly with the project until the title experts of the Department of Justice decided that a valid title to the cemetery land, the old Taylor land, could not be established."

Thatcher called on the attorney general, then confronted the title experts and pointed out that the original patent of 3,000 acres had been issued by Thomas Jefferson, governor of Virginia, to James Madison and Colonel Richard Taylor, the father of "Old Rough and Ready."

Would the government refuse to accept a title whose history involved three U.S. Presidents? "It was just nonsense to hold the title defective," Thatcher said. The attorney general told the experts to approve the title and they did.

From Kentucky, the conversation moved to Panama, where Thatcher's name is still honored and prominent. In 1962, he cut the ribbon which opened for traffic the Thatcher Ferry Bridge, a $20 million free span at the Pacific end of the canal. It replaced the ferry that Thatcher obtained while he was in Congress.

"For some strange reason," he explained, "those who signed the canal treaty in 1903 never seemed to give any thought to crossing the canal after it was finished."

Today he is the only surviving member of the Isthmian Canal Commission.

In Congress, he helped establish the Gorgas Memorial Laboratory in Panama City in honor of his old colleague on the canal commission, Col. William C. Gorgas, who successfully battled yellow fever and malaria on the isthmus.

The laboratory carries on the research fight against tropical disease and, Thatcher said, "We've discovered several different kinds of mosquitoes of the jungle which neither Gorgas nor the science of his time seemed to know about."

Thatcher also helped obtain legislation granting annuities to the civilians who built and have operated the canal.

In recent years, he has devoted much of his time to genealogy. According to carefully certified lineage, he is a descendant of Elder William Brewster, leader of the Mayflower community of Pilgrims. It distresses Thatcher that, while other early Americans have been permanently memorialized, similar attention has not been given to Elder Brewster.

He founded the Elder William Brewster Society to correct the oversight and serves as its president-treasurer. Active in other fraternal and patriotic organizations, Thatcher also holds the title of Honorary Life Counsellor-General of the General Society of Mayflower Descendants.

The former congressman picked up a looseleaf notebook from a side table and talked about his poems, pausing occasionally to read one aloud.

He has written them for years and some have been published in newspapers and magazines and the CONGRESSIONAL RECORD. They celebrate important things in his life—the Panama Canal, the national parks, Louisville and Kentucky, and other topics.

"I expect I have written more than 1,000 quatrains on various subjects—some better than others, I suppose," he said. "I have always had an urge to write poetry, but I have had to make my way in life; I have had responsibilities. I have not had time to publish."

At Christmas each year, Thatcher composes a poem and sends it out to friends as a holiday greeting. This year his sonnet, entitled "Christmas 1967," began:

"My last was not, in truth, my last, despite
Expectancy and what computers say—
For oftentimes skilled Nature takes delight
In adding to long lease a lengthened day."

Mr. MORTON. Mr. President, I join with my colleague, Senator COOPER, in expressing our pride and respect for the achievements of Governor Thatcher, for Kentucky and for the Nation. His character and integrity will always inspire us.

Mr. HILL. Mr. President, I have known Gov. Maurice Thatcher of Kentucky for many years and I have admired his accomplishments in the House of Representatives, as Governor of the Panama Canal Zone, and as a great conservationist.

He is a distinguished and honorable man, a gentleman of the old school, a patriot, and statesman. I join in paying tribute to Governor Thatcher.

FEDERAL-AID HIGHWAY ACT OF 1968

Mr. COOPER. Mr. President, I will take a few moments of the Senate's time to direct the attention of my colleagues to the statement of President Johnson at the time of the signing of the Federal-Aid Highway Act of 1968.

President Johnson's very excellent statement applauded the signal achievements of the legislation—advance acquisition of rights-of-way, TOPICS, fringe parking, the equal employment opportunity provisions, an improved and humane system of relocation assistance and payments, and assurances of social considerations in highway planning. Credit for these advances is due members of both House and Senate Public Works Committees, and I commend particularly the work of the chairman of the Senate Public Works Committee, Senator RANDOLPH.

In the same statement, however, the President criticized strongly other sections of the bill—sections which came under criticism in this Chamber, sections which I objected to, sections which were the major areas of disagreement between the Senate and House conferees. The President cited the modifications of the language which now protects our parklands from the encroachment of highways, the addition of 1,500 miles to the Interstate System, and the weakening of the billboard removal provisions of the Beautification Act. In speaking of these sections of the bill the President termed them, "unfortunate, ill considered, and a setback to the cause of conservation."

The provision the President found very objectionable was that relating to the construction of all routes of the Interstate System within the District of Columbia. The President's statement is one with which I agree. He said:

> These provisions are inconsistent with the basic tenet of sound urban government—to permit the local government of the people affected to participate meaningfully in planning their transportation system.

The language agreed to by the conferees required that construction in the District be carried out in accordance with all applicable provisions of the Federal highway statutes. The President felt that this language preserved the authority of the executive branch, and therefore, the veto, urged on him from many quarters, was not required. Had this language not been a part of the bill the President said he would "have no choice but to veto this bill as an infringement of basic principles of good government and Executive responsibility."

The President in signing the bill directed the Secretary of Transportation in conjunction with all interested executive agencies to support the government of the District of Columbia in developing a comprehensive transportation plan by January 1, 1969.

I mention this for two reasons. First the President's objections to this legislation are consistent with those raised by the Senate conferees throughout a long and difficult conference. Second, the President's solution is comparable to a proposal which Senator JORDAN of Idaho and I made in conference. Our amendment would have given the government of the District of Columbia until March of 1970 to reach a final determination as to the routing of the Interstate System within the District.

The aim of our solution was identical to that of the President. Both are designed to protect the sovereignty of the government and people of the District of Columbia from a mandate from Congress which was bound by its own laws not to take the action intended in this legislation. Both seek to assure the most thorough and careful planning of all aspects of the District's transportation system, with consideration of all foreseeable consequences of that system upon this city.

I am very pleased with the action of the President in signing a much-needed and progressive act. As I refused to sign the conference report, and voted against the adoption of the conference version of the Federal-Aid Highway Act of 1968 for the very objections raised by the President, I am heartened by his words and concur in his solution. I hope the Congress will heed his call to remedy the shortcomings of this legislation in the future.

In the future, the Senate must be very careful that amendments threatening acts which are intended to conserve the national resources of our country—parks, wildlife refuges, recreational areas and historic houses, sites and monuments—are not attached successfully to Federal highway bills, and that the Congress does not impose the location and construction of highways on the States and the District of Columbia.

Mr. President, I ask unanimous consent that the President's statement be included at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF PRESIDENT JOHNSON,
AUGUST 23, 1968

After careful consideration, I have signed the Federal-Aid Highway Act of 1968.

In this review I have weighed the bill's positive and progressive features against its shortcomings, the range of Executive actions we might take to ease some of its burdens, and the time yet remaining in this session for the Congress to correct its drawbacks.

In many respects this is the most important highway authorization bill since the start of the Interstate Program over a decade ago. It authorizes funds to carry the program through 1974, enough to assure the construction of many thousands of miles of roads. These highways can forge new links to more of our cities, serve America's growing transportation needs, and open up new avenues of convenience to millions of citizens. This measure also deals more effectively and more humanely than any previous measure with a modern dilemma—the problems created by road construction in or through our cities. It shows in these povisions more of a concern for our citizens than for concrete:

Families—particularly the poor—who are displaced from their homes by highway projects—will receive the assistance they need in moving to other dwellings.

Authority to acquire new rights of way in advance can help assure that highways in the future will be better planned, less costly, and cause the least possible disruption to local residents and businesses.

Funds to institute innovative measures to improve traffic flows will mean less congestion in city streets.

A new test program providing fringe parking away from crowded business districts will further improve the movement of traffic.

Highway planners will be required to consider social and environmental factors in determining the location of urban highways—thus preserving many neighborhoods from the bulldozer and the wrecking ball.

More effective equal employment opportunity in the highway construction industry will bring jobs to Americans of all races.

Unfortunately, these forward-looking provisions do not stand alone in this bill. There are other sections which I believe to be unfortunate, ill-considered, and a set-back to the cause of conservation. I urge the Congress to move promptly to correct them. The bill as it now stands will:

Seriously weaken the pioneering effort to beautify America's highways by depriving that effort of the funds it needs, and by diluting the billboard removal provisions of the present Act.

Remove the protection we have given in the past to many park lands that should be preserved for the families and children of America.

Extend the interstate system by 1,500 miles without any serious study of the type of major highway program we will need after we complete the present system in 1974.

By far the most objectionable feature in this bill is the requirement that the District of Columbia Government and the Secretary of Transportation construct all interstate routes passing within the District as soon as possible—with the District required to commence work on four specific projects within 30 days. These provisions are inconsistent with a basic tenet of sound urban development—to permit the local government and the people affected to participate meaningfully in planning their transportation system.

Under the Constitution, the Congress does possess special and unique responsibilities—different from its powers over the fifty states—to legislate for the Nation's Capital. The desire of the Congress to move forward with the construction of a highway system to serve the Washington area is understandable. But it is vitally important that these roads be constructed in accordance with proper planning and engineering concepts and with minimum disruption of the lives of District citizens.

Fortunately, the Congress has called for constructon only in accordance with the applicable provisions of the Federal highway law.

If the authority of the Executive Branch were not so preserved, I would have no choice but to veto this bill as an infringement of basic principles of good government and Executive responsibility.

I am advised that under Federal highway law the Secretary of Transportation is required to approve construction only when:

Funds are available.

All rights of way can be obtained.

These projects are shown to be appropriate links in a comprehensive transportation plan for the District.

Other requirements of sound highway construction are met.

I have therefore directed the Secretary of Transportation promptly to convene the representatives of all interested Executive Agencies to support the Government of the District of Columbia in developing a comprehensive plan for a D.C. highway system.

This plan should:

Promote the rapid movement of traffic in the metropolitan area.

Protect the people and neighborhoods affected by the new roads.

Recognize the city's needs for expanded parking facilities.

I have asked the Secretary of Transportation and the Mayor of the District of Columbia to make certain that the plan is developed in sufficient time to have portions under contract prior to January 1, 1969.

Earlier this year the Congress directed me to reduce expenditures by $6 billion and new obligations by $18 billion. This was not a responsibility I sought. While I appreciate the sense of the Congress—as expressed in this bill—that Federal moneys not be withheld from the highway program, I must still exercise the responsibility to carry out these stringent economy measures. All government programs are being scrutinized with care. Highway projects will not be immune from this study, and funds will be provided or withheld in accordance with the need to comply with the Congressional mandate to cut $6 billion from the federal budget.

I believe the good in this bill outweighs the bad. I believe that the progressive steps we are taking here will permit us to improve the highway program in urban areas, and make it more responsive to the needs of the people who live there. I hope that the Congress will assist the Executive Branch in moving further in this direction, and in amending the undesirable features of this bill.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 20300) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Mahon, Mr. Whitten, Mr. Rooney of New York, Mr. Passman, Mr. Boland, Mr. Natcher, Mr. Flood, Mrs. Hansen of Washington, Mr. Jonas, Mr. Laird, Mr. Cederberg, Mr. Lipscomb, and Mr. Shriver were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 653) to amend the Tariff Schedules of the United States with respect to the rate of duty on certain nonmalleable iron castings.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3865) for the relief of Mauritz A. Sterner.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17324) to extend and amend the Renegotiation Act of 1951.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 19908) making appropriations for Foreign Assistance and related agencies for the fiscal year ending June 30, 1969, and for other purposes; and that the House receded from its disagreement to the amendment of the Senate numbered 4 to the bill and concurred therein, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House insisted upon its amendments to the bill (S. 944) relating to the establishment of parking facilities in the District of Columbia, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. McMillan, Mr. Abernathy, Mr. Dowdy, Mr. Whitener, Mr. Nelsen, Mr. Harsha, and Mr. Broyhill of Virginia were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the amendment of the Senate to the amendment of the House to the bill (H.R. 3593) to amend title 38 of the United States Code to eliminate certain requirements for the furnishing of nursing home care in the case of veterans hospitalized by the Veterans' Administration in Alaska or Hawaii.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10790) to amend the Public Health Service Act to provide for the protection of the public health from radiation emissions from electronic products.

AMENDMENT OF THE INTERNAL REVENUE CODE OF 1954

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Bill Clerk. A bill (H.R. 2767) to amend the Internal Revenue Code of 1954 to allow a farmer an amortized deduction from gross income for assets for depreciable property levied by soil or water conservation or drainage districts.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. LONG of Louisiana. Mr. President, to keep faith with Senators who have been opposing me with regard to the amendment I offered on the bill relating to medicaid and public welfare, I now move that the Senate recommit the bill to the Committee on Finance with instructions to report the bill back forthwith, minus the amendment on medicaid.

Mr. BAKER. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I assure the Senator this will not prejudice the Senator's rights.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. WILLIAMS of Delaware. Mr. President, I shall vote against the motion. I thought the Senator from Louisiana had a very good amendment. He explained it well, and he convinced the overwhelming membership of this body to support the amendment.

The Long amendment would reduce the extravagant annual cost of medicaid by at least a half billion dollars. This is a program now costing us about 10 times the original estimate. I think the Senate would be making a mistake not to retain the constructive step of reducing the overall cost of this program into line before it gets too far.

I shall vote against the amendment of the Senator from Louisiana. Let us keep this amendment now that the Senate has approved it. He did an excellent job in persuading the Senate to approve it, and I hate to see a man march up the hill, gain a victory, and then march down the hill. I believe when one has a victory he should hold onto it. We have this victory now. I would like to see us keep it.

Mr. LONG of Louisiana. Mr. President, I regret that my able friend from Delaware cannot vote for my motion. He and I have one small difference of opinion. He thinks I won a great victory. I do not think so; not until the bill is passed. In my judgment I have been defeated by a successful filibuster and, therefore, in my opinion, if I am to persevere in this matter at this time, I would lose, and no action would be taken.

I would rather pass the other good amendment in the bill than delay passage of the bill by continuing with my amendment. There are many other good amendments in the bill to which there is no objection and which could be passed by unanimous consent. Rather than prejudice the other provisions, and hurt the rights of others, and do an injustice to others by seeing this bill fail, I will be the one to march back down the hill, when it appeared I had won. I shall renew the battle next year. I think we can do a more workmenlike job in bringing the cost of this fantastic program into bounds next year.

I hope my distinguished friend from Delaware will join me when battle is joined next year to get this matter back to some kind of reasonable cost rather than to permit it to go up and up.

The senior members of the Ways and Means Committee in the House of Representatives agree with us, as far as I can determine. If I could prevail here now, I would continue; but I have not prevailed.

We will lose the other good provisions unless the motion that I have just made is agreed to.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana (putting the question).

The motion was agreed to.

Mr. HARRIS. Mr. President, has the bill been reported back?

Mr. LONG of Louisiana. Mr. President, I now report to the Senate the bill (H.R. 2767) without the amendment to which I referred.

The PRESIDING OFFICER. The bill has been reported; and, without objection, the Senate will proceed to its further consideration.

The bill is now before the Senate for further amendment.

Mr. HARRIS. Mr. President, I send to the desk an amendment and ask that it be stated.

The legislative clerk read as follows:

At the end of the bill, add the following new section:

"SEC. —. Effective on the date of the enactment of this Act—

"(1) the provisions of section 201 of the Revenue and Expenditure Control Act of 1968 shall cease to apply to civilian employees of the Division of Indian Health (Public Health Service, Department of Health, Education, and Welfare); and

"(2) in applying the provisions of such section to the departments and agencies of the executive branch, the employees of such Division shall not be taken into account."

Mr. HARRIS. Mr. President, briefly stated, what this amendment would do would be to exempt from the Williams-Smathers amendment the Indian Public Health Service insofar as personnel requirements and vacancies are concerned.

In my own State, Clinton Hospital is operating with only three of five authorized nurse positions. At Lawton Hospital, in my hometown, it is operating with only 13 of 18 authorized nurse positions.

This seems to be generally true in other Indian hospitals and clinics.

I ask unanimous consent to have printed in the RECORD a statement on this subject, as well as a table showing the harsh effect of this law without the exemption to which I have referred.

There being no objection, the statement and table were ordered to be printed in the RECORD, as follows:

STATEMENT

Employment reductions have had a prohibitive effect on the quality and quantity of health care on both new programs added by the Congress as well as the expansion of existing programs authorized by the Congress (e.g. trachoma control, family planning, and sanitation facilities construction for new housing has been curtailed).

Because of the need to utilize the 50% replacement factor of vacancies for direct patient care support there is a steady attrition of field health personnel and the emphasis and thrust on preventive programs is markedly weakening.

The attrition process is affecting every form of activity, medical para-medical, hospital administration, food service, maintenance, all types of personnel required to enable the Division's field activities to continue as viable organizational entities. The authority to approve appointments to 50% of all vacancies occurring in full-time permanent positions without resource to higher echelons has provided painfully little relief.

The critical shortage of nurses affects all areas exemplified below:

Oklahoma—The Clinton hospital is operating with only 3 of 5 authorized nurse positions.

The Lawton hospital is operating with only 13 of 18 authorized nursing positions.

Window Rock—The Gallup hospital is operating with only 28 of 46 authorized nursing positions.

The Ft. Defiance hospital is operating with only 13 of 17 authorized nursing positions.

Alaska—The Alaska Native Health Center is operating with only 62 of its 71 authorized nursing positions and the probability that 15 additional nurse positions will be inoperative at least temporarily in the near future.

In addition the vacancy situation in support personnel is also becoming increasingly critical. The Alaska Area reports that only one laundry man is available on a full time basis to process 18,000 pounds of laundry a week. The hospital at Kotzebue is authorized 16 maintenance positions of which 6 are vacant including that of a plumber. Maintenance projects which are essential if the installation is not to deteriorate cannot be accomplished before the freeze-up.

The 50-bed annex of the Phoenix Indian Hospital has been closed. The patients involved will receive care at the main hospital or in contract medical care facilities and in many cases not at all because of space and financial restrictions.

At all installations the concern for medical and nursing care is mounting daily and the stark fact is that at many of our hospitals current and foreseeable staffing levels will not be able to provide an adequate or safe level of patient care.

The employment freeze has also prohibited the Division from honoring its commitment to employ 17 Indian girls who graduated from the Division's School of Practical Nursing at Albuquerque, New Mexico on September 17, 1968 even though the vacancies and urgent need for these positions exist.

Since first priority in the filling of vacant positions rests in the hospitals and health centers, it follows that the field health preventive health activities will feel the pinch the hardest. There will be severe reductions in the fields of sanitation, dental services, public health nursing, social work, health education and other field health services.

The final column of the attached Summary of Vacancies and Positions Filled by Category submitted in answer to question 5 is based on 1968 experience and reflects anticipated losses by category of personnel projected for the balance of Fiscal Year 1969. The tabulation reflects additional anticipated vacancies totaling 1,120 of which 560 could be filled based on priority considerations under present employment criteria.

DIVISION OF INDIAN HEALTH—SUMMARY OF VACANCIES AND POSITIONS FILLED BY CATEGORY

Category	Vacancies			Positions filled			Total net vacancies as of Sept. 15, 1968	Additional anticipated vacancies for balance of fiscal year 1969 which 50 percent can be filled (1968 exper.)
				July				
	End of July 1968 by category	Additional vacancies occurring in fiscal year 1969 through Sept. 15	Total vancancies at Sept. 15, 1968	C/O's committed prior to July 1, 1968	Hardship cases	Priorities filled in August and September under 50-percent limit		
Physicians	21	4	25	24		1	0	119
Dentists	5		5	5			0	35
Dental auxiliaries	15	1	16		4	1	11	44
Graduate nurses	133	29	162		17	44	101	187
Licensed practical nurses	17		17		1	1	15	167
Nursing assistants	6	23	29		2	2	25	97
Sanitary engineers and sanitarians	31	2	33	11			22	32
Pharmacists	7	4	11	10		1	0	20
Medical and X-ray technicians	17	8	25		3	6	16	33
Social workers	6	3	9		1	1	7	7
Public health educators	1		1				1	
Community health personnel	12	3	15				15	2
Dietitians and nutritionists								3
Medical record personnel	8		8				8	10
All other	152	44	196		[1] 13	5	178	364
Total	[2] 431	121	552	50	41	62	399	[3] 1,120

[1] All other includes 7 administrative personnel, 1 food service personnel, 2 engineer technicians, and 3 maintenance men.

[2] Includes 135 new positions.

[3] Anticipating filling 50 percent of vacancies, we will accrue a net vacancy total of 959. Actual filling of vacancies will vary from category to category based on priority.

Mr. HARRIS. Mr. President, I think this is a worthwhile amendment. It was intended to be introduced yesterday by the Senator from Wyoming [Mr. McGEE] to the supplemental appropriations bill but, inadvertently, that was not done. I therefore hope that it will be adopted on the pending bill and taken to conference.

Mr. WILLIAMS of Delaware. Mr. President, I shall not make any great protest against the amendment except to say that the amendment is not necessary under the Williams-Smathers amendment. The Budget Director has complete, discretionary authority to assign these reductions in payrolls to that agency where he thinks it would least disrupt the Government service.

From the day the Williams-Smathers amendment was enacted the Johnson administration has been determined of two things: One, it was not going to cut the Federal payroll but was going to pad it; two, it was not going to reduce spending. It has been successful. Much to my regret, it has been successful in eroding away the expenditure control features of the Williams-Smathers amendment.

Yesterday it received the final death blow. Amendment here is a token gesture, something that someone thought of downtown. They thought of everything else except this. I shall press for rejection of the amendment but shall not ask for a yea-and-nay vote. I do want to say this is a further indication that the Johnson administration has betrayed the American people when it said it would cut spending in return for a tax increase.

I go further and say that in my opinion the Johnson administration never had any intention of keeping its promise to the American people at the time it was made.

I shall vote against the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma.

The amendment was agreed to.

Mr. SMATHERS. Mr. President, I have an amendment I wish to offer but I have argeed with the Senator from Tennessee [Mr. BAKER] to let him offer his amendment first which he assures me will take but 30 seconds. I should like to be recognized after the Senator from Tennessee [Mr. BAKER] offers his amendment.

Mr. BAKER. Mr. President, I thank the Senator from Florida. I wonder, at this point, if I might suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SMATHERS. Mr. President, after consulting with Senator BAKER I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill insert the following new section:

SEC. —. Tax on Transportation of Persons.

(a) TAX ON TRANSPORTATION OF PERSONS.—Subchapter C of chapter 33 of the Internal Revenue Code of 1954 (relating to tax on transportation of persons by air) is amended to read as follows:

"SUBCHAPTER C—TRANSPORTATION OF PERSONS BY AIR

"Sec. 4261. Imposition of tax on transportation of persons by air.

"Sec. 4262. Exemptions.

"Sec. 4263. Special rules.

"SEC. 4261. Imposition of tax on transportation of persons by air.

"(a) AMOUNTS PAID WITHIN THE UNITED STATES.—There is hereby imposed upon the amount paid within the United States for transportation of any person by air, within or without the United States, a tax equal to 5 percent of the amount so paid.

"(b) AMOUNTS PAID OUTSIDE THE UNITED STATES.—There is hereby imposed upon the amount paid outside the United States for transportation of any person by air, but only if such transportation—

"(1) begins and ends in the United States; or

"(2) is provided pursuant to a ticket or order under which the first transportation by air begins in the United States; or

"(3) in the case of amounts paid within Canada, Mexico, or the Caribbean island area for transportation of a resident of the United States, is provided pursuant to a ticket or order under which the first transportation by air begins in Canada, Mexico, or the Caribbean island area within forty-eight hours after such individual departed from the United States;

a tax equal to 5 percent of the amount so paid. In the case of any transportation by air which is interrupted by a scheduled stopover of 6 hours or more, paragraph (1) shall be applied separately to the portion of such transportation before the interruption and to the portion of such transportation after the interruption.

"(c) SEATS, BERTHS, ETC.—There is hereby imposed upon the amount paid for seating or sleeping accommodations in connection with transportation with respect to which a tax is imposed by subsection (a) or (b), a tax equivalent to 5 percent of the amount so paid.

"(d) BY WHOM PAID.—Except as provided in section 4263, the taxes imposed by this section shall be paid by the person making the payment subject to the tax.

"(e) UNITED STATES DEFINED.—For purposes of this subchapter, the term 'United States' means the States, the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States.

"(f) SPECIAL RULE FOR AIR TRANSPORTATION WITHIN A POSSESSION.—The tax imposed by this section shall not apply to amounts paid within the Commonwealth of Puerto Rico or a possession of the United States for transportation which begins and ends within the Commonwealth of Puerto Rico or which begins and ends within such possession (in either case, determined with the application of the second sentence of subsection (b)).

"SEC. 4262. Exemptions.

"(a) CERTAIN ORGANIZATIONS.—The tax imposed by section 4261 shall not apply to the payment for transportation or facilities furnished to an international organization, or any corporation created by Act of Congress to act in matters of relief under the Treaty of Geneva of August 22, 1864.

"(b) SMALL AIRCRAFT ON NONESTABLISHED LINES.—The tax imposed by section 4261 shall not apply to transportation beginning and ending within the United States by aircraft having—

"(1) a gross takeoff weight (as determined under regulations prescribed by the Secretary or his delegate) of less than 12,500 pounds, and

"(2) a passenger seating capacity of less than 10 adult passengers, including the pilot,

except when such aircraft is operated on an established line.

"Sec. 4263. Special Rules.

"(a) Payments Made Outside the United States for Prepaid Orders.—If the payment upon which tax is imposed by section 4261 is made outside the United States for a prepaid order, exchange order, or similar order, the person furnishing the initial transportation pursuant to such order shall collect the amount of the tax.

"(b) Tax Deducted Upon Refunds.—Every person who refunds any amount with respect to a ticket or order which was purchased without payment of tax imposed by section 4261 shall deduct from the amount refundable, to the extent available, any tax due under section 4261 and shall report to the Secretary or his delegate the amount of any such tax remaining uncollected.

"(c) Payment of Tax.—Where any tax imposed by section 4261 is not paid at the time payment for transportation is made, then, under regulations prescribed by the Secretary or his delegate, to the extent that such tax is not collected under any other provision of this subchapter—

"(1) such tax shall be paid by the person paying for the transportation or by the person using the transportation;

"(2) such tax shall be paid within such time as the Secretary or his delegate shall prescribe by regulations after whichever of the following first occurs:

"(A) the rights to the transportation expire; or

"(B) the time when the transportation becomes subject to tax; and

"(3) payment of such tax shall be made to the Secretary or his delegate, to the person to whom the payment for transportation was made, or to any person furnishing any portion of such transportation.

"(d) Application of Tax.—The tax imposed by section 4261 shall apply to any amount paid within the United States for transportation of any person by air unless the taxpayer establishes, pursuant to regulations prescribed by the Secretary or his delegate, at the time of payment for the transportation, that the transportation is not transportation in respect of which tax is imposed by section 4261."

(b) Conforming Amendment.—Section 4291 of such Code is amended by striking out "4264(a)," and inserting in lieu thereof "4263(a),".

(c) Effective Date.—The amendments made by this section shall apply with respect to amounts paid on or after the 10th day after the date of enactment of this Act for transportation beginning on or after such 10th day.

(d) Special Fund.—The taxes collected under section 4261 of the Internal Revenue Code of 1954, as amended, during fiscal years 1969 to 1973, inclusive, shall be deposited in a special fund in the Treasury to the extent that such deposits do not exceed $15 million per year. The funds deposited in the special fund provided for herein shall be used and expended in such amounts and under such rules and regulations as the President may prescribe, for the promotion of travel by foreigners to and within the United States.

Mr. SMATHERS. Mr. President, the amendment I have offered has already passed the House of Representatives, but it has not actually been considered up to this time by the Senate Finance Committee. I think the amendment is necessary and should be made a part of the law, if we are to finish the job we started, in enacting the Revenue and Expenditure Control Act of 1968, to bring some order into our fiscal and financial affairs in the United States.

The most significant legislation that has passed Congress this year, let me say was sponsored by the distinguished Senator from Delaware [Mr. Williams] and in all humility—myself. The legislation, adopted first in the Senate and then in the House, provided for a 10-percent increase in taxes and certain expenditure limitations.

This Williams-Smathers amendment, called for a $6 billion cut in expenditures, a $10 billion cut in future appropriations, and certain other limitations of personnel and other limiting items. I have regretted, as I know the distinguished Senator from Delaware has, the fact that some of that limitation has fallen out the bottom, and some of the restrictions have eroded away a little bit. We do not now have as great a limitation as we had hoped for. The limitation, however, was a significant question at the time we passed the Revenue and Expenditure Control Act. Every economic expert I could talk to, all financial leaders as well as the Secretary of the Treasury, and others, had said that the dollar at that point was under grave attack, and that if we did not do something about it, if Congress did not demonstrate some self-discipline and responsibility, then we would probably have to do more than to set up two prices for gold, we would have to go off the gold standard completely, and, the dollar would undoubtedly be devalued.

However, fortunately the Senate acted—and then the House—and our dollar was saved, and the inflation was dampened and the deficit cut, and our financial and fiscal house was put in order. However we did not go all the way. The distinguished Secretary of the Treasury, Henry Fowler, who was a magnificent leader in this entire effort, asked us to keep our balance-of-payments deficit down by placing a tax on travel overseas, the action that we did not take, but which was necessary.

One of the areas where we are continuing to have an enormous outflow of money, creating an imbalance, or deficit in our international balance of payments, results from those of our citizens who go abroad and spend their money and leave it there.

The present law provides that when traveling within the United States, say, from Washington to Spokane, Wash.; or from Ohio to Florida, or to Wyoming, or wherever we wish to go, we pay a 5-percent tax on any and all air travel tickets. However, one can go from here to Paris, to Rome, to London, or anywhere else throughout the world, and on that overseas travel he does not pay that 5-percent tax.

We see all this money going abroad, thereby worsening our balance-of-payments deficit. We must therefore do something to slow the outgo—and encourage a bigger inflow.

What the amendment proposes to do is to equalize the situation insofar as the airplane travel tax is concerned. It would put the same 5-percent tax on tickets for travel overseas as exists now on tickets purchased for travel within the United States.

Mr. President, if this amendment is adopted it will bring into the Treasury somewhere in the neighborhood of $70 million. Further than that what we also propose to do in the amendment is to provide each year, starting with fiscal 1969, that $15 million of that sum would be put into the hands of a task force whose purpose would be to encourage foreigners to travel from Europe and Asia into the United States. We in America know that we have as much to offer over here for those people, to see and enjoy, as they have in their countries for us to see and enjoy. Therefore, a good portion of this money—$15 million a year—would be used to encourage foreigners to travel to the United States. All in all, I think it is an essential, and practical, and a most worthwhile proposal to help our Government, and our people.

As I have said, it passed the House of Representatives almost unanimously, and all we need to do is to add it to this particular bill. If we do this I think we would, in great measure, have then completed the package of financial and fiscal responsibility which we started out with earlier this year, under the leadership of the Senator from Delaware [Mr. Williams], myself, and most especially, Henry Fowler and his assistants Joe Barr and Joe Bowman. Mr. President, let's finish the job of demonstrating our fiscal and financial responsibility. Our economy today is stronger than it was before we acted on the tax bill, it will be even stronger if we lessen the deficit in our balance of payments and here and now we have an opportunity to do just that—if we will support this amendment.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. SMATHERS. I am happy to yield to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I rise to give support to this amendment. I cannot see how an argument can be made against it. If the traveler in Ohio is required to pay 5 percent on the cost of his airplane ticket to a destination within the United States, it seems to me logic would require that a similar tax be imposed upon those who travel to points outside the United States.

Second, one of the heaviest drains on our balance of payments comes from the dollars spent by U.S. travelers in foreign countries.

As long as 5 years ago I urged vigorously that a program be adopted calling upon Americans to see America and in that way enjoy the historic shrines and geological phenomena of our Nation, while at the same time helping to cure the imbalance in our payments.

My hopes are that the committee will accept this amendment. It is sound. I cannot see any reason why it should not be accepted. Its purpose is to serve the interests of our country.

Mr. WILLIAMS of Delaware. Mr. President, earlier this year the Senator from Florida [Mr. Smathers] and I joined together in introducing and pushing for enactment of a proposal which we both felt was necessary in order to preserve the integrity of the American dollar. We were successful, after many weeks of labor, in getting that bill approved by the Congress and signed by the President.

As a part of that bill which raised the 10-percent surtax there was also a mandatory control over spending. In our opinion these parts were equally important; it was just as important to reduce spending as it was to increase taxes. We felt we needed both.

There were those who said we should not reduce spending at all, but we should put all our labors into balancing the budget by increasing taxes. Others felt we should not increase taxes but should cut spending enough to bring our budget under control. We felt it would take a combination of both and that they ought to be put together in a package.

It was done, and it was accepted by the Senate. It was cleared by the Ways and Means Committee of the House and the Appropriations Committee of both Houses, and the House and the Senate agreed with the administration that they would be able to live with this expenditure control. During the weeks and months that followed, climaxed by the action of the Senate yesterday, Congress has in effect destroyed completely the effectiveness of the expenditure control so that now we have nothing left but the tax increase.

I shall not discuss the merits of the proposal being offered by the Senator from Florida. It does have merit. I so stated weeks and months ago, as did the Senator from Florida. We have been trying to get our committee to hold hearings to discuss it, with the administration coming before us and explaining its case. At the same time those who may oppose the proposal would have an opportunity to express their views.

I suggested that we hold hearings on this proposal. I was anxious to have the administration come down for various reasons: First, to explain and justify the bill, with which I was sympathetic. At the same time, what I wanted even more was to have the administration come before our committee and explain to us why they had backed down on controlling spending and why we have had so much underhanded and backdoor lobbying to undermining the expenditure controls.

As one of the authors of that bill I can say that at no time from the day we agreed in conference, at which time Mr. Zwick, the Budget Director, representing the President, was present, as was the Senator from Florida, and agreed to the package, and agreed that there should be no exemptions in it. Furthermore, we were promised that the administration would support the reductions. Until this day he has never called my office, nor have I been able to get any information from him as to why they are asking for and supporting all these exemptions. Yet they have filled the corridors with representatives of this bureaucracy, trying to undermine the expenditure control.

The reason no hearings have been held on this bill, in my opinion, is that the administration did not want to face us and answer publicly why they have betrayed the American people on expenditure controls.

Much as I would regret disagreeing with my colleague from Florida, whose support earlier this year I appreciated very much, much as I agree basically with the principle he is trying to accomplish here, nevertheless, as one Member of the Senate I am not going to go along with any further tax increase until the administration comes down and at least convinces me that it is going to live up to its obligation to cut spending. If we are only going to pour more money into the Treasury in order to expand the overexpanded bureaucracy I will have no part of it. Congress has already enacted a 10-percent tax increase, but they have, in effect, destroyed and repealed expenditure controls. I just do not trust this administration enough to give it any more money in the form of any tax increase. I insist upon some evidence of fiscal restraint to be shown first.

I suggest the absence of a quorum——

Mr. **MANSFIELD**. Mr. President, will the Senator withhold that, for the purpose of taking up a conference report?

Mr. **WILLIAMS** of Delaware. Yes.

AMENDMENT OF FEDERAL FOOD, DRUG, AND COSMETIC ACT—CONFERENCE REPORT

Mr. **HILL**. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14096) to amend the Federal Food, Drug, and Cosmetic Act to increase the penalties for unlawful acts involving lysergic acid diethylamide (LSD) and other depressant and stimulant drugs, and for other purposes. I ask unanimous consent for the present consideration of the report.

The **PRESIDING OFFICER**. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of October 11, 1968, pages 30761–30762, CONGRESSIONAL RECORD.)

The **PRESIDING OFFICER**. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. **HILL**. Mr. President, this conference report is signed by all of the conferees on the part of the Senate and by all of the conferees on the part of the House.

As passed by the House, the penalty for a conviction for possession of a dangerous drug, for purposes other than sale, delivery, or other disposal to another, in the absence of a valid prescription from a licensed practitioner, is imprisonment for up to 1 year or a fine of not more than $1,000, or both, if the individual has not been convicted for a violation under the drug abuse control amendments. If there is a previous conviction, the penalty would be imprisonment for up to 3 years or a fine of not more than $10,000, or both.

The Senate amendment provides that the penalty for such illegal possession of dangerous drugs would be imprisonment for not more than 1 year or a fine of not more than $1,000, or both, except that the penalty would be imprisonment for not more than 3 years or a fine of not more than $10,000, or both, for violations after two prior convictions for such illegal possession have become final. The House receded.

The second Senate amendment carried out the recommendations of the Canal Zone Government and the Department of Justice to make the Canal Zone subject to the provisions of the drug abuse control amendments. The House receded. The House also receded on the third and fourth amendments of the Senate that renumbered two sections of H.R. 14096.

Finally, the fifth Senate amendment corrected a technical error in Public Law 90–489, the legislation that established a National Eye Institute by changing the name of the National Institute of Neurological Diseases and Blindness to "National Institute of Neurological Diseases and Stroke." The House receded.

Mr. **DODD**. Mr. President, I have some brief comments on the bill that has just emerged from the House-Senate conference to establish new penalties for drug violations.

The Juvenile Delinquency Subcommittee has devoted a great deal of time to the study of drug abuse in the Nation.

It has seen the devastating effects of heroin among young people who live in the slums of our large cities.

It has studied the so-called "nice drugs," the amphetamines and barbiturates which are used and abused in the affluent suburbs.

More recently, we held hearings on marihuana smoking among college students.

And it was this subcommittee which in 1965 first considered the need for new controls over LSD and the other hallucinogenic drugs.

In that connection, I want to point out a few things about this bill which will increase the penalties for unlawful acts involving LSD and the other dangerous drugs covered under the Federal Food, Drug, and Cosmetic Act.

Mr. President, there is wide agreement that the drug problem is growing more serious every day.

Last year in California alone arrests of young people for marihuana violations increased 180 percent.

There was a reported 400-percent growth in drug arrests in Baltimore, Md.

And there appears to have been a similar upsurge of drug abuse in other parts of the country.

While there has been a decrease in the use of LSD there is an opposite trend with respect to marihuana and we have been told that some 20 percent of our college students have used marihuana.

We have also been told that in several areas of the country, as many as 75 percent of high school students have smoked marihuana.

Yet, it became clear from our hearings that in spite of the agreement on the seriousness of the problem there is much less agreement on what to do about it.

There is at least a very basic conflict between the law-enforcement agencies, including the drug law-enforcement agencies, on the one hand and the scientists, researchers, and educators on the other hand as to how the drug abuse situation should be handled.

The first group wants strong laws and rather severe penalties even for simple possession of dangerous drugs, while the other group wants no penalties for possession.

Many police officers believe that long sentences are a deterrent to crime, the sicentists believe they increase disrespect toward the law among youth.

The majority of law-enforcement officers believe that severe penalties can keep young people in line, the other side gives evidence that such harsh treatment increases what the scientists call alienation of youth from adults and from the society at large.

Having adopted H.R. 14096 we must still give some recognition to this conflict because we have not solved it with this legislation and we will have to make further efforts to resolve the controversy.

Mr. President, I am convinced today, as I have been for some years that in time the best way to deal with our present narcotic and dangerous drug problem will be a comprehensive review of our entire framework of drug laws with a view to making sweeping revisions in these laws.

At this late hour of the 90th Congress, such action cannot be accomplished.

Therefore, I have supported the bill before us, but only in anticipation of a review of all our drug laws in the near future, and in anticipation of the development of a more adequate system of drug laws and drug control procedures.

Having studied the drug issue for a number of years, I have strong views on this matter.

For one, I cannot support the position of the witnesses who have testified before our committee in behalf of more punitive drug laws and longer sentences.

I think today we are compiling sufficient evidence that it is not the length of the penal sentence which restrains a potential lawbreaker, but it is rather the certainty of apprehension and punishment. A recent study conducted in California substantiates this conclusion. And our criminologists and experts on the penal system have held this conviction for a good number of years.

On the other hand, neither do I think any of the dangerous drugs, including marihuana, should be legalized or otherwise made available to the public without proper controls in the case of prescriptive drugs and without penalties for violation in the case of all drugs covered under the Food and Drug Act or under any other law.

I think no person should possess marihuana, LSD, or any drug contrary to the provisions of law and not suffer the consequences.

However, such offenses do not necessarily call for a 5- or a 10-year term of imprisonment.

Such severe penalties are presently possible for the possession of marihuana. Yet, they have not prevented the spectacular rise of marihuana abuse.

The bill before us does not deal with marihuana, but rather with LSD and the other drugs covered by the Food, Drug, and Cosmetic Act.

The penalties which it suggests for simple possession are far less severe than in the case of marihuana.

In fact, this bill as passed by the House of Representatives and as adopted in the Senate Labor and Public Welfare Committee, would provide for setting aside of convictions for certain first and second offenses so that no criminal involvement would mar the record of a young person apprehended with LSD or another controlled drug.

I think this is a considerable improvement over the previous versions of this bill which would have made possession offense an unqualified misdemeanor.

For this reason, I supported this bill and refrained from introducing a substitute proposal.

Nevertheless, I believe there is a loophole in this measure which would make some of the penalties it proposes particularly for the transfer of drugs highly inequitable and unjust.

Therefore, I asked Senator HILL to spell out the congressional intent regarding this measure in the accompanying Senate report.

My concern is with those sections of the bill prescribing felony penalties for "selling, delivering, or otherwise disposing of any depressant or stimulant drug."

Indeed I had prepared an amendment that would differentiate between the penalties applicable to the sale of these drugs on the one hand and to the delivery or other disposal on the other hand.

It would have made felony penalties applicable only to the illegal sale or possession for sale or other commercial transfer of drugs. And it would have applied only misdemeanor penalties to other delivery or disposal of these drugs.

Our hearings have confirmed that the main objective of this bill should be to get at the commercial and criminal trafficker who sells these drugs for profit to our citizens and particularly to young people.

I fully agree that we need substantial penalties for these illegal commercial transactions.

But language in the bill dealing with the delivery or other disposal of a drug to another creates a serious problem that should not have been bypassed.

This language going beyond the sale to delivery or other disposal of the control drugs could make felons out of hundreds of thousands of law-abiding citizens.

It can, in fact, throw our system of justice and of law back to the dark ages when men could be hanged for as trivial a crime as picking pockets.

And, if misused, it would, in effect, invade millions of American homes with the threat of a hard and inequitable law. Mr. President, under the provisions spelled out in this legislation, a mother giving one of her own sleeping pills to her daughter could go to prison for 10 years because of an essentially humanitarian act.

If we impose the same penalties for any type of disposal of these drugs to another as we do for the sale of these drugs we, in effect, make a felon out of a college student who gives just one amphetamine pill to a friend to help him stay awake to prepare for an examination. And we make a felon out of any individual who, however unwisely from a medical standpoint, but with the best motivation and without any criminal intent, gives a sleeping pill or a pep pill to a friend.

All these individuals can be subject to a felony record and in many cases to a 10-year prison term under the provisions of this bill.

Certainly, it is not good practice for any layman to give any medicine to another. This should be the prerogative of a physician. Nevertheless, we are dealing with reality here and our hearings prove that this happens every day all over the country among essentially law-abiding people.

Wrong as this may be, I insist that these people are not felons and should not be made such under this law.

Mr. President, I can stand the thought of a young college student facing a misdemeanor charge for passing a pep pill to a friend because the judge can fine him $10 and his conviction may even be expunged. But I think it incredible that such a young person or any of the other persons I have mentioned could be made felons and sent to prison for 10 years because of this relatively trivial crime.

At a time when our system of criminal justice tends to emphasize treatment and rehabilitation, to expand probation, work-release programs, and other noninstitutional correction, it is an incredible paradox to create a new felony offense and threaten perhaps millions of our people, many of them young, many of them our brightest college students.

Ours is a drug-infested society where prescription drugs and other control drugs are passed from one person to another. But, when no commercial purpose or criminal intent is involved in these transactions they should not be subject to felony convictions because of a catch-all phrase in the bill.

Let me emphasize that a large variety of the barbiturate- or amphetamine-type drugs have become standard items in millions of medicine cabinets in American homes.

And, I venture to say that in millions of homes these drugs are acquired on prescription by one member of the family but are used by several other members as well.

Under this bill, which was introduced mainly because of the public's fear of LSD, we will now have millions of new felons in the Nation every time medicine cabinets are opened and one member of the family gives a pill with stimulant or depressant properties to another member.

This is what has concerned me about the provisions of this bill. They are acceptable when applied to the traffic in LSD, but they are outrageous if applied across the board to every transfer of a control drug by one person to another, even if the law is not enforced in these instances.

This is why I considered amending the bill to allow felony penalties only for violations in connection with commercial transfer of the drugs controlled by the Food, Drug, and Cosmetic Act.

The Justice Department asked me to withhold the amendment. The Department claims that in many cases, prosecution becomes impossible if a sale or the intent to sell has to be proved.

I am not convinced that this is a legitimate argument. And I will look at it more closely when the Juvenile Delinquency Subcommittee resumes hearings on drug abuse next year.

At this time, however, the Justice Department has given assurance that felony indictments would not be instituted in cases of noncommercial possession or transfer of small amounts of drugs.

Senator Hill has included that assurance in the language of the report and with that expression of congressional intent in this matter, I think we have achieved some protection against the possibility of inequitable application of the law.

In that light, I think the bill will promote a more effective procedure for controlling the drug menace.

I want to commend the President for offering this bill as a part of his broad crime control program.

I want to commend Senator Hill for his able management of the bill in the Senate.

And, with the qualifications I have outlined, I want to commend this bill to the public as an expression and a part of this administration's active and effective effort to control the serious crime problem in the Nation.

Mr. HILL. Mr. President, I move the adoption of the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent to discuss a nongermane matter at this time, which I think is of transcendent importance.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE NUCLEAR NONPROLIFERATION TREATY

Mr. MANSFIELD. Mr. President, I ask permission to insert, at the conclusion of my remarks, the speech which the President made to the people of the Nation on yesterday.

The PRESIDING OFFICER. Without, objection, it is so ordered.

(See exhibit 1.)

Mr. MANSFIELD. In his statement, Mr. Johnson referred to the Nuclear Nonproliferation Treaty which, as the Senate knows, is on the Executive Calendar for consent to ratification. I also ask that there be included a statement which he issued today.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. MANSFIELD. Mr. President, I shall not comment on the President's remark to the effect that he will seriously consider—in consultation with the leadership—calling back the Senate after the election to deal with ratification of the treaty. We will cross that bridge when we come to it. Circumstances at that time will indicate the desirability, necessity, or possibility of that course. I merely wish at this time to point out that the President's statement underscores the importance of this treaty to the United States. He and his aides in the executive branch have performed a distinguished service for the Nation and for peace by helping to shape this treaty which has been signed by more than 80 nations. It is a monumental achievement which reflects great credit on the President and his administration. From the point of view of the leadership, the primary concern, as I see it, is to find the course in the Senate respecting its ratification which will best preserve, strengthen, and make effective this exceptional achievement.

The problem which confronts the Senate, in my judgment, is not the substance of the treaty; when the Senate has had ample opportunity to examine and weigh that substance, with appropriate detachment, I am confident the treaty will not be found wanting. Rather, it is the timing and circumstance in which the treaty comes before the Senate for consent to ratification that creates a difficulty.

Congressional attitudes at the eleventh hour of a session are facts of American political and legislative life. They are as old as the Federal Government. However they may be deplored, the leadership confronts them and must live with them.

I could be timid and say nothing. I could take unnecessary risks with the future of the treaty, and call it up. Or I can be practical, and face up to the facts as they are in the Senate at this time and this moment.

The closing days of a Congress change the climate for the conduct of business in the Senate. Shortly before a general election—as is the case now—the change is drastic. The rules of the Senate being as they are, a significant added burden is imposed on the proponents of any new course of action. Innovative proposals face formidable procedural obstacles—especially proposals which by their very nature should have full and thorough discussion. The burden of moving such measures can become insurmountable in the face of significant opposition at a late date in the life of a Congress.

These are the facts of Senate procedure which cannot be ignored or willed away. It is within that framework that the problem of calling up the Treaty on Nonproliferation of Nuclear Weapons has been considered by the leadership.

To be sure, the administration has consistently urged prompt Senate consideration and ratification of the treaty. To be sure, the treaty was reported with a very substantial vote of recommendation by the Committee on Foreign Relations. To be sure, the candidates of the two major political parties have voiced approval of the treaty.

Nevertheless, the leadership cannot ignore the negatives. The fact is that there were minority and individual views on treaty ratification which were attached to the report of the committee. There were innuendoes of prolonged discussion or delays on the floor from other Senate sources. Most significant, the leadership is confronted with the fact that while the Democratic candidate for the Presidency, Vice President Humphrey, has urged ratification of the treaty by the Senate at this time, the Republican candidate for the Presidency, former Vice President Nixon, at his press conference in Charlotte, N.C., on September 11, 1968—just a month ago today—stated, "I favor this treaty," but then added the caveat that ratification should be postponed during this Congress. As he put it, the treaty "should be implemented at a future time."

The juxtaposition of these two views, in my judgment, has the unfortunate consequence of projecting the ratification of the treaty into presidential politics. I am sure that that was not the intention of either of the candidates but in the absence of agreement between them on the timing of ratification that is bound to be the effect.

The leadership will not be a party to a partisan treatment of a matter which by its very nature is and must remain nonpartisan. In the Treaty on Nonproliferation, we are asking many nations—large and small—to forgo nuclear weapons. We are asking them to trust their very existence, in significant part, to the sobriety and continuity of our judgment in military nucleonics regardless of the political coloration of the administration which may be in power at any particular time in Washington. One certain way to do irreparable damage to that trust would be, in my judgment, to initiate the grave international responsibilities which would devolve upon this Nation under the treaty with a divisive political dispute over its ratification. A partisan vote in the Senate would be most damaging in its effects on the ratification process in other nations—only one of which, I am advised, has yet taken this final step to put the treaty into practice. Equally damaging would be to call up the treaty and then have the situation left in limbo because the Senate, under its rules, was unable, at this late date in the session, to bring itself to the point of deciding whether or not even to vote on ratification.

The leadership would note, that unlike legislation, the treaty remains within the jurisdiction of the Senate during the period of adjournment. On the day Congress convenes next January, therefore, the treaty will be before the Committee on Foreign Relations. I have received assurances that its consideration and reporting to the Senate will be the committee's first order of business at that time and I received those assurances from the ranking members of the committee concerned.

November will be behind us then, rather than before us. The act of ratification will be divorced from political overtone or disputation, irrespective of who may be President. In these circumstances, I believe that the virtues of the treaty, in addition to the support which has already been expressed by both major candidates, will insure its prompt ratification. In my judgment, a two-thirds majority exists for consent to ratification now. Barring the unforeseen, it will exist then.

May I say that I personally endorse the ratification of this treaty. My individual preference is for its ratification now. The leadership cannot fail to recognize, however, the high potential which is present for the injection of election-year politics into the question of ratification. The leadership cannot ignore the real possibility of a procedural wrangle leading to a dead end in these closing days of the session.

I reiterate, Mr. President, as a Senator from Montana, that I would prefer to act now. As majority leader, however, I take the responsibility for postponement of consideration of the treaty.

I take this course in the light of the procedural realities of the Senate. I take it in what I believe to be the best interests of this Nation which are involved—as the President has made so clear—in the broad international acceptance and the long-range effectiveness of this treaty.

EXHIBIT 1

REMARKS OF THE PRESIDENT FOR THE INTERNATIONAL LADIES GARMENT WORKERS UNION 1968 CAMPAIGN COMMITTEE PROGRAM

Thank you, Mr. Stulberg.

This is the third time that I have had the pleasure of appearing on this series of programs—in 1960, 1964, and now again this year.

Tonight I want to give you my thoughts about what is really at stake in this election. I should like to tell you why I feel that Americans should vote for Hubert Humphrey and Edmund Muskie—and a Democratic Congress on November 5th.

The other evening, Mrs. Johnson and I sat on the White House balcony—the one President Truman added 20 years ago. We looked across to the Washington Monument and to the Jefferson Memorial—the symbols of the greatness of our nation's past. We could see the broad avenue that runs between the White House and the Capitol—the home of the Congress.

Looking on this scene, our thoughts went back to some of the triumphs of past years:—triumphs of the people;—triumphs of progress over the status quo. TVA, REA, the S.E.C. and the Social Security Act. The Minimum Wage Act. Then, in the 1960's Medicare, Aid for Elementary and Secondary Schools, and the Higher Education Act. The Peace Corps. The test ban treaty. The Civil Rights Act of 1964, and Voting Rights in 1965. The war on poverty. A massive Housing Act that puts a decent home within the reach of every American family.

My fellow citizens, these were your triumphs.

President Kennedy and I—Vice President Humphrey and the Senators and Congressmen who wrote these laws—were your chosen instruments.

It was your support that made it possible for us to turn Democratic ideals into American achievements.

In 1960—and again in 1964—you rejected do-nothing, stand-pat politics. A great Congress went to work for you in 1965—went to work to heal and to build America.

But it is not enough to salute the past. America cannot stand still. And, as Mrs. Johnson and I sat there in the evening on that balcony, we thought of the challenges that the next President is going to face. And—yes—we thought of the challenges that our country faces right now in this election campaign.

On the one hand, there are harsh political voices in the air that seek to divide our country and our people, to set them against each other in mutual fear and suspicion. The man who stood at the school-house door, defying the law, is now pretending to be the apostle of order.

I don't believe many Americans will be fooled by that pose. I don't believe many people will be beguiled into thinking that order—in a democracy—can ever be achieved by empty rhetoric and violent appeals to emotion. Americans are too wise to waste their votes on a false prophet of fear.

Neither will they agree with Mr. Wallace when he says, "There is not a dime's worth of difference" between Mr. Nixon and Vice President Humphrey. Because the people know the record of both of these candidates.

They know that Nixon is the one who cast the tie-breaking vote that killed aid to education back when he was Vice President. They know that Nixon is the one who said that Medicare "would do more harm than good." And they know that Nixon is the one who speaks for the Republican Party—Mr. Nixon's Republican Party—that always opposes so much vital and progressive legislation.

The voters have now heard Mr. Nixon recently call for "delay" in adopting the treaty against the spread of nuclear weapons—the treaty we worked for, in so many forums, for so long a time—though further delay on our part will delay and jeopardize the acceptance of the treaty by other important nations, I think, to the lasting detriment of world peace and to our own American security.

So I warn those who postpone and procrastinate or delay this treaty. They will live to regret the day when they threw overboard everything that America has worked so long and so hard to try to achieve.

So then the record and the differences are quite clear. There is all the difference of daylight and darkness between the Nixon-Agnew-Republican record of reaction and recession—and the kind of forward-looking leadership that the Humphrey-Muskie ticket offers to you Americans.

I have known and I have worked with Hubert Humphrey for 20 years. When I was Majority Leader of the Senate, he was a leader of the progressive forces in the Senate. When I was Vice President, he was responsible for many of the finest legislative achievements of the Kennedy-Johnson Administration—as one of the Senate leaders—including the Peace Corps and the nuclear test ban treaty. He was also first to sponsor Medicare and the Food for Peace Program.

I asked Hubert Humphrey to be my running mate in 1964, for one simple reason: because I believed him to be the best qualified man to serve as President, in the event that I did not serve out my term. That was a paramount consideration for me—as it should be for every voter this year.

There have been twelve Presidents in this century. Four of them—one-third of our Twentieth Century Presidents—did not get to live to finish the term to which they were elected. So the intelligence, experience, and the integrity of the Vice Presidential nominee was of crucial significance to me back in 1964—as it must be to every American in 1968. Vice President Humphrey's choice of a running mate—Senator Edmund Muskie—has shown himself fit in every way, to serve a heartbeat from the Presidency.

Vice President Humphrey and Senator Muskie are among the ablest and most active leaders ever to serve this nation. They have been strong and forceful voices for creative new programs, and for the enduring values of our democracy.

Few men that I have ever known have understood our urgent national needs so well as Hubert Humphrey and Edmund Muskie.

From Hubert Humphrey's past—from so many years of elected responsibility—the direction his Presidency will take is quite clear. It is toward that better educated, better housed, healthier, more prosperous America that we have begun to achieve—all of us—during these past five years.

My fellow Americans, the gains America has made in these years were not won by the Republican Party; and they are not going to be held and enlarged by the Republican Party. Indeed, by their words in this election campaign, Republican candidates for the Presidency, the Vice Presidency and the Congress, have already promised to dismantle what you—the American people—have built in these years. They propose nothing more or less than to pull this nation downward, and to pull it back into another cycle of Republican reaction and inaction. And in doing so, they really promise to pull America apart.

So, as November 5th approaches, I ask you to consider the stakes—for you, consider the stakes for your family and your country. When that day comes, go to the polls then and vote your conscience. Vote for housing for yourself and for all Americans. Vote for jobs for your family and an expanding economy. Vote for better schools for your children and every child. Vote for better health for your family and every family.

Vote for men who will continue the search for ways to reduce the awful danger of nuclear war—who will work for an honorable settlement of conflicts that threaten world peace.

Vote for men whose entire lives have been given to the fight for justice and for progress, for human dignity in this great land of ours.

When you vote for Hubert Humphrey and Edmund Muskie, you will be voting for all of this—for progressive Democratic leadership in America.

During the past five years, this Administration, with Hubert Humphrey's and Edmund Muskie's tireless efforts, has fought to give a decent education to all of our children—from Head Start to graduate degrees. We have fought to improve the health of all of our people—from pre-natal care to Medicare.

We have fought to conserve and to beautify our land and waters, from city parts to national seashores—adding 2 million acres to our public recreation areas. We have fought to bring justice to all—from minorities that are denied full citizenship, to men denied an equal chance for a good job and a good home. We have fought to lift the curse of poverty from our land—and from the city tenement to rural slums.

And, while we have been doing all of this, we have broken all records for sustained and widespread prospertity. All of our people have shared in the blessings of 59 months of unparalleled growth, unprecedented job opportunities, unmatched earnings.

As we have helped ourselves, so have we reached out a hand to the weak and struggling nations who live in this world. We have helped them to build and to guard themselves from Communist aggression. And not a foot of free soil has been lost to Communism during this time.

I deeply regret that we have thus far been unable to bring the Vietnam conflict to an end—to achieve an honorable settlement of a war that we did not invite, but from which we could not run.

On March 31st, I did all that I knew to do when I announced the first step in what I hoped would be a mutual de-escalation of the hostilities. As you know, talks followed in Paris. I have high hopes that from the conference table in Paris will ultimately come an agreement to end the war. As you, of course, can imagine, I hope it will come soon—within the next few months. But if it does not come then—if North Vietnam maintains an intransigent policy that does not meet the minimal requirements of fairness, and that would jeopardize the lives of our men and the people of South Vietnam—I am determined that the next administration will find America, South Vietnam and our allies in a strong position on the battlefield.

The next President will have to face difficult foreign policy issues, just as President Kennedy and I had to face these issues. From what I have observed of Vice President Humphrey over more than twenty years, I believe that he has—in a unique measure—the understanding, the imagination, the commitment to freedom that this responsibility requires. I know of his love for this country. It is deep and it is genuine. I know of his great capacity to do good. It is endless. I believe that his new responsibility as President will enable both him and our country to achieve a new greatness. I look forward to the day when Hubert Humphrey will assume the splendid misery—the burden and the magnificent opportunities of the President of the United States.

Thank all of you. God bless you.

EXHIBIT 2

STATEMENT BY THE PRESIDENT

We have been trying, for a number of years, to reduce the threat that someday, somewhere, a limited nuclear war would break out—one that would grow to involve the major powers in a world-wide catastrophe.

For years our negotiators worked with those of many other nations, trying to hammer out language acceptable to the nuclear and non-nuclear powers alike. Finally, we reached agreement on a treaty to halt the spread of nuclear weapons.

When I went before the United Nations last June, just prior to its vote on the treaty, I described it as "a triumph of sanity and of man's will to survive." The treaty was overwhelmingly approved in the United Nations by a vote of 95 to 4.

Now it is before our Senate for ratification: We worked for this treaty for so many years for one basic reason: to make the world safer for ourselves and for every other nation that lives daily with the threat of nuclear disaster.

Every American President who has borne responsibility in the nuclear age has known that the danger to the United States would multiply as additional nations built or secured nuclear weapons—as additional fingers were placed on nuclear triggers.

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If we had permitted our views of totalitarian communism to control every aspect of our relations with communist states, we would not have joined them in a treaty forbidding the atmospheric testing of nuclear weapons. And the air today would be filled with poisonous radiation.

The test of whether we make any international agreement should be whether it serves our interest and the interest of world peace. The non-proliferation treaty, like the nuclear test ban treaty, clearly and obviously meets that test.

If we do not proceed to ratify this treaty promptly, the forces at work against it in other countries will quickly gain strength.

If the treaty does not go into effect soon, an increasing number of countries will see it in their national interest to go nuclear. Some may be about to do so. This is perhaps understandable on narrow nationalist grounds; but in every case it is our judgment that their security would be diminished—not increased—by develoipng small national nuclear capabilities.

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As President, I cannot see this happen without calling to the attention of the leaders of the Senate the consequences of postponement. I know that the pressures of the election are upon us. But so are the responsibilities we were elected to fulfill. I hope the Senate will act now, with the highest interests of the nation in mind.

But if the Members of the Senate find it impossible to remain and act now, I shall, after consulting with other world leaders and leaders of the Senate, seriously consider calling the Senate into special session. I consider the adoption of this treaty that important to the security of our nation and world peace.

Mr. AIKEN. Mr. President, will the Senator yield?

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Undoubtedly, the invasion of Czechoslovakia by Russian and other Communist troops has had its effect upon the American public. While I have not had a great many protests against the approval of the treaty, nevertheless I think it is necessary for us to consider the public's attitude in this instance.

Furthermore, some economic implications involved in the treaty need thorough explaining. Under article V, the United States would assume certain obligations. These obligations should be made clear, with our responsibility clearly delineated and interpreted, and probably limited in the implementing legislation. Otherwise, if we are to be guided by the testimony given by the members of the Atomic Energy Commission, we might be involved in providing an unlimited subsidy for international industry operating abroad.

I do not oppose the exploratory work that we could do for the national and international corporations in many countries, but I do think that our obligations and responsibilities under that article should be clearly explained so that such work could not be undertaken at the request of other countries, urged on by international corporations engaged in oil and mining development, thus causing the United States to incur expense without limit.

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Mr. MANSFIELD. Yes, indeed. Both the chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. FULBRIGHT], the acting chairman of the Committee on Foreign Relations, the Senator from Alabama [Mr. SPARKMAN], who has just spoken, and the ranking Republican Member to be next year, the distinguished Senator from Vermont [Mr. AIKEN], have all given their positive assurance that this would be the first order of business.

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Mr. SPARKMAN. I think the distinguished majority leader is correct.

Mr. MANSFIELD. Mr. President, I yield to the chairman of the Joint Committee on Atomic Energy.

Mr. PASTORE. Mr. President, I know how intimate the knowledge, how favorable the feeling our distinguished majority leader has with reference to the Nonproliferation Treaty. On this 11th day of October, 1968, I look back to another date when one of the greatest benefits for mankind in our time was

I take this course in the light of the procedural realities of the Senate. I take it in what I believe to be the best interests of this Nation which are involved—as the President has made so clear—in the broad international acceptance and the long-range effectiveness of this treaty.

EXHIBIT 1

REMARKS OF THE PRESIDENT FOR THE INTERNATIONAL LADIES GARMENT WORKERS UNION 1968 CAMPAIGN COMMITTEE PROGRAM

Thank you, Mr. Stulberg.

This is the third time that I have had the pleasure of appearing on this series of programs—in 1960, 1964, and now again this year.

Tonight I want to give you my thoughts about what is really at stake in this election. I should like to tell you why I feel that Americans should vote for Hubert Humphrey and Edmund Muskie—and a Democratic Congress on November 5th.

The other evening, Mrs. Johnson and I sat on the White House balcony—the one President Truman added 20 years ago. We looked across to the Washington Monument and to the Jefferson Memorial—the symbols of the greatness of our nation's past. We could see the broad avenue that runs between the White House and the Capitol—the home of the Congress.

Looking on this scene, our thoughts went back to some of the triumphs of past years:—triumphs of the people;—triumphs of progress over the status quo. TVA, REA, the S.E.C. and the Social Security Act. The Minimum Wage Act. Then, in the 1960's Medicare, Aid for Elementary and Secondary Schools, and the Higher Education Act. The Peace Corps. The test ban treaty. The Civil Rights Act of 1964, and Voting Rights in 1965. The war on poverty. A massive Housing Act that puts a decent home within the reach of every American family.

My fellow citizens, these were your triumphs.

President Kennedy and I—Vice President Humphrey and the Senators and Congressmen who wrote these laws—were your chosen instruments.

It was your support that made it possible for us to turn Democratic ideals into American achievements.

In 1960—and again in 1964—you rejected do-nothing, stand-pat politics. A great Congress went to work for you in 1965—went to work to heal and to build America.

But it is not enough to salute the past. America cannot stand still. And, as Mrs. Johnson and I sat there in the evening on that balcony, we thought of the challenges that the next President is going to face. And—yes—we thought of the challenges that our country faces right now in this election campaign.

On the one hand, there are harsh political voices in the air that seek to divide our country and our people, to set them against each other in mutual fear and suspicion. The man who stood at the school-house door, defying the law, is now pretending to be the apostle of order.

I don't believe many Americans will be fooled by that pose. I don't believe many people will be beguiled into thinking that order—in a democracy—can ever be achieved by empty rhetoric and violent appeals to emotion. Americans are too wise to waste their votes on a false prophet of fear.

Neither will they agree with Mr. Wallace when he says, "There is not a dime's worth of difference" between Mr. Nixon and Vice President Humphrey. Because the people know the record of both of these candidates.

They know that Nixon is the one who cast the tie-breaking vote that killed aid to education back when he was Vice President. They know that Nixon is the one who said that Medicare "would do more harm than good." And they know that Nixon is the one who speaks for the Republican Party—Mr. Nixon's Republican Party—that always opposes so much vital and progressive legislation.

The voters have now heard Mr. Nixon recently call for "delay" in adopting the treaty against the spread of nuclear weapons—the treaty we worked for, in so many forums, for so long a time—though further delay on our part will delay and jeopardize the acceptance of the treaty by other important nations, I think, to the lasting detriment of world peace and to our own American security.

So I warn those who postpone and procrastinate or delay this treaty. They will live to regret the day when they threw overboard everything that America has worked so long and so hard to try to achieve.

So then the record and the differences are quite clear. There is all the difference of daylight and darkness between the Nixon-Agnew-Republican record of reaction and recession—and the kind of forward-looking leadership that the Humphrey-Muskie ticket offers to you Americans.

I have known and I have worked with Hubert Humphrey for 20 years. When I was Majority Leader of the Senate, he was a leader of the progressive forces in the Senate. When I was Vice President, he was responsible for many of the finest legislative achievements of the Kennedy-Johnson Administration—as one of the Senate leaders—including the Peace Corps and the nuclear test ban treaty. He was also first to sponsor Medicare and the Food for Peace Program.

I asked Hubert Humphrey to be my running mate in 1964, for one simple reason: because I believed him to be the best qualified man to serve as President, in the event that I did not serve out my term. That was a paramount consideration for me—as it should be for every voter this year.

There have been twelve Presidents in this century. Four of them—one-third of our Twentieth Century Presidents—did not get to live to finish the term to which they were elected. So the intelligence, experience, and the integrity of the Vice Presidential nominee was of crucial significance to me back in 1964—as it must be to every American in 1968. Vice President Humphrey's choice of a running mate—Senator Edmund Muskie—has shown himself fit in every way, to serve a heartbeat from the Presidency.

Vice President Humphrey and Senator Muskie are among the ablest and most active leaders ever to serve this nation. They have been strong and forceful voices for creative new programs, and for the enduring values of our democracy.

Few men that I have ever known have understood our urgent national needs so well as Hubert Humphrey and Edmund Muskie.

From Hubert Humphrey's past—from so many years of elected responsibility—the direction his Presidency will take is quite clear. It is toward that better educated, better housed, healthier, more prosperous America that we have begun to achieve—all of us—during these past five years.

My fellow Americans, the gains America has made in these years were not won by the Republican Party; and they are not going to be held and enlarged by the Republican Party. Indeed, by their words in this election campaign, Republican candidates for the Presidency, the Vice Presidency and the Congress, have already promised to dismantle what you—the American people—have built in these years. They propose nothing more or less than to pull this nation downward, and to pull it back into another cycle of Republican reaction and inaction. And in doing so, they really promise to pull America apart.

So, as November 5th approaches, I ask you to consider the stakes—for you, consider the stakes for your family and your country. When that day comes, go to the polls then and vote your conscience. Vote for housing for yourself and for all Americans. Vote for jobs for your family and an expanding economy. Vote for better schools for your children and every child. Vote for better health for your family and every family.

Vote for men who will continue the search for ways to reduce the awful danger of nuclear war—who will work for an honorable settlement of conflicts that threaten world peace.

Vote for men whose entire lives have been given to the fight for justice and for progress, for human dignity in this great land of ours.

When you vote for Hubert Humphrey and Edmund Muskie, you will be voting for all of this—for progressive Democratic leadership in America.

During the past five years, this Administration, with Hubert Humphrey's and Edmund Muskie's tireless efforts, has fought to give a decent education to all of our children—from Head Start to graduate degrees. We have fought to improve the health of all of our people—from pre-natal care to Medicare.

We have fought to conserve and to beautify our land and waters, from city parts to national seashores—adding 2 million acres to our public recreation areas. We have fought to bring justice to all—from minorities that are denied full citizenship, to men denied an equal chance for a good job and a good home. We have fought to lift the curse of poverty from our land—and from the city tenement to rural slums.

And, while we have been doing all of this, we have broken all records for sustained and widespread prosperity. All of our people have shared in the blessings of 59 months of unparalleled growth, unprecedented job opportunities, unmatched earnings.

As we have helped ourselves, so have we reached out a hand to the weak and struggling nations who live in this world. We have helped them to build and to guard themselves from Communist aggression. And not a foot of free soil has been lost to Communism during this time.

I deeply regret that we have thus far been unable to bring the Vietnam conflict to an end—to achieve an honorable settlement of a war that we did not invite, but from which we could not run.

On March 31st, I did all that I knew to do when I announced the first step in what I hoped would be a mutual de-escalation of the hostilities. As you know, talks followed in Paris. I have high hopes that from the conference table in Paris will ultimately come an agreement to end the war. As you, of course, can imagine, I hope it will come soon—within the next few months. But if it does not come then—if North Vietnam maintains an intransigent policy that does not meet the minimal requirements of fairness, and that would jeopardize the lives of our men and the people of South Vietnam—I am determined that the next administration will find America, South Vietnam and our allies in a strong position on the battlefield.

The next President will have to face difficult foreign policy issues, just as President Kennedy and I had to face these issues. From what I have observed of Vice President Humphrey over more than twenty years, I believe that he has—in a unique measure—the understanding, the imagination, the commitment to freedom that this responsibility requires. I know of his love for this country. It is deep and it is genuine. I know of his great capacity to do good. It is endless. I believe that his new responsibility as President will enable both him and our country to achieve a new greatness. I look forward to the day when Hubert Humphrey will assume the splendid misery—the burden and the magnificent opportunities of the President of the United States.

Thank all of you. God bless you.

EXHIBIT 2

STATEMENT BY THE PRESIDENT

We have been trying, for a number of years, to reduce the threat that someday, somewhere, a limited nuclear war would break out—one that would grow to involve the major powers in a world-wide catastrophe.

For years our negotiators worked with those of many other nations, trying to hammer out language acceptable to the nuclear and non-nuclear powers alike. Finally, we reached agreement on a treaty to halt the spread of nuclear weapons.

When I went before the United Nations last June, just prior to its vote on the treaty, I described it as "a triumph of sanity and of man's will to survive." The treaty was overwhelmingly approved in the United Nations by a vote of 95 to 4.

Now it is before our Senate for ratification: We worked for this treaty for so many years for one basic reason: to make the world safer for ourselves and for every other nation that lives daily with the threat of nuclear disaster.

Every American President who has borne responsibility in the nuclear age has known that the danger to the United States would multiply as additional nations built or secured nuclear weapons—as additional fingers were placed on nuclear triggers.

We negotiated with the Soviet Union on the language of this treaty—not as a gift to the Soviet Union, nor as a matter of bridge-building between us, but because we were seeking a result in our own interest which they happened to share for their own reasons.

If we had permitted our views of totalitarian communism to control every aspect of our relations with communist states, we would not have joined them in a treaty forbidding the atmospheric testing of nuclear weapons. And the air today would be filled with poisonous radiation.

The test of whether we make any international agreement should be whether it serves our interest and the interest of world peace. The non-proliferation treaty, like the nuclear test ban treaty, clearly and obviously meets that test.

If we do not proceed to ratify this treaty promptly, the forces at work against it in other countries will quickly gain strength.

If the treaty does not go into effect soon, an increasing number of countries will see it in their national interest to go nuclear. Some may be about to do so. This is perhaps understandable on narrow nationalist grounds; but in every case it is our judgment that their security would be diminished—not increased—by develoipng small national nuclear capabilities.

So far as the United States is concerned, the advent of new nuclear powers could force upon us this dilemma:

Either withdrawing our influence and commitment from areas of the world which are vital to our interests; or

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Those who now argue for postponing ratification of the treaty must assume the grave responsibility for its failure—and for presenting our country with that dilemma.

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As President, I cannot see this happen without calling to the attention of the leaders of the Senate the consequences of postponement. I know that the pressures of the election are upon us. But so are the responsibilities we were elected to fulfill. I hope the Senate will act now, with the highest interests of the nation in mind.

But if the Members of the Senate find it impossible to remain and act now, I shall, after consulting with other world leaders and leaders of the Senate, seriously consider calling the Senate into special session. I consider the adoption of this treaty that important to the security of our nation and world peace.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

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However, there are, I think, good reasons for not taking up the treaty at this time. First, it would be almost certain to delay the adjournment of this body. It is entirely likely that if the entire Senate were present, a two-thirds vote would be available to approve the treaty; but with the limited attendance in the Senate these days, it is likely that the treaty would be defeated. I do not think its defeat would have a healthy effect on our world relations at this time. In fact, it may be recalled that the report of the majority of the Committee on Foreign Relations, while acknowledging the responsibility of the Senate so far as advice and consent are concerned, recommended that if the Senate gave consent to the President to approve the treaty, it should advise him not to do so too fast; to wait a while before doing so.

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Mr. MANSFIELD. Yes, indeed. Both the chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. FULBRIGHT], the acting chairman of the Committee on Foreign Relations, the Senator from Alabama [Mr. SPARKMAN], who has just spoken, and the ranking Republican Member to be next year, the distinguished Senator from Vermont [Mr. AIKEN], have all given their positive assurance that this would be the first order of business.

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Mr. SPARKMAN. I think the distinguished majority leader is correct.

Mr. MANSFIELD. Mr. President, I yield to the chairman of the Joint Committee on Atomic Energy.

Mr. PASTORE. Mr. President, I know how intimate the knowledge, how favorable the feeling our distinguished majority leader has with reference to the Nonproliferation Treaty. On this 11th day of October, 1968, I look back to another date when one of the greatest benefits for mankind in our time was achieved. That was in August of 1963 when we signed the Nuclear Test Ban Treaty.

I believe an equal triumph is within our reach—an historic highlight of this year—if we should ratify the Nonproliferation Treaty.

I think when the moment comes that we must vote either for ratification or against ratification, the vote will be a unanimous "yes" on the part of the U.S. Senate.

As the majority leader has already declared, debate and action on this treaty should not be had in an atmosphere of partisan politics. Certainly it should not become an issue in this campaign to the extent that one party might be for it or another party might be against it. This is a treaty that does not accommodate any particular nation as such. This is a treaty that accommodates humanity and serves the survival of mankind in our time.

I am intimately familiar with every section of the Nonproliferation Treaty—paragraph by paragraph, sentence by sentence. I am proud of my personal part.

It was I, the senior Senator from Rhode Island, who introduced in 1966 a resolution calling upon the President of the United States to exert every possible effort to bring about a consummation of this treaty. I need not recall how many signatories there were to that resolution. When the vote came up on the floor of the Senate, the vote was 84 to 0.

This Nonproliferation Treaty was mentioned time and time again during the international discussions had in Geneva as the world seeks the path to peace.

Mr. President, it is very unfortunate, indeed, it is tragic, that we have not been able to take action on this treaty before adjourning this session of Congress. Yet I can understand the reasons for the postponement. I repeat again, I know how the majority leader feels about this matter because of the atmosphere in which we are presently dwelling. But let us be aware of the facts and let us remember that the nuclear powers are giving up nothing in this treaty, whether it be the United States of America, whether it be Russia, whether it be Red China, whether it be France, or whether it be Great Britain. These are the five nuclear powers of our world today—and these nuclear powers are giving up nothing. Yet, more than 80 nations have already signed this treaty. And they are giving up all.

What are these nations pledging? No. 1 is that they will not fabricate a nuclear weapon. And No. 2—and this must be borne in mind—is that they are giving up the delicate position and posture of sovereignty. By signing the treaty they are giving to the International Atomic Energy Agency presiding in Vienna the right to inspect their territory and examine their nuclear reactors to make sure that there is no violation of this Nonproliferation Treaty.

All we are pledging is that the United States will not spread these bombs to any other country. And that is even today the policy of our Government. No one today in the United States can give away an atomic bomb. Congress would have to pass a law in order to permit it.

Therefore insofar as the nuclear powers are concerned, they are really the beneficiaries of this Nonproliferation Treaty, whether it be Russia, the United States, or the other three members of the nuclear club.

The point I make at this juncture is that it was not easy to get more than 80 signatures, and the peril of our time is that these nations could become disenchanted. And what if they did become disenchanted? What if we did have to start from the beginning and go through this long process? It has indeed been a tedious process right along, but it brings us to the point at which we are now. What if we lose this? We could lose our chance to serve the survival of mankind for all time. That is why I say it is so very important. Let no one—let no nation misinterpret the mood of the moment. We have no idea of repudiating this treaty.

So I would say to these more than 80 nations and I would say to all the other nations of the world, please do not misinterpret. Please do not misunderstand what we are doing here today. America is not repudiating this treaty. The Senate of the United States is not repudiating this treaty. The United States of America wants this treaty. The Senate of the United States wants this treaty. The only reason why we are delaying it at this time is in order not to be involved in a procedural embarrassment.

It would be a regrettable situation—it would be a tragic moment if, when the treaty was brought up, it became, for whatever reason, the object of parliamentary delaying tactics; for example, if the treaty did come up, a motion might be made to postpone action; and that motion might carry. Even worse, if the treaty came up, we might not be able to get the two-thirds vote necessary to ratify it, because of the conditions peculiar to these campaigning times.

That is why I say to this kindly man from Montana, our majority leader, that I realize how much this has weighed on his conscience, on his heart, and on his mind. What he is doing here today is not an easy step for him to take.

There will be criticism of this step. Editorials will be written throughout the country saying that MIKE MANSFIELD should have kept the Senate in session until we settled it one way or the other. Some of those editorials already have been written.

But I would only say this: MIKE MANSFIELD is being motivated only from a sense of doing what is right for his country and what is right for mankind. I hope that, when the time comes, we will stand up as a body and unanimously ratify the treaty, as we unanimously ratified that Senate Resolution 127 in May of 1966.

I compliment my distinguished colleague.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. LAUSCHE. Does the Senator take the position that the treaty now definitely gives the right to the international organization to make on-the-ground inspections and other inspections?

Mr. PASTORE. Of nonnuclear powers, but not of nuclear powers. That is the point I am making. The nonnuclear powers who do not have it and are giving up the right to make it are being subjected to a violation and an impingement of their sovereignty by allowing an international body to come in and inspect their territory; and we—the United States, Russia, and Great Britain—are not making that concession in the treaty. We of the United States are doing it only by way of courtesy. We have already voluntarily invited the international atomic energy agency to come here to inspect some of our reactors. But that is a good-will gesture on the part of the United States. We have not so agreed in the treaty, and neither has Russia so agreed.

Mr. LAUSCHE. Has Russia given the same commitment to the nations of the world?

Mr. PASTORE. Of course not.

Mr. LAUSCHE. It has not?

Mr. PASTORE. It has not done so.

Mr. LAUSCHE. So we have said the inspection agency may come into the United States and see whether we have violated the treaty, but Russia refuses to make that commitment.

Mr. PASTORE. Russia was never asked to make that commitment.

Mr. LAUSCHE. Well, it has not made the commitment.

Mr. PASTORE. Let me finish the thought.

Mr. LAUSCHE. Will the Senator please answer?

Mr. PASTORE. I do not want a sentence interrupted.

Mr. LAUSCHE. All right.

Mr. PASTORE. The Senator asked me a question, and I should like to answer it.

I am saying now that Russia was never asked to make such a commitment; we of the United States were never asked to make such a commitment. We have done it voluntarily in order to inspire and to convince Russia and the other nations that there really is no harm in it.

I am just as much disturbed about Russia not doing it as is the Senator from Ohio. I am not an advocate for Russia. I want that completely understood. All I am saying is that this treaty is not to accommodate Russia. This treaty is not to accommodate the United States. This treaty is to accommodate the survival of mankind, and I do not know how more simply I can say it.

Mr. LAUSCHE. Then, on the basis of what the Senator from Rhode Island has said, the United States voluntarily told the people of the world that, as a signatory to this treaty, it will allow all nations, especially the international organization, to come into our country to see if we are abiding by the terms of the treaty.

Mr. PASTORE. No; I did not say that.

Mr. LAUSCHE. Russia, however, has not followed the course that the United States has followed.

Mr. PASTORE. No.

Mr. LAUSCHE. Russia has not been asked, the United States has not been asked; therefore, we volunteered. Russia, however remains firm to the provisions in the treaty that the means of making inspection shall be studied for 18 months; and, at the end of 18 months, it is hoped that a plan will be devised on how inspection shall be made.

Mr. PASTORE. That is correct.

Mr. LAUSCHE. If there is no agreement on how the inspection shall be made, what will be the result?

Mr. PASTORE. Then the treaty becomes more or less inoperative. It is like everything else. If we pass an authorization and do not fund it, you get nothing. If we pass an education bill by authorization and do not appropriate the money, what do you have? You have a empty shell. The same is true with respect to this treaty.

I say to the Senator from Ohio that I have lived with this matter for many years. Since 1953 I have been a member of the Joint Committee of the Congress on Atomic Energy.

Mr. LAUSCHE. I have lived with it, also; so the Senator need not imply that I have not lived with it.

Mr. PASTORE. But the Senator has not lived with it as intimately as I have. It is one of my responsibilities.

I say to the Senator that we have not invited any nation to come here and inspect our military plants. That is taboo, and it should be. We have invited the International Atomic Energy Agency to come here and inspect an atomic plant at Rowe, Mass., which is a peacetime plant. Electricity is produced there. We also let them inspect the chemical plant where the fuel elements from the Rowe plant are reprocessed and the plutonium is recovered. We let them come in and show them that we take the plutonium out of the fuel elements at this plant and we do not use it to make a bomb. We do this so they may understand that the mere fact that an international team comes to look at a reactor producing electricity does not mean the giving away of military secrets.

On the other hand, we do not let them go to Oak Ridge or Los Alamos or Livermore, Calif., to check on our weapons work. Of course, we do not let them come here and show them where we are making a bomb. We do not allow anybody that privilege.

All I said was that we allow the international team to come in here and inspect some of our peacetime reactors. As far as the signatories to this agreement are concerned, they go beyond that. The team can go in to determine if they are making a bomb.

If the Senator suggests that certain other nations are giving up nothing and we are giving up everything, I say we are giving up nothing. The Committee on Foreign Relations went so far as to say that we were not committed on this question of nuclear blackmail.

So that adds nothing to nothing, and that makes a double nothing.

Mr. LAUSCHE. Then one has nothing in the end.

Mr. PASTORE. Oh, no.

Mr. LAUSCHE. Then one has nothing in the end, because the Committee on Foreign Relations and the representatives of the Government in testifying said we give up nothing; we still retain our power to veto in the United Nations any recommendation or any conclusion that might be reached by the countries.

We are in agreement on one thing: that there is no definite prescription about how inspection shall be made. A period of 18 months is allowed for the parties to agree on how inspection shall be effectively executed. I am one who has not subscribed to the adoption of the treaty at this time. I favored the treaty and I so stated during the hearings. I believe that my colleagues favored it.

The Senator from Alabama [Mr. SPARKMAN] has said there is uniformity of judgment that the treaty should be adopted but this is not the time. Why is it not the time?

Mr. PASTORE. Mr. President, will the Senator yield on that point?

Mr. LAUSCHE. I shall yield in a moment, but first I would like to complete my statement.

Mr. PASTORE. I thought it was I who had yielded to the Senator from Ohio.

Mr. LAUSCHE. The Senator did yield to me and I thank him. I listened to the Senator from Rhode Island, and now I would ask that the Senator listen to me.

Mr. PASTORE. Very well.

Mr. LAUSCHE. Mr. President, Czechoslovakia signed the treaty, Russia signed the treaty, and 80 other nations signed it. In the preamble of the treaty it was written that every signatory nation to the treaty promises that it will not invade the territory or the sovereignty of any other signatory nation.

Russia and Czechoslovakia were signatories. The nations of the world, 80 of them, took Russia's word. We took Russia's word. Russia said, "We promise not to invade any country, it's sovereignty, or its territories." Before the ink was dry, Russia marched into Czechoslovakia. Russia marched into Czechoslovakia and is still there.

Mr. PASTORE. Mr. President, will the Senator yield on that very point?

Mr. LAUSCHE. I yield.

Mr. PASTORE. The Senator is making a very emotional argument and I do not condone the Soviet action. I condemn the invasion of Czechoslovakia. I know that the wording quoted by the Senator is in the preamble. All I have said is that Russia is not giving up anything except what is involved in her promise that she will not peddle out these bombs.

Mr. LAUSCHE. She promised not to invade Czechoslovakia.

Mr. PASTORE. But that does not relate to proliferation. All I am talking about is the fact that these non-nuclear powers that do not have the bomb have agreed not to make the bomb and they have agreed to permit an international team to come in and inspect their operations.

It would not have any effect in Russia and it would not have any effect in the United States because both nations are actually producing nuclear weapons. What we are trying to do is to confine the nuclear club.

Mr. President, if you lose sight of that——

Mr. LAUSCHE. I agree with that.

Mr. PASTORE. Or if you get yourself into a discussion of Vietnam or Czechoslovakia, you get off the track a little. I realize that that was a horrible and dastardly thing they did in Czechoslovakia.

Mr. LAUSCHE. We agree now.

Mr. PASTORE. But we do not want Russia to give her nuclear bombs to Yugoslavia, Czechoslovakia, Poland, Red China, North Vietnam, or North Korea. That is all we want.

Mr. LAUSCHE. We are beginning to agree, but what I want to point out is that with Russian troops in Czechoslovakia, with Dubcek and Svoboda having the Sword of Damocles hanging over their necks, we owe an obligation to the people of Czechoslovakia and I say to the people of the world who have the courage to stand up and say, "We want liberty and freedom."

I am for the treaty, but I want Russia to understand we condemn most vigorously what she did in Czechoslovakia. We cannot subscribe to it, and I am sure the Senator from Rhode Island does not subscribe to it.

Mr. PASTORE. Of course I do not condone Moscow's action.

Mr. LAUSCHE. I understand that thoroughly.

Mr. PASTORE. I have been saying that right along.

Mr. LAUSCHE. But I do not want to be placed in a position that my ground for opposing this Nonproliferation Treaty adoption at this time, is wrong. It is right. It is right, because all liberty-loving people in the world ought to tell Russia, "You are inexcusably wrong. You are criminal in what you have done, and we want you to know about it."

Mr. RANDOLPH. Mr. President, will my distinguished colleague, the Senator from Rhode Island, yield for two or three observations?

Mr. PASTORE. I yield.

Mr. RANDOLPH. Mr. President, I have listened with intense interest to the able Senator from Rhode Island who has just spoken, especially as he discussed the basic reasons for the need for the ratification of the Nonproliferation Treaty.

I am in agreement on the reasons for action, if not now, then certainly early next year. The able Senator from Wisconsin [Mr. PROXMIRE] outlined the matter on Tuesday of this week in this body, and I advocated ratification on Wednesday in this Chamber.

I feel that if the present five nuclear powers were to be joined by 10 nuclear powers, 15 nuclear powers, or possibly 20 nuclear powers in the world, in a sense, we would place the world in the posture of beginning to destroy itself.

I commend the Senator from Rhode Island. His commendation of the majority leader is understood.

There is extreme regret on my part, that the treaty cannot be ratified in the Senate during this session of Congress. I believe the Senator from Rhode Island is also regretful that action on the treaty could not take place before we leave. He has set forth the problem of consideration at this time. It is unfinished business that should have been finished.

I add my voice this afternoon and I only wish I could have added my vote before adjournment to the ratification of the Nonproliferation Treaty in the interest of, not doing something to aid Russia, because we would not be doing that, or even aiding the United States, because we would not be doing only that, but to aid the peoples of the world, for today mankind is under an umbrella of possible destruction from nuclear holocaust.

Mr. PASTORE. Mr. President, unless there is further discussion on this matter, I will now call up the conference report.

The Senator from Connecticut [Mr. DODD] rose.

Mr. PASTORE. Does the Senator wish to speak on this agreement?

Mr. DODD. Yes.

Mr. SPARKMAN. Mr. President——

Mr. DODD. Mr. President, I yield to the Senator from Alabama with the understanding that I do not lose my right to the floor.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that he may do that.

The PRESIDING OFFICER. Without objection, it is so ordered.

CERTIFICATE OF APPRECIATION COMMEMORATING SERVICE OF SENATOR GEORGE A. SMATHERS TO THE NATIONAL SMALL BUSINESS COMMUNITY

Mr. SPARKMAN. Mr. President, I request unanimous consent to insert into the RECORD a certificate of appreciation by the members of the Select Committee on Small Business which commemorates the service of Senator GEORGE A. SMATHERS to the national small business community during the years that he served as a member and the chairman of the committee.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas Senator GEORGE A. SMATHERS of Florida has served honorably and faithfully as a member of the Select Committee on Small Business since February 6, 1953 and as the Chairman of the Committee from January 16, 1967 to January 3, 1969; and

Whereas throughout these many years he worked with single-minded devotion to foster the welfare and to preserve the interests of the national community of small business firms; and

Whereas he sponsored and fought through to passage much of the legislation designed by the Congress to improve the economic position of small businessmen; and

Whereas as Chairman of this Committee he skillfully led the Committee into studies and investigations of complex problem areas of small business; and

Whereas by directing national attention to such problem areas he was successful in providing legislative remedies, notably in the field of insurance protection for small businessmen who become the victims of criminal acts; and

Whereas his colleagues on this Committee are keenly aware of the benefits to small business of his vision and leadership: Therefore be it

Resolved, They now unite in expressing their appreciation of the opportunity to share with GEORGE A. SMATHERS the richly rewarding experience of striving to preserve and to perfect our free enterprise system through strengthening the small business segment of our national economy.

JOHN SPARKMAN, RUSSELL B. LONG, WAYNE MORSE, ALAN BIBLE, JENNINGS RANDOLPH, E. L. BARTLETT, HARRISON A. WILLIAMS, JR., GAYLORD NELSON, JOSEPH M. MONTOYA, FRED R. HARRIS, JACOB K. JAVITS, HUGH SCOTT, NORRIS COTTON, PETER H. DOMINICK, HOWARD H. BAKER, MARK O. HATFIELD.

Mr. SPARKMAN. Mr. President, while I am a signer of that resolution, I want to say that GEORGE SMATHERS has done a remarkably fine job for several years while he was a member of the committee and chairman of the subcommittee.

Mr. SMATHERS. Mr. President, I am very grateful to the distinguished Senator from Alabama for bringing this matter to the attention of the Senate.

I have enjoyed my work on the committee more than I can ever say. I have considered it a high honor to have been selected to serve as chairman. One attribute which I think we on the committee tried to emulate was the qualities previously demonstrated by the greatest chairman I think the Small Business Committee ever had, the distinguished Senator from Alabama [Mr. SPARKMAN]. As a matter of fact, the committee's first chairman was the Senator from Alabama. I know that the small business community of the Nation has benefited greatly because of his long expressed interest. I am pleased that I could carry on much of the good work which he began. I am very grateful to him.

ACHIEVEMENTS OF THE COMMITTEE ON BANKING AND CURRENCY DURING SECOND SESSION OF THE 90TH CONGRESS

Mr. SPARKMAN. Mr. President, I ask unanimous consent to have printed in the RECORD a memorandum showing the achievements of the Committee on Banking and Currency during the second session of the 90th Congress.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

OCTOBER 11, 1968.

MEMORANDUM

To: Senator SPARKMAN.

From: Lewis G. Odom, Jr.

Subject: Achievements of the Banking and Currency Committee during the second session of the 90th Congress.

During the Second Session of the 90th Congress the Senate acted favorably upon 22 bills which were handled by the Committee. Of these 19 have become public law. I am listing below information concerning each of the bills handled by the Committee in this session.

S. 5 (Mr. Proxmire); passed Senate July 11, 1967; P.L. 90–321; provided for the protection of consumers by requiring full disclosure of the terms and conditions of finance charges in credit transactions or in offers to extend credit; restricted the garnishment of wages; created the National Commission on Consumer Finance to study and make recommendations on the need for further regulation of the consumer finance industry. (S. Rept. 392, June 29, 1967; passed House February 1, 1968; approved May 29, 1968)

S. 356 (Mr. Hart); passed Senate July 11, 1968; would permit the establishment and operation of branch offices by the Michigan National Bank. (S. Rept. 1374, July 9, 1968)

S. 510 (Mr. Williams); passed Senate August 30, 1967; P.L. 90–439; provided for the full disclosure of corporate equity ownership of securities under the Securities Exchange Act of 1934. (S. Rept. 550, August 29, 1967; passed House July 15, 1968; approved July 29, 1968)

S. 1155 (Mr. Sparkman); passed Senate August 11, 1967; P.L. 90–267; changed the name of the Export-Import Bank of Washington to the Export-Import Bank of the United States and extended for 5 years the period within which the Bank is authorized to exercise its functions and increased the Bank's lending authority and its authority to issue export credit insurance and guarantees and to restrict the financing of certain transactions. (S. Rept. 493, August 4, 1967; passed House February 7, 1968; approved March 13, 1968)

S. 1299 (Mr. Sparkman); passed Senate June 19, 1968; P.L. 90–437; amended the Securities Exchange Act of 1934 to permit the regulation of the amount of credit that may be extended and maintained with respect to securities that are not registered on a national securities exchange. (S. Rept. 1264, June 18, 1968; passed House July 15, 1968; approved July 29, 1968)

S. 1542 (Mr. Sparkman); passed Senate June 26, 1967; P.L. 90–255; amended the National Housing Act to provide for the regulation of savings and loan holding companies and subsidiary companies. (S. Rept. 354, June 23, 1967; passed House January 23, 1968; approved February 14, 1968.)

S. 1909 (Mr. Moss); passed Senate July 21, 1967; P.L. 90–303; provided for the striking of medals in commemoration of the 100th anniversary of the completion of the first transcontinental railroad. (S. Rept. 404, July 18, 1967; passed House May 6, 1968; approved May 10, 1968.)

S. 3133 (Mr. Sparkman); passed Senate July 24, 1968; P.L. 90–505; would extend for two years the authority for more flexible regulations of maximum rates of interest or dividends, higher reserve requirements and open market operations in agency issues. (S. Rept. 1343, June 28, 1968; passed House September 16, 1968; approved September 21, 1968.)

S. 3497 (Mr. Sparkman); passed Senate May 28, 1968; P.L. 90–448; this was the Housing and Urban Development Act of 1968. Its major provisions included: (a) authorization of new programs of subsidies to reduce the mortgage interest rate for lower income families purchasing their own homes; (b) establishment of a high risk insurance fund in FHA to enable FHA to approve home loan applications from buyers who cannot meet the regular standards or for the purchase of homes in neighborhoods which do not meet present mortgage insurance requirements; (c) authorization of interest free loans to cover preconstruction expenses of nonprofit housing sponsors and creation of a National Homeownership Foundation; (d) authorization for HUD to assist in the development of new communities; (e) provision of a more flexible basis of annual increments of planned renewal activities; (f) increase of the maximum possible rehabilitation grant and broadened the projects eligible for these grants; (g) requirement that in the future a majority of housing units provided must be for low- and moderate-income families; (h) placing FNMA's secondary market operation in a new privately owned corporation; (i) authorization for the Farmers Home Administration to make direct and insured loans available to low-income families in rural areas at low interest rates; (j) authorization of a new program for Federal reinsurance against loss from riots and civil disorders in order to encourage property insurance companies to increase the eligibility of essential property insurance; (k) authorization of a new program of Federal assistance to private insurance companies to encourage them to provide property insurance against flood hazards; (1) provision for a new program in HUD to prevent abuses in the interstate sales of land; (m) authorization for a new program of FHA insurance to cover the construction and equipping of nonprofit hospitals; (n) an increase in the authorization for fiscal 1969–1970 for the Model Cities Program; (o) expansion of the Federal program which aids the construction of college housing; and (p) provision for the establishment of national housing partnerships to encourage the greater use of private financial institutions in increasing the supply of housing for low- and moderate-income families. (S. Rept. 1122, May 15, 1968; passed House July 10, 1968; approved August 1, 1968.)

S. 3531 (Mr. Baker and Mr. Gore); passed Senate October 10, 1968; provided for the striking of medals in commemoration of the one hundred and fiftieth anniversary of the founding of the city of Memphis. (S. Rept. 1615, October 8, 1968. On October 11, 1968 the Senate passed an identical bill, H.R. 17361. H.R. 17361 was reported to the House on July 23, 1968 (H. Rept. 1783) and passed the House Sept. 16, 1968.)

S. 3671 (Mr. McIntyre); passed Senate July 8, 1968; P.L. 90–528; would provide for the striking of medals in commemoration of the 200th anniversary of the founding of Dartmouth College. (S. Rept. 1359, July 2, 1968; passed House Sept. 16, 1968; approved September 28, 1968.)

S. 3724 (Mr. Sparkman); passed Senate July 26, 1968; would amend the Investment Company Act of 1940 and the Investment Advisers Act of 1940 to define the equitable standards governing relationships between investment companies and their investment advisers and principal underwriters, and for other purposes. (S. Rept. 1351, July 1, 1968)

H.R. 6157 (Mr. Patman); passed Senate June 13, 1968; P.L. 90–365; permits Federal employees to save through the payroll savings plan by having up to two payroll deductions for deposit with commercial banks, savings banks, credit unions or savings and loan associations. (S. Rept. 1228, June 12, 1968; passed House February 5, 1968; approved June 29, 1968)

H.R. 10477 (Mr. Teague); passed Senate April 19, 1968; P.L. 90–301; increased the maximum amount of guarantee available for VA-guaranteed home loans; provided that the VA could set the interest rate at a level which is necessary to meet the mortgage market but no higher than that set by HUD; established a commission to study mortgage interest rates; and otherwise increased the aid available to veterans in home buying matters. (S. Rept. 1090, April 10, 1968; passed House March 26, 1968; approved May 7, 1968)

H.R. 14743 (Mr. Patman); passed Senate March 14, 1968; P.L. 90–269; repealed the requirement that gold reserves be maintained for Federal Reserve notes, U.S. notes, and Treasury notes of 1890. (S. Rept. 1007 on S. 2857, a companion bill, February 20, 1968; passed House February 21, 1968; approved March 18, 1968)

H.R. 14907 (Mr. Patman); passed Senate June 19, 1968; P.L. 90–375; amended the Federal Credit Union Act in order to modernize and update its provisions so that Federal credit unions can meet the growing needs of their members. (S. Rept. 1265, June 18, 1968; passed House May 27, 1968; approved July 5, 1968)

H.R. 15344 (Mr. Patman); passed Senate April 24, 1968; P.L. 90–300; extended for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury (S. Rept. 1091, April 22, 1968; passed House March 28, 1968; approved May 4, 1968)

H.R. 15345 (Mr. Patman); passed Senate June 19, 1968; P.L. 90–389; provided for the establishment of minimum security measures for banks and other financial institutions and provided for the apointment of the Federal Savings and Loan Insurance Corporation as receiver under certain circumstances. (S. Rept. 1263, June 18, 1968; passed House May 6, 1968; approved July 7, 1968)

H.R. 16162 (Mr. Patman); passed Senate June 18, 1968; P.L. 90–390; authorized the Export-Import Bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States. (S. Rept. 1100 on S. 3218, a companion bill, May 1, 1968; passed House June 12, 1968; approved July 7, 1968)

H.R. 17268 (Mr. Patman); passed Senate June 26, 1968; P.L. 90–370; extended the Defense Production Act for 2 years; increased the amount available for appropriations for the Joint Committee on Defense Production; and directed a study to consider applying uniform accounting standards to be used for negotiated defense prime contracts and subcontracts. (S. Rept. 1322, June 25, 1968; passed House June 4, 1968; approved July 1, 1968)

S.J. Res. 160 (Mr. Sparkman); passed Senate June 18, 1968; P.L. 90–438; amended the Securities Exchange Act of 1934 to authorize an investigation of the effect on the securities market of the operation of institutional investors. (S. Rept. 1237, June 17, 1968; passed House July 15, 1968; approved July 29, 1968)

H.J. Res. 1234 (Mr. Clawson); passed Senate May 8, 1968; P.L. 90–316; provided for the issuance of a gold medal to the widow of the late Walt Disney and for the issuance of bronze medals to the California Institute of Arts in recognition of the distinguished public service and the outstanding contributions of Walt Disney to the United States and to the world. (S. Rept. 541 on S.J. Res. 93, a companion bill, August 25, 1967; passed House May 6, 1968; approved May 24, 1968)

S. Con. Res. 33 (Mr. Proxmire); passed Senate January 24, 1968; would express the sense of the Congress that the Joint Economic Committee should include in its investigations an analysis of the growth and movement of population in the United States. (S. Rept. 950, January 23, 1968)

24 nominations were acted on by the Committee and approved by the Senate.

TRIBUTE FROM A SMALL BUSINESSMAN

Mr. SPARKMAN. Mr. President, I have just received a copy of a letter written to John E. Horne, Chairman of the Home Loan Bank Board, and formerly administrator of the Small Business Administration, by Mr. Elbert E. Ponder of Cullman, Ala. Mr. Ponder is a leading force in the small business community and heads the Cullman Metalcraft, Inc.

The letter shows what can be done under section 502 of the Small Business Act. He writes:

> During the past year, Cullman Metalcraft, Incorporated, paid in taxes to the State of Alabama $36,614.69 and to the Federal Government $535,079.95 plus interest on the money borrowed, making a total in taxes of $571,694.64.

Mr. President, I think this is a wonderful testimonial as to what the small business program can do.

I ask unanimous consent to have the letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CULLMAN, ALA.,
October 4, 1968.

JOHN E. HORNE,
Chairman, Federal Home Loan Bank Board,
Washington, D.C.

DEAR JOHN: Three years ago you were very kind and helpful to me when I was seeking a SBA loan for our company. Without your assistance I do not feel that same would have been accomplished. We are most grateful to you.

As a result of our obtaining a Small Business Administration loan of $350,000, our company has grown steadily from sixty people until it now employs three hundred fifty nine people.

Besides the many benefits to our community, it has been a good investment for the government. During the past year, Cullman Metalcraft, Inc., paid in taxes to the State of Alabama $36,614.69 and to the Federal Government $535,079.95 plus interest on the money borrowed, making a total in taxes of $571,694.64.

We appreciate what you and the Small Business Administration have done for Cullman Metalcraft.

The program at Bayley's Restaurant was one of the best. You were great.

Sincerely,

ELBERT E. PONDER.

ORDER OF BUSINESS

Mr. PASTORE. Mr. President, I would hope now that I would be——

Mr. DODD. Mr. President, I should like to straighten out a point here. I have the floor. I am perfectly willing to yield to the Senator from Rhode Island. I would be very happy to do so.

Mr. PASTORE. Mr. President, I have the floor. *I yielded to the Senator from* Connecticut.

Mr. DODD. I was recognized and I yielded to the Senator from Alabama [Mr. SPARKMAN].

Mr. PASTORE. Mr. President, who has the floor?

The PRESIDING OFFICER (Mr. RANDOLPH in the chair). The Senator from Rhode Island has the floor, and he has yielded to the Senator from Connecticut.

Mr. DODD. It is not an important issue, but the fact is, and I am sure the staff knows and the Senator from Alabama [Mr. SPARKMAN] knows, that I did get recognized and after that I was permitted to yield to the Senator from Alabama with the understanding that I would not lose my right to the floor.

I am not trying to deprive the Senator from Rhode Island of the floor. I want to hear him always.

I was only trying to protect myself later on. I do not wish to fuss with the Senator from Rhode Island on any occasion.

Mr. PASTORE. The Senator from Rhode Island has just come back from a conference that lasted from 10 o'clock until almost 1 o'clock, and when I went to my office I was told that the majority leader wanted me here on the conference report. It is a privileged matter and will take only 5 minutes and then it will be over and I will yield the floor.

Mr. DODD. I just wanted the parliamentary situation made clear.

The PRESIDING OFFICER. The Chair would state that he takes the advice of the gentlemen who sit here and they say that, at the time, the Senator from Rhode Island had the floor. The RECORD so indicates.

Mr. DODD. With all due respect, the RECORD is in error.

Mr. LAUSCHE. I would only state that all discussion stopped and the Senator from Rhode Island stood up and asked for the floor and was recognized—I mean the Senator from Connecticut.

Mr. PASTORE. Mr. President, now we are adding confusion to confusion. [Laughter.]

FOREIGN ASSISTANCE AND RELATED AGENCIES APPROPRIATION BILL, 1969—CONFERENCE REPORT

Mr. PASTORE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 19908) making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1969, and for other purposes. I ask unanimous consent for the present consideration of the report.

The **PRESIDING OFFICER.** The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of October 10, 1968, pages 30613–30614, CONGRESSIONAL RECORD.)

The **PRESIDING OFFICER.** Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The **PRESIDING OFFICER.** The clerk will state the amendment No. 4 in disagreement.

The assistant legislative clerk read as follows:

> *Resolved,* That the House recede from its disagreement to the amendment of the Senate numbered 4 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the sum stricken and inserted, insert the following: "$81,500,000, of which not less than $350,000 shall be available only for the Partners of the Alliance:".

Mr. PASTORE. Mr. President, I move that the Senate concur in the House amendment to Senate amendment No. 4.

The **PRESIDING OFFICER.** The Chair would advise the Senator from Rhode Island that that is not in order until the conference report has been adopted.

Mr. PASTORE. Mr. President, I move adoption of the conference report.

The motion was agreed to.

Mr. PASTORE. Mr. President, I reiterate my motion that the Senate concur in the House amendment to Senate amendment No. 4.

The motion was agreed to.

Mr. PASTORE. Mr. President, I ask unanimous consent to have printed in the RECORD a table entitled "Summary of the Bill, H.R. 19908." This includes the amount in the budget estimate, the amounts agreed to in the House, the amounts agreed to in the Senate, and the final conference figure.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF THE BILL (H.R. 19908)

TITLE I—FOREIGN ASSISTANCE

Item	New budget (obligational) authority, 1968	Budget estimates of new (obligational) authority, 1969	House bill	Senate bill	Conference action
FUNDS APPROPRIATED TO THE PRESIDENT					
ECONOMIC ASSISTANCE					
Technical cooperation and development grants	$180,000,000	$235,000,000	$150,000,000	$200,000,000	$167,000,000
Surveys of investment opportunities	1,250,000	3,000,000			
American schools and hospitals abroad	11,500,000	15,100,000	14,600,000	14,600,000	14,600,000
Special foreign currency program	*(5,986,000)*	*(3,100,000)*	*(5,100,000)*	*(5,100,000)*	*(5,100,000)*
International organizations and programs	130,000,000	142,255,000	119,000,000	134,900,000	125,000,000
U.N. Children's Fund			1,000,000	1,000,000	1,000,000
Loan program		12,000,000		12,000,000	12,000,000
Supporting assistance	600,000,000	595,000,000	365,000,000	365,000,000	365,000,000
Contingency fund	8,875,000	45,000,000	5,000,000	5,000,000	5,000,000
Alliance for Progress:					
Technical cooperation and development grants	80,000,000	110,000,000	70,000,000	90,000,000	81,500,000
Partners of the Alliance	330,000			350,000	
Development loans	389,000,000	515,000,000	200,000,000	330,000,000	255,000,000
Development loans	435,000,000	765,000,000	265,000,000	350,000,000	300,000,000
Administrative expenses, AID	[a]56,365,000	58,775,000	51,000,000	51,000,000	51,000,000
Administrative expenses, State	[b]3,315,000	3,870,000	3,500,000	3,500,000	3,500,000
Subtotal, economic assistance	[1] 1,895,635,000	[2] 2,500,000,000	1,244,100,000	1,557,350,000	1,380,600,000
MILITARY ASSISTANCE					
Military assistance	[3] 500,000,000	[3] 420,000,000	375,000,000	375,000,000	375,000,000
Limitation on administrative expenses	*(21,400,000)*	[4] *(21,000,000)*	*(21,000,000)*	*(21,000,000)*	*(21,000,000)*
Total, title I, foreign assistance	[2] 2,395,635,000	[2] 2,920,000,000	1,619,100,000	1,932,350,000	1,755,600,000

TITLE II—FOREIGN ASSISTANCE (OTHER)

Item	New budget (obligational) authority, 1968	Budget estimates of new (obligational) authority, 1969	House bill	Senate bill	Conference action
FUNDS APPROPRIATED TO THE PRESIDENT					
Peace Corps	107,500,000	112,800,000	100,000,000	104,000,000	102,000,000
Limitation on administrative expenses	*(28,400,000)*	*(30,300,000)*	*(29,500,000)*	*(29,500,000)*	*(29,500,000)*
DEPARTMENT OF THE ARMY—CIVIL FUNCTIONS					
RYUKYU ISLANDS					
Administration	15,078,000	20,772,000	20,772,000	20,772,000	20,772,000
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE					
Assistance to refugees in the United States	[5] 53,500,000	[6] 69,774,000	69,774,000	69,774,000	69,774,000
DEPARTMENT OF STATE					
Migration and refugee assistance	5,500,000	5,485,000	5,485,000	5,485,000	5,485,000
FUNDS APPROPRIATED TO THE PRESIDENT					
Asian Development Bank		20,000,000	20,000,000	20,000,000	20,000,000
Inter-American Development Bank	300,000,000	[7] 505,880,000	505,880,000	505,880,000	505,880,000
International Development Association	104,000,000				
Total, title II, foreign assistance (other)	585,578,000	734,711,000	721,911,000	725,911,000	723,911,000

TITLE III—EXPORT-IMPORT BANK

Item	New budget (obligational) authority, 1968	Budget estimates of new (obligational) authority, 1969	House bill	Senate bill	Conference action
Limitation on program activity	*(2,672,000,000)*	[8] *(2,552,050,000)*	*(2,552,050,000)*	*(2,552,050,000)*	*(2,552,050,000)*
Limitation on administrative expenses	*(4,190,000)*	*(4,932,000)*	*(4,932,000)*	*(4,932,000)*	*(4,932,000)*
Total, title III, Export-Import Bank	*(2,676,190,000)*	[8] *(2,556,982,000)*	*(2,556,982,000)*	*(2,556,982,000)*	*(2,556,982,000)*
Grand total, all titles of the bill	2,981,213,000	3,654,711,000	2,341,011,000	2,658,261,000	2,479,511,000

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[a] Includes $1,065,000 derived from contingency fund appropriation for Pay Act costs.

[b] Includes $60,000,000 derived from contingency fund appropriation for Pay Act costs.

[1] Unobligated balances as of June 30, 1967, reappropriated.

[2] Unobligated balances as of June 30, 1968, requested to be reappropriated. President's budget contained no definite estimate.

[3] Funds for programs in Vietnam, Laos, Thailand, and for NATO infrastructure are now contained in Department of Defense appropriation accounts and estimates.

[4] Budget did not propose a limitation.

[5] Includes $4,500,000 of unobligated balances as of June 30, 1967, reappropriated.

[6] Includes $9,500,000 contained in H. Doc. 355.

[7] Includes $205,880,000 contained in H. Doc. 355.

[8] Reflects revised lending program as contained in H. Doc. 355.

Mr. PASTORE. Mr. President, I merely want to say this, and then I shall be prepared to answer any questions, that the amount of the bill approved is $2,479,511,000. The bill as approved by the conference is $138.5 million above the House figure, and $239.2 million under the authorization.

I also want to say to my colleagues in the Senate that I am more than a little disappointed and not too happy with the results. The House, however, was adamant in conference. I believe that my stand will be sustained and corroborated by my good colleague from Colorado [Mr. ALLOTT], who is the ranking Republican member. We tried the best we could to retain all the money that had been restored by the Senate but, figuratively speaking, we hit a stone wall. It looked pretty much as though the whole bill might be in jeopardy. This would have been a tragedy, because this includes the Ryukyu Islands, and Okinawa, the Peace Corps, and several other programs. We might then have gone home without passing the Senate bill—I do not think this would have disappointed some people, but it would have hurt most Americans—it would have been a tragic affair. For that reason, we finally agreed on this figure, and I hope that the Senate will accept it.

Mr. ALLOTT. Mr. President, the Senator from Rhode Island is entirely correct in his statements. We did hit a stone wall. I, like him, am not happy about that; but in conference we did do everything we could to sustain the position of the Senate.

I say very frankly that, in my opinion, the distinguished Senator from Rhode Island was extremely patient and showed a great amount of self-control during the various negotiations. If it had not been for him, I doubt that we would have been able to arrive at a conference agreement at all. He deserves this credit and I am very happy to acknowledge it here on the floor of the Senate.

Mr. PASTORE. Mr. President, one good compliment deserves another. I am not flattering my friend because of his generosity, but I would like to make this comment. We are 100 Members in the Senate and I have to deal with many of them. I get along with most of them. But I want to say to the Senator from Colorado that it is always a pleasure to have him at my side and work with him. We may not always agree, but we never disagree disagreeably. It is a pleasure to have worked with him.

I want also to compliment the entire staff at this time for their cooperation and the magnificient job they did. They have rendered a valuable public service to their country.

Mr. JAVITS. Mr. President, I ask unanimous consent that there be printed as a part of my remarks the text of an address by former Secretary of Defense Robert McNamara, who is now President of the International Bank for Reconstruction and Development to the Board of Governors of the Bank on September 30.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 1.)

Mr. JAVITS. Mr. President, I believe that we have mercilessly cut the foreign aid appropriations. I believe this action is ill-advised considering the tremendous purpose it serves in endeavoring to narrow the gap between the have nations and the have-not nations. As Mr. McNamara's address points out, this gap is growing rather than contracting.

It will be recalled that I saw this coming, and in the foreign aid bill there is included a provision calling for a report from the President next year as to new ways in which the substance of foreign aid may be dealt with, including the possibility of using a corporate form which would give us a sort of business-government partnership in this field. I have made proposals in this connection, as have other Senators.

I note with deep interest that Robert McNamara, with his customary perspicacity, has established a commission headed by Mr. Lester B. Pearson, formerly a Prime Minister of Canada to review the worldwide needs of developing nations for external financial aid in the coming decades.

I rise today to state that if I am returned to the Senate, I shall devote myself with great fidelity to this task which I consider to be one of the most urgent tasks before us. I have been active in this field, although perhaps not as active as others, in connection with the establishment of the Adela Investment Co. in Latin America, and in many other ways.

I express to the associates of the President in the State Department who will be dealing with the report called for by the foreign aid authorization bill the necessity for getting not only the best thinking on this subject but, if possible, being able to propose some coordinated plan which will tie in the International Bank, the International Monetary Fund, the International Finance Corp., and the International Development Association, such regional institutions as the Inter-American Development Bank and the Asian Development Bank and any other development agencies that exist in the world, even though they may not be in our country, such as the German Development Corp. and the Commonwealth Development Co.

In that way we may have before us not only our own thinking, but a global understanding of what is being done in the foreign aid field by the public and private sectors and what could be done and what should be done so that we can proceed, as we must, not only in the realm of what we can afford or what we want to do or what we think possible for us to do, but also with an understanding of the world need. It can then be determined how the world is going about filling that need and how we may fill this continuing and growing gap between developed and developing nations.

I hope our planners will pay strict attention to my amendment and give it serious consideration.

Exhibit 1

Text of Address by Robert McNamara
World Bank's New President

This is my first public speech as president of the World Bank, and I speak to you with some diffidence as a newcomer with only half a year's experience in this post—but perhaps the half year in my whole life in which I have felt myself most challenged by the prospect before me.

I have always regarded the World Bank as something more than a bank, as a development agency, and when I came here six months ago I was not entirely a stranger to the problems of world development. As American Secretary of Defense I had observed, and spoken publicly about, the connection between world poverty and unstable relations among nations; as a citizen of the world I had begun to sense the truth in Pope Paul's dictum that "Development is Peace." Yet I was uneasily aware that as the peoples of the world looked at the sixties—the United Nations' development decade—they felt a deep sense of frustration and failure. The rich countries felt that they had given billions of dollars without achieving much in the way of development; the poor countries felt that too little of the enormous increases in the wealth of the developed world had been diverted to help them rise out of the pit of poverty in which they have been engulfed for centuries past.

NO CLEAR JOINT STRATEGY

How far is this mood of frustration and failure justified by the events of the past decade? I have sought to find out the truth about this, but I confess, though there have been many voices only too anxious to answer my question, each with a panoply of statistics to prove its point, there is no agreed situation report, nor any clear joint strategy for the future.

There have been successes: many millions in aid have been forthcoming from the developed world, and as a result of that aid and of their own increased capacity to manage their affairs, the economic growth of the poorer countries has been stimulated.

Let us make no mistake; aid does work, it is not money wasted, it is a sound investment. Even the ultimate goal of the development decade, an annual rise in national incomes in the poorer countries of 5 per cent by 1970 is likely to be achieved: the average annual growth thus far has been 4.8 per cent.

And yet . . . you know and I know that these cheerful statistics are cosmetics which conceal a far less cheerful picture in many countries. The oil-rich nations of the Middle East have prospered economically; so have some small states in East Asia. But for the nations of Africa and South Asia—nations with a population of over one billion—the average increase in national income is, at most, 3.5 percent and much of that is concentrated in the industrial areas while the peasant remains stuck in his immemorial poverty, living on the bare margin of subsistence.

Casting its shadow over all this scene is the mushrooming cloud of the population explosion. If we take this into account, and look at the progress for human beings rather than nations, the growth figures appear even less acceptable.

INCOME GROWTH LAGS

The annual growth of per capita income in Latin America is less than two percent, in East Asia only about two percent, in Africa only one percent, and in South Asia only about half a percent. At these rates, a doubling of per capita income in East Asia would take nearly 35 years, in Latin America more than 40 years, in Africa almost 70 years and in South Asia nearly a century and a half. Even in the most progressive of these areas, the amount of improvement would be imperceptible to the average citizen from year to year.

Such a situation cries out for a greater and more urgent effort by the richer countries to assist economic growth in these poorer countries. It is clear they are financially capable of such action. During the development decade so far, they have added to their annual real incomes a sum of about $400 billion, an addition itself far greater than the total annual incomes of the underdeveloped countries of Asia, Africa and Latin America.

But I found, and I need hardly tell you this, that while the requirement for assistance was never higher, the will to provide it was never lower in many, though not all, of the countries which provide the bulk of economic aid.

And the disenchantment of the rich with the future of development aid was fed by performance deficiencies of many of the poorer nations. Blatant mismanagement of economies; diversion of scarce resources to wars of nationalism; perpetuation of discriminatory systems of social behavior and income distribution have been all too common in these countries.

This then was the picture of the development world which I found in my first weeks at the World Bank. A confused but sharply disappointing picture, in which it was difficult to see what had gone wrong in the past (though something clearly had), or what was the right path ahead for us.

In these circumstances, I turned to a suggestion which had been put forward by my predecessor, Mr. George Woods—one of his many bits of wise advice from which we all, and I especially, have benefited. This was that we should establish a commission of men well versed in world affairs, and accustomed to influencing them, who would survey the past aid effort; seek out the lessons it can teach for the future; and then examine that future to see what needs to be done by rich and poor, developed and underdeveloped alike to promote the economic wellbeing of the great majority of mankind. As you know, Mr. Lester B. Pearson, formerly Prime Minister of Canada, has agreed to lead such a survey, which will now proceed independently of the bank.

The Pearson Commission will be turning our eyes to the long future, marking out guidelines not just for a decade but for a whole generation of development that will carry us to the end of this century. But here are we now, living in 1968, with much that we can and must do today and tomorrow. It is already clear beyond contradiction that during the first four-fifths of the development decade the income gap between the developed and the less-developed countries has increased, is increasing and ought to be diminished. But it is equally clear that the political will to foster development has weakened, is weakening further and needs desperately to be strengthened.

What can the bank do in this situation? I have been determined on one thing: that the bank could and would act; it would not share in the general paralysis which was afflicting aid efforts in so many parts of the world. I do not believe that the bank can go it alone and do the job of development that needs to be done around the world by itself; but I do believe that it can provide leadership in the effort, and can show that it is not resources which are lacking—for the richer countries amongst them have resources in plenty—but what is lacking is the will to employ those resources on the development of the poorer nations.

We in the bank, therefore, set out to survey the next five years, to formulate a "development plan" for each developing nation, and to see what the bank group could invest if there were no constraint of funds, and the only limits on our activities were the capacity of our member countries to use our assistance effectively and to repay our loans on the terms on which they were lent.

As a result of this survey, we have concluded that a very substantial increase in bank group activities is desirable and possible.

It is toward this objective that I shall attempt to guide the bank's activities in the next few years. In doing so I shall need the advice and support of you gentlemen, our governors, expressed through the board of executive directors. Therefore I think it prudent and fitting that I should now present to you an outline of my thinking.

Let me begin by giving you some orders of magnitude: I believe that globally the bank group should during the next five years lend twice as much as during the past five years. This means that between now and 1973 the bank group would lend in total close to as much as it has lent since it began operations 22 years ago.

This is a change of such a degree that I feel it necessary to emphasize that it is not a change of kind. We believe that we can carry out these operations within the high standards of careful evaluation and sound financing that my predecessors have made synonymous with the name of the World Bank.

Our loans will be for projects as soundly based and appraised as ever in our history. However, more and more, in looking for projects to support we shall look for those which contribute most fundamentally to the development of the total national economy, seeking to break strangleholds on development; to find those growth opportunities that stimulate further growth. And our help will be directed to those poor nations which need it most.

This, I believe, to be sound development financing, but it is not riskproof; nor do I believe that the utter avoidance of risks is the path of prudence of wisdom. I recently visited Indonesia where, for good reasons, the bank has never made a loan of any sort in the past. What I found was the sixth largest nation in the world, rich in natural resources, striving in the wake of the most terrible disasters, both economic and political, to set itself straight on the path to development. Without external help it faces certain disaster; by giving help (as we have begun to do through the International Development Association and through the establishment of a permanent mission) we are running some risks. I do not believe you would wish it otherwise.

The parable of the talents is a parable about power—about financial power—and it illuminates the great truth that all power is given us to be used, not to be wrapped in a napkin against risk.

But if we are to lend at double the level of the past, can we raise the money? I will not speak now about the soft-loan money which is raised by government contributions—you all know how essential these funds are—but about the money we raise by bond issues in the capital markets of the world. I am confident that the money is there, because I have confidence in the immense capacity of the economies of the developed world; no country need fear bankrupting itself because it plays its full part in development.

There are, of course, certain constraints through balance-of-payments difficulties, but I am fully aware that the balance-of-payments difficulty is a problem of balance among the rich economies and not of balance between those countries as a group and the rest of the world—very little of the money lent in aid stays in the developing countries, almost all of it returns quickly in payment for the goods purchased in the richer countries. It is our job in the World Bank to look at the world money markets as a whole, and see where there are surpluses, where there are reserves that can be tapped. Following this line we have gone to the Middle East, and successfully raised funds there, as well as in the more conventional markets of the world—in particular Germany and America.

As a result, in the first 90 days of this fiscal year the World Bank has raised more funds by borrowing than in the whole of any single year in its history.

I have been stressing that in doubling the bank group's lending activities we are not departing from our high standards of investment policy. But I would not want you to think that our policy is simply "more of the same."

Our five-year prospect calls for considerable changes in the allocation of our resources, both to geographic areas and to economic sectors, to suit the considerably changed circumstances of today and tomorrow.

First as to area: in the past the bank group has tended to concentrate its effort on the South Asian subcontinent. Much has been achieved—the harnessing of the waters of the Indus River system for power and irrigation for instance—and much remains to be achieved. I believe World Bank lending to Asia should rise substantially over the next five years. But it is not to Asia alone that our new effort will be directed. It is to Latin America and Africa as well, where in the past our activities have been less concentrated, and to some countries in great need of our help, such as Indonesia and the U.A.R., where our past activities have been negligible.

In Latin America, I foresee our investment rate more than doubling in the next five years. But it is in Africa, just coming to the threshold of major investment for development, where the greatest expansion of our activities should take place. There, over the next five years, with effective collaboration from the African countries, we should increase our rate of investment threefold.

Further changes will flow from our shift to a greater emphasis on Africa and Latin America. The states of these two continents are smaller than the giants of Asia. There will be many more but smaller projects, demanding much more staff work per million dollars lent than in the past.

RECRUITING DRIVE

The work of the bank will also be increased because in many of the countries in which we will now be investing there is no well-established development plan or planning organization. We shall try, in conjunction with other sources of funds, to help these countries to develop plans and to adopt wise and appropriate policies for development—in some cases by establishing resident missions as we have done in Indonesia—but always remembering that it is their country, their economy, their culture and their aspirations which we seek to assist.

In particular, we will exert special efforts to right one upside-down aspect of bank group operations: the fact that many of our poorest members, despite their greater need, have had the least technical and financial assistance from the bank group. About 10 of these have had no loans or credits at all. This is largely because of their inability to prepare projects for consideration. In these cases we will provide special assistance to improve economic performance and to identify and prepare projects acceptable for bank group financing.

With the doubling of bank group lending and with the increase in the complexity of our operations, there will clearly be need for an increase in the total professional staff of the bank, as well as for some streamlining of our procedures. We are now engaged in a worldwide recruiting drive to find people with the high standards of expertise and dedication that have always been the attributes of its staff. I am anxious that this should really be an international bank, in fact as well as in name, and I intend to ensure that we move steadily in the direction of the widest possible distribution in the nationalities of our staff.

Not only should our lending double in volume and shift geographically, but we can foresee, as well, dramatic changes among sectors of investment. Great increases will occur in the sectors of education and agriculture.

EDUCATION OUTLAYS

Education is a relatively new field for the bank on which my predecessor, George Woods, with his wise sense of priorities, began to place increased emphasis. In recent years the bank has been seeking, uneasily but with a growing sense of urgency, to find its optimum role in this field.

We are aware of the immense numbers of illiterates in the developing world: about 30 per cent in Latin America, 60 per cent in Asia, 80 percent in tropical Africa. We know, too, that education is relevant to all dimensions of development: it makes a more effective worker, a more creative manager, a better farmer, a more efficient administrator, a human being closer to self-fulfillment.

The need is clear, but it has been less clear how the bank's resources can be brought to bear on this labyrinthine problem. Now, after some years of collaboration with UNESCO, we believe we see a way ahead for increasing bank investment which we hope will call forth further investment by the government of the developing country itself.

Our aims here will be to provide assistance where it will contribute most to economic development. This will mean emphasis on educational planning—the starting point for the whole process of educational improvement. It will mean assistance, particularly in teacher training, at all levels, from primary to university. It will mean expansion of our support for a variety of their educational activities, including the training of managers, entrepreneurs and of course of agriculturalists.

It is important to emphasize that education, normally one of the largest employers in any country, is one of the few industries which has not undergone a technological revolution. We must help to move it out of the handicraft stage. With the terrible and growing shortage of qualified teachers all over the developing world we must seek ways to make good teachers more productive. This will involve investment in text books, in audio-visual materials, and above all in the use of modern communications techniques (radio, film and television) for teaching purposes.

To carry out this program we would hope over the next five years to increase our lending for education development at least threefold.

But the sector of greatest expansion in our five year program is agriculture, which has for so long been the stepchild of development Here again there has never been any doubt about its importance. About two-thirds of the people of the developing world live on the soil, yet these countries have to import annually $4-billion of food from the industrialized nations. Even then their diet is so inadequate, in many cases, that they cannot do an effective day's work and, more ominous still, there is growing scientific evidence that the dietary deficencies of the parents are passed as mental deficiencies to the children.

The need has stared us in the face for decades past. But how to help?

In the past, investment in agricultural improvement produced but a modest yield; the traditional seeds and plants did better with irrigation and fertilizer but the increase in yield was not dramatic. Now, as you know, as the result of research in the past 20 years, a breakthrough has taken place in the production of new strains of wheat and rice and other plants which can improve yields by three to five times. What is more, these new strains are particularly sensitive to the input of water and fertilizer; badly managed they will produce little more than the traditional plants, but with correct management they will give the peasant an unprecedented crop.

Here is an opportunity where irrigation, fertilizer and peasant education can produce miracles in the sight of the beholder. The farmer himself in one short season can see the beneficial results of that scientific agriculture which has seemed so often in the past to be a will of the wisp tempting him to innovation without benefit.

Our task now is to enable the peasant to make the most of this opportunity and we, with the continuing assistance of F.A.O. [Food and Agriculture Organization] intend to do so at once and in good measure. Irrigation schemes, fertilizer plants, agricultural research and extension, the production of pesticides, agricultural machinery, storage facilities—with all of these we will press ahead in the immediate future. Indeed in the coming year we plan to process more than twice the value of agricultural loans as in the last, and our agricultural dollar loan volume over the next five years should quadruple.

There is an element of risk in all this, of course. The seeds were issued before all the tests had been completed; the resistance of the crops to local diseases or pests cannot yet be assured; the splendid harvests in India and Pakistan this year cannot all be attributed to the new seeds. But I have no doubt, though setbacks may lie ahead, that there has been an agricultural revolution as significant as any development since the industrial revolution. It is one that gives us a breathing spell in the race between man and his resources.

POPULATION GROWTH

This leads me to yet another area where the bank needs to take new initiatives—the control of population growth. This is a thorny subject which it would be very much more convenient to leave alone. But I cannot, because the World Bank is concerned above all with economic development, and the rapid growth of population is one of the greatest barriers to the economic growth and social well-being of our member states.

This is the aspect of the population problem with which I shall deal, because it is this aspect which most closely concerns the World Bank, and makes it impossible for any of us to brush the subject aside, however strong our inclinations to do so may be.

I do not need before this audience to deal with the terrifying statistics of population growth as a whole, which show that, although world population totaled only one-quarter billion in the first century A.D. and required 1,650 years to add another quarter billion, it added one billion in the next 200 years; a second billion in the following century and a third billion in the next 30 years. It is now expected to add three more billion by the end of the century. By then, at present rates, it will be increasing one billion each eight years. Nor do I need to deal with the personal tragedies and dangers to health of unwanted births, though these were suddenly illuminated for me by an item in a newspaper last month which recorded that in the two largest cities of one European country live births were outnumbered by illegal abortions which imperiled the life of each unhappy mother.

POPULATION IMPACT

As a development planner, I wish to deal only with the hard facts of population impact on economic growth. Recent studies show the crippling effect of a high rate of population increase on economic growth in any developing country. For example, take two typical developing countries with similar standards of living, each with a birth rate of 40 per thousand (this is the actual rate in India and Mexico) and estimate what would happen if the birth rate in one of those countries in a period of 25 years, were to be halved to 20 per thousand, a rate still well above that in most developed countries. The country which lowered its population growth would raise its standard of living 40 per cent above the other country in a single generation.

In terms of the gap between rich countries and poor, these studies show that more than anything else it is the population explosion which, by holding back the advancement of the poor, is blowing apart the rich and the poor and widening the already dangerous gap between them.

Furthermore these economic studies show that this drag of excessive population growth is quite independent of the density of population. This is something that needs emphasizing in view of the fact that many policy makers in the developing countries attach only minor importance to reducing population growth. It is a false claim that some countries need more population to fill their land or accelerate their economic growth. There are no vacant lands equipped with roads, schools, houses, and the tools of agricultural or industrial employment. Therefore, the people who are to fill those lands, before they can live at even the current low standard of living, must first eat up a portion of the present scarce supply of capital—it is the burden which defeats a nation's efforts to raise its standard of living by increasing its population.

No one can doubt then that very serious problems of population growth face most of the developing nations today; what are the chances of their being dealt with by natural causes? The answer lies in understanding the nature of the population explosion, It is not caused by any increase in the birth rate, but by a dramatic drop in the death rate due mainly to medical advances. It is this death control which has created the present emergency, and I do not believe that anyone would wish to reintroduce pestilence—or any other of the four horsemen of the apocalypse—as a "natural" solution to the population problem.

We are therefore faced with the question of what action we at the bank, as a development agency, should take to lift this burden from the backs of many of our members. I propose the following three courses:

First: to let the developing nations know the extent to which rapid population growth slows down their potential development, and that, in consequence, the optimum employment of the world's scarce development funds requires attention to this problem.

Second: to seek opportunities to finance facilities required by our member countries to carry out family planning programs.

Third: to join with others in programs of research to determine the most effective methods of family planning and of national administration of population control programs.

With these three proposals for immediate action, I hope we may contribute to the success of the U.N. system which is already working in this field, and to the well-being of the developing nations.

Gentlemen, I have spoken long enough. Let me conclude by saying that in the next few days, while we examine the innumerable and daunting problems which face you who exercise control over so much of the world's financial and economic power, I hope that none of us will yield to despair as we see how much there is to do, how little time in which to do it.

There is no cause for despair. There is every reason for hope. In the past few generations the world has created a productive machine which could abolish poverty from the face of the earth. As we lift up our eyes from contemplating our troubles, who can fail to see the immense prospects that lie ahead for all mankind, if we have but the wit and the will to use our capacity fully.

I am not despondent about the difficulties that lie ahead because I have faith in our ability to overcome them. that is why I have proposed a program of greatly increased activity by the World Bank group, so that by

> taking a lead in development assistance we may encourage all those, rich and poor alike, who have begun to lose heart and slacken their pace.
>
> If we in the bank are able to double our effort, this could be the signal for others to rally again to the struggle, determined to use our overwhelming strength for the betterment of all mankind, and the fulfillment of the human spirit.

ORDER OF BUSINESS

Mr. DODD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Connecticut will state it.

Mr. DODD. Have we concluded the business in which the Senator from Rhode Island was interested?

The PRESIDING OFFICER. Yes; action on the conference report has been concluded.

Mr. DODD. I was not sure. I thank the Chair.

AMENDMENT OF THE INTERNAL REVENUE CODE OF 1954

The Senate resumed the consideration of the bill (H.R. 2767) to amend the Internal Revenue Code of 1954 to allow a farmer an amortized deduction from gross income for assessments for depreciable property levied by soil or water conservation or drainage districts.

The PRESIDING OFFICER. The Senate is now considering the amendment of the Senator from Florida [Mr. SMATHERS] to H.R. 2767.

THE NUCLEAR NONPROLIFERATION TREATY

Mr. DODD. Mr. President, I am anxious that the senior Senator from Rhode Island know and that, indeed, the Chair know, that I was not concerned about who had the floor. I was rather more concerned that the senior Senator from Rhode Island might think I was trying to take the floor away from him when he was entitled to it.

I would like to compliment the senior Senator from Rhode Island [Mr. PASTORE]. He richly deserves a compliment for his great industry, great diligence, and great work in so many areas. I listened with great interest to what he had to say about the nonproliferation treaty. I always listen to him. I am sorry I missed the remarks of our great majority leader, whom I also respect and admire. My point is I think all of us here in the Senate are earnest about our discussions. I try to be so.

I said recently on the floor of the Senate, after some colloquy with the Senator from Wisconsin [Mr. PROXMIRE], that I wished I had an opportunity to respond to the junior Senator from Rhode Island [Mr. PELL], and that I would do so later on, I would like to take a few moments to spell out what I had in mind.

A FEW COMMENTS ON CZECHOSLOVAKIA

Mr. President, Wednesday the junior Senator from Rhode Island [Mr. PELL] made an eloquent statement about the situation in Czechoslovakia. Having served as a Foreign Service officer in Czechoslovakia at the time of the Communist takeover in 1948, he spoke out of a background of knowledge and affection for the Czechoslovak people, which was reflected in the quality of his remarks.

The Senator concluded his remarks with these words:

> Strength, courage, and perseverance have still not been permanently suppressed. And the people of Czechoslovakia should know that those of us who have followed their past struggles, "with sympathy and admiration" continue to wish them well for the future. For in 1968, as in 1938, their future and our future are inextricably linked.

On this point, I am certain that no dissenting voice will be found in the Senate.

Indeed, with most of what the junior Senator from Rhode Island said, I am in complete agreement. But there are a few points on which I would like to comment in the interest of clarifying the record.

The Senator says that in invading Czechoslovakia "the Soviets have upset a fundamental assumption of Western policy—the assumption that the Soviets would not resort to the use of force in Europe as they had in Hungary; the assumption, in other words, that 1968 was not 1956."

It is true that our own Government and the other Western governments appear to have made such an assumption. The fact that this assumption turned out to be fundamentally false calls for, or should call for, a reexamination of the misleading premise on which this false assumption was based.

Elsewhere in his statement the junior Senator from Rhode Island made certain remarks which suggest to me that he may not have examined these misleading premises. At one point in his statement, for example, he said:

> The growing détente between communist and non-communist Europe has been set back.

The fact is that there never was a détente, that the so-called détente was a monstrous myth which played into the hands of Soviet policy by confusing our understanding and paralyzing our will to resist.

And it was this myth of the détente, more than any other single factor, that constituted the misleading premise from which our own leaders and the leaders of the Western World derived their fundamentally wrong assumptions about Soviet intentions.

I have had occasion to speak about the myth of the détente, repeatedly and at length, on the floor of the Senate, the last time on August 2, approximately 3 weeks before the Soviet invasion of Czechoslovakia.

At another point in his statement, the junior Senator from Rhode Island said that before the invasion of Czechoslovakia, there had been some evidence of a public disposition to "replace emotional anticommunism with a more pragmatic willingness to take Soviet expressions of a desire for peaceful coexistence at face value."

I do not know what the Senator means by "emotional anticommunism." If communism is evil, if it is tyrannical, if its rise to power and its rule in various countries have cost tens of millions of human lives, then I say it is impossible to be completely unemotional about it.

On this point I want to observe that I cannot recall a single person employing the phrase "emotional antinazism" during the reign of Adolf Hitler.

It seems to me that this attitude may have something to do with a previous statement of the Senator's in which he appeared to equate Soviet intervention in Czechoslovakia with our own intervention in Vietnam.

This equation ignores the fact that American intervention in Vietnam is based on a request for protection from the legally constituted Government of South Vietnam, while the Soviet occupation of Czechoslovakia was carried out without the invitation and against the clearly expressed wishes of the Czechoslovak Government.

It ignores the fact that we are intervening to save the South Vietnamese people from the unspeakable tyranny of Communist dictatorship, while the Soviets are intervening for the purpose of destroying the very limited freedoms which the Czechoslovak people have been able to win for themselves within the framework of a Communist regime.

It ignores the fact, too, that whereas the South Vietnamese government has the support of a clear majority of the South Vietnamese people, and its forces have been fighting bravely on our side and for themselves, the Soviet invaders of Czechoslovakia have thus far, to my knowledge, not been able to find a single person in Czechoslovakia to give their occupation even a pretense of popular support.

It is further complained that the hardening of Western attitudes is responsible—this was the language—for "the Senate's delay in advising and consenting to the ratification of the Nonproliferation Treaty." The Senator appeared to imply that this attitude is tantamount to fanning the winds of the cold war.

Mr. President, I come back to the point that the cold war has been with us for a long time, and if the winds appear to blow more fiercely at some times than others, it is merely because these apparent alternations in relaxation and tension are a part of the Soviet strategy.

As for the Nonproliferation Treaty, I simply do not understand, as I tried to say the other day, the logic of those who now call upon us to ratify it.

I am aware of the feelings of the distinguished majority leader. He is a great man, and, as the senior Senator from Rhode Island said, a man of highest and most noble purposes. I share his feelings, in great measure, and commend him for the statements he has made on this occasion and many others. That is also true as to the senior Senator from Rhode Island.

And when we discuss this Nonproliferation Treaty, I think we all ought to bear that in mind.

I read, in this morning's New York Times, that former Governor Scranton is reported as having stated that, in his opinion, none of our European allies understand the pressure of the United States to ratify this treaty at this juncture. I do not speak for Governor Scranton, certainly, but this is of interest to me, and I assume it is to all of us.

Even without Czechoslovakia, in my opinion, there is serious reason for not ratifying this treaty, and I want to make this argument for the record, and I hope for the attention of my colleagues. I say that is so because it is an incomplete treaty. It is a half treaty. It leaves open to future agreement the entire question of inspection.

The argument has been made that the treaty should have been signed despite Czechoslovakia, because it is an agreement with many nations, and not just the Soviet Union.

Again I want to call the attention of my colleagues to the fact, which is mentioned in both the majority and the minority views of the Senate Foreign Relations Committee, that the Soviet occupation of Czechoslovakia was a clear violation of the final clause of the preamble of the treaty, which reads:

> The States concluding this Treaty, hereinafter referred to as the "Parties of the Treaty." . . . Recalling that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.

That clause is an important part of that treaty, and I will tell you why. It was not just a clause in the preamble. I believe I am correct when I say that it was the central premise on which this entire treaty was based, because, in foregoing the right to develop nuclear weapons of their own, the nonnuclear nations wanted, needed, had to have, an assurance from the nuclear powers that their territorial independence and integrity would be respected.

If the preamble to the treaty had called upon the nonnuclear nations to forgo the right to develop nuclear weapons of their own and had at the same time made it clear that the great nuclear powers retain the right to invade and occupy smaller nonnuclear countries whenever they are so disposed, I think it can be stated as a certainty that not a single nation would have signed the treaty.

The question has been asked us, what are we giving up? We are not giving up anything, it is answered. I will tell you what we are giving up: We are giving up a rightly founded fear of the spread of nuclear arms on the part of all these other nations.

The consideration is that we are willing to lead the way in guaranteeing to these little countries, "You cease and desist from developing nuclear arms, and we will promise you the independence of your territory, and that you will not be aggressively treated or threatened by any of us."

That is why it is the basis of the treaty. That is the only way we could get this treaty ratified by these other powers.

I do not know whether all of them could, but I am sure that some of them, on their own, could develop nuclear weapons. We are asking them not to do it, and that is the reason for the treaty. That is the reason the preamble to this treaty is important, and that is the reason that its violation goes right to the heart of whether or not the treaty should be ratified, or we in the Senate should give our advice and consent to its ratification. That point, I believe, has been missed; but that is the real reason for this treaty.

So we are getting something and it is part of the consideration for this agreement, and it is worthwhile. We want to get it, but it cannot be attained if one of the three principal nuclear powers violates the terms of that treaty right off the bat.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DODD. I yield.

The PRESIDING OFFICER. The Senator from Connecticut may yield to the Senator from Ohio, but before the Senator from Ohio interrogates the Senator from Connecticut, the Chair would request, as he has done earlier, that the Chamber be quiet, that Senators, as far as possible, desist from private conversations, and that the members of the staff cooperate. The Senator from Connecticut and his interrogator, the Senator from Ohio, are deserving of the cooperation of the membership of this body, and of our aides.

The Senator from Ohio may proceed.

Mr. LAUSCHE. It has been argued, both today and in the past, that since 80 nations have signed the treaty, why does not the U.S. Senate approve it?

My question is whether or not it is the view of the Senator from Connecticut that those 80 nations were induced to sign because the treaty contained the declaration that all signatory nations promise not to invade the territory of any other signatory nation.

Mr. DODD. Of course, the answer is "Yes." That is what I have been trying to say. Why else in the world would any sovereign power enter into such a treaty? If they are not going to be made secure from invasion or aggression or occupation from the major nuclear powers, they had better build up nuclear arsenals of their own.

That is why I say that is the basis and the reason for this treaty. Otherwise, I do not think any, or at any rate very few, of these nations would have signed it.

Suppose, instead of saying what it did in the preamble, this treaty had said, "We want you to promise not to develop your own nuclear power; we do not promise, of course, not to invade you or occupy your territory." Not one of them would have signed it.

That is the heart of this treaty, and we keep talking as if it did not exist. But there just would not have been any treaty without it, and I think most of the powers that signed it are sick of it today, because of what Russia did in violating it before the ink was dry.

Mr. LAUSCHE. Was Russia a signatory to the treaty, and was Czechoslovakia likewise a signatory to the commitment that there would be no invasion of territorial integrity, prior to the time that Russia marched into Czechoslovakia?

Mr. DODD. Yes, of course. They both were.

Mr. LAUSCHE. The ink was not yet dry when Russia violated that commitment?

Mr. DODD. Yes. That is the point of the argument I have been trying to make.

Mr. President, I will conclude in a moment. I do not want to belabor the argument.

But I say in response to the distinguished junior Senator from Rhode Island, to whom I was principally trying to respond, that I, too, lament the fate that has befallen the brave people of Czechoslovakia and the total passivity of our own Government preceding the Soviet takeover.

And I lament our failure to issue any warning or to take any of the many diplomatic measures that we could have used.

I do not say that by hindsight. More than a month before the invasion, I called upon the Government to ask for an emergency session of the General Assembly of the United Nations to deal in advance with what was known across the world—that Russia was about to invade Czechoslovakia. We might have prevented that invasion if we had tried. No one can say. However, we did not do anything.

I lament the fact that our reaction to the invasion was so limited and ineffective.

I lament the fact that we could at least have imposed an embargo on some of the technological shipments to the Soviets and did not do so.

We could have asked for economic sanctions under the United Nations Charter. However, we did not do that.

We did not do anything.

We could have sought to mobilize opinion in the United Nations behind a resolution of condemnation. We did not do that.

The New York Times—which I am sure all would agree is certainly not an apostle of the cold war—found our reaction to events in Czechoslovakia, both before and after the invasion, lacking in imagination and energy.

It is small comfort to realize that we repeated all of the mistakes made at the time of the Hungarian crisis under another administration.

I hope that Senators will read and ponder my remarks on the Nonproliferation Treaty and the question of nonaggression.

I am not opposed to ratifying it now for some emotional and not well-founded reason. I think we will bring on more dreadful troubles if a present signatory to the treaty can violate it at will, and particularly with respect to offenses against small, nonnuclear power countries.

What kind of a treaty is that? It is not worth anything if such a thing can happen. Let us wait and see if we cannot get the matter straightened out and get a better treaty with respect to inspection, also.

I hope that, whoever is elected President next month—and I expect that it will be our Vice President, HUBERT HUMPHREY—our next President will liberate our country from the baneful and paralyzing myth of the détente. I deeply believe that if this does not happen, we are bound to go on repeating the errors which have already cost the free world so dearly.

That is our trouble in so many of these areas. That is why I took the time of the Senate to make my own views clear with respect to this treaty.

It is so easy to say that it is a great thing for mankind. It could be. But it cannot be a great thing for mankind if a great power like the Soviet Union thinks that at its pleasure it can ruthlessly invade a neighbor and destroy its integrity and independence and break the treaty.

Czechoslovakia and all other countries as well will never feel secure under such a treaty. *That is why it will not last.*

This treaty is a contract.

In it, the United States, Great Britain, and the Soviet Union promise to make nuclear power for peaceful purposes available to nonnuclear power countries, parties to this agreement.

In return for this, the nonnuclear powers parties to this treaty promise to abstain from developing nuclear weapons of their own.

In return for this promise, we, the United States, Great Britain and the Soviet Union, promise to refrain from the threat or use of force against the territorial integrity or political independence of any state which is a party to this agreement.

It is as simple as that.

It is a contract, and before the United States could ratify it, the Soviet Union broke it by invading Czechoslovakia, a party to this agreement.

So, the contract is a broken one, and no nation with honor should ratify it, until and unless the Soviet Union withdraws all of its forces from Czechoslovakia, and until and unless real guarantees of good faith and self-executing protections are made part of the contract.

That is why we should not now give our advice and consent to its ratification.

THE NONPROLIFERATION TREATY—A HARD LOOK

Mr. CURTIS. Mr. President, the objective of the Nonproliferation Treaty is to prevent the spread of nuclear weapons to nations other than those new possessing them.[1] The logic of this position seems unassailable. Ten or more years from now we can easily visualize a considerable expansion of the nuclear weapons club. Nations equipped with nuclear bombs may become involved in a conflict with a neighboring country—and in a moment of crisis use nuclear weapons—thus setting off a chain reaction leading toward a nuclear holocaust. Egypt against Israel, Red China against India, East Germany against West Germany are examples of geopolitical confrontations where a nuclear spark could end civilization as we know it today.

I am in accord with, and I understand the broad purpose of the Nonproliferation Treaty but what I am concerned about is the cost to United States security balanced against a treaty which appears to favor those who oppose us. Let me, cite my concerns. Some obvious others more subtle.

1. THE NPT HAS BEEN SIGNED BY ONLY THREE OF THE FIVE NUCLEAR WEAPONS POWERS

Red China and France have had no *part of this treaty. Red China for example* can threaten India without fear of sanctions under the Nonproliferation Treaty.

2. SECURITY ASSURANCES

Nonnuclear weapons nations who fear nuclear intimidation by one of the big five H-bomb countries have asked for security assurances. Two days after the Chinese Communists detonated their first nuclear device, President Johnson on October 18, 1964, addressed the Nation on Communist military power. He *said:*

> The nations that do not seek national nuclear weapons can be sure that if they need our strong support against some threat of nuclear blackmail, then they will have it.

Congressman HOLIFIELD asked Secretary Rusk about the President's October 18, 1964, nuclear blackmail statement during a Joint Committee hearing on February 23, 1966. Mr. HOLIFIELD said:

> Could you elaborate on what is meant by "will have" our strong support.

Secretary Rusk replied:

> It is our hope, Mr. Chairman, that, by something equivalent to a consensus of the international community, a country which does not have nuclear weapons, and which finds itself under aggressive threat by a country which does have nuclear weapons and specifically threatened with the use of nuclear weapons, would have the entire international community, including the United States, register its support in whatever appropriate way would be necessary in the circumstances.

Quite understandably the President does not want to telegraph to a potential enemy, U.S. strategy to meet a crisis which may be years in the future. Of course, we would not want to lose our political, diplomatic, or military flexibility. However, this clearly illustrates that security assurances even by implication under the Nonproliferation Treaty are far from realistic or meaningful.

To plug this obvious gap and to give the nonnuclear weapons powers a "feeling" that they would have some sort of security guarantee, the United Nations Security Council approved a resolution on June 19, 1968, concerning security guarantees. Again this resolution, as is pointed out in the foreign relations report on the Nonproliferation Treaty, is I believe long on words but short on providing positive assurances. The foreign relations report states that the Secretary of State told the committee that "as a matter of law and as a matter of policy" there were no additional obligations assumed by the United States under the United Nations security guarantee resolution.

3. THE EFFECT OF THE NONPROLIFERATION TREATY ON NATO

I recall vividly testimony by Dr. Stausz-Hupe[2] during the hearings on the Nonproliferation Treaty before the Foreign Relations Committee last summer. He stated:

> Ever since the founding of NATO, the destruction of the Western military alliance has been a principal objective of Soviet policy, next only in importance to the enfeeblement of U.S. power. In the pursuit of this objective, Soviet policy has been admirably patient, consistent, and adroit. Soviet Foreign Minister Gromyko, informing the Supreme Soviet on June 27, 1968, of the successful negotiation of the nuclear nonproliferation pact, called for the "liquidation of foreign military bases," denounced NATO as an obstacle to arms control and disarmament agreements, and singled out the German Federal Republic as the would be disturber of the peace in Central Europe, haven of "the spirit of the cold war," and source of "threats to the peace."

The ruthless invasion by the Soviet military machine of Czechoslovakia—one of its own allies—seems to be to lay bare Soviet intentions. I think it is well *known that in the negotiations for a* Nonproliferation Treaty our NATO allies were frequently "informed" of what the United States was going to do rather than consulted on what jointly NATO should do to preserve the integrity of an alliance which has shielded Western Europe against Soviet aggression since 1949.

4. NONNUCLEAR NATIONS WHO HAVE THE CAPABILITY TO DEVELOP NUCLEAR WEAPONS

In general it is believed that West Germany, Israel, India, Sweden, Switzerland, Japan, and Italy are in the forefront of those nations which have the capability to develop nuclear weapons. It is interesting to note that all of these countries in varying degrees are close friends, allies, or benevolent neutrals. So I wonder if we are restricting the options of our friends who in the future may need defensive nuclear weapons—to the advantage of our potential enemies.

Dr. Teller discussed this matter at some length during the Foreign Relations nonproliferation hearings. He did not completely oppose the treaty but simply indicated that we should not forever close options whereby a defensive antiballistic missile system might be established in other countries.

5. THE UNITED STATES VERSUS THE SOVIET UNION

Nuclear powers are exempt from the provisions of inspection under the Nonproliferation Treaty. However, the United States, in an attempt to dispel any claims that the treaty was discriminatory in the peaceful nuclear activities field, volunteered to accept safeguards on its peaceful nuclear activities. President Johnson, on December 2, 1967, announced that:

> . . . when such safeguards are applied under the Treaty, the United States will permit the International Atomic Energy Agency to apply its safeguards to all nuclear activities in the United States—excluding only those with direct national security significance.

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[1] United States, United Kingdom, Soviet Union, France, and Communist China are the five nations that have developed and tested nuclear weapons.

[2] Director, Foreign Policy Research Institute, University of Pennsylvania.

The Soviets, on the other hand, have conceded nothing. There will be no inspection of Soviet facilities whatsoever under the Nonproliferation Treaty. While the United States offer is outside the treaty, it has tremendous impact on our atomic energy capability, for it says "all nuclear activities" excluding those concerning national security. This statement leaves many questions unanswered. What does "all" mean? Specifically, how many facilities? Where? What type of safeguards will be applied? Who will inspect? Does this mean that American industry must open its doors to hundreds of foreign inspectors each year? What of the problem of protecting trade secrets? And perhaps almost as significant as this potential influx of foreign inspectors—is the cost of the inspection.

Are we placing ourselves in the position where the United States, to show its beneficence, not only opens its gates to foreign penetration of this new atomic industry but is also willing to pay the foreigners to inspect us. Frankly, I am at a loss to understand how we could have placed ourselves in such a vulnerable position.

6. SAFEGUARDS

Article III of the treaty provides that each nonnuclear weapons state party to the treaty undertakes to accept safeguards. These safeguards are to be under an agreement to be negotiated with the International Atomic Energy Agency which is responsible for verifying that the nonnuclear weapons countries will not divert nuclear facilities and materials from peaceful purposes to the production of nuclear weapons.

The International Atomic Energy Agency has at present a small staff of technicians made up of representatives of the United States, the Soviet Union, Yugoslavia, and other nationals from both East and West. Their experience has been limited largely to inspecting nuclear reactors and not to nuclear reprocessing plants where diversion opportunities are greater. Yet this staff is going to have the responsibility when the treaty is signed of inspecting worldwide nuclear facilities. Have specific procedures been established? Have manuals been developed? Have details been worked out so that we know what the International Atomic Energy Agency safeguards program is required to do? My understanding is that they have not.

Of equal significance, what of the relationship between Euratom and IAEA? As the Foreign Relations Committee report points out the Euratom safeguards system derives from the Treaty of Rome signed March 25, 1957. It has been the position of the members of Euratom that the Euratom safeguards system is comparable to the IAEA safeguards system. Euratom feels that to superimpose the IAEA system would be an infringement of sovereignty and a duplication of effort. This appears to me to be a valid question. This is what the Foreign Relations Committee report says concerning IAEA–Euratom safeguards arrangements:

> According to the treaty now pending, a safeguards agreement between the International Atomic Energy Agency and EURATOM will meet the general requirements of article III. Negotiations for such an agreement shall commence within 180 days from the entry into force of the treaty and shall be concluded not later than 18 months after the initiation of negotiations.

Stripped of diplomatic niceties, this means that following the entry into force of the Nonproliferation Treaty, Euratom and IAEA have 24 months to negotiate an agreement. But if they are unable to reach an agreement—what will happen? This question has been avoided because in effect it is a guillotine clause whereby IAEA will prevail over Euratom unless Euratom comes to terms that IAEA finds agreeable. If I am wrong in that assertion I would like a statement from those who negotiated this treaty on exactly what will happen if both sides are unable to reach agreement after 24 months.

I have tried to outline some of the matters which concern me in connection with the Nuclear Nonproliferation Treaty. The purpose of the treaty is admirable but regrettably I believe in our great enthusiasm to conclude this treaty we have lost sight of the true purpose of our Communist adversaries. They drive a harder bargain, I am afraid, than we do. The Soviet Union will not be inspected under the Nonproliferation Treaty. By separate position outside the Nonproliferation Treaty we will. We have stressed vague security assurances and thus placed ourselves in the position of either becoming the policeman of the world or backing away from implied commitments. Either course I believe is wrong. I suggest that we take a new hard look at the Nonproliferation Treaty.

AMENDMENT OF THE INTERNAL REVENUE CODE OF 1954

The Senate resumed the consideration of the bill (H.R. 2767) to amend the Internal Revenue Code of 1954 to allow a farmer an amortized deduction from gross income for assessments for depreciable property levied by soil or water conservation or drainage districts.

Mr. BAKER. Mr. President, I had intended to call up today my amendment No. 1017 dealing with the redefinition of "industrial development bonds," which is a matter that has been brought to my attention by the National Governors Conference; the National Association of Attorneys General; the National Association of State Auditors, Comptrollers and Treasurers; the Council of State Governments; the National League of Cities; the U.S. Conference of Mayors; the Municipal Finance Officers Association; and the National Institute of Municipal Law Officers.

However, I realize that in these waning days of this session, this is an issue that commands a great deal of controversy; and I would inquire, if I may, of the distinguished chairman of the Committee on Finance if on the subject of this amendment we might have some assurance of hearings on this subject when the 91st Congress convenes in January.

Mr. LONG of Louisiana. Mr. President, the Senator is raising a very important issue, which definitely should be studied by the committee. There is much merit to his amendment. But it raises all kinds of problems which we do not feel qualified to answer at this time.

I have read the Senator's amendment. I believe it has been drafted three times, for the very reason that he understands what some of these problems are. The Senator has the support of very outstanding Governors and important people, as he has mentioned.

However, I do not believe that the Senator from Louisiana would want to vote for a measure which would be very good for New York, but very bad for Louisiana; nor would the chairman of the House Ways and Means Committee, Mr. MILLS, want to accept an amendment which would do many things for some other States but would not do the same for the great State of Arkansas. Perhaps we can work this matter out in such a way that it will solve the many difficult problems.

May I compliment the Senator on the fact that in redrafting his measure he has answered a number of the important problems that troubled us, but there are three more problems to which we honestly cannot find an answer. If the Senator would kindly withhold his amendment until next year, I promise him that we will study the matter; and I am sure that his own study of it will provide some additional answers that we do not have at this time.

If the Senator insisted on calling up his amendment, and if he were successful, I fear that the House would not accept it, because they would say the amendment does not answer a number of problems to which I honestly could not suggest answers at this moment.

I shall be glad to cooperate with the Senator next year in working out this matter. If the Senator from Tennessee would come before the committee and suggest his amendment, I would be glad to ask the staff of the Joint Committee on Internal Revenue Taxation to work with him and see if we could work this matter out and come up with an honest answer to a difficult problem in such a fashion that the amendment would be fair to all States and would treat all States alike—with equal justice to Tennessee, Louisiana, Arkansas, New York, and any other State concerned with the matter.

The Senator has worked hard on this matter. The experts we have cannot provide a complete answer, nor can the Treasury. I deeply appreciate the fact that the Senator has indicated a willingness to let this matter go over until next year. In these waning days of the session, when it is difficult to get a quorum, I believe it would be impossible to achieve what the Senator desires. If the problems can be worked out, I would be happy to cooperate with him.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. BAKER. I yield.

Mr. WILLIAMS of Delaware. I should like to join the chairman of the committee in giving assurance to the Senator from Tennessee that we will give this matter careful study. We have not been able to resolve some problems that this creates, but I believe if it is introduced next year, perhaps with hearings and all of us working together we can reach a solution. I shall be glad to cooperate with the Senator.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. BAKER. I yield.

Mr. PROXMIRE. I, too, wish to commend the Senator on his position with respect to the amendment. Frankly, I had intended to speak at some length with respect to the amendment.

As the Senator from Louisiana has said, it presents a number of problems. It is opposed by the Treasury, by the AFL–CIO, by the Government bankers, and by some other groups, although it is favored by some groups. The principal objection I have is that there have been no hearings on this particular proposal.

Mr. President, I think it is very important that before the Senate acts we have a record. I am delighted that the Senator has now apparently secured agreement between the chairman and the ranking member of the Committee on Finance that there will be further study of this matter and that the matter will come up later after a record is developed.

Mr. BAKER. Mr. President, I thank the Senator for his remarks. I feel that many points in controversy can be resolved in the hearings, and I appreciate the assurance that we will have hearings.

Mr. President, I ask unanimous consent that there be added as cosponsors of the amendment the names of the Senator from New York [Mr. JAVITS] and the Senator from Arkansas [Mr. FULBRIGHT].

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. BAKER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement I have prepared outlining the purpose of the amendment that I had intended to offer.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR BAKER

On June 28, 1968, President Johnson signed into law as Section 107 of the Revenue and Expenditure Control Act of 1968 a measure to eliminate the tax-exempt status of industrial development bonds. The amendment which I introduce is an attempt to correct the present distorted definition of "industrial development bonds," which is not limited to bonds for industrial development, but rather is so broad as to include bonds for many acknowledged and traditional state and local governmental functions.

Members of Congress who supported the taxation of "industrial development bonds" now realize that by means of the definition employed in the Act, they have gone much further than they intended. Chairman Wilbur Mills of the House Ways and Means Committee acknowledged this fact on the floor at the time of passage of the Act and invited the National Governors Conference and others to propose corrective legislation. Without such correction, the 90th Congress will have challenged the exemption of state and local governmental bonds issued for a host of acknowledged governmental functions wholly unrelated to the industrial development bond problem.

The amendment which I offer is basically a portion of a bill introduced by Congressman Mills in the House of Representatives and by Senator Curtis in the Senate after passage of the Revenue and Expenditure Control Act. A few technical refinements have been made to dispose of minor objections. This amendment has the support of the National Governors Conference; the National Association of Attorneys General; the National Association of State Auditors, Comptrollers and Treasurers; the Council of State Governments; the National League of Cities; the United States Conference of Mayors; the Municipal Finance Officers Association; and the National Institute of Municipal Law Officers.

I recognize that this is a complex area and that hearings on this question would be desirable. In fact, I believe we are confronted with the present distorted definition because no hearings were held prior to the enactment of the Ribicoff Amendment. I believe that the definition which I offer is far superior to the present statutory language and that, at the very least, it will serve as a corrective measure until this question can be fully aired during the next legislative session.

The practical effect of the present definition is to include within that definition bonds for practically any state or local governmental purpose if the financed facility would have private occupants paying to use it. Thus, the enacted definition includes, among other, bonds for markets, nursing homes, piers, fairs, and recreational facilities.

It is true that the present act does not tax all of the bonds it labels "industrial development bonds." What the present act does is set up a list of approved purposes labeled "exceptions." Bonds for these purposes remain exempt and those for all other state and local governmental purposes are taxable when private occupants pay to use the financed facilities. Thus, the Congress purported to classify as good or bad all the legitimate functions of state and local government, rewarding good purposes with exemption and penalizing bad purposes with taxation. Among the bad purposes are such fundamental governmental functions as education and health care, which are totally unrelated to the development of new industrial plants.

The present list of enacted exceptions presents substantial difficulties. For example, as originally passed by the Senate, there was an exception for property "to provide entertainment (including sporting events) or recreational facilities for the general public." As enacted, this was cut down to "sports facilities" with the result that an exemption is currently provided for bonds to finance a stadium built for rental to a professional baseball team shopping for a more lucrative franchise, but no exemption is provided for a public theater for lease to a company providing concerts and drama.

As another example, the exception in the present act for terminal facilities includes airports and piers for air and marine vehicles, but does not include terminals for land vehicles such as buses, trucks, or railroads.

Finally, facilities for education or health care are not among the listed exceptions in Section 103(c)(4).

This type of continuing regulation by selection of state and local governmental functions has no proper place in our federal system and accordingly should be abandoned.

The amendment which I introduce would provide a general redefinition of "industrial development bond" in accordance with the generally accepted meaning of the term. Section 1 requires that some private person who is not an "exempt person" must be the apparent "beneficial obligor" and that the bond be issued to finance "industrial property" or "independent wholesale or retail property." "Industrial property" would be limited to its natural meaning of factory-type structures and equipment. It would not include facilities in factories for the abatement of air or water pollution, waste disposal, or other health or safety functions. "Industrial wholesale or retail property" includes structures for shops as well as retail department stores and similar mercantile establishments. The definition of "exempt person" is retained from the present act and includes governmental units and educational, charitable, and other tax-exempt institutions.

The requirement of a private, taxable, "beneficial obligor" is critical. So long as the Congress does not propose to challenge the long-standing Constitutional rule of the states' and local governments' immunity from taxation of their obligations, the *only* basis for taxing any bonds issued by state or local governments is that they are the issuers' obligations in name only, that the issuer is disassociated from the obligation and from the facility financed, and the investor considers the private user as the true obligor.

The attributes of such a disassociation, as set forth in the amendment are: (1) the putative private obligor will be using the property financed under lease or other contractual arrangement which requires him to pay all or most of the funds needed to meet debt service on the obligations, and (2) the putative private obligor and his contractual arrangement are identified in the bond agreement or in the offering prospectus, and his payments thereunder and/or the financed property are specifically pledged or mortgaged to secure the bonds.

I recognize that there has been some abuse in some local industrial development bond projects. This amendment would require the taxation of bonds for industrial development in cases of acknowledged abuse but would not include bonds issued for traditional state and local governmental functions. I strenuously object to any legislation which attempts to repeal outright the tax exemption on state and local bonds or to any legislation which penalizes or rewards the states by taxation or exemption, depending on whether the federal government approves or disapproves of the purpose for which the bond is issued. The method of classifying various bond issues as acceptable or unacceptable to the federal government is a dangerous development and an unwise precedent.

I do not believe that Congress should have, in a cavalier fashion and in the absence of hearings, revoked the tax-exempt status of industrial development bonds. At the very least, I believe this redefinition in accordance with the generally accepted meaning of the term should be adopted.

VISIT TO THE SENATE BY SOUTH AFRICAN PARLIAMENTARIANS

Mr. HOLLAND. Mr. President, the acting chairman of the Committee on Foreign Relations, the Senator from Alabama [Mr. SPARKMAN] has three very distinguished guests who are now honoring us by their presence in the Senate Chamber. The Senator from Alabama was called elsewhere on an emergency matter and asked me to pinch hit for him in presenting these distinguished guests from South Africa. It is my very great privilege and pleasure to do so.

I present to the Senate these three visiting parliamentarians from South Africa, all of them distinguished in their own right:

Dr. P. G. J. Koornhof, Deputy Minister of Bantu Administration and Education and Immigration;

Mr. S. J. M. Steyn, an Opposition Front Bencher;

Dr. P. S. Van Der Merwe, a Government Member of Parliament. [Applause, Senators rising.]

Mr. HOLLAND. Mr. President, I think it is very significant that these three distinguished gentlemen from South Africa are visiting us. South Africa has always been our friend, they are still our friends, and we are certainly theirs.

Coming from a State in the South that produces rather good oranges, I want to say that they, too, produce excellent oranges in great quantities in the good nation which they represent. We are extremely happy to have these gentlemen visiting with us. I hope our relations will always be not only most friendly, but that they will be also more and more intimate as years go by. We welcome them warmly.

Mr. President, I ask unanimous consent that the Senate stand in recess for 3 minutes so that Senators may greet our distinguished guests.

RECESS

Thereupon, at 2:13 p.m., the Senate took a recess until 2:16 p.m.

During the recess the South African Parliamentarians were greeted by Members of the Senate.

On expiration of the recess, the Senate reassembled and was called to order by the Presiding Officer [Mr. SPONG].

THE HIGH COST OF PRESCRIPTION DRUGS

Mr. McINTYRE. Mr. President, there are few, if any, men who have served in the Senate whom I admired more than the late Estes Kefauver of Tennessee. He was a sensitive and compassionate man with remarkable sympathy for the concerns of the "little people" of the country. He understood, better than most men, their feeling of inadequacy in dealing with the remoteness of the National Government and the power structures of big business.

As chairman of the Antitrust and Monopoly Subcommittee, Senator Kefauver became concerned about the manufacturing procedures, the promotional, sales, and pricing practices of the large drug companies. Even in the early 1960's the high cost of prescription drugs worked a hardship on middle and lower income groups. The burden was especially heavy on the shoulders of the elderly. The situation has not changed much.

The Task Force on Prescription Drugs has recently issued an up-to-date report on all aspects of the manufacture, distribution, sale and use of prescription drugs. I ask unanimous consent that the section of that report entitled "The Drug Users" be printed in the RECORD at this point.

There being no objection, the section was ordered to be printed in the RECORD, as follows:

THE DRUG USERS

The elderly in the United States—those aged 65 or more—represent only a relatively small proportion—about 10 percent—of the total population of this country.

But their inordinate health needs, their high health care costs in general and high drug costs in particular, and their limited financial resources combine to create a serious and sometimes a devastating medical and economic problem far out of proportion to their numbers.

For many elderly people, illness serves as a major cause of their poverty by reducing their incomes, while poverty serves as a major contributory cause of illness by making it impossible for them to obtain adequate health care.

Yet it is not only the totally impoverished or the totally incapacitated who are in a precarious position. There are many elderly men and women who have some income and some savings—who may even have sufficient medicare or other insurance to protect them against the bulk of hospital and medical costs of a brief illness—but who cannot pay for the out-of-hospital drugs and other costs of a long-continuing chronic illness without seeing their financial assets eroded or totally dissipated.

NUMBERS AND HEALTH NEEDS OF THE ELDERLY

There are now more than 19 million Americans over the age of 65. Among them, about 57 percent are women and 43 percent are men. This disproportion in sex distribution has been increasing steadily since about 1930—a trend of importance in any prescription drug study, since the use of these drugs by women is significantly higher than that by men.

In connection with the elderly, the term "aging" has often been considered synonymous with "illness." There is, in fact, no necessary relationship between the two, but it is undeniably a fact that illness strikes the elderly far more frequently than it does younger age groups.

Approximately 80 percent of the elderly—in comparison with 40 percent of those under 65—suffer from one or more chronic diseases and conditions.

Arthritis and rheumatism afflict 33 percent; heart disease, 17 percent; high blood pressure, 16 percent; other cardiovascular ailments, 7.5 percent; mental and nervous conditions, 10.5 percent; hearing impairments, 22 percent; and visual problems, 15 percent.

Many of these conditions can be controlled or alleviated by modern medical care, especially by the proper use of drugs. This is reflected in the heavy expenses of the elderly for health care, and particularly in their heavy expenses for drugs.

HEALTH EXPENDITURES

Between 1950 and 1966, total national expenditures for health services and supplies—including hospital costs, physicians' fees, and drug costs—rose from $11.9 billion to $41.8 billion. (Per capita expenditures increased from $78.20 to $212.47.)

In that same period, expenditures for out-of-hospital prescription drugs rose from $1 billion to $3.2 billion. (Per capita expenditures increased from $6.85 to $16.05.)

The increase in drug expenditures has resulted in part from a greater number of prescriptions per individual—an average of about 2.4 acquisitions per capita in 1950 and 4.6 in 1966—as well as from a significant rise in the average cost of prescriptions.

In 1950, a number of independent surveys reported the average cost of all prescriptions at the retail level was between $1.66 and $2.03. In 1966, independent surveys estimated the average was between $3.26 and $3.59. A special study conducted for the task force showed that the average prescription cost for the elderly in 1966 was even higher, $3.91.

DISTRIBUTION OF DRUG EXPENDITURES

If drug use were equally distributed among all groups—that is, 4 to 5 prescriptions per year at a cost of $3 to $4—there would be no major problem for the elderly. But this is far from the actual situation.

Although the elderly represent slightly less than 10 percent of the total population, they account for about 23 percent of all prescription drug expenditures.

A nationwide study by the National Center for Health Statistics in fiscal year 1965 showed the following (see table 1):

TABLE 1.—AVERAGE NUMBER OF ACQUISITIONS AND ANNUAL COST OF PRESCRIBED DRUGS, PER PERSON BY SELECTED CHARACTERISTICS, FISCAL YEAR 1965

Characteristics	Number of acquisitions [1]			Annual cost		
	All ages	Under 65	65 and over	All ages	Under 65	65 and over
All persons	4.7	4.0	11.4	$15.40	$12.77	$41.40
Sex:						
Male	3.7	3.1	9.3	12.00	9.88	34.70
Female	5.6	4.8	13.1	18.60	15.49	46.70
Color:						
White	4.9	4.2	11.5	16.40	13.62	42.60
Nonwhite	3.1	2.7	10.2	7.80	6.57	26.90
Geographic region:						
Northeast	4.4	3.8	10.6	13.30	10.80	37.00
North Central	4.4	3.8	10.9	15.00	12.37	39.90
South	5.3	4.5	13.6	17.50	14.64	47.40
West	4.3	3.7	9.7	15.30	12.93	40.00
Disability:						
Men:						
None				14.80		19.40
Mild				33.50		40.90
Moderate				33.60		40.80
Severe				71.70		71.00
Women:						
None				23.20		34.00
Mild				50.00		64.40
Moderate				63.40		67.60
Severe				101.40		94.70

[1] New prescriptions or refills.

The average number of acquisitions—i.e., the number of prescriptions or refills—for the elderly was more than twice that for the total population, and nearly three times that for those under 65.

The average number of acquisitions for elderly women was nearly 50 percent more than the number for men.

The per capita expenditure for prescription drugs for the elderly was almost three times greater than that for the total population, and more than three times greater than that for those under 65.

The per capita expenditure for elderly women was more than one-third higher than that for elderly men.

The per capita expenditure for the elderly with severe disabilities was nearly three times greater than that for those with no disabilities.

In general, the survey showed, total prescription drug expenditures in all age groups were higher for women than for men, for whites than for nonwhites, and for those in the South and West. The higher expenditures for whites appear to be a reflection of their greater affluence—their greater ability to seek medical care and to afford drugs—rather than greater health needs. The high cost in the South appear to be related to exceptionally heavy utilization, while in the West they reflect lower utilization but much higher costs per prescription.

Similarly, although the burden of drug costs falls most heavily upon the elderly, it does not fall evenly upon these individuals.

A 1968 estimate for example, indicates that 20 percent of the elderly will have no drug expenses, while the costs will be less than $50 for 41.5 percent, between $50 and $99 for 19 percent, between $100 and $249 for 15.5 percent, and $250 or more for 4 percent.

A recent investigation, carried out on a limited group in Pennsylvania, indicated that, among the elderly who actually obtained prescription drugs, about 2 percent accounted for about 21 percent of the total cost, and about 10 percent of the individuals accounted for about 47 percent of the cost.

FINANCIAL RESOURCES OF THE ELDERLY

The size of drug bills for the elderly represents only one phase of the problem. Intimately related is their ability to pay those bills.

Since July 1, 1966, implementation of the medicare program has substantially increased the ability of many elderly men and women to meet their doctor and hospital bills, not entirely but in large part. Expenditures for out-of-hospital prescription drugs, however, are not covered by the present medicare law, and it has been necessary for elderly patients to utilize other sources.

Income.—In 1966, half of the families headed by an elderly individual had total incomes—including social security payments—of less than $3,645, or $70 a week. For elderly men and women living alone, or with someone not a relative, more than half had incomes of less than $1,500, or about $30 a week.

Assets.—Recent studies have shown that the average per capita amount of savings and other assets held by the elderly is about $15,000.

But 30 percent of the elderly have assets of less than $1,000 apiece. For them, a serious illness could wipe out their meager savings in a few months.

Health Insurance.—Health insurance through Blue Cross, Blue Shield, commercial insurance companies, group practice plans and other organizations is available to many of those over the age of 65, but provision of prescription drugs—except to hospitalized patients—is limited.

Where out-of-hospital drug expenses are covered, these are generally included in major medical policies involving deductibles of $100, $250, or $500—useful only in so-called catastrophic illnesses.

Recently, drug insurance programs have been developed to provide adequate coverage of out-of-hospital drug costs, but membership in the plans is usually limited to members of employed groups, and few of these are in the older age group.

Tax Relief.—To the extent that expenses for drugs are included as deductions on income tax returns, reduced income tax payments represent a source of payment for these drugs.

For the elderly, such relief obtained through Federal income tax deductions has been estimated to represent about 9 percent of drug expenditures. But these savings benefit only those elderly individuals who receive enough income to require income tax payments, and would be of little importance to those with low incomes.

Free Drugs.—From the 1964–65 study of the National Center for Health Statistics, it appears that about 3 percent of the elderly received their drugs at no cost from their physicians.

Public Assistance.—About 6 percent in 1964–65 obtained prescription drugs from State or local welfare agencies or similar sources. The provision of free drugs through welfare agencies—under medicaid or other Federal, State, or local programs—may solve the problem as it directly affects some of the elderly. The basic economic problem is not solved, however, but merely shifted from the elderly to the taxpayers.

Out-of-Pocket Costs.—In enabling the elderly to meet their out-of-hospital prescription drug expenses, the combined impact of insurance coverage, tax relief, free drugs, and public assistance does not seem to be substantial, covering only about 20 percent of total costs.

The remainder—about 80 percent—must be met by out-of-pocket expenditures from income and assets. For those over 65, these financial resources are rarely substantial.

Thus, the elderly, with limited income, limited savings, and minimal protection from health insurance and other sources, are obliged to face the burdens of drug costs which are far heavier on a per capita basis than those which weigh on their fellow citizens, who in most cases are younger, healthier, and wealthier.

PATTERNS OF DRUG USE BY THE ELDERLY

Essential for an effective attack against the drug problems of the elderly are detailed, objective data on the drugs they actually use and the costs of these prescriptions.

In 1966, for example, the elderly obtained about 198 million out-of-hospital prescriptions from community pharmacies at a total retail cost of $852 million, involving many thousands of different drug products.[1] But this knowledge is not enough.

It is necessary to know—

Which drugs, by brand or generic name, were dispensed for the elderly;

Which were utilized most frequently;

Which diseases accounted for the greatest drug utilization;

Which drugs were most frequently involved in long-term maintenance therapy;

How much each of these drugs cost at the wholesale level, and at the retail level; and

To what extent drug costs could be reduced if low-cost chemical equivalents were used wherever they were available.

To obtain the needed information, the task force requested the Public Health Service to undertake a special study, with major responsibility assigned to the Health Economics Branch of the Division of Medical Care Administration, and assistance provided by other agencies within the Bureau of Health Services, and by the Food and Drug Administration.

This project—probably the first of its kind ever undertaken—was aimed at developing a master list of the drugs which were most frequently prescribed and dispensed for the elderly in 1966,[2] and which would account for about four-fifths of their drug use during that year.

The Task Force Master Drug List.—As developed for the task force, the Master Drug List (MDL) contained the 409 most frequently prescribed drugs dispensed to the elderly in 1966. These accounted for 174.7 million, or 88 percent, of all prescriptions dispensed by community pharmacies for the elderly in that year, and for $682.3 million, or 88 percent, of their prescription drug costs at the retail level.[3]

The complete MDL, with a variety of analyses, will be presented in a separate background paper.

Included among the 409 products were 379 which were dispensed under their brand names. These accounted for more than 90 percent of the total number of MDL prescriptions, about 90 percent of the total acquisition cost to retailers, and 95 percent of the total retail cost to the patients.

Among these were 87 products which were dispensed under their brand names, but for which chemical equivalents were available—often but not always at lower cost—and could have been prescribed under generic names. They accounted for about 29 percent of the total number of prescriptions, 27 percent of the total acquisition cost to retailers, and 27 percent of the retail cost to patients.

Also included were 30 drugs which were dispensed under their generic names. They accounted for about 10 percent of the number of prescriptions, 10 percent of the total acquisition cost, and 5 percent of the total retail cost.

Average Prescription Cost.—For all 409 MDL drugs, the average cost per prescription was $3.91. For the 379 drugs dispensed under brand name, it was $4.11. For the 30 drugs dispensed under generic name, it was $2.02.

Most Widely Used Drugs.—The 10 most frequently used products—headed by an oral antidiabetic agent, and including two tranquilizers, two diuretics, an analgesic, an antiarthritic agent, a cardiac drug, and two sedatives—accounted for 20 percent of the total number of MDL prescriptions, 21.6 percent of the total acquisition cost to retailers, and 20.7 percent of the total retail price to consumers.

Only two of these were available from several manufacturers under a generic name.

Approximately 50 percent of the total cost to patients was represented by the top 29 drugs, which also represented 53 percent of the total number of prescriptions and 49 percent of the total acquisition cost to retailers. Among these were 18 drugs which could be obtained only under a brand name from a single supplier, eight which were dispensed under a brand name although a chemical equivalent was available, and three which were dispensed under generic name.

Therapeutic Category.—Cardiovascular preparations—including vasodilators, digitalis and its congeners, and hypotensive drugs—accounted for 38.9 million, or 22 percent, of the total prescriptions, and $157.8 million, or 23 percent, of the total retail cost to consumers.

Tranquilizers, with 16.9 million prescriptions at a total cost of $78.9 million, rated second, followed by diuretics, with 16.0 millon prescriptions at $62.6 million; and sedatives, with 15.1 million prescriptions at $32.3 million.

These four categories together represented about one-half of all prescriptions for products in the MDL, and 49 percent of the total cost to patients.

Antibiotics ranked fifth, including 13 million prescriptions at a retail cost of $64.3 million.

Diagnostic Category.—About 66.2 million, or 38 percent, of the total prescriptions, at a cost of $244.3 million, or 36 percent, of the total retail cost, were used for the treatment of heart disease and hypertension.

An additional 17.3 million prescriptions, at a retail cost of $65.4 million, were applied for the control of arthritis and rheumatism.

About 11.6 million prescriptions, at a cost of $47.4 million, were dispensed for the treatment of mental and nervous conditions.

Together these groups accounted for 95.1 million, or 54 percent, of the total MDL prescriptions, and $357 million, or 52 percent, of the total cost to consumers.

***Maintenance therapy.*—A sizeable proportion of out-of-hospital drugs prescribed for the elderly are so-called long-term maintenance drugs, used primarily for the control**

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[1] An additional 26.9 millon prescriptions, at a cost of $104.7 million, were obtained from hospital and mail-order pharmacies and other sources.

[2] 1966 was selected as the study year, since it represented the most recent period for which essentially complete data were available for task force analysis beginning in June 1967.

[3] It should be noted that insulin, which has figured prominently in many drug insurance programs, is not included in these tabulations, since it is generally dispensed without a prescription. In 1966, it was estimated that insulin dispensed to the elderly cost about $3 million at the retail level.

of chronic diseases. Few of these—at least at the present state of knowledge—can be cured, but in many instances appropriate drug therapy will enable the patient to live a reasonably comfortable and productive life.

Among the 409 drugs in the MDL, 71 were prescribed for 30 to 59 days during the year, 42 of them for 60 to 89 days, and 78 of them for 90 days or more.

These last 78 accounted for only about 20 percent of all MDL products, but they represented 59.6 million, or 34 percent, of all MDL prescriptions, and $242 million, or 35 percent, of total costs to the consumer. More than half of them were for the control of cardiovascular disease.

We find, therefore, that the requirements for appropriate prescription drug therapy by the elderly are very great—far greater, in fact, than those of any other group—and that many elderly men and women are now unable to meet these needs with their limited incomes, savings, or present insurance coverage. Their inability to afford the drugs they require may well be reflected in needless sickness and disability, unemployability, and costly hospitalization which could have been prevented by adequate out-of-hospital treatment.

With steadily increasing prescription expenditures, this problem is destined to become increasingly serious.

The task force therefore recommends that the Social Security Administration should expedite the completion of its detailed studies on program financing, program administration, and reimbursement methods for several alternative approaches to the inclusion of prescription drugs under medicare.

The task force defers any definitive recommendation of the possible inclusion of out-of-hospital prescription drugs under medicare until the completion of these studies.

Mr. McINTYRE. The foregoing up-to-date analysis is a reflection of the financial problem faced by the public—especially the older segment of it—when Senator Kefauver began to take some investigative action. Although the 1938 Food and Drug Act had previously made it mandatory for the drug manufacturers to insure the safety of their products, it was the 1962 Kefauver-Harris amendment to that legislation which went a step further. Testimony in the Kefauver hearings, however, developed evidence in the drug industry of loose, if not flagrantly misleading advertising and promotional practices. The resulting amendments gave the Food and Drug Administration the authority to assure the effectiveness as well as the safety of drugs used by the public, to review and control the advertising-promotion activities of the manufacturers and to inspect at least every 2 years all plants engaged in the drug-making process.

And so, today, Mr. President, I rise to speak for two reasons.

First, like Senator Kefauver and others among my colleagues, I, too, am concerned about the high cost of prescription drugs. I wonder whether or not these high costs are necessary. I have reason to believe they are not.

Second, I have mentioned Senator Kefauver's efforts to correct this situation because in the midst of his preparing the corrective legislation, the whole propaganda machinery of the large drug manufacturers—through trade magazines—through editorials in journals of related associations in the health community—through advertising agencies and public relations firms—through every conceivable medium of communication—put down a barrage of villification and abuse directed against the Senator.

This same sort of thing goes on today.

On June 6 of this year, I was scheduled to speak at the annual meeting of the Drug and Allied Products Guild at Tamiment, Pa. In order to keep my remarks relevant to the interests of this gathering, I decided to comment on the price differentials between the brand-name drugs and the identical-in-quality drugs sold under their official or established or generic names. Research by my staff soon disclosed some remarkable facts which I included in my prepared remarks. However, the tragic assassination of Senator Robert Kennedy occurred shortly before my scheduled appearance. I did not speak at Tamiment. But my prepared comments were read at the meeting by a representative of the guild. I ask unanimous consent that they be printed in their entirety at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

U.S. SENATOR TOM MCINTYRE, ADDRESS BEFORE DRUG AND ALLIED PRODUCTS GUILD, TAMIMENT COUNTRY CLUB, TAMIMENT, PA., JUNE 6, 1968

Mr. Chairman, Ladies and Gentlemen: Before I say anything else this morning, I want to congratulate the members of your organization for its timely donation of medicines to the Poor People's March. The drugs were very much needed. Your gesture, I think, is outstanding evidence of a vital ingredient in your business—evidence of a concern for people!

I am fully aware of your interest in matters that concern you—and your industry—and the role that Government may play in it. At the same time, I am also fully aware that at a cocktail party this evening, you will likely get together and perhaps have a few words to say about Government in general. You will complain about what this department or that agency of the government has done about other matters. You will condemn politicians—question their judgment and impugn their sanity. Most of all you will say that Government is getting too big—that it is getting mixed up in too many things.

You want to know why Government has to do all the things it does. Why don't we leave it all to the "free enterprise system?" Ladies and gentlemen, the fact may be somewhat startling to you, but let me say that the "free enterprise system" simply could not begin to handle the problems that exist.

Consider, if you will, the one hundred thousand aircraft that fly one billion miles a year—that have clogged airspace, overcrowded runways and overloaded traffic control facilities throughout the nation. Where do you suppose we would all be if those planes were flying around and trying to land without the government's licensing each plane for safety and each pilot for competence, giving out weather information, assigning flight plans, building modern airports and controlling entrance and exit at landing fields? There would be total chaos. And as time goes on, there are going to be more planes—not less.

How would the telephone, telegraph, electric and gas companies have been able to make their investments and stay in business under conditions of totally free competition without government guaranteed monopoly and an assured return on investment?

Once upon a time, all milk was sold whole and unpasteurized, cows were not required to be given Bang's disease tests, and undulant fever was an ever present scourge. All of that has changed now. And we have reason, all of us, to be mighty glad it has.

As our population, knowledge and technology have grown, we have learned better ways to protect ourselves, and some of these ways have been instituted by government. Ever increasing pressures for automation have brought ever increasing pressures for bigger businesses. The ever-increasing power of bigger businesses has brought pressure, first for labor organizations to deal with it, and, then, for increased powers for organized labor. Government stepped in to ease the evil effects of the totally unregulated law of supply and demand and to curb the excesses of purely free enterprise and free organization. And, in the process, government has become bigger and bigger.

Among the many concerns of government has been the matter of protecting the consumer against the unchecked operations of the "free enterprise" system. The 580 members of the Congress have worked hard to accomplish this. Over the course of the last six years, the Congress has taken unprecedented steps to legislate protection of the consumer. There have been new laws enacted such as the Automobile Safety Act and the Tire Safety Act to protect the motorist. The Wholesome Meat Act protects the housewife against tainted meat. The Fair Labelling and Packaging Act assures the buyer that the label on the package accurately describes the quality and quantity of its content. The Truth in Lending Bill—which came out of my own Committee after two and a half years of hard work—informs the borrower or the purchaser about the cost of credit or borrowed money.

It was not until December of 1959 that the late Senator Kefauver turned the attention of Congress to another field—a field in which the American people have been "fair game" to the manufacturers of medicine. It is a work that has been ably carried on in the Senate by the Subcommittee on Monopoly whose Chairman is Senator Gaylord P. Nelson. And I am happy today to be able to present to you some of the findings of that Committee—and some of the conclusions with which I most heartily agree.

The exhorbitant charges made for prescription drugs have been especially despicable because when a person is sick or infirm or in pain, his condition is aggravated by anxiety. He is not about to question the omnipotence of the medical practitioner who prescribes the drug. Nor does he quibble about the cost of easing his misery. It is all scribbled in some strange hieroglyphics on the doctor's prescription pad, and he takes it in blind faith to his pharmacy.

The *tragedy* lies in the fact that the victim, and very often the doctor himself, are altogether ignorant of the fact that these high prices are unnecessary. Neither of them knows that drugs which are just as pure and just as effective are available at a fraction of the cost. It seems to me that it is high time to strip away the smog that hangs over the doctors' prescription pads and the silent though profitable acquiescence that exists behind the counters of the pharmacies.

It is unnecessary, before this group, to enumerate the excessive charges made for drugs sold under brand names. For the record, however, one example might be appropriate. One of the most important drugs for high pressure patients is called "reserpine." A large drug company, based in Switzerland, known as CIBA, markets this drug under the trade name "Serpasil." The price to the pharmacist is *$23.50* per 1000 one-tenth milligram tablets. Another reputable firm, Columbia Medical Company of New York, sells the same drug under the official or established name of "reserpine" for $1.10 per

1000. Thus a person whose doctor writes "Serpasil" on the prescription blank will pay at least 20 times more for this drug as the patient whose doctor writes "reserpine."

The Federal Government buys tremendous quantities of drugs. The Defense Supply Agency asked for competitive bids on "reserpine." The bid was requested on point two-five milligram tablets. The Swiss firm, CIBA, sells these specific tablets as "Serpasil" at a price of $39.50 per 1000 to the pharmacist. In the competitive bidding, the same firm offered to supply this same drug to the Defense Department for 60¢ per 1000. But CIBA lost the bid to another firm which bid 51¢.

There are, as you know, countless other examples of this same sort of thing.

Why does this situation exist? Doctors do not prescribe high-priced drugs simply because they want to see their patients paying 20 times as much as is necessary. It happens because most doctors are not thoroughly acquainted with the drugs that are available today, and the reasonable prices at which they can be purchased. *The doctors are not to be condemned for this.* They are highly trained men. But Pharmacology, the body of science dealing with the action of drugs, is not usually taught beyond the second year of medical school. Besides, much of what the doctors learned in medical school is now obsolete because of rapid developments in this field.

The fact is, most doctors make their diagnosis and then "look in the book" to select the drug that treats the disease. After all, doctors do not expect—nor should they be expected—to be able to carry around in their heads the details involving hundreds of drugs.

The trouble lies with "the book." And the harsh fact is that the "book" they consult mostly in this process is actually an advertising catalogue called "The Physicians Desk Reference." The published material in this book is actually nothing more than advertising copy, bought and paid for by the large drug manufacturers.

In the *Handbook of Prescription Drugs,* Dr. Richard Burack of the Harvard Medical School whom you heard last year has written:

"The great pity—bordering on scandal—is that too much responsibility for keeping doctors informed of developments in pharmacology has been forfeited to the pharmaceutical manufacturers who have succeeded, through advertising, in influencing practicing doctors to write prescriptions for which the patient pays a maximum price."

In short, the drug industry, at least the most powerful elements of it, has pushed the doctors into prescribing high priced drugs by the normal business method of emphasizing their own brand names. Under the guise of service to the physician they have made him their servant.

In this country alone, the drug industry has sales of over three billion dollars a year. Of that, about one million dollars are spent by the big drug companies on advertising with additional sums for promotion—not to the public—but to the nation's doctors. It represents an expenditure of about $4000 per year on each of the nation's doctors. Advertising alone represents about 35% of the large manufacturers' sales dollar.

That figure is interesting because most of the big manufacturers justify high charges on the basis of the research they claim to pursue. However, it is a fact that only 6% of their sales dollar is spent on research—less than one-fifth of the amount spent on advertising.

I want to talk a little about this advertising because it is the key to the whole situation. It is something the big manufacturers can do that the little ones can't. The smaller companies concentrate on making drugs—under their official or established names rather than under brand names. Their margin of profit is not large enough to permit the extensive advertising done by the big companies.

And so the ads, costly ads in the medical journals, pound away at the virtues of the various brand-named drugs. Much of it is misleading. As Dr. Burack states. Some of it is downright false. But *none* of it is *objective.* The doctor is told the good points of this drug or that. He is *not* told that an identical compound just as effective, just as pure, just as potent and just as safe is available to his patient at one-twentieth of the cost.

The Federal Government and practically all big hospitals buy their drugs by their official names! If doctors could take the time to make a study of the drug world, then they would do the same thing for their patients. But they haven't got the time. So they read the paid advertising in the "Physician's Desk Reference," selecting the drugs they are "familiar with" and the patient pays the price.

And right there is a singular difference between the drug business and almost any other. When a man goes out to buy a car, a refrigerator, a television set, or a can of shaving cream, *he* selects the product he wants. But when it comes to drugs, the *doctoc* makes the *selection*—and the *patient* pays the *bill.*

As a result of the reliance on the PDR, from 90 to 95 percent of prescriptions today are written with expensive brand names, even though, in most cases, less expensive equivalents are available.

Last year Senator Gaylord Nelson told the Senate:

"The drug industry is not about to give up a good thing. Every device known to modern public relations is being used to maintain this situation. So-called 'Detail Men'—salesmen in any *other* business—visit doctors regularly and plug their employers' high-priced, brand name drugs. In the privacy of doctors' offices they warn of 'impurities' and other alleged dangers in the low-priced competitors."

"Junk Mail" promoting high-priced, brand name drugs pours into doctors' offices. In fact, the American Medical Association according to reliable information, sells lists of doctors' names and addresses for this purpose and takes in almost a million dollars a year in the process.

In most advertising, of course, the price of a product is one of the determining factors that leads to sales. But not in drug advertising. This is not advertising aimed at the consumer who pays for the product—namely, the patient. It is aimed at the doctor who prescribes it. Somehow, it skillfully leaves the impression that for the doctor to consider price would somehow be unethical.

When all is said and done, you would think that if the doctors, themselves, were not aware of the great price differences between identical drugs, the pharmacist would step in and protect the customer. Ah, but you must realize that the more a drug costs, the greater the profit to the pharmacist. And so in some 39 states, there are laws which prohibit the man who fills the prescription to disregard the doctor's use of the high-priced brand name—and substitute a less expensive form of the same drug under its established name.

In addition to the cost factor, there is a danger inherent in the use of brand name drugs. This was brought out in testimony by Dr. Helen Taussig before Senator Nelson's Committee. Some years ago, it was discovered that sleeping tablets containing thalidomide and widely used throughout the world by expectant mothers, were the cause of malformed babies. The sale of sleeping tablets containing this drug was banned throughout the world. However, in Brazil (as in other countries) the tablets were sold under a variety of different brand names. It took some time to trace them all down, and meanwhile more malformed infants were brought into the world.

I have outlined here what could certainly be called an "economic malpractice" in the field of medicine. I have mentioned the potential danger of the situation arising from what may be considered the misuse of a trademark. In the ordinary course of business, a trademark is designed to establish the *identity* of the manufacturer of a product, to associate the product with whatever reputation the maker has earned through long years of reputable service. In the drug industry, however, the trademark or brand name has been used in many cases as a means of establishing a monopoly by the big companies to the detriment of the smaller ones. It is used in a manner that is questionable, if not fraudulent. It is used to the disadvantage of the public.

And that is where the Government comes in. For the welfare of the public is a proper concern of government.

It is up to us in Government to provide as much protection to the patient who buys drugs as we have already provided protection to the housewife who buys meat at her grocery, to the motorist who buys tires at his service station, to the borrower who gets money from a finance company.

We have already established standards for the introduction of new drugs—and for the manufacture of established ones—through the Food and Drug Administration. We must now turn our attention to the factors of costs, competition and safety.

In order to do this, we must, through legislation, encourage the use of the official or established names of drugs by both doctors and pharmacists.

This could be done, as Senator Nelson's new bill proposes, by establishing some sort of reliable, effective compendium of drugs both by brand name and by established name. The large drug manufacturers have naturally shown little enthusiasm for such a device. Perhaps such a volume could be compiled and kept up to date by the Food and Drug Administration with the legislative provision that no drugs could be dispensed in the nation under any name whatsoever unless its contents, effects, side effects, and prices were all noted in the compendium. Under such a system the doctors would have recourse to something other than an advertising catalogue when they write their prescriptions. They would have more information at their disposal. And there is little doubt that the smaller manufacturers would be put in a better competitive position than they now enjoy—if that's the right word.

To insure quality, each manufacturer should be *licensed* by the government, and his plant inspected prior to his offering drugs for sale.

At present, whenever a manufacturer brings out a new drug, he can patent it for a period of 17 years. Under this arrangement, regardless of the cost of the drug, he can sustain an artificially high price over a long period of time. It is possible, through legislation, to shorten this period—to three years, perhaps, or five.

It is possible to legislate how much the government will pay for drugs purchased through the Medicare and Medicaid plans. And such legislation is being considered by the Congress. If the Government pays for drugs at their cost under official or established names, rather than at their cost under brand names, there will be a forced communication between the industry and the eventual consumer. It is the sort of communication that will soon enhance the general knowledge.

In hearings by Committees of both the House and Senate which have been investigating the drug situation, witnesses from the big drug companies have offered testimony to the effect that somehow brand name drugs are better than drugs sold by their official names by smaller companies. They imply this, but they have offered no proof. It does seem to me the implication should be laid to rest. In 1966, the Food and Drug Administration sampled 4,600 drugs from 250 manufacturers. About 2,600 were drugs sold by their official names. 2000 were drugs sold by brand names. The FDA found that 7.8% of the officially named drugs were not of acceptable potency. 8.8% of the brand name drugs were not of acceptable potency.

It is a fact that 80% of the accredited American hospitals which have their own formulary systems follow essentially the same procedure as the Federal Government. They buy drugs by their official names—and they select from a wide number of drug firms, large and small, in order to get a reasonable price.

It is my position—and I believe it will soon be the Government's position—that what the Defense Department can do, what the large hospitals of the country can do, then the American people should also be able to do.

The PRESIDING OFFICER (Mr. RANDOLPH in the chair). The Senator will suspend.

The Chair understands that certain distinguished guests are present and we want Senators to meet them, but there are disturbances we must call attention to.

The transaction of business frankly has to do with the speech of the Senator from New Hampshire at this time. There is talk going on that is causing the Senator to have difficulty in being heard.

The Chair would ask the assistance of Senators in giving the Senator from New Hampshire an opportunity to proceed.

The Senator will proceed.

Mr. McINTYRE. Mr. President, shortly after my talk was read at the guild meeting, reports of it began to appear in the trade press of the drug industry. First came the June 10 issue of the "Weekly Pharmacy Reports" in which there was a front page item which read:

> Pharmacists share blame for high drug costs because of anti-substitution laws in 39 states, Senator McINTYRE (D-N.H.) says in a speech prepared for delivery to Drug and Allied Products Guild Meeting.

On page 3 of the same issue was a more detailed story, and I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Pharmacists share blame for high drug costs because of anti-substitution laws, Senator McIntyre (D.-N.H.) said in a speech prepared for the Drug and Allied Guild meeting at Tamiment, Pa., but not delivered personally because of the death of Sen. Kennedy. "You would think that if the doctors themselves were not aware of the great price differences between identical drugs, the pharmacists would step in and protect the customers," McIntyre said. "But you must realize that the more a drug costs, the greater the margin of profit to the pharmacist," he continued. "And so in some 39 states there are laws which prohibit the man who fills the Rx to disregard the MD's use of the high-price brand name and substitute a less expensive form of the same drug under its established name."

McIntyre said it is "high time to strip away the smog that hangs over the MD's Rx pads and the silent though profitable acquiescence that exists behind the counters of the pharmacies." The Senator, however, did not restrict his criticism to pharmacists. He attacked manufacturers on their use of trademarks, patents and advertising."

Mr. McINTYRE. This article was soon followed by another in the July issue of the American Druggist, a national trade magazine. I ask unanimous consent that the article entitled "Senator Says Rx Men Are Greedy" be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SENATOR SAYS RX MEN ARE GREEDY

A United States Senator has publicly intimated that state anti-substitution laws are nothing more than a manifestation of retail pharmacy's greed.

"You would think that if the doctors were not aware of the great price differences between identical [i.e., brand and generic] drugs, the pharmacist would step in and protect the consumer," Sen. Thomas McIntyre (D., N.H.), told the annual meeting of the National Assn of Pharmaceutical Manufacturers (formerly the Drug & Allied Products Guild).

Profit: "Ah, but you must realize that the more a drug costs, the greater the profit to the pharmacist. And so, in some 39 states, there are laws which prohibit a man who fills the prescription to disregard the doctor's use of the high-priced brand name—and substitute a less expensive form of the same drug under its established name".

The address, an unusually harsh anti-drug industry assault even in a time when such attacks are commonplace, was delivered for Sen. McIntyre by one of his aides.

"The exorbitant charges made for prescriptions have been especially despicable because when a person is sick or infirm, or in pain, his condition is aggravated by anxiety," the senator observed.

"He is not about to question the omnipotence of the medical practitioner who prescribes the drug. Nor does he quibble about the cost of easing his misery. It is all scribbled in some strange hieroglyphics on the doctor's prescription pad, and the patient takes it in blind faith to his pharmacy.

Smog: "The tragedy lies in the fact that the victim, and very often the doctor himself, are altogether ignorant of the fact that these high prices are unnecessary. Neither of them knows that drugs which are just as effective are available at a fraction of the cost. It seems to me that it is high time to strip away the smog that hangs over the doctors' prescription pads and the silent acquiescence that exists behind the counters of the pharmacies."

Sen. McIntyre then went on to blast drug manufacturers' advertising practices, and to deplore what he regards as the lack of availability of unbiased prescribing information for physicians.

Throughout his speech, Senator McIntyre drew heavily on material aired by Sen. Gaylord Nelson.

Mr. McINTYRE. Soon after the publication of that article, I began to receive a considerable amount of mail from pharmacists—mostly from those who owned their own drugstores. It came from all sections of the Nation. I ask unanimous consent that a representative letter from a pharmacist in my own State of New Hampshire be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE CORNER PHARMACY,
Newport, N.H., August 12, 1968.

DEAR SENATOR McINTYRE: I have just read a reprint of your speech prepared for the Drug and Allied Product Guild, in Tamiment, Florida. The title, "Pharmacists Must Share Blame for High Cost Drugs."

I believe your facts aren't quite straight. Doctors are well aware of the price difference between similar drugs manufactured by different companies. You refer to them as, "identical drugs." They are seldom identical. In some cases they are worthless or even harmful.

You have asked Pharmacists to protect their customers pocketbook by suggesting the doctor change his brand name prescription to a cheaper drug manufactured by anybody. But how about protecting the customer himself?

Let me give just one recent example. In 1950, Parke Davis spent some nine million dollars researching and introducing their Chloromycetin which is their trade name for the generic name of Chloramphenicol. This is a potent antibiotic substance and it has saved many, many lives. In 1967, their patent rights expired, and, "back room laboratories", cashed in on Parke Davis research by copying and marketing the chemical generic formula. It was used quite extensively before the medical profession discovered it was doing absolutely nothing for the patient. It seems the drug was passing through the body, intact, and had no therapeutic value. The F.D.A. has since ordered the recall of all Chloramphenicol except that made by Parke Davis.

These bargain (?) manufacturers had no expensive safety controls in their plants,—no means to test the therapeutic effectiveness of their product. If they did, they couldn't afford to sell their product at these low prices.

Another example: I'm quite sure you ask for the best brand name motor oil for your automobile. I do. It probably costs you from 70c to a dollar per quart. You can buy generic motor oil for 10c per quart. If your motor burns up you may have trouble getting an adjustment from the manufacturer because he has no reputation to maintain. In fact, if there were trouble enough, you might even have trouble finding the manufacturer. I would rather pay a little more than the actual cost of the oil and buy some assurance that I am getting a safe, pure product.

I would also hate to see your proposed legislation restricting our medical profession to a narrow band of drugs marketed by questionable manufacturers on the basis of price alone. Our American Drug industry is known the world over for the fantastic strides it has made in conquering disease. This conquest has cost a great deal of money. The cheap generic manufacturers have contributed nothing.

By the same token, if we should shorten the period of trade mark protection, that also would discourage this essential research.

Sincerely,

DONAL R. EGGLESTON.

Mr. McINTYRE. Mr. Eggleston's letter presents the argument that there is something basically inferior about drugs sold under their established or official names. This is a theory in which a great many sincere and dedicated pharmacists seems to believe. Nevertheless, it has been refuted by both government and private experts in this field. In a 1966 study conducted by the Food and Drug Administration, between 4,000 and 5,000 drugs, both brandname and generic name drugs, were tested. Although a slightly higher percentage of brand name drugs were found to lack potency, the tests concluded that there were no significant differences between the potency of the brand name products and the others.

In order to recheck previous research on the specific statements made in the letter from my good friend Mr. Eggleston of New Hampshire, I had it examined by the staff of the Senate Monopoly Subcommittee which had done a great deal of work on this subject. I ask unanimous consent that the memorandum to me from Benjamin Gordon of that committee be printed at this point in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMO TO SENATOR McINTYRE FROM BENJAMIN GORDON, STAFF ECONOMIST, SENATE SMALL BUSINESS COMMITTEE, SEPTEMBER 5, 1968

I have just read the letter sent to you by Donal R. Eggleston concerning your remarks before the Drug and Allied Products Guild. This letter is replete with many errors and misinformation.

First of all, Mr. Eggleston states that "Doctors are well aware of the price difference between similar drugs manufactured by different companies." This is not correct. Testimony before the Kefauver Committee and also before the Nelson Subcommittee indicates that doctors are not aware of the price difference between similar drugs manufactured by different companies. As far as the problem of identity of drugs, Dr. Goddard and the FDA, the USP and the National Formulary all have agreed that drugs sold under their generic names are—with very, very few exceptions—identical and therapeutically equivalent. In fact, recent studies have indicated that isoniazid and sulfa soxazole are identical from a clinical point of view whether sold under their generic name or their brand name.

Now, let us turn to the problem of Chloramphenicol. This drug was developed by Professor Burkholder at Yale under a grant by Parke Davis. Parke Davis has spent millions in promoting this drug with the result that at least 4 million people, according to Dr. Goddard, have been taking it needlessly. It is the drug of choice only for acute typhoid fever—of which there are only about 400 cases in the U.S. each year. Testimony before the Nelson Subcommittee and in court cases has indicated that the company lied to doctors and that many people have contracted aplastic anemia and leukemia. A California study has shown that at least one in 24 thousand people taking this drug has died from aplastic anemia. Yet this company is continually pushing the use of this drug. The FDA has recently sent out "Dear Doctor" letters warning the physicians to use this very dangerous drug only for the indicated uses. As a result of the large amount of money spent by this company on advertising and promotion, this drug has been prescribed for acne, colds, sore throats and many other nonindicated conditions.

When the patent expired, several reputable firms started producing Chloramphenicol. There has never been any complaint, as far as the FDA knows, about the therapeutic efficiency of this drug sold under its generic name. However, because this drug as manufactured by the other companies did not push up the blood level to the same point as Parke Davis' product and because it was dangerous to experiment with this drug, the FDA asked the other companies to take their drug off the market until they could show that their drug pushed up blood level as high or nearly as high as Parke Davis' product. The FDA does not know how high a blood level is necessary to be effective, but it reasoned that since Parke Davis' product is effective and has a particular blood level, the Parke Davis blood level should be reproduced.

The product of Rachelle Laboratory has been certified by the FDA as meeting the same standards as Parke Davis' product. It should also be remembered that the higher the blood level, the higher the toxicity of this already dangerous drug, and it is quite possible that Parke Davis' product may have blood levels which are much higher than are necessary.

Mr. Eggleston talks about drugs being produced in "back room laboratories." I do not think you could characterize Rachelle Laboratories, and Zenith Laboratory from whom the Defense Department, the city of New York and the Veterans Administration buy their drugs as "back room laboratories." They are highly reputable and, in fact, many of the brand name companies buy their products and put their own brand names on them.

Concerning the period of trademark protection, it should be remembered that the purpose of a trademark is merely to identify a manufacturer. When it is used for purposes of monopolizing, there is a good possibility that the anti-trust laws are being violated.

Mr. McINTYRE. There is a noticeable tendency among doctors and pharmacists to hold—publicly, at least—the large pharmaceutical companies above reproach. However, the testimony before the Senate Monopoly Subcommittee indicates that the size and prestige of a drug company is, of itself, no measure of its infallibility. I would point out that the E. R. Squibb & Sons—remember its advertising slogan: "The priceless ingredient of a product is the integrity of its maker"—was closed down for a period of some 6 weeks after disclosures of repeated violations of the Food and Drug Act. I ask unanimous consent that the conclusions of a report submitted by Inspector Morton M. Schneider, a Food and Drug officer, as part of the summary and findings on this case, be printed at this point in the RECORD.

There being no objection, the conclusions were ordered to be printed in the RECORD, as follows:

DIRECT CONCLUSIONS

E. R. Squibb & Sons is one of the major drug manufacturers in this country. They enjoy a national, as well as, an international distribution of all their drug products. It is unfair and detrimental to the public at large that this firm should have allowed itself to operate under such poor manufacturing practices that resulted in numerous mixups, recalls, adulterated and misbranded drug products. When a firm of the stature of E. R. Squibb and Sons, a name trusted by the medical profession, operates under conditions whereby their entire output is open to question, it is cause for serious concern. When a firm of this size makes an error, it can have a disastrous and serious effect on a large segment of the world's population. We cannot condone any excuse for a firm of this size which prepares drug products which are anything but safe, potent and reliable. It is true that the firm spent huge sums of money to correct the terrible conditions under which they were manufacturing drug products. However, this was only done after the seriousness of the situation, which they allowed to develop, was brought forcibly to their attention by the Food and Drug Administration.

We, therefore, have no alternative in this matter; in fact we would be derelict in our duties if we did not prosecute this firm.

Mr. McINTYRE. And as late as October 2, 1968, Charles Pfizer and the American Cyanamid Co. were found to have joined in "misrepresentation and withholding of information by the U.S. court of appeals in Cincinnati so that Pfizer could be awarded a patent on tetracycline, an antibiotic with a $100 million a year market. I ask unanimous consent that the article by Morton Mintz in the October 3 Washington Post entitled "Drug Firms Charged With Deception" be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DRUG FIRMS CHARGED WITH DECEPTION

(By Morton Mintz)

The U.S. Court of Appeals in Cincinnati has found that Chas. Pfizer & Co., Inc., and the American Cyanamid Co. joined in "misrepresentation and withholding of material information," so that Pfizer could be awarded a patent on tetracycline, an antibiotic with a $100 million-a-year market.

EVIDENCE CLEAR

The Court made the finding in rejecting appeals by the firms from a Federal Trade Commission order requiring them to license any domestic company wishing to produce tetracycline. Affirming the order and giving the FTC a major victory, the Court also agreed that Pfizer and Cyanamid must supply know-how for the production of chemically-related chlortetracycline. Both antibiotics are effective against a broad range of infections.

In an opinion released late Monday, Judge Harry Phillips said for a unanimous 3-judge panel of the Sixth Circuit that "clear, unequivocal and convincing evidence" supported the Commission's findings of deception.

The Patent Office granted Pfizer a patent on tetracycline on Jan. 11, 1955. Cyanamid had hoped to be the only firm to share the market with Pfizer. Each company needed the other. Although Pfizer was conceded by Cyanamid to have a better claim on a patent, Pfizer could not make tetracycline in commercial amounts without first producing chlortetracycline. And Cyanamid had patents on the process by which chlortetracycline was produced.

OMINOUS IMPLICATIONS

The Appellate Court decision—the last of a series of actions that began with a complaint by the FTC a decade ago—has ominous, subsurface implications, not only for Pfizer and Cyanamid, but also for three other antibiotics suppliers.

This is because the question of the legitimacy of the tetracycline patent and the manner in which it was obtained figure importantly in two other areas of litigation.

DAMAGED HOPE

The first is the criminal antitrust case in which guilty verdicts were returned last December in New York City. The defendants—Pfizer, Cyanamid and the Bristol-Myers Co., Inc.—are appealing. The indictment, charging a conspiracy to monopolize and fix the prices of tetracycline, chlortetracycline and oxytetracycline, also named—as co-conspirators but not as co-defendants—the Olin Mathieson Chemical Corp. and the Upjohn Co.

If Pfizer and Cyanamid had won in Cincinnati, in the civil FTC litigation, they would have been in a position to try to discredit and overturn the criminal convictions, on the ground that they were based on insufficient evidence. This hope now has been damaged.

Damaged at the same time were the hopes of the five companies in connection with the separate, civil antitrust actions in which states, cities and other large buyers of the antibiotics are seeking triple damages which ultimately may total $500 million.

In a kind of domino theory, it was understood, the companies had hoped to win in Cincinnati, to use that win to overturn the criminal convictions and finally to use that victory, in turn, to prevent the states and cities from using the criminal convictions as evidence of price-fixing in the triple-damage suits.

PFIZER MAY ACT

In New York City, Pfizer said it is studying the possibility of taking "further legal steps." These might be a petition to the Court of Appeals for a re-hearing and, if that fails, a petition for review by the Supreme Court. In Pearl River, N.Y., a spokesman for the Lederle Laboratories division of Cyanamid said the Apellate Court ruling is being studied.

A key question before the Patent Office had been whether tetracycline occurred naturally in the production of chlortetracycline. If it did, no patent on tetracycline could have been issued. According to the FTC, Pfizer and Cyanamid deceived the Patent Office into believing that Cynamid had not produced tetracycline, inadvertently or otherwise.

Mr. McINTYRE. It is obvious, Mr. President, that no matter how large a drug firm may be, it is not above criticism. How, then, is this consistent attitude on the part of pharmacists and doctors sustained despite efforts by the FDA to refute it? Part of the answer lies in an army of "detail men"—20,000 strong—employed by the giant drug manufacturers. These men are nothing more or less than salesmen. Their function is to push the products of their employers as superior and imply inferiority to the products of their competitors. Conversations between members of my staff and private physicians indicate to me that the tactics used by the detail men are not only unethical but also misleading and sometimes dangerous.

Mr. President, theirs is a concentrated program of indoctrination designed to brainwash doctors into a subconscious belief in the inferiority of the non-brand-name drugs. And the doctors, too busy keeping up with medical advances find it far less trouble to accept without too much question the verbal claims of the "detail men." The degree to which this intense, person-to-person sales effort has developed was brought out in hearings of the Senate Monopoly Subcommittee during the latter part of September and reported in the press. I ask unanimous consent that news stories from the September 18 Washington Post entitled "FDA Raps Drug Sales Tactics" and from the Washington Evening Star entitled "Salesmen Told To Push Drugs, Ignore Side Effects, FDA Says" be printed in the RECORD.

There being no objection, the news stories were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 18, 1968]

FDA RAPS DRUG-SALES TACTICS

(By Morton Mintz)

The Food and Drug Administration said yesterday that a Merck & Co. executive repeatedly instructed salesmen in its Western region to give "seriously misleading" and "false" information to physicians about Indocin, a potent, widely prescribed drug for rheumatoid arthritis, and to "play down" the hazards.

The FDA's charges were based on an analysis of a dozen sales bulletins in which Henry Glassner of Los Angeles, Merck's regional sales manager, exhorted about 100 salesmen who were organized into competitive sales teams with such names as "Pirates," "Wranglers," "Bombers" and "Warriors."

The FDA analysis was requested by Sen. Gaylord Nelson (D-Wis.), after a salesman, or detail man, in industry lingo, sent him copies of the exuberant bulletins ("Let's take the kid gloves off and start slugging").

At a hearing of his Senate monopoly subcommittee, Nelson expressed revulsion at a bulletin of last Sept. 5 which referred to "older patients . . . the patients with most of the aches and pains . . . the real crocks and cruds seen in everyday and daily practice. . . ."

The day's witness, Dr. Robert S. McCleery, acting deputy director of the FDA's Bureau of Medicine, testified that the "crocks and cruds" line was one of several in the bulletins that "reflect disquieting attitudes of the firms' employes toward the medical profession and to the patient."

After the hearing, Mike Noar, Merck's manager of press relations, told reporters that the Glassner bulletins were sent out "without the approval of the home office." He also said that "to the best of our knowledge," none of the other 15 regional managers used an approach to detail men such as Glassner's.

Later in the day, Merck said in Rahway, N.J., that its present procedures "effectively preclude departures from proper product information." The company also said that any "unfortunate language or slang" such as was used by Glassner "is not in accord with company policy or attitude and is most regrettable."

The Indocin hearing was the first in a series that Nelson is holding to explore the impact of oral statements made by an estimated 20,000 detail men to physicians.

Although these statements appear to be "the most important source of information of the physician" about drug products Nelson said, they apparently are beyond "the practical application" of the drug laws. This view is not shared by the FDA's counsel, William W. Goodrich.

Six of the Glassner bulletins were distributed in 1965 between July 12 and Aug. 4, a period when Indocin (indomethacin) was being introduced.

In November, 1966, FDA conferred with Merck president Henry W. Gadsden about misleading printed advertisements for Indocin which have led to a still-pending Bureau of Medicine recommendation for a criminal prosecution.

Much later—between April 5 and Sept. 27, 1967—the remaining six Glassner bulletins were distributed. Nothing in these later sales-stimulators, Dr. McCleery testified, "suggest the firm had changed its basic philosophy and methods of promotion from those employed in 1965."

The FDA official said that the bulletins advised detail men to sell doctors on using Indocin in medical conditions not approved in the official labeling (such as "Pain in the muscles"), omitted warnings against use in children, and ignored possible side effects, including multiple ulcers.

[From the Washington Evening Star, Sept. 18, 1968]

SALESMAN TOLD TO PUSH DRUGS, IGNORE SIDE EFFECTS, FDA SAYS

(By Judith Randall)

A Food and Drug Administration official told Congress today that Merck Pharmaceutical Co. salesmen had been supplied with misleading information about an anti-arthritis drug and then had passed this information along in sales pitches to doctors.

In testimony before the Monopoly Subcommittee of the Senate Select Committee on Small Business, Dr. Robert S. McCleery read from bulletins sent out by Western Region Sales Manager Henry Glassner to district managers and their "detail men"—salesmen who call on doctors.

The bulletins, said McCleery, "suggest to detail men that they promote the use of Indocin beyond approved indication and play down side effects and other warning information present in the approved Indocin labeling."

McCleery, who is acting deputy director of the Bureau of Medicine, also said that the bulletins reflected "disquieting attitudes . . . toward the medical profession and to the patient."

Several of them referred to elderly arthritis victims as "entities" or "rheumatic crocks and cruds." (This terminology is frequently used by medical students in referring to elderly patients suffering from chronic disease.)

The FDA, said McCleery, limits the approved use of Indocin to four conditions—rheumatoid arthritis, ankylosing spondylitis, osteo arthritis of the hip, and gout. Yet, he said, several of the bulletins urged salesmen to encourage doctors to prescribe the drug for "just plain muscoskeletal aches and stiffness."

McCleery also said that the bulletins made no mention whatever of the drug's dangers to children.

Following this morning's testimony, Mike Noar, a public relations representative from Merck headquarters in Rahway, N.J. told reporters that Glassner's bulletin did not emanate from the home office and that until they had been located in Los Angeles just before the hearings, "we had no knowledge of them whatsoever."

Noar added that no such bulletin had been used in the company's other 15 sales regions as far as he was aware.

Mr. McINTYRE. Mr. President, the activities of the detail men were further reported in the September 21, 1968, issue of the New Republic. The article by David Sanford entitled "The Drug Peddlers" also deals with some of the misuse of the drug Chloromycetin resulting from these activities. I ask unanimous consent that portions of the Sanford article be reprinted in the RECORD at this time.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM THE "DRUG PEDDLERS"

(By David Sanford)

Detail men are peddlers in the most prosaic sense. They are employed at a good salary to convince doctors to prescribe drugs their employers put out. The merchandise might as well be used cars, or home appliances; talent for merchandising and a memory for sales patter are all that is required. For the most part detail men are not physicians (usually they were chemistry majors). Their employers tell them what to say and how to say it and, following instructions and the immutable laws of market research, they achieve predictable results. D-men are told not to lie, but exaggeration, obfuscation, scapegoating and other gambits out of Aristotle's "Rhetoric" are within the rules.

The Food and Drug Administration has the legal power to regulate claims made in written presentations by drug firms, but it has no way to put words in the mouths of drug peddlers. There is no foolproof method to scrutinize talks between a physician and a detail man, and no law purports to try. (Wiliam Goodrich, FDA's chief counsel, does believe that FDA has authority over oral claims by detail men under the labeling provisions of the Food and Drug Act, but it is difficult to see how the authority could be effectively exercised.) So while printed ads must be accurate . . . the detail man is free to compose variations on the theme and thus convince medical practitioners that a drug lacks hazards that it doesn't. A plastic anemia is a rare but horrible side-effect of chloramphenicol (Chloromycetin), an antibiotic specific for typhoid but sometimes prescribed for all manner of infections for which other, safer drugs are equally efficious. Its ingestion can result in painful, agonizing death. Its sales profile—recently somewhat depressed by Senator Nelson's job on Parke, Davis & Co.—is a tribute to the work of detail men.

Earlier this year Dr. William C. Hewson, a Philadelphia attorney and physician, testified . . . that the documented overuse and misuse of the drug resulted from false promotional claims (as the courts had already ruled). "The alleged negligence of Parke, Davis & Co." he said, "was bottomed on the theory that the company had in effect, by its overpromotion of Chloromycetin, set the standard for the medical profession for the use of that drug . . . because of Parke, Davis advertising and detailing methods, it was argued, physicians had been misled into using the drug indiscriminately in disregard of the potential toxic effects."

Dr. Albe Watkins, of La Canada, California, testified that Chloromycetin was given him by a representative of Parke, Davis. "I have made it a habit when they come in to extol the virtues of a drug to ask them about the (possible adverse) reactions first. And this (sales) man told me there were no reactions; this was perfectly safe antibiotic. So I took the drug home and placed it in my medicine cabinet." Subsequently Dr. Watkins administered the drug to his son for a urinary tract infection. The boy died several months later from its effects.

In "Harrow v. Sterling Drug, Inc.," a 1967 case, a U.S. District Court in South Dakota held that Sterling's detail man failed to warn a prescribing physician of the side-effects of the drug chloroquinine phosphate. The court held that although the D-man explained the drug's uses and provided the doctor with printed material warning of the side-effects, he failed in his oral presentations to bring side-effects personally to the physicians' attention and thus Sterling was held liable for blindness caused by the drug in one patient.

The William S. Merrill Co. (a division of Richardson-Merrell) whose anti-cholestrol drug MER/29 was ultimately taken off the market because of side-effects that included liver damage, hair loss, hepatitis and cataracts, promoted MER/29 with elaborate patter manuals asking detail men to assure doctors that the drug worked, was safe, and should be prescribed. Salesmen were told, in sentences punctuated with multiple exclamation marks, to memorize a pitch and know it well enough that it would not be seen through as "canned." They were instructed to affect excitement ("You owe it to yourself —to your company—to the millions of people who need MER/29, to be enthusiastic!!!) and told how to deliver the line ("lean forward—toward the doctor. Automatically tighten your stomach muscles as you make your presentation. This forces a change in the inflection of your voice and paves the way for deeper penetration of the benefits you are describing.") Finally, the detail men were told how to shift the doctor's suspicions about a Merrell drug to medicine made by other firms. ("Even if you know your drug can cause the side-effect mentioned, chances are equally as good the same effect is being caused by the second drug! You let your drug take the blame when you counter with a defensive answer. Know how to answer side-effects honestly, yes, but get the facts first. Doctor, what other drugs is the patient taking? Been doing it for years? Why didn't you tell us, then?") This line supposedly got the clottish physician to attribute undesirable side-effects to Upjohn or Lilly. The tactic was rationalized because, rhetoric aside, the cause was good: "There is no longer any valid question as to its (MER/29) safety or lack of significant side-effects."

Lloyd N. Cutler, the Washington attorney for Merck has supplied that firm's equivalent publication, "Developing Your Sales Personality" which, Cutler says, had been used by many companies here and abroad. Questions of efficacy, side-effects, etc. are here ignored. Instead the talk is of "eye-contact," courtesy habits that radiate respect", "voice warmth", "animation", and eliminating kinks that make your sales personality repel."

Unfortunately, detail men are highly respected by doctors. The Canadian Medical Association Journal last April surveyed physicians and found that, among many who responded, detail men were considered the most informative source of data on drugs—more informative than ads in medical journals which doctors tended to dismiss as mere advertising. And a rather ancient American Medical Association study concluded similarly that doctors gôt part of their post-grad education from advertising and detail men employed by the drug firms. D-men were considered the most important source of information about new drugs by 36 percent of the doctors contacted by AMA.

Mr. McINTYRE. Mr. President, there can be no doubt that the efforts of the large pharmaceutical manufacturers to influence the private practitioners have been effective. They have been effective because they have made it simple for doctors to prescribe brand-name drugs—simply through the advice of their "detail men"; simply through their advertising in trade magazines and medical journals—49 percent of all American Medical Association income is derived from advertising revenue from the large drug companies in AMA journals—simply from the physicians' reliance upon the PDR—the Physicians Desk Reference—a collection of advertising of brand-name drugs supplied free to doctors by the Pharmaceutical Manufacturers Association.

It is indeed difficult if not impossible for doctors to find in the PDR any reference to the equivalent lower priced generic-name drug which might well have the same effect as the higher priced brand. Any hint of Government control of these practices on the part of the drug manufacturers is promptly and strongly resisted.

But this is nothing new. It is comparable to the resistance of the automobile manufacturers to installation of modern safety devices in their cars—to the efforts of the tobacco industry to minimize the dangers inherent in cigarette smoking—to the meatpackers' denial of a need for better and more sanitary conditions in their plants. In each of these cases, the overwhelming weight of public opinion supported action by the Federal Government. This same sort of public opinion is now being marshaled to protect the public from the unnecessary overpricing of prescription drugs. I ask unanimous consent that two recent editorials from the New York Times and the Washington Post, both of September 23, be printed at this point in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the New York Times, Sept. 23, 1968]

The Price of Drugs

A special study group in the Department of Health, Education and Welfare has made a persuasive case against the pricing and promotional practices of the pharmaceutical industry.

Prices and profits are very high in relation to the risks borne. Vast sums are spent on the competitive—and essentially useless—duplication of drugs. New products are heavily promoted among physicians, some of whom are not technically equipped to evaluate advertising claims.

The next step is to prescribe a remedy. Must the pharmaceutical industry be subjected to more stringent Government regulation? Or can the public interest be protected by subjecting it to more vigorous price competition?

Most of the objectionable practices of the pharmaceutical industry are related to its discriminatory pricing system. Its brand-name drugs, principally ordered by prescribing physicians, are sold at high prices. Frequently much lower prices are charged when the chemically identical preparations are sold to hospitals and government agencies. It is the quest of very high profits in the brand-name market that explains the proliferation of essentially identical products and the high-pressure promotional tactics.

Rather than attempt to regulate promotional expenditures, the Government would do better to concentrate on eliminating the dual pricing system. Senator Long of Louisiana got to the heart of the matter when he proposed an amendment to the last Social Security bill that would have compelled all recipients of medicare and all hospitals assisted by the Federal Government to purchase drugs at the lowest prices. Unfortunately that amendment was emasculated in the House-Senate conference. It should be greatly strengthened and coupled with a proposal by Senator Nelson of Wisconsin that would establish a compendium of drugs and usages.

As a principal source of the funds with which drugs are purchased, the Federal Government should insist that they be bought at the lowest prices consistent with standards of purity and safety. The sedulous adherence to that principle, coupled with the expansion of Federally financed health programs, will either compel the existing firms in the pharmaceutical industry to alter their pricing policies or accomplish the same end by creating opportunities for new firms to enter the field.

[From the Washington Post, Sept. 23, 1968]

Regulating the Drug Industry

The Department of Health, Education and Welfare's Task Force on Prescription Drugs has made a serious indictment of the American drug industry. Among the charges in its second interim report, the Nation's pharmaceutical manufacturers are accused of making exorbitant profits and "grossly" exaggerating differences in the impacts on health between the costly brand-name drugs and less expensive generic equivalent. The report would not be so significant if drugs were a luxury commodity like ruffled shirts and chrome-laden cars. But they are not. Medicines are essential for the health and life of the sick. And that includes most of us at one time or another.

The pricing structure works a cruel hardship on the elderly. The report points out that although older people comprise less than 10 per cent of the population, because of their dependency on medicines to ease the pains of old age, they account for 23 per cent—about $1 billion—of retail spending for prescription drugs. The report says that "many elderly men and women are now unable to meet these needs with the limited incomes, savings or present insurance coverage."

The Task Force does not focus on the industry alone. It goes further and calls for better educational programs for physicians on this problem and a tightening of Federal and state regulations governing sales and dispensing of prescription drugs and improvement of druggists' practices when filling prescriptions. In short, the Task Force recommends a more forthright and equitable approach to the business of getting medicines to the public. HEW Secretary Cohen has already promised to present a plan to Congress that will ask that the less expensive drugs be substituted for name-brand drugs for medicare patients and that the Government pay for these drugs in the case of medicare out-patients. The Government has made a beginning and ought to continue vigorously if the industry does not regulate itself.

Mr. McINTYRE. Mr. President, but one must not underestimate the resourcefulness of the Pharmaceutical Manufacturers Association. The PMA recently came up with a different device to try to perpetuate the idea that brand-name drugs are superior. On August 5, 1968, the association issued a bibliography on biopharmaceutical which purportedly documented significant differences among dosage forms of the same drugs. Since the findings of this Association-sponsored study seemed, on the surface, at least, to contradict previous conclusions reached by the FDA, Senator NELSON requested comment on the PMA study from Wilbur Cohen, Secretary of Health, Education, and Welfare.

I ask unanimous consent that the correspondence between Senator NELSON, Mr. Cohen and the subsequent memorandum from Dr. Milton Silverman, Director of the Task Force on Prescription Drugs, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SELECT COMMITTEE ON
SMALL BUSINESS, U.S. SENATE,
Washington, D.C., September 9, 1968.

Hon. WILBUR COHEN,
Secretary, Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: On August 5, 1968 the Pharmaceutical Manufacturers Association distributed a "Bibliography on Biopharmaceutics" accompanied by a press release, both of which are attached.

Since your Department's Task Force on Prescription Drugs has been concerned with the matter of therapeutic equivalency, I would appreciate your comments on the attached documents.

Kindest personal regards,
Sincerely,
GAYLORD NELSON,
Chairman, Subcommittee on Monopoly.

THE SECRETARY OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., September 24, 1968.

Hon. GAYLORD NELSON,
Chairman, Subcommittee on Monopoly, Select Committee on Small Business, U.S. Senate, Washington, D.C.

DEAR SENATOR NELSON: I have asked the professional staff of the Department's Task Force on Prescription Drugs to review the Pharmaceutical Manufacturers Association publication, *Bibliography on Biopharmaceutics,* as requested in your letter of September 9.

I am enclosing for your information a report prepared by the Task Force staff director, Dr. Milton Silverman.

Sincerely,
WILBUR COHEN,
Secretary.

MEMORANDUM

To: Philip R. Lee, M.D.
From: Milton Silverman, Ph. D.
Subject: Bibliography on Biopharmaceutics.

On August 5, 1968, the Pharmaceutical Manufacturers Association released a publication entitled *Bibliography on Biopharmaceutics,* citing 501 references on the influence of pharmaceutical formulation upon the therapeutic activity of drugs.

In an accompanying news release, a PMA spokesman stated: "This unique publication refutes the astonishing myth that there are no significant differences among dosage forms of the same drug."

This statement in itself is somewhat astonishing. Among responsible scientists and clinicians, we are not aware of any doubt that there may be significant differences. The important question is how often these differences occur, and what threat they pose to the welfare of patients.

Here it is important to agree on the groundrules for the analysis—obviously, there will usually be substantial clinical differences between two products in different dosage forms, such as one in solution and one in tablets, or one in a coated tablet and one in an uncoated tablet.

But that is not the issue. The important question is whether or not there will be clinically important differences when two different products, containing essentially the same amounts of the identical active ingredients, in the same dosage form, both meeting USP, NF or other official standards, are administered in the same way—and whether this can be demonstrated in human subjects through properly designed, valid experiments.

With this in mind, it seemed desirable for the Task Force, its consultants, and the Food and Drug Administration, to review the new publication, with its 501 references. The following points were obvious:

Of the 501 references, only 221 were actually conducted in human subjects.

Of the 221, only 76 were—by PMA's own evaluation—"adequately designed or controlled" experiments.

Of these 76, only 12 represented comparisons between what might seem to be different brands of the same chemical equivalents.

And of these final 12, most compared different dosage forms (such as tablets versus effervescent solutions), or different salts (such as sodium derivatives versus potassium derivatives), or different coatings (such as delayed release products versus rapid release products). Some of these final products failed to meet existing USP or NF standards, and thus would be illegally on the U.S. market.

At the most, Task Force staff and our consultants agree, there were only two or three which demonstrated statistically-significant lack of biological equivalency, and in one case, the differences were described as being without any practical clinical importance.

In summary, it seems evident that the new publication represents a useful compilation of the literature on this subject.

The finding that only two or three of the 501 citations in this book indicate significant lack of clinical equivalency would seem to be consistent with the Task Force statement that "lack of clinical equivalency among chemical equivalents meeting all official standards has been grossly exaggerated as a major hazard to the public health."

Mr. McINTYRE. Mr. President, Dr. Silverman's memorandum makes it obvious that the PMA utilized a Madison Avenue advertising technique described in Sam Baker's recent book entitled "The Permissible Lie" as the practice of talking about one thing in order to imply something else. For example:

> This unique publication refutes the astonishing myth that there are no significant differences among dosage forms of the same drug.

This is clever obfuscation. And Dr. Silverman quickly cleared it up. In essence, he said, no such claim was made. The important issue is whether or not there will be clinically important differences when two different products, containing essentially the same amounts of the identical active ingredients, in the same—I repeat, the same dosage form, both meeting USP, national formulary, or other official standards, are administered in the same way—and whether this can be demonstrated in human subjects through properly designed, valid experiments.

Dr. Silverman then proceeds to show that members of the task force and its consultants seriously question the methods used in the PMA study. He concludes that of the 501 references made in it, only two or three demonstrated any "statistically significant lack of biological equivalency" and that lack of "clinical equivalency among chemical equivalents meeting all official standards has been grossly exaggerated as a major hazard to public health."

Mr. President, is it not proper to wonder about the source of these gross exaggerations? Is it not true that they originate from the large drug manufacturers, often through their associations, through the word-of-mouth activities of their "detail men"? And certainly one must wonder if the purpose of such exaggeration is not to confuse—to mislead the physicians and the pharmacists. One must wonder if this confusion, this misrepresentation, is not meant to shake the confidence of the medical community in lower priced products made by smaller reputable manufacturers under official or established names.

While the members of the PMA manufacture drugs, they do not prescribe them. The doctors do that. And, in performing this function, they occupy a remarkably unique position. It is seldom that the consumer has no voice—no choice—in the selection of a product he buys. Yet that is precisely what happens to the person who carries a prescription to his pharmacist. It is the doctor who writes the order for the product purchased by the consumer. This whole matter is carefully discussed in the report of the task force. And I ask unanimous consent that the portion of the report entitled "The Drug Prescribers" be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

THE DRUG PRESCRIBERS

In the modern use of drugs, important roles are played by the drug researcher, the manufacturer, the distributor, the pharmacist, and the official who carries the legal responsibility for drug safety, efficacy, and quality. But the most strategic role is that of the physician who prescribes the drug.

It is the physician who has major responsibility for the welfare of the patient.

It is the physician who is constantly faced with an awesome assortment of competitive and often duplicative products.

It is the physician who is the target of a barrage of advice, information, guidance, and promotion from detail men, advertisements, medical articles, pamphlets, bulletins, and throwaway journals.

And it is the physician who—with or without adequate training and competent advice—must make the decision on which drug or drugs to prescribe.

On his decision may well depend the health or even the life of his patient. On it will depend, at least in part, the quality, cost, and effectiveness of any drug insurance program, governmental or nongovernmental. And on it will depend the economic well-being of a drug company.

RATIONAL PRESCRIBING

The appropriate selection of a drug—the right drug for the right patient, in the right amounts at the right times—is generally defined as rational prescribing, and any significant deviation is considered to be irrational prescribing.

Rational prescribing is obviously the result of judgments on many points—the safety and efficacy of the drug for the clinical problem at hand, the advantages or disadvantage of alternative forms of therapy, the most appropriate dosage form, the length and intensity of treatment, the possible side effects or adverse reactions, and the possibility of drug interaction.

To these may be added judgments concerning relative costs.

Rational prescribing is clearly a major goal for the welfare of patients. It is likewise a major goal for any drug insurance program. Here, emphasis has been placed not directly on achieving rational prescribing but rather on preventing some of the more serious or costly forms of irrational prescribing. Among the latter are these:

The use of drugs without demonstrated efficacy.

The use of drugs with an inherent hazard not justified by the seriousness of the illness.

The use of drugs in excessive amounts, or for excessive periods of time, or inadequate amounts for inadequate periods.

The use of a costly duplicative or "me-too" product when an equally effective but less expensive drug is available.

The use of a costly combination product when equally effective but less expensive drugs are available individually.

The simultaneous use of two or more drugs without appropriate consideration of their possible interaction.

Multiple prescribing, by one or several physicians for the same patient, of drugs which may be unnecessary, cumulative, interacting, or needlessly expensive.

We find that some patients may be receiving as many as a dozen different drugs simultaneously, prescribed either by one or several different physicians, and that often physicians may not be aware that their patients are receiving drugs prescribed by others.

We find no reason to believe that any or all of these types of irrational prescribing can be effectively prevented—or that rational prescribing can be effectively induced—merely by rules and regulations. Instead, we believe the objective of rational prescribing can be reached most effectively through improving medical education—particularly in the area of clinical pharmacology—at both the undergraduate and postgraduate levels, supplying practicing physicians with objective data on which they can base their individual prescribing decisions, and supporting those in hospitals, clinics, medical societies, and health insurance programs who are seeking to achieve rational prescribing by their fellow practitioners.

THE TEACHING OF PHARMACOLOGY

In most American medical schools, the principal course in pharmacology is given during the second year. Generally, this is the only formal exposure of the student to the subject.

The nature of the pharmacology instruction has been a matter of much debate but little change. Although it is in reality a clinical as well as a basic science, it is taught primarily as a basic subject, with emphasis on the principles of drug action, a review of specific drug groups, examples of drug applications, and the broad fundamentals of prescription writing.

After the usual course in basic pharmacology, most medical students are given no formal training in the applied aspects of this field—in clinical pharmacology—but left to acquire what practical training they can absorb from a variety of courses in the several fields of clinical medicine.

Perhaps the most serious criticism of this informal exposure is that it fails to equip the soon-to-be physician with the essential scientific and critical attitudes toward the use of drugs and the evaluation of drug promotion—probably the most intensive promotion to which he will be subjected for the rest of his professional career.

The task force has noted that some medical schools have responded to such a deficiency by establishing courses in clinical pharmacology or pharmacotherapeutics. In these courses dealing with the practical aspects of drug prescribing, emphasis is generally placed on such subjects as the design of comparative clinical drug trials, and the techniques of statistical analysis. Also included in some courses is the evaluation of drug advertising and promotional material, and the importance of drug costs.

Many who participate in these and related programs have received a major part of their training in the section of clinical pharmacology in the National Heart Institute of the National Institutes of Health.

The task force recommends that the Department of Health, Education, and Welfare should provide expanded support to medical schools, enabling them to include a course in clinical pharmacology as an integral part of the medical curriculum.

POSTGRADUATE EDUCATION

Upon entering private practice, the average physician, knowingly or unknowingly, becomes the key figure in drug marketing strategy.

He must choose from a very large number of competitive and often duplicative products.

He must deal with a very large amount of advice, biased or unbiased, from detail men, advertisements, and other forms of promotion.

Substantial efforts are made on his behalf by the drug industry and others to prevent any interference with his right to prescribe as he sees fit.

Finally, it is assumed that he has the training, experience, and time to weigh the claims and available evidence, and thus to make the proper selections.

Everything, of course, hinges on the validity of this final assumption.

We find that few practicing physicians seem inclined to voice any question of their competency in this field. We have noted, however, that the ability of an individual physician to make sound judgments under these quite confusing conditions is now a matter of serious concern to leading clinicians, scientists, and medical educators. A distinguished pharmacologist, for example, has stated that lack of knowledge and sophistication in the proper use of drugs is perhaps the greatest deficiency of the average physician today. Other medical leaders have pointed to the wide discrepancy in the prescribing habits of the average physician as compared to the prescribing methods recommended by panels of medical experts. Still others have commented on the continued use by the average physician of products which have been found unnecessary or unacceptable by specially qualified therapeutics committees in hospitals and clinics.

We note that the most widely used source of prescribing information is essentially a compilation of the most widely advertised drugs.

The responsibility for these and other deficiencies has been placed on various factors:

Inadequate training in the clinical application of drug knowledge during the undergraduate medical curriculum.

Inadequate sources of objective information on both drug properties and drug costs.

Widespread reliance by prescribers for their continuing education upon the promotional materials distributed by drug manufacturers.

The exceedingly rapid rate of introduction and obsolescence of prescription drug specialties.

The limited time available to practicing physicians to examine, evaluate, and maintain currency with the claims of both old drugs and newly marketed products.

The constant insistence on the idea that the average physician, without guidance from expert colleagues, does in fact possess the necessary ability to make scientifically sound judgments in this complicated field.

INFORMATION SOURCES

Several significant approaches have been attempted to cope with this problem. In the United States, a small number of independent publications—which do not publish advertising—seek to present objective evaluations of the efficacy, safety, rationality, and occasionally the costs of specific drugs. These have relatively limited circulation, but are highly esteemed by medical leaders.

Many American hospitals and clinics utilize pharmacy and therapeutics committees to develop formularies which serve as guidelines to the staff members of the institutions. These, too, appear to contribute significantly to rational prescribing.

Other approaches to the problem of communicating objective and updated drug information have been proposed. These include, among others, closed-circuit television programs originating in medical centers; the development of community pharmacy and therapeutics committees; the utilization of existing regional medical programs to sponsor continuing drug information programs; and the use of hospital pharmacies as drug information centers.

Several foreign drug programs—notably those in Great Britain, Australia, and New Zealand—provide all physicians with prescribing guidelines prepared by panels of independent medical experts. Such publications—frequently updated to meet changing conditions—have been widely accepted by the medical profession in those countries.

In consideration of these factors, in view of the unfilled informational needs evident in this country, and as a major contribution to improving the quality of health care, the task force recommends that the Department of Health, Education, and Welfare should establish or support a publication providing objective, up-to-date information and guidelines on drug therapy, based on the expert advice of the medical community.

We recommend that the Department of Health, Education, and Welfare should support the efforts of county medical societies, pharmacy and therapeutics committees, medical foundations, and medical schools in taking the responsibility for providing continuing educaton to physicians on rational prescribing.

The Bureau of Health Manpower, the Division of Regional Medical Programs, and the National Library of Medicine in particular should assign high priority to the support of such efforts.

Finally, we affirm our interim recommendation that the Secretary of Health, Education, and Welfare should be authorized to publish and distribute a drug compendium listing all lawfully available prescription drugs, including such information as available dosage forms, clinical effects, indications, and contraindications for use, and methods of administration, together with price information on each listed product.

Mr. McINTYRE. Mr. President, Dr. Philip R. Lee, an Assistant Secretary of Health, Education, and Welfare recently testified:

Many, if not most, physicians rely primarily for information about drugs they prescribe on the advertising and promotional activities of the drug companies.

This is a matter of grave concern for the public as well as the medical profession. A physician himself, Dr. Lee said:

> Doctors get scant and insufficient education in drug therapy while in medical school and that in private practice a majority of them either is unaware or ignores the small number of publications which provide comparative objective data.

If the Physicians Desk Reference were the only catalog of prescription drugs available to the physician, his reliance on it would be understandable. However, this is not the case. There are doctors today in military hospitals. There are doctors in Veterans' Administration hospitals. There are doctors employed by the U.S. Public Health Service. These doctors treat patients, millions of them a year. They give their patients prescriptions filled by hospital pharmacists—as distinct from retail pharmacists—and these people, these hospital pharmacists, practice their profession in more than 7,000 hospitals and related institutions in the United States. They are interested in achieving the best sort of health care possible through the use of drugs purchased at the lowest practical cost.

These pharmacists are also represented by an association—the American Society of Hospital Pharmacists. For some 10 years now, this association has offered the American Hospital Formulary Service—a compilation of drug information prepared by pharmacists for use by the medical community. It is widely used by many elements concerned with health matters. The fact is that thousands of private physicians could have ready access to this information if they took the trouble to check with the pharmacists in the hospitals where these same doctors are members of the medical staff.

Perhaps the ASHP catalog is not the complete answer. Nor is it the only one available. Many hospitals have their own formularies. But there is no question about the fact that the armed services, the Veterans' Administration and many modern hospitals purchase drugs by their established names rather than by their brand names. And there has never been the slightest suspicion that these hospitals are dispensing anything other than first-class medical care.

There now follows a completely logical progression of thought. If first-class medical treatment is provided in public or military hospitals—those using high-quality, generic-named drugs—why are private patients burdened with the higher priced, brand-name drugs?

Mr. LONG of Louisiana. Mr. President, will the Senator from New Hampshire yield for a question?

Mr. McINTYRE. I am happy to yield to the Senator from Louisiana for a question.

Mr. LONG of Louisiana. Is it not a fact that if we adopt the approach the Senator has in mind, those who buy drugs now selling for as much as 40 times what they should be selling for at wholesale would be able to buy them at reasonable prices because the manufacturer would not and could not get an inflated price. In other words, we must establish in the public's mind the fact that reserpine and serpasil are essentially the same thing.

If we can ever set the precedent of simply saying that we will pay only a reasonable price for any properly made drug and that is all, then all these complicated "skin" games would vanish into thin air. From that point on, would it not also be true that people would be able to buy more of their drugs at reasonable prices with the public saving a vast amount of money? They would also benefit from the fact the Government would pay only up to a specified amount for the drugs it needs. After awhile the public would also come to realize that they, too, could buy their drugs for reasonable prices. The Government would pay only a reasonable price for drugs. If a manufacturer went beyond those prices, he would not get paid. Once that was all understood by the general public, is it not likely that many of the presently high-priced drugs would sell at a fair price?

Mr. McINTYRE. I believe that once the public understands the facts, what the Senator is inferring would come about, and reasonable prices would prevail. It seems to me, however, that the source of the problem is clear. The pharmacists are trapped in the middle and cannot go either right or left, and the doctors are so busy making good medicine and also making a good living that it seems to me that the pharmaceutical manufacturing industry must owe it to the American people to bring down its prices.

Mr. LONG of Louisiana. I thank the Senator. I think he is rendering a valuable service to the country in bringing this problem to the attention of the Senate. As the Senator knows, I have worked in this area also. Our good friend from Wisconsin [Mr. NELSON] is fighting for his political life. I am told, and I hope it is not correct, that the pharmaceutical industry is spending a fortune trying to defeat that good man because he has had the courage to bring this matter to the attention of the public.

Mr. McINTYRE. One of the reasons I have taken the floor to talk about this problem, which is really beyond the scope of my committee assignments, comes about from the fact that I prepared a speech, but never delivered it because of the assassination of our colleague, Senator Kennedy, and then found that repeatedly various drug journals were blasting me as being a man who would do "anything for a vote." Then, of course, when I heard what the Senator from Oregon [Mr. MORSE] said here about what the big drug manufacturers were doing in Wisconsin to our good friend from Wisconsin [Mr. NELSON], I got busy and put together this speech so that I could deliver it today.

Mr. LONG of Louisiana. May I say to the Senator that I feel somewhat guilty about this matter, because before I was named chairman of the Finance Committee, I served on the Small Business Committee as chairman of its Antimonopoly Subcommittee.

In that capacity, I explored this drug-pricing racket. It was so horrible that, even though some of my friends were in that industry, I felt it my duty to expose it. I exposed it to the point where it was ascertained that companies in the industry were engaged in an international conspiracy to fix prices on certain antibiotics.

I think one of the brands of the great wonder drugs is known as achromycin. It is also known by many other names. The real name is tetracycline. It is a magnificent drug. It is one of the great drugs of our century. It will kill almost any kind of germ. Yet the industry charged 40 cents for a pill that cost 1.5 cents to produce. The Senator from Louisiana showed that there was an international conspiracy to charge 40 cents for what cost 1.5 cents to produce.

After I exposed that, this $6 billion industry, used its money for public relations purposes saying that there was nothing new about what I was saying, that it was cheap demagoguery.

The purpose of my speech was to have the Justice Department prosecute this international conspiracy to rob poor people, not just in this country, but everywhere else on earth. The Justice Department did a major part of what I advised. It prosecuted those people in New York City, and they were found guilty. The public will benefit.

The State of Louisiana is suing for treble damages of, I believe, as much as $20 million to recover what it was cheated out of in its public purchases.

The Senator knows, I am sure, that they were prosecuted and convicted. The Pfizer Co. appealed from its conviction. It took a poll to help defend its appeal. The poll established that some 95 percent of all the women and 100 percent of all the adult males thought drug companies robbed the public in one way or another. Why would anyone want to prove himself a crook in the minds of all the males and about 95 percent of all the women? To me, it was unimaginable that anybody would go to the expense of taking a poll, and publishing it, which proved that virtually everyone thought he was a crook. Why should the Pfizer Co. want to prove that in New York City almost every adult thought they had been robbed?

The reason was that it wanted to prove it could not get a fair trial in New York City; it wanted to get a new trial in another jurisdiction. Actually, while it was stated in the poll that they were overcharging by three times, the facts showed that they were overcharging the public by as much as 30 times. The public had no idea how big a crook they were. The public thought it was getting robbed 3 for 1, while it was really getting robbed 30 for 1.

So while these people may spend a lot of money trying to beat a good, honest Senator like GAYLORD NELSON, they will find there is not enough money to buy Wisconsin. That great State has produced men like "Fighting Bob" LaFollette, and Bob LaFollette, Jr. There have been great people from that State, and they have resisted all the money barons in the world. I would say the drug industry, which is a $6 billion business, might find it does not have enough money to buy Wisconsin—not against an honest Senator.

Mr. McINTYRE. I thank my colleague from Louisiana, and also wish to indicate that I am fully aware of the fine work he has done in this field. I wish to remind him, too, that it was the distinguished Senator from Tennessee, Estes Kefauver, who first felt the wrath of the drug industry. I do not think anybody played a bigger part in my attempt to win a Senate seat from New Hampshire than did Estes Kefauver, by his continual urging.

Again I want to compliment the Senator from Louisiana and wholeheartedly agree with him. When we hear that hundreds of thousands of dollars, or perhaps millions of dollars, are being poured into a State by any particular industry to defeat GAYLORD NELSON, it makes my blood boil, as I am sure it does that of the Senator from Louisiana.

Mr. LONG of Louisiana. My reason for feeling somewhat guilty about this matter is that I was chairman of that subcommittee. I then found myself being very busy as chairman of the Finance Committee. This outstanding Senator, GAYLORD NELSON, agreed to take on the job and take on the robber barons. I knew, if I took it on, they would try to beat me. I was happy to have GAYLORD NELSON take on that task. I recently received 87 percent of the votes in the Democratic primary and my opponent has since withdrawn from the race. If I had done that job, they would have been going all out trying to beat RUSSELL LONG, rather than GAYLORD NELSON. You can see why I feel somewhat guilty. Now here is that fine Senator from Wisconsin fighting for his life, with that industry pouring its money in there trying to beat an honest man.

Mr. McINTYRE. I thank the Senator.

Some sort of contradiction exists here. And that contradiction is mute testimony to the effectiveness of the drug industry's propaganda campaign. Not for nothing do the drug companies spend five times more for advertising and promotion than they do on their highly touted, much-talked-about research programs.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. McINTYRE. Yes; I yield for a question.

Mr. LONG of Louisiana. I hope this is in his speech but is the Senator going to mention that this same industry spends about $4,000 per doctor per year brainwashing those doctors?

Mr. McINTYRE. The figure I have seen is $3,000.

Mr. LONG of Louisiana. My impression was it was $4,000, but $3,000 is fairly accurate as to the amount of money spent brainwashing each doctor.

Mr. McINTYRE. I hesitate to get too deeply into this figure of $3,000. I have seen some remarks to the effect that the first bag that a young, fledgling doctor receives is usually a gratuity from this industry.

Mr. LONG of Louisiana. If the Senator refers to the first bag that the young doctor receives, he is not just talking about the bag; he is also talking about the instruments that go into it; is he not?

Mr. McINTYRE. I understand the second year they get one of these stethoscopes. But that is outside the realm of my remarks today. I appreciate that my friend from Louisiana has vastly greater knowledge in this field.

Mr. LONG of Louisiana. I do not want to delay the Senator's speech further. I know he wants to get on, but I would like to point this out to the Senator. In Louisiana they tried to go to work on the Senator from Louisiana. The pharmacy owners, who know the Senator from Louisiana—some of the people who worked with my father, trying to serve the public interest—the druggists rallied to my side and said, "If the drug industry wants to take you on, you will have every druggist on your side." They went from store to store to explain the mischief the manufacturers were trying to do. If the industry was going to try to get all the doctors against me, they were going to get all the druggists for me.

Mr. McINTYRE. I have heard about the amazing abilities of my friend from Louisiana. It is very agreeable to learn that the pharmacists and drugstore operators were for the Senator. I think that is good, because the more I look into it, the more I am convinced that the pharmacist and the drugstore operator is really the victim of the war between the pharmaceutical industry and the one who receives the prescription. I understand why he does not call the doctor up and say, "Mrs. Jones is a very poor woman. You are prescribing a brand name. You can write up the prescription with the generic term and we can give it to her for about $2.50 less."

The druggists up in my hometown of Laconia, N.H., are not going to be so presumptuous, I am sure, as to tell some doctor what to prescribe.

Mr. LONG of Louisiana. Mr. President, if the Senator will yield, I understand it also works something like this. I know because there are some doctors who are relatives of mine, who follow the old-fashioned tradition that you do not charge your relatives for medical treatment. So the Senator from Louisiana, in his own State, often enjoys free medical service from his relatives.

People go to the doctor, and he prescribes, let us say, tetracycline. One manufacturer calls it Achromycin; others call it all sort of fancy names. If I need tetracycline, my relative opens the drawer and hands me a fist full of tetracycline. From all we are able to determine, it may not be worth but about 50 cents; but it may be $5 worth according to the way they price it. I usually do not pay for things like that, because I am fortunate enough to have a doctor in the family; but when old Grandma Jones goes in there, he does not give her a free sample. She has to pay 40 cents a capsule for something that should cost her 2 cents. With all due deference, as much as I appreciate all the free samples and their givers, I would like to see poor old Grandma Jones get the thing for the 2 pennies it is worth instead of paying 40 cents.

With that kind of conspiracy going on, of course, those people may be on their way to the penitentiary, but it just does not stop the companies from going on and on; and I thank the Senator from New Hampshire for trying to do something about it.

Mr. McINTYRE. I thank the Senator.

The final link in the drug dispensing chain is the pharmacist. There are thousands and thousands of retail pharmacists throughout the country—most of them the owners of small establishments. In the truest sense, they are small businessmen. And they are caught in an economic squeeze between the public interest and their own livelihoods. Most of them work on a cost plus markup equals sales price basis, just as any other retail merchant. Hence, a drug that costs 60 cents carries a markup of 40 cents and is sold to the customer for $1. In the great majority of cases the markup is approximately 66⅔ percent of the cost to the pharmacy, although there are some variations from one drugstore to the next and from one locality to another.

Since it has been established beyond doubt that brand-name drugs often cost the druggist 10 to 20 times more than the equivalent drug under its official name, by applying the same percentage of markup he enjoyed 10 to 20 times the dollar profit and the customer pays 10 to 20 times the price. It is not difficult to understand how the retail pharmacist has become a victim of the system along with the consumer.

Efforts have been made to change the system. One of them came from the American Pharmaceutical Association, the national organization representing many such retail pharmacists. The association proposed that there be a set fee—approximately $2 per prescription, for example—charged the customer for the service of the pharmacist in compiling a prescription. This fee would be added to the cost of the drug no matter whether its cost was high or low—no matter whether it came under a brand or generic name. The disadvantage inherent in the system lies in the fact that while the customer would save money on the higher priced drugs—those costing the druggist more than $3—he would pay more on the low-cost drugs. At any rate, there has not been general support for the "fee system" among the pharmacists.

Why does the pharmacist not substitute a lower priced generic name drug for the high-priced brand name called for in the doctor's prescription? Does the pharmacist not have some responsibility in this respect to his customer? Yes, he does. But the ultimate responsibility for prescribing is the doctor's, a responsibility the pharmacist should not and cannot be asked to share. Second, in some 40 or more States, there are specific laws which prohibit such substitution. And especially in small communities, there is a fact of life the druggist must face. The prescription business, like any other small retail business, is highly competitive. It can succeed or fail on the basis of a casual remark to a patient from a doctor who might say, "Here, have this prescription filled down at Murphy's Drug Store." Obviously then, the relationship between druggist and doctor becomes important and delicate. And it would be the rash pharmacist, indeed, who would do anything to undermine it.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. McINTYRE. I am happy to yield.

Mr. LONG of Louisiana. All too often, that man who goes down to Murphy's Drug Store is paying cash for those same free samples that salesman left earlier with that doctor.

Mr. McINTYRE. Let it be clear that I do not propose any Federal legislation to govern the filling of prescriptions. Nor do I suggest any changes in the State laws. However, I do believe there should be more information available to the doctors, themselves. And there is no doubt that such drug information would be contained in a complete compendium of drugs issued by the FDA as proposed by the Senator from Wisconsin [Mr. NELSON].

Until such a compendium is compiled and issued, what do we do in the meantime? There is some disadvantage in this "age of specialization." As doctors keep up with the advances in their profession, they do not have the time to keep up with the advances in pharmacology. Here, the pharmacist is the specialist. Somehow, there should be an exchange of information. For the individual pharmacist to offer gratuitous advice might be considered presumptuous by the doctor. However, I might suggest that this sort of exchange might be handled effectively through professional associations on the local level. A committee of the local medical association, for example, could get together regularly or periodically with a committee of the local pharmaceutical association. An exchange of drug information could be achieved. Such cooperation between doctors and druggists would lower the cost of health care. More people could enjoy the beneficial effects of properly administered drugs. In the long run, I doubt it would have an adverse effect on the total volume of retail prescription business. And it would preclude the necessity of any government restrictions on the free enterprise system.

Will such a cooperative exchange of information come about by itself? Realistically, I must say it is extremely doubtful. It is doubtful because the core of resistance lies in the highly organized, well-financed public relations apparatus of the big drug manufacturers. The function of his apparatus is to perpetuate the myth of brand-name superiority—to create doubt and suspicion about the reliability and effectiveness of the lower cost generic name drugs—and to destroy ruthlessly any one in professional or public life who dares to seek for and disseminate the truth.

This machinery operates on a kind of "carrot and stick" basis. While parts of the great amount of money it disburses go for worthwhile projects, other parts serve a punitive function. Those who support the activities of the big drug companies benefit. Those who oppose are punished: it is as simple as that. I ask unanimous consent that the portion of the report entitled "Advertising and Promotion" be printed in the RECORD at this point.

There being no objection, the excerpt from the task force report was ordered to be printed in the RECORD, as follows:

ADVERTISING AND PROMOTION

Included among the promotional activities of some major prescription drug companies have been the support of scientific or medical conferences or symposia totally unrelated to any commercial product, the publication of educational materials on such subjects as prevention of narcotic and drug abuses, immunization campaigns, and school health; the establishment of scholarships and fellowships, especially for the benefit of under-developed countries and the no-strings attached support of some scientific and medical societies.

These and similar activities are held in high esteem in the scientific and medical community, and are recognized as significant contributions to the improvement of public health.

Also included among promotional activities is the drug advertising in medical journals, direct mailings and throw-away publications, and others which has long since reached astounding proportions. It is estimated that the major drug companies together now spend some $3000 per physician annually to reach the nearly 200 thousand physicians who represent the target audience—those who will decide for which drug product their patient should pay.

Significantly, this advertising rarely if ever mentions price.

Unquestionably, much of this material is accurate and educational. The frequency of biased, inaccurate drug advertising has apparently been reduced since the enforcement of new advertising regulations by the Food and Drug Administration began in 1967. But the overall value of such advertising volume continues to be seriously questioned.

Similarly, the potential impact of these large advertising expenditures on the editorial policies of journals which are supported in large part by drug advertisements appears to deserve careful study.

Mr. McINTYRE. Almost from the day my comments were read at Tamiment, efforts have been made to discredit my motives. In the July issue of the Journal of the New Hampshire Medical Association there appeared an editorial entitled "Anything for a Vote." It categorically denied my statements in the Tamiment talk, describing them as "hogwash"—as "rash" and "irresponsible."

I must confess to some astonishment at the intensity of the adverse reaction among those concerned with prescription drugs by my single venture in this field. But there does seem to be some significance to it. If the single-occasion remarks of just one U.S. Senator—one who is not directly concerned in committee with the subject of prescription drugs—can set the propaganda machinery of the drug industry working against him, it is not difficult to understand what happens to other Senators more directly involved.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. McINTYRE. I yield.

Mr. LONG of Louisiana. Did I understand the Senator to say that he made only one single remark adverse to this $6 billion apparatus, and that they went to work on him the next day?

Mr. McINTYRE. At the beginning of my comments, I indicated that I had agreed to go up to Tamiment, Pa., to make a speech. I was unable to go because of Senator Kennedy's assassination, but my speech was read. That is the only occasion I have ever had to say a word about drugs and their high cost, on the floor of the Senate or elsewhere. But suddenly I began to find myself beginning to get the treatment.

My reaction is to wonder what Estes Kefauver had to put up with, or what the Senator from Louisiana has to put up with; and uppermost in my mind today is what Senator NELSON must be putting up with in Wisconsin.

Mr. LONG of Louisiana. I need not remind the Senator of what often happens, but oftentimes, for one reason or another, someone else writes a speech for a Senator; and, before giving it, the Senator may or may not have a chance to make some corrections in it, or changes; but I ask the Senator, did the drug industry jump on him after only one speech?

Mr. McINTYRE. Mr. President, I am sure that the drug industry knows how Senators ordinarily operate. The speech in this case was prepared by my staff. It was checked into, and we sent the speech along. Some interesting facts were discussed with me, and they were all presented.

They stand as my remarks. I am not like some people I know who say, "I am sorry, but one of my staff writers or somebody that I do not know prepared the remarks."

These are my remarks, and I believe in bearing responsibility for them.

Sometimes a speech is prepared and a Senator goes over it the night before. He might say, "I wouldn't say it that way. I don't mean it that way." It would be changed at the time it was delivered. But in this case, the speech was carried by messenger from Washington to the affair at which it was read by someone else.

Mr. LONG of Louisiana. Mr. President, it occurs to me that the members of the drug industry should say: "Before we spend a fortune to reelect you, we had better see whether that is your strong view." They should give a man a chance to confirm whether that was his heartfelt view. After all maybe the Senator might like to change his mind.

Did they accord the Senator that opportunity?

Mr. McINTYRE. No.

It is easy to understand what happened to Senator Kefauver in the early 1960's. And certainly the sort of reaction I experienced tends to corroborate the remarks made on this floor by the senior Senator from Oregon [Mr. MORSE] on September 24. Senator MORSE accused the drug manufacturers of trying to influence the election in Wisconsin. Their objection, he said, was to defeat Senator NELSON who has been in the forefront of the recent inquiries into the practices of the big drug manufacturers. I ask unanimous consent that the press report entitled "Drug Makers Are Pouring Money Into Wisconsin To Beat Nelson" from the October 5, 1968, edition of Labor be printed at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

CHARGES DRUG MAKERS ARE POURING MONEY INTO WISCONSIN TO BEAT NELSON

Giant drug makers are pouring money into Wisconsin in an effort to defeat the re-election of Sen. Gaylord Nelson (D.) because of his probes of high drug prices and other drug industry abuses.

So charged Sen. Wayne Morse (D., Ore.) as he told the Senate that the industry attempt to buy the election for Nelson's Republican opponent "is a shocking and scandalous situation which merits the attention of the Congress and the American people."

Morse cited reports published in Wisconsin newspapers, which quoted the Republican Senate Campaign director as saying that "doctors and representatives of the drug industry have indicated a great interest in contributing to Nelson's opponent." Then the flood of anti-Nelson money began.

Morse asked: Where is this "industry" money coming from? He answered that the funds were gouged from "every poor and elderly American citizen who must buy a life-saving drug" at inflated prices.

They are funds extorted "from the budgets of every public hospital, every children's home, every welfare institution in America." he continued. These institutions, he noted, "must pay unfair and discriminatory prices for drugs desperately needed by their patients."

The campaign is being made against Nelson only because he has lived up to his public trust by "courageously and conscientiously" carrying out "a searching investigation of the prescription drug manufacturing industry" through the Senate Anti-monopoly subcommittee which he heads, Morse asserted.

He said facts uncovered by the subcommittee have "shocked the nation." For example, the subcommittee disclosed outrageous overpricing and promotion "without regard for the dangerous side effects" of many profitable drugs, he pointed out. Also, it spurred price cuts on some drugs, caused a cutback in prescribing of dangerous drugs and helped curb other abuses, Morse noted.

That's why the industry is fighting Nelson, Morse declared. It "would rather take the money out of the pockets of the American poor and the sick and the elderly and pour it into an attempt to defeat Sen. Nelson rather than make needed reforms, the senator charged.

The industry, in pouring money into the Nelson race to defeat him, seeks to squash the hearings and bury the truth about its practices, Morse asserted.

"The people of America can be proud of Sen. Nelson and the courage he has shown in pursuing this investigation despite ruthless pressure and threats from the very outside," the senator declared.

He accused the industry of trying to prevent the hearings and discredit expert witnesses. Also, he said the industry "tried to twist the facts and fool the public into thinking that drugs are cheap and that the drug industry is suffering high risks to perform a public service."

"They failed in all these attempts," Sen. Morse declared, "so now they are trying the last maneuver open to them—they are trying to defeat Sen. Nelson by pouring their record-high drug profits into a campaign to defeat him in his own state."

He urged that the people of Wisconsin "take note of the great dedicated public service of Sen. Nelson," and rebuff the industry attempt "to get" Nelson.

Meanwhile Nelson steadfastly continued committee hearings aimed at developing the truth about the prescription drug field as compared with the claims of the industry.

Mr. McINTYRE. Mr. President, to combat the efficient, well-entrenched propaganda machinery of the big drug companies is a huge and complicated task. I would not expect it to originate within the medical community which is too busy with its own problems. Nor can the retail pharmacists realistically be expected to take action which, on the surface at least, would seem to be against their economic interests. Nevertheless, a massive job of public education on the subject of drugs must be undertaken.

Precisely as it became the Federal Government's lot to inform the public about lack of safety in automobiles—to disclose the harmful effects of cigarette smoking—to protect the public against unfair credit and lending practices by means of truth-in-lending legislation—so must it be the Government's task to campaign against public ignorance in the field of prescription drugs.

The occasional publicity given to testimony before the Nelson subcommittee is not enough. There must be a carefully planned, continuing campaign designed to accomplish three objectives:

First. To persuade the general public and the Nation's doctors that high-quality generic named drugs are lower priced and equally effective as their higher priced, brand-name equivalents.

Second. To persuade the general public not to accept without question the doctor's prescription while he is in the process of writing it out. The public must be taught to inquire about the use of equivalent drugs—if they are not already being prescribed.

Third. To implement a Government-sponsored program designed to inform physicians about drug equivalents through publication of a drug compendium and by circulation of periodic information regarding equivalents.

It is altogether possible, Mr. President, that such a campaign would be effective—even against the impressive public relations machinery of the big drug companies. If it is, the American people would be the gainers. And the time and effort expended by men like Senator Kefauver, Senator Long of Louisiana, and Senator Nelson, the abuse they have suffered, will not have been spent in vain.

THE CONTINUING COVER UP

Mr. FANNIN. Mr. President, this is the third, and I hope the last, time I will have to address the Senate in regard to the extradition proceedings of one Harold C. Banks—an official of the Seafarers International Union—and the passage of $100,000 from the union treasury into campaign coffers of the Humphrey-Johnson combine.

I should like to point out to the Senate the serious strain this case has put upon our relations with our good neighbor to the north, Canada. I shall not go into a complete review of the Hal Banks case again. My two previous speeches on this matter are in the Record—July 20, page 22478 and September 20, page 22739. Those wishing to have a complete background can refer there.

It will suffice to say that Hal Banks is almost a household word in Canada. He is known as the Waterfront Warlord, the Hoffa in Canada, and is generally recognized as one of the most unsavory characters ever permitted to cross the border. His roughhouse tactics on Canadian waterfronts were the subject of investigation by a Royal Commission and the deeper they dug into his background and activities the worse the record began to appear. Finally after being convicted of conspiracy to commit assault—hiring thugs to beat up rival union leaders—Banks posted $25,000 bond while his appeal was being prosecuted. He jumped bail and fled to the United States—seeking sanctuary among his friends and employers in the SIU.

Meantime, Canadian officials, unable to secure extradition because "conspiracy to commit assault" is not listed among those crimes covered by the extradition treaty between the United States and Canada, attempted to have him returned for prosecution under a charge of perjury which is listed under the treaty. There seems to be little doubt that Banks could be tried upon this charge.

What follows can only be a simulation since Secretary Wirtz has refused to supply me with the documents which would attest to the facts. However, it appears that Secretary of State Rusk, after receiving the memorandum of December 26, 1967, from Secretary Wirtz described by Mr. Wirtz in a letter to me as identifying, "briefly the 10-year background of the labor disputes on the Great Lakes, in which Mr. Banks was the central figure. It noted the possible relationship of the extradition proceeding to a potential renewal of that disruptive situation," decided to refuse to honor Canada's extradition request and allow Banks to remain in the United States scot free. Shortly thereafter the parent union contributed $100,000 to Democratic presidential campaign committees.

The possibility of these events being coincidental seems very remote. It raises the question of union hierarchy affecting control of Labor and State Department matters. The increasing sensitivity of the Secretary of Labor to my inquiry, his touchiness, even arrogant tone in the occasional replies which he deigns to send me, simply enlarge the question. If the memorandum is as innocuous as Secretary Wirtz would have the Senate believe, why not supply it? If the best interests of the United States are exhibited in Mr. Wirtz' arguments presented to Mr. Rusk, why not make them public? I am at a loss to understand how the betterment of relations between the United States and Canada—or the disruptive Great Lakes waterfront labor situation—is best served by keeping the memorandum in the dark, covered by secrecy.

My office has received considerable mail on this subject, Mr. President, much of it from Canada. I should just like to share with the Senate the depth of feeling that comes from our neighbors to the north and the stain upon our national honor that this case represents.

Here is an excerpt from a letter from Vancouver, British Columbia:

> The (Banks) decision is the source of deepest cynicism . . . toward the integrity of the U.S. government, just at a time when the American people need as much support as possible from Canadians.
>
> To Canadians the Hal Banks episode must seem even more important than the Pueblo episode is to the Americans. The Pueblo after

all was seized by a Communist government on an intelligence mission, whereas Banks is protected by a friendly nation which even purports to represent Justice and Liberty to free men. Justice is only meaningful if it stands up under pressure.

Here is part of another letter from Edmonton, Alberta:

> I think I am being fair when I say that most Canadians felt that the State Department action was wrong. For myself I feel so. But what is even more worrying in this odd case is the apparent unethical angle. After all what is the reaction to a mammoth donation and the no deportation. Now we have this further point of your not being able to obtain the memorandum of Secretary Wirtz. All in all you get (or rather I do) the feeling that immorality has penetrated to the highest levels.

These are just two of many, many letters which I have received indicating the extent of emotion Canadians feel on this matter. I do not hesitate to call it a simmering crisis.

Of course, there has been reaction in the United States as well. At the conclusion of my remarks I shall ask to have several articles and letters bearing on this matter printed in the RECORD, but at this point I should like to quote from a seafarer who wrote me but whose name must be withheld for fear. He addressed Mr. Paul Hall, president of the Seafarers International Union:

> You state that the political contribution is given by the rank and file. Who are you kidding? This is just another means of your extortion. I have a full book in this union and I cannot even give my name because I would be kicked out of the union. Or your goons would work me over. . . .
>
> When are we going to get rid of Hal Banks and his $20,000 a year job? He made a mess of things while in Canada. This union is just a one-man rule. You are a dictator.

Another seafarer, who has apparently fought a running battle with the SIU leadership over several years, says this:

> How is the SIU on the one hand able to contribute $100,000 to Democratic Party Campaign funds over a very short period of time, while on the other hand it is unable to provide a proper retirement fund for its members?
>
> I am a seaman . . . I am a member of the SIU . . . I contribute very heavily and pay my dues . . . I know I speak not only for myself but for a very large number of my brother seamen who are also members of the SIU. We are outraged. One hundred thousand dollars was donated by way of twenty $5,000 checks to various committees and groups of the Democratic party immediately after Secretary of State Dean Rusk actually stuck his neck out for Harold Banks. It is obvious to anyone with a grain of common sense that in the ordinary way things go Banks should have been extradited to Canada. But Banks was no ordinary person . . . So the SIU started to pull strings and each of these strings cost me and my brother union members the grand total of $100,000 for these so-called contributions.
>
> We union members who work so hard and faithfully, make our union contributions and pay our dues, were never consulted, never told, never given any say about this deal. And why not? Because, if we knew, it could never have happened. It is ridiculous to think that we are all supporters of the Democratic Party and LBJ like Paul Hall. We also do not give a hoot about saving the neck of Harold Banks who was convicted of a crime in Canada. What we care about is our union and that means ourselves, the working seamen, not the Paul Halls and Harold Banks who dip into our pockets for their own ends whenever they feel like it.

Since my last talk about these curious affairs, Mr. President, the Justice Department has notified me that the Criminal Division "has been and is making an investigation" in the SIU and the National Maritime Union's fighting fund—which I noted has admittedly made contributions to Federal races but failed to ever file a report with the Clerk of the House. The National Maritime Union now has filed its first report ever with the Clerk of the House covering political contributions made during 1968.

These are good first steps, and I commend those concerned; however, independent reports coming to me indicate that the SIU investigation started by the Justice Department consisted of two FBI agents spending less than 30 minutes in union headquarters to determine if the political contributions were voluntary. If this is so I certainly think a more detailed investigation will have to be forthcoming.

While the NMU has certainly taken a first step in the right direction in its political reporting efforts, I think they should also become aware that reports are required for years prior to 1968, too; and I hope this will be impressed upon them by Justice Department officials.

But now we come to the Department of Labor, and I must unfortunately report to the Senate that no progress has been made in this area.

After my letters to Secretary Wirtz of August 9 and September 10—restating my requests for the banks memorandum—were totally ignored by the Secretary, I dispatched the following letter to him on October 1, which I ask unanimous consent to have printed in the RECORD at this point:

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OCTOBER 1, 1968.

Hon. W. WILLARD WIRTZ,
Secretary of Labor,
Washington, D.C.

DEAR MR. SECRETARY: Reference is made to my previous correspondence of July 22, August 9 and September 10 in which I asked you to supply me with a copy of a memorandum passing between you and Secretary Rusk concerning the extradition proceedings against Harold C. Banks, an official of the Seafarers International Union.

You made reference to this memorandum in your telephone conversation with me on July 25 and your subsequent letter of July 31, identifying it as being "transmitted on December 26, 1967."

Heretofore I have requested you to provide me with a copy of the memorandum as a normal courtesy which would be extended to a Senator and member of the Senate's Labor and Public Welfare Committee. You have, apparently, chosen to completely ignore my last two requests (August 9 and September 10). You thereby leave me no choice but to insist upon release of this memorandum under the provisions of Public Law 89–487. So far as I can determine from your description of the Banks memorandum, it does not fall within any of the exemptions provided in the Act. Therefore, I respectfully request that a copy of the memorandum which you previously identified be provided to my office (Room 140, Senate Office Building) no later than noon on Friday, October 4, 1968.

Respectfully,

PAUL FANNIN,
U.S. Senator.

Mr. FANNIN. After making reference to my previous correspondence and identifying the memorandum, I noted Mr. Wirtz had ignored my previous two requests and said:

> You thereby leave me no choice but to insist upon release of this memorandum under the provisions of Public Law 89–487. (Public Information Act of 1966.)

On October 8—4 days after the date by which I had asked the Secretary to respond—he sent me the following reply, which I ask unanimous consent to have printed in the RECORD at this point:

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OCTOBER 8, 1968.

Hon. PAUL FANNIN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR FANNIN: In your most recent request for a copy of my memorandum to the Secretary of State, you cite the Public Information Act of 1966 and apparently take the position that the provisions of this law require the production of documents of this type.

Throughout my tenure as Secretary, this Department has always cooperated fully with all appropriate Congressional requests for information and will continue to do so. It was in this spirit that I supplied you with the background and substance of my memorandum in our telephone conversation of July 25 and my subsequent letter of July 31. I regret exceedingly that you now find it necessary to suggest that the Public Information Act requires disclosure of the memorandum itself.

There is of course nothing in this law or in the policies which have been established in this Administration which requires the public disclosure of the personal exchanges of Cabinet members. Indeed, this type of inter-agency memorandum is expressly exempted from public disclosure by the Act to which your letter refers.

You should know that if at any time the Chairman of a committee with legislative or appropriations responsibilities requested me to produce this or any other relative materials, I would give it careful consideration in the light of this Administration's position that the Congress should have full and complete access to the materials it needs to carry out its constitutional responsibilities.

Sincerely,

WILLARD WIRTZ,
Secretary of Labor.

Mr. FANNIN. When one examines this reply, he finds the significant paragraph to be:

> There is of course nothing in this law or in the policies which have been established in this Administration which requires the public disclosure of the personal exchanges of Cabinet members. Indeed, this type of inter-agency memorandum is expressly exempted from public disclosure by the Act to which your letter refers.

The remainder of the letter, and its lecturing tone, I note only to say that I know the Secretary to be an able and distinguished man who sometimes lets his emotion get the better of his judgment. Sometimes he extends his answers a bit further than he really intends to go. The Secretary and I have had our encounters in committee hearings over legislative matters; and while he finds it difficult to restrain his patronizing attitude toward Senators—particularly of the opposition party—I have never known him not to apologize when he felt he might have been a bit snappish.

The crux of the matter is, I have repeatedly asked the Secretary to disclose the full text of the Banks memorandum and he has repeatedly ignored and refused to comply with my requests.

This brings us to an impasse which has, I suppose, existed in one form or another since the founding of the Republic. How do two separate and coequal branches of government solve their differences over what information within the executive branch shall be made available and open to the public?

I recognize that to carry on legislative business Members of Congress and congressional committees have a greater need to know executive information than members of the public. However, 2 years ago, under the leadership of the Senator from Oregon [Mr. MORSE], Congress passed a Freedom of Information Act which is supposed to insure the public access to information in which they have an interest and vested right to know.

It is obvious that Mr. Wirtz—as a member of the executive branch—and I as a member of the legislative branch have a difference of opinion over what is and what is not exempted under the act. It is curious to me that the Secretary regards his memorandum—which by his own admission touches upon treaties, labor leadership, and waterfront strife—as a personal communication between himself and Secretary Rusk. He seems to miss the larger interest of the Nation in the matters he discusses.

Therefore, in order that the public may have the opportunity to see and judge for itself the contents of Mr. Wirtz' memorandum, it is my present intention to proceed under provisions of Public Law 89-487 in order to secure release of the Banks memorandum.

Mr. President, I ask unanimous consent that a series of articles, letters, and statements touching on the matters I have just described, be printed in the RECORD at the conclusion of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.), Evening Star, Oct. 8, 1968]

THE BANKS CASE: DIGGING PAST THE SILENCE

(By James J. Kilpatrick)

Nearly three months have elapsed since Jerry Landauer of the Wall Street Journal broke the story of the Amazing Coincidence of Harold Banks and the 100 Grand. It is still more amazing, when you come to think about it, that both Banks and the story have dropped into limbo.

If it were not for Sen. Paul Fannin of Arizona, this whole affair might have been hushed up altogether; but Fannin, a very junior senator, is showing the bullpup tendencies that may yet make him a bulldog in the pedigree of Williams, McClellan, Pastore and Morse. These are the guys who never give up.

Fannin is determined to find out exactly what happened last spring when Secretary of State Dean Rusk refused Canada's request for the extradition of Harold Chamberlain Banks. Thus far, Fannin has gotten absolutely nowhere, but so long as he keeps digging into the garbage, the smell will not die down.

Canadians know the story; Americans may have lost track of the facts. Banks is the No. 1 troubleshooter and brass-knucks man for the Seamans International Union (SIU). He was dispatched to Canada back in 1949, when the leading maritime union of that day—the Communist-dominated Canadian Seaman's Union—was creating chaos in Canadian shipping. Peter Gzowski, writing in Macleans, recalls that the Canadian union had pulled 66 strikes and work stoppages in a span of 12 months.

For a few months, Banks was a hero. He matched his own goons against the goons of the CSU. After a few broken bones and gunshot wounds, Banks effectively drove the CSU out of business. His own SIU muscled in by organizing 157 crews the first year.

Then the party got really rough. Banks proceeded to run the SIU in Canada with a ruthless hand. He created his own personal blacklist—a "Do Not Ship" list—that finally contained the names of 2,000 sailors offensive to him. When the "DNS" list was declared illegal, he blandly created a substitute for it—an "ROC" list, meaning "Report of Charges," by which he could keep a rank and file sailor from ever getting a job.

Eventually, these oppressive tactics produced rebellion. One violent incident followed another. In 1964, Banks himself was convicted for conspiring to commit assault. The charge was that he paid $1,000 to "Big John" Kasper, former bodyguard to Dave Beck, to teach a lesson to an upstart merchant captain. The lesson included a double rupture and a fractured skull.

Banks was sentenced to five years in prison. Released on bond pending an appeal, he jumped his bail and fled to the United States. This was last winter. Canada at once applied for extradition under the Webster-Ashburton Treaty of 1842, basing its petition upon the perjury committed by Banks in a related investigation.

A U.S. commissioner recommended that extradition be approved. Secretary Rusk's legal adviser concurred. But Rusk let Banks go free. He had received a memorandum from Labor Secretary Wirtz, he said, urging clemency. (Fannin's repeated requests for the text of the memorandum have been ignored.) Two well-connected lawyers also were active in Banks' behalf—Myer Feldman, former White House counsel to Kennedy and Johnson, and Abram Chayes, former State Department legal adviser. On March 25, Rusk made his generosity final: Banks could stay in the U.S.

Now observe: Nine days passed. On April 3, as Jerry Landauer broke the story, the SIU's Political Activity Donation Committee contributed $100,000 to the Democratic party, in the form of 20 checks for $5,000 each; most of the checks went to dummy Humphrey-for-President committees. It seems an astounding coincidence.

Many of us recall the "Nixon fund" eight years ago; we remember what hell was raised about that. We recollect poor Sherman Adams, banished to Siberia for accepting a vicuna coat. More recently, we remember how the roof fell in on Sen. Chuck Percy, whose innocent friends proposed to raise a supplementary fund for his expenses. Why the thunderous silence from the liberal press on the matter of Hal Banks and the hundred grand?

Jerry Landauer merits a Pulitzer for his story; and Sen. Fannin, if he ever gets at the truth, will deserve a pat on the back for persistence.

[From the Washington (D.C.) Evening Star, Sept. 27, 1968]

LABOR LEADERS SEE TROUBLE IF NIXON WINS

(By Richard Wilson)

Labor leaders have a great deal at stake in the presidential election and they know it. Walter Reuther has marshaled the United Automobile Workers for the Democratic ticket and George Meany has committed the AFL-CIO. Both are fighting a significant defection to George Wallace, running beyond 10 percent in the case of auto workers and probably higher in other trade unions.

What the labor leaders are most concerned about is the election of Richard M. Nixon and a Republican House of Representatives for they sense that if this happens they are in for big trouble. In fact big trouble has been lurking just around the corner for the labor leaders for the last ten years. All that is needed to push trouble around the corner is a Republican victory in November.

At the moment the gathering storm for the labor leaders circles around the strange case of Harold C. Banks, boss of the Seafarers International Union in Canada, who skipped to the United States under $25,000 bail after being convicted of conspiracy to commit assault. Secretary of State Rusk, advised by Secretary of Labor Wirtz, refused to honor Canada's request for the extradition of Banks. Subsequently, it has been reported, the Seafarers International Union contributed $100,000 to the Democratic presidential campaign of Vice President Humphrey.

There is much mystery about Secretary Wirtz' advice to Secretary Rusk. His analyses and recommendations were contained in a memorandum on Dec. 26, 1967, which Wirtz has refused to turn over to Sen. Paul Fannin of Arizona, who is taking an interest in the case. Wirtz enigmatically hints that the extradition of Banks threatens a renewal of the "disruptive situation" on labor disputes in the Great Lakes region and haughtily concludes that he takes independent responsibility as Secretary of Labor for advising the Secretary of State.

Poor Mr. Rusk, as is so often the case, merely seems to be caught in the middle. He has not had much time in recent years to devote to problems on the Great Lakes, nor even to Canada.

"I cannot imagine what is so damaging about this Banks' memo that it cannot stand the light of senatorial scrutiny," said Fannin. Other things about the Seafarers International Union are equally as hard to understand.

The union is fairly small as unions go—a mere 80,500 members. But according to a report filed with the clerk of the House of Representatives the union had at its disposal for political use during the calendar year 1968 a total of $921,314 or better than $5.30 per man. Already the seafarers have spent $539,732 in the 1968 elections. Their contributions to the Democratic presidential race were in the form of twenty $5,000 checks to various committees over the country.

Generous as are the Seafarers, they do not yet rank up to the pipefitters, voluntary politics, educational, legislative and defense fund of St. Louis, which is estimated to have collected and distributed more than $15 million in the last 20 years at a typical rate of $400,000 to $600,000 annually.

Still, the seafarers have use of a 260-foot steam yacht which they recently brought to Washington on a "training" mission to impress Washington officialdom with the virtues of the union and the excellence of the ship's store of wine and cigars.

An inquiry in a Republican administration on how unions acquire and use such affluence in political campaigns is possibly the least of the troubles facing big labor if it is shown that the leaders cannot win a presidential election.

This will provide some fireworks and headlines but the serious threat is new and more restrictive legislation to temper labor's arrogance of power and prevent it from gaining the extension of power it seeks.

Abolishment of the pro-labor National Labor Relations Board is one of the possibilities. An impressive case has been assembled in Congress on the virtually unbroken record of favoritism of the NLRB on labor issues.

It will be all the more difficult for the labor leaders if some of their own union members, in their zeal for George Wallace, help to elect more conservative members of Congress.

SEAFARERS INTERNATIONAL UNION, ATLANTIC, GULF, LAKES, AND INLAND WATERS DISTRICT

This motion was made and seconded aboard ship in a SIU meeting, signed by 25 members of the Seafarers Union:

"That the seafarers international union put into effect a pension plan, whereas a person with 20 years in the union and 15 years seatime may be able to retire if he wishes to do so.

"The seafarers international union is the only U.S. maritime union with no such plan, some as had it for the past 4 or 5 years.

"For the past 15 years the S.I.U. has put itself into a position where it has been using all its effort and time in organizing all field of labor, during that time it has neglected the men on the ships.

"So be it resolved that the S.I.U. will put into effect in the very near future a retirement plan with the above seniority equal or better then all other U.S. maritime unions."

This motion to be read and acted upon at the next membership meeting in all ports.

(Names withheld.)

SEAFARERS INTERNATIONAL UNION,
ATLANTIC, GULF, LAKES, AND
INLAND WATERS DISTRICT,
Brooklyn, N.Y., August 15, 1968.

(Name withheld.)

DEAR SIR AND BROTHER: Your letter of August 6, 1968, postmarked August 7, 1968, was received by Union Headquarters on August 8, 1968. Since Paul Hall is out of town on Union business, I am taking the liberty of answering your letter. Based on the information contained in your letter, our answer to the question you have asked is as follows:

Question: A motion was made and passed by all hands at a ship's meeting that a person with 20 years in the Union and 15 years seatime be able to retire if he wishes to do so.

Answer: The Union is continually reviewing the status of our pension plan with the objective of providing the best coverage for the majority of the membership. At the present time our current plan is fulfilling this goal. However, in accordance with the wishes of the membership, alternative plans are being studied and reviewed for presentation to the membership. Changes will be effected when economically feasible plans in accord with the needs of the majority of the membership are formulated and approved by the membership.

Reference: Union policy.

Fraternally,

EARL SHEPARD,
Vice President,
Seafarers International Union.

STATEMENT BY SIU MEMBER PROTESTING UNION ACTION IN CONTRIBUTING $100,000 TO HUMPHREY PRESIDENTIAL CAMPAIGN

I want to ask a very simple question. How is the SIU on the one hand able to contribute $100,000.00 to Democratic Party Campaign funds over a very short period of time, while on the other hand it is unable to provide a proper retirement pension fund for its members?

I am a seaman. I work in one of the most difficult and dangerous of all occupations. It is difficult because I do not have a well-ordered 9:00 to 5:00 daily routine by which to earn money to support my family. I cannot be home very often to see my family enjoy the fruits of my labor. It is dangerous because I have learned over the years that the sea is harsh and tough and can do cruel things.

I am a member of the SIU. I contribute very heavily and pay my dues because a seaman must have protection for himself and his family, just as any other worker who belongs to a union.

I know that I speak not only for myself but for a very large number of my brother seamen who are also members of the SIU. We are outraged. One hundred thousand dollars was donated by way of twenty $5,000.00 checks to various committees and groups of the Democratic party immediately after Secretary of State Dean Rusk actually stuck his neck out for Harold Banks. It is obvious to anyone with a grain of common sense that in the ordinary way things go Banks should have been extradited to Canada. But Banks was no ordinary person in that he had been head of the Seafarer's Canadian branch. So the SIU started to pull strings and each of these strings cost me and my brother union members the grand total of $100,000.00 for these so-called contributions.

We all know that the law forbids the Union to give more than $5,000.00 a year to any campaign committee. But that didn't mean anything to SIU President Paul Hall. He or whoever else can get into our union purse figured out how to get around this rule by breaking the money down into $5,000.00 payments.

We union members who work so hard and faithfully make our union contributions and pay our dues were never consulted, never told, never given any say about this deal. And why not? Because if we knew it could never have happened. It is ridiculous to think that we are all supporters of the Democratic Party and LBJ like Paul Hall. We also do not give a hoot about saving the neck of Harold Banks, who was convicted of a crime in Canada. What we care about is our union and that means ourselves, the working seamen, not the Paul Halls and Harold Banks who dip into our pockets for their own ends whenever they feel like it.

The SIU is the only United States maritime union that does not have a pension plan whereby a seaman with twenty years in the union and fifteen years sea time may retire. We want such a plan because we really and truly need it. But all we get is talk and while the talking is going on, our money is going out.

An investigation was started several years ago into our so-called Pension & Welfare Plan and there were lots of irregularities found but the findings were squashed. We wonder who got the contributions that time.

Resolutions have been submitted to the big shots in the Union, signed by many union brothers, to increase the pensions, but all we got was a lot of soft soap and no action.

We demand an impartial investigation of the Pension Plan and all other aspects of the union, such as why are only a select group elected to high office. Why should we pay for a political hack, who does nothing to earn his keep, except to contact politicians who may do Paul Hall some good.

There is a rumor going the rounds that Paul Hall wants to be Secretary of Labor, and he is getting in good with the powers that be, with our blood, sweat and money.

Again, we demand that an impartial investigation be made immediately.

I started this letter by asking a simple question and I am ending it by asking for an honest answer.

(Name withheld.)

AMENDMENT OF THE INTERNAL REVENUE CODE OF 1954

The Senate resumed the consideration of the bill (H.R. 2767) to amend the Internal Revenue Code of 1954 to allow a farmer an amortized deduction from gross income for assessments for depreciable property levied by soil or water conservation or drainage districts.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Florida [Mr. SMATHERS].

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendments to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 2767) was passed.

The title was amended, so as to read: "An act to amend the Internal Revenue Code of 1954 to allow a farmer a deduction from gross income for amounts paid or incurred to satisfy assessments for depreciable property levied by soil or water conservation or drainage districts, and for other purposes."

Mr. LONG of Louisiana. Mr. President, I move that the Senate insist on its amendments and request a conference with the House of Representatives on the disagreeing votes thereto, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. GORE in the chair) appointed Mr. LONG of Louisiana, Mr. SMATHERS, Mr. ANDERSON, Mr. WILLIAMS of Delaware, and Mr. CARLSON conferees on the part of the Senate.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the bill, H.R. 2767, be printed with the amendments of the Senate numbered; and that in the engrossment of the amendments the Secretary be authorized to make all necessary technical and clerical changes and corrections, including corrections in section, subsection, designations, and cross references thereto.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BOMBING OF NORTH VIETNAM

Mr. PELL. Mr. President, I realize all the pressures and counterpressures that are being brought on our President concerning the bombing of North Vietnam.

I continue to believe that such a cessation should occur. This is a view which, as my colleagues know, I have held for several years. I will not take up the time of my colleagues again with the substantive reasons why I believe the bombing of North Vietnam is counterproductive: the fact that it has had little effect on the morale of South Vietnam; the fact that it has had a strengthening effect on the morale of North Vietnam; and, finally, that it has not proved the determining factor in the quantity of men and supplies being sent from North to South Vietnam.

Many of these views have become accepted and recognized by various members of the executive branch since the time when a few of us in Congress first articulated them.

I realize that a cessation of the bombing will not ipso facto induce negotiations. But, it would seem to me that no cessation of bombing will insure no negotiations. I find myself in full agreement with Vice President HUMPHREY that a degree of risk entailed in attaining the objective of a reasonable negotiated settlement is such that that risk is justifiable. I would hope that our President would move hard and quickly in this direction.

Finally, I would like to read into the RECORD at this point a portion of the platform adopted on October 8 by the Democratic Party of Rhode Island concerning Vietnam:

> While the Viet Nam war is not strictly a state matter, we have an obligation as concerned citizens to address ourselves to the major issues affecting our nation.
>
> This war has diverted our national purpose from the problems of our central cities—their physical decay and their financial inability to cope with their people's growing social needs. It is clear that this war can only be resolved at the conference table. At the same time, the Paris peace talks have not yet proved meaningful.
>
> We are a great and powerful nation. In the interests of terminating these hostilities, we should be prepared to take reasonable risks. With this purpose in mind, there should be an immediate halt to all bombing in North Vietnam.
>
> We, therefore, pledge our unwavering efforts to achieve: . . . an immediate halt to the bombing of North Vietnam without precondition, in order to achieve peace at the bargaining table through meaningful negotiations with all parties.

AMENDMENT OF TITLE 38 OF UNITED STATES CODE

Mr. KENNEDY. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 16025.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its agreement to the amendments of the Senate numbered 2, 4, 6, and 7 to the bill (H.R. 16025) to amend title 38 of the United States Code with respect to eligibility for, and the period of limitation on, educational assistance available under part III of such title, and for other purposes, and that the House receded from its disagreement to the amendment of the Senate numbered 1, 3, and 5 to the bill, and concurred therein severally with an amendment, in which it requested the concurrence of the Senate.

Mr. KENNEDY. Mr. President, H.R. 16025, as amended with provisions by the Senate, represents a great stride forward in our educational and training programs for veterans.

A major feature of the bill extends educational benefits to widows of veterans who die of service-connected causes and to wives of veterans who are totally and permanently disabled on active duty. The effect will be to provide $130 per month for their education. The extension of the educational assistance program will enable these widows and wives to support their families at an adequate standard of living—at a level which indeed they could have expected before the loss of the head of the household while serving in our Armed Forces.

The bill provides that war orphans and those who have received benefits under other veterans' programs may have up to 48 months of training—instead of the usual 36 months—if they also serve and gain eligibility under the present GI bill of rights through their service.

The bill also has a minor provision relating to reimbursement of State approval agencies—which examine and certify schools as acceptable for study under the GI bill.

It also changes the schedule of payments to veterans participating in the flight training program from a quarterly to a monthly basis.

H.R. 16025 liberalizes somewhat the requirements for participating in the farm training program—permitting one-half- and three-fourths-time training as well as full-time training and making it possible for a veteran to take full time off during the harvest season.

An extremely important section of the bill, following the lines of a provision passed by the Senate both this year and last, would liberalize the formula for educational entitlement. At present, a veteran receives 1 month of entitlement for each month on active duty. Under the new formula, the veteran will receive 1½ months' entitlement for each 1 month on active duty. And if he serves for 18 months or more, he will receive the maximum of 36-months entitlement.

Mr. YARBOROUGH. Mr. President, as ranking member of the Subcommittee on Veterans' Affairs, I rise in support of final passage of H.R. 16025.

Permit me, however, to take a moment or two to commend the Senator from Massachusetts for his distinguished and evenhanded leadership of the Veterans' Affairs Committee. He and his staff have been more than cooperative in working with other members of the committee so as to insure that the legislation recommended by the committee truly has the full support of each and every Senator on it.

I say this with some deep feeling and personal experience; for the bill we are now considering represents an investment of some 10 years and 10 months of my time in the Senate. And without the cooperation and assistance of Senator KENNEDY during this session of Congress we would not now be preparing to send it on to the President for his signature.

H.R. 16025 is truly landmark legislation. As it passed the House initially it provided educational benefits to widows of veterans and to orphans of veterans from the Spanish-American War to this day. During our deliberations, the Senate amended the bill to liberalize the educational opportunities afforded our cold war GI's. We said that the cold war GI's should be given the same status and afforded the same benefits as our World War II and Korean veterans.

More than 2 months ago we sent this bill back to the House with our amendments. In addition to changing the ratio for educational assistance from the present 1-to-1 formula to a 1½-to-1 formula, we patched up the on-the-farm training program so that it would work and, with the help of Senator GRUENING, improved the flight training program. That was some 2 months ago.

The House has acted most deliberately on this bill in its Senate-amended form. About 2 weeks ago I introduced S. 4086, a bill which would take the educational benefits program for veterans a step beyond the 1½-to-1 formula, providing 1½-to-1 educational benefits for each veteran who serves up to 18 months, and providing an automatic 36 months' education—tuition and stipend—for every veteran who serves 18 months or more.

The bill reported back to us today by the House incorporates my thinking as expressed in S. 4086. I would like to take this opportunity to commend the House of Representatives in general, and their chairman of the House Veterans' Affairs Committee, Congressman OLIN TEAGUE, a fellow Texan, for their vision and insight in amending this bill as they have, to incorporate our thinking in the Senate.

It took 8 years of hard work for me to get the original cold war GI bill passed into law. And, as a result of negotiations in conference in 1966, that bill came out providing educational benefits at the 1-to-1 ratio. Thus, for me, today marks the end of a long and difficult crusade and I thank my chairman for his advice, encouragement, and leadership.

This is a happy day for me. What all of us should recognize, however, is that for some 6 million cold war GI's it is an even happier day.

Mr. KENNEDY. Mr. President, this bill represents a major accomplishment by Congress, and no one deserves more credit than the distinguished Senator from Texas. No one has worked harder over the years for our Nation's veterans than RALPH YARBOROUGH. For 8 long years, almost single-handedly, he battled for a cold war GI bill of rights. And finally, in 1966, as a result of his strong efforts, a landmark GI bill passed Congress and has brought educational benefits to hundreds of thousands of veterans ever since.

The expanded educational entitlement provision, giving 1½ months' entitlement for 1 month on active duty, was originally proposed by Senator YARBOROUGH. This year, again as a result of Senator YARBOROUGH's efforts, another great victory has been won for the U.S. veteran, with the liberalized provision approved by the House in the present bill.

Mr. President, as chairman of the Subcommittee on Veterans' Affairs of the Committee on Labor and Public Welfare, I want to express my sincere appreciation and gratitude to Senator YARBOROUGH for his work on this bill.

Mr. President, I move that the Senate concur in the amendments of the House to Senate amendments Nos. 1, 3, and 5.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Massachusetts.

The motion was agreed to.

The amendments are as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 1 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter proposed to be inserted by the said amendment, insert:

"(1) by amending subsection (a) to read as follows:

"'(a) Except as provided in subsection (c) and in the second sentence of this subsection, each eligible veteran shall be entitled to educational assistance under this chapter for a period of one and one-half months (or the equivalent thereof in part-time educational assistance) for each month or fraction thereof of his service on active duty after January 31, 1955. If an eligible veteran has served a period of 18 months or more on active duty after January 31, 1955, and has been released from such service under conditions that would satisfy his active duty obligation, he shall be entitled to educational assistance under this chapter for a period of 36 months (or the equivalent thereof in part-time educational assistance).'"

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 3 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter proposed to be inserted by the said amendment, insert:

"(b) Section 1682 of title 38, United States Code, is amended—

"(1) by inserting after 'program' where it first appears in subsection (a) (2) the following: ', other than a "farm cooperative" program,'; and

"(2) by amending subsection (d) to read as follows:

"'(d) (1) An eligible veteran who is enrolled in an educational institution for a "farm cooperative" program consisting of institutional agricultural courses prescheduled to fall within 44 weeks of any period of 12 consecutive months and who pursues such program on—

"'(A) a full-time basis (a minimum of 12 clock hours per week),

"'(B) a three-quarter-time basis (a minimum of 9 clock hours per week), or

"'(C) a half-time basis (a minimum of 6 clock hours per week)

shall be eligible to receive an educational assistance allowance at the appropriate rate provided in the table in paragraph (2) of this subsection, if such eligible veteran is concurrently engaged in agricultural employment which is relevant to such institutional agricultural courses as determined under standards prescribed by the Administrator.

"'(2) The monthly educational assistance allowance of an eligible veteran pursuing a farm cooperative program under this chapter shall be paid as set forth in column II, III, IV, or V (whichever is applicable as determined by the veteran's dependency status) opposite the basis shown in column I:

" 'Column I	Column II	Column III	Column IV	Column V
Basis	No dependents	One dependent	Two dependents	More than two dependents
				The amount in Column IV, plus the following for each dependent in excess of two:
Full-time	$105	$125	$145	$7
Three-quarter-time	75	90	105	5
Half-time	50	60	70	3'."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 5 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter proposed to be inserted by the said amendment, insert:

"SEC. 5. The second sentence of section 1677(b) of title 38, United States Code, is amended to read as follows: 'Such allowance shall be paid monthly upon receipt of a certification from the eligible veteran and the institution as to the actual flight training received by, and the cost thereof to, the veteran during such month'."

ESTABLISHMENT OF A NATIONAL MEMORIAL TO WOODROW WILSON

Mr. **PELL**. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3174.

The **PRESIDING OFFICER** laid before the Senate the amendment of the House of Representatives to the bill (S. 3174) to establish a National Memorial to Woodrow Wilson, which was to strike out all after the enacting clause, and insert:

That this Act may be cited as the "Woodrow Wilson Memorial Act of 1968."

DECLARATION OF POLICY

SEC. 2. The Congress hereby finds and declares—

(1) that a living institution expressing the ideals and concerns of Woodrow Wilson would be an appropriate memorial to his accomplishments as the twenty-eighth President of the United States, a distinguished scholar, an outstanding university president, and a brilliant advocate of international understanding;

(2) that the Woodrow Wilson Memorial Commission, created by joint resolution of Congress, recommended that an International Center for Scholars be constructed in the District of Columbia in the area north of the proposed Market Square as part of the Nation's memorial to Woodrow Wilson;

(3) that such a center, symbolizing and strengthening the fruitful relations between the world of learning and the world of public affairs, would be a suitable memorial to the spirit of Woodrow Wilson; and

(4) that the establishment of such a center would be consonant with the purposes of the Smithsonian Institution, created by Congress in 1846 "for the increase and diffusion of knowledge among men."

THE CENTER AND THE BOARD OF TRUSTEES

SEC. 3. (a) There is hereby established in the Smithsonian Institution a Woodrow Wilson International Center for Scholars and a Board of Trustees of the Center (hereinafter referred to as the "Center" and the "Board"), whose duties it shall be to maintain and administer the Center and site thereof and to execute such other functions as are vested in the Board by this Act.

(b) The Board of Trustees shall be composed of fifteen members as follows:

(1) the Secretary of State;

(2) the Secretary of Health, Education, and Welfare;

(3) the Chairman of the National Endowment for the Humanities;

(4) the Secretary of the Smithsonian Institution;

(5) the Librarian of Congress;

(6) the Archivist of the United States;

(7) one appointed by the President from time to time from within the Federal Government; and

(8) eight appointed by the President from private life.

(c) Each member of the Board of Trustees specified in paragraphs (1) through (7) of subsection (b) may designate another official to serve on the Board of Trustees in his stead.

(d) Each member of the Board of Trustees appointed under paragraph (8) of subsection (b) shall serve for a term of six years from the expiration of his predecessor's term; except that (1) any trustee appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of office of the trustees first taking office shall begin on the date of the enactment of this Act, and shall expire as designated at the time of appointment, two at the end of two years, three at the end of four years, and three at the end of six years. No trustee of the Board chosen from private life shall be eligible to serve in excess of two consecutive terms, except that a trustee whose term has expired may serve until his successor has qualified.

(e) The President shall designate a Chairman and a Vice Chairman from among the members of the Board chosen from private life.

POWERS AND DUTIES OF THE BOARD

SEC. 4. (a) In administering the Center, the Board shall have all necessary and proper powers, which shall include but not be limited to the power to—

(1) appoint scholars, from the United State and abroad, and, where appropriate, provide stipends, grants, and fellowships to such scholars, and to hire or accept the voluntary services of consultants, advisory boards, and panels to aid the Board in carrying out its responsibilities.

(2) solicit, accept, and dispose of gifts, bequests, and devises of money, securities, and other property of whatsoever character for the benefit of the Center; any such money, securities, or other property shall, upon receipt, be deposited with the Smithsonian Institution, and unless otherwise restricted by the terms of the gift, expenditures shall be in the discretion of the Board for the purposes of the Center;

(3) obtain grants from, and make contracts with, State, Federal, local, and private agencies, organizations, institutions, and individuals;

(4) acquire such site as a location for the Center as may subsequently be authorized by the Congress;

(5) acquire, hold, maintain, use, operate, and dispose of any physical facilities, including equipment, necessary for the operation of the Center;

(6) appoint and fix the compensation and duties of the director and such other officers of the Center as may be necessary for the efficient administration of the Center; the director and two other officers of the Center may be appointed and compensated without regard to the provisions of title 5 of the United States Code governing appointments in the competitive service and chapter 51 and subchapter III of chapter 53 of title 5 of the United States Code; and

(7) prepare plans and specifications for the Center, including the design and development of all buildings, facilities, open spaces, and other structures on the site in consultation with the President's Temporary Commission on Pennsylvania Avenue, or its successor, and with other appropriate Federal

and local agencies, such plans to include an exterior classic frieze memorial to Woodrow Wilson.

(b) The Board shall, in connection with acquisition of any site authorized by Congress, as provided for in paragraph (4) of subsection (a) of this section, provide, to businesses and residents displaced from any such site, relocation assistance, including payments and other benefits, equivalent to that authorized to displaced businesses and residents under the Housing Act of 1949, as amended. The Board shall develop a relocation program for existing businesses and residents within the site and submit such program to the government of the District of Columbia for a determination as to its adequacy and feasibility. In providing such relocation assistance and developing such relocation program the Board shall utilize to the maximum extent the services and facilities of the appropriate Federal and local agencies.

ADMINISTRATION

SEC. 5. The Board is authorized to adopt an official seal which shall be judicially noticed and to make such bylaws, rules, and regulations as it deems necessary for the administration of its functions under this Act, including, among other matters, bylaws, rules, and regulations relating to the administration of its trust funds and the organization and procedure of the Board. A majority of the members of the Board shall constitute a quorum for the transaction of business.

APPROPRIATION

SEC. 6. There are hereby authorized to be appropriated to the Board such funds as may be necessary to carry out the purposes of this Act: *Provided*, That no more than $200,000 shall be authorized for appropriation through fiscal year 1970 and no part of that appropriation shall be available for construction purposes.

RECORDS AND AUDIT

SEC. 7. The accounts of the Board shall be audited in accordance with the principles and procedures applicable to, and as part of, the audit of the other Federal and trust funds of the Smithsonian Institution.

Mr. PELL. Mr. President, the bill before the Senate S. 3174, provides for the establishment in the Smithsonian Institution of an International Center for Scholars as a National Memorial to Woodrow Wilson, the 28th President of the United States.

The Senate approved the bill last week. The House amendment, now before us, is in the way of a substitute for all but the enacting clause of the Senate bill. But the House amendment differs on only three points from the bill as approved by the Senate. The three changes made by the House amendment are, to my mind, acceptable. They do not alter the basic provisions of the bill regarding the establishment, administration, or operation of the proposed Center.

Specifically, these differences are as follows:

The House amendment includes a declaration of policy by the Congress that establishment of the proposed Center would be consonant with the purposes of the Smithsonian Institution. This language was in the administration bill as introduced in the Senate, but was deleted during Senate consideration as superfluous.

Both the Senate bill and the House amendment include language stating that gifts and bequests to the Center are to be expended at the discretion of the Board of Trustees of the Center. The language of the Senate bill is somewhat more explicit on this point, making it abundantly clear that authority for expending such funds would lie solely with the Center's Board of Trustees.

Finally, the Senate placed a limit of $500,000 on authorized appropriations for the Center through fiscal 1970. The House amendment reduces that limit to $200,000. This lower limitation will permit at least a start on planning necessary for the Center, and I believe it acceptable.

Mr. President, the senior Senator from Kentucky [Mr. COOPER] has taken an intense interest in this legislation, and has made substantial contributions to its development.

Indeed, the remaining two points of difference between the Senate bill and the House amendment involve amendments offered by my distinguished colleague during Senate consideration of the bill. As manager of the bill, I believed those amendments were constructive contributions, and I was most happy to accept and support them.

I understand that the senior Senator from Kentucky has received assurances from the Smithsonian Institution on the specific points at issue here, and that, in recognition of these assurances, he is willing to accept the House amendment.

(At this point, Mr. MCINTYRE assumed the chair.)

Mr. COOPER. Mr. President, will the Senator yield?

Mr. PELL. I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, I have the honor of serving on the subcommittee of the Committee on Rules and Administration with the distinguished Senator from Rhode Island [Mr. PELL] which considered the bill. The bill establishes, at long last, a memorial to President Woodrow Wilson.

When the bill, S. 3174, was considered by the Senate on October 3, I offered three amendments to the bill which were accepted by the manager of the bill, the Senator from Rhode Island [Mr. PELL].

In the ensuing discussion on the floor of the Senate, I pointed out the purposes of my amendments. They were primarily to assure that the Woodrow Wilson Center, although established within the Smithsonian Institution, shall be a separate and independent institution in its own right, with the determinations and decisions concerning its development and operations being within the sole jurisdiction of the Center's Board of Trustees.

As an example, one amendment I proposed, which was agreed to by the Senate, was designed to clarify section 4(2) of the bill, which authorizes the Smithsonian Institution to accept for deposit private funds received by the Woodrow Wilson Center in the form of gifts or bequests.

My amendment made clear that although these funds for the Center are deposited with the Smithsonian as custodian, the Center's Board of Trustees would have sole authority to make expenditures from these funds to carry out the purposes of the act.

The House took action on its bill prior to action by the Senate on the Senate bill and, therefore, the House did not have an opportunity to consider these amendments. In addition, the House reduced the authorization from $500,000, as provided in the Senate bill, to $200,000.

It would be difficult to go to conference with the House in the closing days of the session, with danger that the bill might be lost. The Senator from Rhode Island, and all of us who support the bill, do not want to see the bill lost. We want to see it passed and become law at this session.

Mr. President, I have received a letter from the Honorable S. Dillon Ripley, Secretary of the Smithsonian Institution, dated October 11, in which he gives assurance, speaking for the Institution, that he understands and interprets the language of the bill before us to be in agreement with the purpose of the language contained in my amendments.

Mr. Ripley requests that his statement be made part of the legislative history of this bill. I appreciate very much the position of Mr. Ripley of the Smithsonian in this regard. It is fortunate, as the report states, that the Center's purposes are in accord with those of the Smithsonian.

Mr. President, I ask unanimous consent to have printed in the RECORD a copy of Mr. Ripley's letter.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SMITHSONIAN INSTITUTION,
Washington, D.C., October 11, 1968.

Hon. JOHN SHERMAN COOPER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR COOPER: The Smithsonian Institution is greatly indebted to you for your very effective support of the bill, S. 3174, to establish a living institution as a memorial to Woodrow Wilson, his works, ideals, and scholarship. Please accept our sincere thanks for your thoughtful consideration and action in behalf of this legislation.

It is noted that in the *Congressional Record* of October 3, 1968, on page 29282, you offered an amendment with the concurrence of Senator Pell as follows:

"Section 2, paragraph 4 of the bill, as reported, requires that the establishment of the Woodrow Wilson Center 'be consonant with the purposes of the Smithsonian Institution.' My amendment would delete this provision from the bill. While it is fortunate that the two institutions will be harmonious, it seems to me the requirement that the Woodrow Wilson Center should be consonant with, or in harmony with, the purposes of the Smithsonian Institution is inappropriate. The establishment of the Center to memorialize Woodrow Wilson is the object of the bill. If, after several years of operation, the work of the Center parallels or supports the goals of the Smithsonian, it will be well and good. But, if it does not, and the Center still achieves the purposes for which it was established—memoralizing the ideals of Woodrow Wilson—it should not make any difference whether the Center's purposes and work are in harmony with the purposes of the Smithsonian."

I fully appreciate the distinction you make between the future work of the Center and that of the Smithsonian Institution to which you refer as "an established and great institution in its own right."

I believe that Section 4 of the Declaration of Policy refers only to the establishment of such a Center and that the conduct and operation of the Center for the purpose of memorializing the work and ideals of Woodrow Wilson shall be within the sole jurisdiction and authority of the Center's Board of Trustees.

It is also noted that in the *Congressional Record* of October 3, 1968, on page 29282 you offered another amendment as follows:

"Second, section 4(a)(2) of the bill, on page 5, provides that funds received by the center by way of gift, bequest, and other means be deposited with the Smithsonian Institution and that expenditures of these funds be made 'in the discretion of the board for the purpose of the center.' My amendment makes it absolutely clear that, although the funds are deposited with the Smithsonian as custodian, the center's board shall have the sole authority to make expenditures from the funds for the purposes of the act, unless otherwise restricted by the terms of the gift."

Thus, the bill as passed by the Senate reads:

"SEC. 4.(a)(2) . . . . The Board shall have the sole authority to make expenditures from such funds for carrying out the purposes of this Act, unless otherwise restricted by the terms of the gift;"

It is further noted that the bill as passed by the House on October 7, 1968, provided in pertinent part as follows:

"SEC. 4.(a)(2) . . . . and unless otherwise restricted by the terms of the gift, expenditures shall be in the discretion of the Board for the purposes of the Center;"

I assure you that the Smithsonian Institution interprets the relevant wording as passed by the House to mean the same as the wording as passed by the Senate. In providing that such expenditures shall be in the discretion of the Board of Trustees of the Woodrow Wilson International Center for Scholars, I consider that the House accepted the full intent of the wording of the Senate bill, namely that the Board of Trustees shall have the sole authority to make expenditures from such funds for carrying out the purposes of the Act.

I would be pleased if you would accept this letter as a part of the legislative history of the bill to establish a National Memorial to Woodrow Wilson.

Sincerely yours,

S. DILLON RIPLEY,
Secretary.

Mr. COOPER. Mr. President, in view of these assurances, I shall not press my amendments. I agree and support the manager of the bill, the Senator from Rhode Island [Mr. PELL], that the Senate should concur in the House amendment.

Mr. President, in closing, let me say that I think it a notable achievement that after all these years, Congress is establishing a center memorializing the life and work of President Woodrow Wilson. The Woodrow Wilson Commission has worked for years on plans for a memorial, as has Princeton University and its presidents and alumni, many of whom are Members of the Congress. All have given it their support. The Pennsylvania Avenue Commission, under the first leadership of former Secretary of HEW, John W. Gardner, has given its support. The Smithsonian Institution and Mr. Ripley have given advice and full cooperation. All deserve great credit. But I should like to pay special tribute to the distinguished Senator from Rhode Island [Mr. PELL]. Thanks to him, he kept the bill alive and worked out many of its problems. It is another contribution which the Senator from Rhode Island has made to the cultural and educational life of our country. This memorial to our 28th President represents an exciting and creative concept, and one which will mean much to this country and the world.

Mr. PELL. Mr. President, I thank the Senator from Kentucky very much indeed and particularly appreciate his remarks, as one of the graduates of Princeton.

I commend my colleague for a very real act of statesmanship in accepting the House amendment. I know the strength of my colleague's conviction that this International Center for Scholars should exercise a maximum degree of independence. I agree to a very large extent with the goal he has pursued so effectively during consideration of this legislation, and if he wished to persist in these clarifying amendments, I would stand with him even at this late hour in the legislative session. Because of the legislative situation in the other body, it appears unlikely further action on this measure would be possible there during this session. In light of this I am particularly appreciative of the generous cooperation of the senior Senator from Kentucky.

Mr. WILLIAMS of New Jersey. Mr. President, I was pleased to learn that today we are clearing the final hurdle for the President to sign into law a bill creating a memorial to our late and beloved 28th President, Woodrow Wilson, in Washington, D.C. For me it is the culmination of 10 years of hopes and efforts.

It all began back in my home in Westfield on an early Sunday morning shortly after my election, with Chet Huntley. From his personal interest and expertise on the life of Woodrow Wilson, Chet Huntley pointed out that nowhere in Washington was there a public memorial to the man who was truly one of our greatest Presidents. It was, therefore, no coincidence that the first bill I introduced in the Senate was to establish a Commission to make recommendations to Congress on a suitable and permanent memorial to New Jersey's greatest resident, Woodrow Wilson.

On October 4, 1961, President Kennedy signed that bill into law. At his elbow in the Oval Room was Mrs. Woodrow Wilson. It was a memorable ceremony, and a very appropriate beginning for the work of the Commission.

Now, 7 years later, our work is done in the legislative area. Soon a tangible and inspiring tribute to Woodrow Wilson and the many legacies he gave to the world will be a reality for all of us who live, work, and visit the Nation's Capital. These have been 10 years well spent. I can truthfully say that seeing this measure successfully enacted is one of my proudest legislative accomplishments.

Mr. President, at this time I move that the Senate agree to the amendment of the House.

The motion was agreed to.

Mr. PELL. Mr. President, now I should like to move approval of the bill as amended.

The motion was agreed to.

Mr. CASE. Mr. President, I want to express the appreciation of the State of New Jersey for the action of the Commission, and my appreciation to the members of that Commission on both sides of the aisle, as well as the members outside the Senate.

Having been a member of the Commission at one time, I know the problems they dealt with. Their decisions have been wise and farsighted.

I can imagine no memorial more appropriate to the man whom we all honor than the proposal which has just been brought before the Senate.

Mr. PELL. Mr. President, I am very pleased indeed that after a time more than sufficient to establish Woodrow Wilson's prominent place in the history of our country, the Congress has seen fit to establish a suitable memorial to him.

When the Senate considered and approved S. 3174 last week, I made mention of the contributions to the legislation by several organizations and individuals, and took particular note of the fact that the junior Senator from New Jersey [Mr. WILLIAMS] was the originator in the Congress of the move to establish this memorial. The bill now before us bears the names of the distinguished Members of this body who serve as regents of the Smithsonian Institution, but I would like to state for the record that it was only through an inadvertence that the bill does not bear the name of Senator WILLIAMS of New Jersey as a cosponsor.

I should also like to express my admiration and appreciation of the skillful and energetic leadership provided in the other body by Representative FRANK THOMPSON, of New Jersey, during consideration of the Woodrow Wilson Memorial bill.

TORTURE BY THE MILITARY REGIME NOW RULING GREECE

Mr. PELL. Mr. President, on October 3, 1968, I called to my colleagues' attention the charges of illegal and brutal torture by the military regime now ruling Greece. I referred to the investigations made by the Council of Europe, which will soon use this evidence to consider a recommendation to expel Greece from membership in that distinguished parliamentary body.

Reports of torture have also been made by private organizations. The International Red Cross, Amnesty International in London, which has consultative status with the Council of Europe, and the American Federation for Democracy in Greece, have all noted the evidence of mistreatment to political prisoners. While it is difficult to confirm all the details of these charges because so many prisoners are inaccessible, statements by high Greek officials make it clear that such torture is tolerated. For example, on May 11, 1968, Mr. P. Tzevelekos, Minister of Public Order, was quoted as saying:

> Every kind of violence is occasionally unavoidable, and must be used only and solely when the advices, persuasions, and warnings have failed to assure the obedience of the people.

Mr. President, I was recently given a list of alleged prisoners who have been tortured, along with the names of alleged torturers. In an attempt to verify the accuracy of this report, I requested the Department of State to comment thereon. I was told that our officials "do not have the basis to comment specifically on the details of the report."

This is indeed regrettable, for our policy toward the Greek junta must include consideration of the nature of her judicial institutions, which now seem to have more in common with those which existed under Stalin than what should be expected of a NATO ally. Relations between the United States and Greece can never be normal until there is a return to the free exchange of people and ideals which have characterized our postwar alliance. This cannot be achieved until the beastly treatment of prisoners ceases.

A good deal of material is already in the public domain concerning the torture of political prisoners. Here, for the benefit of any interested persons, I would ask unanimous consent to insert in the Record at this point the following public references which cite specific names of torturers and/or of victims.

There being no objection, the references were ordered to be printed in the Record, as follows:

1. Report from Greece, November 1967 by Cedric Thornberry, English barrister and lecturer in law at the London School of Economics, executive member of the Council for Civil Liberties, and articles by him in the London Guardian, November 24, 1967, and of May 14, 1968.

2. Report on Greece by Frank Galbally, LL. B., assisted by James Kimpton, B.A., both of Melbourne, Australia, February 1968.

3. Report of spring, 1968, by the Greek Committee against Dictatorship, 60 Tottenham Court Road, London W. 1.

4. Reply to two Members of the British Parliament who visited Partheni by the detainees at the camp, published in Bleftheri Patrida, Rome No. 41, July 29, 1968.

5. First Report for Amnesty International of London by British barrister, Anthony Marreco, former Nuremberg prosecutor, and James Becket, member of the United States Massachusetts bar, January 27, 1968. Circulated and discussed at the Council of Europe January 30, 1968.

6. Second Report for Amnesty International by Anthony Marreco on investigation conducted March 28–April 1, 1968.

7. Interview with Alastair Tomkins, British, who was in prison in Athens from May 1967 to May 1968 and an article on the interview in the London Observer of May 12, 1968.

8. Article in the London Guardian of May 13, 1968, giving names of five torture victims in Crete.

9. Report by journalist Tonia Marketaki who was a prisoner in the Athens Security Police Station for some months beginning August 22, 1967, published in the London Sunday Times of February 25, 1968.

Mr. PELL. In addition, a considerable amount of unpublished material is available.

Mr. President, I shall not ask unanimous consent to place in the Record at this time the long list of alleged torturers and victims that has come into my possession.

However, believing that the white light and heat of publicity can have an inhibiting effect on the actions of individual police or security agents, I shall read into the Record names of a few police officers whom I am satisfied have committed actions of torture against political prisoners:

First. Babalis—Bablis—at Athens Asphalia.

Second. Boutos at Piraeus Asphalia.

Third. Ioannides, Major Vassilios at Dionysos Military Camp.

Fourth. Kapoglou, lieutenant, director of Aegeleo Asphalia.

Fifth. Karapannaiotis, at Athens Asphalia.

Sixth. Kollias, gendarme—country police—in Kalogreza.

Seventh. Mallios, at Athens Asphalia.

Eighth. Manousakis, major at Dionysos Military Camp.

Ninth. Spanos at Athens Asphalia.

Tenth. Taxiarchis at Dionysos Camp.

The name of Chief Inspector Lambrou at Athens Asphalia crops up very frequently, not as an individual who himself has committed actions of torture, but as the man responsible for permitting it.

At the present time the Dionysos Military Camp, about 15 miles outside of Athens, seems to be the center for interrogation.

At a later date, I intend to insert in the Record a further list of torturers and victims.

Finally, as an example of the abuse of victims, I have just this very morning received a cable from a friend in Europe and shall insert in the Record its contents:

> Elestherios Berybakis, age 34, lawyer arrested with Peponis group summer 1967, issuing leaflets of Amnesty First report. Rearrested now in Dionysos Military Camp. Retortured apparently cannot stand.

This tragic message speaks for itself horribly and eloquently of man's inhumanity to man. It attests equally to a regime that permits such inhumanity.

RETIREMENT OF SENATOR BOURKE B. HICKENLOOPER

Mr. PASTORE. Mr. President, one of the most honored and respected Members of this body is Bourke Blakemore Hickenlooper. As chairman of the Joint Committee on Atomic Energy, it is my great pleasure to read to the Senate the resolution adopted by the Joint Committee on the occasion of the announcement of the retirement from the U.S. Senate of our esteemed colleague, the Honorable Bourke Blakemore Hickenlooper. I shall read the resolution by the Joint Committee on Atomic Energy:

[90th Congress, second session]

Resolution by Joint Committee on Atomic Energy

Whereas Bourke Blakemore Hickenlooper, through his service during 1945–46 on the Senate Special Committee on Atomic Energy, contributed significantly to the formulation of the Atomic Energy Act of 1946, the Nation's—indeed the world's—first atomic energy legislation; and

Whereas Senator Hickenlooper has served the Joint Committee on Atomic Energy with honor and distinction since its inception in 1946 in its role as the congressional guardian of the national atomic energy program; and

Whereas he is one of only four members of the United States Congress to have served continuously on the Joint Committee on Atomic Energy from 1946 to 1968; and

Whereas during this nearly quarter of a century of service he served faithfully and well as Chairman of the Joint Committee during the 80th Congress and Vice Chairman during the 83rd Congress; and

Whereas Senator Hickenlooper was a principal author and sponsor of the Atomic Energy Act of 1954, which Act further preserved and strengthened the national security while opening to private enterprise the opportunity to participate in the United States civilian nuclear power program; and

Whereas, throughout this long and notable tenure, his dedication, perseverence, and good judgment assisted greatly the Nation's effort to maintain a strong defensive shield while working unceasingly in the struggle for peace; and

Whereas our pleasant association with him through periods of crisis and accomplishment has always been characterized by sincerity, friendliness, and good fellowship; and

Whereas it is with a deep sense of regret and loss that the Committee has learned of Senator Hickenlooper's plans to retire from the United States Senate at the conclusion of this, the 90th Congress: Now, therefore, be it

Resolved, That his colleagues on the Joint Committee extend to Bourke Blakemore Hickenlooper their gratitude and appreciation for his able and unstinting service to the Committee throughout his long tenure thereon, and express to him their heartfelt wishes for continued good health and happiness upon his retirement from public service.

Attest:

John O. Pastore, Richard B. Russell, Clinton P. Anderson, Albert Gore, Henry M. Jackson, George D. Aiken, Wallace F. Bennett, Carl T. Curtis, Chet Holifield, Melvin Price, Wayne D. Aspinall, Thomas G. Morris, John Young, Craig Hosmer, William H. Bates, John B. Anderson, William M. McCulloch.

Mr. President, I wish to read into the Record a letter from Admiral Rickover:

U.S. Atomic Energy Commission,
Washington, D.C., October 11, 1968.

Hon. John O. Pastore,
Chairman, Joint Committee on Atomic Energy, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: It is my understanding that this afternoon some members of the Senate are planning to include in the Record comments concerning the distinguished service Senator Bourke B. Hickenlooper has given his country during his 24 years as a member of the U.S. Senate. If it is appropriate, I would appreciate it greatly if you could do me the honor of having this letter inserted in the Record.

I have known and respected Senator Hickenlooper since 1947. He is a distinguished American. All of us who have been in any way associated with the atomic program, as well as many others, have reason to regret his leaving his important posts in the Senate.

As you know, I have the deepest respect for and faith in our Congress and the democratic principles upon which it is based. In testimony before committees of Congress I have frequently expressed concern over the continuous erosion of the power and authority of the Legislative Branch that has taken place in recent years. Senator Hickenlooper, through his position on the Joint Committee on Atomic Energy, the Committee on Foreign Relations, the Committee on Banking and Currency and the Committee on Aeronautical and Space Sciences, is one of those who has consistently spoken and fought for what he believes to be right. It is only through the intelligent efforts of men such as he that our form of government will be preserved.

I sincerely regret his leaving the U.S. Senate. I can only hope that others who follow him will by his example guide their own efforts in strengthening the Legislative Branch—the only way to ensure that sovereignty continues to reside in our people.

Would you be so kind as to extend to Senator Hickenlooper my most heartfelt thanks for the great service he has rendered to the

United States, as well as my best wishes for his continued good health and happiness.

Respectfully,

H. G. RICKOVER.

In conclusion, let me say that though BOURKE HICKENLOOPER sits on the opposite side of the middle aisle no rancor ever divides us and we are very dear friends. I cherish his friendship, and I know of no finer gentleman, no man I would rather call my friend than BOURKE HICKENLOOPER. I regret the fact that he has decided not to return to the Senate of the United States. Our country and each of us is the loser by his decision. I take this occasion to wish him all good fortune and many years of good health, happiness, and success.

Mr. HICKENLOOPER. Mr. President, about all I can say to the Senator from Rhode Island is, thank you, and I thank my colleagues on the Joint Committee for this expression of sentiment. It has been 20 years of great pleasure and enjoyment and no little accomplishment under the leadership of my friend from Rhode Island, the great Senator PASTORE, and others who have led the committee.

I think the Joint Committee has set an example during these years of nonpartisanship and bipartisanship in attending to the public interest. All I can say is, thank you.

Mr. ALLOTT. Mr. President, we have not had the opportunity in the hurly-burly of these last few days, to express our appreciation to the Members of the Senate who are not going to be with us. Among others, I was somewhat shocked by and regretted the announcement of the distinguished Senator from Iowa that he would not seek reelection this fall. I am sure this is a feeling which is shared by all Members of the Senate.

For nearly a quarter of a century he has served the people of Iowa and the people of the United States in the Senate. This is half of his adult life. No words can express the ultimate output in energy and brains that is put out in performing that service in behalf of his country.

For Mrs. Allott and myself, I want to say especially that we are proud of the friendship of Senator and Mrs. HICKENLOOPER. I really had not known him, but had just met him, when I came to the Senate. While our votes have not been the same on each and every vote, I have always found that on any question, his advice was something to be considered. Even though he felt deeply about a particular subject, and I happened to vote the other way—which has not happened too often—I never found him carrying any rancor, and I am sure he never even thought about taking the Senator from Colorado to task for his vote, because that is the kind of man BOURKE HICKENLOOPER is.

Both Mrs. Allott and I will miss Senator and Mrs. HICKENLOOPER very much. We wish both of them all of the happiness and all of the joy that they can have in their retired life. Whatever happiness and joy they have, I must say, will be justly and richly deserved for the service he has rendered to his country.

BOURKE, we will miss you very much, and I hope you will come back to see us often.

Mr. GORE. Mr. President, Senator HICKENLOOPER and I have the honor to serve together on two committees—the Joint Committee on Atomic Energy and the Committee on Foreign Relations.

On both of those committees, Senator HICKENLOOPER has been a diligent, able, dedicated, and effective member. But this is only part of the story. He has also been congenial. He has been instructive. He has been inspiring to his colleagues.

The departure of Senator HICKENLOOPER from the Senate will be a distinct loss to this body, to his State, and to his country, for his is an intelligent vote. His is a learned voice. His is a spirit of compassion and understanding.

The friendship that has grown between him and me is something I shall ever treasure, and my wishes that go with him for happiness, success, and fruitfulness in whatever endeavor he may hereafter engage in are without bounds.

Mr. HOLLAND. Mr. President, I do not have the honor of serving on the Joint Atomic Energy Committee but my acquaintance and friendship with BOURKE HICKENLOOPER, I suspect, goes back as far as that of any other Member of the Senate. When he was Lieutenant Governor of the great State of Iowa, and later Governor of that State, I had the honor of serving the State of Florida as its chief executive. Mrs. Holland and I had the great pleasure of meeting BOURKE HICKENLOOPER and Verna, his lovely wife, at several State Governors' Conferences, and our friendship dates from that time.

I want to say that as Lieutenant Governor and as Governor, and in the Conference of Governors as well as here in the Senate, his voice has always been a steady one—a voice of conservatism, a voice of patriotism, and a voice of decency, for every person who knows him as I do to recognize as just that. It has been an inspiration to me to know him and to serve with him. I know that he realizes how deeply I shall miss him here in the Senate. Mrs. Holland and I wish for him and Verna many, many added years of happiness, and I know that those added years will be years of further distinction for my dear friend, the senior Senator from Iowa.

Mr. HRUSKA. Mr. President, about 30 years ago it was my privilege and pleasure to form close business, professional, and social contacts in the city of Cedar Rapids, Iowa. I became a frequent visitor there. Among the highlights of that community with which I was able to familiarize myself was the ascending career of the distinguished senior Senator from Iowa. He was then Lieutenant Governor of the State. He was rapidly promoted to the Governorship, and then, 24 years ago, to the Senate.

Since then, of course, I have been familiar as a citizen and later a public official of the State immediately west of his native State, with the outstanding record he has compiled, both in the Nation and in the world, in the field of the foreign relations of this country, particularly through his membership on the Foreign Relations Committee, and on the Joint Committee on Atomic Energy. We salute the constructive and patriotic record he has achieved in those fields.

I have had frequent occasion to observe and to assess his impact upon the State of Iowa. The citizens of his State have judged him highly. He holds a place of high esteem and great affection among them.

As a fellow Senator during the 14 years since my membership in this body began, he has demonstrated many fine attributes in the great traditions of membership in the Senate.

So I join in the tribute and congratulations that have been expressed here by other Members of this body. I extend the same congratulations, commendations, and feelings of gratitude to the members of his family. Mrs. Hruska joins me in the hope that he will enjoy many years of good health and happiness.

Mr. YARBOROUGH. Mr. President, in my 11 years in the Senate, I have not had the privilege of serving on committees with the distinguished senior Senator from Iowa, but I feel that I owe him a debt of gratitude for his statesmanship on those matters which immediately touch my State, and on which I have had the privilege of working with him, in the field of foreign affairs.

The first of those was the controversy over El Chamizal, at El Paso. That was a very controversial matter from the start. It had been in controversy, as a matter of fact, for more than 100 years.

During that period, at one time it was submitted to arbitration, about 1909, during the Presidency of President Taft, with one arbitrator appointed by the United States, one by Mexico, and the third chosen from Canada by the two countries together.

When they brought back an award, 2 to 1, that the United States considered against it, the United States refused to carry it out, I think very unfortunately and not to our credit, and that hurt our image and status in Latin America from that time on for nearly 60 years.

Finally we had another agreement, made by the late President John F. Kennedy, in Mexico, with former President Lopes Mateos of that country, that Mexico would settle this problem with us. So the State Department of our Government and the Foreign Ministry of Mexico went to work, and came up with a compromise, not quite as good for us as the arbitrators' award back in about 1910 or 1911; we lost by having repudiated that award. But they came up with one, and we had to go into the El Chamizal zone; it meant uprooting thousands of people, and meant getting the city of El Paso, the County of El Paso, and the State of Texas to agree.

Many of Senator HICKENLOOPER's former constituents had moved into that area, and appealed to him, as the ranking minority member on the Foreign Relations Committee.

He gave the matter deep and close study, and helped us to get the El Chamizal Treaty through the Committee on Foreign Relations. He studied and supported it. He said it was just and fair, and thus did much to help our foreign relations with Latin America. He helped us get the El Chamizal Treaty through, and supported it on the floor of the Senate.

So I thank the Senator from Iowa. Had it not been for his leadership in getting the members of his party to support the El Chamizal Treaty, I fear that that deterrent to good relations with Mexico would still be in existence.

The second occasion on which he assisted in a matter of deep interest to my State was in the fall of 1966, on the occasion of the proposal for the HemisFair at San Antonio, to celebrate the progress achieved by all the Western Hemisphere nations.

When the matter of the HemisFair first came up, there was opposition on the part of both parties before the committee. Senator HICKENLOOPER studied the matter, and came to the conclusion that it was a good project; and with his help, we were able to pass the HemisFair bill in October of 1966.

Had there been a single month's delay, there would have been no HemisFair, because the Bureau of International Expositions was meeting in Paris, France, in November 1966. Had there not been an opportunity to get the approval of the Bureau of International Expositions, there would have been no HemisFair, because no foreign nation will participate in one of these international expositions unless it is supported by the national government of the country in which it is held.

I want to say to the distinguished senior Senator from Iowa [Mr. HICKENLOOPER] that it was a matter of great regret to the people of my part of the country that they could not have the members of the Committee on Foreign Relations come to see the exposition. People have talked to me about it.

Congress took a recess for two party conventions. It did not prove to be feasible for the members to attend at that time.

I think the actions of the senior Senator from Iowa in supporting the HemisFair were well founded.

Spain sent an art exhibit here consisting of great paintings from famous painters.

This exhibit was valued at $50 million. The pictures had never left the boundaries of Spain before. For the first time in history, they were displayed in a foreign country. They had had so many requests now that the Spanish Government has officially announced that it will never let those paintings leave Spain again.

Spain loaned to us three of the greatest maps in the world. The first was a map of the 1500's, one of the first maps of the world ever drawn. It showed roughly the outline of the eastern shore of the United States. There were other maps displayed also.

Americans who visited the HemisFair saw things that had never left Europe before. Spain has said that they will never leave there again because of the danger that something might happen. Nothing did happen. There was no looting such as has taken place in some places.

The Senator's leadership has meant a lot to the people in my State. I thank the Senator. I hope that in his retirement he visits Texas. I hope that the people will know in advance that he is coming, so that he may receive the tributes that are justly due him.

I want to say personally that Mrs. Yarborough and I have accompanied the Senator from Iowa and his wife on trips involving interparliamentary affairs when we have jointly represented our country on a number of occasions. We will miss the Senator's assistance in interparliamentary affairs.

The State of Texas will miss the study the distinguished Senator from Iowa has given to these projects that touch our borders concerning international affairs involving Mexico and Latin America, where the Senator used such great statesmanship.

Mr. DIRKSEN. Mr. President, it was written long ago that parting is such sweet sorrow.

The end of every session is a reminder of that tender sentence. I feel a nostalgic sense at the end of the session, knowing that so many of the enriching fellowships momentarily come to an end. But friendship is an abiding thing, and it will continue on and on.

Mr. President, I feel that way about BOURKE HICKENLOOPER. It was my privilege to address the testimonial dinner given to him by the people of Iowa some months ago. Perhaps there never was a greater outpouring of citizens at a single dinner. It was evidence indeed of the esteem and confidence and trust which they have reposed in him and which has continued term after term.

Few men in the Republic have been privileged to serve in the Senate for longer than the third term. That in itself is a mark of the esteem of the people of Iowa for their distinguished senior citizen.

I believe that the people of the other States share that sentiment also. And when we add to it the trust that he begets from those who are in policy positions in the executive branch of the Government, then indeed should his cup of satisfaction be filled to overflowing.

He has rendered a great service not only to his community, to his State, and to his Nation, but also to the world because of the universality of his sentiments as he explored these difficult problems and then came to a sound conclusion in every case.

Mr. President, I salute the Senator even as the people of Iowa have saluted him. And so he goes to his very deserved rest, and may it be a comforting rest, a long one along with his beloved wife.

The Senator will always be in the affection and the esteem of those who have served with him in the Senate through the years.

Hail, BOURKE.

Mr. COOPER. Mr. President, I have served with the Senator from Iowa for 12 years. I cannot claim that I have had as intimate an association and friendship with the Senator as have many other Senators who have spoken.

I would like to say something about the impression he has made upon me while serving with him as a member of the Committee on Agriculture and Forestry and recently on the Committee on Foreign Relations.

Senator BOURKE HICKENLOOPER has made a very great impact upon me because of the force of his character and integrity. He is a forthright man, without guile, outspoken in his convictions, very strong in his faith and belief in this country and the old-fashioned virtues of patriotism and love of country deserve appreciation today.

The Senator always spoke with judgment and balance, and, as I have said, with great honor and integrity. It has been these qualities of his mind and character that have had a great impact upon me and upon other Senators with whom he has served.

I have always admired him and been very much appreciative of his concern and tenderness for his wife.

We will miss his constructive work for our country.

We will miss his strength and character and integrity in the Senate.

Mr. WILLIAMS of Delaware. Mr. President, I join my colleagues in expressing my regrets upon the retirement of my good friend, Senator HICKENLOOPER.

As he departs the country will have lost one of its most dedicated public servants, and the Senate will have lost one of its most respected Members.

The State of Iowa will have lost a most able representative. All of us will miss the Senator as a friend.

EXTENSION OF TEMPORARY DUTY SUSPENSION ON CERTAIN CLASSIFICATIONS OF YARN AND SILK

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1608.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 15798) to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn and silk.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Finance with an amendment at the beginning of line 8, after "11/7/" strike out "70" and insert "71."

The PRESIDING OFFICER. The bill is open further to amendment.

Mr. DIRKSEN. Mr. President, I send to the desk an amendment which is agreeable to the committee and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill insert the following:

> That headnote 2(a) of part 1 of schedule 6 of the Tariff Schedules of the United States be amended by inserting between "copper," and "zinc concentrates," the following: "manganese,".

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 15798) was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1619), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

EXPLANATION OF COMMITTEE AMENDMENT

The bill as passed by the House would extend the temporary suspension of duties on these articles for 2 years. The purpose of the bill, however, as explained in the House Committee on Ways and Means Report No. 1419 was "to continue for 3 years, until the close of November 7, 1971, the existing suspension of duties on certain classifications of spun silk yarn." The committee's technical amendment restores the 3-year suspension which the House Committee intended, instead of the 2-year suspension as actually passed by the House.

GENERAL STATEMENT

Public Law 86–235, approved September 8, 1959, suspended for 3 years (until the close of November 7, 1962) the import duties imposed under paragraph 1202 of the old tariff schedules of the Tariff Act of 1930 on spun silk or schappe silk yarn (not dyed or colored, singles of more than 58,800 yards per pound, or plied of more than 29,400 yards per pound). The period of suspension was continued for an additional 3 years by Public Law 87–602, approved August 24, 1962, and by Public Law 89–229, approved October 1, 1965. Your committee's bill would continue the suspension of these duties for an additional 3-year period, until the close of November 7, 1971.

Spun silk yarns are of two principal types: Standard spun-silk (schappe) yarn and silk-noil (bourrette) yarn. Standard or schappe spun-silk yarns for general textile use are manufactured from long parallelized silk fiber stock recovered from waste cocoons and silk filature waste and are used for making sewing thread, decorative stripings for fine worsteds, lacing cord for cartridge bags, and, in combination with other fibers, certain types of necktie fabrics, shirtings, dress, and suiting fabrics, upholstery and drapery materials.

The silk-noil type of yarn is made from shorter length, and hence cheaper, silk fiber stock than schappe and must be spun on wool-spinning machinery. The material used consists of silk noils discarded as byproducts in preparing silk waste for spinning in standard spun-silk yarns. Such yarns have few civilian uses except in mixture fabrics containing other fibers. Their chief use is in the weaving of silk cartridge cloth for powder bags for large-caliber ordnance.

The suspension of the duty was made in order to enable domestic producers of fine-yarn fabrics to import fine silk yarns free of duty in order to make it more economical to produce fine-yarn fabrics in competition with imported similar fabrics. Your committee is advised that the same reasons which justified the original suspension of the duty justify the continuation of the suspension.

No objection to the continuation of the suspension of duties has been brought to the committee's attention.

Your committee is unanimous in recommending the enactment of this legislation.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar Nos. 1606, 1607, and 1609.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEFINITION OF EARNED INCOME FOR PENSION PLANS OF SELF-EMPLOYED INDIVIDUALS

The bill (H.R. 18253) relating to the effective date of the 1966 change in the definition of earned income for purposes of pension plans of self-employed individuals was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1617), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

I. SUMMARY

H.R. 18253 would make clear that the new definition of earned income for purposes of pension plans for self-employed individuals (sec. 204(c) of Public Law 89–809) applies to taxable years beginning after December 31, 1967. It would also provide that, in applying the 3-year averaging provisions (sec. 401(e)(3) of the code) in determining whether excessive contributions have been made to such plans, the new definition (which no longer limits "earned income" to 30 percent of the total income where capital is a material income-producing factor) is to be applied as though in effect for years beginning before January 1, 1968.

The Treasury Department has indicated that it has no objections to the bill's enactment.

II. GENERAL STATEMENT

When H.R. 10 was enacted in 1962, it permitted contributions each year to self-employed pension plans in amounts up to the lesser of $2,500 or 10 percent of the owner-employee's "earned income" from the business. However, where capital was a material income-producing factor, not more than 30 percent of the income from the business could be treated as "earned income" for purposes of this provision.

Since such plans can accumulate income without paying income taxes on the earnings of the invested funds, the 1962 act penalized contributions to the plans in excess of the amount generally permitted to be contributed. To avoid hardship in certain limited circumstances, those penalties are not imposed, however, where the contributions are in the form of premiums for annuity, endowment, or life insurance policies and are not greater than the average annual permissible contribution by the owner-employee for the 3 years immediately preceding the year in which the last policy contract was entered into.

The provisions relating to self-employed pension plans were liberalized in a number of respects in 1966—among them was elimination of the 30-percent limitation described above. This change was made prospective only. One effect of this prospective repeal of the 30-percent limitation has been that, for 3 years after this change, those who apply the averaging provisions described above have to continue to include in that average up to 3 years as to which the 30-percent limitation continues to apply. For those individuals, then, the effect of the 30-percent limit has not fully been repealed, in determining the maximum permissible contribution, until 1971. The committee agrees with the House that Congress did not intend that there be a 3-year waiting period before the repeal of the 30-percent limit became fully effective.

For the reasons indicated above this bill permits those who apply the averaging provisions to compute their averages for taxable years beginning after December 31, 1967, without regard to the now-repealed 30-percent limitation. This is accomplished by providing that for purposes of making the computations under the 3-year averaging provision the 30-percent limitation is treated as repealed for years before 1968.

The bill also removes any uncertainty as to the effective date of the repeal of the 30-percent limitation by providing that it applies to taxable years beginning after December 31, 1967.

CUSTOMS CONVENTIONS RELATING TO ENTRY OF PROFESSIONAL EQUIPMENT AND CONTAINERS

The bill (H.R. 18373) for implementing Conventions for Free Admission of Professional Equipment and Containers, and for ATA, ECS, and TIR Carnets was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1618), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of H.R. 18373 is to implement U.S. accession to five international customs conventions. These five customs conventions to which the Senate gave its advice and consent to U.S. accession on March 1, 1967, are as follows: (1) Customs Convention on the Temporary Importation of Professional Equipment; (2) Customs Convention on the ATA Carnet for the Temporary Admission of Goods: (3) Customs Convention regarding ECS Carnets for Commercial Samples; (4) Customs Conventions on Containers; and (5) Customs Convention on the International Transport of Goods Under Cover of TIR Carnets. (The initials ATA and ECS stand for the combined French and English words "Admission Temporaire—Temporary Admission," and "Enchantillons Commerciaux—Commercial Samples." The initials TIR stand for "Transport International Routier" (international road transport).)

These conventions share the purpose of simplifying and facilitating the movement of goods in international trade so as to make the carrying on of business by nationals of one contracting country easier in the territory of another. They deal generally with the facilitation of temporary entry of certain specified goods into the territory of the parties, and with expediting the customs clearance of such temporary importations, through adoption of an international customs document known as a "carnet." Two of the conventions—the Convention on the Temporary Importation of Professional Equipment and the Convention on Containers—deal with the temporary duty-free entry of these articles. The other three conventions, which pertain to carnets, provide a system whereby payment of duties on certain goods is guaranteed by a private association such as a chamber of commerce, thereby making unnecessary the posting of bonds. If the goods are not reexported within the time period specified, the guaranteeing association is liable.

Each of these conventions is in force with respect to all of the major trading countries of Europe as well as to several other countries. Your committee is informed that these customs conventions will be of direct benefit to American business interests in the territories of other parties to the conventions.

No basic changes in U.S. legislation are required because the customs treatment provided for in each of these conventions is already largely granted by the United States or can be extended administratively by the Department of the Treasury under existing legislative authority. However, certain amendments to the tariff laws of the United States are required for full implementation of these conventions. The changes in U.S. tariff law which this bill would make are reasonable for the purpose of permitting full U.S. accession to these customs conventions.

PROVISIONS OF THE BILL

The first section of the bill would permit the duty-free entry of international customs forms (carnets) printed in English or French by adding to part 5, schedule 2, of the Tariff Schedules of the United States (TSUS), a new item (270.15). The new item would carry out the obligations of the United States in the convention dealing with ATA, ECS, and TIR carnets by permitting the duty-free entry of carnets when imported already printed for issuance by private organizations in this country to Americans seeking the customs advantages abroad accorded by the carnets.

Section 2 of H.R. 18373 would in part implement the Customs Convention on the Temporary Importation of Professional Equipment. This Convention obligates each contracting party to grant temporary admission without the payment of duty of equipment defined in the annexes to the Convention. Annex A of the Convention refers to "equipment for the press or for sound or television broadcasting'; annex B to "cinematographic equipment"; and annex C to "other professional equipment." The equipment must be such as is necessary for the exercise of the calling, trade, or profession of a person visiting a country to perform a specified task, and must be used solely by or under the personal supervision of the visiting person for that task. The equipment need not be owned by the visiting person but it must be imported by him or by an organization he represents, which organization must be established under the laws of a foreign country or have its principal place of business in a foreign country.

Item 864.50 of the TSUS presently allows temporary admission into the United States, without the payment of duty, of "professional equipment, tools of trade, and camping equipment imported for their own use by nonresidents sojourning temporarily in the United States." The present scope of the terms "professional equipment" and "tools of trade" in item 864.50 of the TSUS is at least as broad as the term "equipment" in the Convention. Moreover, in practice, conditions comparable to the aforementioned conditions which apply to 'equipment' under the Convention apply to "professional equipment" and "tools of trade" under item 864.50, except that amendment of the latter is required to authorize an organization represented by the nonresident visiting the United States to make entry of the equipment. Section 2(a) of the bill, as reported, amends item 864.50 to allow the equipment to be imported by or for the nonresident, and section 2(b) provides for the temporary entry to be made either by the individual nonresident or by the foreign organization he represents. The actual entry of the equipment could thus be made by a foreign organization, to satisfy the terms of the Convention.

Under article 7 of the Convention, each contracting party is also obligated to admit temporarily without the payment of duty component parts for the repair of equipment which has been temporarily admitted. The new article description for item 864.50 in section 2(a) of the bill, as reported, would specifically provide for repair components for professional equipment and tools of trade admitted under such item.

Under article 6, paragraph 2, of the Convention, the requirement of reexportation shall be suspended while equipment is subject to seizure, except seizure made at the suit of private persons. Existing law allows suspension of the reexportation requirement during a seizure by the Bureau of Customs, but does not extend such suspension to other governmental seizures. Section 2(b) of the bill, as amended, would implement this requirement.

Present tariff item 864.50 concerns professional equipment, tools of trade, and camping equipment. Camping equipment as such is not covered by the Convention. However, since the proposed amendment to item 864.50, as it applies to camping equipment, would only allow the mechanics of entry to be performed by an organization as well as by an individual, it is not considered necessary or desirable to differentiate between camping equipment and the other articles covered by item 864.50.

In the Customs Convention on Containers, contracting parties are obligated to provide for the temporary admission, without the payment of duty, of certain containers in use in international traffic. This customs treatment is provided for in existing tariff item 808.00 in subpart C, part 1, schedule 8, of the TSUS. The Convention also calls for the temporary admission of component parts for the repair of a particular container already temporarily admitted. Section 3(a) of the bill, as reported, would provide for admitting such repair components by appropriately amending item 808.00. Section 3(b) of the bill would make a conforming amendment to headnote 1 of such subpart C with respect to such repair components.

The bill, as reported, provides that the amendments to the Tariff Schedules shall become effective when proclaimed by the President in connection with the entering into force for the United States of the customs conventions which this act would implement.

Your committee is informed that 30 business organizations, including the U.S. Chamber of Commerce and the U.S. Council of the International Chamber of Commerce, have supported U.S. accession to these conventions. Further, your committee is unaware of any objection to the proposed changes in U.S. tariff law contained in the bill as reported by your committee.

In approving the changes in tariff law necessary to permit the United States to fully accede to these customs conventions, the Committee on Finance is limited in its jurisdiction to a consideration of the changes in tariff law required for such accession. Your committee is of the opinion that this bill is reasonable for that purpose. Accordingly, your committee recommends the enactment of H.R. 18373.

REDEMPTION OF SAVINGS NOTES

The bill (H.R. 15114) to extend to savings notes the provisions of the Second Liberty Bond Act relating to the redemption of savings bonds and the payment of losses incurred in connection with such redemption was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1620), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 15114 is to authorize the Secretary of the Treasury to utilize the same financial institutions in redeeming savings notes as are presently used in the redemption of savings bonds, and to authorize the granting of relief from liability for losses incurred in connection with such redemptions in the same manner as relief is presently granted with respect to redemptions of savings bonds.

GENERAL STATEMENT

The Department of the Treasury began the issuance of savings notes, popularly referred to as Freedom Shares, on May 1, 1967. They are issued under the authority of the same sections of the Second Liberty Bond Act (secs. 18 and 20, 31 U.S.C. 753 and 754b, respectively) as are fully negotiable Treasury notes. However, savings notes, like savings bonds, are not transferable by the owners. In many other respects they are very similar to Series E savings bonds. They are designed for the small investor, sold in small denominations on a discount basis, have fixed increases in redemption values at stated intervals and are redeemable at the option of the owner prior to maturity (after 1 year from issue date in the case of the notes and 2 months for the bonds). The term "savings" in connection with U.S. bonds and notes is now commonly understood to refer to securities having some or all of these or similar characteristics, especially nontransferability.

Today, "Freedom Shares" are sold only in connection with the sale of a regular savings bond. However they may not be redeemed as savings bonds are redeemed. Savings bonds are redeemed through local banks, trust companies, savings and loans associations, credit unions, and similar organizations. There are about 16,500 of these institutions today qualified to redeem them and, including their branch offices, they provide some 30,000 locations for redeeming savings bonds. Unfortunately, under the present law. these same organizations which may be utilized redeeming savings bonds are prohibited from redeeming savings notes.

If an owner of negotiable Treasury notes needs his money prior to maturity the only thing he can do is sell them on the market because they are not redeemable at his option. However, in the case of savings notes there is a continually increasing volume which becomes redeemable at the option of the owner each month, and at the present time only the Federal Reserve banks and their branches and the Office of the Treasurer of the United States may redeem these notes. The committee understands that the Federal Reserve banks and branches will not be able to take care of the increasing volume of redemptions by a mere temporary shift in personnel or by temporary overtime; and at some point enough capable personnel will simply not be available. The committee is advised that even now there are delays which gravely inconvenience the public including many servicemen who cannot get their notes redeemed locally.

The committee is further advised that it is a great deal more costly to redeem the notes through Federal Reserve banks and branches and the Treasurer than through private financial institutions. Redemptions of savings notes through August 1968 aggregated 105,000 pieces, or 19.24 percent of the total number eligible for payment. All of these notes were paid by a Federal Reserve bank or branch or the Office of the Treasurer. At this rate, redemptions will total about 1,430,000 by the end of the fiscal year. It is estimated that the cost of having all redemptions of this volume of notes handled through the Reserve banks and the Treasurer will be about $315,000 more than if the redemptions can be handled through the paying agents.

For these reasons the Committee on Finance agrees with the Committee on Ways and Means of the House that it is desirable, both from the standpoint of convenience to the public and economy to the Government, that these notes be redeemable through the same outlets as savings bonds. Hence, the first section of H.R. 15114 would authorize the Secretary of the Treasury to use the same financial institutions to make payments in connection with redemption of savings notes as are presently used to make payments on savings bonds under section 22(h) of the Second Liberty Bond Act, as amended, (31 U.S.C. 757c(h)).

The committee also agrees that it is equitable to accord such paying agents the same relief from liability for losses in the handling of saving notes as is provided under existing law with respect to savings bonds. At the present time, section 22(i) of the Second Liberty Bond Act, as amended (31 U.S.C. 757c(i)), authorizes the relief of paying agents for savings bonds from liability to the United States in cases in which it can be established that such losses resulted from no fault or negligence on the part of the paying agent. Section 2 of the bill, H.R. 15114, therefore, would extend the same relief to these paying agents in their services with respect to savings notes.

In view of the above considerations, your committee recommends prompt enactment of H.R. 15114.

ORDER OF BUSINESS

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar beginning with Calendar No. 1652 and the remainder of the calendar up to a certain point.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

AMENDMENT OF THE INTERNAL REVENUE CODE OF 1954—DEFINITION OF COMPENSATION

The bill (H.R. 7567) to amend the Internal Revenue Code of 1954 with respect to the definition of compensation for purposes of tax under the Railroad Retirement Tax Act, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1650), explaining the purposes of the bill.

There being on objection, the excerpt was ordered to be printed in the RECORD, as follows:

I. SUMMARY

H.R. 7567 amends the railroad employment provisions of present law (the Railroad Retirement Tax Act, the Railroad Retirement Act of 1937, and the Railroad Unemployment Insurance Act), in general, to exclude from the scope of those acts services performed by a nonresident alien individual who is temporarily in the United States as a participant in a cultural exchange or training program. The exclusion is applicable only to nonresident alien individuals who are in the United States in a nonimmigrant status under subparagraph (F) or (J) of section 101(a)(15) of the Immigration and Nationality Act. Moreover, it is applicable only with regard to services which are necessary to carry out the purpose of the alien's visit to the United States.

The general employment provisions of present law (the Federal Insurance Contributions Act, the Federal Unemployment Tax Act, and the Social Securty Act) already exclude the services performed by these nonresident alien individuals from their scope.

The Treasury Department has indicated that it does not object to the enactment of this bill.

II. GENERAL STATEMENT

Reasons for bill.—Under present law, compensation for services performed by nonresident alien individuals who are temporarily present in the United States in a nonimmigrant status as participants in certain cultural exchange or training programs generally is excluded from tax under the Federal Insurance Contributions Act (imposed by secs. 3101 and 3111 of the code) and under the Federal Unemployment Tax Act (imposed by sec. 3301 of the code). This exclusion applies only to services performed for the period the individual is a nonimmigrant under subparagraph (F) or (J) of section 101(a)(15) of the Immigration and Nationality Act. Moreover, the exemption applies only to remuneration for services which are necessary to carry out the purpose for which the alien is in the United States; namely, as a participant in the cultural exchange or training program. A similar exclusion in the Social Security Act provides that these services are not counted for purposes of determining benefits allowable under that act.

Subparagraph (F) of section 101(a)(15) of the Immigration and Nationality Act concerns bona fide students who are qualified to pursue a full course of study and who come to the United States temporarily and solely for the purpose of pursuing a course of study. The study must be at an established educational institution which has been particularly designated by the student and approved by the Attorney General after consultation with the Office of Education of the United States. Subparagraph (J) of that section concerns bona fide students, scholars, trainees, teachers, specialists, and similar persons who temporarily come to the United States as participants in programs designated by the Secretary of State, for the purpose of teaching, studying consulting, receiving training, et cetera.

The provisions of present law excluding services performed by non-resident alien individuals, who are temporarily present in the United States in a nonimmigrant status as participants in certain cultural exchange or training programs, from the taxes imposed by the Federal Insurance Contributions Act and the Federal Unemployment Tax Act and the benefits provided under the Social Security Act were adopted in the Mutual Educational and Cultural Exchange Act of 1961. This was done because these alien individuals are in the United States for such a short period of time that they have little expectation of realizing any social security or unemployment benefits. In addition, the exclusion of these individuals was considered to contribute to the objectives of the exchange program.

The Mutual Educational and Cultural Act of 1961 did not include, however, a similar exclusion for services covered by the provisions of law relating to railroad employment (the Railroad Retirement Tax Act, the Railroad Retirement Act of 1937, and the Railroad Unemployment Insurance Act). Presumably, this was done on the basis that it was not felt these alien individuals would be rendering services which were subject to the railroad employment provisions.

The committee understands however, that there are situations where services performed by these alien individuals are subject to the railroad employment provisions. For example, the services of a doctor who participates in an exchange or training program and who pursuant to that program is employed in a hospital owned by a railroad would be subject to those provisions. The committee agres with the House that the reasons underlying the exclusion of services performed by these alien individuals from the scope of the Federal Insurance Contributions Act, the Federal Unemployment Tax Act, and the Social Security Act are equally applicable in the case of the railroad employment provisions. The very nature of the purpose for which the alien is present in the United States indicates that the alien's' stay in the United States will be of short duration. Thus, the alien will have little expectation of realizing any benefits under the railroad employment provisions. Accordingly, the bill excludes services performed by thse individuals from those provisions.

Explanation of bill.—The bill provides that the term "compensation" for purposes of the railroad retirement tax (which is defined in sec. 3231(e)(1) of the code) is not to include remuneration for services performed by a nonresident alien individual for the period he is temporarily present in the United States as a nonimmigrant under subparagraph (F) or (J) of section 101(a)(15) of the Immigration and Nationality Act. This exclusion is to apply, however, only to remuneration for services performed to carry out the purpose of the alien's visit to the United States; namely, as a participant in the cultural exchange or training program. The exclusion, moreover, is only to apply for the period the alien is present in the United States as a nonimmigrant under subparagraph (F) or (J). Thus, if the alien terminates or loses the specified nonimmigrant status, the exclusion is not to be applicable for the period commencing at the termination or loss of that status.

The bill also amends the Railroad Retirement Act of 1937 (sec. 1(h)(1)) and the Railroad Unemployment Insurance Act (sec. 1(i)) in an identical manner. Thus, the specified services of these nonresident alien individuals are to be excluded from the scope of those acts.

The amendments of the Internal Revenue Code and the Railroad Retirement Act of 1937 made by the bill are to apply with respect to service performed after December 31, 1961, which is the effective date of the similar provisions in the Federal Insurance Contributions Act, the Federal Unemployment Tax Act, and the Social Security Act. The amendment made by the bill to the Railroad Unemployment Insurance Act is to apply with respect to service performed after December 31, 1967.

The bill also contains a special provision which allows a claim for credit or refund of the railroad retirement tax, which may have been paid by an employee, an employee representative, or an employer, with respect to service which is to be excluded from the scope of that tax under the bill, to be filed within 1 year after the bill is enacted, notwithstanding the fact that the period for filing the claim for credit or refund has expired before, or expires on or within 6 months after the date of enactment of the bill.

Any credit or refund of the railroad retirement tax which has been paid by an employee or an employee representative (under secs. 3201 and 3211 of the code) and which is attributable to the amendment made by the bill to the Railroad Retirement Tax Act is to be appropriately adjusted for any lump-sum payment which has been made under the Railroad Retirement Act of 1937 (sec. 5(f)(2)). Under the Railroad Retirement Act of 1937 (sec. 5(f)(2) the beneficiaries of an employee, who was not entitled to benefits under that act, receive a lump-sum payment upon his death which in effect is a return of the railroad retirement taxes paid by the employee. Where such a lump-sum payment has been made and the deceased employee's representative then files a claim for a credit or refund of the railroad retirement tax, which is attributable to the exclusion of the employee's service from the scope of the tax pursuant to the amendment made by the bill, an adjustment is necessary to prevent a double recovery. No adjustment is to be made, however, with respect to a credit or refund of an overpayment of the railroad retirement tax by an employer.

AMENDMENT OF THE INTERNAL REVENUE CODE OF 1954—FACILITATION OF THE PRODUCTION OF WINE

The bill (H.R. 14095) to amend the Internal Revenue Code of 1954 so as to make certain changes to facilitate the production of wine, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1651), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

I. SUMMARY

H.R. 14095 amends provisions of the internal revenue laws relating to the treatment of wines under the internal revenue laws in order to facilitate the production of wines. In general, these amendments simplify and permit greater leeway in the use or application of certain treatment processes, both in terms of the nature of the processes and the geographic places where they are conducted. More specifically they:

(1) Permit the use of special natural wines (such as vermouth) in the production of wine spirits.

(2) Permit wine spirits to be added to natural wines produced by fermentation in any bonded wine cellars located within the same State.

(3) Simplify the production processes and the calculations of the limitation on the sweetening of high acid wines with pure dry sugar or liquid sugar (by basing it on the total solids content of the finished wine rather than on a volumetric limitation). The bill also makes it clear that wine spirits may be added at more than one stage in the process of wine production.

The Treasury Department has indicated that it has no objections to the enactment of this bill.

II. GENERAL STATEMENT

A. *Wine spirits used in wine production (sec. 1 of the bill and sec. 5373(a) of the code)*

Present law provides that wine spirits authorized to be used in wine production must be brandy or wine spirits produced in a distilled spirits plant from only (1) fresh or dried fruit, or their residues or (2) wine or wine residues from such fruit or residues. However, where sugar has been used in the production of natural wine, the wine or its residue may not be used to produce wine spirits, if the unfermented sugars have been refermented.

This bill amends present law to include special natural wine, under conditions prescribed by regulations, as one of the materials from which such wine spirits may be produced. It also extends to special natural wine the present prohibition on the use of natural wine whose sugars have been refermented. "Special natural wine" includes vermouth and other aperitifs (it is defined in section 5386 of the code).

The committee understands that this amendment will enable wine producers to salvage, by distillation, the alcohol from special natural wine which has become unmarketable.

B. *Authorized cellar treatment for natural wine (sec. 2 of the bill and sec. 5382(b)(2) of the code)*

Present law provides that proper cellar treatment of natural wine constitutes those practices and procedures which "produce a finished product acceptable in good commercial practice." Certain specifically enumerated practices and procedures are defined by the statute as being proper cellar treatment. One of the enumerated treatments permits the addition, to natural wine (or to concentrated or unconcentrated juices or must) from one kind of fruit, of domestically distilled wine spirits from the same kind of fruit under certain circumstances. One of those circumstances is that, in the case of still wines, wine spirits may be added only to natural wines of the winemaker's own production. Present law defines a winemaker's "own production" to include wine produced in different bonded wine cellars owned or controlled by the same person only if they are located within the same State.

This bill permits wine spirits to be added to natural wine produced by fermentation in any bonded wine cellars located within the same State in which the addition is to take place. Consequently, the effect of this change is to liberalize to a significant extent the limitation of present law by permitting such additions by other winemakers in the same State.

This liberalization as to the wine to which wine spirits may be added will not impede proper enforcement of the alcohol tax laws.

C. *Amelioration and sweetening of, and addition of wine spirits to, high acid wines (sec. 3 of the bill and sec. 5383(b) of the code)*

Present law places limitations on the amelioration and sweetening of, and the addition of wine spirits to, high acid wines. In addition to a limitation on the total solids content of the finished wine, the law places a volumetric limitation on the additional increase in volume on the sweetening of high acid wine with pure dry sugar or liquid sugar.

This bill simplifies these production procedures and calculations. The limitation on sweetening high acid wine is to be based upon the total solids content of the finished wine. This change would permit winemakers to produce a wine, sweetened with pure dry sugar or liquid sugar, containing the maximum authorized total solids content. Liquid sugar may be used, but only to the extent that it does not increase the total volume of the finished wine above what it would be if the maximum authorized use had been made of dry sugar only.

The bill also amends present law to make it clear that wine spirits may be added at more than one stage in the process of wine production. The committee understands that during the production process of wine it is frequently necessary to add wine spirits at an early stage of production and then to add more wine spirits later.

A technical amendment conforms other provisions to the usage of "not more than 14 percent of alcohol" in section 5041(b), the rate provisions.

D. *Cellar treatment of specially sweetened natural wines, special natural wines, and agricultural wines (secs. 4 and 5 of the bill and secs. 5385(b), 5386(b), and 5387(a) of the code)*

These provisions authorize cellar treatment of specially sweetened natural wines, special natural wines, and agricultural wines by reference to section 5382(c). The bill corrects the reference by changing it, in each place, to section 5382(a) and (c).

E. *Effective date (sec. 6 of the bill)*

The changes made by this bill are to be effective the first day of the first month which begins at least 90 days after the date of enactment of this bill.

AMENDMENT OF THE INTERNAL REVENUE CODE OF 1954—TREATMENT OF INCOME FROM THE OPERATION OF A COMMUNICATIONS SATELLITE SYSTEM

The bill (H.R. 18486) to amend the Internal Revenue Code of 1954 with respect to the treatment of income from the operation of a communications satellite system was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1652), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

I. SUMMARY

The bill provides that foreign entities participating in the global communications satellite system, in which the United States participates pursuant to the Communications Satellite Act of 1962, are not to be subject to U.S. income taxation on earnings derived from that system. This eliminates the possibility under present law that some foreign participants in the existing International Telecommunications Satellite Consortium, or participants in a successor organization might be subject to U.S. income taxation on their share of this consortium's earnings. The taxation of the U.S. participant in the constortium, the Communications Satellite Corp., is not affected by the bill.

The enactment of this bill is favored by the administration.

II. GENERAL STATEMENT

Reasons for bill.—The International Telecommunications Satellite Constortium (Intelsat), which is an international joint venture formed to establish a global commercial communications satellite system, was created in 1964. The establishment of a global commercial communications satellite system and the participation in it by the United States through a private corporation for profit were authorized by the Communcations Satellite Act of 1962.

At the present time 62 countries are represented in Intelsat. The Communications Satellite Corp. (Comsat) is the U.S. participant in the joint venture. Most foreign countries participating in Intelsat do so through a government ministry or agency. However, some foreign countries participate through a privately owned corporation or a quasi-governmental agency.

The participants in Intelsat own the "space segment" of the satellite system, which consists of the communications satellites and the tracking, control, command, and related ground facilities required for the operation of the satellites. The participants' ownership of the space segment is in the form of undivided shares based on their respective contributions to the costs of the design, development, construction, and establishment of the space segment. The earth stations which are used to transmit communications to, and to receive communications from, the satellites are not owned by Intelsat. Rather, these stations are owned by Comsat and its counterparts in the foreign countries which participate in the joint venture.

Comsat acts as the manager for the design, establishment, operation, and maintenance of the space segment, pursuant to the policies established by the governing body of Intelsat.

Intelsat derives operating revenues from furnishing satellite capacity to the various participants (Comsat and its foreign counterparts). In other words, Intelsat's operating revenues are basically derived from renting satellite channels. The net revenues after deduction of allocable expenses are distributed pro rata to the various participants in Intelsat.

Under present law the majority of the foreign participants in Intelsat clearly are not subject to U.S. income taxation on their share of the net revenues, because these participants are foreign governments or governmental agencies which under the Internal Revenue Code (sec. 892) are exempt from U.S. income taxation.

The U.S. tax status of those foreign participants which are private corporations or quasi-governmental entities, however, is not clear under present law. The possibility exists that these participants might be subject to U.S. income taxation on their share of the net revenues derived by Intelsat. For this possibility to materialize, two conditions would have to be met. First, these foreign participants in Intelsat would have to be considered to be engaged in trade or business in the United States. They would be so considered if Intelsat is treated as engaged in a trade or business in the United States because of its contacts with the United States. Second, the revenues which are distributed to these participants, derived by Intelsat from furnishing satellite capacity, would have to be considered income from sources within the United States. Moreover, in the case of the participants which are quasi-governmental entities, it would also have to be determined that they constituted private corporations, rather than governmental agencies, for purposes of the U.S. tax law.

In view of the possibility that existing U.S. tax law might subject the nongovernmental foreign participants in Intelsat to U.S. income taxation, and thereby produce differential treatment of the foreign entities participating in this joint venture according to whether or not they operated through government agencies, the administration has requested that the foreign participants in Intelsat be specifically exempted from U.S. income taxation on amounts that are derived from income tax only earnings from the ownership or operation of a communications satellite system. It does not exempt a foreign entity from tax on any other income derived from sources within the United States, even though that income may be derived because of information transmitted by a communications satellite system. However, this other income in some cases nevertheless might still be exempt from tax, as income earned by a foreign government.

In addition to the desirability of providing the same tax treatment for the different participants in Intelsat, there also is a real question as to whether it is appropriate for the United States to tax rental income derived by foreign entities from the space segment.

For the reasons stated above, the committee agrees with the House that it is appropriate to insure that the foreign participants in Intelsat are exempt from U.S. income taxation on amounts they derive from that participation. The effect of the bill is to remove the possibility that certain foreign participants in Intelsat, with about 10 percent of the ownership interests in the joint venture, might be subject to U.S. income taxation. The bill does not affect the U.S. income tax treatment of Comsat, the U.S. participant in Intelsat, which is fully taxable in the same manner as other domestic corporations.

Explanation of bill.—The bill amends the Internal Revenue Code of 1954 to provide an exemption from U.S. income taxation for foreign entities which are designated by foreign governments to participate in the operation or ownership of a communications satellite system in which the United States participates pursuant to the Communications Satellite Act of 1962. The exemption applies only to the earnings which the foreign participant derives from the communications satellite system.

The amendment made by the bill applies with respect to taxable years beginning after December 31, 1966.

INCOME TAX TREATMENT OF CERTAIN STATUTORY MERGERS OF CORPORATIONS

The bill (H.R. 18942) relating to the income tax treatment of certain statutory mergers of corporations was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1653), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

I. SUMMARY

This bill amends the tax laws to permit a corporation to acquire another in a tax-free statutory merger by giving in exchange for the stock of the acquired corporation the stock of the parent of the acquiring corporation (instead of the stock of the acquiring corporation itself). The bill also amends the tax laws to state the same basis rules for the properties or stock acquired with the stock of the parent corporation in a tax-free reorganization as those which apply when the acquisition is made with the stock of the acquiring corporation itself.

The Treasury Department has indicated that it does not object to the enactment of this bill.

II. STATUTORY MERGER ACQUISITIONS WITH PARENT'S STOCK

Reasons for provision.—Tax-free reorganizations under present law include transactions in which one corporation acquires substantially all the properties or substantially all the stock of another corporation, largely or wholly in exchange for its own (or its parent's) stock. These types of tax-free reorganizations take one of three basic forms: (1) statutory mergers or consolidation under State law (type "A" reorganization, defined in subparagraph (A) of sec. 368(a)(1)); (2) the acquisition of 80 percent of the stock of another corporation solely for voting stock of the acquiring corporation or its parent (type "B" reorganization, defined in subparagraph (B) of sec. 368(a)(1)); and (3) the acquisition of substantially all the properties of another corporation solely for voting stock of the acquiring corporation or its parent (type "C" reorganization, defined in subparagraph (C) of sec. 368(a)(1)).

While in the reorganizations referred to above the acquisitions of property or stock are usually made in exchange for stock of the acquiring corporation, in both type B and type C reorganizations the acquisitions can be made in exchange for the stock of the parent of the acquiring corporation. This is not true, however, in the case of type A reorganizations. Present law does not permit the exchange of the stock of the parent in the case of statutory mergers into a subsidiary. Nevertheless, essentially this same result indirectly can be obtained through the combination of two transactions: The first being the acquisition, by a statutory merger, of all of the assets of a corporation by a parent, and the second being the contribution of these assets by the parent to the subsidiary.

Since the use of the stock of the parent corporation is permitted in the case of type B and C reorganizations, there does not seem to be any basis for denying the same treatment in the case of statutory mergers.

Apparently the use of a parent's stock in statutory mergers was not initially provided for because there was no special concern with the problem at the time of the adoption of the 1954 code. However, this is no longer true. The committee understands that a case has arisen in which it is desired to have an operating company merged into an operating subsidiary in exchange for the stock of the parent holding company. The committee agrees with the House that there is no reason why tax-free treatment should be denied in cases of this type where for any reason the parent cannot or, for business or legal reasons, does not want to acquire the assets (even temporarily) through a merger.

For the reasons set forth above the committee agreed with the House that it is desirable to permit the use of the stock of the parent corporation in a statutory merger in acquiring a corporaion in essentially the same manner as presently is available in the case of other tax-free acquisitions.

Explanation of provision.—The bill (sec. 1) permits a corporation which is a controlled subsidiary of another corporation (i.e., the parent holds 80 percent of the voting shares and 80 percent of the total number of shares of all other classes of stock of the subsidiary) to acquire tax free all the assets of a third corporation in a statutory merger in which stock of the *parent* corporation is exchanged for the stock of the transferor corporation. The amendment (new subparagraph (D) in sec. 368(a)(2)) provides that if a parent corporation controls a subsidiary corporation (i.e., has the 80-percent control referred to above), then the acquisition of substantially all the properties of a corporation merged (in a statutory merger) into the subsidiary in exchange for the stock of the parent corporation is not to be disqualified as a type A reorganization if two conditions are met: (1) the merger insofar as the tax laws are concerned would have qualified as a type A reorganization had the merger been made into the parent instead of into the subsidiary, and (2) no stock of the subsidiary is used in the transaction. In addition, the definition of "a party to a reorganization" is modified to include a parent corporation in the case described (by adding a new sentence to sec. 368(b)).

The amendment does not alter or modify the present requirements of "business purpose" or "continuity of enterprise." It modifies the present "continuity of interest" requirement but only in that it permits the use of the stock of the parent in making the acquisition, instead of the stock of the subsidiary.

The amendment applies whether or not the parent corporation is formed immediately before the merger, in anticipation of the merger, or after preliminary steps were taken to merge directly.

III. BASIS OF PROPERTIES OR STOCK ACQUIRED IN A REORGANIZATION WITH STOCK OF PARENT

Reasons for provisions.—Under present law if a corporation acquires properties or stock in a tax-free reorganization in exchange for its own stock, the basis of the properties or stock received remain the same as it was in the hands of the transferor corporation or shareholders. Thus, the corporation acquiring properties or stock for its own stock in a tax-free reorganization "carries over" the basis of the properties or stock which is being acquired. This is the carryover basis rule (sec. 362). However, another basis rule applicable in other cases where there are tax-free transfers is the substituted basis rule (sec. 358). Under this rule there is "substituted" for the basis of the property or stock received the basis of property or stock surrendered.

While under present law the carryover basis rule specifically applies to properties or stock acquired by the issuance of stock of the *acquiring* corporation in the case of type A, B, and C reorganizations, no mention is made of the basis rule to apply in these types of reorganizations where the properties or stock are acquired with the stock of the parent corporation (or with treasury stock of the acquiring corporation). The committee agrees with the House that the same basis rules should apply where the properties or stock are acquired with the parent's stock (or with treasury stock of the acquiring corporation) as where they are obtained by the issuance of new stock of the acquiring corporation and that this should be specified in the tax laws.

Explanation of provision.—For the reasons given above the bill amends present law in two respects to provide that the carryover basis rule is to apply in the case of type A, B, and C reorganizations where the properties or stock are acquired with the stock of the parent of the acquiring corporation (or with treasury stock of the acquiring corporation).

The first of these amendments (sec. 2(a) of the bill) amends the provision of present law providing the substituted basis rule (sec. 358) to expand the exception in present law which provides that this substituted basis rule does not apply to property acquired by a corporation in exchange for its stock of securities. The bill expands the statutory language under this exception to the substituted basis rule to cover cases where the acquisition is made with the stock of the parent of the acquiring corporation (or with treasury stock of the acquiring corporation).

The second of these amendments (sec. 2(b) of the bill) amends the provision of present law providing the carryover basis rule (sec. 362). Presently this section provides that this carryover basis rule is not to apply if the property acquired consists of stock or securities in a corporation, a party to the organization (as in a type B reorganization) unless the acquisition was made with stock or securities of the transferee as consideration in whole or part for the transfer. The bill amends the statutory version of this "unless" clause to make it applicable to those cases where the acquisition is made with the stock of the parent of the acquiring corporation (or with treasury stock of the acquiring corporation).

Both of these amendments also apply when the stock of the parent corporation used in the acquisition was originally purchased (whether before or after the date of enactment of this provision) by the subsidiary.

These amendments are effective with respect to plans of reorganization adopted after the date of enactment of this bill. In neither case, however, does the committee intend any inference to be drawn as to the law in effect before the enactment of this bill. In both cases it is intended that prior law be interpreted as if this bill had not been enacted.

AMENDMENT OF THE TARIFF SCHEDULES

The Senate proceeded to consider the bill (H.R. 15003) to amend the Tariff Schedules of the United States so as to prevent the payment of multiple customs duties in the case of horses temporarily exported for the purpose of racing which had been reported from the Committee on Finance, with an amendment, strike out all after the enacting clause and insert:

That schedule 8, part 1, subpart A of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting after item 802.30 the following new item:

"	802.40	In the case of horses, use for racing.	Free	The column 2 rate applicable in the absence of this item.	"

Sec. 2. Schedule 8, part 5, subpart C of the Tariff Schedules of the United States is amended by inserting after item 864.75 the following item:

"	864.80	Motion-picture feature films, the product of the United States, if having had dubbed into them abroad sound tracks made for non-English-speaking audiences to replace original sound tracks made for English-speaking audiences; all the foregoing, and copies thereof, imported by proprietors or managers of theaters for commercial exhibition in the United States.	Free, under bond, as prescrbed in headnote 1.	Free, under bond, as prescribed in headnote 1.	"

Sec. 3. The article description for item 734.65 of the Tariff Schedules of the United States is amended by inserting "and curling equipment" after "Curling stones".

Sec. 4. The amendments made by this Act shall apply to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1657), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

EXPLANATION OF COMMITTEE AMENDMENTS

Motion picture films

The Committee on Finance added two amendments to H.R. 15003. The first would permit the temporary admission free of duty on motion picture films produced in the United States which are dubbed abroad in a foreign language and then returned to the United States.

When an American-made motion picture is exported and dubbed abroad in a foreign language, under present tariff laws it is considered to have been changed substantially, so that upon importation into the United States a tariff of 85 cents per linear foot is applied. The committee amendment would provide duty-free treatment for the imported film when it is not for sale, and when it will be exported within 1 year from the date of importation. This provision will allow certain theaters which depend substantially on such film to avoid having to pay substantial import duties for U.S.-made film dubbed abroad in a foreign language.

Curling stones and equipment

The second committee amendment would provide duty-free treatment for curling stones and equipment and parts thereof. At present, curling stones are admitted into the United States duty free under item 734.65 of the Tariff Schedules, while other sporting equipment used in the sport of curling, such as brushes and brooms, are subject to a tariff of 18 percent ad valorem under item 735.20 of the Tariff Schedules. The committee believes that there is little reason for the distinction between curling stones and the brushes and brooms and other accessories used in the sport of curling. Therefore, under the amendment, all curling equipment will be treated alike under the tariff law.

PURPOSE OF HOUSE PROVISION

The purpose of H.R. 15003, as passed by the House, is to amend the Tariff Schedules of the United States so as to prevent the payment of multiple customs duties in the case of horses temporarily exported for the purpose of racing. Racehorses are ordinarily dutiable under item 100.75 (horses valued over $150 per head), at 6 percent ad valorem. Under present customs practices, racehorses imported from abroad, on which the duty has been paid, when exported for the purpose of racing and subsequently reimported, are dutiable despite the initial payment of duty at the time of original importation.

GENERAL STATEMENT

Racehorse.—Item 802.30 of the Tariff Schedules of the United States provides for the duty-free reentry of foreign articles which are exported for use temporarily abroad for exhibition or at any public exposition, fair, or conference and which, when returned, are imported by or for the account of the person who exported them. However, in 1950, the Customs Court ruled that racehorses sent abroad for racing are not entitled to reentry free of duty into the United States under the act of May 18, 1896 (formerly codified to 19 U.S.C. 194), the predecessor provision to item 802.30 of the Tariff Schedules. The court ruled (1) that horseracing does not come within the meaning of "exhibition, fair, or conference" and (2) that Congress had no intent of including animals used in the sport of professionad horseracing within the provisions of such section 194.

The Committee on Finance agrees with the Committee on Ways and Means of the House that horses imported from abroad on which a duty has been paid and which are subsequently exported for the purpose of racing should not be subject to additional duties for each subsequent reentry into the United States.

Your committee's bill provides a separate line item for the duty-free reentry of horses purchased abroad upon which the duty has been paid and which have been exported solely for the purpose of racing.

Favorable reports on this bill were received from the Departments of State, Treasury, Labor, and Commerce. An informative report was received from the Tariff Commission.

Motion picture films.—Under the Senate amendment dealing with motion picture films, a new item 864.80 would be created in the Tariff Schedules of the United States (TSUS). This new TSUS item would provide duty-free entry for American-made motion picture feature films (with original soundtrack in English) and foreign-made copies of such films which have been dubbed abroad with a foreign language and imported for temporary use by managers of theaters in the United States for commercial exhibition. Such films would be imported free under bond provided they were reexported within 1 year. Upon application, the Secretary of the Treasury could extend this period on the condition that the total period not exceed 3 years.

In the past, motion picture films produced in the United States which are dubbed abroad in a foreign language and then returned to the United States have entered free of duty. A recent review by inspectors of the Bureau of Customs resulted in tariff reclassification of these films. Under the reclassification, these films are now subject to a duty of 85 cents per linear foot, the rate applied to other types of imported motion picture films.

The Treasury and Commerce Departments informed the committee they had no objection to this amendment.

Curling equipment. — The committee amendment providing duty-free treatment for equipment and accessories used in the sport of curling arose from the fact that in 1966 the Customs Service ruled that brooms and brushes used in curling, which are specially designed and constructed for that purpose, would be classified under the provision in the Tariff Schedules for sporting equipment not specially provided for (item 735.20). This category calls for a tariff of 18 percent ad valorem, while curling stones are admitted duty free. The committee could see no reason for this distinction and therefore decided to provide duty-free treatment for all curling equipment.

The title was amended, so as to read: "An act to amend the Tariff Schedules of the United States so as to prevent the payment of multiple customs duties in the case of horses temporarily exported for the purpose of racing, and to provide for duty-free entry of certain motion picture films and curling equipment."

AMENDMENT OF THE INTERNAL REVENUE CODE OF 1954—CREDITS AND PAYMENTS IN THE CASE OF CERTAIN USE OF GASOLINE AND LUBRICATING OIL

The Senate proceeded to consider the bill (H.R. 17332) to amend the Internal Revenue Code of 1954 regarding credits and payments in the case of certain use of gasoline and lubricating oil which had been reported from the Committee on Finance, with an amendment on page 6, after line 15, insert a new section, as follows:

SEC. 3. Section 2(b) of the Act entitled "An Act to continue for three years the existing suspension of duties on certain alumina and bauxite, and for other purposes" (H.R. 7735, Ninetieth Congress) is amended by striking out "the date of the enactment of this Act" and inserting in lieu thereof "January 10, 1967".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1658), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

I. SUMMARY

The committee accepted the House provision without change but has added an amendment relating to another matter. H.R. 17332 as passed by the House extends the time for claiming a credit or refund of excise tax on gasoline used on a farm, for other nonhighway purposes, and by local transit systems and of excise tax on lubricating oil used for nonhighway purposes. Generally, this bill will make the time for filing these claims similar to the time presently available for claiming other income tax credits; in most cases approximately 3¼ years after the year in which the payment is made. The bill makes several technical (conforming and clarifying) changes and also makes a corresponding change regarding transfers out of the highway trust fund on account of those refunds or credits.

The Treasury Department has indicated that it has no objections to the enactment of the provisions described above.

The amendment added by the committee changes the effective date of a provision in a bill previously passed by the House and Senate (sec. 2(b) of the act entitled "An Act to Continue for Three Years the Existing Suspension of Duties on Certain Alumina and Bauxite, and for Other Purposes"). The amendment contained here provides that the provision extending from 3 to 6 months the period in which a refund claim can be filed for drawback of taxes on distilled spirits used in medicines, medicinal preparations, food products, flavors or flavoring extracts which are unfit for beverage purposes is to be effective January 10, 1967, instead of the date of enactment of that act.

II. GASOLINE AND LUBRICATING OIL TAX CREDITS

Reasons for change.—Present law (secs. 6420, 6421, and 6424 of the code) provides for refund or credit to the ultimate purchaser of excise tax on gasoline used on a farm, for other nonhighway purposes, and by local transit systems and of excise tax on lubricating oil used for nonhighway purposes. Most taxpayers obtain these claims by credits on their income tax returns against income tax otherwise due (as provided by sec. 39 of the code). The claim for credit, or refund, must be filed no later than the time prescribed by law for filing the income tax return.[1]

This short time limit for claiming credits or refunds, basically 2½ months for corporations and 3½ months for individuals (3 months after end of quarter in the case of $1,000 claims), is in contrast to the normal income tax procedure, where a refund can be claimed within 3 years after the return is filed. As a result, a late-filed claim is barred notwithstanding circumstances that might excuse the late filing of an income tax return on which the credit may be claimed.

The short period for claiming these credits or refunds predated the enactment of the Excise Tax Reduction Act of 1965, which added the procedure allowing a credit against income tax. For calendar year taxpayers this procedure first became effective for credits filed with 1966 income tax returns. As a result, when in 1967 taxpayers for any reason filed their income tax returns on which these credits were claimed after the due dates for those returns, they found their claims were denied no matter how reasonable the delay for filing their income tax return. The committee agrees with the House that it is confusing to taxpayers to have a shorter period for claiming these credits than the period generally applicable to the income tax returns on which the credits are usually claimed. Accordingly, this bill extends the time for claiming a credit or refund of these taxes and generally makes it consistent with the time period for claiming income tax refunds or credits.

General explanation.—The bill permits credits against income tax for payments of excise tax on gasoline used on a farm, for other nonhighway purposes, and by local transit systems and of excise tax on lubricating oil used for nonhighway purposes (sec. 39 of the code) to be claimed within the time available generally for filing income tax refund claims. In general, where a return has been timely filed, this is within 3 years after the due date for filing the income tax return on which the credit may be claimed or 39½ months after the close of the taxable year for individuals and 38½ months for corporations.[2] An extension of time for filing the income tax return will normally result in extending the time by which the refund claim may be filed.

This change is not to affect the 3-month limit on filing claims for refunds of $1,000 or more which may be made quarterly during the calendar year in which the excise tax payment is made. Other claims for gasoline or lubricating oil excise tax refunds (under secs. 6420, 6421, or 6424) made by governmental bodies and exempt organizations (which ordinarily do not file income tax returns on which these excise credits may be taken) may be filed within 39 months after the end of the taxable year, instead of 3 months after the end of the year as at present. This will make the filing of full-year claims (but not the quarterly claims) for refunds or credits (under secs. 6420, 6421, and 6424) similar to the new rule for claims for credits against income tax (under sec. 39).

Under the bill credits against income tax for gasoline or lubricating oil tax (sec. 39) are to give rise to interest on overpayments as in the case of other income tax credits. On the other hand, credits or refunds under the excise tax provisions (secs. 6420, 6421, and 6424) for the gasoline or lubricating oil taxes, as in the case of other excise taxes (and as under present law), are made without interest being paid to the taxpayer.

A technical amendment included in the bill (sec. 6513(b)(4)) provides that the amount allowable as a credit against income tax for the gasoline and lubricating oil taxes is to be considered as having been paid by the taxpayer on the due date of the income tax return. This is provided in order to give assurance of the same period of limitations for the credits against income tax for these two excise taxes as is available generally for other credits claimed on income tax returns.

The longer period for claiming credits or refunds of the gasoline or lubricating oil taxes provided by this bill applies to gasoline used after June 30, 1965, and lubricating oil placed in service after December 31, 1965. These are essentially the same effective dates as were provided by the 1965 act for the procedure which permitted these overpayments of excise tax to be claimed as credits on income tax returns.

The bill also makes a technical change in the Highway Revenue Act of 1956. This act authorizes transfers out of the highway trust fund on account of refunds or credits made with respect to the gasoline tax because of use on a farm, for nonhighway purposes, or by a local transit system (secs. 6420 and 6421) but only if the payments are made before July 1, 1973 (since the program for which the fund was established is scheduled to be completed by September 30, 1972). The Excise Tax Reduction Act of 1965, which covered revenues from the tax on lubricating oil into the highway trust fund to the extent used in highway motor vehicles, treated claims for refunds or credit of this tax (under sec. 6424) in the same manner as the gasoline tax claims (under secs. 6420 and 6421). However, payments out of the highway trust fund with respect to credits claimed on income tax returns (sec. 39) for either the gasoline or lubricating oil taxes under the 1965 act were not limited as to the time during which transfers out of the highway trust fund could be made.

The bill strikes out the present July 1, 1973, deadline for transferring funds from the highway trust fund on account of refunds or credits under sections 6420, 6421, and 6424 of the code, making that provision essentially the same as the one dealing with transfers out of the highway trust fund on account of the allowance of credits under section 39 of the code.

III. EFFECTIVE DATE OF PROVISION FOR FILING DRAWBACK CLAIM ON DISTILLED SPIRITS TAXES

In the bill, H.R. 7735, passed by the Senate earlier this year, an amendment was added to permit claims for drawbacks of taxes on distilled spirits used in the production of medicines, medicinal preparations, food products, flavors, or flavoring extracts which are unfit for beverage purposes to be filed within 6 months after the calendar quarter in which the spirits are so used rather than within 3 months after the spirits are so used as previously was provided. This provision as passed by the Senate was effective for all claims filed after the beginning of the current Congress; namely January 10, 1967. In the conference on the bill in question the House conferees agreed that the 3-month period for filing drawback claims was too short and that 6 months should be allowed instead. However, they agreed that this change be made only in the case of distilled spirits so used on or after the enactment of that act.

In general, the conferees on the part of the House were objecting to a retroactive date in the case of the Senate provision. However in the case of problems arising in connection with statutes of limitation it is virtually impossible for the Congress to act to relieve discriminatory situations until after the statute has run with respect to taxpayers. While the committee generally does not recommend legislation with a retroactive effective date, nevertheless instances such as those involving statutes of limitation sometimes necessitate retroactive dates if relief is to be given to those who called the problem to the attention of the Congress. This was true, for example, in the case of the provision described above and passed by the House applying to refund claims of farmers and others for gasoline and lubricating oil taxes. The amendment added in this bill, while applying to an earlier year, does not predate the beginning of the current Congress.

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[1] Claims for at least $1000 with respect to any of the first three quarters of the taxable year may be made within 3 months of the end of that quarter, in the case of gasoline and lubricating oil used for nonhighway purposes and gasoline used by local transit systems.

[2] The gasoline and lubricating oil taxes are treated as having been paid on the last day for filing the appropriate income tax return. As a result, the special 2-year rule for late-paid taxes (see sec. 6511(a) of the code) will not, as a practical matter, apply in this situation.

The title was amended, so as to read: "An act to amend the Internal Revenue Code of 1954 regarding credits and payments in the case of certain use of gasoline and lubricating oil, and for other purposes."

BILL PASSED OVER

The bill (H.R. 11394) to amend certain provisions of the Internal Revenue Code of 1954 relating to distilled spirits, and for other purposes, was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF THE INTERNAL REVENUE CODE OF 1954—RECOGNITION OF GAIN OR LOSS ON SALES OR EXCHANGES IN CONNECTION WITH CERTAIN LIQUIDATIONS

The Senate proceeded to consider the bill (H.R. 18101) to amend section 337 of the Internal Revenue Code of 1954 with respect to the recognition of gain or loss on sales or exchanges in connection with certain liquidations, which had been reported from the Committee on Finance, with an amendment at the top of page 5, insert a new section, as follows:

Sec. 3. (a) Section 4063(a) of the Internal Revenue Code of 1954 (relating to exemption of specified articles from the tax on motor vehicles) is amended by adding at the end thereof the following new paragraph:

"(5) Concrete mixers.—The tax imposed under section 4061 shall not apply in the case of—

"(A) any article designed (i) to be placed or mounted on an automobile truck chassis or truck trailer or semitrailer chassis and (ii) to be used primarily to process or prepare concrete, and

"(B) parts or accessories designed primarily for use on or in connection with an article described in subparagraph (A)."

(b) The amendment made by subsection (a) shall apply with respect to articles sold after June 30, 1968.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended, so as to read: "An act to amend section 337 of the Internal Revenue Code of 1954 with respect to the recognition of gain or loss on sales or exchanges in connection with certain liquidations, and for other purposes."

FEDERAL MARITIME ACT OF 1967

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1479, H.R. 159. It is my understanding that it has been cleared on both sides.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 159) to amend title 2 of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

TRIBUTE TO SENATOR LISTER HILL, OF ALABAMA

Mr. JAVITS. Mr. President, I wish to address the Senate upon a number of matters.

I am the ranking minority member of the Committee on Labor and Public Welfare. The chairman of that committee, the Senator from Alabama [Mr. Hill], will be leaving us. Inasmuch as this may be the last day of the last session which he will attend as a Senator, I desire to express for myself and my colleagues on this side of the aisle our admiration and deep affection for Senator Hill, and to pay tribute to the monumental service he has rendered in the Senate as the chairman of this committee, which is responsible, in its legislative aspects, for the expenditure of one-half of the nondefense budget.

We have just gone through the appropriation. Senator Hill is the chairman of the subcommittee of the Appropriations Committee which handles the Department of Health, Education, and Welfare. He is also chairman of the legislative committee, and I have had the pleasure of working with him as the ranking minority member of both. So I really understand the legendary services rendered by Mr. Hill.

Because a man is often remembered by a single monument, I should like especially to speak of the great monument which will always be remembered about Lister Hill, and that is the Hill-Burton hospital program as well as so much of the medical research being undertaken in the Federal Establishment.

It is very fitting, starting with the National Heart Disease Institute 20 years ago, which I had the honor to sponsor in the House and the then Senator from Florida, Claude Pepper, sponsored in the Senate. In that 20 years, largely attributable to Lister Hill in the Senate and to John Fogarty and others who preceded them in the House, a tremendous amount of medical research has grown up which has literally revolutionized health care in this country and whose influences will be felt for decades. Indeed, the last third of the 20th century may well be primarily distinguished by achievements in the health field.

For this, Senator Lister Hill, of Alabama, will always be remembered as a tremendous benefactor. I have served with him in the conferences between the House and Senate on this matter, and he has literally fought like a tiger, with indefatigable application—charming, attractive, urbane, but determined, day after day—until some reasonable semblance of what he was seeking was effectuated.

Slowly but surely, this enormous structure of medical research in this country, benefiting not only us but also the rest of the world, has been built up.

I believe it is peculiarly fitting that on the last day of the session, the newspapers report that by chemical means it now seems possible—or at least will be possible within the next 5 years—to meet the whole problem of cancer in those parts of the body where it does develop quickly. And research has done this.

Mr. President, I can think of nothing which would gladden the heart of Senator Hill more than a report of this kind of achievement. Many of us have felt, for example, in the cancer field, that if only the people who fell victim to cancer lived 15 years from now or perhaps even less, they would never have died, any more than the pneumonia patient or the patient with lung diseases—tuberculosis, and so forth—as was true 25 or 30 years ago, need consider that a death sentence.

So in our personal relations, which have been tremendously gratifying, friendly, cooperative, and most accommodating, and in the high professional standing which Senator Hill has attained in this body, and in the tremendous benefaction which he represents to the medical science of our country—particularly to medical science—I rise to pay tribute to my colleague and friend, and to bespeak for him and for his wife and family many continued years of happiness and fruitful enjoyment which he has so richly earned, and the enhancement of the quality of their name, for which he has been so magnificently responsible.

TRIBUTE TO SENATOR BOURKE B. HICKENLOOPER OF IOWA

Mr. JAVITS. Mr. President, I also wish to speak about another colleague who is leaving the Senate, the Senator from Iowa [Mr. Hickenlooper], on this side of the aisle.

I have had occasion to serve with Senator Hickenlooper on committees only rarely, but I have had great relationship and contact with him as he presided over the policy committee of the Senate Republican conference.

I wish to pay my tribute to him as a man of determined views, which often disagreed with mine, but of unfailing tact and friendship. One thing one must say about Bourke Hickenlooper: There is nothing small about his character. He is a big man; and if he disagreed, he would disagree; but he would never allow disagreement to distort personal relations, nor was he ever small about anything.

I value his friendship very much, and I bespeak for him and Mrs. Hickenlooper, whom I have had the pleasure to know, many continued years of happiness and fruitful living.

As he knows, we shall always consider it a great pleasure to welcome him in the Senate. If I am a Member of the Senate next year, it will be a great privilege and pleasure always to consider **Bourke Hickenlooper** a colleague.

GREATER ARMS ROLE SOUGHT BY KRUPP

Mr. **JAVITS**. Mr. President, I read with rather deep concern an article in the New York Times of October 8, 1968. The headline of the article was "Greater Arms Role Is Sought by Krupp." I ask unanimous consent that the article may be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Greater Arms Role Is Sought by Krupp

Bonn, October 7.—The house of Krupp, which renounced weapons production after World War II, aspires to a greater role in West German manufacture of military goods, a company spokesman said today.

"Our policy is more armaments industry—items that go bang," he declared.

The spokesman confirmed a report in the magazine Stern that the company had informed the Parliament's Defense Committee that it wanted to "intensify" its activities in the armaments field.

Krupp will continue to refuse making weapons "such as guns or rockets," he said, but will feel no qualms about trying to obtain more orders for such military items as armored vehicles or hulls for warships.

The Krupp pledge never to produce arms again was made by the last of the family dynasty, Alfried Krupp von Bohlen und Halbach, when the allied powers returned his seized property in 1951. Mr. Krupp died in July last year and his combine, in financial straits, was subsequently turned into a limited company.

Mr. **JAVITS**. Mr. President, the article mentions the fact that the Krupp Co., now publicly owned because the last Krupp died and the ownership is distributed, now wishes to get in the arms distribution business although the last Krupp survivor pledged that he would never produce arms again.

The one thing the central European nations always are ready to respond to is when the Soviet Union dangles before them the specter of German rearmament, revolutionism, the Germany of Hitler's time and a nationalistic Germany. I hope very much that Germany will be very cognizant of that.

Germany has distinguished herself. I have been very friendly to the German democracy, as they will testify. She has distinguished herself in the postwar period by fidelity to the pan-European concept.

It is most regrettable that she is allowing herself now to be influenced by France to oppose the entry of Britain into the Common Market, which is contrary to the pan-European concept.

I hope every German, as he reads this Krupp article, will say to himself, "What? Not again." I hope they will make a new resolution that whatever Germany's place may be in the world, it will never put her alone, but that she will always be a part of an integrated Europe, which includes England, and that she will continue as she has distinguished herself for the last 23 years, so that she will have a part and realize her greatness through the greatness of all of Europe.

I hope this headline will scare Germans as much as it will scare others who have not forgotten the past. Through NATO we have provided for a military force. We hope that what she produces will be of service to her people and to the world, and contribute to a unified and integrated Europe which has been to her credit, since the end of World War II.

LIFESAVING UNITS AT VETERANS' ADMINISTRATION HOSPITALS

Mr. **ALLOTT**. Mr. President, yesterday the Senate adopted an amendment to H.R. 3593, which will permit the Veterans' Administration to maintain the number of its employees at the June 30, 1966, level. The amendment provides that section 201 of the Revenue and Expenditure Control Act of 1968 shall not apply to the Veterans' Administration in months in which it is below the June 30, 1966, level and that during those months the Veterans' Administration shall not be taken into account in applying the provisions of section 201 to other departments and agencies. I am advised that the Veterans' Administration has more than complied with the provisions of section 201, and that continued application of the hiring formula would result in the reduction of employees far below the June 30, 1966, level, and would endanger its ability to continue to staff and operate such important lifesaving units as the dialysis and transplant units at the Denver veterans hospital.

I have been informed that the action taken by the Senate yesterday will enable the VA to continue to staff and operate these lifesaving units. Admittedly, this will not be a panacea which will solve all its staffing and personnel problems, but at least the Veterans' Administration will not be required to help take up the slack for other agencies which have not progressed very far toward achieving the objective of the Revenue and Expenditure Control Act of 1968. The work accomplished by these outstanding units, and I particularly refer to the Denver hospital because I have some personal knowledge of it, has been truly remarkable, and it would be extremely unfortunate if circumstances prevented the continuation of these achievements. I am gratified that the Senate took the action yesterday which will permit that continuation, and it is my hope that the other body will agree to that Senate action today.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 20300) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 15, 27, 28, 45, and 65 to the bill and concurred therein, and that the House receded from its disagreement to the amendments of the Senate numbered 11, 40, 50, and 71 to the bill and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 2938. An act to extend expiring provisions under the Manpower Development and Training Act of 1962, as amended, and for other purposes;

S. 3615. An act to authorize the Secretary of the Army to convey to the port of Cascade Locks, Oreg., a certain interest in lands in the State of Oregon for municipal purposes;

S. 4158. An act to amend title 37, United States Code, to clarify the conditions under which physicians and dentists who extend their service on active duty in a uniformed service may be paid continuation pay;

H.R. 653. An act to amend the Tariff Schedules of the United States with respect to the rate of duty on certain nonmalleable iron castings, and for other purposes;

H.R. 2263. An act for the relief of Henry E. Bullock;

H.R. 2282. An act for the relief of certain employees of the Naval Weapons Center, Concord, Calif.;

H.R. 3865. An act for the relief of Mauritz A. Sterner;

H.R. 5677. An act for the relief of Robert L. Miller and Mildred M. Miller;

H.R. 7417. An act to prescribe administrative procedures for the District of Columbia government;

H.R. 7735. An act to continue for 3 years the existing suspension of duties on certain alumina and bauxite, and for other purposes;

H.R. 17324. An act to extend and amend the Renegotiation Act of 1951, and for other purposes;

H.R. 17735. An act to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; and

H.R. 18248. An act to amend the act of August 9, 1955, relating to certain common carrier operations in the District of Columbia.

SENATE RESOLUTION 417—AUTHORITY TO PRINT COMPILATION ENTITLED "MINERAL AND WATER RESOURCES OF COLORADO"

Mr. **ALLOTT**. Mr. President, I send to the desk a resolution and ask for its immediate consideration.

The **PRESIDING OFFICER** (Mr. Williams of New Jersey in the chair). The resolution will be stated.

The bill clerk read as follows:

Resolved, That the compilation entitled "Mineral and Water Resources of Colorado", a report by the United States Geological Survey, prepared at the request of Senator Gordon Allott of the Committee on Interior and Insular Affairs, be printed with illustrations as a Senate document; and that there be printed one thousand additional copies of such document for the use of that Committee.

Mr. **ALLOTT**. Mr. President, let me make a brief statement about this. It has been prepared by the Geological Survey not only for the State of Colorado but also for other States, including Kentucky, and other Western States. The document is in very great demand and the Geological Survey is in great need of additional copies. That is why I ask for favorable consideration of the resolution.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

NUCLEAR NONPROLIFERATION TREATY

Mr. GORE. Mr. President, earlier today, statements were made on the floor of the Senate, President Johnson made a statement at the White House, and a distinguished visitor issued a public statement bearing upon the advisability of ratification by the Senate of the Nuclear Nonproliferation Treaty at this time.

Mr. President, I concur fully with the statement of President Johnson.

What is the purpose of this treaty? It is to discourage the spread of nuclear weapons.

Is it not in the interest of the United States to discourage or to prevent the spread of nuclear weapons?

Merely to ask the question is to provide the answer.

What has transpired that lessens this interest of the United States? Nothing.

Statements that the treaty should not be ratified because of the deplorable action of Russia with regard to Czechoslovakia would indicate that those who make such statements regard the treaty as being, somehow, a favor bestowed by the United States upon the Soviet Union.

On the contrary, it is the United States which has sought conclusion of the treaty through three administrations. The first suggestion for such an agreement was made by the late Secretary of State under President Eisenhower, John Foster Dulles.

It has been my privilege to serve as a representative of the Senate as a delegate to the Nonproliferation Conference, to the Disarmament Conference, and to the Nuclear Weapons Test Conference. In all of these years, there has been no partisanship in the consideration of this matter so vital to the interests of the United States and of mankind.

I see no justification for any political or partisan consideration at this time.

I point out, it was said that there was great opposition in the Committee on Foreign Relations to taking action favorable to the treaty this year. There was a good deal of talk, but when the vote came, the treaty was favorably reported to the Senate by a vote of 13 to 3.

I daresay, if the roll should be called in the Senate now on ratification of the treaty, from the sentiment I have heard in the cloakrooms, in the corridors, and over the coffee tables, that opposition to it would be very slight.

Soviet aggression and repression in Czechoslovakia is irrelevant to the interests of the United States in securing and concluding this treaty.

As I have said, the United States took the lead. It succeeded not only in negotiating a reasonable treaty with the Soviet Union and Great Britain, but it was also successful in persuading some 80 other nations to adhere to the treaty. The treaty cannot become effective, of course, so far as the United States is concerned, without ratification.

What is the consequence of delay?

I am not sure that one can be certain of this, but delay would not seem in any way to encourage the wavering nations, whose adherence we desire, to accept and agree to the treaty.

Surely, the nation that initiated the movement, the nation that feels its interests and its security are involved in its conclusion, cannot profit from wavering.

President Johnson has indicated that if the Senate should adjourn without ratification of the treaty, he might find it necessary to call the Senate back into session.

I suggest that the Senate should not make this action necessary on the part of the President. The Senate has a choice. Of course, there is an election in the offing. The Senate is sympathetic, as surely I am, to the need for Senators to go before the electorate. But the Senate need not adjourn sine die.

I suggest to the distinguished majority leader that, instead of adjourning, he consider recessing the Senate to a day certain after the election, to return with the stated purpose of considering the treaty duly submitted by the President and recommended favorably to the Senate by a vote to 13 to 3 by its Committee on Foreign Relations.

Should the Senate adjourn sine die, I would surely think that the President can properly, within the province of his responsibility and duty, summon the Senate into session for the ratification of a treaty which is so vital to the security interests of the United States.

Mr. President, I ask unanimous consent to have printed in the RECORD some editorials on this subject.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, Oct. 4, 1968]

NONPROLIFERATION NOW

The Senate Foreign Relations Committee added an unfortuante qualification to its endorsement of the nuclear nonproliferation treaty when it suggested that the President should delay formal ratification until a majority of the potential nuclear weapons states indicate they intend to accept the treaty.

Such a delay would be self-defeating, since many of the most important non-nuclear states are themselves waiting to see what the United States will do before acting on the treaty. If the United States ratifies the pact, some potential nuclear powers are expected to follow suit fairly quickly. Others may or may not fall in line with an American lead.

But it is certain that if the United States does not demonstrate its continuing interest in nonproliferation by offering prompt ratification, the chances of widespread approval by other states will be sharply reduced.

Rightly or wrongly, the non-nuclear nations believe they are being asked to make greater sacrifices in the interest of international security than the nuclear powers. They cannot be expected to embrace the treaty unless the great powers continue to show the vigorous leadership and mutual support for nonproliferation that won for the pact near-unanimous acclaim in the General Assembly last June.

The most serious threat to the treaty is, of course, the big-power animosity and widespread apprehension generated by the Soviet invasion of Czechoslovakia. The Foreign Relations Committee no doubt was influenced by the feeling among some Senators, spurred by the Republican Presidential nominee, that action on the treaty should be deferred because of the Czechoslovak crisis.

It is ironic that concern for the Czechs and Slovaks should be used as an excuse for delaying this important step toward reducing international tensions. Long before the invasion, Czechoslovakia was an advocate of the nonproliferation treaty, as she is today. To withhold ratification as "punishment" of the Russians for their misdeeds in Czechoslovakia is to suggest that the treaty is of prime benefit to the Russians, when what it really benefits is every civilized country in the world.

Withholding American ratification of the nonproliferation treaty will not spur others to sign, nor will it help ease Soviet pressure on Czechoslovakia. The more likely effects of such procrastination would be just the opposite.

[From the Washington Post, July 29, 1968]

NONPROLIFERATION TREATY FAVORED 81 PERCENT TO 9 PERCENT

(By Louis Harris)

By an overwhelming 81 per cent to 9 per cent margin, the American people favor the recent agreement between the United States and the Soviet Union to prohibit the spread of atomic weapons. By an almost equally high 79 per cent to 12 per cent, the public favors talks between this country and the Russians on an agreement to limit the atomic-weapons systems of both countries.

These two solid endorsements of recent steps which could mark a distinct thaw in relations between the United States and the Soviet Union are indicative of a cautious optimism which appears to be spreading across the country that the cold war may be drawing to a close.

While a majority of 52 per cent of the people sees no change in relations between the two powers, 33 per cent believe they are improving compared with only 8 per cent who see a deterioration taking place.

When asked further if they believe it possible for Americans and the Soviets to work out an agreement which will work to control wars in the world, by 49 per cent to 37 per cent the American people report they think such a prospect is viable. By a much larger 88 per cent to 7 per cent the public would like to see such an arrangement come about.

Politically, improvement in relations between the two countries would unquestionably help Vice President Hubert Humphrey rather than Richard Nixon. For example, people who feel that the world's two super powers could get together to control wars would vote for Humphrey 44% to 33% over Nixon, with 14% for George Wallace. By contrast, those who feel that no rapprochement is possible would vote 40% to 28% for Nixon over Humphrey, with a much higher 21% for Wallace.

Most hopeful about the possibilities of coming to an agreement which will work are young people, women, and the better educated, groups that have had the most serious reservations about the war in Vietnam. Certainly, these results would prove out once more that the most popular idea in foreign policy in this country is peace.

[From the Washington Post, Sept. 9, 1968]

THE TREATY SHOULD BE RATIFIED

President Johnson has acted wisely in urging the Senate to proceed with the ratification of the nuclear nonproliferation treaty in the face of events in Czechoslovakia. At the same time, it is plain that the President does not speak for a unanimous Administration on this point or for his Party's leadership in Congress. This is understandable—and not just in terms of the hazards of election year politics. There could hardly be instant accord within Government on so complex a subject as the best way of discharging this country's obligations and making use of its opportunities to alleviate the Czech distress. And a very strong case can be made for exploiting what diplomatic leverage we have with the Soviet Union and also for indicating that there is a heavy price to be paid for the course they have taken.

But the nuclear nonproliferation treaty avails little in the way of either leverage or retaliation, and by its very nature it is an inappropriate instrument for registering temperature changes in the condition of the Soviet-American "detente."

So much nonsense has been spoken on the subject of that "detente" that many persons now appear to regard it as a sort of permanent, bilateral gush of warm fellow-feeling, thereby condemning themselves to recurrent disappointment. We can expect, for a long time to come, the convulsions and contradictions we are now beholding in Soviet policy, along with the brutal swings back and forth between aggressiveness and relative repose. It is in this context, and without illusion, that the United States and its allies must seek hard, practical agreements with the Soviets on matters of common interest, especially where international security is concerned. That is what the nonproliferation treaty is about. It is neither a gift nor a reward. It is not even a Soviet-American arrangement. It does not require either nation to disarm, but rather sets forth the terms for restricting the spread of nuclear weapons to other nations—scores of whom have already given it their consent.

In four years of multilateral negotiation the Russians have made it clear that their primary interest in the treaty is its capacity to maintain a non-nuclear Germany. Their recent actions in central Europe have also made it clear that the West Germans are going to take their time in signing. The United States, by postponing its own ratification, would add nothing to the diplomatic leverage the Germans already have and can be expected to use to full advantage. What hesitation (in the name of retaliation) by the U.S. Senate would do is simply diminish momentum elsewhere in the world for signing the treaty and create a danger that in time the whole structure of support for it would collapse.

The argument that the Senate is in such an anti-Soviet mood that the treaty would be imperiled if it were brought up now, can be challenged also. It is incumbent upon the Administration and the self-professed seekers of peace in the Senate to assert leadership and to provide education on this question. If they fail to do so they will lend credence to the false impression that the nuclear nonproliferation treaty is a goal to be pursued only in fair weather and at times when the Soviets are beaming benignly. But if an arrangement so profoundly affecting world security is undesirable when the Russians are misbehaving, then it is undesirable—period. And this is simply not the case. By characterizing the treaty as the fruit of detente and as an agreement that becomes in some way unsafe in the freeze and safe in the thaw, its well-intended friends may be making sure that its ratification will be postponed indefinitely.

[From the Denver (Colo.) Post, Sept. 16, 1968]

Humphrey Is Right on This One

One of the first clear campaign disagreements between Hubert Humphrey and Richard Nixon involves Senate ratification of the international treaty to ban the spread of nuclear weapons.

Nixon believes that the treaty is acceptable but that the Senate should not act on it this year. The Senate should wait, he says, until there is more time to assess the implications of the Soviet invasion of Czechoslovakia.

Humphrey believes the treaty is a good one and that the Senate should act on it now. He does not believe that the need for it has been changed one way or the other by the situation in Czechoslovakia.

On this issue, we believe that Humphrey is right and Nixon is wrong. This important treaty, which the United States has worked long and hard to put in shape, ought to be approved swiftly by an overwhelming vote.

The treaty not only involves commitments by the nuclear have nations that they will not share nuclear weapons with the nuclear have-nots but also commitments by the have-nots that they will not seek or accept such weapons.

It is designed to exclude the possibility of acquiring nuclear weapons from the thinking and planning of the non-nuclear world and to encourage the thinking and planning to move in other directions.

A delay in ratification by the United States would take the steam out of the drive for world approval and lead other nations to re-examine their positions. It would imperil the future of the treaty and raise the danger that the delicate and difficult negotiations which brought it into being might now go to waste.

The invasion of Czechoslovakia by the Soviet Union was a foolish and immoral act. But it can hardly be said to tell us something about the character of the Soviet regime which we did not suspect before.

All our dealings with the Soviet Union have predicated on the assumption that it is a totalitarian police state, capable of great ruthlessness and treachery at home and abroad.

We have also recognized, however, that it contains liberal forces working for change and that on some issues those forces have triumphed. Although they were defeated by the men who ordered the invasion of Czechoslovakia, the liberal forces are still alive and they may be heard from again.

In any case, whether the liberals or the Stalinists, the hawks or the doves, the good guys or the bad buys, prevail in the Kremlin, it is still to our advantage to discourage the spread of nuclear weapons.

The treaty will not solve the problem—especially because France and Red China will not sign it—but it represents significant progress toward making the world less dangerous.

The sins of Communist states are enormous. But we would not want a president to be so preoccupied with these sins that he would pass up opportunities to build constructive relationships conducive to world peace.

We hope Nixon does not become so bogged down on the Czech issue that he will lose sight of the broad world problem of nuclear proliferation and of the chances of better relations in the future.

Nothing in the treaty could in any way jeopardize the interests and security of the United States. Humphrey is right to urge immediate ratification. We hope the Senate will act now.

[From the Washington (D.C.) Post, July 30, 1968]

Maintaining Arms Control Momentum

According to the Harris poll published yesterday, an overwhelming 81 percent of the American public favors the nuclear nonproliferation treaty which was signed by the United States and the Soviet Union on July 1, and which already has 70 other signators. Apparently favor runs high in the Senate too. The Foreign Relations Committee, with unprecedented dispatch, took up the treaty less than a day after it had been sent to the Hill and completed its preratification hearings on the 17th of July. Nor has there developed any evidence of serious opposition in the course of the Committee's deliberations. The NPT has thus been expected to enjoy smooth sailing when it gets to the floor.

The question—and it is an increasingly important one—is when that day will be.

The delay in reporting out the treaty has been owing to nothing more sinister than a legislative traffic jam, the foreign aid bill's having gained precedence over it in Committee. Today the Committee will meet again and the treaty will be the third item on its agenda—the Military Sales Bill and the International Development Agency coming first. Thus, while it is evident that the treaty will not be taken up on the floor before the convention recess, it now also seems possible that for scheduling reasons unrelated to its merits or to the support it enjoys, the treaty may not even be reported out before the recess. This would be a most unfortunate development.

There are a number of arguments to be made for reporting out the treaty this week. It should be cleared and ready to go at the first available opportunity when the Senate reconvenes so as to insulate it to the extent possible from the delays and partisan uproars that are bound to mark that session. With a favorable report in hand and with the benefit of the record made in the hearings, the treaty could be granted some priority and could be dealt with as an issue somewhat apart from the stormy confrontations expected on other questions of foreign and military affairs.

The urgency of its being taken up early in the September session is twofold: it might offer some protection from a conceivable inadvertent disaster in the rush of congressional events, and it would provide evidence to other nations that the momentum behind the treaty in the United States has not been lost.

It is this which is of the utmost importance. There are governments which cannot be expected to comprehend that delay as a mere parliamentary accident. More serious yet, there are governments which may prefer for reasons of their own to seem not to comprehend it. In other words, the appearance of an energetic American interest in the treaty is as important as the reality of it at the moment. Indeed, so far as the Soviet Union is concerned, there should not be even the slightest shadow of a hitch in the NPT as delicate preparations get under way for the next crucial round of disarmament talks.

An equally strong case can be made for the urgency of U.S. action in relation to those "nuclear threshold" nations which have yet to announce their intention to sign. It is no secret that Bonn is not exactly thrilled at the prospect of signing the NPT or that the West German government has been anything but slow to find reasons not to do so. Surely, a prolonged languishing of the treaty in the U.S. Senate will provide the Germans with another reason for delay. Moreover, the Euratom countries are now reported to have completed those internal discussions which put individual member states in a position to sign the treaty if they wish. Their doing so might have its influence on the Federal Republic, and they should be encouraged to act by proof of this country's continuing interest.

Finally, at the end of August—before the Senate will have reconvened—the nonnuclear nations will be meeting in Geneva. Many of them have signed the treaty and some very important nations among them have not. United States efforts to gain support for the treaty in Geneva will only be undermined by a failure of action here.

Already the Foreign Relations Committee is feeling the pressure of the Republican convention; it is on the verge of losing a quorum of members. If it is to take this very important step, it must act within the next two days.

[From the New York Times, Sept. 22, 1968]

Halting the Missile Race

The United States now can only injure its own interests if it delays ratification of the nonproliferation treaty and the opening of talks on arms-control measures.

Republican obstruction may make it impossible to rescue the nonproliferation treaty. But the opening of working level talks with the Soviet Union to limit offensive and defensive strategic missiles is a decision that lies entirely in the President's hands.

All indications are that Moscow now is as anxious as the United States to call off the missile race both for security and economic reasons. But that race has entered a critical phase. Deployment at vast cost of antimissile missiles and revolutionary independently targeted offensive warheads could take the two superpowers past the point of no return. "If both sides acquired these systems," warned scientists at the eighteenth Pugwash Conference held in Nice last week, "step-by-step disarmament would be extremely difficult, since neither side could move from its position without passing through a phase of extreme instability."

The United States and the Soviet Union now are at a threshold in the arms race. There is a stable balance of mutual deterrents. Disarmament measures are practicable. The world can only lose if the opportunity that now exists to halt the missile race is permitted to escape.

[From the Washington Post, Sept. 25, 1968]

A-Treaty Action Urged by SANE

The National Committee for a Sane Nuclear Policy warned yesterday that a Senate delay in ratification of the nuclear nonproliferation treaty could lead other nations "to abandon international restraints and develop their own stockpiles of nuclear weapons."

The warning was made in a telegram to Vice President Humphrey, Richard M. Nixon and leading Republicans in the Senate.

[From the St. Louis (Mo.) Post-Dispatch, Sept. 18, 1968]

Casualty of the Campaign

A 13-to-3 favorable vote in the Senate Foreign Relations Committee ought to assure prompt ratification of the nuclear nonproliferation treaty, but thanks to Richard M. Nixon it probably won't.

For the benefit of his presidential campaign, Mr. Nixon is wooing the coalition of Republicans and Southern Democrats on which he bases his hopes for election by calling for delay in ratification. He says he favors the treaty "in principle," but has doubts on a couple of its provisions and in any event opposes immediate approval because of the Soviet intervention in Czechoslovakia.

The Czech crisis makes a handy pretext for delay, but that is all. The case for a treaty barring the spread of nuclear weapons does not rest on any particular form of Soviet relations with Eastern Europe. It rests on the proposition that if the nuclear arms race is ever to be brought under control, the number of nations possessing nuclear weapons must be restricted as far as possible, while those nations possessing them work toward control and limitation of their own arsenals. These objectives remain just as valid after the Czech invasion as they were before.

To delay ratification as a means of expressing disapproval of Soviet actions in Czechoslovakia implies that the treaty was signed in the first place as a concession, or a favor, to the Russians, the withholding of which will somehow punish the Kremlin. The Soviet Union is not, however, a special beneficiary of the treaty. The United States and Russia share a common interest in checking the spread of nuclear weapons. That interest remains vital to both, and to all the world, despite what has happened in Czechoslovakia.

Unfortunately the treaty, like the confirmation of Justice Fortas, has been caught up in campaign politics. In both cases Mr. Nixon is covertly or overtly supporting the reactionary coalition of Dixiecrats and Republicans in the interest of his own campaign. It would be comforting to hope that the Senate would insist that taking one step on the road to nuclear arms control is more important than Mr. Nixon's campaign, but unfortunately that is not to be expected.

[From the Miami (Fla.) Herald, Sept. 13, 1968]

Now's Time To Sign That Nuclear Treaty

Nearly five years ago the diplomats of 18 nations sat down in Geneva to hammer out a nuclear nonproliferation treaty.

In simple terms, the compact pledges the nuclear "have" nations not to pass on to "have not" nations nuclear devices for the next 25 years. The latter also are asked not to seek such weapons.

After United Nations ratification last June the treaty is now before the United States Senate. Both the Republican and Democratic Presidential candidates favor it. Richard Nixon's only question is whether the treaty should be signed at this time in view of Russia's occupation of Czechoslovakia. Hubert Humphrey would go ahead.

We have suggested a second look at engagements with the Soviet Union in the light of neo-Stalinist influence in the Kremlin. But nothing could be gained by delaying the nuclear treaty on this account.

Russia and the United States alone have a cataclysmic nuclear capability. Each has the weapons to kill the population of the other at least 10 times over. Hence the term "overkill."

This capability has produced the stand-off of the great powers and the resort to conventional warfare. But there can come a day when someone pulls the trigger for the first time since Nagasaki. It is the purpose of the treaty to prevent this, if possible.

At least 20 countries were judged "economically capable, fairly competent technically, although perhaps somewhat more limited in scientific manpower" in 1960 in the area of nuclear weapons production. They include countries in the Communist bloc.

The treaty will become effective when 40 nations sign it. The United States has no designs on the territory or the sovereignty of any other nation. Its people still regard with dread the necessity of Hiroshima. It is making, on the other hand, giant strides in the peaceful use of nuclear fission—as indeed is Russia.

Why not offer the world an example by approving the treaty forthwith? It will come before the Senate on Tuesday.

[From the Detroit (Mich.) News, Sept. 13, 1968]

Let's Ratify the Nuclear Pact

The Senate is going to drag its feet in taking steps to ratify the nuclear nonproliferation treaty which the United States signed two months ago. The reluctant senators are wrong.

Their attitude is prompted by the revulsion of feeling of the American public at Moscow's destruction of even the limited freedoms the Czechs and Slovaks chose freely for themselves. Not even the most fervid proponent of ratification can gainsay these emotions. But the purpose of the treaty and the six-year labor that devised it do not justify inaction on its implementation.

The pact is not a bilateral pact between Washington and Moscow. It is an all-nation agreement which almost all UN members support. It is not some disarmament deal. It aims at getting the nuclear havenot nations to refrain from nuclear armaments. It's prevention, not cure.

It gives the super powers in Washington and Moscow an advantage, buttressing their near monopoly of nuclear weapons. Neither gives up anything, yet almost everyone else is called on to abstain. It's a one-sided deal, yet it appears the world is prepared to go along with it.

Obviously, American and Russian nuclear power and influence will be that much more secure if weapons don't get into the hands of some nondescript nation that could press a trigger in pique and involve all in a holocaust.

Proliferation, or the scattering around of terror weapons, has nothing to do with what happened in Prague. The Senate should ratify, not stall. If it delays indefinitely, some border-line nations which have doubts about signing might not join this self-denying ordinance.

[From the Washington (D.C.) Post, Sept. 21, 1968]

A Reprieve for the Treaty

By a vote of 13 to 3, the Senate Foreign Relations Committee decided on Tuesday to send the nuclear nonproliferation treaty to the floor with a favorable report. The composition of the majority was as important as its size. Only one Republican Senator voted nay; three abstained; and three—Case, Cooper and Carlson—voted aye. What this means is that the treaty has been retrieved, at least temporarily, from the oblivion for which it seemed destined last week.

The vote demonstrated that there are Senate Republicans unwilling to permit the treaty to become a party issue in an election year. It also demonstrated that there is enough nerve and good sense among Committee members of both parties to resist a temptation to duck the treaty at this time on the grounds that it would be too risky to explain to constituents the nonrelation of the nonproliferation treaty to the Soviet action in Czechoslovakia and the inappropriateness of trying to use it as an instrument of revenge.

Naturally, a favorable report to the floor does not assure ratification; nor should it. All that has been assured is that the treaty now has a chance to be subjected to the serious and prompt discussion it deserves. Whether or not it will be depends on many things—the response (or lack of it) to this new development on Mr. Nixon's part; the energy summoned by a thus far lackadaisical White House in support of the treaty; the ability of friendly Senators to maintain the momentum they have revived; and the vagaries of Senate scheduling. This last point could be of prime importance. The treaty should be placed on the Senate calendar for some time before the adjournment rush begins. If this does not occur, consideration should be given the suggestion now being privately put about in the Senate that a bipartisan agreement be reached on scheduling it for a possible post-election session. It is not difficult to imagine the treaty getting lost in the pending fight over the Fortas nomination and the subsequent stampede to adjourn.

That there is even a chance of responsible action on the treaty is due in large part to the persistence of Senator Albert Gore. As sponsor of the nomination of his fellow Tennessean, Abe Fortas, Senator Gore plainly had other business to keep him occupied in this session. But he rose to urge consideration of the treaty when everyone else was just as glad to look the other way, and it was he who led the drive that resulted in the assembling of a quorum and the favorable vote the other day. It was an act of statesmanship such as you don't witness very often in the Senate—certainly not in September of 1968—and the Senator deserves a full measure of praise.

[From the Detroit (Mich.) Free Press, Sept. 13, 1968]

The Treaty Is Still Valid

Richard Nixon's position on the treaty to halt the spread of nuclear weapons is curious. He supports the treaty, he says, but he thinks ratification of it should be delayed until we can ascertain more of the meaning behind Russia's invasion of Czechoslovakia.

He seems to be for cutting back on the sale of oranges because the lemon crop is going bad. The two are not necessarily related.

In fact, as Secretary of State Rusk has said, there would be a need for the nonproliferation treaty even if there were no Russia. The purpose of seeking agreements on the control of nuclear weapons is not that we love the Muscovites, but that we have cause to fear the consequences if we fail to join them for the good of mankind.

The treaty is not perfect, to be sure, since it does not include China or France. But it is both an important symbol and an important beginning on the sort of international controls that can prevent a nuclear holocaust. Control of nuclear weapons is difficult enough when they are in the hands of a relatively few nations. But what if the nuclear arsenals, and therefore the nuclear risks, are spread far and wide?

The Russian intervention in Czechoslovakia is a horrible affair, and it may bring the revival of the cold war. But it should not be taken as the signal for abandoning all attempts to reach agreement with the Russians.

Mr. Nixon professes that he still sees the need for bridge-building, and we believe him. We just wish that he would help move this agreement through the Senate now, rather than encourage its use as one more lash to flog the dying horse that is the Johnson administration.

[From the Baltimore (Md.) Sun, Sept. 15, 1968]

False Starts

The week ahead is the week in which the major candidates for presidential and vice presidential office must do their best to go back and start over. Their first rush out of the chute, on the traditional Labor Day date of campaign takeoff, was slapdash and haphazard.

Mr. Nixon perhaps got less tangled up than did the others, or at least his tangles were less vividly ludicrous. On some large matters, notably in his suggestion that the nation's Middle Eastern policy should be one of power imbalance and that the Senate should postpone ratification of the nonproliferation nuclear treaty, he assumed positions of most dubious statesmanship, whatever the politics. And the still more narrowly political question does pose itself: To what extent had Mr. Nixon encouraged his running mate in the latter's hapless venture along the lower road toward November?

Mr. Nixon's Democratic opponent for the presidency provided a spectacle. Mr. Humphrey, for reasons difficult to understand unless the cause was panic, first blew off with a prediction that American troops would begin leaving Vietnam soon, and then, after a seeming rebuke by President Johnson himself, withdrew the assertion, leaving him altogether up the creek in a chicken-wire canoe. Nor did the White House's straight-faced denial of any intention of presidential rebuke fix the Vice President up with a craft any more serviceable.

Public rebuke from the congressional leaders of his own party, and reportedly a nonpublic word of sharp caution from "a top political adviser to Nixon" who asked that his name not be used, was what befell Governor Agnew after his soft-on-communism-and-crime charge against Mr. Humphrey. Confronted with that, Mr. Agnew had no choice but to crawfish fast, and crawfish he did, but not so far as to relinquish the view, a view his very own, of Mr. Humphrey as comparable to Neville Chamberlain, and Mr. Nixon to Winston Churchill.

Only Senator Muskie, running mate to Mr. Humphrey, could be said not to have got off to a false campaign start. In no clearly discernible way had he started at all.

It was all the very stuff of comedy, except. . . .

Except that the drama is not a comic drama, and the setting hardly a setting for lightness and laughter. It is a setting of grandeur, portentous with opportunity and peril (and surely that figure of Mr. Wallace lurking in the undergrowth is far from a fun figure). The moment is already late for the major candidiates to cease acting as if they were running in a popularity contest for deputy sheriff, and to address themselves with utmost seriousness to the demands of the great offices they seek.

[From the Washington (D.C.) Post, Sept. 13, 1968]

Playing With Fire

At the United Nations General Assembly in June, ninety-five member states voted to approve the draft of the nuclear nonproliferation treaty, which the United States and eighty other nations have signed since then. For most of the signatories the treaty amounted to a self-denying ordinance—an agreement to forgo the manufacture or acquisition by other means of nuclear weapons. For the United States, however, which makes no comparable sacrifice, the negotiation and acceptance of the treaty marked the achievement of a diplomatic objective. All this was well understood before the Soviet repression of the Dubcek government in Czechoslovakia.

Since that time, however, the treaty has been recast as a gift to the Russians and one that should now be withheld. Accordingly, its ratification by the Senate is in doubt. The United States, in other words, is about to renege on an agreement it has been urging on other nations for several years and to court the diplomatic and military consequences of seeing support for the treaty around the world collapse.

There is blame enough for this development to go around: the lassitude and indifference of many members of the Foreign Relations Committee—including Chairman Fulbright—who delayed reporting the treaty to the floor for reasons of convenience and who have done little to defend or explain it since it has come under attack; the timid Administration officials who were reluctant either to fight or to lead for fear that they might lose. But the lion's share of blame for the jeopardy the treaty now is in must go to Richard Nixon, who has suddenly announced that in consultation with his fellow Republicans, he has decided that the treaty ought not to be ratified at this time. Mr. Nixon has thus given official sanction to the fictitious notion of the treaty as a bilateral Soviet-American arrangement, and he has made its ratification a party issue. In doing so, he may have dealt the treaty a death blow.

Except in terms of domestic politics, the Republican candidate's arguments make little sense. He would have the United States delay its approval of the treaty by way of registering a protest over the treatment of the Czechs. Elsewhere on this page, readers will find excerpts from arguments made by the Dubcek government on behalf of the treaty—of which it was a United Nations sponsor. That government understood, apparently somewhat better than Mr. Nixon cares to, the importance of limiting the spread of nuclear weaponry into the tense and belligerent areas of the world. What exactly does he contend we are denying the Soviets by our newfound reluctance to curb the spread of these weapons? In what way would the acquisition of nuclear weapons by Japan—say—or Israel, or Sweden, or Brazil bear favorably upon the plight of the Czechs or amount to the assertion of our interest over that of the Soviet Union, or in any other way have a useful effect on the situation in central Europe?

Mr. Nixon's argument is open to criticism on more serious grounds than its silliness. He has not just formalized a false view of the treaty, but he has introduced, retrospectively as it were, conditions to our approval of it. The point about the nonproliferation treaty and similar efforts to lessen the chances of nuclear war, was that both the Soviet Union and the United States, along with other negotiating countries, sought to separate it out from other issues and to pursue it as an important common goal. Could the Soviet Union renege until such time as we cease bombing North Vietnam? Will other governments follow our dangerous precedent?

The decision by Mr. Nixon to inject the treaty into party politics may in the end cost a lot. It jeopardizes the chances of the treaty's ever being ratified and it undermines the hardwon support the treaty already enjoys abroad. In this, he has taken an easy and reckless way. Mr. Nixon had it in his power to assert a little of that statesmanship he talks about and to bring his Republican colleagues along with him. To have done so would have lost him nothing and won him a profound respect.

[From the Boston (Mass.) Herald Traveler, Aug. 27, 1968.]

Treaty Undermined

International trust, the psychological underpinning of the nuclear non-proliferation treaty, has been dissipated by the Soviet-directed assault against Czechoslovakia and by France's detonation of its first hydrogen bomb.

Which action has most dampened the prospects of the treaty's being ratified by a sufficient number of nations to activate it is uncertain, but it is plain that the world-wide suspicion of great powers engendered by the Soviet Union's invasion of an allied country has not been allayed by France's emergence as the fifth nation to explode a hydrogen weapon.

Non-nuclear nations that sign the nonproliferation treaty renounce the right to develop or acquire nuclear arms, in return for technical assistance in the peaceful use of nuclear energy and pledges of military assistance by the United States, Soviet Union and Great Britain if the non-nuclear nations are attacked by a nuclear power.

But these small nations, many of which have signed but have not ratified the nonproliferation treaty, are having second thoughts about it because of the Kremlin's suppression of Czechoslovak freedom. Why should an uncommited nation put faith in the pledge of a Communist colossus that treacherously invades a neighboring ally?

France's attainment of thermonuclear capacity, however meager in comparison with the arsenals of the United States and the Soviet Union, is nevertheless dramatic in the emulous eyes of the middle powers. Russia's perfidy against Czechoslovakia has disturbed the small nations, but it is France's new military prestige and power, that might induce countries like West Germany, Japan, India and others to postpone or reconsider ratification of the non-proliferation pact.

The Soviet Union is no more eager than the United States to increase the number of nuclear powers. Indeed, since most of the nations with industry sophisticated enough to put them at the nuclear threshold are allied with or friendly toward the United States, the Russians would probably derive the greater advantage from the maximum participation in the strict adherence to the nonproliferation compact. That is still another reason their misadventure in Czechoslovakia may prove self-defeating.

For its part, the United States ought to encourage all nations to ratify the non-proliferation agreement, notwithstanding the Kremlin's duplicity in Eastern Europe. The Soviet Union acted brutally against Czechoslovakia because its leaders knew they could act with impunity; but they could not violate the non-proliferation treaty without teetering the balance of terror.

[From the New York Times, Sept. 11, 1968]

The G.O.P. on Arms Control

The public doubt expressed by Governor Rockefeller and former Vice President Nixon about Senate ratification of the nuclear nonproliferation treaty looks suspiciously like a political move that is almost sure to backfire against the Republicans.

The treaty to halt nuclear spread is one of the major accomplishments of the Johnson Administration, perhaps its most important in foreign policy. Ratification, moreover, will help to prepare the way for far more important arms control negotiations—to halt the Soviet-American nuclear missile race.

As a move toward peace, the treaty also does something to soften President Johnson's war image, and thus it undoubtedly will be of some political benefit to Vice President Humphrey. But nothing would be more short-sighted than for the Republican party to attempt to delay vital arms control measures in a futile attempt to deprive the Democrats of this much election advantage. Simply in terms of domestic politics, it would—unfortunately—make arms control a major campaign issue and no one can seriously believe that this would benefit the Republican candidate, even if an attempt is made to confuse the voter by invoking Czechoslovakia.

The Czech tragedy certainly will not be ameliorated by delaying the nonproliferation treaty, a treaty some eighty countries have signed. As Secretary Rusk told the Senate Foreign Relations Committee yesterday, that treaty would be "'very much in the national interest" even "if there were no Soviet Union." Delay until next year could endanger the treaty. Few other countries would go ahead. Some of the key nuclear-capable countries might be lost completely, undermining the pledge of others to forgo nuclear weapons.

The impending Soviet-American nuclear missile talks present a more difficult issue, since they will be bilateral. A Johnson-Kosygin meeting—with the smiles and summit atmospherics that would be inevitable—is not desirable for the opening of these strategic arms talks as long as Soviet divisions occupy Czechoslovakia. But there is no reason why lower-level meetings, even at the foreign ministers' level, should not begin—for these are talks between adversaries, not friends, adversaries whose missiles point at each other's heartlands. Delay could seriously prejudice success of the talks, since both sides are on the verge of launching new developments in offensive and defensive missiles that later could complicate agreement.

The Senate Foreign Relations Committee's vote today on the nonproliferation treaty will provide the first opportunity to test G.O.P. sentiment. If opposition by the Republicans blocks treaty ratification at this session, the thanks of neither the nation nor the world will be theirs; and the American electorate in November will undoubtedly take such politically-motivated obstructionism into severe account.

The Road to Self-Defeat

In justified outrage at Soviet suppression of Czechoslovakia, the United States is in danger of dealing a damaging blow to its own security and to long-run chances for world peace. This prospect was illuminated by two developments on Capitol Hill last week.

The very day after Republicans had stalled Senate Foreign Relations committee action on the nuclear nonproliferation treaty, the House shouted down an effort to slow up deployment of the Sentinel anti-ballistic-missile system. The House then overwhelmingly passed a record $72.2-billion defense appropriation.

The G.O.P. Senators evidently agreed with Mr. Nixon that, by stalling a treaty that required years of painstaking negotiation, a treaty on which hopes for future progress in arms control rest, the United States would be delivering a suitable rebuke to the Kremlin for its invasion of Czechoslovakia.

A House majority—Republicans and Democrats alike—apparently believes it is demonstrating America's determination to keep guard against world Communism by giving the nuclear arms race a new upward spiral. In this error it echoes not only Mr. Nixon but Defense Secretary Clifford, who contends that in deploying a light Sentinel system the United States will build a position of strength for negotiations.

The plain fact is that the only long-haul safety for the United States—and for the world, including the Soviet Union—lies in extending the kind of careful negotiations that produced the nuclear test-ban treaty in 1963 and the nonproliferation treaty this year. The Sentinel defense not only will not improve American security—the testimony of scientific experts is massive on this point—but will destroy the prospects for those vital negotiations, in addition to placing in jeopardy the progress represented by those two treaties.

Let Mr. Nixon, Mr. Clifford and the Republicans not forget that both treaties—but particularly the one to ban the spread of nuclear weapons—represent major acts of self-denial by nonnuclear countries adhering to them. To gain their support for the nonproliferation treaty, the United States and the U.S.S.R. included as Article VI a pledge to push ahead in good faith with disarmament negotiations.

If the two superpowers instead drift into another escalating competition to deploy yet another major nuclear weapons system, the nonnuclear nations would be justified in refusing to ratify the treaty or honor their self-denying pledges.

It was going to be difficult enough in the best of circumstances to persuade the key "have-not" nations—West Germany, Japan, India, Italy, Israel—to adhere promptly to the nonproliferation treaty. If Mr. Nixon and the Republicans intend to stall Senate action until January they may find they have destroyed the treaty entirely and with it the best hope for gradually building a safer world.

This is an awesome responsibility for a handful of Senators and a Presidential nominee who has yet to be elected. With an assist from President Johnson and Secretary Clifford, they should think again.

[From the New York Post, Sept. 13, 1968]

Mr. Nixon's Vanishing Act

Few political prestidigitators are as skillful as former Vice President Nixon and although Maryland Gov. Agnew—in the role of apprentice—is striving to outdo the sorcerer, he cannot hope to duplicate the master's most artful illusions, such as the one called: "Having Your Cake and Eating It, Too."

Nixon executed the trick this week with practiced sleight-of-hand as he discussed the nuclear arms control treaty now awaiting ratification in the Senate. First, he endorsed the pact, expressing the hope that it may "be universally adopted." Then he whisked it from view, urging the Senate to postpone action indefinitely until Soviet policies, in Czechoslovakia and elsewhere, could be "reassessed."

With that, he vanished into the wings. Where did the treaty disappear to? At last report it was discovered before the Senate Foreign Relations Committee, most Republican members of which are laboring to make the document vanish again into a dark pigeonhole.

Complex political calculation, by both Republicans and Democrats, have entered into the treaty debate but the basic issue is clear. There is no reason for the U.S. to be intimidated by the events in Eastern Europe; its obligation to the treaty remains despite Soviet policy. Not even Nixon can make that reality an illusion.

[From the Baltimore (Md.) Sun,
Sept. 11, 1968]

Nuclear Treaty

The Senate should examine the "nonproliferation" nuclear treaty not as a measuring-rod of the current state of relations between Washington and Moscow but as a step in the interest of the United States and the nuclear weapons policy this country stands for. The question to ask about the treaty is not whether we feel unfriendly toward the Soviet Union and whether we were aroused by the Soviet invasion of Czechoslovakia, which we were, but whether the treaty advances the interest of the United States.

President Johnson, in negotiating the treaty and submitting it to the Senate for approval, has made a strong case that it is in the United States interest to have it become effective—that is, to have it ratified. It will not entirely stop the spread of nuclear weapons because two of the newer nuclear powers, France and Red China, are not parties to it, just as they are not parties to the earlier treaty which put limits on nuclear weapon testing in the atmosphere. But the nonproliferation treaty is a step in the right direction for the United States; it offers a hope that nuclear weapons can be kept out of the arsenals of the smaller countries which now could easily develop them; and it sets up a procedure for obtaining the widest possible adherence to the proposed restrictions.

As Secretary Rusk pointed out to the Senate Foreign Relations Committee, this is not a treaty which concerns only the United States and the Soviet Union but a multilateral agreement aimed at halting the spread of nuclear weapons. It would be short-sighted of the Senate to put off action on the treaty to show the United States opposition to the Soviet Union's occupation of Czechoslovakia. Our opposition can and should be made clear in other, more direct, ways.

[From the Milwaukee (Wis.) Journal,
Sept. 17, 1968]

World Needs Nuclear Pact

Arguments that this country should not ratify the nuclear nonproliferation treaty now because of the Russian invasion of Czechoslovakia have no basis in logic.

The treaty, hammered out after six years of negotiation in Geneva, has to do with the security of mankind, not our relations with the Soviet Union. It pledges nonnuclear signatories not to acquire nuclear weapons by any means. It provides that they open their installations for peaceful uses of nuclear power to international inspection. In return it promises them assistance in developing peaceful uses of nuclear energy by the United States, the Soviet Union and Great Britain.

The potential for good, beyond the military gain in limiting nuclear weapon proliferation, is tremendous. Within only a few years atomic power will enable many now underdeveloped nations to have an industrial capacity that would not be possible were they to depend on coal or oil. Desalinization of seawater through atomic plants is expected to become feasible on a large scale and relatively cheap—enabling many areas now lacking water to obtain vital irrigation. In these two fields alone the major nuclear powers, under the treaty, could be of great help to the rest of the world.

Rejection of the treaty because of present differences with the Soviet Union would not harm the Soviet Union. It would gain us nothing. But it would stall the developments badly needed by much of the world and harm a number of small nations eager to progress.

We might all just as sensibly give up eating rice to show our displeasure with Chairman Mao Tse-tung of Communist China. The world needs the nonproliferation treaty. To refuse to approve it out of pique would be ridiculous and harmful.

[From the Chicago (Ill.) Sun Times, Sept. 20, 1968]

The Nuclear Treaty and Russia

The nuclear nonproliferation treaty has been approved by the Senate Foreign Relations Committee. It faces a somewhat uncertain future on the Senate floor because of the belligerence of Russia, one of the treaty's co-authors.

The treaty is designed to halt the spread of nuclear weapons. It would make nuclear power available to nonnuclear nations for peaceful uses. It provides for an exchange of scientific and technological information between all nations. President Johnson said it was the "most important international agreement in the field of disarmament since the nuclear age began."

The invasion of Czechoslovakia has raised doubts about Russia's sincerity as a co-author of the nuclear nonproliferation treaty. This doubt has been increased by further evidence of Russian belligerence. On Tuesday Russia warned West Germany that if the "growth of Nazism" continues in West Germany Russia might intervene militarily on the ground that the United Nations Charter allows such intervention "against a renewal of aggressive policy by a former enemy state."

The United States and other UN nations have summarily dismissed this Russian interpretation of the UN Charter as wholly erroneous. The United States has warned Russia that if it moves against West Germany the North Atlantic Treaty Organization nations would retaliate in kind.

Russia's belligerence has thrown a cloud of controversy over Senate ratification of the nuclear treaty. Vice President Hubert H. Humphrey and GOP Presidential candidate Richard M. Nixon both favor the treaty. They differ substantially on when the Senate should ratify it.

Humphrey wants the Senate to act now on the ground the treaty is essential for world peace and may die if no action is taken. Nixon would delay the vote, saying that Russia's invasion of Czechoslovakia cannot be ignored and thus a detente with Russia is now further away than ever.

The tragedy of Czechoslovakia is, however, not the issue in the controversy over when the treaty should be voted on. Nor is a detente between the United States and Russia the issue. It is much greater than either of these.

At issue is an international treaty approved by President Johnson and both Presidential candidates that involves many nations, not just the United States and Russia. The treaty is not an effort by the United States to win favor with Russia or vice versa. It is an attempt, hammered out after five years of unremitting effort by a number of nations, to make an unsafe world safer by the exercise of world control of deadly arms.

Russia's recent actions demonstrate the need for such controls and point up the necessity of continuing the work for world peace. The nuclear nonproliferation treaty is important not only to the United States but also to those nations which might in the future become other Czechoslovakias. The Senate should ratify the treaty as a firm expression of the continuing U.S. effort to create a peaceful world.

[From the Virginian Pilot, Sept. 19, 1968]

Ratify the Treaty

The Senate Foreign Relations Committee reported the nuclear nonproliferation treaty to the floor of the Senate Tuesday by a 13–3 vote.

An examination of that vote is useful. The Senators who opposed the treaty were Thomas J. Dodd (D-Conn.), Frank J. Lausche (D-Ohio), and Karl Mundt (R-S.D.). Both Mr. Dodd and Mr. Mundt are anti-Communist hard-liners professionally. Mr. Lausche is a lameduck who was defeated in the Democratic primary last spring.

Ten Democrats and three Republicans (Carlson of Kansas, Case of New Jersey, Cooper of Kentucky) voted to report the treaty. Three other Republicans (Aiken of Vermont, Hickenlooper of Iowa and Williams of Delaware) chose not to vote.

It is evident that few Senators want to go on the record against the nonproliferation treaty. There may be a better chance for its ratification than had been previously supposed.

The fact is that the treaty would be ratified with hardly a murmur if it were not for two things. One is the invasion of Czechoslovakia, which has been taken to contaminate the nonproliferation treaty in some way. The other is the decision of Mr. Nixon to inject the issue into politics this year.

Mr. Nixon says that he is for the treaty, but not now. He has managed thus to come down on both sides of the question, as he has managed to come down on both sides of several topics.

If the Senate fails to ratify the treaty this year, Mr. Nixon will be the heavy in a little melodrama of his own making.

The nonproliferation treaty ought to be ratified for the very good reason that it is in our national interest to prevent the spread of nuclear weapons. Indeed, it is in the best interest of the whole world.

That is why the draft treaty was negotiated so painstakingly by the superpowers.

That is why the draft was approved by 95 member states of the United Nations.

That is why it has been signed by more than 80 nations, including the United States.

The nonproliferation treaty is not a bilateral pact with the Russians. Its ratification would not constitute any seal of approval of the Czech intervention. (The Dubcek Government was one of the sponsors of the treaty in the U.N.) It is not a covenant with the enemy, but something that we have sought for our own protection. To reject the treaty at this time would be to cut off our own nose to spite the Soviet Union.

That is clearly recognized in the Senate, where the leadership probably won't bring the treaty to vote without assurances that it will be ratified.

Mr. Nixon recognizes it too. But he has chosen to play for short-term political profit at the risk of the treaty. Another generation of Republicans reacted to the Covenant of the League of Nations that way.

[From the Des Moines (Iowa) Register, Sept. 15, 1968]

Senseless Retaliation

Richard M. Nixon gave backhanded support "in principle" to the international treaty prohibiting the spread of nuclear weapons the other day, but he recommended that the U.S. Senate postpone ratification of this treaty.

He said the Soviet Union's invasion of Czechoslovakia was the reason for his opposition to immediate ratification of the treaty. He also said he was "concerned" about some provision of the treaty, but he didn't say what. This suggests that his proposal for delay might lead to an attempt to rewrite and renegotiate the treaty—which would kill it.

This kind of reasoning does not commend Nixon as a potential director of the nation's foreign policy. The nuclear antiproliferation treaty is not some big favor we are granting to the Soviet Union for good behavior. It is an agreement worked out by the United States in its own self-interest, and the Senate would be foolhardy not to approve it promptly.

Any delay by one of the co-sponsors risks the backing out of other signers of this treaty. It jeopardizes the greatest single move made so far toward ending the nuclear arms race. It imperils a budding partnership between the two super-powers to turn back from the abyss of nuclear war.

Whatever bad things Russia may have done or is doing does not change the hard facts about nuclear armament. Secretary of State Dean Rusk effectively refuted the argument of those who say the treaty ought to be delayed since the Czech affair had undermined the U.S.-U.S.S.R. framework for nuclear disarmament.

He emphasized that this was not a bilateral treaty but a world-wide agreement intended to prevent additional countries from obtaining nuclear weapons. There is no logic in the reasoning, that to ratify this treaty would be to sanction the Soviet invasion of Czechoslovakia.

The Administration itself, however, has hampered the movement for arms control by its go-ahead-full-steam order on the anti-ballistic-missile defense system. That move is likely to injure chances for Soviet-U.S. agreement on stopping the missile race.

Both Nixon and the Administration need to look hard and objectively at America's interests in arms control and not seek to "punish" the Russians for invading Czechoslovakia by blocking disarmament progress. They are only punishing America and the world.

[From the Baltimore (Md.) Sun, Sept. 16, 1968]

Nixon and the Senate

Mr. Nixon is helping to make campaign issues out of two matters pending in the United States Senate which should be considered on their own merits and should be removed, as far as possible, from the passions of election-year politics. One matter is the question of early Senate approval of the nuclear "non-proliferation" treaty. Mr. Nixon seems to think that Senate action should be put off until next year in the light of the Soviet Union's military occupation of Czechoslovakia. The second matter is President Johnson's appointment of Justice Fortas as the Chief Justice. Mr. Nixon seems to think that this appointment should not have been made by Mr. Johnson but should have been left to the next President.

It must be noted that such factors as the limited time remaining for the session of Congress and the desire of the legislators to go home and enter the election campaign favor the senators who would like to defer action on the treaty and the court appointment. These senators are strengthened in their attitude by Mr. Nixon, even though the position he has taken is not very strong and, possibly, not very good politics either.

With respect to the nuclear weapons treaty, a strong case has been made that ratification is in the interest of the United States and world peace. It is not merely a treaty with the Soviet Union, but a multilateral undertaking which American policy has long supported and which Mr. Nixon would be expected to support if he were elected President in November. Postponing Senate action would set back our own policy objectives more than it would rebuff the Soviet Union. The treaty should be brought to a vote in the Senate this year.

Of the various arguments made against the choice of Mr. Fortas for the post of Chief Justice, the suggestion that this appointment should be left to the next President is probably the weakest. Mr. Johnson acted within his own authority and responsibility in making the appointment and the Senate has an obligation to consider the appointment on its merits and to act on it without undue delay—certainly to act rather than to permit a vote to be stalled off by a filibuster. Mr. Nixon has said that he is opposed to a filibuster, it should be noted.

Mr. Nixon would be in a better position to campaign on the basic issues at stake in the November election, in our view, if he would encourage the Senate to act promptly on these two questions.

[From the New York Post, Sept. 10, 1968]

DISARMAMENT RACE

In calling on the U.S. Senate to delay consideration of the new U.S.-Soviet nuclear arms control treaty, Gov. Rockefeller has asserted that "the Soviet military action against Czechoslovakia has violated the spirit of the treaty even before it is ratified."

That argument, however, plausible, does not support the conclusion the Governor has hastily drawn from it. Washington is in no way obliged to scorn the treaty simply because Moscow may have defaulted on decency; in fact, in this anxious and uncertain period the arguments for ratification of arms control and for new commitments to peace are more urgent than ever before.

Senate Majority Leader Mansfield (D-Mont.) believes that a favorable floor vote for the treaty is likely assuming it clears the Foreign Relations Committee. Our hope is that the Senate will rebut Moscow in the most positive way, by demonstrating that the U.S. intends to stand behind its treaty negotiators and its word, with conviction and courage.

[From the Washington Post, Sept. 14, 1968]

IRE OVER CZECHS SHOULDN'T BLIND UNITED STATES TO ITS INTERESTS

The Soviet invasion of Czechoslovakia has inevitably and properly impelled a re-examination of U.S. policy in several areas. A purely rational argument would insist that the strategic situation is unchanged. Furthermore, any policies which assumed the primacy of humanitarian motives on the part of the government of the Soviet Union, or of any other super-power, are unrealistic from the start.

But our feelings are not so cold-blooded and every instance of the actual use of force in the service of an overriding national interest is a chilling reminder of the primitive frailty of the fabric of world culture.

The Johnson Administration is too impatient and too pragmatic to be distracted from its pursuit of realistic settlements on the vital issues of arms control and completing the task of the nuclear nonproliferation treaty. The President has far more freedom than candidates Nixon or Humphrey to pass over a popular wave of frustration at the impossibility of effective intervention on behalf of the Czechs. He can focus on the reality that arms settlements are vital to our self-interest and must be to the other side, as well, if they are to have any hope of being concluded. Nothing we do in this area is in any sense a moral approbation of Soviet militarism, any more than the air transport agreements are a Communist acceptance of capitalist economics.

Nevertheless, it is a well-documented part of human nature that frustration leads to cutting off your nose to spite your face. We do not have to look far to see this process, despite the remarkable probity with which the present Administration has reacted to the Czech crisis. Secretary of State Dean Rusk was quoted last week as scrutinizing the entire U.S.-Soviet educational and cultural exchange program to find a way to demonstrate our displeasure.

It would take a clear head and a real love of art not to be galled by a performance of the Bolshoi Ballet in the midst of a crisis of Soviet aggression. But the peak of the crisis will soon pass and, in the long run, the success of American idealism may depend on this clarity. The Bolshoi Ballet is not the culprit that ordered the Red army into Prague. Nor are many other elements of Soviet society, and least of all just those elements which are involved in the exchange programs.

There remains a twisted argument for blaming Soviet scientists and intellectuals. In recent months, they have formed the forefront of a liberal resurgence, making unprecedented demands for the free expression of criticisms of the regime. Many Czechs believe that at least one motive for the military occupation of their country was a reaction to the liberal revolt in the Soviet Union.

One more theory of Soviet policy cannot be disregarded: that it was based on misinformation, an uncritical acceptance of their own propaganda, with respect both to German military intentions and to Czech popular reaction to Soviet "protection."

On any of these theories, we all benefit from every opportunity for Soviet citizens to see the real world outside—and by the same arguments for us to see them as people beyond the cloak of a paranoid government.

[From the Washington (D.C.) Evening Star, Sept. 21, 1968]

VOTE FOR SANITY

The Senate will be serving the best interests of the nation and the world if it ratifies the nuclear nonproliferation treaty before the hoped-for adjournment in mid-October. The Foreign Relations Committee, by its favorable 13-to-3 vote, has cleared the way. It was a heartening bipartisan vote, with three Republicans joining the majority despite Richard Nixon's ill-advised suggestion that the matter be held in abeyance until the new Congress convenes in January.

There certainly is no good reason for delay if two-thirds of the Senate's members are now prepared to ratify. The Democratic leaders seem reasonably confident that such a vote can be mustered. Actually, of course, there had been no doubt whatever about this until the Soviet Union's invasion of Czechoslovakia. That brutal act has led a number of Senators to feel that the treaty ought to be shelved for a while to show the Russians what America thinks of their crime against the Czechs.

The treaty, however, is not just a limited bilateral accord between Moscow and Washington. It involves no fewer than 60 other signatory nations. The Kremlin's aggression, in fact, is not really germane to any debate on the pact's essential provisions. Regardless of what has happened in Czechoslovakia, those provisions remain not only desirable, but essential provisions. Among other things, under a system of international surveillance, these oblige the nuclear powers not to help any non-nuclear power, directly or indirectly, to acquire nuclear arms.

Unless a filibuster over the Abe Fortas nomination prevents it, or unless a new nose count indicates that it might be defeated, the pact should be called up for a Senate vote in the days immediately ahead. And its ratification should be overwhelming.

[From the New York Post, Sept. 20, 1968]

THE NUCLEAR SHADOW

To ratify or not to ratify? That is the question relating to the nuclear arms control treaty, which is rapidly becoming a principal issue in the 1968 Presidential campaign. Some supporters of the treaty regret that it has; but in a period when national policies and priorities demand exhaustive debate, the topic is urgent.

Moreover, the positions they take on the treaty can reveal not only some of their fundamental views about American participation in world affairs but their capacities for decision and determination in the realm. The clash of opinion between Vice President Humphrey and former Vice President Nixon regarding the treaty has already served that useful purpose.

Humphrey has spoken in convincing terms of the American obligation to nuclear control; he has related it to an international responsibility the U.S. dare not shirk, no matter what its allies or its adversaries may do. Nixon, in contrast, has declared support for the treaty but proposed that ratification be delayed.

It may be that Nixon cannot make up his mind decisively. More likely, perhaps, he does not choose to announce a public decision in the hope that equivocation will earn him more votes than forthrightness. Neither explanation fortifies the hope that he may be more decisive in the White House if faced with the arms issue again.

[From the Newport News (Va.) Press, Sept. 12, 1968]

NUCLEAR TREATY STILL NEEDED

The nuclear non-proliferation treaty is coming before the Senate at the worst possible time. The Soviet Union joined with the United States in devising the draft of the multi-nation pact, and anything Moscow has anything to do with must be particularly unpopular in this country now, because of what has happened to Czechoslovakia.

Some senators feel, perhaps justifiably so, that if they favor the treaty aimed at preventing the further spread of nuclear weapons, voters will think they are condoning Soviet aggression—and this is, after all, an election year.

But Sen. Harry F. Byrd, Jr., doesn't think that way, and while he isn't up for reelection this November, it is significant that a legislator with such firm anti-Communist credentials has come out four-square in behalf of the treaty's ratification.

"As strongly as I condemn the action of the Soviet Union and its satellites against Czechoslovakia," Senator Byrd said on Monday, "that action serves to remind us that the Soviet Union has not forsaken its aggressive policies in the world and that the risk of nuclear war is still very much with us.

He contended that it is advisable to take all reasonable precautions in the fact of the possibility that more nations, some "under irresponsible leadership," might acquire nuclear weapons. Perhaps Senator Byrd's remarks will persuade some others that the treaty is in the best interests of the United States, and has nothing to do with "appeasement" of the Soviets.

Little or no progress has been made toward ratification thus far; yesterday the Senate Foreign Relations Committee again failed to muster a quorum to discuss the treaty. And the administration has given the impression of not pushing very hard for a showdown vote because of the risk of a negative reaction that might permanently rule out the possibility of U.S. participation in a ban on the spread of nuclear weapons.

The Republicans in the Senate, with some Democratic help, hold the power of decision if the threat of a filibuster materializes, and what the GOP legislators do must depend largely on the attitude of Richard M. Nixon toward the treaty. Yesterday the Republican candidate for the presidency reemphasized the doubts he had previously expressed, and evidently he intends to carry his opposition to the point of creating a campaign issue. If that turns out to be the case, the wisest course will be to defer action until next year, when the atmosphere will hopefully be more conducive to calm consideration of the nuclear non-proliferation proposal. After this much delay a few more months shouldn't make much difference.

[From Long Island (N.Y.) Newsday, Sept. 12, 1968]

A NUCLEAR PACT, REGARDLESS

The nuclear nonproliferation treaty is in peril in the Senate, despite a last-minute appeal by Secretary of State Rusk to the Foreign Relations Committee. Five years of diplomatic efforts, and conceivably the peace of the world, are in jeopardy largely because of political considerations.

Sens. John Sherman Cooper (R-Ky.) and Albert Gore (D-Tenn.) seek to have the treaty favorably reported to the floor. Some senators, perhaps constituting a majority, would prefer a postponement to next year's session. This could mean that the treaty never would be ratified by the U.S., though already signed by President Johnson.

The reason for this anxiety is, ostensibly, the Russian occupation of Czechoslovakia. The Russian action has extinguished Czech liberty and threatens to plunge that country into an era of dark repression. Yet outrage over so brutal a step can be expressed forcibly, without permitting an unchecked proliferation of nuclear arms which would make the world an even more dangerous place than it is now.

Behind the concern expressed on the surface by many senators is a blunt political reality. With Election Day just around the corner, some of the candidates fear that the voters' dislike of Russia runs so high at this moment that it would be perilous for those seeking office to support a treaty signifying cooperation with the Soviet Union. That is a short-sighted, dangerous attitude.

For, as Secretary Rusk has said, what is involved is not a bilateral treaty between the U.S. and the USSR but a world-wide treaty intended to prevent more nations from acquiring nuclear weapons. The treaty cannot halt the progress being made by China and France, who will ignore the treaty to build their own nuclear arsenals. The treaty can, however, apply the moral pressure of world opinion to these two countries and it can stop many others who have the money or the scientific know-how from getting into the race.

Sen. Gore has warned that such nations as India, Israel and West Germany can scarcely be expected to sign the treaty "if we ourselves, whether out of timidity, or simply because of domestic pressures in an election year, hesitate and create doubt about our own position." That sums up the case for ratifying the treaty, and it is a good one. We have a last, best chance to move the world toward order instead of incineration. Is the Senate willing to face this challenge? Some 60 nations, including Great Britain and Russia, have approved the treaty. Is it now to be jettisoned by the U.S. because of political timidity?

[From the New Orleans (La.) Times-Picayune, Sept. 18, 1968]

MISTAKE TO HOLD UP N-CONTROL TREATY

The nuclear nonproliferation treaty, up for ratification by the Senate, still has at least a fighting chance, but its proponents' pessimism seems as well placed as its opponents' sentiments are misplaced. President Johnson's congressional colleagues recently told him that there is little chance of ratification this year. Yet not long ago, congressional sources say, the treaty would probably have passed with only five to 10 nays.

What has intervened is the Soviet invasion of Czechoslovakia and the anti-Soviet reaction to it. But if the treaty is rejected because of that it would be a case of grossly misdirected retaliation. The nonproliferation treaty is not concerned with United States-Soviet relations. It is not a calculated give-and-take arrangement whose cancellation or delay would somehow put the Soviets in their place by denying them the fruits of the four-year negotiations.

The treaty concerns the relations of the nuclear-armed nations as a group with the nonnuclear nations; it is an attempt to limit the chances of a nuclear war by limiting the number of nations able to start one. The benefits of the treaty would thus apply as well to the U.S. as to the Soviet Union, as the dangers it seeks to avoid threaten the U.S. as well as the Soviet Union.

Good faith and confidence is asked only of the non-nuclear nations. It is they who will renounce nuclear weaponry and submit to treaty controls and inspections. It is they who are watching the nuclear powers' attitudes, for their only real guarantee of non-nuclear-armed security is the responsibility and good judgment of the nuclear nations. In this context it would seem that the U.S. would lose nothing and gain much by ratifying the treaty as expected.

[From Business Week, Sept. 21, 1968]

A STOP SIGNAL FOR NUCLEAR WEAPONS

It has taken a long time—in fact, five years of negotiations—for the many nations of the world to draft a Nuclear Non-Proliferation Treaty. The treaty is no absolute guarantee against the risks of a nuclear war, but it will curb the spread of nuclear weapons to countries which do not have them. This should reduce the threat of a major war.

The treaty in no way restricts the military security of the U.S. Yet the Senate Foreign Relations Committee managed to stall consideration of the treaty for a full 11 weeks after President Johnson signed it on July 1. Then, by a vote of 13 to three, the committee reluctantly passed the treaty on to the Senate floor, with a recommendation for approval.

The treaty came before the committee at an unfortunate time when the Soviet Union chose to use its brute power to invade Czechoslovakia and bring its wayward satellite to heel. Both Republicans and Democrats have deplored the Soviet takeover and questioned the advisability of any move that might cast doubt on the gravity with which the U.S. views the Czech crisis.

But the Senate must not allow the inauspicious timing of the Soviet intervention to obscure the long-range and manifold problems that would develop if it fails to ratify the treaty promptly. Key non-nuclear nations in the world are awaiting our decision on ratification before acting on their own. A pivotal country such as Japan has left little doubt that it will reject the treaty, if the U.S. stalls on the treaty. Next year, elections in West Germany and uncertainties about the future of the NATO alliance could make European ratification more difficult.

For the past several weeks, Republicans, led by Presidential candidate Richard Nixon, have been chipping away at support for the treaty. The old problem of inspection guarantees has re-emerged as an issue, even though American and Soviet negotiators have arrived at an adequate, though by no means perfect, formula. The fact that neither France nor Communist China can be expected to sign has come up again as a matter of concern.

Such considerations, naturally, evoke strong reaction. They are good grist for campaign speeches in a national election. But, like the Czechoslovakian question, they are secondary considerations.

The Nuclear Non-Proliferation Treaty is not a pact between the U.S. and the Soviet Union. It is a covenant among nations designed to brake the further spread of nuclear weapons. As such, the treaty speaks for itself—a document demanding immediate Senate ratification.

[From the New York Post, Sept. 18, 1968]

DELAY IS NO ANSWER

The moribund post-convention session of Congress came alive on Tuesday, at least long enough for the Senate Foreign Relations Committee to approve the treaty to stop the spread of nuclear weapons and for the Senate Judiciary Committee to act on the Fortas appointment.

It would be a tragedy now if these two issues should be settled, not by being voted up or down, but a tactic of delay. Close to a majority—and probably a majority in fact—of the senators stand ready to approve the Fortas appointment. And until the Russian invasion of Czechoslovakia, the nuclear weapons treaty was being counted as one of the real achievements of the Johnson administration.

The case for delay is weak and even irrelevant. What can be gained by shunting aside the treaty? The symbolic effect of a move to delay approval of the treaty would be quite serious. The rest of the world might easily conclude that the United States is no longer much interested in such common undertakings for the good of humanity.

So let us have the votes. Debate we need, on both the treaty and the Fortas appointment. But delay beyond a reasonable period is as unnecessary as it is unwise.

[From the Detroit (Mich.) Free Press, Sept. 19, 1968]

A VOTE FOR PEACE

"It was the best of times, it was the worst of times," wrote Dickens in an imaginary description of an era long ago. The words survive in the memory because they describe so many other eras, including our own and because there is a hardy human conviction that the best may sustain itself amid the worst—that, indeed, it may actually be fortified in such adversity.

It is natural, for example, to deplore for many reasons the Soviet decision to resort once more to the bayonet and the boot in Eastern Europe. But retaliation by the West, even if it were a practical possibility, would not be justified; two negatives, in this instance, do not add up to a positive policy.

It is in this light that the Senate Foreign Relations Committee's overwhelmingly favorable vote for the nuclear arms control treaty yesterday can best be viewed and appreciated. The 13 Senators who supported ratification have refused to give over to either hysteria or despair; they have sustained conviction and courage in an hour that now seems less bleak because they resolved to light a candle rather than curse the darkness.

The vote is more than simply a recommendation to the full Senate. It is a lofty example by a group of men defending the most generous and honorable traditions of this nation.

Mr. SPARKMAN. Mr. President, will the Senator from Tennessee yield to me before he sits down?

Mr. GORE. I am happy to yield to the Senator from Alabama.

Mr. SPARKMAN. I do not believe the Senator was in the Chamber early today when our distinguished majority leader made a short talk——

Mr. GORE. No; I was not.

Mr. SPARKMAN (continuing). Relating to this situation. I commend its reading to the Senator from Tennessee. The Senator from Montana made a very fine and clear statement supporting the treaty, and explained some of the practicalities of the situation.

I believe that he has given every assurance, and every assurance has been given by me as acting chairman of the Committee on Foreign Relations, and by the Senator from Arkansas [Mr. FULBRIGHT] who is the chairman of the committee, and also by the Senator from Vermont [Mr. AIKEN] who will be the ranking minority member—I trust they will still be in the minority when we come back in January—that it will be taken up immediately upon our coming back in January.

I just wanted to make that statement.

I do not ask for any comment but I do want to say this with regard to the treaty and with reference to some of the emotions which have been stirred up by the most deplorable situation relating to Czechoslovakia, and also with reference to some of the opposition which has been stated to the treaty. Is it not true that these people, many of them, seem to take it that the treaty is for the benefit of Russia?

I ask the Senator from Tennessee if the treaty is for the benefit of Russia, or for the benefit of the United States, or for the benefit of all mankind.

Mr. GORE. I think the treaty represents a mutuality of interests. This is the only basis upon which a treaty between two great powers can be concluded. True, the Soviet Union has an interest in preventing the spread of nuclear weapons. That does not lessen the fact that the United States has such an interest. Indeed, as the Senator has suggested by his question, all mankind has an interest in preventing the spread of nuclear weapons, because the more nations that have the means of triggering a dangerous nuclear holocaust, the greater is the likelihood that it may happen.

I did not hear the statement of the distinguished majority leader, but from the description of that statement which the Senator from Alabama has given, I would concur in the statement with reference to action before recess. But as for adjournment sine die, Senators should not stay home after the election. We should be here considering this matter which is so vital to the security of the United States.

Mr. SPARKMAN. I thank the Senator.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. COOPER. I do not comment on the decision that may be made as to whether we should recess or adjourn sine die, I assume the decision depends on consultations between the President and the leadership. But I want to express today my approval of the Nonproliferation Treaty and in support of its consideration by the Senate during this session.

As the Senator knows, I supported him in committee as he pressed for the treaty's approval. I raised questions about provisions of the treaty. I believe there are certain sections which need closer examination and debate when the treaty comes before the Senate. One issue concerns the fairness of the safeguards which may be applied to EURATOM, whose members are so important to our security and friendship. Also clarification is needed to assure that the Soviet Union understands our right under article I to maintain our nuclear weapons under control upon the soil of other countries, particularly NATO countries. This is essential to our security.

Nevertheless, the treaty is a result of years of work and effort under administrations beginning with President Eisenhower, and followed by those of President Kennedy and President Johnson. President Johnson deserves great credit. I have no doubt the treaty will be approved if it comes before the Senate. I agree wholly with the Senator that it is a step forward against the threat of nuclear catastrophe. I associate myself with and stand by the Senator from Tennessee in his proposal that the nonproliferation of nuclear weapons treaty be approved at this session of the Congress.

Mr. GORE. I thank the Senator.

Mr. President, it is not for the senior Senator from Tennessee to advise the President, but, I must say, in all candor, that if the Senate declines to consider this treaty and adjourns sine die, I would applaud his summoning the Senate into special session for that purpose.

RADIATION CONTROL FOR HEALTH AND SAFETY ACT OF 1968—CONFERENCE REPORT

Mr. HARTKE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10790) to amend the Public Health Service Act to provide for the protection of the public health from radiation emissions from electronic products. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of October 11, 1968, pages 30733–30737, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HARTKE. Mr. President, as chairman of the Senate conferees, I would like to make a detailed statement of our understanding about certain of the provisions of the bill.

1. PERFORMANCE STANDARDS

Section 358(a)(1) authorizes the Secretary to set performance standards for electronic products in order to control the emission of electronic product radiation. Under a Senate amendment to this section, the standards could include not only provisions for the testing of the products, but could require the attachment of accessories. This latter provision was eliminated in the conference version because House Members believed that it might authorize the Secretary to prescribe design characteristics for particular products. The Senate agreed to strike these words on the understanding that the term "performance standards" was to be construed broadly. In other words, the Secretary could prescribe performance standards which might, in fact, necessitate the attachment of accessories, but he could not specify the type of accessory which would be required in order to meet the performance standard. Of course, in the case where an accessory meets the definition of an electronic product, a standard could be set for it.

2. PARTICIPATION IN THE STANDARDS PROCESS

The Senate did not insist on its provision, incorporated in Amendment No. 29, which would afford "interested persons" an opportunity to participate fully in the establishment of radiation standards. Nor in section 358(d)(1) where review of the adequacy of a performance standard is accorded to any person who will be "adversely affected" by it, did the Senate insist on defining this term to include persons exposed to the risk of personal injury, including genetic injury, from electronic product radiation. We did not insist on these provisions in light of the fact that courts are giving increasingly broader interpretations to these terms, so that any citizens who may be affected by inadequate standards will have access to the Agency and the courts.

3. ADVISORY COMMITTEE

Under section 358(f)(1) the Secretary is required to establish a Technical Electronic Product Radiation Safety Standards Committee. In the compromise between the House and the Senate language, the Senate's requirements concerning the composition of this committee were retained. These provide for a 15-member committee, five of whom shall be selected from Government, five from the affected industries, and five from the general public. The purpose of this Senate change was to insure that a majority of the members of the advisory committee would have no economic interest in the electronics industry.

In another change, a less rigid procedure for consulting this committee, which was included in the House provision, was adopted. Thus, the conference version of the bill states that the Secretary shall consult the advisory committee before prescribing any performance standards, but leaves the manner and method of consultation to the discretion of the Secretary.

4. PRODUCT CERTIFICATION

Under section 358 (g) and (h), a manufacturer of an electronic product for which there is an applicable standard is required to affix a certification that the product conforms to the applicable standards. This certification is to be based upon a test, in accordance with the standard, or upon a testing program which is in accord with good manufacturing practice which has not been disapproved by the Secretary—in such manner as he shall prescribe by regulation—on the grounds that it does not assure the adequacy of safeguards against hazardous electronic-product radiation or that it does not assure that electronic products comply with the prescribed standards. Subsection (g) authorizes the Secretary to review and evaluate these testing programs on a continuing basis. It is our belief that in certain cases it will be necessary for the Secretary to enter a plant or a manufacturing establishment in order to properly evaluate the testing program. We understand, therefore, that the regulations required under subsection (h) may include a statement of the times and occasions in which actual access to the testing facilities of the manufacturer would be necessary.

5. REPAIR OR REPLACEMENT OF DEFECTIVE PRODUCTS

Section 359(f) of the Conference bill provides that if a manufacturer produces an electronic product which contains any defect which relates to the safety of use of such product, the manufacturer has the responsibility to repair the defect, replace the product, or refund the purchaser's money. Although the details of this program are to be worked out by the Secretary by regulation, this provision gives a consumer who has received a defective product an immediate right which he will be entitled to enforce. Similarly, the manufacturer's obligation to remedy any defect runs from the date of enactment of this legislation, rather than from the date the Secretary establishes the necessary regulations. It is our expectation, therefore, that the manufacturers, insofar as they are able, will comply with the principles of this section before the detailed regulation for the program are finally worked out.

6. IN-PLANT INSPECTION

The House version of the bill did not provide for factory inspection authority at all. The Senate version, in section 360A, contained a general provision—not contained in the Conference agreement—authorizing the Secretary to conduct "such inspections as may be necessary to enforce" the requirements and prohibitions of the bill. It further contained a special provision spelling out the extent and limitations of the Secretary's right of entry and inspection authority along the lines of the inspection provision of the Federal Food, Drug, and Cosmetic Act, except that we further limited the scope of inspection to those "facilities and procedures within the factory, warehouse, or establishment which are related to electronic product safety." The conference agreement retains this special inspection authority, but with modifications of which the following are significant: First, the Secretary's right of entry and inspection, in the case of a first inspection of an establishment, is conditioned on a finding by him, "for good cause," that the methods, tests, or programs related to electronic product radiation safety in the establishment "may not be adequate or reliable." He need not have found that the testing program or methods are inadequate or unreliable but only that they may be, that is, it is sufficient that there are circumstances that would put a reasonable person on inquiry as to the adequacy or reliability of the testing program or methods.

The conference version, wisely, does not attempt to spell out the circumstances that would suffice to put the Secretary on inquiry on this point, except that it does specify that in any event one type of situation in which he has "good cause" to find that the testing program may be inadequate or unreliable is where the manufacturer has marketed a product that falls short of an applicable standard and the Secretary has not exempted the product from the notification and repair requirement of the bill because the deviation is insignificant from the standpoint of risk to health. This does not mean that even where the Secretary has granted such an exemption there may not be good cause for suspecting the adequacy or reliability of the manufacturer's testing program or procedures so as to call for inspection thereof; this obviously would be the case, for example, where the departure from an applicable radiation standard is not an isolated instance.

Apart from cases in which a violative product has been marketed there may, of course, be a number of other situations in which the Secretary may reasonably find good cause for looking into the adequacy or reliability of the manufacturer's test methods or program through actual inspection of the establishment. An obvious one is where a radiation standard has not yet been established under the bill but an electronic product marketed by a manufacturer has a defect related to radiation safety sufficient to require that he give notice of the defect to dealers and other purchasers of the product and repair the defect under the requirements of the bill. Another obvious situation in which the Secretary may find good cause for invoking the inspection authority of the bill arises out of the provisions of section 358 (g) and (h) contained in the conference agreement. Under those provisions the Secretary has a duty to review and evaluate on a continuing basis testing programs carried out by industry "to assure the adequacy of safeguards against hazardous radiation and to assure that electronic products comply with standards prescribed" by him, and he is authorized to disapprove a manufacturer's testing program on the ground that it is not adequate to give such assurance. If he has disapproved a testing program or if it is not in accord with good manufacturing practice, the manufacturer would not be authorized to base his certificate of compliance with a radiation standard, which must be on every product, on his testing program but must base it on an individual test of each item in accordance with the standard. If the manufacturer fails or refuses to submit his testing program to the Secretary, or if the Secretary has questions as to the adequacy of the program submitted that in his judgment may be safely resolved only by actual inspection of the testing facilities and procedures in the establishment, or if in the circumstances he has reason to believe that inspection is needed to verify whether the program is actually being carried out in the establishment, it is clear that these circumstances are sufficient to authorize him to invoke the inspection authority conferred by the conference agreement.

These are but some of the examples that come readily to mind in which the inspection authority may be properly triggered by the Secretary.

Second, if the inspection authority has been triggered once, the Secretary is thereafter authorized to make inspections of the testing facilities and procedures of the manufacturer's establishments at reasonable times from then on. In other words, once the triggering device operates, the Secretary need not make the statutory finding for future inspections but may conduct such future inspections at reasonable times without further finding. In order to make this intention absolutely clear, the Senate conferees insisted that the word "thereafter" be included in the amendment. This authority is important because prevention of risk to the public health is always preferable to correction of a condition which gives rise to such a risk.

The Supreme Court by 5 to 3 decisions, in the cases of *Camara* v. *Municipal Court*, 387 U.S. 523, and *See* v. *Seattle*, 387 U.S. 541, held that a person in charge of an establishment, whether it be a dwelling unit or a commercial establishment, is—with certain exceptions not present in those cases—protected by the fourth amendment as read into the 14th from criminal prosecution for refusing entry to building inspectors or fire inspectors in the absence of presentation of a judicial warrant. Since then the Food and Drug Administration has construed these cases as infusing the inspection authority covered by the Food, Drug, and Cosmetic Act, so that, in those rare cases in which entry to an inspector is refused or where the element of a surprise is important, a judicial warrant is obtained. It should be emphasized that the grounds for such a warrant need by no means be those required to obtain a criminal warrant but only those set forth in reasonable legislative or administrative standards. Whether those decisions apply to this bill, which does not provide criminal penalties, need not be resolved at this time. It should be understood that any constitutional requirements in that respect are implied in the bill where there is no consent given to the inspector's entry. It is hoped, however, that the industries concerned will follow the example of the industries covered by the Federal Food, Drug, and Cosmetic Act so as to routinely give consent to proper inspection of their establishments.

7. DEALER RECORDKEEPING

Section 360A(g) provides that the Secretary may by regulation require dealers and distributors of electronic products "to which there is applicable a standard prescribed and the retail price of which is not less than $50" to maintain records in order to facilitate the identification and location of purchasers for purposes of defect notification. The $50 purchase price limitation was included in order to relieve dealers in electronic products from the burden of maintaining records on small ticket items for which there may be applicable standards. We intend, however that Congress should review this dollar limit periodically in order to insure that it has not been fixed too high to adequately safeguard purchasers from significant radiation injury.

8. ADVISORY STANDARDS FOR X-RAY TECHNICIANS

In the conference, section 360G which authorized the Secretary to develop model laws and standards for the licensure of X-ray technicians, and for the assurance of adequate training of such technicians, was eliminated. It was the understanding of the conferees that the Department of Health, Education, and Welfare currently has the authority to develop such model laws and recommend them to the States for adoption without specific statutory authorization.

Mr. President, I ask unanimous consent that a statement by Senator YARBOROUGH, one of the conferees, be included in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

RADIATION CONTROL FOR HEALTH AND SAFETY ACT OF 1968

(Statement by Senator YARBOROUGH)

Mr. President, it is with sadness that I rise to indicate my inability as a conferee to agree with the conference report which finds that half way protection from radiation hazards is good enough for the American people. Since I could not in good conscience sign the conference report, I believe I owe an explanation to this great body which allowed me to represent it.

I shall not spend a great deal of time discussing what might have been, but a few moments of consideration of how far backwards we have gone since we passed H.R. 10790 on October 3, 1968 may be in order.

While I have not had the pleasure of serving on the Commerce Committee for the past two Congresses, I was once on that Committee and when I saw the bill which it reported to the Senate, I was proud to say that I had once served on that Committee. The bill which was reported and referred to the Committee on Labor and Public Welfare contained, unlike the House bill which was the basis for the Commerce Committee action, a reasonable and workable method of protecting the American people from the insidious hazards of radiation sickness and poisoning. All that my Committee thought worth adding was a provision giving the same protection to individuals working with those products as had been given to consumers who purchase such products for their use. Would that I could say the same about the bill as it is now.

I am sure that the Senate does not wish at this time a detailed discussion of all the differences between the bill it passed and the bill which passed the other body. There were a few major differences which are important in view of the subject matter of this bill and the state of our knowledge about both the physical and the genetic effects of radiation. They may be quickly stated as (1) effective date of the act; (2) whether the Secretary of Health, Education, and Welfare should have the power to seize equipment which does not meet his duly promulgated standards; (3) whether the Secretary should have the power of his own accord to inspect plants manufacturing equipment covered by the act to ensure that the provisions of the act were being complied with; and (4) whether workers producing these products, especially those testing the products should have the same protection from radiation hazards as the consumer who purchases the equipment in the market place.

The basic need for this legislation is apparent to all. No one wants to suffer radiation sickness or genetic injury that only appears in future generations, because he sits at home and watches color TV. No one wants to work with equipment which, because of defective manufacture or lack of proper warning can slowly and insidiously cause permanent and incurable injury to himself or his companions.

As it passed the Senate this bill dealt very fairly with these problems. It allowed up to a year before the act became effective. The House had wanted two years.

It gave the Secretary of Health, Education, and Welfare the power to seize improperly manufactured equipment when such action was necessary. The House bill contained no such provision.

It gave the Secretary the power to inspect production facilities to ensure that the standards which had been set were being complied with, and it gave him this power to use at its most effective point, before the equipment has been shipped all over the country. The House bill contained no such provision.

It gave the worker who produces the equipment and who tests the equipment by using it in the same way as the ultimate consumer, the same protection as the ultimate consumer. The House bill contained no such provision.

How have we compromised our differences?

The effective date is two years as in the House version.

There is no power of seizure; the same omission as in the House bill.

There is no protection for workers who produce this potentially dangerous equipment; just as there was no such protection in the House bill.

There is a power to inspect only after the Secretary of Health, Education, and Welfare has found good cause. The only stated example in the bill is where the promulgated standards were violated. In other words, all producers of this equipment like the proverbial dog get one free bite. Where genetic injury may not show up for 10 or 20 years, the American people have the right to have the best possible protection against such injury, and this must in my view include the right to inspection at the Secretary's discretion.

I hope that these reservations which I have voiced will in the future result in constructive action. This legislation should be only the beginning. If the need for the provisions which I have mentioned has not been proven this year beyond the shadow of a doubt, the hearings which should be held will likely remove all doubts. The American people are entitled to be as well protected from these invisible dangers as they are from the invisible dangers of disease. The health of our nation is at stake, and I intend to work to help protect the people from radiological disease and to see that the dangers from it receive the same intensive attention as cancer, stroke, or heart disease.

Mr. HARTKE. Mr. President, I ask unanimous consent that a statement by Senator BARTLETT be inserted in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PROGRESS ON RADIATION SAFETY

Mr. BARTLETT. Mr. President, I urge the Senate to adopt the conference report on H.R. 10790, the Radiation Control for Health and Safety Act of 1968.

I urge adoption of the conference report because, despite the refusal of the House conferees to yield on any of four important Senate amendments, I believe on balance that the bill as reported out of conference is to be much preferred to no bill at all.

While the bill is not as strong as the Senate approved in accepting my amendments to the House version of the legislation, H.R. 10790 still represents substantial breakthroughs, not only in radiation protection but in the general field of consumer protection as well.

Perhaps the most important improvements accepted in conference were:

Requiring manufacturers to repair or replace or refund the price of electronic products which contain any defect which relates to the safety of use of such product;

Requiring dealers to keep and transmit to the manufacturer records of all large ticket electronics products for which there are applicable standards—rather than limit this responsibility to sales of color television receivers—in order to facilitate the location of purchasers of those products which are found to contain defects relating to their safe use;

Requiring manufacturers to keep such records and provide such other information as the Secretary may need in order to ascertain whether the manufacturer is complying with the requirements of the act.

Also of great importance are provisions giving the public access to information concerning various investigative reports and all meetings between government officials and industry representatives involving the setting and enforcement of performance standards. And to the extent that accident reports are made by manufacturers to the Secretary, it is anticipated that these, too, will be made available for use in judicial proceedings.

The Senate conferees were also successful in retaining:

(1) Provisions instructing the Secretary of Health, Education, and Welfare to make a wide range of studies which may gather information supporting additional legislation in this area;

(2) Language which broadens the concept of "performance standards".

The latter provision is particularly important in protecting patients from unnecessary exposure to medical x-rays by allowing the Secretary to set performance standards limiting x-ray beams to the size needed to get the information sought. Also, under this provision, the Secretary may require the manufacturers to attach warning labels and other information pertinent to the safety of the user.

The biggest disappointment in the conference in my opinion was the refusal of the House conferees to yield on the question of authorizing automatic inspection of plants manufacturing devices covered by the bill.

However, inspection is authorized if good cause is shown, and once such cause is shown, the offending plant may be inspected at any time thereafter.

In addition, the bill requires that manufacturers must certify that products covered by the legislation meet prescribed standards and that compliance with standards is determined by an acceptable testing program. The Secretary has the right to disapprove a testing program.

While the bill does give the Secretary authority to enforce performance standards, I believe that my amendment authorizing automatic plant inspection would have been more in keeping with the philosophy of preventing injuries from radiation rather than correcting a situation after the fact.

My amendment was designed to use inspection as a means of preventing devices emitting unnecessary radiation from getting into commerce rather than recalling dangerous devices after they have been sold.

As has been too often the case with consumer protection measures considered by Congress, industry has generally opposed in-plant inspection. Fortunately, in the meat and poultry inspection programs, we were able to provide for in-plant inspection. I feel so strongly about the need for this type of inspection in connection with radiation safety, that I plan to introduce early next session an amendment to H.R. 10790 dealing with this question.

In light of the decision to drop automatic in-plant inspection, the right to seize dangerous devices in commerce became even more important. Unfortunately, this provision was one of the those lost in conference.

However, in the event that an extraordinarily hazardous product should appear on the market, as, for example, a complex new toy whose electronic circuits emit hazardous levels of radiation, we urge the Secretary to coordinate action with those agencies which do have seizure authority for certain products, such as FDA, in order to immediately remove the dangerous product from distribution. If no agency has such authority, the Secretary should immediately request Congress for the necessary legislation.

Senate amendments authorizing the Secretary of HEW to set standards to protect workers from excessive radiation and to issue advisory standards for the licensing of x-ray technicians and for accrediting schools which train x-ray technicians were also dropped.

I hope that the senior Senator from Texas (Mr. YARBOROUGH) will reintroduce the amendment providing for worker safety in the next session of Congress. Fortunately, however, under this legislation the Secretary can at least prescribe performance standards which will be adequate to protect workers who repair products as well as protecting the consumers who buy them.

I also plan to continue to push for licensing the operators of x-ray devices, for it makes no sense to set performance standards for equipment without attempting to ensure that the operators of the equipment are trained to use it correctly.

Mr. President, I would have much preferred if these amendments had been accepted in conference. I know that the senior Senator from Indiana (Mr. HARTKE) and the senior Senator from Texas (Mr. YARBOROUGH) fought hard for the Senate amendments. I was in contact with both senators during the conference and agreed to recede to the position of the House on several important provisions rather than to allow the bill to die, for as I have already indicated, I believed that even with the deletions, the bill as reported from conference represented an important step forward in protecting the public against unnecessary exposure to radiation.

Mr. HARTKE. Mr. President, on the day the Senate approved H.R. 10790, the Radiation Control for Health and Safety Act, the senior Senator from Washington [Mr. MAGNUSON], who managed the bill on the floor, paid high tribute to the senior Senator from Alaska [Mr. BARTLETT] as a fighter for radiation safety. Today, I concur.

Mr. President, it is not an exaggeration to state that the Senate version of H.R. 10790 is the result of many years of work and study on the part of Senator BARTLETT. He chaired lengthy hearings on the subject of radiation safety and on numerous occasions has sought to enlighten the Senate and the public through speeches on the Senate floor.

While illness prevented him from taking part in the Senate-House conference on H.R. 10790, he was in contact with the conferees by telephone and offered important advice and support.

I believe a great deal of credit should be given Senator BARTLETT for the Senate's successful effort to strengthen this most important consumer protection measure.

Mr. President, I move that the conference report be adopted.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

AUTHORITY TO SELL CERTAIN LANDS IN NEW MEXICO

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3736.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3736) to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex., which were on page 1, line 3, strike out "section 2" and insert "other provisions".

On page 5, line 3, strike out all after "needs," down through and including "(4)" in line 5, and insert "and (3)".

On page 5, after line 8, insert:

SEC. 3. Upon application all the undivided mineral interests of the United States in any parcel or tract of land sold pursuant to this Act shall be conveyed to the Village of Central, State of New Mexico, or its successors in title by the Secretary of the Interior. In areas where the Secretary of the Interior determines that there is no active mineral development or leasing, and that the lands have no mineral value, the mineral interests covered by a single application shall be sold for a consideration of $1. In other areas the mineral interests shall be sold at the fair market value thereof as determined by the Secretary of the Interior after taking into consideration such appraisals as he deems necessary or appropriate.

SEC. 4. Each application made under the provisions of this Act shall be accompanied by a nonrefundable deposit to be applied to the administrative costs as fixed by the Secretary of the Interior. If the conveyance is made, the applicant shall pay to the Secretary of the Interior the full administrative costs, less the deposit. If a conveyance is not made pursuant to an application filed under this Act, the deposit shall constitute full satisfaction of such administrative costs notwithstanding that the administrative costs exceed the deposit.

SEC. 5. The term "administrative costs" as used in this Act includes, in addition to other items, all costs which the Secretary of the Interior determines are included in a determination of (1) the mineral character of the land in question, and (2) the fair market value of the mineral interest.

SEC. 6. Amounts paid to the Secretary of the Interior under the provisions of this Act shall be paid into the Treasury of the United States as miscellaneous receipts.

Mr. MANSFIELD. Mr. President, I move that the Senate concur in the amendments of the House.

The motion was agreed to.

PRINTING AS A HOUSE DOCUMENT A SURVEY AND HANDBOOK ENTITLED "FEDERAL EDUCATIONAL POLICIES, PROGRAMS, AND PROPOSALS"

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate a message from the House on House Concurrent Resolution 763, and ask for its immediate consideration.

The PRESIDING OFFICER. The concurrent resolution will be stated by title.

The LEGISLATIVE CLERK. A concurrent resolution (H. Con. Res. 763) providing for the printing as a House document a survey and handbook entitled "Federal Educational Policies, Programs, and Proposals."

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the concurrent resolution was considered and agreed to.

LISTING OF OPERATING FEDERAL ASSISTANCE PROGRAMS AS COMPILED DURING THE ROTH STUDY

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House on House Concurrent Resolution 801, and ask for its immediate consideration.

The LEGISLATIVE CLERK. A concurrent resolution (H. Con. Res. 801) listing of operating Federal assistance programs as compiled during the Roth study.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the concurrent resolution?

There being no objection, the concurrent resolution was considered and agreed to.

AUTHORIZATION FOR COMMITTEE ON GOVERNMENT OPERATIONS TO FILE REPORTS DURING ADJOURNMENT SINE DIE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Government Operations, on its own behalf or on behalf of its subcommittees, be authorized to file reports with the Secretary of the Senate during the adjournment sine die of the 90th Congress, second session, and that they be printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1969—PROCEEDINGS IN CLOSED SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the expurgated transcript of the proceedings of the closed session of the Senate on October 2, 1968, which has been prepared under the direction of the Senator from Georgia [Mr. RUSSELL], be printed in the Extensions of Remarks; and that subsequently it be published at the appropriate place in the permanent RECORD of October 2, 1968.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The proceedings will be published in a later edition of the Extensions of Remarks under the above heading.)

STRIKING OF MEDALS IN COMMEMORATION OF THE 150TH ANNIVERSARY OF THE FOUNDING OF THE CITY OF MEMPHIS

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Committee on Banking and Currency be discharged from the further consideration of the bill H.R. 17361, and that the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, the committee will be discharged from further consideration of the bill.

The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H.R. 17361) to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the city of Memphis.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. SPARKMAN. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HOLLAND. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

SUPPLEMENTAL APPROPRIATION BILL, 1969—CONFERENCE REPORT

Mr. HOLLAND. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 20300) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HOLLAND. Mr. President, there has been great cooperation in the completion of this bill. I reported to the Senate yesterday, when the bill was passed, that the work of holding the hearings was divided six ways so that, day before yesterday, a complete hearing on all items in the bill could be held, as it was held.

I again express my appreciation to Senators on both sides of the aisle for their cooperation in completing those hearings.

The same situation of cooperation was true, Mr. President, with reference to the conference, on which there were 71 amendments to be considered, which were disposed of in less than 2 hours this morning by extremely cooperative efforts on the part of the conferees of both bodies. The bill has now passed the House of Representatives in conference form, and is over here. There is a conference report to be approved, and then four amendments in technical disagreement to be considered.

The bill as passed by the House was in the amount of $123,532,907. Supplemental budget estimates were submitted to the Senate and the Senate committee considered $470,179,000 in excess of the budget estimates considered by the House. The bill passed the Senate recommending appropriations of $515,197,727. The final amount recommended by the conference committee is $446,688,727, which is $294,170,180 below the Senate budget estimate.

Mr. President, without attempting to go into the many items in this bill, I have made this general report. I see in the Chamber several of the conferees who were present for the conference, and they may, of course, wish to be heard on some aspects of the matter, or there may be other Senators who have questions. I prefer for us to handle the matter in that way, rather than attempt to go through all the items in the bill.

I ask that the conference report be agreed to.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the distinguished Senator from South Dakota.

Mr. MUNDT. Mr. President, may I say, speaking for the minority, the Republican members on the Senate side of the conference attended the meetings and participated in the discussions and the compromises, and signed the conference report.

I think it only fair to say that we could probably allude to this result as the product of unhappy unanimity. Everyone was a little bit disappointed with what occurred; some wanted more, some wanted less. It was late in the session. There is an unfortunate tendency developing increasingly, it seems to me, at the other end of Pennsylvania Avenue, to send up requests for supplemental items pretty late in the session. In many of those areas, we tried to reduce the amount to be made available to the absolute minimum. Some of them we rejected altogether. Some were funded more or less in conformity with the requests from the administration.

I can only make again, in supporting the conference report, the statement I made about a year ago that I hope that hereafter the administration—and we are going to have a new one of some kind or other, certainly, next January—will realize that there is a growing tendency on the part of Appropriations Committee members to look with jaundiced eye on the supplemental requests which come in late in the session, only a month or two before we reconvene in a new session of Congress, and that a real, diligent effort might well be exercised in the future to limit such requests to bare necessities, to deficiencies, or to those items of great urgency, because you just cannot, and we did not, in such a short time give the attention which should be devoted to many of the items in this supplemental bill. It is nobody's fault in Congress; we just did not have the time. We could have a more prudent management of the Federal budget, certainly, if fewer items were sent up to us for consideration in these last-minute supplemental bills.

Mr. HOLLAND. Mr. President, I certainly agree with the distinguished Senator that there is too much bringing in of late items in this last supplemental bill. It seems to me that most of them, however, were the result of late passage of the authorizing legislation. For instance, the largest item in this bill, of $296 million, results from the passage just a few days ago, by both Houses, of the foreign military credit sales bill. The security of our country and the improvement of our balance-of-payments situation are both involved in that question, and there was no battle between conferees on such a bill as that; yet it is unfortunate that the authorizing legislation is so frequently held up until the last days of the session in important matters.

I yield again to the Senator from South Dakota.

Mr. MUNDT. Mr. President, it should be said about that last item, however, that this, in essence, is not strictly an expenditure, because they are going to sell materiel, and the money should be recovered; and if those who manage the sales are diligent and careful, there should not be any loss to the taxpayers in this particular area of the supplemental bill.

Mr. HOLLAND. The Senator, of course, is correct, and that is the reason I say that the improvement of our balance-of-payments situation is involved here. I simply cite that as one instance of very important legislation passed within the last few days—some within the last few hours—before this supplemental appropriation bill was passed. This is not at all to depart from the text of the Senator from South Dakota. I strongly feel that there are too many of these late items, which come in for quick consideration.

I think the best consideration of the items in the final supplemental bill that has been given by the Senate committee in recent years was given this time, by reason of the cooperation of Senators on both sides of the aisle in having some six hearings going on at the same time day before yesterday, to explore into all these items. Some of them we did not grant, as the Senator will remember. One for $160 million was stricken out on the floor of the Senate yesterday, under direction of the committee that it be deleted in the event the authorization bill had not been approved.

So the committee has been watching these things very carefully, and I think was able to give very diligent consideration to these matters this year.

Mr. President, I am willing to answer any questions.

Mr. PASTORE. Mr. President, I would like to comment on several important amendments added by the Senate to this bill.

This bill provides supplemental appropriation of $748,000 for the National Archives and Records Service of the General Services Administration for use of Presidential libraries.

The six Presidential libraries—with the papers and documents of Presidents Hoover, Roosevelt, Truman, Eisenhower, Kennedy, and Johnson—are priceless historic gifts for the American people. The Presidential documents and the buildings housing the libraries were donated for use by the Government—not built with Federal tax dollars. It would be foolish not to provide adequate funds to insure the proper and rapid collection, cataloging, and preservation of these documents.

This supplemental need reflects the rapid growth of this activity. The six libraries already have approximately 75 million pages of manuscript. In addition, there are motion pictures, photographs, and oral histories being assembled for each administration. Microfilming and reproduction of documents is continuing at a more rapid pace. Last year over half a million Americans visited museums maintained in connection with four of the libraries.

The library workload continues to grow for the papers of living former Presidents. President Truman still receives substantial mail. President Eisenhower received more than 42,000 letters in 1967. We are told President Johnson will probably receive more than 100,000 letters the first year he leaves office.

The processing of these Presidential papers and correspondence could not possibly be carried out by the personal staff of former Presidents. They receive only $80,000 annually for all staff purposes—including processing of mail. Consequently, library staff must be available to work with them so that these historic papers are not lost or mishandled.

The $748,000 will be divided among the six libraries on the basis of specific needs for additional personnel and other services during the remainder of fiscal year 1969. GSA has made preliminary estimates of these needs. Actual requests for this year and future years will be made by the director of each library. I know the Congress will respond to these requests so that this historic work may continue on a permanent basis.

A $40,000 supplemental appropriation for the General Services Administration will be used for the payment of travel and related expenses of former Presidents and not to exceed two members of their staffs.

Provision of funds for travel expenses corrects an oversight in existing GSA authority to assist former Presidents and their staffs. Although funds are available for staff salaries and office expenditures, no authority has existed for travel expenses incurred in the performance of their responsibilities. The amendment provides permanent legislative authority for payment of travel and related expenses.

This has caused particular difficulty for former President Eisenhower and his staff. General Eisenhower, as a former President, may travel by military aircraft. His staff, however, has often been forced to travel at their expense in connection with their staff work for the general. No way presently exists to reimburse either General Eisenhower or his staff for travel by private conveyance even when it would be less expensive than transportation provided by the Government.

This is a ridiculous and intolerable situation. It is undignified and unjustified for the staff representative of a former President to have to "shop around" for transportation or pay for it out of his own pocket when he travels on official business.

The $40,000 appropriation will permit reimbursement of travel and related expenses for fiscal year 1969 by former Presidents Truman and Eisenhower and to members of their staffs. This appropriation will not provide funds for President Johnson or his staff after he leaves office. He will still be in the 6-month transitional period during fiscal year 1969 and will receive separate funds for this purpose under the Presidential Transition Act.

Pursuant to the permanent authority of this bill, subsequent requests can be made by GSA for fiscal year 1970 and succeeding years based on anticipated needs.

This bill also extends authority to the U.S. Secret Service to protect a widow of a former President during her lifetime and the minor children of a deceased former President until they have reached the age of 16 years.

Secret Service protection is extended to former Presidents because of continuing threats from those who would seek to harm one who has served in our Nation's highest office. Congress wisely determined that this protection should continue during the lifetime of the former President. This protection is presently given former Presidents Truman and Eisenhower and will be provided to President Johnson when he leaves office on January 20, 1969.

It is an ugly fact that some of the hatred and abnormal behavior directed toward former Presidents may be transferred toward their families. Moreover, they are the targets of cranks and curiosity seekers. The files of the FBI and the Secret Service provide extensive, and often revolting, evidence that they need continuing protection.

I am certain every Member of the Senate wants a former First Lady to have every protection and assistance during her lifetime. Protection is presently offered Mrs. John F. Kennedy and her children by special statute. If those two gallant Americans—Harry S. Truman and Dwight D. Eisenhower—should be taken from us, it would be shameful if their widows were to lose the protection on which they have become so dependent and to which they are so richly entitled.

It is very seldom that a President leaves minor children at his death. We faced one such terrible tragedy with the death of President Kennedy. This bill wisely provides that the minor children of deceased Presidents shall be protected until the age of 16.

I might also observe that this authority of protection of Presidential widows is unlikely to be of benefit to President and Mrs. Johnson for many years to come. It is, however, a fitting and timely expression of concern for the Truman, Eisenhower, and Kennedy families.

An appropriation of $5 million will be used in support of construction and endowment of Eisenhower College, Seneca Falls, N.Y.

These funds are an expression of the gratitude this Nation feels toward a distinguished former President, Dwight D. Eisenhower. A grant of $2.5 million will be used as a trust fund for the awarding of Eisenhower scholarships to high school graduates to assist in defraying their tuition and other expenses at Eisenhower College. A grant of $2.5 million will be made to the college for the construction, operation, and maintenance of educational facilities—particularly those related to international affairs.

It is particularly fitting that this memorial is made to former President Eisenhower by a grant to the college bearing his name. He has expressed his strong personal support for the school and its ideals. We can all take great satisfaction in the fact that these funds will help young men and women to become graduates of Eisenhower College—many of them with Eisenhower scholarships.

It is seldom that the Congress has an opportunity to repay in a very small way some of the debt our Nation owes to a great American who has borne the burdens of the Presidency. Former President Eisenhower has devoted his lifetime to public service. There can be no better memorial to his life and deeds than making it possible for young people to receive an education at the institution which means so much to him.

The **PRESIDING OFFICER**. The question is on agreeing to the conference report.

The report was agreed to.

The **PRESIDING OFFICER** laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to the House bill (H.R. 20300), which was read, as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 11 to the aforesaid bill, and concur therein with an amendment as follows: In the said amendment, delete the following: ", to remain available until expended."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 40 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following:

"ELEMENTARY AND SECONDARY EDUCATIONAL ACTIVITIES

"There shall be available in an amount not to exceed $1,000,000 for necessary expenses for planning and implementation of the Handicapped Children's Early Education Assistance Act, P. L. 90–538, to be derived from funds available for the purposes of Title III, Elementary and Secondary Education Act, as amended."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 50 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following:

"DEPARTMENT OF THE INTERIOR

"Bureau of Reclamation

"Upper Colorado River Storage Project

"For an additional amount for the "Upper Colorado River Storage Project" for the Upper Colorado River Basin Fund, $2,200,000, to remain available until expended, together with $500,000 to be derived by transfer to the Fund from funds available under section 8 of the Act of April 11, 1956."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 71 to the aforesaid bill, and concur therein with an amendment as follows: In lieu of the matter proposed by said amendment insert:

"INDEPENDENT OFFICE

"National Council on Indian Opportunity

"Salaries and Expenses

"For expenses necessary for the National Council on Indian Opportunity, including services as authorized by 5 U.S.C. 3109, $100,000, which shall be in addition to the amount authorized by Public Law 90–550."

Mr. **HOLLAND**. Mr. President, I move that the Senate concur in the amendments of the House of Representatives to the amendments of the Senate numbered 11, 40, 50, and 71. These are technical disagreements, due to the fact that the House agreed to a part of our amendments with these numbers, but did not agree fully, so that they had to be reported in technical disagreement. The

House has acted favorably, and I ask that the Senate now act favorably, en bloc, on these four amendments.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Mr. HOLLAND. Unless there is discussion on any of the amendments, I move that they be agreed to en bloc.

The motion was agreed to.

Mr. HOLLAND. I again call attention to the fact that the major part of this bill was not considered by the House of Representatives originally, but came to the Senate in the form of supplemental budget items, which were first considered in the hearings of the Senate committee day before yesterday.

Mr. President, I now ask unanimous consent to have printed in the RECORD at this point a tabulation on this bill reflecting the amounts in the budget estimate on each item, the amounts agreed to in the House of Representatives, the amounts agreed to in the Senate, and the final conference figures.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

SUMMARY OF THE SUPPLEMENTAL FOR 1969

H. Doc. No.	Department or activity	Budget estimates	Version of bill		Conference action
		(1)	House (2)	Senate (3)	(4)
	CHAPTER I				
	DEPARTMENT OF AGRICULTURE				
	Extension Service:				
	Cooperative extension work, payments and expenses:				
393	Payments to States and Puerto Rico	$150,000	(1)	$150,000	$75,000
	Consumer and Marketing Service:				
393	Consumer protective, marketing, and regulatory programs	2,000,000	(1)		
393	Food stamp program	90,000,000	$40,000,000	90,000,000	55,000,000
	Commodity Exchange Authority:				
318	Salaries and expenses	600,000	(1)	400,000	300,000
	Agricultural Stabilization and Conservation Service:				
393	Indemnity payments to dairy farmers	300,000	300,000	300,000	300,000
	Farmers Home Administration:				
393	Salaries and expenses	1,325,000	(1)	955,000	250,000
393	Self-help housing land development fund	1,000,000	(1)	1,000,000	600,000
393	Mutual and self-help housing	2,700,000	(1)	2,700,000	
393	Housing for rural trainees	4,500,000	(1)		
	Total, chapter I	102,575,000	40,300,000	95,505,000	56,525,000
	CHAPTER II				
	DISTRICT OF COLUMBIA				
	FEDERAL FUNDS				
393	Loans to the District of Columbia for capital outlay	8,562,000	7,902,000	7,902,000	7,902,000
	DISTRICT OF COLUMBIA FUNDS				
393 and S. 109	General operating expenses	*(1,411,000)*	*(5,500)*	*(1,049,500)*	*(1,049,500)*
S. 109	Public safety	*(136,000)*		*(136,000)*	*(68,000)*
393	Settlement of claims and suits	*(27,900)*	*(27,900)*	*(27,900)*	*(27,900)*
393	Capital outlay	*(11,250,000)*	*(10,590,000)*	*(10,590,000)*	*(10,590,000)*
	Total, District of Columbia funds	*(12,824,900)*	*(10,623,400)*	*(11,803,400)*	*(11,735,400)*
	COMMISSION ON THE REVISION OF THE CRIMINAL LAWS OF THE DISTRICT OF COLUMBIA				
393	Salaries and expenses	150,000		150,000	
	Total, chapter II	8,712,000	7,902,000	8,052,000	7,902,000
	CHAPTER III				
	FOREIGN ASSISTANCE				
	FUNDS APPROPRIATED TO THE PRESIDENT				
	MILITARY ASSISTANCE				
	Foreign military credit sales	296,000,000		296,000,000	296,000,000
	INTERNATIONAL FINANCIAL INSTITUTIONS				
S. 109	Subscription to International Development Association	160,000,000			
	Total, chapter III	456,000,000		296,000,000	296,000,000
	CHAPTER IV				
	INDEPENDENT OFFICES				
	FEDERAL TRADE COMMISSION				
393	Salaries and expenses	400,000	200,000	400,000	300,000
	GENERAL SERVICES ADMINISTRATION				
393	Construction, public buildings projects	*(6,000,000)*	*(6,000,000)*	*(6,000,000)*	*(6,000,000)*
S. 109	Operating expenses, National Archives and Records Service	748,000		748,000	748,000
S. 109	Allowances and office facilities for former Presidents	40,000		40,000	40,000
	NATIONAL COMMISSION ON CONSUMER FINANCE				
393	Salaries and expenses	375,000			
	SECURITIES AND EXCHANGE COMMISSION				
93	Salaries and expenses	200,000		200,000	200,000
	Total, independent offices	1,763,000	200,000	1,388,000	1,288,000

See footnotes at end of table.

SUMMARY OF THE SUPPLEMENTAL FOR 1969—Continued

H. Doc. No.	Department or activity	Budget estimates (1)	Version of bill: House (2)	Version of bill: Senate (3)	Conference action (4)
	CHAPTER IV—Continued				
	DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT				
	MORTGAGE CREDIT				
	Homeownership and rental housing assistance:				
	Limitation for annual contract authorization:				
393	*Homeownership assistance*	*($75,000,000)*	*($15,000,000)*	*($75,000,000)*	*($25,000,000)*
393	*Rental housing assistance*	*(75,000,000)*	*(15,000,000)*	*(75,000,000)*	*(25,000,000)*
393	Appropriation for payments	11,500,000	5,000,000	11,500,000	7,000,000
393	Salaries and expenses	6,500,000		1,250,000	625,000
393	Low and moderate income sponsor fund	5,000,000		2,000,000	500,000
	Federal Housing Administration:				
393	*Limitation on administrative expenses*	*(350,000)*		*(350,000)*	*(350,000)*
393	*Limitation on nonadministrative expenses*	*(5,350,000)*	*(3,500,000)*	*(3,500,000)*	*(3,500,000)*
	DEPARTMENTAL MANAGEMENT				
393	Fair housing program	8,000,000	1,000,000	7,000,000	2,000,000
	RENEWAL AND HOUSING ASSISTANCE				
393	*College housing*	*(7,500,000)*	*(2,500,000)*	*(4,000,000)*	*(3,000,000)*
393	Salaries and expenses	1,250,000	500,000	500,000	500,000
393	Grants for tenant services	15,000,000			
	METROPOLITAN DEVELOPMENT				
393	Planned areawide development	5,000,000			
393	Salaries and expenses	270,000			
	FEDERAL INSURANCE PROGRAMS				
393	Flood insurance	1,500,000	1,500,000	1,500,000	1,500,000
	SPECIAL INSTITUTION				
393	National Homeownership Foundation	250,000			
	Total, Department of Housing and Urban Development	54,670,000	8,000,000	23,750,000	12,125,000
	Total, chapter IV, new budget (obligational) authority	56,433,000	8,200,000	25,138,000	13,413,000
	CHAPTER V				
	DEPARTMENT OF THE INTERIOR				
	BUREAU OF INDIAN AFFAIRS				
318	Education and welfare services	10,752,000	752,000	2,452,000	1,452,000
	BUREAU OF OUTDOOR RECREATION				
393	Land and water conservation fund:				
	Appropriation (repayable advance to the fund)	*(92,000,000)*	*(53,000,000)*	*(92,000,000)*	*(53,000,000)*
	Appropriation of receipts (indefinite)	2,550,000	2,500,000	2,500,000	2,500,000
	Appropriation out of the fund (not including liquidation cash)	7,000,000	7,000,000	7,000,000	7,000,000
	(Appropriation out of the fund to liquidate contract authorization)	[2] *(85,000,000)*	[2] *(46,000,000)*	[2] *(85,000,000)*	*(46,000,000)*
	Total, Bureau of Outdoor Recreation	9,550,000	9,500,000	9,500,000	9,500,000
	NATIONAL PARK SERVICE				
393 and S. 109	Management and protection	421,000	100,000	421,000	325,000
393 and S. 109	Maintenance and rehabilitation of physical facilities	169,000	50,000	169,000	125,000
	Total, National Park Service	590,000	150,000	590,000	450,000
	Total, Department of the Interior	20,892,000	10,402,000	12,142,000	10,402,000
	DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE				
	HEALTH SERVICES				
	Indian health activities			850,000	850,000
393	Construction of Indian health facilities	4,238,000	3,350,000	4,944,000	4,056,000
	Total, chapter V	25,130,000	13,752,000	18,336,000	16,308,000
	CHAPTER VI				
	DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE				
	OFFICE OF EDUCATION				
S. 109	Elementary and secondary educational activities	*(3,000,000)*		*(3,000,000)*	*(1,000,000)*
	HIGHER EDUCATIONAL ACTIVITIES				
S. 109	Higher educational activities	12,741,000		7,741,000	
	SOCIAL AND REHABILITATION SERVICE				
393	Juvenile delinquency prevention and control	19,200,000	5,000,000	12,000,000	5,000,000
	Total, chapter V	31,941,000	5,000,000	19,741,000	5,000,000

See footnotes at end of table.

SUMMARY OF THE SUPPLEMENTAL FOR 1969—Continued

H. Doc. No.	Department or activity	Budget estimates	*Version of bill*		Conference action
			House	Senate	
		(1)	(2)	(3)	(4)
	CHAPTER VII				
	LEGISLATIVE BRANCH				
	SENATE				
	SALARIES, OFFICERS AND EMPLOYEES				
	Office of the Secretary			$16,570	$16,570
	CONTINGENT EXPENSES OF THE SENATE				
	Miscellaneous items			11,250	11,250
	HOUSE OF REPRESENTATIVES				
	Gratuity to widows of deceased Members		$60,000	60,000	60,000
	CONTINGENT EXPENSES OF THE HOUSE				
393	Reporting hearings	$145,000	145,000	145,000	145,000
	JOINT ITEMS				
393	Joint Committee on Defense Production	8,630	8,630	8,630	8,630
393	Education of pages	18,581	18,581	18,581	18,581
	CAPITOL POLICE				
	General expenses			34,000	34,000
	LIBRARY OF CONGRESS				
393	Salaries and expenses	200,000	200,000	200,000	200,000
	Total, chapter VII	372,211	432,211	494,031	494,031
	CHAPTER VIII				
	DEPARTMENT OF THE INTERIOR—PUBLIC WORKS				
	BUREAU OF RECLAMATION				
393	Upper Colorado River storage project	2,700,000		2,700,000	2,200,000
	NATIONAL WATER COMMISSION				
393	Salaries and expenses	500,000		300,000	150,000
	Total, chapter VIII	3,200,000		3,000,000	2,350,000
	CHAPTER IX				
	DEPARTMENT OF JUSTICE				
	LEGAL ACTIVITIES AND GENERAL ADMINISTRATION				
393	Salaries and expenses, general administration	136,000		136,000	
393	Salaries and expenses, general legal activities	300,000			
	Total, legal activities and general administration	436,000		136,000	
	FEDERAL PRISON SYSTEM				
393	Salaries and expenses, Bureau of Prisons	2,000,000			
393	Support of U.S. prisoners	2,000,000			
	Total, Federal prison system	4,000,000			
	Total, Department of Justice	4,436,000		136,000	
	DEPARTMENT OF COMMERCE				
	ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION				
393	Salaries and expenses	Language			
	MARITIME ADMINISTRATION				
393	State marine schools (by transfer)	*($10,000)*		*($10,000)*	
	FOREIGN DIRECT INVESTMENT CONTROL				
393	Salaries and expenses	750,000		500,000	500,000
	Total, Department of Commerce	750,000		500,000	500,000
	THE JUDICIARY				
	COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES				
393	Salaries of judges	230,000		51,000	
393	Salaries of supporting personnel	1,062,000		38,000	
393	Travel and miscellaneous expenses	630,000		45,000	
393	Administrative Office of the U.S. Courts	66,000		15,000	
	Total, the Judiciary	1,988,000		149,000	
	Total, chapter IX	7,174,000		785,000	500,000
	CHAPTER X				
	DEPARTMENT OF TRANSPORTATION				
	OFFICE OF THE SECRETARY				
393	Salaries and expenses	500,000	250,000	250,000	250,000
	FEDERAL AVIATION ADMINISTRATION				
393	Operations	4,200,000	4,000,000	4,000,000	4,000,000

See footnotes at end of table.

SUMMARY OF THE SUPPLEMENTAL FOR 1969—Continued

H. Doc. No.	Department or activity	Budget estimates (1)	Version of bill: House (2)	Version of bill: Senate (3)	Conference action (4)
	CHAPTER X—Continued				
	DEPARTMENT OF TRANSPORTATION—Continued				
	FEDERAL RAILROAD ADMINISTRATION				
393	Alaska railroad revolving fund	$580,000	$580,000	$580,000	$580,000
	URBAN MASS TRANSPORTATION ADMINISTRATION				
393	Salaries and expenses (by transfer)	*(665,000)*	*(500,000)*		*(150,000)*
	Total, chapter X	5,280,000	4,830,000	4,830,000	4,830,000
	CHAPTER XI				
	TREASURY DEPARTMENT				
	BUREAU OF ACCOUNTS				
393	Salaries and expenses	1,878,000	1,878,000	1,878,000	1,878,000
	INTERNAL REVENUE SERVICE				
393	Compliance	1,575,000	1,000,000	1,000,000	1,000,000
	EISENHOWER COLLEGE GRANTS				
393	Construction, repair, and equipment grants	5,000,000	5,000,000	5,000,000	5,000,000
	Total, Treasury Department	8,453,000	7,878,000	7,878,000	7,878,000
	EXECUTIVE OFFICE OF THE PRESIDENT				
	COUNCIL OF ECONOMIC ADVISERS				
S. 80	Salaries and expenses	*(350,000)*		200,000	150,000
	Total, chapter XI	8,453,000	7,878,000	8,078,000	8,028,000
	CHAPTER XII				
393	Claims and judgments	35,238,696	35,238,696	35,238,696	35,238,696
	CHAPTER XIII				
	General provision (sec. 1303)				100,000
	Grand total, all chapters	740,508,907	123,532,907	515,197,727	446,688,727

[1] Consideration postponed until next January.

[2] Not to exceed this amount of the total repayable advance.

Mr. HARTKE. Mr. President, I ask unanimous consent to have printed in the Record a statement prepared by the Senator from Alaska [Mr. Bartlett], who is necessarily absent today.

There being no objection, the statement by Senator Bartlett was ordered to be printed in the Record, as follows:

FUNDS FOR MEDICAL CARE

Mr. Bartlett. Mr. President, the Supplemental Appropriations Bill of 1969 contains two very important items for Alaska.

The first is an appropriation of $850,000 for the contract medical care program for the Division of Indian Health; the second, $706,000 to finance facilities for the Division at the new hospital to be built at Juneau.

Mr. President, I am pleased that the Senate and then the House, in acting on the conference report, accepted my amendments appropriating these funds.

The additional funds for the contract medical care program were required because of the cost of medical care across the nation has gone up by about 17 percent, while Congress, acting on the estimate of the Public Health Service, provided only enough funds to meet an increase of about 10 percent.

In Alaska, the increase in medical costs has been 22 percent.

The supplemental appropriation approved today will provide enough money to keep the medical service at the same level as last year. Alaska will receive about $200,000 of these funds.

Equally important to health care for Alaska natives is the funds for the Juneau Hospital. These funds will finance facilities for additional beds and an out-patient clinic. The borough is constructing a new hospital to replace a building which has been condemned. If these funds were not made available Alaska natives would have to be transported almost 100 miles to receive Public Health Service care. Eventually, the Division of Indian Health would have to construct facilities at Juneau and it makes sense to save money by doing it now while the original building is under construction.

TRIBUTE TO SENATOR LISTER HILL

Mr. YARBOROUGH. Mr. President, I rise to pay tribute to the distinguished chairman of the Committee on Labor and Public Welfare, the beloved Senator from Alabama, Lister Hill. I do this with regret that the ranking majority member of the committee, the Senator from Oregon [Mr. Morse], who could do this so much more eloquently, is not present; but he is detained by a matter in his own State. I wish to say, on behalf of the many Members who are not present, that they have expressed, by their sentiments to Senator Hill in a meeting of our committee held this week, the high esteem in which he is held by the members of that committee.

I wish to say also, on behalf of everybody in the United States who has benefited from his 45 years of service here, that if all of the people of this Nation who have benefited from his 45 years of service knew about it and could write him a letter, he would have about 175 million letters. The country knows of the Hill-Burton Act, and his services in connection with that, but they do not know of his services in the cause of education. The Committee on Labor and Public Welfare includes subcommittees on Education, Health, Labor, Manpower and Retraining, Poverty, Veterans Affairs, Railroad Retirement, and Aging, and special subcommittees on Migratory Labor, Bilingual Education, International Education, Indian Education, and other subjects.

At the signing of a bill at the White House a year or so ago, the President said to me that 80 percent of all the progressive legislation which came to his desk in these fields, counting the entire field, came through Senator Hill's committee.

That legislation has come about largely through the leadership of the distinguished senior Senator from Alabama [Mr. Hill]. We all know that passing a bill does not mean funding it. His services were incalculable in this committee. When we consider his chairmanship of not only the Committee on Labor and Public Welfare, but also of the Subcommittee on Appropriations that has jurisdiction over health expenditures and educational expenditures, and consider that the bill he offered in 1958, the National Defense Education Act—which is counted as the breakthrough legislation for all of this vast body of educational legislation of the past 10 years—his authorship, and his steering of that legislation through a closely divided Senate, because there was a difference in number of only one vote between the parties on both sides of the aisle, and consider all of the pitfalls through which that breakthrough legislation went and all of the legislation he has handled since that time, we realize that his is a service so great that it is unsurpassed in the history of the Senate.

In his 45 years of service in Congress, and most of that time in the Senate, I do not believe that in the field of legislation for the betterment of the American people, when we consider all of the fields that he has worked in, any man in the history of Congress has ever exceeded the service rendered by Lister Hill.

Lister Hill is kind, modest, reserved, not given to flamboyant argument. Little is known of his service.

If we were to have five pictures placed in the anteroom of the Senate and wanted to pick five Senators who have rendered the greatest service to the people of the Nation, Lister Hill would have to be on that list by any measurement for the improvement of the people in the world through education, the alleviation of suffering, and especially for his great work with the institution of heart disease, cancer, and stroke legislation and his work to extend the length of human life, his work to relieve the pain of people, his help with the mentally retarded, with children, with the Institute for the Blind and the Institute for the Deaf, we would be here until midnight if we were to consider all of the fields in which he has shown leadership.

Lister Hill has never jimmied a bill through the Senate. He has been the epitome of honor, character, and integrity. No one has heard a word spoken publicly or privately to reflect on the character of Lister Hill. He stands on the pinnacle when we consider the kind of man we want a public servant to be. He is a model for his State and Nation.

I wish I had the power of words to pay him the kind of tribute he has earned and deserves.

Mr. President, the Presiding Officer is the chairman of one of the subcommittees of the Committee on Labor and Public Welfare. He knows of the great public service rendered by Lister Hill.

Mr. President, I ask unanimous consent that there be printed at this point in the Record a copy of the resolution prepared and signed by the members of the Committee on Labor and Public Welfare and delivered to Senator Lister Hill yesterday at a meeting of the committee.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution of the Committee on Labor and Public Welfare of the U.S. Senate, Expressing Profound Admiration for and Best Wishes to Their Beloved Chairman, the Senior Senator From Alabama the Honorable Lister Hill

Whereas, our beloved colleague and distinguished Chairman, Senator Lister Hill of Alabama, is leaving us at the height of his career; and

Whereas, during his forty-five years in the Congress of the United States he has with courage and dedication committed his heart, his intelligence, and his vision and leadership to unceasing efforts to advance the health, education, prosperity and well-being of all our people; and

Whereas, his passion for human excellence, his thirst for ever-expanding knowledge, his command of the legislator's art, and his vast experience in the councils of government have benefitted and inspired all who have had the honor to serve under him; and:

Whereas, as Chairman of this Committee he has been our wise counsellor, our valiant leader, our generous benefactor and our kind friend:

Now, Therefore, Be It Resolved, That we, the Members of the Committee on Labor and Public Welfare, express in the official minutes of the Committee our profound admiration for his matchless record of contributions to our Nation, and our best wishes to him for a long, happy, and always fruitful life.

Wayne Morse, Oregon; Ralph Yarborough, Texas; Joseph S. Clark, Pennsylvania; Jennings Randolph, West Virginia; Harrison A. Williams, Jr., New Jersey; Claiborne Pell, Rhode Island; Edward M. Kennedy, Massachusetts; Gaylord Nelson, Wisconsin; Walter F. Mondale, Minnesota; Jacob K. Javits, New York; Winston L. Prouty, Vermont; Peter H. Dominick, Colorado; George Murphy, California; Paul J. Fannin, Arizona; Robert P. Griffin, Michigan.

TRIBUTE TO SENATOR RANDOLPH OF WEST VIRGINIA

Mr. YARBOROUGH. Mr. President, a few days ago the distinguished chairman of the Public Works Committee, the Senator from West Virginia [Mr. Randolph], spoke in my home city of Austin, Tex. He spoke at a convention there to people interested in roadbuilding.

His speech was widely noted in the press. It had very favorable comment throughout my State. We were proud to have him there. He was given a dinner in the home of one of our leading citizens. He was also given a public luncheon. The people could not pay him enough tribute.

We have the finest highway system in the Nation in my State. Perhaps it is second to California. Certainly, it is one of the finest three.

Knowing something about the leadership of the Senator from West Virginia with respect to the Public Works Committee, they knew of his great work.

In his speech, the distinguished Senator from West Virginia went beyond that matter and talked about the values of American life today, about values in work.

One of the two daily papers of my city, the large morning and afternoon newspaper, wrote an editorial about the Senator in an article under Comment.

The editorial commented not only with respect to the work of the Senator in the field of public works, but it also extemporized about his set of values of American life.

I ask unanimous consent that an article entitled "Responsible Leadership," published in the Austin Statesman of September 25, 1968, paying tribute to the distinguished senior Senator from West Virginia for his responsible leadership, be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Responsible Leadership

U.S. Senator Jennings Randolph of West Virginia, whose career includes a variety ranging from athletic coach and country editor to national public service, wandered from his primary subject—highway construction—at a road contractors' luncheon in Austin Tuesday, and strayed into the theme of "law and order."

It started with the statement: "If we are to solve many of our problems in America, it will be done by men and women who go back to work—"

Facing the weather-beaten faces of the outdoor men who build the highways and bridges, the Senator added, "We make a mistake if we attempt to pamper our children . . . we must discipline ourselves if we expect them to discipline themselves as they grow to manhood and womanhood. . . ."

"There are certain rules that are not to be violated . . . just give a little more time to your growing boys and girls . . . they need no more money, but more of your time. . . ."

The Senator won tremendous applause when he concluded his brief sidebar from the subject of interstate highways and financing, with this statement: "We ourselves must be responsible for leadership. We cannot allow thugs and hoodlums to obstruct and destroy America . . . and this is the frightening situation in your capital and in many cities of America."

With this approval, he switched back to bulldozers and bridges.

TRIBUTE TO SENATOR ROBERT C. BYRD OF WEST VIRGINIA

Mr. McINTYRE. Mr. President, as the second session of the 90th Congress comes to a close, I would like to note for the Record my personal admiration for the fine job which has been done for the majority party this year by the secretary of the Democratic conference, the Honorable Robert Byrd, of West Virginia.

Senator Byrd's West Virginia constituents have know of his prodigious appetite for hard work for years. As a member of the Senate Democratic leadership during this Congress, Members of the Senate from all corners of the Nation have come to respect Senator Byrd's attention to detail, leadership, and dedication to the public welfare.

Mr. President, this statement of mine was prepared without the knowledge of my good friend, the distinguished Senator from West Virginia.

TRIBUTE TO SENATOR SMATHERS

Mr. HOLLAND. Mr. President, as we come to the end of the 90th Congress, one of my principal regrets comes from my knowledge that my distinguished colleague, Senator George Smathers, is now retiring from the Senate.

I voice my high respect and affection for him and also my appreciation of the tremendous service which he has rendered to the Nation during his 4 years as a Member of the House of Representatives and his 18 years as a Member of the Senate, for a total of 22 years of very active service in Congress.

Mr. President, my close acquaintance and friendship with George Smathers has been of long existence.

When I had the honor to be elected Governor of my State in 1940, I met a young lawyer, perhaps 25 or 26 years of age, in Miami. He was tall, personable, and handsome. For some reason satisfactory to himself, George Smathers was serving as chairman of my speakers committee in that great area of our State. Of course, he rendered great service there, and our friendship has been close ever since that day.

I shall not attempt to enumerate his many services to our country—and they have been many. He was a lieutenant colonel in the Marines, serving in the Pacific during World War II. He served as an assistant attorney general of the United States after that time. I have already stated that, though still young, he has served 4 years in the U.S. House of Representatives and 18 years in the U.S. Senate. It has been a pleasure to have him as my colleague—and he has been a cooperative, loyal, and effective colleague in so many matters that I shall not attempt to enumerate them.

In our State of Florida, he has been a leader in the political party to which both of us belong. In 1960, under the laws of our State, he was named by the Democrats of Florida as our favorite son candidate for the Presidency. It was my honor and pleasure to make the nominating speech for him in the convention at Los Angeles in 1960.

Again this year, 1968, through our election process, he was named by the Democrats of Florida as our favorite son candidate for the Presidency. Again it was my pleasure, this time as chairman of our delegation, to prepare to nominate him for that candidacy. It happened that Senator SMATHERS thought that the interests of the Nation and of our party could best be served by his not having his name placed in nomination, so that course was followed. Nevertheless, I think that my own high regard for Senator SMATHERS, and the high regard of my State, and some of the outstanding things in his personal and legislative record, as well, are shown by that speech which I had carefully prepared to meet the 5-minute limitation which was imposed upon us.

I ask unanimous consent to have printed at this point in the RECORD that undelivered speech, which will thus be preserved for posterity, and I shall be happy to have it so preserved. I do not know whether he will be happy about it.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

Proposed Speech at Democratic National Convention, Chicago, Ill., August 1968, Nominating Florida's Favorite Son, Senator George A. Smathers

Mr. Chairman, my Fellow Democrats: I bring you warm greetings from almost two million registered Democrats of Florida, the Sunshine State.

In these perilous times when our existence as a nation is endangered our overwhelming desire should be to find a leader, a Chief Executive, behind whom the American people will unite.

We Florida Democrats offer to the Democrats of America such a man who by training, temperament, experience and outstanding ability is well qualified to provide the needed leadership. We offer as our nominee for President, our State's Favorite Son, my colleague, Senator George Smathers.

A native of New Jersey, born of North Carolina parents, transplanted in early life to the challenging environment of fast-developing Florida, he has achieved his present high stature by waging successful battle for his advancement.

George Smathers began public service at the University of Florida where he earned his academic and law degrees, showed his mettle as an outstanding scholar and athlete and became the recognized leader. The climax came when he was elected without opposition as President of the student body. In World War II he was a Lieutenant Colonel in the Marines with a distinguished record. After serving capably as a Special Assistant to the Attorney General of the United States, he was elected to the House of Representatives in 1946 over an eight-year veteran of the House. After serving with distinction for four years in the House, our nominee ran for the Senate, waging a successful campaign against an outstanding veteran United States Senator of fourteen years service. Since then, for eighteen years, with no appreciable opposition, he has served Florida and the nation capably in the Senate.

Among George Smathers' legislative accomplishments in the Senate, he was the leader in effecting the difficult repeal of two wartime excise taxes. As chairman of the Senate Small Business Committee, he worked unceasingly to give small business better opportunity. He was the first to conduct hearings on the plight of small businessmen in the high crime areas in the ghettos of big cities and was one of the leaders in providing insurance for merchants and shopkeepers in those areas.

For years as Chairman of the Senate Special Committee on Aging and as ranking majority member of the Senate Finance Committee he worked diligently for our elderly citizens.

His keen sense of fiscal responsibility is shown by his outstanding contribution this year as one of the two bi-partisan leaders who offered and supported to final passage the Revenue and Expenditure Reduction Act of 1968. Under that act the Congress increased revenue and substantially reduced expenditures, both of which objectives were so necessary to strengthen our nation's fiscal stability.

Senator Smathers' services to our Party have been many and successful. For four years he was Chairman of the Senate Democratic Campaign Committee in which post he succeeded the late, beloved Alben Barkley. In this vital work his untiring efforts were of great help in bringing to the Senate increased Democratic majorities in 1956 and 1958.

For six years he served as one of the three Democratic leaders in the Senate as Secretary of the Majority. In 1960, the late, beloved President John F. Kennedy recognized Senator Smathers' organizing ability by naming him as southern campaign manager for the Kennedy-Johnson ticket. This year he serves as Chairman of the Planning and Policy Committee of Florida Democrats in an effort to unify our Democratic campaign there.

As a harmonizer, an organizer, a tireless campaigner, an effective vote-getter, his record is one of proven success.

In yet another field, his record is highly impressive. No one has done more than he to bring about hemispheric solidarity between ourselves and our Latin American neighbors. Surely our nation needs more—much more—leadership in this vital field!

We Floridians know George Smathers as a neighbor, a great public servant and a true statesman. He has fought for our country in war, he has worked for its strength and advancement as a member of both Houses of the Congress, he has effectively served the Democratic Party, he has demonstrated qualities of leadership which are sorely needed to instill in our people the spirit of unity, the confidence and courage required to successfully meet difficult tasks at home and abroad.

We believe he can lead the Democratic cause to victory in November.

Fellow Democrats, fellow Americans, with great pride I nominate for the Presidency Florida's Favorite Son—Senator George Armistead Smathers.

Mr. HOLLAND. Mr. President, in closing I wish to say one thing more. I believe that the apex of his service to the public, to the Nation, was represented by his joinder with the Senator from Delaware [Mr. WILLIAMS] in the authorship and in the fighting for the enactment—for weeks on the floor of the Senate, and later for weeks and weeks in conference—of the Revenue and Expenditures Control Act of 1968.

It represents a very great service to our Nation as a whole—promoting fiscal responsibility, serving the cause of attempting to balance the budget, and also attempting to bring our balance-of-payments problem into solution.

In the sponsoring and support of that bill, not universally popular, I believe Senator SMATHERS rendered to his country and to our State a great service, and I wanted that to be specifically mentioned in my remarks. It is not by any means the only great service he has rendered, but I believe it to be the outstanding one.

I want the RECORD to show that I am grieved by the departure of Senator SMATHERS from the Senate, where he has served so ably and with distinction and effectively insofar as our Nation is concerned and certainly insofar as our State is concerned. I shall miss him greatly. I wish him well. He is still comparatively young. I hope he will continue to serve the public with the great distinction he has earned here. I want the RECORD to show how I feel about his leaving.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. HOLLAND. I am happy to yield to the distinguished Senator from West Virginia.

Mr. RANDOLPH. I am always happy when I am engaged in colloquy on the floor of the Senate with the Senator from Florida, especially because he has very real family ties in West Virginia.

Mr. HOLLAND. My mother came to Florida from West Virginia in 1888, and so long as she lived, she loved that mountain State, loved to take her brood of children back there whenever she could. Many of the happiest hours of my childhood were spent in West Virginia.

Mr. RANDOLPH. The World Series ended only yesterday, and it is appropriate to mention that the able Senator from Florida [Mr. HOLLAND] played baseball in southern West Virginia—and he played well.

Mr. President, I have been privileged to sit beside the junior Senator from Florida in this Chamber. He has been a very gracious seatmate. He has been generous in consultation. He has been very helpful many times in discussing with me the intricacies of legislation which has come from the Committee on Finance. I served under his able chairmanship on the Committees on Small Business and the Aging.

I have often thought—perhaps it is a simplification, but I want the RECORD to reflect my thinking at this time that—

From quiet homes and first beginnings
  Out to the undiscovered ends,
There is nothing worth the wear of winning
  But loyalty, and the love of friends.

That is, in essence, what the poet wrote.

Yes; I believe there is very real friendship of Members in this body, regardless of partisanship. I do recall, however, that Senator Smathers campaigned in West Virginia for Senator Robert C. Byrd and myself, in 1958, when we were elected to the Senate. This aid was valuable. But, Mr. President, we cross the aisle in this forum. And we do not stress politics today, but we talk of the understanding of friends, like Senator Smathers, who labor here.

I have enjoyed a truly worthwhile association with Senator Smathers, and I am gratified that we join in praise of this good colleague—this splendid legislative leader. We wish him continued health and happiness, success and service.

Mr. HOLLAND. I thank the Senator from West Virginia for his well-merited remarks with respect to the junior Senator from Florida. We shall both miss him greatly.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. HOLLAND. I am glad to yield to the distinguished Senator from Louisiana, the chairman of the Committee on Finance.

Mr. LONG of Louisiana. Mr. President, this week, at the last meeting of the Committee on Finance, we adopted a resolution expressing our high regard for the service of George Smathers as a member of the Committee on Finance. I ask unanimous consent that the resolution be printed at this point in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

RESOLUTION, COMMITTEE ON FINANCE, U.S. SENATE

Whereas, George A. Smathers, of Florida, served honorably and faithfully as a member of the Committee on Finance from May 18, 1954, to January 3, 1969, and

Whereas, George A. Smathers generously devoted his knowledge and energy to the consideration of the many complex issues before this Committee during this period, and

Whereas, George A. Smathers unceasingly advanced the development of legislation relating to trade, government finance, and social welfare in execution of the broad responsibilities of this Committee: Now, therefore be it

Resolved, That the Committee on Finance hereby expresses to George A. Smathers its sincere appreciation and gratitude for his outstanding contributions to the fulfillment of the obligations of this Committee, and for his faithful and devoted service as a member of this Committee.

Given at Washington, District of Columbia, this 8th day of October, 1968.

Mr. LONG of Louisiana. Mr. President, it is a matter of deep regret to me to see one of my friends retire from the Senate in the prime of life and in the prime of his service to his country, to his State and, indeed, to the world.

My path crossed that of George Smathers many years ago. At that time, he was a counselor at Chimney Rock Camp, when my family sent me to that camp, in North Carolina. He was approximately 5 years older than I, and I profited from his sage advice at that time, and since that time.

I hope he will not resent too much my mentioning the fact that Chimney Rock Camp for Boys was not far from a camp for young ladies, and at that time he acquired the reputation which has followed him, and perhaps plagued him, thereafter as the young man at Chimney Rock most sought after by the young women. He was probably the greatest fence hurdler in the entire history of the camp, and he improved the public relations of Chimney Rock Camp with that fine camp across the lake.

When I came to the Senate in 1949, whom should I find in the House of Representatives but George Smathers. Seeing how easy it was to become a Senator, I suppose, he decided that he might as well run for the Senate, and 2 years later I met him in the Senate. From that time to this, I have had occasion to admire George Smathers as one of the great Americans of our time.

He was appointed deputy floor leader, and often served as majority leader during the absence of Lyndon Johnson, our great leader, who is now President of the United States, and they are very dear friends.

George Smathers has served with distinction on the Committee on Foreign Relations, the Joint Committee on Internal Revenue and Taxation, the Committee on Commerce, the Committee on the Judiciary, and of course, the Committee on Finance; and I am exceedingly proud that he has been a member of the latter committee. He has also served with great distinction as chairman of the Subcommittee on Small Business.

I am saddened by his retirement, because had he not counseled me so well at Chimney Rock Camp when I was 16 years old, he would have been chairman of the Committee on Finance, and perhaps I would be going into the lush field of private enterprise instead.

I have had a great deal of pleasure working with George Smathers, and I hope that he will not terminate his service to his Nation but will continue to be available to us, to advise and counsel on matters in this camp, the greatest of all camps, the U.S. Senate. His ability should not be lost. He is a statesman for all seasons, and I believe I join with all Members of the Senate in calling George Smathers our dear friend, and he will always remain our dear friend.

Mr. HOLLAND. I thank the distinguished Senator from Louisiana for his kind remarks, which are true. His recitation of the number of committees on which Senator Smathers has served with diligence illustrates the fact that the junior Senator from Florida is a very busy man, a very busy Senator, and gets a great deal of work done.

Mr. HARTKE. Mr. President, will the Senator yield?

Mr. HOLLAND. I am glad to yield to the Senator from Indiana.

Mr. HARTKE. Mr. President, I wish to join the senior Senator from Florida in paying our respect to a man who is going to leave this body. All Senators will miss him.

I recall the first time I met George Smathers. The occasion was in 1951 when he addressed the Young Democrats of Cleveland, Ohio. He did such an outstanding job there that all the Young Democrats wanted to nominate him for the Presidency at that time. Maybe that will be forthcoming in the future, but that was an experience for me. I had not yet entered politics on an organized level and it demonstrates how one can follow a man around.

As the Senator from Louisiana stated, when I came here in 1959 it was my privilege to be associated with George Smathers on both the Committee on Finance and the Committee on Commerce. He later left the Committee on Commerce and went to the Committee on Foreign Relations. Senator Smathers worked diligently, he is tenacious, lovable, excitable, and intelligent. I know of no man who holds the respect of this group any more than the distinguished Senator from Florida and we certainly are not going to miss him because we hope he will continue to be with us. I hope he will continue his interest not only in politics but also in government.

Mr. President, I wish to add a footnote. In 1960, George Smathers was the chairman of the central campaign committee and I was vice chairman. He became national chairman for a man he was best suited for, the late distinguished John F. Kennedy. He took over the southern part of the United States as chairman. Without his ability in politics that campaign probably would have come to a different end and the small margin which President Kennedy received at that time could be credited to George Smathers, who was the chairman of the southern delegation.

So, George, rather than treating you with the usual respect, I wish to say that I have enjoyed being with you, and I know I will continue to be with you, even as you leave the Senate.

Mr. HOLLAND. I thank the Senator for his kind remarks.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the junior Senator from West Virginia.

(At this point Mr. Hartke assumed the chair.)

Mr. BYRD of West Virginia. Mr. President, I wish to join in the accolades that have been expressed today concerning the great Senator from Florida [Mr. Smathers].

It has not been my privilege to serve on any committee with him, but I have enjoyed my service with him here on the floor of the Senate. I have utilized, as best I could, and I think to good advantage, the advice and counsel which he has accorded me always.

I want him to know that it is my hope that some day he will be back as a Member of this body. In any event, I look forward to his visiting with us from time to time. I trust that the best in life will be his, and that he will enjoy every success while he is no longer with us.

Mr. President, my distinguished senior colleague [Mr. Randolph] appropriately used a bit of verse in his closing remarks concerning the able Senator from Florida. Therefore, if I may join him in a bit of verse, it is this:

'Tis the human touch in this world that
counts,
The touch of your hand and mine.
Which means far more to the fainting heart
Than shelter and bread and wine.

For shelter is gone when the night is o'er
And bread lasts only a day.
But the touch of the hand and the sound
of the voice
Sing on in the soul alway.

To you GEORGE, my good wishes always.

Mr. HOLLAND. I thank the distinguished Senator from West Virginia. I am glad somebody in the Senate likes to quote appropriate poetry. Apparently the Mountain State sends poem lovers over here and I am glad they do.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. SPARKMAN. Mr. President, I wish to join Senators in paying respect to our friend who is retiring so early that I hope it does not start a custom in the Senate. It might put some pressure on some of us who are a little older.

I have had the pleasure of knowing and serving the entire time that GEORGE SMATHERS has been in the Senate. I knew him when he was in the House of Representatives. I had the privilege of serving on two different committees with him, the Committee on Foreign Relations and the Select Committee on Small Business. GEORGE has always done outstanding work in the Committee on Finance; he could always be depended upon to do the job that there was to do. GEORGE has had a wonderful record in the Senate and we are going to miss him. I hate to see him go, but as he goes he has all of our best wishes.

Mr. HOLLAND. I thank the distinguished Senator from Alabama.

Mr. President, at this time I would like the RECORD to show that the senior Senator from Florida thinks that the junior Senator from Florida could have continued in the Senate just as long as he desired, if he had wanted to do so. Nobody in our party would run against him and I do not believe anybody in the other party would. I want the RECORD to show that in my judgment that is a measure of his strength in the State of Florida.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. WILLIAMS of New Jersey. I thank the Senator for yielding.

Mr. President, under the Constitution each State has two Senators, of course. New Jersey has always thought that it had three Senators. Senator SMATHERS was born in Atlantic City. His Uncle Bill was a U.S. Senator. So we have always claimed him by reason of his birth. We have always claimed you, Senator. Now we hate to lose you. Although you are leaving us we know you will always be with us. It has been a pleasure, indeed.

I would only mention that through committee changes I will end up as chairman of the Special Committee on Aging, and I now feel I am getting a little older every day.

Mr. HOLLAND. Mr. President, I hasten to add for the RECORD, that as far as being chairman of the Special Committee on Aging, neither of the two Senators has the right to serve because of their own age, although they serve with great diligence.

I yield the floor.

Mr. BYRD of West Virginia obtained the floor.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. SMATHERS. Mr. President, I do not wish to make a valedictory but I would not be true to myself if I did not express in some measure the gratitude which I feel. I shall be very brief.

I think one of the reasons the Senate is the great body it is has been demonstrated in the last few minutes, when all of your friends, who know you best, know your many weaknesses, many misfortunes, failures and shortcomings, are nevertheless willing to stand up and publicly overlook those things and brag about the few virtues and the few things you have accomplished. It is no wonder everybody who has the privilege to serve in this body loves to serve in the Senate.

Certainly, had it not been for the fact I had contracted some sort of disease, apparently when I was in World War II, which continues to plague me, I would not be retiring from the Senate at this time.

There have been many rewards and I could stand here for hours and fill the RECORD with all kinds of good things that have come to me and my family from having been permitted to serve in the Senate. I must say every bit of it is made worthwhile by the friends one is privileged to meet here.

I do not have time, and I shall not take time to remark individually to each one of you who has been kind enough to say something about me. There is no other reward, no other compensation that can come to a Senator than being permitted to serve with such a wonderful group of men such as those who have spoken, and those who have not spoken but for whom I also feel great friendship and admiration. All of it has been worthwhile.

As time goes on, I shall have the opportunity to talk to each one of you individually and tell you how highly I think of you and how grateful I am for your friendship over the years.

I am confident that our country is in wonderful hands. I feel secure in the knowledge that men like you are serving this great country.

In many ways, I wish it were possible for me to continue to serve as I have served. I am hopeful that, as has been expressed, conditions may be such that I may be able to serve again in some other capacity at some future date.

The men who make up the U.S. Senate are the finest group of men that could be assembled anywhere, not only in this country but also throughout the world. I have been very privileged to have been one of those 100 men and to have made the good friends I have been permitted to make.

I thank you all very much for what has been said.

CRIME AND VIOLENCE IN THE DISTRICT OF COLUMBIA

Mr. BYRD of West Virginia. Mr. President, yesterday I placed in the RECORD volumes 1, 2, and 3 of the transcript of the hearings which I conducted earlier this year as chairman of the Subcommittee on the District of Columbia, which hearings were closed hearings for the protection of witnesses, with regard to lawlessness in the District of Columbia.

In my floor speech yesterday, I called attention to the fear and frustration confronting the business people in the Nation's Capital.

I am going to insert the remaining transcripts of the hearings today, with the exception of one portion which is awaiting the scrutiny of a participant who asked to see the transcript of his own words. Through inadvertence, the transcript was not supplied to him in time for its inclusion here. It will be kept in the files of the committee.

Mr. President, I invite particular attention to a few of the problems confronting policemen in the District of Columbia. I shall not go into them at length here, or take the time of the Senate. The hearings which I shall place in the RECORD will be quite revealing.

In order that the identities of the policemen, firemen, and other individuals would not be disclosed, I have tried to delete every reference by which their identities might be traced, and I hope that I have omitted none.

Numerals have been used as well as letters from the alphabet. Moreover, I did not call the witnesses in numerical sequence.

One of the police witnesses has since been killed in the performance of his duty.

Mr. President, policemen in the District of Columbia generally have expressed the view that the courts have made it more difficult to enforce the law.

Two sample statements in this regard are as follows:

> Senator BYRD. Mr. 13, you are a policeman. What in your judgment is the single greatest problem confronting the policeman in the District of Columbia, in his efforts to enforce the law?
>
> No. 13. I don't know whether I can classify them, but one of the first would be the courts. We are getting maybe not cooperation, but there is no deterrent now to a criminal out there.
>
> * * * * *
>
> No. 19. The rising crime rate, and taking a person into court and having him arraigned in the morning and back on the streets in the afternoon to repeat the same offense again is not helping the police in their effort to control crime.

Mr. President, there is also a feeling among policemen that they do not enjoy the support of the community. Many policemen feel that they are subjected to harassment by civil rights organizations. The following statements are typical and will illustrate what I have just said:

> No. 13. Well. I will put it this way. We feel if we arrest a white man, he has violated the law, we have no problem, he is not going to fight us. We can give him a ticket or we can take him to the station and he will go on to court, if he feels that he is unjustly charged, but he doesn't then go to some organization and start making a lot of complaints about me, accusing me unjustly of being discourteous or maybe if we had to arrest him and had a little scuffle with him, if he got a little bruise on him he will complain about police brutality. I don't get that from the white man but I will get it from

the Negro, I am more apt to get it from the Negro.

* * * * *

No. 19. I don't think our problems here are any different from any other large city in the United States. I think all the police departments are suffering because of the same abuse that is being heaped upon them. We have certain pressure groups who are out to beat the police every chance they get.

Mr. President, I think that I should also state that it was the general opinion of policemen that the law-abiding Negro community in the Nation's Capital is just as desirous as are law-abiding people in the white community of having the laws enforced. There were several indications that law-abiding Negroes experience a high degree of fear of bodily harm and destruction of property. I shall cite an illustration from the police testimony which will indicate this.

Senator Byrd. Are Negroes asking for more police?

No. 1. I have been in these Negro homes and they are crying. The other night I had four old women in their home just crying. They had been broken into. One was 75 years old. Come in and found them inside ransacking their house and all. They just passed her just like the time of day, walked out with their TV and all.

Senator Byrd. Do you have Negroes who back you up and give you their support?

No. 1. Well, I mean they just don't know how to go about it, but I believe they would back you up. I have had some come down and give statements, you know, as to conduct.

Mr. President, on this same point, I think I should state that while Negroes commit most of the serious crimes in the District of Columbia, most of the victims, in varying degrees, are also Negroes. I call attention to the following statistics in this respect which have been supplied to me by the District of Columbia Police Department:

PERSONAL CONTACT OFFENSES

[In percent]

	Distribution—Fiscal year 1967			
	Complainants		Persons arrested	
	White	Nonwhite	White	Nonwhite
Murder-manslaughter	15.2	84.2	11.4	88.6
Rape	25.6	74.4	2.6	97.4
Robbery	49.0	51.0	5.7	94.3
Aggravated assault	16.2	83.8	8.6	91.4
Total	26.6	73.4	7.1	92.9

For fiscal year 1968, the Department was able to supply only the figures concerning arrests. They are as follows:

[In percent]

Persons arrested:	White	Nonwhite
Murder-manslaughter	7	93
Rape	3	97
Robbery	4	96
Aggravated assault	8	92
Total	6	95

Mr. President, the crime problem being the domestic problem of greatest concern, I believe in spreading all of the facts on record. Glossing over the facts renders a disservice. The public should know the true picture if the problem is to be approached realistically.

I do not maintain that these hearings have developed every fact there is to know about crime in the District of Columbia. I do maintain that they reveal, in many respects, some aspects of the crime and law enforcement problem which are ordinarily not published, not openly discussed and, therefore, are usually kept from public view.

I believe that the public is entitled to this frank and uninhibited testimony so that, in the long run, everyone will be best served.

I realize that the hearings have been voluminous and that they take considerable space in the Record. I know something about the cost of each page in the Congressional Record. But, Mr. President, during my 10 years of service in the Senate, I have not tried to take undue advantage of the Congressional Record. I have perhaps contributed my share to the Record, but in this instance I feel that the inclusion of the material is justified, and will also serve a purpose—and a good one—in the long run.

During the years that I have served as chairman of the subcommittee, I have tried to approach matters affecting the Nation's Capital most candidly in all the hearings I have conducted, as they will show. In so doing, I have drawn criticism from some quarters but I have conformed to what I considered to be my duty.

I trust that I have borne that responsibility in a proper way as chairman of the subcommittee over these many years.

The Nation's Capital is my Capital. I have tried to serve its best interests. I hope that I have made some contribution to its betterment.

The 90th Congress is drawing to a close. I hope that my assignment as chairman of the subcommittee will terminate when we meet again in a new Congress. Eight years is a long time to have served in that capacity. I think I have done my share. In the event the opportunity does not again occur, I take this occasion publicly to thank the other members of the subcommittee—particularly the President pro tempore, the Senator from Arizona [Mr. Hayden]—for the cooperation they have accorded me, for the advice and counsel they have given me, and for the good work they have done.

I also wish to thank Mr. Harold Merrick and Mr. William Jordan and others on the Appropriations Committee staff for their faithful service to me.

I desire, moreover, to thank my own office staff for the great help they rendered me over the years.

My gratitude also goes to the officials and employees of the District of Columbia government who have cooperated and worked with me. The service of all these people should not go unnoticed. They merit every praise.

Mr. President, one final thought and I am done.

I wish to express not only my gratitude to Representative Natcher, of Kentucky, chairman of the House Appropriations Subcommittee on the District of Columbia Committee, but also my praise and admiration for the very capable work he has performed in that position. I could have had no better cooperation from anyone. I pay tribute to his knowledge, his courage in dealing with District appropriations matters. His courtliness and courtesy at all times could not have been excelled.

Mr. President, I ask unanimous consent that the remaining volumes, 4, 5, 6, 7, 8, 9, 10, and 11 of the transcript of the hearings be printed in the Record, in order that the work may be complete.

There being no objection, the volumes were ordered to be printed in the Record, as follows:

[Volume 4]

THE U.S. SENATE: REPORT OF PROCEEDINGS, HEARING HELD BEFORE SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA OF THE COMMITTEE ON APPROPRIATIONS

U.S. SENATE, SUBCOMMITTEE ON THE
DISTRICT OF COLUMBIA, OF THE
COMMITTEE ON APPROPRIATIONS,
Washington, D.C., May 7, 1968.

The subcommittee met, pursuant to recess, at 6:25 p.m., in Room 105, Old Senate Office Building, Senator Robert C. Byrd of West Virginia (Chairman of the subcommittee) presiding.

Present: Senator Byrd (presiding).

STATEMENT OF WITNESS NO. 13

Senator Byrd. Mr. 13, you are a policeman. What in your judgment is the single greatest problem confronting the policeman in the District of Columbia, in his efforts to enforce the law?

No. 13. I don't know whether I can classify them, but one of the first would be the courts. We are getting maybe not cooperation, but there is no deterrent now to a criminal out there. If he is a juvenile, in many cases, in most cases he will be sent home to his parents if they will come and get him. If they won't come and get him, they will take him home.

Senator Byrd. Do you have the backing in your judgment of your superiors, the kind of backing you should have to enforce the laws that should be enforced?

No. 13. I would say that I don't believe that we have a strong backing that we need, that when an officer becomes involved in a case that they will go and stand behind him all the way. In other words, to get a policeman to work, he has got to feel that he has got somebody backing him. I don't say if he goes and does something wrong that we should protect him against wrongdoing, but if he is doing his job, he certainly has got to have strong backing from these complaints we get.

Senator Byrd. Let me ask you this question. At what level in your judgment is that strong backing most lacking?

No. 13. I would say it has to come from the top, all the way down.

Senator Byrd. When you say the top, do you have reference to the top in the Police Department or the top in the government of the city or the top in the Federal Government?

No. 13. It would seem to me that it should start with the Mayor of the City. That we are working for him, and he is certainly going to have to say. "These are my employees, and if they are right, I am willing to back them. I am going to protect them from these unwarranted charges, allegations."

Senator Byrd. Of course the present Mayor hasn't been in office long.

No. 13. No.

Senator Byrd. But I would infer from what you have said that this lack of backing is not something that is new.

No. 13. No. It has been going on for quite a while, for several years. I don't believe that we have had the strong backing that we should.

Senator Byrd. Do you feel that you have the kind of backing a policeman deserves from the executive branch of the Federal Government?

No. 13. Well, they certainly have, the Federal Government certainly has given us pay raises.

Senator Byrd. I am not talking about pay raises. I mean the moral backing to go out there and pick up these criminals and they will stand behind you and that you should act firmly in enforcing the law.

No. 13. No. I feel we should have stronger backing.

Senator Byrd. All right. Now, the recent riots which occurred in Washington took place in part I suppose in your precinct, is that correct?

No. 13. Yes.

Senator Byrd. Would you briefly relate the incidents which were indicative of a disturbance, that it was erupting, and indicate what action was taken in your precinct to deal with the difficulty?

No. 13. Well, when the disturbance started in my area, it started first with the window smashings and a lot of looting started. And a short time later fires began to break out in these stores where the looting had occurred.

The policemen in the precinct, we all got on the scene. We were outnumbered, it must have been hundreds to one. There were thousands of people there, children of all ages, women, everybody, just like a holiday. In other words, they thought everything was for free down there. They were running and grabbing, holding dresses up to see if they fitted them. The officers there in this area, they started to arrest the subjects, but what officers that were there, they weren't sufficient. There wasn't near enough officers to control the situation. They had some tear gas. They used that. But some of the officers didn't have gas masks, so we were hurting the officers by the use of tear gas when it was used.

The firemen didn't have gas masks, so the use of gas was running the firemen away from the fires. They couldn't operate either. But even after these stores were completely looted, they then burned them. Now, that is what I don't understand, why they would burn the store after it was completely looted.

Senator Byrd. Let me ask this question. To your knowledge were police officers inhibited by orders from making arrests?

No. 13. No.

Senator Byrd. Were the police officers inhibited by orders from using their sticks?

No. 13. No.

Senator Byrd. Were the police officers inhibited by orders from using guns?

No. 13. I will have to qualify that statement. They have been instructed that they can only use the gun for probable cause and it is stressed to the officers that the only time when they are justified in using that gun is when they are unlawfully attacked by someone, and that is to defend their lives or when the arrest for a felony, he has tried all other means and they have been exhausted and then you may use your gun. But the officers are continually impressed about the use of the service revolver. They have to be careful with it.

In other words, they realize, the officers realize, we realize that if we use our gun, we can certainly be indicted by the grand jury, held for the coroner's inquest for the grand jury. One case has already occurred during the riots, so that an officer is very reluctant to use his gun. They have got to be extremely careful.

Senator Byrd. Suppose an officer shoots a fleeing felon to prevent his escape after all other means have been exhausted. Is this appropriate?

No. 13. It would be appropriate. It would be covered. But at the same time that officer has still got to go down before a coroner's inquest, and he may be held for the action of the grand jury and tried in court.

Senator Byrd. At the time of the rioting, were officers inhibited in any way from arresting the looters?

No. 13. Well, at the time when the fires started, we were outnumbered to such an extent and we had no transportation, that it was impossible to arrest him. Within a half hour after the rioting started in my area, we started booking cases charged with burglary. We did arrest them. But we were outnumbered to the extent where I think it was around 40 or 50 men, officers there in a large area where we would need to take hundreds to control a crowd like that, unless you had a lot of tear gas and could immediately start using it.

Senator Byrd. In your judgment, were the troops brought in soon enough?

No. 13 No.

Senator Byrd. Were there occasions of an impending disturbance which manifested itself early enough to have accommodated the bringing in of troops prior to the time they were brought on the scene?

No. 13. Well, when I watched the television shortly after the death of Martin Luther King, when it was announced, and all this on television about his speeches and making a hero out of him or whatever you might call him, I don't want to say anything that is degrading to him, of course, but that to me was enough to stir the people up emotionally, and I became so concerned that I called my precinct to see if there were any reports at that time of disorders, and later they called me back and said that there had been some disturbances. But to me I felt then it was a danger of trouble. That was around 9 o'clock Thursday night, 9:30.

Senator Byrd. At about what time did National Guardsmen first arrive in the area where you work?

No. 13. I heard that the National Guard troops were over at the Armory around noon on Friday. I guess that was the 5th of April.

Senator Byrd. Did you have problems with traffic congestion in your area?

No. 13. Well, there really wasn't any traffic moving in my area, because the fire hoses were across all the streets, and it was just completely blocked. There was no traffic moving through that area.

Senator Byrd. What is the attitude of your colleagues in the precinct where you work? What do other officers say? Let down your hair here. Just tell me what other officers say to you. Tell me how you feel about law enforcement.

No. 13. Well, I'll tell you, if something is not done soon, and very soon, we are going to have to give up and get out of town and turn it over to the thieves and these hoodlums that we have got running around here acting for causes, because we are really on the verge of a breakdown, a complete breakdown in law. It is more serious in some areas than people realize. It is not safe to go out on the streets.

Senator Byrd. What do your colleagues say to you? What do you hear them say?

No. 13. Well, they are pretty well disgusted about it, too. We are certainly not getting the support and backing that we should have, because we are going to have to start being a little—we are going to either have to start dealing firmly with these people or else things are going to get worse.

Senator Byrd. What is the population make-up in the precinct where you work?

No. 13. It is about 85,000 people, and I would estimate that somewhere around 80,000 or 81,000 would be Negro.

Senator Byrd. With regard to the police officers in the precinct where you work, about what percent are Negro officers?

No. 13. I would say around between 35 and 40 percent.

Senator Byrd. Is this an increase over what it was a year ago?

No. 13. Yes.

Senator Byrd. What do the Negro officers say about the situation involving law and order, enforcement of the law?

No. 13. I would say the majority of them are certainly concerned about it, too if they have been in the Department any length of time and are really dedicated policemen.

Senator Byrd. Do you think they share your viewpoint with regard to the breakdown of law and order and the lack of support from above?

No. 13. I don't feel that they are as concerned about it as I am, because many of them are just there for the job, just for the job. They are more interested in payday than they are really what concerns the conditions.

Senator Byrd. Yes. Now, we are talking about Negro officers.

No. 13. Yes.

Senator Byrd. Can you say the same about white officers, that many of them are there just for the job?

No. 13. I think that most of them who have been there any length of time, they wouldn't be putting up with this job if they didn't like police work and weren't dedicated officers, because I can't see any officer nowadays being involved with police work, being with these complaints that they have against them, unless they liked the job.

Senator Byrd. Am I to infer from what you have just said that the Negro officers don't measure up to the white officers?

No. 13. They certainly don't. The average Negro officers certainly don't compare to the average white officers.

Senator Byrd. He doesn't.

No. 13. No.

Senator Byrd. Why is that?

No. 13. I don't know. Apparently it is their attitude. Sometimes it is probably their education, but their attitude, maybe their background. They probably think different than we do about this.

Senator Byrd. Do they hesitate to arrest Negroes?

No. 13. They don't make as many arrests as the white officers in the same area, so to me it would indicate that they are a little hesitant to go out there and enforce the law like it should be.

Senator Byrd. What do Negro officers have to say with regard to the lack of strong support from above?

No. 13. I hear no complaint from them.

Senator Byrd. Are you in a position to hear complaints from them?

No. 13. I think I would.

Senator Byrd. No. 13, I want you to state for the record precisely the orders as best you can recall them under which you and your fellow policemen worked during the riot; in dealing with looters, curfew violators, et cetera.

No. 13. My orders from my officials, superior officers, were that we do not shoot looters as such. The only time that we could shoot a looter or one of these curfew violators would be when he would attack us and our life was in danger, but not to shoot a looter as such.

Senator Byrd. Were officers specifically under unders not to shoot looters?

No. 13. That is true.

Senator Byrd. Were officers under orders not to shoot individuals who were seen escaping from a burglary which they committed?

No. 13. That would be a looter and that would be my interpretation, that is correct, not to shoot those.

Senator Byrd. If an individual threw a Molotov cocktail through a store window and ran, and if no other means could bring about his apprehension, were you under orders not to shoot him?

No. 13. I had no orders regarding the shooting of arsonists, but under the present policy, I would hesitate to shoot an arsonist.

Senator Byrd. Why?

No. 13. Because I feel that we certainly have to go down before the court and justify our action, and the thinking nowadays is that you are not going to shoot anybody unless he is shooting at you first. They figure you can get a warrant for the man later.

Senator BYRD. Let's go back to the time of the riot. Were police officers laboring under the understanding that they could not shoot, that they were not to shoot individuals who heaved bricks through store windows, entered the stores and made off with stolen articles?

No. 13. That was the interpretation that I got from the orders that we received from our superiors.

Senator BYRD. Were these orders in writing?

No. 13. I think they were passed down verbally.

Senator BYRD. When were they passed down verbally, during the riot?

No. 13. The first that I had heard of it was about a year ago.

Senator BYRD. When subsequent to that time did you hear of such orders?

No. 13. That question was brought up last year among the officers and we wanted some policy regarding looters, what we were going to do or how far we could go in making the arrest, and it was our instructions at that time we didn't shoot looters as such, and I have no knowledge of that being changed prior to this past disturbance.

Senator BYRD. That was in the context of a disturbance which occurred last year?

No. 13. Yes.

Senator BYRD. Were they in writing?

No. 13. That was verbal as I understand it, passed down to us on the beat.

(Discussion off the record.)

Senator BYRD. Have there been any orders handed down to officers in your precinct to the effect that more caution should be exercised in arresting Negroes than in arresting whites?

No. 13. I think it is kind of an understanding that we have got to be extremely careful when we arrest these Negroes, because it seems like there is always somebody ready to complain and take up their cause and make complaints about brutality or other unjustifiable complaints regarding them.

Senator BYRD. Are police officers in your precinct under orders to treat Negroes differently than whites are to be treated?

No. 13. No, no orders to that effect.

Senator BYRD. Is the enforcement of the law to be more relaxed when it comes to arresting Negroes than in arresting whites?

No. 13. Well, in my precinct we used to arrest a lot more people, period, and that would be Negroes, than we do now. It has dropped considerably.

Senator BYRD. Do you have any idea of what the drop has shown?

No. 13. I think it has certainly shown that the officers themselves are very reluctant now to go out and arrest people, because they feel that they are certainly subject to these unwarranted complaints, and they feel for their job and for their own.

Senator BYRD. I may have misphrased the question. What was the nature of the drop? You spoke of a drop in the number of arrests.

No. 13. Well, the drop in drunks, especially disorderlies, there is very few disorderly cases made now compared to what there used to be. They keep reinterpreting this disorderly act until you get to the place now that you pretty near have to call the Chief of Police and Director Murphy and notify them when you are making a disorderly arrest.

Senator BYRD. Right on the nose now, are officers under orders to be more lenient in arresting Negroes than in arresting whites?

No. 13. No.

Senator BYRD. Are officers under instructions to make any distinction between the two?

No. 13. No.

Senator BYRD. In other words, are officers under instructions, written, oral or tacit not to arrest Negroes in some situations, whereas whites would be arrested in those same situations?

No. 13. There is a possibility that in cases that a white person would be arrested for certain violations where the Negro person might not be, because of the fear of complaints from different agencies.

Senator BYRD. But does that arise from any orders?

No. 13. No.

Senator BYRD. Oral, written or just——

No. 13. There are no order but apparently I feel sometimes it is just good judgment on the officer's part.

Senator BYRD. No. 13, the Metropolitan Police Department memorandum order No. 28, which has been read weekly at revolver inspections in all precincts for the past five years or more authorizes the use of the service revolver when the officer concerned has knowledge or strong evidence justifying a belief that a serious felony has been perpetrated, and that the person he is pursuing is the actual offender.

That has been the policy of the Metropolitan Police Department for a period of 10 years or more. Is that the policy of the Metropolitan Police Department today?

No. 13. That has been in the past, but it is certainly not the policy today, because I have seen many looters arrested in my area, and many of them escape from the officer running, and to my knowledge no one shot at them while they were fleeing the scene.

Senator BYRD. Why would an officer be hesitant to use the authority plainly made available to him by the common law, the police manual, the police training school and the general orders of the Metropolitan Police Department?

No. 13. I feel there are two reasons. One is that the instructions that we receive not to shoot looters as such, and when I say such, I mean one fleeing from the scene of his crime, and the fact that the officer certainly there is a possibility he would be charged with homicide, held for the coroner's jury, may be held for action by the Grand Jury and there is a possibility he would be indicted, and I think that is the deterrent or that is what prevented the officers from exercising the use of the service revolver.

Senator BYRD. No. 13, is it your opinion that an officer today would be more hesitant to use the authority granted to him under the law than he would have been 60 or 90 days ago, before this question came into such discussion within the Metropolitan Police Department?

No. 13. No. I think this is for the last year or so that this policy has been brought about. The instructions we have received has been at least for the past few months, not to go out here and shoot a lot of people or shoot these looters.

Senator BYRD. Do you recall instructions to officers on the streets during the riot to the effect that they were not to shoot looters?

No. 13. Well, my instructions that I had received from my superiors is we don't go out there and shoot looters.

Senator BYRD. Was this during the riot? Was this while the riot was underway?

No. 13. My instructions were when I asked my superiors, "Well, the orders haven't changed, we still don't shoot looters," and it seemed to me like they have taken pride in the fact that there were so many people and we never shot anybody.

Senator BYRD. Do I understand that officers received instructions during the course of the recent riots, which clearly indicated that officers were not to shoot looters?

No. 14. They were still reminded, we were still reminded of that order.

Senator BYRD. And this reminder came to officers during and in the course of the riots?

No. 13. That is correct.

Senator BYRD. There is no question about it?

No. 13. No question, not in my area.

Senator BYRD. Where did those orders come from?

No. 13. I assume they came from the head of the Police Department. It was passed down to the command.

Senator BYRD. Meaning the Chief or the Director of Public Safety?

No. 13. Yes.

Senator BYRD. Or are you in a position to know?

No. 13. No, I am not in a position to know where they came from.

Senator BYRD. But that order came to you?

No. 13. That came to me.

Senator BYRD. Was it in writing or was it oral?

No. 13. It was oral.

Senator BYRD. Was this order made known to you over the telephone or on roll call?

No. 13. Roll Call. It was brought up at our roll call, our instructions before we went on the street. Sometimes we had very brief roll call. We were cautioned to use good judgment out there and don't go out and shoot a lot of people, because we weren't shooting these rioters.

Senator BYRD. When you say that the orders were to not go out and shoot a lot of people, that doesn't tell us much. Were officers specifically instructed not to shoot looters?

No. 13. We were instructed at the roll call to not go out and shoot looters.

Senator BYRD. Were you instructed not to shoot looters if it would mean shooting into a crowd?

No. 13. Yes.

Senator BYRD. Or were you instructed not to shoot looters, period?

No. 13. The way I interpreted it, we just didn't shoot looters, period.

Senator BYRD. Of course we are not talking about children. We are talking about adult looters.

No. 13. Yes. I can't see anybody going out and shooting children.

Senator BYRD. No, not unless the child is about to take the officer's life.

No. 13. Yes.

Senator BYRD. Which is not beyond the realm of possibility, and some of these juveniles in this city are larger and stronger than you are.

No. 13. Oh, yes.

Senator BYRD. I have nothing else, unless there is something you would like to volunteer.

Yes, I have another question.

Suppose the looter is an adult person, and he has been seen by the officer to throw a brick in a store window, and he emerges from the store with a piece of stolen goods, a TV set, a radio or some item of considerable value, and the officer tells him to stop and he doesn't stop, and he continues to run. Does the officer under the instructions to which you have just referred have authority or a duty to shoot the fleeing felon?

No. 13. Well, I personally feel that it is the officer's duty to use every means necessary to arrest that felon, an escaping person. Ask him to halt. He can certainly identify himself. And if you have exhausted all other means that you then would be justified in using your weapon, shooting him.

Senator BYRD. But what about the instructions?

No. 13. Well, I can give you my personal feelings.

Senator BYRD. What about the instructions?

No. 13. I feel under the present instructions we certainly would be subject to criticism.

Senator BYRD. Have you been instructed not to shoot that individual to prevent his escape, if all other means have been exhausted?

No. 13. The way I interpret the instructions that we got, and I would consider him a looter and we wouldn't shoot him. That would be the way I would interpret the instructions that I received.

Senator Byrd. Do the instructions that officers are not to shoot felons confine themselves to felons who are looters?

No. 13. That was the order I received. They just specified looters. They didn't say anything about arsonists or other serious crimes.

Senator Byrd. We hear a great deal about community relations. In your judgment are the police doing all they can do to bring about and maintain good community relations?

No. 13. They certainly have good community relations with the responsible people in the city, but the ones that cause the trouble, we have no communication with them. Even the responsible Negro people in the city don't have any communication with them. So we have good community relations with the people that are not going to cause any trouble, period. We are not going to have any trouble with them anyway. The only thing that we can get from them is that they will back the police or back us up. But as far as helping us, they would be no help to us. I didn't see any of them on the scene of this disorder.

Senator Byrd. Do you feel that the responsible Negro citizen supports the police as they should support them in this city?

No. 13. Well, I feel they support the police, but they certainly don't speak up and make themselves heard, because I feel that they should take a more active part and prevent these Stokely Carmichaels and other people from taking over. They sit back and just let these other organizations take over. I feel they have certainly failed their job, because I feel this is their city and this should be one of the most important things they should be concerned with, and they are lacking there. They don't want to become involved.

Senator Byrd. Do you view law enforcement in your precinct as being something which is more difficult or less difficult, or without any difference whatsoever as it is applied to the white lawbreaker man for man as against the Negro lawbreaker?

No. 13. Well, I will put it this way. We feel if we arrest a white man, he has violated the law, we have no problem, he is not going to fight us. We can give him a ticket or we can take him to the station and he will go on to court, if he feels that he is unjustly charged, but he doesn't then go to some organization and start making a lot of complaints about me, accusing me unjustly of being discourteous or maybe if we had to arrest him and had a little scuffle with him, if he got a little bruise on him he will complain about police brutality. I don't get that from the white man but I will get it from the Negro. I am more apt to get it from the Negro.

Senator Byrd. Officer, I am very glad to see you. I appreciate your coming down.

(Discussion off the record.)

STATEMENT OF WITNESS NO. 19

Senator Byrd. No. 19, you are a policeman. Did any of the rioting occur in the precinct where you worked?

No. 19. Yes, sir.

Senator Byrd. What time did it begin and when?

No. 19. This would be hearsay. It would be about 9:30 Thursday evening, April 4th.

Senator Byrd. When were the first National Guardsmen brought into your precinct?

No. 19. National Guardsmen, I don't know, but the regular Army was brought in. The first unit arrived about 6:30 p.m. April 5th.

Senator Byrd. Did the National Guardsmen not get into your precinct?

No. 19. They did, but they were assigned to the fire stations, and I had no direct contact with them. Their assignment was fire apparatus only.

Senator Byrd. No. 19, in your judgment were the troops brought in as soon as they could and should have been brought in?

No. 19. Not knowing what is involved from the time of ordering them to duty until the time that they reported, I can't answer that question except to say if they had been there earlier, we would have not had the seriousness that finally resulted.

Senator Byrd. When was the curfew first instituted?

No. 19. I am not sure now whether it was Friday the 4th or Saturday the 5th, Senator. I don't recall.

Senator Byrd. It was not instituted on the night of the assassination of Dr. King, was it?

No. 19. No, it was not.

Senator Byrd. That was on a Thursday.

No. 19. That was on a Thursday, the 4th.

Senator Byrd. To your knowledge were requests made in your precinct for troops early on the morning of Friday the 5th?

No. 19. To my knowledge, no.

Senator Byrd. To your knowledge, was there any decision among the officers in your precinct early in the morning of Friday the 5th that the matter was beyond the control of the police?

No. 19. It became apparent in my precinct that we couldn't control it mid-afternoon of Friday the 5th.

Senator Byrd. Was your precinct the most riot ravaged of the precincts, or do you know?

No. 19. I don't think it was. In fact I am almost certain that there were other precincts that were harder hit than my precinct.

Senator Byrd. Were any special instructions given to officers in your precinct as to how they should handle rioters?

No. 19. Only to arrest as many as they could. We realized that we couldn't arrest all of them but we should arrest as many as we could, and this is the best we could do.

Senator Byrd. There have been rumors that police were not to arrest Negroes. Were officers told not to arrest Negroes?

No. 19. No.

Senator Byrd. Were officers told not to use their nightsticks?

No. 19. No.

Senator Byrd. Were officers told not to use guns?

No. 19. The question never arose about shooting looters, and apparently the men never felt that it was necessary, following the orders that had previously been given to just arrest as many as possible.

Senator Byrd. What do you mean by the words "previously given"?

No. 19. Well, the question is asked how do we cope with a number of rioters or looters, and the answer given was just arrest as many as you can, realizing that we can't get all of them, just do the best we can.

Senator Byrd. When was the question propounded?

No. 19. That was in the evening hours of the 5th.

Senator Byrd. In the evening hours of the 5th?

No. 19. Yes.

Senator Byrd. Or the evening hours of the 4th?

No. 19. It might have come up on the 4th but I am not in a position to answer.

Senator Byrd. So what was the question and what was the answer that you overheard with regard to the use of guns?

No. 19. It was never brought up in my presence about the use of guns. The question was never posed to me about shooting looters, and therefore I never had any occasion to answer such a question.

Senator Byrd. What was the understanding of officers in your precinct with regard to the use of guns?

No. 19. I can only go back, Senator, to the training that we are given as officers on many occasions in the past about the use of revolvers, bearing in mind that they should use them if it became a question of protecting themselves from serious injury or death or some other innocent person unlawfully attacked, but to use their revolver for some escaping felon, why, then it is a moral obligation that he has to decide for himself based on the seriousness of the crime and whatever else might present itself at the time.

Senator Byrd. Under the old common law, an officer had a duty to make an arrest of a felon, to use whatever force was necessary, and he was authorized to shoot a fleeing felon to prevent the felon's escape, if all other means had been exhausted.

No. 19. That is right.

Senator Byrd. Is this the law under which the police officers in the District of Columbia are presently operating?

No. 19. That is part of our instruction. It is included in our manual of instruction. It is included in a Department order that is issued. But still the moral aspect of this thinking is placed entirely upon the man.

Senator Byrd. I suppose that was always upon the man, wasn't it?

No. 19. Yes.

Senator Byrd. Even under the common law?

No. 19. Oh, yes.

Senator Byrd. But what do you mean by the moral aspect being placed upon the men? Is the officer of the law today under any restrictions or inhibitions in regard to their common law principle which we have just enunciated, which he was not under a year ago, five years ago or 10 years ago?

No. 19. He is under restrictions, Senator, in that it is publicly not accepted now as the thing to do. A police officer now is placed under quite a bit of criticism if he uses his revolver just to prevent escape of a fleeing felon. I think most of our officers are aware of this, and I think they are trying to keep criticism away from themselves personally, so therefore I am inclined to believe that the officers do restrict the use of their revolvers for that particular reason. I believe it is rather than be criticized for the use of the revolver to prevent the escape of a fleeing felon, they don't use it.

Senator Byrd. In other words, they hesitate to enforce the law according to common law principles because of criticism.

No. 19. If you are referring to the escaping of a fleeing felon being justified in the use of their revolvers, Senator, I am going to have to say yes.

Senator Byrd. Are you saying that policemen are afraid of criticism for their enforcement of the law? Let me put it this way. It is the law that a policeman shall prevent the escape of a fleeing felon by one means or another, and if all other means have been exhausted, he may shoot the fleeing felon to prevent his escape.

Now, are police not going to act according to this law, out of fear of criticism?

No. 19. I will answer yes to that.

Senator Byrd. From whom does the criticism stem?

No. 19. Mostly it is from your community and your pressure groups and the press, of course. I suppose they are bowing to the wishes of the pressure groups for their own personal gain. But it does have quite an effect on our police officers, and it does hamper them, yes.

Senator Byrd. Suppose the criticism mounts to the point that a policeman is excoriated if he uses his gun in the protection of himself, then what will the policeman do? Will he stop using his gun?

No. 19. No. We have never discouraged them from using their revolver when it comes to protecting themselves from serious injury or death, or serious injury or death to someone who has been unlawfully attacked.

Senator Byrd. Suppose a policeman during the riot saw an individual throw a brick through a store window, walk into the store, walk out of the store and make off with a television set or some other valuable article. Was the policeman, if he could not make an arrest in any other way, and if there was no danger of shooting into a crowd, and if the individual was an adult, was the policeman under instructions, written, oral or otherwise, not to shoot that fleeing felon to prevent his escape? That would be a burglar.

No. 19. Yes. During this riot there was nothing issued by me or to my knowledge by anyone else in the precinct which would discourage him from using his revolver. This is something that has been taught to the officer prior to this riot, and had been part of the verbal instructions that we have been giving the officers now for some time, and I might say this goes back possibly a couple of years that the officers have been put on the spot saying now the felony has been committed, the person is fleeing the scene. You know that you can't catch him. You have a service revolver that you must carry with you. Now the moral obligation to yourself, you have got to satisfy your own conscience. Does the crime that this person has committed justify the use of the revolver and taking a life.

Senator Byrd. Suppose the officer is confronted with an act of arson. Is he under any compunctions with regard to shooting the fleeing arsonist?

No. 19. You see, it goes back to the same thing as I said before, Senator. Actually what has happened is there has been nothing issued to say that the officer should not do it. What has happened is they are putting the responsibility on the Private on the beat. You make the decision, and you are the one who must decide what to do. We hope you are right, and this kind of attitude.

Senator Byrd. How does law enforcement differ today in this respect from what it was 10 years ago, 15 years ago, 20 years ago?

No. 19. 20 years ago when a person had committed a felony and the police officer had done everything possible to apprehend this felon and he couldn't do it, and to prevent his escape, he did use his revolver.

Senator Byrd. He was under no such inhibitions?

No. 19. No, sir.

Senator Byrd. Restrictions?

No. 19. No.

Senator Byrd. In your judgment, has this adversely affected law enforcement?

No. 19. It definitely has, because the criminal feels secure. He feels that, "Well, if I commit a crime, why, they can't shoot me because they will be criticized for it. I feel the odds are in my favor." I think it definitely has affected law enforcement, and I think it has been the cause of the rising crime rate, or at least one of the factors that has caused the rising crime rate.

Senator Byrd. Let's say an officer hesitated because of his own personal feeling about the matter, to shoot a fleeing felon who had committed burglary, let us say, during the rioting, or theft. The officer may feel that this crime does not justify his taking the life of another individual. Does the officer's failure to act in such an instance create the possibility of another and more serious crime being committed perhaps at a later date by the same felon, thus setting the stage for even greater jeopardy to the life of the felon at a future time, and possible causing other persons to become the victims of even more serious crimes at the hand of that particular felon?

No. 19. Yes, it does.

Senator Byrd. In other words, if the felon gets away with looting the liquor store on the TV shop or the radio repair shop or the grocery store in this instance, the next time he may kill the store owner, or he may attack the store owner's wife and rape her. So in following out the string, the store owner's wife is raped or the store owner is murdered because the felon wasn't shot when he committed the earlier crime.

No. 19. To say that he would commit these other crimes that you have enumerated, Senator, I am not in a position to say yes to that. However, I will say that since he has gotten away with the first incident, he will feel secure within himself to commit the second incident, possibly maybe it is a burglary. And whether this pattern of committing burglary will even actually lead to crimes against the store owner's wife and possibly taking the life of the store owner could possibly be, but I couldn't give you a positive yes.

Senator Byrd. Oh, no, no one could.

No. 19. But I do believe it does encourage him to commit more crimes.

Senator Byrd. Yes, So when a police officer makes his moral decision, he could crank into that decision these other possibilities.

No. 19. Oh, yes, absolutely.

Senator Byrd. What is the attitude of the law abiding Negro citizens in the precinct in which you serve? Undoubtedly you have served in more than one precinct in your career. What is the attitude, and let's confine this question to the current attitude, what is the attitude of the law respecting law-abiding Negro citizens towards the policeman, as you view it? Do you have the support of the law abiding Negro citizen?

No. 19. Yes. I think by and large the majority of the Negro citizens in the precincts where I have served are definitely law-abiding. I think the unlawful element is a very small minority.

Of course, during this riot, when you speak of the actual burglaries that were committed, we had many so called law-abiding citizens who were participating, and they were acting as an opportunist. The window was broken. Others were inside the store. "I will join them and I will come out with a few items myself."

Senator Byrd. Of course they were old enough to know much better.

No. 19. Very much so.

Senator Byrd. They knew they were breaking the law.

No. 19. Yes, they did.

Senator Byrd. They were not law-abiding?

No. 19. Not in that instance, that is right.

Senator Byrd. Well, they were not law-abiding, period.

No. 19. Right. Prior to that time they could have had a perfect record, Senator, and we found this in some of the cases that were made. This is the first time, and they were adults, and this is the first time that they had been charged.

Senator Byrd. Yes, but if I go downtown tonight and throw a brick through a window, or let's say I see another individual throw a brick through a window and I walk in and stick a TV set under my arm. I am breaking the law.

No. 19. Very much so.

Senator Byrd. I know I am breaking the law.

No. 19. Right, sir.

Senator Byrd. I am not a law-abiding citizen.

No. 19. That is right, exactly so.

Senator Byrd. I may have been for the last 49 years.

No. 19. Yes, sir.

Senator Byrd. And if I get away with that, I may go another two years before I break the law again, and in between the two crimes, I am a law-abiding citizen, because I don't break any laws. But I don't consider those law-abiding citizens, people who, when the opportunity presents itself, take advantage of the law and commit crimes. I am talking about the law-abiding citizen who is the man who is going to respect the law and uphold the law and obey the law. He might run through a traffic light accidentally. He might run through a stop sign and not see it. He has broken the law. Everyone has done this at one time. But I mean to knowingly and willfully commit a serious crime against property or a crime against a person. This is not a law-abiding citizen who does that.

No. 19. No. The great majority of the Negro community are law-abiding.

Senator Byrd. Yes.

No. 19. Oh, yes.

Senator Byrd. And do the police have their support?

No. 19. I think they do, yes, sir.

Senator Byrd. What is the great problem confronting the policeman in this city? Is it lack of support from his superiors? Is it the lack of support from the press? Or is it the kind of clientele which he has to arrest? It is difficult, I suppose to arrest any criminal, but here in the District of Columbia, is it any different in your judgment from what it would be in some other city, or is it different from what it was 10 years ago?

No. 19. I don't think our problems here are any different from any other large city in the United States. I think all the police departments are suffering because of the same abuse that is being heaped upon them. We have certain pressure groups who are out to beat the police every chance they get. They just want to do whatever they can to degrade them in the eyes of everyone else, and unfortunately I believe the press is playing right into their hands, and they are definitely not helping our problem.

The rising crime rate, and taking a person to court and having him arraigned in the morning and back on the street in the afternoon to repeat the same offense again is not helping the police in their effort to control crime.

Senator Byrd. Does the police officer feel justification, in your viewpoint, that he does not have the support of the government from the top, let us say the Federal Government at the top, the executive branch, the city government at the top, the Congress? What is your reaction to this question?

No. 19. That is a rather broad statement, Senator, but let me sum it up this way. I believe that there are changes necessary in our system that could help the law enforcement officer, that could cause a downward trend in our crime figures. Do you start at the top? Yes. It has got to start possibly here with Congress, Washington being a Federal city, to give us the tools of our trade that we very definitely need and we have to have.

The laws are going to have to be such that we will have an area in which to operate legally, so that we can pick up a criminal, we can process him, we can take him into court, and know once he is in the court that he will be arraigned and once convicted, he will be taken off the streets, so that he can't victimize someone else, at least until he has been rehabilitated.

Senator Byrd. Let me ask you this question. The Director of Public Safety was reported to have made a statement to the extent that, and I am not quoting him exactly, but essentially he indicated that he would resign rather than order the shooting of looters.

No. 19. I wasn't aware of that.

Senator Byrd. Did you read about this in the newspapers?

No. 19. No, I am not aware of that.

Senator Byrd. Are you aware of the statement by the President to the effect that during the recent riots lives were saved, property was destroyed, but property can be restored and replaced and lives cannot?

No. 10. Yes.

Senator Byrd. What is the effect upon law enforcement in a statement like this? Of course, we all want to save lives. None of us want to see lives taken. But what do statements like this do to law enforcement? In your judgment, is this likely to be interpreted as a license on the part of the criminal element to go out and commit further crimes, that he is not likely to get shot, and it is an indication to the policeman that it is better to let the law be broken than it is to use his loaded gun?

No. 19. There is no question in my mind that the criminal will become more bold in his activity, when statements such as that are made.

As far as answering for the police officer, those that I have talked with have a divided opinion. Some would agree with a statement such as made by the President. Others would say, "Well, if we had shot a few in the beginning, chances are the amount of property loss wouldn't be as great."

Senator Byrd. And the loss of life might not have been great.

No. 19. The loss of life may not have been as great as what we did lose. Possibly it might take just a few to control and save a whole lot.

Senator Byrd. Well, how do you view law enforcement? Are you discouraged with the positions that are being taken by people in high office in these days, or do you feel that people at the top, and I am talking about the President of the United States, and I am talking about the Mayor of Washington, and I am talking about members of Congress, are you discouraged with the stands they are taking? Do you feel that their stands lack firmness, or do you feel that this is the right stand to take?

No. 19. I feel this way in controlling the criminal, Senator, is that the punishment must fit the crime, and there are certain elements in our criminal society that will never be rehabilitated. This is a way of life for them. I believe that we are starting too late for the bulk of the criminals who have already established a way of life. This should start with the juvenile offender. If we can't catch him as a juvenile offender, when he becomes an adult and he commits crimes, then I believe he should be punished according to the crime that he has committed.

I might even go so far, and I have said this before, that if it means putting a striped suit on him and a ball on his leg and put him on the street to sweep the street, if humiliation will do it, well, then, humiliation must be used. He must be humiliated, because after all my safety is at stake and my property is at stake and my family is at stake, if this man continues to be permitted to walk the streets. And whatever means is necessary to bring this downward spiraling crime, why, I think it must be done.

Senator Byrd. Do you know of any instance in which a proprietor of a business establishment in the city of Washington during the recent riot was physically present in his establishment or displayed a presence if not the availability of force, in which his establishment was looted or burned?

No. 19. Yes, I do know of a couple of instances where the proprietor did physically stay on the premises, and they told me that they were visible to the passerby on the sidewalk, with a shotgun, and their places were not touched.

Senator Byrd. Do you feel that the troops should have been kept in the city longer? I am not asking whether or not you feel 15,000 should have been kept here, but do you feel that troops should have been kept in the riot-torn areas of the city longer?

No. 19. It wasn't necessary to keep the full force of 15,000, but I do believe a show of force or a token force should have remained on the streets for some time after the riot. I do believe that they were taken out, that the total group was taken out too soon.

Senator Byrd. How do you view the forthcoming poor people's campaign?

No. 19. I think there are going to be some militants in the city who are going to take advantage of the presence of the poor people's campaign, and I do believe that they are going to create some incidents of disorder, and possibly revive some rioting.

Senator Byrd. Have you seen any indications of that, or have you heard any?

No. 19. Only hearsay.

Senator Byrd. Do you feel that in view of the continuing reports of arson in the riot-torn areas of the city particularly, and in view of the impending march upon the city, troops in a number, it doesn't need to be a large number, but troops should be moved back into the riot-torn areas?

No. 19. I think it would be an excellent idea if they were, not so much troops stationed along the sidewalk as we had them during the rioting. If they would just have a show of force, a motorized show of force in jeeps, I think it would have a great effect on these militants who might cause disorders.

Senator Byrd. You don't think it would incite them to disorders?

No. 19. I don't think so. I think it would curtail their activities.

Senator Byrd. What do you think the impact would be upon the law-abiding Negro and white citizen?

No. 19. I think they would welcome it.

Senator Byrd. What do you think the impact would be upon the merchants?

No. 19. They would welcome it.

Senator Byrd. I have no further questions.

(Discussion off the record.)

Senator Byrd. This is No. 7. You are a policeman. Was there rioting in your precinct following the assassination of Dr. King?

No. 7. Yes, sir, there was.

Senator Byrd. Was that one of the worst hit of the precincts?

No. 7. Yes, sir.

Senator Byrd. Would you briefly relate the facts concerning the riot as you observed it?

No. 7. Well, at about 1:00 a.m. on the 5th there had been some sporadic window breaking, some few places looted. I came in as a result of the total recall to duty. The situation as I understood it when I came to work was considerably more severe in some other locations of the city at that time.

All throughout the night we had several cases of what we referred to as burglary, breaking of windows and stealing from stores. However, to the best of my recollection, we did not have any arson cases during this night.

Senator Byrd. At what time, as you best recall, did the National Guardsmen appear on the scene in your precinct?

No. 7. Well, actually the National Guardsmen never did appear. The Federal troops appeared, sir.

Senator Byrd. At what time?

No. 7. At about 10 p.m. on Friday the 5th.

Senator Byrd. At what time in your judgment did the situation get beyond the control of the police in your precinct?

No. 7. Between 12 noon and 1:00 p.m. on that day, on the 5th, Friday.

Senator Byrd. And it was from 9 to 10 hours following that point before the troops arrived?

No. 7. Before they arrived in my precinct, yes, sir.

Senator Byrd. Should they have been brought in earlier?

No. 7. Without question.

Senator Byrd. As far as you know, when was the judgment made, as far as you have been able to hear or know or understand, within your precinct that the situation was out of control and beyond your control?

No. 7. Well, within my precinct, of course I was out there all the time, and I would assume that that determination was made by the Chief of Police or the Director of Public Safety, Mr. Murphy, who was also out on the street. Just what time they decided it was out of control, I don't honestly know, sir. To the best of my knowledge, the necessary paper was signed by the President about 4:00 p.m. on that day.

Senator Byrd. Do you think the situation got beyond the control of the people, the officers in your precinct, around noon or 1:00 o'clock?

No. 7. Yes.

Senator Byrd. Around one in the afternoon?

No. 7. Yes, sir. By that time there was considerable burning. We were only able to protect ourselves and the firemen, and looting was just going on everywhere along the line on Seventh Street.

Senator Byrd. What were the instructions to the men in your precinct with regard to making arrests?

No. 7. Well, the men were never actually on that day given any specific additional instructions, Senator. It is always our duty to arrest where we possibly can.

Senator Byrd. Were officers in your precinct given instructions not to arrest Negroes?

No. 7. No, sir.

Senator Byrd. Were officers instructed to be more lenient with Negroes than with whites who were suspected of committing felonies?

No. 7. No, sir.

Senator Byrd. What is the population make-up of your precinct race-wise?

No. 7. Well, it is 90-some percent. I couldn't give you an exact figure, but 90-some percent nonwhite.

Senator Byrd. What were the instructions to officers in your precinct with regard to the use of service revolvers?

No. 7. Well, there again, Senator, there were no additional instructions ever given during these hours of rioting. Actually it went on 7 days, really. The rules pertaining to the use of the service revolver were just exactly what they were before and what they are again.

Senator Byrd. There was no alteration of the rules during the riots?

No. 7. No, sir. There was none passed down from any superior officers. However, I would say the interpretation of the rules had to be an on-the-spot decision. It just wasn't feasible to make arrests like we would have under normal circumstances. We were so helplessly outnumbered that for any arrests it would take at least two officers and the use of one to transport him and we just couldn't spare the manpower at that time. It was just a case of survival, really.

Senator Byrd. Once the curfew was instituted, however, those conditions did not prevail?

No. 7. No, sir, that is correct.

Senator Byrd. At that time what were the instructions with regard to the use of the service revolver?

No. 7. There was no change in instructions. Like I said, no specific instructions were ever given about the use of the service revolver.

Senator Byrd. Then what were the instructions under which the officers worked during the riot?

No. 7. In regard to what specifically, Senator?

Senator Byrd. In regard to the use of the service revolver.

No. 7. The use of the service revolver is like I said before and after, there were no additional instructions. The instructions are that the officers are authorized to use their revolvers to protect their life, or the life of some other person unlawfully attacked, or to prevent the escape of a felon, when a felony has been committed in their presence, and the person they are attempting to apprehend, after every reasonable effort has been made to apprehend him without the use of the service revolver, then it is resorted to as a last measure to prevent the escape of a felon.

Senator Byrd. Is a looter a felon?

No. 7. Yes, sir, in the broad sense of the word he is a felon, sir. There could be possible cases where to be very technical, someone could take the merchandise from the store, drop it on the street and somebody else pick it up. That would not make the second thief a felon but the first certainly would be, and almost in all cases the thief who had it was the felon.

Senator Byrd. If an individual throws a brick through a window, walks into the store, makes off with stolen goods, he is a looter, and is a felon.

No. 7. Yes, sir, that is burglary under the D.C. Code.

Senator Byrd. If the individual enters the store, the door is open, someone else has already knocked down the door, a second individual walks through that door, and makes off with stolen goods, what crime has he committed?

No. 7. Burglary.

Senator Byrd. And that is a felony?

No. 7. Yes, sir. Now, that is a closed premises. That is not an open premises open to the public. Yes, sir, that is a burglary, technical classification is burglary 2, meaning an establishment not used as a residence.

Senator Byrd. And if an individual is in a store which is open for business, there has been no breaking and entering, but during a riot he makes off with a television set under each arm, what crime has he committed?

No. 7. Well, unless it was a television set for less than $100, that would certainly again be a felony. It is a grand larceny.

Senator Byrd. Does a policeman have the authority and/or the duty to shoot such a fleeing felon, if all other means have been exhausted in an effort to prevent the felon's escape?

No. 7. Yes, sir, he does, meaning yes to both questions.

Senator Byrd. Are the police officers in your precinct under any inhibitions not to follow this course of action?

No. 7. I would say in their own mind, yes.

Senator Byrd. Why would this be the case? Is there anything written to this effect?

No. 7. No, sir, not as a result of an order. I say this is within the officer's own mind. Realistically, what has happened here in the District, I am sure you heard that one of the officers who did just this, he shot an escaping felon, coming right out of the store——

Senator Byrd. Was this in your precinct?

No. 7. No, sir, it was not, but he has been held for the grand jury. I don't honestly know why. I can't imagine why.

Senator Byrd. Well, now, when you say that this feeling exists within the minds of policemen in the District, are you saying that such a feeling was created by this incident or was that feeling in existence prior thereto?

No. 7. I think both, Senator. That certainly was the icing on the cake. I don't mean that there aren't other policemen, that is, there are some policemen possibly, Senator, that are looking for a way to kind of shirk their duty anyhow, but most are not. Most are dedicated men.

Senator Byrd. Do you feel that the police officer has the kind of support from his superiors that he should have if he is to properly enforce the law in the District of Columbia? When I speak of superiors, I mean from his Captain and going on up to the top, to the Chief of Police and on above that to the Mayor and above that to the Justice Department, the President of the United States, Congress, et cetera.

No. 7. No, sir.

Senator Byrd. You do not believe that he has that kind of support?

No. 7. No, sir. I don't think he believes it, and I don't believe he does, and I don't think very many members of the force believe they do.

Senator Byrd. Would you like to elaborate? Where is the lack of support?

No. 7. Where does it stop?

Senator Byrd. Where does it stop and where is the lack of support most clear in the minds of the average police officer?

No. 7. I guess most police officers, and I would have to qualify this, most police officers point to the Chief of Police as the man who sets the policy and issues the orders. Personally I know that that isn't exactly the case. But I think that is the popular thought. The in-line supervisors I feel certainly for the most part all of the in-line supervisors came up through the rank. They know what the man in the street is up against and I am sure they all feel pretty much the same.

Senator Byrd. What do you mean by in-line?

No. 7. The sergeants, the captains, the district inspectors, the men who are out on the street supervisors, meaning those not connected with specific duties in headquarters, office duties.

Senator Byrd. How would you define the morale among the officers in your precinct?

No. 7. Morale is a hard thing to measure, Senator. It changes from day to day, oddly enough. When we got help from the Federal troops, morale went the highest I have ever seen it in recent years, because with the curfew and with the backing that we know we had, once the Federal troops came in here everybody that committed a crime got locked up.

Senator Byrd. Were the troops removed too soon?

No. 7. No, sir. I don't think so. I think that the timing was well.

Senator Byrd. Do you think the troops should have been removed when they were removed? I am not talking about their being retained in great numbers.

No. 7. You mean removed physically from the Precinct?

Senator Byrd. From the riot-torn precincts? Do you think some troops should have been left in the precincts longer?

No. 7. In my precinct, no, sir. I would say no. I would say there were no additional incidents that the troops could have prevented after that.

Senator Byrd. Have you had any arsons in your precinct since the rioting has stopped?

No. 7. About 22 or 23.

Senator Byrd. What about other crimes?

No. 7. Well, there has been continued looting of some of the stores. This is sort of an old thing, because some of the business people have just given up. They don't intend to come down and try to salvage what may be left in some of the stores. Of course much of this merchandise is in the basements, probably flooded with water, and it really is of very little value, and there is some looting of that still going on.

Senator Byrd. You say looting is still going on. Are you saying that there is a continuing high incidence of crime?

No. 7. Well, crime is always high there, sir. I am trying to say crimes that would be associated with the riots.

Senator Byrd. Well, if there were a few troops, perhaps mobile troops in the precinct, do you feel that this might have a decided effect upon the continued looting?

No. 7. Well, it does for awhile, Senator. People had never seen the Federal troops in Washington, at least in my time as a police officer, and it had a real sobering effect on a lot of them who thought they were going to get away with anything. But like everything else, after a few days of it, it got to be commonplace and they really didn't have that much fear of the troops.

Senator Byrd. Was it because they knew the troops wouldn't shoot?

No. 7. Well, the papers made it pretty clear that they weren't even carrying bullets in their guns. I think the papers had more of an insight of what the troops were going to do than the troops had.

Senator Byrd. In view of the continued looting, in view of the continued fires of undetermined origin in our precinct, in view of the apparent pessimism on the part of merchants in your precinct, in view of the forthcoming so-called Poor People's Campaign, do you feel that there should be a military presence in your precinct now?

No. 7. Senator, that is a difficult question to answer. Physically present out on the street? I would have some reservations about that.

Senator Byrd. Why?

No. 7. Because there is going to have to come a time when we do go back to normalcy, and——

Senator Byrd. Do you think that time will be during the Poor People's March?

No. 7. I doubt it, no, sir.

Senator Byrd. Then in the context of the question as I have asked it, and I don't want to put words in your mouth, in the context of the question as I have asked it, the continued looting, the continued fires, the fear on the part of the merchants, and the prospects of whatever may or may not happen with the march on Washington, would you think it better not to have any military personnel on the streets? Would you think it better to have a few stationed around with guns in sight? Or would you think it better to have a few traveling around in jeeps?

No. 7. Senator, I would rather have them nearby and ready. Traveling around, no. I think the job of protecting the District is something the Metropolitan Police should do.

Senator Byrd. I agree, but let me interpose a question there. They are unable to do it.

No. 7. I'll grant that, sir, by past performance. However, I do believe they could do it.

Senator Byrd. There is no reflection on the police department.

No. 7. I understand that, sir. But I believe it could be done.

Senator Byrd. They can't protect the bus drivers. They are continually harassed, robbed, assaulted, sometimes shot, killed. They can't protect women. They can't protect men. Crimes are on the increase. A man takes his life into his hands in walking in certain areas of this city, certainly at night, and a woman is in jeopardy at any time of the day. We hear varying reports as to what the marchers will do when they come into town. We have Stokely Carmichael in town. We have thousands of young defiant hoodlums on the street corners, continued arson, continued looting, crime on the increase, police understaffed, undermanned and under wraps really insofar as their support in the courts and other things are concerned. You still feel, do you, that there is no justification for troops in your precinct now, or let us say beginning this weekend.

No. 7. I certainly could not say there is no justification for it, no, sir. I couldn't say that. There certainly is plenty of justification for it, but I think that the police are going to have to face up to the fact that it is a job that is going to have to be done, and I think, this is a personal opinion, that once this city believes that the only thing that could protect them is the presence of Federal troops, I think that is something that has to go on forever. I think the stand has to be made short of that line. Admittedly right at the present, under the way we have been operating, we can't do it. We are not doing it. I have been in many other precincts, and I probably understand the philosophy of these people as much as it is possible to understand the philosophy of people of that type.

The only thing some of them understand is force. That is the only thing that is going to stop some of them. I think the police have to be given the order to use the force necessary to stop this thing. I think someone who would make a statement that has been attributed to some high city officials in other cities that you shoot this one and you don't shoot that one, you wound this one but don't wound that one and so forth, realistically they don't understand that that is impossible. There is no such thing as anybody, and I consider myself as an excellent shot, there is no such thing as wounding this one and killing this one and so forth. It doesn't work that way. Maybe that isn't what he said at all. But police officers must be given the order and they must understand that they are going to use the force necessary to overcome the lawlessness at hand.

Personally, I think it can be stopped that way, and I think once it is done, it might be a very sad thing on the day that it happens, and once it is done, I think it is going to end it.

Senator BYRD. That is the law. That is the common law, and that is why I said Mr. Daley shouldn't have been criticized. I thought he was just stating the law. Of course, in saying that I didn't have reference to his statements, and I am not sure that they were correctly reported, to the effect that one individual should be shot in the legs and another should be shot in the heart, one should be wounded and one should be killed, but he stated the law.

No. 7. That is true.

Senator BYRD. When he said that a fleeing felon should be shot to prevent his escape, if all other means had been exhausted, he was simply stating the law.

No. 7. I have to agree to that, Senator.

Senator BYRD. And a felon is a felon whether there is a riot going on or not.

No. 7. That is exactly right, and unfortunately when he gets away with it under riotous conditions, he thinks he has found the road to glory, the easy path.

Senator BYRD. Let's get back to this question, however. In consideration of the prospect of a sustained campaign of demonstrations, escalating into acts of so-called civil disobedience, with Carmichael and other firebrands in the city, traffic congestion being what it is sometimes, especially when trouble breaks out, the streets filled with cars, fire trucks can't even get to the fires, troops may find it difficult to get into the troublesome precincts then. Would an ounce of prevention be better than maybe that pound of cure which is going to come pretty late as it did the other day? And under all these circumstances, do you view the possible bringing in of a few troops at this point, letting them be seen, they could be traveling around in jeeps, do you view that as a precautionary act or as an inflammatory act?

No. 7. Oh, I certainly would view it as a precautionary act.

Senator BYRD. And would you recommend it? Would you think that this would have some encouragement to the merchants and to the law-abiding citizens and would it have the right kind of impact upon the criminal element, aside from being some additional assurance in the event that civil disorders suddenly erupted?

No. 7. Well, it certainly would have the proper and necessary effect, Senator, if it were done and it were publicized that they are not here just for show. It would have to be made clear to the public that they are not here putting on a parade. They are here to enforce the law that the Metropolitan Police haven't been able to enforce up to this time, and they are going to lend the additional necessary force. I think under those terms, yes.

Senator BYRD. You spoke earlier I believe of pressure groups, did you not?

No. 7. No, sir.

Senator BYRD. That was the policeman previous to you, I suppose. What are some of the special problems that confront the policeman today in the City of Washington that perhaps didn't confront him five years ago or 10 years ago?

No. 7. Well, for one thing, I guess it looks like the sense of values has changed somewhat. It used to be that a criminal was looked down on somewhat, but now he is the accepted man in society. The man looked down on is the man who is trying to earn an honest living, and the officer that is out here trying to enforce the law. But the criminal, he is a front page publicity man.

Senator BYRD. Is there any distinction drawn between the white criminal and the Negro criminal in this respect?

No. 7. I think only in this manner, Senator. We are in a city that is predominantly Negro. I can't blame all of our trouble on the press. But the press prints what their buyers want to read, I think. There is no such thing as a campaign in the press any more that I remember when I was a youngster.

Senator BYRD. Is more concern evinced over the Negro criminal than over the white criminal?

No. 7. In honesty, Senator, I guess I would have to say that that is true because everybody seems to have the idea that the Negro is a downtrodden person who we are responsible for, and we are going into personal opinions again. I can't agree with that. I think that we are responsible for people who are completely unable to do for themselves. I don't mind sharing what portion of my salary is taken for taxes when it is put to that use and I don't think anybody else and I certainly don't consider myself a racist, and I think in this day and age, personnel, competent personnel, a person can't be a racist. I think you have to accept a man for what he can do.

But to get back to the Negro, the one who can make it on his own likes to stand back and watch. He won't take part. He won't say to the others, "Look, I have done this, why don't you do it instead of laying back hollering for help." It is a vicious situation.

Senator BYRD. What percent of the officers in your precinct are Negro officers?

No. 7. About 30 percent or 39 percent.

Senator BYRD. In your observations of them, are they as dedicated to their work as are the white officers?

No. 7. I would say so, Senator.

Senator BYRD. Listening to them talk, do you gather the impression that they feel as do the white officers generally, to-wit, that the policeman does not have the support of his superior?

No. 7. I believe they feel that way, yes, sir. Of his superiors meaning just as we stated awhile ago, all the way up.

Senator BYRD. Yes, somewhere along the line.

No. 7. Yes, sir, some of his superiors.

Senator BYRD. Are they to your knowledge attacked and abused, villified, castigated, criticized and condemned by the Negroes in the community as are white officers?

No. 7. I think so.

Senator BYRD. In other words, are they up against the same problems that the white officer is up against when he goes to arrest a Negro citizen?

No. 7. Well, not always the same. I don't think they are as prone to holler police brutality, because that seems to be a racial thing. I don't recall a white person ever hollering police brutality. I am sure there must have been one some place, but I have never run across it yet.

Senator BYRD. Do Negroes charge Negro officers with police brutality, or is it usually a white officer?

No. 7. Well, they are more prone to charge white officers, make that accusation against white officers. I am not saying that there haven't been Negro police officers accused of police brutality. It is something that happens from time to time.

Senator BYRD. What do you think about the charge of police brutality? Can it usually be substantiated?

No. 7. No, sir. 98 percent of the time there is no basis in fact at all, and I would say this again. Our society being what it is, most policemen are not stupid enough that they don't realize that you can't abuse authority any more. Maybe that was done at one time. Maybe in some locations it is still done. But you can't do it in Washington. You are going to find all the trouble you can handle by somebody throwing it at you without going out there looking for any, and I think all the officers realize this.

Senator BYRD. Are you saying that instead of police brutality we have public brutality in Washington?

No. 7. Without question, without question.

Senator BYRD. Thank you very much. I appreciate your coming over here at this hour of the evening.

Is there anything else you want to say? I have no further questions.

No. 7. No. I can't think of anything, Senator, to say on the record. I would like to see a change.

Senator BYRD. In what respect?

No. 7. I would like to see the police be able to maintain law and order without calling on Federal troops for help, because the citizens know that the police are going to enforce law and order. They are going to be punished if they are apprehended. That it just isn't a joke that you are released on your own, well, almost released on your own responsibility to come back to court in many cases, on sometimes very serious crimes.

The criminal element just doesn't understand that. That is just considered no punishment. And it's not a cure to your crime situation. Crimes are committed by the same people over and over and over. It isn't a large percent of the population. It is a small percentage of the population. But they do the same thing over and over and over. The only thing they understand is when they are separated from society and can't do it.

That is the only answer to it, Senator.

Senator BYRD. All right, thank you.

(Discussion off the record.)

Senator BYRD. Mr. X, you are a businessman in this city. What in your judgment is the singlemost pressing problem confronting the average businessman today in the District of Columbia?

STATEMENT OF MR. X

Mr. X I would say restoration of law and order in the areas of the city that law and order seems to have deteriorated in. I don't see how you can get any rebuilding of the city, Senator, without law and order. I think that has to be No. 1.

Senator BYRD. Maybe you would just like to expound on that a little further.

Mr. X. Well, I think that one of the things that is very difficult to get is any kind of assurance, so I think before you can start building, rebuilding, you certainly won't be able to get any financing or any insurance. You can't get that unless you restore law and order.

Senator BYRD. Mr. X, what specifically in your opinion would have to be done with reference to the restoration of law and order, to bring about this healthy business climate in which business could flourish, in which business could be carried on?

Mr. X. I think that is also law enforcement. How to answer that, I don't know. But let me say this, though. In my judgment law and order didn't break down at the time of the rioting. I think law and order had been constantly deteriorating in the District of Columbia for many years prior to the rioting. I think that it just got worse. But law and order had been deteriorating for many, many years. I think this is one of the reasons that you find that much of the business community went to the suburbs, and they are going to go more and more.

You know one of the things that is sort of amusing, I don't think it really is amusing, but people talk about the black community being for the black merchants. Well, I have news for people. I don't think any real white investment, white investment or any investment, is going to go back into the community for white or black until you get complete settling down, the dust settled down in the community, for people to feel that the community will begin to flourish, business, in that merchandise and anything else brought into the community will be protected.

Senator Byrd. What you are saying is that the economy of this city has been hard hit, and the effects are going to be felt for a long time.

Mr. X. Oh, there is no question about that. I think also that there is much property taken off the District real estate tax rolls, and that is going to reflect itself in more than just real estate, too. It is going to reflect itself in income taxes of the citizens and employment.

Senator Byrd. When you talk with your fellow businessmen in this city, what is their attitude toward law and order?

Mr. X. Well, they feel that law and order has to prevail, and until law and order prevails, there will be no rebuilding of the community.

Senator Byrd. Do you hear merchants remark as to whether or not it is their intention to stay in the city or whether they intend to move into the suburbs?

Mr. X. I honestly have not heard one merchant of any size, I haven't heard of any merchant that said he is going to come back in the city.

Senator Byrd. What about merchants who were not hit by the riot? What is their attitude?

Mr. X. Their attitude is I would say reluctance. I wouldn't want to use the word "fear." I don't think it is really fear. I think it is just not knowing what is going to happen. You know, apprehension I think probably is the word I was looking for.

Senator Byrd. You are talking about merchants who were not touched by the riot?

Mr. X. Yes.

Senator Byrd. Let me ask you two or three other questions.

Mr. X. The big thing, and this is the Police Department's biggest handicap, is to get the merchants to come forward, and their reluctance is understandable.

Senator Byrd. Why?

Mr. X. Well, if you were sitting there with merchandise, sitting there with a store, even the ones who are partially destroyed, and knowing that it could happen to you again, you certainly wouldn't want to be revealed, nor would you want to testify publicly.

Senator Byrd. How do you feel about the troops? Were they brought in early enough?

Mr. X. In my judgment and from my knowledge of it, of course, you know, Monday morning quarterback, naturally I would say that anyone would say that if they had been brought in even on Friday night, I mean not Friday night but Thursday night when the first problem began, naturally it would have been better, but I think that is second guessing. I honestly believe that that is second guessing. I don't know. For example, they are having fires going on right now, one that I just mentioned. Shouldn't the troops be called in now?

Senator Byrd. What do you think?

Mr. X. Well, it is very possible, if the Police Department cannot contain or cannot protect the city, someone had better start protecting the city. In other words, what I am trying to say is at what point does someone know that something is going to explode into a major riot. Isn't it really a fact that the law enforcement of the city has been deteriorating for many years? I feel it is.

Senator Byrd. Should the troops have been removed when they were removed? Let me rephrase my question. Do you feel that the troops were removed properly or too soon from the riot-torn areas of the city? Do you feel that a few troops should have been retained in the riot-torn areas, or do you think they very properly were taken out and should have been taken out when they were removed?

Mr. X. Well, I don't like that question. The way I really feel about it, I would like to see some way that troops could be put into police uniforms. This is what I would like. I would like to see our law enforcement increased to use a figure, and I am not exaggerating the figure when I say to about 8,000 police officers instead of 3,000.

Senator Byrd. Yes. Well, it is unrealistic, though.

Mr. X. From the budgetary standpoint.

Senator Byrd. No, not from the budgetary standpoint, Mr. X. This Congress has appropriated all of the moneys that the city needed to fill its authorized positions. Whatever the authorized positions were, my Appropriations Committee has always provided the money. The number of authorized positions today stands at 3,100. But there is a practical problem. The Metropolitan Police Department has been unable, not because of lack of funds but simply unable to recruit men to fill those vacant positions, because of the lack of qualified applicants.

Now, if we can't fill 3,100, we can't fill 8,000. That being the case, and in order to protect the citizenry and the merchants of the city and the properties of citizens, do you feel that at least a military presence, it could be 100 men, it could be 200 men, it could be 500 men, they could be stationed on the street corners or they could be moving about on jeeps, do you feel that a military presence would have a good impact upon this city, if troops were stationed now in the areas where there have continued to be lootings and burnings, following the riot?

Mr. X. I certainly think that some kind of protection is needed in those areas, but I can't help but feel that some method can be found in which troops could be not recruited as Metropolitan Policemen necessarily, but given a leave of absence to serve as that, as part of their military service, or some vehicle found. I would prefer not to see our city, to me it is a disgrace if we have to resort to having troops on the street at all times. I know that it is necessary that the Police Department has got to receive some additional help, but I think that it is a disgrace. It certainly is going to hurt our tourist business even more than what it has been hurt.

Senator Byrd. But when you have to choose between two evils, one disgrace as against another, the second disgrace being the breakdown of law and order, the other indifference upon the part of the hoodlum element in this city toward law and order, then which disgrace do we choose?

Mr. X. You have to, naturally, law and order must prevail. There is no question about that. But I would like to see, Senator, some vehicle found to use the troops, because I don't believe—to use the troops as police officers, because I don't believe that our problem will be solved overnight; and I would not want to see us have the military on our streets for years, and it could very well be that we need a substantial increase in the police force over a very long period.

Senator Byrd. This Congress will underwrite any increase that the Police Department can fill. I have no doubt of that. If the men could be gotten, I would be willing to appropriate money for 4,500, 5,000, 6,000, 10,000, you name it. But they can't get the men to fill the jobs.

Mr. X. But could there be a vehicle found where the military——

Senator Byrd. I don't see how that possibly could be found. I don't see how we could possibly put military men in police uniforms in this city. When military men go into this city, they are to wear military uniforms. They are in the Army. They are military men. They wear military uniforms. They get military pay. They come under the insurance benefits that are provided for the military. It is either take soldiers, I mean it is either take the troops or not take them. And this is my question.

The present situation being what it is, with looting, burnings, continuing in certain areas of the city, Mr. Carmichael running loose in the city, hundreds or even thousands of young hoodlums in the city, law enforcement being what it is, the general attitude toward enforcing the law being what it is, in the criminal population, and also the opinions concerning law enforcement which exists among the law-abiding population, and in view of the forthcoming march on Washington, all of these things put together, the fact that we have been promised a hot summer, all of these things being what they are, do you feel that there should be some troops now in the high crime areas of the city?

Mr. X. I certainly think if we have no way of civilian law enforcement officers coping with it, we continue to have the number of arsons that we have been having, we certainly have to resort to the military.

(Whereupon, at 9:15 p.m. the hearing recessed.)

[Volume 5]

The U.S. Senate: Report of Proceedings, Hearing Held Before Subcommittee on the District of Columbia of the Committee on Appropriations

[Executive confidential]

U.S. Senate, Subcommittee on the
District of Columbia, of the
Committee on Appropriations,
Washington, D.C., May 8, 1968.

The subcommittee met, pursuant to recess, at 6:10 p.m., in room 105, the Old Senate Office Building, Robert C. Byrd of West Virginia (chairman of the subcommittee) presiding.

Present: Senator Byrd (presiding).

STATEMENT OF NO. 10

Senator Byrd. No. 10, how long have you had service in the Metropolitan Police Department?

No. 10. A little over 4½ years.

Senator Byrd. No. 10, you are a policeman. In your judgment, what is the greatest single problem confronting the police officer in the District of Columbia in his efforts to enforce the law?

No. 10. The main problem is the citizen support, I feel.

Senator Byrd. Would you like to elaborate a little bit on this?

No. 10. Well, I can name, for instance, Officer No. 11 that shot a man in this past civil disturbance. He was charged with homicide at the hearing, and there wasn't one word of support for him coming from either the citizens or City Council or anybody in the Police Department.

It happens daily that the policeman gets in trouble in the street protecting the lives and property of others, and nothing is ever said to back him up as far as supporting him and his judgment.

Senator Byrd. How would you describe police morale at the present time as opposed to before the riot? Has there been any difference in your estimation?

No. 10. No, sir, there hasn't been any difference, although I can say from hearing rumors and so forth that this incident that Officer Loraine was involved in has lowered if not hampered the morale problem.

Senator Byrd. Is that the incident to which you referred a little earlier?

No. 10. Yes, sir.

Senator Byrd. What single factor do you believe is most adversely affecting the police morale?

No. 10. Could you rephrase that again, sir?

Senator Byrd. First of all, how would you describe police morale at the moment? Is it good?

No. 10. It is fair; I'll put it that way.

Senator Byrd. What factor or factors affect the police morale at the moment, in such a way as to make it only fair rather than good?

No. 10. As I said previously, the support of the citizens of the District of Columbia. It seems that you are on the street here alone. If you need anybody's help, you are not going to get it the majority of times. Luckily, sometimes you would ask for some support if if you would get into a scuffle and everybody would stand by and watch.

Senator BYRD. What, in your opinion, could be done to improve morale in the Washington Police Department?

No. 10. Let each man think for himself. You hire a man, he is capable of doing the job. His background is investigated and he is over 21 years of age. He should know right from wrong, and when he does a job out here in the street, he should be given support of the Police Department, plus the city government.

Senator BYRD. Do you feel that you have any lack of backing from your superiors in carrying out your duties?

No. 10. Where I am now, no. I feel that the precinct I am in, we have the support from our superior officials.

Senator BYRD. Do you feel that this support goes all the way up the line, all the way to the top?

No. 10. I couldn't say, sir.

Senator BYRD. What is your impression of the kind of support you get at the top, let's say from the Chief of Police, and going above that, from the Director of Public Safety, Mr. Murphy; going above that, from the Mayor of the City, Mr. Washington?

No. 10. That is all I know. We had a meeting one time. Mr. Murphy and Mayor Washington came to it, and told us that they would back us up on the street out here, and I think since then three police officers have been shot down. Of course, nothing can be done about that. That is just part of the job. But it seems that when an officer does a good job he should be rewarded, not by monetary, by statements in the paper to that effect by the City Council, the Mayor, and so forth.

Senator BYRD. If you feel that there is a lack of support somewhere along the line from your superiors, at what level do you feel that there is a breakdown in the support which should be accorded you in carrying out your responsibilities?

No. 10. Well, I imagine it would have to come from the top level. We just follow orders, I guess right down the line, similar to the military. I do not know who gives the orders, but most of the time we get general orders handed to us to follow certain procedures in our work.

Senator BYRD. But do you feel that anywhere along the line there is a lack of support judging from what you read in the newspapers, judging from what you hear around the precinct, judging from your experience as a police officer?

No. 10. There is lack of support someplace, sir, but I cannot pinpoint it where it is.

Senator BYRD. What makes you say that? What makes you say there is a lack of support?

No. 10. I believe that when an officer gets in trouble out here, I think the highest official of the Police Department should, if the investigation is made and the officer is not at fault, he should come out and back the officer up publicly instead of nothing ever being said about it.

You read in the paper something about an officer getting in trouble and doing his job and that is the end of it. The next time you see it in the paper, he is either found guilty by the trial board and so forth, or not guilty, and you never hear about that part. You never hear about the not guilty part anyway.

Senator BYRD. How do your fellow officers feel about the kind of backing you get from your superiors?

No. 10. From our immediate superiors or just generally?

Senator BYRD. Just any superiors. You can qualify this if you wish.

No. 10. That is a good question, Senator Byrd. I have never gotten in a jam that I would really need the full backing of the Police Department as far as of a serious nature, and I do not know of anybody else that has as far as where they would need either, say, he would really lose his job or else continue on as a policeman. I haven't had the opportunity yet to test this out.

Senator BYRD. In talking with your fellow officers, have they expressed to you any feeling that they do not have the support of their superiors? It can be the immediate superiors or it can be someone above that level.

No. 10. You hear officers saying that they are just doing—they pick up their pay check every two weeks and that is about as far as they are going to go, because of the harassment out here you have to put up with from the citizens and so forth, that it does affect the individual officer. He feels in this respect that the Department is not backing him up either.

Senator BYRD. When you speak of harassment from the citizens, what citizens do you refer to?

No. 10. Well, the majority of the citizens where I work in the precinct. I have been called plenty of names, and the majority of times in tight situations you have to ignore it, not having a large disorder, and just turn around and go away.

Senator BYRD. Are these Negro citizens or white citizens who harass you?

No. 10. Negro citizens.

Senator BYRD. During the recent riot did you feel that you were restricted in making arrests of felons?

No. 10. No, sir.

Senator BYRD. Did you arrest any felons during the riot?

No. 10. No, sir, I did not.

Senator BYRD. Why did you not?

No. 10. At the time of the outbreak, I was in the patrol car, that evening of Thursday, I think it was, April 4th and 5th. They advised us to lock up everyone we saw committing a violation of law. When we arrived on the scene, we were the first units on the scene, they had a large head start on us. The cars, of course, had the red lights and sirens on trying to get to the scene on time. This caused everybody to disperse.

We got there, there were a few arrests by the officers.

The following day I worked the evening shift, and I wasn't at the precinct when the disturbance erupted. I came to work the following evening after it was all over with. The majority of people I arrested were for curfew violations.

Senator BYRD. But you were not restricted in making arrests of felons?

No. 10. No, sir.

Senator BYRD. Were you given any instructions not to arrest Negroes?

No. 10. No, sir.

Senator BYRD. Were you given any instructions not to use your riot stick?

No. 10. No, sir.

Senator BYRD. Were you given any instructions not to use your service revolver?

No. 10. No, sir.

Senator BYRD. During the riot, were you given any instructions whatsoever concerning the use of your revolver, concerning the use of your night stick, concerning the making of arrests, which would have been different in any way whatsoever from the instructions under which you usually work?

No. 10. No, sir, I don't recall.

Senator BYRD. When may you use your service revolver?

No. 10. Protection of life and property, ourselves and others.

Senator BYRD. What do you mean by saying "the protection of property?"

No. 10. Well, for one thing an escaped felon, escaping from the scene of a felony. If the man does not halt, you can use your service revolver.

Senator BYRD. You are allowed to use your service revolver in that situation?

No. 10. Yes, sir.

Senator BYRD. If an individual loots a store?

No. 10. Yes, sir.

Senator BYRD. Is that a felony?

No. 10. Yes, it is.

Senator BYRD. If that individual is about to escape, are you prohibited from using your revolver, or are you to use your revolver?

No. 10. As I recall, Senator, I don't know how long ago it was, a year or so ago, we were instructed, I am sure I may be wrong, but we were instructed not to use our service revolvers in case of civil disturbance at the general looter, a man just taking the stuff and running from the store.

Senator BYRD. I thought you said a moment ago he was a felon.

No. 10. That is right.

Senator BYRD. And you were to use your revolver to prevent the escape of a felon.

No. 10. In this instance here they changed the order on the use of the service revolver. I know it does not make any sense to me, but we were instructed to do this, and I have to follow orders.

Senator BYRD. Who instructed you in this manner?

No. 10. As I recall, the order was a general order that came down, either a general order or a memorandum came down from possibly the Chief's Office, I don't recall.

Senator BYRD. Do you recall whether this was in writing?

No. 10. No, sir; I do not.

Senator BYRD. Was it oral or written?

No. 10. I received it orally.

Now, I may be wrong on this, but I am fairly sure that what it was all about as far as during the riot situation, not to shoot the general looter.

Senator BYRD. Even though it might be an adult looter?

No. 10. Yes.

Senator BYRD. Even though it is an adult looter?

No. 10. Yes.

Senator BYRD. When was this instruction brought to your attention?

No. 10. It may have been a year ago or less than a year ago, sir. I cannot recall the exact date.

Senator BYRD. It was not promulgated during the recent riot?

No. 10. No, sir, it was not.

Senator BYRD. Is it your impression that you are not to shoot a looter?

No. 10. That is my impression.

Senator BYRD. During a riot or at any time?

No. 10. At any time. As far as I am concerned, I would hesitate greatly to shoot a looter unless he provoked an attack on myself or somebody else, bodily attack, that is.

Senator BYRD. Why would you hesitate?

No. 10. Well, I would hesitate for the main reason what happened to this officer at No. 11 Precinct. That is a good example right there of a looter, an escaping felon. He was shot and killed by the officer, and there is this big commotion over it. It puts in my mind that I shouldn't do that, because the same thing could happen to me.

Senator BYRD. Do you feel that there is any difference in the equal enforcement of the law as between white and Negro citizens?

No. 10. No, sir. The enforcement is exactly the same.

Senator BYRD. What single factor in your opinion causes the most difficulty in maintaining good police relations with the general public?

We hear a lot about police-community relations, and we also hear that police-community relations in the District of Columbia are not good. What is the problem?

No. 10. Well, I guess one of the main problems would be you have the Negro and the white, the white officer and the Negro citizen, or at times you have the Negro officer and Negro citizen confront each other, and as far as the police are concerned, either white or black, you are just taboo.

Senator BYRD. What is the matter with you fellows? Don't you treat these citizens right?

No. 10. Yes, sir, we do our best. Some citizens you just cannot treat properly, I guess.

Senator BYRD. Why don't we have good relations if you policemen are treating them right?

No. 10. That is a good question.

Senator BYRD. Are you mistreating them?

No. 10. No, sir, we are not.

As far as I know, there is no mistreatment of them. Like I said before, the law is equally dealt amongst the people, white or black. I approach everyone in the same manner as I would no matter what nationality or race, but there are some people that just—say if you give a man a ticket, he raises a big stink over it, no matter how nice you are to the man.

Senator BYRD. Are these white persons or are they Negro?

No. 10. Well, the majority are Negro, due to the fact that in the precinct I work in the majority of the population is Negro, and my contacts are with the Negro population.

Senator BYRD. Do the whites whom you arrest give you some trouble? Do they shout police brutality?

No. 10. No, sir. I lock up very few white people, due to the fact where I work at. I never heard of a charge from a white person as far as police brutality goes in the precinct.

Senator BYRD. Look, if you had your choice of arresting two men, each of them was the same distance away from you, each was the same size, each appeared to be the same age, and each appeared not to be armed, if you had to make a choice, which would you rather arrest, which would you prefer to arrest, the white man or the Negro?

No. 10. I would arrest either one.

Senator BYRD. You would do what?

No. 10. If they were violating the law, I would arrest——

Senator BYRD. Let's say they are both violating the law.

No. 10. I would arrest both of them, then.

Senator BYRD. Let's say you couldn't arrest but one. Now, think about this question. You have two men. One is a white man, one is a Negro. Each is the same distance away from you. Each is the same size. Each is the same age. Each as far as you can tell is not armed. Each has committed the same crime, and you can only arrest one. On the record, which would you prefer to take your chances with?

No. 10. The white person.

Senator BYRD. Why?

No. 10. You said there is only one I can arrest out of the two?

Senator BYRD. You can only arrest one in this hypothetical case.

No. 10. Out of my experience, I would choose the white person.

Senator BYRD. Why?

No. 10. Due to the fact of the complaints received from the Negro. I imagine he would file a compalint. It happens, and I would choose the white person, for that fact.

Senator BYRD. Then you are saying that in arresting whites, you are less likely to have repercussions, you are less likely to have to face complaints, less likely to be charged with police brutality, and less likely to get into trouble yourself, is that what you are saying?

No. 10. No, sir. You can get in trouble arresting a white or Negro.

Senator BYRD. I am not saying that. I say you feel that you are less likely.

No. 10. From experience, I would say yes.

Senator BYRD. Do you feel that there should be federal troops in your precinct right now?

No. 10. I would say a few would help, I'd put it this way: Yes, I do.

Senator BYRD. Are you continuing to have lootings and arsons in your precinct at the moment?

No. 10. We have been. Directly after the riots we were plagued with looting continuously for a week or two weeks at a time. Every day we would get calls that people were looting the stores from the rear, the front, and so forth, and we have had quite a few arsons and attempted arsons down there.

Senator BYRD. How do you view police work in the District of Columbia?

No. 10. It is an uphill climb.

Senator BYRD. Are you married?

No. 10. Yes, sir.

Senator BYRD. How does your wife view your work?

No. 10. She thinks it is highly dangerous from what she reads in the papers, and so forth. Each night I go to work or each day she says, "Be careful. I hope to see you tonight when you come home."

Senator BYRD. Thank you very much for your time.

No. 10. It is a pleasure meeting you, sir.

Senator BYRD. You keep up the good work, enforce the law and take care of yourself so that wife will see you every night.

No. 10. Yes, sir, thank you.

(Discussion off the record.)

STATEMENT OF NO. 9

Senator BYRD. Number 9, you are a policeman. What, in your judgment, is the greatest single problem confronting the police officer in the District of Columbia in his efforts to enforce the law?

No. 9. The greatest single problem? That is quite a question.

Senator BYRD. You can name two or three problems if you want, if it is hard to single out one. Just name two or three, or whatever you feel constitute problems.

No. 9. I would say basically that it is a lack of—you need some latitude to carry out your job. The rules hold him too tight, to a prescribed path. Then I believe that the courts are not handing out the proper sentences. There is too much personal bond, and this tends to discourage a policeman. He makes a good case and takes it to court and then the man is set free. It is a combination of not having enough latitude to perform his job and discouragement in seeing the person he locks up set free. I would say those were the two main problems.

Senator BYRD. I did not understand your first one.

No. 9. Well, I don't know if I can explain it. A policeman used to have a lot of respect on the street, because he was allowed some latitude, you might say, in issuing a little corporal punishment right there on the spot, where this is not allowed whatsoever now. This is some latitude in giving him the power to keep his beat straight, so to speak, with kids and anybody that gets a little out of line. He did not have to lock him up, but he could tell him forcibly, in such a manner that the guy knew that he was going to jail or something that he would not like, rather than knowing that the policeman could not bother him unless certain prescribed things were met.

I really do not know if this is the best way to put it or not, but people just don't seem to respect policemen anymore. They know that they are tied down.

Senator BYRD. When you speak of inflicting corporal punishment on the street, do you mean you wish it were so that you could hit a fellow with your club and knock him down and walk on off and kick him around?

No. 9. No.

Senator BYRD. Kick him in the seat of the pants?

No. 9. This is getting carried away with it too far. I should not have used those words. I am not too good at explaining myself. You might say it is that if he should do these things—let's say it is the feeling that the other person thinks that he may be able to do it and get away with it, that the other person does not know precisely where he stands with the officer. I do not want to give carte blanche to a policeman to go whipping people up and down the street just unnecessarily, but I do not think he should be held too strictly accountable, if some boy gets out of line with him when he cuffs him or something like that, just to keep him straight right there on the spot, or a kid gets out of line and he boots him in the seat of the pants or whatever. I am not saying that I endorse these things, but I think that a policeman should have some of this power, and not be held strictly accountable the way he is today.

Senator BYRD. You do not really believe that a policeman ought ever to be given the authority to boot a kid in the seat of the pants, do you? How would you feel if your child were out on the street and he did a little something that he ought to be reprimanded for?

No. 9. I don't want the policeman to have the authority to do it.

Senator BYRD. You used the words "booted him." How would you feel if a policeman booted your child?

No. 9. Well, if my child had it coming to him, I would be glad he did it.

Senator BYRD. Wouldn't you rather do the booting yourself?

No. 9. I probably would myself along with it.

Senator BYRD. I expect you would feel like booting that policeman if you found he booted your child.

No. 9. No, I do not think so. I do not want the policeman to have the authority to do it. I want the person to feel that the policeman could do it. Like I say, I cannot really express myself too well.

Senator BYRD. I think you are trying to make your answer too hard.

No. 9. Perhaps.

Senator BYRD. I think if you were home talking with your wife and she had asked you that question, you would not have found it nearly so hard to answer.

No. 9. It is a very difficult question the way you asked me.

Senator BYRD. Why don't you just loosen up here a moment. Let's think about this. You surely would not feel that even the child ought to have the idea that the policeman could kick him or boot him. I do not think that would promote respect for the enforcer of the law.

But let's get away from that. You and I are not here to discuss philosophy one way or the other. I want to know from you what you consider to be the most single, the greatest problem confronting the police officer in the District of Columbia in his efforts to enforce the law. Now you indicated that there are a number of problems, and at the moment you cannot pinpoint a single problem. You spoke of the courts as constituting a problem for the police. Now, what other problems are there that make it hard for the policeman to enforce the law?

No. 9. Make it hard for the policeman to enforce the law? I really do not think it is especially hard to enforce. I don't see any difference now than it was 15 years ago, other than the policeman is much more closely watched. He is held to account much more often for his actions on the street. Like I say, he is given no latitude at all.

The policeman is human, and if he loses his temper, like I had a case the other night, a young kid and he lost his temper, I had to tell him about it, but I could see why he lost his temper. I did the same thing myself when I was a youngster. It is a matter of experience. Experience and age is the only thing that is going to overcome it. But they have to learn. Yet a young policeman who does something and he is held strictly accountable for it, he cannot understand this, where another man can swing at him or cuss him out and he has no recourse except just to take hold of him and arrest him. It sits a little hard with a young fellow.

Senator BYRD. What do your fellow police officers beef about? Let's put it this way. You are not just opening up here to me. What do you police officers beef about? I am not talking about their pay, saying "I wish we were getting more money"; I am not talking about that. What do your fellow police officers complain about in their efforts to do a good job, other than the courts?

No. 9. Well, there is an overburdening with paper work. You say other than the courts; those are the two main beefs. There is paper work and, of course, most of that is in preparation for going to court, and then the courts themselves turning people loose too easily and not sustaining the charges against them.

Senator BYRD. How would you describe police morale in your precinct?

No. 9. I would say that police morale was all right. Police morale is better than most people think it is.

Senator BYRD. You think the police, when they go to work, enjoy their work and they look forward to going the next day? I look forward to my work.

No. 9. I think so.

Senator BYRD. I look forward to going to my work. I hate to leave my work here. Now, do policemen feel that way about police work in the District of Columbia?

No. 9. I think so.

Senator BYRD. They can hardly wait to get away from the breakfast table to get down to the precinct.

No. 9. You have some that are really interested in doing the job and they want to do it, they want to learn it and they are energetic in their efforts. You have others in every organization that are going to hang back, that want to do as little as they can get away with.

But I think generally the morale is pretty good. You have a lot of the gripers. Like I say, the No. 1 complaint I think is with the courts not sustaining these charges that are put against them, and after they are sustained, after they do hold them, they turn them loose on the street.

Senator BYRD. What effect does this have upon the policeman's morale, to see his work go for naught?

No. 9. Well, it has quite an effect on him.

Senator BYRD. But still the morale is good?

No. 9. They get discouraged. I still believe that morale is pretty good, in the face of this adversity.

Senator BYRD. What in your opinion could be done to improve the morale in the Washington Police Department, if you feel there is any room for improvement?

No. 9. I think a better police station. That does not do much for my morale going down in that hole we work in. I think that the job itself, the morale of the men is good generally, and I just do not know what you would do to improve their morale unless you improved the facilities they had, the buildings and the equipment, and the facilities and equipment is much better than it was 15 years ago.

Senator BYRD. How long have you been in your precinct?

No. 9. Just one month.

Senator BYRD. What is the population make-up as far as Negroes and whites are concerned in your Precinct?

No. 9. I would say it was probably 80 percent or more Negro.

Senator BYRD. Don't state for the record where you came from when you went to your present precinct. Just let me ask you this: Prior to going there did you work largely with whites, not working with, but was the population with which you had to deal mostly white, mostly Negro, about even; how would you describe it?

No. 9. I would say with the type of work I was doing, it was probably 75 percent white and 25 percent black. It might be a little heavier on the Negro side, maybe 60–40, something like that.

Senator BYRD. Do you feel that you have any lack of backing from your superiors in carrying out your duties?

No. 9. No, I don't feel that I do. There is this feeling among some of the men, and with some good reason behind it. I think that the superiors, some of the superiors on this job fail to take into account the youth and inexperience of some of the men who are asked to perform these jobs out here. Like I say, they hold them too strictly accountable. A policeman has to learn.

Senator BYRD. Do you feel that you have the backing of your superiors, to back you up?

No. 9. How high up the ladder are we going, all the way to the top?

Senator BYRD. Just as high as you want to go. You are not identified on the record here. You can call anybody you want here a name that you can speak anywhere in public.

No. 9. No, I don't think the very top echelon on this job has done much for the morale of the police officer. In other words, I don't believe that the police officer respects the top man on our job now.

Senator BYRD. Who is the top man in your job?

No. 9. The new Safety Director, Mr. Murphy.

Senator BYRD. Do you feel that you do not have his backing? Do you feel that the police, in their efforts to enforce the law, do not have the proper backing from Mr. Murphy?

No. 9. I really cannot say. I haven't had any experience with him myself. The few experiences, the few things that I have heard about him I haven't liked.

He has jumped in where an experienced police officer should not have jumped to a conclusion. This is the only thing that makes me a little leary of him. I haven't had any personal experiences with him myself, but I have heard two or three instances.

Senator BYRD. Do you hear other police officers express lack of confidence in him?

No. 9. Yes, I have heard that.

Senator BYRD. Do you hear other police officers express confidence in him?

No. 9. No, I cannot say as I have ever heard anyone express confidence.

Senator BYRD. Do you feel that the policeman lacks proper support at any other level in the Department, or in the District of Columbia Government or in the Federal Government?

No. 9. No, I don't believe the police officer lacks support in his job. I think his main problem is not a lack of support but possibly a lack of understanding from some of his immediate supervisors.

Senator BYRD. During the recent riots did you feel that you were restricted in making arrests of felons?

No. 9. No.

Senator BYRD. Were you restricted in the use of your night stick? What do you call it, a night stick or a riot stick?

No. 9. Night stick. The long ones are riot sticks. I didn't have an occasion to use it. I don't feel there were any special restrictions laid down, other than normal police work.

Senator BYRD. Were there any restrictions placed upon you insofar as arresting felons were concerned during the riot?

No. 9. No.

Senator BYRD. Were you under any restrictions during the riot in connection with the use of your service revolver?

No. 9. No.

Senator BYRD. Is there any difference in the equal enforcement of the law as between white citizens and Negro citizens?

No. 9. No, I don't believe so. A police officer may try to avoid an arrest with a Negro citizen who he thinks has some power, who is more or less famous. I cannot think of the word I am trying to use.

Senator BYRD. Why would he be more hesitant to arrest a Negro citizen.

No. 9. Well, I am saying not a Negro citizen in general, but one who is known, one who is a trouble maker, one who has his reputation. They do get arrested, and they do cause a lot of trouble.

Senator BYRD. Are you referring to people like Carmichael?

No. 9. Stokely Carmichael, yes, Rap Brown.

Senator BYRD. You mean a policeman would be a little reluctant to arrest one of those men?

No. 9. I think he would. After he took hold of him it would be too late, then he would have to go with it, but I think he would be sorry after he did it.

Senator BYRD. Why?

No. 9. It is too much personal antagonism. It is not the Police Department; it goes towards the man. It does not go towards the Department, himself. He claims discrimination, brutality, and so forth. This is against the man himself, not against the uniform.

Senator BYRD. What single factor in your opinion causes the most difficulty in maintaining good police relations with the general public in the District of Columbia?

No. 9. Single factor? I don't know, unless it's our publicity. The papers always seem to jump on something that is bad and publicize it, and this seems to give credence to the people against the Police Department in that they are saying that there is police brutality and it is a common thing. When there is something publicized, it is usually bad, and we don't—there is not enough good works that are publicized.

Senator BYRD. Do you think there is a community relations problem here?

No. 9. Yes, I believe so.

Senator BYRD. What are the police doing in your judgment which contributes to the problem rather than to a solution?

No. 9. I really cannot say that they are doing anything differently. I think people tend to picture the policeman as the essence of governmental power.

I do not believe this is the policeman's proper scope.

Senator BYRD. What people picture him in this way?

No. 9. I think the general public picture a policeman as the essence of governmental power. He is the one that can take their freedom away from them, and so forth.

Anything that happens to them and they are caught by the policeman, it is the Government, I think.

Senator BYRD. What is wrong with that? Suppose you catch me running through a red light, which I do sometimes.

No. 9. There is nothing wrong with it, but people seem to think that it is wrong, not that it is wrong. I cannot really express myself just what I mean.

Senator BYRD. Don't you think the policeman does represent governmental authority?

No. 9. He certainly does.

Senator BYRD. Isn't he supposed to do that?

No. 9. Yes, but not only in the crime, in the law enforcement field, but they feel that the policeman represents everything that happens.

Senator BYRD. But who feels this way?

No. 9. The public in general, I would have to say, here in Washington. It is surprising.

Senator BYRD. When you say the public in general, let's call a spade a spade, do the white people whom you arrest think this generally?

No. 9. No.

Senator **Byrd**. Or do Negroes think it generally?

No. 9. It is Negroes who I am referring to, because they are the ones we police. They are the ones that make up the general population of this city and the ones that we are concerned with. It was surprising during the riots that the people who were not actually rioting were cheering on the rioters. They would like to have been doing it themselves, and anything that the person wanted to do they were all for it. And yet they hurt themselves in this respect. They burn down the places where they wanted to buy groceries, clothes and so forth, and yet they stand there and condoned all this.

Senator **Byrd**. In your opinion, if you could make one recommendation for the improvement of police-community relations, and let that recommendation apply to either or both sides, what would that recommendation be?

No. 9. I do not have any one specific recommendation I could make. That is a very complex question. I haven't really thought about it that much. I cannot really get my finger on just what the problem is. I cannot understand why these people feel the way they feel, to tell you the truth.

Senator **Byrd**. Let me ask you this question——

No. 9. I thought they would never riot in this town to begin with. When they did, it utterly surprised me.

Senator **Byrd**. Does any individual who respects the law have a need to fear the police?

No. 9. I don't believe so.

Senator **Byrd**. My final question is: If you saw two men commit the same crime, one was white and one was non-white, in the city here non-white would generally mean Negro, each was the same size, each was the same age, one could be arrested as easily or with no greater difficulty than could the other. In this hypothetical case, you could only arrest one. Which one would you choose?

No. 9. I would have to get the one closest to me.

Senator **Byrd**. No, you didn't listen to me. Each is the same distance away.

No. 9. You give me a problem there. There must be, there would have to be something else thrown in there. One would have to be closer to you.

Senator **Byrd**. No, you listen to the hypothetical detail. You see two men commit a crime. One is white, the other is Negro. Each is precisely the same distance away from you. Each is the same size. Each is the same age. Each appears to be unarmed. You can only arrest one.

No. 9. It is a very difficult problem.

Senator **Byrd**. Which would you arrest? Let's say your wife asked you this question?

No. 9. I really don't know. There would have to be one little thing in there.

Senator **Byrd**. No, you are trying to make a difficult problem.

No. 9. No, I am not. When you have two people standing there in front of you, and it does not matter what color they are to me because I would lock them both up. It doesn't make any difference. They are both doing the same thing. Let's say they are looting the store. If I can get both of them, I will get both of them. One of them is usually closer to you than the other one.

Senator **Byrd**. We are not talking about that situation.

No. 9. You grab the one you can get.

Senator **Byrd**. Let's talk about the situation which I outlined.

No. 9. I really cannot tell you. There is more to it than that. There is a glint in the eye, a sneer on a face.

Senator **Byrd**. Each has the same glint.

No. 9. Each one is exactly the same. I really couldn't tell you which one I would get.

Senator **Byrd**. That is all.

No. 9. There would be something different. (Discussion off the record.)

STATEMENT OF NO. 11

Senator **Byrd**. Mr. 11, you are a policeman. What would you consider, based on your long experience in the Metropolitan Police Department, to be the most serious problem confronting the policeman in the District of Columbia in his efforts to enforce the law? What is his greatest problem when it comes to his enforcing the law in this city?

Maybe there is no single greatest problem; maybe you can think of two or three problems that make his job difficult.

No. 11. The greatest problem would be the processing of a case through the courts, is the way I see it now, through the United States Attorneys' Office or the Corporation Counsel's Office, whichever is applicable, and to the court itself, the judge, the jury and so forth.

Senator **Byrd**. Are you married?

No. 11. Yes, sir.

Senator **Byrd**. If your wife were to say to you, "What bothers you most about your police work, here in the District of Columbia," what is the biggest trouble?

No. 11. I cannot seem to catch up in my work. I'm swamped with it.

Senator **Byrd**. Do you feel that the law is being enforced as it should be enforced here in the District of Columbia?

No. 11. To the extent with our limited manpower, yes, sir.

Senator **Byrd**. Only about 24 percent of the cases reported are solved.

No. 11. That is a good approximation.

Senator **Byrd**. Only about 24 percent of the crimes reported are solved.

No. 11. Yes, sir.

Senator **Byrd**. To what do you attribute this low figure? It wasn't too long ago that you were solving over 50 percent of the crimes in the District of Columbia.

No. 11. In the last few years, sir, our, shall we say, right to question a suspect and obtain perhaps an admission or confession has been removed. We now have the problem of even getting their name, their identification. They do not even have to answer that if they do not desire to. That, to me, would be the main reason for the decline in the solved cases.

Senator **Byrd**. How would you describe police morale at the present time?

No. 11. I would say it is not very good at the present time. I would like to qualify that if I may. During the disturbance that we had April 4, 5, and 6, the morale of the police officer was very high at that time. There was a reason for that, Senator. They were permitted to relieve themselves of some of their frustrations. They were out there working very hard. They had this enthusiasm, to the point where they felt that if, shall we say, they had to use a little force, there would be no real hereafter as far as the officials were concerned. There were limitations on that force, of course. I don't mean to say that we could go out there and shoot wildly or anything like that, but they felt like they were accomplishing something. They weren't out there spending most of the time taking a dog biting report, or a complaint from a neighbor, something of that kind.

They were out there—they were actually in a battle and they were enjoying it at that time. When the riots were over with, they again went back to the same old pattern, the work which they had been doing prior to the riots, and there were certain, as you know, restrictions placed upon them as far as their approach to the citizen. They could not speak as freely as they had during the riot. As I said, they got rid of some of their frustrations. So their morale again has declined. It is not very good.

Senator **Byrd**. If you could pinpoint a single factor which is adversely affecting the morale of the police officers, what would that factor be?

No. 11. May I go off the record, Senator?

Senator **Byrd**. Yes.

(Discussion off the record.)

Senator **Byrd**. Back on the record.

No. 11. Would you repeat the question, please?

Senator **Byrd**. What single factor do you believe is most adversely affecting morale among your fellow police officers?

No. 11. They believe that they are handcuffed.

Senator **Byrd**. By whom?

No. 11. They believe that they are handcuffed by the officials, the high ranking officials of the Police Department.

Senator **Byrd**. At what levels?

No. 11. From the very top.

Senator **Byrd**. Do they feel that the Captain in the Precinct is handcuffing them?

No. 11. Somewhat, because he is enforcing the policy of the Police Department.

Senator **Byrd**. Do they feel that they are being handcuffed at levels higher than the Captain?

No. 11. Yes, sir.

Senator **Byrd**. Perhaps you could state for the record more specifically what your fellow officers have in mind?

No. 11. Well, they are of the opinion that during the riots they were not permitted to use the force which is granted them by law. They are authorized to carry a weapon, a revolver. They are authorized to carry a baton. They are of the opinion that they were not granted the right to use that weapon. Many of them felt like if not permitted to use their service revolver, the use of shotguns loaded with birdshot that would not do serious injury to a person, if the person used the weapon, those hired to use them, it would have been a wonderful deterrent to the looting.

Senator **Byrd**. Before we go further into this area of discussion, I want to explore the area which we were in just a moment ago. We were talking about the morale of the policeman, the privates and so on, who have to go out on the street, face the crowd, make the arrest, enforce the law, and I believe you indicated that there was some feeling in your precinct, and maybe in other precincts, that the support of the immediate superior officer is lacking. You then indicated that there was a feeling of lack of support at higher levels.

Would you be more specific? Would you name names?

No. 11. Perhaps, Senator, I misled you. In my Precinct, I do not believe that the men feel they do not have the support of their superiors.

Senator **Byrd**. Their immediate superiors?

No. 11. Their immediate superiors. I think they believe that the immediate superiors are hamstrung by the Department policies.

Senator **Byrd**. Who do they feel is responsible for that Department policy and the lack of support which hamstrings them?

No. 11. The opinion of the man on the street, on patrol, he attributes that policy to the head of the Department.

Senator **Byrd**. And who is the head of the Department?

No. 11. At the present time it is Mr. Patrick V. Murphy.

Senator **Byrd**. Do you hear this opinion voiced by other men in the Department, or is this just your opinion?

No. 11. Let's say this is my opinion, Mr. Senator.

Senator **Byrd**. Are you saying that you feel that?

No. 11. I hear rumbles through the hallways, and of course you listen to those rumbles, and you know what is in their minds.

Senator **Byrd**. And you feel that they have reference to Mr. Murphy?

No. 11. Yes, sir.

Senator **Byrd**. Are you sure they do not have reference to Mr. Layton?

No. 11. Some of them could, but as a whole, they more or less sympathize with Mr. Layton, with Chief Layton.

Senator BYRD. How do they feel about Mr. Murphy's superiors, meaning the Mayor?

No. 11. Well, actually, they attribute it to Mr. Murphy. As far as Chief Layton is concerned, the consensus of the opinion of the men is how can Chief Layton stand it.

Senator BYRD. A moment ago you indicated that policemen were not granted the right to use a weapon. What did you mean by this?

No. 11. We have standard existing regulations on the use of the weapon, how it shall be used, the circumstances, and so forth. That was not altered or changed one bit. That is a good procedure under nomal conditions. Conditions that were existing during the riots, we were in a war in those first few days of the riots. We were in a battle, and there should have been some change, I think, in the procedure. the orders relating to the use of the weapons which we are authorized to carry.

Senator BYRD. During the riot, were you restricted in making arrests of felons?

No. 11. No, sir.

Senator BYRD. Were you and your fellow officers restricted in using the riot stick?

No. 11. No, sir.

Senator BYRD. You were allowed to use the riot stick?

No. 11. If conditions, circumstances justified the use of it, yes, sir.

Senator BYRD. What do you mean by conditions justifying the use of it?

No. 11. Well, sir, we have in our manual a section which states specifically under what conditions that a police officer may use his fire arm. This is fine under normal circumstances. But there should have been a clarification, I think, that would deal specifically with the conditions that existed during the riots.

I think there should have been some use of fire arms during the riots. When I say fire arms, I don't necessarily mean a weapon with the fire power of a revolver or a rifle. I would advocate the use of a shotgun. To me, being a farm boy, I know what a shotgun can do. I have used them all my life. I know this, that the mere appearance of that shotgun in the street, that is a wonderful deterrent to a person who has a crime in mind. Not necessarily would he have to use it, but if necessary, he should use it. This is what I mean when I say there should have been some amendment to the use of fire power.

Senator BYRD. Why the use of a shotgun in preference to use of a service revolver?

No. 11. A service revolver, sir, the average police officer is not a good enough shot that he can pinpoint his aim, so to speak. He is apt to do a little wild firing. I would not advocate that.

Senator BYRD. Wouldn't the load from a shotgun scatter and hit innocent people?

No. 11. It could very well, but it will not kill them. It is not apt to, anyway.

Senator BYRD. It could put out an eye.

No. 11. It could put out an eye, yes, sir.

Senator BYRD. And if close enough to the individual, it could knock a hole in him as big as one's fist.

No. 11. It could happen, Senator, but it is not apt to happen.

Senator BYRD. Were you aware of any instructions during the riot which placed restrictions on your making arrests of looters?

No. 11. No, sir.

Senator BYRD. Were there any instructions not to arrest looters?

No. 11. No, sir.

Senator BYRD. Were there any instructions not to use your service revolver?

No. 11. There were no instructions not to use your service revolver, just to use restraint, that is all.

Senator BYRD. Use what?

No. 11. Restraint, reasonable restraint.

Senator BYRD. When were these instructions given, during the riot?

No. 11. No, sir, this was a policy that I cannot recall exactly under which order it was issued, but it came down from the top level of the Department. This was sometime prior to the riot.

Senator BYRD. Was this prior to Murphy being instituted as the Director of Public Safety?

No. 11. I cannot recall, sir.

Senator BYRD. According to your understanding, how and under what circumstances may you use the service revolver?

No. 11. Well, you can use your service revolver in protection of your life or in the protection of a life of another person who is unlawfully attacked.

You can use your service revolver as a last resort, whenever other means have failed, to arrest a felon when that felon has committed a serious and grave crime. Of course, there is one other instance whereby it has no bearing upon a rioter or anything like that, you use it to put an injured animal out of misery, in order to prevent further suffering, words to that effect.

Senator BYRD. You are saying that in order to prevent a felon from escaping?

No. 11. Yes, sir.

Senator BYRD. The service revolver may be used if all other means have been exhausted?

No. 11. All other means have been exhausted, and the felon is getting away.

Senator BYRD. Was this authority for the use of the service revolver restricted during the riots?

No. 11. No, sir.

Senator BYRD. In other words, were police authorized to shoot looters during the riots?

No. 11. There wasn't anything actually in writing or verbally authorizing the shooting of looters, no, sir.

Senator BYRD. Was there anything which restricted the shooting of looters during the riot?

No. 11. No, sir.

The only mention that was made, I never received anything, any orders verbally or in writing during the rioting pertaining to the weapon itself, other than to use reasonable restraint.

Senator BYRD. Were you told to go easy with the rioters?

No. 11. No, sir.

Senator BYRD. Were you told to do your best to avoid arresting rioters?

No. 11. No, sir.

Senator BYRD. Were you told to try to refrain from arresting Negroes?

No. 11. No, sir.

Senator BYRD. Were you told that you should use more restraint than normally would be the case in regard to the use of the service revolver?

No. 11. No, sir.

Senator BYRD. Then am I to understand that during the riot you and your fellow officers were to act as under normal circumstances?

No. 11. As far as the revolver was concerned, the regulations were never changed.

Senator BYRD. Were any other regulations changed during the riot?

No. 11. No, sir.

Senator BYRD. Why did you qualify the question, . if no other regulations were changed? You said as far as the use of the revolver was concerned.

No. 11. I think that I would have changed it.

Senator BYRD. I beg your pardon?

No. 11. I would have changed it.

Senator BYRD. But were there any changes across the board?

No. 11. No, sir.

Senator BYRD. There wasn't any change across the board?

No. 11. No, sir.

Senator BYRD. You say you would have changed the regulations—in what way?

No. 11. I think this, and as I said before, I would have put men, say one out of every four with a shotgun. Not necessarily would he use that shotgun, but the presence of that shotgun, it's amazing how they will back away from a shotgun, and in the event they had to, I would not hesitate.

There would have to be clear regulations on the order of a shotgun, in other words, I would say it would have to be the order of a superior or something of that nature, but it would be a preventive means to control.

Senator BYRD. Do you feel there is any difference in the equal enforcement of the law as between white and Negro citizens in the District of Columbia?

No. 11. I see no difference.

There is another thing, sir, if I may: In addition, there is another order which I would issue, and that is the use of teargas, to use more and more of it. It is one of the keys of controlling a riotous situation. We didn't have enough gas. I think the Department as a whole realizes that now. We have more of it now, and it is available to us in the event that trouble should occur, and this will be the key, the real key.

Senator BYRD. What single factor in your opinion causes the most difficulty in maintaining good police relations with the general public, in your precinct?

No. 11. The distrust of the public.

Senator BYRD. What is the population makeup in your precinct as between whites and non-whites?

No. 11. There is about 9 out of every 10 people are of Negro descent.

Senator BYRD. Are you saying that the biggest factor is distrust?

No. 11. Distrust.

Senator BYRD. Of the police officer?

No. 11. Of the police officer.

Senator BYRD. Do the law-abiding Negroes distrust the police officer?

No. 11. Let me say this: The law-abiding Negro citizen, which is in the majority, they cannot get enough police service. They want it badly.

Senator BYRD. They want more police service?

No. 11. Yes, they do, and they are the first ones to complain if they don't get it. But you have that minority, that lunatic fringe, that is so bold, that creates so much noise, and they are so loud in their demands and so forth, the law-abiding Negro, he doesn't even raise his voice. As a matter of fact, he is fearful if he does raise his voice what will happen to him, so as a result you don't hear from this law-abiding Negro.

Senator BYRD. Is police work becoming more difficult in the District of Columbia?

No. 11. Yes, sir.

Senator BYRD. Why is this?

No. 11. They are chipping away block by block. For instance, two years ago the Disorderly Conduct law, we had the right to chase people who were loitering about the streets, who seemed to have nothing to do but be offensive to passersby, to women who walked by, the usual remarks are made to them. We had the right under the Disorderly Conduct statute to clear those areas, the street corners, and so forth. Now we actually have not. The law has been taken away from us, removed from us as a tool to enforce this situation.

This is just one example of how gradually the outlook of the court and of the prosecutor has removed the actual authority away from the police officer.

Senator BYRD. Is there any harassment of the police officer on the part of organizations?

No. 11. Yes, sir.

Senator BYRD. What organizations?

No. 11. The main one is SNCC.

Senator Byrd. And what is the nature of the harassment?

No. 11. It is aimed at any police officer, not necessarily a white police officer, but the fact is that he wears a uniform. Whatever the police officer tries to do in the way of enforcing the law, SNCC gets into the act.

Senator Byrd. Back to the riot, you were under no instructions not to shoot?

No. 11. No, sir.

Senator Byrd. Not to shoot looters?

No. 11. No, sir.

Senator Byrd. One final question. You have been in police work a long time here in the District of Columbia. Let's say that this question is asked by your wife tonight when you go home to dinner. You are sitting across the table from your wife. She looks over at you and she says, "You know, I have been thinking. I have been thinking about a hypothetical situation in which a white man and a Negro commit a crime. It is the same crime. Each has committed the same crime. You are to make one arrest. Under the circumstances you cannot arrest both men. Each man is equi-distant from you. Neither is closer than the other. Each has apparently no weapon in his possession. Both men are the same size, the same weight, same height, same arm length, both are the same age. As far as the physical arrest is concerned, you could arrest one as easily as you could arrest the other one, but you can only arrest one in this particular situation. Which would you choose to arrest?"

No. 11. I would arrest that Negro.

Senator Byrd. You would?

No. 11. Yes, sir.

Senator Byrd. Why?

No. 11. Well, as you might gather, I am a white man and I am going to arrest that Negro.

Senator Byrd. You would?

No. 11. I am not going to deny it.

Senator Byrd. Do you feel that you would be as likely to get into trouble arresting the Negro as you would to arrest the white, or vice versa?

No. 11. I am more apt to get into trouble by arresting the Negro than the white, if there is a problem.

Senator Byrd. I am trying to ask this question of you, and I wanted you to think about all of your experience and wanted you to also consider the problems that confront the police officer in the District of Columbia, and then have you answer the question.

You spoke a moment ago about SNCC's harassment of the police officer. If you arrested the white man, would SNCC harass you?

No. 11. That would not matter to me. I have answered many a complaint and I will answer many more.

Senator Byrd. Do you enjoy answering complaints?

No. 11. No, sir.

Senator Byrd. You spoke earlier of disliking all the paper work.

No. 11. I do.

Senator Byrd. When a complaint is lodged against an officer, does it mean more paper for him?

No. 11. Yes, sir.

Senator Byrd. Would you be as likely to have to perform a lot of paper work in arresting the white man as in arresting the Negro?

No. 11. The average arrests would be equal. You are apt to get a complaint quicker from arresting that Negro than the white person. Now that should not and I would not let that affect my judgment as to my action as to whom I would arrest. I would not think of that, and I have never thought of that. That hasn't meant anything to me. A police officer should not think of that. If he does, well, his attitude is poor.

Senator Byrd. Do you feel that the average police officer in the District is afraid of getting into trouble if he arrests Negroes?

No. 11. No, sir.

Senator Byrd. You don't think so?

No. 11. No, sir. If so, they would not be arresting. They wouldn't be making very many cases.

Senator Byrd. I note that only 24 percent of the crimes reported are cleared. Do you have any indication from other officers that they sometimes overlook making an arrest for a misdemeanor?

No. 11. Perhaps for a misdemeanor, a minor misdemeanor, but not for a serious misdemeanor, or for a felony.

Senator Byrd. I have no further questions. Thank you very much.

(Discussion off the record).

STATEMENT OF NO. 8

Senator Byrd. Number 8, you are a police officer. What is the greatest problem you have as an officer attempting to enforce the law in the District of Columbia?

No. 8. Support from our officials and from citizens.

Senator Byrd. Do you feel that you lack the support of your superiors?

No. 8. Yes, sir, both on precinct level and headquarters level.

Senator Byrd. When you speak of the headquarters level just what do you mean?

No. 8. They make statements to us not to do certain things, to provoke anyone, if we see minor incidents, or like during the riot, for instance, looting, to watch, not harm, that it is a matter of life or death.

Senator Byrd. No. 8, how would you describe police morale at the present time?

No. 8. Very low.

Senator Byrd. What single factor do you believe is most adversely affecting the police morale?

No. 8. No backing.

Senator Byrd. No backing from the stationhouse straight through to Headquarters?

No. 8. Correct, sir.

Senator Byrd. What, in your opinion, could be done to improve morale in the Washington Police Department?

No. 8. Make stronger attempts to enforce law, for instance, when our officials get a complaint against us, we are automatically guilty. We have to prove our innocence.

Senator Byrd. Is this the feeling generally reflected with the other officers with whom you come in contact? Are their complaints limited to the lack of backing?

Is this about the long and short of it?

No. 8. Yes, sir, that and lack of good equipment. Our equipment is far outdated.

Senator Byrd. By "equipment" do you mean primarily the automobiles?

No. 8. Service revolvers.

Senator Byrd. Service revolvers?

No. 8. Service revolvers.

Senator Byrd. Or your facilities at the stationhouse, are they adequate?

No. 8. No, sir.

Senator Byrd. During the recent riot, do you feel that you were restricted in making the arrests of felons?

No. 8. Yes, sir.

Senator Byrd. Why do you say that?

No. 8. Well, for instance, they would tell us to use tear gas, chase them out of the stores, but not to apprehend one or take him to the station and fill out the papers because it would be too long and unnecessary.

I think there could have been better arrangements made.

Senator Byrd. There is nothing in the policeman manual that would have restricted you, is there?

No. 8. No, sir.

Senator Byrd. There is nothing in the general orders that would have restricted you, is there?

No. 8. No, sir. It is just verbal orders precinct level and from Headquarters.

Senator Byrd. Do you feel that you were restricted in the use of your night stick during the recent riots?

No. 8. Yes, sir.

Senator Byrd. Do you feel that you were restricted in curtailing looting during the recent riots?

No. 8. Yes, sir, I do.

Senator Byrd. Do you feel that you were restricted in the use of your service revolver?

No. 8. Yes, sir, very much so.

Senator Byrd. The police manual, of course, provides that an officer may use his service revolver in protection of his own life, in the protection of another, to kill an animal that is in distress, and it also provides that he may, under certain conditions, if lesser means fail, use his service revolver to effect the arrest of a fleeing felon.

No. 8. Yes, sir.

Senator Byrd. Can you think of any circumstances under which a prudent officer in the Metropolitan Police Department today would be well-advised to use his weapon in effecting the arrest of a fleeing felon?

No. 8. Yes, sir, take an incident in No. 11 during the riot, where the officer shot and killed a man that had turned and had a shiny object in his hand. It was night. In my opinion the officer used good judgment, because he did not know if the man had a gun or what he had. The police officer is facing a homicide charge.

Senator Byrd. Do you feel that the incident that you just related wherein the police officer shot an individual under the circumstances you described has become a matter of general concern throughout the Police Department?

No. 8. Yes, sir, I do.

Senator Byrd. Do you feel that there has been or is any difference in the enforcement of the law as between white and Negro citizens?

No. 8. No, sir, not as far as we are concerned.

Senator Byrd. Are you married?

No. 8. Yes, sir, I am.

Senator Byrd. If you went home tonight for supper and your wife asked you the following question, how would you answer it?

No. 8. I would just tell her it doesn't make any difference to me what color he is. If he is wrong, he is wrong.

Senator Byrd. Let me go ahead and give you a hypothetical situation.

You are on duty. There are two individuals, each of whom has committed an identical crime. One is white; one is colored. They are identical in every respect as to weight, height, age, but you can only effect the arrest of one of those individuals. Which one would you arrest?

No. 8. It depends on the circumstances at the time.

Senator Byrd. The circumstances are as I just described them to you. They are identical.

No. 8. I think I would arrest the one that gave me the most trouble at the time.

Senator Byrd. There is no indication as to which one gives you the most trouble. They are both equi-distant from you. They are the same size, weight. One is white; one is colored. You can only arrest one. Which one would you arrest?

No. 8. Really and truly, it does not make any difference to me which one I arrest.

Senator Byrd. You are going to have to arrest one. You can only arrest one. You have the two options.

No. 8. I guess I would arrest the colored man.

Senator Byrd. What single factor in your opinion causes the most difficulty in maintaining good police relations with the general public?

No. 8. I would say the attitude of the public towards policemen here.

Senator Byrd. Do you think the attitude of the policeman towards the public has anything to do with it?

No. 8. In some respects, yes, sir.

Senator Byrd. But you do not think that is as much of a general problem as the attitude of the general public?

No. 8. Correct.

Senator Byrd. Towards the policeman?

No. 8. That is right. You could come on a scene like a partner and I have many times on a felony and asked if anybody has seen the crime or knows anything. Everybody seems to shut up all of a sudden.

Senator Byrd. Everybody seems to what?

No. 8. To shut up, what we call clam up. Nobody sees anything. There could have been a dozen witnesses to the offense, and nobody will come forward and help you.

Senator Byrd. How do you view a future career with the Washington Police Department? What apprehension do you have?

What apprehension does your wife have about your career development with the police force?

Is it as attractive to you today as it was when you first entered the force a few years ago?

No. 8. I will put it this way: I always wanted to be a policeman. I like police work. It is an interesting job. But certain situations such as not backing the police from the man on the street, the court, and judging, turning felon suspects loose on personal bond, ridiculing police in court and things like that have changed my opinion.

Senator Byrd. You said the ridiculing of policemen in court?

No. 8. Yes, sir.

Senator Byrd. What do you mean by that?

No. 8. Well, a certain Judge.

Senator Byrd. Name him.

No. 8. Judge Alexander makes a point to ridicule policemen in the presence of the defendant in the court For instance, I had a case where I gave a man a ticket for no brakelights. So I testified to the fact that the man did not have brakelights. The man made his statement to the effect that the reason he did not have brakelights was because he did not have his headlights on.

The Judge told me when I learn the difference between brakelights and tail lights, to come back to Court—things like that.

I know one incident where he told a policeman, the policeman he said had a disgusted look on his face. Well, the policeman worked midnight, I know this to be a fact.

Senator Byrd. What kind of a look on his face?

No. 8. Disgusted look on his face. I happen to know the policeman had worked midnights, he had spent long hours in court, and he told the officer that he was only about ten feet away from the cell block and that he would hold him in contempt of court if he did not change his attitude.

Senator Byrd. How long had this particular police officer been in court that morning before his case came up?

No. 8. I would say about 3 to 4 hours. This was after working midnights.

Senator Byrd. Just to give us an illustration, the case which you mentioned, which was your own, how long had you been in *court before your case was heard?*

No. 8. I would say approximately 2½ hours.

Senator Byrd. Did you have occasion to appear in court during the time of the riot in connection with a riot offense?

No. 8. No, sir. This happened before the riot, this case.

Senator Byrd. Of your own knowledge or the knowledge of individuals with whom you are associated, was there any faster movement of cases through court during the riot than previous to the riot?

No. 8. It was slower.

Senator Byrd. It was slower?

No. 8. Yes, sir.

Senator Byrd. After the riot?

No. 8. Yes, sir. They still have a backlog in the courts right now.

Senator Byrd. Do you have any other problems that we have not touched on that you would like to relate, in connection with your police work?

No. 8. There are a lot of them, really.

Senator Byrd. But the one that you have talked about, in wanting to be a police officer all your life, and three years ago having achieved that ambition, the one single thing that has stood out in your mind is the first one we started talking about, the lack of support?

No. 8. Yes, sir.

Senator Byrd. From the precinct straight through the top of the Department?

No. 8. Yes, sir.

Senator Byrd. When you refer to the top levels of the Department, specifically who do you mean?

No. 8. The Director, the Chief, Deputy Chiefs.

Senator Byrd. Do you feel that you do not have the support of the Chief of Police?

No. 8. Well, I think more so from the Chief than anybody else. We have more support from him than we do the Director.

Senator Byrd. What makes you think you do not have the support of the Director?

No. 8. Well, like the statement he made in the papers about he would resign before he give the order for a policeman to shoot during the riot. I do not agree with that, because he is not on the street. He is not facing the bricks and bullets and different items thrown at you.

Senator Byrd. Were you given orders not to shoot during the riot?

No. 8. It was said not in so many words, not to shoot.

Senator Byrd. How was it said?

No. 8. It was stated to the fact to use good judgment.

Senator Byrd. Why shouldn't you use good judgment?

No. 8. And don't shoot unless you are shot at.

Senator Byrd. Was it said in that way, "Don't shoot unless you are shot at?"

No. 8. Yes, sir, by one official.

Senator Byrd. Was this a precinct official?

No. 8. Yes, sir.

Senator Byrd. As best you can recall now, is that the way it was stated?

No. 8. Yes, sir; the best I can recall.

Senator Byrd. If you were under oath at the moment, would you answer the question in that way?

No. 8. Yes, sir.

Senator Byrd. If you occasionally express your beefs concerning law enforcement in the District of Columbia, maybe to your wife or to your fellow police officers, what are the things you say?

No. 8. Well, one thing we call the outfit chicken. They believe a citizen's statement to the fact that a policeman may beat him up, the fact that they say, we say, the man on the street, the privates, that you are guilty when you go in, make your written reports. You have to prove your innocence.

Senator Byrd. Who gives you trouble in making arrests?

No. 8. You mean in the Department or anybody?

Senator Byrd. No, not in the Department.

No. 8. Not in the Department? Your teenagers and the college students give you trouble.

Senator Byrd. As between whites and Negroes, do you have any problems with either?

No. 8. I would say we have more problems with the Negroes than we do with whites.

Senator Byrd. What problems do you have with the whites?

No. 8. They always say that we are picking on them, that we are afraid of the Negroes, that we won't arrest Negroes.

Senator Byrd. What do the Negroes say?

No. 8. The same thing, except in a different way, that we are prejudiced because we are white. They resist.

Senator Byrd. Does the arrest of a Negro ever create any problem for you?

No. 8. I have had a few complaints; yes, sir.

Senator Byrd. Does the arrest of a white individual create problems for you?

No. 8. Not as yet.

Senator Byrd. Who makes the complaints?

No. 8. Usually the citizen that was arrested.

Senator Byrd. Does any organization assist in making complaints?

No. 8. Not in any of my cases, sir.

Senator Byrd. Have any of the organizations harassed the police officers to your knowledge?

No. 8. Yes, sir; during the riot.

Senator Byrd. What organizations?

No. 8. Pride, Inc.

Senator Byrd. Pride, Inc.?

No. 8. Yes, sir.

Senator Byrd. What was the nature of the harassment?

No. 8. A few of their men were locked up for narcotics, and they were supposed to have been distributing food and clothing to the people who had been burnt out, and the head of the organization came to our precinct and they got a little boisterous.

Senator Byrd. Were there some Pride employees locked up?

No. 8. Yes, sir, there was.

Senator Byrd. Do you know about how many?

No. 8. I believe it was six.

Senator Byrd. And what was the charge?

No. 8. Narcotic Act.

Senator Byrd. If you had your choice in making an arrest as between a white man and a Negro, which would you prefer to arrest, insofar as any problems for you that might be involved?

No. 8. I would rather arrest a white man because there are less problems with the white man than there is with the colored, because he can rile up a crowd faster than a white man can in my area.

Senator Byrd. Thank you. Good night.

No. 8. Good night, sir.

(Discussion off the record.)

STATEMENT OF WITNESS NO. 6

Senator Byrd. Number 6, you are a policeman. How would you describe police morale at the present time?

No. 6. I would describe it as the lowest that we have ever had in the Department.

Senator Byrd. You say the police morale is low?

No. 6. Yes, sir.

Senator Byrd. The lowest ever?

No. 6. The lowest I have ever seen.

Senator Byrd. Why would you say that this is the case?

No. 6. Well, *as far as* the men that *I* have talked to and that I contacted, one is that we do not get the backing of our Department, of our officials, to carry out the decision. When the law is broken, we are told to ignore certain things and to avoid creating incidents in locking these people up.

Senator Byrd. What are you supposed to *ignore?*

No. 6. Well, for instance, we have a juvenile problem. Sometimes they say it is better to let someone go than create an incident, to have trouble.

Senator Byrd. You say you don't have the backing of the Department, can you be more precise?

No. 6 Well, I can give you——

Senator Byrd. You can name names if you like, because you are not identified on this record.

No. 6. I had an incident over a year ago.

Senator Byrd. Be careful, don't identify yourself by the incident. Just be specific as to the people in the Department who don't give officers their support, the kind of support they should have.

No. 6. Well, I don't think the Chief is backing us up enough, really. He should give some administrative orders out that would help us in our work.

Senator Byrd. Let me ask you this question. Do you have any evidence that the Chief of Police is not supporting the men? Have you heard him say he wasn't? Is there anything that he has said which leads you to believe this?

No. 6. I feel this way, sir. When we arrest these people, we just don't have the equipment to work with, even in the precinct we have.

Senator Byrd. Of course that isn't the Chief's fault.

No. 6. And some of the things, the policies of the Department should be changed.

Senator Byrd. What policies?

No. 6. Well, we have complaints that we have against policemen. If we go out and arrest somebody, they will have a complaint against us, and we will have to take time off the street. We will have to write a letter. Then the Sergeant investigates and that will be another letter, and it is more time consumed, and 90 percent of these cases are really false complaints, because these people on the street when we arrest somebody, we see the law and it has to be enforced and we arrest them, and when we get them to the box, we always have outside interference with somebody else trying to prevent us from arresting or harassing us. We get in there and we make these complaints, and then it goes down. These people will complain to the Complaint Review Board down at the District Building and so on. After an investigation, time and it is aggravation for the policeman and harassment by these people, it goes in our personnel file, in our jackets and so on, and it is prejudice to us.

We should have a right to have a complaint that these people should sign and we should have a right if it comes to find out that they are false statements, we should have a right to have a civil action against them and sue these people for these false statements.

Senator Byrd. You have used the term "these people" a number of times. What people do you mean?

No. 6. These people that are on the street with complaints, the NAACP calls up, and every time you turn around they are always complaining about our actions that we do, incidents they create in the precincts.

Senator Byrd. Do any other organizations?

No. 6. Well, I have another one in mind. We have a lot of trouble with this Pride organization we have.

Senator Byrd. What trouble does Pride give you?

No. 6. Well, the people that they employ all the time, it seems like they are known hoodlums and criminals and elements. They have that Mayfield gentleman there. To me why should we give taxpayers' money to a known criminal and hoodlum and he is out there leading these youngsters out here.

Senator Byrd. But what trouble does Pride give the police officer?

No. 6. We have trouble with them all the time. During the riot our policemen have stopped them and we have gotten narcotics out of them, out of their car that they had. We have had trouble with their boys, disorderly and raising Cain and so on and so forth. You lock them up and you always have trouble. Even Mr. Barry, not Barry—what is his name—will come up and interfere, demand to know why this and create pressure.

Senator Byrd. Do you have this kind of problem when you arrest a white individual?

No. 6. No, we don't.

Senator Byrd. What is the population make-up in your precinct as between colored and white?

No. 6. I would say the population in my precinct is about 100,000. I would say 80 percent of them are Negro, or more.

Senator Byrd. Do you have any of this harassment in arresting white people?

No. 6. No.

Senator Byrd. What single factor do you believe is most adversely affecting morale?

No. 6. I think the court decisions that we have is one of them, that policemen are wasting their time when they take these people down there. They beat us back to the beat before we get from court, and laugh at us on the street.

Senator Byrd. When you spoke of the policies which emanate from the top, and which make it difficult for you to do your work, how long have those policies been in effect?

No. 6. Well, ever since I have been on the Police Department there is a lot of things that I think could be administratively done that the Chief could give an order that would boost morale. I can give you one incident I think about like days off. Changing shifts could be done after the days off. It would give the man a long change.

Senator Byrd. What in your opinion could be done to improve morale in the Police Department? If you had one single recommendation to make, what would it be?

No. 6. It would be a combination of two or three things.

Senator Byrd. All right.

No. 6. One, to me, I may be farfetched, but I think the Police and the Fire Department should be taken away from the District of Columbia government, and make a Police and Fire Commissioner who is responsible to the President of the United States, with a separate Federal budget.

Senator Byrd. All right, what is the next?

No. 6. And these men who should head these departments as far as the Police Department is concerned should be a man who is capable, who is a treasury man, somebody in the law enforcement agency who would understand and know what the policeman's problems are, and another thing. I think that the representative, a private from each precinct should be some kind of a board to advise the chief, or somebody responsible to the District government who is close to the Police Department, what the problems are in these precincts.

I have yet to see a deputy chief or inspector or the chief come to our precinct and come in and talk to us and come down at roll call and say to us, "Men, I am here today. What kind of problems do you have? Let's speak out man to man and what is the problems that you have?

Seenator Byrd. What do the men generally think of Chief Layton?

No. 6. They don't have too much of a high opinion of him because he doesn't fight for the men.

Senator Byrd. What do the men generally think of Chief Murray?

No. 6. He was better than Layton.

Senator Byrd. What do the men generally think of Director Murphy?

No. 6. Poor. We have a very low opinion of him, completely. We have no confidence in him whatsoever.

Senator Byrd. Why is that?

No. 6. Because of some of the things he has said and done.

Senator Byrd. What did he do?

No. 6. Well, all the incidents, I remember one incident, the policeman that was on the elevator of the Municipal Center one day, and he was on the elevator and this is everybody's common knowledge. A policeman, if they get another person to get on the Police Department, they are supposed to give them a $50 bonus. He asked the recruiting man about it, and he practically forced the officer off the elevator and took him up to Internal Investigation. They all had to sit down and write letters about it and everything else and wanted to know why he was getting a $50 bribe. Of course that went under. That was one incident.

Senator Byrd. I don't understand just what you mean here.

No. 6. Well, in the Department now if a policeman——

Senator Byrd. I know about that policy.

No. 6. And there is a $50 bonus to the policeman. Well, he didn't know about it. He thought that the policeman was asking for a bribe.

Senator Byrd. Murphy didn't know about it?

No. 6. And he embarrassed the policeman, took him off the elevator. He had to sit down and explain why and type a letter up, and every incident that you have out on the street you have to write a letter. That is more time consumed off the street that you should be out there doing your police work.

Senator Byrd. During the recent riots, did you feel that you were restricted in making arrests?

No. 6. Yes.

Senator Byrd. Of felons?

No. 6. Yes.

Senator Byrd. Why did you feel that way?

No. 6. Because we didn't have enough manpower. We were told to withdraw from the area.

Senator Byrd. Who told you to withdraw from the area?

No. 6. It came out on the radio.

Senator Byrd. Did you feel that you were restricted in making arrests of felons? Were you told not to arrest Negroes?

No. 6. No, not in my precinct.

Senator Byrd. Were you told not to use your stick?

No. 6. No.

Senator Byrd. Were you told not to stop looters?

No. 6. Not in my precinct. I arrested looters.

Senator Byrd. Were you told not to shoot looters?

No. 6. Yes, we were told not to use our gun under any circumstances.

Senator Byrd. Who told you that? Who gave that order?

No. 6. The officials that were on duty at that time at the precinct, from the Captain on down.

Senator Byrd. Did you hear the order given?

No. 6. No. It was relayed to us by the Sergeant, not to use our service revolvers.

Senator Byrd. Did you hear the Sergeant give that order?

No. 6. Yes, I did.

Senator Byrd. Was this at roll call or was this just to you personally?

No. 6. That was at roll call.

Senator Byrd. And what precisely, how did the Sergeant say this?

No. 6. We were not to use our service revolvers against looters.

Senator Byrd. Was the statement made specifically with regard to looters only?

No. 6. Just to looters, that is all.

Senator Byrd. If you had to repeat the statement as you recall its having been said by the Sergeant, how would you say it?

No. 6. We were told not to use our service revolvers against looters, not to use our service revolvers.

Senator Byrd. So if you can imagine for the moment yourself being the Sergeant and giving that order, try to state it exactly as he stated it.

No. 6. I remember at roll call that day, he told us that we were not to use our service revolvers, not to shoot any looters.

Senator Byrd. What is the general policy regarding the shooting of looters, let us say at this time, and what was it prior to the riots?

No. 6. Well, we didn't have any set policy before the riots, because we never had looters.

During the time of the riot, we were not to use our service revolvers. We were told that.

Senator Byrd. You were told this during the riot?

No. 6. Yes. They kept reading that order out, not to use your service revolvers.

Senator Byrd. Did you see anything in writing to this effect?

No. 6. No, sir.

Senator Byrd. Suppose tomorrow you were to see a looter, and makes off down the street and he is an adult, he makes off down the street with valuable property. You are unable to catch him and make the arrest, and you are positive that this looter has committed a felony, a felony of burglary. Are you authorized to use your revolver?

No. 6. No, I would not.

Senator Byrd. Why?

No. 6. Because the Department would not allow me to use my revolver. I know I would be criticized and I would maybe have to go stand trial for shooting that person, or I would go to the Trial Board for it.

Senator Byrd. Is there any difference in the enforcement of the law as between Negro and white citizens here? Have you been asked not to arrest Negroes?

No. 6. No, I haven't, no.

Senator Byrd. Are you under any impression that you can enforce the law more rigidly against whites than against Negroes or vice versa?

No. 6. No. I think they are more lenient with Negroes than they are with whites. They bend over backwards for them, to me.

Senator Byrd. When you say "they", whom do you mean?

No. 6. The officials of the Department not to create incidents, not to cause trouble, try to play it down and keep it down, keep it cool.

Senator Byrd. What makes you think this?

No. 6. Well, to me if a white person steals a car or these juveniles commit these offenses, they only make 3-7-9, which is the number of the juvenile form. They refer them to the Youth Division and it goes downtown and they screen it for the court. The officer never sees the disposition of the case, never, it doesn't matter what it is. I think I should know if I arrest a juvenile on these charges, I ought to be told what is the disposition of the case. I never see it.

Senator Byrd. But what has this got to do with what you just said to the effect that there is a greater leniency shown towards Negroes?

No. 6. There is a greater leniency. I mean they bend over backwards for them. When they come in the precinct, the citizens, and they want this and they want that and they get it. They put the pressure on and they get it.

Senator Byrd. Is this just an impression you have, or do you know something? Have you seen something in writing or heard something by way of orders orally which would indicate this?

No. 6. No. It is my impression that they do that. It seems to me that they get what they want. They holler, scream and holler and put the pressure on, and as you say, you keep hollering long and loud enough, you will get what you want.

Senator Byrd. How do you view law enforcement in the District of Columbia?

No. 6. I think it is poor.

Senator Byrd. How do you view it from the standpoint of yourself? How do you view this as a career for yourself?

No. 6. I like to be a policeman. I like to be a policeman, but my hands are tied. Some of the laws we have we just don't have enough laws to cope with it. Some of the jobs that I do in the precinct, I am a specialist in certain areas that I do, we don't have a law to cover the thing that I do now. We have a problem on the street right now that we have that is terrific mounting all over the country.

Senator Byrd. What is it?

No. 6. Abandoned automobiles. That is one of the problems.

Senator Byrd. What does your wife think of your work as a policeman?

No. 6. Well, she is scared to death. She doesn't know whether I am going to come home alive or not I guess most of the time, but she goes along with me. We have been married eight years.

Senator Byrd. Do you feel that police work has changed in the District of Columbia?

No. 6. Yes, I do.

Senator Byrd. Is it becoming more difficult?

No. 6. I think so.

Senator Byrd. Why?

No. 6. It seems like we don't get the cooperation in the courts. We don't get enough. We go down there and they are let out on every technicality and everything else. My opinion is if somebody breaks the law, why should it matter which way we get him. He is guilty or he is not guilty. That is the main point.

Senator Byrd. Let's say that you go home tonight and your wife says, "Look, I have been thinking about a problem for you. You see two men commit the same crime. One is white, one is Negro. Each man is the same distance from you. Each man appears to be the same height, the same weight, the same age"—

No. 6. I know what you are going to ask me already.

Senator Byrd. And as far as you can tell, neither is armed. You can only arrest one. She looks across the table and says, "Honey, which would you arrest?"

No. 6. I probably would arrest the Negro. I don't know why. I would.

Senator Byrd. Do you like to stay out of trouble?

No. 6. No. I am not the type that tries and avoids it. I would go and take the bull by the horns.

Senator Byrd. So you would arrest the Negro?

No. 6. That is right, and I have written letters, I just finished writing one a couple of weeks ago.

Senator Byrd. Which would cause you less problems?

No. 6. The white one if I arrested him.

Senator Byrd. Why?

No. 6. Because he wouldn't complain about it. He might make a verbal complaint and that would be the end of it, but if a Negro complained about it, all he has to do is call the NAACP, Miss Ruth Bates Harris up in the precinct who is on that committee and there would be a big investigation and I would have to sit down and type a letter out. We would all have to write on it.

Senator Byrd. Don't you like to avoid this kind of work?

No. 6. No. If I see a law broken, I think I should arrest him.

Senator Byrd. You should, but you have an opportunity of arresting one of these two men. Each has broken the law.

No. 6. I would have more trouble out of the Negro, I know I would.

Senator Byrd. Could you honestly say to your wife, "Honey, I would arrest the man that would give me more trouble"?

No. 6. Yes, if he gave me the most trouble, I would. I would.

Senator Byrd. You would rather arrest the man that gave you trouble?

No. 6. That is right. I would. I have done it. I had a juvenile a couple of weeks ago gave me more trouble than anyone. We had to write.

Senator Byrd. You are getting away from my problem now. You are saying that you will make an arrest even though it causes you trouble.

No. 6. Yes.

Senator Byrd. But I am asking you about a situation in which you have a choice.

No. 6. I would arrest the Negro.

Senator Byrd. And you could only arrest one, one who according to you is more likely to give you trouble and you are going to pick that one?

No. 6. That is right.

Senator Byrd. I don't have any further questions. I appreciate your coming up here.

No. 6. Thank you.

(Discussion off the record.)

STATEMENT OF WITNESS NO. 5

Senator Byrd. Officer, you will be No. 5. What is the greatest problem confronting you in the District of Columbia, in your efforts to enforce the law?

No. 5. Departmental restrictions.

Senator Byrd. What kind of restrictions do you have reference to?

No. 5. In reference to use of the service revolver, I think is the biggest one.

Senator Byrd. Speak louder and more clearly. Would you repeat that?

No. 5. In reference to the use of the service revolver.

Senator Byrd. Explain what you mean.

No. 5. Well, the law defines it that we can use our service revolver on four different occasions. If we are being assaulted yourselves and our lives are in danger, to kill a vicious dog, to apprehend an escaping felon when all other means have been exhausted.

Senator Byrd. What are you having trouble with right now, insofar as these regulations are concerned?

No. 5. I can't define the difference between a looter and a burglar. We are not supposed to shoot looters.

Senator Byrd. Why aren't you supposed to shoot looters?

No. 5. Departmental policy.

Senator Byrd. Have you seen that policy in writing?

No. 5. No, sir. It was only verbally told us.

Senator Byrd. By whom?

No. 5. By the Lieutenant in our precinct.

Senator Byrd. The Lieutenant in your precinct?

No. 5. Yes, sir.

Senator Byrd. Did he tell you this?

No. 5. Yes, sir.

Senator Byrd. Where?

No. 5. In service training class.

Senator Byrd. Have you been told this during roll call?

No. 5. No, not that I recall.

Senator Byrd. Precisely how did he say this, if you recall? What was his statement?

No. 5. I can't remember how he actually came out with that statement, but I do know I asked him to define to me the difference between a looter and a burglar, and he didn't give me an answer on it but he said this Department's policy is not to shoot looters.

Senator Byrd. Did other officers hear him say this?

No. 5. Yes, we had about 15 men there, I believe.

Senator Byrd. How long ago was this?

No. 5. It was in preparation for the Poor People's March.

Senator Byrd. When was that?

No. 5. I believe it was scheduled for April 1 or April 12. This was before the riots had begun. That was, I would say, in the middle of March.

Senator Byrd. The occasion during which he made this statement was prior to the time the Poor People's March was to have gotten underway?

No. 5. Right.

Senator Byrd. This was in March?

No. 5. Right.

Senator Byrd. During the month of March?

No. 5. Yes, sir.

Senator Byrd. How many officers were present approximately?

No. 5. I would say 15, maybe 20.

Senator Byrd. This was before the riot?

No. 5. As far as I just said now?

Senator Byrd. What did he say, again?

No. 5. As far as I just said no?

Senator Byrd. What did he instruct you? What was the instruction?

No. 5. It is not the policy of this Department to shoot looters.

Senator Byrd. When you asked him about burglary, did he draw a distinction between that and looting?

No. 5. He wouldn't answer my question.

Senator Byrd. Did he indicate whether or not you were to shoot a burglar?

No. 5. No specific word has ever been said about us shooting burglars, as far as the Department goes, that I recall anyway.

Senator Byrd. How would you describe police morale at this time?

No. 5. Low.

Senator Byrd. Why is it low?

No 5. I guess because you have got bickering from your local Neighborhood Settlement House and the officials in the precinct. You are sort of caught in the middle.

Senator Byrd. If you were talking with your buddies down there at the Police Department and you were discussing the morale do you think that your fellow officers would agree with you that the morale is low in your precinct?

No. 5. Definitely.

Senator Byrd. If you were just kicking it around among you, what would be the reasons that you would state to one another as to why the morale was low?

No. 5. Well, starting now, just recently it has been the starting of interrogation between white men and colored men, putting him in the car to make it look good, and as far as law enforcement is concerned it is not helping out law enforcement at all, for the simple reason that you just about live with this man every day, your partner in the scout car, and you couldn't express yourself over to him as far as not liking Negroes just as much as he couldn't express his views on the white people. There would be too much friction between them.

Senator Byrd. Do you like Negroes or do you dislike them?

No. 5. I don't like them and I don't dislike them. I am neutral on that part. I don't have nothing against them.

Senator Byrd Do you like your work?

No 5. I love my work.

Senator Byrd. Do you like it as well as you did when you started out, yes or no.

No. 5. No.

Senator Byrd. Why? What do you beef about when you go home to your wife? You are not identified on this record. Just come out with it, whatever it is. Be plain about it.

No. 5. Just when you lock somebody up and next day you go on down to court and I can't understand, if a guy owns a $900 TV set and he goes down to court and they tell you no, it is not worth $900, it is only worth $99, and here this man is complaining on your shoulder, and you feel that it just ain't right, going down to a misdemeanor so it doesn't go to the big court.

Senator Byrd. Do you feel that you have the backing of the courts? Do you feel that the courts are backing up the policeman?

No. 5. I think they are impartial. I worked in the United States Attorney's office. That is my personal opinion.

Senator Byrd. Do you feel that the police are restricted in any way by the courts in dealing with criminals? Do you feel that you have an even break in the courts with criminals or do you feel that the courts lean toward you?

No. 5. No, sir, they lean the opposite way.

Senator Byrd. What about your superiors? Do you have the backing of your superiors?

No. 5. That goes 50–50. It depends upon which official.

Senator Byrd. I beg your pardon?

No. 5. It is 50–50. It depends on what officials are working. As far as our Captain goes, he is the tops in my books.

Senator Byrd. What about on up above him? Do you feel you have the support of the superiors in the top echelons of the Department?

No. 5. No, I don't.

Senator Byrd. What do you think of Mr. Murphy? He is the Director of Public Safety.

No. 5. I don't like him.

Senator Byrd. Why? Do you know him personally?

No. 5. No. I just don't like him from what I have seen of him, on television and in the papers.

Senator Byrd. Why don't you like him? Does he not part his hair on the right side? What is wrong with him?

No. 5. No, it is just that I don't think he belongs being a policeman.

Senator Byrd. Why? Do you think he looks like a type who ought to be a clerk behind a counter selling merchandise?

No. 5. That is just about what I feel he should be doing.

Senator Byrd. What has he said that you don't like?

No. 5. I have got a bunch of statements in my mind. I can't think of any now.

Senator Byrd. What has there been about those statements essentially that you as a policeman don't like?

No. 5. I feel if you are going to be the Chief of Police, you should be pro-police, I mean 80 percent police and 20 percent public.

Senator Byrd. Did you arrest any felons during the recent riot?

No. 5. Yes, I did.

Senator Byrd. Did you use your stick?

No. 5. Yes, I did.

Senator Byrd. Were you asked not to use your stick during the riot?

No. 5. No, I wasn't.

Senator Byrd. Pardon?

No. 5. No, sir.

Senator Byrd. Were you asked not to make any arrests of Negroes?

No. 5. No, sir.

Senator Byrd. Were you given any orders which would lead you to feel that you were to be more restrained in arresting Negroes than in arresting whites?

No. 5. No, sir.

Senator Byrd. Which would you rather arrest, a Negro or a white man?

No. 5. Whichever one was in the store.

Senator Byrd. Pardon?

No. 5. Whichever one that was in the store and you didn't know him, it would make no difference.

Senator Byrd. What restrictions were placed on you with regard to the use of your service revolver during the riot? Were you told not to use your firearm at all?

No. 5. That was my day off and the riots already had been in progress. I came in, that it was on the fifth of April around 3 o'clock, and I was just told by the Sergeant to get my helmet on and just get out in the street, get in the car and get out on the street.

Senator Byrd. Were you told not to use your gun?

No. 5. No, sir.

Senator Byrd. Were you told not to make any arrests if you could avoid it?

No. 5. No, sir.

Senator Byrd. Is police enforcement in the District becoming more difficult?

No. 5. Yes, it is.

Senator Byrd. Why?

No. 5. Well, you have got to answer to about 800 leaders, I guess.

Senator Byrd. I beg your pardon?

No. 5. You have to answer to about 800 different people, I would assume.

Senator Byrd. Would you like some other precinct better than the one in which you are presently working?

No. 5. I like a fast precinct. I just like police work.

Senator Byrd. Do you have any children?

No. 5. Yes, I do.

Senator Byrd. Boys or girls?

No. 5. Girls.

Senator Byrd. If you had a boy would you want him to be a policeman in the District of Columbia?

No. 5. I would like him to be a policeman but not in the District of Columbia.

Senator Byrd. What is wrong with the District of Columbia as far as a policeman is concerned? Why is the work more difficult here? What is there about the work here in the District that makes you want him to go elsewhere?

No. 5. Other departments have better pay.

Senator Byrd. Some of them don't.

No. 5. Just better general working conditions.

Senator Byrd. When you say working conditions, what do you mean by that? Do you have a tougher clientele here?

No. 5. Yes, we do.

Senator Byrd. Why is that? Why are people tougher in the District of Columbia than they would be in some other town?

No. 5. I guess they know you have got a limit. The policeman has a limit to which you can go. They will stand on the street and call you every name in the book.

Senator Byrd. Who does this?

No. 5. Juveniles, young adults.

Senator Byrd. Whites.

No. 5. No whites.

Senator Byrd. Then who does this?

No. 5. Negroes.

Senator Byrd. Does this make your problem any different from what it would be anywhere else?

No. 5. I was a policeman in another large city. I would probably go over and lock them up.

Senator Byrd. Why can't you do that here?

No. 5. Because of the personal abuse. We are not supposed to take personal abuse personally.

Senator Byrd. Pardon?

No. 5. We are not supposed to take personal abuse personally.

Senator Byrd. Is this departmental policy?

No. 5. It is the law.

Senator Byrd. Do any organizations give you any difficulty here? Does the NAACP cause you any problems?

No. 5. Well, I suspect most of the policemen are NAACP members. No, I don't think they do. I have never run into the NAACP. I have run into Pride and the other ones, but I have never run into NAACP yet.

Senator Byrd. Does SNCC give you any problems? Does CORE cause any trouble among the policemen?

No. 5. Well, I don't know which organizations these people belong to, but I would assume——

Senator Byrd. In general are policemen harassed by Negroes in this city?

No. 5. Definitely.

Senator Byrd. Are they harassed by the Negro organizations through the bringing of complaints and so on, charges of police brutality?

No. 5. I never had an incident myself. I don't know of any others.

Senator Byrd. Do you hear your fellow officers speak of any?

No. 5. Yes, I remember.

Senator Byrd. Do you feel that the troops should have been taken out when they were removed?

No. 5. Of the District of Columbia?

Senator Byrd. Yes.

No. 5. There is more rioting scattered out now than there was during the three days.

Senator Byrd. Do you feel that there should be troops in some of the areas of the city now?

No. 5. I certainly do.

Senator BYRD. Why?

No. 5. Because we just can't stand in back of every store in the District of Columbia. We just can't do it. We don't have the men to do it.

Senator BYRD. Thank you very much.

No. 5. It has been a pleasure.

(Discussion off the record.)

STATEMENT OF WITNESS NO. 4

Senator BYRD. Mr. 4, how long have you been in the Metropolitan Police Department?

No. 4. Since November 8 of 1965. It will be three years in November.

Senator BYRD. Where are you from originally, not the town but the state.

No. 4. New York.

Senator BYRD. Are you married?

No. 4. Yes, sir.

Senator BYRD. Officer you are number 4. What is the greatest problem confronting you as a policeman in your efforts to enforce the law in the District of Columbia?

No. 4. Well, I believe it is an overall problem which involves many things. As far as respecting a police officer, you have no respect, and as far as trying to enforce the law, it is quite hard to enforce it the way I see it. Basically, that is all I can really say.

Senator BYRD. How would you describe the morale in your precinct?

No. 4. Well, as far as the working conditions, I don't think the morale is up where it should be. It is low as far as I am concerned. It is by no means at a high as far as I am concerned, I mean from talking to fellow officers, talking the problems over.

Senator BYRD. How long has the morale been as you have described it?

No. 4. Well, the way I see it, I can honestly say it seems in the last three years it has dropped, at least from what I can see.

Senator BYRD. What single factor do you believe is most adversely affecting morale? What is hurting the morale?

No. 4. I don't know. There again I would say it is more than one thing, like I said before. You yourself out there working with these people on the street, respect, I would say, is an important factor. You don't have the respect out there. A lot of times you can't enforce the law to the fullest extent like you would.

Senator BYRD. Why can't you enforce the law?

No. 4. Well, I mean you, yourself, to give an example, if you were out there on the street, one man walking in a neighborhood, and you tried to make an arrest, before you know it you would have the whole neighborhood on you. You just can't do it by yourself any more.

Senator BYRD. And what kind of a neighborhood is it?

No. 4. It is predominantly a Negro neighborhood.

Senator BYRD. When you say predominantly, do you mean 51 percent?

No. 4. The Ninth Precinct, I would say 80 percent.

Senator BYRD. When you arrest a white person, do you get this kind of reaction from the white community?

No. 4. Well, like I said, it is predominantly Negro. There is not that many white people in the Ninth Precinct. Where they are, you don't have as much trouble in that section as you would the colored section.

Senator BYRD. What kind of trouble do you have in a colored section when you go to make an arrest?

No. 4. Well, the first thing is that it seems that you have a crowd there, before anything happens at all. As soon as you stop and talk to people on the street, a crowd gathers. Then you have to take this harassment. You can't do nothing. Like I say, you are out there by yourself.

Senator BYRD. What kind of harassment do you take?

No. 4. They call you names.

Senator BYRD. What kind of names? You can use the first letter in the name.

No. 4. Well, vulgar names, B, F, and they refer to you as your race, Whitey, or something of this nature.

Senator BYRD. They call you Whitey.

No. 4. Yes. This happens quite frequently. I myself, I don't walk the beat. I am assigned to a mobile unit.

Senator BYRD. You are assigned to a mobile unit and they call you Whitey?

No. 4. Yes.

Senator BYRD. Does that hurt your feelings?

No. 4. No, it don't bother me.

Senator BYRD. Do you get this kind of harassment when you arrest a white man? Does a crowd gather?

No. 4. Very seldom.

Senator BYRD. Are you called names by other white men when you arrest a white man?

No. 4. It hasn't happened to me.

Senator BYRD. Do you feel that you have the proper backing from your superiors?

No. 4. Well, I can't honestly say because I was never put in a position to know this, really. I have never been put on a spot, so to speak.

Senator BYRD. Do you feel that the police officers generally have the backing of their superiors in the Department?

No. 4. I don't know, Senator. This would be a rather hard question to answer, because when something does arise, it usually turns out to be an isolated case, where like myself, the private wouldn't know nothing of.

Senator BYRD. You read the newspapers and you hear your other officers talk. What is the general impression among your fellow officers?

No. 4. In regard to that question you just asked me, everybody feels that they really don't have the backing on the job.

Senator BYRD. Does this mean the backing of your immediate superiors or the backing at the top levels of the Department?

No. 4. I would say the top levels of the Department. I mean you are given a lot of responsibilities out here, and there is an awful lot of things to cope with out here on this job and you can run into mostly anything. A man always wonders if something does happen, if I get involved, exactly where will I stand. And I imagine everybody has that attitude deep down inside. We have talked about, many of the men.

Senator BYRD. What is your opinion of Director Murphy?

No. 4. Personally, I don't think he helped the Police Department at all as far as I am concerned. Chief Layton seems to be doing quite well, before the Safety Director come along. It seems as Safety Director he would have too broad of a field to cover.

Senator BYRD. You mean Mr. Murphy?

No. 4. That is correct, and you don't really know who your head is. Some say Mr. Murphy is the head of the Police Department as well as the other department which he heads and some say Mr. Layton.

Senator BYRD. During the recent riots did you feel that you were restricted in arresting felons?

No. 4. Well, as far as arresting them, me, myself, I tried to arrest as many of the violators as I possibly could. But that is all I could do is arrest them. There is 100 people and five policemen, what do you have? All I could grab is one or two people maybe at most.

Senator BYRD. Were you restricted in the use of your nightstick?

No. 4. Well, we were told just to use whatever force which is necessary to make an arrest. I imagine that speaks for itself.

Senator BYRD. Were you told not to arrest Negroes?

No. 4. No. We were never told not to arrest.

Senator BYRD. Were you told to avoid making arrests except in the direst of circumstances, or something to that effect, anything to that effect.

No. 4. Well, there was a time during the riot where it was quite hard to make an arrest, I mean as far as space for the people who were arrested. There was no room at our precinct and probably nowhere else at that time. We sort of slacked off a little bit there because we had nowhere to put the people. We had no transportation at the time because it was such a mass of arrests. It was hard to deal with.

Senator BYRD. Were you under any special restrictions regarding the use of your service revolver?

No. 4. That was the extremely last means if any to use your service revolver.

Senator BYRD. Was this just during the riot or is this the general practice?

No. 4. As far as I am concerned it is the general practice.

Senator BYRD. Were you under any greater restrictions during the riot, insofar as instructions from your superiors were concerned?

No. 4. No, I wouldn't say so, not during the riot we weren't. I would say we were given a free hand as far as judgment was concerned to do our job out there, whatever was to be done.

Senator BYRD. If you see an adult throw a brick into a store window and go into the store or reach in the window and pull out a TV set and you are unable to catch him and make the arrest, and he is about to get away, and he is about to get into a strange car which doesn't have a District license on it, so that you don't feel that you will be able to arrest him at a later time, what about the use of your service revolver?

No. 4. Definitely. I think you should use it.

Senator BYRD. You think you should. What is the policy of the Department?

No. 4. Well, the only time you can use your service revolver is in the apprehension of a felon or your life is in danger and when all other means have been exerted in order to apprehend him. When all other means fail, then you are to use your service revolver.

Senator BYRD. Are you supposed to use your service revolver to prevent a looter from escaping?

No. 4. No.

Senator BYRD. If the looter is an adult?

No. 4. No.

Senator BYRD. You are not supposed to use your revolver?

No. 4. No.

Senator BYRD. Isn't that a felony, if the individual has broken into a store?

No. 4. Sir, this pertains to the riots now?

Senator BYRD. At any time.

No. 4. Well, correct, if it is a felony, yes, if all other means have failed, according to our manual and what we have been told, we should use our service revolver.

Senator BYRD. If tomorrow you see a looter making off with a valuable article, such as a fur piece, let us say, a lady's fur piece, and you say, "Halt," and you run and try to catch up with him and he gains on you all the time, and you know that you can't catch him, is this a felony?

No. 4. Right.

Senator BYRD. Are you authorized to use your service revolver to prevent his escape?

No. 4. You should but you wouldn't.

Senator BYRD. Why?

No. 4. Fear for losing my job. There are so many instances where police officers have used their gun out there and then the criticism they receive after. I mean if I knew I would have backing at that point, that would be a different story, but as it stands now, I wouldn't shoot him.

Senator BYRD. A moment ago when I began asking this line of questions, you responded by asking whether or not I had reference to the riot. During the riot were you under any tighter restrictions with reference to the use of your service revolver?

No. 4. We were told not to shoot looters.

Senator BYRD. I beg your pardon.

No. 4. We were told not to shoot looters.

Senator BYRD. Were you told this in writing?

No. 4. No, verbally.

Senator BYRD. Where were you told this verbally?

No. 4. By our superiors.

Senator BYRD. Where?

No. 4. At the Precinct.

Senator BYRD. During roll call?

No. 4. Yes, sir.

Senator BYRD. Were you told this more than once?

No. 4. I believe several times, sir.

Senator BYRD. When you say you believe several times, do you recall having been told this several times by your superiors?

No. 4. Well, during all the confusion I can't actually say how many times, but I know it was more than once that I heard it.

Senator BYRD. Do you enjoy police work?

No. 4. Yes, sir, I enjoy it very much.

Senator BYRD. Is it becoming more difficult in the District of Columbia?

No. 4. It seems that way, sir.

Senator BYRD. To what would you ascribe this, very briefly?

No. 4. The position of the policeman, the job that you have to perform out there is more or less like a social worker as far as I am concerned. It is not a man who enforces the law, what it is supposed to be. It is nowhere near that the title of the job represents as far as I am concerned.

Senator BYRD. Do policemen in your opinion turn their heads in order to avoid making an arrest for the commission of a minor crime?

No. 4. No, not to my knowledge, no, sir. I don't think so.

Senator BYRD. Which would you rather arrest, a Negro or a white man?

No. 4. It makes no difference to me as far as arresting a person if they are breaking the law, regardless of race, I will arrest him.

Senator BYRD. Insofar as problems for you may be concerned, which would you rather arrest?

No. 4. Well, like I told you before, as far as incident-wise, why, the problem always arises, it seems, when you arrest a Negro in a Negro neighborhood, retaliation by his friends or something of that nature. It seems now every time you arrest somebody, there is always trouble. They are either protesting, or like I said, calling you names or trying to harass you, trying to make you lose your temper, things of that nature.

Senator BYRD. How does your wife feel about your being a policeman?

No. 4. Well, I really don't discuss my job that much with my wife. So far as the difficulties that I have at work, I don't want to bother her with those troubles.

Senator BYRD. Does she worry about you, do you think?

No. 4. Yes.

Senator BYRD. I appreciate your coming over. I am sorry to inconvenience you at this time of the evening.

No. 4. Thank you, Senator Byrd.

(Discussion off the record.)

STATEMENT OF WITNESS NO. 3

Senator BYRD. How long have you been in the Metropolitan Police Department, just approximately, the number of years?

No. 3. 15½ years.

Senator BYRD. In what precinct are you located now?

No. 3. No. 9 Precinct.

Senator BYRD. Officer, you will be No. 3. Are you married?

No. 3. Yes, I am.

Senator BYRD. How do you like police work?

No. 3. I love it.

Senator BYRD. How would you describe the police morale at this time?

No. 3. I think the police morale is low.

Senator BYRD. What makes it low?

No. 3. Well, the conditions we have to work under. We are stopped by making the arrests that we want to make. I have seen conditions a couple of years ago where we would have 100 prisoners on Saturdays. Now we only have about 15 or 20.

Senator BYRD. What are these conditions which make it difficult for you?

No. 3. Well, if we arrest somebody, there is always complaints made against the Police Department.

Senator BYRD. Is this always true in the making of every arrest?

No. 3. Nearly every arrest. We get out there, today the man we arrest seems to be more arrogant and more resentful.

Senator BYRD. What is the population make-up of your precinct?

No. 3. I don't know. It is quite a large precinct.

Senator BYRD. Is the population mostly white?

No. 3. No, it is mostly Negro. I would say 85 percent Negro.

Senator BYRD. Do you have this trouble when you arrest a white man?

No. 3. We very seldom have to arrest a white man. The white men that I know of, I have been in the patrol wagon for 14 or 15 years and I know most of the people and most of the people in the precinct know me, although there is a lot of people I don't know that know me.

Senator BYRD. Do you normally have difficulties?

No. 3. Not with the white man, no.

Senator BYRD. You don't.

No. 3. Very, very seldom have trouble with the white man, like I say, I don't have too much to do with the whites.

Senator BYRD. What are the difficulties you have in arresting Negroes that you don't have ordinarily in arresting whites?

No. 3. Well, they will fight back. We can't touch them. If we touch them we are going to go to the Trial Board. That is hanging over our heads.

Senator BYRD. Why can't you touch them?

No. 3. Any force that we might have to use, they will resist. If we have to use any type of force, not saying that we are going to hurt them or anything like that. I have got a case tomorrow, it is a juvenile, that I had to take out of the Amy Jones place on New York Avenue. This was last February. I twisted his arms behind the back to get him out of there and held his head over and draped him over the hood of the car and I had two Negro officers there that didn't even help you.

Senator BYRD. Two Negro officers didn't help you?

No. 3. Yes, sir.

Senator BYRD. This was a Negro?

No. 3. Yes.

Senator BYRD. Why didn't the Negro officers help you?

No. 3. I don't know why. They just stood around and watched. After it was all over when the patrol wagon left, I even had to say, "Will you call the patrol wagon," they finally called the patrol wagon. After they left there was a white Cadillac with a Negro man and woman in the car and they called me over and I thought they were going to protest about it. They said, "What is the two clowns standing there watching you for?" He said, "I would punch them in the mouth." He meant the two Negro policemen.

Senator BYRD. This was the Negro driver of the car?

No. 3. Yes, sir. When I arrested this juvenile there was another juvenile with him. He didn't try to help him. He tried to calm him down. This guy wanted to fight and I had to hold him in such a position. I wasn't hurting him but I kept telling him I could break his back or neck if I wanted to but I had him draped over the hood of the car, and this one, the juvenile, kept saying if he got loose he is going to kill me, he threatened to kill me and everything else.

Senator BYRD. Did you complain with regard to the conduct of the other two officers?

No. 3. Yes, but there was nothing done about it. A couple of days ago he had a housebreaking on H Street, the place had already been looted. It is in operation now. I went up on the roof, and it was broken open, the window was and there were shoes laying there. I went in, called on my walkie-talkie radio for help so two colored officers came around and I climbed through that window, went inside, and the whole place was full of shoes, you know, on shelves. I went all through that building and when I come back upstairs they were still standing outside the window. They didn't come in and help me. I mentioned it to one of the sergeants in our section and he said, "That is what you got to expect now." He said he didn't expect them to help anyway because he knows the conditions also.

Senator BYRD. Are you saying that Negro officers are not giving their best performance to the Department?

No. 3. Yes, that is right. There are a few officers there, maybe one or two officers that I will say will get out there and arrest. They are upholding the law and they will arrest these whether they are Negro or white. They arrest, but the majority of officers over there, they won't help us.

Senator BYRD. Won't arrest anybody?

No. 3. I don't feel safe with them backing me up.

Senator BYRD. You don't feel safe with Negro officers backing you up?

No. 3. That is right. I am actually in a one-man car so I don't have any riding with me.

Senator BYRD. But you don't feel that Negro officers enforce the law?

No. 3. I don't think so.

Senator BYRD. In your precinct.

No. 3. It is my feeling they don't. We had a discussion, on Tuesday and Thursday we have school before roll call, and last week we were supposed to discuss the conditions of the riot, what we could have done and what should have been done in equipment, and it turned out myself against all the Negro officers.

Senator BYRD. Concerning what?

No. 3. Arguing human relations, public relationship.

Senator BYRD. What were they saying about human relations?

No. 3. Well, every time the Sergeant said, "Now we are going to talk about the equipment that we need"——

Senator BYRD. Don't go into that.

No. 3. I mean this is how it started. And I mentioned part of the equipment that we would need and the colored officers would change it to your public relationship, and I got up and told them, I said what is public relationship but the minute you walk out on the street it is public relationship. You are out there to help the people, and then they would argue that the white police have no concern for the Negroes in the precinct and they don't care.

Senator BYRD. Do you believe that?

No. 3. No, because I have got several commendations. I had my picture in the paper, in the Daily News, it was in all three editions, where I helped a Negro boy on the street. I didn't do a thing to him except to console him. He was injured and there was pictures. Ruth Bates Harris has a picture of it.

Senator BYRD. What in your opinion could be done to improve morale in the Washington Police Department?

No. 3. In my opinion get rid of Mr. Murphy, because I feel if Chief Layton was my father I would be ashamed of him, because I think Chief Layton is what the Department needs, but I would feel ashamed. He is either afraid to fight back or he hasn't enough guts to resign.

Senator BYRD. Do you feel that you have any lack of backing from your superiors in carrying out your duties?

No. 3. In carrying out my duties I would have the backing, I think, in our precinct. The backing of certain of our officials. One Lieutenant in particular and the Captain, but I feel that their hands are tied also.

Senator BYRD. Do you feel that you would have or wouldn't have the backing at the top?

No. 3. You mean in deputy chiefs and inspectors?

Senator BYRD. At the top, Chief Layton.

No. 3. Chief Layton? I think we would, but like I say, he is afraid to talk. He is afraid to do anything.

Senator BYRD. During the recent riots were you restricted in making arrests of Negroes?

No. 3. Yes. I was sent down. We worked 4 to midnight and after the riot started they took us down to 14th Street. We didn't have helmets, teargas masks or anything, just the way I am right now, and we went down, I am not too sure of the street now, around 14th and Park Road, right near the end anyway, and we watched a store being looted and I wanted to go up there and stop it and they wouldn't let us.

Senator BYRD. Who wouldn't let you?

No. 3. The officials said, "Don't go up there."

Senator BYRD. What officials?

No. 3. Two of them were our own officials but they were told by other officials I presume * * *.

Senator BYRD. Were you told not to arrest Negroes?

No. 3. We weren't specifically told not to arrest them but we were told not to go up the street where they were. Later on a scout car came through there and they ran away and we made a sweep of the street with everybody. We had enough policemen up there to go up and prevent that store from being looted.

Senator BYRD. You had enough?

No. 3. Yes, sir, but you know on that particular corner.

Senator BYRD. You had enough?

No. 3. We had enough but they wouldn't let us go up there.

Senator BYRD. You were told not to go up there?

No. 3. That is right. I started up there several times and they told us to come back.

Senator BYRD. Were you told not to use your stick?

No. 3. No. I wasn't given any instructions of anything. The only thing I was told to take my badge and my name plate off.

Senator BYRD. Why?

No. 3. I can't understand why.

Senator BYRD. Why take your badge and name plate off?

No. 3. Somebody said, this was a policeman's pin, we were told to take our badges off because it would protect us. If they grabbed our badges, they could stab us with the pin, but I don't think so. They never told us to do it before.

Senator BYRD. What about looters? Were you told not to arrest looters?

No. 3. They never gave us any instructions to do anything except to stay right there, stay right in that place. Where we were at there was nobody.

Senator BYRD. Were you told not to use your service revolver at any time?

No. 3. No, sir, I wasn't told. I never heard an order not to use it but I was under the impression that we weren't supposed to, that it would be better not to shoot them.

Senator BYRD. What gave you that impression?

No. 3. I have my own opinion, I don't think a housebreaker, it is an awful penalty to pay to shoot a housebreaker for stealing, just breaking into a house and stealing something, to kill him, but I believe in apprehending him and putting him in jail.

Senator BYRD. Suppose you can't apprehend him and he is about to get away?

No. 3. I don't think I would shoot him.

Senator BYRD. Why?

No. 3. In my opinion I don't think just for a housebreaking, unless there was harm done, that I would shoot if there was harm done.

Senator BYRD. How do you know?

No. 3. I don't know.

Senator BYRD. You have seen him come out of the house and you have seen him running.

No. 3. I mean until the time comes whether I would shoot him or not, I am not too sure whether I would or not. I have pulled my gun on housebreakers.

Senator BYRD. Suppose you see an individual come running out of a house and he has a television under one arm, a television set under one arm.

No. 3. I don't think I would shoot him.

Senator BYRD. You don't know what has happened in that house, whether he has left the owner lying bleeding to death on the floor. Has this man committed a felony?

No. 3. He has committed a felony, yes.

Senator BYRD. Let's say you start out after him and you can't catch him.

No. 3. I can't catch him? I would be afraid to shoot him because if I shot him I would be afraid of the consequences.

Senator BYRD. What consequences?

No. 3. Trial Board and grand jury, just like Officer Lorraine is getting.

Senator BYRD. What is the law on apprehending a felon?

No. 3. What is the law?

Senator BYRD. What is the law? What does the law say with regard to a policeman preventing the escape of a felon?

No. 3. If all means of escape, of apprehending him has escaped me, then I am liable to shoot him. I am allowed to shoot him.

Senator BYRD. What is your reaction to that?

No. 3. And it is not to maim him or to wound him or to shoot to kill.

Senator BYRD. What is your opinion of that law?

No. 3. My personal opinion, I don't think I would. It is an awful price to pay for just a housebreaking.

Senator BYRD. What business is that of yours? You are supposed to enforce the law.

No. 3. I would do everything I could to catch him.

Senator BYRD. Suppose you can't catch him, though? The law says you should prevent his escape.

No. 3. That I don't know. I don't know whether I would shoot him or not. When I first came on I had the opinion if he was going to get away I would shoot at him and try to kill him. But the way it is today, I have got a wife and family to take care of. If I lose my job, who else is going to hire me? And I am liable to go to jail for it.

Senator BYRD. You think you might lose your job and even go to jail for fulfilling your duty as a policeman?

No. 3. That is right, with the type of grand jury we would have to go against, and the type of jury we would go against, because in all probabilities I have seen down in court where they challenge the whites until they get all colored on the jury.

Senator BYRD. Do you feel there is any difference in the equal enforcement of the law as between white and Negro citizens?

No. 3. Well, it is hard for me to understand, because I have been in the Precinct for a number of years and it is mostly colored. I have hauled them in and arrested white and colored, but I would say 95 percent was colored that I arrested.

Senator BYRD. Do you have much trouble when you make arrests of Negroes in that precinct?

No. 3. Now we do. We didn't before.

Senator BYRD. Did you have trouble five years ago?

No. 3. About five years ago is when we were making our normal arrests and when we weren't having too much trouble.

Senator BYRD. It is getting worse, is it?

No. 3. It is a lot worse. It is a hundred percent worse.

Senator BYRD. What gives you the trouble in arresting Negroes other than that they resist more than whites do?

No. 3. Well, it is the individual himself. He will egg the crowd on, say, "Don't let them take me," and they will try to take them off us.

Senator BYRD. They will?

No. 3. Yes, sir. We have a trouble spot, Eighth and H. I would say six years ago, now I can't tell you who put it out, there was an order out, a U.S. Attorney put out an order, it wasn't written, by the U.S. Attorney, he didn't want anybody hanging out on that sidewalk late at night. In my opinion it is a meeting place for trouble, and our orders were to drive the patrol wagon up on the sidewalk and park it at the door and those people would go home. Now we can't do that. We can't even chase them off the sidewalk, and they will stay there. You go there 5 o'clock in the morning and you will see at least 20 people on the sidewalk there.

Senator BYRD. Mr. 3, why can't you chase them off the sidewalk now?

No. 3. Because they don't want us to do it.

Senator BYRD. Who doesn't want you to do it?

No. 3. Our officials told us not to do it.

Senator BYRD. Do you feel, then, that the law, that the enforcement of the law, is being bent when it comes to race? In other words, do you feel that there are restrictions on the police officer when it comes to enforcing the law, if he is trying to arrest a Negro, which would not be on him if he were arresting a white man under the same circumstances?

No. 3. Yes. I feel that any time we arrest a white man we will never have any trouble. Every time, every time we arrest a Negro from now on, and these past few years, we will have trouble. We can expect trouble.

Senator BYRD. Would you rather arrest a Negro than a white man or would you rather arrest a white man than a Negro?

No. 3. I have heard it expressed, but I would arrest anybody that is violating the law.

Senator BYRD. I know you would but let us say you had two men in front of you. Each had committed the same crime. One was white, one was Negro. Each was as large as the other. Each was the age of the other, and neither appeared to be armed, and they were equidistant from you. You were no closer to one than to the other.

No. 3. I couldn't tell you which one I would arrest.

Senator BYRD. You can only arrest one.

No. 3. I don't know which one I would actually arrest. I would just go toward one of them. I would try to arrest both of them.

Senator BYRD. Wait a minute, now. You have 30 seconds in which to make up your mind as to which to arrest. You think of that wife back home, you think of that job of yours.

No. 3. You mean now? You mean the way that the situation and conditions are that exist today?

Senator BYRD. Yes.

No. 3. I think I would arrest the white man.

Senator BYRD. Why?

No. 3. I wouldn't have to worry about it. The white man would go to jail and he could be convicted probably, but I think if it was a Negro he would probably be back out on the street again.

Senator BYRD. Thank you.

(Discussion off the record.)

STATEMENT OF WITNESS NO. 2

Senator BYRD. Number 2, you are a policeman. How do you like police work in the District of Columbia?

No. 2. I have got to confess I have rather mixed emotions at times. This is the only thing I do know. It is the only thing that

I feel I am capable of. But times are hard and sometimes I get rather disgusted.

Senator Byrd. How would you describe police morale at the present time?

No. 2. I feel it has been lower. I think the way the men held up and held together during this current situation has kind of lifted our own morale, knowing that we can stand together. This is notwithstanding that we could have done a better job under other circumstances.

Senator Byrd. What would help the morale more than anything else?

No. 2. I would have to say a little more positive leadership. It would seem that we have to go by the coat of our tail too many times.

Senator Byrd. When you speak of leadership, is there lack of support in your judgment from your superiors?

No. 2. Not from my immediate superiors. I would say that the feeling of the man as to a lack of leadership would be directed to headquarters.

Senator Byrd. And to whom specifically?

No. 2. Well, we do a lot of laughing when we refer to Mr. Murphy. He has evidently tried to make a big play for himself, but the rank and file have no particular confidence in him. He has done nothing for us. Of course he has made some openings for which I am grateful promotion-wise, but the rank and file don't have any particular confidence in him. They feel that Chief Layton was given a bum deal, and we always look to the Chief when we think of leadership, and it seems that he has been shoved aside.

Sentator Byrd. Do the men lack faith in Director Murphy?

No. 2. Over all, I would say yes.

Senator Byrd. Do they feel that they do not have his support in enforcing the law as it should be enforced?

No. 2. I think that they feel that they don't have his understanding.

Senator Byrd. Do they feel that they have his backing as policemen?

No. 2. Mr. Murphy seems to have a different idea of policing that we are used to, and his ideas aren't the same as ours. He seems to have some new ideas that are quite different.

Senator Byrd. What ideas? What are you driving at essentially?

No. 2. Well, it has always been in the Precinct that we have always tried to discourage groups of troublemakers on the street. Three years ago we used to put up to 28 to 30 footmen on the street working. Now we are very lucky if we have 6 or 8. We have always been able to contain the situation, and if they didn't move on, we lock them up. This is impossible now. Things have progressed to a point where you can't go in and lock these people up for failing to move on. The situation has deteriorated to where we can't break these groups up.

One of the first things that hit us quite square in the face was this UPO business. They have organized these people in the precinct to a point where we can't break them up. Our only hope to hold the situation down in the street is to keep them disorganized.

Senator Byrd. During the recent riot, did you feel that you were restricted in arresting felons?

No. 2. I don't feel that I was, because the first hours I spent on the Street, and I really didn't have the opportunity to make any arrests. We were a holding action. Friday around noon I found myself and another officer, and there didn't seem to be anybody else around. Everybody else had been picked up. And there was a crowd of maybe 100 on the corner and we had gas guns with dispersion shells which have limited range, limited effect. We had no communications. And there was looting going on in the adjacent block. There was also a fire across the street and my partner and I had to respond to assist the firemen who were being bricked.

Consequently we had to ride off of that Street on a hook and ladder.

Senator Byrd. On a what?

No. 2. We had to ride off of that Street on a hook and ladder fire department apparatus. We couldn't stay. There was no help, no communications, and we couldn't get to the people who were bricking us, with this gas. We were forced off the street. There was looting going on.

Senator Byrd. Couldn't you shoot at them with your revolver?

No. 2. I could have.

Senator Byrd. Why didn't you? Were they throwing bricks at you?

No. 2. They were throwing rocks and missiles.

Senator Byrd. Were these kids or were they adults?

No. 2 They looked to be—there were no children as I see it. They were probably 15 years up, young men.

Senator Byrd. Were there any adults?

No. 2. There were adults there.

Senator Byrd. There were adults there?

No. 2. Yes.

Senator Byrd. Were they throwing rocks at you?

No. 2. Yes, sir, they were.

Senator Byrd. Do you think you could have shot one of them without shooting into a crowd?

No. 2. Well, they were in a group on either end of the block, the ones that were causing us trouble, probably 15 or so in each group. They were very active.

Senator Byrd. Were you under any restrictions as to the use of your stick? Were you told not to use your stick?

No. 2. No.

Senator Byrd. Were the men told not to make arrests?

No. 2. No, sir.

Senator Byrd. Were they told to try to avoid making arrests except when absolutely necessary?

No. 2. No. At that point the only direction I had was, I have to refer back to Thursday night. We were put on a line on the street, and we were forced to walk up, and beyond that I had no direction. There was no one out there supervising me.

Senator Byrd. Were any instructions issued to policemen telling them not to use their service revolvers except to defend themselves, or to defend another individual?

No. 2. I don't recall any specific instructions being given us that night in the use of weapons except that it wasn't the Department's policy to shoot looters.

Senator Byrd. Were those instructions in writing?

No. 2. No, sir, they were oral.

Senator Byrd. And how were they given, over the telephone or in person?

No. 2. When we formed in the Civil Disturbance Units, this was probably 10:30 Thursday night, let me see if I can recall who was there——

Senator Byrd. You don't need to recall by name.

No. 2. There were some ranking officials there but I don't recall.

Senator Byrd. Was Murphy there?

No. 2. No, sir, he wasn't.

Senator Byrd. Was Chief Layton there?

No. 2. No, sir, he wasn't

Senator Byrd. And you were specifically instructed not to shoot looters?

No. 2. We were told that the Department policy was not to shoot looters. I assumed that that was a direct order not to.

Senator Byrd. Was that policy confined to the period of the riots?

No. 2. No. It was extended beyond that.

Senator Byrd. Has that been the policy of the Department, not to shoot looters, prior to the riot?

No. 2. It is my understanding that that has always been the policy here.

Senator Byrd. Has always been?

No. 2. Well, I mean since this thing has raised its head, since the possibility has existed of riots.

Senator Byrd. Is that the policy today?

No. 2. Yes, sir, it is.

Senator Byrd. Is a looter a felon?

No. 2. I would say yes.

Senator Byrd. Is an individual who breaks into a store and carries off a lady's fur piece under one arm and a handful of diamonds in the other hand, is he a felon?

No. 2. Yes, sir.

Senator Byrd. Has he committed a felony?

No. 2. Yes, sir, he has.

Senator Byrd. Is he a looter?

No. 2. Yes, sir, he is.

Senator Byrd. Is the policeman supposed to prevent the escape of a fleeing felon?

No. 2. Yes, sir, he is.

Senator Byrd. Is he supposed to shoot a fleeing felon?

No. 2. Yes, sir, he is.

Senator Byrd. Is he supposed to shoot a fleeing felon to prevent the escape, if all other means have been exhausted?

No. 2. Yes, sir, he is.

Senator Byrd. Why distinguish this particular felon from the individual who commits arson and is fleeing?

No. 2. Well, the only distinction, if you can call it a distinction, the only point that has been raised is that the shooting of looters is liable to precipitate a situation that would be worse than the present one.

Senator Byrd. Do you believe that? Do you believe that it could make the situation worse?

No. 2. When the determination is made to shoot looters, there is no return. Once the action, the first action is taken, there is no backing down from it. It must continue. To my own mind, the only way this could have any lasting effect is if you were to be able to get to that first looter and shoot him. And lay him right across the threshold of the store, and put a man there so nobody could move his body, so he would be there for all to see. Then you might have a lasting effect.

Senator Byrd. Let's think about that a little bit. Suppose a proper official were to go on television and say to the public, "Now, we are going to institute a curfew here and get the children off the street, and we are going to arrest looters. We are going to arrest anybody who commits a crime, and we are going to use whatever force is necessary to make that arrest. And if we can't make the arrest, in order to prevent the escape of rioters, lawbreakers, we will shoot." The public has been given warning. The criminal element understands that warning. Do you think you would have to shoot very many?

No. 2. I think you would have to shoot some, because I think that there would be quite a few people out here who would kind of chuckle to themselves and not believe it, considering the past.

Senator Byrd. Yes. Well, after you had to shoot a few?

No. 2. I think the word would get around quite fast.

Senator Byrd. What is the alternative, not to shoot and let them break the law?

No. 2. Either that or you would have to have such an abundance of manpower here as to flood the streets with men. Sooner or later these men are going to have to leave and we are going to have to go back on the street. I have been thinking about this, and in a situation of this past riot, it is inconceivable that somebody hasn't been taught something. If anybody has been taught something I think it is us, and that is that it was so ——— easy to do what they did, and I don't think the other side has learned a ——— of a lot.

Senator Byrd. The other side meaning?

No. 2. The ones who committed all of this damage. As I look around and see this rubble still laying out here, the only thing I can see, it is a constant reminder, especially now that this march is coming on, of how easy it was to be done. This should have been cleared away a long time ago. Every time I look at it, the thing that comes to my mind is Black Power did it and everybody who walks down the street sees it and is reminded of how easy it was done.

Senator Byrd. Now, the Police Department, you say it is your impression that police officers feel that they are not to shoot looters.

No. 2. Those are their instructions.

Senator Byrd. Do you feel the looters know this?

No. 2. I am quite sure they do.

Senator Byrd. Does this serve as a stimulant to them to loot further, in your opinion?

No. 2. I believe it does.

Senator Byrd. Is looting a serious crime?

No. 2. I consider it quite serious.

Senator Byrd. Do you feel that the lawbreaker is able to draw the line between looting and the commission of some other crime, if he feels that he can loot and get by with it and not get shot? Does he feel that he can set fire to a building and not get shot? Does he feel that he can use a knife on an individual and not get shot if he tries to run? Where does he draw the line, or does he just associate law breaking with impunity as including the commission of any crime without getting shot?

No. 2. I think he relates impunity to group action. There is no doubt that when you have group action, you are going to have a certain amount of impunity, because you can only lock up so many. We have people on the street committing these larcenies and looting that might not otherwise be inclined, except that it is so easy, and there are so many people involved.

Senator Byrd. There is definitely departmental policy against shooting looters?

No. 2. Yes, there is.

Senator Byrd. In order to prevent their escape?

No. 2. Yes, sir, there is.

Senator Byrd. And we are speaking of course only of adult looters?

No. 2. Right.

Senator Byrd. What is the basis of that policy?

No. 2. The basis? I don't recall seeing a written policy, but it has been given to me by word of mouth any number of times that this is the Department's policy. We have discussed this in staff meetings with the commanding officer of the precinct, and I have heard it so many times that I can't doubt it.

Senator Byrd. Why in your judgment does this policy exist with regard to looters and apparently it is only confined to looters?

No. 2. Probably because the persons who are making this policy consider that most looters are not the run-of-the-mill criminal. They figure they are opportunists. I don't know what else they want to call them, but you said yourself a thief is a thief. They probably assume that they aren't the normal run-of-the-mill criminal.

Senator Byrd. Do you feel that the troops should have been removed when they were taken out of the city?

No. 2. I feel that they should have been held a little longer.

Senator Byrd. Do you feel that in the riot areas there should be a number of troops stationed at the present time?

No. 2. That would depend on what the instructions are. I didn't have much in the way of contact with the troops. I was in mobile units, a mobile unit patrol. The troops that I had contact with in the downtown area I believe were National Guards who weren't given much in the way of instructions. In fact, our units were stopped several times by troops to say, "I have a man over here who doesn't have the proper identification," and I asked him, "what kind of identification do you require." He says, "I don't know." I don't feel they had much in the way of instruction and certainly troops on the street are not going to do any good unless they had specific instructions.

Senator Byrd. I am talking about Federal troops. Do you think that there should be a number of Federal troops in the riot areas now, or would you rather be without them?

No. 2. I would always rather be with them, Senator. We have no particular difficulty in my precinct at this time, but we are only holding our heads above water. We can't take any particular initiative action, and certainly troops in the area would give us a lot of backing.

Senator Byrd. How do you view the forthcoming march on Washington?

No. 2. Very apprehensive.

Senator Byrd. How do your fellow policemen feel about it? Have you heard them talk?

No. 2. They look for the worst.

Senator Byrd. Do you think that the Police Department is going to be any better prepared, in the event violence breaks out this time?

No. 2. Only with respect to what the man on the street is going to do himself. I have no idea what plans have been made downtown. Precinct-wise we don't have anything in the way of plans except there is a recent order came out about 50 percent availability are the words, immediately 50 percent of your men in the precinct will be taken out for large action. Other than that I am not aware of any new plans, any facilities available to us.

Senator Byrd. What does that mean when you say 50 percent of the men in your precinct would be taken out for——

No. 2. For group action.

Senator Byrd. For group action?

No. 2. Prior to this riot, there was nothing on paper that I am aware of that said how many men you normally hold in the precinct and how many would normally be ready, available for a joint action downtown or any other place. But it has lately come out that 50 percent is the dividing line, and that we in the precinct should make arrangements to conduct normal precinct operation with 50 percent manpower.

Senator Byrd. In other words, if trouble breaks out——

No. 2. You can expect half of your men to be gone.

Senator Byrd. If trouble breaks out in your precinct, you might have up to half of your manpower transfered over to that precinct?

No. 2. Yes, sir.

Senator Byrd. I have nothing else, I believe, sir. I appreciate your coming over tonight. Thank you.

No. 2. Glad to be here, Senator.

(Discussion off the record.)

STATEMENT OF WITNESS NO. 14

Senator Byrd. Number 14, you are a policeman. How would you describe police morale at the present time?

No. 14. Low.

Senator Byrd. What would help that morale more than anything else?

No. 14. Do you want an honest answer?

Senator Byrd. Yes.

No. 14. Removing Mr. Murphy.

Senator Byrd. What other factors hurt the morale in the District of Columbia?

No. 14. Well, one thing that really hurt it, I think, was this recent riot, having to stand by watching these people do what they did and not being able to do anything about it.

Senator Byrd. Were you instructed to not do anything about it?

No. 14. That is right.

Senator Byrd. Would you explain?

No. 14. Well, we were told to go out and secure the business as best we could, lock up the ones that we could get hold of, not to take any action in an aggressive way, not to start any undue unrest with the populace, and at one point, the first night, they told us to stop locking them up, there was no room for them, which is understandable because they couldn't handle them fast enough, so you had a period there of maybe an 8-hour area that they didn't want you bringing anybody in unless it was a real good case. That didn't exactly help things.

Senator Byrd. When you say they told you not to take any aggressive action, to whom do you have reference?

No. 14. The officials.

Senator Byrd. And do you have reference to your immediate supervisors or somebody above them?

No. 14. It came from our superiors. Where they got it, I couldn't say.

Senator Byrd. Were these instructions issued at roll call?

No. 14. Yes, they were.

Senator Byrd. Did you see any instructions to this extent in writing?

No. 14. No, sir.

Senator Byrd. Were you asked not to use, were you told not to use your stick?

No. 14. No, we weren't told not to use our sticks.

Senator Byrd. Were you told not to use your service revolver?

No. 14. We were told to refrain from using our service revolver, which doesn't mean that you couldn't use it if a situation arose where it was needed bad enough, but it was issued in a way that you knew that it had to be you or him before you did use it.

Senator Byrd. When you say it was issued in such a way, can you be a little more precise?

No. 14. Well, there was an order that was issued on paper that no looters will be shot.

Senator Byrd. Did you see the paper?

No. 14. No, but it was read at roll call. It was read.

Senator Byrd. As you recall, precisely how was this statement worded?

No. 14. I can't recall the wording that was in it. The gist of it was they didn't want you to use your service revolver on any looters, housebreakers or anything of that nature. I think the way it was explained to us, they feared for reprisals and more upheaval if a looter were to be shot, from the people.

Senator Byrd. What is the policy today with regard to looters?

No. 14. As far as I know, there has been no change in the policy regarding looters. As far as using your service revolver, it is in the manual what rights you have to use it, although in the last few years here, they have more or less asked you to refrain from going strictly by the manual, too, because the manual states that you can use it on an escaping felon, if all other means are exhausted.

Senator Byrd. That is the law.

No. 14. That is the law.

Senator Byrd. Have you been told not to use it in that situation?

No. 14. Well, not a direct order. It has been hinted at time after time at roll calls in the last few years not to use it in that manner, only to use it if it is to save bodily harm to yourself or someone else, which narrows it down quite a bit.

Senator Byrd. Is the population in your precinct predonderantly Negro?

No. 14. Yes, sir, I would say 90 percent.

Senator Byrd. Does the arrest of a Negro confront the policeman with any problem to which he would not be subjected if he were arresting a white person?

No. 14. That is a little hard to answer, because each of your situations is different.

Senator Byrd. Generally speaking.

No. 14. On a general basis, I would say no.

Senator Byrd. You would say that you have no problems in arresting Negroes that you don't have in arresting whites?

No. 14. No.

Senator Byrd. If you attempt to arrest a Negro in your precinct, are you likely to be charged with police brutality? Do you run that risk?

No. 14. You run that risk every time you put your hands on one.

Senator Byrd. If you arrest a white man in that precinct do you run that risk?

No. 14. Let me say that in the years that I have been at the precinct, I don't remember a white man has ever charged brutality. There may have been some but I don't know of any.

Senator Byrd. In arresting a Negro in your precinct, do you run the risk of abuse?

No. 14. Every time.

Senator Byrd. By the Negro?

No. 14. You get your verbal abuse every time.

Senator Byrd. If you arrest a white man in your precinct, do you run the risk of being abused verbally by the person and by a group of people who congregate?

No. 14. No, because mainly I think in the precinct you have a different type of people. When I say a different type, I mean from talking to men in other precincts, like I have been in the precinct so long, maybe I don't know the difference, but during this riot or disorders as you might call it, we had an occasion to work with a lot of men from other precincts, students that were in school that had worked in those precincts, even though they are possibly Negro up there, they said these are a different type of people over here. They are uncontrollable. They are abusive. They have no respect for anything. This is the people that we deal with.

Senator Byrd. When you arrest a Negro in your precinct, do you run the risk of being charged or having a charge brought against you by some organization?

No. 14. Yes.

Senator Byrd. If you arrest a white man in your precinct, do you run the risk of having a charge brought by some organization against you?

No. 14. I don't know of any organization that backs a white man.

Senator Byrd. Then haven't you said that in arresting a Negro you are confronted with problems that do not confront you when you arrest a white man?

No. 14. Yes.

Senator Byrd. Do you feel that there should be Federal troops in some of the high crime areas of the city now?

No. 14. That is really not for me to say. I feel that they pulled the troops out of here too soon, and I feel that they removed the curfew way too soon, because the business people were afraid to come in and secure their businesses, and the looters were running us ragged after the Federal men left, even while the Federal men were here.

Senator Byrd. Are you still having lootings in your precinct?

No. 14. Yes, sir.

Senator Byrd. Are fires being set in your precinct?

No. 14. Yes, sir.

Senator Byrd. Do you have enough policemen to control the situation?

No. 14. No.

Senator Byrd. Do you feel that Federal troops would help if they were in that precinct now?

No. 14. Certainly. Any extra manpower would help, especially along the line like you said of these high crime areas where the arsons and lootings are going on.

Senator Byrd. How do you feel about the forthcoming march on Washington?

No. 14. I am holding my breath.

Senator Byrd. Do you feel that the police are ready for an outbreak if it should occur, an outbreak of violence?

No. 14. I feel that they may be ready, but they are understaffed. They wouldn't be able to handle it any more efficiently than they did the last one without the use of Federal troops.

Senator Byrd. I don't want to keep you waiting. You spoke earlier of verbal abuse. How many times in the course of an ordinary 8-hour shift would you say you are subjected to objectionable verbal abuse? Just make a rough estimate.

No. 14. I get a lot of calls for family arguments where the people are already hot when we get there. Now, whether their abusive language would be straight towards me or as Mr. Murphy stated in the paper is the normal way of speaking for these people is hard to say.

Senator Byrd. Do they call you a name?

No. 14. You know the common name is M——— F———, everything is MF, whether it is a policeman or their wife or what it is.

Senator Byrd. If they call you a white MF, are they talking to you?

No. 14. They are talking to me.

Senator Byrd. Or are they talking to their wives?

No. 14. They are talking to me. I would say on 4 o'clock is when you have more of these calls, at least once a night, you will get this abuse. On midnight where you only handle maybe two or three calls, of course it wouldn't happen. Maybe it would happen on all three calls. It is a little hard to approximate on a daily average how often that you are confronted with it.

Senator Byrd. Thank you very much.

Let me ask you one final question which I don't believe I asked you.

(Discussion off the record.)

STATEMENT OF WITNESS NO. 1

Senator Byrd. Number 1, you are a policeman. How would you describe police morale at the present time?

No. 1. At present I believe it is about even right now. I mean, you know, it is not off too much right now.

Senator Byrd. What single factor do you believe is hurting morale more than anything else now?

No. 1. I believe the higher-ups, not getting straight who is the boss and this, that and the other and letting you hang out in the air as to who is supposed to be the boss.

Senator Byrd. What higher-up do you have reference to specifically? What is his name?

No. 1. I think Chief Layton could be the main boss and get rid of—make him the boss.

Senator Byrd. Get rid of whom?

No. 1. I would say the Safety Director. We had a Chief and he was the man we were supposed to be working for and then overnight they moved in somebody that nobody knows.

Senator Byrd. Who is he?

No. 1. Mr. Murphy.

Senator Byrd. You would get rid of him?

No. 1. I would.

Senator Byrd. Do you feel that you lack the backing of your superiors in carrying out your duties?

No. 1. Not my immediate superiors, no.

Senator Byrd. Do you feel that the officers in your precinct lack the backing of superiors anywhere up and down the line?

No. 1. Well, I mean when you get around for awhile, you kind of size up the situation and you know how far you can go. I guess it wears onto you after awhile.

Senator Byrd. Do you feel that the men at the top back the men at the bottom?

No. 1. It would be you before it would be them, I would say that much.

Senator Byrd. Do you believe that Director Murphy backs up the policemen on the street?

No. 1. No, sir.

Senator Byrd. During the recent riot, were you restricted in any way in making arrests?

No. 1. Other than an order they had given us, that come along before the riot.

Senator Byrd. What was the order?

No. 1. They said they didn't want any looters shot; they just reissued the order on force, how much force you are supposed to use.

Senator Byrd. And how much force was to be used?

No. 1. Well, I mean that all goes along with no more than necessary to make the arrest. I mean that is general for all situations.

Senator Byrd. Approximately how long ago was this policy enunciated?

No. 1. I believe that was about a year ago.

Senator Byrd. That you were not to shoot rioters?

No. 1. Yes, sir, looters.

Senator Byrd. Looters under any circumstances?

No. 1. That was my understanding of it. It was the Chief's order.

Senator Byrd. Did you read this somewhere in writing?

No. 1. I have got a copy of the order.

Senator Byrd. You have?

No. 1. They either gave us a copy of it or we went over to training, we have training every week and I believe they gave us a copy of it. I haven't looked it up.

Senator Byrd. A copy of the order saying you were not to shoot rioters?

No. 1. Right.

Senator Byrd. Do you have that with you?

No. 1. No, sir. I can get it and send it in to you.

Senator Byrd. I wish you would. Were you aware of any instructions issued during the riot that would put the police officer under even greater restrictions in making arrests?

No. 1. No, sir. My situation during this was I was with the Civil Disturbance Unit. It was about 25 of us together, so that made us more of an advantage over most of the men out in the street as far as having plenty of help on the scene at all times.

Senator Byrd. But you were not to use your service revolver except in the protection of yourself?

No. 1. That is right.

Senator Byrd. Or in the protection of another unarmed and innocent person?

No. 1. I believe you were supposed just to be looking out for yourself and your fellow policemen.

Senator Byrd. Were you asked not to arrest Negroes?

No. 1. No, I don't believe so. Not during then I wasn't.

Senator Byrd. Were there any instructions issued which made you feel that you had to be very, very careful about making any arrests, that you were to exercise more care than usual, or that you were to avoid making arrests which you otherwise might make?

No. 1. No, not there I don't believe, sir, not with us. I mean I have heard that it was the situation. With 25 men, there weren't too much that we came up against. If we got any resistance we had a pretty good Lieutenant in charge of it.

Senator Byrd. Do you feel there is any difference in the equal enforcement of the law as between white citizens and Negro citizens?

No. 1. Yes, sir.

Senator Byrd. Would you explain?

No. 1. Well, just the general conduct on the streets that wouldn't be tolerated in a white neighborhood. They are out all hours of the day and night. We have had three police windows in scout cars broken within the last week. One that was sitting in front of the police station at 12 o'clock Noon had the side window busted. The Lieutenant operating his car within a block of the precinct last week had a soda bottle throwed through it, and the car I operate had a rock throwed through it the other night. There is nothing you can do to them. They have thrown it in the sight of the police. In the neighborhood

I live in, the police come by, you see one about once every three or four weeks.

Senator BYRD. You see what every three or four weeks?

No. 1. A policeman out where I live. But it is real quiet.

Senator BYRD. Why aren't these Negroes arrested?

No. 1. One thing, you are just butting your head. Some things the police, you know, you have got to go along with because you get down to court and you say this man was cussing in the street. Well, "What do you mean cussing in the street? Just cussing in the street, that is all he was doing." And you are just laughed out of court. That is one thing there.

Then you lock them up, the first thing they want to do is fight, and the first reaction you get at the station, you take a man in there, "What did you hit him for?"

"Well, he hit me."

"That wasn't no reason to hit him, was it? What did you lock him up for?

"'He threw some trash down, was cussing and fighting in the street.

"You should have turned around and walked the other way and then you wouldn't be in that situation to have to hit him."

Senator BYRD. Who says this?

No. 1. I have heard that before.

Senator BYRD. Have your superiors said that to you?

No. 1. I have had that told in the station to me.

Senator BYRD. If you just walked away you wouldn't have gotten into that?

No. 1. One instance it was told to me, he was in the hospital when it happened, he had already been beat up and sent to the hospital.

Senator BYRD. How is that?

No. 1. We had an incident one night where we got beat up in this house. They sent us up to the hospital. The inspector I think it was the inspector, come up there, higher than our precinct official, come to the hospital and he asked our condition.

Senator BYRD. Yes.

No. 1. And he acted concerned about our condition and then he said, "Well, what you should have done when you heard them fighting inside the house was just get back in the car and left, and you wouldn't have been here, would you?"

I said, "No, sir." So I mean that——

Senator BYRD. What was his name?

No. 1. I can't recall his name.

Senator BYRD. Do you feel that police work is getting better or getting more difficult?

No. 1. In the eight years I have been on, I think in this period right now, the first two or three years when I was on, a policeman was really something in that area. He really got respect. If he didn't get compliance they got locked up. Then within five years in that eight-year span, it has went clear to the bottom, I would say.

Senator BYRD. What has happened to make it go to the bottom?

No. 1. The people out there in the street, I mean the way they are reacting and in the paper every day, every day, it is in there. A year or so ago you couldn't pick up a paper without seeing that a policeman was sent to the Trial Board, the police did this, so and so said the police beat him up. I think with this and the constant going at you, that the courts won't accept this. Now they are getting where you have got to type up a statement of facts for just a disorderly case, sign all this. All this you have got to do. It takes a long time to type.

Senator BYRD. Do you have to do more paper work now?

No. 1. Oh, yes.

Senator BYRD. Than formerly?

No. 1. Right. Lately I think we are getting more calls, demands for police and you can more or less get along. They tolerate this a little more.

Senator BYRD. Who is making the demand?

No. 1. I believe the public right now.

Senator BYRD. Are Negroes asking for more police?

No. 1. I have been in these Negro homes and they are crying. The other night I had four old women in their home just crying. They had been broken into. One was 75 years old. Come in and found them inside ransacking their house and all. They just passed her just like the time of day, walked out with their TV and all.

Senator BYRD. Do you have Negroes who back you up and give you their support?

No. 1. Well, I mean they just don't know how to go about it, but I believe they would back you up. I have had some come down and give statements, you know, as to conduct.

Senator BYRD. Is Stokely Carmichael located in your precinct?

No. 1. No, sir.

Senator BYRD. Are fires still being set?

No. 1. Yes, sir, had one just yesterday, 12 o'clock.

Senator BYRD. Is looting still going on?

No. 1. Yes, sir.

Senator BYRD. Why can't you control it?

No. 1. Just can't get any—I mean the presence of the police, that doesn't mean anything.

Senator BYRD. What?

No. 1. The presence of the police, you would think with all the police we had out there that they would soon stop. They are being locked up every day. And these fires, I mean just like yesterday, they set one in a liquor store. Then there is a vacant building and a liquor store. The liquor store and the boating place were open and they set a building on fire right between the two.

Senator BYRD. Was anyone caught?

No. 1. No, sir.

Senator BYRD. If the Federal troops were in there, would this help?

No. 1. I think they would help.

Senator BYRD. Do you think they should be in?

No. 1. I think they should have never left D.C. I don't think they should have police powers, but I think they should have ammunition and be instructed the same as policemen. One thing I don't think they should call up is these Reserves. I think they should keep the troops here and forgot about wasting this money on these reserve policemen.

Senator BYRD. How do you like law enforcement? How do you view it as a career here in the District?

No. 1. I love it but I wish I had never started in the District.

Senator BYRD. Does your wife worry about you?

No. 1. Oh, I think she does.

Senator BYRD. Are you scared when you go out on the street?

No. 1. Well, I would have to say I don't like to admit it but I was back there a couple of weeks ago.

Senator BYRD. I certainly thank you.

No. 1. Yes, sir.

(Discussion off the record.)

STATEMENT OF WITNESS NO. 12

Senator BYRD. Number 12, you are a policeman. How would you describe police morale at the present time?

No. 12. The lowest I have ever seen it since I have been here.

Senator BYRD. What could be done to help that morale more than anything else?

No. 12. From the Department speaking I think it would be better backing than what they are getting, the men, than what they are getting now.

Senator BYRD. Do the men not have the backing of their superiors?

No. 12. In my opinion, most of the superiors in certain situations of a given type that are touch and go, the private ends up making a decision quicker than the official. Actually he should be the one making the decision.

Senator BYRD. What is the feeling among the men toward the top officials in the Department?

No. 12. Well, as far as the Chief went, I think everybody likes the way he was operating until this civil disturbance, and he lost a lot of stature, due to the fact that he bowed down to, if you will excuse the expression, the Public Safety Director, Mr. Murphy, and he took the blame where actually it wasn't the Chief's fault. It was Murphy's fault more than the Chiefs' in my opinion.

Senator BYRD. Do the men in the Department feel that they don't have the backing of Mr. Murphy?

No. 12. To a certain extent, yes, sir.

Senator BYRD. What is the attitude of the police officers toward Mr. Murphy?

No. 12. I would say it it is very poor in any respect you look at it because they don't figure if you have a Chief of Police, the Chief of Police should be the head man on the Department, and they don't need the outside help coming in.

Senator BYRD. Mr. 12, did you feel that you were restricted in making arrests during the recent riot?

No. 12. The average man was restricted due to the fact that we didn't have a chance in the first place. We weren't prepared for it, even though we were told at the time we were prepared for it.

Senator BYRD. Who told you that you were prepared for it?

No. 12. Mr. Murphy. He sent out memorandums and I believe he made statements to the press and to the Department at the time that we were prepared for any situation which may arise, and he also stated that we had the equipment that was necessary, and I cracked a joke at roll call one day and have said that he was very correct in his statement, that we did have all we were going to get, which was the 38 sidearm and the nightstick, and that was about all we had out on the street that night except for a very few such as maybe your detectives or your Special Operations Division might have had some shotguns, but other than that that was the only arms they did have.

Senator BYRD. Officer, are you better prepared now than you were at that time?

No. 12. No, sir, because they took all the stuff right back that we had when we were out there.

Senator BYRD. In the event there should be another outbreak of looting and violence, do you feel that the precinct is better prepared than it was at the time of the riots?

No. 12. If it is percentage-wise speaking, I would say they might be able to increase their efficiency about 10 percent faster than they did the last time, because all the stuff like I said that they had, most of it was issued by the army, such as your gas, a lot of it came from, your gas masks used were army issue. They all went back with the army. Any of the gas grenades that was the deciding factor in the riot—correction—civil disturbance, that was the deciding factor on whether the people were going to keep coming or break up and disperse and go home. Any extra gas that we had they came and confiscated it all and took it all back so we are sitting back where we were originally before it started.

Senator BYRD. Are you saying you were unprepared or inadequately prepared at the time the riot broke out?

No. 12. The way in which they were preparing us to quell a civil disturbance was the wrong way. They had been having these trainings and telling us how to handle riot situations and it is not feasible because the army can do it and that is only in circumstances where you have got a wide open space and they tell you to use army drill procedures such as your diagonal lines, or your V-shaped wedge to disperse your crowds, and it was proved up. They tried to use it up there and they couldn't because the people were throwing rocks and bottles and when you have got a bunch of policemen out there in a wedge formation with maybe a hard hat on and that is all and you start getting pelted by rocks, bottles or maybe even Molotov cocktails, if you want to go that far, that is useless.

Senator Byrd. Did you try the wedge?

No. 12. Yes, sir, it was tried. Not myself personally. It was tried, and it was proved a total and complete loss

Senator Byrd. Are you saying that in your precinct you are no better prepared now than you were prior to the riot?

No. 12. No, sir, not in my opinion, not any better at all.

Senator Byrd. Were you under any restrictions as to arresting looters?

No. 12. Until the curfew violation came into effect, it was practically hardly any arrests made at all, due to the fact that we couldn't, there were so many people out in the street. Then when they passed the curfew they enforced it. I will give them that much. They did enforce the curfew violations as best they could. As far as restraint goes, if you can make the arrest without increasing the temper of the people who were around in the area at the time, if you would have had to arrest somebody who might have caused anger among the rest of the people who were around, you would have had to bypass it.

Senator Byrd. Why?

No. 12. Because it has been the policy of this Department for the last I would say three years or better, you do not cause a disturbance. If an arrest is to be made that might cause a disturbance, you had better be right and you had better be well prepared to back yourself up, because nobody else is going to back you up.

Senator Byrd. In other words, if a crime is committed, you are not to make an arrest if it might create a disturbance?

No. 12. Yes, sir.

Senator Byrd. If it might make a crowd angry.

No. 12. I would say that is a misdemeanor case. Naturally if you have got a felony out there in progress you have to take action because you know that yourself. If you don't you are going to be off the job. Of course you will have charges up against you. So your officials will back you in a felony, but I will not say that they back you any more than they have to. In other words, you could get better backing, but they give you the bare minimum rather than to really extend a hand and say, "Well, here, you did your job and you need some help, here it is," without my asking for it. You are going to have to ask for it to get it.

Senator Byrd. Were you restricted as to the use of your service revolver during the riot, any more so than you would be at any other time?

No. 12. There was a memorandum passed out, I believe, it was either two or three weeks, and I believe it was signed by Mr. Murphy, although don't quote me on that, but it was stated again and it is restated practically any time any situation in this Department arises that makes the press that you do not use your 38 or your police revolver unless it is an extreme case of your life or the life of somebody else, and about a year or so ago they came out one night and the way they explained it, the way the average man in the Department that was the rank of a private took it, your normal footman or scout car man took it, they had it worded so stiffly that most of the guys actually believed that you could not use that 38 until you had already been shot or your partner if you had a partner, was shot.

Senator Byrd. Do you feel there is any difference in the equal enforcement of the law as between white citizens and Negro citizens?

No. 12. Yes, sir. You mean as far as——

Senator Byrd. As far as making arrests of Negroes and whites are concerned, is there any difference in enforcement of the law?

No. 12. Well, I have seen cases where a Negro was apprehended on good charges, very good charges, and not convicted. In fact, I would say 25 percent of the time not even charged after they were taken to the station, whereas, well, in my precinct it is hard to say because very few people we lock up are of the white race, but the ones we do lock up or have come in contact with, most of them got convicted.

Senator Byrd. Do you feel, then, that it is harder to enforce the law when you are dealing with Negroes than it is when you are dealing with whites?

No. 12. Yes, definitely. You cannot enforce the law out in these streets right now. I don't care if you were President Johnson himself, he couldn't do it, because these people that you are dealing with out on the street have no respect whatsoever for the law. They completely disregard any authority whatsoever. The only thing they do respect is fear, which you cannot deal with. The old days are gone when they used to say about the rubber hose bits. I don't go along with that. I myself have had possibly 2, at the most 3 charges of brutality and they were all thrown out. The worst one was that I pushed this guy up against a shoe store window. Well, the shoe store window didn't break and it turned out it was a 17-year-old but these people get away with it because they have no regard and they have broken down to the extent that the law doesn't come up to meet them, the law has broken down to meet them.

Senator Byrd. Are you talking with regard to Negroes or with regard to whites.

No. 12. With regard to Negroes. They don't even respect their own, in other words, a Negro policeman out on the street. They hate him worse than they do a white policeman, actually, because they call him Uncle Tom.

Senator Byrd. How about the attitude of the Negro officers in your precinct. Do they appear to be dedicated men?

No. 12. We have got in the last year, Senator, the worst humanly possible type people to get for policemen that you could possibly get on this job. They have taken them with records; knowing that they have got records.

Senator Byrd. Criminal records?

No. 12. Yes, sir. They have had instances where in the process of school, the training school, which when I came on it was almost two years before I ever got to school. They have changed that now, as soon as they come on they send them, which is the first couple of weeks. In fact, it is probably closer to the first day. But they have had instances down there where five years ago you couldn't have—they would have thrown you off the Department, charged you with criminal charges themselves. This is what the Trial Board would have done to you without a civilian court.

Senator Byrd. Can you be specific? When you say you are getting policemen with records, what kind of records?

No. 12. Well, it is minor. It is no felonies involved.

Senator Byrd. No felonies involved.

No. 12. I wouldn't say a felony was involved. I can't prove it.

Senator Byrd. You indicated a moment ago that the quality of manpower you are bringing in now is very low.

No. 12. Yes, sir.

Senator Byrd. It is lower than it has ever been?

No. 12. It is the lowest I have ever seen it. In fact, I have seen it not necessarily white boys or these new white rookies coming on. I would say it is more or less the colored but that is because they have lowered the Department recommendations as far as getting on. They have lowered the height, they have lowered the weight, they have raised this in order to get the applicants to come on to the job, and they have taken guys from the Negro group of people. In one instance one was in school, fired off his gun while he was going to training school. He fired off his gun as a result of the rest of the guys in the room, I believe they were all staying more or less like a barracks type deal, and he crapped on the floor, and he thought that was quite all right, so he got mad and fired off his gun. That is the type. That is what we are getting.

Senator Byrd. Where did he fire his weapon, into the ceiling or into the floor?

No. 12. Into the floor.

Senator Byrd. This was in the precinct house?

No. 12. No. This was over in the Naval Annex where they were staying when they first started the school on the new system. It was down at the Naval Barracks down there. I believe they had one barracks set up.

Senator Byrd. It was while he was actually in training school?

No. 12. Yes, he was in training school. It was at night time. I mean the school itself wasn't in session but they were staying in the barracks at the school.

Senator Byrd. Let me ask you this final question. What do you think is going to happen to law enforcement in the District of Columbia?

No. 12. I give it two years. I don't think you are even going to have a policeman down here in two years. What you will have, what you have got right now can't do nothing as far as that goes. Let me put it this way. I have never passed up a felony case out here on the street yet. A misdemeanor, they don't want you to lock up in the first place. They will tell you. In fact the courts will throw them out down there. A felony case I won't pass up. But I will not go out of my way, and I am not speaking for them but I think I can speak for them in saying half of what you have got left down there, your white police are doing the same thing that the Negro policemen are doing. The Negro policemen are not doing anything other than in the case of felonies. In fact, I know of times when a Negro policeman won't take action on a felony. We have had very good experience over here where you get this so-called integrated car or your so-called, like 91 scout used to be white, 92 was white and 93 was colored. If they ever give you a call for a felony in progress over the radio involving scout 92 and scout 93 or scout 91 and scout 93, that was like a robbery or something, you would always find 93 getting there last.

Senator Byrd. The Negro was getting there last?

No. 12. Yes. I don't care if it was right around the corner they would get there last and 91's area was all the way down to the precinct, 93 would get there last. If you get a policeman in trouble call any more they figure if there is any type of crowd, you can usually tell when a guy calls in over the radio just what the circumstances are as he is talking because you can hear the screaming. It is just like a bunch of Mau Mau's in the background coming over the radio. If you hear a lot of it, 93 will get there last.

Senator Byrd. The Negro officers will get there last?

No. 12. Will get there last.

Senator Byrd. Why don't the Negro officers make a response as they should?

No. 12. I don't know. I don't know if they are worried about themselves having to live in the district and their friends or neighbors out here. I don't know if they are scared that they may agitate their neighbors or agitate their friend or agitate their buddy and get him mad at them. I think that has got more to do with it than anything else. One thing they are trying to get across right now with these home rule deals is bring all the policemen into the District. That ain't going to solve nothing. You can bring every policeman in the District living in Maryland or Virginia and what have you and they say that is one thing that will knock off crime. You can have 20 policemen living in one block and if that block is a big block and you have got, say 2,000 people living in that block, those 20 policemen could not control that block. They can't because the people living in the District have no respect for you.

Senator Byrd. The people who live in the District?

No. 12. They have no respect or in my section of the District, let's put it that way, in No. 9, except for C Street, not even C Street, Constitution south from the Hill here up to H Street. That is about the only fairly good section in the precinct we have any more. The rest of it can be controlled by one or two men which I might add to refer back to this civil disturbance, you didn't ask one question I thought you were going to ask, and that was whether it was coordinated and directed by any outside forces and it was.

Senator Byrd. How do you know it was?

No. 12. Because you could see them. In fact you can still see them. You see a guy—down on the street it was about 3 o'clock in the afternoon I was sitting in the 1300 block just coming across the street coming into the precinct, they hadn't got there yet, and there was two guys. One was 35 and the other one I would say was about 40, and the only thing they did was just walk down the 1300 block. They turned around on the south side of the street, this was, they turned around and come back up and all along all they were doing was talking to juveniles, little children, maybe five or six at a time. The next thing you see these five or six juveniles on the street and they were the ones that were tearing up the block.

Senator Byrd. How do you know they were doing that?

No. 12. I can't prove it because I didn't lock the two guys up because I had no reason to lock them up.

Senator Byrd. Did you hear them?

No. 12. No. but it just seemed funny to me that every time they talked to them, you would see this group taking off down the street and you would go on down the street and you would see one of these groups at one store and another one at another store and you have got the same thing right now still going on out there.

Senator Byrd. Thank you, Officer. You do your best to enforce the law and protect yourself.

No. 12. Can I say one more thing?

Senator Byrd. Yes, say whatever it is.

No. 12. I will give you a perfect example. I had to run this afternoon, I was working a one-man car at the time, and we got a run, I think it was right around 4:30, one run to investigate a complaint down on the street. Before I could get there, they called for another car in Nine to respond up to 19th and Benning Road to go into the market up there. There were supposed to be subjects on the roof trying to break in. All the cars in Nine were out on different runs. In other words, they couldn't get a car from operations because they were all doing something else so they dispatched a call over to No. 5, two cars from there. I come back on the air and I told them I would respond down there if it was all right with him and that way he could save the two cars in No. 5. So I got down there in I would say about two minutes. I pulled into the alley in the rear of the 1800 block of Benning, and the market is about——

Senator Byrd. Don't worry about the details. Go right to the point.

No. 12. They had been 20 and 30 Pride workers down there, all dolled up in their pretty blue uniforms which the government paid for, by the way, and chains hanging around their necks and they all had brooms. About 15 of them were standing up against the wall at the market and the other 15 were just lounging on the brooms and what have you. So when I pulled into the alley they said, "Oh, here comes the fuzz, here comes the police." That was all right. I crawled up on the roof. In the meantime another one-man car came down. I am up on the roof. They are agitating the policeman down on the ground. They are agitating him, doing anything they could to get him to do anything. They are trying to make an arrest down there. When I come down off the roof then they started up with me. So I said, I asked a couple of them, "Are you supposed to be out here working or are you out here loafing," and they said, "We are working, man, we are working," and they threw down their brooms and stood there. I couldn't say too much more. What you are going to say? You can't make them go to work and you can't hustle them out of the alley because they are juveniles. You can't do anything with juveniles any more, everybody knows it. This one guy about 40 years old, whether he was the leader of them, supposed leader, I don't know, but the other man in the one-man car walked up and asked them. He said "Are you the supervisor," and the guy said no, he is not the supervisor but I imagined if the supervisor was there he would do something about it and the other policeman said he doubted it seriously because the one that was doing all the talking to me, he was only about a year older than the rest of them, probably 20 years old, but he was the one that was in charge and he was the one, the only significant feature with him was that he had a little bit of a chain around here. The only thing when you mention Pride, if you will check the records, and I wish you would check the records, if you can get the juvenile files, check your juvenile records and find out how many juveniles that are locked up work for Pride, and for felonies, not for misdemeanors, strictly for felonies.

Senator Byrd. Were any locked up that day by you?

No. 12. Not by me, no, sir, not that day.

Senator Byrd. What is the point you are making about this particular incident?

No. 12. This particular incident is strictly this. You mentioned Pride. Pride is due to the fact that the government is contributing money to an organization to better these people, to give them jobs, to keep them out of trouble and the only thing they are doing out there is taking that money, they are going out and housebreaking, they are robbing banks, I don't know if you read the paper the other day, and everything else they can do. You find out most of them are involved in rapes. I consider Pride is any good at all is the simple fact they give them clean clothes.

Senator Byrd. When you say most of them are involved in rapes and you say they are robbing banks, do you know this to be a fact?

No. 12. These are facts. You check the bank hold-up they had over there the other day, in which that girl got killed. It was two Prides involved in that.

Senator Byrd. But what about the rapes to which you refer?

No. 12. I would have to check the records for you, but I can guarantee you they are there.

Senator Byrd. What did you start to say about——

No. 12. As far as my field goes about his being the leader or the ex-leader now, I talked to the principal of the school he went to at Spingarn. They threw him out of Spingarn. I have talked to Negro citizens, not his age but the older age and they gave that boy about the worst record you could possibly want. Yet he is one of the leaders of the District.

Senator Byrd. Thank you, Officer.

(Discussion off the record.)

STATEMENT OF NO. 15

Senator Byrd. Officer, you will be called Number 15. What is the greatest problem confronting the police officer in the District of Columbia today?

No. 15. I think it is backing by officials.

Senator Byrd. By what officials; your immediate superiors?

No. 15. I would say the top brass, myself.

Senator Byrd. When you refer to the top brass, be specific.

No. 15. People downtown.

Senator Byrd. What people downtown—specifically, now.

No. 15. All your inspectors, the Chief himself.

Senator Byrd. Do you feel that you do not have the backing of Chief Layton?

No. 15. No, sir.

Senator Byrd. What about Mr. Murphy?

No. 15. I have nothing to say for that man. I don't care for him at all.

Senator Byrd. Why is that?

No. 15. He hasn't done this Department any good, or any other department.

Senator Byrd. Is this feeling shared by your fellow officers?

No. 15. I think so, the majority of them.

Senator Byrd. How long have you felt this way about Mr. Murphy?

No. 15. I would say since he has been here.

Senator Byrd. How would you describe the morale of the police in your precinct?

No. 15. It isn't bad; it isn't good. I would say it is in between.

Senator Byrd. And in your opinion what could be done which would best improve morale in the Washington Police Department?

No. 15. I think, like I say, more backing by the officials, and the Judiciary, the Judiciary system.

Senator Byrd. You feel that the courts do not give the police the proper backing?

No. 15. That is right.

Senator Byrd. During the recent riots, did you feel that you were restricted in making arrests in any way?

No. 15. No, not exactly.

Senator Byrd. Were you told not to make arrests?

No. 15. No.

Senator Byrd. Were you told not to arrest for misdemeanors?

No. 15. Yes, sir.

Senator Byrd. You were during the riot?

No. 15. Yes.

Senator Byrd. Where did this order issue?

No. 15. In the Precinct at roll call.

Senator Byrd. Did you hear it at the roll call?

No. 15. Yes.

Senator Byrd. What was the order as best you can recall?

No. 15. Just like I say, you know——

Senator Byrd. You are talking on the record, but you won't be identified.

No. 15. I know.

Senator Byrd. You can say here just what you would say to your wife. You are married, are you not?

No. 15. Yes, sir. I am not afraid of that. I wouldn't care if it did get out. I just don't recall. They just said don't lock up even looters at first, when really the fires and worst part of it, they said don't lock up looters.

Senator Byrd. This was during the riot?

No. 15. During the main outbreak. Well, in our precinct it did not break out until the second night.

Senator Byrd. And when it broke out in your precinct, what were you told?

No. 15. I didn't work until later that night.

Senator Byrd. What were the instructions?

No. 15. The instructions were don't lock them up.

Senator Byrd. Don't lock up the looters?

No. 15. The looters.

Senator Byrd. Don't lock them up?

No. 15. Yes, sir.

Senator Byrd. Don't arrest them?

No. 15. Yes, sir.

Senator Byrd. Why? Was the jail filled?

No. 15. When I came to work that night, it was loaded.

Senator Byrd. Was that why you weren't supposed to lock them up?

No. 15. That may have been the reason.

Senator Byrd. Were you told not to use your stick?

No. 15. I do not recall that.

Senator Byrd. Were you restricted in the use of your service revolver?

No. 15. Yes, sir.

Senator Byrd. In what way?

No. 15. Just protect yourself. If they shoot at you, shoot back.

Senator Byrd. Was that the only situation in which you were authorized to use your service revolver?

No. 15. Yes, sir, protect your own life.

Senator Byrd. If you were under oath, would you say that?

No. 15. Yes, sir.

Senator Byrd. How would you say it? You tell me.

No. 15. How I was told?

Senator Byrd. What were your instructions as to the use of the service revolver during the riot?

No. 15. Protect yourself. Use your service revolver to protect yourself.

Senator Byrd. And that only?

No. 15. Yes, sir.

Senator Byrd. Were you not to use your revolver to prevent the escape of a fleeing felon?

No. 15. We were not to use the revolver in that case.

Senator Byrd. You were not?

No. 15. No, sir.

Senator Byrd. Were you instructed not to use your revolver in that situation?

No. 15. Yes, sir.

Senator Byrd. Were you instructed in writing?

No. 15. Maybe not that particular night, but they teach us in these classes we have. Usually at every roll call they tell us, after every roll call before we go out on the street not to use your revolver.

Senator Byrd. After every roll call. Do they now tell you that?

No. 15. Yes, sir, I would say the majority of the roll calls. They do not say every time, but they bring it up.

Senator Byrd. Now, repeat the statement as well as you can that is made in this regard.

No. 15. They just say use your revolver, if you have to, to protect yourself.

Senator Byrd. What do you infer from that?

No. 15. That they do not want you to do anything.

Senator Byrd. Do you feel that there is any difference in the equal enforcement of the law as between Negro citizens and white citizens?

No. 15. In my precinct the majority is Negro, and I have never worked any other precinct, but I would say it is equal.

Senator Byrd. Do you have any trouble in enforcing the law when you attempt to arrest a Negro that you would not normally have in making an arrest of a white person?

No. 15. I would say so.

Senator Byrd. Would you explain?

No. 15. Like, say, being in the Negro district myself, you have nothing but, like I say, poor people around, and you go to lock up a Negro, well, people start gathering.

Senator Byrd. Well, there are poor whites, too.

No. 15. Yes, sir, but, like I say, I have never worked in a poor white district. I couldn't tell you. I imagine they would do the same thing. I don't know.

Senator Byrd. Have you ever heard of it? Have you heard of any white mobs collecting in this city?

No. 15. Not in this city.

Senator Byrd. Abusing policemen because they arrested a white person?

No. 15. I have heard of it, but not much, not big gangs. I mean there are a few of them.

Senator Byrd. Have you heard of white groups collecting upon the occasion of the arrest of a white person and have you heard of the police being abused by the mob?

No. 15. Not abused, no.

Senator Byrd. Are fires still being set in your precinct?

No. 15. I have been attending class for just the past week. Before that up to Sunday, this past Sunday, they have been setting fires.

Senator Byrd. Are lootings continuing?

No. 15. Yes, sir.

Senator Byrd. Have additional policemen been brought into the precinct?

No. 15. No, except for the tactical squad that works regularly anyway.

Senator Byrd. Is anything being done to beef up the manpower in the precinct in view of the fires?

No. 15. No, sir.

Senator Byrd. And looting?

No. 15. We have extra men patrolling the Street, but they aren't patrolling anywhere else.

Senator Byrd. Was this one of the worst of the riot-torn areas?

No. 15. Yes, sir.

Senator Byrd. Do you feel that the military personnel should have been taken out when it was?

No. 15. When it was taken out? No.

Senator Byrd. Why not?

No. 15. I mean it gives them a better chance to come back in. If they would have stayed on H. Street longer, there were some buildings still left. There were quite a few stores that still had merchandise in them. If the military had stayed on the street it might not have happened, it wouldn't have happened.

Senator Byrd. Do you think that the troops should be brought back into your precinct?

No. 15. I wouldn't say on the street; have them in reserve like they had over in the precinct at Spingarn High School and have them in roving patrols in jeeps.

Senator Byrd. I'm sorry to keep you waiting tonight. I appreciate your giving your time, officer.

No. 15. Yes, sir, anytime.

STATEMENT OF NO. 16

Senator Byrd. Officer, you will be number 16. How would you describe the police morale in your precinct?

No. 16. Very low.

Senator Byrd. Why is it low?

No. 16. Because of numerous things. It just isn't one certain factor why morale is low. It is the way the point system is, that is one reason.

Senator Byrd. What would improve morale more than anything else?

No. 16. To give a police officer more authority or to promise him so he could be able to do a more efficient job, the job that he is hired to do, to allow him to do this job without being afraid of any reprimand against him.

Senator Byrd. Do you feel that the policeman has the backing of his superiors?

No. 16. I truly feel that an official is just like the private on the beat, that if there is someone above him that gets the word, he cannot assist us, he cannot help us, back us.

Senator Byrd. Do you feel that the policemen have the backing of the people in the top echelons of the Department?

No. 16. Well, there is some, some of the top echelon I feel, from their statements, I feel that they back us.

Senator Byrd. How do you feel about Mr. Murphy?

No. 16. Mr. Murphy? He seems to be a radical man in my estimate.

Senator Byrd. How do your fellow officers feel about him?

No. 16. The same, according to the ones I have talked to, personal conversations. They feel that Mr. Murphy is not here for the benefit of the Department, but for his own personal satisfaction.

Senator Byrd. During the recent riot, were you on duty?

No. 16. Yes, sir.

Senator Byrd. Did you feel that you were restricted in any way from making arrests of felons?

No. 16. Well, of felonies, no. We were not restricted in any way, but I feel we had to take excessive abuse from citizens which a police officer has always been subject to. He has to take abusive language, disrespect, complete disrespect towards your uniform and police officers have always had to lay back and kind of take it on the chin.

Senator Byrd. Has this situation gotten worse?

No. 16. Yes, I feel it has.

Senator Byrd. Do you feel that the troops were taken out at the right time?

No. 16. No, I don't think we should have too many troops, but I believe they should be ready in case we did need them.

Senator Byrd. Did you have troops in your precinct?

No. 16. Yes, we did.

Senator Byrd. Did you think they should have been removed entirely?

No. 16. No.

Senator Byrd. When they were removed?

No. 16. No.

Senator Byrd. Do you think we should have a few troops in there now?

No. 16. I think we should have a few troops in order to assist at all times at the present stage.

Senator Byrd. Were you told not to shoot anyone except in self-defense during the riot?

No. 16. Not directly; that is, an indirect——

Senator Byrd. What were you told with regard to the use of your service revolver?

No. 16. The order came down saying use your own common judgment, which we each know that to just shoot a felony, it has been the policy of late to let a felony go.

If he is escaping, let him go, not to shoot him.

Sentaor Byrd. Is that the policy?

No 16. That is the way it seems to be. Policemen have been reprimanded for the use of their service revolver, and we have been warned in a couple of shootings that I know of, the police officer has always been worried, he is scared. When a man shoots someone, he breaks into a business place, this is a felony, he has no right there. It is my policy and I feel that a man has no business, if he gets shot it is too bad. But they feel like even though he broke in or committed a crime, no matter what type it is, if he is escaping, has his back to you, let him go.

Senator Byrd. Is that the policy of the Department?

No. 16. Yes, sir.

Senator Byrd. Is this what you have been told by your superiors?

No. 16. Yes.

Senator Byrd. Have you ever been injured while working with the Department?

No. 16. Yes, sir.

Senator Byrd. In what way?

No. 16. While making an arrest.

(Discussion off the record.)

Senator Byrd. Do you feel there is any difference in the equal enforcement of the law as between white citizens and Negro citizens?

No. 16. Could you explain yourself a little bit more, sir?

Senator **Byrd**. Yes. Do you think that there is more leniency shown toward Negro citizens than toward white citizens?

No. 16. Yes, sir.

Senator **Byrd**. There is? Do you feel that there is any hesitancy on the part of the police officers to arrest Negroes in instances whereas white persons would have been arrested in the same situation?

No. 16. I know on my part there is.

Senator **Byrd**. On your what?

No. 16. On my part of my police work I hesitate in a lot of things, I know if he was a white person in the same instance, I would not hesitate.

Senator **Byrd**. Why would you hesitate in the case of a Negro? Why would you hesitate to arrest him?

No. 16. Well, since this is the majority colored in this city, and numerous complaints, not on myself but on other police officers, and the police officer is the same as guilty; no matter what, say if a complaint is lodged against a police officer, whether it is made up, fictitious or what, it even may be true. The man, if he is sent before our trial board and then it is disregarded, they find the police officer not guilty, it is still on his record. It is not disregarded. For promotions, or anything, he may do later on as a police officer, it is going to hinder this man.

It is known, or it seems to me that a complaint from a colored man is taken more seriously than it would be from a white man.

Senator **Byrd**. Let's go back to the riot for a moment.

Were you instructed not to arrest looters?

No. 16. No.

Senator **Byrd**. Were you instructed not to shoot except in defense of yourself?

No. 16. Yes, sir.

Senator **Byrd**. All right, officer, I certainly thank you for coming in.

No. 16. I thank you, sir.

(Discussion off the record).

STATEMENT OF NO. 17

Senator **Byrd**. Officer you are number 17. Were you on duty during the riot?

No. 17. Yes, sir.

Senator **Byrd**. During the riot did you feel that you were restricted in making arrests of felons?

Were you not to make arrests?

No. 17. Only at the beginning of the riot.

Senator **Byrd**. What do you mean by that?

No. 17. Well, we had been trained in a couple of classes that the objective at first was to push, to keep the rioters moving, so that would keep you from making your arrest, and the way we were trained and the way it was when it happened, it was 100 percent different.

Senator **Byrd**. It didn't work out?

No. 17. No, sir.

Senator **Byrd**. Why?

No. 17. I was on the street when the first isolated groups of 15 to 20 started breaking loose and hitting the stores, and we started pushing those, and we pushed, we had maybe a hundred going out the Street where they were actually, the theory was working, and then they started coming off the side streets behind us, and that was shot right there.

You just had to keep away from the stores as much as you could.

Senator **Byrd**. Were you adequately prepared for the riot?

No. 17. By no means.

Senator **Byrd**. Are you any better prepared now than you were at that time?

No. 17. None whatsoever.

Senator **Byrd**. Have any steps been taken looking toward preparation?

No. 17. Supposedly plans for preparation, but not that we have been instructed, not in the near future.

Senator **Byrd**. Were any lessons learned from the disturbance of a few weeks ago which are being used now in planning for future disorders?

No. 17. That is what we are told, yes, sir, but not in the near future that we would be able to effect them. We are also told that.

Senator **Byrd**. Have you received any additional equipment since the riot?

No. 17. No, sir.

Senator **Byrd**. Were you told not to use your service revolver during the riot?

No. 17. We were told only to use it to protect ourselves or someone else's life.

Senator **Byrd**. When were you told this, during the riot?

No. 17. Before.

Senator **Byrd**. How long before the riot?

No. 17. Class in the last six months.

Senator **Byrd**. Were these instructions, to wit, that you were not to use your revolver except in the defense of yourself——

No. 17. That is correct.

Senator **Byrd**. Were they to apply only during a period of civil disorder?

No. 17. No, that is more or less the policy.

Senator **Byrd**. Is that the general policy?

No. 17. That is right.

Senator **Byrd**. The everyday, working policy?

No. 17. Yes, sir.

Senator **Byrd**. Are you to use your revolver to prevent the escape of a fleeing felon when all other means have been exhausted?

No 17. That is the way the book reads.

Senator **Byrd**. Are you not to go by the book?

No. 17. To an extent, but I think that in my opinion their policy is that they frown upon it, if you were to shoot a fleeing felon, if he is just running from you. They haven't come right out and said you cannot, but they have implied that you shouldn't.

Senator **Byrd**. Do you feel that there is any difference in the equal enforcement of the law as between white citizens and Negro citizens in the District?

No. 17. Yes. Enforcement on the part of the policeman?

Senator **Byrd**. Yes.

No. 17. Yes, sir.

Senator **Byrd**. In what respect?

No. 17. The way I understood your question was the fact do I feel that the individual policeman makes his arrest not as a color but as the person that is committing the crime?

Senator **Byrd**. No, I mean do you feel that the Police Department is more lenient towards Negro citizens than it is towards whites when it comes to making arrests?

No. 17. Most definitely.

Senator **Byrd**. It is?

No. 17. Yes.

Senator **Byrd**. Why?

No. 17. Me as an individual, I am not. When I make my arrests I am not more lenient towards anybody, not in isolated incidents, but incidents that you observe where they are more lenient.

Senator **Byrd**. Are policemen hesitant to arrest Negroes?

No. 17. Some policemen are hesitant, because of what might happen to them; yes, sir.

Senator **Byrd**. Well, what might happen?

No. 17. Well, they go to the Trial Board. They could end up in jail, lose their job, and I think it actually eats away at a lot of policemen.

Senator **Byrd**. Is this only in connection with arrests of Negroes?

No. 17. Yes, sir.

Senator **Byrd**. Complaints are not lodged against policemen for arresting white persons, when they arrest white persons?

No. 17. They are few and far between.

Senator **Byrd**. What do you think about the morale in your precinct? Is it good?

No. 17. I think—no, I do not think it is good.

Senator **Byrd**. What one thing would do more to improve the morale in your precinct? What one recommendation would you make?

No. 17. Well, one right off the bat would be more freedom to actually police without having something hanging on you that you know if you go to a certain extent, even though that extent might be necessary, that you are endangering your job, and as a result endangering your family and your livelihood in something that you might want, and it is a withdrawal. You talk to a lot of men and it almost builds like a subconscious withdrawal.

Senator **Byrd**. Is Mr. Murphy doing a good job?

No. 17. In my opinion, no, sir.

Senator **Byrd**. What do the men think of Mr. Murphy?

No. 17. Most of them are of the same mind.

Senator **Byrd**. Has he been down in your precinct?

No. 17. Yes, sir.

Senator **Byrd**. Have you talked with him personally?

No. 17. Yes, sir.

Senator **Byrd**. Why don't the men like him?

No. 17. They do not feel he is doing anything for us. He is dampening us. Let's say we had handcuffs on; he is tightening them on us and then loosening them.

Senator **Byrd**. Do you feel that you have the backing of your immediate superiors, the kind of backing you should have?

No. 17. No, sir.

Senator **Byrd**. Do you feel that you have the kind of backing you should receive from the Police Chief?

No. 17. I think if they would get off of him and let him do his job, I think he is a good man.

Senator **Byrd**. Thank you.

(Whereupon, at 11:15 o'clock, p.m., the committee was recessed, to reconvene at 6:00 p.m., Thursday, May 9, 1969.)

[Volume 6]

THE U.S. SENATE: REPORT OF PROCEEDNGS, HEARING HELD BEFORE THE SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA OF THE COMMITTEE ON APPROPRIATIONS

[Executive confidential]

U.S. SENATE, SUBCOMMITTEE ON THE
DISTRICT OF COLUMBIA OF THE
COMMITTEE ON APPROPRIATIONS,
Washington, D.C., May 9, 1968.

The Subcommittee met, pursuant to recess, at 6:10 p.m., in Room 105, the Old Senate Office Building, Robert C. Byrd of West Virginia (Chairman of the Subcommittee) presiding.

Present: Senator Byrd (presiding).

STATEMENT OF MR. 77

Senator **Byrd**. Mr. 77, were you a member of the Washington National Guard at the time of the recent riot in the city of Washington?

Mr. 77. Yes, I was.

Senator **Byrd**. How much notice did you receive prior to the time that you entered onto active duty at the time of the riot?

Mr. 77. Well, I got word of it about 3:00 o'clock the afternoon of the riot, Friday.

Senator **Byrd**. And had you received instructions prior to this time as to what would be expected of you during the riot?

Mr. 77. No, sir. We had not. Well, we had received some instructions as far as using restraint during the course of the riot, and not shooting anybody.

Were you referring to how we should report or what procedure?

Senator **Byrd**. I was referring to riot training prior to the time that you were alerted for duty at the time.

Mr. 77. Oh, yes. We had received extensive riot training. We were trained in methods of breaking up mobs and how to use a wedge and a V and things of that nature.

Senator **Byrd**. Had you received any instructions as to the use of your weapon or the arrest of civilian offenders?

Mr. 77. Well, we were told that it was not our task to arrest offenders, that we did have the authority and the power to detain them until a policeman arrived. But as far as using the weapons, we were told to use them with great restraint, and that we were not to load our weapons until ordered to do so by the officer in charge of us.

Senator Byrd. This is at some time prior to the notification of the time that you were alerted for duty at the time of the riot.

Mr. 77. Yes, sir.

Senator Byrd. Approximately how many weeks or months prior thereto?

Mr. 77. Well, we had regularly scheduled drills at least once a month, weekend drills, and in the course of these drills, we were given riot instruction classes in riot control and how we should perform our duties during the course of the riot.

I became a member of the unit only in January, and from that point we were instructed in various riot techniques and how we should conduct ourselves.

Senator Byrd. Mr. 77, at what time did you actually enter onto duty in connection with the Washington riot?

Mr. 77. Well, I think it was about 6:00 o'clock when I was able to get to the Armory, and there was quite a period there when we were making preparations to go out on the street, and actually by the time that we actually reached the firehouse, which was my station of duty, it was almost 10:00 o'clock before we were actually out there performing our duty.

Senator Byrd. Were there any unusual incidents with reference to the carrying out of the riot control duties of the National Guard which you would be interested in relating?

Mr. 77. Well, the unit, the group I was in, we were stationed at the firehouse, and our mission was to protect the firemen as they put out the various fires, and one thing that struck me——

Senator Byrd. What orders did you have with reference to looting?

Mr. 77. We were told to act to protect life only, and we were told not to bother looters, and the firehouse that I was stationed at, I there was a liquor store right across the street, and we watched these people carry out liquor out of the store all night, and even the next morning they were still carrying it out, and we were told by our officer not to try to interfere with these people, so consequently a large part of our time was spent standing around in front of the firehouse and just watching these people go in and carry out liquor, and it was interesting to see that you had all groups of people there. You had kids as small as six years old.

Senator Byrd. How many National Guardsmen would you say were in proximity, were in sight of the particular retail establishment that you refer to?

Mr. 77. Well, many times there were as many as ten of us.

Senator Byrd. And looters in and out of the establishment at any one time?

Mr. 77. Well, I am sure one time there must have been ten looters around the place or carrying stuff out of the liquor store at one time.

Senator Byrd. Was any request ever made of you by civilians or by an owner, or proprietor of the establishment, to control the looting?

Mr. 77. Well, not that establishment, but when we went to another little shopping center right off North Capitol Street, there was a gentleman, he was a colored gentleman, came up and said, "They are about to burn down my property. They told me they are going to burn it down. I have demanded protection from the policemen and I have gotten none."

He said, "Who is your commanding officer?" I directed him to the gentleman in charge, and he inquired of the Lieutenant as to whether he could get protection. He was pleading, as a matter of fact, and saying, "I must have protection. They are about to burn my property," but the Lieutenant told him that it was not our orders to go and provide protection, that we were only to accompany the firemen. So the gentleman left, went back to his property, I suppose.

Senator Byrd. So in at least two instances at which you were personally present, one at the liquor store and secondly at the place of business of the gentleman to whom you referred, you were restrained from in one instance stopping the looting, and in the second instance furnishing protection to the place of business of the gentleman who requested it.

Mr. 77. Yes, we were, and I might add, if I may, that it seemed that the attitude of the crowd around the liquor store and around the grocery store where we were stationed is that first of all they saw us there and they were a little afraid we might do something, and then when they saw that we were doing nothing, they just went in in wholesale numbers and began to take out what they wanted.

As a matter of fact, it seemed that some of the people thought it might be all right, since the stores were already broken into, to just go and take what they wanted. As a matter of fact, there was a grocery store right beside the firehouse where we were stationed, and some people, colored people, came up and asked, they said, "Is it all right if we just go on in and get some food? We want some food." Of course, we told them no, but they seemed to think that since the store was broken into it was all right to just go on in.

Senator Byrd. Were you issued ammunition?

Mr. 77. Yes, sir, most of us had about 15 rounds of ammunition, and we were told to load it only upon the order of an officer.

Senator Byrd. Is it your personal opinion that National Guard troops in numbers stationed with you in your particular section were capable of dealing with the disorder at the time it occurred, at the time that you observed it?

Mr. 77. Well, I would say the disorder that was right in the vicinity of where I was stationed, we could have dealt with it more positively. We could have prevented the looting in those stores in our immediate vicinity just by showing that we would not put up with it. I do not think we would have actually had to fire weapons, if we would have just moved in and backed these people off. We could have done that much.

Senator Byrd. But you had been told previously that you had authority to detain these individuals that were breaking the law but you made no effort to do so?

Mr. 77. We were told in a general sort of way that we did not have the right to arrest anybody, but we had the power to detain people, but then on the scene of the rioting, actually, that night of the riot, we were told by our officer that we were only supposed to protect life and we were not supposed to bother looters.

Senator Byrd. No. 77, in your opinion, how could a greater discretion have been given to the National Guard troops and yet not unnecessarily endanger human life?

Mr. 77. Well, I think that if we had been given permission to load our weapons in dangerous situations, and told that we would fire only upon the order of an officer, it would have given us more leeway and more protection, more ability to act. Of course, I would still think that we should have been given the right to fire anyway, if we saw that our life was in immediate danger.

Senator Byrd. Was an officer always within speaking and hearing distance of you?

Mr. 77. No, sir.

I would say that on most occasions he was, but there were a few occasions I remember when he was not. Like we might be on one side of the building and he might be on another.

Senator Byrd. And yet your instructions were not to load your gun except upon the order of an officer?

Mr. 77. Right, sir.

Senator Byrd. So if the officer happened to be on the other side of the building or down the street a block away, you were not authorized to load your gun, even though the necessities of the moment might have required it?

Mr. 77. Yes, sir; that is correct.

Senator Byrd. Did any situations arise in which you felt that you should have had the responsibility yourself—

Mr. 77. Well, there was one occasion.

Senator Byrd. — of making a determination as to when you should load your gun?

Mr. 77. There was one occasion when a gentleman was waving a pistol down the street and he was apparently intoxicated, and we waited until the officer came up, and he told us, two of the guys, to load their weapons, two marksmen, and I felt there that I would have liked to have had the ability to have loaded my weapon immediately when I saw that gentleman waving his pistol down the street.

Senator Byrd. In other words, if the inebriated individual had attempted to shoot a child or to shoot another adult, you would not have been at liberty to have loaded your gun and protected the child or the other adult without receiving orders to do so from your superior?

Mr. 77. Yes, sir; that is correct.

Senator Byrd. And your superior may have been a block away?

Mr. 77. Yes, sir. He was about a half block at the time. We were able to get to him in a few minutes.

Senator Byrd. Do you feel that this is an impractical order in a riotous situation?

Mr. 77. Yes, sir; I believe it is.

Senator Byrd. Thank you very much.

(Discussion off the record.)

STATEMENT OF NO. 18

Senator Byrd. Number 18, you are a policeman. What is the greatest single problem confronting you as a policeman in the District of Columbia?

Mr. 18. Enforcing the law.

Senator Byrd. What is the greatest single problem confronting you in your efforts to enforce the law?

Mr. 18. Well, my greatest problem as a police officer is that I do not have the authority that I think I should have in enforcing this law. I feel as though my authority has been taken away from me, and this has been taken away right within the Department as far as I am concerned, with supervisors telling me, bulletins, the Departmental bulletins and policies and memorandas instructing me to do things that I feel are not right.

This is inconsistent with law enforcement.

Senator Byrd. Would you explain just what you have in minds?

Mr. 18. Well, misdemeanor arrests, disorderly conduct for one thing, departmental policy. In maintaining a disorderly arrest, when I come on the job a man was disorderly that was clearly defined in the law. Now, it has gotten to the point where I have to take this verbal abuse in front of people, sometimes even physical abuse, and the Department does not want me to take the required action I feel that is the necessary action in arresting this individual.

Senator Byrd. How do you know that the Department does not want you to arrest this individual for disorderly conduct?

Mr. 18. When I say I know, I cannot put my finger on one official or any number of officials who have instructed me not to make a disorderly conduct arrest. But the handwriting is there. I mean they do not want you to get involved in these things. Ignore, pacify the public to a point where an arrest is not necessary when an arrest was necessary in the beginning.

I really cannot put my finger on anything right now, Senator. This is just one thing.

I have children and they respect me as a police officer and as a father, as a father, first, naturally. But I face these kids sometimes. They ask me things about the job. "What did you do?"

Senator Byrd. Your own children?

Mr. 18. That is right. And I find myself lying to them. I really do. I can't go home and tell my kids, well, I didn't arrest this man. I am not talking about anything in particular. I don't know if I am making myself clear.

Senator Byrd. Yes, you are.

Mr. 18. I am not too proud of my working behavior here when I get home, and my kids do ask me about it and they do look up to policemen and they do respect law.

Senator Byrd. And why are you not proud of your work?

Mr. 18. I don't know if I can express myself.

Senator Byrd. Just talk as though you were talking with one of your fellow officers.

Mr. 18. Well, just recently during the civil disturbance, things happening in front of me, looting, and I was on the end of a few coke bottles, house bricks and what have you. It wasn't any fun. But there I stand as a police officer, and I am instructed by the Department to maintain order as much as I can, refrain in the use of the service revolver.

Of course, this is another story, I think. But in apprehending these looters and what not, I don't know, I felt as though I had handcuffs on myself. I really couldn't do anything and I know I couldn't, and I feel as though the Department didn't want me to do anything out there.

This is why I say sometimes I find that I am not very proud to be a policeman.

Senator Byrd. You felt, then, that you were restricted in making arrests of looters during the recent riot?

Mr. 18. I think so.

Senator Byrd. Were you instructed not to arrest looters?

Mr. 18. I didn't receive such instructions, Senator. I cannot say that I did.

There were a number of memorandums out prior to this thing, the different training programs that we would go to, but I cannot say that I was instructed not to. I was instructed to make efforts, but I am talking about the feeling of the Department at that time.

And some of Mr. Murphy's statements, some of his actions out there—I felt useless.

Senator Byrd. What is your opinion concerning Mr. Murphy?

Mr. 18. I don't think we need him, Senator. I think the job of handling this Department belongs to the Chief, whether he is a good Chief or a bad Chief is immaterial. I think Chief Layton should run this Department without someone, Mr. Murphy, for instance, telling him how or when.

Senator Byrd. What is the opinion of your fellow officers as you have listened to them talk with regard to Mr. Murphy?

Mr. 18. Well, it's funny you brought that up, because we just talked about that not too long ago. I think we are getting into some racial lines here now. I think that the majority of the white policemen feel as though Mr. Murphy is not qualified for the job. On the other hand, in talking with a number of the Negro officers, they think that this guy is doing a good job. They really do.

Senator Byrd. Back to the recent riot. Were *you told not to use your service revolver as* provided for in the Police Manual?

Mr. 18. There were specific instructions on the use of my service revolver, Senator.

I received instruction—well, let's put it this way: I think this is the way he put it, too. I am talking about my Captain at that time and there have been a number of officials talk about the use of service revolvers, but this one incident was where the Captain said that the looters would not be shot. We are not concerned about property damage. Naturally, if you feel as though your life is in danger, or someone else's life is in danger, use your service revolver. But insofar as the looters and even the arsonists, why, no.

We received instructions not to use them. Use other means if possible.

Senator Byrd. Were you not to shoot an escaping arsonist, if all other means had been exhausted, in your attempt to arrest him?

Mr. 18. I do not think we received, I don't remember any specific instructions in regard to an escaping arsonist at this time, Senator.

Senator Byrd. What is your impression?

Mr. 18. I feel as though the Department did not want me to shoot an escaping arsonist. I feel this way.

Senator Byrd. Do you recall oral or written instructions to that effect?

Mr. 18. No, not at this time. I cannot say that I do, specifying a fleeing arsonist, no, I really can't say that.

Senator Byrd. But the instructions did specify looters?

Mr. 18. Looters and housebreakers and what not, correct.

Senator Byrd. And were these written or oral instructions?

Mr. 18. I know I received oral instructions along those lines, but I am not sure whether or not there was a written memorandum on it.

I cannot remember at this time.

Senator Byrd. Suppose you were standing by a store and you, during the riots, were to have seen an adult come running out of that store after having broken the door down to enter the store, carrying a great number of men's suits under one arm and brandishing a bloody knife in the other hand, and you saw that you were unable to arrest him, he was outrunning you, and you could clearly have shot him to prevent his escape without running the risk of shooting children or other adults; what action would you have taken according to the impressions received by you, anent instructions not to shoot looters or housebreakers?

Mr. 18. I'm afraid I would have to lose him, Senator. I do not think I would have used my service revolver.

Senator Byrd. Why?

Mr. 18. Because of the repercussions within the Department. I am sure there would have been, and I would have been criticized for use of it and probably some disciplinary action may have been taken against me at that time.

Senator Byrd. If you had shot him?

Mr. 18. I think so.

Senator Byrd. Even though he carried a bloody knife?

Mr. 18. Yes.

Senator Byrd. Suppose he had carried a gun? Suppose this individual was obviously inebriated and when he came running out of the store you saw smoke just beginning to come of the windows, and you noted that under his left arm he carried several ladies' fur pieces, in his right hand he was waving a revolver. You attempted to halt his flight. You could not catch him. You had an opportunity to shoot him, and there were no other persons in the line of fire, had you opened fire. How would you interpret the instruction in a situation such as this? This is a looter.

Mr. 18. This is a little different circum*stances, too. I think that in this case, I* know I would have to explain this later on.

I think I would use my service revolver in that case, the reason being of course that he is also armed with a revolver of some kind or a weapon of some kind, and I would use it, my revolver, because I think that at that time I would feel as though my well being was in danger, as long as that man was fleeing from me with that revolver in his hand, and I would use my service revolver.

There is no doubt about it, I would have to do a lot of explaining, and of course I would exhaust every other means prior to the use of my service revolver, and if, as you say, he continued to run, and continued to hold this service revolver, or his revolver, I think I would use my gun.

Senator Byrd. I have only this question along that line that we are pursuing. Is it possible or is it even probable that adult looters coming out of a building loaded with stolen goods may be armed and may have injured the proprietor of the business while they were in the process of looting his goods?

Mr. 18. Yes, that is very possible, sir. It is very possible.

Senator Byrd. Then if you are instructed not to shoot looters, may you run the risk of letting a fleeing murderer or rapist or armed robber escape?

Mr. 18. That's very true.

Senator Byrd. Because of the instructions not to shoot looters.

Mr. 18. Yes, sir.

Senator Byrd. Is it more difficult to enforce the law with respect to Negroes as opposed to whites, in the District of Columbia?

Mr. 18. I have never encountered too many problems with either race of people here in the District, Senator.

However, recently, in the past year or so, I have encountered more than I have in the first six years I have been on the job.

The Negro element that I am dealing with in the precinct, I do not know if you are familiar with the boundaries of the precinct or not, Senator, but this individual I should say has always had respect for the policeman at the precinct. I mean this. I believe this.

However, we have run into a new element there. I guess they call themselves militants. The problems I encounter on the street now with the Negro are through younger Negroes, I am talking about 25, somewhere in that area, the early 20s or late teens. These are the only problems I have with them. I try to treat people the way I would expect them to treat me.

Senator Byrd. What is the population makeup? Is it predominantly Negro or predominantly white?

Mr. 18. Predominantly Negro. It is a very congested area up through there.

Senator Byrd. What percent of the population in that precinct would be Negro in your estimation?

Mr. 18. I would have to guess somewhere around 96 percent.

Senator Byrd. Do you feel that you have any lack of backing from your immediate superiors?

Mr. 18. I have felt this way. However, then, too, we have a couple of good officials now. Well, there has always been that guiding line between the official and the private, and I think this line is diminishing.

I think Chief Layton did a lot to diminish it, to erase this guiding line between the official and the private. Generally speaking, in regard to your question, I would say that backing, if I need it from an official, I could only count on one or two officials at the precinct that I feel would back me up in some given case.

Senator Byrd. How would you describe police morale at the present time?

Mr. 18. I do not think it is good. I wouldn't say morale is good at this time.

Senator Byrd. What single factor do you *believe is most adversely affecting police* morale?

Mr. 18. Well, I just cannot——

Senator Byrd. Name 2 or 3 factors if you are having difficulty selecting one. What do you say to your Fellow officers?

What do you say to your wife when you talk about police morale?

What is it that troubles you most?

Mr. 18. The big thing is not being able to enforce the law the way the law is written. This is a big factor, I think. And these other officials that I spoke of, ones that I couldn't count on to back me up, these are big factors, too, in morale, officials. There are some good ones, don't get me wrong.

Senator Byrd. How do you feel about the courts?

Do they give you the backing that you think you deserve as a policeman, trying to enforce the law?

Mr. 18. Well, I can only speak for myself to answer that question. I have gotten to the point where the courts aren't really interested in good law enforcement out here. The laws are written and clearly defined, and I enforce them. However, these people—there are too many programs working against law enforcement at this time.

This is the way I feel, and in the court is one of them.

Senator Byrd. In your judgment are pressure groups assisting the policeman in enforcing the law?

Mr. 18. Pressure groups?

Senator Byrd. Organizations of any kind in the city.

Mr. 18. No, I do not think so.

Senator Byrd. What about organizations such as CORE or SNCC; do they interfere with the policeman's effort to enforce the law?

Mr. 18. Well, just how far they interfere I do not know, but I certainly do know they don't support us. They are not behind us in any program.

I haven't heard any favorable comments about any organization similar to this.

Senator Byrd. What is the attitude of the Negro officers toward arresting Negroes?

Mr. 18. Well, again I will go back to this civil disturbance. They did not show me too much at all. As a matter of fact, they refrained from arresting people. I have got a couple of friends up there in the precinct that went almost head to head with a couple of Negro officers. I am talking about white policemen who got involved in some situations and a couple of Negro officers criticized them on the scene and almost got to where they were fighting among themselves.

Senator Byrd. What was the nature of the criticism?

Mr. 18. The Negro felt as though the white officers should not have made the arrest, or used too much force, or too much gas, this sort of thing.

Senator Byrd. Too much gas?

Mr. 18. Tear gas.

Senator Byrd. I have no other questions except one: Were there Federal troops in your precinct?

Mr. 18. Yes, sir.

Senator Byrd. How do you feel about the presence of troops in your precinct?

Mr. 18. I think they should be there now.

Senator Byrd. Why?

Mr. 18. Well, we still have this looting and arsonists in the precinct. I lost a very good friend last week, Mr. Ben Brown. This sort of thing is uncontrollable. No businessman can control this sort of thing, 15 or 20 of these people walking in and creating havoc right there, and of course, what happened to Mr. Brown up there.

Senator Byrd. You referred to abuse, personal abuse a moment ago. Do you receive much personal abuse from white persons whom you try to arrest?

Mr. 18. No, sir, I have never received any personal abuse from a white person.

Senator Byrd. Do you receive abuse ordinarily when you start to arrest a Negro in your precinct?

Mr. 18. The young Negro that I spoke of, yes. I expect it. It comes.

Senator Byrd. Thank you very much.

Mr. 18. Thank you, sir. It has been a pleasure.

(Discussion off the record.)

STATEMENT OF NO. 20

Senator Byrd. Number 20, you are an officer. What is the greatest single problem confronting you as a policeman in enforcing the law in the District of Columbia, the greatest single problem confronting you as a policeman in enforcing the law in the District?

Mr. 20. I would say the courts in my opinion do not seem to be——

Senator Byrd. Can you give me an example? Can you be more specific?

Mr. 20. It seems to me that the charges that you place against a person, once they have reached the U.S. District Attorney's Office or the Corporation Counsel's Office, they look at the charge and they do not seem to want to place the charges that need to be placed, in my opinion.

Senator Byrd. During the recent riot did you feel that you were restricted in arresting looters?

Mr. 20. Yes, I did.

Senator Byrd. Why do you feel so?

Mr. 20. At the time I feel that we did not have the manpower necessary to go into large groups of people and take select persons out of the groups.

Senator Byrd. Had an occasion arisen in which you would ordinarily have used your police revolver as prescribed in the Police Manual, would you have been under any unusual prohibition about using it at the time of the riot?

Mr. 20. No, sir.

Senator Byrd. Is it more difficult to enforce the law with respect to whites as opposed to Negroes?

Mr. 20. No, sir.

Senator Byrd. You as a police officer do not have any more difficulty in enforcing it with reference to whites as opposed to Negroes?

Mr. 20. No, sir.

Senator Byrd. Do you feel you have any lack of backing from your superiors?

Mr. 20. No, sir.

Senator Byrd. Do you feel that any action that you took in the course of carrying out your responsibilities you would be fully backed from the precinct straight through the Police Department?

Mr. 20. As long as it was in accordance with the Departmental policy, and as long as I was right in doing my actions, I believe I would be backed, yes, sir.

Senator Byrd. How would you describe police morale at the present time?

Mr. 20. I would describe it as fair as possible, as good as possible, I believe, for the situation that we just have gone through, the recent disorder.

Senator Byrd. How do you view your future in law enforcement?

Mr. 20. I look toward my future with great hopes. I think there is a good future in law enforcement.

I believe that the people want good law enforcement and I believe they are going to get it.

Senator Byrd. Do you believe your feeling has changed since your initial entry into the Washington Police Department? Are you just as hopeful today as you were the day you entered?

Mr. 20. Yes, sir.

Senator Byrd. How do you feel about Mr. Murphy?

Mr. 20. I really have nothing bad that I can say about Mr. Murphy. I realize that some of the statements that he has made have brought comment from the different people, but as far as personal involvement or as far as anything that I can see that he has done to harm the Police Department, other than certain statements, I can see nothing.

Senator Byrd. Are you subjected to abuse ordinarily when you attempt to arrest a Negro?

Mr. 20. It all depends on the circumstances and the situation I would be in, I would say. There is a certain amount, at the present time, there is a certain amount of tension, even on the normal arrest I would think, because of the recent disorders.

Senator Byrd. Are you subjected to any abuse ordinarily when you attempt to arrest a white individual?

Mr. 20. I would not think so, no, sir.

Senator Byrd. What is the population makeup of that precinct?

What percent of the people would you say are Negro in that precinct?

Mr. 20. I would say 95 percent, sir.

Senator Byrd. Do you have any difficulty in making arrests in that precinct? Do mobs gather quickly?

Mr. 20. There has been even before the disorders and very much so now after the disorders, on a routine arrest, it is very likely that you will have a large group congregate very quickly.

Senator Byrd. Does this hamper in your efforts to enforce the law?

Mr. 20. Yes, sir, it does.

Senator Byrd. How do you feel about this?

Mr. 20. Well, I feel that the only way to cope with the situation, so that it won't get out of hand, you are going to have to have enough men able to respond to any situation where a large crowd develops, so that you do not have the crowd outnumbering the policemen if there is any need to stay there for any length of time.

There is also going to have to be rapid removal of whoever is arrested off the scene so there won't be any length of time. I think that has a great deal to do with it.

Senator Byrd. If you arrest a white man, does a mob normally gather and threaten you?

Mr. 20. No. sir.

Senator Byrd. How do you feel about the presence of federal troops in your precinct?

Mr. 20. I think federal troops were a very good thing and I think they should have been in my opinion brought in Thursday night instead of Friday evening.

Senator Byrd. How about their removal?

Mr. 20. I think at the time they were removed, that we had the situation under control, and I think it was proper that they should be removed.

Senator Byrd. Do you feel that they should be in your precinct now?

Mr. 20. Not at the present time, no, sir. I see no reason why the military should be stationed.

Senator Byrd. Are there continued reports of lootings in your Precinct?

Mr. 20. Yes, sir, there are.

Senator Byrd. Are there continued reports of fires?

Mr. 20. Yes, sir, there are.

Senator Byrd. By arsonists?

Mr. 20. Yes, sir, there are.

Senator Byrd. In the face of this situation, do you feel that a military presence in the precinct would not be helpful?

Mr. 20. Well, it would again go back, I think, to the number of men you have present. I think the same number of police officers could do the same job as a certain number of military could. I do not think just the military in itself would make the difference.

Senator Byrd. Can you get police officers in sufficient numbers?

Mr. 20. In the disorders, I presume they were widespread enough that there was a slight shortage at times Thursday night.

Senator Byrd. Is there a shortage now of police officers in your precinct?

Mr. 20. I would say yes, there is.

Senator Byrd. That being the case, I would assume you are aware of the fact that the Police Department is undermanned?

Mr. 20. Yes, sir.

Senator Byrd. And that it has been unable to fill the authorized positions?

Mr. 20. Yes, sir.

Senator Byrd. That being the case, do you feel that there should be troops in your precinct?

Mr. 20. If they are unable to bring the Department up to full strength, and in order to maintain peace in the precinct and to protect property and people's lives, I would say that it would not be a bad idea to have a certain amount of military troops stationed there.

Senator Byrd. You are attaching an if when there is no necessity for it. The Police Department is undermanned. They have been undermanned for years. They have been unable to fill the positions.

Mr. 20. Yes, sir.

Senator Byrd. Which have been funded so there is no ifs, ands or buts about it.

They are unable to provide the manpower that has even been funded by the Congress. Now they may be able to pull policemen out of other precincts and put them in your precinct. I cannot say that the Department can or cannot do this. But if it pulls men out of other precincts, I presume that those precincts would be even more undermanned than they may be at the present time.

So when we look at the picture realistically, fires continuing in your precinct, lootings continuing in your precinct, not enough policemen, you cannot get them, the Department has been doing its officials say, everything that can be done to fill the vacancies. What do you say about this? Do you think that troops would be advisable at this time?

Mr. 20. If vacancies cannot be filled.

Senator Byrd. Let's get away from the ifs. If they could have been filled, they would have been.

Mr. 20. If the vacancies are not filled at this present time, I think we do need troops, yes, sir.

Senator Byrd. Thank you very much.

Mr. 20. Yes, sir.

(Discussion off the record.)

Senator Byrd. Officer, you are number 21. In your judgment, what is the greatest single problem confronting you as a policeman in the District of Columbia in your efforts to enforce the law?

Mr. 21. You mean what would be one of my main problems as a policeman in enforcing the law?

Senator Byrd. Yes.

Mr. 21. Well, I would say one of my main problems would be concerning the juveniles. That is one of the main problems, not one of the major ones, but it is one of the main problems, juveniles.

Say, if you arrest a juvenile, you just take him in and fill out this form, the 379. His parents come and get him. She takes him home and he is right back out on the street within two or three hours. That is one of the main reasons they commit the same thing over and over, because they know that they will get away with it if they are juveniles. That is one of them.

Senator Byrd. Are there additional problems which you consider hamper you in your efforts to enforce the law?

Mr. 21. I would say the court procedures, sir. That is one of the problems also, because of the courts. You take a man, you arrest him, you spend all your time, maybe two hours or more filling out statements of facts, the line-up, you take him down to court and he gets out on personal bond in a little while and he is committing the same crime over again.

Most of the police officers feel that the court is one of the weakest and one of the main problems, that so many crimes are being committed because they feel that here the courts are very lenient on the person. I also feel that, that is my opinion about it.

Senator Byrd. Are there additional problems which give you concern in your efforts to enforce the law?

Mr. 21. I cannot think of anything else right at the present.

Senator Byrd. During the recent riots, did you feel that you were restricted in making arrests of looters?

Mr. 21. I will say in the beginning of the riot I would say I was something more restricted then than later on during the riot, because at the beginning of the riot, I was working at the time when it all started, I was just about in the area where it started up around the Precinct. We weren't making any arrests. Everybody was standing around and joining in after they saw that the police cars was cruising up and down the streets. We wasn't making any effort to make arrests.

I feel that that is why some of the people that wouldn't have ordinarily joined in, they just pitched in because they could do it and get away with it.

So, actually, we didn't start making arrests until later on. I feel that we wasn't organized at the beginning.

Senator Byrd. No. 21, why did you not make arrests at the beginning, arrests of looters?

Mr. 21. Well, we wasn't exactly given the order not to make arrests. We was told that we didn't have the facilities at the time to transport them, one of the main reasons why they were getting all the means of transportation together, wasn't able to make arrests at the time.

Senator Byrd. Were you instructed not to arrest looters?

Mr. 21. No, we wasn't.

Senator Byrd. Were you instructed not to use your service revolver as provided for in the Police Manual?

Mr. 21. No, sir, we wasn't.

Senator Byrd. Under what circumstances may you use your service revolver?

Mr. 21. When you feel that your life is in danger or the life of some innocent person is in danger, you have the authority to use your service revolver.

Senator Byrd. What about preventing the escape of a fleeing felon, if all other means have been exhausted?

Mr. 21. That is one of the reasons, I mean that is one I didn't state, such as housebreakers, or felonies, if you have exhausted all other means, you have the right to use your service revolver at that time.

Senator Byrd. Were you allowed to use your service revolver to prevent the escape of felons who had been looting during the riot?

Mr. 21. I could say we was allowed. We wasn't given the order not to use our service revolvers but using better judgment, nobody wanted to use their service revolver at that time, in a case like this. Ordinarily maybe the average policeman would use his service revolver to stop a housebreaker, if all other means have been exhausted to stop one, but at this time I would not have used my service revolver.

Senator Byrd. Why?

Mr. 21. Well, at this time, during this disorder, using your service revolver, my opinion and in talking with other police officers, we felt that if we had used our service revolver, we could have injured some bystanders, and we felt that we would not get the proper backing, if we did not use better judgment to use our service revolvers at the time.

Senator Byrd. After the curfew was instituted, and it was very effective, your chances of shooting innocent bystanders would, of course, have been greatly lessened.

What about shooting a fleeing looter then, to prevent his escape, if the looter was an adult?

Mr. 21. In a case like this, it would be you might say it's up to the police officer as to the condition at the time. If he thinks that he would be justified to use the service revolver, at this time, but during this whole disorder, I felt that if I had used my service revolver, I would not have been using enough judgment there, because I felt that really I would not have gotten backing enough.

Senator Byrd. You would not have gotten backing?

Mr. 21. Yes, sir.

Senator Byrd. You would not have received backing?

Mr. 21. Yes, sir.

Senator Byrd. From your immediate superiors or someone higher up?

Mr. 21. Well, I felt that my superiors would have backed me as far as they could, but they only can go so far.

I felt that the public and the pressures being put on the higher officials that I would not have got the proper backing.

Senator Byrd. How are you as a Negro police officer accepted by the Negro community? Do they resent your efforts to enforce the law?

Mr. 21. No, sir, not the time I have been in the area I walk; not at all.

Senator Byrd. What is the population makeup of your precinct, would you say? Is it preponderantly Negro, preponderantly White, or about even?

Mr. 21. I would say mostly Negro.

Senator Byrd. About what percent would you say?

Mr. 21. I would say 75 or 80 percent are Negro.

Senator Byrd. Do Negroes call you an Uncle Tom?

Mr. 21. Very seldom. It all depends on how you carry yourself which will make them call you a name like that. They have a habit if they see you and you treat them as a citizen, they give you their respect, most of them, but some of them will always call you Uncle Tom.

Senator Byrd. In your judgment, shouldn't they be proud of a Negro officer?

Mr. 21. They should be, but if you get to talk to a lot of them out on the beat, or otherwise, or elsewhere, some of them feel that you should not be a policeman. Some of them tell you that they would not have your job for a million dollars, some of the Negro people are very proud of you being a policeman, especially some of the elderly ones.

Senator Byrd. Is it more difficult to enforce the law with respect to Negroes as opposed to whites?

In other words, do you normally have more difficulty in attempting to arrest a Negro than you do in arresting a white?

Mr. 21. I would not say because I cannot say. In my precinct we do not have too many arrests of the whites, other than maybe a traffic violation every now and then. But the Negroes, you have more of those than you have the white, but it is not a major problem to arrest one. It all depends on how you talk to them.

Senator Byrd. Is it a major problem to arrest Negroes in your precinct, are you subjected to considerable abuse from mobs in your precinct, if you attempt to arrest a Negro?

Mr. 21. A Negro officer, he is not, but if a white officer makes an arrest, if they feel, if he says the slightest word, anything that they think they can get something started, they will start crowding around you.

But I will say that a Negro officer would be able to maintain his arrest better than a white officer in the area where I work.

Senator Byrd. Have you ever been subjected to abuse by Negroes when you have attempted to arrest them?

Mr. 21. No, sir.

Senator Byrd. Have you ever been threatened by other Negroes when you have attempted to arrest a Negro in your precinct?

Mr. 21. No, sir.

Senator Byrd. Do you feel that you have any lack of backing from your superiors?

Mr. 21. In most cases I feel that they back us 100 percent, and I will say this, that if you are right in most cases, but sometimes with the slightest bit of doubt in their mind, you do not get as much backing as you would if you was 100 percent right.

Senator Byrd. How do you feel about Director Murphy?

Mr. 21. I would say in my own opinion of him would be that I feel that he is able to carry out his job being a superior over the Police Department, Safety Director, but in another way, I would say that also I feel that maybe he is trying to take things in his hands all of a sudden, trying to show too much that he is the top man, in other words. I think he should gradually go along with things. He is trying to let everybody know that he is over everybody. That is my own opinion of him, which I think he shouldn't do.

Senator Byrd. Should not do?

Mr. 21. Should not do.

Senator Byrd. In your opinion has he been good for law enforcement in the District, or has he not been good for law enforcement?

Mr. 21. I would say he has not been good for law enforcement in the District.

Senator Byrd. How would you describe police morale in your precinct?

Mr. 21. The morale of most police officers in my precinct I would say is average. I wouldn't say it is tops, but I would say average.

Senator Byrd. What single factor do you believe is most adversely affecting the morale in your precinct?

Mr. 21. I would say maybe the courts have something to do with it. Also, I would say that Mr. Murphy, that he has something to do with it, also, because I feel that the men think that he is really, well, I wouldn't say putting too much pressure but I would say that maybe he is really trying to show too much authority over everybody.

Senator Byrd. How do you feel about the presence of federal troops in your precinct?

Mr. 21. I think that was one of the main things that helped, the troops being there.

Senator Byrd. You think it helped?

Mr. 21. Yes.

Senator Byrd. Are the lootings continuing in your precinct?

Mr. 21. Very little. It is still going on, but not too much.

Senator Byrd. Are you having more fires than usual in your precinct now?

Mr. 21. Since I was last there, there was more than usual. When I was there it was more than usual.

Senator Byrd. Do you think there should be troops in your precinct now?

Mr. 21. Now I would think that they would not do too much good now, having troops there.

Senator Byrd. Do you think they were brought in quickly enough during th edisturbance?

Mr. 21. No, sir.

Senator Byrd. Would you like to have them sooner if such a disorder erupts again?

Mr. 21. Definitely so.

Senator Byrd. Mr. 21, how do you view the forthcoming March on Washington?

Mr. 21. Well, I would say that I think this march is going to work out in my own opinion without any disorder, unless some racial matter comes up. I think that would really touch it off. That is all it takes is just one little incident to touch the whole thing off.

I really think it will get out of control then.

Senator Byrd. Do you see or hear anything in your associations with the people in your precinct which would indicate that there may be militants who are planning to loot and burn or engage in other disorders and/or violence during the march?

Mr. 21. No, sir. I haven't heard anybody say anything of this matter, but talking with some of the people, I would say, being around them and so forth, off duty sometimes, I come in contact with some that know me, I will say that they do plan to stick together if anything comes up.

My opinion is that they plan to stick together, because that is what has been said by many of them, that they would stick together, and that could mean anything.

Senator Byrd. Do you feel that some of the younger Negroes are looking for trouble and wanting to see trouble erupt during the march?

Mr. 21. I do not feel that they are looking for trouble, but I do feel that if something comes up, they will join it, but I do not think they are looking for any trouble.

Senator Byrd. Have you observed the activities of the young men who are participating in the PRIDE Project?

Mr. 21. Yes, sir, I have.

Senator Byrd. Have you any knowledge as to whether or not they participated in the looting during the riot?

Mr. 21. I haven't heard anything, I haven't talked to anybody who stated that they were connected with any of the disorders during the riot, but on the other hand, I have not been out on the street to talk to anybody that much. But I feel that if I get out and talk to the people, I will obtain some information if any of them were connected with the disorder.

Senator Byrd. Have you arrested any of the PRIDE employees?

Mr. 21. No, sir.

Senator Byrd. Thank you very, very much.

Mr. 21. Yes, sir. Thank you.

(Off the record.)

STATEMENT OF NO. 22

Senator Byrd. Number 22, what is the greatest single problem confronting you as a policeman as you attempt to enforce the law in the District of Columbia?

No. 22. Backing from officials.

Senator Byrd. At what point does the necessary backing not come? Where is the dividing line? Do you get it in the precinct?

No. 22. No. It comes higher up from the precinct to the commanding officers and the higher officials outside.

Senator Byrd. Speaking of the higher officials, would you be more specific?

No. 22. Such as the Safety Director.

Senator Byrd. That is Mr. Murphy?

No. 22. Yes.

Senator Byrd. In your opinion, is the presence of a safety director assisting law enforcement in the District of Columbia?

No. 22. I do not believe it has here, sir.

Senator Byrd. What is the general opinion of Mr. Murphy as he has conducted himself in his new job with the man on the street?

No. 22. Well, as far as I can see, as far as I know, the opinion is not too high.

Senator Byrd. During the recent riot, did you feel that you were restricted in making arrests of looters?

No. 22. No, not restricted in making arrests, but in what degree, such as force and so forth, certain situations.

Senator Byrd. Do you feel that you were restricted in using your service revolver as provided in the Police Manual?

No. 22. Yes, sir.

Senator Byrd. Could you be more specific about it?

No. 22. Well, such as do not shoot rioters and looters and so forth. It states in our Code and our Police Manual an officer should use his revolver against a fleeing felon, which of course an arsonist and a looter is a felon.

Senator Byrd. Under the same set of circumstances, do you find yourself more reluctant to arrest a white man than a Negro?

No. 22. No, sir; I do not.

Senator Byrd. A Negro than a white man?

No. 22. No, sir.

Senator Byrd. How would you describe police morale at the present time?

No. 22. Very low, sir.

Senator Byrd. What single factor do you think is most adversely affecting police morale?

No. 22. As I stated before, the backing from officials.

Senator Byrd. Do you feel the Washington press gives fair and accurate coverage of crime and police activities?

No. 22. No, sir.

Senator Byrd. In what respect do you think it could be improved?

No. 22. I think they ought to possibly get out in the street with the policeman and get a first-hand look of what is going on, and a lot of it is hearsay, what possibly citizens tell them.

Senator Byrd. What do you think could be done to develop a greater sense of pride among policemen on the Washington Police Department?

No. 22. Well, I believe that they should have a professional status like other professions, because I believe a policeman, that crime prevention is a professional job.

Senator Byrd. That is the ultimate end that you would like to achieve, but how do you personally think that you could engender that support and develop that sense of pride?

No. 22. Well, by dealing fairly with the public, appearance, take pride in your job, and do the best you can under certain conditions.

Senator Byrd. How do you view your future in law enforcement? Any different from when you initially entered the Police Department?

No. 22. I think I have got a good future. I believe the law situation is being looked into by congressmen, senators and so forth. I believe it is going to change for the better eventually.

Senator Byrd. Do you have any particular problems as between the Negro and white officers in your precinct?

No. 22. No, sir, not at all.

Senator Byrd. What do you think of Director Murphy?

No. 22. I do not think much of him, sir.

Senator Byrd. How do your fellow officers speak of him?

No. 22. Very low, sir, the ones that I know, especially in my precinct. I do not know about the other precincts.

Senator Byrd. What do they have against him?

No. 22. Well, they think he is too lenient. He wants to coddle the criminal. A lot of them are wondering where he got his credentials at, such as the New York Police Department. He had a reputation of a tough cop, and they are beginning to wonder if he merits that or not.

Senator Byrd. The courts give the police good backing, do they not?

No. 22. Yes, I think they give them fairly good backing. These decisions, I do not think, in my opinion have not hindered the policeman too much.

Senator Byrd. Is this what you say to your wife when you talk with her?

No. 22. Yes, sir.

Senator Byrd. Is this what you say to your fellow officers when you talk with them?

No. 22. Yes, sir.

Senator Byrd. Do they agree with you?

No. 22. Yes, sir, most of them.

Senator Byrd. They agree that the courts have not handcuffed you?

No. 22. Yes.

Senator Byrd. How long have you been in the Washington Police Department?

No. 22. Three years, sir.

Senator Byrd. Did you misunderstand my question a moment ago? Let me ask you this question again.

Do you feel that the courts have hampered the police in their efforts to enforce the law in any way?

No. 22. Yes.

Senator Byrd. What do you mean by that when you say yes?

No. 22. Well, such as personal bond. That will take a man that maybe has had several felonies, and say well, "Raise your right hand and promise that you will be back in court again if I let you go on your recognizance", and so forth.

Senator Byrd. That may be under the Bail Bond Reform Act passed by Congress, and Congress may need to amend that Act. Do you feel that the courts are too lenient toward the criminal?

No. 22. Yes, sir.

Senator Byrd. When you attempt to arrest Negroes ordinarily in your precinct, do you get much abuse from the Negro who is being arrested, or from other Negroes who happen to be onlookers?

No. 22. Yes.

Senator Byrd. You do?

No. 22. Yes, sir.

Senator Byrd. How do you feel about this?

No. 22. I do not feel very well about it. A person does a wrong and you attempt to arrest him, and regardless his cohorts and citizens in the area think you are wrong, that you should not bother the man.

Senator Byrd. Does this hamper, in your judgment, good law enforcement?

Does it create any hesitancy on the part of the policemen to arrest Negroes for misdemeanors, let's say, minor crimes?

No. 22. I would say some, yes. It depends on the seriousness of the crime.

Senator Byrd. How do you feel about arresting Negroes? Do you feel that this poses any problem for you as an officer?

No. 22. Yes, sir.

Senator Byrd. In what respect?

No. 22. Well, they seem to, if you are a white officer, they seem to think well, you are picking on them, you are prejudiced, such as that.

Senator Byrd. Do you get any abuse or criticism from whites when you attempt to arrest them?

No. 22. No.

Senator Byrd. How do you feel about the presence of federal troops in your precinct?

No. 22. I do not feel too well about the idea. I think with the proper guidance and everything, we could handle some disturbances, if it does not get too far out of hand before they get started.

Senator Byrd. Do you think they were needed during the recent riot?

No. 22. Yes, sir.

Senator Byrd. Are fires continuing to be set in your precinct?

No. 22. Yes, sir.

Senator Byrd. More so than let's say a year ago?

No. 22. Yes, sir.

Senator Byrd. Is there continued looting?

No. 22. Looting has stopped within the last week, but before that it was pretty heavy every day just about.

Senator Byrd. Do you feel that the forthcoming march on Washington is going to affect your work as a law enforcement officer?

No. 22. Yes, sir; it will.

Senator Byrd. In what way?

No. 22. Well, there is the element of keeping the militants under control. You have your regular police duties, and then the militants are stirring up something in some other part of town. They get something started and you pull all your precinct men and so forth over there, and then they break loose in your precinct or some other place.

Senator Byrd. Do you think the troops were brought in soon enough during the recent disorders?

No. 22. No. They should have been brought in sooner.

Senator Byrd. Do you feel that the Police Department is prepared insofar as your precinct is concerned to cope with another disorder, should it suddenly erupt?

No. 22. No. sir.

Senator Byrd. What would you recommend?

No. 22. I would recommend immediate training within our precincts to cope with the marchers and the rioters, guidelines to go by. They ought to send out what they want done instead of waiting like they did last time until it was too late.

Senator Byrd. Are any actions being taken at the moment to prepare for disorder in your precinct?

No. 22. Just among the high officials.

Senator Byrd. Do you not have any more equipment than you had prior to the disorder in your precinct?

No. 22. No, sir; no more equipment.

Senator Byrd. Do you feel there should be troops in your precinct now, a few troops at least?

No. 22. There should be a few, not a whole lot right now, but a few.

Senator Byrd. Thank you very much.

No. 22. Yes, sir.

(Off the record.)

STATEMENT OF NO. 23

Senator Byrd. Officer 23, what is the greatest single problem confronting you as a policeman in enforcing the law in the District of Columbia?

No. 23. I would say the power of enforcement.

Senator Byrd. Would you tell me a little bit more definitely what do you mean by the power of enforcement?

No. 23. When you attempt to enforce the law, you are opposed by too many outsiders that are not aware of the problems of the law enforcement officer. That is my opinion.

Senator Byrd. How would you categorize the outsiders that you refer to?

No. 23. Well, the different groups you have that are attempting to criticize the Police Department and the way that they carry out their duties, and even if you take it upon yourself to enforce the different laws that you have, sometimes you have opposition from your higher officials.

Senator Byrd. We are really talking about three different groups, groups that oppose the Police Department as such, groups that interfere in your enforcing the law on the beat, and the last group you described was?

No. 23. The high echelon, I would say.

Senator Byrd. Really a lack of backing within the Police Department?

No. 23. Right. I am not saying that they condone not enforcing the law, but if you take it upon yourself to make a choice of enforcement that they are not completely in agreement with, you stand a chance of just standing alone if there is any repercussions from this arrest or whatever this situation may be.

Senator Byrd. Could you identify some of the groups that you think are making a problem for the police force as such?

No. 23. I could not specify which groups because I mean I have not come in direct contact with them. I cannot think of the specific groups offhand. The civil rights groups, some of them are opposing all types of police enforcement, and they seem to cater to the unintelligent.

Senator Byrd. SNCC?

No. 23. I would not want to specify a particular group as such.

Senator Byrd. Would you describe them as the militant civil rights groups?

No. 23. Well, militant more so than any other.

Senator Byrd. Leaving the Police Department and coming back to you as a policeman on the beat, how would you describe the people that interfere with you carrying out your responsibilities and your duties in enforcing the law as to age?

No. 23. Well, basically they are the younger groups, say anywhere from 12 to say 30, I guess. These are the groups that you have the most interference with. I think it is mainly because they are inspired by the recent disturbances and so forth. This is the more recent type.

When I first came on the force, we did not have too much of a problem in this line, but recently it has become a little more prominent.

Senator Byrd. You used the words "inspired by the recent riot".

No. 23. Yes.

Senator Byrd. Is that a good choice of words? Reflecting on it, would you use it again? Is that what it amounts to?

No. 23. Well, I won't say—maybe not inspired. I do not know exactly how to put it. They feel as though they have some backing, I imagine, because of the riots, and anything that they do, they will be able to gain support from the same type person, which is I feel basically the criminal element that we have ordinarily that is causing all this thing.

Senator Byrd. Do you feel that the criminal element that you deal with from day to day played a large part in the recent civil disorder?

No. 23. Certainly, I think so.

Senator Byrd. Would you go so far as to say they were the motivating or the driving force behind the initial rioting and the initial looting at the beginning? Was it the criminal element that gave rise to the broader participation?

No. 23. I won't say the criminal element, but I would say the militants in the area probably helped to inspire it more so than the criminal element, and after the criminal element gained a foothold, they just more or less took it over themselves.

Senator Byrd. During the recent civil disturbance, did you feel restricted in making arrests of looters or felons?

No. 23. Yes.

Senator Byrd. Because of certain instructions you were given?

No. 23. Yes.

Senator Byrd. Because of the nature of the disorders?

No. 23. Yes.

Well, I feel that we did not have enough manpower. Well, I was not in the area where the initial riots started but in our area I think there were not enough men to contain these people without several officers probably being injured, severely maybe.

I think if we had had more manpower, we could have done a little better than we did.

Senator Byrd. You think then that this was a judgment by your superior officers, and one that you concur with, having insufficient numbers of people?

No. 23. Yes, I think so, after it got started, but I think possibly had we been a little more direct in our actions at the beginning of it, it might not have gotten out of hand as it did.

Senator Byrd. If you had an opportunity to use your service revolver as provided for in the Police Manual, would you have felt limited as to how you might use it in connection with the riot as opposed to—

No. 23. Well, I do not think I would have used it as readily during the riot as I would have—

Senator Byrd. That would have been your judgment, but I ask you would you have felt limited? Were you given any special instructions as to when you might or might not use it, other than those which you ordinarily have?

No. 23. No, I was not given any specific instructions.

Senator Byrd. Is it any more difficult to enforce the law with respect to Negroes than whites? Is it a different type of a problem in your precinct?

No. 23. Could you repeat that? I don't quite understand it. Would you repeat that?

Senator Byrd. Is it more difficult to enforce the law with respect to Negroes than whites in your precinct? Is it a different type of a problem, man for man, may I say. What I mean by that, I expect your precinct population is preponderantly Negro, is it not?

No. 23. Yes, it is.

Senator Byrd. What percent would you say?

No. 23. 80.

Senator Byrd. 80 percent.

No. 23. Or better.

Senator Byrd. I suppose it would be more difficult just from the standpoint of your having more Negroes there to arrest.

No. 23. Yes. I didn't understand. Did you say difficult?

Senator Byrd. What I was trying to do was to help you to understand. Man for man, to arrest a Negro as against a white man, does either give you more trouble than the other? Does either pose a greater problem for you as an enforcement officer than the other?

No. 23. Me personally? Well, I have had more opposition from arresting a white person than I have from arresting a Negro.

Senator Byrd. Because you are a Negro officer? Would you think this was the reason?

No. 23. Possibly. This is part of it, but I don't think it is all. My personal opinion is I believe that some Negroes are used to being arrested. This is something that they have come up with, more or less, or they have been subjected to the sight of their families being arrested or something of that nature, but very few white people that I have come in contact with even have a record of any sort. So this definitely will give you some opposition. I don't think it matters whether it is a Negro or white person that is arresting the white person, but I do believe that they haven't been subjected to this as much and they are not as familiar with it.

Senator Byrd. The situation that you have just described as it confronts you, do you think that is generally true with reference to officers of both races?

No. 23. I would think so.

Senator Byrd. You think it would be generally more difficult to effect the arrest of a white individual than a Negro?

No. 23. That is right.

Senator Byrd. By either a Negro or white officer?

No. 23. Yes. Well, this also depends on his status in life.

Senator Byrd. The reason I asked that is because you limited your answer to "me personally."

No. 23. Yes.

Senator Byrd. And I wondered what you meant when you limited your answer

No. 23. This is from my own experience, but I would think that this would be a situation with any police officer in the District.

Senator Byrd. Do you feel that you have any lack of backing from your superiors?

No. 23. I think so.

Senator Byrd. In carrying out your duties? Where does this breakdown on this question of backing come? Does it come at the precinct house, at the inspector level?

No. 23. I think it depends on the person that you are looking for this backing from. There are some of the officials that will back you without question if he feels as though you are right, or if he feels as though you are out doing a job and you use good judgment in doing whatever you might have done to cause opposition from someone else. But there are some officials that will take the word of a citizen before they even question you. This is a situation that it well known in the Police Department, because what an official feels is a legitimate complaint that comes in on an officer, regardless of who the officer is, if the person were to make it in writing and present it to the precinct or to the Chief's office or wherever it might go first, and when it gets to you, you have to explain it regardless of whether you are right or wrong. You are not given an opportunity to have this person confront you with his complaint or to gather your witnesses to oppose this if there are any witnesses to whatever the situation might be.

Senator Byrd. I gather we are talking about this instance of police brutality.

No. 23. Well, not only police brutality. Well, I guess it would be verbal police brutality as the new trend is going. This comes from all persons, disrespect to a person. You would have to explain this without being confronted with the person who is accusing you of being disrespectful to them and so forth.

Senator Byrd. What do you personally think about the job that has been done by the new Director of Public Safety, Mr. Murphy? Would you rate it as good, indifferent, poor, fair, bad? Has he made a contribution? If so, how would you describe it?

No. 23. I think Mr. Murphy has done somewhat of a—he has made a contribution to the Police Department as far as gaining the respect of the person who wants a better police department, I believe, because he doesn't bite his tongue, and I think he would uphold a person, if he feels as though he is the caliber of person that should be in this capacity as a police or law enforcement officer.

Senator Byrd. What do you mean by he doesn't bite his tongue? Is he forthright? Does he speak out?

No. 23. Yes.

Senator Byrd. Does he speak too quickly?

No. 23. Everyone does in some instances, I think.

Senator Byrd. He speaks out for the policeman, is that what you are trying to say?

No. 23. Well, he speaks out for him and he speaks against him if he feels as though he is wrong.

Senator Byrd. What illustration can you give me of an instance in which the new Director of Public Safety has done this?

No. 23. Well, the incident of this shooting on 16th Street. I guess you are familiar with this.

Senator Byrd. This officer?

No. 23. I can't remember his name offhand.

Senator Byrd. Was this during the riot?

No. 23. No, this was prior to the riot, when the officers I think from No. 6——

Senator Byrd. Were these the officers who were intoxicated?

No. 23. Yes. I think he was a little too harsh on the officer that was ready for promotion, although I think he stepped in and took some definite action where I think otherwise it might have been just handled on the precinct level.

Senator Byrd. Let me put it like this. Do you think he has been good or bad for law enforcement in the District of Columbia?

No. 23. I think right now it is a little too soon to tell.

Senator Byrd. At this point if you had to make a judgment, what would be that judgment?

No. 23. As far as he is concerned, I think he has improved it somewhat.

Senator Byrd. You think he has improved it?

No. 23. Yes.

Senator Byrd. What is the attitude of your fellow officers toward Director Murphy?

No. 23. Pro and con.

Senator Byrd. Some would agree with you, some would disagree with you?

No. 23. That is true.

Senator Byrd. What could be done to improve police relations with the public at large? Can you think of any one thing that hasn't been done and should be done? So many people say that the police don't have public support.

No. 23. I think it is just a small—just a minute. I think the minority of the people feel as though the Police Department doesn't have support.

Senator Byrd. This is people on the force, now?

No. 23. No, the citizens themselves.

Senator Byrd. The citizens at large.

No. 23. I think the majority of them follow us. I mean, in other words, they support the Police Department, but the minority groups are publicized, their actions are publicized too much, so this covers up any backing we would have from the majority of the citizens, which I think we do have.

Senator Byrd. You think that you as a police officer, that you have the same public respect as you did when you first entered on police duty?

No. 23. No, I don't think so. I notice that it is more opposition with the public that we run into. There is more opposition.

Senator Byrd. What you are saying is that the group that you deal with you have less respect?

No. 23. Right.

Senator Byrd. But it is still your estimation that you have broad respect and support from the population at large?

No. 23. This is true.

Snator Byrd. How do you view your future in law enforcement now as compared to when you entered onto police duty?

No. 23. I think there is more of a chance for me personally to advance.

Senator Byrd. Are you married?

No. 23. Yes.

Senator Byrd. How does your wife view you as a policeman? Is she concerned about your safety and well-being?

No. 23. Oh, yes. She is concerned about it. We have discussed it a number of times. I like police work, and she wants me to do what I like to do, so I get opposition from her as far as the midnight shifts are concerned. I guess everybody does. But I don't get too much opposition about the job at large or the job itself.

Senator Byrd. Do you feel that you as a Negro police officer are discriminated against within the Department?

No. 23. I would say I have been, not as much now as when I first came on.

Senator Byrd. Mr. 23, do you feel that the Negro citizens with whom you come in contact look upon you with pride or do you feel that they look upon you with some sense of disappointment?

No. 23. Some do look upon me as, well, I guess you would call it Mr. Charley. That is a term I guess you are familiar with. And there are some of the criminal element that respect me as a policeman. I don't get any opposition from them at all because like I say, I have a little saying, treat everybody with respect until they prove that they aren't worthy of it.

Senator Byrd. In your attempts to arrest Negroes, have you been subjected to verbal abuse from the Negroes being arrested and/or from the Negroes who might be looking on?

No. 23. Yes, I have.

Senator Byrd. Have you seen white officers subjected to such abuse when they have attempted to arrest Negro citizens?

No. 23. Yes.

Senator Byrd. Do you feel that the white officer is likely to be subjected to greater abuse from Negroes in attempting to make an arrest of a Negro than would a Negro officer?

No. 23. I don't think so.

Senator Byrd. Do you think the Negro officer is just as likely to be subjected to abuse from Negroes as is the white officer?

No. 23. I think a Negro is more apt to be subjected to verbal abuse.

Senator Byrd. Why is this?

No. 23. Well, with my dealings with the population, this is just speaking of the population we deal with, which is mostly the criminal element, they seem to fear the white officer more so than the Negro officer.

Senator Byrd. Do they feel that you should not arrest them because you are a Negro and they happen to be a Negro?

No. 23. I have had it said to me before.

Senator Byrd. They don't think you should enforce the law against them?

No. 23. This is true. That is what they feel.

Senator Byrd. Is there any indication in your precinct from what you have heard people say that preparations may be underway for disorders during the forthcoming march on Washington by Mr. Abernathy and his followers?

No. 23. Yes, there has been talk within the precinct, but I can't say the source is reliable. You mean the men in the precinct or the people in the precinct?

Senator Byrd. The people.

No. 23. The people? I have heard it but I think in my opinion the people that I have heard it from, it is just idle gossip as far as I am concerned. But I couldn't say whether there will be any disturbance or not, based on what I have heard.

Senator Byrd. How do you feel about the presence of Federal troops in the precinct? Do you feel that they were brought in soon enough?

No. 23. No, I don't think so. I think they should have been brought in much sooner. Less property would have been damaged.

Senator Byrd. Do you feel that they should have been retained longer than they were?

No. 23. Well, I think they could have kept a few on, just for show purposes if nothing else.

Senator Byrd. Do you feel that there is any need for a few Federal troops in your precinct now?

No. 23. I don't think so, not at the present time.

Senator Byrd. Do you as a Negro officer feel that the charges of police brutality, which are often made, are justified?

No. 23. Some are.

Senator Byrd. How would you rate them percentage-wise? Would you say 50 percent are, 10 percent are, or 90 percent, or somewhere in between?

No. 23. I would say 70.

Senator Byrd. You would say 70 percent of the charges are justified?

No. 23. 70 percent aren't justified.

Senator Byrd. Are not?

No. 23. Yes.

Senator Byrd. All right. I have nothing else. I certainly thank you for coming in.

No. 23. You are quite welcome.

(Discussion off the record.)

STATEMENT OF WITNESS NO. 24

Senator Byrd. Officer 24, in your opinion what is the greatest single problem confronting you as a policeman as you go about enforcing the law in the District of Columbia?

No. 24. There is only one answer as far as I am concerned. That is juveniles.

Senator Byrd. Why does the juvenile present you with a special problem?

No. 24. There is no way of enforcing the law when it concerns the juveniles. We have a curfew law and it is not enforced, and then when it is enforced or when we try to lock somebody up for a curfew or truancy from school, it is almost like a waste of time.

Senator Byrd. I was just about to ask you about the truancy situation. Do you have a problem in enforcing the truancy law?

No. 24. There are just as many juveniles on our street at 2:00 in the afternoon as those shopping, if not more. And that is not just——

Senator Byrd. Are you reluctant to press the truancy charge?

No. 24. No, I am not reluctant. What was that again?

Senator Byrd. I say are you reluctant to press a truancy charge against a juvenile that you see on the street at 2:00 o'clock in the afternoon?

No. 24. No, I am not reluctant.

Senator Byrd. Do you feel it is a futile thing to do?

No. 24. Sure.

Senator Byrd. Do you feel that you get the backing?

No. 24. There is no backing when it comes to juveniles. There is no backing. There has never been any backing since I have been on the force. That is seven years and I have never seen any backing with juveniles.

Senator Byrd. By the courts or where is the blame?

No. 24. Everything, the force, the court. The juvenile court is a farce. It is unbelievable. The judges are unbelievable. The officials in the Department, the Juvenile Bureau is unbelievable. All these riots, all this stuff like that.

Senator Byrd. Are we talking about misdemeanors now?

No. 24. I am still talking about juveniles.

Senator Byrd. Are we talking about juveniles that commit felonies?

No. 24. Both.

Senator Byrd. Misdemeanors or juveniles that commit crimes?

No. 24. That is right, juveniles that commit crimes, juveniles, period. Just like these riots up on Seventh Street and this looting. There is no one going to tell me any different, either. This might have been inspired by an agitator, but every day, day in and day out ever since the thing is started, there is still looting. They are still setting fires. As far as I am concerned, as far as I know, there is probably a fire going on right now on Seventh Street somewhere set by a juvenile, who should be home.

Senator Byrd. What would you do about it if you had the authority to do something about it?

No. 24. You want to know what I would do?

Senator Byrd. I want to know exactly what you would do.

No. 24. The curfew law states that 10 o'clock a juvenile under the age of 18 should be at home unless he can give a good account and a good reason why he is out at 10 o'clock at night, and I can't see any reason for a juvenile under 18 years old to be out after 10 o'clock at night. There is only a couple of all-night drugstores that are open that can give a prescription for his mother who is sick in bed. What I would do, if I had authority, what I would do, any juvenile that is out after 10 o'clock at night, I would bring him to the precinct and I would make his parents come down and post a collateral to get him out of the precinct.

Senator Byrd. There is no prohibition against your bringing him down now.

No. 24. I can bring him down now.

Senator Byrd. What would happen to him?

No. 24. Nothing. You bring him down, say for anti-curfew. You bring him down. You call the Juvenile Bureau. They say make the form 379. That is the juvenile form, three copies or whatever it is, three or four copies. You type it up, spank them on the wrist and say "Naughty, naughty, don't do that again" and they go back home. More than half the time the parents don't come down and get them. "Where is your parent?" "I don't know. Where is your mother? I don't know. Who do you live with? My cousin, my aunt." They don't know they can't care.

Senator Byrd. What is the make-up of your precinct?

No. 24. You mean the citizens?

Senator Byrd. The citizens.

No. 24. There are more Negroes than white.

Senator Byrd. Approximately what percent of Negro?

No. 24. 95, I guess.

Senator Byrd. And the problem with reference to juveniles, is he proportionate to white.

No. 24. Well, for the five percent of white people that live in the precinct, I would say they are just as bad, the white juveniles, but like I said, it is only about five percent of the whole precinct.

Senator Byrd. Is this because of the nature of your particular assignment, or is this problem in your opinion equally attributable to all police officers?

No. 24. The whole of Washington, D.C.

Senator Byrd. During the recent riot, did you feel that you were restricted in arresting looters?

No. 24. Sure, I was, in the beginning, but after awhile they said, you know, arrest the looters.

Senator Byrd. Why were you restricted? The police manual doesn't restrict you from arresting a felon.

No. 24. The police manual doesn't restrict you from shooting a felon, either.

Senator Byrd. The police manual doesn't restrict you from shooting felons?

No. 24. No. I mean because he broke into a house and you shoot him, I don't mean that way. When all other means, efforts——

Senator Byrd. When all other means of arrest have failed.

No. 24. Right, that is what I meant.

Senator Byrd. Is there some special order that restricted you with reference to arresting looters and felons during the riot?

No. 24. That I can't even remember, even though it hasn't been that long ago. I gues the orders did come out the same night or the next day, Friday, I guess, when they decided to arrest the looters. No, that is wrong. Thursday and Friday there wasn't enough manpower. There was just too much to handle. I didn't get in. They called me in, and I didn't get in until in the morning, and at that time I heard that there were two police officers on a block, and in that block there was, I don't know, 25, 30, 40 juveniles, the majority looting stores. Now, what can two policemen do? That is what I meant to say. What can two policemen do?

Senator Byrd. What did you do?

No. 24. Nothing. They stood by and watched.

Senator Byrd. They stood by. What did you do?

No. 24. I wasn't there at that time. I wasn't there. I didn't get in. That is what I heard.

Senator Byrd. When you did come on to duty?

No. 24. When I came on to duty—

Senator Byrd. There was no restriction on the arresting of looters?

No. 24. No, not that I remember.

Senator Byrd. And you did arrest looters?

No. 24. At that time, by the time I got out—I take it back. I was in the station. I didn't even go out on the street. I got off that afternoon and came back in that night, and that is when the curfew was in effect.

Senator Byrd. No. 24, is it more difficult to enforce the law with reference to Negroes than it is with reference to whites?

No. 24. I will be honest with you, sir. I have to go back to the population again. That is all I have dealt with, to be honest with you. I have arrested white people.

Senator Byrd. Are you subjected to abuse when you have arrested white people?

No. 24. Not as much as I have with the Negro race.

Senator Byrd. Is it a common occurrence with reference to members of the Negro race?

No. 24. Well, I guess you can call it a common occurrence. They just feel like they are being picked on.

Senator Byrd. Is it a common occurrence with reference to juveniles?

No. 24. I would say adults, too.

Senator Byrd. Do you feel that you have got any lack of backing from your superiors? Do you feel they will back you up if you do the right thing, use good judgment?

No. 24. You mean my immediate superiors?

Senator Byrd. I mean the precinct straight through to the top of the Police Department?

No. 24. Well, my sergeant, I will start right at the bottom.

Senator Byrd. Start there.

No. 24. My sergeant, I think he would back you up all the way. If you are wrong he would hang you. That is the way I think it should be.

Senator Byrd. Keep going.

No. 24. My Lieutenant, the same way. My Captain is strict, and that is what we need. I think he would back you up. I know he would back you up all the way. However, higher up I don't know. I'll be honest with you, up to Chief Layton. Chief Layton I think is O. K.

Senator BYRD. Whom do you feel is running the Police Department?

No. 24. It is not him, poor guy.

Senator BYRD. Do you feel that the Director of Public Safety has been an aid to law enforcement in the District of Columbia since he assumed his new position?

No. 24. I think we can do without him, put it that way. I don't think he has helped us anything except lower our morale. I think he has tightened the handcuffs tighter on our wrists.

Senator BYRD. Is this generally true throughout the Police Department or does he have a wide group of support within the Department?

No. 24. If he has any support in the Department, I don't know about it. He doesn't belong here. Chief Layton should run the Department. That is why we have a Chief of Police. Chief Murray ran the Department. Chief Layton should run it, not some citizen who is bounced from one police department to the other.

Senator BYRD. How do you view charges of police brutality? Would you regard 50 percent of them, 75 percent of them, 5 percent of them, as unsubstantiated?

No. 24. All of them is unsubstantiated.

Senator BYRD. You have never heard of a case of police brutality?

No. 24. Well, if I have, I would say it is zero to 5 percent that is actually police brutality since I have been on the police force. I have never had a charge of police brutality brought onto me but I have had complaints. As a matter of fact, I have a complaint now on me doing my job.

Senator BYRD. Do you think it will be handled properly?

No. 24. Well, as far as my——

Senator BYRD. Do you think you will be given a fair shake in the handling of it?

No. 24. As far as official-wise goes, I will get a fair shake. Now, it is up to the citizens.

Senator BYRD. Are you married?

No. 24. Yes, I am.

Senator BYRD. How do you view your future in law enforcement? Do you think the opportunities are better than they were when you entered into the force?

No. 24. Oh, yes. The opportunities are better with reference to education-wise. I guess I will be a policeman all my life right here.

Senator BYRD. Are you as enthusiastic about your work today as you were the first year that you entered on duty?

No. 24. Not hardly.

Senator BYRD. Would you relate most of this problem to juveniles? If you took away the problem with juveniles?

No. 24. If you took away the problem of juveniles you would take away about 75 percent of the problem of the District of Columbia. I kid you not.

Senator BYRD. How do you feel about the courts? Do they support you in your efforts to enforce the law?

No. 24. No, I can't say they do, Senator. You know since you are on the court bit, when I first came on the force seven years ago, as a matter of fact, the first two or three years, I went to court pretty much. Now, I don't go any more or I hardly go because it is a waste of time. For instance, you are on the midnight tour you get off at 8 o'clock in the morning, you go down to court and sign in, you are down there 9, 10, 11, 12 o'clock, you are still there. Your case is not even called up. Say you have a felony down there. You go down there with a felony. He gets out on personal bond. He shouldn't be out in the beginning. They continue the case over and over again. You have got to bring the complainants all back again and all this stuff and all this time you are not seeing your family. You have already put in your eight hours at the precinct. Finally his trial comes up. So what does he get? Three years suspended sentence. Don't do it again. He is sent back out on the street. A police officer was shot and killed. That man is walking the street right now. That guy is dead, six feet under. A wife, two kids, mother and father.

Senator BYRD. Who was the police officer?

No. 24. Officer Donovan.

Senator BYRD. When was this?

No. 24. About four years ago now, I think.

Senator BYRD. Was he from West Virginia?

No. 24. I believe he was. I believe he was from West Virginia. As a matter of fact, right after he died his youngest brother drowned, less than a year later, that same year.

Senator BYRD. How do you feel about the presence of Federal troops in your precinct?

No. 24. I thought it was good. I thought they should have been there before they came. I really do. I don't know whose responsibility it was for them to be there or why they weren't there. I am just a policeman. All I know is if they were there when this thing happened or right after it happened, it would have been different.

Senator BYRD. Should they have been removed when they were removed?

No. 24. I would say some of them could have been removed.

Senator BYRD. How about the situation out there now in your precinct?

No. 24. That is what I can't understand.

Senator BYRD. Do you need Federal troops now?

No. 24. I wouldn't say it is that bad that we would need Federal troops out there walking the streets now, no. The only thing we need is beat policemen. We can handle it. I don't mean people that knock them on the side of the head but take them to jail and let them stew behind bars for awhile like they are supposed to.

Senator BYRD. Does the NAACP give you any trouble as a policeman?

No. 24. NAACP? No.

Senator BYRD. I don't mean you personally.

No. 24. I know what you are talking about.

Senator BYRD. These organizations——

No. 24. More than one?

Senator BYRD. SNCC, ACT, CORE and so on, do they constitute a problem for the policeman in his effort to enforce the law?

No. 24. Sure they do.

Senator BYRD. Why?

No. 24. I guess the best word is just they are a bunch of agitators. Every time you try to lock somebody up, regardless, it is police brutality right off the bat even if you just touch them, it is police brutality.

Senator BYRD. All right, Officer, thank you very much. I appreciate your coming in.

No. 24. Yes, sir.

Senator BYRD. Have you arrested any Pride employees?

No. 24. I arrested about two of them.

(Discussion off the record.)

Senator BYRD. Do you know whether or not other Pride employees have been arrested by your fellow officers?

No. 24. Yes, they have.

Senator BYRD. Do you know it for a fact?

No. 24. I know it for a fact.

Senator BYRD. What is the most serious crime for which they have been arrested?

No. 24. That I couldn't tell you, Senator. I just know I have heard it around that somebody else has locked them up. Speaking of Pride, they steal from each other.

(Discussion off the record.)

STATEMENT OF WITNESS 25

Senator BYRD. Officer 25, in your opinion what is the greatest single problem confronting you as a police officer as you attempt to enforce the law in the District of Columbia?

No. 25. Well, actually I can't speak freely on that because I am assigned to the station at the present time and I have been there for about six years. But prior to that I have worked on the street, and I would say that most things is the hostility that people seem to have towards the Police Department and towards policemen as a whole. They don't seem to want to cooperate with you and give you information and so forth to make your job that much harder.

Senator BYRD. People in general, juveniles, adults, whites, Negroes, who?

No. 25. Well, we are in a predominantly, No. 10 is in a predominantly Negro area.

Senator BYRD. What percentage would you say?

No. 25. I would say it is about two to one, or three to one. It is more the poor type people in the neighborhood, and they seem to look at policemen as the man, as they call it. Well, you have a certain few, it is a few people that are law-abiding citizens, and they do seem to want to cooperate but they seem to be afraid if they cooperate they will get involved, that the so-called criminal, he will get back at them for, you know, informing the police, so they seem to shrink back and won't seem to help the police.

Senator BYRD. Are you talking about the rank and file poor person in your precinct or about a group of people that are law violators with whom you deal?

No. 25. Well, that is one thing that I should have brought out. I would say it is the law violator more than you would say just the poor person, because the law violator it seems that he is the one that when the different laws are passed, it seems to go in his favor, really. I mean the courts, the Supreme Court, they give decisions and they hand down decisions, and they seem to benefit the criminal more than it does the law-abiding citizen, and that seems to make our job that much harder.

Senator BYRD. In talking about problems of enforcing the law, you mentioned first the problem with reference to lack of public support. Now you bring up the question of the courts. Do you regard that as a substantial problem?

No. 25. I would say that——

Senator BYRD. The situation in the courts.

No. 25. I would say that is a substantial problem, because the court has seemed to have handed down decisions to benefit the criminal. I mean the police officer, if he apprehends a criminal and he sends him to court, it seems as if the court turns him back loose or gives him personal bond, puts him right back on the street. I would say the reason why the crime rate is what it is, because the average crime that is committed is probably, I wouldn't say probably, I know in a lot of instances that it is the same person that we have already apprehended, taken to court. The court let him out. He comes right out and commits a crime again.

Senator BYRD. From your observation, is it a more difficult problem for the man on the street to enforce the law with reference to a Negro as opposed to a white?

No. 25. Well, I would say no, because it seems that John Q. Public out here, he resents you as being the man in blue, I mean whether you are white, you are Negro or Chinese, regardless of what you are. It seems as a figure of speech, you are damned if you do and you are damned if you don't. I mean at one time they were saying let's get interracial scout cars.

Senator BYRD. I didn't understand.

No. 25. At one time they were saying let's get integrated scout cars. That was one of the problems.

Senator BYRD. Who was saying that?

No. 25. I would say the Negro citizens were. So they integrated the scout cars. And it seems now if you go on a call and this so-called criminal is apprehended, well, the Negro is an Uncle Tom, and the white man, he is a damn white honkey, whatever they may want to call him. I mean that didn't seem to solve the problem. So it is hard to say just what will solve the problem really.

Senator **Byrd**. May I ask you this question? Are you as a Negro officer looked upon with respect generally by the Negro citizens in your precinct?

No. 25. I would say so, yes.

Senator **Byrd**. Are you criticized by young Negroes for being an officer?

No. 25. It seems no one seems to like police now, really. I would say I don't usually socialize with the people in my precinct socially. I mean I have a lot of friends that are not policemen. They are law-abiding citizens, and they seem to like policemen. As I said before, in the precinct that I work, there are a lot of low-income people there, and it is generally not just because a person is of low income that he is not a law-abiding citizen.

Senator **Byrd**. That is exactly right.

No. 25. It seems to be a minority that actually are law violators are the ones that are creating the trouble, and they are the ones that seem to resent the police.

Senator **Byrd**. Do you feel that the police officer on the street has a lack of backing from his superiors?

No. 25. I wouldn't say in a greater sense, no. I wouldn't say that. In some instances maybe an official, he has to——

Senator **Byrd**. Let's say he uses good judgment, but it is a narrow, close decision, and nobody can fault the officer for his judgment. Has he got any reason to fear for any type of retaliation within the Department, or is the Department going to back him up because he did in fact use good judgment?

No. 25. Well, as I say, that is a hard question to answer. Sometimes officers seem to feel—actually when an officer is on the street he has to make judgment in a split second. If the officer is wrong, then the officials can't back him really.

Senator **Byrd**. You are talking about using good judgment and he is right.

No. 25. If he uses good judgment and is right, I think the officials will back him, yes.

Senator **Byrd**. How do you view the manner in which the new Director of Public Safety has carried out his duties?

No. 25. Well, I think that he has done a fairly good job, but then, too, actually maybe I shouldn't say it but——

Senator **Byrd**. You can say whatever you want, just as though you were talking to your wife. I am not going to create any problems for you.

No. 25. I don't think that the Safety Director that we have, I don't think that—he is the Public Safety Director, but I don't think that he should make all the decisions that he has made for the Police Department. After all, we do have a Chief, and it seems as if that Safety Director is making all of the decisions and the Chief, he is just twiddling his thumbs.

Senator **Byrd**. Is this a general judgment throughout your precinct and throughout the Department of officers you know, or does the new Director of Public Safety have a wide body of support within the Department?

No. 25. Well, I can only speak for the privates. I have heard some officials say the same thing. It seems to be a general feeling that Mr. Murphy or the Safety Director, he is the one that is making the decisions. I mean that is just it, and that seems to be the general feeling towards I would say most of the members of the Department.

Senator **Byrd**. In the opinion of most of the members of the Department, is he doing a good job?

No. 25. Some think that he is doing a good job, and then you have some that say that he is not doing anything.

Senator **Byrd**. How would you describe morale within your precinct at the present time?

No. 25. I would say it is fairly low.

Senator **Byrd**. What single thing do you think is contributing more to it than any other?

No. 25. I would say it is low throughout the Department, because it seems that the police are thrown to the wolves now, so to speak. He is the scapegoat. After all, we are policemen, but I guess we have to be community, public relations men. I guess we should be really. But we shouldn't be left as, say, the scapegoat. They are saying that the policemen—you are the man in blue. You are the one we see. Mostly I would say that they are taking it out on you just because you are the man and maybe they feel as if because we are of authority, that maybe these people that are in poverty, maybe we are by being higher up people are helping to keep them in poverty, really.

Senator **Byrd**. Higher up? You mean as to income bracket?

No. 25. Yes, that is what I mean.

Senator **Byrd**. The position as law enforcement officers?

No. 25. I would say the higher income bracket of people. I would say that is where the resentment is. I think that is what actually creates the problem, because the officer, he can't get out and enforce the law like it should be, because it is someone else higher up saying don't you do this. They gave us the power to enforce the law, but when we enforce the law, then they say well, you shouldn't have done it this way. You should have done it another way. If you get out and you make a decision, well, they say be a little light on this person. After all, he still has violated the law. And that seems to be, I would say, one of the greatest problems. The officers doesn't know where to turn. He doesn't know what to do. He is frustrated.

Senator **Byrd**. Do you believe there is a need for police presence in your precinct at the present time, military presence?

No. 25. At the present time I really don't think so, but as I say, you never can tell when violence is going to break out there.

Senator **Byrd**. How do you view the forthcoming march on Washington?

No. 25. It is hard to say, because you never can say. Well, they have agitators out here. There is the possibility that this march on Washington could be like the march on Washington a few years ago. I mean everything seemed to be like a big picnic. It may go on smooth. But then you have those agitators out here, and it would only take a few words. As I say, it is not the good, law-abiding citizen, whether he is rich or whether he is poor, that is going to cause the trouble. It is just a small minority group, and they seem to follow anyone that actually would start it and would be the leader. I never can tell when they are going to stir up something.

Senator **Byrd**. In your opinion would the so-called militant groups like to see the new march on Washington go off with as little difficulty as the last march on Washington?

No. 25. No, I don't think so. I would think so so far as the militant group, they would be the ones that would try to create problems, I would say.

Senator **Byrd**. Why would they do that?

No. 25. I wish I knew, really. I don't know why they are doing it. I don't know whether they are just trying to create problems for maybe the Senate here, Congress, whether they are trying to create problems for the police, just what they are doing. I really don't know. I wish I did know.

Senator **Byrd**. Do you think there is a desire on the part of a substantial population within the City of Washington to reinstitute looting?

No. 25. Would you repeat that again, please?

Senator **Byrd**. Do you believe that there is a substantial part of the citizenry of Washington that would like to reinstitute looting?

No. 25. No.

Senator **Byrd**. They would like to see circumstances come about?

No. 25. No, I wouldn't say that. When this thing first started off, actually I wouldn't say it started off just for a person to loot. I wouldn't say that. Maybe for the small group that started it, yes. But then the thing seemed to have gotten out of hand. And of course there were a lot of people that would never have stolen anything, I would say, if it wasn't just the advantage to steal and knew that they wouldn't get caught at it, and I think it was just one of those things. The thing got out of hand, and it was out there to take it and it seemed like everybody was taking so they went along with the program.

Senator **Byrd**. How do you view your future in law enforcement today as opposed to six years ago when you entered the force? Do you think there is greater opportunity or less?

No. 25. I think there are greater opportunities. The programs and the training that the Police Department is going along with now, I think it will eventually be a great department. And a lot of the plans that they have, and when they put them into force, when they put them into operation, I think it will be a great department. We will be more professionalized, I would say.

Senator **Byrd**. Thank you very much.

(Discussion off the record.)

STATEMENT OF WITNESS NO. 26

Senator **Byrd**. No. 26, what is the greatest single problem confronting you as a policeman as you try to enforce the law in the District of Columbia?

No. 26. I think the cooperation of the citizens themselves.

Senator **Byrd**. In speaking of the citizens themselves, are you speaking of the criminal element or are you speaking about the citizenry at large?

No. 26. I am speaking about more of the criminal element, the ones that seem to be constantly in trouble.

Senator **Byrd**. Do you think that you have the support that you are entitled to from the average citizenry?

No. 26. In certain areas of the precinct, yes. In other areas——

Senator **Byrd**. Let's be specific. Which areas of the precinct are you speaking about?

No. 26. I am speaking of the area around——

Senator **Byrd**. Do you have a large number of juveniles?

No. 26. It seems to be our juvenile element that is causing most of the problems there.

Senator **Byrd**. Why does this seem to be a particularly difficult area?

No. 26. Well, it seems to be that these are the people that are more on the welfare and lower income bracket type of person.

Senator **Byrd**. Do you think the police problem is related to income and welfare?

No. 26. Not entirely. I think your problem as far as the criminal element has to do with background more than anything else. I don't think anyone is born a criminal. Don't misunderstand me there. But I think that without discipline and proper supervision, a person tends to become more of the criminal element than someone who had been brought up along the lines of our society.

Senator **Byrd**. During the recent riot, did you feel that you were restricted in making arrests of looters?

No. 26. Not restricted so much as unable at the beginning of these riots.

Senator **Byrd**. Do you feel you were restricted in using your service revolver if the occasion had arisen when you could have used it, under the law and in accordance with the police manual?

No. 26. No. I feel that if I had found it necessary to use that revolver, I would have.

Senator Byrd. You were under no special instructions or directions with reference to how you would use the revolver or if you would use it during the time of the riot?

No. 26. My instructions were to use restraint.

Senator Byrd. Use restraint, period, or use restraint in connection with the use of the service revolver?

No. 26. To use restraint was the word that I received.

Senator Byrd. Use restraint, period?

No. 26. Yes.

Senator Byrd. Is it more difficult to enforce the law with respect to Negroes as opposed to whites?

No. 26. I see no difference whatsoever.

Senator Byrd. Are you subjected to more abuse in connection with the arrest of one than the other?

No. 26. No. Sometimes I receive comments from the Negroes that I don't receive from the whites, such as I might be prejudiced or something like this, but as far as enforcing the law, there seems to be no difference in making the arrest itself. It is just some of the comments that you receive.

Senator Byrd. Do you feel that you have got any lack of backing from your superiors? Do you feel that you have got all the support you need from the precinct through the Director of Public Safety?

No. 26. I feel that they were with us as much as they could be in that particular type of situation.

Senator Byrd. Leaving the riot aside, do you feel that on a day-to-day basis if you had the need for backing, you had done your job properly, used good judgment, that there are any circumstances in which you would lack for backing within the Department?

No. 26. No. There is no specific area of lack of backing that I can see. I think that generally our officials are behind us as best they can be.

Senator Byrd. How would you describe police morale at the present time?

No. 26. From the officers that I have worked with, I would say that it is very high. That everyone gets out there and they really are dedicated to their job, and they want to do a good job and they will do as good a job as the public will let them do.

Senator Byrd. Is that equally true of white and Negro officers in your precinct?

No. 26. Yes.

Senator Byrd. The degree of enthusiasm?

No. 26. Yes, I believe it is.

Senator Byrd. What do you think could be done to develop a greater sense of pride within the Washington Police Department? You mentioned lack of support.

No. 26. I think until the citizens—I believe that the Police Department is only as good as the public which it serves. We can only go as far as the public will let us to enforce the law, and we can only do as much as they want us to do. I feel that the more support we get from the public, the better we will be able to serve them.

Senator Byrd. How do you view your future in law enforcement? You have been on the force now how long?

No. 26. About nine months.

Senator Byrd. Are you as enthusiastic today as you were when you first entered on duty?

No. 26. I have calmed down somewhat. I didn't really have the picture when I first came on of what law enforcement was all about. But I am still enthusiastic about what you could do and how you could help the public on this job, yes.

Senator Byrd. And the greatest problem as you see it is the lack of public support.

No. 26. I think that is generally where our weak area is, yes.

Senator Byrd. And you think granted public support that the Washington Police Department is in a position to deal effectively with the problems confronting it?

No. 26. I do feel that we need some additional manpower. I don't feel that we have enough manpower to handle all our problems. But I think that the public is the major weakness.

Senator Byrd. Other than having inadequate manpower, what single thing would you do if you were to be appointed Director of Public Safety to improve police safety to the District of Columbia?

No. 26. I think I would initiate some type of program. I think Pride was an outstanding idea.

Senator Byrd. What was?

No. 26. Pride. I think that programs such as this are good, and I think that our juvenile element should be shown, especially the inner core of the city, who don't have a chance to get out and do things that the more fortunate people do, should be shown the way, and I think it is going to take men to do this, and I think it could be done on a scale that would help out quite a bit.

Senator Byrd. Let me ask you a question about Federal troops. How do you feel, Mr. 26, about the presence of Federal troops in your precinct?

No. 26. I think it was about the only way we had, the only alternative we had, to curb what was going on at that time.

Senator Byrd. Were they brought in soon enough, in your judgment?

No. 26. No, sir, they weren't.

Senator Byrd. Were they removed at the right time?

No. 26. Yes, sir, I think they were. They were phased out properly.

Senator Byrd. Do you think they should have been retained in your precinct longer, any of them, a few of them?

No. 26. No, sir. I think that when they were phased out, that everything was pretty much back to normal.

Senator Byrd. Do you feel that it would be wise to have a few Federal troops in your precinct just now?

No. 26. No, sir. I think that everything is back to normal.

Senator Byrd. How do you view the march on Washington and its possible impact upon law enforcement?

No. 26. I think that we are rather understaffed to handle this many people in our city, but everyone is entitled to their constitutional rights as far as demonstrations and this sort of thing. If they think this will help their cause, I think it is a good thing, so long as it doesn't get out of hand.

Senator Byrd. Thank you very much, Officer.

(Whereupon, at 9:35 p.m. the hearing adjourned.)

(Report Nos. 7 through 11 will be printed subsequently in the Record.)

SUMMARY OF ACTIVITIES OF COMMITTEE ON FOREIGN RELATIONS, 90TH CONGRESS

Mr. SPARKMAN. Mr. President, it is customary at this time of year for the Committee on Foreign Relations to present a summary listing measures acted on by the committee during the present Congress. I ask unanimous consent that the committee summary for the 90th Congress be printed in the Record at this point.

There being no objection, the summary was ordered to be printed in the Record, as follows:

Summary of Activities of Committee on Foreign Relations 90th Congress

TREATIES APPROVED DURING 90TH CONGRESS

1. Convention Concerning the Exchange of Official Publications and Government Documents Between States. Approved May 8, 1967 by a vote of 83 to 0.
2. Convention Concerning the International Exchange of Publications. Approved May 8, 1967 by a vote of 83 to 0.
3. Consular Convention with the Soviet Union. Approved March 16, 1967 after 8 days of debate by a vote of 66 to 28.
4. Convention for the International Council for the Exploration of the Sea. Approved March 1, 1967 by a vote of 90 to 0.
5. Customs Convention on containers. Approved March 1, 1967 by a vote of 92 to 0.
6. Customs Convention on the temporary importation of professional equipment. Approved March 1, 1967 by a vote of 92 to 0.
7. Customs Convention on the ATA carnet for the temporary admission of goods. Approved March 1, 1967 by a vote of 92 to 0.
8. Customs Convention regarding E.C.S. carnets for commercial samples. Approved March 1, 1967 by a vote of 92 to 0.
9. Customs Convention on the international transport of goods under cover of T.I.R. carnets. Approved March 1, 1967 by a vote of 92 to 0.
10. International Telecommunications Convention. Approved April 18, 1967 by a vote of 87 to 0.
11. Treaty of Amity and Economic Relations with Thailand. Approved September 11, 1967 by a vote of 69 to 0.
12. Inter-American Convention on Facilitation of International Waterborne Transportation. Approved March 1, 1967 by a vote of 93 to 0.
13. Convention on Facilitation of International Maritime Traffic. Approved March 1, 1967 by a vote of 93 to 0.
14. Exchange of notes with Canada concerning amendment of the Convention on Great Lakes Fisheries. Approved March 1, 1967 by a vote of 90 to 0.
15. International convention for the Conservation of Atlantic Tunas. Approved March 1, 1967 by a vote of 90 to 0.
16. Amendment to article 109 of the Charter of the United Nations. Approved May 8, 1967 by a vote of 84 to 0.
17. Convention on the service abroad of judicial and extrajudicial documents in civil or commercial matters. Approved April 14, 1967 by a vote of 82 to 0.
18. Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial bodies. Approved April 25, 1967 after 2 days of debate, by a vote of 88 to 0.
19. Amendments to the International Convention for the Safety of Life at Sea, 1960. Approved March 21, 1967 by a vote of 88 to 0.
20. Single Convention on Narcotic Drugs, 1961. Approved May 8, 1967 by a vote of 84 to 0.
21. Partial revision of the Radio Regulations (Geneva, 1959). Approved August 2, 1967 by a vote of 86 to 0.
22. Consular Convention with France. Approved September 18, 1967 by a vote of 80 to 0.
23. Supplementary Slavery Convention. Approved November 2, 1967 by a vote of 77 to 0.
24. Supplementary Tax Convention with Canada. Approved November 2, 1967 by a vote of 77 to 0.
25. Double Taxation Convention with Trinidad and Tobago. Approved November 2, 1967 by a vote of 77 to 0.
26. Protocol for the Further Prolongation of the International Sugar Agreement. Approved December 6, 1967 by a vote of 84 to 0.

27. Amendment to the Convention on the Intergovernmental Maritime Consultative Organization. Approved December 11, 1967 by a vote of 75 to 0.

28. Double Taxation Convention with the Philippines. Approved June 6, 1968 by a vote of 79 to 0.

29. Double Taxation Convention with Brazil. Approved June 6, 1968 by a vote of 78 to 0.

30. Protocol of Buenos Aires, amending the Charter of the Organization of American States. Approved April 10, 1968 by a vote of 75 to 0.

31. Double Taxation Convention with France. Approved June 6, 1968 by a vote of 78 to 0.

32. Convention on the International Hydrographic Organization. Approved May 13, 1968 by a vote of 73 to 0.

33. Convention relating to International Exhibitions. Approved April 30, 1968 by a vote of 74 to 0.

34. International Grains Arrangement of 1967. Approved June 13, 1968 by a vote of 62 to 21.

35. Amendments to the International Convention for the Safety of Life at Sea, 1960. Approved May 13, 1968 by a vote of 74 to 0.

36. International Coffee Agreement, 1968. Approved June 28, 1968 by a vote of 51 to 8.

37. Convention on the Recognition and Enforcement of Foreign Arbitral Awards. Approved October 4, 1968 by a vote of 57 to 0.

38. Partial revision of the radio regulations (Geneva, 1957). Approved October 4, 1968 by a vote of 59 to 0.

39. Convention establishing a Customs Cooperation Council, together with the protocol concerning the European Customs Union Study Group. Approved October 4, 1968 by a vote of 59 to 0.

40. Convention on Transit Trade of Land-Locked States. Approved October 4, 1968 by a vote of 59 to 0.

41. Protocol relating to the status of refugees. Approved October 4, 1968 by a vote of 59 to 0.

42. Astronaut Assistance and Return Agreement. Approved October 8, 1968 by a vote of 66 to 0.

BILLS AND JOINT RESOLUTIONS APPROVED DURING THE 90TH CONGRESS

1. S. 633, to promote the foreign policy of the United States by strengthening and improving the foreign service personnel system of the U.S. Information Agency through establishment of a Foreign Service Information Officer Corps. Approved August 20, 1968. Public Law 90–428.

2. S. 1031, to amend further the Peace Corps Act. Approved December 5, 1967, Public Law 90–175.

3. S. 1418, to make several changes in the passport laws presently in force. Approved July 26, 1968. Public Law 90–428.

4. S. 1578, to authorize the appropriation for the contribution by the United States for the support of the International Union for the Publication of Customs Tarriffs. Passed Senate, May 28, 1968; passed House, September 30, 1968.

5. S. 1785, to improve certain benefits for employees who serve in high-risk situations. Approved December 23, 1967. Public Law 90–221.

6. S. 1872, to amend further the Foreign Assistance Act of 1961, as amended. Approved November 14, 1967. Public Law 90–137.

7. S. 2269, to amend the act of August 27, 1954, relative to the unlawful seizure of fishing vessels of the United States by foreign countries. Approved August 12, 1968. Public Law 90–482.

8. S. 2914, to authorize the further amendment of the Peace Corps Act. Approved June 27, 1968. Public Law 90–362.

9. H.R. 6167, to authorize the extension of certain naval vessel loans now in existence, and for other purposes. Approved December 26, 1967. Public Law 90–224.

10. H.R. 9063, to amend the International Claims Settlement Act of 1949. Approved July 24, 1968. Public Law 90–421.

11. H.R. 9547, to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations. Approved September 22, 1967. Public Law 90–88.

12. H.R. 14940, to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations. (3 years; $33,000,000) Approved May 23, 1968. Public Law 90–314.

13. H.R. 15263, to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes. Approved October 8, 1968. Public Law 90–554.

14. H.R. 15364, to provide for increased participation by the United States in the Inter-American Development Bank, and for other purposes. Approved June 4, 1968. Public Law 90–325.

15. H.R. 15681, to consolidate and revise foreign assistance legislation relating to reimbursable military exports. Passed House, September 10, 1968; passed Senate, October 10, 1968.

16. H.R. 16175, to authorize the transfer, conveyance, lease, and improvement of, and construction on, certain property in the District of Columbia, for use as a headquarters site for the Organization of American States, as sites for governments of foreign countries, and for other purposes. Approved October 8, 1968. Public Law 90–553.

17. H.R. 16911, to provide for United States participation in the facility based on Special Drawing Rights in the International Monetary Fund, and for other purposes. Approved June 19, 1968. Public Law 90–349.

18. H.R. 18065, to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations. Approved July 31, 1968. Public Law 90–442.

CONCURRENT RESOLUTIONS APPROVED DURING 90TH CONGRESS

1. S. Con. Res. 16, H. Con. Res. 280, extending greetings to the Parliament of Canada on the occasion of the centennial. Passed House March 20, 1967; passed Senate, March 21, 1967. S. Con. Res. 16 indefinitely postponed.

2. S. Con. Res. 49, to observe the 50th anniversary of the Republic of Finland. Passed Senate, November 1, 1967; passed House, November 27, 1967.

SENATE RESOLUTIONS APPROVED DURING 90TH CONGRESS

1. S. Res. 67, to provide additional funds for the Committee on Foreign Relations. Passed Senate, February 20, 1967.

2. S. Res. 115, to authorize the Senate to respond to official invitations received from foreign governments. Passed Senate, May 19, 1967.

3. S. Res. 155, to express the sense of the Senate concerning a means toward achieving a stable and durable peace in the Middle East. Passed Senate, December 12, 1967.

4. S. Res. 180, seeking U.S. initiative to assure United Nations Security Council consideration of Vietnam conflict. Agreed to, November 30, 1967.

5. S. Res. 226, to provide for a study of matters pertaining to the foreign policies of the United States by the Committee on Foreign Relations ($225,000). Agreed to, March 15, 1968.

Nominations approved during 90th Congress

International Financial Institutions	6
United Nations and its organizations	47
Peace Corps	1
Trade Negotiations	1
Exhibitions	1
State Department and AID	16
Ambassadors	57
Career Ministers	12
Advisory Commissions	12
Subtotal	153
Foreign Service	3,358
Total	3,511

TREATIES, BILLS, AND RESOLUTIONS REPORTED BY THE COMMITTEE ON FOREIGN RELATIONS ON WHICH FINAL ACTION WAS NOT COMPLETED

1. Treaty on the Non-Proliferation of Nuclear Weapons. Reported to Senate, September 26, 1968.

2. S. 623, to give the consent of Congress to the construction of certain international bridges. Passed Senate, April 3, 1967.

3. S. 990, to establish a US Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights year. Passed Senate, June 14, 1967.

4. S. 1577, to complement the Vienna Convention on Diplomatic Relations. Passed Senate, June 15, 1967.

5. S. 2003, to provide certain increases in annuities payable from the Foreign Service Retirement and Disability Fund. Passed Senate, June 26, 1967.

6. S. 2969, for the relief of David E. Alter III, and his parents, Mr. and Mrs. David E. Alter, Jr. Passed Senate, October 4, 1968.

7. H.R. 3399, to extend the termination date for the Corregidor-Bataan Memorial Commission. Passed Senate, December 6, 1967.

8. S.J. Res. 60, to welcome the Latin American summit conference. Reported to Senate April 3, 1967; placed on the table April 14, 1967.

9. S. Res. 187, relative to commitment of U.S. Armed Forces. Reported to Senate November 20, 1967.

10. S. 3378, to provide for increased participation by the United States in the International Development Association, and for other purposes. Reported to the Senate, October 11, 1968.

COMMITTEE ACTION OF A NON-LEGISLATIVE CHARACTER

In addition to its legislative activities, the Foreign Relations Committee conducted a number of inquiries, some specific, some more general or conceptual in nature, into the direction and objectives of current American foreign policy.

In the winter of 1967, the Committee held a series of public hearings on the general theme of the responsibilities of the United States as a world power. In the course of this series, former Ambassador to the Soviet Union George Kennan spoke to the Committee on January 30, 1967, on the Communist world in 1967; former Ambassador to Japan Edwin O. Reischauer testified on January 31, 1967, on "Asia, the Pacific, and the U.S."; Mr. Harrison Salisbury appeared before the Committee on February 2, 1967, to report on a trip which he had recently made to North Vietnam; Professor Henry S. Commager, of Amherst College, testified before the Committee on February 20 on "Changing American Attitudes Toward Foreign Policy"; and on February 21, Lt. Gen. James M. Gavin, USA (retired), discussed "Conflicts Between U.S. Capabilities and Foreign Commitments."

In connection with S. Res. 187, a sense of the Senate resolution pertaining to the war powers of Congress, the Foreign Relations Committee held public hearings in August, 1967, on American commitments abroad, both as to their range and the manner in which they were contracted. Among the witnesses who testified in this series were Undersecretary of State Nicholas deB. Katzenbach, who on August 17 and 21 stated the Administration's position on how American national commitments were made and probably should be made. On August 16, Professor Ruhl Bartlett, of the Fletcher School of Law and Diplomacy, elaborated on his thesis that, as the result of changes over a long period of time, but especially within the last twenty years, "The President virtually determines foreign policy and decides on war and peace, and the Congress has acquiesced in or ignored, or approved and encouraged this development."

In the late winter of 1968, the Committee held hearings on the nature and implications of revolution. Professor Crane Brinton, of Harvard University, testified on common patterns and tendencies of the revolutionary process on February 19, and commented on the significance of revolutions abroad for American foreign policy. On February 21, Professor Richard Solomon, of the University of Michigan, and Professor James Thomson, of Harvard University, discussed revolutions in China and Asia and their significance for the United States. Professor Louis Hartz, of Harvard University, addressed the Committee on February 26 on American attitudes, historical and contemporary, toward revolutions abroad. On March 7, 1968, Dr. John T. McAlister, of Princeton University, spoke with the Committee about the revolutionary process in Vietnam.

During the 90th Congress the Committee conducted a continuing review of American foreign policy in Vietnam. In this connection, Secretary of State Dean Rusk appeared before the Committee in public session on March 11 and 12, 1968, and General David M. Shoup, former Marine Corps Commandant, appeared before the Committee on March 20, 1968.

In addition, the Committee conducted an extensive review of the incidents which occurred in the Gulf of Tonkin in August, 1964. Subsequent to the preparation of a staff study on this subject, the Committee discussed the Gulf of Tonkin crisis in executive session and without witnesses on January 24, January 30, and February 21, 1968. Secretary of Defense McNamara discussed this matter with the Committee on February 20.

Finally, the Committee conducted a review of developments in association with the *Pueblo* incident, meeting, for example, with Secretary of State Dean Rusk on January 26, 1968, in executive session, on January 30 in executive session and without witnesses, and on May 1, 1968, with Undersecretary of State Nicholas deB. Katzenbach.

In addition to the foregoing, the Committee at various times held testimony on the situation in the Middle East, on recent developments in Europe, particularly those involving Czechoslovakia, and on the foreign policy research activities of the Department of Defense.

The Committee's Subcommittee on American Republics Affairs initiated a broad survey of the Alliance for Progress, which is now nearing completion and which so far has resulted in the publication of seven studies and a week of public hearings in February and March, 1968.

SONDRA D. SHAW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1646, H.R. 2760.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 2760) for the relief of Sondra D. Shaw.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations reported earlier today.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider executive business.

The PRESIDING OFFICER. The clerk will state the nominations on the Executive Calendar.

FOREIGN SERVICE OFFICER

The assistant legislative clerk read the nomination of Nathaniel Davis, of New Jersey, to be a Foreign Service officer, class 1.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The assistant legislative clerk proceeded to read sundry nominations of postmasters.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations of postmasters be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask that the President be immediately notified of the confirmation of the nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate return to legislative session.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate resumed the consideration of legislative business.

PRINTING OF THE REPORT ENTITLED "COMMERCIAL BANKS AND THEIR TRUST ACTIVITIES: EMERGING INFLUENCE ON THE AMERICAN ECONOMY"

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate a message from the House on House Concurrent Resolution 797, and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The concurrent resolution will be stated by title.

The LEGISLATIVE CLERK. A concurrent resolution (H. Con. Res. 797) providing for the printing of the report entitled, "Commercial Banks and Their Trust Activities: Emerging Influence on the American Economy."

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution was considered and agreed to.

ASSISTANCE TO THE INAUGURAL COMMITTEE

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3416.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3416) an act to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the rendering of direct assistance to and performance of special services for the Inaugural Committee, which was, strike out all after the enacting clause, and insert:

That subsection 210(a) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(a)) is further amended by striking the word "and" at the end of paragraph (13), striking the period at the end of paragraph (14) and inserting in lieu thereof "; and", and inserting immediately after paragraph (14) thereof the following new paragraph:

"(15) to render direct assistance to and perform special services for the Inaugural Committee (as defined in the Act of August 6, 1956, 70 Stat. 1049) during an inaugural period in connection with Presidential inaugural operations and functions including employment of personal services without regard to the civil service and classification laws; provide Government-owned and leased space for personnel and parking; pay overtime to guard and custodial forces; erect and remove stands and platforms; provide and operate first-aid stations; provide furniture and equipment; and provide other incidental services in the discretion of the Administrator."

Mr. MANSFIELD. Mr. President, I move that the Senate concur in the amendment of the House of Representatives.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

RELIEF OF PUGET SOUND PLYWOOD, INC., TACOMA, WASH.

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 857.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 857) for the relief of Puget Sound Plywood, Inc., of Tacoma, Wash., which was on page 1, line 6, strike out "$44,016.62" and insert "$9,593.72".

Mr. MANSFIELD. Mr. President, I move that the Senate concur in the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

AUTHORIZATIONS FOR INSERTIONS IN THE RECORD FOLLOWING ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Senators may be permitted to make insertions in the

Record following the adjournment of Congress until the last edition authorized by the Joint Committee on Printing is published; but this order shall not apply to any subject matter which may have occurred or to any speech delivered subsequent to the adjournment of Congress. I wish to advise that the time for filing information to be included in the Record will be up to Friday, November 1, 1968.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

PRINTING OF COMMITTEE ACTIVITY REPORTS

Mr. **MANSFIELD**. Mr. President, with reference to the printing of committee activity reports for the second session, I state, on behalf of the chairman of the Joint Committee on Printing [Mr. Hayden] that the Joint Committee on Printing has very properly ruled that the printing of such reports, both as committee prints and in the Record, is duplication, the cost of which cannot be justified.

It is requested that committee chairmen decide whether they wish these reports printed as committee prints or in the Record, since the Government Printing Office will be directed not to print them both ways.

WATER QUALITY IMPROVEMENT ACT OF 1968

Mr. **RANDOLPH**. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3206.

The **PRESIDING OFFICER** laid before the Senate the amendment of the House of Representatives to the bill (S. 3206) to amend the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and for other purposes, which was to strike out all after the enacting clause, and insert:

That this Act may be cited as the "Water Quality Improvement Act of 1968."

Sec. 2. Section 8 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466e), is amended—

(1) by redesignating subsections (f) and (g) as (g) and (h);

(2) by inserting after the word "grant" in clauses (1), (3), (4), and (5) of subsection (b) the words "or contract"; and after the word "grantee' in clause (3) of subsection (b) the words "or contractee";

(3) by inserting after the word "appropriated" wherever it appears in the second and third sentences of subsection (c) the words "for grants under subsection (b) of this section";

(4) by inserting after "subsection (b) of this section" in the first sentence of redesignated subsection (g) a comma and the following: "or the amount contracted for under subsection (f) of this section," and by striking out in such sentence "the amount of such grant" and inserting in lieu thereof "such amount";

(5) by inserting after "grants" in redesignated subsection (h) the following: "or contracts"; and

(6) by inserting a new subsection after subsection (e) to read as follows:

"(f)(1) For the purpose of this subsection, the term 'contracting party' means a State, municipality, or intermunicipal or interstate agency.

"(2) For the purpose of providing an additional method of financing treatment works under this Act, the Secretary, within limits to be established in appropriation Acts for the fiscal years 1969 and 1970, which limits shall not exceed in any such year twice the amount appropriated in excess of $100,000,000 for grants under subsection (b) of this section for such fiscal year, and within limits to be established in appropriation Acts for fiscal year 1971 which limits shall not exceed in such year an amount equal to the amount appropriated in excess of $100,000,000 for grants under subsection (b) of this section for such fiscal year, may enter into contracts, in accordance with the provisions of this subsection, with any contracting party to make payments over a period of not to exceed thirty years from the date of the contract to cover the Federal share of construction costs of treatment works that meet the applicable requirements of subsection (b) of this section and the first sentence of subsection (c) of this section. The principal sum available for contracts under this subsection for each fiscal year beginning after June 30, 1968, shall be allotted by the Secretary in accordance with the ratio that the population of each State bears to the population of all the States. Sums allotted to a State which are not obligated within six months following the end of the fiscal year for which they were allotted shall not be reallotted and shall lapse, except that sums allotted to a State in fiscal year 1969 shall be available for obligation therein for eighteen months from the effective date of this subsection. The total of such principal sum and the amount actually appropriated for grants under subsection (b) of this section for fiscal years 1969, 1970, and 1971 shall not exceed the sums authorized to be appropriated for grants for such fiscal years. The Secretary shall, upon the request of any State, enter into such contracts for treatment works approved by him since June 30, 1966, constructed or under construction with no Federal grant under this section or with a partial Federal grant under this section.

"(3) The Federal share for treatment works with respect to which a contract is entered into under paragraph (2) of this subsection shall be the same percentage as would be the case if a grant were being made for such works under subsections (b) and (g) of this section.

"(4) In any case where the contracting party uses payments made to it under a contract entered into under paragraph (2) of this subsection to pay bonds or other financial obligations issued by it to pay construction costs of treatment works, no payment made under such a contract shall exceed the amount which the contracting party agrees to use within sixty days of the date it receives such payment to reduce the principal amount of such bonds or other obligations.

"(5) Each contract shall include such reasonable terms and conditions as the Secretary deems appropriate."

Sec. 3. Section 8(d) of the Federal Water Pollution Control Act, as amended, is amended to read as follows:

"(d) For the purposes of making grants and payments on contracts under this section, there is authorized to be appropriated $700,000,000 for the fiscal year ending June 30, 1969; $1,000,000,000 for the fiscal year ending June 30, 1970; and $1,250,000,000 for the fiscal year ending June 30, 1971. At least 50 per centum of the first $100,000,000 so appropriated for each fiscal year beginning on or after July 1, 1965, shall be used for grants for the construction of treatment works servicing municipalities of one hundred and twenty-five thousand population or under. There is authorized to be appropriated such sums as may be necessary to make payments after June 30, 1971, on contracts entered into under subsection (f) of this section. Sums appropriated to carry out this section shall remain available until expended."

Sec. 4. Section 5 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466c), is amended—

(1) by redesignating subsection (h) as subsection (k);

(2) by inserting after subsection (g) three new subsections to read as follows:

"(h) The Secretary is authorized to enter into contracts with, or make grants to, public or private agencies and organizations and individuals for the purpose of developing and demonstrating new or improved methods for the prevention, removal, and control of natural or manmade pollution in lakes, including the undesirable effects of nutrients and vegetation.

"(i) The Secretary is authorized to make grants to, or enter into contracts with, public or private agencies and organizations and individuals to carry out any project which, in his judgment, will demonstrate feasible and practical techniques of eliminating or controlling acid or other mine water pollution.

"(j) The Secretary shall engage in such research, studies, experiments, and demonstrations as he deems appropriate relative to the removal of oil from any waters and to the prevention and control of oil pollution, and shall publish from time to time the results of such activities."

(3) by changing in subsection (g)(4) the words "and June 30, 1969," to "June 30, 1969, and June 30, 1970."; and

(4) by changing in redesignated subsection (k) the period after "1969" to a comma and adding the words "and for the succeeding fiscal year."

Sec. 5. (a) Section 6 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466c–1), is amended—

(1) by changing in subsection (e)(1) the word "three" to "four"; and

(2) by changing in subsection (e) (2) and (3) the word "two" to "three".

(b) Section 7 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466) is amended by inserting after subsection (j) the following new subsection:

"(k) For the purpose of improving the operation of treatment works on which construction was initiated after the enactment of this Act above its optimum design efficiency to achieve a substantial immediate improvement in effluent quality through the use of new methods or devices, other than additional construction, the Secretary is authorized to make grants annually to any State, municipality or intermunicipal or interstate agency in an amount not to exceed 25 per centum of the cost of operating such treatment works, but in no event more than 50 per centum of the cost of improving such operation during the twelve-month period for which application is made. No grant shall be made unless the State water pollution control agency certifies, and the Secretary finds, that the operation of the treatment works with the new methods or devices will achieve the intended improvement in effluent quality. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1969, and for each of the next two succeeding fiscal years, the sum of $25,000,000 per fiscal year for the purpose of this subsection. Sums so appropriated shall remain available until expended.

Sec. 6. Sections 17 and 18 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466m and 466n), are amended to read as follows:

"AREA ACID OTHER MINE WATER POLLUTION CONTROL DEMONSTRATIONS

"Sec. 17. (a) The Secretary, in cooperation with other Federal agencies, is authorized to enter into agreements with any State to carry out one or more projects which will demonstrate methods for the elimination or control, within all or part of a watershed, of acid or other mine water pollution resulting from active or abandoned mines. Such projects shall demonstrate the engineering and economic feasibility and practicality of various abatement techniques which will contribute substantially to effective and practical methods of acid or other mine water pollution elimination or control.

"(b) The Secretary, in selecting watersheds for the purposes of this section, shall (1) require such feasibility studies as he deems appropriate, (2) give preference to areas which have the greatest present or potential public value for use for recreation, fish and wildlife, water supply, and other public uses, and (3) be satisfied that the project area will not be affected adversely by the influx of acid or other mine water pollution from nearby sources.

"(c) Federal participation in such projects shall be subject to the conditions—

"(1) that the State shall pay not less than 25 per centum of the actual project costs which payment may be in any form, including land or interests therein that is needed for the project, personal property, or services, the value of which shall be determined by the Secretary; and

"(2) that the State shall provide legal and practical protection to the project area to insure against any activities which will cause future acid or other mine water pollution.

"(d) There is authorized to be appropriated $7,500,000 to carry out the provisions of this section, which sum shall be available until expended. No more than 25 per centum of the total funds appropriated under this section in any one year shall be granted to any one State.

"CONTROL OF SEWAGE FROM VESSELS

"SEC. 18. (a) (1) As soon as possible after the enactment of this section, the Secretary, after consultation with the Commandant of the Coast Guard and after giving appropriate consideration to available technology and economic costs, shall promulgate Federal standards of performance for marine sanitation devices (hereinafter referred to as 'standards') which shall be designed to prevent the discharge of untreated or inadequately treated sewage into or upon the navigable waters of the United States from new vessels and existing vessels, except (A) existing commercial fishing vessels forty-five feet or under in length, and (B) new or existing recreational vessels. Such standards shall be consistent with maritime safety and the marine and navigation laws and regulations and shall be coordinated with the regulations issued by the Commandant of the Coast Guard under this subsection. The Commandant of the Coast Guard shall promulgate regulations, which are consistent with the standards under this section and with maritime safety and the marine and navigation laws and regulations, governing the design, construction, installation, and operation of any marine sanitation device on board such vessels.

"(2) Any existing vessel equipped with a device or devices installed pursuant to the requirements of State statute, regulation, or recommended levels of control set forth in the Handbook on Sanitation and Vessel Construction (Public Health Service, 1965) prior to the effective date of initial standards and regulations required by this section shall be deemed in compliance with this section until such time as the device or devices are replaced or are found not to be in compliance with such State statute, regulation, or recommended level.

"(b) (1) Initial standards and regulations under this section shall become effective for new vessels two years after promulgation, but not earlier than September 1, 1970, and for existing vessels five years after promulgation.

"(2) The Secretary and the Commandant of the Coast Guard, with regard to their respective regulatory authority established by this section, may distinguish among classes, types, and sizes of vessels as well as between new and exciting vessels, and may waive applicability of standards and regulations for such periods of time as necessary or appropriate for classes, types, and sizes of vessels, and, upon application, for individual vessels.

"(c) The provisions of this section and the standards and regulations promulgated thereunder apply to vessels owned and operated by the United States unless the Secretary of Defense finds that compliance would not be in the interest of national security. With respect to vessels owned and operated by the Department of Defense, regulations under subsection (a) and certifications under subsection (f) (2) of this section shall be promulgated and issued by the Secretary of Defense and not by the Commandant of the Coast Guard.

"(d) Before the standards and regulations under this section are promulgated the Secretary and the Commandant of the Coast Guard shall consult with the Secretary of State; the Secretary of Health, Education, and Welfare; the Secretary of Defense; the Secretary of Commerce; other interested Federal agencies; and the States and industries interested; and otherwise comply with the requirements of section 553 of title 5 of the United States Code.

"(e) After the effective date of this subsection, no State or political subdivision thereof shall adopt or enforce any statute or regulation with respect to the use of any marine sanitation device on any vessel subject to the provisions of this section.

"(f) (1) No manufacturer of a marine sanitation device shall sell, offer for sale, or introduce or deliver for introduction in interstate commerce, or import into the United States for sale or resale any marine sanitation device manufactured after the effective date of the standards and regulations under this section unless such device is in all material respects substantially the same as a test device certified under this subsection.

"(2) Upon application of the manufacturer, the Commandant of the Coast Guard shall certify a marine sanitation device if he determines, in accordance with the provisions of this paragraph, that it meets the appropriate standards and regulations promulgated under this section. The Commandant shall test or require such testing of the device in accordance with procedures set forth by the Secretary as to standards of performance and for such other purposes as may be appropriate. The Secretary, upon notification of the results of such tests, shall determine if such results are in accordance with the appropriate performance standards promulgated under this section and shall notify the Commandant of his determination. Upon such notification the Commandant, if he determines that the device is satisfactory from the standpoint of safety and any other requirements of maritime law or regulation, and after consideration of the design, installation, operation, material, or other appropriate factors, shall certify it. Any device which is in all material respects substantially the same as the certified test device shall be deemed to be in conformity with the standards and regulations established under this section.

"(3) Every manufacturer shall establish and maintain such records, make such reports, and provide such information as the Secretary or the Commandant may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this section and regulations thereunder and shall, upon request of an officer or employee duly designated by the Secretary or the Commandant, permit such officer or employee at reasonable times to have access to and copy such records. All information reported to, or otherwise obtained by, the Secretary or the Commandant or their representatives pursuant to this subsection which contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code shall be considered confidential for the purpose of that section, except that such information may be disclosed to other officers or employees concerned with carrying out this section.

"(g) After the effective date of standards and regulations promulgated under this section it shall be unlawful—

"(1) for the manufacturer of any vessel subject to such standards and regulations to manufacture for sale, to sell or offer for sale, or to distribute for sale or resale any such vessel unless it is equipped with a marine sanitation device certified pursuant to this section;

"(2) for a vessel subject to such standards and regulations to discharge sewage into or upon the navigable waters of the United States in violation of such standards and regulations or to be operated on such waters with an installed marine sanitation device not certified pursuant to this section or otherwise in compliance with regulations;

"(3) for any person to fail or refuse to permit access to or copying of records or to fail to make reports or provide information required under this section; and

"(4) for any person, prior to the sale or delivery of a vessel subject to such standards and regulations to the ultimate purchaser, wrongfully to remove or render inoperative any certified marine sanitation device or element of design of such device installed in such vessel.

"(h) The district courts of the United States shall have jurisdiction to restrain violators of subsection (g) of this section. Actions to restrain such violators shall be brought by, and in, the name of the United States. In any such action, subpenas for witnesses who are required to attend a district court in any district may run into any other district.

"(i) Any person who knowingly violates either clause (1) or (4) of subsection (g) of this section shall, upon conviction, be fined not more than $2,500 or imprisoned for not more than one year, or both. Each violation shall constitute a separate offense.

"(j) Any person who violates a provision of this section or any regulation issued thereunder shall be liable to a civil penalty of not more than $1,000 for each violation. The Commandant of the Coast Guard may assess and collect any such penalty and may remit or mitigate any penalty imposed under circumstances he considers appropriate.

"(k) The provisions of this section shall be enforced by the Commandant of the Coast Guard, and he may utilize by agreement with or without reimbursement law enforcement officers or other personnel and facilities of the Secretary or other Federal agencies to carry out the provisions of this section.

"(l) Anyone authorized by the Commandant of the Coast Guard to enforce the provisions of this section may, except as to public vessels, (1) board and inspect any vessel upon the navigable waters of the United States, (2) with or without a warrant arrest any person who violates the provisions of this section or any regulation issued thereunder in his presence or view, and (3) execute any warrant or other process issued by an officer or court of competent jurisdiction.

"(m) In the case of Guam, actions arising under this section may be brought in the district court of Guam, and in the case of the Virgin Islands such actions may be brought in the district court of the Virgin Islands. In the case of American Samoa and the Trust Territory of the Pacific Islands, such actions may be brought in the District Court of the United States for the District of Hawaii and such court shall have jurisdiction of such actions.

"(n) For the purpose of this section, the term—

"(1) 'new vessel' includes every description of watercraft or other artificial contrivance used, or to be used, as a means of transportation on the navigable waters of the United States, the construction of which is completed after promulgation of standards and regulations under this section;

"(2) 'existing vessel' includes every description of watercraft or other artificial contrivance used, or to be used, as a means of transportation on the navigable waters of the United States, the construction of which is completed before promulgation of standards and regulations under this section;

"(3) 'commercial fishing vessel' means a vessel engaged in the business of taking of fish, mollusks, or crustaceans for subsequent sale;

"(4) 'public vessel' means a vessel owned and operated by the United States, by a State, or by a foreign nation, except where such vessel is engaged in commercial activities;

"(5) 'recreational vessel' means any vessel operated for noncommercial recreational purposes;

"(6) 'person' means an individual, partnership, firm, corporation, or association, but does not include an individual on board a public vessel;

"(7) 'United States' includes the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands;

"(8) 'sewage' means human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes;

"(9) 'manufacturer' means any person engaged in the manufacturing, assembling, or importation of marine sanitation devices or of vessels having installed on board such devices; and

"(10) 'marine sanitation device' means any equipment for installation on board a vessel designed to receive, retain, treat, or discharge sewage."

SEC. 7. The Federal Water Pollution Control Act, as amended, is amended by redesignating section 19 as section 20 and by inserting after section 18 a new section to read as follows:

"CONTROL OF OIL AND OTHER HAZARDOUS POLLUTING MATTER FROM VESSELS

"SEC. 19. (a) As used in this section, the term—

"(1) 'oil' means oil of any kind or in any form, including, but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil;

"(2) 'owner or operator' means any individual or organization owning, operating, or chartering by demise, a vessel;

"(3) 'vessel' includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water;

"(4) 'public vessel' means a vessel owned and operated by the United States, or by a State or by a political subdivision thereof, or by a foreign nation, except where such vessel is engaged in commercial activities;

"(5) 'discharge' means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping of oil or matter;

"(6) 'United States' includes the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands;

"(7) 'remove or removal' refers to the taking of reasonable and appropriate measures to mitigate the potential damage of the discharge to the public health or welfare, including, but not limited to, fish, shellfish, wildlife, shorelines, and beaches;

"(8) 'matter' means any substance of any description or origin, other than sewage, oil, and dredged spoil, which, when discharged from a vessel into any waters in substantial quantities, presents, in the judgment of the Secretary, an imminent and substantial hazard to the public health or welfare, including fish, shellfish, and wildlife, and shorelines and beaches; and

"(9) 'contiguous zone' means the entire zone established or to be established by the United States under article 24 of the Convention on the Territorial Sea and the Contiguous Zone.

"(b) Except in case of an emergency imperiling life or property of substantial value, an act of God, war, or sabotage, or an unavoidable accident, collision, or stranding, or except as otherwise permitted by regulations issued by the Secretary under this section, or except where not prohibited under the provisions of article IV of the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, as amended, whoever discharges or permits the discharge of oil from a vessel by any method, means, or manner into or upon the navigable waters of the United States or adjoining shorelines and beaches of the United States, or into or upon the waters of the contiguous zone if such oil threatens to pollute or contribute to the pollution of the territory or the territorial sea of the United States, shall be punished in accordance with the provisions of this section.

"(c) Any owner or operator of a vessel, other than a public vessel, who willfully violates the provisions of subsection (b) of this section or any regulation issued thereunder, shall, upon conviction, be punished by a fine not exceeding $2,500, or by imprisonment not exceeding one year, or by both, for each offense.

"(d) Any vessel, other than a public vessel, which willfully or negligently causes the discharge of oil in violation of subsection (b) of this section, or any regulation issued thereunder, shall be liable for a civil penalty of not more than $10,000. Clearance of a vessel liable for this penalty from a port of the United States may be withheld until such penalty is paid or until a bond or other surety satisfactory to the Secretary is posted. Such penalty shall constitute a maritime lien on such vessel which may be recovered by action in rem in the district court of the United States for any district within which such vessel may be found.

"(e) The owner or operator of any vessel who willfully or negligently discharges or willfully or negligently permits, causes, or willfully or negligently contributes to the discharge of oil or matter into or upon the navigable waters of the United States or adjoining shorelines or beaches or into or upon the waters of the contiguous zone shall immediately notify the Secretary or his delegate of such discharge and shall remove such discharged oil or matter immediately from such waters, shorelines, and beaches in accordance with regulations prescribed under subsection (h) of this section. If such owner or operator fails to so act for any reason, or if the source of the discharge is unknown, or if the discharge occurs in waters beyond the contiguous zone and threatens to pollute or contribute to the pollution of the waters of the territorial sea of the United States, the Secretary may remove the oil or matter or arrange for its removal, and such owner or operator and, as appropriate, the vessel shall be liable to the United States, in addition to the penalties prescribed in this section, for the full amount of the actual costs reasonably incurred by the United States under this subsection for removal of any oil or matter which is willfully or negligently discharged, except that there shall be no such liability, in the case of discharges beyond the waters of the contiguous zone. In the case of discharges into the waters of the contiguous zone, there shall be no such liability unless the Secretary determines that the discharge threatens to pollute or contribute to the pollution of the territory or the territorial sea of the United States. The aggregate liability under this subsection for the cost of removal of discharged oil or matter shall not exceed $5,000,000, or $67 per registered gross ton of such offending vessel, whichever is the lesser amount. Clearance of a vessel, other than a public vessel, liable for such costs from a port of the United States may be withheld until such costs are paid or until a bond or other surety satisfactory to the Secretary is posted. Such costs shall constitute a maritime lien on such vessel which may be recovered by action in rem in the district court of the United States for any district within which such vessel may be found. In carrying out the provisions of this subsection, the Secretary shall immediately, by agreement, delegate to the Secretary of the Department in which the Coast Guard is operating, the authority on a reimbursable basis to coordinate the removal of such oil or matter, including planning, direction, and controlling such removal, in the coastal and contiguous zone waters, ports and harbors, Great Lakes and major inland navigable waterways, and in other areas where the Coast Guard has the capability to effect such removal. Authority shall be delegated to other appropriate Federal agencies, subject to their agreement, in such other areas where the Secretary of the Department in which the Coast Guard is operating advises the Secretary that the Coast Guard lacks capability. Both Secretaries shall, whenever possible, utilize with or without reimbursement the personnel, services, and facilities of other Federal agencies.

"(f) In any action instituted by the United States under subsections (d) or (e) of this section, evidence of a discharge of oil or matter from a vessel shall constitute a prima facie case of liability on the part of the owner or operator thereof and the burden of rebutting such prima facie case shall be upon such owner or operator. The United States shall also have cause of action under subsection (e) of this section against any owner or operator of a vessel whose willful act or negligence is found to have caused or contributed to the discharge of oil or matter from a vessel involved in a collision or other casualty. The burden of rebutting the prima facie case of liability which the United States shall have against a vessel or the owner or operator thereof from which the oil or matter is discharged shall in no way affect any rights which such owner or operator may have against any other vessel or owner or operator or other persons whose willful act or negligence may in any way have caused or contributed to such discharge. An owner or operator who removes oil or matter discharged pursuant to subsection (e) of this section shall be entitled to reimbursement from any other owner or operator or vessel for the reasonable costs expended for removal when such discharge resulted from the willful act or negligence of such other owner or operator or vessel.

"(g) There is hereby authorized to be appropriated to a revolving fund established in the Treasury not to exceed $2,500,000 to carry out the provisions of subsection (e) of this section. Any funds received by the United States in payment of any actual costs incurred by the Secretary pursuant to said subsection and any penalties collected for any violation of this section shall also be deposited in said fund for such purposes. All sums appropriated to, or deposited in, said fund shall remain available until expended.

"(h) Within 180 days after the effective date of this section—

"(1) the Secretary shall issue regulations, in consultation with the Secretary of the department in which the Coast Guard is operating and consistent with maritime safety and with marine and navigation laws and regulations establishing water quality standards in removing discharged oil and matter, including criteria relative to the methods and means of removal, from any waters, shorelines, or beaches.

"(2) the Secretary of the department in which the Coast Guard is operating shall issue regulations, in consultation with the

Secretary, which will establish procedures, methods, and equipment (A) to prevent discharges of oil and matter from vessels, and (B) to implement the regulations of the Secretary relative to removing discharged oil and matter.

"(i) The Secretary, in consultation with the Secretary of the department in which the Coast Guard is operating and consistent with maritime safety and with marine and navigation laws and regulations, may issue regulations which authorize the discharge of oil or matter from a vessel in quantities, under conditions, and at times and locations deemed appropriate by him, after taking into consideration various factors such as the effect of such discharge on applicable water quality standards, recreation, and fish and wildlife.

"(j) The provisions of this section and the regulations issued thereunder shall be enforced by the Secretary of the department in which the Coast Guard is operating. The Secretary and the Secretary of the department in which the Coast Guard is operating may utilize by agreement, with or without reimbursement, the personnel, services, and facilities of any other Federal agency in carrying out the provisions of this section and the regulations issued thereunder, including those relating to enforcement.

"(k) Anyone authorized by the Secretary of the department in which the Coast Guard is operating to enforce the provisions of this section may, except as to public vessels, (1) board and inspect any vessel upon the navigable waters of the United States, (2) with or without a warrant arrest any person who violates the provisions of this section or any regulation issued thereunder in his presence or view, and (3) execute any warrant or other process issued by an officer or court of competent jurisdiction.

"(l) In the case of Guam, actions arising under this section may be brought in the district court of Guam, and in the case of the Virgin Islands such actions may be brought in the district court of the Virgin Islands. In the case of American Samoa and the Trust Territory of the Pacific Islands, such actions may be brought in the District Court of the United States for the District of Hawaii and such court shall have jurisdiction of such actions.

"(m) The Secretary of Transportation, in consultation with the Secretaries of Interior, State, Commerce, and other interested Federal agencies, and representatives of the merchant marine, oil, and insurance industries, and of other interested individuals and organizations, shall conduct a study of the need for and to the extent determined necessary, measures to provide financial responsibility and limitations of liability with respect to vessels using the navigable waters of the United States for the cost of removing discharged oil and paying all damages resulting from the discharge of such oil. The Secretary of Transportation shall submit a report, together with any legislative recommendations, to Congress and the President by January 1, 1970."

SEC. 8. Section 14 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466k), is amended by deleting the following: "the Oil Pollution Act, 1924, or".

SEC. 9. The Oil Pollution Act, 1924 (43 Stat. 604), as amended (80 Stat. 1246–1252), is hereby repealed.

And amend the title so as to read: "An act to amend the Federal Water Pollution Control Act, as amended, relating to the control of oil and hazardous substances; financing the construction of waste treatment works; to the conduct of water pollution control research; to the control of sewage from vessels, and for other purposes."

Mr. RANDOLPH. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a memorandum showing the differences between the Senate- and House-passed versions of S. 3206.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

DIFFERENCES BETWEEN SENATE AND HOUSE PASSED VERSIONS OF S. 3206

Waste treatment financing

SENATE BILL (Passed July 10, 1968).	HOUSE BILL (Passed Oct. 7, 1968).
1. Amends section 8(c) of Act to direct Secretary of Interior not to approve works for reimbursement if Congress provides the full sum authorized in FY 1969, 1970, and 1971 for both grants and contracts, except that if Congress does not so provide the full authorization the Secretary will not approve any project for reimbursement in a State that elects to use the contracts.	No similar provision.
2. No similar provision.	Bill provides that contract limits established in Appropriation Acts not exceed twice sum appropriated for grants over first $100 million in FY 1969 and 1970, and not exceed sum appropriated for grants over first $100 million in FY 1971.
3. Bill provides contract sum be allotted and re-allotted like grant program.	Bill provides no reallotment of contract sum and that period of availability of contract sum for FY 1969 begin on enactment of bill.
4. No similar provision.	Secretary must enter into contracts for works built since 1966 that are not funded or fully Federally funded upon request or State.
5. No similar provision.	Bill provides that where contract payments are used to pay bond, etc., the installment shall not exceed sum necessary to cover said payment within 60 days after Secretary makes contract payment due.
6. Bill specifically provides that contracts are binding obligation on United States.	No similar provision.

Research

SENATE BILL	HOUSE BILL
(No similar provisions were included in S. 3206. However, nearly identical provisions were included in S. 2760 which passed Senate on Dec. 12, 1967.)	
7. No similar provision in S. 3206, but similar provision included in S. 2760.	The Secretary is authorized to develop and demonstrate methods for the prevention and control of lake pollution.
8. No similar provision in S. 3206, but similar provision included in S. 2760.	The Secretary is authorized to conduct research on methods to control acid and other mine drainage pollution.
9. No similar provision.	The Secretary is authorized to conduct research on methods for the removal of oil from water.
10. No similar provision.	Bill authorizes grants to States and local communities to cover 25 percent of operating cost and 50 percent of equipment costs where new devices are added to improve the quality of effluent from treatment works.
11. (No similar provision in S. 3206, but similar provision included in S. 2760 which authorizes $15 million for area-wide acid and other mine water pollution control demonstration projects.)	Bill authorizes $7.5 million for demonstrating methods for the elimination or control of water pollution resulting from acid and other mine drainages.

DIFFERENCES BETWEEN SENATE AND HOUSE PASSED VERSIONS OF S. 3206—Continued

SENATE BILL—continued	HOUSE BILL—continued
Vessel pollution	
12. Bill provides exemption for vessels not equipped with installed toilet facilities.	No similar provision.
13. No similar provision.	Bill exempts recreational vessels.
14. No similar provision.	Bill provides that regulations and certifications regarding defense vessels shall be issued by Secretary of Defense and not the Coast Guard.
15. Bill contains pre-emption clause prohibiting States from adopting or enforcing statutes or regulations re marine sanitation devices.	Bill contains similar provision, but permits State to enforce existing statutes unless it is found to be inconsistent.
16. Bill authorizes grants to States adopting programs to control sewage discharges from recreational vessels.	No similar provision.
Federal facilities	
17. Bill revises present section 11 of Act regarding Federal facilities by requiring Federal agencies to cooperate with Secretary and State and municipal agencies when issuing licenses, contracts, and permits to insure compliance with water quality standards.	No similar provision.
Oil pollution	
(No similar provisions were included in S. 3206, however, similar provisions were included in S. 2760 which passed Senate on December 12, 1967.)	
18. "Oil" is defined as oil of any kind.	Definition does not include oil mixed with dredged spoil.
19. No similar provision.	Bill exempts vessels owned by a political subdivision of a State from criminal and civil provisions.
20. No similar provision.	Definition of "United States" extends coverage to Trust Territory of the Pacific Islands.
21. No similar provision.	Bill excepts from criminal and civil sanctions oil discharges resulting from emergencies imperiling life or property, acts of God, war, or sabotage, and discharges permitted under 1954 International Convention.
22. Bill covers shore installations and offshore facilities.	No similar provisions.
23. No similar provision.	Bill extends coverage to contiguous zone.
24. No similar provision.	Bill covers "matter" other than oil or sewage in case of cleanup.
25. Bill provides absolute liability in case of civil penalties.	Bill provides that owners or operators who negligently or willfully discharge oil in violation of prohibition against discharge are liable for civil penalty.
26. Bill provides criminal penalties for employees who willfully discharge oil.	No similar provision.
27. Bill makes owner or operator of a vessel or shore installation liable for cleanup.	Bill coverage is limited to owner or operator of vessel who negligently or willfully discharges oil.
28. No similar provision.	Bill authorizes Interior to clean up spilled oil in contiguous zone and waters beyond.
29. Bill waives limitation of liability statutes.	Bill establishes a dollar limitation on cleanup liability.
30. No similar provision.	Bill directs Interior to delegate cleanup responsibility to the Coast Guard.
31. No similar provision.	Bill provides evidence of discharge is prima facie evidence of negligence.
32. No similar provision.	Bill provides for United States action against third party owner or operator or vessel causing oil or matter discharge.
33. No similar provision.	Bill entitles owner or operator to reimbursement for costs expended for removal when discharge caused by third party.
34. Bill provides for a revolving fund for cleanup with no dollar limit.	Bill provides a limit of $2.5 million on revolving fund.
35. No similar provision.	Secretary directed to issue regulations for cleanup.
36. Provides authority to revoke license of master or operator of vessel.	No similar provision.
37. Bill directs agencies conducting or licensing operations which discharge oil with other matters to take measures to remove it from waters.	No similar provision.
38. No similar provision.	Department of Transportation is directed to conduct a study regarding financial responsibility and limitations of liability.

Mr. RANDOLPH. Mr. President, I move that the Senate concur in the House amendment with amendments as follows, which I send to the desk.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. LONG of Louisiana. Is this the antipollution bill that the Senator is now discussing?

Mr. RANDOLPH. That is correct.

Mr. LONG of Louisiana. I am in opposition to permitting the measure to be passed right now, because I need some time to study the amendment. I hope the Senator will be willing to put the bill aside until we have a chance to study the amendment he is offering. When I have had such an opportunity, perhaps we might be able to agree to it. I have heard some objection about the matter, and I would not want to agree to it at this time until I understand the amendment better.

Would the Senator be agreeable to perhaps bringing the matter up in an hour from now?

Mr. RANDOLPH. Mr. President, I am agreeable. I explained that I discussed it with the majority leadership. I discussed it with the distinguished Senator from Louisiana. I discussed it with the distinguished Senator from Nebraska [Mr. Hruska] and with the ranking Republican member of the minority, the Senator from Kentucky [Mr. Cooper].

Mr. LONG of Louisiana. Mr. President, I do not have the honor of serving on the committee. I think the Senator from West Virginia is one of the great committee chairmen of all times. I have a very high regard for him. As the Senator knows, this measure involves oil pollution, and Louisiana is one of the great oil-producing States of the Nation. I have another bill to bring up, and if the Senator agrees with me to set the measure aside and bring it up in about 40 minutes, perhaps I can understand the amendment by then.

Mr. RANDOLPH. I want to accommodate my distinguished colleague, who is my friend, as I am his friend. I think it is important to realize that the Senate measure passed unanimously. The Senate measure was not a matter in controversy when we had it on the floor and had a long and detailed debate.

The vote was unanimous. So it was the consensus of the Senate that the measure we passed was an excellent measure.

Now the House of Representatives has passed a measure that varies in some degree, having incorporated parts of several bills previously considered by the Senate. So perhaps there is reason for the Senator to make this request.

Mr. LONG of Louisiana. Mr. President, I have no objection at all to the bill of the Senator from West Virginia. His bill would be fine, as far as I am concerned. I do have some reservations about the House bill, and about the proposed amendment, but I should like an opportunity to understand it better.

I say to my good friend that it was not my privilege to hear his explanation of the amendment, because as the Senator knows, we spent a week fighting on a revenue bill, on which I am trying to find some means of agreement between the House of Representatives and the Senate, and all of that presents an impediment which simply kept me from being available to hear the Senator explain his amendment. But I shall do my best to familiarize myself with it as quickly as I can get to it.

Mr. RANDOLPH. I understand. In accordance with the request just made, Mr. President, I ask unanimous consent to withdraw the message.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF THE INTERNAL REVENUE CODE OF 1954 IN RELATION TO DISTILLED SPIRITS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1658, H.R. 11394.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. A bill (H.R. 11394) to amend certain provisions of the Internal Revenue Code of 1954 relating to distilled spirits, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance, with amendments, on page 4, line 19, after "Sec. 4. (a)" strike out "The" and insert "For purposes of subsection (b), the"; on page 5, after line 4, insert a new section, as follows:

Sec. 5. (a) The article description for item 155.40 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended to read as follows: "Sugars, sirups, molasses, and mixtures thereof; all the foregoing derived from sugar cane or sugar beets and containing soluble non-sugar solids (excluding any foreign substance that may have been added or developed in the product) equal to over 6% by weight of the total soluble solids, if imported for use other than (a) the commercial extraction of sugar, or (b) human consumption".

(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption on or after the date of enactment of this Act. Upon request therefor filed with the customs officer concerned on or before the one hundred and twentieth day after the date of enactment of this Act, entries and withdrawals of articles described in item 155.40 of the Tariff Schedules of the United States (as amended by subsection (a)) which were made after August 30, 1963, and before the date of enactment of this Act shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated as though such entries or withdrawals had been made on the date of the enactment of this Act.

And on page 6, after line 4, insert a new section, as follows:

Sec. 6. The following entries at Philadelphia, Pennsylvania, covering sugar shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930, or any other provision of law, after manipulation and withdrawal from warehouse for consumption, and upon the furnishing of appropriate evidence that the sugar was not used for human consumption or for the commercial extraction of sugar, be liquidated, or reliquidated, as the case may be, with duty at the rate of .012 cent per pound of total sugars:

WH 5424	February 20, 1967.
WH 5542	March 7, 1967.
WH 5563	March 10, 1967.
WH 5650	March 23, 1967.
WH 5651	March 23, 1967.
WH 5705	March 31, 1967.
WH 101274	April 7, 1967.
WH 106254	May 10, 1967.

Mr. LONG of Louisiana. Mr. President, I move that the first committee amendment be agreed to. This amendment is on page 4, line 19, after "Sec. 4. (a)" strike out "The" and insert "For purposes of subsection (b), the".

The motion was agreed to.

Mr. LONG of Louisiana. Mr. President, there is a committee amendment to the bill which has stirred up some controversy that was not anticipated at the time it was agreed to by the committee. I believe it would be best that we study this matter further next year.

Therefore, I move to strike from the bill the committee amendments, which are found beginning on page 5 at line 5 and ending on page 6 at line 13.

The motion was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk two amendments, which I ask to be considered en bloc.

The PRESIDING OFFICER. The amendments will be stated.

The Assistant Legislative Clerk. The Senator from Delaware [Mr. Williams] proposes amendments as follows:

On page 5, line 5, insert the following:

"Sec. 5. That (a) section 175(c)(1) of the Internal Revenue Code of 1954 (relating to soil and water conservation expenditures) is amended by striking out the last sentence and inserting in lieu thereof the following:

" 'Notwithstanding the preceding sentences, such term also includes any amount, not otherwise allowable as a deduction, paid or incurred to satisfy any part of an assessment levied by a soil or water conservation or drainage district to defray expenditures made by such district (i) which, if paid or incurred by the taxpayer, would without regard to this sentence constitute expenditures deductible under this section, or (ii) for property of a character subject to the allowance for depreciation provided in section 167 and used in the soil or water conservation or drainage district's business as such (to the extent that the taxpayer's share of the assessment levied on the members of the district for such property does not exceed 10 percent of such assessment).'

"(b) Section 175 of such Code is amended by adding at the end thereof the following new subsection:

" '(f) Rules Applicable to Assessments for Depreciable Property.—

" '(1) Amounts treated as paid or incurred over 9-year period.—In the case of an assessment levied to defray expenditures for property described in clause (ii) of the last sentence of subsection (c)(1), if the amount of such assessment paid or incurred by the taxpayer during the taxable year (determined without the application of this paragraph) is in excess of an amount equal to 10 percent of the aggregate amounts which have been and will be assessed as the taxpayer's share of the expenditures by the district for such property, and if such excess is more than $500 the entire excess shall be treated as paid or incurred ratably over each of the 9 succeeding taxable years.

" '(2) Disposition of land during 9-year period.—If paragraph (1) applies to an assessment and the land with respect to which such assessment was made is sold or otherwise disposed of by the taxpayer (other than by the reason of his death) during the 9 succeeding taxable years, any amount of the excess described in paragraph (1) which has not been treated as paid or incurred for a taxable year ending on or before the sale or other disposition shall be added to the adjusted basis of such land immediately prior to its sale or other disposition and shall not thereafter be treated as paid or incurred ratably under paragraph (1).

"'(3) DISPOSITION BY REASON OF DEATH.—If paragraph (1) applies to an assessment and the taxpayer dies during the 9 succeeding taxable years, any amount of the excess described in paragraph (1) which has not been treated as paid or incurred for a taxable year ending before his death shall be treated as paid or incurred in the taxable year in which he dies.'

"(c) The amendments made by subsections (a) and (b) shall apply to assessments levied after the date of the enactment of this Act in taxable years ending after such date.

"SEC. 6. (a) Section 504(a) of the Internal Revenue Code of 1954 (relating to denial of exemption) is amended by inserting after the second sentence thereof the following new sentence: 'Paragraph (1) shall not apply to income attributable to property transferred to a trust before January 1, 1951, by the creator of such trust, if such trust was irrevocable on such date and if such income is required to be accumulated pursuant to the mandatory terms (as in effect on such date and at all times thereafter) of the instrument creating such trust.'

"(b) Section 681(c) of such Code (relating to limitation on charitable deduction of trusts by reason of accumulated income) is amended by inserting after the second sentence thereof the following new sentence: 'Paragraph (1) shall not apply to income attributable to property transferred to a trust before January 1, 1951, by the creator of such trust, if such trust was irrevocable on such date and if such income is required to be accumulated pursuant to the mandatory terms (as in effect on such date and at all times thereafter) of the instrument creating such trust.'

"(c) The amendments made by subsection (a) and (b) shall apply with respect to taxable years beginning after December 31, 1953, and ending after August 16, 1954. For purposes of section 3814 and 162(g)(4) of the Internal Revenue Code of 1939, provisions having the same effect as such amendments shall be treated as included in such sections effective with respect to taxable years beginning after December 31, 1950."

The **PRESIDING OFFICER**. Without objection, the amendments will be considered en bloc.

Mr. **WILLIAMS** of Delaware. Mr. President, these two amendments were sections approved unanimously by the Committee on Finance.

My first amendment provides that if a farmer pays an assessment levied by a soil or water conservation or drainage district which is attributable to the acquisition by the district of depreciable property, the amount paid during the taxable year may be deducted for income tax purposes in that year, if the amount paid is not in excess of 10 percent of the aggregate amounts which have and will be assessed as the taxpayer's share of the cost to the district of the property. Moreover, even if the amount paid is in excess of this 10-percent figure, the entire amount may still be deducted when paid, if this excess amount is not over $500. In those cases where the amount paid both is in excess of this 10-percent figure and is over $500, then the excess must be deducted ratably over the 9 succeeding taxable years.

The total amount which may be deducted by any one taxpayer under this provision may not exceed 10 percent of the total amount of the assessments by the district against all members which is attributable to the acquisition of the depreciable property.

The amendment also provides that if the land with respect to which the assessments were made is sold by the taxpayer during the 9-year deduction period, any amount of the assessment paid which was not deductible before the sale because of the 9-year rule is to be added to the basis of the land in computing the gain or loss on its sale and thereafter may not be deducted.

The amendment applies to assessments levied after the date of enactment of the bill.

My other amendment provides that the provisions of existing law denying tax-exempt status to otherwise tax-exempt organizations and denying unlimited charitable contributions deductions for trusts because of an unreasonable accumulation of income is not to apply in the case of income from property transferred to trusts before 1951 if the trusts were irrevocable at that time and income under the terms of the trusts was required to be accumulated. Present law contains a similar provision limited to the testamentary trusts created before 1951.

Mr. President, these two amendments are identical to provisions contained in H.R. 2767, as reported by the Finance Committee and as passed by the Senate.

The **PRESIDING OFFICER**. The question is on agreeing, en bloc, to the amendments of the Senator from Delaware.

The amendments were agreed to en bloc.

The **PRESIDING OFFICER**. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

SPECIAL SUBCOMMITTEE ON VETERANS' AFFAIRS

Mr. **LONG** of Louisiana. Mr. President, I do not know whether the Senate will act upon the proposal for a veterans' committee. However, I wish to announce, as chairman of the Committee on Finance, that I intend to appoint a special subcommittee, if the committee will permit it, to consider veterans' matters, and that committee will be composed of Senators Gore, Talmadge, Hartke, and Metcalf, and Senators Curtis and Bennett.

As far as I am concerned, I have the greatest confidence in those gentlemen. Most of them are outstanding war veterans themselves, including the distinguished present Presiding Officer [Mr. Hartke]. In my opinion, any legislation which could be approved by any veterans' affairs committee would be approved by these outstanding Senators, and I have no doubt that they will propose everything they think is meritorious as far as the recommendations of our outstanding veterans' organizations are concerned.

TRIBUTES TO SENATORS CARLSON, MORTON, AND SMATHERS UPON THEIR RETIREMENT FROM THE SENATE

Mr. **LONG** of Louisiana. Mr. President, earlier this week, in what was probably the last meeting of the Committee on Finance in the 90th Congress, we presented to three of our committee members resolutions of appreciation for their faithful and devoted service on our committee. I ask unanimous consent to have printed at this point in the Record copies of those committee resolutions.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

Resolution, Committee on Finance, U.S. Senate

Whereas Frank Carlson, of Kansas, served honorably and faithfully as a member of the Committee on Finance from January 13, 1953, to January 3, 1969, and

Whereas Frank Carlson generously devoted his knowledge and energy to the consideration of the many complex issues before this Committee during this period, and

Whereas Frank Carlson unceasingly advanced the development of legislation relating to trade, government finance, and social welfare in execution of the broad responsibilities of this Committee: Now, therefore be it

Resolved, That the Committee on Finance hereby expresses to Frank Carlson its sincere appreciation and gratitude for his outstanding contributions to the fulfillment of the obligations of this Committee, and for his faithful and devoted service as a member of this Committee.

Given at Washington, District of Columbia, this eighth day of October, 1968.

Committee on Finance, U.S. Senate Resolution

Whereas Thruston B. Morton, of Kentucky, served honorably and faithfully as a member of the Committee on Finance from January 18, 1960, to January 3, 1969, and

Whereas Thruston B. Morton generously devoted his knowledge and energy to the consideration of the many complex issues before this Committee during this period, and

Whereas Thruston B. Morton unceasingly advanced the development of legislation relating to trade, government finance, and social welfare in execution of the broad responsibilities of this Committee: Now, therefore be it

Resolved, That the Committee on Finance hereby expresses to Thruston B. Morton its sincere appreciation and gratitude for his outstanding contributions to the fulfillment of the obligations of this Committee, and for his faithful and devoted service as a member of this Committee.

Given at Washington, District of Columbia, this eighth day of October, 1968.

Resolution, Committee on Finance, U.S. Senate

Whereas George A. Smathers, of Florida, served honorably and faithfully as a member of the Committee on Finance from May 18, 1954, to January 3, 1969, and

Whereas George A. Smathers generously devoted his knowledge and energy to the consideration of the many complex issues before this Committee during this period, and

Whereas George A. Smathers unceasingly

advanced the development of legislation relating to trade, government finance, and social welfare in execution of the broad responsibilities of this Committee: Now, therefore be it

Resolved, That the Committee on Finance hereby expresses to George A. Smathers its sincere appreciation and gratitude for his outstanding contributions to the fulfillment of the obligations of this Committee, and for his faithful and devoted service as a member of this Committee.

Given at Washington, District of Columbia, this eighth day of October, 1968.

Mr. LONG of Louisiana. But in addition to the committee's expression to these three fine Members, I want to take this opportunity on the floor of the Senate to say for everyone how much I have enjoyed my association with three of the most distinguished Members of the U.S. Senate who are retiring with the close of this 90th Congress. I might add that their retirements are completely voluntary. They are leaving us as winners and winners they have always been—even though without opposition, in many instances. My three colleagues are the distinguished Senators FRANK CARLSON, of Kansas, THRUSTON B. MORTON, of Kentucky, and GEORGE SMATHERS, of Florida.

SENATOR CARLSON

If anyone can attest to the error of Leo Durocher's oft-quoted statement "Nice guys finish last," it has to be FRANK CARLSON. FRANK is the epitome of "Mr. Nice-Guy," but he has certainly never finished last. As a matter of fact, he has always come out first—from the time he won his first election to the Kansas State Legislature in 1928 through his 12 years in the U.S. House of Representatives, his 4 years as Governor of the State of Kansas, and his 18 years here in the U.S. Senate. There is just no mean fiber in FRANK CARLSON's body. His soul radiates the beautiful Christian life that he has always led. It makes me happy to know that such a good man could be such an effective political leader as FRANK has been.

He showed his effectiveness during his two terms in the Kansas State Legislature, his two terms in the Kansas Governor's mansion, and his six terms in the U.S. House of Representatives. Personally, I really got to know FRANK when he came to the U.S. Senate. It was my privilege to serve with him on the Senate Post Office and Civil Service Committee, the Senate Foreign Relations Committee, and on the Senate Finance Committee, of which he has been a member since January 13, 1953. FRANK never became angry or even excited, but he got results. Perhaps more than anything I have admired his fights for better conditions for the mentally ill and improvements generally in the social security and public welfare programs and his battles for a better deal for the Nation's farmers.

As senior members of the Senate Committee on Finance, FRANK CARLSON and I have worked close and long not only in the confines of our committee room and on the Senate floor, but in that real test of one's battle courage—the conference committee. FRANK always stood firmly and gave no quarter but at the same time he always did it in the kindly manner that is the hallmark of this fine gentleman. We will all miss his help in the battles ahead, but if any of his goodness rubs off on the Senate, we will all be a lot richer for it.

SENATOR MORTON

One of the outstanding examples of enlightened Republicanism is THRUSTON B. MORTON. He has never failed to take a stand on domestic or foreign issues no matter how different the stand might be from the conventional party line. It was this ability to stand up and be counted together with a keen awareness of where the public interest lay and the refusal to take himself too seriously that helped THRUSTON MORTON to defeat a former holder of the job I now have, Democratic Whip Earl Clements, in order to come to the Senate in 1956 and to win reelection in a tough campaign in 1962 in a State which is far from being a Republican stronghold.

While trying to upgrade and lead his party, THRUSTON MORTON has also accepted whatever duties or responsibilities that party wanted him to shoulder. Thus, he served in the State Department at the behest of President Eisenhower after three straight terms in the U.S. House of Representatives; he accepted the Republican National Committee chairmanship in 1958; he chaired the Republican senatorial campaign committee from 1962 to 1967; and he served as permanent chairman of the 1964 Republican National Convention.

His vast experience in the campaigning aspect of politics caused him to be the lone Republican on the Finance Committee and indeed in the Senate itself to show sympathy for the concept of the public at large sharing the high costs of political campaigns. He had seen the hazards caused by the present system of financing political candidates.

Senator MORTON has been so well thought of within his own party that his name has often been mentioned in recent years as a candidate for the Presidency or Vice-Presidency of the United States and I think he would have made a formidable candidate.

THRUSTON MORTON has served on the Committee on Finance since January 18, 1960. During that time he has provided not only reasoned judgment on the matters before us, but he has also shown a sense of humor that must also have stood him well during the war when the weight of commanding warships, three to be precise, undoubtedly, brought him heavy tension. Of THRUSTON MORTON, I like best the line that his staff has said of him:

> Of ships or elections, he has never lost one.

SENATOR SMATHERS

What does one say when one's best friend in the Senate retires in the prime of his life—I say the prime of his life because GEORGE SMATHERS and I are not too far removed in age. I consider myself in the prime and I wish GEORGE would think of himself that way too.

The paths of GEORGE SMATHERS and myself crossed many years before either of us ever came to the U.S. Senate. GEORGE was a counselor at a boys' camp in North Carolina when my family sent me to that camp. George was 5 years older than I and he made me know it at that time—now I will remind him of it at this time. GEORGE broke me into the routine of that camp pretty quickly and I was sure I would never forget him or forgive him for it.

Lo and behold, when I came to the Senate in 1949 who should I find in the House of Representatives at that time but my old counselor, GEORGE SMATHERS, who had first been elected there in 1946. Seeing how easy it was to become a U.S. Senator, I guess, he decided to have a go at it himself and made good in 1950. From the moment he first came into the Senate GEORGE SMATHERS was something special—a leader among leaders. As a matter of fact, during his freshman term here, he was appointed deputy floor leader and often served as acting majority leader during the absence of Lyndon Johnson.

Senator SMATHERS has served with distinction on such committees as the Foreign Relations Committee, the Joint Committee on Internal Revenue Taxation, the Commerce Committee, the Judiciary Committee, and, of course, the Senate Finance Committee. He has been chairman of the Committee on Aging and of the Small Business Committee. GEORGE and I have served together on the Small Business Committee, the Foreign Relations Committee and the Finance Committee of which he has been a member since May 18, 1954. We have learned together and survived together.

I do not know if anyone, not even GEORGE himself, realizes the regret that I have at his leaving the Senate now. He has been ranking Democrat on the Finance Committee and has been of invaluable assistance to me in every respect on that committee. I have leaned on GEORGE heavily and I hope that weight has not been a factor in his decision to retire from the Senate. I frankly do not know whether things will run as smoothly without him to help me in the Committee on Finance and to help us all here in the Senate with his incisive approach to a matter no matter how difficult it may be and his keen wit which helps to relieve the most strenuous of situations.

In sort of a reversal of our earlier roles, I want to be the counselor now and let GEORGE be the student as I lecture to him from this camp of all camps, the U.S. Senate, but my lecture is merely this: for him to give us his best advice and wisdom unsparingly. His ability should not be retired with his leaving the Senate. He is truly a man for all seasons. I would hope that the rest of us can continue to call on GEORGE SMATHERS and, particularly, I can continue to call GEORGE SMATHERS a dear friend.

TRIBUTE TO SENATOR RIBICOFF

Mr. LONG of Louisiana. Mr. President, as every Senator knows, each committee has members who are workhorses and occasionally some who are showhorses. In the case of the Finance Committee we are fortunate that most of our members are workhorses.

One Senator who really pulls more than his share day in and day out is ABE RIBICOFF, of Connecticut.

In recognition of his distinguished career as a Governor and Cabinet member, Senator RIBICOFF won assignment to the Finance Committee when he took office in 1963.

Senator RIBICOFF has not spent his time in the Senate resting on prior laurels and taking well-deserved bows. On the contrary, he has worked hard, long, and effectively.

ABE RIBICOFF is a compassionate and persuasive advocate. When he talks, we listen. What he argues for we often accept. The Finance Committee, among other areas, has jurisdiction over the public welfare and social security programs. During Senator RIBICOFF's service on the committee he was instrumental in not only shaping the monumental medicare program but in helping it become law. I might add that he is not the sort of legislative "father" who abandons his child. Today, ABE RIBICOFF is working just as hard to clean up and tighten up the medicare program to the benefit of older citizens and taxpayers alike, as he did when he was Secretary of Health, Education, and Welfare, and when he was serving in other capacities. As a matter of fact, in the areas of social security and public welfare, ABE RIBICOFF has placed more legislation on the statute books, in my judgment, than has any other member of the Finance Committee. I say that as one who has taken a great interest in those areas and has authored much legislation.

He works hard to provide more adequate welfare benefits to our needy Americans. But he works even harder to develop alternatives to welfare, such as work programs and training designed to take people off welfare and make them self-sufficient. He recognizes the need to regard welfare not as the end of the line, but rather a turn-around point.

Child welfare, increased social security benefits—all of these important legislative areas have benefited from ABE RIBICOFF's expertise. But, that is only part of the contribution of the Senator from Connecticut. He has been a driving force for tax equity and simplification and his work is evident in the Tax Reduction Act of 1964 and more recently, the limitations just imposed on the tax-free status of industrial revenue bonds.

I must say that ABE RIBICOFF is persistent. For years he has fought to provide a tax credit to hard-pressed parents who have to bear the heavy costs of college tuition for their children. I can sympathize with his concern—because I have a daughter in college—but have reservations about using a tax cut device. Nonetheless, ABE RIBICOFF marshaled his arguments, kept calling this problem to our attention, and last year, even I fell under his spell and voted for his amendment. No question about it, Senator RIBICOFF is a tireless battler.

Simply stated, he is an honest, conscientious, hard-working Senator whose presence in the Senate is a living tribute to the good sense of the citizens of the great State of Connecticut.

DISPOSAL OF MAGNESIUM FROM THE NATIONAL STOCKPILE

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 5785.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 5785) to authorize the disposal of magnesium from the national stockpile.

Mr. MANSFIELD. Mr. President, I move that the Senate recede from its amendment.

Mr. WILLIAMS of Delaware. Mr. President, I regret that the House did not see fit to accept the Senate amendment. It was an amendment which I offered at the time the bill was before the Senate.

The amendment merely provided that the Government in disposing of this mineral should sell it to the highest responsible bidder after having advertised for bids.

I think this a procedure that the Government should have initiated even without such an amendment. And I cannot understand why there has been such tremendous resistance from the General Services Administration and the executive branch of the Government to this amendment which certainly makes sense and, in private industry, anyone would carry out such a procedure.

I understand the General Services Administration has promised that, even without the amendment, they will still sell it by competitive bids and award it to the highest responsible bidder. So, in one effect, it could be said that it has achieved its purpose anyway.

However, I feel that it should be made a matter of law. I cannot understand why the administration insists on selling these materials at negotiated contracts unless they are forced to do otherwise.

Mr. President, I vote against the motion to recede. The Senate amendment should be retained.

Mr. MANSFIELD. Mr. President, H.R. 5785 provides for the General Services Administration to dispose of 55,000 short tons of magnesium, which is in excess of the objective necessary for the national security.

In the Senate, an amendment by Senator WILLIAMS was adopted providing that the sale "shall be made to the highest bidder."

John Harlan, Commissioner, Property Management and Disposal Service, General Services Administration, wrote Congressman PHILBIN, chairman of the subcommittee, who introduced the bill, the attached letter, exhibit A, on September 10, 1968, giving assurance that the sale would be made under sealed bids, and with this assurance the House refused to concur in the Senate amendment. It was thought that the amendment was too restrictive and mandatory and might prevent rejection of all bids.

The urgency of passage at this session is due to the fact that companies in need of magnesium will be forced to purchase from Japan or other foreign markets if this bill is not enacted before adjournment. A telegram to this effect from Dow Chemical Co. is attached hereto as exhibit B.

Furthermore, the market price for magnesium is now at an alltime high, and this surplus will bring a good price. New production is currently under construction which will relieve the present shortage later next year and the surplus will not be worth as much as it is today. Therefore, it is to the interest of the Government to offer magnesium while the current demand exists. Normally, 5 years or more would likely be required to dispose of 55,000 tons, whereas, there is a good chance to sell a major portion of this quantity over the next few months while the shortage prevails.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter addressed to Representative PHILIP J. PHILBIN under date of September 10, 1968, and a letter to the Honorable Price Daniel, Director of the Office of Emergency Planning, also under date of September 10, 1968.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

EXHIBIT A

WASHINGTON, D.C.
September 10, 1968.

Hon. PHILIP J. PHILBIN,
Chairman, Subcommittee No. 1, Committee on Armed Services, House of Representatives, Washington, D.C.

DEAR MR. PHILBIN: This is in response to your request that we advise you currently as to the methods and procedures we would follow in carrying out the disposal of 55,000 short tons of excess magnesium now held in the national stockpile inventory. Disposal of this material will, of course, proceed only if authorizing legislation such as H.R. 5785 as requested by the Administration and approved by the House of Representatives on December 14, 1967, is enacted. H.R. 5785 was amended by Senate action on April 26, 1968, to strike out the words "by negotiation or otherwise" and insert in lieu thereof "by public advertising for bids and sale to the highest responsible bidder."

As you know we have serious doubts as to whether a successful and meaningful disposal of excess stockpile commodities could be carried out under such restrictive language. A literal reading of the language of the Senate amendment could preclude application of generally accepted procedures for selling by public advertising for bids (e.g., the rejection of insufficient bid prices).

In an earlier communication we pointed out that CSA used the competitive bidding procedure as the preferred method of selling in all cases where market conditions and trade practices would permit. We have carefully examined the market situation for magnesium and are satisfied that the sealed-bid method of selling would now be appropriate as a method for disposing of magnesium and that the interests of the Government and the industry would be best served by the use of such method. As an added indication that sales of magnesium through the sealed-bid method can be successfully and properly carried out, we have reviewed our past experience under earlier disposal authorities. The earlier sales program during which we disposed of more than 37,000 tons of excess magnesium extended over a period of several years and was successfully accomplished largely through competitive sealed-bid sales.

We can, therefore, assure you that if the disposal of magnesium is authorized without restrictive conditions and providing there are no unforeseen and drastic market changes, the material will be sold by:

(1) Publicly advertising for bids on a timely basis and under terms and conditions designed to assure full and free competition.

(2) All bids received at the time and place specified will be publicly opened and their contents publicly disclosed.

(3) Awards will be made promptly to those bidders whose bids are responsive to the bid invitation and whose bids are acceptable

to the Government, price and other factors considered.

(4) Any or all bids which are not responsive to the bid invitation or are not considered to be acceptable, price and other factors considered, will be rejected.

(5) Sales will be publicly announced and held as frequently as market requirements indicate, and the amount and frequency of such sales will be adjusted as indicated by continuing market review.

We hope this information will be helpful to you. Please do not hesitate to call on us for anything additional you may require.

Sincerely,

John G. Harlan, Jr.,
Commissioner, Property Management and Disposal Service.

Exhibit B

September 10, 1968.

Hon. Price Daniel,
Director, Office of Emergency Planning, Washington, D.C.:

With the current magnesium shortage in this country and our great need for magnesium Dow has located nine million pounds of magnesium that can be purchased in Japan. There is also a potential supply that can possibly be purchased from another foreign country. We will be forced to buy from Japan if the pending bill, H.R. 5785, permitting purchase from government stockpiles is not passed. On account of the balance of payments situation we do not want to make this purchase but have no other alternative unless the bill is passed. Our immediate needs are such that time is of the essence and we will appreciate it if you will call this matter to the attention of Congress and try and get the mater resolved.

Dr. A. P. Beutel,
Vice President, Dow Chemical Co.

The **PRESIDING OFFICER**. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

STATEMENT OF THE LEGISLATIVE RECORD OF THE SENATE FOR THE SECOND SESSION OF THE 90TH CONGRESS

Mr. **MANSFIELD**. Mr. President, once again it is time to close the doors in sine die adjournment. The second session of the 90th Congress now belongs to history.

Before discussing some of our legislative achievements during the past year—and there have been many in which Members on both sides of the aisle can take pride—it is well to recall that this session has been oppressed by some of the very same difficult problems that troubled us during the first session; to mention the most serious: the Vietnam war and civil disorders. One other ingredient was added—a presidential election year.

Such an election year heightens the emotional content of what might normally be viewed as the run-of-the-mill everyday activities. This year has not differed in that respect. Despite the emotional undercurrents of a national election, progress has been made.

It was in this year that we were saddened by the abrupt and tragic loss of two fine Americans—Senator Robert F. Kennedy and Dr. Martin Luther King.

The climate in these United States since their assassinations forcefully brought to the attention of all that Congress must do more to help the cities and States in their war on crime and must "stop the trade in mail-order murder."

So it was this session of Congress that enacted by overwhelming majorities the Omnibus Crime Control and Safe Streets Act which was sent to the President some 12 hours after the death of Senator Kennedy.

This act authorized $100.1 million for fiscal 1969 and $300 million for fiscal 1970 to improve State and local law enforcement methods; allocated block grants to States and cities with a population of 25,000 and over; permitted wiretapping by Federal, State, and local police officers acting under court authority and—just as important—outlawed unauthorized wiretapping; and prohibited interstate mail-order sales of handguns and over-the-counter sales to nonresidents, convicted felons, aliens, and minors.

It was during this session that an effective Gun Control Act finally became a reality. This act prohibited the interstate mail-order sale of all firearms to individuals; prohibited all sales of firearms, except rifles and shotguns, to persons under 21 and all sales of rifles and shotguns to persons under 18; prohibited the mail-order sales of all ammunition; and required that all dealers, manufacturers, and importers engaged in the firearms business be licensed under stringent standards. This regulatory power may turn out to be the most effective instrument yet devised to keep guns out of the hands of the criminal and irresponsible elements of our society. Law-abiding sportsmen and hunters will not be affected by these prohibitions.

To reduce the rising number of robberies which have plagued banks and savings and loans institutions, the Banks Protection Act was placed on the books.

In the field of defense, this session of Congress voted $71.8 billion for the Defense Department and of this amount approximately $25 billion was to support our troops in Vietnam. It authorized $21.6 billion to procure aircraft, missiles, naval vessels, tracked combat vessels, research, testing and development; it also gave the President authority until July 1, 1969, to mobilize units of the Ready Reserves into active duty without declaring a national emergency. It authorized $1.8 billion for military construction within and outside the United States. It authorized hostile-fire pay for the U.S.S. *Pueblo* crew. It prevented job discrimination against reservists and National Guardsmen who must attend weekly drill sessions or summer training. It liberalized the provisions of the retired serviceman's family protection plan. It extended the authority to grant an extra 30 days leave and round trip transportation for members of the uniformed services who voluntarily extend their service in a hostile fire area.

Every effort has been made to support our uniformed services at home and abroad; but this session of Congress has tried to meet the problems raised by their return to civilian life. It passed a resolution expressing the sense of Congress that employment opportunities must be made available to veterans who return from military service in Vietnam and elsewhere, and that every possible effort must be made by the Government and private enterprise to give priority in their employment programs to these men and women. It provided a $100 monthly increase in compensation payments to totally disabled veterans and an 8 percent cost-of-living increase to other veterans with service-connected disabilities. It increased the payments to each State for hospital or domiciliary care and nursing home care for veterans. It broadened and extended the compensation and educational assistance to widows of deceased veterans, and extended from 36 to 48 months the period for which a person may receive assistance under two or more programs under the War Orphans' Educational Assistance Act. And it expanded the vocational rehabilitation program for veterans to permit training on a part-time as well as full-time basis.

Since 1957 much has been accomplished toward improving conditions and guaranteeing the rights of all citizens. But it was this session of Congress that, for the first time in history, enacted an effective Federal law against discrimination in the sale and rental of housing. This will cover 80 percent of all dwellings by 1970; provide criminal penalties for forcible interference with persons seeking to exercise specifically enumerated civil rights; impose Federal penalties for persons who travel in interstate commerce or use the facilities of interstate commerce with intent to incite, organize, encourage, or take part in a riot; provide Federal penalties for persons who teach the use, application, or making of a firearm or explosive with the knowledge or intent that the firearms or explosive would be used in a civil disorder which would obstruct commerce; and grant a "bill of rights" for Indians prohibiting tribal governments from making or enforcing laws which violate specified constitutional rights. To assure equal justice, a prohibition against discriminaton on the grounds of race, color, religion, sex, national origin or economic status in the selection of Federal and petit juries was enacted. It was recommended to the States that absentee registration and voting procedures for Federal, State, and local elections be extended to all U.S. citizens temporarily residing abroad.

This country is in its 92d month of historic economic growth. To slow down a serious inflationary threat, a majority of the Congress and the President felt there should be a temporary 10-percent tax surcharge. This was enacted for both the individual taxpayer and the corporation, coupled with an expenditure control provision to help reduce the deficit spending.

As in the first session, this session of Congress expressed its concern about the American consumer. Eight years of effort were consummated by the enactment of the "truth-in-lending" bill requiring lenders and retail creditors to disclose the cost of the credit to the consumer. It launched a major study of automobile insurance; closed the gaps in our poultry inspection laws; required the full disclosure of corporate equity ownership of securities; extended margin requirements to over-the-counter securities; authorized the SEC to make a study of institutional investors; and provided a statutory framework for the registration and regulation of holding companies controlling one or more savings and loan associations.

To help achieve the national goal of a home for every American family, a $5.3 billion, 3-year, housing and urban development program was enacted. It is designed to provide 1.7 million new and rehabilitated housing units for low- and moderate-income families; establish the New Communities Act to guarantee private developers' bonds and debentures to finance land and development costs of new communities; create the National Housing Partnerships to encourage private investors to provide low- and moderate-income housing in substantial volume on a nationwide scale; authorize riot reinsurance. It also provides for a national program of flood insurance as a joint Federal-private venture; the Interstate Land Sales Full Disclosure Act; and a $1 billion authorization for model cities for fiscal 1970.

Education—which has been described as the "fifth freedom from ignorance"—has again claimed its rightful share of concern during this session. To extend existing programs through fiscal 1971 and to initiate new programs of assistance to institutions of higher education in the area of cooperative education, networks for knowledge, public service education, improved graduate programs, and law school clinical experience programs, approximately $7.342 billion was authorized in new obligational authority making a total authorization of $9,765,320,000. New life was breathed into our pursuit of prime educational TV programs. An authorization of $23 million through fiscal 1971 will provide preschool and early education programs for handicapped children. The juvenile delinquency control program received an authorization of $150 million through fiscal 1971 to assist in its prevention, treatment, and control, as well as for expanded research into this problem area.

It authorized $525 million to broaden and expand the National Science Foundation; and extended for 2 years the life of the National Foundation on the Arts and Humanities. It provided a 2-year, $21 million authorization for the sea grant college program. To speed industrial and economic growth of this Nation through improved technical and scientific knowledge, $26.6 million was authorized through fiscal 1971 for the State Technical Services Act. This session extended for 3 years the pilot breakfast programs in schools in impoverished areas and provided an authorization of $28.5 million through fiscal 1971. It authorized approximately $3.2 billion through fiscal 1972 in Federal grants to the States to assist in maintaining, extending, and improving existing vocational education programs and the development of new programs; and extended the basic manpower training programs under the Manpower Development and Training Act to June 30, 1972.

To honor Dwight D. Eisenhower, the 34th President of the United States, up to $5 million in grants was authorized for the construction of, equipment for, or renovation of educational facilities at Eisenhower College in Seneca Falls, N.Y.

It was this session of Congress that also established a National Eye Institute as a part of the National Institutes of Health complex; enacted the Fire Research and Safety Act; authorized approximately $1.2 billion through 1971 for the Health Manpower and Training Act; extended through fiscal 1971 and authorized $185 million for the regional medical programs for heart disease, cancer, stroke and related diseases; reduced the exposure of the public to all unnecessary hazardous radiation from electronic products; extended the Migrant Health Act through fiscal 1970 and authorized $21 million to carry out its provisions; extended the narcotics and alcoholism rehabilitation program through fiscal 1970 and authorized $40 million in grants; extended the Hill-Burton program of grants for the construction of hospitals through June 30, 1970, and authorized $195 million for fiscal 1970.

It also provided increased penalties for persons trafficking illegally in dangerous drugs and made possession illegal unless they were obtained by a valid prescription; extended the Solid Waste Disposal Act through fiscal 1970 at the authorized level of $32.5 million for research and demonstration programs; and authorized $3 billion, through fiscal 1971 for water pollution and vessel pollution control.

To continue a buildup of our natural resources and scenic beauty this session of Congress—established four more areas in the wilderness preserves: Great Swamp in New Jersey, Mount Jefferson in Oregon, San Gabriel and San Rafael in California; established the Redwood National Park in California and the North Cascades in Washington State; authorized construction of the central Arizona project in Arizona and New Mexico which has been before Congress some 20 or more years; established the Flaming Gorge National Recreation Area in Utah and Wyoming; established a nationwide system of trails and the National Wild and Scenic Rivers System to preserve some of America's unspoiled trails and free-flowing streams.

It was this session that provided for U.S. participation in creating a new international reserve asset, special drawing rights, within the International Monetary Fund, which would have the same feature that makes any form of money usable as a medium of exchange; that extended the life of the Export-Import Bank for 5 years and authorized the Bank to create a special fund of $500 million to facilitate through loans and guarantees export transactions to foster foreign trade; authorized $112.8 million for the Peace Corps; removed the gold cover; authorized a $1 billion increase in the callable capital stock of the Inter-American Development Bank; authorized $1.9 billion in foreign aid for fiscal 1969; and ratified the treaty promoting international cooperation in peaceful space activities by specifically providing for assistance to astronauts and return of space objects in the event of accident, distress, or emergency landing.

To honor another great American—Harry S. Truman, the 33d President of the United States—a proclamation was authorized to be issued by the President on October 24, 1968, recognizing the significant part which Mr. Truman, as President, played in the creation of the United Nations.

For more detailed information, following is a thumbnail sketch, by subject, of Senate action on major and general legislation since January 15.

Mr. President, I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the document was ordered to be printed in the RECORD, as follows:

SENATE LEGISLATIVE ACTIVITY THROUGH OCTOBER 10, 1968

(By Senate Democratic Policy Committee, 90th Congress, second session)

Days in session	156
Hours in session	862:19
Total measures passed	726
Treaties ratified	12
Confirmations	49, 100
Public laws	306

Symbols: P/H, Passed House; P/S, Passed Senate.

Following is a brief summary of major Senate activity. Presidential recommendations and bills in accord with the President's program are indicated by (PR).

AGRICULTURE

Agriculture Act of 1968: Extended for one year the farm programs under the Food and Agriculture Act of 1965. HR 17126. PL 90– (PR).

Commodity Exchange Act: Amended the act to require that commodity futures markets meet specified minimum standards, to increase the penalties for violations such as manipulation and embezzlement, to add livestock and livestock products as regulated commodities, and to authorize the issuance of cease and desist orders. PL 90–258. (PR).

Crude Pine Gum Price Support: Provided for production goals and compliance payments for a period of 3 years, 1968 through 1970. S. 2511. P/S 2/7/68. H. Cal.

Dairy Indemnity Payments: Extended to June 30, 1970 the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government. PL 90–484.

Emergency Farm Loan Funds: Authorized the Commodity Credit Corporation to make advances to the emergency credit revolving fund up to $30 million. PL 90–328.

Fair Trade Practices: Made it unlawful to discriminate against any agricultural producer because of membership in an association of producers or interference with his right to join. PL 90–288. (PR).

Farm Credit Administration Amendments: Liberalized the capitalization of Federal intermediate credit banks. PL 90–345.

Farmers Home Administration Loans and Grants: Amended the Act to include enterprises needed to supplement farm income and conversion of farms to recreation and the purposes for which loans may be made under real estate and operating. PL 90–488. (PR).

Food for Peace: Extended the Food for Peace Act for two years; encouraged greater use of local currency funds for population control; and broadened the authority for using foreign currencies for education activities. PL 90–436. (PR).

Food Stamp Program: Extended the Food Stamp program to December 31, 1970 and authorized $315 million for fiscal 1969; $340 million for fiscal 1970, and $170 million for first six months of fiscal 1971. PL 90–552. (PR).

Foot-and-Mouth Disease Control: Authorized cooperation with Central American countries to eradicate foot-and-mouth disease or rinderpest to protect the U.S. livestock industry. PL 90–388.

Loans on Leased Land in Hawaii: Extended to June 30, 1970 the Farmers Home Administration's authority to make loans to lessee-operators of farmland in Hawaii. PL 90–426.

Orange Juice Futures: Amended the Commodity Exchange Act to add frozen concentrated orange juice to the list of commodities subject to regulation under the Act. PL 90–418.

Retirement of Government Capital-Farm Credit: Expedites retirement of Government capital from Federal intermediate credit banks, production credit associations, and banks for cooperatives. PL 90–582.

School Lunch-Pilot Breakfast: Expanded the National School Lunch Act to provide federal support for lunches to children in public or private nonprofit child-care institutions and authorized $32 million a year for fiscal 1969–1971; extended for 3 years the pilot breakfast program in schools in impoverished areas and authorized $6.5 million for fiscal 1969, $10 million for fiscal 1970 and $12 million for fiscal 1971. PL 90–302. (PR).

Tobacco Acreage Allotments: Removed the statutory requirement for consent of the lienholder to a 1-year lease of a Fire-cured, Dark Air-cured, or Virginian Sun-cured tobacco allotment. PL 90–387.

U.S. Grain Standards: Made inspection with respect to interstate grain shipments permissive, rather than mandatory, in all cases except grain in a container bearing a grade designation. PL 90–487. (PR).

Wholesale Poultry Products Act: Authorized Federal assistance, including grants, to State poultry inspection programs up to 50 percent of the cost of the cooperative program; extended Federal inspection to intrastate transactions in States which fail to develop adequate State systems in two years and immediate authority to intrastate plants producing adulterated products which endanger the public where the State does not remove such danger. PL 90–492. (PR).

World Farm Center: Endorsed the concept of the World Farm Center to be located in California as an agricultural information documentation center. H. Con. Res. 413, House adopted 8/24/68.

ANTICRIME

Gun Controls: Prohibits interstate mail order sales of rifles, shotguns and ammunition and would generally bar over-the-counter sales to nonresidents of a State. PL 90–618. (PR).

Omnibus Crime Control and Safe Streets: Authorized $100.1 million for the first year and $300 million for the second year for law enforcement block grants to States and cities with a population of 25,000 and over to help cope with crime; granted authority for wiretapping by Federal, State and local police officers acting under Court authority; and prohibited interstate mail-order sales of handguns and over-the-counter sales to nonresidents of a state and to minors. PL 90–351. (PR).

APPROPRIATIONS, 1968

First Supplemental: Appropriated an additional $28 million for unemployment compensation for Federal employees and ex-servicemen. PL 90–286. (PR).

Second Urgent Supplemental: Appropriated a total of $400 million from the highway trust fund for the Federal-aid highway program, and $50,980,863 for the payment of claims and judgments. PL 90–352. (PR).

Second Supplemental: Appropriated a total of $9,019,666,096 for fiscal 1968 for various departments, of which $6,295,831,498 is new obligational authority and $2,723,834,598 is transfer and release funds. $13 million is for the summer job youth program, $5 million for Headstart, and $10 million for the expansion of the school lunch program. PL 90–392. (PR).

APPROPRIATIONS, 1969

Agriculture: Appropriated a total of $5,531,296,650 for fiscal 1969 for the Department of Agriculture and related agencies. PL 90–463. (PR).

Defense: Appropriated a total of $71,869,828,000 for the Department of Defense for fiscal 1969. PL 90–580. (PR).

District of Columbia: Appropriated a total of $540,178,988 and a federal payment of $79 million for the District of Columbia for fiscal 1969. PL 90–473. (PR).

Foreign Aid: Appropriated a total of $2,479,511,000 for foreign aid for fiscal 1969. PL 90–581. (PR).

Independent Offices: Appropriated a total of $14,570,395,000 for independent offices and the Department of Housing and Urban Development. PL 90–550. (PR).

Interior: Appropriated a total of $1,284,989,300 for fiscal 1969 for the Department of Interior and related agencies. PL 90–425 (PR).

Labor-HEW: Appropriated a total of $18,475,603,800 for the Departments of Labor-HEW and related agencies. PL 90–557. (PR).

Legislative: Appropriated a total of $298,151,396 for the Legislative branch for fiscal 1969, and placed certain restrictions on stationery allowances of Senators and required that the unused portion of such allowance at the end of fiscal years shall be covered into the general fund of the Treasury. PL 90–417. (PR).

Military Construction: Appropriated a total of $1,758,376,000 for military construction for fiscal 1969. PL 90–513. (PR).

Public Works-AEC: Appropriated a total of $4,608,421,000 for Public Works and Atomic Energy Commission. PL 90–479. (PR).

State-Justice-Commerce-Judiciary: Appropriated a total of $1,986,721,500 for the Departments of State, Justice, Commerce, the Judiciary and related agencies. PL 90–470. (PR).

Supplemental: Appropriated a total of $515,197,727 for various departments for fiscal 1969. PL 90–608. (PR).

Transportation: Appropriated a total of $1,634,266,000 for the Department of Transportation for fiscal 1969, and exempted air traffic control employees from employee ceiling provisions of the Revenue and Expenditure Control Act of 1968. PL 90–464. (PR).

Treasury-Post Office: Appropriated a total of $8,158,477,000 for fiscal 1969 for the Departments of Treasury and Post Office, Executive Office of the President and certain independent agencies. PL 90–350. (PR).

ATOMIC ENERGY AND SPACE

AEC: Authorized $2,174,550,000 for operating expenses and $443,751,000 for plant and capital equipment making a total of $2,618,301,000 for the Atomic Energy Commission for fiscal 1969. PL 90–289. (PR).

NASA Authorization: Authorized a total of $4,013,073,000 for the National Aeronautics and Space Administration for fiscal 1969 for research and development, construction of facilities, and administrative operations. PL 90–373. (PR).

CIVIL RIGHTS

Federal Jury Selection: Provided improved judicial machinery for the selection, without discrimination, of Federal grand and petit juries in order to assure all litigants that potential jurors will be selected at random from a representative cross section of the community and that all qualified citizens will have the opportunity to be considered for jury service. PL 90–274. (PR).

Protection Against Interference with Rights: Fair Housing; Incitement to Riot; and Indian Bill of Rights: Punished forcible interference with persons seeking to exercise specifically enumerated rights; provided punishment for persons who travel in or use the facilities of interstate commerce with intent to incite, organize, promote, encourage, participate in or carry on a riot; created a "bill of rights" for Indians; prohibited discrimination on account of race, color, religion or national origin in the sale or rental of housing; and added a new civil obedience title relating to firearms or explosives. PL 90–284. (PR).

CONGRESS

Art and Antiquities Commission: Established a 5-member Senate Commission on Art and Antiquities to care for, protect, and place works of art, exhibits, and historic objects in the Senate wing of the Capitol and Senate; a curator would be selected to administer the various functions. S. Res. 382. Senate adopted October 1, 1968.

Code of Ethics: Adopted a Code of Ethics for Senators, officers and Senate employees (making in excess of $15,000) covering restrictions on outside employment, contributions, political fund activity, and disclosure of financial interests. S. Res. 266. Senate adopted 3/22/68.

Franked Mail: Provided franked mail privileges for 180 days for surviving spouse of members of Congress who die in office. PL 90–368.

Joint Economic Committee Study: Authorized the Joint Economic Committee to study the distribution of population between urban and rural areas of the United States. S. Con. Res. 33. P/S 1/24/68.

Select Committee on Human Needs: Established a Select Committee on Nutrition and Human Needs to study the food, medical, and other related needs among the people of the United States and to make a report by the opening of the 91st Congress. S. Res. 281. Senate adopted July 30, 1968.

Authorized $25,000 to carry out the provisions of the above resolution. S. Res. 394. Senate adopted October 4, 1968.

DEFENSE

Civil Defense Authorities: Extended for 4 years the following three civil defense authorities—50 percent contributions to States and local governments toward the cost of personnel and administrative expenses, donations of radiological instruments to the States, and contributions for the travel and per diem expenses of trainees attending civil defense schools. PL 90–336. (PR).

Claims Commissions: Authorized the use of officers of any of the armed services on claims commissions. PL 90–521.

Congressional Alternates to Service Academies: Increased from five to nine the number of Congressional alternates for each vacancy who may be nominated by members of Congress for possible appointment to the various service academies. PL 90–374.

Continuation Pay: Makes it clear that medical officers who are critical specialists and who extend their active duty period will be eligible for continuation pay after they have completed their initial active duty obligation. PL 90–603.

Hostile-Fire Pay for Members of U.S.S. Pueblo: Authorized the Secretary of Defense to pay hostile-fire pay ($65 a month) to each member of a uniformed service (6 officers and 75 enlisted personnel) who was aboard the USS Pueblo at the time of her capture by the military forces of North Korea. The additional pay will begin January 1, 1968, and end 1 month subsequent to the repatriation of the crew member concerned. PL 90–510.

Military Construction: Authorized $1,782,844,000 in new authority and an increase in prior years' authorization of $17,375,000, making a total of $1,800,219,000 for military construction within and outside the U.S. PL 90–408. (PR).

Military Correctional Facilities: Made uniform the laws covering the administration of military correctional facilities and treatment of persons convicted under courtmartial. PL 90–377.

Military Justice Act: Improved the procedures and increased the substantive safeguards in courts-martial. PL 90–632.

Military Procurement—Defense Reserves: Authorized for fiscal 1969, a total of $21,625,750,000 for procurement of aircraft, missiles, naval vessels, tracked combat vessels, for research, development, test, and evaluation; and authorized the personnel strengths for fiscal year 1969 for the Selected Reserve of each of the Reserve components of the Armed Forces. PL 90–500. (PR).

Military Reemployment Rights: Prevents reservists and National Guardsmen not on active duty who must attend weekly drills or summer training from being discriminated against in employment because of their Reserve membership, and extended the period of active duty certain reservists or enlistees can perform without losing their reemployment rights. PL 90–491. (PR).

Multiyear Procurement: Amended military procurement law by adding authority for the Department of Defense to contract for certain services for periods up to 5 years. PL 90–378.

National Guard Technician Act of 1968: Authorized Federal employee status for the National Guard technicians to provide a uniform and adequate retirement and fringe benefits program, to recognize the military requirements and the State characteristics of the National Guard by providing for certain statutory administrative authority at the State level with respect to the technician program, and to clarify their legal status. PL 90–486.

Navy-Special Duty: Authorized an increase in the number of line officers of the Regular Navy who may be designated for duty as full-time specialists in various technical and professional fields. PL 90–386.

Navy Supply Corps and Civil Engineer Corps Officers: Provides with respect to Supply Corps and Civil Engineer Corps of the Navy that prior active commissioned service in the line or some other Staff Corps will be counted as creditable years for the purposes of severance pay and mandatory retirement dates. PL 90–502.

Renegotiation Act Extension: Extended until June 30, 1971 the Government's authority to recapture excessive profits on certain Government contracts and subcontracts. PL 90–634. (PR).

Retired Serviceman's Family Protection Plan: Liberalized various provisions of the retired serviceman's family protection plan to encourage greater participation in the program by retiring service personnel. PL 90–485. (PR).

Special Leave for Military: Extended for 2 years the authority to grant an extra 30 days leave and round trip transportation to the United States or another place of the member's choosing to servicemen who voluntarily extend their service in a hostile fire area. PL 90–330. (PR).

Stockpile disposals

Beryl Ore: Granted congressional consent to the disposal of approximately 9,888 short tons of beryl ore from the national and supplemental stockpiles. PL 90–478. (PR).

Magnesium: Disposed, by public bid, of approximately 55,000 short tons of magnesium from the national stockpile and waived the 6-month waiting period normally required. PL 90–604. (PR).

Truth in Negotiations Act Amendments: Amended military procurement law, known as the Truth in Negotiations Act, by adding a provision giving the Government the right to examine all records, documents, and other data of the contractor or subcontractor that relate to the negotiation, pricing, or performance of certain contracts or subcontracts. PL 90–512.

U.S. Court of Military Appeals: Provided that the present Court of Military Appeals be redesignated the U.S. Court of Military Appeals. PL 90–340.

DISTRICT OF COLUMBIA

Additional Judges: Authorized the expansion of the District of Columbia Court of General Sessions from 20 associate judges to 22, and increased the annual salaries of judges of the local courts. PL 90–579. (PR).

Administrative Procedures: Provided an Administrative Procedure Act for the District of Columbia covering more than 93 administrative governmental agencies within the District Government and the laws which those agencies administer. PL 90–614.

Air Pollution: Created the District of Columbia Air Pollution Control Board to investigate and control causes of air pollution in the District through standards and regulations. PL 90–440. (PR).

Alcoholic Rehabilitation Act: Provided a comprehensive program for the control of drunkenness and the prevention and treatment of alcoholism in the District of Columbia. PL. 90–452.

Chanceries: Amends the D.C. Chancery Act of October 13, 1964 to exempt from coverage cases where negotiations were begun prior to the effective date of the 1964 act and which culminated in a contract of sale prior to June 1, 1964: also permits the right of transfer to include property which is granted a chancery use under an exception. PL 90–412.

Consumer Protection: Regulates retail installment sales of consumer goods in the District of Columbia other than motor vehicles; safeguards consumers from unconscionable, or fraudulent advertising, sales, credit and collection practices; permits and encourages the development of fair and economically sound consumer credit practices; and requires disclosure of the terms of retail installment transactions. S. 2589. P/S 9/19. (PR).

Council: Amended title 18, U.S. Code, relating to conflict of interest, to classify the members of the D. C. Council as special Government employees. S. 3254. P/S 9/12. (PR).

Court of Appeals: Permits the U.S. Court of Appeals for the District of Columbia Circuit to approve an increase in the selling price of the reports containing its opinions from a price of "not more than $6.50 per volume" to a price of "not more than $12 per volume." PL 90–380.

Debt Adjusting: Prohibits the business of "debt adjusting" in the District of Columbia. S. 1739. P/S 7/19.

Disorderly Acts: Authorized the Corporation Counsel of the District of Columbia to prosecute the offenses of disorderly conduct and lewd, indecent, or obscene acts under section 22–1107 of the District of Columbia Code. PL 90–441.

District-Owned Buildings: Authorized the District to enter into contracts with private concerns for the inspection, maintenance, and repair of fixed equipment in District-owned buildings for periods up to 3 years. PL 90–573.

Elected School Board: Provided for the election of an 11-member school board in the District of Columbia at the time of the Presidential election in November. PL 90–292 (PR)

Foreclosure Notice: Required written notice of foreclosure to the owner of encumbered real property, with a copy of the notice of the District of Columbia Commissioner or his designated agent at least 30 days in advance of the date of sale. PL 90–566.

Land-Grant College: Amended the Public Education Act to name the Federal City College as the land-grant college for the District of Columbia. PL 90–354.

Liens: Provided that a judgment or decree of the U.S. District Court for the District of Columbia shall not constitute a lien until filed and recorded in the office of the Recorder of Deeds. PL 90–263.

Life Insurance Act: Liberalized the requirements with respect to financial advertising imposed upon alien life insurance companies doing business in the District of Columbia. PL 90–467.

Medical Facilities Construction Act: Authorized supplementary Federal assistance for the District of Columbia government for modernization of public or non-profit private hospitals, and for the construction of health centers, long-term and extended care facilities, diagnostic or treatment centers, rehabilitation facilities, community mental health centers, and facilities for the mentally retarded. PL 90–457.

Motor Vehicle Inspection: Authorized the D.C. Council to provide by regulation for District inspection of motor vehicles or trailers, on a voluntary basis, which at the time of such inspection are not required to be registered in D.C. PL 90–567.

Narcotic Addict Rehabilitation Act Amendments: Requires that benefits under the Narcotic Addict Rehabilitation Act be made available to defendants in criminal cases in the D.C. Court of General Sessions. S. 1514. P/S 6/26.

National Visitor Center: Authorized the Secretary of Interior to enter into an agreement with the Washington Terminal Company for the use of the Union Station as a National Visitor Center in D.C. PL 90–264. (PR).

Parking Facilities: Created a District of Columbia Parking Board and an Advisory Board authorized to issue nontaxable revenue bonds, not obligations of the Federal or District of Columbia Governments, to finance acquisition of sites for and construction of facilities for lease or sale. S. 944. Senate asked for conference 10/2/68.

Police-Firemen Pay Bill: Established a minimum base salary for police and firemen of $7,800 retroactive to October 1, 1967 and effective July 1, 1968 increased the base to $8,000. Proportionate increases were provided for all police and firemen. PL 90–320. (PR).

Presidential Inaugural Ceremonies: Revised the Presidential Inaugural Ceremonies Act to provide travel expenses and food allowances of "sanitarians" (expert health advisers) and municipal employees. PL 90–251.

Psychology: Defines and regulates the practice of psychology in the District of Columbia. S. 1864. P/S 4/24.

Reciprocal Agreements: Authorized the District of Columbia government to enter into reciprocal agreements with governmental units in Maryland and Virginia to provide police mutual aid when emergencies threaten or occur. PL 90–587.

Register of Blind Persons: Established a register of blind persons in the District of Columbia and provided for the mandatory reporting of information concerning them. PL 90–458.

Revenue Act of 1968: Increased the annual Federal payment authorization to $90 million; increased rate from 2 percent to 6 percent on individual income tax; increased the tax rate on the taxable income of businesses from 5 percent to 6 percent; increased the general sales and use tax from 3 percent to 4 percent; authorized the City Council to establish hours and days for the sale of alcoholic beverages; and prohibited the use of D.C. funds for the transportation of school children within outside of the District of Columbia. PL 90–450. (PR).

School Fare Payment: Provides that the cost of school transportation within the District of Columbia—over and above the authorized reduced school fare of 10 cents—shall be borne by the general public and not solely by transit users. PL 90–605.

School Lunch: Provided necessary funds for school lunches for needy children in the secondary schools and placed the employees of the Food Services Fund under the D.C. Government. PL 90-640.

Tax Suit Reciprocity: Authorized suits in the courts of the District of Columbia for collection of taxes owed to States, territories, or possessions or political subdivisions thereof, when the reciprocal right is accorded to the District. S. 1628. P/S 6/26.

Teachers Pay Increase: Provided an overall increase of approximately 8.3 percent in the salaries of all professional personnel in the public school system retroactive to October 1, 1967, and a second increase of approximately 10.9 percent effective July 1, 1968. PL 90-319. (PR).

Traffic Violations: Amended the Motor Vehicle Safety Responsibility Act of D.C. to make the proof of financial responsibility inapplicable in the case of minor traffic violations involving drivers' licenses and motor vehicle registration. PL 90-589.

Uniform Gifts: Amended the District of Columbia Uniform Gifts to Minors Act to provide that monetary gifts to minors in the District may be deposited in savings and loan associations, credit union, and related institutions, as well as in banks. PL 90-290.

DUTY SUSPENSIONS

Alumina—Bauxite—Copper: Extended until July 15, 1971 the suspension of duties on alumina and calcined bauxite and bauxite ore, and a similar suspension on copper until June 30, 1970. PL 90-615.

Electrodes—Aluminum: Continued until July 15, 1969, the suspension of duties on electrodes imported for use in producing aluminum. PL 90- .

ECONOMY AND FINANCE

Bankruptcy Commission: Authorized the creation of a 10-member commission to study and recommend changes in U.S. bankruptcy laws. S.J. Res. 100. P/S 9/12.

Banks Protection Act: Directed the appropriate bank supervisory agencies to issue regulations establishing minimum standards for the installation and operation of security measures on the part of federally insured banks and savings and loan associations. PL 90-389. (PR).

Deceptive Sales Act of 1968: Authorized the Federal Trade Commission to enjoin, in the U.S. District Court, unfair or deceptive acts or practices when necessary for the protection of consumers. S. 3065. P/S 7/11. (P.R.)

Defense Production Act Extension: Extended for 2 additional years, through June 30, 1970, the remaining powers of the President under the Defense Production Act of 1950; increased the amount available for the Joint Committee on Defense Production from $85,000 to $100,000 in any fiscal year; and provided for a study to be made by the Comptroller General, in cooperation with the Secretary of Defense and Director of the Budget Bureau to determine feasibility of applying uniform cost accounting standards to be used in all negotiated prime contract and subcontract defense procurements of $100,000 or more. PL 90-370. (PR).

Export-Import Bank Act Amendments of 1968: Extended the life of the Export-Import Bank of the United States for 5 years, to June 30, 1973; increased from $9 billion to $13.5 billion the limitation on the amount of loans, guarantees, and insurance permitted to be outstanding at any one time; increased from $2 billion to $3.5 billion the bank's authority to issue export credit insurance and guarantees; and banned financing exports to Communist nations but allowed the President to waive this if he finds a transaction to be in the national interest. PL 90-267. (PR).

Export-Import Bank Loans: Authorized the Export-Import Bank of the United States to use $500 million of its present statutory lending authority to facilitate through loans, guarantees, and insurance export transactions which in the judgment of the Board of Directors of the Bank, offer sufficient likelihood of repayment to justify the Bank's support in order to actively foster the foreign trade and long-term commercial interests of the United States. PL 90-390. (PR.)

Federal Credit Union Act Amendments: Amended the Federal Credit Union Act to increase the time ceiling on secured loans from 5 to 10 years, increase the unsecured loan limit up to $2,500, permit investment in the shares of State central credit unions, permit the purchase of notes of liquidating credit unions, permit delegation of borrowing authority, require semi-annual instead of quarterly audits, and authorize the Bureau of Federal Credit Unions to conduct consumer credit counseling programs for low income persons. PL 90-375. (PR.)

Flexible Interest Rates: Extended for one additional year the maximum rate of interest paid on time and savings deposits by commercial banks and insured thrift institutions to restrain excessive rate competition between financial institutions. PL 90-505. (PR.)

Gold Cover: Removed the requirement that each Federal Reserve Bank maintain reserves in gold certificates not less than 25 percent against its Federal Reserve notes in circulation, and eliminated the $156 million gold reserve for U.S. notes and Treasury notes of 1890. PL 90-269. (PR.)

Investment Company Amendments Act of 1968: Amends provisions of the Investment Company Act of 1940 which pertain to investment company management fees; mutual fund sales commissions, and periodic payment or contractual plan sales commissions; amends various provisions of the Federal securities laws to permit banks to operate commingled managing agency accounts in competition with mutual funds; and amends both the Investment Company Act of 1940 and the Investment Advisers Act of 1940 to facilitate, update and improve the administration and enforcement of these acts. S. 3724. P/S 7/26. (PR).

Public Lands: Directed that 25 percent of gross revenue from sale of timber on public lands be paid to the appropriate counties for use for public schools and roads. S. 1385. P/S 7/12.

Savings and Loan Holding Companies: Provided a comprehensive statutory framework for the registration, examination, and regulation of holding companies controlling one or more savings and loan associations, the accounts of which are insured by an agency of the Federal Government, the Federal Savings and Loan Insurance Corporation. PL 90-255. (PR).

Securities Exchange Commission—Disclosures: Required the full disclosure of corporate equity ownership of securities. PL 90-439. (PR).

SEC Margin Requirements: Extended margin requirements to over-the-counter securities. PL 90-437. (PR).

SEC Study: Authorized $875,000 for the Securities and Exchange Commission to make study of institutional investors and the effect of their transactions on our nation's securities market. PL 90-438 (PR).

Treasury Obligations: Extended for two years the authority of the Federal Reserve Board to purchase public debt obligations directly from the Treasury up to a limit of $5 billion outstanding at any one time. PL 90-300. (PR).

Truth-in-Lending Act of 1968: Required creditors to disclose to consumers the full cost of credit expressed in terms of dollars and cents, and for most forms of credit, as an annual percentage rate. PL 90-321. (PR).

EDUCATION

Educational T.V.: Extended through fiscal 1969 the authorization of $9 million for the Corporation of Public Broadcasting. PL 90-294. (PR).

Eisenhower College: Authorized not to exceed $5 million for grants to the Eisenhower College of Seneca Falls, New York, to be used for the construction and equipment of facilities. PL 90-563.

Handicapped Children: Authorized $23 million through fiscal 1971 to provide preschool and early education programs for handicapped children. PL 90-538.

Higher Education Amendments: Authorized $7,342,320,000 in new obligational authority, making total authorizations of $9,765,320,000 through fiscal 1971, for existing and new programs of assistance to institutions of higher education in the area of cooperative education, networks for knowledge, public service education, improved graduate programs, and law school clinical experience programs. PL 90-575. (PR)

Juvenile Delinquency: Authorized $150 million through fiscal 1971 to assist courts, correctional systems, and community agencies to prevent, treat, and control juvenile delinquency; and to support research and training efforts in prevention, treatment, and control of juvenile delinquency. PL 90-445. (PR).

National Foundation on the Arts and Humanities: Extended the life of the Foundation on the Arts and Humanities for two fiscal years and authorized $34 million, plus funds to match private gifts and necessary administrative expenses. PL 90-348. (PR).

National Gallery of Art: Authorized the National Gallery of Art to construct a building or buildings on a previously reserved site with all costs to be paid from private trust funds. PL 90-376. (PR).

National Science Foundation Act: Amended the act by authorizing $525 million for fiscal year 1969 for the Foundation and by making reforms in the organization and operation of both the Foundation and its governing body, the National Science Board. PL 90-407.

NEA: Liberalized the corporate power of the National Education Association; eliminated the board of trustees and transferred their duties to the executive committee of the association. S. 2628. P/S 6/28.

New Hampshire-Vermont Interstate School Compact: Authorized a compact to encourage the formation of interstate school districts between New Hampshire and Vermont. S. 3269. P/S 7/27.

Sea-Grant College Authorization: Authorized $6 million for fiscal 1969 and $15 million for fiscal 1970 to continue the national sea grant college program. PL 90-477. (PR).

Standard Reference Data: Strengthened and clarified the authority of the Secretary of Commerce to provide for the collection, evaluation, and dissemination of reliable reference data on the physical and chemical properties of materials widely used in science and industry. PL 90-396. (PR).

State Technical Services Act Authorization: Extended the State Technical Services Act for an additional three years and authorized $6.6 million for fiscal 1969, $10 million for each of fiscal years 1970 and 1971. The basic purpose of the Act is to speed industrial and economic growth of the States and the country through improved technical and scientific knowledge. PL 90-422. (PR).

Student Assistance: Continued the higher education student loan programs to October 31, 1968. PL 90-460. (PR).

Vocational Education Amendments of 1968: Authorized $3,185 million with permanent authorizations for existing programs and establishing new programs in vocational education through fiscal 1971. PL 90-576. (PR).

ELECTIONS

Election Reform Act of 1967: Extended reporting requirement to all general, special, primary, conventions, caucuses, and fund raising events; insured disclosure; and lifted the existing ceilings on spending by political committees and Congressional candidates. S. 1880. P/S 9/12/67; HR 11233. H. Cal. (PR).

Federal Voting Assistance Act Amend-

ments: Revised procedures under the Federal Voting Assistance Act to facilitate absentee balloting by members of the Armed Forces and Federal civilian employees on duty away from home. PL 90–344.

Guam Governor's Election: Provided for the popular election of the Governor and Lieutenant Governor of the Territory of Guam. PL 90–497. (PR).

Secret Service: Authorized Secret Service to furnish protection to major Presidential and Vice-Presidential candidates and authorized an appropriation of $400,000. PL 90–331. (PR).

Virgin Islands: Provided for the popular election of the Governor of the Virgin Islands. PL 90–496. (PR).

Voting Procedures: Recommended to the States that absentee registration and voting procedures for federal, state and local elections be extended to all U.S. citizens temporarily residing abroad. PL 90–343.

FEDERAL EMPLOYEES

Air Traffic Controller Overtime: Removed the limitation used in computing overtime pay or standby time pay for air traffic controllers in nonmanagerial positions, GS–14 or below; and authorized in limited cases overtime and standby time pay to be computed on an hourly rate. PL 90–556.

ASCS County Office Employees: Recognized periods of employment service in the county offices of the Agriculture Stabilization and Conservation Service for the purposes of salary adjustment, annual and sick leave, and reduction in force for former county office employees who are appointed to Federal positions in the Department of Agriculture. PL 90–367.

CIA Retirement: Made the method of providing cost-of-living increases in retired pay for those retired under the Central Intelligence Agency Retirement Act consistent with the method now provided for such increases for those retired under the Civil Service Retirement Act and other major Federal retirement systems. PL 90–539.

Federal Firefighters: Included Federal firemen under the hazardous-duty retirement provisions of existing law. S. 1507. P/S 12/15/67; H. Cal.

ICC: Allowed individual qualified Commission employees to process administrative matters. S. 758. P/S 5/14.

Overpayment: Authorizes the head of an agency and the Comptroller General of the U.S. to waive payment of claims by the United States against employees who have been overpaid. PL 90–616.

Paid Leave: Provided up to 3 days paid leave so that a Federal employee may make arrangements for or attend the funeral of an immediate relative who dies as a result of combat service; and up to 22 days paid leave for an employee who is called to active duty in the Reserves or the National Guard for the purpose of enforcing the law. PL 90–588.

Payroll Savings Deductions for Federal Employees: Permits Federal employees to purchase shares of Federal- or State-chartered credit unions through voluntary payroll allotment. PL 90–365.

Personal Property Claims: Amended the Military Personnel and Civilian Employees' Claims Act to make its provisions apply to employees of the D.C. Government. PL 90–561.

Postage Accounting: Permits prosecution of postal service employees for failure to remit postage-due collections. PL 90–384.

Postal Assaults and Employee Ceiling Waiver: Provides disciplinary action against postal service employees who assault other such employees in performance of official duties; and exempts post offices and the Bureau of Research and Engineering in the Post Office Department headquarters from provisions of the Revenue and Expenditure Control Act of 1968 requiring reductions in the number of Federal employees. PL 90–449.

Survivor Annuities for Reemployed Annuitants: Amended the Civil Service Retirement Act to provide for inclusion of certain periods of reemployment of annuitants for the purpose of computing annuities of their surviving spouses. S. 1196. P/S 5/9/67; H. Cal.

FISH

Commercial Fisheries Act Extension: Extended for an additional four years the Commercial Fisheries Research and Development Act, and authorized $650,000 for each fiscal year beginning July 1, 1969. PL 90–551.

Fisheries in Territorial Waters: Prohibited any vessel except a vessel of the United States or any master or other person in charge of such vessel to engage in activities in support of a foreign fishery fleet within the territorial waters of the United States. PL 90–427.

Fishing Vessel Exemption: Broadened the fishing vessel exemption in certain inspection and loadline laws to include cannery and fishing tender vessels which provide a wide range of services. This 5-year exemption will permit cannery and fishing tenders serving isolated areas of Alaska and the Pacific Northwest to continue the present practice of carrying fish, cargo, stores and people to and from fishing vessels, canneries and other facilities used in the salmon and crab industries. PL 90–397.

Fishing Vessel Seizure: Authorized reimbursement to the owners of fishing vessels for losses incurred through their seizure by foreign governments. PL 90–482.

Fish Protein Concentrate: Permits the Secretary of Interior to lease or construct one experiment and demonstration plant for the production of fish protein concentrate. PL 90–549 (PR).

Northwest Atlantic Fisheries Act: Implemented a protocol to the International Convention for the Northwest Atlantic Fisheries by expanding the definition of "fishing" in the Northwest Atlantic Fisheries Act to include the taking of mammals as well as fish. PL 90–420.

Pesticide Effects on Fish and Wildlife: Authorized an annual appropriation of $3.5 million for each of fiscal years 1969, 1970, and 1971 for the Fish and Wildlife Service of the Department of Interior to continue its comprehensive studies of the effects of pesticides on fish and wildlife. PL 90–394.

GENERAL GOVERNMENT

Copyright Protection: Continued until December 31, 1969, the renewal term of any copyright subsisting on the date of approval of this resolution, or the term as extended by PL 87–668, or PL 89–442, or PL 90–141, where such term would otherwise expire prior to December 31, 1969. PL 90–416.

Guam Development Fund: Established a $5 million fund for the Government of Guam to make loans to stimulate and develop private industries and private enterprise. PL 90–601.

Guam Rehabilitation Act Amendments: Made available to Guam an additional $30 million to complete the rehabilitation of the public sector of Guam from the devastation of enemy conquest, occupation, and liberation in World War II, and, more recently, from the 1962 and 1963 typhoons. PL 90–511.

Intergovernmental Cooperation Act of 1968: Improves the quality of government by making needed reforms in present procedures and opening up new areas for cooperation with the Federal system. PL 90–577. (PR).

Metric System Study: Authorize the Secretary of Commerce to make a comprehensive study to determine the impact of increasing worldwide use of the metric system of weights and measures upon the United States, and to make a report of his findings to Congress within 3 years. PL 90–472. (PR).

Public Lands: Provided for the conveyance of certain real property of the United States to the Alabama Space Exhibit Commission. PL 90–276.

Public Land Sale: Authorized the Secretary of the Interior to sell certain small parcels of land in the West which are unsuitable for cultivation. PL 90–516.

Surplus Property: Made foreign-generated surplus property available to domestic agencies. S. 1974. P/S 6/18.

U.S. Historical Documents: Extended for five years the authorization to make appropriations for allocations and grants for the collection and publication of documentary sources significant to the history of the United States. PL 90–461.

HEALTH AND WELFARE

Animal Drug Amendments of 1968: Consolidation into one place in the law all of the principal provisions of the Federal Food, Drug and Cosmetic Act which relate to premarketing clearance of new drugs for administration to animals, either directly or in their feed and water. PL 90–399.

Dangerous Drugs: Provides increased penalties for persons trafficking illegally in barbiturates, depressants, amphetamines, LSD and other hallucinogens, and makes possession of such drugs illegal unless they had been obtained by a valid prescription. PL 90–639. (PR).

Eye Institute: Established the National Eye Institute as part of the National Institutes of Health. PL 90–489. (PR).

Fire Research and Safety Act: Provided for a national fire research and safety program and created a National Commission on Fire Prevention and Control in order that more effective measures may be taken to protect against the hazards of death, injury, and damage to property as a result of fire. PL 90–259. (PR).

Hazardous Radiation Control: Reduced the exposure of the public to all unnecessary hazardous radiation from electronic products. PL 90–602. (PR).

Health Manpower Act of 1968: Authorized $1,176.8 million in new appropriations and extended through fiscal 1971 programs relating to training of nursing and other health professions and allied health professions personnel, the programs relating to student aid and health research facilities. PL 90–490. (PR).

Health Services Amendments: Extended through fiscal 1970 the following programs: regional medical programs and authorized $185 million; the Migrant Health Act and authorized $21 million; the narcotics and alcoholism rehabilitation program and authorized $40 million through fiscal 1970; the Solid Waste Disposal program through fiscal 1970 at the authorized level of $32.5 million for research and demonstration programs; and the Hill-Burton hospital construction program and retained the authorization of $180 million for fiscal 1969 and provided $195 million for fiscal 1970. PL 90–574. (PR).

Lister Hill Center: Designated the National Center for Biomedical Communications as the Lister Hill National Center for Biomedical Communications. PL 90–456.

Physically Handicapped: Required that public buildings financed with Federal funds be designed and constructed to be accessible to the physically handicapped. PL 90–480.

Vocational Rehabilitation Amendments of 1968: Amended the Vocational Rehabilitation Act to extend through 1971 the authorization of grants to States for rehabilitation services, to broaden the scope of goods and services available for the handicapped, and to authorize a total of $1.4 billion for such services. PL 90–391. (PR).

Water Quality Improvement and Vessel Pollution Control Act: Authorized $3 billion over a 3-year period to permit communities to finance the Federal share of the cost of waste treatment with repayment assured by the Federal Government; and authorized the establishment of standards for the control of vessel pollution in navigable waters. S. 3206. P/S 7/10; P/H amended 10/8 (PR).

White House Conference on the Aging: Declared as the sense of Congress that the President call a White House Conference on Aging in 1970 to make recommendations for further action and research in aging and related fields. PL 90–526.

HOUSING

Home Improvement Industry: Authorized the Federal Trade Commission, over a 1-year period, to conduct a detailed and comprehensive investigation of unfair practices within the home improvement industry, including the relationship between fraudulent contractors and their product suppliers and finance companies, and to expand and intensify, over a 3-year period, its enforcement activities in this area. S.J. Res. 130. P/S 7/11.

Housing and Urban Development Act of 1968: Authorized a $5.3 billion, 3-year program for housing, urban development, rent supplements, model cities, mass transportation, open space, water-sewer facilities, and the following new items: the establishment of a new Government bond insurance system to help finance the acquisition and development of new communities, the establishment of a new neighborhood development program as part of urban renewal; the extension of urban planning to cover rural districts; the creation of federally chartered, privately funded corporations to mobilize private investment and the application of business skills in the job of creating low- and moderate-income housing in large volume; the establishment of the National Insurance Development Corporation to provide reinsurance to insurance companies for losses paid by them resulting from riots or civil disorders; the establishment of a program of national flood insurance as a joint venture between the Federal Government and the private insurance industry; and the D.C. Insurance Placement Act. PL 90–448. (PR).

VA and FHA Interest Rates: Removed until October 1, 1969 the statutory 6 percent interest rate ceiling requirement and authorized the Secretary of HUD to set the ceiling for FHA mortgages; continued the VA authority to set interest rate ceilings but limited it to the rate set by HUD; and increased the maximum amount of the guarantee on VA-guaranteed home loans from $7,500 to $12,500. PL 90–301. (PR).

IMMIGRATION

Fees: Permits the Government to recover fees and charges for services rendered to individuals under the Immigration and Nationality Act. PL 90–609. (PR).

Naturalization of Active-Duty Personnel: Provides for the expeditious naturalization of aliens who have served in an active-duty status in the Armed Forces of the U.S. during the Vietnam hostilities or in any designated future armed conflicts. PL 90–633.

Surviving Spouse Naturalization: Permits immediate naturalization for an alien, male or female, widowed by the death of a U.S. citizen spouse on active duty in the U.S. Armed Forces, provided the alien has been admitted to the U.S. for permanent residence, is living in marital union with the U.S. citizen at the time of his death, and is otherwise qualified for naturalization. PL 90–369.

INDIANS

Adult Vocational Education: Increased the annual authorization from $15 million to $25 million for the Indian Adult Education program and on-the-job training. PL 90–252. (PR).

Agua Caliente Band: Modified Federal law which permits the Superior Court of Riverside County, California to appoint guardians and conservators for the property of Palm Springs Indians, to authorize the Secretary of the Interior to review the actions of the guardians and conservators, take remedial action when appropriate, and to divorce them from the management or disposition of trust property. PL 90–597.

Apache Tribe of the Mescalero Reservation: Authorized consolidation of judgment funds awarded to portions of the Apache Tribe of the Mescalero Reservation and use of the $8.5 million already recovered. PL 90–266.

Cherokee Nation: Authorized the conveyance of 2,668 acres of land in Oklahoma to the Cherokee Nation upon payment by the nation of $3.75 per acre to the Federal Government. PL 90–279.

Cheyenne-Arapaho Tribes: Provided for the donation of approximately 116 acres of Federal land to the Cheyenne and Arapaho Tribes of Oklahoma. PL 90–310.

Chickasaw Tribe of Oklahoma: Provided for the disposition of an award to the Chickasaw Nation by the Indian Claims Commission. Funds to cover the award in the amount of $190,934.78 were appropriated by the act of March 31, 1961. PL 90–533.

Colville-Yakima: Conferred jurisdiction of the Court of Claims to determine the respective rights of the Confederated Tribes of the Colville Reservation and the Yakima Tribes of the Yakima Reservation of the State of Washington in and to a joint judgment fund. PL 90–278.

Confederated Tribes of Colville Reservation: Authorized a $550 per capita distribution among the Indians from a claims judgment recovered by the Confederated Tribes. PL 90–531.

Creek Nation of Oklahoma: Authorize the Secretary of Interior to prepare a roll containing the names of all persons now living who are descendants of the Creek Nation of Indians of Oklahoma, and to distribute the balance of the judgment fund already appropriated, plus accumulated interest, among the enrollees equally. PL 90–506.

Creek Nation of Oklahoma and Mississippi: Authorized the Secretary of Interior to prepare a roll of all persons now living who are descendants of the Creek Nation of Indians as constituted in 1814, part of which are in Oklahoma and part in Mississippi, for distribution of an award of $3.9 million by the Indian Claims Commission. PL 90–504.

Crow: Granted mineral rights to the Crow Indians on certain lands of the Crow Reservation, Montana. PL 90–308.

Crow Creek and Lower Brule Indian Reservation: Amended existing law, which provided for the legislative taking of certain lands of the Crow Creek and Lower Brule Indian Reservations needed for the Big Bend Dam and Reservoir, by extending to September 1, 1969, the time in which an individual Indian who was not willing to accept the amount offered for his property to obtain a judicial determination of just compensation. PL 90–393.

Delaware Nation of Oklahoma: Authorized a per capita distribution to the members of the Delaware Nation of Indians of Oklahoma of a judgment fund of $1,627,244. PL 90–508.

Flathead Reservation, Montana: Authorized the disposal of certain isolated tracts of land on the reservation presently owned by the Salish and Kootenai Tribes of the Flathead Reservation and authorized the Tribes to acquire Indian- or non-Indian-owned lands to be held in trust for tribal use or conveyance to tribal members in trust. PL 90–402.

Gifts: Permits the Secretary of Interior to accept and use donations of property in furtherance of any program authorized by other provisions of law for the benefit of Indians. PL 90–333.

Higher Education: Removed the prohibition against appropriation of Federal funds for the higher education of Indian children in any sectarian school. PL 90–280.

Hualapai Reservation: Authorized leases of Indian lands on the Hualapai Reservation in Arizona up to 99 years. PL 90–355.

Indians of California: Authorized a per capita distribution among the Indians of California of the balances of two claims judgments that have been appropriated and credited to their account in the U.S. Treasury. PL 90–507.

Kiowa, Comanche, Apache Tribes: Authorized the distribution of $6 million appropriated by the Act of June 19, 1968 to satisfy a judgment awarded in favor of the Kiowa, Comanche, and Apache Tribes of Indians. PL 90–527.

Land Leases: Authorizes the Pueblos of Cochiti, Pojoaque, Tesuque and Zuni, in New Mexico to lease their trust lands for 99 years instead of 25. PL 90–570.

Loans: Authorized the Secretary of Agriculture, through the Farmers Home Administration, to make loans to any Indian tribe or tribal corporation for the purpose of acquiring lands within the tribe's reservation. S. 2401. P/S 9/11.

Muckleshoot Tribe: Provided for the disposition of a judgment in the amount of $80,377.00 awarded to the Muckleshoot Tribe of Washington by the Indian Claims Commission. PL 90–530.

National Policy: Calling for the establishment of a national policy to promote improved conditions for American Indians and Alaska natives. S. Con. Res. 11. P/S 9/12.

Navajo Indian Reservation: Broadened the provisions of existing law governing the use of revenue from oil and gas leasing on a portion of the Navajo Indian Reservation in Utah. PL 90–306.

Navajo–Ute Mountain Tribes: Authorized the Navajo tribe of the Ute Mountain Tribe to commence litigation to determine the location of a part of the common boundary between their two reservations. PL 90–256.

Northern Cheyenne Indian Reservation, Montana: Provided for a reservation in perpetuity for the benefit of the Northern Cheyenne Tribe of the minerals on or underlying the allotted lands on the Northern Cheyenne Indian Reservation. PL 90–424.

Pawnees–Oklahoma: Conveyed certain lands embraced in the Pawnee School and Agency Reserve to the Pawnee Indian Tribe of Oklahoma. PL 90–546.

Quechan Tribe: Provides for disposition of approximately a $500,000 award to the Quechan Tribe of the Fort Yuma Reservation in California. PL 90–529.

Seminoles of Oklahoma: Authorized the payment of $244,828 to the Seminole Tribe of Oklahoma. PL 90–585.

Southern Paiute Nation: Provided for the distribution and use of an award of approximately $7 million to the Southern Paiute Indians. PL 90–584.

Spokane Indian Reservation: Provided general authority to acquire and hold in trust for the Spokane Indian Tribe land within its reservation, to dispose of tribal land, and to enter into long-term leases of tribal or allotted land, all for the purpose of consolidating landownership patterns within the reservation and making the maximum utilization of the reservation land base. PL 90–335.

Spokane Tribe: Provided legislative authority for the Spokane Tribe of Indians to use the claims judgment of $6,029,831.78 for any purpose that is authorized by the tribal governing body and approved by the Secretary of Interior. PL 90–337.

Swinomish Tribal Community: Authorized the purchase, sale, exchange, mortgage, and long-term leasing of land by the Swinomish Indian Tribal Community in the State of Washington. PL 90–534.

Tiwa Indians of Texas: Recognized the Tiwa people of the pueblo of Ysleta del Sur in El Paso County, Texas, as a band of American Indians and to transfer to the State of Texas any responsibility the U.S. may have for them. PL 90–287.

Ute Mountain Tribe: Permitted the Ute Mountain Tribe to use its portion ($1,441,002.24) of an Indian Claims Commission judgment in favor of the confederated Bands of Ute Indians. PL 90–332.

Yakima Tribes: Repealed the law which limited inheritance or devise of restricted or trust property of deceased members of the Yakima Tribes to enrolled members of those tribes of one-fourth or more degree of Indian blood. S. 1764. P/S 7/3.

INTERNATIONAL (GENERAL)

Arms Control: Authorized $18.5 million for fiscal years 1969 and 1970 for the Arms Control and Disarmament Agency, and limited external research to $7 million for these years. PL 90–314. (PR).

Claims: Amended the International Claims Settlement Act to provide for an orderly liquidation of the Bulgarian and the Rumanian claims programs. PL 90–421.

Foreign Aid Authorization: Extended the foreign assistance programs for 1 year and authorized $1,974,050,000 for fiscal 1969. PL 90–554 (PR).

Foreign Military Sales Act: Authorized $296 million for fiscal 1969 to finance credit sales of U.S. military equipment to foreign countries. PL 80–929. (PR).

Foreign Service Buildings Program: Authorized $13.5 million for fiscal 1970 and $14.3 million for fiscal 1971 for operating expenses of the Foreign Service buildings program. PL 90–442.

Foreign Service Retirement: Placed annuitants of the Foreign Service retirement system on the same basis as civil service annuitants for purposes of computing future cost-of-living increases accorded civil service annuitants and increased the maximum creditable service from 35 to 40 years. S. 2003. P/S 6/26/67; HR 16903. H. Cal.

Inter-American Development Bank: Authorized the U.S. Governor of the Inter-American Development Bank to vote in favor of a $1 billion increase in the Bank's authorized callable capital stock and to agree on behalf of the U.S. to subscribe to our share of the increase, amounting to $411,760,000. PL 90–325. (PR).

International Center Complex: Authorized the Secretary of State to sell or lease approximately 34 acres of property located in the old National Bureau of Standards site to foreign governments and international organizations. PL 90–553. (PR).

International Coffee Agreement: Implements the authority to carry out and enforce the International Coffee Agreement until September 30, 1970. PL 90–634. (PR).

International Union for the Publication of Customs Tariffs: Authorized the appropriation of such sums annually as may be necessary for the payment by the U.S. of its share of the expenses of the International Union for the Publication of Custom Tariffs and of its Bureau, but not to exceed 6 percent of such annual expenses. PL 90–255.

Mobile Trade Fairs: Extended the mobile trade fair program for 1 year and authorized $166,000 for fiscal 1969. PL 90–434.

Passport Law Changes: Provided that a passport shall be valid for 5 years without renewal instead of 3 years with a renewal period of 2 years; provides for a uniform fee of $12; and eliminates the necessity of successive personal appearances by individuals who have already been issued passports. PL 90–428.

Peace Corps Authorization: Authorized $112,800,000 for the Peace Corps for fiscal 1969. PL 90–362. (PR).

Special Drawing Rights in IMF: Amended the International Monetary Fund Agreement to create a new monetary facility, the Special Drawing Rights, and to provide for U.S. participation in the Special Account. PL 90–349. (PR).

USIA Foreign Service Personnel System: Authorized a career personnel system for the professional Foreign Service officers of the U.S. Information Agency (USIA) by creating the officer category of Foreign Service information officer, paralleling the Foreign Service Corps of the Department of State. PL 90–494. (PR).

Warsaw: Recognized the 25th anniversary of the Warsaw ghetto uprising. H. Con. Res. 655. House adopted 4/23; Senate adopted 4/25/68.

World Weather Watch: Expressed the sense of Congress that the U.S. should participate in and give full support to the world weather program and that the President shall transmit to Congress before March 1 of each year a statement of the proposed participation, activities to be conducted in connection with it, department or agency to carry out these activities, and appropriations needed. S. Con. Res. 67. Senate adopted 4/1/68; P/H amended 5/20; Senate adopted House amendments 5/29. (PR).

TREATIES (PR)

Brazil Tax Convention: Eliminated double taxation resulting from the taxation of the same or items of income by both countries; established procedures for mutual assistance in the administration of income taxes; permitted a unilateral 7 percent tax credit for investments made in Brazil only after an exchange of notes between the Contracting States and approved by the Senate. Ex. J (90–1). Resolution of ratification agreed to 6/6.

Convention on International Exhibitions: Established the Bureau of International Expositions to maintain oversight over the location, timing, cost, purposes and quality of international expositions in which its members are invited to take part. Ex. P (90–1). Resolution of ratification agreed to 4/30/68.

Convention on International Hydrographic Organization: Gives treaty status to an existing international organization known as the International Hydrographic Bureau whose purpose is to make navigation easier and safer by improving nautical charts and documents. Ex O (90–1). Resolution of ratification agreed to 5/13/68.

Convention on Transit Trade of Land-Locked States: Designed to give countries having no seacoast free access to the sea on equal terms with coastal states. Ex. I (90–2). Resolution of ratification agreed to 10/4/68.

Customs Cooperation Council-Convention: Established to achieve the highest possible degree of harmony and uniformity between the customs systems of member countries and to study problems of tariff classification, valuation and customs administration. Ex. G (90–2). Resolution of ratification agreed to 10/4/68.

Foreign Arbitral Awards Convention: Designed to apply to the recognition and enforcement of arbitral awards where the persons involved have voluntarily accepted arbitration and requires a written agreement under which the parties undertake to submit their differences to arbitration; provided U.S. accession to the convention be accompanied by declarations that the U.S. will extend benefits on the basis of reciprocity and that the convention will apply only to matters arising in the commercial field. Ex. E (90–2). Resolution of ratification agreed to 10/4/68.

France Tax Convention: Replaced the existing tax conventions of 1939 and 1946, supplementary protocol of 1948, and supplementary convention of 1956, made necessary by fundamental changes in the French income tax structure and the U.S. in 1966. Ex. N (90–1). Resolution of ratification agreed to 6/6/68.

Geneva Radio Regulations Revision: Protocol to Geneva Radio Regulations made revisions, effective April 1, 1969, to provide accommodations for technical advances in the fields of maritime mobile services, telecommunications and oceanography; provided for allocation of radio frequencies for a worldwide oceanographic data transmission system. Ex. F (90–2). Resolution of ratification agreed to 10/4/68.

International Astronaut: Promotes international cooperation in peaceful space activities by specifically providing for assistance to astronauts and return of space objects in the event of accident, distresss, or emergency landing. Ex. J(90–2). Resolution of ratification agreed to 10/8/68.

International Coffee Agreement: Extended the 1962 international Coffee Agreement for a period of 5 years with certain modifications. Ex. D(90–2). Resolution of ratification agreed to 6/28/68.

International Grains Arrangement Treaty: Provided new insurance against falling prices in the wheat export trade and brings wheat exporting and wheat importing nations into partnership in the War on Hunger. Ex. A(90–2). Resolution of ratification agreed to 6/13/68.

Organization of American States: Protocol to the Charter of the Organization of American States made substantial revisions in the OAS structure and the powers of certain OAS organs to increase its capacity to function more effectively. Ex. L(90–1). Resolution of ratification agreed to 4/10/68.

Philippines Tax Convention: Designed to achieve the national objectives of improving tax equity through the elimination of double taxation and the prevention of fiscal erosion, and to promote international trade and investment between those countries and the U.S. Ex. D(89–1). Resolution of ratification agreed to 6/6/68.

Safety of Life at Sea Amendments: The six amendments are designed to improve the standards of ship safety. Ex. C(90–2). Resolution of ratification agreed to 5/13/68.

Status of Refugees Protocol: Recognized that new refugee situations have arisen since the adoption of the original Convention in 1951 and provided that equal status should be enjoyed by all refugees covered by the definition in the Convention irrespective of the originally set dateline of January 1, 1951; incorporated a "bill of rights" for refugees provided in the 1951 Convention. Ex. K(90–2). Resolution of ratification agreed to 10/4/68.

JUDICIAL

Abusive and Harassing Telephone Calls: Made it a Federal offense to make certain obscene or harassing telephone calls in interstate or foreign commerce or within the District of Columbia. PL 90–299.

Additional Circuit Judges: Provided for the appointment of nine additional circuit judges as follows: one for the third, two for the fifth, one for the sixth, four for the ninth, and one for the tenth; made permanent the four additional judgeships for the fifth circuit created by the act of March 18, 1966. PL 90–347.

Attorneys' fees: Removed arbitrary limitations on attorneys' fees for services rendered in proceedings before administrative agencies of the United States. S. 1073. P/S 11/22/67; H. Cal.

Bureau of Prisons: Authorized the Federal Bureau of Prisons to provide technical assistance to State and local governments in improving their correctional systems. PL 90–371. (PR).

Census Offenses: Repealed the provisions of law which authorize imprisonment for refusing to answer or falsely answering census questions. S. 4062. P/S 10/4.

Court of Claims: Allows persons having monetary claims within the jurisdiction of the Court of Claims to obtain all necessary relief in one action. S. 1704. P/S 7/29.

Court Procedure: Authorized application of local law in determining the effect of a claimant's contributory negligence. PL 90–522.

Desecration of the Flag: Prohibits and punishes by Federal law certain public acts of desecration of the flag. PL 90–381.

Federal Magistrates Act: Abolished the Office of U.S. Commissioner and established in lieu thereof the Office of U.S. Magistrate within the judicial branch of the Government. PL 90–578. (PR).

Judical Review of ICC Orders: Amended the Interstate Commerce Act to provide for judicial review of ICC orders in the U.S. courts

White House Conference on the Aging: Declared as the sense of Congress that the President call a White House Conference on Aging in 1970 to make recommendations for further action and research in aging and related fields. PL 90–526.

HOUSING

Home Improvement Industry: Authorized the Federal Trade Commission, over a 1-year period, to conduct a detailed and comprehensive investigation of unfair practices within the home improvement industry, including the relationship between fraudulent contractors and their product suppliers and finance companies, and to expand and intensify, over a 3-year period, its enforcement activities in this area. S.J. Res. 130. P/S 7/11.

Housing and Urban Development Act of 1968: Authorized a $5.3 billion, 3-year program for housing, urban development, rent supplements, model cities, mass transportation, open space, water-sewer facilities, and the following new items: the establishment of a new Government bond insurance system to help finance the acquisition and development of new communities, the establishment of a new neighborhood development program as part of urban renewal; the extension of urban planning to cover rural districts; the creation of federally chartered, privately funded corporations to mobilize private investment and the application of business skills in the job of creating low- and moderate-income housing in large volume; the establishment of the National Insurance Development Corporation to provide reinsurance to insurance companies for losses paid by them resulting from riots or civil disorders; the establishment of a program of national flood insurance as a joint venture between the Federal Government and the private insurance industry; and the D.C. Insurance Placement Act. PL 90–448. (PR).

VA and FHA Interest Rates: Removed until October 1, 1969 the statutory 6 percent interest rate ceiling requirement and authorized the Secretary of HUD to set the ceiling for FHA mortgages; continued the VA authority to set interest rate ceilings but limited it to the rate set by HUD; and increased the maximum amount of the guarantee on VA-guaranteed home loans from $7,500 to $12,500. PL 90–301. (PR).

IMMIGRATION

Fees: Permits the Government to recover fees and charges for services rendered to individuals under the Immigration and Nationality Act. PL 90–609. (PR).

Naturalization of Active-Duty Personnel: Provides for the expeditious naturalization of aliens who have served in an active-duty status in the Armed Forces of the U.S. during the Vietnam hostilities or in any designated future armed conflicts. PL 90–633.

Surviving Spouse Naturalization: Permits immediate naturalization for an alien, male or female, widowed by the death of a U.S. citizen spouse on active duty in the U.S. Armed Forces, provided the alien has been admitted to the U.S. for permanent residence, is living in marital union with the U.S. citizen at the time of his death, and is otherwise qualified for naturalization. PL 90–369.

INDIANS

Adult Vocational Education: Increased the annual authorization from $15 million to $25 million for the Indian Adult Education program and on-the-job training. PL 90–252. (PR).

Agua Caliente Band: Modified Federal law which permits the Superior Court of Riverside County, California to appoint guardians and conservators for the property of Palm Springs Indians, to authorize the Secretary of the Interior to review the actions of the guardians and conservators, take remedial action when appropriate, and to divorce them from the management or disposition of trust property. PL 90–597.

Apache Tribe of the Mescalero Reservation: Authorized consolidation of judgment funds awarded to portions of the Apache Tribe of the Mescalero Reservation and use of the $8.5 million already recovered. PL 90–266.

Cherokee Nation: Authorized the conveyance of 2,668 acres of land in Oklahoma to the Cherokee Nation upon payment by the nation of $3.75 per acre to the Federal Government. PL 90–279.

Cheyenne-Arapaho Tribes: Provided for the donation of approximately 116 acres of Federal land to the Cheyenne and Arapaho Tribes of Oklahoma. PL 90–310.

Chickasaw Tribe of Oklahoma: Provided for the disposition of an award to the Chickasaw Nation by the Indian Claims Commission. Funds to cover the award in the amount of $190,934.78 were appropriated by the act of March 31, 1961. PL 90–533.

Colville-Yakima: Conferred jurisdiction of the Court of Claims to determine the respective rights of the Confederated Tribes of the Colville Reservation and the Yakima Tribes of the Yakima Reservation of the State of Washington in and to a joint judgment fund. PL 90–278.

Confederated Tribes of Colville Reservation: Authorized a $550 per capita distribution among the Indians from a claims judgment recovered by the Confederated Tribes. PL 90–531.

Creek Nation of Oklahoma: Authorize the Secretary of Interior to prepare a roll containing the names of all persons now living who are descendants of the Creek Nation of Indians of Oklahoma, and to distribute the balance of the judgment fund already appropriated, plus accumulated interest, among the enrollees equally. PL 90–506.

Creek Nation of Oklahoma and Mississippi: Authorized the Secretary of Interior to prepare a roll of all persons now living who are descendants of the Creek Nation of Indians as constituted in 1814, part of which are in Oklahoma and part in Mississippi, for distribution of an award of $3.9 million by the Indian Claims Commission. PL 90–504.

Crow: Granted mineral rights to the Crow Indians on certain lands of the Crow Reservation, Montana. PL 90–308.

Crow Creek and Lower Brule Indian Reservation: Amended existing law, which provided for the legislative taking of certain lands of the Crow Creek and Lower Brule Indian Reservations needed for the Big Bend Dam and Reservoir, by extending to September 1, 1969, the time in which an individual Indian who was not willing to accept the amount offered for his property to obtain a judicial determination of just compensation. PL 90–393.

Delaware Nation of Oklahoma: Authorized a per capita distribution to the members of the Delaware Nation of Indians of Oklahoma of a judgment fund of $1,627,244. PL 90–508.

Flathead Reservation, Montana: Authorized the disposal of certain isolated tracts of land on the reservation presently owned by the Salish and Kootenai Tribes of the Flathead Reservation and authorized the Tribes to acquire Indian- or non-Indian-owned lands to be held in trust for tribal use or conveyance to tribal members in trust. PL 90–402.

Gifts: Permits the Secretary of Interior to accept and use donations of property in furtherance of any program authorized by other provisions of law for the benefit of Indians. PL 90–333.

Higher Education: Removed the prohibition against appropriation of Federal funds for the higher education of Indian children in any sectarian school. PL 90–280.

Hualapai Reservation: Authorized leases of Indian lands on the Hualapai Reservation in Arizona up to 99 years. PL 90–355.

Indians of California: Authorized a per capita distribution among the Indians of California of the balances of two claims judgments that have been appropriated and credited to their account in the U.S. Treasury. PL 90–507.

Kiowa, Comanche, Apache Tribes: Authorized the distribution of $6 million appropriated by the Act of June 19, 1968 to satisfy a judgment awarded in favor of the Kiowa, Comanche, and Apache Tribes of Indians. PL 90–527.

Land Leases: Authorizes the Pueblos of Cochiti, Pojoaque, Tesuque and Zuni, in New Mexico to lease their trust lands for 99 years instead of 25. PL 90–570.

Loans: Authorized the Secretary of Agriculture, through the Farmers Home Administration, to make loans to any Indian tribe or tribal corporation for the purpose of acquiring lands within the tribe's reservation. S. 2401. P/S 9/11.

Muckleshoot Tribe: Provided for the disposition of a judgment in the amount of $80,377.00 awarded to the Muckleshoot Tribe of Washington by the Indian Claims Commission. PL 90–530.

National Policy: Calling for the establishment of a national policy to promote improved conditions for American Indians and Alaska natives. S. Con. Res. 11. P/S 9/12.

Navajo Indian Reservation: Broadened the provisions of existing law governing the use of revenue from oil and gas leasing on a portion of the Navajo Indian Reservation in Utah. PL 90–306.

Navajo–Ute Mountain Tribes: Authorized the Navajo tribe of the Ute Mountain Tribe to commence litigation to determine the location of a part of the common boundary between their two reservations. PL 90–256.

Northern Cheyenne Indian Reservation, Montana: Provided for a reservation in perpetuity for the benefit of the Northern Cheyenne Tribe of the minerals on or underlying the allotted lands on the Northern Cheyenne Indian Reservation. PL 90–424.

Pawnees–Oklahoma: Conveyed certain lands embraced in the Pawnee School and Agency Reserve to the Pawnee Indian Tribe of Oklahoma. PL 90–546.

Quechan Tribe: Provides for disposition of approximately a $500,000 award to the Quechan Tribe of the Fort Yuma Reservation in California. PL 90–529.

Seminoles of Oklahoma: Authorized the payment of $244,828 to the Seminole Tribe of Oklahoma. PL 90–585.

Southern Paiute Nation: Provided for the distribution and use of an award of approximately $7 million to the Southern Paiute Indians. PL 90–584.

Spokane Indian Reservation: Provided general authority to acquire and hold in trust for the Spokane Indian Tribe land within its reservation, to dispose of tribal land, and to enter into long-term leases of tribal or allotted land, all for the purpose of consolidating landownership patterns within the reservation and making the maximum utilization of the reservation land base. PL 90–335.

Spokane Tribe: Provided legislative authority for the Spokane Tribe of Indians to use the claims judgment of $6,029,831.78 for any purpose that is authorized by the tribal governing body and approved by the Secretary of Interior. PL 90–337.

Swinomish Tribal Community: Authorized the purchase, sale, exchange, mortgage, and long-term leasing of land by the Swinomish Indian Tribal Community in the State of Washington. PL 90–534.

Tiwa Indians of Texas: Recognized the Tiwa people of the pueblo of Ysleta del Sur in El Paso County, Texas, as a band of American Indians and to transfer to the State of Texas any responsibility the U.S. may have for them. PL 90–287.

Ute Mountain Tribe: Permitted the Ute Mountain Tribe to use its portion ($1,441,002.24) of an Indian Claims Commission judgment in favor of the confederated Bands of Ute Indians. PL 90–332.

Yakima Tribes: Repealed the law which limited inheritance or devise of restricted or trust property of deceased members of the Yakima Tribes to enrolled members of those tribes of one-fourth or more degree of Indian blood. S. 1764. P/S 7/3.

INTERNATIONAL (GENERAL)

Arms Control: Authorized $18.5 million for fiscal years 1969 and 1970 for the Arms Control and Disarmament Agency, and limited external research to $7 million for these years. PL 90–314. (PR).

Claims: Amended the International Claims Settlement Act to provide for an orderly liquidation of the Bulgarian and the Rumanian claims programs. PL 90–421.

Foreign Aid Authorization: Extended the foreign assistance programs for 1 year and authorized $1,974,050,000 for fiscal 1969. PL 90–554 (PR).

Foreign Military Sales Act: Authorized $296 million for fiscal 1969 to finance credit sales of U.S. military equipment to foreign countries. PL 80–929. (PR).

Foreign Service Buildings Program: Authorized $13.5 million for fiscal 1970 and $14.3 million for fiscal 1971 for operating expenses of the Foreign Service buildings program. PL 90–442.

Foreign Service Retirement: Placed annuitants of the Foreign Service retirement system on the same basis as civil service annuitants for purposes of computing future cost-of-living increases accorded civil service annuitants and increased the maximum creditable service from 35 to 40 years. S. 2003. P/S 6/26/67; HR 16903. H. Cal.

Inter-American Development Bank: Authorized the U.S. Governor of the Inter-American Development Bank to vote in favor of a $1 billion increase in the Bank's authorized callable capital stock and to agree on behalf of the U.S. to subscribe to our share of the increase, amounting to $411,760,000. PL 90–325. (PR).

International Center Complex: Authorized the Secretary of State to sell or lease approximately 34 acres of property located in the old National Bureau of Standards site to foreign governments and international organizations. PL 90–553. (PR).

International Coffee Agreement: Implements the authority to carry out and enforce the International Coffee Agreement until September 30, 1970. PL 90–634. (PR).

International Union for the Publication of Customs Tariffs: Authorized the appropriation of such sums annually as may be necessary for the payment by the U.S. of its share of the expenses of the International Union for the Publication of Custom Tariffs and of its Bureau, but not to exceed 6 percent of such annual expenses. PL 90–255.

Mobile Trade Fairs: Extended the mobile trade fair program for 1 year and authorized $166,000 for fiscal 1969. PL 90–434.

Passport Law Changes: Provided that a passport shall be valid for 5 years without renewal instead of 3 years with a renewal period of 2 years; provides for a uniform fee of $12; and eliminates the necessity of successive personal appearances by individuals who have already been issued passports. PL 90–428.

Peace Corps Authorization: Authorized $112,800,000 for the Peace Corps for fiscal 1969. PL 90–362. (PR).

Special Drawing Rights in IMF: Amended the International Monetary Fund Agreement to create a new monetary facility, the Special Drawing Rights, and to provide for U.S. participation in the Special Account. PL 90–349. (PR).

USIA Foreign Service Personnel System: Authorized a career personnel system for the professional Foreign Service officers of the U.S. Information Agency (USIA) by creating the officer category of Foreign Service information officer, paralleling the Foreign Service Corps of the Department of State. PL 90–494. (PR).

Warsaw: Recognized the 25th anniversary of the Warsaw ghetto uprising. H. Con. Res. 655. House adopted 4/23; Senate adopted 4/25/68.

World Weather Watch: Expressed the sense of Congress that the U.S. should participate in and give full support to the world weather program and that the President shall transmit to Congress before March 1 of each year a statement of the proposed participation, activities to be conducted in connection with it, department or agency to carry out these activities, and appropriations needed. S. Con. Res. 67. Senate adopted 4/1/68; P/H amended 5/20; Senate adopted House amendments 5/29. (PR).

TREATIES (PR)

Brazil Tax Convention: Eliminated double taxation resulting from the taxation of the same or items of income by both countries; established procedures for mutual assistance in the administration of income taxes; permitted a unilateral 7 percent tax credit for investments made in Brazil only after an exchange of notes between the Contracting States and approved by the Senate. Ex. J (90–1). Resolution of ratification agreed to 6/6.

Convention on International Exhibitions: Established the Bureau of International Expositions to maintain oversight over the location, timing, cost, purposes and quality of international expositions in which its members are invited to take part. Ex. P (90–1). Resolution of ratification agreed to 4/30/68.

Convention on International Hydrographic Organization: Gives treaty status to an existing international organization known as the International Hydrographic Bureau whose purpose is to make navigation easier and safer by improving nautical charts and documents. Ex O (90–1). Resolution of ratification agreed to 5/13/68.

Convention on Transit Trade of Land-Locked States: Designed to give countries having no seacoast free access to the sea on equal terms with coastal states. Ex. I (90–2). Resolution of ratification agreed to 10/4/68.

Customs Cooperation Council-Convention: Established to achieve the highest possible degree of harmony and uniformity between the customs systems of member countries and to study problems of tariff classification, valuation and customs administration. Ex. G (90–2). Resolution of ratification agreed to 10/4/68.

Foreign Arbitral Awards Convention: Designed to apply to the recognition and enforcement of arbitral awards where the persons involved have voluntarily accepted arbitration and requires a written agreement under which the parties undertake to submit their differences to arbitration; provided U.S. accession to the convention be accompanied by declarations that the U.S. will extend benefits on the basis of reciprocity and that the convention will apply only to matters arising in the commercial field. Ex. E (90–2). Resolution of ratification agreed to 10/4/68.

France Tax Convention: Replaced the existing tax conventions of 1939 and 1946, supplementary protocol of 1948, and supplementary convention of 1956, made necessary by fundamental changes in the French income tax structure and the U.S. in 1966. Ex. N (90–1). Resolution of ratification agreed to 6/6/68.

Geneva Radio Regulations Revision: Protocol to Geneva Radio Regulations made revisions, effective April 1, 1969, to provide accommodations for technical advances in the fields of maritime mobile services, telecommunications and oceanography; provided for allocation of radio frequencies for a worldwide oceanographic data transmission system. Ex. F (90–2). Resolution of ratification agreed to 10/4/68.

International Astronaut: Promotes international cooperation in peaceful space activities by specifically providing for assistance to astronauts and return of space objects in the event of accident, distresss, or emergency landing. Ex. J(90–2). Resolution of ratification agreed to 10/8/68.

International Coffee Agreement: Extended the 1962 international Coffee Agreement for a period of 5 years with certain modifications. Ex. D(90–2). Resolution of ratification agreed to 6/28/68.

International Grains Arrangement Treaty: Provided new insurance against falling prices in the wheat export trade and brings wheat exporting and wheat importing nations into partnership in the War on Hunger. Ex. A(90–2). Resolution of ratification agreed to 6/13/68.

Organization of American States: Protocol to the Charter of the Organization of American States made substantial revisions in the OAS structure and the powers of certain OAS organs to increase its capacity to function more effectively. Ex. L(90–1). Resolution of ratification agreed to 4/10/68.

Philippines Tax Convention: Designed to achieve the national objectives of improving tax equity through the elimination of double taxation and the prevention of fiscal erosion, and to promote international trade and investment between those countries and the U.S. Ex. D(89–1). Resolution of ratification agreed to 6/6/68.

Safety of Life at Sea Amendments: The six amendments are designed to improve the standards of ship safety. Ex. C(90–2). Resolution of ratification agreed to 5/13/68.

Status of Refugees Protocol: Recognized that new refugee situations have arisen since the adoption of the original Convention in 1951 and provided that equal status should be enjoyed by all refugees covered by the definition in the Convention irrespective of the originally set dateline of January 1, 1951; incorporated a "bill of rights" for refugees provided in the 1951 Convention. Ex. K(90–2). Resolution of ratification agreed to 10/4/68.

JUDICIAL

Abusive and Harassing Telephone Calls: Made it a Federal offense to make certain obscene or harassing telephone calls in interstate or foreign commerce or within the District of Columbia. PL 90–299.

Additional Circuit Judges: Provided for the appointment of nine additional circuit judges as follows: one for the third, two for the fifth, one for the sixth, four for the ninth, and one for the tenth; made permanent the four additional judgeships for the fifth circuit created by the act of March 18, 1966. PL 90–347.

Attorneys' fees: Removed arbitrary limitations on attorneys' fees for services rendered in proceedings before administrative agencies of the United States. S. 1073. P/S 11/22/67; H. Cal.

Bureau of Prisons: Authorized the Federal Bureau of Prisons to provide technical assistance to State and local governments in improving their correctional systems. PL 90–371. (PR).

Census Offenses: Repealed the provisions of law which authorize imprisonment for refusing to answer or falsely answering census questions. S. 4062. P/S 10/4.

Court of Claims: Allows persons having monetary claims within the jurisdiction of the Court of Claims to obtain all necessary relief in one action. S. 1704. P/S 7/29.

Court Procedure: Authorized application of local law in determining the effect of a claimant's contributory negligence. PL 90–522.

Desecration of the Flag: Prohibits and punishes by Federal law certain public acts of desecration of the flag. PL 90–381.

Federal Magistrates Act: Abolished the Office of U.S. Commissioner and established in lieu thereof the Office of U.S. Magistrate within the judicial branch of the Government. PL 90–578. (PR).

Judical Review of ICC Orders: Amended the Interstate Commerce Act to provide for judicial review of ICC orders in the U.S. courts of appeals, with review by the Supreme Court by the discretionary writ of certiorari. S. 2687. P/S 9/5.

Judicial Survivors Annuity System: Allowed entry into the survivorship plan of a judge who is unmarried at the time he takes office and who does not marry until after expiration of the 6-month period in which he must now elect to participate in the judicial survivors annuity system. PL 90–466.

Local Law Enforcement Officers: Provided compensation for law enforcement officers not employed by the United States killed or injured while apprehending persons suspected of committing Federal crimes. PL 90–291. (PR).

Multidistrict Litigation: Provided formal machinery to transfer, for coordinated or consolidated pretrial procedures, civil actions pending in different judicial districts, that have one or more common questions in fact. PL 90–296.

Tort Claims: Authorized U.S. Comptroller General to administratively settle tort claims arising in foreign countries. S. 2999. P/S 9/12.

Traveler's Checks: Made it a Federal crime to transport in interstate or foreign commerce, with unlawful intent, traveler's checks bearing forged countersignatures. PL 90–535.

TVA: Provided that the issue of just compensation may be tried by a jury in any case involving the condemnation of real property by the Tennessee Valley Authority. PL 90–536.

LABOR

MDTA: Extended the basic manpower training programs under the Manpower Development and Training Act to June 30, 1972. S. 2639. PL 90– . (PR.)

Railroad Retirement: Amended the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act to provide increases in railroad retirement benefits to approximately 653,000 persons in amounts equal to 110 percent of the amounts they would have received had they been Social Security beneficiaries. PL 90–257. (PR.)

MEMORIALS AND PARKS

Benito Pablo Juarez: Authorized the erection of a statue of Benito Pablo Juarez on public grounds in the District of Columbia. PL 90–593.

Biscayne National Monument: Authorized $27,475,000 for the establishment of the Biscayne National Monument in Florida. PL 90–593.

Carl Sandburg Home: Established the Carl Sandburg Home as a National Historic Site in North Carolina. PL 90–592.

Cradle of Forestry in America: Established the Cradle of Forestry in America in the Pisgah National Forest in North Carolina to promote knowledge about forestry education and forest land management. PL 90–398.

Fort Point National Historic Site: Establishes the Fort Point National Historic Site as a unit of the national park system in San Francisco, California. S. 2159. P/S 7/8.

Monday Holidays: Changed the observance of Washington's birthday from February 22 to the third Monday of February; Memorial Day from May 30 to the last Monday in May; Veterans Day from November 11 to the fourth Monday in October; and established the second Monday in October as Columbus Day. PL 90–363.

Redwood National Park: Authorized up to $92 million to establish a Redwood National Park in northern California. PL 90–545 (PR).

Robert S. Kerr Center: Established the Robert S. Kerr Memorial Arboretum and Nature Center in the Ouachita National Forest in Oklahoma, to promote learning about nature and forest land management. PL 90–327.

Saugus Iron Works: Established the Saugus Iron Works National Historic Site in Massachusetts; provided for its administration as a unit of the national park system; and authorized $400,000 for rehabilitation and construction work. PL 90–282.

Walt Disney Medal: Authorized the Secretary of Treasury to strike one gold medal and up to 100,000 bronze duplicates in recognition of the outstanding contributions made by the late Walt Disney. PL 90–316.

Woodrow Wilson Memorial: Established within the Smithsonian Institution a Woodrow Wilson International Center for Scholars as a living memorial to the 28th President of the U.S. S. 3174. P/S 10/3; P/H amended 10/7.

PROCLAMATIONS

Family Health Week: Authorized the President to proclaim the week of November 17 through 23, 1968, as "National Family Health Week." PL 90–499.

Family Reunion Day: Authorized the President to proclaim August 11, 1968, as Family Reunion Day and to call upon the people of the U.S. to observe with appropriate ceremonies and activities. PL 90–405.

Harry S. Truman: Authorized the President to issue a proclamation October 24, 1968 recognizing the significant part which Harry S. Truman, as President of the U.S., played in the creation of the United Nations. PL 90–558.

Hispanic Heritage Week: Designated the week including September 15 and 16 to be annually proclaimed by the President as "National Hispanic Heritage Week" and requested President call upon the people of the United States, especially the educational community, to observe such week with appropriate ceremonies. PL 90–498.

Professional Photography Week: Authorized the President to issue a proclamation designating the week of August 4 through 10, 1968 as "Professional Photography Week." PL 90–443.

Safety Patrol Week: Designated the second week of May of 1968 as National School Safety Patrol Week, and requested the President to issue a proclamation calling upon all people of the United States to observe such week with appropriate ceremonies. PL 90–277.

Salute to Eisenhower Week: Authorized the President to issue a proclamation designating the week of October 13, 1968 as "Salute to Eisenhower Week" and calling on the people of the United States to observe such week with appropriate ceremonies. PL 90–406.

Save Your Breath Month: Authorized the President to proclaim National Jewish Hospital Save Your Breath Month. PL 90–281.

Treaty of Peace: Authorized the President to issue a proclamation designating the calendar year 1968 as the centennial of the signing of the 1868 treaty of peace between the Navajo Indian Tribe and the U.S. PL 90–309.

Youth Week: Provided that the Congress of the United States proclaim the week beginning May 1 of next year as Youth Week, and urged all departments of government, civic, fraternal, and patriotic groups, and citizens to participate in its observance. S.J. Res. 153. P/S 6/24.

REORGANIZATION

Executive Reorganization and Management Act: Established a Hoover-type 8-member commission to undertake a comprehensive and in-depth analysis of the organization and management of the executive branch of the Federal Government and report its findings no later than 2 years after its appointment. S. 3640. P/S 7/27.

Plan No. 1: Transferred the Bureau of Narcotics from the Treasury Department and the Bureau of Drug Abuse Control from HEW and created the Bureau of Narcotics and Dangerous Drugs in the Department of Justice. Effective 4/8/68. (PR).

Plan No. 2: Transferred urban mass transportation programs to the Department of Transportation and established an Urban Mass Transportation Administration within the Department. Effective 6/30/68. (PR).

Plan No. 3: Brought recreation programs under the authority of the D.C. Commissioner and abolished the present Board and the Office of the Superintendent of Recreation. Effective 6/30/68. (PR).

Plan No. 4: Strengthened the D.C. Commissioner's authority to initiate and guide the administration of urban renewal by authorizing him to appoint the five members of the Redevelopment Land Agency Board and to prescribe the rules and regulations of the Redevelopment Land Agency. Effective 5/23/68. (PR).

RESOURCE BUILDUP

Alewife Control: Authorized $5 million for the control of the alewife, smelts and other fish and aquatic life in the waters of the Great Lakes which affect adversely the fish resources and ecological balance of the Great Lakes. S. 2123. P/S 4/4.

Cape Hatteras: Authorized the necessary appropriations to satisfy civil judgments for acquisition of lands for the Cape Hatteras National Seashore in North Carolina. PL 90–326.

Colorado River Basin Project: Authorized $832.1 million for the construction of the Colorado River Basin project in Arizona and New Mexico; and $392 million for five projects in the upper basin. PL 90–537. (PR).

Conservation Program on Military Reservations: Authorized not to exceed $500,000 a year for a period of 3 fiscal years—1969-1971—to carry out fish and wildlife conservation programs on military reservations and to promote the enhancement and development of related fish and wildlife recreational programs. PL 90–465.

Eklutna Project, Alaska: Makes nonreimbursable the cost of the work which was necessary to rehabilitate the Eklutna Federal hydroelectric power project in Alaska because of damage caused by the earthquake of March 27, 1964. PL 90–523.

Estuarine Areas: Authorized the Secretary of Interior to conduct a study and inventory of the Nation's estuaries and the waters of the Great Lakes, and to submit a report to the Congress, through the President, not later than January 30, 1970. PL 90–454.

Feasibility Investigations: Authorized the Secretary of Interior to engage in feasibility investigations of certain water resource developments in the States of Oklahoma, North Dakota, Arizona, and Oregon. PL 90–254.

Flaming Gorge: Established the Flaming Gorge National Recreation Area in Utah and Wyoming. PL 90–540. (PR).

Foss Reservoir: Authorized the Secretary of the Interior to conduct feasibility studies of ways and means of alleviating the problems encountered by the Foss Reservoir Master Conservancy District associated with the poor quality and supply of water stored in Foss Reservoir, Washita River Basin, Oklahoma, and afforded relief to the district from the burden under its repayment contract wherein it is obligated to pay for water that is unusable. PL 90–311.

Great Lakes Basin Compact: Granted the consent of Congress to the creation of a Great Lakes Commission composed of representatives of the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin. PL 90–419.

Great Swamp Wilderness: Designated approximately 3,750 acres of the Great Swamp National Wildlife Refuge, including the M. Hartley Dodge and Harding sections, in Morris County, New Jersey, as part of the national wilderness preservation system. PL 90–532. (PR).

Kortes Unit Modification: Permits the Secretary of Interior to operate the Kortes unit. Missouri River Basin Project, Wyoming, in such a manner as to maintain sufficient flow in the North Platte River below Kortes Dam to enhance fisheries. S. 2553. P/S 10/2.

Land-Leases—California: Increased to 55 years (from 30) the length of time the Secretary of Interior may lease lands at El Portal, adjacent to Yosemite National Park, California, to concessioners operating in the park. PL 90–409.

Land and Water Conservation Fund: Authorized an appropriation from general revenues to make the total annual income into the fund amount to $200 million for each of fiscal years 1969–1973, with receipts from Outer Continental Shelf activities covered into the fund to the extent that appropriations from the general fund fail to achieve the objectives. PL 90–401. (PR).

Migratory Birds: Replaced the Secretary of Commerce with the Secretary of Transportation as a member of the Migratory Bird Conservation Commission. PL 90–261.

Missouri River Basin Project: Authorized an additional $59 million for fiscal 1969 and 1970 to continue the program of the Bureau of Reclamation for investigation and construction of the comprehensive plan for the Missouri River Basin project. PL 90–315. (PR).

Monomoy Wilderness: Designated as wilderness Monomoy Island located within the Monomoy National Wildlife Refuge in Barnstable County, Massachusetts. S. 3425. P/S 7/10. (PR).

Mountain Park Reclamation Project, Oklahoma: Authorized the Secretary of Interior to construct, operate and maintain the Mountain Park reclamation project, Oklahoma. PL 90–503.

Mount Jefferson Wilderness: Designated the Mount Jefferson Wilderness in Oregon as part of the national wilderness preservation system. PL 90–548. (PR).

National Water Commission: Established a seven-member National Water Commission to make a comprehensive review of national water resource problems and programs. Limited the life of the Commission to 5 years and the appropriation to $5 million. PL 90–515. (PR).

Nationwide System of Trails: Established the nationwide system of trails composed of the following four classes of trails to serve the needs of the American people—national recreational trails; national scenic trails; connecting and side trails; and State and metropolitan area trails. Authorized up to $5.5 million for land acquisition for the Appalachian and Pacific Coast Trails. PL 90–543. (PR).

Navajo Reservoir, New Mexico: Granted authority to the Secretary of Interior to enter into three repayment contracts for water for industrial purposes from the Navajo Reservoir in New Mexico. PL 90–272.

North Cascades: Established the North Cascades National Park and Ross Lake and Lake Chelan National Recreation Areas, designated the Pasayten Wilderness, and modified the Glacier Peak Wilderness, in the State of Washington. PL 90–544. (PR).

Oahe Unit: Reauthorized the initial stage of the multipurpose Oahe irrigation unit, Missouri River Basin project, and authorized $191,670,000 for new construction. PL 90–453.

Ocean Exploration: Expressed the sense of Congress that the U.S. should participate in and give full support to an International Decade of Ocean Exploration. S. Con. Res. 72. P/S 7/29.

Omnibus Rivers and Harbors—Flood Control: Authorized $1,669,894,000 for the construction of 73 navigation beach erosion control, flood control, and multiple-purpose and related projects, and 13 basin monetary authorizations. PL 90–483. (PR).

Padre Island: Authorized the appropriation of such sums as are necessary to satisfy final judgments against the U.S. in two condemnation proceedings which were brought to acquire property for the Padre Island National Seashore in Texas. PL 90–594.

Palmetto Bend Reclamation Project: Authorized $34.1 million to construct stage 1 of the Palmetto Bend multipurpose water resource development project in Texas, and $2.7 million for the acquisition of lands for stage 2 of the project. PL 90–562.

Pelican Island Wilderness: Designated the Pelican Island in Florida as a unit of the national wilderness preservation system. S. 3343. P/S 7/10. (PR).

Recaptured-Relicensing Power: Established more adequate procedures for determining whether, upon the expiration of a non-Federal hydroelectric power project license, a project should be recaptured by the Federal Government or relicensed. PL 90–451. (PR).

Reclamation Feasibility Studies: Authorized the Secretary of Interior to undertake feasibility studies of three reclamation projects in Colorado and Oregon. S. 3575. P/S 7/3.

Saline Water Conversion: Authorized $24.556 million for fiscal 1969 for the Saline Water Conversion program. PL 90–297. (PR).

San Gabriel Wilderness: Designated 36,000 acres of the Angeles National Forest in California as the San Gabriel Wilderness. PL 90–318. (PR).

San Rafael Wilderness: Designated as the first addition to the National Wilderness Preservation System since its establishment in 1964, 143,000 acres of land located in the Los Padres National Forest, Santa Barbara County, California, as the San Rafael Wilderness. PL 90–271. (PR).

Water Resources Planning Act Amendments: Increased from $700,000 to $900,000 the annual authorization for the administrative functions of the Water Resources Council under all titles of the Act. PL 90–547. (PR).

Watershed Project Contract Procedure: Amended the Watershed Protection and Flood Prevention Act to permit the Secretary of Agriculture, upon request of the local organization, to contract for the construction of works of improvement. PL 90–361.

Wild and Scenic Rivers Act: Established the National Wild and Scenic Rivers System to preserve some of America's unspoiled and free-flowing streams or their segments. PL 90–542. (PR).

Wilderness Areas in Michigan, Wisconsin, and Maine: Designated as units of the National Wilderness Preservations System the Seney, Huron Islands, and Michigan Islands Wilderness areas in the State of Michigan, the Wisconsin Islands Wilderness in the State of Wisconsin, and the Edmunds Wilderness and Birch Islands Wilderness in the State of Maine. All of the lands included are presently within the National Wildlife Refuge System. S. 3502. P/S 7/10. (PR).

TAXATION

Chinese Gooseberries: Made fresh gooseberries subject to a tariff rate equivalent to the general tariff level applied to berries rather than the tariff level applied to "other" fruits, which would change the rate from 17.5 percent ad valorem to 0.75 cents per pound. PL 90–564.

Iron Castings: Restored the tariff on certain unfinished nonmalleable cast iron parts which was applicable to such parts immediately prior to August 31, 1963, the effective date of the Tariff Schedules of the U.S. PL 90–638.

Political Advertising: Modified the present restriction denying a deduction for an amount paid or incurred for advertising in a political convention program to allow a deduction for the cost of this advertising under certain limited circumstances. PL 90–346.

Revenue and Expenditure Control Act of 1968: Extended the 7 percent excise tax on automobiles and the 10 percent on telephone communications through December 31, 1969; accelerated corporate tax payments; provided a 10 percent surtax on individuals effective April 1, 1968 and on corporations effective January 1, 1968; provided for an expenditures reduction of $6 billion and a $10 billion reduction in obligated authority; and terminated as of May 1, 1968 the tax-exempt status of industrial revenue bonds in the case of any issue over $1 million unless there was a prior commitment. PL 90–364. (PR.)

Unemployment Trust Fund Use: Extended for an additional 5 years the period during which States may obligate, for administrative purposes, certain funds transferred from excess Federal unemployment tax collections. PL 90–430.

TRANSPORTATION AND COMMUNICATIONS

Agricultural Cooperative Transportation Exemption: Empowered the Interstate Commerce Commission to restrict cooperatives from transporting more than 15 percent of their total interstate tonnage for nonmembers including the Federal Government. PL 90–433.

Aircraft Loans: Extended for an additional 5 years the aircraft guarantee loan program. PL 90–568.

Aircraft Noise Abatement: Authorizes and requires the Federal Government to establish and apply noise reduction standards to the issuance of certificates under title VI of the Federal Aviation Act, and to prescribe and amend rules and regulations necessary to provide for the control and abatement of aircraft noise. PL 90–411. (PR).

Auto Theft Prevention Act: To deter the mailing of master keys designed to operate motor vehicle ignition switches, made nonmailable master keys and advertisements offering master keys for sale. Provides criminal penalties for violation of the statute. PL 90–560. (PR).

Automobile Insurance Investigations: Authorized $2 million for the Secretary of Transportation, in cooperation with other Federal agencies, to conduct a comprehensive 24-month study and investigation of the automobile insurance system. PL 90–313. (PR).

Blue Ridge Parkway Extension: Authorized $87,536,000 for the construction of a 180-mile extension of the Blue Ridge Parkway and provided authority for the acceptance of donations of lands needed for the extension. PL 90–555.

Cargo Containers: Prevented the application of discriminatory policies or practices by any Government agency against any carrier by giving preference as between them on the basis of length, height or width of cargo container cells, except when required by military necessity. PL 90–268.

Coast Guard: Authorized $136 million for the capital requirements of the Coast Guard for ships, planes, shore facilities, aids to navigation, and bridge construction for fiscal 1969. PL 90–334. (PR).

Coast Guard Claims: Authorized settlement of claims up to $5,000 which are incident to noncombat activity of the Coast Guard. PL 90–525.

Coast Guard Officers: Raised the limitation on the maximum number of officers, excluding commissioned warrant officers, on active duty which could be authorized for the U.S. Coast Guard from 4,000 to 5,000. PL 90–385.

Coastwise Trade: Permits the following additional kinds of merchandise to be carried by vessels of foreign register between points within the U.S., if the country of registry extends reciprocal privileges to U.S. vessels; equipment for use with cargo vans, lift vans, or shipping tanks; empty barges designed for carriage aboard a vessel; certain empty instruments of international traffic; and stevedoring equipment and material. PL 90–474.

Construction-Differential Subsidy: Extended for one year the present 55% ceiling on construction-differential subsidy payments and 60% on reconstruction or reconditioning of passenger ships. PL 90–572.

Equal Time: Suspended for the 1968 campaign the equal time requirements of section 315 of the Communications Act of 1934 for nominees for the Office of President and Vice President. S.J. Res. 175. P/S 5/29; P/H amended 10/9.

Federal Aid Highway Act of 1968: Authorized $12,307,500,000 in new funds for the Federal Aid Highway programs for fiscal years 1970 and 1971; established a program to assist those displaced and dislocated by Federal aid highway construction in reestablishing their homes, farms, and businesses; and provided funds for the highway beautification program. PL 90–495. (PR).

Freight Charge Refunds: Empowered the Federal Maritime Commission to authorize common carriers by water in foreign commerce to make voluntary refunds to shippers and to waive the collection of a portion of freight charges where it appears that there is an error in a tariff of a clerical nature, or where, through inadvertence, there has been a failure to file a tariff reflecting an intended rate. PL 90–298.

High-Speed Ground Transportation Extension: Extended to June 30, 1971 the authority of the Secretary of Transportation to undertake research and development and to conduct demonstrations in high-speed ground transportation, and authorized $16.2 million for fiscal 1969 and $21.2 million for fiscal 1970. PL 90–423. (PR).

Interoceanic Canal Study Commission: Extended to December 1, 1970, the time by which the Commission must complete its study and make recommendations concerning a site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans, and authorized an additional $6.5 million. PL 90–359. (PR).

Interstate Shipments of Intoxicating Liquors: Requires that interstate shipments of intoxicating liquors be accompanied by bill of lading, or other document, showing certain information in lieu of requiring such to be marked on the package. PL 90–518.

Loan Insurance: Removed the 6 percent statutory interest ceiling on loans and mortgages insured under title XI of the Merchant Marine Act, and authorized the Secretary of Commerce to approve such interest rates as he determines to be reasonable. PL 90–341.

Mail Frauds: Revised the provisions of existing law prohibiting the use of the mails for fraudulent and lottery matter. PL 90–590.

Maritime Programs: Authorized a total of $429,451,000 for Maritime programs for fiscal 1969, which included $200 million for construction and $10,960,000 for research. PL 90–471. (PR).

Masters' Liens for Wages: Granted to the master of a vessel documented, registered, enrolled, or licensed under the laws of the U.S. the same lien for his wages against such vessel, and the same priority therefor, as any other seaman serving on such vessel. PL 90–293.

National Traffic and Safety Act: Amended the National Traffic and Motor Vehicle Safety Act of 1966 to temporarily exempt limited production motor vehicles (less than 500) from any motor vehicle safety standard if compliance would cause the manufacturer substantial economic hardship and would not result in undue hazard to the public. PL 90–283.

Ocean Cruises: Permitted any U.S.-flag passenger ship receiving operating subsidy payments to engage in cruise trade off its assigned trade route for up to 7 months of the year if the Secretary of Commerce finds that such off-route cruising will not prevent adequate service on the vessel's assigned trade route nor substantially adversely affect an existing U.S.-flag operator's services. PL 90–358.

Parcel Distribution Services Advisory Commission: Extended the reporting deadlines of the Commission from January 1, 1968, to June 30, 1969, and from January 1, 1969, to June 30, 1970, and increased the authorization from $100,000 to $300,000. The Commission is to make recommendations concerning the adequacy of existing services, improvement methods, simplification of rate structure, and other matters relating to parcel distribution. S. 3656. P/S 6/19.

Passenger Vessels: Postponed for two years the date on which passenger vessels operating solely on the inland rivers and waterways must comply with certain safety standards. PL 90–435.

Pipeline Safety: Authorized the Secretary of Transportation to prescribe safety regulations for the transport of natural gas by pipeline. PL 90–481. (PR).

Radio Frequency Interference: Empowered the Federal Communications Commission to prescribe regulations for the manufacture, sale, offer for sale, shipment, and import of devices which cause harmful interference to radio communications and reception. PL 90–379.

Supplemental Air Transportation: Amended the Federal Aviation Act of 1958 to give specific statutory authority to supplemental air carriers to conduct inclusive tour charter trips. PL 90–514.

Vehicle Weights and Dimensions: Amended the Federal Aid Highway Act to increase the vehicles weight and width which a State may lawfully permit on the Interstate Highway system. S. 2658. P/S 4/4. H. Cal.

Water Carrier Financing: Made equipment trust certificate financing available to the water carrier industry by extending the same recordation and limited bankruptcy benefits now available to the railroads and the airlines. S. 913. PL 90– .

TRUST TERRITORY

Civil Government for Trust Territory of Pacific Islands: Authorized increased appropriations for the Trust Territory of the Pacific Islands for civil works and administrative programs; increased the present authorization of $35 million for fiscal 1969 to $120 million for fiscal years 1970, 1971, and 1972; and authorized up to $10 million for any single disaster, principally typhoons, that strikes the territory. PL 90–617.

Economic Development of Trust Territory of Pacific Islands: Established a Trust Territory of the Pacific Islands Economic Development Loan Fund to promote the development of private enterprise and private industry in the trust territory; and would bring the total economic development authorization fund to a $5 million level. S. 3073. P/S 5/28.

Political Status: Provided for the development of methods by which the people of the Trust Territory of the Pacific Islands may express their wishes with respect to their future political status. S.J. Res. 106. P/S 5/29. (PR).

VETERANS

Disabled Veterans Compensation Increase: Provided a $100 monthly increase in compensation payments to totally disabled veterans whose disability is service connected; an 8 percent cost-of-living increase in compensation payments to other veterans with service-connected disabilities; and authorized medical devices on an outpatient basis to totally disabled veterans. PL 90–493. (PR).

Education and Training: Liberalized the eligibility and educational assistance under the G.I. bill of rights and established educational benefits for widows and wives of totally disabled veterans. PL 90–631. (PR).

Federal Payments to States: Increased payment by the Federal Government to State homes for domiciliary and hospital care from $2.50 to $3.50 and for nursing home care from $3.50 to $5; and extended for 5 additional years matching grants of $5 million each year for States to construct nursing homes. PL 90–432. (PR).

Job Opportunities for Returning Veterans: Expressed the sense of Congress that employment opportunities be made available to veterans who return from military service in Vietnam and elsewhere, and that every possible effort be made by the Government and private enterprise to give priority in their employment programs to such veterans. H. Con. Res. 705. P/H 4/24/68; P/S amended 7/3; H. adopted S. amdts. 7/30. (PR).

Medical Care: Provided nursing home care and contract hospitalization for certain veterans in Alaska and Hawaii. HR 3593. P/S amended 7/15; P/H amended 10/3; P/S amended 10/10.

Nursing Home Care for Veterans: Increased the maximum amount which the Veterans' Administration can pay to community nursing homes for veterans who have exhausted their hospital benefits and need extended care. PL 90–429.

Pensions' Protection Act: Provided that increased Social Security benefits would not affect veterans' pensions until 1970, when pensions would be gradually adjusted to take into account the increased Social Security benefits. PL 90–275. (PR).

Vocational Rehabilitation: Expanded the vocational rehabilitation program for veterans to permit training on a part-time as well as full-time basis, with subsistence payments for part-time training proportionately reduced from the full-time level. PL 90–431. (PR).

SUMMARY OF ACTIVITIES OF THE COMMITTEE ON PUBLIC WORKS

Mr. MANSFIELD. Mr. President, I am pleased to present to the Senate the very outstanding record of the Committee on Public Works. This committee, under the leadership of the Senator from West Virginia [Mr. RANDOLPH], is not only constantly reviewing the programs under its jurisdiction such as Federal aid highways and water pollution, but also handles all legislation with expertise and rapidity. Its courteous and competent staff is illustrative of its splendid membership.

I ask unanimous consent that the summary be printed at this point in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF ACTIVITIES—SENATE COMMITTEE ON PUBLIC WORKS, 90TH CONGRESS, SECOND SESSION

During the Second Session of the 90th Congress, the Committee on Public Works continued the effort begun during the First Session of reviewing the operation of programs previously authorized by the Congress. During 1968, 30 of the 70 days of hearings were devoted to such review. The Subcommittees on Air and Water Pollution, Rivers and Harbors-Flood Control, Roads, and Special Subcommittee on Economic Development, both in Washington and in the field, examined such problem areas as bridge maintenance and design, thermal pollution, air quality criteria, water quality standards, waste management, Alaska flood control, economic development in Indiana and Alaska, and urban highways. The Committee also held hearings in conjunction with the Committee on Commerce with regard to steam cars.

During 1968, the Committee on Public Works reported 12 bills to the Senate recommending favorable action. In addition, the Committee adopted 27 resolutions authorizing the Corps of Engineers to review previous studies of river and harbor and flood control projects. The Committee also adopted resolutions approving 35 small watershed projects having a total estimated Federal cost of $77 million. Sixty-two public building project prospectuses having an estimated cost of over $546 million were approved.

Following are the major public works measures approved by the Public Works Committee and passed by the Senate during the Second Session of the 90th Congress:

S. 2658—Vehicle Weights and Dimensions: The purpose of this legislation is to facilitate more efficient and economic use of the Interstate System and insure that the vehicles using that system will not unnecessarily impair its serviceability or durability. The limits established by the bill are intended to set the maximums which most closely strike the balance between productive use and reasonable life of pavements, subsurface, and structures. This measure reaffirms that the responsibility for legal maximum allowable limits and control of sizes and weights of vehicle operating on the Interstate System, as well as on all the other road systems of the United States, rests with the individual States.

H.R. 12603—National Visitor Center Facilities Act of 1968: Provides for the establishment and operation of a visitor center at a central location in the District of Columbia. The bill authorizes the Secretary of the Interior, in consultation with the Administrator of General Services, to make agreements and leases with the Washington Terminal Company for the use of its Union Station property in the District of Columbia for a National Visitor Center and a parking facility for the Center.

S. 3206—Water Quality Improvement Act of 1968: The purpose of this legislation is to stimulate construction of water pollution treatment facilities and more importantly, to honor the commitment made by the Congress in the Clean Water Restoration Act of 1966, to fully fund the Federal share of waste treatment facilities construction costs, and provides for the establishment of standards to control sewage discharges from vessels, and provides authority to Federal departments and agencies to insure compliance with water quality standards by lessees, licensees, promotees, and contractees.

S. 3418—Federal-Aid Highway Act of 1968: Provides authorizations for the fiscal years 1970 and 1971, for the construction of Federal-aid highways and Federal domain roads in accordance with title 23 of the United States Code. The bill includes a number of important changes which will enable the highway program to meet its increasing social obligations. Among these are: (1) the requirement for a fully developed relocation assistance program for those who suffer disruption and dislocation as a result of highway construction; (2) requirement for equal employment opportunity programs and apprenticeship and pre-apprenticeship programs to enable those who seek employment to be qualified to engage in it; (3) requirement that all public hearings consider a social and environmental impact of highway locations. In addition, this legislation provides for a bridge and inspection program and training of bridge inspectors, fringe parking facilities, advance acquisition of rights-of-way, and a new program to improve traffic operations in cities.

S. 3710—Public Works Authorizations, 1968, Rivers and Harbors, Flood Control and Multiple Purpose Projects: This bill authorizes the Army Corps of Engineers to construct, modify, or otherwise participate in the provision of flood control, navigation, water conservation and other water resources projects located throughout the United States. The bill also provides increased monetary authorizations for a number of previously approved river basin plans and, in addition, authorizes basic surveys to be made in the interest of navigation, flood control, beach erosion control and other multiple-purpose water resource purposes.

Many of the substantive provisions contained in the foregoing legislation resulted from the oversight hearings which the Committee held.

The Committee has also received the final report of the study authorized pursuant to S. Res. 250, relating to the use of existing railroad rights of way in and around the Washington, D.C. metropolitan area as a means of relieving pressure on the freeway system and providing suitable alternative means to travelers. This study will have broad national implications, and the Committee will devote effort during the remainder of this year to analyzing the report and the recommendations contained therein so that during the 91st Session of Congress recommendations for action can be made. The Second Session of the 90th Congress carried forward a number of matters which began during the First Session.

The following is a list of major legislation considered by the Committee which has been enacted into law during the 90th Congress:

P.L. 90–15 (S. 1039): Authorizing the Postmaster General to enter into leases for periods not exceeding 30 years.

P.L. 90–17 (H.R. 8363): Authorizing certain river basins.

P.L. 90–103 (S. 602): Appalachian Regional Development Act of 1967.

P.L. 90–108 (S. 2310): To regulate and preserve safety and order on the Capitol grounds.

P.L. 90–148 (S. 780): Air Quality Act of 1967.

P.L. 90–293 (H.R. 13933): To authorize modifications and revisions of the interstate system.

P.L. 90–264 (H.R. 12603): National Visitors Center Act of 1967.

P.L. 90–480 (S. 222): To insure that public buildings be designed and constructed to be accessible to the physically handicapped.

P.L. 90–483 (S. 3710): Public Works Administration Act of 1968.

. P.L. 90–495 (S. 3418): Federal Aid Highway Act of 1968.

SUMMARY OF ACTIVITIES OF THE COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES

Mr. MANSFIELD. Mr. President, it is a distinct honor and a privilege to submit to the Senate the summary of the activities of the Committee on Aeronautical and Space Sciences, chaired by my distinguished colleague Senator CLINTON P. ANDERSON. All the membership of this very fine committee are to be commended for their comprehensive review of the Apollo spacecraft fire, their expeditious handling of the 1969 space authorization bill, and their continued interest in international space activities.

The committee's entire approach to its many problems is indicative of splendid leadership and a committee group willing to cooperate and accept responsibilities in this extremely complex area.

I ask unanimous consent that the summary be printed at this point in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF ACTIVITIES OF THE AERONAUTICAL AND SPACE SCIENCES COMMITTEE OF THE U.S. SENATE DURING 1968

The Aeronautical and Space Sciences Committee during 1968 continued its oversight of many of the activities of the government in space and aeronautics.

Following up its comprehensive review during 1967 of the disastrous Apollo spacecraft fire the Committee published Part 8 of its Apollo Accident Hearings in January of 1968 which detailed the status of actions taken by the National Aeronautics and Space Administration on the Apollo 204 Review Board Report. On January 30, 1968, the Committee issued Senate Report 956 on the Apollo 204 accident, with additional views, setting forth the findings and recommendations of the Committee.

In carrying out its legislative responsibilities over the NASA, the Committee on November 8, 1967, held a hearing on NASA's proposed operating plan for Fiscal Year 1968. While the Committee had held comprehensive hearings on NASA's budget proposal, a cut in appropriations of $511.1 million less than the budget request, required substantial revisions of these programs.

On January 31, 1968, the Committee continuing its oversight responsibilities on aeronautical research issued Senate Report 957 entitled "Aeronautical Research and Development Policy". This report was issued after a series of hearings by the Committee the previous year on governmental aeronautical research and development policies and contained a summary of the views of the witnesses at these hearings, together with conclusions and recommendations of the Committee.

On February 6, the Committee held a hearing on the nomination of Dr. Thomas O. Paine as Deputy Administrator of the NASA. The Committee recommended the approval of Dr. Paine's nomination to the Senate where his nomination was approved.

On February 2, Chairman Anderson for himself and the Senator from Maine (Mrs. Smith) introduced the NASA budget request for FY 1969 containing a cumulative total of $4,370,400,000 (S. 2918). The House Science and Astronautics Committee reported a companion bill in the House (H.R. 15086) and subsequently referred to the Senate H.R. 15856 recommending a budget for NASA for FY 1969 of a cumulative total of $4,031,-423,000.

Hearings were held by the Committee on February 27, 28 and 29 (Part 1, NASA Authorization FY 1969), March 5, 19 and 26 (Part 2) on NASA's FY 1969 budget. On April 24, 25 and 30 the Committee held comprehensive hearings on the Space Nuclear Propulsion Program, a joint effort of the NASA and the Atomic Energy Commission (Part 3). As a result of a thorough analysis of NASA's budget request, the Committee reported out as an amendment to H.R. 15856, a budget authorizing $4,150,560,000. Subsequently the Senate amended this amendment to authorize a cumulative total of $4,013,073,000 to NASA for FY 1969. This amendment to H.R. 15856 was agreed to by the House and approved by the President on July 3, 1968 (P.L. 90–373).

The Appropriations Committees of the Senate and the House of Representatives subsequently approved in conference an appropriation for NASA for Fiscal Year 1969 in the amount of $3,995,273,000.

In April, the Committee conducted a hearing on the Apollo 6 mission. Witnesses summarized the problems encountered by NASA on this second flight of the Saturn V launch vehicle and NASA's plans to overcome these problems.

The Committee continued to follow closely international space activities and in July issued a staff report analyzing and giving background data on the proposed Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched Into Outer Space.

On October 3, the Committee held a hearing on NASA's FY 1969 operating plan. NASA was required to revise their operating plan substantially because the Agency received an appropriation for FY 1969 $375,127,000 less than their FY 1969 budget request and they anticipate a further reduction of about $150 million from the Bureau of the Budget.

As the session draws to a close, the Committee is readying a 10-year history of the Committee (permission having been granted to report while the Senate is in adjournment). The Committee will also publish later this year an updated version of the National Aeronautics and Space Act.

RÉSUMÉ OF THE ACTIVITIES OF THE COMMITTEE ON RULES AND ADMINISTRATION

Mr. MANSFIELD. Mr. President, it is a distinct pleasure to present to the Senate a résumé of the splendid record of the Committee on Rules and Administration, chaired by the Senator from North Carolina [Mr. Jordan]. The work of this committee is particularly tedious largely because of its so-called housekeeping functions and its money resolution responsibilities. The entire membership and staff of this committee are to be commended on their handling of these very important matters.

I ask unanimous consent that the résumé be printed at this point in the Record.

There being no objection, the résumé was ordered to be printed in the Record, as follows:

RÉSUMÉ OF THE ACTIVITIES OF THE SENATE COMMITTEE ON RULES AND ADMINISTRATION DURING THE SECOND SESSION OF THE 90TH CONGRESS

During the Second Session of the Ninetieth Congress, 147 legislative items were referred to or originated in the Committee on Rules and Administration. Of those items of proposed legislation, the Committee favorably reported 133. All but two of those measures were enacted or agreed to by the Senate. It is expected, however, that even those two will receive Senate approval prior to adjournment. Of the eight bills and joint resolutions reported by the Committee, four have become public laws to date. Of the remaining four, one is awaiting the signature of the President, another is in conference, and two are pending in the House of Representatives.

Included among the more significant measures approved this year by the Committee on Rules and Administration were:

S. 1943, which would amend the Act of August 4, 1950 (64 Stat. 411) to provide salary increases for members of the police force of the Library of Congress;

S. 2884, which amended the Federal Voting Assistance Act of 1955 so as to recommend to the several States that its absentee registration and voting procedures be extended to all citizens temporarily residing abroad (Public Law 90–343, signed by the President on June 18, 1968);

S. 3174, which would establish a national memorial to Woodrow Wilson in the Smithsonian Institution;

S. 3504, which amended section 11 of an Act approved August 4, 1950, entitled "An Act relating to the policing of the buildings and grounds of the Library of Congress";

S. J. Res. 191, which authorized the erection of a statute of Benito Pablo Juarez on public grounds in the District of Columbia;

S. Con. Res. 73, which created a Joint Committee on Arrangements for the inauguration of the President-elect and the Vice-President-elect on January 20, 1969;

S. Con. Res. 75, which authorized acceptance for the National Statuary Hall collection of statues of Father Damien and King Kamehameha I, presented by the State of Hawaii;

S. Res. 13, which would create a standing Committee on Veterans' Affairs in the United States Senate; and

S. Res. 382, which established a Commission on Arts and Antiquities of the United States Senate.

Through October 10, 1968, the Committee on Rules and Administration during this calendar year considered and processed many resolutions containing requests from Senate standing, select, and special committees for additional funds for inquiries and investigations and other purposes in the total amount of $7,199,515. Hearings were held on 56 so-called "money resolutions." The projected plans for budgets of Senate committees and subcommitees were carefully analyzed and compared with expenditures incurred during the previous year. Justification for all anticipated investigatory expenses was required to insure essential economy in operations. Legislation for such expenditures in the amount of $6,656,400 was approved by the Committee and agreed to by the Senate.

Unlike other Senate committees, the Committee on Rules and Administration, in addition to its regular legislative functions, is charged with administrative responsibility in many areas of Senate business. These daily "housekeeping" activities of the Committee are too numerous and varied to assess in this report. Illustrative of them, however, was the Committee's occupation with matters concerning—

Physical security of the Senate's Buildings and Capitol Police activities during the periods of civil disturbances in the City of Washington;

Readjustment of Senatorial telegram and telephone allocations;

Operation of the Senate Restaurant facilities;

Introduction of a computerized magnetic tape system to handle mailing lists in the Senate Service Department; and

Eventual installation of a telephonic recording device to disseminate information of floor activity from the Senate cloakrooms.

During the coming adjournment period, the Committee will be occupied with the relocation of Senatorial office suites as a result of the pending election of new Members to the Senate, and with the preparation and publication of a revised edition of the *Senate Rules and Manual* for the use of the Ninety-first Congress. In addition, the Committee has agreed to cooperate with the Subcommittee on Legislative Appropriations of the Committee on Appropriations and with the Select Committee on Standards and Conduct in launching a comprehensive study of current Senatorial allowances in all categories.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President I ask unanimous consent that the Senate go into executive session to consider a nomination on the Executive Calendar, which was reported earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

The legislative clerk read the nomination of Covey T. Oliver, of Pennsylvania, to be U.S. Executive Director of the International Bank for Reconstruction and Development.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, informed the Senate that pursuant to the provisions of section 110 (a), Public Law 90–448, the Speaker had appointed Mr. Patman, Mr. Barrett, Mr. Del Clawson, and Mr. Brown of Michigan as members of the National Advisory Commission on Low Income Housing, on the part of the House.

The message announced that the House had passed, without amendment, the bill (S. 4120) to amend title 5, United States Code, to authorize the waiver in certain cases, of claims of the United States arising out of erroneous payments of pay to employees of the executive agencies, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 18707) making appropriations for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes; and that the House receded from its disagreement to the amendment of the Senate numbered 17 to the bill, and concurred therein with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14096) to amend the Federal Food, Drug, and Cosmetic Act to increase the penalties for unlawful acts involving lysergic acid diethylamide—LSD—and other depressant and stimulant drugs, and for other purposes.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 5818) for the relief of Clifton R. Kindt.

The message further announced that the House had passed a bill (H.R. 12881) to authorize the payment of allowances to defray commuting expenses of civilian employees of executive agencies assigned to duty at remote worksites, and for other purposes.

The message also announced that the

House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15147) to amend the Immigration and Nationality Act to provide for the naturalization of persons who have served in combat areas in active-duty service in the Armed Forces of the United States, and for other purposes.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H.R. 2478) for the relief of Josefina Policar Abutan Fuliar, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 15450) to amend section 101(a)(27)(D) of the Immigration and Nationality Act.

The message further announced that the House had passed a resolution (H. Res. 1320) appointing a committee of two Members of the House to join a similar committee appointed by the Senate, to wait upon the President of the United States and inform him that the two Houses have completed their business of the session and are ready to adjourn, unless the President has some other communication to make to them.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 14096) to amend the Federal Food, Drug, and Cosmetic Act to increase the penalties for unlawful acts involving lysergic acid diethylamide (LSD) and other depressant and stimulant drugs, and for other purposes.

HOUSE BILL REFERRED

The bill (H.R. 12881) to authorize the payment of allowances to defray commuting expenses of civilian employees of executive agencies assigned to duty at remote worksites, and for other purposes, was read twice by its title and referred to the Committee on Government Operations.

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1969—CONFERENCE REPORT

Mr. RUSSELL. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 18707) making appropriations for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. RUSSELL. Mr. President, the conference committee agreed on appropriations totaling $71,869,828,000, which is $5,204,172,000 under the budget estimates of $77,074,000,000; $17,065,000 under the Senate bill; and $369,872,000 under the House bill.

The conference committee adopted the Senate position with respect to the conversion of Polaris submarines to carry the new Poseidon missile. The President's budget and the House bill included funds for the conversion of six Polaris submarines to carry this new missile. The Senate provided funds for the conversion of two submarines. However, the conference committee did agree on an additional $66 million for this program to ensure that it is funded adequately.

The conference committee also adopted the Senate's allowance of $130 million for the development of the Navy's VFX-1 aircraft—the substitute aircraft for the canceled F-111B. In agreeing to the full $130 million, the conference committee provided that none of the funds were to be utilized for airframe engineering development until 15 days after the Secretary of Defense has advised the committees of the cost and design characteristics of the aircraft selected. After a further review of the Navy's total research and development requirements for fiscal year 1969, the conference committee determined that this appropriation could be reduced by an additional $30 million in the nature of a general reduction.

Mr. President, it will be recalled that the Senate bill included an amendment offered by the distinguished majority leader [Mr. MANSFIELD] imposing a limitation of 25 percent on the indirect costs of research grants and contracts in lieu of the House provision that called for some cost sharing on the part of recipients of research grants. This amendment was a matter of some considerable controversy in the conference. The conference committee agreed to delete both of these provisions. In taking this action, the committee called for a study in order to achieve a uniform formula for the ascertaining of indirect costs on research grants throughout the Government. This study is to be conducted by the Office of the Comptroller General of the United States and by the various committees of Congress having jurisdiction thereof.

Mr. President, I ask unanimous consent to have included in the RECORD at this point the statement setting out the position of the conference committee on this matter.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

> Amendment No. 14: The committee of conference has stricken the language of Sec. 537 as proposed by the House and Sec. 537 as amended by the Senate. It is felt that new and comprehensive studies should be made of this entire area by the General Accounting Office, appropriate legislative committees, and the Appropriation Committees.
>
> The studies should be directed towards achieving a uniform formula for the ascertaining of indirect costs on research grants throughout the entire government.
>
> The government should set the basis for indirect costs based upon sound accounting principles and the committee feels that if such allocation is properly made between direct and indirect costs, it appears that the proper proportion of indirect costs to direct costs should not exceed 25 percent.

Mr. RUSSELL. Mr. President, I move the adoption of the conference report.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. YOUNG of North Dakota. Mr. President, I believe this is the third year in succession that the Senate appropriated less money for defense than the House appropriated. This is a sizable cut under the amount recommended by the Bureau of the Budget—over $5 billion. I believe it is all we could do under the circumstances, and I share the view of the chairman that we must move ahead in future years to better our military posture.

One significant item in this bill is $130 million to move ahead on the VFX-1 aircraft proposed by the Navy. This aircraft will be the beginning of a series of supersonic aircraft that are long overdue.

I believe we are slipping behind the Russians in a number of areas, particularly in high-speed fighter aircraft, and I hope that beginning next year we will move ahead in a number of programs to meet a Russian potential threat.

Mr. RUSSELL. Mr. President, I concur completely with the remarks of the distinguished Senator from North Dakota. We have drawn on our reserve supplies to an alarming degree and utilized them in the war in Vietnam.

I do not think that the budget action we have taken reflects the true cost of that war because of the fact that we have dug so deeply into our reserves.

Congress may as well make up its mind as to whether or not it intends to have a first-class Military Establishment. If we do, beginning next year it will be necessary to have substantial increases in these appropriations, partly because of the tremendous increase in the unit costs of the several items that go to make up the Defense Establishment. I outlined a number of instances of that kind in presenting the appropriation bill originally.

Mr. STENNIS. Mr. President, will the Senator from Georgia yield for 1 minute?

Mr. RUSSELL. I am happy to yield to the Senator from Mississippi.

Mr. STENNIS. I wish to reiterate and back up what the Senator from South Dakota [Mr. YOUNG] has said. The Senator from Georgia [Mr. RUSSELL] has done a wonderful job, as usual. The new planes for the Navy, the VFX, which will take the place of the Navy version of the old TFX, is certainly a matter to warrant the impetus as it came from the legislative branch of the Government. The Senator from Georgia made his contribution in that respect and, as well, added money for research and development on some advanced submarines.

I understand the Senator from Missouri wishes to speak on the subject. I want to back up his remarks precisely as to the outstanding work the Senator from Georgia did with respect to the development of the Poseidon submarine and its achievements, which we hope will be outstanding.

TRIBUTE TO STAFF OF SUBCOMMITTEE ON DEPARTMENT OF DEFENSE APPROPRIATIONS

Mr. President, last week the distinguished Senator from North Dakota [Mr. YOUNG] complimented the staff of the Subcommittee on Department of Defense Appropriations for its work on the bill, and we certainly all agree.

The consideration of this bill involves a tremendous amount of research and secretarial effort. The staff of the subcommittee has been ably assisted by Mrs. Gloria Butland and Mrs. Dorothy Winchester, who have worked long hours in order that the committee might expedite the consideration of the bill—on some occasions until 1 o'clock in the morning. These ladies are loyal and devoted Senate employees, and their competent and special efforts should be recognized.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the distinguished Senator from Missouri, an important member of the committee of conference.

Mr. SYMINGTON. Mr. President, I should like to join the Senator from North Dakota and the Senator from Mississippi in congratulating the able Senator from Georgia on submitting this conference report, in which hundreds of millions of dollars have been saved for the taxpayers as a result of the careful efforts that have been made in examining the amounts which were requested.

The distinguished majority leader [Mr. MANSFIELD], among others, has been very much worried about what we are getting from our very large research and development expenditures.

I think the leadership expressed by the Senator from Georgia in the conference and in the committee hearings with respect to the dangers of going too far on certain proposals such as the Poseidon as against the tried and true items of hardware, such as the Polaris, is one of the reasons today why we are cutting this budget in the interests of the taxpayer without affecting the security of the United States.

Mr. RUSSELL. Mr. President, I thank my distinguished colleagues for their too gracious remarks. I appreciate them as I do their contributions to the passage of this bill.

The PRESIDING OFFICER (Mr. HARTKE in the chair). The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER. The Chair lays before the Senate the amendment in disagreement, which will be stated.

The legislative clerk read as follows:

> *Resolved,* That the House agree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 18707) entitled "An Act making appropriations for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes."
>
> *Resolved,* That the House recede from its disagreement to the amendment of the Senate numbered 17 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the section number of the proposed amendment, insert "542".

Mr. RUSSELL. Mr. President, I move that the Senate concur in the amendment of the House to the amendment of the Senate numbered 17.

The motion was agreed to.

Mr. RUSSELL. Mr. President, I ask unanimous consent to have printed in the RECORD a tabulation summarizing congressional action on each appropriation included in the Department of Defense appropriation bill.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

SUMMARY OF CONGRESSIONAL ACTION ON DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1969 (H.R. 18707)

TITLE I—MILITARY PERSONNEL

Item	Net new budget (obligational) authority, fiscal year 1968 [1]	Budget estimates of new (obligational) authority, fiscal year 1969	New budget (obligational) authority recommended in the House bill	New budget (obligational) authority recommended in the Senate bill	Conference action	Conference action compared with— Budget estimate	House	Senate
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Military personnel, Army	$7,825,300,000	$8,136,000,000	$8,056,000,000	$8,000,000,000	$8,000,000,000	−$136,000,000	−$56,000,000	
Military personnel, Navy	4,134,100,000	4,340,000,000	4,250,000,000	4,234,000,000	4,235,000,000	−105,000,000	−15,000,000	
Military personnel, Marine Corps	1,430,000,000	1,480,000,000	1,474,000,000	1,474,000,000	1,474,000,000	−6,000,000		
Military personnel, Air Force	5,684,300,000	5,830,000,000	5,710,000,000	5,680,000,000	5,680,000,000	−150,000,000	−30,000,000	
Reserve personnel, Army	283,055,000	303,400,000	287,200,000	287,200,000	287,200,000	−16,200,000		
Reserve personnel, Navy	121,980,000	125,000,000	125,000,000	125,000,000	125,000,000			
Reserve personnel, Marine Corps	38,300,000	31,500,000	31,500,000	31,100,000	31,100,000	−400,000	−400,000	
Reserve personnel, Air Force	71,620,000	75,800,000	75,800,000	71,800,000	71,800,000	−4,000,000	−4,000,000	
National Guard personnel, Army	323,617,000	321,300,000	304,500,000	304,500,000	304,500,000	−16,800,000		
National Guard personnel, Air Force	84,400,000	96,000,000	96,000,000	88,000,000	88,000,000	−8,000,000	−8,000,000	
Retired pay, Defense	2,095,000,000	2,275,000,000	2,275,000,000	2,275,000,000	2,275,000,000			
Total, title 1, military personnel	22,091,672,000	23,014,000,000	22,685,000,000	22,571,600,000	22,571,600,000	−442,400,000	−113,400,000	

TITLE II—OPERATION AND MAINTENANCE

Item	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Operation and maintenance, Army	6,995,132,000	8,205,000,000	7,805,000,000	7,805,000,000	7,805,000,000	−400,000,000		
Army stock fund	60,000,000							
Operation and maintenance, Navy	4,691,941,000	5,702,200,000	5,356,200,000	5,356,200,000	5,356,200,000	−346,000,000		
Operation and maintenance, Marine Corps	393,550,000	437,600,000	435,700,000	435,700,000	435,700,000	−1,900,000		
Operation and maintenance, Air Force	5,409,625,000	6,742,000,000	6,551,000,000	6,551,000,000	6,551,000,000	−191,000,000		
Operation and maintenance, Defense agencies	970,599,000	1,077,600,000	1,036,800,000	1,036,800,000	1,036,800,000	−40,800,000		
Defense stock fund	118,400,000							
Operation and maintenance, Army National Guard	242,828,000	266,964,000	264,664,000	264,664,000	264,664,000	−2,300,000		
Operation and maintenance, Air National Guard	265,970,000	302,000,000	302,000,000	267,000,000	267,000,000	−35,000,000	−35,000,000	
National Board for the Promotion of Rifle Practice, Army	428,000							
Claims, Defense	38,000,000	[2] (38,000,000)	38,000,000	38,000,000	38,000,000	38,000,000		
Contingencies, Defense	2,000,000	15,000,000	10,000,000	10,000,000	10,000,000	−5,000,000		
Court of Military Appeals, Defense	617,000	636,000	636,000	636,000	636,000			
Total, title II, operation and maintenance	19,189,090,000	22,749,000,000	21,800,000,000	21,765,000,000	21,765,000,000	−984,000,000	−35,000,000	

TITLE III—PROCUREMENT

Item	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Procurement of equipment and missiles, Army	5,462,500,000	5,626,000,000	5,031,400,000	5,031,400,000	5,031,400,000	−594,600,000		
Transfer from stock funds		(450,000,000)	(510,000,000)	(510,000,000)	(510,000,000)	(+60,000,000)		
Procurement of aircraft and missiles, Navy	2,939,100,000	3,222,000,000	2,574,300,000	2,574,300,000	2,574,300,000	−647,700,000		
Transfer from stock funds		(440,000,000)	(440,000,000)	(440,000,000)	(440,000,000)			
Shipbuilding and conversion, Navy	1,297,000,000	1,712,300,000	1,033,800,000	801,700,000	820,700,000	−891,600,000	−213,100,000	+19,000,000
Other procurement, Navy	2,336,000,000	2,719,000,000	2,609,600,000	2,505,600,000	2,505,600,000	−231,400,000	−104,000,000	
Procurement, Marine Corps	665,000,000	735,000,000	670,000,000	670,000,000	670,000,000	−65,000,000		
Transfer from stock funds		(10,000,000)	(10,000,000)	(10,000,000)	(10,000,000)			
Aircraft procurement, Air Force	5,493,400,000	4,612,000,000	3,860,000,000	3,860,000,000	3,860,000,000	−752,000,000		
Transfer from stock funds		(600,000,000)	(600,000,000)	(600,000,000)	(600,000,000)			
Missile procurement, Air Force	1,340,000,000	1,768,000,000	1,720,200,000	1,720,200,000	1,720,200,000	−47,800,000		
Other procurement, Air Force	2,429,800,000	2,763,000,000	2,718,000,000	2,718,000,000	2,718,000,000	−45,000,000		
Procurement, Defense agencies	38,000,000	96,700,000	81,700,000	81,700,000	81,700,000	−15,000,000		
Total, title III, procurement	22,000,800,000	23,254,000,000	20,299,000,000	[1]19,962,900,000	19,981,900,000	−3,272,100,000	−317,100,000	+19,000,000

See footnotes at end of table.

SUMMARY OF CONGRESSIONAL ACTION ON DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1969 (H.R.18707)—Continued

TITLE IV—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Item	Net new budget (obligational) authority, fiscal year 1968 [1]	Budget estimates of new (obligational) authority, fiscal year 1969	New budget (obligational) authority recommended in the House bill	New budget (obligational) authority recommended in the Senate bill	Conference action	Conference action compared with—		
						Budget estimate	House	Senate
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Research, development, test, and evaluation, Army	$1,505,700,000	$1,661,900,000	$1,516,600,000	$1,528,730,000	$1,522,665,000	−$139,235,000	+$6,065,000	−$6,065,000
Research, development, test, and evaluation, Navy	1,816,400,000	2,146,400,000	2,096,200,000	2,171,339,000	2,141,339,000	−5,061,000	+45,139,000	−30,000,000
Research, development, test, and evaluation, Air Force	3,240,000,000	3,570,300,000	3,370,300,000	3,364,724,000	3,364,724,000	−205,576,000	−5,576,000	
Research, development, test, and evaluation, Defense agencies	446,500,000	502,600,000	472,600,000	472,600,000	472,600,000	−30,000,000		
Emergency fund, Defense	100,000,000	125,000,000		50,000,000	50,000,000	−75,000,000	+50,000,000	
Total, title IV, research, development, test, and evaluation	7,108,600,000	8,006,200,000	7,455 700,000	7,587,393,000	7,551,328,000	−454,872,000	+95,628,000	−36,065,000
Special foreign currency program	11,200,000	12,800,000				−12,800,000		
Emergency fund, Southeast Asia, Defense	3,750,950,000							
Total, definite appropriations	74,152,312,000	77,036,000,000	72,239,700,000	71,886,893,000	71,869,828,000	−5,166,172,000	−369,872,000	−17,065,000
Indefinite appropriation		38,000,000				−38,000,000		
Grand total	74,152,312,000	77,074,000,000	72,239,700,000	71,886,893,000	71,869,828,000	−5,204,172,000	−369,872,000	−17,065,000

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[1] Amounts have not been reduced to reflect reserves established pursuant to Public Law 90–218 H.J. Res. 888).

[2] Requested in budget as annual indefinite account. Recommended in bill as an annual definite account. Thus, no change in new obligational authority.

AUTHORIZATION TO SECRETARY

Mr. **RUSSELL**. Mr. President, I send to the desk an original resolution and ask for its immediate consideration.

The legislative clerk read as follows:

S. RES. 418

Resolved, That the Secretary of the Senate is hereby authorized to utilize the current fiscal year appropriation for "Expenses of Inquiries and Investigations" to meet obligations incurred which exceed the available balance of said appropriation for fiscal year 1968, any sum so utilized to be restored upon approval of subsequent deficiency appropriation.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution (S. Res. 418).

Mr. **RUSSELL**. Mr. President, the purpose of the resolution is to permit the Secretary of the Senate to honor vouchers submitted for payment during the adjournment which might otherwise have to be delayed until March or April of next year. The financial clerk has requested this action since he has just determined that the obligations incurred will exceed the available balance in the appropriation involved, and it is too late for appropriation action this year.

I move the adoption of the resolution.

The **PRESIDING OFFICER**. The question is on agreeing to the motion of the Senator from Georgia.

The motion was agreed to.

ORDER FOR ADJOURNMENT SINE DIE

Mr. **MANSFIELD**. Mr. President, I send to the desk a concurrent resolution and ask that it be stated.

The **PRESIDING OFFICER**. The concurrent resolution will be stated.

The legislative clerk read as follows:

S. CON. RES. 83

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall adjourn on Friday, October 11, 1968, and that when they adjourn on said day, they stand adjourned sine die.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution (S. Con. Res. 83) was considered and agreed to.

AUTHORITY TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. **MANSFIELD**. Mr. President, I send to the desk a concurrent resolution and ask for its immediate consideration.

The **PRESIDING OFFICER**. The concurrent resolution will be stated.

The legislative clerk read as follows:

S. CON. RES. 82

Resolved by the Senate (the House of Representatives concurring), That notwithstanding the sine die adjournment of the two Houses, the Speaker of the House of Representatives and the President of the Senate, the President pro tempore, or the Acting President pro tempore be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the resolution (S. Con. Res. 82) was considered and agreed to.

NOTIFICATION TO THE PRESIDENT

Mr. **MANSFIELD**. Mr. President, I send to the desk a resolution and ask for its immediate consideration.

The **PRESIDING OFFICER**. The resolution will be stated.

The legislative clerk read as follows:

S. RES. 419

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join a similar committee of the House of Representatives to notify the President of the United States that the two Houses have completed their business of the session and are ready to adjourn unless he has some further communication to make to them.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

The **PRESIDING OFFICER**. In accordance with the resolution just agreed to, the Chair appoints the Senator from Montana [Mr. MANSFIELD] and the Senator from Nebraska [Mr. HRUSKA] the committee on the part of the Senate to notify the President.

THANKS OF THE SENATE TO THE ACTING PRESIDENT PRO TEMPORE

Mr. **HRUSKA**. Mr. President, I send to the desk a resolution and ask for its immediate consideration.

The **PRESIDING OFFICER**. The resolution will be stated.

The legislative clerk read as follows:

S. RES. 420

Resolved, That the thanks of the Senate are hereby tendered to the Honorable Lee Metcalf, Acting President pro tempore of the Senate, for the courteous, dignified, and impartial manner in which he has presided over the deliberations during the second session of the Ninetieth Congress.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 420) was considered and agreed to.

RESOLUTION OF THANKS TO THE VICE PRESIDENT

Mr. **MANSFIELD**. Mr. President, I send to the desk a resolution and ask for its immediate consideration.

The **PRESIDING OFFICER**. The resolution will be stated.

The legislative clerk read as follows:

S. RES. 422

Resolved, That the thanks of the Senate are hereby tendered to the Honorable Hubert H. Humphrey, Vice President of the United States and President of the Senate, for the courteous, dignified, and impartial manner in which he has presided over its deliberations during the second session of the Ninetieth Congress.

The **PRESIDING OFFICER**. Is there

objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 422) was considered and agreed to.

AUTHORIZATION FOR PRESIDENT OF THE SENATE TO MAKE APPOINTMENTS TO COMMISSIONS OR COMMITTEES

Mr. MANSFIELD. Mr. President, I send to the desk a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read as follows:

S. RES. 421

Resolved, That, notwithstanding the final adjournment of the present session of the Congress, the President of the Senate be, and he is hereby authorized to make appointments to commissions or committees authorized by law, by concurrent action of the two Houses, or by order of the Senate.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 421) was considered and agreed to.

THANKS OF THE SENATE TO THE PRESIDENT PRO TEMPORE

Mr. HRUSKA. Mr. President, I send to the desk a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read as follows:

S. RES. 423

Resolved, That the thanks of the Senate are hereby tendered to the Honorable Carl Hayden, President pro tempore of the Senate, for the courteous, dignified, and impartial manner in which he has presided over its deliberations during the second session of the Ninetieth Congress.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 423) was considered and agreed to.

TABULATION OF ALL APPROPRIATION BILLS HANDLED DURING THE SECOND SESSION OF THE 90TH CONGRESS

Mr. HAYDEN. Mr. President, I ask unanimous consent to have printed in the RECORD a tabulation of all appropriation bills handled during the second session of the 90th Congress. Among other things, the table shows direct appropriations totaling $113,339,833,734 made during this session. This amount is $14,568,969,262 below the budget estimates submitted to the Senate.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

SUMMARY OF ACTIONS ON BUDGET ESTIMATES OF NEW BUDGET (OBLIGATIONAL) AUTHORITY IN APPROPRIATION BILLS, 90TH CONG., 2D SESS.

[Does not include any permanent appropriations][1]

Bill and fiscal year	Budget estimates considered by House	Passed House	Budget estimates considered by Senate	Passed Senate	Enacted	(+) or (−), latest action compared with budget requests
Bills for fiscal 1969:						
1. Treasury-Post Office (net of estimated postal revenues appropriated)	$1,959,535,000	$1,777,800,000	$1,959,885,000	$1,781,053,000	$1,780,653,000	−$179,232,000
(Memoranda: Total, including authorizations out of postal funds)[2]	(8,337,359,000)	(8,155,624,000)	(8,337,709,000)	(8,158,877,000)	(8,158,477,000)	(−179,232,000)
2. Agriculture	6,923,979,800	5,523,635,500	6,923,979,800	5,540,550,300	5,531,296,650	−1,392,683,150
3. Independent offices-HUD (including 1970 advance)	16,570,580,300	13,670,636,000	18,353,717,300	15,505,214,000	14,570,395,000	−3,783,322,300
(Fiscal year 1969 amounts only)	(16,570,580,300)	(13,670,636,000)	(16,953,717,300)	(14,255,214,000)	(13,820,395,000)	(−3,133,322,300)
4. Interior	1,410,342,300	1,280,880,300	1,432,342,300	1,284,372,800	1,284,989,300	−147,353,000
5. State, Justice, Commerce, and judiciary	2,203,820,900	1,794,981,500	2,291,993,900	2,000,944,000	1,986,721,500	−305,272,400
6. Public works (and AEC)	4,908,657,000	4,499,223,000	4,908,657,000	4,727,622,500	4,608,421,000	−300,236,000
7. Labor-HEW (including 1970 advance)	18,205,261,000	17,232,871,300	19,301,525,000	19,033,346,000	18,566,568,800	−734,956,200
(Fiscal year 1969 amounts only)	(17,005,261,000)	(16,267,057,000)	(18,101,525,000)	[3](17,953,346,000)	[3](17,555,754,500)	(−545,770,500)
8. Legislative	257,162,531	247,497,349	308,897,533	298,151,396	298,151,396	−10,746,137
9. Transportation (including 1970 advances)	1,620,832,000	1,353,391,000	1,932,032,000	1,788,411,000	1,634,266,000	−297,766,000
(Fiscal year 1969 amounts only)	(1,620,832,000)	(1,353,391,000)	(1,637,032,000)	(1,523,411,000)	(1,429,266,000)	(−207,766,000)
10. District of Columbia (Federal funds)	176,961,000	145,672,000	176,961,000	153,755,000	148,755,000	−28,206,000
(District of Columbia funds)	(594,662,000)	(528,886,000)	(606,191,000)	(548,193,810)	(540,178,988)	(−66,012,012)
11. Defense	77,074,000,000	72,239,700,000	77,074,000,000	71,886,893,000	71,869,828,000	−5,204,172,000
12. Military construction	2,031,500,000	1,765,019,000	2,031,500,000	1,744,936,000	1,758,376,000	−273,124,000
13. Foreign assistance	3,654,711,000	2,341,011,000	3,654,711,000	2,658,261,000	2,479,511,000	−1,175,200,000
14. Supplemental	270,679,907	123,532,907	740,508,907	515,197,727	446,688,727	−293,820,180
Total, these bills—						
As to fiscal 1969	136,068,022,738	123,030,036,556	138,195,710,740	[3] 126,323,707,723	[3] 124,998,807,073	[4] −13,196,903,667
As to fiscal 1970	1,200,000,000	965,814,300	2,895,000,000	2,595,000,000	1,965,814,300	−929,185,700
Total, 1969 bills	137,268,022,738	123,995,850,856	141,090,710,740	128,918,707,723	126,964,621,373	−14,126,089,367
Bills for fiscal 1968:						
1. Urgent supplemental	[5] (1,216,020,863)	[5] (1,214,780,863)	[5] (1,216,020,863)	[5] (1,405,445,863)	(5)	(5)
2. Unemployment compensation (H.J. Res. 1229)	28,800,000	28,000,000	28,800,000	28,000,000	28,000,000	−800,000
3. Claims and judgments (H.J. Res. 1268, which also carried $400,000,000 highway "liquidation cash")	50,980,863	50,980,863	50,980,863	50,980,863	50,980,863	----------
4. Secret Service (H.J. Res. 1292)	----------	400,000	----------	400,000	400,000	+400,000
5. 2d supplemental	6,716,514,679	6,346,283,924	6,738,311,393	6,373,735,498	6,295,831,498	−442,479,895
Release of reserves (under Public Law 90–218)	(2,976,051,100)	(2,674,902,800)	(2,976,051,100)	(2,687,902,800)	(2,674,902,800)	(−301,148,300)
Total, 1968 bills	6,796,295,542	6,425,664,787	6,818,092,256	6,453,116,361	6,375,212,361	−442,879,895
Cumulative totals for the session	144,064,318,280	130,421,515,643	147,908,802,996	135,371,824,084	133,339,833,734	[4] −14,568,969,262

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[1] In round amounts, the January budget—for fiscal 1969—tentatively estimated total new budget (obligational) authority for 1969 at $214,581,000,000 ($201,723,000,000 net of certain offsets made for budget summary purposes only), of which $73,085,000,000 would become available without further action by Congress and $141,496,000,000 would require "current" action by Congress.

[2] These figures assume the January budget estimate of 1969 postal revenues will hold.

[3] Includes $90,965,000 new budget authority technically designated as a fiscal 1968 item, but which actually involves fiscal 1969 rather than 1968 outlays.

[4] Includes $2,685,000,000 related to participation sales authorizations (Agriculture, $425,000,000; VA and HUD, $2,110,000,000; State-Justice bill, $150,000,000).

[5] Not added in totals, because every budget request and every item otherwise involved has been dealt with in other supplementals for 1968 listed herein.

Mr. HOLLAND. Mr. President, will the Senator from Arizona yield?

Mr. HAYDEN. I yield.

Mr. HOLLAND. Do I understand, from the tabulation submitted by the distinguished chairman of the Committee on Appropriations, that the total amount of appropriations this year is more than $14,500,000,000 below the estimates sent to Congress by the executive department?

Mr. HAYDEN. That is correct.

Mr. HOLLAND. I congratulate the Senator from Arizona and the Senate.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, it is my understanding that some additional nominations to fill postmaster vacancies were reported earlier today, and that they have been cleared by both sides for action. I ask unanimous consent that the Senate go into executive session to consider the nominations.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of executive business.

NOMINATIONS OF POSTMASTERS

Mr. MANSFIELD. Mr. President, I move that the nominations of postmasters be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are agreed to en bloc; and, without objection, the President will be immediately notified of the confirmation of the nominations.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

ORDER OF BUSINESS

The PRESIDING OFFICER. What is the pleasure of the Senate?

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SPONG in the chair). Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, may I inquire of the Chair as to the parliamentary situation with regard to a message from the House on S. 3206?

The PRESIDING OFFICER. The message from the House is at the desk awaiting the disposition of the Senate.

WATER QUALITY IMPROVEMENT ACT OF 1968

Mr. RANDOLPH. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 3206.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3206) to amend the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and for other purposes, which was to strike out all after the enacting clause, and insert:

That this Act may be cited as the "Water Quality Improvement Act of 1968."

SEC. 2. Section 8 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466e), is amended—

(1) by redesignating subsections (f) and (g) as (g) and (h);

(2) by inserting after the word "grant" in clauses (1), (3), (4), and (5) of subsection (b) the words "or contract"; and after word "grantee" in clause (3) of subsection (b) the words "or contractee";

(3) by inserting after the word "appropriated" wherever it appears in the second and third sentences of subsection (c) the words "for grants under subsection (b) of this section";

(4) by inserting after "subsection (b) of this section" in the first sentence of redesignated subsection (g) a comma and the following: "or the amount contracted for under subsection (f) of this section," and by striking out in such sentence "the amount of such grant" and inserting in lieu thereof "such amount";

(5) by inserting after "grants" in redesignated subsection (h) the following: "or contracts"; and

(6) by inserting a new subsection after subsection (e) to read as follows:

"(f) (1) For the purpose of this subsection, the term 'contracting party' means a State, municipality, or intermunicipal or interstate agency.

"(2) For the purpose of providing an additional method of financing treatment works under this Act, the Secretary, within limits to be established in appropriation Acts for the fiscal years 1969 and 1970, which limits shall not exceed in any such year twice the amount appropriated in excess of $100,000,000 for grants under subsection (b) of this section for such fiscal year, and within limits to be established in appropriation Acts for fiscal year 1971 which limits shall not exceed in such year an amount equal to the amount appropriated in excess of $100,000,000 for grants under subsection (b) of this section for such fiscal year, may enter into contracts, in accordance with the provisions of this subsection, with any contracting party to make payments over a period of not to exceed thirty years from the date of the contract to cover the Federal share of construction costs of treatment works that meet the applicable requirements of subsection (b) of this section and the first sentence of subsection (c) of this section. The principal sum available for contracts under this subsection for each fiscal year beginning after June 30, 1968, shall be allotted by the Secretary in accordance with the ratio that the population of each State bears to the population of all the States. Sums allotted to a State which are not obligated within six months following the end of the fiscal year for which they were allotted shall not be reallotted and shall lapse, except that sums allotted to a State in fiscal year 1969 shall be available for obligation therein for eighteen months from the effective date of this subsection. The total of such principal sum and the amount actually appropriated for grants under subsection (b) of this section for fiscal years 1969, 1970, and 1971 shall not exceed the sums authorized to be appropriated for grants for such fiscal years. The Secretary shall, upon the request of any State, enter into such contracts for treatment works approved by him since June 30, 1966, constructed or under construction with no Federal grant under this section or with a partial Federal grant under this section.

"(3) The Federal share for treatment works with respect to which a contract is entered into under paragraph (2) of this subsection shall be the same percentage as would be the case if a grant were being made for such works under subsections (b) and (g) of this section.

"(4) In any case where the contracting party uses payments made to it under a contract entered into under paragraph (2) of this subsection to pay bonds or other financial obligations issued by it to pay construction costs of treatment works, no payment made under such a contract shall exceed the amount which the contracting party agree to use within sixty days of the date it receives such payment to reduce the principal amount of such bonds or other obligations.

"(5) Each contract shall include such reasonable terms and conditions as the Secretary deems appropriate."

SEC. 3. Section 8(d) of the Federal Water Pollution Control Act, as amended, is amended to read as follows:

"(d) For the purposes of making grants and payments on contracts under this section, there is authorized to be appropriated $700,000,000 for the fiscal year ending June 30, 1969; $1,000,000,000 for the fiscal year ending June 30, 1970; and $1,250,000,000 for the fiscal year ending June 30, 1971. At least 50 per centum of the first $100,000,000 so appropriated for each fiscal year beginning on or after July 1, 1965, shall be used for grants for the construction of treatment works servicing municipalities of one hundred and twenty-five thousand population or under. There is authorized to be appropriated such sums as may be necessary to make payments after June 30, 1971, on contracts entered into under subsection (f) of this section. Sums appropriated to carry out this section shall remain available until expended."

SEC. 4. Section 5 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466c), is amended—

(1) by redesignating subsection (h) as subsection (k);

(2) by inserting after subsection (g) three new subsections to read as follows:

"(h) The Secretary is authorized to enter into contracts with, or make grants to, public or private agencies and organizations and individuals for the purpose of developing and demonstrating new or improved methods for the prevention, removal, and control of natural or manmade pollution in lakes, including the undesirable effects of nutrients and vegetation.

"(i) The Secretary is authorized to make grants to, or enter into contracts with, public or private agencies and organizations and individuals to carry out any project which, in his judgment, will demonstrate feasible and practical techniques of eliminating or controlling acid or other mine water pollution.

"(j) The Secretary shall engage in such research, studies, experiments, and demonstrations as he deems appropriate relative to the removal of oil from any waters and to the prevention and control of oil pollution, and shall publish from time to time the results of such activities."

(3) by changing in subsection (g) (4) the words "and June 30, 1969," to "June 30, 1969, and June 30, 1970,"; and

(4) by changing in redesignated subsection (k) the period after "1969" to a comma and adding the words "and for the succeeding fiscal year."

SEC. 5. (a) Section 6 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466c–1), is amended—

(1) by changing in subsection (e) (1) the word "three" to "four"; and

(2) by changing in subsection (e) (2) and (3) the word "two" to "three".

(b) Section 7 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466) is amended by inserting after subsection (j) the following new subsection:

"(k) For the purpose of improving the operation of treatment works on which construction was initiated after the enactment of this Act above its optimum design efficiency to achieve a substantial immediate improvement in effluent quality through the use of new methods or devices, other than additional construction, the Secretary is authorized to make grants annually to any State, municipality or intermunicipal or interstate agency in an amount not to exceed 25 per centum of the cost of operating such treatment works, but in no event more than 50 per centum of the cost of improving such operation during the twelve-month period for which application is made. No grant shall be made unless the State water pollution control agency certifies, and the Secretary finds, that the operation of the treatment works with the new methods or devices will achieve the intended improvement in effluent quality. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1969, and for each of the next two succeeding fiscal years, the sum of $25,000,000 per fiscal year for the purpose of this subsection. Sums so appropriated shall remain available until expended."

SEC. 6. Sections 17 and 18 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466m and 466n), are amended to read as follows:

"AREA ACID AND OTHER MINE WATER POLLUTION CONTROL DEMONSTRATIONS

"SEC. 17. (a) The Secretary, in cooperation with other Federal agencies, is authorized to enter into agreements with any State to carry out one or more projects which will demonstrate methods for the elimination or control, within all or part of a watershed, of acid or other mine water pollution resulting from active or abandoned mines. Such projects shall demonstrate the engineering and economic feasibility and practicality of various abatement techniques which will contribute substantially to effective and practical methods of acid or other mine water pollution elimination or control.

"(b) The Secretary, in selecting watersheds for the purposes of this section, shall (1) require such feasibility studies as he deems appropriate, (2) give preference to areas which have the greatest present and potential public value for use for recreation, fish and wildlife, water supply, and other public uses, and (3) be satisfied that the project area will not be affected adversely by the influx of acid or other mine water pollution from nearby sources.

"(c) Federal participation in such projects shall be subject to the conditions—

"(1) that the State shall pay not less than 25 per centum of the actual project costs which payment may be in any form, including land or interests therein that is needed for the project, personal property, or services, the value of which shall be determined by the Secretary; and

"(2) that the State shall provide legal and practical protection to the project area to insure against any activities which will cause future acid or other mine water pollution.

"(d) There is authorized to be appropriated $7,500,000 to carry out the provisions of this section, which sum shall be available until expended. No more than 25 per centum of the total funds appropriated under this section in any one year shall be granted to any one State.

"CONTROL OF SEWAGE FROM VESSELS

"SEC. 18. (a)(1) As soon as possible after the enactment of this section, the Secretary, after consultation with the Commandant of the Coast Guard and after giving appropriate consideration to available technology and economic costs, shall promulgate Federal standards of performance for marine sanitation devices (hereinafter referred to as 'standards') which shall be designed to prevent the discharge of untreated or inadequately treated sewage into or upon the navigable waters of the United States from new vessels and existing vessels, except (A) existing commercial fishing vessels forty-five feet or under in length, and (B) new or existing recreational vessels. Such standards shall be consistent with maritime safety and the marine and navigation laws and regulations and shall be coordinated with the regulations issued by the Commandant of the Coast Guard under this subsection. The Commandant of the Coast Guard shall promulgate regulations, which are consistent with the standards under this section and with maritime safety and the marine and navigation laws and regulations, governing the design, construction, installation, and operation of any marine sanitation device on board such vessels.

"(2) Any existing vessel equipped with a device or devices installed pursuant to the requirements of State statute, regulation, or recommended levels of control set forth in the Handbook on Sanitation and Vessel Construction (Public Health Service, 1965) prior to the effective date of initial standards and regulations required by this section shall be deemed in compliance with this section until such time as the device or devices are replaced or are found not to be in compliance with such State statute, regulation, or recommended level.

"(b)(1) Initial standards and regulations under this section shall become effective for new vessels two years after promulgation, but not earlier than September 1, 1970, and for existing vessels five years after promulgation.

"(2) The Secretary and the Commandant of the Coast Guard, with regard to their respective regulatory authority established by this section, may distinguish among classes, types, and sizes of vessels as well as between new and existing vessels, and may waive applicability of standards and regulations for such periods of time as necessary or appropriate for classes, types, and sizes of vessels, and, upon application, for individual vessels.

"(c) The provisions of this section and the standards and regulations promulgated thereunder apply to vessels owned and operated by the United States unless the Secretary of Defense finds that compliance would not be in the interest of national security. With respect to vessels owned and operated by the Department of Defense, regulations under subsection (a) and certifications under subsection (f)(2) of this section shall be promulgated and issued by the Secretary of Defense and not by the Commandant of the Coast Guard.

"(d) Before the standards and regulations under this section are promulgated the Secretary and the Commandant of the Coast Guard shall consult with the Secretary of State; the Secretary of Health, Education, and Welfare; the Secretary of Defense; the Secretary of Commerce; other interested Federal agencies; and the States and industries interested; and otherwise comply with the requirements of section 553 of title 5 of the United States Code.

"(e) After the effective date of this subsection, no State or political subdivision thereof shall adopt or enforce any statute or regulation with respect to the use of any marine sanitation device on any vessel subject to the provisions of this section.

"(f)(1) No manufacturer of a marine sanitation device shall sell, offer for sale, or introduce or deliver for introduction in interstate commerce, or import into the United States for sale or resale any marine sanitation device manufactured after the effective date of the standards and regulations under this section unless such device is in all material respects substantially the same as a test device certified under this subsection.

"(2) Upon application of the manufacturer, the Commandant of the Coast Guard shall certify a marine sanitation device if he determines, in accordance with the provisions of this paragraph, that it meets the appropriate standards and regulations promulgated under this section. The Commandant shall test or require such testing of the device in accordance with procedures set forth by the Secretary as to standards of performance and for such other purposes as may be appropriate. The Secretary, upon notification of the results of such tests, shall determine if such results are in accordance with the appropriate performance standards promulgated under this section and shall notify the Commandant of his determination. Upon such notification the Commandant, if he determines that the device is satisfactory from the standpoint of safety and any other requirements of maritime law or regulation, and after consideration of the design, installation, operation, material, or other appropriate factors, shall certify it. Any device which is in all material respects substantially the same as the certified test device shall be deemed to be in conformity with the standards and regulations established under this section.

"(3) Every manufacturer shall establish and maintain such records, make such reports, and provide such information as the Secretary or the Commandant may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this section and regulations thereunder and shall, upon request of an officer or employee duly designated by the Secretary or the Commandant, permit such officer or employee at reasonable times to have access to and copy such records. All information reported to, or otherwise obtained by, the Secretary or the Commandant or their representatives pursuant to this subsection which contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code shall be considered confidential for the purpose of that section, except that such information may be disclosed to other officers or employees concerned with carrying out this section.

"(g) After the effective date of standards and regulations promulgated under this section it shall be unlawful—

"(1) for the manufacturer of any vessel subject to such standards and regulations to manufacture for sale, to sell or offer for sale, or to distribute for sale or resale any such vessel unless it is equipped with a marine sanitation device certified pursuant to this section;

"(2) for a vessel subject to such standards and regulations to discharge sewage into or upon the navigable waters of the United States in violation of such standards and regulations or to be operated on such waters with an installed marine sanitation device not certified pursuant to this section or otherwise in compliance with regulations;

"(3) for any person to fail or refuse to permit access to or copying of records or to fail to make reports or provide information required under this section; and

"(4) for any person, prior to the sale or delivery of a vessel subject to such standards and regulations to the ultimate purchaser, wrongfully to remove or render inoperative any certified marine sanitation device or element of design of such device installed in such vessel.

"(h) The district courts of the United States shall have jurisdiction to restrain violators of subsection (g) of this section. Actions to restrain such violators shall be brought by, and in, the name of the United States. In any such action, subpenas for witnesses who are required to attend a district court in any district may run into any other district.

"(i) Any person who knowingly violates either clause (1) or (4) of subsection (g) of this section shall, upon conviction, be fined not more than $2,500 or imprisoned for not more than one year, or both. Each violation shall constitute a separate offense.

"(j) Any person who violates a provision of this section or any regulation issued thereunder shall be liable to a civil penalty of not more than $1,000 for each violation. The Commandant of the Coast Guard may assess and collect any such penalty and may remit or mitigate any penalty imposed under circumstances he considers appropriate.

"(k) The provisions of this section shall be enforced by the Commandant of the Coast Guard, and he may utilize by agreement with or without reimbursement law enforcement officers or other personnel and facilities of the Secretary or other Federal agencies to carry out the provisions of this section.

"(l) Anyone authorized by the Commandant of the Coast Guard to enforce the provisions of this section may, except as to public vessels, (1) board and inspect any vessel upon the navigable waters of the United States, (2) with or without a warrant arrest any person who violates the provisions of this section or any regulation issued thereunder in his presence or view, and (3) execute any warrant or other process issued by an officer or court of competent jurisdiction.

"(m) In the case of Guam, actions arising under this section may be brought in the district court of Guam, and in the case of the Virgin Islands such actions may be brought in the district court of the Virgin Islands. In the case of American Samoa and the Trust Territory of the Pacific Islands, such actions may be brought in the District Court of the United States for the District of Hawaii and such court shall have jurisdiction of such actions.

"(n) For the purpose of this section, the term—

"(1) 'new vessel' includes every description of watercraft or other artificial contrivance used, or to be used, as a means of transportation on the navigable waters of the United States, the construction of which is completed after promulgation of standards and regulations under this section;

"(2) 'existing vessel' includes every description of watercraft or other artificial contrivance used, or to be used, as a means of transportation on the navigable waters of the United States, the construction of which is completed before promulgation of standards and regulations under this section;

"(3) 'commercial fishing vessel' means a vessel engaged in the business of taking of fish, mollusks, or crustaceans for subsequent sale;

"(4) 'public vessel' means a vessel owned and operated by the United States, by a State, or by a foreign nation, except where such vessel is engaged in commercial activities;

"(5) 'recreational vessel' means any vessel operated for noncommercial recreational purposes;

"(6) 'person' means an individual, partnership, firm, corporation, or association, but does not include an individual on board a public vessel;

"(7) 'United States' includes the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands;

"(8) 'sewage' means human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes;

"(9) 'manufacturer' means any person engaged in the manufacturing, assembling, or importation of marine sanitation devices or of vessels having installed on board such devices; and

"(10) 'marine sanitation device' means any equipment for installation on board a vessel designed to receive, retain, treat, or discharge sewage."

Sec. 7. The Federal Water Pollution Control Act, as amended, is amended by redesignating section 19 as section 20 and by inserting after section 18 a new section to read as follows:

"CONTROL OF OIL AND OTHER HAZARDOUS POLLUTING MATTER FROM VESSELS

"Sec. 19. (a) As used in this section, the term—

"(1) 'oil' means oil of any kind or in any form, including, but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil;

"(2) 'owner or operator' means any individual or organization owning, operating, or chartering by demise, a vessel;

"(3) 'vessel' includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water;

"(4) 'public vessel' means a vessel owned and operated by the United States, or by a State or by a political subdivision thereof, or by a foreign nation, except where such vessel is engaged in commercial activities;

"(5) 'discharge' means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping of oil or matter;

"(6) 'United States' includes the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands;

"(7) 'remove or removal' refers to the taking of reasonable and appropriate measures to mitigate the potential damage of the discharge to the public health or welfare, including, but not limited to, fish, shellfish, wildlife, shorelines, and beaches;

"(8) 'matter' means any substance of any description or origin, other than sewage, oil, and dredged spoil, which, when discharged from a vessel into any waters in substantial quantities, presents, in the judgment of the Secretary, an imminent and substantial hazard to the public health or welfare, including fish, shellfish, and wildlife, and shorelines and beaches; and

"(9) 'contiguous zone' means the entire zone established or to be established by the United States under article 24 of the Convention on the Territorial Sea and the Contiguous Zone.

"(b) Except in case of an emergency imperiling life or property of substantial value, an act of God, war, or sabotage, or an unavoidable accident, collision, or stranding, or except as otherwise permitted by regulations issued by the Secretary under this section, or except where not prohibited under the provisions of article IV of the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, as amended, whoever discharges or permits the discharge of oil from a vessel by any method, means, or manner into or upon the navigable waters of the United States or adjoining shorelines and beaches of the United States, or into or upon the waters of the contiguous zone if such oil threatens to pollute or contribute to the pollution of the territory or the territorial sea of the United States, shall be punished in accordance with the provisions of this section.

"(c) Any owner or operator of a vessel, other than a public vessel, who willfully violates the provisions of subsection (b) of this section or any regulation issued thereunder, shall, upon conviction, be punished by a fine not exceeding $2,500, or by imprisonment not exceeding one year, or by both, for each offense.

"(d) Any vessel, other than a public vessel, which willfully or negligently causes the discharge of oil in violation of subsection (b) of this section, or any regulation issued thereunder, shall be liable for a civil penalty of not more than $10,000. Clearance of a vessel liable for this penalty from a port of the United States may be withheld until such penalty is paid or until a bond or other surety satisfactory to the Secretary is posted. Such penalty shall constitute a maritime lien on such vessel which may be recovered by action in rem in the district court of the United States for any district within which such vessel may be found.

"(e) The owner or operator of any vessel who willfully or negligently discharges or willfully or negligently permits, causes, or willfully or negligently contributes to the discharge of oil or matter into or upon the navigable waters of the United States or adjoining shorelines or beaches or into or upon the waters of the contiguous zone shall immediately notify the Secretary or his delegate of such discharge and shall remove such discharged oil or matter immediately from such waters, shorelines, and beaches in accordance with regulations prescribed under subsection (h) of this section. If such owner or operator fails to so act for any reason, or if the source of the discharge is unknown, or if the discharge occurs in waters beyond the contiguous zone and threatens to pollute or contribute to the pollution of the waters of the territorial sea of the United States, the Secretary may remove the oil or matter or arrange for its removal, and such owner or operator, and, as appropriate, the vessel shall be liable to the United States, in addition to the penalties prescribed in this section, for the full amount of the actual costs reasonably incurred by the United States under this subsection for removal of any oil or matter which is willfully or negligently discharged, except that there shall be no such liability, in the case of discharges beyond the waters of the contiguous zone. In the case of discharges into the waters of the contiguous zone, there shall be no such liability unless the Secretary determines that the discharge threatens to pollute or contribute to the pollution of the territory or the territorial sea of the United States. The aggregate liability under this subsection for the cost of removal of discharged oil or matter shall not exceed $5,000,000, or $67 per registered gross ton of such offending vessel, whichever is the lesser amount. Clearance of a vessel, other than a public vessel, liable for such costs from a port of the United States may be withheld until such costs are paid or until a bond or other surety satisfactory to the Secretary is posted. Such costs shall constitute a maritime lien on such vessel which may be recovered by action in rem in the district court of the United States for any district within which such vessel may be found. In carrying out the provisions of this subsection, the Secretary shall immediately, by agreement, delegate to the Secretary of the Department in which the Coast Guard is operating, the authority on a reimbursable basis to coordinate the removal of such oil or matter, including planning, directing, and controlling such removal, in the coastal and contiguous zone waters, ports and harbors, Great Lakes and major inland navigable waterways, and in other areas where the Coast Guard has the capability to effect such removal. Authority shall be delegated to other appropriate Federal agencies, subject to their agreement, in such other areas where the Secretary of the Department in which the Coast Guard is operating advises the Secretary that the Coast Guard lacks capability. Both Secretaries shall, whenever possible, utilize with or without reimbursement the personnel, services, and facilities of other Federal agencies.

"(f) In any action instituted by the United States under subsections (d) or (e) of this section, evidence of a discharge of oil or matter from a vessel shall constitute a prima facie case of liability on the part of the owner or operator thereof and the burden of rebutting such prima facie case shall be upon such owner or operator. The United States shall also have cause of action under subsection (e) of this section against any owner or operator of a vessel whose willful act of negligence is found to have caused or contributed to the discharge of oil or matter from a vessel involved in a collision or other casualty. The burden of rebutting the prima facie case of liability which the United States shall have against a vessel or the owner or operator thereof from which the oil or matter is discharged shall in no way affect any rights which such owner or operator may have against any other vessel or owner or operator or other persons whose willful act of negligence may in any way have caused or contributed to such discharge. An owner or operator who removes oil or matter discharged pursuant to subsection (e) of this section shall be entitled to reimbursement from any other owner or operator or vessel for the reasonable costs expended for removal when such discharge resulted from the willful act or negligence of such other owner or operator or vessel.

"(g) There is hereby authorized to be appropriated to a revolving fund established in the Treasury not to exceed $2,500,000 to carry out the provisions of subsection (e) of this section. Any funds received by the United States in payment of any actual costs incurred by the Secretary pursuant to said subsection and any penalties collected for any violation of this section shall also be deposited in said fund for such purposes. All sums appropriated to, or deposited in, said fund shall remain available until expended.

"(h) Within 180 days after the effective date of this subsection—

"(1) the Secretary shall issue regulations, in consultation with the Secretary of the department in which the Coast Guard is operating and consistent with maritime safety and with marine and navigation laws and regulations establishing water quality standards in removing discharged oil and matter, including criteria relative to the methods and means of removal, from any waters, shorelines, or beaches.

"(2) the Secretary of the department in which the Coast Guard is operating shall issue regulations, in consultation with the Secretary, which will establish procedures, methods, and equipment (A) to prevent discharges of oil and matter from vessels, and (B) to implement the regulations of the Secretary relative to removing discharged oil and matter.

"(i) The Secretary, in consultation with the Secretary of the department in which the Coast Guard is operating and consistent with maritime safety and with marine and navigation laws and regulations, may issue regulations which authorize the discharge of oil or matter from a vessel in quantities, under conditions, and at times and locations *deemed appropriate by him, after taking into* consideration various factors such as the effect of such discharge on applicable water quality standards, recreation, and fish and wildlife.

"(j) The provisions of this section and the regulations issued thereunder shall be enforced by the Secretary of the department in which the Coast Guard is operating. The Secretary and the Secretary of the department in which the Coast Guard is operating may utilize by agreement, with or without reimbursement, the personnel, services, and facilities of any other Federal agency in carrying out the provisions of this section and the regulations issued thereunder, including those relating to enforcement.

"(k) Anyone authorized by the Secretary of the department in which the Coast Guard is operating to enforce the provisions of this section may, except as to public vessels, (1) board and inspect any vessel upon the navigable waters of the United States, (2) with or without a warrant arrest any person who violates the provisions of this section or any regulation issued thereunder in his presence or view, and (3) execute any warrant or other process issued by an officer or court of competent jurisdiction.

"(l) In the case of Guam, actions arising under this section may be brought in the district court of Guam, and in the case of the Virgin Islands such actions may be brought in the district court of the Virgin Islands. In the case of American Samoa and the Trust Territory of the Pacific Islands, such actions may be brought in the District Court of the United States for the District of Hawaii and such court shall have jurisdiction of such actions.

"(m) The Secretary of Transportation, in consultation with the Secretaries of Interior, State, Commerce, and other interested Federal agencies, and representatives of the merchant marine, oil, and insurance industries, and of other interested individuals and organizations, shall conduct a study of the need for and to the extent determined necessary, measures to provide financial responsibility and limitations of liability with respect to vessels using the navigable waters of the United States for the cost of removing discharged oil and paying all damages resulting from the discharge of such oil. The Secretary of Transportation shall submit a report, together with any legislative recommendations, to Congress and the President by January 1, 1970."

Sec. 8. Section 14 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466k), is amended by deleting the following: "the Oil Pollution Act, 1924, or".

Sec. 9. The Oil Pollution Act, 1924 (43 Stat. 604), as amended (80 Stat. 1246–1252), is hereby repealed.

And amend the title so as to read: "An act to amend the Federal Water Pollution Control Act, as amended, relating to the control of oil and hazardous substances; financing the construction of waste treatment works; to the conduct of water pollution control research; to the control of sewage from vessels, and for other purposes."

Mr. RANDOLPH. Mr. President, I move that the Senate concur in the House amendments with amendments which I now send to the desk and ask that reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, the amendments will be printed in the Record.

The texts of the amendments are as follows:

On page 2, lines 20, 21, and 25 strike "in excess of $100,000,000".

On page 3, line 8, after the period insert: "*If, in any fiscal year, less than $100,000,000* is appropriated to be available for grants under subsection (b) of this section, no appropriation act for such fiscal year shall make available any amount for contracts under this section for such fiscal year."

On page 7, amend lines 2 through 17, to read as follows: "than additional construction, the Secretary shall conduct a study of the need for, the desirability of, and the feasibility of, a program of assistance to any State, municipality or intermunicipal or interstate agency to pay a portion of the cost of operating such works to implement water quality standards. The Secretary shall submit a report on this study together with his recommendations thereon to the Congress, not later than June 1, 1969."

On page 9, lines 12 and 13, strike "after giving appropriate consideration to" and insert therein "within the limits of".

On page 9, line 21, strike "recreational vessels" and insert therein "vessels not equipped with installed toilet facilities".

On page 11, line 22, change "of this subsection" to "of the initial standards promulgated under this section".

On page 17, strike lines 8 and 9, and renumber paragraphs (6) through (10) as (5) through (9).

At the end of page 17, insert a new section to read as follows:

"Sec. 7. Section 11 of the Federal Water Pollution Control Act, as amended, is amended to read as follows:

" 'COOPERATION BY OTHER FEDERAL DEPARTMENTS AND AGENCIES TO CONTROL POLLUTION

" 'Sec. 11. (a) It is hereby declared to be the intent of the Congress that any Federal department or agency—

" '(1) having jurisdiction over any building, installation, or other property, or

" '(2) which carries out, or issues any license, or permit for any activity, shall, insofar as practicable and consistent with the interests of the United States and, where applicable, within any available appropriations, cooperate with the Secretary in the case of interstate waters, or with any State or interstate agency or municipality having jurisdiction over other waters into which any matter is discharged from such property, or which is affected by such activity, to insure compliance with applicable water quality standards.

" '(b) In his summary of any conference pursuant to section 10(d)(4) of this Act, the Secretary shall include references to any discharges allegedly contributing to pollution from any Federal property. Notice of any hearing pursuant to section 10(f) involving any pollution alleged to be effected by any such discharges shall also be given to the Federal agency having jurisdiction over the property involved and the findings and recommendations of the Hearing Board conducting such hearing shall also include references to any such discharges which are contributing to the pollution found by such Hearing Board'."

On page 18, line 1, change "Sec. 7." to "Sec. 8."

On page 18, line 14, before the semicolon insert "or owning or operating an offshore facility".

On page 19, line 14, after the semicolon delete "and".

On page 19, line 18, strike the period and insert in lieu thereof a semicolon and the word "and".

On page 19, between lines 18 and 19, insert the following new paragraph:

"(10) 'offshore facility' means any drilling structure and appurtenances thereto located in or upon the navigable waters of the United States or in or upon the waters of the contiguous zone."

On page 21, line 3, after "(e)" insert "(1)".

On page 21, line 24, delete the comma.

On page 22, line 5, change "subsection" to "paragraph".

On page 22, between lines 14 and 15, insert a new paragraph to read as follows:

"(2) The owner or operator of any offshore facility, who willfully or negligently discharges or permits or causes or contributes to the discharge of oil into or upon the navigable waters of the United States or adjoining shorelines or beaches or into or upon the waters of the contiguous zone, shall immediately notify the Secretary or his delegate of such discharge and shall remove such discharged oil immediately from such waters, shorelines, and beaches in accordance with *regulations prescribed under subsection (h)* of this section. If such owner or operator fails to so act for any reason, or if the source of the discharge is unknown, the Secretary or his delegate may remove the oil or arrange for its removal and such owner or operator shall be liable to the United States for the full amount of the actual costs reasonably incurred by the United States for the removal of such oil. The aggregate liability under this paragraph for the cost of removal of discharged oil shall not exceed $5 million."

On page 22, line 15, insert "(3)" before the word "In".

On page 23, lines 7, 14, and 17, after the word "vessel" insert "or offshore facility".

On page 24, line 19, strike "establishing water quality standards in" and insert therein "for".

On page 27, line 4, strike "Sec. 8." and insert therein "Sec. 9."

On page 27, line 7, strike "Sec. 9." and insert therein "Sec. 10."

Mr. LONG of Louisiana. Mr. President, the oil import program has been criticized by many people in the past. It is obvious that any program as complex as this will inevitably be somewhat controversial, but I believe that this body is entitled to recognize certain facts which are uncontrovertible.

The reason for the program is the national security; to keep a healthy petroleum industry capable of meeting any demands which may be placed upon it in times of peace or war, or other emergency. Just this last year, when oil production was cut off from the Middle East, the oil industry met the emergency with an almost immediate increase of production which during the emergency produced 52 million barrels of oil more than it normally produces. The industry is capable of producing, in an emergency, additional oil in quantities up to 3 to 4 million barrels day. This it could not do without the oil import control program.

For those critics who say it has not worked, let me remind them that during the life of the program, imports have increased approximately 150,000 barrels a day, whereas production has increased 1½ million barrels a day. While we have not added substantially to our reserves, each year we have found more oil than we consumed.

In the 12-month period ending this past June this vital, dynamic industry paid into the coffers of the U.S. Treasury over $1.7 billion for the right to explore for oil on the Outer Continental Shelf.

Mr. President, I challenge anyone to find a time when there has been a shortage of any petroleum products. As a matter of fact, to the average man little thought is actually given to the tremendous effort which has been expended by this industry in exploring for and producing the oil, without which this great industrial Nation could not exist.

If I could for the moment, Mr. President, answer those who claim that consumers pay too high a price for the oil import program, may I remind this body that over 34 percent of the domestic production in the United States is from marginal wells. Admittedly, we pay more for oil from our over 600,000 wells, which produce an average of 12 barrels a day, than it would have to pay for oil from the newer producing countries where the average per well production is 5 to 6 or even 10,000 barrels a day, but if our industry had to compete directly with this low-priced oil then several hundred million barrels of oil per year and tens of thousands of wells would be closed down, never to produce again. We would not only lose this production, but we would also lose the reserves behind such production. When this occurred we would no longer be able to meet another emergency. We would no longer be self-sufficient and then, I submit, Mr. President, that the consumer would bear a far more difficult burden than he bears today.

Can you picture the economic chaos resulting from the shutdown of thousands of oil wells and several dozen small inland refiners?

Can you picture the loss to our gross national product from loss of revenue, wages, and the oil itself which would remain locked in the bowels of the earth—probably forever? Without the oil import program or a direct subsidy, that is the picture we would see. And when we became dependent on other countries for the oil to turn the wheels of industry; to heat our homes; to power our autos, planes, and trains, then the hue and cry would rise to "do something about it." Can you visualize the crash program resulting and its cost to the taxpayer?

I submit, Mr. President, that the oil import program is of long-range benefit to the consumer although it might appear to the uninitiated that the consumer is paying temporarily high prices for his oil. I submit that the oil import control program has largely accomplished what it set out to do, perhaps not in all respects but in most respects it has accomplished its purpose, providing the self-sufficiency which our national security interests require.

The Assistant Secretary, Mineral Resources, Mr. J. Cordell Moore, recently made a speech in Bismarck, N. Dak., which I ask unanimous consent to have printed in the Record. This speech points out the extreme complexity of the overall oil problem which many have attempted to simplify without really understanding the tremendous importance oil has to this country.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Remarks of the Honorable J. Cordell Moore, Assistant Secretary of the Interior, Before the North Dakota Oil and Gas Association, Bismarck, N. Dak., August 19, 1968

Nobody needs to be reminded that our nation is approaching a crossroads and we are all exhorted—almost compelled—I should say, to look both forward and backward in time; to recall the past and speculate about the future; to compare where we have been with where we wish to go.

These periodic bouts of introspecition are usually quite noisy and occasionally abrasive, but they are highly useful in focussing our attention on the nature and scope of the changes that are constantly going on around us. As in our affairs generally, the oil business has gone through a lot of changes over the past several years, particularly the last decade. I would like to let this be the theme of my remarks today—the changing nature of the oil business, and its implications for an important area of Federal responsibility—that of the Mandatory Oil Import Control Program.

Let me begin by inviting your attention to the year 1958. It was a pretty busy time for newsmen. It was the year of the Lebanon landings, the shelling of Quemoy, and the second Berlin crisis. The United States launched its first successful satellite—with a payload of 30 pounds—and conducted its first full-range test of the Atlas Intercontinental Ballistic Missile. It was the year of the first commercial jet airline service in the United States, and the first visit to the North Pole by a submarine.

But oil men remember 1958 for something else. It was the year the roof fell in.

The general business recession of 1958 dealt harshly with the entire U.S. oil industry, especially its domestic segment. Demand virtually stopped growing, while imports increased by 125 thousand barrels a day at the same time that domestic production declined by 450 thousand barrels a day. Idle productive capacity increased by 650 thousand barrels a day. But by a peculiar circumstance, all of the nation's excess productive capacity was east of the Rocky Mountains. The West Coast was a crude-deficit area and had been for 7 years, and production there was continuing to decline. Revenues from production declined by half a billion dollars from the previous year, and the number of wells drilled dropped by 4600.

These conditions of distress were of concern not only to the oil industry, but to the nation as a whole, which was and is critically dependent upon an assured, adequate supply of low-cost liquid fuels. In particular, the sharply increasing share of imported oil in the total supply concerned thoughtful observers. They saw that the unrestricted entry of foreign oil into U.S. markets would at some point disrupt and demoralize the domestic industry and weaken its incentive to explore for new reserves and expand production in this country. In consequence, the United States would become heavily dependent upon outside sources for an indispensible commodity that experience during the 1957 Suez crisis had shown could be denied or restricted at any time.

The initial response to the problem created by the increasing market share of foreign oil had been the limitation of crude oil imports undertaken on a voluntary basis by the petroleum industry in 1957. But voluntary restraints proved inadequate, and by late 1958 conditions clearly called for a stronger regulating authority. This was affirmed by the finding of the Director of the Office of Civil and Defense Mobilization in February of the next year that the level of imports did indeed threaten to impair the national security. On the recommendation of a special Cabinet-level committee, the present Mandatory Oil Import Control Program was established on March 10, 1959.

The objective of the program is to maintain conditions conducive to a stable, healthy domestic petroleum industry capable of finding and developing the oil and gas supplies required to meet the nation's expanding needs. It has sought to do this by reserving the bulk of the U.S. petroleum market to domestic producers and refiners through limiting the imports of petroleum which compete directly with domestic production.

National security, however, involves much more than the maintenance of a healthy domestic oil industry. From the very beginning of the program it was recognized that a viable petroleum industry in the Western Hemisphere was also important to our security, and within this concept, that oil which could be imported overland from the country of origin should be given a preferred status.

Our security is also dependent in a large measure upon the ability of all Free nations to maintain strong and healthy economies. To this end we are committed to the objective of encouraging and enlarging our trade relations with them whenever and wherever it is feasible to do so. Our oil import policy has therefore evolved as a balance between the need for security of our oil supply and the need to accommodate other Free World nations who value our trade and who in turn are our good customers as well. The result is that the largest part of our petroleum market is reserved for domestic producers and refiners, but a substantial trade is still permitted with friendly nations who have oil to sell.

The program is now in its tenth year, and I think it is appropriate to review its performance record in the light of the objectives it was supposed to accomplish. Some of these results are readily identifiable in quantitative terms:

East of the Rocky Mountains, where the objective was to stabilize the ratio between production and competitive imports, domestic production grew by 1½ million barrels a day between 1959 and 1966, worth over 1½ billion dollars in wellhead revenue on an annual basis. Imports, other than residual fuel oil, increased by 150,000 barrels a day over the same period. This means that 90% of the increase in demand was captured by domestic producers. It also means that the 12.2 percent level has been maintained intact during the entire period of the program.

On the West Coast (including Alaska), where the program has been oriented toward reducing the supply-demand gap, domestic production began a dramatic improvement in 1964 which has continued undiminished up to the present time. This increase resulted not only from the important discoveries in Alaska's Cook Inlet but in California as well. Large-scale steam stimulation of the heavy oil fields in California as well as the opening up of the billion-barrel East Wilmington extension have also accounted for large increases. The net of all this is that daily production in this region has risen by over 350 thousand barrels a day since 1964 and the supply demand gap is closing despite strong gains in demand.

During the first critical week of the Middle East crisis of 1967, the flow of some 10 million barrels of oil a day to the Free World was interrupted. Western Europe faced the loss of over two-thirds of its oil supply. In contrast, less than 3 percent of our own supply was affected, and domestic production was rapidly increased by over one million barrels a day to supply the deficiency on our own East Coast and to help assist Western Europe and Eastern Canada to meet their supply problems. Between June and October shipments of 52 million barrels were made from the Gulf Coast over and above the normal level. Of this total, 27 million went to our own East Coast, 22 million to Western Europe, and over 3 million to Eastern Canada.

These effects as I have previously mentioned, are directly and readily traceable to the Mandatory Oil Import Control Program. There are other results not so easily identified to the program, but which I am certain derive from the climate of stability and confidence which it has been so instrumental in providing.

It takes dollars to find and develop oil and gas reserves, and over time the amounts that are added to the nation's supply demand upon the confidence of both investors and lenders in the outlook for such ventures. And there is impressive evidence that funds have been available for exploring for and developing significant quantities of oil in the United States over the past ten years. Let me enumerate a few of them:

Three billion dollars paid by the oil industry in lease bonuses for Federal acreage on the Outer Continental Shelf, $1.7 billion of it since May 1967.

Offshore production of liquid hydrocarbons increased from 200 thousand barrels a day to 700 thousand barrels a day in response to some $5 to $6 billion invested in exploration and development there.

The discovery and development of a major oil producing province in Cook Inlet, Alaska, under some of the most formidable working conditions ever encountered by the oil industry.

Major new discoveries over the past year in the Rocky Mountain region, at Bell Creek, and Recluse. Significant discoveries in the Red River formation of Williston Basin.

The installation of over 5,000 fluid injection projects resulting in an increase in production from stimulated fields of over half a billion barrels a year.

The introduction of steam-stimulated recovery methods on a commercial scale, accounting for production in excess of 100,000 barrels a day.

And finally, the disclosure last month of the extremely promising discovery on the North Slope of Alaska, estimated at between 5 and 10 billion barrels of recoverable oil. If, and I repeat 'if" the intial estimates of this one reservoir are correct, the field is likely to be the largest ever found in this Hemisphere, and compares with some of the giants of the Middle East. It implies an increase in our Nation's crude oil reserves of between fifteen and thirty percent.

These are all costly, risky ventures, some of them carried out under enormously difficult conditions. But the point is that capital was available for them, and men were willing to gamble their capital on the faith that an attractive return on their investment was at least a realistic possibility under the stable market conditions and favorable environment they could anticipate here in the United States which can be directly attributed to the Mandatory Oil Import Program.

Let me now postulate a change in the ground rules from those under which the industry has operated during the past decade. Suppose, for the sake of argument, that the United States market had been open to the unrestricted entry of foreign oils of all kinds—crude, unfinished, and finished products.

Now, bearing in mind the market conditions that would prevail in these circumstances, ask yourselves some questions, like:

How much would the oil industry have been willing—and able—to pay for the privilege of looking for oil on acreage lying under salt water up to depths of 600 feet and more?

How many large companies would have preferred to put their money in Cook Inlet, rather than in North Africa or the Middle East?

How many wells would have been drilled on the North Slope?

How many small, independent refiners would have gone to the wall, and what would have happened to the small, independent producers who supplied them?

How many secondary recovery projects would have been initiated, and what would the volume of production from stimulated fields now be?

How many marginal wells would have been plugged and abandoned, and how many billions of barrels of oil under them would have been lost to productive use? Let me remind you that when I speak collectively of our nation's marginal wells, I am talking about reserves of the general order of those which have just been discovered on the North Slope, and of daily production greater than anything we can hope for from this new province for many years into the future. We're pretty excited about this stupendous new discovery, as well we should be. But in our enthusiasm let us not discount the value of these older reserves which we have already found, which are already paid for, and which are currently available to our needs in a volume exceeding one-and-a-half-million barrels a day.

Let me specify that I claim constructive results for the oil import control program, not perfection. There is no denying that there have been areas of disagreement, and points of criticism. The flow of Canadian oil under the overland exemption has been widely criticized—but not by those receiving it; the allocations to Puerto Rico and the Virgin Islands have caused consternation in many segments of the industry—but not to the governments of these islands or the recipients of quotas there; and I have yet to hear a serious complaint from a small refiner on the injustice of the sliding scale except that the percentage of the first 10,000 barrels daily should be higher. And only one lone producer's association, out of the entire industry, found reason for changing the present licensing procedure to an auction basis.

The plain simple truth is that no program of the size and complexity of the oil import control program can possibly please all segments of this highly complex industry—not to mention the various consumer groups and Congressional delegations.

Our job has been to maintain as good a balance as we could between these varied conflicting interests, keeping always in view the basic national security objective of the program itself. I believe we have succeeded, and one of the most reliable indications of that fact is that while no segment of the industry is particularly pleased with all facets of the program, none would do away with it.

But after almost ten years of this controversial program, seven of which have found me closely identified with it, I am the first to concede the necessity for a thorough review of its operations. Such a review must necessarily evaluate the program in the light of what we can foresee about future conditions in the oil industry. The Department of the Interior has just issued a report entitled *United States Petroleum Through 1980*. One of the conclusions of this study is that the petroleum industry must either increase its exploratory efforts, or demonstrate that the current level of effort is sufficient to provide the additions to proved reserves that will be needed.

The ARCO discovery on the North Slope and the other significant finds that have been made recently are typical responses of an industry that routinely does the unexpected. We shall have to wait a while to know whether they will be of sufficient magnitude to prove the adequacy of what the industry is now doing to find the enormous volumes of oil and gas we shall need in the foreseeable future. But it is obvious that the outlook is more hopeful than it has been at any time in many years.

Here the past may provide a preview of the future. The fortunes of the oil industry—and those identified with it—progress in cycles—probably because the oil business has always attracted men with gambler instincts. The young men in earlier years gambled on little more than hunches. Most of them lost. A few won, but the big winners, as time went by, were less and less willing to play by hunch and guesswork. They preferred to use proven technology. They preferred to follow the big hits. In his splendid article in the current issue of The American Association of Petroleum Geologists Bulletin, Mr. Michel Halbouty has shown that the upgrading of the explorationists art came through a long sequence of developments, from the simple exploitation of seeps through the torsion balance, the gravity meter, the magnetometer, and the refraction and reflection seismographs. All contributed to making exploration for structural traps less risky and more scientific than the hit or miss tactics of earlier days.

Now a new generation is moving in with new technological refinements. These new-model explorationists have the same gambling instinct as the earlier group. They will gamble and they will find oil. The chips are high, but so is the pot for those who have the luck or the ingenuity to find oil that escaped the efforts of earlier prospectors. And a large frontier remains relatively untouched. As Mike Halbouty has pointed out in his article, we have not yet learned to pinpoint stratigraphic traps; yet many of the largest oil accumulations found in this country have been discovered in strat traps, for the most part by random drilling.

The new discoveries, especially those in Alaska, open up a new chapter in exploration and discovery in the United States. It is inconceivable that the two wells on the North Slope have found the only large petroleum deposit in a province encompassing over 200 thousand square miles. Invariably, discoveries of such gigantic proportions in the past have indicated that the conditions conducive to deposition of hydrocarbons on such a vast scale were not limited to a single structure. The Middle East, North Africa, Venezuela, our own Gulf Coast, and Northern Alberta all prove this to be so.

There will be further exploration, and, I predict, further discoveries, of giant proportions in the Arctic. Our proved reserves, after remaining stationary for ten years, now give promise of increasing dramatically. Meanwhile, other significant discoveries, closer at hand in formations both shallow and deep, remind us that vast areas in the older provinces still offer rich rewards to imaginative prospectors.

Now let us look at other facets of this great industry to see what changes have occurred.

Delivery systems are changing. At the time of the first Suez crisis the average tanker capacity was 16,000 tons; now it is more than doubled with most tankers under construction being over 100,000 tons. Six 300,000-ton vessels are presently under building contracts. One will be delivered this month and the remaining 5 within a year. The Suez Canal is no longer essential—in fact, it could not even be used by the giant new tankers. They are simply too big to fit—they draw too much water to be accommodated by the Canal. The movement of liquefied natural gas by tanker is steadily expanding, and next year Japan will begin receiving deliveries of liquid natural gas from fields in Cook Inlet and the Kenai Peninsula.

Over the years there has been a change in our regional supply patterns. Former crude surplus areas have become crude deficit areas. Others, after years of declining production, have dramatically reversed the downward slide and become suppliers to markets they never before reached. It was only a year ago that the Platte, Arapahoe, and Service Pipelines out of the Rocky Mountain area were running well below capacity. Now they are full, thanks to the new discoveries I mentioned earlier.

Next month will see the completion of Capline, with its capacity to move 400 thousand barrels a day of crude oil from Louisiana to central Illinois. Such major developments in transportation are both cause and effect of the shifting patterns of petroleum supply. Regrettably some areas will languish while others flourish. But the net predictable outcome of these busy, change-laden years will be an enhancement of the nation's access to a secure, adequate supply of low-cost petroleum energy.

At the same time we shall be proceeding with the development of other sources of liquid and gaseous fuels. A number of projects, financed both publicly and privately, are under active development aimed at obtaining both gas and liquids from coal. At present only one of these projects has advanced to pilot plant stage—the project GASOLINE experiment at Cresap, West Virginia. Others are in various points in the progression leading from concept to pilot scale operation. Cost data on commercial operations are non-existent at this point, but cost reduction is of course the principal objective of the work being done.

Gas from lignite is the object of the experimentation to be performed at the pilot plant now approved for construction in Rapid City, South Dakota. We are hopeful that the work conducted there will lead to the solution of cost problems of converting lignite to pipeline quality gas, and thus enhance the commercial possibilities of the vast reserves of lignite in this area.

Interest in oil shale is steadily increasing. The current status of the technology and economics of producing shale oil, along with the major policy problems which must be faced in developing it into a significant factor in the energy market, are discussed in detail in the report released by the Department of the Interior in May of this year. The report is entitled *Prospects for Oil Shale Development—Colorado, Utah, and Wyoming*. It contains a number of proposals aimed at clearing the way for the commercial development of our enormous oil shale resources. We are deeply interested in your reaction to these proposals, and your thoughts about how we may improve them. I therefore commend the report to your careful reading, particularly the part containing its conclusions and recommendations, and earnestly solicit your views on any aspect of its contents.

Before the end of this year we hope to have the terms reasonably firm on two competitive lease offerings providing access to enough oil shale to satisfy the requirements of at least a 35 to 50-thousand-barrel-a-day plant for the period needed to amortize the investment—that is, from 20 to 30 years. These are test leases, designed to explore the feasibility of further leasing under similar—but not necessarily identical—arrangements. One lease would be in thick beds and one in the thin beds in a formation most amenable to conventional mining and retorting. In this way, we hope to be able to test the economic potential of both types of deposits.

I have been asked repeatedly when we will have synthetic crudes from oil shale, coal, and domestic tar sands (the latter is a present-day reality from the Athabasca sands of northern Alberta). The answer undoubtedly depends heavily upon the course of discoveries of conventional crude oil. Assuming the ARCO Arctic discovery is as large as presently estimated and there are further significant discoveries there and elsewhere in the U.S., the development of synthetic crudes might be deferred for a decade or more, unless there are some breakthroughs in conversion technology. But the important thing is that these resources are there available for development and exploitation whenever the nation needs them.

These are just some of the developments ahead that will require us to look closely and continually at our oil import policy and its operation. Plainly, the program cannot go on year after year frozen in some immutable pattern which treats 1980 as though it were 1960. It *must* be responsive to changing conditions within the petroleum industry itself and to the new influences outside the industry which bear upon the kinds and quantities of fuels the nation will have available to it. At the same time, an ill-considered response, an over-reaction, could in short-order destroy the climate of confidence so carefully nurtured over the years of the program's operation. The challenge is therefore to maintain stability without stagnation; to accomplish change without chaos.

This is a formidable assignment, for the besetting issues which have plagued us for so long show no signs of disappearing, and indeed others are almost certain to arise to complement them.

East of the Rockies the 12.2 percent-of-production level for imports other than residual oil remains crucial. Cogent arguments have been advanced both for lowering and raising it. Is there a legitimate case for a change, and if so, how do we accomplish it without unhinging the entire set of relationships which have settled into balance on the present level?

On the West Coast the policy was instituted to compensate for and to correct a deficiency in production. It has succeeded so well that we now have the problem of how to distribute continually diminishing import quotas in the most equitable manner. A few years down the road we may have to fix the ratio of imports to domestic production in this region in the same manner we are now doing for the rest of the country. Should the same level apply to all the States, or will there still be a case for separate handling of the West Coast?

Oil from Canada has long been the subject of complaint both from domestic producers and from overseas suppliers because of its privileged status in the program. Imports of Canadian oil have increased at a much higher rate than domestic production. We have, however, recognized that Canadian oil moving to the U.S. by pipeline is a relatively secure source of supply, and for a decade we have been able to avoid serious supply imbalances resulting from oil imports from Canada. Yet Canadian crude oil reserves are steadily rising, with a reserve-to-production ratio over twice that of the U.S.; tar sand oil from the immense Athabasca deposits has entered the market; and Canada has a substantial proportion of its produc- pressures at work, there is little doubt that tive capacity shut in. With these insistent this part of the program will have to be watched quite closely even though the overland exemption has worked, at least tolerably well, up till now.

Will the oil import program be administered in the future under Executive direction, or will important aspects of it be regulated under provisions specifically defined by law? This is an issue to be faced. Can legislation maintain the stability the program requires and still allow for changes which must inevitably be accommodated in some equitable way? Is there, perhaps, a better mechanism for managing the program, one removed from the political pressures so forcibly exerted on the Congress and the Executive departments?

There are other things—Foreign Trade Zones; the equitable treatment of chemical manufacturers; the impact of pollution abatement regulations; even the definition of commodities subject to import controls. I could go on for the rest of the day discussing the ramifications of the current issues with which we must contend, but I hope that these few examples I have cited convey something of the magnitude and complexity of the problems which will be faced by the new administration as it attempts to deal with the question of oil imports. Their solutions will call for much understanding, imagination, and patience—above all, patience—and the willingness of all to appreciate the fact that import controls form, at most, only a partial answer. They can provide the essential climate of stability under which domestic producers can plan their ventures with some assurance that they will not later be overwhelmed with offerings with which they cannot compete. And most of all, they can and must provide a means of satisfying the national security requirements of a healthy pretroleum industry capable of handling this great nation's requirements in peace or under any other circumstance. This, I submit, is the proper role of oil import controls in the context of today's political, economic and social realities.

Mr. RANDOLPH. I commend my good friend from Louisiana [Mr. Long], and join him in the acknowledgment of the great contributions which the oil industry has made to the economy of the United States.

I am aware that there are provisions in the pending measure which are not wholly satisfactory to the oil industry, and I regret only that the objections were not raised earlier when the Subcommittee on Air and Water Pollution of the Committee on Public Works was considering the original bill. If we had more time than is allowed in these closing moments of the second session of the 90th Congress I have little doubt that we could work out an effective resolution of our differences.

But I desire the record to note that S. 3206, as reported by the Committee on Public Works and passed unanimously by the Senate was not an antioil industry bill—nor are the amendments which I have offered to the House version of S. 3206. I further add that the Senate Committee on Public Works has no bias against the oil industry. But there are problems of oil pollution—with which every Member of this body has some familiarity—and your Committee on Public Works has attempted to report legislation this year and in previous years which will deal effectively with these problems. We have attempted to be practical, not punitive.

Mr. President, Senator Edmund S. Muskie, chairman of the Subcommittee on Air and Water Pollution is perhaps the Nation's most knowledgeable person on the host of environmental problems which confront this Nation. He is deeply concerned with the pending water pollutio legislation and has asked me to attempt to develop a compromise with the other body which will obtain final action on this vitally needed legislation.

After careful analysis of the two measures and extensive consultation with the Senator from Maine and with other members of the committee we have agreed to a course of action which we feel is the maximum compromise we can make.

Mr. President, on December 12, 1967, the Senate passed, without dissent a major oil pollution measure. On July 10 of this year the Senate passed, again unanimously, a bill to provide accelerated Federal funding of needed sewage treatment facilities.

The House of Representatives combined these two measures and on Monday of this week passed them unanimously. The action of the House was the result of long and arduous effort by the father of the Federal water pollution control program, Representative JOHN BLATNIK, of Minnesota. Though there are a great many differences between the Senate and the House legislation, the fact that the House Public Works Committee was able to report a bill and receive unanimous support in that body is a credit to the ability of the gentleman from Minnesota, the chairman of the House Committee, Mr. FALLON, and other distinguished Members of that body including Representative BOB JONES, Representative JIM WRIGHT, and Representative ED EDMONDSON.

The procedure that I am suggesting today is, in part, recognition of the effort put forth by the other body to obtain passage of this vital legislation and in part recognition of the severe time limitations placed on the Congress at this time. A conference between the two bodies cannot be arranged. Too many Members have too many conflicts. But the legislation is vital and an additional attempt should be made to obtain final action.

The amendments that I offer to the House-passed bill are minimal. They reflect what both Senator MUSKIE and other members of our committee believe to be a reasonable compromise—the type of result which might have come from a conference had one been held. I concur in this judgment.

I do not intend to list the differences in the two bills, but for the benefit of the Members of the Senate who have followed this legislation I have had a summary of differences prepared and ask unanimous consent that it be included at the conclusion of my remarks.

In general the House bill includes reference to all but one subject covered by S. 2760, relating to oil pollution, and S. 3206, the Water Quality Improvement Act of 1968. The House enacted essentially similar language on research into new and improved methods of dealing with acid and other mine drainage as well as on demonstration of techniques to control acid and other mine water pollution.

The House bill includes identical language on research and demonstration to control lake pollution which was sponsored, in the Senate, primarily by Senators BURDICK and MONDALE.

The House bill includes a provision on control of sewage discharges from vessels which, but for the omission of recreational vessels, is nearly identical to the Senate language. The amendment that I offer today modifies the Senate position as regards recreational vessels.

The House bill extends the basic water pollution research programs for 1 year as did the Senate.

The House bill includes authority for the Secretary of the Interior to enter into contracts with States and municipalities to pay, over a 30-year period, the Federal share of the cost of construction of sewage treatment plants as did the Senate. But the House legislation severely limited the amount of such contract authority, did not include the Senate language which terminated reimbursement if the sum of contracts and grants equaled the total authorization and did include provision whereby contract authority would be used for reimbursement. As my colleagues will remember, the Congress adopted the reimbursement feature to indicate the Federal commitment to assist States and municipalities in sewage treatment construction costs even though the authorized Federal funds might not be fully appropriated.

As adopted by the House the funds for contract authority are limited to twice the amount in excess of $100 appropriated for grants. This limit would mean that there would be $442 million available for contracts and grants in fiscal year 1969 if the Appropriations Committee approved the full amount available for contracts. Of that $442 million, $214 is the present appropriation for grants and $228 million for contracts or twice the difference between the $100 million base and the total grant appropriation.

The Senate bill provided that contract authority would be limited to the difference between the authorization for construction and the appropriated grant level or, in fiscal year 1969 with an authorization of $700 million and grant appropriation of $214 million, contract authority would be limited to $486 million.

The compromise proposed by the Senate amendments is to accept the House position limiting contracts to twice the amount appropriated for grants while dropping the $100 million base. This compromise would result in $642 million being available for contracts and grants in fiscal year 1969 if the appropriations committees approved the maximum level.

In addition, we have provided that there should be no contracts in any fiscal year where the appropriation for the grant program is less than $100 million.

The other major differences in the House amendments to the Senate-passed bill relate to that section dealing with oil pollution.

In 1966, the Congress enacted, as part of the Clean Water Restoration Act, amendments to the Oil Pollution Act of 1924 to strengthen that law, including cleanup authority, and an increase in the penalties for oil discharges. In conference between the House and Senate in the waning hours of the session, language was inserted in the definition of "discharge" which in essence required proof of "gross neglience" in order to enforce the act.

In 1967, the Senate bill corrected this error, once again included shore installations in the coverage of the act, required that the discharger of oil remove or pay the cost of removal regardless of fault, authorized the Secretary of the Interior to remove the oil where the discharger failed to act, and waived the present provisions of law relating to limitations of liability.

The House amendments to the Senate bill delete the shore installation provision, require that the cost of removal be paid by the discharger when he is willful or negligent in the case of the discharge, expand the coverage of the act to the contiguous zone, include other hazardous substances, substitute the Senate waiver of limitation of liability for a specific limitation of liabilty of $5 million or $67 per gross registered ton of the offending vessel, which ever is the lesser amount, and change several other parts of this section of the Senate bill.

Again, in order to facilitate action and indicate a willingness to compromise, I recommend that the Senate concur with these amendments, most of which are improvements in the bill, including the adoption of the House amendment to extend coverage of the act to the contiguous zone. These amendments were proposed after the Senate had acted. The only substantive change that the Senate committee is requesting by its amendments is addition of "offshore" facilities while conceding, once again, to the omission of shore installations. Offshore installations such as drilling rigs are potentially serious contributors to pollution of our beaches, shellfish beds, and swimming areas. Their control is as essential, if not more so, than that of passing vessels; therefore, we urge the House to accept this compromise.

Mr. President, I noted earlier that the House bill deleted one major section passed by the Senate and included one major section which was not in the Senate bill. The section included by the House was sponsored by that great conservationist Representative DINGELL, of Michigan, and is designed to encourage use of modern treatment methods which have low capital and high operating costs. The existing construction grant program does not consider this type of approach.

Because the Senate did not have an opportunity to have hearings on Representative DINGELL's proposal and because we will want to fully evaluate this type of approach next year we recommend that this provision be amended to require a study of the necessity and feasibility of operating grants to assist in upgrading treatment facilities to be completed in June of 1969. If this type of approach proves valid I assure my colleagues that additional attention will be given to it.

The section deleted by the House but which the Senate committee, and especially the chairman of the Subcommittee on Air and Water Pollution [Mr. MUSKIE] feels is essential to the legislation, is our amendment to section 11 of the basic act. At present section 11 provides that Federal agencies will perform their activities so as not to contribute to water pollution. That section has resulted in

President Johnson's Executive order on water pollution requiring all Federal agencies to assume a leadership role in the Nation's fight against pollution by making sure that no Federal agency activity contributes to degradation of the Nation's waterways.

A number of Federal activities appear to be exempt from that provision. The Senate amendment simply provides that the heads of various Federal agencies shall cooperate with the Secretary of the Interior with regard to interstate waters to assure that their licensees and permittees, are in compliance with applicable water quality standards.

This amendment is important. There is no reason that, in granting a license or permit to operate a facility, the Federal Government should also offer a "license to pollute" or a "permit to pour pollution" into waters in violation of State-adopted water quality standards. If the Federal Government cannot assure the States that every effort is being made to control pollution in areas in which the Federal Government is directly involved, we have no reason to expect the States to do any better.

In summary, Mr. President, let me again say that the House has done a commendable job in many parts of this legislation. Ordinarily, these other areas could be worked out in a conference. But with the rush of business in these closing days, it appears that a conference is not possible. It is with this in mind that the Senate is trying in a constructive manner to amend the House amendments only in these very few areas and to accept in total the other House amendments, even though we are not fully in accord with all of them. Mr. President, I sincerely hope that the leadership of the House will not let this very important and needed water pollution measure die in the House in the waning days of the 90th Congress.

The **PRESIDING OFFICER**. The question is on agreeing to the motion of the Senator from West Virginia [Mr. RANDOLPH].

The motion was agreed to.

TRIBUTE TO SENATORS

Mr. MANSFIELD. Mr. President, I hope we are drawing toward the end of the second session of the 90th Congress. With that fond expectation of mine, I want to express my appreciation to the entire Senate and to the leadership on both sides, to the Senator from Louisiana [Mr. LONG], who has been a stalwart right arm as the deputy majority leader, and to the Senator from West Virginia [Mr. BYRD], who has been tireless in his efforts on the floor and who has been a great relief in taking some of the burdens off the shoulders of the majority leader and deputy majority leader.

I also wish to express my deep appreciation and my personal thanks to the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], and to the deputy minority leader, the Senator from California [Mr. KUCHEL]. But what I have said about those few Members of the Senate would be applicable to all Members of the Senate, because I have been treated with consideration, kindness, and courtesy, and I appreciate more than I can say the tolerant attitude by my colleagues on both sides of the aisle toward me, and the understanding which they have exhibited at all times.

The same goes for the staffs of the Senate, who have performed so notably and so well, with such dedication and such integrity.

I suppose I could go down the roll, but I do not think I will, except to say I feel a deep sense of personal loss on the occasion of some 12 or 13 Senators retiring, either voluntarily or involuntarily.

I feel a deep sense of personal loss as to one of them, in the person of the present President pro tempore, who has represented his State in the Congress of the United States since 1912. What a lifetime the President pro tempore has had, and what changes he has seen. What history he has helped to make. What a great contribution he personally made to the welfare of his country and the betterment of his Nation.

I do not intend to take too much time this evening, but I do want to emphasize again my deep gratitude to everyone with whom I have been associated and to tell them that words fail me in stating how deeply I feel toward all the Members of this body.

AMENDMENT OF RULE XXV OF THE STANDING RULES OF THE SENATE TO CREATE A STANDING COMMITTEE ON VETERANS' AFFAIRS

Mr. MANSFIELD. Mr. President, since May 13, 1968, Senate Resolution 13 has been on the calendar. At every meeting of the Democratic policy committee, the question was brought up as to whether or not it should be reported. Because of the fact that the Senate last year passed its share of the congressional reorganization bill, which included a stipulation creating a standing Committee on Veterans' Affairs in the Senate, it was felt the House should have a chance to approve that bill, if it would, and thereby solve the question. However, the House has not seen fit, in its wisdom, to face up to the consideration of congressional reorganization, and therefore I feel that I am in honor bound to call up at this time this particular resolution.

I do so without any qualms, because I feel the veterans are entitled to every consideration. I do so with the fact in mind that the Veterans' Affairs Subcommittees in the Committee on Finance, under the chairmanship of the distinguished Senator from Louisiana [Mr. LONG] and in the Committee on Labor and Public Welfare, under the chairmanship of the distinguished Senator from Alabama [Mr. HILL], have given every possible consideration to veterans' affairs and problems and both of those committees have done a remarkably outstanding job in fulfilling their obligations, duties, and responsibilities in that respect. So I say it should be clear that, as far as those two committees are concerned, they have functioned extremely well and with great integrity and dedication.

However, something on the order of 70 Senators have cosponsored the resolution reported by the Senator from Nevada [Mr. CANNON] and other Senators.

I should say, before we lay down this bill or attempt to call it up, that HOWARD CANNON, of Nevada, has been in the forefront in trying to get this legislation to the floor for more months and years than I care to remember. I am sorry that, because of official business, he is not here this evening; but, as we all know, his administrative assistant, John F. Conlon, died a few days ago, and Senator CANNON, in his dedication to his duties, is at the moment attending the funeral of his beloved friend in the State of Nevada. But I do want to give him credit. I want to give credit to the Rules Committee and to the entire Senate for the situation which has developed and for their understanding of the same.

Mr. President, I now move that the Senate turn to the consideration of Calendar No. 1100, Senate Resolution 13.

The **PRESIDING OFFICER**. The resolution will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A resolution (S. Res. 13) to amend rule XXV of the Standing Rules of the Senate.

The **PRESIDING OFFICER**. The question is on agreeing to the motion of the Senator from Montana.

Mr. LONG of Louisiana. Mr. President, let me say that I have never served with any man for whom I have more genuine respect and affection than my distinguished majority leader. He is one of the kindest, most considerate men it has been my privilege to know in my entire life. I respect him with great devotion, and I doubt very much if anybody appreciates him more than I do. I deeply love him.

In the beginning of the Congress he wrote me a letter in which he said he might find it necessary to differ with me on one of my pet proposals; that he might find it necessary to make a motion I would not like at all. It was not called to my attention and it led to some misunderstanding.

Our distinguished majority leader pointed out to me that, in the last analysis, notwithstanding the fact that he had been honored by the Senate by being elected our majority leader, he had the responsibility to represent the State of Montana, just as I had the responsibility to represent the State of Louisiana.

It has been my privilege and great honor at times to sit in the majority leader's chair and act in his stead. I am not standing at that chair at this moment, because I find it necessary to speak against the resolution.

The reason I do so, Mr. President, is that the Senate Committee on Finance, of which I have the honor to be chairman and committee spokesman, in my judgment, has done a magnificent job in caring for the interests of veterans. I think the record we have made in this Congress speaks out strongly to prove that point, more so than in any other Congress I have seen. Not only did the Committee on Finance report out every worthy piece of legislation that was referred to us on veterans, but would bring amendments of concern to veterans to the Senate floor on behalf of other Senators, like the distinguished Senator from Texas [Mr. YARBOROUGH], whom I see in the Chamber at the moment, a great friend of veterans, and give them an opportunity to offer their amendments on matters which were beyond the jurisdiction of the Committee on Finance, so that their proposals could receive the benefit of consideration before the Committee on Finance that they had not received elsewhere.

Some time ago, Mr. President, I tried to create a special committee to consider matters involving the tremendous expenditure for research and development in this country, and to see what we were getting in return for our investment in that area. My resolution was referred, not to the Committee on Finance, which one would normally expect to have jurisdiction in such matters, but to the Committee on the Judiciary; and, Mr. President, it never got beyond that committee.

I cannot for the life of me see how the Committee on Finance could be relieved of consideration of legislation on veterans' pensions, unless there had been created a new committee to take its place. I am now informed by the Parliamentarian that it is possible to bypass the committee if one seeks to do it as an amendment to the rules, rather than by legislation to create a separate committee. That was a great surprise to me.

Mr. President, let me point out some of the things we have done for veterans this year, and in recent former years.

SENATE SUPPORT OF VETERANS PROGRAMS

The two major veterans programs handled by the Finance Committee are the compensation program for veterans disabled during military service and the pension program for needy disabled and aged veterans. The compensation increased bill approved by the Senate Finance Committee and enacted into law this August costs almost one-quarter billion dollars annually. This represents the largest single increase ever voted by the Congress for the compensation program. Two bills enacted by the 90th Congress will increase pension payments by more than $200 million annually. This increase in pension payments is larger than the pension increases voted by any other Congress.

The Senate Finance Committee has not held up important legislation, but rather has taken action quickly. The major pension revision and increase bill, H.R. 12555, was referred to the Finance Committee January 18 of this year the bill was reported out 6 weeks later on February 28. The compensation increase bill was referred to the committee June 10; the committee reported the bill 6 weeks later on July 26. At the same time, the committee was handling a big workload of tax, tariff, social security, and other measures.

It is the Senate which for years has initiated action on the cold war GI bill, which was finally enacted by this Congress.

No House-passed bill referred to the Finance Committee has failed to be acted on. But there have only been two such bills this Congress. Only about 25 Senate bills concerning veterans' matters have been referred to the Finance Committee—not much of a workload for a separate committee.

In fact, Mr. President, if we had a separate committee as a standing committee, that committee would have the smallest workload of any committee in the Senate. It would have about 10 percent of the workload of any other committee. Yet it would take up space; and I, for the life of me, cannot understand how anyone could hope to get better treatment than the veterans have received on their pension and compensation bills and insurance bills than they have received from the Committee on Finance.

The Finance Committee for years has wanted to make national service life insurance available to more veterans by reopening the program for them, but we have been unable to convince the House Veterans' Affairs Committee of the great importance of giving these boys another chance to buy this good insurance at favorable rates. The narrow reopening they forced us to accept in 1964 when we met with them in conference brought pitifully few veterans under national service life insurance. If anyone failed the veteran, it was the House Veterans' Affairs Committee—not the Finance Committee.

In 1966, $5.7 billion was spent on veterans' benefits and services. The 1969 budget included $7.1 billion, a 25-percent increase. This increase in a 3-year period well demonstrates our concern for the veteran.

Mr. President, as I have stated, it may be that some Senator feels someone should have some special responsibilities, to think up more ways in which we might effectively serve the veterans than we have been able to do thus far. That is perfectly all right with me. As I stated earlier today, I intend to appoint a special committee of outstanding veterans and champions of veterans to look into this matter, and I ask unanimous consent that that committee may conduct hearings and initiate suggestions during the adjournment of the Senate.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **LONG** of Louisiana. Mr. President, I have studied these veterans' bills. We have reported out all the worthwhile ones. We have acted on them, we have processed them, and we have not denied any Senator who wanted it a chance to introduce a measure to help veterans, even if it did not come within the jurisdiction of the Committee on Finance, the opportunity to offer his amendment, to have it considered and agreed to, and to go to conference with us, and seek to persuade the House Veterans' Affairs Committee to accept and agree to his proposal.

Mr. President, a few months ago I went to New Orleans and met with the American Legion National Legislative Committee. I spoke to their legislative committee, and I challenged them to show me any piece of legislation we had held up in the committee, or any veterans' benefit proposal which had been denied consideration.

All the American Legion, of which I am proud to be a member, could say was, "No, you have been most kind and most considerate, and have done a fine job, and we appreciate it." But they said that unfortunately they had been committed for a great number of years to this proposal for a separate veterans' committee, and that under the circumstances they had no choice but to go ahead and support this proposal.

Mr. President, I ask unanimous consent that there be printed in the RECORD a statement I have prepared, showing that there is not enough work to justify a separate committee, and that a separate committee could not possibly give any better consideration, or understand any better the related problems, an understanding of which would be necessary to do an adequate job, than has the Committee on Finance; and that under the circumstances, we would not be justified in creating the proposed committee.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SENATE VETERANS' COMMITTEE

Mr. President, I have made clear in the past my opposition to the creation of a Senate Veterans' Committee.

I feel that the Committees currently handling veterans' matters have been most responsible. The Committee on Finance has been a great friend of the veteran for many, many years. The most important veterans' programs of our time were engineered by this Committee. Let me cite a few. In 1917, during World War I, the Finance Committee worked out the first life insurance program for our armed forces. The United States Group Life Insurance Program became the benchmark from which we worked during World War II in framing the National Service Life Insurance Program. National Service Life Insurance is one of the most popular veterans' benefits of all time. In 1965 the Servicemen's Group Life Insurance Program was enacted. It too had its beginning in the Committee on Finance. This program provides a maximum of $10,000 low cost life insurance to about 3 million members of our armed forces, many of them fighting in Vietnam.

My only regret is that the Finance Committee—which has wanted to make National Service Life Insurance available to more veterans by reopening the program for them—has been unable to convince the House Veterans' Affairs Committee of the great importance of giving these boys another chance to buy this good insurance at favorable rates. The narrow reopening they forced us to accept in 1964 when we met with them in conference brought pitifully few veterans under National Service Life Insurance. If anyone has failed the veteran in this respect it has been the House Veterans' Affairs Committee, not the Finance Committee.

The first G.I. Bill of Rights was born in the Finance Committee in 1944. Literally millions of veterans derived immeasurable benefits from that monumental work—benefits in the form of guaranteed home mortgages at favorable interest rates, education benefits and business loans. The Cold War GI Bill, enacted in 1966 was patterned after the World War II program.

In 1957, the Committee on Finance acted to establish a completely new program for survivors of veterans who died as a result of service-connected disabilities. This program, known as dependency and indemnity compensation, has developed and its benefits have been materially increased—most recently by the bill approved just two months ago.

In 1958, we combined all the veterans' benefit programs into one title of the United

States Code. This codification represents a truly great simplification over the maze of laws it replaced. It also epitomizes the great responsibility the Committee has felt for keeping the veterans' laws up to date and responsive to the need of the veterans. We have not shirked that responsibility.

Nearly 2 years ago, in February 1967, I laid down a challenge to anyone to show a single instance of Finance Committee apathy to the proper needs of the veteran. No one has accepted that challenge. No one can.

For we have shown our concern amply in the 90th Congress. The compensation increase bill just enacted represents the largest single increase ever enacted in the compensation program. Two major bills affecting the pension program will increase pension payments by a larger amount than increases voted by any previous Congress.

Mr. President, I have also stated that in my opinion the workload has not been great enough to warrant a separate Veterans' Committee. At the present time we have 25 veterans' bills on the Committee calendar—that is all that have been introduced in the 90th Congress. Two others originating in the House have been referred to us. That is a total of 27 bills. We have acted on 9 of them, and I daresay that most Senators would not favor action on some of the others.

In the 89th Congress 22 veterans' bills were introduced in the Senate and referred to our Committee. Twelve more came to us from the House. Of those 34 bills we acted on 23.

The story was much the same in the 88th Congress. Ten bills were introduced in the Senate and seventeen were referred to us from the House. That's twenty-seven bills over a two-pear period. Of these 27 bills we acted on 19.

The situation does not change very much even when you look at the veterans' work handled by the Senate Committee on Labor and Public Welfare. On an average basis, less than 27 veterans' bills per Congress—13 bills a year—are introduced in the Senate and referred to that Committee. Frankly, I do not believe this demonstrates any need for a special committe to handle veterans' legislation.

Mr. President, no one believes more strongly than I do that veterans should receive what they deserve—and at the same time the Congress should be careful to review the veterans' programs responsibly in the context of all our Federal programs, as I feel we have done in the past.

Mr. **LONG** of Louisiana. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **LONG** of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. **LONG** of Louisiana. Mr. President, in view of the difficulty of obtaining a quorum presently, I move that the Senate stand in recess, subject to the call of the Chair.

The motion was agreed to; and at (6 o'clock and 48 minutes p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 7:13 p.m., when called to order by the Presiding Officer (Mr. RANDOLPH in the chair).

RECESS

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the Senate stands in recess until the hour of 10 o'clock tonight.

The **PRESIDING OFFICER**. Is there objection? The Chair hears none, and it is so ordered.

Thereupon (at 7 o'clock and 14 minutes p.m.) the Senate took a recess until 10 p.m.

The Senate reassembled at 10 p.m. when called to order by the Presiding Officer (Mr. RANDOLPH in the chair).

ADJOURNMENT UNTIL MONDAY, OCTOBER 14, 1968

Mr. **SPONG**. Mr. President, I move that the Senate stand in adjournment until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 10 o'clock and 1 minute p.m.) the Senate adjourned until Monday, October 14, 1968, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate October 11, 1968:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Walter B. Lewis, of the District of Columbia, to be an Assistant Secretary of Housing and Urban Development (new position).

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Covey T. Oliver, of Pennsylvania, to be U.S. Executive Director of the International Bank for Reconstruction and Development for a term of 2 years.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

William Hill Brown III, of Pennsylvania, to be a member of the Equal Employment Opportunity Commission for the term expiring July 1, 1973, vice Samuel C. Jackson, term expired.

NATIONAL SCIENCE FOUNDATION

Louis Levin, of Maryland, to be Deputy Director of the National Science Foundation (new position).

POSTMASTERS

The following-named persons to be postmasters:

ILLINOIS

Della M. Jones, Tennessee, Ill., in place of W. E. Morgan, deceased.

INDIANA

Harry R. Ray, Chesterton, Ind., in place of I. W. Dolk, resigned.

John W. Trout, Jr., New Castle, Ind., in place of J. B. Hupp, retired.

MASSACHUSETTS

Carlos L. Figueiredo, Mattapoisett, Mass., in place of A. M. Corey, retired.

MICHIGAN

June A. Noud, Stanwood, Mich., in place of R. A. Huntey, retired.

MINNESOTA

Sarah T. Coffelt, Saint Paul Park, Minn., in place of P. N. O'Boyle, removed.

MISSISSIPPI

Francis A. Stanford, Ripley, Miss., in place of F. S. Clark, resigned.

NEW HAMPSHIRE

Arlene F. Patch, Glen, N.H., in place of M. H. Taylor, deceased.

NEW JERSEY

Robert F. Courter, Glen Ridge, N.J., in place of F. V. Schmitz, retired.

OHIO

Frederick A. Charton, Bolivar, Ohio, in place of R. E. Kienzle, deceased.

PENNSYLVANIA

Robert E. Buckwalter, Lancaster, Pa., in place of F. R. Hammond, deceased.

Richard W. Mains, West Newton, Pa., in place of E. C. Sterner, retired.

TEXAS

Warren W. Healer, Somerset, Tex., in place of H. S. Gray, retired.

VIRGINIA

W. George Cleek, Warm Springs, Va., in place of R. M. Cleek, retired.

ALASKA

Lars L. Johnson, Anchorage, Alaska, in place of G. S. Schwamm, deceased.

ARKANSAS

Jean N. Cooper, Almyra, Ark., in place of B. W. Vos, retired.

MASSACHUSETTS

Andrew J. Sacco, Bedford, Mass., in place of H. A. Thurber, retired.

Everett P. Gould, Boxford, Mass., in place of H. D. Moore, retired.

John J. Quinlan, Peabody, Mass., in place of J. L. Sullivan, retired.

MISSOURI

Willoughby L. O'Connell, Nevada, Mo., in place of R. W. Bell, resigned.

NEW HAMPSHIRE

Richard F. Connelly, East Kingston, N.H., in place of M. I. Wasson, retired.

NEW YORK

Alfred J. Bradford, Elmsford, N.Y., in place of J. R. Iadarola, deceased.

William E. Siegrist, Hyde Park, N.Y., in place of A. E. Smith, retired.

TEXAS

Walter L. Hunter, Jr., Hamlin, Tex., in place of P. H. Sparks, retired.

WEST VIRGINIA

A. Bernadine Porter, Carolina, W. Va., in place of E. H. Lavencheck, resigned.

WISCONSIN

LaVerne H. Marquart, Knowles, Wis., in place of Peter DelPonte, deceased.

ALABAMA

W. Waite McCorquodale, Jackson, Ala., in place of M. M. Gunn, retired.

MICHIGAN

Lillian E. Kiel, Grand Rapids, Mich., in place of H. W. Parker, deceased.

MINNESOTA

David P. Page, Jr., Hines, Minn., in place of C. G. Eckstrom, resigned.

NEW YORK

Ralph D. LaPolt, Smallwood, N.Y., in place of E. E. DeCamp, retired.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 11, 1968:

POSTMASTERS

KANSAS

Lloyd K. Greenwood, McPherson.

MINNESOTA

Donald L. Turner, Chatfield.

TENNESSEE

Margaret E. Bruce, Belvidere.
Marie S. Sampson, Fall Branch.
Paul L. Hicks, Joelton.
Beulah E. Walters, Luttrell.
R. James Burleson, Roan Mountain.

Harold E. Reeves, Shady Valley.
Chandler P. Strunk, Windfield.

VIRGINIA

William J. Smith, Hallwood.

WEST VIRGINIA

Doyle D. Robinson, Jr., Logan.

DEPARTMENT OF STATE

Nathaniel Davis, of New Jersey, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Guatemala.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Covey T. Oliver, of Pennslyvania, to be U.S. Executive Director of the International Bank for Reconstruction and Development for a term of 2 years.

POSTMASTERS

ALABAMA

Melvin L. Atchley, New Hope.
James E. Broughton, Jr., Wellington.

ARKANSAS

John M. Moore, Arkadelphia.

FLORIDA

Jacob C. Fewell, Okeechobee.

ILLINOIS

John F. Koulentes, Des Plaines.

INDIANA

Elsie E. Cornelius, Bath.

MAINE

Keith H. Anderson, Orono.

MICHIGAN

Barbara J. Rourke, Henderson.
Jean M. Cook, Homer.
James E. Robb, Imlay City.
Wyman D. Campbell, Milan.
Donna B. Besko, Ovid.

MISSOURI

Frederick M. Ream, Green Ridge.
Charles H. Pirch, Holden.
Jerry D. Wood, Mount Vernon.

MONTANA

Otis A. Tjeltvelt, Red Lodge.
Myron C. Hacker, Stanford.

NEW YORK

Elliot B. Marrus, Cedarhurst.
Mary G. Stietzle, Port Jefferson Station.

NORTH CAROLINA

Edgar A. Cashwell, Saxapahaw.

OHIO

Ralph R. Peyton, Zanesville.

PENNSYLVANIA

James S. Gaughan, Olyphant.

TENNESSEE

Jesse L. Campbell, Manchester.
Arthur E. McCaskill, Moscow.

TEXAS

Woodrow C. Doobs, Crockett.
Vela H. Alexander, Roscoe.
Robert A. Habermacher, Sabinal.
Avis M. Tyler, Sundown.

UTAH

Arlen L. Madsen, Salina.

WASHINGTON

Andrew J. Pachosa, Grand Coulee.
Paul E. DeHaven, Tonasket.

WEST VIRGINIA

Joseph B. Faller, Ridgeley.

WISCONSIN

Raymond P. Hoffman, Fennimore.
John W. Bakker, Shell Lake.

WITHDRAWAL

Executive nomination withdrawn from the Senate October 11, 1968:

POSTMASTER

The nomination sent to the Senate on February 21, 1967, of Homer A. Crecelius to be postmaster at Bellevue, in the State of Ohio.

HOUSE OF REPRESENTATIVES—*Saturday, October 12, 1968*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

John 14: 15: *If ye love Me, keep My commandments.*

Eternal spirit of God, who art from everlasting to everlasting, we lift our hearts unto Thee in this our morning prayer. Grant unto us wisdom to know Thy way, courage to set out upon it, and strength to walk in it. Save us from being too content with our lives and too satisfied with what we have done. Keep us from tolerating in ourselves what we condemn in others and help us to be understanding and forgiving. If changes are to be made let them begin in us. Thus may we be a part of the world's solution and not a part of its problems.

Renew our minds and hearts that we may present to this day a life honest and sincere, dedicated to the highest we know, and devoted to the best good of our beloved country.

In the spirit of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE RECEIVED OCTOBER 11

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 11394. An act to amend certain provisions of the Internal Revenue Code of 1954 relating to distilled spirits, and for other purposes.

The message also announced that the Senate had passed concurrent resolutions of the following titles:

S. Con. Res. 82. Concurrent resolution authorizing the President of the Senate and the Speaker of the House to sign enrolled bills and resolutions; and

S. Con. Res. 83. Concurrent resolution establishing that when the two Houses of Congress adjourn on Friday, October 11, 1968, they stand adjourned sine die.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills and concurrent resolutions of the House of the following titles:

H.R. 159. An act to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes;

H.R. 2760. An act for the relief of Sondra D. Shaw;

H.R. 7567. An act to amend the Internal Revenue Code of 1954 with respect to the definition of compensation for purposes of tax under the Railroad Retirement Tax Act, and for other purposes;

H.R. 14095. An act to amend the Internal Revenue Code of 1954 so as to make certain changes to facilitate the production of wine, and for other purposes;

H.R. 15114. An act to extend to savings notes the provisions of the Second Liberty Bond Act relating to the redemption of savings bonds and the payment of losses incurred in connection with such redemption;

H.R. 17361. An act to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the city of Memphis;

H.R. 18253. An act relating to the effective date of the 1966 change in the definition of earned income for purposes of pension plans of self-employed individuals;

H.R. 18486. An act to amend the Internal Revenue Code of 1954 with respect to the treatment of income from the operation of a communications satellite system;

H.R. 18942. An act relating to the income tax treatment of certain statutory mergers of corporations;

H. Con. Res. 763. Concurrent resolution providing for the printing as a House document a survey and handbook entitled "Federal Educational Policies, Programs, and Proposals;"

H. Con. Res. 797. Concurrent resolution providing for the printing of the report entitled "Commercial Banks and Their Trust Activities: Emerging Influence on the American Economy"; and

H. Con. Res. 801. Concurrent resolution listing of operating Federal assistance programs as compiled during the Roth study.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 18707) entitled "An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10790) entitled "An act to amend the Public Health Service Act to provide for the protection of the public health from radiation emissions from electronic products."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 20300) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate with an amendment to the bill. (S. 3206) to amend the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and for other purposes.

The message also announced that the Senate recedes from its amendment to the bill (H.R. 5785) to authorize the disposal of magnesium from the national stockpile.

The message also announced that the Senate agrees to the House amendments to the Senate amendments Nos. 1, 3, and 5 to the bill (H.R. 16025) to amend title 38 of the United States Code with respect to eligibility for, and the period of limitation on, educational assistance available under part III of such title, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2584. An act for the relief of Ludger J. Cossette;

S. 2721. An act to amend section 2 of the act of February 11, 1903, relating to appeals in certain antitrust actions, and for other purposes;

S. 3289. An act for the relief of Dr. Francisco A. Aviles;

S. 3373. An act for the relief of Dr. Andres Raul Fernandez;

S. 3440. An act for the relief of Dr. Pedro Sarduy Brito (Pedro S. Sarduy); and

S. 3464. An act for the relief of Dr. Kenneth Siu.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 857. An act for the relief of Puget Sound Plywood, Inc., of Tacoma, Wash;

S. 3174. An act to establish a National Memorial to Woodrow Wilson;

S. 3416. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the rendering of direct assistance to and performance of special services for the Inaugural Committee; and

S. 3736. An act to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex.

THIRD ANNUAL REPORT OF THE OFFICE OF ECONOMIC OPPORTUNITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 397)

The SPEAKER laid before the House the following message from the President of the United States, which was received October 11; which was read and, together with the accompanying papers, referred to the Committee on Education and Labor and ordered to be printed with illustrations:

To the Congress of the United States:

I am pleased to transmit the Third Annual Report of the Office of Economic Opportunity.

Three years is but a minute in the history of our nation. Three years is not long enough to test thoroughly a completely new concept concerned with the complex subject of people and how their lives can be changed. In the first three years of the War on Poverty, however, greater strides were made in bringing people out of poverty than at any other comparable time in history. Our continuing economic health was in part responsible for this, but the efforts of the Office of Economic Opportunity also had a considerable impact.

When we undertook the task of attacking the basic causes of poverty we entered an uncharted forest where many lessons had to be learned through experience. We have come far. More than we have failed, we have succeeded. More than we have been discouraged, we have been inspired by the determination of the poor to begin moving toward a better life.

A new source of strength for our nation has been tapped as the poor, previously shut off from participation in the affairs of their communities, have had their voices heard. Instead of remaining outsiders, they have become part of their neighborhoods, and the meaning of American democracy and the responsibilities it entails have become real to them for the very first time.

The poor can be moved out of poverty. Of this we are now certain. The cycle of poverty is not unbreakable. This we now know.

This report offers striking evidence of the progress that is possible.

In fiscal year 1967, the period covered by this report:

—Over a million poor people received health services through Comprehensive Health Centers and other health programs.

—Over 2 million young people in poverty areas benefited from education, work experience and organized recreation in special summer programs.

—Formal legal actions were taken on behalf of over 300,000 of the poor by Legal Services Programs.

—Some 150,000 senior citizens took part in programs at 200 OEO-financed Senior Citizen Centers and multi-service centers.

—Over 680,000 deprived pre-schoolers had their chances of success in life increased through Head Start.

The eyes of this nation have been opened to the plight of the poor, but not completely grasped is the complexity of modern day poverty and the tremendous efforts required for the uphill climb. Desire is important—and this the poor possess in previously unsuspected quantities—but desire without assistance equals frustration. It is this assistance that the programs of the Office of Economic Opportunity provide.

The poor do not need sympathy, as much as they need understanding of the circumstances that have made them poor. They do not want a hand-out as much as they want training for a decent job, quality education for their children, health centers where their families can receive adequate medical attention.

A beginning, but only a beginning has been made. Ahead of us still remains an enormous but a necessary task. As long as all Americans do not share in the prosperity of this rich land, our attempt to correct this inequality must not slacken.

We have begun. The tide of progress is clear. Let us resolutely continue.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 11, 1968.*

SIXTEENTH, SEVENTEENTH, AND EIGHTEENTH SEMIANNUAL REPORTS OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 396)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Science and Astronautics and ordered to be printed, with illustrations:

To the Congress of the United States:

I am transmitting today the Sixteenth, Seventeenth, and Eighteenth Semi-Annual Reports of the National Aeronautics and Space Administration covering the period between July 1, 1966 and December 31, 1967.

The events recorded here are both tragic and encouraging; sobering and inspiring.

The eighteen-month period saw success and failure and then success again as a proud agency moved forward with renewed determination.

The Gemini missions were completed; Lunar Orbiters I and II transmitted thousands of clear pictures of the moon; new communications and meteorological satellites were orbited.

Then came tragedy. Three brave American astronauts were killed in the Apollo fire.

Initially stunned, NASA then went to work to overcome the flaws in the Apollo system. Soon, impetus was restored to this crucial part of our space effort. Other great space achievements followed, such as the Saturn 4 flight.

I commend these reports to your attention. They contain, I believe, concrete evidence that NASA is moving forward, and that America is contributing mightily in the worldwide effort to conquer space for the benefit of all mankind.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 11, 1968.*

AMENDMENT OF AGREEMENT BETWEEN UNITED STATES AND UNITED KINGDOM FOR COOPERATIVE USE OF ATOMIC ENERGY FOR MUTUAL DEFENSE PURPOSES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Joint Committee on Atomic Energy:

To the Congress of the United States:

Pursuant to the Atomic Energy Act of 1954 as amended, I am submitting herewith to each House of the Congress for appropriate action an authoritative copy of an amendment to the Agreement between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual

Defense Purposes of July 3, 1958, as amended. The Amendment was signed at Washington on September 27, 1968.

The Agreement of July 3, 1958 as amended included a provision under which the Government of the United States agreed to transfer to the Government of the United Kingdom prior to December 31, 1969 special nuclear material for research on, development of, production of, or use in utilization facilities for military applications.

Under the Amendment submitted herewith, the Government of the United States shall transfer to the Government of the United Kingdom special nuclear material and authorize the transfer of specific other materials to the Government of the United Kingdom prior to December 31, 1979. The transfer of this material to be used as fuel in the United Kingdom's submarine program would substantially enhance the ability of the United Kingdom to contribute to our mutual defense, particularly in the North Atlantic area.

I am also transmitting a copy of the Acting Secretary of State's letter to me accompanying authoritative copies of the signed Amendment, a copy of a joint letter from the Chairman of the Atomic Energy Commission and the Secretary of Defense recommending approval of this Amendment, and a copy of my memorandum in reply thereto, setting forth my approval.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 11, 1968.*

THE LATE HONORABLE PAUL J. KILDAY

The SPEAKER. The Chair recognizes the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Speaker, it becomes my painful duty to announce the death of our longtime colleague, the judge of the Court of Military Appeals, the Honorable Paul Joseph Kilday, who passed away early this morning at his home in Washington, D.C.

I was greatly shocked, as I know other Members are, to learn of his untimely death.

Judge Kilday came to Congress in January 1939, just 2 years after I did. We became sincere friends.

His family and my family were and are friends. We respected him as an individual and as a great citizen and as a fine American. I also respected his outstanding ability and his magnificent character.

As a Congressman, Judge Kilday displayed those traits of intellect that made him a great judge on his court. He served for many years on the Committee on Armed Services of this House, and it ofttimes fell his lot to explain the most complicated and most intricate legislation brought in by that committee. I have never known a man in this Congress or elsewhere who had so fine an ability to make other people understand the substance of complicated matters. During all my service I have never known a Member of this House on whom the Members could more completely rely. I have never known any Member to question a statement of fact which Judge Kilday made in regard to any of his legislation because he always presented the matters not only lucidly but presented them factually so that the membership might understand.

Judge Kilday leaves a wonderful and devoted family. His wife, Cecile Newton Kilday, is a most gracious and charming lady, a faithful wife, who worked with him throughout all of his long and eventful career. He also leaves two lovely daughters both of whom are married and both of whom now reside in this area.

Personally I want to say for myself and for my wife Frances that we extend our heartfelt thanks and our best wishes to the family. For the Texas delegation I want to say that we consider ourselves as having lost one of our greatest colleagues who worked with us so long and for whom we held such deep affection. For the House of Representatives I am sure that I can say that we all feel a deep loss this morning in knowing that Judge Kilday is no longer with us.

Now I am very pleased to yield to the Speaker of the House, the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. McCORMACK. Mr. Speaker, I know that I speak the sentiments of all my colleagues on both sides of the aisle who are here today and those who served with him in past years in expressing our profound and deep feelings of sorrow on the passing of our late beloved colleague and dear friend, Paul Kilday, who served in this body with outstanding distinction and who also served in the U.S. Court of Military Appeals with equally outstanding distinction.

Paul Kilday served in the Congress of the United States during a most trying period of our Nation's history and of the world's history. His contributions to the strength and stability and firmness of America are well known by all who served with him. They are a part of the history of this Chamber. Almost each week on Saturday a group of us would meet at lunch downstairs. Paul Kilday was invariably there. As a matter of fact, I looked forward today to dropping in and having my lunch with the same group in the hope and expectation that my dear friend Paul Kilday would be there. I received the news a few moments ago of his sudden death. I received it with sorrow, and it has had a stunning effect upon me.

It is unnecessary to elaborate upon the great public service of Paul Kilday, because it speaks for itself. The people of the district he represented, which is now represented by our dear friend, the gentleman from Texas [Mr. GONZALEZ], were justified while he served here in feeling proud at the character of the service he rendered. They are now justified in feeling proud of the great contributions that he has made to the strength, the dignity, the stability, and the progress of our country. During all his period of service he was a source of great strength in facing the challenging problems that confronted our beloved country.

Mr. Speaker, I join with my colleagues from Texas in extending to Mrs. Kilday and her loved ones my deepest sympathy in her great loss and sorrow.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I am glad to yield to the distinguished minority whip.

Mr. ARENDS. Mr. Speaker, I join with others here in expressing deep regret and sorrow upon learning this morning of the passing of our wonderfully fine friend, Paul Kilday, a former Member of this body from Texas.

Mr. Speaker, it was my great privilege to serve with Paul Kilday in this House of Representatives for many years. As a person I got to know him well and intimately so during those years when we served together on the Committee on Armed Services. I know of no one who has been more dedicated in promoting the policies of our military and our military posture than Paul Kilday. He was a wise man, a very intelligent person, and a determined individual with conviction and principle.

I shall always appreciate the fact that I knew Paul Kilday well and knew him as a true friend. He was not only an extraordinarily able legislator, but a dedicated citizen respected by all who knew him. I shall always cherish his memory. Mrs. Arends joins me in extending our sympathy to his wonderful wife and family.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I am happy to yield to the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Speaker, I wish to join with the Speaker and others and especially with the distinguished gentleman from Texas [Mr. POAGE] in the remarks which he has made about Paul Kilday. He has done a good job of capturing the personality of this great American. I could not improve upon what Mr. POAGE has said about Paul Kilday.

We have all felt close to Paul since he first came here as a Member of the House of Representatives.

Mr. Speaker, Paul loved his country, he loved its military services, he loved its courts of law, and, of course, he was very devoted to his family.

As the distinguished Speaker said, he loved the House of Representatives.

As was also pointed out by the distinguished Speaker, although our friend had been on the court for many years, he unfailingly came to the Capitol when the opportunity presented itself on Saturday for lunch with the Speaker and others of us in the House restaurant.

Paul Kilday was one of those rare people who seemed to have a great deal more talent in a variety of fields than most of his fellows and he used those talents in service to his fellow man.

I am glad to pay my tribute to his life and service at this time and to extend to Mrs. Kilday and the surviving members of his family my deepest sympathy in which Mrs. Mahon joins.

Mr. RIVERS. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the distinguished chairman of the Committee on Armed Services, the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS. Mr. Speaker, I wish to associate myself with the sentiments which have been expressed by the distinguished gentleman from Texas [Mr. POAGE], the distinguished Speaker of the

House of Representatives, and others in our grief and sorrow at the untimely passing of our late and distinguished colleague, Paul Kilday.

Mr. Speaker, Paul Kilday served on the old Military Affairs Committee and on the Committee on Armed Services from its inception. At the very outset of his service on this committee Paul Kilday was assigned the most difficult tasks confronting this committee.

He became the spokesman for longevity, for career compensation, for personnel, for pay, for housing, for the things which mean so much for the morale and the makeup of the military.

He was a great lawyer. He had a great analytical mind. He loved the law. He could see the innermost things in the thinking of those who wrote it, and he too wrote good law. He was at home on the court, because he knew the military law. He was an authority on the tactics and the strategies of the military armies of all civilizations, particularly our own, and of our own military. A most unusual man was Paul Kilday, thoroughly dedicated to what was good for America.

As the gentleman from Texas [Mr. MAHON] has said, he loved the House of Representatives.

Once a poet said this:

> The leaves have their time to fall,
>   The rose to wither at the northwind's breath,
> And stars to set;—but all,
>   Thou hast *all* seasons for thine own, O Death!

And in all of those seasons death has come and taken some of the great men of our time, as it has taken our beloved Paul Kilday.

We will miss him. The sympathy of my family and myself goes out to the family of Paul Kilday in this, their hour of sorrow.

We will miss Paul Kilday.

Mr. POAGE. Mr. Speaker, I now yield to the distinguished gentleman from Texas [Mr. GONZALEZ].

Mr. GONZALEZ. Mr. Speaker, I thank my colleague from Texas for yielding to me, and I too join with the illustrious chairman from Texas in rendering this sad eulogy in the memory of Paul Kilday.

Perhaps, Mr. Speaker, I can add some information pertaining to one facet of Paul Kilday's career that may not be generally known on this level here in the Nation's Capitol.

Paul Kilday was a native Texan. He grew up in San Antonio. He studied law here at Georgetown, and then went back to San Antonio and had a very effective and brilliant career as an assistant district attorney at a time when this office played a crucial role in the orderly development of Bexar County. At that time the congressional district which he later represented consisted of more than three counties, and when he sought the office of Representative to the U.S. Congress he won overwhelmingly because he had established himself as a most competent and keen-minded lawyer.

Besides this, his family was an illustrious family. His brother, Owen, was a renowned law-enforcement officer, and had served as chief of police of the city of San Antonio, and later at the time that Paul Kilday was elected to Congress to begin his long career, which has not been exceeded by any other man in the history of Bexar County, his brother Owen served as sheriff of Bexar County.

When Paul Kilday came to Congress as the Representative of what then made up the 20th District of Texas, he did not foresee that the country would enter a war. But at the time that it did, he began his service in the Committee on Armed Services, which at that time was known by a different name.

Of course, the rest is history here. The name Paul Kilday invokes everything that is symbolic of good government, loyalty, efficiency, and absolute integrity and trustworthiness. Therefore he left for us a tremendous example for those in the House who followed him to try to emulate him and to live up to those ideals.

Paul Kilday served in the capacity of U.S. Representative of the 20th District of Texas for a little better than 22 years, and he has left an indelible impression through his achievements in the House of Representatives, which Members such as the gentleman from Texas [Mr. POAGE] have so well brought out, and who in fact can do it better than I can since they served with Paul Kilday during the time that he was a Representative.

Mr. Speaker, it was a shocking surprise to learn this morning of Paul Kilday's passing, and I join my colleagues in sharing the grief they have expressed and in offering my condolences to his loving family.

Mr. GUBSER. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from California.

Mr. GUBSER. Mr. Speaker, I share a deep sense of loss over the passing of our former colleague, the Honorable Paul Kilday.

It was my very great privilege and also my pleasure to serve as a member of a subcommittee of the Committee on Armed Services which he chaired. I learned to know Mr. Kilday well, and I learned to respect him.

At a time like this when you look back and think of a former colleague who has passed away, you always try to summarize that part of his character which was most impressive.

First of all, I remember Paul Kilday as a gentleman and as a gentle man, a man who was quiet and even tempered, but whose great weight of authority was inversely proportionate to his mildness of manner.

The other thing I remember most about Paul Kilday was his great knowledge and his extreme competence. I do not believe I have ever met a man who knew as much about the personal problems of the men and women who serve in the Armed Forces of the United States as Paul Kilday. Nor do I believe there has ever been a man who contributed more to the welfare of those same men and women and did more to improve the armed services as a career than Paul Kilday.

Mr. Speaker, I think this country has lost a great citizen and I certainly wish to join with my colleagues in expressing condolence and deep sympathy to his family.

Mr. POAGE. I thank the gentleman.

Mr. KAZEN. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Texas.

Mr. KAZEN. Mr. Speaker, although I did not have the privilege of serving with Paul Kilday in this body, I knew him for many, many years. Paul Kilday was a very able and dedicated public servant and a good and loyal friend.

In south Texas, as my colleague from Bexar County [Mr. GONZALEZ] has said, the name "Kilday" is a household word. He stood for and exemplified everything that is good in America.

I shall miss him. My family and I extend our deepest sympathy to his wife and family.

Mr. POAGE. I thank the gentleman.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman.

Mr. MILLS. Mr. Speaker, it was with a feeling of shock that I learned within the hour of the passing of my good friend, Paul Kilday.

It was my good fortune to have entered the Congress at the same time he did and to have become acquainted with him and his family immediately upon entering the Congress and to have enjoyed for all of these years a close relationship with him and the members of his family.

I want to join in all that has been said about his service. It was not long after he came here that all of us recognized the tremendous potential that he possessed. It was not long after he came here and began serving on the old Committee on Military Affairs of the House that he demonstrated to one and all his keen insight and his great ability to fathom the workings of and the matters of jurisdiction of that committee. He became an expert in all aspects of military legislation and military personnel problems.

Mr. Speaker, it is with great sadness that I speak this morning. I know my wife and my own children join in extending to Mrs. Kilday and her lovely daughters our feeling of deepest sympathy to them during this time of trial.

Mr. POAGE. I thank the gentleman.

Mr. BURLESON. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman.

Mr. BURLESON. Mr. Speaker, may I join my colleagues who have just spoken, in expressing shock and sorrow on hearing of the death of a close and beloved friend, Paul Kilday.

Judge Kilday has been my friend for more than 22 years. Whatever is said of his abilities and dedication to public trust cannot be exaggerated. He was a fine man—a man of integrity and faithfulness to his responsibilities and he accepted those responsibilities with courage and conviction.

My heart goes out to his lovely wife Cecile and their two daughters, Mary Catherine and Betty Ann.

Mr. BENNETT. Mr. Speaker, I have just now learned of the passing of Judge

Paul Kilday and my heart goes out in deepest sympathy to all of his loved ones. I venture to say that the House of Representatives has never had a wiser, more intelligent, and merciful Member than he. It was my privilege to serve under him as a member of several subcommittees; and to be his personal friend. In this session, as in all sessions since I have been a Member of the House, he has helped me in the drafting of legislation; and I never found his advice in fault. Truly our country is stronger and the lot of its soldiers, sailors, and airmen better because of his many contributions in Congress as a judge. All America is deeply his debtor.

Mr. ZABLOCKI. Mr. Speaker, I wish to join our distinguished colleague from Texas, Mr. W. R. POAGE, our beloved Speaker, and the other colleagues in paying tribute to Judge Paul Kilday. The news of his sudden passing was a deep shock and saddened all of us whose privilege it was to know him.

Although Judge Kilday was a Member of 10 years seniority at the time I came to Congress in 1949, the warm, kindly, and helpful reception he extended to me in my early days will always be remembered.

His eloquent and detailed presentation of intricate and complex legislation from the Armed Services Committee clearly established Paul Kilday as an extraordinary legislator. In his gentle, yet persuasive manner, he influenced the consideration of some of the most important legislation in our Nation's history.

Judge Kilday always had a fond hello and a kind remark at every occasion. We missed him in these Halls of Congress when he was appointed as judge of the Court of Military Appeals. He will be sorely missed by his colleagues in the House and by his associates in the judiciary.

May his family and his friends take consolation in the thought that the Good Lord has chosen him to be among His very own. My wife, Blanche, joins me in extending to Mrs. Kilday and the family our deepest sympathy.

Mr. TEAGUE of Texas. Mr. Speaker, I wish to join in with my colleagues in mourning the passing of a great statesman and judge, the Honorable Paul Kilday, of San Antonio, Tex. Paul represented the San Antonio area in the Congress for better than 20 years before accepting his judgeship on the U.S. Court of Military Appeals. I cannot think of anyone more eminently qualified for his latter period of public service than Paul inasmuch as he had served his entire tenure as a Member of Congress on the House Armed Services Committee. As a member of this committee he was a moving force in the writing of the Selective Service Act and the revisions in the Uniform Code of Military Justice. In addition he was instrumental in drafting much of the legislation of a beneficial nature to members of the Armed Forces and in benefits for their survivors and retirement benefits for those military retirees.

Paul was a good friend of many of us here in the House, particularly Texans. He will be sadly missed by all of us who knew him, and America has truly lost a public servant.

Mr. DE LA GARZA. Mr. Speaker, my heart is heavy with grief over the passing of Judge Paul Kilday, a great Texan and a great American who favored me with his friendship and whose family name has for many years been closely associated with the south Texas area that is home to me.

His brother, Frank Kilday, has served for many years in the 15th Congressional District of Texas as a priest of the Oblate Order. Father Kilday has been pastor of churches in McAllen, Weslaco, and San Juan, and his ministry has brought comfort and inspiration to uncounted thousands.

Judge Kilday was for 23 years a Member of this House, serving with honor and distinction in a career that continues to be a shining example to those of us who came after him. When I entered the House, he had resigned to accept appointment as a judge of the court of military appeals, a post for which he was eminently qualified both by his kindly, understanding temperament combined with judicial wisdom, and by his long experience as a member of the House Armed Services Committee.

Even though no longer a Member of the House, Judge Kilday was always available to offer wise counsel and undemanding friendship to Members young and old. He loved the House of Representatives, and his service here remains a source of inspiration to all who were privileged to know him.

Paul Kilday was my friend. He was a statesman, and a gentleman in the best sense of that perhaps old-fashioned but still meaningful term. I mourn his passing.

Mr. PATMAN. Mr. Speaker, for more than two decades, I was privileged to serve in the House as a member of the Texas delegation side by side with one of the finest gentlemen I have ever known, Judge Paul Kilday, whose recent death is deeply mourned by his devoted family, his host of friends, his colleagues in Congress and on the bench, and by all who even briefly were touched by the gentle wisdom that underlay his every association with his fellow men.

Paul Kilday was one of those exceptional people, who as his knowledge increased so too did his desire to learn. It was a refreshing experience to spend an hour or two with him, as I did whenever possible—usually at the Capitol on a Saturday afternoon—because his wealth of experience, his far-ranging mind, and his deeply held religious beliefs made his observations about life and the institutions of government both informative and quietly amusing. Paul Kilday was a man free of prejudice. Where his Nation was concerned, he was loyal to the core and he did not understand or approve of skepticism. It might be said that he revered his country, and was incapable of doubt, believing that in the long course of history the American way of life was the best for all mankind.

He was a good man and I am deeply proud of his friendship. His wife, Cecile, and the family he loved beyond anything in this world can take solace in the knowledge that in the opinion of his fellow mortals his greatness of heart and spirit was exceeded only by his nobility of soul and his faith in the Creator of all.

GENERAL LEAVE TO EXTEND

Mr. POAGE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in tribute to the Honorable Paul Kilday.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

DISTRICT OF COLUMBIA PARKING FACILITY ACT—CONFERENCE REPORT

Mr. DOWDY (on behalf of Mr. MCMILLAN) filed the following conference report and statement on the bill (S. 944) relating to the establishment of parking facilities in the District of Columbia:

CONFERENCE REPORT (H. REPT. NO. 1974)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 944) relating to the establishment of parking facilities in the District of Columbia having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

SHORT TITLE

SECTION 1. This Act may be cited as the "District of Columbia Parking Facility Act".

FINDINGS OF FACT

SEC. 2. The Congress finds that—

(1) the growth and development of the National Capital area have been accompanied by an ever-increasing number of persons entering the District by motor vehicle which has resulted in serious traffic congestion;

(2) this congestion restricts the interchange of goods, services, and people between the District and the surrounding suburbs, to the detriment of both; imposes hardships and inconvenience on residents, employers, employees, and tourists in the National Capital area; impedes the efficient conduct of the United States and the District governments; and interferes with the rapid and effective disposition of police and fire-fighting equipment;

(3) the orderly growth and development of the National Capital area requires a balanced transportation system which provides residents of and visitors to the National Capital area a variety of economic and efficient means of travel into and through the District;

(4) a balanced transportation system requires adequate highways, rapid rail transit, buses, and off-street parking facilities for motor vehicles;

(5) off-street parking facilities in sufficient numbers and at rates and locations adequate to meet the needs of the National Capital area have not been provided; and

(6) the establishment of a parking authority to supplement existing parking with additional off-street parking facilities is necessary to maintain and improve the economic well-being of the National Capital area, the safety, convenience, and welfare of the residents thereof and the visitors thereto, and the efficiency of the United States and District governments.

CREATION OF PARKING BOARD

SEC. 3. (a) There is established a body politic and corporate of perpetual duration, to be known as the "District of Columbia Parking Board" (hereafter in this Act referred to as the "Parking Board"). The Parking Board shall consist of three members, who shall be the Commissioner of the District or his designee, the Secretary of the Interior or his designee, and the Administrator of General Services or his designee. Two members of the Parking Board shall constitute a quorum. The members of the Parking Board shall select from among their number a chairman and a vice chairman of the Parking Board.

(b) The Parking Board shall appoint, subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and other applicable laws relating to employees of the District, an Administrator. The Parking Board may delegate to the Administrator such authority as may be necessary or convenient to carry out the purposes of this Act.

(c) In carrying out its duties under this Act, the Parking Board shall take such action as may be necessary to insure the equitable distribution of parking facilities among the properties of the Government with due regard for the comparative urgency of need for such facilities, and to that end it shall take into consideration the availability of public transportation, other Government as well as commercial off-street parking facilities, and municipal, regional, and other planning for the future extension or improvement of public transportation and parking facilities. The highest priority shall be given to any project to provide parking facilities for motor vehicles of officers and employees of the Government employed in the buildings on North Capital Street presently occupied by the Government Printing Office. In determining the location and design of those parking facilities consideration shall be given to the incidence of crime in the area surrounding those buildings.

PARKING ADVISORY COUNCIL

SEC. 4. (a) There is hereby established a Parking Advisory Council (hereafter in this Act referred to as the "Advisory Council"). The Advisory Council shall be composed of nine members, consisting of the Director of the District of Columbia Department of Highways and Traffic or his designee, the Chairman of the National Capital Planning Commission or his designee, and the general manager of the Washington Metropolitan Area Transit Authority or his designee, all ex officio, and six members from private life appointed by the Parking Board, one of whom shall be designated biennially by the Parking Board to serve as Chairman. Two of the members appointed from private life shall be experienced parking operators in the National Capital area and the other members appointed from private life shall be chosen to reflect a range of experience in such fields as architecture, engineering, retail trade, real estate, financing, law, and transportation.

(b) The members of the Advisory Council appointed by the Parking Board shall be appointed for a term of four years, except that with respect to the first appointments made after this Act becomes effective, one member shall be appointed for a one-year term, one member shall be appointed for a two-year term, two members shall be appointed for a three-year term, and two members shall be appointed for a four-year term. Any member appointed to fill a vacancy shall serve only for the unexpired term of the member he is replacing. Any member shall be eligible for reappointment.

(c)(1) Members of the Advisory Council who are officers or employees of the United States or of the District shall serve without compensation in addition to that received in their regular public employment, but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of duties vested in the Advisory Council.

(2) Members of the Advisory Council, other than those to whom paragraph (1) is applicable, shall receive compensation at the rate of $50 per day for each day they are engaged in the performance of their duties as members of the Advisory Council and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Advisory Council.

(d) It shall be the duty of the Advisory Council to advise and assist the Parking Board in carrying out its functions under this Act, including the overall planning of parking facilities, the acquisition, construction, design, and operation of such facilities, and such other matters as the Parking Board shall request or the Advisory Council shall determine. The Parking Board shall request the views of the Advisory Council on each matter made subject to a public hearing by this Act, and shall include the report of the Council, if any, in the Parking Board's record.

(e) The Advisory Council is authorized, within the limits of funds authorized by the Parking Board and subject to the provisions of title 5, United States Code, governing appointments in the competitive service and other applicable laws relating to employees of the District, to appoint an executive secretary. Subject to reimbursement by the Parking Board for the salaries, retirement, health benefits, and similar costs for such employees, the ex officio members of the Advisory Council and the Commissioner of the District shall make available to the executive secretary such staff, information, and technical assistance as he shall require to enable the Advisory Council to carry out its responsibilities under this Act.

(f) The Advisory Council is authorized, within the limit of funds authorized by the Parking Board and in accordance with the provisions of section 21(a)(11) of this Act, to hire independent consultants to assist it in carrying out its responsibilities under this Act.

COMPREHENSIVE PARKING STUDY

SEC. 5. (a) The Advisory Council shall, within one year following the effective date of this Act, and not less than once each five years thereafter, prepare and distribute a comprehensive report on parking in the District metropolitan area. Such report shall include—

(1) an inventory of existing parking facilities in the District both public and private, and an analysis of the manner and extent to which they are utilized;

(2) an inventory of the existing and reasonably anticipated transportation facilities in the National Capital area, including roads, highways, buses, and rapid rail transit, and an analysis of the manner and extent to which they are utilized;

(3) an analysis of the extent, type, and location of all parking facilities and on-street parking which are necessary or desirable for achieving balanced transportation and an efficient flow of traffic in the National Capital area together with recommendations as to the need, if any, for additional public parking facilities and the areas within which such facilities should be located; and

(4) any other information or recommendations that the Advisory Council determines to be useful to the Parking Board in carrying out its duties under this Act.

(b) The Advisory Council shall refer the parking report to all interested agencies in the National Capital area for their information and comments. The parking report and all relevant data used to compile the report shall be made available to owners and operators of private parking facilities in the District in order to enable them more effectively to plan the operation and expansion of their facilities.

ACQUISITION OF PARKING FACILITIES

SEC. 6. (a) The Parking Board is authorized to acquire, in its own name, by purchase, lease, gift, exchange, condemnation, or otherwise, such property, real or personal, in the District, including any rights or interests therein, as the Parking Board may require to carry out the provisions of this Act. The Parking Board shall not acquire by condemnation any parking facility operated as such on October 8, 1968.

(b) The Commissioner of the District is authorized to make available to the Parking Board, without consideration, air and subsurface rights in areas consisting principally of land in street, highway, railway, or subway rights-of-way, bridges, and other lands under his jurisdiction and control in the District for use by the Parking Board in carrying out its duties under this Act. The Commissioner, to the extent feasible, shall exercise this authority to enable the Parking Board to locate parking facilities in such manner as to coordinate parking with any future highway or subway construction in the District. Nothing in this Act shall be construed as modifying or superseding any provision of title 23, United States Code.

(c) The Secretary of the Interior and the Administrator of General Services are authorized, subject to such terms and conditions as they may prescribe, to make available to the Parking Board, without consideration, subsurface rights in lands in the District under their respective jurisdiction and control for use by the Parking Board in carrying out its duties under this Act.

(d) The Parking Board shall take no final action with respect to the acquisition of a parking facility or the acquisition of any real property for the purpose of establishing thereon a parking facility (other than the taking of options) until the Parking Board has—

(1) obtained a study of such proposed facility from an independent expert qualified to evaluate the feasibility of any such facility, and

(2) held a public hearing to obtain views on the need for such facility, its proposed size, and its economic feasibility.

The Parking Board shall publish notice of any such hearing in at least one newspaper of general circulation in the District at least twenty days prior to such hearing.

(e) The acquisition, by condemnation, of real property for use by the Parking Board under this Act shall be authorized only if, prior to the initiation of proceedings to condemn such property, the Parking Board shall have—

(1) retained at least two qualified, independent real estate appraisers to assist it in establishing the fair market value of the property, and received in writing from such appraisers such value;

(2) established a fair market value for the property based on such appraisal;

(3) certified that it has been unable to purchase the property at such fair market value;

(4) certified that decent, safe, and sanitary housing can reasonably be expected to be available to any families which may be displaced by such condemnation action at rentals they can reasonably afford; and

(5) certified that, barring acts of God or other unforeseeable circumstances, it will commence, or cause to be commenced, construction of a parking facility upon such property within one year following the date of acquisition.

After the Parking Board has complied with the requirements of paragraphs (1) through (5) of this subsection with respect to any real property, it shall notify each House of Congress of its intent to initiate condemnation proceedings with respect to such real property. The Parking Board may initiate such proceedings unless between the date of the transmittal of such notice and the end of the first period of sixty calendar days of continuous session of Congress after that date either House passes a resolution, reported from its Committee on the District of Columbia, stating in substance that that House does not favor the initiation of such proceedings. The provisions of section 906 of title 5, United States Code, shall apply with respect to determining when the sixty day period referred to in the preceding sentence has terminated. The provisions of sections 908, 910, 911, 912, and 913 of such title shall apply with respect to the consideration of the resolution provided for in this subsection.

(f) Condemnation proceedings brought pursuant to this section shall be brought in the name of the Parking Board. Such proceedings shall be instituted and conducted in the United States District Court for the District of Columbia, which court shall have jurisdiction of such proceedings, and shall be prosecuted in accordance with the procedure in proceedings instituted and conducted under the authority of suchapter II of title 16 of the District of Columbia Code, except that wherever in such subchapter (1) the terms "Board of Commissioners" or "Board" appear, such terms shall be deemed, for the purposes of this Act, to mean the Parking Board, (2) provision is made for property to be taken in the name of the District of Columbia, such provision shall, for the purposes of this Act, be construed to mean that property shall be taken in the name of the Parking Board, (3) reference is made to the District of Columbia (as a party to a proceeding instituted or conducted under the authority of such subchapter), such reference shall be deemed a reference to the Parking Board, and (4) any payment is required to be made from appropriated funds, such payment is authorized to be made from any moneys of the Parking Board which are available for such purpose.

(g) The Parking Board may make relocation payments to any person displaced by reason of its acquisition of property under this section to the same extent as such person would be entitled to receive if such payments were made under section 114 of title I of the Housing Act of 1949 (42 U.S.C. 1465). The Parking Board and the District of Columbia Redevelopment Land Agency are authorized to enter into an agreement under which such Agency shall undertake to administer the payments authorized to be made by this subsection, and provide the Parking Board with relocation services in like manner as such Agency provides such services to the Commissioner of the District.

(h) No parking facility shall be established under this Act upon any property zoned residential without the approval of the Zoning Commission of the District, which may grant such approval only after public notice and hearing in accordance with the provisions of section 3 of the Act of June 20, 1938 (D.C. Code, sec. 5-415).

PARKING BOARD AUTHORIZED TO CONSTRUCT AND OPERATE FACILITIES

SEC. 7. (a) The Parking Board is authorized to undertake, by contract or otherwise, the clearance and improvement of any property acquired by it under this Act as well as the construction, establishment, reconstruction, alteration, repair, and maintenance thereon of parking facilities. The Parking Board shall take such action as may be necessary to insure that all laborers and mechanics employed in the performance of such construction, alteration, or repair shall be paid in wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor, in accordance with the Act of March 3, 1931 (the Davis-Bacon Act, 40 U.S.C. 276a—276a-5). The Secretary of Labor shall have, with respect to the labor standards specified herein, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934 (40 U.S.C. 276(c)).

(b) The Parking Board may—

(1) include in any facility acquired or constructed under this Act air space at or below the level of the street on which such facility fronts or abuts for purposes other than parking, and

(2) make provision for the development of the air rights above any parking structure of four or more stories for purposes other than parking,

if the Parking Board determines that the utilization of such space or air rights for commercial purposes is expedient for the financing of such parking facility and is compatible with the development and zoning of the vicinity in which such facility is located. The lease under section 8 of this Act of any facility constructed or acquired by the Parking Board, shall include the space and air rights referred to in paragraphs (1) and (2) of this subsection. No petroleum products shall be sold or offered for sale in any entrance to or exit from any parking facility constructed or acquired under this Act.

(c) The Parking Board shall, as soon as practicable, lease or sell, pursuant to sections 8 and 9 hereof, any facility acquired or constructed under this Act unless the Parking Board determines that the public interest would best be served if it operated such facility itself, and includes in its record of the matter a statement as to its reasons therefor. Each such determination so made shall be reviewed by the Parking Board not less than every three years following the date on which such determination is made.

(d) In operating any such facility, the Parking Board shall, to the extent feasible, provide, by contract or otherwise, for such operations of its parking facilities by any person or management firm competent to manage the operation. Any such contract shall be subject to the Service Contract Act of 1965 (41 U.S.C. 351-357).

PARKING BOARD AUTHORIZED TO LEASE FACILITIES

SEC. 8. (a) The Parking Board is authorized to lease any parking facility acquired or constructed by it for such period of time, as the Parking Board may determine, except that a lease which is used as security for permanent financing shall not exceed forty years in duration and any other lease shall not exceed five years in duration. The Parking Board shall invite competitive bids for the lease of any parking facility, but the Parking Board may reject any and all such bids.

(b) The Parking Board shall not lease any such facility for an annual rental in an amount less than that which is necessary to amortize, within a forty-year period, the cost of acquiring or constructing such facility and to provide a reasonable reserve for such purpose; to meet the Parking Board's obligations, if any, under the lease including any obligation to repair, maintain, or insure the facility; and to meet all administrative expenses and other charges in connection therewith; except that the Parking Board may, for good cause, accept, for such number of years as the Parking Board may determine is necessary, a lower rental than the minimum hereinabove prescribed, subject to the repayment to the Parking Board of the difference between such lower rental and such minimum rental prior to the termination of the period for which the parking facility is leased.

(c) The lease of a parking facility shall be upon terms and conditions requiring that such parking facility shall be operated and maintained, during the term of the lease, for the parking of motor vehicles by the general public in accordance with rates, hours of service, methods of operation, rules, and regulations established or approved by the Parking Board and posted in such parking facility by the lessee. Such lease shall take into account the fair value of any space in, on, above, or below such facility available for purposes other than parking.

PARKING BOARD AUTHORIZED TO SELL FACILITIES

SEC. 9. (a) The Parking Board is authorized to sell any parking facility other than any facility constructed on land owned by or acquired from the Governments of the United States or the District. The Parking Board shall invite competitive bids for the sale of any such parking facility, but may, whenever it determines it to be in the public interest, negotiate the sale of such facility. The Parking Board shall include in its record of the matter a statement as to its reason for so negotiating any such sale.

(b) The sale of any such parking facility shall be upon terms and conditions requiring that such parking facility shall be operated and maintained for the parking of motor vehicles by the general public in accordance with rates, hours of service, method of operation, rules, and regulations established or approved by the Parking Board and posted in such parking facility by the purchaser.

(c) The Parking Board is authorized, in connection with the sale of a parking facility acquired or constructed by it, to include in the deed for such property a covenant, running with the land, whereby the purchaser agrees, for himself and his successors in interest, that the property purchased from the Parking Board will be used as a parking facility for such period of time as the Parking Board shall specify in said covenant. The Parking Board is authorized to agree, subject to the requirements of subsection (b) of this section, to the release or modification of any such covenant whenever the Parking Board shall find, after public hearing, that the operation of a parking facility no longer is in the public interest, the development of the vicinity in which such parking facility is located is or will be of such a character as to make such facility incompatible with such vicinity, or such vicinity will not economically support any such parking facility. Such a hearing shall be held upon the request of any purchaser (a successor in interest) who has held such parking facility for at least 5 years.

LEASING LAND FOR DEVELOPMENT

SEC. 10. (a) The Parking Board is authorized to lease for terms not exceeding forty years, any land acquired pursuant to this Act, and to stipulate in such lease that the lessee shall erect at his or its expense a structure or structures on the land leased which structure or structures and land shall be primarily used, maintained, and operated as a parking facility. Every such lease shall be entered into upon such terms and conditions as the Parking Board shall impose including requirements that (1) such structure or structures shall conform with the plans and specifications approved by the Board, (2) such structure or structures shall become the property of the District, or in the case of a facility constructed on land under the control and jurisdiction of the United States, become the property of the United States, upon termination or expiration of any such lease, (3) the lessee shall furnish security in the form of a penal bond, or otherwise, to guarantee fulfillment of his or its obligations, and (4) the lessee shall take such action as may be necessary to insure that all laborers and mechanics employed in the performance of such construction, alteration, or repair shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor, in accordance with the Act of March 3, 1931 (the Davis-Bacon Act, 40 U.S.C. 276a-276a-5), and any other requirements which, in the judgment of the Parking Board, shall be related to the accomplishment of the purposes of this Act.

(b) The lessee may, with the consent of the Parking Board—

(1) sublease or develop space in such facility at or below the level of the street upon

which such facility fronts or abuts for purposes other than parking; and

(2) sublease or develop air rights above any parking structure of four or more stories for purposes other than parking;

if the Parking Board determines that the utilization of such space or air rights for such other purposes is expedient for the financing of such parking facility and is compatible with the development of the vicinity in which such facility is located. No petroleum products shall be sold or offered for sale in any entrance to or exit from any parking facility constructed or acquired under this Act. The rentals so generated shall be taken into account in fixing the sales price of any real property sold pursuant to this Act and the approval of rates for the parking of motor vehicles in the parking facility constructed thereon.

(c) Any such lease made pursuant to this section shall be upon such terms and conditions as the Parking Board shall determine, and shall include requirements that any parking facility constructed on the land so leased shall be operated and maintained for the parking of motor vehicles by the general public in accordance with rates, hours of service, method of operation, rules, and regulations established or approved by the Parking Board and posted in such parking facility by the lessee.

RATES

SEC. 11. (a) The Parking Board shall establish and, from time to time, revise, with or without public hearings, schedules of rates to be charged for use of space in each parking facility established pursuant to this Act. Any such schedule of rates established by the Parking Board for use of space in any parking facility operated by the Parking Board shall be comparable to the schedule of rates for use of space in any parking facility which is operated by a private parking operator and which is similar to and in the same vicinity, as the parking facility operated by the Parking Board. In establishing rates under the Act, the Parking Board shall (1) consider, among other factors, the existing rates charged by privately operated parking facilities serving the same vicinity; and (2) consider, in light of the overall transportation needs and problems of the District metropolitan area, the extent to which long-term and short-term parking is desirable at each location and shall fix a schedule of rates for each location which is designed to encourage the types of use that are desired at such location. The Parking Board is authorized to provide rate differentials for such reasons as the amount of space occupied, the location of the facility, and other reasonable differences.

(b) The rates to be charged for the parking of motor vehicles within any parking facilities leased pursuant to this Act shall be fixed at rates that will enable the lessee to meet all his obligations under his lease or leases; to defray all reasonable and necessary operating expenses; and to earn a fair and reasonable profit or return on his investment.

(c) The rates to be charged for the parking of motor vehicles within any parking facilities sold by the Parking Board under this Act, or constructed on any unimproved real property leased under section 10 of this Act, shall be fixed at rates that will enable the purchaser or lessee, as the case may be, to meet all his obligations under the purchase or lease agreement or agreements to amortize his investment over a reasonable period; to defray all reasonable and necessary operating expenses; and to earn a fair and reasonable profit or return on his investment.

AUTHORITY TO ISSUE OBLIGATIONS

SEC. 12. (a) (1) The Parking Board is authorized to issue and sell, upon such terms and conditions as it shall by resolution prescribe, its obligations having such maturities and bearing such rate or rates of interest as may be determined by the Parking Board, except that not more than $50,000,000 in such obligations shall be outstanding at any time. Obligations issued under this Act shall be offered at public sale to the lowest responsible bidder. Such obligations may be made redeemable at the option of the Parking Board before maturity in such manner as may be stipulated in such obligations. The principal of and the interest on any such obligations so issued shall be payable out of any moneys or revenues of the Parking Board available under the provisions of this Act.

(2) Obligations authorized hereunder may be issued by the Parking Board in the form of temporary, interim, or definitive bonds, at one time or from time to time, for any of its corporate purposes, including acquiring necessary cash working funds, constructing, reconstructing, extending, or improving a parking facility or facilities or any part thereof and acquiring any property, real or personal, useful for the construction, reconstruction, extension, improvement, or operation of a parking facility or part thereof. The Parking Board shall also have power from time to time to refund any bonds by the issuance of refunding bonds, whether the bonds to be refunded shall have or have not matured, and may issue bonds partly to refund bonds outstanding and partly for any other of its corporate purposes. To the extent feasible, the provisions of this Act governing the issuance and securing of other obligations shall govern refunding bonds. All bonds issued under the provisions of this Act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under article 3 of the Uniform Commercial Code of the District. The Parking Board shall determine the date, the price or prices, and the terms of redemption, and the form and the manner of execution of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the Disrict. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery, and any bond may bear the facsimile signature of, or may be signed by, such person as at the actual time of the execution of such bond shall be duly authorized to sign such bond although at the date of such bond such person may not have been such officer. The bonds may be issued in coupon or in registered form, or both, as the Parking Board may determine, and provision may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, for the reconversion into coupon bonds of any bonds registered as to both principal and interest, and for the exchange of either coupon bonds or registered bonds without coupons for an equal aggregate principal amount of other coupon bonds or registered bonds without coupons, or both, of any denomination or denominations.

(3) In the discretion of the Parking Board, bonds may be secured by a trust agreement by and between the Parking Board and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or without the District. Such trust agreement may contain provisions for protecting and enforcing the rights and remedies of the bondholders, including covenants setting forth the duties of the Parking Board in relation to the acquisition of property and the construction of parking facilities and the improvement, maintenance, operation, repair, and insurance of parking facilities, the rates to be charged and the custody, safeguarding, and application of all moneys; shall set forth the rights and remedies of the bondholders and of the trustees; may restrict the individual right of action by bondholders; and may contain such other provisions as the Parking Board may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of such trust agreement may be treated as a part of the cost of operation.

(4) In order to secure the payment of its bonds, the Parking Board shall have power, in the resolution authorizing the issuance thereof or in the trust agreement securing such bonds (which shall constitute a contract with the holders thereof) to—

(A) pledge all or any part of its revenues, including future revenues, the proceeds of bonds and any other moneys available to the Parking Board;

(B) covenant with respect to pledges of revenues, liens, mortgages, sales, leases, any property then owned or thereafter acquired, or against permitting or suffering any lien on such revenues or property;

(C) covenant with respect to limitations on any right to sell, lease, or otherwise dispose of any parking facility or part thereof, or any property of any kind;

(D) covenant with respect to the terms of any bonds to be issued, the custody, application, investment, and disposition of the proceeds thereof, the issuance of additional bonds, the incurring of any other obligations by it, the payment of the principal of and the interest on the bonds or any other obligations, the sources and method of such payment, the rank or priority of any such bonds or other obligations with respect to any lien or security or as to the acceleration of the maturity of any such bonds or other obligations; and

(E) covenant with respect to the replacement of lost, destroyed, or mutilated bonds.

The Parking Board is further authorized to pledge as security for revenue bonds, the revenues of parking meters, and to covenant with respect to the installation, relocation, operation, and maintenance of parking meters; the maintenance of its real and personal property, the replacement thereof; the insurance to be carried thereon and use and disposition of insurance money; the rates and other charges to be established and charged by the Parking Board under the authority of this Act; the amount to be raised each year or other period of time by rentals, sales, fees, rates, or other charges, and as to the use and disposition to be made thereof; and for the creation of special funds and accounts, including reasonable reserves.

(b) Obligations issued by the Parking Board, their transfer, and the income therefrom (including any profit made on the sale thereof), shall be exempt from all taxation (except estate, inheritance, and gift taxes) now or hereafter imposed by the United States or the District, any State, territory, or possession, or any county, municipality, or other municipal subdivision or taxing authority of any State, territory, or possession of the United States.

(c) Notwithstanding any restrictions on investment contained in any other laws, all domestic insurance companies, domestic insurance associations, and executors, administrators, guardians, trustees, and other fiduciaries within the District of Columbia, may legally invest any sinkng funds, moneys, or oher funds belonging to them or within their control in any bonds or other obligations issued pursuant to this Act, except that nothing contained in this subsection shall be construed as relieving any person, firm, or corporation from any duty of exercising reasonable care in selecting securities for purchase or investment.

(d) No trustee or receiver of any property of the Parking Board shall assign, mortgage, or otherwise dispose of all or part of any parking facility established under this Act, except in the manner and to the extent permitted under any trust or other agreement securing an obligation of the Parking Board. A trustee under any trust or other agreement securing an obligation of the Parking Board may be authorized in the event of default under any such trust or agreement to seek the appointment of a receiver who may enter and take possession of any parking facility of the Parking Board, operate and maintain such facility, collect all revenues arising therefrom, perform all duties required by this Act or by any trust or other agreement securing an obligation of the Parking Board to be performed by the Parking Board or any officer thereof, and take possession of the revenues from parking meters applicable to the payment of any obligations of the Parking Board.

PARKING METERS

Sec. 13. (a) The Parking Board shall, subject to the approval of the Commissioner of the District, install, maintain, repair, relocate, and remove parking meters at such locations on the streets, rights-of-way, avenues, roads, highways, and other public open spaces under the jurisdiction and control of the Commissioner of the District as the Parking Board may determine as an aid to regulation and control of the movement and parking of motor vehicles. In carrying out the aforementioned duties, the Parking Board shall, from time to time, consult with the Director of the District of Columbia Department of Highways and Traffic. The Parking Board is authorized to prescribe fees for the parking of vehicles where parking meters are now or hereafter installed and to utilize its own personnel to collect such fees. Such fees shall be collected by the Parking Board and shall be accounted for and disposed of in like manner as other revenues of the Parking Board.

(b) The Parking Board is authorized to pledge, in addition to its other revenues, the revenues of parking meters as security for its obligations, except that no such pledge shall extend to more than 75 per centum of the revenues of the meters in existence at the time such pledge is made. No covenant or agreement entered into by the Parking Board shall prohibit it from relocating parking meters.

EXEMPTION FROM TAXATION

Sec. 14. The Parking Board shall not be required to pay any taxes or assessments upon any parking facilities or any part thereof, or upon the income thereof. In lieu of such taxes or assessments the Parking Board shall pay to the District an amount equal to the taxes or assessments that would have been levied against the property of the Parking Board were the Parking Board not exempt from taxation. The exemption from taxes and assessments hereunder shall not be extended to any interest in a parking facility conveyed by the Parking Board to a grantee or lessee. The requirement to make payments in lieu of taxes shall be subordinate to the obligations of the Parking Board under any bond, mortgage, obligation, other evidence of indebtedness, or contract.

FRINGE LOTS

Sec. 15. (a) Notwithstanding any other provision of this Act, the Parking Board is authorized, after consultation and coordination with the Washington Metropolitan Area Transportation Authority, and the Metropolitan Washington Council of Governments, to establish fringe lots in the National Capital area. The head of any Federal or District government agency or department is authorized to make lands in the National Capital area under his jurisdiction and control available, on such terms and conditions as he shall determine, to the Parking Board for use by it in establishing fringe lots under this section. No fringe lot shall be established outside the District, except on land owned by the United States, or any department or agency thereof, unless the Parking Board has first obtained approval therefor from the local governing body of the jurisdiction in which such fringe lot may be located.

(b) The Parking Board is authorized to operate any fringe lot established by the Board under this section, or to lease any such fringe lot pursuant to such terms and conditions as the Board may determine. The Parking Board is further authorized to operate or arrange for the operation of such fringe lots without charge to the persons patronizing such lots.

(c) As used in this section, the term "fringe lot" shall mean a parking lot primarily open to public use for the long-term parking of motor vehicles, located at or beyond the fringe of the central business district of the District served by buses, rail transit, or other mode of mass transportation.

NATIONAL CAPITAL PLANNING COMMISSION

Sec. 16. (a) On and after the effective date of this Act the Parking Board or any person desiring to acquire existing parking facilities, construct new parking facilities, or lease property for use as parking facilities shall submit to the National Capital Planning Commission for its review and recommendations thereon their plans for the acquisition, construction or leasing of such facilities or properties. The recommendations of the Commission shall be advisory in nature.

(b) The National Capital Planning Commission is authorized, whenever such plans are forwarded to it in accordance with the provisions of this section, to study such plans and make such report thereon as the Commission, in its discretion, determines is necessary. If no such report on such plans is submitted by the Commission within sixty days from the date the Parking Board or such person forwards them to the Commission, the Commission's approval of such plans shall be assumed.

(c) Nothing in this section shall be construed as superseding any existing law or provision of law relating, directly or indirectly, to the construction, establishment, expansion, operation, or location of parking facilities in the District.

COMMISSION OF FINE ARTS TO REVIEW PLANS

Sec. 17. (a) The Parking Board shall, in accordance with the provisions of the Act of May 16, 1930 (40 U.S.C. 121), submit to the Commission of Fine Arts the plans for each parking facility which the Parking Board proposes to construct or which is to be constructed on land leased by the Parking Board.

STUDY

Sec. 18. The Advisory Council shall undertake a study of the relationship between parking requirements and zoning regulations, with specific reference to the District planning proposals and the District zoning study now under way.

NOTICE TO PARKING BOARD OF SCHEDULE OF RATES TO BE CHARGED BY PRIVATE PARKING FACILITIES

Sec. 19. Every person owning or operating a parking facility in the District shall, pursuant to such rules and regulations as shall be established by the Parking Board, file in writing a complete schedule of the rates charged by such person for the storing or parking of motor vehicles in such facility, and in no case shall such person, following the filing of such schedule of rates, make any charge for such storing or parking in excess of that set forth in such schedule so filed until forty-eight hours after he has notified the Parking Board in writing of the new schedule of rates which he intends to charge. Nothing herein shall be construed as authorizing the Parking Board to fix or regulate such rates. The provisions of this section shall not be applicable with respect to any parking facility the rates of which are subject to the control and regulation of the Parking Board under this Act. Any person who shall violate this section shall be subject to a fine of not less than $100 and not to exceed $500.

AUDITS AND REPORTS

Sec. 20. (a) All receipts and expenditures of funds by the Parking Board pursuant to the provisions of this Act shall be made and accounted for under the direction and control of the Commissioners in like manner as is provided by law in the case of expenditures made by the government of the District. Nothing contained in this section shall be construed to prevent the Parking Board from providing, by covenant or otherwise, for such other audits as it may consider necessary or desirable.

(b) A report of any audit required under subsection (a) shall be made by the Parking Board to the Congress not later than one hundred and twenty days after the close of the Parking Board's fiscal year. The report shall set forth the scope of the audit and shall include a verification by the person conducting the audit of statements of (1) assets and liabilities, (2) capital and surplus or deficit, (3) surplus or deficit analysis, (4) income and expenses, and (5) sources and application of funds, and a verification by such person of separate income and expense statements for each facility, including as an expense item a payment in lieu of taxes.

(c) The Parking Board shall submit together with the audit report, a comprehensive report to the Congress summarizing the activities of the Parking Board for the preceding fiscal year.

POWERS OF PARKING BOARD

Sec. 21. (a) The Parking Board, in performing the duties imposed upon it by this Act, shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this Act, including the power—

(1) to sue and be sued, to compromise and settle suits and claims of or against it, to complain and defend in its own name in any court of competent jurisdiction, State, Federal, or municipal;

(2) to adopt, alter, and use a corporate seal which shall be judicially noticed;

(3) to adopt, prescribe, amend, repeal, and enforce bylaws, rules, and regulations for the exercise of its powers under this Act or governing the manner in which its business may be conducted and the powers granted to it by this Act may be exercised and enjoyed;

(4) to make, deliver, and receive deeds, leases, and other instruments and to acquire easements, rights-of-way, licenses, and other interests in land, and to take title to real and other property in its own name;

(5) to construct and equip parking facilities in the District and to exercise all powers necessary or convenient in connection therewith;

(6) to borrow money, to mortgage or hypothecate its property, or any interest therein, pledge its revenues, and to issue and sell its obligations;

(7) to appoint and employ, subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and other applicable laws relating to employees of the District, such officers, agents, engineers, accountants, appraisers, and other personnel for such periods as may be necessary in its judgment, and to determine the services to be performed by them on behalf of the Parking Board;

(8) to procure and enter into contracts for any types of insurance and indemnity against loss or damage to property from any cause, including loss of use or occupancy, against death or injury of any person, against employers' liability, against any act of any director, officers, or employee of the Parking Board in the performance of the duties of his office or employment, or any other insurable risk;

(9) to deposit its moneys and other revenues in any bank incorporated under the laws of the United States;

(10) to spend its revenues, or any funds appropriated to carry out the purposes of this Act;

(11) to employ, or to enter into contracts with, consulting engineers, architects, accountants, legal counsel, construction and financial consultants, managers, superintendents, and such other consultants and technical experts as in the opinion of the Parking Board may be necessary or desirable, without regard to section 3709 of the Revised Statutes, the civil service, classification and pay laws, and section 3109 of title 5, United States Code;

(12) to enter into all contracts and agreements, in addition to those otherwise mentioned herein, necessary or incidental to the performance of the functions of the Parking Board and the execution of its powers under this Act, except that as otherwise provided in this Act, all such contracts or agreements shall be subject to competitive bidding unless the value thereof does not exceed $2,500;

(13) to sell, exchange, transfer, or assign (in accordance with the general law of the District governing disposal by the District of real or personal property, including interests therein) any property, real or personal, or any interest therein, which was acquired under the authority of this Act, and which has been determined, after public hearing, to be no longer necessary for the purposes of this Act;

(14) to obtain from the United States, or any agency thereof, loans, grants, or other assistance on the same basis as would be available to the District.

(b) Notwithstanding the provisions of paragraph (13) of subsection (a) of this section, the Parking Board shall not have the authority to exchange, sell, or transfer any real property acquired by condemnation within one year following such acquisition unless the owners of such property at the time of its acquisition by the Parking Board shall first have been afforded a reasonable opportunity to reacquire such property for an amount equal to that paid to them by the Parking Board plus the cost of improvements made by the Parking Board to such property, if any.

COMMISSIONER AUTHORIZED TO PROVIDE ASSISTANCE TO PARKING BOARD

SEC. 22. (a) The Commissioner of the District is authorized to aid and cooperate in the planning, undertaking, construction, reconstruction, extension, improvement, maintenance, or operation of any parking facility established pursuant to this Act by providing, subject to reimbursement, such services, assistance, or facilities as the Parking Board may request.

(b) Subject to the reimbursement to the District by the Parking Board for the salaries, retirement, health benefits, and similar costs for such employees, there shall be made available to the Parking Board such number of employees of the District as the Parking Board certifies are necessary to the proper discharge of its duties in carrying out the purposes of this Act, which employees shall be subject to the provisions of title 5, United States Code, governing appointments in the competitive service.

(c) The provisions of the second paragraph under the caption "For Metropolitan Police" in the first section of the Act entitled "An Act making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred, and for other purposes", approved March 3, 1899 (D.C. Code, sec. 4–115), authorizing the Board of Commissioners of the District to appoint special policemen for duty in connection with the property of corporations and individuals, shall be applicable with respect to the property of the Parking Board.

(d) The Corporation Counsel of the District of Columbia is authorized and directed in all matters to act as counsel for the Parking Board, except insofar as the Parking Board may find it necessary or convenient to retain outside legal counsel.

DEFINITIONS

SEC. 23. As used in this Act, the term—

(1) "District" means the District of Columbia;

(2) "person" means an individual, firm, copartnership, association, or corporation (including a nonprofit corporation);

(3) "revenues" means all payments received by the Parking Board from the sale or lease of parking facilities, all moneys received from the operation of parking meters, authorized to be pledged, and all income and other moneys received by the Parking Board from any other source;

(4) "parking facility" means a parking lot, parking garage, or other structure (either single- or multi-level and either at, above, or below the surface) primarily for the offstreet parking of motor vehicles, open to the public use for a fee, and all property, rights, easements, and interests relating thereto which are deemed necessary for the efficient and economical construction or the operation thereof;

(5) "parking garage" means any structure (either single- or multi-level and either at, above, or below the surface) which is open to public use for a fee and which is primarily used for the offstreet parking of motor vehicles; and

(6) "National Capital area" means the District and all surrounding jurisdictions which are commonly recognized as part of the District metropolitan area.

ABOLITION OF THE DISTRICT OF COLUMBIA MOTOR VEHICLE PARKING AGENCY AND TRANSFER OF FUNDS AND PROPERTY TO PARKING BOARD

SEC. 24. (a) The Motor Vehicle Parking Agency created by Reorganization Order of the Board of Commissioners of the District of Columbia Numbered 54 and reconstituted under Organization Order of the Board of Commissioners of the District of Columbia Numbered 106 (D.C. Code, title 1, appendix) is abolished. The functions, positions, personnel, equipment, property, records, and unexpended balances of appropriations, allocations, and other funds, available or to be made available relating to the Motor Vehicle Parking Agency are transferred to the Parking Board.

(b) All positions, personnel, equipment, property, records, and unexpended balances of appropriations, allocations, and other funds, available or to be made available relating to the function of installing repairing, replacing, and removing parking meters on the public streets of the District are transferred to the Parking Board from the Department of Highways and Traffic.

(c) Section 11 of the Act approved April 4, 1938 (D.C. Code, sec. 40–616) is repealed.

REPEAL

SEC. 25. The District of Columbia Motor Vehicle Parking Facility Act of 1942 (D.C. Code, secs. 40–801—40–809a) is repealed.

EFFECTIVE DATE

SEC. 26. This Act and the amendments made by this Act shall take effect on the first day of the first month which begins more than ninety days after the date of its enactment.

And the House agree to the same.

JOHN L. MCMILLAN,
TOM ABERNETHY,
ANCHER NELSEN,
WILLIAM HARSHA,
JOEL T. BROYHILL,
Managers on the Part of the House.
JOSEPH D. TYDINGS,
W. B. SPONG,
PETER H. DOMINICK,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 944) to establish a District of Columbia Parking Board, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report.

The Senate bill contained the following principal features:

(1) Creates a Parking Board consisting of the Board of Commissioners of the District of Columbia, and directs the Board to appoint an Administrator.

(2) Establishes a Parking Advisory Council to advise and assist the Parking Board in carrying out its functions, including overall planning, acquisition, construction, design, and operation of parking facilities. The Advisory Council will be composed of 11 members, including the Secretary of the Interior, Administrator of General Services, Chairman of the National Capital Planning Commission, Administrator of the National Capital Transportation Agency, Director of the District of Columbia Department of Highways and Traffic, and 6 members from private life, with emphasis on experience in architecture, engineering, retail trade, real estate, financing, law, parking and transportation.

(3) Directs the Advisory Council to prepare and make available to interested agencies and private parking lot operators, within 1 year and each 5 years thereafter, a comprehensive report including an inventory and analysis of existing parking facilities, existing and anticipated transportation facilities, and parking requirements to achieve a balanced transportation program, including recommendations on the need, if any, for additional public parking facilities. It is the intent of the committee that the reports of the Advisory Council be submitted to the Congress.

(4) Authorizes the Board to acquire property by purchase, lease, gift, exchange, condemnation or otherwise to carry out its purposes, but provides that the Board cannot acquire existing parking garages by condemnation unless for the purpose of increasing substantially their capacity. The bill authorizes the Commissioners to make available air and subsurface rights to lands under their jurisdiction, with a view toward coordinating parking facilities with highway and subway construction; and authorizes the Secretary of the Interior and Administrator of General Services to make available, on terms they may prescribe, the subsurface rights to lands in the District under their respective jurisdictions and control.

(5) Authorizes the Board to construct and operate parking facilities; to lease space at ground level in, and lease or sell air rights above, parking structures; and to lease or sell facilities acquired or constructed under the act as soon as practicable, unless the Board determines the public interest would be best served if the Board operated such facility.

(6) Authorizes the Board to lease or sell facilities for operation as parking facilities and authorizes the Board to lease property for development as parking facilities, while in each case, retaining control over rates and quality of service.

(7) Directs the Board to set rates to be charged for use of space in facilities established under the act. The Board is required to consider existing rates charged by privately operated facilities in the vicinity, the extent to which long- or short-term parking should be encouraged in each location, and to establish the lowest rates that will enable the cost to be amortized within 40 years and return a fair profit to the lessee or owner.

(8) Authorizes the Board to issue and sell revenue bonds on terms and at rates the

Board may prescribe, but limits the amount of such obligations to $50 million outstanding at any time. The obligations are not guaranteed by, nor are they obligations of, the Federal or District governments. Obligations may be secured by trust agreements and pledges of all revenues of the Board, including 75 percent of the revenues of parking meters, which will be under the regulation and control of the Board. The obligations are tax exempt.

(9) Provides that the Board will be exempt from taxes or assessments on parking facilities or income from such facilities, but that in lieu of taxes, the Board may pay to the District of Columbia an amount equal to that which the Board would be obligated to pay if not exempt. This exemption will not be extended to interests conveyed by the Board to grantees or lessees.

(10) Authorizes the Board, after coordination with agencies and local governments, to establish fringe parking lots in the National Capital area, including locations outside of the District of Columbia, on approval of the local governments exerting jurisdiction over the proposed site, and to operate or lease such fringe lots.

(11) Directs the Board to submit plans to construct parking facilities to the National Capital Planning Commission and the Commission of Fine Arts.

(12) Requires any person who plans to construct or substantially expand a parking garage open to the public for a fee to obtain prior approval from the Director of the District of Columbia Department of Highways and Traffic and the National Capital Planning Commission of the size, design, and location of planned facilities before the issuance of a construction permit. Denial of such approval is subject to review by the U.S. Court of Appeals for the District of Columbia circuit.

(13) Requires operators of parking facilities to file a schedule of rates with the Board and give 48 hours' notice of intent to change rates. The bill provides that the Board shall have no authority to fix or regulate rates of parking facilities not constructed or operated pursuant to this act.

(14) Provides for audits to be made in like manner as is done with regard to expenditures of the District of Columbia, and requires that audit reports include separate income and expense statements for each facility.

(15) Grants to the Parking Board powers necessary or convenient to carry out or effectuate the purposes of the act.

(16) Amends the zoning laws to require the Zoning Commission to issue regulations to require that buildings to be erected in the central business district provide reasonable facilities, either in the building or elsewhere, directly or by contract, for the offstreet parking of vehicles of people using such buildings. This provision may be waived for specified reasons and upon payment of a fee representing an equitable contribution toward the cost of parking facilities in the area.

(17) Repeals the District of Columbia Parking Facilities Act of 1942, abolishes the Parking Agency created under that act and transfers the funds, property and personnel from the agency to the Board, and funds, personnel and property relating to parking meters from the Department of Highways and Traffic to the Board.

The House bill contained the following provisions:

1. Authorizes the Administrator of General Services to contract with qualified private parking operators for the construction, maintenance, and operation of such parking facilities on, above, or below properties of the Federal or District of Columbia Government as he deems necessary to accomplish the purpose of this act. The Administrator is directed to obtain the approval of the Commissioner of the District of Columbia and the Secretary of Interior for use of property under their jurisdiction for the purpose of this act. The bill specifies that the term "qualified parking operator" means a financially responsible person with a proven record of large-scale, efficient operation of parking facilities.

2. Authorizes the Administrator of General Services to fix fees for the use of these parking facilities, with the fees established for officers and employees of the Government to be nominal and based upon a consideration of the proximity of the parking facility to their place of employment. All proceeds from leases and fees shall be deposited in the U.S. Treasury as miscellaneous receipts.

3. Authorizes the Administrator to make rules and regulations necessary to carry out the act, including those relating to hours of operation, general administration, management, allocation of parking spaces, and criteria for assignment of parking spaces.

4. Authorizes the Administrator to lease parking facilities under this act, and to contract with experienced, private parking operators for the operation of any such facility. Included in any such lease or contract shall be provisions which will—

(a) State the amount of parking fees to be charged;

(b) Authorize official Government-owned vehicles on Government business to park without charge;

(c) Authorize the lessee or contractor to permit the public to use the parking facility during specific nonworking hours for reasonable fees and to retain, in whole or in part, the proceeds from such fees, and

(d) Require the lessee or contractor to have in force public liability insurance in an amount sufficient to save the Government harmless from all damages arising out of the operation of the facility; as well as any other provisions which may be necessary to protect the interests of the United States or the District of Columbia.

5. Requires the Administrator to assure the equitable distribution of these parking facilities throughout the District of public land with regard for the comparative urgency of the need therefor, and to give the highest priority to the construction of suitable and adequate parking facilities for persons employed in the Government Printing Office. It is further specified that in determining the location and design of these parking facilities, consideration shall be given to the incidence of crime in the area surrounding the buildings.

The committee of conference agreed that the intent of the House bill could be accomplished within the framework of the Senate bill. That is, the Commissioner of the District of Columbia, the Secretary of the Interior, and the Administrator of General Services are authorized to make available land and subsurface rights under their respective jurisdictions, for the development of parking facilities for government employees and visitors.

In addition, the committee of conference agreed to the other provisions of the Senate bill, with certain modifications. Except for technical, clarifying, and conforming changes, the following statement explains the differences between the Senate bill and the substitute agreed to in conference.

COMPOSITION OF PARKING BOARD

Under the Senate bill the Parking Board would consist of the Commissioners of the District of Columbia. The conference substitute recognizes the reorganization of the District government, and the responsibility of the Federal government with respect to the provision of parking, by changing the membership of the Board to: the Commissioner of the District of Columbia, the Administrator of General Services, and the Secretary of the Interior, or their designees.

PARKING ADVISORY COUNCIL

The Senate bill provided an 11-member would consist of the Commissioners of the representatives from the Federal and District Government and 6 members from private life. The conference substitute provides for 3 representatives of government agencies (reflecting the transfer of the Administrator of General Services and the Secretary of the Interior from the Council to the Board) and also provides that at least 2 of the members from private life shall be experienced parking operators in the Washington metropolitan area.

ACQUISITION OF PARKING FACILITIES

The conference substitute adds the provision that the Parking Board may not acquire through condemnation, any parking facility in operation on October 7, 1968.

The conference substitute also provides that whenever the parking board seeks to undertake condemnation of any property, it shall notify both Houses of Congress, and shall proceed with condemnation only if, within 60 days following such notification, neither House has passed a resolution reported from its Committee on the District of Columbia disapproving such condemnation. (The provisions of the substitute bill governing this procedure are similar to those governing Congressional action on an Executive reorganization proposal.)

AUTHORIZATION TO LEASE FACILITIES

The Senate bill authorized the Parking Board to lease separately the subsurface or air space rights developed in conjunction with a parking facility. The conference substitute provides that when a parking facility is leased by the Parking Board to a private parking operator, any related subsurface and air space development which may be provided shall also be covered by that lease.

RATES

The Senate bill provided that the rates to be charged for parking should be fixed at "the lowest" rates that will enable the lessee to meet all his obligations under the lease; to defray all reasonable and necessary expenses; and to earn a fair profit. The conference substitute deletes the words "the lowest" in order to provide additional flexibility in permitting the existing private competitive rate structure to be taken into consideration. Rates for the use of space in any parking facility operated by the Board shall be comparable to the schedule of rates prevailing in privately operated facilities which are similar to and in the same vicinity as such public facility.

REVIEW OF PARKING FACILITY PROPOSALS

The Senate bill specified that any private parking operator desiring to construct or expand any parking facility must first obtain the approval of the Director of the District of Columbia Department of Highways and Traffic and the National Capital Planning Commission. The Parking Board was not subject to this requirement. The Conference substitute removed this difference by providing that the development of parking facilities by either a private operator or the Parking Board be subject to the same requirements for review by the National Capital Planning Commission.

PARKING FACILITIES IN CONNECTION WITH NEW CONSTRUCTION

The Senate bill required that all new buildings constructed in the central business district provide offstreet parking for owners, occupants, tenants, patrons, and customers of such buildings, or that a sum of money be paid by the owner to the Parking Board towards the provision of parking. In view of the uncertainty regarding the effects of such a broad requirement, and in view of the potential development of new transportation, land-use and zoning plans for this area of the city, the Conference substitute provides instead for a study to be made of the possible relationships between parking requirements and zoning regulations.

LEASES

The Senate bill provided that the Parking Board is authorized to lease any parking facility acquired or constructed by it, and that the Board shall invite competitive bids for such leases, except that the Board may negotiate such leases when it determines it to be in the public interest to do so. The conference substitute deletes the authority to regulate these leases, and provides that the Board may reject all competitive bids and invite new bids in connection with any lease.

EXEMPTION FROM TAXATION

The Senate bill provided that the Parking Board shall not be required to pay any taxes or assessments on any parking facilities or any part thereof. In lieu of such taxes or assessments, however, it was provided that the Parking Board may pay to the District an amount equal to the taxes and assessments that would have been levied against the property were the Parking Board not exempt from taxation.

The conference substitute provides that the Parking Board *shall* pay the District such an amount on any parking facility which it owns and operates, except those facilities constructed and operated on property made available to the Board by the Federal or the District of Columbia government.

OPERATION OF FRINGE PARKING LOTS

The Senate bill provided that the Parking Board is authorized to operate or arrange for the operation of any fringe lot established by the Board, either with or without charge to the persons patronizing such lots. The conference substitute provides that such fringe lots operated by the Parking Board shall be operated without charge to the users thereof.

JOHN L. MCMILLAN,
TOM ABERNETHY,
ANCHER NELSEN,
WILLIAM HARSHA,
JOEL T. BROYHILL,
Managers on the Part of the House.

ACCOMPLISHMENTS OF THE 90TH CONGRESS: REPORT TO THE PEOPLE OF THE FOURTH DISTRICT OF WISCONSIN

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, many Americans are tempted to look for simple solutions to the frustrating and complex problems which confront us today.

History, however, has taught us that there are no simple solutions to the perplexing needs of a modern society. The only solution to these predicaments is a true understanding of their origin and a realistic attack on contributory factors with the resources available.

It is this belief which has guided me during my tenure in Congress, particularly in the 90th Congress.

On this, the last legislative day of this Congress, as we review the record of our accomplishments, I believe we can conclude that real progress has been made toward solving the problems which confront our country today. As has been my policy, I take this opportunity to report to the people my position on the major legislative measures enacted or considered during the 90th Congress.

CONSUMER PROTECTION

Certainly, when we compare the 90th Congress with the 89th Congress, it may appear that this Congress was not as productive. However, this is perhaps due to the fact that so much was done in the previous Congress.

Just as the 89th Congress will probably be known as the "Education Congress" because of its accomplishments in that area, the 90th Congress will be remembered as a Congress which has scored significant breakthroughs in the area of consumer protection. Over the past decades the American consumer has become the victim of increasing deception in buying products or borrowing money. This Congress has done much to correct this situation.

The Truth-in-Lending Act was the outstanding accomplishment, providing new Federal protection for the consumer. Beginning in July of this year, the disclosure of annual rates of charges on loans and installment credit, both in dollars and cents and in percent, is required. This law should protect the consumer from misrepresentation. Further, it requires the disclosure of interest on first mortgages, permits a person to obtain relief from a fraudulent second mortgage, restricts the practice of wage garnishment, and provides penalties against the practice of loansharking.

Congress enacted the Wholesome Meat Act which sets guidelines for better meat inspection standards at all State levels. In the second session, a similar measure was adopted, providing guidelines for adequate inspection and production standards for poultry and poultry products.

In the further interest of protecting the consumer, the Congress directed the Secretary of Transportation to conduct a comprehensive study and investigation of all relevant aspects of existing motor vehicle accident compensation systems.

A National Commission on Fire Prevention and Control was established to conduct research into safety programs to curb the damage to property and loss of life which accompany fires.

The Housing and Urban Development Act requires disclosure of land sale plans by promoters to the Secretary of Housing and Urban Development. This is intended to deter or prohibit the sale of land by use of the mails or other channels of interstate commerce through misrepresentation of facts relating to the property.

The Gas Pipeline Safety Act provides for safety standards to prevent dangerous leaks or explosions in the interstate transport of natural gas.

EDUCATION

Although the 89th Congress set a milestone in the field of education legislation, that area was not entirely neglected by the 90th Congress. Many of the programs initiated in the last Congress were continued, expanded, or further implemented by this Congress.

The Higher Education Amendments of 1968 continue and improve several important education programs, including the Higher Education Facilities Act, the Higher Education Act of 1965, the Vocational Student Loan Insurance Act, and the National Defense Education Act. These measures have provided vital assistance to institutions of higher learning in improving their physical plants, in improving faculties and curriculums, and in affording loans to needy students. The Higher Education Act consolidated the NDEA student loan program educational opportunity grants, and work-study programs; and authorized grants to encourage institutions of higher education to share facilities such as classrooms, libraries, laboratories, closed-circuit television, and computers by establishing specialized library and computer networks between such institutions.

The Vocational Education Act of 1963 was continued and expanded to include the provisions of the George-Barden Act. In fiscal 1970 the Smith-Hughes Vocational Education Act also will be consolidated with these two laws to provide a comprehensive and unified approach to vocational education assistance, and will do much to strengthen vocational education programs throughout the States.

The National School Lunch Act was expanded by establishing a program for child-care institutions—public or private nonprofit—in areas where poor economic conditions exist or where there are high concentrations of working mothers. In addition, it extends the school breakfast program through fiscal 1971.

The National Science Foundation Act was amended to improve the organization and operation of the Foundation.

HEALTH AND WELFARE

Congress enacted several important measures to improve the health and safety of American citizens.

The Heart Disease, Cancer and Stroke Amendments of 1965 was amended to continue the regional medical programs initiated in 1965, and extends health services programs for domestic agricultural migratory workers. Further, it provides for the construction of facilities for the prevention and treatment of alcoholism and drug addiction.

The Health Professions Training Act continues grants for the construction of medical and dental teaching facilities and extends grant authority for additional assistance to institutions which train medical personnel. Included in this act are provisions to authorize appropriations for the construction or rehabilitation of nurse training facilities and to provide additional assistance to nursing students.

To overcome poverty and the causes of poverty in our Nation, the creation of jobs and the training of persons for obtaining jobs were given much attention in the 90th Congress. Various proposals were made to augment existing manpower training programs and to extend and expand vocational rehabilitation training grants to the States. Effective in fiscal 1970, the Federal share of rehabilitation grants will increase to 80 percent, compared with the present 75 percent.

The Food Stamp Act was revised to authorize the Secretary of Agriculture to provide funds for implementing the food stamp program in the States.

The first session of the 90th Congress enacted numerous amendments to the Social Security and Medicare Acts and the second session enacted similar benefit increases for persons covered by the Railroad Retirement Act and the Railroad Unemployment Insurance Act.

LAW ENFORCEMENT AND CRIMINAL PROCEDURE

In the field of civil rights, several measures were introduced affecting equal employment opportunities, open housing, intimidation of and interference with those exercising civil rights, and extension of the Civil Rights Commission. The major legislation in this area contained the following provisions: First, safeguarding persons in the exercise of various constitutional rights or while participating in various federally protected activities; second, the extension of Federal jurisdiction to riotous outbreaks and acts of civil disobedience that affect interstate commerce; third, the establishment of national fair housing safeguards; fourth, penalties for using force or threats of intimidation to obstruct fair housing safeguards; fifth, the protection of the constitutional rights of Indians.

Congress also established procedures to guarantee that jury selection in Federal courts shall preclude discrimination of any kind.

The Omnibus Crime Control Act will give much-needed assistance to police forces throughout the Nation in improving their capacities for preventing crime and protecting the public. In addition, other provisions in the law are intended to help in criminal investigations and prosecutions.

The State Firearms Control Assistance Act bans the sale of long guns to persons under 18 and the mail-order sale of all guns and ammunition. The legislation creates additional penalties for persons convicted of a Federal crime in which firearms are involved. Title IV of the Omnibus Crime Control Act prohibits the sale of handguns and ammunition to persons under 21. The bill prohibits the sale of firearms and ammunition to felons, fugitives, persons under indictment for a felony, narcotic addicts, and mental incompetents. Although these laws do not guarantee that weapons will be kept out of the hands of criminals, I believe they will deter the possession of guns by felons, without restricting the right of responsible persons to own weapons.

I was pleased that the majority in Congress decided that if there were need for the registration and licensing of guns, it should be left to the local and State governments.

To control the growing use of drugs, particularly among young persons, a new Bureau of Narcotics and Dangerous Drugs was created. It combines the Bureau of Narcotics and the Bureau of Drug Abuse Control and is within the jurisdiction of the Justice Department. It is hoped, by coordinating the efforts of these agencies, the expanding traffic in drugs can be curbed.

In addition, stiff legal penalties were established for trafficking in LSD, stimulant or depressant drugs and for possessing such drugs as stated earlier. Continued aid was assured to regional medical centers for the rehabilitation of alcoholics and drug addicts.

Congress enacted the Juvenile Delinquency Prevention and Control Act to assist the courts, correctional systems, and community agencies engaged in the prevention, control, and treatment of juvenile delinquency. Legislation was adopted to stop the mailing of pornographic materials to juveniles, and to curtail the indiscriminate mailing of master automobile keys or other devices which are an open invitation to car theft.

HOUSING

The 90th Congress enacted the most comprehensive housing bill since 1949. The new Housing Act, with emphasis in most programs on greater participation by private financing, includes the following significant provisions: Assistance to low- and moderate-income families in purchasing homes; rental housing assistance to low- and moderate-income families similar to the homeownership plan; amendments strengthening various FHA mortgage insurance programs; FHA assistance to new community developers in financing and constructing developing communities; improved urban renewal programs; extension of urban planning assistance to include nonmetropolitan areas; more fund authorization for urban mass transportation assistance and extension through June 1970 of the emergency mass transportation program; conversion, in part, of the FNMA into a private, second mortgage institution while retaining Government administration of special assistance, management, and liquidating functions; programs to encourage private industry construction of low- and moderate-income housing through Government-supported profitmaking corporations; housing loans for rural residents if other assistance is not available; establishment of a National Insurance Development Corporation to provide Federal-State reinsurance coverage for insurers against property loss resulting from various criminal acts, including rioting or civil disorder; a 10-year housing program requiring the President to submit a report on goals and plans and requiring periodic annual reports thereafter; and increased authorization for the model cities program and other extensions or modifications of the National Housing Act.

In addition, the bill includes a national flood insurance program which will provide insurance coverage to families in areas prone to floods. Under this new program the Federal Government will assist the private insurance industry in protecting families' homes and property.

NATURAL RESOURCES

Various bills were enacted into law by the Congress to preserve our natural beauties and to conserve our scarce resources. Established were the Redwood National Park in California and the national scenic rivers system, including parts of the Wolf and St. Croix, in Wisconsin.

Also initiated was a nationwide system of trails, affording millions of Americans greater pleasure in the use of our national parks, and the Secretary of Interior was authorized to make feasibility studies of various water resource projects in North Dakota, Arizona, and Oklahoma, in an effort to insure the development of American land and water resources.

Continued Federal Government support was provided for our Great Lakes alewife problem, for combating pollution of our fresh water supply and for saline water conversion programs. The Water Quality Improvement Act provides for the construction of waste treatment facilities and water pollution control research. The Watershed Protection and Flood Prevention Act permits the Secretary of Agriculture to contract for the construction of works of improvement upon the request of local organizations.

GOVERNMENT ORGANIZATION AND OPERATION

Various bills were considered by the House and Senate to review and improve the organization and management of the executive branch of the Government.

Resolutions were adopted in both Houses to assist Members in avoiding conflicts of interest and other ethical predicaments. House Resolution 1099 provided the Committee on Standards of Official Conduct with the authority to render advisory opinion to Members of the House and to receive evidence and make recommendations in instances when a Member has been accused of misconduct.

The tragic assassination of Senator Robert Kennedy as he campaigned for the Democratic Party's presidential nomination resulted in the passage of a measure which authorizes Secret Service protection for major candidates for President and Vice President.

A law was passed to encourage the States to take action in providing absentee voting privileges to residents temporarily residing overseas and the Federal Voting Assistance Act of 1955 was amended to assist armed services personnel to vote in Federal elections.

SERVICEMEN AND VETERANS

Both Houses passed a resolution expressing the policy that returning Vietnam veterans should be accorded employment preference in the Federal Government and that the Government, through its procurement operations, shall encourage the same policy on the part of private industry.

The basic compensation rate for totally disabled veterans was increased from $300 to $400 per month, and the compensation rates for partial disability was increased by 8 percent. The law will affect some 1,951,000 veterans effective January 1, 1969. The basic law was further amended to increase income limitations on disability pensions of veterans, so that increases in social security benefits would not affect disability pensions. The cold war GI bill was revised to include the apprenticeship and job training program that I sponsored.

Congress extended for 4 years the military draft system, with revisions to make it more equitable. Legislation was approved preserving the separate status of the Army Reserve and the National Guard, and pay raises were provided for the members of the armed services. Adequate funds for military support of the U.S. servicemen in Vietnam were appropriated.

INTERNATIONAL AFFAIRS

One of the most controversial issues which have demanded the attention of the Congress was the Vietnam war. It has become a leading issue in the current political campaign. With the alternative of summarily pulling out of Vietnam unacceptable and the other alternative of escalating the war to the degree that it might precipitate a third world war—which could lead to a nuclear holocaust—the Congress has supported the administration's policy. This policy calls for continued pressure on the aggressor in Vietnam, with simultaneous proposals for a negotiated end to the conflict. To carry out this policy, the Congress has appropriated the necessary funds to support our men and military operations in Vietnam. Regardless of individual opinions on the war, it is necessary to fully evaluate the alternatives in the context of our responsibilities and resulting consequences in Southeast Asia.

Congress was exceptionally conservative in future foreign assistance funds. It was the consensus that investment in the economic development of allies and underdeveloped countries, while a worthy and sound cause, must not excessively burden the domestic economy of our country. Therefore, the foreign-aid funds were cut back considerably and our international assistance programs have been tightened.

The food-for-peace program was continued through December 1970 and surplus farm products will be sold for local currencies to countries in dire need. The Peace Corps program was continued. U.S. participation in international lending institutions such as the Inter-American Development Bank and the Asian Development Bank was encouraged. Laws were enacted prohibiting the use of Export-Import Bank funds to finance trade with Communist countries and restricting Export-Import Bank financing of military equipment sales to underdeveloped countries.

VOTING RECORD

Certainly, there were some measures that should have been approved, and some that should not have been adopted. Generally speaking, however, I believe this Congress has concluded with a good record.

It can be expected that the actions taken by the 90th Congress in meeting the challenges it faced will be the beginning of a stronger, more responsible role for future Congresses in the shaping of the truly great society of which this country is truly capable. It is my sincere hope that, with the cooperation of our allies and friends, a similar goal can be achieved throughout the world.

In this report only a few of the major achievements were outlined. I am including a table listing many more bills which were considered or approved by this Congress. The disposition of each bill, and my vote or position on it, are indicated.

It has been an honor and a privilege to represent the Fourth District of Wisconsin in Congress over the years. It is my sincere hope that my record in the 90th Congress will be received by my constituents in the spirit in which this accounting is given.

RECORD OF CONGRESSMAN CLEMENT J. ZABLOCKI, 90TH CONGRESS

My stand	Issue	Status
	CONSUMER PROTECTION, HEALTH AND WELFARE	
Voted for	Truth in lending bill requiring disclosure of actual credit charges	Became law.
Sponsored	Truth in credit-rating bill to to protect consumers against false or malicious credit reports	Hearings in House.
Voted for	Aid to States to bring meat inspection programs up to satisfactory levels	Became law.
Do	Strengthened poultry products inspection law	Do.
Do	Investigation of the auto insurance industry	Do.
Do	Federal pipeline safety standards	Do.
Do	Protection of the public from dangerous amounts of harmful radiation	Cleared for President.
Do	Aid to States for comprehensive health services and rat control	Became law.
Do	2-year extension of programs to improve the quality and increase the number of health services personnel	Do.
Do	Continued aid to regional medical centers and for rehabilitation of alcoholics and drug addicts	Cleared for President.
Do	Creation of a National Eye Institute	Became law.
Do	Federal penalties for illegal manufacture, traffic in, or possession of drugs such as LSD	Cleared for President.
Do	Aid to build facilities to treat the mentally retarded and to train teachers of the retarded	Became law.
Sponsored	Federal payment of medicare bills on the basis of an itemized bill rather than by reimbursement	Do.
Voted for	Federal penalties for mail-order sale of guns and sales to minors, criminals, and other undesirables	Cleared for President.
Do	Civil Rights Act of 1968, including antiriot and fair housing provisions	Became law.
Do	Extension of the Juvenile Delinquency Prevention and Control Act	Do.
Do	Grants to States for crime prevention and control	Do.
Sponsored	Federal regulation to combat aircraft noise	Do.
Do	Regulation of mailing lists to curb the flow of pornography	Hearings in House.
Voted for	Training and work incentive programs for members of families on welfare	Became law.
Sponsored	Expansion of the food stamp program to make surplus farm products available to needy persons and families at reduced prices	Cleared for President.
Voted for	Strengthening the programs of the Older Americans Act	Became law.
Support	Additional Federal welfare and pension plan protection	Reported in House.
	EDUCATION AND LABOR	
Voted for	Extension of Federal aid programs to colleges, universities, and needy students	Cleared for President.
Sponsored	Aid to improve education in public and private day care centers	Hearings in House.
Voted for	2-year extension of Elementary and Secondary Education Act programs to public and private nonprofit schools	Became law.
Do	3-year program of teacher training, including the Teachers Corps	Do.
Sponsored	Extension of certain NDEA benefits to private nonprofit schools	Hearings in House.
Voted for	Public Broadcasting Act to promote educational television and radio	Became law.
Do	Expansion of Vocational Education Act programs	Cleared for President.
Do	Expansion of National School Lunch Act programs to reach more disadvantaged children	Became law.
Do	2-year extension of the National Foundation on the Arts and the Humanities	Do.
Support	Occupational Health and Safety Act	Passes House.
Voted for	Prohibition of age discrimination by employers	Became law.
Do	Amendment and extension of the Vocational Rehabilitation Act	Do.
Do	Extension of the training and job placement programs of the Manpower Development and Training Act	Cleared for President.
Voted against	Compulsory arbitration of railway strike	Became law.
Support	Situs picketing legislation to permit lawful picketing at common construction sites	Reported in House.
	NATIONAL ECONOMY	
Voted for	Substantial reductions in nonessential Federal spending	Became law.
Opposed	Temporary 10-percent surtax and severe cuts in vital national programs	Do.
Support	Tax reform to distribute the tax burden more equitably and close tax loopholes	Pending in House.
Sponsored	Increase in personal income tax exemption	Pending.
Voted for	Extension of 5-percent excise tax on plane fares to international flights and customs measures to reduce our balance-of-payments deficit.	Passed House.
Sponsored	Elimination of certain tax-exempt municipal bonds used to benefit private industrial development	Became law.
Voted for	Revision and 2-year extension of Office of Economic Opportunity programs	Do.
Do	Comprehensive housing program to bring decent housing within the reach of more Americans	Do.
Do	Federal reinsurance of urban riot-prone areas	Do.
Sponsored	Tax adjustment for American Motors	Became law.
Voted for	Additional funds for the Small Business Administration	Became law.
Voted for	Increased social security and railroad retirement benefits	Became law.
Voted for	Adjustments in Federal and postal salaries and postal rates	Became law.
Support	Increased benefits for retired Federal employees, improved financing for retirement system	Passed by House.
Support	Interstate Taxation Act to establish uniform limits on State taxation of small businesses	Reported in House.
Sponsored	Sale of certain Federal surplus property to local governments	Pending in House.
Voted for	Continued Federal aid for interstate highway construction	Became law.
Sponsored	Income tax deduction for expenses involved in adopting a child	Pending in House.
Support	Expansion of U.S. trade to provide more jobs, reduce our balance-of-payments deficit	Hearings in House.
Voted for	Relief for domestic industries and workers adversely affected by increased imports from low-wage areas	Passed by House.

RECORD OF CONGRESSMAN CLEMENT J. ZABLOCKI, 90TH CONGRESS—Continued

My stand	Issue	Status
	NATURAL RESOURCES AND AGRICULTURE	
Voted for	Creation of a National Redwood Park in California	Became law.
Sponsored	Establishment of an Apostle Islands National Lakeshore in Wisconsin	Passed by Senate; hearings in House.
Sponsored	Congressional consent for the Great Lakes Basin compact	Became law.
Sponsored	Federal aid to control the alewife and similar Great Lakes pests	Passed Senate; hearings in House.
Voted for	Creation of a national scenic rivers system, including parts of the St. Croix in Wisconsin	Became law.
Voted for	Creation of a nationwide system of trails	Became law.
Voted for	1-year extension of the basic farm program	Became law.
Voted for	Federal program of river, harbor, and flood control projects	Became law.
Voted for	Additional sources of revenue to finance parks and recreation areas	Became law.
Voted for	Water Quality Improvement Act	Became law.
	GOVERNMENT ORGANIZATION AND OPERATION	
Sponsored	Reform of the electoral college system of selecting the President and Vice President	Hearings in Senate.
Support	More efficient congressional procedures, as recommended by the Joint Committee on the Organization of Congress	Reported in House.
Support	Constitutional amendment lowering the voting age to 18 years	Passed Senate; reported in House.
Support	Representation in Congress for the District of Columbia	Reported in House.
Sponsored	Creation of a Joint Committee on Central Intelligence	Pending in House.
Sponsored	Creation of Joint Congressional Committee on Consumer Interests	Pending in House
Support	Reform of political campaign financing in Federal elections	Passed Senate; reported in House.
Voted for	Revision of the copyright laws	Passed House.
Support	Revision of the patent laws	House and Senate hearings.
Sponsored	Striking of medal to commemorate the explorations of Father Marquette in areas of North America such as Wisconsin	Became law.
Voted against	Disapproval of reorganization of the District of Columbia government	Disapproval defeated.
Voted for	Uniform national observance of certain holidays on Mondays	Became law.
	SERVICEMEN AND VETERANS	
Voted for	Pay raise for members of the armed services	Became law.
Voted for	Increases in veterans' pensions, disability compensation, and other benefits	Became law.
Sponsored	Inclusion of apprenticeship and job training under cold war GI bill	Became law.
Voted for	Aid to returning veterans to help them find suitable employment	Became law.
	NATIONAL DEFENSE, INTERNAL SECURITY AND SPACE	
Voted for	Amendment and 4-year extension of the military draft system	Became law.
Voted for	Preserving the separate status of the Army Reserve and the National Guard	Became law.
Voted for	Continuation of funds to support U.S. efforts in Vietnam	Became law.
Voted for	Federal penalties for desecration of the American flag	Became law.
Voted against	Killing of the Committee on Un-American Activities by denying it expense funds	Motion defeated.
Voted for	Continued operation of U.S. space and atomic energy programs	Became law.
	INTERNATIONAL AFFAIRS	
Support	U.S. participation in nuclear nonproliferation agreement	Pending in Senate.
Voted for	2-year extension of food for peace program of selling surplus farm products abroad for local currencies	Became law.
Sponsored	U.S. initiative for United Nations consideration of the Vietnam conflict	Passed by Senate.
Voted for	Continued operation of the Peace Corps program	Became law.
Sponsored	Creation of delegation to meet with similar NATO country delegations regarding an Atlantic Union	Reported in House.
Voted for	1-year extension of economic and military aid to needy foreign countries	Became law.
Voted for	Continued U.S. participation in the Asian Development Bank to finance development in Asia	Reported in House.
Voted for	Increased U.S. participation in the Inter-American Development Bank	Became law.
Sponsored	Travel restrictions in cases where U.S. foreign relations would be imperiled	Pending in House.
Voted for	Prohibition against use of Export-Import Bank funds to finance trade with Communist countries	Became law.
Voted for	Restrictions on Export-Import Bank financing of military equipment sales to underdeveloped countries	Became law.
Voted for	2-year extension of the Arms Control and Disarmanent Agency	Became law
Sponsored	Creation of an Institute of International Affairs for promotion of freedom and understanding among nations	Hearings in House.
Voted for	Emergency food aid to drought-stricken India	Became law.
Support	Increased U.S. participation in the International Development Association	Reported in House.
Voted for	U.S. participation in measures to stabilize the international monetary system, provide means to finance expanded international trade.	Became law.

ROLLCALL RECORD OF CONGRESSMAN CLEMENT J. ZABLOCKI, 90TH CONGRESS

Session	Total roll and quorum calls	Rollcalls	Not voting [1]	Quorum calls	Absent on quorum [2]
1st	447	245	18	202	13
2d	428	233	25	195	8

[1] Paired on rollcall votes when possible; excused when on official business.

[2] Absence on quorum call does not necessarily mean an entire legislative day's absence.

R. T. CALLAHAN

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, on August 4, the Greater Miami area, indeed the State of Florida, and his innumerable friends suffered immeasurable loss in the accidental death, while he labored on his farm, of R. T. "Smitty" Callahan, business agent of a great and dynamic union, Local 349 of the International Brotherhood of Electrical Workers.

Smitty Callahan was more than a labor leader. He was the very personification of all that a leader of labor—leader of men—could be. He was a man of indefatigable energy, of persistent drive, of unbounded courage, unreserved dedication to the cause of those he represented, and of magnificent vision. He was not only deeply loved and unquestionably followed by his union but he was regarded with the greatest respect and esteem by employers with whom he dealt in his work. He was the soul of honor and his word was his bond to all to whom he gave it. He was a man of warm and compassionate heart who gave his great strength to any worthy cause in his community. He was a gallant gentleman. He had a profound respect for ladies and would allow no man to speak disrespectfully of a lady in his presence. The few who did not heed his request to desist from such remarks regretted their mistake.

Smitty Callahan lived 48 of his 51 years in the Miami area. He was past president of the Miami Building & Construction Trade Council, a past member of the executive board of the Dade Federation of Labor, former member of the Dade County Electricians Examining Board, vice president of the Florida AFL–

CIO, president of the State Electrical Workers, member of the State of Florida Construction Licensing Committee, political coordinator of the construction trade, member of the Allapattah Masonic Lodge, Miami Grotto, and member of the Labor Advisory Staff Interama.

Smitty is survived by his wife, Doris; two sons, R. Thomas Jr. and wife, Royce; Reginald G. and wife, Susan; a daughter, Miss Diane Callahan; two grandsons, Gregory and Chris; parents, Idena and Ethan Smith; three brothers, E. G. Smith, Jr., Leroy Smith, and Kramer Smith all of Miami.

Mr. Speaker, when a great and good man still in his prime is snatched away, precious riches have been irrevocably lost. Smitty Callahan was my friend for more than 25 years. I shall ever cherish his friendship. The high quality of his friendship will long be a moving memory and a stirring inspiration to all who knew him and those who shall know of him. I appreciate the privilege of adding these words of heartfelt tribute to Smitty Callahan to the permanent RECORD of this House and the annals of my country.

TRIBUTE TO DR. JOAQUIN GONZALEZ CIGARROA, SR., OF LAREDO, TEX.

Mr. KAZEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous material.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. KAZEN. Mr. Speaker, throughout the history of our country, we have had examples of immigrants and sons of immigrants who have felt so deeply the opportunities which this country has offered them to become successful that they have demonstrated their gratitude and their love of country in many different ways.

One such example is the case of the illustrious family of Dr. Joaquin Gonzalez Cigarroa, Sr., of Laredo, Tex. Dr. Cigarroa was born in Mexico of humble parents. He worked his way through medical school and graduated with honors. Shortly after he was married, he immigrated to the United States and settled in my hometown of Laredo. Through his dedication and his ability in his profession, his humanity, patience, and understanding with his patients and all with whom he came in contact, he gained for himself an enviable reputation and gained the friendship and love of all who knew him.

He and his charming wife became the parents of two boys and one girl. He instilled in his children a great desire to be of service to humanity and all three became professional people. The two sons, Leonides and Joaquin, Jr., both attended medical schools where they also established enviable records, and the daughter, Rebecca, became a pharmacist. When the children returned to Laredo, they also, following in the footsteps of their father, soon became renowned in their profession. They too have won the love and respect of their community. They have given of their talents, their time, and their money to secure a better way of life for the inhabitants of their city.

Dr. Leonides Cigarroa has served with great honor and distinction as a member of the local school board where he has contributed immeasurably in raising the quality and standards of education on a local level. Dr. Joaquin Cigarroa has likewise been a tireless champion of quality education in Texas, serving very ably under appointment by the Governor on the coordinating board, Texas College and University System.

Mr. Speaker, they have felt that this country has showered its blessings of health and success on them and in recognition of this, have decided to, in a more material way, show their appreciation for such blessings. They, together with Dr. Margaret Gillard Cigarroa, wife of Dr. Leonides Cigarroa, recently created a multipurpose charitable foundation in honor of their father which will contribute immensely to the welfare of the young citizens of our city. In the September 16, 1968, issue of the American Medical Association News, there appeared an article more fully describing the purposes of this foundation. I include in the RECORD at this point that article:

COMMUNITY FOUNDATION HONORS PHYSICIAN

The students at J. W. Nixon High School in Laredo, Tex., are really talking these days.

For the first time they will have their own football field.

A young girl who would have had pretty tough going—and might not have made it at all—is going back to school again on a $500 scholarship.

A lot of people get sick at Laredo, too, young and old, rich and poor. Some wouldn't be able to pay their bills without some help.

"We Should Share": All or these people, indeed the whole community, are tied together by a philosophy stemming from a medically prominent Laredo family, a family whose roots extend across the border to Mexico. This family, the Cigarroas, have created a multi-purpose charitable foundation for the betterment of Laredo because they felt they owed it to their home.

As Leonides G. Cigarroa, MD, puts it: "We have earned our living here in this town and area and feel we should share what we have with our people."

Dr. Cigarroa, a surgeon, was speaking about the Joaquin Gonzalez Sr. Foundation, named in memory of his father, a surgeon, humanitarian, and sportsman.

Foundations Founders: The founders are Dr. Cigarroa, his brother, Joaquin Cigarroa, Jr., MD, their sister, Mrs. Marco Uribe, a pharmacist, and Dr. Leonides Cigarroa's wife, Margaret Gillard Cigarroa, MD, a city health officer.

The first official endeavor of the group whose physician members are members of the American Medical Association, was to donate $26,000 of lighting and seating equipment to the Nixon High School for the football field, which will be named in honor of the late Dr. Cigarroa.

Three Main Goals: The foundation has three main goals, Dr. Cigarroa said. They are: To furnish educational assistance to young persons of good moral character without regard to race, religion or sex; to establish health care facilities to include the care of those not able to meet the economic burden of sickness; and "to further such other religious, educational, athletic and charitable endeavors which will contribute to the advancement of religion, education, health, and the relief of poverty."

Scholarship Program: The foundation just recently awarded a $500 scholarship to a young girl for the continuation of her education. It is hoped this will be an annual award, Dr. Cigarroa said, and eventually, if more persons see fit to contribute to the fundation, the scholarship program will be expanded.

Dr. Cigarroa said in the event the foundation dissolves, all properties and funds will go to the Laredo public school system for use by the trustees as they see fit.

Born in Mexico: The senior Dr. Cigarroa was born in Durango, Mexico. He worked his way through the U. of Mexico.

In 1922 he married Josefina Gonzalez de la Vega and after their first son, Leonides, was born, the family moved to San Antonio, Tex. Several years later the family settled in Laredo.

Dr. Leonides Cigarroa is a 1946 graduate of the Loyola U. of Chicago and served his internship at Cook County Hospital in Chicago. That's where he met his wife, a graduate of the U. of Illinois, Champaign, Medical School.

His brother, an internist, is a 1947 graduate of Harvard U. Medical School.

MEMORANDUM ON READER'S DIGEST ARTICLE ENTITLED "LET'S ENFORCE OUR LABOR LAWS FAIRLY"

Mr. O'HARA of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, an article in the August issue of the Reader's Digest has received a good deal of attention recently. It is entitled "Let's Enforce Our Labor Laws Fairly." Because this article has been inserted in the RECORD on several occasions by my colleagues, I thought they and other interested persons would be interested in the following memorandum which exposes this article as an incredibly one-sided and distorted attack on the National Labor Relations Board on the policies of the National Labor Relations Act and on the Federal courts as well:

MEMORANDUM ON THE AUGUST 1968 READER'S DIGEST ARTICLE ENTITLED "LET'S ENFORCE OUR LABOR LAWS FAIRLY"

INTRODUCTION

The August 1968 *Reader's Digest* article entitled "Let's Enforce Our Labor Laws Fairly" is an intemperate attack on the National Labor Relations Board. Less directly, but quite clearly, it is also an attack on the policies of the National Labor Relations Act and on the federal courts. This article is simply misleading, unbalanced and inaccurate.

The authors have withheld essential information about many of the cases which they discuss, while they have distorted the facts of others. Relevant background data, necessary to put the issues into fair perspective, have not been reported. Significant identifying information about persons quoted has not been disclosed. The views of independent legal scholars and federal judges who disagree with the authors, not to speak of union and management representatives, have been totally ignored. And the views of the Members of the National Labor Relations Board were not even sought.

Because the authors made no effort to weigh the "pros" and "cons" of any of the issues which they discuss, *Digest* readers would have been better served if the publisher had frankly identified this as an editorial statement. Many readers, who understandably might not have necessary information to evaluate the authors' conclusions, are likely to assume that they are fair and accurate. They are neither.

The partisanship of the authors is exposed by the extraordinary invitation with which the article ends (page 125): "Readers with knowledge of comparable cases, where N.L.R.B. decisions have been unjust, are invited to write to the authors." The irony of this invitation is that these writers, who accuse the N.L.R.B. of "flagrant bias," apparently are conducting an opinion poll in which they will record only the opinions of those persons who agree with them, ignoring any contrary opinions.

There are innumerable instances throughout the article which equally expose its one-sidedness. For example, in referring to Senator Robert P. Griffin's testimony before the Senate Subcommittee on the Separation of Powers, the *Digest* writers say that he cited "case after case to demonstrate the unabashed pro-union bias of many N.L.R.B. decisions." In fact the Senator cited 4 main cases to support his criticism of the Board. But the *Digest* does not report that in each of these cases the Board was affirmed by the federal courts, in 2 instances by the Supreme Court,[1] a fact which the Senator readily acknowledged.

As a public agency entrusted with the impartial administration of a major federal statute, the N.L.R.B. welcomes informed and constructive criticism of its work. Such criticism may be found in the decisions of the federal courts, in the writings of legal scholars, and in the carefully prepared briefs of the parties before the Board and courts. The press and other media, through fair reporting of the agency's work, can help to promote public awareness and understanding of the law. Their responsible criticism can help the Board to perform its duties with ever greater sensitivity to the public interest.

The *Reader's Digest* article falls far short of these standards. While it may not be easy for a mass circulation magazine to treat complex legal issues with fullness and sensitivity, the following examples show that these writers were simply indifferent to elementary standards of journalistic fairness and accuracy.

THE FIBREBOARD CASE

The *Digest* article devotes over half a page to an attack on the Board's supplemental decision in the *Fibreboard Paper Products Corp.* case.[2] According to the *Digest*, this case raises "disturbing implications for our entire economy" which "cannot be exaggerated." Quoting a former Member of the Board, it asserts that such "rulings wreak havoc with management's right to manage" (pages 122–123). Despite the *Digest* authors' strong words, the history and facts of *Fibreboard* tell quite a different story.

For over 20 years the union in *Fibreboard* had served as the collective bargaining representative for 50 employees in a maintenance and powerhouse unit. In 1959, shortly before the current labor agreement was scheduled to expire, the employer subcontracted the work of these employees to a subcontractor who agreed to perform the same work, in the same place, under the same conditions but with his own employees. The employer did not notify or bargain with the union about this decision, the effect of which was that the 50 employees were terminated and replaced by employees of the subcontractor.

The issue before the Board was whether the requirement of Section 8(a)(5) of the statute—that employers and unions must bargain in good faith about "wages, hours and other terms and conditions of employment"—embraces an employer's decision to subcontract all of the work of a bargaining unit. The Board held, on the factual record before it, that the employer's decision to subcontract this work was a statutory subject of collective bargaining because Congress intended employers and unions to submit this subject to the process of free collective bargaining.

The Board did not hold that the union could veto the employer's decision to subcontract. Instead, the Board held simply that the employer must notify and discuss this subject with the union in good faith. If the employer and union do not reach agreement after good faith exploration, then of course the employer is legally free to take the proposed subcontracting action.

The *Digest* article gives the impression that the *Fibreboard* decision was a product of the Board's imagination and that the Board reached this decision without regard to the language of the statute, the intent of Congress as expressed in the legislative history, earlier Board and court precedents or labor relations practices in the Nation. The *Digest* failed to report that the Board relied upon a number of persuasive precedents, including a 1946 Board decision which had also held that subcontracting is a statutory subject of collective bargaining.[3] The *Digest* failed to report that the Board relied upon several recent decisions of the Supreme Court, including one which held under comparable provisions of the Railway Labor Act that a decision to subcontract is embraced by that law's bargaining obligation.[4] The *Digest* failed to report that the Board relied upon Congress' express rejection of a proposal in 1947 which would have excluded subcontracting from the scope of statutory collective bargaining. The *Digest* failed to report that the Board took cognizance of the fact that, by 1960, nearly one-fifth of all collective bargaining agreemen contained provisions limiting the right of employers to subcontract unit work. These and other considerations, on which the Board relied, are necessary to any fair understanding or appraisal of *Fibreboard*, but not one of them is mentioned by the *Digest* article.

Perhaps the most egregious omission of the *Digest* article is its failure to mention that the *Fibreboard* decision was appealed to the courts. First it was appealed to a federal Court of Appeals, which upheld the N.L.R.B. Then the employer appealed to the Supreme Court, which unanimously upheld the Board's interpretation of the statute as faithful to Congress' intent.[5]

If the authors of the *Digest* article were unaware of the Supreme Court's unanimous approval of the *Fiberboard* decision, then their discussion was no less than badly informed. On the other hand, if the authors knew of the Supreme Court's decision but knowingly concealed it from their readers, it would appear that the authors consciously chose to be unfair and misleading.

Since the Supreme Court's decision in *Fibreboard*, the Board has issued a number of decisions which illustrate the considerations which it weighs in such cases. With two exceptions, the *Digest* ignores all of these cases, but, even in discussing these two, the *Digest* adds to its distortions and misrepresentations about the *Board's* work.

On page 122, the *Digest* notes that an "automobile manufacturer was slapped down for 'unilaterally' changing the method of moving cars off the assembly line." The *Digest* certainly intended its readers to understand that it was the N.L.R.B. which "slapped down" this unnamed automobile manufacturer. In fact, however, in the case to which the article refers, *General Motors Corporation*, the Board did *not* find a violation.[6] On the contrary, the Board twice dismissed the complaint against this employer and twice found no violation. However, the Court of Appeals for the District of Columbia reversed the Board.[7]

The Court reasoned that the employer's unilateral action violated Section 8(a)(5) as interpreted by the Supreme Court. General Motors then petitioned the Supreme Court for review of the Court of Appeals' decision, and that petition was denied. Thus, the inference in the *Digest* article that the Board "slapped down" this employer is wholly wrong and misleading.

The other unilateral action case which the *Digest* article discusses is *Westinghouse*.[8] The *Digest* describes this as a "ridiculous case" in which the "Board ruled that an employer must bargain with the union over a one-cent increase in the price of coffee at the company cafeteria" (page 122). The employer in this case unilaterally raised the price of coffee by one cent and raised the price of hot food entrees by five cents, refusing to discuss these increases with the bargaining agent of its employees. The Board's decision did not involve merely an increase in food prices; it involved the basic principle—established by many cases—that an employer may not change conditions of employment unilaterally. The *Digest* did not report that this was virtually a "captive" cafeteria, for it was the only adequate place where employees could eat during the period allowed for lunch. The *Digest* did not report that a panel of three judges of the Court of Appeals in Richmond initially agreed (2–1) with the Board and affirmed the Board's decision. The *Digest* did not report that it was a divided Court of Appeals (by a vote of 4–2) which, upon reconsideration, reversed the Board's decision. With slap-dash indifference to the facts and the issues, the *Digest* brushes this case aside as "ridiculous." But even the majority opinion of the Court of Appeals for the Fourth Circuit, which reversed the Board, was careful to observe that "the question here is both novel and troublesome."

PICKETING DECISIONS

A breezy half-page discussion is devoted to picketing decisions under the Labor Act. This discussion is headed "Blackmail Makes a Comeback" (page 123).

The *Digest* asserts that Congress "thought it had outlawed this 'blackmail picketing,'" but "since 1961 NLRB rulings have allowed picketing for the purpose of 'truthfully advising the public' that a certain place is 'non-union.'" As a result of this so-called "loophole," the *Digest* charges that "blackmail" pickets now march again in front of businesses across the country."

What is this "loophole" which permits picketing for the purpose of truthfully advising the public" that an employer is non-union? This "loophole" is nothing more—and nothing less—than a direct, verbatim quotation from Section 8(b)(7) of the statute itself. Congress—not the N.L.R.B.—chose these words and exempted such picketing from the regulation of the statute. If this is a "loophole" in the law, it is one which Congress thought was appropriate. The *Digest* writers are either disingenuous or most ill-informed.

N.L.R.B. picketing cases are fully reviewable in the federal courts, and many such cases have been reviewed. Thus, if the N.L.R.B. had created a "loophole" contrary to the will of Congress, the courts would reverse any such decision. What court cases does the *Digest* cite to support this "loophole" allegation? Not one. On the contrary, "since 1961" the Board's interpretations of the picketing provisions of Section 8(b)(7) have received uniform approval in the federal courts, and this judicial approval is the standard created by Congress itself to test the accuracy of the Board's decisions.

Footnotes at end of article.

Leading academic authorities on labor relations law—whom the *Digest* ignores—have repeatedly said that the Congress' intent in enacting Section 8(b)(7) was "murky"[9] and far from clear.[10] Notwithstanding the difficulty of interpreting this section of the statute, and notwithstanding the dozens of cases which the Board has decided "since 1961" involving such picketing, the *Digest* does not point to even one case in which any federal court has upset the Board's interpretation of the law.

Moreover, despite the *Digest's* charge that the Board is guilty of "flagrant bias" in favor of unions, the Board "since 1961" has sought injunctions against dozens of picket lines in cases where the law has been violated, and the Board has issued dozens of cease and desist orders against illegal picketing. Yet not one word in the *Digest* article gives its readers any indication that the Board regularly finds that both employers and unions have violated the law and that the Board administers the law with an even hand.

THE NATIONAL WOODWORK DECISION

In a discussion of several paragraphs entitled "Consumer Costs Go Up" (page 121), the *Digest* grossly oversimplifies and distorts a subject which scholars and others regard as complex and difficult. This subject concerns a 1959 amendment to the Labor Act, Section 8(e), sometimes called the "hot cargo" section. The *Digest* article charges that the Board has "legitimized" certain boycott actions which "were thought to be outlawed by the Landrum-Griffin."

The principal case to which the article refers is *National Woodwork*.[11] The *Digest* grudgingly acknowledges that the "Supreme Court upheld the Board in a 5–4 decision," but it shrugs off Supreme Court approval as somehow improperly permitting "similar boycotts and featherbedding from coast to coast." The *Digest* plainly implies that the Board and the Supreme Court violated Congress' intent by their interpretation of the statute in this case. Again the *Digest* has misled its readers.

In *National Woodwork* carpenters in Philadelphia refused to install pre-cut doors on the basis of a provision in their labor contract which prohibited handling pre-cut doors. The employer charged that this contract was unlawful under Section 8(e) which prohibits agreements which require an employer "to cease or refrain from handling, using, selling, transporting, or otherwise dealing in any of the products of any other employer, or to cease doing business with any other person." The union contended that the purpose of this contract was to preserve for its members their own traditional work, nothing more. The Board made a thorough study of the facts, the Congressional history of Section 8(e), as well as leading Supreme Court and other court precedents. On the basis of this study the Board concluded that the Congress did not intend to prohibit labor agreements which have as their purpose to preserve traditional work of employees in a bargaining unit, for the reason that Congress regarded this as permissible "primary" activity. However, the *Digest* article fails to point out that the Board held certain union conduct in this very case to constitute an unlawful secondary boycott.

The Supreme Court made its own independent, exhaustive study of the Congressional history of Section 8(e), and it agreed with the Board. While this is a complex subject, the Nation's highest judicial tribunal has authoritatively affirmed the Board's construction of the statute as accurate.

The *Digest*, nevertheless, asserts that "such restrictions" as were involved in the *National Woodwork* case "can add $3000 to $6000 to the cost of a $25,000 home." Of course, the *Digest's* mere assertion does not make this a fact, and the *Digest* cites no evidence to support this assertion. Apparently, however, it is the *Digest's* position that the N.L.R.B. and the Supreme Court should have ignored Congress' words and ignored Congress' intent in *National Woodwork* in order to avoid the possibility of adding to the cost of residential construction. The Board's statutory responsibility is to obey Congress' words and intent. The Supreme Court held that the Board was faithful to both the words and the intent of Congress. The *Digest* suggests that the Board should have acted otherwise.

THE ALLIS-CHALMERS DECISION AND UNION FINE CASES

Under the inflammatory heading "Pushing the Worker Around," the *Digest* discusses the subject of union fines. It is jaundiced and misleading on virtually every point.

The opening paragraph of this discussion sets the tone (page 123): "The bedrock philosophy underlying the nation's labor-relations law is that every workingman should be protected in his right to join—or not to join—others in union activity. But the NLRB undercuts this principle by repeatedly placing the claims of labor unions ahead of the rights of individual workers."

What is the basis of this extravagant accusation? Only two cases cited in the article have been reviewed by the courts. In the first, *Allis-Chalmers*,[12] the Supreme Court (5–4) upheld the Board's application of the statute. In the second case, *Price*,[13] the Court of Appeals in San Francisco, in a unanimous decision, also upheld the Board's decision as faithful to the intent of Congress, and the Supreme Court refused to review the decision.

In *Allis-Chalmers* a local union of the U.A.W. fined several of its members from $20 to $100 for crossing a picket line and returning to work during an economic strike which had been approved by over two-thirds of the union's membership. The employer charged that these fines, and subsequent efforts by the union to collect them in the state courts, violated Section 8(b)(1)(A). This section prohibits union coercion of employees, but it also contains an express exception for the "right of a labor organization to prescribe its own rules with respect to the acquisition or retention of membership." Thus, the statue prohibits union coercion, but it also gives unions the explicit right to make their own regulations "with respect to the acquisition or retention of membership." It was this express Congressional exception which, in the Board's opinion, showed that Congress did not intend to regulate union fines in these circumstances.

In deciding the *Allis-Chalmers* case, the Board relied upon the identical interpretation of the statute by an earlier Board decision in a case called *Minneapolis Star and Tribune Company*.[14] This 1955 case is totally concealed from *Digest* readers who are led to believe that the present Board invented the *Allis-Chalmers* doctrine contrary to precedent. Also concealed from *Digest* readers is the fact that the Chairman of the Board in 1955 was Guy Farmer, who participated in the *Minneapolis Star* decision. Nonetheless, the *Digest* quotes Mr. Farmer, who is now a management lawyer and a critic of the *Allis-Chalmers* doctrine, as having said that the present Board is guilty of a "dual standard."

The Supreme Court upheld the Board by a vote of 5 to 4. The closeness of this vote (as well as a division in the Court of Appeals for the Seventh Circuit) indicates the difficulty of the issues raised by this case. *Digest* readers are not informed that this was a complex and difficult case. They are told only that it shows the Board's alleged "bias."

In its zeal to prove accusations of bias against the Board, the *Digest* fails to point out that *Allis-Chalmers* stands for the limited proposition that a union does not violate the Labor Act when it fines a member for crossing a picket line during an economic strike. The *Digest* does not point out that a union can not attempt to collect fines by threatening a man's job in any way. Neither does the *Digest* point out that the Board also held, with Supreme Court approval,[15] that a union may not fine a union member for filing an unfair labor practice charge with the Board.

The *Digest* also attacks the Board's decision in the *Price* case. *Price* was not a fine case, for a fine initially imposed was rescinded. It raised the question of whether it is unlawful to expel a member from the union (not from his job) because he filed a decertification petition to oust the union. As in *Allis-Chalmers*, the Board had to interpret and apply Congress' words and intent. The Board concluded that Congress did not intend to forbid expulsion of a member who, by filing a decertification petition, attacks the existence of the union as an institution. Moreover, the Board concluded that the statute does not require a union, confronted with a decertification petition which would destroy its bargaining status, to keep within its membership and privy to its strategy members who seek to get rid of the union.

The Court of Appeals for the Ninth Circuit reviewed the Board's decision in *Price* and affirmed it unanimously. But the *Digest*—either consciously or ignorantly—does not disclose this fact to its readers. Another fact which the *Digest* failed to report is that, despite Price's expulsion from the union, the decertification election which he sought was in fact conducted by the N.L.R.B., and at the same time his job rights were protected. (The employees chose to retain the union in this election.)

In its distorted discussion of the *Price* case, the *Digest* quotes Theophil Kammholz, whom it identifies only as a "onetime NLRB general counsel." Mr. Kammholz says, "Individual workers have increasingly been ignored by the very Board set up to protect them." But the *Digest* failed to tell its readers that Mr. Kammholz, who is so critical of the *Price* case, is a partner in the private management law firm which argued for Mr. Price in the Court of Appeals against the Board. By failing to disclose the relevant fact that Mr. Kammholz's firm represented a losing litigant in the *Price* case, the *Digest* gives its readers the impression that Mr. Kammholz is simply a disinterested expert.

Finally, referring to the *AFTRA* case in Kansas City where large fines were levied against union members, the *Digest* charges that, when "embattled workers appealed to the NLRB last year, it refused even to consider their case, citing Allis-Chalmers." The fact is that this case never reached the N.L.R.B. The fact is that the independent General Counsel of the Board dismissed the charge in this case based on his sincere belief that *Allis-Chalmers* governed it. The fact is that the N.L.R.B. General Counsel has recently issued complaints against unions in other cases involving large fines, but the Board has not yet determined their legality or illegality. These facts, of course, the *Digest* chose not to disclose.

THE GENERAL ELECTRIC DECISION

In a distorted discussion of the facts of a recent *General Electric Company*[16] case, entitled "Free Speech Has Two Sides," the *Digest* charges that this decision was "high-handed" (page 122). This case is presently pending on review before the federal Court of Appeals in New York. Accordingly, I believe that I may not properly comment upon it at this time.

However, *Digest* readers were not informed that the Board's and Trial Examiner's decisions in this case covered 96 printed pages, dealing with many difficult legal and factual

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Footnotes at end of article.

issues. The *Digest's* pithy description of it is neither fair nor adequate.

In its criticism of the *General Electric* case, the *Digest* quotes Gerard D. Reilly, whom it identifies only as a "former" NLRB member: "Such rulings not only demonstrate the Board's double standard but have made a mockery of the free-speech guarantees of Taft-Hartley and Landrum-Griffin." It is true that Mr. Reilly is a former member of the Board. More recently, however, Mr. Reilly, a management lawyer in private practice, has been employed as counsel to the General Electric Company in other cases before the Board and the courts, a fact which the *Digest* chose not to disclose. Recent reports in the public press and in the *Congressional Record* have also identified Mr. Reilly as a co-chairman of the Chamber of Commerce's "blue ribbon committee" of management lawyers who reportedly are engaged in a public relations and legislative campaign to rewrite the National Labor Relations Act and to abolish the N.L.R.B., another fact which the *Digest* chose not to disclose.

Each year the N.L.R.B. and the federal courts, reviewing the Board's work, decide many cases involving the "free speech" issue. These important cases involve careful appraisals of factual records and interpretations of the applicable law. The *Digest's* terse discussion of this difficult and significant subject does not begin to explain the Board's actual views as expersed in dozens of published decisions over the years.

OTHER ALLEGATIONS

Throughout the article, the *Digest* writers cast aspersions on the Board's work which invite reply. To answer each of them would require many pages of analysis. Several final examples will illustrate the apparently calculated unfairness of these aspersions.

On page 120, the *Digest* asserts: "So flagrant is the Board's bias that, frequently, the courts are overturning its decisions." The fact is that year after year over 80 per cent of the Board's cases which have been reviewed in the courts have been upheld in whole or in part. The fact is that in the last two terms of the Supreme Court the Board has had a perfect record, having been sustained in each of its 9 decisions reviewed.

On page 120, referring to the *Lipetz* case,[17] the *Digest* reports that an employer was assaulted by union agents but that the N.L.R.B. failed to "discipline" the union and "minimized the attacks as mere 'outbursts.'" The fact is that in the case before the Board the union was not charged with unfair labor practices because of its violence; thus, the Board had no authority or power to "discipline" the union. The fact is that in literally dozens of cases the Board has issued cease and desist orders against unions which have engaged in violence in violation of the statute. The fact is that the Board did not "minimize the attacks as mere 'outbursts'" but called them "instances of serious misconduct." The fact is that the Board found that this employer had committed a number of serious violations of the law and that the Court of Appeals agreed with the Board with respect to most of these violations; but the Court did not agree with the Board in finding that the union's violence did not excuse the employer's refusal to bargain.

On page 120, referring to the *Garwin*[18] case, in which the Board found that an employer illegally transferred his entire plant from New York to Florida in order to avoid dealing with a union, the *Digest* charges that the Board did not "punish" the offending employer, but, instead, "punished" the new employees in Florida, whom the Board "forced to join" the union. The fact is that the Board did not "force" anyone to "join" the union. The fact is that this employer illegally discharged all of his New York employees to avoid dealing with the Union. The fact is that the Board fashioned a remedy for this violation which did not require the employer to return to New York, a possible remedy, but instead the Board ordered the employer to recognize and bargain with the union in Florida. However, the Board qualified this order by providing that any contract entered into would bar an election for only one year (rather than the usual 3-year period), unless the union achieved majority status among the Florida employees. The *Digest* presumably is critical of the Board for not imposing the harsher, alternative remedy which would have required the employer to return his entire plant to New York. Although a federal Court of Appeals did reverse the Board's remedy in this case, as the *Digest* accurately reports, Circuit Judge McGowan agreed with the Board's remedy and dissented from the court's decision, as the *Digest* did not report.

On pages 120–121, referring to the *Scott's*[19] case, the *Digest* charges that the Board required an employer who violated the law to read to his employees a "confession of sins." It is true that a majority of the Court of Appeals (2–1) disagreed with the requirement that the employer read a notice that the employer would not violate his employees' statutory rights; but it is also true that Circuit Judge Wright wrote a thoughtful dissent in which he agreed with the Board. The fact is that, while some courts have disagreed with this "notice reading" remedy, the Court of Appeals in New York has held that this remedy is appropriate if the employer is given the choice of reading the notice himself or having the same notice read to employees by an agent of the Board. Moreover, the article's description of the notice reading remedy as a "confession" is simply not true. The employer is not required to confess violations, but to state that he will not violate his employees' statutory rights. This has been a standard remedy for over 30 years.[20]

CONCLUSION

In a few pages the *Digest* has managed to discuss a large number of important and complex decisions, while uniformly distorting the issues or the facts of each. The misfortune of this article is not just that it misleads countless readers with respect to particular cases. More important is that the article totally fails to put the work of the N.L.R.B. and the policies of the Labor Act into perspective.

The N.L.R.B. each year processes over 30,000 unfair labor practice charges and election petitions. Each of these is a potential labor relations dispute which the law helps to resolve in the overwhlming number of cases quickly and peacefully, most often by voluntary agreement of the parties themselves. *Digest* readers are not informed that the N.L.R.B. conducts approximately 8,200 secret ballot elections each year in which over half a million employees freely choose whether or not they wish to be represented for collective bargaining. *Digest* readers are not informed that the Board decides over 800 contested unfair labor practices each year, protecting the rights of employees, employers and unions alike, according to the will of Congress, while thousands of other cases are administratively adjusted, settled, dismissed or withdrawn.

This day-by-day work of the Board—much of which is subject to the review in the federal courts—is part of the broader picture of the agency's work which *Digest* readers have not been permitted to see. That many thoughtful and informed persons—judges, scholars, union and management spokesmen alike—believe that the N.L.R.B.'s administration of the law has made a large contribution to industrial peace and justice in our society is a point of view about which *Digest* readers have not been told.

FOOTNOTES

[1] *N.L.R.B.* v. *Allis-Chalmers Manufacturing Co.*, 388 U.S. 175; *National Woodwork Manufacturers Association* v. *N.L.R.B.*, 386 U.S. 612; *Price* v. *N.L.R.B.*, 373 F. 2d 443 (C.A. 9), cert. denied, 88 S.Ct. 2051; *Barker Bros. Corp.* v. *N.L.R.B.*, 328 F. 2d 431 (C.A. 9).

[2] 138 NLRB 550.

[3] *Timken Roller Bearing Co.*, 70 NLRB 500, reversed on other grounds, 161 F. 2d 949 (C.A. 6).

[4] *Order of Telegraphers* v. *Chicago & North Western Railway Co.*, 362 U.S. 330.

[5] *Fibreboard Paper Products Corp.* v. *N.L.R.B.*, 379 U.S. 203.

[6] *General Motors Corporation*, 149 NLRB 396, first supplemental decision, 158 NLRB 229, second supplemental decision, 169 NLRB No. 119.

[7] *Automobile Workers* v. *N.L.R.B.*, 381 F. 2d 265 (C.A. D.C.), cert. denied, 389 U.S. 857.

[8] *Westinghouse Electric Corporation*, 156 NLRB 1080, affirmed 369 F. 2d 891 (C.A. 4), reconsidered and reversed *en banc* 387 F. 2d 542 (C.A. 4).

[9] Meltzer, *Organizational Picketing and the NLRA*, 30 U. of Chi. L. Rev. 278, 281.

[10] Cox, *The Landrum-Griffin Amendments to the NLRA*, 44 U. of Minn. L. Rev., 257, 269.

[11] *National Woodwork Manufacturers Association* v. *N.L.R.B.*, 386 U.S. 612.

[12] *Local 248, U.A.W.* (*Allis-Chalmers Mfg. Co.*), 149 NLRB 67, reversed *en banc* 358 F.2d 656 (C.A. 7), reversed 388 U.S. 175.

[13] *United Steelworkers of America* (*Pittsburgh-Des Moines Steel Co. and Richard C. Price*), 154 NLRB 692, affirmed *sub nom* *Price* v. *N.L.R.B.*, 373 F.2d 443 (C.A. 9), cert. denied 88 S. Ct. 2051.

[14] 109 NLRB 727.

[15] *N.L.R.B.* v. *Industrial Union of Marine and Shipbuilding Workers*, 88 S.Ct. 1717.

[16] 150 NLRB 192.

[17] *United Mineral & Chemical Corp.*, 155 NLRB 1390, enforced in part 391 F.2d 829 (C.A. 2).

[18] *Garwin Corp.*, 153 NLRB 664, 374 F.2d 295 (C.A. D.C.), cert. denied 387 U.S. 942, on remand 169 NLRB No. 154.

[19] *Scott's Inc.*, 159 NLRB 1795, enforced in part and modified in part 383 F.2d 230 (C.A. D.C.).

[20] *N.L.R.B.* v. *Express Publishing Co.*, 312 U.S. 426, 438–439; *Art Metals Construction Co.* v. *N.L.R.B.*, 110 F.2d 148, 151 (C.A. 2).

LEAVE OF ABSENCE

Mr. ADAMS. Mr. Speaker, I ask unanimous consent to be excused from attendance between now and November 7 if the House should still be seated.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

PROPOSED DEBATE BETWEEN SENATOR THURMOND AND VICE PRESIDENT HUMPHREY

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. Mr. Speaker, I returned from home yesterday. I find that there is a great deal of consternation in my area about what happened in relation to this 42-hour marathon session we had in order to provide legislation so that the people of this Nation could hear from their presidential candidates. I want to tell you that there is a real disturbance out in the hinterland about what happened to this legislation. The American people are about unanimous in demanding an opportunity to hear Vice President HUMPHREY, Richard Nixon, and ex-Governor Wallace clear the confusion and let the Nation's voters know where they stand on many of the important questions and problems confronting the people of this country.

Newspaper reports state that candidate Nixon refuses to participate in the debates. Whether candidate Nixon appears in person or is represented by someone selected by him is immaterial. The people want to know how he stands on these international and domestic questions, and they have not been able to find it out.

I am suggesting, Mr. Speaker—and I am going to contact Vice President HUMPHREY and Larry O'Brien, chairman of the national committee, and suggest that they get the consent of the Republican National Committee to have Senator STROM THURMOND of South Carolina represent the Republican candidate for President on this debate. He has had major experience as Governor of his State, Democratic candidate for President on the States rights ticket in 1948, and elected U.S. Senator in two elections.

I have made a survey and a study of Senator THURMOND's voting record as a U.S. Senator, and his political speeches and public record generally. On domestic and foreign policy issues generally I find there is not 10 cents worth of difference between the political philosophy of Candidate Nixon and of Senator STROM THURMOND of South Carolina.

The country witnessed on television Senator THURMOND escorting Mr. Nixon to the national convention platform when Mr. Nixon accepted the Republican nomination for President last July in Miami Beach.

For some reason or other in this campaign candidate Richard Nixon makes almost an identical speech in each city which he visits. This tendency is easily explained because he has publicly stated that he does not want to discuss international problems, and especially the Vietnam situation. The Vice President, when he was in the House of Representatives, and also in the Senate, consistently was one of the leaders of the so-called Republican Dixiecrat Coalition, and naturally in a presidential campaign he fears a debate because no doubt questions would be asked of him to explain why in his congressional and senatorial years he opposed such legislation as medicare, Federal aid to education, and necessary minimum wage increases, and as a member of the House Committee on Education and Labor he was one of the leaders in combating legislation which was sponsored by organized labor groups throughout our country.

I do hope that candidate Nixon and the Republican National Committee will cooperate with the overwhelming vote of the Congress when they passed the bill this week after almost 48 hours of continuous debate providing that the presidential candidates accept the offers of the networks for free time to meet and relieve the confusion and misunderstanding as to their platforms and policies in a broadcast to millions of voters over the Nation in the November 5 election.

THE $924,000 POVERTY ACCOUNT FADES

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the New York Daily News of today, October 12, carried another tale of antipoverty abuses in the New York City area. Here again, it is the poor people who pay through the nose, in not receiving funds that have actually been appropriated for their assistance. Here again is another in a long list of cases which causes many citizens to look askance at this program.

I place the article, "The $924,000 Poverty Account Fades," by William Federici, and appearing in the October 12 New York Daily News, in the RECORD at this point:

THE $924,000 POVERTY ACCOUNT FADES

(By William Federici)

Despite assurances by top officials of the Human Resources Administration that $924,000 had been set aside in "escrow accounts" to cover various tax liabilities, City Controller Mario Procaccino has discovered that no such accounts exist, THE NEWS was exclusively informed last night.

According to high sources in the Lindsay administration, the assurances were personally delivered to Procaccino by Mrs. Helynn Lewis, 38, the former chief fiscal officer for HRA, who is now under arrest for embezzling city funds, and HRA Deputy Administrator Carl McCall.

The pair met Procaccino Sept. 13 in his office assertedly to try to pressure him, First Deputy Controller John C. Carty and Chauncey E. Wilowski, Procaccino's coordinator for all anti-poverty funds, to release more money for the agency's summer programs.

RELEASED 4.9 MILLION ALREADY

High sources explained to THE NEWS that $4.9 million of the city's $6.3 million share for these programs had already been released to the agency for such activities as its scandal-ridden Neighborhood Youth Corps.

At the September meeting, Mrs. Lewis and McCall pleaded with Procaccino for release of the remaining $1.4 million, explaining that they had large bills and payrolls to meet.

Procaccino said, according to THE NEWS sources, that he understood the agency had reached an agreement with the city, state and federal governments as to taxes. These included withholding, social security and other taxes.

It was then that agency representatives assured Procaccino that $924,000 had been tucked away in "escrow accounts." As a matter of fact, according to THE NEWS informants, the same reassurances were delivered in writing to the controller, both before and after this meeting.

However, after assigning two investigators to check on the accounts, the controller found that they were as ghostly as some of the projects of the Neighborhood Youth Corps.

Mayor Lindsay has been sitting on this brand-new scandal in his pet agency for a week, as Procaccino formally advised him of the situation in a letter dated Oct. 4.

The controller advised the mayor that he would withhold the $924,000 from the remaining $1.4 million, which would leave something more than $400,000 as a credit for the summer programs.

However, the same sources told THE NEWS that Procaccino still does not know how many bills may still be outstanding, as he has not received from the poverty agency a full accounting on the first $4.9 million.

On Thursday, Bronx Democratic City Councilman Bertram Gelfand had charged that most of a $30,000 allowance for certain poverty programs had actually been used to send yippies to Chicago during the Democratic national convention.

Yesterday the mayor asserted that "as near as we can make out, no yippie was funded by the city to go to Chicago." He said he would "welcome any legitimate investigation they want to make."

TRIBUTE TO CONGRESSMAN CECIL R. KING

Mr. MILLS. Mr. Speaker, I ask unanimous consent to be recognized to speak about a member of the Ways and Means Committee who is retiring, the Honorable CECIL R. KING.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MILLS. Mr. Speaker, it is with a heart full of admiration and respect for a great man that I rise in the House to add my voice to these sincere accolades and expressions of highest esteem for CECIL RHODES KING.

CECIL KING has been a wise counselor, judicious adviser, and, most of all, a very warm and true friend to me, on the Committee on Ways and Means over almost a quarter of a century, 8 years of which he has been the ranking Democratic member on the committee. That committee will simply not be the same without him, for there will never be another man like CECIL KING in this House.

I have never known a more considerate, thoughtful and genuinely kind person than CECIL. Not only has he manifested, without exception, kindness, consideration and thoughtfulness for his colleagues in the House, on both sides of the aisle, but also to the staff members and employees as well. I have heard it said with sincere conviction by those who have served him that "Everyone knows and loves Mr. KING."

CECIL has been like a brother to me on the committee. Over the long period of our service, there have been times, of course, when we have disagreed on substantive matters, but reasonable men at times are apt to find themselves in disagreement and particularly so with respect to the far-reaching, complex, technical, and many-faceted issues that are characteristic of the jurisdiction of the committee. I can say very truthfully, however, as I look back over the many enjoyable years of our association together on the committee, that there never has been one scintilla of unpleasantness connected with any divergence of opinion we may have had. On the contrary, memory calls to mind instance after instance when CECIL's rare wit, unduplicable humor, and sound legislative judgment have enabled the committee to surmount serious difficulty and disagreement and reach sensible compromise to the benefit of all concerned and to the benefit of the country.

CECIL KING has been a very effective member of the committee in all of its fields of interest, responsibility, and authority. In the field of taxation, he has for many years not only served the Committee on Ways and Means, but he has been a very valuable member of the Joint Committee on Internal Revenue Taxation, as well.

All of us know of his untiring and devoted endeavor throughout his career to improve the social security system. His work in the field of medical care for the aged is famous the world over, and the medicare legislation finally enacted in 1965 is a monument to his skill and perseverance and successful labors to improve the lot of the elderly citizens of this country.

CECIL KING has been the acknowledged expert on the Committee on Ways and Means in matters of foreign trade. He served as one of the House of Representatives members of the U.S. Common Market negotiating team, and he was congressional adviser to the United Nations Conference for Trade and Development.

Mr. Speaker, CECIL KING, during his long and distinguished career, has made a remarkable contribution to the important legislation that has been developed and reported by the Committee on Ways and Means in that period—legislation that has been vital to the growth and expansion of the Nation's economy, legislation that has been of great benefit to the elderly, the poor, and the handicapped, legislation that has enabled the United States to become the greatest trading nation on earth. He has compiled a remarkable and unsurpassed record of service in this body.

Mr. Speaker, we use the term "gentleman" so often in this Chamber in referring to one another that I fear it sometimes suffers a loss of much of its meaning. I want to use it today, however, in application to CECIL KING in the full sense of its definition, for I can think of no other term that is more truly descriptive of CECIL, both in and out of this Chamber, than the word "gentleman." He is, indeed, a rare breed of man who, throughout his life and his career, has combined gentleness, dignity, decency and integrity with a keen mind, unswerving devotion to his country and profound and abiding concern and love for his fellow human beings. He is, in my judgment, one of the greatest legislators ever to walk the Halls of Congress.

Mr. Speaker, we wish for CECIL and Mrs. King much happiness and the very best in his retirement. He richly deserves it after having served his district, his State, and the United States so diligently, faithfully, and effectively for over 36 years.

Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. BYRNES].

Mr. . BYRNES of Wisconsin. Mr Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, our colleague CECIL R. KING this year is concluding 28 years of distinguished service as Representative in the U.S. Congress. I have been privileged to serve with this outstanding man during 24 of these years. We have served together on the Ways and Means Committee for 20 years.

Congressman KING made many contributions to the works of the Congress during his years of service in the House of Representatives and on the Ways and Means Committee. His effective counsel through the years has been a contribution to the business of both the Committee and the Congress. He has handled difficult assignments with consideration, tact, and judgment. I served under his chairmanship of the subcommittee which conducted a nationwide investigation of the internal revenue laws in the early 1950's. Mr. KING showed great diligence and tact in this difficult assignment. His subcommittee's recommendations resulted in a complete reorganization of the Internal Revenue Service and many improvements in the procedures by which our tax laws are administered.

Along with our colleague from Missouri, Mr. CURTIS, Congressman KING was one of the two House Members appointed by his colleagues to serve as a congressional delegate to the Kennedy round of tariff negotiations. His distinguished service in this capacity as well as congressional adviser to the United Nations Conference for Trade and Development were recognized by all of the Members of the House. In these assignments, he met fully the responsibility entrusted to him by his colleagues.

But it was not just in the area of trade and taxes that Mr. KING made contributions. He was always particularly concerned with the problems of our aged citizens. Congressman KING was an early advocate of legislation to provide medical care for our elder citizens. His contributions in this field will be remembered by all.

Mr. KING will certainly be missed by those of us who have served with him on the Ways and Means Committee. His sense of fair play, personal integrity, and dedication to the people of the United States and traditions of the House of Representatives will serve as an inspiration for those who will serve after him. It is with a sense of deep personal gratitude for the years of cooperation that CECIL KING has given me and other members of the committee that we look back over the long years of service together.

Mr. MILLS. Mr. Speaker, I yield to the gentleman from Florida [Mr. PEPPER].

Mr. PEPPER. Mr. Speaker, I wish in the warmest way to associate myself with every one of the eloquent and moving words in tribute to CECIL KING which have been uttered here today by the distinguished chairman of the Committee on Ways and Means, the able gentleman from Arkansas.

There are some men who stand out because of what they are as well as what they do, and I was very much pleased to see the able gentleman from Arkansas emphasize what CECIL KING is as a man as well as what he has accomplished here as a Member of this House.

The debt which the senior citizens, the beneficiaries of social security, owe to CECIL KING alone would make his name one of those indelibly imprinted in the annals of this country to whom a debt of gratitude would ever be due by these beneficiaries.

CECIL KING is a noble man of lofty aspiration, of impeccable character, and, as the able gentleman from Arkansas said, a man who radiates that gentle quality of nobility which is rarely to be found among men.

I wish to extend with others of my colleagues here my wife's and my warmest wishes to him and his family for many, many happy years to come.

Mr. MILLS. Mr. Speaker, I yield now to our very distinguished Speaker of the House, the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. McCORMACK. Mr. Speaker, I join with my friend from Arkansas and the members of his committee and my other colleagues who have spoken here in honoring the outstanding service of our dear friend, CECIL KING. I accept the eloquent remarks of the gentleman from Arkansas and include them in my own thoughts and expressions.

CECIL KING has been a great stabilizer. He is not only possessed of outstanding ability and courage, a gentleman at all times, but he is possessed of commonsense and an understanding mind. On many occasions during his year of service when tension existed and a profound mind was necessary to stabilize the situation, CECIL KING always stepped into the picture and calmed things down. He talked with Members who were intensely moved one way or another. I think I can well term him as one of the great stabilizers that I have seen during all my years of service in this body. He is retiring voluntarily after many years of dedicated service, service which reflects great credit on the people of his district. During those years a strong and intense friendship developed between CECIL KING and myself, a friendship that I valued and which I shall always treasure.

I wish to extend to CECIL KING and his loved ones my very best wishes for their future happiness. I know they will have happiness, but I wish to extend to them my wishes for many years of happiness in retirement from the halls of Congress. I know that CECIL will lead an active life in connection with any activities that are beneficial to the sick, the afflicted, the underprivileged, the poor, and those who are persecuted. So, as CECIL KING leaves this great body he leaves with the profound respect and friendship of all who have served with him.

Mr. COHELAN. Mr. Speaker, it is with pleasure that I rise to pay tribute to CECIL KING, dean of our California congressional delegation and a ranking member of the Ways and Means Committee. He retires from Congress this year, the respected friend of all of us who know him.

Cecil King represents the finest traditions of congressional service. His devotion to his own constituents, to his beloved State of California, and to our Nation has been demonstrated repeatedly since he was first elected from Los Angeles County in 1932. This service has spanned the administrations of five Presidents and has witnessed the drafting of legislation that will benefit our country for years.

As humanitarians, we in Congress hailed the passage of the medicare program, so important to the health needs of our citizens. As legislators we admired, with genuine respect, the determination and skill with which this measure, as the King-Anderson bill, was guided through legislative channels and explained to the people of our country, until it finally won support, both in the Congress and with the general public. The benefits of this historic bill are being realized by young and old alike, and its contribution to the well-being of our people is a fitting tribute to the ability and dedication of a great man, Cecil King.

I shall miss Congressman King as a personal friend and counselor, as a wise leader of the California delegation and its Democratic caucus, and as a serious student and master of tax and social welfare legislation. Mrs. Cohelan joins me in wishing for him and his charming wife, Gertrude, many happy and rewarding years of enjoyment in their well-earned retirement from public life.

Mr. PATMAN. Mr. Speaker, the Honorable Cecil R. King has represented his district and his State for more than a quarter of a century, and it is not mere coincidence that these years have seen California and Mr. King's home city of Los Angeles attain worldwide recognition as outstanding examples among all of our States and communities of the bountiful American way of life. Cecil King is directly responsible for many of the great legislative advances that have combined compassionate assistance for those in need with an appropriate concern for the verities of the free enterprise system which has made this Nation so richly productive. Cecil King with his keen, practical, and probing mind has worked unceasingly to help the human family, ranging from the individual requirements of a family living under one roof to the international problems that beset the world family of nations.

The phenomenal scope of our colleague's complex and incessant activities has not preempted his time or made him less attentive to requests for counsel from his fellow Members, all of whom have come to rely upon the amiable, genial, yet dignified dean of the California delegation for sage advice. With his wealth of experience and tremendous detailed knowledge of governmental procedures and operations, Cecil King is always willing to listen to what a colleague has to say on any legislative subject.

Since 1942, Cecil King has been my friend and coworker in the public interest. We also share memories of World War I and service in the legislatures of our respective States, and I am indeed reluctant that the bonds of our friendship should in any way be weakened by his retirement at the end of this Congress. I choose to think that Cecil King will always be a constructive and meaningful companion to the continuing work of the Congress and all its Members.

It is a privilege to have this opportunity to offer my sincere personal congratulations to Cecil King for the great service he has rendered to the Nation he loves so well. My best wishes go with him and his fine family upon their return to the great State of California.

Mr. CORMAN. Mr. Speaker, I wish that I could find words eloquent enough to express my respect and admiration for Congressman Cecil King as I wish him a fond farewell from the Congress.

Cecil King's kindness, generosity, his thoughtfulness and consideration have justly won him the esteem and veneration of every Member in the House and on both sides of the aisle. For myself, his retirement leaves a void that no one else can ever fill. When I came to the House as a freshman Congressman in 1961, his wise counsel and guidance were tremendously helpful to me. He helped make my transition from private to public life an easy one, and I have been the beneficiary of his generosity and wisdom many times since. The warm friendship Cecil King bestowed upon me has grown with each succeeding year, and it has been an inspiration to me. If I am privileged to continue to serve in the House for the many years that Cecil King has served, nothing would give me greater pride and pleasure than to be able to retire and leave behind me the reputation he enjoys.

One must speak of Cecil King's legislative efforts in the same vein as one speaks of him as a friend. His service on Ways and Means Committee, for almost a quarter of a century, has been monumental. He worked hard throughout his career to strengthen the social security system, and his influence was felt in committee and in the House. Medicare legislation owes its enactment in great part to his ability and effectiveness as a legislator, and to his deep interest in and great concern for our senior citizens. He made important contributions to legislation in the areas of trade, tariff, and taxation—areas that have permitted our country to become the great nation that it is. His distinguished career is a tribute to the best that is in a person. His service to his country, to his district, and to the traditions of the House of Representatives will be an inspiration to those who now serve here and to those who will follow him in the Congress.

A few months ago when Cecil King announced his plans for retirement, I was privileged to be elected to take his place on the Ways and Means Committee. I cannot hope to fill his shoes, but I can say that his personal integrity, his dedication to the people of this land, his concern for his fellow man, his wisdom and his capacity for hard work are an inspiration to me, and I can only hope that some day I may achieve his level of effectiveness.

While Cecil King richly deserves a surcease from his untiring efforts of the past 26 years, the House of Representatives will not be the same without him. I shall miss him as a personal friend and as the wise dean of the California delegation.

Mrs. Corman joins me in wishing for Congressman King and his lovely wife much happiness and many wonderful years of retirement.

Mr. LEGGETT. Mr. Speaker, I have asked for this time today so that the colleagues of Cecil King in the Congress of the United States might pay fitting tribute to him as an outstanding American.

Congressman King was a legend in California years before I came to the Congress. As California's man in Washington on the Ways and Means Committee it has been Cecil's job for 24 years to measurably assist his colleagues in their committees and their congressional career aspirations.

As chairman of the California delegation for the past 4 years he has exerted qualities of leadership, services, compassion and understanding that have maintained delegation unity on fundamental issues during troubled times.

Cecil King was elected to the California State Legislature in 1932 and with his wit and intellect it was no wonder that he was elected majority floor leader there in his second term. In 1940 he was elected chairman of the Democratic State Central Committee. On August 25, 1942 Cecil King became the first member of the California Legislature elected directly to the Congress. This example has since been followed in California nearly two dozen times.

After serving only 2 years in the House of Representatives he was elected by his colleagues to the Committee on Committees and the Ways and Means Committee in 1944 and has since risen to the ranking member of the committee.

He is a member of the permanent conferees of the House and Senate; a member of the Joint Committee of the House and Senate on Internal Revenue Taxation, the Joint Committee on Reduction of Non-Essential Federal Expenditures; and is a member of the Committee on Committees having the responsibility of assigning all Democratic Members of the House to the standing committees of the House of Representatives.

It was Cecil King who sat on the Ways and Means Committee that enacted the 1954 Revenue Code modification—the most important overall tax revision before or since.

At the request of President Kennedy, Mr. King sponsored the King-Anderson medicare bill which has now become law and he was selected by President Johnson as one of the two House Members appointed to the U.S. Trade Expansion Negotiating Team and, in addition, he was appointed congressional adviser to the United Nations Conference for Trade and Development.

This is a sketch of Congressman Cecil King as we know him in the Congress. I have found that men who are truly great in many ways camouflage their fundamental capability and accomplishments. Cecil is no exception.

I personally have enjoyed knowing and working with Cecil King. Many men will be better men because of that fine association.

Mr. JOHNSON of California. Mr. Speaker, it is indeed an honor and a privilege to join with my colleagues in paying tribute to the Honorable CECIL KING, who is retiring after 28 years of dedicated service to his constituents of Los Angeles County, the Golden State of California, and the Nation.

For 10 years I have been privileged to serve with this fine gentleman. As dean of the California delegation, and as a ranking member of the Ways and Means Committee of the House, he has been a friend and a counselor in the many complex affairs of state. He has handled difficult problems with tact, efficiency and judgment.

During his long and distinguished career he has made an outstanding contribution to important legislation handled by the Committee on Ways and Means, particulary the legislation that has been of great benefit to the elderly, the poor, and the handicapped.

His compassion, his warmth, and his great wit have made him a favorite among his colleagues and when the roll is called for the start of the 91st Congress he will certainly be missed by all who were privileged to know and serve with him.

His friendship and his guidance will certainly be missed by me, and Mrs. Johnson joins me in wishing for him and his lovely wife, Gertrude, many happy and prosperous years of enjoyment in their well-deserved retirement from the political arena.

Mr. CHARLES H. WILSON. Mr. Speaker, it has been my great fortune to have CECIL R. KING as both a personal friend and colleague for many wonderful years. Representing adjacent districts in Los Angeles, we have become extremely good neighbors and have worked together in the House of Representatives with a special unity of purpose in representing our combined constituency.

CECIL R. KING's political career has been a series of stunning victories. He was elected to the California State Legislature in 1932; and, in his second term, his outstanding abilities were so apparent that his colleagues elected him to be majority leader of the legislature. In 1940, he won further recognition upon his election as chairman of the California State Central Committee.

National service beckoned in 1942 when he was voted into Congress by a special election in the 17th District—the first Member elected to Congress directly from the State legislature. In 1944, CECIL KING was elevated to the powerful House Ways and Means Committee where he became one of the most distinguished members of this excellent committee. Indeed, his chairmanship of a special committee to investigate the Internal Revenue Service resulted in the complete reorganization of the IRS.

Representative KING's legislative achievements are legion. In fact, for the King-Anderson bill alone—medicare—he has won a lasting place in history. Initiating the medicare bill on behalf of President Kennedy, CECIL KING devoted years of concerted effort to enact this monumental legislation—legislation that was, moreover, opposed by one of the most powerful lobbies in this country.

As dean of the California congressional delegation, CECIL KING proved a remarkable organizer. Under his commanding leadership, this large delegation was able to work in close cooperation to enact legislation to benefit the State of California.

Surely, the people of the 17th Congressional District, as well as the citizens of California and of this country, can be proud of CECIL R. KING's record of 36 years of outstanding service. Few men can look back upon their retirement with such a sense of accomplishment. My wife Betty joins me in wishing Congressman and Mrs. King every happiness in the coming years.

Mr. SCHNEEBELI. Mr. Speaker, with the closing of this 90th Congress, the House will lose one of its most esteemed Members, the Honorable CECIL R. KING.

In a large group of people whose general discussion is so serious and dour, it has been good to have among us such a congenial and blithe spirit. In committee sessions and on the floor where the tensions grow and partisanship rears its head, CECIL was usually a help and asset in getting us back to an attitude of proper judgment and direction. He was a favorite among the Republican Ways and Means Committee members as well as fellow Democrats.

CECIL has served with distinction on many committees in addition to the responsibility as second-ranking majority member of the Ways and Means Committee, and was a responsible congressional adviser to the GATT Conference in Geneva for many years.

It has been a privilege for me to have had the opportunity to serve with Congressman KING, and his wisdom, knowledge, and humor will be greatly missed. CECIL's 26 years of dedicated service in the House has left an indelible mark upon the accomplishments of this legislative body and upon his colleagues who through the years have served with him.

I sincerely wish for Congressman KING the interesting and pleasurable term of retirement which he so richly deserves after having served his constituency and his country with diligence and honor.

Mr. HANNA. Mr. Speaker, we all mark with a large measure of sadness the retirement of our good friend and most able and distinguished colleague, CECIL KING.

Congressman KING has represented the people of the 17th District of California for almost three decades. His distinguished service as a member of the Ways and Means Committee and as chairman of the California delegation has been of the highest order. It reflects considerable credit on Congressman KING and the wise electorate which returned him to Congress for 13 terms.

The record of achievement Congressman KING has compiled would fill this volume twice over. I will mention only two. His service as a Presidentally appointed member of the U.S. Common Market negotiating team and his part as congressional adviser to the United Nations Conference for Trade and Development are two positions which will reflect the respect his accomplishments have won throughout our Nation and the world.

We will all miss CECIL KING. He has been an able legislator, wise leader and a good friend. I know and I speak for all my colleagues when I say we wish you, Congressman CECIL KING, all the best.

Mr. BOB WILSON. Mr. Speaker, it has always been a custom in this great body to address a colleague as the "gentleman" from Maine, Alaska, Utah, or whatever his home State. Today we are bidding farewell to a true gentleman from California—our long-time colleague CECIL KING. His courtesies and fairplay will always be remembered by those of us on both sides of the aisle who have known and worked with him.

For those of us from California, his departure is even more significant because he has been our delegation dean for the past several years. We will miss him and we wish him well in the years ahead.

Mr. UTT. Mr. Speaker, 35 years ago, I began a most pleasant period of service in the California State Assembly with my good friend, CECIL KING. CECIL preceded me to the House, but we have now served together for 16 years in the U.S. Congress, most of that time on the Ways and Means Committee. Our districts which we represent in California are geographically close, and they share many interests. CECIL has been most cooperative at all times in working for the best interests of our southern California area.

His expertise on tax matters is matched, if not exceeded, by his vast knowledge and understanding of the complexities of foreign trade. His advice and counsel will be sorely missed in trade conferences, as well as by the Joint Committee on Internal Revenue Taxation, on which he served so ably.

At this time, when CECIL finds it advisable to terminate a long and distinguished career in public service, I am especially pleased to have the opportunity, provided by my colleague, BOB LEGGETT, to thank CECIL for the long and valued friendship, and to wish him many years of happy retirement—years that I know will be active and productive.

Mr. LIPSCOMB. Mr. Speaker, I would like to join my colleagues in paying tribute to CECIL R. KING, of the 17th Congressional District of California, who is retiring after more than 26 years of service here in the House of Representatives.

CECIL KING has a long and distinguished record of public service to the people he has represented, the State of California, and the Nation. He has made many contributions as a legislator through his work on the Committee on Ways and Means.

I am certain that every one of us in the House of Representatives wishes to extend our best wishes to CECIL KING in his forthcoming retirement and I am grateful for having had the privilege of serving with him.

Mr. DON H. CLAUSEN. Mr. Speaker, upon his retirement at the end of this Congress our colleague, the Honorable CECIL R. KING, leaves a most enviable record of service to the State of California and the Nation. It was he who sponsored the King-Anderson medicare bill, a milestone in social security legislation. He was appointed to the U.S. trade expansion negotiating team and served as congressional adviser to the United Nations Conference for Trade and Development.

As a Republican, I recognized him as a very friendly, extremely cordial person who has been very helpful to me during my service in the Congress. He was always willing to give impartially of his assistance and advice on matters helpful to the entire California delegation.

His key position on the Ways and Means Committee has been a benefit to all Californians. We must all recognize that one of the most outstanding qualities of the California delegation is the ability to work together in the best bipartisan fashion whenever matters of statewide interest are concerned.

Cecil's leadership as the dean of the California delegation has been able and dedicated, and will be sorely missed by all of us.

Mr. FRIEDEL. Mr. Speaker, with the announcement that one of our ablest colleagues will retire from Congress after 28 years of dedicated public service, it is a pleasure to add my voice in tribute to the gentleman who represents the 17th District of the Golden State of California.

The story of Congressman Cecil R. King is the story of an American boy who rose quietly and steadily to the highest echelon of public service strictly by his own persistent efforts.

He was elected to the California State Legislature in 1932 and served there with such distinction that he quickly became its majority leader and retained this position until 1942, when the people elected him to represent the 17th District in the Congress of the United States.

It is here that he has served for 14 consecutive terms. In fact, he served his State and Nation so well that he has fully earned the title bestowed upon him by people of all political persuasions as "California's outstanding Congressman."

Cecil King is an implacable foe of communism. In 1945, he was one of the first to realize that in the power struggle that was shaping up for control of Europe, the Balkans, and the Middle East, Greece was the keystone. If Greece fell, Stalin would have easy access to Turkey, to Italy, and to the Mediterranean. It appeared that nothing but a great miracle could help Greece restore her strength, and prevent a disastrous Communist military coup. And it was this miracle that Cecil King helped to engineer. He was the first American Congressman to go to war-torn Greece. He came home to report his findings to Congress and President Harry Truman and make recommendations concerning the action he deemed necessary.

Shortly after this pioneering trip, the U.S. Government sent large-scale aid to both Greece and Turkey, a move which is credited by the entire free world with saving those countries from communism.

Perhaps our distinguished colleague is best known for his fearless work as chairman of a House committee which conducted a nationwide investigation of the administration of the internal revenue laws over a 2-year period and which resulted in a complete reorganization of the Internal Revenue Service and numerous improvements in the Treasury Department's policy and procedure. This brought him national acclaim. He has also supported many progressive programs to benefit all our citizens.

Here, indeed, is a fine gentleman in the full sense of the word, a dedicated and sincere public servant, an asset to the Congress; in short a great American and an effective legislator. He will leave a void that will be almost impossible to fill and he will be sorely missed as a Member of this body.

To this extraordinarily able Representative, that I am proud to call my friend, I extend my most heartfelt best wishes for health and happiness in the years to come.

Mr. EDWARDS of California. Mr. Speaker, it is my honor as a relatively junior member of the California delegation to pay tribute to our retiring colleague and dean of the congressional delegation from California, the Honorable Cecil R. King. The close-knit working relationship which has developed over the past few years within our delegation is due largely to the devotion and hard work of our dean, and our State has benefited under his leadership. The 17th District, our State, and our Nation are losing an effective public servant. Cecil King leaves a career devoted to improving the lives of all Americans but I know he will continue this effort wherever he goes. It is a pleasure indeed to join my colleagues in paying the highest tribute today to our friend and colleague, Cecil R. King.

Mr. PETTIS. Mr. Speaker, I would like to extend a word of farewell to one of our colleagues from my State of California who is closing his congressional office after serving with distinction in the House for 25 years.

Cecil R. King began serving the people of the 17th District in the 77th Congress. For over a quarter of a century, he has served on the House Ways and Means Committee with dedication. He has been a member of several joint House-Senate committees and has served on the United Nations Conference for Trade and Development.

It has been a pleasure for me to serve with him. Although we are on different sides of the political aisle, Cecil King has been a gentleman I consider it a privilege to have known. I join my colleagues in wishing a long and happy retirement to a Member of the House who has devoted his career in public service to the people of Los Angeles County.

Mr. MOSS. Mr. Speaker, I undertake at this moment the expression of an ambivalent view respecting a friend and a gentleman for whom I have the deepest affection and the highest regard, the dean of my delegation, the honorable Cecil King.

I said I had an ambivalent position. Let me illustrate. This House will miss the quiet effectiveness of Cecil King's presence. His skill as a legislator, his strong concern with humanitarian values. On the basis of past performance, on the basis of his capacity for compassion, he should not leave the House, but should remain with us in the interest of the Nation. However, Cecil King, the individual, the husband, and the father, the warm friend, has earned the right to the luxury of privacy. He and his lovely wife, Gert, will have many years together, years which can be full of pleasure and enjoyment. I know of no one who more richly deserves that pleasure. For that reason I think Cecil should leave the Congress.

Every one of the California delegation views his retirement with the same sense of mixed feelings that I express. I could go on at great length, but it would be a case of "guilding the lily." Suffice it to say that I shall miss the ever-present counsel of a friend and confidant. I hope Cecil visits with us from time to time in the years ahead.

Mr. REES. Mr. Speaker, I am indeed sorry to see Cecil King leave Congress. We need him. We need his gentle and penetrating sense of humor to keep our tempers subdued. As dean of our California delegation, he has accomplished the impossible—we actually work together in harmony. Anyone who succeeds in this respect is too valuable to not have in Congress.

But Cecil is leaving, and I wish him and his delightful wife, Gert, a long and happy retirement. But please, Cecil, when times get too tight here in Congress, come back and make us human again.

Mr. ROONEY of New York. Mr. Speaker, the gentleman from California, the Honorable Cecil R. King, has announced his intention to retire at the end of this session of Congress marking an end of 26 years of devoted service to the people of California and to this body. For most of the time he was a Member of the House of Representatives Cecil King served on the House Ways and Means Committee and for the past 8 years he has been ranking Democratic member of that committee. His efforts there have been tremendous. He was among the leaders in the fight for medicare. He has worked continuously to improve other aspects of the social security system. He has also ranged far from that subject and become an acknowledged expert on taxation and foreign trade and, in addition to his Ways and Means duties, he was a member of the Joint Committee on Internal Revenue Taxation. Cecil King was a rare combination, Mr. Speaker—a man of extremely sound legislative judgment and at the same time a warm, humorous being. More than just his skill will be missed. We wish Cecil and his lovely wife every happiness and good fortune in the coming years.

Mr. BURTON of California. Mr. Speaker, my very distinguished colleague from California, the Honorable Cecil R. King, who has served in this House since 1942, has chosen not to seek reelection to the 91st Congress.

He retires after 27 years of service as a Member of this House to his district, State, and Nation. Cecil R. King is a dedicated public servant, a man of courage and integrity and a man of demonstrated concern for his fellow man. As a member of the House Ways and Means Committee he has repeatedly shown his special understanding and concern for the less fortunate in our society. His long struggle for medicare, and his continuing fight to liberalize our social security laws attest to this fact.

We Californians will miss CECIL KING. He has been chairman of the California congressional delegation. I should like to personally extend to him my warmest and my heartfelt best wishes upon his retirement.

Mr. MILLER of California. Mr. Speaker, there will be a vacuum in the House of Representatives when the Honorable CECIL KING's resignation becomes effective.

It was my privilege to have first met CECIL KING when I became a member of the Assembly of the State of California in 1937. CECIL had been there and was a seasoned member when I arrived. His courtesy, helpfulness, and interest in me as a new member are as vivid today as they were 30 years ago.

This was repeated when I came to Congress 24 years ago. I still find him a tower of strength and a wise counsellor when advice is needed.

In paying my high respect and compliments to CECIL, I want to include his very charming and friendly wife, Gertrude.

CECIL KING served his country in time of war and his long service and contributions to her in time of peace is well known to all of us.

Mr. BROYHILL of Virginia. Mr. Speaker, CECIL R. KING, our respected and admired colleague on the Committee on Ways and Means, is leaving us when we end this session of Congress.

He will be sorely missed by his colleagues on both sides of the aisle. But those of us who have been privileged to work with him on the intricacies of revenue-raising legislation will especially miss his wisdom and understanding gained over the 26 years he served his Nation on our committee, on the Joint Committee on Internal Revenue Taxation, the Joint Committee on Reduction of Nonessential Expenditures, as a member of the U.S. Common Market negotiating team, and as congressional adviser to the United National Conference for Trade and Development.

CECIL KING has served his district, his State, and his Nation for 36 years. He deserves the rest retirement will bring. We all hope for him many years of happiness and success in his future endeavors.

Mr. REINECKE. Mr. Speaker, the vigor and leadership of Congressman CECIL KING will be greatly missed in the House of Representatives when he retires after this session.

Mr. KING has been consistent and diligent in his efforts to advance the aspirations and prosperity of his constituents in California's 17th District.

His fight for responsible and progressive legislation has earned for him a well-deserved reputation as a dynamic and imaginative Representative.

For 26 years, CECIL has won the admiration and respect of his colleagues in Congress for his personality, integrity, and legislative ability.

He has been a good friend, considerate and generous. There is not one person who has not benefited from knowing and associating with Representative KING.

He has our congratulations on a long and successful public career. He has our warmest wishes for a happy and productive retirement.

Mr. HOLIFIELD. Mr. Speaker, it is with deep regret that we of the California congressional delegation accept the decision of Congressman CECIL KING to retire from the House of Representatives.

I have served in the House with CECIL KING for 26 years. During that entire time we have worked shoulder to shoulder in complete harmony. I am proud to call him my friend.

CECIL KING has been, in my opinion, one of the most dedicated and capable Representatives that California has ever had. He is a man of unquestioned talent and integrity. He has served his California district and his Nation for more than 26 years with efficiency and honor. For the past 24 years, he has served on the important Ways and Means Committee, with great distinction.

As a member of the committee on committees, it has been his responsibility to help the Democratic Congressmen of his western region of States attain assignment to the House committee of their choice.

Almost 8 years ago, Congressman KING sponsored the bill to give Federal hospital and medical aid to elderly citizens. It was known as the King-Anderson bill, named after Congressman KING and Senator CLINTON P. ANDERSON, of New Mexico. This bill focused attention on the plight of millions of elderly citizens who needed medical aid and hospital attention, but were financially unable to pay the cost for such services.

After many years of hard work on the King-Anderson bill and gradual assistance through other legislation such as the Kerr-Mills bill, the Congress finally passed the landmark bill commonly designated as "medicare." This bill would never have been passed if it had not been for the pioneer advocacy and long years of persistent hard work by Representative KING. Passage of the bill was one of Congressman KING's great legislative accomplishments, and it earned him the gratitude of a nation whose older citizens now can live in dignity, and not despair.

Our California delegation will miss its dean, a capable and humanitarian legislator, and a good friend to each of us—the Honorable CECIL R. KING.

We extend to CECIL KING and his wife, Gertrude, our affection and esteem, and our best wishes for their health and happiness for many long years of pleasant retirement.

Mr. ROYBAL. Mr. Speaker, it has been an honor for me to have served in the U.S. Congress with such a distinguished and dedicated legislator as Representative CECIL R. KING, of California's 17th Congressional District.

Representative KING, on his retirement from a lifetime of outstanding public service, will be remembered by each of his colleagues for the tremendous work he has done, not only as the dean of the California delegation, but also as a lawmaker with legislative achievements of significant national scope.

Certainly, one example of CECIL KING's great contribution to the welfare of all Americans is his original authorship of the famous King-Anderson bill—medicare—and his long and successful battle for its enactment into law.

But, personally, I will always remember Representative KING as the friendly, helpful senior Member of Congress who provided invaluable assistance and advice to his younger colleagues on Capitol Hill, and as the remarkable leader of a strong and united California delegation in Washington—organized effectively and held together in bipartisan fashion by the unique qualities possessed by CECIL KING.

His record of service to his district, to his State, and to his Nation will stand as a living monument to the exemplary career of Representative CECIL R. KING—a true friend and outstanding legislator.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to extend their remarks at this point in the RECORD regarding the services of CECIL KING.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

LET US BE PROUD OF OUR SERVICEMEN, TOO

Mr. ANDERSON of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANDERSON of Illinois. Mr. Speaker, I just today received a guest editorial in one of our newspapers by the mother of one of the *Pueblo* crewmen. She is Mrs. George T. Massie of Roscoe, Ill., which is located in my congressional district, and the mother of William Massie, known as Tom Massie, who was serving as a fireman apprentice aboard the U.S.S. *Pueblo* when it was captured by North Korean naval forces last January and taken into Wonson Harbor. This is a letter that was written with that special poignancy and feeling that only a mother can feel for her young son. In one of the concluding paragraphs of her letter she says:

> Let us all start being proud of them, too. And most of all, let us all, even if you don't have a son in service, or one to go, say daily prayers for these fine young men who are doing a job over there for you and for me.

I would hope that we would certainly not either as a Congress or as a nation ever forget the men of the *Pueblo*, and each of us use whatever powers of persuasion we have to urge our State Department and those who are in charge of our diplomatic relations and foreign affairs to continue to pursue more vigorously than they have in the past the effort to gain the release of this ship and its crew.

Mr. Speaker, I ask unanimous consent to include the entire editorial at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

GUEST EDITORIAL BY THE MOTHER OF A "PUEBLO" CREWMAN FROM ROSCOE: LET'S BE PROUD OF OUR SERVICEMEN, TOO

(The following was written by Mrs. George T. Massie of Roscoe, mother of William (Tom) Massie, who was serving as a fireman apprentice aboard the Navy intelligence ship U.S.S. Pueblo when it was captured by North Korean naval forces last January and taken into Wonson Harbor. The 72-man crew of the Pueblo is being held by North Korea, and at least one has died in captivity. American demands for release of the ship and its crew have been met with the communist reply that the Pueblo was inside North Korean territorial waters when the capture took place. North Korea has demanded that the U.S. acknowledge the violation and apologize for it, as conditions of return of the ship and crew. Thus far, the U.S. has denied a violation and refused to apologize. Meanwhile, the Massies and families of the other captive crewmen wait, hope, and pray and the slogan "Remember the Pueblo!" is printed and spoken with more frequency across the nation.)

In the past nine months I am sure there is no one who has read a paper more closely than I. The reason I read the news so closely is because our son, "Tom," is a prisoner of war in North Korea.

Tom was a fireman apprentice aboard the U.S.S. Pueblo until it was taken into Wonson back on Jan. 23, 1968, by the North Koreans.

In reading the papers each day I keep up on what's going on. We have each year in our fall festivals, fairs, schools, counties and what have you—even a Miss America—beautiful girls chosen to honor each of these events.

Being a mother, I can see the beauty in each of these girls, and I believe in electing a queen for each of these occasions.

Then I read of how proud our towns, and even states, are of these beautiful girls—to have them represent each of the communities.

Believe me, I am proud of them, too, and enjoy reading about them. But the thought I have running so strongly in my lonely heart is . . . why aren't we so proud of our servicemen who give so much? Why don't they get some of the high honors they so deserve?

You know, our fine young men in our United States armed services, when called to serve their country, weren't selected to do so because they were handsome. Nor are they entitled to vote. They are considered not old enough for that. But, yet, they are old enough to die for you and for me.

We read many times a week where one of our fine young men has answered a call to his country and ours, and has met death in the line of duty in Vietnam. But do we read in the papers that we've lost a fine young man from our town and community . . . one we were so proud of? Do we let the parents or wife of this man know we were proud of him? No, and I think we are all a little to blame on this. This includes our daily papers, too. It never says we lost a brave man. Believe me, these men are really brave. Some families have given two sons' lives in Vietnam.

Let us all start being proud of them, too. And most of all, let us all, even if you don't have a son in service, or one to go, say daily prayers for these fine young men who are doing a job over there for you and for me.

They did not ask to go over there; they were ordered to go. So let us all support them, and their families, with prayers and letters. They need them. I know.

God bless all of them.

WHAT HAPPENS IF THE ELECTION GOES TO THE HOUSE OF REPRESENTATIVES?

Mr. BROTZMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, twice in the history of the United States, the House of Representatives has been called upon to select the Chief Executive Officer of the United States. In 1801 Thomas Jefferson was selected by the House. In 1825 John Quincy Adams was chosen by the House.

The 1968 presidential election could be thrown into the House if one of the major political contenders fails to achieve a majority of 270 votes in the electoral college. In such a case, the Members of the House would be asked to choose the President from the top three candidates on the electoral college's list of nominees. Congress is not at liberty to go outside this group of nominees in selecting a President.

As far as the procedure is concerned, the vote for President in the House is taken as follows:

Each State is given only one vote. Small States with only one Representative—Alaska, Delaware, Nevada, Vermont, and Wyoming—have a vote coequal to that of the most populous States, such as New York with 41 House Members. Therefore, a majority of each State's House delegation would determine the State's vote. A majority of 50 States, or 26 votes, is needed to elect a President. If a particular congressional delegation of a State has both Democratic and Republican Members and if the delegations are tied or otherwise cannot agree, then the State is not counted in the balloting for the President.

Aside from the bare constitutional facts about the general procedure which governs the election of the President by the House, speculations can be made on the possible outcome of such an occurrence in light of election year 1968.

How could the congressional election on November 5 affect a presidential contest in the House in January?

To begin with, the new Congress, elected on November 5 and taking office on January 6, 1969, will decide the outcome of the 1968 presidential election if it is thrown into the House of Representatives. A detailed study has been done which analyzes possible shifts in voting power in Congress as a result of the 1968 election. The present makeup of the House is 245 Democrats, 187 Republicans and three vacancies. The Democrats hold a majority in the delegation from 29 States with the Republicans claiming a majority in 18 States. Three States are evenly divided. In 15 States where Democrats now hold a majority, a switch of one House seat would mean either Republican control or a tied delegation. In 14 other States, Democrats control the delegations by a margin of three or four seats. Nine of these 14 States are in regions where Mr. Wallace is expected to collect his biggest popular vote. On the other hand, Republicans control 12 out of their 18 States by a margin of only one or two votes. A switch of one seat would mean either Democratic control or a tie.

One can see, from this study, that if the presidential election is thrown into the House, the congressional election on November 5 would have a profound impact on the final selection of the President. With this fact well understood, further speculations can be made about the final choice made by the House of Representatives, if this situation were to occur.

For example, if HUBERT HUMPHREY finished in either second or third place in electoral votes in November, as current public-opinion polls tend to indicate, and if the Democrats retained control of congressional delegations in 26 States or more, then the Democrats could elect Mr. HUMPHREY as the next President, without regard to size of either his popular or electoral vote. If George Wallace is among the top three presidential contenders in electoral votes, then his chances in Congress would depend upon putting together a majority coalition of both Democrats and Republicans, since there are no Congressmen now who wear the label of Mr. Wallace's American Independent Party. If Richard Nixon finished either first, second, or third in electoral votes, and if Republicans gained control of a majority of House Members from 26 States or more in the coming election, then presumably the Republicans would be able to elect Mr. Nixon as President.

As a final note, one must add that if the House failed to agree on a President by January 20, the date stipulated in the Constitution for the term of office to begin, then the Vice President, which is chosen by a majority in the Senate would become "Acting President," serving until such time as either the House or Senate could decide on who should be the President or Vice President.

TRIBUTE TO THE HONORABLE PAUL JONES

Mr. POAGE. Mr. Speaker, we have properly paid tribute to many of our Members who will not be with us next year. I would feel myself remiss were I not to call attention to the fact that one of the bravest, one of the most courageous, and most independent Members that I have ever known is voluntarily retiring at the end of this term.

Mr. Speaker, Hon. PAUL CARUTHERS JONES, of Kennett, Mo., is, after some 20-odd years of dedicated service in this House, returning to his home. He will not be a Member of the next Congress.

Mr. Speaker, Paul has been one of my closest personal friends, one with whom I have enjoyed a close association throughout the past 20 years. His family and my family have been friends. His wife, Ethel, and my wife, Frances, are close friends. Paul and Ethel are great and fine people. But, Mr. Speaker, more than that Paul Jones has been a member of the committee of which I am chairman, and a most valuable member, although I must say that there is probably no member on the committee on either side with whom I have had more differences of opinion than I have had with Paul Jones. He and I have differed so many times that I almost expect to differ with Paul on almost every piece of legislation. But his differences have always been sincere and of value to the committee. He has always been ready to work, to study, to attend, and to take part in the discussions, and to be an all-around valuable member of the Committee on Agriculture.

Mr. Speaker, Paul Jones built no reputation as a peacemaker. But he has built an outstanding reputation as an honest, honorable, and courageous member of the Committee on Agriculture, and of this House of Representatives. Those of you who have not had the privilege of serving with him on the committee have seen him here on the floor of the House, because Paul Jones has never circumscribed his interest to any one particular field. He is one of the best informed Members on agriculture that this House has seen, but he is also informed on other subjects. He is always ready to speak, to speak his mind—and he is always ready to form an opinion and always ready to defend that opinion, no matter who disagrees with him. He is always ready to take the side of the right as he sees the right and to do the right as he sees it. He has never been one to shrink from his duty no matter how unpleasant it might be. He is always ready to challenge those whom he thinks are in error at any time and at any place.

Mr. Speaker, I do not believe we could operate this House with 435 Members like Paul Jones. But I do not believe that this House will operate as well without Paul Jones. I believe that he has rendered a service which very few men can render, and I do not know of anyone who can take his place in the coming sessions of this Congress.

He has had a unique ability and a unique courage of character. I admire Paul Jones greatly, even when we are in violent disagreement.

Mr. RANDALL. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Missouri.

Mr. RANDALL. Mr. Speaker, I want to commend the gentleman for taking the floor to say these words in behalf of our beloved colleague, Paul Jones. As a fellow Missourian, I believe that our delegation has been amiss in not taking the lead. We thought yesterday that the dean of our delegation would be back to do this, and then his successor in line in seniority would hopefully have taken the lead, but this was not possible. We have honored Paul Jones in some functions off the floor, but I believe it is most appropriate that we do take the time to give some flowers to the living inasmuch as we have just eulogized our dear departed former colleague from Texas.

The things that the gentleman from Texas says about our colleague, Paul Jones, are certainly true, and the proof is the fact that they are being said by a man who has been more closely associated with Paul Jones than any other Member of the Congress.

Paul Jones sat at the side of the gentleman in the well, and in fact as his right arm. So this is not someone who is just imagining something. What has been said in behalf of Paul Jones is true and, I say again, is firsthand information.

If I may, Mr. Speaker, I would like to elaborate on the importance of a person like Paul Jones. I doubt if there are any of us here who have not been at times a little disappointed that he has held us here longer than we might otherwise have been able to leave on a particular day. He is a person who believes in detail, down to the last crossing of the "t" and the dotting of an "i." He does not slough things off or do things half way.

The thing the gentleman from Texas said that really defines the spirit and the heart and the soul of Paul Jones is that he is a man of courage. I know there have been instances in which Paul Jones has cast one of those rare votes in which there were only two or three voting along with him, or in some instances only one.

Courage is the mark of the character of Paul Jones, and he has exhibited it fearlessly and without expediency or question as to what the consequences might be politically.

Mr. Speaker, I would appreciate it if the gentleman would yield to me for one further moment to say that some of the characteristics of Paul Jones are that he is a gentleman, an honest man, and a decent man. Just in the last few days he has proven that all over again, because here we are right down at the end of this session, and there are those who are similarly situated, who are not seeking reelection themselves, who have not seen fit to come back when they are nearby to help make a quorum, or to help close up the business; but not so Paul Jones. He was here on the floor yesterday and the day before, and he was here on the floor during that long, marathon 36-hour session when there were some 46 quorum and rollcalls. All during that long night he was here.

Mr. Speaker, this is the kind of man you take your hat off to salute, a man who is going out of office, but still is right here to the end to carry his part of the load—a real gentleman, a great Congressman—and we are going to miss him.

Mr. POAGE. Mr. Speaker, I thank the gentleman from Missouri for his comments, and I simply want to add that it was not my purpose to seek to arrange any kind of testimonial meeting. I simply wanted to speak from my own heart for myself as an individual and as a personal friend of Paul and Ethel Jones because I consider them among the best friends that we have had among the many fine friends we have made in this Congress, and as chairman of the Agriculture Committee I wanted to pay tribute to a fine and useful member.

GENERAL LEAVE TO EXTEND REMARKS

Mr. RANDALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days or such time as is permissible under the rules following adjournment of the House to extend their remarks with reference to Hon. Paul Jones.

The SPEAKER pro tempore (Mr. Patten). Without objection, it is so ordered.

There was no objection.

Mr. POAGE. Mr. Speaker, may I now say, with no intention of doing more than speaking as a friend of Paul Jones and an admirer of a great Congressman and a great individual that I am going to feel the loss. I know the Committee on Agriculture is going to feel the loss and the House is going to feel the loss of this fine Representative.

The whole community is going to feel the loss of this fine family. They are going back of their own accord, without any pressure from the constituency, because Paul could have remained here for a long, long time. They are going back, and I know they will serve Kennett, Mo., as outstanding citizens and the community will be the better for their return because Paul and Ethel Jones are good people—the kind of people who make up good communities. I have traveled with both of them. I have traveled with Paul in many, many places and I know how unostentatiously always on Sunday morning they find a way to attend the services of their church. They find a way to do those things that they should do. They find the way to be courteous, decent, and friendly with those with whom they are associated.

They are great individuals and I am sorry they are leaving Washington and the Nation is going to be poorer for having lost a great Representative. We wish them many years of happiness.

Mr. GATHINGS. Mr. Speaker, the Honorable Paul C. Jones, who has so ably represented the 10th Missouri District in the House of Representatives since he was first elected in 1948, will retire from the Congress at the end of this session. Missouri and the Nation will miss him. He has been a dedicated worker and a superb representative for his people.

Paul already had established a wonderful record of public service before his election to the Congress. A native of Kennett, Mo., he served as mayor of the city and as a member of the city council. He was a member of the Kennett Board of Education. In 1935 he was elected to the Missouri Legislature and for 8 years was a member of the State Senate, where he held the chairmanship of the appropriations committee. In 1945 he became chairman of the Missouri State Highway Commission and served in that capacity until his election to the House of Representatives.

In addition to his public service, Paul has established a distinguished career as a businessman. He was copublisher of the Dunklin Democrat for more than 25 years until 1953 and he was general manager of radio station KBOA until he sold his interest in the station in 1966.

This was the man southeast Missouri selected to represent them in the House of Representatives. And they chose wisely. It has been my pleasure to serve with Paul on the House Committee on Agriculture. We both serve cotton, rice and soybean farmers and now both of our districts, which adjoin, have interests in sugarbeet production. Both of our districts have problems in soil and water conservation and our farmers face the same problems in financing their operations. So Paul and I have worked intimately together on all of these legislative problems. You could not ask for a better man. Paul has been diligent. He has given the most careful study to all aspects of the problems and his approach to the solutions always has been entirely fair and in the best interests of the people. He has been an outstanding member of the House Committee on Agriculture.

A man of highest integrity, he has worked to protect the integrity of the Government. He has fought waste and extravagance and worked to maintain fiscal responsibility. His has been an eloquent voice in defense of frugality and sound government operations.

I would not wish this Congress to adjourn without my acknowledging the debt we owe to this splendid Representative—one whom I am proud to claim as a friend. He will be returning to Kennett and I shall be going home to West Memphis. The miles are not too many that Tolise and I cannot look forward to seeing Paul and his lovely wife, Ethel. Our very best wishes go with them and to their fine children as Paul completes a remarkable service in the Congress.

Mr. ROONEY of New York. Mr. Speaker, I would like to join with my colleagues in saluting the Honorable Paul Jones whose retirement at the end of this session of Congress marks the completion of 20 years of service in the House of Representatives. His public service began long before coming to Congress as the people of his hometown of Kennett, Mo., saw fit first to elect him as their mayor then to the State legislature and State senate. While here he has represented his people well on the House Agriculture Committee and has fought persistently for what he thought was right. He has never stood aside when an unpopular or unpleasant task seemed to him to be the right thing to do. The gentleman from Missouri, is in short, Mr. Speaker, an honorable man. We wish him well.

Mr. PASSMAN. Mr. Speaker, I should like to take this opportunity to pay tribute to my dear friend and able colleague, the Honorable Paul C. Jones, of Missouri, with whom it has been my privilege to serve in this House since 1948.

I have never known a more effective statesman or patriotic American than my friend, Paul Jones. It has been my privilege to work with Paul on matters of mutual interest to our constituents, and I would like to add that I have been the recipient of his wise counsel and unselfish cooperation and assistance on many occasions.

I was distressed when I learned that Paul had decided to retire from the Congress. His departure from this body will be a great loss to his constituents, to the people of the great State of Missouri, to the people of America as a whole, and last, but not least, to his friends and colleagues in the Congress. Our country can ill afford to lose the services of this great patriot.

Paul's record of public service began when he was a young adult, and established him early as a leader. His outstanding accomplishments as a Member of Congress are of inestimable value to his fellow Americans. His record of public service is, indeed, unsurpassed, and will serve as a pattern for others who are desirous of devoting their life's work to the good of their country.

Paul will be missed; I have enjoyed his warm friendship and benefited from his wise counsel. He has certainly earned retirement, and I wish for him and Mrs. Jones many, many years of continued good health, happiness, and success.

CONGRESSMAN HAMILTON FISH SPEAKS TO THE AMERICAN LEGION KINGSTON POST

Mr. KUPFERMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, our well-known alumnus, former Congressman Hamilton Fish, whose son will be a Member of the 91st Congress, recently addressed the 50th anniversary dinner of the Kingston, N.Y., Post of the American Legion.

As a member of the House Veterans' Affairs Committee, I am pleased to bring his remarks on that occasion to the attention of my colleagues:

The Origin and Formation of the American Legion Preamble

(Speech of Hon. Hamilton Fish at American Legion Kingston Post 50th Anniversary Dinner, Governor Clinton Hotel, Kingston, N.Y., October 3, 1968)

It is a great honor and privilege for me to come here tonight as a member of the Kingston Post to receive a 50th anniversary decoration for membership in the American Legion, one of the greatest veteran and civic organizations in the world, dedicated to God, country and the preservation of the Constitution, freedom, justice and democracy. When I say Freedom, I mean free speech, free press, free assembly, freedom of religion, freedom from fear of concentration and slave labor camps, and totalitarian, despotic governments and the World Communist Conspiracy. That is the difference between Freedom and Communism.

The Legion, thank God, has always stood out openly and courageously against Communist and all subversive activities aimed to destroy our free institutions and Republican form of government. The preservation of freedom is the greatest issue in the world; greater than either the Democratic or Republican Party. There is no substitute for freedom.

Soviet Russia in desperation, crushed the birth of freedom in Czechoslovakia because wherever freedom exists, Communism is doomed.

I am very happy to come here as one of the founders of the American Legion and as chairman of the committee of three that wrote the preamble of the American Legion, which is still followed in every Post in the nation, and as chairman of the first Congressional committee to investigate Communism.

I have been asked to give you a brief account of the origin and formation of the American Legion preamble which took place at the St. Louis Caucus in May, 1919. I was a member of the Constitutional committee at the American Legion Caucus, and was designated by the chairman of that committee to head a committee of three to write the preamble, and empowered to appoint the other two members. I appointed Col. John Greenway of Arizona who had previously served in the Roosevelt Rough Riders and was one of the outstanding engineers and citizens of Arizona whose statue now stands in World War I uniform as one of the two men to represent the State of Arizona in Statuary Hall in the Capitol at Washington. The other was Judge George Davis of Oregon, later of Wilmington, Delaware, both of whom had been ardent supporters of Theodore Roosevelt, like myself. I knew that they would favor an outspoken, dynamic, patriotic preamble in the interest of all our veterans and our country. We held our sessions mostly behind closed doors for almost 36 hours, with very few hours for sleep, formulating what eventually was to be your preamble. It has been customary to give the chairman full credit as in the case of Thomas Jefferson who had a distinguished committee of 5 members that wrote the Declaration of Independence, but I think it is only fair for me to give the other two members their full share of credit in the final writing of the preamble. Each one wrote out numerous versions and then we would combine them and either extend or modify them until finally we agreed, word by word, sentence by sentence, to the whole preamble, which I presented to the chairman of the committee on the Constitution, which was approved with one slight amendment. It was adopted unanimously by the St. Louis Caucus and has not been changed since, except to put in the word wars instead of war.

One attempt was made at the first Legion convention at Minneapolis by Harry Fisher Wood, who persuaded Elihu Root, a great lawyer and statesman, to write an entirely new preamble. This was submitted to the committee on Resolutions at our first convention at which time I was a member of the Resolutions Committee and after Mr. Wood had made his presentation, I related the origin and formation of the American Legion Preamble, paragraph by paragraph and the vote was taken and our present preamble was reaffirmed unanimously with the exception of Mr. Harry Fisher Wood's vote. Since then, no other attempt has been made to change the preamble. It has been referred to by Gen. Pershing, President Truman and other of our highest officials as being one of our greatest American documents. The only part I want to emphasize here tonight is that which calls for community service and I believe every Legion Post should participate in that type of service and have public relations representatives who will give full publicity to the constructive Legion Community Service Program. If that is done, I am sure the membership of every Post will increase rapidly.

The American Legion will exist in the U.S. as long as it adheres to our preamble and to the preservation of freedom, but if freedom is ever destroyed, then the American Legion will cease to exist.

Let me conclude by saying that the Communists, the Red, the Pinks, the fellow travelers and the Yellows, denounce everything as wrong, rotten and corrupt in America. Let me tell you that our wage earners are the best paid, the best housed, the best fed, the best clothed, the most contented and the freest in the world. These same Communists, Reds, and fellow travelers also tell the American people that the Constitution is a scrap of paper, outmoded and archaic. Let me tell you as one who served in Congress for 25 years, that the Constitution is the greatest charter of human liberty and freedom ever devised by the mind of man. It represents your rights as free, sovereign American citizens and as Al Smith justly said, "It is the civil bible of the minorities. It represents the rights and liberties of all racial and religious minorities." We Americans, Republicans and Democrats, do not propose to surrender one iota of our freedom or liberties for any foreign form of government, Fascism, Nazism, Totalitarianism, or Communism. If there is any country worth living in, any country worth defending, any country worth fighting for, or dying for, it is the United States of America. God bless Freedom and the American Legion.

DISCHARGE PETITION FOR REORGANIZATION ACT

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, so many times in the 10 years that we have been here we have been importuned to sign discharge petitions, and in almost every instance over these many years I have declined I think perhaps with one exception.

This is simply an announcement. Because of some of the mail we have been receiving, I wish to announce at this time that I have signed the discharge petition on reorganization. There was no coercion by any Member, but I signed the petition simply because I had hoped that this issue could be considered. I hope equally as well that it may be considered early in the 91st Congress.

SUPREME COURT JUSTICE SELECTION AMENDMENT

The SPEAKER pro tempore (Mr. PATTEN). Under previous order of the House, the gentleman from Ohio [Mr. BROWN] is recognized for 30 minutes.

Mr. BROWN of Ohio. Mr. Speaker, for almost 200 years, a cornerstone of our Government of three separate powers has been an independent judiciary. An independent judiciary, embodied in the Supreme Court and lower Federal courts, has been a vital protector of individual rights and essential to the preservation of impartial justice. This independence means not only dissociation by the Court from executive or legislative control of decisions, but also insulation from the political pressures that affect the President and Congress.

Throughout most of our history, the Supreme Court has earned much prestige and respect as an institution of unquestioned ability and integrity. But there is now widespread belief or concern that our land's highest court has forfeited its prestige and independence to become, among other things, a political instrument of the President. The recent nominations of Messers. Fortas and Thornberry may indicate the possibility of the use of seats on the Court as political rewards for friends of the President. Such concern about political manipulation has caused widespread public dismay. Clearly something is wrong with an appointment process which permits the possibility that the President would nominate Justices of the Supreme Court on the same political patronage basis as the President appoints postmasters.

We must remember that the quality of justice depends in large measure on the quality of judges. The best judicial minds are essential for settling small legal controversies in a municipal court, but especially in deciding crucial constitutional questions in the Supreme Court. Also, we must remember that the Supreme Court decisions have a tremendous long-range impact on the economic, social, and political life of the Nation, the very vitality of our Nation and possibly on its survival. Hence, such appointments also affect the world at large.

Because of the vast increase in the scope and complexity of modern law and because of the importance of Supreme Court decisions, the Justices of our highest court must be the best qualified to confront the awesome task. The nominating procedure must guarantee the selection of the best qualified Justices, and not merely the closest to the President or those most acceptable to him or the Congress philosophically.

Where does the fault lie for the failure of the appointment procedure? The answer becomes apparent upon examination of the present process.

The present selection system consists of Presidential nomination of a candidate and then Senate confirmation. The delegates to the Constitutional Convention debated over several methods before deciding on the present system. They discarded both popular election of the justices and selection by one or both Houses of Congress, because these methods emphasized political considerations and not the competence of the men. The scheme finally decided upon included several devices to free the Justices from political burdens. Life tenure was provided to insulate the members of the Court from temporary political influences and thus permitted the Justices to follow their own consciences. Also, the nomination was confined in a single person, the President, whom the delegates regarded as a responsible person and one who would be above politics. Remember, this was before the present popular vote for President. But, to place a check on Presidential discretion and to assist in his decision, the delegates added Senate advise and consent. Senate approval also provided for consideration of the views of the States. Apparently the Founding Fathers expected the President to consult with the Senate before appointing a Justice.

Despite all the careful planning at the Constitutional Convention, this selection process has failed to fulfill the objective of our Founding Fathers. The Presidents have often abused their powers of appointment. Instead of being guided by legal and judicial proficiency, Presidents too often have been motivated by political expediency. The Court has been used as a reward for political friends of the President. Often a President expects to perpetuate his political ideology by choosing men of similar thinking. Often, of course, he has been disappointed in the latter area. President Eisenhower reportedly has been very surprised by some of the decisions of the Warren Court to which he appointed a Chief Justice and three associate justices. President Johnson may have expected the ideals of the Great Society—whatever they may be—to be furthered by Justices Fortas, Thornberry, and Marshall, but who knows. Perhaps time and history are working against him.

Political friendship and party affiliation have not been the only factors influencing the President's nomination. A President also must heed geographical, racial, and religious demands. Each time a vacancy occurs, the President must decide which group to favor. The Court was certainly not intended to be a microcosm of all the factions in the country. Perhaps such considerations cannot be totally excluded. But they could become ridiculous when one man, the President, tries to compensate for all these factors involved in our complex melting-pot society. The importance of the job should be the factor which would determine the quality considerations and not the political aspects of the President's ambition for support from racial, religious, ethnic, geographic, or other factions in our society.

The confirmation procedure may also have become an anachronism in recent years in exercising the constitutional responsibility of checking the President's discretion. Contrary to their strong control of lower Federal court appointments, Supreme Court appointments have usually been left wholly to the President. Over 30 years have passed since a nomination of a Supreme Court Justice has been blocked until the Fortas case. Because of the nature of legislative responsibility at the Federal level today, Federal legislators, even though they may be lawyers, are not in a position to be continuously exposed to the best legal talent in the country. The same is true of the President, of course. Essentially, the other body could become the President's rubberstamp and be relegated to a role of opposing and delaying confirmations, but does very little to help select the most competent Justices. While its collective action may not be as directly motivated by factional considerations as the President's single selection, as I have outlined above, it must be suggested that partisan political or philosophical considerations could be a factor in Senate confirmation or rejection of a nominee from time to time, rather than a judgment as to legal competence or other more salutary factors.

For these reasons, then, I feel the original constitutional selection process may have proven ineffective to guarantee the best qualified justices and the highest quality of justice in the U.S. Supreme Court. The President, supported by a confirmation procedure that does his will, can easily abuse his discretion of appointment and favor purely political nominees. A Court constituted of such political appointees cannot restore its own independence because of its inherent political bias. I believe that the product of the present selection process threatens this separation of powers and jeopardizes our Government system. I am firmly convinced that we must begin now to devise a new process to correct the faults of the present system. To insure that only the best qualified men serve on the Court, and to see that the people have a hand in their selection.

Many States and the Federal Government, confronted by similar failures in the selection of qualified public servants, have devised improvements on the old processes. Several States have bolstered the quality of men on their Supreme Courts by utilizing a judicial nominating commission, based on the plan originally devised in Missouri. This plan entails a commission, composed of laymen and lawyers, to select a list of candidates for the State supreme court. Then the Governor must appoint one person from the list who is then submitted to the State legislature for approval. This selection process, coupled with a periodic review of the judge's work by popular election has provided, I feel, more capable judges and a better quality of justice that was formerly the case in that State. The American Bar Association, the American Judicature Society, and the President's Commission on Law Enforcement and Administration have endorsed this plan. The initiative of the States in this area is to be highly commended and serves as a kind of proven example for the Federal Government.

Improvements in inadequate selection procedures also are not foreign to the Federal Government. When experience demonstrates a fault in the original constitutional method, that document has been amended to correct the situation. Both the legislative and executive branches have been altered in this manner. The President is currently restricted to two terms by the 22d amendment, and the method of electing Members of the other body was improved by the 17th amendment. Presently, the electoral college, which elects the President and Vice President is under sharp scrutiny and many methods have been advanced in an attempt to improve it. History has demonstrated that the Congress will very willingly reexamine the executive branch and initiate reorganization. Sometimes, the Congress will even reevaluate itself. But very seldom is such scrutiny focused on the Supreme Court. There is no reason why the selection of Supreme Court Justices cannot also be improved, especially when inadequacies are present.

Keeping in mind the problems of abuse of Presidential discretion, and failure of the confirmation procedure to impose adequate checks on the President, I have introduced a joint resolution proposing a constitutional amendment to improve the selection of Supreme Court Justices. Using as a guide the examples of corrections of judicial deficiencies in the States and of executive and legislative faults in the Federal Government, I herewith submit a new method to confront the inadequacies of the present system. The new process would work as follows:

First. Every 4 years, a judicial nominating commission, consisting of the chief judge of the highest civil court in each of the States, would convene to select, by majority vote, 12 candidates for appointment to the Supreme Court.

Second. Whenever a vacancy occurs in the Supreme Court, the President shall nominate one of the candidates to fill the vacancy.

Third. If the other body advises and consents to the appointment of the candidate, that candidate shall fill the vacancy. If the Senate does not advise and consent to the appointment of any candidate so nominated, the President shall nominate another candidate from the list to fill the vacancy.

I believe that my proposed amendment would select the best qualified judicial talent and would restore the political independence of the Court.

Instead of licensing the President with unbridled discretion to select personal friends and favor political factions, my amendment would restrict his choice to a list of 12 submitted by the Judicial Nominating Commission. This Commission, composed of the chief judges of the highest civil court from each of the States, would greatly assist in selecting the most competent judicial talent in our Nation for the Supreme Court. The State chief justices are continuously exposed to the most capable members of the legal profession and are consequently in the best position to recognize and select qualified candidates. Also, by placing this important stage of the appointment process in State judges, the voice of the States will be reinstated in this crucial decision. Thus, the Judicial Nominating Commission will function to preserve the balance between the National and State governments.

The proposed amendment would require supporting legislation to complete the details of when, where and how the process of selection by the chief judges of the States would be accomplished. I expect the Commission to meet every 4 years between presidential elections to reduce political influence. Each candidate must gain approval by a majority of judges to guarantee national support. After being selected, the 12 candidates would continue to be eligible for a 4-year term and could be reelected. By providing a continual list of potential replacements, rather than meeting when a vacancy occurs, the President could quickly fill the position and insure an easy transition on the Court. Whenever the number of candidates falls to six or less by death or disability, the Commission would hold a special convention to elect the number of candidates necessary to bring the total number up to 12. Other details of this plan would be provided in appropriate legislation.

Following is the text of the resolution proposing an amendment to the Constitution of the United States with respect to the appointment of Justices of the Supreme Court:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. The President shall, by and with the advice and consent of the Senate, appoint judges of the Supreme Court from a list of candidates for appointment prepared by the Judicial Nominating Commission.

"SEC. 2. (a) There is established the Judicial Nominating Commission which shall be composed of the chief judge of the highest civil court of each of the States.

"(b) The Commission shall meet in open convention every fourth year to elect twelve candidates for appointment to the Supreme Court. Two-thirds of the total membership of the Commission shall constitute a quorum. Elections of candidates shall be by secret ballot. No person may be a candidate unless he shall have received a majority of the votes of the total membership of the Commission.

"SEC. 3. Whenever the number of candidates for appointment on the list is six or less, the Commission shall hold a special convention to elect that number of candidates necessary to bring the total number of candidates to twelve.

"SEC. 4. The Congress shall have power to carry out, by appropriate legislation, the provisions of this article.".

TRIBUTE TO U.S. SENATOR FRANK CARLSON

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Kansas [Mr. SHRIVER] is recognized for 10 minutes.

Mr. SHRIVER. Mr. Speaker, today the Members of the Kansas delegation in the House of Representatives are taking this time to pay well-deserved tribute to a living legend in our great State, Senator FRANK CARLSON.

This is a personal moment mixed with pride and sadness for those of us who have been privileged to know and work with Senator CARLSON through the years of his service to our State and the Nation. FRANK CARLSON was Governor of Kansas when I first began my legislative career in State legislature in Topeka. His towering integrity has been an inspiring example for all of us engaged in public service.

As the Senator ends a period of 40 years of unprecedented service to his State, it is worthwhile to look back at this record. He served in the Kansas State Legislature from 1928 through 1932. Leaving elective office for a brief 2-year period, he was chairman of our Republican State committee when Alfred Landon was Governor. He came to the House of Representatives in 1934 and served in this body with distinction for six terms. In 1946, FRANK answered the call and returned to Kansas to the office of Governor for two terms. Kansans have never forgotten the 4 years in which our State government was led by Governor CARLSON. His efforts in the fields of mental health, education, agriculture, and industry provided a sound base on which later improvements could be built.

Because of this outstanding record, Frank Carlson was elected to the U.S. Senate in 1950. Reelected twice, he has now served our State in Washington for 18 years. Thus, he became the only Kansan to ever serve as Representative, Governor, and Senator.

Senator Carlson's efforts in the U.S. Senate are well-known both to the citizens of Kansas and to the Washington establishment. He has been responsible for important reforms and improvements in the fields of fiscal matters, Federal career service, agriculture, foreign affairs, veterans' benefits, and a host of others.

These accomplishments have not gone unnoticed. Senator Carlson has been awarded honorary degrees of doctor of laws by no less than seven universities and colleges. He has served as chairman of the National Governor's Conference and of the Council of State Governments. He is a member of the Board of Governors of the Agriculture Hall of Fame, the Menninger Foundation, and the Institute of Logopedics, which is in my own district in Wichita, Kans. Because of his thorough understanding of the problems of agriculture, he has received awards from the Kansas Wheat Commission, the Kansas Wheat Growers Association, the Missouri Farmer's Association, the Future Farmers of America, the Kansas State Grange, and the Kansas 4-H Foundation.

If the legend of Frank Carlson can be summed up in a few words, perhaps he can be best described by the term "Christian Statesman." He is the man recognized as the founder of the annual Presidential Prayer Breakfast. He is a man of deep religious convictions, and this has been evident not only in his services to his church but in his every act of public service over the past 40 years.

Men like Frank Carlson are badly needed by our Nation today and I regret to see him leave Washington. But as he has chosen to return to the land he loves at this, the peak of his career, we all wish him and Mrs. Carlson a long and happy retirement. We will miss them. Kansas will miss the Senator's strong voice in Washington.

Mr. SKUBITZ. Mr. Speaker, I am pleased to have this opportunity to join my colleagues in paying tribute to the Honorable Frank Carlson, who, after 18 years of outstanding and distinguished service, has announced his retirement from the U.S. Senate.

Senator Carlson belongs to a generation of Americans who believed in the ancient virtues of hard work, self-reliance, industry, thrift, and good citizenship. Let us hope that later on the world will get around to embracing the virtues his generation exemplified with so much fortitude, dignity, and good humor.

The long and distinguished career of Senator Carlson in the interest of his State and the Nation has been given over to human betterment. His satisfaction must be very great. The average man, looking back, can always think of changes he would make in his life if he had it to live over again. If I were wearing the boots of Senator Carlson at this minute I could think of none.

It is my fervent wish that Senator and Mrs. Carlson will enjoy a continued life of happiness, good health, and contentment.

HIGHWAY CONSTRUCTION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Iowa [Mr. Schwengel] is recognized for 30 minutes.

Mr. SCHWENGEL. Mr. Speaker, today I received a letter from the engineer of Clay County, Iowa, whose office is in Spencer, Iowa, in which he has enclosed a statement from the Santa Clara County building office in the department of public works in Santa Clara, Calif. The director, Mr. James T. Pott, has written a covering letter to a set of resolutions passed by the executive board of the Iowa County Engineers Association in which he endorses and expresses a feeling of a large cross section of people who are responsible for the building and maintaining of highways leading to Interstate Systems. This, Mr. Speaker, is very persuasive, well-written argument against S. 2658 and I place in the Record as further evidence in the hope all Members of Congress and those who read the Record will avail themselves of this valuable information and be persuaded that this whole subject needs much more study and research before we legislate on the questions that are raised in S. 2658:

Clay County,
Office of the County Engineer,
Spencer, Iowa, October 9, 1968.

Hon. Fred Schwengel,
Member of Congress,
Rayburn Office Building,
Washington, D.C.

Dear Congressman Schwengel: This is a much delayed thank you for the courtesies you extended me and the other county engineers from Iowa when we visited with you this summer about the "Big Truck" legislation. I also, appreciated receiving the autographed picture which you had taken of our group.

Since our visit, I have sent copies of the enclosed resolutions to all of the Iowa Congressmen and urged them to help you in your opposition of this bill. I have received a gratifying response from each one of them.

To show you that our visit and the resulting actions have had far reaching effects, I am also, enclosing a copy of a letter a California County Director of Public Works sent to his Congressmen and State Legislators after he read the report of the NACE action at our meeting in Washington.

Very truly yours,
Eldo W. Schornhorst, P.E.,
County Engineer, Secretary-Treasurer of NACE.

County of Santa Clara,
Department of Public Works,
San Jose, Calif., September 26, 1968.

To: Each board member.
Subject: S. 2658.

The September 1968 Newsletter from the National Association of County Engineers reported that in April of this year S-2658 was passed with a voice vote by the U.S. Senate with only seven members present. The bill is now pending in the House and it deals with the size and weight limits on the Interstate Highway System. S-2658 would increase the single axle weight limits from 18,000 pounds to 20,000 pounds. The limit on tandem axles would likewise be increased 2,000 pounds to 34,000 pounds. The proposal would also allow vehicles having widths of 102 inches (plus safety devices and tire bulges) to use the Interstate System. This could result in an overall width of nearly 9'. The act does not impose any legal length limit. Attached is a copy of the wording of a resolution adopted by the National Association of County Engineers. I thought perhaps you might be interested in how S-2658 affects Santa Clara County.

As you know, the people of our County have been engaged in the development of a multi-jurisdictional, high quality, moderate speed, high volume highway system on a cooperative basis with all the cities. This system is designed to provide essential circulatory support to the freeway system in Santa Clara County and will serve as an integral part of the total transportation system for the County. Some $94,000,000 will have been invested in this system by the end of next year. Needless to say, the cities as well as the County are also putting many millions of additional dollars into their respective street and road systems.

We all know that no trip starts or terminates on the Interstate System. All our local (and state) street systems support the Interstate Highway System and have been and are being designed for the current standards expressed in the California Vehicle Code (which are also nationally accepted). These are: 18,000 pound single axle limit and 32,000 pound limit on tandem axles. Our roadway widths, the lane width, the shy-away distances are all predicated on the 96'' standard vehicle width. The passage of S-2658 will leave the many, many miles of the Interstate supporting system not only substandard but impose a tremendous burden on local resources to supply construction dollars to augment the required structural and geometric sections. Increased maintenance dollars will be required due to the shorter life of the pavements. The wider and longer vehicles will be the source of increased friction and the cause of many more accidents.

It seems unrealistic to abandon existing standards and allow heavier weights and wider vehicles when we can't even begin to bring our local streets that must support the Interstate System up to current and long standing standards. We continually fall farther behind by changing our goals—moving the carrot further away.

We are not unmindful that the 41,000 odd mile Interstate System will carry a large percentage of the total vehicle miles traveled each year. The problem of how to pay and who should pay for the construction work necessary to handle these increased widths, weights, and lengths on non-interstate roadways is ignored by this pending legislation. It could be a fantastic problem. In 1966 there were some 3,187,715 rural road miles and 510,235 miles of municipal or urban highways in the United States. This 3.6 million miles of roads will be traveled by the same vehicles that use the Interstate System. Remember, every trip begins or terminates on a local highway—no trip starts or terminates on the Interstate Highway System.

Yours very truly.
James T. Pott,
Director.

Resolution

Whereas: the Congress of the United States is considering the passage of S. 2658, which bill would amend section 127 of title 23 of the United States Code to increase the weight and length limitations of vehicles using the Interstate System of Highways, and

Whereas: Traffic using the Interstate System cannot confine its movement to such system, since it must both originate and terminate its trip on another system, and

Whereas: The Counties of our Country are charged with the responsibility of the construction and the maintenance of the Secondary Road System, on which much of the traffic using the Interstate System originates and terminates, and

Whereas: Research and expert testimony show that the Secondary Road System is not designed nor constructed for the increases proposed in S. 2658, which would drastically overstress the majority of the surfaces and structures of the system, inflicting greater damage to the Secondary Road System than to other systems having greater resources, and

Whereas: We are now ten to twenty years behind in meeting the needs of highway construction, and lack the financing necessary to upgrade existing facilities, and

Whereas: The liability placed upon highway officials for shortcomings in highway safety and performance is increasing, and

Whereas: Accident records defy any increase in vehicle weight and dimensions:

Now therefore be it resolved by the National Association of County Engineers, meeting this 31st day of July, 1968 at the Shoreham Hotel, Washington, D.C., to strongly oppose the passage of S. 2658 and to urge all Counties to immediately contact their respective Congressmen to this effect, in the interest of safety and the protection of the public investment in our highways.

RESOLUTION

Whereas: The Congress of the United States is considering the passage of S. 2658, which bill would amend section 127 of Title 23 of the United States Code to increase the width, weight and length limitations of vehicles using the Interstate System of highways, and

Whereas: Traffic using the Interstate System cannot confine its movement to such since it must both originate and terminate its trip on some other system, and

Whereas: The Counties of Iowa are charged with responsibility of the Construction and Maintenance of the Secondary Road System on which much of the traffic using the Interstate System originates and terminates, and

Whereas: Research and expert testimony contained in the 1961 A.A.S.H.O. Road Test Report show that the Secondary Road System is not designed or constructed to accommodate the increases proposed in S. 2658, which would drastically overstress the majority of the surfaces and structures of the system, inflicting greater damage to the Secondary Road System than to other systems having greater revenue resources, and

Whereas: Iowa Counties are now ten to twenty years behind in meeting the needs of Secondary Road Construction and lack the finances necessary to upgrade existing facilities, and

Whereas: The liability placed upon highway officials for shortcomings in highway safety and performance is increasing,

Now therefore be it resolved, by the Executive Board of the Iowa County Engineer's Association, meeting this 13th day of September, 1968, to strongly and earnestly oppose the passage of S. 2658 in the interest of safety and the protection of the public investment in our Secondary Highways.

Mr. Speaker, there are some people by the names of Hilda and Cecil Bruer whom I have come to know casually but recognize as conscientous citizens and competent to make judgment on public affairs and they have written to me about their opposition to S. 2658.

Mrs. Hilda and Mr. Cecil Bruer of Naples, Fla., who are permanent residents of Ohio have written an article "Welcome to Mayhem?" This is a preceptive analysis of the problem of the hazard to safety that would prevail if S. 2658 were passed. I believe, this article has some very important information observations that Members of Congress should read so I place it with these comments in the RECORD so Members and, indeed, all persons will read this very fine article:

WELCOME TO MAYHEM?

(By Hilda and Cecil Bruer)

Congress is in the final stages of considering a bill that would, at the option of the states, allow substantially wider (at least 8½ feet) and heavier (105,500 pounds or more) trucks and buses than are presently legal on interstate highways. It has passed the Senate and the House Public Works Committee. Its passage by the House is deemed so certain that at least one large bus company is already building bigger buses.

Individual states would have to submit their often overtaxed roads, streets, and bridges to such additional burdens, rebuild them to stand the strain, or hopelessly complicate the existing cross-country hodgepodge of regulations by denying passage to vehicles arriving from other states.

Greater length is not mentioned. But that might be an easy hurdle after these first two big ones.

The private motorist's position on this legislation is expressed by the authors, who have toured every section of the nation—the past seven years in a travel trailer:

Large trucks and buses have always represented a major hazard to the motorist. And his special concern, or actual fear, in meeting, passing, or being passed by them is well founded. The large space they occupy and the tremendous momentum of their massive weights do increase the possibility of collision which is present when any vehicles approach each other, and the catastrophe when it happens.

Many factors, including the proficiency and courtesy of most commercial drivers, better equipment, and wider, improved highways, tend to reduce such risk,—but there are more minus factors than plus.

There are untold thousands of miles of primary highway in the U.S.A. that are narrow (We were horrified to find it still being built, even in mountainous country), crooked, worn, and weathered below reasonable levels of safety at present-day speeds. Any idea of rebuilding all this would be fantasy.

At any rate, these speeds and the mushrooming volume of all types of traffic have already canceled out all our hard-won safety achievements and multiplied the horror of the smashups. In spite of much sincere crusading, our finest highways remain rendezvous with death and destruction. Where is the room for expanding super-giants in this picture?

All told, we consider buses the greatest nation-wide hazard on the highways, for three main reasons: first, they habitually travel faster than other large vehicles; second, they habitually approach, pass, and return closer to passed vehicles than others; and third, they almost never use a warning horn.

These practices have brought disaster to many. Our own first experience came on a secondary road in southern British Columbia. The "vacuum effect" of a bus passing much too close and too fast pulled the metal cover of the water heater right off the side of our trailer.

Then one day at a lunch stop on Florida's east coast we saw a travel trailer whose whole side had been torn off by a bus which had been able to continue without stopping. What it looked like we never knew. The trailerist was nearly hysterical.

Our worst encounter and the worst example we know of involved orange trucks in central Florida. We had hardly entered the main thoroughfare of the booming harvest when a long truck loaded high with oranges streaked by so fast a road crew could not get the license number: our car and trailer were pulled in behind it and headed for the left hand ditch; all efforts to recover control were in vain; the trailer swung us around and turned the whole outfit over beside the road, wrecking itself totally and the car critically. We escaped disabling injury, but suffered mental and physical torture unscrambling our belongings and waiting in extreme heat for a dilatory insurance settlement that left us with heavy losses.

During our vigil several other cars, with and without trailers, were upset nearby in the same way; we saw some, and talked with the driver of one standard automobile with six adult occupants which had been skidded on its side for some sixty feet before hurtling off the highway; he was searching for parts in a wrecking yard.

The problem was a subject of common talk and general concern at the park where we had rented a trailer and among mechanics, service station men, and others we met. The parents of one service station man had been overturned within a half mile of our wreck and were in the hospital, grievously injured; he was working earnestly for legislation to limit the speed of trucks to the legal 50 m.p.h.

A highway patrolman had been overturned in his own small car; he implied that restrictions and other handicaps hindering arrests had totally frustrated him; he was leaving the patrol.

Later when we were shopping in Michigan for better insurance, an agent told us his parents had been upset similarly a short time before.

Last June a couple of friends from Indiana were thrown off the highway and down a bank near Madison, Wisconsin, by a passing truck. The wife is still in the hospital awaiting plastic surgery on her mangled face.

We had numerous scares of like nature last summer between our winter quarters in Florida and home base in Washington, the worst during heavy winds in Montana and North Dakota, which can be fatal by themselves. Other trailer travelers and other motorists who have not had accidents assure us that they have scares, too.

The victims we have known have been experienced, conservative drivers in healthy, sturdy condition, with good equipment, traveling, they said, at moderate speeds. Yet in each case their vehicles instantly became uncontrollable.

Obviously part of the Florida problem was law enforcement, but that problem is universal, and it does dramatize what big, heavy rigs can do. There is no virtue in legalizing equipment that becomes lethal at speeds that are common, whether legal or illegal.

We see no hope for improvement in this regard. Both buses and trucks have rigid schedules, kept fast by economics and competition. Too many drivers take advantage of every opening to shave time from previous minimums, and practice the efficient, shortest-distance driving style which makes them so deadly. Exceeding the speed limits within estimated tolerances and avoiding actual contact quite successfully, they are seldom challenged. As long as they are only the cause of trouble for others, their own records are clear.

Senate Bill 2658 would make matters worse, principally because more bulk means more vacuum effect on vehicles passed. And with the upward trend of speed paralyzing and overriding good judgment, the danger would surely grow into something fearful.

It has been the history of our people to ignore such conditions until stricken personally by them. But if you haven't had your turn, you may be next, or your close relative or friend. How much does that mean to you? Do you care enough now to defend yourself?

Three steps are needed. Any one would help:

1. Defeat of this legislation;
2. Removal of large trucks and buses to rails or special, separate highways or lanes;
3. Effective, substantial reductions of all highway speed limits.

The time on S. 2658 is nearly gone. But Congressmen do listen to constituents, and this is election year. If you reach yours before he votes, he will listen to you.

REPORT OF CONGRESSMAN JOSEPH M. McDADE TO HIS CONSTITUENTS

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. McDADE] is recognized for 30 minutes.

Mr. McDADE. Mr. Speaker, as is my custom, I intend to report to my constituents the results of the activities of the 90th Congress.

I would like to include my report in the RECORD at this point in order to share its contents with my colleagues:

DEAR FRIEND: As I write this report, the 90th Congress is coming to a close. I feel it is my duty to report to you on some of the significant legislation that came before the Congress. In each instance I have listed my position on the legislation. I also report to you on some other activities of my Congressional office.

I believe that the practice of sending such reports is important in keeping you well informed.

In closing, I want you to know that my attendance record in the 90th Congress was 94.4 percent.

Sincerely,

JOSEPH M. McDADE,
Member of Congress.

APPROPRIATIONS COMMITTEE

As a member of the most powerful Committee in Congress, I worked in morning, afternoon, and evening sessions to examine closely every budget request we received. We saved the taxpayers large amounts of money by rejecting requests whose justifications seemed insufficient. We approved the funding of every program in which the Federal Government takes part, including a Defense budget to guarantee that our nation's strength will be undiminished.

My seniority on this committee has enabled me to sit on the House-Senate Conference Committees which work out differences between House and Senate versions of Bills. Here I can protect projects in our District from some who might not realize their importance to all of us.

One local program of importance approved and funded by my committee is the Resource Conservation and Development multi-county project in the 10th Congressional District. Under this project, a vast array of Federal programs will be made available for the people of these counties, and the people themselves will determine what projects they will pursue.

VIETNAM

In 1967 I joined with eight other Congressmen in proposing a plan to begin to bring an end to the war in Vietnam. Called the *GRID plan—Graduated Reciprocal Identifiable* Deescalation—it received widespread, thoughtful, critical acclaim. Basically, it called for each side in the war to take steps to reduce the level of conflict, with the other side answering with its own steps in reduction. During its implementation, it would guarantee complete military protection for our own troops, while opening greater channels for diplomatic negotiation.

The policy that brought the parties together in Paris, hopefully to negotiate, is remarkably similar to what we proposed in the GRID plan a year ago.

I hope, with every other American, that a just peace will soon occur and our young men may return home.

NEW LAW TO ATTACK CRIME

I spent many months consulting with experts to try to do something about the problem of crime in the United States. Much of my work centered about the problem of organized crime, which is a major contributor to street crime in our country. As a result, I submitted a series of anti-organized-crime bills to the Congress. The first of these was voted into law this year—a new law to make loan-sharking a federal crime.

Loan-sharking is a major source of income to organized crime. The new law, which I wrote, also contains an immunity statute to put teeth into it. The first indictment under this new act has just been handed down.

We cannot solve the problem of street crime without an all out attack on the problem of organized crime. I am deeply grateful to several highly trained men who gave of their time to help me write this new law.

OTHER ANTICRIME LEGISLATION

I voted for the Safe Streets Act under which new opportunities are opened for the States and cities of America to have their police receive new training and new equipment to fight crime.

Under the Defense Appropriations Act, which came out of my committee, surplus material from the Armed Forces will be made available to our local police forces.

I voted to establish criminal penalties for anyone crossing State lines to incite riots in the street.

I also voted for legislation to impose stiff penalties on those who use firearms to commit crime.

MINE FIRES AND BURNING COAL REFUSE

Two major mine fires were successfully attacked during this term of Congress. The Cedar Avenue mine fire threatened many near the city of Scranton itself; the Throop mine fire threatened the people of Dunmore, Throop, and our industrial park in Dunmore. I was able to secure the most rapid approval possible for both projects to fight these mine fires.

In Cedar Avenue, the top burning section is nearly completely cut off, and the work to isolate lower burning veins is progressing steadily. The Borough of Throop, Dunmore, and our industrial park have been saved from the fire, and there now remains the work of digging out the fire itself.

Because of the new law I wrote in my first term in Congress, those people who lost their homes or businesses because of the Cedar Avenue mine fire were paid full pre-fire value. So, too, have people whose homes or businesses were wracked by mine subsidence received full pre-subsidence value under my new law.

A major fight has been mounted to eliminate the burning coal refuse banks which deface the landscape and represent a serious health hazard. My amendment to an Appropriations Bill set aside $1.3 million to extinguish burning banks. Time should see the end of all of these burning banks, with the reclamation of the land for industrial or residential purposes.

CLEAR AIR, CLEAR WATER, AND CONSERVATION

I have consistently voted for legislation designed to attack the problems of air and water pollution in the United States. The nation has a great stake in achieving these goals, and in this Congress, I supported both the Air and Water Quality Acts.

I voted for two major conservation bills in this Congress. One ear-marked additional money for the Land and Water Conservation Fund. The other set up a Redwoods National Park.

AGRICULTURE

The farmers of our District found themselves in very difficult economic circumstances. Contributing greatly to this condition was the unchecked flow of foreign dairy products into this country. The coalition of northeastern Congressmen and Senators, which I formed here in Congress, joined with me in bringing this forcefully to the attention of the Secretary of Agriculture. He recognized the facts, and placed a ceiling on the foreign imports by administrative action. This will bear watching.

I opposed the proposed Farm Bill. In my opinion, it has not worked either for the American Farmer or the American Taxpayer.

SENIOR CITIZENS

I voted for higher Social Security and Railroad Retirement payments.

I voted for the extension of the Older Americans Act.

I have also proposed legislation to tie the payment of Social Security benefits to the cost of living index, to give our older people some protection against a spiralling cost of living.

CONSUMER PROTECTION

I voted for a series of bills designed to help the consumer, among them . . . the Wholesome Meat Act and the Wholesome Poultry Products Act to insure that meat and poultry sold in the state and in interstate commerce are safe and wholesome . . . the Flammable Fabrics Act to prevent the use of flamable material in items of clothing and household fabrics . . . the Truth-in-Lending Bill to require a disclosure of the cost of credit.

VETERANS AND SERVICEMEN

I voted for increased compensation rates for our disabled veterans, as well as for an increase in veterans' pension.

I voted to extend the eligibility for all veterans' benefits to those who serve in the Vietnam War.

Having voted for the Cold War G.I. Bill of Rights in the 89th Congress, I supported in this Congress an increase of benefits under this bill.

I voted to extend free mailing privileges to a greater number of our servicemen, and also supported a pay raise for these men in our Armed Forces.

MAJOR ADVANCES IN EDUCATION

During this Congress I supported many bills to improve the quality of our education in America—the Higher Education Amendments of 1967, to strengthen programs for the training and improvements of the qualifications of teachers; the Vocational Rehabilitation Act, to help the disabled, as well as the handicapped; the Higher Education Act Amendments to provide assistance for students faced with financial need; the Elementary and Secondary School Act, designed to strengthen and improve our elementary and secondary schools.

Because no child can learn while he is hungry, my committee wrote new guidelines for a better School Lunch Program and appropriated funds for the School Milk Program.

SUMMARY OF ACTIVITIES

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from New York [Mr. ADDABBO] is recognized for 20 minutes.

Mr. ADDABBO. Mr. Speaker, as soon as possible at the end of each Congress, I summarize the activities of the Congress for the 2-year period, reprint it from the CONGRESSIONAL RECORD at my expense and mail it to my constituents. This is my eighth such report.

In addition to sending a summary of the year's activities, each Congress I send to my constituents a questionnaire on the issues expected to come before the Congress. From the answers received to the questions, from the mail received in my office, and from personal contacts in the district, I believe I learn the majority thinking of those whom I represent and, as I vote on the various legislative matters which come before us, I try to reflect the will of the people. I believe that I have been successful to a large degree.

This Congress I sent out 177,000 questionnaires and received a return of approximately 17 percent which, by any standards, is considered quite good. I am proud to say that I have an active and informed constituency. Following are the questions asked and the answers received:

[Results in percent]

1. What course of action do you favor for the U.S. in Vietnam? (Check one.)

Expand the war and seek a total victory	25.3
Persevere at current levels of fighting and bombing, until a satisfactory negotiated settlement is possible	52.1
Withdraw troops and advisors from South Vietnam	12.3

2. Do you support our policy of opposing admission of Red China to the United Nations?

Yes	62.4
No	19.7

3. Should the foreign aid program be—

Increased	0.
Decreased	37.2
Eliminated	20.4
Remain the same	39.6

4. Expanded trade with the Soviet Union and its Eastern European satellite countries will probably be considered by the Congress this year. Would you agree that increased movement of nonstrategic goods will benefit the United States politically, economically, and lessen world tensions?

Yes	46.1
No	34.2

5. Should the House Committee on Un-American Activities be continued?

Yes	63.5
No	12.5

6. Should the "War on Poverty" be—

Increased	12.9
Decreased	14.6
Remain the same	41.6
Abolished	24.9

7. Do you believe our expenditures for space exploration should be—

Increased	28.2
Decreased	20.9
Remain the same	38.0

8. Do you agree that a surtax, as proposed by the President, is necessary for the economy of our nation?

Yes	29.4
No	63.1

9. Do you favor amendments to the Civil Rights Act to include—

Federal laws to prohibit racial discrimination in the sale and rental of housing as presently in New York State Law?

Yes	39.1
No	36.2

A Federal law prohibiting racial discrimination in the selection of juries in State courts?

Yes	43.6
No	24.1

You will note that many of the percentages do not total 100—the missing percent represents those who failed to answer and on which I have assumed that they have no opinion.

As of today, a few days remain in the session, but for all practical purposes the House has concluded its business and is just waiting for the Senate to catch up.

Of course, all of the hundreds of bills cannot be described, but at least the following are those of the most interest to the people of my district.

ANTICRIME AND ENFORCEMENT

Although the Constitution reserves police powers to the States and therefore severely limits the intrastate Federal legislation that can be passed, several anti-crime bills were passed dealing with the interstate aspects of crime and to help local governments to do a better job in the area that is reserved to them. They are as follows:

Public Law 90–351, the Omnibus Crime Control and Safe Streets Act, authorizes Federal aid to encourage State and local governments to do a better job of recruiting and training police officers, provide riot control training and secure more effective electronic equipment and nonlethal weapons. It also includes a prohibition against interstate mail-order sales of handguns except to licensed dealers, and over-the-counter sales to persons under 21. Convicted felons, the mentally incompetent, and aliens illegally in this country would be prohibited from possessing firearms. This bill also changes the laws interpreted by some recent Supreme Court decisions concerning confessions by suspects.

The National Crime Information Center was also implemented and funded with $1.4 million to provide local police officers with information within seconds from other parts of the country. Under the program, a policeman spotting a suspicious out-of-State car, for example, can determine if it has been stolen in time to take proper action.

The State firearms control assistance bill prohibits interstate mail-order sales of rifles, shotguns, and handgun ammunition to nonlicensed individuals and over-the-counter sales to persons under 18.

Public Law 90–445, the Juvenile Delinquency Prevention and Control Act, authorizes Federal grants to States to assist them in developing programs to prevent juvenile delinquency and to rehabilitate delinquents.

Public Law 90–371 authorizes technical assistance to State and local governments in improving their criminal correctional systems.

The Dangerous Drug Control Act provides criminal penalties for the possession of illegally obtained stimulant, depressant, or hallucinogenic drugs, including pep pills, barbiturates and LSD, and increases penalties for illegal trafficking in drugs covered by the Drug Abuse Control Amendments of 1965.

Public Law 90–389, the Bank Protection Act of 1968, requires the installation, maintenance, and operation of security devices and procedures to discourage robberies and burglaries of national banks and federally chartered savings and loan institutions.

The Auto Theft Prevention Act prohibits the advertising and mailing of motor vehicle master keys except to persons with legitimate reasons for having such keys.

CONSUMER PROTECTION

Public Law 90–201, the Wholesome Meat Act of 1967: About 8.7 billion pounds of meat per year—15 percent of the slaughter and 25 percent of the processing—has not been federally inspected and much of it not inspected by any level of government. This act provides that unless the State provides inspection at least equal to Federal standards within 2 years, the meat must be federally inspected. The previous minimum Federal standards are also strengthened to prohibit mislabeling and to prevent rendering plants from selling meat from diseased and disabled animals to processors of prepared meat products. It also requires imported meat to have been slaughtered and handled under standards at least equal to our Federal standards.

Public Law 90–492, the Wholesome Poultry Products Act requires most of the 2,000 nonfederally inspected poultry processing plants to come up to Federal standards within 2 years or become subject to Federal inspection, and it provides the same protection against mislabeling and unwholesome products that is in the Meat Inspection Act.

Public Law 90–321, the Consumer Credit Protection Act, requires lenders and retail creditors to provide full disclosure of the terms and conditions of finance charges in most credit transactions.

Public Law 90–313 directs the Secretary of Transportation to conduct a study and investigation of the cost of auto insurance and the reason for delays in processing and paying claims. I was a cosponsor of this legislation.

Title XIV of Public Law 90–448, the Interstate Land Sales Full Disclosure Act, is designed to prevent fraudulent interstate sales of subdivided but undeveloped land.

Public Law 90–189 sets Federal safety standards to protect consumers in buying clothing, bedding, and other flammable fabrics which have been responsible for an estimated 3,000 deaths each year.

Public Law 90–146 creates a National Commission on Product Safety to study and recommend action to protect consumers from unsafe products for household use.

The radiation control for health and safety bill provides protection against radiation emissions from electronic products such as the new microwave ovens and color television.

VETERANS

Public Law 90–77 provides compensation, pensions, and educational benefits to veterans of Vietnam, widows, and surviving children.

Public Law 90–275 increases the income limitations which determine eligibility for the amount of veterans' disability pension. Pensioners will be able to receive more money from social security without a pension reduction.

Public Law 90–301 increases GI home loans from $7,500 to $12,500.

Public Law 90–429 increases the amount that can be loaned to community nursing homes for the care of veterans.

Public Law 90-431 allows disabled veterans to take part in vocational rehabilitation programs on a part-time basis, in order that they may work as they learn new skills.

Public Law 90-432 enables the Federal Government to increase payments to State veterans' homes to meet the rising costs for the care of former servicemen.

Public Law 90-493 provides increases in compensation for the 1.8 million veterans with service-connected disabilities.

The widows education-assistance bill makes education-assistance programs available to widows of veterans who died from a service-connected disability and to wives of veterans with a total permanent disability.

CIVIL RIGHTS

Public Law 90-274, the Jury Selection and Service Act, provides for random jury selection and precludes discrimination on account of race, color, religion, sex, national origin, or economic status in the selection of juries in Federal courts.

Public Law 90-284 would make it unlawful to intimidate or injure a person who is exercising such rights as voting, jury duty, school attendance, employment, or use of public facilities and accommodations. It also prohibits discrimination in the sale or rental of housing with more than four units and where the owner does not occupy any of the units.

EDUCATION

The Higher Education Act Amendments of 1968 extends the programs authorized under the National Defense Education Act, the program for college classrooms and loans and scholarships for colleges students, and loans to students to go to vocational and technical schools.

The Vocational Education Act Amendments of 1968 continues and expands the programs under the Vocational Education Act. It also consolidates several occupational training programs.

Public Law 90-35 provides for a Teacher Corps program through fiscal year 1970 to provide teachers some special training relating to problems of disadvantaged children.

Public Law 90-129, the Public Broadcasting Act, continues the authorization for Federal matching funds to help finance educational television stations and creates a new Corporation for Public Broadcasting to operate a nonprofit television network for education.

Money was also appropriated to start the program, which will include a domestic satellite, with educational programs beamed to the satellite and then received by local educational stations all over the United States. This is one way it hoped to increase the quality and reduce the per pupil cost of education.

Public Law 90-247, the Elementary and Secondary Education Act Amendments of 1967, extends the Elementary and Secondary Education Act for 2 years. This program provides funds to local school districts to increase educational opportunities and to relieve pressure on local property taxes.

Public Law 90-538 provided for the development and implementation of preschool and early education programs for handicapped children.

HEALTH AND SOCIAL SECURITY

Public Law 90-31 extends and expands the Community Mental Health Center Act passed in the last Congress.

Public Law 90-42 extends the Older Americans Act passed in the last Congress for community projects and demonstration research projects.

Public Law 90-99 extends for 2 years the authorization for Federal matching grants to States for vocational rehabilitation programs; establishes a National Center for Deaf-Blind Youths and Adults; authorizes projects for rehabilitation services for children of migratory farmworkers.

Public Law 90-170 extends for 2 years the authorization for Federal assistance in construction of centers for the mentally retarded; includes provision for 3-year program of research and training in physical education and recreation for mentally retarded children.

Public Law 90-174 amends the Public Health Service Act to authorize Federal assistance to State and local governments in planning and developing comprehensive health programs.

Public Law 90-248, the Social Security Act Amendments of 1967, provided a 13-percent across-the-board increase for all beneficiaries of the old-age survivors and disability insurance program. Minimum benefits were increased from $44 a month to $55. The amount a recipient can earn without a reduction in benefits was also increased. Additional aid for dependent children is also provided.

Public Law 90-489 establishes a National Eye Institute to conduct research for new treatment, cures, and training relating to blinding eye diseases. The Institute would also focus attention on the special health problems and other requirements of the blind.

The Public Health Service Act Amendments extend the program of regional medical centers for heart disease, stroke, cancer, and related diseases. A program for the construction and staffing of facilities for the rehabilitation of narcotics addicts and alcoholics is also authorized by the act.

Public Law 90-490, Health Manpower Act, extends for 2 years five major health programs under which health research is financed and hospitals, medical schools, student nurses, doctors, and technical personnel receive loans and assistance.

LABOR

Public Law 90-202, the Age Discrimination in Employment Act, makes it unlawful to exclude applicants between 40 and 65 years of age from employment opportunities solely because of age. It also permits the employer to exclude them from their pension system in many cases and may need to be amended to avoid inequities in pension rights.

Public Law 90-391 continues Federal grants to States for training service and placement programs for disadvantaged persons as well as handicapped individuals.

The Manpower Development and Training Act Amendments extend various programs of the Manpower Development and Training Act for training persons automated out of a job or capable of being trained for a job that is available.

SMALL BUSINESS

It was my privilege and honor to be appointed by the Speaker of the House to membership on the House Select Committee on Small Business in this Congress.

I have sponsored, in the district, a crime awareness program for our small business people and a small business seminar, trying to show the small business community what facilities and services are available. I believe that small businesses are an integral and important part of our community and our economy.

Public Law 90-104 increases the authorization for the Small Business Administration's revolving fund and fixes new minimum requirements for small business investment companies.

TAXES

My vote against the 10-percent income tax surcharge was due to the fact that I believe that this was not the best way to increase Federal revenue nor the fairest. I am firmly convinced that increased revenue could more fairly be obtained through tax revision rather than through a surtax. The many tax loopholes, including oil and gas depletion allowances, should be closed. If this were done, revenue could be increased and needed revisions to benefit the lower and middle income brackets could be approved—more realistic personal exemptions, certain deductions for necessary repairs to one's personal dwelling, limited deductions for college tuitions, and full deductions for medical expenses, including prescribed drugs.

MISCELLANEOUS

Public Law 90-302 extends the school lunch program to also include children in child-care institutions from areas where poor economic conditions exist and to institutions which provide day-care service for handicapped children.

Public Law 90-222 continues the antipoverty program until next year with maximum authorization at about the same level as last year.

LEGISLATION OF PARTICULAR LOCAL INTEREST

Public Law 90-411, which I have long fought for, authorizes the Federal Aviation Administration to set noise criteria and to certificate aircraft on the basis of noise as has been previously done on safety. It is heartening to realize that, finally, other areas of our country are becoming conscious of the aircraft noise problem as more and more jet aircraft are put into service.

Public Law 90-481, the Natural Gas Pipeline Safety Act, of which I was a prime sponsor, provides for minimum Federal safety standards for gas pipelines. The gas pipeline explosion in Queens County, in the Seventh Congressional District, on January 13, 1967, prompted me to immediately introduce legislation in an attempt to avert a similar catastrophe in the future and focused attention on the great danger which exists, especially in densely populated urban areas, from the gaslines which underlie our cities.

BUDGET AND FISCAL MATTERS

Those of us who serve on the Committee on Appropriations spend considerable time studying budgets and trying to determine where cuts should be made and the effect our actions will have upon employment and prices.

In the past I have included a table reflecting appropriations made by the Congress upon a basis of what is called the administrative budget. It is called the administrative budget because the Reorganization Act of 1946 defines what shall be in that budget. What it really has been is an itemization of the money going out compared to the money coming in to the General Treasury and also reflects the obligations incurred during the fiscal year. So when you hear that we have a deficit or surplus of a certain amount, it really does not mean what it sounds like. I am again showing this budget upon which we make appropriations or what could more accurately be called "authorized obligations" for this fiscal year, but I also am including some other tables which are needed to make a more intelligent assessment of the fiscal situation and the effect upon you.

The national income accounts budget is regarded by all economists as a better guide concerning the effect of Government financing upon prices. It includes money received and disbursed from trust fund accounts such as social security and highway construction. "Federal expenditures" are also considerably different than "Federal appropriations." For example, we will appropriate $72 billion this year to the Defense Department. Of that amount, a considerable percentage is really authorized to contract for weapons, some of which will not be delivered for 5 years nor paid for until delivery. Some of the expenditures made this year are from funds that were appropriated 4 years ago. At the beginning of this fiscal year, over $200 billion had been set aside from previous years to pay for goods that have not yet been delivered. It is the flow of expenditures that affects our economy this year more than appropriations. For example, a reduction of $12.8 billion in appropriations this year will reduce expenditures within this year by less than $5 billion. So the table showing the NIA budget lists the particular year in which the money was actually spent rather than when appropriated. The comparison of such expenditures together with receipts of all taxes taken from the economy better shows the net effect that would have upon inflation or deflation or growth in the economy. Of course, in considering these figures one must keep in mind the growth in the population and in the total national product.

"Gross national product compared to taxes" is another pertinent question quite often discussed. How much of our gross national product is collected by the Federal Government and redistributed to State and local governments and used for defense, loans, investments, welfare, and cost of administration in some measure both of Federal activity and the ability to pay for it. The total dollars during the past 15 years have ranged from 17 to 21.1 percent of the gross national product.

"Debt compared to gross national product" is also used as a measure to determine the relative ability to pay debt. Obviously those with greater income can pay a debt easier. For example, General Motors Corp. owes far more money than any other company, but they are not financially worse off because they also have greater income and ability to repay. One table also shows debt compared to gross national product and that has decreased from 62.8 percent in 1958 down to 43.0 percent last fiscal year.

Some people expound their own pet theories of gloom or glee and use whichever statistics support their preconceived conclusions. I am setting forth some of the pertinent data that we on the Appropriations Committee used in considering fiscal matters, so you can give it your own interpretation and arrive at your own opinion:

TABLE I.—APPROPRIATION BILLS, 90TH CONGRESS, 2D SESSION

	President's request	Amount appropriated	Reduction
Treasury-Post Office	$8,337,709,000	$8,158,477,000	$179,232,000
Agriculture	6,923,979,800	5,531,296,650	1,392,683,150
Independent office-HUD	16,953,717,300	13,820,395,000	3,133,322,300
Interior	1,432,342,300	1,284,989,300	147,353,000
State, Justice, Commerce, and judiciary	2,291,993,900	1,986,721,500	305,272,400
Public Works (and AEC)	4,908,657,000	4,608,421,000	300,236,000
Labor-HEW	18,101,525,000	17,464,789,500	636,735,500
Legislative	308,897,533	298,151,396	10,746,137
Transportation	1,637,032,000	1,429,266,000	207,766,000
District of Columbia (Federal funds)	176,961,000	148,755,000	28,206,000
Defense	77,074,000,000	[1] 72,063,296,500	5,010,703,500
Military construction	2,031,500,000	1,758,376,000	273,124,000
Foreign assistance	2,920,000,000	[1] 1,775,725,000	1,144,275,000
Agencies related to foreign affairs	734,911,000	[1] 723,911,000	11,000,000
Total, 1969 bills	143,833,225,833	131,052,570,846	12,780,654,987

[1] Estimated Oct. 7, 1968.

TABLE II.—GROSS NATIONAL PRODUCT COMPARED TO RECEIPTS (MOSTLY TAXES) AND DEBT

[Dollar amounts in billions]

	GNP	Debt as a percent of GNP	Receipts	Percent of receipts to GNP
1953	$358.9	74.1	$69.3	19.3
1954	362.1	74.9	65.8	18.2
1955	378.6	72.5	67.2	17.7
1956	409.4	66.6	75.8	18.5
1957	431.3	62.7	80.7	18.7
1958	440.3	62.8	77.9	17.7
1959	469.1	60.7	85.4	18.2
1960	495.2	57.8	94.8	19.1
1961	506.5	57.1	95.3	18.8
1962	542.1	55.1	104.2	19.2
1963	573.4	53.4	110.2	19.2
1964	612.2	51.1	115.5	18.9
1965	653.5	48.8	120.6	18.5
1966	718.7	45.0	132.9	18.5
1967	763.1	42.8	147.6	19.3
1968	817.0	43.0	161.1	19.7

TABLE III.—NATIONAL INCOME ACCOUNTS BUDGET

[Dollar amounts in billions]

Fiscal year	Expenditures	Receipts	Surplus or deficit of receipts over expenditures	Percentage of surplus or deficit to expenditures
1953	$75.8	$69.3	−$6.5	8.6
1954	74.2	65.8	−8.5	11.5
1955	67.3	67.2	−.1	.1
1956	69.8	75.8	+6.0	8.6
1957	76.0	80.7	+4.7	6.2
1958	83.1	77.9	−5.1	6.1
1959	90.9	85.4	−5.5	6.0
1960	91.3	94.8	+3.5	3.8
1961	98.0	95.3	−2.7	2.8
1962	106.4	174.2	−2.1	2.0
1963	111.4	110.2	−1.2	1.1
1964	116.9	115.5	−1.4	1.2
1965	118.3	120.6	+2.3	1.9
1966	131.9	132.9	+.9	.7
1967	155.1	147.6	−7.5	4.8
1968 (estimate)	171.1	161.1	−10.0	5.8
1969 (estimate)	185.0	182.5	−2.5	1.4

LOCAL ISSUES

Although Public Law 90–411 has been enacted, noise and aircraft congestion at John F. Kennedy International Airport continue to be one of the most pressing problems in the Seventh Congressional District. With the ever-increasing air traffic, both commercial and private, and with the advent of the so-called superjet and the supersonic jet, it is obvious that Newark, La Guardia, and Kennedy cannot continue to serve adequately the Metropolitan New York area.

For years I have been urging the Governors of New York and New Jersey to proceed forthwith on the selection of a site and construction of a fourth jetport to serve the metropolitan area, but we are no closer than we were in 1959. On August 5, 1968, my Queens colleague, Congressman BENJAMIN S. ROSENTHAL, and I held ad hoc hearings in New York City on this and related problems. We prepared a comprehensive report, copy of which has been sent to the civic organizations in my congressional district, dealing with the crisis we face and action which needs to be taken to meet it. We have cosponsored legislation requiring the Federal Government to acquire a site and construct a fourth jetport to serve the New York metropolitan area. We have further recommended: First, removal of the New York Port Authority from the aviation field and replacing it with a new Federal-Metropolitan Aviation Council with broad policy and operational powers; second, new restrictions on general aviation—private—planes over New York and other large cities under an "explicit" priority for airliners in the major terminals of those cities; third, compensatory facilities for general aviation at satellite airports around New York which both the airlines and private aircraft would finance jointly by users taxes; fourth, overhaul of the Nation's air traffic control system with the airlines paying the largest part of the users fees which would finance part of the equipment cost; fifth, specific legislative authority to the Civil Aeronautics Board to restrict flight schedules at certain airports to insure safety and efficiency of air operations.

With further reference to Kennedy Airport, I have fought vigorously against the suggestion that runways be constructed in Jamaica Bay to increase the capacity of the airport. I shall continue to fight this suggestion until it is "buried."

Jamaica Bay has great potential as an outstanding recreational and conservation area, and I am supporting State legislation which has been introduced to create a Jamaica Bay Commission. This commission could be used as the vehicle to coordinate the many studies and proposals advanced to make Jamaica Bay again a proper recreational and livable area. There are numerous projects and studies being conducted in which the Federal Government is involved, as follows:

First, the Public Health Service's study relative to dredging matter and its effect on shellfish;

Second, the Corps of Engineers' project relative to the collection, removal, and disposal of drift and debris;

Third, the Corps of Engineers' navigation study;

Fourth, the Corps of Engineers' flood control project entailing floodgates, dikes, and so forth, which is in the preconstruction planning stage;

Fifth, the current study by the Federal Water Pollution Control Administration to determine the effectiveness of chlorination of sewage treatment plant affluences on the bay; and

Sixth, the Federal Water Pollution Control Administration's demonstration grant for the purpose of studying the improvement in water quality which might result from the impoundment of storm water overflows, being conducted in the Spring Creek area.

ADMINISTRATIVE WORK

I continue to deem it a very great privilege and honor to have served the people of the Seventh Congressional District in the U.S. House of Representatives for 8 years and, if reelected, it will be my pleasure to serve them in the 91st Congress with the same diligence and attention I have heretofore given. If the people of my district approve the service I have given to them and the representation I have given to them here in Washington and at home, it will be my honor to return to the 91st Congress to continue the programs I have started, programs to alleviate the problems of the people of my district and our Nation.

Since coming to Congress, I have attempted to be available at all times to any constituent who wishes to talk with me. As time permits, I attend meetings and social functions of civic, veterans', religious, and fraternal organizations, where I can talk with the people. For the convenience of my constituents, I maintain a full-time district office and my office in Washington is always open. The addresses are, as follows: District office, 96–11 101st Avenue, Ozone Park, N.Y. 11416; Washington office, 1727 Longworth Building, Washington, D.C. 20515.

PROTECTION OF THE CITIZENS BY THE GLASS-STEAGALL ACT OF 1933

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. GONZALEZ] is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, it is fitting in the last hours of the 90th Congress to call attention once again to the Glass-Steagall Act of 1933, and to the protection it has afforded the citizens of this country for the past 35 years. Before 1933 there was no clear-cut division between commercial banking and investment banking. And economists, searching for causes of the great depression of 1929, have consistently faulted the large banks whose habit it was to confuse their fiduciary responsibilities with their day-to-day commercial welfare.

Glass-Steagall ended this unfortunate conflict. It removed commercial banks from the investment banking field and, during the succeeding decades, it remained as a strong bulwark against bank aggrandizement. Franklin D. Roosevelt called Senator Carter Glass after the 3-year fight for bank control had finally ended successfully with the Glass-Steagall Act to tell him that this was "the best banking law since the Federal Reserve System was created." And then Comptroller of the Currency J. F. T. O'Connor, said that "with the Glass-Steagall Act the United States will have "the finest financial structure it has ever had."

But, today, our large financial institutions are more and more bent on moving into the investment banking field. Their arguments sound plausible at first reading, but behind them lurks the ever-increasing danger of the pyramiding of financial control and power. Their advance into the investment banking field occurs whenever they can find an opening.

Sometimes, in fact, it takes place even in the absence of any clear opening. This was the case with S. 3497, the Housing and Urban Development Act of 1968, which this body approved and which has now become law. There is a small section of that law, contained in section 1705(h) that the banks can now use to move into large areas of housing and university development clearly beyond the intent of Congress.

I think it is perfectly clear that this Congress did not intend to make major amendments in a financial policy of three decades by amending a minute section of S. 3497. And I have previously said that I was on the floor when S. 3497 was approved and had no idea that this apparently inoffensive language would permit the banks to make a wide end run, beyond the lines of defense that Glass-Steagall had set up in defense of public interest.

This is hardly the time or the place to analyze the development and drafting of that language. But it is the time and the place to point out clearly that it should be more fully examined on another day. That is why I have risen to make these comments, and to inform my colleagues that we should see to it that the 91st Congress, as one of its first areas of interest, takes it upon itself to examine fully the present status and significance of the Glass-Steagall Act of 1933. We cannot afford to let this remarkable piece of legislation suffer atrophy by inaction and misunderstanding. In an era when more and more attention is being paid to consumer protection, especially in the financial fields, how strange it is that this Congress can sit by and see one of the most venerable safeguards hacked into bits.

It is, therefore, my intent, early in the next Congress, to call for hearings that will fully examine this picture with a view toward shoring up protections that a wise Congress established in 1933, reaffirming them, and even strengthening them if necessary in order that the public interest can best be protected.

EXTENSION OF THE MEDICARE HOSPITAL INSURANCE PROGRAM TO THE VERY SERIOUSLY DISABLED

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. VANIK] is recognized for 15 minutes.

Mr. VANIK. Mr. Speaker, in order to provide a basis for study before the next Congress, I am introducing today legislation which would extend the medicare hospital insurance program to the very seriously disabled on the social security rolls.

It is estimated that in 1969 there are about 1.7 million persons under age 65 who will receive social security or railroad retirement benefits because they are seriously disabled. These people are usually dependent on their social security benefits to support themselves and their dependents. But in addition, they generally have high medical expenses and inadequate health insurance protection.

The House Ways and Means Committee, of which I am a member, has attempted to deal with the medical needs of America's disabled citizens in the past. The committee considered extending medicare protection to the disabled last year, but encountered difficulties with respect to the voluntary supplementary medical insurance part of the program because of the high premium rates that would have had to have been charged. The social security bill last year, therefore, provided for an advisory council to study the need of the disabled for medicare and how this protection should be financed.

Yet partial action which will be of great assistance to the disabled can be taken now. The basic hospital insurance part of medicare, which is paid for out of contributions during the working years, can be extended to the disabled immediately.

The need of the disabled social security beneficiaries for hospital insurance is clear. These persons are hospitalized more often and for longer periods of time than the aged. They generally have less insurance than the aged had before medicare, and they almost always have reduced incomes. The mechanism for providing health protection is at hand—it is the social security system, which can be readily extended to meet this need.

Although it is unlikely that there is time remaining in the 90th Congress to enact this proposed legislation, it should certainly be one of the first orders of business in the new 91st Congress.

BACKGROUND

This bill would provide the protection of medicare's hospital insurance program to the very seriously disabled persons on the social security benefit rolls. In 1969, an estimated 1.7 million persons under 65 will receive social security or railroad retirement benefits because they are seriously disabled. These people are typically dependent on their social security benefits to support themselves and their dependents. In addition, they generally have high medical expenses and inadequate health insurance protection.

You will recall that we in the Ways and Means Committee considered extending medicare protection to the disabled but we encountered difficulties with respect to the voluntary supplementary medical insurance part of the program because of the high premium rates that would have had to have been charged. The social security bill last year, therefore, provided for an advisory council to study the need of the disabled for medicare and how this protection should be financed. My bill does not attempt to solve the problem faced by the Council of finding the best way to finance medical insurance for the disabled, but there is, I submit, no need to wait to extend to them the basic hospital insurance part of the program, which is financed, like the rest of social security, by contributions during the working years.

The need of the disabled social security beneficiaries for hospital insurance is clear: they are hospitalized more often and for longer periods than the aged; they have less insurance protection than the aged had before medicare; and, like the aged, they have reduced incomes. The mechanism for providing this protection—the social security system—is at hand and can readily be extended to meet this need.

We have, in these last days of the 90th Congress, the opportunity to give these people a deserved helping hand by freeing them of the fear and financial burden of an extended hospital stay. I hope that a majority of this body will agree with me that it is right and proper for us to extend the protection of medicare's hospital insurance plan to these people.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Mosher (at the request of Mr. Gerald R. Ford), on account of illness.

Mr. Holifield, for October 11, 1968, on account of business in the district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Rumsfeld) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. Brown of Ohio, for 30 minutes, today.

Mr. Shriver, for 10 minutes, today.

Mr. Schwengel, for 30 minutes, today.

Mr. McDade, for 30 minutes, today.

(The following Members (at the request of Mr. Smith of Iowa) to revise and extend their remarks and to include extraneous matter:)

Mr. Addabbo, for 20 minutes, today.

Mr. Gonzalez, for 10 minutes, today.

Mr. Vanik, for 15 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Bennett in three instances and to include extraneous matter.

Mr. Madden and to include an editorial.

Mr. Byrnes of Wisconsin and to include tables in two instances.

(The following Members (at the request of Mr. Rumsfeld) and to include extraneous matter:)

Mr. Utt in five instances.

Mr. Quillen in five instances.

Mr. Fulton of Pennsylvania in five instances.

Mr. Latta.

Mr. Hansen of Idaho in five instances.

Mr. Minshall.

Mr. Morse of Massachusetts in four instances.

Mr. Findley.

Mr. Talcott in five instances.

Mrs. Dwyer in 10 instances.

Mr. Steiger of Wisconsin in two instances.

Mr. Cleveland in two instances.

Mr. Laird in five instances.

Mr. Bray in five instances.

Mr. Horton in four instances.

Mr. Hosmer in four instances.

Mr. McDade.

Mr. Roth in five instances.

Mr. McClure in five instances.

Mr. Kupferman in five instances.

Mr. Reinecke in six instances.

Mr. Esch.

Mr. Ashbrook in four instances.

Mr. Adair.

Mr. Rumsfeld in six instances.

Mr. Buchanan in five instances.

Mr. Duncan in three instances.

Mr. Morton in two instances.

Mr. Mathias of Maryland in two instances.

Mr. Miller of Ohio in two instances.

Mr. Goodling.

Mr. Shriver in two instances.

Mr. Berry in four instances.

Mr. Gude in seven instances.

Mr. Scherle in three instances.

Mr. Mize.

Mr. Wyman in three instances.

Mr. Derwinski in two instances.

Mr. Whalen in five instances.

Mrs. Heckler of Massachusetts in six instances.

Mr. Riegle.

Mr. Watson.

Mr. Reid of Illinois.

Mr. Byrnes of Wisconsin in four instances and include tables.

Mr. Chamberlain.

Mr. McEwen.

Mr. Thompson of Georgia.

Mr. Brown of Ohio.

Mr. Cahill.

Mr. Cramer in two instances.

Mr. Anderson of Illinois in five instances.

(The following Members (at the request of Mr. Smith of Iowa), and to include extraneous matter:)

Mr. Resnick.

Mr. Stephens.

Mr. Friedel in two instances.

Mr. Kluczynski.

Mr. Pucinski in six instances.

Mr. Whitener in six instances.

Mr. Carey in two instances.

Mr. Ottinger.

Mr. Moorhead in two instances.

Mrs. Kelly in 20 instances.

Mr. Griffin in two instances.

Mr. Rivers in five instances.

Mr. Patten in two instances.

Mrs. Mink in two instances.

Mr. Helstoski in two instances.

Mr. Wolff in two instances.

Mr. Johnson of California in two instances.

Mr. Albert in two instances.

Mr. Rodino in three instances.

Mr. Abernethy.

Mr. Fountain in two instances.

Mr. Rarick in four instances.

Mr. Bingham.

Mr. Marsh in two instances.

Mr. Udall in two instances.

Mr. Vanik in eight instances.

Mr. McCarthy in five instances.

Mr. Perkins in three instances.

Mr. Long of Maryland.

Mr. Culver.

Mr. Zablocki in two instances.

Mr. Cohelan.

Mr. Roybal in six instances.

Mr. Flood in two instances.

Mr. Gonzalez in three instances.

Mr. Wright in two instances.

Mr. Evins of Tennessee in two instances.

Mr. Daddario.

Mr. Dent in five instances.

Mr. Boland in two instances.

Mr. Brasco in two instances.

Mr. Rooney of Pennsylvania.

Mr. Kastenmeier in four instances.

Mr. Irwin in three instances.

Mr. Stratton in three instances.

Mr. Morris of New Mexico in three instances.

Mr. Rogers of Florida in five instances.

Mr. William D. Ford.

Mr. Boggs in six instances.

Mr. Smith of Iowa in three instances.

Mr. O'Hara of Illinois in three instances.

Mr. Murphy of Illinois.

Mr. Randall in two instances.

Mr. Jacobs in three instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2584. An act for the relief of Ludger J. Cossette; to the Committee on the Judiciary.

S. 2721. An act to amend section 2 of the act of February 11, 1903, relating to appeals in certain antitrust actions, and for other purposes; to the Committee on the Judiciary.

S. 3289. An act for the relief of Dr. Francisco A. Aviles; to the Committee on the Judiciary.

S. 3373. An act for the relief of Dr. Andres Raul Fernandez; to the Committee on the Judiciary.

S. 3440. An act for the relief of Dr. Pedro Sarduy Brito (Pedro S. Sarduy); to the Committee on the Judiciary.

S. 3464. An act for the relief of Dr. Kenneth Siu; to the Committee on the Judiciary.

ENROLLED BILL SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 18707. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 653. An act to amend the Tariff Schedules of the United States with respect to the rate of duty on certain nonmalleable iron castings, and for other purposes;

H.R. 2263. An act for the relief of Henry E. Bullock;

H.R. 2282. An act for the relief of certain employees of the Naval Weapons Center, Concord, Calif.;

H.R. 3865. An act for the relief of Mauritz A. Sterner;

H.R. 5677. An act for the relief of Robert L. Miller and Mildred M. Miller;

H.R. 7417. An act to prescribe administrative procedures for the District of Columbia government;

H.R. 7735. An act to continue for 3 years the existing suspension of duties on certain alumina and bauxite, and for other purposes;

H.R. 14096. An act to amend the Federal Food, Drug, and Cosmetic Act to increase the penalties for unlawful acts involving lysergic acid diethylamide (LSD) and other depressant and stimulant drugs, and for other purposes;

H.R. 17324. An act to extend and amend the Renegotiation Act of 1951, and for other purposes;

H.R. 17735. An act to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; and

H.R. 18248. An act to amend the act of August 9, 1955, relating to certain common carrier operations in the District of Columbia.

ADJOURNMENT

Mr. SMITH of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 6 minutes p.m.), the House adjourned until Monday, October 14, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2271. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal, pursuant to the provisions of 57 Stat. 380, 59 Stat. 434, and 63 Stat. 377; to the Committee on House Administration.

2272. A letter from the Acting Administrator, General Services Administration, transmitting a report of claims settled under the Military Personnel and Civilian Employees' Claims Act of 1964 for the fiscal year 1968, pursuant to the provisions of section 3(e) of the act; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McMILLAN: Committee of Conference. S. 944. An act relating to the establishment of parking facilities in the District of Columbia (Rept. No. 1974). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII,

Mr. PEPPER introduced a bill (H.R. 20577), to amend the Social Security Act to increase OASDI benefits and raise the earnings base, with subsequent adjustments as the cost of living rises, to increase widows' and widowers' benefits, and to liberalize eligibility for disability benefits; to make disabled beneficiaries eligible for medicare without regard to age, to finance the medical insurance program entirely from general revenues, and to cover prescription drugs; and to provide for a study of child health care, which was referred to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

CHROMITE

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 8, 1968

Mr. CURTIS. Mr. Speaker, on July 31, 1968, I expressed my concern in the CONGRESSIONAL RECORD, pages 24564 and 24565, that the United States may be becoming overly dependent on the Soviet Union for its supply of chromite ore. I have since received further information that makes the situation appear even more dangerous.

The U.S.S.R. supplies more than one-half of the U.S. imports of chromite ore. Imports from the U.S.S.R. are to "increase significantly" in 1968 according to the U.S. Department of State. As the United States produces no chromite ore of its own, the United States is totally dependent on imports and its stockpile for its needs. The stockpile situation will be covered more extensively later.

Through 1965, Rhodesia was the main source of U.S. chromite imports although the U.S.S.R. was already an important supplier. Each country provided over 40 percent of the U.S. supply of chromite ore. Since the imposition of sanctions against Rhodesia in January 1967 the U.S.S.R. has become the single largest supplier—with the United States importing more chrome ore each year from the U.S.S.R.

There are several questions these facts raise:

First. If we refuse to buy chromite from Rhodesia for political reasons, what about the U.S.S.R.?

Is Rhodesia a greater "threat to the peace" than the U.S.S.R.? Why are we increasing trade with and our dependence on the invader of Czechoslovakia and still refusing to trade with Rhodesia which threatens no other country?

Is it in our "overall national interest," as the State Department has told me, to not import chromite ore from Rhodesia and to increase imports from the U.S.S.R.? Why are we increasing our single-source dependence on the U.S.S.R.? Is this really in our national interest?

Second. What about price and assured supply?

Although the U.S.S.R. has stated it will make 450,000 to 475,000 tons of chromite ore available to the United States next year, there is no assurance that the U.S.S.R. will supply any ore. Also the price the ore will sell at is also unknown.

If the U.S.S.R. should decide not to supply the United States, the United States would lose its only remaining source of high-quality chrome ore necessary for making charged chrome for stainless steel. Without chrome ore from the U.S.S.R. or Rhodesia, stainless steel cannot be made in any quantity. And 70 to 73 percent of chromite ore imported is used for stainless steel.

Obviously the United States needs chrome to make stainless steel. The State Department assures domestic users of assured supplies and says their needs will be met. But what is the definition of "need"? One domestic user ran out temporarily a few weeks ago. Evidently even zero availability does not constitute need in the eyes of the State Department.

As to price, without Rhodesian competition the U.S.S.R. is able to raise prices with impunity. Prior to 1967, chrome ore sold for about $32 a ton. It is now about $42 a ton, and 1968 U.S.S.R. prices are predicted at around $45. This, of course, makes all goods using chrome in them more expensive.

I thought the administration was concerned about inflation and rising prices and the balance of payments, but evidently not in this case. By putting ourselves into single source dependence on the U.S.S.R., we are putting prices exclusively in the hands of the Soviets.

Russian chromite ore is being sold at premiums today and prices for the future are forecasted in excess of what they would normally command were the ore in competition with Rhodesian ore in a free market. Prices, in the absence of competition, will only go up.

The United States is now dependent for high grade chrome ore on the U.S.S.R. at a price $7 to $10 a ton in excess of what the Rhodesian equivalent would be.

Third. Cannot other countries other than the U.S.S.R. and Rhodesia supply the chromite ore the United States needs?

Other countries do produce chromite ore. Among them are Turkey, Iran, and India. However, they do not produce the quantity needed by the United States and their ore is of poorer quality. Ore from these countries has a lower chrome content. As previously stated, only ore from Rhodesia and the U.S.S.R. is of high enough quality to make the charged chrome necessary for stainless steel. Only Rhodesia and the U.S.S.R. can accommodate the needs of the principal consuming nations for high grade chromite ore.

Although these other countries are attempting to increase production, neither quantity nor quality will be sufficient to meet U.S. needs.

Fourth. Does the United States have a sufficient stockpile of chromite ore available to meet needs without having to rely on the U.S.S.R.? The Office of Emergency Planning—OEP—maintains two stockpiles—a national stockpile and a supplemental stockpile.

U.S. Government inventory

[In net tons]

NATIONAL STOCKPILE	
Chrome Ore:	
High grade	2,373,000
Medium grade	777,000
Low grade	---------
Total	3,150,000
Ferroalloy: 285,000 tons (ore equivalent)	600,000
SUPPLEMENTAL STOCKPILE	
Chrome Ore:	
High grade	---------
Medium grade	---------
Low grade	1,295,000
Total	1,295,000
Ferroalloy: 491,000 tons (ore equivalent)	1,100,000

The 1,295,000 tons of low-grade ore in the supplemental stockpile is available for purchase, but being low grade is not too desirable to potential users.

The national stockpile represents the reserve fleet necessary to maintain by the Government. Therefore it is not currently for sale.

One proposal advanced since the sanctions against Rhodesia is to transfer the 491,000 tons of ferroalloy in the supplemental stockpile to the national stockpile thus releasing the ore equivalent of 1,100,000 tons of chromite ore from the national stockpile—491,000 tons of ferroalloy is equivalent to 1,100,000 tons of ore. This proposal has been blocked by the State Department which says there is no need for this additional ore. But if domestic users cannot obtain access to this additional stockpile ore, they will have to buy more Russian ore which hurts the U.S. balance of payments.

The question is whether the United States will release chromite ore from the national stockpile to meet domestic demand. The State Department assures U.S. users that their needs will be met but still currently forces U.S. users to buy ore from the U.S.S.R. The U.S.S.R. remains the single supplier in the world of high grade chromite ore for the United States.

Fifth. What about U.S. mining interests in Rhodesia and the U.S. Government action's effect on them?

Two U.S. companies have extensive chrome mine interests in Rhodesia. They are no longer permitted to export their production to the United States because of the economic sanctions imposed against Rhodesia. Both companies made application to the U.S. Government to bring in ore which had been mined prior to imposition of sanctions. Although the Treasury Department was agreeable, this effort was killed by the State Department.

The United States actually did import 100,000 tons of Rhodesian chromite ore in 1967, after the imposition of sanctions. This ore had been stored in Mozambique prior to sanctions. However, another 150,000 tons of ore mined prior to sanctions, but stored in Rhodesia, is not allowed to come into the United States. This ore has already been paid for and its effect on the balance of payments has already occurred. This is the ore that Treasury is agreeable to letting into the country but which the State Department refuses to let in.

At least one of the U.S.-owned mines has been in Rhodesia for over 40 years. Inventory is now piling up and very little ore is going out. Economic distress for these companies is obviously apparent.

Sixth. Where is the chromite ore really coming from?

Earlier this year various reports raised the possibility that chromite ore imports from the U.S.S.R. were really Rhodesian ore but transshipped through the U.S.S.R.

The Treasury Department has reported to me that it has checked South African and Mozambique shipments of chromite ore to the United States and that none of it was Rhodesian ore. This seems a bit odd as Mozambique has no chromite ore mines of its own and all ore shipped in the past from Mozambique has been Rhodesian ore.

The Treasury has never analyzed U.S.S.R. chromite shipments to determine their origin as they "have not had reason to believe that such a procedure was necessary" for U.S.S.R. ore.

As a result of my inquiries the Treasury sent a circular to customs officials at U.S. ports on August 19 asking them to obtain samples of chromite shipments from the U.S.S.R. for the purpose of analysis to determine their true origin. However, according to the Treasury, no shipments of chromite ore have arrived in the United States since that date, therefore no analysis could be made. When shipments do arrive, samples are to be sent to the customs laboratory in Baltimore to identify by chemical analysis their true origin.

But can chemical analysis definitely determine the origin of chromite ore?

The Treasury Department says "yes," that the chrome-iron ratio can determine origin. Industry sources, however, have told me that although Rhodesian ore can be distinguished from low-quality ore of certain countries, there is no way to identify a Rhodesian-U.S.S.R. mixture of ore. Moreover, there is no way to prove whether ferroalloy imports from various countries were or were not made from Rhodesian chromite ore.

SUMMARY

Thus we have a number of issues that must be carefully considered.

First. The United States is growing more and more dependent on the U.S.S.R. for its supply of chrome ore. Is this in our best national interest?

Second. The United States refuses to buy chromite ore from Rhodesia for political reasons, but does buy from the U.S.S.R., the invader of Czechoslovakia. Does this make sense?

Third. Supply availability of chrome ore and price are now exclusively in the hands of the U.S.S.R. Does this give the United States real assurance as to future availability of ore? Do we really profit from paying higher prices for the ore than we would in the absence of competition?

Fourth. Are U.S. stockpiles of chromite adequate to meet future needs? If the U.S.S.R. stopped supplying the United States then the stockpile would be our only last resort.

Fifth. Is it equitable to penalize U.S. companies for wishing to operate overseas mines and to sell ore to the United States cheaper than the U.S.S.R. will?

Sixth. Where is chromite ore the United States buys really coming from?

I think these are serious questions that should be answered. They are the type of questions that would not have to be raised if politics did not interfere with international trade. Political preferences should not be allowed to change flows of U.S. trade, particularly when they could place this country in a very dangerous situation. The only reasonable policy is to buy products we need where we can get the best quality and the best price.

A PRESIDENTIAL CLASSROOM FOR YOUNG AMERICANS—A PROGRAM TO BROADEN KNOWLEDGE OF OUR GOVERNMENT

HON. WILLIAM B. SPONG, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, October 10, 1968

Mr. SPONG. Mr. President, at a time when a number of the Nation's young people are disposed to be intolerant of our institutions of government, it is a pleasure to take note of any effort to buttress faith in and knowledge of our governmental processes.

I, therefore, wish to take this opportunity to commend an organization named, "A Presidential Classroom for Young Americans, Inc.," which aspires to accomplish the following:

> To give American high school seniors an opportunity for in-depth study of the intricacies of the United States Government at Washington, D.C.; to enlighten these seniors, through personal involvement, by showing them what the Government is doing in various fields; to encourage dedication to and understanding of the American system, which all too often seems remote, bureaucratic and inaccessible to today's young people.

This nonpartisan, nonprofit organization intends to bring high school students to Washington in groups not to exceed 350 to observe for 1 week the operations of our Government. Every American high school, public and private, will be invited to participate. It is appropriate that the first class is scheduled to arrive on Washington's birthday, February 22, 1969.

The tentative program includes a variety of activities which will acquaint students with every facet of the Government, and hopefully will broaden their understanding of the Nation's problems.

The board of directors of A Presidential Classroom for Young Americans includes Charles G. Allison, president of the Heritage Cavaliers Corp.; Jack R. Jones, president of the George H. Rucker Realty Corp.; John R. Sims, a partner in the law firm of Sims, Shiffman & Miniberg; John Golden, director of the Stanford Research Institute, and N. Sidney Nyhus, chairman of the board of Travel Consultants, Inc.

Mr. President, the tentative weekly program of A Presidential Classroom for Young Americans will be of interest to every Member of the Senate, and I ask unanimous consent that it be inserted in the Extensions of Remarks.

There being no objection, the tentative program was ordered to be printed in the Extensions of Remarks, as follows:

A PRESIDENTIAL CLASSROOM FOR YOUNG AMERICANS

TENTATIVE PROGRAM

Saturday

All students arrive by 4 p.m.; welcome and orientation; dinner; evening seminar—preparation for next day.

Sunday

Breakfast; introduction to Washington—A survey of major governmental areas of operation in Washington; lunch stop; dinner; evening seminar—Film "Journey to Greatness"; review of the day's activities; introduction to next day's subject; informal hour.

Monday

Breakfast: the legislative government; visit to the individual Congressman's office; visit to various congressional committee hearings; lunch—House of Representatives Cafeteria; lecture—Senate Caucus Room—"Legislation and How it Works"; visit to House and Senate visitors galleries; dinner; evening seminar—Film "Congress and the Passing of Bills"; review of the day's activities; introduction of the next day's subject; informal hour.

Tuesday

Breakfast; the executive government; White House congressional tour; visit to Cabinet-level offices; Department of Justice; Department of the Treasury; Bureau of Engraving and Printing; Federal Triangle area.

Lunch; lecture—Department of State auditorium—"The State Department at Work"; dinner; evening seminar—Split classes (two guest speakers; one from the women's press corps and one from the men's press corps)—Subject "Areas of National News and How They Are Handled"; review of the day's activities; introduction to next day's subject; informal hour.

Wednesday

Breakfast; The establishments—The military, the Diplomatic Corps and the Fourth Estate; Excursion trips to Fort McNair (War College), Fort Myer and the Pentagon; Lunch; Choice of: Visit to a foreign embassy; visit to a major newspaper; visit to a major television news program.

Dinner; Evening seminar—Guest speaker (an Ambassador) Subject "Relations with a Foreign Country"; Informal hour.

Thursday

Breakfast; The judicial—Supreme Court; Special speaker—"The Law and the Courts"; Lunch; Visit to Peace Corps Lecture Hall—"What the Government is Doing with its Young People"; Evening seminar: Total review of week's programs; Informal hour.

Friday

Breakfast; National Student Body Test—all students; Lunch; Afternoon—free; Graduation banquet—major guest speaker—diplomas; Entertainment.

Saturday

Breakfast; Class dismissed.

CAMPAIGN AID SERVICE FOR SALE

HON. JOSEPH Y. RESNICK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. RESNICK. Mr. Speaker, if true democracy is to live up to its full potential, every citizen has an obligation to elect to public office those men who are most qualified to serve and most capable to lead.

Unfortunately this ideal is often submerged beneath the harsh realities of politics. The harshest reality of all is the high cost of political campaigns which too often denies the most capable people an opportunity to serve because they cannot afford the cost of running for public office. As a consequence, any activity which helps reduce the cost of campaigning or which makes every campaigning dollar more efficient is not merely a service to the candidate or his party but is, in fact, a service to the country.

In this connection I insert into the RECORD, under unanimous consent, several reprints of newspaper articles describing the activities of an organization known as Campaign Communications, Inc., a unique company which attempts to streamline the political campaign process and provide the candidate with timesaving as well as moneysaving advantages. I have personally familiarized myself with the unique services of this company during my most recent political campaign, and I think that other candidates, present and future—particularly those on low budgets—might benefit by interesting themselves in services such as this which attempt to apply business principles and techniques to political campaigns.

The articles follow:

[From the Christian Science Monitor, Mar. 28, 1968]

CAMPAIGN AID SERVICE FOR SALE

(By David Holmstrom)

NEW YORK.—History could come to look upon Murray Roman with an affectionate eye. Maybe not this year, but within a few years he could become to political campaigning what Eli Whitney was to cotton.

It was the high cost of political campaigning that got him started.

"In 1964," explains Mr. Roman, a communications consultant, "the cost of the presidential campaign for each major party was about $15 million. For a senator from a large state it could have been anywhere from $750,000 to $2 million. For a Congressman from an urban district it could have been $35,000 to $250,000. This year it will be even greater."

What struck Mr. Roman was that a candidate—all the way down to the novice running for city council—had no one source to go to for his campaign needs.

So Mr. Roman organized the Campaign Communications Institute of America, Inc. (CCI), and compiled a complete single-source catalogue of creative materials, equipment, and techniques to help a candidate win an election—and do it more economically and efficiently than in the past.

CATALOG CIRCULATED

"A candidate suddenly gets into politics," said the energetic Mr. Roman, who has been organizing volunteers and fund raising for the past 25 years, "and he doesn't know how to get his message to the voters. It's a frantic, hectic business."

Last month Mr. Roman sent his catalogue to candidates around the country. It lists more than 300 specialized services and products offered by companies throughout the United States and by CCI in New York. Many of the items are new to political campaigning.

"If a candidate's credit is good, he could even finance his campaign by credit card," said Mr. Roman, smiling and pointing to a page in the catalogue that says, "Charge it . . . a historic first."

While other pages tell a candidate where to get the "usual billboards, balloons, and baloney," as Mr. Roman puts it, the value of the catalogue "is as good as the candidate's imagination."

PORTABLE DEVICES

A candidate in Texas, said Mr. Roman, was enthusiastic about a pocket projector (portable) capable of projecting a huge picture of a candidate on a wall. "For only $39.95 he could see his picture on the wall of the [Houston] Astrodome," explained Mr. Roman.

Under a section on "How to Use Volunteers Effectively" the catalogue offers an aid for door-to-door canvassing—a portable tape recorder with a handful of cartridges to be inserted so the prerecorded candidate can speak for himself on civil rights, taxes, Vietnam, or whatever issue the voter might want. Or the volunteer could insert a cartridge of an endorsement by a party leader.

Other communications devices include a self-contained automatic 8-mm. sound projector to be used in homes or meetings; recorded messages for telephoning; flexible records for giveaways; life-sized cutouts of a candidate for store windows or lobbies; and CCI can arrange a closed-circuit TV program for a candidate who wants to reach everybody in a large apartment building.

"What we are saying to the candidate," said Mr. Roman, "is that here are ways to extend yourself to all the voters. If the devices are used efficiently it will cost him less. In short, we're telling him to put his dollars where the votes are."

Under a section on "Nationwide Services to Help You Win," Mr. Roman has compiled, among others, the following sources for a candidate to use: a course in practical politics through the United States Chamber of Commerce, organization to advise and direct a campaign from start to victory, campaign research through political polling, extensive Western Union campaign services, where to get campaign letters produced by computers, and a voter-profile analysis for any district in the United States. Telephone campaigns can be conducted that not only inform on issues but also poll and survey.

TELEPHONE SPECIALIST

As a specialist in telephone marketing, Mr. Roman has conducted telephone campaigns for the Ford Motor Company, United Air Lines, Standard Oil, and others. He applies the same methods to political campaigning.

In 1964 he set up a telephone "volunteer-recruiting" program for the Democratic and Republican National Committees. "The first tests showed so decisively that President Johnson was unbeatable" that the Democratic committee saw no need to continue the program. And a similar program in Illinois showed that Sen. Barry Goldwater had little chance of winning because "less than 1 percent of the Republicans were willing to work for him."

Through his contacts built up over the years in cities across the United States Mr. Roman can almost overnight muster a small army of telephone canvassers (shut-ins, students, blind people, actors out of work) who can survey or "get out the vote" for a candidate in a saturation method.

"If a candidate realized the cost efficiency he could achieve with a telephone method that concentrates on just those voters who are favorable to him," said Mr. Roman, "he wouldn't waste his time and money trying to reach voters who are opposed to his candidacy, who will not vote, or who do not even live in his area."

In 1967 New Jersey Republicans used his techniques in their statewide legislative upset victories. In another telephone campaign his team reached 50,000 voters on election day, urging support for an incumbent congressional candidate who won by an upset landslide.

[From the New York Times, June 20, 1968]

Advertising: Lollipops for the Politicians

(By Philip H. Dougherty)

"We've proved that candidates can use the techniques of business to win elections," said Murray Roman. "We've become involved in the business of elections."

Murray Roman is the creator of the Campaign Communications Institute of America and in a big room near his office on the seventh floor of 52 Vanderbilt Avenue on the eve of primary day his people were busy on the phones for clients.

The way he explained it, with his wife, Eva, by his side, was that "it's not much different than communication between industry and prospect. You take an area and find out where a candidate is likely to get votes, then you concentrate on the most likely voters." He was able to do this, he explained, with the help of the massive computer and mail list facilities of the Reuben H. Donnelley Corporation.

Few mousetrap inventors, no matter how good their product, have collected as much publicity as Mr. Roman when he announced to an unsuspecting world that he had prepared a catalogue of all the goods and services needed by an eager office seeker. Buttons, balloons and lollipops; bull horns, projectors and tape players; car rental through Hertz, Telex through Western Union—all these things and many more are in handy catalogue and all chargeable on a friendly American Express credit card.

Well, the very thought of 5,000 of these booklets in the hands of politicians, fired the imagination of many an editor. And, Mr. Roman keeps close by a pile of reprints from Newsweek, The Christian Science Monitor and The Washington Evening Star as well as a collage of other blurbs in a mailer whose cover picture catches Mr. Roman with Edwin L. Newman, the news man, on an N.B.C. network special.

"The publicity has been the key to success," he explained, "it's gone crazy." As of this point, he figures, C.C.I. has done better than $500,000 in sales.

Asked if any of his organization's activities would sort of cut in on the work of a candidate's ad agency, Mr. Roman noted, "I could tell you any number of guys who have shopped and shopped for agencies and couldn't get one."

His work is not toward creating an image for a man. "I'm not interested in that," he said, "I'm talking about making him more effective as what he is."

Mr. Roman went through the catalogue pointing out the fast-moving items. There was the $39.95 pocket slide projector, and the $19.95 Telo/Play tape player that allows a candidate's voice to go anywhere. It has a phone hook-up so that it can be used by telephone canvassers.

"My husband is a very creative person," interjected Mrs. Roman. "What he doesn't invent, he adapts."

[From the Cincinnati (Ohio) Enquirer, May 27, 1968]

A Creditable Gimmick

Something new on the political scene this year is a four-color catalogue, put out by a marketing firm called Campaign Communications Institute of America, Inc., from which a candidate can choose almost any sort of gimmickry needed to get his name and campaign before the public.

Well suited for the campaigner on a low budget, the catalogue offers the routine bumper stickers, buttons, matchbooks and posters. But CCI also offers a $19.95 tape recorder that enables the candidate to get his message into voters' homes over the telephone; rental cars with bullhorn sound systems; a $39.95 portable projector that can flash slides, pictures, slogans and what-have-you.

For the candidate with more affluent backing, there are telephone campaigns at 1½ cents a call, state-wide polls and campaigns by Western Union wire.

Murray Roman, who started CCI in his apartment with the help of his wife, now has a 10-man staff and the possibility of grossing $5 million this year. "Our job" he says, "is to enable the low-budget candidates to get the most votes for his bucks."

You have to give a lot of credit to Mr. Roman for his enterprise in dreaming up something new in this weird election year.

And credit should go, too, to the candidates who have the foresight to stock up on some of the items that CCI offers.

But someone already has taken care of that. A candidate may order any of CCI's catalogued items and services with his American Express credit card.

A PERSPECTIVE ON AMERICA'S ILLS—A CORRESPONDENT-EXPATRIATE COMES BACK TO FRANKLIN, IND.

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Thursday, October 10, 1968

Mr. HARTKE. Mr. President, in this political year, a year of cataclysm, violence, and uncertainty, the ills of this great Nation—and they are many—tend to convey a message and an impression that belies and denies the conscience, compassion, and adaptability of the redoubtable American spirit. George Melloan, a roving correspondent returning home to Franklin, Ind., after 2 years in the Middle East, Europe, and Africa, has captured the sense of America's current inner turmoil with perspective and insight. Perhaps only a journalist preoccupied for an extended period in other parts of the world can truly comprehend and give explanation to our current domestic problems. Writing in the Wall Street Journal of Tuesday, October 8, Mr. Melloan observes:

> In many ways the present climate of soul-searching and self-doubt looks healthier and more in keeping with the country's finest traditions than the smug self-content that seemed so evident two years ago.

Mr. Melloan wisely notes:

> Whatever the country's problems might be, they are problems brought on by ambitions, not a lack of them. And although the attempts to fulfill these ambitions may be fraught with trouble, the degree to which they are succeeding is impressive to someone who has been away awhile.

Mr. Melloan finds that people in this country—the people in the countryside of rural Indiana—are responding, are doing, are participating, each with a feeling that he is doing something socially important. Mr. Melloan finds parallel between the call for social and racial justice today and the call for economic justice that characterized the blue-collar labor movement of the 1930's. Potentially explosive in both instances, he foresees that Americans are capable of adaptability and have a genuine willingness to respond and correct social injustice.

Finally, Mr. Melloan finds that in comparing the health of the United States with, say Europe, the difference is that the people in Franklin, Ind., appear to be "participating." The serious-minded, responsible adults among the participants in the French strikes this spring sought, according to Mr. Melloan, just this type of American-type "participatory involvement" from an autocratic government insensitive to such involvement.

Melloan notes that the price of participation is high. He cites meeting an expatriate American housewife in Rome who was rather grateful for the fact that "no one—in Rome—ever asks me to do anything." But most Americans are willing to pay the price in energy and time, Melloan finds, and the price of not participating, he cogently observes in viewing the rigid, unresponsive power structures of some European countries, is much higher than the price of participation.

Mr. Melloan's article is insightful and tempering in these troubled times. I commend it to Senators and ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Is This Country Really in a Mess?

(By George Melloan)

Franklin, Ind.—Here in this abundant-looking countryside where the corn is tall and the autumn sun beats down, the rural charm is likely to be shattered by a discordant note.

The middle-aged man sitting in a green yard beside a comfortable house says in a troubled voice, "This country is in a hell of a mess."

The words sum up a mood that can be found all around the American landscape, in its cities, its rich suburbs or its small towns, in the introspective period that precedes a Presidential election.

But is the country really in a mess? To a roving correspondent, returning home after two years of preoccupation with the troubles of Europe, the Middle East and Africa, this country's condition seems far less disturbing than it looks, apparently, to many of the home folks and to critics of the U.S. abroad.

America's deep problems with an unpopular war abroad an insurrection of sorts at home and a pervasive climate of violence hardly need reviewing. They are analyzed just as endlessly in Pietro's Trattoria in Rome or the Lord Nelson pub in London as they are in Short's tavern here in Franklin.

But what do these problems really signify? Do they mean that American society is gripped with a sickness that must inevitably lead it to ruin? For this expatriate, who has seldom been accused of chauvinism, the answer would be no. In many ways the present climate of soul-searching and self-doubt looks healthier and more in keeping with the country's finest traditions than the smug self-content that seemed so evident two years ago.

Analyses of the American conditions frequently overlook some fundamentals that come into sharper focus, perhaps, for a returnee. One is that whatever the country's problems might be, they are problems brought on by ambitions, not a lack of them. And although the attempts to fulfill these ambitions may be fraught with trouble, the degree to which they are succeeding is impressive to someone who has been away awhile.

Perhaps the most impressive are the attempts to introduce greater racial and social justice into the life of the U.S. Here in Franklin, three old friends, as it happens, work in cities, doing personnel work for sizable companies. What are they up to these days? All three, it turns out, are engaged in all-out efforts, directed by top management, to find places for Negroes in their companies, particularly Negroes who are unskilled. In the descriptions of their problems and frustrations in these efforts, one also senses an enthusiasm that perhaps stems from a feeling that they are doing something socially important. All three are optimistic that in responding to black grievances in this way they are contributing to a better social and economic order.

One suspects from this that the country has not lost its capacity for adaptation, for responding to the important grievances of citizens in a way that will prevent those grievances from tearing the country apart. To be sure, one sage elder hereabouts argues that accommodation to revolutionary movements may feed rather than dampen their ardor, but even he admits that he favors accommodation where a real question of social justice is involved. And he observes himself that the country was indeed successful in meeting the demands and needs of the blue collar labor movement that were potentially explosive in the 1930s.

All of this suggests a point of some importance to someone who compares the health of the U.S., with, say, Europe. The people of Franklin appear to be participating.

The participation is both psychological and physical. It may involve mere reflection on who should be President. It may involve leading a PTA fight for a new junior high school. It may involve raising money for the United Fund. It may involve leading a strike. It may also involve anti-social behavior, of course, such as burning down a building in Detroit.

While the scope of this activity is commonplace to Americans it is not almost anywhere else. The serious-minded, responsible adults among those who participated in the French strikes this spring want a larger role in the society they are part of and less dictation from a paternalistic government in Paris.

There is a price to be paid for the ability to participate and enjoy some power in the shaping of institutions and events. One recalls an expatriate American housewife in Rome who was rather grateful for the fact that "no one here ever asks me to do anything." The price of participation, obviously, is a considerable expenditure of time and energy and it appears that most Americans still are willing to pay it. The price of not participating is higher, one suspects, when one views the rigid and unresponsive power structures of some European countries.

A Frenchman, Jean Jacques Servan-Schreiber, believes that it is this broad diffusion of power and initiative that is the inner source of America's great ability to create wealth. Perhaps the most striking feature of the country to a returnee is its enormous wealth. A factory worker friend relaxes after a hard day's work in his $30,000 home, which has color TV and two cars outside, and discusses a European trip for his daughter.

With its wealth the country has been accused of materialism, and there is no doubt some truth to the charge. But a materialistic psychology is by no means unique to America. One recalls the Intourist girl guide in Moscow who yearned for "pretty things" in a culture that is essentially drab and repressive.

The broad middle class wealth of America has benefits beyond the mere materialistic. It frees people to think less about their own condition and more about the human condition of those around them in a world that has become a village. The charming white-haired schoolteacher who stops for a chat here in Franklin has just returned from a Peace Corps stint in Peru. She brims with satisfaction in the feeling that she may have been of some help to an Indian village.

If all this seems to neglect the preoccupying problems of the country—race riots, youth rebellion, crime, war—it is done deliberately. These are questions for another time and place. The main message that Franklin conveys to this visitor is that there still is more right with the country than wrong with it and that whatever its troubles might be, it has a problem-solving capacity to be found in few other places on earth.

As long as it keeps this capacity, doesn't sink into cynicism and doesn't lose sight of its real values, one has the feeling that things will get better.

INFLATION: A SYMPTOM OF WHAT AILS AMERICA—ADDRESS BY GEORGE CHAMPION

Hon. EVERETT McKINLEY DIRKSEN

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Thursday, October 10, 1968

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered by George Champion, chairman of the board of the Chase Manhattan Bank, at the American Mining Congress, in Las Vegas, Nev., October 7, 1968.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

INFLATION: A SYMPTOM OF WHAT AILS AMERICA

As much as I appreciate the opportunity of appearing before your fine group, I should tell you in all candor that several of my associates had reservations about my coming to Las Vegas.

Some feared I might run into Howard Hughes and find him in a mood to buy out the Chase bank!

Others suspected that if I were given any leisure time, the bank's assets might wind up on the roulette table!

Finally, though, we compromised. My associates agreed to the trip, provided I didn't stray too far from the mining industry's "friend at Chase Manhattan," George Kruger!

Now I know how Frank Sinatra must feel walking around The Strip here with his bodyguard!

None of us, I'm sure, can look with indifference on the signs of social unrest and upheaval so much in evidence in our country today. As concerned citizens, all of us are groping for answers to the insistent question: "What's wrong with America?"

For anyone to pretend he has all the answers to this puzzling query would be a foolhardy exercise indeed. But I'd like to suggest that in reaching for answers, we should thoughtfully assess the economic aspects of the problem because I believe they contain clues that can help us see the whole more clearly.

Historically, a nation's problems are frequently mirrored in the economic and financial area and such surely is the case today. Among the manifestations of our national malaise are widespread pockets of poverty amid plenty, continuing balance-of-payments deficits, loss of gold, substantial federal budget deficits, high interest rates, seemingly endless tax increases.

All these reflect the gap between our soaring aspirations as a nation and our vast but hardly unlimited capacity for accomplishment. Our failure to make the difficult choices required to balance the demands on our economy with our available resources has led, inevitably, to inflation. And inflation, in my view, underlies and symbolizes many of the fundamental problems that beset us. It also concerns you and me, directly and intimately, as businessmen, as consumers and as citizens.

So I think it is worth considering briefly how much inflation we have these days, what's so bad about it, and what if anything can be done about it.

When you talk about how much inflation we have, almost everyone can counter with a favorite example. To some of you, inflation may be a $95-a-day hotel room here on The Strip; to others, a dollar bill that has shrunk to 56 cents in purchasing power since 1946; to housewives, a market basket in which lamb chops cost 5 to 10 cents a pound more than a year ago, and most other food items are up that much or more; to parents, a bill for college tuition, room and board running up to $4,000.

These sharply rising costs are a relatively recent phenomenon. From 1958 to 1964, the American economy followed a fairly stable growth pattern. Inflation amounted to less than 1½ per cent a year. In mid-1965, however, the combined stimulus of public and private demand for goods and services began to overload the economic system.

The cost-of-living moved up 3 per cent in 1966, another 3 per cent last year, and indications are that the rise will exceed 4 per cent this year, the highest since the Korean War. In New York City, the cost of the most common items in a typical family budget has increased 5 per cent over the past twelve months.

Now 5 per cent inflation may strike you, at first glance, as a modest figure but that is far from the fact. A 5 per cent price rise every year would amount to almost 65 per cent on a compounded basis over the next decade. That's far more than a nation can afford and still remain economically strong.

Well, say some people, when you get right down to it, what's so bad about a little inflation?

Let me tell you what's "bad" about it—socially, psychologically, politically, and—most important—morally.

From a social standpoint, inflation is a particularly vicious and discriminatory form of taxation. It falls most heavily on those who, in good faith, have put their money into Government bonds and other savings instruments, and those who depend for a living on pensions or Social Security. As one commentator put it, "inflation makes suckers out of the thrifty." To the extent that food prices are affected, it hits low-income families especially hard. The intolerable suffering of the working man in Germany during that country's super-inflation is still not forgotten.

Psychologically, inflation is "bad" because it undermines the critical element of confidence on which so many economic decisions rest. When people expect inflation, they do their best to hedge against it. In so doing, they often overreact. They build inventories too high, expand capacity too fast, grant larger-than-justified wage increases, and speculate wildly in land, commodities and securities. In short, they do all the things that fuel a boom-and-bust cycle. Nothing is more destructive than this to confidence in the dollar at home and abroad. A few months ago, when foreign holders of dollars became concerned over inflationary trends, we had a dollar crisis that required drastic measures.

Politically, inflation is "bad" because the drastic steps taken in the name of halting it usually mean more government controls over our free-market system. Such was the case this time, too, when we were saddled with controls on direct overseas loans and corporate investments. It is one of the galling ironies of our times that government, after having pursued highly inflationary policies, then invariably decides that only government intervention in the private economy can halt inflation.

What Federal administrators don't seem to comprehend is that controls, in and of themselves, don't solve any problems. At worst, which is frequently, they complicate the solutions by distorting economic activity. At best, which is seldom, they succeed in buying a little time to put our financial house in order if we have the will to do so.

Beyond the social, psychological and political evils of inflation which I have mentioned, there is the vastly important moral aspect. Inflation as a way of life corrupts a nation's economic morals and wears down the basic integrity of its citizens. The under-the-table payoff becomes part of the inflation avoidance scheme. Individuals, to protect themselves against inflation, lie about their income. They cheat one another and their Government because they are convinced that the Government, through inflation, is cheating them.

I'll never forget a comment made some years ago by an astute Far Eastern banker who had traveled all over the world. One of the most profound lessons he had learned, he said, could be capsuled in four words: "Sound money, healthy people." He went on to explain that in those countries where the national currency was buttressed by responsible fiscal and monetary policies, people tended to be diligent and hard-working, confident that if they laid something away it would not be eroded through inflation. But in those places where inflation ran wild, there were widespread economic dislocations, black markets and public immorality generally.

"Sound money, healthy people." There is a great lesson for us in that simple expression, and we should not lose sight of it.

Since World War II, our economy has gone through four damaging bouts of inflation—early in the postwar period, during the Korean War, in the mid-1950's, and now since 1965. The three previous inflations ended in general business recessions. But recession is not the only way to stop inflation—and it certainly isn't the best way.

There is no secret about the best way. It takes two things: an understanding and a determination on the part of the people that price stability is essential, and a willingness on the part of labor and business and government to do what is necessary. If labor would produce more and so earn every dollar of wage increases, if business would respond by holding prices in line, and if government would eliminate waste and duplication and work toward a balanced budget, then inflation could be stopped in the right way.

Let's look at the labor side.

About 65 per cent of the cost of all the products turned out by American industry is attributable, directly or indirectly, to labor.

For example, under the new price schedules of the automobile companies that have been so much in the news lately, a $3,000 car represents roughly $2,000 worth of labor that has gone into steel, rubber, glass and other materials as well as into the final assembly.

For some industries, of course, the labor component is even higher than this.

Over the past decade or so, productivity has been going up at a rate of about 3 per cent a year, attributable almost entirely to capital expenditure.

Simple arithmetic shows that a 6½ per cent wage increase over a three-year period, which is becoming the standard pattern in manufacturing, could add some 20 per cent to labor costs.

Even if half of this were offset by gains in productivity, labor costs would still go up by some 10 per cent.

It is obvious that an increase in wages of this magnitude could not be absorbed from profits. Realistically, the rate of return on stockholder equity has already been squeezed to such an extent—from 13 per cent in 1965 to about 11 per cent now—that the flow of capital so greatly needed for future expansion and modernization is threatened.

So it is all but inevitable that higher wages, not matched by higher productivity, must be reflected in inflation—and that's what has been happening.

The consumer ultimately pays the bill.

How this works out in practice may be seen from a Labor Department study of the effect of price hikes on a typical American worker with a wife and two children. During the past summer, his weekly earnings rose to a record $109, but taxes and inflation have taken all the recent gains. The average worker has seen his weekly earnings rise by $13 in the past three years, yet in terms of purchasing power he is no better off than he was before.

I am sure a good many responsible labor leaders know the futility of a wage-price spiral as well as anyone does. But they have not managed to persuade their membership. We have seen many instances where union members refused to accept agreements that their own elected leaders had reached in good faith. I am afraid that union leadership has now seen the point: never mind sound economics—get as much as you can. And, since this is a game that speeds up as it goes along, this also means that you had better get more than the last fellow, regardless of the consequences.

Although recent wage settlements in steel, aerospace and other major industries have attracted nationwide attention, the little-publicized developments in the construction field have been even more startling.

In Dayton, Ohio, bricklayers have won a 72 per cent pay increase over the next two years. This boosts their hourly pay to $9.75, or $19.50 if they work overtime.

In Toledo, iron workers have negotiated a raise of $2.10 an hour over two years which brings their hourly pay to $7.63.

In Detroit, after a three-month strike, the building-trades unions have won new contracts which provide wage raises plus fringe benefits equivalent to 30 per cent more for bricklayers, 32 per cent for carpenters, and 33 per cent for plasterers.

The magnitude of these increases points up the dilemma confronting union leaders. When their members venture out into Detroit's residential suburbs now to buy a house, they are finding that costs have advanced by as much as 18 per cent. So while organized labor presses for more and better housing as a social objective, the building-trades unions are making such housing increasingly hard to come by.

Apparently, though, the man-in-the-street does not think that labor union decisions have any impact on him personally. In response to a pollster's recent question: "Have you, yourself, or your family been hurt in any way by strikes or labor troubles?" 83% of those questioned said they had not been hurt a bit. They obviously saw no connection between union practices and demands, and the inflationary surge we are now caught up in.

This represents a serious failure of communications on the part of business. If we could develop an informed public, we would not need any guidelines to curb runaway inflation, and this is a job that business can and should take on.

The inescapable fact is that the business community has not made itself understood. We have failed to convince union leaders of the inevitable results of excessive wage demands. We have failed to make as many trips as we should to our Senators and Repreentatives to explain why Government spending must be curtailed.

Most serious of all, we have failed to get across to our own people and to the public the delicate balance that exists between the prosperity which everybody wants and the spiral of inflation which nobody wants.

The typical American overestimates the profits of business and underestimates employee compensation. He thinks U.S. firms average in the neighborhood of 20 per cent profit on sales, about double what he feels would be a "fair" return. The fact, of course, is that, after taxes, manufacturers make about 5 per cent profit on sales.

Only when business succeeds in getting across its message will the public understand the relationship between wages and company earnings and the costs of doing business. Only then will people understand why wages cannot increase faster than productivity without causing inflation.

Standing up against unreasonable union demands is likely at times to lead to costly strikes, as it did not long ago in the copper industry. The industry deserves our gratitude for fighting as it did for a principle. When the alternative to a strike is higher operating costs, lower profits and loss of markets to competing goods—often imported goods—it frequently means that in the long run a strike costs far less than an inflationary wage settlement.

But even the best of intentions on the part of labor and management will fail to solve the inflation problem unless our national government follows sound fiscal and monetary policies.

Government must develop a comprehensive program of planned budgeting to ration the funds available for our domestic and foreign needs. It must limit spending to whatever level we, as citizens, are prepared to finance with our tax dollars. To run a $25 billion deficit in a full-employment economy, as we did last year, is simply to invite inflation.

This means that we must face up to some tough decisions. Demands for public funds are enormous. We must either get up the courage to choose among the many appealing spending programs that are proposed, or accept a steadily rising tax burden. As it is now, the average individual works all day Monday and half of Tuesday each week just to pay the tax collector.

In the end, the only acceptable answer is that America, on which the whole Free World depends, must behave responsibly—drastically reducing its payments deficit, restraining the growth of private credit, and bringing its Federal budget into balance through genuine economies rather than through the budgetary gimmicks of the recent past.

It is interesting to note that of the $6 billion spending cuts Congress ordered as part of the surtax legislation, more than $1 billion will stem from sales to private investors of loans previously made by the Government. While budgetary bookkeeping makes this look like a reduction in spending, it actually amounts to fresh Government borrowing. This fact was not lost on a perceptive copy editor who headlined a recent news story: "How To Succeed in Budget-cutting Without Really Crying."

I'm convinced that something can be done about inflation if—but only if—we as businessmen, consumers and citizens get stirred up enough about it, and get Government and labor similarly committed.

If we can work together toward the stimulation of individual incentives rather than their frustration; toward enhanced productivity so that there will be more for all; toward freedom and personal responsibility as the ideal goals rather than timidity before an all-powerful state—then and only then will we be exercising a constructive influence in our society, and also serving the best long-term interests of all the people including ourselves.

In the same spirit of creative collaboration, I'm convinced that with economic discipline and responsible policies, we can simultaneously achieve price stability, high employment and sound growth for human betterment.

There are some, I suppose, who will say that this is nothing but a dream.

In one sense, they are right.

It is a dream—the American dream!

ADDRESS BY POSTMASTER GENERAL W. MARVIN WATSON

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. DULSKI. Mr. Speaker, Postmaster General W. Marvin Watson told the national convention of the American Legion, held in New Orleans a few days ago, that the Post Office Department will join in a tribute to the Legion's 50th anniversary.

Along with fellow Legionnaires, I am very pleased with the Postmaster General's announcement that the Department plans to issue a commemorative postage stamp honoring the American Legion's golden anniversary next March 15.

As a member of the Adam Plewacki Post in Buffalo, which is one of the largest Legion posts in the Nation, I am well aware and very proud of the American Legion's 50 years of service to our country and its veterans.

The text of General Watson's address to the convention follows:

ADDRESS BY W. MARVIN WATSON, POSTMASTER GENERAL, AT THE 50TH ANNIVERSARY OF THE AMERICAN LEGION, MUNICIPAL AUDITORIUM, NEW ORLEANS, LA., SEPTEMBER 10, 1968

My fellow veterans.

I am deeply privileged to have the opportunity to be with you and to wish you continued success in an organization which I think is a magnificent example of all that is great about America.

As you gather here, you are once again a true expression of modern America for your history encompasses all those times which symbolize what we are today.

I also come here pleased that I may present more than just spoken recognition of your service to this country.

Recognizing that this is your 50th anniversary, the Post Office Department will join in tribute by creating an American Legion stamp, which will be issued on your anniversary date next March 15.

I know that many of you have long campaigned for this stamp and I want you to know that it gave me very great pleasure last week to meet with our Stamp Advisory Committee as we made this decision.

So, it's a little early, but let me be the first to wish you a happy 50th anniversary, both on behalf of the United States Post Office and all citizens everywhere in our great land.

That stamp and that anniversary will continue to remind all of us that your membership harkens back to the campaigns of World War I . . . and that you have shed your blood for this nation and this world on a thousand battlefields since that first war to end all wars.

And still the wars go on—for the nature of man, it must appear, is to use the tools of war rather than words of wisdom.

But it is also the nature of man to satisfy that inner yearning to be free—and you who have known war know also that America still remains free and remains the one steadfast nation that fulfills the ultimate hopes of man.

Our dream of a better world is not impossible.

Our dream of a better America is daily being achieved.

And despite the dissenters—despite the frantic minority who preach no faith and hide behind the shield of no hope—despite those who discount what we have done and deny that we can do more—it is a fact that we Americans still carry the best hope for this world.

America is not in desperate condition, my friends.

And America is not a nervous, searching nation.

It is only those who preach despair who are desperate and only those who preach no faith and no hope who are nervous.

There is a whole other land—the whole vast majority of this land—which is constant, which is vital, which is growing, which is stable and which is the true America that we have always known and loved.

And it is people such as yourself who are this America.

People such as yourselves who have honored the contracts of our country in time of war. . . . and honored your own personal contracts in time of peace.

For your organization was born out of war, but is dedicated to peace and progress.

Later today, I know you are hopeful—as am I—that another great American may take the time to fly here to address you.

He, too, is a man who had a contract—a contract to lead selflessly, a contract to create dreams which people would call impossible and then to conquer the insurmountable heights and make the dreams reality . . . and, yes, a contract in the form of the word of this nation given by Presidents Truman, Eisenhower, Kennedy and himself, Lyndon Johnson, to support other nations who wish to remain free.

In the past five years, Lyndon Johnson rallied this nation from the shock of assassination, then pulled us forward by the sheer will-power of his drive and his dreams for a better and greater society. In 1964, as he received the greatest electoral mandate in our history, he campaigned on a platform. From 1964 to this very moment he has not forgotten these promises. . . . and 94 per cent of everything he promised in 1964 is now written into the law of this land.

He has honored his contract with the American people here at home and he has honored the contract of the American people abroad.

To me that is greatness. . . . American greatness. Just as this organization as well is the symbol of an America others would tell us no longer exists.

You, my friends and fellow veterans, put the lie to those who claim that we are failing.

For you—and countless millions like you—are not acquainted with failure and are alert to the false notes of those who cry out that we falter and are failing.

For you are of those who do have faith . . . and do have hope . . . and in the final essence, you are the very cornerstone on which all our great country is founded.

And for this I congratulate you—and am proud to be here with you, the American Legion.

THE COMMUNITY SELF-DETERMINATION ACT OF 1968

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Thursday, October 10, 1968

Mr. JAVITS. Mr. President, some weeks ago I joined with Senators NELSON, HARRIS, and PERCY as one of the four primary sponsors of the Community Self-Determination Act of 1968. There are now over 35 Senators cosponsoring this bipartisan measure, which was printed as both S. 3875 or S. 3876, and its basic concepts have been endorsed by both party platforms and both major presidential candidates.

Briefly speaking, the bill is built around three objectives: First, it seeks to bring major financial and technical resources from the private sector into activities which will combat urban and rural slum conditions; second, it aims at opening up opportunities for ownership and management of business enterprises to poverty area residents in order to give them a stake in the economic life of their communities, both as a means of stabilizing the community and of increasing the impact and pace of antipoverty efforts; and third, it hopes to create a new source of funding for community service activities, such as Headstart and day care, which is independent of appropriations.

The first goal is met by creating a new set of tax incentives for the operation of what we call "turnkey economic development." Under this approach, which has proved successful abroad, a major corporation would take on the job of building and getting on its feet a plant or other business facility in a ghetto area, with the idea of turning the facility over to local ownership and management after the shakedown period. This way, the financial, managerial, and technical resources of an established business are brought fully into play, rather than attempting to start from scratch with the resources present in the poverty area alone.

The second goal of spreading business ownership and management among ghetto residents is accomplished by setting up development corporations which serve as community-owned holding companies to receive the turnkey-developed plants.

Through these development corporations, profits from the turnkey and other community-owned businesses are channeled into service activities, meeting the third objective. And in this manner, the economic strength of the economic development process is brought into play as a means of aiding the community organization process which is inherent in the establishment of the development corporation.

In one respect, in particular, this bill reflects my own work. In October 1967, I introduced legislation to establish a new banking institution at the national level to channel private funds into economic development activities in urban and rural poverty areas. This "Domestic Development Bank" was patterned closely on the

World Bank, and sought to apply lessons learned abroad to our own domestic poverty needs. That bill has now been integrated into the Community Self-Determination Act as title III of that bill, with the name of "the United States Community Development Bank." Several important improvements were made in this redrafting process, which will be apparent from the descriptive memoranda I will insert after my remarks.

Mr. President, this bill will be extremely important next year, relating intimately to the future of and the role of private enterprise in the urban crisis and the entire war on poverty. I hope that it will be closely studied both in and outside of the Congress, with a view to its early enactment into law.

The following materials include: First, the joint statement of the sponsors at the introduction of the Community Self-Determination Act of 1968; second, an explanation of that bill; third, a projection of the costs of that bill prepared by three young economists from MIT; fourth, a memorandum describing a project conducted by the E.G. & G. Corporation of Bedford, Mass., which tests certain of the concepts in the bill; and fifth, excerpts from my remarks of October 23, 1967, upon introduction of the Domestic Development Bank legislation, describing the need for that bill and explaining its operation.

There being no objection, the memoranda was ordered to be printed in the RECORD, as follows:

JOINT STATEMENT BY SENATORS NELSON, PERCY, JAVITS, AND HARRIS ON COMMUNITY SELF-DETERMINATION ACT OF 1968, JULY 24, 1968

It is apparent that the United States is confronted with poverty on a massive scale. Its continued existence, in this the most affluent nation on earth, makes a mockery of our highest ideals. We used to refer to "pockets" of poverty; however, it is now clear that the metaphor is too limited. For poverty does not simply occur in pockets; it devastates huge segments of our cities and cripples vast areas of our countryside. We can no longer afford to think only in terms of prosperous America; we must face the fact that submerged America has dimensions that we are only now beginning to realize.

The past and present efforts of government, business and charitable institutions have had significant effects in certain localities, but they have not diminished the crisis proportions of the problem as a whole. Clearly, our response to poverty has been inadequate, not only in scale, but also often in direction.

We feel that a new approach is needed. Such an approach must take into account a number of basic facts:

Poverty stricken people do not wish to be guinea pigs, being constantly probed and tested, but without ever finding their trapped condition altered. Like everyone else, they want the chance to influence their own destinies—to be participants in the effort of building a more prosperous America.

Poverty is not an isolated phenomenon that can simply be cured from spot to spot. It does little good to raise employment and standards of living in the cities if new floods of migrants pour in from an economically devastated countryside. For an anti-poverty effort to be successful, it must be comprehensive. It must affect all occupational and ethnic groups in all areas of the country.

At the same time, we must recognize that every area has its own unique problems. A solution in St. Louis might be a disaster in Detroit, if applied rigidly and insensitively. The approach that we are espousing this morning solves this problem by leaving decisions on specific problems to people who live in, and intimately know, the areas involved.

Finally, it is clear that we do have the resources to overcome this problem. The question is not just one of quantity, though we must not shrink from necessary costs. It is also a question of establishing a system that will enable existing resources to be made available where they are most needed.

We feel that we have such a plan in the Community Self-Determination Act, which we and other Senators of both parties are introducing today.

This bill owes its existence to the dedicated efforts of nonpartisan citizen groups. The Congress of Racial Equality (CORE), in conjunction with Mr. Gar Alperovitz and Mr. John McClaughry while at the Harvard Institute of Politics, and distinguished lawyers and businessmen from many areas all worked diligently to produce a workable, effective proposal. More recently, this plan has earned the enthusiastic support of political leaders of both parties.

The Community Self-Determination Act is a comprehensive proposal to meet poverty wherever it exists. It is a program of business and finance that promotes the initiative of local residents and of the business community.

Any poverty community would be able to establish a Community Development Corporation to own and manage productive business enterprises. Any profits would be used to finance needed community social services. These corporations would be certified by a national Board established by the President, but decisions would be made by those with the greatest stake in the project: the local citizens themselves. It is a complex measure and will require thorough hearings and perhaps some modification. But citizen response in early community efforts of this kind shows the practicality of the project. Areas as diverse as Crawfordville, Georgia, and Rochester, New York, have demonstrated that local residents are eager to establish community enterprises.

But these early efforts also show the difficulties of each community acting only on its own. The Community Self-Determination Act would provide necessary help.

One element of assistance would be a network of Community Development Banks. Through these new banks, the Community Corporations would receive necessary investment funds. A new national development bank, patterned on the Domestic Development Bank which was previously introduced by Senator Javits and other Senators, would be created to serve as a secondary institution and to provide financial assistance directly where no community bank or corporation is in existence. A Federal tax incentive program would encourage the private business sector to enter into Turnkey agreements with the local Community Corporations. In this way business and industry would be established in poor communities, with the community itself assuming the major portion of responsibility and direction.

The Communty Self-Determination Act is a bold new step along an unfamiliar path. But we must not fear the innovative and prefer the established. For if this nation is to fulfill its great promise, it must never fall back on whatever happens to exist. It must never remain content with the present but must always step forward confidently into the future.

THE COMMUNITY SELF-DETERMINATION ACT

The Community Self-Determination Act is a fundamentally new approach to the problems of lower income comunities. It is based not on governmental paternalism, but on local self-help, ownership, and decision-making. Instead of creating new government agencies, the Act creates a new institutional structure so that the people of poor communities can achieve economic development and the ownership of productive resources through their own efforts and under their own control.

The basic element in the program is the Community Development Corporation (CDC), a stock business corporation formed by the residents of any area which is substantially below national norms in income or employment. Every over-16 resident may become a stockholder by buying a $5 share or by earning it through contributed labor; each, however, is limited to one share and one vote.

The formative process, supervised by a Community Corporation Certification Board, involves pledge cards, escrow deposits, and community referendums, so that competition is preserved and the will of the community freely expressed.

The CDC owns and manages subsidiary businesses in the community, and conducts a broad range of social service programs as desired by its stockholders. It thus resembles both a modern conglomerate corporation and a charitable foundation. Its subsidiaries channel their profits to the CDC to finance both additional investment and the service programs.

Financing business requires capital and credit. The Act creates a system of CDC-owned Community Development Banks (CDBs). The CDBs resemble the National Land Bank Associations which for fifty years have been an important part of the national Farm Credit System. They are capitalized and owned by the CDCs themselves, and their initial capital is multiplied by the sale of income bonds backed by a special Federal Reserve escrow fund. A U.S. CDB is also created to serve as a secondary financial institution, similar to the Federal Home Loan Banks.

The plan contains a number of tax incentives to encourage outside companies, like GE, Safeway Stores, or Xerox, to come into the area, establish a new plant, train local people to manage it properly, then sell it at a profit to the CDC as a new subsidiary. Other provisions reduce taxation on profits utilized for necessary community services. An important provision authorizes SBA grants to CDCs to enable them to contract for competent management training.

Experiments are already under way in many parts of the country which embody some or all aspects of the proposed program. Notable are Arthur Fletcher's Self-Help Cooperative in East Pasco, Washington; Randy Blackwell's silk screen factory in Crawfordsville, Georgia; EG&G-Roxbury in Boston; and the Xerox-backed Fighton Company in Rochester. The program is adaptable to urban ghettos, depressed rural areas, and Indian reservations alike.

Total cost of the Act is estimated to be under $1 billion for Fiscal Year 1970. Benefits will phase out as communities develop economically. The basic legislation has been sponsored by a large number of Republican and Democratic Congressmen and Senators. It was developed through the initiative of the Congress on Racial Equality (CORE), with the cooperation of legislative technicians representing views from conservative to radical.

FINDINGS

Section 2. The Congress hereby finds that—

(a) despite the unsurpassed affluence of the United States, there exists today a nation within a nation composed of millions of Americans in urban slums and declining areas of the countryside who live in poverty, misery and despair. The United States cannot achieve its full potential until all of its people have a full and fair opportunity to earn, own, and enjoy their share of America's growth and prosperity, and to exercise effective control over their life situations.

(b) programs and policies which tax some to support others offer no hope and no opportunity to those who have the capacity to become productive, contributing citizens. Handouts are demeaning; they do violence to a man, strip him of dignity, and breed in him a resentment toward the total system. The nation must find ways, instead, to help presently non-productive citizens achieve the independence, self-respect, and well-being enjoyed by their more fortunate fellows.

(c) the people of poor urban communities and declining rural areas should be assisted in their efforts to achieve gainful employment and the ownership and control of the resources of their community, including businesses, housing, and financial institutions.

(d) the problems of our cities cannot be solved without dealing with the inseparably related problems of rural America. Special help should thus be offered for efforts which improve the economic conditions and standard of living of the people of declining and depressed rural areas, and which reduce their out-migration from such areas to the overcrowded and explosive urban centers.

(e) the private enterprise system and the independent sector should be offered new incentives to join with the people of a community in a partnership for individual and community improvement, especially in providing technical and managerial expertise, offering training for jobs with a future, providing investment capital, and building productive plants and facilities for sale to members of the community. Such a program should be designed to permit the people of a community to utilize a share of the profits of community-sponsored enterprises to provide needed social services, thereby reducing the burden of taxation upon the rest of society.

(f) programs designed to achieve these ends should also aim to restore to the people of local communities the power to participate directly and meaningfully in the making of public policy decisions on issues which affect their day to day lives. Such programs should aim to free local communities from excessive interference and control by centralized governments in which they have little or no effective voice.

(g) order, stability, and progress can be achieved only when the people of a community actively participate in, and are responsible for, their own affairs in such areas as education, neighborhood planning, economic development, recreation and beautification, and social services and welfare.

(h) to achieve these ends, the people of a community must organize for responsible action, in such a way as to reduce fragmentation, create order and stability, make optimum use of community resources, and maximize the opportunity for creative leadership and self determination.

(i) the role of government at all levels should be to reinforce, guarantee, and support individual and mutual self-help efforts to make their maximum contribution to the strength and wealth of the nation. As that goal is approached, government incentives should be correspondingly phased out and government investment repaid, leaving the once dependent people to make their way as independent, unsubsidized participants in our national life.

PURPOSE

Section 3. It is therefore the purpose of this Act to provide for the establishment of community development corporations, community development banks, and other supporting programs and provisions, in order to mobilize the talents and resources of the people of this "nation within a nation" to help them play a more meaningful and rewarding role in building a better, stronger, and more confident America.

Title I—Community development corporations

This title creates the basic mechanism for the community self-determination program, the Community Development Corporation, and outlines its organization process.

Part A—National Community Corporation Certification Board

This part establishes an independent agency of the Federal Government, to supervise the organization of Community Development Corporation—"CDC's". In many respects the Board will perform functions similar to those of the National Labor Relations Board in conducting union certification procedures.

The Board is composed of five members, appointed by the President with the advice and consent of the Senate for staggered 5-year terms. Board members are to be compensated at the same rate as members of the Federal Home Loan Bank Board.

The Board is empowered to perform a number of specified functions relating to the process of organizing community development corporations. These functions include: issuing provisional and final corporate charters, conducting and supervising referenda, providing counsel and technical assistance in the organization process, collecting and disseminating relevant information, developing appropriate forms for corporate charters and bylaws, and requiring annual reports of corporations so chartered. The Board also acts as a ministerial agent in releasing an initial seed-money grant to a CDC upon its final chartering, but does not administer a program in the usual sense.

A National Advisory Committee on Community Development is created to advise the Board on its policies and operations, and to exert a critical review of the Board's activities and the activities of CDC's chartered by it. The Board is required to make an annual report to the President and Congress.

Part B—Community Development Corp.

The Community Development Corp.—CDC—is a corporation organized by the people of an urban or rural community "for the purpose of expanding their economic and educational opportunities, increasing their ownership of productive capital and property, improving their health, safety, and living conditions, enhancing their personal dignity and independence, expanding their opportunities for meaningful decisionmaking, and generally securing the economic development and social well-being and stability of their community area."

The CDC is a regular stock corporation having the usual powers incident to a business corporation. The community area in which the CDC functions may range in population from 5,000 to 300,000 residents aged 16 and above, of whom 10 percent must be CDC shareholders.

Any resident of the community area may become a CDC shareholder by buying CDC stock, which is priced at $5 par value. "Sweat equity" may be accepted in lieu of cash purchase of stock. Each stockholder has one vote in the affairs of the corporation, as do class C stockholders of the Federal Banks for cooperatives.

FUNCTIONS OF THE CDC

The functions of the CDC would fall into six categories:

First. Neighborhood services and community improvement: basic education, child welfare, day care, preschool training, health, consumer education, home-ownership counseling, college placement asisstance, job finding, recreation, legal aid, and so forth.

Second. Owner of stock of business enterprises in the CDC area.

Third. Sponsor, owner, or manager of housing in the community.

Fourth. Advocate planning for neighborhood renewal, model cities, and so forth.

Fifth. Representation of community interests in other areas of public policy and concern.

Sixth. Encouragement of business, labor, religious and other voluntary participation in the self-help efforts of the community.

FINANCING OF THE CDC

The CDC would, once in operation, be financed by—

First. Earnings from affiliated businesses;

Second. Contracts for services, with private sector and government agencies, on a cost-plus-fixed-fee basis; and

Third. Grants from the community development fund, earmarked for charitable and educational purposes, which would not be subject to Federal tax.

In the initial stages of CDC operation, before any substantial ownership of commercial businesses is achieved, primary reliance would be on the contract mode, due to its lower capital requirements guaranteed profitably, and generation of capital. Later dividends from commercial businesses could become the primary source of CDC income.

DIRECTORS

The stockholders would choose nine CDC directors—plus two more for each 10,000 stockholders in excess of 25,000—for 1-year terms, or for staggered 2-year terms, as specified in the CDC charter. The charter would include provisions for insuring fair and democratic operation, such as secret balloting, adequate notice, open and regular board meetings, and proxy procedures. At the option of the community, it could also provide for a Federal structure of representation for distinct groupings within the area.

Regular open meetings of the entire CDC stockholding membership would be held at least twice a year, and a petition of 20 percent of the membership could force a special meeting.

All records of the CDC would be open to inspection by members and the disclosures of related transactions would be required. The directors would appoint the executive officers of the CDC and the members of the business management board and the directors of the Community Development Bank. The directors would be required to make an annual report to stockholders—and also file with the NCCCB—covering the CDC activities and operations of the previous year.

BUSINESS MANAGEMENT BOARD

The function of the business management board is to provide overall management to CDC-owned businesses. It will be required to set and maintain reasonable standards to insure that they avoid both excessive retention of earnings and irresponsible distribution of required operating funds. That is, the BMB would exercise the rights of CDC as stockholder for each business, but would insulate business management decisions from immediate interference by CDC directors and stockholders. The responsibilities of the BMB, and the area in which it would have full management discretion, would be set forth in the CDC charter, as approved by the NCCCB.

The board would have nine members, appointed by the CDC directors to serve staggered 3-year terms. No more than three of the board members could simultaneously be CDC directors. The members would be bonded for faithful performance of their duties like any other persons with comparable fiduciary responsibilities.

The board, acting for the CDC, would purchase and hold the stock of community businesses, elect directors, and exercise general stockholders' prerogatives on CDC's behalf. The funds to finance the acquisition of stock would be transferred to the CDC for its use, in accordance with the CDC charter. The board could distribute income to the CDC or allocate it to reinvestment, provided that no more than 80 percent or less than 20 percent is distributed to CDC.

Part C—Organization of Community Development Corps

A CDC may be organized in any geographic area, if the residents of the area so desire, so long as the area has between 5,000 and 300,000 residents 16 years of age or older and has either a rate of unemployment that is proportionately greater than the national average or a median family income that is proportionately lower, as provided in section 138.

Any five or more residents of the community area—the "incorporators"—may apply for a charter as a CDC by filing articles of incorporation and certain other documents with the National Community Corporation Certification Board—the "Board."

The act's organizational provisions are designed to guarantee to all the residents of any area in which a CDC is proposed, and to all representative groups thereof, a full and fair opportunity to participate in the process of organizing the CDC and influencing the direction that it will take once it has been finally chartered. Accordingly, the act provides that once one set of incorporators has taken the initial step toward the establishment of a CDC within a particular area a 60-day initial organization period must elapse before those incorporators may complete their application for a charter. During this initial organization period other sets of incorporators may take the initial step toward the establishment of competing CDC's within the same or any larger or smaller overlapping area and with the same or different goals. In this fashion, the act insures that all elements within an area will have equal opportunity to define the community and the objectives of the CDC that is proposed to be established.

Once the 60-day initial organization period has elapsed any such set of incorporators may complete its application for a charter as a CDC by filing its articles of incorporation and organizational certificate that will provide essential economic data with respect to the community proposed, and pledge cards personally signed by at least 5 percent of the residents of the proposed community.

The requirement that any such set of incorporators must at this stage submit pledge cards signed by 5 percent of the residents of that community is one of several organizational provisions designed to insure that there is community support for a CDC in any area in which one is proposed and that the residents of such an area actually consider themselves to be part of a community. Manifestly, any proposed CDC that cannot meet this threshold, 5 percent requirement should be eliminated at this stage and the act so provides.

Any and all CDC's proposed to be established in the potential community so-called, which is defined by section 135(a) as "the geographic area included within the combined perimeter" of the community proposed by the first set of incorporators and any other larger or smaller area proposed that includes any portion of the area first proposed, that satisfy the threshold 5 percent requirement and have otherwise submitted a proper application to the Board will ordinarily receive conditional charters not more than 30 days after the expiration of the initial organization period.

In order to further guarantee that there is support for a CDC in its community, the act contains further organizational requirements that all CDC's so conditionally chartered must pass. These further requirements are designed to disclose the largest geographic area in which there is community support for a CDC and to permit the residents thereof to determine by referendum which of the CDC's proposed to be established therein shall receive a final charter. If only one CDC has qualified to receive a conditional charter, it alone will be authorized to attempt to comply with the further organizational requirements of the act. However, not infrequently conditional certificates will be issued to more than one proposed CDC in more than one overlapping community and the act must provide a method of permitting the residents of these overlapping communities to determine the boundaries of the community that will yield a CDC with the broadest popular support.

The act's further organizational requirements can be best understood by observing that they are designed simply to permit the community to define itself and to create a CDC as it sees fit. These provisions may be summarized as follows:

First. A further 45-day organizational period follows the issuance of conditional charters to one or more proposed CDC's, during which they are required to submit, first, additional pledge cards to total 10 percent of the over-16 residents of the proposed community area; and second, satisfactory proof that at least 500 residents have actually paid in $5,000, in aggregate, for stock in the CDC. The act provides that sums so paid in to any conditionally chartered CDC are to be held in escrow by a State or National bank pursuant to an arrangement that will guarantee the return of such sums to those entitled thereto if the CDC does not receive a final charter. Any conditionally chartered CDC that fails to satisfy these requirements within the time allotted is forthwith to be dissolved by the Board.

Second. While this process is underway, the NCCCB assembled data and computes the development index of the area. This number, which is a measure of the economic development of the area, is the lesser of two ratios, either the ratio of national unemployment rate to the area's unemployment rate times 100, or the ratio of the Nation's median family income to the area's median family income times 100.

Thus, for example, if the unemployment rate in a proposed CDC area was 12 percent, and the national average was 6 percent, the first ratio would be 50—six-twelfths—times 100. If the Nation's median family income is $7,000, and that in the area only $4,000, the second ratio would be 57—4,000 to 7,000—times 100. The lesser of these ratios, 50, would be the development index of the area. A special bonus of five points would be subtracted from the computed development index of rural areas to provide special consideration for areas from which outmigration is contributing to urban tensions.

If the development index of a conditionally chartered CDC is greater than 90, the NCCCB would dissolve the corporation, as being too close to the national norm—100—to deserve special assistance.

Third, if only one such CDC satisfies these further requirements the Board, upon the expiration of the 45-day period, orders an election in the community the CDC has proposed at which the residents, whether or not shareholders, are asked whether they approve the final certification of that CDC. If a majority of those voting so approve that CDC receives a final charter; if not it is dissolved.

Fourth. If more than one such CDC satisfies the act's further organizational provisions a series of elections must be held in order to disclose an area in which a majority of the residents approve the establishment of a CDC and to determine which of the CDCs participating in such a referendum commands the greatest community support. The act is designed so that the first such referendum is held in the potential community and subsequent referenda, if any, are then held in the next largest community proposed by a conditionally chartered CDC participating therein. Such referenda continue until a CDC is finally chartered or it becomes clear that community sentiment opposes the establishment of a CDC in any of the proposed communities, in which case all are dissolved.

All such referenda are required by the act to be by secret ballot, and any resident who is 16 years or older is eligible to vote. The act states that no such referenda shall be valid unless at least 10 percent of the eligible residents actually participate. Clearly, if less than 10 percent of those eligible take the trouble to vote it can safely be assumed that real community interest in the establishment of a CDC is absent.

Subsequently, particular areas within or overlapping an area already served by a CDC may organize their own CDC, although the organizational requirements for such a latecomer are somewhat more stringent. The possibility of such subsequent organization should tend to encourage business aggressiveness and reponsiveness to community desires.

Upon final incorporation, the CDC receives a one-time seed-money grant equal to its paid-in capital at the time of incorporation. This both provides initial operating funds and equity capital for a community development bank, and an incentive for the broadest participation in the community.

Part D—Authorization of Appropriations

This part authorizes appropriations for the expenses of the National Community Corporation Certification Board, and for the initial matching grants to newly organized CDC's.

Title II—Community Development Banks

This title adds a new chapter 19 to the National Banking Act, authorizing the creation of community development banks—CDB's—to provide the financial services required by CDC's and the independent businesses in CDC areas.

ORGANIZATION

CDB's would be organized by one or more CDC's in a manner similar to that of ordinary national banks. The participating CDC's would hold all the voting stock and appoint the bank's directors. The banks could be chartered only in CDC areas with a population of 25,000 or more. They would not offer a full range of banking services, but would concentrate on business financing in the area and the provision of ordinary consumer credit to CDC stockholders.

EQUITY CAPITALIZATION

The equity capital of the CDB would be provided by the sale of the bank's stock.

Class A nonvoting stock could be sold to the Secretary of the Treasury as authorized in appropriation acts. It is contemplated that this would be done only in extraordinary cases, however. A franchise tax payable out of net earning, would afford a return to the Treasury on any investment cf Federal funds. Class A stock would not yield dividends.

Class B stock could be issued to any purchaser except the Federal Government and CDC's. It would also be nonvoting, but would be eligible for up to 6 percent noncumulative dividends. It is expected that private organizations, churches, foundations, associations, and businesses, and perhaps state and local governments, would purchase stock in this category. Class B stockholders would have an option to redeem their stock at par over a period of 5 years, after having held it for 5 years.

Class C stock could be sold only to CDC's. It would be voting stock, but would not be eligible to receive dividends. The CDB thus becomes a financial mechanism, but not a source of income, for CDCs.

DEBT CAPITALIZATION AND SECURITY

In addition to equity capital represented by stock sales, the CDB would raise further capital through the sale to the public of income bonds on a 20-to-1 ratio to paid-in capital and surplus. It is contemplated that this will be done through the U.S. Community Development Bank created by title III, which would have authority to issue consolidated CDB bonds much as the Federal intermediate credit banks issue consolidated farm credit obligations.

In addition to normal banking reserves and a guarantee fund, CDB income bonds would be further secured by CDB's option to call bond retirement funds from a special Federal Reserve guarantee fund. This fund would be capitalized from the excess earnings of the 12 Federal Reserve banks, as was the Federal Deposit Insurance Corporation in 1933. The Federal Reserve surplus would be deposited into the fund each year and invested in long-term U.S. Treasury securities.

The amount of the Federal Reserve surplus added to the fund each year would be sufficient, when carried forward at compound interest, to cover the aggregate income bond obligations of all CDB's at maturity on a 1 to 4 basis. If a CDB's financial position precluded immediate satisfaction of its obligations to bondholders when due, the CDB could call in capital from the fund, just as the World Bank can call in subscriptions from member nations to meet emergencies. This right would assure private creditors of prompt payment of obligations when due.

Assuming CDB's issue an aggregate $2 billion in income bonds in 1969, and that the Treasury securities held by the fund bear 4 percent interest compounded quarterly over 20 years, some $236 million of the Federal Reserve System's excess earnings would suffice to produce $500 million in capital—1 to 4 coverage—in 1989. The estimated Federal Reserve excess earnings for fiscal 1969 is in excess of $2 billion, of which the amount put into the fund would be approximately one-eighth. The entire $2 billion, if similarly used, would cover aggregate CDB income bonds of about $17.7 billion.

In case the aggregate amount of CDB obligations exceeded the amount that the Federal Reserve surplus could legally cover, and assuming Congress did not appropriate additional funds to extend the coverage, priorities would be established to insure that the bonds of the CDB's located in the poorest areas would be covered before those of more affluent areas.

EARNINGS

At the end of each fiscal year each CDB would apply its earnings in excess of operating expenses during the year to—in order: First, making up any losses in excess of its reserves and bad or doubtful debts; second, restoring the amount of impairment, if any, of its capital; third, creating and maintaining a reserve account for bad and doubtful debts; fourth, paying a franchise tax to the Treasury of up to 25 percent of the net earnings then remaining, not to exceed a rate of return on Treasury holdings of class A stock equal to the average annual rate of interest on all public issues of public debt obligations of the United States issued during the fiscal year ending next before such tax is due; fifth, paying dividends to other class A stockholders, at a rate not in excess of 6 percent; and sixth, purchasing stock in the U.S. Community Development Bank, the proceeds of which shall be used to retire any Government capital of that bank.

LOANS AND ELIGIBLE BORROWERS

The CDB may make loans and extend credit to eligible borrowers in a number of categories:

First, individual CDC stockholders—but not the general public—for normal consumer credit;

Second, small businesses in the community—partnerships, proprietorships, or corporations—which are at least 75-percent owned by resident CDC stockholders;

Third, small business concerns in the community owned less than 75 percent by CDC stockholders but whose owners have agreed to give the CDC the right of first refusal if the business is to be sold;

Fourth, subsidiaries of the CDC itself—at least 51 percent CDC owned;

Fifth, an outside corporation which has entered into a turnkey agreement with a CDC;

Sixth, a cooperative, at least 75 percent of the members of which are CDC stockholders; and

Seventh, a nonprofit, limited dividend or cooperative housing sponsor operating in the community.

LOAN TERMS AND LIMITATIONS

Business loans may be made only to eligible borrowers, and only when such borrower has demonstrated his capacity for managing the business—as evidence by previous business performance—or has entered into a satisfactory technical assistance and/or training contract, under a turnkey arrangement or otherwise. Such loans may be made up to 90 percent of required capital, with up to 20 years for repayment. Housing sponsors in the community could obtain short-term, market-rate financing for front money, and where funds are not otherwise available for construction loans.

The CDB charter would include a statement of policy emphasizing CDB's responsibility to make capital available to promising but inexperienced borrowers, or for unorthodox business ventures, which would, if successful, yield significant benefits to the community.

The CDB would be fully authorized to make participation loans with regular commercial lenders to eligible borrowers, and its policy would be to seek to arrange such participations wherever possible.

The CDB would not be authorized to issue or deal in securities, engage in acceptable financing, sell insurance, offer credit cards or make credit guarantees. Its main purpose is to channel capital to businesses; its secondary purpose is to provide normal banking services to individual depositors within the community. It is not expected that the CDB would tie up its capital in mortgage loans, except under extraordinary circumstances.

CONFORMING AMENDMENTS

Sections 202 to 206 of the bill amend various provisions of other acts to facilitate the operation of the community development banking system.

Title III—U.S. community development bank

The purpose of this title is to create a U.S. Community Development Bank to serve as a secondary financial institution and as a source of technical, managerial and financial expertise to CDB's, and to promote the economic development of communities and areas where no CDB has been established. In the former respect, the USCDB would stand in relation to local CDB's as a Federal intermediate credit bank stands to production credit associations, or as a Federal home loan bank stands to local savings and loan associations. In the latter respect, the bank would resemble the World Bank and International Development Association.

This title would authorize the incorporation of the USCDB, which would not be an instrumentality of the U.S. Government. The President of the United States would appoint the incorporators and first board of directors. Six directors would always be Presidential appointees; the remaining twelve, initially Presidential appointees, would later be elected by CDB's holding stock in the bank. A community advisory committee, composed of from 15 to 21 persons from CDB and similar areas served by the bank, is created.

CAPITALIZATION

Class A stock of the USCDB would be purchased by the Secretary of the Treasury. It would be nonvoting stock and would not be eligible for dividends. Of the $2 billion of class A stock the Secretary is authorized to purchase, $1.5 billion would be specifically authorized by appropriation acts. The remaining $500 million could be purchased by the Secretary out of public debt proceeds only upon call of the bank to meet an emergency situation. This $500 million call feature, analogous to similar provisions in the Federal home loan bank statute and the World Bank charter, provides the security to creditors.

Class B stock in amounts up to $2 billion may be bought and held by any person or organization other than the Federal Government. Dividends of not to exceed 6 percent can be paid on this stock which shall have voting rights. At the end of each fiscal year, each CDB would be required to buy class B stock in the USCDB in an amount equal to its entire net earnings after meeting other requirements of title II. Whenever a CDB purchases such Bank stock, the Bank is directed to redeem an equal amount of class A stock held by the Secretary of the Treasury, at the Secretary's request. From the funds so received, the Secretary is directed to retire an equal amount of public debt.

BONDS AND INDEBTEDNESS

The Bank is authorized to issue and/or guarantee bonds, debentures, and other certificates of debt, up to an amount equal to five times its paid-in capital and surplus. In addition, it is authorized to issue consolidated bonds backed by CDB bonds, up to an amount equal to 10 times its paid-in capital and surplus. In addition, it is authorized to issue consolidated bonds backed by CDB bonds, up to an amount equal to 10 times its paid-in capital and surplus; this authority is intended to relieve local CDB's of the problems associated with entering the securities market.

FUNCTIONS

The USCDB is authorized to—

First, serve as a secondary banking institution for CDB's, through discounts, notes, loans, advances, and so forth;

Second, make, participate in, or guarantee loans for business and commercial facilities, or public development facilities, in low-income areas designated as "investment areas" by the Secretary of Labor;

Third, provide interim financing for construction of such facilities;

Fourth, plan, initiate, own, and manage such facilities until a suitable buyer can assume ownership;

Fifth, provide management training and technical and other supportive assistance to CDB's and other borrowers; and

Sixth, create investment opportunities by bringing together facilities, capital, and management.

The USCDB may establish branch offices to facilitate its activities.

EARNINGS

The net earnings of the USCDB shall be applied as follows:

First, to restoring any impairment of capital;

Second, to creating and maintaining a surplus account;

Third, to paying a franchise tax computed with reference to the amount of class A stock outstanding;

Fourth, to establish contingency reserves;

Fifth, to declare dividends on class B stock, up to 6 percent; and

Sixth, to retire class A stock held by the Treasury.

This retirement feature, built into the Federal farm credit system as early as 1916, assures that eventually all Government stock will be retired and the banks will be wholly owned by CDB's and other private stockholders.

MISCELLANEOUS

A number of operating principles are set forth, along with certain limitations on financing. An annual audit and report by the General Accounting Office is required, as is an annual report to Congress and the President. Technical amendments permit the participation of national banks as CDB stockholders.

Title IV.—Tax amendments

Part A—Community Development Corporations

Community development corporations, as business corporations, are subject to the provisions of the Internal Revenue Code. Since the purpose of the Act is to permit the use of business profits for social service programs under the control of the people of the community, instead of routing the tax revenues to Washington and then back in the form of grants, three special amendments are added to the Code. These amendments liberalize the tax treatment of CDC's until such time as the CDC area achieves a development index equal to the national average and maintains it over a period of 5 years.

First. Under present law a corporation pays a basic 22-percent income tax rate on all its taxable income. In addition, the Code imposes a surtax of 26 percent on taxable income in excess of $25,000. The $25,000 amount is known as the surtax exemption. A group of corporations, all of which are owned by a parent corporation—in this case, the CDC—have a choice in filing their returns: they can either file a consolidated return and use only one $25,000 surtax exemption for the group; or they can claim the exemption for each member corporation and pay a basic income tax rate of 28 percent, 6 percent over the normal rate. This bill would amend section 1563 of the Code to permit a group of CDC subsidiary corporations to retain all the individual surtax exemptions without paying the additional 6-percent tax.

Second. To effect the purposes of the act, the tax rates and surtax exemptions for CDC subsidiaries are liberalized, depending on the development index of the CDC area—see title I, part C. This tax treatment is available only to corporations wholly owned by a CDC or by an employee trust; hence no benefits from the tax treatment flow into individual pockets. In the case of an area at the national norm for unemployment and family income, no tax advantages would accrue. At the other extreme, CDC subsidiaries in a desperately poor CDC area would be eligible for a basic tax rate of zero percent on the first $50,000 of taxable income, 6 percent on the second $50,000, 12 percent on the next $50,000, and 22 percent—the basic rate—on amounts in excess of $150,000. In addition, CDC subsidiaries in the desperately poor area could claim a surtax exemption of up to $200,000. Less-poor areas would get reduced benefits in accordance with their development level. The surtax would remain at 26 percent for all corporations.

Third. Ordinarily, subsidiary corporations can pass dividends to their parent corporation, which can then deduct 85 percent of such dividends from its own gross income. An amendment to section 243 of the code permits the CDC to deduct a full 100 percent of its dividend income from subsidiaries.

Part B—Turnkey Tax Provisions

The purpose of these amendments is to encourage major businesses to establish profitable plants or facilities in CDC areas, to train community residents to manage and work in them, and eventually to divest them entirely to CDC ownership and management.

The outside company and the CDC would enter into a turnkey contract, specifying the obligations of both parties, and setting forth such items as a description of the productive facility, the training of CDC personnel to manage the business, the timetable for sale, and so forth. To make a turnkey contract attractive to an outside corporation, six amendments are made to the Internal Revenue Code.

First. The turnkey contractor can elect rapid amortization of the turnkey facilities, depending on the development index of the CDC area involved. This provision parallels the rapid tax amortization program for defense investment during and after the Korean war, and the similar provisions for amortization of grain storage facilities, reenacted by Congress in 1953. In desperately poor areas, turnkey facilities could be amortized in as little as 36 months.

Second. Ordinarily, when a corporation claims an investment tax credit toward the cost of machinery and equipment, and then sells the machinery or equipment, the corporation is subject to a tax credit recapture provision. A turnkey contractor, however, could sell the turnkey facility to a CDC and not be subject to recapture of the investment credit.

Third. The turnkey contractor could claim an additional tax credit of 10 percent of the wages and salaries of CDC stockholders employed in the turnkey facility. This credit, patterned after the Human Investment Act now before Congress, would extend to investment in employees the same tax advantage given to investment in machinery. The higher rate of the credit—10 percent versus 7 percent—is due to the impermanence of the investment in human skills as compared to that in tangible property owned by the company.

Fourth. Upon selling the turnkey facility to a CDC, the turnkey contractor would normally incur a capital gain subject to tax. Under the bill, if the proceeds of the sale are reinvested in another turnkey operation or in class B stock of a CDB, the capital gains are not recognized for tax purposes. This provision, designed to encourage continuous investment in turnkey projects, is analogous to transfer of basis upon selling an old home and buying a new one.

Fifth. When a turnkey contractor has elected rapid amortization of depreciable property, and then sells the property to the CDC, he would ordinarily be subject to a tax recapture of the benefits of the rapid amortization. The bill provides that when a turnkey sale results in nonrecognition of capital gain, by virtue of reinvestment in another turnkey project, then the recapture of depreciation is limited to the recognized gain only.

Sixth. To encourage the turnkey contractor to continue to assist the management of the turnkey facility even after its divestiture of CDC ownership, the bill provides for a sustained profitability tax credit, equal to 15 percent of the profits generated from the operation of the turnkey facility for 5 years after sale to the CDC.

Part C—Miscellaneous Tax Provisions

An additional tax feature of the bill includes three changes to facilitate the financing of CDC subsidiaries by employee benefit trusts. One would make it clear that an employee trust may borrow funds to purchase the stock of a CDC subsidiary without jeopardizing the trust's "exclusive benefits" status or conflicting with present tax regulations. A second would permit such a trust to distribute income currently to its employees, as an immediate profit-sharing incentive. A third change would protect the tax deductible status of CDC subsidiary contributions to employee trust, notwithstanding the fact that the contributions are used to repay a bank loan.

Finally, reporting requirements are included to facilitate Treasury analysis of the actual costs in foregone revenue of the turnkey and the CDC programs. The purpose of this is to ensure the availability of subsequent cost-benefit studies as needed for congressional review.

Title V—Miscellaneous amendments

Part A—Small Business

This part makes two minor amendments to the small business title of the Economic Opportunity Act, and adds an important new section to provide technical and management assistance and training to CDC and turnkey facility personnel.

Section 501 amends the purpose clause of title IV of the Economic Opportunity Act to include CDC's among the business concerns to be strengthened and aided by the act.

Section 502 provides for the coordination of loan applications by business borrowers located in CDB areas. It adds a proviso to subsection 402(a) of the Economic Opportunity Act which prohibits economic opportunity loans to borrowers in CDB areas until their loan applications have been turned down by the CDB. The purpose of this amendment is to require business borrowers to work through the local CDB wherever possible.

Section 503 adds an important new section to the Economic Opportunity Act. It authorizes the Small Business Administrator to make grants of up to 90 percent of the costs of technical and management assistance and training programs contracted for by CDC's or their subsidiaries. The grants may be made for, among other things: First, the identification and development of new business opportunities, joint ventures, and turnkey agreements; second, market surveys and feasibility studies; third, organizational planning and research, including analysis of capital structure and requirements, costs and taxes, labor force availability, site evaluation, local government relations, and available governmental assistance; fourth, plant or facility design, layout, and operation; fifth, marketing and promotional assistance; sixth, business counseling, management training, and legal and other related services, with special emphasis on management training using the resources of private business, and of sufficient scope and duration to develop management expertise within the corporation; and seventh, encouragement of subcontracting to CDC's by established businesses, and cooperative efforts to train and upgrade CDC personnel.

Using the proceeds of the grant, the CDC would enter into a contract with a firm, company, organization, educational institution, or governmental agency of its choice to obtain the specified assistance and training. The Small Business Administration could itself provide the assistance on a reimbursable basis, using its own personnel, if the CDC so decided. Provision is made for careful evaluation of the management or technical assistance provided by the contracting firm or agency. The President is authorized to transfer the program to the Department of Commerce if he sees fit, as with title IV of the Economic Opportunity Act.

Part B—Other Provisions

Section 511 requires the Secretary of Labor to collect and compile statistics on subemployment in the Nation, with the goal of eventually using this more sophisticated concept in the computation of the development index used in this act.

Section 512 amends section 701 of the Housing Act of 1954 to permit State planning agencies to provide assistance to CDC's in urban area planning, using 75 percent Federal matching funds.

Section 513 amends section 312 of the Housing Act of 1964 to permit the Secretary of Housing and Urban Development to make home and business rehabilitation loans in CDC areas, as well as in urban renewal areas and concentrated code enforcement areas, retaining the present provision that funds must be unavailable on reasonable terms from local sources.

Section 514 amends the Economic Opportunity Act of 1964 to permit the designation of CDC's as community action agencies, but prohibits community action grants to CDC's which have elected to be treated as normal business corporations, distributing dividends to stockholders.

A Projection of Costs for the Community Self-Determination Program

(Prepared by Matthew Edel, Peter Bohmer, and Chester Fenton, Department of Economics, Massachusetts Institute of Technology)

These cost estimates and projections are based on the proposed Community Self-Determination Act, introduced in July, 1968 by a large group of Republican Congressmen. The program is designed to raise the economic levels, the local initiative, and the degree of local control of decision-making in low income communities. This paper constitutes an attempt to estimate the costs associated with the program, using three sets of assumptions.

I. METHOD OF ESTIMATING COSTS

An approximate estimate of the costs of the Community Self-Determination Program to the public sector during the first three years of its operation can be made, based on a limited number of considerations which will be presented here. These considerations include the magnitude of the program, which might be limited either by a curtailment of the financial or structure incentives included in the present proposal, or by the "absorptive capacity" of the target communities—their ability to form community corporations and prepare plans for income producing enterprises which could be undertaken. They also include the approximate capital requirements for projects of different sizes (with size defined by estimates of jobs to be created), the administrative costs of the program, and the extent of Federal participation. An additional consideration may be the extent of job-training investment by the government

These estimates do not include the possible losses to the government of tax revenue from businesses formerly owned by private corporations which may be purchased by community corporations and thereafter at lower rates, nor do they include estimates of offsetting revenue from lowered welfare payments or increased tax revenue stemming from newly-created employment in enterprises originated by community development corporations. These two items become large only after the first three years of the program, and, as illustrated by the long-run calculations in the second part of this paper, the increased revenues are likely to exceed the revenues losses, so this item need not be considered an additional cost.

In table 16, three possible three-year projections are made. The accompanying instructions permit alternate projections by the use of varying the assumptions.

The first line of the projection gives the number of new Community Development Corporations expected to be created in each year. A breakdown by urban and rural corporations is given. The first projection assumes the establishment of 450 corporations in the first three years. We regard this as an optimistic prediction, but one which would be entirely possible if the community development program were enacted at the beginning of FY 1970, with full national discussion having made most poor communities aware of the program by that time. Certainly in the two hundred or so cities where CAP programs are operating, and within these sometimes in several separate neighborhoods (eg, in New York, Harlem, Spanish Harlem, Bedford-Stuyvesant, South Bronx, Lower East Side, etc.) there are some self-help organizations already functioning which could become the nucleus of community development corporations. We presume, in this estimate, that there would be a slump in the number of new CDCs the second year, after the obvious neighborhoods organized, and then a new increase the third year as low-income White neighborhoods began to take advantage of the program as well, and as CDCs also formed in smaller cities.

Rural development will obviously begin more slowly. In the long run, several hundred more communities than we have indicated might form community corporations, but, if anything, the estimate we give might be an upper limit. Accordingly, projection II assumes a smaller program during the first three years, Projection III uses the same absorptive capacity limit as projection I, but as will be seen, suggests that if costs are higher capital limits may limit the number of jobs. The reader may try other projections.

The second set of items projected is the number of jobs. We suggest that this number be loosely related to the number of communities in which it is expected that corporations can be formed. Obviously programs of different neighborhoods will vary in scope, but we feel that in many of them, up to five thousand jobs (maybe more in Harlem or Watts) may be projected. Rural projects and some urban ones will be much smaller. So we suggest that the projection, during the first year, be for fewer than 1,000 jobs per community (jobs including the eventual number of persons to be employed in businesses constructed or purchased that year, and including also therefore both new employment and employment of people in pre-existing jobs transferred to community ownership.) In the second and third years, up to 2,000 jobs for new CDC might be estimated, but some of the jobs would be provided for in CDCs formed in earlier years. In the three-year period, in total, we suggest the total number of jobs estimated not exceed 1,500 per CDC. (The projections we use are (I): 650,000 jobs for 450 boards; (II): 350,000 jobs for 300 boards; and (III): 433,333 jobs for 450 boards. This low third projection corresponds to a projections of limits on funding available, given higher costs.)

The third estimate made is of capital costs, either in new investment or in purchase of pre-existing assets by CDC enterprises. We make the following assumptions: Annual value added per man in the private sector varied in 1965, between 6,600 dollars in services and 22,000 dollars in finance. The figures for trade and manufacturing are $7,700 and $9,400 respectively (computed from *Survey of Current Business.*) It is a safe estimate that value added per worker employed on a full-time equivalent basis in the CDC enterprises will be $10,000 at maximum. The ratio between capital and value added may be multipled by value added per worker to give capital requirements per worker.

This capital output ratio we discuss in some detail in section IV of this paper. It is a crucial figure for these estimates. If careful selection of investments is made, it can be kept as low as 2.0 or even lower. This estimate is used in projections I and II, where multiplying this ratio by the $10,000 value added worker figure, a capital requirement of $20,000 job is estimated. In projection III, however, we take account of the possibility of a higher capital/output ratio of 3.0, which would require up to $30,000 investment per job. Given this higher cost, and the estimate that total investment not exceed that of projection I because more private investment might not be forthcoming, we arrive at the figures for the number of jobs projected in the third set of estimates.

The remaining lines of the estimates depend on the estimates of investment and of employment already made. They are computed in the following way.

Escrow Contributions: $114 million per $1 billion of new capitalization. This money is sequestered by the Federal Reserve out of its excess earnings to hold in government bonds earning interest at 4% over a twenty-year period. At the end of this period the sum will have grown, using annual compound interest, to $250,000,000 coverage of one-fourth of the private investment, as required in the proposed legislation.

USCBD: The contribution Federal Government to the U.S. Community Development Bank takes the form of stock subscription which will be returned in later years. Two hundred million dollars a year is estimated; this figure might be increased or decreased depending on Congressional action.

Matching Grants: The government will initially match the amount of CDC capital raised by community shareholders. We assume the contributions will be close to a million dollars per CDC organization, since there does seem to be something of a pool of capital available in the majority of major urban neighborhoods (note the experiences of groups like NEGRO.) However, this figure might be much lower. For legal recognition, at five dollars a head from 10% of the adults in a neighborhood being organized, as little as ten thousand dollars per CDC might be all that is mobilized.

Administration: This costs OEO seventy-five million dollars a year. Our estimate is that the Community Corporation Certification Board will cost no more than ⅔ of the amount. Even this might be an overestimate of costs, since the CCCB is a ministerial board and not an operating agency like OEO.

Management On-the-Job Training: Government will have to support training for personnel for community development enterprises. The cost of management OJT has been about three thousand dollars per man in some existing operations; we estimate it as higher in the CDC case, and predict a five thousand-dollar per man figure. It is necessary to make some estimate of what proportion of the jobs created will be managerial. Due to the high number of small firms within some parts of the program, especially in services, the number may be as high as ten percent of total number of jobs. So this figure is equal to number of jobs *times* one-tenth *times* $5000 in each year.

Worker OJT: The cost of MDTA on-the-job training will be about $1500 per man. It is necessary to make some estimate of the percent of workers requiring this training. We estimate twenty percent of the workers, but the reader may wish to recalculate using higher figures.

Conclusion: On the basis of these costs, and the assumptions already made that new tax revenues and diminished welfare expenditure will approximately offset tax losses, we estimate the total government expenditure in each of the first three years (FY's 1970, '71, & '72) as never exceeding $1.5 billion. In each of the first two years, under all three projections, it is less than $1 billion. Under the projection of a smaller program, it is less than $1 billion even in the third, most expensive year. Under the assumption of Projection I which we term optimistically large, but remotely possible, the cost to the government would be $658 million, $966 million, and $1478 million in the three years. We elaborate this projection further in later sections of this paper. Other estimates with a higher capital/output ratio would involve less government spending for a given amount of private investment (Projection III), but would have lower benefits. (See Table 1.) The reader may substitute other assumptions to deprive alternate figures. We doubt that any reasonable figures could, however, yield an estimated cost much above $1.5 billion to the Federal government in any year, and the cost would almost certainly decrease in succeeding years.

TABLE 1.—COST PROJECTIONS

	Projection I—Optimistic but possible			Projection II—Smaller program, same cost per job			Projection III—Same investment as I but more capital per man required		
Year	1	2	3	1	2	3	1	2	3
Number of CDC's:									
(New)	150	125	175	75	100	125	150	125	175
Urban	100	75	75	50	50	50	100	75	75
Rural	50	50	100	25	50	75	50	50	100
Number of jobs worth of investment	100,000	200,000	350,000	50,000	100,000	200,000	66,666	133,333	233,333
Capitalization:									
At $20,000 per job (billions)	$2	$4	$7	$1	$2	$4	$2	$4	$7
At $30,000 per job									
Escrow contributions (millions)	$228	$456	$798	$114	$228	$456	$228	$456	$798
USCDB	200	200	200	200	200	200	200	200	200
Matching grants	100	100	150	50	75	125	100	100	150
Administration	50	50	50	50	50	50	50	50	50
Management OJT	50	100	175	25	50	100	33	67	117
Worker OJT	30	60	105	15	30	60	20	40	70
Total cost (millions)	658	966	1,478	454	633	931	531	913	1,385

E. G. & G. ROXBURY, INC.

(Prepared by Dean R. Ericson, Massachusetts Institute of Technology)

EG&G Roxbury, Inc. (ERI) represents an effort by a large non-ghetto corporation to contribute to the solution of the unemployment and underemployment problems in Boston's ghetto. ERI also represents a response to the needs of the ghetto community for self-determination by including provision for management and staff from the Black Community, employee ownership, and, over a specified period of time, EG&G's reduction of its interests in ERI to that of a minority shareholder.

I. PROJECT HISTORY

EG&G, Inc., is an electronics research and engineering corporation, operating in Boston for 20 years, whose diversified activities include electronic and scientific instrument and product development, a broad range of technical services, and field operations management. EG&G employs over 9000 people.

EG&G's extensive background and involvement in training programs for the unemployed, military customers, and its own employees, its position as an equal opportunity employer, and its participation in the Plan for Progress give it a very real awareness of the problems of ghetto unemployment. As a result of this background and the attention focused on the urban ghetto after the Summer 1967 disturbances, a number of EG&G personnel became convinced that EG&G should augment its existing efforts at promoting the economic development of ghetto residents.

Thus, in the fall of 1967, an eight man "new venture" committee was formed, four of its members from the White Community and four from the Black Community, to consider the establishment of an EG&G subsidiary in the Roxbury area, along with related questions concerning product, ownership, skills, development, and employee career progression.

As a result of a number of format meetings, seven dozen informal meetings with leading representatives of the ghetto community, and trips to observe the operations of existing ventures throughout the country, it was decided that EG&G would make a significant investment of time and money to establish a ghetto-based subsidiary.

To this end, and after determining that utilization of existing EG&G product capabilities was not possible, EG&G on February 19, 1968 purchased the E. Van Noorden Company, a metal products manufacturer with plants in Roxbury and Quincy, Mass. The existing Roxbury personnel and operations were consolidated in Quincy and the Roxbury manufacturing subsidiary was remained EG&G Roxbury, Inc.

At this point, the prominent characteristics of this enterprise were, as they had evolved through the efforts of the "new venture" advisory committee:

1. the business was located within the ghetto community.
2. ghetto residents participated in the enterprise from its inception and throughout the initial planning stages.
3. there was provision for equity participation with the prospects of eventual majority ownership for ghetto residents.
4. management and staff came from the ghetto community.
5. strong emphasis was placed on the employment of the unskilled, hard-core unemployed, and programs for their training and upgrading of their skills. In this respect, unemployables were screened in rather than screened out.

II. OWNERSHIP

EG&G announced its acquisition, on Feb. 19, 1968, of the name and assets of the E. Van Noorden Co. for an undisclosed amount of EG&G common stock. EG&G then established its Roxbury branch of Van Noorden as EG&G Roxbury, Inc., including options therein for an initial offering of 20% of ERI stock to employees and management. In addition, EG&G's involvement in ERI is expected to diminish as follows: after 5 years, 50%; after 10 years, 40%; after 20 years, 25%.

The first public sale of stock will be at the five-year point. It is anticipated that, at this time, ERI will be economically viable and that the citizens of Roxbury, as well as ERI employees will be willing to increase their interest in the company.

Bertram Lee, Vice President and General Manager of ERI, estimates that ERI must take in $3 million in sales during its first year of operation in order to show satisfactory potential and, thus, motivate the desired community interest and investment.

III. MANAGEMENT

Following the concepts of self-determination and independent economic development, ERI is managed and staffed almost entirely by residents of the black Community.

The single exception is ERI's President, Mr. Edward J. Finn, EG&G's corporate director of administration and the man responsible for EG&G's overall ghetto improvement activities. His is a temporary appointment and, as he states, "The success of the company will dictate the speed of my departure as president."

From March, when it announced the formation of ERI, to June 1968, EG&G concentrated on recruiting managerial talent for ERI. This effort met with considerable success as competent Black businessmen were placed as Vice President and General Manager, Operations Manager, and Manager of Personnel and Training.

In addition, Black members of both EG&G and Van Noorden are being given the opportunity to participate in ERI.

IV. MANAGEMENT TRAINING

The development of the ERI management team will be through a Management Intern Program.

To this end, additional EG&G and Van Noorden staff members are initially providing managerial, marketing, and technical skills, advice, and training for ERI staff and management. No formal program has been set up and assistance is given on a "need" basis and only when asked for.

V. PRODUCTION WORKERS

ERI is presently training the first of two groups of 64 men who will eventually become full-time ERI employees in drafting, welding, or metal working.

These trainees are chosen from a labor pool created through the efforts of Action for Boston Community Development, Inc., and other local community organizations. A trainee will be selected from this pool using the following criteria:

1. He must meet the definition of hard-core disadvantaged.
2. he must possess the ability to be a trainee and thus be amenable to training.

Criterion #1 is very easy to fulfill since a definition of hard-core unemployed has been explicitly delineated by the Department of Labor.

Criterion #2 will be applied to the individual through subjective staff evaluation recommendations, the individual's expressed desire to participate, and performance throughout the training period. Previous work experience, education, and arrest and conviction records will not be considered in this selection process.

VI. TRAINING

Each trainee will participate in a six-month training program, the goals of which are to elevate the educational and social level of the trainee, provide and sustain training in drafting, metal working, and welding, and furnish the counselling and guidance necessary for each employee to continue his development toward his maximum vocational potential.

The program is designed to meet the diverse needs of the trainees by accommodating itself to each man's academic abilities and skills level. In addition, basic and continuing classroom instruction will interact with vocational instruction to strengthen both and to make the entire program more meaningful to the trainee.

EG&G has received a training grant from the Department of Labor under the MA2 program which will pay about $2000 per man for training. With the anticipated attrition rate, 150–180 will be trained for the 128 places available. If more than the estimated 128 complete training, jobs will be made available for them. The $2000 figure covers training costs for each man until he reaches a satisfactory level of productivity and is put on the regular company payroll and, in addition, will pay each man $80 per week while he is trained.

VII. PRODUCT AND MARKET

ERI's product choice was limited to one with a high labor/sales ratio in order to supply the needed community employment opportunity. In this regard, it was determined that the light to medium metal fabricating industry afforded the type of career growth environment necessary for the success of the venture. This choice subsequently led to the acquisition of E. Van Noorden & Co.

Generally, a company which establishes a ghetto-based operation has been in a position to purchase a significant portion of the firm's output thereby providing a guaranteed market during the firm's start-up period. EG&G, being a non-consumer oriented operation, unfortunately cannot offer this initial market advantage. Thus, ERI, at this point, is in a very critical position while seeking large, profitable markets for its products.

Negotiations presently under way with three major companies which are expected to result in the establishment of the needed markets for ERI's products. In the meantime, ERI is working on part of a Van Noorden order backlog and EG&G will buy a limited amount of product.

Bertram Lee commented that there are three big problems which they continually encounter in trying to sell ERI to these potential customers:

1. Customers are loath to contract with an untried, inexperienced supplier. They would rather let someone else be the first ERI customers and contract with ERI themselves once it has a reputation and experience.

2. Government and certain industry contracts contain very rigid design specifications and tolerances which might be difficult for a new firm to meet.

3. ERI has to be careful not to jeopardize Van Noorden's product line.

ERI *does* have one advantage in negotiating with potential customers. This is its flexibility (ability to adjust to customer needs) as a result of its not yet being in operation.

THE GENESIS OF EG&G'S INVOLVEMENT

EG&G's involvement has proceeded in stages.

(1) EG&G complied with the Equal Employment Opportunity Act and, along with many other corporations, included the customary "We are an equal opportunity employer" in their recruiting efforts.

(2) This "neutral" action on the part of industry was replaced when it became obvious that an affirmative corporate commitment was needed. In this regard, EG&G actively solicited disadvantaged people and ghetto residents in its recruiting efforts.

(3) In addition, preferential treatment (in the form of in-plant training programs) was attempted. Problems arose here, though, because employees in many instances could not get to the suburban plant sites.

(4) The next step was to put the plant where the people were. This natural culmination of the evolutionary process outlined above was hastened by a new awareness of the increasingly critical nature of the situation. In particular, EG&G saw that Aerojet General's efforts in Watts had an ameliorative effect and the conclusion was reached that EG&G might do the same thing.

EG&G officials stress that the company's involvement was not the idea of one man but a distillation of many diverse ideas within a flexible organization.

SUMMARY

As a state of the art company EG&G wants to be a leader in applying business and industrial techniques to contemporary socio-economic problems.

EG&G has found that the ghetto is receptive to a company which wants to operate at a profit there and it expects to earn a profit from its involvement with ERI, although, admittedly, not as great as it could earn elsewhere.

The challenge for EG&G is to show that a company *can* earn a profit in the ghetto and that there is a great untapped and productive labor force among the ghetto residents.

An understanding of the mentality of EG&G is, naturally, important to an understanding of their decision to undertake this project. As a scientific, state of the art company they have a strong will to solve current problems.

In summary, then, EG&G is not investing in ERI out of purely altruistic motives. It *does* expect to earn a profit but this desire is tempered by altruism and, more importantly, the EG&G problem-solving mentality.

Excerpts From Remarks of Senator Jacob K. Javits on October 23, 1967, in Introducing S. 2572, a Bill To Establish a Domestic Development Bank

Mr. JAVITS. Mr. President, I introduce, for myself and Senators ALLOTT, BOGGS, BROOKE, CARLSON, CASE, COOPER, DOMINICK, GRIFFIN, HATFIELD, JORDAN of Idaho, KUCHEL, MURPHY, PEARSON, PERCY, PROUTY, SCOTT, TOWER, and YOUNG of North Dakota, a bill to establish a Domestic Development Bank to assist in the development of employment and business opportunities in certain urban and rural areas.

* * * * *

THE DOMESTIC DEVELOPMENT BANK

First. The heart of the problem—unemployment and lack of business opportunity. The problems of unemployment and lack of business opportunity are the touchstones of this legislation.

We have been aware of massive and chronic unemployment in this country for some time, but a series of 10 Labor Department slum surveys conducted in November 1966, gave us a first clear idea of the staggering dimensions of the problem. These surveys showed that the unemployment rate in these areas was about 10 percent, or three times the average for the rest of the country, and that "unemployment—or subemployment—in city slums is so much worse than it is in the country as a whole that the national measurements of unemployment are utterly irrelevant." Moreover, there is evidence that the situation is deteriorating—the Labor Department reports that "social and economic conditions are getting worse, not better, in slum areas."

The second fundamental problem, one which we have tended to overlook in terms of Federal programs, is the lack of involvement of the rural or urban poverty area resident in the ownership and management of the business community which serves him. The riots have shown us the depths of this alienation and resentment in the cities as white-owned stores were burned and looted while "soul brother" establishments were spared. Though he is tragically mistaken, the slum Negro sees himself as having no stake in the economic life of his community and no realistic possibility of becoming a part of it—hence there is no community morality against destroying it.

We pride ourselves on our system of private enterprise, secure in the belief that where everyone shares in the responsibilities and benefits, all will remain guardians of the system and will prosper. We must now ask what we are prepared to do to insure that all groups do in fact participate and have a stake in the preservation of the economic system. We must now seek to train and assist men to become owners and entrepreneurs in our society with as much vigor as we are now training them to become other people's employees.

Nor is small business ownership important only for the city slum residents—in depressed rural areas too, the development of small business opportunities would aid to stabilize the local economy, check outmigration, and offer a kind of economic opportunity heretofore denied to the rural poor.

Statistics on this problem of lack of business opportunity are hard to come by, particularly in rural areas, but the Interracial Council or Business Opportunity, which provides technical assistance to minority group businessmen, has developed the following data:

New York City, with a Negro population of about 1,100,000, has only about a dozen Negro-owned or managed enterprises employing as many as 10 persons;

Over half of Newark's 400,000 residents are Negroes, but only a little over 10 percent of its 12,172 licensed businesses are Negro owned;

In Los Angeles, with an estimated 600,000 Negro residents, there are 131,039 licensed businesses of which almost an invisible fraction is owned by the Negro minority;

In Washington, D.C., where 63 percent of the citizens are nonwhite, only 13 percent of the businesses are owned by Negroes;

The Department of Labor's statistics show that of the 3,000,000 self-employed persons in the United States, only 70,000 or less than 3 percent, are nonwhite;

According to a Fortune article, from 1950 to 1960 there was actually a decline of one-fifth in Negro ownership and operation of business enterprises.

The Interracial Council for Business Opportunity concluded, after reviewing this data, that "violent appeals will be less likely to occur in communities where the stabilizing influence of a successful Negro business class exists."

Second. The role of economic development: It is apparent that if the forces that stimulate business formation and location could be put to work in or near poverty areas, we would have a technique which at one time strikes at both unemployment and lack of business opportunity. Under such an economic development strategy, the aim would be to create businesses which would be both job producing and which would open presently closed doors to business ownership for residents of urban and rural poverty areas.

We cannot, however, rely upon present private market forces and the continued growth and prosperity for the average citizen to solve the problem of rural and urban poverty. For, as the Department of Labor slum survey concluded:

"No conceivable increase in the gross national product would stir these backwaters."

And, in fact, present trends in economic development are contributing to a worsening of the situation, for businesses are leaving the core cities and the depressed rural areas.

Between 1954 and 1965, almost two-thirds of all new industrial buildings and a little over half of all new stores were constructed outside the central cities. In some cities, the flight of new construction was even greater—rising in Los Angeles to 85 percent of the new industrial buildings and 63 percent of the stores.

A report entitled "Program Planning for Economic Development," prepared by the Economic Development Administration, projected employment, income and population changes for each county in the United States and concluded that by 1975—

"Even if all the labor force absorbed by expanding job opportunities in suburban and outer-ring counties comes from the central cities, 9.8 percent of the population of the 25 largest metropolitan areas still must either migrate to smaller, rapidly growing counties or find jobs at home not projected by our analysis. This 9.8 percent is an enormous figure in absolute numbers—7.1 million persons (or 2.9 million jobs)."

The situation in the depressed rural areas is just as serious, and can be measured by the migration statistics. Some 11,000,000 Americans migrated from rural to urban areas between 1950 and 1960 and there is every indication that the trend will continue at least through the mid-1970's. The effects in individual cities are startling: for example, it is estimated that 1,000 displaced farmworkers pour into Watts every month. The magnitude of the in-migration trend is staggering: between 50 and 60 percent of nonwhites in those six Northern and Western cities of greatest Negro population—New York, Chicago, Philadelphia, Detroit, Washington, and Los Angeles—are in-migrants, and about 80 percent of those came from the South.

A new strategy of economic development, balanced between rural and urban areas, is urgently called for. This strategy must be carefully developed, in my view, so that it does not point irrevocably toward black core cities surrounded by white suburbs. Great care must also be taken to insure that, in the cities, this strategy focuses upon the right kind of business development and ownership. Certain kinds of establishments are typically more able than others to thrive in the core cities. These urban industries include service companies, office buildings, construction firms, distribution companies, and light manufacturing—enterprises which do not require extensive land and/or produce massive displacement, and which do not have substantial air and noise pollution attributes.

Third. The leverage of financing: For these kinds of business, a key inhibition to location or development in a rural or urban poverty area is an inability to get financing for the construction or purchase of fixed assets or for working capital. This is particularly a problem for minority group business men. At the present time no significant amount of long-term, low-interest mortgage money is available from public or private sources for such industrial and commercial projects; a particularly severe problem is the lack of financing for most of project costs; for example, 90-percent mortgage loans. Typically, the only mortgage loans for commercial purposes which are now available would be on the order of 15- to 20-year loans of 50 percent of project costs at a "constant factor"—interest plus amortization of principal—of 9 or 10 percent. Such loans would be available in poverty areas only to well established, credit worthy borrowers. At these terms, there is no incentive to locate facilities in a poverty area and no opportunity for any other than the most credit worthy businessman to get financing.

By far the larger number of potential borrowers in poverty areas cannot get loans at all, despite the fact that a great many are excellent credit risks. Virtually no loans are available to "speculative builders" who would construct office or loft buildings without previously leased or sold all of the space. The fact is, quite simply, that the banks, insurance companies, and other lending institutions have better risks elsewhere, given the demand for money in this tight credit market. Perhaps the only companies which would not have these credit problems on moving into a slum area are the large corporations—the General Electrics and U.S. Steels—who tend to finance their expansion activities from internal capital or by selling their own notes on the market.

This analysis suggests, of course, the provision of long-term, low-cost credit as a vehicle for producing the desired economic development. An alternative approach has been suggested in two bills which would use tax incentives for economic development. Both of these tax incentive bills have been coauthored by my colleague, Senator PEARSON, of Kansas, and I myself am a cosponsor of one of them. I want, for a moment, to sketch out the connections and distinctions between this and a tax approach. I am convinced that they are not mutually exclusive. In the first place, a tax incentive will only stimulate the development or location of a business in a rural or urban poverty area if the businessman already has the credit to become established. Tax deductions and credits come into operation only after the business is established and is making a profit; such incentives do not aid the businessman to get his initial mortgage money or working capital. Since only the biggest and most credit worthy companies are eligible in today's money market for credit to establish facilities in these poverty areas, a tax incentive approach alone would tend to favor only the larger and more established corporations. But an economic development strategy for the core cities must also appeal to other than such corporations, for large manufacturing plants with large land requirements are not always well suited to urban location. Aside from air and noise pollution problems, they would tend to produce severe relocation difficulties for displaced residents and may not be physically desirable in most ghettos, which are essentially residential areas. Moreover, they would almost always be absentee owned operations, and typically would not provide the important psychological advantages of local ownership which a small- and middle-sized business assistance program might produce. Finally, important questions arise as to the relative effectiveness of a tax approach. Tax incentives tend to be on inflexible instrument, and cannot be readily tailored to fit the needs of individual industries, businessmen, or geographic areas. Moreover, because of the size of the incentive has to be determined in advance, it may later prove to be a windfall for some businessmen or too small to provide adequate incentives for others.

At any rate, the tax incentive approach should be coupled with the credit approach so that there is encouragement both at the establishment stage and during the ongoing operation of the business. The target of these two approaches tends to be different, both in terms of the point in time at which the incentive comes into play and the nature of the business to which it is most appealing.

Credit for plant construction and purchase of machinery is just as serious a problem in rural areas as it is in the cities. Many communities have issued industrial revenue bonds to finance land purchases and plant construction, but such bonds depend on the credit worthiness of the company and hence tend to be a source of financing only for the largest and best established corporations. Moreover, this use of tax-exempt bonds is under strong attack in the Congress and may itself be eliminated. In short, the provision of long-term, low-interest financing is also a keystone of rural economic development.

An economic development approach stressing credit would not, of course, eliminate the need for Federal programs in other areas. Small business management counseling and training programs must accompany any effort to provide credit, and I am hopeful that the new small business technical assistance program which I have authored under title IV of the Economic Opportunity Act will be approved by the Congress and will help to fill that need. Manpower training programs must also be continued and expanded, for it makes no sense to induce the location of job-producing industries in areas of high unemployment unless assistance is available to employers to upgrade and train those poverty area residents.

Fourth. The Domestic Development Bank legislation: The first bill that I am introducing today would propose the establishment of a Domestic Development Bank as a source of needed low-cost financing in high-risk areas. Aside from financing, it would also provide supportive technical assistance, insurance, and the opportunity for borrowers to avoid the redtape of a governmental program. In essence, it would be very much like the highly successful World Bank in its purposes, operations, and structure. The World Bank has demonstrated that the provision of attractive credit is a powerful development tool in underdeveloped areas and that such a venture can be economically sound—the Bank earned $169 million in net profits in the year ending June 30, 1967, and has never been required to call upon its reserves of government guarantees. The World Bank has made over $10 billion in loans and has raised over $3.4 billion from private investors for its development activities.

Another example of a banking institution of this type is Pridco—the Puerto Rican Industrial Development Company. Pridco has grown from a modest beginning to a $150 million organization with a gross income of $9.6 million in 1966, and has successfully sold several bond issues. It provides industrial facilities for sale or lease to industry, develops tourist facilities, grants short- and long-term loans to industry and engages in promotion and research activities. With the help of Pridco as the financing and real estate arm of its economic development program, Puerto Rico has attracted over 1,300 manufacturing enterprises to the island.

The Domestic Development Bank would be established by an act of Congress as a profitmaking corporation authorized to finance business and commercial projects where capital is not otherwise available on reasonable terms. The Bank would be empowered, in connection with such projects, to make loans, guarantees or participate in loans for plant, equipment, and working capital, and would be authorized to undertake insurance arrangements in connection with such facilities.

Such insurance arrangements might take the form of self-insurance on a project by the Bank, coinsurance between the Bank and the borrower, or reinsurance arrangements concluded by the Bank with insurance companies to protect the facility against casualty loss. Construction loans could also be made to construction companies in connection with the development of such business and commercial facilities.

Loans could go to businesses and projects of all sizes, both the large and middle sized job-producing enterprises and small business establishments which would tend to be locally owned. With small business loans, the Bank might choose to operate through guarantees to local banking and financial institutions or by using local banks as agents in handling the loans. Financing could also be made available to public or private organizations for essential infrastructure, such as transportation or power facilities, which could not be financed through other sources and which are needed to support private development, but this would not be the major purpose of the Bank. Mortgage loans, for example, would be on the order of 30-year terms for 90 percent of project cost at rates of about 6¼ or 6½ percent interest—or 7½ percent including amortization of principle. As a condition on financing the Bank would have to be satisfied that the borrower had adequate equity or other financial interest in the facility to insure his careful and business-like management of the project and to guard against fly-by-night operations; the share which the borrower would have to put up would vary according to conditions.

The Bank would not be authorized to make mortgage loans for residential facilities since Government agencies—FHA—are now engaged in such housing financing programs on terms which the profitmaking Bank probably could not better. But where housing is integrated with business facilities, as on the upper floors over retail stores, the mortgage loan could cover the entire project.

The Bank could take the initiative in bringing management and capital together for projects and could itself act as developer or owner of the particular facility until such time came when a private purchaser could be found. Unlike a tax incentive economic development scheme, which is essentially passive, the Bank approach would provide an active entrepreneurial agent.

The primary condition on all loans, would be that the project would have to be first, located in urban or rural poverty areas designated by the Secretary of Labor as an area having a high proportion of concentration or unemployed or low-income persons; or, second, generate new jobs of which at least 25 in number and not less than 50 percent are to be held by persons who prior to such employment were unemployed or low-income residents of eligible poverty areas. Indian reservations would qualify as eligible areas.

I think it is important to offer this alternative for at least two reasons:

First, it makes little sense to insist that a plant be located in a slum area if it could be located, at less cost and at less disruption to the community, outside that area and still provide the needed job opportunities. Transportation assistance for workers can be provided as necessary under existing Government programs.

Second, and more important, it is probably unwise in the long run simply to focus on the slum itself by bringing jobs and plants within those areas. Efforts to improve the ghetto must be matched with efforts to open opportunities for its inhabitants outside. Otherwise, we only increase the magnet of the central city for the rural migrant, and we point resolutely in the direction of Negro occupied cities surrounded by white suburbs. At the present time, the tax incentive proposals are not drawn up in a manner which offers this option and opportunity for integration, and I am hopeful that the authors of those bills will accommodate this strategy. Certainly, to take the case of New York City, it does not make sense to insist that a large manufacturing company be located in Harlem if land is available in a nearby industrial park and if transportation can be arranged to get the workers from the ghetto to the job.

The borrower would have to be certified by appropriate local officials regarding acceptability of its proposed location, architectural design, and the provision of adequate relocation assistance for any families or businesses displaced. Further conditions would require that the Bank consult with and encourage the participation of local banking institutions, that it emphasize financing for facilities which will be owned by residents of eligible areas or in which opportunity for such ownership is made available, and that unemployed and low-income persons resident in the eligible area would be given preference in employment in the facility and in its construction. Other benefits, such as the generation of new small business opportunities in the supportive service trades and the esthetic benefits of new construction, would automatically accrue to the area.

The Bank would issue $2 billion in capital stock subscribed by the Federal Government. As was true of the World Bank, 20 percent of the Government subscription would be paid in initially—$400 million—with the Bank having a call on the remaining 80 percent—$1.6 billion—as a reserve to meet the Bank's liabilities on its own borrowings on the private bond market. In this manner, there would be a guarantee or reserve for private investors in the Bank's bonds. It would sell bonds at market interest rates, just like the World Bank, in order to raise the bulk of its loan funds; expected interest rates on the bonds would be approximately 6 percent. The initial $400 million paid in by the Government would be raised by the Secretary of the Treasury through sale of United States obligations on the market, so that there would be no draw on tax revenues to finance the Bank. This is the manner in which most of the U.S. Government contributions for the international development banks have been raised, including the World Bank, the Inter-American Bank, and the Export-Import Bank. Through this technique, only the credit of the United States is called upon; all the funds for the Bank's activities would come ultimately from private investors without burden on the taxpayer. The Government stock would earn dividends for the Treasury which should more than offset the cost to the Government of paying the interest and principal due on the Treasury bonds sold to finance its subscription to Bank stock.

This method of financing, using the sale of U.S. Government bonds rather than congressional appropriations, is necessary to insure private bond holders that the Government guarantee will be made good on the Bank's bonds. Otherwise, the Bank would have to go through the risky appropriation process whenever it called upon its reserves of Government stock.

The Bank would be organized through the establishment of a commission which would appoint incorporators. The Commission would be composed of the Vice President, the Secretary of the Treasury, the Secretary of Commerce, the Secretary of Labor, the Director of the Office of Economics Opportunity, and the majority and minority leaders of the Senate and House of Representatives. The Commission would appoint incorporators, who would serve as the initial board of directors, two-thirds of whom would be representatives of the private sector and one-third Government officials or employees. The President would thereafter appoint the 18 directors, with the advice and consent of the Senate, for 4-year terms on a staggered basis—nine directors appointed every 2 years. Two-thirds of the directors would be from the private sector—six from business and finance, two from organized labor, two from private social welfare organizations or foundations which deal with the problems of poverty, and two representing the general public. The remaining six directors would be from government, including Federal, State, and local government.

The economic incentive provided by the availability of low-cost credit would be enormous. On the one hand, it would allow rents in business and commercial facilities to be up to one-third less than in areas where this financing was not available. Moreover, by providing a substantial percentage of project costs, the Bank would enable developers and industrialists to get their equity back within a very few years by use of the deductions presently available under the Internal Revenue Code. The Bank's bonds would be sold at competitive rates and I would hope that they would be particularly attractive investments for labor-management pension funds, foundations, insurance companies, and other investing organizations would like to put their capital to work in a socially useful as well as profitmaking manner.

THE POSTAL TRANSPORTATION ACT OF 1968

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. CHARLES H. WILSON. Mr. Speaker, our Nation's transportation modes and patterns have changed drastically over the past 30 years, but the laws regulating the transportation of mail have remained relatively unchanged. The result is that the Post Office Department is unreasonably restricted in the type of transportation it can purchase to move the mail and in the flexibility it needs to obtain the best possible contract arrangements.

The Postal Transportation Act of 1968, introduced last week by the distinguished chairman of the Post Office and Civil Service Committee, would provide for long-overdue modernization of our postal transportation laws.

Among other things, this legislation would give the Postmaster General authority to contract for mail transportation services with regulated motor carriers and freight forwarders. The Post Office would be able to make arrangements with these contractors on the same basis as it now does with the railroads.

The present restrictions on use of regulated motor carriers and freight forwarders to transport mail severely handicaps the Post Office in making efficient use of the nationwide network of freight services provided by the rapidly growing trucking industry.

The bill would also give the Postmaster General authority to negotiate transportation rates with scheduled air carriers as well as with railroads.

The Postal Service should have the flexibility to make whatever transportation arrangements meet its needs. Efficient, economical mail delivery depends, in large measure, on the Department's authority to make full use of the complete range of services offered by our country's versatile transportation industry.

The Postal Transportation Act of 1968 would make this possible.

THE INSTITUTE OF COMPUTER TECHNOLOGY

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. BRASCO. Mr. Speaker, our Nation is faced with a massive shortage of qualified personnel in the computer industry.

Industry, educational institutions, government, in fact, most segments of our Nation have turned to the computer for efficiency and improved operations.

During this period of vast growth, the critical shortage of individuals who will operate this equipment has grown severe, with the result that there is a genuine threat to the continued expansion of our economy and essential services.

In our State, a number of schools have been developed to train high school graduates for this field.

One of the leading schools is the Institute of Computer Technology.

This school, founded in February 1965, is recognized by the State of New York and the Veterans' Administration, and is the only State-approved school on Long Island with IBM computer facilities.

The instructors are licensed by the State and have broad supervisory experience.

The school has offered scholarships to needy students and is conducting a widespread campaign to assist talented, underprivileged youngsters. They have done much to further the cause of equal opportunity in this field.

The course provides 260 hours of theoretical and practical instruction. Once a student completes his studies, he or she is able to be placed in industry with an excellent starting salary. After 3 to 4 years, a capable person with ambition can earn between $8,000 and $10,000 a year in this computer field. I would like therefore to compliment the founders of the Institute of Computer Technology, Martin Lerner, president, and Seymour Pack, secretary, who are making such an important contribution to this vital industry.

According to the U.S. Department of Labor, by 1975 a shortage of half a million computer programers will exist in our country. It is essential that we encourage high-quality and ethical schools in order to meet this crisis.

AN ALL-OUT EFFORT FOR PEACE IN VIETNAM MUST BE MADE

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. JOHNSON of California. Mr. Speaker, throughout the 90th Congress which is rapidly coming to a close, the overriding issue which has governed virtually all our decisions both in domestic affairs as well as international matters, is that of Vietnam.

This war has required the Congress to appropriate for the current fiscal year some $70 billion for national defense in the largest, single appropriation bill ever enacted by the Congress of the United States. I should point out that today our national security is costing this Nation almost as much as did the operations of all Federal agencies of Government did 10 years ago when I first came to Congress.

This war also is serving as a catalyst for some of the violent dissension and disruption which we have been experiencing here at home, although in fairness to that vast majority of our young people who are accepting their responsibilities to serve in the defense of this Nation and a free world, it must be emphasized that these who violate the Nation's laws to express their opposition to the policies of their Government constitute a small minority of the younger generation. We have now in uniform, 3.5 million Americans. Nearly 3 million of these are volunteers who have enlisted in the Army, Navy, Air Force, Marine Corps, and the Coast Guard of their own free will in order that they may meet their obligations to their Nation. These young Americans are serving their Nation without complaint, quietly but efficiently doing their job—this is the younger generation I am proud of.

Most important, however, is the tragic toll the war in Vietnam is taking in death and injury to our American servicemen. This is a loss that cannot be replaced. And it is for these young men that I give my fervent hopes and prayers that an honorable peace can be achieved as a result of the preliminary discussions that are now going on in Paris.

We were in Vietnam when I first came to Congress 10 years ago. We had become involved as a result of the conviction that it was in our own national interest that subversion and aggression should not succeed in Southeast Asia. Our presence there increased over the years under the administrations of Dwight D. Eisenhower, John F. Kennedy, and President Johnson, as these Presidents recognized the importance to this Nation of freedom and stability in this distant part of the world, and all the evidence indicated that successful aggression in Vietnam would greatly increase the danger of even worse involvement in other Southeast Asian areas. Many in this country have questioned the wisdom of our involvement in a land and people so far away from our own shores. We must remember, however, that the world really is a small place. Living around the Indian Ocean in an arch extending from Southeast Asia through India and Africa are approximately a third of all the peoples who live in this world. What happens to one of every three individuals on this earth must be of tremendous importance to the rest of us American citizens and the others in the free world and also those vast number of people who live in the Soviet Union and Communist China.

The basic fact of life is we are in Vietnam. The question we face today is: What do we do next?

As one who has always supported this Nation's efforts to reach a peaceful solution in this costly war, I hailed the decision earlier this year to halt the bombing of most of North Vietnam in what proved to be a successful attempt to bring this issue to the negotiating table. We all hope and pray that these preliminary talks will lead to a cease-fire in all of North Vietnam and that this will be followed by a true peace under which all peoples of South Vietnam will be allowed to follow a course of self-determination and our American servicemen and those of our allies soon will be able to return home.

Yesterday marked the 25th regular meeting in Paris between the representatives of the United States and North Vietnam. These discussions still are in a most preliminary stage. However, they do continue, so I feel that the road to peace still is available to us in spite of the apparent lack of progress which has been made since mid-May when the discussions first started.

Whether or not the discussions have had the impact on the military operations in Vietnam is problematical for the fighting sometimes appears to have slackened somewhat and yet on other occasions it increases in its intensity. I do not believe, however, the fact that we have not achieved a cease-fire during the past 5 months during which the talks have continued does not mean that these Paris meetings have been ineffective. To the contrary, I believe that we have established negotiations which have given us a foundation from which to build a true peace.

The preliminary talks have served to bring into better focus the key problems which are to be met if we are to restore peace in Vietnam. We on one hand, I think, better understand the positions which the North Vietnamese are maintaining. At the same time, I am quite sure they can appreciate the U.S. position which emphasizes three fundamental points:

First. The end of the bombing of the North should be accompanied with some sufficient reciprocal restraint on the part of the North Vietnamese regulars who are in South Vietnam in substantial numbers. The demands for reciprocity in the deescalation are justified in order to protect the American forces and especially those in the immediate vicinity of the demilitarized zone.

Second. A progressive reduction in the level of conflict throughout all of South Vietnam should be the next step toward deescalation. This would include the reestablishment of the demilitarized zone as a truly demilitarized area patrolled by neutral forces. But this cannot be done unilaterally by this country if the North Vietnamese continue their heavy infiltration of the regular forces. Deescalation, of course, would lead to the progressive withdrawal of U.S. forces from South Vietnam as the level of violence subsides.

Third. Any political settlement which is achieved must, in the eyes of the United States, be acceptable to the legally constituted Government of the Republic of South Vietnam.

The North Vietnamese insist upon complete cessation of the bombing of North Vietnam without conditions of reciprocal restraint on the part of the North Vietnamese or the Vietcong. On several occasions in the past, we have halted the bombing without any sign of slackening of the infiltration, subversion, or aggression by the forces of Ho Chi Minh. The North Vietnamese also insist that any political settlement to be achieved in South Vietnam must be negotiated with only the National Liberation Front. While on the surface these positions may appear to be irreconcilable, there is room for give on both sides. Certainly the North Vietnamese sooner or later must recognize publicly that its regular forces are in the south and that there are many South Vietnamese spokesmen other than the Vietcong. They include the present Saigon government, the many religious groups, the professional and political groups now in and outside the Saigon government. The United States should also recognize the presence of political factions not presently a part of the duly constituted Saigon government, but who do speak for many of the peoples of South Vietnam. This includes, in all honesty and reality, the National Liberation Front, which is in truth, composed largely of citizens of South Vietnam.

Our ultimate goal in South Vietnam is self-determination for these people. This can best be expressed through truly free elections—balloting influenced by neither Hanoi nor Washington—but truly free elections in which all citizens, including members of the National Liberation Front and other dissident groups, may participate in peace and without fear, if they are willing to abide by lawful processes and to honor the results.

The United States should also recognize what is obvious every Thursday morning when the casualty lists are published. We are carrying the heavy burden of the war. Without minimizing our national interest in a peaceful and stable Southeast Asia, I am hopeful that in the near future the troops of the Republic of Vietnam will take on an ever increasing share of the burden of the fighting for freedom in their own country. Their forces have been strengthened, equipped and trained to do the job so that we can de-Americanize the war.

This, it would seem to me, could be followed by the next and logical step;

consolidation and concentration of U.S. military effort in the south which could, in turn, permit us with safety to halt the bombing of North Vietnam, especially if the border between North and South Vietnam were truly demilitarized with United Nations or other international body supervision. Such a step, I am confident, could lead to a complete cease-fire during negotiations which, I would hope, could be expanded by the reconvening of the Geneva Conference or a similar conference which would draw from many nations of the world the international resources needed to achieve a true settlement to bring peace and security not only to Vietnam but also to Laos, Cambodia, Thailand, and all Southeast Asian nations who desire and deserve, as did we nearly two centuries ago, independence from outside aggression.

Our goals in Southeast Asia are limited. These limitations have made this war most difficult for us to prosecute and for many to understand. Our goal is not unification of the north and south of Vietnam. Our goal is not destruction of North Vietnam. Our goal is to repel aggression against South Vietnam and to demonstrate that aggression is not a legitimate extension of foreign policy and cannot be tolerated against a free world nation.

Attainment of these goals is in sight, I am confident. With wisdom, patience and dedication we can achieve an honorable and lasting peace in Vietnam which will serve the national interests of this Nation and also of the free and independent nations of Southeast Asia.

COLUMBUS DAY

HON. TORBERT H. MACDONALD

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. MACDONALD of Massachusetts. Mr. Speaker, on June 28 of this year President Johnson signed into law H.R. 15951, the uniform Monday holiday bill to become effective in 1971. This was a memorable day for all of us in the Congress who had worked so hard to establish Columbus Day as a national holiday. This new law contained a provision that the second Monday in October be set aside in memory of Christopher Columbus, the man who discovered this great country 476 years ago.

I have introduced legislation several times in the past to secure this day as a national holiday, and so this law marks the fulfillment of a dream which I have shared with many proud people throughout this Nation.

Christopher Columbus was a complex man, courageous and eager for adventure, yet at the same time, a singularly sensitive man with a deep religious faith. Clearly, these are not the characteristics of one man alone, but also the characteristics of the countless millions of immigrants who have followed Columbus to the shores of this Nation. His bold and daring venture has become symbolic of the ventures made by those of many countries in their search for "a new world" here in the United States.

The late President John F. Kennedy, my close personal friend and himself the son of an immigrant family, rightly called us "a nation of immigrants" and in honoring Christopher Columbus we will be honoring not only "the father of immigration" but all those who have come here seeking the promise of freedom and liberty. We are a nation strong in our heritage and it is in recognition of a significant part of this heritage that we, as a nation, honor Christopher Columbus and all that he has come to stand for.

Columbus Day will now be a special time to honor immigrants of all nationalities and to acknowledge their contributions to the building of a strong, just, and prosperous United States. I am pleased to have been chosen by the National Columbus Day Committee to receive their citation for my efforts in this area. It is a deep honor for me.

COMPARISON OF PARITY WITH WAGES

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. ZWACH. Mr. Speaker, in 1962, the base years for computing farm parity were changed, which had the effect of lowering the ratio on feed grains and some speciality crops, and of raising it on livestock. This change would not of itself been damaging except for the fact that the U.S. Government had made price support commitments to farmers and the level of activity on the part of the Federal Government is based on trying to maintain the market price at or near the congressional intent. The level established by law for feed grains ranges between 75 and 90 percent.

Therefore, with the new parity computation in effect for corn, a very interesting comparison has developed over the years which in itself explains why there has been a multibillion dollar loss in farm income in the 12 Midwest States during 1967 because of the lower support level on this important feed grain.

The following chart and explanation has been prepared by Carl Wilken, analyst, here in Washington, and is presented for my colleagues' study:

	Farm price for corn (per bushel)	Farm price for wheat (per bushel)	Hourly wages in manufacturing industries
1943	$1.12	$1.36	$0.957
1944	1.09	1.41	1.011
1945	1.27	1.50	1.016
1946	1.56	1.91	1.075
1947	2.16	2.29	1.217
1948	1.30	1.99	1.328
1949	1.25	1.80	1.378
1950	1.53	2.09	1.440
1951	1.66	2.11	1.560
1952	1.52	2.09	1.650
Average	1.446	1.763	1.265
Average, 1946–60	1.52	2.02	1.287

Source of data for farm prices, 1955 Statistical Abstract, U.S. Department of Commerce, p. 666.

Source of data for wages, 1968 President's Economic Report to Congress, p. 245.

In July 1968 the price of products used by farmers was 355% of 1910–1914 as a base of 100. The true parity for corn should have been using the old formula 355% X 64.2 cents per bushel or been $2.23 per bushel instead of $1.60 the parity now being used.

In 1946–1950 the average price of corn was $1.52 and at an average of 100% of true parity. Since that period the consumer price as of July 1968 had increased 51%. Therefore an honest parity for corn at present should be 151% X $1.52 a bushel or $2.295.

With a 90% price support used successfully for 10 years to keep farm prices and the income of rural areas in balance with other segments of the economy the current support price would be 90% of $2.295 or $2.06 per bushel. Instead of this by using a dishonest parity equation the support price of corn is $1.05 or approximately 50% of what it should be to operate a solvent economy.

With such a support level for corn and other prices in comparison local banks would have ample funds to finance the agricultural industry independent of other financing. Rural America would be able to buy the goods and services which must be sold to earn current wage and capital costs.

A simple comparison of an average wage of $1.287 an hour in industry as compared to an average of $1.52 a bushel for corn with the current situation of $1.05 support price and $3 an hour for industrial wages proves how the income of rural America has been reduced to offset the costs for consumers in industrial areas. It represents very skillful exploitation with people in rural areas unaware of what has taken place.

The next President and Congress must restore economic balance between rural and industrial America or find themselves picking up the ruins of a complete collapse of our economy.

REPORT TO THE PEOPLE OF MINNEAPOLIS

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. FRASER. Mr. Speaker, as the end of the session approaches I want again to report to the people of my district, Minneapolis, Minn., on the actions taken by this 90th Congress, and on my own position on major bills.

CIVIL RIGHTS

Passage of fair housing is the major accomplishment of this Congress in the civil rights field. If we now vote adequate appropriations to administer this law, the way will be open to make discrimination in housing a thing of the past.

CONGRESSIONAL MATTERS

The requirement for disclosure of outside income of Congressmen is an important feature of the standards of official conduct resolution put into effect by the House. The code of conduct spells out standards to be followed by both members and their employees.

These are welcome improvements in the official procedures of the House.

CONSERVATION

In these 2 years this Congress has taken action to preserve the precious heritage of our natural resources. The Redwood Park bill, the wild and scenic rivers bill—which includes the St. Croix River—the national trails system bill, and the Air Quality Act of 1967 are among the solid achievements we have made in the field of conservation.

In Minnesota we are looking forward to adoption of the Voyageurs National Park bill which has been introduced by all members of our State delegation from both sides of the aisle.

CONSUMERS

The truth-in-lending law will enable buyers and borrowers to know the actual interest rates being charged. The Wholesome Meat Act and Wholesome Poultry Act will help insure that clean, safe meat and poultry products are being sold in our grocery stores.

LAW ENFORCEMENT

The Federal grants made available by this Congress will help local law enforcement agencies meet the rise in rates of crime. Research, planning, equipment, and training will help professionalize our local police departments.

Special training for work with juveniles is provided in the new Juvenile Delinquency Prevention and Control Act. In addition, Congress has voted to restrict mail-order sales of guns.

EDUCATION

A $9 billion, 2-year continuation and expansion of our aid to local schools certainly has been justified. In addition, the new Vocational Education Act will be especially helpful with its added emphasis on reaching the disadvantaged.

The GI bill for Vietnam veterans will bring a college degree within reach of thousands of young men and women returning from the service. Student aid and college construction grants and loans totaling more than $3 billion a year have been continued by this Congress.

The Health Manpower Act extension will make available assistance in training nurses and other health personnel who are in critically short supply.

HEALTH AND WELFARE

The 13-percent increase in social security benefits that went into effect last winter was badly needed.

Other important legislation passed by this Congress includes the National School Lunch Act and the half-billion dollars for flexible support of health programs, including rat control, under the Partnership for Health Act.

HOUSING

Districts such as Minneapolis will be helped by the $5 billion Housing Act passed last summer. Homeownership for low- and moderate-income families will be made possible through subsidies that lower mortgage interest costs.

Flood and riot reinsurance programs will cut down the unusual risk and hardship suffered by some property owners.

TAXATION

The need for the 10 percent surtax to halt inflation and meet the costs of the Vietnam war is generally understood by the people of the United States, although the delay in enactment was unfortunate. In 1964, when our economy needed the stimulation of more consumer buying, taxes were cut by 20 percent.

The Revenue and Expenditure Control Act adopted last winter requires a reduction of $6 billion in expenditures during fiscal year 1969.

Mr. Speaker, at this point I would like to place in the Record a table which lists major legislative proposals before this Congress and my position on these bills and resolutions:

REPRESENTATIVE DONALD M. FRASER'S 1967-68 RECORD IN CONGRESS

Bill	Date of House action	Representative Fraser's position	Final status
CIVIL RIGHTS AND CIVIL LIBERTIES			
Civil Rights Commission, Public Law 90-198	July 11, 1967	Supported	Adopted.
Federal Jury Reform Act of 1968, Public Law 90-274	Feb. 26, 1968	do	Do.
Civil Rights Act of 1968, Public Law 90-284	Aug. 16, 1967	do	Do.
CONGRESSIONAL MATTERS			
Standards of Official Conduct, H. Res. 1099	Apr. 3, 1968	do	Do.
Standards for Congressional District, Public Law 90-196	Oct. 17, 1967	do	Do.
Special Committee on Campaign Expenditures, H. Res. 1239	Aug. 1, 1968	do	Do.
Legislative Reorganization Act of 1967, S. 355		Supports	In committee.
Election Reform Act, H.R. 11233		do	In House.
CONSERVATION			
Air Quality Act of 1967, Public Law 90-148	Nov. 2, 1967	Supported	Adopted.
Nuclear Desalting Plant, Public Law 90-18	Apr. 20, 1967	do	Do.
National Trail System Act, H.R. 4865	July 15, 1968	do	Do.
Redwood Park bill, S. 2515	do	do	Do.
National Water Commission, Public Law 90-515	July 12, 1967	do	Do.
Scenic Rivers, S. 119	Sept. 12, 1968	do	Do.
Colorado River Basin project, Public Law 90-537	May 16, 1968	do	Do.
CONSUMER			
Consumer Credit Protection Act, Public Law 90-321	Feb. 1, 1968	do	Do.
Clinical Laboratories Act, Public Law 90-174	Sept. 20, 1967	do	Do.
Flammable Fabric Act, Public Law 90-189	Nov. 27, 1967	do	Do.
Fire Research and Safety Act, Public Law 90-259	Feb. 8, 1968	do	Do.
National Commission on Product Safety, Public Law 90-146	Nov. 6, 1967	do	Do.
Wholesome Meat Act, Public Law 90-201	Oct. 31, 1967	do	Do.
Automobile Insurance Study, Public Law 90-313	May 7, 1968	do	Do.
Interstate Land Sales, Full Disclosure, Public Law 90-448	July 10, 1968	do	Do.
Wholesome Poultry Products Act, Public Law 90-492	July 1, 1968	do	Do.
Natural Gas Pipeline Safety Act, Public Law 90-481	July 2 1968	do	Do
CRIME			
Law Enforcement and Criminal Justice Assistance Act, Public Law 90-351	Aug. 8, 1967, and June 6, 1968.	Supported House bill; opposed Senate amendments.	Do.
Commission on Obscene Materials, Public Law 90-100	Aug. 7, 1967	Supported	Do.
Juvenile Delinquency Act, Public Law 90-445	Sept. 26, 1967	do	Do.
State Firearms Control Assistance Act	July 24, 1968	do	At White House.
Committee To Investigate Crime, H.J. Res. 1	July 12, 1968	do	In Senate.
Drug abuse amendments, H.R. 14096	do	do	Do.
ECONOMIC DEVELOPMENT			
Appalachian Regional Development Act, Public Law 90-103	Aug. 14, 1967	do	Adopted.
EDUCATION, TRAINING, AND ANTIPOVERTY			
Public Broadcasting Act, Public Law 90-129	Sept. 21, 1967	do	Do.
Elementary and Secondary Education, Public Law 90-247	May 25, 1967	do	Do.
Teacher Corps, Public Law 90-35	June 27, 1967	do	Do.
Vocational Rehabilitation Act, Public Law 90-99	Aug. 21, 1967	do	Do.
Vocational Rehabilitation, Public Law 90-391	May 6, 1968	do	Do.
National Foundation on the Arts and Humanities, Public Law 90-348	Feb. 27, 1968	do	Do.
Economic Opportunity Act, Public Law 90-222	Nov. 15, 1967	do	Do.
Higher Education, Public Law 90-460	July 25, 1968	do	Do.
Vocational Education, H.R. 18366	July 15, 1968	do	At White House.
Food Stamp Act, H.R. 18249	July 30, 1968	do	Do.
Manpower Development and Training, H.R. 15045	Sept. 5, 1968	do	In Senate.
Guaranteed Employment Act of 1968, H.R. 12280		Supports	Hearings held.
FEDERAL EMPLOYEES			
Postal Revenue and Federal Salary, Public Law 90-206	Oct. 11, 1967	Supported	Adopted.
Federal Employee Protection Against Invasion of Privacy, S. 1035		Supports	In committee.
FOREIGN AND DEFENSE POLICY			
Peace Corps, Public Law 90-175	Oct. 23, 1967	Supported	Adopted.
Emergency Food Aid to India, Public Law 90-7	Mar. 9, 1967	do	Do.
Inter-American Development Bank, Public Law 90-88	July 26, 1967	do	Do.
Export-Import Bank, Public Law 90-267	Feb. 7, 1968	do	Do.
Selective Service, Public Law 90-40	May 25, 1967 and June 20, 1967.	Supported House version; opposed conference report.	Do.
Uniform Services Pay Act of 1967, Public Law 90-207	Oct. 26, 1967	Supported	Do.
Military Base Construction, Public Law 90-408	April 25, 1968	Opposed	Do.
Foreign Assistance, H.R. 15263	July 18, 1968	Supported	At White House.
Military procurement, Public Law 90-500	July 11, 1968	Opposed	Adopted.
Foreign Military Sales Act, H.R. 15681	Sept. 10, 1968	Supported	In Senate.
Arms Control and Disarmament Act, Public Law 90-314	Mar. 6, 1968	do	Adopted.
HEALTH AND WELFARE			
Social Security, Public Law 90-248	Aug. 17, 1967	do	Do.
Older Americans Act, Public Law 90-42	June 19, 1967	do	Do.
Mental health amendments, Public Law 90-31	May 17, 1967	do	Do.
Mental Retardation Act, Public Law 90-170	Sept. 20, 1967	do	Do.
Partnership for Health, Public Law 90-174	do	do	Do.
National Eye Institute, Public Law 90-489	Aug. 1, 1968	do	Do.
Health Manpower Act of 1968, Public Law 90-490	do	do	Do.
Occupational Health and Safety, H.R. 17748		Supports	In House.
Public Health Service, H.R. 15758	July 12, 1968	Supported	In conference
National School Lunch Act, Public Law 90-302	July 1, 1968	do	Adopted

REPRESENTATIVE DONALD M. FRASER'S 1967-68 RECORD IN CONGRESS—Continued

Bill	Date of House action	Representative Fraser's position	Final status
HOUSING			
Housing and Urban Development Act, 1968, Public Law 90-448	Aug. 10, 1968	Supported	Adopted.
LABOR			
Monday Holidays, Public Law 90-363	May 9, 1968	do	Do.
Situs Picketing, H.R. 100		Supports	In House.
Coverage of Agricultural Workers Under NLRB, H.R. 16014		do	Do.
PUBLIC WORKS			
Federal Aid Highway, Public Law 90-495	July 3, 1968	Supported	Adopted.
Rivers and Harbors, Public Law 90-483	July 15, 1968	Opposed	Do.
Accessibility of Federal Buildings to the Physically Handicapped, Public Law 90-480.	June 7, 1968	Supported	Do.
TAXATION			
Revenue and Expenditure Control Act, Public Law 90-364	Feb. 23, 1968	do	Do.
Interest Equalization Tax, Public Law 90-219	Mar. 15, 1967	do	Do.
Investment Tax Credit, Public Law 90-26	Mar. 16, 1967	do	Do.
Interstate Taxation Act, H.R. 2158	May 22, 1968	do	In Senate.
Foreign Travel Tax, H.R. 16241	Apr. 4, 1968	do	Do.
VETERANS			
GI Bill for Vietnam Veterans, Public Law 90-77	Mar. 20, 1967	do	Adopted.
Veterans Mortgage Insurance Act, Public Law 90-301	Mar. 26, 1968	do	Do.
Service-Connected Compensation Increase for Veterans, Public Law 90-493.	June 6, 1968	do	Do.

STATUS OF KEY BILLS SPONSORED OR COSPONSORED BY CONGRESSMAN FRASER

Number	Subject	Status
H.R. 2858	Redwood National Park	Adopted.
H.R. 6041	Social Security Amendments	Do.
H.R. 6635	Nationwide system of trails	Do.
H.R. 7422	D.C. Crime Reduction Act of 1967	Do.
H.R. 7745	Institute of International Affairs Act	Hearings held.
H.R. 9862	Reclassify positions in postal field service	Adopted in part.
H.R. 10557	Child day care centers	Hearings held.
H.R. 10913	Davis-Bacon Act for leased buildings	Pending.
H.R. 12281	Guaranteed Employment Act	Hearings held.
H.R. 13042	D.C. Elected Board of Education Act	Adopted.
H.R. 13196	New Jobs Act	Pending.
H.R. 13847	Aircraft Noise Abatement	Adopted.
H.R. 13926	Revenue Sharing Act	Pending.
H.R. 14942	Arms Control and Disarmament Act	Adopted.
H.R. 15533	Bulk mail rates for neighborhood associations	Pending.
H.R. 15675	National School Lunch Act	Adopted.
H.R. 15690	Wild and Scenic Rivers Act	Do.
H.R. 15799	Selective Service Reform	Pending.
H.R. 16125	Federal Employee Labor-Management Act	Do.
H.R. 16291	Stronger neighborhoods	Adopted in part.
H.R. 16461	Vocational education	Adopted.
H.R. 17708	State Firearms Control Assistance Act	At White House.
H.R. 17145	To establish a Commission on Hunger	Passed House.
H.R. 17722	Food Stamp Act	Adopted in part.
H.R. 17781	Joint Funding Simplification Act	Hearings held.
H.R. 17914	Gun Crime Prevention Act	Defeated in House.
H.R. 18242	National Foundation for Social Science	Pending.
H.R. 18339	Employment Incentive for AFDC	Do.
H.R. 18761	Voyageurs National Park	Do.
H.R. 18976	Community Self-Determination Act	Do.
H.R. 18982	Prohibiting switchblade knives	Do.
H.R. 19196	Social Security increase of $7.50	Do.
H.R. 20189	Graduate Education Act	Do.
H.R. 20407	More Effective Schools Act	Do.
H.R. 20408	Commission on Reorganization of Executive Branch	Do.
H.R. 20410	Sharing Federal tax revenues	Do.
H.R. 20411	Medicare to include drugs	Do.
H.R. 20412	Tax Reform Act	Do.
H. Con. Res. 747	Repeal Gulf of Tonkin resolution	Do.
H.J. Res 391	Convention of North Atlantic nations	Passed by committee.
H. Res 424	Committee on Standards of Official Conduct	Adopted.
H. Res 1303	Condemning invasion of Czechoslovakia	Pending.

REPORT SUMMARIZES THE PRINCIPAL ISSUES WHICH OUR NATION FACED

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. BLACKBURN. Mr. Speaker, by leave granted me to revise and extend my remarks, I am inserting my 90th report into the RECORD today for the information of my colleagues in the House.

This report summarizes the principal issues which faced our Nation over the past 2 years and details the legislative program I have begun in seeking solutions to our country's problems.

In addition, I have included a questionnaire in which I ask the constituents of the Fourth Congressional District of Georgia to share their views with me so that I may more intelligently cast their vote in the Congress.

The material follows:

NINETIETH REPORT: FIRST AND SECOND SESSIONS OF THE 90TH CONGRESS

FOREWORD

In 1966 and now in 1968, the issues that face our nation are the same; only the opportunity to resolve them has changed.

In this report, I have listed the most important bills and resolutions I have introduced over the past two years. I feel they are positive assertions of a new approach in Washington.

Recently, I reviewed the position paper I issued on Friday, September 9, 1966, when I announced my candidacy to represent the people of the Fourth Congressional District in the Congress of the United States. I was not surprised to find that the issues facing the nation in 1966 are the same as those that face us in 1968.

You would think that an Administration, knowing two full years in advance that their programs were wasteful and inefficient would honestly seek to change them.

You would think that spending programs which were severely damaging the national economy, creating inflation and reducing the value of the dollars we earn each day, would be voluntarily curtailed.

You would think that a foreign policy which has caused America to lose its friends and prestige abroad would be reviewed and new directions taken.

Certainly, the ill-advised and self-defeating policy of "gradualism" in Vietnam should have been changed long ago.

However, with all of these storm warnings repeatedly displayed, the Administration used its control of the House and Senate to ask for more of the same.

The mood of the American public is one of restlessness and dissatisfaction with the tired policies of the past.

I feel that I have offered positive programs for solving the major problems facing our country. Many programs I have supported have become law, while many of them have been sidetracked in favor of Administration proposals, continuing and extending programs doomed to failure and a waste of the taxpayers' dollars.

During the past two years, I introduced some 50 bills and resolutions. This legislation represents, on the main, the new approach that will restore our government to the people, reduce the over-riding influence of Federal agencies; and set better goals, efficiently and properly adminstered, for programs designed to assist those who need our help in these years of affluence.

The American people will repudiate the drift of the past seven years and will call for new direction at all levels of the Federal establishment.

Prior to the recess for the two national conventions, my attendance record was 87%. Needless to say, due to increased activity in the District for purposes of campaigning, my attendance record has suffered. In one 24-hour period alone, there were 40 quorum calls, a device used to apply pressure upon the House leadership to bring up a bill for much needed reforms of the operation of the Congress itself. I missed that 24-hour period, along with a number of other Congressmen in like circumstances. Quorum calls, per se, do not reflect a person's support of specific legislation, although they can be used as a parliamentary device, as in this instance, to apply pressure to the leadership. Because I am very much in favor of Congressional reform and have indicated my support for such reform by public statements and writings in recent months, I feel that these tactics are thoroughly justified.

PROBLEMS WHICH FACE GEORGIANS AND ALL AMERICANS IN 1966 AND 1968

In 1966, I stated "every citizen is aware of the problems we face as a nation". The first of these is "the unending war in Vietnam thousands of miles from our shores—a war which the administration pledged to avoid . . ." and a war in which "loyal Americans are united in support of our troops in Vietnam".

There are no clear-cut answers to the Vietnam war, but I didn't feel that I could resolve any conflict of ideas concerning it unless I visited the scene itself. In September, 1967, I visited Vietnam; to discuss with our troops the merits of the arguments pro and con concerning this war. I found our troops and their military leaders with high morale, confident they could win this war, *if allowed to fight to win.*

I found, also, that our men felt this was the place to stop international Communism, stating it was better to fight it here than closer to home. I determined through discussions with top-ranking American officers, and later with top-ranking Chinese officials on Formosa, that the Communists seek the rich rice-growing regions of South Vietnam to feed the hungry millions in China and elsewhere. I found that, almost universally, our military men felt we should blockade Haiphong; that we should also stop the flow of military supplies up the Mekong River to Cambodia and Laos; and that the protection given to vital military targets in North Vietnam should be removed so that our pilots could destroy them.

The young men we send to fight are constantly running the risk of losing their lives and we, as a nation, do not have the right to ask them to give a 100% commitment of themselves while we do less than give them full support.

I have long felt that our failure to permit military men to handle the military decisions of the war has protracted the struggle with continuing losses of our own men and treasure.

The continuing refusal to blockade the port of Haiphong, accompanied by the present partial bombing limitation, has vastly improved the capability of the North Vietnamese to supply their troops with war material in South Vietnam.

There is some comfort in the much-publicized increase in effectiveness of the South Vietnamese army units. We continue our hope that these units can assume more of the burden of ground fighting and relieve American units.

There are those who propose indefinite negotiations under present conditions and are apparently willing to accept the loss of 200 to 400 American lives each week, and thousands of wounded for years on end.

This visit left me with one major conclusion concerning the Vietnam war: At the present time, if our military leaders say we cannot win this war, we should seek a means to withdraw with honor. However, if our military leaders say we can win, then let's win it.

I am absolutely opposed to any compromise with the Communists that will call for a surrender of the cause for which our young men have been fighting. I cannot believe the American people will be willing to see their young sons killed and maimed in Vietnam for years on-end following a shadowy policy of gradualism which has proven to be self-defeating by its very nature.

OUR NO. 1 DOMESTIC PROBLEM: CRIME AND A GROWING DISRESPECT FOR LAW AND ORDER

In 1966, I said, . . . "all Americans and certainly, we in the greater Atlanta area, are appalled at the growing disrespect for the processes of law and order . . . the recent riots have indicated that the spreaders of hate can strike even here . . . and we find our courts and police authorities hampered by decisions of the Supreme Court which seem more designed to encourage lawlessness than to punish law breakers".

It is more than coincidence that the major crime rate has increased over 88% in the past seven years, while during the same time the growth of the population has been only 10%. *Crime is growing nine times faster than our population!*

Many Americans are afraid to walk public parks by day and neighborhood streets by night. PTA meetings and church programs are not fully attended if held at night. Public libraries and museums are under used. Poor people spend money they cannot afford on taxis because they are afraid to use public transportation. And homes are literally barricaded at night by all manner of locks, bars and protective devices.

This is not in unfounded fear. The FBI reports a murder is committed every 48 minutes, a forcible rape every 21 minutes, a robbery every 3 and one-half minutes, and aggravated assault every 2 minutes, and a burglary every 23 minutes. *On the average, a serious crime is committed every 10 seconds.*

A first and fundamental responsibility of government is protecting the life, property, and liberty of its citizens. The responsibility requires that all appropriate steps necessary be taken to prevent and control crime.

There has been an appalling lack of leadership and support for the development of a nationwide attack on crime from the present Administration and its representatives in the Justice Department.

In fact, everyone is aware of public statements by these men advocating resistance to laws with which one does not agree, creating a widespread belief that violation of law is to be regarded as right and proper.

I felt one of the most important pieces of legislation needed immediately was a bill to assess heavy penalties upon those who use guns in the commission of felonies which have traveled in interstate or foreign commerce.

Under my bill, conviction the first time carries a *mandatory penalty of 10 years*. A second conviction carries a *mandatory penalty of 25 years' imprisonment*. FBI facts indicate hardened criminals avoid committing acts which involve mandatory penalties upon conviction. The substance of my proposal was incorporated into the Crime Control and Safe Streets Act of 1968. It is under the Crime Control and Safe Streets Act that Federal funds have been made available to assist police departments in the purchase of modern police equipment. It was proposed that the Department of Justice directly administer these funds and directly subsidize local police units. Anyone who has been alert to the degree of control which is inherent in direct federal subsidies (local school systems find themselves harrassed by Federal red tape and regulations when Federal funds account for as little as 1% of school operating costs) will be in agreement with the position adopted by me and the majority in the Congress that such funds should be administered through the states. When our Attorney General has publicly admitted that he doesn't understand the term "law and order", I prefer that he not have any voice in the operation of our local police departments.

The crime problem is much too widespread to be resolved by single pieces of legislation, however. Needed is a nationwide policy and legislative package to develop and expand the role of the states in crime control; provide for a nationwide crackdown on organized crime; prevent and control juvenile delinquency; make reforms and improvements in the administration of criminal justice; and move to eliminate the underlying causes of crime.

BEN B. BLACKBURN'S LEGISLATIVE PROGRAM

H.R. 4582: The Human Investment Act. This bill provides a tax credit to those industries that establish plants in blighted or "poor" areas.

H.R. 7608: Increase Income Tax Deduction. This bill will raise the standard deduction on Federal income taxes from $600 to $1,000 per person.

H.R. 9135: The Home Ownership Foundation Act. This bill provides assistance to low-income families in securing homes.

H.R. 11385: War on Waste. This bill states that there is a great deal of waste and duplication within the Federal government, and it instructs the President to set up an executive commission to study waste that is occurring and make recommendations on how to eliminate it.

H.R. 11602: The Truth-In-Lending Bill. This legislation calls for the disclosure of the full amount of interest charged by banks and retail establishments so that consumers may see exactly what their interest charges will be.

H.R. 11636: Social Security amendments. This proposal would require that Social Security benefits be increased automatically as the cost of living increases. This would take Social Security out of the political realm and make the benefits more realistic for those dependent upon them.

H.R. 13313: Diploma School of Nursing. This bill provides that Diploma Schools of Nursing may share in present Federal grants designed to assist in expansion of libraries and other teaching facilities. Nationally, 65% of nursing graduates come from Diploma Schools of Nursing.

H.R. 13419: Removing import duties on Cuprophane. This bill removes the tariff on a cellophane membrane, Cuprophane, used in artificial kidney machines. This legislation resulted from conversations with Dr. John Sadler, Atlanta Artificial Kidney Center.

H.R. 13503: Tax credit for higher education. This bill provides a tax credit of up to $675 for anyone to attend colleges, business, technical and other types of vocational schools.

H.R. 13753: Gun bill. This bill provides a mandatory sentence of 10 years upon conviction of a felony in which a gun is used which has been transported in interstate or foreign commerce. Second offenses incur a mandatory penalty of 25 years in prison.

H.R. 13917: Economic Crusade Act. This is the Republican alternative to O.E.O. It provides for funneling of poverty funds through the state, abolishes the Job Corps; sets up neighborhood job centers; increases funds for the Head Start Program; abolishes the Office of Economic Opportunity and transfers its functions to various departments already in operation.

H.R. 13978: Overruling of confessions by the Supreme Court. This bill provides that the Supreme Court cannot overrule or review a decision by any lower court in a case where a confession has been obtained, unless this confession was obtained through the use of coercive force.

H.R. 14699: The L.S.D. Bill. This bill makes it illegal to compound, sell or transport L.S.D. without a doctor's prescription. It increases penalties for selling L.S.D. to minors.

H.R. 14953: Highway Trust Fund. This legislation would provide that any stoppages or delays in fully utilizing funds collected for the construction of the interstate highway system would be unauthorized as a matter of law. The purpose of this bill was to compel the executive branch of the government to not interfere further with the speedy completion of this system.

H.R. 16066: Right of American citizens to purchase gold. This bill provides that upon the passage of any measure to remove the 25% gold cover, the Secretary of the Treasury must sell gold to any American citizen who desires to hold gold.

H.R. 16256: A national system of trails. This bill instructs the Secretary of the Interior to place certain trails under the National System of Trails; instructs him to investigate other areas of historical and recreational interest; and instructs the Secretary of HUD to investigate and form trails in metropolitan areas.

H.R. 16257: Clean Lake Act. This instructs the Secretary of the Interior to make grants and to contract with local or state governments in cleaning up public lakes.

H.R. 16258: Tax Credit for Air and Water Pollution Facilities. This bill provides a tax credit on the cost of any pollution control facility installed by private industry or an individual.

H.R. 16306: Manpower Development and Training Act of 1968. This bill is part of the Republican Human Renewal Fund proposal. It provides a tax credit for industries locating in blighted areas; it provides a program to give public works contracts to citizens on relief; sets up corporations to coordinate and provide technical assistance to employees who hire "hardcore unemployed".

H. Res. 708: The Mid-East War. This resolution asks that Israel be recognized by the Arab nations and that all nations in the Mid-East area should work together for their mutual benefit.

H. Res. 911: *The Effects of East-West Trade*. This resolution creates a select committee, to investigate the effects of East-West trade.

H. Res. 961: Highway Funds. This resolution states that the intent of Congress was to have the interstate highway system completed within 13 years and that all highway systems were to be completed at the same time. It is illegal for the President to regulate or otherwise distribute the funds which have been placed in the highway trust fund. Also, it states that in the interest of saving lives, the highway trust fund should be released immediately.

H. Res. 1109: Diplomatic Relations with U.A.R. This resolution states as the sense of Congress that as long as Nassar refuses to recognize Israel and continues his anti-American moods, diplomatic relations should not be resumed and we should not grant economic aid to the U.A.R.

H. Con. Res. 392: Panama Canal. This concurrent resolution states that the sense of Congress is dedicated to the defense of the United States and that the Panama Canal should remain under the jurisdiction of the United States.

H. Con. Res. 524: The Overthrow of Fidel Castro. This concurrent resolution provides that the U.S. should urge and promote the overthrow of the Castro regime in order to prevent the spread of Communism in this hemisphere and to prevent further subversive activities by Cuban Communists.

H. Res. 483: Prosecution of Draft Violators. This resolution instructs the Attorney General to prosecute all persons who are willfully violating the Selective Service laws of the United States.

H. Res. 665: Anti-Riot bill. This resolution brings the anti-riot bill before the House for consideration.

H.J. Res. 759: This resolution provides presently that cities will be encouraged to have the inhabitants of slum areas patrol these areas in order to prevent civil disobedience.

H.J. Res. 900: Commission on Economic Development. This joint resolution sets up a commission to study the economy of the U.S. at the present time and to make recommendations on how the government could improve the economic life of the U.S.

H.J. Res. 984: National School Safety Patrol. This joint resolution designates the second week in May as National School Safety Patrol Week.

H.J. Res. 1095: Territorial Limit. This joint resolution states that any country's ships or nationals whose country's territorial limits extend beyond three miles, the U.S. territorial limits will extend out as far as 12 miles or equal to the territorial limit of said nation.

H. Con. Res. 773: Sale of Computers. This concurrent resolution expresses the dissatisfaction of Congress with any sale of computer equipment to Communist countries.

H.R. 17411: Freedom of Choice Act of 1968. This bill provides that Federal Employees have the right to refrain from joining labor unions if they choose.

H.R. 18525: Federal Government and Private Employer's Partnership Act of 1968. This bill would subsidize the wages of persons who lack sufficient job skills to earn the minimum wage. The purpose of the subsidy is to encourage small businessmen to hire such unskilled persons and place them in training programs with a view toward opening more job opportunities for persons now unemployable, train them for jobs for which vacancies now exist and give such unemployables the realistic assurance that upon completion of training, meaningful employment will be available. This proposal would represent a small fraction of the cost per trainee of the present ineffective Job Corps program and would serve as a substitute for that program.

H.R. 18574: Executive Reorganization and Management Improvement Act. This bill provides for the establishment of the Commission for the Improvement of Government Management and Organization.

FOURTH DISTRICT QUESTIONNAIRE

Once again, I need your opinions regarding many of the vital issues facing our nation today. Your views have been of great value to me over the past two sessions as I have cast your vote during the 90th Congress. I hope you will complete this questionnaire and share once again in the legislative process.

QUESTIONNAIRE

1. In dealing with civil disorders, do you believe there should be stricter handling of rioters and looters by police? ---- Yes---- No.
2. Do you think Supreme Court Justices should be reviewed every 6 years by a joint session of the House and Senate? ---- Yes---- No.
3. Should the U.S. stop all aid and subsidies to countries trading with North Vietnam? ---- Yes---- No.
4. Would you favor a Federal law requiring the registration of all firearms by all Americans? ---- Yes---- No.
5. In general, do you believe we have lost the war in Vietnam? ---- Yes---- No.
6. In view of the administration's acceptance of a $6 billion cut in spending, do you think a tax increase was justified to preserve the strength of the dollar? ---- Yes---- No.
7. Do you believe the American people are receiving sufficient information from the administration on vital foreign and domestic issues to allow them to vote intelligently? ---- Yes---- No.
8. Do you favor returning a percentage of the tax money collected by the Federal Government to State and local governments for use as they see fit? ---- Yes---- No.
9. Do you approve of the open housing law recently passed by Congress? ---- Yes---- No.
10. Do you think Federal assistance should be granted to small businesss for training "hardcore" unemployed who otherwise must be supported by government? ---- Yes---- No.
11. In general, do you believe that crimes now increasing nine times faster than the population, is a result of a "permissive" attitude by the present administration? ---- Yes---- No.

DEMOGRAPHIC INFORMATION

NOTE.—Please fill out the following information. It will be helpful in determining the relative importance of your responses with relation to those received from others.

(1) Sex: (a) Male ☐, (b) Female ☐.

(2) Age: (a) Under 21 ☐, (b) 22–36 ☐, (c) 37–65 ☐, (d) Over 65 ☐.

(3) Income: (a) Under $3,000 ☐, (b) Under $10,000 ☐, (c) Under $20,000 ☐, (d) Over $20,000 ☐.

(4) Political affiliation: (a) Democrat ☐, (b) Republican ☐, (c) Independent ☐.

Please cut off, place in a stamped envelope and mail to: Congressman Ben B. Blackburn, 1019 Longworth House Office Building, Washington, D.C. 20515.

OBSERVANCE OF PULASKI DAY

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. PATTEN. Mr. Speaker, General Pulaski is more than the pride of the Polish people—he is the pride of people in every land where freedom is cherished.

He fought and died for the cause of American liberty 189 years ago, but his great love for freedom lives on as a permanent inspiration to all who oppose tyranny.

Son of a count, he could have enjoyed a comfortable and safe life, but instead chose the hard and dangerous life of fighting for what was considered by some to be "a hopeless cause"—the American Revolution.

When Benjamin Franklin persuaded Pulaski to come to America and join the battle for independence, the forces of freedom were strengthened and chances for achieving victory were brightened.

After arriving in Philadelphia in 1777 and serving as a volunteer in the militia, he distinguished himself at the Battle of Brandywine and was commissioned a brigadier general, a rank he earned with his ability, leadership, and valor.

In the fall of 1779, General Pulaski commanded the American and French cavalry at the siege of Savannah, where he was wounded, dying 2 days later. A monument was erected by the people of the city, with the cornerstone laid by another great patriot, Lafayette.

Then in 1935, Congress adopted a resolution authorizing the President to issue a proclamation every year, calling on the American people to observe October 11 in commemoration of the date of General Pulaski's death.

Mr. Speaker, the gratitude of Americans for General Pulaski's sacrifices and bravery is deep and strong, for he helped make the birth of this Nation possible.

CONGRESSIONAL QUESTIONNAIRE RESULTS

HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. GIBBONS. Mr. Speaker, late in August I sent a questionnaire to my constituents in order to measure their views on certain selected subjects. I am happy to report that many questionnaires have been returned and they have been tabulated.

In order to keep the House informed and my constituents informed as to the results, I include at this point in the RECORD a copy of the letter I intend to mail to my constituents. The letter follows:

OCTOBER 1968.

DEAR FRIEND: Tabulation has been completed on the questionnaire that I sent you in August. In the table below are the results.

There has been a great deal of interest in this questionnaire and many persons have written detailed letters expressing their views.

Your interest and comments are appreciated.

Sincerely,

SAM M. GIBBONS,
Member of Congress.

[In percent]

	Yes	No	Undecided
Do you favor—			
1. A negotiated settlement of the Vietnam war?	57.9	28.3	13.7
2. Remaining in Vietnam until a complete military victory has been achieved?	39.8	41.1	19.1
3. Removing restrictions on earned income for social security beneficiaries?	76.7	15.2	8.1
4. Electing the President by popular vote instead of through the present electoral college system?	86.5	7.9	5.6
5. The Headstart child development program?	53.3	28.3	18.3
6. Reducing substantially the 27½ percent income tax depletion allowance permitted oil and natural gas producers?	62.4	18.4	19.3
7. Legislation licensing gun owners, prohibiting use by insane, felons, and alcoholics?	56.8	34.1	9.2
8. Additional U.S. assistance for schools?	46.5	41.0	12.5

	Humphrey	McCarthy	Nixon	Wallace	Undecided
9. For president	16.3	6.3	29.0	39.9	8.5

Note: Some figures may not total 100 due to rounding.

TRAGEDY IN NIGERIA

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mrs. BOLTON. Mr. Speaker, the long tragic crisis in Nigeria has deeply troubled many Americans. Countless hours have been spent in considering what we can best do to help heal the mental and physical hurts.

In order to help, we must first understand the situation from both sides of the conflict. A recent interview of the Nigerian Ambassador to the United States by editors of the Christian Science Monitor reveals some of the thinking on this very complex matter. Under unanimous consent I submit the text of the interview for inclusion in the Congressional Record, so that other Members may read and ponder it:

A 12-Sided Problem

(Note.—Nigerian Ambassador to the United States Joe Iyalla believes the war with secessionist Biafra could end at any moment. He sees normalizing the country as the next urgent need. Ways this would be done are discussed in this interview with editors of The Christian Science Monitor.)

Editor. How near are we to a denouement in this problem? What is the immediate outlook?

Ambassador. Generally speaking, the immediate outlook is far better than it has ever looked since the tragic sequence of events began.

We hope that it will not be too long now before we are able to remove the military resistance. We all recognize, of course, that bringing the military phase to an end is one thing.

Facing the problems, some of which have been accentuated rather than minimized by the military conflict, is entirely another thing.

Editor. What is your government's position on allowing planes or vessels carrying food and relief to Biafra? One sailed from Ireland recently for Biafra. Is it your feeling that this is a means of prolonging the resistance?

Ambassador. Let me say that all material aid—food, medicine, clothing and other things necessary for the local population affected by the fighting on either side of the combat lines—is welcome, and provided that they are offered in a genuine spirit of assisting in the situation, they are very much appreciated. Unfortunately, too many interests seem to have gotten involved in this because of the concern that a lot of these [news] accounts—some of them not very honest—have aroused in various parts of the world.

The federal government had arranged with all the aid-giving agencies which operate in Nigeria that all the aid should be coordinated through the International Committee of the Red Cross. In addition to the International Committee of the Red Cross, the United Nations Children's Fund is playing a very effective role.

Now you did say that an Irish organization or concern has sent a ship from Ireland to what you refer to as Biafra. Of course, I don't know what Biafra in that context means.

Biafra, as far as we are concerned, is a state of mind. It is not a geographical location. Of the three states in the east of Nigeria and the eastern part of Nigeria which Ojukwu [Lt. Col. C. Odumegwu Ojukwu] tried to claim as his Biafra, two have been completely retaken by the federal government and reintegrated into the federal system.

They have their own governors, their own local people, their own councils, their own county officials, their own judges. And they are trying to get life back to normal.

Now the third state, which is the Ibo-speaking state, inside the area of the East-Central State, has had more than two-thirds of the territory retaken by federal forces already. What territory is left in Ojukwu's hands is shrinking.

The area Ojukwu controls has no seaport or airport, is very far away from the shores of the littoral areas of Nigeria.

Some of these ships and aircraft I understand carry supplies to either of the Spanish or Portuguese islands off the coast of Nigeria in the Atlantic. Where these supplies are handed over to the Red Cross, the federal government from time to time arranges with the Red Cross—especially from the island of Fernando Poo—to airlift these supplies into one of the two makeshift airstrips still left in the hands of Ojukwu and his supporters.

Unfortunately, for reasons best known to them, for reasons that I can guess, Ojukwu has announced they aren't going to allow the Red Cross to bring in this food, even airlifted in from Fernando Poo.

Editor. Any explanation as to why?

Ambassador. No. I have seen comments in the British papers that Ojukwu's representatives have said that that is the airstrip from which they receive all their arms—surreptitiously flown in the night from Libreville and Gabon. Handing that to the Red Cross would cripple them.

Editor. What about these worries about extermination or tribal genocide? What can be done once the war is over to bring the other side together again with the government?

Ambassador. Well, this is a very complex problem. As you know the Nigerian problem is not on two sides, but on 12 sides. The creation of these 12 states are very real things. They are not just paperwork. They are very, very real.

We must separate the propaganda which Mr. Ojukwu and his associates put out, from reality. There are millions of Ibos in the other parts of the country—38,000 in Lagos alone, registered; half a million and over in the Midwest, where Ojukwu's troops overran for six weeks, set up a vicious puppet government, and then were thrown back.

Even in the far northern states, which are largely Muslim and Hausa and Fulani, Ibos are back. The Governor of Kano has on his staff a very, very senior Ibo man, who has Cabinet rank and who is in charge of all the property of the Ibo people and others who left Kano in these disturbances.

I, myself, saw Ibo people in Kano in the markets and their shops, going about their normal business two weeks ago. Now they're all over the place. So the problem of solving these difficulties is not as hopeless as might appear.

This idea that the rest of the country is trying to crush Ibos—this is sheer madness. There are today—as of the last week in August—646 Ibo police officers in the Nigerian police.

The permanent secretary of the Federal Ministry of Industries, who ultimately decides the pattern of industrial development in the whole country is an Ibo officer. The executive secretary for the federal inland revenue department, is himself an Ibo officer. Our Ambassador in Brussels is an Ibo man. Our Ambassador in India is Ibo.

I saw a directive from General Gowon, head of the military government in Lagos, that a certain number of senior posts in the government vacated by Ibo officials should not be filled and that as many of them as wish to come back should be allowed to return.

We have offered them, as you know, the facility of having their observer teams of foreign troops introduced into the area, into the Ibo-speaking area, as a guarantee that the federal forces would not massacre them.

We have asked the Organization of African Unity to authorize the consultative committee of six heads of state to send observers—additional observers from their own country—not only to stay in the Ibo speaking area, but to go everywhere to see that we are not victimizing Ibos.

We have gone further. We have now invited the UN Secretary-General, the Organization of African Unity, Britain, Poland, Canada and Sweden to send military and civilian observers to move along the front lines with our troops as we move into what is left of the rebellious area.

The federal army will not control that [Ibo-speaking] area but it will be policed by an entirely Ibo contingent of the Nigerian forces. What else can we do?

Editor. What are the surrender terms which you will now be expecting?

Ambassador. Briefly, I repeat again that we have gone as far as we know how. We have even said that there shall be no surrender.

There shall be a joint declaration expressing belief in the unity of Nigeria.

There can be no surrender in a fight among brothers. We are not fighting a foreign enemy or trying to acquire a new territory. All we want is to say the secession is over. How can we say it to the best of our ability without, you know, a loss of face on either side?

As you know, they turned around and said what they want is sovereignty of Biafra. We should hand over 5¼ million non-Ibos in the two other states to them—to be in subjection to them? We should move our troops away after one year of fighting to prewar boundaries? They are not serious!

Editor. What about Port Harcourt? Are you prepared to let them have an outlet to the sea?

Ambassador. This is a ridiculous question, I say with your kind permission, if you don't mind my saying so. Are you prepared to give

Oklahoma an outlet to the sea? We're one country.

EDITOR. And the revenues from the oil?

AMBASSADOR. The revenues from the oil go to the federal government.

EDITOR. And how is it to be distributed thereafter?

AMBASSADOR. We have been waiting for our Ibo brothers, and have been holding up meetings of the ad hoc committee on revenue allocation to work out a new formula which we would put before a future constituent assembly, to decide how revenues are to be distributed.

EDITOR. Do you feel the oil revenue is something which perhaps influences French policy?

AMBASSADOR. Well, I would be very bold to try to say that I know the things that are responsible for the oracular pronouncements that come out of the Elysée Palace from time to time.

I believe that in the last press conference of General de Gaulle, Nigeria and Canada had the rare distinction of being lumped together as areas in which the French have not given up their idea of encouraging separatist movements and separate states.

We love the Canadians. We are in close collaboration with them. We did not dream, of course, that we one day would be lumped together on this particular issue.

So, we don't know really what General de Gaulle is after, but we watch with . . . well, we watch.

EDITOR. Ibos often talk at great length about the Russian threat in Nigeria. Do you feel there is a threat?

AMBASSADOR. My first reaction is to ask, threat to whom? And how is this threat manifested?

As far as I can recall, comments about the prominence or the increase in Soviet influence in that part of Africa, coincided or rose from the fact that the Nigerian government decided, after trying to buy a number of warplanes from its normal friends and normal sources of arms supply, to buy a number of Russian MIG planes. I do not understand how the purchase of six planes for which we paid spot cash can be regarded as an increase in Russian influence Mr. Ojukwu had acquired a number of American-manufactured planes through third parties and was the first to introduce aerial bombing into a war, which we had hoped, would be limited to the fighting of troops on either side, and devastatingly bombed civilian establishments, including the Catholic church in Lokoja one Sunday, killing the worshipers.

EDITOR. Would you comment on American public reaction to the Nigerian war?

AMBASSADOR. First of all, Mr. Ojukwu has concentrated and spent fantastic sums of money on propaganda. For a long time the federal government, as you know, said and insisted that this is an internal problem and we still insist it is. Mr. Ojukwu says it isn't and therefore went out of his way to feed to the public all over the world fantastic and lurid accounts and distortions of what was going on. Furthermore, he has tried to enlist sympathies of organizations and interests whose own concern in the matter would ordinarily be limited to a small aspect of it.

For instance people do not like to see pictures of starving children—they are interested therefore in seeing what can be done. People in this country are very compassionate people. Now this has been exploited. Food is piling up around the area controlled by Ojukwu—large quantities of food. If only he gives the word "go" the Red Cross will roll in this food. The trucks are there.

Ojukwu's Biafra, to show you the fraud of it all, left out more than half a million Ibos in the Midwest. He didn't include them in the Biafra. If he was there to save the Ibos, why didn't he say at least those districts in the Midwest which are predominantly Ibo should join him?

EDITOR. What is the starvation rate, as you know it, in Biafra or the Ibo-held areas and outside?

AMBASSADOR. I am glad that you added the two last words. Because the people suffering privation and shortages of food are by no means limited to the small area left in Ojukwu's hand. Ojukwu's troops contributed considerably to the devastation of certain areas when they were withdrawing, and in the non-Ibo areas when they were in occupation.

It is very difficult, let me say, to know what is the truth. How do you count people in villages and in the bush? One thing is certain—these numbers are widely exaggerated.

I also agree that it is not a question of numbers. Even if one Nigerian child dies, it is bad enough. And we should do everything to stop it, but to use this terrible human situation, which is very un-African, for political complaint is terrible.

It may not have occurred to people, but most of the people in the refugee camps now under Ojukwu's control are not Ibos. They are people Ojukwu carried away and drove in front of his troops from the non-Ibo areas and prevented on pain of death from returning. My own relations are in those camps. I have their names. So it cannot be that we are deliberately trying to starve our own people.

EDITOR. You have referred frequently to Colonel Ojukwu. What would the federal government have in mind for Colonel Ojukwu when this war is over?

AMBASSADOR. Well, we should not deviate our efforts on the whole matter to the individual level. We are talking of the future of 56 million Nigerians. We have already indicated in Kampala [Uganda], and in Addis Ababa [Ethiopia] that we'll have a general amnesty for the general public.

I saw plans in Lagos on my recent visit, extensive plans, for rebuilding that [Ibo] area. I saw extensive plans for giving free education to all children who lost their parents in these disturbances and in the civil war. I saw plans for rehabilitating soldiers fighting on Ojukwu's side. Ojukwu's own personal fate is not to me an overriding issue.

But Ojukwu was a colonel in the Nigerian Army. He spoke sacred oaths to defend the integrity of Nigeria even with his life. Not only did he fail to do this, he tried to break up the country and declared secession. The man goes and declares war on his fatherland, a soldier—well, he knows the consequences of that.

We must remember that we are dealing with the process of history. Suppose another one says, "Ojukwu did it and got away with it, so in another small province we start a new flag and say we are independent and we start another war."

FEDERAL ECONOMY DRIVE IS NOT BEING DERAILED

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. COHELAN. Mr. Speaker, I would like to draw my colleague's attention to an interesting analysis of our current economic situation. The article appeared in the September 30 edition of the Wall Street Journal, and it offers a timely overview of the efforts to cut back Federal spending.

I, therefore, Mr. Speaker, would like to insert at this point in the RECORD, "Federal Economy Drive Isn't Being Derailed Despite Surge in Spending," by Mr. Richard Janssen:

FEDERAL ECONOMY DRIVE ISN'T BEING DERAILED DESPITE SURGE IN SPENDING, OFFICIALS SAY

(By Richard F. Janssen)

WASHINGTON.—A surprise surge in Federal spending doesn't mean the economy drive is being derailed, Johnson Administration officials say. But the possibility of bureaucratic sabotage further down the line isn't being dismissed.

Budget outlays in August, officials concede, were at an annual rate of $196 billion, which would be well above the $184.4 billion they projected a few weeks ago as complying with the Congressional mandate for $6 billion of rollbacks in many programs. This is in sharply adverse contrast, they note, from the welcome July pace of about $172 billion at an annual rate.

The annual rates are derived by multiplying a month's outlays by 12; the actual August figure was $16.3 billion, the Treasury reported, up from $14.3 billion in July and from $15.2 billion a year earlier.

"If you just look at those totals, you get scared," Budget Director Charles J. Zwick said in an interview. But, he contended, it's more meaningful to average July and August together, which shows an annual rate of not quite $184 billion—"right on target"—with the goal for the fiscal year started July 1.

And when the accounts are examined agency by agency, Mr. Zwick said, "You relax." The only "big problem," he said, is that unexpectedly large crops this summer are pouring grain into the Agriculture Department's price-support programs in far heftier volume than anticipated. Instead of the net $2.9 billion budget drain planned last January for this fiscal year, he reported, it appears that these Commodity Credit Corp. outlays—even after allowing for sales later in the year—will reach $3.8 billion.

NEW ROUND OF TALKS

Unless Congress acts to exempt the Commodity Credit Corp. from the overall spending ceiling (such major programs as the Vietnam war and Social Security already are exempt), the excess outlays will have to be offset by deeper cuts in the budgets of other agencies. The Senate last week voted to remove the ceiling from the OCC, but as the same bill also would force the Government to give states as much as $500 million less than they're expecting for "medicaid" to the poor, it's believed the Administration will oppose the surprise measure in the House.

Aside from the CCC, Mr. Zwick said, the only other covered agency exceeding its budget target is the Army's Corps of Engineers; this is only by about $200 million and may be mostly a seasonal problem, he said.

But while the budget situation in August "wasn't as bad as it looks at first blush," Mr. Zwick said, he will shortly start a new round of talks with agency heads to "reiterate the need to keep things under control." President Johnson is determined, the budget director added, to "do his fair share" toward meeting his half of the savings goal before a new Administration takes over in January.

To date, other officials say, they have every evidence that most individual agencies are hewing to the spending patterns prescribed by the Budget Bureau. But they also have been finding a good deal of evidence that individual agency representatives are seeking to bypass Administration channels and coax Congressional committees into being more liberal with them.

This is frequently part of the Washington way of life, observers say, but they suspect that the phenomenon is becoming particularly pronounced now that Mr. Johnson heads a "lame-duck" Administration. Especially in the nearly three-month span between the early November election and the late January inauguration of a new President, these analysts say, the discipline in the bureaucracy is apt to degenerate much more markedly.

UNCOORDINATED LOBBYING

Already, they suspect, many of the Congressional moves to exempt specific agencies from the job-cutback portion of the economy mandate represent the uncoordinated lobbying of the agencies themselves. "Congressional committees don't just come up with those ideas out of thin air," one observer chides. He finds that "each agency head is looking out for himself" without regard for how others have to cut back harder when one gets relief.

Last week, for instance, the Senate took up, but then killed bids to spare the Internal Revenue Service, the Housing and Urban Development Department and the Federal Home Loan Bank Board from job reductions and to exempt public-assistance outlays from the spending ceiling.

If September budget figures suggest that agencies are successfully squirming out from under the outlay limits, the Budget Bureau may take stronger action.

Generally, the bureau apportions to each agency every quarter a sum equal to one-fourth of its budget for a full year; it is only within this quarterly apportionment that the agency can obligate funds, such as committing itself to spending for payroll or outside contracting purposes. If necessary, officials say, the budget director could decide to reduce the apportionment for the quarter starting Oct. 1 to less than one-fourth of the total, thus forcing agencies to retrench on obligations and before long to retrench on actual spending as well.

The lag in getting September data will mean the quarter would be well under way before a revised apportionment could be issued, thereby making any bite all the more painful. Such a retroactive reduction has never been ordered, observers add, but say they think it is legally feasible.

In an assessment of the tax-boost side of the fiscal restraint program, Federal Reserve Board member Andrew F. Brimmer said he is "personally convinced" that it will eventually slow economic growth "despite the delayed response" of consumers. In a speech to the National Association of Business Economists in New York, Mr. Brimmer offered these reasons for a lag in damping of consumer spending: The "short" time since the mid-July rise in withholding rates, the exemption of many low-income taxpayers and the "magnitude of increases in personal income" since then.

Although the surtax will help check inflation during 1969, Mr. Brimmer said, "the road ahead of us will be especially difficult to travel" because inflation "was allowed to progress so far before an effective combination of fiscal and monetary restraint could be exercised."

RESOLUTION OF APPRECIATION TO J. J. "JAKE" PICKLE, MEMBER OF CONGRESS, 10TH DISTRICT, TEXAS

HON. W. R. POAGE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. POAGE. Mr. Speaker, my colleague, Hon. JAKE PICKLE, of Texas, enjoys great esteem in his own district as a man who knows about the farmer and who works to promote the interests of the farmer.

Recently, at the annual membership meetings of the Texas Electric Cooperatives, Inc., in Dallas, JAKE was unanimously recognized in a resolution of appreciation. In light of the strong stand JAKE took with me on such matters as the REA financing bill, it is no surprise that he was named for this honor, and at this point in the RECORD, I include the resolution in full:

RESOLUTION OF APPRECIATION TO J. J. "JAKE" PICKLE, MEMBER OF CONGRESS, 10TH DISTRICT, TEXAS

Whereas the rural electric program has long been indebted to those staunch supporters in Congress who continue to fight for this program;

Now, therefore, be it resolved that we, the representatives of the rural electric cooperatives in Texas, express our thanks and appreciation to our friends in Congress for their support of the rural electric program, for their continued opposition to curtailments and limitations on the exercise by the REA Administrator of his duties under the Rural Electrification Act, and for their support for appropriation of loan funds adequate to meet the growing needs of rural America for electric power. We are proud and fortunate to have such friends and we earnestly solicit their continued support.

Adopted by unanimous vote of Delegates to the 28th Annual Membership Meeting of Texas Electric Cooperatives, Inc., Dallas, Tex., Aug. 22, 1968.

Presented by Miss Texas Rural Electrification, Barbie McMillan, to the Congressman at a Program in his honor at Northington Farm, Wharton County, Texas, on August 30, 1968.

U.S. ARMY MILITARY RESEARCH COLLECTION AT CARLISLE BARRACKS, PA.

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. GOODLING. Mr. Speaker, on September 28, 1968, I had the privilege of attending the opening of the U.S. Army Military Research Collection at Carlisle Barracks, Pa.

Gen. Bruce Palmer, Jr. made the principal address at this proceeding, and because General Palmer's remarks make reference to some salient aspects associated with this research collection, I insert his comments into the CONGRESSIONAL RECORD.

I also insert, as a post reference to General Palmer's remarks, some background information on the U.S. Army Military History Research Collection:

REMARKS BY GEN. BRUCE PALMER, JR., VICE CHIEF OF STAFF, U.S. ARMY, U.S. ARMY MILITARY RESEARCH COLLECTION, ARMY WAR COLLEGE, CARLISLE BARRACKS, PA., SATURDAY, SEPTEMBER 28, 1968

Returning to Carlisle Barracks is like coming home as I have had three tours here. Mrs. Palmer and I have roots here, where our only son was born, and we have very pleasant memories of Carlisle and the Cumberland Valley.

And so it is both a privilege and pleasure to dedicate the U.S. Army Military History Research Collection. If I had the entire United States to choose from, I couldn't select a finer place for this collection than the Carlisle area. This is as historically rich an area as there is in our whole country. In this connection, I commend to you one of my favorite source books—given to me by the local citizens of Carlisle—a book called, *Two Hundred Years in Cumberland County.* It was brought together by the Hamilton Library and the Cumberland County Historical Association.

Carlisle dates back to 1731, before the French and Indian Wars. The town was a historical trade route center in those days. At this site where north-south and east-west Indian trails crossed, the earliest settlers established the westernmost outpost of civilization in the Cumberland Valley. The Army came here initially to protect the settlers. The first Army camp at Carlisle was established by Colonel John Stanwix in 1757; it was later known as Washingtonburg. Today it bears the name of Carlisle Barracks—after the city of Carlisle. In those early days, the primary mission of the Army was to cover the movement of our settlers as our people moved west to carry out our "manifest destiny" in this great country. . . . Today, as in the past, the Army's mission is the same: to protect the people.

It is also very appropriate that we selected the Army War College at Carlisle Barracks as the site for this Research Collection because it is the senior institution in the Army's military education system. The Army has a comprehensive educational system, and we are quite proud of it. We believe it is the finest of its kind in the world. We strive to develop and educate our people in the Army on a continuing basis. We feel that we never stop learning. I am sure those of you in the audience who are in the academic field will agree with me. The day when you think you can no longer learn something, you are mentally dead.

The Army War College has always had a keen awareness of the importance of a sense of history. Ever since moving to Carlisle, the College has sought to bring to light the local historical lore of this beautiful Valley. You have seen some of the results—the plaques, the Hessian Guard House Museum, and other landmarks on the post. This very colorful Color Guard we witnessed this morning is typical of what has been done at the Army War College. The uniforms and arms of the Color Guard are from our Artillery branch—vintage of 1814.

The College has also led the way in exploiting as an historical asset the Gettysburg Battlefield. The annual Gettysburg skit has become known all over the world. The battlefield tour that the faculty conducts is probably the most professional one of its kind in the world. It is known internationally. And so I commend the Army War College for being far-sighted enough to establish this Research Collection here.

The military profession is like any other profession; if it doesn't have adequate research facilities, it cannot flourish. And so we feel that there is a very real and significant need for such a collection.

There are many military libraries in our country, but there is none that is dedicated solely to perpetuate the history and the traditions of the United States Army. That is the purpose of this collection. Moreover, it is a great boon to the scholar, the researcher, and the professional soldier to have ready access to such historical material at one location. That, of course, is why we have established this center. We hope that various Army museums, local post libraries and individuals, who may jealously guard their one or two first editions or some very old diary, will be kind enough to give up some of these treasures and present them to this collection. We hope, too, that our civilian friends will likewise see fit to contribute to this collection.

I want to stress at this point that this is a collection for the entire Army; it is not just intended for the Army War College. Of course, when I say for the entire Army, I am speaking for our country because the history of the United States Army is part of the history of our country—a most significant part.

Now some salient facts about this collection. It is a descendant of the old War Department Library, established back before 1800—about 1795. It grew to about 3,000 volumes by 1840. Then, during World War I, it was combined with the library of the old Army War College, then located in the District of Columbia at an Army post called Washington Barracks, known today as Fort McNair. After World War II, the Army gave up its old facilities at Fort McNair and turned them over to the National War College, later reestablishing the present day Army War College at Carlisle Barracks. The National War College has been kind enough to give up most of the old library and return it to the Army. Our Chief of Military History has also donated a large collection of old military histories and papers from his office.

Some of the books in our collection here go back to the 15th and 16th Centuries. The oldest—1494—is one on *Roman Tactics* by an author known as Vegitius. We are very proud of some of the original source materials here. One that comes to mind is Emory Upton's original manuscript of the *Military Policy of the United States*, a landmark in its particular field. Incidentally, this hall is named after Emory Upton.

One of the most interesting books in the library is one which was kept in the outer office of the then Secretary of War from 1795 to 1811. It is entitled, *Stores of the Army*. It has, in great detail, everything the Army owned—every flintlock, pistol, horseshoe, and horseshoe nail. The Secretary really had a handle on his resources in those days. Would that we had this system today. Now it takes batteries of magnetic tapes and data banks for any Service Secretary, much less the Secretary of Defense, to keep track of the enormous inventory we have today—end items of hardware, engines, spare parts, and so on.

In addition to the thousands of books, there are hundreds of papers available, and we hope that as this collection grows, there will be many more important papers donated. Some of the papers already donated include those of General Paul Carraway and of Generals Guy Henry, father and son, two of our truly great cavalry leaders. We have the diary of General Crook written during our Indian Wars in the West. Another interesting document is the diary and operational log of a Colonel Bill Bradley, who fought in the seige of Corregidor until he was imprisoned by the Japanese during World War II.

One of the most important acquisitions are the papers of our recently retired Chief of Staff, General Harold K. Johnson. These papers I think some day will be of great historical significance. General Johnson served during both the Kennedy and Johnson Administrations during days of far-reaching decisions—he played important roles in several crises—Cuba, the Dominican Republic, and Vietnam. General Johnson was the first Chief of Staff of the Army to recommend that we commit U.S. ground power on the mainland of Asia—truly a historic decision, but one that only history some day can judge.

The collection now has over 100,000 volumes. Some day, soon I hope, it will become the main center of military historical research and forward looking thought, taking advantage of the lessons of history for our Army and for our country.

History, of course, like real life, is the good and the bad; the joys and the sorrows; the noble deeds and the crimes; the important, exciting events and the trivialities; the courage and the cowardice . . . both sides—this is true history. Original manuscripts are the flesh, blood and bone of history. Only with the original manuscript can you go back and get the feel of the situation as it was. Manuscripts speak with authenticity; they bring you back in immediate and intimate touch with the past.

A study of the past, it seems to me, can throw a lot of light on the Army and its mission. I am a great believer in the study of the historical past. Not only can we get a feel for the present and what we should or shouldn't be doing, but we can also focus on the future and more wisely chart our course through history. If this collection can help guide the Army and its leaders of the future, it will more than pay its way.

So I charge you, General McCaffrey, to make this collection grow and flourish. On my part, I pledge to support you in any way possible. I want to thank you all, particularly our civilian guests, for participating in this dedication.

The U.S. Army Military History Research Collection

The U.S. Army Military History Research Collection has the primary purpose of preserving historical materials relating to the history of the United States Army. The Research Collection, however, is not intended as a storage facility but is designed to be a working Collection available for research by both civilian and military scholars.

Included in the Collection are books and official documents brought to Carlisle Barracks from many Army posts. These trace not only the development of the Army but also many related national activities which had an effect upon the growth of the Army or in which the Army has participated. Many works also relate to military activities of other nations since the U.S. Army has always studied the activities of foreign powers in an effort to improve its own capabilities.

In addition to printed materials, the Research Collection includes the personal papers of many officers. Letters, diaries, and other personal writings provide original source material often not available in the formal printed history. Photographs and art work of various types are also a part of the Collection.

One of the unique features of the Research Collection is the 1840 War Department Library. Through fortunate circumstances, the inventory ledger of that library has survived the years. The present Research Collection includes approximately two-thirds of the books and documents which were in the 1840 library.

Although still in its organizational stage, the Military History Research Collection totals approximately 100,000 bound volumes. Ultimately, it will become one of the outstanding research facilities of its kind, particularly as materials arrive from Army posts throughout the world.

TRY PARTICIPATION

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. STEIGER of Wisconsin. Mr. Speaker, citizen participation in politics and government has been one of the major issues of the 1968 campaign. We have heard calls for replacing the conventions with a national primary. Surveys show that many Americans feel powerless to make changes in our society.

An article in the Milwaukee Journal of September 4, 1968, makes a suggestion worthy of note—"perhaps a plunge into precinct politics is in order."

The Journal points out:

Even in defeat, a well-waged effort can have a strong impact on government affairs. It also can give ordinary citizens a feeling of relevance never found in an easy chair.

At this point in my remarks I include the Journal article:

Frustrated About Politics? Try Participation

What can I do? The plaintive question is heard often these days as a nation tormented by war abroad and discord at home sweeps toward a climactic presidential election.

The standard answers—write your congressman, send a check to the party of your choice, be sure to register and cast an informed ballot—do little to ease the sense of helplessness, the feeling of disconnection from powerful forces that are shaping the fate of a sprawling nation of 200 million souls. Perhaps the taste of a different elixir is needed; perhaps a plunge into precinct politics is in order.

Even for the policital neophyte the opportunities are endless. Every candidate in a real race—from assemblyman to presidential contender—needs volunteer toilers to carry the campaign door to door, raising funds, distributing pamphlets, answering questions, arguing issues.

Headquarters need help, too—arranging candidate appearances, creating and preparing advertising and campaign material, recruiting other workers, conducting training sessions, compiling voter lists for solicitation purposes, answering phones, greeting visitors, stuffing envelopes.

Then there's the vital stretch drive—the final telephone campaigns, efforts to get absentee ballots cast, arrangements for baby sitting and transportation to the polls on election day.

There can be no assurance of ballot box triumph. But the rewards for personal involvement in a political campaign are not confined to winning. Even in defeat, a well waged effort can have a strong impact on government affairs. It also can give ordinary citizens a feeling of relevance never found in an easy chair.

AN INDEPENDENT DEMOCRAT SPEAKS FROM BERLIN

HON. JAMES C. CLEVELAND

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. CLEVELAND. Mr. Speaker, a constituent of mine and a friend, John E. Voudoukis of Berlin, N.H., recently wrote an interesting letter to the editor of the Boston Herald. It is a thought-provoking letter and although my colleagues may not agree with some of its observations, because of its timeliness I feel that it should be made a part of the Record at this point.

The letter follows:

The War in Vietnam and the Elections

Time—1964, Election Year . . . "We are not going to send American boys 9,000 or 10,000 miles away to do what Asian boys ought to be doing for themselves!" Lyndon Johnson (1964 campaign)

Because of this "pledge", millions of Republicans joined the Democrats and made the Johnson-Humphrey ticket a "landslide". After they were elected, they did the opposite. They involved us in a shooting war in Vietnam, which war it is to this day the number one painful subject in every American family.

What are we fighting for in Vietnam? The officials give this explanation: "We are in

Vietnam not only for Vietnam but beyond . . . If we pull out of Vietnam, the whole Southeast Asia will fall into Communistic hands."

If this is the real reason for sending 550 thousand American boys "to save Southeast Asia", why, then, do we have to fight such a jungle war on a Russian choice location? No one seems to know the answer except the officials.

This we all know . . . That on this Vietnam location, according to our own official weekly reports, we have lost thousands of American boys, dead and wounded, every single week for four years.

During these four years, according to our own official reports, the Russians have lost not one single Russian soldier, dead or wounded . . . neither have the Chinese.

Time—1968, Another Election Year . . . The war in Vietnam is still going on with no end in sight, as our President stated just recently. The Democrats are deeply divided on Issues at home and the war in Vietnam, with no "Party" or "Leaders". The Party is broken in small groups and each group is working on their own. Even our President and Vice President are in odds in the open—contradicting each other. One says partly "Yes", the other says "No".

Unfortunately, "Yes" or "No", nobody believes us. Our Democratic Party leaders in Washington, right or wrong, have lost the confidence of the People. The Democrats need a new leader to re-unite them. Vice President Humphrey is a fine man, but being a co-partner on the doings in Vietnam, is not the one to do the unity job.

In a private breakfast with Governor King, I did predict the results of New Hampshire Primaries. What the American People will do in November, I don't want to predict.

History Repeats Itself . . . We may see millions of Democrats do in 1968 what millions of Republicans did in 1964.

JOHN E. VOUDOUKIS,
An Independent Democrat.

BERLIN, N.H.

ADDRESS BY GOVERNOR RAYMOND P. SHAFER OF PENNSYLVANIA AT THE NATION'S FIRST STATEWIDE CONFERENCE ON SOLID WASTE MANAGEMENT

HON. ALBERT W. JOHNSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. JOHNSON of Pennsylvania. Mr. Speaker, in 1966 the Commonwealth of Pennsylvania became one of the first States of the Nation to apply for and to receive a Federal grant to conduct a 3-year study on which to develop a statewide waste management plan.

At the Governor's Conference on Solid Waste Management at Hershey, Pa., October 8, 1968, Governor Raymond P. Shafer delivered the following address to the first statewide conference of its kind in the Nation:

REMARKS BY GOVERNOR RAYMOND P. SHAFER, GOVERNOR'S CONFERENCE ON SOLID WASTE MANAGEMENT, HERSHEY, PA. TUESDAY, OCTOBER 8, 1968

We are here today to begin the first statewide conference of its kind in the Nation—a conference to discuss what we are going to do with the flood of junk and other solid wastes that is flowing over our land.

Who in Pennsylvania realizes that every year we produce 30 million tons of discarded bottles, cans, automobiles, garbage and the other junk that in a way measures our great affluence?

I am certain there are not many citizens who stop to think about how we dispose of this refuse.

Fortunately, the leadership of Pennsylvania is thinking about it. And because we are, Pennsylvania's General Assembly has enacted the nation's first Solid Waste Management Act.

This act, along with the other major conservation and environmental laws enacted during the past year and a half in our Legislature clearly shows that we are creating a Golden Age of Conservation in our Commonwealth, as I proposed we should in a special message to the General Assembly on April 4, 1967.

We now have a $500 million land and water fund to accomplish pace-setting programs to wipe out mining blight, clean our air and water.

We are now establishing the first air pollution monitoring network in the Nation to help us begin the control of air pollution on a state-wide basis.

We have two new river basin compacts—the Susquehanna and Wheeling Creek—to help us plan for the wise use of water in two major industrial areas.

We now have strong legislation to help us preserve open space in urban areas by taking easement rights now to farm land that has the potential of being eaten up by urban sprawl.

These are programs that show we are planing for our future and the kind of healthy environment we must leave to our children if they are to fully enjoy life.

We have called this conference today to specifically discuss solid waste because not enough attention has been given to the mismanagement and dumping of junk indiscriminately on our land.

Through the Solid Waste Management Act, Pennsylvania has become the first state in the nation to form a partnership with local government to plan and execute a good solid waste management program.

We can now take the steps necessary to curb land pollution.

We can undertake the measures needed to stop scenic blight across our countryside.

We can reduce and possibly eliminate the addition to our air of tons of gases, fly ash and other particulates resulting from open burning solid wastes.

Additional pollution of our waters can be prevented by the proper disposal of solid wastes.

However, in order for Pennsylvania to continue in a leadership role and to protect and restore the inherent beauty of Pennsylvania, your support and the support of the organizations you represent is needed.

There can be no question that the solid waste problem of Pennsylvania will grow more critical before steps to moderate it can become fully effective. However, the problem will not overwhelm us as long as we recognize the need for acting cooperatively. Therefore, state and local government cooperation was made an integral part of the Solid Waste Management Act.

Financial assistance will be provided to local government to match up to fifty percent of the costs incurred by local government in preparing plans for solid waste management systems.

I am asking this Conference and the Advisory Committee which I have appointed, to give particular emphasis to developing areawide plans for solid waste management. Only by combining into regional groupings can we, in many cases, achieve our goals effectively and economically.

It is possible that the need for assistance will continue beyond the planning phase of the Act because the responsibility of local government to implement an adequate waste system will certainly strain the financial structure of many municipalities. We are embarking on an orderly, cooperative program to plan ahead and to determine jointly what these needs will be. When these steps have been taken, State Government will want to work with local government to determine how they can be met. Also, we are hopeful that the Federal government, which has initiated activities in waste management, will also provide financial assistance as it has in other areas of pollution control.

In 1966, Pennsylvania became one of the first states to apply for and receive a Federal grant to conduct a three-year study on which to develop a statewide solid waste management plan. The inventory of solid waste storage, collection and disposal practices of 2,559 municipalities (100%) has been completed and an inventory of the practices of Pennsylvania's industrial and agricultural establishments is now in process and approximately 25% completed.

Our aim is to devise solutions for the problems of land pollution which will incorporate the latest technology and best economic techniques.

We are encouraging researchers and manufacturers of pollution control devices and systems to develop their industries in Pennsylvania with the new jobs and millions of dollars they will add to our economy.

We plan to encourage the recycling of wastes back into beneficial uses to conserve our natural resources and reduce the load on the environment.

If we act wisely now the preservation of our natural resources and the creation of a cleaner, healthier environment will be assured.

I, therefore, charge this Conference to conference to consider carefully:

1. How local government can most effectively undertake its responsibilities under the Pennsylvania Solid Waste Management Act.
2. How industry, agriculture, local and state government can mutually bend their joint efforts to resolve solid waste problems as part of their overall environmental protection program.
3. How local jurisdictions can cooperate together in forming areawide systems.
4. What further steps the Commonwealth should now take in embarking on its solid waste management program.

The goals we will strive for are:

Pennsylvania must repair the damage to the environment resulting from the mismanagement of solid wastes.

Pennsylvanians must preserve our natural resources of air, water and land from further pollution due to solid wastes.

Pennsylvania must guard the health, comfort and well-being of its citizens by implementing effective and economical solid waste management.

We must provide the leadership necessary to show Pennsylvanians what we must do to restore the quality of our environment. This Conference, I am sure, will accept the challenge.

POLL RESULTS, OCTOBER 1968

HON. JOHN P. HAMMERSCHMIDT

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. HAMMERSCHMIDT. Mr. Speaker, in August I sent a questionnaire to residents of the Third Congressional District of Arkansas. To each person who responded and indicated a desire to know the results of the poll, I am sending the following letter and summary of findings:

DEAR FRIEND: Below is the statistical report on our second Questionnaire to residents of the Third Congressional District.

The result is based on 14,635 responses and includes all cards received by October 1.

Your participation is deeply appreciated. In this way, I am better able to know the thinking of the residents of the District on critical problems of the day. Thank you very much.

Sincerely yours,
JOHN PAUL HAMMERSCHMIDT,
Member of Congress.

Question	Yes		No		No response	
	Number	Percent	Number	Percent	Number	Percent
1. Should Congress remain silent on present administration policy in Vietnam so long as the Paris talks continue?	4,211	28.8	9,390	64.2	1,034	7.1
2. Should the minimum voting age be reduced to 18 years as requested by the President?	5,592	38.2	8,766	59.9	277	1.9
3. Do you favor giving tax credit for tuition paid for son or daughter in college?	10,017	68.4	4,176	28.5	442	3.0
4. Would you favor a constitutional amendment to allow Congress to override a Supreme Court decision by a ⅔ vote?	12,245	83.7	2,066	14.1	324	2.2
5. Do you think present laws and court rulings seriously hamper law-enforcement officials?	13,246	90.5	1,174	8.0	215	1.5
6. Should the Federal Government try to slow the population migration from rural to urban areas through programs of economic incentives and aids to private industry to help create jobs in rural areas?	9,580	65.5	4,241	29.0	814	5.6

	Number	Percent
7. What steps should be taken to stop riots?		
(a) Put more money into improving slum living conditions	882	06.0
(b) Provide government jobs, if necessary, for the unemployed	1,417	9.7
(c) Give police and troops freer hand in early stages of disorder	9,649	65.9
(d) Strengthen antiriot laws	2,456	16.8
(e) No response	230	1.6
8. The Federal Government should guarantee—		
(a) A minimum annual income to every American family	387	2.6
(b) Work which will produce a minimum annual income for every American family	5,173	35.3
(c) No sort of annual income	8,546	58.4
(d) No response	529	3.6
9. Do you think the foreign aid program should be—		
(a) Continued as is	163	1.1
(b) Reworked to meet the times	7,732	52.8
(c) Discontinued	6,373	43.5
(d) Expanded	45	.3
(e) No response	322	2.2

THE ROGER ZION REPORT

HON. ROGER H. ZION

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. ZION. Mr. Speaker, under leave to extend my remarks, I include the following report to my constituents on the 90th Congress from my regular newsletter entitled "The Roger Zion Report":

THE 90TH CONGRESS

The 90th Congress and its record is about to take its place in history. Probably only the passage of time and events will determine the quality of this Congress, the impact of its action, and its contribution to the American society. Probably only time will determine whether the 90th Congress was the shaper of events or whether it, conversely, was shaped by these events.

As all Congresses are, the 90th moved with an ear to the electorate and the ever-present approaching election campaign. That campaign has already emerged as one with great surprise and great tragedy. It is an indisputable fact that much of the activity of Congress, especially that centered around the issue of gun control, stemmed from the assassination of two major political leaders, Martin Luther King and Senator Robert Kennedy. This issue of gun control produced more mail in most Congressional offices than can be recalled by all except a few very old hats on the Hill. But beyond this extraordinary issue, created by extraordinary events, we might best characterize this Congress as a "braking" Congress. Its makeup of new faces of a more conservative orientation, finally announced to the Administration that the honeymoon was over.

In 1964 the President had been elected by landslide proportions. The magnitude of his victory gave him a Congress heavily liberal and amendable to the various Great Society programs that he proposed. The President was denied very little in this two-year period and historians will compare it with the famous "100 days" of the first term of Franklin Roosevelt. Government spending programs multiplied, and along with the rapid escalation of a major land war in Asia, produced serious inflationary trends in the American economy. The cost-of-living index skyrocketed. Taxes at every level of government increased. Great Society programs to attack the many problems of our nation began to falter, often proved unworkable in spite of great cash outlays, and became bogged down in bureaucratic mismanagement.

America watched in frustration and dismay as our military effort in Vietnam seemed to proceed through quicksand. The cost of this war, both in terms of human life and in dollars, mounted at an alarming rate. Voter reaction in the November '66 elections was predictable. A great many of the new young architects of Great Society programs were summarily retired from Congress, to be replaced by new faces of a more conservative complexion, enough change, in fact, to alter the entire power structure in the 90th Congress.

Although the 90th Congress remained heavily Democrat in its majority, the Administration could no longer count on an actual majority for its own programs. It was a "let's take another look" Congress. Many White House specialties, such as Model Cities, The Office of Economic Opportunity, the Foreign Aid budget and highway beautification were heavily restricted, while other programs envisioned by the President were either denied the light of day or enacted only at great cost and compromise by the President. His demand for a surtax, for example, was only granted after concessions had been obtained for overall budget spending reductions, and was obtained at a lesser level than requested. For the first time in history, the Senate balked at giving approval to a Supreme Court chief justice nominee. In a surprising action an increase in the debt ceiling was denied.

The Republican minority of both houses, its batteries charged with fresh new leadership, advanced many alternatives to Administration proposals. Some of these were in the fields of housing, law enforcement, education, welfare and poverty spending and called for a Congressional reassertion of its responsibility to review the progress of our military commitment in Vietnam. Thus it was a constructive minority in the best tradition of the "loyal opposition." Republicans did not act with the intent of obstructing good programs simply because they were Democrat-sponsored. Instead, the minority moved to improve upon programs, changing the emphasis to include the private sector of the economy as opposed to reliance on Federal direction from Washington.

The 91st Congress will convene in January. Its make-up is uncertain, although the winds of dissent are still blowing with gale force in our land. President Johnson will leave the White House as the New Congress convenes. New leadership by a new Chief Executive will point different directions. If the President has a friendly Congress America can make rapid strides in meeting its most critical problems. It will be an exciting time, a challenging time. I sincerely hope that I am a part of the history that will be made.

ROGER H. ZION.

REPORT OF THE NATIONAL TRANSPORTATION SAFETY BOARD

HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. TAFT. Mr. Speaker, earlier this month, the National Transportation Safety Board of the Department of Transportation, released an aircraft accident report on the accident involving a Trans-World Airlines Boeing 707 which crashed in an aborted takeoff at Greater Cincinnati Airport on November 6, 1967. Because I believe that the questions raised are of interest to the public generally and the Members of Congress in particular, I am putting in the RECORD the entire report, including the concurring and dissenting opinion of member McAdams, and appendices C and D.

As is pointed out in the dissenting opinion, the report of the majority seems fragmentary in a number of respects and raises questions about the value of such reports of the National Transportation Safety Board. In particular, the majority report fails to discuss the role of the FAA controller in the tower. One almost gets the impression that this was intentional. Relating as it does to the question of liability of the Federal Government under the Federal Tort Claims Act, the failure to assess the controller's response in the situation is unfortunate.

Other shortcomings pointed out by the dissenting opinion were the failure of the majority report to comment on the landing of a third airplane on the runway after the abort and before assurance that the runway was clear, and failure to discuss the inadequacy of the present standard operating procedures with regard to abort decisions.

Other information not covered by either opinion, but made available by the Airlines Pilots Association, indicate a failure to note or comment upon the fact that lights on taxiways off the main instrument runway were inoperative and that, if they had been operative, the Delta DC–9 would not have become mired off the runway and thus cause the aborted takeoff.

The Airlines Pilots Association has also raised serious technical questions about the validity of present V–1 speeds insofar as they relate to the abort decision.

It is impossible to review this report without coming to the conclusion that further and more complete study and comment on the crash and the procedures followed would be appropriate.

The report follows:

[SA-401, File No. 1-0029]

NATIONAL TRANSPORTATION SAFETY BOARD

DEPARTMENT OF TRANSPORTATION AIRCRAFT ACCIDENT REPORT—TRANS WORLD AIRLINES, INC., B-707, N742TW, THE GREATER CINCINNATI AIRPORT, ERLANGER, KY., NOVEMBER 6, 1967

Adopted: September 11, 1968

SYNOPSIS

Trans World Airlines, Inc., Flight 159, a B-707, N742TW, crashed while attempting to abort a takeoff from Runway 27L at the Greater Cincinnati Airport, Erlanger, Kentucky, at approximately 1841 e.s.t., on November 6, 1967. The 29 passengers and 7 crewmembers all escaped from the aircraft. Eleven occupants were treated for injuries and one died 4 days later.

The first officer of Flight 159 was making the takeoff. In the takeoff roll, he heard a loud report from the right side of the aircraft, and experienced a yaw and movement of the flight controls as his aircraft passed a Delta Air Lines DC–9 which was mired adjacent to the runway. He concluded that his aircraft had struck the DC–9 and attempted to abort the takeoff. Just previous to the abort, he had checked his airspeed and believed that he was at or near V_1. The flight ran off the end of the runway approximately 421 feet. The main landing gear was sheared, and the aircraft was extensively damaged by the ground slide and fire.

The Board determines that the probable cause of the accident was the inability of the TWA crew to abort successfully their takeoff at the speed attained prior to the attempted abort. The abort was understandably initiated because of the first officer's belief that his plane had collided with a Delta aircraft stopped just off the runway. A contributing factor was the action of the Delta crew in advising the tower that their plane was clear of the runway without carefully ascertaining the facts, and when in fact their aircraft was not a safe distance under the circumstance of another aircraft taking off on that runway.

1. INVESTIGATION

1.1 *History of the Flight.* Trans World Airlines, Inc., B-707, N742TW, operating as Flight 159 (TWA 159) from New York to Los Angeles, with an intermediate stop at the Greater Cincinnati Airport, departed the ramp at Cincinnati at 1833.[1] As TWA 159 was approaching Runway 27L for takeoff, Delta Air Lines, Inc., DC–9 N3317L, operating as Flight 379 (DAL 379), was landing. At 1838:16, TWA 159 advised the tower that they were ready for takeoff, and they were instructed to ". . . taxi into position and hold." The takeoff performance information, derived from previously computed company data by the first officer, who made the takeoff, was as follows:

V_1	V_R	V_2
132 knots	140 knots	150 knots

As DAL 379 was completing the landing roll, they requested and received clearance for a 180° turnaround on the runway in order to return to the intersection of Runway 18–36 which they had just passed. The captain of DAL 379 assumed control of his aircraft during the final stages of the landing rollout. He testified that he commenced the turn from the center of the runway, and stopped the turn after approximately 90° to check the position of the nosewheel in relation to the runway edge. After judging that approximately 1 foot remained, he again added power, but instead of the turn continuing, the aircraft's nosewheel slipped off the paved surface and the aircraft moved straight ahead off the runway. The throttles were retarded to idle, and power was not increased again. The aft-most part of the aircraft was approximately 7 feet off the edge of the runway.

At 1839:05, as DAL 378 was in the process of clearing the runway, TWA 159 was cleared for takeoff.[2] The local controller testified that before TWA 159 began moving, he observed that DAL 379 had stopped. He stated that although DAL 379 appeared to be clear of the runway, he was uncertain and asked, "Delta three seventy-nine you're clear of the runway, aren't you?" DAL 379 replied, "Yeah, we're in the dirt though." Following this report the controller stated, "TWA one fifty nine he's clear of the runway, cleared for takeoff, company jet on final behind you." They advised, "Okay, we're rollin'," at 1839.35.

The first officer of DAL 379 testified that when the controller inquired about their position, he looked to the right rear and observed the relationship of his position in the cockpit to the runway lights. He testified ". . . in my opinion and judgment I called clear of the runway." The captain of DAL 379 testified that several seconds later he confirmed the first officer's appraisal of their position, "I looked out and in my judgment we were well clear of the runway." About 4 seconds prior to TWA 159 passing to the immediate rear of DAL 379, the Delta crew advised the tower that ". . . we're stuck in the mud." At 1845:57, or approximately 5 minutes after TWA 159 had passed behind DAL 379, one of the Delta pilots remarked, "I guess we're off the runway, I don't know."

The captain of TWA 159 testified that, "We were cleared into position and subsequently cleared for takeoff. As we began to roll, I got an additional assurance that Delta was clear of the runway. I didn't have any idea of his position close to the runway until he began to loom up in my landing lights. I fully expected to see him taxiing in." He added, "I could see that he was off the runway. It may not have been far, but in my position I could measure it was five, six, seven feet or something of that nature." He stated that the normal procedure for a takeoff abort is to "Get the power off, get on the brakes and spoilers first, and then begin the reverse interaction"; however, in this case, once the first officer initiated the abort, "I tried to join him in every way possible, especially on the brakes, seeing that the reverse throttles were up as far as they would go . . . I gave him the spoilers as soon as he called for them. That may have been when I first realized an abort was taking place. I don't know." The captain also believed that he had called out V_1 as they passed that airspeed, but acknowledged that the cockpit voice recorder (CVR) negated this impression. (See Appendix C.)

The first officer of TWA 159 indicated that he did not notice DAL 379 until the captain commented on its proximity to the runway. Shortly thereafter, they passed abeam DAL 379, and he experienced a movement of the flight controls and the aircraft yawed. Simultaneously, he heard a loud bang on the right side of the aircraft. Assuming that he was at or near V_1, and that a collision had occurred, he elected to abort the takeoff. He testified that 120 knots was the last airspeed he observed. He closed the throttles, placed them in full reverse, applied maximum braking, and called for the spoilers which the captain extended. Although directional control was maintained, the aircraft ran off the end of the runway.

The consensus of witness statements and those from passengers on TWA 159 indicates that a loud bang and accompanying flash of fire occurred on the right side of the aircraft as they passed DAL 379.

Statements obtained from the passengers of DAL 379 revealed that after the aircraft completed the landing rollout, it commenced a right turn. After the aircraft had turned approximately 90°, the nosewheel left the paved surface. Tire scuff marks made by the aircraft were evident on the runway and formed a semicircular arc beginning near the runway centerline and terminating at the start of the nose gear rut. The aircraft then moved straight ahead, became mired, and power was reduced to idle. No further power applications were made. The engines of DAL 379 were at idle when TWA 159 passed behind DAL 379.

The accident occurred at approximately 1841, in darkness, at 39°03′ North Latitude and 84°40′ West Longitude.

1.2 *Injuries to Persons.*

Injuries	Crew	Passengers	Others
Fatal	0	1	0
Nonfatal	2	8	0
None	5	20	....

1.3 *Damage to Aircraft.* The aircraft was substantially damaged by the ground slide and subsequent fire.

1.4 *Other Damage.* None.

1.5 *Crew Information.* All crewmembers were properly qualified for their respective assignments. See Appendix A for details.

1.6 *Aircraft Information.* The aircraft had been maintained in accordance with Federal Aviation Administration (FAA) requirements, and was properly loaded at takeoff. See Appendix B for details.

1.7 *Meteoroligical Information.* The 1800 Weather Bureau surface weather observation for the Greater Cincinnati Airport was: "Measured 7,000 feet overcast, 15 miles visibility, temperature 34°, dew point 19°, wind from 190° at 5 knots."

1.8 *Aids to Navigation.* No navigational aids were involved in the accident.

1.9 *Communications.* There were no reported problems with communications.

1.10 *Aerodrome and Ground Facilities.* Runway 27L is 7,800 feet long and 150 feet wide, of concrete construction. At the time of the accident, the runway surface was dry, and the high intensity lights were on.

1.11 *Flight Recorders.* TWA 159 was equipped with a flight data recorder and a CVR; both were recovered in satisfactory condition.

The flight data recorder was a Lockheed Aircraft Service Model 109C, Serial No. 197. The flight record medium did not show any mechanical damage, and all parameters were recording.

Since the flight recorder medium does not reflect the takeoff roll initiation point, the record was presented on a graph with a time scale of 70 seconds which included a period of time preceding the takeoff through that point where the traces became aberrant. The airspeed trace began increasing at a relatively uniform rate from approximately 10 to 15 knots at 21 seconds, to a maximum of 145 knots at 61 seconds. At this point, the airspeed decayed to 140 knots in 1 second, to 111 knots in the next 2 seconds, and finally decreased to 59 knots where it became aberrant at 70 seconds. The heading of approximately 270° was relatively constant until 61 seconds at which point it shifted momentarily to 265° and then returned to 270° at 64 seconds. The vertical acceleration trace also remained fairly constant until 66 seconds at which point accelerative forces were recorded ranging between +0.3 g and +2.2 g. The altitude trace varied between a log of 790 feet just prior to the maximum airspeed and a high of 930 feet which was recorded during the period of peak vertical acceleration forces.

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[1] All times herein are eastern standard, based on the 24-hour clock.

[2] The local controller testified that this clearance was issued in anticipation of departure separation as provided in AT P7110.8 Par. 412: "ANTICIPATING SEPARATION—takeoff clearance need not be withheld until prescribed separation exists if there is a reasonable assurance it will exist when the aircraft starts takeoff roll."

The CVR was a Fairchild Model A100, Serial No. 1514. There was no evidence of damage to the recorder and the readability of voice transmissions was good. See Appendix C for excerpts.

DAL 379 was equipped with a flight data recorder and a CVR; both were recovered in satisfactory condition.

The flight data recorder was United Data Control Model F-542, Serial No. 1975. All parameters were functioning properly.

The CVR was a Fairchild Model A100, Serial No. 1230. The recorder was undamaged, and the quality of recorded voice transmissions was good. One unusual finding was the absence of normal recorded signals on the tape for the first 5 minutes 18 seconds of the recording. Although this portion appeared to be void of recorded data, amplification with maximum gain control of the readout machine revealed several extremely weak, but intelligible, transmissions. These were identified as the radio transmissions from the tower to DAL 379 after the flight had completed the landing rollout. According to the manufacturer, this condition is indicative of the bulk erase feature[3] of the recorder having been applied.

1.12 *Wreckage*. TWA 159 overran Runway 27L, rolled across the terrain for approximately 225 feet to the brow of a hill, and became airborne momentarily. It next contacted the ground approximately 67 feet further down the embankment, the main landing gear sheared, and the nosewheel was displaced rearward which forced the cabin floor upward approximately 15 inches.

The aircraft continued sliding down the embankment and came to rest straddling a road approximately 421 feet from the end of Runway 27L. During the ground slide, the fuselage upper structure ruptured just forward of the wing root, and the right wing failed inboard of the No. 4 engine. Engines Nos. 1 and 2 partially separated and engine No. 3 separated from the wing structure. The right wing area surrounding the break was damaged by ground fire.

All control surface attachments were intact, and cables which were separated failed in tension except the right outboard aileron cable, which failed from overheat. The flight spoilers were intact except for the right outboard spoiler, which was fire damaged. The spoiler control handle was in the "spoiler extended" position and cable continuity was confirmed from the cockpit to the operating mechanisms.

The clamshell doors for all engines were in the reverse thrust position and the fuel controls were in the "maximum reverse" position.

1.13 *Fire*. Ground fire occurred in the area of the right wing separation and the Nos. 3 and 4 engines. The two firemen on duty at the airport responded with the crash truck and a rescue vehicle. The fire captain instructed the crash truck driver to park the truck approximately 75 feet from the fire area, and they, along with two off-duty airport employees, began foam application with the turret nozzle and a side line. Nearby volunteer fire departments with two additional trucks responded and aided in extinguishing the brush fires in the area.

1.14 *Survival Aspects*. This was a survivable accident, although one of the eleven injured occupants died 4 days after the accident.

The forward galley door and aft main door were both opened by the assigned hostesses, but they were unable to inflate the slides before being forced from the aircraft by passengers. The hostess assigned to the main passenger loading door was unable to open it due to buckling of the cabin floor. After determining that there were no passengers in the area, she jumped from the forward galley door, which was approximately 7 feet above the ground. The aft galley door was opened by the assigned hostess, but she closed it because of the fire on the right side of the aircraft. She then assisted people to the aft main loading door and exited when no one else was in sight. This door sill was about 20 inches above the ground. The left aft overwing exit was opened and utilized by two passengers.

After closing the fuel shutoff valves, the flight engineer proceeded to the forward main loading door, attempted to help the hostess there, and then instructed her to go to the forward galley door. After a few moments he followed her, but finding no one in the area, he returned to the cockpit to make certain that the other crewmembers had escaped. He then exited through the captain's sliding window which was approximately 10 feet above the ground. The first officer went directly to the forward galley door and carried a crippled woman to safety. The captain also went to the forward galley area and inflated the slide at that door. Although the slide was doubled back under the aircraft, two or three passengers utilized it for descent to the ground. When no one else was seen or heard, the captain left the aircraft through the galley door.

Emergency lighting within the cabin was reported as satisfactory. However, several passenger service unit doors and oxygen masks were hanging down, and the chain locks on 84 of the drop-down tables failed to restrain the tables in the stowed position.

1.15 *Tests and Research*. In order to evaluate the performance of TWA 159, and to obtain a clearer understanding of the events surrounding the takeoff, a correlation of the flight and cockpit voice recorders was made. The time base for this correlation was predicated on 80 knots, and the callout of that airspeed, occurring simultaneously. Other occurrences were measured in time from this point, and plotted on a common time scale.

The CVR-flight recorder airspeed curve was then compared with a predicted performance curve provided by Boeing. (See Attachments 1 and 2). This comparison, utilizing the takeoff clearance as a time reference, revealed an apparent disparity between the predicted and recorded performance of the aircraft in both the acceleration and deceleration phases of the takeoff. Further study of the evidence prompted selection of the engine noise reaching its highest peak as the time reference for the takeoff roll initiation point. This resulted in closer comparison of the two airspeed traces at the higher, more accurately recorded values, and still provided exceptional correlation with the physical evidence. In addition to the time base reference point, there were three other factors affecting the compatibility of the predicted and recorded performance. First, the airspeed values during deceleration are apparently depressed due to static position error induced by disturbed airflow while reverse thrust is utilized. Second, the airspeed values depicted by the flight recorder in the lower regimes, below 80 knots, tend to be less accurate than at the higher values. Third, the flight recorder tape drive system was malfunctioning. While this had no effect on the airspeed values recorded, it did result in irregular tape advance prior to the accident, and may have caused some minor distortion of the time scale during this takeoff.

The final CVR-flight recorder correlation indicates that the first reference of the crew to the position of DAL 379 occurred at approximately 115 knots. At this point, TWA 159 had progressed about 3,350 feet along the runway in 31.5 seconds. Five seconds later, at 4,400 feet (200 feet prior to passing DAL 379), the flight reached V_1. Acceleration continued as TWA 159 passed DAL 379 at approximately 135 knots, the sound of a "pop" was recorded at 139 knots, the sound of the engine power cut was at 143 knots, and finally the airspeed peaked at 145 knots. During this time interval, between 36.5 seconds and 40.5 seconds, the flight traveled approximately 950 feet to 5,350 feet from the takeoff roll initiation point. The airspeed then dropped in the next second to 140 knots. At 42.5 seconds the sound of engine power resumed, followed at 43 seconds by the command of the first officer for spoilers. At this point, the aircraft was approximately 5,900 feet down the runway and a marked increase in the deceleration began. The sound of impact began at 7,575 feet.

1.16 *Other*. The JT8D-5 engines installed on DAL 379 would produce jet exhaust at idle power as follows:

Distance (feet)	Temperature (degrees)	Velocity (feet/second)
82	97	55
63	108	75

The distances selected would correspond to the centerline of the Nos. 3 and 4 engines respectively, if the aircraft centerline of TWA 159 were in the middle of the runway.

Pratt and Whitney studied the effect of the ambient atmospheric conditions and the jet exhaust on the JT3C-6 engine. They concluded, ". . . there is a possibility that JT3C-6 engine compressor stall could have occurred due to the flow disturbance at the JT3C-6 engine inlet which could have resulted from the combined effects of the temperature and the velocity of the JT8D exhaust." Additionally; their representative at the hearing testified that, under the conditions of the accident, he could not think of any other factors which would have generated a compressor stall. He also indicated that a short duration high power stall of the type being discussed may not even be reflected in the engine instruments.

DAL 379 came to rest on a heading of 004° 4,600 feet from the takeoff end of Runway 27L. The aft-most point of the aircraft was approximately 7 feet north of the runway edge. However, the aft-most exterior lights, located on the wingtip, and the upper and lower anti-collision lights were approximately 45 feet from the edge. Because of the proximity of this aircraft to the runway, the crews of TWA 159 and DAL 379 and the local controller were asked for their personal interpretations of the phrase, "clear of the runway." The definitions included, "clear for use," "well clear", and ". . . no part of the aircraft on the runway or hanging over the runway." Neither the Federal Aviation Regulations nor the Terminal Air Traffic Control Procedures Manual of the FAA defines this expression. However, guidance for establishing criteria in the future can be inferred from Advisory Circular No. AC 150/5340-1A dated June 30, 1966. This circular describes runway and taxiway markings required to qualify under the Federal-Aid Airport Program. It states in part, "A taxiway holding line marking should be placed a distance of not less than 100 feet and not more than 200 feet from the nearest edge of the runway. . . ."

2. ANALYSIS AND CONCLUSIONS

2.1 Analysis

The elements which are pertinent to this accident include the proximity of DAL 379 to the edge of the runway, and the action of this crew; the performance of his duties by the tower controller; and the actions of the crew of TWA 159 during the takeoff.

The captain of DAL 379 testified that the turning radius of his aircraft was 72 feet, and that he attempted the 180° turn within the 75 feet of runway to the right of the centerline. Where he stopped the aircraft after approximately 90° of turn in order to check the clearance of the nosewheel, he was unable to re-establish the turn before the thrust of the engines, almost on the centerline, forced the aircraft forward off the runway.

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[3] The captain of DAL 379 testified that he instructed the first officer to activate the bulk erase feature of the CVR because of the profanity used when they became mired.

When DAL 379 finally came to a stop, the rearmost extremity of the aircraft was physically clear of the runway by 7 feet. However, the engines were operating at idle during the period TWA 159 was attempting to takeoff, and jet exhaust was being directed across the runway. Notwithstanding the variations in testimony as to the meaning of "clear of the runway," this phrase is generally construed by controllers and pilots alike to mean that the runway is available for unrestricted use by other aircraft. Since DAL 379, under the circumstances, constituted a hazard to other aircraft taking off on Runway 27, it was not "clear of the runway" within the generally accepted meaning of that phrase.

When DAL 379 was queried by the tower concerning their position, the first officer estimated from a cursory glance that their aircraft was clear of the runway. It is the conclusion of the Board that an airline crew in these circumstances should determine by physical means whether they are physically clear of the runway. Despite the fact that their aircraft was physically clear of the runway by 7 feet, it is highly unlikely that the crew could have ascertained this fact, under the circumstances at the time. Accordingly, safety required that before the crew advised the tower of their position relative to the runway, they should have taken the time to open the cockpit windows to get a better view, or even have utilized the air stairs to make an "on the spot" determination if that were necessary. The crew should also have advised the tower immediately that the aircraft could not be moved any farther without assistance.

The Board recognizes that there was no definitive standard, in terms of distance, to judge whether or not the aircraft was clear of the runway. In this regard, the Board considers it appropriate to recommend that the FAA establish, and appropriately publicize to pilots and controllers alike, meaningful standards of safe clearance from runway edges for aircraft, as well as for ground-based vehicles, which will permit reasonable assurance to all concerned that no interference with flight operations on the runway will be caused by the presence of such movable obstructions.

The Board is of the view that such standards of safe clearance should take into account not only an intruding aircraft as an "obstruction," but also the fact that jet exhaust from a parked or moving aircraft perpendicular to the operating runway may well create the type of hazard (compressor stall) encountered here *even though* the intruding aircraft is more than a given number of feet physically "clear" of the runway.

In this connection the FAA issued a report[4] in 1965 which contains a quantity of valuable information as to velocities of jet engine blasts at varying levels of thrust and at varying distances, and forms a usable base from which meaningful conclusions in this area might be derived.

Interestingly enough, despite the known facts about wind velocities generated by the thrust of jet engines, we are not aware that any official cognizance has been taken of them in terms of the environment they create under circumstances akin to those present in this case.

In reviewing the Air Traffic Control aspects of this accident, it is apparent that the provision of additional equipment and/or the establishment and following of certain procedures for airport traffic control would have reduced materially the probability of this occurrence. However, there are other considerations which enter into the picture when this general area is explored.

The equipment referred to, which is not installed at the Greater Cincinnati Airport, is Airport Surface Detection Equipment (ASDE), a short-range K-band radar which is utilized at a few airports in adverse visibility conditions to provide tower personnel with data concerning the occupancy status of runways and taxiways beyond their range of effective vision. This is expensive equipment which requires continuous maintenance and which at present is not designed for daylight display, thus requiring the controller desiring data from the scope during daylight hours to view the scope through a hood.

Operational limitations are thus placed on the controller's capacity because his full time and attention must be directed toward determining the position of one aircraft to the detriment of his attention to the overall traffic flow. Further, if more than one aircraft is involved, which is usually the case at high activity airports where ASDE is presently installed, the controller has no immediate means of identifying the target of the aircraft of specific concern. In addition, ASDE is subject to precipitation interference which severely limits its capability at a time when it is most needed—namely, during periods of low visibility associated with precipitation.

The controller in the subject instance, because of his physical relationship to the location of DAL 379 (low angle of vision, nighttime, distance, etc.), was unable to make an unassisted determination as to the distance from the closest extremity of the aircraft to the runway edge when the aircraft stopped moving. In order to arrive at this determination, he enlisted the assistance of the Delta crew who, notwithstanding their visual limitations due to cockpit visibility angles, were closer to the scene and thereby better equipped to make this critical assessment. Their reply that they were clear of the runway, no matter how determined, was the critical factor influencing the controller against instructing TWA 159 to abandon takeoff. The Delta crew's remarks ". . . we're in the dirt, though," was not in itself sufficient to cause the controller to cancel the takeoff clearance since there is no prohibition against taxiing aircraft out of such areas. No other indication of their own situation was communicated to the tower until about 4 seconds prior to TWA 159 passing the immediate rear of DAL 379 when the latter crew stated ". . . we're stuck in the mud."

The final consideration bearing on the accident is the action of the captain and first officer of TWA 159. The captain testified that at the start of the takeoff he was only vaguely aware of the location and predicament of DAL 379. Although the captain testified that he was not consciously aware of the lights on DAL 379, the aft-most exterior lights, as well as the anticollision lights, were approximately 45 feet from the runway edge, which might have created the impression that the aircraft was farther from the runway than it actually was. The first officer was not aware of any cause for concern until the captain commented during the takeoff roll on the proximity of the aircraft. Meanwhile, their aircraft continued its acceleration in a normal manner to beyond V_1 (132 knots).

TWA 159 passed behind DAL 379 at a speed of approximately 135 knots, and the jet blast perpendicular to its path generated a short duration compressor stall in the No. 4 engine. Although the stall resulted in a loud noise and the jet blast apparently moved the flight controls, the performance capabilities of the aircraft were not affected. However, the first officer, convinced that a collision had occurred, and believing he was at or near V_1, elected to abort the takeoff. He reduced power on all engines at 143 knots, 1 second after the sound of the compressor stall which triggered his decision. As the airspeed peaked at 145 knots, his next action was to call for assistance in holding the yokes forward, preparatory to the application of reverse thrust. His command was given 1 second after the power was reduced; however, the actual reverse thrust was not applied for an additional 2.5 seconds. During this 4.5-second interval, the only decelerative device applied was the brakes, and their effectiveness is appreciably reduced when the spoilers are retracted. One-half second later, or 5 seconds after the stall occurred, the first officer finally called for the spoilers which should have been extended as soon as the power was reduced. The captain was admittedly surprised when the abort occurred, and though he stated that he assisted the first officer with the braking effort, he did not extend the spoilers on his own initiative. Rather, he took no action until the first officer ordered the spoilers. Once the spoilers were extended, a sharp increase in braking effectiveness was indicated by the rapid deterioration in airspeed. However, there was insufficient runway remaining in which to stop the aircraft.

The significance of the crew's slow implementation of the abort procedure is apparent in the Boeing performance data. (See Attachments 1 and 2.) It shows that at an abort-decision speed of V_1 (132 knots), the total accelerate-stop distance of the aircraft is approximately 6,560 feet. The accelerate-stop distance for an abort-decision speed of 143 knots is approximately 7,850 feet. Although these data reveal that the overrun was inevitable, it is interesting to note that, even allowing for positioning of the aircraft on the runway, if the abort had been executed properly the aircraft would have stopped either prior to the brow of the hill (225 feet from the runway end) or at least would have arrived there at a sufficiently reduced airspeed so that it would not have become airborne as it did. Consequently, the resultant damage would have been greatly reduced.

The preceding discussion serves to illustrate that the outcome of any attempted abort is heavily dependent on the pilot's knowledge of the sequences in which actions must be taken, especially when the abort is executed at velocities near V_1 and the stopping distance is limited. In this instance, the company manuals indicate that aborting a takeoff at high speed is potentially dangerous, and should not be attempted unless an actual engine failure occurs prior to V_1. Such a position could not only mislead and prejudice the pilot and his thinking toward aborted takeoffs, but also fails to consider the likelihood of other emergencies which would require an abort. Additionally, the specific instruction for execution of the abort lists as the second step, "Extend spoilers and apply reverse thrust." Although this provides the correct sequence, it fails to stress the importance of the sequence or the consequences of either delayed or improper actions by the crew. The Board believes that the circumstances of this accident dramatize the need for a major reappraisal of the current training manuals and instruction provided by all airlines. It is abundantly clear that a new, positive approach toward abort procedures, with amplification and clarification of such procedures, including safety margins provided and the need for prompt and proper sequencing of each action, is needed.

In connection with a reappraisal of abort procedures, the Board believes that a reassessment and clarification of the respective duties and responsibilities of the captain and first officer during critical phases of flight would be in order. It is a common practice among airlines for the captain and first officer to alternate piloting the aircraft on various legs of a flight when several stops are made en route. In such instances, the first officer often makes the takeoff and subsequent landing, although the captain is still in command of the aircraft and may elect to "take over" from the first officer when the situation may warrant or dictate such action. Accordingly, when the first officer is flying the aircraft, the captain must be alert and in position to counteract actions of the first officer which are not in accordance with his own best judgment. To discharge effectively this responsibility, the Board believes that the captain should follow through on the flight controls and should either have his hands on the thrust levers or in a guarding position.

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[4] "Effects of Jet Blast," AC 150/5325-6, April 1965. See, in particular, pp. 2-5.

The foregoing discussion assumes that the "captain in command" concept is effective even under circumstances such as those involved in the subject accident. It may be that this assumption—*viz.*, that a captain can effectively, and in timely fashion, countermand a decision of the first officer to abort a takeoff—is worth reexamination. It is at least arguable that the virtually split-second action required for implementation of the abort procedure near V_1 dictates that the pilot at the controls should also have the final decisional authority with respect to an abort. If a captain believes it is inadvisable to delegate the decisional authority in any given case, he can execute the takeoff himself.

In accordance with the Board's rules of practice, Parties to the Investigation were invited to submit to the Board their recommended conclusions to be drawn from the facts derived in the investigation. Accordingly, Delta Air Lines, Inc. (DAL) submitted a list of 15 conclusions to be drawn from the evidence gathered during the investigation. One of the substantive differences in their findings and the Board's report of the accident concerns the question of a compressor stall. DAL stated that, "The evidence is inconclusive as to whether TWA Flight 159 experienced a compressor stall . . . or what point in time and relation to Delta's Flight 379 such stall occurred, if in fact it did take place." In addition, they stated that the length of time which TWA 159 was in the jet exhaust wake of DAL 379 was not sufficient to cause a compressor stall. However, the Board believes that, notwithstanding the duration of exposure to the jet exhaust, the temperature rise and velocity were sufficient to disturb the airflow at the engine inlet and generate a momentary compressor stall.

DAL also maintains that the crew of TWA 159 could have successfully effected an abort when their landing lights illuminated DAL 379, thus enabling the TWA crew to observe visually the position of the Delta aircraft. Effective illumination would have occurred when TWA 159 reached a point within 500 to 700 feet of DAL 379, or about 3 seconds prior to passing abeam of it. Even though an abort initiated at this stage of the takeoff might have been completed successfully, the Board does not believe that the TWA crew acted unreasonably in continuing the takeoff. They had been advised DAL 379 was clear of the runway and both TWA pilots testified that they were convinced it was clear when it loomed up in their lights. Moreover, they could not have ascertained that the DC-9's engines were operating and that jet exhaust was being directed across the runway before they reached a point abeam of DAL 379. Another consideration is the fact that an abort initiated just prior to passing DAL 379 would have run the risk of causing TWA 159 to veer away from the runway centerline, possibly toward the DC-9, thereby increasing the possibility of a collision. Finally, to suggest that the TWA crew should have begun an abort *before* reaching DAL 379 not only imposes an unreasonable burden on the TWA crew but also concedes that the DAL aircraft *did* present a hazard to the flight.

DAL also contends that the attempt to abort the takeoff constituted pilot error on the part of the TWA first officer. For the reasons set forth below, however, the Board is of the opinion that the first officer's decision to abort was reasonable under the circumstances.

The Air Line Pilots Association (ALPA) recommended that this accident should ". . . direct the government's attention to the compromise of safety in runway length requirements and accelerate-stop computations for jet transport aircraft." The Association indicated that they believe the means of computing the V_1 takeoff speed and the accelerate-stop distance are not realistic.

However, it is the view of the Board, and ALPA agrees, that the concept of V_1 is not directly relevant in this particular case. That concept is intended to provide the crew with a decision speed at which they may either abort or continue the takeoff if they should lose power on an engine. However, in this case, the first officer who was making the takeoff believed that his aircraft was physically damaged by a collision and that it might not be capable of flight. It is the opinion of the Board that his decision to abort the takeoff, regardless of the air-speed, was reasonable under the circumstances.

Despite the lack of relevance of V_1 to this case, the Board recognizes that this accident has engendered a considerable degree of interest in that general subject. Accordingly, there is appended to the report a detailed discussion of V_1, with particular emphasis on those points raised by the ALPA recommendation. (See Appendix D.)

CONCLUSIONS

(a) Findings.

1. The aircraft was airworthy and properly certificated.

2. DAL 379 was mired 4,600 feet from the takeoff end of Runway 27L, and the aft-most part of the aircraft structure was approximately 7 feet from the runway edge.

3. The local controller was unable to determine without assistance whether DAL 379 was clear of the runway.

4. The crew of DAL 379 should have made a greater effort to ascertain their position with respect to the runway and should have been more explicit in reporting their exact circumstances to the controller.

5. Although the phrase "clear of the runway" is generally construed by pilots and controllers to mean that a runway is available for unrestricted use, there is no definitive criterion, in terms of distance, against which to judge whether such clearance exists, nor is there any standard which takes into account the effect of the exhaust from jet engines.

6. The captain of TWA 159 failed to announce V_1.

7. TWA 159 sustained a compressor stall in the No. 4 engine as it passed behind DAL 379 due to the jet blast from the idling engines of DAL 379.

8. The first officer of TWA 159, believing his aircraft had collided with another plane, aborted the takeoff.

9. The abort procedure was not accomplished in the correct sequence, nor was it completed in a timely manner.

10. The takeoff was aborted beyond V_1, and the overrun was inevitable.

(b) *Probable Cause.*

The Board determines that the probable cause of the accident was the inability of the TWA crew to abort successfully their takeoff at the speed attained prior to the attempted abort. The abort was understandably initiated because of the first officer's belief that his plane had collided with a Delta aircraft stopped just off the runway. A contributing factor was the action of the Delta crew in advising the tower that their plane was clear of the runway without carefully ascertaining the facts, and when in fact their aircraft was not a safe distance under the circumstance of another aircraft taking off on that runway.

RECOMMENDATIONS AND CORRECTIVE MEASURES

1. The Board recommends that the FAA establish, and appropriately publicize to pilots and controllers alike, meaningful standards of safe clearance from runway edges for aircraft as well as for ground-based vehicles which will permit reasonable assurance to all concerned that no interference with flight operations on the runway will be caused by the presence of such movable obstructions. Such new standards should take into account the effect of the exhaust from jet engines.

2. The Board believes that the circumstances of this accident dramatize the need for a major reappraisal of the current training manuals and instructions provided by all airlines with a view toward a new, positive approach toward abort procedures. Such an approach would include an amplification and clarification of such procedures, including safety margins provided and the need for prompt and proper sequencing of each action.

3. The Board believes that a reassessment of the respective duties and responsibilities of the captain and first officer during critical phases of flight is in order. In so doing, the "captain in command" concept should be re-examined with respect to its applicability in situations where time may not permit the captain to countermand effectively the decision of a first officer who is flying the aircraft.

By the National Transportation Safety Board:

JOSEPH J. O'CONNELL, Jr.
Chairman.
OSCAR M. LAUREL,
JOHN H. REED,
LOUIS M. THAYER,
Members.
FRANCIS H. MCADAMS,
Concurring and dissenting Member.

Member McAdam's concurrence and dissent attached.

MEMBER MCADAMS, CONCURRING AND DISSENTING

Based on the facts of this case I have reached different conclusions than those of the Board.

The Board concludes that the probable cause was "the inability of the TWA crew to abort successfully their takeoff at the speed attained prior to the attempted abort." This is not a probable cause, it is merely a statement of how the accident occurred. Furthermore, it seems to imply that either the abort was not necessary or the crew with sufficient ability or competence could have successfully aborted. Such is not the case. Under the circumstances TWA had no reasonable alternative but to discontinue its takeoff at a speed in excess of V_1. At this speed, 143–145 knots, it is not possible to stop the aircraft on the runway. However, it was stopped within the approximate distance indicated by engineering test data.[1] Therefore, since the decision of the TWA crew in aborting was not only reasonable but also adequately executed then TWA's action cannot be considered as the cause. The cause must be attributed to the factors which induced TWA to initiate the abort. In my opinion, the probable cause was the failure of the Delta crew to adequately advise the tower of its proximity to the runway, and of the tower to request additional and more precise information from Delta prior to clearing TWA for takeoff.

A chain of events set in motion by Delta was the primary cause of the accident. Delta's turnoff was either executed with an insufficient turning radius or at an excessive speed resulting in the aircraft becoming mired in the dirt 7 feet from the runway where it constituted a hazard. If the turn had been started at the centerline after the aircraft had been stopped, as testified to by the Delta crew[2] then it could have been successfully completed in the 75 feet of available runway since the turning radius of the DC-9 is 72 feet. Therefore, the aircraft was either too far to the right of the centerline or the turn was executed at an excessive speed. The tire scuff marks on the runway made by the nosewheel could possibly indicate a turn at excessive speed since if the aircraft was stopped before the turn was commenced the nosewheel should not have been fully deflected and there would have been no scuff marks. The Delta crew testified that the turn was normal and the nosewheel did not become fully deflected until it slipped off the runway.[3]

After Delta became "stuck in the mud" the crew advised the tower that the aircraft was clear of the runway; however, at 23.45, 5 minutes after the accident, Delta stated, "I guess we're off the runway. I don't know."[4] Delta's transmission, clear of the runway, was not only inadequate but inaccurate since they did not know whether they were physically on or off the runway and, in fact, they were close enough to the runway to have reasonably known that the aircraft constituted a definite hazard.

As a result of Delta's cryptic transmission, "Yeah, [clear of the runway] we're in the dirt though," the tower cleared TWA for takeoff. TWA reasonably believing it had collided with Delta, with the possibility of structural damage, discontinued the takeoff *and brought the aircraft to a stop 8100 feet* from where it began the takeoff roll. According to the engineering test data[5] and the testimony of Boeing's engineering test pilot, if the aircraft's speed peaked at 145 knots, as shown by the flight recorder, and the crew during the abort used brakes, spoilers, and all four thrust reverses, *the aircraft could be stopped at 8100 feet.*[6] From the above it would seem TWA's aborted takeoff was well executed despite the Board's conclusion that it was improperly executed.

With respect to the tower as a contributing factor, it seems to me, under the circumstances, it would have been reasonable to expect that the tower should have requested additional and more precise information as to the position of the Delta aircraft in relation to the runway before clearing TWA for takeoff. The tower, based on the facts available to it, should have realized that the Delta transmission, "clear of the runway," an ambiguous phrase at best, needed further clarification. Additionally, the "in the dirt" portion should have alerted the tower to the possibility that a hazardous condition might be existing on or close to the runway. The tower, therefore, should have requested the exact proximity of Delta to the runway, the aircraft heading, and whether jet exhaust was being directed across the runway.

The controller observed Delta turning off the runway and cleared TWA for takeoff in anticipation that Delta would not only be physically clear but would also continue to taxi away from the runway when TWA reached the intersection. The controller testified that he determined by reference to the high-intensity lights and the lights of the Delta aircraft, both of which could be clearly seen, that Delta was physically clear of the runway.[7] However, almost immediately and before TWA received its final takeoff clearance, the controller saw that Delta had stopped and from this should have known that the aircraft was very close to the runway because of the short time interval between Delta's turnoff and coming to a stop. Furthermore, since he had determined that Delta was physically clear of the runway by the relationship of runway and aircraft lights he also should have been able to determine that Delta was in close proximity to the runway and at the very least closer than the required 100 feet for stopped or holding aircraft.[8]

Controllers are charged with the sole responsibility for issuing landing and takeoff clearances and, therefore, must exercise the highest degree of care in determining whether there are aircraft or other obstructions on or near a runway which would constitute a hazard. In some instances a controller because of visibility restrictions has no alternative but to rely upon pilot advice as to whether the runway is in fact clear; however, in this case there were no visibility restrictions since the controller testified that the high-intensity runway lights as well as the landing and other lights on the Delta aircraft could be clearly seen from the tower which is 40 feet above field elevation.[9]

One of the difficulties herein is the meaning and use of the phrase, "clear of the runway." Unfortunately, its meaning is equivocal. The controller, according to his testimony, was aware that the phrase was subject to different interpretations.[10]

In one situation when a controller clears an aircraft for takeoff or landing and at the same time another aircraft is either taking off or turning off the runway, "clear of the runway" means to both tower and pilot that the aircraft departing the runway is at that point in time physically clear and will under normal circumstances be well clear when the other aircraft reaches the departure point.

In a second situation it has quite a different meaning; for example, when an aircraft is stopped close to the runway, for whatever reason, it means to both pilot and tower that not only is the aircraft physically clear but it is also far enough removed so as not to constitute a hazard to other aircraft. In this case there was a combination of both situations. According to the FAA there are no definitive criteria in distance to serve as guidelines for the tower in this situation. However, the testimony clearly indicated that an immobile aircraft 7 feet from the runway is considered to be a hazard by the FAA and the runway should be closed.[11]

Despite the so-called lack of criteria there are regulations which state that taxiway holding line markings must be at least 100 feet and not more than 200 feet from the nearest edge of the runway.[12] Obviously, under this regulation a holding aircraft is considered a hazard to aircraft using the runway unless it is at least 100 feet from the runway. It would seem that the regulation should apply not only to aircraft approaching a runway but, *a fortiori*, to aircraft taxiing away from a runway since there is a greater hazard to other aircraft from jet exhaust. Furthermore, if a holding aircraft is considered to be a hazard unless it is at least 100 feet from the runway then any aircraft stopped for whatever reason and on any heading within 100 feet should also be considered a hazard.

Although not directly involved in the accident but constituting a safety problem is the fact that the tower cleared TWA 128 to land when it was known that TWA 159 had aborted.[13] Even though TWA 128 was in its final approach it seems to me the more prudent course of action would have been to have advised TWA 128 not to land so that three aircraft—one that had aborted, one stuck in the mud, and one landing—would not be on the runway at the same time.

Additionally, I believe that there should be further study of the adequacy of the existing accelerate-stop distance requirements with particular attention to whether there should be an additional time allowance for pilot decision time. Present criteria allow for a reaction time of 3.44 seconds for a pilot with an emergency at or before V_1 to physically complete the abort sequence but there is no allowance for a decision time. Apparently it is assumed that a pilot's decision in the case of engine failure at or prior to V_1 is already made with respect to the abort and he will automatically initiate the abort sequence. I am not convinced that this is a valid assumption and it may be that there should be additional time allowed for the pilot to recognize the precise difficulty, to decide on the appropriate corrective action, and then time to initiate the action. For malfunctions other than engine failure it would certainly seem that additional time is required for pilot decision.

In this connection it is significant that the instructions contained in the TWA Boeing 707 Flight Handbook read as follows:

". . . 5.a. Aborting a takeoff at high speeds is potentially dangerous and should not be attempted unless an actual engine failure has occurred *prior* to V_1. *Under the balanced runway length concept an abort at* V_1 *that is perfectly executed will require every foot of the remaining runway.* Anything less than a maximum effort throughout the entire stopping attempt will probably result in running off the end of the runway. Barring an actual engine failure (prior to V_1) the aircraft has a greater capability to successfully continue the takeoff than to stop.

"Serious consideration should always be given to continuing the takeoff rather than abort where abnormal conditions, other than engine failure, are encountered prior to reaching V_1. Engine failure will manifest itself by yaw or loss of performance, either of which can be confirmed by *multiple* engine instrument indication." (Emphasis added)[14]

It appears from the above than an abort initiated at V_1 may or may not be successful. For this reason alone the existing accelerate-stop distance criteria should be reexamined. However, more important is the fact that if there is a malfunction other than engine failure the pilot is advised to give serious consideration to continuing the takeoff rather than aborting. Obviously if the pilot has to give a malfunction "serious consideration" this will require additional time over and above reaction time to decide whether the abnormal condition is indeed substantial enough to abort the takeoff.

FRANCIS H. MCADAMS.

APPENDIX C

COCKPIT VOICE RECORDING

The following is a partial transcript from the CVR's in TWA 159 and DAL 379:

2339:05—Tower: "TWA one fifty nine cleared for takeoff." TWA 2: "One fifty nine Roger."

2339:24—Tower: "Delta three seventy nine you're clear of the runway, aren't you?" DAL 2: "Yeah, we're in the dirt though." Tower: "Okay, TWA one fifty nine he's clear of the runway, cleared for takeoff, company jet on final behind you."

2339:35—TWA 2: Okay, we're rollin'."

2339:37.5—(Engine sound reaches highest pitch.)

2339:57.5—TWA 1: "Eighty knots, you got 'er."

2340:09—TWA 1: "Not very . . . far off the runway." TWA 2: "Sure . . . isn't."

2340:15.5—(Sound of "pop" recorded.)

2340:16.5—(Sound of engine power cut.) TWA 2: "Good God, I hit him."

2340:17.5—TWA 2: "Yokes."

2340:20—(Sound of engine power resumption.)

2340:20.5—TWA 2: "Spoilers!"

2340:32—(Sound of impact begins.)

2344:03—DAL?: "I, I just wonder if, if us sitting here . . . I don't know."

2345:57—DAL?: "I guess we're off the runway, I don't know."

2349:07—DAL?: "I wonder if the exhaust of our engines had any effect on him."

APPENDIX D

The term V_1 refers to a speed at which the takeoff can be safely continued or safely aborted within the limits of the runway remaining, assuming that the critical engine failed at V_1. The accelerate-stop distance is the sum of the distances neecssary to accelerate the aircraft from a standing start to V_1, abort the takeoff, and then come to a complete stop. The calculations on which the maneuver is predicated are based on the use of a smooth, dry, hard-surfaced runway. Certain allowances are also made for the human factor elements. These include consideration of normal pilot skill, pilot reaction time, and

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Footnotes at end of article.

the number and complexity of the steps required to complete the maneuver.

In their recommendation, ALPA contended that the time values used to allow for transition and execution of the abort procedure are unrealistic and cannot be duplicated in normal airline operation. The most important factor in this is the element of surprise which exists in operational aborts but which cannot be duplicated in the flight tests upon which the performance data is based. ALPA further contended that these flight tests are conducted by experienced flight test pilots who have practiced the maneuver, and that the tests are performed in a new aircraft in prime condition and under ideal operating conditions. The Association concluded that for these reasons, under normal service conditions, a takeoff cannot be safely aborted if the emergency occurs just at the V_1 speed.

The determination of a realistic aborted takeoff concept has been the subject of considerable Government/industry effort. In 1963, the Federal Aviation Agency (now Federal Aviation Administration) issued a Notice of Proposed Rule Making in which an attempt was made to account for operations under adverse runway conditions by proposing rationalized requirements for accelerate-stop distances. For the purpose of determining the minimum runway length for takeoff, the proposed amendment would have required the additional of a constant distance margin of 800 feet to the accelerate-stop distance. Of this 800 feet, 600 feet were to provide a 3-second decision time (assuming an average speed of 200 feet-per-second) to the pilot, and 200 feet to account for the runway used in positioning the airplane for takeoff. However, the 800-foot margin was then misinterpreted by parties within and outside the Agency as implying that a 4-second reaction time was required for an average pilot to recognize the problem and to decide on and initiate the appropriate action.

This proposal was withdrawn because of the numerous comments received from interested parties. The comments noted that there were safety margins not recognized in the notice such as the substantial reduction in stopping distance made possible by use of reverse thrust, the low probability of engine failure just at V_1 speed, and time delays imposed during type certification. Other comments noted that, since the V_1 concept is based entirely upon engine failure, a decision time is inappropriate because the pilot's decision is already made depending upon his speed. Until V_1 is reached, he may either safely abort or continue the takeoff, and after V_1, he is committed to a takeoff. Thus, to abort a takeoff under this concept, a pilot need not first assess the effects on the aircraft of some emergency situation and then determine his ability to continue the takeoff based on the probable remaining performance of the aircraft. Instead, he need only recognize the failure of an engine and abort or continue the takeoff depending on his speed at the time.

In response to a 1965 recommendation by the Bureau of Safety (now Bureau of Aviation Safety) that the FAA either provide longer pilot reaction times or, in the alternative, ascertain that line pilots can meet the existing requirements, the FAA discussed its continuing study of the matter and outlined some of the conservatisms contained in the current requirements. The reply explained the arbitrary time delays which were added to the test pilot's normal reaction time to determine the total time to be allowed for completion of the abort sequence. In the case of the Boeing 707-131, the total time allotted is 3.44 seconds. In determining that time, Boeing pilots demonstrated the following reaction times: .35 second from recognition of the abort to brake application, .41 second from brake application to power reduction, and .68 second from power reduction to spoiler extension. The foregoing times add up to a total abort procedure time, including reaction, of 1.44 seconds. To account for various operational factors, a 2-second delay was added, thereby arriving at the 3.44-second time period. The time added is predicated, in part, upon the number of motions required to activate the required decelerating devices other than brakes.

The ALPA recommendation also cited this accident as further evidence that the current means of calculating the V_1 speed is unrealistic. This contention was based on the fact that the initial study of the flight recorder and CVR data derived from the accident flight indicated that the accelerations of N742TW were appreciably slower than those predicted by the aircraft manufacturer. ALPA contended that by using the recorded takeoff acceleration to calculate the time and distance down the runway at which V_1 should have occurred, it is possible to show that the aircraft was not yet at V_1 when the abort was initiated. Therefore, according to those calculations, the aircraft should have stopped without overrunning the runway if the V_1 criteria were realistic.

The Board, however, has two main points of disagreement relative to the validity of the foregoing ALPA reasoning. First, after a detailed study and a comparison of the CVR and flight recorder records with the predicted data, the Board is convinced that the disparities were: airspeed data from the flight recorder are not considered valid below 80 knots, the effects of static position error induced by the engine reversing operation, and the fact that the precise initiation of the takeoff roll is not discernible from visual examination of the recorder tape alone. Further study of the recorder data, predicted data, and physical evidence resulted in a plot of the correlated flight recorder and CVR data which compared favorably with the predicted performance plot. From this plot, it was determined that the abort was initiated at nearly 143 knots, more than 10 knots in excess of V_1 for the subject takeoff.

In considering ALPA's contention that the reaction times allowed for in the V_1 calculations are insufficient, it should be noted that, according to the CVR record, the subject abort was initiated within 1 second of the sound of the compressor stall or after a 1-second reaction time. Had the remainder of the abort procedure (the spoiler actuation) been accomplished in proper sequence, the entire sequence could then have been completed within 2 seconds. This compares with the time allotted for decision and implementation of the abort procedure for this aircraft of 3.44 seconds. Hence, this abort could have been accomplished in less distance than the calculations would indicate. At any rate, in this instance, the aircraft was destined to overshoot by virtue of its excessive speed over V_1 at which the abort decision was made and not as a result of unrealistic reaction times. Any adverse variation from the certificated reaction times or sequencing would only have the effect of increasing the length of the overrun.

FOOTNOTES

[1] See *infra*, p. 3.

[2] Tr. 349.

[3] Tr. 349–350.

[4] Exhibit 12B–1.

[5] Exh. 2J.

[6] Q. Sir, in previous testimony of the last witness he read from the flight recorder trace a maximum speed of 145 knots. Could you tell me on this chart where an airplane would stop, the same situation, [brakes, spoilers, and all four reverses functioning] if it did attain a speed of 145 knots. A. Yes. This chart shows that it should stop at about 8100 feet, which is near the reported position of this particular airport [aircraft]. Tr. 522.

[7] Q. What had you used as a reference point to determine whether the DC–9 was clear of the east-west runway? . . . A. [Tower controller] He was taxiing to the north. He is leaving the runway on that side. Just the lights down there as he taxies off the runway, you just look at the lights and watch him taxi off the runway, when they appear to be off the runway. Tr. 35–36.

[8] Exh. 3F.

[9] Tr. 36, 50–51.

[10] Tr. 24–25, 35, 78.

[11] Tr. 31, 76–79.

[12] Exh. 3F.

[13] Tr. 40–42.

[14] Exh. 2E.

PUBLIC HEARING ON APPLICATION FOR FOREIGN TRADE ZONE IN MAINE

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. HATHAWAY. Mr. Speaker, this morning in Portland, Maine, a public hearing was held by the Foreign Trade Zones Board on the State of Maine's application for a foreign trade zone in Portland and a subzone in Machias, Maine.

Since there is widespread congressional interest in this application, I invite the attention of the Members to the testimony given today by Gov. John King, of New Hampshire; Gov. Kenneth M. Curtis, of Maine, Congressman Kyros, John Linnehan, New England Regional Commission, and myself.

The statements follow:

TESTIMONY OF JOHN W. KING, EXAMINER'S COMMITTEE OF THE FOREIGN TRADE ZONES BOARD, PORTLAND, MAINE, OCTOBER 10, 1968

My name is John W. King. I am the Governor of the State of New Hampshire and State co-chairman of the New England Regional Commission.

I appear before you this morning in support of the proposal made by the Maine Port Authority to create a foreign trade zone at Portland and a sub-zone at Machiasport.

We have heard hysterical statements by the public relations men of the major oil companies that the Machiasport sub-zone, if approved, would constitute what is the biggest economic give-away ever conferred upon a private company by the United States Government.

Gentlemen, these statements are specious, and I propose this morning to show not only why they are specious, but why they are being made.

As Al Smith used to say, "Let's look at the record."

What is this purported economic advantage that will accrue to the refinery operator?

Simply, the chance to provide New England fuel oil consumers with heat at 10 per cent less than they are currently being forced to pay. The New England price for heating oil in March, 1968, was 17.7 cents per gallon—a rise from 15.9 cents per gallon in March, 1964.

I would like to submit that New England is the only region in the United States that depends primarily on oil for industrial use and home heating. Approximately 70 per cent of the homes in the six states are dependent on heating oil. This means that the overall consumption pattern for oil is radically different in New England than in any other section of the country.

Heavy fuel oil and middle distillates account for 34 per cent of the total demand—gas, in contrast, accounts for only 32 per cent as opposed to about 50 per cent on the average in the rest of the country.

The projected refinery is specifically designed to meet the peculiar needs of the area by concentrating on the production of heavy fuel oil and number 2 heating oil.

And why does New England need such a refinery? Because, Gentlemen, no other major domestic oil company has been seen fit to locate its refinery so as to provide New England with the heating oil it needs at competitive prices. The majors have abandoned New England. In the other forty-four states of this nation, there are 291 refineries. In New England, there is not one. Humble Oil closed down the last refinery in the area—in Everett, Massachusetts—several years ago. Nor is there an oil pipeline serving New England. As result, New England is the highest cost energy region in the nation. No wonder that the majors view with alarm the efforts of an aggressive, forward-looking company to break the monopolistic stranglehold on heating oil presently clamped on New England by these very same majors!

Any economic benefits which will accrue to the Machiasport refinery operator will not come as a result of a give-away, but as a result of the business acumen of Occidental Petroleum in locating a refining capacity in an area which desperately needs it, and by selling the products of that refinery at prices designed to encourage competition for the New England heating oil consumers' dollar.

If the major oil companies are afraid that Occidental Petroleum's thoughtful and competitive proposal will jeopardize their lucrative locks on the New England fuel oil market, why don't they say so instead of jealously sniping at the proposal as a "give-away." I submit that these companies are more interested in preserving this market as their own feudal enclave than they are interested in seeing our New England consumers get a better break for their heating oil dollar.

They shudder at the prospect of having this carefully created market upset by an outsider who challenges their administered price structures. The majors do not want to locate a refinery in this area—not because, as they claim, a free market situation does not warrant such a construction, but because as a matter of economics, why should they spend millions to build a refinery when they can charge artificially inflated prices to New England consumers and get away with it.

I cannot work up much sympathy for the argument that approval of the proposal will result in a "give-away" to Occidental Petroleum. The only advantage which stands to be given away is the present advantage of the major oil companies of being able to charge what they will for the cost of oil heat in New England.

We also hear the argument that approval of this proposal will have the result of increasing American dependence on foreign oil sources—a possible detriment it is claimed, in the event of international crisis. It would seems to me that if we want to have adequate oil available in this country for defense purposes, this argument is just 180 degrees wrong. Why not do just the reverse—rely mainly on foreign oil now and conserve our domestic supplies for national emergencies? And this so-called "foreign oil" is not foreign at all, really—it is produced by American companies or their overseas subsidiaries. If anything, the increased development of foreign reserves by U.S. companies will help our balance of payments rather than worsening it.

Let me also speak briefly to another, and to my mind, the strangest, criticism from the major oil companies concerning the proposal before you this morning. This is the attack on Occidental's offer to pay into a New England conservation fund 20 cents for each barrel of oil from this refinery which it sells on the U.S. Market, an offer which would give this area about $7 million a year for conservation projects. This offer has been derided by a spokesman for the majors as "political payola." Indeed, this kind of criticism can be expected from a group which has been less than notable for its efforts to improve the quality of the American environment. We in New England are proud of our clean air and water, our forests and our green areas. We have no desire to see our states decay into industrial slums. We hear a lot these days about the heartlessness and impersonality of the American corporation and about its carelessness with the environment. We are pleased that Occidental is a corporation with a conscience—that it cares enough about the unique quality of New England not only to propose a refinery incorporating the latest anti-pollution techniques that the state of the art can presently offer: not only to refine low-sulphur content oil, which will result in fewer contaminants being released into the atmosphere; but also that it proposed to create this conservation fund to preserve the very values that will make its operation a more attractive one for which to work.

Once again, Occidental is flouting the rules of its major competitors, which say that environmental and aesthetic considerations are secondary to economic considerations—and its competitors are unhappy.

But to my view, the days when industry could ignore its impact on its natural surroundings are gone—if indeed they ever existed. The majors have not realized this. Occidental has. The difference is clearly put by the Majors' reaction to Occidental Petroleum's proposal to create this conservation fund. To the majors, it is, "political payola." How typical of a group, so bloated on depletion allowances and early write-offs of intangible drilling expenses, and so inconsiderate of the country which makes it wealthy that it feels able to dismiss as cheap political gesture any effort by a competitor to shoulder some responsiibility to society. This is the "public-be-damned" attitude of a nineteenth century industrial robber baron.

Gentlemen, you have heard, and no doubt will hear again this morning, these tired arguments of the major oil companies and the political representatives who speak for them. These arguments are not based on substance—they are the frightened gut reaction of a group so used to legislative favoritism and protection that any specter of meaningful competition causes instant terror. It is for you, gentlemen, to weigh the evidence and arguments presented to you, and I am confident that this morning's session and the sessions which follow will demonstrate to you the soundness of the arguments in favor of the proposal here advanced, and the self-serving nature of the arguments advanced in opposition by the major domestic oil companies.

Thank you for your attention.

Statement of Kenneth M. Curtis, Governor of Maine

My name is Kenneth M. Curtis.

I am Governor of the State of Maine.

In this capacity it is a privilege to welcome this distinguished board and the many participants, to our State.

I hope we can provide an atmosphere which is both pleasant and conducive to a presentation of facts directed to the purpose of this hearing, and cognizant of the jurisdiction of this board.

As clearly defined by statute, that purpose is solely to determine compliance with the requirements of the Foreign Trade Zones Act.

If those requirements are met it is the clear duty of this board to grant the requested license as a matter of right.

Although, we expect much will be said not pertinent to this clearly stated purpose, the State of Maine will establish through subsequent witnesses, our compliance and right to the license.

It is in the interest of the people I represent that I am here to testify in support of the application by the Maine port authority for the establishment of a primary foreign trade zone in Portland and a sub zone in Machiasport.

The application reflects the seriousness which Maine and the whole nation must place on future port development.

It further reflects a determination by public officials in Maine and throughout New England that our region shall share fully in the economic growth of our country.

Since Portland and Machiasport present entirely different physical and economic profiles, it is only logical that the development plans for the two sites differ considerably in scope and content.

At Portland, we propose to construct a relatively modest general-purpose zone to service the expanding industrial base of the greater Portland area, with adequate acreage available for growth as commerce through the zone increases.

At Machiasport, we propose a complete industrial complex and port facility capable of handling the largest proposed supertankers.

Machias Bay offers depths of water in excess of 90 feet, or double that of such ports as New York and Boston.

We accordingly have designed a complex which will have not only state and regional impact but national implication as well.

Nowhere else along the East Coast of the United States is here a harbor offering sufficent depth and maneuvering space to permit traffic in the supertankers now being constructed and designed by the shipping industry.

We propose to take full advantage of this fortunate circumstance.

I should like to make clear that Maine's interest in the establishment of a Foreign Trade Zone within its borders is not new.

The application being considered here is the product of a period of sudy and investigation.

The Foreign Trade Zones Act provides that "each port of entry shall be entitled to at least one zone."

Five years ago the Maine State Legislature, exercising commendable foresight, gave the Maine Port Authority power to apply for and establish foreign trade zones.

It was their belief that such action was consistent with the development of the State's economy and the promotion of foreign trade.

Subsequently, an appropriation of State funds was made to carry forward study in this field.

It is significant that the suggestion that a foreign trade zone be established in Portland came from a study commissioned by the Department of Defense of the United States.

This study specifically recommended that (I quote) "Any effort to develop a foreign trade zone in Maine should be directed at Portland or Searsport.

"These two ports, and most especially Portland, have most if not all of the necessary attributes for the establishment of a zone . . . Portland has established foreign trade and would add a significant service with the provision of zone facilities.

"Manufacturing within a zone would help broaden the economic base of the State . . . a foreign trade zone would be desirable in the State, but the logical location must be on water, ..."

Therefore the port authority, the legislature, and this administration continued to be interested in the establishment of a zone somewhere in Maine.

Subsequent efforts have aroused considerable interest in the proposed Portland zone as evidenced by testimony from prospective users, and letters, statements and expressions of interest from more than 30 individual firms.

Furthermore, we anticipate that the diversity of services provided by the zone will be useful to businessmen throughout northern New England.

Previously, the nearest foreign trade zone to New England businessmen was in New York City.

But this was too far for their establishment of business enterprises.

But if there was a foreign trade zone in

Portland they would be eager to take advantage of the business opportunities afforded by such a zone.

The excellent air, rail and road connections into Portland, make this wider use of the zone feasible and logical.

Nevertheless, we are aware of the economic difficulties which often plague a newly established zone, and, have secured financial guarantees adequate to ensure its continued operation in the event that initial revenues fail to meet expectations.

These guarantees will be made available to the officials conducting this hearing.

It is to complement the primary zone and our total effort, that we have also requested permission to create an industrial sub zone at Machiasport.

Although this proposed development is more ambitious in scope than other sub zones, it is similar in intent to both the Penueslas and Bay city sub zones.

Unlike the general purpose zone at Portland it is proposed as a special purpose zone housing a petroleum refinery and a related petrochemical complex.

I should emphasize at this point the industrial use of the zone will be promoted by a local development corporation charged by my office with recruiting a number of tenants from broad-based industries.

In line with this objective, and my determination to seek substantial economic progress for Maine, I directed appropriate State agencies, and members of my personal staff, to interest oil companies and distributors of petroleum products in the New England area in the participation in this project.

This search led met to the Occidental Petroleum Corporation with the proposal that it build and operate a refinery in the Machiasport sub zone.

It was my decision to approach Occidental, a leading independent producer, instead of any of the major oil companies because, to be completely frank, the majors have not in the past shown themselves sufficiently attuned to the interests of New England.

As a responsible public official, I must place the interests of New England and its people first.

The officials at Occidental were responsive, quick to see the possibilities of the project, and eager to move forward.

Occidental has agreed to build and operate in the sub zone, a refinery with a capacity of 300,000 barrels daily.

Oil storage tanks with a capacity of some 16 million barrels a day also will be built, creating one of the largest oil storehouses in the nation.

Of considerable significance to our interests is the company's agreement to build special oil handling facilities in full consultation with the State Department of Sea and Shore Fisheries and the Water and Air Environmental Improvement Commission.

Additionally, I have established a committee on planning and conservation for the machiasport sub zone.

Surely the interaction of this committee with appropriate state agencies will provide both necessary services and adequate controls.

We also seek to see constructed a refinery that will produce a low sulphur residual fuel oil and take the leadership toward a meaningful reduction of the air pollution that has involved our country.

Gentlemen, it is important that you understand the pressing need for the economic boost that would be given Maine as a result of the establishment of the foreign trade zone and sub zone.

Statistically, Maine does not compare well with the rest of the nation or with its New England counterparts.

Unfortunately, we have the lowest per capita income in New England, a relatively high incidence of poverty, and the lowest percentage increase in non-agricultural employment in Northern New England.

In short, our people have not been sharing equally in the great prosperity that has been sweeping this nation.

Furthermore, a demographic view of the State reveals what is not only a local or State issue but a national issue of great concern.

I refer to the rural-urban imbalance mentioned so often, and particularly cited by the report of the President's National Advisory Commission on Rural Poverty.

Let me read one passage from this report so realistically entitled, *"The People Left Behind:"*

"Because rural Americans have been denied a fair share of America's opportunities and benefits, they have migrated by the millions to the cities in search of jobs and places to live.

This Migration is continuing.

It is therefore impossible to obliterate urban poverty without removing its rural causes.

Accordingly, both reason and justice compel the allotment of a more equitable share of our national resources to improving the conditions of rural life."

Rural poverty is not explosive.

The rural poor do not riot, nor burn their homes.

They live too far from one another to demonstrate.

They are nonetheless our fellow Americans, and our fellow human beings entitled to every opportunity this great Nation offers.

This national problem is a serious problem for Maine and one that the proposed Machiasport Complex could go a long way to correct.

We experienced an overall out migration rate between 1950–1960 of 6.4% with a heavy concentration among our youth.

Some 17–18% of age group 20–29 departed for the job opportunities of other States and more metropolitan areas.

In order to counter this trend, we are proposing to locate this major industrial complex at Machiasport within our most depressed county.

Washington County has nearly thirty percent of its families earning less than $3,000 per annum, and an unemployment rate comparable to that for core city non-white populations.

All we ask this board is the right to develop a resource peculiar to our region so that our State can help its citizens improve the condition under which they live.

But beyond the immediate economic problems of Machiasport and Washington County and the entire State of Maine, the proposed complex can provide significant relief to the New England Region through an increase in the inadequate fuel supply and consequent high energy costs.

Traditionally, the high costs of electrical energy, and fuel have inhibited industrial development.

New England, more than any other region, has suffered from this historically restrictive pattern.

Thus, the zone must be viewed in its national and regional implications as an attempt to best serve consumer interests and to correct current economic inequities.

This is especially important for New England, as this is the only region in the United States that depends primarily on oil for industrial use and home heating.

It is the only region which has no refinery.

Although there are 291 refineries in the United States, there are none in New England.

Rather the oil giants of this country have left us at the end of the line with frequent shortages and resulting higher prices.

Certainly the substantial savings which will be passed on to the consumer through the refinery's projected pricing schedule will free the consumers' funds and thus increase demand for other goods and services.

Furthermore, the plan to distribute these low-priced products through local independent terminal operators, who presently depend for supplies from the same major companies against which they must compete, will strengthen these native firms and assure vigorous competition throughout New England.

That is the point in a nutshell, gentlemen.

This plan provides for competition.

The opposition is seeking to keep its stranglehold on supply, thereby continuing its discrimination against New England.

A further benefit for the economic future of the New England Region will result from an agreement by the refinery operator, Occidental, to fund the establishment and operation of a marine resources foundation.

This would be accomplished through passing on a royalty of $.20 per barrel, amounting to some $7.3 million in annual payments, to further research and development in the multiple use of the marine environment and coastal zone of New England.

This past summer the Maine Department of Economic Development hosted a conference between State representatives, The National Academy of Sciences, The National Science Foundation, and other Federal agencies to consider the potential for aquacultural development.

Dr. James S. Coles, President of The Research Corporation and chairman of the group representing The National Academy of Sciences, stressed in his report that "food, biomedical and biochemical products are undoubtedly being taken from the seas with increasing efficiency, but as yet the means used have advanced but a short way from the primitive.

We believe an aquacultural institute properly directed and sensibly supported as an investment in the future will provide a new force to turn the traditional institutions that now exist in the region towards the advancement of cultivation of the marine resources of the region for its general ecnomic benefit, and for the economic and human benefit of people living far away in other regions."

Accepting the conclusions of this distinguished committee, we are most appreciative of Occidental's wholehearted support for the establishment of a marine resources institute.

Without downplaying the importance of the refinery project, it is entirely within reason to suggest that the proposed institute will have even greater national, regional, and local implications.

I wish to emphasize that the establishment of the proposed foreign trade zones has the official endorsement of the New England regional commission, a Federal-State body created by the U.S. Congress and responsible for promoting the overall economic development of this region.

Last June, the Commission, established under Title V of the Public Works and Economic Development Act of 1965, adopted a resolution stating that the foreign trade zone "can offer substantial economic benefits for the entire New England region."

That, gentlemen, is that background of my State's application for creation of a foreign trade zone at Portland and a sub zone at Machiasport.

It is, I submit, a proposal based on hard fact, one that is sound in conception and which promises to be successful in operation.

Yet there is opposition to our application—strong and determined opposition.

This opposition does not come from Maine nor other New England States.

There is enthusiastic support from the six governors and congressional representatives and other agencies of the six New England States.

They see at long last some relief for our people who have suffered so long.

The opposition comes from outside our region.

It is led by large oil companies seeking to maintain huge profits and to block any competition which would reduce the price of petroleum products in New England.

I hope I have made it clear that Maine's role has been simply to apply for a grant to establish a foreign trade zone and sub zone.

We have sought no fight, but have simply moved forward in an endeavor that we believe to be in the best interests of the people of our State, the New England region, and the Nation.

But the fight has been brought to us from outside, and we will not try to duck it.

Our ammunition is facts, and merit.

For the last nine years New England has been the victim of a grossly inequitable distribution of the quota for oil imported into the United States from other countries.

Now we are simply asking for our fair share.

The major oil companies, insistent on keeping control over the import quotas, claim that making this fair share available would destroy the 12.2 percent quota protection.

It is an argument without foundation, for oil quotas under the 12.2 percent formula can be readily redistributed to give New England a fair share.

That is all we ask.

This is an opportunity for New England, to be sure, but let me emphasize that it is also an opportunity for the United States—and one that could be lost through delay or inaction.

Canada also is eyeing the potentialities of super port developments.

Canadian prime minister Trudeau recently appointed a federal committee to report before the end of this year on the progress of plans in the maritime provinces.

At present being considered for development as deep water ports are sites at St. John and Lorneville in the province of New Brunswick, at Halifax and Canso (Port Hawksbury) in Nova Scotia.

In addition, oil refineries are being proposed on deep water at Port Come-By-Chance in Newfoundland, and Point Tupper, Nova Scotia.

Perhaps the Come-By-Chance and Point Tupper developments, along with a deep water oil refinery project at Freeport, Bahamas, are most significant particularly as they defeat the very purpose of the Foreign Trade Zone Act, which is to preserve certain economic advantages for the Continental United States and not permit them to fritter away to other countries.

The advantages of the foreign trade zone multiply in many directions to advance our national interest.

Speaking before the New York Board of Trade in April of 1966, Mr. Richard Lake, executive secretary of the foreign trade zones board, pointed out that many aspects of the foreign trade zone act are readily translatable into terms of substantial economic significance.

Among those mentioned were a reduction of gold outflow, employment of U.S. labor and industrial resources, and enlarged opportunities for U.S. based industries.

If foreign trade zones are discouraged, U.S. based firms will continue to locate refinery complexes in Canada, the Bahamas, etc.

Why should Occidental Petroleum, whom we have invited to invest $150,000,000 on American soil be pushed to favor Canada with such construction?

Surely the granting of our petition conforms to the intent of the foreign trade zones act, and with those particular economic aspects cited by Mr. Lake.

Gentlemen, there is always the possibility that all of us will become so involved in the intricacies of this situation that we will lose sight of the essential core of the matter.

Millions of families in the New England States face hardships during the extremely cold weather, which is characteristic of our region, because of scarce supplies.

This squeeze is unconscionable.

For the past ten years, 11 million people have suffered from this situation.

The people of New England, by their nature are not complainers and their silence has too long been misconstrued as a acquiescence in the injustices done them.

It is not difficult to find the reason why New England has been isolated from its fair share of oil imports.

The large oil companies control the supply of oil to our region.

It is they who must supply the small independent oil dealer.

Yet, these very same large oil companies compete with the small oil dealers in selling directly to the consumer.

Because of this lack of competition, whereby the small oil company dealer cannot get his supply from other sources, they are at the mercy of the large oil companies.

They stand with hat in hand before their own competitors seeking an allotment.

Obviously, this not only results in an inadequate supply, but prevents any reasonable price resulting from competition in the market.

In plain words, a monopoly has a stranglehold on the supply and the price.

That monopoly has not been a beneficial one.

The large oil companies have made an estimated $5 billion profit from the oil import quota.

In this non-competitive situation, the New England consumer pays higher prices than any other consumer in any other region in this country!

As governor, I have struggled, together with the governors of the other five New England states, to seek some relief for our exploited citizens.

Then we determined that, only under existing Federal legislation, was relief available.

More than this, we learned that the natural resources of our State, which has been so bountifully favored by nature, makes the Foreign Trade Zones Act particularly applicable.

For we are blessed with one of the finest ports in the world in Machiasport.

It has twice the depth of the New York Port (incidentally, New York has a Foreign Trade Zone), and it has twice the depth of any other port on the East Coast.

Furthermore, as if nature pointed a finger towards our relief, it has such a wide harbor that there is extraordinary turnaround facilities for the new huge tankers, the like of which have never before been made.

Finally, the Foreign Trade Zone provides, as a mandate, that each port in the U.S. is entitled to a Foreign Trade Zone.

Due to these extraordinary God-made contributions to our region, we were able to induce a large independent oil company, Occidental Petroleum, to erect an approximately $150 million refinery in the distressed area of Machiasport.

Furthermore, since Occidental welcomed the opportunity to compete, we secured generous terms in that it did not insist on hogging the profits from the oil import quotas, but agreed to turn back for the people's interest a substantial portion of its value from the quota.

So, realizing that the value stemmed from the extraordinary natural advantages of this harbor which we made available, Occidental has committed itself to reducing substantially the cost of heating fuel to the people of this region.

It has agreed also to reduce the cost of sales to the Army and Navy of our country.

It has agreed to spend more money in order to produce low sulphur content heavy fuel oil which would abate the air pollution now sweeping across our country.

It has agreed to set aside over $7 million into a non-profit marine and natural resources foundation to develop marine environment.

And, of course, to provide desperately needed employment in Machiasport and adjoining regions and to attract to this huge new complex, business concerns of all kinds to increase the momentum of economic advantage flowing from a new center of activity in naturally magnificent surroundings.

Well and good.

One would think that this application would be granted as a matter of form, and with commendation for all who have participated in such a benevolent cause.

Certainly the people and public officials of New England have so responded.

Six governors, twelve senators and some 25 congressmen urge upon you the acceptance of our application.

But these are not all.

Regional economic groups, public spirited citizens, leaders in industry, social welfare groups, the academic community and sociologists who know that the deep root causes of many of our ills in this area stem from economic depression all say "amen" to this application.

Yet, it is astonishing that this application, so obviously just in seeking only a fair share, namely, 9% of the petroleum imports allowed for our 9% share of consumption, has provoked an opposition more emotional, intense, persistent and louder than perhaps we have ever experienced in this Nation.

Why?

Because the $5 billion profits derived over the last nine years from the oil import quota will have to be shared by New England.

Now, if the large oil companies came here and said frankly, "we've had a very good thing here.

"We owe it to our shareholders to maintain these profits if we can, and it is our corporate duty, as we see it, not to be concerned with the public interest but to preserve our economic advantages and our profit margins, and we don't want a newcomer, occidental, to cut in on this"—I would, at least, understand even if I didn't admire.

But that's not what we are confronted with, gentlemen.

Instead, pretenses of the most empty kind are paraded as a justification for the opposition.

Instead, hypocritical cries are raised that the security of the U.S. is being threatened by this relief to New England.

The large oil companies pretend that their opposition is because of their concern with the destruction of the import quota system.

This, they say, will destroy the production of oil in this country and, thus, deprive us of an essential product for our defense.

You will hear this argument over and over again.

I have had the opportunity of seeing some of the statements made by the large oil companies.

This argument is the foundation—the first story—the structure and roof of their opposition.

And yet, it is a structure built on sand—worse than that, quicksand.

Let me tell you why.

First, no one is attempting to change the import quota, which is now 12.2% of the domestic production in the 43 States east of the Rocky Mountains.

What we are seeking is a fair apportionment which is a tiny bit to the quota of the New England region.

The total of 12.2% will remain the same.

It was not written in the sky that the large oil companies should have the whole 12.2%.

It was not written in the sky that New England should not share equally with the other regions in getting its fair share of that 12.2%.

It is a spurious and false argument to contend that if a volume of less than 1% of our domestic production is given as an import right to New England rather than to the large oil companies, that the import quota system is thereby destroyed.

The import quota of 12.2% would not be touched.

Second, you will hear over and over again that, if you permit this foreign trade zone, there will be a proliferation of foreign trade zones of a similar nature and that these many calls for allocation will somehow break down the import quota of 12.2%.

This just isn't so either.

In other regions of the country there are refineries already in existence.

In fact, as I have indicated, there are 291 refineries in 44 other States, excluding the six New England States.

There is not a single refinery in the six New England States.

Consequently, the situation is unique in Portland and Machiasport.

We are trying to create competition where there is none, rather than multiplying competition where it already exists.

Furthermore, Machiasport is unique in the facilities and opportunities it offers.

There is no other State on the east coast that has a 90-foot draft.

Therefore, occidental can make the commitments here, which neither it, nor any other company, could make south of Maine, where these favorable circumstances do not exist and where there is already a refinery in existence.

Thirdly, as you indicated in your opening statement, gentlemen, this fear thought of a destruction of the import quota is prematurely raised at this hearing.

Bad and false as the argument is, it belongs before the Secretary of the Interior when he acts upon an application, made as far back as June, for oil import quotas.

There will appear before you, according to the list, some distinguished public officials in opposition to this application.

I have seen their names and I wish to say now that I have the highest regard for them.

But, their espousal of the cause of the large oil companies is as defective as the contentions of the oil companies themselves.

I can only believe that they are inspired to come here by a lack of knowledge of these complex matters and by a commendable desire to serve the large oil company constituents of their State.

I would even hope that when they hear the full facts in this matter supported by experts, governmental officials and public spirited agencies, their dedication to the public interest which is no different from mine or the six governors of this region, might induce them to reexamine their position.

In the last analysis this application draws its life blood from the needs of the people and not from the glamorous titles of any of us, and I urge you on the hard facts in this case to grant an application which will be fully supported under the statute and regulations and to which we are entitled as a matter of right.

If the oil companies and their spokesmen, whoever they be, wish to present their arguments about national security, let them do so after the foreign trade zone has been granted and the Secretary of the Interior must act on our application for import quotas.

We believe their fallacious arguments will be exposed there too.

But at least they will be timely made.

I conclude, gentlemen, with this urgent plea.

At long last the citizens of this region who have been deprived of a fair share of that which all other regions received should see the hope of a new day.

We cannot restore to them the comfort or the money which has been mulcted from them these many years but we can at least approve the present application with the prayer that it will bring about belated, but oh so justly, some equity and justice to our people.

Thank you very much.

Testimony by Representative Peter N. Kyros, Democrat of Maine, First District

My name is Peter N. Kyros. I am the Representative in Congress from the First Congressional District, the State of Maine. This district includes Portland, Maine, the proposed site for a general purpose foreign trade zone.

The creation of a foreign trade zone in Portland is justified by the city's present and past situation and is of vast consequence to the future of Portland, of Maine, and of northern New England.

Portland's commerce today is of sufficient volume and of so diversified a nature as to assure substantial use of a free trade zone. Some 30 industries and firms have already indicated their interest in the zone's warehousing potential and capacity for manufacture and export. Among them are importers of titanium dioxide, a chemical extensively used by Maine's pulpwood industry. Also interested are importers of sardines and exporters of shoes and machinery. In addition, the Maine world trade council, a 1966 recipient of the president's "E" certificate for export promotion, stands ready to promote the use of the zone, and the New England regional commission legislative program includes consideration of a New England foreign trade mission which would further boost regional exports.

Thus, a foreign trade zone in Portland will promote this country's foreign trade and assure that the benefits of the zone will promote the economic growth of Portland and the New England region which it serves. Such mutual interaction and benefits between the zone and the surrounding community are precisely what Congress envisioned when it passed the foreign trade zone legislation.

Portland is served by a road, rail, and air network which connects it with all of northern New England, as well as making it the northern tip of what is referred to as the northeastern Megalopolis, stretching from New England to Washington, Specifically, Portland is served by the Maine Central, Boston & Maine, and Canadian National Railways. In addition, the New York, New Haven, and Hartford Railroad, the Canadian Pacific, the Delaware & Hudson, and the Norfolk and Western Railways do business in Portland. The Portland airport connects with Boston, New York, and Washington, as well as smaller cities throughout the Northeast. In addition, a civil aeronautics board examiner has recently awarded Northeast Airlines a route linking northern New England with the midwestern (Great Lakes) markets of Chicago Cleveland, and Detroit. It is only 15 minutes from downtown Portland. Furthermore, Portland is part of the trucking network which laces the northeastern United States and eastern Canada. In fact, most of New England, including Boston, is far closer to Portland than to New York, currently the nearest foreign trade zone. Furthermore, no foreign trade zones currently exists in Canada, so Canadian firms might be interested in using an American zone accessible through bonded trucking.

There can be no question of the capacity of the Portland Harbor to handle increased commerce generated by a foreign trade zone. According to the latest available figures from the U.S. Maritime Administration, Portland ranks sixth in the United States in total import and export cargo handled. The total value of cargo handled through the port in 1966 exceeded $415 million dollars.

In addition, the port offers the advantages of uncongested facilities, skilled waterfront labor, experienced stevedoring, towboats, and ship service, and exceptional depth of water, both in the harbor and offshore.

Not only is Portland's geographic location conducive to growth: its demographic situation is also auspicious. The area has showed 7–8% gain in population and work force since 1960. This is particularly significant in view of Maine's general declining population.

Furthermore, the general attractions of the Portland area, the absence of urban sprawl, the blight, the easy accessibility to both downtown shopping and outdoor recreation, and the growing room provide an environment which will attract and hold all types of workers for whom job opportunities can be provided. Under these circumstances, there is every reason to credit the various predictions of a population expansion of at least 10% for this region in the next seven years. This being the case, it would be shortsighted not to believe that the increased demands and products of this expanding area will not produce even more possible uses and users for the zone within months of its completion.

In conclusion, let me confront the contention that Portland, Maine is not a commercial center on the scale of New York City, New Orleans, or Seattle. That contention is as correct as it is irrelevant. What matters is that Portland is capable of both generating and benefiting from foreign commerce in the manner prescribed by the Foreign Trade Zone Act.

Furthermore, unlike many larger commercial centers, Portland is still capable of extensive and orderly growth in response to the benefits of the zone. It is probably the only major metropolitan coastal area from here to North Carolina so well entitled to make such a claim.

Stimulation of development in areas other than our congested city cores is an approach to urban problems which has broad bipartisan support. In furtherance of this goal, as well as in fulfillment of its own mandate, I urge the Foreign Trade Zone Board to grant the application of the Maine Port Authority.

Testimony by Representative William D. Hathaway, Democrat, of Maine, Second District

My name is William D. Hathaway. I am the Representative in Congress from the Second Congressional District, the State of Maine. The nine county district I represent includes Washington County, which has been recently designated a redevelopment area by the Economic Development Administration, U.S. Department of Commerce.

A primary criterion for this designation is an unemployment rate of 6% or more and an annual average rate of unemployment at least 50% above the national average for three of the preceding four calendar years, or 75% for two of the preceding three calendar years, or 100% for one of the preceding two years. Sadly, Washington County satisfies not one, but all of these standards. Estimated unemployment for the two-year period 1965–1966 was 11.2% of the work force, an improvement over the 1960 figure of 16.5%, but still a staggering statistic.

And even this slight improvement demands further clarification: It is not so much of an indication of limited economic growth in the region as it is a reflecton of another serious problem for this economically depressed area: An outmigration of its population, particularly its educated youth. Thus a 1950 population of 35,187 has dwindled to 32,400 by 1965. Even more significantly, the bulk of this outmigration has occurred amongst the most vital sector of any economy, its citizens between the ages of 20–29. Not only does the area have a heavy educational investment in this group, which in itself is a tax on the limited resources, but it also, and more importantly, must stake its future on the willingness of these young Americans to apply their skills to local growth and development. To put this trend in a statistical perspective, outmigration rates for the decade between 1950–1960 were 42.8% for age group 20–24 and 32.9% for age group 24–29.

Naturally this major exodus has a debilitating effect on local economic conditions. While the question of "What is poverty?" is subject to interpretation, let me adopt the family income level of $4,000 as a figure: Although that in itself may be inadequate for a family of four or more. 57.7% of Washington County households have annual incomes below this level. Many of these families are finding it extremely difficult to feed, shelter, clothe, and educate their children. And those parents who make the sacrifice, who are rewarded by the graduation from high school or college of their children, must further accept the departure of these children in search of job opportunities outside of Washington County and often outside of Maine.

It is self-evident that the conditions of poverty tend to breed further poverty. Lack of mobility, low vocational skill levels, substandard housing, poor quality food, and lack of motivation create a vicious circle from which escape if difficult is not impossible.

Washington County is in need of major economic assistance. Small and piecemeal efforts to aid particular pockets of poverty, while intrinsically valuable, are not sufficient to deal with the over-all depressed economic situation.

The proposed core refinery and deep draft port facility outlined in the Maine Port Authority's application for a foreign trade zone sub zone located at Machiasport in Southern Washington County define the type of major input that is required to break the cycle of poverty detailed above. The impact of the refinery complex alone, when measured in incomes and jobs, will have a considerable influence on the county's economy. Foster, Wheeler Co., the engineers who propose to design and construct the complex for Occidental Petroleum, have estimated that $10–12 million will flow into the local economy during the construction phase. And since both pragmatism and company policy dictate the use of local labor and subcontractors to the fullest extent possible, the benefits will be maximized for the local population.

With the opening of the refinery and port facility at the conclusion of the construction phase (estimated 18–20 months), it has been projected that employment will total 367 with an annual payroll of $2.6 million. Through on-the-job training programs during the construction phase local county residents will be trained for 85% of these positions. In order to ensure a continuing benefit for local residents, the refinery operators have indicated that they intend to cooperate fully with and support the new vocational training institute planned for Washington County by the State Board of Education.

However, let us progress beyond these immediate positions to a consideration of the potential for development as it relates to this particular refinery. Examination of the projected production pattern reveals a daily production of 53,000 barrels of naphtha. Both this naphtha and the off-gas resulting from the refining process provide raw materials for the location of further processing plants. The installation of a major olefin plant (producing ethylene, propylene, butylene, etc.) would in turn create a second core attracting processing facilities based upon the availability of these raw materials. Plants producing ethylene glycol anti-freezes, other ethylene dioxide derivatives, phenol, aceton, polyethylene, polyproplene, industrial alcohols, etc., have all been suggested as distinct possibilities.

Thus a comprehension of the economic potential inherent in the location of such a refinery, operating as a core unit, suggests a continuing construction phase. For example, an ethylene plant takes several years to construct. The result will be an increase in employment opportunities in the construction and operation of the new facilities.

When this prospect is considered in light of estimates ranging from 1.5 to 2.6 new workers for every new industrial worker, the potential impact becomes even more significant. In short, the refinery will generate approximately two job opportunities for every job it produces directly.

Gentlemen, the people of Washington County have indeed been "left behind." This imaginative proposal by Governor Curtis and the other five New England Governors goes a long way toward redressing this economic imbalance. Furthermore, as others have testified, it has implications for the economy of the entire New England region.

Therefore, because of my responsibility to my constituents and my concern for the New England region, I strongly endorse this proposal and urge that the necessary permits be granted allowing the establishment of the primary and sub zone essential to this project.

Statement of John J. Linnehan, Federal Cochairman of the New England Regional Commission

Mr. Chairman and Members of the Examiners Committee. It is an honor to appear before you today to urge the establishment of a Foreign Trade Zone and Sub-Zone in the State of Maine. Establishment of these zones offers great hope for a significant expansion in the economies of the State of Maine and the entire New England Region. My purpose is *first,* to inform you of the support of the New England Regional Commission for the establishment of the Zone and Sub-Zone, and *second,* to outline for you the extent of the Commission's involvement in the planned industrial complex in the proposed Sub-Zone at Machiasport.

As you know, the Commission is a Federal-State entity established in March of 1967 under title V of the Public Works and Economic Development Act of 1965, the Nation's major legislation in the field of area and regional economic development. The Commission is composed of the six New England Governors—

John W. King of New Hampshire, the Commissions State Cochairman; John H. Chafee of Rhode Island, the Alternate State Cochairman; John N. Dempsey of Connecticut; John A. Volpe of Massachusetts; Philip H. Hoff of Vermont; and Kenneth M. Curtis of Maine, the sponsor of the project—and myself, the Federal Cochairman. The Commission's statutory function generally is to plan and carry out economic development programs for the benefit of the New England Region.

Since March of 1967, the Commission has initiated a number of activities designed to promote the Region's overall economic development. These activities include *research* into such important regional problems as transportation, human resources, and water and air pollution; *support* for State planning for economic development; and *financial assistance* for the construction of important public facilities in New England communities. This latter activity is called the Supplemental Grant Program.

Under the Supplemental Grant Program, the Commission may increase, up to a maximum of 80%, the Federal share of the cost of certain public facility projects financed under Federal matching grant programs. For example, in the case of the construction of a manpower training facility, which ordinarily receives a 50% Federal grant, the Commission is authorized to make a 30% grant to the project if it meets certain Commission standards. This supplementary grant assistance by the Commission enables many New England communities to make more effective use of their often limited financial resources.

In early 1968, the Commission made supplemental grants totalling nearly $2.5 million in connection with 9 important projects throughout the six States. The projects supported by the Commission included *the construction of regional hospitals* in New Hampshire, Connecticut, and Vermont, *the expansion of a port facility* in Massachusetts, *the construction of a regional library* in Rhode Island, and *the construction of a passenger terminal* at the Bangor Airport in Maine.

In Fiscal Year 1969 we will support additional projects under this program. However, at our June 1968 Commission meeting, we adopted a resolution requiring that, to the extent practicable, our supplemental grant funds would be used to support projects of great regional significance; in the words of the resolution—"projects which . . . will have a significant economic impact on the Region as a whole or on a major subregion."

More importantly, for the purpose of today's hearing, the Commission reserved a portion of its Fiscal Year 1969 funds to support the carrying out of the planned industrial complex in Machiasport, Maine. The Machiasport project had been under active consideration by the Commission staff and the Alternates to the Commission Members for approximately three months. Specifically, the Commission resolution reserved up to $500,000 to assist in financing the public facility improvements necessary for the development of the planned industrial complex in Machiasport. (With your permission, Mr. Chairman, I would like to have inserted in the record at this point a copy of that resolution.)

The Commission's grant is expected to supplement a basic grant by the Economic Development Administration of the Department of Commerce for site clearance at the harbor and the construction of a customs building and access fences for the Sub-Zone. The Maine Port Authority is now preparing its application for the basic grant to the Economic Development Administration. EDA approval of the grant is contingent on *first,* the establishment of the Foreign Trade Zone at Portland and the Sub-Zone at Machiasport, and *second,* the granting of the necessary oil allotments by the Secretary of the Interior. (I would also like to insert for the record a copy of a letter sent by the Members of the New England Regional Commission to the Assistant Secretary for Economic Development, Ross D. Davis, which enclosed a preliminary profile of the Machiasport project and urges the Assistant Secretary's favorable consideration.)

Mr. Chairman, I would like at this point to add my strong personal support for the Machiasport project, and to restate its great potential in another, much broader, context.

As you know, the Nation is becoming increasingly aware of the interlocking fates of its depressed rural areas and the central cores of the great cities. Until recently, the relationship between the two was scarcely recognized, and consequently, we carried out programs which, far from complementing each other, worked to the detriment of both.

For example, we have built public facilities in rural areas in order to provide job opportunities for rural residents; *yet,* at the same time, we have failed to train the area's people for the specific jobs being brought to them. The result—we have failed to take even a small step toward halting the migration of the rural poor to the already overcrowded central cities. The futility of that approach, just one among many others, is evident—in the ruins of many square blocks in Cleveland, Los Angeles, and the District of Columbia.

From this point on we must take great care to formulate public policies and programs which recognize the dependence of one course of action (or *inaction*) on another. We must develop not only *job opportunities in rural areas;* we must develop the complementary programs to improve *the human resources capable of benefiting from those opportunities.* In short, providing "job opportunities" can no longer mean the building of a water or sewer facility, or an industrial park; it must mean the construction of those facilities *as a part of a comprehensive package that includes bringing industry to the area, training and educating the area's citizens for particular jobs, and providing the area's residents the health, welfare, and other social services that ought to be part of any American community.*

The planned Machiasport development is an outstanding example of the kind of comprehensive action critically needed in our rural areas. The New England Regional Commission is supporting *not* merely the improvement of Machiasport Harbor; it is supporting an imaginative and comprehensive plan to bring industry and jobs to a historically depressed Region on a scale which has great potential for arresting the flight of that area's residents to the Region's crowded cities. Governor Curtis and his administration are making every effort to improve the area's educational base, its transportation system, and its health and welfare facilities. I strongly endorse his efforts and pledge my help in their realization. I urge you to take the essential first step of approving the application before you.

Thank you.

NEW ENGLAND REGIONAL COMMISSION RESOLUTION 33

A resolution of the New England Regional Commission concerning the use of title V supplemental grant funds for projects having substantial regional impact

Whereas, the Commission believes that, to the maximum extent possible, supplemental grant funds made available to the Commission under title V of the Public Works and Economic Development Act of 1965 should be utilized to support projects having substantial regional impact, and

Whereas, (a) the establishment of a foreign trade zone in Machiasport, Maine, and (b) the development within the zone of a major industrial complex, which is designed, in part, to increase substantially the supply of scarce heating fuels for New England consumers, can offer substantial economic benefits for the entire Region; Now therefore

Be it resolved by the New England Regional Commission

Section 1 *Use of Title V Supplemental Grant Funds for Projects Having Regional Significance.* Supplemental grant funds made available to the Commission under title V of the Public Works and Economic Development Act of 1965 shall be utilized, to the maximum extent possible, to support projects which, in the judgment of the Commission, will have a significant economic impact on the Region as a whole or a major subregion thereof.

Section 2 *Reservation of Funds for a Regionwide Supplemental Grant Project in Machiasport, Maine.* The Commission hereby reserves a portion (not to exceed $500,000) of the supplemental grant funds made available to the Commission under title V to assist in financing public facility improvements necessary to the development of the planned industrial complex in Machiasport, Maine: *Provided,* That the actual amount of the Commission's contribution to the project shall be determined by the Commission after submission of a formal application by the State of Maine for supplementary grant assistance.

Section 3 *Effective Date.* This Resolution is effective immediately.

Adoption certified by the Commission:

John W. King,
State Cochairman.

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Federal Cochairman.

New England Regional Commission,
Boston, Mass., June 27, 1968.

Hon. Ross D. Davis,
Assistant Secretary for Economic Development, Department of Commerce, Washington, D.C.

Dear Mr. Davis: Enclosed is a preliminary project profile for your consideration of EDA title I grant assistance to finance the construction of certain public facilities in Washington County, Maine.

The proposed facilities will serve a major industrial complex in a foreign trade zone to be established in Washington County. We believe the development of the complex described in the profile has great potential for revitalizing one of New England's most depressed subregions and for increasing the supply of No. 2 fuel oil in the Region.

The project described in the profile has been under active discussion within the Commission for more than three months. We believe its undertaking as a regional project is important both to the New England Regional Commission and the entire regional commission program. Accordingly, we expect to allocate a portion of our title V supplementary grant funds to this project after the appropriation of such funds by the Congress.

We ask for your early and favorable consideration of this important regional project.

Sincerely yours,

John N. Dempsey,
Governor of Connecticut.
John W. King,
Governor of New Hampshire, State Cochairman.
Philip H. Hoff,
Governor of Vermont.
John J. Linnehan,
Federal Cochairman.
John A. Volpe,
Governor of Massachusetts.
John H. Chafee,
Governor of Rhode Island.
Kenneth M. Curtis,
Governor of Maine.

PRELIMINARY PROJECT PROFILE: WASHINGTON COUNTY, MAINE, INDUSTRIAL DEVELOPMENT COMPLEX

I. DESCRIPTION OF THE PROJECT

The State of Maine is requesting the establishment of a Foreign Trade Zone at Machiasport in Washington County, Maine, to be operated by the State of Maine Port Authority. Establishment of the Zone will stimulate foreign commerce for the State of Maine, as well as for the entire New England Region.

The principal initial activities within the Zone will be the development and operation of a core petroleum refinery and satellite petro-chemical plants. Private refinery operators will import low-sulphur foreign crude oil carried in 200,000–300,000 ton tankers, and export to the New England States primarily No. 6 heavy residual fuel and No. 2 household heating fuel. These fuels will be clean—with a maximum of 1 percent sulphur—and inexpensive; No. 2 fuel, for example, will in all likelihood be as much as 10 percent below posted prices at Boston Harbor and or U. S. Gulf Coast prices. The anticipated substantial savings in fuel costs to New England consumers will result from the juxtaposition of the refinery to a deep draft anchorage suitable for berthing 300,000 ton tankers.

In addition, refinery engineers are now designing a 15 million barrel ocean terminal storage plant to be constructed within the Foreign Trade Zone. Refinery feed stocks will likely attract such additional development as petro-chemical companies, pulp and paper mills, and ore reduction plants.

II. BENEFITS OFFERED BY THIS INDUSTRIAL COMPLEX

A. The local impact

The development and operation of this industrial complex will create approximately 400 new jobs, and generate approximately $25 million in additional annual income in an historically depressed area. According to recent figures, Washington County has an unemployment rate nearly that of typical core city non-white populations; loses more than ⅓ of its under-thirty population through out-migration; has more than ½ of its families with incomes classified at poverty levels; and suffers because nearly ⅔ of its adult population has not finished secondary school.

B. The regional impact

1. New England consumers can be expected to save nearly $20 million dollars annually on refined oil products through the transportation economies anticipated from the project's development.

2. The Machias refinery will become the first resource within New England specifically designed to increase the production of a traditionally low supply of home heating fuels.

3. The refinery's production of low-sulphur fuels enables the New England States to innovate in the implementation of national air polluting standards.

4. A marine resources foundation will be created by the refinery operators and devoted to research and development on the Region's marine resources. Although the managers of the foundation will be designed by seven independent New England oil marketers (the major shareholders in the core refinery), a Board of Trustees composed of the six New England Governors or their designees will determine the policies of the foundation. Operating revenues for the foundation—to be contributed by the refinery operators on the basis of 20¢ for each barrel of quota allocated product—is estimated at $7 million annually.

C. The national impact

1. The Nation's balance of payments deficit will be eased by the construction of a domestic refinery facility, thereby avoiding the flow of dollars to countries outside the United States where these facilities might otherwise be built.

2. The shipment of refined products will be a major stimulus to our coastal merchant marine, since U.S. ships will be used.

3. The U.S. Defense Department will have a domestic source for jet fuel at prices below current levels.

D. Estimated development costs

	Amount	Source
Public investment:		
A. Site acquisition	$350,000	Bond issue.
B. Site clearance	1,500,000	A combination of bond issue, EDA basic grant, and title V supplementary grant.
C. Customs building	25,000	
D. Access fence	100,000	
E. General purpose dock facility (building and pier).	2,000,000	
F. Towboats	2,250,000	
G. Workboat	50,000	
Total	6,275,000	
Private investment:		
A. Refinery construction including storage facilities.	56,650,000	Operators of the refinery.
B. Dock facilities (T-head jetty+offshore loading platform).	11,000,000	Do.
Total	67,650,000	

THE "PUEBLO"—HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. SCHERLE. Mr. Speaker, this is the 262d day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

THE CROSSROADS

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. UTT. Mr. Speaker, all over the country our citizens are becoming increasingly angered at what they are seeing and hearing on our college and university campuses. Their resentment is not diminished by the realization that they are forced to contribute the tax funds, a portion of which makes it possible for the destructive operations of self-serving and revolutionary groups to promote their evil activities.

In California, we are fortunate to have an elected official who is determined to do something toward the correction of this sorry situation. John Stull represents the 80th assembly district, a portion of San Diego County, in the State legislature. He is a real "tiger" in demanding that the regents of the University of California assume their proper responsibility or get out.

John notes that the university takes the greatest slice of California's State budget, over a quarter of a billion dollars, but he says that there are most reliable estimates that the total annual expenditure runs over a billion dollars. The university operates business enterprises, receives donations and contributions and various grants of funds, but no accounting of it is made to the public, and even the State legislature cannot find out what is the source or extent of its income or expenditures.

John Stull demands that the legislature enact a change in the law to require full disclosure regarding University of California financial matters. I agree most wholeheartedly with him that, if it is important for politicians to make full disclosure, it is extremely vital for bureaucracies, of which the University of California is one of the largest. I believe that students must be made to "shape up or ship out," or, as Governor Reagan more cogently put it:

> If they don't live up to the rules and regulations of the University, "they'd better damn well" go somewhere else for their education.

Mr. Speaker, John Stull delivered the following speech on October 8, 1968, at the meeting of the La Jolla unit, Pro America, at the Del Charro Hotel in La Jolla, Calif.:

CAL AT THE CROSSROADS

Today, it would seem appropriate that we, some of the stockholders of the University of California pause, and, as calmly and objectively as possible, take stock. For one hundred years now, we, the citizens of California, have poured our treasure into this institution; we have lavished upon it our confidence that it is one of civilization's great bulwarks for the present; generations of Californians have placed their children in its hands and, with this gesture, their hope of the future; we have kept it close to our hearts with a sense of just pride.

From a modest beginning shortly after the Civil War, the University has grown to nine vast campuses and about 90,000 students. It has been the wonder of the world that the people of any state would feel so strongly about education, that they would accept the University's growth demands as their necessity. The University of California takes the greatest slice of California's budget, and the state pays University of California officials considerably more than the comparable administrators who run the state. One has but to cross any University of California campus, to look at the grounds and buildings, to realize that the people of California have built and maintained the best. And, in their eagerness to keep this whole environment pure and unsullied from crass outside political pressures, the Constitution of California provides that the mammouth University of California complex be controlled by a Board of Regents, answerable to no one.

Right here, within a mile or two, there is UCSD, a new branch in the process of building. Plans for its development stretch far into the future. To the millions spent in the past, it is proposed to add millions in the future. For an expenditure of this magnitude, we must be quite certain of our returns and the protection of our investment.

Are we getting what California wants?
Are we getting what California needs?
Is all well at the University of California?
Does it still justify our confidence?

Of course, the answer to all these questions is a resounding "No!" Something is desperately wrong, and the present crisis has been developing for a long time. We cannot accept any more routine University of California press-release rationalizations, when we see that in a world where the very conditions of civilization are at stake, astonishingly, the university has decided to aid and comfort the barbarians. It does not suffice to say that only a minority is causing the trouble. The majority is letting them. It does not suffice to remind ourselves of the magificant past contributions of this school. All contributions will cease if the present conditions are not changed.

We look for an explanation and when we first see it, we cannot believe it. Then, we look again and admit that it is the only possible explanation. We must face the grim realization that some time in the past one hundred years, the University of California abandoned standards. We must recognize that, as in the case of the cells of a dread disease, abandoned standards multiply until the whole body flounders in jeopardy.

That is a drastic statement, isn't it? And quite inexcusable if it is not correct. And appalling, if it is. Well, let me prove my point. Let's take several standards which have been abandoned, and I assure you, it is only a beginning.

First of all, there is the *standard of safety*. Now, surely safety on the campus is the absolute minimum we should be able to expect. However, the increasing lack of safety is easily proven by the increase in campus police, the fact that the University must call in special law-enforcement units frequently, that there is continuing property damage, and so on. There are ominous signs on every hand that the University of California standard of safety is a some-time thing, certainly not a consistent condition. And, it is not relevant to point out that the situation varies from campus to campus as the policy is such that any campus is susceptible.

This summer, on July 15, a leaflet was distributed on the University of California Berkeley campus by the campus local of the AFL-CIO Clerical, Technical and Professional Employees Union. It stated, "In the past few weeks, there have been at least eight rapes of women employees on campus, some of them at gun-point." The leaflet listed the buildings where the rapes took place and went on to say that "on the average there are two armed assaults or robberies per day on campus."

When the *San Francisco Chronicle* finally forced a statement from the reluctant University Public Relations Office, it said, in the midst of much padding, that ten men would be added to the campus police force and ended by blaming it all on the urban crisis.

On top of this, I do not think I need labor the obvious neglect of a standard of safety in permitting persons such as Cleaver to speak on campus. This man is on the record as favoring the killing of white people. Are the campus authorities so omniscient that they can let this racist-felon harangue a group of assorted people and be sure someone will not take him quite literally and go into immediate action?

And, can they be certain that even with the campus police and reinforcements from the outside, that the audience will not rise up and attack Cleaver? Can they ever be sure that a full-scale riot will not break out from a multitude of causes at any such speech? Of course not, especially as J. Edgar Hoover says certain students are taking courses in disruption, the making of Molotov cocktails, and so on. Almost any newspaper, almost any day will confirm in headlines that the University of California has abandoned the standard of safety.

Second, there is the *standard of academic freedom*. This term used to have a deep and worthwhile meaning. It meant the freedom of scholars to pursue valid research and develop ideas without the persecution or interference of society. It has become so perverted that now it is a catchall for the idea that "anything goes on campus" and has been the basis for claiming extra-territorial rights for the campus from the society which supports it.

"Academic freedom" has been used as an excuse for the production of lewd plays, such as "Ergo" and "The Beard." It has been used as the excuse for the display of obscene sculpture and for pornographic work masquerading as art. It has been used as an excuse for providing "a hothouse for the seeds of treason; a battleground for anarchy; a platform for Marxist exhortation."

The grotesque University of California distortion of the concept of academic freedom is contributing to the creation of a climate of fear and distrust, a climate which if extended much further could result in the appearance of a Man on Horseback.

The third *standard* to be abandoned is that of *rational dialogue*. Now, student agitators are allowed to make demands of duly constituted authority in terms which amount to blackmail. They are backed up in this action by faculty members, so alienated from their society, they cannot see the ramifications of their behavior. Legitimate agencies are harassed off the campus, and speakers are humiliated. Campus free speech tends to be a one-way street to the student provocateurs.

Fourth, the *standard of intellectual honesty* has been jettisoned somewhere along the line, and the idealogue, with his vague utopias, has been substituted for the true intellectual with his definite ideas. Typical of the intellectual dishonesty now prevalent at the University is the rationale continually expressed regarding the hiring of Herbert Marcuse. Now, this is supposed to be a legitimate philosopher who does not indoctrinate, yet, where he goes, there is a particular kind of trouble. Somehow, students begin to say, "Marx is our god, Marcuse is his prophet, and Mao is his sword."

I have been told repeatedly by University authorities that Marcuse is a harmless old body, eager to live out his declining years in peace. If this is true, why does Marcuse exhort to violence in his essay "Repressive Tolerance"? Let me read you a paragraph from the end of this essay:

"But I believe that there is a 'natural right' of resistance for oppressed and overpowered minorities to use extra-legal means if the legal ones have proved to be inadequate. Law and order are always and everywhere the law and order which protect the established hierarchy; it is nonsensical to invoke the absolute authority of this law and this order against those who suffer from it and struggle against it—not for personal advantages and revenge, but for their share of humanity. There is no other judge over them than the constituted authorities, the police, and their own conscience. If they use violence, they do not start a new chain of violence, but try to break an established one. Since they will be punished, they know the risk, and when they are willing to take it, no third person and least of all the educator and intellectual, has the right to preach them abstention."

Now, Marcuse was brought to UCSD by Richard Pokin, he who wrote the article, "Do We Really Want Law and Order?" for the UCSD Extension magazine. Is it intellectual honesty to maintain the fiction that these worthies are otherwise than hardline revolutionaries, eager to overthrow the system:

And fifth, I would suggest that with student unrest systematically being incited and exploited the world over, the University of California is abandoning the *standard of reality,* that of seeing things as they are, by not being willing to admit the difference between revolutionary activity and youthful high spirits.

Sixth, I think we could make a case that the *standard of good taste* has been lost in a maze of four-letter words and reeking relativism.

And, seventh, it has long been obvious that the University has abandoned a *standard of gratitude*. The people of California do not owe this institution to the administrators to administer, nor to the faculty to teach, nor to the students to matriculate. Yet, from their releases and attitude, we all know what the University thinks.

And last, the very *standard of standards* has been eliminated. Horribly, the *leitmotiv* running through it all is that of nihilism. There is no recognizable dream of a better world nor any semblance of a plan for creating one. The nihilists, the neo-barbarians only seek the destruction of the present system of society.

So, what do we do? As has been demonstrated, our tremendous investment is now in a state of jeopardy. In order to protect it from U.C. itself and to make some attempt at salvaging the worthwhile and eliminating the destructive, I make the following suggestions.

1. That as U.C. President Charles Hitch has demonstrated his lack of good faith by his propaganda attacks on the Reagan administration, his political motivations by attempts to pressure the legislature, and his use of the University Public Relation funds in attempt to prejudice the people of California, I suggest that the Board of Regents be exhorted to fire him and replace him with Dr. Alex Sheriffs, currently serving as Governor Reagan's adviser on higher education.

2. That the Regents are requested to change their present directive to the President on campus speakers, to bring this into touch with the realities of the times—that the chancellors are told to keep the Cleavers, Marcuses, etc. out and that if they do not comply, they will be dismissed themselves.

3. That a decision must be made once and for all, as to who is in charge—militant hate groups such as the Black Panthers or the administration. It is absurd to assume such groups have any right on campus let alone a voice in its affairs. If an administrator is afraid to deal with them or his faculty, he should be let go.

4. That the students enter the university with notice that attendance is a privilege, not a right and that the people of California have no obligation to provide anyone with a university education. And further, that students sign an entrance contract that if they contribute to unrest or upheaval by word or deed, they will be given a hearing and if it is found that they are guilty, they will be dismissed permanently from the whole California higher education system.

5. That as political control from the outside is specifically forbidden by the Constitution, political control from the inside will also not be tolerated—that the Faculty Senates will be reorganized along democratic lines.

6. That organizations advocating violence will not be permitted a campus forum. The purpose of the university is intellectual development, and it is not to be used as an ideological battleground.

7. That nihilist Herbert Marcuse will be suspended from classroom teaching, pending either the legal breaking of his contract or its expiration.

You can write to the Regents of the University of California administration and demand these steps. I think necessity is making them more responsive.

For myself, I intend to try once more to get a constitutional amendment out of the Higher Education sub-committee and through the Assembly and Senate which will shorten the Regents' terms and make them fiscally responsible to the legislature. My amendment failed this year, on a strictly party-line vote. However, if it should fail again, I will start things in motion to get the signatures for an initiative measure to take to the people. I do not believe it is political control to suggest that the University be made responsible to the people who support it.

The University is totally dependent on us. We hold the purse strings. Let's pull them.

We are not helpless.

We *can* prevail.

CONGRESSMAN WHALEN COMMENDS COL. RAYMOND S. SLEEPER FOR HIS SERVICE TO THE NATION

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. WHALEN. Mr. Speaker, the U.S. Air Force and the Nation will lose the services of an outstanding intelligence officer when he closes a 28-year career at the end of this month.

He is Col. Raymond S. Sleeper, who has been the commander of the Foreign Technology Division at Wright-Patterson Air Force Base for the last 2 years.

I have had the pleasure of knowing Colonel Sleeper personally and have benefited from his expertise as an intelligence analyst. Because of the nature of his field, his accomplishments generally have been hidden from the public view.

However, in addition to his dynamic leadership as the commander of the Foreign Technology Division, Colonel Sleeper made an important contribution while serving as the Deputy Chief of Staff for Foreign Technology at Headquarters, Air Force Systems Command, Andrews Air Force Base. While in that position, Colonel Sleeper published an article on the technological challenge in the Air University Quarterly Review. That article led to the generation of the first national assessment of the technological threat.

Military intelligence is a vital portion of our national strength. We learned this because of deficiencies in this area immediately preceding World War II.

Intelligence in the past has been more of an art than a science. But dedicated, erudite Americans like Ray Sleeper have applied empirical techniques to the intelligence development process to convert the art into a science.

The Nation is indebted to men like Colonel Sleeper who labor out of the spotlight for the preservation of a free and strong America.

Mr. Speaker, I hereby commend Colonel Sleeper for his service and extend my best wishes to him and his family.

JOHNNY BURKE'S PARTY SELLOUT LIKE FIGHTS

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. McDADE. Mr. Speaker, on September 28, in Carbondale, Pa., a testimonial dinner was held to honor a friend of mine, a delightful man, a great credit to the whole community in which we live. He is Johnny Burke.

To that testimonial dinner came people from every walk of life to honor this fine man. They came from the world of sports, because Johnny had put his mark on the world of sports as one of the outstanding boxing promoters in our valley. They came from the world of politics, because Johnny had come to realize that every responsible citizen who works for the betterment of his community must be involved in the world of politics. They came from every other world you might name, because here is a man whose life and work crossed the lives of all of us in Lackawanna County, and all of us were richer for knowing him.

Mr. Speaker, I insert here a delightful column by our own inimitable Chic Feldman, who writes with marvelous warmth about a warm friend, as follows:

JOHNNY BURKE'S PARTY SELLOUT LIKE FIGHTS

(By Chic Feldman)

No one is sure which Johnny Burke we're buying a dinner Saturday night at Squeekie's in Carbondale, but everyone in boxing and politics (aren't they the same?) will be there. Sellouts have always been synonymous with the gentle man from Carbondale, so why change the formula at this late date?

If the introduction is in the slightest confusing, the reason for Burke's party isn't. It's overdue at least 30 years. Hence the better late than later conclusion. Or is it because the boy boxing promoter of the 20s has more time for such joys, now that he's a retiree?

Regardless it promises to be quite an evening, made so by the presence of the leather pushers he hired, and guided, with a paternal goodness rare to pugilism. At last reports "Wildcat O'Connor" (who's really Walter Matis) is coming from Brooklyn; Tony Rock will step off a Scranton Transit bus and "Mooch" Leo, Jerry Neary and a host of others have pressed their Sunday-go-to-meeting wear.

Only two of Johnny's private army will be missing. The Great Referee counted out "Barefoot" Walker a decade or so ago, and Johnny McDonough has returned to Manchester, N.H., from whence he came labelled as a "product of County Galway, Ireland."

Of all Burke's finds, as the remarkable teener, who started in a Mayfield back room and ran 500 successful shows that changed the traveling habits of an entire valley (always Carbondaleans came to Scranton for excitement; Burke reversed it with his exciting fights), McDonough was the most unique. The semi-bald mystery biffer started with a couple of spectacular knockouts, finished by getting embalmed twice in one night by Billy Pollock because his protective

(?) friends refused to believe the first one, and dared Billy to do it again.

O'Connor and Rock, who went to international prominence (Tony in Australia), were different. Like little Eva, they jes' growed, and made Burke both happy and prosperous. Although to know Johnny is to testify that the money never really mattered. Except to provide more fights, like 51 a year in-America's greatest little big club.

HE ENJOYED FIGHTS AS MUCH AS CLIENTS

Almost a half century after I met Burke I'm more convinced than ever that the principal reason for his extraordinary success is that he enjoyed the fights equally as much as his most avid, rabid customers. If not how does one explain Johnny's stubborn refusal to boost the prices from $1 and $1.50 (the latter ringside) when he could have doubled it without protest?

Indeed, he's different from our present entrepreneurs who are constantly seeking an excuse to increase the fees, usually without reason and in shocking ingratitude.

The late Harry T. Farrell, who was regional commissioner through Burke's busiest years, said it best when he abandoned his hard-boiled role to laud "Burke wouldn't know how to cheat or do an unfair thing."

Johnny was at his best the day of the Pete Latzo-Mickey Walker welterweight championship bout. Jack Kearns, agent for the defending king, insisted that the ring installed at Watres Armory was too small. A worried Farrell contacted Burke for his ring. Any rental sum Johnny mentioned, even $1,000, would have been a bargain to Promoter Lou Pagnotti in this tight spot.

Burke hustled the ring, in sections, aboard a Blue Line Express and by 4 o'clock had a crew commanded by "Doc" Stenson (later the premier announcer) toiling on the double to meet the 8 p.m. deadline. They won the race with time.

Pagnotti never ceased telling of Burke's refusal to accept compensation. "He asked only that I pay the freight and the fellows who put the ring together," Lou extolled.

Noble, yet hardly Burke's finest contribution to boxing. This had to be the man (now a charming grandfather) himself. He gave it so much that money could never achieve. Best of all a formula that's as enriching today as it was four decades ago—local rivalry, honesty presented.

Some of this goodness rubbed off on politics which Johnny enjoys as a hobby and because he believes it the duty of a good citizen to safeguard the ballot from those who'd bespoil it as the culprits ravaged boxing.

That's why Judge Otto Robinson and so many other appreciative citizens will be at Squeekie's a majority certain that if Johnny Burke sought the satisfaction he could win almost any election office in Lackawanna County.

FAREWELL ADDRESS OF SENATOR WILLIAM BENTON TO THE EXECUTIVE BOARD OF UNESCO, SEPTEMBER 10, 1968, PARIS, FRANCE

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. BRADEMAS. Mr. Speaker, for many years one of the ablest and most gifted citizens and public servants in our country has been the Honorable William Benton, formerly a Member of the U.S. Senate and for the last several years Ambassador from the United States to UNESCO.

I believe that my colleagues will read with great interest Senator Benton's fine speech to the UNESCO Executive Board, on which he served for 6 years as the United States member.

Senator Benton's address, which was delivered in Paris on September 10, 1968, follows:

SENATOR BENTON'S FAREWELL SPEECH TO THE 79TH UNESCO EXECUTIVE BOARD

Mr. Chairman, Mr. Director-General, fellow Board members and members of the Secretariat.

This I hope will be my last speech to the Board as the United States member. That was the most repetitive thought on my mind last night as I reviewed the notes that I had taken at the Director General's presentation to us in the afternoon. However, this doesn't mean that I may not say a few words tomorrow or the next day on the budget—but I'm not going to call them a speech! They will be strictly on a different order.

I think that most of you may be aware that my two terms on the Board expire in November and I am ineligible for re-election. And, unfortunately, I can't join the Board at its next meeting in October. There's even some possibility I can't be present at the General Conference because of my heavy involvement in Vice President Humphrey's presidential campaign. I hope to be here with Mrs. Benton for the General Conference because my term, I have discovered from our UNESCO lawyers, doesn't officially expire until the General Conference is over. But I can't be sure of my attendance. Perhaps, I shall join the General Conference after Election Day, coming over on November 6th.

Thus, if this proves to be my last opportunity to address the Board, I thought I might engage in some few largely superficial, but rather broad generalities stimulated by the notes last night on the Director-General's presentation to us. Incidentally, Mr. Director-General, I join the previous speaker in my pleasure at your recuperation and your good health and I congratulate you on your customary skill in your presentation to us yesterday afternoon.

As I listened to Ambassador Carneiro this morning, I remembered that he and I are the only two who are now members of the Board who served in that group in 1945 in London when the Charter was written. And what impresses me most, Mr. Ambassador (turning to Carneiro)—is how the role of UNESCO has changed. How completely different it is from the role that we who were in London in the Fall of 1945 expected it to be! There wasn't a man there who could remotely have foreseen the nature of the forthcoming UNESCO program. I feel that UNESCO has now come of age not merely because it is 23 years of age but maturity is implicit in what we heard of our program yesterday from the Director-General. And manifestly, UNESCO is not the successor to the League of Nations Institute of Intellectual Cooperation which we originally conceived it to be when we wrote the Charter in London. Instead, it is, as we heard yesterday, a great multilateral, vast, multi-million dollar Aid agency. A great deal more than two-thirds of UNESCO's present program consists of aid programs for the underdeveloped countries. These countries were not so much as a gleam in a father's eye at the UNESCO conference in 1945. In fact, there weren't any potential fathers. Nobody ever thought of potential fathers for unknown countries. And the development of this vast aid program would have been completely beyond the conception of anybody at that London conference. I remember at that conference that I personally gave sets of the Encyclopedia Britannica to the war-ravaged libraries of Europe. It never occurred to me to give a set to anybody in Africa or Asia or Latin America. That's just a small illustration of where our thoughts were concentrated.

THE MINDS OF MEN

We thought that if wars began in the minds of men, they began in the minds of the Germans, Russians, the Bulgarians and the Greeks, the Italians and the French; and thus, if that's where wars began, that's where we were going to channel the intellectual efforts of UNESCO, to change the minds of those men who projected the wars and who needed the changing.

The original dream of UNESCO was thus man's dream of peace as it was dreamt by the intellectuals, educators and politicians who wrote the UNESCO Charter in London. Peace then seemed the ultimate panacea. Peace was the key word, the great hope, the enduring goal in that Fall of 1945. How were the intellectuals of the world to marshal the forces of education, science and culture to help assure a peaceful world after the ravages of two world wars? That was the central question of the UNESCO dream. And the aim of that dream was not education, science or culture in themselves nor aid, nor development, but the use of the areas of intellectual life as instruments to develop a world, notably a European world, in which peace could flourish. That's where we started.

Now from our present vantage point in 1968, I asked myself last night, and I ask the Board today, whether the forces of education, science, and culture can, indeed, be organized so as to contribute materially to peace. Is it possible? Is not this an extravagant hope? Is it indeed a dream so remote as to be invisible? Is not peace rather a political question to be achieved through political ends? I had dinner last week, the first night I was here, with Governor Harriman. He's one of my oldest friends. I can assure you that in four solid hours we never mentioned education, science and culture as media through which we hoped to achieve peace in Viet Nam. We just naturally assumed that peace is a political question to be achieved through political ends. If UNESCO would examine that question, decide that question, it could save us a great deal oratory as we look ahead. What I seem to be asking is this: should not the goals of UNESCO's Charter now be revised to reflect the more realizable objectives which are now ours? As we look backwards to the UNESCO Charter I think it's a fair question to ask whether the Charter has been deficient in its sense of reality. I am not prepared flatly to say so even though my remarks imply this—I'm not prepared to answer the question in the affirmative because the Charter seemed based on realism at the time, and it has carried us a long way. But I am prepared to say that our goals have changed more rapidly than our vocabularies. Our program of today is not a reflection of the vocabulary of the Charter.

Even at our very first General Conference, here in Paris in 1946, I saw that our vocabulary wasn't in touch with the realities. That was within a year. In a speech to the General Conference I called UNESCO a "pork barrel riding on a cloud". Ambassador Carneiro and Mr. Maheu, I am sure, will remember that phrase of mine because I've been reminded of it all over the world again and again. In French it was interpreted as a cheese riding on a cloud. I agree it's pretty difficult to get the concept of the American pork barrel. The "pork barrel" is a good homely American political phrase which means that everybody gets his little piece of pork. One Congressman says to another, "Well, now you build me a bridge in Connecticut and I'll just support that new highway of yours in Pennsylvania." And the two then say, "Well, you in New Jersey, you just fix me up with my bridge and my highway, and I'm going to dredge that harbor for you in Newark." And thus the appropriations of the great pork barrel build and go rolling through our Congress. And thus in 1946 we set about constructing the UNESCO budget.

I very quickly saw the resemblance of the growing UNESCO budget of 1946 to the American pork barrel. The budget was the pork barrel and the cloud was the vocabulary.

UNESCO OF 1968

Now I don't want to apologize for this dream of 1945. We owe ourselves to it. Very few children resemble their parents and much less their grandparents. I attest today that in my judgment UNESCO of 1968 is not merely here to stay, but to grow—and to grow rapidly—and to keep on growing. The areas we embrace are essential to the future growth and development of the world. UNESCO fills a role that is not filled by any other organization. And UNESCO is much more solid today than any dream. I feel the 25 years, far from having been wasted, have developed UNESCO under the leadership of many men, most notably today under the current, distinguished leadership of Mr. Maheu. I feel that UNESCO is merely on the threshold of its great potential for growth and world leadership. The trying in the last 23 years is the heart of the doing. It is the omen of the future even if we admit we have little to contribute to peace. Falling short in a noble effort is more noble, I feel, than failing to try. Our effort in the past to realize a dream is what has brought UNESCO to its threshold of opportunity today.

Mr. Director-General, yesterday you told us that opportunity and that maturity very eloquently and vividly.

I thought you were very smart, Mr. Chairman, in adjourning yesterday evening because nobody felt he wanted to follow the Director-General and nobody had anything to say immediately on the heels of his provocative report.

Everybody, like me, wanted to go home and look at his notes and try to figure out what there was to say that might be helpful.

So much for some speculative observations about the past. Let me now comment very briefly about the future.

As we look ahead, isn't it fair to ask whether UNESCO is adequately situated in the mainstream of world affairs within fields of competence? I don't know the answer to that question, Mr. Director-General. I read in the paper this morning of General de Gaulle's press conference yesterday and of the threats to the young university students here in Paris that they had better maintain order—or else! I'm not critical of General de Gaulle, believe me, for his desire to keep the students in order; indeed, I'm not critical of Mayor Daley in Chicago either. At least nobody was killed out in Chicago! None of the policemen pulled any revolvers from their pockets. (I'm going to speak to the American Club about that on Thursday). But isn't it fair to suggest that UNESCO surely failed to anticipate the crisis in higher education? This is a legitimate field for us. This university here in Paris has been mismanaged, like Columbia and so many others throughout the world, and has been an open scandal. This trouble with our students has been breeding and brewing in a scandal that is so manifest that overt reports and papers have been written about it (but not by UNESCO!) Aren't a mainstream in today's world the young people in our universities? They're in revolt and rebellion all over the world and surely we of UNESCO could've done better in line with the mainstream of UNESCO's responsibility. We failed to anticipate the crisis. We issued no warnings. I think we're deluding ourselves when we talk about crash programs for youth. Particularly when the number of junior professional posts here at UNESCO Headquarters has been steadily declining over the years. Our staff gets older and older; and we have fewer and fewer bright young people. That's not in the mainstream. I may be the oldest man in the room which gives me the right to attest that's not the mainstream. The President of the Encyclopaedia Britannica is under 40 and most of the people I employ are under 40 and I'm old enough to know that I want more young people in UNESCO; and we're out of the mainstream when we don't bring them in. We should have training programs for them and develop them and through them keep in touch with the mainstream of what's going on among the young people of the world.

THE INTELLECTUAL LIFE: INSIDE AND OUTSIDE, THE UNIVERSITIES

Another way to put the question: Should not the intellectual life outside the university as represented by UNESCO enjoy a closer, more vital relationship with the life within our colleges and universities? I serve on the Board of Trustees of 6 colleges and universities in the U.S., more than anyone in the U.S., and I feel they are remote from the activities of UNESCO. Mr. Adiseshiah will remember that Secretary Sisco complained about this when Mr. Adiseshiah called on him. The remoteness of UNESCO from the realities of intellectual life within the U.S. I hope UNESCO under the developing program as described by Mr. Mahou can develop a closer relationship with the intellectual life in our great universities throughout the world.

Now, Mr. Director-General, as I listened to you yesterday, I thought back over my six years on your Board and I remembered that when I joined your Board, Assistant Secretary of State Battle complained to me about UNESCO's "proliferation". And I wondered yesterday whether that same charge doesn't apply today. Whether we don't try to do too much on the pork barrel theory as it has evolved over the 23 years. I think most of our projects have intrinsic merit. They had six years ago and they have today. Most of them can be justified in themselves. One by one. But when added all together they come to an enormously diffuse and tremendous bundle. I wonder how many members of this Executive Board have read this great fat book on our program which takes most of the week to get through and to digest. Don't we suffer from the proliferation of projects? Listening to the Director-General yesterday describe these conferences, seminars, colloquia, meetings of experts, etc.—400 of them in two years—makes anyone wonder whether, in attempting to do so much, we do not, indeed, overstrain ourselves, deprive ourselves of the quality which the Director-General emphasized yesterday as being the central goal for UNESCO's program as we look ahead.

Isn't all this overscheduling the key factor in overstraining? And doesn't the overstraining deprive us of the quality for which we should strive and which perhaps we could achieve if we pulled in our grasp and sought to do fewer things . . . and do them better? In other words, the question, Mr. Director-General, is just the same question that Secretary Battle asked me 6 years ago.

I think you have made great progress in my 6 years and I congratulate you and salute you on your leadership. You have every reason to take great personal pride in the unanimity of that decision in Siena that resulted in your election to another 6-year term. I know no one more concerned with raising the professional standards of UNESCO than you. I applaud you when you turn down American candidates recommended to you by the United States because you don't think they're good enough. I don't press them on you unless we have very strong evidence that they are better than you think. I salute you for your determination to bring into UNESCO professionally qualified people of the highest standards. I regret the inability of the U.S. to provide you with more of them.

TO PROPEL IDEAS

Mr. Director-General, these notes of mine are somewhat ragged and I'm not too well organized but during your speech yesterday of two hours, you covered a great deal of ground jumping rather rapidly from subject to subject. I congratulate you on that word "propel". You spoke of UNESCO's capacity to "propel" ideas. When I was a young man writing advertisements at $50 a week in a little glass cubicle chained to a typewriter, 8 hours a day, we were taught to try to put the strength and power into the verbs. The vividness of the phrase often revolves around the power of the verb. You had a great verb in the word "propel". I do think that this growing capacity to propel ideas is part of UNESCO's greatest strength and particularly so as we look ahead. Yes, UNESCO increasingly has the power to propel ideas. You spoke of propelling to the governments of the world "the idea of the renewal of education." There is no greater goal for UNESCO than this. If we could do justice on this one idea, the renewal of education, this would in itself and all by itself be a goal that would more than warrant a great potential growth for UNESCO as we look ahead.

As I leave UNESCO, I leave with confidence that UNESCO is increasingly going to close the educational gap thrust upon it by its member states. The biggest single hope, of course, will come through the improved quality of our leadership. I think the most significant issue confronting us at UNESCO continues to be the quality of this leadership. There's no more important assignment for this Board than our continuing search for candidates to succeed Mr. Maheu, Mr. Adiseshiah, and all the senior members of our staff. I told Secretary Rusk not long ago that if we can get top people into the top key staff assignments of UNESCO—that this is the biggest single problem for the Executive Board, it's the biggest single problem for the U.S.—and we could really get the world's best staff, to head up UNESCO, I for one would feel that the U.S. could just sign the checks and go home. Yes, with the right top staff leadership, our principal function thereafter will be signatory!

Mr. Maheu, no greater contribution you can make to this organization and this Board, to help realize your great pride in UNESCO, than to present to the Board an adequate successor at the end of your current 6-year term. I am assuming, of course, that you will wish to retire at the end of this term. Ideally, you should try to develop 2 or 3 candidates, to give the Board a chance to exercise its judgment. I figure that this is your single most important assignment as you look ahead.

Now these, Mr. Chairman, and fellow Board members, were some of my preoccupations as I shaved this morning and as I went over my notes last night. If I raise a number of questions it's because I know I don't have very many of the answers. My own interest is going to continue in UNESCO as long as somebody like Mr. Wade keeps after me and sees that it doesn't flag. However, more likely, and I warn all of you that by next January I'll be out with another girl if I can find her!

THE UNITED STATES AND UNESCO

I can tell this Board in conclusion that if my friend Vice President Humphrey is elected on November 5th (I'm going to tell the American Club when I speak to them on Thursday that he will be) he's going to become a great leader in the world of education. He and his background are right in the mainstream of UNESCO's interests. I guarantee to this group, before I leave it, that it will receive his full interest and support; in fact, I believe the Director-General will agree that President Johnson, the last time the Director-General and I visited with him, showed his deep interest in UNESCO and its future. It will be an interesting coincidence if the U.S. if to have two teachers, two men who started out as teachers, as our Presidents. But whether the Vice President is elected or not, the U.S. will remain dedicated to the great objectives of UNESCO. They are at the very center of America's world interests, stemming from the teachings of Thomas Jefferson and the forefathers of our country. And regardless of any temporary exigencies to the budget, owing to military commitments or unfavorable balances of trade or other emergencies, the U.S. over the long-pull will continue to do more than its share in helping UNESCO to achieve these objectives to which the Director-General addressed himself yesterday.

Thank you, Mr. Chairman, and fellow members of the Board for your patience, but a man only retires once in 6 years.

RAILROADS: A TREMENDOUS PR OPPORTUNITY

HON. JAMES C. CLEVELAND

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. CLEVELAND. Mr. Speaker, the PR Reporter of Meriden, N.H., edited by Robert L. Barbour, contained an editorial of significance in their October 7 issue. It suggests possibilities for the Nation's railroad industry to make a major contribution to the mounting problem of passenger transportation between our cities. Because of its timeliness I wish to share it with my colleagues at this point in the RECORD:

A TREMENDOUS PR OPPORTUNITY

What could well be one of the greatest public relations opportunities of the century exists for but a fleeting moment for the railroad industry. If seized boldly, the railroads could with profit 1) regain overnight a large measure of the public goodwill they once had but threw away, and 2) win the greater cooperation they've been seeking so long from Congress. But if they let the opportunity pass, the U.S. Government will doubtless force the railroads eventually to take the very steps they should take now of their own volition. Thus once again would Government intervention in the private sector's affairs be invited through the failure of an industry to act voluntarily in the public interest.

The situation is this: The United States faces some grave socio-economic problems the railroads are going to have to help solve. Air pollution, to which the increasing millions of automobiles and buses traveling intercity routes are a major contributor, is endangering public health. Urban blight, hastened by traffic-clogged streets and gasoline fumes, is stifling the economy of major cities. The death and injury toll on our highways is steadily mounting. Airport and airlane congestion has reached such proportions that many travelers already are grounding themselves and turning, perforce, to automobile or bus travel for short-& medium-haul distances. Millions of citizens of the world's most on-the-move population live in areas having secondary airports and are therefore at the mercy of the weather when making long-distance business and personal travel plans—as are those who would visit them.

This, then, is the setting for the railroad industry's great opportunity. An opportunity to announce that in recognition of its obligation to join other industries in helping solve the nation's socio-economic problems—and despite the financial losses to be anticipated in such a move—the railroads of America are immediately 1) undertaking a crash program to restore fast, modern passenger service between key cities up to 1,000 miles apart, using all available rolling stock on a pool basis; and 2) setting aside a fund for the prompt development of revolutionary equipment and operating procedures designed to meet the public's increasing travel needs up to the 1,000-mile limit, including construction of all-purpose, self-propelled railcars to provide basic passenger service to outlying areas.

Instead of seizing the opportunity, the railroads doubtless will refer to the recent history of passenger losses and say such a move would be suicidal. We believe that on the contrary, the public goodwill engendered by a voluntary move of this kind would restore the industry's prestige, bring many shippers back to the rails, enhance the industry's relationships with labor, and favorably influence legislators; that only if it waits until the Government forces the move in the public interest will the industry lose. Irretrievably.

JOHN W. McCORMACK

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. O'NEILL of Massachusetts. Mr. Speaker, it is fitting that at this time, as the second session of the 90th Congress draws to a close, we pay tribute to one of the finest men ever to have served our Nation—our beloved Speaker, the honorable JOHN W. McCORMACK.

In this body, custom and courtesy dictate the use of certain terms such as "gentleman" and "honorable"; but infrequently these terms are insufficient to describe the dignity and greatness of its Members. There are not enough laudatory words in our language to use to describe our Speaker.

The events of the past 3 days illustrate only a few of the selfless and temperate qualities of the Speaker. During the longest rollcall session in the history of the House of Representatives, the Speaker at all times carried out his duties with dignity, decorum, and fairness. Not once was he ruffled; not once did he pause in his strict adherence to parliamentary procedure; not once did he fail to be fair and generous to every Member of this body.

During this most recent session, as always, the Speaker demonstrated his great powers of leadership and his cool-headed ability to conduct the business of the House. Because he is a great leader and an even greater man, JOHN W. McCORMACK has been responsible for the passage of more progessive legislation than any other man in the history of our country.

Of course, the 89th Congress, of which he was Speaker, is the highlight of his brilliant, dedicated career of public service. During the 2 years of that Congress, more social and economic progress was achieved than in any 40-year period in our Nation's history. And JOHN McCORMACK was responsible for the legislation that made this progress a reality.

JOHN McCORMACK is our leader, an inspiration to every liberal Member of the House, and a most compassionate man. We all know his great public record, the many thousands of good deeds he has done to aid the disadvantaged of our land, and indeed, of the entire world. But for every good work known to the public, the Speaker has done a hundred good deeds in private. Not even all the people he has helped know of his assistance in solving their problems. Every individual who has ever come to him for help, has been welcomed. JOHN McCORMACK fits a very old description of virtue. La Rochefoucauld defined virtue as "to do unwitnessed what we should be capable of doing before all the world." Our beloved Speaker is a virtuous, kind, dedicated, and able man. I pay tribute to him and his leadership, and delight in his warm and generous friendship.

THE CONSPIRACY AGAINST RHODESIA—WHO NEXT?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. RARICK. Mr. Speaker, now that the Socialist leader Harold Wilson has been dispatched to hold ultimatum meetings with Rhodesian Prime Minister Ian Smith, we can find a design reminiscent of the recent Bolshevik pressures against Czechoslovakia—yield, to be reduced by force.

The tragic realization is the role our Government has played in precipitating the Rhodesian war.

In 1966 we condescended to the U.N. economic sanctions—a war-like boycott against the government and people of Rhodesia. This to no avail, in 1968 and again without consent or approval of the U.S. voters or Congress, our President advancing the peace by force line of the U.N. invoked complete sanctions against Rhodesia—a far more warlike maneuver than ever invoked against Cuba, North Vietnam, or Red China. Then, as if additional coersion was necessary—perhaps in efforts to stifle any chance of the truth reaching the American people—our U.S. authorities, in activities unprecedented since World War II, seized the personal bank accounts of Rhodesian citizens legally in the United States. The seizure is not based on any criminal charges, subversion, or breach of U.S. laws, but sought as justified in carrying out the U.N. economic sanctions against Rhodesia and her citizens to assist in undermining and subverting the government of that country. A constant barrage of intimidations and pressure to destroy a legal existing government and our Government is cooperating with powers and influences not in the interests of the American people. A double standard of political hypocrisy to persecute peaceful citizens of an anti-Communist country while Communists of every shade of pink and red walk our streets with immunity and dignity.

In the days ahead the American people will demand a reappraisal of our foreign policy and to decide once and for all who is running our country—the American people or the unelected stooges of the U.N.

Mr. Speaker, I include the left hand report of Karl Meyer of the Washington Post staff in London following my remarks. Mr. Meyer should be careful of labeling countries as "rebel"—although he may be unaware that his salary in U.S. dollars comes from a "rebel" country to the British. I also include an editorial from the Evening Star:

[From the Washington (D.C.) Post]

WILSON FLIES TO MEETING ON RHODESIA

(By Karl E. Meyer)

LONDON, October 8—Prime Minister Wilson flew off tonight for another dramatic shipboard encounter with the leaders of rebel Rhodesia, but the belief here was that a settlement could be reached only if Britain was prepared to make most of the concessions.

Wilson will be meeting Wednesday aboard H.M.S. Fearless off Gibraltar with Prime Minister Ian Smith, who will be accompanied by right-winger Desmond Lardner-Burke, Rhodesia's Minister of Justice, and by Jack Howman, the more moderate Minister for External Affairs.

Joining the British Prime Minister in the talks aboard the 12,120-ton cruiser-type assault ship will be Commonwealth Secretary George Thomson and Sir Elwyn Jones, the Attorney General and chief legal adviser to the Cabinet. The talks are expected to last until the end of the week.

(In a pretaped television interview broadcast tonight after his departure, Wilson said that Smith had "shown some guts in getting rid of some of his racialist extremists, and I felt that while there's no assurance that we can get an agreement, that it would be right at any rate to have a go," Reuters reported.)

Once before, in December, 1966, Wilson met aboard a Royal Navy ship—the H.M.S. Tiger—with the Rhodesian Prime Minister, but no settlement was reached because the rebel regime was unwilling to offer what Britain deemed adequate assurances of granting suffrage to the territory's 95 percent African majority.

Since then, Britain's bargaining position has been complicated by a pledge to other Commonwealth countries that no settlement with Rhodesia would be agreed upon unless it provided for NIBMAR—which stands for No Independence Before Majority African Rule.

The British government has repeatedly said that the NIBMAR pledge still stands, but Wilson has qualified this to the extent of asserting that Britain could recommend to its Commonwealth partners that something less than immediate African rule should be accepted. Commonwealth prime ministers meet here again next Jan. 7–15.

Though British officials deny that Wilson is optimistic about a settlement, the belief is that he would not be attempting the trip at all if he did not feel there was a fair chance of bringing an end to a nagging dispute that began when Rhodesia illegally seized independence on Nov. 11, 1965.

The talks aboard the Fearless follow directly an open break in Rhodesia between the Smith government and its more racially fanatic supporters, a split which led in September to the Cabinet resignation of Lord Graham, an ultra-right-winger, and to the resignation of the Salisbury branch of the ruling Rhodesia Front Party.

On Sept. 3, Smith met in Rhodesia with a British emissary, James Bottomley, Assistant Under Secretary of Commonwealth Relations, who had flown secretly to Salisbury to take soundings.

In all of this, the middle man has been Sir Humphrey Gibbs, the British-appointed Governor of Rhodesia, who has long pleaded for another round of direct talks. Sir Humphrey also will be aboard the Fearless, a spacious ship with a helicopter landing platform and the capability of landing an entire commando battalion.

Close observers of Rhodesian events have consistently discounted hopes that the Smith regime has moved significantly closer to British terms for a settlement. They point out that the quarrel between Smith and his far-right supporters has not concerned the principle of racial segregation but rather the pace with which it should be imposed in Rhodesia.

Hence the feeling that prospects for a deal aboard the Fearless depend more on British than Rhodesian concessions.

As he sits down with his plain-speaking adversary—Smith has said he would never accept African majority rule in his lifetime—the British Prime Minister will be tugged by contrary pressures.

Within his own Labor Party, Wilson must cope with a substantial faction that would oppose any Rhodesia settlement falling short of the NIBMAR pledge. Only last week, delegates to the Labor Party conference overrode the official leadership in passing a motion calling on Britain to present Rhodesia with a multiracial constitution on a take-it or leave-it basis.

On the other hand, key Conservative Party leaders favor a "soft" settlement with Rhodesia, and rank-and-file party workers are outspokenly sympathetic with the white settler regime in Salisbury.

For Wilson, an incidental virtue in today's abrupt announcement of the Fearless talks is that it has taken away the newspaper play from the Conservative Party Conference in Blackpool, which begins on Wednesday.

This is an old pattern. In 1965, the Prime Minister made a flying trip to Balmoral to confer with the Queen about Rhodesia, blanking out the Tory Party conference. A year later, he released a report on the controversial Timothy Evans murder case, while last year Wilson made a sudden personal intervention in a dock strike.

Nevertheless, Sir Alec Douglas-Home, former Conservative Prime Minister, welcomed the announcement of the Fearless talks, saying today that failure to reach a settlement this time would be "very, very bad indeed." In the House of Lords, which happened to be meeting today, Tory peer Lord Alport suggested that Sir Alec should be included in the talks.

Another view was expressed by Humphry Berkeley, the chairman of the United Nations Association, who quit the Conservative Party last year in protest against what he regarded as its illiberal views on race. Berkeley said:

"While I do not criticize Mr. Wilson's decision to have talks with Mr. Ian Smith, I greatly fear that, as in the case of Munich, a British Prime Minister will return to these shores announcing 'peace with honor,' having confined without their consent a small people to the mercy of their aggressors."

In the days ahead, discussion will center on the six principles that Britain has repeatedly insisted must be respected in any compromise deal with Rhodesia. The principles are:

1. Unimpeded progress to majority rule, as already guaranteed at least on paper in the existing 1961 Rhodesian constitution.
2. Guarantees against retrogressive amendments to the constitution that might be introduced to nullify pledges to Africans.
3. Immediate improvement in the political status of the territory's 3.8 million Africans.
4. Progress toward ending discrimination against Africans.
5. Procedures that would satisfy Britain that any settlement was acceptable to the people of Rhodesia as a whole.
6. Assurances that regardless of race there would be no oppression of majority by minority, or of minority by majority.

It is in terms of these principles that any settlement achieved aboard the Fearless will be judged.

[Wilson said in the interview broadcast on British television tonight that "We mean business on the six principles" and that meant Smith has "got to move a very, very long way in order to ensure that we can get an agreement."

[If the Gibraltar talks failed, Wilson said, Rhodesia might veer into apartheid racial separation and "perhaps even a bloodbath."]

[From the Washington (D.C.) Evening Star, Oct. 10, 1968]

GAGGING RHODESIA

The government of the United States, in all its majesty, has blocked the checking accounts here of the Rhodesian Information Agency and the two men who operate it. The practical effect almost certainly will be to put the information agency out of business and thereby help to perpetuate in this country the transparent fiction that Rhodesia is a threat to world peace.

This high-handed piece of business had its inception in 1966–67 when the United States joined in a U.N. Security Council resolution calling for mandatory sanctions against Rhodesia. It was said that Rhodesia, which had declared its independence of Great Britain, was a threat to peace because of its racial policies. If ever there was a phony argument, this was it. Rhodesia wasn't threatening anyone, and never has. Presumably Rhodesia would defend itself if attacked. But it isn't about to attack anybody.

The real reason for the sanctions and our participation in them is political. In Rhodesia, the minority whites who developed the country insist on maintaining control over the black majority. This may be a very wicked thing. It is an attitude against which many telling arguments can be brought to bear. But the argument that Rhodesia threatens the peace of the world is not among them.

The upshot of our government's latest action is that the two Rhodesian information officials, John Hooper and Kenneth Towsey, unable to write checks on their bank accounts are down to about $100 between them. They can't eat for long on that, and they certainly cannot tell Rhodesia's story to the American people.

Meanwhile, it is reported that Prime Minister Wilson of Britain and Ian Smith, Rhodesia's prime minister, are meeting again (an earlier meeting brought no results) on a warship near Gibraltar to try to resolve this bit of international disingenuousness. If these two men can reach an agreement on Rhodesia that will hold together, the U.N. sanctions presumably will be lifted. If that happens Messrs. Hooper and Towsey may be able to buy a meal and pay the rent. It also is conceivable that the American people once again would have access to information which ought not to be denied to them.

AVIATION DAY

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. FINO. Mr. Speaker, in the 89th and 90th Congresses I and several Members of this House and Senate introduced a resolution requesting that May 12 be declared Aviation Day in honor of two pioneer aviatrixes and winners of the Harmon Trophy, Amelia Earhart and Joan Merriam Smith.

This resolution has the endorsement of all national aviation organizations including Air Force Association, National Pilots Association, Civil Air Patrol, National Aeronautics Association, National Aerospace Education Council, National Business Aircraft Association, Flying Educators, Lawyer Pilots Association, Women's National Aeronautical Associa-

tion, and many other groups. Also several mayors and Governors proclaimed a local and/or State May 12, 1968, Amelia Earhart-Joan Merriam Smith Aviation Day.

In these days of riots and revolt against our American heritage and patriotism, let us not forget to honor our heroes and heroines who have contributed to America's greatness by their achievements. Since December 17 is proclaimed as Wright Brothers Day and May 20 as Lindbergh Day this pending honor for these two aviatrixes and all women pilots is long overdue and I hope this Congress will give serious consideration to this resolution before adjournment.

WHO WILL DOMINATE THE STRATEGIC INDIAN OCEAN AREA IN THE 1970'S?

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. HOSMER. Mr. Speaker, Navy magazine for September, 1968, carries a penetrating and perceptive article by the noted historian, Dr. James D. Atkinson, of Georgetown University, relating to one of the world's most potentially decisive power vacuums, the Indian Ocean area. The Soviet Navy is moving in and acquiring bases in the vacuum being left by the British, while the United States hesitates. The considerable problem of the Indian Ocean area, neglected by the Johnson-Humphrey administration, undoubtedly must become a deep concern of any new administration of the U.S. Government.

Dr. Atkinson's article follows:

WHO WILL DOMINATE THE STRATEGIC INDIAN OCEAN AREA IN THE 1970's?

(By James D. Atkinson)

Little more than six months ago the then Secretary of Defense, Robert Strange McNamara, told a congressional committee that "in the 1960's the simple bipolar configuration which we knew in the earlier post-World War II period began to disintegrate. Solid friends and implacable foes are no longer so easy to label, and labels . . . such as free world and Iron Curtain, seem increasingly inadequate as descriptions . . . of the *new bonds of common interest being slowly built across what were thought to be impenetrable lines of demarcation.*" (Italics supplied.)

As the gunfire from Soviet tanks reverberates through the streets of Prague, one may well ask whether this analysis will prove as illusory as the former Defense Secretary's view that the Soviet Union would be unable to achieve even nuclear equality with the United States before the early 1970's.

For the plain fact is that the Soviets are striving mightily to attain not parity, but strategic superiority over the United States. And the unfolding evidence suggests that the major thrust of this search for strategic superiority is taking place on the high seas.

The Soviet effort at sea is a total one. It embraces naval combatant ships both undersea and on the surface, longe-range aircraft under naval control, major research and development efforts in oceanology, and a vast merchant marine program.

FIVE YEAR CLIMB

When it is recalled that the great authority on sea power, Rear Admiral Alfred Thayer Mahan, had dismissed Russia's merchant navy with the observation that "Russia has little maritime commerce . . . her merchant flag is rarely seen," the Soviet climb in but five years (1963–1967) from number twelve to number six rank in world merchant tonnage is hard evidence of Soviet capabilities and intentions alike.

Equally significant is the fact that the Soviet merchant fleet, unlike the merchant shipping of non-Communist countries, a totally controlled instrument of state power and is habitually used as a politico-diplomatic weapon. The relationship of the Soviet merchant marine to Soviet naval forces and the developing countries of Africa, Asia and the Middle East is, therefore, related to the over-all mix of maritime power: bases, facilities-agreements, industrial-technological assets, merchant shipping, and naval (including naval-air) forces.

Soviet ambitions on the oceans are underscored by current Soviet efforts directed towards the Red Sea-Persian Gulf-Indian Ocean complex, a vast, strategic area of the world's seas and an area quite new to the hammer and sickle flag of the U.S.S.R.

AFRICAN-INDIAN OCEAN STRATEGY

The Soviet maritime thrust in the Red Sea-Persian Gulf-Indian Ocean complex is, like Soviet expansion in the Mediterranean, an attempt to gain maximum exploitation from three increasingly related factors:

(1) The Soviet goal of attaining military-technological superiority over the United States.

(2) Soviet exploitation of tensions, political instability, and ethnic or other rivalries in the developing countries of Africa, Asia and the Middle East through the technique which the Soviets call "national liberation movements."

(3) The power vacuum created through the British wtihdrawal East of Suez.

As the military technological power of Russia continues to rise, the Soviet leadership believes that this power can be used to support—psychologically and diplomatically—the revolutionary process in the new and developing nations. This strategy is stated frankly as follows in the May, 1968 issue of *Kommunists*, the authoritative official journal of the Communist Party of the Soviet Union:

"The growth of the political influence and the economic and military might of the world socialist system exerts a powerful influence on the course of the struggle between labor and capital on the international scene; it ties the hands of the imperialists and creates increasingly favorable conditions for the development of the world revolutionary process."

These are not idle words. They are being put into practice through Soviet politico-economic support for socialistic-revolutionary forces in Egypt, Sudan, Iraq, Yemen and other countries in the Red Sea-Persian Gulf-Indian Ocean complex.

SOVIETS ACQUIRE BASES

The Soviet Union is acquiring base facilities in Hodeida in the Yemen and is also using Port Sudan on the Red Sea. A guerrilla campaign has been organized against Mozambique (on the Indian Ocean across from the strategic island of Madagascar) from Soviet-sympathizing Tanzania and these guerrillas have both Soviet and Chinese Communist equipment. In this regard it should be noted that however sharp the propaganda attacks the Soviets and Chinese Communists mount against one another, they seem to be able to cooperate on the tactical level in East Africa when they face what they regard as the common enemy.

Soviet "national liberation warfare" techniques are being employed wherever possible throughout Africa, but it would appear that the Red Sea-Indian Ocean coast of Africa has been given major attention because of its strategic role in developing Soviet strategy. The Soviets are also attempting to link the African and Middle Eastern liberation warfare movement to their exploitation of Arab national feeling.

Thus when two Soviet warships paid an eight-day visit—for the first time in Soviet naval history—to the Persian Gulf in May 1968, they were greeted in the Iraq port of Umm Qasr with a gun salute and with thanks "for supporting the Arab cause." Not without interest is the fact that Iraq has now been equipped with Soviet-type Styx missiles such as was used to sink the Israeli destroyer ELATH.

It may not have been accidental that about the time of this Soviet naval visit in the Persian Gulf leading Soviet newspapers devoted a good deal of attention to the national liberation movement in Africa. The official Communist Party newspaper *Pravda* stated on May 25.

"The formation of a world system of socialism, which stands as a mighty stronghold of all anti-imperialist struggles in the world, the growth of the revolutionary struggle of the international working class and the rapid upsurge of the liberation movement of (the) African peoples . . . predetermined the collapse of the gigantic colonial prison in Africa."

"The present national liberation movement of the peoples of that continent has become an organic integral part of the world revolutionary process," said Pravda.

Equally important was a statement the same day in the official government newspaper, *Izvestia*. This emphasized Russia's "consistent policy for supporting national liberation movements." It went on to say that the Soviets had "accumulated rich experience in the defense of revolutionary movements," and that the Soviet solidarity Committee of Asian and African Countries was giving practical, physical support to the revolutionary forces of "Angola, Guinea (Bisau), Mozambique, and Zimbabwe (Rhodesia)."

EFFORTS IN INDIA AND CEYLON

On the other side of the Red Sea-Persian Gulf-Indian Ocean complex, the Soviet Union has been most active in both India and the great island of Ceylon. A Soviet naval squadron visited the Indian sub-continent in the spring of 1968, another first in Soviet naval history. Calls were made in Pakistan and in India and later on in Ceylon.

The visit to India is especially significant since that the Soviet Union has said it will supply the Indian Navy with "F" class submarines, escorts of the PETYA class, MTB's of the POLUCHAT I class, a submarine support-ship, and additional auxiliary craft. Press reports say one submarine and some other craft have been delivered. This may be in order to lay the groundwork for a Soviet naval air presence in that part of the world since the Soviets have had talks with India looking towards an Andaman Island base. These islands are in the Bay of Bengal, strategically located not only with reference to the Indian Ocean generally, but also in relation to the seacoast of Burma, Malaysia, and Thailand.

They would be advantageous bases for the new Soviet helicopter and/or VTOL carriers and for Soviet land based aircraft, many of which come under the control of the Soviet Navy. It is also not without interest that *Pravda* announced June 1, 1968, that the scientific research ship OGON was "carrying out hydrographic work in the Pacific and Indian oceans." The Soviets understand quite well that the search for strategic superiority is not military alone, but military, scientific, technological and psycho-political.

The pyscho-political elements of the over-all strategic effort blending with the military is well illustrated by the Soviet naval visit to Ceylon. A Soviet naval squadron cruising in the Indian Ocean paid a five-day visit to the Ceylonese port of Colombo, July 7–11, 1968. Just prior to this Soviet naval visit, *Moscow Radio* announced on July 3 that the Communist Party of the Soviet Union had sent a congratulatory telegram to the "Communists of Ceylon, who are celebrating the 25th anniversary of their party." The telegram hailed "the Communist Party of Ceylon, the fraternal solidarity of the two parties, and the friendship of the Soviet and Ceylonese peoples."

Conjointly, *Moscow Radio* reported that a Soviet news agency representative had interviewed Pieter Keuneman, Secretary General of the Communist Party of Ceylon. He said that the Communist Party of Ceylon "was the first to demand the elimination of the British military bases on the island and the establishment of diplomatic and trade relations with the socialist [that is, the Communist-bloc] countries." Keuneman went on to say that the Ceylonese Communist Party "fully supports the convening of the international conference of Communists and workers parties in November in Moscow.

THE BRITISH WITHDRAWAL

For almost a century the vast Red Sea-Persian Gulf-Indian Ocean complex was an area of relative stability. This was so because Great Britain—and associated friendly powers—controlled the perimeter boundaries. Whether it was the East African coast (Kenya, Tanganyika); key bases (Aden, Mombasa, Colombo, Singapore); or important islands (Mauritius, Andaman, Nicobar), British forces were on hand throughout these sea spaces and able to respond quickly for any needed police actions.

What of today? The British have announced that they will complete their withdrawal East of Suez by 1971. That this will likely be irreversible is shown by the fact that early in 1968 the withdrawal from Aden became a finality.

The power vacuum already exists. The potential, strategically, is alarming.

Australia, that great and good friend of the United States, is vitally dependent on the Indian Ocean. In the 1965–1966 period, for example, more than half of all Australian imports and almost half of all exports came by way of the Indian Ocean.

India, Pakistan, and the countries of East Africa depend on Indian Ocean routes for all but a little of their imports and exports. South Africa, at the Cape of Good Hope (more significant than ever with the closure of the Suez Canal), is vitally interested in the Indian Ocean. And the Red Sea-Persian Gulf oil routes are so well known as to require but passing mention.

Writing in the New York Times, Dec. 4, 1963, C. L. Sulzberger perceptively forecast the strategy stakes in this oceanic complex. "In the vast area extending from the Red Sea across the Indian Ocean to the Pacific inlets one finds today's main thrusts of both Russian and Chinese dynamism," he said. "They frequently compete with each other but ultimately work in tandem to weaken Western influence."

Looking ahead to 1969–1970, it can be seen that the Soviets will try to continue the forward momentum they have begun in 1967–1968. Will theirs be the power that fills the vacuum left by the British withdrawal? Or will the United States build up its naval forces so as to be able to deploy real strength for peace and stability in the Indian Ocean rimland?

HUMPHREYISM NO. 12

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. SCHADEBERG. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

From a Collection of Representative HENRY C. SCHADEBERG'S, (R. Wisc.):

"I say that where conservation is concerned, land titles are irrelevant." (Audubon magazine, July-August 1965)

SCRANTONIAN

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. McDADE. Mr. Speaker, the history of America is filled with the history of a few people who get together with an idea, who pursue that idea with determination, and finally produces a major industry. In Scranton, Pa., there is such an industry, the Parodi Cigar Co., founded by Frank Suraci, Sr., 54 years ago.

The history of that company is a fascinating story. Fortunately for all of us, that history was told recently in an issue of the Scrantonian by one of our most distinguished writers, the Pulitzer Prize-winning reporter, Mr. J. Harold Brislin.

I know that all of my colleagues here in the Congress would enjoy the reading of this story, and with your permission, Mr. Speaker, I am appending it at this point:

THIS ARTICLE APPEARED IN A RECENT ISSUE OF THE SCRANTON, PA., SCRANTONIAN

(By J. Harold Brislin)

Parodi Cigar Co., founded 54 years ago in downtown New York City by Frank Suraci Sr. and the late Anthony Suraci under the name of "Suraci Bros.", today is a major Scranton-based industry largely because three decades ago the brothers realized that automation had to replace hand operations in manufacture of "Italian type" cigars.

Frank Suraci Sr., president of the vastly expanded company which now has three plants in Lackawanna County and one in Evansville, Ind., plus a large installation at Clarksville, Tennessee emphasized that Parodi could not operate today on a hand made cigar basis.

Commenting "you could write a book about our history", Suraci told how Parodi back around 1938 started to work with American Machine Foundry on development of special machines which could replace the rapidly declining ranks of the highly skilled "cigar makers".

It wasn't until 1956 that the machine capable of handling the demanding tasks of filling and wrapping the "Italian type" cigar was perfected and the "pilot machine" successfully tested at the Parodi plant at 1915 N. Main Avenue.

With the smiling comment that "we are still developing", Suraci said that in the "old days" an expert cigar maker couldn't make more than 1,500 "Italian type" cigars in a day while a single machine, attached by a two-operator team, can turn out at least 5,500 per shift.

And the "Italian type" cigar produced with automation—combined with the almost unbelievable procedures followed by Parodi in curing and drying the special tobaccos—provides a more uniform smoke than could be attained by the hand made method.

This uniformity, and the resultant "Italian type" cigar which bears scant resemblance to the "Stogie" of earlier years, enhances the appeal of the "Parodi"—as well as the companion brand the "DeNobile Toscani"—to the general public.

This, obviously, further explains why the Parodi cigars that includes a variety called "Toscanelli" which is being marketed on the West Coast now have at least 30 percent of its sales among those of "non-Italian" background—with Parodi anticipating continued increases.

"We're not afraid to say 'light a cigar' to anybody today," declared President Suraci as he reached into one of the several boxes of Parodi cigars on and around his desk.

The Suraci brothers didn't acquire the name of Parodi Cigar Co., of New York until 1928—two years before establishing its first Scranton plant at 441 N. Main Avenue.

President Suraci, still obviously in top command of the business he and his brother started back in 1914, recalled that "we started at 441 N. Main Ave., with about 2,500 square feet of rented space on the second floor, sharing the building with a post office on the first floor and Imperial Underwear which had the front part of the second and third floor."

Parodi had an option for six months on acquiring the front part of the second floor and within two years the firm making the "Italian type" cigars had occupied the entire building with about 35,000 square feet of space.

The Parodi building was destroyed by fire during World War II, forcing a fast search for new space and the location, again on a rental basis originally, of part of the present headquarters at 1015 N. Main Ave.

Defense production was being carried out elsewhere in the plant, a former silk mill.

Today Parodi Cigar, which started out with 2,500 square feet of second floor rented space at 441 N. Main Ave., has 60,000 square feet at 1015 N. Main Ave., 90,000 square feet at its Continental Cigar Co. division on Rocky Glen Road, Moosic, and 200,000 square feet in the former Consolidated Molded Products plant on Cherry Street.

And this is augmented by many additional thousands of square feet in its "H. Fendrich Division" plant in Evansville, Ind., and at its Clarksville, Tenn., installation where the "Petri Division" is based for purchase, classification, packaging and storing of leaf tobacco used in the "Italian type" cigars.

Today the Parodi Cigar Co.—the "of New York" no longer is part of the corporative name—represents an annual payroll in the vicinity of $2.3 million in Lackawanna County alone where upwards of 625 of the 850 to 900 employees are based.

Suraci, again delving back into history of the company he heads explained that Parodi Cigar Co. was a competing firm to "Suraci Bros.", making the "Italian type" cigar, when the brothers acquired it in 1928.

Parodi had a cigar making plant in Jersey City and back in 1932, the Suraci brothers, anxious to utilize the skills of cigar makers in the days before automation was possible, opened a branch in the New Jersey city to take advantage of this specialized labor supply.

Meanwhile, Parodi engaged in a training program locally for cigar makers—with it taking six months to a year to develop the dexterity essential to making cigars by hand.

President Suraci, after devoting more than half a century to the cigar business, continues to display astounding interest and energy to the affairs of Parodi—including making almost daily visits to the three operations in Lackawanna County.

And in August, accompanied by his nephew, Anthony F. Suraci, vice president, President Suraci was out in the tobacco fields in Kentucky and Tennessee inspecting the crops of farmers who regularly deliver their top products to the Parodi "Petri Division" facility at Clarksville, Tennessee.

Suraci said upwards of 500 tobacco farmers have annual dealing with Parodi through the Petri Division—climaxed by delivery of cured tobacco in January after several months of hanging in the barns of farmers while being cured by smoke from carefully controlled burning sawdust.

He emphasized that Parodi experts are constantly visiting the tobacco farmers during the growing, harvesting and curing seasons to give sage counsel on techniques in proper procedures and to get advance knowledge of the tonnage and quality of tobacco in prospect.

Suraci said that Parodi, although it deals with upwards of 500 tobacco farmers does not necessarily take the entire production of any farmer because "we buy only top grades".

Asked about the future of the "Italian type" cigar, Suraci said that he believes that the "non-Italian" people represent a great potential, replacing the market which was created many decades ago before wholesale immigration was curtailed and threatened to eventually eliminate the devotee of this special variety of cigar.

Predicting continued growth for Parodi, Suraci said that the "Parodi" and "DeNobili" cigars are "much milder" than in the early days. That appeal apparently, is expected to be more to the "cigar" than the "cigarette" smoker—largely because of the inability of many cigarette smokers to shift to cigars because, through long habit, they insist upon inhaling.

Suraci, reaching for still another Parodi stressed "You don't have to inhale to enjoy a cigar".

Members of the Board of Directors are Frank Suraci, Sr., Anthony F. Suraci, Jr., son of the late Anthony F. Suraci who was a cofounder of the company, vice president; Henry Suraci, secretary-treasurer; Robert J. Keating, executive vice president and Atty. Henry Nogi, counsel and director.

Serving on the "associated board" in addition to those previously named are: James Priscaro, sales manager; L. E. Harvie, president of the H. E. Snyder Division at the Parodi operations in the former Consolidated Molded Products plant on Cherry Street; Thomas Godfred, assistant to the President; R. A. Furiosi, plant manager; Burkeley McCarthy, president of the H. Fendrich Division in Evansville, Ind.; Thomas Matkowsky, auditor and E. Clark Snedaker, manager of the Continental Cigar plant in South Scranton.

Anthony Suraci, Jr., is listed as president of Continental Cigar Co., wholly owned Parodi subsidiary located in Moosic.

Parodi concentrates the production of "Italian type" cigars at its operation in Moosic and at 1015 N. Main Avenue, while devoting the Cherry Street plant to making Blackstones, Red Dot, 7–20–4, Dexter, JA and 77 brand American type cigars.

The division based in Evansville, Ind., makes American type cigars which include the brands called Red Dot, Tampa Cubs, Monarch and Charles Denby.

Keating, the executive vice president, explained that Parodi, which markets "Italian type" cigars under the brand names of "Parodi" and "DeNobili"—plus a new version sold on the West Coast and known as "Toscanelli", makes the cigars in seven and eight inch lengths—which generally are cut in half at the plants and packaged as 3½ or 4 inch cigars. Some seven-inch "Italian type" cigars are sold at that length, however.

More than 1,500 distributors, not counting chain stores which buy direct, are customers of Parodi Cigar Co. but the firm still needs a "director of sales" and a staff of nearly 40 salesmen, each with his assigned territory.

James U. Priscaro, director of sales, explained that he and his force are engaged in "building the market" for the "Italian" and "American" type cigars produced in endless quantities by Parodi plants in Scranton, Moosic and Evansville, Ind.

The salesmen, in addition to visiting and serving the 1,500 distributors and various chain operations, tour retail outlets and pass out samples—cigars which they often actually purchase from distributors in their various territories.

Priscaro, associated with Parodi for 18 years, has been director of sales for the last three years.

During the summer months Parodi recruits numerous college students for vacation jobs. The firm also is constantly advertising for help. This is a fairly recent development—apparently linked with the changeover of the Scranton labor market from one of chronic unemployment to one in which shortages of qualified workers is a problem.

"We never had a problem getting workers when the unemployment rate was eleven percent", commented Robert J. Keating, Parodi executive vice president. Parodi workers handling cigar making machines are pieceworkers. Most other employees are on hourly rates for compensation.

Origin of the "Stogie", the name often used for "Italian type cigars", more properly is associated with the hardy pioneers who, traveling by Conestoga wagon, settled the western part of the United States. And the dictionary doesn't define "Stogie" as having an Italian origin but, rather, as "a kind of inexpensive, though not necessarily inferior, cigar made in the form of a slender cylindrical roll". According to Bob Keating, there is an obvious relationship between the "Conestoga" wagon and the use of "Stogie" for the slender cylindrical rolled cigars which were smoked by many in the days when the west was being settled.

Visitors are always welcome at the executive offices at 1015 N. Main Avenue where they get an opportunity to try either—or both—an Italian or American type cigar manufactured by the company.

At the reception window are displayed open boxes of the two types of cigars under a sign which states: "Enjoy a cigar—our compliments".

TRIBUTE TO CONGRESSWOMAN LEONOR K. SULLIVAN

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. HORTON. Mr. Speaker, I would like to express my deep respect and regard for one of the most conscientious and dedicated Members of the House, a great legislator and a great lady in every sense of the word.

Representative Leonor K. Sullivan, now serving her eighth term as the only lady ever elected to Congress from the State of Missouri, has earned national praise and gratitude for her outstanding contributions to consumer protection and for the legislation she has authored and sponsored to improve the health, education, and welfare of all Americans.

Besides having a great part in every housing bill since 1955, Leonor Sullivan can be unshamedly proud of the landmark truth-in-lending bill which she introduced and guided through Congress for the betterment of every American who benefits from purchases by credit. Thanks to Leonor, Americans will never again be victimized or harmed by hidden credit charges.

Two million needy Americans are assured good nutrition from the food stamp law of 1959 and the food stamp bill of 1964 which Congresswoman Sullivan introduced. We here in Congress will miss her able leadership and astute guidance where the betterment of needy Americans are concerned.

Leonor Sullivan has served her constituents and the country well, through brilliance, hard work, and a dedication born of patriotism and a will to serve. I salute her, for this Nation will benefit from her talents and ability for many years to come.

RESOLUTIONS OF POLISH-AMERICAN CONGRESS

HON. LUCIEN N. NEDZI

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. NEDZI. Mr. Speaker, the Seventh National Convention of the Polish-American Congress, recently met in Cleveland, Ohio. In the course of its deliberations, the Congress adopted several resolutions which are worthy of our attention.

Under leave to extend my remarks in the Record, the resolutions follow:

Resolution Adopted by the Seventh Convention of the Polish-American Congress, Held September 27, 1968, at Cleveland, Ohio

Assembled in the Seventh National Convention of the Polish American Congress, we express our tribute to retiring long time President Charles Rozmarek, great patriot of our two beloved countries, the United States of America and Poland, the country of our ancestors, and we adopt the following resolutions:

1. We support the efforts of the United States Government to bring a just peace, order and stabiltiy in South East Asia, where the Viet Nam conflict has put to a historic test American determination to defend freedom from communist aggression.

2. Deeply concerned with the internal crises that afflict our nation, we pledge our unreserved support to programs that will strengthen the viability of the United States in terms of social stability and civic wisdom in all sectors of American life, which will result in law, order and justice to all.

3. Deeply aware of the fact that Europe is the key to world peace, and, consequently, to American security, we most emphatically condemn Soviet brutal aggression against Czechoslovakia and appeal to the United States government that this wanton breach of international law be brought before the United Nations with the demand that the Soviet Union troops and also those of their puppet governments be immediately removed from Czechoslovakia, with the warning that the Soviet Union will face international sanctions if it persists in applying brutal force in the suppression of freedom in Czechoslovakia and other captive nations of East Central Europe.

4. To our ethnic kin, the Czechs and the Slovaks we express our deepest sympathy and solidarity with their valiant struggle against the tyranny of Soviet imperialism.

We are certain that they understand the current realities in Poland and know that Polish troops were sent to Czechoslovakia contrary to the overwhelming sentiments of the Polish Nation, and contrary to Poland's national interest.

In conjunction with these latest acts of aggression perpetrated by the Soviet Union and puppet communist regimes of the captive nations, we condemn the servility of the communist dictatorship of Poland to its Moscow masters.

5. Poignantly aware of the fact that the Polish nation, in its long and tenacious struggle for freedom and independence is in dire need of our encouragement, our solidarity with its aims, and of our moral, cultural and economic assistance, we request that such assistance by the government of the United States be so planned that it should benefit the Polish people and not their imposed regime.

6. We call upon the Government of the United States and we appeal to the conscience of the Free World to use all means and efforts to restore freedom and independence

to Poland and other nations in Eastern and Central Europe, suffering under the imposed communist regimes and neocolonial Russian exploitation.

7. We urge that Polish Regained Western Territories, rebuilt after the last war destruction and exclusively inhabited by Polish population, be recognized by the U.S.A. Government as an integral part of Poland and the present Odra-Nyssa line be ratified de jure as the final western boundary of Poland.

By recognizing and acknowledging these facts of history and life, the United States and its Western Allies could forcefully strengthen psychological resistence of the Polish Nation against the Soviet imperialism and against communism, would deprive Russia of its cynical role as the sole protector of Poland's territorial integrity, and would decisively contribute to peace and stability in East Central Europe, where lies the key to European, and consequently to American security.

Insofar as the eastern boundary of Poland is concerned, we do not recognize the seizure by Russia of the eastern half of Poland as a result of the Yalta agreement, and we demand the restoration of the pre-war border, as mutually established by the Riga Treaty.

8. Recognizing deep changes that are taking place in the sociological structure of our Polonia, where the third, fourth and fifth generations of native-born Americans of Polish ancestry are entering upon the stage of life, we wholeheartedly pledge:

(a) to expand educational aid to our younger generation;

(b) to fully and consistently support their aspirations, goals, and pursuits in all walks of life, in politics, in business, in scientific aspirations, in professions, and other endeavors.

9. Bearing in mind the important part played by Poles and Americans of Polish descent in the fight for America's independence and also their vast and lasting contributions to the present greatness of America, we urge that Americans of Polish descent be given, well deserved, greater representation in the federal, state and local governments.

10. In the present struggle between freedom and tyranny, between the forces of democracy as represented by the United States of America as it's best and strongest champion and defender, and the forces of tyranny as represented by the communist world, we firmly and unflinchingly stand at the side of freedom and democracy. We condemn the appeasers of communist aggression in any part of the world and the advocates of peace at any price.

We firmly believe that lasting peace in the world can only be achieved if it will be based on freedom and justice for all men and for all nations.

Alexander Laffey, Chairman; Augustyn Sobocinski, Henry Dende, Ks. Leo Kulinski, Michal Pankiewicz, Alfred Ulman, Aleksander Romanski, Raymond Demski, Joseph A. Bystrowski, Frank Wazeter, Jozef Kleszczynski, Wladyslaw Lohr, Bonawentura Migala, Janusz Krzyzanowski, Resolution Committee.

HON. PORTER HARDY

HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 25, 1968

Mr. WAGGONNER. Mr. Speaker, I could not let the day go by or this session of Congress come to an end without saying for the RECORD a word of praise for our fellow Member and my personal friend, PORTER HARDY.

The State of Virginia has a long tradition of sending to the Congress its best men and PORTER has kept that tradition intact and added a bit to its lustre. For 22 years he has served his district and the Nation with distinction. Now that he has chosen to retire, we are all suddenly conscious of the debt of gratitude we owe him for this period of dedicated public service. Without men of his caliber looking after the interests of all our people, each one of us would be diminished by no mean amount.

I treasure my friendship for PORTER and hope that, with the passage of time, there will be opportunities to keep our contacts alive. I am a better man for having served with PORTER HARDY and I do not want to lose touch with the brand of idealism and dedication he represents.

I know I am not alone with these sentiments and that those who remain behind join me in this expression.

OPEN HOUSE '68

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. QUILLEN. Mr. Speaker, it is important that the citizens of a town be kept up to date on the progress and changes in their area, and the city of Elizabethton, Tenn., had such a chance last week.

All of Carter County participated in observing how local government is carried out by attending "Open House '68," how industrial facilities in the area operate and have developed through the years, and how beneficial the safety programs are to their communities.

I would like to join in the tribute which the Elizabethton Star of Thursday, October 3, 1968, paid by sharing this editorial with the readers of the RECORD:

TAKE ADVANTAGE OF THIS WEEK'S TOURS

Rarely ever were the citizens of Elizabethton offered to such an extent the opportunity to participate in community affairs as during the present week.

Beaunit Fibers, the largest industry of the City, and Carter County as well, is giving groups of club members and other organizations the freedom of inspection of its Viscose Plant in celebration of the fortieth anniversary of its existence.

The manufacturing processes, from the preparation of the basic raw material, woodpulp, and chemicals, to the finished product, yarns for various purposes, will be explained to the visitors. They will be given an insight of what it takes to keep the wheels turning and furnish the lifeblood of the community through the sale of what is made in the local plants by many men and women of Elizabethton and Carter County.

The plant visitation will last through Sunday.

Another important operation of community services will be demonstrated on Saturday this week by the City's "Open House '68." Generally familiar with the City's functions, many of its people do not envisage the extent and ramifications of the city government and administration as a whole.

Guided tours of facilities, and especially newer development industrially and in improvement of services of various nature that the citizens can expect in return for the share of taxes paid by the property holders or businesses for the privilege of doing business, have been arranged by the city management.

Visitation to the numerous facilities will be informative and educational and acquaint the participants with the installations of improvements that were needed and serve the comfort of the citizenry.

Carter County Chamber likewise is playing a part in the activities of this week. Its Fire Prevention Committee on the occasion of Fire Prevention Week now underway is bringing to the attention of the public the importance of safety in the community. Elizabethton is fortunate in having an enviable record of low fire losses. An efficient Fire Department, modernly equipped, will give demonstrations of its abilities. And so will the Police Department.

Beaunit Fibers, the City, Chamber of Commerce and all others concerned are to be congratulated on their cooperative spirit in the interest and for the common good of the community.

We urge the people of Elizabethton to go all out in their support of these worthwhile undertakings and show their pride in the community by participation in the tours and other activities planned.

COLUMBUS DAY, 1968

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. HOWARD. Mr. Speaker, the spirit of discovery does not die; it continues to motivate the human race on its advancement through history. The evidence of this continuing spirit is implicit in every aspect of 20th-century life—in the progress of medical science, in the development of increasingly sophisticated communications systems, and, finally, in the spectacular advance of space technology. One has only to see the extraordinary film, "2001—A Space Odyssey," to comprehend the full potential of questing, modern man.

There have been, through the ages, certain men who most aptly personify this indomitable spirit which is the will to discover, to create, to leave the past for the uncertain future, secure only in the certitude of faith. One such man was Christopher Columbus.

Such men become, by the quality of their actions, and, to a degree, by the accident of their place in history, eternal symbols, standing beyond the limits of time, enduring for all eternity. Such men are focal points, emblems, as it were, in the continuous evolution of man. Such a man was Columbus.

For Columbus was not merely the individual who discovered America, though that indeed he was. He was, more profoundly, a man who proved that the human will is a thing so strong, so powerful, so charged with divine energy, that heaven and earth cannot succeed in stemming the tide of its progress, if, indeed, it determines to move. He vindicated, far in advance of its expression in mere words, the conviction of William Ernest Henley:

I am the master of my fate;
I am the captain of my soul.

Let us pay tribute to Columbus on this day set aside to commemorate his significance. Let us remember him with gratitude, with respect, and above all, with hope.

REPORT TO CONSTITUENTS BASIL L. WHITENER

HON. BASIL L. WHITENER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. WHITENER. Mr. Speaker, each year I send to my constituents a report or résumé of the actions taken by the Congress. This year the résumé is as follows:

Résumé of Second Session, 90th Congress

The year 1968, the second session of the 90th Congress, has produced much important legislation. It would not be possible to give a full and detailed statement of each and every bill passed and signed into law. I have undertaken to give a terse and brief outline of most of the major legislative acts resulting from our deliberations with the hope that it will stimulate an interest on the part of many of our friends to seek more detailed information.

The following constitutes a small portion of the results of this session:

Public Law 90–255: Makes comprehensive provisions to regulate savings and loan holding companies with subsidiaries whose accounts are insured by the Federal Savings and Loan Insurance Corporation. Provides that savings and loan holding companies must register with the Federal Savings and Loan Insurance Corporation. Before a holding company acquires additional interests within a state in a savings and loan association, prior approval must be obtained from FSLIC. Prohibits new out-of-state acquisitions. Savings and loan holding companies cannot have interests unrelated to savings and loan associations without specific approval of FSLIC.

Public Law 90–257: Amends Railroad Retirement Act of 1967 and Railroad Unemployment Insurance Act to increase benefits.

Public Law 90–258: Amends Commodities Exchange Act. Provides that traders on commodity exchanges must register with the Secretary of Agriculture, who regulates practices on the exchanges. Exchanges are made directly responsible for enforcement of their own rules, which the Secretary of Agriculture approves or disapproves. Commission merchants on commodities exchanges must meet minimum financial requirements. Trading in livestock and livestock products is brought within provisions of Commodities Exchange Act.

Public Law 90–259: Amends Organic Act, National Bureau of Standards, to authorize comprehensive fire research and safety programs. Secretary of Commerce directed to investigate causes and prevention of fires, develop improved methods of fire prevention and control, conduct public education program, and provide information and training for fire-fighters.

Public Law 90–267: Amends Export-Import Bank Act to authorizee an increase from $9 billion to $13.5 billion the authority of the Bank to guarantee, insure, or extend credit covering the purchase of American exports. Bank is forbidden to guarantee, insure, or extent credit covering direct or indirect exports to communist countries unless the President determines that specific transactions are in the national interest.

Public Law 90–269: Eliminates a requirement that the Federal Reserve Banks and the United States Treasury maintain a gold cover to the extent of 25% of their outstanding currency.

Public Law 90–274: Requires each Federal District Court to devise a jury selection plan that will produce juries representative of the local community. Plan is subject to approval by the Judicial Council of its circuit.

Public Law 90–275: Grants increases in veterans pensions for non-service-connected disabilities and compensation to their survivors. Income limitations for eligibility to veterans monetary benefits are increased, particularly in relation to Social Security benefits.

Public Law 90–284: Civil Rights Act of 1968 provides criminal penalties for "whoever wilfully injures, intimidates, or interferes with" persons in the exercise of their basic civil rights, which are to vote, to participate in any Federally-supported activity or program, to seek and hold a job, serve on juries, attend a public school or college, use public facilities, travel by common carrier, use hotels and restaurants, or engage in lawful activities that support those rights.

Public Law 90–288: Makes it unlawful for any handler of agricultural products or association of agricultural producers to discriminate against, intimidate, or coerce a producer of agricultural products because he belongs, or does not belong, to an association of agricultural producers.

Public Law 90–289: Authorizes $2,618,300,000 for the Atomic Energy Commission during Fiscal Year 1969.

Public Law 90–291: Provides benefits to state and local law enforcement officers for their survivors when they are disabled or killed while apprehending a person who has violated a Federal law.

Public Law 90–294: Extends for one year from June 30, 1968, the $9 million authorization for the Corporation of Public Broadcasting.

Public Law 90–297: Authorizes up to $24.5 million during Fiscal Year 1969 for Office of Saline Water.

Public Law 90–299: Provides a fine of $500, or imprisonment up to 6 months, or both, for whoever makes use of a telephone in interstate or foreign communications for the purposes of obscenity, abuse, or harassment.

Public Law 90–300: Amends Federal Reserve Act to extend for two years from June 30, 1968, the authority of Federal Reserve Banks to purchase public debt obligations from the United States Treasury up to a limit of $5 billion outstanding at any one time.

Public Law 90–301: Increases maximum loan guarantee for veterans home loans from $7,500 to $12,500. Permits Secretary of Housing and Urban Development to set interest rate on mortgage loans for veterans up to maximum of 6%. Permits eligible veteran to pay as sales price of a home purchase such amounts in excess of the reasonable value as the veteran may determine. Authorizes aid to distressed home buyers, who, after relying on VA or FHA construction standards, find structural defects in their property.

Public Law 90–302: Provides grants-in-aid to states for food to needy children at day care centers, settlement houses, and recreation centers operated in poverty areas by non-profit agencies, public or private.

Public Law 90–321: Consumers Credit Protection Act establishes new program to protect consumers seeking credit. Law requires lenders in consumer credit transactions to disclose down payments and credits, unpaid balance, annual rate of interest, full interest costs over the life of a contract, and other charges such as credit investigation fees, premiums for required insurance and service charges. Law establishes National Commission on Consumers Finance to study consumer financing and practices and submit recommendations for further legislation by January 1, 1971. Effective July 1, 1970, the garnishment of wages is limited to amounts over $48.00 a week, or one-fourth of an employee's take-home pay, whichever is higher.

Public Law 90–330: Extends for two years authority to grant extra thirty days of leave and round trip transportation to the United States or another place of the person's choosing to members of armed forces voluntarily extending their service in hostile fire areas.

Public Law 90–331: Authorizes United States Secret Service to provide protection for major presidential and vice presidential candidates.

Public Law 90–334: Authorizes $136,014,000 for Coast Guard during Fiscal Year 1969.

Public Law 90–344: Recommends to the states that they ease the requirements for registration and voting by military personnel, their spouses and dependents residing on military reservations, and otherwise to promote their voting in elections.

Public Law 90–345: Amends Federal Farm Loan Act and Farm Credit Act to increase the debt to capital ratio of the Federal Intermediate Credit Banks from a 12 to 1 ratio to 20 to 1. Permits each Federal Intermediate Credit Bank to issue and sell participation certificates to other financial institutions. Authorizes each Federal Intermediate Credit Bank to equalize the ownership of production credit associations in its reserve accounts.

Public Law 90–348: Extends authorizations for the programs of the National Foundation on the Arts and Humanities through Fiscal Year 1970.

Public Law 90–349: Authorizes President to accept an amendment to the articles of agreement that created the International Monetary Fund. The amendment provides for special drawing rights with the Fund. A nation which has exhausted its drawing rights to gold with the International Monetary Fund may satisfy its international obligations with special drawing rights certificates described as paper gold or international legal tender.

Public Law 90–350: Appropriates $1,780,653,000 for the Departments of the Treasury, Post Office, and the Executive Office of the President during Fiscal Year 1969.

Public Law 90–351: Provides a program of Federal assistance to state and local governments in their efforts to combat crime by establishing a Law Enforcement Assistance Administration in the Department of Justice to make grants to the states in accord with their approved plans for law enforcement and against crime. Provides that confessions will be admissible as evidence in Federal prosecutions if the confessions are, in fact, voluntary as determined by the trial judge and jury. Makes eye witness identifications of accused persons admissible in evidence even though the accused did not have the assistance of counsel when the identifications were made. Prohibits the unauthorized possession, manufacture, distribution, or advertising of devices to intercept wire or oral communications. Forbids the importation or interstate shipment by mail of any firearm except a shotgun or rifle; licensed manufacturers and dealers are exempted.

Public Law 90–353: Permits color, as well as black and white, reproductions of United States and foreign postage stamps for educational, historical, or newsworthy purposes.

Public Law 90–358: Permits any United States Flag passenger ship that receives operating subsidy payments to engage in cruises for as much as seven months of the year.

Public Law 90–362: Authorizes $112,800,000 for Peace Corps during 1969.

Public Law 90–363: Adds Columbus Day to the list of national holidays and provides that five holidays shall fall on Monday, effective January 1, 1971.

Public Law 90–364: Revenue and Expenditure Control Act of 1967. In addition to the adjusted income tax for a year a tax surcharge is imposed at the annual rate of 10%, effective January 1, 1968—June 30, 1969, for individuals. In addition it increases from 70% to 80% the percentage of the estimated tax which a corporation must pay quarterly. Extends to January 1, 1970, the 7% excise tax rate on the sale of passenger automobiles and the 10% tax rate on communications services. Removes as income exemption and makes taxable, interest received on industrial development bonds issued by a state or local government. Requires reduction in Federal employment and sets ceiling of $180,062,000,000 for expenditures and net lending during Fiscal Year 1969. Amends aid to dependent children section of Social Security Act.

Public Law 90–369: Provides immediate naturalization of the surviving spouses of United States citizens who die while on active duty in the armed forces.

Public Law 90–370: Extends the Defense Production Act of 1950 from June 30, 1968, to June 30, 1970.

Public Law 90–371: Authorizes Bureau of Prisons to assist state and local governments in the improvement of their correctional systems.

Public Law 90–375: Amends Federal Credit Union Act to modernize and update its provisions. Increases maximum maturity of secured loans from 5 to 10 years. Raises the limit of unsecured loans from $750 to $2,500.

Public Law 90–377: Grants additional authority to military services in operation of correctional facilities for members of armed forces.

Public Law 90–379: Grants authority to Federal Communications Commission to regulate the shipment, sale, importation, and manufacture of devices which cause harmful interference with radio reception.

Public Law 90–381: Provides fine of not more than $1,000, or imprisonment for not more than one year, or both, to anyone who publicly mutilates, defaces, defiles, burns, or tramps upon the American Flag.

Public Law 90–387: Removes the requirement for consent of the lienholder to a one-year lease of a tobacco acreage allotment; on transfer of allotments exceeding one year lienholder's consent must still be secured.

Public Law 90–389: Requires banks and financial institutions to install and use protective devices under regulations of Federal agencies having jurisdiction over operation of the banks and financial institutions.

Public Law 90–391: Amends Vocational Rehabilitation Act to, among other things, extend and make improvements in the Federal program for vocational rehabilitation of handicapped persons. Program is extended to June 30, 1971. Authorizes $700 million for rehabilitation service during 1971, minimum allotment of $1 million for each state. Provides for increase from 75% to 80% in the Federal share of project costs.

Public Law 90–398: Provides that 6800-acre section of Pisgah National Forest be designated as the "Cradle of Forestry".

Public Law 90–401: Extends the Land and Water Conservation Fund Act of 1967 for 5 years from June 30, 1968, and sets annual appropriations at $200 million.

Public Law 90–411: Federal Aviation Administrator is directed to formulate and place in operation noise reduction standards for aircraft.

Public Law 90–445: Juvenile Delinquency Prevention and Control Act of 1968. Extends and amends Juvenile Delinquency and Youth Offenses Act through Fiscal Year 1971 with a total authorization of $150 million. Under the program Secretary of Health, Education, and Welfare makes grants to the States for the prevention of juvenile delinquency and the training of persons to work in the field of juvenile delinquency. Provides an annual minimum of $100,000 to each State.

Public Law 90–448: Housing and Urban Development Act of 1968. Authorizes housing and urban development program for families with low and moderate incomes.

Public Law 90–460: Extends for two years the Higher Education Student Assistance Programs of the Federal Government.

Public Law 90–481: Establishes Federal safety regulations for the transportation of natural gas pipelines.

Public Law 90–487: United States Grain Standards Act of 1968. Authorizes Secretary of Agriculture to investigate the handling, grading, and transportation of grain and to establish standards of kind, class, quality, and condition for corn, wheat, rye, oats, barley, flaxseed, grain sorghum, soybeans, mixed grain, and other grains.

Public Law 90–492: Wholesome Poultry Products Inspection Act of 1968. Brings poultry inspection program in line with Federal Meat Inspection Act. Amends and revises definitions concerning poultry products and authorizes Secretary of Agriculture to cooperate with State agencies in developing and administering state poultry products inspection programs.

Public Law 90–495: Federal Aid Highway Act of 1968. Revises schedule of authorizations of appropriations for the Interstate Highway System. Sets forth new procedure for advancing funds to states for acquisition of rights of way. Authorizes new program to improve traffic operations on streets and highways in urban areas. Authorizes Federal assistance for fringe parking facilities in urban areas.

It is my hope that this résumé will prove to be of interest and value to each to whom it comes. It is my further hope that our service and voting record have met the approval of our people in the Tenth District.

It has been a real joy to serve you during the past twelve years. Your continued assistance to me in serving our nation is solicited.

Sincerely yours,

Basil L. Whitener,
Member of Congress.

REPRESENTATIVE WOLFF'S REGULAR NEWSLETTER

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. WOLFF. Mr. Speaker, at regular intervals I report to my constituency of matters of concern to them here in the Congress and my activities in general. Under leave to extend my remarks I wish to include in the Record my regular report for October:

October 1968.

Dear Friend: As I prepare this regular newsletter Congress is nearing adjournment for the year. Thus you may receive this after adjournment, but I believe the information contained here is still relevant.

Moreover, consistent with my annual practice, I will be mailing to you as soon as possible a newsletter summarizing the work of the second session of the 90th Congress, major legislation passed and my votes on those major Bills.

In this newsletter, however, I would like to discuss several different items all of which I believe you will find of interest and should be aware of so that you might be completely up-to-date on my activities in your behalf in the Congress.

FLOYD BENNETT FIELD TO OPEN, WILL HELP REDUCE JET NOISE

In my last newsletter I told you of my efforts to have Floyd Bennett Field in Brooklyn open to general aviation to reduce air traffic congestion at Kennedy and LaGuardia airports. By speeding the movement of aircraft in the New York area this would, in turn, alleviate the unhealthy and annoying menace of jet noise, while providing obvious convenience to air travellers.

I am pleased to report that in a complete departure from precedent the Navy Department and the Federal Aviation Administration have agreed to my proposal and steps are now being taken to implement my recommendations about Floyd Bennett Field.

The specifics of this proposal should be worked out in the near future and I look forward to the beneficial impact this will have on the jet noise and air traffic problems in New York.

NIGERIA-BIAFRA

I was approached one year ago by representatives of the government of Biafra who wanted to know if I could do anything to help alleviate the suffering in their homeland and possibly influence Nigeria to negotiate with Biafra. This was long before the critical situation in Biafra received the attention it has received in recent months.

At that time, in accord with Congressional practice, I approached Chairman Barratt O'Hara of the House Subcommittee on Africa and apprised him of my conversations with the Biafran representatives. Further discussions ensued and, as must be the rule in such cases, nothing was said publicly about our meetings.

During this time I was in corresponding with the State Department urging that the maximum possible human relief be sent to Biafra where thousands are starving to death daily. Most recently I sponsored legislation calling upon the President to request the United Nations to act to relieve the suffering and starvation in Biafra.

I recount this history of my activities for you because I have received many letters from people, who like myself, are concerned that we not stand silently by while an entire population starves to death. I feel great anxiety for the situation in Biafra and hope the United States and the world community will rally with increased energy to end the suffering there.

The United States has worked through the International Red Cross and other international organizations, however these efforts have not solved the problem and concerted international action through the United Nations is necessary.

It does not matter whether or not this is civil war, because we are not proposing military involvement. We are talking about human involvement and we cannot remain silent as hundreds of thousands starve to death.

RECOGNITION FOR VOLUNTEER FIREMEN

There is legislation pending in the Congress to provide federal compensation to civil service firemen injured or killed in the line of duty during civil disturbances or while protecting federal property. Although final action will not be taken on this measure this year it has excellent prospects of passage next year.

After studying this measure I became concerned that volunteer firemen, such as the firemen throughout our district, were not covered under the Bill. I determined to offer an amendment to see that volunteer firemen have the same opportunities for federal protection as regularly employed firemen.

I testified, therefore, before the House Judiciary Subcommittee and requested that volunteers be explicitly included in the scope of this legislation. The Subcommittee supported my proposal and it is with pleasure that I can report the outlook is excellent that another of my amendments to pending legislation will become law.

You may be interested in this excerpt from my testimony before the Subcommittee: "Our volunteer firemen, as those of us living on Long Island well know, spend countless hours away from their families, take great personal risk and commit themselves to a demanding yet vital responsibility, all because of a great sense of civic duty.

"They [the volunteer firemen] do this without pay and often without well-deserved public recognition. It is only appropriate and equitable that these volunteers have the same federal protection extended to paid firemen."

MIDDLE EAST PEACE

As has happened each of the past three years, an amendment I offered to the Foreign Aid Act has become law.

This year the Congress accepted my amendment asking the President to sell to Israel, on a cash basis, sufficient supersonic jets to provide Israel with an adequate deterrent force and thus help head-off possible full-scale war in the Middle East.

Recently, in signing the Act into law, President Johnson announced that consistent with Congressional support for the Wolff amendment he had instructed Secretary of State Rusk to begin negotiations with Israel for the sale of the jets to that beleaguered nation.

I believe acceptance of my amendment by the Congress and the President's responsiveness will do a great deal to preserve the peace in the Middle East.

WOLFF SWITCHBLADE KNIFE BILL

Chairman Harley O. Staggers of the House Interstate and Foreign Commerce Committee has informed me that he will give priority to the Wolff Switchblade Knife Bill when Congress reconvenes in January. The Chairman, a co-sponsor of my Bill to effectively end the proliferation of these instruments of violence, said he thinks it is an important piece of legislation and should be dealt with as quickly as possible.

The active support of Chairman Staggers, combined with the co-sponsorship of 114 Congressmen, should open the door for immediate action on the Wolff Switchblade Knife Bill in January, when the 91st Congress convenes.

GI CREDIT FRAUDS AND LOAN SHARKS

As I indicated to you several months ago I am conducting a Congressional investigation of loan shark credit frauds against U.S. servicemen, especially on overseas assignments. On the basis of our work we have proposed to the Defense Department, and have begun to implement the idea, that credit unions be established on all U.S. military bases.

The Defense Department has been receptive to our ideas and Committee Chairman Wright Patman, in transmitting to me a letter from Secretary Clifford, wrote: "I know you will gain satisfaction from the high esteem in which the Secretary of Defense and his office hold you in the way you conducted the inquiry regarding the establishment of credit unions in Europe."

I am very much encouraged that all servicemen will have access to credit unions in the near future and thus not be forced into the hands of loan sharks and unscrupulous credit companies.

NATIONAL ECONOMY

As a postscript to my July newsletter in which I detailed why I voted against the ten percent tax surcharge, I would note that the tax increase has not, as I predicted, slowed the inflation that diminishes the value of the dollar.

I still believe the answer to our economic problems is not with increased taxation but rather with less federal spending and I have continued to vote against wasteful and redundant appropriations in several different areas. I certainly hope that Congress will permit the tax surcharge to lapse on schedule in June because it has not done its job and has proven an unnecessary burden to overtaxed citizens.

These then are certain of the problems I have worked to solve in recent days and my feelings on certain of the issues facing our nation. As always your comments and questions are welcome.

With best wishes, I am
Sincerely yours,
LESTER L. WOLFF,
Your Congressman.

PROGRESS

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. NIX. Mr. Speaker, during this campaign there is a great and loud noise in the land that is product of the presidential campaign. In a time when we are all promised a great future if we only change the party in power, it is worthwhile to think about where we have been and where we are going.

In July the Census Bureau issued a report entitled "Recent Trends in Social and Economic Conditions of Negroes in the United States"—Current Population Report, series P–23, No. 26, BLS Report No. 347. This report made the following major findings:

First. About 1 million nonwhites rose above poverty levels in 1967, according to the poverty standard of the Federal Government.

Second. Negroes are proportionately less likely to live in poverty areas of large cities than before. In 1960, 77 percent of all nonwhite families living in large cities resided in the poverty areas of these cities. In 1966, the percent was 62. In 1968, this proportion was down to 56 percent living in the poverty areas—1960 boundaries.

Third. The number of Negroes living in the central cities of metropolitan areas had grown steadily and sharply until very recently. However, between 1966 and 1968 the increase stopped, and there is some evidence to indicate an actual decline—constituting a sharp change in recent trends.

Fourth. In 1967, for the first time, substantially more than half of all nonwhite workers had white-collar, craftsman, and semi-skilled jobs. Last year this was a net gain of about one-quarter of a million nonwhite workers in these jobs.

Fifth. The unemployment rate for nonwhite married men is down to 3.3 percent.

Sixth. The education gap between young whites and nonwhites has been reduced to about one-half year—12.2 years of schooling for nonwhites, compared to 12.6 years for whites. Today—1968—58 percent of the young nonwhite adults are high school graduates, as compared with only 50 percent 2 years ago and 39 percent in 1960.

There has been great progress made in the past 8 years, there will be greater progress in the next 8 years because of the foundation put down by the Democratic administration. Our problems today result from such great progress. When minority groups and others are doing better, each member of that group asks himself why he has not made progress. Of course, there is ferment, but it is the ferment of hope and of a better and more stable society for all.

We are having trouble in this country with the issue of crime in the streets and lawlessness. I think our problem comes from 37 years of neglect of our law-enforcement institutions. We have tried to get by on the cheap; we were unprepared for any stress. Our fear of this problem is such that we do not blame ourselves, we blame the Negro. Progress in any field does not come from looking for scapegoats. It comes from facing problems.

I believe that this is a time for great hope in America. One more group of Americans is fully participating in American life. Expectations are rising, and they are going to be fulfilled. We have done our work in the Congress and for years we will look back on the work of the 89th and 90th Congress with pride because it is the foundation for many tomorrows.

INVASION OF CZECHOSLOVAKIA: NAKED DISPLAY OF RUSSIAN EXPANSION

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. DERWINSKI. Mr. Speaker, an extremely thoughtful and sound analysis of the Russian seizure of Czechoslovakia was written for the September 1–15 edition of the Ukrainian Bulletin by its distinguished editor, Mr. Walter Dushnyck. Mr. Dushnyck is a recognized authority on conditions behind the Iron Curtain and his profound insight into the foreign policy machinations of the Russians is apparent in the following articles: "Invasion of Czechoslovakia: Naked Display of Russian Expansion," "Death Comes to Czechoslovak Freedom," and "UCCA Raps Russian Seizure of Czechoslovakia."

Under unanimous consent I submit these articles for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the Ukrainian Bulletin, Sept. 1–15, 1968]

INVASION OF CZECHOSLOVAKIA: NAKED DISPLAY OF RUSSIAN EXPANSION

On August 21, 1968, Czechoslovakia was invaded by some 650,000 Warsaw Pact troops, those of the USSR, Poland, Hungary, Bulgaria and East Germany. It was almost the 30th anniversary of another rape of Czechoslovakia, for in 1938 it was terrorized by Hitler, and in March, 1939, occupied by Nazi Germany. Hungary, the then ally of Hitler, grabbed Carpatho-Ukraine, and together with Poland, destroyed the budding freedom of Ukrainians in Carpatho-Ukraine. Today, both Poland and Hungary have sent their armies against Czechoslovakia. In 1939 Czechoslovakia, Rumania and Yugoslavia constituted the so-called "Little *Entente*," backed by France, which along with Great Britain at least made an effort to save Czechoslovakia.

In 1968 only Yugoslavia and Rumania, through their leaders, Tito and Ceausescu, repectively, declared their solidarity with Czechoslovakia and their readiness to defend their countries with armed forces, come what may.

In 1939 Hitler and Stalin collaborated in the destruction of Poland, and thus started World War II. In 1968 East German puppets were allowed to march their storm troopers into Czechoslovakia, along with the Soviet, Polish, Hungarian and Bulgarian troops. In 1939 the Polish armies, in tacit agreement with Hitler, seized a part of the Czech territory but, ironically, in September of the same year Poland itself was crushed by Hitler. In 1968 the Polish troops, now led by the Russians, attacked its "Slav sister" republic of Czechoslovakia. From what appeared in the Polish communist press prior to the invasion of Czechoslovakia, it would seem that public opinion in Poland was for "punishing" the

Prague government. The polish army organ, *Zolnierz Wolnosci* (Soldier of Freedom), came out for a "massive intervention" on the part of the Polish People's Republic to curb the liberalization process in Czechoslovakia. It was clear that no satellite government could be exposed to the winds of freedom without crumbling.

Communist Russia, the historic enemy of freedom, dared not let the Communist leadership of Prague juggle with freedom. Even the least injection of it might have shaken the rotten foundation of the Soviet Russian edifice from Berlin to Vladivostok.

And the Kremlin moved in with a brutal display of tanks and air power, under a cynical pretext that no sane man could accept as reasonable and logical. The liberalization process in Czechoslovakia was not the violent anti-Russian and anti-Communist revolution of Hungary in 1956, in which hundreds of Communists were hanged from lamp posts in the streets and trees in the countryside. The unbellicose Czechs and Slovaks did not quit the Warsaw Pact, they planned no attacks on Russia. The country was peaceful, and not in disorder, and the Prague government, in full control, did not call for outside intervention. No Western radio was beaming any calls for "liberation" and "revolution" against Russian domination. The Prague leaders believed in the righteousness of their cause. The Communist governments of Yugoslavia and Rumania, and nearly all the world's communist parties were morally with the Czechs and Slovaks.

Yet Moscow had to act as it did, for fear of the epidemic quality of freedom.

Some of our policy-makers are patting themselves on the back. But the U.S. and the Western World is not absolved of the guilt of indifference toward Russian imperialism. The West is guilty collectively of being naive and for believing that the USSR has now undergone such changes that a direct confrontation is excluded. Sen. Eugene McCarthy exemplified this thinking when he glibly stated that the invasion of Czechoslovakia was "not a major world crisis."

What the effect of the Soviet seizure of Czechoslovakia will be is not hard to visualize. The Czechs and Slovaks will be ruled by Soviet Russian *gauleiters*, perhaps Moscow will even create two separate "Soviet Republics" of Czechia and Slovakia and add them to the list of captive nations of the USSR. The national minorities in Czechoslovakia—the Ukrainians, Germans, Hungarians and Poles—will again be subjected to soulless and sterile Communist ideology.

Yugoslavia and Rumania, meanwhile, are jittery, because it is possible that the Russian aggressive Moloch may grab them as well. Who will stop him?

President Charles de Gaulle of France, although he denounced the Soviet seizure of Czechoslovakia, repeated his intention to pursue his policy of *detente*. The same sentiment prevails in Washington, where sometimes one hears that the Prague-Moscow conflict was a "family affair."

NATO and the United Nations have displayed, in the face of the latest Soviet aggression, a total "inactivity," as if the freedom of 14 million people in Czechoslovakia was none of their concern.

The tragedy of the people of Czechoslovakia is the tragedy of all men who cherish freedom. But the end of it is not yet in sight: the world at large has as yet to wind its moral stamina and courage to stand up against the aggressor.

[From the Ukrainian Bulletin, Sept. 1–15, 1968]

DEATH COMES TO CZECHOSLOVAK FREEDOM

The short-lived freedom in Czechoslovakia has been ruthlessly extinguished by the Russian totalitarians and imperialists, with the active connivance and blessings of the Communist governments of Poland, Hungary, Bulgaria and East Germany.

The Kremlin, scorning the meek protests and pious reactions of the Western world, has once again asserted its self-given right to invade any "socialist" country which it deems to be in its sphere of influence.

Western statesmen and observers, ever reluctant to take a hard look at the USSR, continue to delude themselves with the belief that the invasion and seizure of Czechoslovakia by the USSR and its four subservient Communist puppets will, in the long run, prove disastrous for Moscow and its world communist movement. Be that as it may, the fact remains that the young freedom in Czechoslovakia, precariously blooming after 20 years of Communist oppression and stagnation, has been dealt a lethal blow by Moscow, the perennial seat of tyranny and anti-freedom forces.

DUBCEK: FREEDOM MARTYR

In the aftermath of the Soviet Russian seizure of Czechoslovakia some considerations come to mind. First of all, the person and character of Alexander Dubcek, the courageous leader of the liberalization course in the country since his assumption of the party leadership after the ouster of Antonin Novotny. He has invariably been described as an "idealist" who believed in the righteousness of his reforms. Like all communist nationalists, Dubcek has now been taught that Soviet Communism admits of only one master.

For nationalism is anathema to the Kremlin. After the Bratislava meeting on August 3, 1968, the Soviet press published a statement which also appeared in the August 6, 1968 issue of *Literaturna Ukraina* of Kiev. Made on behalf of the "Communist and Workers' Parties" of the Socialist countries, it reads:

"The participants (at Bratislava) expressed a firm desire to do everything in their power towards the deepening of the all-sided collaboration of their countries on the basis of the principles of equality, respect for sovereignty and national independence, territorial integrity, brotherly mutual self-assistance and solidarity. . ."

Among the signatories of the Bratislava meeting were L. Brezhnev, N. Podgorny, A. Kosygin, M. Suslov, P. Shelest, K. Katushev and B. Ponomarev—the principal culprits of the Czechoslovak takeover, who ordered the invasion of Czechoslovakia only 18 days after attesting to the above statement.

After the meeting in Cierna the crisis became imminent, especially after the visit to Prague of Walter Ulbricht, the dogmatic East German puppet of Moscow. Alarmed as only freedom can alarm it, Moscow had to crush the nascent freedom of Czechoslovakia. In dire jeopardy was its shaky empire. Wrote Prof. Albert Parry of Colgate University:

"Nor was it just a matter of Prague alone. The domino theory applies. With Prague gone, Warsaw and Budapest and certainly Bucharest would follow. The restless Soviet intellectuals would become yet more restless with such tempting examples before them, and the effect on the non-Russian national groups in the Soviet Union—especially the rebellious Ukrainians right next door to Czechoslovakia—was all too easily predictable." (*The New York Times Magazine*, September 1, 1968).

And a penetrating comment appeared in another influential American magazine:

"Certainly, the Kremlin's moves confirm that in one perspective the Soviet regime is indeed the historical successor of the pre-Communist Empire . . . Czechoslovakia is a most sensitive area from the standpoint of Russian strategic security. It is a potential entry point for any Western invader, above all the German invader who has twice in this century marched eastward; and all the more disturbing because Czechoslovak territory leads into the Ukraine, which has demonstrated in a hundred crises over five centuries that many of its people refuse to become reconciled to rule from Russian Moscow . . ." (*National Review*, Sept. 10, 1968).

ABDUCTION OF ENEMY LEADERS—AN OLD RUSSIAN CUSTOM

In seizing Czechoslovakia the Soviet government virtually abducted Alexander Dubcek and his ministers. They were brought to Moscow in *chains* to negotiate! Yet this is an old practice of Russian governments, both Czarist and Soviet. To be recalled is that Muscovite governments used to kidnap Ukrainian Kozak emissaries, who subsequently were never heard of. We all recall the pressure exerted on the Baltic States in 1940, on Finland in 1939–40. Known now is the Katyn massacre of the Polish officers, as well as the "negotiations" in 1956 with Premier Imre Nagy and Gen. Pal Maleter, who never saw the light of day again after meeting the Russians.

Dubcek and Svoboda were allowed to return from Moscow alive, but they brought with them a political death sentence for their people. The "mutual agreement" turned to be a typically shameless Russian *diktat*, which was summarized in 14 Points and made public in Prague (cf. *The New York Times*, Sept. 8, 1968). The Czechoslovak leaders were forced to sign away the sovereignty and independence of their country. Replacing it is the "Soviet type of socialism," with some 500,000 Soviet and other Communist troops remaining indefinitely in the country to "protect" its Western frontiers from "German revanchism." Once all the occupation apparatus is fully established, the Russians can be counted upon to get rid of Dubcek and replace him with a docile and subservient puppet. For the Russians can never be satisfied with their neighbors and/or even their own people unless and until the fires of freedom are thoroughly stamped out.

THE IMMORALITY AND CULPABILITY OF THE WEST

The brutal seizure of Czechoslovakia by the Soviet Union has nakedly exposed the West's immorality and culpability. In today's nuclear world nobody in his sane mind expected the United States, Great Britain or France to mobilize its forces and dispatch an ultimatum to the Kremlin. But the West could have exerted strong pressure on the Kremlin, or at the very least remonstrated sharply.

It is now being reported that the USSR and its slave states had been preparing for the invasion of Czechoslovakia for almost six months. CIA is said to have reported to the U.S. Government on August 2, 1968, that the seizure of Czechoslovakia was imminent. *Newsweek* (Aug. 12, 1968) reported that President Johnson looked at 23 different drafts of position papers on the ferment in Czechoslovakia and "finally decided that the best course for the U.S. to follow was to say nothing at all." A State Department official explained: "The Russian-Czech conflict threatened to blow up Johnson's bridge-building program to the East. . . . He just hated the idea and couldn't bring himself to do anything about it. . . ."

But the U.S. Government was not alone in failing to grasp the great significance of the Czechoslovak crisis. None of the Presidential candidates made any telling statement, nor did the platform planks of either major party hardly make any mention of the imminent threat to the uneasy balance of political forces in Central Europe, or to the plight of the captive nations. The plain truth is that America failed to exploit the Czech opening for fear that it might inconvenience the Russians. U.S. policy vis-a-vis the USSR remains predicated on the principle of not embarrassing the Russians, even if this should entail sacrifice of moral principles and, we fear, the future of freedom in the world as well.

The reactions of several European governments have been clearly anti-American. In Great Britain, France, Italy and elsewhere the feeling has clearly arisen that the Johnson Administration is playing the big-power game with Moscow, especially after it was reported that President Johnson still wanted to meet Kosygin to discuss a limitation of nuclear arms the day after the Soviet Russian invasion of Czechoslovakia. *The New Statesman* went so far as to say:

"It is now pretty obvious that the Americans gave the Russians *carte blanche* to invade Czechoslovakia." (cf. *The New York Times*, September 9, 1968).

President de Gaulle of France recently denounced the Russian grab of Czechoslovakia, but put the blame on the Yalta agreement, which he said divided Europe into Soviet and American spheres of influence. The Bonn government feels indignant inasmuch as Chancellor Kurt Georg Kiesinger failed to convince Secretary of State Rusk of the urgency of calling an emergency meeting of NATO.

Moreover, Rumania and Yugoslavia, which forthrightly denounced the Russian seizure of Czechoslovakia, have been left at the mercy of Moscow (although the British Foreign Secretary has visited Bucharest to cement ties with the Rumanian Communist government). The lukewarm attitude of the United States toward the events in Czechoslovakia may well have doomed the chances of the forces of freedom to assert themselves in those countries in our time.

So the first act—possibly, the third act—of the Czechoslovak tragedy is over.

Soviet Russian brutality has now extended to the German and Austrian frontiers.

Not only the Czech and Slovak peoples, but the national minorities in Czechoslovakia—Hungarians, Ukrainians, Poles and Germans—have been denied again their wish to live in freedom and to develop their national, cultural and religious institutions.

Czechoslovakia, betrayed in 1938, again has been abandoned. The Russian aggressive appetite remains wholly unrestrained.

[From the Ukrainian Bulletin, Sept. 1–15, 1968]

UCCA RAPS RUSSIAN SEIZURE OF CZECHOSLOVAKIA

NEW YORK, N.Y.—The Ukrainian Congress Committee of America (UCCA), speaking on behalf of some 2-million American citizens of Ukrainian descent, condemned the Soviet Russian seizure of Czechoslovakia and demanded the immediate suspension of diplomatic relations by the United States with the USSR and three other Communist states which took part in the invasion of Czechoslovakia.

Dr. Lev E. Dobriansky, Georgetown University professor and President of the UCCA, dispatched a letter to Secretary of State Dean Rusk urging strong and immediate action by the U.S. Government. In it the UCCA President called for "immediate suspension of diplomatic relations with the USSR," suspension of all trade and cultural exchange agreements, an action in the U.N. Security Council toward the withdrawal of all foreign troops from Czechoslovakia, the immediate convocation of the NATO allies for "redressing its military posture" and "immediate and unstinted support of the Captive Nations," who will prove "to be the surest and most dependable allies of the United States."

In conclusion, Dr. Dobriansky pointed out that our policy of not "inconveniencing the Russians" has encouraged the Kremlin militarists and totalitarians to bolder acts of aggression and provocation.

The UCCA Letter to Secretary of State Dean Rusk reads:

"The Ukrainian Congress Committee of America, representing over 2-million American citizens of Ukrainian ancestry, is deeply shocked at and concerned over the brutal aggression against and invasion of Czechoslovakia by the Soviet Union and its subservient Communist satellites of Poland, Hungary, Bulgaria and East Germany.

"This act of naked rape and violation of a sovereign state by the powerful militaristic Soviet Russian empire is one of the latest acts of aggression and violation of other nations' rights and sovereignties.

"The underlying reason for this unprovoked invasion was the fear of the Kremlin leaders—not fear of the Czechoslovak army numbering some 175,000 men—but fear of the ideals of freedom which threatened the shaky Russian Communist empire.

"We are writing you, Mr. Secretary, to urge you to undertake necessary steps by the U.S. Government to place the Soviet government in its proper light in the eyes of the world, namely, to condemn the USSR as an unbridled aggressor and violator of the sovereignty of Czechoslovakia.

"In protesting against the invasion of Czechoslovakia by the Soviet Union and its allies, the Ukrainian Congress Committee of America is especially concerned with the effect the invasion may have on the 45-million Ukrainian nation which neighbors Czechoslovakia. As you undoubtedly know, the Soviet government has been ruthlessly persecuting Ukrainian intellectuals and youth for clamoring for more freedom and for the development of Ukrainian culture, literature and the Ukrainian language. According to latest reliable reports, the events in Czechoslovakia spurred Soviet Russian persecution of the Ukrainian people, especially persecution of the Ukrainian intellectual elite—writers, poets, literary critics, professors, scientists, and the like.

"Furthermore, Mr. Secretary, the Russian Communist invasion of Czechoslovakia has placed the Ukrainian national minority in Eastern Slovakia at the mercy of Russian Communism. There are some 150,000 Ukrainians in Eastern Slovakia, who had been allowed by the Dubcek government the free development of their national culture and traditions, and above all, their religious life. The Ukrainian Rite Catholic Church was officially restored last May by the Prague government, and some 125,000 Ukrainian Rite Catholics were allowed to practice their own traditional religion in freedom under their spiritual leader, Bishop Vasyl Hopko, who spent 13 years in Communist jails under the Stalinist rule of Antonin Novotny. Now all these newly-gained freedoms of the Ukrainian minority in Czechoslovakia may be expected to be curtailed or totally eradicated by the Russian Communist totalitarians.

"The shameless invasion of Czechoslovakia by the Soviet Union demonstrates once again the undeniable truth that the Soviet Union is the continuation of the old Czarist empire, and that Communist ideology serves only as a cover for traditional Russian imperialism and colonialism. Moreover, the myth propagated by some in our government that "Russian Communism has mellowed" has become an indefensible farce, in view of the aggressive designs of Communist Russia toward other Communist states, such as Rumania and Yugoslavia.

"Therefore, on behalf of the Ukrainian Congress Committee of America we would like to suggest to you to take the following steps:

"1. Immediate suspension of diplomatic relations with the USSR and its Communist puppet governments of Poland, Hungary and Bulgaria;

"2. Immediate suspension of all trade agreements and cultural exchange pacts with the USSR and its three satellites which were guilty of contributing to the military aggression against Czechoslovakia;

"3. Immediate action on the part of the U.S. Government in the U.N. Security Council for the purpose of vigorous and serious demands for the complete withdrawal of all foreign troops from Czechoslovakia;

"4. Immediate convocation of the NATO Allies for the purpose of revising its obsolete policies and redressing its military posture to meet the new Russian threat to Western Europe;

"5. Immediate and unstinted support of the Captive Nations, held in bondage by the Soviet Union, who will prove to be the surest and most dependable allies of the United States.

"In conclusion, Mr. Secretary, we wish to point out that our policy of caution and 'bridge-building' has proven not only unrealistic and naive, but also very dangerous to our national security and to the safety of the free world. Our policy of not 'inconveniencing the Russians,' which was followed by the rest of the free world, has encouraged the Kremlin militarists and totalitarians to bolder acts of aggression and provocation.

"We sincerely hope that the death of freedom in Czechoslovakia and the occupation of that country by Soviet and other Communist troops will serve as a severe lesson to all who thought that Communist Russia under the Brezhnev-Kosygin leadership is not an enemy of the civilized world.

"We respectfully submit, Mr. Secretary, that the U.S. Government will lose prestige as a world power and champion of freedom if it permits the brutal Soviet invasion of Czechoslovakia to go unchallenged."

POLAND: A GREAT NATION YEARNING TO BE FREE

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. PEPPER. Mr. Speaker, November 11 will mark the 50th anniversary of the re-creation of the Polish state following World War I. Since we will not be in session on that date to mark this important anniversary with timely remarks I wish to direct to my colleagues today a few words appropriate to that occasion, which will be celebrated by Polish-American organizations throughout our country.

This day will be a time of especial remembrance for Polish-Americans; a day for recalling in sorrow the tragic fate of Poland, a nation which even yet languishes in the Soviet vise; but also a day for hope, and pride, and firm adherence to the cause of freedom.

November 11 is a day for hope, and for Polish pride, because it serves to remind not only those Americans of Polish descent, but, indeed, all the world, of the significant contributions which Poland has made to history—contributions which derive from a spirit that will not be crushed, that offers positive evidence of Poland's will to endure.

Since the days of the Jagellonian kings, Poland has been a vital European power, not only in the political arena, but also in the cultural and scientific spheres as well. Copernicus literally reoriented the world, as did the brilliant Marie Sklodowska-Curie. And if Frederic Chopin conquered the hearts of the Parisian nobility, his compatriots Pulaski and Kosciuzsko left legends still honored by Americans of every class.

We will not forget Poland, despite her present travail. We know that she will emerge from Soviet domination, as she has in the past thrown off the foreign yoke; that she will once again be free to contribute to the peace and stability of Europe and the world.

WE WILL BURY YOU

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. STUCKEY. Mr. Speaker—

> Whether you like it or not, history is on our side. We will bury you.

These were the words spoken by Nikita Khrushchev, following the signing of the Warsaw Pact on November 11, 1956. And, Russia had already begun to execute its plan following the Second World War, when millions of unsuspecting eastern Europeans who had fought valiantly against fascism found themselves abandoned to the mercies of Russia. And, Russia had proceeded significantly with the invasion of Hungary just weeks prior to Khrushchev's pronouncement.

The year 1961 brought the invasion of Cuba, barely off the shores of our country. And, Americans were indignant and horrified. But, time went by and the threatened feeling relaxed and the takeover of Cuba seemed to be accepted, and almost forgotten, just as the invasion of Hungary which had already dimmed in the memories of free people everywhere.

1968, and once again our memories have been jogged and our indignation has been incensed. Russia has shown her definite intent to fulfill Khrushchev's promise to bury, not only the free world, but also any other country, Communist or otherwise which does not go along with Soviet communism.

We all know that it is a proven adage that "those who do not learn from history are doomed to repeat it." And, we have repeated it more than once. Surely, when Russia invades Czechoslovakia, a country which adheres to the doctrines of socialism, but has deviated from the dictates of Soviet communism, we should take heed that Khrushchev meant business and that Russia is not going to stop until her goal is accomplished as long as we sit back and sanction or ignore her aggression.

It is time that we assert our position. It is time that the country of good will stop looking like the villains and the villains like heroes—a trend which is becoming prevalent both in our own country as well as around the world. For over a year now, peaceniks have demonstrated against our efforts to help the Vietnamese people defend themselves against Communist takeover. But, where are the Peaceniks when Russian tanks roll down streets, killing innocent women and children in their invasions and takeovers?

How much longer can we and the rest of the free world remain resigned? Will Rumania be next? Will it be added to the already long list which also includes North Korea? Will South Vietnam finally be added to the list? And, what about South Korea, which is being threatened?

If we sit back and allow Nikita Khrushchev's declaration to become a reality, then where will all of the peaceniks be when Russia decides she is ready to bury the United States under communism.

I believe that it is time for men of good sense and good reason, to forbid a repetition of history by listening to so-called flower children and having our world policy dictated by these people.

Our country is looked upon as the leader of the free world. And, for good reason to date. I believe that it is time for us to assume that leadership position which we hold so proudly, and make it known that we do not intend to sit idly by and watch our friends and allies buried under communism.

We must make it known to Russia and to all the world that we want peace, and we are willing to strive for world peace. But, the price being demanded has become too high. And, if we continue to pay the price by sitting quietly by, we will soon be left with few allies who have not been overrun by communism. We must let it be known that we intend to strengthen the free world, and resist the forces of tyranny. And, we must let it be known that we intend to take heed to the latest happening in Czechoslovakia—and to the fact that Russia is widening its grave of communism everyday.

A TRIBUTE TO THE 6TH MARINE RESERVE ENGINEERS BATTALION

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. BRADEMAS. Mr. Speaker, I take this opportunity to pay tribute to the officers and men of the 6th Engineering Battalion, U.S. Marine Corp Reserves for winning in nationwide competition the Harry F. Schmidt award of the Reserve Officers Association of the United States. This reserve unit is based in South Bend, in the congressional district I have the honor to represent.

This award marks the first presentation of the rotating trophy which will be made annually to the outstanding battalion of the organized Marine Corps Reserve, Ground, selected by the Reserve Officers Association in Washington.

Presentation of the award was made by Brig. Gen. John A. Scott, USMCR, retired, former mayor of the city of South Bend.

Mr. Speaker, the members of the 6th Marine Reserve Engineers Battalion have proved themselves to be the best in national competition as measured both by their military performance and their contribution to their community. These officers and men, many of them veterans of Vietnam, who stand by and stand ready in the defense of our Nation, have the appreciation of all of us.

These American military men hold firmly the shield of protection in a world which continues to be troubled and threatened by war and conflict. Despite the inconveniences and disruptions in their business and family lives, they are fulfilling their primary mission of maintaining their strength and readiness.

This recognition by the Reserve Officer Association of the United States, chartered by Congress to promote and support the maintenance of adequate national security, is a high honor both to the unit and the South Bend community.

POSTMASTER GENERAL WATSON SETTING GUIDELINES FOR FUTURE IN POSTAL SERVICE

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. DULSKI. Mr. Speaker, when the National League of Postmasters held their national convention in Las Vegas, Nev., the principal speaker at the October 4 dinner was Postmaster General W. Marvin Watson. He reported on the progress which is being made in the Department on improving our mail service and the guidelines which he is assembling for his successor.

Following is the text of General Watson's speech:

I want to tell you how delighted I am to be with you today, and to bring you a greeting from President Johnson.

I mentioned this National Convention to the President last week, and he asked me to give you a message.

"In these perilous days, when the strength of character and the strength of purpose of the United States are all that stand between freedom and tyranny, between uncertain, imperfect peace and wider and spreading war, between the hopes of hundreds of millions and the threat of despair, it behooves us to take stock of the elements that feed our strength.

"In my mind, there is no more important element than that of responsibility. Whether we serve in the White House, or in any of 32,256 post offices as Postmaster or postal worker; whether we lead, whether we follow, if each and every American accepts the fact that countless billions of individual acts of responsibility built this nation, a grain at a time, and that those individual acts, small in themselves, added up to an overwhelming affirmation of man's power to build a civilization and to control a hostile environment—then we will be keeping faith with those who went before us.

"And we will be doing more, we will be doing the greatest thing a man can do—we will be building for the future, for our children and generations yet unborn.

"If this world of ours means anything," the President added, "it means that man is at his best when he is building, building for himself and building for his fellow man.

"And I am pleased to join with your Postmaster General in saluting one of our foremost groups of builders, the members of the National League of Postmasters."

I am proud to give you that message in behalf of a man who will go down in history as one of the greatest Presidents this country has ever known.

I am also happy that you have decided to hold your convention here in Las Vegas, though I think I should tell Henry Heyl this is the time and place for me to dispel one rumor: "Howard Hughes has not offered to buy the Post Office Department. He claims it's too much of a gamble."

I am happy about being in Las Vegas, because it's always good to break away from Washington . . . and get back to America.

Washington is a peculiar place, as many of you well know.

For those of you who haven't been there for a while, there are a lot of scientific people in Washington right now . . . making studies. For they have found that it's the only place on earth where sound travels faster than light.

It's a proven fact that long before George Wallace . . . three parties were going pretty strong in Washington: the Democratic Party, the Republican Party, and the Cocktail Party.

A lot of people would vote for the last one . . . but they can't find the ballot box.

Actually, for a city that's hounded on all four sides by reality, Washington isn't a bad place to work.

But I'll vote for reality every time.

That's one of the reasons why I have tried to get out to the field as much as possible . . . to see for myself . . . to learn the facts for myself.

So . . . I have . . . in the past five months travelled 75,000 miles, visited 161 facilities in 100 cities . . . to see exactly the nature of the system we run and the kind of problems that threaten the smooth functioning of that system.

And I can tell you that I have been impressed by what I have seen.

I have been impressed by the way postal management and postal workers are keeping the mail moving . . . despite often poor working conditions.

I have been impressed by the outlook of the postmasters I have talked to and observed . . . many of whom are in this room right now.

I have been impressed . . . because, my friends, the next five years will be the most critical in postal history . . . and from seeing the caliber of people and the positive nature of your attitudes, I believe that we will meet that crisis.

We will meet it . . . if we in Washington give you the kind of support you need and deserve to have.

I can tell you now that I am putting the final touches on a plan of action for the postal service of the future . . . a plan designed to get you that support.

I will be making announcements on that plan in the weeks to come—and many of these announcements may well have dramatic impact.

Some of these changes will result from the work of the President's Commission on Postal Organization. Just how many will reflect the findings of the Commission's Report is difficult to say at this time.

The Report, as you know, required 18 months to prepare and deals with many of the most complex and basic elements of our Postal Service. Some of its suggestions can readily be adopted and others, if adopted, would require major changes in our constitutional mission.

There were two other commissions, as you know, which studied the Post Office Department—the Hoover Commissions of 1947 and 1953. Little change resulted from their recommendations however.

This most recent Commission is quite a different matter. I had more than passing knowledge of its formation at the White House in 1967 when President Johnson determined that such a Commission should be created.

And obviously, I have had more than a little involvement in studying the Report since.

When the Report was delivered to the President in June, he asked that the Post Office Department, together with the Bureau of the Budget, undertake separate studies of its recommendations.

I have seen a sprinkling of newspaper editorials suggesting that the Report has been given a silent burial somewhere in the basement—or on the third floor—of postal headquarters. As with so much speculation about the Department, may I say that this is completely without foundation. Though I am not prepared at this time to announce what our final decision will be on that Report, I am prepared to tell you that the Post Office Department formed a top level task force to study in depth all the recommendations. The Bureau of the Budget is also making its independent study and very shortly the results of both studies will be presented to the President.

And, after the President has reviewed our findings, suitable recommendations will be made to Congress.

I point this out because I wish to make it clear that the proposals for reorganizing the Post Office Department, far from being readily dismissed, are being closely studied. For, when the final decisions are made by Congress they will have a lasting effect on every person in our nation.

Let me also make it clear in this one statement—I am not at all convinced that the concept of a public corporation is the best idea.

It is one of several alternatives. It is reasonably thought out and as with all ideas created by men of purpose and vision it has its good points and its bad points.

But the Report of the President's Commission on Postal Organization has been accepted willingly and with thanks for the determined effort provided by the members of the Commission.

It has *not* been swept under the rug—and it *will be* the basis for further recommendations.

I am certain that all of our recommendations will ultimately go forward to the next Congress—and that is why I say you will play a most important part over these next years in our final decision-making.

The final decisions made before we submit this to the Congress will be non-political, since the President as the President of all the people seeks only to do what is right and proper for the long term growth of the country.

Certainly, we have problems in an organization as large as this. Our product—the United States mail—is going through a period of mail explosion which marches hand in hand with the population explosion.

And still, the mail is going through—going through swiftly and going through thanks to the dedication of postal leadership—you—and all our 750,000 fellow workers.

Our problems, as I have found them to be, are basic—we need new buildings, we need new machinery, we need better training for our employees, we need better opportunities for advancement.

Well, I think we're going to have them sooner than you might think.

When I came to the Post Office Department I was determined that I would not sit on my hands and complain of chaos and possible catastrophe. I was determined that with your help I would get out and see what really makes the Post Office run—whether it be in the huge systems of New York, Chicago and Los Angeles or in the smaller offices which are equally important to our postal network.

Well, I have been there. I have seen. And I have been making decisions—some of these you have heard about and some you will hear about shortly. These will include ideas for new machinery and also plans for tying existing machinery into a pattern rather than letting it all sit as scattered little islands on the workroom floor. That new machinery already exists, you know—the problem has been that no one has ever put all the people together who know how to build it.

For example, I found one manufacturer who makes a machine that is exactly what we have been needing. He is an American and his machine is manufactured here in the United States. But he sells it only in England, France and Belgium. When I asked him why he didn't offer it here, he said he couldn't be bothered because there was too much red-tape.

Well, I have tried to cut some of that red tape. And I also put together some other manufacturers with their engineers and their lawyers and have asked them to begin working *together* to create an entire system.

I have also been convinced for a long time that we need one test post office that would set a standard—where all the machinery and all the techniques can be employed. At first that seemed like an idle dream, I know. But last week, we finally pulled together the concept of this post office and we are preparing now to put it on the drawing boards. And the next man who sits in the chair of the Postmaster General in January will have available to him guidance in making decisions on whether to move forward with this concept. For that has always been a problem. Postmasters General come and go and leave little behind to guide the next man.

One thing I have learned from President Johnson—and one thing that President Johnson is determined will happen—is that there will be a continuity of government, that the petty jealousies between men and political parties will not interfere with the orderly transition of government.

So when the next Postmaster General replaces me, he will have available everything at my command—every bit of guidance that my staff and I can give him.

For there are other plans being developed that affect more than machinery and buildings and organizational structure.

We are moving now to create better training systems for our people—at all levels, from Postmasters to the man working in the loading docks of parcel post. We have developed a new Equal Employment Opportunity program with teeth in it—and despite those who doubted when we announced it last June, we have found that our program is working and working well.

We are creating a better climate between the unions and the Postmasters and the Post Office Department. Certainly there will be controversies at times—because that is the way of labor and management. But we are now involved in wider dialogues than ever before—and these dialogues and these decisions can only help to make a better Post Office for all.

We have installed a new management information center, which shortly will be fully operable—and this is the first step towards the 21st century for this area of the Post Office. This management information system will work—and it will provide us with an immediate grasp of all the problems of each of our post offices—and the net result will be that there will never be again a Chicago as there was two years ago.

We have found a way to manage our finances more efficiently—so efficient that yesterday I was able to notify Budget Director Zwick that we have already saved 182.2 million dollars—and that we have saved this with no cutback in efficiency.

For remember this, my friends. We can never be so efficient that we overlook the human element—for the human element is the heart of the post office.

Certainly, we have many additional decisions to make. Certainly, we have major problems on which to focus. But I am certain that we are going to achieve the goals we have set for ourselves.

Even when we finally complete our modernization effort, there will still be a few who will run through those familiar and tired cliches about the post office—and there will still be some letters which will be lost. A handful only, but a handful which will be vocal and rightly so.

But our cause is not lost—our cause is service to America and we are providing that service. We are providing it because we have good postal people such as yourselves and because we are working in the common cause of service to America.

So I would say to you tonight to be proud and to have purpose and to point out the Post Office Department's progress.

I have never had a prouder period than this when I have been able to work with you and to serve with you.

There are 32,237 of you postmasters.

You touch every part of this land.

In many places you are the only representative of the Federal government.

And everywhere the mail is continuing to go through.

And that my friends is no accident—it is because you are doing your job—and doing it well!

GREEN POWER IS REEVES' AIM

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. FASCELL. Mr. Speaker, each month, the Miamian, of Miami, Fla., spotlights one of the Greater Miami area's top business leaders who is helping to build a better community.

October's "Mr. Miami" article features Mr. Garth Reeves, editor of the Miami Times. I am anxious to bring this article to the attention of my colleagues in the House of Representatives so that they may know of Mr. Reeves' outstanding and effective career.

As newspaper editor, chamber of commerce member, hospital trustee, bank chairman, and leader in the civil rights movement, Mr. Reeves is, indeed, Mr. Miami.

The article follows:

GREEN POWER IS REEVES' AIM

Garth Reeves is a man who believes in "green power" rather than the black power espoused by many.

"The name of the game is economics," Reeves says quite realistically, "and if the black man thinks he can successfully exist in a totally black community, he is only fooling himself. He must realize that this is a capitalistic society. He needs the white man's knowledge, know-how, capital and cooperation. I believe if you can't beat them, join them. A total black community is economically impossible."

When Reeves speaks of economics, he speaks with a first hand knowledge. Now editor of the Miami Times, he has worked his way through every aspect of newspaper publishing on the paper which his father founded in 1923.

The Miami Times is a family paper; aimed at families in the Negro community, published by a family.

"The youth page is something we just started about six months ago and we are quite pleased with the response. Garth Junior has a column called The Happening, and features a pretty girl each issue as the Soul Sister of the Week—the teenagers really go for it," Reeves laughed.

Reeves' interest in youth has taken him to accept a post on the Advisory Committee of the new Florida Memorial College which relocated to Miami this year from St. Augustine. He is also active in the community as chairman of the board of trustees of the Christian Hospital, a private, 50-bed, integrated institution; as a former board member of the United Fund; a member of the board of directors of the Carver Branch YMCA; Boy Scouts Area Council and a past president of the Frontier's International, the only black service club in the country.

As editor of an influential voice in his community, Garth Reeves is often involved in doing more than writing about problems. His involvement is total. Seeing a need four years ago, he set about obtaining a bank in the area. Now chairman of the board of the Lincoln National Bank located in the 6000 block of Northwest Seventh Avenue, Reeves retells the story of the founding of the bank.

Today, the Lincoln National Bank has deposits over $5-million, and specializes in aiding the black entrepreneur.

The bank's latest efforts center in the Model Cities Area. "We plan to seek the black businessman and offer him our help, not wait for him to come to us," Reeves explained.

Along the same lines of economic development, Reeves is involved in another project along with 11 other prominent men in his community whom he describes as "real solid black citizens."

"We have established a $600,000 holding company to help get the black entrepreneur into the economic mainstream."

Among the ideas the holding company is considering are the many ways which the Negro can enter into the main industry in South Florida: tourism.

"We are particularly concerned with the lack of black men owning hotels and motels. We would like to invest in a first class hotel which would offer convention facilities. Many black organizations like to come to Miami on convention, and we would like to have a facility owned by black men for them; not segregated, but black-owned.

"We don't want segregated communities," Reeves stressed, "we worked too hard to get back in that bag again," he laughed.

"Miami can ill afford to ignore the problems of the black community. Whether the insurrection (I prefer to refer to our trouble as an insurrection. Don't like the word riot. And, I think that's what it was, an insurrection) was started by outsiders or insiders, is incidental. The seeds of discontent were planted years ago.

"Frankly, I felt quite embarrassed when these militants, just young teenagers, had a meeting with the county officials. They abused them something terrible. I felt so bad for Mayor Hall. But he just listened to these boys. He said that's why he came to the meeting to hear what they had to say. The same way with the other white people. Some of the top business people in this city were at that meeting. They didn't just sit in their offices. They came out and listened to the gripes. To me, that's encouraging.

"Our problems are not so severe that they can't be corrected," Garth maintains, stressing that the answer is in a sincere and meaningful approach.

"Look at the area that had the trouble. Ten years ago 62nd Street was a nice residential community. But the zoning has been altered to allow those concrete monster apartment buildings to go up. There's no grass, everything's concrete, not enough parking places, the construction and maintenance is minimal.

"These are some of the things that bring on frustration and anger, and it explodes on the streets," he said.

The answer to the problems? Keep the housing code enforced, the zoning strict and put a black man on the zoning and code enforcement boards, according to Reeves.

"A black man won't sit up there and let them rape his community as they did ten years ago," he said.

One step in the right direction in Reeves' opinion is the Model Cities program.

"This may be the best thing that ever happened to the area. The people who are involved are the ones who will be making the decisions, all the way down to the grass roots. This will be the area to move into in five years."

Another encouraging point, he says, is the formation of the new Greater Miami Coalition and the new awareness of the Greater Miami Chamber of Commerce in coping with the community relations problems.

Reeves is chairman of a study committee on the cause, extent and solutions to the disturbance this summer which will report to the Greater Miami Coalition. He is working with the Greater Miami Chamber of Commerce as a vice chairman of the Community Affairs Committee.

"This is quite a switch. When the chamber of commerce asked me to take this post, all I could think about was about 40 years ago when my father sent in a check to the chamber of commerce and asked to join. They sent it back."

The pendulum is swinging back. In a few years he believes that Miami will be one community. "And, the chamber of commerce will be the strongest organization in the community."

"We're not far away from the solutions. I think the insurrection did us a favor. It brought the community together."

RUSSIAN SEAPOWER IN THE INDIAN OCEAN

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. LEGGETT. Mr. Speaker, in January of this year I pointed up the menace of a growing Russian seapower in the Mediterranean Sea. This Soviet naval strength is not limited to the Mediterranean however. The Soviet Navy is now deployed in strength in the Indian Ocean, filling the power vacuum created through the British withdrawal East of the Suez.

This is a combined and closely coordinated build-up of merchant and military shipping in the Indian Ocean taking advantage of Soviet base facilities at Hodeida in Yemen and Port Sudan on the Red Sea.

The withdrawal of Western seapower in the Indian Ocean has put the United States in a strategically inferior position, threatening our interests in both the Asian and African continents. I feel it is imperative that we re-think our naval deployment so as to counter the growing Soviet menace in the Near East.

As I have said before, our total involvement with Vietnam has blinded us to our commitments and responsibilities in other parts of the world.

I wish to call the attention of Congress to an article by James D. Atkinson in the September issue of Navy magazine. This article points up in detail the Russian sea build-up I have alluded to above:

THE SOVIET NAVY MOVES IN AND ACQUIRES BASES IN THE VACUUM BEING LEFT BY THE BRITISH, AS THE UNITED STATES HESITATES

(By James D. Atkinson)

Little more than six months ago the then Secretary of Defense, Robert Strange McNamara, told a congressional committee that "in the 1960's the simple bipolar configuration which we knew in the earlier post-World War II period began to disintegrate. Solid friends and implacable foes are no longer so easy to label, and labels . . . such as free world and Iron Curtain, seem increasingly inadequate as descriptions . . . of the *new bonds of common interest being slowly built across what were thought to be impenetrable lines of demarcation.*" (Italics supplied.)

As the gunfire from Soviet tanks reverberates through the streets of Prague, one may well ask whether this analysis will prove as illusory as the former Defense Secretary's view that the Soviet Union would be unable to achieve even nuclear equality with the United States before the early 1970's.

For the plain fact is that the Soviets are striving mightily to attain not parity, but strategic superiority over the United States. And the unfolding evidence suggests that the major thrust of this search for strategic superiority is taking place on the high seas.

The Soviet effort at sea is a total one. It embraces naval combatant ships both undersea and on the surface, long-range aircraft under naval control, major research and development efforts in oceanology, and a vast merchant marine program.

FIVE YEAR CLIMB

When it is recalled that the great authority on sea power, Rear Admiral Alfred Thayer Mahan, had dismissed Russia's merchant navy with the observation that "Russia has little maritime commerce . . . her merchant flag is rarely seen," the Soviet climb in but five years (1963–1967) from number twelve to number six rank in world merchant tonnage is hard evidence of Soviet capabilities and intentions alike.

Equally significant is the fact that the Soviet merchant fleet, unlike the merchant shipping of non-Communist countries, is a totally controlled instrument of state power and is habitually used as a politico-diplomatic weapon. The relationship of the Soviet merchant marine to Soviet naval forces and the developing countries of Africa, Asia and the Middle East is, therefore, related to the over-all mix of maritime power: bases, facilities-agreements, industrial-technological assets, merchant shipping and naval (including naval-air) forces.

Soviet ambitions on the oceans are underscored by current Soviet efforts directed towards the Red Sea-Persian Gulf-Indian Ocean complex, a vast, strategic area of the world's seas and an area quite new to the hammer and sickle flag of the U.S.S.R.

AFRICAN-INDIAN OCEAN STRATEGY

The Soviet maritime thrust in the Red Sea-Persian Gulf-Indian Ocean complex is, like Soviet expansion in the Mediterranean, an attempt to gain maximum exploitation from three increasingly related factors:

(1) The Soviet goal of attaining military-technological superiority over the United States.

(2) Soviet exploitation of tensions, political instability, and ethnic or other rivalries in the developing countries of Africa, Asia and the Middle East through the technique which the Soviets call "national liberation movements."

(3) The power vacuum created through the British withdrawal East of Suez.

As the military-technological power of Russia continues to rise, the Soviet leadership believes that this power can be used to support—psychologically and diplomatically—the revolutionary process in the new and developing nations. This strategy is stated frankly as follows in the May, 1968 issue of *Kommunist*, the authoritative official journal of the Communist Party of the Soviet Union:

"The growth of the political influence and the economic and military might of the world socialist system exerts a powerful influence on the course of the struggle between labor and capital on the international scene; it ties the hands of the imperialists and creates increasingly favorable conditions for the development of the world revolutionary process."

These are not idle words. They are being put into practice through Soviet politico-economic support for socialistic-revolutionary forces in Egypt, Sudan, Iraq, Yemen and other countries in the Red Sea-Persian Gulf-Indian Ocean complex.

SOVIETS ACQUIRE BASES

The Soviet Union is acquiring base facilities in Hodeida in the Yemen and is also using Port Sudan on the Red Sea. A guerrilla campaign has been organized against Mozambique (on the Indian Ocean across from the strategic island of Madagascar) from Soviet-sympathizing Tanzania and these guerrillas have both Soviet and Chinese Communist equipment. In this regard it should be noted that however sharp the propaganda attacks the Soviets and Chinese Communists mount against one another, they seem to be able to cooperate on the tactical level in East Africa when they face what they regard as the common enemy.

Soviet "national liberation warfare" techniques are being employed wherever possible throughout Africa, but it would appear that the Red Sea-Indian Ocean coast of Africa has been given major attention because of its strategic role in developing Soviet strategy. The Soviets are also attempting to link the African and Middle Eastern liberation warfare movement to their exploitation of Arab national feeling.

Thus when two Soviet warships paid an eight-day visit—for the first time in Soviet naval history—to the Persian Gulf in May 1968, they were greeted in the Iraq port of Umm Qasr with a gun salute and with thanks "for supporting the Arab cause." Not without interest is the fact that Iraq has now been equipped with Soviet-type Styx missiles such as was used to sink the Israeli destroyer Elath.

It may not have been accidental that about the time of this Soviet naval visit in the Persian Gulf leading Soviet newspapers devoted a good deal of attention to the national liberation movement in Africa. The official Communist Party newspaper *Pravda* stated on May 25:

"The formation of a world system of socialism, which stands as a mighty stronghold of all anti-imperialist struggles in the world, the growth of the revolutionary struggle of the international working class and the rapid upsurge of the liberation movement of (the) African peoples . . . predetermined the collapse of the gigantic colonial prison in Africa."

"The present national liberation movement of the peoples of that continent has become an organic integral part of the world revolutionary process," said Pravda.

Equally important was a statement the same day in the official government newspaper, *Izvestia*. This emphasized Russia's "consistent policy for supporting national liberation movements." It went on to say that the Soviets had "accumulated rich experience in the defense of revolutionary movements," and that the Soviet solidarity Committee of Asian and African Countries was giving practical, physical support to the revolutionary forces of "Angola, Guinea (Bisau), Mozambique, and Zimbabwe (Rhodesia)."

EFFORTS IN INDIA AND CEYLON

On the other side of the Red Sea-Persian Gulf-Indian Ocean complex, the Soviet Union has been most active in both India and the great island of Ceylon. A Soviet naval squadron visited the Indian sub-continent in the spring of 1968, another first in Soviet naval history. Calls were made in Pakistan and in India and later on in Ceylon.

The visit to India is especially significant since that the Soviet Union has said it will supply the Indian Navy with "F" class submarines, escorts of the Petya class, MTB's of the Poluchat I class, a submarine support-ship, and additional auxiliary craft. Press reports say one submarine and some other craft have been delivered. This may be in order to lay the groundwork for a Soviet naval air presence in that part of the world since the Soviets have had talks with India looking towards an Andaman Island base. These islands are in the Bay of Bengal, strategically located not only with reference to the Indian Ocean generally, but also in relation to the seacoast of Burma, Malaysia, and Thailand.

They would be advantageous bases for the new Soviet helicopter and/or VTOL carriers and for Soviet land based aircraft, many of which come under the control of the Soviet Navy. It is also not without interest that *Pravda* announced June 1, 1968, that the scientific research ship Ogon was "carrying out hydrographic work in the Pacific and Indian oceans." The Soviets understand quite well that the search for strategic superiority is not military alone, but military, scientific, technological and psycho-political.

The psycho-political element of the over-all strategic effort blending with the military is well illustrated by the Soviet naval visit to Ceylon. A Soviet naval squadron cruising in the Indian Ocean paid a five-day visit to the Ceylonese port of Colombo, July 7–11, 1968. Just prior to this Soviet naval visit, *Moscow Radio* announced on July 3 that the Communist Party of the Soviet Union had sent a congratulatory telegram to the "Communists of Ceylon, who are celebrating the 25th anniversary of their party." The telegram hailed "the Communist Party of Ceylon, the fraternal solidarity of the two parties, and the friendship of the Soviet and Ceylonese peoples."

Conjointly, *Moscow Radio* reported that a Soviet news agency representative had interviewed Pieter Keuneman, Secretary General of the Communist Party of Ceylon. He said that the Communist Party of Ceylon "was the first to demand the elimination of the British military bases on the island and the establishment of diplomatic and trade relations with the socialist [that is, the Communist-bloc] countries." Keuneman went on to say that the Ceylonese Communist Party "fully supports the convening of the international conference of Communist and workers parties in November in Moscow."

THE BRITISH WITHDRAWAL

For almost a century the vast Red Sea-Persian Gulf-Indian Ocean complex was an area of relative stability. This was so because Great Britain—and associated friendly powers—controlled the perimeter boundaries. Whether it was the East African coast (Kenya, Tanganyika); key bases (Aden, Mombasa, Colombo, Singapore); or important islands (Mauritius, Andaman, Nicobar), British forces were on hand throughout these sea spaces and able to respond quickly for any needed police actions.

What of today? The British have announced that they will complete their withdrawal East of Suez by 1971. That this will likely be irreversible is shown by the fact that early in 1968 the withdrawal from Aden became a finality.

The power vacuum already exists. The potential, strategically, is alarming.

Australia, that great and good friend of the United States, is vitally dependent on the Indian Ocean. In the 1965–1966 period, for example, more than half of all Australian imports and almost half of all exports came by way of the Indian Ocean.

India, Pakistan, and the countries of East Africa depend on Indian Ocean routes for all but a little of their imports and exports. South Africa, at the Cape of Good Hope (more significant than ever with the closure of the Suez Canal), is vitally interested in the Indian Ocean. And the Red Sea-Persian Gulf Oil routes are so well known as to require but passing mention.

Writing in the New York Times, Dec. 4, 1963, C. L. Sulzberger perceptively forecast the strategy stakes in this oceanic complex. "In the vast area extending from the Red Sea across the Indian Ocean to the Pacific inlets one finds today's main thrusts of both Russian and Chinese dynamism," he said. "They frequently compete with each other but ultimately work in tandem to weaken Western influence."

Looking ahead to 1969–1970, it can be seen that the Soviets will try to continue the forward momentum they have begun in 1967–1968. Will theirs be the power that fills the vacuum left by the British withdrawal? Or will the United States build up its naval forces so as to be able to deploy real strength for peace and stability in the Indian Ocean rimland?

A LESSON IN SAMOA

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. ROSENTHAL. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I insert the following article at this point. It contains an outline of the work being done in one of the most comprehensive new educational systems under our jurisdiction, in the U.S. territory of Samoa.

There are lessons taught in American Samoa that can be applied, it seems to me, to our own inner-city education problems here in the United States. The work going on today in the South Pacific might be usefully transplanted into the mainstream of our city schools, where innovative ideas are desperately needed.

The article was prepared by Tim Carroll, a former member of the education team working in Samoa, now associated with the National Association of Educational Broadcasters, which was responsible for recruiting personnel for American Samoa. He is active in the multimedia approach to education for developing countries.

Because he writes well on a subject he knows firsthand, and because of my high regard for him as a former staff member of the House of Representatives, I am delighted to include his article, "A Lesson in Samoa," in the RECORD, and to call it to the attention of my colleagues:

A LESSON IN SAMOA

In the hyper-political atmosphere of autumn 68, there is a great deal of talk about the right man at the right time, about a single figure and history coming together at one point in time. A fascinating bit of conjecture indeed, and somethng that does happen occasionally. We need to employ hindsight to say it was so, of course, but there is no question that conditions can be exactly equitable for a dynamic personality to *make* things happen.

Such was the case, happily, when the late President John Kennedy sent the quietly effective H. Rex Lee to the United States Territory of Samoa. Samoa was an anachronism in the New Frontier. It consisted of a few mountain tops in the Pacific Ocean that became Starred & Striped in the days of Manifest Destiny. They seemed, those lush green peaks, like a good idea at the time. The time being the turn of the century, the idea being a coaling station for our Pacific fleet. During a period when we were putting a hundred thousand miles of fence around the Old West, Pago Pago harbour presented nothing formidable. The vision of empire, at the same time, had not been entirely fenced in yet and so Samoa became inalterably aligned with the U.S. We, in turn, promised to medicate and educate the Polynesian populace, so long as we both inhabited those few beautiful islands.

The U.S. Navy was the step-mother, who, until 1950 kept a firm but disinterested hand over these two services. A hospital was erected and tiny village schools were kept in business, and in time there was the predictable spread of a governmental mantle. The 50's saw an exodus on behalf of the Navy and a sad decade of civilian rule that was barely able to keep to the letter of the agreement. But after the 1960 election no frontier was to be ignored or lost to bureaucratic mediocrity. Kennedy wanted Samoa given the best, to have the lost years retrieved, and he sent H. Rex Lee to see that it happened.

The innovations that grew out of this fateful appointment were remarkable. America's Pacific territory began to hum with activity. Advances were made in every department of island government, including a new tropical medicine center.

But the truly earth-shaking innovation was in education. Governor Lee discovered on his arrival that a half century of educators had brought Samoan students to a pathetic depot, an agonized half-way house, somewhere between the concept of the noble savage and the sophistication of the urbane. It was a sad depot for the Samoans were unable to maintain their native ways, and still unable to compete at stateside standards. They possessed too much knowledge to go back, too little to go forward.

Here was a situation in need of a solution, and here, wisely placed, was a man who could cope with it. There were three factors favouring that solution.

First, there was interest at the top. Everyone of import wanted something new. Lee had, in very plain language, the power and free hand of a benevolent dictatorship.[1] Any line of action he followed would be pursued to the end and would unquestionably be an improvement. Secondly, there was a favourably disposed Congress in Washington bestowing funds that allowed for a vast new scheme. And thirdly, there was, on the six inhabited islands of American Samoa, easily encompassable space. There was no sprawling mileage to get around, no deeply entrenched Board of Education to convince a change was needed, no conservative element balking at innovation. A single transmitter carefully situated could get into every niche of that clearly defined area.

The stage was set. And on to it Lee called Vernon Bronson, consultant extraordinaire. After thorough examination they agreed that the television approach was the most logical, in fact, the only system with enough thrust to accelerate learning in the Samoan schools to the degree they desired. From this team arose the co-operative system that operates in Pago Pago today. It dovetails several objectives in an ingenious way, the hallmark of the Lee/Bronson team.

Master teachers, in the instructional resources center[2] send their lessons to every child in every classroom in every school on the islands. Strategically placed throughout the countryside new consolidated schools form the physical plant. Each of the twenty-four primary and four secondary schools has a stateside principal working in tandem with a Samoan principal. Together they keep utilization at 100%. Every classroom teacher of the 8,000-child student population has the lesson plans, the reading books and the work sheets at least a week in advance. These emanate from the resources center, prepared by the master teacher and her researcher. They are tailor made for the students and published locally since there are no existing texts applicable to island life. There is a common syllabus for all and every classroom lesson has its television segment fitted into place, allowing ample time for the classroom teacher to organize his before the telecast activities and the all-important after the telecast. After the 2nd grade, English taught as a second language is the central concern and all subject matter is relegated to it. Classroom teachers spend their late afternoons writing feedback to the television teachers and attending televised In-Service lessons. The system is geared to bring up the standard of the classroom teacher as it does his student. There is keen competition between Samoan teachers to do well since twenty-four of the best are sent to observe in California during the summer. Stanford University is the gracious host of this seminar-field trip study.

The Instructional Resources Center houses all the hardware of the best television studios. Six channels transmit during the school day, two during the evening, the latter permitting everyone in the villages to enjoy enrichment series and entertainment ranging from Walt Disney to Walter Cronkite. Four fully-equipped studios are scheduled from 7:30 a.m. until 10:00 p.m. to allow teachers, researchers, and producer/directors to prepare the 190 lessons that go out each week. Ten giant video-tape recorders preserve every lesson, although a built-in obsolescence exists in these lessons. Each year the student's vocabulary has improved so enormously that a teacher teaching about Japan one year can include many more facts and more comprehensive coverage in a subsequent year. With more vocabulary at the students' command, courses have been upgraded with amazing speed.

The essential difference between this multimedia approach in Samoa and that in most stateside ETV systems is that it was a *completely* new system. Boards of Education are often shy about revolutionizing; they are conservative by definition. ETV tends to be the rich icing on their somewhat stale educational cake; teachers view it sideways through the suspicious eyes of a competitor. Television has the status of the country cousin to education, or, rarely, vice versa. They almost always, in case after case, move in concentric circles, around one another, not hindering but seldom boosting. Vast funds are appropriated, less vast schemes proposed, but nothing genuinely new evolves, only circles within circles.

In Samoa, something new did spring. In Samoa there is one system, one unit, interlocked fingers, a co-ordinated effort using indigenous personnel in close harmony with the creme de la creme of 20th century electronics. There isn't a television facility *and* an educational organization; there is one indivisible education/television system. It contains within it a series of checks and balances that brings the most to the classroom. Each of those television sets reinforces the classroom teacher, buoys him up, underlines his statements, emphasizes his points, and is as surely his tool as the blackboard or the flashcard.

The old way was swept aside. Heeding Tennyson's cry of: "Come, my friends, 'tis not too late to seek a newer world . . ." Lee, Bronson, and a group of devoted educators have pursued this project a third of the way through its proposed twelve years. The results have been as satisfactory for the Samoans as the custom-built system was. A team of evaluators is just beginning to formulate the actual advances made, but when village children can gleefully shout, "The pig is big",[3] or perhaps more purposefully explain how the tides work in simple but precise sentences, it only leaves the testors to put it all on graphs.

The aims, in American Samoa, have been relatively uncomplicated. They were nothing so complex as the developing countries impose. Nationalism, tribalism, politics were all sublimated to the desire to lift the Samoan students' achievement to that of a stateside student of comparable skill, to prepare these children for a world demanding as much of them as it does of the young in Honolulu or New York City. With the Samoan system as it is today, one of universal application throughout the islands, educators expect to do this in a single school generation, i.e. twelve years. The students are adapting beautifully to this acceleration. In fact, they are thriving on it. Their enthusiasm is evident in the way they stride to school in the eternally summer mornings. From toddlers[4] to track stars attendance records are phenomenal.

Educators from twelve of the major Ameri-

Footnotes at end of article.

can cities were sent to Samoa to see what lessons learned there could be applied to urban problems in the United States. But even more important than the system itself was the fact that problems suffered became problems faced and then, with an enviable speed, problems solved.

John Kennedy said: "We cannot find the solutions to the problems of today with the answers of yesterday." Lee, Bronson and the others in Samoa didn't. With refreshing vigor they went to work, without triteness, without conservative shackles, without impaired vision, to put together what is both unique and effective.

After a recent global tour of educational television facilities in developing countries, an ex-member of the staff from American Samoa was asked in the Washington headquarters of NAEB[5] if he had seen anything irresistible in the world of ETV. After some serious deliberation he answered that only Samoa was doing the *whole* job, only Samoa was lifting up an entire school generation by their own worksheets, only Samoa was bringing the world to thatched roofed villages, redefining the word "insular," and only Samoa was supporting a program that could be considered the best hope for the future.

It grew out of the right man being at the right place at the right time. So often in a democracy crisis is the mother of creativity. In Samoa, the heights afforded by the New Frontier allowed for vision beyond the crisis fringe. Lee and those who have followed, did their creating a step ahead of crisis. That was the mood of the early sixties. They reap that vision in Samoa now, but the lesson has gone largely unheralded. The Samoan venture has more to offer to the world of learning than simply the enlightening of its Polynesian students. It is, like the archipelago that supports it, an island of lucid, comprehensive, innovative educational thought. Solid and progressive, it stands in a sea filled with floundering false starts, with creaky Establishments preserving their leaking infrastructures, with unfurled revolutionary plans pinioned to beleagured committees, with no one of sufficient stature at the helm to take the devine chance, to try . . . something . . . anything . . . to listen to Rex Lee, to Vernon Bronson, to listen to the lesson from Samoa. It's *not* too late to seek a newer way.

FOOTNOTES

[1] Americans rail at the term "dictatorship", but a simple definition is one possessing supreme authority, and this was Lee's position in Samoa in the early 60's.

[2] The center was named after Congressman Michael J. Kirwin, the Democratic Representative from Ohio responsible for the legislation making the necessary funds available.

[3] There is no "b" or "g" sound in Samoan.

[4] There is an Early Childhood Education programme for the pre-schoolers in Samoa.

[5] The National Association of Educational Broadcasters.

PORTUGAL'S SALAZAR—MODERN GREAT

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. DERWINSKI. Mr. Speaker, the distinguished international columnist Mr. Richard Pattee writing in the October 4 New World, the Chicago Catholic Archdiocese newspaper, devoted his column to a wonderful eulogy of the great Portuguese leader, Dr. Antonio de Oliveira Salazar. The column eloquently emphasizes the greatness of Portugal's Salazar and in inserting it into the RECORD I wish to associate myself with the thoughts expressed:

PORTUGAL'S SALAZAR—MODERN GREAT

(By Richard Pattee)

I am writing these lines at a moment when the life of Dr. Antonio de Oliveira Salazar of Portugal hangs by a thread. By the time this is published it is possible that he will have died. Or God in his infinite mercy may have spared him for a few more years.

At any rate it seems appropriate to dedicate the column this week to one of the most remarkable men of our time; to the statesman who in spite of his responsibility for the public administration of a small country, has demonstrated a vision, a sense of historical perspective and an innate common sense that are so sadly lacking in our time.

Forty years ago, as a very young student, it was my privilege to hear him at Coimbra university when he took leave of his institution to assume the task of Minister of Finance.

It was on this occasion that he made his frequently quoted observation that he was entering politics with no illusions and with no ambitions; simply because there was a job to be done and someone had to do it. The job at that particular time was to save his country from financial ruin.

Dr. Salazar, as an economist, recognized that without a sound currency everything else was impossible. He therefore bent his energies and his extraordinary talents to the task of reestablishing the financial solvency of a country that had come preciously close to handing itself over to the then League of Nations as hopelessly bankrupt. He restored financial health and for 40 years Portugal has known one of the soundest currencies in the world.

Salazar was never one to indulge in the slightest demagoguery. He made no promises other than hard work and austerity. He recognized that his country was poor and would never be rich in the ordinary sense of the word. He did not go in for grandiose schemes to catch the public eye and gain for himself a reputation as a miracle-maker.

The primary characteristic of this great statesman is his modesty and austerity. No breath of scandal ever touched him; no charge of corruption could ever be levelled at him personally. He governed without fanfare and without ostentation. His own life is a model of the modest peasant origins from which he sprang.

I do not think it is an exaggeration to say that the world will be infinitely poorer without him. In the years since the war he has made few public pronouncements and these have been in terms of sobriety and moderation. He is fundamentally a scholar, a university professor, a teacher and not a politician.

The Portuguese press always refers to him as "Professor Salazar," and indeed he retains the position of professor at Coimbra which was his greatest source of pride and satisfaction.

The chances that he may survive to give more years of service to his proud but humble people, are slim. Whatever may have transpired in the last few days, Oliveira Salazar has won for himself a place in history that is unique: 40 years of able, selfless and devoted service to his nation. He did not bow to the "winds of change." He did not compromise on principles that do not admit of compromise.

He is unique and I, for one, want in these lines, to pay tribute to one of the really great of our time, perhaps one of the greatest of public men to be produced by the Europe of the 20th century. What will happen in Portugal no one knows.

His loss—if it comes to pass—will be long felt. He is the antithesis of the trickster, the charlatan, the demagogue and the spellbinder. He is the symbol of serenity and compassion in a world that badly needs these virtues.

STUDENTS AT BROOKLYN'S ADELPHI ACADEMY PERFORM OUTSTANDING SERVICE IN COMMUNITY IMPROVEMENT

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. CAREY. Mr. Speaker, the turbulence that has afflicted campuses throughout the country would appear to indicate that our educational system—the very cornerstone of our democracy—is slowly being eroded and is on the verge of total collapse.

It is unfortunate that in a time of widespread student unrest—the spotlight of public concern has been focused principally on raucous, often violent campus demonstration by students who profess a desire for a better, more productive way of life for all our people.

I submit that there are students—and they are in the vast majority—who share this desire, but who are giving expression to their concern in a far more positive and worthwhile fashion.

A typical illustration involves Adelphi Academy, in Bay Ridge, Brooklyn's oldest coeducational private institution, which has given the borough outstanding service for more than a century.

During the forthcoming academic year, a group of Adelphi students will be spending one month in their senior year in a unique community service project, helping underprivileged children, teenagers, and aged persons in a Greenpoint settlement house.

Under the plan, the students, upon completion of their college board examinations next spring, will work at the School Settlement Association, where they will gain professionally supervised experience in a social welfare setting.

The students will perform a variety of duties at the association. They will escort aged men and women on trips, serve as aides to professional instructors in music, drama, arts and crafts, dancing, woodshop, cooking, et cetera; tutor elementary school children, assist preschool program, et cetera, and assist in conducting recreational programs for teenagers who utilize the settlement house facilities.

The School Settlement Association is a private voluntary agency which caters to the recreational, educational, social, and cultural needs of people of all ages in the Williamsburg community.

In serving as volunteers at the association, the Adelphi students will be making a meaningful contribution to a better community, and to expanded educational and social horizons for culturally deprived underprivileged children.

Adelphi Academy has achieved an outstanding reputation in the educational world for the quality of its programs and the caliber of its students. By participating in this community service project the school is demonstrating its eagerness to improve the well-being of the entire community, and I believe this important effort merits our praise and admiration.

AGE DISCRIMINATION IN EMPLOYMENT PROGRAMS

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. SCHEUER. Mr. Speaker, 2 months ago I participated in hearings conducted by two subcommittees of the Senate Special Committee on Aging on the subject of "Adequacy of Services to Older Workers."

As a result of those hearings, and of my longstanding interest in "New Careers" and other employment opportunities for older Americans, I have today introduced a bill called the Middle-Aged and Older Workers Full Employment Act of 1968.

This bill is identical with a bill to be introduced in the Senate today by Senator JENNINGS RANDOLPH, chairman of the Subcommittee on Employment and Retirement Incomes, Senate Committee on Aging; and Senator EDWARD KENNEDY, chairman of the Subcommittee on Federal, State, and Community Services, Senate Committee on Aging. The chairman of that committee, Senator HARRISON WILLIAMS, is joining in sponsoring the bill, together with Senator RALPH YARBOROUGH, chairman of the Subcommittee on Labor of the Senate Labor and Public Welfare Committee.

It was the purpose of the Kennedy and Randolph subcommittees to explore the cruel circumstances that today keep too many highly qualified and energetic middle-aged and older people out of the labor market simply because of problems related in one way or another to age.

We passed a much-needed age discrimination in employment bill last year. But we can't expect that bill to solve all problems of the older worker. We also need a broad program intended to offer new services and new kinds of employment openings for the man or woman who sometimes finds his job marketability affected by the number of birthdays he has had.

One section of the bill would serve to make the "New Careers" program, of which I was the original sponsor, even more helpful to the so-called older worker by establishing programs to train older workers for entry level jobs in Federal employment in such fields as health, education, welfare, and neighborhood development.

The bill offered today is intended to approach their problems in a comprehensive and effective way. The authors of the bill have intentionally provided the widest possible range of proposals for new actions. It is our hope that, by offering these proposals in legislative form even at this late date in the session, we will receive constructive suggestions that will be useful when the bill is reintroduced early next year.

I DRIVE A MOON CAR

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. ESCH. Mr. Speaker, news reports from Cape Kennedy indicate that within the next year this Nation is expected to reach its goal of putting the first man on the moon. The tremendous scientific and technological know-how which will go into this historic event involves hundreds and thousands of dedicated researchers throughout the Nation.

One of the fascinating parts of the Apollo research is the procedure by which our first visitors to the moon will explore its surface. Bendix researchers have been leaders in the development of these systems. Under unanimous consent I place in the RECORD the recent article in This Week magazine describing the moon vehicle which they have developed:

I DRIVE A MOON CAR

(By Ralph Stein)

I've been driving an automobile meant to be used by astronauts for their coming excursions across the very unpaved surface of the moon.

Over the years I've sat behind the steering wheels (and tillers) of a wildly improbable variety of cars. But this moon vehicle—called, in space jargon, an LSSM (for Local Scientific Survey Module) by its proud parents, the Aerospace System Division of the Bendix Corp.—takes the prize for weirdness, not only in looks but in handling.

When I showed up at the Bendix Aerospace Shop in Ann Arbor, Michigan, engineer Tom Lancaster led me past unidentifiable but expensive-looking space gadgetry, being worried over by knots of white-coated technicians, to where the moon vehicle lurked.

The LSSM is a flat platform with a foldable, spidery-looking leg at each corner. At the end of each leg is a big wheel, 45 inches in diameter, with many metal spokes. Instead of a tire, each wheel is shod with a thin, flexible band of stainless steel (titanium will be used on the moon) separated from the inner, rigid part of the wheel by 20 springy circles of thin steel.

In the hub of each wheel is an electric motor and a gearing system. The front wheel hubs also incorporate a power steering gizmo.

Lancaster pushed a button and the big garage door rumbled open.

"Climb aboard," he said.

The only seat on the "moon car" is on the front edge of its platform and the way to it is up a short ladder between the widely spaced front wheels (they're 90 inches apart—the wheelbase of the LSSM is 160 inches). As I settled myself in the seat and fastened the seat belt, I grumbled about the back being too far back.

"That's to allow room for your back pack—oxygen and stuff like than—when you're wearing a space suit on the moon," he told me.

"To go forward," he said, "push that lever on the armrest forward. To stop, pull it to the rear. To steer, push the lever either to right or left. To go backwards, flip this switch on the dashboard on your left to 'Reverse'. Before you move, raise the ladder."

I expected that Lancaster would tell me to push a button and the ladder would raise itself, but what I had to do was pull it up with the kind of chain that's attached to the stopper in a bath tub.

Behind me, fastened to the white platform of the moon car, was a box of electric batteries and an assortment of blue boxes which simulated the complex instruments an astronaut would use for making scientific examinations of the moon. Ahead was a parking lot filled with Earth cars.

Gingerly I pushed the lever forward. The moon car waddled out of the doorway and down the wide lane between the parked cars.

"Hah," I thought, "this is a cinch—easy as driving a lawn mower."

But I began to veer toward the row of Earth cars on the right. I moved the lever toward the left—nothing much happened—I still moved toward the right.

STEERS LIKE A BATTLESHIP AT FIVE AND ONE-HALF MILES PER HOUR

Just before I wiped the tail lights off a 1965 Dodge, the moon car began to swing left. This time I outwitted the slow steering and didn't come close to hitting anything. If you ever find yourself in an LSSM, steer it the way you'd steer a battleship.

Once away from the parked cars I breathed easier—began to enjoy myself. The moon car was almost completely silent; only the gravel and small stones under the springy wheels made slight crunching noises. Lancaster ran alongside; no great feat because at top speed the LSSM won't do more than 5½ miles an hour. He pointed towards some nasty gulleys at the edge of the parking lot, marked by a barrier of railroad ties.

I headed for the ties and the wheels just oozed over them. I could barely feel anything. Any ordinary car would have been stopped at low speed and might have broken something on the ties at any speed fast enough to jump them.

IT CAN CLIMB OVER A 20-INCH WALL

Outside the parking lot, on the rough and muddy ground and among the gulleys, the moon car moved with a dignified disdain for obstacles. Although I couldn't find one to try it on, Lancaster said it would climb over a straight wall 20 inches high; it will also climb a 35-degree slope and crawl out of crevices a yard deep.

Although you might imagine that the smooth and shiny surface of the LSSM's wheels wouldn't get much of a grip on steep surfaces, that the wheels would need deep treads like snow tires, that's not so because they have a much bigger "footprint" than that of a pneumatic tire. This footprint will also let the LSSM "float" over spongy ground without sinking.

My Toyota Land Cruiser, a Japanese jeep-type vechicle, will perform most of these stunts—except crawling over the 20-inch-high wall. But it wouldn't work on the moon. First, its gasoline engine needs oxygen for combustion and there is no oxygen to speak of on the moon. Also, it's much too heavy to be transported via rocket—the moon car weighs a mere 884 lbs.

ITS RANGE ON THE MOON 120 MILES

Once out on the open fields the moon car began to be fun to drive. The only trouble was that everyone else—the photographer, the press agents—wanted a crack at it, too. It began going slower and slower. The batteries were running out of juice. Although the moon model will have a range of 120 miles from silver-zinc batteries, we were running on ordinary lead-acid batteries—the kind you have in your car. And they hadn't been fully charged to begin with.

After I drove the lunar car back to its garage, I began wondering about how such a machine might be delivered to the moon. Tom Lancaster made it sound almost simple. With its legs and wheels folded up, it would go via rocket. Later a couple of astronauts would arrive, unload it by means of a crane incorporated in the module, unfold it and go riding around to explore the moon's surface.

Maybe I could get Detroit to deliver my next car that way.

OBSERVANCE OF THE INTERNATIONAL HUMAN RIGHTS YEAR—INTERNATIONAL CONFERENCE ON HUMAN RIGHTS: PROGRESS REPORT NO. 3

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. FASCELL. Mr. Speaker, I have in the past—in June of 1967, and again in October of that year—called attention of the House to the work being done in the United States in support of the observance of the International Human Rights Year, 1968, marking the 20th anniversary of the Universal Declaration of Human Rights.

The Subcommittee on International Organizations and Movements, which I have the honor to chair, held hearings in the 89th Congress on legislation proposing the establishment of a U.S. Committee on Human Rights to prepare for the observance, by and in the United States, of the International Human Rights Year.

While that proposal was pending before the House, a special committee was appointed by the U.S. National Commission for UNESCO to do that very job.

Under the able chairmanship of Mr. Bruno V. Bitker, of Milwaukee, Wis., that committee planned and carried out an impressive amount of work in stimulating interest in the International Year.

On January 30, 1968, President Johnson signed an Executive order establishing the President's Commission for the Observance of the Human Rights Year, 1968, composed of many prominent citizens and headed by Ambassador-at-Large, the Honorable W. Averell Harriman.

Mr. Bitker, who did so much of the initial spadework in this field, was among those serving on the President's Commission.

He was also a member of the U.S. delegation to the U.N. International Conference on Human Rights, held at Tehran earlier this year. His report on the conference, together with the text of the Proclamation of Tehran, should prove of interest to our colleagues and I would like to place it in the RECORD at this point:

[Report by Mr. Bitker]

The International Conference on Human Rights was held at Tehran, Iran, from April 22 to May 13. The Conference was convened by the United States General Assembly as a major part of the observance of the International Year for Human Rights, commemorating the 20th anniversary of the Universal Declaration of Human Rights.

The memory of two Americans dominated the opening sessions of the Conference: Mrs. Eleanor Roosevelt, one of the moving spirits in producing the Universal Declaration 20 years ago, and Dr. Martin Luther King, Jr., who had been assassinated less than 20 days before the Conference convened. The spirit of Mrs. Roosevelt was well recognized, and the sacrifice of Dr. King was frequently cited as a reason for meaningful action at Tehran. The Conference observed a minute of silence at the opening session in tribute to the memory of Dr. King.

His Imperial Majesty the Shahanshah of Iran welcomed the delegates in an address in which he stated that justice under law without social justice and political democracy without economic democracy no longer have any meaning. He emphasized that the true battle of mankind today is the crusade to remove discrimination and social injustice at the national as well as the international level.

U Thant, Secretary-General of the United Nations, presided at the opening session. In his address—a special message on the International Year for Human Rights—he called upon the Conference to "find new means of carrying out the continuing struggle for the recognition and enjoyment of human rights."

During the course of that day the Secretary-General was in constant private consultation with his special envoy to the Middle East, Gunnar Jarring, who has the difficult assignment of negotiating a political settlement between Israel and the Arab states.

Princess Ashraf, the Shah's sister, was elected President of the Conference. She has had considerable experience in United Nations affairs, particularly in the field of women's rights, and served as chairman of a meeting of the U.N. Commission on the Status of Women held at Tehran in 1965.

The significance accorded to the Conference by the international community was indicated by the prominence of many of the participants. Included among them were prime ministers and other high government officials, former Presidents of the U.N. General Assembly, and heads of U.N. specialized agencies. Eighty-four states sent delegations.

Planning for this Conference began in 1965, when the U.N. General Assembly established a preparatory committee. The committee drafted a three-part agenda and took numerous decisions on the many technical arrangements necessary. The agenda provided for discussion in the following three broad areas:

1. Review of progress achieved and major obstacles encountered in the field of human rights since 1948.
2. Evaluation of the effectiveness of methods and techniques employed in the field of human rights, such as conventions, declarations, implementation machinery, educational measures, organizational arrangements.
3. Formulation of a human rights program to be undertaken after 1968 with regard to such subjects as racial discrimination and implementation of human rights.

The United States had expected that it would be criticized because of the riots in American cities and the fighting in Viet-Nam. Although mention was made of these two problems by Arab, African, and Communist states, the extent and force of these attacks were relatively moderate.

With regard to Viet-Nam, the official conversations between the United States and North Viet-Nam had just begun in Paris, and the delegates sensed the importance of avoiding any discussion at Tehran which might affect those talks.

The U.S. opening statement by Roy Wilkins, the chairman of our delegation, made it difficult for the United States to be attacked on the issue of racial discrimination. As a distinguished Negro American, he could concede the failures but could proudly point to the gains in his country—even though they were achieved "inch after excruciating inch."

Moreover, President Johnson's personal message to the Conference expressed his dedication to human rights. He said in part:

"We in the United States are committed by word and will to give reality to rights embedded in our laws. We are struggling—hourly—to translate these laws into better, fuller lives. We pledge ourselves once again to the holy struggle for human dignity. I pray that this Conference will give us new strength to accomplish the tasks that remain."

The Conference began with a plenary debate during which delegates made formal statements. The plan of the Conference provided for two working committees: The first dealt with *apartheid*, racial discrimination, and colonialism; and the second with women's rights, measures to strengthen the defense of human rights, and international machinery to implement U.N. human rights activities.

Human rights is, however, a broad subject; and presumably almost anything that touches a human being can be brought under the aegis of such a conference. Thus, although the Arab-Israel dispute was not on the agenda, the agenda was broad enough to allow the Arab delegates to fight the 6-day war over again. For a long week the plenary debate was an exercise in polemics between the Arab and Israeli representatives.

It was obvious that the Arab countries, with the support of Communist-bloc and most Asian and African states, had more than enough votes to achieve almost any result they desired. They succeeded in having a fourth category added to the Conference agenda on the subject of "respect and implementation of human rights in occupied territories"; and a resolution requesting the U.N. to investigate "violations of human rights in territories occupied by Israel" was adopted.

The representative of the Netherlands acknowledged the frustration and pessimism that had come to permeate the atmosphere of the meeting rooms, the corridors—even the social functions—when in a formal statement he expressed the fear that the Conference might degenerate into "frustrating political debate and bitter recriminations." This fear among many of the delegates, especially the Iranians, produced action. The Conference quickly moved on to consideration of its agenda in the two working committees.

These committees drew up for adoption by the Conference some 29 resolutions dealing with a broad range of human rights problems. Among them is an extensive resolution calling for measures to improve the status of women throughout the world. Racial discrimination, especially *apartheid*, was strongly condemned, as were nazism, neonazism, and all similar ideologies. With regard to colonialism, the General Assembly was asked to draw up a specific program for the granting of independence to territories under colonial rule. The Conference also dealt with such questions as the ratification of international covenants on economic and social rights, illiteracy, and nondiscrimination in employment.

The principal accomplishment of the Conference was, however, the Proclamation of Tehran, which reaffirms the principles enshrined in the Universal Declaration of Human Rights. It urges all peoples and governments "to redouble their efforts to provide for all human beings a life consonant with freedom and dignity." Its 19 points restate principles which can be found in other United Nations resolutions dealing with such topics as discrimination on the basis of race, language, religion, or political belief; *apartheid;* economic and social development; women's rights; family planning; freedom of expression, of information, of conscience, and of religion; illiteracy; disarmament; and the dangers to the rights and freedoms of individuals from scientific discoveries and technological advances.

The proclamation, which was adopted unanimously on the final day of the Conference, shows how countries with diverse interests and frequently clashing policies can, when they so desire, agree upon the basic rights of man even though they differ sharply on questions of implementation and application of those rights.

It is regrettable that in 1968 the world has not yet reached the point at which a subject as idealistic and as supranational as human rights can be lifted above national boundary lines or bloc politics. Roy Wilkins' opening statement for the United States set forth what should have been the philosophical viewpoint of the Conference. He said:

"In part the problem is the unlimited claim of national sovereignty. I submit that under the United Nations Charter no nation is entitled to wrong its own citizens. Either charter provisions dealing with human rights have meaning or they are a cruel fraud. If these provisions are meaningful, they must carry their thrust into the boundaries of member states."

Unfortunately, nationalism is still the watchword and the game of blocs is one in which most countries participate. The membership of the blocs may, however, vary on occasion, and even within the blocs there was no guarantee of unanimity. The national interest of each nation was still the primary standard that determined how a state reacted to a particular proposal.

This adherence to absolute sovereignty, plus the bitterness of the Arab-Israel debate, made the adoption of the Proclamation of Tehran by a unanimous vote a minor miracle.

For those among the almost 400 representatives from 83 countries, from the Holy See, from four U.N. specialized agencies, and from approximately 48 nongovernmental organizations who came with expectations that the Conference might fulfill the hope expressed in Mr. Wilkins' statement, the Conference was disappointing. There were those who considered it wholly lacking in effectiveness. Matters that should have been thoroughly considered, such as the creation of a U.N. High Commissioner for Human Rights, or a possible international court patterned upon the European Court of Human Rights, were barely mentioned. On the other hand, some specialists in international organization affairs found it heartening that the Conference, at this time of continuing threats to the peace, could agree on a wide variety of human rights and conclude with a unanimous reaffirmation of the principles of the Universal Declaration.

The closing statement of Princess Ashraf may best express the hopeful aspects of the Conference. She said that the Tehran Proclamation reflected "our unanimous will to redouble our efforts to achieve the complete and general realization of human rights, and to eliminate, once and for all, the scourges of illiteracy, racism, violence, hunger and disease."

Perhaps David H. Popper, Deputy Assistant Secretary of State for International Organization Affairs, who served as chairman of the U.S. delegation following Mr. Wilkins' departure stated it more realistically when at the final session he said:

"No delegation has obtained precisely what it would have desired in the proclamation we have today approved. Every group has had to sacrifice some points to which it attaches importance. . . . Our ability to reach agreement on matters of major, indeed passionate, concern demonstrates that international cooperation in the cause of humanity can be and must be an effective force."

The President's Commission for the Observance of Human Rights Year can take pride in the fact that the President's appointment of Roy Wilkins to be chairman of the U.S. delegation to the Conference grew out of a suggestion emanating from the Commission. The other public members of the delegation included Morris B. Abram, U.S. Representative on the U.N. Commission on Human Rights; John J. Grogan, a vice president of the AFL–CIO; and myself, a member of the President's Commission. The Government members of the delegation included Mr. Popper, Armin H. Meyer, American Ambassador to Iran, and several advisers from the Department of State.

As a public member of the delegation I would not have adequately reported to the President's Commission without noting the impressive ability and dedication and energy of the Department of State officers who participated in the Conference. I may not have agreed with every position we took as a delegation, but I recognized the knowledge and experience of the professionals.

I had expected more specific results to come out of the Conference. My own hopes were well expressed by Father Theodore Hesburgh, speaking for the Holy See, when he said that the task of the Conference was to "make the ideal of the Universal Declaration truly universal in our times" and that "If we aspire to and in fact do less than this, we should not be here today." Sadly, however, I have had to conclude that man has not yet reached that stage in his development where he is ready to accept the universality of human rights. But I hope we shall continue to strive for the noble principles of the Universal Declaration of Human Rights in the spirit which inspired its adoption 20 years ago.

PROCLAMATION OF TEHERAN

The International Conference on Human Rights,

Having met at Teheran from April 22 to May 13, 1968 to review the progress made in the twenty years since the adoption of the Universal Declaration of Human Rights and to formulate a programme for the future;

Having considered the problems relating to the activities of the United Nations for the promotion and encouragement of respect for human rights and fundamental freedoms;

Bearing in mind the resolutions approved by the Conference;

Noting that the observance of the International Year for Human Rights takes place at a time when the world is undergoing a process of unprecedented change;

Having regard to the new opportunities made available by the rapid progress of science and technology;

Believing that, in an age when conflict and violence prevail in many parts of the world, the fact of human interdependence and the need for human solidarity are more evident than ever before;

Recognizing that peace is the universal aspiration of mankind and that peace and justice are indispensable to the full realization of human rights and fundamental freedoms;

Solemnly proclaims that:

1. It is imperative that the members of the international community fulfil their solemn obligations to promote and encourage respect for human rights and fundamental freedoms for all without distinctions of any kind such as race, colour, sex, language, religion, political or other opinions;

2. The Universal Declaration of Human Rights states a common understanding of the peoples of the world concerning the inalienable and inviolable rights of all members of the human family and constitutes an obligation for the members of the international community;

3. The International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Declaration on the Granting of Independence to Colonial Countries and Peoples, the International Convention on the Elimination of All Forms of Racial Discrimination, as well as other conventions and declarations in the field of human rights adopted under the auspices of the United Nations, the specialized agencies and the regional inter-governmental organizations, have created new standards and obligations to which States should conform;

4. Since the adoption of the Universal Declaration of Human Rights the United Nations has made substantial progress in defining standards for the enjoyment and protection of human rights and fundamental freedoms. During this period many important international instruments were adopted, but much remains to be done in regard to the implementation of those rights and freedoms;

5. The primary aim of the United Nations in the sphere of human rights is the achievement by each individual of the maximum freedom and dignity. For the realization of this objective, the laws of every country should grant each individual, irrespective of race, language, religion or political belief, freedom of expression, of information, of conscience and of religion, as well as the right to participate in the political, economic, cultural and social life of his country;

6. States should reaffirm their determination effectively to enforce the principles enshrined in the Charter of the United Nations and in other international instruments that concern human rights and fundamental freedoms;

7. Gross denials of human rights under the repugnant policy of *apartheid* is a matter of the gravest concern to the international community. This policy of *apartheid,* condemned as a crime against humanity, continues seriously to disturb international peace and security. It is therefore imperative for the international community to use every possible means to eradicate this evil. The struggle against *apartheid* is recognized as legitimate;

8. The peoples of the world must be made fully aware of the evils of racial discrimination and must join in combating them. The implementation of this principle of non-discrimination, embodied in the Charter of the United Nations, the Universal Declaration of Human Rights, and other international instruments in the field of human rights, constitutes a most urgent task of mankind, at the international as well as at the national level. All ideologies based on racial superiority and intolerance must be condemned and resisted;

9. Eight years after the General Assembly's Declaration on the Granting of Independence to Colonial Countries and Peoples the problems of colonialism continue to preoccupy the international community. It is a matter of urgency that all Member States should co-operate with the appropriate organs of the United Nations so that effective measures be taken to ensure that the Declaration is fully implemented;

10. Massive denials of human rights, arising out of aggression or any armed conflict with their tragic consequences, and resulting in untold human misery, engender reactions which could engulf the world in ever growing hostilities. It is the obligation of the international community to co-operate in eradicating such scourges;

11. Gross denials of human rights arising from discrimination on grounds of race, religion, belief or expressions of opinion outrage the conscience of mankind and endanger the foundations of freedom, justice and peace in the world;

12. The widening gap between the economically developed and developing countries impedes the realization of human rights in the international community. The failure of the Development Decade to reach its modest objectives makes it all the more imperative for every nation, according to its capacities, to make the maximum possible effort to close this gap;

13. Since human rights and fundamental freedoms are indivisible, the full realization of civil and political rights without the enjoyment of economic, social and cultural rights, is impossible. The achievement of lasting progress in the implementation of human rights is dependent upon sound and effective national and international policies of economic and social development;

14. The existence of over seven hundred million illiterates throughout the world is an enormous obstacle to all efforts at realiz-

ing the aims and purposes of the Charter of the United Nations and the provisions of the Universal Declaration of Human Rights. International action aimed at eradicating illiteracy from the face of the earth and promoting education at all levels requires urgent attention;

15. The discrimination of which women are still victims in various regions of the world must be eliminated. An inferior status for women is contrary to the Charter of the United Nations as well as the provisions of the Universal Declaration of Human Rights. The full implementation of the Declaration on the Elimination of All Forms of Discrimination Against Women is a necessity for the progress of mankind;

16. The protection of the family and of the child remains the concern of the international community. Parents have a basic human right to determine freely and responsibly the number and the spacing of their children;

17. The aspirations of the younger generation for a better world, in which human rights and fundamental freedoms are fully implemented, must be given the highest encouragement. It is imperative that youth participate in shaping the future of mankind;

18. While recent scientific discoveries and technological advances have opened vast prospects for economic, social and cultural progress, such developments may nevertheless endanger the rights and freedoms of individuals and will require continuing attention;

19. Disarmament would release immense human and material resources now devoted to military purposes. These resources should be used for the promotion of human rights and fundamental freedoms. General and complete disarmametnt is one of the highest aspirations of all peoples;

Therefore,

The International Conference on Human Rights

1. *Affirming* its faith in the principles of the Universal Declaration of Human Rights and other international instruments in this field;

2. *Urges* all peoples and governments to dedicate themselves to the principles enshrined in the Universal Declaration of Humant Rights and to redouble their efforts to provide for all human beings a life consonant with freedom and dignity and conducive to physical, mental, social and spiritual welfare.

THE VALOR OF CPL. JOHN T. WOLFE

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. JOELSON. Mr. Speaker, I insert an article from the Paterson News of September 24, 1968, about the valor of Cpl. John T. Wolfe. He has proved worthy of his Nation, and I hope and pray that his Nation will prove worthy of him.

The article follows:

MEDALS GO POSTHUMOUSLY TO PARENTS OF PATERSON GI

Presentation of the Bronze Star Posthumously was made Friday to Mr. and Mrs. George Wolfe, of 953 Main St., parents of the late Army Corporal John T. Wolfe.

Corporal Wolfe, who died June 1 of wounds suffered while fighting in Vietnam, was buried at Mary Rest, Veterans Circle, Mahwah on June 12.

The presentation of the Bronze Star was made by CW 2 Frederick J. Bergeron, of the Picatinny Arsenal, on behalf of the commanding general, First U.S. Army.

Corporal Wolfe, only 20 when he was killed last saw his parents Jan. 29, his mother said. She also said that in the letters he wrote home he tried to describe the Vietnamese countryside to his parents.

Corporal Wolfe, who was born in Paterson Dec. 11, 1947, was a graduate of School 9 and Central High School. He had been a teller at the First National Bank, Clifton branch, and prior to entering the service Aug. 11, 1967, was attending Seton Hall University.

Besides the Bronze Star, Mr. and Mrs. Wolfe, were presented with their son's National Defense Service Medal, the Vietnam Service Medal, the Vietnam Campaign Ribbon, the Combat Infantryman's Badge, two Marksmanship Badges and the Purple Heart.

LATIN AMERICAN TEACHING PROGRAM

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. FRASER. Mr. Speaker, I have recently had the opportunity to join—along with my very distinguished colleague from the Committee on Foreign Affairs, BRAD MORSE—the National Advisory Board of the Latin American Teaching Fellowships program. This unique program was developed at Tufts University by the Fletcher School of Law and Diplomacy.

I want to describe the rationale behind this new program, but first I want to pay tribute to the Fletcher School. They saw a clear need, and in response to that need they developed a self-supporting program that goes to the heart of some of the key issues arising from North American educational presence in Latin America.

What exactly does the Latin American Teaching Fellowships program do? The program sends advanced-level graduate students of outstanding promise from North American universities to Latin American universities to teach while they are carrying out their doctoral research. This connection with the Latin American university results in better research by the Fellow along with a productive and useful contribution in the form of teaching. I agree with Ambassador Gullion—dean of the Fletcher School of Law and Diplomacy—who has said that "a nation like ours gets the most for its investment when aid for development is used to develop the human resource," so that the contribution that these fellows make by teaching is of crucial importance.

But it is not only the institutional attachment that is the key to the program's unique success. Rather it is the fact that these young scholars are placed directly under the supervision of a senior Latin American professor.

I want to mention briefly some specific reasons why the program is deserving of support. First, it is imaginative and innovative—it has broken new ground in the international exchange of young scholars by making it possible to both teach and carry on research simultaneously. Second, resources available for the developmental process are limited. The program provides a teacher at about one-third the cost of a senior North American professor. Third, the long-run payoff for increased understanding and friendship between the United States and Latin America is a critically important result. The personal ties that are established now between the teaching fellow and the faculty and students of his host university will be maintained and developed in the years ahead.

Finally, Mr. Speaker, I would like to insert into the RECORD the following article from the Christian Science Monitor which sums up very succinctly this outstanding program. In addition I want to commend the corporations and foundations which have shown particular insight by deciding to support this program. It is an endeavor that is indeed worthy of continued support and interest:

TUFTS SETUP: ACADEMIC "MINSTRELS" GAIN ROOTS

(By Peter C. Stuart)

MEDFORD, MASS.—Prof. William Sprague Barnes has a term for them—"wandering minstrels."

He refers to United States doctoral students visiting Latin America on fellowships. All too typically, he says, they drift about in the strange surroundings, never settling nor learning much about the locale, perhaps never even mastering the language.

They do their research as best they can, then rush back to the United States, leaving neither themselves nor their Latin hosts much richer for their visit, he asserts.

Professor Barnes directs a two-year-old fellowship program at Tufts University that challenges this concept. The program—operated by the Fletcher School of Law and Diplomacy here—seeks to transform the U.S. fellow visiting Latin America from a "wandering minstrel" into a kind of working academic ambassador.

CONTRIBUTION STRESSED

Instead of flitting about, he plants roots at a Latin-American university; instead of conducting research in isolation, he works under the wing of a qualified professor there; instead of skimming the academic surface, he wades into the mainstream of university life by teaching classes.

Most important, says Professor Barnes, instead of merely extracting knowledge, the fellow contributes something as well.

The pioneering fellowship program was developed by the Fletcher School, a 180-student graduate institution. In two years it has located 24 students across Latin America. The school has just dispatched its third fellowship group of 16 students.

The Fletcher approach offers academic, cultural, and political advantage, say those involved.

Academically, the fellow's research is said to acquire greater depth. Associated with a Latin-American university, he can become at home in his field in a way a student-tourist is not likely to. Further, the university connection opens doors closed to outsiders.

DUPLICATION LESS LIKELY

The fellow is equipped to transmit to Latin Americans the best in knowledge and skills that U.S. graduate schools have to offer.

Prof. Frank Bonilla of Massachusetts Institute of Technology, a member of the committee that selects the fellows, pointed up another advantage. Latin Americans have sharply accelerated their academic research in recent years, he said, heightening the danger of duplication. North American fellows who work hand-in-hand with Latin-American scholars, rather than in isolation, can be surer that their research makes an original contribution.

Prof. Richard Morse of Yale University, another selection-committee member, added that the close working relations that Fletcher fellows develop with their Latin colleagues often blossom into careers or partial careers in Latin America.

Edmund A. Gullion, dean of the Fletcher School, from his viewpoint as a former career diplomat (he was Ambassador to the Congo from 1961 to 1964), stressed the cultural and political role of the fellowship program.

QUALITY OF AID LIFTED

"Education has the greatest leverage for uplifting the developing areas like Latin America," he said.

"A nation like ours gets the most for its investment when aid for development is used to develop the human resource," he explained.

The Fletcher program got its start from influences on both sides of the Caribbean. In Latin America, an education explosion opened a pressing need for university instructors. In the United States, university officials began to take a critical look at the traditional Latin-American fellowship.

Much of the impetus came from the mood of U.S. university students, too.

Burton C. Hallowell, president of Tufts University, said the present generation of students "feels great empathy with the people of other countries, whether they be a Vietnamese family or a Bolivian family." And they translate this feeling, he said, into a commitment to international service.

SURVEYS BACKED PLAN

Once the idea was conceived, surveys conducted in Latin America and North America confirmed that a new kind of fellowship would fill a need.

Ties were established with Latin-American institutions. Sixteen in seven nations now are involved. Financing was arranged through private foundations and industries with international reach.

Doctoral students, generally in their late 20's, were selected mostly from the fields of social and natural science, business and public administration, and law. All were required to be fluent in the language of the country they would visit.

Professor Barnes explained that what the selection committee sought most in prospective fellows was "imaginative resilience," enabling them to use their own ingenuity to squeeze the most value from their challenging experience.

RESULTS ASSESSED

The fellows spend an average of 15 months in Latin America—six months of research and teaching preparation and nine months of teaching. Members of the latest group, representing 11 U.S. universities, have been assigned to a professor in each one's field of interest in one of six Latin-American countries.

Perhaps the best measure of the success of the Fletcher program is its results so far. Although new, the program appears to have made a lasting impression in Latin America. Universities that hosted fellows have responded enthusiastically, even offering to underwrite part of the cost.

The director of a major Latin-American educational center wrote to Professor Barnes about one of the original group of fellows:

"I once wrote you that you should be proud of your Latin-American Teaching Fellowship scholar. Now I say that we are proud of [this scholar] because, for a short time, she was part of our center and a member of our research staff."

A FULBRIGHT SHIFT

The Fletcher program already is responsible for a small but significant modification in the large Fulbright-Hays fellowship program conducted by the United States Department of Health, Education, and Welfare (and the State Department). The department has permitted two Fulbright-Hays fellows to teach in Latin America in cooperation with the Fletcher program.

Dean Gullion sees a possible expansion of the program to embrace other developing areas besides Latin America.

AMERICAN FOREIGN POLICY

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. HAMILTON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the text of the ninth in my series of radio broadcasts to Ninth District residents:

This is your Congressman, Lee Hamilton. . . .

The foreign policy of a great nation may *seem* less important than its economic policy, which affects the family paycheck.

But in an era of megaton nuclear bombs,

Guerrilla wars of long duration,

And longstanding and deep seated hatreds and misunderstandings that threaten us all,

Questions of foreign policy do make a difference in our daily lives. For questions of foreign policy determine the peace and security of this nation and of the world.

I want to talk with you for a few moments about the general directions I hope this nation's foreign policy will take and about the particular policies I believe we should follow in Vietnam.

How to organize a world peace has been the central concern of U.S. foreign policy since World War II. The strategy we have adopted to meet that concern is the concept of collective security.

Throughout the world, nations have joined with us, and we with them, in an elaborate system of bilateral, regional, and multilateral treaties and alliances:

To contain the Communist world.

To defend ourselves from attack.

To achieve the vital goal of maintaining an international balance of power.

It *was* an unshakable American belief that collective security could best organize a durable peace.

It was an idea supported and sustained by Presidents Roosevelt, Truman, Eisenhower, Kennedy, and Johnson.

But that was *before* Vietnam.

The single most important global consequence of the United States' involvement in the war in Vietnam will be the resulting reappraisal of the risks, requirements, and results of our strategy of collective security.

As the political leadership after 1968 seeks peace in Vietnam, it must also create a foreign policy that will keep that peace in Southeast Asia and around the world.

To do this we must ask ourselves:

Should we adjust or reject the system of collective security?

If we adjust it, how do we adjust it?

If we reject it, with what do we replace it?

And if we replace it, how do we assure that our substitute will be better?

When, and to what extent, should America become involved in the affairs of other nations.

Of course, this is an old, not a new, debate. We are really asking ourselves the internationalism-isolationism questions all over again.

Although the tug of nostalgia for a simpler past is strong, our political leadership must know, that given the fact of American power, isolationism is not possible.

Like it or not, we are involved. The question is not whether to withdraw from our position of world leadership. We cannot. Any widespread disturbance threatens us. The security of the United States does depend on a tolerable stability throughout the world. So we must take the lead in maintaining stability. If we do not, no one will—because those who once did, no longer can.

So the question is how do we exercise our position of power.

But we must be careful. Although every event may affect us, not every event will *vitally* affect us, and our leadership must be able to distinguish between the two. As hard as the lesson may be to learn, American power and resources are limited, and global interventionism is not possible.

A steady and measured American foreign policy will shun both isolation and global intervention.

It will maintain preeminent political, economic, military strength.

It will define our national interests carefully and use our preponderance of power selectively.

It will maintain a minimum of commitments by commiting us to protect only our vital interests.

It will recognize that global involvement, unchecked, can divert our resources from peaceful uses, both domestically and internationally.

It will encourage regional and international cooperation as an expression of, not opposition to, the new nationalism of developing countries.

It will pursue detente with the East, including arms limitations.

It will aid developing nations, but without giving them any more aid than their own bureaucracies can administer, and without substituting our personnel for theirs.

It will take all necessary steps to make a liberal trade policy work without creating undue burdens on American manufacturers and producers.

But the most important *immediate* decision of American foreign policy is: What do we do in Vietnam?

The *goal* of *all* Americans is an honorable settlement that will allow us to end the killing, bring home our troops, and leave the destiny of Vietnam to be determined by *all the people* of Vietnam in free and open elections.

The real question is: How can we best achieve this end?

1. I believe that neither unilateral withdrawal or unchecked military escalation will advance us toward our goals. The former course destroys our commitment to the people of South Vietnam, threatens our word around the world, and makes our past sacrifices meaningless. The latter course destroys our hopes for meaningful negotiations.

2. I support the current reduction in the bombing of North Vietnam as a reasonable risk to encourage peace negotiations, and I urge us to reduce further the bombing at the first sign from Hanoi that immediate and meaningful talks will begin.

3. For a reasonable time we must explore in Paris every possible avenue of securing an honorable resolution to the conflict.

4. I oppose the use of nuclear weapons.

5. I support a de-Americanization of the war, including a massive upgrading of South Vietnam's military forces, so that a major portion of the effort can be transferred to the South Vietnamese with goal of eventually transferring full responsibility.

The South Vietnamese must be the first line of defense and the United States the supplier of material and the ultimate line of defense. The South Vietnamese must do more or we must do less.

6. Social reforms must be pushed, pacification improved, corruption attacked more vigorously.

7. After the independence of South Vietnam is assured, free, fair, open, safeguarded elections must be held to select a postwar South Vietnamese government. We should

not exert undue pressure on South Vietnam to accept a coalition government. Such a result should only come about by the political drive of the South Vietnamese themselves.

8. I support a general amnesty for all dissident groups in South Vietnam.

9. Finally, we must not expect too much to flow from a resolution of the conflict in Vietnam. We must learn to live in insecurity without succumbing to panic or extremism.

We simply will not be able to solve in any rapid or final fashion many of the crucial problems that confront us.

These, then, are the policies in foreign affairs I believe will set America upon a sure and steady course and achieve and maintain peace.

ARNOLD C. BAUER, OF SOUTH BEND, IND.: LIBRARIAN FOR OUR SERVICEMEN IN VIETNAM

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. BRADEMAS. Mr. Speaker, the following quotes are taken from the letters of two American servicemen stationed in Vietnam:

> I couldn't think of why someone would send me some books, when I didn't even know the person.
>
> I feel that if more people would help our servicemen like you have helped me, that the world would be 100% better off.

The recipient of those letters, and many more like them, is Mr. Arnold C. Bauer, 1021 North Meade Street, South Bend, Ind., in the congressional district I have the honor to represent.

Mr. Speaker, 2 years ago, Mr. Bauer began sending books to his son, Sgt. Jack R. Bauer, who was stationed at Tachikawa Air Force base near Tokyo, Japan. When Jack was finished with the books, he took them to the base hospital.

Mr. Bauer was on his way to becoming "a sort of self-appointed, honorary librarian for the U.S. Armed Forces in Vietnam," according to a South Bend, Ind., Tribune staff writer, James Wensits, when two of Mr. Bauer's nephews went to Vietnam. He shifted his attention there, partly because the Red Cross took over supplying books to the hospital in Japan. The nephews appreciated the service so much, that when they left Vietnam, he continued sending books.

Since then, Mr. Bauer estimates that he has mailed about 24,000 volumes of paperback books and magazines to servicemen in Vietman. Names of the men are given to him by friends, book donors and soldiers receiving his packages. Occasionally he will make a plea to area residents on a listeners-call-in program aired by a local radio station and the response has been tremendous.

In a recent letter to me, Mr. Bauer wrote that his booming enterprise was helped by donations of wrapping paper from two paper wholesalers, tape from the company he works for, and shipping labels from a nearby drug store. He reported he was receiving "plenty of books from the people of South Bend and Mishawaka" but lacked postage for 465 packages of books at 36 cents per package.

Fortunately for the morale of many of our servicemen in Vietnam, I believe the good-hearted Mr. Bauer is going to find the funds he needs to continue the mailings. He has yet to miss a week in sending books to Vietnam, even when it has meant reaching into his own pocket for postage money. Despite occasional contributions of mailing money from individuals and groups, he has personally spent over $500 on postage.

Mr. Bauer, I am sure, enjoys the deep appreciation of all of the citizens of my congressional district. I am pleased to have this opportunity to congratulate him and to call attention to his generous and inspiring contribution to the morale of our armed forces in Vietnam.

If all of the 24,000 books and magazines which he has sent to our servicemen overseas were laid end to end, I believe they would reach all the way from the heart of Mr. Bauer to the hearts of our men in Vietnam.

I salute him.

TRIBUTE TO THE LATE BRYAN J. McENTEGART, ARCHBISHOP OF BROOKLYN AND QUEENS

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. CAREY. Mr. Speaker, on September 30, the city of Brooklyn, the State of New York, and, indeed, the entire Nation lost a great religious leader, educator and humanitarian with the passing of the Most Reverend Bryan J. McEntegart, former archbishop of Brooklyn and Queens.

Archbishop McEntegart was a man of great strength, compassion, and courage, and his life reflected these qualities in the many achievements he accomplished in every area in which he worked. A pioneer in the ecumenical movement, he came to Brooklyn after a rectorship at the Catholic University of America in Washington, an episcopacy in upstate New York and many years in the priesthood. It was my good fortune to have had the blessing of his friendship from the time of his installation as bishop of Brooklyn in 1957 until his death last month.

Archbishop McEntegart was born in New York City on January 5, 1893, and attended Manhattan College, St. Joseph's Seminary, Dunwoodie, and was ordained in St. Patrick's Cathedral by John Cardinal Farley on September 6, 1917. He did graduate work at the Catholic University of America and at the New York School for Social Work.

During the next 20 years of his life, while winning a reputation as an expert in Catholic education and social action programs, he taught in the Fordham University School of Social Service from 1920 to 1950; was president of the New York State Conference on Social Work in 1940; president of the National Conference of Catholic Charities in 1941; Vice Chairman of the Reports Committee of the White House Conference on Children in 1940; U.S. delegate to the Eighth Pan-American Child Congress in 1942; and chairman of the Diocesan Directors of Charities in the United States in 1940.

Archbishop McEntegart also served as director of the division of child care of the Catholic Charities of the New York Archdiocese from 1920 to 1941; national secretary of the Catholic Near East Welfare Association from 1941 to 1943; executive director of Catholic Relief Services, National Catholic Welfare Conference; secretary of the executive committee of the National Catholic Community Service; and as a director of the United Service Organizations.

In 1943 he was named bishop of Ogdensburg, N.Y., and consecrated in St. Patrick's Cathedral in August of that year. On that occasion, President Franklin D. Roosevelt wrote to him:

> Your achievements in the field of social welfare during the last 25 years have been inspiring to me and to many others who have a positive interest in such work . . . I am sure you will continue to move on to new accomplishments in these social endeavors which are so essential in periods like the present when war is temporarily disrupting the lives of millions of families and creating problems in the solution of which such talents as yours are particularly efficacious.

When he resigned the Ogdensburg see in 1953 to become rector of the Catholic University of America in Washington, D.C., he was named titular bishop of Aradi. Archbishop McEntegart continued to serve on the board of trustees of the university until February of this year.

As bishop of Brooklyn, he initiated a Catholic high school campaign which raised funds to build new Catholic schools for 10,000 students in Brooklyn and Queens. He planned the construction of new and improved medical facilities for the Catholic Medical Center of Brooklyn and Queens. When the project is completed it is expected the center will be able to quadruple the number of persons served.

In 1965, Archbishop McEntegart and the late Francis Cardinal Spellman of New York, as the two ordinaries of the five counties of New York City, arranged for construction of the Vatican Pavilion at the New York World's Fair, and greeted Pope Paul on his visit there.

In 1967 the Archbishop celebrated his golden jubilee as a priest and completion of a decade as the bishop of Brooklyn. Early in this year due to failing health he petitioned Pope Paul for permission to retire and was succeeded on July 15 by Msgr. Francis J. Mogavero.

Archbishop McEntegart was a pioneer among American bishops in founding a diocesan commission on ecumenism. He was a prime mover in establishing Project Equality in metropolitan New York, an organization dedicated to promoting fair hiring practices, which is sponsored and funded by Catholic, Protestant, and Jewish groups.

One of his last official acts was to participate in ceremonies marking the opening of Project Equality in New York.

A fitting tribute to Archbishop McEntegart was offered by the late Senator Robert F. Kennedy on the occasion of the former's golden jubilee:

> Throughout the years, you have provided leadership and inspiration not only within the Church but throughout the community.

Your strength, compassion and courage merit the gratitude of all who know you and of your work.

COMMUNITY SELF-DETERMINATION ACT OF 1968

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. FRASER. Mr. Speaker, today, along with 11 colleagues, I have introduced an important bill—H.R. 20419—the Community Self-Determination Act of 1968. This legislation would create a new institutional structure through which the residents of depressed rural and urban areas could achieve economic development and the ownership of productive resources through their own efforts and under their own control.

The Community Self-Determination Act is fostered by the pragmatic, innovative, and experimental spirit of America. It draws heavily on our successes and failures, not just in our continuing battle against poverty, but in other areas as well. Several different projects around the Nation, which have been based on the concepts underlying this legislation, have provided practical tests for various provisions in the bill. These provisions cut across party lines and narrow political considerations. The act provides yet another approach to our goal of eliminating poverty. It is an approach intended to spark economic and social development through the fertile union of community decisionmaking, community control, community ownership of productive capital and financing institutions, and Government, the private sector, and self-help.

A June 1968 article in the Boston Globe explains the need for community involvement. I agree with its author that any realistic program for economic development must take into account the disorder, alienation, turmoil, and despair which are the central facts of life in poverty-stricken areas today. Economic development through jobs and outside business investment is simply not sufficient; what is needed is community development, for stability can come about only through the responsible participation of community residents in their own affairs. Democratically based community control is the only way to create respected, indigenous leadership which truly represents the community and can sustain order.

This bill would create an instrument for economic development and community self-determination—the Community Development Corporation. This would be a stock business corporation formed by residents of any area which falls short of national norms in income or employment. A great deal of attention has been devoted to organizing, operating and certification procedures to guarantee that the corporation would be truly representative of and managed for the benefit of the community. The CDC would own and manage businesses in an area. Working through turnkey contracts and attracted by tax incentives, the private sector would erect facilities, train local labor and management, and—once the business was operating smoothly—turn it over to the community. As long as the community fell short of national norms of employment and income, profits from these operating subsidiaries would be used to finance community social services. Provisions are made for the recapture and the phasing out of the tax incentives under certain conditions.

The act also would institute a specialized banking system, modeled after the successful farm credit system and Vice President HUMPHREY's proposed National Development Bank, to finance this economic development. This banking system would assist small, local entrepreneurs in the community in financing their businesses.

The Federal Government would create the conditions for and oversee the chartering of these new institutions. It would provide seed money to chartered CDC's in the form of one-time-only matching grants. Initial capital for a U.S. Community Development Bank also would be provided by the Government, but this would eventually be retired as the community-owned banking system grew stronger.

American business, labor, and independent organizations would provide capital, technical assistance, and manpower and managerial training. I'm sure the private sector would rally to the call.

This bill is not perfect yet, and it is not intended to be exclusive. It has broad bipartisan support in both Houses of Congress. It merits intensive study and consideration.

Everyone realizes that it will be a difficult and expensive undertaking to eliminate poverty from our generally affluent Nation. But this Nation has thrived on difficult and exacting problems. To meet such problems head on, to learn from our successes and failures, to try and try again, is the dynamic and productive foundation of our American heritage. Our commitment to this heritage is on trial again today. I am sure we will not be found wanting.

JOSEPH Y. RESNICK

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. PEPPER. Mr. Speaker, I wish to be among the many Members of this House to pay tribute upon his departure from us to our distinguished colleague, JOSEPH Y. RESNICK, who has with such eminence represented the 28th District of New York. JOSEPH RESNICK brought a now-distinguished spirit into this House for he is a fighter. He gives no quarter to those he deems to be standing against the public interest. He asks no quarter from those who oppose him in his own gallant fight to open wider doors of opportunity for those struggling for a fair place in the affluent economy of this country. JOSEPH RESNICK has done much since he has been a Member of this House to quicken the awareness of this country to many ills which need to be cured. He has quickened the conscience of this country to many wrongs which cry out to be righted. The public interest will be poorer when this gallant warrior is no longer here to battle for it. This House will miss the warmth of his friendship and his cheerful manner. I join my colleagues in commending JOSEPH Y. RESNICK upon his outstanding service here and in wishing him many years of service in whatever endeavors he undertakes. We particularly wish abiding happiness for him and his family.

THE ORANGE COUNTY ACADEMIC DECATHLON

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. HANNA. Mr. Speaker, an exciting program has been started by a private nonprofit association. The program is called the Orange County academic decathlon. It draws inspiration from the ancient Greek athletic test of 10 events, the decathlon. Where the decathlon was intended to test the best athletes, the academic decathlon is aimed at testing academic achievements in students in the Orange County's public and private schools.

The academic decathlon is predicated on three great challenges facing modern education. First, to turn out more generalists, that is individuals capable of dealing with the broad problems of modern America. Many contend we are in a specialist rut today. We turn out engineering specialists who know nothing about art. We produce medical specialists who are not able to write a coherent report. We find art specialists who do not know an atom from a nova. If we are to maintain our present position of leadership in this world, it is imperative that we produce generalists, individuals capable of dealing with problems that cut across several areas of learning. It is not enough to train individuals to build technically efficient road systems. It is necessary that those who plan our roads and highways be made aware of the sociological and psychological effects that the roads will have upon those who live around them and travel on them. It is likewise necessary that those who plan road systems be made aware of the importance of so locating those systems that they contribute to, rather than detract from, the natural beauty of the areas in which they are built.

Second, the academic decathlon program recognizes that all individuals need motivation. It is not enough to attend to the geniuses and specialists; it is necessary to recall the forgotten average. The dramatic discoveries of the genius are very necessary for our society, but to keep the wheels turning, once the genius has invented them, it is just as necessary that the hands and the mind of the average man and woman be fully developed.

Finally, the Orange County academic decathlon program recognizes the essentiality of communication. It acknowledges the ability to communicate person to person, and nation to nation is fundamental to the solution of modern problems. Many of our modern problems can be traced to our inability to communicate. Like the challenges of overspecialization of the gifted, of undermotivation of the average-ability students, the training of good communicators is a goal which must be reached. The competitive events for the 1968 Orange County academic decathlon were designed to test general achievement along with verbal and written communication skills. The major areas of emphasis stressed in the competition are esthetics, conversation, essay writing, extracurricular activities, formal speech, literature and current affairs, mathematics, practical arts, science, and social science. Set forth below now is detailed information on the areas of competition:

Esthetics: Two major areas are included in this test—visual arts and music. The test will touch upon all phases of art which affect our present-day living. Included will be questions on art in the home, art in the community, art in religion, and art in industry and commerce. There are questions on art materials and processes, and the problem of organization. Included are the three major arts: architecture, sculpture, and painting, as well as a variety of crafts.

The music portion of this test will touch on material from fields of opera; the orchestra; harmony; composers; dynamics and tempo; conductors and performers; compositions; and general music knowledge.

Conservation: An evaluation will be made of the student's ability to—

First. Informally and orally present ideas that are appropriate to the problem being considered.

Second. Listen to ideas of others in the group, evaluate them, and adjust his responses accordingly.

Third. Establish and maintain rapport with members of a conversational group through voice, gesture, and additional posture.

Fourth. Evaluate the background and attitudes of the members in the group in order to respond in the most persuasive way to others in the group.

Fifth. Use voice, vocabulary, and language structures appropriate to informal oral communication.

Essay writing: The student will be judged in regard to his ability to—

First. Organize ideas in logical patterns appropriate to the purpose of the assignment.

Second. Present these ideas, using effective vocabulary and written structures appropriate to formal standards of written communication in English.

Third. Use mechanical skills of standard English punctuation, grammar, and spelling that facilitate communication and are acceptable in formal writing.

Extracurricular activities: An assessment will be made of the student's entry form, which indicates participation in clubs, athletics, student government, work, and other extracurricular school and community activities.

Literature and current affairs: The student will be scored on his ability to—

First. Define literary terms involving form and style found in poetry and prose.

Second. Apply these definitions to actual examples.

Third. Recognize the style of certain important authors.

A current affairs test has been incorporated as the second part of the test.

Mathematics: This section contains problems and activities meaningful to all levels of students. Questions over a wide range of difficulty will refer to: basic computation, elementary number theory, elementary and advanced applications of symbolism, knowledge of logarithms, interpretation of converging number series, application of set notation and terminology, and probability.

Practical arts: This portion of the decathlon incorporates questions stemming from many areas of experience in successful daily living.

General reading in the fields of agriculture, applied mathematics and science, business, career planning, communication, driver education, home economics, industrial education, and leisure time activities is recommended.

Students who have identified a plant, figured miles per gallon, used a fire extinguisher, planned a career, used tools, or know how to buy quality goods, are likely to do well on this test.

Formal speech: This event will be used to evaluate the student's ability to—

First. Organize ideas in logical patterns that are appropriate for the speaker's purpose and are convincing to the audience.

Second. Express ideas using an effective vocabulary and the structures of the English language appropriate to formal usage.

Third. Present a physical image that aids the audience in the acceptance of the spoken ideas.

Fourth. Use his voice—pitch, stress, and flexibility—to establish and maintain maximum attention for his ideas.

Science: The majority of exercises in this test have been constructed to allow students to elaborate on—

First. The understandings he may have of the scientific enterprise.

Second. Understandings of scientists.

Third. Methods of science.

Students who are aware of communication among scientists; interaction between sciences and society; abilities needed by scientists; generalities about scientific method; theories and models; science and technology; and the aims of science should do well.

Social science: The social sciences encompass many disciplines. Questions and problems emerge from history, psychology, economics, sociology, cultural anthropology, geography, and political science. Students who can draw inferences and are adept at problem solving should do well on this section.

In closing, Mr. Speaker, I would like to commend this excellent idea to my colleagues with the hope that they will discuss it with the citizens of their community. It seems to me that this kind of competition which is open to all and which provides an opportunity for the average as well as the exceptional to participate is the very kind of academic competition which is needed in our country today. This kind of competition very closely simulates the competition that we encounter in life. Therefore, it seems to provide a very valuable and useful training for all those who participate. My enthusiasm for this program is immense. I invite any of you who are interested in this topic to contact me. I will try to furnish you with the necessary materials on this very valuable and important program.

THE 25TH ANNIVERSARY OF THE RESCUE OF THE DANISH JEWS

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. SCHEUER. Mr. Speaker, this month is the 25th anniversary of one of the greatest examples of decency and courage in all of World War II.

Late in September of 1943, rumors began to circulate in Copenhagen that the Nazis were planning to arrest the entire Jewish population of Denmark and ship all of them off to concentration camps. When confirmation of the rumors was obtained, the people of Denmark organized one of the most effective rescue missions in history. Overnight, the Jews went into hiding in sanctuaries provided by people all over Denmark. They were then smuggled out of the country and into Sweden.

So total was the cooperation of the Danes that the Nazis were able to locate very few of the hiding places and 92 percent of the Jews escaped.

To mark the anniversary, Sol M. Linowitz, U.S. Ambassador to the Organization of American States, and Victor Borge, noted Danish-American entertainer, are cochairmen of the monthlong Salute, which will include a special concert, radio and television programs, proclamations, speeches, receptions, commemorative religious services and prayers offered in synagogues throughout the country. The concert will benefit the nonprofit Thanks to Scandinavia Foundation, which grants scholarships to students from Denmark, Sweden, Norway, and Finland for specialized graduate study not readily available in their home countries—as a continuing testimonial of appreciation to the Scandinavians for their courage in aiding Jews during World War II.

The royal families of Denmark and Sweden, and dignitaries from all of the Scandinavian nations, are expected to participate in the Salute.

As part of the observance, Hanna F. Desser of the staff of the American Jewish Committee has written a very fine commemorative essay entitled "Suddenly Each Man Knew." In order to make more Americans aware of this heroic undertaking, I am pleased to insert the essay in the CONGRESSIONAL RECORD:

SALUTE TO DENMARK AND SWEDEN: A 25TH ANNIVERSARY COMMEMORATION

THE RESCUE OF THE JEWS OF DENMARK IN 1943

"Suddenly each man knew . . ."

The year 1943 was a year of desolation and despair for the Jews of Europe. Degradation and death stalked them everywhere. Steadily, relentlessly, the Nazi conquerors moved on to impose Hitler's "final solution." In the face of this ultimate barbarism, the civilized world stood horrified—but paralyzed. And, in the thousands and tens of thousands, the Jews were forced to their destruction.

Yet, miraculously, twice during that bitter year the humanity of man rose and triumphed. In widely separated places and in very different ways, people of valor bravely resisted the murderers.

In Warsaw, from behind the ghetto walls, Jewish men, women and children struggled with pitifully few weapons and boundless courage to break through to hope. They failed against the Nazi juggernaut, as they were bound to fail, but their deeds still live in the hearts of all who cherish freedom.

In Denmark, a king and an entire Christian people mounted an extraordinary act of defiance against the military power which had occupied their country for three and a half years. Spontaneously, swiftly, efficiently, they snatched some 7,000 Jews from the hands of the Nazis and took them across the waters to safety in Sweden.

The tiny nation, ultimately as helpless as the Jews they saved, challenged the conqueror—and triumphed. As with the victory of David over Goliath, their feat resounds through human history.

How did it happen?

The roots of their heroic saga—in which Sweden's vital role will always be remembered—lie deep in the Scandinavian tradition. These are an independent people, of high moral character, thoroughly democratic in principle and practice. Tolerance of others is an unknown concept; matter-of-fact acceptance is the norm.

The attitude toward Jews is summed up in the words of a writer who said: "The essential and distinguishing fact of life in Scandinavia is that no one really cares whether one is a Jew or not." It was this breed of men who faced, and foiled, the Germans in 1943.

When the Nazis ignored Danish neutrality and surged into Denmark on April 9, 1940, they seized a country in which Jews have known freedom and equality since the first Jewish settlement early in the 17th century. Denmark is a place where citizens of all creeds always lived in harmony, where Jews never confronted discrimination or persecution. The rulers of this constitutional monarchy, like their people, consistently upheld the human dignity of each person.

Thus, it was not surprising that, in the early days of the German occupation, the Danish Jews—as well as the hundreds of refugees from other Nazi-held countries who had come seeking asylum—were protected by their fellow Danes, from King Christian X to the humblest citizen. The King flatly refused to accede to German demands that he issue and implement anti-Jewish decrees. When the Germans threatened to force Danish Jews to wear the yellow Star of David as a badge of "shame," the King announced that he would be the first to put it on—and the plan was dropped. When, in 1941, the Germans tried to completely destroy the beautiful, century-old Copenhagen synagogue, the King personally inspected the damages which had been inflicted and wrote to the rabbi to express his regrets.

Voicing the views of all the people, a church paper said: "Anti-Jewish legislation is tantamount to lawlessness, and if we forsake justice then we will be submitted to a degredation worse than war and suppression."

Simultaneously, the Danes expressed their hatred for the conquerors and their determination to maintain their inner freedom by committing numerous acts of rebellion and sabotage. Hundreds went underground into a tightly-knit resistance movement, to carry on their fight. The experience thus gained served usefully in the later rescue of the Jews.

Up to August 29, 1943, despite overt and covert Danish resistance, a sort of formal truce existed between the occupying forces and the Government. The King and his administration, permitted to continue governing subject to German control, managed somehow to adjust to the situation. But on that fateful day the Germans issued an ultimatum dissolving the Government and the Army. The Cabinet was dismissed, the Parliament closed. The Germans attacked the palace and seized the King. Then they launched their classic pattern of terror, torture, transportation to concentration camps and the destruction of all opposition.

Within weeks the Germans turned their attention to Denmark's Jews, on direct orders from Hitler. They planned a mass roundup of Jews for deportation to concentration camps—and death—on the night of October 1–2, during the Rosh Hashanah holiday. Rumors of the impending action began to circulate in Copenhagen in September. Danish Christians reacted first with horror, then with determination. For them, there was only one response: the Jews must be saved.

They began to marshal their forces. Help came from every side. Describing those tense, feverish days, Mrs. Leni Yahil, research secretary of the Yad Vashem Institute of the Hebrew University wrote:

"The whole population rose to its feet. From the King's palace—where he was kept at that time in a sort of captivity—to the home of the simplest fisherman, people tried to warn, to hide, to rush away, to transport to the coast and from there to Sweden. Money streamed in from every side. It was the people's answer to the German attempt to break their spirit, to crush that human dignity that found its expression in their free and democratic constitution and rule. They identified themselves and their fate with the Jews."

A hero of the rescue, which came to be known among the Danes as "the little Dunkirk," was Aage Bertelsen, author of books and articles on religion, philosophy, education and Danish literature, and the headmaster of a leading Danish school. His graphic and moving book, "October '43," provides a definitive history of those dramatic days.

He describes how the Jews learned through the Prime Minister (who was informed by a sympathetic German official) of the devilish German plan to raid all Jewish homes and carry off the Jews to German ships waiting in the Copenhagen harbor—how the Jews were informed of the plot at the September 29 Rosh Hashanah service in the synagogue—how the Danish rescuers overcame incredible obstacles to shelter Jews in their homes, find the boats to carry them to Sweden, organize the movement to the coast under the eyes of the Germans, and take their human cargo to safety under conditions of utmost danger to every person involved.

He tells of his own reaction to "the dark night of the 1st and 2nd of October . . . a personal dawn," in these words:

"From now on there was no doubt or uncertainty possible . . . Action was the word. Even under serious or desperate conditions it is often a happy feeling to be able to devote oneself to a cause that one feels convinced is both unconditionally just and absolutely binding. The situation in Denmark at that time was precisely that simple. No honest man could possibly refrain from action after this raid, when the persecuted cried for help."

So, when the Germans marched into Jewish homes to seize their victims, they found echoing, empty rooms. Except for 250 hapless souls, who were unable to escape in time, all were in hiding—most of them in the homes of total strangers. Then began the laborious process of organizing and carrying out the actual rescue, with the shadow of the omnipresent and enraged Gestapo haunting every move.

Mr. Bertelsen and his friends in their Lyngby Group risked death constantly. Some were shot or captured, the latter including Mrs. Bertelsen. Others were tortured and died. Yet they persisted—as did other individual Danes and members of the Resistance—in the slow, steady process of rescue. The scope of the victory over barbarism which they achieved day by day during those agonizing weeks is reflected in the ultimate statistics: 475 Jews caught; 6,200—92 percent—rescued and taken to safety in Sweden.

Such were the essential facts. But there are many dramas of individual daring, many glorious episodes of group ingenuity, which will be told and retold as long as deeds of heroism stir the mind of man. Albert Einstein summed up the feelings of Jews throughout the world when he said:

"The assistance of the Swedish and the Danish peoples to my Jewish brethren in Denmark was given in a spirit of true humaneness, and will never be forgotten. It was a bright ray in this period of decline in humane feelings and human solidarity. It gave new faith to all who believe in a better future."

On this 25th anniversary of the rescue of the Jews of Denmark, free men everywhere join in salute to the thousands of Danes and Swedes who responded so nobly to their finest instincts. In a period when civilization seemed to have reached the nadir of degradation, they restored faith in the conscience of man and the strength of human brotherhood. Their example, a beacon lighting the darkness of 1943, should serve as an inspiration to us all in this troubled year of 1968.

Perhaps, one day, all men in their own countries will be able honestly to subscribe to the words of Kaj Munk, the great Danish priest and poet, who fought for freedom until he was murdered by the Germans. He said:

"When the days became heavy with fate,
With defeat and with want,
Suddenly each man knew what he owed
to his good Danish name."

—Hanna F. Desser,
AMERICAN JEWISH COMMITTEE.

HEALTH LEGISLATION

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. DINGELL. Mr. Speaker, in his health message of 1965, President Johnson set for this Government and this Nation a goal equal to any we have ever strived to achieve. He said:

> Our first concern must be to assure that the advance of medical knowledge leaves none behind. We can—and we must—strive now to assure the availability of and accessibility to the best health care for all Americans, regardless of age or geography or economic status.

We have not yet reached that goal, but the record of the past few years has brought us closer to it than anyone might ever have dreamed possible.

To sum up the health legislation enacted in the last 4 years is a major task. More than 30 pieces of health legislation have been enacted since the President's historic message on Advancing the Nation's Health. They include the Social

Security Amendments of 1965 which brought medicare and medicaid into existence and was perhaps the greatest single step toward reaching the President's goal of the right to health care for every American.

Under medicare, virtually every person in this country who is 65 or older now has the freedom to obtain decent medical attention when he needs it. It is making health care available for the first time to literally millions of Americans who were denied this right simply because they could not afford it.

Medicaid is helping to pay for health care for those people who lack the financial means to obtain it. A great and growing partnership of Federal and State efforts, medicaid this year alone will help some 8 million Americans secure the right to health care by providing assurance that poverty will not be a barrier to decent and vital health care.

But medicare and medicaid are only the most dramatic and visible of the health legislation achievements of the 89th and 90th Congress. Other important measures are having profound effects on our country's progress toward health care not only for most, but for all Americans.

The regional medical programs created by the heart disease, cancer, and stroke amendments of 1965 have set in motion a vast effort to hasten progress toward control of these, the three major causes of death in the United States, and to make the tremendous strides in medical science more readily usable in the pursuit of good health.

In more than 50 regions covering the entire population of the country cooperative programs are underway among hospitals, medical schools, research centers, and local physicians. These programs will mean that no person afflicted with one of these catastrophic diseases needs be beyond the reach of the very best of medical care. Moreover, the regional medical programs are doing much to make the physicians of this country better able to use the lifesaving skills and tools developed through the most advanced research on heart disease, cancer, and stroke.

President Johnson and Congress have greatly strengthened the partnership between the Federal Government and State and local government, a partnership for health. The comprehensive health planning and public health service amendments of 1966 ushered in a new era of intergovernmental health cooperation by replacing the outmoded categorical system of grant support for State health programs with a system of comprehensive statewide planning and comprehensive Federal support.

The great significance of this program lies in the fact that it permits the States to assess their own health problems and needs and obtain Federal financial assistance geared directly to those needs, a fundamental improvement over the old system of categorical grants which often left States with acute imbalances in health program financing—funds they didn't need for some health activities and insufficient financial assistance in other areas of critical need.

Meeting the goal of decent health care for every American requires more than planning and more than helping the elderly and the needy purchase health services. It requires expansion and improvement of health resources—knowledge, manpower, and facilities—and it also requires making the health care delivery system better able to meet the needs of all the people.

In the 89th and 90th Congresses, major laws have been enacted to strengthen the Nation's health resources: The Nurse Training Act of 1964; the Health Professions Educational Assistance Amendments of 1965; and the Allied Health Professions Personnel Training Act of 1966 are major cornerstones in the building of a strong and productive health manpower system. To continue this Nation's progress in the development of health facilities, both for research and for health services, the Congress has enacted the Health Research Facilities Amendments of 1965 and has carried forward the remarkably successful Hill-Burton program of Federal aid in the construction and modernization of hospital facilities in every part of the country.

This unprecedented array of health legislation stands as a permanent monument to the desire of the American people that no man be denied the best health care that this Nation can offer.

We have not yet reached the lofty goal which President Johnson set in 1965. But that goal is now, for the first time in our history, within reach. And when, at some future time, the last barrier to the right to health is laid aside, the health record of President Johnson and the Congress will stand among the finest accomplishments of a humane and democratic society.

THE 57TH ANNIVERSARY OF THE REPUBLIC OF CHINA

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. WOLFF. Mr. Speaker, today marks the 57th anniversary of the founding of the Republic of China. I want to extend my congratulations to all the people of the Republic on this important national holiday.

It is interesting that because the anniversary falls on the tenth day of the tenth month that the common expression for China's anniversary is "Double-Ten Day."

On this "Double-Ten Day" I believe it is appropriate for those of us in the Congress to recognize the friendship that exists between the United States and the Republic of China. It is my hope that our friendship shall continue to grow in the future as it has in the past.

The great strides, economic, political and social, made by the Republic of China in recent years are a great credit to its people. One area of particular achievement has been land reform, that important ingredient of progress. The program of land reform in Taiwan has proved to be ideal and practical, and its enforcement successful.

In fact, the Chinese land reform has been so successful that the Republic is instituting in January a world land reform institute so that it might share its experience and expertise with the developing nations of the world. This is a great credit to the people of China and their leaders.

By sharing its knowledge with other nations China is doing a great deal to further international understanding and foster good relations. Land reform experts from Asian countries including the Philippines, Korea, Thailand, Malaysia, Indonesia, Iran, and Vietnam will be the first invited to the land reform institute. The program will later be extended to include countries in all parts of the world.

The fact that the Republic of China has progressed to the point where it can begin such a program lends additional significance to this "Double-Ten Day" and the people of China may be justly proud of their achievements.

I am sure my colleagues join me in extending our congratulations to the people of the Republic of China on this auspicious anniversary.

LING-TEMCO-VOUGHT DEVELOPS EXCELLENT ON-THE-JOB-TRAINING PROGRAM

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. COLLINS. Mr. Speaker, we are all keenly interested in the Manpower Training and Development Act.

I have been following the development of the Department of Labor relations with Ling-Temco-Vought's valley project program. The valley project was one of the most successful programs the Department of Labor ever had.

This program took men from the Rio Grande Valley who had mostly been migrant workers. Of the 1,000 men that were hired, only three or four had a job at the time they were hired. Ling-Temco-Vought took these men, brought them to Dallas and in Dallas they were trained by Ling-Temco-Vought to work as aircraft manufacturers and technical assemblers—a job which pays an average of $2.59 per hour. The total amount the Government spent on this was $782,000 for the cost of moving the men to Dallas and $190,000 for on-the-job training plus the appropriation through the Texas Educational Agency from Health, Education, and Welfare of $239,000. In addition, Ling-Temco-Vought itself invested $300 for each individual in the training program—a total of $300,000.

The amazing thing about this program was that these individuals after being hired by Ling-Temco-Vought will pay back within 18 months through their taxes to the Federal Government more than the cost of training them to the Government. These men were taken off the welfare rolls, and given an opportunity to learn and earn. Ling-Temco-Vought executives have been enthusiastic over results. The U.S. Government anticipates losses of 25 percent of its employees because of dissatisfaction with their job, whereas Ling-Temco-Vought has only lost one-fourth of 1 percent of those on the payroll. Only 13 men have quit their jobs for one reason or another.

On September 5, the House considered H.R. 15045. I joined the majority of the House in a bipartisan move which passed this act. On October 8, the Senate passed the equivalent of this measure with few minor points, and it is today back in the House to be reconsidered.

I strongly urge the passage of this legislation. I would also like to add to the Record the story of October 10 in the Dallas Morning News by our distinguished Dallas business leader, Mr. Paul Thayer:

LATIN TRAINING PROGRAM CALLED MOST SUCCESSFUL

LTV Aerospace Corporation President Paul Thayer this week called a government-funded training program for workers of the Rio Grande Valley discontinued recently for lack of funds, the most successful training project the firm has ever undertaken.

Under sponsorship of a number of Federal and state agencies, the Company began the Texas Labor Mobility Demonstrator Project a year ago.

The project was to provide industrial training for 750 unemployed or under-employed workers from the Valley. After relocation here, jobs were to be provided for those who successfully completed the training.

LTV Aerospace said 684 workers had completed the training and were on the payroll when the last three schools—located in Harlingen, McAllen and Rio Grande City—closed doors.

"These workers are doing such quality work for us that we wish we could continue the program to obtain more of them." Thayer said.

"This was an experimental program. Its successes may well provide guide lines for more permanent training projects for the disadvantaged."

The firm is completing a new training school and sub-assembly facility in San Antonio and will provide training in jobs for hard-core unemployed there.

A school also is operated in Grand Prairie where approximately 150 unskilled workers receive training in the industrial skills.

DR. ARTHUR GARDINER COONS

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. REES. Mr. Speaker, this summer marked the passing of a great Californian, Dr. Arthur Gardiner Coons. Dr. Coons, former president of Occidental College in Los Angeles, was an individual who commanded the respect and admiration of all who knew him. He was president of Occidental when I attended the college after World War II. Later, as a member of the state legislature, I worked closely with Dr. Coons who was then serving as president of the Coordinating Council for Higher Education. He was a superb leader in the development of California's higher educational system.

At a time when relations between students, faculty and administration are strained on many of our college and university campuses, I can remember back to my own student days and the close association I had with Dr. Coons. He was an inspiration to all of his students and instilled in us the values needed to deal with the realities of our time.

I would like to have included in the Record a tribute to Dr. Coons, which was printed in the Occidental Alumni magazine:

ARTHUR G. COONS: JUNE 13, 1900–JULY 26, 1968

Tuesday, July 30, 1968, the relatives, colleagues and friends he left behind attended funeral services for Dr. Arthur Gardiner Coons, held, as he requested, in St. Andrew's Presbyterian Church in Newport Beach. The Reverend Raymond Brahams '22 officiated at the simple rites, assisted by organist Robert Heustis.

It was midsummer, and many who would have wished to pay their last respects to a great man were away from home, yet the church was crowded and the weight of memories filled the sanctuary. Many, expressing their silent sympathy with Edna Palmer Coons and other family members, must have thought how singularly complete with the life that had just ended. Dr. Coons had retired from the presidency of Occidental College in 1965, and from the presidency of the Coordinating Council for Higher Education in January 1968; his book, *Crises in California Higher Education: Experience Under the Master Plan and Problems of Coordination, 1959–1968* was just off the press of his long-time friend Harry Ward Ritchie '28; the Arthur G. Coons Administrative Center at Occidental had been dedicated May 27.

Twenty prominent men acted as honorary pallbearers for the deceased educator and economist—Occidental President Richard C. Gilman and Dean Robert S. Ryf '39; Trustees Daniel P. Bryant, Edward W. Carter, Dana Latham, Harold "Chad" McClellan '22, Richard W. Miller '21, Kenneth T. Norris, Edwin Pauley '23, Frank N. Rush '09 and Dr. Arthur N. Young '10; Rector L. Coons, his brother; Tarver Montgomery, his cousin; Dr. Glenn S. Dumke '38, Ira N. Frisbee, Edgar R. "Ned" Hill, Francis H. Lindley, O. W. Richard, Dr. Jerry Richards '50 and E. H. Stevenson. Twenty men who deemed it an honor and a privilege to do homage to Arthur Coons, a man of unquestioned personal integrity; a man with the power to make decisions yet capable of admitting a mistake; a warm friend and an implacable foe of the shoddy and the superficial; a man of strength and humor; a man who combined breadth of vision with attention to detail; who remembered his students' names and faces after their classmates had forgotten them; an American, proud of his heritage and dedicated to the service of his country; a churchman who tempered conviction with tolerance.

An Occidental alumnus of the Class of 1920, Dr. Coons received his Ph.D. from the University of Pennsylvania, the same year that he married Mary Edna Palmer. He returned to his *alma mater* that year as Assistant Professor of Economics and Executive Secretary to the President, and subsequently became Dean of Men. After five years on the faculty and administration of Claremont College, he became Dean of the Faculty and Professor of Economics at Occidental in 1943 and after one year as Acting President, was named President in 1946.

As President of Occidental, Dr. Coons saw the total assets of the institution increase from $4 million to $33 million; endowment within that total grew from $1.2 million to $13.5 million. During his presidency, twelve major buildings were constructed and significant alterations were made to three existing structures.

Dr. Coons was, for fourteen years from its founding in 1953, a member of the Board of Directors of the Council for Financial Aid to Education, Inc. He was president of the Association of American Colleges in 1956, a member of President Eisenhower's Committee on Education Beyond the High School in 1956–57, and second vice chairman of the American Council on Education in 1960–61.

In 1959 Arthur Coons served as chairman of the Master Plan Survey for Higher Education in California, for which he received wide acclaim. His counsel in matters of California public higher education was highly regarded and frequently sought.

He was a member of the Board of Directors and twice chairman of the Los Angeles Branch of the Federal Reserve Bank of San Francisco, and a trustee of the John Randolph Haynes and Dora Haynes Foundation. Eleven institutions had awarded him honorary degrees and in 1962 he was named United Presbyterian Churchman of the Year for Southern California. In January 1968 Queen Elizabeth II appointed him an Honorary Commander of the Order of the British Empire.

"More than any other person," said President Richard C. Gilman, "Arthur Coons made Occidental College what it is today. His loss will be felt keenly, deeply and personally by all who know him. His presence will live on in this college which he loved and to which he dedicated so much of his life."

In an editorial on Tuesday, July 30, the *Los Angeles Times* commented, "Higher education in California—indeed throughout the nation—has lost a devoted, articulate and courageous champion" and referred to his "towering reputation" and "bold imagination," while former U.C. President Clark Kerr called him "the leading academic statesman in California." And in a message of sympathy to Dr. Coons' widow and son, Lieutenant Governor Robert H. Finch said, "He was a dynamic and dedicated individual, of exceptional insight, whose major and lasting impact on the full spectrum of higher education in California, both private and public, will be a lasting memorial to a great man and his work."

Dr. Coons' ambitions for his beloved college were apparent in nearly all of his public speeches. On Founders' Day 1965 he said, "We are striving to build here a community of reason, intelligent love and devotion, in order that the contagions of such community experience may cause lives to possess something of that security and serenity that only the thoughtful and the sincere know . . . A liberal arts college by its own nature has its roots deep in the historic past. Nevertheless, no college can serve its youth and its day unless its program recognizes the realities of the contemporary scene and the dimensions of modern life and thought. Whatever else happens, it must be relevant or it will die." And again, "For the student the college must be a place of intellectual ferment, discovery and mastery, but also of divine discontent, great hope for the future and commitment to something greater than himself."

In 1962, the 75th anniversary year at Occidental, in a Convocation address which he titled "Salients on the Western Front," Dr. Coons said, "The quality of life lived in this college now is of meaning not solely to ourselves but to our nation, and beyond that to all mankind. It is my prayer and my hope that it shall be the deep and earnest resolve of each of us that we shall each measure up fully to the use of all the talents that we have received, letting none go to waste, using all resources for the good of our nation and mankind, and never cheaply selling our heritage for a mess of pottage and immediate gain. For this cause was this college born; for such great ends may it then live to fulfill its purpose."

At a dinner given for Dr. and Mrs. Coons by the Occidental College Faculty Club and the Faculty Women's Club in December, 1964, Dr. Howard Swan paid a tribute to Arthur Coons which may serve now as an expression from all his colleagues.

"We are his faculty—his colleagues—" Dr. Swan said then, "and so for a brief moment we wish to remind ourselves of those qualities of leadership which he has shown over the years and which have excited in us both affection and respect. First we admire our president because of his courage. He has never been afraid to speak his convictions, and one does not sense ambiguity or hypocracy in his statements.

"If, with St. Paul, we believe that 'faith is the evidence of things not seen,' Arthur Coons is possessed of an extraordinary amount of faith—vision—call it what you will—and a tremendous and vital capacity to make vision become reality . . . his unusual ability to foresee the future has not been confined to campus improvements. You will recall his great interest in the library—in raising the level of faculty salaries—in the sponsorship of academic conferences, the Bird lectures, the Artist Series, the faculty lectures—and in the important changes in curriculum and academic policies which made this a stronger and finer college. He planned with wisdom and then always shouldered his share of the responsibility for producing results."

Toward the end of his tribute, Dr. Swan quoted a statement made by Walter Lippman regarding Franklin Roosevelt which he said was equally true of Arthur Coons . . . "the final test of a leader is that he leaves behind him in other men the conviction and the will to carry on."

DEAN MIDDENDORF OF BROOKLYN POLYTECHNIC INSTITUTE SPEAKS ON DISSENT

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. CAREY. Mr. Speaker, a few weeks ago Dean Henry Q. Middendorf of the Polytechnic Institute of Brooklyn delivered an address before the Brooklyn Rotary Club, entitled "Down With Deans."

At a time when there is such widespread misuse and abuse of the right to dissent on our college campuses it is encouraging to have the views of Dean Middendorf which offer a constructive approach to the problem.

So that our colleagues may have the benefit of his wisdom, I request that the full text of the address be printed at this point in the RECORD:

DOWN WITH DEANS

(By Henry Q. Middendorf)

My fellow Rotarians. When Scotty Dunsmore asked me to speak on the subject of student dissent and rioting I didn't know what I was letting myself in for in trying to put something like this together in a brief statement. Because I would like to set down some comments, and then perhaps, if time allows, try to talk out any questions you may have.

In trying to come up with a title for today's remarks, I was thinking of the plight of my friend, Dean Henry Coleman of Columbia. Not only had he not wanted the job of Dean in the first place, but in being locked in he suffered an additional ignominy in that his captors were students whom he had admitted a few years before when he was Director of Admissions. Others suffer from errors of commission; he suffered from errors of admission.

Webster defines the verb "dissent" as: "To differ in opinion; to be of contrary sentiment; to disagree." In a remarkable—and oft quoted speech before the Board of Regents of the State University of New York, the late Justice Learned Hand said: "That community is already in the process of dissolution where each man begins to eye his neighbor as a possible enemy; where non-conformity with the accepted creed, political as well as religious, is a mark of disaffection; where denunciation, without specification or backing, takes the place of evidence; *where orthodoxy chokes freedom of dissent;* where faith in the eventual supremacy of reason has become so timid that we dare not enter our convictions in the open lists, to win or to lose."

Now "dissent" has become a sort of byword in education today—almost a challenge to do "something", to "rock the boat." I don't suppose that any fair-minded person would quarrel with the right to dissent. The problem arises over the "bounds" of dissent, both as to what things are legitimately "dissentable, and the manner in which the effort is carried out.

Educationally, dissent has resembled a pebble dropped into a pool, with the waves going out radially from it, crossing other waves, and picking up new currents as they move outward. When I spoke to you a couple of years ago, I talked about some of the pranks that students played on "Queer Old Deans", and some of the forms of dissent from rules at Ivy League colleges. The pebbles are the simple things that students gripe about: cafeteria food, seemingly stringent rules and regulations governing conduct, etc.

But then when the waves started outward, they began to link conduct with "civil rights" or "personal freedoms": The right to stay out all night, or to have women in your rooms until all hours. The rights and freedoms of assembly, free speech, etc. were also invoked at Berkeley, causing the first real collegiate outbreak in 1964. Coupled with this was the broader conflict of other personal rights—the "right" to be drafted, to fight a war in Vietnam which no one seemed to want, and to protest against those companies which provide some of the weapons of war.

As the student waves moved outward, they picked up faculty waves, which had also started as little pebbles. At first the ruling national faculty voice—the Association of University Professors—had only two main functions: to try to get salaries up—commendable enough, and to protect faculty members from undue or capricious administrative actions—namely, firing, or nonrenewal of contract.

Since students had taken up the cudgels for injured faculty members on the "firing" line, faculty in turn felt moved to support certain student demands, particularly as they involved "freedoms" or "rights." This now meant a student-faculty tie-in against the administration, something which each side eagerly accepted at first, but later with misgiving—particularly when student demands infringed on traditionally faculty territory or "poaching grounds". When students demanded representation on faculty committees, or an evaluation of all teachers as a basis for salary increases or promotions, then the shoe began to pinch.

In an extremely well-written article in the N.Y. Times magazine section, the editor of the Harvard daily undergraduate newspaper wrote: "Student power does not mean total student control of the university. It does not mean the elimination of a university administration, or the elimination of faculty power. Students seek a shift in the balance of power. At most universities the administration and trustees have most of power, and the faculty has what is left. Students would like to see most of the power divided between themselves and the faculty. The student-power issue has been until now an uninteresting one on the campus because the achievable is irrelevant, and the relevant seems impossible. . . . University administrations will not voluntarily relinquish their ultimate authority."

While students don't want to be faculty or administrators, faculty in turn don't want to be Deans or Presidents. They just want the right to tell you what is wrong—not how to cure it always, and certainly not to take over the responsibility themselves. Prof. Walter Metzger, one of the original committee of 12 at Columbia, put it very succinctly: "This faculty doesn't want power; we've never called for faculty power. It has been delighted to let the administration handle the dirty jobs of raising money and administering the place, while it goes about its search for knowledge."

On a small country campus the waves usually stop here. The administration either puts its foot down, or works out a compromise. Each gains something; each loses something. And something traditional and intrinsic to education as you and I have known it is lost. Whether this is good or bad is debatable.

But in a large city the waves move outward, now touching upon the community. In the case of Columbia it involved Morningside Heights, Harlem, a gym, Black Power, and an ultimate division of black and white, almost as wide as that which split our country over 100 years ago. It involved the problem and tradition of campus sanctity from municipal police interference, even the concern over the possibility of having to bring in state militia.

To a lesser degree this occurred at Brooklyn College, again with racial overtones and demands. The tragedy in both cases was that whites were "using" blacks, and vice versa, and neither faculty nor administration could bring them together—in fact, it was smarter to keep them apart. The Long Island University situation was somewhat different, since involved was an educational "thrust". Here students protested against a City University "take over" on the grounds that there would be no place for the 75–85% student to go for an education. The faculty protested on the grounds that there might also be no place for them to go—even though both were assured that for a while all would be taken care of. It was simply a matter here of personal security and self-protection.

To touch very briefly on the student dissent and riots in foreign universities, this is traditional and frequently highly justified. Abroad education isn't for everyone, and while this was formerly accepted, it is now a source of conflict because foreign students saw it work at Berkeley. The universities are old, antiquated in facilities, as well as in traditional educational approaches. While these, in themselves are justifiable grounds for dissent, when tied in with political overtones in unstable countries, the voice of the student becomes a powerful one, and it takes a De Gaulle or his army to restore some semblance of normalcy.

In all of this there exists one great general concern—that of "responsibility"—a word which I have used infrequently today, because it is seldom included in student or faculty statements. But in every institution it is the administration and the Board of Trustees which have the responsibility of doing the "dirty jobs". The administration is responsible to the alumni, the city, or the state, depending on the type of institution, and each of the "shareholders" has had something to say—usually in defense of administration.

But there are some who think that much good will come from our students today. In a talk to a fraternity installation audience in Florida, Prof. Irving Goffman of the University of Florida had this to say in defense of the students.

"When before in the history of man could total mankind be destroyed by someone other than God?

"When before has there been a world with such consistent unrest?

"When before has there been such rapid and radical change in our political, social, economic, and even sexual behavior?"

It is not an easy world which we have bequeathed to these young people, and it will take intellectual giants to save it. It will take a breed of people with the foresight and the courage to adjust their ways and institutions.

You have bred such a breed. It is my firm conviction that this group of young people, so maligned by the press and so misunderstood by its parents, have the stuff from which greatness is made. While my generation and yours regretted intolerance, this generation is committed to its eradication. While my generation and yours salved our consciences by contributing to charity, this one fights poverty and disease and ignorance and enslavement on all fronts. While my generation and yours too often did what was expedient, if we did anything at all, this generation does what it believes to be right.

At times we may not understand these nuclear-powered, computer-oriented young people, but we must give them credit for their convictions, and the latitude to work things out in their own way. After all, our ways for solving man's problems both internationally and domestically can hardly be considered to have been successful.

If a truly great university must have the assistance of a truly great generation of students, then we are well on our way toward achieving that goal.

MOORHEAD INTRODUCES BILL TO HELP CONGRESS ENTER THE COMPUTER AGE

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. MOORHEAD. Mr. Speaker, the Congress of the United States is in danger of becoming, like England's House of Lords, an honored irrelevancy.

With the exception of a few units to handle payrolls, the Congress makes no use whatever of the most significant invention of our time—the electronic computer.

The future of representative democracy, of our constitutional government with its delicate system of checks and balances, depends to a significant degree on the development of computer capability in the legislative branch.

In the jet age, representative democracy cannot keep up with its responsibilities using horse and buggy techniques. With private enterprise, the executive branch and even State legislatures already in the computer age, Congress must change its ways or it will fail the American people.

We must act to bring Congress into the computer age.

Computers cannot make congressional decisions, but as our world grows increasingly complex, Congress will be unable to make rational decisions without the assistance of computers.

Accordingly, I am introducing today legislation authorizing the establishment of a Legislative Data Processing Center to coordinate the development of automatic data processing facilities and services in and for the Congress of the United States.

This center would provide each Member of Congress with instantaneous, up-to-the-minute data on such things as the status of all bills and resolutions, budget receipts and expenditures for every fiscal year, statutes currently in force, schedules of committee meetings and legislative sessions, significant developments and bibliographical references in each Member's field of interest, statistics compiled by the various Federal departments and agencies to justify program expenditures, analysis of the merits of competing demands for Federal resources.

I envision a central read-out facility on Capitol Hill that could tap the memory banks of the more than 3,000 computers now in use by the Federal executive to secure data pertinent to congressional operations.

This information could be channeled into the office of each Congressman and Senator via desk-sized read-out devices or closed circuit television screens.

In addition, each committee could be provided with similar equipment and staffed with experts trained in systems analysis, so that the bills emerging from these work units would reflect the use of the best information available.

The center could not be used to support partisan political activity.

My bill provides for the establishment of the center under the supervision of a director appointed by the Speaker of the House and the President pro tempore of the Senate after consultation with a 10-member joint committee on legislative data processing.

The joint committee would be made up of five members from each body, with House members appointed by the Speaker, and Senators appointed by the President pro tempore of the Senate. Party representation on the committee would reflect that prevailing in the respective bodies.

The committee would be charged with appointing a staff for the center, recommending equipment, and making suggestions for its use.

The committee would rely for expertise on an independent advisory board made up of eight ex officio members—the director of the center, the Librarian of Congress, the Comptroller General of the United States, the Public Printer, the Secretary of the Senate, the Clerk of the House, and the Legislative Counsel of both houses of Congress—and four data processing experts, two appointed by the Speaker of the House and two appointed by the President pro tempore of the Senate.

The board would develop policy recommendations, coordinate the Congress's limited existing computer functions—largely payrolls—and advise the joint committee on problems referred to it by the committee.

The board would be an essential feature of the center's operation because while the computer can help us solve problems, the choice of problems to be solved, the establishment of priorities and the purpose governing the use of the data available are decisions for men to make, not machines.

The center would not only relieve Members of a number of their time-consuming chores, but enable them to make better informed decisions on legislative matters.

More significantly, the center would enable Congress to keep up with the pace of change and progress in America, perhaps even to anticipate it.

But we must act quickly to provide ourselves with the tools to evaluate the myriad demands on our resources and to analyze in the same manner that the executive branch does the effectiveness of public programs and expenditures.

I urge my colleagues to consider the urgency of Congress need for computer capability, and to join with me in promoting legislation to bring Congress into the computer age. For the information of those who may wish to sponsor similar legislation, I insert the text of my bill at this point in the RECORD:

H.R. 20422

A bill to establish a Legislative Data Processing Center and to coordinate the development of automatic data processing facilites and services in the legislative branch of the Government, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

§ 1. Establishment of Legislative Data Processing Center.

There is established within and for the legislative branch of the Government the Legislative Data Processing Center, hereinafter referred to in this Act as the "Center".

§ 2. Functions

(a) The Center shall assist the two Houses of Congress, their officers. committees, joint committees, Members, and supporting services in the performance of their respective functions by making available to their automatic data processing services.

(b) The Center may not be used for the support of partisan political activity.

§ 3. Administration

(a) The Center shall be under the supervision and control of the Director of the Legislative Data Processing Center, referred to hereinafter in this Act as the "Director".

(b) The Director and all other personnel of the Center shall be chosen without regard to political affiliations and solely on the basis of their fitness to perform their duties.

(c) All functions conferred on the Center are vested in the Director, with authority to delegate those functions to such personnel of the Center as he may deem appropriate.

(d) The Director shall be appointed and may be removed by the Speaker of the House of Representatives and the President pro tempore of the Senate on the recommendation of the Joint Committee on Legislative Data Processing. Unless sooner removed, he shall serve for a term expiring upon the commencement of the Congress succeeding the Congress during which he was appointed, except that he may continue to serve until he has been reappointed or until his successor has been appointed. The Director shall receive compensation at an annual rate equal to that provided under title 5 of the United States Code for positions at level III of the Executive Schedule.

(e) Subject to the availability of appropriations, the Director shall acquire such equipment and facilities and shall appoint and fix the compensation of such analysis, programmers, operators, and other personnel as may be necessary to carry on the functions of the Center.

§ 4. Joint Committee on Legislative Data Processing

(a) There is established the Joint Committee on Legislative Data Processing (hereinafter referred to in this Act as the "Joint Committee") which shall consist of five Members of the House of Representatives appointed by the Speaker of the House of Representatives and five Members of the Senate appointed by the President pro tempore of the Senate. The party representation on the Joint Committee shall as nearly as may be feasible reflect the relative membership of the majority and minority parties in the Senate and House of Representatives. Vacancies in the Joint Committee shall not affect its powers. The Joint Committee shall select a chairman and vice chairman from among its members.

(b) Except as otherwise provided by law, the Joint Committee may appoint and fix the compensation of a clerk and such éxperts and clerical and other assistants, on a temporary, intermittent, or permanent basis, as it deems desirable. The expenses of the Joint Committee shall be paid from the contingent fund of the House of Representatives upon vouchers signed by the chairman or the vice chairman.

§ 5. Functions of Joint Committee

The Joint Committee shall maintain continuing surveillance over automatic data processing facilities and services used in or by or available to the legislative branch of the Government, for the purpose of bringing to the attention of responsible authorities instances of duplication, incompatibility, or other impediments to full utilization of facilities, and for the purpose of bringing to their attention potential applications of automatic data processing which could result in significant improvements in the services available to the two Houses, their committees and Members. The joint Committee shall make an annual report to the Congress, setting forth such recommendations as it may deem appropriate.

§ 6. Advisory Board

(a) There is established the Legislative Data Processing Advisory Board, referred to in this section as the "Board", which shall consist of eight ex officio and four appointive members. The ex officio members shall be the Director, who shall be chairman, the Librarian of Congress, the Comptroller General of the United States, the Public Printer, the Secretary of the Senate, the Clerk of the House of Representatives, the Legislative Counsel of the Senate, and the Legislative Counsel of the House of Representatives. The appointive members shall be private citizens who have a broad knowledge of the field of automatic data processing in applications relevant to the needs and activities of the Congress. Two such members shall be appointed by the Speaker of the House of Representatives, and two by the President pro tempore of the Senate, to serve as such until the expiration of the Congress during which they are appointed, and thereafter until they have been reappointed or their successors have been appointed.

(b) The Board shall advise the Director on the policies and development of the Center. The Board shall make recommendations to the Joint Committee as to any matters referred to it by the Joint Committee.

(c) The Board shall meet at least once in each calendar quarter. Appointive members of the Board shall be compensated at a daily rate equivalent to the annual rate provided under title 5 of the United States Code for positions at level IV of the Executive Schedule, and shall be paid travel expenses and per diem in lieu of subsistence in accordance with section 5703 of title 5 of the United States Code.

§ 7. Appropriations

There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

A REPORT TO THE PEOPLE OF THE SIXTH CONGRESSIONAL DISTRICT OF PENNSYLVANIA

HON. GEORGE M. RHODES

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. RHODES of Pennsylvania. Mr. Speaker, citizens have a right to know the views, the record, and the performance of their Representatives in Congress. For that reason, I have always made weekly radio broadcasts, sent out occasional newsletters, and mailed reports to all constituents at the end of each session.

Although I am not a candidate for reelection, I believe it is my duty and responsibility to make this final report before I retire at the end of this year. I will have served 10 terms, or a total of 20 years, as your Representative in the Congress of the United States. It has been a rewarding experience for me to know that I have been able to be of assistance to many people with problems of great importance to them. Although I was not successful in all my efforts to be of help, I have always made every effort to assist all who contacted me, regardless of political faith or station in life.

It has been a source of satisfaction to know that my efforts helped Reading and Berks County with programs to meet the needs of our community and our citizens.

AID FOR SCHUYLKILL COUNTY

It is particularly gratifying to have been of help to Schuylkill County in the 6 years that I have had the privilege to represent that county since it became a part of our Sixth Congressional District. Aid to schools and education, to hospitals, Rest Haven, reclamation, water and sewer projects, and many others have brought progress, new hope, and employment opportunities to the people of the coal regions and other areas of Schuylkill County.

The more conservative 90th Congress cut back on many of the essential programs adopted by the 89th. This cut off needed funds for some of our projects in Schuylkill and Berks Counties. But some progress was made in this 90th Congress. In the areas of crime control, education, housing, consumer protection, conservation, veterans' benefits, and health, we have enacted programs that are to the credit of this Congress.

We enacted legislation to expand vocational education with emphasis on improving the quality, particularly for the handicapped. We also passed the Higher Education Amendments to continue and improve national programs of assistance for better physical plants, better faculties and curriculums, and loans for needy students to secure higher education.

This 90th Congress adopted consumer protection programs, which I supported, including an investigation of automobile insurance.

I voted for educational aid and extension of the antipoverty program. I also supported extension of the Manpower Development and Training Act, the new Housing Act, and the funding of the model cities program.

THE 89TH CONGRESS THE MOST PRODUCTIVE

During my 20 years as a Member of the House, I consider the 89th Congress to be the most productive and the most progressive. Its legislative achievements are largely responsible for the nation's record-breaking economic growth and prosperity now in its 91st continuous month.

The 89th Congress was the only one of the 10 Congresses in which I served that had a workable Democratic majority in the House of Representatives. It was the only Congress in which the Democratic Party had majority support for its platform pledges. And it redeemed its pledges by putting all of its important proposals into law. Opponents of the social and economic legislation adopted by the 89th Congress called it a "rubber stamp" Congress. But responsible students of government labeled the 89th as the most productive and progressive in our Nation's history.

In this conservative 90th Congress, Democrats have only a paper majority in the House of Representatives. A coalition of Republicans and some Southern Democrats has been successful in curtailing or blocking important Democratic programs. Legislation on education, health, public works, social security, and other essential programs was passed after being sharply cut by the coalition. Some of these cuts were restored by the more liberal Senate.

Despite curtailment efforts, Senate action and the impact of progressive legislation enacted by the 89th Congress have maintained our thriving economy. Every economic indicator shows that our local communities are sharing in the national prosperity.

UNEMPLOYMENT AT RECORD LOW

In Schuylkill County, unemployment dropped to a record low of 3.1 percent. Jobs are being created which hopefully will decrease the population loss of younger workers and their families. These young people have been moving out of coal region communities because of a lack of job opportunities.

In Berks County an all-time employment record has been set. Unemployment is 1.6 percent, far below the national average.

The economic expansion which created this prosperity began in 1962 after President Kennedy said he would get our country moving again. It followed a period of economic stagnation from 1952 to 1960, when we experienced three recessions. Nationwide unemployment was over 6 percent. During this period it was believed that business slumps and recessions, along with periods of high unemployment, were all a normal part of the economic cycle.

Democratic policies which included economic redevelopment, job training, increased social security benefits, and aid to local communities to build badly needed public works, have succeeded in building the most productive economy in the history of our Nation.

FEDERAL AID FOR BERKS AND SCHUYLKILL

In the past few years, our Sixth Congressional District has received many millions of dollars in Federal funds for public works, sanitation, housing, area redevelopment, small business, highway, recreation, farm aid, and water projects. It was my pleasure to have voted for legislation making these projects possible, and to have given my full cooperation to local officials applying for needed Federal assistance.

Public works, sewer and water construction grants were made to communities throughout the Sixth District including Cumru, Fleetwood, Spring Township, and Sinking Spring in Berks County; Pottsville, Cressona, Coaldale and Tamaqua in Schuylkill County. Public works funds were approved to help plan sanitation, hospital, parks, and educational facilities in each of our two counties.

SOCIAL SECURITY AIDS SIXTH DISTRICT

More than $71 million in social security benefits came into Berks and Schuylkill Counties during the past year *for the aged, disabled, widows and* dependents. Over 67,600 Sixth District residents receive these benefits. Besides helping aged and disabled citizens and their families, social security benefits are an important business stimulant for our communities.

We *succeeded recently in getting* planning funds for a 150-unit low-rent housing project for Shenandoah. Progress is being made on extinguishing the Kehley Run Mine Fire. A Federal grant of $56,000 will train unemployed workers at the Pottsville Hospital as practical nurses. Coaldale recently received a $580,000 grant for the Water Street urban renewal project.

Reading is well on its way to its fourth elderly housing project at 9th and Franklin Streets. It will be a high-rise project of 14 stories and 156 units. I congratulate members of the Reading Housing Authority for putting Reading in the forefront of American cities in providing modern low-rent housing for our senior citizens.

I was honored by the decision of the authority to name this new building the "George M. Rhodes Apartments." Before my election to Congress I had the pleasure of serving for 10 years on the Reading Housing Authority. In Congress I had the opportunity to assist in bringing additional housing to Reading for our senior citizens.

NEW POST OFFICES

The new post office building in Pottsville has been completed. It is ready to provide improved postal service for patrons of that city and the surrounding area. Progress is also being made on a new post office in Ashland. My efforts for approval of a new post office building for Reading with modern facilities, ample parking space, and a convenient location have met with success. Plans for the new post office were outlined at a meeting in Reading on September 20, which I arranged with the cooperation of the Post Office Department.

In Congress, there is opposition to Federal assistance programs and Federal action on matters pertaining to health, education, employment opportunities, and welfare, particularly social security. Conservative forces are calling for a change.

Democrats have historically supported these programs as part of their philosophy and belief in social justice and in a well-balanced, expanding and prosperous economy.

Historically, Republicans have opposed Federal aid as welfare state legislation and have favored economic and tax policies designed to strengthen the economy at the top. Democrats oppose this policy as a trickle-down philosophy that leads to economic curtailment, unemployment and recession.

BASIC POLITICAL ISSUE

The fundamental political issue between the parties, now as always, is how to distribute the national income and wealth. *How fairly will our fellow citi*zens, particularly the handicapped, the aged and less fortunate, share in our Nation's increasing productivity and wealth?

It is quite obvious that many persons do not realize how closely their welfare, *their opportunities for jobs, for educa*tion, health services, old-age and disability pensions, good housing, and a decent livelihood are affected by decisions of the Congress.

It is important to know the real difference between our two great political parties and their conflicting philosophies of government.

Fiscal and economic policies vitally affect the performance of the whole American economy. They affect the levels of production and employment, the rate of economic growth, and the standard of living.

They affect the degree of economic opportunity afforded to the small as well as the large, the weak as well as the strong. They affect not only the degree of economic stability and progress, but also the degree of economic justice or injustice.

They reflect a difference of fundamental economic philosophy—a difference which has persisted throughout our history as a nation, and particularly during the current century.

The difference is between those who believe in an economy of scarcity and those who believe in an economy of abundance; between those who feel that we must stand still, have occasional recessions or depressions, and those who feel that we have the brains and the tools to move forward without substantial interruption. It is a difference between those who feel that social injustice is the price we must pay for economic progress, and those who feel that social justice and economic progress are one and inseparable.

Regardless of election campaign oratory, the decision at the polls in State and national contests this year will determine which one of these two courses the Nation will follow to meet the challenge of these serious and dangerous times.

AWARDS

During my tenure in Congress I was the recipient of numerous awards. An award of merit was received by me from the Association of Schools of Public Health for helping to improve health personnel training throughout sponsorship of the Hill-Rhodes Act. The law authorizes Federal grants for the training of needed professional public health personnel. This legislation was a forerunner of the history-making Health Professions Education Assistance Act and the Nurses Training Act of 1964, both of which help to combat the shortages of needed medical and health professionals in our growing country. The award was presented to me by Dr. Ernest L. Stebbins, of Johns Hopkins University representing the Association of Schools of Public Health.

I highly cherished an award from the Indoor Sports Club, a national organization of handicapped citizens, and another from the local Berks County Chapter of the Indoor Sports Club.

I was also honored with a citation from the National Senior Citizens' Council for my efforts on behalf of the nation's elderly.

Other awards were presented to me by postal workers, veterans' organizations, church and labor groups, Federal employees, podiatrists, optometrists, and numerous others.

REFORM AND CAMPAIGN SPENDING

There is a need for congressional reform. Certainly it is time to outlaw filibusters which permit a minority to tie up the Congress and defeat legislation a majority supports.

The greatest need for reform is in political campaign spending. Attempts to buy congressional seats this year with slush funds, particularly from big financial interests and industrial monopolies are a threat to our free society.

According to former Senator Paul Douglas, this is one of the most corrupting influences in public life which, if not corrected, will cause our Government to be controlled by and for the wealthy rather than by and for the people.

SOCIAL SECURITY

As a member of the House Ways and Means Committee, I helped write social security legislation enacted by Congress during the past 5 years. It has been a most interesting experience in helping to pass legislation which I advocated and fought for long before I was a Member of Congress.

Passage of the social security-medicare bill marked a real breakthrough for America's senior citizens. Because of my participation in the enactment of this legislation, I was invited to attend the ceremonies on signing of the bill by President Johnson at the Truman Library in Independence, Mo.

It is my firm belief, however, that further improvements are necessary. I have made proposals for improvements in bills I have introduced to amend the Social Security Act. Increased benefits are needed to aid our senior citizens in meeting high living costs. The age requirement for full benefits should be reduced to 60 years. Disabled workers should be eligible for benefits after 4 quarters of coverage rather than the present requirements of 20 quarters.

Under present law disabled workers in Pennsylvania cannot collect the full benefits from both social security and State workmen's compensation. I have introduced legislation to allow a totally disabled worker and his family to receive full benefits of both programs.

Senator Gus Yatron has cooperated with me by introducing legislation in the

State legislature whereby these lost benefits would be restored. With the passage of either of these bills, this injustice would be corrected. Senator Yatron also introduced legislation to increase benefits to miners disabled from silicosis. There is no good reason why workers should not receive full disability benefits.

SOCIAL SECURITY FINANCING

Before any substantial advance can be made in the social security program, an equitable way must be found to help finance needed improvements. At present the social security program is financed entirely by employee-employer payroll deductions. However, payroll tax deductions, especially on low- and middle-income workers, are approaching the maximum feasible rate. For this reason future improvements should not have to be entirely financed from payroll tax deductions.

I have introduced legislation which provides that general Federal tax revenues be used to help finance needed improvements. The use of general tax funds for this purpose was given editorial support by the New York Times and the Washington Post. In principal, my proposal has since been supported by other Members of Congress. It had the support of Senator Robert Kennedy before his tragic death. It is also supported by Vice President Humphrey. Under my bill the cost of the social security program would be borne proportionately by workers, employers and the Federal Government. This Federal costsharing would mean that many needed improvements could be made without an added burden on small business and low- and middle-income workers.

COMMITTEES

Served on Post Office and Civil Service, Interstate and Foreign Commerce, House Administration, and Ways and Means. Subcommittees on Health and Safety and Committee on Accounts. Chairman, Morals and Ethics subcommittee. For 9 years served as Assistant House Whip for Pennsylvania Democratic delegation.

UNITED STATES-SOVIET SPACE POLICY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. RARICK. Mr. Speaker, while our sons continue to die from Communist steel in Vietnam, our State Department continues its soft programs of integrating our country with Communist intellectuals.

Thirty-five Soviet scientists are invited to attend a space parley in New York City and may be permitted to tour our space facilities—wonder who'll make this decision?

I include the AP release from the Evening Star for October 9 following my remarks:

SOVIET SCIENTISTS TO ATTEND PARLEY ON SPACE IN UNITED STATES

The State Department says that Russian scientists will be allowed to attend a space meeting in New York next week.

But it left open whether they will be permitted to visit Cape Kennedy later.

Press officer Robert J. McCloskey said yesterday that as many as 35 Soviet scientists have applied for U.S. visas, or entry permits, to attend the Congress of the International Astronautical Federation in New York Oct. 14–19 and "I fully expect that those visas will be issued."

The American Institute of Aeronautics and Astronautics is host of the New York meeting. The U.S. institute is planning to sponsor a tour of facilities at Cape Kennedy Oct. 24.

McCloskey indicated the department still is weighing whether the Soviet scientists—if they ask to go on the Cape Kennedy trip—will be allowed to do so.

THE SOVIET EFFORT AT SEA IS A TOTAL ONE

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. TALCOTT. Mr. Speaker, it is unconscionable that our Nation, long known for its seafaring exploits, is sitting at anchor and neglecting this aspect of our national heritage.

The Soviet Union has launched a massive across-the-board program to exploit the ocean resources, dominate the shipping lanes of the world's oceans, and to attain strategic superiority over the United States.

The September issue of "Navy", the official publication of the Navy League of the United States, contains an illuminating article on Soviet strategy by Dr. James D. Atkinson, international political editor of the American Security Council.

Mr. Speaker, I commend Dr. Atkinson for his thoughtful analysis and include his article in the RECORD.

THE SOVIET EFFORT AT SEA IS A TOTAL ONE

(By James D. Atkinson)

Little more than six months ago the then Secretary of Defense, Robert Strange McNamara, told a congressional committee that "in the 1960's the simple bipolar configuration which we knew in the earlier post-World War II period began to disintegrate. Solid friends and implacable foes are no longer so easy to label, and labels . . . such as free world and Iron Curtain, seem increasingly inadequate as descriptions . . . of the *new bonds of common interest being slowly built across what were thought to be impenetrable lines of demarcation.*" (Italics supplied.)

As the gunfire from Soviet tanks reverberates through the streets of Prague, one may well ask whether this analysis will prove as illusory as the former Defense Secretary's view that the Soviet Union would be unable to achieve even nuclear equality with the United States before the early 1970's.

For the plain fact is that the Soviets are striving mightily to attain not parity, but strategic superiority over the United States. And the unfolding evidence suggests that the major thrust of this search for strategic superiority is taking place on the high seas.

The Soviet effort at sea is a total one. It embraces naval combatant ships both undersea and on the surface, long-range aircraft under naval control, major research and development efforts in oceanology, and a vast merchant marine program.

FIVE YEAR CLIMB

When it is recalled that the great authority on sea power, Rear Admiral Alfred Thayer Mahan, had dismissed Russia's merchant navy with the observation that "Russia has little maritime commerce . . . her merchant flag is rarely seen," the Soviet climb in but five years (1963–1967) from number twelve to number six rank in world merchant tonnage is hard evidence of Soviet capabilities and intentions alike.

Equally significant is the fact that the Soviet merchant fleet, unlike the merchant shipping of non-Communist countries, is a totally controlled instrument of state power and is habitually used as a political-diplomatic weapon. The relationship of the Soviet merchant marine to Soviet naval forces and the developing countries of Africa, Asia and the Middle East is, therefore, related to the over-all mix of maritime power: bases, facilities-agreements, industrial-technological assets, merchant shipping, and naval (including naval-air) forces.

Soviet ambitions on the oceans are underscored by current Soviet efforts directed towards the Red Sea-Persian Gulf-Indian Ocean complex, a vast strategic area of the world's seas and an area quite new to the hammer and sickle flag of the U.S.S.R.

AFRICAN-INDIAN OCEAN STRATEGY

The Soviet maritime thrust in the Red Sea-Persian Gulf-Indian Ocean complex is, like Soviet expansion in the Mediterranean, an attempt to gain maximum exploitation from three increasingly related factors:

(1) The Soviet goal of attaining military-technological superiority over the United States.

(2) Soviet exploitation of tensions, political instability, and ethnic or other rivalries in the developing countries of Africa, Asia and the Middle East through the technique which the Soviets call "national liberation movements."

(3) The power vacuum created through the British withdrawal East of Suez.

As the military-technological power of Russia continues to rise, the Soviet leadership believes that this power can be used to support—psychologically and diplomatically—the revolutionary process in the new and developing nations. This strategy is stated frankly as follows in the May, 1968 issue of *Kommunist*, the authoritative official journal of the Communist Party of the Soviet Union:

"The growth of the political influence and the economic and military might of the world socialist system exerts a powerful influence on the course of the struggle between labor and capital on the international scene; it ties the hands of the imperialists and creates increasingly favorable conditions for the development of the world revolutionary process."

These are not idle words. They are being put into practice through Soviet politico-economic support for socialistic-revolutionary forces in Egypt, Sudan, Iraq, Yemen and other countries in the Red Sea-Persian Gulf-Indian Ocean complex.

SOVIETS ACQUIRE BASES

The Soviet Union is acquiring base facilities in Hodeida in the Yemen and is also using Port Sudan on the Red Sea. A guerrilla campaign has been organized against Mozambique (on the Indian Ocean across from the strategic island of Madagascar) from Soviet-sympathizing Tanzania and these guerrillas have both Soviet and Chinese Communist equipment. In this regard it should be noted that however sharp the propaganda attacks the Soviets and Chinese Communists mount against one another, they seem to be able to cooperate on the tactical level in East Africa when they face what they regard as the common enemy.

Soviet "national liberation warfare" techniques are being employed wherever possible throughout Africa, but it would appear that the Red Sea-Indian Ocean coast of Africa has been given major attention because of its strategic role in developing Soviet strategy. The Soviets are also attempting to link the African and Middle Eastern liberation warfare movement to their exploitation of Arab national feeling.

Thus when two Soviet warships paid an eight-day visit—for the first time in Soviet naval history—to the Persian Gulf in May 1968, they were greeted in the Iraq port of Umm Qasr with a gun salute and with thanks "for supporting the Arab cause." Not without interest is the fact that Iraq has now been equipped with Soviet-type Styx missiles such as was used to sink the Israeli destroyer ELATH.

It may not have been accidental that about the time of this Soviet naval visit in the Persian Gulf leading Soviet newspapers devoted a good deal of attention to the national liberation movement in Africa. The official Communist Party newspaper *Pravda* stated on May 25:

"The formation of a world system of socialism, which stands as a mighty stronghold of all anti-imperialist struggles in the world, the growth of the revolutionary struggle of the international working class and the rapid upsurge of the liberation movement of (the) African peoples . . . predetermined the collapse of the gigantic colonial prison in Africa."

"The present national liberation movement of the peoples of that continent has become an organic integral part of the world revolutionary process," said Pravda.

Equally important was a statement the same day in the official government newspaper, *Izvestia*. This emphasized Russia's "consistent policy for supporting national liberation movements." It went on to say that the Soviets had "accumulated rich experience in the defense of revolutionary movements," and that the Soviet solidarity Committee of Asian and African Countries was giving practical, physical support to the revolutionary forces of "Angola, Guinea (Bisau), Mozambique, and Zimbabwe (Rhodesia).

EFFORTS IN INDIA AND CEYLON

On the other side of the Red Sea-Persian Gulf-Indian Ocean complex, the Soviet Union has been most active in both India and the great island of Ceylon. A Soviet naval squadron visited the Indian sub-continent in the spring of 1968, another first in Soviet naval history. Calls were made in Pakistan and in India and later on in Ceylon.

The visit to India is especially significant since that the Soviet Union has said it will supply the Indian Navy with "F" class submarines, escorts of the PETYA class, MTB's of the POLUCHAT I class, a submarine support-ship, and additional auxiliary craft. Press reports say one submarine and some other craft have been delivered. This may be in order to lay the groundwork for a Soviet naval air presence in that part of the world since the Soviets have had talks with India looking towards an Andaman Island base. These islands are in the Bay of Bengal, strategically located not only with reference to the Indian Ocean generally, but also in relation to the seacoast of Burma, Malaysia, and Thailand.

They would be advantageous bases for the new Soviet helicopter and/or VTOL carriers and for Soviet land based aircraft, many of which come under the control of the Soviet Navy. It is also not without interest that *Pravda* announced June 1, 1968, that the scientific research ship OGON was "carrying out hydographic work in the Pacific and Indian oceans." The Soviets understand quite well that the search for strategic superiority is not military alone, but military, scientific, technological and psycho-political.

The psycho-political element of the overall strategic effort blending with the military is well illustrated by the Soviet naval visit to Ceylon. A Soviet naval squadron cruising in the Indian Ocean paid a five-day visit to the Ceylonese port of Colombo, July 7–11, 1968. Just prior to this Soviet naval visit, *Moscow Radio* announced on July 3 that the Communist Party of the Soviet Union had sent a congratulatory telegram to the "Communists of Ceylon, who are celebrating the 25th anniversary of their party." The telegram hailed "the Communist Party of Ceylon, the fraternal solidarity of the two parties, and the friendship of the Soviet and Ceylonese peoples."

Conjointly, *Moscow Radio* reported that a Soviet news agency representative had interviewed Pieter Keuneman, Secretary General of the Communist Party of Ceylon. He said that the Communist Party of Ceylon "was the first to demand the elimination of the British military bases on the island and the establishment of diplomatic and trade relations with the socialist [that is, the Communist-block] countries." Keuneman went on to say that the Ceylonese Communist Party "fully supports the convening of the international conference of Communist and workers parties in November in Moscow."

THE BRITISH WITHDRAWAL

For almost a century the vast Red Sea-Persian Gulf-Indian Ocean complex was an area of relative stability. This was so because Great Britain—and associated friendly powers—controlled the perimeter boundaries. Whether it was the East African coast (Kenya, Tanganyika); key bases (Aden, Mombasa, Colombo, Singapore); or important islands (Maritius, Andaman, Nicobar), British forces were on hand throughout these sea spaces and able to respond quickly for any needed police actions.

What of today? The British have announced that they will complete their withdrawal East of Suez by 1971. That this will likely be irreversible is shown by the fact that early in 1968 the withdrawal from Aden became a finality.

The power vacuum already exists. The potential, strategically, is alarming.

Australia, that great and good friend of the United States, is vitally dependent on the Indian Ocean. In the 1965–1966 period, for example, more than half of all Australian imports and almost half of all exports came by way of the Indian Ocean.

India, Pakistan, and the countries of East Africa depend on Indian Ocean routes for all but a little of their imports and exports. South Africa, at the Cape of Good Hope (more significant than ever with the closure of the Suez Canal), is vitally interested in the Indian Ocean. And the Red Sea-Persian Gulf oil routes are so well known as to require but passing mention.

Writing in the New York Times, Dec. 4, 1963, C. L. Sulzberger perceptively forecast the strategy stakes in this oceanic complex. "In the vast area extending from the Red Sea across the Indian Ocean to the Pacific inlets one finds today's main thrusts of both Russian and Chinese dynamism," he said. "They frequently compete with each other but ultimately work in tandem to weaken Western influence."

Looking ahead to 1969–1970, it can be seen that the Soviets will try to continue the forward momentum they have begun in 1967–1968. Will theirs be the power that fills the vacuum left by the British withdrawal? Or will the United States build up its naval forces so as to be able to deploy real strength for peace and stability in the Indian Ocean rimland?

THE THREAT OF RESUMED MILITARY AID TO GREECE

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. FRASER. Mr. Speaker, the other day Elias P. Demetracopoulos, a Greek political editor in exile, made a detailed and informative statement expressing his concern about a possible change in U.S. policy toward Greece.

Specifically, he set out his concern that the United States may be on the verge of enlarging the restricted flow of military aid to the ruling junta in Greece.

The junta has sought to legitimize itself through a plebiscite which would do credit to a Soviet-style election. The day on which the Greek people will return to a free system of government seems no closer.

Because a change in U.S. policy toward Greece has been rumored, I want to place Mr. Demetracopoulos' statement in the RECORD, as follows:

> I have asked you to come here today to hear some information which I consider important for my country, Greece, which can have great repercussions on the present tension in Eastern Europe, and U.S. policy towards that area. Further, what I have to state may affect the prospects for the early restoration of Greece as a western style democracy.
>
> According to reliable information, the U.S. Government, at the highest levels of responsibility, is considering at this very moment, at least a partial resumption of heavy military arms shipments to the Greek Junta. This decision, I understand, will be announced shortly after tomorrow's "plebiscite" in Athens, and will represent a fundamental change in official U.S. policy towards the totalitarian regime in Greece, a change which is directly related to recent developments in Czechoslovakia, the Balkans and the Mediterranean. A decision to resume such shipments at this time would be a major foreign policy mistake for a number of reasons.
>
> In the first place, the heavy equipment in question would take some time to arrive in Greece, even if shipped on an emergency basis for purely logistical reasons. It would be further technically very difficult to assimilate this equipment into the Greek Armed Forces and make it operational before a further considerable period of time has passed. Accordingly, the immediate military impact of shipping arms will count for almost nothing during the present tension in Southeast Europe.
>
> The psychological impact, on the other hand, could be serious for the NATO alliance, as well as for Rumania and Yugoslavia, who are now directly threatened with a repetition of the Czech rape. By overtly strengthening the military regime in Athens, the U.S. would likely enable Moscow to move from a defensive to an offensive position in terms of world opinion. It will give the Soviets a pretext, if they ever needed one, for a possible massive strengthening of their forces in Bulgaria, in order to offset an alleged U.S. inspired threat from Greece.
>
> What of the defense of Greece itself? Here I would make reference to a top secret report of an official meeting between the then U.S. Secretary of Defense Mr. McNamara and the then Greek Defense Secretary Mr. Garoufalias in December 1964 in Washington, D.C. As this document makes clear, the defense of Greece against Soviet Block aggression relies basically on the presence of the 6th Fleet. The absence or presence of more heavy and modern equipment would not affect the capability of the Greek Armed Forces to maintain internal order, and would be of marginal significance externally.
>
> Finally, even a partial resumption of any kind of heavy military equipment at this time would be counterproductive, in that such a move would also throw away the main leverage left to the U.S. Government to pressure the junta to move towards a real restoration of constitutional democracy and basic human rights.
>
> The timing of such a decision by the U.S. Administration, however, would be of significance if it is finalized.

Tomorrow as you know, a "plebiscite" is being held in Greece on a new draft constitution prepared by the ruling junta. According to the statement of the official spokesman of the military regime, this constitution embodies the principles of the "revolution", and therefore its acceptance by the majority of the electorate would signify approval of the "revolution" by the Greek people.

There are some aspects of this operation which are particularly disquieting. The text itself can hardly be considered democratic by any standards. Two illustrations, I believe, are sufficient in this respect. First, the army is set up as an autonomous organization not subject to the control of the elected government.

Furthermore, in addition to protecting the country from its external enemies, the armed forces are assigned the mission of defending it also against its domestic "enemies". The text significantly omits any obligation of allegiance on the part of the armed forces to the constitution or the democratic form of government. Finally, the Chief of Staff sits on the new "Council of the Nation," which has the power, among other things, to dismiss the Prime-Minister and dissolve Parliament. Thus the armed forces are, in effect, a self-perpetuating clique of officers, and becomes the undisputed controller of the political life of the country.

The second illustration is the treatment of the freedom of the press. Printed matter can be confiscated for nine different reasons, ranging from offense against any recognized religion, to advocating the overthrow of the social order or the system, whatever that may mean.

As if all the amputations of individual rights and freedoms and the statutory introduction of military control over political life were not enough, a final article provides that the provisions pertaining to individual freedoms of the press, parliament and elections, as well as to guarantees against arbitrary arrest and judicial due process, are not to be applied except as and when the military government decides.

Thus, the purpose of tomorrow's "plebiscite" is clearly to bring the Greek people to accept the indefinite abolition of democratic government, individual freedom, and the rule of law.

In order to achieve its purpose, the junta has to obtain a large favorable vote for its constitution and for some months now it has adopted the following strategy. It has published two drafts of the text for the purposes of what it has called public discussion, but has withheld its final position until a few days ago. On this final text there is going to be no discussion. Martial law has been maintained throughout and no campaign in opposition to the constitution has been permitted. In this connection I would like to refer you to a New York Times dispatch from Athens printed yesterday describing the ordeal of an American family, The Tenenbaums, who were indiscrete enough to place a "no" sign on their car while travelling as tourists in Greece. All Athens newspapers have been carrying, by order of the censors, comments praising the "truly democratic" character of the constitution, and radio and television, aided by posters and luminous signs, have been engaged in a saturation campaign in favor of the constitution.

It would appear, however, that the junta is so sure of the feelings of the Greek people that it has considered it necessary to take some additional steps to discourage the opponents of dictatorship from voting against the draft constitution in the voting booth.

It has been the established practice in Greece for lawyers appointed by the courts to supervise voting in all polling stations. This required the services at each election of about 6,000 lawyers. For tomorrow's "plebiscite" only 500 lawyers will be employed—all of them "passed" by the security police. The participation of local notables in the bureaus responsible for conducting the elections at each polling station have been reduced from three to one and, instead of being drawn by lots from among those eligible for jury service, they will be appointed by the junta-appointed local mayors, so as to ensure that they are government men.

I would like to stress that voting procedure is of crucial significance in view of the prevailing conditions of fear in Greece today. The fact, however, that the junta has had to resort to these means in order to obtain the results it wants proves that even the colonels have no illusions about their popularity. Fully aware of this fact the junta despite all their precautions announced that if tomorrow's vote is negative they will not relinquish power but that they will simply repeat the exercise. What a travesty!

In these circumstances, the resumption of shipments of heavy military equipment by the U.S. can have only one meaning, namely, to give, in effect, the official approval of the U.S. government to a fraud the only purpose of which is to perpetuate military dictatorship in the face of mounting popular opposition. I leave it up to you whether this is in the interests of the U.S.

I would like to make an eleventh hour public appeal to the President of the United States on behalf of all freedom loving people, including the Greek people, to avoid taking a disastrous decision which in the long run will also greatly injure basic U.S. interests and may very well represent a long step forward in creating the conditions for the emergence of a new Viet Nam in South East Europe. I am asking President Johnson not to sacrifice the long term interests and objectives of the United States as proclaimed in The Truman Doctrine of 1947 for which Greece will be eternally grateful and which kept Greece from becoming another satellite of the Soviet Bloc, to whatever short term expediences may be advanced by some of his advisers.

It must always be remembered that Greece fought a hard and dirty war against a foreign dominated and supported Communist aggresssion at the peak of the "Cold War" in Europe. The victory although assisted greatly by U.S. material help and advice was finally wrested with Greek, and only Greek, blood. It was a victory also won under a parliamentary government with democratic institutions functioning and certainly without resorting to a military dictatorship as is the case today.

Finally, I would like to refer briefly to the astounding statement and subsequent clarifying statement made by Governor Agnew at and after yesterday's National Press Club luncheon. His remarks indicated a surprising ignorance of the Greek situation and showed that he would deny to the Greek people the same right to fight for their freedom which was at the core of the American Revolution and the Hungarian Revolution of 1956. Indeed another illustration is the ill-fated armed attempt to overthrow the junta by King Constantine of last December.

A TRIBUTE TO SIR ANDREW COHEN

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. BRADEMAS. Mr. Speaker, a number of us in the House and Senate of both parties are privileged to be members of the Anglo-American Parliamentary Conference on Africa, a group which meets from time to time with our British counterparts in the House of Commons to discuss African affairs.

One of the pleasures of our conferences was the opportunity to become acquainted with Sir Andrew Cohen, a British civil servant who played a key role in preparing the countries of Africa for independence.

Earlier this summer Sir Andrew Cohen died.

I know that those of my colleagues who have had the opportunity to know Sir Andrew realize that he was an extraordinary human being who made great contributions not only to his own country but to the development of Africa and to the broader understanding on the part of Americans of the problems of Africa.

Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD the text of an obituary paying tribute to Sir Andrew Cohen as well as the text of an address delivered by Sir Robert Birley at St. Paul's Cathedral in London on July 17, 1968 at a memorial service.

OBITUARY: SIR ANDREW COHEN, OUTSTANDING CIVIL SERVANT WHO HELPED PREPARE AFRICA FOR INDEPENDENCE

Sir Andrew Cohen, K.C.M.G., K.C.V.O., O.B.E., died on Monday at the age of 58. He had been Permanent Secretary to the Ministry of Overseas Development since its creation in October, 1964.

He was previously, from July, 1961, Director-General of the Department of Technical Co-operation, and before that, from the beginning of 1957 until May, 1961, he was permanent United Kingdom representative at the Trusteeship Council of the United Nations. Cohen's earlier career was in the Colonial Office and from 1952 until 1957 he was Governor of Uganda.

Andrew Benjamin Cohen was born in October, 1909, the son of Walter Cohen, sometime director of the Economic Board for Palestine, and of his wife, Mattie Cobb, sometime headmistress of Roedean and later principal of Newnham College, Cambridge. He was educated on the classical side of Malvern College, and proceeded to Trinity College, Cambridge.

In 1932 he passed into the Civil Service and was assigned to the department of Inland Revenue. It was the late R. V. Vernon, then serving in the Colonial Office, who suggested to Sir Charles Jeffries, then establishment officer, that it would be a good idea to try to get young Cohen transferred there. The transfer was arranged and Cohen's real career began in 1933.

He went through the usual training including a spell as Private Secretary to Lord Rugby (then, as Sir John Maffey, Permanent Under-Secretary), and a visit to Central Africa as Secretary to a financial commission. He was selected for a Commonwealth Fund Fellowship to visit America, but his programme was cut short by the outbreak of war in 1939. In 1940 he was seconded to Malta, where he remained until 1943 organizing with great efficiency the supply of food and necessaries to the beleagued island.

His return to the Colonial Office as head of one of the African departments was an important milestone in his life and indeed in the history of the African colonies. In 1947 he was appointed Assistant Under-Secretary of State in charge of the African Division of the Office. As such he was in a position to wield great influence, and his strong personality, high intellectual ability, and progressive outlook ensured that that influence would be felt, not only on the African territories but in the higher reaches of Whitehall and Westminster.

Many observers have been justly impressed by Cohen's dynamism and administrative efficiency; but his character had many sides, and at least as important was his passion for digging out the essential questions of principle on which administrative action should be based and for encouraging the free play of ideas.

The turning point of post-war British Colonial policy is to be found outside Africa. It was the grant of independence to Ceylon in 1948 which made it only a matter of time before the African and other Colonial dedendencies would follow the same road. But how much time? Many people regarded the matter as outside the "foreseeable future." Not so Cohen. He realized that the drive for independence was imminent and gave all his energies to helping the African colonies and protectorates to prepare themselves for it, so that, when political advance became inescapable, economic and social advance would not lag too far behind. In pursuing this line, he was fully in accord with the approach of his Secretaries of State, Mr. Creech-Jones and, later, Mr. James Griffiths. The latter was so strongly impressed with Cohen's ability and outlook that he decided, in 1951, to transfer him to the field, and recommended his appointment as Governor of Uganda.

At first the new Governor was very successful. Drastic reforms were introduced and swift progress made on both the political and economic fronts. Unhappily his conception of a unitary State of Uganda conflicted with the aspirations of Buganda political leaders, headed by the hereditary Kabaka, for separate independence. A clash of wills developed, as a result of which the British Government, on Cohen's advice, withdrew its recognition of the Kabaka and removed him from the country at the end of 1953.

Cohen came under strong criticism from many quarters for this action, but he continued to serve as Governor and gradually regained much of the confidence he had lost. Reforms went forward, and the wisdom of Cohen's aims was increasingly recognized by the local public. With a change of Colonial Secretaries, it became possible for the Kabaka to return on mutually acceptable conditions, and when Cohen eventually left Uganda in January, 1957, the foundations of future independence were firmly laid.

Cohen's next assignement was the diplomatic post of permanent United Kingdom representative on the Trusteeship Council of the United Nations. Here, as in the Colonial Office and in Africa, his personality made itself powerfully felt, but undoubtedly a better use of his abilities was offered by the creation in 1961 of the new Department of Technical Cooperation to take over most of the non-political functions of the old Colonial Office and to develop the organization of technical and financial assistance to countries in need of it, irrespective of their political status.

Appointed as Director-General of the new Department, Cohen set about organizing it with his customary "whirlwind" enthusiasm, and substantial practical progress was made even during the early years when the arrangements were necessarily makeshift and the staff, gathered from a number of sources, was learning to settle down as a team. It was not until the Department was able to move into its present accommodation in Eland House that it could begin to work out its own tradition and corporate outlook. Transformed into the Ministry of Overseas Development, the new organization rapidly established itself, especially during a partnership between Minister and Permanent Secretary irreverently described as "the Elephant and Castle" phase, as a very efficient and effective machine for carrying out an extremely important aspect of the British Government's overseas policy in the post-colonial period.

A man so "big" in all sense as Andrew Cohen was bound to become a legend. Many years ago a journalist recorded a vision of him rushing down the Colonial Office stairs two or three at a time, with a bundle of files under each arm and his hatbrim held between his teeth. It was his habit to pace the room while dictating, and an endearing recollection is of an occasion when he quite unconsciously strode out of the room whose door had been inadvertently left open, and was last seen disappearing round the corner of a long corridor still talking and followed by an anxious secretary feverishly taking his words, down on her pad as she strove to keep up with him.

It is said that on one occasion in Malta, when a delegation had called to complain about the bread, Cohen was found, during the conservation, to have eaten the sample which had been produced as a basis for discussion.

In 1949 he married Mrs. Helen Donington, by whom he had one son. He was a warm and affectionate father to his child and to his three step-children, and an immence favorite with their many friends.

TRIBUTE TO SIR ANDREW COHEN DELIVERED BY SIR ROBERT BIRLEY

I do not think that Andrew Cohen is a difficult man to talk about. He was too big a man for that and much too interesting. But I find it difficult to start to do so. In a way I suppose I am intimidated. He was a man who would have had no patience with oratorical flourishes or with the usual phrases of conventional tributes and if he had felt that one was indulging in them, though he would probably not have said anything, one would have been very well aware of what he was feeling. But many of his friends would wish me to express my admiration for him and I shall do so, feeling myself as representing them, in the most fitting words I can muster.

Like all distinguished men of affairs—and he was a man who dealt with very important affairs indeed—one might try to look at him in two ways. It is right that we should now remember him in his official role. This is not the time for any kind of obituary notice, for a list of the offices he held. I should like to sum up his work as a statesman—and I use the word advisedly for, if ever a civil servant was a statesman, he was—to sum up his work as a statesman in this way. We in our generation (his and mine) have lived through several revolutions. One of these has been the end of the British Empire. It seems to me that it is at least very possible—it is too soon to be certain that this may go down to History as one of the greatest achievements of the British people. Perhaps for the first time in History the ending of a great Empire will be looked on by the ages of the future not as something merely destructive and melancholy, but as something creative. And among all the men who have made this possible Andrew Cohen stands out among the foremost. He did this particularly when holding two positions. First as Governor of Uganda. How can I describe what he did for that country? Perhaps this one episode will suffice. I have been told by someone, who was then a student, of the first occasion that he spoke to the students at Makerere University College, very soon after he became Governor and how in a very few words he immediately convinced them that he was looking forward to the time, as something entirely natural and to be taken for granted, when they would be the leaders and rulers in their own country. This was a voice they had not heard before.

We have been told of something that happened a few days ago. The Uganda Assembly had met to hear the budget speech; the floor of the house and the galleries were crowded; and then the Speaker rose and made the announcement that Sir Andrew Cohen had died. Then, we have been told, "an extraordinary groan ran through the House, from the galleries as well as from the floor". Dr. Zake, the Minister of Education, rose to speak for the Government. "Sir Andrew," he said, "brought dignity to the people of Uganda." I think it is right that I should mention this, for this spontaneous tribute echoed so many expressions of personal affection by so many different people of Uganda during his visits to that country since he ceased to be Governor, tributes that meant a very great deal to him. It is good to think that exactly at this moment another service is being held in his memory in another St. Paul's Cathedral at Namirembe, Kampala, in Uganda.

And let it be said—and this is to express it mildly—that it was not as though during his five years there he had tried to gain popularity by not doing unpopular things or by being careful not to create trouble. His work at the United Nations and in this country since then will, of course, be part of History. He was a very remarkable Civil Servant, combining a quite staggering capacity for work with equally remarkable powers of imagination. He saw endless opportunities for creative work—perhaps I might refer especially to his enthusiastic support for education in the developing countries—he inspired those with whom he worked to see these opportunities too. I believe his imprint is already on the generations to come in many parts of the Commonwealth. My mind goes across the three thousand miles to that other service in St. Paul's Cathedral. It was not just the administrative ability and the great intellectual energy he showed that make us feel now that we are at one with that congregation in Kampala. To understand this we must look at him also in another way; we must glance at his personality which was by no means a simple one.

He certainly did not ride easily over the difficulties which faced him, quite inevitable difficulties because he had to deal with intractable problems and many very contrasting individuals. He could be depressed by these difficulties; he could find them almost overwhelming. There was an element of deep passion in his nature and this was no doubt largely the cause of this. It was also perhaps his greatest source of strength. For the problems were to him human problems, affecting always in the last analysis real men and women. It is not given to all great administrators to feel like this.

And, of course, he was impatient. Perhaps it would not be quite fair to say that he was not able to suffer fools gladly, but he certainly was not able to suffer them for very long.

And, when we think of him as a person, we may remember one particular tribute which is paid to him by many. All I can do is to attempt to express it. His eccentricities, which were never trivial but had something grand about them, were lovable and he was loved for them. Stories will be told about him for a long time and men and women will be happy when they recall them.

I spoke of looking at him in two ways. This is, of course, absurd. The administrator, the companion, the civil servant dictating at his desk or presiding with immense enthusiasm over a conference, the man with his family in the country, were all one. And let us remember that like the giant in classical mythology who had only to touch the ground when engaged in an encounter to receive new strength, so Andrew had a home he had only to touch to come back into the struggle revived. History will pay him her tribute in ways which we cannot do, recording mistakes as well as his achievements and his moments of inspiration. We think of him as a friend and we can say that our lives would have been less interesting and less enjoyable and lacking in some inspiration—to some a profound inspiration—and in memories which we shall treasure, if we had not known him.

JET PLANES FOR ISRAEL

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. SCHEUER. Mr. Speaker, I was pleased to hear President Johnson's announcement yesterday that he had directed the State Department to begin negotiations with Israel for the sale of supersonic jet fighter-bombers, presumably the Phantom F–4.

The precarious situation in the Middle East caused by Soviet rearming of Egypt requires that these negotiations be conducted as expeditiously as possible so as to permit rapid delivery of the planes.

A recent article in Near East Report very thoroughly discusses the discouraging events in the Middle East. I think that anyone reading this analysis will agree that it is imperative for Israel to acquire sufficient planes and achieve a deterrent capability sufficient to meet the threat caused by Russian shipments to Egypt. The article follows:

THE IMPOSED "PEACE"

The Russians have resumed pressure on the United States to abandon Israel and to force her to surrender to the Arabs without a negotiated peace settlement.

The Russian plan calls for:

Israel withdrawal to the pre-June 5, 1967 armistice lines.

Renunciation of Arab belligerence.

A strong UN presence in the area.

A four-power guarantee by the Soviet Union, the United States, Britain and France.

Other issues—freedom of navigation through the Suez Canal and the Straits of Tiran, the Arab refugees and Jerusalem—would be left to the future.

The proposal is not new. It recalls the Yugoslav initiative which both Israel and the United States rejected a year ago.

In Paris, Israel's Foreign Minister Abba Eban declared that it was identical with a plan presented by the Soviet Union to the Security Council last fall, which Israel, together with a majority of governments, had rejected. He said that "under the Soviet plan Israel is called on to renounce its security without obtaining peace. This is why we rejected it."

WHERE DOES THE UNITED STATES STAND?

But the Department of State was slow to react to the Soviet proposal. This occasioned some surprise.

And it was not until this afternoon that the Department finally made public comment. The Department let it be known that it had replied to the Soviet Union by stressing U.S. support for Ambassador Jarring's efforts "to promote agreements among the parties on a peaceful settlement" based on the Nov. 22 UN Security Council resolution. In effect, it discouraged bilateral U.S.-Soviet talks.

Three weeks ago, in his speech to the B'nai B'rith, President Johnson called for a "real peace of justice and reconciliation—not a cease-fire, not a temporary truce, not a renewal of the fragile armistice."

The President once again called for "secure and recognized borders" and for lines which "must be agreed by the parties involved as part of the transition from armistice to peace."

In our last issue, the *Near East Report* anticipated the new Soviet initiative and welcomed the President's reassurances as significant when viewed in relation to any future U.S.-Soviet talks on the Near East.

Accordingly, difficult questions came to the fore: Had there been a change in U.S. policy? Had there been some erosion?

Several theories were offered to explain the U.S. readiness to take the Soviet proposal seriously.

Since the Russian invasion of Czechoslovakia, the United States has feared a new confrontation with an unpredictable Russia either in Europe or in the Near East. Accordingly, the Administration is anxious to reach some kind of detente with the Russians in the Near East if that is possible.

The United States fears that Arabs and Russians will enjoy a propaganda advantage in the UN General Assembly and that it will be increasingly difficult for the United States to support Israel's insistence on peace treaties in the international forum.

Some diplomats may be using the Soviet proposal for leverage on Israel in connection with the Jarring mission. While the United States has accepted Israel's view that any withdrawal must be in the context of an overall settlement, the United States has not agreed with Israel that there must be direct Arab-Israel talks. For many months, Washington has been urging Israel to agree to indirect talks and to offer Jarring a map or a peace prospectus.

Israel finally agreed but it wanted some assurances that such talks would lead to concrete results. Israel then asked Jarring to find out from the Egyptians what they meant by their concept of peace and how they envisaged the relations of the parties.

To this, it has been reported, there has been no satisfactory reply.

Eban will offer Israel's proposals for a peace settlement at the UN General Assembly on Oct. 8. He met with Secretary of State Dean Rusk in New York yesterday.

The United States wants the Jarring mission to continue. In Washington, there is apprehension that if the Jarring mission is stalemated the Soviet Union and the Arabs may try to force a new UN resolution serving an ultimatum on Israel and demanding the imposition of sanctions.

All this Soviet pressure recalls the 1957 debacle when the Soviet Union and the United States joined pressures to force Israel's withdrawal without a firm and lasting settlement.

ADVICE FROM THE PRESS

Significantly, two Washington newspapers which frequently reflect State Department views both urged Israel to consider the Russian initiative.

In an editorial on Sept. 28, the *Washington Post* states that the four-power guarantee "is not an acceptable substitute for what the parties themselves must agree to guarantee. That approach was tried and found unworkable." Nevertheless, the *Post* continues, "the Soviet bid should not be dismissed out of hand." It contends that the Russian plan will provide a "focus" for UN efforts in the search for peace.

"A policy switch from keeping the pot boiling to one of allowing the broth to chill ought to be greeted with hope. So tense and dangerous is the Middle East now that the slightest hint of relief should not be ignored," the paper says.

The *Evening Star*, on the same day, notes "that with tension in the area still at fever pitch, the Israelis will do well not to dismiss the proposal out of hand."

It concedes that the Soviet Union's motives are "suspect" and it speculates that one motive might be "to throw up a smokescreen of phony peace prospects to dissuade the U.S. from furnishing Phantom jets and other arms to Israel and to buy time while the Arab armies complete their retraining and re-equipping."

Another motive, the editorial continues, "might be to draw public attention away from Czechoslovakia."

Moreover, the *Star* says, the Soviet plan "falls considerably short of a solid guarantee" . . . The Israelis have reason to doubt the UN's staying power as a peacekeeping force and the ability of the four powers to work in concert in the Middle East, given a divergence of their views about the region.

Nevertheless, having given the major reasons why Israel is justified in rejecting the Soviet proposal, the *Star* argues that "if the Israel government maintains an unresponsive attitude to the Soviet proposal, it runs the risk of weakening its case in the eyes of the world. Moreover, there is just that outside chance that the Soviet Union's opening gambit could develop into full-fledged negotiations."

This seems very strange.

Israel is being pressed to consider a proposal which is prejudicial to the prospect of peace and security on the pretext that one might win world opinion by appeasing a power which has always been so contemptuous of world opinion.

The Soviet proposal would defeat Israel's major objective, the attainment of treaties which obligate the parties themselves to preserve the peace.

On the other hand, it would help the Arabs win their major objective: a "political solution" which forces Israel to retreat and exempts the Arab states from any responsibility to meet with Israel, to recognize her, to work with her to curb terrorism, to limit arms and to cooperate with her in trade and development for the mutual benefit of all the peoples of the area.

AN UNREALISTIC PLAN

Close examination of the Soviet plan suggests that it raises many more problems than it solves.

Does the Soviet Union really mean that Israel should withdraw completely to the June 4, 1967 lines?

Would Jerusalem again be divided and Israel barred from access to the Old City and the Western Wall?

Would the Syrians return to the bunkers of the Golan Heights?

Would an Egyptian Governor General resume the rule of Gaza?

Would Egyptian tanks and jets return to Sinai?

And what kind of UN force do the Russians envisage?

Would the Russians themselves or East European satellites provide soldiers?

Would Bulgarian jeeps patrol the environs of the Holy Places?

Does Jerusalem become another Berlin, with four guaranteeing powers controlling their own zones, with their own military headquarters?

Do Egyptian guns return to Sharm el-Sheikh to resume the blockade of the Straits of Tiran, the situation which prevailed on June 4 and which precipitated the war?

And who would be responsible for curbing terrorism in the absence of treaty obligations?

How would the four powers enforce their guarantees?

Would the UN Security Council be the final arbiter in the case of dispute and would the Soviet Union feel free, as always in the past, to veto any Israel complaint or protest?

In the light of these questions, it is obvious that the Soviet proposal as a substitute for a peace treaty should be emphatically rejected. Any equivocal response suggests weakness and encourages the Arab states to believe that they can persist in their negative position: They may feel free to continue to demand Israel's withdrawal and to spurn moves toward negotiations, recognition and peace.

There is irony in the coincidence that the new push for appeasement in the Near East comes just 30 years to the week of the shameful and ignominious sellout at Munich which led to World War II.

AN ANALYSIS OF THE NEW LEFT—A GOSPEL OF NIHILISM

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. ASHBROOK. Mr. Speaker, in August 1967, the magazine, Christianity Today, published an article by Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation, on a recent development in this country, the New Left. As usual, Director Hoover goes right to the heart of the matter and recommends a reaffirmation of the basic spiritual and moral values which have been our heritage. As a large percentage of college-age New Leftists comes from affluent surroundings, one cannot blame their individual discontent on poverty, nor can large Federal aid programs cajole them into assuming constructive roles as citizens.

Of clergymen and concerned laymen, Mr. Hoover asks:

> Are they involved in a dialogue—a heart-to-heart conversation—with these young people, endeavoring to answer some of their probing questions about human existence, such as: Who am I? Why am I here? What is the purpose of life? What values have meaning?
>
> All of us, clergymen and laymen, need to look deeper into our hearts to answer these questions.

To be sure, excesses by the New Left must be dealt with firmly and forcefully, and they must be given to understand that we do not intend to stand idly by while our society and its institutions are rent asunder by malcontents and anarchists, be they foreign or homegrown.

The above-mentioned article by Mr. Hoover should be required reading for all citizens concerned about this recent phenomenon in American life. To give it wider dissemination, I insert it in the RECORD at this point:

AN ANALYSIS OF THE NEW LEFT: A GOSPEL OF NIHILISM

(By J. Edgar Hoover)

The time has come for Americans to focus on a new kind of conspiracy in our country—a movement called the New Left. In recent months the effects of the New Left have been seen in many places: in demonstrations against American policy in Viet Nam, in civil disobedience, in calls for young men to resist the draft, in campus turmoil, in attacks against law and order, in desecrations of the American flag.

What is the New Left?

Actually, the New Left as a movement is difficult to define. If you visit a New Left meeting, you will find some of the participants smartly dressed, others with dirty T-shirts and baggy trousers. A high percentage are Beatniks—wearing long hair and beards, unkempt clothes, and sandals. A few are Hippies, experimenting with drugs and enamored with esoteric rituals such as "love-ins," "be-ins," and "happenings." If you listen to their conversation, you will hear a steady flow of obscene and foul language. Sexual promiscuity is not considered in bad taste.

Most of the participants are students. The New Left is predominantly a college-age movement found in the college and university community—but not exclusively. Besides undergraduates, the New Left contains a wide assortment of other participants: college faculty members (mostly young), graduate students, guitarists, writers, intellectuals of various types, ex-students still "hanging around" the campus, curiosity-seekers, Communists, Trotskyites.

"We have within our ranks," comments the national vice-president of Students for a Democratic Society (SDS), the largest and best known of New Left groups, "Communists of both varieties, socialists of all sorts, three or four different kinds of anarchists, anarcho-syndicalists, syndicalists, social democrats, humanist liberals, a growing number of libertarian laissez-faire capitalists, and of course, the articulate vanguard of the psychedelic liberation front."

In this amalgam is found much nonsensical chatter but also serious conversation by some highly motivated and articulate young people seeking to understand vital problems facing our nation today, such as poverty, civil rights, world peace, automation, the student's role on the university campus, human dignity in a rapidly developing urban and industrial economy. *Here is the paradox of the New Left:* Many of the New Leftists are mere intellectual tramps who seek the exotic and eccentric as emotional outlets; but some, in one way or another, are seriously searching—not only for answers to society's problems but for values of human existence in a world of great uncertainty.

To equate the New Left with a political party or a tightly disciplined organization is to miss its true identity. It is is not an organization. It does not have a constitution, bylaws, or an official membership.

Rather the New Left is a *mood*, a *philosophy of life*, a *Weltanschauung*, a way of looking at *self, country*, and the *universe*. And in this mood lies its tragedy—and its danger!

For the New Left's mood—and philosophy of life—is not one of support for America and its traditions, of upholding moral and democratic values. Rather, it is one of defiance, hostility, and opposition to our free society. It seeks to destroy, not to build. Its whole approach is one of negativism—to criticize, belittle, denigrate the principles on which this nation was built. Cynicism, pessimism, and callousness are its mottoes. At its heart, the New Left is *nihilistic* and *anarchistic*.

Hence, to dismiss the New Left, as some do, as a collection of simpletons. eccentrics, and jocular fools is to commit a grave mistake. Its adherents should not, as so often happens, be judged strictly by their Beatnik dress and ways (repugnant as they may be to most Americans). New Leftism poses today challenging and provocative questions for the nation—questions that each thoughtful citizen should carefully analyze, study, and understand. Who are these young people? Why have they chosen to disparage the society and institutions that gave them birth? Why is their gospel one of nihilism? Why have they rejected the values of our Judaic-Christian civilization?

The imperative need for knowledge is shown by the rapid growth of the movement. Just a few months ago the SDS's national vice-president enthusiastically reported that his group had some 30,000 adherents. "Starting from almost zero," he said, "we have achieved that number in seven years; we have grown ten-fold in only two years." More and more the New Left is reaching into the high-school age group. *New Left Notes*, organ of SDS, comments:

"The 600 members of SDS who are in high schools are the most underrepresented group in our organization. . . . A high school organizer would be able to make high school members more than peripherally involved in the affairs of SDS. Moreover, he could begin to help build a more solid high school movement. This would not be difficult."

To analyze the New Left is to become suddenly aware of the nihilistic wasteland it presents.

Basic to the New Left's mood is the idea that contemporary American society (contemptuously called the "Establishment") is corrupt, evil, and malignant—and must be destroyed. To reform it, to change it for the better, is impossible. It must—along with its Judaic-Christian values—be liquidated. "Let's face it. It is, to use the crudest psychological terminology, a sick. sick, sick society in which we live. It is, finally, a society which approaches collective insanity—a system of authority-dependency relationships which destroys life and health and strength and creates debility, dependency, and deathliness."

For that reason, members of the New Left take great delight in desecrating the American flag, mocking American heros, and disparaging American history. They contemptuously hiss and boo officials of our government and show scornful disdain for opinions with which they disagree (the New Left at heart is extremely totalitarian, intolerant, and opinionated in nature). They urge resistance to the draft (even on occasions try to interfere physically with the legitimate activities of armed-services personnel on college campuses present for the purpose of recruiting), burn or mutilate draft cards, endeavor to dictate to university administrative officials how these institutions should be run.

In this spirit of nihilism, the New Left manifests a nauseating air of self-righteousness, as if it alone knows how to solve the problems of twentieth-century society and alone can be trusted to carry out these solutions. There is almost a hysterical repudiation of the older generation (defined as any person over the age of thirty—though this age minimum is rapidly decreasing). The older generation (our "impotent, neurotic elders") is characterized as having sold out to "imperialistic monopoly capitalism" (note the use of Marxist terminology), and having "betrayed" the youth. Hence, it is not to be trusted—and no wisdom and advice can be expected from it.

Therefore, the New Left has little appreciation of and respect for history ("we have little or no sense of history") or for the accumulated heritage and wisdom of former years. By rejecting the past, they lack a clear view of the future and fail to understand the nature of man as a human being. They are anarchistic iconoclasts, breaking and destroying, whose eschatological vision has no practical or even idealistic idea of what the future should be. Their chief aim, despite their protestations to the contrary, is to destroy, annihilate, tear down.

Their heroes are Castro, Che Guevara, Mao Tse-Tung, Ho Chi Minh, or whoever they ebulliently believe is a fighter (preferably the romantic guerrilla type) against a "status quo" capitalist nation.

Ideologically, the ideas of existenialism, especially as reflected in the writings of the French authors Jean-Paul Sartre and Albert Camus, have been influential. But a major influence has been Marxism. Karl Marx is frequently quoted in their writings. They talk much about the concept of "alienation," which derives in large part from Marx. By "alienation," they mean their separation from, and lack of allegiance to, the institutions of contemporary society. These institutions (such as our educational system, private industry, the government, the military services), they claim, are "choking," "stifling," and "stunting" young people, creating in them a "slave psychology." As one New Leftist put it: "From the moment he enters school, the student is subjected to innumerable procedures designed to humiliate him and remind him that he is worthless and that adults are omnipotent."

In part, the New Left's Beatnik style, their use of obscene language, their inclination towards drugs, is an attempt to shock their elders, a way of ostentatiously declaring their "freedom" from what they call the "old," the "decadent," the "bourgeois." All too frequently, the hallucinatory world of drugs not only leads to permanent physical addiction but also makes even more difficult any transition to the world of reality. For many young people the use of drugs is a retreat, a withdrawal into a psychedelic world where they can evade making the basic decisions of life. This problem of drugs should not be taken lightly by our society.

How should this "decadent" society be destroyed? New Leftists are not sure. Their talk is vague but violent. "The only overtly political power we have," says one New Leftist, "is the power to disrupt. But even this limited power can be significant. . . . We need to develop techniques of creative disruption." To "radicalize" the youth, to build a "radical or revolutionary consciousness," to create a "sense of radical self-identity"—these are constant New Left phrases.

This mood of "creative disruption" in the past has been reflected in various *tactics of protest*, such as demonstrations, sit-ins, petition campaigns. But the mood of New Left protest, unfortunately, is now giving way to one of *resistance*. This is one of the tragedies of any movement of protest that refuses to find an outlet through legitimate channels of society and in cooperation with other groups—it moves to more radical, extreme, and bitter positions. Many New Left leaders, making judgments from increasing feelings of personal frustration and hatred, are talking in terms of *resistance* (a word frequently used by them) to the society they detest.

One SDS leader says:

"We have to build a movement out of people's guts, out of their so-far internalized rejection of American society, and present people with a revolutionary alternative to the American way of life.

"Many of us in SDS share a conviction that this is what has to happen. That we must resist, and that people must break free. None of us is sure we can win. All we can say is that there are other ways to lead our lives in the face of the obscenity of what American life is—and that we intend to live them that way."

Still another New Leftist talks about the movement's future:

"There is a continuing need for serious discussion of alternative scenarios for an American revolution. I do not believe advocates of electoral activity have offered one. . . . I feel the formation of counter-communities of struggle and the creation of local pockets of power is the way to begin to find a strategy of revolution."

After favorably quoting Karl Marx, an SDS writer says:

"It is important that we begin to talk in terms of five, ten, fifteen years because that is the time and energy it will take to build a Revolutionary movement and socialist political party able to take power in America. At this point, we in SDS must begin to write about and talk about socialist theory, so that we will be prepared to play a major role in developments, creating larger numbers of socialists, and developing socialist consciousness in all institutions in which we organize."

The news media not long ago quoted a top New Leftist as saying: "We are working to build a guerrilla force in an urban environment." "We are actively organizing sedition." Another stated: "I think violence is necessary, and it frightens me."

What does all this mean? That there are young people who disagree with society, who are willing to protest and make their views known—this is all to the good. America needs a questioning generation. It needs young people who will speak up frankly and firmly. The spirit of protest and dissent is inextricably interwoven in the fabric of American society. We want no silent generation. In a dangerous nuclear world, beset with uncertainty and fear, the human spirit will—and must—seek answers.

But when young people, in categorical and dogmatic terms, reject all society, and reject it with bitterness and disdain, questions should be asked. What is their purpose? What is their vision? What is wrong?

For a better society, conceived on Judaic-Christian realities, cannot be brought about by New Leftism. The New Leftists claim a high moral purpose ("Basically SDS politics stem from disaffection and a moral outrage . . .") and a spiritual sensitivity to injustice, intolerance, and unfairness. But how can this be?

When you sweepingly denounce the responsible leadership of the nation, even those who are honestly and sincerely trying to correct the many ills of our society (legitimate reform leaders are regularly lampooned by the New Left), who remains?

When you bitterly distrust the older generation and accuse it of the most base mendacity and dishonesty (usually without proof or facts), where is fairness?

When you find incidents of hypocrisy and sham in our society (there are some), and then indict all of society, overlooking what is good and positive, isn't this having a distorted vision?

When you speak (as does the New Left) in terms of a dogmatic moralism that considers itself right and all other viewpoints wrong, where are the possibilities of creative dialogue?

When you *denounce* and *denounce* and *denounce* and offer nothing constructive, what happens?

When you constantly view your country as being in the wrong but saying nothing really critical about Communism, or Castro, or Mao, or Ho, isn't this indicative of a preconceived bias?

No concrete proof exists that the New Left is sincerely interested (as it claims) in improving this country. That's why it is at heart a form of neo-paganism.

The whole mood of the New Left makes the movement particularly susceptible to infiltration and manipulation by the so-called "Old Left"—meaning the Communist Party and the Trotskyites. And that is exactly what is happening. The Communist Party, for example, and its youth front, the W.E.B. DuBois Clubs, have deeply imbedded themselves in the New Left—helping organize demonstrations, participating in planning sessions, making policy decisions.

Not that the entire New Left is Communist-dominated. It is not. Some elements of the New Left have criticized the Communist Party. This criticism, however, is not so much opposition to Marxist-Leninist principles as opposition to Communist concepts of discipline and organization. Though sympathetic to Communist aims, they do not want to become Communist members and be caught up in the Party's bureaucracy.

As part of its youth program, the Party is today making strenuous efforts to reap benefit from the New Left. In a recent discussion of the New Left in the Party's theoretical journal, ***Political Affairs***, a writer made these frank comments in an article entitled "**Many Can Be Won for Communism:**"

"I believe it is time for the Party to consider the New Left as a recruiting ground for militant cadre. . . . Proctor [one of the other writers] is correct in stating that there is a surprisingly large section of the New Left ready to listen to Communists, and willing to see Communist ideas in action. I hasten to add, and to join the Communist Party, if and when the opportunity presents itself. Let us prepare classes, develop open youth leadership, establish social contact with individuals of the New Left, and, in short, bring those whom we can into our ranks. In doing so we will go a long ways towards preparing our Party for the new radical period ahead."

Here is the danger—that a disciplined, experienced revolutionary organization, like the Communist Party, will be able to reach into the variegated, at times almost chaotic, New Left movement, recruit young people, and then train them into revolutionary cadres. Remembering the words of Lenin, the Party realizes that revolutionary zeal, vociferous and outspoken, is not of great value unless it is channeled into revolutionary cadres—the dedicated men and women who are trained for revolution. The tumultuous unpredictability of some of the New Left leaders makes the Party distrustful of them; but the New Left as a movement has given the Party an ideological bonanza undreamed of just a few years ago.

In the book of Isaiah (5: 4) a verse which often comes to my mind:

"What more was there to do for my vineyard,
that I have not done in it?
When I looked for it to yield grapes, why
did it yield wild grapes?"

Why the New Left? What has caused this nihilist group—small in numbers yet potentially great for evil? Why have these wild grapes grown in a society which has lavished so much time, attention, and wealth on its young people, to train them to be responsible citizens?

"We come from homes with all the status tickets," a New Left student told a newsman. "We were born into comfort and security. Our disaffection comes from having all that society has to offer—and feeling shallow. Other kids have the American dream before them. We were born into the American dream."

Maybe society has lavished too much of the wrong kind of things on these young people? Too much money for personal use? Too much permissiveness? Too much affluence? A high percentage of college-age New Leftists come from affluent homes—where they have never wanted in the physical things of life. Have too many parents placed a false emphasis in the lives of these young people, stressing the material rather than the spiritual? Have young people been taught to prize what is expedient and easy rather than to work hard and do an acceptable job?

Maybe we have emphasized too much the rights and privileges of the individual rather than his duties and responsibilities?

Just what are the churches doing? Are clergymen and concerned laymen devoting the attention they should to youth? Are they involved in a dialogue—a heart-to-heart conversation—with these young people, endeavoring to answer some of their probing questions about human existence, such as: Who am I? Why am I here? What is the purpose of life? What values have meaning?

All of us, clergymen and laymen, need to look deeper into our hearts to answer these questions.

1. We need to know our young people better. Young people want a helping hand, love, care, and nurture. There are too many broken homes, separated families, and failures of the parent-youth relationship. Too many parents don't know their children today.

2. We must realize that monetary affluence (money, home, swimming pool) cannot by themselves capture a child's affection. Money is too often used to bribe children—to keep them falsely happy, to simulate a parent-child relationship that doesn't exist. The irresponsible flabbiness of affluence has become a deterrent to spiritual growth.

3. We need to inculcate in our young people the idea that in a free society the single person counts. Too many of these young people complain of powerlessness, impotence, spiritual sterility. Their vision is distorted. They can, by exercising intelligence, moral example, and initiative, influence the world in which they live. Our society is not, except to the perennial pessimist, a closed, fixed society that defies efforts to change it.

4. We must emphasize that the generations must work together. Trust runs from child

to parent and parent to child. Civilization is created by the constant interaction of generations. In a society growing increasingly young, there must be a new respect for the wisdom of the elders.

5. We need to instill a love of country in the hearts of young Americans—that they are heirs of a great tradition of liberty and that if it is to remain meaningful it must be won anew each day. Patriotism is not old-fashioned. Being proud of country and flag is the natural response of concerned and intelligent citizens.

6. We need to encourage our young generation to understand fully that obedience to law is the heart of democratic society. If a person disobeys a law just because he doesn't like it, or feels it is wrong, this can only bring chaos. Our free society contains constitutional processes whereby laws can be changed. Unilateral disobedience is wrong.

7. Young people must realize that spiritual faith is the ultimate lifeline of fruitful living. God is the eternal hope. Man-made gods, like chips of wood, perish. They hold temporary thrall, but disintegrate in the burning sun of human experience. To live fully, abundantly, and courageously, man needs God.

In the history of the world no figure has reinforced the true and the good more than Jesus of Nazareth, and no book has wielded greater power for godliness and decency than the Bible. To know the Judaic-Christian realities afresh is the great consuming need of the younger generation today, and there is little hope of their renewal unless adults make these commitments their own. Never have the churches—clergy and laity—lived in a time of greater opportunity to exhibit the importance of faith and trust in God and of obedience to his will, and never in the history of our generation would their failure to do so be more calamitous.

CZECH INVASION PREDICTED, RUMANIAN INVASION WARNED BY HUNGARIAN FREEDOM GROUP

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. HORTON. Mr. Speaker, I am pleased to share with my colleagues in the House today a statement issued by the Hungarian Freedom Fighters warning against a policy of appeasement by the United States in Eastern Europe.

This resolution warns against the dangers of allowing the strength of NATO to dissolve, of turning a deaf ear to the cries for freedom in Czechoslovakia, and of sowing the seeds of appeasement where Soviet action in Eastern Europe is concerned.

It is a resolution that bears careful reading and contemplation because it points out that the current crisis in Eastern Europe is the result of the Soviet Union's ability to suppress freedom in a nation by military force without fear of reprisal.

I can only pray that the echos of marching feet into the Sudetenland in 1939 are not replaced in 1968 with Russian boots marching across the face of Europe because this Nation forgot the lesson of World War II.

The preface and resolution follow:

PREFACE

The Hungarian Freedom Federation, U.S.A., meeting in its Seventh Congress, comes together at a very auspicious time.

Only a few days after the ruthless Soviet invasion of Czechoslovakia, we met in an atmosphere of much questioning and even fear about the future of the balance of power between the East and West. As Hungarian Freedom Fighters, we are in a unique position to assess the meaning of the situation in Czechoslovakia.

In a public statement made August 31, 1968, by Representative Frank Horton (R–N.Y.), the American people were advised to "watch closely the proceedings of this Seventh Congress of the Hungarian Freedom Fighters' Federation, because the survivors of red tyranny against Hungary in 1956 have much to teach us about the current crisis.

It is in this prospective that we offer the following resolution.

RESOLUTION OF THE SEVENTH CONGRESS OF THE HUNGARIAN FREEDOM FIGHTERS FEDERATION U.S.A. CONCERNING THE CURRENT CRISIS IN EAST EUROPE

The bridge designed by Western concern in search for betterment of the prevailing conditions in Eastern Europe and built by miscalculation of political realities collapsed under the weight of Russian tanks invading Prague.

Based on our unique personal experience and firsthand knowledge of Soviet tactics we warned the Secretary General of the United Nations as early as July 27th, 1968 in a telegram to be prepared for those eventualities which have since become facts.

In 1956, a spontaneous, popular, armed repudiation of Communism failed in Hungary despite the gallantry of the Hungarian people and of the unanimous condemnation of the Russian aggression by world opinion.

Just recently and in contrast, a carefully designed and officially controlled effort by the Czechoslovak Communist Party toward liberalization, within the framework of the Warsaw Pact was similarly crushed as soon as it became apparent that a meaningful degree of individual freedom in Czechoslovakia might be achieved.

The Hungarian Freedom Fighters Federation U.S.A. never subscribed to the notion that a one-sided bridge-building policy can ever achieve any beneficial results.

The Seventh National Congress of the Federation presents the following conclusions:

1. Behind the Communist ideological tirades Russian imperialistic aims are hidden and realized by naked Russian aggression.

2. It is evident that the Kremlin's recent foreign policy decisions have been suggested by the military, alarmed by the possibility of losing control over tactically important geographical areas.

3. In view of the Russian generals' growing influence in policymaking, further aggressive moves of the Red Army can be expected in order to secure advantageous positions.

4. The invasion shortly following the Bratislava agreement demonstrates again the utter disregard of moral and international obligations by the Soviet government.

5. In the face of naked Russian aggression any relaxation of Western military alertness and preparedness seems to be suicidal.

6. The brute exhibition of force clearly showed to the Western Communist parties and sympathizers that they can count on the "support" an "brotherly friendship" of the Soviet Union only as long as they are willing to serve the interests of Russian nationalism over and above their own. The implementation of the concept of "humanized Communism" is hopeless under such circumstances.

The Hungarian Freedom Fighters Federation U.S.A. deems the following measures necessary and feasible.

The resolutions made by the NATO ambassadors in Washington, D.C., on August 31st, 1968 and the policy described by the representative of the U.S. Department of State should be immediately and greatly expanded. In details:

A. A decisive, immediate and public repudiation of any secret obligations establishing the status-quo in Eastern Europe is needed if such obligations exist. If such obligations never existed diplomatic timidity shall not honor and perpetuate the de facto established lines of the status-quo.

B. To discourage further military adventures of the Russian Army the urgent revigoration of the NATO Alliance and the updating of conventional armament for the armed forces of the Alliance is imperative.

C. Recently established economic policies for better East-West relations must be reevaluated. As a starting step, a revocation of economic concessions should follow the Russian aggression in Czechoslovakia.

D. Inept and timid diplomatic statements, inviting aggression should be ceased by high level officials in the NATO Alliance. Forceful and unequivocal pronouncements, such as that made by the U.S. President warning against invasion of Rumania, should make it evident that no further aggressions will be tolerated.

The appeasement in 1938 resulted in World War II. An appeasement in 1968 may very well sow the seeds of World War III. History seldom repeats itself: still those who are unable or unwilling to learn from the lessons of the past deserve to be victimized by the repetition of history.

September 1, 1968 at the Seventh Congress of the Hungarian Freedom Fighters Federation U.S.A.

Dr. ANDRAS POGANY,
President.
BAAN VITEZ,
Vice President, World Federation.
LASZLO PASZTOR,
Secretary General.
ISTVAN GEREBEN,
Vice President.

THE ARMS RACE: TOO MUCH OF A BAD THING

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. COHELAN. Mr. Speaker, the United States faces a major decision on nuclear policy that will affect the nature of this world for a long time to come.

That question is whether to build new and more sophisticated nuclear weaponry or to negotiate an agreement to limit the proliferation of weapons of strategic warfare. At stake is the security of the world and the lives of millions of people.

Mr. Andrew Hamilton, writing in the New York Times Magazine of October 6, 1968, offers cogent and lucid arguments for working toward the limiting of those weapons as the way to provide security for the peoples of the world.

Mr. Hamilton states so well the futility of the arms race when he says:

> The United States and the U.S.S.R. have reached a high plateau of mutual deterrence where strenuous efforts to achieve nuclear "superiority" are self-deluding. Yet in the absence of a mutual agreement to end the strategic arms race, both nations are con-

demned to continue adding more and new varieties of weapons to their forces, each nervously watching for a "technological breakthrough"—such as a perfect antimissile system—that would give its opponent a decisive advantage.

Given the mutual deterrence, any money which either the United States or the Soviet Union spends in the future on strategic arms, except to insure the survivability and deliverability of its nuclear deterrent, will have only an uncertain symbolic value, and most likely will simply stimulate strategic spending by the other side. The world provides a constant reminder that there are more important uses for its resources than a contest between wealthy nations for nuclear "superiority."

Mr. Speaker, under unanimous consent I submit Mr. Hamilton's article for inclusion in the Record. It is essential, in our deliberations on the buildup of "deterrent weapons," that the futility of the arms race and its effect on our security are considered and understood by the Congress. I hope all Members will take the time to read it.

The article follows:

The Arms Race: Too Much of a Bad Thing

(By Andrew Hamilton)

Washington.—The United States and the Soviet Union, in the autumn of 1968, face major decisions on nuclear policy that will affect the nature of their rivalry for a long time to come. One choice is to explore, in the phrase of former Defense Secretary Robert S. McNamara, their "mutuality of interests" in limiting the weapons of strategic warfare. The other, in the absence of negotiations, is to plunge into a new and possibly more frantic era of nuclear weapons competition.

Over the past seven years each of the two powers has acquired, at great cost, large strategic missile forces capable of destroying the other as an organized society. And each side has also kept a substantial number of long-range nuclear bombers, dating from the fifties, to supplement their missiles. At this point in history, their forces are roughly in balance. Neither side can deprive the other of its deterrent strength. A surprise attack by either would still leave the victim with more than enough surviving weapons to destroy the attacker. Each nation is strongly impelled to treat the other with caution.

This is the condition long proclaimed by McNamara as the goal of a rational nuclear policy. The United States and the U.S.S.R. have reached a high plateau of mutual deterrence where strenuous efforts to achieve nuclear "superiority" are self-deluding. Yet in the absence of a mutual agreement to end the strategic arms race, both nations are condemned to continue adding more and newer varieties of weapons to their forces, each nervously watching for a "technological breakthrough"—such as a perfect antimissile system—that would give its opponent a decisive advantage.

Short weeks ago, it appeared that the decision this fall would be to talk. President Johnson and Premier Kosygin were preparing to announce on Aug. 21 their plans for a Summit meeting to initiate negotiations on limiting offensive and defensive strategic missiles. But on Aug. 20, the Soviet Union invaded Czechoslovakia. The announcement was cancelled.

Meanwhile, both sides were pushing new weapons programs. In June, Defense Secretary Clark M. Clifford indicated that the Sentinel antiballistic missile (ABM) system, intended as a thin protection against a Chinese attack, might be adapted to defend against the Soviet Union. He thus appeared to contradict McNamara, who constantly argued while in office that such a move would force the Soviets to add more than enough missiles to offset the ABM and so place the United States in greater jeopardy than before.

Simultaneously, a new and more deadly offensive technology made its debut. On Aug. 16, the Defense Department tested two new strategic missiles, the Poseidon and the Minuteman III, both carrying MIRV's (multiple individually guided re-entry vehicles). And in early September came word that the Soviet Union had also tested a multiple warhead rocket. The Russian test prompted Senator Henry M. Jackson to warn that the present American missile installations might not be sufficient to deter a Russian attack. "It opens the door," he said, "to a revision of all our fixed numbers."

McNamara established the present limits of U.S. missile strength in 1962, when he determined that there should be no more than 1,000 Minuteman launch sites. The Joint Chiefs of Staff had recommended an open-ended deployment schedule of 150 to 200 missiles a year. "It was the first big McNamara decision that the military didn't like," said a Defense aide recently, "a very traumatic experience."

The former Defense Secretary's belief that a quantative answer could be given to the question "How much is enough nuclear strength?" never won complete acceptance in the military or in Congress. On June 24—the day the Poor People's campaign was evicted from Resurrection City—the Senate was debating whether to delay the Sentinel system for a year to save $400-million which might otherwise have to be cut from domestic programs. Senator Richard B. Russell, chairman of the Armed Services Committee, argued that the Sentinel must be kept on schedule. The Soviet Union, he said, was already deploying an antimissile system, had caught up with the United States in land-based intercontinental ballistic missiles (ICBM's) and was building new missile-carrying submarines. "I today cannot assure the Senate, as I have done year after year," Russell said, "that we are superior to any Soviet threat in the field of strategic missiles, because I do not know that to be the case, and I think there is a very grave doubt about it." His argument carried the day, demonstrating the power of the psychological approach to strategic weapons decisions—that the more you have, the safer you are.

During the Sentinel debate, Russell chided a fellow member of the Armed Services Committee, Missouri's Stuart Symington, who had declared the Sentinel to be a wasteful program of doubtful effectiveness. "The test of a weapons system," Russell declared, "is not in what it does when it is used; it is whether it is effective or not to avoid its use. . . . And if you have one that is so effective you do not have to use it, you have a success."

That is a kind of senatorial Stengelese for "The purpose of a deterrent is to deter." Like so much else that is said when strategic weapons are under discussion, it is reminiscent of medieval theological argument: apocalyptic in implication; logical, if tortuous; even true; but as a guide to decision-making, quite useless. And the advocates of nuclear "superiority" are urging decisions involving tens of billions of dollars.

Given the state of mutual deterrence, any money which either the United States or the Soviet Union spends in the future on strategic arms, except to insure the survivability and deliverability of its nuclear deterrent, will have only an uncertain symbolic value, and most likely will simply stimulate strategic spending by the other side. The world provides a constant reminder that there are more important uses for its resources than a contest between wealthy nations for nuclear "superiority."

The lesson has been slow to sink in. In July, 1961, the striking power of both sides was invested in bombers. In these weapons, the United States was strongly in the lead, thanks in part to misplaced alarm in the mid-fifties that we would come out on the short end of a "bomber gap." The United States had about 560 B-52 heavy bombers, about 40 supersonic B-58 medium bombers and about 900 aging B-47 medium bombers, all with intercontinental range. They were backed by about 1,000 tankers for mid-air refueling. The Soviet Union had about 150 Bear-model heavy intercontinental bombers. It also had 700 to 800 medium bombers, but a much smaller tanker fleet than the United States. Most of the medium bombers, if not all, were targeted against European and Asian points, not against the United States. (All calculations of Soviet strategic power in this article are based on United States intelligence estimates.)

Each side also had a small force of missile submarines. On the American side, five nuclear-powered Polaris submarines were operational, carrying 80 sea-launched ballistic missiles (SLBM's). The American submarines could remain submerged and concealed for three months at a time and could fire their 1,200-nautical-mile (1,380-statute-mile) A–1 missiles while submerged. The Russians had 50 to 100 SLBM's, but these had a range of only a few hundred miles, were carried aboard diesel submarines with limited station-keeping powers and were fired from the water's surface.

Finally, the number of land-based ICBM's on both sides, when measured against the rhetoric of the "missile gap" debate in the 1960 Presidential campaign, was indeed puny: The United States had 28; the Soviet Union just four.

Today the strategic forces of the two nations are as follows:

UNITED STATES

Intercontinental missiles: 1,054, of which 65 per cent are usually on alert while the rest undergo inspection and overhaul.

There are 1,000 Minuteman missiles in two basic models, Minuteman I (of which there are currently about 650) and Minuteman II, which is slowly replacing the earlier version. Both are solid-fuel missiles. They are deployed in reinforced underground silos designed to withstand nearby nuclear explosions. The silos are widely separated to prevent a single incoming bomb or missile from destroying more than one of them.

Minuteman II has more payload and accuracy than Minuteman I. The extra payload enables it to carry "penetration aids," like metallic chaff, to confuse Soviet radar defense. The extra accuracy makes it more efficient for destroying "hardened" military targets. The Minuteman I carries a warhead which probably is equivalent to slightly less than one million tons of TNT (one megaton); the Minuteman II warhead probably has slightly more than one megaton of explosive aboard. The missiles can be fired within a matter of seconds after a command is given (the command would come either from reinforced underground launch centers or from a flying command post). They would take about 30 minutes to reach their targets in the Soviet Union. Minuteman II missiles, carrying MIRV warheads, will also begin replacing Minuteman I's in the next year.

In addition, there are 54 Titan II missiles. These liquid-fueled giants, also deployed in underground silos, carry the largest warhead in the United States missile inventory. It is probably about five megatons, enough to destroy a city the size of the District of Columbia. But these relatively inaccurate big missiles are not easily adapted to the era of antiballistic missiles and MIRV's. They will be inactivated, and the presently planned ICBM force rounded off at 1,000.

Sea-based missiles: 656, of which about 400 are usually on alert at sea. Sixteen missiles are carried aboard each of the 41 Polaris submarines. The Polaris force is considered to be the most secure component of the United States deterrent, at least into the mid-nineteen-seventies. In the event of a Soviet first strike, virtually all of the submarines at sea would get off their missiles, attacking from the Mediterranean, the Norwegian Sea, the Indian Ocean and the northern Pacific. Perhaps for this reason, the submarine force has been modernized more rapidly than land-based missiles or bombers, a fact that appears to be irksome to the Air Force.

Currently, 30 of the Polaris boats carry the third-generation Polaris A-3 missile, which has a range of 2,500 nautical miles. The remaining boats carry the 1,500-nautical-mile Polaris A-2. All of the first generation Polaris A-1 missiles have been retired. The A-3, first put into service aboard the U.S.S. Daniel Webster on Sept. 28, 1964, gave the submarine missile force the range and power to attack most targets in Russia and Communist China. It also made it possible for Polaris submarines to take up their stations further offshore, giving them wider reaches of ocean for concealment. A Polaris A-3 boat initiated missile submarine patrols in the Pacific on Christmas Eve, 1964. Polaris submarines are now based at Charleston, S.C.; Holy Loch, Scotland; Rota, Spain, and Guam.

A major feature of the Polaris A-3 is its multiple warhead, the first to be deployed by the United States. The missile's payload contains a cluster of three warheads, aimed shotgun-fashion at a single target. The warheads are designed to separate as the payload descends toward target, but to fall close enough together that their blast waves, like the circles generated by three pebbles falling near each other into a pond, will overlap to spread destruction over more than 40 square miles.

The three-part warhead of the A-3, like the penetration aids carried by Minuteman II, was a response to the first Soviet antiballistic missile, the Griffon. The decision to produce the A-3 came in 1960, when both powers were pushing development of antimissile systems. A Griffon installation was started at Leningrad in 1962, but it was subsequently abandoned, possibly when the Russians realized its shortcomings against Minuteman II and Polaris.

The multiple warhead of the A–3 also had a collateral benefit: it increased the efficiency of the missile for destroying "soft" targets such as cities. Assume that a missile can carry either a one-megaton warhead or three 200 kilotons (200,000 tons of TNT), plus some penetration aids such as chaff. Although the megaton warhead will create a bigger fireball or dig a deeper hole, the combined area of destruction wrought by the three 200-kiloton warheads will be at least 10 percent greater, according to calculations based upon the Army's handbook, "The Effects of Nuclear Weapons." It should not be overlooked that each of these "small" warheads is 10 times larger than the bomb that destroyed Hiroshima. The superior efficiency of several "small" nuclear explosions over one very big one is a key to the vast multiplication of missile power contemplated in the next step in the nuclear arms race, the deployment of the MIRV's.

Intercontinental bombers: about 680—some 600 B–52's and 80 B–58's. All of the B–47's have been retired, and the earlier models of the B–52 force and all the B–58's are scheduled for retirement in the next three or four years, to be replaced by a lesser number of FB–111's, a bomber version of the controversial TFX swing-wing attack aircraft. When the changeover is completed, the bomber force will consist of 255 B–52's and 210 FB–111's. Forty per cent of the present bomber force is kept on strategic alert, ready to take off in less than 15 minutes (the warning time provided by the Ballistic Missile Early Warning System).

The B–52 aircraft in the alert force are mostly armed with four hydrogen bombs of about one megaton each, like those lost in the accidents at Palomares, Spain, and at Thule, Greenland. Some also carry two Hound Dog air-to-ground missiles armed with nuclear warheads. These supersonic missiles, with a range of more than 500 miles, are designed to attack radar installations, airfields and other air defense systems. The B–52's are also equipped with "electronic counter-measure" systems for confusing the radar that controls surface-to-air missiles. And they can carry the Quail, a small decoy missile that on radar screens resembles a B–52. A new short-range (100 to 200 miles) attack missile, with a nuclear warhead, will be introduced soon to the bomber force. B–52's will carry eight or more; FB–111's, a lesser number. The B–52's were originally designed for high-altitude attacks on the Soviet Union. But the introduction of Soviet surface-to-air missiles caused a shift to low-level attack plans. More than $1-billion has been spent to strengthen the bombers so they can withstand the buffeting of low-altitude flight.

The last B-52 came off the production line in 1962. But in periodic overhauls, the aircraft are virtually rebuilt from the frame out. Because of this, and because the large payload of the bomber allows the introduction of new electronic counter-measure "black boxes" and attack missiles, many high-level defense officials believe the B-52 will remain a potent part of the U.S. deterrent force into the nineteen-eighties, especially when supplemented by the FB-111, which can attack at supersonic speeds "on the deck." The Air Force, however, would like to replace the B-52's with a new large supersonic bomber known as AMSA (Advanced Manned Strategic Aircraft).

Defense: The United States deploys a large number of interceptor aircraft and surface-to-air missiles for continental air defense. It is developing an airborne control system for the interceptor force, employing down-looking radar to spot low-flying Soviet bombers. This development is known as the Airborne Warning and Control System (AWACS). And, of course, the U.S. is preparing the installation of the Sentinel ABM system.

The Sentinel will employ "area defense," using longrange "exoatmospheric" interceptor missiles known as Spartans. These interceptors will attack incoming missiles several hundred miles in space with very large nuclear warheads (probably several megatons). Because of the long ranges involved, some 15 to 20 Sentinel sites will be able to provide coverage to the continental United States. Key elements of the system, including launch sites and early-warning radars, may be protected with short-range Sprint missiles as an extra precaution. The Sentinel system design is considered adequate to handle an attack employing some 50 to 150 missiles, but would be "exhausted" by a much larger attack. It is now designed primarily as a defense against Communist China, which is expected to have a force of 50 missiles or more by the mid-nineteen-seventies. The first Sentinel sites will be operational in the early seventies.

SOVIET UNION

Intercontinental missiles: 1,050 to 1,100. Most of these are the model known to the United States as SS–11, considered to be equivalent to the earlier versions of Minuteman in range, payload and accuracy. About 200 or more are the model known as the SS–9. This is a very large missile with a payload comparable to that of the U.S. Titan II, and it is believed to have good accuracy. It could be outfitted in the future with multiple, individually aimed warheads. The Russian force also includes roughly 200 early-model ICBM's (SS–6–7–8) with payloads comparable to the large SS–9. However, these early models, unlike the SS–9 and SS–11, are deployed at unprotected, "soft" launching sites. (The United States retired the last of its "soft" missiles in the early nineteen-sixties.) The later-model Soviet ICBM's are launched from dispersed, reinforced underground silos. All operational models of Soviet ICBM's are liquid-fueled. Most of the SS–9's and SS–11's have been deployed in the last two years. In July, 1966, U.S. intelligence calculated, only 340 Soviet ICBM launchers were operational.

In addition to the intercontinental missile force, the Soviet Union has some 700 to 800 intermediate-range ballistic missiles capable of hitting targets in Western Europe. While these weapons are no direct threat to the United States, they strengthen Soviet deterrence of a possible American attack by exposing American allies to retaliation.

Sea-based missiles: Comparison of the U.S. and Soviet forces is difficult. Within the past year, the Russians have placed in operation perhaps two large, fast, nuclear-powered submarines comparable to the U.S. Polaris boats. These carry approximately 30 missiles capable of underwater launching, with a range of perhaps 2,500 to 3,000 miles. The Soviet Union also has 10 to 15 nuclear-powered submarines carrying three underwater-launch missiles each, with a range of approximately 1,500 miles. In addition, it has perhaps 150 shorter-range ballistic missiles mounted on diesel submarines, most of which cannot be fired while the submarine is submerged. And it has some 25 nuclear-powered submarines which carry six low-flying antishipping missiles each. These missiles are comparable to the one used by an Egyptian patrol boat to sink the Israeli destroyer Elath on Oct. 21, 1967.

In his presentation of the defense budget this year, McNamara excluded the missiles on diesel submarines and the low-flying missiles from his strategic comparison, saying they were probably not targeted against the United States. He credited the Russians with 30 missiles on other-than Polaris-type nuclear submarines as of mid-1967. The current figure appears to be at least double that number, mainly as a result of the introduction of the Polaris-type boats. Vice Adm. Hyman G. Rickover recently told Congress that the Soviet Union was embarked on a major construction program of missile submarines as well as attack-type nuclear submarines (used against other submarines and surface ships). But some senior Defense Department officials say there is no clear evidence that the Soviet Union is rushing to build a large number of nuclear missile subs.

Intercontinental bombers: About 155 of the Bear model, some armed with air-to-ground missiles. Defense officials exclude the Soviet medium bomber force of some 700 aircraft from the U.S.-U.S.S.R. strategic comparison.

Defense: In addition to these offensive forces, the Soviets have begun deployment of a thin ABM defense in the Moscow area, using an exoatmospheric interceptor missile known as the Galosh. These long-range antimissiles are capable of covering most of Western Russia. Work on the Galosh system has proceeded at a slow pace with no signs that it is being expanded or installed elsewhere.

The Soviets also have an extensive antibomber defense system, dating from the late nineteen-fifties, employing interceptor aircraft and missiles. Last year they showed off several new models of supersonic interceptor aircraft, suggesting that they plan to strengthen these defenses possibly in response to U.S. plans to improve its bomber force.

The Soviet Union has recently installed a line of defensive missiles across its northern approaches. Known as the Tallinn system, it is believed to be a high-performance antibomber net, with the added ability to shoot down bomber-launched missiles such as the Hound Dog.

Such is the current strategic balance. It is the starting point for any discussion on limiting and reducing strategic arms. But it does not, of course, tell the whole story. Important changes already are planned by the United States, and there are strong pressures in the Government for still further "improvements." The Soviets, likewise, are known to have important new weapons in development. Before taking up the next stages in the arms race, however, it is useful to consider what would happen if the arsenals described above were used in anger.

The measurement of the nuclear deterrent power of both sides involves the morbid calculation of what would happen to the people of each nation in the hypothetical event of a nuclear war. These hypothetical events, or scenarios, divide into two classes: what happens if the Soviets strike first and the U.S. retaliates, and what happens if the situation is reversed. The scenarios do not discuss the political likelihood of the events they describe.

To appreciate the current surplus of U.S. strategic weapons, hypothesize a Soviet surprise attack with approximately 1,000 missiles on our missile and bomber bases, the purpose being to destroy American retaliatory power without being destroyed in return. Soviet bombers and a second round of missiles—the so-called second-strike force—would be reserved for destruction of American cities.

In the event of such a first strike, the United States would retain some 400 to 600 operative land-based missiles, according to conservative calculations of Soviet missile accuracy, and about 400 Polaris missiles, plus over 200 bombers able to get off the ground before the attack arrived.

Should only 100 of these retaliatory bombers penetrate Soviet defenses, carrying four one-megaton bombs each, and should 90 per cent of the U.S. missiles arrive on target, each with one megaton of payload, a total of more than 1,000 warheads would strike Soviet targets. McNamara has calculated that it would take only 400 warheads to destroy a third of Russia's population and three-quarters of her industry. Post-attack deaths from fallout, disease, starvation would bring fatalities to more than 100 million. The initial Soviet surprise attack and its follow-up would produce as many or more American deaths. The result would resemble mutual suicide.

Now assume that the United States struck first, using its entire land and sea missile force to attack Soviet ICBM sites and bomber bases. At most, these could knock out perhaps 800 Soviet ICBM's and half the bombers. The remaining Soviet ICBM's, submarine missiles and bombers could kill more than 100 million Americans in retaliation. And the missiles targeted on Western Europe could also be fired. The Soviet second-strike force does not have to deliver as many weapons as the U.S. second-strike force to achieve a comparable level of devastation because the population of the United States is more concentrated in cities and suburbs.

McNamara called the task of the nation's nuclear deterrent forces the "assured destruction" of any attacker. "In the case of the Soviet Union," he told Congress this year, "I would judge that a capability on our part to destroy, say, one-fifth to one-fourth of her population and one-half her industrial capacity would serve as an effective deterrent. Such a level of destruction would certainly represent intolerable punishment to any 20th-century industrial nation."

Tables presented by McNamara suggest that this task could be achieved with as few as 200 megaton-sized warheads delivered on targets in the Soviet Union. When this number is measured against the more than 1,000 warheads which could be delivered in the scenario described above, McNamara's comment of Sept. 18, 1967, that we have "more than we require" in the way of strategic weapons appears to be a weak understatement—even taking into account the extra weapons required to deter China and protect Western Europe. McNamara's explanation of this nuclear "overkill" was that "a strategic planner must be 'conservative' in his calculations. . . . Since we could not be certain of Soviet intentions . . . we had to insure against [a massive buildup] by undertaking ourselves a major building of the Minuteman and Polaris forces. . . . But the blunt fact remains that if we had had more accurate information about planned Soviet strategic forces, we simply would not have needed to build as large a nuclear arsenal as we have today." Going further, he told Congress this year that "if the Soviet offensive-defensive threat does not increase beyond the highest level now projected through 1972 in the latest National Intelligence Estimates, we will have more 'Assured Destruction' capability than we will probably need." In fact, each of the three components of the U.S. strategic forces—ICBM's, set-launched missiles and bombers—will be able to inflict "Assured Destruction" by itself in 1972 if matched against the most likely Soviet force at that time.

The improvements now planned for the U.S. missile force, McNamara said, are intended to offset the combined threat to the U.S. deterrent posed by an increase in Soviet offensive forces and missile defense, both projected by U.S. intelligence on the basis of what the Soviets have done in the recent past. The improvements include a radically new submarine-based missile, the Poseidon, which recently underwent its first test flight and a somewhat improved Minuteman III ICBM—plus possibly a Minuteman II with a cluster warhead like that of the Polaris A-3 missile. The new missiles will replace earlier versions, so the total number of U.S. launchers will not increase—unless, of course, the Johnson Administration or its successors change direction.

At similar ranges, the Poseidon will have twice the accuracy and twice the payload of the Polaris A-3. It will, in fact, have a larger payload than any U.S. missile except the Titan II. Poseidon will be installed in 31 of the 41 Polaris boats; the cost of altering the others is too great, and they will carry the A-3. The first Poseidon boat will be deployed in 1970 or early 1971.

Minuteman III will have a slightly larger payload than Minuteman II. The exact mix of the resulting force of Minuteman II and Minuteman III missiles has not been announced. Minuteman III is scheduled for deployment next year.

Far more important than the launch vehicles, however, is the new payload they will carry: the MIRV, or "space bus." This has been described by Dr. John S. Foster Jr., the Director of Defense Research and Engineering, as a "major breakthrough in missile technology." In a speech last December, Foster said, "this bus carries many individual re-entry vehicles with thermonuclear warheads. After the main booster has cut off, the bus keeps making minute adjustments to its speed and direction and after each adjustment it ejects another warhead. Thus each warhead is delivered on a trajectory to a different city, or if desired, all can be delivered within one city." With the introduction of MIRV, the ballistic missile becomes in effect, an unmanned bomber.

The development of MIRV has rendered useless the standard measurements of strategic power: numbers of missiles on launchers or cumulative megatons of destructive power. It has also rendered the task of limiting strategic arms far more difficult: A spy satellite can photograph a missile but has no way of telling how many warheads it packs (the Poseidon, for instance, supposedly will carry as many as 15 warheads; the Minuteman III, three or five, but they will be larger). The only way to check on missile loadings is on-site inspection, a requirement which until now has been a major bar to U.S.-U.S.S.R. arms agreements.

Paradoxically, the conversion to multiple warheads will mean a sharp decrease in the megatonnage carried by U.S. missiles at the same time that destructive power goes up. Each warhead on a Poseidon space bus will be small as modern nuclear weapons go, with perhaps one-twentieth of a megaton of explosive force—though even this is 2.5 times as large as the Hiroshima bomb. Because of the superior destructive efficiency of many small nuclear explosions over one large one, mentioned above, and the fact that few cities are perfectly regular in shape, 10 well-directed warheads of 50 kilotons each could be more effective against a city than the five-megaton warhead probably carried by the Titan II. But the principal reasons for MIRV are its ability to elude and overwhelm ABM defenses and its targeting flexibility. Figures supplied by Deputy Defense Secretary Paul H. Nitze to the Joint Committee on Atomic Energy in November, 1967, compared two hypothetical missile payloads of ten 50-kiloton weapons and one 10-megaton weapon. The missile with MIRV's could destroy 10 times as many airfields, 1.2 to 1.7 times as many hard missile silos and 3.5 times as many cities of 100,000 population, using one-twentieth the amount of explosive force.

With the completion of the planned Poseidon force, individually aimed warheads in the fleet will rise from 656 at present to more than 5,000—perhaps to more than 7,000. If the Minuteman III force is set at 500 missiles, total individually aimed warheads in the ICBM force will be at least double, from 1,000 to 2,000. The "metagon equivalents" in the combined missile force will increase, at a guess, from 2,000 to 2,400, while the actual megatonnage will decline. Even assuming that the Soviet Union extends and expands its antimissile system at the highest rate anticipated in the National Intelligence Estimates, McNamara indicated this year, the number of U.S. warheads that would be delivered on Soviet targets after a Soviet first strike would be considerably larger than the number that would be delivered if such a nuclear exchange came now.

Looking beyond the currently planned forces, the United States is conducting research and development on new weapons and means for protecting the deterrent—as a hedge against a future growth in Soviet forces, or for engaging in an all-out arms race should the brakes be taken off by some subsequent Administration. Testifying last April before the Senate Preparedness Investigating Subcommittee, Gen. Earle G. Wheeler, Chairman of the Joint Chiefs of Staff, made it clear that the military would like to proceed now with the final development and deployment of several new strategic systems, which could cost more than $100-billion over the next 10 to 15 years.

Listing projects not approved by McNamara for inclusion in the current (fiscal year 1969) budget, Wheeler said that the Joint Chiefs recommended that steps be taken to provide the Air Force with a supersonic, swing-wing heavy bomber as a replacement for the subsonic B-52, beginning in 1976. Known as the advanced manned strategic aircraft (AMSA), it would also eventually replace the bomber version of the F-111. AMSA would have a payload of 100,000 pounds—twice that of the B-52 and four times that of the F-111—but because of improvements in jet-engine technology and the development of movable wings it would be slightly smaller than the B-52 and would be able to take off from and land on far smaller airfields, so that it could be more effectively dispersed as a precaution against surprise attack.

The Joint Chiefs also recommended the rapid development of a new large land-based ICBM with several times the payload of Minuteman III, in order to have it ready for deployment by the mid-nineteen-seventies. This weapon is known as the improved capability missile (ICM). Both AMSA and the ICM are urged by the Air Force to offset projected improvements in Soviet antibomber and antimissile defenses. (To offset potential improvements in the accuracy and numbers of Soviet *offensive* missiles, including the possible deployment of Soviet MIRV's, McNamara this year ordered the design of a new "superhard" silo which could accommodate either the Minuteman III or the ICM. The Defense Department is also considering as an alternative the possible defense of Minuteman missile sites with short-range Sprint antiballistic missiles which could be incorporated into the Sentinel system.)

The Joint Chiefs recommended, in addition, the construction of a prototype of a ballistic missile surface ship, which would have the mobility of the Polaris submarine but could carry far larger missiles. And they urged that the experimental F-12, a 2,000-m.p.h. interceptor, be placed in production for use in continental air defense. (The Defense Department recommended, instead, that the Air Force buy an improved model of the current F-106 interceptor.) Finally, the Joint Chiefs recommended expansion of the Sentinel anti-China missile defense into a full-scale, anti-Soviet defense, involving local protection for 25 to 50 cities as well as a more dense nationwide area coverage.

Wheeler said the Defense Department had approved military recommendations for studies of Air Force and Navy antimissile proposals. The Air Force study, known as ABMIS, for "airborne ballistic missile intercept system," would use antiballistic missiles carried by large aircraft. The Navy study, known as SABMIS (a "sea-based" ABMIS), would use ships stationed where their missiles could intercept ICBM's in mid-course. Wheeler indicated that the Joint Chiefs viewed SABMIS as a "desirable" program, but had some doubts about the cost-effectiveness of the Air Force proposal.

In addition, the Defense Department this year ordered studies of a new long-range sea-launched ballistic missile and of a new model of missile submarine which could operate at greater depths than the Polaris, to offset potential improvements in Soviet anti-submarine techniques; it would carry only one-fifth the crew, to reduce operating costs, now estimated at $1-billion a year for the Polaris fleet.

The Defense Department also is constantly looking at longer-range, more exotic uses of technology. To name a few: ballistic re-entry vehicles that maneuver like aircraft to dodge antimissiles; space-based antimissile systems that spread debris in the path of an ICBM; manned weapons platforms in space; nuclear-powered missiles and aircraft; planes which fly at hypersonic speeds (4,000-6,000 m.p.h.); lasers and chemical and biological weapons of mass destruction. But nothing presently on the horizon seems clearly destined to replace the intercontinental missile armed with nuclear warheads.

On the Soviet side, the possibilities for the near future include the development of mobile, solid-fueled ICBM's to offset the improved accuracy of U.S. missiles; expansion of the missile-carrying nuclear submarine fleet; deployment of more missiles or better missiles armed with MIRV's, or both; improvement, expansion and extension of the Moscow antimissile system; introduction of a new bomber or at least of longer-range, bomber-borne missiles and the deployment of a force of intercontinental missiles equipped with the "fractional-orbit bombardment system" (FOBS). FOBS is fired into a low, 100-mile-high orbit, then brought down on target before it completes one trip around the globe. Its prominent feature is the ability to avoid the American early-warning system, cutting the warning time before it strikes to only three minutes. Thus it could be used as a weapon against missile sites and bomber bases. To preclude the successful use of FOBS in a first strike, McNamara two years ago ordered an acceleration in the development and deployment of "over-the-horizon" radar techniques for monitoring Soviet launch sites in order, he said, to "recapture the warning time" at present available to U.S. bombers in the alert force.

Looking beyond the immediate future, the Soviet Union also undoubtedly has a military research and development program that is seeking new means of attack and defense. Soviet leaders probably experience the same dilemma in this area that afflicts American Presidents. The only way to anticipate what the other side may discover, and to try to learn to cope with the new potential threats, is to operate an aggressive research and development program. But the people who conduct such programs constitute an important lobby for deployment of their projects—another in the list of pressures which give the arms race its built-in momentum. The U.S. and Soviet arms negotiators have their task cut out for them if they can ever get together.

THE WORK OF THE 90TH CONGRESS

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. ROSENTHAL. Mr. Speaker, I have just sent out a newsletter to my constituents summarizing the work of the 90th Congress. The text of it follows:

BENJAMIN S. ROSENTHAL'S REPORT FROM CONGRESS TO THE EIGHTH CONGRESSIONAL DISTRICT OF NEW YORK

Congress—who cares? Although people are often apathetic toward Congress, there is a healthy tendency today to recognize the important, and even vital, role it plays in national affairs.

How Congress acts, or fails to act, determines public policy. And a few members of Congress can lead the public. For example, popular opposition to Vietnam policy slowly solidified around a dozen representatives in the House and the Senate. Congress can also resist change the public wants: effective gun control was delayed when Congress responded to a strong and effective gun lobby.

Other important issues fell one way or another only when Congress acted. Good consumer bills—like Truth-in-Lending and meat inspection—came from Congressional initiative. Tax reform and a Supreme Court nomination failed because key men in Congress opposed them.

Congress has a diverse membership and close ties with local communities. These characteristics sometimes slow its proceedings and may even make it appear old-fashioned. But the system protects a variety of viewpoints.

Congress matters because it can represent many views. Including yours.

WHAT THE 90TH CONGRESS DID

Reviewed Social Security, increased benefits 13 percent but put objectionable restrictions on welfare recipients; raised payroll taxes starting in 1969; helped state authorities plan better medical services, assisted "have-not" medical schools; extended the Food Stamp program for two years and increased funds for it.

Established the Public Broadcasting Corporation; extended the Teacher Corps; retained the anti-poverty program separate from other federal agencies but put some agencies under tighter local government control; funded model cities program but denied funds for the open housing law which it passed earlier; renewed the draft without serious attention to necessary revisions.

Banned the mail order sales of guns; set a study of obscene materials; aided local police but also loosened rights of accused and wiretapping restrictions.

Raised federal pay, including postal and military scales and veterans retirement pay; rejected the ill-advised request for a foreign travel tax.

AND WHAT IT DIDN'T DO

Ignored electoral college reform; delayed overdue Congressional reform; by choosing a weak gun control bill, it delayed the tougher controls it must eventually pass; retained "second-class" status for federal employees by ignoring bills protecting their privacy; accepted uncritically the administration's Vietnam budget while cutting foreign aid recklessly; failed to abolish the House Un-American Activities Committee which irregularly brings ridicule and disgrace to Congressional procedures; because Vietnam made it easy to do so, it ignored basic reductions in both military spending and the need for vital new domestic programs; failed to approve a treaty to stop the spread of nuclear weapons; refused to balance domestic and military spending but instead cut the budget $6 billion, mostly from domestic programs.

ISSUES

Vietnam is an obscured issue this fall. It shouldn't be. As a dissenter from our war policies since 1965, I find that few people know how we blundered into Southeast Asia.

We took up the fight of the French and made the same mistakes they did. But because we are stronger, we thought we could win where they lost. We were wrong.

We can't win because you cannot defeat an idea, even a wrong one, with force. But we tried by supporting a corrupt government in South Vietnam. It can't win with its people's allegiance. And it shouldn't have ours either.

I believe the next President will end the war, precisely because there is no military solution. He should first end the bombing which we know is futile. Next, negotiators in Paris or Hanoi should end the war on these terms: (1) withdrawal of all foreign troops. (2) direct movement toward a coalition government truly willing to negotiate, (3) an internationally supervised election in South Vietnam and eventual reunification of the country.

The American presence hampers lasting peace in Vietnam. We should leave honorably.

Medical care still escapes our American skills of organization. We can deliver men into orbit but we can't get a doctor to the people who need him or find a way to insure that all children—rich and poor—get the basic medical check-ups they need. The result: we have the Western world's highest infant mortality rate.

I proposed legislation to train more and better doctors and do it faster and more efficiently. We also need more neighborhood medical centers, ringed around well-planned community hospitals. And we need different kinds of medical workers so we won't waste the time of a doctor when all we need is a good physician's assistant.

The federal government can do much more work in this field without taking over medicine.

Grapes are a symbol for renewed militance and compassion in the labor movement. The United Farm Workers asked for both national support and Congressional action to help organize Mexican-American workers. I supported their call for better labor laws and for effective enforcement of present laws to exclude alien strike-breakers.

I hope Congress will encourage concern by the bigger unions for rededication to their historical responsibilities to the poor and downtrodden.

Civil rights progress flows very slowly into the critical areas of jobs, housing and education.

A guaranteed job and annual wage can do today what the minimum hourly wage did 30 years ago. The idea is the same: a man needs a minimum income to live decently and support a family. I will continue to support this plan for those able to work.

In education we must protect the gains we've already made and extend them with better federal help for local school programs.

Black Americans want nothing more, or less, than other Americans. They don't want disorders or riots, but justice and tranquillity. They want equal opportunity for education, a job and a good home. It is our common interest to help them succeed.

Guns and crime were topics which consumed many hours during this Congress after the tragic deaths of Senator Kennedy and Dr. King. Only a minority of members voted as I did for registration of weapons and licensing of owners. These measures won't end gun violence, but they will reduce the access to weapons and give police some control over their users. Strong gun control laws will protect, not hurt, the average citizen.

The police also need other help—better training, better pay and more public understanding. The best police I know understand that they need community support much more than increased firepower.

Older citizens need meaningful leisure and a chance for a community service. I sponsored a plan to hire retired citizens for part-time, paid work in their neighborhoods. Jobs like playground supervisors and job counselors can be done better by mature people.

But part-time work cannot support older citizens. We need higher Social Security benefits including broader Medicare with lower age limits. Also, we must end unfair rules on widows, single persons and outside income. We must use general tax funds for benefits and end the present total reliance on regressive payroll taxes.

Airport problems are no longer just an annoyance. They are a national crisis. In our three metropolitan airports, plane congestion and noise grows intolerable for both the flying public and airport neighbors.

The Port Authority is a defective instrument in aviation problems. It should abandon its role in the search for a fourth jetport. I want the federal government to build and operate a new airport until a new regional air authority is created. We also need strict limits on private planes over the city and a specific priority for controlled airline schedules at our major terminals.

I warned Congress and the nation last year that if air traffic problems were dismissed, the consequences could be tragic. Delays are hazardous. The danger of mid-air collisions over our city is increasing. Immediate action is imperative.

Israel remains the step-child of the Middle East and a pawn in the struggle between East and West. It needs American support to insure its existence and prevent another armed attack against it. The USSR is seeking to expand its influence into the Middle East. It is in the American interest to preserve Israel's integrity. Deterrent will prevent world conflict.

I encouraged the Foreign Affairs Committee, on which I serve, to support the sale of Phantom jets to Israel to restore the arms balance in the region. We should also encourage direct Arab-Israeli talks towards a settlement that guarantees Israel's independence.

Youth is our greatest asset. Its views affect public opinion which in turn affects Congress. Other generations swallowed goldfish, raided girls' dormitories or kept safely quiet. In dedication to important issues, in idealism and in energy devoted to public causes, this generation is the most influential in history.

It's no surprise that parents and their Congressmen don't understand youth. Their perspectives differ. What is remarkable is the concern today's youth have for the right issues: peace abroad, justice at home. But they must affirm their devotion to peaceful dissent.

The American buyer needs help. Our society still lacks marketplace justice. Although Congress led the way with good work on consumer information and safety, much remains to do.

President Kennedy named four consumer rights: to be informed, to choose, to safety and to be represented. I head a sub-committee which explores these basic rights. We found, this year, that the ghetto consumer pays higher prices and gets inferior food. We also found that the government has much consumer information that it will not release. We are trying to force disclosure of this important data.

One of my major objectives in Congress is creation of a Department of Consumer Affairs. Another goal is an Info-Tag plan which will require that essential consumer data be labeled on every important product. Business and labor have top representation in Washington. When the consumer has the same voice, he will get fuller information, safer products and a better choice when he shops.

New York City faces, with other large cities, problems beyond its scope. Our great cities serve not only their residents. They are national centers of commerce, industry, education and the arts.

But New York also inherits welfare and safety problems, slum housing, air and noise pollution and every other urban ill. I urged Congress to examine new approaches to city life: better metropolitan government; state-federal tax sharing for urban development; federal responsibility for welfare and private cooperation in renewing our inner cities.

MR. HARRY A. BARBOUR

HON. JOHN DOWDY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. DOWDY. Mr. Speaker, it is with regret that I note to the Members of this body, the recent death of Harry A. Barbour, of Washington, who was well and favorably known to many Members of Congress for his assistance and good counsel on matters relating to local and national problems relating to slum clearance, public housing and urban renewal.

Mr. Barbour was one of the most experienced and knowledgeable experts in the field of Government housing. My colleagues and Members of the other body will recall his frequent appearances before committees to testify on legislation dealing with urban renewal and housing problems. His contributions were numerous and significant. His observations were based on his familiarity with the social and economic problems related to housing for low income families and his long personal experience with housing and redevelopment operations.

During 1962 and 1964, Mr. Barbour was a professional constulant to a special investigating subcommittee of the House Committee on the District of Columbia, on which committee I served as chairman. This committee was engaged in the investigation of the urban renewal program in the capital and Mr. Barbour discharged his duties with fine competence. It was his view that housing agencies of the Government should carry out their directives under acts of Congress for the provision of low rent or public housing for families displaced by slum clearance programs.

Applying this criterion to the southwest Washington urban renewal program, Mr. Barbour assisted the committee in its study of the first 10 years of slum clearance and redevelopment in the Nation's Capital. This study resulted in findings that although more than 5,000 slum dwellings had been demolished, and more than $100 million spent for redevelopment, not one low rent or public housing unit had been built for low income families.

Mr. Barbour entered the housing field in California as a public relations expert following the enactment of the first public housing law in 1937. Later he became the project director of the largest housing project undertaken by the Government for the construction of 22,000 housing units for shipbuilding employees at Richmond, Calif. His efficient management of this project brought it to completion on schedule in 2 years. As a result of his superior performance, he was commended and thereafter became a troubleshooter and expediter for housing programs in California.

Because of health problems, Mr. Barbour withdrew from Federal employment in 1948 and several years later, in 1954, with his wife Frances and two daughters, established residence in Washington. Thereafter, he remained active as health permitted as a consultant to local communities in adjoining States and served as legislative representative of the National Parking Association and the Washington Parking Association.

Mr. Barbour was the son of a colonel in the British Corps of Engineers. He was born in New York City and lived with his parents in England and India. During World War I, he served as a captain in the British Army and thereafter returned to the United States. His active civic interest, his service to local communities and the Nation, and his wise counsel will be remembered and missed by all who knew him.

VOCAL OPPOSITION TO VISIT BY COMMUNIST LEADER

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. DERWINSKI. Mr. Speaker, the forthcoming visit to the United States of Mr. Milovan Djilas, a long-time leader of the Communist Party of Yugoslavia, has produced very proper objections from the Americans who have ancestral ties to Yugoslavia. The peoples of Yugoslavia have suffered under the despotic Communist government which was imposed upon them after World War II in large part because of the support for Tito's forces that Stalin extracted from Roosevelt and Churchill.

Two leading organizations whose statements effectively express the thinking of many Americans concerned over the visit of Djilas are the Association of the Royal Yugoslav Army Combatants "Draza

Mihailovich" and the Serbian National Committee. I submit for the RECORD a letter that Dr. Ranko M. Brashich, chairman of the veteran group, sent to President Johnson and a letter that I received from the president of the Serbian National Committee:

ASSOCIATION OF THE R.Y.A.
COMBATANTS, CENTRAL COMMITTEE,
Flushing, N.Y., September 27, 1968.

Hon. LYNDON B. JOHNSON,
President of the United States,
The White House,
Washington, D.C.

MR. PRESIDENT: Upon the request of the local chapters of this Association, I take the liberty of writing to you with regard to the forthcoming visit of Milovan Djilas, one of the top-Communists of Yugoslavia, which was reported by the press several days ago. Our members, who are loyal citizens of the United States and whose sons are fighting in Vietnam as previously in Korea, are very much disturbed by the sad news. For the following reasons:

1. Milovan Djilas is the man, who is personally responsible for death of thousands and thousands of Yugoslav patriots, innocent women and children throughout Yugoslavia during and immediately after World War Two.

2. He is the man, who invented the term "dogs' graveyards" for all those places where the said innocent victims of the Communist atrocities were buried.

3. He was chief propagandist of the Communist Party of Yugoslavia for many years before, during and after World War Two; he fabricated innumerable lies against the United States, and he acclaimed Stalin as a living God!

4. He never retracted any of the said lies, and he is considered to be one of the greatest hater and enemy of the United States.

5. To bring such a man, who devoted his whole mature life to destruction of democratic institutions, religion and morality, at the present situation of this country, would equal as pouring kerosene to an open and burning fire! Do we not have enough of unrests, riots, demonstrations and the like, but we need to bring here an expert in such devilish profession of destruction to one of our Universities? How then can we blame our students for rioting and destruction, if we bring a "professor of destruction" to lecture them?

6. What difference our Department of State could claim between Milovan Djilas and Vladimir Dedijer, whom an entrance visa was denied few months ago? In my opinion, based on the simple and true state of facts, Djilas belongs to the same category like Dedijer, if he should not be considered worse and more dangerous than the latter.

On the basis of all the above, I respectfully request you, Mr. President, to instruct the Department of State to deny the entrance visa to Milovan Djilas, or, if already issued, to revoke the same, in the best interest of the United States.

Respectfully yours,
DR. RANKO M. BRASHICH,
Chairman.

SEPTEMBER 27, 1968.

Congressman EDWARD J. DERWINSKI,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN DERWINSKI: The Serbian National Committee, political spokesmen for Serbians in the free world, to its great sorrow, has learned that the notorious Yugoslav Communist Milovan Djilas has applied for a visa to visit the United States of America.

According to our information, Djilas is to receive a visiting fellowship from mid-October to early December as a faculty member of Princeton University's Woodrow Wilson School of Public and International Affairs in which capacity he will have the opportunity to indoctrinate American youth with Communist ideology.

A myth has been cultivated in America and elsewhere that Djilas is a "liberal," in spite of the fact that he is a Marxist, a real Communist. A myth has also been cultivated that Djilas and the Yugoslav Communist dictator Tito are in political disagreement. This is not true. Their mutual interest in international Communism is just as firm today as it was in the war days in Yugoslavia when Djilas served as a first lieutenant to Tito in the Communist takeover of the country. It is true that Tito had Djilas formally committed to jail. But no "prisoner" ever enjoyed such hospitality or benefitted so lavishly. Djilas was privileged to write several books which, in some unexplained manner, were published in the free world and for which he received substantial royalties.

Tito's regime has consistently refused to issue passports to many individuals who are relatives of emigre settlers. But Djilas, pictured by the naive as a critic of Communism, received his passport since obviously he is a confirmed Communist.

We believe it is pertinent in view of the pending visit, to acquaint the free world with this historical background on Milovan Djilas.

During World War II, during the period of the Communist civil war in Yugoslavia, Djilas caused tens of thousands of innocent Serbian people to be killed. In Montenegro, the country of his birth, Djilas ordered the execution of thousands of Serbian men, women, and children and even infants. They were slain at his orders without benefit of trial or hearing simply because they were nationalists and patriots. Djilas further caused all these slain to be placed in a special ditch after which, in blood-thirsty, macabre manner, he killed a dog, nailed the body to a stake and implanted it over the gravesite with the legend reading: "This is the grave of dogs."

We also feel that the world should be informed that many kin of those slain (the warriors and followers of the great Serbian patriot, General Draza Mihailovic) are now settled in America as good and loyal citizens of this country. Their memory of Djilas produces strong personal feelings.

We feel it is also pertinent to note that the demonstrations of Serbian students in Belgrade last June were spontaneous national and political protests against the Communist regime in Yugoslavia. A myth that Djilas is a leader of Serbian youth was overthrown when the students rejected him and did not wish to hear him, considering him to be a fifth columnist for Tito. He is today a real fifth columnist against the free and democratic world.

There is a clear warning in the visit of Djilas with that of another Tito fifth columnist, Vladimir Dedijer. He abused the hospitality of the United States by lecturing at Stanford and other universities where he encouraged the American youth in disorder and disobedience. Today Dedijer "presides" over a Communist "Court," which has "tried" President Johnson and Secretary of State Dean Rusk as "criminals." What Dedijer does today against the United States, Djilas will do tomorrow in the interest of Communism.

By deed and nature, Djilas is a hardened Yugoslav Communist. He, like his leader Tito, is a shrewd, cunning manipulator working in the interest of international Communism. Both Tito and Djilas are accepted by many in the West as "liberal." They are, in reality, working for Communism against our free world society.

Sending this petition in the name of the Serbian National Committee, we earnestly beseech the President not to grant permission for Djilas to visit this great land of ours. He would desecrate the great traditions of this nation.

In the name of the Serbian National Committee,

DR. MILAN GAVRILOVIC,
President.
BRANISLAV M. STANISIC,
Secretary.

FINLAND: THE NEXT CZECHOSLOVAKIA?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. RARICK. Mr. Speaker, the guarded announcement that Bolshevik Dictator Kosygin is holding meetings with the President of Finland is reminiscent of the Soviet armed aggression last month which overthrew Czechoslovakia.

And the excuse offered the Finns for their country being subverted sounds familiar—the Russians are afraid of West Germany—the same propaganda used by the Soviet military forces to invade Czechoslovakia.

Strangley, the invasion threat follows a Finnish election wherein the Finnish Communist party lost strength at the ballot box.

Where are the cries of aggression—colonialism—exploitation—and imperialism from the unshaven hordes of flower children in our land?

Mr. Speaker, I place the release from Stockholm, Sweden, for the October 8, Washington Post at this point in the RECORD:

SURPRISE VISIT OF KOSYGIN SHOCKS FINNS

(By Wilfrid Fleisher)

STOCKHOLM, October 8.—Soviet Premier Kosygin will make a surprise visit to Helsinki Wednesday following a secret meeting today with Finnish President Urho Kekkonen aboard a ship off the coast of Finland.

This was made known in a communique issued by the Finnish Foreign Office tonight. It is reported to have come as a shock to the Finnish people.

Kosygin arrived in Hango aboard a Soviet submarine chaser yesterday and has since met with Kekkonen on the Finnish ship Saaristo. They will continue their discussions in Helsinki.

Kosygin was accompanied by eight Russian officials and Kekkonen is said to have had a similar staff.

It is not known who initiated the meeting. It coincided with an article in the Soviet newspaper Izvestia citing an alleged "growing West German threat against Finland" and calling attention to the 1948 Soviet-Finnish defense pact. It renewed charges that West Germany is carrying on "vengeful intrigues in North Europe."

Similar charges led to the crisis between Finland and Russia in 1961, when former Soviet Premier Khrushchev demanded that joint military action be taken to guard against a West German attack. Khrushchev, in a meeting with Kekkonen at Novosibirsk in Siberia, finally dropped the Russian demands for "military consultations."

Swedish commentators tonight were drawing a parallel with the Soviet propaganda that preceded the Russian invasion of Czechoslovakia.

It was considered extraordinary that the Kosygin-Kekkonen meeting started on Monday, the second day of a Finnish provincial election, when right-wing parties registered a substantial headway at the expense of the Communists, whose strength was cut from

22 to 15 per cent of the electorate. However, the meeting was believed to have wider international significance than this.

THE NEED FOR A 161-KILOVOLT TRANSMISSION LINE BETWEEN GREAT FALLS AND BROWNING, MONT.

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. **OLSEN**. Mr. Speaker, with your permission I include in today's CONGRESSIONAL RECORD a statement made by Mr. Leo J. Carmody, president of the Central Montana Electric Generation and Transmission Cooperative, in support of a Bureau of Reclamation appropriation for the construction of a 161-kilovolt transmission line between Great Falls, Mont., and Browning, Mont. Following Mr. Carmody's statement is a copy of the resolution on this matter that was adopted by the Central Montana Electric Generation and Transmission Cooperative, which I also include.

Unfortunately it is too late to obtain this appropriation this year. However, I want to bring these two items to the attention of my colleagues in the House. I have long been aware of the need of this transmission line and I am sure that my colleagues will see the justification of the project when they read the remarks made by Mr. Carmody in his fine statement.

The statement and resolution follow:

STATEMENT OF LEO J. CARMODY, PRESIDENT, CENTRAL MONTANA ELECTRIC GENERATION AND TRANSMISSION COOPERATIVE

I. GREAT FALLS-BROWNING 161 KV LINE NEEDED FOR BEST AREA RELIABILITY

A. *Bureau and Cooperative Pioneered Effort for More Reliable Service*

The Bureau of Reclamation and three of its customers who purchase Fort Peck hydro power namely, Glacier Electric Cooperative, Marias Electric Cooperative, and Hill County Electric Cooperative, were responsible for the initial steps to increase the transmission capacity to north central Montana, to meet the rapidly growing power loads and increase the reliability of service to an area that has had only radial transmission line service for some 20 years.

The Cooperatives have experienced many outages from this radial line which have caused "blackouts" in the area, one of which lasted for over 14 hours. This condition is certainly intolerable by today's standards.

The interested parties agreed several years ago that a 115 Kv transmission line extending from the Bureau's Great Falls Substation to its Shelby Substation could be an adequate solution to the problem. Following its usual practice, the Bureau notified the Montana Power Company on October 3, 1966 of its intention to seek Congressional authorization of the facility and inquired of the Company's interest therein.

In a letter to the Bureau, by Mr. J. E. Corette, then President of the Company, dated November 4, 1966, the Company raised some questions concerning the eventual delivery of Bonneville power to the Glacier area and indicated that it expected to meet its future requirements in the Conrad area by its own facilities. *There was no offer at this time by the Company to undertake joint studies with the Bureau and the cooperatives.*

Early in 1968 Glacier Cooperative requested that the Bureau consider a Great Falls-Browning 161 kv transmission line to provide for more reliable service to the Cut Bank-Browning area and provide increased capacity for the future delivery of Bonneville power for which the Cooperative was eligible after 1969. The Cooperative, the Bureau and BPA then reached agreement on facilities, construction schedule, the date that Glacier would become a Bonneville customer and on the annual payments to be made by Glacier to the Bureau starting in 1977 for the added facilities being provided by the Bureau.

B. *Company a Latecomer in Area "Planning"*

This plan was discussed with the Company in accordance with customary procedures. Subsequently, on April 26, 1968, Mr. George O'Connor, President of the Company, indicated in a letter to the Bureau that the Company's Conrad area would need "substantial transmission capacity very shortly" and that the Company was considering a potential load at Cut Bank. The Company requested that the Bureau now postpone its plans for the 161 kv transmission addition and proceed with a coordinated plan. Meanwhile, the Company proceeded to develop plans to take an oil pumping load (Continental Oil Company) from Glacier Cooperative that the Cooperative had been serving since 1960. The Company proposed to build a 38-mile 115-kv line extension from Conrad to the Cut Bank area to take the pumping load away from the REA-financed cooperative, which for 20 years had served a sparse area that the Company had previously refused to serve.

C. *Company misrepresented situation to Committees of Congress*

Mr. O'Connor, in testimony before the Senate Appropriations Subcommittee on Public Works on May 6, 1968, reported, *"It is our understanding that the type of service Continental Oil Company desired from the Cooperative in the area is not available."*

"However", the Consulting Engineer for the Cooperative was not ever contacted by the Company, and he has stated unequivocally that the Cooperative *could* adequately supply the increased pumping load which the Continental Oil Company had requested. The Cooperative's engineer also estimates that the Company will sustain an annual loss in excess of $20,000 per year to serve a load which it now proposes to "pirate" from Glacier Cooperative. The Congress, which is now delaying the construction of the proposed Bureau 161 kv transmission line, is unfortunately serving to assist the Company in this unfair and harmful practice. This matter is a serious one on the face of it, but becomes increasingly more serious when the Company's previous record of piracy in central Montana is considered.

II. FUTURE EXISTENCE OF COOPERATIVES IS AT STAKE

A. *Company practices and court decisions make co-op territory insecure*

The effect of the Company's wheeling and power sales policy is to take away from REA-financed cooperatives the right to promote rural industry in their service areas. On top of this, the Company is continually pirating customers from the cooperatives in their service areas. Now the Company is using a Congressional Committee to stop the construction of an essential transmission line to adequately serve the rapidly growing loads of three preference customers so that the Company can construct 38 miles of transmission line for the ostensible purpose of serving a 3,000 kw oil pumping load.

The cooperatives fear, with some justification, that the Company's real purpose is to eventually take the growing towns of Cut Bank, Browning, and Shelby from the cooperatives, leaving to the cooperatives only some very thin rural farming area.

After all, the Company's proposed expenditure of funds to build into the area is not justified by this small pumping load. In view of its past practices, Montana Power could reasonably be expected to move to steal existing loads of the cooperatives in the area. When this happens, the cooperatives will have to raise the power rates to the remaining farm customers or sell the REA-financed rural electric systems to the Company. There is every indication that the Company's plans are to proceed in this manner, with the pirating of the Continental Oil Company load in the Cut Bank area being but the first step in a longrange "takeover" plan of the Company for the Browning, Cut Bank, Shelby area.

The following summary of cases which have been brought either before the state courts or the Montana Railroad and Public Service Commission since 1962 should indicate sufficient reason to justify the cooperatives of fear continued pirating by the Company:

(a) *Montana Power Company* v. *Park Electric Cooperative, 140 Mont. 293, 371, Pac. 2d 1 (1962)*. A property owner wanted to establish a sub-division with underground service. After talking to both the REC and the Company, he signed a contract with the REC. Both suppliers had lines close by. The area was outside the city and existing services in the area were served by the REC. Three years later, the subdivision was annexed to the city, after which the Company brought suit to enjoin the REC from serving. The Supreme Court in a split decision compelled the REC to release, and the property owner to take, service from the Company.

(b) *Montana Power Company* v. *Vigilante Electric Cooperative, 143 Mont. 119, 387 Pac. 2d 718 (1963)*. An area which the REC had served exclusively for 20 years was annexed in 1960. The company sued to enjoin the REC from serving any customers within the annexed area. The Supreme Court, in a split decision, ruled that the REC could retain its existing customers within the annexed area; all new customers to be served by the Company.

(c) *Montana Power Company* v. *Yellowstone Valley Electric Cooperative, District Court, Yellowstone County No. 44157 (1966)*. REC initiated service to a farm in 1938. In the early 1950's some of the farm was sold to a subdivider, who, after talking to both the REC and the Company entered into a contract with the REC for underground service. The property was at this time one and one-half miles from the city limits. The property was annexed to the city in 1960–62, and after the Vigilante decision (subparagraph (b) above) the Company brought suit to enjoin the REC from serving any new customer in the annexed area. The district court ordered the entire area released to the Company (about 160 customers). The Company, although not ordered by the district court, offered a substantial money settlement to the REC which was accepted, and the case was not appealed.

(d) *State ex rel Sinfield* v. *District Court, Montana Supreme Court File No. 11165, Per Curiam Order 6/66*. The REC and Company both had service available at the Sinfield property. Sinfield wanted REC's service, as it was cheaper. The Company successfully enjoined the REC from providing the service, and Sinfield petitioned to intervene in the case. He argued that since both suppliers were in the area, he should be permitted to exercise "freedom of choice." (REC services were predominant both in point of time and number.) The Supreme Court refused to review the District Court order denying Sinfield's petition to intervene, and the U.S. Supreme Court has now refused to consider the case.

(e) *Montana Power Company* v. *Vigilante*

Electric Cooperative, District Court, Broadwater County No. 5206 (1966). A county rest home was built outside the city limits in an area that had both Company and REC customers. The Board of County Commissioners requested both the REC and Company to submit bids. The REC standard rate was approximately $25 per month cheaper and the County thereupon contracted with the REC.

The Company sued both the REC and County to force the County to take its service. The District Court so ordered, holding that the Company had "service available" in the area. Case not appealed.

(f) *Montana Power Company* v. *Fergus Electric Cooperative, 149 Mont. 258, 425 Pac. 2d 329 (1967)*. Peavey Elevator Company purchased a building site 300 feet of an existing REC line, in an area served by the REC for many years. Both REC and Company submitted bids, which showed the REC rate would save them over $1,000 per year. The Company hurriedly constructed over 2,000 feet of line to make "service available," and then brought suit to enjoin the REC's service. In a split decision, the Supreme Court held Peavey must take its service from the Company.

(g) *Montana Power Company* v. *Missoula Electric Cooperative, Missoula County District Court, filed 4/67:* The REC entered into contracts to provide service to a race track and new subdivision developing in an area in which the REC had initiated service over 25 years ago. The Company had invaded the area and brought a suit to enjoin the REC's service, claiming it had "service available." Hearing set for 5/67 was vacated with the REC agreeing not to connect any new customers in the area prior to a hearing. The matter is still pending in this manner.

(h) *Yellowstone Valley Electric* v. *Montana Power Company filed before Montana Railroad and Public Service Commission (hereafter called PSC), No. 5628 (1967)*. The Company built 2½ miles of line, without cost, to Mr. Donaldson. The REC had been in the area for many years, and had an existing line within 300 feet. The Company has a regulation on file with the PSC stating a customer requesting a line extension must pay 25c per foot for extension beyond 1,000 feet. The Company had not charged Donaldson for the extension. PSC ruled that the Company could waive the extension charge when the Company found there was potential growth in the area. This case may be appealed to the district court in the near future.

(i) *Knobel* v. *Montana Power Company, filed before PSC, No. 5627 (1967)*. In a companion case to the Donaldson matter above (subparagraph (h)) Knobel complained to the PSC that the Company had charged him $1,800 to make a line extension beyond the 1,000 foot limit, while waiving it in the Donaldson case. The PSC ruled that Knobel lived in a rural area while Donaldson lived in a "non-rural" area, although both lived several miles from the city limits.

(j) *Yellowstone Valley Electric* v. *Montana Power Company, Volume 25 State Reporter, page 92 Pac. 2d (2/1/68)*. The REC had been the exclusive supplier in this rural area for over 25 years. A customer sold his home to Seth Holland, who requested (perhaps with some Company inducement) Company service. The REC brought suit to enjoin the company from serving, pointing out it would involve 1.7 miles of duplication of REC line and invade an established REC area. The Supreme Court ruled in favor of the Company.

(k) *Montana Power Company* v. *Yellowstone Valley Electric, District Court, Yellowstone County, No. 52047 (1968)*. The REC had been serving this rural area over 25 years, when a country club was constructed in the area some 5–8 years ago. The Company duplicated several miles of REC line to provide service. In 1968, a property owner near the country club requested REC service which was less than 300 feet from his construction site. The Company also had service in the immediate area and sued to enjoin the REC. The District Court has ruled in favor of the REC. *This represents the first substantial victory in any REC action during the past 10 years!!* It will probably be appealed by the Company.

(l) *Yellowstone Valley Electric* v. *Montana Power Co., filed before PSC, 8/68 (pending)*. The Company constructed 2½ miles of line to serve a man named Kinsfather, without applying the line extension regulation, and by totally duplicating existing REC service lines. We have been unable to get this set for hearing.

(m) *Park Electric Cooperative* v. *Montana Power Company, filed before PSC, 3/68 (pending)*. The Company constructed 4,600 feet of new line to serve a Northern Pacific Railroad microwave tower without applying the line extension regulation. The REC had been serving the area for many years. We have been unable to get this set for Hearing.

(n) *Beartooth Electric Cooperative* v. *Montana Power Company, filed before PSC 4/28/68 (pending)*: First count: The Company constructed 3½ miles of new line to a Northern Pacific microwave tower which was less than one mile from existing lines of the REC, in an area served for many years by the REC. Count two: The Company built 3 miles of line to serve a Northern Pacific microwave tower which is within 340 feet of the REC in an area served for many years by the REC. The line extension regulation was ignored in both cases. We have been unable to get this set for hearing.

(o) *Montana Power Company* v. *Fergus Electric Cooperative, on appeal to Montana Supreme Court*. The Farmers Union Central Exchange constructed a propane plant in a rural area located 500 feet from the Peavey Elevator site. (See subparagraph (f) above.) FUCE contracted with the REC for service and the Company sued to enjoin. Although FUCE installed a gas driven generator and has been operating the plant from this electric supply for over a year, the district court enjoined the REC from serving it. Oral argument should be presented before the Supreme Court this fall.

B. Federal investment in area may be jeopardized

The Federal Government has a big financial stake in seeing that such load stealing is prevented. First, there is the Bureau's investment in the Fort Peck-Havre, Rainbow-Shelby transmission lines and associated substations. Recent records of the Bureau show the investment in Federal Facilities in the area to be in excess of $3,400,000.

1966 REA data indicates the following REA loans to the local cooperatives:

Cooperative:	*Loans*
Glacier	$6,400,000
Marias	2,960,000
Hill County	5,222,000
Total	14,582,000

In total, some $18 million in Federal investments could be jeopardized in the future if the Congress continues to assist the Company in pirating customers from the cooperatives and the Bureau, by withholding funds for the construction of certain needed federal transmission lines. Congress should attempt to get some positive assurances that joint planning and construction programs be "the order of the day" and that it will not condone, by failing to provide adequate appropriations for federal transmission lines, a continuation of the piracy that is shown by this record.

C. Monopoly position of company threatens coop's future power supply

The cooperatives in Montana have, over the past 10 years, made a minimum of demands on the Bureau and the U.S. Congress for federally financed transmission facilities. They have attempted to get by on some very restrictive power supply contracts with the Company and on some costly wheeling arrangements between the Bureau and the Company. It is noted that the Montana Power Company, which has the highest rate of return in the nation, also imposes unreasonably high wheeling charges on REA-financed cooperatives. It is also noted that, in an area where rural area development is urgently needed, the Company has extremely restrictive power supply contracts.

The Montana Power Company imposes four zone wheeling rates on the Bureau for delivering Bureau power to cooperatives, namely: Zone 1–1 mill per kwh (50 miles), Zone 2–1.5 mills per kwh (100 miles), Zone 3–1.8 mills per kwh (150 miles), Zone 3–mills per kwh (over 150 miles).

In contrast, the Company only pays the Bureau 1 mill per kwh for wheeling Company power over the Federal system for a distance in excess of 150 miles. From this the Congress can see that this Company takes significant advantage of the federal transmission system when it is in its own best interest.

The latest power contracts which the Company has offered to REA cooperatives, which cannot be served directly from the Bureau's transmission system or afford to pay the exorbitant zone wheeling rates of the Company for delivery of Bureau power, contain some very restrictive provisions which make such contracts unacceptable to the cooperatives. For instance, present practice is that the cooperative and the Company estimate the future needs for each delivery point of the cooperative for the next calendar year. In the event the cooperative requires power for new loads in excess of estimated demand, the Company is to be notified. If the Company agrees within 30 days to serve the added load, the contract will be amended accordingly. If the Company does not agree to supply such additional power requirements within 30 days, the cooperative is given the right to purchase such additional power from another supplier.

The fly in this ointment is that, in the Montana Power Company's area, there is at present no "other power supplier" except the Bureau and the Company's present excessive wheeling rates make Bureau power unattractive for the development of the much needed rural industry in Montana.

The cooperatives' only remaining choice in this situation is to install relatively costly diesel generation to meet the New load. In this day of rapidly advancing technology in the utility industry, the Congress, the Bureau and the Company should not drive the cooperatives to high cost diesel generation as they try to develop rural industry.

III. COMPANY LINE TO CUT BANK, BORROWING AREA WILL BE A HUNTING LICENSE

The Company cannot justify the construction of their proposed line for the sole purpose of serving a 3,000 Kw oil pumping load. The only other logical reason for such construction is to put them in a position to "raid" the cooperatives service area. It seems apparent that they intend to utilize their monopolistic position as an unrestricted hunting license to "gather in" cooperative customers.

IV. USBR 161-KV GREAT FALLS-BROWNING LINE STILL CONSTITUTES BEST, LOW COST DEVELOPMENT FOR THE AREA

The 161 Kv Bureau line to Browning would provide complete loop service to the entire area whereas the proposed Company 115 Kv line to Cut Bank would not provide relief from "blackouts" in the Browning area which contains substantial load, including service to Glacier National Park as well as the central headquarters of the Blackfeet Indian Reservation.

The Bureau 161 Kv line would provide adequate capacity to the area for an extended period of time whereas the Company 115 Kv line would be inadequate by 1972 according to engineering studies made by Company and Bureau engineers.

TRUDEAU: A POTENTIAL CASTRO IN CANADA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. RARICK. Mr. Speaker, interest continues on the background and activities of the new Prime Minister of our northern neighbor, Canada.

With terrorist activity on the increase in Mexico and other Latin American countries — Americans should expect Canada to be infiltrated as a base of anti-American activity. Prime Minister Pierre Elliot Trudeau leaves much to be desired—especially considering his preelection promise to recognize Red China and the current talks between Canadian officials and the Peking government.

Some insight into Prime Minister Trudeau may be gained from a memorandum prepared by Igor Gouzenko, former Soviet cypher clerk, who defected to the West and who was responsible for cracking a Russian Communist spy ring in the United States and Canada in 1946 which resulted in an espionage conviction of Fred Rose, a one-time member of Parliament. Under unanimous consent I include Mr. Gouzenko's memorandum following my remarks in full content:

MEMORANDUM: TRUDEAU, A POTENTIAL CANADIAN CASTRO

(By Igor Gouzenko)

Because Canadian and U.S. press, radio and television largely ignored the past activities and writings of Trudeau, the public is not aware of a real possibility that on the 6th of April, 1968, the next Prime Minister of Canada might be a self-admitted radical socialist, and Canada might with ever increasing pace turn into a second Cuba. The situation is already pregnant with a multiple threat to Canadian freedom.

The present Minister of Justice, Pierre Elliot Trudeau, was elected to Parliament only in 1965. Before this he was professor at the University of Montreal; he was the founder of a radical left magazine, Cite Libre. He is careful not to call himself a communist, but as a matter of record, he was once barred from the United States as a communist. Below is the clipping from the Toronto Daily Star, dated February 16, 1968:

"In another revelation, he admitted he was once blacklisted by U.S. immigration authorities because they suspected he was a Communist."

Yet in spite of this background, shortly after Trudeau was elected to Parliament in 1965, Prime Minister Pearson appointed him his Parliamentary Secretary, and then made him, of all things, the Minister of Justice.

Pearson now supports Trudeau in the leadership race in obvious preference to other candidates. Press, radio and television are giving Trudeau unprecedented publicity, building him up as an intellectual, ignoring the fact that many of his so-called new ideas are borrowed from the outworn, reactionary writings of Lenin and Mao.

The Liberal Convention will choose not just a new leader, but a new Prime Minister. The next Prime Minister, therefore, would be elected not by the Canadian people at a general election but by several hundred delegates at the convention. The responsibility of the delegates, therefore, takes truly a historic proportion.

Pearson's own background is well-known. Elizabeth Bentley testified under oath that Pearson was giving the Soviet spy ring information. Below is the clipping from the Toronto Daily Star, dated April 5, 1967:

"RECALL PEARSON ALSO MENTIONED BY WOMAN

"Miss Bentley identified Dr. Norman and Mr. Pearson—and a third Canadian official whose name has never appeared publicly—as sources of information for her spy ring. Her testimony has never been made public but a good deal of it has been leaked to friendly segments of the U.S. press. The Scripps-Howard newspapers obtained a complete transcript but plans to publish this were killed, reportedly as the result of a personal intervention by John Foster Dulles, then the Republican designate for secretary of state."

Personally I believe that Elizabeth Bentley was telling the truth. The Chief of the F.B.I., as a matter of fact, confirmed the validity and authenticity of her testimony. He said that on no occasion (and she gave several names) had she proved to be telling lies.

The behavior of Pearson during the 1953–54 requests of the U.S. Government to interview me was revealing. Instead of welcoming the representatives of the friendly nation, or at least being indifferent, he strongly opposed their coming to Canada. As a result, the routine request was turned into an international incident. Moreover, when at last the U.S. Senator and Congressman were allowed to come to Canada, the ensuing conditions were even more revealing: I was not allowed to mention not one Canadian name. Pearson was clearly afraid that I might know something about his activities. Actually, I wanted to give advice to the U.S. and Canadian Governments which if it were put into effect would be of great value in the fight against Soviet espionage.

There were several other episodes which revealed the sympathies of Pearson. One recent development was on November 20th, 1967. Pearson gave to one of the top Canadian civil servants, Robert Bryce, a five thousand dollar award in recognition of his "outstanding service".

"[From the Ottawa Citizen, Nov. 20, 1967]

"TOP PUBLIC SERVANT WINS $5,000 AWARD

"Deputy finance minister Robert Bryce has received a $5,000 award for outstanding achievement in the Civil Service in 1967.

"The award, the highest the government can make to a public servant, will be presented to Mr. Bryce by Governor General Michener on December 4.

"News of the presentation came as a complete surprise to Mr. Bryce.

"He was attending the federal-provincial finance meeting last week when a note from Prime Minister Pearson advised him of the honor.

"Today for the benefit of newsmen Mr. Bryce declared that his $5,000 was indeed taxable because it had been presented by his employer—the Government of Canada.

"The rate of taxation on the $5,000, he calculated, would be 50 per cent or higher.

"His wife had plans for whatever is left of the award. She wants to take Mr. Bryce away on a holiday.

"But he noted that this winter looks like a very busy one for the Finance Department —he's not just sure whether he can take time off.

"The prime minister sent his warmest congratulations to Mr. Bryce: 'You are well aware that I consider that Canada's public service has no equal—that public service unmistakably bears your imprint.' "

But Robert Bryce was known to belong together with some other Canadians and Americans to a communist study group in Washington where he served. He also was known to be a close friend of Alger Hiss.

This information is alone not enough to charge a man, but is an alarm signal which any statesman whose interest of state security is at heart should never overlook.

Yet this man was not only allowed to remain in the Canadian civil service, but was promoted to a position of tremendous influence in Government polices, and of having access to practically every Government secret. The Royal Commission of 1946, which investigated my revelations, had warned about mortal danger of communist study groups as a training ground for the Soviet spies.

Below is the part of Section II, Chapter 5 (Recruiting Methods) from the Royal Commission Report of 1946, pages 47–48:

"A good illustration of the ease with which The Director in Moscow was able to obtain espionage agents from the secret membership of the Canadian Communist Party in selected Canadian organizations is provided by the Research Group consisting of Halperin, Durnford Smith and Mazerall, under the leadership of Lunan. Two of the three scientists were members of a Communist cell made up of scientists most of whom were employed in the National Research Council in Ottawa. There is no evidence that before the end of March, 1945, any members of this group contemplated espionage against Canada or any other illegal activity—though they did take pains to keep their political views and the existence of their study-group secret from the associates with whom they worked. Lunan reported of them to Rogov that before he approached them for espionage purposes:—

" 'They already feel the need for maintaining a very high degree of security and taking abnormal precautions at their normal meetings (about once in two weeks), since they are definitely not labelled with any political affiliation. One or two have even opposed the introduction of new members to our group on the grounds that it would endanger their own security.'

"But the Soviet Military Intelligence organization desired to have additional spies in Canadian scientific research organizations. The interview between Rose and Lunan, leading up to the meeting between Lunan and Rogov, resulted in the latter giving Lunan instructions to enlist Halperin, Durnford Smith and Mazerall as espionage agents. Whereupon within a few weeks the three Canadian scientists are found engaging actively in the espionage operations.

"Thus within a short period of time what had been merely a political discussion group, made up of Canadian scientists as members of a Canadian political party, was transformed on instructions from Moscow into an active espionage organization working against Canada on behalf of a foreign power. It is particularly startling that none of the initiative for this transformation was supplied by the three scientists themselves."

A few days after the award was announced, it became known that Robert Bryce, as Deputy Minister of Finance, ordered the cancellation of the International Service of the CBC, supposedly on an economy drive. This programme (six channels of it) was beamed to the people behind the Iron Curtain.

This is precisely what the Soviet government wants: to cut off the last outlet of democracy so that an enslaved people behind the Iron Curtain would lose the opportunity to hear the voice of freedom.

Below is the article from the Globe and Mail criticizing Bryce's so-called "economy":

"UNBEARABLE DRAIN?

"(By Dennis Braithwaite)

"I cannot bring myself to believe that the Government's proposal to scrap the CBC's International Service—Canada's short-wave radio voice—is based, as stated, on considerations of economy. The corporation's annual budget is in the neighborhood of $150-million; scrapping IS would reportedly save about $3.8-million, a mere trifle. Think of what would be lost: a unique, unduplicated service of Canadian news and general information—propaganda, if you like—prepared and broadcast in 11 languages to a measurable and responsive audience of European listeners. The International Service's multilingual broadcasters and full-time staff of 207 employees are the prime fashioners of Canada's image abroad; there has never been any suggestion that they are not doing this job well. Are they perhaps doing it too well? Six of the foreign-language broadcasts emanating from IS's Montreal headquarters are directed to listeners behind the Iron Curtain. Have the Communist countries objected to these transmissions? If they have, then the Canadian authorities should say so, instead of trying to convince the public that the modest budget of the International Service constitutes an unbearable drain on the federal Treasury. How can the International Service now be considered redundant when only last year the Government's white paper on broadcasting recommended that it be granted more funds in order to expand its services? Has President Charles de Gaulle, or some of his Quebec followers, perhaps, objected to the IS broadcasts in French? Has the Quebec Government hinted that it should control any French-language broadcasts beamed to Europe since it alone speaks for the French nation in North America? Or is Ottawa simply acting in anticipation of any or all of these objections?

"For a nation that this year spent hundreds of millions in an almost hysterical effort to catch the world's attention, haven't we become strangely reticent and isolationist all of a sudden? What about our struggle for identity? Won't there be a kind of hush all over the world when those short-wave transmitters at Sackville close down?

"According to our Ottawa bureau, Deputy Finance Minister Robert Bryce is the man who is putting the Indian sign on the International Service. Are we really going to let a penny-pinching bureaucrat decide this vital matter of external relations (assuming we are willing to swallow, as I am not, that austerity is the prime factor)?

"We have a standing Committee on Broadcasting. Let the committee hold public hearings on the expendability of the International Service. Let it call as witnesses, among others, the director of the service, C. R. Delafield, External Affairs Minister Paul Martin, the president of the CBC and some of our academic authorities on foreign affairs.

"Let them ask Robert Bryce what he would do with that $3.8 million, if he had it."

Robert Bryce, the friend of Alger Hiss and of Lester Pearson, gave to the Soviet government a most valuable New Year's gift, straight on a golden platter.

This episode with Bryce showed Pearson's pecular sympathies. Moreover, while stepping down as a Prime Minister of Canada, Pearson is doing everything in his power—and he can do a great deal—to insure that his successor would have them too, and more so.

Trudeau was hardly known before. Now the newspapers are full of him. This time he tries to camouflage his radical socialist nature as much as he can. The communists, the leftists, and the simply naive people in the communication media are helping him in this camouflage.

However, one has only to look at his actions and his writing of recent years, to realize that a new Castro is on the rise.

Please, consider the following:

(1) Trudeau was barred from the U.S. Below is clipping from Toronto Telegram, June 24, 1967:

"BARRED FROM THE UNITED STATES

"And he must be the only Justice Minister in Canadian history who as a private citizen has been barred entry to the United States after attending an economic conference in Moscow."

(2) Trudeau founded the magazine Cite Libre which was radical socialist publication. Some newspapers in Quebec called it a communist publication.

(3) Trudeau attended the Communist sponsored economic conference in Moscow in 1952, and on his return wrote pro-Soviet articles.

(4) Trudeau twice went to China, was received there personally by Mao, and on his return wrote, together with another man, a book, glorifying Mao, praising the communist regime in China, condemning the nationalist government in Taiwan, and condemning the United States actions toward China.

(5) Trudeau wrote passionate articles against U.S. action in Korea, echoing communist propaganda.

(6) Trudeau wrote articles condemning the U.S. action in Vietnam. These articles were as violent as anything found in Communist publications.

These are only a few revealing facts out of many others.

I would like to draw your attention to the articles in Maclean's magazine dated February 24, 1962; and in the Weekend magazine dated March 26, 1966.

The article in Maclean's magazine written by Peter Gzowsky was a build-up of Trudeau, who was a professor at the University of Montreal, and a little known man at that time (1962). But throughout this article sticking out like thorns are facts which Trudeau is now doing his best to hide. Some of these facts will be mentioned on pages 10–11 of this memorandum.

It is interesting to note also that in Weekend's article, Pearson was quoted as saying that he never met Trudeau before the latter was elected to Parliament in 1965. Yet on the same page of Weekend's article (the first column) one learns that Trudeau had worked for more than two years in the Privy Council in Ottawa as an economic adviser. He obtained this position with the help of Robert Bryce who was the Clerk of Privy Council at that time. It is hard to believe that Pearson failed to see Trudeau there. It appears that Pearson makes special effort to emphasize that he never met Trudeau before. The significance of this will become clear on page 10 of this memorandum.

Even more revealing than Maclean's and Weekend's articles is the book Trudeau wrote in 1961 entitled "The Practice and Theory of Federalism". It revealed Trudeau as a potential Castro advocating the changing of Canada into a radical socialist state. The communist programme of power seizure is openly Trudeau's programme.

Some Canadians are glorifying Trudeau as a champion of federalism, and a critic of separatism. Naive people see in him an answer to all Quebec's troubles. But after reading Trudeau's book, which is more frank than Trudeau's present day speeches, one realizes that Trudeau is advocating federalism not as a counter-action to separatism, or, as he tells us now, a means of unifying the country, but as a mighty method of seizure of power by radical socialists, a convenient way of turning Canada into a radical social country, which is just another name for Communist country. Don't forget, the Communist Russia's official name is U.S.S.R., Union of the Soviet *Socialist* Republics.

Here is a revealing quotation from Trudeau's book, pages 372–373 (1961 edition):

"ON STRATEGY AND TACTICS

"The revolutionary bases, in spite of their insignificant size, are a great political force and strongly oppose the power of the Kuomintang, which spreads over vast regions . . . Revolution and revolutionary wars proceed from birth to development, from small to large, from lack of power to seizure of power . . . — Mao Tse-tung.

"If the whole of the Canadian electorate could miraculously be converted to socialist ideals at one fell swoop, there would be no reason to discuss strategy in the present contest. Socialism would be achieved with or without federalism, and socialist administrations would be installed at every level of governmental affairs, no matter the form of the constitution."

Note the last words, "no matter the form of the constitution." In other words, Parliament is of no importance, it is important who is the Prime Minister, and whom he appoints on a vital and strategic position, so in the ripe moment to turn Canada into a radical socialist state.

In another paragraph Trudeau called Mao a "superb strategist", and Trudeau left no doubt, that Mao's teachings of seizure of power became part and parcel of Trudeau's theory and practice:

"In the absence of PR it seems obvious that the multi-state system of a federal constitution is the next best thing. (Indeed the experience of that superb strategist, Mao Tse-tung, might lead us to conclude that in a vast and heterogenous country, the possibility of establishing socialist strongholds in certain regions is the very best thing)."

Below is the key phrase, the essence of his book:

"Section I will show that, other things being equal, radicalism can more easily be introduced in a federal society than in a unitary one."

So Trudeau tells his converts that radical socialism can be more easily introduced in the federal society in "one fell swoop".

Just in case the seizure of power in the whole country would not work out he still sees federalism as a very valuable tool because:

"Federalism must be welcomed as a valuable tool which permits dynamic parties to plant socialist governments in certain provinces, from which the seed of radicalism slowly spread."

It is significant to note that even some left elements (moderates) in Canada (not radical socialists) begin to have doubts about Trudeau. They question why Trudeau did not join the NDP party? For the simple reason that chances of this party to come to power in the near future are nil. This is why he joined the Liberal party in 1965, the party which was already in power. With the help of Pearson he is now one of the front runners in the leadership race. He joined it not to become a liberal, but, as he repeatedly and openly wrote in 1961, to pave way for the radical socialists to seize and to turn Canada into a radical socialist state.

Trudeau's thirst for power is also revealed in the following paragraph which he wrote as recently as August 1967 when he was the Minister of Justice only a few months.

"The only constant factor to be found in my thinking over the years has been opposition to accept opinions. Had I applied this principle to the stock market, I might have made a fortune. I chose to apply it to politics, and it led me to power—a result I had not really desired, or even expected.—Pierre Elliott Trudeau: Federalism and the French Canadians."

Not one of the ministers—and some of them were in cabinet for 10 or more years—talked so much about power. And in his self-grandeur Trudeau was not telling the truth. It was not his talents that led him to power, but Pearson who pulled him by the ears upstairs. If not for Pearson, Trudeau would be now a back-bencher in Parliament babbling his leftist speeches for nobody's particular concern. Pearson made him his Parliamentary secretary and the Minister of Justice, and it is Pearson who is now pulling strings so that he can win the leadership race.

Please read this paragraph from his quotation that appeared in Weekend magazine, March 26, 1966:

"It's inevitable that a political critic, if he chooses to pass over into action, must join a party he has disagreed with."

This is a typical outline of the communist method of infiltration.

In another of his writings (August 1967) Trudeau in typical communist terms revealed so clearly that all reforms which were made up to now but which do not suit his radical ideas were bourgeois fads and therefore meaningless:

"We possessed a wealth of immense syntheses and elaborate superstructures; we went overboard on constitutional or judicial reforms, the most obvious merit of which was their lack of contact with reality. Lenin said that such superstructures were bourgeois fads, and I can well understand why: they allow the middle class to play around with a great many concepts, to give the impression that nearly everything is to be reformed, and yet never be forced to change the slightest thing in actual fact.—Pierre Elliott Trudeau: Federalism and the French Canadians."

Another revealing quotation from his book:

"And in terms of political tactics, the only real question democratic socialists must answer is: 'Just how much reform can the majority of the people be brought to desire at the present time?' "

Note the words "brought to desire". This is undisguised communist language. We know by what means Stalin "brought" the Russian people "to desire" the taste of socialism, or how Castro or Mao are doing it now—by means of jails, tortures and shootings.

The suspicion that Trudeau was a Soviet spy

On November 23, 1953, the Toronto Telegram published on its front page the following words:

"Last week American author Victor Lasky charged Mr. Pearson with determined effort to block U.S. investigation of Soviet espionage. Lasky did not mention Miss Bentley's list but asserted that her testimony had been that Mr. Pearson, when he was in the Canadian embassy in Washington during World War II, had "transmitted vital information to a Red spy ring she headed through a young man, a wealthy Canadian Communist, a member of her ring.' "

Trudeau fits into this description of the young, wealthy Canadian perfectly:

(1) He was in the U.S. at that time attending Harvard University.

(2) He was a young man at that time, about 21–23 years old.

(3) He was and still is a wealthy man. In fact, he is a millionaire, inheriting his wealth from his father.

Another wealthy Canadian communist, Professor Raymond Boyer, who was convicted as a Soviet spy in 1946 as a result of my revelations is also a millionaire. He is the second or third richest French-Canadian. However, he does not fit into the description of "young Canadian". He was during these years in Canada working on RDX, and he was not exactly a young man at that time, about 35 years old.

There are other suspicious episodes in Trudeau's life:

(1) During Bay of Pigs invasion he tried to row a boat from Florida Keys to Cuba, but was detained by the United States Coast Guard on suspicion of spying.

(2) Trudeau travelled across border of Cambodia and Vietnam at the height of the Indochinese war. He was arrested crossing the India-Pakistan line.

(3) He was arrested in Jerusalem. Later he admitted that he was poking around.

(4) Trudeau was accused by some Quebec newspapers in 1962 after his return from Moscow, where he attended Communist sponsored economic conference, of having received "secret directives" from the Kremlin.

Now Trudeau is making an attempt to block the future disclosures of the Soviet spy rings.

In 1953–54 I officially presented to the Canadian and American governments my Five-point Programme. The aim of this programme is to bring more "Gouzenkos" on our side with the documents that would expose the Soviet spy rings. The time proved by now that this is the only practical and effective way to fight the Soviet espionage. Below is the clipping from the United States News and World Report with my outline of Five-point Programme:

"[From U.S. News & World Report, Jan. 1, 1954]

"Q. What are your points?

"A. I would do it this way: Every potential escape has many problems to think about—where to find a job, how will he be protected if he brings documentary evidence, will he be treated as a friend, will he not be forgotten in time and be left in the cold? These and many other thoughts you will have to explore, because there is not now an adequate provision in democratic societies to meet such instabilities. It is time to establish such provisions. A solution of this problem is essential, because it is as real a problem as that of Communist agents and the damage they do to our society.

"Here is my suggestion for the solution:

"First, a special type of citizenship law should be enacted so that every escapee who brings documentary evidence which can stand scrupulous investigation leading to the disclosure of Communist activities should become a Canadian or American citizen without complicated procedure and without delay.

"Second, the law should provide lifelong protection for such a citizen if he desires it, and the protection that's provided should be friendly and understanding, and detached from personality. In other words, the man must be insured safety whether he is an ugly, unpleasant, and irritable person, or not.

"Third, the man should be given material security in the shape of parliamentary grant such as has been given to war leaders who served the country well. Such security should be given in the form of a Government annuity or any other form agreed upon by the representatives of the people. Inevitably he will have many enemies, and the greater his financial security, the greater his safety. There can be no question about that.

"Fourth, such a man should be given all assistance in finding employment that suits his ability and talent.

"Fifth, and this is very important—such a man should be given as a matter of right a document in which the Government acknowledges that his service to the country entitles him to all the assistance and help.

"The effect of this would really be tremendous. In fact, it would pull the very ground from under the Communist spy masters. Never again would they be sure of their men. Never again would their indoctrination and threats be effective. The very cement by which they keep their spy organization together would be destroyed. The more completely this is recognized, the more clearly the value of such laws would be seen."

As one can expect, Pearson fought this programme to the extent that he misled the Parliament. I would like to draw your attention to the front page of the Toronto Telegram with the article, "Gouzenko challenges Pearson", dated November 21, 1953.

Now Trudeau, as a Minister of Justice, introduced the Bill of Rights with the changes in criminal code. One of the proposed changes is that "evidence obtained illegally cannot be introduced in court."

"[From the Toronto Daily Star, Feb. 3, 1968]

At the present time in Canada, evidence obtained not only by means of an unreasonable search, but by actual illegal means (for example, theft) is generally completely admissible in the courts.

"Under the Trudeau document such evidence would be inadmissible."

On the surface it sounds all-right, and some people already hailed it as a progressive piece of legislature safeguarding the human rights.

But behind the facade of loud words, there is hidden the Trudeau's trick. If this kind of law had existed in 1945 when I brought the documents exposing the Soviet spy ring, then these documents would have not been admitted in court. Thus, the Soviet spies would not have been convicted.

Here again, we see that Trudeau is doing valuable service to the Soviets by making camouflage attempt to safeguard the work of the Soviet spies.

Trudeau already threatened to cripple the United States war effort by stopping the sale of nickel to the U.S.

Trudeau is not yet Prime Minister, but he has already made unveiled threat to undermine the U.S. efforts in holding communist aggression in Vietnam. I quote from the Telegram, dated March 4, 1968:

"Mr. Trudeau said Canada could cripple the U.S. war effort by stopping all nickel sales."

If Trudeau talks this way now, he will talk and act more decisive when he becomes Prime Minister. Castro at first stages of his climb to power has made more efforts to hide his communist nature than Trudeau is doing now. Still Trudeau is very successful at it: he is posing as an intellectual, throwing clouds of words presenting old, out-worn communist ideas as if they were new and progressive.

When Castro came to power and consolidated his victory by terror, some Western reporter asked him why did he hide the fact that he was communist, he answered: "I wanted to fool bourgeoisie."

Let us hope that Canadian people would not be fooled by Trudeau. I am sure that if the public were aware of the situation the delegates at the forthcoming Liberal convention would never endorse Trudeau.

Let us understand it clearly: even if Trudeau would not be able to turn Canada completely into second Cuba before the general election (in 1970), he surely would place in all important positions in the civil service and in the Government his men. Already all four editors of his magazine Cite Libre which many in Quebec considered communist publication are placed in vital organs of communication. Below is a clipping from Maclean magazine, dated February 24, 1962:

"Yet, for all its influence, Cite Libre has always been an amateur magazine. Its first capital was $300, which was subscribed by the six men who started it. Those six men, and the four who joined the group shortly after its inception, were involved in other things as well. Some of them have since achieved some prominence: Pierre Juneau is executive director of the National Film Board; Roger Rolland is regional program director of French networks for the CBC; Charles-A. Lussier is in charge of Quebec House in Paris; Gerard Pelletier is editor of French Canada's foremost daily newspaper, La Presse."

This is mighty high percent for the staff of the small amateur magazine to make so good a career.

Last week Juneau, one of the editors of Cite Libre, was promoted even higher—to the position of new BBG chairman.

"[From the Telegram, Toronto, Mar. 19, 1968]

"JUNEAU NEW BBG CHAIRMAN

"OTTAWA—(Staff)—Pierre Juneau was named chairman of the Board of Broadcast

Governors yesterday, succeeding Dr. Andrew Stewart."

The process of changing Canada into a radical socialist state with Trudeau as Prime Minister would go then with ever increasing speed. The ultimate result would be an unrepairable damage to democracy and freedom. Actually, our very survival is now at stake.

Kim Philby's lesson

If the British authorities back in the 30's had paid attention to the fact known at that time that Kim Philby was leftist during his student days at Cambridge, and had blocked Philby's entry into British Intelligence Service, then the monstrous damage that Philby as a Soviet spy inflicted to freedom would be prevented.

Below is the clipping from Maclean's magazine dated April, 1968:

"For those who seek answers to these questions, Philby's book offers scant material beyond the comment that 'as I look over Moscow from my study window I can see the solid foundations of the future I glimpsed at Cambridge.' It was then, in the early 1930s, that he and many of his contemporaries espoused either socialism or Communism."

It is interesting to compare Philby's words with those of Trudeau who too remembered his student days as a turning point of his political make-up. Below are two clippings from Maclean's magazine dated February 24, 1962, with Trudeau's words:

"I had no idea until I got to Harvard how far behind we were," he explains, and his voice has a tinge of rancor.

"'At Harvard, and later even more so, my eyes were opened to what we'd been missing in Quebec, and I didn't like what I saw."

The similarity is striking.

Let us not forget Philby's lesson. It was too bloody, too costly to be ignored. Freedom has lost many hundreds of its brave fighters because of Philby.

And I am convinced that Canada will lose much more if Trudeau would be elected Prime Minister. Recent history teaches us how easy it is to lose freedom and how it is impossible to regain it.

When you are going to vote the fate of our country will be in your hands. Think million times—for each man, woman and child in Canada—before you cast your ballot.

THE 25TH ANNIVERSAY OF ALLIED CHEMICAL CORP.

Hon. PETER H. B. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. FRELINGHUYSEN. Mr. Speaker, on October 7 I had the pleasure of attending a dinner in observance of the 25th anniversary of the location of the Allied Chemical Corp., in Morris County, N.J., one of the two counties which make up my congressional district.

The main address at this affair was given by the Honorable John T. Connor, corporation president and former U.S. Secretary of Commerce.

Mr. Connor's remarks on the relationship between business and Government at all levels are most interesting and I commend them to my colleagues.

The speech is as follows:

Distinguished guests, good friends, ladies and gentlemen, this is a happy day for me and a happy day for all of us at Allied Chemical. We welcome you most heartily.

Anniversaries traditionally are a time for nostalgia and this is no exception. I know that many of you can recall that 25 years ago, when Allied Chemical first arrived in this community, much of Morris County was farmland. We had purchased the former Otto Kahn estate on Columbia Road in 1942, but wartime shortages kept us from constructing any buildings, so in 1943 we rented an old umbrella factory on Abbett Avenue in Morristown and called it a research laboratory. Almost overnight, employment skyrocketed to 25! Du Pont must have trembled!

But we were on our way. And though neither party had it uppermost in mind, our partnership in progress with the people of Morris County had begun.

It has been quite a partnership.

In 1948, construction was completed on our Central Research Laboratory on Columbia Road, and we moved out of the umbrella factory—although some old-timers I understand, still get misty-eyed whenever they think of it.

Fortunately, our new Central Research Lab was a much better place to work, and its construction permitted us to increase employment to about 150 people.

Then, in the '50's, we built what is now our Plastics Research Building and our General Chemical Research Laboratory, both of which were doubled in size in the early '60's. We also built—and expanded—a Central Research Laboratory Annex Building, a new Process Laboratory Building, and a General Chemical Research Pilot Plant Building.

As a result, our employment in the county has grown from our original staff of 25 to 2200 today. And our annual wage payroll has climbed from about $100,000 at the beginning of our partnership, to over $24 million annually at the end of June.

I might comment that 1968 has not been a very profitable year for Allied Chemical. Our recent write-offs and write-downs, which have affected third quarter earnings so drastically, have gone a long way toward enabling us to put our house in order and we look to the future with confidence and enthusiasm.

By late 1970, when we move more operations out here from New York City, Allied Chemical's employment in Morris County will increase to approximately 3200 people, and our annual payroll will rise to over $34 million.

As our investment in Morris County has grown, so has our return to the community. In 1967, for instance, our real estate and personal property taxes combined amounted to more than a half million dollars. Also during that year our company's local purchases of goods and services in the county totalled about $1.1 million. And to add to those numbers, our employees have borrowed approximately $5 million in home mortgages from Morristown lending institutions.

So our roots here are deep and growing deeper. We therefore are especially appreciative of the understanding and support of dedicated people like yourselves. Because of it, this is the kind of community in which a growing business can feel comfortable, happy and very much at home. There is in Morris County a magnificent intangible—a climate, a rapport, a style, if you will—which any businessman needs, like air itself, if he is to be successful in meeting his obligations to employees, shareowners, customers and society.

Morris Township and Morris County no longer are largely farmland. They are dynamic, expanding, ever-changing urban areas—and their citizens increasingly are facing dynamic, expanding urban problems and demanding dynamic, expanding urban services. Top-flight schools, top-flight transportation and recreational facilities, top-flight hospitals, top-flight government administration do not come automatically and they do not come cheaply. But they are worth the effort and the cost, and the enlightened businessman knows it.

Depending on the time and the place and the issues, business and government—and I mean all levels of government—frequently have been on opposite sides of the fence in this country. But experience and common sense make clear that the goals we have in common are far more important than any possible disagreements over how to achieve them. And the more that businessmen and government leaders make the effort to conduct an honest dialogue about both the goals and the disagreements, the more apparent this becomes.

With more and more of our human, financial and material resources being committed to Morris County, I hope the day is fast approaching when we in Allied Chemical and those of you in local government—and certainly you other businessmen here—will get to know one another on a first-name basis, when we will feel really free to level with each other about matters of mutual concern, when all of us make it a point to keep the other fellow informed as a matter of routine, rather than only on matters of crisis.

Can local industry and local government conduct a meaningful dialogue, for example, on how to insure an adequate long-term supply of quality housing? In our view, this is something the community *must* have to meet the needs of the growing numbers of people who will be employed in Morris County. I emphasize *adequate* and I emphasize *long-term* because the businesses which have already invested heavily in Morris County—and those we hope will do so—must think in terms of the long pull; and their need for people—particularly for high level professional people—is mounting. If we, or the other employers, are to succeed in attracting these people, a realistic solution to the question of housing supply is essential. The question I want to leave with you this evening is, in what ways can all of us cooperate to get it solved?

Many of you have been thoughtful enough to tell me how much you appreciate the fact that, over the years, Allied Chemical and its employees have sought to be a part of—rather than apart from—the total life of this county. With the full support and active encouragement of top management, our employees are fulfilling their civic responsibilities—and getting a lot of personal satisfaction and enjoyment—by serving on a variety of local governing bodies, planning boards, fire departments, service clubs and organizations such as the YMCA, Big Brothers, the Urban League, and other worthwhile agencies.

Frank Norton, now Corporate Vice President in charge of Operations Services, headed up this year's Morris County Girl Scout capital fund drive. Allied Chemical's Morris County employees, as a group, received the United Fund's Kellogg Award last March for their outstanding participation and contribution of $27,000 in the Fund's 1967 drive. Jim Farrell, Vice President in our Industrial Chemicals Division, is in charge of the United Fund's 1968 campaign.

I, too, am presently involved in an effort that I believe is important to you and to all of us here in New Jersey. As a co-chairman with Mark Anton of the bi-partisan Bonds YES Committee, I am working to inform our citizens about the three bond questions, totalling $990 million, to be considered on November 5th's ballot.

To us in Morris County, approval of the three bond issues will mean the scheduled completion of our new county college, payment of the state's share of the vocational education facilities at Morris Hills Regional High School, construction of a new community mental health center in the county, and desperately needed help and improvements at overcrowded Greystone Park.

The transportation bond would provide for better commuter rail service in and out of Morris County and would ensure the start of new roadway projects such as Route 24 from Springfield to Morris Plains and the further dualization of Route 10 east to Livingston.

In view of the importance of these interrelated bond issues to the future of our county and state, I would ask that each of you give them your careful consideration, and hopefully, your overwhelming approval on election day.

For its part, Allied Chemical—as a company—has been trying in numerous ways to meet its corporate citizenship obligations. We have been cooperating closely with the Urban League to help place Negroes and other minority group members in jobs they are qualified to hold—in our company, and with other Morris County employers as well. Earlier this year, we also granted four scholarships to cover the cost of a year's tuition at the new Morris County Community College for minority group students; we expect to continue this program into 1969.

Tonight, I would like to tell you about another approach we plan to try—with the cooperation of the community—in order to help deserving Morris County youngsters finance their education beyond high school.

All of us are aware of the continuing rise, year by year, in the number of youngsters seeking higher education—be it college, trade school, nursing school, or whatever. And I think we are equally aware that despite enrollment pressures, a growing number of places are available in the schools, provided the youngster or his family can afford the cost of higher education—not just of tuition, but of books and living expenses.

While scholarships, jobs and loans are often available, in many cases there is still a shortage of cash that prevents a youngster from geting the higher education he wants. The shortage could be as much as $1,000 annually, or as little as $100, depending on individual circumstances.

We have discussed this matter with Les Rear, the Superintendent of Schools in Morris County, and have come to the conclusion that there is a real need for educational assistance to close the gap between the amount many students and their families can afford through personal means, plus scholarship aid, and the actual costs of getting a post-high school education.

In recognition of this, and in keeping with our corporate citizenship responsibilities, I would like to announce tonight our intention to help establish a *Community Educational Assistance Fund* in Morris County to help *needy* students from this area finance the cost of continuing their educations. I say "announce our intention" because this is something on which we would like to act hand-in-hand with the community, rather than on our own. Specifically, Allied Chemical is prepared to underwrite the costs of establishing a Community Educational Assistance Fund, including the costs of forming an independent tax-exempt corporation to administer it, and the recruitment of trustees from business, education and community. In commemoration of our twenty-fifth anniversary in Morris County, we would contribute $25,000 over the next five years as "seed money" with which to establish such a program, *provided* the community as a whole is sufficiently convinced of the need *to match our contribution* with a similar one of its own. And to be crystal clear, this would not be an Allied Chemical fund, but a community fund, to which we—and the community—would contribute. And proceeds would be used to help needy students finance their post-high school educations and not limited to those who go to colleges.

This is the first opportunity we've had to discuss this proposal outside our own Allied Chemical family, but we hope it will appeal to other corporations, businesses, family foundations and individual citizens, and that they will want to share in the fund's establishment and in helping our county's sons and daughters continue their education. We would hope the first awards from this fund could be made in 1969; further down the road, we believe that with widespread community support and encouragement from one or two large donors, it is entirely possible that the fund eventually could sustain itself from the income of its endowment.

And now, my friends, since anniversaries are a time not only for a look behind and a look ahead, but also for enjoying good company and camaraderie, I am going to bring the formal part of this evening's activities to a close. If there are any of you who still haven't met some of us, we hope you'll come by and introduce yourselves before the evening ends. In the meantime, let me say again that my associates and I plan to work most sincerely for a long continuation of the happy partnership between Allied Chemical and Morris County and to aid and abet all of you in promoting a lifelong continuation of the fine spirit which so obviously exists between Morris County and its citizens.

Ladies and gentlemen, for Allied Chemical, for Morris County, for our twenty-five-year-old partnership in progress, the best is yet to come.

THE RESEARCH GAP

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. RUMSFELD. Mr. Speaker, following is a statement by Richard M. Nixon, Republican presidential nominee, on October 5, 1968, in which he discusses "The Research Gap":

The Research Gap: Crisis in American Science and Technology

Most of our attention in October 1968 is focused on the crucial problems of our country that cry out for solution: war, crime, disorder, injustice and a runaway cost-of-living.

But there is another, quieter crisis at hand. It may seem less urgent and it gets fewer headlines, but it poses unparalleled dangers and opportunities.

I refer to the crisis in American science and technology.

The American scientific and technological community plays a key role in maintaining our well-being and our national security. Science and technology compose a new Atlas that upholds our economic growth, our military defense, our educational system, and our bright hopes for the future of man. The role of science and technology is so large, so complex, and so pervasive, that we sometimes merely take it for granted. At other times, we fear it unreasonably, resent its power, ignore its role and deny its great promise for the future.

Science has served mankind faithfully and well. It has dramatically extended the average lifetime, shortened geographical distances, increased industrial productivity, reduced poverty, and in the long trial of war, contributed significantly to the cause of freedom. Since World War II, it has helped build deterrent forces that have prevented another major conflict among the great powers.

If science and technology were to founder or stagnate, many of our hopes would collapse. To the extent that we neglect this source of our greatness, and to the extent that we fail to preserve the conditions of openness and order that made our progress possible, we are living off the land of civilization without refertilizing it. We must not let such a negative drift gain momentum.

Instead, we must bring about a new dawn of scientific freedom and progress. As the world's investment in science expands, the impact of technological progress will be more profound. Scientific knowledge doubled between 1750 and 1900; again between 1900 and 1950; yet again between 1950 and 1960. By 1970 it is expected to double again. In twenty years the world may be as enormously different from today as 1968 is different from 1900.

How much this change will benefit mankind will be determined largely by the location of world leadership in science and technology. If the free world maintains scientific superiority, the growth of science will support the growth of economic and political freedom.

We have this advantage: free societies provide a more attractive setting for intellectual activity than do totalitarian societies. Since World War II almost all the movement in the scientific community has been from East to West. A totalitarian lead in research and development is likely only if the U.S. follows short-sighted policies.

Today, the United States is shortchanging its scientific community. We are risking the opening of a research gap between our efforts and that of the Soviet Union.

Faced with dynamic possibilities for science, the current Administration is hobbled by the static philosophy that technological potentialities are limited—that we have reached a technological "plateau."

This attitude is particularly perilous in the realm of defense. The belief that a static balance of power can be maintained, based on a common "plateau" of technological achievement, ignores the dynamic and volatile progress of science today, which is incomparably more rapid and variable than ever before.

In few areas of development is activity so intense and productive as in Soviet military research and development. Although lagging for years, the Soviet Union in 1967 was for the first time estimated to be spending more on defense research and development than the U.S. Thanks to rapid scientific and technological advances, Moscow now commands a full panoply of offensive and defensive strategic weapons, including an orbital nuclear delivery capability; ever-improving tactical military equipment, communications facilities, surface naval and merchant vessels; and a large number of nuclear powered, swift and quiet submarines. Together, these advances could—if we stand still—ultimately make the Soviet Union militarily dominant.

The real danger, however, does not stem from existing weapons, but from possible breakthroughs by the huge Soviet research and development establishment. The United States can afford to be selective in our own weapons only if we are resolute in maintaining a comprehensive lead in research and development. Recent events have already put our lead in jeopardy.

Soviet scientists have taken a bold new stride in their drive toward a landing on the moon while American scientists have been confronted with shortsighted cutbacks not only in the space program, but also in overall American research and development efforts. James Webb, Director of the National Aeronautics and Space Administration, resigned with the prediction that the Soviet Union might soon surpass the United States in space; one week later came the new Soviet moon probe, which Mr. Webb said "shows a capability that could change the basic structure and balance of power in the world."

These events culminate an ominous period in U.S. research and development. While the Soviet Union continues to graduate twice as many scientists annually as the United States, the American scientific community is demoralized by the present Administration's wavering attitude toward research and development.

During the Eisenhower Administration, funds for research and development grew by an average of about 15 percent annually. By the end of the present Administration, while world scientific knowledge continues to grow at a rate of over ten percent annually, inflation, spurious economy moves and basic policy miscalculations are effectively reducing U.S. research funds every year.

The sudden decline in the Federal commitment over the last four years coincided with a 20 percent increase in the number of U.S. scientists. These new men of science, often trained through the Eisenhower Administration's National Defense Education Act, thus faced a contraction of opportunity in the research and development field. Some of them are now turning to other fields.

Scientific activity cannot be turned on and off like a faucet. The withdrawal of support disperses highly trained research teams, closes vital facilities, loses spinoff benefits, and disrupts development momentum. The current Administration has even struck at the lifeline of our future progress—science education. NASA, for example, has cut its graduate student grants from 1300 to 50. The Defense Department cut aid to colleges by $30 million; the National Sciences Foundation budget was decreased by one-fifth; and the National Institutes of Health funds were reduced by an estimated 25 percent. Especially hard-hit in the reductions is aid for post-doctoral students, who serve as graduate student instructors. The decline of science education is the most damaging indictment of present Administration policy; it threatens to cripple the national effort in science for years to come.

Apart from scientific manpower, fund reductions are idling masses of equipment purchased at great cost in previous years. In the name of economy, the current Administration cut into muscle.

The United States must end this depreciation of research and development in its order of national priorities.

The importance of new emphasis on research and development in defense needs no further elaboration. The needs and possibilities in the civilian realm, however, are less well recognized. Our future economic growth and competitive trade position depend on maintaining our technological lead. New breakthroughs are likely to improve human life in a multitude of ways—from increasing life expectancy to rebuilding our cities.

If our research priorities are to reflect the national interest in these areas, the Federal Government must offer vigorous leadership. Beyond the need for reasonable and responsible increases in subsidies for basic research, there are several specific goals that are of such commanding importance that the government should commit itself now to their achievement.

For example, we must develop new methods of treating the mentally ill. At present, we spend some $15 billion annually on mental health. One half of the hospital beds in the country are occupied by mentally ill patients. About 10 percent of the American people spend some time in a mental hospital; the patient load in the country's mental hospitals continues to rise. Research on the molecular and chemical structure of the brain is producing important data relating to certain psychological maladies, including schizophrenia. Further efforts may well lead to medications that allow drastic reductions in the need to hospitalize the mentally ill. This would end untold suffering and save the country billions annually. The benefits are worth a major Federal commitment. At present, the effort is being cut back.

A second imperative worthy of federal support is development of a source of cheap energy. Dr. Alvin M. Weinberg, Director of Oak Ridge National Laboratory has said: "The basic raw materials for civilized life are energy, water, food and certain minerals. Energy is the most basic of these. If inexhaustible and really cheap energy were available, we could use it to pump fresh water from long distances or even to extract fresh water from the sea; we could use this water to produce agricultural products; we could electrolyze water . . . get hydrogen . . . and manufacture nitrogenous fertilizer; we could reduce metals from their ores, and even convert coal into liquid fuel. But energy is the primary requirement.

With the goal of fulfilling that requirement, I believe that we should step up the Atomic Energy Commission's breeder reactor project, which could provide virtually inexhaustible energy at an extremely low cost. At present, this project is going forward very slowly though its promise for mankind is as great as any other likely development.

Another area is which there is great potential is the laser—a new device that may be able to accomplish such diverse ends as building tunnels, vaporizing coal, intercepting missiles, communicating in space, and curing retina defects in the eye. Pollution research promises new ways to prevent the poisoning of the air we breathe and the water we drink. The possibilities in the realm of transportation exceed most of the dreams of science fiction. New computer technology promises great increases in industrial productivity and great relief from drudgery.

Our firm national purpose should be to stimulate these developments by broad support of science and intelligent cooperation between government and private enterprise.

Today, although Government is to some extent in control of large areas of the nation's research and development effort, it is not really in control of itself in this field. There is little cross-fertilization among agencies and departments of the Federal Government responsible for research and development. Ideas and programs that might have applications in other departments are frequently unknown. The President's science advisors and the National Science Foundation limit themselves chiefly to broad questions of national science policy.

It would be an urgent goal of my administration to devise effective means by which it could cooperate with industry and the academic community in an effort to make maximum use of scientific advances to help solve major national problems. This effort also would seek to assist state and local governments.

Our goal is to make the United States first again in the crucial area of research and development.

A new national commitment is a necessary investment in the future. However, this aim must not be exploited as a mandate for the growth of federal power. There should be no Federal scientific czar. I would propose to use the new miracles of science not to expand the powers of government, but to enhance the vitality of private enterprise and to increase the mastery of the individual over his own fate. Government must support and stimulate technology, but except in the realm of defense and to a large extent in exploration of space, government must not dominate the effort.

In most areas of science, Washington should serve as as catalyst, sponsoring research and scholarship. Even in areas where Washington must necessarily take the lead, government must stand ready to relinquish to private enterprise projects in which the national security or the national interest do not require public control. One example which could be initiated in other fields is the space communications satellite (COMSAT), a partnership between business and government for the benefit of all.

In other areas such as housing, transportation and medical technology—where the international implications are not so great—private enterprise could take full responsibility. It should always be remembered that most of our greatest inventions were the products not of large-scale planning and control but represented the efforts of individuals working alone or in small groups on the frontiers of science. We must never surrender America's greatest asset—the freedom and initiative of its private citizens and economy. In embracing the promise of technology we must never stifle the spirit of man.

In a way, the feelings of bitterness and frustration in our time stem from a sense of claustrophobia; problems close in on us and we become preoccupied with dangers and difficulties. But by the exploration of the infinite and the infinitesimal, we can gain new perspectives, which offer visions of new solutions. We can cure disease, create cheaper energy, eliminate the pressures of scarcity. We can reinvigorate our society by opening new dimensions of hope, new vistas of change.

We must transcend the cramped horizons of the last few years and embrace the opportunity for genuine progress.

SENATE—*Monday, October 14, 1968*

The Senate met at 12 o'clock noon, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Almighty God, unto whom all hearts are open, all desires known, and from whom no secrets are hid, cleanse the thoughts of our hearts by the inspiration of Thy holy spirit, that we may perfectly love Thee, and worthily magnify Thy holy name.

Our fathers trusted in Thee and were not confounded—in Thee we trust. In Thee is our sure confidence that the way of the Republic is down no fatal slope but up to freer sun and air.

May the Lord lift up the light of His countenance upon you and give you peace—peace in your own hearts, peace in this dear land of ours, and a just peace throughout all the earth, now and evermore.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, October 11, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

DISTRICT OF COLUMBIA PARKING FACILITY ACT—CONFERENCE REPORT

Mr. SPONG. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 944) relating to the establishment of parking facilities in the District of Columbia. I ask unanimous consent for the present consideration of the report.

The **PRESIDENT** pro tempore. The report will be read for the information of the Senate.

The bill clerk read the report.

(For conference report, see House proceedings of October 12, 1968, pp. 31120–31127, Congressional Record.)

The **PRESIDENT** pro tempore. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. SPONG. Mr. President, the junior Senator from Maryland [Mr. Tydings] has been the chief proponent of a parking bill for the District of Columbia. Senator Tydings has guided a District of Columbia parking bill through the Senate twice this session, first as an individual bill and then as an amendment to the highway bill. In his absence, I went to conference with the House conferees on the bill; and it is my privilege to bring the conference report before the Senate today.

The need for parking facilities in the District of Columbia is threefold. First, there must be facilities for the Federal workers who drive daily from the suburban areas into the District. Second, space must be provided for the area residents who come into the District to shop or frequent the theater, restaurants, and other facilities the city has to offer. And, finally, facilities are needed for the numerous tourists who come to see their Federal Government in action. For these reasons, adequate parking for the Nation's Capital is of utmost importance.

After several preliminary conferences and a conference committee meeting which lasted 2 hours this afternoon, Senate and House conferees have agreed to a bill to establish a parking authority for the District of Columbia. This authority is designed to assure that adequate parking is available throughout the District—first through private enterprise, if that is possible, and as a last resort, through operation of its own facilities.

I believe that the conference bill is a good one. The Federal Government should make parking as convenient as possible for visitors coming to Washington to see their Nation's Capital and how their laws are made—especially when these persons are visiting national museums, archives, and Government buildings.

In a city where crime has posed a threat to public safety, the parking facilities which can be established under this law should provide a new security for many employees of the Federal and District government—particularly those who are forced to work late and irregular hours.

As chairman of the Fiscal Affairs Subcommittee of the Senate District Committee, I am also very much aware of the need to attract more business for the District. Because of the special nature of this city, there is a limit to the type of business and industry which can be attracted to the District and which can be available to pay taxes into the city treasury. New, better located parking facilities should induce more persons to utilize dining, entertainment, and shopping facilities, with the result that additional taxes will increase District revenues.

I want to make a brief statement on the principal provisions of this conference report. The agreement of the conferees retains most of the essential language and substance of the Senate version of the bill.

The important provisions of S. 944 that will carry out the objectives of the bill are as follows:

First. To create a Parking Board, consisting of the Commissioner of the District of Columbia, the Secretary of the Interior and the Administrator of General Services, or their designees, and a nine-member Advisory Council, composed of representatives of government and of the public, to advise and assist the Board. The bill authorizes the Advisory Council to make periodic comprehensive reports on parking and its role in creating a balanced transportation system in the District of Columbia metropolitan area.

Second. To authorize the Parking Board to acquire property for the operation of off-street parking facilities, including limited condemnation powers.

Third. To authorize the Parking Board to construct parking facilities, to lease or sell such facilities, or to lease property for development of parking facilities, and to fix the rates charged by facilities operated pursuant to this bill. The Parking Board may operate such facilities only if it determines, every 3 years, that public operation of the facility will best serve the public interest.

Fourth. To authorize the Parking Board to issue nontaxable obligations that will not be obligations of the Federal or District of Columbia governments, to finance the acquisition and construction of parking facilities.

Fifth. To assure their compatibility with the locales involved, and with other development plans, the bill provides for review by the National Capital Planning Commission or the Commission of Fine Arts, as the case may be, of plans for the construction of public parking facilities. It also requires the Advisory Council to undertake a comprehensive study of the relationship between the District's parking requirements and zoning regulations in the light of all planning proposals affecting the District.

A principal difference between the House and Senate versions of the bill relates to the condemnation power of the Parking Board. The Senate bill vested the Board with limited condemnation authority. The House version contained no such authority.

Under the conference agreement, the Parking Board's condemnation power would be limited. The bill prohibits the condemnation by the Board of public parking facilities in existence and used as such on October 8, 1968. It also provides that prior to the initiation of any condemnation proceeding the Board must notify each House of the Congress of its intention to do so. If within 60 continuous legislative days following its receipt of such a notice, either House passes a resolution disapproving the proposed condemnation, then the Parking Board would be unable to proceed with the case.

The Board would, however, have general authority to acquire real property and existing parking facilities by negotiated purchase.

Mr. President, the bill agreed to in conference contains authority vitally needed in the District of Columbia. The present number of parking facilities in the District of Columbia is clearly inadequate to meet the needs of residents, government and the millions of people who visit the Nation's Capital. The District of Columbia urgently requires additional parking for today's traffic plus planning for the future development of parking to coordinate with development of the city.

I move that the Senate agree to the conference report.

The **PRESIDENT** pro tempore. The question is on agreeing to the motion of the Senator from Virginia.

The motion was agreed to.

SOCIAL AND ECONOMIC ADVANCES IN MEXICO

Mr. MANSFIELD. Mr. President, the President of Mexico, Gustavo Diaz Ordaz, on the eve of the XIXth Olympiad, delivered a state of the Union address. On September 1, 1968, he addressed the Mexican Congress. His report tells of great social and economic advances, of continued dedication to the democratic ideals of the Mexican revolution and of an expanding Mexican role in hemispheric and international cooperation. There is also contained in the President's remarks, a frank statement of the difficulties which, most regrettably, have afflicted the relationship that exists between university circles and the government. These difficulties appear to be reflections of the phenomenon of serious student discontent which has emerged in many nations, including our own, in recent years.

As occupants of the same hemisphere and continent and as good neighbors in the finest sense of the term, this Nation has a profound interest in the situation which prevails in the great Republic to the south. The current state of the Mexican Republic, as expressed by President Diaz Ordaz, is of particular interest to the Congress. I say that because the interparliamentary meetings between Mexico and the United States have been of great significance in keeping relations between the two nations on a most cordial and satisfactory basis in recent years.

I ask unanimous consent, Mr. President, that the statement of President Diaz Ordaz and an editorial published in the Christian Science Monitor of October 10, 1968, on the XIX Olympiad now underway in Mexico City, be printed at this point in the Record.

To the Mexican Government, the Mexican people and all those participating in the Olympic games, I express the hope that misunderstandings will be overcome, differences solved and, out of this, a better understanding, friendship and respect among all the Mexicans and among all peoples will result.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Complete Official Text of the State of the Union Address by President Gustavo Diaz Ordaz, Mexico City, September 1, 1968

INTRODUCTION

Honorable Congress of the Union, Honorable Supreme Court of Justice, as provided by the Constitution, I herewith submit the report on the general status of the country's administration, including the data of greatest political, social and economic importance. Other such information appears in the appendices, which will also be printed today, and in the annual reports of federal agencies.

Municipal elections were held in the States of Veracruz, Tlaxcala, Colima, Chiapas, Yucatán, Campeche, Jalisco, San Luis Potosí, Tabasco, Zacatecas, Baja California, Chihuahua, Durango and Aguascalientes; elections for state legislators in Yucatán, Jalisco, Morelos, Baja California, Campeche, Chihuahua, Durango, Michoacán, Zacatecas, Guanajuato, Aguascalientes, Oaxaca and Tabasco; and gubernatorial elections in Chihuahua, Durango, Michoacán, Zacatecas, Aguascalientes and Oaxaca.

In its permanent registration activities, the National Electoral Registry added 274,761 citizens to its lists.

A total of 1,172,601 tourists entered the country, as well as 50,454 persons with various immigration statuses and 1,867 young students.

Immigrant status was granted to 1,568 persons; temporary immigrant status to 2,280 and visitor's status to 1,379. Sixty persons were given political asylum.

One thousand and ten foreigners who violated our laws were deported.

Both the Federal Attorney General's Office and the Attorney General's Office of the Federal District continued their investigation of criminal acts and applied the corresponding penal procedures, in keeping with the authority vested in them by the Constitution and the law.

The campaign to destroy poppy cultivations and action taken against the planting and growing of marijuana were most encouraging and received international recognition.

THE ARMY

The Army, created to safeguard our independence, our sovereignty and our territorial integrity, also carries out the important task of preserving domestic peace and order assigned to it by the Constitution.

Army and Air Force personnel are constantly engaged in theoretical and practical activities. The military maneuvers of all units also provide an opportunity for our soldiers to participate in rural community life, supplying sanitary services gratis and attending to other urgent needs of the population in areas where training programs are held.

The various military academies graduated 1,366 officers.

A total of 19,553 soldiers of the Voluntary Military Service, National Military Service, and the Rural Defense Corps were taught to read and write.

The National Military Service completed training of 265,558 soldiers of the Class of 1948.

Our armed forces not only fulfill the obligations specifically entrusted to them by law, but also take an active part in various important public welfare activities such as the construction and maintenance of public works, cooperation in educational, cultural and sports events, and the campaigns against narcotics and illegal lumbering operations.

Special mention should be made of the extremely important role played by the armed forces in alleviating the serious storm damages suffered throughout almost the entire country at the end of last year. The perseverance, self-sacrifice and abnegation which they showed in this humanitarian task was truly exemplary, as was the spirit of cooperation with civil authorities and private persons shown by the ground, sea and air forces in rescuing, aiding and sheltering storm victims.

Equipment for the Military Hospital Annex has been completely installed.

Civil works at the Santa Fe TNT Plant have been completed. The die shop was finished and the warehouses for finished products were built in the Shell and Mortar Factory. More than 18,000,000 pesos were spent on these and other installations.

An investment of 111,043,000 pesos was approved for the purchase of machinery and equipment for the factories making powder, explosives, cartridges and weapons.

The Garment and Equipment Worker's Cooperative (C.O.V.E.) was organized as a genuine cooperative with government participation; more efficient operation has enabled it sto start paying off its debt to the Nacional Financiera and the Federal Government.

THE NAVY

The Mexican Navy continued to patrol our coasts, navigable waterways and islands.

The coastguardsmen of the class of 1967 and the Naval School cadets of the 4th and 5th year covered over 12 thousand miles in practice maneuvers.

The present tonnage of our Merchant Marine now amounts to 573,805 gross tons, approximately 50 per cent of which is accounted for by the oil tanker fleet, with the fishing fleet in second place.

Forty-one ships with an overall displacement of 2,894 tons were built in the drydocks operated by the Ministry of the Navy.

Astilleros de Veracruz, a company with government participation, is now building three tugs for Petróleos Mexicanos, at a cost of 7.5 million pesos each.

As of May 25th of this year the national flagship "El Mexicano" reopened the maritime route to the East, which had been suspended since 1816.

The port of Yukalpetén, in the state of Yucatán, was built. Fifty-nine million were spent in equipping it for fishing and tourism. It was joined to the highway network by connecting roads of slightly over nine kilometers in length.

One hundred and thirty-seven million pesos were put into various works in 16 ports. Among these are the jetty and docks built in Acapulco for sporting craft, and a warehouse in Tampico with a floor area of 2,581 square meters.

Dredging of 8,676,000 cubic meters in twenty different places cost 28,454,000 pesos.

Two lighthouses, ten bouys, and seven dwellings for lighthouse-keepers were constructed.

PLANNING

As the Honorable Congress has already been informed, goals set for the 1966–1970 socioeconomic development program have been attained and in some instances surpassed. Social programs of the government, especially among the needier sectors of the nation, and the laying down of bases for a more vigorous growth which will strengthen our independence, have proven to be decisive factors in the current level of growth achieved by our economy.

Planning is a permanent activity and the systems on which it is based are being constantly revised in order to meet the problems arising from Mexico's progress in the most efficient manner possible.

A coordinated government program of action is now being planned for 1971–1975 which, judging from past results and experiences, could help determine the policies for promoting national development during that period.

Aerial mapping of the entire country was begun to provide the information required for planning and to provide an inventory of our natural resources, thereby permitting their optimum utilization.

Government spending is growing at a satisfactory rate and its distribution throughout the country aims to extend the benefit of federal projects to all regions.

Overall government spending approved for 1968 amounted to 25.5 billion pesos. Of this amount, 12 per cent was earmarked for agricultural livestock and fishing development; 38.4 per cent for public sector industries; 23.5 per cent for transportation and communications; 24.6 per cent for social welfare projects and 1.5 per cent for administrative and defense equipment and installations.

The timeliness with which the 1968 appropriation program was authorized prevented any interruption in public projects.

More emphasis has been given to agricultural and livestock activities than in previous years. This is in keeping with government policy to stimulate production and raise the living standards of the rural population.

Work on the 1969 investment program is now being actively implemented. The plan to supply towns of between 500 and 2,500 inhabitants—(which comprise one fourth the population of Mexico)—with the basic projects they require, is now under way.

FINANCE

We have maintained monetary stability for the past fourteen years. The Mexican peso remains firm. As of yesterday, gold and foreign exchange of the Bank of Mexico had reached 623 million dollars, up 34 million dollars from last year. In addition, we have 500 million dollars as a secondary reserve of the Mexican peso. This has allowed us to cancel a line of credit for 90 million dollars open with the Export-Import Bank of Washington since 1959.

The aggregate of our available resources in gold and foreign exchange, additional supports and our income from exports and expenditures by tourists in Mexico, in proportion to our monthly foreign exchange payments, ensures the free convertibility of the Mexican peso.

The International Monetary Fund used 54.5 million dollars worth of Mexican pesos in operations with Guatemala, Canada, France and Great Britain. The total amount of international operations carried out with Mexican currency amounted to 149,600,000 dollars.

These supports increase our automatic drawing rights and, without reducing reserves, allow us to take a more active part in international financial cooperation.

Gross National Product increased 6.4 per cent in real terms in 1967, a rate 2.9 per cent higher than that of population growth.

The most dynamic sectors in the first half of the year were construction, manufacturing, oil and coke, trade and electric power.

The manufacturing sector has consolidated its position, and it is estimated that, like last year, it will outstrip the commercial sector.

Fiscal policy is aimed at developing infrastructure, stimulating basic production sectors and achieving a more equitable distribution of income.

Increased financial control by the public sector, the growing effectiveness of programming public sector expenditures, and the growth in federal income have produced a substantial increase in Federal public savings between January and August of this year.

The financing of governmental operations, principally with internal resources, has tended to maintain the growth of demand parallel to that of production without affecting the savings required by private enterprise to finance its own investment.

In 1967, ordinary cash income of the Federal Government reached 23,183,000,000 pesos, an increase of 11.1 per cent over the previous year.

Total federal expenditures in 1967 were 27,379,000,000 pesos or 9.1 per cent of the

Gross National Product. Of this amount, 72.9 per cent represents current expenditures and 27.1 per cent capital expenditures. Investment in public works reached 6,154,000,000 pesos, 891,000,000 more than in 1966.

Total expenditures of the Federal Government so far this year, have expanded 9.9 per cent over that of the same period in 1967. Current expenditures increased by 7.7 per cent. The rate of increase in administrative expenditures and transfers was reduced, amounting to only 4 per cent and 1.1 per cent, respectively, which allowed a 15.7 per cent increase in capital expenditures.

Budget receipts from the decentralized agencies and government-owned companies, increased by 35,679,000,000 pesos in 1967, an increase of 18.4 per cent over 1960. Their expenditures reached 38,318,000,000 pesos or 5,836,000,000 pesos more than in 1966.

Improved internal administration of agencies and companies has prevented the channeling of resources into unprofitable activities and enabled them to carry out financing with their own assets.

The value of Mexican exports in 1967 dropped by 5.1 per cent in comparison to 1966, principally as a result of weather disturbances late last year and general international trade problems. There has been a recovery this year owing to the increase in exports of livestock (40.8 per cent) products of the extractive industries (9.5 per cent) and manufactures (7.2 per cent).

Imports in 1967 rose 8.9 per cent, because of the need for production goods.

During the first five months of this year, trade with LAFTA having expanded 12.1 per cent, was more dynamic than that with the rest of the world.

As of December 31, 1967, the public debt of the Federal Government reached 42,393,000,000 pesos, of which 84.6 per cent represents internal debt and 15.4 per cent external debt. We continue to utilize external financing merely as an adjunct to domestic resources and always within reasonable limits.

The external debt of the public sector, at terms of one year or more, reached the equivalent of 2,176,100,000 dollars.

In view of the contraction of international capital markets, resulting from restrictive measures taken even by the strongest national economies, it became difficult to float long-term issues, since, under such conditions, investors prefer short-term investments with increasingly higher returns. The World Bank, which normally floats securities at terms of 20 years and at annual interest rates of from 4 to 5.5 per cent, has now been able to conduct these operations at 10 years and 6.75 per cent; choice government issues have paid as high as 7 and 7.5 per cent annually.

The Federal Government floated a bond issue with a group of banks and financial institutions in Europe, the United States, and Canada for the equivalent of 35,000,000 dollars on terms of five years at 7.25 per cent. The funds have been utilized for economic development projects with a return sufficient to cover the commitment, as well as to refinance foreign obligations originally contracted at shorter terms.

Another bond issue for 100 million marks (312,500,000 pesos) was floated on the German market. This was the first issue made in a currency other than the dollar. The interest rate is 7 per cent for a term of twelve years, and amortization will begin on the third year.

Subscribed by a European consortium of 79 institutions, this issue contributes to the diversification of external financing sources. The proceeds will be devoted to diverse electrification projects.

The Nacional Financiera placed a second bond issue in the European market for an amount equivalent to 20 million dollars, at a term of fifteen years and 7.25 per cent.

A loan of 312.5 million pesos was obtained from the International Bank for Reconstruction and Development to improve the Rio Colorado Irrigation District and to add 27,000 hectares to the irrigation zone, as well as another loan of 343.8 million pesos for the construction and rebuilding of federal highways. The terms are 20 years at 6.25 per cent annually.

Loans totaling 707.5 million pesos were obtained from the Inter-American development Bank for farm credits, construction of small irrigation works, and financing a study for development of the Lerma-Chapala-Santiago basin. The terms range from fifteen to twenty-five years and interest from 3 to 4 per cent per year.

Financing was obtained from the Export-Import Bank of Washington for a total of 935 million pesos, at terms ranging from seven to thirteen years and interest of 6 per cent per year. These resources will be utilized by the National Railways, the Compañía Industrial de Atenquique, Altos Hornos de México, Petróleos Mexicanos, and the Banco Nacional de Obras y Servicios Públicos for the purchase of diesel locomotives, machinery and equipment and partial financing for the purchase of parts for the manufacture in Mexico of 3,000 buses.

Institutions in Europe, Asia, the United States and Canada granted loans totalling 235 million pesos, with terms of approximately 15 years and interest rates averaging 6 per cent annually. These loans will be used to continue the national telecommunications program.

The Bank of Mexico supports the deposit banks in order to enable them to meet the demand for loans, principally outside Mexico City, and has granted facilities to maintain the established guarantee prices for the purchase of various agricultural products.

In order to strengthen the domestic market, the deposit and savings banks were allowed to issue bank credit cards.

The volume of exchange medium, comprising checking accounts and paper and metal currency in circulation reached 34.9 billion pesos or 12.3 per cent more than in August of 1967. This is the sign of a balanced, healthy and sustained economy.

With the authorization of the Congress, 650 million pesos' worth of coins were minted to commemorate the Games of the XIX Olympiad.

The inflow of resources to the Mexican banking system now amounts to 145.7 billion pesos, 17.6 per cent more than a year ago. Internal savings account for 120.1 billion pesos, external resources for the remainder. Although national credit institutions expanded their absorption of funds by 3.5 billion pesos, the highest increases were achieved by the private banks.

The growth in internal savings guarantees that the high levels of public and private investment will continue to find sources of noninflationary financing.

At present, total bank financing amounts to 138.7 billion pesos, which is 21 per cent higher than in August, 1967. Support for productive activities accounts for more than 70 per cent of the total, an amount 19.3 per cent higher than in the preceding period.

The fixed-income securities market has maintained its high rate of growth; circulation of securities reached 94.2 billion pesos or 17.4 billion pesos more than a year ago.

Credit channeled through the Banco Nacional Agropecuario Guarantee Fund for Agriculture reached 2,762,000,000 pesos. Of this amount, the Banco Nacional Agropecuario and its regional branches lent 1,857,000,000 pesos, of which 46.4 per cent was for agriculture, 21.6 per cent for livestock, and the remainder, through other types of credit, to support farmers and cattlemen for the marketing of crops and produce, and to develop manufacturing processes using raw materials from the countryside.

The total number of beneficiaries of the various programs of the system is now 91,000 farmers, of which 26.3 per cent are *ejido* members.

The Banco Ejidal system had 1.51 billion pesos available and granted loans totaling 1,492,000,000 pesos, to 4,983 associations and 121,559 *ejido* farmers. Through the Agrarian Banks of the Laguna, Michoacán, and Yucatán, 1,630 associations and 2,703 affiliated groups with 184,507 *ejido* members were financed.

Loans granted by the Banco Nacional de Crédito Agrícola and its affiliates amounted to 885 million pesos and benefited 939 *ejido* credit associations with a total of 9,825 members, 7 agricultural credit unions with 544 farmer members, 1,813 affiliated agricultural credit groups comprising 9,173 heads of families, and 21,213 private individuals.

In my preceding Report, I announced that instructions had been given to the effect that the industrial plants administered by the Banco Nacional de Crédito Agrícola and the Banco Nacional de Crédito Ejidal, be transferred to the Fondo Nacional de Fomento Ejidal, to be sold later to the *ejido* members.

In both banks, there were more than 150 agricultural-type industrial enterprises of highly varied kinds and degrees of productivity. As a consequence, orders have been given to carry out their transfer to the Fondo Nacional de Fomento Ejidal and, subsequently, to the farmers, under the best possible conditions. These industries must be consolidated and improved before they are handed over to their new owners; in addition, the new owners must be trained so that the acquistion of these plants will not create serious operational problems, but rather sources of employment with good financial and technical conditions for them.

The Aseguradora Nacional Agrícola y Ganadera served 535,000 farmers, of whom 400,000 were *ejido* members. A total of 3.6 million hectares were insured, of which 2.1 million are dry farming areas and 1.5 million irrigated lands.

Insured investment amounted to 5.4 billion pesos, an increase of 25 per cent over that of the 1966–67 agricultural cycle. Insured livestock investment reached 6.4 million pesos.

The Financiera Nacional Azucarera granted support of 1,769,000,000 pesos to the sugar industry, while sugar trust operations amounted to 62 million pesos.

All the shares of the Financiera Nacional Azucarera have been purchased, and it will now be possible for the Federal Government to set goals and priorities in accordance with the national interest to benefit a totally Mexican industry providing employment for 33,000 workers and upon which some 1.6 million rural inhabitants depend.

In order to benefit this sector, and because in some cases the sugar mills have not paid producers on time, instructions have been given to the effect that if by August 15 of each year (approximately one month after the UNPASA has fulfilled its financial obligations), the mills have not paid the cane workers, the Union Nacional de Productores de Azúcar will pay them directly for the account of and charge to the processors, including the total amount plus interest, in accordance with the length of the delay.

A special registry of all contracts for the supply of sugar cane, will be kept by the Ministry of Agriculture and Livestock for this purpose.

AGRARIAN

We are making every effort to insure the rapid progress of the agrarian program.

We would like to take care of a greater number of farm workers; we want everyone to have plots of land; but there are areas in which it is becoming increasingly difficult to find lands that can be distributed.

When a public statement has been made to the effect that in a certain region no more land is available, this does not mean that we intend to give up, even in that region, this first step in Agrarian Reform. Within the norms established in Article 27 of the Constitution and in the Code of Agrarian Laws, we shall continue to concern ourselves with findings, even there, extensions of land that can be used by *ejido* members.

The latifundium has been a perpetual obstacle in Mexico's march forward. Our internal struggles are marked by the various forms it assumes in the different stages in the life of the country. For this reason, the Mexican Revolution is essentially and basically anti-latifundium.

Various types of organization are tried, according to the circumstances, so that the *ejido* members may best utilize their lands.

In the central and northern parts of the country cooperatives have been formed for farming, cattle-raising, and the exploitation of timber. In areas where the *ejido* parcel is small, intensive farming is required; it is thought that this will lead to the integration of the *ejido* farm.

Today, industrial expansion in the agricultural and livestock sectors together with the redistribution of land which we plan to continue, are the two basic postulates.

Providing work for the farmers and adequate remuneration for their products are necessary conditions in the achievement of social justice for the farm population.

We are making every effort to discharge our obligation by bringing technical aids and welfare projects to the farm areas, principally water, education, roads and electrification.

During the present year I have signed 821 decrees appropriating 3,836,818 hectares for the benefit of 69,193 farmers. These figures, added to those of the three previous years, make a total of 2,585 decrees signed, which gave 12,307,184 hectares to 238,053 farmers.

In view of the application of the Law, many holders of concessions for cattle raising whose lands are exempt from redistribution under the Agrarian Law, are wisely anticipating the expiration of these concessions. As a result, more than one million hectares in the State of Chihuahua, that were turned over in a single agrarian decree, might be able to be used.

Three million seven hundred and twenty-five thousand hectares considered unproductive have been declared national lands. Added to those declared national lands in the three previous years, they make a total of 5,653,000 hectares.

The greater part of these lands have gone to form new *ejidos*. The rights of those who lived on them and worked them for many years, have been respected.

In accordance with the decision to define the maximum amount of land with water rights from each irrigation system built by the government, it was resolved that the Josefa Ortíz de Dominguez Dam irrigate a maximum of 30 hectares for small landowners and 10 hectares for *ejido* members in the El Carrizo Valley.

The renovation of various irrigation districts has permitted the resettlement of *ejido* members. In the case of La Laguna, 16 *ejidos* of Tlahuililo, having nearly 1,700 *ejido* members holding 3,400 hectares, have organized under government supervision to intensify and diversify farming and cattle raising. By this means, the deterioration that had already been noted in that region has been avoided.

Certificates of agrarian rights are issued to resettled farmers when works, including reconstruction, are done in these areas.

We cannot allow our coasts to be inhabited, often illegally, for speculative purposes; therefore it is necessary to restrict and regulate private intervention, and organize its utilization for the purpose of social well-being.

Seven thousand three hundred *ejido* members have lost their parcels of land principally because they abandoned them. As a result of this, plus other unused rights, 10,278 new *ejido* members have become part of the *ejido* nucleus during the present year.

With the abolition of the Colonization Law, there are still 1,065 colonies with 6,857,150 hectares for 73,058 colonists. The regulations that should rule their functioning has been expedited. Also, a decree was formulated to determine which of the applications in process should be continued. The continuation of 28 colonies with 1,313,345 hectares was granted and 44 applications were cancelled, for nearly 2 million hectares; these were reserved to satisfy agrarian needs.

Through the National Ejido Promotion Fund, 69,553,107 pesos have been spent on social welfare projects and productive investments.

The revision of 11,460 contracts held by *ejido* members increased their income by more than 190 million pesos.

The change of *ejido* commissioners at the expiration of their term should be enforced, and it shall continue to be enforced. The tendency to continue in office cannot be permitted in this basic institution of the Revolution.

AGRICULTURE AND LIVESTOCK

Weather phenomena which caused so much damage in 1967, nevertheless benefited some crops and grasslands, and increased reservoir and subsoil water.

Various protective measures were necessary, ranging from the repair or reinforcement of dikes and protective walls that had been destroyed or seriously damaged, to the dynamiting of highway and railway sections to keep them from blocking the flow of water and making the situation worse.

The activities of large and small irrigation, rehabiliation and operation of irrigated districts produced the following results: 165,000 hectares benefited by new works; 2,751,000 hectares were harvested, or 5 per cent more than last year.

Work was carried out on the construction of 59 reservoirs with a total capacity of 15 billion cubic meters.

The following six large dams were completed:

The José María Morelos (La Villita) dam of the Río Balsas, with a capacity of 700 million cubic meters, which will irrigate 18,000 hectares and generate electric power;

The Vicente Guerrero (Palos Altos) dam on the Río Poliutla, which will benefit 18,000 hectares, can store 250 million cubic meters of water;

The Ignacio Allende dam on the Río de la Laja, which will control flash floods and irrigate 12,600 hectares. Its capacity is 210 million cubic meters;

The Francisco Villa dam on the Río Poanas, to irrigate 5,000 hectares, with a capacity of 80 million cubic meters;

The Luis L. León (El Granero) dam, on the Río Conchos, with a capacity of 850 million cubic meters;

Las Tótolas dam on the Río Nazas, to increase the supply of water available to the Comarca Lagunera. Its capacity is 438 million cubic meters.

Fourteen other dams of smaller capacity were also finished.

Mexico concluded its part of the work on the International La Amistad dam, with a capacity of 7 billion cubic meters. This dam is now acting as a reservoir and a flood-protector on the Rio Bravo.

The surplus water distribution system of the Guadalupe Victoria dam on the Rio Tunal was enlarged.

Work continued on the "Constitución de 1917" dam on the El Caracol creek. This dam will have a capacity of 65 million cubic meters.

Work was begun on Las Adjuntas dam on the Río Soto la Marina, which will store 3,920,000,000 cubic meters, regulate flash floods and irrigate 42,000 hectares in the Jiménez Valley.

The Guadalupe dam on the Río Cuautitlán was rebuilt to supply water and protect the region from floods.

In the Tula irrigation district, enlargement of the Dendho canal was begun and the construction of the Endó canal continued. Twenty-four thousand hectares will be benefited.

Work has been continued on canals to utilize the waters of the Río de la Laja and those of a section of 8,000 hectares were completed.

Work is being carried out on canals in the irrigation zones of El Carmen, Chihuahua; Poanas, Durango; El Carrizo, Sinaloa; Tasquillo, Hidalgo, as well as on the San Lorenzo aqueduct canal, while that in the irrigation zone of the Guamúchil Valley to irrigate 44,000 hectares, has been finished.

Access roads to permit the initiation of construction on the El Rosario dam in Michoacán and El Mezquite dam in Jalisco, have been opened.

In Plan Chontalpa, Tabasco, 283 kilometers of canals have been built for rain water and agricultural drainage. Fifty kilometers of paved road and 242 of hard-surface roads have been opened. Ten wells, which will irrigate 2,000 hectares, have been drilled, and, with the participation of the farmers, two villages have been built and two more started.

In Delicias, Chihuahua, improvements have been completed which will permit more efficient operation of 30,200 hectares; in Bajo San Juan, Tamaulipas, of 4,300 hectares; and in Bajo Bravo, of 12,400 hectares.

Improvements have been continued in the Comarca Lagunera on such a scale that the project may be considered a new district, since it includes a number of different works, among which is the previously mentioned Las Tórtolas dam.

Programs to technify the use of soil and water are a logical outcome of the improvement works in the irrigation districts. Results obtained will provide for savings of up to 20 per cent and similar increases in irrigated areas.

There are now more than 10,000 small irrigated areas scattered over the entire country, covering one million hectares and benefiting some 200,000 farmers. Efforts to increase productivity now include these centers.

Executive Agricultural Committees are being established as part of the National Small Irrigation Plan. These Committees are headed by the governors of the states and include representatives of federal and state agencies which deal with farm problems. We are attempting to comply more fully with our agricultural programs through these organizations.

At the beginning of the 1967–1968 cycle, a volume of 30 billion cubic meters of water was stored in the country's dams or 83 per cent of total capacity. Winter rains increased this amount to such a degree that they reached the unprecedented figure of 31.5 billion cubic meters.

Two million minnows of trout, bass, mojarra, and other species have been distributed in 150 dams, 500 artificial ponds, and 210 natural streams as a means of increasing the rural supply of fish. Two frog hatcheries have been built with a combined production capacity of 800,000 frogs per year. Lakes and coastal marches have been included in fish propagation activities.

Research carried out on the national inventory of subsoil waters is already bearing fruit. In the Juárez Valley, Chihuahua, artesian wells have been found; the results in Mexicali, the Hermosillo Coast and the Guaymas Valley, give hope that the limits on the farmers can be reduced as far as water resources are concerned. Nature was miserly with Mexico: in Monterrey, drilling has reached 2,000 meters, the deepest in the word. Fortunately, the water found was good.

Ejido members and farmers produce the basic foodstuffs for the country, promote industrialization and meet foreign market demands.

A total of 15.1 million hectares were cultivated in 1968, with a yield estimated at 32 billion pesos. Farming and livestock production and forestry is estimated at 53 billion pesos or 5 billion pesos more than in the previous period.

Exports of farm products was 9,835,000,000 pesos, while imports were only 1,770,000,000 pesos.

The harvest of our main crops will enable us to meet domestic demands and cover Mexican quotas in the international market, where ever applicable. Yields and the quality of wheat production have improved, without increasing the area devoted to crops, through the use of improved varieties of fertilizers, pest and disease control.

This has allowed Mexico to meet its own domestic needs and contribute significantly to the promotion of agricultural programs in other countries. On an area estimated at 6 million hectares, 20 countries planted several varieties of Mexican wheat during the 1967/1968 cycle with excellent results, since the harvests were more abundant in some cases, these were as much as ten times larger than those previously obtained with their traditional natives seeds.

We shall continue to provide improved wheat seed produced from our fields to all countries requesting it. Our agriculture has thereby become a noble instrument for international cooperation.

Common low-production breeds of cattle still predominate in our rural areas. For this reason, genetic improvement of stock through artificial insemination is called for as well as intensive campaigns against ticks, brucellosis and other cattle diseases, as well as against the screw worm.

Strict control in the prevention of hoof-and-mouth disease has been maintained. Mexico has been free of the disease since 1954.

Our livestock industry is estimated at 55 million head of cattle and 120 million fowl.

Coordination of the national agricultural and livestock programs resulted in significant increases in the production of fodder crops. The sorghum harvest, for example, amounted to 225,000 tons in 1964, and is estimated at more than 1.17 million tons for this year.

Our forestry policy has been aimed at the protection and renewal of this resource, so that forests may fulfill their function of protecting the soil and that timber reserves may be exploited in a rational, integral manner. Forestry wealth should become a permanent part of the country's industrial structure and be conserved and increased so that current owners and future generations may be benefited.

A decentralized public agency, Productos Forestales Mexicanos, has been established precisely for the purpose of utilizing integrally the forest resources of a zone of the State of Durango covering approximately 2.5 million hectares. The legal form of this Institution is a guarantee that forest reserves will not be destroyed and that permanent sources of employment as well as a healthy and vigorous forest-products industry will be created.

Reforestation programs have been initiated in 25 states. Over 13 million trees were planted.

One hundred and sixty-four forest fire prevention and fighting squads were formed, bringing the total up to 12,174, composed of 120,000 persons, mostly farmers; members of the Mexican Army also play a prominent part in this activity.

A National Forestry Inventory, already completed in several states, is still in process.

The gross total production of Guanos y Fertilizantes reached 1,404,268 tons.

Sales amounted to 1,141,000,000 pesos, and net earnings were 79,156,000 pesos.

New units at Camargo and Guadalajara were finished at a cost of 156,688,000 pesos.

State Fertilization Committees were formed and are operating in 22 entities.

Three million, thirty-four thousand tons of corn, wheat, beans, sorghum, oil bearing seeds, edible oil and powdered milk, were purchased at a cost of 2,730,000 pesos.

Domestic and export sales, which were greater than purchases, amounted to 2,893,000 pesos, because stocks from previous agricultural cycles were sold. Corn, bean and wheat reserves are sufficient to meet national demand until the next harvest.

One thousand four hundred and ninety-two "peoples granaries" were built in 357 localities by rural labor using materials paid for by the government. Their storage capacity is 530,000 tons and will benefit over 350,000 persons. One thousand five hundred farmers were trained to work in laboratories and warehouses.

The "people granaries" place in the farmers' own hands the responsibility for receiving and grading their products and making cash payments at the harvest site.

Sales of food, clothing and shoes to the popular sectors rose to 500 million pesos.

A large reduction in the price of powdered milk was made and the dehydrating plant was modernized as well as the distribution and sales systems which are carried with maximum cleanliness and at minimum cost.

At the port of Guaymas, seventy-two 65,000 ton mechanized silos with a shipload capacity of 1,000 tons per hour, were completed. These installations, which cost 72 million pesos, make Guaymas the principal Latin American port for the shipping of grain.

At present, the government can store 3,730,635 tons and operates approximately 1,200 warehouses located in 294 centers.

PETRÓLEOS MEXICANOS

The stepping up and improvement of oil drilling has begun to yield fruit. Despite high consumption, proven reserves as of August 31 amounted to 5,490,000,000 barrels, enough for 23 years, at the present rate of production.

During the corresponding period in 1966, a demand of 236 million barrels of hydrocarbons was met, reducing reserves by 40 million barrels. From September, 1967 to September, 1968, the demand was even greater (271 million barrels) with an increase in reserves of 90 million barrels. This is encouraging inasmuch as it indicates the possibility of meeting higher demands and at the same time increasing reserves.

Geological surveys present an even more encouraging outlook for Mexico's oil industry, not only because of the discovery of ocean fields, which have considerably increased proven reserves, but also because of the possibility of finding hydrocarbons in Chihuahua, Coahuila, Nuevo León, Durango, San Luis Potosi, Tlaxcala, Puebla, Oaxaca, Campeche and Chiapas. Stratigraphical drilling is now under way in Chihuahua, Nuevo León, San Luis Potosí, Puebla and Chiapas. Investments by the petroleum industry in geological and geophysical activities are high and, in addition to being fortuitous, are long-range. However, they could open up new fields which would guarantee national supplies.

A total of 121 exploratory wells were drilled in known oil areas with a 34.2 per cent index of success. Eight new fields were discovered (three producing oil and five producing gas) and another 15 already existing fields were expanded (10 oil and five gas.) Four hundred and thirty-eight development wells of a total of 1.5 million meters were drilled and 412 productive wells were obtained, an index of 81.2 per cent success. This percentage, considered very high internationally, is an indication of the correct policy being followed.

Atún, on the Continental Shelf, is currently yielding 8,000 barrels of crude oil a day, transported to the mainland through an underwater pipeline system. Nine other wells remain to be drilled on the existing platform.

Exploratory wells drilled in Bagre and in Pez Vela guarantee the presence of oil fields in an area of slightly over 13 kilometers along that part of the Continental Shelf.

The existence of the "Golden Strip" on the Continental Shelf has been proven. Of current petroleum production, approximately 20,000 barrels a day come from the sea.

Production of crude oils and absorption liquids amounted to 157 million barrels, with a daily average of 431,000 barrels—an increase of 9.4 per cent over the previous year. Gas production amounted to 16,194,000,000 cubic meters. An average of 431,000 barrels was processed in refineries, yielding 427,000 barrels of finished products a day. This is sufficient to meet national demands and full export contracts for residual products.

Sales amounted to 9,983,000,000 pesos. Exports were 565 million pesos comprising 376 million pesos of oil and oil by-products, 103 million pesos of natural gas and the remainder in petrochemical products.

The investment program of Petróleos Mexicanos added up to 4,581,000,000 pesos, applied to the drilling of wells, installation of new plants and expansion of existing ones, and to storage and distribution plants, land and sea terminals, transportation equipment and social projects. Projects totalling 1,743,000,000 pesos were completed while others costing 3,514,000,000 pesos are now under way.

Investments have not been channeled exclusively into petroleum zones. The 329 projects undertaken were carried out in 69 communities in 20 states of the Republic. These called for an employment of around 15,000 workers.

Efforts have been directed at maintaining a balanced development of the industry—a task which calls for financial, technical and other efforts.

Storage capacity has been increased by 3.3 millon barrels, and refining capacity of 50,000 barrels, for a total of 531,500 barrels a day. Over 1,000 kilometers of oil and gas pipelines have been built.

Pemex now has 12 of the 14 new tankers ordered from Japan, providing a total deadweight tonnage of 353,000. It also has five tugs, three built in Mexico, and two high-powered ones built in Holland, in addition to 11 Mexican-built ferries.

Mexican-made vessels already received and those still to be delivered, represent an investment of 80 million pesos.

Renewal and diversification of the Petróleos Mexicanos fleet has made possible the maritime transportation of our oil products along the nation's coasts, as well as delivery of these goods to foreign ports.

Pemex paid 1,134,000,000 pesos in taxes to the federal government and 114 million pesos to state governments. Debts to the federal government contracted in 1960 for 200 million pesos from the sale of the salt and soda-chlorine plants were repaid.

Between September 1, 1967 and August 31, 1968, Petróleos Mexicanos repaid debts amounting to one billion pesos.

Three basic principles serve as guideline to the company in its use of investment credits. First, that the investment consist mainly of its own resources; secondly, that the financing be negotiated for a period longer than that required for recovery of the investment so that, once repaid, it may generate new resources for other investments. Finally, not to accept commitments which require the purchase abroad of equipment of production goods manufactured in Mexico.

Special efforts have been made to increase investments for the maintenance of plants and installations. These are checked constantly and the required industrial safety measures are adopted.

As a result of the stability and growth of the national economy and the development of the oil industry, the institution enjoys an excellent credit rating abroad. The following credits were obtained during the past year, without any guarantee whatsoever.

(1) From the Export-Import Bank in Washington, 170 million pesos (13.6 million dollars) were used to purchase equipment and services in the United States for a sulphur hydrodisintegrator and recovery unit, as well as for other petrochemical installations in Salamanca, Guanajuato. The credit agreed upon was for 24 semiannual payments at 6 per cent interest per year.

(2) From the Bank of America, 218,750,000 pesos (17.5 million dollars), for local expenses in the construction and setting up of the installations in question and the purchase of equipment manufactured in Mexico. Terms are on a five-year basis at an interest rate of 7.5 per cent.

(3) From a European banking consortium, 185 million pesos (60 million German marks); the first revolving credit obtained in a currency other than the U.S. dollar. It will be applied to working capital and to various Petróleos Mexicanos projects. The loan is for a two-year period at an annual interest of 6.5 per cent.

(4) From the French government and two French banking institutions, 430 million pesos (169 million francs); 271 million pesos for expenditures in France and 158 million to be spent in Mexico. This loan will be paid back during a 15-year period, with the first payment due three years after its issuance, once the three industrial units financed thereby are in operation. The average interest rate on unpaid balances is 6.5 per cent.

The investment program includes 48 social welfare projects. A total of 303 million pesos was spent on 43 "Articulo 123" schools and on medical services provided by 136 units to 274,000 staff and temporary workers and their families. During the past 12 months, 2,000 oil workers have moved into their own homes in accordance with the housing system which calls for Petróleos Mexicanos to pay the interest on loans for this purpose. The company has thus gone beyond the obligations established in the labor contract, observing a social policy in keeping with the nature of a nationalized industry.

Even though Petróleos Mexicanos is a nonprofit organization, it must carefully consider the generation of resources for its growth. Profits to be distributed among the workers for the purpose of profit-sharing law amounted to 157 million pesos in 1964. In 1967, the figure rose to 375 million pesos. According to law, union and confidential personnel received 21,523,412 pesos. Unionized workers decided to turn over 10 per cent of their share to the government for rural development programs.

Inasmuch as the subsoil is the property of the nation, Petróleos Mexicanos is responsible for maintaining adequate financial reserves for exploration purposes and against a possible reduction in oil fields. As a result, the amounts earmarked for this purpose do not form part of profit-sharing.

The Mexican Petroleum Institute has cooperated in the improvement of oil field exploration and operation techniques. It analyzed crude oil and gases in the oil fields to assure their optimum utilization; it developed processes for the output of products consumed by Petróleos Mexicanos and exercised quality control over materials used by the industry. It is carrying out the engineering work on five new plants, an ethylene storage terminal, expansion of the bitter gas treatment plant, and a new sulphur plant in Poza Rica. It currently has 26 classrooms for the training of workers in various centers and conducts courses in 30 specialties.

A total of 834,000 tons of basic petrochemical products were obtained from 20 different product types. Production of acetyldehyde was begun and ammonia production capacity was quadrupled through the new plants at Ciudad Camargo and Cosoleacaque. This will make it possible for Mexico to become self-sufficient in the production of this material which is used directly as fertilizer and as a raw material in the production of widely consumed solid fertilizers.

The increase in the sale of basic petrochemical products made it possible to gradually replace imports. The establishment of secondary petrochemical plants by private enterprise is being strengthened and promoted and sources of income for Petróleos Mexicanos are becoming diversified.

Investments in the basic and secondary petrochemical industries have increased by 54.8 per cent in two years. This is proof that a clear separation has been established between government basic petrochemical industry and secondary private enterprise petrochemical industry with 60 per cent Mexican capital.

Sales of petrochemical products amount to 494 million pesos and exports in this field to 86 million pesos.

Expansion has shown that, notwithstanding inevitable conflicts within such an important industry, in which so many and such contradictory interests exist, fruitful cooperation has been attained between the government and private enterprise. In only two years, this has turned into an investment of 719 million pesos.

Forty petrochemical plants are now under construction at a total cost of 1,356,000,000 pesos. This amount of 775 million pesos represents investments by Petróleos Mexicanos and 581 million pesos represent funds from private enterprise with or without government participation.

This rate of growth, which must be maintained, will make it possible to eliminate even more imports.

In 1966, there were 120 petrochemical plants in Mexico, representing an investment of 2,757,000,000 pesos. Today, there are 174 such plants in operation, representing a total investment of 476,000,000 pesos. Of these, 35 belong to Petróleos Mexicanos with investment of 2,094,000,000 pesos; 14 to Guanos y Fertilizantes with 559 million pesos; three to government companies with 263 million pesos, and 122 to private firms, with 1,560,000 pesos.

ELECTRIC POWER

The national electric power network provides electricity to 4,080,000 consumers, 37.7 per cent more than at the beginning of the present administration. Electricity demand is 46 per cent higher than in 1964.

The technical and administrative integration of nineteen companies which were previously owned by foreigners, and legally dissolved in December of last year, into what is now known as the Federal Electricity Commission, confirms the fact that the electric power industry is making firm progress.

The Federal Electricity Commission is temporarily managing the Amacuzac Hydroelectric Company, on strike due to worker demands.

Over the past four years, installations generating 1,556,173 kilowatts have been put into operation adding 40 per cent to public service capacity.

The installed capacity is 6,381,434 kilowatts, of which 1,008,768 correspond to industries that use it for their own operations; the remainder is Government-owned and is reserved for public service.

Electric power was provided for 887 rural population centers. Two hundred seventy-two popular sections of cities in the interior and six in the Capital were provided with electric power.

The Federal Electricity Commission tripled its aggregate reserves for withdrawals and replacements, from 539,000,000 pesos in 1964 to 1,761,000,000 in 1967.

Generating plants with a capacity of 492,060 kilowatts were completed, including the first two Malpaso units (180,000 each). Other plants were finished in Topolobampo, Mérida, Tampico, Guadalajara and Salamanca, as well as smaller plants in Villahermosa, Tenoseque, Campeche, Tizimin, Chetumal, Tuxtla and Caborca.

Two hundred and thirty-seven kilometers of high-voltage transmission lines were installed and sub-stations with a capacity of 792,050 kilovoltamperes were built. In four years, 5,296 kilometers of high-voltage lines have been installed. The sub-stations built have a capacity of 3,536,300 kilovoltamperes.

The plants still under construction are Units Three and Four in Malpaso, with 360,000 kilowatts; the Valley of Mexico and Salamanca terminals, with 300,000 each; José Ma. Morelos (La Villita), with 300,000; Guaymas, with 40,000; the Southeast, with 66,000; Baja California, with 75,000; Acapulco, with 14,000; La Angostura, with 468,000; and Tijuana, with 82,000.

In addition to the construction of the Malpaso hydroelectric system, private enterprise has contributed to the expansion and construction of aluminum, steel, automobile, fertilizer, paper, phosphorous and other factories, providing more jobs and a better utilization of national resources.

The desalination plant for sea-water at Tijuana is nearly completed. A loan of 47,600,000 pesos was obtained from the Export-Import Bank for its construction; the terms are 17 years at 6 per cent annually. Total cost of this project will be 85,000,000 pesos.

The World Bank has granted the Federal Electricity Commission a new loan that guarantees the program's continuity at the lowest financial cost: 6.25 per cent annually for twenty years. In addition to this loan, 11 countries that manufacture heavy machinery also granted credit to Mexico. These loans total 1,400,000,000 pesos, supplementing investment resources of 6,000,000,000 pesos in 1968 and 1969 aimed at increasing the capacity of the electric system and extending it to rural areas.

Mexican companies received orders to manufacture 40,000 tons of steel for transmission line towers and 5,000 tons for structures of the large substations at Malpaso.

The bidding system has helped to bring the price of heavy machinery down 20 per cent from that paid by the Commission six and eight years ago. The saving achieved are equivalent to a complete 300,000 kilowatt thermo-electric plant.

The national electrification program, which covers a ten-year period, is adjusted every year on the basis of information on new industries in each region; fulfillment of the program allows the Commission to foresee and negotiate financing and to request bids on advantageous terms for the manufacture of equipment.

The Electric Industry Research Institute studies the effects of storms on high-tension wires, the geothermic potential of various areas, the utilization of wind for generating electricity and, with scale models, the institute intends to protects hydroelectric plants against floods and other risks.

Cyclones, storms and floods put the organization of the Federal Electricity Commission to a severe test. At the El Infiernillo Plant it was necessary to contain, under the most difficult conditions, currents of up to 27,000 cubic meters per second, managing the spillways to ensure a discharge of less than 6,500 cubic meters per second in order to prevent the José Ma. Morelos dam core-wall under construction from being destroyed, and to protect the population over a large area from floods. Outstanding efforts on the part of technicians and workers impeded the temporary flooding of the plant. Temporary interruptions of electric current in Acapulco due to the flooding of the La

Venta hydroelectric plant were counteracted by the noteworthy cooperation of the population.

The Federal Electricity Commission and its workers operate the first large national system of capitalization of profit sharing, through which credit is granted to families. Through this system, 4,126 loans have been granted for housing construction and 2,015 automobile and furniture purchases, with terms of up to ten years and a total amount of 313,000,000 pesos.

For three consecutive years the workers of the Federal Electricity Commission, who belong to the National Electric Workers' Union, affiliated with the "Confederación de Trabajadores de México (CTM), have volunteered one day's salary to aid farmers; last year they gave 2,000,000 pesos, corresponding to two days wages.

We appreciate their social consciousness, and we informed them that their contribution would be used to provide electricity to the Galeana, Nuevo León and northern Yucatán areas, in the region of Popiná, which was devastated by a cyclone last year.

The installed capacity of the Compañía de Luz y Fuerza del Centro is 667,000 kilowatts; it built 36 kilometers of transmission lines and 440 kilometers of distribution networks. The total investment in these works and those in the process of construction is 400 million pesos.

In the Federal District and adjacent areas the work of providing electricity to several working-class districts was continued, and six of these were finished, as well as five housing units, including the Miguel Hidalgo Olympic Village. Investments in working-class districts amounted to 8 million pesos and benefited 30,000 people.

The electricity generated and purchased reached 7.75 billion kilowatt-hours, or 9.6 per cent more than last year. An estimated 6.65 billion kilowatt-hours of electricity was sold representing an increase 9.1 per cent over the previous year. The increase in consumers is estimated at 77,300 persons and those benefited at 400,000. The total estimated number of consumers is 1,340,000.

The renewal of the collective labor contract was agreed upon without need for increasing the rates and in accordance with the agreement made with the Union, which established new working systems and procedures. The company is being reorganized by automating and simplifying the work.

MINING

Mexico's economic development requires an increase in its power output and diversification of its traditional sources, which have been petroleum and, supplementarily, hydraulic power and coal. The use of petroleum is a luxury, if one considers more rational applications for this resource of high economic possibilities, particularly in the field of petrochemistry. It is necessary to find means of replacing it as soon as possible. For 10 years, the National Atomic Energy Commission has been carrying out exploratory work in an attempt to locate uranium deposits and determine just how self-sufficient Mexico can become with regards to this resource. Its use in the generation of atomic energy may lead to a more rational employment of the Nation's energy-producing elements.

Current uranium reserves are over 3,700,000 tons with an average fineness of 660 grams of uranium oxide per ton. The potential at our disposal amounts to about 2.5 million kilograms of uranium oxide.

Construction of a uranium treatment plant has started in Villa Aldama, Chihuahua, with capacity for processing 60 tons of ore per day and yielding 60 tons of uranium oxide a year. This smelting plant will cost 4,500,000 pesos. We hope it will be in operation by early 1969. Production of yellow paste for one year alone will amount to 13,200,000 pesos at current international prices. This is equivalent to 2.9 times the total investment.

We shall make every effort to finish Mexico's Nuclear Center by early 1969. Joint, national and international financing is being negotiated for 12 million 500 thousand pesos, in order to purchase the supplementary equipment needed for the main units of this Center; a reactor and an accelerator, which cost 25 million pesos.

We maintain a policy of rational exploitation of natural non-renewable resources that support and diversify other fields of our economy. To this effect, exploration is being intensified, industrialization of mining and metallurgical products is being promoted, and progress is being achieved in the Mexicanization of mining companies.

In order to insure the development of the steel industry, export of iron ore and coal has been forbidden and exploration is being stimulated; iron reserves located at what is known as Las Truchas, Michoacán, increased by 50 million tons, making a total of 130 million tons at present, a fact that has allowed us to authorize the implementation of a mining bureau and a steel-production bureau.

Jointly with the three most important steel-producing companies in the country, the Government organized the mining consortium known as Peña Colorada, which will exploit important iron deposits in the state of Colima.

Eight hundred thousand five hundred and twelve hectares of coal lands were rescued from private hands and incorporated to the national reserves, a fact that constitutes a significant step forward in the direct control of basic fuels.

Coal concessions at present cover an area of 253 thousand 936 hectares.

By 1972, Mexico will have industrial ore reserves of approximately 300 million tons.

Copper production, previously oriented towards export, has now been channeled towards domestic markets as it becomes integrated to the country's structure. This has given rise to the need to undertake works of exploration in several States. In the district of Nacozari, Sonora, important copper deposits were discovered, and will be exploited with Government participation, and will cover domestic market needs for this metal.

The study of the multiple resources of the State of Oaxaca has been continued with the collaboration of the United Nations Special Fund. A copper producing area was discovered, and is at present being studied and explored, in order to ascertain its potentiality and possibilities for commercial exploitation.

Mexico still holds first place as a silver producer in the world, with an output of 1,222,900 kilograms of silver, 39,300,000 Troy ounces. The international demand for silver has allowed several silver mines to be reopened.

Manganese production diminished, due to the depletion of deposits being exploited in Jalisco; but a group of Mexican investors installed a plant to exploit the Molango deposits, with a yearly capacity of 275,000 tons production, which will guarantee that the steel industry will have available all the manganese it needs.

Proven reserves of sulphur increased to 58 million tons, 32 per cent higher than the previous year; the increase of 14 million tons is equivalent to 58 per cent of the total reserves the country had available as of December 31, 1964. Sulphur production reached one million 895 thousand tons, that is, 11 per cent more than the previous year.

The company that operates the Nopalapa Dome initiated operations with the participation of the Federal Government. On the other hand, construction was begun on a plant to exploit the Texistepec Dome, and expand the Jaltipan Dome. The investment for both projects will be 200 million pesos.

A State participation company called "Fosforitas Mexicanas" initiated the installation of a phosphorite concentrating plant in Saltillo, with an initial capacity of 100 thousand tons per year.

The value of mining production increased from 5 billion 169 million pesos to 5 billion 692 million pesos, representing an increase of 10.1 per cent.

PRODUCTION

The precarious standards of living of large groups especially rural; the rise in population; the growing demand for employment; the still unjust distribution of the national income and the unfavorable situation of international markets, demand a greater national investment and the maximum employment and productivity of available human and physical resources.

The economy of Latin American countries suffered a rather unsatisfactory evolution. Regional product increased in 1957 at a rate of 4.5 per cent, which implies an average per capita growth of only 1.6 per cent. Mexico surpassed the 2.5 per cent per capita rate set as a minimum in the Punta del Este Charter, in its gross national product.

Internally, we can say that the greater part of production sectors registered satisfactory growth and in some cases, surpassed the levels attained the previous year. Among these we have flat glass production, 55.3 per cent; pig iron, 24 per cent; railway cars, 19.3 per cent and reinforcing bars, 17.5 per cent.

A catalog of rural industries has been prepared, corresponding to the basic resources available in each region of the country. This catalog is now being distributed among communities so that its inhabitants may become aware of the real possibilities of increasing their income and to give employment to the new population.

To farmers, fishermen or rural craftsmen who decide to create a new work center, technical assistance will be given for the elaboration of projects for their industries, including marketing and company administration. They will also be helped to find financing to complement their own investments, and markets for their products.

Through authorized production programs we have tried to interest investors in the production of goods required by the domestic market and those needed for industrial integration; and to incorporate more locally-made parts in their products.

The general policy has been to permit as a maximum, a difference of 25 per cent between sale prices in Mexico and the price of the same article in the country of origin.

Given the urgent need to promote livestock production of all types at the lowest possible costs and because the price of balanced feed for livestock did not aid this development, a government organization was created to produce such feed; it will acquire large amounts of the raw materials required and will install factories in the leading livestock-raising areas of the country, where it will offer adequate feed for each species.

Preparatory work was begun for the 1970–1971 national census.

The number of foreign tourist visiting the country from September, 1967 to August, 1968, totalled 1.5 millions, an increase of over 8 per cent.

Eleven new hotels with over 2,500 rooms were built in Mexico City, raising the number of rooms available to tourists to 20,300.

As part of regional tourist planning programs, those for the northwestern and southeastern parts of the country were studied with special attention to the so-called Mayan Route.

The "Light and Sound" show in Teotihuacán was opened to the public.

An average of 400 motorists a day received tourist aid along the nation's highways.

MEXICO CITY

Throughout its existence, Mexico City has faced serious problems. Its subsoil is of a type which prevents the rapid absorption of rain water and causes an unbalanced sinking of land and buildings, disrupting the drainage system and exposing the city's inhabitants to dangerous floods.

To satisfy the growing demand for potable water, the first stage of the upper Lerma water harnessing system was completed and the second was begun, increasing the available water supply by 4,500 liters per second. Added to the 2,500 liters obtained in May, 1967, this gives a total volume of 30 thousand liters per second, as compared to the 23 thousand available in 1966.

With this increase of slightly more than 30 per cent, the water supply needs of 1,750,000 city inhabitants, formerly inadequate, have now been met. Projects now under construction will provide an additional volume of 3 thousand liters per second by 1969, thus making it possible to do away with the pumping of subsoil water, a practice which contributes to the sinking of the city. Cost of the works completed and the amount invested in those now under construction adds up to 315 million pesos.

A total of 124,050,000 pesos has been spent on other potable water supply programs.

The Federal District Government contributed 10,600,000 pesos to the government of the State of Mexico for potable water installations, schools and roads in the Lerma valley district. This was in reciprocity for the water harnessing system being built in this area, to be utilized to a greater extent by the Federal District.

Also under construction is a new gravity drainage system through which sewage and rainwater will be carried outside the Federal District. Work begun last year has continued and should be completed by the end of 1970 at a total cost of 1,600,000,000 pesos.

An investment of 36 million pesos was required to improve the Grand Canal system, when heavy rains—unprecedented in Federal District history—raised the sewage flow to 830 million cubic meters.

A total of 49,395,000 pesos was spent on other drainage projects. Some of these have been completed while others are still under construction.

Sewage pipeline treatment projects amounted to 72 million pesos.

Work has continued on the subway system designed to alleviate the city's traffic problem. Basic construction of the first subway line is nearing completion and work has begun on the second and third routes.

Approximately 36 per cent of the tunnels and 33 per cent of the stations have been completed. Construction costs total 858 million pesos, of which 395 million have been supplied through foreign credits.

Orders for equipment, material and services amount to 885,900,000 pesos. Twenty million pesos have been invested in land acquired for the various installations required by the system.

The schedule calls for the first route to go into service during the second half of next year. The rest of the system will begin operating by November 20, 1970.

Street car and trolley-bus services will operate as feeder lines for the subway to assure the best possible services. Four new trolleybus lines have gone into service and plans call for the establishment of 10 additional routes. Eighty-five new trolley-buses have been acquired for this purpose.

The following city street projects were completed during the year:

Widening of the Tlalpan Viaduct; southeast branch of the Belt Freeway; Belt Freeway link with the Xochimilco Sports Center, San Jerónimo Avenue link with the University Stadium parking area; Ferrocarril Hidalgo Avenue; Cien Metros Avenue; Acoxpa Boulevard; Pedregal Avenue; widening of Insurgentes Sur and extension of Cerro del Agua Street.

The projects completed comprise a total of 21 kilometers and 505,555 square meters of paved surface. Total cost amounted to 118,400,000 pesos.

Other city street projects, including widening, paving, construction, reconstruction and repair, accounted for an overall expenditure of 222,100,000 pesos.

The historic plazas of Santa Veracruz, Regina, Loreto, San Fernando, Santa Catarina and Santo Domingo were completely remodelled thus restoring to the city, sites of significant, traditional merit and aesthetic value.

Fifty athletic fields designed to promote popular sports activities have been built.

Five community social centres were built at a total cost of 50 million pesos.

Construction of the Hospital Clinic for non-salaried workers cost 6,500,000 pesos.

Nineteen million pesos were spent in the construction of six new markets with a total of 1,239 stalls.

In some sections of the city, which almost entirely lack public services, many families live under deplorable conditions, occupying flimsy, scattered huts built without official permits and without regard for even minimum building specifications. This situation is in large part the result of illegal property sales. After fruitless attempts to reach an agreement, the lands in question were expropriated to establish legal title to ownership and undertake their sub-division. This was done in benefit of residents of the affected land, thus permitting them to establish a modest family patrimony.

HIGHWAYS

A total of 1,364,000,000 pesos was spent on the building of 2,085 kilometers of highways last year. These, together with existing ones, make a total of 64,800 kilometers of highways.

For maintenance of our highway network, used by 1.8 million persons daily, 487 million pesos were invested. In addition to the regular work, it was necessary to rebuild highways and bridges destroyed by hurricanes which late last year caused damage estimated at 7.5 million pesos.

The Mexico-Querétaro expressway transformed the old highway into a modern thoroughfare used by close to 200 thousand persons per day.

Completion of the Villahermosa-Escárcega highway, including the Grijalva and Usumacinta bridges, facilitates communications, between Mexico City and Campeche, Yucatán, and Quintana Roo.

The Valladolid-Carrillo Puerto section was opened to traffic.

Paving was completed on the Ciudad Victoria-San Luis Potosí and the San Juan del Río-Tamazunchale highways, as well as the San Felipe-Ojuelos section and the new Bajío route to Zacatecas and Durango.

In the Territory of Baja California, the 186-kilometer highway between La Paz and San José del Cabo was completed, of great importance in linking the two communities and of enormous tourist potential. Construction is continuing on the Villa Constitución-Puerto Escondido-Santa Rosalía section.

Construction is continuing on the following sections: Compostela-Puerto Vallarta-Barra de Navidad; Charco Redondo-Puerto Escondido (Oaxaca) and Arriaga-Tapanatepec of the Pacific Coast Highway; Iguala-Ciudad Altamirano; Escárcega-Chetumal and Casetas-Huejutla-Tempoal; and the new Pachuca-Tampico highway.

Construction continues on the direct highways connecting Guadalajara and Zapotlanejo, Orizaba and Córdoba, and Apaseo, Celaya and Iraputo (of which the Apaseo-Salamanca section will soon be put into service).

AIRPORTS

In the past four years, the national airport system has shown an annual average passenger increase of 15 per cent. An outlay of 364 million pesos has been made on the twenty principal airports of the country. The Guadalajara airport, for long-range jets, and the Matamoros airport, for medium-range jets, have been completed.

Modernization and runway enlargement works have been completed for the airports of Ciudad Obregón, Chihuahua, Culiacán, Torreón, Hermosillo and Ciudad Juárez, which now handle jet aircraft.

Work is being continued on the airports at Tijuana, La Paz, Puerto Vallarta, Mazatlán, Monterrey and Mérida (for long-range aircraft) and those at Mexicali, Tampico and Veracruz (for medium-range craft).

The official reception room and the covered passageway at the International Airport in Mexico City have been completed. The remodeling of the facade, which will allow a substantial enlargement of the lobby for greater convenience of the public, will soon be completed.

A new terminal building and control tower have been built in the Villahermosa, Tabasco airport, and airport buildings in La Paz, Tampico and Tuxtla Gutiérrez have been enlarged.

TELECOMMUNICATIONS

The National Microwave Program will be completed with the expenditure of more than 650 million pesos. The program includes 21 truck routes linking the principal cities of the Republic. Two large-scale works, the Federal District Telecommunications Tower and the Ground Station for satellite communications, built in Tulancingo Hidalgo, whose antenna is one of the largest in the world, will also be finished.

The microwave network will make possible the extension of long distance telephone, radio and television services and will be the basis for development of the rural telephone system and other national and international communications such as Telex and high speed data transmission.

Radioelectric installations for Telex and telegraph service were extended, and public Telex service was inaugurated through five new offices in the Federal District and seven in cities of the interior.

At present, 602 radio and television stations are in operation.

We have a total of 2,481 telegraph units, an increase of 212 over the preceding administration. The telegraph network was increased by 863 kilometers, making a total length of 148,000 kilometers. Lines are being moved closer to highways in order to reduce maintenance costs.

AVIATION

A master plan of national air routes has been completed which establishes guidelines for the policies governing concessions and permits, in accordance with the country's needs. This will prevent cutthroat competition as well as insure a profitable operation for the airlines. At the same time, the government has fostered the establishment of new national companies to cover secondary and feeder routes.

As a result of this aviation policy, 28 of the most important international airlines now fly to Mexico. The bilateral agreement with the Netherlands was extended, and an adjustment was made in the schedule of flights to Mexico by United States airlines.

To date, more than 500 special international flights have been authorized to cover the additional demand arising from the Games of the XIX Olympiad.

The program for air traffic control, aeronautical radio communications, and radioaids is being carried out at a cost of 94 million pesos. It will guarantee the safety and regularity of flights over Mexican territory.

The civil air fleet has 18 jet aircraft. Twelve new permits for national routes have been granted.

RAILWAYS

The railways plan their activities jointly and have now standardized their administrative and operational procedures.

The first stage in the program of regional unification of the railway network has been carried out linking the Nacozari and Ferrocarril del Pacifico lines, the Coahuila-Zacatecas and the Nacionales de México, and the Sureste and Ferrocarriles Unidos de Yucatán lines.

The railway modernization program has been guided by traffic needs. The major part of investment has been concentrated on the Viborillas-Villa de Reyes, Viborillas, Huehuetoca, Huehuetoca-Federal District and Rincocillo-Pozo Blanco sections.

A total of 169 million pesos has been spent on the construction of various sections of track.

Expenditures for track and structure work, terminals, reconstruction and telecommunications amounted to 429,729,000 pesos.

The railways have 1,059 locomotives, more than 26,000 freight cars and slightly over 2,000 passenger coaches.

Total purchases, including 54 diesel locomotives, amount to 892,195,000 pesos. Of this amount, contracts with the Compañía Constructora Nacional de Carros de Ferrocarril for various types of rolling stock account for 168,852,000 pesos.

LABOR

Employer-labor controversies have been settled according to the principles laid down in the Mexican Constitution and General Labor Law.

The agreements reached by production factors through the government's conciliatory action achieved satisfactory results in all conflicts that arose in the following fields: mining, aviation, railroads, highway transportation, film industry, sugar mills, electric power, cement, paper, radio and television, construction, telephone, customs agencies, and national deposit warehouses.

These conflicts arose, for the most part, at the time when the revision of the respective collective labor contracts came up which, according to the Constitution and the Labor Law, must be revised every two years.

A strike took place in the hard fiber field in various Yucatán factories which subsequently agreed to sign the official industry-wide contract already accepted by the other firms and workers of the industry. In cotton and mixed textiles, a strike broke out when the employers consistently refused to accept the new revised contract, and limited their action to requesting that the existing contract be extended for two additional years, arguing that the companies' financial status did not allow for salary increases or fringe benefits to workers. Conciliatory talks finally led to a satisfactory settlement.

Wage increases to workers amounted to approximately 13.5 per cent.

The Mexican Constitution, the Federal Labor Law and Agreement No. 37 of the International Labor Organization which is part of our legislation through specific Senate ratification, all offer broad guarantees to freedom of union action. The government recognizes and guarantees the right of professional associations without hindrance, and sees to it that these rights may be fully exercised.

PUBLIC HEALTH

Within our limits, we continue our efforts to combat disease, in accordance with the rapid developments in medicine.

Campaigns against infantile paralysis, exanthematous typhus, pinta, malaria, tuberculosis, leprosy, venereal diseases, rabies, onchocercosis, and acute children's diseases, have been intensified.

An invasion of the yellow fever vector from the United States was brought under control.

The country remains free of smallpox.

Work was carried out in a total of 375 towns with 3,142,000 inhabitants to provide new potable water supplies or to enlarge existing ones. In 123 of them, with 526,000 inhabitants, installations were completed and are now in use.

A total of 520 rural potable water systems, benefiting 545,000 persons, have been completed at a cost of 88.5 million pesos.

Sewage systems are being installed in 31 towns with a combined population of 1.5 million inhabitants. Eight of these have been completed, serving 150,000 persons.

Under the cooperative rural works program 4,485 projects were carried out in 1,637 communities giving employment to 113,623 heads of families.

A total of 40,378,114 doses of different vaccines were prepared at a cost of 10,346,000 pesos. These have a commercial value of over 90 million pesos.

The agencies of the Ministry of Health and Welfare provided care for 1,052,703 patients. Taking part in these activities were 412 medical students on scholarship in their last year.

Decentralized medical institutions gave service to 296,645 persons and 15,858 were hospitalized.

Works and services provided in rural areas were of outstanding importance.

Among cooperative projects worthy of mention are the construction of 2,676 kilometers of roads, 1,575 classrooms, 271 homes for teachers, and 449 small irrigation works, as well as 480 family-owned and 63 community truck gardens.

At a cost of 8 million pesos, three pavilions, the kitchen and the central dining room of the General Hospital were reconstructed and reequipped, while other services were improved.

Another million pesos was spent on the Juárez Hospital, where construction on a general service building was begun.

An out-patient, diagnostic and admissions unit at the Huipulco Tuberculosis Hospital was completed and four pavilions were rebuilt. The cost of this taking was 12.5 million pesos, of which the National Antituberculosis Committee provided 8,750,000 pesos.

The Research Laboratories Unit of the National Institute of Nutrition was completed. The total cost was 11.5 million pesos, of which 5 million were donated by the Wenner Gren Foundation, one million pesos by the Jenkins Foundation, and 500,000 pesos by the Educational Development Fund and 5 million pesos by the Ministry of Health and Welfare.

The Teodoro Gildred Hospital, which cost 10 million pesos, donated by the Foundation of the same name, will be used for the rehabilitation of children and the aged.

The following open-farm psychiatric hospitals have been built: The Adolfo M. Nieto for Women, with 524 beds, in Tepexpan, State of Mexico; and the Doctor Fernando Ocaraza Hospital in Tizayuca, Hidalgo, for patients with prognosis of slow recovery. The first cost 28,517,000 pesos, and the second, 13,028,000 pesos.

The inauguration of these hospitals marked the completion of the program for psychiatric care begun three years ago, involving the construction of six institutions with a total capacity of 3,040 beds and a combined cost of 150,800,000 pesos. This complex, in which the up-to-date humane attention will be given to the mentally ill, takes the place of the former insane asylum, La Castañeda.

Ten rural health centers were completed, representing an expenditure of 2 million pesos.

The Social Service Program for students who have completed their medical studies, but not yet received their degrees, was increased from six months to one year with 1,217 doctors, 72 dentists and 175 nurses participating in it.

The National Institute for Child Protection provided 27,531,964 breakfasts and lunches to 170,000 children in the Federal District and environs, at a cost of 28,905,000 pesos.

A modern nursery which was built at a cost of 10,650,000 pesos will care for 224 children up to four years of age.

A foster home for 1,000 girls is now being built by the Institute with its own funds.

After studying the proposed plans for building an annex to the Children's Hospital, it was decided that, due to the enormous demand that exists for pediatric services, an annex would not suffice and that a completely new Children's Hospital should be built. The National Institute for Child Protection will defray cost of construction.

The regional Institutes distributed 89,056,370 breakfasts throughout the states and federal territories.

SOCIAL SECURITY

Today, 25 years after its establishment, the social security system in Mexico covers more than 8 million of our people. All persons obliged to belong to the Social Security under the law must become affiliates.

Our national solidarity will have to be put to the test at the proper time in order that other sectors, which do not come under labor legislation begin to enjoy similar benefits.

The Mexican Institute of Social Security serves 480 counties of the Republic. This includes all those of over 100,000 inhabitants and 83 per cent having over 30,000.

Its income has reached the amount of 6,043,000,000. This represents 811 million pesos more than in the previous administration without having raised the fees in any way.

A total of 778,630,000 pesos was paid on debts contracted in previous administrations and 339,239,000 pesos were invested on new constructions and equipment, leaving a balance of 516 million pesos. Capital assets of the Institution today amount to 5,398,830,000 pesos.

The following constructions have been completed: hospitals in Reynosa, Tamaulipas; Ciudad Obregón, Sonora; and Tapachula, Chiapas. Satellite clinics in González, Altamira, Cuahutémoc and Manuel in Tamaulipas an the Olympic Village in the Federal District; enlargement of installations in Campeche and the infectious diseases section of the Hospital de la Raza; and, the remodeling of the Pediatric Emergency Hospital in the Federal District, which, altogether, represent an increase of 852 beds and 123 examining rooms.

Under construction at the present time are the hospital-clinics of Netzahualcóyatl in the Federal District; in Hermosillo, Mexicali, Celaya, Minatitián and Veracruz; in San Luis Potosí, Villa Guadalupe in Nueva León; Cuautla, Colima, Ciudad Madero, in Tamaulipas; Torreón, and Santa Clara in the State of Mexico. When finished these buildings will have 1,904 beds and 313 examining rooms.

The management and labor organizations represented in the directive sections of the Institute have cooperated most harmoniously in the administration of social security.

There are business organizations, which continue to shirk their legal obligations thereby leaving large groups of workers unprotected.

We are making every effort to correct this situation by means of a program of persuasion and surveillance.

We are ready to act more forcefully, if necessary, until everybody who has a legal right to the benefits of social security is covered and, so that the aims of protection and redistribution of income, established by law are fully met.

At the present time there are 133 doctors from Latin American countries on fellowships granted by the Institute, and 52 critically ill patients have been received from different parts of the hemisphere. This constitutes a clear proof of the scientific prestige our institution now enjoys abroad.

ISSSGE

The Institute of Social Security and Services for Government Employees has 1,265,518 affiliates—15.4 per cent more than in the previous administration.

The issuance of combined credentials to

307,362 workers has practically brought this (credential issuing) task to a close.

There has been an increase of approximately 25 per cent in medical services. Twenty-four new satellite clinics and two new specialized clinics have been established outside the capital.

Services rendered by 2,592 doctors, 2,984 nurses, 636 paramedical technicians, 2,179 administrative employees and 2,401 vigilance and maintenance personnel, represent an increase of 13.1 per cent in visits, 6.7 per cent in medicines supplied, 26.5 per cent in surgery; 25.6 per cent in laboratory analyses and 74 per cent in deliveries.

A total of 2,908 mortgages were granted amounting to 195,699,000 pesos and 816 short-term loans for 496,294,000 pesos.

Pensions approved numbered 6,989, representing an annual outlay of 155,441,000. This figure covers 22.15 per cent of pensions now being paid.

A sanatorium for walking patients with 124 beds was inaugurated at a cost of 7,379,-000 pesos.

At present the Institute is building one clinic and four hospitals in which 5,095,000 pesos has been spent to date.

The National Housing Institute is planning to build 1,900 dwellings in the Federal District and in the States of Mexico and Veracruz at a cost of 80,500,000 pesos. Another 1,800 homes are being remodeled in the State of Veracruz with an outlay of 18,600,000 pesos.

The Banking operation and Discount Fund for Housing negotiated loans with several credit institutions for the construction of 4,945 low-cost dwellings at a cost of 142 million pesos. These will be occupied by 27,472 people in 26 communities of 12 states.

Sixty-one housing projects also have been promoted and authorized in 18 states and the Federal District. These projects call for the construction of 28,630 homes for 157,465 inhabitants.

Agreements were reached with several state governments to build low-cost housing projects. Some of these already have begun, at a cost of 139 million pesos.

The Guarantee and Support Fund for Housing Loans approved 7,339 operations involving 348 million pesos from private banks. A total of 19,016 operations have been carried out by the Fund since its creation with overall investment of 849 million pesos.

The National Public Works and Utilities Bank is about to conclude projects that will make 3,345 additional houses and 5,674 apartments available in the Federal District. In the rest of the country 376 houses have been completed. A total of 54,489 persons will benefit from these projects.

In addition, it provided financing to state and county governments for 100,472,000 pesos for water and sewage works, markets, paving and urban improvements, feeder roads, electrification and slaughterhouses.

Federal public works financing totaled 1,837,789,000 pesos.

Foreign credits accounted for 2,185,292,-000 pesos of the bank's total capital of 4,811,427,000 pesos.

PUBLIC EDUCATION

The most important factor in progress is education. More and better teachers with more and better schools will enable us to achieve our highest aspirations in the training of youth, who will one day take over the direction of the future course of the nation.

Total enrollment of children in the federal, state, and private elementary schools and kindergartens is 8,542,000 or 24.8 per cent higher than in 1964.

The number of Indian children handled by the bilingual liaison workers increased to 56,000 (12,000 more pupils than in 1967) as a result of 400 more appointments. The benefits of these services reached the Pima of Sonora, the Cora-Huichol of Nayarit, and the Mazatecos of Oaxaca.

Five million two hundred and eighty-seven thousand children are receiving instruction today in federal government schools, 291,000 more than last year.

There are 113,550 federal pre-primary and elementary school teachers or 7,030 more than last year. Now 2,680 more appointments have been made which add strength to the elementary education system in the eighteen States and Territories which come under calendar "B".

This year, 100 circuit schools were established to serve children living in communities with populations under 99, and 272 consolidated schools were created which are attended by students who began their studies in the former schools.

There are 43 schools for special children, three more than last year.

A total of 50,242,000 free textbooks and workbooks were printed at a cost of 89 million pesos and distributed to children attending federal, state, and municipal elementary schools. This brought the number to a total of 173,407,000 distributed among the children of Mexico during the present administration. There are now 787 federal secondary schools, representing an increase of 23.55 per cent.

Federal schools on the secondary education level, had an enrollment of 430,000 students, 16.22 per cent more than last year. The total number of these students which includes 188,000 in state schools and 304,000 in private schools is 922,000, 9.87 per cent more than in 1967.

The teaching personnel of the technological courses in these school were also drawn from the first graduating class of the Agricultural and Industrial Normal Schools.

The number of students who graduated from elementary schools, 587,000 in 1967, has given rise to a greater demand for secondary education. In response to this, more schools have been established, and more institutions subsidized. Secondary television education has also been introduced, principally for those areas which are not easily reached by such educational services because of their small populations.

There are now 300 tele-classrooms, each having a graduate normal school teacher as monitor, in which 10,000 students are being taught by television. This figure does not include people who follow these classes in their own homes. Fifteen thousand textbooks were printed for this new educational service, and sold at cost.

At the upper level, which includes preparatory, technical preparatory and normal schools, as well as secondary professional training, registration totaled 277,000 students. Of these, 80,000 were enrolled in state schools; 75,000 in private schools; 42,000 in preparatory schools of the National University of Mexico; 3,000 in schools of the various ministries; and 77,000 or 9,000 more than in 1967 in the Ministry of Education's schools.

There were 164 technical schools in 1967. Today, the number is 204. Recently, the Technological Institute of Oaxaca and the Technological Institute of Culiacán were inaugurated.

An expenditure of 198,385,000 pesos was made on the reconstruction of secondary schools, laboratories and workshops as well as on the purchase of modern equipment for the Regional Technological Institutes. The largest share of this amount went to the state and territory schools.

There are 198 normal schools for training kindergarten and primary teachers, of which 41 are supported by the Federal Government, 48 by the states, and 109 by private enterprise. The enrollment amounts to 36,531 students in the normal schools training to be elementary teachers and 4,661 to be nursery school teachers. Of the total number of normal school students, 28,551 are in government schools and 15,981 in private schools.

In addition, there are five physical education schools, one federal and four state. Three federal normal schools with a registration of 1,759 students are devoted to the training of industrial and agricultural teachers.

Unlicensed teachers will be graduated from the Federal Teachers' Training Institute. At the same time, the curriculum of the school for advanced training for teachers in the elementary school system is being modernized.

The remodeling of 14 rural normal schools has been completed and that of the remaining 15 is under way.

There are 178,000 students in the schools and faculties of higher education. Of these, 33,000 are in federal institutions, 51,000 in the National Autonomous University of Mexico, 70,000 in state schools, and 24,000 in private schools.

The National Polytechnical Institute has a budget of 316,686,000 pesos, not including funds earmarked for buildings. Its total of 70,000 students is distributed as follows: 14,-000 in technical secondary schools, 30,0000 in technical preparatory schools, 3,000 in intermediate level professional schools, and 23,000 in schools of higher education.

The program for the training of engineering and technological professors (UNESCO Plan) was initiated this year at a cost of 40 million pesos, including workshop and laboratory equipment.

Forty-seven million pesos have been spent on construction of which 17 million was for the new building of Vocational School No. 4 and the remainder for classrooms and laboratories in various schools of the Zacatenco and Santo Tomás complexes.

In Guadalajara construction was begun on the Regional Technical Industrial Educational Center, the total cost of which, 37 million pesos, will be underwritten by the Federal Government, the State Government with the cooperation of private enterprise and the UNESCO Special Fund.

The establishment of the single national school calendar will be completed in 1970 as planned, and all educational institutions in the country will begin their courses in September.

A total of 57,287,000 pesos were earmarked for services providing financial and social aid, benefiting almost 40,000 children and youths.

Eighty-six rural cultural missions, 42 agricultural and livestock promotion brigades, 24 Indian welfare brigades, 56 centers for social education, 40 for adult education, 30 for industrial training, and 17 for agricultural work as well as 36 for art education and 132 reading rooms are being used for extra curricular education. Over half a million persons are served by these programs.

There are a total of 18,629 literacy centers in the country, or 2,243 more than last year.

In accordance with the internationally accepted 5 percent index, illiteracy has been eliminated in the State of Aguascalientes and in the Territory of Baja California.

New demands arise in all areas in which literacy has reached the highest levels. These are the creation of formal education institutions where adults who have learned to read and write may broaden their cultural scope. To this end, we established 40 adult education centers this year and increased the capacity of the 56 social action centers.

The Academy of Arts, whose founding members are all prominent Mexicans, was created. The San Carlos Museum, which houses our collection of European paintings, was moved. Both institutions are now located in the former Buenavista Palace.

Cultural exchange agreements were signed with El Salvador, Costa Rica, the Soviet Union and Czechoslovakia.

In the course of the year, 8,400 classrooms, 251 workshops, 110 laboratories, and 936 annexes were opened. Now under construction are 6,111 classrooms, 177 workshops, 78 laboratories and 703 annexes.

Investment in the projects completed amounted to 461 million pesos. Projects now under way will cost 315 million pesos.

Deserving of mention is the extraordinary cooperation received from the rural population through its contribution of labor and transportation of regional building materials which, added up, amount to approximately 57 million pesos. They built 732 classrooms at a cost of 9,250,000 pesos.

If this spirit of cooperation were emulated by Mexicans with more ample resources, the benefits of education would rapidly be spread to all children. These 732 classrooms, built at truly great sacrifice, constitute another lesson we have been given by the rural population.

The appeal we made last year to municipal authorities, parents associations, teachers and students to maintain and improve school buildings has yielded its first fruits. During this year, these groups will have invested 15 million pesos in such projects. We trust that this effort will be redoubled in the years to come.

The budget of the Ministry of Education for 1968 amounted to 6,482,358,000 pesos, or 707,091,000 pesos more than the previous year, an increase of 12.24 percent. Another 255,427,000 pesos were invested in education through other Ministries. This sum represents 27.82 per cent of the Federal Government's total budget.

The state governments expended 1,761,000 pesos, representing 42 per cent of their aggregate budgets, while private enterprise spent approximately one billion pesos in this field.

To summarize, 9,499,000,000 pesos were expended by federal and state governments and private enterprise during the period covered by this report, on the education of 9,920,000 Mexican children and youths.

INDIAN INSTITUTE

An increase of 4.2 million pesos in the investment program of the National Indian Institute, made an expenditure of 500,000 pesos possible for starting work on a new coordinating center in the Sierra Náhuatl-Totonaca in the State of Puebla.

In the Tarahumara region, the area of operations was expanded by the creation of a subcenter in the Turuachi community of the county of Guadalupe y Calvo, Chihuahua. With an interest free credit of 600,000 pesos, the first Indian *ejido* forestry operation was set up in the community of Sehuérachi.

Through a revolving credit of 250,000 pesos established by the Compañía Distribuidora de Subsistencias Populares, Conasupo, twelve new stores were set up in the Cora-Huichol region.

The number of bilingual liaison social workers was increased to 1,381. This personnel is working with 52,469 students of whom 25,756 learned Spanish and 26,713 were taught to read and write. There are now 798 federal bilingual teachers.

The VI Interamerican Indian Congress was held in Pátzcuaro with representatives from fourteen American countries attending.

THE OLYMPICS—I

The main installations for the Games of the XIX Olympiad are the following: the Libertador Miguel Hidalgo Olympic Village, which includes the housing units, the Press Center, the International Club, and the Administration Building, as well as the appropriate training facilities; the Sports Palace, the swimming pool, two gymnasiums, the Velodrome, the Fencing Hall, the Shooting Range, the Rowing and Canoeing Canal, the Regatta Dock, and the Mexican Olympic Sports Center; the installations for broadcasting of the Games in the Telecommunications Tower, and the remodeling of the University City Stadium and the National Auditorium.

Since the sports installations will be placed at the disposal of our youth after the Games, we have considered the possibility of naming them after those who espoused a noble cause, the defense of our homeland, and fought and gaves their lives for it: the Niños Héroes de Chapultepec and the two young heroes of the defense of Veracruz.

All the new features proven to be useful in accordance with the experience of the 1964 Olympic Games have been adopted for use in all installations for the Games.

Seventy-eight training sites, with 320 areas, have been equipped with the most modern and appropriate sports apparatus; the majority of these offer the same facilities and technical services as the Olympic competition sites.

A total of 2,035,400 seats were provided for the 1964 Olympic Games. This capactiy will be almost doubled in Mexico; that is to say, 3,913,000 seats will be available, including those provided by sites in other parts of the country.

The cost of the installations is 1,276,000,000 pesos.

The current expenses, amounting to 639,000,000 pesos, will be covered by 399,000,000 pesos appropriated by the Federal Government and 240,00,000 from the revenue of the Organizing Committee.

To summarize, the total expenses of the Games of the XIX Olympiad amount to 1,915,000,000 pesos, of which 1,156,000,000 will be recovered through the sale of dwelling units and direct and indirect income.

Admission prices to the Games are lower than those in Tokyo. Tickets may be obtained for as little as three pesos.

One hundred and five countries have registered for the Games to date. The delegations include 7,627 athletes and 2,162 officials and auxiliary personnel. These figures are unprecedented.

The Cultural Programs of the Games of the XIX Olympiad, in which 97 countries are taking part, began on January 19. Varied and meritorious events included in this program have been presented in the interior. Nearly 500 musical, ballet, theater and cinema performances have been held in twenty states of Mexico so far.

The First International Congress of Sports Law was held from June 26 to 30. Four hundred and thirty jurists from thirty countries attended.

At the LXVI Meeting of the International Olympic Committee held last February in Grenoble, France, members voted for the readmission of the National Olympic Committee of South Africa. Nearly forty National Olympic Committees then notified the Mexican Organizing Committee of their intention to abstain from participation in the Games, since they considered such readmission to be a violation of the first of the basic principles of the Olympic Charter.

Faced with this difficult situation, the Mexican Organizing Committee, in strict conformance with the Olympic Charter, appealed to the President of the International Olympic Committee, who called a meeting of the Executive Commission of this organization in April. This body, upon receiving detailed information on the reactions aroused by the decision mentioned above, and after hearing the arguments presented by the Mexican Organizing Committee, unanimously agreed to recommend that all members reject the participation of South Africa. The recommendation was approved by an overwhelming majority, and previous abstensions were withdrawn. In this manner, the lofty Olympic principles of respect for all mankind were once again upheld.

FOREIGN RELATIONS

Invited by the President of the United States of America, I made a trip to Washington, D.C., last October. I had the opportunity then to express the views of the Mexican government regarding several important international matters, both during a joint session of that country's Congress and at the Organization of American States.

On October 28, 1967, the part of El Chamizal belonging to our country was materially returned to us.

The Presidents of the United States of America and of Mexico agreed that the new channel of the Rio Grande, north and south of the international boundary lines, would be called from that date on by the name Adolfo López Mateos, in tribute to the Mexican whose role in the solution of this problem will always be remembered.

Because of the heavy rains caused by the Hurricane Beulah, waters of the Rio Grande overflowed their banks at several points. When the rains subsided, It was noted that at a point along the right bank in the Matamoros area, the river had cut a new channel. Consequently, in accordance with the 1905 Convention for the Elimination of "bancos," the International Boundary and Water Commission resolved that the "banco" known as Los Indios of 62.5 hectares should form part of Mexico, as it now does.

I signed the decree that makes a territorial sea of the part of the Gulf of California located north of the chain of islands formed by Tiburón, San Esteban, and San Lorenzo, thereby approving the resolution of the Interdepartmental Commission specifically established for this purpose which recommended application of the "base line" system recognized in the Territorial Sea and Adjacent Zone Convention, now part of our legislation. The decision also was based on Paragraph V, Article 42, of the Federal Constitution.

If our decision were to be questioned, even though it merely implies the exercise of our sovereign rights, we would defend it under law and equity, since we consider this resolution to be fair and in keeping with the principles of International Law, the Convention in question, and all recognized precedents in this field.

In view of the law extending the country's territorial fishing zone from 9 to 12 miles, the government, authorized by Congress, negotiated new fishing agreements with the United States and Japan for determining the conditions under which nationals of these countries who had traditionally fished in waters now under our jurisdiction, would be able to continue their operations up to December 31, 1972. Just a few days before, these fishermen would have been operating on the high seas.

The agreement with the United States was formally signed on October 27, 1967, during my trip to Washington, and the one with Japan on March 7 of this year.

Even though each agreement has its own features, there are certain common ones such as the fact that activities of foreign fishermen may not be stepped up, nor can new species be included while the agreement is in force. The principle of sovereignty is not involved; since the three governments reserve their rights, only the temporary possibility of continuing to fish in these waters is referred to.

Since 1935, when Mexico set the limit of its territorial seas at nine miles, differences had arisen with several countries, especially the United States and Japan, who always refused to recognize our rights beyond the three-mile limit. Now, however, the signed agreement has reaffirmed our exclusive jurisdiction not only over the nine miles we had been claiming, but over a 12-mile zone. For the first time, the governments of the United States and Japan have agreed that their fishermen shall not operate in the territorial waters of Mexico.

The International Mexican-U.S. Boundary Commission agreed on the survey marking off the temporary maritime borders in the

Gulf and Pacific fishing zones which indicates the corresponding lines. These have already been approved, without this implying that they may be invoked for purposes outside the scope of the agreement.

The Committee for Mutual Aid in Case of Disasters, created to coordinate bilateral cooperation, held its first meeting in Miami.

The meeting of the Mexican-Guatemalan Joint Commission was inaugurated by the Foreign Ministers of the two countries.

The President of the Republic of El Salvador honored us with his visit from the 23rd to the 26th of January of this year. The occasion served for inauguration of direct telephone service between Mexico and El Salvador.

We expressed our satisfaction to our illustrious guest for his visit to Mexico.

Four signatory nations, Mexico, Brazil, El Salvador, and the Dominican Republic, have ratified the treaty banning nuclear arms in Latin America. With the exception of Brazil, the treaty already has gone into effect in these countries through their own choice.

Great Britain and the Netherlands signed Additional Protocol I, open to non-Latin American powers who administer territories in this area. Great Britain and the United States signed Additional Protocol II, open to countries possessing atomic weapons.

The Mexican government took an active part in preparing the draft for the Nuclear Non-Proliferation Treaty, approved in June by the United Nations General Assembly. We supported this Treaty fully. Neither Mexico nor the other non-nuclear countries signing this treaty renounce any of the benefits that may be derived from the peaceful use of nuclear energy since even in the case of explosions, those of a non-military nature may be undertaken, according to provisions of this treaty.

As a result of our government's negotiations, the Cuban government authorized the departure from Cuban soil of several groups of U.S. nationals and their families. Up to June 20, nine flights made by Mexican planes carried 666 persons to the United States.

Several of our offices abroad have suffered acts of violence, possibly performed by persons who disapprove of the fact that Mexico still maintains relations with Cuba.

Time will prove those wrong who try to hurt Mexico only because our country insists on remaining generously open to the Cuban people without regard to ideological or political differences.

The government of the Democratic Republic of Vietnam conveyed to the Mexican government its desire of making its views known on the conflict in which it is now engaged. A special ambassador came to Mexico City last April specifically for this purpose. After listening to him closely and expressing our hope for the end of hostilities, we reiterated the conviction that there could be no lasting peace unless it is based on independence and freedom.

ADMINISTRATIVE REFORMS

Honorable deputies, honorable senators, honorable president of the Supreme Court of Justice, to better appreciate the nation's economic activity, it must be considered within the framework of recent world events. It should be remembered that the lack of international liquidity was accentuated because of the disproportion in growth between trade volume and economic activity on the one hand, and limitation of international media of exchange on the other. This brought recurrent pressures to bear on reserve currencies; the dollar and pound sterling.

The devaluation of the latter took place, followed by a series of strong pressures, on the most important foreign exchange.

Thanks to the timely internal measures adopted—especially an increase in our gold and foreign exchange reserves—the Mexican peso was able to resist firmly.

Because of the signs of instability, the International Monetary Fund initiated a series of conferences and consultations, in which Mexico participated, to meet the international liquidity problems in a coordinated manner. We always supported the idea that the requirements of developing countries should be taken into consideration.

The increase in problems of all types, particularly those derived from the growth of our productive system and the complexity of a modern economy, call for certain changes in government administration.

Our way of government was determined in the past in keeping with the needs of a less developed society and economy. Today it requires a substantial reorganization, which in certain aspects we consider of basic importance. We are still working on this, with the idea that government agencies, decentralized organizations and companies with government participation, should become more effective factors in national growth.

This does not simply imply changing the name of certain agencies or of superficial modifications. The program covers the various organizational and operational aspects of government agencies; their regulations; system of coordination; material elements they use; personnel training, with full respect for employees' rights; and the planning and programming system.

The program of reforms necessary for coordinating public sector expenditures is already under way so as to utilize government, human, and material resources in the most efficient manner possible.

As has been the case in other countries which have undertaken sweeping reforms, Mexico will also need years of preparation and years to carry them out. Because of its scope, the task is not easy nor is it subject to hurried or temporary solutions.

There are serious technical problems but these can be overcome; legal obstacles that we can change without altering the essence of our constitutional structure; interests which will be adversely affected . . . but we will not be deterred in our intention to modernize the country's administrative system, which is imperative at our current stage of development.

Without a sense of social justice, economic development would become a cold, impersonal process, contrary to the basic objectives sought by our people throughout their history, without independence, development becomes a fiction which leads only to intolerable servitude.

ECONOMIC DEVELOPMENT

Our economic position grows firmer every year, because the Mexican keeps working hard; because investments are undertaken chiefly with domestic savings; because the external public debt and foreign investments are assumed only to the degree in which they are complementary; because we are very careful not to enter into commitments which will exceed our capacity to meet notwithstanding their attractions with regard to amount, term of payment and interest; because, in general, we try to earmark a very large part of our investment for highly productive activities, knowing that we are sacrificing certain present benefits for a better future.

Economic development is a long-term task that cannot nor should not be unduly hurried. Consequently, we shall proceed cautiously and with patience, knowing that the conquests obtained are but a point of departure for new advances. But caution does not mean timidity, lack of imagination or of daring.

The Mexican State, born of a deep-rooted, popular revolutionary movement, has the necessary legal elements to permit it to participate in various aspects of the country's economic life. In addition, it is an important and positive factor in our process of growth, both for the production it attains and the services it provides as well as its capacity to build great infrastructural works.

The idea of development left to the spontaneous action of private production forces is unacceptable today. Development should be the result of an action fully aware of the will of the people . . . a people which rationally seeks certain goals to satisfy the needs of the majority. Because of this, it is impossible to eliminate government action as the chief promoter of this development and as the only entity capable of harmonizing diverse community interests in such a way as to prevent unjust concentrations of wealth and an improper utilization of our progress in the benefit of minority groups.

The theory of overall development for our people considers the terms justice and equity of the foremost importance. We not only want to increase the wealth but also to assure its adequate social distribution. We not only seek an increase in the production of goods and services, but also want these to satisfy the growing needs of the majority so that these benefits are distributed among all our fellow citizens, especially among the most needy sectors.

Beyond any other considerations, the governments of the Mexican Revolution are chiefly concerned with the individual and his full development in all aspects. Humanism has been guide and goal of the three basic movements of the country, Independence, Reform and Revolution, and continues permanently to inspire our economic, social and political action.

This year we celebrate the thirtieth anniversary of the nationalization of the oil industry—one of the most important chapters of our modern history. With this act, the country not only strengthened its sovereignty, but also achieved direct control over our subsoil wealth which, in accordance with the Constitution, belongs to the nation.

March 18, 1938, is a date every Mexican will always remember. It was then that the entire country, headed by President Lázaro Cárdenas, presented an example of dignity and courage in observance of the juridical principles that the nation had given itself.

RURAL POPULATION

The country's economic development was made possible thanks to the foundations of unquestionable autonomy and independence expanded in 1938. There were moments when skeptics questioned whether such an act of sovereignity would benefit the nation. Today, even the most pessimistic realize that our growth during the past three decades has been related to the control which the nation has exercised over this important source of energy.

The petroleum industry has been and continues to be one of the most dynamic factors in the growth of our national economy.

Its consolidation and development was made possible through the efforts of many Mexicans.

The agricultural and livestock sector continues to be a problem of fundamental importance. Its development, basic to the nation's progress, can be achieved only through large investments by the government and leading economic groups, as well as, by the joint effort of many thousands of Mexicans.

A national conscience has been created, stressing the urgent and unfailing need of all of us to come to the aid of the rural population, both to improve its economic status and at the same time to expand the domestic market.

Before the agrarian reform, banks gave loans backed by land. When these were not paid, the land was foreclosed. The banks later did not know what to do with the large areas of unproductive land they had accumulated. Today, *ejido* farmers engaged in the cultivation of cotton and canteloupes—to mention only two of the most obvious examples—receive loans of many millions of pesos a year from private enterprise. The recovery index on these loans is excellent without land as security. Conclusion: it is the productivity of the person receiving the loan (his personal ability, possibility of working the land, livestock, industry, etc.) which provides the real security.

I acknowledge publicly, as I have done on other occasions, the important role of private banking in farm credits. I insist that these credits should be expanded: preferably, if so desired, to small property owners, freeing greater government resources earmarked for the *ejido*.

Millions of fellow citizens have stoically borne marginal living conditions. Let us not ask greater sacrifices of them. Let us run to their aid.

The eyes of the poor are without horizons. They are demanding the support we cannot deny them. We cannot, indeed, turn a deaf ear to the patient suffering of the underprivileged.

We must open up, if only in a limited manner, new horizons to this large sector of Mexicans. It is urgent that they be given a ray of hope.

INTERNATIONAL COOPERATION

During my visit to the United States, I had the opportunity of attending a joint session of Congress. I tried then to present a rough image of the Mexico of today, its problems, its principles.

On behalf of Mexico—and unofficially on behalf of Latin America—I demanded better prices for our products and more fair trade relations. I tried to point out that for many of our countries, this is a matter of life or death. The slow pace of our development involves a human drama of incalculable consequences in its implications of untapped natural resources, sterile loss of lives, a waste of creative energy and talent that is never given a chance to develop.

I added that humanity should decide whether it is more just and more advisable that a few countries should live in wealth, surrounded by poor countries . . . or surrounded by other prosperous nations, even though the former should not achieve disproportionate wealth.

"What I want to say," I summed up, "is that if we want to survive and achieve peace a revolution must be created in all consciences thereby allowing us, all together, to build a better world."

I added: "Every nation has the right to choose the path it considers most proper, in keeping with its own characteristics, toward freedom and happiness for its people. But, at the same time, all have the obligation of preventing their differences from turning into conflict.

"The respect we profess for other nations is born of sacred self-respect," I pointed out. "This, in turn, serves as the firm basis for the respect we demand of others."

After quoting the great Mexican Benito Juárez when he said that democracy is the destiny of future humanity, liberty its indestructible weapon and possible perfection the ultimate goal, I concluded: "Let us do whatever is necessary to live with our ears tuned to the deep voice of our peoples, in order to obey and serve them. This is the essence of democracy. Let us zealously guard and strengthen the liberties of all men; let us strive for social justice; let us unfailingly pursue the goal of becoming better citizens every day."

During the Twelfth Consultative Conference of the Organization of American States, convened to study the charge of intervention made against Cuba by the government of Venezuela, our vote was in keeping with Mexico's traditional principle which respects the right of every country to institute the social and political system, provided that in exercising such a right, it also respects the rights of other countries who seek to progress in their own way.

During the same conference, unanimous approval was given to our proposition that all member states dedicate their efforts to the economic and social development of our peoples, in the intelligence that such efforts will not be checked by the intention of any one state or organization to subvert the institutions of another.

As a result of our government's negotiations, the Cuban government authorized the departure from Cuban soil of several groups of U.S. nationals and their families. As of June 20 a total of 666 persons had been flown to the United States on nine Mexican planes.

Acts of violence have been perpetrated on some of our offices abroad. These were possibly committed by people dissatisfied with Mexico because our country continues to maintain relations with Cuba.

Time will prove wrong those who mistakenly try to hurt Mexico because it insists in opening its arms to the Cuban people, without regard to ideological or political differences.

We are engaged in a long and difficult task: the economic integration of Latin America. We have set dates and goals; we try to meet some and fulfill others, but we feel that if we had taken false steps in this direction we not only would have held this process back, but would have been forced to retreat. Without trying to avoid or minimize problems and without asking any of our countries to sacrifice their basic interests, the steps we must take should be firm and realistic, in order to effectively contribute to building the complex structure we Latin Americans have determined to set up.

At the Organization of American States. I reiterated Mexico's faith in the principles of its charter and expressed the fervent hope that our hemisphere would always be a land of freedom in which all men would learn to live together in peace; where respect for the sovereignty of all our countries should establish the framework within which we would achieve a better way of life, in independence, in equality, and under the protection of the law.

"Mexico," I said, "is a country with a deep revolutionary tradition. Its history, fraught with tragedy, is the result of great structural upheavals which were not always well received by other nations. We know quite well—since we suffered it ourselves—what it means to suffer international isolation, extended pressures, bitter relentless criticism, and lack of understanding of our efforts to achieve a better future. It is precisely because of this painful experience that we understand and respect the effort of other peoples to resolve their material and spiritual problems in their own way, even when we may not agree with the path and methods selected."

I concluded by saying: "We must have faith—I shall repeat this as many times as necessary—that men are, indeed, capable of understanding one another on a level of the highest international cooperation."

OLYMPICS—II

For the first time, the Olympic Games will be held in a Spanish-speaking country; for the first time in a Latin American nation; and for the first time, the host country will be one not considered among those fully developed.

On taking office, one of the most serious problems I had to face was that of honoring the important commitment undertaken by Mexico which might turn out to be greater than our possibilities because of the scope of its budget, which could disrupt our economy, and also because of the great and complicated organization required.

To this we had to add the fact that we are a poor people, with many unsatisfied needs, and the difficult economic conditions existing at the beginning of 1965.

Deeply concerned, I consulted many sectors of our society: prominent members of political parties, labor, farm, and management leaders, representatives of banking institutions, industry and commerce, agriculture, mining and the livestock industries. And with various other persons in Mexico City and the rest of the country.

At that time we could have declined without losing face. Various countries were willing to take our place.

All considerations were weighed. The overwhelming conclusion was that, once a commitment was accepted, one should not run the risk of cancellation. Our credit in international banking circles could have been seriously affected, as well as our domestic economy, inasmuch as the people in general, even in the most remote parts of our country, had accepted the idea that the capital of the Republic was to be the site of the Olympic Games. The psychological impact of a disappointment could provoke unforeseen and dangerous consequences.

The fact that today's sacrifice would produce benefits for the country's economy in general was given due consideration, even when it was known that recovery of part of the government expenditures would be a long-term affair.

Once the consultations were concluded, it was decided to go ahead and start work immediately on the complex organization required by such an event. The disproportionate budget was reduced and adjusted to the country's realistic economic possibilities. Expenses were limited to whatever was needed to comply with proper decorum, avoiding unnecessary luxuries. This was achieved because we already had several of the installations required and because of the scrupulous handling of funds and the manner in which arrangements were carried out with a view towards obtaining the quickest possible recovery.

Years ago, when the site was learned that attempts to obstruct the Games would be made.

In the midst of the confusion caused during the recent Mexico City disturbances, various strong tendencies became evident—the tendency to pressure the government into dealing with certain petitions; the one which sought to take advantage of the conflict for ideological and political purposes; and the one seeking to sow disorder, confusion and bitterness to draw attention away from the problems of the Games. The idea was to adversely affect Mexico's prestige by taking advantage of the tremendous publicity that surrounds the sports events. They perhaps even hoped for a prompt cancellation of the Olympic Games.

Whatever is proper and legitimate may be obtained through normal channels, but we are not prepared to give in under pressure to any illegal or unjustified matters, whatever the consequences. In spite of the international importance of the Olympic Games, the commitment undertaken by Mexico to hold them in no way detracts from its sovereignty.

Quite frequently, youthful disorders occur precisely at the time that an important event is to take place in the city in question. In Punta del Este, Uruguay, the announcement of the meeting of the Presidents of America led students to provoke grave conflicts; the Venice Biennial Painting Exhibition, awaited by the world of culture, was interrupted by violent acts; the Paris peace talks on Vietnam, which drew the attention of the entire world were darkened by the "May Revolutions."

For some time now, slogans copied from other countries have been appearing repeatedly at our leading schools. The placards have identical texts, sometimes translated literally and sometimes in a crass parody. Hundreds of youngsters and some adults were drawn into a servile imitation.

It is embarrassingly necessary to point out that the Games are not an opportunity for personal glory either within or outside the country. In Mexico we know we are all making a great effort and that if we succeed, this success will be shared by all. Abroad, our names mean nothing. Whatever harm is caused, consequently, will not affect individuals, and even if it should occur it would be of no importance. What counts is Mexico.

We are confident that the Games will not be cancelled, especially when they are so close. At the most, they may lose a certain brilliance.

Our confidence is based not only on the decision to make use of all legal means at our disposal to maintain domestic order so that both our citizens and the visitors may enjoy proper guarantees, but also on the premise that millions of Mexicans, justly indignant, will prevent a small minority group from reaching its objective.

The obstacles, some of them grave and troublesome, which have come up during the long organization process of preparation, have been surmounted; the fundamental problems, solved; accommodations have been prepared to receive competitors, coaches, judges, press, etc. Sports installations are now finished, both those which had to be completely built, and those which already existed and had to be adapted, modified or expanded; the communication systems are now in operation; traffic systems and many others are now in service. The preparations entrusted to the government have been carried out and are now practically finished.

All possible contingencies have been anticipated, so that under normal conditions, only small errors, derived from natural human fallibility, may occur.

Only the final realization of our efforts remains, so that for many Mexicans the dream of fulfilling the commitment with propriety may come true.

This world-wide event will provide great satisfaction to the people of Mexico. It will serve to prove to the nation that it is capable of carrying out great undertakings even though these may appear to be too ambitious for its capabilities and stature. It will provide a vital measure of faith in the destiny of our nation. It also constitutes a unique opportunity, which may not be repeated for many years, of obtaining a most important promotion for Mexico.

It is not our purpose to deceive by pretending to have what we do not possess. We shall present ourselves to the world as we are, without complexes: men with defects and virtues; not possessing great physical vigor, yet with spiritual strength, a country which has some things and lacks others; which has begun to develop but is aware of the long road ahead; and above all, as a nation that knows how to keep its word, and as a people capable of overcoming all necessary obstacles in order to finish the job.

Very soon, then, the flags of almost all nations of the world will wave beside our own, in what Mexico has wished to be not only a great and beneficial expression of physical prowess, but also cultural expression, inspired in our desire to know each other better in order to understand one another better, with a goal of human solidarity and a hope for peace among men.

UNIVERSITIES

We had been provincially proud and candidly complacent that in a world of youthful violence, Mexico formed an unaffected island. Nevertheless, apparently unrelated outbreaks of violence began to appear in different parts of the capital and in many of our states, with increasing frequency. Suddenly, they became more serious and began to multiply, a low affront to a city devoted to its daily work and which raised its voice in demand of the most basic guarantees. My early warnings and expressions of concern went unheeded.

During my trip to the interior I issued an invitation to study the facts objectively and to face them serenely; I called for dialogue . . . true dialogue, which offers an opportunity to express one's point of view and reasons, and at the same time to hear the opinions of others; its purpose is to persuade, naturally, but it also seeks to understand. Dialogue, is never possible when different languages are spoken; when one of the parties stubbornly remains deaf, and, even less possible when one party insists upon the illogical position to accept dialogue only when there is no longer anything to discuss.

I exhorted the participants to lay aside that pride which makes it so much more difficult to solve our problems.

I called for every effort to recover peace, putting the multitude of things that unite us above the few that separate us.

Some, who failed to realize that I was asking nothing for myself and who took my friendly gesture as a sign of weakness, responded with slander, not with facts; with insults, not with reason; with pettiness, not with generosity.

Insults do not offend me; slander cannot touch me; hatred has not been born in me and I invite all anew to join our wills together, each in his proper sphere, to change this uncompromising atmosphere into one which will allow us to confront our problems with thoughtfulness and in a spirit of justice.

I shall take these first steps:

On this solemn occasion, I reaffirm my old and often expressed respect for the autonomy of our University.

In my last message I said: "It would be undesirable for our country to remain apart from using new trends. Nothing could be farther from our way of thinking than to try to impose the slightest obstacle to freedom of discussion and investigation. It is the role of the university students of Mexico, free of foreign influences, to bring their universities up to date and introduce into them the requirements of contemporary life in our country. To this end, they enjoy academic freedom, a fruit of the Revolution, and their autonomy, which was also born of the same movement and which is guaranteed by the sovereignty of the State.

"We not only respect their liberty and their autonomy, but also defend it; but we cannot consent that our universities, the very heart of Mexico, cease to form part of our national territory or oppose the constitutional regime of our nation."

As a university alumnus, I agree with the Honorable Board of the National Autonomous University of Mexico when it defines "autonomy" as freedom to teach, study and disseminate culture. Academic autonomy complemented by legislative autonomy should be understood as the right to formulate its own regulations. Administrative autonomy, is the right of an independent organization to conduct the application of economic resources as considered most appropriate.

Universities are communities of professors and students who fulfill an important public function and, although it is not consecrated by law, I have respected and shall continue to respect the academic autonomy of the National Polytechnical Institute as well as of all the centers of higher education in the country. It is my conviction that they should enjoy complete liberty for teaching and research, as well as the freedom to examine and discuss all ideas and theories.

Distinguished professors, students and alumni of the Polytechnical Institute are aware that I had offered to endorse a law that would grant autonomy to the National Polytechnical Institute, a proposition that had always been refused before. I repeat my intention, with the hope that the polytechnical community will decide what it considers most advantageous for its Institution.

At the University of Guadalajara, in 1964, I summed up in a single phrase, from which no center of higher learning was excluded, the philosophic truth on which my concept of autonomy is based, when I said, "Culture is the splendid fruit of liberty."

I still firmly believe that, without freedom, man vegetates and his life is sterile; with freedom, man lives and creates. I also believe that the most important mission of all centers of higher education is precisely that of creation.

Logically, I should accept, and I do accept without reservations and as an essential part of the process of self-government, the second point of the public declaration of the University Council made last August 17th, which says: "Nonintervention of the army or other public law-enforcement agencies is the solution of problems that pertain exclusively to the University and other centers of higher educations."

The aforementioned council also declared earlier that "Autonomy, rather than a privilege, entails responsibility on the part of all the members of the university community: that of fulfilling our duties and honoring the institution in the realization that authority and order, in our alma mater are not based on coercive powers, but on the moral and intellectual strength which springs exclusively from the consciences and capacity of each of us.

I am also in agreement with this declaration. The use of every freedom implies a responsibility; in this case, both the responsibility of keeping its own house in order by means of the moral and intellectual strength of its members, and that of obliging the individual members of the university community to abstain from infringing upon the rights of others.

I must add that I consider, and in this, my opinion coincides with that of outstanding lawyers, that if we examine recent events with calm objectivity and technical strictness, legally, there was no violation of university autonomy. Nevertheless, I say beforehand that I will accept discussion of this matter and will listen and consider opposing arguments seriously presented.

These declarations will I believe, prove to be a completely satisfactory answer to the genuine demands of the University publicly set forth by our highest institution of learning. Further demands must be discussed or attended to not in a University framework, but wherever their nature indicates that they belong, in order to solve them with justice, in accordance with the law, and with no other aim than that of serving our country's best interests.

Here, also, I appeal to the spirit and letter of a declaration by the Honorable University Council, on November, 1966, when they said ". . . although university students, as citizens, may exercise their constitutional rights, the University, as an institution, cannot participate actively in militant party or group politics . . ."

Consequently, the Mexican government must protect the university's autonomy, not only respect it; but it is also its duty to uphold the legally established regime in which we live, and which, in turn, includes the internal juridical order of our universities. It must seek a legal solution for difficulties and avoid endangering our national sovereignty by acts of external or internal violence.

It is obvious that hands other than those of students were involved in the recent disturbances; but it is also a fact that, by their own choice or because they allowed themselves to be swayed, a good number of students took part in the affair.

Consequently, it may be just as well for the well-earned prestige of our universities—their autonomy guaranteed by our laws as is their internal legal system, which is respected by us all—if we make every effort to separate these highly esteemed cultural values from acts of which no one can be proud, many of them legal violations and even crimes that are severely punished under our penal code.

It is my duty to present the Government's position before hand in relation to some of the demands which are basically political. We have not yet received a single document from any educational authorities or authorized organizations of professors, students or other persons, containing concrete petitions. I have had to be content with selecting from among the very diverse demands that appeared in the newspapers of the capital, those I consider to coincide most closely with the general attitude of persons directly involved in the problem.

"POLITICAL PRISONERS"

I do not admit that there are "political prisoners." A "political prisoner" is one who has been deprived of his freedom *exclusively* because of his political ideas, without having committed any crime. Nevertheless, if I am informed of the name of any person who has been incarcerated without due process of law, in which the required formalities have not been observed, orders will be given for his immediate and unconditional release.

If this demand is limited to those who have frequently been called political prisoners, I must state once more what is already a matter of public record. These are persons who are being tried before the proper legal authorities and in keeping with our Constitution, persons against whom the Public Ministry has formulated a charge, not based on subjective political motives or the ideas they profess, but on acts they have performed that constitute crimes punishable under our Penal Code. Others, whose trials have come to a close, have been sentenced by the proper judicial authorities.

Though I may not invade the sphere of another branch of government, I have requested the Attorney General of the Republic and the District Attorney for the Federal District and Territories, to study with the greatest care, at the request of any interested party, the pending cases in which any doubt could exist concerning the political nature of the charges made. It will thus be possible to decide, in all fairness, whether the Attorney General should withdraw his charges or whether, given the special circumstances of each case, he should maintain his legal action.

As for those who have already been sentenced and, consequently, are under jurisdiction of the Executive Branch, I hereby inform the country that, in view of the measures that have been taken, I have offered to make use of the powers with which I am invested, to set them free, considering the length of time they have already spent in prison, provided all undue pressures on their behalf cease immediately. This is an indispensable condition, for if I should give in to undue pressure and free one, I would be obligated to set all criminals free, thus disrupting juridicial structure completely.

"SOCIAL DISSOLUTION"

With regard to articles 145 and 145 B of the Penal Code, the first of which refers to the crime known as "social dissolution," the abolition of which is requested, let me make it clear that:

The abolition of a law is not within the powers of the President, even though he is empowered to initiate such action.

This is a situation that has existed for many years and in which public opinion plays no part, since the text of such precepts is not common knowledge.

I shall take the liberty of requesting the Honorable Congress of the Union to take into consideration the possibility of calling a series of public hearings in which the country's bar associations and all interested parties in general may express their views.

Should it or should it not be considered a crime to affect our national sovereignty, endangering the territorial integrity of the Republic in compliance with the dictates of a foreign government? Should it, or should it not be a crime to prepare the invasion of national territory or the submission of our country to a foreign government? Such cases are part of Article 145.

Article 145 B, defines crimes of a political nature. If it is abolished, no crime will have a political character. Is that what is desired?

These are the questions that must be answered and if, after the text of Articles 145 and 145 B of the Penal Code have been studied, public opinion favors abolition and this Honorable Congress so agrees, enacting the corresponding law, I shall accept and promulgate it without delay, for, above any other consideration, is my solemn obligation to heed the will of the people.

If there are other demands of a general character and of sufficient importance and weight, we will undertake to study them in the same spirit through the agencies that the law establishes for such a purpose.

RECENT EVENTS

Let us make a recapitulation of the events which should be borne in mind.

Systematic provocations, repeated prodding to violence, violence itself in various forms, attempts to involve student groups—at times even elementary schoolchildren—are common knowledge, pointing to the desire of creating an atmosphere of social unrest conducive to street disturbances and even more serious implications. By curious coincidence or a reckless vicious alliance, these actions have involved the most varied political tendencies and ideologies and the most diverse interests.

The same dissimilar internal and external forces have tried to aggravate and extend the conflict, involving other groups and hindering its solution.

The apparently insignificant incident which supposedly originated the problem was not the first of its type, but the culmination of a long series of violent acts infringing upon the freedom and rights of many people.

It is a fact that there have been hundreds of cases throughout the country in which students or pseudo-students have taken violent possession of their schools, imprisoned their rectors, directors or teachers, resorting to kidnaping, have seized buses, caused destruction, attacked other students or totally innocent persons, etc.

Let us place these events within the framework of international reports of similar bitter experiences of countries in which authorities have been forced, either from the outset or after several futile attempts at conciliation, to employ force as the only means of ending or checking the violence.

Despite the fact that some of these countries are governed by experienced statesmen, they were unable to find persuasive enough arguments.

Now let us examine those aspects of which much has been said, but little has been written: those referring to persons who have suffered damage to their property—at times quite serious—whether these be wealthy owners of bus lines or humble members of the transportation system whose entire patrimony consists of one bus or who are part owners of one; proprietors of large or small businesses which have suffered destruction or looting; drivers of food or soft-drink delivery trucks who have seen their merchandise snatched from their vehicles; factories and labor or farm organizations which have been violently attacked; houses whose walls have been filled with painted scrawls and whose windows have been broken; the quiet rage of so many motorists who have been halted and asked to make contributions of money to "the cause," or see their car windows, antennas or tires destroyed; the thousands of passengers forced to vacate city buses, and even the financial distress suffered by those to whom fifty centavos constitutes an important part of their weekly budget; the workman or government employee who is penalized for being late to work; the lawyer, the doctor, the engineer, the housewife, who are delayed in arriving at court, at the hospital, at the building site, at the business establishment or at home because city traffic, difficult enough at the best of times, is snarled over a wide area; the distress suffered by completely uninvolved persons held as hostages; all those peaceful passersby who have been insulted, humiliated or injured and been obligated to resign themselves to it, because of the force of numbers, and not risk their personal safety in an absurd quarrel; so many women assaulted who besides suffering their own shame had a father, a mother, a husband, a brother or a son also filled with indignation by such attacks. These women could have been the wives, the mothers, the sisters or the daughters of any of the Mexicans. We must also add to these most recent and serious offenses, gross slander, alarming rumors to provoke panic buying and upset the city's economy.

We remember also these facts: in the month of July, in the city of Puebla, two student groups, neither backed by ideals nor university banners, but because of internal differences, had a violet encounter that lasted several hours. One student was killed and several injured by firearms. The police did not intervene. Students protested against the non-intervention of police, and accused the government of excessive leniency. Just a few days later, in the same month of July, here in Mexico City, two student groups for purely internal quarrels, without banners or university ideals, had several violent encounters, forcing police intervention. Students protested, then, because they did intervene, and accused them as well as their government, of cruelty.

The dilemma is an obstinate one: should the police intervene, or shouldn't they?

There has been an abuse of freedom in all means of expression and its diffusion; very ample liberties and guarantees have been taken advantage of for demonstrations, which in certain aspects have been orderly but which nevertheless expressly violate provisions of Article 9 of the Constitution. We have been tolerant to a degree which has been criticized, but all things have a limit. We can no longer permit the continued, open violations of our legal system. Our unquestionable obligation is to prevent the destruction of the basic legal principles under whose shelter we live and progress together.

THE LEGAL SYSTEM

The general legal system—of which the university autonomy forms only a part—is the basis for a propitious working climate for the creation of wealth in order to sustain universities, polytechnical institutes, normal and agricultural schools; it is the basic protection of our freedom, for under anarchy no one is free.

The legal system is not simple theory, or a whim—it is a vital collective necessity; without it, no organized society could exist.

In accordance with this concept, after all measures which good sense and experience dictate have been exhausted, I shall exercise, whenever strictly necessary, the powers vested in me by Article 89, paragraph VI, of the General Constitution of the Republic, which reads as follows: "Article 89. The powers and obligations of the President are the following: . . . VI. To make use of all permanent armed forces, that is, the army, navy and air force, *for the internal security* and external defense of the Federation." This power is also based on the concept of Article 129 of the Constitution.

Our army has been entrusted with various missions, some of them extremely delicate, aimed at the preservation of domestic peace; in these as in other it has distinguished itself by its spirit of discipline and the calm and measured firmness with which it has fulfilled its duty.

In the name of the nation, I publicly express the gratitude due our soldiers.

When the Mexican Army intervenes to maintain domestic law and order, it must make itself respected and it must be respected; because it bears the arms entrusted to it by the nation; because it does so in fulfillment of the basic functions for which it was created; and because throughout long years, whenever it has been called up by the civil authorities—here I have made deliberate use of the expression employed by Ponciano Arriaga, the distinguished member of the Constituent Congress of 1857—it has shown itself to be an army which limits its activity to preserving or restoring order, without exceeding the functions assigned it by the Constitution.

Our Armed Forces take no sides for or against the persons or groups involved in dispute, nor do they tend to favor some at the expense of others, they simply guarantee the order which will in turn permit the free functioning of our institutions so that under their protection, the problems which originally gave rise to the conflict which made such intervention necessary, may be legally settled. All Mexico knows that when the army intervenes, it is to safeguard peace, not to oppress the people.

COURSE OF ACTION

Therefore, faced with the alternative of choosing between respect for the fundamental principles which are the foundation of our entire political, economic and social organization, that is, the permanent structure and life itself of Mexico, on the one hand, and, on the other, that of the temporary expedient of appearing to be personally accessible and generous, the decision leaves no room for doubt and has already been taken: I will defend those principles and take the consequences.

In defending those high ideals which have been entrusted to my care, by law, I know that I shall have to face groups whose ability to spread propaganda and lies, for slander and wickedness is unlimited. I know, on the other hand, that millions of my fellow countrymen have placed themselves unreservedly on the side of law and order and against anarchy.

Of those Mexicans who are conscious of the times in which we are living, I ask that they be not intimidated in the face of so-called "powers" inside or outside our borders; in Mexico there is not, nor should there be, any power other than that of the people. Let us defend like men what it is our duty to defend—our property, our homes, and the integrity, life, liberty and honor of ourselves and our loved ones.

We would not like to be obliged to take measures we would prefer not to take, but we will if it becomes necessary; we will do whatever is our duty; however far we are obligated to go, we will go.

Those who have suffered directly from attacks, and those whose indignation has been roused by them, may be sure that we are solidly behind them, that we shall know how to use all those elements in their defense which the people have placed in our hands, and, furthermore, that we shall imbue our effort with our feeling for justice, our lasting adherence to legal norms and our love of liberty.

Inside, the nation is working in peace. In a few weeks or months, when time will have given events their perspective, they will no longer be regarded as heroic episodes, but as an absurd struggle of mysterious origin and unspeakable aims.

We have caused Mexico to appear in the eyes of the world as a country in which the most reprehensible events may take place; for the unfair and almost forgotten image of the Mexican as a violent, irascible gunman to be revived; and, for slander to be mixed with painful truth in the same news reports.

Part of the damage which has been caused will long remain irreparable; that good name for which so many Mexicans worked long and sacrificed so much has been tarnished.

It is the obligation of us all to avoid any further loss of prestige, and, within our borders, to contribute in every way possible to putting an end to unrest, anxiety, and suspicion.

A rift in the solid integrity of our country might well prove to be too dangerous.

EDUCATIONAL REFORMS

Let us now examine, briefly, the real background of the problem: the urgent need for a profound educational reform. This problem is not limited to Mexico; the crisis in education is worldwide.

The general concept on which Mexican education is based is only a partial answer to the pressures of our time, and it has not been possible to apply it fully. In speaking of educational reform I believe that it should begin in the home, continue in kindergarten, primary and secondary school, extend to preparatory school, professional and even post-graduate studies, and at each stage establish the foundations for attitudes toward life and conduct toward our fellow human beings. Education is continuous: it never ends.

It is absurd for juvenile minds to acquire knowledge, often outdated, with a useless overburdening of the memory. It is necessary to select the material and present it in a coordinated manner to adopt modern teaching methods which arouse interest and curiosity and to eliminate obsolete and overly detailed programs, to replace them by other of less quantity but more quality.

I am aware of the enormous difficulties of such an undertaking; the advances of science and technology are dizzying. What may be at this moment the latest discovery may be outmoded by a new invention at the next. Consequently, there is no time to make a careful synthesis, and even less time for a complete synthesis of the material which might serve as the basis for teaching. Furthermore, philosophy and politics cannot keep up with scientific and technological advances. They cannot explain to the youth the up-to-date "whys" and "wherefores."

The revolution in knowledge that transformed the Ministry of Instruction into the Ministry of Education was absolutely intentional.

Perhaps we have paid too much attention to teaching and too little to education. We should teach how to think, to understand, to act, to tolerate and, what is extremely important, we should teach how to learn.

Among both children and adults, we should spread the principle of fraternity with our fellow man.

We must set aside all dogmatism. We adults were first given orders, and later, occasionally, an explanation. Today, we should explain first, try to persuade, not to impose ourselves. We should suggest, without attempting to dominate.

At the same time, great care should be taken to ensure that the child or youth is not left without guidance, abandoned to his natural, rash impulses. Those best able to do so, shall have to decide, and, further, clearly define—objectively, without regard for transitory situations, and as a permanent guide—whether the teacher should be deprived of all authority over the student, and whether all administration of the schools should be abolished; or whether each classroom and each educational institution can achieve the difficult, but not impossible combination, of order with freedom.

We should not give complicated lessons in civics; we should make the student understand that he is not permitted to do everything, that his rights are limited by the rights of others; that to live within society means practicing tolerance, in order to be tolerated: that every right carries with it a corresponding obligation that not all the responsibility for the acts of a minor falls on the parents or society, as we are so frequently told, but rather that we all are responsible, at least in part, for our actions, and that as we grow, so grows our responsibility.

It should always be remembered that to enroll in a school is to confess that one does not know; it is an act of humility that does not degrade, but rather exalts, because it carries with it the lofty aim of learning.

He should be left with the clear idea that no single individual, no group, no social class—no matter how wealthy or powerful they may be or try to be—controls the destiny of Mexico; that sovereignty lies only in the people and is exercised through majority decision.

In the national interest and for the benefit of the majority of young poeple we must take into account the requirements of our economic development in restructuring the educational system. However, as I stated at Punta del Este: "Let us ensure that education is not merely bookish nor solely utilitarian. Education for production and education for culture; without humanist content, economic development means nothing in the history of a people.

The task consists of "harmoniously developing all the faculties of the human being and fostering in him both love of country and an awareness of international solidarity, in independence and in justice."

The goal is to form men, true men, both free and responsible.

A CALL TO THE PEOPLE

From this high tribunal of the Nation, in this solemn hour, I call all the Mexican people to the most noble of missions: that of seeking and finding the pathways to be followed by our children; pathways that will lead them to true and worthy goals; sure pathways that can be traveled in freedom and responsibility to reach the goal with the greatest of satisfactions: to have contributed one's own part to the growing advance of the Nation.

There is room for all: there are no insignificant Mexicans in the task of forging the future of the Nation. Young and old, technicians and scientists, teachers and researchers, all can contribute their interests their knowledge and talent, not only to criticize what is useless and should be cast out but, principally, to choose what should be utilized in order to create a new educational structure.

Because the task is so arduous and complex, neither effort nor experience nor erudition will suffice; all will be sterile unless the best men put forth the most worthy aspect of their being: the passion to serve Mexico.

Youth should have a dream—but they should not let themselves be deluded.

We have several examples of youths who, deceived by the mirage of believing themselves great heroes, soon discovered that their heroism was false; they could have been useful to Mexico, but they lost their way through the bitterness of their frustration.

The spirit of youth desires adventure and heroism. Do they wish to set out on a great adventure, be truly and grandly heroic? Then they have the great opportunity to participate in the fascinating adventure of building a better Mexico each day, a greater and more generous Mexico. Here they can exercise their heroism, an unspectacular but noble heroism, which will give them great satisfaction: knowing that they have forged themselves by enriching their spirit with knowledge and tempering their character by the education of the will in order to taste the greatest joy of all, that of working for one's own benefit and for the aggrandizement of the nation.

We agree with youth that they should not passively accept our society as it is; but we do not agree that they should simply resign themselves to rejecting it thoughtlessly or rebelling against it with no awareness of what they want and what they will build to replace what they try to destroy.

Serious damage is being done by the modern philosophers of destruction who are against everything and in favor of nothing.

They are right not to like this imperfect world that we will leave them. But we have no other. Not without studies, without education, without discipline, without ideals—and merely with disorder and violence—are they going to improve it.

Life does not and should not stagnate, because all stagnation is unhealthy. It is a historic law that life develops in stages that escape the boldest will to transform, and that each human wave forces the preceding one to increase the pace.

Each wave should be a new and dynamic contribution to the fortunes of Mexico, not a heavy burden. The younger generation will have to consider, in the depths of its being, that the senseless attack does not correspond to its responsibility, and that Mexico does not accept solutions that go against its own nature.

Any disagreement produced in the heat of the eternal yearning for renewal and justice is welcome. Any disagreement that helps and does not impede the achievement of a better Mexico is welcome.

Gratefully I accept the messages of vigorous encouragement from a young worker of the capital and a young farmer from the arid fields of Zacatecas.

With the first I believe that the impulses of the new generation should be channeled toward the achievement of the highest destinies of our country, uniting all its will and all its effort in the daily forging of the Nation.

With the second I know, as he tells me, that the young farmers of the country are fully engaged in a struggle, their weapons in hand, but that their struggle is the work in the fields and that their weapons are the hoe, the pick, the shovel, the plow handle and the steering wheel of a tractor.

I am filled with emotion as I pay homage to those hands that seldom handle currency, that rarely feel the joy of a caress.

Those same rough and suffering hands raised a cudgel or a lance at the call of Hidalgo and Morelos; those that ignored the immensity of the desert when they hauled the carriages of Benito Juárez' glorious army; the same hands that grasped the rifle or machete under the flag of Madero, Carranza, or Zapata.

YOUTH SUFFRAGE

Shortly, I shall submit the bill for amending Article 34 of the Constitution. I remain confident that the rights and duties of citizenship will be honorably exercised and complied with by youth, that they will contribute to the process, and that their presence as citizens their anxieties and convictions to the electoral will emphasize the real and dynamic sense of our Revolution.

Our ancestors refused to make the right to vote dependent on economic status, property or income, or even on literacy, and thus they prevented the formation of two Mexicos—one legal, composed of a small minority enjoying all privileges, and the other real, composed of the great majority deprived of all rights. In opposition to the inclination of those who wished to make the vote a burden, our ancestors decided that, as the essence of democracy, the vote should simply be counted; because there can be no government for the people if it does not come from the people. The course of history confirms the correctness of their course. Today it is our wish to continue on this same road that marks the progress of Mexico.

In its institutional stage the Revolution granted women the right to vote despite pessimistic predictions, and the active and legal participation of women in politics has resulted in the improvement of our system.

Just as the women of yesterday, the youth of tomorrow will strengthen those institutions that all Mexicans must protect and they will maintain and improve the rules for harmony among all within the framework of a free and orderly society.

PARTY RESPONSIBILITY

In perfecting our democracy, a primary function and a grave responsibility is placed upon our national political parties.

Respect for the law, choice of the best men, the creation of programs best suited to Mexico, and acceptance of the decision of the majority, are essential for the consolidation of our political system.

It is the duty of all political parties, not only the majority party, to work tirelessly for civic progress, to eliminate out-moded procedures, and by these means to prevent ideological differences from disrupting national unity. The play of political parties, as the representative of the people, within the law strengthens their liberties and confidence.

There is ample liberty to seek and propose solutions to problems that afflict the various sectors of our society, and also for the majority of the citizens to solve them.

Confidence in our institution, in our revolutionary tradition and in the principles derived therefrom, are enough to support our conviction that the open discussion of ideas, as opposed as they may be, not only does not impede the progress of the nation, but accelerates, consolidates, and enriches it. Only he who lacks confidence in his own ideas fears the ideas of others.

The various steps that have led to greater participation in public affairs by political groups whose ideas differ from those of the government are the fruit of a maturity that the people are in the process of achieving, and that the Revolution has had the wisdom to harvest.

They imply a responsibility for all: those who created them must try to perfect them; those who are now employing legal instruments to oppose the government must give up those that are outside the law. Since there are means for forming legal opposition, there is no valid reason now for illegal or subversive opposition.

We have been making steady progress in perfecting our democratic institutions.

The form in which various electoral procedures have been carried out; the increasingly evident civic maturity of the Mexican people reflected in numerous political activities; the atmosphere of calm and respect for mutual rights which has existed in the majority of these actions; the liberty with which people of different ideological persuasions active within the country have been able to express themselves—all these show us that we are walking with sure steps along the road of our democratic consolidation.

If we have demonstrated immaturity in exceptional cases, or if we have regressed at times, this does not invalidate the general evaluation that there have been many positive actions and few negative ones.

THE MEXICAN REVOLUTION

This step forward in the democratic process is a direct result of the profound social and economic changes brought about by the Mexican Revolution which have given a new aspect to the country. If present-day Mexicans are more politically aware, and our increasing participation in public affairs gives meaning to the overall system of our institutions, it is because the changes derived from the Revolution have brought us broader liberties, greater material well-being, more education, better conditions in the fields of health, security, communications and other areas.

The Revolution is a long process which renews itself at every stage at great risk and peril and, as a result, demands constant vigilance and strict adherence to its principles and program of action, all the more so by those of us who have reached the higher level of responsibility.

On assuming the Presidency I stated, "From the broad use of our liberties, our unity is born, and from our unity comes all we have achieved and ought to achieve.

"What has been won in so many years of effort can be lost if we do not carefully protect it each and every day."

Let us make our unity continue to be the result of the broad use of our liberties and let it go on to mean not resignation, not ambiguity, not surrender, but persistence in one's own firm convictions and respect for those of others, within the law.

[From the Christian Science Monitor,
Oct. 12, 1968]

An International Games

The XIXth Olympiad begins today in Mexico City with all the splendor and pageantry so important an event deserves. The world's eyes, through instant and relayed telecommunications, will follow competition after competition in which new records will be set and young athletes honored.

National pride will stir in hearts the world over as these young athletes rise on the victory stand. And well it may. For in the best sense national pride reflects the team spirit a nation should feel in competition to demonstrate excellence.

Thus the Mexican students' decision to put aside grievances so their nation can be a proud host, relieving it of the need to impose martial law to protect the games, is to be applauded. And the decision of American black athletes to compete (they sang, by the way, as fervently as their white teammates the national anthem at the American flag-raising ceremony) regardless of the feelings of many of them that their land has been tardy in helping their black brethren, is also a victory of right sentiment.

At the same time, it were well to remember that the Olympics are an *international* event. Only in the United Nations is there an equally visible reminder of the oneness of all peoples. And this is a right emphasis too.

The United States and Russia together have sent a thousand competitors to Mexico City. These two world powers will undoubtedly dominate the games as they have the recent Olympiads. It will take an effort for many spectators not to be absorbed in medal counting to determine an overall "winner" of the games. To ask that medal counting be deemphasized is perhaps to cry vainly before the wind.

Yet the glory of appearing in the games is at least as much an individual glory (the just fruit of the athlete's arduous and often solitary labors and self-discipline) and the glory of all mankind (demonstrating the victory over limitations of which man is capable) as it is cause for national celebration.

The road to Mexico City for this Olympiad has been a hard one. This was symbolized by the embarrassing snuffing out of the torch en route from Greece. South Africa's unwelcome, the American and Mexican domestic disputes, the taunting inquiries of the press seeking to dislodge rivalries and dissent—most of this has receded.

May the viewer of these games see them in their truly international aspect and congratulate in his heart the bravery and ability of all entrants whether of his land, of his enemies', or of any other.

THE 90TH CONGRESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that an article entitled "90th Congress Good to L. B. J.," published in the Washington Daily News of October 12, 1968; an editorial entitled "Spotty CONGRESSIONAL RECORD," published in the Washington Post of October 12, 1968; and an article entitled "Congress Notably Productive for Election Year," published in the Washington Post of October 13, 1968, be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Daily News, Oct. 12, 1968]

DESPITE LATE SETBACKS: 90TH CONGRESS GOOD TO L. B. J.

(By Dan Thomasson)

The 90th Congress was headed for the history books today with a record of substantial support for Johnson Administration programs soured by last-minute Senate refusals to confirm the President's nominee for Chief Justice and to ratify a treaty aimed at preventing the spread of nuclear weapons.

Adjournment was impossible before Monday, however, because the House failed to get a quorum last night and adjourned until today, after which the Senate decided to meet again Monday.

These end-of-session failures tended to obscure the 90th Congress's earlier actions which gave the retiring chief executive, more or less in the form he wanted, such important legislation as:

A landmark law designed to topple racial barriers in 80 per cent of the nation's housing and to provide Federal protection for civil rights workers. The law also makes it a Federal crime to cross state lines to incite a riot.

A $5.4 billion, three-year omnibus housing program to combat urban decay and including a provision for generous subsidies to help low-income families purchase their own homes.

A "truth-in-lending" law, rebuffed by Congress for a decade, requiring the nation's businessmen to detail the actual annual cost of credit in any consumer transaction.

A huge, omnibus anti-crime law which would help strengthen local police forces through sizable grants to states. The law while prohibiting "bugging" by civilians, permits local police officials to obtain court orders to use wiretapping and bugging devices in the investigation of major crimes, a feature opposed by the Administration.

The first Federal law in 30 years to restrict the interstate sale and distribution of all firearms and ammunition.

A law making possession of LSD and "other dangerous drugs" a Federal crime. The action came in the last moments of the session.

Substantial increases in Social Security benefits.

A $7.3 billion Higher Education Act providing new funds to help needy students, and a streamlined, new vocational education program.

Several new conservation programs, including one to save at least a part of California's giant redwood from commercial exploitation by creating the long-sought Redwood National Park.

After more than a year of wrangling, the President, plagued by mounting war debts and spiraling inflation, won an unusual election-year 10 per cent income tax surcharge from a reluctant Congress. The tax boost, however, was accompanied by a congressional mandate to cut government spending this fiscal year by at least $6 billion.

IMPACT BLUNTED

But the impact of the spending cut appeared to have been blunted as the election-conscious Congress exempted one program after another from the mandate during closing weeks of the session.

In addition to the Senate's refusal to ratify the nuclear non-proliferation treaty, the Johnson Administration ran into difficulty with its foreign aid budget for 1969. The $1.7 billion finally approved for foreign assistance was the lowest in the history of the program and less than half what the President requested.

The biggest disappointment of the session for Mr. Johnson was the blocking of confirmation of Justice Abe Fortas to be Chief Justice. The action, carried out by a coalition of Senate Republicans and Southern Democrats who charged cronyism in Mr. Johnson's nomination of Justice Fortas, marked the second time in the nation's history that a nomination for chief Justice has been rejected by the Senate. The first was George Washington's nomination of John Rutledge in 1795.

Mr. Johnson waited until the last hours of the session before deciding not to send up another nomination for Chief Justice. His decision was based on a warning from Democratic leaders that they would have trouble winning confirmation for anyone Mr. Johnson nominated.

OTHER REJECTIONS

Mr. Johnson also was hit hard by Senate refusal to confirm Federal judgeships for White House aide Harold Barefoot Sanders Jr., and the U.S. Attorney for the District of Columbia. David G. Bress. Both nominations were shelved by the Senate Judiciary Committee.

Mr. Johnson won much of his legislation during this session of the 90th Congress in an atmosphere of crisis created by the assassinations of Sen. Robert F. Kennedy and the Rev. Dr. Martin Luther King Jr., big-city rioting—including one in Washington—and mounting war casualties.

The assassinations of Sen. Kennedy and Dr. King broke the five-year congressional logjam on gun control and the rioting brought enactment of the omnibus crime bill. The war was responsible for the income tax increase and for the largest single money bill in history—$72 billion for the Defense Department.

Passed over by Congress were such Johnson proposals as extension of the Reciprocal Trade Agreement; a program to provide health care for infants and expectant mothers; reform of the nation's election laws; new powers for the Equal Employment Opportunity Commission; new regulations on the fees and commissions collected in the mutual fund industry, and indirect Federal control over the prices of drugs used by Medicare and Medicaid recipients.

[From the Washington (D.C.) Post, Oct. 12, 1968]

SPOTTY CONGRESSIONAL RECORD

By traditional standards, the Congress that now passes into history has been fairly productive. Especially during its post-convention period, it has enacted a large number of bills contributing to the national welfare. Yet it has fallen short of covering itself with glory, and the antics of recent weeks have highlighted its deficiencies.

After much floundering, Congress passed the President's tax surcharge and discriminatingly defeated his proposed travel tax. It extended poultry inspection, authorized a study of automobile insurance, passed a weak gas pipeline safety bill, the truth-in-lending bill and various other measures aimed at the protection of consumers. The 1968 Civil Rights Act is probably the most sweeping measure of its kind ever passed by Congress. Along with it stands the Federal Jury Reform Act, a highly controversial Crime Control and Safe Streets Act, a far-reaching juvenile delinquency program and the restrained but useful gun-control bill.

No less significant is the housing and urban development program approved this year, with its emphasis on helping the poor to buy homes and rent apartments. The food stamp program was continued and various other social welfare programs extended. Federal aid to education got additional underpinning, although some appropriations were unfortunately cut, and the HEW's school desegregation enforcement program finally won approval.

In the field of conservation the record is highly creditable. Most noteworthy perhaps was the opening of new revenue sources to the Land and Water Conservation Fund for the purchase of additional park and recreational lands. This helped to prepare the way for the creation of two great new national parks (the Redwoods and the North Cascades) both of which were specifically authorized. In addition Congress passed the Scenic Rivers and Estuary Preservation Acts, created a national trails system, set up a National Water Commission and authorized the Central Arizona Project in a comprehensive Colorado River package that will cost more than $1.3 billion.

The most notable failures came in the scuttling of the foreign-aid program, the defeat of the occupational safety bill and the bill to tighten regulation of the mutual fund industry, the virtual abandonment of the highway beautification program and the failure to ratify the non-proliferation treaty. High on the list also is the defeat of Justice Fortas's nomination to be Chief Justice.

There is a direct relationship between some of the shabbiest aspects of the record and the procedural deficiencies which Congress refuses to correct. The denial of the chief justiceship to Mr. Fortas, despite the fact that a majority of the Senate favored his confirmation, was the bitter fruit of a filibuster. The last-minute garroting of the bill to authorize free television debates by the presidential candidates was a piece of sheer obstructionism. In the face of almost universal criticism, the Senate clings to this obsolete and undemocratic device at a devastating cost in terms of its own prestige.

On the House side the two most conspicuous failures resulted from sabotage by the Rules Committee. Without rhyme or reason, the rule-makers suppressed the Senate-passed congressional reorganization and election reform bills, denying the House an opportunity to vote on either. The general improvement in the record of the Rules Committee does not excuse this crass disregard for modernization of Congress and the conduct and financing of political campaigns.

The spotty performance of Congress must be attributed in some measure to the uneven work of its committees. Vigorous committee chairmen have been able to push legislation through, or in some instances to smother it. The leadership in both Houses is still a long way from adopting an agenda that would require the putting of first things first. With all its hard work and its substantial accomplishments, Congress remains in urgent need of strengthening its leadership and modernizing its machinery.

[From the Washington (D.C.) Post, Oct. 13, 1968]

CONGRESS NOTABLY PRODUCTIVE FOR ELECTION YEAR

(By Richard L. Lyons)

For all its noisy wrangling and penny-pinching, the Congress now arguing its way to adjournment was more productive than seemed likely when it convened in January.

After the negative record of the newly conservative Congress in 1967, it was expected that a presidential election year could only produce more rancor and less achievement. Little was expected of this session, but it broke new ground. None of it cost much money, but it took some courage.

Who would have thought that in an election year Congress would raise income taxes 10 per cent to steady the economy? Or that it would pass a landmark open housing bill just after the April riots? Or that this Congress would stand up to the gun lobby and pass the most comprehensive, though still very modest, gun control bill in history?

It was a great congressional year for consumers and conservation—two causes which cost relatively litte money. Congress was in no mood to launch a Marshall Plan for the cities while it was spending $30 billion a year in Vietnam. But it was less grudging than before in providing modest increases for programs to help the poor and the cities.

The 1967 session was one of utter frustration over the war, riots and spending, which often produced angry, wheelspinning actions. This year Congress worked off some of its frustrations and had more time for legislating.

President Johnson stopped much of the angry war debate at the Capitol with his March 31 peace initiative and his withdrawal from the political campaign. It was a relatively quiet summer in the ghettos. Congress kicked criminals and the courts, favorite targets, with the omnibus crime bill.

Finally, Congress found a way, or thought it had, to hold down spending by combining with the tax increase an order that spending this year be cut $6 billion below January estimates. Congress cut more than $3 billion through the appropriation process. Now the President must cut nearly as much by withholding funds.

The economy drive probably will fall far short of its goal. Congress already has exempted $1.5 billion of uncontrollable costs from the spending cut. But the exercise gave Congress the feeling of regaining control over current spending, which it has lost because of the lag between appropriating money and the spending of it.

The President took a licking on a number of issues. The Senate refused to confirm Justice Abe Fortas as Chief Justice. It has delayed action on the treaty to prevent the spread of nuclear weapons to other countries—and may be called back after the election by the President to act on it.

The highway beauty program was all but killed. There was no relaxation of East-West trade barriers and no travel tax to help the balance of payments. Bills to reform Congress and campaign spending laws cleared the Senate but were pigeonholed in the House Rules Committee. Electoral reform, as usual, received little attention, but George C. Wallace may scare the next Congress into approving a constitutional amendment to prevent a presidential election from being thrown into the House.

Also left for the next Congress were bills to regulate mutual funds, fix industrial safety standards, help farm workers organize unions and permit one union to picket an entire construction site.

MORE IMPRESSIVE

But the positive side of the record is far more impressive. For the consumer, Congress passed a strong truth-in-lending bill, requiring that the full amount of credit charges be clearly spelled out. It enacted legislation to make gas pipelines safe, to assure clean poultry (following last year's clean meat law), to protect the public against radiation from appliances such as color television sets. It ordered studies of auto insurance and causes of fires. It started action on a clean fish bill and a measure to protect the public against deceptive sales practices.

Congress wrote its most productive record in years in the field of conservation. A 20-year battle over the water in the Colorado River was settled with $1.3 billion project dividing it among the arid southwestern states. Congress doubled the revenue for the fund to buy and develop national parks. It created two big new parks, the Redwoods in California and North Cascades in Washington.

The scenic river bill to preserve wild stretches of rivers in their natural state was finally passed, and a system of scenic trails begun. A bill to preserve estuaries which are important fish-breeding grounds was enacted. A commission was set up to make a comprehensive study of the Nation's water resources problems.

OPEN HOUSING IS LAW

The liberal 89th Congress couldn't pass an open housing bill. But the 90th enacted a law that by 1970 will forbid racial discrimination in the sale or rental of 80 per cent of the Nation's housing. Discrimination in selection of Federal juries was outlawed. The House first voted to restrict enforcement of school desegregation guidelines, but then reversed itself after learning what it had done.

A bill authorizing $100 million this year and $300 million next year to upgrade local law enforcement was passed. Congress also took this opportunity to authorize wiretapping with a warrant and to overturn Supreme Court decisions that outlawed use of confessions in Federal trials if there had been delay in arraignment.

Besides raising taxes and cutting spending, Congress removed the gold cover to release $10.7 billion in gold to back the dollar. It attempted to roll back Federal employment, but was forced to remove the ceiling for several agencies before it adjourned. It acted to prevent foreign nations from dumping cheap goods here. And it reversed a Treasury ruling that would have taxed all industrial development bonds by exempting issues of up to $5 million.

The most far-reaching housing bill in 20 years was enacted with new programs to help the poor buy or rent decent housing. In this and other programs there was increasing effort to involve private industry in solving national problems.

Congress also extended and increased college and vocational aid programs and extended farm price support programs for one year.

LITTLE NEW MONEY

For all this, very little new money will be pumped into domestic programs this year. Economy was the rage, and Congress cut back the President's request for new spending authority by about $12 billion. Foreign aid was cut to its lowest level. Space funds were cut for programs after man reaches the moon. Congress approved most of the funds requested for education, but the President asked for less than half the authorized amount for aid to elementary and secondary schools.

Because of the spending crunch, Congress devised a new way to finance water pollution projects that may speed up the program.

Congress made possession of the drug LSD a crime. It provided for a little disclosure of its members' income, killed a bill to permit bigger trucks on interstate highways and provided four three-day holiday weekends by shuffling the dates of Washington's Birthday, Memorial Day, Veterans Day and Columbus Day. It had its most difficult time trying to pass a motion to adjourn and go home.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination for postmaster on the Executive Calendar.

The PRESIDENT pro tempore. Without objection, it is so ordered.

POSTMASTER

The bill clerk read the nomination of Jean N. Cooper, to be a postmaster at Almyra, Ark.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries.

REPORTS OF NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 396)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying reports, was referred to the Committee on Aeronautical and Space Sciences:

To the Congress of the United States:

I am transmitting today the Sixteenth, Seventeenth, and Eighteenth Semi-Annual Reports of the National Aeronautics and Space Administration covering the period between July 1, 1966 and December 31, 1967.

The events recorded here are both tragic and encouraging; sobering and inspiring.

The eighteen-month period saw success and failure and then success again as a proud agency moved forward with renewed determination.

The Gemini missions were completed; Lunar Orbiters I and II transmitted thousands of clear pictures of the moon; new communications and meteorological satellites were orbited.

Then came tragedy. Three brave American astronauts were killed in the Apollo fire.

Initially stunned, NASA then went to work to overcome the flaws in the Apollo system. Soon, impetus was restored to this crucial part of our space effort.

Other great space achievements followed, such as the Saturn 4 flight.

I commend these reports to your attention. They contain, I believe, concrete evidence that NASA is moving forward, and that America is contributing mightily in the worldwide effort to conquer space for the benefit of all mankind.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 11, 1968.*

REPORT OF OFFICE OF ECONOMIC OPPORTUNITY (H. DOC. NO. 397)

The **PRESIDENT** pro tempore laid before the Senate the following message from the President of the United States, which with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

I am pleased to transmit the Third Annual Report of the Office of Economic Opportunity.

Three years is but a minute in the history of our nation. Three years is not long enough to test thoroughly a completely new concept concerned with the complex subject of people and how their lives can be changed. In the first three years of the War on Poverty, however, greater strides were made in bringing people out of poverty than at any other comparable time in history. Our continuing economic health was in part responsible for this, but the efforts of the Office of Economic Opportunity also had a considerable impact.

When we undertook the task of attacking the basic causes of poverty we entered an uncharted forest where many lessons had to be learned through experience. We have come far. More than we have failed, we have succeeded. More than we have been discouraged, we have been inspired by the determination of the poor to begin moving toward a better life.

A new source of strength for our nation has been tapped as the poor, previously shut off from participation in the affairs of their communities, have had their voices heard. Instead of remaining outsiders, they have become part of their neighborhoods, and the meaning of American democracy and the responsibilities it entails have become real to them for the very first time.

The poor can be moved out of poverty. Of this we are now certain. The cycle of poverty is not unbreakable. This we now know.

This report offers striking evidence of the progress that is possible.

In fiscal year 1967, the period covered by this report:

—Over a million poor people received health services through Comprehensive Health Centers and other health programs.

—Over 2 million young people in poverty areas benefited from education, work experience and organized recreation in special summer programs.

—Formal legal actions were taken on behalf of over 300,000 of the poor by Legal Services Programs.

—Some 150,000 senior citizens took part in programs at 200 OEO-financed Senior Citizen Centers and multi-service centers.

—Over 680,000 deprived pre-schoolers had their chances of success in life increased through Head Start.

The eyes of this Nation have been opened to the plight of the poor, but not completely grasped is the complexity of modern day poverty and the tremendous efforts required for the uphill climb. Desire is important—and this the poor possess in previously unsuspected quantities—but desire without assistance equals frustration. It is this assistance that the programs of the Office of Economic Opportunity provide.

The poor do not need sympathy, as much as they need understanding of the circumstances that have made them poor. They do not want a hand-out as much as they want training for a decent job, quality education for their children, health centers where their families can receive adequate medical attention.

A beginning, but only a beginning has been made. Ahead of us still remains an enormous but a necessary task. As long as all Americans do not share in the prosperity of this rich land, our attempt to correct this inequality must not slacken.

We have begun. The tide of progress is clear. Let us resolutely continue.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 11, 1968.*

AMENDMENT TO THE AGREEMENT BETWEEN THE UNITED STATES AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FOR COOPERATION ON THE USES OF ATOMIC ENERGY FOR MUTUAL DEFENSE PURPOSES—MESSAGE FROM THE PRESIDENT

The **PRESIDENT** pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying papers, was referred to the Joint Committee on Atomic Energy:

To the Congress of the United States:

Pursuant to the Atomic Energy Act of 1954 as amended, I am submitting herewith to each House of the Congress for appropriate action an authoritative copy of an amendment to the Agreement between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes of July 3, 1958, as amended. The Amendment was signed at Washington on September 27, 1968.

The Agreement of July 3, 1958 as amended included a provision under which the Government of the United States agreed to transfer to the Government of the United Kingdom prior to December 31, 1969 special nuclear material for research on, development of, production of, or use in utilization facilities for military applications.

Under the Amendment submitted herewith, the Government of the United States shall transfer to the Government of the United Kingdom special nuclear material and authorize the transfer of specific other materials to the Government of the United Kingdom prior to December 31, 1979. The transfer of this material to be used as fuel in the United Kingdom's submarine program would substantially enhance the ability of the United Kingdom to contribute to our mutual defense, particularly in the North Atlantic area.

I am also transmitting a copy of the Acting Secretary of State's letter to me accompanying authoritative copies of the signed Amendment, a copy of a joint letter from the Chairman of the Atomic Energy Commission and the Secretary of Defense recommending approval of this Amendment, and a copy of my memorandum in reply thereto, setting forth my approval.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 11, 1968.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The **PRESIDENT** pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Post Office and Civil Service.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. **YARBOROUGH**, from the Committee on Post Office and Civil Service:

Twenty-one postmaster nominations.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. **MANSFIELD** (For Mr. McGOVERN):

S. 4197. A bill for the relief of Ernesto Och; to the Committee on the Judiciary.

By Mr. **MANSFIELD** (for Mr. MONDALE):

S. 4198. A bill for the relief of Martha Lidia Ramos; to the Committee on the Judiciary.

By Mr. **BREWSTER**:

S. 4199. A bill for the relief of Cheng Sat Tsan, Chan Tak Kwun, and Chan Yeung Lam; to the Committee on the Judiciary.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on October 12, 1968, he presented to the President of the United States the following enrolled bills:

S. 2938. An act to extend expiring provisions under the Manpower Development and Training Act of 1962, as amended, and for other purposes;

S. 3615. An act to authorize the Secretary of the Army to convey to the port of Cascade Locks, Oreg., a certain interest in lands in the State of Oregon for municipal purposes; and

S. 4158. An act to amend title 37, United States Code, to clarify the condition under which physicians and dentists extend their service on active duty in a uniformed service may be paid continuation pay.

THE EDUCATIONAL VISION OF HUBERT H. HUMPHREY

Mr. YARBOROUGH. Mr. President, one of the most relentless crusaders for increased educational opportunity, for increased quality in education, has been Vice President Hubert Humphrey. Both as Senator and as Vice President, he has taken the lead in moving this country to realize its greatness.

Now, as the candidate of the Democratic platform for the Presidency, he continues his crusade for excellence.

Earlier this month the Vice President's Task Force on Education, presided over by former U.S. Commissioner of Education Francis Keppel, turned in its report entitled "Toward Excellent Education for All Americans." Shortly thereafter, Vice President Humphrey issued a statement on education in America based on the findings of his task force. As ranking member of the Subcommittee on Education, I urge Senators to read the thoughts of the Vice President on education, for they show not only great vision and insight, but great understanding of what must be done if we are to realize the Vice President's dream of "open schools—open to all Americans," and "full opportunity for higher education, limited not by ability to pay, but not by ability to learn."

I ask unanimous consent to have printed in the Record a report entitled "Toward Excellent Education for All Americans" written by the Vice President's Task Force on Education, and a statement entitled "A New Day: Toward Excellent Education for All America," by Vice President Hubert H. Humphrey.

There being no objection, the items were ordered to be printed in the Record, as follows:

Toward Excellent Education for All Americans

(Report of the Vice President's Task Force on Education, October 1968; chairman: Francis Keppel; staff coordinators: David E. Birenbaum, Alfred L. Stern)

MEMBERS OF THE VICE PRESIDENT'S TASK FORCE ON EDUCATION

Chairman: Francis Keppel, President and Chairman of the Board, General Learning Corporation, New York City.

Members: Warren H. Bacon, Assistant Director of Industrial Relations, Inland Steel Company, Chicago; Dr. Albert H. Bowker, Educator, New York City; Samuel Burt, Washington, D.C.; Dr. John H. Fischer, President, Teachers College, Columbia University; Dr. Sidney P. Marland, former Superintendent, Pittsburgh Public Schools; Dr. Thomas F. Pettigrew, Department of Social Relations, Harvard University; Dr. Harold L. Sheppard, Washington, D.C.

INTRODUCTION

Our democratic society demands much of our system of education—

It must prepare the nation's young people to live, with understanding.

It must develop to the fullest extent the intellectual capacity of our youth.

It must equip our young citizens with the necessary skills to participate effectively in all functions of our society—social, cultural, and economic, and

It must cultivate the potentialities of disadvantaged children—so that they may enter in and contribute to the mainstream of American prosperity.

For most Americans, our system of public and private education has succeeded remarkably in advancing these four goals. Its success is reflected in our expanding capacity to produce in abundance.

Even in the midst of notable progress in this field, for some Americans excellent education is as yet a promise unfulfilled. These are:

The children in our rural and urban slums whose reading rates are shockingly behind the national average.

The 25 percent of the high school age group who drop out of school—more than 800,000 each year.

The 18 million adults who have less than an eighth-grade education, and 7 million less than fifth grade.

The two out of three handicapped children who do not receive special services.

The six out of ten young people who do not go on to college.

The five out of ten young adults who need but do not receive quality vocational and technical education.

The ninety-two percent of disadvantaged young adults who do not gain a college education.

The increasing demands placed upon our educational institutions by a rapidly changing America coupled with these conditions have produced a climate of public apprehension about education which should not obscure the great progress made but which does emphasize the huge tasks still ahead.

Some are losing confidence in the way their children and their communities are being served. Much is heard about failures in city schools and rebellions on college campuses. Education costs are rising, yet Americans hear constant criticism of poor results. Faith in education may be turning into doubt.

We must maintain a clear perspective. In good part, we are critical of our educational system because we are now facing facts long ignored. That is often the price of advancement, namely a greater awareness of continuing deficiencies. Reading-rate data were not understood earlier in this decade. Only a short time ago, high school education was the privilege of the few. Today, high school dropouts cannot find jobs, and we now realize that vocational and technical education is a major part of the solution to their problem. College students are now worried about the relevance of their studies and are demanding a voice in the management of their affairs. In education, we confront a revolution of rising aspirations—a revolution born of progress.

These are signs of regeneration, not of decay. We have learned more about our educational system, we understand better what society demands of it, and we are more aware of its shortcomings and of the need for change. We are finding the path to renewal.

THE RECORD

In recent years, the federal government has faced facts and sought to find solutions. A new and historic partnership in education among local, state and federal government has been forged. A quiet revolution is now taking place as the result of enactment of fifty education laws, including the landmark Elementary and Secondary, Vocational Education, and Higher Education Acts.

We have come a great distance rapidly. At the start of the decade, there was grave questioning as to whether federal activity was wise or possible. Today, there is substantial agreement that federal help and leadership must play an important role in meeting the educational needs of an advancing America. While the political and legal questions of church and state, civil rights and federal-state relations are by no means settled, they no longer are insuperable obstacles to action. As a result, federal expenditures for education, training, and related services have increased from $2.65 billion in fiscal 1960 to $12.3 billion in fiscal 1969.

A major step forward has been taken—but it is only a step. Legislative progress is not educational progress. Federal programs have renewed hope, but there have not been funds, organization, experience and time enough for their fulfillment.

It is time *now* to match the high promise and momentous beginning of the past seven years with greater performance. To assure excellent education for all Americans, the next administration's most important task will be to replace doubt with reasoned confidence—through a plan of action and adequate resources that focus on getting results.

GOALS FOR THE FUTURE

Building on the start that has been made, recognizing where experience calls for change, and with a realistic commitment of resources to education, we should, within the next four years, be able not only to meet the backlog of the educational needs of the nation, but better to prepare our children for the challenges and opportunities of the future. Our goals must be no less than:

Quality preschool opportunities for all children beginning with the 2 million disadvantaged children ages 3–5.

Compensatory education for the approximately 2 million school children between the ages of 6 and 15 who are underachievers.

Substantial progress toward year-round quality education programs for all children, starting with the disadvantaged.

Strengthened efforts to eliminate school segregation in our public schools.

Reduction of the high school dropout rate from the current 23 percent to no more than 10 percent.

Tripling the number of quality vocational education enrollments.

Provision of in-service training to assure every teacher regular opportunity to update his competence, at least 10 percent of the teaching force each year.

Guaranteeing every young person opportunity for higher education limited only by ability to learn, not ability to pay, reducing the heavy burden of college expenses now borne by middle income families as well as providing expanded opportunities for low income families.

Acceleration of efforts to wipe out adult illiteracy. Lifetime educational opportunities for adults who want to change careers, develop new skills and talents, enhance existing occupational abilities or simply study for the pleasure of it.

TO ATTAIN THESE GOALS, WE PROPOSE THE FOLLOWING 8-POINT ACTION PLAN

1. A strengthened and expanded Federal effort

Education, of course, is basically a state and local responsibility. It should remain so.

Nevertheless, there is a clear and compelling need for strengthened and expanded federal action, in partnership with state and local education agencies, to:

Narrow the wide range in per-student expenditures among the states and within states. In a highly mobile society, the failure to provide equal educational opportunity for some is the concern of all.

Share the cost of educating disadvantaged and handicapped children, frequently concentrated in urban areas now caught in a financial squeeze.

Provide assistance to alleviate the financial crisis now facing our institutions of higher education so as to assure equal access to higher education for all who can qualify and who desire advanced education.

Mobilize the nation's research, development and administration resources to improve the quality of its education and disseminate the benefits of successful educational experiments; we will not solve today's problems, nor meet the future's needs merely by doing more of the same.

Attainment of these objectives will require a substantial expansion in federal support. Despite a very significant increase in the number of children eligible for assistance under Title I of the Elementary and Secondary Education Act, funds appropriated for this program have scarcely increased since it was first established. This shortsighted public policy must be changed. To stand still in a modern technological society is to slip back. Unlike Alice, we may not now be running fast enough even to stand still!

We propose:

Doubling, at least, the federal investment in public elementary and secondary education—now 8 percent of total such expenditures—within the next four years.

Increasing federal support for higher education, from its present level of 25 percent to at least one-third in the same period.

Expanding, at the same time, the federal investment in educational research and development, including dissemination and demonstration of results, from the current level of less than one percent of the federal education budget to five percent.

But more money alone will not suffice. The vast expansion in the federal role in education accomplished during this Administration has placed severe burdens on existing governmental machinery. Fifty new laws have brought the federal government into contact with thousands of schools and colleges and with tens of thousands of private and community groups. Inevitably, this has created a massive problem of communication and organization. Governors and mayors, school superintendents and teachers, college presidents and students have found dealing with the federal (and indeed, state) agencies complicated, difficult and, at times, frustrating.

We believe that a radical change in both organization and program administration is needed to assure efficient and effective administration of federal education programs and to assure better support of our state and local educational agencies. We must simplify administration of these programs, if they are to achieve their intended effect.

We propose:

Consolidating, coordinating, and simplifying federal education programs. Existing legislation should be amended, where necessary, to assure federal program consolidation, coordination and efficient management—at the federal, regional, state and local levels. Serious consideration should be given to establishing a Department of Education, to which most of the education programs now located in other agencies would be transferred. This is a technical and complex job. The advice and guidance of those who deal with the existing federal programs will be essential to its success. We propose establishment of a special Council on Federal Education Programs representing federal, state and local interests—including teachers and parents—to help carry it out. This council should participate as well in the federal program evaluation effort proposed below. Major emphasis on analyzing the social and economic effectiveness of federal education and training programs, so that needed funds will be concentrated where they will have greatest effect. A tough-minded method of cost analysis and searching consideration of program results are essential. Federal education programs should be reviewed by an agency within the Executive Branch of Government, independent of the Department responsible for program management.

Providing increased financial and other assistance to strengthen our state educational agencies. State education departments have a vital role in improving the quality of public education. They should be strengthened through federal support.

Finally, we believe that national education priorities should continue to be expressed through categorical grants—broadened to eliminate duplication. When economic circumstances permit substantially increased federal investment in education, a system of general support for schools should be seriously considered as an addition to present programs of categorical aid.

In taking these actions, it should be made clear that the federal government is not proposing to assume the entire fiscal or administrative responsibility for education and training. The federal effort in education must be carried out in partnership with the state and local governments. Centralization of management in Washington would be as unwise as denial of federal responsibility.

II. Equality of educational opportunity for disadvantaged and handicapped children

The children of America's urban ghettos and rural slums lack true equality of educational opportunity. The "Equality of Educational Opportunity Survey", carried out at the direction of Congress, found that Negro students—concentrated in segregated ghetto schools—fall further behind white pupils with each year of school completed, and are three times as likely as white students to drop out of school. Approximately one-fifth of the nation's children do not attain literacy levels required for available employment. Probably many more lack the education essential to constructive citizenship, responsible parenthood, good health, and full self-realization. These children—the failures of our educational systems—are disproportionately concentrated among urban and rural poor.

As recent events have made painfully clear, none of us can escape the ramifying consequences of unequal educational opportunity. We must *act* decisively now to arrest and reverse these conditions.

What is required is nothing less than a massive and comprehensive effort, backed by federal resources realistically matched to the need, designed to reconstruct the disadvantaged child's social and intellectual environment, compensate for disadvantages already suffered and provide essential verbal and literacy skills.

We propose the following plan of action:

Early childhood education for all children beginning with the more than 2 million children—ages 3 to 5—of the poor, both rural and urban, and all handicapped children who could benefit. Preschool programs are the very heart of the effort to reconstruct the environment which disadvantages and otherwise incapacitates children before they enter the school system. Experience with the successful Head Start program has demonstrated the ability of the very young to learn, particularly when parents and the home are fully involved. Neglect at these ages has led to failure in later schooling. The time has come to make preschools a regular part of the educational system serving disadvantaged children and, ultimately, all children. Opportunities for more advantaged children to participate with poor children in early childhood programs should be widened; experience indicates that this approach is particularly effective.

Compensatory education for urban and rural elementary and secondary schools serving disadvantaged students, through an expanded Elementary and Secondary Education Act Program. We have learned that the benefits of early childhood education programs can be lost unless carried forward in the regular school program. Changes in educational practices will be necessary. Major emphasis should be placed upon reading, the key to all educational development. We must also reduce maximum class size, provide incentives to attract highly qualified teachers to work in urban and rural schools serving disadvantaged children, and develop new and relevant teaching materials. Experience has shown that individualized instruction making extensive use of sub-professional personnel drawn from the community is one of the most effective methods of teaching disadvantaged children. Finally, the most advanced educational equipment and technology, particularly educational television, should be fully utilized.

A school construction and operating fund program, under Title I of the Elementary and Secondary Education Act, to improve the quality of education in metropolitan and rural areas. Sweeping plans to meet the educational needs of the urban ghettos and rural slums are being developed in many parts of the country. These encompass:

Collaboration between central city and suburban school districts to desegregate our schools and improve the quality of education afforded students in metropolitan areas—through model or exemplary schools offering special programs and courses and possibly educational parks designed by the community. Combination of small rural schools to provide better curricula and greater efficiency of operation.

To enable state and local educational agencies to implement these community initiated plans, the federal government must be prepared to assume much of the capital costs and to assure funds for up-to-date equipment, teaching aids, and library materials. Operating fund grants will also be necessary in the years ahead. Schools which serve as vital centers of community activity and school systems which strengthen community identification with the schools and encourage meaningful parental participation in the educational process. Education cannot flourish in the atmosphere of hostility and distrust which prevails in many of our large cities. New links must be forged between the schools and the communities and parents which they serve. These will help the schools to relate effectively to the other social forces which influence youth and strengthen support for education in the home. Toward this end, federal leadership and support should be provided to local school systems seeking to:

Make school facilities available during and after normal school hours to serve the community, as centers for community life.

Decentralize school adminstrations, where this will strengthen community indentification with the schools and encourage meaningful parental participation.

Hire and train teacher assistants, tutors and other sub-professional personnel to work in the school system both to meet educational needs and to strengthen ties between the community and the schools.

Federal support to encourage development of promising new experimental techniques for educating disadvantaged students. There is much to be learned. Substantial consideration has been given to new methods of teaching disadvantaged children, methods designed to involve the talents and resources of the entire community. Current efforts to develop sub-school systems within a district, to involve universities and private schools and to engage, on an experimental basis, the talents and resources of private enterprise in educating the disadvantaged children should be encouraged.

A federal grant program to major urban centers to mount a significant and comprehensive attack on educating the handicapped child. At present, less than one-third of handicapped children receive any special services. Yet, experience with existing programs shows that, with special attention, the handicapped can and do make substantial progress. We must deliver quality educational services to all handicapped children through development of special facilities to provide a more efficient learning environment, training for the upgrading of teachers and supportive personnel, curriculum materials and media designed for the handicapped, and other necessary activities.

III. Year-round education

The traditional and anachronistic nine-month school year has long since outlived its usefulness.

We can no longer afford the waste of time and facilities entailed in closing costly school plants down for three months of every year. And we must modify the practice of releasing each summer millions of children from a relatively full school schedule to idleness in the summer months—one of the sources of the tension which has contributed to our recurring "long hot summers."

At a time when the obligations of good citizenship are becoming increasingly complex, and in an economy which requires highly skilled workers, our children need full-time education. Students should, of course, continue to have substantial vacation time spaced throughout the year.

The length of the school year is, of course, a state and local responsibility. Federal support should be provided only to implement, not to direct, decisions made at the state and local level relating to the school term. Because of the costs involved and in view of the greater need, federal funds for year-round education should be made available initially to schools serving disadvantaged children, particularly in the inner-city, and choosing to convert to year-round education. We recommend substantial federal support, through the Elementary and Secondary Education Act, for planning, development, and implementation of 12-month school programs.

Year-round education will afford school administrators and teachers greater flexibility in planning curricula and in fashioning educational programs. What is needed is not 12 months of the usual academic curriculum, but imaginative programs making extensive use of release time for a wide range of educational activities—culture and the arts, recreation and job training, work experience and community service and verbal skill development and remedial education. In our urban areas, these programs should make extensive use of resources uniquely available to city schools—the city itself, its museums, galleries, governmental institutions and other public facilities.

Our schools, particularly our high schools, must be made relevant to the major currents of adult life, not maintained as isolated centers for young people. Year-round education should provide sufficient flexibility to enable the student to spend much more time in a variety of activities not part of the traditional academic curriculum.

IV. Desegregation

Fourteen years after the Supreme Court ruled that school segregation is unconstitutional, too many of our nation's schools remain rigidly segregated. The proportion of Negroes attending all-Negro schools in the Southern and border states has declined since that historic decision, but the actual number of Negro students attending schools with all or nearly all Negro enrollments has actually increased. Where it reflects racial discrimination, this condition not only mocks our commitment to equality of opportunity, it sets an example of national lawlessness.

Under Title VI of the Civil Rights Act of 1964, Congress prohibited federal financial aid to any program or activity which practices racial discrimination. Implementing this Congressional mandate, the Department of Health, Education, and Welfare and other federal agencies have established guidelines for desegregation. *These efforts must be strengthened. The law of the land calls for elimination of racial discrimination in schools and the law must be enforced.* Full cooperation of responsible leaders is needed in the orderly application of these principles of a free society. Other programs recommended in this paper should expand opportunities for ending segregation.

V. Teacher training

Perhaps the single most important factor in assuring the strength of any educational institution is the quality and devotion of its teaching staff. Every analysis of educational needs sooner or later gets back to teacher education, both pre-service and in-service. Continuing teacher education is now essential.

The Education Profession Development Act of 1967 and the Teacher Corps provide the vehicle for rapid expansion of federal and state teacher training programs, but present budgetary restrictions have limited their current or potential usefulness.

We recommend a sharply increased effort in teacher training, through substantially expanded federal funding for these highly promising programs, so that all teachers may have regular opportunity to update their competence. At least 10 percent of the teaching force should receive in-service training each year, giving special attention to preparing personnel for slum schools. Similar training opportunities should be provided for school administrators and school board personnel.

The federal government can and should provide the necessary funds to support such an ambitious teaching education program. But the state and local communities must respond effectively to this federal initiative. Incentives should be provided for teachers to upgrade their skills, through provision of sabbaticals and increased salaries for teachers undertaking in-service training.

We must, of course, be willing to pay enough to attract into the teaching profession the most able and devoted young men and women. State and local education agencies should review teacher salary schedules regularly to determine whether compensation offered is competitive. The increased federal aid to education programs proposed, together with federal revenue sharing and similar plans, should alleviate some of the financial pressure on state and local governments and facilitate teacher salary increases. The teacher training program will provide an additional source of income for participating teachers.

VI. Education for jobs in a technological society

Ours is an Age of Technology, of accelerated rates of change in techniques—a great new era of prosperity for many, and of obsolescence for others. The general high school diploma is less and less an adequate preparation for the skills required by modern business and industry. It is no longer a ticket to success.

We must equip our citizens—and particularly our youngsters—for the highly skilled work of a technological society. The need is great:

Six out of ten young people do not enter college.

Five out of ten college students do not graduate.

More than 800,000 students annually drop out of high school before graduation.

One million high school graduates enter the labor force every June without a marketable skill.

Millions of underemployed youths and adults have unskilled, underpaid jobs. They are the last to be hired, the first to be fired, and never quite earn a living wage.

Yet, only one out of ten young people now benefit from vocational and technical education.

Today, the federal government is spending nearly $300 million to train youngsters through the Job Corps program. The poverty program expends another $400 million on training programs for adults. And we allocate almost an identical sum to train and retrain more than a quarter of a million others through regular manpower training programs.

These remedial programs are essential; they must be continued and expanded. But we must recognize that remedial programs are more expensive than doing the job right the first time. Our goal must be to make these remedial programs less necessary through quality vocational and technical education for all who need and want it.

We propose tripling vocational education enrollments within the next four years. This will mean a major investment in expanding institutions and arrangements for cooperative work-study programs in which earning opportunity is joined to educational experience and where both lead to specific jobs.

Government and school systems cannot do the job alone. Private industry must become a partner in this effort.

Industry must provide in-service training of its own employees and work with the schools in cooperative, part-time vocational education programs.

Business must also play a part in formulating curricula which are responsive to the requirements of available, skilled jobs. It must participate in overseeing school performance through advisory groups. It should cooperate in released-time programs for employees to return, part-time, for further education; and for supervisory personnel and skilled workers to share their skills with students as part-time teachers.

Last August, both the Senate and House of Representatives unanimously passed substantially similar bills which could revolutionize American vocational education. When enacted and properly funded, this legislation will provide the needed tools—substantial funds, provision for greater involvement and participation in our vocational education programs by industry, and more meaningful citizen participation in the processes of planning and setting policies through creation of national and state advisory councils to review on a continuing basis, the national, state and local vocational education programs.

VII. Equal access to higher education

Fulfillment of the national commitment to equality of educational opportunity requires equal access to higher education.

In a democratic society, access to education should be limited only by ability to learn, not ability to pay. In an increasingly productive and affluent society, higher education must be an individual's right, not a privilege. We cannot afford the waste of underdeveloped human resources entailed by a system which enables some to develop and fulfill themselves and others to languish.

We have made much progress toward universal higher education. Enrollment in our colleges and universities has *doubled* over the 10-year period 1957–1967. Estimates indicate that it will increase by more than 50 percent in the next decade.

Yet, this progress has been uneven. Certain minority groups—the poor, Negroes, Spanish-speaking Americans, Puerto Ricans and American Indians—have not participated fully. Only 8 percent of disadvantaged young adults are college graduates. And, for many middle-income families, the rising costs of higher education have become a severe burden.

Coincident with the soaring demand for higher education, our institutions of higher education have come under mounting financial pressure. The rising cost of educating students has created a large gap between tuition charges and the cost of instruction. The problem in graduate education is even more severe. Studies show that existing sources of support are not, and will not be, adequate. This situation has now assumed crisis proportions.

To meet it, we recommend:

An Educational Bill of Rights to guarantee every young person an opportunity to the maximum of his ability to benefit from occupational or academic post-secondary education. This program should provide scholarship grants, loans repayable out of future earnings, multiplied by advanced schooling, and work-study assistance to give the individual student effective choice in the selection of a college or university. The total amount available should be adequate to meet the cost of education.

Expansion of the Higher Education Facilities Act to provide a larger share of the capital funds required for construction. A massive increase in aid to higher education is essential to insure the vitality and growth of our colleges and universities.

Strengthened and extended graduate and professional education through provision of additional graduate fellowships and assistantships with more realistic costs of education supplements, strong support of research and continued development of research libraries and modern high-speed computer facilities.

Particular attention must be paid to critical financial problems of medical education. In addition, adequate funding for the International Education Act of 1966 is essential to support study of foreign cultures and world affairs—fields relevant to national needs.

Finally, student unrest points to the need for higher education to become more relevant to the social problems of our time. The great human and technical resources concentrated in our colleges and universities and must be made available to help combat poverty and discrimination in urban and rural America. Federal resources should be provided to help our universities mount programs to accomplish this objective through urban institutes, university extension programs, community service centers and other such activities.

VIII. Adult educational opportunity

An estimated 18 million Americans 18 years and over have less than an eighth-grade education; 7 million have less than a fifth-grade education, and 57 million have less than a high school education. For these Americans—the most susceptible to unemployment and the least able now to benefit from training programs—adoption of the improvements in our regular educational system recommended in this paper will come too late.

Yet, we know from experience that this problem can be dealt with successfully. But the present effort is meeting only a small fraction of the need. We recommend a substantial expansion of the Adult Basic Education Program to mount a vigorous national attack on illiteracy in America.

The time has come to go beyond basic adult education programs. The need for education does not end with completion of high school or college. The challenges and opportunities of the future require lifetime educational opportunity for:

The worker seeking to upgrade his occupational-professional skills to cope with changing occupational requirements.

The individual who would like to *renew* his life through a change of career after entering the labor force.

The housewife, educated or not, whose children have grown up and who is searching for personal fulfillment through study and work.

Those who want only the deeper sense of self-realization that comes with knowledge and understanding.

These objectives are widely shared—over 5 million people are enrolled in correspondence schools alone. The increase in leisure time which the future promises will create new opportunities for personal development, culture and the arts, and offer new challenges to our educational institutions. We must act now to make lifetime education a reality.

We recommend an Adult Opportunity Act to provide grants and loans for public and private continuing education programs. In particular, federal aid for development of adult education programs should be provided for our burgeoning community colleges. All resources and the latest educational technology should be utilized—television and radio, museums, libraries and other cultural institutions and facilities.

This 8-point program will not be cheap. But education is the best yielding investment in the future of America in both economic and human terms.

The new administration must carry forward with determination the dramatic legislative progress of recent years. We must now make the commitment to equal opportunity to excellent education a reality in the lives of our children.

A New Day: Toward Excellent Education for All America

(A statement by Vice President Hubert H. Humphrey)

Throughout a lifetime as student, teacher, parent, and public official, I have believed that education is the best possible investment we can make in the future of America, for the wisdom, growth, and happiness of our people, and the growth of our economy.

I have been a teacher of a younger generation. I have seen the wonder of young minds opened by education—discovering, exploring, expanding—the frontiers of human knowledge.

And I have seen here and all over the world the tragedy of wasted human talents and resources, when minds are closed by ignorance, when potential is paralyzed by lack of learning.

I want to put an end to that waste. I seek the office of President because I want to put all our vast and expanding resources to work so that every American child will have equal access to excellent education. In education, we can not compromise with excellence. Our future—the future of America—depends on it.

A nation's greatness lies in the strength of all *its* people; it is tested in many ways.

Our greatness is tested in the output of our farms and factories—in the wisdom of our laws and the *vigor* with which we enforce them—in the genius of our science—in the depth of our convictions—in the openness and good faith of our relations with other nations. But basic to the rest are the *capabilities* of our citizens.

Our nation's strength now and for times to come will be measured by the aspirations of our youth, and by the caliber of the schooling they receive. The strength of society is rooted in the freedom and quality of its education. Our Republic can be no richer than its teachers' minds—and its children's opportunities.

When his proposals for public education were defeated in the Virginia Legislature, Thomas Jefferson said, "Legislators do not generally possess enough information to perceive the important truths, that knowledge is power, that knowledge is safety, and that knowledge is happiness." We now know that legislators *must* possess that information.

In the past eight years, Democratic leadership has had the wisdom, for the first time in American history, to place education at the top of the national agenda.

In these eight years Democrats have enacted more than 50 laws to support education . . . from pre-school projects to graduate education—laws, benefitting more people, more than we passed in the entire prior history of the Republic. Because of Democratic aid to education programs, the federal investment in education today—over $12 billion for this year alone—is five times as great as it was in 1960: the last Nixon-Republican year. And we have accomplished this despite consistent Republican opposition, in the face of fears that blocked progress for more than a century.

I fought hard for these laws—which have touched the lives of millions. This year alone, they have meant a chance in life through Head Start for over 700,000 pre-schoolers, special help for 9 million disadvantaged children; millions of books and other materials for nearly every school child; grants, loans, and work-study assistance that helped 1.4 million young people who might not otherwise have gone to college; aid for more than half the nation's colleges and universities; and research grants that have improved the whole process of education.

I am proud of these historic achievements. They are a momentous beginning. But there are still serious educational deficiencies—denying to some Americans what should be the birthright of each American: an excellent education and a chance to be all that he is capable of becoming. We need more pre-school opportunities—like Head Start; we need more opportunities to catch up for all under-achievers from all parts of the community; we need better and more relevant vocational and technical training for students who do not go on to college; and we need to make possible a college education for anyone capable of it and who wants it, regardless of his parents' income.

The Humphrey-Muskie program for education has two clear and firm objectives. First, we will fulfill the promise of existing legislation. Second, we will move forward . . . building . . . improving our system of education.

It is time for us to match the high promise of the past eight years with greater performance in the future. We now have a firm foundation for progress. Our immediate challenge is to mobilize and assign the needed resources.

The Humphrey-Muskie Administration will also build with new ideas. More of the same will not be enough. We must expand our very concept of education—and of schools.

Education is not just what happens in a school building during a fixed period of time—or for a few years early in one's life. It is the rich and varied experience of life itself—and it should continue throughout a person's lifetime.

We must break down the walls which separate our schools from the "real life" outside—walls which have made education seem irrelevant to many of our students. We must have open schools—open to all ages:

Elementary schools, open to the family . . . the community . . . and to younger children, opening new opportunities, hopes and visions;

High schools and vocational schools open the year-round—to bridge the gap between work and school; to enable students to work as well as study; and to involve the adult community fully in the lifelong process of education.

Colleges and universities open to community service as part of the curricula to meet the deep commitment of our young people to experience and involvement.

Community colleges and other institutions open to the needs of adults who seek to renew their lives through education.

All schools open to the community which surrounds them so that families may see the local school as a place for common participation and involvement—as a family.

The Humprhey-Muskie team believes the American people can be truly excited by the prospect of open schools—open to all. We see the process of education as never-ending, involving people of all ages, offering to America a priceless opportunity to achieve a new enthusiasm for life and a rededication to the principles of a free and democratic society.

We intend to seize this opportunity.

Today, I am releasing a comprehensive report of my Task Force on Education—a report which charts a specific Plan of Action to give every American access to excellent education. As President, I intend to carry out this plan with every resource at my command.

We are secure in our knowledge that education is basically a state or local responsibility, and should remain so. But there must also be a federal contribution to an American system of education serving all our people.

Here is my agenda:

First, I propose to strengthen Federal support for all education.

We must have an increase in our overall investment in education, and we know that Federal help is essential. Without it, we cannot assure each child that the quality of his education will depend only on his ability and will, and not on the accident of where he was born or lives.

We must narrow the range of per student expenditures on education among the states, and within the states. We must share the cost of educating poor and handicapped children. We must increase support for higher education, where there is a mounting financial crisis.

We must mobilize our research and development resources so that we can improve the whole range of educational activities.

It is now time for bold and innovative thinking. We have just begun to tap the resources of instructional television (ITV). There is now no adequate curriculum for ITV and most school systems lack the necessary equipment to use it effectively. We must explore ways to bring experts and master teachers to any individual school system by television—"a million dollar faculty" for the three room school house of Appalachia.

We must explore other frontiers, as well: soon many schools should have access to computers to assist in education. We are not talking of increasing the number of teaching machines, but of well-programmed and carefully designed curricula which supplement rather than replace, the essential human element: the teacher.

To get the greatest benefit from our dollars, we must streamline and coordinate Federal programs through efficient administration, effective performance and constant evaluation of results. This is a complex but most important job. In carrying it out, I want to hear from those who deal with these programs—state and local officials and, especially, the teachers in our classrooms. I have called for an Open Presidency. In education, I will create a Council for Education to provide for meaningful participation of all those involved in education—teachers, administrators, parents.

Second, the Humphrey-Muskie Administration will work to extend preschool education to every child in America.

It has been estimated that 50% of the child's learning capacity is set by the age of 4 and 80% by the age of 8. If a child is to develop to the fullest of his potential, he must be afforded full opportunity and stimulation to learn in his earliest years.

Despite the vital importance of preschool education, only a small percentage of the 13 million children ages three through five are now given a head start in life.

Our first goal must be to extend Head Start to the more than 2 million poor children in this country. Today, less than a third of them are given this help in their formative years.

But as we respond to the urgent needs of the poor, we must not forget our responsibilities to all American children. There are no preschool programs available for the children of most American families. And even when there are programs, they are far too expensive. Too many families must either deny their child this important opportunity or endure serious financial sacrifices.

To meet this urgent problem, I recommend that we take steps now to insure that all American families are able to give their children the finest preschool education possible. Initially, we must extend Head Start for all poor children ages three to five. Once that is accomplished, we must provide preschool opportunities for all children in this country.

I believe that we should set that as our goal and resolve now that by 1972, just four years from now, every American child will have an opportunity to attend a preschool program.

Third, the Humphrey-Muskie Administration will mount a massive and comprehensive effort to bring equality of educational opportunity to the poor or handicapped child. We must reconstruct his social and intellectual environment—to make up through education for the many disadvantages he has suffered—and help him acquire the skills he needs with words and numbers.

We will need:

Effective follow-up on pre-school education, through special programs to improve reading skills, the key to all educational attainment, through incentives to attract highly qualified teachers to work with disadvantaged children, and through advanced educational equipment and individualized learning.

Programs for new school construction and operating funds to improve the quality of education in metropolitan and rural areas.

Schools which serve as vital centers of community activity; school systems which strengthen community ties with the schools and encourage real participation by parents.

Fourth, I believe the time has come for creative, year-round education. This is, of course, a matter to be decided by our states and communities. But the Federal government should help school systems convert to full-time education. We will start with schools that serve disadvantaged children.

Twelve months of the "same old thing" will not do; we need imaginative and relevant year-round education covering a wide range of activities—including work experience, community service, recreation, remedial training, culture, and the arts.

For the past four years, as Chairman of the President's Council on Youth Opportunity, I have worked with local school districts in designing new, experimental programs for disadvantaged children during the summer months. Almost everywhere, these special programs have been highly successful—both in evoking enthusiasm and stimulating learning among young people.

I believe the lesson is clear: where education is relevant to life—where students are truly challenged through good teaching and exciting curricula—learning—staying in school—is no problem.

We must expand these experimental programs on a year-round basis, for all children.

Fifth, Desegreation is not only the law of the land, but it must also be an accomplished fact. I will support all efforts to implement Title VI of the Civil Rights Act of 1964.

The Congress has acted; the courts have spoken; now, the President's duty is to implement the law. 20 years ago, I called for equal opportunity; and I call for it now. I believe that most of our states want to play a new role of leadership in removing discrimination from our schools. We must encourage them to do so—and work to strengthen the ability of the states to proceed in an orderly and constructive manner.

Sixth, I propose that we expand substantially our teacher training programs. Fulfilling the education needs of our citizens depends on the quality of education for our teachers and on the training of the staffs of our schools. Our educational system should bring at least 10 percent of the teaching force up-to-date in knowledge and methods each year, through opportunities for in-service education.

We must attract the very best people in America into teaching. Through this and other proposals which I have made, I hope that we will see a marked increase in the salaries of those who pursue this vital work.

Seventh, I propose to triple the number of students in vocational education, and greatly improved the quality of opportunities available in it. The landmark Vocational Education Amendments of 1968 give us the tools to do this job: they give us the funds; and they lead us to a new partnership among government, school systems and private industry. We must bridge the world of work and education through cooperative, part-time work-study programs in which work and education are joined.

Eighth, we must guarantee to every young American full opportunity for higher education, limited not by ability to pay, but only by ability to learn. I propose a new Educational Bill of Rights which would provide our young people with scholarship grants; loans that they can repay out of their future earnings which have been multiplied by advanced schooling, and by work-study programs; and with opportunities to benefit fully from academic or vocational education beyond secondary school. In this effort, we will seek not only to bring opportunities to low-income families, but to reduce the heavy and rising educational burden borne by Americans in the middle-income brackets.

The Humphrey-Muskie Administration will take positive steps to reduce the financial squeeze on middle income families—whose children do not qualify for scholarships on the basis of financial need, but who find it increasingly difficult to bear the sharply rising costs of a college education.

But expanded opportunities for higher education will not solve the deepening financial crisis confronting our colleges and universities. The cost of instruction exceeds tuition charges at both the undergraduate and graduate levels. We must have a massive increase in aid to higher education through adequate financing under the Educational Bill of Rights and an expanded higher education facilities program. The vitality and growth of our colleges and universities depend on it.

Finally, we must mount a vigorous nationwide attack on illiteracy in the United States through an expanded Adult Basic Education program.

But we must go beyond basic programs of adult education. I propose an Adult Opportunity Act to provide grants and loans for public or private programs—especially for our burgeoning, community colleges—to help adult Americans to continue their education. The challenges of the future require lifetime educational opportunities for men and women who want to change careers, to improve their skills and talents, to develop new ideas, or simply to study for the pleasure of it.

In the New Day, we shall go forward to make excellent education a reality in the lives of all our children—and for an ever-increasing number of adults.

We can do all these things . . . if we have the courage . . . and the wisdom.

The price of excellent education will not come cheap. We must be prepared to pay that price. We must earmark a portion of our Nation's vast resources to pay for this basic resource of the people. In the years ahead, our Federally owned oil shale deposits may be successfully exploited, opening up billions of dollars in resources. When this occurs, I propose that Federal revenues be earmarked as a trust fund for education. We must imaginatively seek every means of continuing support for our most vital human resource—an educated people.

TRIBUTE TO VICE-PRESIDENTIAL CANDIDATE MUSKIE

Mr. McGEE. Mr. President, the distinguished Senator from Maine [Mr. Muskie] continues to add stature and responsible dimension to the current political campaign.

As many hecklers can personally attest, Ed Muskie has not bowed to them, nor has he intimidated them—or threatened them—or placated them. He has met the issues of the day head on, with candor and good old-fashioned New England honesty.

Ed Muskie's performance in this campaign has contributed much to raising the level of political dialog to its proper respective place in a democracy. He is a credit to his colleagues, to this body, and to this country.

Mr. President, a column by William S. White, published in the Washington Post of October 14, has paid proper tribute to Ed Muskie's performance. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Whatever the Outcome May Be, Ed Muskie Is Bound To Win

(By William S. White)

There is one participant in the presidential campaign who cannot lose, no matter how the voting may go in November. Edmund Muskie has got it made, whichever way the ball may finally bounce.

That Richard Nixon is "The One" among the Republicans is the obvious standard operating procedure. But the curious fact is that among the Democrats it is Muskie, the vice presidential nominee, and not Hubert Humphrey, the head of the ticket, who is becoming "The One"—and this with the full consent and even the cooperation of Humphrey himself.

Ed Muskie's success story, indeed, is without example in our politics. Humphrey chose him as his running mate at a Chicago Democratic convention of unhappy memory for pretty routine reasons. His colleagues of the Senate knew him for a man of ability and poise, if with very little gift for attracting favorable headlines. But nobody else did. His home State of Maine was clearly no glittering prize in electoral votes. But there was one thing about Muskie, and at that time actually only one, that critically mattered then. This was the circumstance that he was of East European (specifically Polish) descent and the Russians had just attacked an East European country called Czechoslovakia.

Muskie was put on the ticket in short, primarily because he was presumed to have "ethnic appeal" to large minority groups in the big industrial states at an hour when that sort of appeal was deemed doubly necessary.

Still, if art imitates life, life sometimes turns about and outdoes both political art and artifice. This has been the case with Edmund Muskie. First off, he astonished the perceptive among a convention that knew him not by a brilliant acceptance speech which, though hardly noted outside the convention hall in the steamy running crises of Chicago, was not wholly overlooked as a token of things to come.

For as the campaign progressed Muskie proved that his achievement at Chicago was no one-shot job. As a stump speaker he moved from calm triumph to triumph; even the campus hippies began, here and there, to allow him grudging half-respect. A tall, gangling man, he showed an improbably Lincolnesque touch; this scion of an immigrant family began somehow to look more Yankee than the Yankees. And as it turned out, his own capacity and political sophistication were highlighted again and again by the political errors of his opposite number, Spiro Agnew, the Nixon running mate.

Thus, the man nobody really knew at the start progressively became the man nearly everybody was talking about. The hard-pressed Hubert Humphrey, frantically seeking sources of strength whenever and however he could find them, got the message without difficulty. Now, the head of the ticket who is Humphrey is speaking of his second man as his "greatest asset." President Johnson is helping along by contrasting the undeniably savvy Muskie with the solid and courageous but undeniably less savvy antagonist who is Agnew.

The long and short of it is that Ed Muskie has become in some respects the biggest gun in the Democratical arsenal and in some respects is overshadowing his chief in this contest.

Now, all this does not mean that the Humphrey-Muskie ticket is going to win; the probabilities seem to be quite otherwise. But it means a great deal all the same. It means that win or lose in the official sense, Muskie will come out of this campaign incomparably bigger than when he entered it. Even assuming a Nixon-Agnew victory, Ed Muskie will return to the Senate with national credentials that will not be overlooked. He will, as the saying goes, "be heard from" in that place. He will at the very minimum be well on the way to high leadership there.

MICHAEL A. MUSMANNO

Mr. SCOTT. Mr. President, Pennsylvania and the Nation this weekend suffered a great loss in the death of Michael A. Musmanno, justice of the Pennsylvania State Supreme Court.

It seems somehow significant that Mike Musmanno died on October 12, Columbus Day, because this very distinguished American of Italian descent was instrumental in our designating Columbus Day as an American national holiday.

Mike Musmanno was born in Stowe Township, Allegheny County, Pa., in 1897. Since he was one of eight children, he had to work and work hard for everything he got in life. He labored in coal mines and steel mills, worked his way through George Washington University, and got his law degree from Georgetown University.

He was elected a member of the Pennsylvania General Assembly in 1928, the start of a long and distinguished career in government, which culminated with his service on the Pennsylvania bench.

But Justice Musmanno's influence far outran his legislative and judicial service. He volunteered his services in the Sacco and Vanzetti murder trial, presided as a judge at the Nuremberg war crimes and testified for the prosecution at the Eichmann trial in Israel.

Judge Musmanno's reputation was indicated by a telegram sent by Yissakhar Ben-Yaacov, the Consul General of Israel in Philadelphia to the State supreme court Chief Justice John C. Bell:

> I am deeply mourning with you, all Pennsylvanians and the rest of the American people, the death of Justice Michael Musmanno, a great and noble son of the American Nation and distinguished friend of the Jewish people who witnessed the tragedy of our holocaust, stood most vigorously behind us in our struggles for survival and supported the just cause of Israel in every stage of its rebirth and development.

Judge Musmanno made important contributions to the Congress interest in Columbus Day as a national holiday. He testified before committees of the Congress and provided me with information that was helpful in the cosponsorship of that legislation, which is now the law of the land.

The most distinguishing feature of Mike Musmanno was his deep and abiding love for the United States. His contributions to this country were made with the deep desire to improve the land he loved. Wherever he went around the world, his participation in humanitarian affairs was an ornament to America's reputation.

Although he is no longer with us, his reputation and devotion will have left a mark on all of those who were privileged to know him.

AGRICULTURAL POLICIES AND FARM PROGRAMS OF RICHARD M. NIXON

Mr. MANSFIELD. Mr. President, on behalf of the Senator from New Mexico [Mr. Montoya], who is necessarily absent, and at his request, I ask unanimous consent to have printed in the Record a statement prepared by him, including a letter and a speech.

There being no objection, the items were ordered to be printed in the Record, as follows:

Statement of Mr. Montoya

Mr. Montoya. Mr. President, nearly three weeks ago, on September 26, Secretary of Agriculture Orville L. Freeman addressed a letter to Richard M. Nixon seeking to determine the position of the Republican candidate for President on agricultural policies and his plans regarding farm programs if he is elected.

Secretary Freeman believes, and rightfully so, that the Republican standard bearer should set forth in detail his plans for Rural America rather than asking the nation's farmers to support his candidacy with no knowledge of his views on farm matters.

The Secretary of Agriculture feels that this issue of Nixon's farm views is doubly important because the GOP candidate for President was part and parcel of the ruinous Benson farm Administration of the Fifties.

Therefore, Mr. President, Secretary Freeman again, on last Friday, October 11, addressed another letter to Richard Nixon asking him six specific questions with regard to his position on the farm programs for five major crops and on legislation relating to farm bargaining power. Freeman has stated that he will continue to prod Nixon into outlining his agricultural views before the election in order that farm voters be advised of what the GOP candidate stands for before they go to the polls.

Because this matter is of most urgent importance to farm families, I am inserting at this point in the Record a copy of Secretary Freeman's October 11 letter to Mr. Nixon. Following the letter I am inserting a copy of a speech delivered by Freeman on October 11 in Sikeston, Missouri, in which he disscuses the refusal of Nixon to discuss his views on agriculture. The Secretary also sets forth the record for the past 40 years which shows that the American farmer has prospered under Democratic Administrations and suffered under Republican rule.

The letter and speech follow:

Department of Agriculture,
Office of the Secretary,
Washington, October 11, 1968.

Hon. Richard M. Nixon,
Nixon for President Committee,
Washington, D.C.

Dear Mr. Nixon: Your failure to reply to my letter of September 26 asking what you would do about farm programs is disappointing to me and a disservice to every American farmer.

These men and women want and deserve better from a man who wants to be President than cliches and vague generalizations as they prepare to make a decision crucial to their future on November 5. They don't want to know what you might *want* to do. They want to know what you *would* do, and how.

Thus far, the only response to my letter asking, on their behalf, what you would do and how has been a two-page diatribe from your National Farm Advisory Committee,

apparently galled that anyone would have the temerity to even ask such questions.

May I then once again ask you to answer responsively six direct, specific, important questions:

How would you change the wheat program? Or would you repeal it?

How would you change the feed grains program? Or would you repeal it?

How would you change the cotton program? Or would you repeal it?

How would you change the rice program? Or would you repeal it?

How would you change the tobacco program? Or would you repeal it?

How would you change the Administration proposal to strengthen farm bargaining power introduced by Senator Ellender in S. 3590?

Sincerely yours,

ORVILLE L. FREEMAN.

ADDRESS BY SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN UNDER THE AUSPICES OF THE COMMITTEE FOR THE PRESERVATION OF FARM PROGRAMS, SIKESTON, MO., OCTOBER 11, 1968

I have come to this great agricultural country to ask you to join with me in a great, all-out effort to save our farm programs.

I have been fighting for farm programs for more than 20 years, now, starting within a few months after I took off my Marine Corps uniform and entered public life as State Secretary of the Democratic Party of Minnesota.

I fought for programs as Secretary of my party, and later as Chairman of my party. I fought for them during my three terms as Governor of Minnesota. And I have fought as hard, as skillfully as I could during the eight years I have been Secretary of Agriculture.

For many of you, the fight for farm programs is nothing new. You were battling for them when I was still in knee pants . . . way back in the 1920's when McNary Haugen was a household word in most farm homes.

You had learned the hard way that you had to have Government farm programs in order to survive unpredictable weather, insect infestation, plant disease, and the uncertainties of a market dominated by speculators and great concentrations of economic power.

Today, farm programs are threatened as never before. The last session of Congress made that dramatically clear. Of the 435 Representatives in the 90th Congress, only 47 represented districts having 20 percent or more farm population. And fewer than one of three Congressional districts has even as much as 10 percent farm population. This should give you a clear picture of how farm influence **is diminishing in the Halls of Congress as the population becomes more and more urbanized.**

This is why this election is so important to the American farmer. Without a strong President who will fight for farm programs it will be impossible to extend them when the Food and Agriculture Act of 1965 expires in June of 1970.

I know whereof I speak, and I know it from deep personal experience. Under Democratic Administrations, we have passed six major farm bills since 1961. None would have passed without the strong support of two Presidents who persuaded Democratic city Congressmen to vote for them.

Need I remind you that there will be another Federal census in 1970, and that this will be followed by Congressional redistricting that may further diminish farm representation in Congress?

That is why your choice for President is of such crucial importance this year. That is why every farmer should make it his personal business to determine where the respective candidates stand on farm programs. That is why every farmer should demand specific details of the candidates' plans for agriculture.

To this end, I have come here to ask you to join me in a letter writing campaign.

The farmers of this country know where Hubert Humphrey stands on farm programs. They are entitled to know where Richard Nixon stands . . . and so far he has not told them.

On September 26, after waiting throughout the primary campaigns and the summer months and the early weeks of the fall campaign for Mr. Nixon to speak out on agricultural issues, I wrote him a letter.

In it, I asked him seven simple, direct, and crucially important questions:

"How would you change the wheat program? Or would you repeal it?

"How would you change the feed grains program? Or would you repeal it?

"How would you change the cotton program? Or would you repeal it?

"How would you change the tobacco program? Or would you repeal it?

"How would you change the rice program? Or would you repeal it?

"How would you change the wool program? Or would you repeal it?

"How would you change the Administration proposal to strengthen farm bargaining power introduced by Senator Ellender in S. 3590?"

Then I went on to say: "I am asking these question in the name of the American farmer. They expect and deserve answers."

Earlier this week I got a rather intemperate letter from Mr. Nixon's argricultural advisory committee co-chairmen that blustered on for two pages but never even approached answering the points I'd raised.

And to date I have not had a reply from Mr. Nixon himself. I can't say I am surprised.

His silence is typical of his campaign. Smile. Project sincerity. Use such "say nothing" words as "dedicated efforts," "vigorous expansion," "increased emphasis," "particular attention" and "encouragement."

But nowhere that I have seen has he come to grips with the basic problems and the basic programs.

Instead, you get the kind of gibberish exemplified in this paragraph from the major agricultural position paper he issued in Des Moines, Iowa, on September 14, 1968. Listen to this, will you?

"It is far more important than the details of individual programs for farmers to be certain of the basic honesty—the believability—of an Administration and of its economics of agriculture. With a leadership in Washington that is responsible and candid—a leadership eagerly responsive to the needs of rural people—the details of programs will fall into the right pattern . . ."

Now what does he mean by this? You tell me. Of course, no one knows.

Is he asking you to put your blind trust in him? To do so is as foolish as going back to the tractor dealer who sold you a lemon 16 years ago and proceeding to buy a new model by the same old manufacturer.

Yet how else can we interpret what he's said?

A couple of weeks ago in California he said: "I don't have any instant answers (to farm problems) . . . but I do have an open mind. I do have a lot of fine advisers and we're going to find the answers in the next four years."

Well, as nearly as I can calculate it, that means Richard Nixon is going to require a minimum of 20 years to make up his mind on what to do about American agriculture!

He had eight years as Vice President to work with Ezra Taft Benson, and he couldn't come up with any answers. He's had eight years since getting ready to run for President, and he hasn't come up with any answers. And now he says he'll find those answers in the next four years!

Are you going to wait 20 years for Richard Nixon to answer you?

The only alternative is to try to smoke him out. If we try—and he continues to refuse to answer us—then we can be certain that a vote for Nixon is a vote against farm programs.

Well, I would like to suggest tonight that we organize a *"prod squad"* to prod some answers out of the Republican candidate for President.

And I suggest that we do this by starting a letter campaign.

Today I wrote Mr. Nixon another letter, again demanding answers to the basic questions I asked him in my first letter.

I am now asking all of you here and every farmer in America to write Mr. Nixon and ask him the same specific questions.

Maybe if we hit him with enough mail bags we'll finally get his attention.

But I doubt it. I think we'll still be waiting for his answers on election day.

Richard Nixon refuses to answer questions on farm issues, because he doesn't think he has to answer. He's taking America's farmers for granted . . . and it's as simple . . . and as insulting . . . as that!

Well . . . how long are you going to let him get away with this insult to your intelligence?

How can you put your blind trust in a man whose entire farm record has been negative? A man who knows so little about farming that he tried to plow a straight furrow with a corn picker a few weeks ago in Des Moines.

Let me ask you a few questions to refresh your memory:

What Vice President broke a Senate tie by voting to eliminate 90 percent supports for millable wheat?

If you don't remember, it was Richard Nixon.

And who voted against a $250 million appropriation for REA? Richard M. Nixon.

And who voted against 90 percent of parity supports for wool? Richard M. Nixon.

And who voted against expansion of TVA? Richard M. Nixon.

And who voted against legislation to aid the rural telephone service? Richard M. Nixon.

And who was on record to decrease soil conservation funds? Richard M. Nixon.

Yes sir . . . Nixon's the one all right—the one who undercut agriculture and rural America and the one who's asking you for a chance to do it again?

And now let me ask one more question:

Who, two weeks ago, gave his blessing to the House Republicans who blocked the Senate-passed four-year extension of the Food and Agriculture Act of 1965 that embodies our basic farm programs and limited its continuance to a single year?

You guessed it. *Richard M. Nixon!*

And why? Because Richard Nixon and his fellow Republicans think they can buy time—and your votes this fall—by agreeing to a one year extension of a law they *know* they can kill or change once they are in office. And that is exactly what they plan to do. Otherwise they would answer our questions instead of ducking them.

The Food and Agriculture Act of 1965 was one of the greatest farm acts every passed. It followed on the heels of the democratically-sponsored and passed voluntary grains programs of the early Sixties, the Food and Agriculture Act of 1962, the Wheat Cotton bill of 1964 and it combined the wisdom gained from 30 years experience in farm legislation. It gave us a comprehensive program covering wheat, cotton, wool and feed grains, price and income supports, and the acreage retirement programs we needed to adjust production to effective demand.

In combination with the earlier legislation enacted since 1960, this great law—carried out with increasing effectiveness and cooperation—has made it possible to:

Eliminate the price-crushing surpluses of the Fifties. Commodity Credit Corporation inventories are down to less than a billion dollars, the lowest since 1953.

Increase farm exports by 40 percent. Exports now amount to nearly $6½ billion a year.

Raise net farm income about 30 percent.

Boost total farm assets to $283 billion, up $80 billion.

Hike the total of farm proprietors' equities to $233 billion, up $54½ billion, and the total value of farm land and buildings to $194 billion, up $64 billion.

The total value to farmers of 1967's wheat production—including certificates—was 37 percent greater than it was in 1957, while the value to farmers of last year's feed grain production—including government price support and diversion payments—was 41 percent greater than a decade ago.

A quick look at how this versatile program has operated in the boot heel of Missouri is in order:

Let's look at cotton, for example. For three years now, you've had some extremely bad growing conditions. But because of the new cotton program, many growers were saved from financial ruin. In 1966 and 1967 Missouri cotton producers earned $44.2 million in price support and diversion payments. Without the direct payment feature, where producers earn payments even with a crop failure, many growers would not have survived the poor growing seasons.

For the long pull, the future for cotton growers is much brighter because of progress made under the program in the last three years. Surpluses are gone. The price support loan level makes cotton competitive in the world export market. And the market price plus price support payments assures growers a fair return for the domestically-consumed share of their crop.

Similarly, the direct payment features of the feed grain program have increased income to Missouri farmers—in the amount of nearly $500 million in the past seven years.

Soybeans are also an important crop here, as well as throughout the nation. Farm income from soybeans has more than doubled since 1960—up from $1.1 billion to $2.4 billion. The increased income has resulted from two factors—the price support which we raised from $1.85 to $2.50 per bushel and increased production.

Unfortunately grain prices are down today. I'm as unhappy about this as you are. But I *can* tell you now that they're going to rise again. And they're going to rise because grain farmers are *using* the program.

I think the question that puts the matter of today's disappointing grain prices into proper perspective—*and puts the burden of proof on the anti-program people*—is this:

When crops all over the world turn out to be bumper crops—as they have in the past two years—we simply can't avoid an excessive supply and a resulting downward pressure on prices . . . but what would the situation be *without* farm programs?

Many public and private institutions have made exhaustive studies of the impact of farm programs and what their discontinuance would mean to the farm economy. The overwhelming majority of these studies conclude that in the absence of farm programs farm prices would drop precipitously and farm income would fall by a third or more.

Should that unhappy situation continue for long, the family farm system in America would be irreparably damaged and agriculture would soon be dominated by huge corporate farming operations that have the economic staying power to survive.

This would be tragic. I firmly believe that the family farming system is the most efficient system . . . and the best system for the health and vigor of Rural America . . . and can continue to be with farm program help.

Measured against total agricultural production, our family farms today produce a greater percentage of that total than they did when I became Secretary of Agriculture. They are larger operations than they were eight years ago, it is true, but they have remained family farm operations.

So much for the long-range overview of what would happen if farm programs were discontinued. Now let's look at a more immediate consequence. What would grain prices be today if we *didn't* have farm programs?

I put that question to our economists, and this is what they said: Without programs, feed grain crops would be 20 percent greater, wheat crops 15 percent greater—and prices more than a third lower . . . about 60 cents a bushel for corn and 70 cents a bushel for wheat.

What's worse, we couldn't do a thing about reducing output to strengthen prices next year! But because we *do* have programs, farmers can help themselves weather a temporarily glut-depressed market. They can reseal their grain and carry it over to the following year—when the program is adjusted to increase acreage diversion, reduce supply and halt carryover build-up. And that's just what they're doing.

The 113,466 loans made through the end of August were more than 3 times the number a year ago. Of the earlier harvested grains, more than 2½ times as much wheat, nearly 8 times as much barley, and nearly 5 times as much oats went under support as did a year ago. This means that substantially larger quantities are being withheld from the market this year than last. But, it has not yet been enough to do the job.

The market is watching grain under loan figures more closely than at anytime in several years. I believe that the 200 million bushels of wheat now under loan from this year's crop will increase substantially during the remaining several months of the loan period. But to prevent delay in the market's reaction to farm withholding, I urge all farmers who can do so to put their wheat under loan as soon as possible.

We now have more than 500 million bushels of wheat off the market under current and reseal loan and in the CCC inventory. It isn't going to take much more to make the market take another look at the free supply situation.

Corn and soybeans from this year's crop are beginning to come out of the fields. Both will be big crops. Both will face harvesttime price problems. To improve prices, farmers will need to convince buyers and the market that they are going to be tough bargainers. The best way for producers to do this is to start early and withhold large amounts under loan. They couldn't do that without our farm programs.

On another front, dairy and egg prices are better now than they were a year ago. Cash receipts by dairymen totaled $5.8 billion last year—up more than 25 percent from 10 years ago. Cash receipts from poultry and egg sales hit over $3½ billion—up 18 percent from a decade ago.

Let me point out, too, that despite the income turndown from 1966, net income per farm in Missouri last year was 33 percent above what it was in 1960.

When I tell you Missouri's net per farm income is up 33 percent in 8 years, I'm talking averages. I know that not every Missouri farmer's income is up that much. I know some have had a drop in income. And I know you can't seat statistics or pay off a bank note with them.

But as a Nation, we must try to measure where we are, and so I must turn to professional career economists and statisticians to determine trends. These trends are expressed in totals and in averages . . . rather than in individual statistics for each of our 3 million farmers.

And these records show clearly that the trend since 1960 has been—with but very few setbacks—up! And I know it's going to continue up if we can keep and extend the legislative tools we've forged in eight years and improve them as we go along.

Now I've cited the record to you to show that we *have* made progress—not as much as we'd like—but solid, real, substantial progress in the past 8 years under the farm programs Democrats have put on the books. We are on the way to our parity of income target. If we hold and improve our programs, I'm confident we can make it.

Now Mr. Nixon would like to ignore this record. He'd like to sweep it under the rug along with the record of the Nixon–Benson years so that no one will make comparisons.

But I'm not going to let him do that. And I hope you won't. I'm not going to let him talk about "freedom from Freeman" unless he also admits to his part in farmers going "busted under Benson."

And they did!

From 1952 through 1960, net farm income fell 17 percent. America's farmers suffered a cumulative loss in net income of $17.7 billion in those eight years!

In the same period, farm surpluses piled up to the sum of more than $8 billion, and taxpayers had to pay more than $1 million a day in handling and storage fees. And those were the years when you—the American farmer—were mercilessly plastered with the label "public parasite."

No wonder Mr. Nixon doesn't want to talk about this.

But the real wonder is that anyone should have been surprised by what happened to agriculture under Nixon and Benson. It merely followed the historical pattern.

Those farmers who elected the Republican Administration in 1952 had forgotten what happened to them the last time they fell into Republican hands.

By 1932, after 12 years of Republican rule, agriculture was prostrate. That year saw the smallest cash farm income in the history of record keeping—less than $4.5 billion. Per capita cash net farm income was down to $75. Average farm prices declined 55 percent in four years. And the farmer's purchasing power in 1932 was 40 percent less than it was in 1929.

Then, just as in 1960, it remained for the Democrats to pick up the pieces and put agriculture together again. The Democrats of the Thirties did it with the Agricultural Adjustment Act of 1933. The Democrats of the Sixties did it with a series of laws culminated by the Food and Agriculture Act of 1965.

And I shouldn't have to tell you that the Democrats of the Sixties had to start from 10 yards behind the starting line. Don't forget that when Harry Truman left office in 1952, farm income stood at $14.1 billion. When Richard Nixon's party left office in 1960, net farm income stood at only $11.7 billion.

We had to make up that loss before we could move ahead. Well, we've made it up. This year net farm income will top $15 billion again.

No . . . I'm not satisfied with this. Neither is Lyndon Johnson. And, most assuredly, neither is Hubert Humphrey. We want . . . just as you want . . . full parity of income for the farmer. *But you won't get it with Richard Nixon!*

Now this is likely the last time I will address a farm group in Missouri as Secretary of Agriculture. I'm leaving government, as you may have heard, on January 20 to enter private business.

In the eight years that I have served as your Secretary of Agriculture, I have always tried to level with you . . . even when the truth hurt. If I have ever gone astray and misled you, I can promise you that I did not do it deliberately. I have always tried to tell you the truth as I saw it. And I'm doing that again tonight.

If ever I was certain of one thing in my life, it is this: Hubert Humphrey is your friend. He will stick by you in a time when farmers need every friend they can get . . . in a time when city votes in Congress are needed to put farm programs into action . . . in a time when only a President with a commitment to your cause can get those city votes.

Hubert Humphrey has that commitment. His record proves it.

From the time he entered the Senate in 1949 he has consistently voted for higher farm price supports . . . for REA funds . . . for conservation funds . . . for rural development funds . . . for more help to the rural poor . . . and for expanded world trade.

He conceived the idea of Food for Peace.

He is the father of the Food Stamp Program.

He originated the concept of Area Development.

He has pledged his wholehearted support to extension and improvement of the farm programs that in eight years have pulled American agriculture out of the mire churned up by a floundering, stumbling, fumbling and feeble Nixon-Benson Administration.

And he has now promised you that if he is elected farmers will be represented on the highest councils of the land to insure that agriculture gets its right and proper treatment as the greatest of all industries.

Now I haven't said much about the Third Party candidate tonight. I am told that many of you in this great part of Missouri have indicated that you may vote for George Wallace. That, of course, is your privilege as free Americans.

But before you vote for a third party candidate, please think twice. Never in the history of this Nation has a third party candidate been elected President.

If you take a careful look at the situation in all 50 States, you'll soon discover that George Wallace is running a poor third in the big States with the big electoral counts. Because of this, no competent election analyst foresees a Wallace victory. Despite what Wallace says and despite the fact that he is drawing large crowds, it just isn't in the cards for him to win.

So the truth is, a vote for Wallace is a vote wasted unless you're only seeking the personal satisfaction of registering protest.

And as a practical matter, any Missourian who casts his vote for George Wallace next month is *not* voting for George Wallace . . . he's voting for Richard Nixon! Every Wallace vote cast will subtract one vote from Hubert Humphrey . . . and enough of those votes will swing Missouri to the Nixon column. Missouri could well make the difference in this election, because I'm convinced it will be that close.

Is this what you want?

You have but two legitimate choices on November 5. And if you're genuinely concerned about your farm, your prices, your income, yourself and your family—and the world we live in—you have but one choice. And that choice is Hubert Humphrey!

I've touched on a number of points tonight, some more complex than others. But I'd like to leave you with one simple, uncomplicated fact that I hope you and your family consider again and again and again between now and the first week in November:

Fifty eight years ago, the Federal Government began compiling careful statistics about farm prices and farm income.

In the nearly six decades since, farm income has gone *down* every time a Republican Administration has come into power . . . and has gone *up* every single time a Democrat has succeeded to the White House.

A simple, uncluttered, uncomplicated fact that not even the Dale Carnegie version of the "new" Richard Nixon can ever explain away.

Think about this, will you? And tell it to your neighbors.

Thank you and good night.

SENATOR HICKENLOOPER

Mr. MUNDT. Mr. President, words of farewell to a retiring Senator are always difficult. When he has been as close a friend for as long a time as Bourke B. Hickenlooper has been to me, I feel that anything I say is inadequate.

It is easier to indulge in grand and glorious rhetoric, but this does not fit Bourke Hickenlooper for, despite the fact he comes from Iowa—and if Senators will pardon a slight pun—there is is no ham in "Hick."

I think we all recognize this; when a patient man, a good man, occupies as many positions of power as does Bourke Hickenlooper, it is extremely refreshing to see that power used carefully, constructively and quietly.

He has brought this approach to the Joint Committee on Atomic Energy, to the Agriculture Committee, to the Foreign Relations Committee and to the Republican Policy Committee.

South Dakota has always had a special regard for Hickenlooper of Iowa. He has visited our State often to speak and help Republican candidates. He has also enjoyed our marvelous pheasant hunting in the fall.

We hope he continues to visit our State for both activities. Indeed, if I could, I would make him an honorary citizen of South Dakota.

I will not say goodbye to Bourke Hickenlooper. I will simply express my deep thanks for the service he has rendered party and Nation during his 24 years in the Senate.

GEN. CURTIS LeMAY MEETS THE PRESS

Mr. YOUNG of Ohio. Mr. President, on Sunday afternoon, October 13, I tuned in to observe and listen to a portion of Gen. Curtis LeMay's interview on "Meet the Press."

Just a very few of his answers were about all I cared to listen to, so I tuned in on another station to observe a football game.

General LeMay, in his militant statements and in his appearance and manner, reminded me vividly of one of the first political candidates I ever heard address an audience. This was some 50 years ago. He was a Republican candidate for county sheriff of Huron County, a small rural county in northern Ohio where I was born and reared. According to my recollection, he looked just like General LeMay, had a tough fighting appearance and manner, and spoke out for law and order most militantly, vigorously, and impressively. Also, he looked as tough as he talked. Unfortunately, General LeMay, in the course of the interview, in his argumentative manner, answering questions relating to Vietnam, said we should bomb the harbor of Haiphong, we should blockade that port, and close Haiphong to all shipping and destroy shipping in the harbor.

What cared he whether in bombing the port of Haiphong and closing that port, we sink freighters bearing the flag of the United Kingdom out of Hong Kong, and destroy freighters of the Soviet Union and of its satellite country, Poland, and even destroy shipping of our allies Canada and West Germany, and, of course, incidentally, kill some nationals, officers, and members of the crews of the Soviet Union, Poland, and the United Kingdom on the vessels our naval gunfire and Air Force would damage or sink.

Then to cap it off he manifested his ignorance by stating "Khrushchev came to this country and said he would bury us." Incidentally, may I mention in passing that recently on the Senate floor one of our colleagues also referred to the Soviet Union as a country whose leaders had sworn to bury us. Let no one try to distort historic facts. Of the many remarks and wisecracks of Russian Premier Nikita Khrushchev the one which most Americans remember best is "We will bury you." Taken in full context Khrushchev made it crystal clear at the time that he did not mean war. He said, "I do not mean war. I mean competition. You say your system is best. We say our system is the best. Let us compete and see which is best."

Arthur Schlesinger in his highly authoritative account of the Kennedy administration entitled, "A Thousand Days," reported on page 695 that President Kennedy stated in 1961:

> I think that the Communist party as a political organization is of no danger to the United States. It has no following and has been disregarded by the American people for many, many years.

Furthermore, according to FBI Director J. Edgar Hoover, who should know the facts, in the United States in 1944 there were 80,000 Communists. At that time the Soviet Red Army was crushing Hitler's supermen in Europe, and in America there was tolerance for homegrown Communists. He stated a year or so ago that as of this time the numerical strength of the Communist party in the United States has nosedived and is between 8,000 and 10,000. In other words, he estimates that at most there are 8,000 to 10,000 hard-core Communists in our Nation among our 200 million men, women, and children. So, according to Director Hoover, at most there is one Communist in the United States for every 20,000 non-Communists, the odds in favor of free institutions being 20,000 to 1. Last Saturday, 85,000 of my midwestern neighbors in Columbus, Ohio roared with delight when Ohio State University defeated Purdue by 14 to 0. The chances are that of those 85,000 three or four would be Communists and 84,996 would not be Communists.

Mr. President, has it come to this? What can we do to prevent these three or four out of 85,000 from harming the rest of us?

In the Washington Stadium this last Sunday, more than 55,000 witnessed the

National Football League game between the Washington Redskins and Pittsburgh Steelers. Possibly, according to the intelligence report of FBI Director Hoover, two of the 55,000 in attendance would be Communists. Is it likely that those two could take over our Government?

Furthermore, we have on our side everywhere in this country the city and State police, the FBI, the National Guard, the Army, Air Force, and Navy—never forgetting the Marines. Shades of Valley Forge and Iwo Jima. Now Gen. Curtis LeMay gallops to our aid. In this connection may I say also that FBI Director J. Edgar Hoover a few years back made the following wise statement which I now read:

> Extra-legal, vigilante-type action on the part of special groups or segments of the population is contrary to our American system of law and order. In fact, such vigilante action could possibly constitute a violation of federal law. The reason for such actions may be praiseworthy and patriotic, but they do great damage to our nation. America was founded on faith in the law. Many times citizens may disagree with the law. Other times citizens may feel that legal process is too slow or cumbersome. However, the answer is not to take the law into your own hands. This creates fear, hysteria, and encourages others to do likewise. Anarchy is the result, and no basic problem is solved.
>
> This is a government of law—a fact that no American should ever forget. The moment any American takes the law into his own hands, trying to usurp the decision that the courts should make, he is rendering his country a grave disservice.

Mr. President, in this regard we should also heed the words of the distinguished senior Senator from Vermont [Mr. AIKEN], a great Senator and one of our wisest colleagues, who earlier this year said in answer to those who rant of a monolithic world Communist conspiracy:

> For we are fighting nationalists first in Vietnam.
>
> That some call themselves Communists is important, but not vital. . . .
>
> To make out that the north Vietnamese and the Vietcong even today are integral parts of a unified and monolithic world communism is simply a self-destructive fantasy.

Mr. President, General LeMay's call for escalating the bombing of North Vietnam is the latest example of the blindness of many of our military leaders, including the generals of the Joint Chiefs of Staff, who remain committed to their policies which have failed so dismally in the past. It seems that they are unable to admit their error or chart new courses. As always, their response to the failure of past escalation of the war is more escalation—more bombing and more killing. They react like a physician who after prescribing the wrong medicine, doubles the dosage.

The fact is that former Secretary of Defense McNamara publicly stated on several occasions shortly before his retirement that our bombing of North Vietnam would never end the war and had neither stopped nor even curbed the infiltration from the north of men and supplies to the south. He pointed out that the Vietcong requires significantly under 100 tons a day of materiel, other than food, a quantity that can be transported by only a few trucks or a few hundred bicycles, and he stated:

> I don't believe that bombing up to the present has significantly reduced, nor any bombing that I could contemplate in the future would significantly reduce, the actual flow of men and material to the south.

Our great Secretary of Defense, Robert McNamara, correctly stated that our bombing of North Vietnam and the objectives attained by that incessant bombing are no longer commensurate with the loss of priceless lives of so many pilots and airmen suffered by us and the continued lose of aircraft, of which more than 1,400 of the finest warplanes ever produced have already been shot down in Vietnam. He expressed doubt that a reduction of the bombing would bring a marked increase in American casualties in South Vietnam as claimed by the warhawk generals and by Secretary of State Rusk.

On the basis of facts and figures from official sources, we know that the heavier the bombing, the greater the infiltration. Secretary of Defense Clifford has indicated that the concentrated bombing of the infiltration area in the panhandle above the demilitarized zone has not stopped or reduced infiltration, but that infiltration south of the demilitarized zone has rapidly increased.

Mr. President, the warhawk Joint Chiefs of Staff and other admirals and generals consistently urge further escalation of the war in spite of the fact that their advice to date has proven to be abysmally wrong. The views of such outstanding military leaders as Generals James M. Gavin, Matthew Ridgway, and David M. Shoup, who have urged deescalation of the war and cessation of the bombing, have been ignored.

The constant answer of warhawk militarists, such as General LeMay, to past failures is more men and more bombing. If they are going to continue seeking to destroy a nation and to kill off thousands and thousands of civilian men, women and children in addition to the 300,000 civilians we have already killed and maimed with our artillery shelling and napalm bombing, then those in power in the Defense Department and the administration should tell the truth to the American people.

They should tell them that this will require the participation of more than 1 million American soldiers and marines in addition to the more than 1,900,000 American fighting men who have already been sent to Vietnam, of which total more than 200,000 have been killed or wounded in combat. Let us hope that top officials of the coming administration will manifest good sense and sound judment immediately following January 20, 1969, before we continue to be further committed to such a tragic course of action.

TREATY ON THE NONPROLIFERATION OF NUCLEAR WEAPONS

Mr. YARBOROUGH. Mr. President, there is one matter of overwhelming importance to the American people that the Senate has yet to act upon. This is the rendering of the Senate's advice and consent to ratification of the Treaty on the Nonproliferation of Nuclear Weapons.

At present, there are five nations which possess nuclear weapons—the United States, the Soviet Union, China, France, and Great Britain. The central purpose of this treaty is to see to it that no other nation is added to that list. This treaty would prohibit a nation that now possesses nuclear weapons from transferring those weapons to another nation. As President Lyndon B. Johnson stated in his letter of July 9, 1968, transmitting this document to the Senate, the Nuclear Nonproliferation Treaty also would ban any country not now possessing nuclear weapons "from receiving them from any source, from manufacturing or otherwise acquiring them, and from seeking or receiving any assistance in their manufacture."

Mr. President, it seems to me difficult to argue against ratification of this treaty. It seems to me clearly within the national interest of the United States to ratify this treaty.

A nuclear weapon is not just another weapon. A nuclear weapon is synonymous with annihilation. In this day of inflated rhetoric, we seem to lack comprehension of what is comprised in the term "nuclear." Let us examine its meaning closely.

On August 6, 1945, the United States dropped the first atomic bomb on Hiroshima. The entire city was destroyed and 256,000 people were injured or killed. That is a city approximately the size of Austin, Tex., the capital of my State. Yet, that bomb contained less than 20 kilotrons of TNT power. Today, we speak not in terms of kilotrons, but in terms of megatons. One 20-megaton weapon is more than 1,000 times greater in force that the atomic bomb which we dropped on Hiroshima some 22 years ago. We speak today of a 100-megaton nuclear weapon. This is an inhuman destructive force. It is not a matter to be toyed with, and it is not a subject for political partisanship.

On January 18, 1966, the distinguished Senator from Rhode Island [Mr. PASTORE] spoke directly and forcefully to this issue. He stated:

> The challenge of our times is not how many more nuclear warheads we can produce or stockpile, but rather how can we prevent their proliferation and how can we prevent their use.

The Treaty on the Nonproliferation of Nuclear Weapons offers us a long-awaited and hard-sought opportunity to begin to meet that challenge. The United States possesses nuclear weapons; so do four other countries. This treaty takes no nuclear capabilities from the United States. Rather, the purpose of the treaty is, as President Johnson stated in Geneva on January 21, 1964, "to stop the spread of nuclear weapons to nations not now controlling them."

The main argument for possession of nuclear weapons is that possession alone provides an effective deterrent, and that the weapons would not be used. This is not a convincing argument even when one considers that only five nations possess nuclear weapons. But, when one considers the possibility of one more, 10 more, or 20 more nations possessing these "doomsday" weapons, then the argument is empty. It is impossible under those circumstances of proliferation for any man to say that this terrible weapon will not be used. Consider the introduction of nuclear capacity into the always-seething conflict between Israel and the United Arab Republic. Such a horror story is what this treaty is designed to help prevent.

Ratification of the Nuclear Nonproliferation Treaty is a major and a desirable step. It is in keeping with the long efforts of the United States to control the military use of nuclear power. Since Hiroshima, every President has been concerned with nuclear proliferation and has sought means to control it. In 1946, under President Truman, the U.S. Congress passed the McMahon Act, legislation which transferred control over all aspects of atomic energy from the War Department to a five-member Atomic Energy Commission. Beginning with that act, Congress has passed legislation consistently forbidding the transfer of our nuclear weapons to other nations. In 1953, President Eisenhower addressed the United Nations on "atoms for peace," proposing creation of an International Atomic Energy Agency. A major step in this Nation's efforts to cope with the spread of nuclear weapons came on June 29, 1961, when President John F. Kennedy proposed to Congress the creation of an Arms Control and Disarmament Agency. On September 24, 1963, a major milestone was passed when this body approved by a vote of 80 to 19, the Nuclear Test-Ban Treaty, negotiated and submitted by President Kennedy.

In 1966, the distinguished Senator from Rhode Island [Mr. Pastore] introduced Senate Resolution 179, supporting the President in his "serious and urgent efforts to negotiate international agreements limiting the spread of nuclear weapons." It was my pleasure to join with a majority of my Senate colleagues in cosponsorship of this resolution. In 1966, Senate Resolution 179 was adopted in the Senate by a bipartisan vote of 84 to 0, with all absent Senators but one declaring themselves in favor. Already, then, the Senate is overwhelmingly on record in support of a treaty to outlaw the spread of nuclear weapons.

On January 21, 1964, President Johnson took the first step that has produced this Nonproliferation Treaty when he proposed in Geneva a five-point plan to stop the spread of nuclear weapons. On July 1, 1968, this treaty was signed in Washington by the United States, the Soviet Union, Great Britain, and more than 80 other nations. On July 9, of this year, President Johnson submitted this treaty to the Senate of the United States. After thorough consideration, the Senate Committee on Foreign Relations favorably reported the treaty and recommended that the Senate give its advice and consent to ratifiaction.

Mr. President, men of good will throughout the world had hoped that we might act on this treaty in this Congress. Unfortunately, a political campaign has intruded into our deliberations, and the treaty has been set aside for the time being. I think that is unfortunate. I think it is not in the best interest of the United States to set aside a treaty which has such meaning, not only to the people of the United States, but to the people of all the world. Ratification of this treaty is essential. If the Senate cannot render its advice and consent before we adjourn, and if there is not to be a called session of the Senate after the election in November, then I hope this matter will receive first priority in the opening of the 91st Congress. No matter who is President of the United States, this treaty is a must. I urge its ratification at the earliest possible moment.

SENATOR CARLSON

Mr. MUNDT. Mr. President, Robert Louis Stevenson said if we touch the heart of man's mystery,, we find one thought:

> The thought of duty; the thought of something owing to himself, to his neighbor, to his God; an ideal of decency.

That ideal of duty and decency is embodied in Senator Frank Carlson as in few other men, and we have all been deeply privileged to witness it for these many years.

This beloved Kansan has served his State in Congress for 30 years—served it with a strong mind, a great heart, a true faith and willing hands. And in that time great economic and social forces have flowed with a tidal sweep over the communities of America, since Frank Carlson was first elected to the House of Representatives in 1934 and interrupted his congressional service to serve for 4 years his native State of Kansas.

Wise were those who foresaw what time was thus bringing and endeavored to shape institutions and mold men's thought and purpose in accordance with the lessons of the past, and the needs of the future.

Such a man is Frank Carlson.

We shall all miss this gentleman who spoke harshly of none, who has charity for all, who has hope for the future.

The Senate will be less, for his loss, but I trust the autumn years will be rich and the tides of the spirit gentle for this good friend of us all.

MISLEADING THE AMERICAN VOTER

Mr. McGEE. Mr. President, in a year when it is suddenly fashionable for every politician from a local councilman to candidates for the Presidency to talk loudly and longly about law and order, it is refreshing to see the statistics that are bandied about put into proper perspective.

A gentleman who has done so in an admirable fashion is columnist Carl T. Rowan, whose article was published in the Sunday, October 13, 1968, Washington Star.

I commend this article to Senators and ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Misleading the American Voter

(By Carl T. Rowan)

Winfield, Kans.—If there were a law against circulating misleading statistics about crime, the crime rate in the U.S. would be doubled overnight.

For the politicians are producing what would have to be called a "crime wave" of politically meaningless, if not phony, figures about lawlessness in America.

In staid, basically Republican communities like this you listen to people talk about law and order and you know that these statistics—and their ridiculous political insinuations—have become the dominant factor in a presidential election that ought to be decided on issues far more substantive.

Statements from the camps of Richard Nixon and George Wallace seem to have convinced some Kansans that crime was invented during the Democratic administrations of John F. Kennedy and Lyndon Johnson. Nixon seems especially to have impressed people with his claim that crime increased 88 percent while those two Democrats occupied the White House.

The obvious implication is that lawlessness flourishes under Democrats because Democrats are soft on crime.

Now, for the most part, enforcing laws and combatting crime is a local matter, with the nation's chief executive about as responsible for an increase in rapes or robberies as he is for an increase in the snowfall.

But let's play that game of hanging the bad statistics on the chief executive and set it at the state level.

The first thing we discover is that Nixon was correct in citing an 88 percent rise in crime over the past seven years—but the biggest increases came in states with Republician administrations.

There are five states that have had GOP administrations over those seven years. According to FBI figures, they show a 170 percent increase in crime from 1960 to 1967; in the same period, 15 states with Democratic governors showed an increase of 66 percent.

Is anyone prepared to argue that criminals prefer Republican governors almost 3 to 1? Let us hope not.

But some people in Maine might. This state, where Democratic vice-presidential candidate Edmund Muskie was governor and another Democrat now holds office, holds the fifth lowest rate of violent crime in the country. What state has the highest rate? Maryland, the home of Muskie's Republican counterpart, Gov. Spiro Agnew.

And if it's being killed you worry about, do you really want to flee the Republicans and Democrats for the sheltering arms of that most vocal of "law and order" men, Wallace? Alabama, where Wallace has been governor and governor-by-marriage, has the highest murder rate in the nation.

Now, let's look at organized crime. When the political con men discuss that you would think Attorney General Ramsey Clark was the nation's No 1 fugitive from justice.

The organized crime convictions rose from 73 in fiscal 1961 (half of this period was under President Eisenhower) to 593 in 1964, 410 in 1965, 477 in 1966, and 400 in 1967.

According to the FBI, 24 core racket groups are operating now in 17 states. Twelve of those states have Republican administrations.

Does this prove that the big racketeers prefer Republican administrations more than 2 to 1? To argue as much would be absurd—and dishonest.

It is obvious that there is too much crime in America. It is equally obvious that the public wants something done about it.

But the lesson of the figures cited above is that no political party or candidate in this race can claim a self-righteous mantle of "keeper of the law."

When one candidate implies as much he is playing the voters for overly-emotional fools.

SENATOR KUCHEL

Mr. MUNDT. Mr. President, it is with deep regret that I say farewell to Senator THOMAS KUCHEL, of California, as a fellow Senator. TOM KUCHEL is one of the leading spirits of the Senate, warmhearted, amiable, and possessed of a marvelous sense of humor, which proved invaluable in his post as Senate Republican whip.

But good humor alone is not sufficient for such an important leadership position. TOM KUCHEL is a real legislative tactician, aware of the complexities of our Senate rules and traditions, and able to use his knowledge and skill in the daily legislative contests.

No Senator is more concerned for the rights of his fellow man, regardless of background, education, color, race or religion. His great State is a kaleidoscope of the wonderful, fantastic mix that is America. TOM KUCHEL knows it intimately, and never forgot that he represented all of California.

His other passion is the preservation of the natural beauty and wildlife not just in his own State, but all over America. Thus his many legislative battles to save the forests, the streams, the seashores reflect his determination that future generations of Americans shall know and enjoy the American outdoors, just as we have. We will miss TOM KUCHEL sorely in the Senate, but his talents will, I am sure, continue in other equally productive activities in the future.

Goodby TOM, and good luck.

EDUCATIONAL BROADCASTING—LOCAL SERVICE AIRLINE INDUSTRY

Mr. YARBOROUGH. Mr. President, on behalf of the Senator from Alaska [Mr. BARTLETT] who is absent today, and at his request, I ask unanimous consent to have printed in the RECORD two statements which he prepared for delivery in the Senate, together with two insertions.

There being no objection, the statements and insertions were ordered to be printed in the RECORD, as follows:

LOCAL SERVICE AIRLINE INDUSTRY

(Statement of Mr. BARTLETT)

Mr. BARTLETT. Mr. President, the Association of Local Transport Airlines has just concluded its fall quarterly meeting which was held October 6–8, at Lihue on the Island of Kauai in the State of Hawaii. On the closing night of their meeting the Association was addressed by the Honorable G. Joseph Minetti, Member of the Civil Aeronautics Board.

More than 300 representatives of the Association heard Mr. Minetti's remarks, entitled, "Local Service Industry: Problems and Challenges," and I understand his words were very well received. I believe there are at least two excellent reasons for this. One is that the phenomenal growth of the local service airline industry is largely a result of foresight and application in seeing the public's needs and filling them, both on the part of the industry and the Civil Aeornautics Board. The audience for this speech was composed of key people of the industry quite able to gauge the worth of any definition of their problems and challenges.

The other reason is that Member Minetti, now in his third six-year term on the Board, has been in an excellent position to observe that growth with a continuity that spans 13 of the local service industry's 22 years of existence.

In his talk to the Association, Mr. Minetti's timely relation of air traffic and airport congestion to the past response and future challenge of the local service industry provided substantial food for thought.

There is something in his remarks for all of us who recognize the urgency for dealing with this critical air travel problem.

LOCAL SERVICE INDUSTRY: PROBLEMS AND CHALLENGES

(Address by Hon. G. Joseph Minetti, member of the Civil Aeronautics Board, before the Association of Local Transport Airlines' fall quarterly regional meeting, October 6–8, 1968, Lihue, Island of Kauai, Hawaii)

It is good to be with you again and I am delighted that this reunion with your Association—our third in 10 years—is once more in Hawaii which must be one of the most beautiful of all the 50 states.

I might add that in addition to its beauty, the State of Hawaii also figures prominently in any mention of economic growth. This is evident anywhere you may look—in the many new hotels, the commercial and public buildings and the most modern residential developments.

I would like to believe that the Civil Aeronautics Board, doing its job of serving the public convenience and necessity in air transport matters, has in some measure contributed to the growth statistics of this state.

Certainly this state's economy should benefit from one of the industry's more celebrated proceedings—the Transpacific Route Investigation. The examiner in his recommended decision said that with service improvements, fare reductions, additional promotion etc., there is every reason to believe that the Mainland-Hawaii market will grow to at least 2.5 million passengers in 1970.

Congratulations are in order for our host carriers as well as for all members of this Association. They have been in order continuously since the local transport industry began some 22 years ago, for as an industry you have been growing in a tradition of self-help toward a state of self-sufficiency.

Impressive as are facts of economic growth and progress elsewhere, when it comes to the local service, your industry must be described in enviable comparatives.

Each of you knows the growth story of his own carrier and of your industry at first hand. You have helped nurture and mold it and it is largely the fruition of your best efforts to date.

This is not to say, however, that current problems do not exist in your industry, or that they are so minor as to call for anything less than finely honed management efficiency and imagination. No one knows better than you assembled here tonight that only continuing effort can assure and extend the progress you have already made.

One thing is assured. That is the safeguarding of your association's best interests through the tireless and effective efforts of your Executive Director and General Counsel, Joe Adams. I would be seriously remiss if I did not make note of that fact, for I have known Joe both as a fellow Board Member and friend. I can say with all sincerity that ALTA would have to search far and long to find a man more vigorously devoted to both your particular cause and the cause of aviation in general.

The two previous occasions on which I have had the pleasure of addressing your association were in 1958 and 1963. Between those visits your industry grew rapidly. But in the past five years your growth has been one of the most dramatic of the entire United States economy.

Your achievements since my last visit here have exceeded all previous experience. In August you reached the five billion mark in passenger miles flown annually. Your total investment now approaches $500 million. By comparison, your entire industry investment in 1948 was only $10 million—about enough to buy two of the jet types you are now introducing. Your aircraft fleet of approximately 430 today is 68 percent turbine powered and this should increase in the near future. Yours is no longer a hand-me-down industry from the big brother trunks.

Let us just return to that five billion passenger mile mark for a moment. There is more there than meets the eye. Five billion is just a figure, nevertheless a big one. But the real excitement is in how this was attained.

It took you 13 years to log your first billion annual passenger-miles. That was in November, 1959. You generated the second billion in May, 1964, just four-and-a-half years later. Your third billion came 26 months thereafter, in July, 1966. You passed the fourth billion last November, in 16 months. And then—in just nine months more—you added your fifth billion. You don't have to be a trained statistician to visualize the tremendous growth that will occur if this trend continues. Of course, large numbers of passengers still ride long distance buses, and air transportation will never replace the private automobile for some purposes. But local air transportation has, to a large extent, supplanted passenger rail service, and it promises to make greater inroads into the province of the other surface modes as equipment technology advances.

Such amazing progress, of course, has exacted a price but it is one which need not leave a lasting effect on your industry. The expansion of capacity required to satisfy this startling traffic growth has not always permitted equally satisfactory financial results.

While the rate of return picture is not as good for the current year as all of us would like to see, there are indications that, both for the industry as a whole and for individual carriers, sharp improvements have occurred in the quarter ended June 30, as compared with the same quarter last year.

For example, operating expense per revenue ton-mile or per available ton-miles has improved substantially. There is also major significance in the drop of over five percentage points—from 55.3 to 50.1—in the break-even load factor from the second quarter of 1967 to the second quarter 1968. In the second quarter of 1967 your industry load factor was 7.3 percentage points below your break-even point. This year in the same quarter that figure was down to 2.6 percentage points.

In July and again in August, for the first time in 16 months, your load factor has exceeded the load factor for the same month of the preceding year. The 12-month passenger load factor peaked at 50.5 percent in September, 1966, dropped to 45.6 percent by May of this year and now appears to be heading upward again. At the present time several local service carriers are approaching break-even operations. Others are decreasing their break-even needs, and the recent mergers have resulted in the elimination of some of the weakest of the local service carriers. If continuation of these trends does not portend suddenly clear economic skies in the coming year, it certainly hints at silver linings on whatever clouds may appear.

Equally dramatic has been the growth and development of the Alaskan carriers.

In 1958 subsidy payments to the seven-intra-Alaskan carriers totaled $8.2 million. Their investment base approached $16 million. Their fleet of 100 aircraft was primarily of the bush type.

By 1963, the investment base had increased 50 percent to nearly $24 million. This was due, of course, to the re-equipment program embarked on by several carriers. Subsidy payments on the other hand declined almost 5% to $7.8 million. In the light of expanded services to the public and of the introduction of modern equipment, this represented a substantial improvement in the subsidy picture.

The achievement of the Alaskan carriers during the last five years has been even more dramatic. The investment base now exceeds $40 million, 2½ times that of ten years ago. Subsidies declined over 20 percent to approximately $6 million. Today, only four Alaskan carriers are on subsidy. But for the mergers of (1) Pacific Northern and Western Air Lines, (2) Alaska, Cordova and Alaska-Coastal, and (3) Northern Consolidated and Wien, the subsidy requirements of some of the merger partners might have increased significantly. The Board anticipates that—in the long run—economies stemming from the mergers should reduce Alaskan subsidy requirements still further.

This dramatic growth, however, has not been limited to the local service and Alaskan carriers. All areas of air transportation have been growing. But with growth have come problems. Last year, domestic scheduled air service moved 102 million passengers—more than half the population of the United States. That is about 200 a minute. This surely doesn't look like any kind of a crisis figure if it is spread evenly around the country and through every minute of the day.

But take that figure and add it to the international air traffic figures and bunch them unevenly into peak hour activity at a handful of major airports around the country, and you have one of the most sobering air transportation problems of our time—congestion not only in our airways but also in the air and on the ground at our airports.

Some here tonight might be more acutely aware of this fact than others. You might have been aboard one of the many aircraft caught in those monumental traffic jams during July. On one week day alone northbound flights from Miami were reported entering holding patterns over Jacksonville before continuing on to New York. Planes headed from Los Angeles to New York were holding over Denver. As they moved from holding pattern to holding pattern, delays of up to five hours were not uncommon.

No one can afford to underestimate the problem or dismiss it lightly. It is a problem that, from all indications, will be with us for a considerable time to come. It ringingly demands the immediate and continuing attention of all segments of aviation. I repeat—all segments of aviation—for the all-or-nothing nature of this problem demands nothing less.

Congestion might well be called the cancer in today's air transportation industry. It may take many forms, depending on where it is found.

At Washington National Airport it has largely lodged in the terminal and parking facilities.

In Los Angeles it manifests itself most painfully in the means of surface access to airports.

In New York, particularly at Kennedy International, and at Chicago's O'Hare International Airport, the manifestation is composite, multiple and immense.

Fortunately, many segments of aviation are working earnestly on the problem. Government agencies like the Board, the Federal Aviation Administration and Department of Transportation, as well as general aviation and the commercial industry have all been contributing their diligence and ingenuity towards a solution of this vexing problem.

Recently, as you know, one area of action culminated in a proposed rulemaking by the FAA to place a so-called "lid" on the number of hourly operations at O'Hare, Kennedy, LaGuardia, Newark and Washington National Airport.

The FAA measure is an effort to find a temporary solution which is not professed to be completely satisfactory to anyone. But it will buy precious time in which to devise an equitable long-run solution.

The local service carriers are to be commended for the steps they have taken thus far in seeking relief from the congestion problem.

For example, you have been among the pioneers in the use of satellite airports. Your attempts are commendable and appreciated but this problem is so vast that you have so far only scratched the surface.

The CAB also has put its shoulder to the wheel. Our great concern over this problem is evidenced amply in the time and resources we have devoted to it and also in the results that have begun to show.

The Board has taken the initiative in dealing with the problem on several fronts within the scope of its licensing authority in new route proceedings. There is considerable evidence of this in a number of current cases aimed at diverting some of the traffic from our larger metropolitan center airports.

The Board has instituted investigations aimed at developing bypass routes and operations in so-called secondary markets and also aimed at promoting the use of satellite airports where that is possible.

A number of local service carriers now bypass the cities of Chicago, Washington, Atlanta and New York on flights in certain busy markets.

The *Service to White Plains* case is an effort to accommodate passengers who can conveniently use the airports at White Plains and Islip, New York, thereby lifting some of the traffic pressures from Kennedy, LaGuardia and Newark Airports.

The *Pacific Northwest-California Investigation* seeks to determine whether nonstop service is required between Seattle and Portland, on the one hand, and Los Angeles and San Francisco and six surrounding satellite airports, on the other hand.

The *Northeast Corridor VSTOL Investigation*, to name another, is in fact one of the more forward-looking proceedings instituted by the Board with congestion relief in mind. It also is significant in that it does not even propose an interim solution but a long-range one. It not only deals with the need for these special aircraft types in the busy metropolitan centers along the heavily populated east coast but also with the question of whether such operations are technically, economically and operationally feasible.

If you find these approaches to congestion—yours and ours—impressive, let me also impress on you that what we have just looked at is "the top of the iceberg," so to speak. Even more disturbing are the many related problems still remaining below the surface. We need your help in solving them and you need ours. I mean to include in that context government agencies at every level and also every segment of commercial and general aviation. No single segment or agency can solve the whole problem by itself, for in a patchwork of uncoordinated local or sectional solutions the sum of the parts might not equal the whole.

Let me cite a few examples of the many problems still remaining.

New route awards to local service carriers, for example, are a beneficial development for the traveling and shipping public, and certainly for the recipients of the authority. In addition, such awards have done much in the past to help pare the subsidy payout to a modest portion of what it used to be.

But if the FAA should impose its scheduling "lid," how would carriers handle the additional scheduling needed to implement any new authority which the CAB might grant?

Which carrier, or carriers, would have to adjust schedules and prime times?

These are new problems on which agreement may at first prove elusive.

The question of how local service carriers will be able to fit new authority into schedules limited by the "lid" is vitally important, both in the interest of the economic health of the carriers and the public. For both these reasons trunk and local service schedules must intermesh smoothly in the flow of connecting traffic.

These allocation problems could, however, be compounded by the increasing use of larger and larger aircraft. It is obvious that several aircraft simultaneously enplaning or discharging 200 and 300 passengers during a peak-hour period will multiply ground congestion problems even though that may mean fewer aircraft in the air. This could overtax terminal and gate facilities to the point of creaking and groaning, and it could compound problems of surface access to the airport, or from the airport. I leave it to you to imagine how the 747's will add to the crisis.

And what might be the effects of other endeavors on the problem? What effect for example, might antinoise legislation have on the congestion problem in some future day if it curbed the number of nighttime airport operations? Would this again overburden the daylight hours?

The complexities of the problem are seemingly limitless, but that is all the more reason to begin solving them now.

Just as congestion will apparently continue to require our sustained effort for some time to come, so will another area—the road to self-sufficiency—need constant vigilance. However laudable our past efforts have been, neither you nor we can afford to rest on our laurels now.

You can be commended for your use of small equipment where it has been warranted, for searching out new, lucrative markets and for developing traffic at a growth rate generally far beyond that of prior experience, and beyond that of other segments of the airline industry.

Your average stage lengths and average passenger trips, while still modest, have stretched in recent years and this is a promising sign. And while the 1967–68 period may be somewhat disappointing financially, on the other hand we hope we can look back on this period as one of transition to better results. Certainly the growth and earnings potentials are there.

The CAB, of course, intends to continue its program of creating a proper climate in which your industry can flourish.

Part of the Board's efforts in this direction have been and continue to be in the area of route strengthening. By far the most effective of these has been the adoption and use of Subpart M of the Board's Rules of Practice. It is proving to be a significant milestone in CAB procedural matters. It provides expedited procedure for modifying or removing certain limitations in the certificates of local service carriers.

Subpart M, which the Board adopted last January, combines route strengthening efforts with the CAB's general effort to speed up the processing of formal proceedings. Proceedings expedited under Subpart M are those which have local service subsidy reduction or improved service for the public as their principal goal.

The first application under Subpart M was made January 26. Since then 22 have been filed under this Subpart. The Board has already granted five, dismissed five, and the rest are in various procedural stages. A recent case completed under this rule spanned only 148 days between application and rendering of the Initial Decision.

That is a better-than-average length of time in contrast to normal route proceedings which can take a year and more. I believe only one of the five Subpart M cases decided has taken longer than six months from the date of filing to the Board's final decision. The Board is gratified with this obvious saving of time and resources for this makes possible prompter action in other areas. The carriers can also be gratified, not only for those reasons but also because these proceedings will cost you less and enable you to expedite your improvement of service to the public.

I would offer one note of caution. The more experience we have with Subpart M. the more we find that the advice offered at the last ALTA quarterly meeting is sound. In the use of Subpart M, let simplicity and conservative approach be your watchwords.

While awards under Subpart M come faster, the results may not. But I would remind you that in every instance these are routes intended to be profitable for the applicant. Even though operations in the first year may not be fully satisfactory, the longer run is toward brighter horizons through the use of this procedural innovation.

The CAB also expects maximum carrier efforts toward self-help. Several come to mind.

Five years ago we discussed here the feasibility of modifying the rate prorate as between the trunkline carriers and the local service carriers.

Following that suggestion there was extensive committee work by the carriers and our staff. However, these studies concluded that an exchange of fees or commissions to compensate the carrier who sells an interline ticket is not beneficial to the U.S. carriers as a whole, and in some instances penalizes them. This particular approach was abandoned.

Now I understand that a different concept related to the value of each coupon in an interline ticket offers real compensation to the short-haul carrier. It would work this way. The normal rate prorate division of an interline ticket would apply. But the carrier holding the portion of the ticket which has a tariff or prorate value of less than—let us say for illustration, $20—would collect an additional share of the ticket. This agreed-on additional share would be a "short-haul fee." It would tend to compensate the short-haul carrier for the higher costs he incurs carrying the passenger.

Such a scheme should be attractive for it would function in favor of the short-haul carrier in each interline transaction whether it be a local service or a trunk carrier. This seems to me a completely rational approach to the modification of prorates and one that the carriers seeking additional revenues should pursue.

But I must stress that this is not a panacea for the problems of the present fare structure. This applies only to interline traffic.

Another area of possible self-help is in the use of small aircraft where this is economically feasible or, conversely, where the use of large aircraft is uneconomic because of low-level traffic demand. In the past year more and more small aircraft were fitted into local service operations, either by the carrier directly or by an air taxi operator under contract with the local service carrier.

A third likely area of self-help is one which may be identified to some extent with self-restraint or, perhaps, retrenchment consistent with current needs and requirements. This could involve such items as controllable costs, scheduling and equipment acquisitions.

Let me promptly add my commendation to your segment of the air transport industry for the forward planning and foresight you have contributed in moving to your present state of maturity. You have shown what can be done, and so we must expect in the future the same exercise of foresight and maturity in those areas where experience indicates a need for prudence. This is perhaps a time when the wisdom of the admonition to "make haste slowly" is more apparent.

Your program for modern equipment seems sound and desirable. It certainly is necessary if you are to offset the inflationary cost increases and attain the competitive position you need to develop your markets. History has demonstrated that one cannot stand still in this dynamic industry.

But I would be less than candid if I did not add that we at the Board are concerned that this re-equipment program should not get out of hand.

In my opinion it is not necessary, when you apply for a new route, to show that you have the necessary equipment sitting ready on the ground. If you are otherwise fit, willing and able to perform the service, I for one am prepared to allow a carrier to demonstrate on the record that it can get the aircraft it needs after the award is made.

Your future can be a bright picture but it is also one that must be viewed constantly for any sign that its colors might fade. There are a number of indicators we can watch.

In the past year, for example, your investment in equipment has increased three times as fast as revenues and more than twice as fast as the number of passenger miles.

This means your investment productivity (operating revenues per dollar of investment) has gone down. Sooner or later, this trend must stop if you are to get off subsidy.

It is not for the Board to tell you how to do this. The Board has provided opportunities to increase revenues, and has done so recently to a greater extent than during the prior dozen-odd years that I have been a Member. Its route strengthening program is but one evidence of this.

With regard to subsidy, the rate has two parts. One enables you to meet your break-even need. The other involves the return element on your investment. I am sure you are aware, as we are, that your return element requirements have been growing steadily. In addition I am sure we are both equally aware that your unfavorable trends in both operating and net profits cannot continue. You must bring your operating profit picture and your equipment purchases into closer balance.

It is really not surprising that you are having some problems digesting the current route expansion and re-equipment programs.

You might take heart, however, in recalling that the trunklines experienced a similar period in the late 50's and early 60's when they introduced jet aircraft. But they came through their transitional period and so, too, I am sure, will you.

Some of you also are in the difficult stage of consolidating recent mergers. But as you know these mergers have long-run advantages. These advantages will be manifested with improvement and strengthening of your operations.

In this period of expansion into larger cities and markets and of integration of large aircraft, you should not lose sight of your obligations to provide service to the smaller communities in the continental United States. I know we at the Board will not.

I am pleased to note, in this connection, that some among you are applying your talents to improving the service to "small town" America. I wish this were universal in the industry. The use you are making of minliners and air taxis to improve the quality and quantity of your service to the smaller communities is commendable and we encourage it. Neither of us must forget that your growth should be for the benefit of public service, rather than at its expense.

In your efforts to maximize the promotion of air service at smaller communities, I am pleased to announce that the Board today is issuing a notice of proposed rulemaking dealing with your request for extension and modification of Part 225 of the Economic Regulations dealing with exchange of advertising for air transportation.

The Board's approach in the notice is to modify the flat ceiling of $200,000 per carrier by substituting an allowance of $50,000 per carrier plus $4,000 per station served by each carrier. This proposal will increase the maximum allowance for most local service carriers and will afford a large measure of flexibility to cope with restrictions on the exchange limits resulting from local service mergers.

This approach also recognizes the direct relationship between the number of cities or towns served by each carrier and its required advertising and promotional efforts.

Some of your efforts at self-help have had direct bearing on the national interest. As a result, the local service industry deserves recognition for its leadership in the last five years in special "Visit USA" tariffs designed to make it more attractive for additional foreign residents to visit and travel in the United States.

The local carriers' "Visit USA" tariff was the first approach to special fares of this incentive type. The importance of this tariff went beyond its effect on the number of foreign visitors utilizing such fares. It also stimulated the subsequent filings of additional incentive tariffs by other domestic and foreign air carriers. These measures constitute an important positive approach to the nation's balance of payments and travel deficit problems. Accordingly you are to be congratulated for your early leadership in an area of great interest to the Federal Government.

Your journey toward ultimate self-sufficiency is, of course, close to our hearts by reason of some self-interest from the government's point of view. As you have traveled that road your subsidy has steadily decreased in recent years at an average annual rate of $4 million. The last two years the rate has been nearly $6 million.

When I last addressed you, subsidy accounted for one-third of your total operating revenues. Now the $48 million of subsidy paid during fiscal 1968 represents something less than 11 percent of your $446 million in total operating revenues.

You are an industry on which many have come to depend. On the occasion of my reconfirmation as a Member of the Board I predicted before the Senate Commerce Committee that the annual subsidy bill, which then stood at $54 million, would decrease substantially. And in your dependable tradition you came through, changing prediction into reality. I was assuming continuation of the traffic growth rate and the economic expansion of the industry. In that context I also made another forecast.

If I recollect correctly I said it was likely that in the next few years we may see some of the local service carriers off subsidy. It is not in your tradition to disappoint great expectations. I know you won't let me down.

EDUCATIONAL BROADCASTING

(Statement by Senator BARTLETT)

Mr. BARTLETT. Mr. President, American ingenuity has developed a unique system of noncommercial broadcasting. The contributions made by educational broadcasting to our culture are growing and have already vindicated the faith shown by many of us.

William G. Harley, President of the National Association of Educational Broadcasters, presented an excellent discussion on this topic to the Democratic Platform Committee on August 19, 1968.

STATEMENT OF WILLIAM G. HARLEY, PRESIDENT, NATIONAL ASSOCIATION OF EDUCATIONAL BROADCASTERS, BEFORE THE 1968 DEMOCRATIC PLATFORM COMMITTEE, WASHINGTON, D.C., AUGUST 19, 1968

Mr. Chairman, I am William G. Harley, President of the National Association of Educational Broadcasters. Our Association is honored to have this opportunity to bring greetings to the 1968 Democratic National Convention, and to present our views to the Platform Committee.

The NAEB is the organized professional association of institutions and individuals engaged in educational radio and television broadcasting in the United States. Its membership consists of organizations which operate or hold construction permits for 165 educational radio stations, more than 180 educational television stations, and over 200 closed circuit television systems and program production centers. Its membership also includes nearly 3000 individuals involved in educational applications of radio and television technology.

In keeping with the Democratic Party's historic recognition of the values of education, you have traditionally supported educational broadcasting in America and we come here today to urge a continuation of that support.

During the dawn of our democracy, the same Thomas Jefferson who wrote of man's inalienable rights to "life, liberty, and the pursuit of happiness" attached utmost importance to "the diffusion of knowledge among the people. No other sure foundation can be devised," he said, "for the preservation of freedom and happiness."

The extent and quality of your party's support has been of particular importance over the last eight years—a period of unprecedented progress in the development of educational broadcasting. In 1960, Senator John F. Kennedy, following his nomination for the Presidency, reminded our Association's national convention of Jefferson's words, and expressed his own conviction that "television, a device which has the potential to teach more things to more people in less time than anything yet devised, seems a providential instrument to come to education's aid." "Educational television," he said, "has already proved that it can be a valuable supplement to formal education and a direct medium for non-formal education," but "only a small part of the total potential has been achieved . . . for lack of funds for the initial capital investment required for construction of stations." Kennedy concluded that "since education is a matter of national concern, the Federal Government should assist in expediting and accelerating the use of television, as a tested aid to education in the schools and colleges of the nation and as a means of meeting the needs of adult education," and he pledged that he would "back actively suitable legislation aimed at this objective in the next session of the Congress, and will urge its support by my Democratic colleagues."

President Kennedy made good on that pledge. On January 6, 1961, Senator Warren Magnuson of Washington introduced, and the 87th Congress later enacted, the Educational Television Facilities Act—the first major piece of legislation designed, in the President's words, "to assist the development of educational television for the benefit of all our people." And he did, indeed, have the overwhelming support of his Democratic colleagues in the Congress: in the Senate, they voted 48–7 for passage, and in the House of Representatives, 217–22.

That legislation established a program of Federal assistance by way of matching grants to local enterprises for the construction of new educational stations. We believe it has been one of the most successful of the Federal aid-to-education programs. During the Kennedy-Johnson administrations, the number of educational television stations on the air has more than tripled. All of the $32 million appropriated for construction has been allocated, and has generated matching support from state and local agencies and citizens' groups in virtually every state of the union. Four-fifths of the American people are now served by educational television, as compared with only about one-third in 1960.

But the job was not completed. President Lyndon Johnson said in December 1964, that "the progress which has been made . . . can only be considered as a gratifying prelude to that which remains to be done. If we are to project educational television into the full potential of service to education and the national welfare, we must not be content with the status quo." And he urged in his 1967 State of the Union Message that "we should develop educational television into a vital public resource to enrich our homes, educate our families and to provide assistance in our classrooms. We should insist that the public interest be fully served through the public's airwaves."

We believe the President stated clearly the need for *both* kinds of service: commercial and noncommercial, and we believe the history of American broadcasting confirms the wisdom of his judgment. Neither system has been able, within the constraints under which it operates, to provide by itself the total service to the American people of which broadcasting should be capable.

The salient fact about the American system of broadcasting is not that it is of low quality (for it is not), but that it is *underdeveloped*. What commercial broadcasting cannot do, because of its need to reach mass audiences, non-commercial broadcasting has not been *able* to be because of its lack of adequate finances, facilities and personnel.

Nonetheless, although educational broadcasting has not been able to achieve its full potential, its promise has been apparent, and it has earned the generous support of the American people. They have invested close to $100 million in the construction of their stations, and hundreds of thousands of individual citizens and philanthropies, large and small, have made voluntary contributions to their local stations' operating costs. In the early years of ETV, public-spirited citizens were quick to see the value of a station in their communities, and took the lead in raising the necessary funds and getting the stations started. These men, and hundreds of other businessmen and educators who share their high sense of civic concern, continue to guide the stations' fortunes as members of their boards of directors. The commercial broadcasters, recognizing the contribution that a healthy educational TV system could make to the vigor of the industry, have responded in kind. The National Association of Broadcasters, the three national networks, and one of the large station groups have come to Washington to testify to their strong support for ETV legislation; and the contributions of time, talent, advice, dollars and equipment which the local commercial stations have made to their struggling educational brethren have been indispensable.

Despite the response of the people and the success of the Federal matching grants program, however, it became evident by the mid-sixties that more stable and extensive financing was needed if the investment in facilities was to yield the greatest return in program service. State and local government were already contributing almost half of the total annual operating cost of the stations; but it was apparent that some Federal aid for operations was needed if educational broadcasting was to be enabled to serve America to the extent of its potential. The problem, however, was the same as that with every program of Federal aid to education: how to provide the necessary financial assistance without the risk of government intervention or control—how to preserve the essentially local direction and responsibility of the system?

With the encouragement of the President, the Carnegie Commission on Educational Television assembled fifteen distinguished Americans, under private auspices, to tackle that problem. They studied the system intensively for more than a year under the chairmanship of James R. Killian, Jr., Chairman of the Corporation, Massachusetts Institute of Technology. Their recommendation: an independent Corporation for Public Broadcasting, chartered by Congress but not an agency of the Federal Government, authorized to receive public and private funds but not to own or operate any stations, to make grants to the stations and networks for program production and distribution.

President Johnson proposed the necessary legislation in his 1967 Health and Education Message to Congress, declaring that "we have only begun to grasp the great promise of this medium. . . . Clearly, the time has come to build on the experience of the past fourteen years." "Noncommercial television," he said, "can bring its audiences the excitement of excellence in every field. I am convinced that a vital and self-sufficient noncommercial television system will not only instruct, but inspire and uplift our people." Vice President Hubert Humphrey, addressing a March, 1967 conference on the financing of educational television, said, "I happen to believe that if the Congress of the United States will do what I expect it will do in the year 1967—namely to pass the Public Television Act of 1967 as sponsored by Senator Magnuson and as requested by the President of the United States—that this will be a landmark in the field of education just as the Morrill Land Grant Act was for higher education. . . . It is my view that if the United States is to be the leader that it should be and must be amongst peoples and nations . . . that your work and the facilities that you command and the educational television network and individual stations that you represent, will be basic to carrying out that leadership responsibility."

The Administration's proposal, as in 1962, had the overwhelming support of the Democratic Party in the Congress. Senator John Pastore of Rhode Island, who conducted the Senate hearings, called it "both daring and imaginative," urging that "the time has now come to move dramatically in the direction of not only more educational television facilities, but higher quality educational TV programs and services." Representative Harley Staggers of West Virginia, who introduced the bill and chaired the hearings in the House, said that, in his opinion, this was "one of the most important pieces of legislation to come before the Congress this year. It is designed to strengthen noncommercial educational television, one of the potentially most powerful tools of education, enrichment and enlightenment in the history of our Nation." Congressman Torbert Macdonald of Massachusetts, Chairman of the House Subcommittee on Communications and Power called it "landmark legislation—legislation which will have an impact on the entire nation and which will be remembered as one of the most significant achievement of the 90th Congress." And the Speaker of the House of Representatives, in successfully urging favorable action, called it "one of the best-considered bills I have ever seen, that has ever come out of any committee." The margin for passage among House Democrats was better than four to one, and in the Senate the bill was passed without a dissenting Democratic voice. The enactment of the Public Broadcasting Act of 1967 is a credit to the 90th Congress, and to its leadership.

We would suggest that we are not surprised that this activity has enjoyed such warm support from your party. For educational broadcasting's mandate is to serve the national purpose and the human purpose, as stated in the 1964 Democratic Platform: "that every person shall have the opportunity to become all that he or she is capable of becoming."

America's educational broadcasting system represents the best kind of creative cooperation between public and private enterprise at all levels. There are at present more than 160 operating ETV stations, licensed to local school boards or systems, to public and private universities, to agencies of state government, or to private non-profit corporations organized locally for the purpose. The largest category is the latter group, the so-called "community" stations. There are in addition some thirty state networks in operation or in planning, and cooperative regional networks in the Northeast, the South, the Midwest, the Great Plains states, the Rocky Mountain region, and the Pacific Coast. Most of the stations are affiliated with one or more of the independent program services which make available programs of national scope and interest. The system reflects the balance and diversity in ownership and control, with emphasis on local institutions, which has been the great strength of American education.

American ingenuity has developed a unique system of noncommercial broadcasting, unlike that in many countries of the world, where the noncommercial system is owned and operated by the national government. Our system is supported by government at all levels, but it is not a helpless servant of government—it is dedicated to the needs of the people, as perceived by their fellow citizens in their own communities. The stations develop and broadcast programs of formal instruction and enrichment for the children in their schools, multiplying many times the effectiveness of the scarce resources, and the best teachers, of American education. For the adult audience, stations concentrate on informal education: vocational training and rehabilitation for the disadvantaged, and continuing education for the professions, for example. And there are programs for the development of new skills and interests, for the discussion of important local, regional or national issues, for the reflection of America's rich cultural heritage, and for other kinds of community service of every variety.

This, then, is the promise of the legislation: for the first time, a truly viable, independent and diversified system of educational broadcasting. We now have within our reach the means and the mechanism to move in the direction of making non-commercial public and educational broadcasting a vital force in our lives, a healthy complement to commercial broadcasting. Together, both systems should provide the American public with the finest broadcasting service in the world. As a powerful communications medium dedicated entirely to public service, educational broadcasting is a tool which could be applied to the entire range of America's needs at comparatively little cost, without massive Federal intervention or control, by citizens working together in their local communities for their own welfare.

But the job is not yet completed. The fulfillment of that promise hangs in the balance, and so we come to you today to urge a continuation of your support during what may be the most critical period in the history of educational broadcasting. Of $23 million authorized for matching construction grants for 1968 and 1969, none has yet been appropriated. Although most of the authorization has already been irretrievably lost, we expect the Congress to make a beginning toward overcoming that deficiency shortly. But we are equally concerned that the next Congress must provide a workable system of permanent financing for the Corporation for Public Broadcasting.

The Carnegie Commission made clear in its report and in its testimony on the Public Broadcasting Act that it believed a system of permanent financing, insulated from the annual appropriations process, was essential to preserve the independence of the system. President Johnson said in his 1967 Education Message that "noncommercial radio and television in America, even though supported by Federal funds, must be absolutely free from any Federal Government interference over programming." The legislation as proposed and enacted provided for a one-time appropriation for the Corporation's initial operations, so that the Congress might have an opportunity to review the Corporation's record after a one-year "trial run", before settling on a permanent system of financing. The Corporation has been organized in the District of Columbia, and its Board of Directors nominated by the President and confirmed by the Senate, so that year is now in progress.

It was agreed by all, however, that the Corporation must have "insulated" funding after the first year. President Johnson was acutely aware of the importance and the sensitivity of the problem. He recalled in his 1968 Education Message to the Congress that he had earlier "stressed the importance of a long-range financing plan which would ensure that public broadcasting would be vigorous. independent and free from political interference or control. The problem involved is complex. It concerns the use of the most powerful communications medium in the world today. It should not be resolved without the most thorough study and consultation." He therefore asked the Secretaries of Health, Education and Welfare and of the Treasury and the Director of the Bureau of the Budget—"who have been studying this problem since the law was enacted—to work with the board of directors of the Corporation for Public Broadcasting and the appropriate committees of the Congress to formulate a long-range financing plan that will promote and protect this vital new force in American life."

When he signed the bill into law nine months ago, the President expressed his hope that, "at its best, public television could help make our nation a replica of the old Greek marketplace, where public affairs took place in view of all the citizens." In order to fulfill that hope, however, the Corporation "must be long on leadership," so he intended "to search this nation to find men and women of outstanding ability for its board of directors."

The search was successful, but time-consuming. That, and the delay in the first-year appropriation, have meant that the Corporation was not able even to begin consideration of long-range financing proposals until very recently. It has become apparent that the present Congress will not have the opportunity to act on such proposals before it adjourns. But we are concerned that the next Congress must act. Further delay, with dependence by the Corporation on annual appropriations beyond the first year, could turn a unique and imaginative solution to a vexing problem into a political football—a result which would be clearly contrary to the traditions of our system of education.

Nine months ago, the President said, "the law that I sign today . . . announces to the world that our nation wants more than just material wealth . . . We in America have an appetite for excellence, too. While we work every day to produce new goods and to create new wealth, we want most of all to enrich man's spirit." Dr. James Killian, who was Chairman of the Carnegie Commission and is now Vice Chairman of the board of directors of the Corporation, said the same thing at greater length when he testified before the Congress. I would close by quoting him, if I may, not only because he is an eminent American, but because his language so eloquently restates the educational broadcasters' vision:

"The American people have a great instrument within their grasp which they can turn to great purposes . . . Americans can come to know themselves, their communities, and their world in richer ways. They can gain a fuller awareness of the wonder and the variety of the arts, the sciences, scholarship, and craftsmanship, and of the many roads along which the product of man's mind and man's hands can be encountered.

"What confronts our society is the obligation to bring television into full service, so that its power to move image and sound is consistently coupled with a power to move mind and spirit. Television, we feel, should enable us not only to see and hear more vividly, but to understand more deeply."

This is our view of the potential, and the crux of our concern. And so we urge the Democratic Party to reaffirm its support for an independent system of educational broadcasting for this nation, and to work for early enactment in the next Congress of a suitable plan for the permanent financing of that system.

Thank you, Mr. Chairman and ladies and gentlemen, for your attention and for your consideration.

SENATOR MORTON

Mr. MUNDT. Mr. President, no one regrets more than I the decision of Senator Thruston Morton, of Kentucky, to retire from the Senate.

I do not believe anyone exceeds his ability both to cut to the heart of a problem and to express his conclusions succinctly and colorfully.

Mr. President, there has long been a tradition that the so-called border States produce a superior brand of political leader. I would say that Thruston Morton epitomizes the superb political skill of the border State Senator.

He has been of immense help in the renaissance of the Republican Party in Kentucky and all over the Nation, while at the same time carrying the heavy load of his regular senatorial duties. Indeed, he gave of himself in this double career to a degree few other Senators could ever match.

Thruston Morton is a man of many careers, and he has been successful in all of them: In business, in community service, as a naval officer during World War II, as a Member of the House, as an Assistant Secretary of State under President Eisenhower, and finally as a Senator. Few of us can equal him in terms of varied experience and ability.

We will miss him in the Senate. Such a combination of brainpower, commonsense, humor, and devotion to duty as his is rare indeed.

I salute you, Thruston Morton, and wish you Godspeed in your future careers.

OUR NATIONAL PURPOSE

Mr. SPARKMAN. Mr. President, recently Dr. Frank A. Rose, president of the University of Alabama, spoke to members of Chicago's Executive Club on the subject "Our National Purpose: A View From the South." Dr. Rose had some very pertinent remarks to offer pointing to facts that many people outside the South often forget or overlook. I ask unanimous consent that the article may be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Dr. Rose Spreads Southern View in Chicago Talk

Chicago.—Southerners may be the lowest in per capita income but they're still taxing themselves more per person than people elsewhere to catch up with the nation, according to Dr. Frank A. Rose, president of the University of Alabama.

Speaking to members of Chicago's Executives Club Friday Dr. Rose said the people in the South willingly do without luxuries for themselves if they know their children and grandchildren can lead better lives.

"The South," he said "has the determination it takes to play a major role in fulfilling the American dream."

The University of Alabama official spoke on the topic, "Our National Purpose: A View from the South" at the noontime meeting of Chicago businessmen.

Dr. Rose said, "The national purpose is really the national promise. Our nation has always been moving forward to keep its promise, but it has never reached a place where it could afford to rest and say the work is done."

He said there is little doubt that one of our national goals has been to prove democracy can work and to give the world an alternative to other, older forms of government.

Dr. Rose noted that leaders in industry and education all over the country recognize that it is in the national interest to bring Southern education and economy into a more equitable position with the rest of the nation.

"The South's resources in hard cash are scarce," said Dr. Rose, "but its natural and human resources are tremendous."

He said the South has a potential labor force of millions who are rapidly becoming skilled and semi-professional as education improves.

"Having gone without so long," he stated, "Southerners are reared by their parents to deliver honest labor and service."

THE 78TH BIRTHDAY ANNIVERSARY OF FORMER PRESIDENT EISENHOWER

Mr. WILLIAMS of Delaware. Mr. President, on behalf of the distinguished Senator from Texas [Mr. TOWER], who is necessarily absent, and at his request, I ask unanimous consent to have printed in the RECORD a statement prepared by him relative to the 78th birthday anniversary of former President Eisenhower.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR TOWER

Today marks the birthday of America's greatest living hero—today Dwight Eisenhower is 78 years old.

Our great five-star general and former President has given all Americans courage and strength with his remarkable fight for life and increasing health and stamina.

Bundles of telegrams and bags of cards and letters wishing him a speedy recovery have arrived at Walter Reed Army Medical Center. Churches across the nation offered special prayers for the occasion. All American Legion posts joined in the tribute. Two hundred former associates have wired their congratulations as "former team members."

Though still hospitalized, Ike pursues a keen interest in politics together with a desire to continue a useful and productive life. From his hospital suite he has dictated a statement to be published in 1500 armed services publications calling on servicemen everywhere to vote. This appeal rightly reminds us that Mr. Eisenhower is a man avidly interested in current politics, international affairs, and national problems. Dwight Eisenhower—a great peacemaker and a great statesman—continues to serve America as a great citizen.

Happy Birthday Ike.

THE ECONOMIC POWER—A WASTED TRUMP CARD IN VIETNAM NEGOTIATIONS

Mr. MUNDT. Mr. President, last Friday the Senator from Nebraska [Mr. HRUSKA] addressed the Senate on the topic of East-West trade. In reviewing the facts, I believe he convincingly refuted the proposition that East-West trade, as it has been promoted by the current administration, is sound. He pointed out how little the picture has changed since ill-founded optimism for trade with the Soviet Union was first foisted upon American businessmen. Senators who heard his remarks and those who were unable to be on the floor because of hearings would be well advised to review his reasoned logic as published in the RECORD of October 11, 1968, on pages 30934–30935.

Once more, before this session ends, I should like to confront this issue head-on for I believe it is of paramount importance to understand how greatly expanded East-West trade in the last 4 years has worked to the detriment of our national interest and has served to delay peace in Vietnam.

Americans are faced with doubt each time they are told by the Johnson-Humphrey administration that everything possible is being done to achieve an honorable settlement in Vietnam. Something is seriously missing from the equation when a country nearing the trillion dollar mark in total product is humbled by a backward nation of only 17 million people.

The answer, of course, is that North Vietnam is matching each increase in U.S. resources delivered to South Vietnam with imports from other Communist countries. Obviously, the answer then is to prevail upon the Communist bloc to desist from supporting this aggression against South Vietnam. In the 19th century under similar circumstances, the U.S.S.R. and its neighboring colonies might have expected U.S. military action in reprisal since they are, in fact, cobelligerents.

Prudence and good judgment temper an otherwise natural inclination on our part to retaliate. Because we know the Russian masters are but an arm's length from the console that could rain nuclear destruction on targets worldwide, we cannot and should not take this course.

So, as the Johnson-Humphrey team has done, will the next administration be forced to continue the stalemate hoping for a face-saving out? No. Absolutely no.

I contend that there has been an alternative from the very beginning and that it has not been pursued is a tragic disservice to our loved ones who have sustained freedom in South Vietnam only at risk of life and casualty or at the very minimum the loss of time in the midst of otherwise prime years of productive livelihood. I discussed these problems and the constructive peace-procuring possibilities which have been ignored for so long by the Johnson-Humphrey administration, in a full-scale speech on October 1. It will be found on pages 28955 to 28972 inclusive. In that speech I also incorporated a list of the exports to Russia which were decontrolled by President Johnson on October 12, 1966, as well as a list of some of the items which have been shipped to Russia since that action.

In the press and from the podium of almost every political forum held this year the cry has gone out: Why not try diplomacy? My friends, I believe diplomacy has been tried. But this administration has ignored the admonition of the first President of this century, Theodore Roosevelt. It was he who stated the imperishable tenet of successful diplomacy: "Walk softly but carry a big stick."

The missing ingredient in our diplomatic efforts has been the absence of the exercise of our nonmilitary power, especially our vast global influence. That it is there and has either been ignored by this administration or closeted in the vain hope that we would entice the opposition powers into thinking we were well intentioned with regard to their so-called legitimate interest is the answer to why our foreign policy has met with repeated failure. The name of this scenario is "detente." In the new language developed by the current administration, that means we will restrain ourselves from full use of available nonmilitary resources to show good faith. But the unfortunate effect of this self-restraint has been to reduce our trump cards to deuces. The other side takes each trick with monotonous repetition.

Diplomacy will get nowhere until we start playing the trump cards we hold.

It is a popular pastime these days, among many self-styled pundits, to proclaim that the United States has passed its peak as a world power. Much is said to disparage our capacity to cope with problems which beset this Nation and this world. I have traveled the length and the breadth of this land many times since entering public office, and, fellow Senators, the criticisms I hear simply do not match what is to be seen from a factual analysis of American diplomatic and economic power to say nothing of our military might.

To those who see the influence of constructive free enterprise abroad, it is clear that our economic assistance and know-how are working wonders in Europe, in the Far East in Japan, and elsewhere.

In 1960, net foreign investments abroad by U.S. industry, counting working capital, was a very substantial $6 billion. Today it is reaching beyond the extraordinary total of $50 billion. Furthermore, these investments are in the most advanced technologies of world industry: petrochemicals, automotive, aerospace, electronics, and computers.

So you ask, this is well and good but what does that have to do with Vietnam?

The answer, Mr. President, lies in analysis of Western world trade with Eastern Europe. Comparing U.S. exports to Eastern Europe for 1967 versus 1966, in the more advanced industrial products—that is petrochemicals, computers, metalworking machinery, and scientific and controlling instruments—there has been a threefold increase. The association of these products to strategic war material production is obvious. Why this increase goes unexplained and unchallenged during this time of heightened hostilities in Vietnam is beyond comprehension.

Now it could be argued that substantial as this trade is, it is not by any means controlling in terms of the much larger extent of exports from Western Europe to the Soviet Union and Eastern European satellites. But what is not generally known is that these very same West European exports to the bloc are the result of economic extensions of U.S. industry. According to a current best selling documentary by J. J. Servan-Schreiber, the major European industries in fields such as computers, electronics, petrochemicals are all effectively tied to controlling directorship from the United States.

American political leadership in the White House, through existing export-control regulations, authorized by legislation still on the books, has an unused ace-of-spades trump to play.

Diplomacy, armed with the most substantial economic stick in history, is an alternative to a protracted stalemate in Vietnam.

For those who may doubt that the U.S. Government has the means to use economic power to back up diplomacy, I should like to address the disbeliever in terms of an imaginary colloquy.

Question: When U.S. trade is but a small part of the total imports into East European economics, how could its cessation pressure the Soviets to work for U.S. interests at the Paris negotiations?

Answer: Admittedly U.S. exports to the U.S.S.R. are $145 million versus the $2 billion from NATO allies, but as former Secretary of Commerce Trowbridge admitted, the true value of U.S. exports cannot be possible gaged by the dollar value alone. The Soviets expect to save one and a half billion dollars per year in computer programing research by using U.S.-supplied programing know-how. And Russian exports to the armed forces of North Vietnam run into the billions of dollars.

Question: So much for that, how can you prevent the U.S.S.R. from turning to European sources as alternative suppliers?

Answer: As J. J. Servan-Schreiber points out in his carefully documented book, "The American Challenge," every major European producer of petrochemicals, computers, electronics, and metal-shaping machine tools is under the effective control of U.S. corporations either through voting stock or licensed production controls. As borne out by analysis of bloc imports, the products of these American-supported enterprises are the ones in highest demand by East European Communist countries.

Question: OK, but how can you persuade U.S. industry to go along with this scheme?

Answer: By using the same Executive authority the Johnson-Humphrey administration has used in starting the rapid expansion of East-West trade in the first place. Remember too, the President has had little difficulty in holding down steel and automobile prices.

Question: But if they do not follow his leadership, how are you going to force it upon them?

Answer: No new legislation is required. Under the Trading with the Enemy Act, still in force as a result of the Korean action in 1950–53, any President has the option of increasing the coverage of the Treasury Transaction Control Regulation from the categories now under control to the full list of 1,900 items or even higher for that matter. The application of this expansion of the list would also serve notice to our NATO allies that we mean business. It would also take the politics out of potential reactions of European affiliates against U.S. companies.

Question: But if this were done, would not it precipitate economic chaos?

Answer: Not at all because it would be done selectively, targeting on commodities for which the bloc is in dire need: again, computers, airborne navigation radars, petrochemicals, and machine tools. U.S. companies in these fields are sufficiently diversified that it would have no serious impact on workers or profits. Besides, these products are also in high demand elsewhere and much of the loss from restricting aid to our enemy in time of war would be absorbed through a shift to new markets. Furthermore, the point is that of all the alternatives, economic power is the most adoptable to modulation and the least costly to employ. This is the only "bloodless" approach for ending the war that has not been tried.

To Americans who have wondered why we continue to trade with Russia and her satellites in the face of this option, it is heartening that former Vice President Richard M. Nixon grasps the significance of economic power. It was a tool which was not neglected in the war-ending and peace-protecting Eisenhower-Nixon administration. In New Orleans, La., before the American Legion Convention on September 12, 1968, Dick Nixon told that great convention, and I quote him directly:

> We must re-examine our policies of trade. Trade is the great weapon for the United States, a weapon that we want used for peace. We welcome trade, peaceful trade with any nation. But, my friends, I think we have been somewhat naive in some of our trade policies toward Eastern Europe. Communist Eastern Europe, and toward the Soviet Union. I shall put it directly this way. Czechoslovakia, what happened there should have awakened us with regard to those trade policies. Before Czechoslovakia there was a lot of talk about the fact that we should extend Export-Import Bank credits not only to countries of East Europe, the Communist Countries there, but to the Soviet Union that we should help them, for example, in the construction of a Fiat Plant.
>
> This is my view. My view is peaceful trade, yes. Trade provided there is a quid pro quo, but, my friends, I say there should be no increase in trade as far as strategic items are concerned that might increase the war making capability of the Soviet Union or other Communist countries, and there should be no aid or no credits of any kind with any country, including the Soviet Union, that aids the enemy in North Vietnam.
>
> This does not mean that we will not eventually trade, because trade is a great weapon to be used for peace. But let us not let our trade and our credits and our wealth be used for war. That is exactly what we are talking about, and it is that kind of realistic policy that we need.

Mr. President, it is refreshing and encouraging to know that we have at least one candidate for President in this dark hour of war who realizes that a nation which puts profits for a few above the sacrifices of the many who fight in Vietnam is being worse than "penny wise and pound foolish" and is, in fact, a nation dogged down by war and floundering aimlessly in time of great crisis.

Soon the United States will be two centuries old and it should not be forgotten that never before in our wartime history have we had a Commander in Chief and a presidential administration which encourages rather than specifically prohibits trading with the enemy in time of war. Increasingly, millions of Americans are coming to realize there is something basically wrong with a policy which helps build the strength and the capacity of the Communist industrial complex of Europe at the very time these same Communists are shipping to North Vietnam virtually all the petroleum and all the sophisticated weapons required by the North Vietnamese to prolong the fighting, to feed their stubborn refusal to come to terms at the Paris peace talks, and to steadily expand our lists of American casualties.

Do any of you seriously believe there is no connection between these unprecedented, inconsistent, and indefensible policies of encouraging trade with the enemy we are arrayed against and the ugly fact we are now in the seventh year of America's longest and least decisive war?

The answer to that question, I sincerely believe, is as self-evident as is the proper step to be taken to change these suicidal policies.

NATIONAL FAMILY HEALTH WEEK PROCLAIMED FOR NOVEMBER 17–23

Mr. YARBOROUGH. Mr. President, on behalf of the distinguished Senator from Alaska [Mr. Gruening], who is necessarily absent, and at his request, I ask unanimous consent to have printed in the Record a statement prepared by him.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR GRUENING

Mr. Gruening. Mr. President, on September 18, President Johnson officially proclaimed the week of November 17 through 23 as National Family Health Week.

The President's action came after Congress had approved a joint resolution authorizing the designation of the week as National Family Health Week.

On July 11, I introduced S.J. Res. 189 to authorize such a week. Identical legislation was introduced in the other body by the gentleman from Kentucky (Mr. Carter) for himself and the gentleman from Kansas (Mr. Dole) and the gentleman from Pennsylvania (Mr. Morgan). I said at the time that good health is a treasure beyond value and this is so in part because throughout America thousands of family physicians work around the clock to safeguard the health of our nation. Indeed, the dedication and skill of family physicians have served as the foundation of medical progress in the United States. Our health care system is a viable, dynamic achievement for which they deserve great credit. Focusing attention on the American health care system and on the vital role played in it by the family physician is fitting and proper.

I hope that Senators will join me in calling to the attention of the men and women we serve the fact that the week of November 17 through 23 has been proclaimed officially as National Family Health Week by the President as authorized by the Congress.

America possesses one of the best health care systems in the world, and our health care system is constantly being improved by the efforts of the Congress, the Administration, the medical profession and the public itself.

Good health is one of man's finest blessings and anything we can do to make certain all Americans have good health is a worthwhile undertaking.

On behalf of the thousands of family physicians who so exactly and faithfully serve the public, I express my thanks to my colleagues in the Congress and to the President for their assistance in making National Family Health Week a reality.

When President Johnson signed the resolution officially proclaiming National Family Health Week, he sent the following message to the American Academy of General Practice's 20th annual scientific assembly meeting at the Riviera Hotel in Las Vegas, Nevada:

"My greetings and congratulations go out to the 20th annual scientific assembly of the American Academy of General Practice. It is a pleasure to applaud your role in improving the status and skills of America's general practitioners.

As I sign this telegram, I am also signing a resolution designating November 17–23 as 'National Family Health Week.'

"I know of the deep interest of your organization in this observance—and I am grateful to you for your efforts to advance the health of all American families. Please accept my thanks and warm best wishes for every future success."

SENATOR HILL

Mr. MUNDT. Mr. President, we who have served with the Senator from Alabama, LISTER HILL are especially saddened at his retirement from the Senate. A true gentleman in every sense of the word, LISTER HILL devoted his tremendous energies and talents toward providing better medical care for all through his leadership of the Departments of Labor, and Health, Education, and Welfare Appropriations Subcommittee. It is impossible to detail here the hundreds of research efforts in the health field sponsored and carried through to completion by this remarkable man. The continuing fight against disease was one of his main concerns during his service in the Senate. He leaves us the challenge of carrying on his work. We wish him well in retirement.

THE COUP IN PANAMA

Mr. THURMOND. Mr. President, after the announcement on June 26, 1967, by the Presidents of the United States and Panama that negotiations for three proposed new Panama Canal treaties had been completed, I addressed the Senate a number of times in opposition to their ratification.

Dr. Arnulfo Arias, who was duly elected as President of Panama in May 1968, was inaugurated on October 1. He remained in office until October 11, when he was overthrown in a bloodless coup while he was at a function honoring the newly appointed comptroller general of Panama. As has been customary in such crises on the isthmus, he and most of his cabinet took refuge in the United States-owned Canal Zone territory.

According to late news reports from the isthmus, the U.S. Embassy in Panama has assumed a "standby alert," the U.S. Southern Command has advised all U.S. citizens living in Panama to stay in their quarters and warned them to prepare for an immediate evacuation to the zone.

Nevertheless, our Government has taken a neutral position with the Secretary of State ignoring our complete sovereignty over the Canal Zone, and lamely describing our role on the isthmus as "stewards of the vital Panama Canal." The facts are that the United States is by treaty grant and by purchase from individual property owners the absolute owner of the Canal Zone and the canal and is thereby enabled to maintain, operate, sanitate, and protect the canal with complete success. At this critical juncture in world affairs, it is, indeed, unfortunate that our Secretary of State should use such weak and disappointing terminology which is in sad contrast with the sturdy 1923 declarations of Secretary of State Hughes on the subject of U.S. sovereignty. I now quote from his memorandum of record:

> Our country would never recede from the position which it had taken in the note of Secretary Hay in 1904. This Government could not, and would not, enter into any discussion affecting its full right to deal with the Canal Zone and to the entire exclusion of any sovereign rights or authority on the part of Panama.
>
> It was an absolute futility for the Panamanian Government to expect any American Administration, no matter what it was, any President or any Secretary of State, ever to surrender any part of these rights which the United States had acquired under the Treaty of 1903.

Mr. President, the recent events at Panama, which were not surprising to many of us, emphasizes once again better than anything I could say, the vital importance for the United States to retain its undiluted treaty-based control and ownership of the Canal Zone and Panama Canal under the wise provisions of the 1903 treaty. Moreover, the zone is the only area of stability on the isthmus. Certainly, we could cede sovereignty over the zone to Panama only at the peril of the United States, the Western Hemisphere, and, indeed, the entire free world, for a Communist revolutionary takeover of Panama could occur just as suddenly as did the October coup.

Because Dr. Arias is the constitutional President of Panama, I would call upon the executive branch of our Government not to recognize the usurping government but to take necessary steps to protect the Panama Canal against all eventualities. The 1903 treaties wisely gave the United States the duty for the maintenance of public order in the cities of Panama and Colon and the territories and harbors adjacent thereto. Unfortunately, this provision was abrogated by the 1936–39 treaty. The present events demonstrate how dangerous such concessions might be to our national interest.

In order that the facts in the current situation at Panama as reported in the press of the Nation's capital on October 12, 1968, may be easily available to all Members of Congress, I ask unanimous consent that three news stories be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, Oct. 12, 1968]

PANAMA GUARD OUSTS PRESIDENT: TAKEOVER ENDS ARIAS REGIME AFTER 11 DAYS

PANAMA CITY.—A military coup overthrew the 11-day old government of President Arnulfo Arias last night and rebel leaders consolidated their hold on the country today by naming a two-man junta.

Arias, 67, vowing to return, took refuge in the U.S.-controlled Canal Zone with most of his cabinet ministers. It was the third time in three decades he had been deposed by the National Guard, Panama's army.

Lt. Col. Omar Torrijos identified himself and Maj. Boris Martinez, commander of the Chiriqui Province Military zone, as coup leaders. Torrijos accused Arias of planning a dictatorship.

Heading the new two-man junta is Col. Jose M. Pinella, removed by Arias only Thursday as deputy chief of the National Guard.

SELECTING A CABINET

Torrijos said Pinella and the Col. Bolivar Urrutia, were now selecting a cabinet. Urrutia was named head of the guard by Arias Thursday.

Torrijos declared the National Guard in complete control of the country and said all young officers supported the coup. He charged Arias planned to convert the guard into a "political instrument of persecution."

In a shakeup ordered by Arias, Torrijos earlier had been relieved as executive secretary of the guard and ordered abroad. Other anti-Arias officers were given unimportant posts.

Torrijos said Arias supporters were being rounded up.

Torrijos said he had no knowledge of a proclamation announcing a junta and calling for new elections that Martinez is reported to have issued in David, a city in the northern part of the country near the Costa Rican border where he has his headquarters.

In Washington, Secretary of State Dean Rusk said the coup "is of profound concern to the United States. We have a close relationship with Panama and a stake in the stability of the isthmus in view of our presence there as stewards of the vital Panama Canal," he added.

Rusk's statement was issued as U.S. officials held emergency meetings to review the events in Panama.

A State Department spokesman said that Canal Zone authorities have put a cottage at the disposal of Arias and his group and have offered them police protection.

Canal Zone Gov. W. P. Leber and U.S. Ambassador Charles W. Adair were reported hurrying back from a meeeting of the Panama Canal Co. board of directors in Washington.

The U.S. Southern Command's radio and television network advised U.S. citizens and servicemen residing in Panama to stay in their quarters and those in the Canal Zone not to enter cities except on essential business.

Aside from small knots of people at doorways, Panama City appeared calm.

Roving guard patrols broke up any groups they found. There was an unconfirmed report that two men were wounded on Central Avenue, the city's main thoroughfare.

A clandestine radio station were closed by the guard and newspaper plants were occupied.

Two pro-Arias radio stations were closed by the guard. The plant of the morning newspapers was occupied by troops.

Arias, who was at a party for the newly appointed comptroller general when he received news of the uprising, made an unsuccessful attempt to reach the presidential palace. He turned back when he saw it was surrounded by rebel troops.

Later in Balboa, which is separated from Panama City only by an invisible boundary, Arias issued a statement which he signed as "constitutional president of the Republic of Panama."

"With the exception of the few rebels whom the people already know, we have the loyalty of the chiefs, officers and men of the National Guard," he wrote. "The Panamanian people are supporting the legitimate government over which we preside and will not allow any pseudo-military dictatorship."

It was the second military takeover in two weeks in Latin America, coming eight days after a junta ousted President Fernando Belaunde Terry in Peru.

For Arias it was another confrontation with the National Guard, which plays a major role in the nation's political life. Guard commanders have been at odds with Arias since he was first elected president in 1940.

In the 17 years since he was last overthrown, the guard has openly opposed Arias, a sharp-talking man of independent character whose strength in Panamanian politics lay with his rapport with the masses.

Yet, in a drastic about-face last May, the guard made possible his return to power for a third time. Knowing that Arias had won election overwhelmingly, the guard, led for 17 years by Brig. Gen. Bolivar Vallarino, 52, announced its support and assured recognition of his election by the government.

Vallarino's action created dissension within the force, and talk of an uprising spread among young senior officers.

Vallarino, whose place was taken by Urrutia, was reported in the Canal Zone today with Arias, who was joined by all his cabinet members except Ruben Arosemena, education minister.

The two most prominent government ministers under arrest were Bolivar Davalos, deputy minister of government, and Ariastides Vernaza, chief of the national investigations department, Torrijos said.

[From the Washington (D.C.) Post, Oct. 12, 1968]

PANAMA'S ARIAS FALLS IN COUP

PANAMA CITY, October 11.—President Arnulfo Arias took refuge tonight in the U.S.-controlled Panama Canal Zone and a National Guard officer declared the entire country under military control after a bloodless coup.

Lt. Col. Omar Torrijos said the coup against Arias' 11-day-old government was supported by all the officers and men of the National Guard.

It is the third time in three decades that the 57-year-old Arias has been overthrown as president.

Torrijos, who ranks third among Guard officers, said it had not been decided yet whether to set up a military junta or to ask First Vice President Raul Arango to become president.

Torrijos said he and Maj. Bories Martinez, commander of the Chiriqui Province military zone, were coleaders of the coup. He said Col. Bolivar Urrutia, who took command of the national guard Friday, and Lt. Col. Aristides Hassan, who became deputy chief, would be asked Saturday to take command of the coup. He said both remained at home Friday night.

National Guard commanders have traditionally been at odds with Arias. The 4,800-man Guard, Panama's only armed force, traditionally plays a major role in the country's political life.

During the campaign for the May presidential election it took a relatively neutral role. But tension between Arias and the Guard has been growing since the President ordered a shakeup in the top commands.

Today's overthrow was marked by relatively light gunfire in the area of the Guard headquarters. As rumors that a coup was under way swept through the city, the U.S. Embassy announced its staff was on a "standby" alert.

Truckloads of troops raced through the city and a radio station which supported Arias was closed.

[From the Washington (D.C.) Daily News, Oct. 12, 1968]

ARIAS TOPPLED IN PANAMA COUP

PANAMA CITY, October 12.—The National Guard seized control of Panama today and announced a military junta has ousted the government of President Arnulfo Arias who took office 12 days ago.

Mr. Arias' family said the 67-year-old President is safe and has demanded the junta "surrender". The guard showed no immediate sign of backing down.

National guardsmen in battle dress and armed with machineguns, shotguns and bayonets surrounded Mr. Arias' residence, patroled main streets and closed radio stations and newspaper plants. Sporadic gunfire erupted in the capital's poorer sections.

TWO WOUNDED

Director Alberto Pizot of Santo Tomas Hospital said a man and a woman had been shot and wounded. But Panama City remained generally calm; bars stayed open and did business.

Mr. Arias twice before has been ousted as President. He took office a third time Oct. 1 after months of political and street battle in which the national guard—Panama's combined police and armed force—finally sided with him, at least for 12 days.

Mr. Arias' family said the President was with his cabinet. They said he dispatched a surrender ultimatum to the guardsmen.

Mr. Arias was reported to have fled to the Canal Zone, the American controlled strip running along the Panama Canal. Neither his family nor Canal Zone authorities would say if he was in the Zone.

American authorities ordered all U.S. citizens living in the Republic to be prepared to evacuate themselves immediately to the Zone. "All travel will be by rail, water or air," the U.S. Government radio station in the Zone said.

The guardsmen broadcast that "all civilian rights have been suspended." For two hours they shut down Panama City's airport, allowing it to reopen later.

Mr. Arias was inaugurated Oct. 1, installing the 94-year-old mother of his late wife as first lady.

SENATOR SMATHERS

Mr. MUNDT. Mr. President, among those Members who have announced their retirement is our colleague and good friend Senator GEORGE SMATHERS, of Florida. GEORGE SMATHERS has had a distinguished career in the Senate, a career which is now being cut short by his voluntary retirement. We wish him well as he returns to his native Florida and are heartened with the thought that his advice will still be available in the years ahead.

THE CAMPAIGN DEBATES

Mr. McGEE. Mr. President, as Congress prepares to close its doors for this session, it can be proud of many real accomplishments. But as there is justification for pride, there is justification for regret.

I refer to the inability, or unwillingness—or both—to come to grips with a way to provide the American people an opportunity to fairly judge their respective candidates for the Nation's highest office by their performances in give-and-take debate and discussion on national television.

That inability—that unwillingness—Mr. President, has been the sole monopoly of the Republican Party in this Congress.

In my opinion, the performance of the Republican Party on this issue the past few days casts serious doubts upon a party which would seek to lead this nation. What kind of a party is it that would allow—yes, even condone—the shenanigans instigated in the House of Representatives by the Republican Members who used childish parliamentary maneuvers in an attempt to prevent a simple vote on the matter of TV debates?

What kind of a party is it that would boycott the Senate to prevent a quorum and, again, prevent a vote on a matter in which there is clearly a preponderance of opinion?

Not only do these performances cause us rightfully to question the abilities of the Republican Party, Mr. President, they cast serious doubts about the capability of that party's nominee, Mr. Nixon—who sanctioned, urged, and approved these obvious tactics designed to prevent a confrontation in a public, democratic way with his opponent for President.

I believe the public is entitled to a few answers from Mr. Nixon.

Cannot a man who, if elected President, would be called upon to debate and discuss the critical issues of the day with the leaders and councils of government of other nations in the world, debate a fellow countryman?

Does not the country deserve the opportunity to judge these men under fire? Does not the country deserve the chance to make a decision between two men on the basis of fair, pertinent debate, rather than on the basis of prepackaged, precensored, and pretentious films and commercials foisted upon them by the hucksters of Madison Avenue?

That is what is really at stake in this issue. Simply, whether or not the electorate is entitled to make its own fair judgment of the qualifications of those who seek to be President of the United States.

The Republican Party says "No." The people, I am confident, say "Yes." But with the antics of those here in Congress, the people somehow get short shrift.

When we suggest a debate, we are told President Johnson refused to debate in 1964. Yes, he did, and well he should have, for he was a sitting President of the United States whose every utterance bore that stamp of authority and impact. It was no more wrong for him not to debate than it was for Dwight Eisenhower to refuse to debate Adlai Stevenson in 1956.

Richard Nixon is not President of the United States. HUBERT HUMPHREY is not President of the United States. In fact, a debate is all the more natural in that both candidates are Vice Presidents of the United States.

But even if our Republican friends concede this point, they retreat to yet another—that the third party candidacy of George Wallace somehow muddies up the waters.

I submit that this merely is a convenient dodge—another way to avoid any kind of debate. For if Mr. Nixon is capable enough to seek the high office of President, he should be more than capable of handling Mr. George Wallace in a television debate. If he fears these debates for some other reason, the public deserves to know that, too.

I join with thousands of other Americans in urging an end to this farce which has been directed by Mr. Nixon. If he seeks the Presidency, he should be willing to earn it—out in the open—under the spotlight of truth.

SENATOR LAUSCHE

Mr. MUNDT. Mr. President, when we convene in January for the first session of the 91st Congress the Chamber will be without one of its most experienced Members, Senator FRANK J. LAUSCHE, of Ohio. During his long career in government he served as municipal judge, common pleas judge, mayor of Cleveland, five terms as Governor of Ohio, and as U.S. Senator since 1956. Experience gained in these offices served him well when he came to the Senate, and he shared his experience with the Members of the Senate, both Democratic and Republican, who came to appreciate his deep understanding of government. We shall miss his wise counsel and advice in the years ahead. He leaves a vacancy in the Senate which will be very difficult to fill.

HUMAN RIGHTS ARE FOR EVERYONE

Mr. PROXMIRE. Mr. President, throughout my daily speeches on human rights, I have made frequent mention of the fact that the specific protections for basic human rights, outlined in the various Human Rights Conventions, are the same contained in the Declaration of Independence and the Constitution of the United States.

These two documents, which represent both the heritage of America and its highest promise for the future, are the basis for the high degree of personal freedom enjoyed by every American. They are also the hope of the unwanted and the oppressed throughout the world.

In creation of the Universal Declaration of Human Rights, which was ratified unanimously by the United Nations, American leadership was as much in evidence as were the idealism and practical politics contained in the Declaration of Independence and the Constitution.

The Universal Declaration stands as tribute to both that leadership and that idealism. In order to make clear these similarities and demonstrate that ratification of the various Human Rights Conventions would guarantee to all men what Americans enjoy by birthright, I should like to aline excerpts from both the American documents and the Universal Declaration.

AMERICAN DOCUMENTS	UNIVERSAL DECLARATION
We hold these truths to be self-evident, that all men are created equal. (Declaration of Independence.)	All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood. (Article 1.)
The right of citizens of the United States to vote shall not be denied or abridged by the United States or any State on account of race, color, or previous condition of servitude. (Amendment 15, U.S. Constitution.)	Everyone is entitled to all the rights and freedoms set forth in this declaration without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. (Article 2.)
The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated. (Amendment 4, U.S. Constitution.)	Every person has the right to life, liberty and security of person. (Article 3.)
Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. (Amendment 8, U.S. Constitution.)	No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. (Article 5.)
In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed . . . and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense. (Amendment 6, U.S. Constitution.)	All are equal before the law and are entitled without any discrimination to equal protection of the law. (Article 7.) Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal. (Article 10.)
No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury. (Amendment 5, U.S. Constitution.)	No person shall be subjected to arbitrary arrest, detention or exile. (Article 9.)
All persons born or naturalized in the United States . . . are citizens of the United States and of the State wherein they reside. (Amendment 14, U.S. Constitution.)	Everyone has the right to a nationality. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality. (Article 15.)
Nor shall any person be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation. (Amendment 5, U.S. Constitution.)	Everyone has the right to own property alone as well as in association with others. No one shall arbitrarily be deprived of his property. (Article 17.)
Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof. (Amendment 1, U.S. Constitution.)	Everyone has the right to freedom of thought, conscience and religion. (Article 18.)
Congress shall make no law abridging the freedom of speech, or of the press. (Amendment 1, U.S. Constitution.)	Everyone has the right to freedom of opinion and expression (Article 19.)
Congress shall make no law prohibiting the right of people peaceably to assemble. (Amendment 1, U.S. Constitution.)	Everyone has the right to freedom of peaceful assembly and association. (Article 20.)
That to secure these rights, Governments are instituted among men, deriving their just powers from the consent of the governed. (Declaration of Independence.)	* * * the will of the people shall be the basis of the authority of governments; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures. (Article 21.)

Mr. President, during the 91st Congress, I trust the Senate will reassert its leadership role in the human rights field. Ratification of all the Conventions is needed to make the protections contained in the Declaration of Independence and the Constitution truly the protectors of those whose basic rights have been and continue to be violated throughout the world.

PEOPLE, POLITICS, AND POLITICAL DEBATES

Mr. MUNDT. Mr. President, I ask unanimous consent to have printed in the body of the RECORD, an editorial entitled "People and Politics," published in the daily newspaper of my hometown, the Madison, S. Dak., Daily Leader.

While the editorial is devoted to the manner in which the various network commentators injected themselves into the Republican and Democratic National

Conventions to offer self-adulating opinions and observations of their own instead of permitting the viewers and listeners to formulate their own conclusions from the proceedings of both conventions, I think the editorial also has relevance to the issue of whether or not the major presidential candidates should engage in political debates during the campaign.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PEOPLE AND POLITICS

We've heard lots of comment on the television coverage of the Democratic and Republican national conventions, most of it bad. Some of the criticism, however, should be shifted to the way the conventions are run, not just how they are covered by TV.

The main result of public criticism, we believe, will be long needed reform of our political system.

Many people are asking, for the first time, such questions as: How are the delegates chosen? How do the primaries work? What is the electoral college, anyway?

Leaders who have worked for the revision of our election system have found little public interest in what they are trying to do. But now that people have had a chance to see the political parties in action at national conventions, they are clamoring for a change.

The TV people, we believe, made the conventions look even more confusing by their constant coloring of the news. Journalistic tradition, at least among newspapers, is to separate news from comment and label opinion as such. Not so with TV. Comments and opinion flow freely before even the basic news coverage is given.

For some reason, the TV people just don't want "to tell it as it is," before they interpret, analyze, praise or condemn. We happened to watch the CBS coverage of Tuesday night's Democratic Convention and thought the news reporting was terrible. In fact, we'd like to see the entire video tape of that night's broadcast reviewed by a panel of responsible newsmen, either in or outside the TV industry. A liberal dose of self-criticism would be a healthy tonic for some of the newsmen.

But regardless of the inept coverage, we think many people in the U.S. are becoming more aware and more interested in the workings of our political system. Such awareness and interest speaks well for the future of our democracy.

Mr. MUNDT. Mr. President, to debate or not to debate—that is the question. I am one who voted in the Senate to provide equal time debates between two major presidential candidates and who regrets that the House made a mockery of this proposal by suggesting three-cornered or four-cornered debates instead of discussions modeled after the famed Lincoln-Douglas debates of a century ago. Certainly the Senate acted wisely in rejecting such a forensic monstrosity.

In addition, the House version of the proposed equal-time provisions which would have provided public service time for these debates added insult to injury in its tampering with the Senate version of the debate-providing legislation. The House version suggested that the respective networks should be permitted to arrange the format of the debates and determine the rules under which they should be held. That recalls the unrealistic manner in which the Nixon-Kennedy debates were held 8 years ago in which the various network newsmen and commentators repeatedly broke in to the discussion, asked extraneous or impertinent questions, or made observations of their own whenever the candidate they favored began to show signs of weakening or of losing the decision on a specific item up for discussion. The so-called Nixon-Kennedy debates were in reality "Hydro-headed press conferences" rather than political debates.

I also recall as regrettable the vote taken in this Chamber on August 18, 1964, when the Senate voted 44 to 41 to table the Pastore motion agreeing to the conference report which would have suspended the equal time provisions of the Communications Act for the 1964 presidential campaign. The current Democratic candidates for President and Vice President who are now pressing for television debates on any terms both were among the 44 Senators who voted to table the Pastore motion. If they had joined the 19 Senators from their party who voted against the motion to table, it would have lost by a vote of 42 to 43, and the presidential campaign of 4 years ago would have had the benefit of confrontation debates between the two presidential candidates. Curiously—or perhaps understandably—those who opposed debates 4 years ago now favor them.

Mr. President, if we are to hold debates again between the major candidates for the Presidency, the participants and their respective campaign organizations—not the networks—should determine the rules of the game. Such debates should be modeled after the Lincoln-Douglas debates—with the two contestants confronting each other, questioning each other, and answering each other without any "third persons in the ring" interrupting the flow of the argument. One presiding officer should, of course, preside over the debate but simply to introduce the speakers and to make certain each gets equal time and each understands the rules of the debate concerning who should open the argument, how much time should be permitted for cross-questions and answers, and who should conclude the argument. Obviously the candidate speaking first in the main presentation should speak last at the end of the debate. This type of two-candidate, man-to-man confrontation, would well serve the public interest and would eliminate the frustrating and distracting interjections and questions from others which made the Nixon-Kennedy debates both unrealistic and unfair.

Let me add that in this particular campaign I think Dick Nixon has acted wisely and properly in refusing to participate in a "three-candidate debate" under any circumstances. After all, nobody has yet explained why one Republican should debate two Democrats anywhere, any time, and for any reason.

HUBERT HUMPHRY and George Wallace are both Democrats and share much in common besides their long-standing affiliation with the same political party. Both, for example, have expressed approval and applause over the fact a fellow Democrat, Governor Maddox, is the Governor of Georgia. The vast majority of the Southern delegates to the Democratic convention in Chicago, who now support Wallace for President, supported HUMPHREY for the Democratic nomination and some of them continue to support him. As Democrats, both have many friends in common and in past years have joined in supporting the same candidates for high office. Could anything be more unjust or unfair than to expect Nixon, the one Republican, to debate with both Wallace and HUMPHREY, the two Democrats.

Finally, it should also be pointed out that the sorry fact that our country is still at war in Vietnam injects perils and dangers into any debate between major candidates which do not ordinarily prevail and which were not present in 1960 at the time of the Nixon-Kennedy debates.

Inasmuch as the conduct of the war, the positions taken at the peace conference, whether to stop, continue, or escalate the bombing, and whether to encourage or prohibit Americans from trading with the enemy in time of war have all become issues in this campaign, there is much to be said in support of the concept that no such political debates at all should be sponsored or encouraged.

Present political conditions present new perils which might do injury to our entire country if debates were held in time of war. In the excitement of a debate and in the desire to score important points, either candidate or both might make statements which when translated in Hanoi could give aid and comfort to the enemy and thus serve to prolong the war.

Without the stimulating atmosphere of a debate, some such statements have already been made. Even more damaging suggestions or comments might eventuate from the exciting and explosive atmosphere of a nationally televised debate. Perhaps these are times which require the maximum of self-restraint and only the most carefully considered recommendations of the war rather than the creation of new opportunities for things to be said, challenges to be made, and statements to pop out which would completely eradicate what hope there remains for progress in our peace talks at Paris and which might tend to stiffen the determination of the Communist Masters in Hanoi to step up their fighting and prolong the war.

On balance, the public this time may well be far better served by the fact that in the end Congress failed to pass the equal time provisions with regard to presidential debates in 1968. But I again repeat: Congress might do well in the comparatively calm of a nonpresidential year to pass permanent and continuing legislation providing for such debates in time of peace—but only if they are to be between the candidates of our two major parties and only if the participants rather than the eager-beaver network people are to determine the rules of the debate.

AMERICA'S OUTRAGED CRY FOR A CHANGE

Mr. SCOTT. Mr. President, I ask unanimous consent to insert in the REC-

ORD a front-page editorial appearing in yesterday's Philadelphia Inquirer earnestly urging the election of Richard M. Nixon as President of the United States.

Summing up its indictment of the Johnson-Humphrey administration's record, the Inquirer asserts:

> There is a spirit of desperation in our land in its fervent cry for a change: for a change in Government and in Government policies, and for a chance to restore our Nation to health and honor.

Our chance for that restoration arrives on November 5 when we can elect Mr. Nixon, a man who, in the Inquirer's words:

> Can and will stop the corrosion and corruption that have disfigured our country; and will help us with strong new leadership, as President, to regain our stature and dignity with equal justice for all, and with a future that we can face with confidence and security.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AMERICA'S OUTRAGED CRY FOR A CHANGE

Fruit flies are always present, but the only time you notice them is when the fruit begins to rot.

Take a look at our country today and you will find that the fruit of American accomplishment and progress is well on its way to rotting, while visibly teeming in all directions are the creatures who are seeking to destroy America and all that it has pridefully stood for.

Take a look and see the evil results of an era of permissiveness, encouraged by weak and indecisive leadership in the highest places of authority. See the demoralization that has afflicted many homes and schools, with parents and faculty members, neglectful of their duties, siding with children in immature and even criminal behavior. See the mounting wave of crime that makes not only our streets but homes and places of business unsafe; see the rioters defying the law, burning down whole neighborhoods, shooting, knifing, looting, preaching death and hatred.

See the concept of law and order twisted into some kind of an obscene joke, with students seizing university buildings, demanding command of the institutions, making use of the principle of free speech while denying free speech to others, performing according to the "Rules for Staging a Revolution," written by the president of the National Student Association: "A revolution's initial moves are mild—perhaps more so than those of a reform group—but its life span is longer and its termination violent. It aims at avoiding negotiations, because its implicit goals are nonnegotiable, but it seeks to appear receptive at every stage. The image of an impetuous administrator thwarting a thoughtful student body must be created . . ."

There in the student revolutionaries' own rule book is the essence of the campus revolt that has disrupted the educational process at scores of institutions: give the appearance of receptiveness to rationality, but never, never give in.

The Government in Washington, in the face of savagery on the streets and disorder in the schools, has engaged in hand-wringing tolerance and despair while the volume of crime in the U.S. has risen a staggering 89 percent in eight years, including for example, one murder every 43 minutes and a rape every 19.

Is it any wonder that Americans everywhere in growing numbers are frightened by violence, disgusted with toleration of disorder and baffled by widespread desecration of every traditional ideal that would make patriotism a dirty word?

Discipline, punishment for misdeeds, individual responsibility for acts of individuals have been replaced by an insane permissiveness that promotes anarchy.

We invite our readers to study the photographs that appear in the body of this editorial. One shows an Illinois National Guard vehicle mounted with barbed wire protection for the driver from front, above and behind, as it prepared to face the crowd of rock-throwing demonstrators in Chicago during the recent Democratic National Convention. An American guardsman requiring this kind of protection from a mob of fellow Americans intent on destruction and disruption of our political process; here in one picture is displayed the hysterical violence and near-anarchy that inspires a street mob to turn on those whose only duty is to uphold the law.

There is another photograph showing members of an international student conference and Students for a Democratic Society carrying posters and a red flag as they leave Columbia University after occupying a number of buildings, littering them with refuse and breakage, issuing ultimatums demanding control of the institution and struggling with police finally called in to evict them.

A third picture shows the scene at a welfare center in Brooklyn, after 75 recipients of public assistance staged a wild rampage, smashing furniture, ripping telephones from walls, scattering and destroying papers and barring 600 caseworkers from entry--all to express their dissatisfaction with the kind of service and the amount of welfare funds they receive. There were no arrests.

It has been said that there is a sickness in our society, but the sickness is not so much in the irrational behavior of demonstrators and militants and acid-heads as in the feebleness of a Government that has seen a prosperous and progressive country become a victim of division, distress and distrust.

Whether in the conduct of the war in Vietnam, taking the lives of American youths every day; whether in the fiasco of the peace talks at Paris; whether in the ruinous inflation and rising taxes that bring economic hardship to every household and business firm; whether in the climbing deficits created by a Government mad for spending; whether in the debacle of cities forced into the position of a submissive doletaker from a politically obsessed Federal Administration—in all these things the American people have been witnesses to Governmental ineptitude and deception that must be without parallel.

The Johnson Administration has been wrong about the War in Vietnam; it has been wrong about the problems of the cities; it has been wrong about the way to reduce crime on our streets and to eradicate poverty.

There is a spirit of desperation in our land in its fervent cry for a change: for a change in Government and Government policies, and for a chance to restore our Nation to health and honor.

There can be no change in leadership in the substitution of Hubert Humphrey for Lyndon Johnson, because Johnson's policies and positions are those of Humphrey. The Vice President has made his political bed. He is lying in it. His commitments to the measures that have led to disaster and disorder are too deep to depend upon him for the drastic restoratives we need.

There is little in Hubert Humphrey's record of support for the Johnson policies of escalation and rigidity in Vietnam, nor in his frantic campaign protestations of devotion to peace, to furnish any assurance that he would deviate an inch from the President's course. He has to defend those policies: they are his as well as Lyndon Johnson's.

While White House foreign policy has remained focused on the Far East, it has treated our Allies with indifference verging on contempt. The President has persisted in snuggling up to Moscow, even while the Soviets sustain the North Vietnamese, even while they give a demonstration of their ruthlessness and untruthworthiness by their invasion of Czechoslovakia. The Administration has sat idly by while Russia has gained its centuries-old objective, the thrust through the Dardanelles to bases and practical control in the Eastern Mediterranean, and mastery of the oil-rich Arab world.

While the Soviets have rearmed Egypt and Syria to the point of readiness for another attack on Israel, the Johnson Administration has delayed and equivocated about selling Israel the military aircraft it desperately needs for its defense.

Turning to domestic affairs, it is obvious that the root issue of the Presidential campaign is that of crime and law enforcement. Lawlessness has been encouraged by the appeasement of the lawbreakers by persons in authority, law enforcement has been hampered by mealy-mouthed court decisions favoring the criminal. The Department of Justice today is widely regarded as one of the weakest arms of the Federal Government.

The right to dissent, always upheld in America, has been twisted by radicals into the right to prevent the expression of any opinions but their own. Free speech has become the prerogative of the revolutionary. Police who risk their lives trying to control rioters and looters are cursed as "brutes"; the actual brutes who kill and burn and steal, and defy the law on gang-controlled street corners or gang-controlled campuses are hailed as heroes.

The war on poverty launched by the Johnson Administration has been more dismal than the war in Vietnam. There is more Negro resentment over unequal treatment, more Negro militancy and frustration than when the war on poverty got under way. The need for affirmative action to correct abuses that are capable of correction has been neglected. Human cruelties to people whose skin is black have been left uncured. Instead, the Negro has been handed the same old formula made up of empty words and promises, and Negro unemployment in the midst of plenty has remained a national disgrace.

Meanwhile the average working man finds his pay envelope thinned by ever-growing taxes and the rising cost of living induced by an inflation the Government seems powerless to stay.

"The first civil right of all Americans," Richard Nixon declares, "is to be free from domestic violence." The Republican Presidential nominee wants a Justice Department dedicated to the just enforcement of law and order. He wants to see that the hands of the police are not tied by mistaken decisions of the courts that assist the criminal.

In place of Johnson-Humphrey fumbling with the problem of the Negro poor, Nixon has a realistic program to "do more for less money," by replacing billion-dollar welfare plans, that have not worked, with genuine aid through jobs made possible by tax incentives for private industry.

On the war in Vietnam, on the problems of taxation and welfare, of race relations and of dissent turned into uncurbed violence that makes many men and women fear for their lives every day, Hubert Humphrey is tied to the past and the failures of the past.

Fearful of the future of America, many voters have unwisely turned to George Wallace, who otherwise would receive little attention as offering nothing but more insecurity, based on racial hate and conflict.

It is America's good fortune that it has another choice in Richard Nixon, a man who can and will stop the corrosion and corruption that have disfigured our country; and will help us with strong new leadership, as President, to regain our stature and dignity with equal justice for all, and with a future that we can face with confidence and security.

Mr. Nixon has a positive program for constructive action, which we will discuss in an editorial appearing October 20.

This newspaper earnestly urges the election of Richard M. Nixon as our next President.

VIETNAM ISSUE BECOMES SPECTACLE

Mr. MUNDT. Mr. President, I ask unanimous consent to have printed in the RECORD, an informative and challenging newspaper column written by the highly regarded David Lawrence, of Washington, D.C. It is entitled "Vietnam Issue Becomes Spectacle" and expands on the major thrust of the article which is summarized in the last sentence of the presentation.

The sentence reads:

> Just what all this is doing to the morale of American troops abroad can only be guessed at in this country. But certainly it is unprecedented for American soldiers to be fighting a war while the enemy is being given the impression that a substantial segment of the American people—including persons seeking the Nation's highest office—want peace at any price.

It is to be hoped that the realistic discussion and the good advice of David Lawrence will be carefully considered by all speakers during the remaining weeks of this campaign.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VIETNAM ISSUE BECOMES SPECTACLE

(By David Lawrence)

A strange spectacle in American political history is being witnessed today in the presidential campaign. Although the President of the United States heads a Democratic administration, and the platform adopted by the Democratic party at the recent convention supports his policies in Vietnam, a demand is being made by both the Democratic presidential and vice presidential nominees to "end the war" by taking what are called "calculated risks."

The vice presidential candidate, Sen. Edmund S. Muskie, has defined the differences between himself and the administration by arguing that, while everybody is agreed that the war "must be settled not by military force but by negotiated settlement," the United States must "take some risk to end the war." He declared that it is on this point he begins to "part company" with the administration on Vietnam policy. He sought to justify his attitude by claiming that the administration has already changed its position as a result of the dissent which has been expressed in America.

Also, Hubert H. Humphrey has been saying that he could have accepted the minority proposal for the Democratic platform calling for an "unconditional" halt to the bombing of North Vietnam.

Apparently in an effort to deal with such varying comments, President Johnson, in a speech before the American Legion Convention at New Orleans on Tuesday, made the following declaration:

"We are today exacting a very substantial price from the enemy. It requires patience of all of us. But we are limiting his capacity to bring weight against our forces and our allies. There is not the slightest doubt that if we should stop the bombing in the Panhandle, the military capacity of the enemy to hurt our forces would greatly increase, and our casualties would skyrocket.

"Just a few days ago, I went to the field with a cable and asked the commander of our troops in South Vietnam, one of the ablest commanders ever to wear a uniform, General Abrams, to give me his view point on what would happen if I should order him to carry out the suggestion that had been made by some of our enemies abroad and some of our friends at home to stop the bombing.

"His reply was simply this: If you should require me to stop the bombing of North Vietnam, you would permit the enemy to increase his capability several fold in 10 days, and if he did, I would be forced to withdraw our men from that area because they could no longer stand their ground.

"I am not going to issue any order like that.

"General Abrams nor a single field commander we have has made that recommendation to me. I am not a prophet or a speculator, but I do prophesy that some of these men who recommend it now would not do so if they were there on the DMZ, and could see there what our men face every day and face every night.

"Therefore, the Commander in Chief has insisted that the bombing will not stop until we are confident that it will not lead to an increase in American casualties."

It has never happened before that, in the middle of a war—in which more than a half-million American troops are engaged—the President as Commander in Chief has been told by the candidate of his own party campaigning for the presidency just how he should conduct the nation's military operations. There continues to be emphasis placed by the campaigners on the importance of bringing the troops back "early," though military men say there is no sign that the war can be ended in a few weeks or even months.

The North Vietnamese are making absolutely no concessions at the Paris conference. They are being encouraged by the news dispatches from the United States to believe that the President's own party is not supporting him and that the Democratic nominees for the presidency and vice presidency, despite their protestations to the contrary, will be inclined to favor almost any step to end the war.

Just what all this is doing to the morale of American troops abroad can only be guessed at in this country. But certainly it is unprecedented for American soldiers to be fighting a war while the enemy is being given the impression that a substantial segment of the American people—including persons seeking the nation's highest office—want peace at any price.

RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the majority leader.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Thereupon (at 12 o'clock and 4 minutes p.m.) the Senate took a recess subject to the call of the majority leader.

At 12:57 p.m., on the expiration of the recess, the Senate reassembled and was called to order by the President pro tempore.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 83) establishing that when the two Houses of Congress adjourn on Friday, October 11, 1968, they stand adjourned sine die, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 82) authorizing the President of the Senate and the Speaker of the House to sign enrolled bills and resolutions.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H.R. 11394) to amend certain provisions of the Internal Revenue Code of 1954 relating to distilled spirits, and for other purposes.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 18707) making appropriations for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes; and it was signed by the President pro tempore.

RESOLUTION FOR ADJOURNMENT SINE DIE

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on Senate Concurrent Resolution 83.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the concurrent resolution (S. Con. Res. 83) establishing that when the two Houses of Congress adjourn on Friday, October 11, 1968, they stand adjourned sine die which were: in line 3, strike out "Friday, October 11, 1968" and insert "Monday, October 14, 1968"; and amend the title so as to read: "Concurrent resolution establishing that when the two Houses of Congress adjourn on Monday, October 14, 1968, they stand adjourned sine die."

Mr. MANSFIELD. Mr. President, I move that the Senate concur in the amendments of the House.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

EQUAL TIME PROVISION OF THE COMMUNICATIONS ACT

Mr. HART. Mr. President, the question of the equal time requirement of section 315 of the Communications Act has been raised in the House and in the Senate because in times of confusion, and that certainly describes the situation we are in today, it is essential that the American people be informed.

We are faced with a statement on the part of one of the major candidates for the Presidency that the question is now moot since action has not been taken to suspend the requirement of section 315. I would have preferred, of course, that the Senate had been permitted to take that action. However, this is evidently beyond all likelihood.

There are ways, however, by which the major candidates can present their views to the American public. The Vice President has indicated at all times a willingness, indeed, a very great desire, to do this. In fact, he has offered to purchase time and to share time with Mr. Nixon and Mr. Wallace, in order that there may be a full discussion of the issues before the country today.

I think that it is essential that Mr. Nixon recognize his responsibilities to the electorate for a frank and open discussion, and I hope that my colleagues on the other side of the aisle will join me in urging him to agree to participate in this discussion.

I would hope that my colleagues on both sides of the aisle would join me in urging him to agree to participate in this discussion. Surely, this is the way of a democracy, and we can do no less than to keep the people informed.

I confess, Mr. President, that I have very great reluctance to urge debate in a national campaign for the office of President when the incumbent President is a candidate. I am very unsure in my own mind as to whether under those circumstances it is desirable that the confrontation occur. But when, as is the case this year, none of the candidates is the President, the importance of enabling the American people to measure the men, to test their responsiveness, to judge their balance—indeed, their sensitivity and awareness of what time it is by the clock of history—and to give some explanation of the course and the commitment, the allocation of resources they would urge Congress and the Nation to support in the event of their election, becomes extremely important.

I know perfectly well, as a politician, that the maxim is sound, "When you are ahead, do not debate." I am not so new to the business to take the position that if the situation were reversed, there would be strong sounds from this side of the aisle urging a debate. Be that as it may, those are politicians at work, making politically potent but not necessarily propublic judgments and arguments. The public interest, overriding the attitude of the political interest, is that this country would be in a much sounder position to make a prudent judgment about which man is more likely to give the kind of leadership to this Nation in the next 4 years if they could see them eye to eye, each with the other, and I hope they will agree to do it.

Mr. YOUNG of Ohio. Mr. President, I listened throughout to the remarks of the distinguised senior Senator from Michigan [Mr. HART]. I wish to associate myself with everything the Senator has said.

It seems to me that the Republican candidate for President is afraid to face the American people with his makeup off, in debate with the Vice President of the United States. Certainly, the top three candidates for the Presidency should go before the American people, and should give the American people an opportunity to see and hear them discuss the issues in this campaign following the pattern of the Nixon-Kennedy debates of 1960.

But, having observed the Republican candidate for President—the then Republican candidate and the present Republican candidate—in the 1960 debates and knowing, as he knows, that they cost him the election at that time—I can appreciate, as does the Senator from Michigan, that Richard Nixon is afraid to appear on television in a joint debate with the candidate of the Democratic Party, the Vice President of the United States, and the third party candidate. I deplore this. I believe this is very unfortunate, and I think Richard Nixon is culpable in taking that position. How can Americans expect Mr. Nixon to face the Russian bear or the Chinese dragon when it is crystal clear that he is scared witless of the NBC peacock?

Mr. McINTYRE. Mr. President, on the 5th of November—approximately 3 weeks from now—millions and millions of Americans in thousands of cities and towns all over this Nation—will select the next President of the United States. These millions of Americans have the right to know everything possible about the candidate they eventually choose.

Many years have passed since it was necessary for candidates to "barnstorm" the length and breadth of the Nation—speaking from the rear platforms of campaign trains. In this day and age, the candidates have the advantages of the marvelous electronic medium called television. By means of this great marvel of communications, the candidates do not have to travel physically. They can appear—and be heard—in the very living rooms of the voting public. And there is not the slightest doubt that all the major candidates take advantage of this.

When I say "take advantage," I mean precisely that. To the television viewer they present what they want the television viewer to see. They allow the viewers to hear only what they want them to hear. The candidates are made up by professionals skilled in the theatrical arts of make-believe. Their speeches are prepared by clever writers who carefully conceal the candidates' weaknesses and prejudices behind a screen of empty words. Vast fortunes are spent on these televised appearances. It is unfortunate that in the history of this country—never has so much been spent to accomplish so small a result.

The American voters listen a lot—and learn but little.

This year—unlike most of the past elections in this electronic age—three candidates are asking for the support and endorsement of the American people. Mr. Nixon is the candidate of the Republican Party. Mr. Wallace is the candidate of a new third party—the American Independent Party. And Vice President HUMPHREY is the candidate of the Democratic Party. These three men—each of them—represents a different political philosophy. Each of them proffers different policies of action to solve the many problems confronting us at home and abroad. Each of them has a different personality.

But how can the voter measure all these differences? Can they be measured by the carefully tailored, image-making, individual appearances bought and paid for by each man's campaign committee? These are nothing more than commercial advertisements for competing household products. The virtues of each are stressed exclusively. None of the others is mentioned. Each presents oversimplified solutions to compelx issues. Emotions are stirred. Fears are played upon. And the characteristics of the candidates—the quality and capacity of each candidate's reaction to stress is carefully concealed.

This is no way to run an election. Not in a free country. Not in a country that has the most intelligent and the most literate people in the world. Not in a country that has the most modern and the most extensive network of modern communications.

The way to run an election in this country is to have a real, honest-to-goodness confrontation between these three candidates. The way to run an election is to have the voting public see these men face to face—to be able to listen to them—to be able to see their reactions to attack upon their policies and political philosophies.

The great communications networks have agreed to televise such a confrontation so that the American people can see it. They have agreed to do this free of charge so that any major candidate—even one without a multimillion-dollar advertising budget—can have his chance to debate the issues with other, wealthier candidates. The television networks in this respect are living up to their responsibilities in the public interest.

And so, Mr. President, what's holding the whole thing up?

First of all, there's a law that requires the broadcast media to give equal free time to all presidential candidates. To do this would enable every far-out, offbeat political party to engage in this vital service—thus rendering it topheavy and meaningless. The facts of life are that we have only three major candidates. And a simple act of Congress is all that is needed to limit the confrontation on television to these three men alone.

It is interesting to me, Mr. President, that while two out of three of these political candidates face the reality of the situation, the third one refuses to do so. Governor Wallace and Vice President HUMPHREY have agreed. Mr. Nixon has not. Mr. Nixon says he refuses to dignify the candidacy of Governor Wallace by appearing on the same platform with him. What Mr. Nixon is saying in essence, therefore, is that he refuses to dignify what a not inconsiderable portion of the American people indicate they want to see.

Now it so happens that I do not agree with the political philosophies of Governor Wallace. I find fault with the solutions he proposes to the problems that confront us. I feel Vice President HUMPHREY and Mr. Nixon probably hold the same view. But it is also true that Mr. Wallace and Mr. HUMPHREY do not agree with what Mr. Nixon proposes—if, come to think of it, he has proposed anything. And that, perhaps, is the reason Mr. Nixon adamantly refuses to expose himself to the eyes and ears of television.

It is said that Mr. Nixon feels he is so far ahead that any exposure to television debate can do him no good. It can only do him harm. If this is true, it indicates a peculiar lack of courage on the part of a presidential candidate—a man who would be the leader of this Nation.

A President of the United States is probably the most exposed single man in the world. What he does—what he says—what he thinks—are of interest in every civilized nation. The faithful members of his political party cannot hide him from the probing spotlight of world opinion. He must have the sort of courage to expose himself and his decisions for all the world to see. And the American people have the right to demand that sort of courage from their Chief Executive.

It is only natural for all citizens to wonder why Mr. Nixon refuses to debate. The refusal to dignify the candidacy of George Wallace is too flimsy to be credible. It is a refusal to accept the facts of the political situation as they are. And that sort of attitude leads one to suspect that perhaps Mr. Nixon cannot recognize some of the other political facts as they are—not only in Vietnam—in regard to our relations with foreign countries—but also in regard to the critical matters that confront this country at home. It would be a sad, yes, a tragic day for this Nation to have a man in the White House who buried his head in the sands of complacency and refused to see what was going on around him.

Of course, there could be some less charitable than I who believe there could be other reasons the Republican Party's candidate wishes to avoid a debate. It has been suggested that he feels about debates as a burned child does about fire. There are those who believe that in a previous debate with the late President Kennedy, Mr. Nixon's exposure to the public had a negative effect for him. The people found John F. Kennedy more to their liking. And it is possible that the merciless eyes and ears of the television apparatus would strip away the carefully created, Madison Avenue image of a "new" Nixon. The "old" Nixon would emerge again. And once again the American people might find someone else more to their liking.

Mr. President, Vice President Humphrey has faith in the judgment of the American people. He has the courage to face that judgment—on television—in the homes of the American people. He does not just talk about it. He does it. He has reserved 1 hour of time this coming Sunday night on the CBS Television Network from 10 to 11. And he has expressed the hope that Mr. Nixon will see fit to join him, so that both—together—face-to-face can present their views to the Nation's voters.

It is obvious that Vice President Humphrey is not afraid of television.

Mr. President, any candidate for the Presidency must have the courage—in fact, the American people demand that he have the courage—to expose himself and his ideas to their inspection and their judgment. They ask—and rightfully so—how any man who is afraid to face the NBC peacock can have the courage to face the Russian bear.

THE CONNECTICUT RIVER

Mr. DODD. Mr. President, I ask unanimous consent to have printed in the Record an editorial entitled "The Conittekock," published in the Catholic Transcript, of Hartford, Conn., on September 20, 1968.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Conittekock

An old Dutch map of Connecticut, drawn by Jasper Danker in 1650, shows the state's "Versche" or "First" River flowing southward through several Indian districts, one of which was known as *Conittekock*. Along the river's banks appear the names of early settlements: "Voynser" (Windsor), "Herford" (Hartford), "Weeters Velt" (Wethersfield), "Stratfort" (Stratford), "Gilfort" (Guilford); and so on.

The Indians called the great waterway "Smile of God." Adrien Block, a Dutch trader who explored it from Long Island Sound to Enfield Falls (on what is considered to be the first homemade boat of any proportions constructed in America) named it "Fresh River."

Today neither descriptive fits. The once sparkling Connecticut River now broods; brackish cisterns have fouled its once fresh currents; refuge heaps rise from its once pure depths; ugly oil and chemical patches scar its once mirror-like surface; in parts the river is even being used for sewage. And the fish life is no longer as varied, plentiful, or wholesome as it once was. Atlantic salmon, for example, are reportedly gone from the river, and catches in certain areas taste of pollution.

Last week's news announcing the Federal Government's plans to create a 56,700-acre park along the river's banks, within the four New England states it flows through, is obviously welcome news. Action on these plans can hardly be delayed any longer; to tolerate any further defilement of one of our most precious natural resources would be an especially criminal act for which this our supposedly enlightened generation would have to accept direct blame.

Goethe wrote: "What you have inherited from your fathers you must earn for yourself before you can call it yours." This philosophy was invoked during the ceremonies of Connecticut's tercentenary at the State Capitol in 1935. This philosophy must be invoked again today specifically with respect to the historic Connecticut River Valley. Failure to do so will not only entail corporate moral guilt, but will result in a catastrophe ever as crippling as the devastating flood along the valley which occurred in 1936. Then, rehabilitation was possible. Tomorrow, it may not be.

TRIBUTE TO SENATOR CARL HAYDEN OF ARIZONA

Mr. RANDOLPH. Mr. President, at the opening of the session today, the President pro tempore of the Senate, the Senator from Arizona [Mr. Hayden], was in the chair. We heard his words, "The Senate will be in order." He added, "The Chaplain of the Senate will lead in prayer."

There is sadness in knowing that we shall not hear these words again from the distinguished Senator from Arizona, Carl Hayden, who is now in the chair; but in a very few minutes, presumably, the 90th Congress will close. I believe it is very noteworthy—certainly, it is very significant—that in the Senate in these closing minutes we remember Carl Hayden as he gavels the 90th Congress into history; and at the same time he will be closing out his career of service in Congress.

This good and great legislator came here in 1912 and now he leaves in 1968—56 years of commitment in the Congress of our Republic, including 42 years of consecutive service in the Senate of the United States.

When I came to the Senate in November of 1958, the first Member to visit my office to greet me was Carl Hayden. I had known him as I served as a Member of the House of Representatives during the period of his service in the Senate. He said, "Jennings, if there is anything I can do to help you, I want to do it." This touched me very much. I was grateful that in his busy career 10 years ago, he would stop by to say "welcome."

He has said "welcome" to many Members of the Senate, and he has meant it.

And now, without laboring the point—because he would not desire it to be too much of a ceremony—we say not "welcome" to Carl Hayden but "goodby" to Carl Hayden, as he gavels the 90th Congress to a close and presides, as he has done so often, with humility and with honor.

To Carl Hayden a very sincere salute.

The PRESIDENT pro tempore. I thank the Senator for his very kind remarks.

TRIBUTE TO DEPARTING SENATORS

Mr. MANSFIELD. Mr. President, when roll is called to convene the 91st Congress, the Senate will first realize the loss of some of its most outstanding and effective Members. Seldom has the close of a Congress signaled the departure of so many prominent and illustrious names—names that in the Senate mean service, diligence, and devotion; names that over the years have become synonymous with the Nation's progress, enlightenment, and excellence. Hayden, of Arizona; Hill, of Alabama; Hickenlooper, of Iowa; Carlson, of Kansas; Smathers, of Florida; Kuchel, of California; Morton, of Kentucky; Lausche, of Ohio; Long of Missouri, and Gruening, of Alaska—these names represent a cumulative loss that will be felt on each side of the aisle, that will extend to the workings on the Senate's most important committees.

Carl Hayden has been in the Congress since 1912. Limitations of time simply demand that I do not relate all of his many achievements. It hardly needs saying that the list is endless, that his accomplishments are known well by the Members of this body; perhaps even better by the people of Arizona whom he has represented with the greatest of skill and ability for nearly 60 years. The recent enactment of the central Arizona project simply exemplifies his consistent effectiveness. His long and outstanding service as chairman of the Committee on Appropriations speaks abundantly for the enormous responsibility he has consistently assumed. Carl Hayden, the patriarch of the Senate, is a remarkable man. We shall miss him.

We shall also miss Lister Hill. I believe I can say with complete impunity that no Member in the history of this body has done more for the advancement of science and medicine than has Senator Hill. Indeed, if he had done nothing else, during his entire career, history would still record as singularly outstanding, Lister Hill's contribution to the welfare of humanity. But the fact is, he applied himself with equal dedication and devotion to every effort that gained his support. As the chairman of the Committee on Labor and Public Welfare he has led the fight for numerous legislative achievements; and the laws that bear his name are some of the most vital and important of any that have ever been enacted.

And just as LISTER HILL has contributed so much to the Nation's domestic welfare so has BOURKE HICKENLOOPER been the Senate's guide and mentor on the state of the Nation's foreign involvement. His wide knowledge of foreign affairs, his keen insight into world problems have for years made him a leader in this highly important and complex field. He has served with distinction on the Foreign Relations Committee, and the loss of his significant contributions will be deeply felt.

Senator FRANK CARLSON preceded me to the Senate by just 2 years. Yet in that short time he had already made his mark as a Senator of the highest skill and ability. A farmer himself, he applied his immense wisdom and practical know-how to the resolution of the many problems that confront our agricultural community. As a member of the Committee on Post Office and Civil Service he has dedicated his energy and talents not only to the immense task of achieving the most advanced and efficient postal service obtainable, but to the special problems that face Government workers at the lowest level of service. FRANK CARLSON has served the Senate and the entire Nation with the deepest devotion and we are grateful.

GEORGE SMATHERS has also served the Senate and the Nation with immense devotion and great ability. His mastery of fiscal affairs, his deep understanding of the Nation's economy have marked with excellence the years of his outstanding service. As the chairman of the Select Committee on Small Business, he has proven himself a true and devoted friend of the little man whose financial health and welfare are so important. They shall miss him and we shall miss him very much indeed.

TOM KUCHEL long ago earned the highest respect of the Senate for his strong and devoted efforts to conserve and preserve the Nation's resources. That effort was exemplified most recently in the passage of the measure that will preserve the redwoods. His quick rise in the Republican leadership speaks abundantly for his great skill, his outstanding abilities. These capacities coupled with his great wisdom have made his service of the highest caliber.

Also serving this body, the Nation, and his party so capably over the years is the Senator from Kentucky [Mr. MORTON]. I was indeed saddened when he announced his retirement from the Senate. THRUSTON MORTON has worked diligently to better the conditions of all Americans. In the fields of Commerce and Finance he has excelled. His work on the Special Committee on Aging demonstrated that he has been a true champion of our elder citizens as well.

And just as THRUSTON MORTON has applied his talents and energy to so many worthwhile endeavors so have the contributions of Senator LAUSCHE run wide and deep. As judge, mayor, and Governor, he brought to the Senate the immense wisdom that came from years of public service. His quick grasp of every issue made his contribution to the work of the Senate always thoughtful, always keen. We shall miss Senator LAUSCHE very much.

And finally, Senator EDWARD LONG will be similarly missed. In his short service in the Senate he has left a record that may be designated with great pride. His tireless work on the Judiciary Committee will serve as an example for all Senators.

The Senate will feel deeply the loss of each of these Senators. With them I believe the Senate has attained its greatest achievements. Without them the task will be far more difficult.

Finally, to you, Senator HAYDEN, a Senator's Senator if ever there was one, you have presided over this body with dignity, intelligence, skill, and most important, with a demonstration of impartiality unmatched at any time.

This has been a good Congress, not a great Congress, not a poor Congress, but a good Congress; and any achievements made by this Congress accrue not to the Democrats, not to the Republicans, but to both parties and all of us.

On that note, Mr. President, I wish to express to you my personal thanks for the many courtesies, considerations, kindnesses you have shown toward me, not only in my 16 years in the Senate, but also previous to that, during my 10 years in the House of Representatives.

I salute you, sir. You are a great man.

The PRESIDENT pro tempore. Is there further morning business?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

REPORT OF PRESIDENTIAL NOTIFICATION COMMITTEE

Mr. MANSFIELD. Mr. President, from the committee appointed to notify the President of the United States that the Congress has completed its business and is ready to adjourn unless he has further communications to make to them, I report that the committee has performed that duty, and that the President has informed the committee that he has no further communications to make to the Congress at this session.

TARIFF SCHEDULES OF THE UNITED STATES, AND AMENDMENT OF INTERNAL REVENUE CODE OF 1954

Mr. LONG of Louisiana. Mr. President, the House was proposing to send to the Senate a message on H.R. 15003 and a message on H.R. 18101, disagreeing to the Senate amendments and hoping, perhaps, that the Senate would agree to the House bills as passed by that body.

It is my understanding that such action will be objected to.

In view of the fact that we are more or less operating by unanimous consent at this time, I do not expect to make the request unless I am able to ascertain that it would not be objected to.

FAREWELL STATEMENT OF SENATOR KUCHEL

Mr. KUCHEL. Mr. President, as the 90th Congress is about to adjourn sine die, I rise to make what probably will be my last comments as a Member of the Senate of the United States. At about the end of this year, my tenure here will have run its course.

My 16 years in the Senate have been the most moving and thrilling chapter in my life. I shall take with me into the future a vivid and colorful memory of the joys and the sadnesses of all the stresses and strains, of the legislative victories and defeats which I have experienced along the way. I cannot adequately tell my Republican colleagues how grateful I shall always be to them for making me assistant Repubican leader—their minority whip—these last 10 years.

Above everything else, I shall take with me, as I leave, the priceless friendships which are mine—those existing among my Republican colleagues on this side of the aisle and those existing among my friends who sit on the Democratic side—the majority side.

I confess that, a little earlier this year, I was fondly hoping I might be permitted to remain here for an additional 6-year term. Last June, when my fellow Republicans in California determined otherwise, I winced, to say the least. But time has placed the matter in perspective I shall leave with nothing but pride that I have been a Member of the Senate of the United States, and with a keen and robust interest in what may lie ahead for my beloved country—and, incidentally, for my family and me.

I recall the words of a friend, the late, great Henry Fountain Ashurst of Arizona, after his fellow Democrats in Arizona had, a number of years ago, voted to replace him. He spoke to the Senate shortly thereafter saying in so many words that the people have a right to change a public servant for a good reason or a bad reason, or indeed, for no reason at all.

I agree with what that colorful westerner had to say, for it is the indispensable right of the people in any great, free land to vote simply as they please. I respect that right. It represents a great part of the American system.

Sixteen years ago, a great American, whose friendship I have valued over the years, the then Governor of California, Earl Warren, appointed me to the Senate of the United States. He exacted no commitments as he told me he wished that I would come to the Senate to represent my native State.

To the contrary, he said:

> Determine what should be done for the benefit of the people, for it is the people—all the people—you shall represent.

Three times subsequently, the people of my State, I am grateful to recall, approved my own hopes that I might continue as their servant. I can truthfully say that, as I have seen the light, I have kept the faith. I have entered this Chamber to vote on issues as I believed I should vote. I have often said that no one leads me around by the nose.

Many of the votes which I have been called upon to cast have not been easy. The issues which have confronted us and which will continue to plague our country and its representatives have become and will become increasingly complex. It is sometimes almost impossible to determine what is right and what is wrong. Many issues are more than two sided. Some of the votes I have cast I know have been very costly to me politically. I think, however, if there is one measure of satisfaction in the life of a legislator, it comes at the time he tallies the votes which he believed in his own mind were right, just, and appropriate, even if he knew that the balance of public opinion was against him, and, sometimes, violently against him.

For I have used the credo of Edmund Burke, who years ago pointed out to the electors of his constituency in Bristol that a representative certainly should respect the opinions and attend to the business of his constituents, and sacrifice his rest and his pleasure to them. But he added an important and possibly unpopular thought:

> Your representative owes you not his industry only but his judgment, and he betrays instead of serving you if he sacrifices it to your opinion.

Well, Mr. President, I have not always been successful in following Mr. Burke's advice, but I very much like what he said and his views have remained part of my goal. I think it is not only permissible but, indeed, vital that the Senate of the United States lead public opinion instead of following it. That is the difficult path, but the only one to tread if our Republic is to remain.

The cause of America is most bright when all her public servants—or when most of them—render their official judgments on what they believe to be in the public interest and what they believe represents the best interests of the many rather than the few.

I have often said, Mr. President, that the most important vote, as I see it, which I have cast during my tenure here was the vote on the Nuclear Test-Ban Treaty. It was first put forward as a hope for mankind by that gallant American whose birthday we celebrate today, for it was early in the Presidential career of General Dwight D. Eisenhower that representatives of his administration painstakingly sought to arrive at a basis by which an international multilateral agreement controlling nuclear tests might become a reality.

It ripened during the Presidential term of our late and gallant colleague, John Fitzgerald Kennedy, whom I am honored to recall as a friend, and as a very dear friend.

I remember that at the time, representatives of the American Government were preparing to go to the capital of the other superpower to observe the ceremonies relative to the signing by the United States of America and the U.S.S.R. of the test ban agreement. I have never said this publicly before, but I do now. The late President called me and said, "I would like to have you go to Moscow as a member of our delegation." I said, "Mr. President, I am honored that you would think well of me and ask me to attend these ceremonies, but I want no one to be in a position to accuse me of having been influenced in the manner in which I cast my own vote on the treaty by participating in this preliminary approval." And so I respectfully declined to be a representative of the United States at that time. When the treaty was forwarded to the Senate, I put aside every other responsibility I had as a Senator.

I participated in all of the hearings, the public hearings, and the private hearings, on the Nuclear Test-Ban Treaty. When it came my turn, I cross-examined, one by one, the representatives of the Government, including those in uniform, indeed, including the entire membership of the Joint Chiefs of Staff. I cross-examined scientists and laymen, for I wanted a record that would stand. I hoped I might be able to support the treaty but I wanted to render my judgment solely on the record, and not on any desire or whim. And then, and I can repeat what I said earlier, I concluded, on the evidence adduced, and the record made, that it was in the interest of the people of the United States and, beyond that, in the interest of the human race, that the Nuclear Test Ban Treaty be approved.

There were some who vigorously opposed the treaty, and who charged: "You are weakening your country. The treaty will be breached and disregarded by the Soviet. You are making your country defenseless if you vote to approve the treaty." I read it otherwise. I recalled the sturdy views of the President, the unanimous endorsement of the Joint Chiefs of Staff, the views of our scientists. With the Senate, I supported it. I think time has demonstrated that it represents, at the very least, a short step backward from the hazard of an obliterating abyss unlike any danger which had ever menaced our planet.

The nuclear threat, far from being an illusion of the American people, or a phobia, as unfortunately it was recently termed, continues to be as a sword of Democles hanging over this globe. It is a real threat. Vegetables may be growing back on the Bikini atoll, and the rats may be even fatter, but we are neither carrots nor rats, and the nuclear explosions which we fear will not be the carefully controlled tests which would merely pollute the atmosphere and destroy carefully defined pieces of real estate. The nuclear explosions which any reasonable, rational human being should fear are those which would spring from man's folly in hot war reaching for his nuclear stockpile, engulfing perchance the entire globe. Easy, indeed, is the descent into hell.

Our country must remain preeminently strong militarily. I have never cast a vote to weaken our Defense Establishment. I never would. We need to pursue, and you who will be our representatives in coming Congresses need to pursue, with vigor, the research and development by which to provide new and better systems of defense by which we may defend ourselves, and by which we may better deter aggression. Communism continues to be the most powerful menace to human liberty and our way of life.

But we need also to devote ourselves painstakingly and conscientiously toward finding a pathway to peace, where disputes between nations will be settled peacefully, and where the human race may be able to avoid the tragedies which, alas, seem in every generation to erupt in ever more savage conflict and to destroy human souls and nation states. The search for a just peace is no admission of weakness. It is the sign of strength.

As a corollary of my deep feelings with the problems of the nuclear age, I have been increasingly concerned while I have been in the Senate that our Nation continue to look outward as the world shrinks, and never permit itself to turn inward in any anachronistic reversion to some kind of neoisolationism. Whether this means a mutual defense agreement such as the North Atlantic Treaty Organization, or the Southeast Asia Treaty Organization; whether it means expanded tariff agreements with European, Latin-American, or Asian nations; whether it simply for the moment represents an attempt to continue a policy of foreign assistance to those in need—I believe we need to keep our ties strong with those other nations who share our own hopes and aspirations, so that there will never come a time when we stand alone. I earnestly agree that we cannot and should not attempt to police the world. Ours must continue to be a policy of collective security, standing alongside of those who desire to stand by us. Indeed, Churchill's "talk-talk is better than war" is commonsense. I would not seek to isolate the eastern Communist states. Lines of communication should be maintained between us and them.

If this were to mean limited and restricted trade in nonstrategic goods with Eastern Europe, on a very cautious basis, so that we would never aid those actively assisting the enemy we confront in Southeast Asia, so be it. If this means we continue a devoted support for the United Nations, which, with all its faults, lives on in the Vandenberg tradition as the town meeting of the world, even in those unhappy moments when it appears ineffectual as a peacekeeper in the Middle East—even as in those instances when we here in America have assumed a greater financial burden to maintain it than the arithmetic of the moment would indicate necessary—then again, Mr. President, so be it.

I have been proud, and I believe I may say I am justified, in the votes I have cast to maintain for our country a continuing active, vital interest in the affairs of what today may be described as the neighborhood of the world. In this sphere, Mr. President, I would change none of my votes were it possible for me to do so.

I have been privileged to be in the Senate at a time of enormous strides in enlarging the opportunities within our

Nation to breathe new life into those ancient American aphorisms like "Equal justice under law" for all our people, rich and poor, white and black, big and little. The phrase "civil rights" came into its own during the Eisenhower years, spurred on by actions of the national legislative branch, in which I was proud to act under Eisenhower's leadership, and by the Supreme Court of the United States as well as by many of the agencies in the executive branch, then and subsequently. Every battle over a bill in this field in the U.S. Senate, every battle to end a filibuster, or to end, once and for all, the rule permitting a filibuster, was a battle in which I was proud to join as I saw the light.

Now the phrase "civil rights" is passing out of the American dialog—replaced, I keenly regret, by strident words and by menacing symbols at both extremes of the American political spectrum.

Does "black power" mean greater economic and political strength for the Negro, or does it mean a separatist militaristic as well as militant movement?

Do cries for order and cries against gun control laws mean law with justice, or do they sometimes mask intended moves toward vigilante action and to exacerbate the repressive mood of our Nation?

In past months I have stated, and I repeat now, this Nation is in danger of being polarized to an extent that might well light the powder keg. Even as we must have law and order with justice in our society, we must seek a society of mutual respect instead of a white America separate and distinct from a black America. My own judgment is that the Civil Rights Act of 1968 was an important balance to the omnibus crime bill of 1968, and I vigorously supported both. I believe that concern for civil rights must continue even as new forms of social legislation may be passed, with appropriate emphasis on self-help by the poor and by those who have been the objects of discrimination in our country.

I believe the votes the U.S. Senate casts can, indeed, go a long way to keep our Nation whole. I said at the time of the debate on the open housing measure earlier in this Congress that passage of such a measure would not solve all the problems of our underprivileged, God knows, or those who have known discrimination in its worst form, but it seemed to me that it represented a forward step, and that to fail to pass it would have been gratuitously to hit out at minority groups, and to invite further frustration and despair. I stood alongside of my friend, our Republican leader, EVERETT DIRKSEN, in helping to fashion that bill and in helping in its passage by a convincing bipartisan majority.

I would be remiss toward my many friends, the many devoted public servants and private citzens of good will in my own State of California did I not now thank them, most sincerely, for their never-ending kindness to me. Together we were able to fashion some excellent legislation for the good of California as well as the country.

Every man who enters the Senate feels a sense of awe and a burden of responsibility that he must speak for and must try to protect the general welfare of the diverse people he serves in his State—all of them, those who voted for him and those who did not—recognizing that it is up to him to cast one out of a hundred votes here, for good or for evil, for better or for worse.

In my case the awe was surely no less because California had a population of roughly 11 million people, when I first took my oath. The weight and responsibility of trying to promote California's welfare have not diminished as the population of my State has now grown to 20 million and more.

The Senate has been good to California. So has the House of Representatives. So has the Government of the United States, under Republican administrations and under Democratic administrations. I may truly say that serving as the ranking Republican member on the Committee on Interior and Insular Affairs and serving as a minority member on the Appropriations Committee gives me the best right to salute the Senate and all the machinery which has made it function so well in days gone by. Part of it is in mutual trust and mutual respect. And I wish to say that I have, Mr. President, both the trust and respect, I believe, of my colleagues.

I hope and pray that the Senate will help to keep our Nation strong, militarily and economically, independent in foreign affairs, but always ready to join other like-minded nations in common cause for the benefit of freedom. We are the beacon for peoples' groping toward a just peace. I hope that the Senate will always act on the knowledge that we live in a nuclear era, with all its sophisticated and technological ramifications, as the age of outer space permits us to reach out toward the moon and beyond.

I trust that all of us, the governing and the governed, may recognize that man needs a rule of law in the world if he is to survive.

Domestically, I hope the U.S. Senate will be a force to keep in our Nation our people united, our individual rights untrammeled, our lives and property completely protected, and our opportunities equal before the law. Free, competitive enterprise made our country great. Let us preserve the system, as we try to improve it.

Mr. President, I shall never forget the time I have spent here. I shall never cease to view the Senate and its Members with respect, and those in great number whom I may truthfully call my friends and recall with warm affection.

Mr. President (Mr. HAYDEN in the chair), I refer to you, the dean of the Senate, and to those with whom you and I have been privileged to serve, you for such a length of time and I for a relatively short one. These 16 years have been the best part of my life. I feel assured I am not unique in this respect. I thank each of you for making it so.

Mr. President, with great pride I salute the Senate of the United States as I officially bid it farewell.

Mr. FANNIN. Mr. President, before paying tribute to the dean of the U.S. Senate, the senior Senator from Arizona, I would like also to pay my respects and express my appreciation to the distinguished senior Senator from California for his devoted services while he has been a Member of this great body.

I personally want to thank him for his leadership as the ranking minority member of the Committee on Interior and Insular Affairs, of which committee I am privileged to be a member.

The work of the Senator from California on that committee through the long years and the experience gained thereby has been invaluable. The Senator from California was able to bring hope and accord where dispair existed. He brought to fruition a solution to a problem that had existed for many years between my State of Arizona and his State of California, the most populous State of the Union.

I will always remember the assistance, guidance, advice, and counseling that he gave to me, always pleasant, and sometimes a little critical when he was not in agreement, but always it was with sincerity.

We will miss this man. We will miss him greatly. But we do look forward to his visits. I hope that I may continue my pleasant relationship with him and shall look to him for help and assistance.

Mr. HART. Mr. President, will the Senator yield?

Mr. FANNIN. I yield.

Mr. HART. Mr. President, I think no one present—as I was permitted to be—to hear Senator KUCHEL say goodby would feel unmoved. I merely want to assure him that he is quite right in leaving here with pride.

Without exception, those of us who stay behind are proud that Senator KUCHEL was here. We will all miss him greatly.

We all like to think that we stand up and call them as we see them and let our consciences be our guides. We are sometimes lenient judges of ourselves on that matter. However, there is no man here of whom it can be more truthfully said that he called them as he saw them and did not look to the polls. It is conceivable that that accounts for his defeat.

I hope that will not discourage others from seeking to follow his example in the long haul. America is the better for his example.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. FANNIN. I yield.

Mr. YARBOROUGH. Mr. President, I join my Senate colleagues in paying tribute to the distinguished senior Senator from California. He is senior in years of service, but not in years. He is only in his fifties. He is a young man for the Senate.

I predict that his public service is not over. He is retiring from the Senate at the full height of his intellectual capacity. He is only leaving the Senate and not retiring.

I have enjoyed my service with him. I have always found him to be fair and objective in all matters. Although I have not had the privilege of serving with him on committees, I have conferred many times with him with reference to agricultural, minerals, aircraft, and other matters. We would discuss those matters.

I have known him to devote his time, as the Senator from Michigan mentioned, to a matter knowing that if he were to take a poll his action would not have been regarded as popular. However, he voted his opinion with courage.

It is rather distressing that a man in the full possession of his intellectual capabilities, experience, and bilingualism—he speaks Spanish as well an English—cannot survive a tough campaign.

It shows us how nebulous our service is in terms of length. It reminds us of what Burke said on the occasion of the passing of an opponent during a campaign:

> What phantoms we are. What phantoms we pursue.

The senior Senator from California is not a phantom. He pursues realities in life. We will hear from him in the future.

Senator KUCHEL, you carry with you my good will and congratulations on the service you have rendered.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. FANNIN. I yield.

Mr. WILLIAMS of Delaware. Mr. President, I join my colleagues in paying tribute and respect to the distinguished senior Senator from California.

During his term of service we have come to know and respect the Senator from California as a great and loyal American trying to represent his State and country to the best of his ability.

We shall all miss him as a hard-working Member of the Senate and, above all, as a friend.

Mr. CASE. Mr. President, will the Senator yield?

Mr. FANNIN. I yield.

Mr. CASE. Mr. President, we are going to miss a number of our colleagues next year. We have already in the Appropriations Committee had a little ceremony in which we honored the distinguished senior Senator from Arizona, the President pro tempore, and expressed our appreciation and affection to him for his help to us.

I repeat that now on the floor.

There are other colleagues who are leaving.

I guess that senior in service on our side of the aisle is Senator HICKENLOOPER. Senator HICKENLOOPER and I have not always agreed on matters of policy or public consideration, but I think and know that we have had a strong feeling of mutual respect and, I think, affection, too, for each other. We shall miss him greatly.

Nearer my own term of service, is the Senator from California. We have been so very close that it is difficult to speak of his leaving without becoming overemotional.

If I were not satisfied that his remaining years of active service will be spent in public service and in proximity to all of us here, I should be even more unhappy than I am.

The Senator from California has been a fine Senator, a fine public servant, and a wonderful friend. All of us join in wishing well to him and to our other colleagues who leave.

I assure the Senate that so much wise advise and just plain decency has come from the Senator from California during the many years that I have served with him, that it has served not only as an example, but also as a force to keep us on the right track.

To all these we express our affectionate farewells, with the confidence that we are going to keep in touch, and a feeling that if that were not so, we should be desolate, indeed.

TRIBUTE TO SENATOR CARL HAYDEN, OF ARIZONA

Mr. FANNIN. Mr. President, I know that the Senate previously has paid homage to our senior colleague who is concluding his Senate service today. However, I do not think it proper that the last day of his official service on the floor of the Senate go by without a word of tribute and congratulation to my friend and colleague from Arizona, CARL HAYDEN.

It would take hours to recount his long and distinguished service in the Senate, in the House of Representatives, and in previous public service. The record speaks for itself, and his fellow Senators have also expressed, far better than I can in this brief time, the high esteem in which he is held by this body. His record of service to the people of Arizona is legendary, and I can say without fear of contradiction that I believe his will be a unique record, never to be matched in the annals of the Senate.

Today, Mr. President, we witness the close of an era, the conclusion of an illustrious career devoted to public service, although I know he will be continuing on—and we look forward to visiting him—in his offices in the Arizona State University Library. Certainly, we are proud that these offices were provided for him.

I wish to say to CARL HAYDEN that while we shall miss him in his official capacity as the Senior Senator from Arizona, I trust that we shall continue to enjoy the light of his countenance and the richness of his fellowship here in the Nation's Capital—as well as in his and my beloved State of Arizona—for many, many more fruitful years.

Mr. President, as one who has had the pleasure of sharing the duties here in the Senate, representing the people of Arizona, it is my wish to express the sentiment I know is shared by every Member of this body in wishing a long and happy retirement to our distinguished fellow Senator, senior Member of the Senate, and senior Senator from Arizona, CARL HAYDEN.

S. SGT. JAMES A. JACKSON, OF WEST VIRGINIA, PRAISED AS MAN OF COURAGE, RELIGIOUS FAITH, AND A DEEP BELIEF IN HIMSELF AND HIS COUNTRY

Mr. RANDOLPH. Mr. President, I have been privileged to read, in the last few minutes, a moving news story by Jim G. Lucas, a Scripps-Howard staff writer, published in today's issue of the Washington Daily News, in which this journalist relates his interview at Fort Bragg, N.C., with a West Virginian, S. Sgt. James A. Jackson, 28.

I ask unanimous consent that the article be printed in the RECORD at the conclusion of my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. RANDOLPH. I shall read a few brief excerpts:

> It was just before Christmas, 1966, Staff Sgt. James A. Jackson, 28, of Hinton, W. Va., recalls, that he calmly decided it was time to die.
>
> Sgt. Jackson, one of a handful of Americans to return so far from Viet Cong captivity, told the story of his ordeal today in the first interview he has granted a newspaper.
>
> It is the story of a man for 18 months endured the unendurable with quiet courage, religious faith and a deep belief in himself and his country.

In conclusion, the article reads:

> Today, the world looks good to Staff Sgt. James A. Jackson.
>
> "This time of year, when the leaves start falling, something in me calls me back to West Virginia," he says. "I can stand for hours and look at those hills. There's no sight in the world like it.
>
> "It's good to be back. It's good to be alive."

Mr. President, this young West Virginian has proved himself to have what Jim Lucas has written—a man with quiet courage, religious faith, and a deep belief in himself and his country. His will be an example of service and of sacrifice for his fellow West Virginians.

EXHIBIT 1

JACKSON, JACKSON. WE'LL GET YOU NOW, JACKSON

(By Jim G. Lucas)

FORT BRAGG, N.C., October 14.—It was just before Christmas, 1966, Staff Sgt. James A. Jackson, 28, of Hinton, W. Va., recalls, that he calmly decided it was time to die.

Sgt. Jackson, one of a handful of Americans to return so far from Viet Cong captivity, told the story of his ordeal today in the first interview he has granted a newspaper.

It is the story of a man who for 18 months endured the unendurable with quiet courage, religious faith and a deep belief in himself and his country.

Along with Sgts. Daniel Pitzer and Edward Johnson, Sgt. Jackson was released last November after Radio Hanoi announced that three men were being freed because they showed "sincere repentance for crimes they committed against the Vietnamese people" and "in response to the American Negro's struggle for peace in the United States." Sgts. Jackson and Johnson are Negroes; Sgt. Pitzer is white.

ONLY BITTERNESS

Today, Sgt. Jackson's only bitterness derives from that statement—and a U.S. spokesman's assumption that Hanoi's self-serving announcement was true.

He still resents word put out to the press by a U.S. representative in Saigon that the three "undoubtedly had been brainwashed." The statement was made even before they reached neutral Cambodia, and were released.

"It was said," Sgt. Jackson says angrily. "I am under a stigma. It is in the record."

Sgt. Jackson's story of his captivity, however, belies any idea he was brainwashed. It began on July 5, 1965, when Sgt. Jackson, a medic, was captured during an ambush near Hal Yen. He had been working with the legendary Father Hoa, a former Nationalist Chinese colonel who turned priest, raised an army and liked to say with a smile he either converted or shot his prisoners.

KILLED BY GRENADE

"A Viet Cong grenade killed the man next to me," Sgt. Jackson recalls. "I was wounded in the legs. The Viet Cong knew me. I'd heard them calling 'Jackson, Jackson, we'll get you now, Jackson.' They came right to me when I fell."

Sgt. Jackson pretended he could not walk. He wanted to remain in the area, in the hope artillery would force the Viet Cong to flee or a friendly plane would spot him. But the Viet Cong tied towels to his wrists and dragged him "four or five miles" to a temporary prison camp.

Sgt. Jackson speaks Vietnamese. His captors did not know that. (Later, he was afraid to tell them; he pretended to 'learn' the language as time went by.) They decided to shoot him. They tied him to a stake and were debating who would do it when an old Vietnamese intervened.

"I was blindfolded," Sgt. Jackson said, "but I could hear them. I didn't recognize the old man's voice; I had treated so many at Hai Yen. But the old man was someone of local importance. The Viet Cong listened."

TERRIBLY WRONG

The old man said it would be "terribly wrong" to execute the big American who had helped so many Vietnamese. He produced a small boy Sgt. Jackson had treated for napalm burns. The little boy wept. The Viet Cong cut Sgt. Jackson down, but he was still afraid he would be shot after the pair left.

Sgt. Jackson was taken to another camp farther back in the mangroves. They had taken his medical kit, so he could not treat himself. The Viet Cong gave him no medical attention.

Several days elapsed before his interrogation began. Sgt. Jackson does not know—or cannot say—where his interrogator came from.

"By the nature of his job, he couldn't be friendly," Sgt. Jackson says. "He wanted first to impress me he was a scholar. He spoke English, French, Chinese and Vietnamese. Then he tried to impress me by showing how much he knew about me, saying, 'I don't need to ask you anything, I know everything about you.' "

SHEAF OF QUESTIONS

This went on for two days. The third day, the man produced a sheaf of questions. He told Sgt. Jackson it was "Red Cross emergency data."

"But only the first three were Red Cross-type questions," Sgt. Jackson says. "The others all asked for military information."

He readily answered the first three. He refused to answer others, but tried to soften his refusal by adding "at this time."

"The guy's approach changed," Sgt. Jackson said. "He told me the only way I could live was to answer. He called a couple of guards and they gave me a good beating. It lasted a long time, and it was painful. Periodically, I would lose consciousness. It was a welcome relief. They'd quit until I came to."

Daily, for 18 months, the fact he was a Negro was thrown at him.

"Why are you enduring this?" they would ask. "Your leader, Malcolm X, has been murdered. Your people are slaves. You owe white men nothing."

OVERDID IT

But he says they sometimes overdid it. Once they "reminded" him that at Hai Yen he could not eat or sleep in the same house with white men.

"The truth is," Sgt. Jackson says now, "I was so busy treating their people at Hai Yen that I'd have a sandwich sent over to the dispensary rather than take a lunch break, and I'd often sleep there."

Some camps in which Sgt. Jackson was held had political prisoners—captured village chiefs, health workers, school teachers and local policemen. They had to attend nightly "hate America" sessions which sometimes lasted until dawn.

When he would not co-operate, his captors sought to discredit Sgt. Jackson.

"There were wounded South Vietnamese soldiers at one camp," he said. "The Viet Cong gave me an old French scalpel, a pair of scissors, one ampule of novocain and a few bandages. They ordered me to save their lives. They didn't think I could, and I'd lose face. After 14 days, there were horrible scars, but there were no infections and they were still alive."

IN ISOLATION

He was frequently in isolation and found this hardest to take. He kept track of time by watching for American planes which flew over on regular schedule. He dreamed of being aboard one of those planes. He wrote poetry. He thought of his family. He once devised a scheme for making $80 million before he was 30. He obtained half a safety razor blade and made a crude calendar out of a stick of hard wood. It took all day to make a slit in the wood, and that kept him occupied.

The Viet Cong took the stick away: they said it was a weapon. But Sgt. Jackson had carved a head on one end, and told them it was a symbol of his religion. When he was freed, he told them his soul was in the stick, and he could not leave his soul behind. They let him take it with him.

Sgt. Jackson says he acquired the ability of "leaving my body and becoming a spectator." He concedes it is still hard to decide whether he actually did this or suffered hallucinations. Often, he said, he would hear his own voice and not recognize it. When he was in shackles, leeches, flies and mosquitoes often made life unbearable. But he claims he could leave his body and "look down at the leeches and laugh. They weren't hurting me."

At one camp, he was allowed to catch and eat snakes. He is sure this saved him from starvation.

It was shortly after this that Sgt. Jackson decided to die. Death was commonplace in prison camp, he said. He had seen other Americans—"men stronger than I was"—who "simply decided to die and did."

"You could tell when a man was going to die," he recalls. "The light would go out of his eyes and you knew in a short time he'd be gone."

Sgt. Jackson's decision came when he learned that the one letter he had been allowed to write home was still in camp undelivered. He decided not to write another. He was afraid his family's hopes would soar, only to be crushed if he died later.

Dysentery had weakened him so he could not walk. He stopped eating. His weight dropped from 185 when he was captured to 90 pounds.

"I said to hell with it," Sgt. Jackson recalls. "I wrote myself off."

But Sgt. Jackson is also a medic. And medics are realists.

"It wasn't that easy," he says now. "I hurt all over. But as a medic I checked myself every day for signs of approaching death. Everything was pumping right along. The vital signs were still strong. I was too strong. I kept waiting for the death signs to come, but they never did."

To continue in his condition, he decided, was not fair to other prisoners who insisted on caring for him, cleaning him up and giving him water. So he decided to go on living. He lived to come home.

ONE OF TWELVE

Sgt. Jackson, one of 12 children born to a school bus driver, is married and has children. He is now a Special Forces medical instructor here and has re-enlisted for another six years.

But 18 months of captivity have left their mark.

"I'm no longer a clock watcher," he says. "Where I was, you develop patience. Used to be, if there was a 10 o'clock formation, I was there at 10. Now, it doesn't always seem that important. I don't hurry, don't sweat things. And that," he adds with a quiet smile, "isn't always good for a man in the Army, even if he is an ex-POW."

He recalls one interrogation which was "quite painful." He began to pray:

"I TOLD GOD"

"I told God I still thought I could hold out a while longer, but if I had to have him in a hurry, I wanted to establish contact now," he recalls.

Then he burst out laughing. His startled interrogators cut him down from the crude stake to which he was tied. They thought he was crazy.

Sgt. Jackson had suddenly remembered that, on patrol, he would often call his base and say "Okay, you guys. I don't need you now, but I just want to know you are there." He was amused, he says, that "here I was talking the same way to God."

Much of his story is still cloaked in official secrecy. A security officer sat in thruout our interview. Occasionally, the officer would shake his head and Sgt. Jackson would decline to answer a question.

But the officer's presence can be taken to mean Sgt. Jackson's story has been checked thoroughly in the last year and the Army believes as truth the portion he now is allowed to tell.

WORLD LOOKS GOOD

Release of the three men was arranged by an American peace group including, among others, Tom Hayden, the late Rev. Dr. Martin Luther King, Jr., Dr. Benjamin Spock, Floyd McKissick, and singer Joan Baez. They were flown from Cambodia to Beirut on a Czech airliner, then put aboard an American plane and flown home.

Today, the world looks good to Staff Sgt. James A. Jackson.

"This time of year, when the leaves start falling, something in me calls me back to West Virginia," he says. "I can stand for hours and look at those hills. There's no sight in the world like it.

"It's good to be back. It's good to be alive."

TRIBUTE TO SENATOR CARL HAYDEN, OF ARIZONA

Mr. YARBOROUGH. Mr. President, it gives me inspiration and sadness to see the Presiding Officer in the chair, because when I went to El Paso, Tex., in 1927, as a young lawyer, the year I received my law license, the Presiding Officer was already in the Senate. At that time, his was a great name over all the western country, including El Paso, which was closer geographically to most of Arizona than to a greater portion of the remainder of the United States.

I heard this distinguished Senator discussed then, in El Paso, as a leader in the western country, and he was honored everywhere. Thirty years later, I came to the Senate, and he was President pro tempore, chairman of the Committee on Appropriations, and the great leader we have all served.

I have previously paid my respect and my tribute to him on a number of occasions, and I say to the Senator from Arizona that he carries with him our love and affection when he leaves. We are proud of the stature and dignity he has given to the Senate and to governmental service because of the honor and integrity with which he has served. No word of criticism or taint of him has ever touched this hall. He has given us a model by which to serve.

It is not the length of years that the distinguished Senator has served that means so much. It is, rather, the standard of honor and integrity he has set. He could have served 10 years longer, and it would have meant little, had it not been for the principles of character that went with his service.

I pay my tribute and respect to this Senator, who has brought great character to the Senate, to Congress as a whole, and to the United States. He has caused all people of this country to be proud of that type of service.

Mr. LONG of Louisiana. Mr. President, I, too, shall regret very much that our able President pro tempore will not be with us when the Senate convenes next year.

When I came to the Senate 20 years ago, it was pointed out to me that the Senator from Arizona [Mr. HAYDEN] was probably the most effective Member of the Senate, a man who spoke only when he thought it was necessary to speak in this body, a man who had a way of getting things done beyond the capabilities of any other Member.

It has been my pleasure to observe his service with great admiration, to know him with affection, and to regard him as one of the alltime greats of the U.S. Senate, one who not only outlasted us from the point of service but also from the point of achievement and accomplishment in this body. It is with sadness that I note he has decided to retire.

The Senator from Arizona served in the Senate before my father became a Member of this body, and I am proud to have been the third member of my family to serve in the Senate with the distinguished Senator from Arizona. We shall always remember the magnificent service he has rendered this Nation.

I have heard many tributes paid to him. All of them are deserved, and I second every word of them.

TRIBUTE TO SENATOR HAYDEN

Mr. KUCHEL. Mr. President, in one brief paragraph I simply want to recall the great respect and affection in which you are held, for you have so freely given to all of us who have served with you in the Senate.

Mr. President, you were in the legislature of the Territory of Arizona before you came here, serving with my uncle. From the very beginning, when I first met you, I rather thought I had inherited the friendship you had for my forebearers, for I can repeat what I have said in this Chamber heretofore: The great assistance that you have always given the people of my State indelibly stamps you as California's third Senator.

JOSEFINA POLICAR ABUTAN FULIAR

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 2478.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the amendments of the Senate to the bill (H.R. 2478) for the relief of Josefina Policar Abutan Fuliar, which was on page 19 of the Senate engrossed amendments, strike out all after line 14 over through and including line 2, on page 20.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the measure.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

Mr. KUCHEL. Mr. President, reserving the right to object, the acting minority leader is informed that one of the members of the minority is opposed to the Senate taking this matter up. I wonder if the majority leader would suggest a short quorum call so that we might have an opportunity to discuss it.

Mr. MANSFIELD. Mr. President, I shall leave the measure at the desk. I do not want a quorum call, but I wish the Senator would discuss the matter right away, because the leadership would not have brought it up if it had not been thought the matter had been cleared. The bill has to do with some Cuban doctors in Florida, I understand.

Mr. KUCHEL. Mr. President, if my very dear friend will yield to me, I am now informed officially that a member of the minority has requested the minority leadership to oppose going forward with the pending business.

Under those circumstances, objection.

Mr. MANSFIELD. Mr. President, I understand the position in which the acting minority leader finds himself. I feel a little bit embarrassed myself on this matter because the distinguished senior Senator from Florida [Mr. HOLLAND] is just about now entering the hospital to have an operation. He left here with my assurance that this matter would be considered. I hope he understands, as I do, the situation in which we find ourselves.

TRIBUTE TO SENATOR LAUSCHE

Mr. WILLIAMS of Delaware. Mr. President, before the Senate adjourns today I wish to pay my respects to FRANK LAUSCHE, a great American. FRANK LAUSCHE has established an enviable record of service, first as the Governor of his State, and then as Senator of that State.

During his term in the Senate I have come to know him and respect him very highly. He is a hard working and dedicated public servant, a man who is truly the Senator of the United States, a man who never forgot his obligation in serving the people of Ohio. He is a man of integrity.

Mr. President, I would not want this session to close without my paying tribute to this great American.

FUNDS TO FINANCE THE CAMPAIGN FOR THE PRESIDENCY

Mr. LONG of Louisiana. Mr. President, I shall ask unanimous consent to have printed in the RECORD a number of articles which have come to my attention highlighting the problem of raising funds to finance the campaign for President of the United States.

This is a matter to which I directed the attention of the Senate more than 2 years ago. The articles highlight the problem that I attempted to demonstrate from time to time that the outcome of the presidential election, and for that matter, the outcome of all Federal elections, should depend on the merits of the candidates and the position they take on issues, as well as the records of the men themselves.

It should not be determined by the ability of one side or the other to gather a large amount of money to bombard the public with television and radio, as well as newspaper advertisements, but rather by the merit and logic the candidates themselves present.

I would hope that in the future Congress, or perhaps during some later Congress, we may some day resolve this question in such a way that the matter will be before the American public—not who has the most money, but who has the most merit to recommend him for the position.

Mr. President, I am including, in the course of my remarks, a series of articles in the RECORD.

As the 1968 presidential campaign enters into the dog days of late October and early November, more and more is the problem of the high cost of these campaigns thrust to the forefront. This is a problem that could have been avoided this year if Congress had not been faint of heart when it suspended the Presidential Election Campaign Fund Act of 1966. Under that act, taxpayers would have been able to designate on their income tax returns filed this year that they wish $1 of their income tax placed in a fund to pay the legitimate campaign expenses of the presidential and vice-presidential candidates in 1968. The proceeds would have been divided equally between the major parties with provision for reimbursing strong minor parties.

Even when Congress faulted on this act in 1967, it had the opportunity to take care of the problem of the ever-increasing costs of our national elections by enacting the Honest Elections Act of 1967 which would have provided public money to candidates for President and for the Senate if those candidates chose to receive public money to the exclusion of private funds. Again Congress took the point of least resistance and chose not to act on the bill which had been reported after intensive study by the Senate Finance Committee, and pursuant to the instructions of the Senate itself.

As a result of the inaction of Congress, business in the campaign fund raising area goes on as usual with the bulk of the money going to the candidate pledged to protect the interests of the monied class.

This plight was never more evident that in the current presidential campaign where Mr. Nixon already out in front in everybody's poll apparently has a bottomless coffer from which to dredge up the gold necessary to finance his expensive campaign. On the other hand, experiencing the same problems that he did in the primary fight for the Presidency in 1960 is **Hubert Humphrey**, who, despite being Vice President and current leader of the Democratic Party, is sorely in need of money to finance his campaign which is modest in size compared to Nixon's. The political advertising plans of the two major parties were highlighted in two articles—one in the Monday, October 14 edition of the National Observer, the other in the Monday, October 14 issue of the Washington Post.

These articles contrast the financial resources of the two major party candidates. The National Observer points out that the Humphrey campaign may be able to finance only $2 to $3 million of television and radio ads, while the Washington Post article refers to the Nixon budget of $10 million for advertising. At this point I would like to insert in the Record an excerpt from the National Observer article:

WITH HUBERT HORATIO HUMPHREY: VICE PRESIDENT SLASHES AT NIXON, APPEARS DISORGANIZED

The influence of the national polls is pervasive. Continued poor showings in the polls depress the spirits of the candidate and of the men who work for him. It turns some members of the press querulous in the way they report the candidate's activities and chances. But, more important than anything else, poor poll results shut off campaign contributions.

Mr. Humphrey was candidly confessing last week that he is badly understaffed and underfinanced. In Boston, he told a group of college students that he had hoped to spend $7,000,000 or $8,000,000 for radio and television. Now, he said, his staff has had to cut back that figure to $2,000,000 to $3,000,000.

Given these conditions, there is probably only one way for Mr. Humphrey to run this campaign—by cutting up Mr. Nixon and Mr. Wallace as much as he possibly can, by challenging his opponents to a television debate, and by putting every penny he can scrape together into paid television commercials. . . .

Mr. President, in this Nation in which we pride ourselves on finding the best man for the office, a condition such as this should not exist. It would not exist if we had proper laws for handling the high cost of political campaigns—laws under which both parties, and minor party candidates, too, would have available to them sufficient sums, publicly provided, to take their case to the people without having to raise questions of secret promises or commitments to their campaign contributors. I am not saying that any of the current presidential candidates have compromised themselves in return for large contributions, but history is full of instances where corruption in public office could be related to moneys "contributed" to a political party.

Mr. President, I wish to insert in the Congressional Record an article which refers to the costs of political campaigning and how they affect government policy. This is the Drew Pearson column which appeared in the Washington Post, Thursday, May 23.

While I do not necessarily agree with all of the assertions and conclusions of Mr. Pearson in this article, I do feel that the public spotlight should be focused on the problem of financing political campaigns. Perhaps then the public would begin to urge a solution to the campaign cost problem, a solution such as I have advocated for some time now—that these tremendous costs should be borne by all of the Nation's citizens through some sort of public financing of political campaigns—a solution that is contained in the Honest Elections Act of 1967 reported by the Senate Finance Committee last year and awaiting action on the Senate Calendar. With such a law on the books, the problem explored by Mr. Pearson in his column would diminish, perhaps be cured altogether.

I ask unanimous consent that the following article be placed at this point in the Congressional Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

WASHINGTON MERRY-GO-ROUND: SCANDAL OF BIG MONEY IN U.S. POLITICS

(By Drew Pearson)

The most important thing to watch in elections today is the increasing power of money. It's become so you must be a millionaire or have the backing of big business or big labor to run for public office.

This column has spent a good many years exposing the influence of money in politics, ranging from the campaign money-raising dinners of Sen. Tom Dodd (D-Conn.) to the backdoor contributions of Rep. Adam Clayton Powell (D-N.Y.) and Rep. Parnell Thomas (R-N.J.). Some of these gentlemen went to jail, including Thomas Howard Brehm (R-Ohio), Ernest Bramblett (R-Calif.), Andrew May (D-Ky.), and former Governor of Louisiana Richard Leche, with some of his associates in the "Second Louisiana Purchase."

Directly or indirectly, these had to do with money in politics; sometimes with the fund-raising efforts of candidates who were not millionaires.

The problem is still there. The current election once again is witnessing how big money plays a big part in influencing votes. The candidate who has, gets. The candidate who doesn't have, either puts himself in hock, or loses.

To focus attention on this unfair system we would like to propose that the Pulitzer Prize winners of recent years form a committee to investigate big campaign-spending. Having never won a Pulitzer and having no expectation of winning one, neither I nor Jack Anderson can serve on that committee. But we will be delighted to feed it information from the sidelines.

The winners of Pulitzer Prizes have an obligation to society. They were chosen for this high award because they followed in the tradition of Joseph Pulitzer in exposing wrong, in crusading for justice. They should continue in that tradition, not be content to rest on their laurels.

The problems of big money in politics is one which goes to the very roots of democracy. It completely nullifies the tradition taught in our schoolbooks that the boy born in a log cabin or on the farm can go to the White House.

We should not have to rewrite our schoolbooks to make them read: "Yes, he can go to the White House—if he marries a millionairess, if he becomes the idol of big business, if he becomes the servant of labor, or if he finagles, begs, borrows or steals several million dollars for campaign funds."

There was a time when the Senate investigated these problems and acted with courage. When William Vare, the Republican boss of Pennsylvania, ran against his fellow Republican, George Wharton Pepper, in 1926 and spent around a million dollars the Senate barred Vare from taking his seat.

There were some righteous Senators in Congress in those days. The old Teddy Roosevelt-Hiram Johnson-Bob La Follette Republican Progressives were still influential. At about the same time, they cracked down on Sen. Frank Smith when he spent $125,000 in Illinois, contributed by the big utility magnate, Sam Insull. Smith was also barred from taking his seat.

In the 1940s, Sen. Theodore Francis Green of Rhode Island conducted a running Senate investigation of campaign spending. He did it while the campaigns were in progress, not afterwards. This permitted voters to know who was trying to influence votes before Election Day, not afterward. Sen. Green was in his late 80s when he conducted this probe, 93 when he retired from the Senate.

Another elder stateseman, Sen. Carl Hayden of Arizona, also did a forthright job of investigating campaign expenditures when he was Chairman of the Senate Rules Committee. He had the courage, along with Sen. Tom Hennings of Missouri, to investigate the financial finagling of the late Sen. Joe McCarthy and the scandalous manner in which he was using money contributed to him for fighting communism to speculate on the commodity market.

Sen. Hennings is dead now, and Sen. Hayden is about to retire at the age of 91. Younger men have not stepped forward to take their places when it comes to scrutinizing campaign funds.

Sen. Albert Gore (D-Tenn., did a fairly good job of scrutinizing the campaign funds of the 1956 Eisenhower-Stevenson campaign, but he did not issue his report until after the election. By that time it was too late for the voters to benefit.

His report still stands as the bible of campaign contributions, showing as it did how the Rockefeller family contributed $152,604; the Dupont family contributed $248,423; the Melons of Pittsburgh tossed in $100,150; and the Pews of Sun Oil in Philadelphia ponied up $216,800. There were no comparable big contributors on the Democratic side that year, though in earlier Roosevelt days the names of Joseph P. Kennedy turned up as loaning $65,000 to the Democrats, a loan later defaulted so that it became an actual contribution. This was a bonanza gift in those days when the dollar meant more and was the real start of Kennedy influence in politics.

Today there is no Senate committee entrusted with scrutinizing campaign spending, either in the primaries or in the final election.

This is why we suggest that the Pulitzer Prize winners of recent years step forward and earn their salt by making this contribution to better government. We'll be glad to help them from the sidelines.

Mr. LONG of Louisiana. Mr. President, perhaps one of the most significant articles that I have read on the matter of political campaign financing appeared in the August 5 issue of the U.S. News & World Report. It is entitled "High Cost of Politics in 1968." This article forecasts that the 1968 political campaigns will be the most expensive yet, that $50 million will be poured into the presidential campaign and that another $180 million will be spent in other political campaigns this year. The article quotes several highly respected individuals who say that the accelerating costs of financing public office through private sources cannot continue without dire consequences resulting. The article asks what is the answer to the problem and notes that Government subsidies could be the answer. However, the article ends with the gloomy prediction that there will be a lot of talk and little action on the subject.

I ask unanimous consent that this article be printed in the CONGRESSIONAL RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

High Cost of Politics in 1968

(NOTE.—Whatever else it turns out to be, there is one sure thing about this year's election—it will be the most expensive ever. Race for the White House alone is going to top the 1964 record by about 15 million dollars. And that's just a fraction of the total bill.)

Forecasters have been wrong as often as they have been right in 1968, but one prediction seems certain to come true—political campaigning this year will be the most expensive, by far, in U.S. history.

Fifty million dollars—as compared with 35 million in 1964—will be poured out in trying to nominate and then elect a President. Governor Nelson Rockefeller's pursuit of the Republican nomination, alone, is estimated to be costing 6 million dollars.

Around 180 millions—up from 165 millions four years ago—is expected to be spent in seeking other national, State and local offices.

Everywhere you look the high cost of politicking is spiraling—

Anyone who yearns to be President must have, or know where to find it if he needs it, 5 million dollars just to win the nomination. It costs $50,000 to $60,000 a day to keep George Wallace running as a third-party candidate.

Almost any Senate race can quickly turn into a million-dollar proposition. To campaign for Governor can be even more expensive.

Usually, the basic requirement for a House race is put at $50,000, but if both sides are well financed, it can be much, much more.

Everything an office seeker needs is skyrocketing in cost. It takes more to mail literature, to hire helpers, to buy buttons and bumper stickers, to take polls, to rent cars and equipment, to bring in the experts needed to explain how best to spend more money.

Most important of all, television costs more.

SPOTS BEFORE THE EYES

Rightly or wrongly, politicians are convinced the secret of success is the TV commercial. In 1960, there were 9,000 spot TV announcements by presidential candidates. In 1964, that figure leaped to 29,300. In 1966, on radio and TV combined, spot commercials for office seekers added up to an ear-wearying 3,797,783.

Stephen Smith, brother-in-law and top campaign adviser to the late Senator Robert F. Kennedy, summed up the view of today's politician: "More and more, the picture tube is where the ball game is won or lost."

On July 12, the Republican Governors Association began a three-day school—stressing television—for gubernatorial candidates. A closed-circuit TV camera gave prospects a chance to practice, and then, by using instant replays, to receive instant criticism.

When you move into television in a big way, you immediately move into big money. One minute of prime evening time on a top Los Angeles station costs $2,300. In Boston, the price is $1,700. A 60-second commercial on a national network can cost $55,000.

ONLY FOR THE RICH?

Has such huge expenditure already had its effect on the quality of candidates? Is there any end to these rising costs? And where do the enormous sums of money come from?

Privately, nearly every politician worries about the answers to all these questions. When one veteran observer was asked how any young man could run for office today, he said: "You can't unless you're independently rich, or you sell your soul."

A prominent Republican has said: "There are lots of good men in this country, but they simply haven't got the money to go into politics."

Paul H. Douglas, former Democratic Senator from Illinois, says of campaign expenses:

"One of the most corrupting influences in public life."

Senator Douglas's view: "There are built-in forces now at work which, if not corrected, will cause our Government to be controlled by and for the wealthy rather than by the people."

Republicans make a similar point, but shift the emphasis. They say labor unions, by pumping in men and material along with money, dominate and control many elections—and the future votes of those they help.

Representative James C. Wright, Jr., a Texas Democrat, says: "The price of campaigning has risen so high that it actually imperils the integrity of our political institutions."

Mr. Wright speaks from bitter personal experience. He ran for the Senate in 1961—and wound up with a debt of $68,000.

Obviously, the easiest way to finance a campaign is to be able to pay for it yourself.

On its list of the nation's 66 richest persons, "Fortune" magazine included Governor Nelson A. Rockefeller of New York, Governor Winthrop Rockefeller of Arkansas and Joseph P. Kennedy, father of three sons who became Senators, including one who rose to the White House.

SPEND IT TO WIN

Mrs. Joseph P. Kennedy, in dismissing criticism of free-wheeling spending by her son Robert in the presidential primaries, said:

"If you have money, you spend it to win. . . . The more you can afford, the more you'll spend."

Even if you are not among the richest, being well-to-do helps. An Associated Press survey indicates that one of every five U.S. Senators is a millionaire.

So much attention is directed at how much presidential candidates spend, it is easy to forget that those running for lesser offices have problems, too.

Take Indiana, where such headlines as "Can Indiana Be Bought?" appeared during its presidential primaries.

Senator Birch Bayh, a Democrat, says that, in 1962, he spent $625,000 to win, and he figures it will take that much or more to stand for re-election this year.

Even though much evidence suggests a switch to Republicanism in Indiana this autumn, Senator Bayh's Republican opponent, Bill Ruckelshaus, is taking no chances. He is counting on a million-dollar budget.

In Texas, the estimate is that candidates for Governor will combine to spend 6.6 million dollars.

The Democratic candidate there this year must survive a primary, a run-off and then the election.

HOW TIMES CHANGE

House seats offer a spectacular example of ballooning campaign expenses.

For 24 years, Dewey Short represented the Ozarks region of southwest Missouri in Congress. "It was the heart out of the watermelon," he says, "the best part of my life."

Retired and living in Washington, Mr. Short recalls that when he ran for Congress in 1928, he borrowed a little money, climbed into his car, and set out to sell himself to the voters.

"I couldn't spend much," Mr. Short says, "because the job paid only $8,500. Oh, in later years I used to get help from Joe Pew, the Pennsylvania oil man, but when I had some money left over, I sent it back."

In these days, no money would be left over to be returned. Politicians estimate that it would take $50,000 to beat Dr. Durward Hall, the Republican who now holds the seat.

Glancing at his television set, Mr. Short said of the changing political times: "The idiot box is what did it."

Possibly the most costly congressional campaign was waged in California last November and December. This was in the eleventh district, south of San Francisco, where a successor was chosen for J. Arthur Younger, eight-term Republican who had died June 20.

The former child movie star Shirley Temple Black reported expenses of $101,398, but she was outspsent by Paul N. ("Pete") McCloskey, Jr., who put out $150,961 to beat her in the Republican primary and then to win the election.

Eleven Republicans and Democrats who tried for the seat spent $600,000 attempting to land a $30,000-a-year job that would last less than 13 months.

VOTERS AND VIEWERS

Why is television—which can be so costly—considered so important? Politicians say that elections now are often decided by that great mass of people who belong to neither party and who would never dream of attending a political rally. They do watch television, however.

In a year of political surprises, few can match the upset victory John J. Gilligan, a 47-year-old former Congressman from Cincinnati, scored over Senator Frank J. Lausche, 72, in Ohio's Democratic primary on May 7. Television is credited with playing a major role in swaying the voters.

When Mr. Gilligan had a poll taken last November, he learned that 80 per cent of the voters could identify Senator Lausche, and that of those who knew who he was, 80 per cent thought he was doing a reasonably good job. Only 15 per cent could identify John Gilligan, and only 7 per cent said they would vote for him.

REACHING THE PUBLIC

Mr. Gilligan decided on a 30-minute TV documentary to counteract the image Senator Lausche had been building for 30 years.

"Everyone said it couldn't be done," Mr. Gilligan says, "that it was a ghastly mistake, that no one would look at something like this for 30 minutes."

The film was shown 39 times in the last nine days of the campaign.

Union labor helped Mr. Gilligan raise funds and get out the vote, and 1,250,000 leaflets were distributed.

"But we came on with the film in the end," Mr. Gilligan says. "That was the big time bomb. It was designed in February to do a specific job, and it did it." The Gilligan vote reached 53.4 per cent.

Senator Lausche reported $50,000 in campaign expenses. John Gilligan said he spent $270,000, of which $75,000 went to make and show the film.

Spending is a game two can play, however. The Republican candidate, William Saxbe, 52-year-old attorney general of Ohio, has already begun a vigorous radio and TV campaign.

Most politicians prefer the spot commercial to the longer program, and their reasoning is not flattering to the electorate. An administrative assistant to a Midwestern-city Congressman says:

"Spot announcements at key moments are the best way to get your money's worth. A snappy slogan helps, but the message isn't important, just so the name is mentioned favorably."

In 1966, Nelson A. Rockefeller never appeared in the 60-second spot announcements plugging for his re-election as Governor of New York, Myron McDonald of Jack Tinker & Partners, the Governor's advertising agency, says:

"We viewed Rockefeller as a product. I mean, we tried to find out what people knew about him and what they didn't know about him. You have to pay some attention to what is already in the voters' minds. You run counter to what is in their minds, chances are you're either wasting your breath or doing yourself some damage."

Nelson Rockefeller reported that Republicans spent 5 million dollars on his 1966 campaign, but Richard Nixon said he believed 14 million would be a more accurate estimate.

METHOD OVER MATTER

To many a neutral observer, it often appears that, in modern politicking, techniques have surpassed substance in importance.

Polls will show a candidate which issues to stress and which to avoid. Ad agencies will determine how he should present his case. If he wishes, he can hire a campaign-management firm to blueprint each step he takes.

Such firms have been in existence for only about 30 years, but they now flourish everywhere.

The pioneer in this field, Whitaker & Baxter of San Francisco, is so highly regarded, so one story runs, that when Goodwin Knight learned he could not hire it he decided not to seek re-election as Governor of California.

Joseph Napolitan, a campaign planner with officers in Washington and in Springfield, Mass., predicts that all politicians will eventually turn to the professional manager.

"They'll wind up with a bigger bang for their buck," Mr. Napolitan says. "The lawyer, the architect, or the businessman who wants to run for office—how the heck do they have any reason to be an expert on how to organize and run a political campaign? If you're going to spend a million dollars, it doesn't make sense not to have someone who knows how to get the most for your money."

THE FUNDRAISERS

Where do these millions come from?

Each Republican and Democratic contender for the presidential nomination has turned to financiers for help.

Maurice Stans, former Budget Director in the Eisenhower Administration, heads the Nixon fund raisers. In addition to the large contributions, 100,000 persons have averaged $13 apiece in gifts by mail.

J. Irwin Miller, Indiana industrialist, is helping Mr. Rockefeller. The New York Governor has said: "This is a tough business, raising money, especially for me, if you will excuse me for saying so."

Sidney J. Weinberg, 76, who is known as "Mr. Wall Street," is the money man for Hubert Humphrey. Big contributions include $100,000 from Robert Dowling, president of City Investing Company, and $60,000 from O. Roy Chalk, president of Trans Caribbean Airways and of its subsidiary, D.C. Transit System, Inc., of Washington. For the Vice President, this is a unique experience. Badly handicapped by lack of funds in his try for President in 1960, Mr. Humprhey now gets support from both business and labor.

Howard Stein, president of the Dreyfus Fund, is aiding Eugene J. McCarthy. Most McCarthy money comes from the grassroots level, Mr. Stein says.

In the past, former Governor George Wallace of Alabama has relied heavily on contributions from contractors doing business with his State, but he, too, depends on small gifts. Many of his speeches include an appeal for funds.

All sorts of schemes have been cooked up to raise political money. For $1,000, a Democrat can become a member of the President's Club, or a Republican can belong to the Congressional Boosters' Club. Fund-raising dinners go on constantly. In 1964, President Johnson raised 7.9 million dollars in campaign funds at $100-a-plate dinners.

Candidates put the bite on relatives, friends, businessmen, labor unions, anyone they can reach. Despite these strenuous efforts, a Gallup poll shows that only 12 per cent of the public ever gives to a party or to a candidate.

What, then, is the answer? Will the present spiral continue indefinitely?

CHANGES ASKED

In 1907, President Theodore Roosevelt proposed to Congress that something should be done about subsidizing political campaigns.

Since then, there have been proposals to have taxpayers help pay the bill, to provide more free time on TV for all leading candidates, to limit the length of campaigns, to replace the present ineffective laws on political spending.

Nothing has happened.

The consensus of political observers is that—barring a rash of major scandals involving campaign gifts—there will be lots of talk and little action.

As the game is being played, you cannot blame the politician for spending big money. One study shows that, 8 times out of 10, the man who spends the most is the winner.

Abraham Lincoln supplies an example of how vastly politicking has changed. In 1846, his friends gave him $200 to run for Congress. Abe returned $199.25. His only expense was 75 cents for a barrel of cider.

Mr. LONG of Louisiana. Mr. President, recently, the famous Gallup poll asked the question in its national survey, "Would you favor or oppose a law which would put a limit on the amount of money which can be spent for or by a candidate in his campaign for public office?" The results, nationally, and by party, were overwhelming in support of such a law. I think this poll by the American Institute of Public Opinion showed clearly that the people of this Nation are concerned with the rising costs of political campaigning. I think that they will soon become aware that this problem can best be answered by public financing of campaign costs as I have advocated for sometime now.

There is on the Senate Calendar the Honest Elections Act reported last fall by the Committee on Finance which would limit the amount of money that could be spent by candidates for the Presidency or the Senate who chose to receive public, rather than private, money for campaigning. The Senate and the Congress should pass this sort of bill and thus do what 7 out of 10 Americans apparently want—place a limitation on campaign spending. At the same time, the limitation will be of a kind as to assure equal financial participation by all in the political process.

I include in the RECORD at this point a report on this survey which appeared in the Washington Post of June 5, 1968:

THE GALLUP POLL: 68 PERCENT FAVOR CAMPAIGN FUND CURB

(By George Gallup)

PRINCETON, N.J., June 4.—The considerable sum of money spent by presidential candidates in the California primary, and in earlier contests this year, raises the question of a law limiting the amount that can be spent for or by a candidate in his campaign for public office.

It was estimated that Sen. Robert F. Kennedy and Sen. Eugene J. McCarthy spent at least $3 million between them in the California race alone. The final cost of the 1968 presidential campaign is projected at nearly $50 million, an all-time high and $15 million more than the 1964 presidential campaign.

This question was asked in a national survey completed last week:

*"Would you favor or oppose a law which would put a limit on the amount of money which can be spent **FOR** or **BY** a candidate in his campaign for public office?"*

The results, nationally and by party.

NATIONAL

[In percent]

Favor	68
Oppose	24
No opinion	8

REPUBLICANS

Favor	72
Oppose	23
No opinion	5

DEMOCRATS

Favor	65
Oppose	25
No opinion	10

Mr. President, I have in my hand a copy of an Associated Press article which estimated Gov. Nelson A. Rockefeller's advertising costs in his campaign to become the presidential candidate of the Republican Party.

The article estimated that Governor Rockefeller's commercials on 160 television stations around the country and his full-page newspaper advertisements in 43 newspapers in 33 cities would cost as much as $4 million. Four million dollars for this one campaign item can well be afforded by a Rockefeller and perhaps by members of two dozen or more other multimillionaire families in this country. But this kind of money is not available to the great masses of the American people, a surprising number of whom might make good candidates for public office.

Therefore, what can be done about paying for the costs of political office for someone who is not a millionaire. My answer is for all of us to pay for it through a public-financed program as can be found in the Honest Elections Act reported by the Committee on Finance last year and awaiting action on the Senate Calendar. It is only when we all realize our financial responsibility to secure the best qualified candidates for public office that good men can be elected regardless of whether or not they have a Rockefeller-type fortune.

I ask unanimous consent that this article be inserted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, June 19, 1968]

ROCKEFELLER ADS ESTIMATED TO COST $4 MILLION

NEW YORK.—Gov. Nelson A. Rockefeller's advertising campaign to sway voters and influence delegates to the GOP National Convention may cost as much as $4 million.

The campaign was launched last week with a half-hour television broadcast on 160 stations and with two full-page newspaper advertisements in 43 newspapers in 33 cities across the nation.

Every week until the GOP delegates convene Aug. 5, three one-minute commercials on network television will explain to the public—in Rockefeller's words—"Why I run for President."

The television spots will be echoed in full-page ads, worded similarly to the commercials and placed in the 43 newspapers once a week for the next six weeks.

GOOD BALL PARK FIGURE

While Rockefeller's offices would not disclose costs, one press officer admitted that an estimate of $3 million to $4 million is "a good ball park figure."

Rockefeller met with GOP congressional leaders in Washington yesterday to discuss his "coattail power" and display the results of a recent Bucci poll in Philadelphia, which showed him leading Democrat Vice President Hubert H. Humphrey and Republican Richard M. Nixon, the front-running contenders for presidential nomination.

The governor pointed out to the congressional leaders that in 1962 he polled 395,000 more votes than the combined total cast for New York candidates for Congress. He said Nixon, running for governor of California that year, had 147,000 fewer votes than the total for congressional candidates there.

BETTER THAN 1964

After the meeting, Rockefeller said, "It looks a lot better now than when I saw them the last time."

That was in 1964, when he was a candidate for the nomination for president.

"The atmosphere is different this time," he said. "You can tell when politicians are doing something out of politeness. This time I felt they were interested."

Rockefeller met with the New Jersey delegation after he left Washington. As in other such meetings, he discussed issues and answered questions.

The 40-man delegation is uncommitted. However, some New Jersey politicians said they believed 28 delegates favor Rockefeller and 12 are for Nixon.

Rockefeller takes his campaign today into Ohio—a state that could be crucial in his drive for the nomination.

It has 58 delegates. At the moment, 55 are pledged to Gov. James A. Rhodes as the favorite son. He has said they would go to the convention uncommitted.

Mr. LONG of Louisiana. Mr. President, another article that I would like to insert in the CONGRESSIONAL RECORD in my efforts to point up the problems that face persons who want to run for public office, but who do not have the financial resources to do so, is an article that appeared several weeks ago in the Miami Herald, by Herald columnist, Inez Robb.

Mrs. Robb was speaking of Senator EUGENE MCCARTHY's financial problems in the Nebraska primary, but some of the things she stated in that column are all too evident elsewhere in politics today. In effect, the problem is that unless a person is rich himself or unless he has access to the riches of others for which he too often has to become the "pawn" of a vested interest, he usually cannot make an effective showing in a political race.

This is the problem that I seek to cure with a program of public financing of political campaigns. I believe the Honest Elections Act reported by the Finance Committee last November and resting currently on the Senate Calendar provides the cure. It would permit the person without private financial resources to compete for public office with the person with such resources. It would give all taxpayers an opportunity to participate in the financing of presidential and senatorial candidates, and it could limit the money spent on such candidates in general elections.

I ask that the article by Inez Robb in the Miami Herald be inserted at this point in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IS GENE LAST OF A BREED?—LOG-CABIN PLATFORM MAY BE CRUMBLING

(By Inez Robb)

"Gene McCarthy Is Alive and Broke in Nebraska," reads the latest campaign button to reach my door.

Perhaps that bit of political graffiti is a partial answer to a current question: Can a poor boy find happiness in the presidential primaries?

Or will Sen. McCarthy wind up as a footnote in history as the last poor man—or man of modest means—to seek the presidency? Has the cost of fighting for his party's nomination been outpriced for all but the very rich?

Or can any man of Independent thought but not independent means ever again aim at the White House? Has the high cost of modern campaigning, particularly prime television time, shut out all but the Rockefellers, the Kennedys and candidates like Richard M. Nixon and Hubert H. Humphrey who have powerful support within their respective parties? Or a George Wallace who can dredge up dollars from an added fringe?

If so, the United States will be intellectually, spiritually and politically the poorer. Certainly, the rich ought to have their chance at the brass ring, too, but the poor at least ought to be able to get on the merry-go-round. The fact that the ride on the merry-go-round is not so prohibitive is what ought to worry the electorate.

Already one of the oldest and most indigenous features of American presidential elections has not only sunk without a trace but has sunk without anyone really remarking about the loss.

The presidential candidate born in a log cabin, a fixture of all presidential campaigns in the past, disappeared with the election of 1952.

The late Sen. Robert Kerr (D., Okla.) was the last candidate to seek the presidency on a log-cabin platform, and that in 1952 at the Democratic National Convention in Chicago. By that time Sen. Kerr had made so vast a fortune in oil that he could afford to duplicate, at his campaign headquarters, the log cabin in which he was born.

Until 16 years ago the log cabin symbolized this nation's ties to its frontier and its rugged past. The log-cabin candidate by ready inference associated himself with pioneer glory and manifest destiny. He was a living reminder of a simpler day of plain living and high thinking.

But even in 1952 the late Sen. Kerr's distance from that simpler time could be measured not only by his financial ability to duplicate a log cabin in a Chicago hotel mezzanine but by his fleet of private planes.

So the last stand of the log cabin, as a symbol of primal honesty, proud poverty and had work, was made by a multimillionaire. And since then no other candidate for the presidency has qualified on any grounds as a log cabin entry. Politics left the frontier in 1952 and, seemingly, took up residence in Dun and Bradstreet.

If the 1968 primaries prove that a financially poor candidate for the presidency cannot hope to challenge a rich contestant, then Congress itself must finally struggle with the problem of financial aid for bona fide candidates. Television is not the villain; it is simply a fact of modern political life that only financially endowed candidates can support.

Rose Kennedy, the matriarch of the Kennedy family, has already plainly enunciated the family creed in "Women's Wear Daily" where she said that them as has it spends it politically as they sees fit to elect their own.

Either some way is found to support the legitimate candidate with limited financial resources or the United States is going to have to scratch one of its most-cherished beliefs—that any American boy can grow up to be president.

Mr. LONG of Louisiana. Mr. President, I would like to include in the RECORD with reference to the problem of financing a political campaign an article which appeared in the Washington Sunday Star of June 23, 1968. This article describes the efforts of former Gov. George Wallace, of Alabama, to raise enough money to make a serious bid for the Presidency of the United States. According to the article, Mr. Wallace says that "he is counting on smaller contributions from hundreds of thousands of voters across the Nation to finance his third party presidential campaign."

The article goes on to say that Mr. Wallace expects to operate on a budget of $50,000 to $60,000 a day. If that amount is multiplied by the 60 days just prior to election day, the Wallace campaign would figure to cost a minimum of $3 million. However, if he had been figuring on that budget for another 60 days, which would have allowed him to campaign vigorously from the beginning of July to election day, the campaign cost would be at least $6 million.

We must remember that this is the campaign cost of a third party which admittedly will not attempt to campaign in all 50 States. If we multiply this cost several fold in order to get an idea of what the two major parties will spend in the upcoming presidential election, we will see how exorbitant is the price of running for President in this day and age.

This price can best be paid, I feel, by public funds provided equally by all of the taxpayers of this country. That is why it is so very necessary that the Senate pass the Honest Elections Act reported by the Committee on Finance last year and currently resting on the Senate Calendar. We must not let the high cost of politics keep good men from making an active bid for public office.

The Honest Elections Act, incidentally, would be of financial assistance to a third party candidate such as Governor Wallace if he were able to collect 5 percent of the votes cast for President in the coming election. If he obtained that 5 percent, he would receive 40 cents for every vote cast for him.

I ask unanimous consent that this article be placed in the CONGRESSIONAL RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WALLACE COUNTING ON MANY DONORS

MONTGOMERY, ALA., June 23.—George Wallace says he is counting on small contributions from hundreds of thousands of voters across the Nation to finance his third party presidential campaign.

His just completed fund raising trip to eight southern states may indicate the potential success or failure of such an undertaking, unprecedented in modern political campaigning on a national scale.

The exact amount of money raised in the 11-day tour has not been made known, but the total cash may run more than $300,000. And campaign leaders hope to get at least another $1 million or more from fund-raising petitions distributed along the route.

Wallace brought his funds home to Montgomery Saturday night in two large pillow cases.

The $300,000-plus figure is based on:

Reporters' estimates that some 7200 followers attended the 11 dinners and paid $25 for a meal that cost the Wallace campaign an average of about $5 a plate, having the net of $20 to go into the campaign fund.

Estimates from police, arena managers and newsmen who covered the southern tour put the total crowds at the political rallies somewhere in excess of 90,000. Wallace himself claimed more than 100,000. Wallace aides say their experience indicates that donations from those who attend the rallies averages about 70 cents per person.

In addition, the campaign raised about $100,000 from $1000-a-plate luncheons.

Perhaps the biggest potential source of campaign revenue is what Wallace headquarters calls "official fund-raising petitions."

About 400 were distributed to volunteers at each stop along the campaign route. The goal in each petition is to get at least $1000 from 85 contributors.

One Wallace spokesman said that experience in trial runs shows that each petition can be expected to produce $304. If each of the 4000 now in circulation in the eight southern states reaches that average, it will produce $1.2 million.

The former governor himself has said in his campaign speeches that he is not "overrun with money" but neither is the campaign broke. Ultimately, he expects to operate on a budget of $50,000-$60,000 a day.

TRIBUTE TO SENATOR KUCHEL

Mr. MANSFIELD. Mr. President, as we approach the sine die adjournment of the 90th Congress, I wish at this time to join Senators who have expressed their regret and sense of loss at the passing from this scene of the distinguished senior Senator from California [Mr. KUCHEL].

There is no one in this country, in this Chamber, or in the State of California who doubts the courage, integrity, and dedication which have marked Senator KUCHEL's years in this body.

Many of us are very much aware of some of the difficulties which were his under the most trying circumstances and the courage which he showed, and courage which I think many of the rest of us would not have been capable of showing on occasions of that sort.

I want to say to the distinguished acting minority leader: You made a real contribution to your State and to your country. All of us hope that you will return to public life, that we will have the benefit of your counsel and advice in years to come, as we have in years which have passed, and I wish to assure you that all of us look upon you as a close and dear personal friend.

ADJOURNMENT SINE DIE

Mr. MANSFIELD. Mr. President, on behalf of the distinguished acting minority leader and myself, I now move, in accordance with the terms of Senate Concurrent Resolution 83, as amended, that the Senate stand in adjournment sine die.

The **PRESIDENT** pro tempore. The question is on agreeing to the motion.

The motion was agreed to; and (at 2 o'clock and 17 minutes p.m.) the Senate adjourned sine die.

[Prolonged applause, Senators rising, as the President pro tempore of the Senate, the senior Senator from Arizona [Mr. HAYDEN], left the chair.]

ENROLLED BILLS AND JOINT RESOLUTION SIGNED SUBSEQUENT TO SINE DIE ADJOURNMENT

Subsequent to the sine die adjournment of the Senate, the President pro tempore, under authority of Senate Concurrent Resolution 82, signed the following bills and joint resolution, which had previously been signed by the Speaker of the House of Representatives:

On Monday, October 14, 1968:

S. 857. An act for the relief of Puget Sound Plywood, Inc., of Tacoma, Wash.;

S. 2012. An act to amend the District of Columbia Public School Board Services Act to provide for the payment of salaries of food service employees from appropriated funds, to provide for adjustments in those salaries, and for other purposes;

S. 3174. An act to establish a national memorial to Woodrow Wilson;

S. 3416. An act to amend the Federal Property and Administrative Act of 1949, as amended, to authorize the rendering of direct assistance to and performance of special services for the inaugural committee;

S. 3736. An act to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex.;

S. 4120. An act to amend title 5, United States Code, to authorize the waiver, in certain cases, of claims of the United States arising out of erroneous payments of pay to employees of the executive agencies, and for other purposes;

H.R. 859. An act for the relief of Public Utility District No. 1 of Klickitat County, Wash.;

H.R. 1596. An act for the relief of Demetrios Konstontinos Georgaras (also known as James K. Georgaras);

H.R. 2283. An act for the relief of Dr. Ray F. McMillan;

H.R. 2288. An act for the relief of Charles B. Franklin;

H.R. 2760. An act for the relief of Sondra D. Shaw;

H.R. 2792. An act to amend sections 281 and 344 of the Immigration and Nationality Act to eliminate the statutory prescription of fees, and for other purposes;

H.R. 3593. An act to amend title 38 of the United States Code to provide nursing home care and contract hospitalization for certain veterans living in Alaska and Hawaii, and for other purposes;

H.R. 4939. An act for the relief of Joseph H. Bonduki;

H.R. 5785. An act to authorize the disposal of magnesium from the national stockpile;

H.R. 5818. An act for the relief of Clifton R. Kindt;

H.R. 7567. An act to amend the Internal Revenue Code of 1954 with respect to the definition of compensation for purposes of tax under the Railroad Retirement Tax Act, and for other purposes;

H.R. 8364. An act to amend the joint resolution of March 24, 1937, to provide for the termination of the interest of the United States in certain real property in Allen Park, Mich.;

H.R. 10256. An act to render the assertion of land claims by the United States based upon accretion or evulsion subject to legal and equitable defense to which private persons asserting such claims would be subject;

H.R. 10725. An act to amend the act of August 4, 1950 (64 Stat. 411), entitled "An act relating to the policing of the buildings and grounds of the Library of Congress" to provide salary increases for members of the police force of the Library of Congress, and for other purposes;

H.R. 10790. An act to amend the Public Health Service Act to provide for the protection of the public health from radiation emissions from electronic products;

H.R. 13058. An act to repeal certain acts relating to containers for fruits and vegetables, and for other purposes;

H.R. 14095. An act to amend the Internal Revenue Code of 1954 so as to make certain changes to facilitate the production of wine, and for other purposes;

H.R. 15114. An act to extend to savings notes the provisions of the Second Liberty Bond Act relating to the redemption of savings bonds and the payment of losses incurred in connection with such redemption;

H.R. 15147. An Act to amend the Immigration and Nationality Act to provide for the naturalization of persons who have served in active-duty service in the armed services of the United States during the Vietnam hostilities, or in other periods of military hostilities, and for other purposes;

H.R. 15681. An act to consolidate and revise foreign assistance legislation relating to reimbursable military exports;

H.R. 15971. An act to increase the participation of military judges and counsel on courts-martial, and for other purposes;

H.R. 16025. An act to amend title 38 of the United States Code with respect to eligibility for, and the period of limitation on, educational assistance available under part III of such title, and for other purposes;

H.R. 17361. An act to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the city of Memphis;

H.R. 18253. An act relating to the effective date of the 1966 change in the definition of earned income for purposes of pension plans of self-employed individuals;

H.R. 18373. An act for implementing Conventions for Free Admission of Professional Equipment and Containers, and for ATA, ECS, and TIR Carnets;

H.R. 18486. An act to amend the Internal Revenue Code of 1954 with respect to the treatment of income from the operation of a communications satellite system;

H.R. 18612. An act to enact title 44, United States Code, "Public Printing and Documents," codifying the general and permanent laws relating to public printing and documents;

H.R. 18942. An act relating to the income tax treatment of certain statutory mergers of corporations;

H.R. 19908. An act making appropriations for foreign assistance and relating agencies for the fiscal year ending June 30, 1969, and for other purposes;

H.R. 20300. An act making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes; and

H.J. Res. 691. Joint resolution extending greetings and felicitations to St. Louis University in the city of St. Louis, Mo., in connection with the 150th anniversary of its founding.

On Tuesday, October 15, 1968:

H.R. 159. An act to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes;

H.R. 11394. An act to amend certain provisions of the Internal Revenue Code of 1954 relating to distilled spirits, and for other purposes; and

H.R. 17864. An act to amend titles 5, 10, and 37, United States Code, to codify recent law, and to improve the code.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on October 14, 1968, he presented to the President of the United States the following enrolled bills:

S. 857. An act for the relief of Puget Sound Plywood, Inc., Tacoma, Wash.:

S. 2012. An act to amend the District of Columbia Public School Board Services Act to provide for the payment of salaries of food service employees from appropriated funds, to provide for adjustments in those salaries, and for other purposes;

S. 3174. An act to establish a national memorial to Woodrow Wilson;

S. 3416. An act to amend the Federal Property and Administrative Act of 1949, as amended, to authorize the rendering of direct assistance to and performance of special services for the Inaugural Committee;

S. 3736. An act to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex.; and

S. 4120. An act to amend title 5, United States Code, to authorize the waiver, in certain cases, of claims of the United States arising out of erroneous payments of pay to employees of the executive agencies, and for other purposes.

APPROVAL OF BILLS AND JOINT RESOLUTIONS SUBSEQUENT TO SINE DIE ADJOURNMENT

The President of the United States, subsequent to the sine die adjournment of the second session of the 90th Congress, notified the Secretary of the Senate that he had approved and signed the following acts and joint resolutions:

On October 8, 1968:

S. 3068. An act to amend the Food Stamp Act of 1964, as amended.

On October 12, 1968:

S. 910. An act for the relief of the estate of Patrick E. Eagan;

S. 1069. An act for the relief of Dr. Chung Chick Nahm;

S. 1578. An act to authorize the appropriation for the contribution by the United States for the support of the International Union for the Publication of Customs Tariff;

S. 1652. An act for the relief of Anastasia D. Mpatziani;

S. 2017. An act to authorize the Commissioner of the District of Columbia to enter into contracts for the inspection, maintenance, and repair of fixed equipment in District-owned buildings for periods not to exceed 3 years;

S. 2499. An act to extend the act of September 7, 1957, relating to aircraft loan guarantees;

S. 2592. An act to amend section 539 of the act approved March 3, 1901, so as to provide notice of the enforcement of a security interest in real property in the District of Columbia to the owners of such real property and the Commissioner of the District of Columbia;

S. 2897. An act for the relief of James T. O'Brien; and

S.J. Res. 197. Joint resolution to correct certain references in section 4(1) of the act entitled "An act to amend chapter 37 of title 38 of the United States Code with respect to the veterans' home loan program, to amend the National Housing Act with respect to interest rates on insured mortgages, and for other purposes," approved May 7, 1968.

On October 16, 1968:

S. 698. An act to achieve the fullest cooperation and coordination of activities among the levels of government in order to improve the operation of our federal system in an increasingly complex society, to improve the administration of grants-in-aid to the States, to permit provision of reimbursable technical services to State and local government, to establish coordinated intergovernmental policy and administration of development assistance programs, to provide for the acquisition use, and disposition of land within urban areas by Federal agencies in conformity with local government programs, to provide for periodic congressional review of Federal grants-in aid, and for other purposes; and

S. 3769. An act to amend the Higher Education Act of 1965, the National Defense Education Act of 1958, the National Vocational Student Loan Insurance Act of 1965, the Higher Education Facilities Act of 1963, and related acts.

On October 17, 1968:

S. 909. An act for the relief of Paul L., Margaret, and Josephine Kirsteatter;

S. 913. An act to amend part III of the Interstate Commerce Act to provide for the recording of trust agreements and other evidences of equipment indebtedness of water carriers, and for other purposes;

S. 945. An act to abolish the office of U.S. Commissioner, to establish in place thereof within the judicial branch of the Government the office of U.S. magistrate, and for other purposes;

S. 1246. An act to authorize the Commissioner of the District of Columbia to enter into leases for the rental of, or to use or permit the use of, the space over and under streets and alleys in the District of Columbia, and for other purposes;

S. 1247. An act to authorize the Commissioner of the District of Columbia to fix and collect rents for the occupancy of space in, on, under, or over the streets of the District of Columbia, to authorize the closing of unused or unsafe vaults under such streets and the correction of dangerous conditions of vaults in or vault openings on public spaces, and for other purposes;

S. 1763. An act to promote the economic development of Guam;

S. 2439. An act to increase the number and salaries of judges of the District of Columbia Court of General Sessions, the salaries of the District of Columbia Court of Appeals and the District of Columbia Tax Court, and for other purposes;

S. 2496. An act to authorize the Commissioner of the District of Columbia to enter into and renew reciprocal agreements for police mutual aid on behalf of the District of Columbia with the local governments in the Washington metropolitan area;

S. 2671. An act to provide for the control of noxious plants on land under the control or jurisdiction of the Federal Government;

S. 2675. An act for the relief of Jose Estrada;

S. 3227. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Southern Paiute Nation of Indians in India Claims Commission dockets Nos. 88, 330, and 330-A, and for other purposes;

S. 3615. An act to authorize the Secretary of the Army to convey to the port of Cascade Locks, Oreg., a certain interest in lands in the State of Oregon for municipal purposes;

S. 3986. An act to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, to expedite retirement of Government capital from Federal intermediate credit banks, production credit associations and banks for cooperatives, and for other purposes; and

S.J. Res. 191. Joint resolution authorizing the erection of a statue of Benito Pablo Juarez on public grounds in the District of Columbia.

On October 18, 1968:

S. 4158. An act to amend title 37, United States Code, to clarify the conditions under which physicians and dentists who extend their service on active duty in a uniformed service may be paid continuation pay.

On October 21, 1968:

S. 3207. An act to amend section 2 of the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands; and

S. 4120. An act to amend title 5, United States Code, to authorize the waiver, in certain cases, of claims of the United States arising out of erroneous payments of pay to employees of the executive agencies, and for other purposes.

On October 22, 1968:

S. 857. An act for the relief of Puget Sound Plywood, Inc., of Tacoma, Wash.;

S. 3416. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the rendering of direct assistance to and performance of special services for the inaugural committee; and

S. 3736. An act to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex.

On October 24, 1968:

S. 2938. An act to extend expiring provisions under the Manpower Development and Training Act of 1962, as amended, and for other purposes; and

S. 3174. An act to establish a National Memorial to Woodrow Wilson.

On October 25, 1968:

S. 2012. An act to amend the District of Columbia Public School Food Services Act to provide for the payment of salaries of food service employees from appropriated funds, to provide for adjustments in those salaries, and for other purposes.

NOMINATIONS

Executive nominations received by the Senate October 14, 1968:

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

George W. Davis, Brundidge, Ala., in the place of V. B. Huff, retired.

KENTUCKY

Truman S. Congleton, Beattyville, Ky., in the place of R. S. Smallwood, retired.

Terry R. Capps, Crofton, Ky., in the place of K. L. Alexander, retired.

David W. Harper, Pembroke, Ky., in the place of J. E. Gregory, retired.

MASSACHUSETTS

Doris E. Hodges, Bernardston, Mass., in the place of H. M. Cairns, retired.

NEW JERSEY

Dora M. Markle, Bedminister, N.J., in the place of C. H. Smock, retired.

PENNSYLVANIA

William J. McNitt, Jr., Milroy, Pa., in the place of C. C. Naginey, retired.

TENNESSEE

Hattie W. Saulpaw, Calhoun, Tenn., in the place of P. I. McCamish, retired.

Lowell W. Kinkead, Mountain Home, Tenn., in the place of F. R. Lockett, Jr., transferred.

CONFIRMATION

Executive nominations confirmed by the Senate October 14, 1968:

POSTMASTER

Jean N. Cooper to be postmaster at Almyra, Ark.

HOUSE OF REPRESENTATIVES—*Monday, October 14, 1968*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Keep yourselves in the love of God.—Jude 21.

Almighty God, from whom all thoughts of justice and peace proceed, kindle in our hearts and in the hearts of all our people a real love for brotherhood that we may learn to live together in peace with liberty and justice for all.

Most heartily do we pray that Thou wilt bless our President, our Speaker, the Members of Congress, and all who labor for them and with them. So rule their hearts and so direct their endeavors that law and order, justice and peace may here and everywhere prevail for the good of man and the glory of Thy holy name.

May virtue live in every heart, health and happiness in every home, friendship and fellowship in all our relationships, justice in our land, and peace in our world.

May Thy blessing abide with us now and forever more. Amen.

THE JOURNAL

The Journal of the proceedings of Saturday, October 12, 1968, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 944) entitled "An act relating to the establishment of parking facilities in the District of Columbia."

REPORT OF THE COMMITTEE TO NOTIFY THE PRESIDENT

The **SPEAKER**. The Chair will receive a report.

Mr. **ALBERT**. Mr. Speaker, your committee appointed to join a committee of the Senate to inform the President that the Congress is ready to adjourn, and to ask him if he has any further communications to make to the Congress, has performed that duty. The President has directed us to say that he has no further communication to make to the Congress.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendment of the House to a concurrent resolution of the Senate of the following title:

> S. Con. Res. 83. Concurrent resolution establishing that when the two Houses of Congress adjourn on Friday, October 11, 1968, they stand adjourned sine die.

The message also announced that the Vice President, pursuant to Public Law 84–689, appointed Mr. Metcalf as an alternate delegate to the North Atlantic Treaty Organization Parliamentary Conference to be held in Brussels, Belgium, November 11 to 16, 1968.

The message further announced that the Vice President, pursuant to Public Law 88–606, appointed Mr. Fannin to the Public Land Law Review Commission in lieu of Mr. Kuchel, resigned.

CORRECTION OF VOTE

Mr. **GUBSER**. Mr. Speaker, on rollcall No. 363 I am recorded as voting "yea." I voted "nay." I ask unanimous consent that the permanent Record and Journal be corrected accordingly.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

Mr. **ARENDS**. Mr. Speaker, reserving the right to object, I shall not object to this one unanimous-consent request by the gentleman from California [Mr. Gubser]. However, it is my hope that other Members will refrain from asking unanimous consent today until the most important matter before this House comes up; namely, the resolution of adjournment. We have gone to great pains to request our Members to come back today. They have gone out of their way to be here, and on that basis, we should immediately proceed with the question of sine die adjournment.

The **SPEAKER**. Does the gentleman object to this unanimous-consent request?

Mr. **ARENDS**. Mr. Speaker, not this one, because I did not have an opportunity to first advise the gentleman from California of my plans.

Mr. **CLEVELAND**. Mr. Speaker, reserving the right to object, are other Members—some of whom like myself came a long way to be here—going to be given an opportunity for unanimous-consent requests, such as inserting their remarks in the body of the Record, or to deliver 1-minute speeches? After we adopt the sine die resolution, will other Members be allowed to address the Members?

The **SPEAKER**. The Chair will cooperate to the fullest extent possible in cooperating with the Members. If objections are made, the Chair has no control over that situation.

Mr. **CLEVELAND**. Mr. Speaker, I withdraw my reservation of objection. I think I understand the Speaker.

The **SPEAKER**. The Chair recognized the gentleman from California [Mr. Gubser], who happens to be a Member of the House elected as a Republican, and the Chair would be surprised if anybody would object if the Chair would recognize somebody elected to the House as a Democrat.

Mr. **CLEVELAND**. Mr. Speaker, I withdraw my reservation.

The **SPEAKER**. Without objection, the request of the gentleman from California is granted.

There was no objection.

PARLIAMENTARY INQUIRY

Mr. **WYMAN**. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER**. The gentleman will state his parliamentary inquiry.

Mr. **WYMAN**. Mr. Speaker, if a quorum call should develop today and a quorum not be present, in the event the Sergeant at Arms is directed to return absent Members, will those Members who have responded to the call be free to leave?

The **SPEAKER**. Be free to leave where?

Mr. **WYMAN**. Be free to leave the Chamber.

The **SPEAKER**. The gentleman knows the answer to that inquiry himself. The Chair acted on that during the period when the equal time bill was up.

Does the gentleman want an answer to his inquiry?

Mr. **WYMAN**. I am seeking guidance for myself, Mr. Speaker, in trying to make future plans.

The **SPEAKER**. The Chair cannot stop the gentleman from leaving the Chamber now if he wants to, under the present situation.

The answer to the question is, of course, Members under the rules have the right, in the exercise of their own judgment and discretion, to leave the Chamber if they want to. That is the responsibility of each individual Member.

The Chair is not inviting the gentleman to leave.

Mr. **WYMAN**. The reason for my parliamentary inquiry was because, as I understand it, there is no pending business before the House, but only the question of adjournment.

The **SPEAKER**. The Chair would not say that is the only question before the House.

REQUEST FOR 1-MINUTE SPEECH

The **SPEAKER**. For the purpose of testing, the Chair recognizes the gentleman from Mississippi [Mr. Whitten].

Mr. **WHITTEN**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Mississippi?

Mr. **ARENDS**. Mr. Speaker, reserving the right to object, I appreciate the fact that an invitation to put me on the spot has just been made. I welcome it, since I made a request a moment ago that I would hope no Member would make me object. I have never objected to a unanimous-consent request during the 34 years I have served in this body, and I do not want to do so now. I know the adjournment resolution must leave this body and go to the Senate to be corrected and amended as to the date of adjournment, and it will then come back. During the interim Members will have ample time for putting matters in the Record. I respectfully ask the Members to refrain from making any such requests at this time.

Mr. **WHITTEN**. Mr Speaker, since my

colleague has had his minute, I am glad to ask unanimous consent to withdraw my unanimous-consent request.

Mr. ARENDS. I appreciate that.

The SPEAKER. The gentleman withdraws his request.

DATE OF ADJOURNMENT OF THE 90TH CONGRESS SINE DIE

Mr. ALBERT. Mr. Speaker, I call up Senate Concurrent Resolution 83, and ask for its immediate consideration.

The Clerk read the Senate concurrent resolution, as follows:

S. Con. Res. 83

Resolved by the Senate (the House of Representatives concurring), That the two Houses of Congress shall adjourn on Friday, October 11, 1968, and that when they adjourn on said day, they stand adjourned sine die.

AMENDMENT OFFERED BY MR. ALBERT

Mr. ALBERT. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Albert: Page 1, line 3, strike out "Friday, October 11, 1968," and insert "Monday, October 14, 1968."

Mr. ALBERT. Mr. Speaker, I yield 5 minutes for the purpose of debate to the gentleman from Michigan [Mr. O'Hara].

Mr. O'HARA of Michigan. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, I had announced on Friday of last week that I would attempt to prevent the adjournment of this session of Congress until the Senate had considered what I believe to be, in terms of the functioning of our political system, one of the most important bills that we have considered in the last 4 years. That proposal, Mr. Speaker, was the proposal that would have permitted network TV debates among the major candidates, for the Presidency of the United States.

Mr. Speaker, I did not take that position because I wanted to obstruct the business of this House. The Members of this House who know me know that I have never been an obstructionist. I took the position I did because of my conviction that this legislation was appropriate, necessary, and useful to the operation of our political system. The people of the United States ought to have an opportunity to examine these candidates, and see and hear them in a face-to-face confrontation before they determine which of them they will support on November 5. I believe that then and I believe now, that this is vital legislation and that it is legislation upon which the Senate had an obligation to act. It is with deep and sincere regret that I learned that the minority leader of the Senate had, by denying the U.S. Senate a quorum, prevented the Senate from even considering this legislation.

Mr. Speaker, that is obstructionism. But it is not obstructionism to do as we have done in the last few days, to try to get the Senate to meet its plain obligations. It is a far different thing than the obstructionism of the Senate Republicans who prevented the Senate from meeting its obligations.

Mr. Speaker, much has transpired since last Friday. For one, Vice President Humphrey announced last night that he has reserved an hour of network television time next Sunday night and urged Mr. Nixon and Governor Wallace to join him then to debate the great issues of this campaign. He issued that invitation by telegram to Mr. Nixon and to Governor Wallace. He asked that they reply by 5 p.m. tomorrow. I hope they will reply and I hope that their reply will be in the affirmative.

I have also had an opportunity to carefully review the situation in which the U.S. Senate finds itself. I have come to the reluctant conclusion that it will probably not be possible to acquire a quorum for the consideration of this legislation. I have become convinced that the minority will persist in its obstructionist tactics; that it is desperate to avoid this confrontation.

For these reasons and because I certainly do not want to inconvenience Members of the House of Representatives, I wish to announce that I will not attempt to prevent the passage of the sine die adjournment resolution. But I remain convinced, Mr. Speaker, that the other body has done a disservice to the country, that the Congress has an unfulfilled obligation to the American people and that we ought to be dealing with that obligation rather than going home.

Mr. ROONEY of New York. Mr. Speaker, will the distinguished gentleman from Michigan yield?

Mr. O'HARA of Michigan. I yield to the gentleman from New York.

Mr. ROONEY of New York. I should like to inquire of the distinguished gentleman from Michigan whether he agrees with the statement of the Speaker of the House of Representatives made last week that interested Americans should contribute to defray the expense of the television debates?

Mr. O'HARA of Michigan. I certainly do.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Michigan. I yield to the distinguished gentleman from Indiana.

Mr. MADDEN. Mr. Speaker, I wish to commend the distinguished gentleman from Michigan for the position he has taken on this legislation calling for debates between the three leading presidential candidates. In Indiana there is almost a universal response in opposition to postponing or to allow the Congress to adjourn without something being done about this legislation to make possible a joint debate between the three major presidential candidates.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. ALBERT. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. MADDEN. Mr. Speaker, if the gentleman will yield further, the people do not want the Congress to adjourn without something being done about this so that these principals can be brought together.

In the Congressional Record of Saturday—and the Members can refer to that—I called the Members' attention to the fact that there is such a terrific demand for these presidential principals to appear on television and clarify their position on the important issues. Millions in this country do not as of today know how the candidate on the Republican side, Richard Nixon, stands on these international and domestic questions. I suggested on Saturday—and it is in the Record—that possibility—and I contacted one of the leaders in the Democratic National Committee regarding this fact—of having Senator Thurmond, of South Carolina, substitute for the Republican candidate, Richard Nixon. I have decided, after examining their legislative records over the years there is not 10 cents worth of difference between Senator Thurmond, of South Carolina, and the candidate on the Republican side. I am satisfied that the people of the country would be willing to have Senator Thurmond substitute for the Republican candidate. The Senator is a great debater, public speaker, former candidate on the States Rights Party for President in 1948, Governor of South Carolina, and candidate Nixon's manager for southern delegates at the Miami Beach convention.

Mr. O'HARA of Michigan. I thank the gentleman.

Mr. ALBERT. Mr. Speaker, I yield 5 minutes to the distinguished minority leader, the gentleman from Michigan [Mr. Gerald R. Ford].

Mr. GERALD R. FORD. Mr. Speaker, I appreciate the distinguished majority leader yielding me this time to make an observation or to comment upon this particular situation. Naturally, I believe it was well for the distinguished gentleman from Michigan [Mr. O'Hara] to take the course of action that he is taking here today.

Any remarks that I make subsequently I hope the gentleman will understand, and will consider them to be fair under all the circumstances. I cannot help but make the observation, Mr. Speaker, that if—and I say "if"—the action of the Senate on this legislation has been obstructionalism in 1968, that perhaps the action taken August 18, 1964, by the other body, could be construed to be identical.

On that particular date there was a vote on similar legislation in the other body. The issue there was whether or not the Communications Act should be amended in order that there could be in that great presidential election a debate between Mr. Johnson and Senator Goldwater. On that particular date, August 18, 1964, the other body had a rollcall, and on that issue, which was for all intents and purposes the precise issue that has been raised in 1968, the vote was 44 to 41 against any amendment to the Communications Act.

It might be appropriate in light of some of the things that have been said here today, and some of the remarks that have been made in the last several weeks, to point out that two very distinguished Members of the other body on that occasion made key votes against any amendment to the Communications Act.

Those two very distinguished and honorable Members of the other body are now the presidential and vice-presidential candidates for the gentleman's party.

Now, I cannot help but say—and I hope it is clearly understood that if there is obstructionism in 1968, that perhaps such key votes in 1964 could likewise be given precisely the same label.

Therefore, Mr. Speaker, in order to keep the record straight, I have given these facts which are a part of the Congressional Record so that all Members on either side of the aisle, and independents and others, will know what the facts are, not only as to 1968, but in 1964.

Mr. ALBERT. Mr. Speaker, if the gentleman will yield briefly, I know the distinguished minority leader realizes that there is this distinction between the two things about which the gentleman is talking: In the earlier case there was a vote.

Mr. GERALD R. FORD. I appreciate the observation of the distinguished majority leader, but the facts are precisely as I stated them, and if the distinguished majority leader wants to add that clarification I certainly have no objection.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Speaker, I thank the gentleman for yielding for a statement of further clarification.

As I understand that vote in 1964, in the Senate, was 44 to 41, and if Mr. Muskie and Mr. Humphrey had voted "nay" instead of "yea" on the motion to table, the motion would have failed and the bill probably would have passed.

Is that a correct statement?

Mr. GERALD R. FORD. That is precisely the situation.

Mr. CRAMER. Another thing, if the gentleman will yield further: In fact, the 44 that voted "nay" to kill it were all Democrats—they just happened to be.

Mr. GERALD R. FORD. Mr. Speaker, I yield back the balance of my time.

Mr. ALBERT. Mr. Speaker, I yield myself 1 minute only for the purpose of observing that the bill which has precipitated this discussion came to this body from the Senate. It was a Senate bill. The House amended the bill and sent it back to the Senate. It seems to us, therefore, that the Senate should have taken action under the circumstances. The statement made by our distinguish colleague, the gentleman from Michigan [Mr. O'Hara], amply sets forth the numerous reasons why we on this side of the aisle feel as we do about this matter.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the amendment offered by the gentleman from Oklahoma [Mr. Albert].

The amendment was agreed to.

The resolution was agreed to.

The title of Senate Concurrent Resolution 83 was amended to conform with the text of the amended resolution.

A motion to reconsider was laid on the table.

AUTHORIZING PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE TO SIGN ENROLLED BILLS AND RESOLUTIONS

Mr. ALBERT. Mr. Speaker, I call up Senate Concurrent Resolution 82 and ask for its present consideration.

The Clerk read the Senate concurrent resolution, as follows:

S. Con. Res. 82

Resolved by the Senate (the House of Representatives concurring), That, notwithstanding the sine die adjournment of the two Houses, the Speaker of the House of Representatives and the President of the Senate, the President pro tempore, or the Acting President pro tempore be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF RULES AND MANUAL OF THE HOUSE OF REPRESENTATIVES FOR THE 91ST CONGRESS AS A HOUSE DOCUMENT

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 1322) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1322

Resolved, That a revised edition of the Rules and Manual of the House of Representatives for the Ninety-first Congress be printed as a House document, and that one thousand six hundred additional copies shall be printed and bound for the use of the House of Representatives, of which seven hundred copies shall be bound in leather with thumb index and delivered as may be directed by the Parliamentarian of the House for distribution to officers and Members of Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING PRINTING OF REPORTS OF COMPTROLLER GENERAL AS HOUSE DOCUMENTS OF 90TH CONGRESS

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 1323) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1323

Resolved, That, notwithstanding the sine die adjournment of the House, reports of the Comptroller General of the United States made to the Congress pursuant to the Government Corporation Control Act (31 U.S.C. 841 et seq.) shall be printed during such adjournment as House documents of the second session of the Ninetieth Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING CLERK OF THE HOUSE TO RECEIVE MESSAGES FROM THE SENATE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding the sine die adjournment of the House, the Clerk be authorized to receive messages from the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AUTHORIZING SPEAKER OF THE HOUSE TO ACCEPT RESIGNATIONS AND APPOINT COMMISSIONS, BOARDS, AND COMMITTEES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the 2d session of the 90th Congress, the Speaker be authorized to accept resignations, and appoint commissions, boards, and committees authorized by law or by the House.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AUTHORIZING REPORTS FILED WITH CLERK TO BE PRINTED AS REPORTS OF THE 90TH CONGRESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that reports filed with the Clerk following the sine die adjournment by committees authorized by the House to conduct investigations may be printed by the Clerk as reports of the 90th Congress.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members of the House have the privilege of inserting their own remarks in the Extensions of Remarks section of the Congressional Record and to include therewith brief related extraneous material on one or more subjects; this order to be effective until publication of the last edition of the Record authorized by the Joint Committee on Printing, but it shall not apply to any subject matter which may have occurred, or to any speech delivered after adjournment of Congress.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS AND INCLUDE SUMMARIES OF WORK OF COMMITTEES TO CHAIRMEN AND RANKING MINORITY MEMBERS OF COMMITTEES AND SUBCOMMITTEES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the chairmen of all the standing committees and subcommittees of the House may extend their remarks up to and including the publication of the last Record and to include a summary of the work of their committees; also that the ranking minority Member of such standing committee or any subcommittee may have the same permission to extend their remarks and to include a summary, if they desire, from their point of view, separately from that of the chairman.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

THE YEAR 1066 AND ALL THAT

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, as a student of history I believe that many lessons can be learned from the great events of the past and the notable personages who have marched across the pages of history. Today marks the 902d anniversary of the great Battle of Hastings which was fought on October 14, 1066.

A century later, there flashed on the scene of history a King of England whose very name has been an inspiration for men of valor down through the ages. King Richard I earned the sobriquet of "Coeur de Lion"—the heart of a lion—and he was henceforth known as Richard the Lion-hearted.

I am confident that if Richard the Lion-hearted were here today, our colleagues in the House of Representatives would have been able to enjoy a full night's sleep instead of the 46 rollcalls we experienced one day and night last week. Also, if Richard the Lion-hearted were here today, I am confident we would not suffer this pirouetting and toe-dancing between the House and Senate over when to adjourn. Finally, the American people would have had an opportunity to see and hear all three presidential candidates in the kind of confrontation which is the essence of democracy.

Therefore, as students of history, we should salute a man whose name symbolizes courage—Richard the Lion-hearted, King of England.

HAPPY BIRTHDAY, GEN. DWIGHT D. EISENHOWER

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I am certain and positive that every Member of this House, regardless of political affiliation, will join me in saying to Gen. Dwight D. Eisenhower, "Happy Birthday."

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. What the gentleman has said certainly applies to every Member, but may I emphasize from our side of the aisle that we join the gentleman in wishing this great American a happy birthday and many more of them.

Mr. GERALD R. FORD. I thank the gentleman from Oklahoma. It has been almost unbelievable that General Eisenhower could recover from the series of heart attacks that he has had over the last several months. I think his courage and his determination exemplifies the kind of great man that he is. He was a military leader who carried the United States forward in its great struggle against Nazism and against aggression in Western Europe. He was a superb military leader, throughout his career in the Military Establishment. He was also a highly successful President of the United States, and certainly left an indelible mark on the history of our country.

I hope and trust that in the days and weeks ahead he fully recovers, and I am sure that all of us extend to him our best wishes not only for a happy birthday, but for continued years of health and happiness.

Mr. MIZE. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Kansas.

Mr. MIZE. Because the distinguished American, General Eisenhower, is from my congressional district, I merely wish to say, "Amen" to what has been said by both the majority leader and the minority leader.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Speaker, I am pleased to have this opportunity to join with my colleagues here in the House in extending our birthday greetings and best wishes to General Eisenhower. I know that not only here, but around the world, people everywhere rejoice for this day. Free men of good will everywhere join with us in thanks to God of all of us that we are blessed to have this truly great American with us, although presently confined to Walter Reed Hospital. We will continue in our prayers for his complete recovery.

I first became acquainted with General Eisenhower many years ago when, as a young Army officer, he periodically appeared before what was then known as the Military Affairs Committee, now a part of the Armed Services Committee. No one then imagined that he would be the man who would lead the Allied Powers to victory over forces of evil and destruction that engulfed practically all of Europe. But it was quite evident that this young officer had great potential, and that young officer became our President and our Commander in Chief.

When General Eisenhower was our President I was privileged to work closely with him week by week. During these 8 years I came to know him well. He had but one desire and that was to do what was best for our country. I have never known anyone more dedicated than General Eisenhower.

I join with all of you in wishing him a happy birthday and many, many more. I hold for him the deepest affection and the greatest respect.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the distinguished Speaker.

Mr. McCORMACK. Mr. Speaker, I join with the gentleman from Michigan and other Members in conveying to President Eisenhower our hearty congratulations on his birthday anniversary and also in conveying to him our deep feelings of respect, esteem, and friendship.

We sincerely hope and pray that God will continue to bless him with countless future birthday anniversaries. There is no question that millions of Americans have showered the Good Lord with their prayers, asking the Good Lord to look with kindness and generosity upon our beloved former President—and humbly I have been one of those who have been doing it. I know countless millions of other Americans have done it.

President Eisenhower served our country during a trying period of our Nation's history and of the world's history. He endeared himself to all of us, without regard to party affiliation, by his understanding mind. I might say President Eisenhower received—and I think he would be the first one to admit it—support from the Democratic side, because we cooperated with him from the angle of understanding, and it was a pleasure for us to do so.

President Eisenhower served our country in a military capacity, and in a civilian capacity, dedicating the greater part of his life to the service of our country. He was one of our great military leaders, and he will also go down in history as one of our outstanding Presidents.

But today we speak to Dwight Eisenhower as friends, not only respecting him as a former President of the United States, but also respecting him as an individual. Our respect for him as an individual also goes to Mrs. Eisenhower, because they have been a beautiful couple, an example for all other Americans to follow. So, to our friend, Dwight Eisenhower, we wish you every joy on this day and we hope that God will continue to bless you for countless years to come.

Mr. GERALD R. FORD. Mr. Speaker, I am certain General Eisenhower will appreciate your beautiful, your sincere, and your wonderful words more than anything I can say.

At this point, Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. GOODLING].

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GOODLING. Mr. Speaker, today marks the birthday anniversary of one of America's greatest living figures, Dwight David Eisenhower.

Ike—as he is popularly known to his fellow citizens—is a typical American. In a like manner, his dedication to hard work and his job is the mark of the average American who believes that diligence and application should be the hallmarks of personal endeavor.

Dwight Eisenhower helped to fashion

one of the greatest military machines that has ever been formed, and in fashioning it directed it toward the accomplishment of free-world objectives. Immediately after the dust and clouds of war had settled, he took a leading part in a great crusade for world peace. That crusade continues.

His remarkable military career was followed by a spectacular tour of public service in the White House. As President of the United States he presided over a country that was sound fiscally and highly respected internationally.

Still, while Ike walked with kings and leaders of the world, he always retained the common touch. He remained unaffected by pomp and ceremony, always retaining an unpretentious demeanor.

In many respects it can be said that Ike has been, and remains, a kind of father figure to millions of Americans. Citizens of all walks of life have been drawn to him for consolation and encouragement in times of trouble, and they have not been denied. This remarkable man has the capacity to reward trust with performance.

Dwight Eisenhower is a strong and courageous man, as is evidenced by the spirit with which he has met and conquered the various illnesses that have assailed him. This strength has been fortified by a delightful and infectious grin that has become famous the world over, a grin which when turned on seems automatically to dissipate shadows.

Mr. Speaker, I can lay claim to a special distinction, for it is my high privilege to have Dwight D. Eisenhower as a constituent, his home being in Gettysburg, which is in my congressional district. On various occasions I have visited Ike at his home, and I have been deeply impressed with his knowledge of domestic and international affairs, as well as his warm and congenial nature.

All Americans love and respect Ike. So too do all freedom-loving peoples throughout the world. This day, then, becomes one of special significance, for it relates to a truly great individual.

I extend my very best wishes to this great personality. "Happy Birthday, Ike and may you have many, many more."

Mr. SMITH of Oklahoma. Mr. Speaker, today, Monday, October 14, is the birthday anniversary of a great gentleman.

Gen. Dwight David Eisenhower, former President of the United States, is 78 years old today. A patient at Walter Reed Army Medical Center recovering from his seventh heart attack, his courage and will to recover are indicative of the sturdy, forward-thinking life he has lived.

It was my privilege and pleasure one time to visit General Eisenhower at his Gettysburg, Pa., home. It was an hour of inspiration I shall never forget.

The former President has made many contributions as citizen, soldier, and leader, but I like to believe that one of his greatest accomplishments was to sign a bill June 14, 1954, adding "under God" to our Flag Salute.

The Salute might well stand as a symbol of the life of this great gentleman:

> I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

Mr. CLEVELAND. Mr. Speaker, at the request of the leadership I have returned today from my home in New London canceling campaign plans to be here for the adjournment vote. Although I think it is regrettable that our affairs could not have been concluded more expeditiously and indeed a long time ago, I am delighted that we are in session on the birthday of our beloved Dwight David Eisenhower. I am glad that the general has lived to enjoy yet another birthday and I am even more pleased that with the passing of time he has lived to see a renewed appreciation of some of the things that he stood for and some of the things that we accomplished during his administration.

I can well recall how fashionable it was to say that the Eisenhower administration was not particularly exciting. I think the American people are now aware of the fact that sound leadership and real progress does not necessarily have to be exciting. I think the American people have a renewed appreciation for such old-fashioned virtues as patience and fortitude and firm leadership that led to peace abroad and stability at home.

And so I join with my many other colleagues and say "Happy Birthday to Ike" and many happy returns of the day. I can honestly say that I am glad that I had to come back here so that I could participate in paying tribute to this great American.

GENERAL LEAVE TO EXTEND

Mr. CRAMER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks following the remarks of the gentleman from Michigan, Gerald R. Ford, relating to the birthday of General Eisenhower.

TRIBUTE TO THE HONORABLE DWIGHT DAVID EISENHOWER

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, I take this time so that the Record will indicate I was present and in the Chamber and prepared to vote today on the adjournment resolution. I am grateful that no such vote was necessary but, having cancelled a number of commitments to come back here to be available, I would like the Record to so indicate.

Mr. Speaker, I also want to join in expressing my greetings to General Eisenhower on his birthday, and I wish to express my warm appreciation to the Members of this body, and particularly to the gentleman from Michigan [Mr. Gerald R. Ford] for the action taken in passing and sending to the Senate, and from there to the President, now signed into law, the legislation which I introduced more than a year ago to extend a sum of money to Eisenhower College in Seneca Falls in my congressional district as a living memorial to the life and times of President Eisenhower. That action, I think, was commendable. I believe it represents a true bipartisan spirit, and I am proud to have been the author of the original bill.

THE HONORABLE GEORGE MILTON RHODES

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, it is a great advantage to a man to have been born in the closing years of the 19th century. He has seen so much of history, and has had a part in so much economic and social change. George Rhodes has had a remarkable as well as a most interesting career. As a lad, he grew up in the light of the great awakening of the early years of the new century. Then came the First World War, and the spark of progress was snuffed out under the blanket of reaction following the war.

George was one of that valiant band who saw the gleam of better things through the cloud of depression. In one of the most effluent sections of his native State, he espoused the cause of labor. As an eloquent and persuasive spokesman for the labor movement, he earned for himself an impressive reputation for ability, sagacity, and integrity.

Then came another conflict, and another wave of conservatism. But this time the force of progress, under the direction of such men as George Rhodes, was too strong. The heroic and brilliant campaign of 1948 swept him into the Halls of Congress.

For 20 historymaking years George has given his energy and his skill to the task of solidifying the cause of progressiveism. As a valued and influential member of the powerful Ways and Means Committee, the stamp of his genius has been placed upon many a piece of legislation.

But the cycle of the years has rolled us swiftly away from 1948. George has earned a rest, and he insists on taking it. We accept his decision with an infinite sadness, a sadness that is mingled with pride over the accomplishments of a glorious period. May he find ahead of him many years in which to contemplate with satisfaction and content the achievements of a well-spent life.

DISTRICT OF COLUMBIA PARKING FACILITY ACT

Mr. NELSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. NELSEN. Mr. Speaker, I am sure

Members noticed the report coming over relative to the conference committee on the parking bill for the District of Columbia.

Early in this session I introduced a bill, and my colleague from Virginia [Mr. BROYHILL] introduced a bill. My bill was similar to the Senate bill.

We worked out a compromise which I believe is a very good bill. It is understandable that parking interests would want to be very careful that their property not be taken by eminent domain. It is understandable that the downtown businessmen are interested in proceeding with parking in the District of Columbia.

Proper safeguards were put into this bill to protect those who had invested in property in this city. At the same time, the machinery for progress was incorporated in the conference report.

I realize that the bill is in danger, because of the lack of a quorum. I have every confidence that if a quorum were present there would be a very overwhelming vote in support of this measure. I do hope that this measure may be adopted.

I say, in all fairness to everyone concerned, I would almost feel I am wasting my time on the District of Columbia Committee if, after a long and conscientious effort to try to arrive at a sensible answer to the problem, we would find the bill die at this time. If this bill fails in this session I have every confidence that early in the next session a similar bill will pass, but I have my doubts it will be a better one.

I hope this body will adopt this bill at this session of Congress.

Mr. BROYHILL of Virginia. Mr. Speaker, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman from Virginia.

Mr. BROYHILL of Virginia. I want to express my thanks as well as my congratulations to the gentleman from Minnesota for the work he has done in helping to arrive at a solution to this vexing and complicated problem.

As the gentleman has pointed out, we have arrived at a compromise, which seemed almost impossible a few weeks ago. There was give and take on both sides. It does result in a good bill, a bill with the overwhelming support of this body, I am certain.

As the gentleman pointed out, if there is a rollcall, the bill will pass by an overwhelming majority. It would be most unfortunate, after all the work of the gentleman from Minnesota and the members of the House Committee on the District of Columbia and the Members of the other body, for this bill not to pass and become law before this Congress adjourns.

Mr. NELSEN. I should like to point out I did receive a call from a representative of the downtown progress group today, very concerned about this measure and wholeheartedly in its support.

I thank the gentleman for his statement.

DISTRICT OF COLUMBIA PARKING BILL

Mr. GUDE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GUDE. Mr. Speaker, I would like to commend the gentleman from Minnesota [Mr. NELSEN] not only for the wonderful work he has done on the parking bill, which he mentioned here a few moments ago on the floor, but for his dedicated effort on so many critical District of Columbia problems. This bill that has come from the conference is a great step forward. We are getting half a loaf instead of one thin slice. It is thanks to the dedicated work of gentlemen such as Mr. NELSEN on the District of Columbia Committee that we have gotten this far.

CRIME AND DISORDER SHOULD NOT BE TOLERATED

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SCOTT. Mr. Speaker, we remember some 6 months ago there was rioting within the District of Columbia and at that time one Stokely Carmichael was inciting people to riot and saying, "Go home and get your gun. I've got mine." This gentleman has not been prosecuted by the Attorney General for inciting persons to riot. I noticed in the newspaper yesterday he was up to his old tricks again, because he was certainly guilty of the greatest kind of racism in saying that it was perfectly all right for a black man to shoot a honky cop. If a white person would say something of this nature, I believe that the present administration would not hesitate to take action. We have nightly disorders in the District of Columbia, and I wonder how long it will be before the chief prosecutor for this Government, the Attorney General of the United States, will take action pursuant to the laws that this body has passed with regard to inciting persons to riot? As long as this man continues going throughout the country inciting to violence we will continue to have permissiveness in this country. I think that the blame can be laid right at the doorstep of the present administration.

PERSONAL EXPLANATION

Mr. FULTON of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FULTON of Pennsylvania. Mr. Speaker, as ranking minority member of the House Committee on Science and Astronautics, and as senior member of the Manned Space Flight Subcommittee, I was invited by the National Aeronautics and Space Administration to be an official observer for the important launch of the Apollo VII mission at Cape Kennedy, Fla., Friday, October 11, 1968. The chairman of the Science and Astronautics Committee authorized the trip to Cape Kennedy as official business. The House of Representatives granted me official leave of absence for this trip.

While I was away from the House of Representatives on this official leave of absence, three automatic rollcall votes were taken. The votes occurred on rollcall Nos. 424, 425, and 426, taken after 6 p.m. Thursday night and early Friday afternoon, before our official plane arrived at Andrews Air Force Base, Washington, D.C., on our return from Cape Kennedy.

Had I been able to be present, I would have voted "yea" on rollcall No. 424, House Resolution 1304, authorizing travel for the Committee on Banking and Currency. On rollcall No. 425, the conference report on H.R. 19908, foreign assistance and related agencies appropriations for 1969, I had a live pair favoring the foreign aid conference report. If present I would have voted "yea." I would have voted "yea" on rollcall No. 426, the conference report on H.R. 20300, supplemental appropriations for fiscal year 1969.

WATER QUALITY IMPROVEMENT ACT OF 1968

Mr. CLARK. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 3206) to amend the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and for other purposes, together with Senate amendments to the House amendment to the text, and consider the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments to the House amendment, as follows:

Page 2, lines 20 and 21, of the House engrossed amendments, strike out "in excess of $100,000,000".

Page 2, line 25, of the House engrossed amendments, strike out "in excess of $100,000,000".

Page 3, line 8, of the House engrossed amendments, after "section." insert: "If, in any fiscal year, less than $100,000,000 is appropriated to be available for grants under subsection (b) of this section, no appropriation Act for such fiscal year shall make available any amount for contracts under this section for such fiscal year."

Page 7, strike out lines 2 to 17, inclusive, of the House engrossed amendments, and insert "than additional construction, the Secretary shall conduct a study of the need for, the desirability of, and the feasibility of, a program of assistance to any State, municipality or intermunicipal or interstate agency to pay a portion of the cost of operating such works to implement water quality standards. The Secretary shall submit a report on this study together with his recommendations thereon to the Congress, not later than June 1, 1969."

Page 9, lines 12 and 13, of the House engrossed amendments, strike out "after giving appropriate consideration to" and insert "within the limits of".

Page 9, line 21, of the House engrossed amendments, strike out "recreational vessels" and insert "vessels not equipped with installed toilet facilities".

Page 11, line 22, of the House engrossed amendments, strike out "of this subsection" and insert "of the initial standards promulgated under this section."

Page 17, of the House engrossed amendments, strike out lines 8 and 9.

Page 17, line 10, of the House engrossed amendments, strike out "(6)" and insert "(5)".

Page 17, line 13, of the House engrossed amendments, strike out "(7)" and insert "(6)".

Page 17, line 16, of the House engrossed amendments, strike out "(8)" and insert "(7)".

Page 17, line 19, of the House engrossed amendments, strike out "(9)" and insert "(8)"

Page 17, line 23, of the House engrossed amendments, strike out "(10)" and insert "(9)".

Page 17, after line 25, of the House engrossed amendments, insert:

"Sec. 7. Section 11 of the Federal Water Pollution Control Act, as amended, is amended to read as follows:

"'COOPERATION BY OTHER FEDERAL DEPARTMENTS AND AGENCIES TO CONTROL POLLUTION

"'Sec. 11. (a) It is hereby declared to be the intent of the Congress that any Federal department or agency—

"'(1) having jurisdiction over any building, installation, or other property, or

"'(2) which carries out, or issues any license, or permit for any activity, shall, insofar as practicable and consistent with the interests of the United States and, where applicable, within any available appropriations, cooperate with the Secretary in the case of interstate waters, or with any State or interstate agency or municipality having jurisdiction over other waters into which any matter is discharged from such property, or which is affected by such activity, to insure compliance with applicable water quality standards.

"'(b) In his summary of any conference pursuant to section 10(d) (4) of this Act, the Secretary shall include references to any discharges allegedly contributing to pollution from any Federal property. Notice of any hearing pursuant to section 10(f) involving any pollution alleged to be effected by any such discharges shall also be given to the Federal agency having jurisdiction over the property involved and the findings and recommendations of the Hearing Board conducting such hearing shall also include references to any such discharges which are contributing to the pollution found by such Hearing Board.'"

Page 18, line 1, of the House engrossed amendments, strike out "7." and insert "8."

Page 18, line 14, of the House engrossed amendments, after "vessel" insert "or owning or operating an offshore facility".

Page 19, line 14, of the House engrossed amendments, strike out "and" where it appears the fourth time.

Page 19, line 18, of the House engrossed amendments, strike out "Zone." and insert "Zone; and".

Page 19, after line 18, of the House engrossed amendments, insert:

"(10) 'offshore facility' means any drilling structure and appurtenances thereto located in or upon the navigable waters of the United States or in or upon the waters of the contiguous zone."

Page 21, line 3, of the House engrossed amendments, strike out "(e)" and insert "(e) (1)".

Page 21, line 24 of the House engrossed amendments, strike out "liability," and insert "liability".

Page 22, line 5, of the House engrossed amendments, strike out "subsection" and insert "paragraph".

Page 22, after line 14, of the House engrossed amendments, insert:

"(2) The owner or operator of any offshore facility, who willfully or negligently discharges or permits or causes or contributes to the discharge of oil into or upon the navigable waters of the United States or adjoining shorelines or beaches or into or upon the waters of the contiguous zone, shall immediately notify the Secretary or his delegate of such discharge and shall remove such discharged oil immediately from such waters, shorelines, and beaches in accordance with regulations prescribed under subsection (h) of this section. If such owner or operator fails to so act for any reason, or if the source of the discharge is unknown, the Secretary or his delegate may remove the oil or arrange for its removal and such owner or operator shall be liable to the United States for the full amount of the actual costs reasonably incurred by the United States for the removal of such oil. The aggregate liability under this paragraph for the cost of removal of discharged oil shall not exceed $5,000,000."

Page 22, line 15, of the House engrossed amendments, strike out "In" and insert:

"(3) In".

Page 23, line 7, of the House engrossed amendments, after "vessel" insert "or offshore facility".

Page 23, line 14, of the House engrossed amendments, after "vessel" insert "or offshore facility".

Page 23, line 17, of the House engrossed amendments, after "vessel" insert "or offshore facility".

Page 24, line 19, of the House engrossed amendments, strike out "establishing water quality standards" in and insert "for".

Page 27, line 4, of the House engrossed amendments, strike out "8" and insert "9".

Page 27, line 7, of the House engrossed amendments, strike out "9" and insert "10".

Mr. CLARK (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the Senate amendments be dispensed with and that they be printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

MOTION OFFERED BY MR. CLARK

Mr. CLARK. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Clark moves that the House concur in Senate amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 21, and 28, and disagree to Senate amendments numbered 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 29, and 30.

Mr. CLARK. Mr. Speaker, S. 3206, passed originally by the Senate, was reported by the Committee on Public Works of the House with an amendment to the text in the nature of a substitute and that language was accepted by this House by unanimous vote on October 7. The legislation has been further amended by the Senate and returned to the House for concurrence. The House cannot completely concur in the Senate proposition and, for this reason, the request has been made to concur in certain of the Senate amendments and disagree to certain others.

The legislation as passed the House was a result of many months of hard work and thorough consideration by the Committee on Public Works. As it passed this body it contained the basis for still further extension and development of our water pollution program. It provided for the first time overall financing for the water pollution control program by authorizing contracts on a 30-year basis. As a result of the economic situation we face today this contract method of financing is needed to temporarily provide an alternative method of funding this program. It was made quite clear, however, in the committee report that this was to be temporary, on an emergency basis, and in no way shape or form a substitute for the grant program. This bill, as passed by the House, further provided a program for research for demonstration programs to control lake pollution and acid and other mine water pollution, as well as a new program of oil pollution research. For the first time it authorized the Federal Government to control sewage discharges from certain of the vessels under the jurisdiction jointly of the Secretary of the Interior and the U.S. Coast Guard. This bill also authorized for the first time a workable program to be administered essentially by the Secretary of the Interior to prevent oil pollution from vessels on the inland, coastal, territorial, and contiguous waters of the United States. As part of the program the bill directed a study to be made of the need for, and the measure requires, provision of financial responsibility and limitations of liability with regard to vessels using U.S. waterways. This legislation as passed the House presented the best bill at this particular time. That bill, however, has since been amended by the Senate.

After discussions on an informal basis by the two committees, the Committee on Public Works of the House feels that the House position can best be maintained by what is being done here today and I will describe briefly what is here proposed.

The 30 Senate amendments fall into several categories. One group of these amendments are clearly clerical and technical in nature and the House should concur in them. A second group of amendments covers the inclusion by the Senate of recreational vessels equipped with installed toilet facilities. The House should concur in these amendments. A third group of amendments is designed to alter the formula establishing the amount of money available for contracts. This does not affect the total authorization of funds but merely its allocation between the contract and grant programs. The Senate feels a greater amount should be available for contracts at this time. The House can reasonably concur in these amendments. The fourth group of amendments is designed to require that offshore drilling and other oil facilities be made responsible for cleaning up oil spillages. The question of the responsibility of both onshore and offshore installations in this area is one which the House bill did not treat The committee feels that much information remains to be developed before any informed judgment can be made in this area. Therefore, the House should disagree to this group of Senate amendments.

A final group of Senate amendments would revise section 11 of the existing Water Pollution Control Act to essentially require the imposition of conditions in permits and licenses issued by the Federal Government in areas which the issuing authority feels may affect pollution. Obviously this would include Corps of Engineers licenses, Federal Power Commission licenses, Atomic Energy Commission licenses, as well as many others. The implications of a basic change in Government policy of this magnitude are too great for hasty and ill-considered action at this time. Therefore, this group of Senate amendments should also be rejected.

Therefore, I believe that the action which I now urge upon the House is one which should be unanimously concurred in by this body. May I conclude by thanking all those on the committee who worked long and hard for this legislation, to all Members of the House who supported it and commend the Members of the other body for their diligent efforts. I express the earnest hope that the President will soon be in a position to sign this legislation so that implementation of this fine program may be continued without any further delay.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. CLARK. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Speaker, I have asked the gentleman to yield to me at this time for the purpose of spreading upon the RECORD and making certain that the intent and purpose of the motion is as I understood it to be and as has been agreed to by the majority and the minority in the effort to see that there is passed, if possible, at this session of the Congress the much needed water pollution control legislation.

Mr. CLARK. That is correct.

Mr. CRAMER. Mr. Speaker, for the purpose of accomplishing that, I would like to ask the distinguished gentleman from Pennsylvania a few questions with respect to his motion.

Mr. Speaker, as I understand it, the amendments which are disagreed to by this unanimous-consent request are basically amendments that in the first instance concern the question of the Secretary of Interior being given the authority to advise Federal agencies as to the granting of permits and licenses involving the possible pollution of water, a question which we all recognize to be of great importance. However, the impact of the proposed amendment is to place under the Secretary of Interior authority over industries of many types. The reason why it was agreed that this matter should not be legislated upon at this moment, is that very similar language was stricken from the bill in the committee itself by mutual agreement in order to try to get a consensus upon the bill and in order to pass it under a suspension of the rules. This matter was not heard in our committee. It is a question which certainly deserves extreme consideration. We cannot give it the consideration that it merits at this time. We cannot intelligently legislate upon this question at this time. That was the reason why it was unanimously agreed upon in the committee and on the floor of the House that we could not do so. Now the other body has reinstated that section of the bill. It should remain out of the bill until we have an opportunity to have adequate hearings held on the matter and that is involved in amendment 14; is that correct?

Mr. CLARK. The gentleman is correct.

Mr. CRAMER. Mr. Speaker, that disposes of that basic subject matter.

There is one other subject matter on which there is unanimous understanding, I believe, between the minority and the majority, just as there was in committee. However, the other body disagreed. This resulted in their amendment. The second group of amendments, which I understand the gentleman's unanimous-consent request involves, applies to offshore oil facilities. This is another matter on which it is mutually agreed that further knowledge is needed in order to decide what, if any, legislative action should be promulgated. Further, as I understand it, under the present licensing authority of the agency that permits drilling on offshore land on the Continental Shelf, that they can include in their licensing authority whatever restrictions they wish relating to pollution by oil spillage, and for that reason we are not turning our heads away from the problem and ignoring the problem, but in fact there is a remedy today. Whether or not there should be a further remedy is a matter the committee needs to study considerably before a legislative decision can be made.

That was unanimously understood in the committee, and I trust and hope that if this unanimous consent request is agreed to it will be unanimously so by this body. Is that not correct?

Mr. CLARK. The gentleman states the situation correctly.

Mr. Speaker, certain of the amendments before us present no great problem to the passage of the Water Quality Improvement Act of 1968. In many respects they are compromises between the positions expressed by the House amendments and the original Senate version.

For example under Senate amendments 1, 2 and 3, the amount of sums authorized to be appropriated that can be made available for contract authority has been increased by $100,000,000. Certain changes have been made to the vessel pollution portion of the bill for the purpose of assuring that unreasonable demands are not made on small recreational vessels, but that marine sanitation device performance standards would only be promulgated when our technology permits these standards to be practicable and reasonable. The exemption of vessels that do not have installed toilet facilities relieves a burden upon those vessel owners who otherwise could be driven out because of the lack of feasibility of installing toilet facilities and marine sanitation devices on certain types of vessels.

Certain technical provisions have been incorporated to eliminate problems that might arise between State enforcement of local vessel pollution laws while standards are under development by the Secretary.

In the area of oil pollution the establishment of regulations for removing discharged oil and matter is clarified by some technical changes in language.

However, there are two sets of amendments proposed by the Senate with which it would be unreasonable to agree at this time.

The first concerns the question as raised by Senate amendment 14 of the Secretary of the Interior being given the authority to advise Federal agencies as to the granting of permits and licenses involving possible pollution of water and is one of great import. The impact of the proposed amendment is to place under the Secretary of the Interior strong control of industries of many types.

Now this proposition is before us with no hearings, with no opportunity for those most affected to be heard and with no opportunity for us to determine the wisdom of this amendment. It would be an abuse of due process to impose these restrictions upon our citizens without giving them a chance to be heard.

In the second set, Senate amendments 18, 19, 22, 23, 24, 25, 26, and 27 a similar situation applies to offshore oil facilities. We need further knowledge in order to decide what legislation should be promulgated.

The other body found itself constrained to act in a parallel fashion concerning grants for the operation of treatment plants. In that case they opted by amendment 4 for a study to enlighten them. We feel that in the matters of licenses and offshore facilities, hearings rather than a study are in order at this time.

Mr. Speaker, I feel it only proper that this body should recognize the very great statesmanlike approach of the other body in coming to agreement in most areas of this legislation, which are difficult and to some extent controversial. The members of that body have displayed great comprehension of the problems of water pollution and the difficulties of legislation controlling it. With their knowledge and expertise, I feel that we have been able to achieve a compromise that is reasonable and beneficial to the Nation.

There follows a copy of the House engrossed amendments and the numbered Senate amendments to the House amendment so the record will be clear as to what the unanimous consent motion of the gentleman from Pennsylvania [Mr. CLARK] contains:

IN THE HOUSE OF REPRESENTATIVES,
October 7, 1968.

Resolved, That the bill from the Senate (S. 3206) entitled "An Act to amend the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and for other purposes", do pass with the following amendments:

Strike out all after the enacting clause, and insert:

"That this Act may be cited as the 'Water Quality Improvement Act of 1968.'

"SEC. 2. Section 8 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466e), is amended—

"(1) by redesignating subsections (f) and (g) as (g) and (h);

"(2) by inserting after the word 'grant' in clauses (1), (3), (4), and (5) of subsection (b) the words 'or contract'; and after the word 'grantee' in clause (3) of subsection (b) the words 'or contractee';

"(3) by inserting after the word 'appropriated' wherever it appears in the second and third sentences of subsection (c) the words 'for grants under subsection (b) of this section';

“(4) by inserting after ‘subsection (b) of this section’ in the first sentence of redesignated subsection (g) a comma and the following: ‘or the amount contracted for under subsection (f) of this section,’ and by striking out in such sentence ‘the amount of such grant’ and inserting in lieu thereof ‘such amount’;

“(5) by inserting after ‘grants’ in redesignated subsection (h) the following: ‘or contracts’; and

“(6) by inserting a new subsection after subsection (e) to read as follows:

“ ‘(f) (1) For the purpose of this subsection, the term “contracting party” means a State, municipality or intermunicipal or interstate agency.

“ ‘(2) For the purpose of providing an additional method of financing treatment works under this Act, the Secretary, within limits to be established in appropriation Acts for the fiscal years 1969 and 1970, which limits shall not exceed in any such year twice the amount appropriated in excess of $100,000,000 for grants under subsection (b) of this section for such fiscal year, and within limits to be established in appropriation Acts for fiscal year 1971 which limits shall not exceed in such year an amount equal to the amount appropriated in excess of $100,000,000 for grants under subsection (b) of this section for such fiscal year, may enter into contracts, in accordance with the provisions of this subsection, with any contracting party to make payments over a period of not to exceed thirty years from the date of the contract to cover the Federal share of construction costs of treatment works that meet the applicable requirements of subsection (b) of this section and the first sentence of subsection (c) of this section. The principal sum available for contracts under this subsection for each fiscal year beginning after June 30, 1968, shall be allotted by the Secretary in accordance with the ratio that the population of each State bears to the population of all the States. Sums allotted to a State which are not obligated within six months following the end of the fiscal year for which they were allotted shall not be reallotted and shall lapse, except that sums allotted to a State in fiscal year 1969 shall be available for obligation therein for eighteen months from the effective date of this subsection. The total of such principal sum and the amount actually appropriated for grants under subsection (b) of this section for fiscal years 1969, 1970, and 1971 shall not exceed the sums authorized to be appropriated for grants for such fiscal years. The Secretary shall, upon the request of any State, enter into such contracts for treatment works approved by him since June 30, 1966, constructed or under construction with no Federal grant under this section or with a partial Federal grant under this section.

“ ‘(3) The Federal share for treatment works with respect to which a contract is entered into under paragraph (2) of this subsection shall be the same percentage as would be the case if a grant were being made for such works under subsections (b) and (g) of this section.

“ ‘(4) In any case where the contracting party uses payments made to it under a contract entered into under paragraph (2) of this subsection to pay bonds or other financial obligations issued by it to pay construction costs of treatment works, no payment made under such a contract shall exceed the amount which the contracting party agrees to use within sixty days of the date it receives such payment to reduce the principal amount of such bonds or other obligations.

“ ‘(5) Each contract shall include such reasonable terms and conditions as the Secretary deems appropriate.’

“Sec. 3. Section 8(d) of the Federal Water Pollution Control Act, as amended, is amended to read as follows:

“ ‘(d) For the purposes of making grants and payments on contracts under this section, there is authorized to be appropriated $700,000,000 for the fiscal year ending June 30, 1969; $1,000,000,000 for the fiscal year ending June 30, 1970; and $1,250,000,000 for the fiscal year ending June 30, 1971. At least 50 per centum of the first $100,000,000 so appropriated for each fiscal year beginning on or after July 1, 1965, shall be used for grants for the construction of treatment works servicing municipalities of one hundred and twenty-five thousand population or under. There is authorized to be appropriated such sums as may be necessary to make payments after June 30, 1971, on contracts entered into under subsection (f) of this section. Sums appropriated to carry out this section shall remain available until expended.’

“Sec. 4. Section 5 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466c), is amended—

“(1) by redesignating subsection (h) as subsection (k);

“(2) by inserting after subsection (g) three new subsections to read as follows:

“ ‘(h) The Secretary is authorized to enter into contracts with, or make grants to, public or private agencies and organizations and individuals for the purpose of developing and demonstrating new or improved methods for the prevention, removal and control of natural or manmade pollution in lakes, including the undesirable effects of nutrients and vegetation.

“ ‘(i) The Secretary is authorized to make grants to, or enter into contracts with, public or private agencies and organizations and individuals to carry out any project which, in his judgment, will demonstrate feasible and practical techniques of eliminating or controlling acid or other mine water pollution.

“ ‘(j) The Secretary shall engage in such research, studies, experiments, and demonstrations as he deems appropriate relative to the removal of oil from any waters and to the prevention and control of oil pollution, and shall publish from time to time the results of such activities.’

“(3) by changing in subsection (g)(4) the words ‘and June 30, 1969,’ to ‘June 30, 1969, and June 30, 1970,’; and

“(4) by changing in redesignated subsection (k) the period after ‘1969’ to a comma and adding the words ‘and for the succeeding fiscal year.’

“Sec. 5. (a) Section 6 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466c–1), is amended—

“(1) by changing in subsection (e)(1) the word ‘three’ to ‘four’; and

“(2) by changing in subsection (e) (2) and (3) the word ‘two’ to ‘three’.

“(b) Section 7 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466) is amended by inserting after subsection (j) the following new subsection:

“ ‘(k) For the purpose of improving the operation of treatment works on which construction was initiated after the enactment of this Act above its optimum design efficiency to achieve a substantial immediate improvement in effluent quality through the use of new methods or devices, other than additional construction, the Secretary is authorized to make grants annually to any State, municipality or intermunicipal or interstate agency in an amount not to exceed 25 per centum of the cost of operating such treatment works, but in no event more than 50 per centum of the cost of improving such operation during the twelve-month period for which application is made. No grant shall be made unless the State water pollution control agency certifies, and the Secretary finds, that the operation of the treatment works with the new methods or devices will achieve the intended improvement in effluent quality. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1969, and for each of the next two succeeding fiscal years, the sum of $25,000,000 per fiscal year for the purpose of this subsection. Sums so appropriated shall remain available until expended.’

“Sec. 6. Sections 17 and 18 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466m and 466n), are amended to read as follows:

“ ‘AREA ACID AND OTHER MINE WATER POLLUTION CONTROL DEMONSTRATIONS

“ ‘Sec. 17. (a) The Secretary, in cooperation with other Federal agencies, is authorized to enter into agreements with any State to carry out one or more projects which will demonstrate methods for the elimination or control, within all or part of a watershed, of acid or other mine water pollution resulting from active or abandoned mines. Such projects shall demonstrate the engineering and economic feasibility and practicality of various abatement techniques which will contribute substantially to effective and practical methods of acid or other mine water pollution elimination or control.

“ ‘(b) The Secretary, in selecting watersheds for the purposes of this section, shall (1) require such feasibility studies as he deems appropriate, (2) give preference to areas which have the greatest present or potential public value for use for recreation, fish and wildlife, water supply, and other public uses, and (3) be satisfied that the project area will not be affected adversely by the influx of acid or other mine water pollution from nearby sources.

“ ‘(c) Federal participation in such projects shall be subject to the conditions—

“ ‘(1) that the State shall pay not less than 25 per centum of the actual project costs which payment may be in any form, including land or interests therein that is needed for the project, personal property, or services, the value of which shall be determined by the Secretary; and

“ ‘(2) that the State shall provide legal and practical protection to the project area to insure against any activities which will cause future acid or other mine water pollution.

“ ‘(d) There is authorized to be appropriated $7,500,000 to carry out the provisions of this section, which sum shall be available until expended. No more than 25 per centum of the total funds appropriated under this section in any one year shall be granted to any one State.

“ ‘CONTROL OF SEWAGE FROM VESSELS

“ ‘Sec. 18. (a) (1) As soon as possible after the enactment of this section, the Secretary, after consultation with the Commandant of the Coast Guard and after giving appropriate consideration to available technology and economic costs, shall promulgate Federal standards of performance for marine sanitation devices (hereinafter referred to as ‘standards’) which shall be designed to prevent the discharge of untreated or inadequately treated sewage into or upon the navigable waters of the United States from new vessels and existing vessels, except (A) existing commercial fishing vessels forty-five feet or under in length, and (B) new or existing recreational vessels. Such standards shall be consistent with maritime safety and the marine and navigation laws and regulations and shall be coordinated with the regulations issued by the Commandant of the Coast Guard under this subsection. The Commandant of the Coast Guard shall promulgate regulations, which are consistent with the standards under this section and with maritime safety and the marine and navigation laws and regulations, governing the design, construction, installation, and operation of any marine sanitation device on board such vessels.

“ ‘(2) Any existing vessel equipped with a device or devices installed pursuant to the requirements of State statute, regulation, or recommended levels of control set forth in the Handbook on Sanitation and Vessel Construction (Public Health Service, 1965) prior to the effective date of initial standards and regulations required by this section shall be deemed in compliance with this section until such time as the device or devices are replaced or are found not to be in compliance with such State statute, regulation, or recommended level.

" '(b) (1) Initial standards and regulations under this section shall become effective for new vessels two years after promulgation, but not earlier than September 1, 1970, and for existing vessels five years after promulgation.

" '(2) The Secretary and the Commandant of the Coast Guard, with regard to their respective regulatory authority established by this section, may distinguish among classes, types, and sizes of vessels as well as between new and existing vessels, and may waive applicability of standards and regulations for such periods of time as necessary or appropriate for classes, types, and sizes of vessels, and, upon application, for individual vessels.

" '(c) The provisions of this section and the standards and regulations promulgated thereunder apply to vessels owned and operated by the United States unless the Secretary of Defense finds that compliance would not be in the interest of national security. With respect to vessels owned and operated by the Department of Defense, regulations under subsection (a) and certifications under subsection (f)(2) of this section shall be promulgated and issued by the Secretary of Defense and not by the Commandant of the Coast Guard.

" '(d) Before the standards and regulations under this section are promulgated the Secretary and the Commandant of the Coast Guard shall consult with the Secretary of State; the Secretary of Health, Education, and Welfare; the Secretary of Defense; the Secretary of Commerce; other interested Federal agencies; and the States and industries interested; and otherwise comply with the requirements of section 553 of title 5 of the United States Code.

" '(e) After the effective date of this subsection, no State or political subdivision thereof shall adopt or enforce any statute or regulation with respect to the use of any marine sanitation device on any vessel subject to the provisions of this section.

" '(f) (1) No manufacturer of a marine sanitation device shall sell, offer for sale, or introduce or deliver for introduction in interstate commerce, or import into the United States for sale or resale any marine sanitation device manufactured after the effective date of the standards and regulations under this section unless such device is in all material respects substantially the same as a test device certified under this subsection.

" '(2) Upon application of the manufacturer, the Commandant of the Coast Guard shall certify a marine sanitation device if he determines, in accordance with the provisions of this paragraph, that it meets the appropriate standards and regulations promulgated under this section. The Commandant shall test or require such testing of the device in accordance with procedures set forth by the Secretary as to standards of performance and for such other purposes as may be appropriate. The Secretary, upon notification of the results of such tests, shall determine if such results are in accordance with the appropriate performance standards promulgated under this section and shall notify the Commandant of his determination. Upon such notification the Commandant, if he determines that the device is satisfactory from the standpoint of safety and any other requirements of maritime law or regulation, and after consideration of the design, installation, operation, material, or other appropriate factors, shall certify it. Any device which is in all material respects substantially the same as the certified test device shall be deemed to be in conformity with the standards and regulations established under this section.

" '(3) Every manufacturer shall establish and maintain such records, make such reports, and provide such information as the Secretary or the Commandant may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this section and regulations thereunder and shall, upon request of an officer or employee duly designated by the Secretary or the Commandant, permit such officer or employee at reasonable times to have access to and copy such records. All information reported to, or otherwise obtained by, the Secretary or the Commandant or their representatives pursuant to this subsection which contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code shall be considered confidential for the purpose of that section, except that such information may be disclosed to other officers or employees concerned with carrying out this section.

" '(g) After the effective date of standards and regulations promulgated under this section it shall be unlawful—

" '(1) for the manufacturer of any vessel subject to such standards and regulations to manufacture for sale, to sell or offer for sale, or to distribute for sale or resale any such vessel unless it is equipped with a marine sanitation device certified pursuant to this section;

" '(2) for a vessel subject to such standards and regulations to discharge sewage into or upon the navigable waters of the United States in violation of such standards and regulations or to be operated on such waters with an installed marine sanitation device not certified pursuant to this section or otherwise in compliance with regulations;

" '(3) for any person to fail or refuse to permit access to or copying of records or to fail to make reports or provide information required under this section; and

" '(4) for any person, prior to the sale or delivery of a vessel subject to such standards and regulations to the ultimate purchaser, wrongfully to remove or render inoperative any certified marine sanitation device or element of design of such device installed in such vessel.

" '(h) The district courts of the United States shall have jurisdiction to restrain violators of subsection (g) of this section. Actions to restrain such violators shall be brought by, and in, the name of the United States. In any such action subpenas for witnesses who are required to attend a district court in any district may run into any other district.

" '(i) Any person who knowingly violates either clause (1) or (4) of subsection (g) of this section shall, upon conviction, be fined not more than $2,500 or imprisoned for not more than one year, or both. Each violation shall constitute a separate offense.

" '(j) Any person who violates a provision of this section or any regulation issued thereunder shall be liable to a civil penalty of not more than $1,000 for each violation. The Commandant of the Coast Guard may assess and collect any such penalty and may remit or mitigate any penalty imposed under circumstances he considers appropriate.

" '(k) The provisions of this section shall be enforced by the Commandant of the Coast Guard, and he may utilize by agreement with or without reimbursement law enforcement officers or other personnel and facilities of the Secretary or other Federal agencies to carry out the provisions of this section.

" '(l) Anyone authorized by the Commandant of the Coast Guard to enforce the provisions of this section may, except as to public vessels, (1) board and inspect any vessel upon the navigable waters of the United States, (2) with or without a warrant arrest any person who violates the provisions of this section or any regulation issued thereunder in his presence or view, and (3) execute any warrant or other process issued by an officer or court of competent jurisdiction.

" '(m) In the case of Guam, actions arising under this section may be brought in the district court of Guam, and in the case of the Virgin Islands such actions may be brought in the district court of the Virgin Islands. In the case of American Samoa and the Trust Territory of the Pacific Islands, such actions may be brought in the District Court of the United States for the District of Hawaii and such court shall have jurisdiction of such actions.

" '(n) For the purpose of this section, the term—

" '(1) "new vessel" includes every description of watercraft or other artificial contrivance used, or to be used, as a means of transportation on the navigable waters of the United States, the construction of which is completed after promulgation of standards and regulations under this section;

" '(2) "existing vessel" includes every description of watercraft or other artificial contrivance used, or to be used, as a means of transportation on the navigable waters of the United States, the construction of which is completed before promulgation of standards and regulations under this section;

" '(3) "commercial fishing vessel" means a vessel engaged in the business of taking of fish, mollusks, or crustaceans for subsequent sale;

" '(4) "public vessel" means a vessel owned and operated by the United States, by a State, or by a foreign nation, except where such vessel is engaged in commercial activities;

" '(5) "recreational vessel" means any vessel operated for noncommercial recreational purposes;

" '(6) "person" means an individual, partnership, firm, corporation, or association, but does not include an individual on board a public vessel;

" '(7) "United States" includes the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands;

" '(8) "sewage" means human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes;

" '(9) "manufacturer" means any person engaged in the manufacturing, assembling, or importation of marine sanitation devices or of vessels having installed on board such devices; and

" '(10) "marine sanitation device" means any equipment for installation on board a vessel designed to receive, retain, treat, or discharge sewage.'

"SEC. 7. The Federal Water Pollution Control Act, as amended, is amended by redesignating section 19 as section 20 and by inserting after section 18 a new section to read as follows:

" 'CONTROL OF OIL AND OTHER HAZARDOUS POLLUTING MATTER FROM VESSELS

" 'SEC. 19. (a) As used in this section, the term—

" '(1) "oil" means oil of any kind or in any form, including, but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoil;

" '(2) "owner or operator" means any individual or organization owning, operating, or chartering by demise, a vessel;

" '(3) "vessel" includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water;

" '(4) "public vessel" means a vessel owned and operated by the United States, or by a State or by a political subdivision thereof, or by a foreign nation, except where such vessel is engaged in commercial activities;

" '(5) "discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping of oil or matter;

" '(6) "United States" includes the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands;

" '(7) "remove or removal" refers to the taking of reasonable and appropriate measures to mitigate the potential damage of the discharge to the public health or welfare, including, but not limited to, fish, shellfish, wildlife, shorelines, and beaches;

" '(8) "matter" means any substance of any description or origin, other than sewage, oil, and dredged spoil, which, when discharged from a vessel into any waters in substantial quantities, presents, in the judgment of the Secretary, an imminent and substantial hazard to the public health or welfare, including fish, shellfish, and wildlife, and shorelines and beaches; and

" '(9) "contiguous zone" means the entire zone established or to be established by the United States under article 24 of the Convention on the Territorial Sea and the Contiguous Zone.

" '(b) Except in case of an emergency imperiling life or property of substantial value, an act of God, war, or sabotage, or an unavoidable accident, collision, or stranding, or except as otherwise permitted by regulations issued by the Secretary under this section, or except where not prohibited under the provisions of article IV of the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, as amended, whoever discharges or permits the discharge of oil from a vessel by any method, means, or manner into or upon the navigable waters of the United States or adjoining shorelines and beaches of the United States, or into or upon the waters of the contiguous zone if such oil threatens to pollute or contribute to the pollution of the territory or the territorial sea of the United States, shall be punished in accordance with the provisions of this section.

" '(c) Any owner or operator of a vessel, other than a public vessel, who willfully violates the provisions of subsection (b) of this section or any regulation issued thereunder, shall, upon conviction, be punished by a fine not exceeding $2,500, or by imprisonment not exceeding one year, or by both, for each offense.

" '(d) Any vessel, other than a public vessel, which willfully or negligently causes the discharge of oil in violation of subsection (b) of this section, or any regulation issued thereunder, shall be liable for a civil penalty of not more than $10,000. Clearance of a vessel liable for this penalty from a port of the United States may be withheld until such penalty is paid or until a bond or other surety satisfactory to the Secretary is posted. Such penalty shall constitute a maritime lien on such vessel which may be recovered by action in rem in the district court of the United States for any district within which such vessel may be found.

" '(e) The owner or operator of any vessel who willfully or negligently discharges or willfully or negligently permits, causes, or willfully or negligently contributes to the discharge of oil or matter into or upon the navigable waters of the United States or adjoining shorelines or beaches or into or upon the waters of the contiguous zone shall immediately notify the Secretary or his delegate of such discharge and shall remove such discharged oil or matter immediately from such waters, shorelines, and beaches in accordance with regulations prescribed under subsection (h) of this section. If such owner or operator fails to so act for any reason, or if the source of the discharge is unknown, or if the discharge occurs in waters beyond the contiguous zone and threatens to pollute or contribute to the pollution of the waters of the territorial sea of the United States, the Secretary may remove the oil or matter or arrange for its removal, and such owner or operator and, as appropriate, the vessel shall be liable to the United States, in addition to the penalties prescribed in this section, for the full amount of the actual costs reasonably incurred by the United States under this subsection for removal of any oil or matter which is willfully or negligently discharged, except that there shall be no such liability, in the case of discharges beyond the waters of the contiguous zone. In the case of discharges into the waters of the contiguous zone, there shall be no such liability unless the Secretary determines that the discharge threatens to pollute or contribute to the pollution of the territory or the territorial sea of the United States. The aggregate liability under this subsection for the cost of removal of discharged oil or matter shall not exceed $5,000,000 or $67 per registered gross ton of such offending vessel, whichever is the lesser amount. Clearance of a vessel, other than a public vessel, liable for such costs from a port of the United States may be withheld until such costs are paid or until a bond or other surety satisfactory to the Secretary is posted. Such costs shall constitute a maritime lien on such vessel which may be recovered by action in rem in the district court of the United States for any district within which such vessel may be found. In carrying out the provisions of this subsection, the Secretary shall immediately, by agreement, delegate to the Secretary of the Department in which the Coast Guard is operating, the authority on a reimbursable basis to coordinate the removal of such oil or matter, including planning, directing, and controlling such removal, in the coastal and contiguous zone waters, ports and harbors, Great Lakes and major inland navigable waterways, and in other areas where the Coast Guard has the capability to effect such removal. Authority shall be delegated to other appropriate Federal agencies, subject to their agreement, in such other areas where the Secretary of the Department in which the Coast Guard is operating advises the Secretary that the Coast Guard lacks capability. Both Secretaries shall, whenever possible, utilize with or without reimbursement the personnel, services, and facilities of other Federal agencies.

" '(f) In any action instituted by the United States under subsections (d) or (e) of this section, evidence of a discharge of oil or matter from a vessel shall constitute a prima facie case of liability on the part of the owner or operator thereof and the burden of rebutting such prima facie case shall be upon such owner or operator. The United States shall also have cause of action under subsection (e) of this section against any owner or operator of a vessel whose willful act or negligence is found to have caused or contributed to the discharge of oil or matter from a vessel involved in a collision or other casualty. The burden of rebutting the prima facie case of liability which the United States shall have against a vessel or the owner or operator thereof from which the oil or matter is discharged shall in no way affect any rights which such owner or operator may have against any other vessel or owner or operator or other persons whose willful act or negligence may in any way have caused or contributed to such discharge. An owner or operator who removes oil or matter discharged pursuant to subsection (e) of this section shall be entitled to reimbursement from any other owner or operator or vessel for the reasonable costs expended for removal when such discharge resulted from the willful act or negligence of such other owner or operator or vessel.

" '(g) There is hereby authorized to be appropriated to a revolving fund established in the Treasury not to exceed $2,500,000 to carry out the provisions of subsection (e) of this section. Any funds received by the United States in payment of any actual costs incurred by the Secretary pursuant to said subsection and any penalties collected for any violation of this section shall also be deposited in said fund for such purposes. All sums appropriated to, or deposited in, said fund shall remain available until expended.

" '(h) Within 180 days after the effective date of this subsection—

" '(1) the Secretary shall issue regulations, in consultation with the Secretary of the department in which the Coast Guard is operating and consistent with maritime safety and with marine and navigation laws and regulations establishing water quality standards in removing discharged oil and matter, including criteria relative to the methods and means of removal, from any waters, shorelines, or beaches.

" '(2) the Secretary of the department in which the Coast Guard is operating shall issue regulations, in consultation with the Secretary, which will establish procedures, methods, and equipment (A) to prevent discharges of oil and matter from vessels, and (B) to implement the regulations of the Secretary relative to removing discharged oil and matter.

" '(i) The Secretary, in consultation with the Secretary of the department in which the Coast Guard is operating and consistent with maritime safety and with marine and navigation laws and regulations, may issue regulations which authorize the discharge of oil or matter from a vessel in quantities, under conditions, and at times and locations deemed appropriate by him, after taking into consideration various factors such as the effect of such discharge on applicable water quality standards, recreation, and fish and wildlife.

" '(j) The provisions of this section and the regulations issued thereunder shall be enforced by the Secretary of the department in which the Coast Guard is operating. The Secretary and the Secretary of the department in which the Coast Guard is operating may utilize by agreement, with or without reimbursement, the personnel, services, and facilities of any other Federal agency in carrying out the provisions of this section and the regulations issued thereunder, including those relating to enforcement.

" '(k) Anyone authorized by the Secretary of the department in which the Coast Guard is operating to enforce the provisions of this section may, except as to public vessels, (1) board and inspect any vessel upon the navigable waters of the United States, (2) with or without a warrant arrest any person who violates the provisions of this section or any regulation issued thereunder in his presence or view, and (3) execute any warrant or other process issued by an officer or court of competent jurisdiction.

" '(l) In the case of Guam, actions arising under this section may be brought in the district court of Guam, and in the case of the Virgin Islands such actions may be brought in the district court of the Virgin Islands. In the case of American Samoa and the Trust Territory of the Pacific Islands, such actions may be brought in the District Court of the United States for the District of Hawaii and such court shall have jurisdiction of such actions.

" '(m) The Secretary of Transportation, in consultation with the Secretaries of Interior, State, Commerce, and other interested Federal agencies, and representatives of the merchant marine, oil, and insurance industries, and of other interested individuals and organizations, shall conduct a study of the need for and to the extent determined necessary, measures to provide financial responsibility and limitations of liability with respect to vessels using the navigable waters of the United States for the cost of removing discharged oil and paying all damages resulting from the discharge of such oil. The Secretary of Transportation shall submit a report, together with any legislative recommendations, to Congress and the President by January 1, 1970.'

"Sec. 8. Section 14 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466k), is amended by deleting the following: 'the Oil Pollution Act, 1924, or'.

"Sec. 9. The Oil Pollution Act, 1924 (43 Stat. 604), as amended (80 Stat. 1246–1252), is hereby repealed."

Amend the title so as to read: "An Act to amend the Federal Water Pollution Control Act, as amended, relating to the control of oil and hazardous substances; financing the construction of waste treatment works; to the conduct of water pollution control research; to the control of sewage from vessels, and for other purposes."

IN THE SENATE OF THE UNITED STATES,
October 11, 1968.

Resolved, That the Senate agree to the amendments of the House of Representatives to the bill (S. 3206) entitled "An Act to amend the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and for other purposes", with the following Senate amendments to House amendments:

(1) Page 2, lines 20 and 21, of the House engrossed amendments, strike out "in excess of $100,000,000".

(2) Page 2, line 25, of the House engrossed amendments, strike out "in excess of $100,000,000".

(3) Page 3, line 8, of the House engrossed amendments, after "section." insert "If, in any fiscal year, less than $100,000,000 is appropriated to be available for grants under subsection (b) of this section, no appropriation Act for such fiscal year shall make available any amount for contracts under this section for such fiscal year."

(4) Page 7, strike out lines 2 to 17, inclusive, of the House engrossed amendments, and insert "than additional construction, the Secretary shall conduct a study of the need for, the desirability of, and the feasibility of, a program of assistance to any State, municipality or intermunicipal or interstate agency to pay a portion of the cost of operating such works to implement water quality standards. The Secretary shall submit a report on this study together with his recommendations thereon to the Congress, not later than June 1, 1969."

(5) Page 9, lines 12 and 13, of the House engrossed amendments, strike out "after giving appropriate consideration to" and insert "within the limits of".

(6) Page 9, line 21, of the House engrossed amendments, strike out "recreational vessels" and insert "vessels not equipped with installed toilet facilities".

(7) Page 11, line 22, of the House engrossed amendments, strike out "of this subsection" and insert "of the initial standards promulgated under this section".

(8) Page 17, of the House engrossed amendments, strike out lines 8 and 9.

(9) Page 17, line 10, of the House engrossed amendments, strike out "(6)" and insert "(5)".

(10) Page 17, line 13, of the House engrossed amendments, strike out "(7)" and insert "(6)".

(11) Page 17, line 16, of the House engrossed amendments, strike out "(8)" and insert "7".

(12) Page 17, line 19, of the House engrossed amendments, strike out "(9)" and insert "(8)".

(13) Page 17, line 23, of the House engrossed amendments, strike out "(10)" and insert "(9)".

(14) Page 17, after line 25, of the House engrossed amendments, insert:

"Sec. 7. Section 11 of the Federal Water Pollution Control Act, as amended, is amended to read as follows:

" 'COOPERATION BY OTHER FEDERAL DEPARTMENTS AND AGENCIES TO CONTROL POLLUTION

" 'Sec. 11. (a) It is hereby declared to be the intent of the Congress that any Federal department or agency—

" '(1) having jurisdiction over any building, installation, or other property, or

" '(2) which carries out, or issues any license, or permit for any activity, shall, insofar as practicable and consistent with the interests of the United States and, where applicable, within any available appropriations, cooperate with the Secretary in the case of interstate waters, or with any State or interstate agency or municipality having jurisdiction over other waters into which any matter is discharged from such property, or which is affected by such activity, to insure compliance with applicable water quality standards.

" '(b) In his summary of any conference pursuant to section 10(d)(4) of this Act, the Secretary shall include references to any discharges allegedly contributing to pollution from any Federal property. Notice of any hearing pursuant to section 10(f) involving any pollution alleged to be affected by any such discharges shall also be given to the Federal agency having jurisdiction over the property involved and the findings and recommendations of the Hearing Board conducting such hearing shall also include references to any such discharges which are contributing to the pollution found by such Hearing Board.' "

(15) Page 18, line 1, of the House engrossed amendments, strike out "7." and insert "8.".

(16) Page 18, line 14, of the House engrossed amendments, after "vessel" insert "or owning or operating an offshore facility".

(17) Page 19, line 14, of the House engrossed amendments, strike out "and" where it appears the fourth time.

(18) Page 19, line 18, of the House engrossed amendments, strike out "Zone." and insert "Zone; and".

(19) Page 19, after line 18, of the House engrossed amendments, insert:

" '(10) "offshore facility" means any drilling structure and appurtenances thereto located in or upon the navigable waters of the United States as in or upon the waters of the contiguous zone."

(20) Page 21, line 3, of the House engrossed amendments, strike out "(e)" and insert "(e)(1)".

(21) Page 21, line 24, of the House engrossed amendments, strike out "liability," and insert "liability".

(22) Page 22, line 5, of the House engrossed amendments, strike out "subsection" and insert "paragraph".

(23) Page 22, after line 14, of the House engrossed amendments, insert:

" '(2) The owner or operator of any offshore facility, who willfully or negligently discharges or permits or causes or contributes to the discharge of oil into or upon the navigable waters of the United States or adjoining shorelines or beaches or into or upon the waters of the contiguous zone, shall immediately notify the Secretary or his delegate of such discharge and shall remove such discharged oil immediately from such waters, shorelines, and beaches in accordance with regulations prescribed under subsection (h) of this section. If such owner or operator fails to so act for any reason, or if the source of the discharge is unknown, the Secretary or his delegate may remove the oil or arrange for its removal and such owner or operator shall be liable to the United States for the full amount of the actual costs reasonably incurred by the United States for the removal of such oil. The aggregate liability under this paragraph for the cost of removal of discharged oil shall not exceed $5,000,000."

(24) Page 22, line 15, of the House engrossed amendments, strike out "In" and insert:

" '(3) In".

(25) Page 23, line 7, of the House engrossed amendments, after "vessel" insert "or offshore facility".

(26) Page 23, line 14, of the House engrossed amendments, after "vessel" insert "or offshore facility".

(27) Page 23, line 17, of the House engrossed amendments, after "vessel" insert "or offshore facility".

(28) Page 24, line 19, of the House engrossed amendments, strike out "establishing water quality standards in" and insert "for".

(29) Page 27, line 4, of the House engrossed amendments, strike out "8." and insert "9.".

(30) Page 27, line 7, of the House engrossed amendments, strike out "9." and insert "10.".

Mr. BURLESON. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I will yield to the gentleman under my reservation of objection.

Mr. BURLESON. Mr. Speaker, I thank the gentleman for yielding.

I want to be sure that the historic position of this House is maintained relative to the jurisdiction of States over water pollution matters. I believe it was clearly established in 1965 under the Water Quality Act that the States were to preserve their prerogatives and authority over the methods and the application of their own laws to the pollution of interstate navigable streams. I believe the gentleman has well stated it, but I want to be sure that section 11 as approved by the other body is completely eliminated.

Is this the case and if the request of the gentleman from Pennsylvania, [Mr. CLARK] is agreed to, the position of the States will be maintained as heretofore established?

Mr. CRAMER. In answer to the question of the gentleman from Texas, that was the first suggestion made, which I discussed, and it is completely eliminated, I will say to the gentleman.

Mr. CLARK. I can assure the gentleman it is.

Mr. BURLESON. If the gentleman will yield further, as I understand it, the position of this House, which has been well established, is that the policy relative to offshore operations will be preserved? In other words, amendment No. 14 added by the Senate is not agreed to and is eliminated in the action now here proposed?

Mr. CRAMER. I will say to the gentleman that that is amendment No. 14 added by the other body, which the unanimous-consent request of the gentleman from Pennsylvania specifically includes that it shall not be agreed to.

Therefore section 11 as passed by the other body is out.

Mr. CLARK. The gentleman is correct.

Mr. BURLESON. I thank the gentleman for yielding.

Mr. CRAMER. Mr. Speaker, I withdraw my reservation of objection.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to

the request of the gentleman from Florida?

There was no objection.

The **SPEAKER**. The question is on the motion offered by the gentleman from Pennsylvania.

The motion was agreed to.

A motion to reconsider was laid on the table.

AMENDING INTERNAL REVENUE CODE REGARDING CREDITS

Mr. **MILLS**. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 17332) to amend the Internal Revenue Code of 1954 regarding credits and payments in the case of certain use of gasoline and lubricating oil, with Senate amendments thereto, and consider the Senate amendments.

The Clerk read the title of the bill.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the Senate amendments, as follows:

Page 6, after line 15, insert:

"Sec. 3. Section 2(b) of the Act entitled 'An Act to continue for three years the existing suspension of duties on certain alumina and bauxite, and for other purposes' (H.R. 7735, Ninetieth Congress) is amended by striking out 'the date of the enactment of this Act' and inserting in lieu thereof 'January 10, 1967'."

Amend the title so as to read: "An act to amend the Internal Revenue Code of 1954 regarding credits and payments in the case of certain use of gasoline and lubricating oil, and for other purposes."

Mr. **MILLS**. Mr. Speaker, H.R. 17332 extends the time for claiming a credit or refund of excise tax on gasoline or lubricating oil used for certain nonhighway purposes. In essence, this bill will make the time for filing these claims similar to the time presently available for claiming other income tax credits. In most cases this is approximately 3¼ years after the year in which the payment is made.

Mr. Speaker, the Senate agreed to the provisions in the House version of this bill without change. However, the Senate also added an additional provision to the bill to extend the period for filing certain claims for drawbacks of distilled spirits on account of certain nonbeverage uses. This provision would apply retroactively to claims filed on or after January 10, 1967.

We considered this identical matter in connection with H.R. 7735 which was recently agreed to by both the House and Senate and sent to the President. At that time, the House rejected this retroactive effective date and agreed to an amendment which was prospective only. Since we have just considered this matter and decided that the amendment should not apply retroactively, I do not believe we now should do an about face and say it is to apply retroactively. It is for this reason, Mr. Speaker, that I am moving that we disagree to the Senate amendment to this bill.

MOTIONS OFFERED BY MR. MILLS

Mr. **MILLS**. Mr. Speaker, I move that the House disagree to the amendment of the Senate to the text of the bill.

The motion was agreed to.

Mr. **MILLS**. Mr. Speaker, I move that the House disagree to the amendment of the Senate to the title of the bill.

The motion was agreed to.

A motion to reconsider was laid on the table.

AMENDING SECTION 337 OF INTERNAL REVENUE CODE

Mr. **MILLS**. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 18101) to amend section 337 of the Internal Revenue Code of 1954 with respect to the recognition of gain or loss on sales or exchanges in connection with certain liquidations, with Senate amendments thereto, and consider the Senate amendments.

The Clerk read the title of the bill.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the Senate amendments, as follows:

Page 5, after line 3, insert:

"Sec. 3. (a) Section 4063(a) of the Internal Revenue Code of 1954 (relating to exemption of specified articles from the tax on motor vehicles) is amended by adding at the end thereof the following new paragraph:

"'(5) Concrete mixers.—The tax imposed under section 4061 shall not apply in the case of—

"'(A) any article designed (i) to be placed or mounted on an automobile truck chassis or truck trailer or semitrailer chassis and (ii) to be used primarily to process or prepare concrete, and

"'(B) parts or accessories designed primarily for use on or in connection with an article described in subparagraph (A).'

"(b) The amendment made by subsection (a) shall apply with respect to articles sold after June 30, 1968."

Amend the title so as to read: "An act to amend section 337 of the Internal Revenue Code of 1954 with respect to the recognition of gain or loss on sales or exchanges in connection with certain liquidations, and for other purposes."

Mr. **MILLS**. Mr. Speaker, the House-passed version of H.R. 18101 dealt with improvements in the provision of present law—Section 337—which provides that gain is not recognized to a corporation on the sale of property by it where, after it adopts a plan of liquidation, it completes its distributions to its shareholders within a 12-month period. In part, the modifications made by the House bill correct an unintended oversight in this provision and in part the House provisions close a loophole wherein losses attributable to the sale of property in a liquidation were taken before the 12-month liquidation period against other income, while the gains attributable to the liquidation were not recognized.

The Senate accepted the House-passed provision without any change, but added a minor amendment dealing with the excise tax on trucks in the case of concrete mixers. I am moving to disagree to the Senate amendment because the Committee on Ways and Means has not had an opportunity to consider this amendment. This refusal to agree to the Senate amendment does not mean that the committee may not at some future time approve of the amendment. We are not going along with this amendment at this time solely because this matter has not been considered by the committee.

MOTIONS OFFERED BY MR. MILLS

Mr. Speaker, I move that the House disagree to the amendment of the Senate to the text of the bill.

The motion was agreed to.

Mr. **MILLS**. Mr. Speaker, I move that the House disagree to the amendment of the Senate to the title of the bill.

The motion was agreed to.

A motion to reconsider was laid on the table.

EXTENDING FOR ADDITIONAL TEMPORARY PERIOD EXISTING SUSPENSION OF DUTIES ON CERTAIN CLASSIFICATIONS OF YARN OF SILK

Mr. **MILLS**. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 15798) to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk, with Senate amendments thereto, and consider the Senate amendments.

The Clerk read the title of the bill.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the Senate amendments, as follows:

Page 1, strike out line 8 and insert "11/7/71".

Page 1, after line 8, insert:

"Sec. 2. Headnote 2(a) of part 1 of schedule 6 of the Tariff Schedules of the United States is amended by inserting between 'copper,' and 'zinc concentrates,' the following: 'manganese,'."

Mr. **MILLS**. Mr. Speaker, H.R. 15798 was unanimously approved by the House on June 4, 1968, as reported by the Committee on Ways and Means on May 22, 1968. One of the Senate amendments was added to the bill at our request, since the purpose of the bill as reported was to continue for 3 years the existing suspension of duties on certain classifications of silk yarn but through an inadvertency, the bill as passed by the House provided for a temporary suspension of duties on these articles for only 2 years. Thus, the technical amendment made by the Senate was at our request.

The second Senate amendment to H.R. 15798 involves a tariff classification problem of roasted or sintered manganese ores and concentrates. The Committee on Ways and Means has not had the opportunity to consider this matter. In view of this, I believe that the House should disagree to the second Senate amendment at this time.

MOTIONS OFFERED BY MR. MILLS

Mr. Speaker, I move that the House concur in Senate amendment No. 1.

The motion was agreed to.

Mr. **MILLS**. Mr. Speaker, I move that the House disagree to Senate amendment No. 2.

The motion was agreed to.

A motion to reconsider was laid on the table.

AMENDING TARIFF SCHEDULES SO AS TO PREVENT PAYMENT OF MULTIPLE CUSTOMS DUTIES IN CASES OF HORSES TEMPORARILY EXPORTED FOR RACING

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 15003) to amend the Tariff Schedules of the United States so as to prevent the payment of multiple customs duties in the case of horses temporarily exported for the purpose of racing, with Senate amendments thereto, and consider the Senate amendments.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert:

"That schedule 8, part 1, subpart A of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended by inserting after item 802.30 the following new item:

" '802.40	In the case of horses, use for racing.	Free.	The column 2 rate applicable in the absence of this item.

"Sec. 2. Schedule 8, part 5, subpart C of the Tariff Schedules of the United States is amended by inserting after item 864.75 the following new item:

" '864.80	Motion-picture feature films, the product of the United States, if having had dubbed into them abroad sound tracks made for non-English-speaking audiences to replace original sound tracks made for English-speaking audiences; all the foregoing, and copies thereof, imported by proprietors or managers of theaters for commercial exhibition in the United States.	Free, under bond, as prescribed in headnote 1.	Free, under bond, as prescribed in headnote 1.' "

On page 1 of the Senate engrossed amendments, strike out line 4 and all that follows through line 6 on page 2.

"Sec. 3. The article destription for item 734.65 of the Tariff Schedules of the United States is amended by inserting 'and curling equipment' after 'curling stones'.

"Sec. 4. The amendments made by this Act shall apply to articles entered, or withdrawn from warehouse, for consumption on or after the date of the enactment of this Act."

Amend the title so as to read: "An Act to amend the Tariff Schedules of the United States so as to prevent the payment of multiple customs duties in the case of horses temporarily exported for the purpose of racing, and to provide for duty-free entry of certain motion picture films and curling equipment."

MOTION OFFERED BY MR. MILLS

Mr. MILLS. Mr. Speaker, I move that the House concur in the amendment of the Senate to the text of the bill with the following amendment:

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman.

Mr. BYRNES of Wisconsin. Mr. Speaker, I have asked the gentleman to yield so that I may ask the chairman for an explanation of what we are doing.

Mr. MILLS. Mr. Speaker, as the Members will recall, H.R. 15003 as unanimously passed by the House on September 30, 1968, was designed to amend the Tariff Schedules of the United States so as to prevent payment of multiple customs duties by U.S. owners of racehorses purchased outside of the United States. The Senate amended the bill as passed by the House, and the action of the Senate primarily involves matters which have not been considered by the Committee on Ways and Means.

Section 1 of the Senate amendment is purely technical in nature and would carry out the intent of the House-passed bill.

Section 2 of the Senate amendment involves the temporary admission, free of duty, of motion picture films produced in the United States which are dubbed abroad in a foreign language and then returned to the United States.

Section 3 of the Senate amendment would extend to equipment used with curling stones the duty-free treatment now accorded curling stones and parts.

Mr. Speaker, I am urging that the House agree to the technical amendment of the other body to H.R. 15003.

Mr. Speaker, since sections 2 and 3 of the Senate amendment involve matters that have not been considered by the Committee on Ways and Means, I am urging that the House agree to section 1 and disagree to sections 2 and 3 of the Senate amendment to H.R. 15003.

Mr. BYRNES of Wisconsin. Mr. Speaker, it might be well, I think, to explain at this point that for the most part what we are doing in each of these bills is perfecting amendments offered in the Senate in areas that we had not in our committee had an opportunity to go into and examine on their merits. This does not necessarily express our viewpoint, for instance, on the merits of these two amendments in this legislation.

It is simply a matter that we have not had an opportunity to check on them at this late date.

Mr. MILLS. Mr. Speaker, will the gentleman yield further?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Arkansas.

Mr. MILLS. I certainly want to join my friends from Wisconsin in that statement. We are not passing judgment on this subject matter at all. We merely had not had an opportunity in the Ways and Means Committee to make any study whatsoever of the treatment of the subject matter of these amendments.

The **SPEAKER.** The question is on the motion offered by the gentleman from Arkansas to concur in the Senate amendments with an amendment.

The motion was agreed to.

A motion to lay on the table was agreed to.

MOTION OFFERED BY MR. MILLS

Mr. MILLS. Mr. Speaker, I move that the House disagree to the amendment of the Senate to the title of the bill.

The motion was agreed to.

A motion to reconsider was laid on the table.

AMENDMENT OF THE INTERNAL REVENUE CODE OF 1954 RELATING TO DISTILLED SPIRITS

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 11394) to amend certain provisions of the Internal Revenue Code of 1954 relating to distilled spirits, and for other purposes, and consider the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 4, line 19, strike out "The" and insert: "For purposes of subsection (b), the".

Page 5, after line 3, insert:

"Sec. 5. That (a) section 175(c)(1) of the Internal Revenue Code of 1954 (relating to soil and water conservation expenditures) is amended by striking out the last sentence and inserting in lieu thereof the following: 'Notwithstanding the preceding sentences, such term also includes any amount, not otherwise allowable as a deduction, paid or incurred to satisfy any part of an assessment levied by a soil or water conservation or drainage district to defray expenditures made by such district (i) which, if paid or incurred by the taxpayer, would without regard to this sentence constitute expenditures deductible under this section, or (ii) for property of a character subject to the allowance for depreciation provided in section 167 and used in the soil or water conservation or drainage district's business as such (to the extent that the taxpayer's share of the assessment levied on the members of the district for such property does not exceed 10 percent of such assessment).'

"(b) Section 175 of such Code is amended by adding at the end thereof the following new subsection:

" '(f) Rules Applicable to Assessments for Depreciable Property.—

" '(1) Amounts treated as paid or incurred over 9-year period.—In the case of an assessment levied to defray expenditures for property described in clause (ii) of the last sentence of subsection (c)(1), if the amount of such assessment paid or incurred by the taxpayer during the taxable year (determined without the application of this paragraph) is in excess of an amount equal to 10 percent of the aggregate amounts which have been and will be assessed as the taxpayer's share of the expenditures by the district for such property, and if such excess is more than $500, the entire excess shall be treated as paid or incurred ratably over each of the 9 succeeding taxable years.

" '(2) Disposition of land during 9-year period.—If paragraph (1) applies to an assessment and the land with respect to which such assessment was made is sold or otherwise disposed of by the taxpayer (other than by the reason of his death) during the 9 succeeding taxable years, any amount of the excess described in paragraph (1) which has not been treated as paid or incurred for a taxable year ending on or before the sale or other disposition shall be added to the adjusted basis of such land immediately prior to its sale or other disposition and shall not thereafter be treated as paid or incurred ratably under paragraph (1).

" '(3) Disposition by reason of death.—If paragraph (1) applies to an assessment and the taxpayer dies during the 9 succeeding taxable years, any amount of the excess described in paragraph (1) which has not been treated as paid or incurred for a taxable year ending before his death shall be treated as paid or incurred in the taxable year in which he dies.'

"(c) The amendments made by subsections (a) and (b) shall apply to assessments levied after the date of the enactment of this Act in taxable years ending after such date."

Page 5, after line 3, insert:

"Sec. 6. (a) Section 504(a) of the Internal Revenue Code of 1954 (relating to denial of exemption) is amended by inserting after the second sentence thereof the following new sentence: 'Paragraph (1) shall not apply to income attributable to property transferred to a trust before January 1, 1951, by the creator of such trust, if such trust was irrevocable on such date and if such income is required to be accumulated pursuant to the mandatory terms (as in effect on such date and at all times thereafter) of the instrument creating such trust.' "

"(b) Section 681(c) of such Code (relating to limitation on charitable deduction of trusts by reason of accumulated income) is amended by inserting after the second sentence thereof the following new sentence: 'Paragraph (1) shall not apply to income attributable to property transferred to a trust before January 1, 1951, by the creator of such trust, if such trust was irrevocable on such date and if such income is required to be accumulated pursuant to the mandatory terms (as in effect on such date and at all times thereafter) of the instrument creating such trust.'

"(c) The amendments made by subsection (a) and (b) shall apply with respect to taxable years beginning after December 31, 1953, and ending after August 16, 1954. For purposes of section 3814 and 162(g)(4) of the Internal Revenue Code of 1939, provisions having the same effect as such amendments shall be treated as included in such sections effective with respect to taxable years beginning after December 31, 1950."

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, and I shall not object, I do so in order that the chairman of the committee may make an explanation of the amendments and the position of the House.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Arkansas.

Mr. MILLS. Mr. Speaker, H.R. 11394 as passed by the House made three amendments to the distilled spirits excise tax provisions of the Internal Revenue Code of 1954 and makes corresponding amendments to two provisions of title 19 of the United States Code. These provisions allow the abatement of tax after the packaging of the distilled spirits but before their removal from the distilled spirits premises in the event of a disaster loss. These provisions also simplify the exportation procedures, permitting the stamping and marking of the spirits for export after they have left the premises of the plant where they were originally bottled. The bill further makes available to all imported distilled spirits in bulk containers the privilege to be transferred from customs custody to internal revenue bond without the payment of the internal revenue tax at the time of this transfer.

The Senate accepted these provisions of the House bill without change but added two provisions to the bill. One of the provisions added to the bill is a bill previously passed by the House dealing with assessments for depreciable property in the case of soil and water conservation districts. The bill passed by the House was H.R. 2767. This amendment, with minor technical improvements, is the same as the House-passed bill. That bill provided that if a farmer pays an assessment levied by a soil or water conservation or drainage district which is attributable to the acquistion by the district of depreciable property, the amount paid can be deducted for income tax purposes generally on an amortized basis over a 10-year period.

The second amendment added to this bill provides that the provisions of existing law denying tax-exempt status to otherwise tax-exempt organizations, and denying unlimited charitable contribution deductions for trusts, because of an unreasonable accumulation of income is not to apply in the case of income from property transferred to trusts before 1951 if the trusts were irrevocable at that time and income under the terms of the trusts was required to be accumulated. Present law already contains a similar provision, but this provision is limited to testamentary trusts created before 1951. The 1951 date appears in this case because this is when Congress first required distributions of unreasonable accumulations by these tax-exempt organizations. The idea here is that where the accumulation is mandatory under the trust instrument and the trust is irrevocable, and this occurred before Congress first enacted the unreasonable accumulations provision, it is unfair to deny tax-exempt status to the organization or trust because it does not comply with the unreasonable accumulations provision. In the past this was recognized in the case of testamentary trusts but overlooked in the case of inter vivos trusts where the trusts were irrevocable before 1951 and at all times thereafter and the accumulations were mandatory.

This provision has been studied by the Committee on Ways and Means and probably would have previously been reported had not there been some procedural problems associated with other legislation. It appears fair and equitable, and I believe this is the view of the Committee on Ways and Means as a whole.

This provision was originally called to the committee's attention in connection with the Duke Endowment Trust although it is my understanding that it will have other impact as well. The funds of the Duke Endowment Trust, except for the mandatory accumulation, have been distributed on a reasonable basis and all for purposes such as Duke University, hospitals, other universities, orphanages, and Methodist churches, and retired ministers. I want to make it clear that in passing on this provision we are concerned here only with mandatory accumulations and do not intend to affect the tax status of any voluntary accumulations of the Duke Endowment or any other trust or tax-exempt organization. Moreover, this provision will not have any effect except insofar as accumulations actually are mandatory under the terms of the trust instrument or other covering document.

The Treasury Department has indicated that it has no objection to the provisions I have described.

Mr. BYRNES of Wisconsin. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas,

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

TRIBUTE TO THE SPEAKER AND THE MAJORITY LEADER

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, I know that this is the last day of this session of Congress, and I would just like to take this minute, aside from the material which will follow and which will be quite lengthy, to say to the Speaker what a great privilege it has been for me to work with him in this session of Congress. I say that the record this session has made is one that the Speaker can be proud of, and I say that the Speaker of the House of Representatives is active, aggressive, and is a wonderful leader. I am proud to be a part of his team and, as a further part of his team, CARL ALBERT of Oklahoma, the distinguished majority leader.

I think both of these men have made magnificent contributions to the advancement of this country and all of the people who live in our country. I thank these gentlemen.

Now, Mr. Speaker, let me recount a series of events.

On Friday night I attempted to recount to my colleagues events surrounding a public bribe as well as what was involved in an application by the State of Maine and the Occidental Petroleum Corp. for a foreign trade zone in Maine, where they could build a 300,000-barrel-per-day-capacity refinery.

I was unable to do this because the distinguished Republican gentleman from Ohio [Mr. LATTA] insisted on a quorum and knew that one could not be obtained, and therefore I would not be able to say what had to be said on the floor.

His action also deprived his Republican colleagues—namely, the minority leader, GERALD FORD, and the one-term Republican Congressman from Texas, ROBERT PRICE, and my good friend, GEORGE BUSH, as well as the junior Senator from Texas, JOHN TOWER—from being able to reply to what I had to say. I had notified the office of each one of these distinguished Members of Congress that I had mentioned their names. I am sorry that Mr. LATTA did not give them a chance to be there and hear what I had to say.

To say the least, he was discourteous. Thereafter, I immediately called a press conference in my office in the Capitol where I said what I would have said on the floor. There was one difference, however. What I said there was not covered by congressional immunity. Had I made the speech on the floor there would have been immunity. Despite this, however, the New York Times on Sunday devoted a full column on the matter which I attach herewith, and the papers throughout the country, including the New Orleans States-Item, had a front page news story about the matter.

Dr. Armand Hammer, chairman of the Occidental Petroleum Corp., following my press conference, called the charges outrageous and false. I thereupon invited him, in view of the fact that I did not have congressional immunity, to sue me in a court of his choice for libel or slander or both. Should he do so the facts will be documented. The Occidental Petroleum Corp. unquestionably sought to bribe me.

Now it is passing strange to me that a great newspaper here in Washington failed to print one word about this interview. They were represented there by one of the ablest reporters I know, Mr. Richard Lyons. He was present in person for most of the interview. I am quite certain that he must have written a story because the idea of the Democratic majority whip being offered a pubic bribe has got to be news.

In addition to that I introduced a bill, H.R. 20507, making the law even more specific because I feel that this should be done, although I have no doubt whatsoever that what the representatives of Hooker Chemical and Occidental Petroleum did constitutes a violation of title 18 of the United States Code—18 U.S.C.A. 201.

The Washington Post editorializes periodically about the need for campaign reforms, also about the need to reform congressional procedures.

Since 1951 when I headed the Special Committee on Elections and went into the cost of the campaign between former President Eisenhower and the late former Governor, Adlai Stevenson, I have introduced in every session of Congress a very comprehensive bill which would tighten up the law on campaign contributions and would amend and repeal many of the existing inadequate provisions in our Corrupt Practices Act. I call to the specific attention of the Washington Post this bill, H.R. 29, introduced on January 10, 1967.

I suspect that the Washington Post feared that it would be sued for libel. In other words, it did not have the guts to publish the story. I am sorry. I suggest to the Washington Post the admonition of Matthew, chapter 7: "Do not judge, that you may not be judged."

Here is the story. On September 25, before the Mid-Continent Oil & Gas Association I made a speech in New Orleans. The speech is attached. I said in that speech after examining the Occidental plan for its refinery in Maine in a foreign trade zone that I would go to Maine to oppose the granting of such a zone by the Foreign Trade Zone Board composed of the Honorable C. R. Smith, the Secretary of Commerce; the Honorable Henry H. Fowler, the Secretary of the Treasury; and the Honorable Stanley Resor, Secretary of the Army.

The application is filed under an act of Congress passed in 1950 and sponsored by Congressman CELLER of New York, and myself, which amended the Foreign Trade Zone Act to permit certain practices within the zone. I include herewith a legal memorandum on this subject.

But it was never intended by this amendment that the zone would be used for the purpose of evading the tariff, quota provisions, or other import restrictions that we have carefully worked out to balance our export-import industry with our domestic manufacturers and producers.

Here is roughly what Occidental proposes to do in a foreign trade zone in Maine. It would import from Lybia 300,000 barrels of crude oil and it would build in the foreign trade zone an enormous refinery where the crude would be refined. There much of the 300,000 barrels would be converted into so-called residual fuels. Residual fuels come in free. Such fuels are not subject to the import quota. Much of the balance would be converted into jet fuel. This jet fuel would then be moved from Maine to Kennedy International Airport in New York and other international airports. It would be sold to airlines headed out of the country and thereby pay no tax of any kind to our Government, or to any State or city. We cannot impose taxes on exports. These sales would be considered exports. Thus Occidental would be given a tremendous competitive advantage over every other major company.

Now the Occidental application in Maine on its own would cost my State at least $5 million, according to my able conservation commissioner, the Honorable Pete Menefee. But more frightening, if such an application were granted every other major oil company would be forced to file similar applications to meet this type of unfair competition.

These applications would have to be granted. This would, of course, mean that the domestic oil industry goes down the drain and my State of Louisiana, which derives half of all its income from the oil industry, and where at least 100,000 people are employed in that industry, would go down the drain with it. That is why I oppose this application. The impact on the quota system would be ruinous. The present system allots 12.2 percent of our domestic consumption to imports. This breaks down to a total of 2,424,000 barrels a day. Of this figure, Canada supplies 449,000 barrels, Mexico 48,000 barrels, and the entire Middle East only 200,000. These were the latest figures available to me.

You will note that in the Middle East there is a quota of only 200,000 barrels, but Occidental proposes to bring from its field in Libya 300,000 barrels a day which is a 150-percent increase for the whole of the Middle East.

Occidental represented itself in the hearing in Maine as being an independent competing with giant major oil companies. A company which produces 500,000 barrels of crude in one country alone certainly cannot be called a small independent. The whole production per day in my own State is 1,000,000 so that Occidental produces in 1 day in Libya exactly one-half of the whole production of the State of Louisiana.

The one State more dependent upon oil and gas production than Louisiana is Texas. In Texas, about 3,000,000 barrels of oil are produced each day. Houston, I regretfully admit, is known as the oil capital of the world. And it is. I will insert in the RECORD at the conclusion of my remarks the Portland paper article wherein I note a statement attributed to Governor Curtis, of Maine. He is a fine man and an able Governor. I commend him for trying to help his State, but Maine and New England have never had a better friend than myself.

I know that Maine and New England do not have either petroleum or coal resources. I have therefore been able to maintain residual fuels going into New England without being subject to any import restriction.

These fuels are the ones used by the utilities to provide the electric power for the whole area and to provide fuel for the heat that is needed in the homes of New England during their long winters. They are not subject to import quotas. The coal industry has always opposed me on this position.

I have not been entirely unselfish about this. Residuals are not competitive in Louisiana and because of the fact that Venezuela exports most of the residuals to New England, Venezuela is able to buy from American manufacturers many, many hundreds of millions of dollars of goods. These goods move through the Port of New Orleans giving employment to my people.

Now Maine also needs hydroelectric power. For years it has sought a project known as the Dickey-Lincoln School Dam which has been defeated time and time again in Congress. Each time that it has come up one of the men most vigorously opposed to the project has been my good friend and able colleague, the Honorable GERALD FORD, the minority leader from Michigan. As many times as he has voted against it, I have voted for it because I know that Maine needs this project and I will continue to work with the able Congressmen from Maine, the Honorable WILLIAM HATHAWAY, the Honorable PETER KYROS, and Senator MUSKIE to get the project for Maine despite the opposition of Congressman FORD of Michigan and other members of his party.

Now turning back to the Governor's statement. He said that he was outraged at the Commerce Department scheduling a further hearing on this application here in Washington tomorrow. It seemed to me that if Governors from all over the country could come to Maine it was not impossible for my colleagues to go there. I was particularly outraged by a Congressman from Texas whom I have never heard of, despite the fact that I am the majority whip of the House of Representatives, named ROBERT PRICE. He called the proposal "a Johnson administration fix." This is a direct quote from the Portland Press Herald of October 10, 1968.

Mr. Speaker, that is a lie. A pure, simple, unadulterated lie. This is an outrageous statement. If such a thing as a Johnson "fix" had occurred, could you imagine me being here?

Everyone knows that I have supported poverty programs, education of our children at all levels, programs making it possible for minority groups to have the right to vote. I supported medicare, health programs, antipollution and conservation measures, and landmark consumer protection laws, most of which were difficult to pass, as well as countless others proposed for the benefit of all of our people. I make no apology for this record. I am proud of it.

Texas wanted strong representation

in Maine against this project. I will include a letter that I received from Texas, and resolutions from Texas organizations. To me it was passing strange that Mr. PRICE made his charge safely from way down in Texas rather than look them in the eye in Portland like I did.

But personally, I really did not want to go to Portland. I went because I had to go. I went because it was a matter of honor. Let me tell you why, Mr. Speaker.

After I made the speech on September 25 before the Mid-Continent Oil & Gas Association, this was carried in the press. Then I said to myself, this hearing is a mere formality and I cannot imagine Secretary Udall wrecking the import quota system and sending the domestic industry down the drain. Nor could I imagine the distinguished panel which makes up the Foreign Trade Zone Board so misconstruing the act in granting this outrageous application. I was reasonably assured, therefore, that at least the present occupants of these offices would not do such a thing.

So having accomplished the mission, for all practical purposes going to Maine for a formality was a vain and useless thing to do. At least that is the way I saw it at that time.

Also, I did not want to embarrass in any way Congressmen HATHAWAY and KYROS, whom I admire and respect, and the many other distinguished Democrats who support the project.

So I called my people in Louisiana and said that I would not go. They were very disappointed and said please reconsider. Thereupon, I said to myself, "Why not make it bipartisan and then there would be no reflection of partisanship within the opposition to the project."

I herewith refer you to the news story in the New Orleans Times-Picayune for Wednesday, September 25, saying that I was going to Portland, Maine.

I thereupon suggested to my Louisiana people that GEORGE BUSH, my able friend and distinguished colleague from Texas, go with me.

This would have made it bipartisan and more than that, he is unopposed in November in Houston and he himself is violently oppossd to the Maine project. He wrote me to that effect—note letter. Moreover he is a member of the House Committee on Ways and Means and serves there very capably and well and is in a position to do something about all of these matters.

In short, he was a natural.

Moreover, Texas produces 3,000,000 barrels of crude per day and certainly the oil and gas industry must be as vital to Texas as it is to Louisiana.

So I called my friend in Louisiana, an outstanding attorney with no official position, who was most anxious for me to go to Maine, despite the tremendous schedule which I had taking me across the continent and suggested that he get his friends in Texas to have my friend, GEORGE BUSH, accompany me to Portland, Maine.

My friend immediately saw the practicality of this suggestion and said that he would accomplish it. He said that he would contact the Nixon campaign manager in Texas and the Nixon campaign manager would get him there, meaning Congressman BUSH.

He had every reason to be confident because the name of the man he had in mind is James Posgate, vice president in charge of production of the Humble Oil & Refining Co., who should, of course, be on the side of Texas and not Occidental.

Whether any contact was made with Mr. Posgate is something I have no knowledge of. However, I cannot imagine Mr. Posgate not urging Texas Republicans to go to Maine. I am sure that he must have.

As far as I can ascertain my Louisiana friend gave him a title that he does not enjoy. He is not a manager for former Vice President Nixon, but as far as I can ascertain supports him.

The minute he said to me that he would use a Nixon supporter to get BUSH to Maine with me, I felt that I would not have to go.

Whether the Nixon forces had anything to do with the fact that none of the Texas Representatives in Congress or Senators did appear is something that I do not know.

But I do know that on Thursday, October 3, I called my friend in Louisiana, and said, "Is GEORGE BUSH going?" He said he was still working on it and I said, "Well, it has to be bipartisan. If he does not go, I could not go. I cannot embarrass my own Democratic colleagues."

But again I reassured him that my not going there did not make any difference anyway.

Now the story becomes very interesting. It is the old adage: "Truth is stranger than fiction." And this is the reason, Mr. Speaker, that I went.

I left Washington on Friday morning September 27, at 8:35 a.m. on Delta flight No. 987, from Friendship Airport. I arrived in New Orleans at 9:50 a.m. central daylight time. I went immediately to the Roosevelt Hotel. There I received a telephone call from a very good friend of mine who represents the petro-chemical industry in my district. He told me in essence that he had told some people, meaning Occidental, that if he represented the Second District of Louisiana that he would do exactly as I was doing; namely, going to Maine.

I asked what was their interest.

He said they own Hooker Chemical Co.

This was the first time that I knew that Occidental owned Hooker Chemical.

I refer here to the news story in the Wall Street Journal on Occidental's acquisition of Hooker. It was then that I began thinking that I had to go to Maine whether or not any Republican from Texas went or not.

Now what happened? My friend undoubtedly reported back that I was going to Maine.

Shortly thereafter a telephone call came to my office in Washington from the treasurer of Hooker Chemical, Mr. E. W. Mathias, saying that they wanted to help me in my campaign.

I learned of this call later that afternoon, and I told my Washington office to tell the Hooker Chemical people to see me.

They came to see me on Tuesday morning, October 1, at 10 a.m. They met with me in the whip's office. In between the Friday telephone calls, and the Tuesday meeting in the whip's office in the Capitol, I went on Sunday, September 29, to a Saints football game in New Orleans, and I had as my guest a very fine gentleman named Julius "Duck" Sellers, the assessor of St. Charles Parish, who determines how much taxes Hooker Chemical has to pay on its giant plant there.

During the game I casually asked Sellers about the Hooker Co. He said that they were fine people. I asked no further questions.

This plant is an invaluable asset to St. Charles Parish. It gives employment to many of our people and it is operated efficiently and ably.

I am only sorry that Occidental bought it.

Now I am asking the SEC to investigate the transaction to see whether the insider rule was violated in its acquisition of Hooker Chemical on July 24, 1968.

In this connection I attach articles from the Wall Street Journal noting certain suits alleging just that sort of thing in previous transactions by Occidental. I think—I do not know—but I think the law was violated in this case. It is being made a matter of intense investigation and in due course we will know whether it was violated or not, and whether or not any indictment will be required.

Now returning to the meeting in the whip's office on Tuesday, October 1. Present were Mr. James Baldwin of Occidental Petroleum Corp., Mr. E. W. Mathias, treasurer of Hooker Chemical Co., and Mr. O. A. Mattison, Washington manager of Hooker, and my whip administrative assistant, Mr. Gary Hymel.

When the gentlemen walked into the office we made a picture and then Mr. Hymel listened very carefully to the conversation.

I said in effect I am glad to see you gentlemen. I have much to do. What can I do for you?

They replied in effect we understand that you are in a campaign; we want to help you.

They said that they had helped me before. I learned that they had in a very small amount in 1966. This was 2 years prior to their acquisition by Occidental.

I thereupon said, "what do you mean?"

They said, "campaign funds."

Then Mr. Mathias asked me if I knew Mr. "Duck" Sellers. He was the man I had taken to the football game. He is a fine gentleman, an intimate friend of mine, and one of the ablest and most effective young leaders in my State. I predict for him a very bright future in Louisiana politics.

I said that I knew Mr. Sellers. They said, "Then we can make arrangements through him."

I said, "You are saying you want to give me a campaign contribution through Mr. Sellers?"

They said, "Yes."

I thereupon turned to Mr. Baldwin; I asked him if Occidental wanted me to go to Maine and testify against its application for a foreign trade zone; he blushed, but I asked him again, "Just answer the question, yes or no." He replied "No." I thereupon left the office and have not seen these gentlemen since that time.

They immediately wrote me a letter signed by Mr. E. W. Mathias which is attached herewith. The letter is an obvious attempt to justify what happened in my office and to avoid the violation of the statute.

There is no question about this being a violation of the law. This was why I meant it was a matter of honor.

Mr. Speaker, no man or woman, no corporation or subsidiary thereof, can select which law he obeys or which law he does not obey. Lawlessness in all of its forms must be suppressed. When NBC bugged the executive session of the platform committee, I said that was a violation of the law and it has been reported to the enforcement agency, as has this matter.

I suggest to Mr. Armand Hammer that he read the history of the Teapot Dome scandal.

The various documents and articles referred to in my remarks follow at this point:

Address by U.S. Representative Hale Boggs, Before the Mid Continent Oil & Gas Association Banquet, Royal Orleans Hotel, New Orleans, La., September 24, 1968

I am pleased to have all of you of this great Mid Continent Oil and Gas Association, and particularly the division from my own state, here in my own city. I work very closely with Tom Martin and Robert Brooksher and so many other of your representatives. Believe me, they are doing a splendid job for you and for this great industry.

Here in New Orleans and throughout the entire state of Louisiana, we know what your industry means to our people. I know this, too, as the chairman of the committee on foreign economic policy of the joint economic committee. Consider the way the oil and gas industry is operated in the United States—where using the tools of private enterprise it is able to employ the incredible technology that freedom has made possible.

Compare that to the other nations in the world where minerals have become the pawns of self-serving demagogues.

Let me give you an example close to home . . . the great country of Brazil desperately needs petroleum. The geologists and engineers tell us that the potential production of Brazil has not been touched. Yet—because her minerals have by and large been nationalized and because American companies are categorized by the Communists and others as greedy yankee capitalists—the knowhow that our industry possesses has not been utilized. So, Brazil continues to spend what foreign credit it is able to earn through the sale of its coffee to the United States on crude that it must import to fuel and energize its economy.

It thus runs an export deficit and a balance of payment deficit year after year and its unbelievable inflation goes on year after year, resulting in an unstable government and crisis after crisis—year after year.

Compare this to the United States. Here is what private enterprise industry means to our country.

Until now, not only has the government not had to spend one penny to develop the tidelands, but it has collected in bonuses the astonishing sum of $3,178,633,280. Louisiana has collected in oil and gas lease bonuses $1,799,468,737. In terms of oil and gas royalties collected off-shore—$785,810,460 have been collected. Louisiana, in terms of royalties has collected up to now $762,509,028. From all Federal off-shore delay rentals there has been collected $18,874,993—Louisiana's share being $12,912,835.

That is only a bit of the story. Current statistics show that a million and a half people in our country are employed in the oil and gas industry.

Bringing it right down to home, Louisiana is more dependent on the petroleum industry for its economic growth and strength than any state in America.

For example:

Over 1 million dollars in taxes and fees is generated for the state every day of the year. This is more than one half of all income from any state source.

Almost $2 million are invested every day in drilling and equipping oil and gas wells or drilling dry holes—the largest capital investment in the state.

Three million dollars is spent every day by Louisiana refineries for the oil they process. The refinery capacity is now more than one million barrels per day. In the past 20 years, three billion dollars has been invested in Louisiana petroleum facilities to supply the growing demand for petroleum-derived chemicals.

More than one hundred thousand Louisiana citizens—one out of ten non-agricultural jobs in the state—depend on the oil and gas industry for employment.

The 1967–68 fiscal year budget of the state anticipates about 470 million dollars from oil and gas sources.

Three fourths of the state's contribution to its public school system for their operation comes from oil and gas industry monies. Forty two per cent of the state's expenditures on higher education come from our petroleum and petro-chemical industry.

More than 90 per cent of the money Louisiana spends on roads is the product of motor fuel taxes and revenue from leases on state land and water bottoms, generated by the oil and gas industry.

The oil and gas industry in Louisiana has grown tremendously in size and economic impact to the State in the past 20 years. Its production has more than quadrupled in this time. The state is now closing in on Texas as the leading state in both production and reserves of petroleum.

The United States as a whole depends on Louisiana for these things:

I. One-fourth of his domestic oil needs. Louisiana-produced crude oil and condensate provides the liquid fuel for the nation in five hours and forty minutes out of every 24 hour day.

II. Almost one third of its natural gas. For 7 hours and 12 minutes out of every day, Louisiana natural gas supplies all of the nation's needs.

III. The proved reserves which, for more than a decade, have provided half of the new oil and gas which is needed for our future use.

But all is not rosy for my state.

Other than the attacks on the depletion allowance, the most serious current problem facing the state of Louisiana and the domestic oil and gas industry today is the proposal of Occidental Petroleum Corporation to establish a trade zone in Machias, Maine, and to construct a 300,000 barrel per day refinery there to process imported oil. This is a cleverly planned scheme which has drawn the strong support of the New England states since the applicant, utilizing the cheap cost of the imported oil, is offering as bait to these states a royalty of 20 cents a barrel on all of the imported oil or products brought through the refinery.

It is clear to me, as I am sure that it is to each of you, that the impact of the importation of this substantial quantity of cheap imported oil and oil products must be borne almost entirely in two areas; this is in Texas and Louisiana, as the two major oil-producing states.

The studies of the able staff of conservation commissioner, Pete Menefee, show that the immediate loss to the State of Louisiana in royalties and severance taxes through the establishment of the occidental proposal would be in the range of $5,000,000 annually. The oil and gas industry represented by your organization will feel the adverse effect of this project in every facet of its operations from exploration through refining. But, ladies and gentlemen, what concerns me far more than this immediate single project, bad as it is, is the obvious fact that if the Occidental Maine project wins approval, the precedent will have been set for others just like it. If Maine and the New England States can put over this program, there will be no basis whatever for denying similar projects in New York, Delaware and other areas along the eastern seaboard.

I leave it to your imagination as to what the ultimate results would be to us here in Louisiana. I can only say that they will be staggering.

I consider this project proposal to be squarely in the teeth of the mandatory oil import program established by Congress. As chairman of the Committee on Foreign Economic Policy of the Joint Economic Committee and as vice chairman of the Ways and Means Committee, and as the third ranking Member of the House leadership, I am going to make every effort to go to Portland on Thursday, October 10th and personally testify against this proposal—despite the fact that the day before I must be in St. Louis and must be back in New Orleans on Friday, October 11th.

Now, one final word about percentage depletion. I don't find it hard to defend percentage depletion because I believe in it. I know that all that I have said about the revenues that have gone to our Nation and our State could not have happened without percentage depletion.

But let's look at it as it really is. There are both Democrats and Republicans who oppose percentage depletion. In the recent session of the Democratic platform committee in which I had the somewhat difficult job of chairman, a strong effort was made to advocate in that platform reducing percentage depletion . . . that didn't happen—and you know *why* it didn't.

(Tells joke about country preacher.)

And let me say this to you. . . . Percentage depletion is not going to be tampered with in the 91st Congress, if God spares me. But, without being immodest, I have enough confidence in the people in my district to believe that they are going to continue to employ me after November 5th. And of this you may be sure—as the second ranking member of the House Committee on Ways and Means, I will be there when the votes are counted in that committee. I know that we can win in that committee. Should we lose in the Senate where tax bills can be amended, then the conference will be made up of Senator Russell Long, who is the chairman of the Finance Committee, and myself as well as four or five other people.

Few people realize the power that represents. To think that a State of 4 million people would have that much power with respect to the whole economic structure (trade, tax, tariffs, fiscal matters, etc.) is hard to imagine. I am certain it has never happened before in the history of any State.

Someone said to me—well, suppose a Democrat is not the next President? At the expense of being immodest, let me assure you that Senator LONG and I will work responsibly with the President of the United States—whoever he may be—and that our seniority on these two vital committees will merit the cooperation of the President.

One final word . . . you know, I am tired of people selling this country short. I'm tired of seeing nothing but the bad things about us. All sensible people know that we have problems in our country—that we have disaffection between the young and the old—

that we have crime and lawlessness—that we need to secure an honorable peace—but the sensible thing to do is to *do something* about these problems—not tear down the country.

The best way to learn about the United States is to leave it and go somewhere else—and wherever you go—when you come back you will say with quiet pride—"thank God that I am an American."

A well-known journalist in giving a commencement day address very recently said this:

"It is not hard to master the technique of militant anarchy. Any madman can terrorize a city or kill a Senator, but remaking society into something even a little more fair, decent and compassionate is a more difficult and complicated job."

LEGAL MEMO OF THE HON. HALE BOGGS BEFORE THE EXAMINERS COMMITTEE INVESTIGATING THE APPLICATION OF THE MAINE PORT AUTHORITY FOR THE PRIVILEGE OF ESTABLISHING, OPERATING AND MAINTAINING A FOREIGN-TRADE ZONE AT PORTLAND, MAINE, AND A SUBZONE FOR THE PURPOSE OF OIL REFINING IN MACHIASPORT, MAINE, PURSUANT TO THE PROVISIONS OF THE FOREIGN-TRADE ZONES ACT OF 1934, AS AMENDED

I appreciate the opportunity to comment upon the application which has been made by the Maine Port Authority for the privilege of establishing, operating and maintaining what is described as a general purpose foreign-trade zone in Portland, Maine, and a subzone for the purpose of oil refining in Machiasport, Maine, pursuant to the provisions of the Foreign-Trade Zones Act of 1934, as amended in 1950 to permit manufacturing within foreign-trade zones.

As you may know, *I was privileged*, with Congressman Celler of New York, *to sponsor the 1950 amendment*. I requested this opportunity to appear before your Committee today because I am satisfied that the Congress, in enacting the Foreign-Trade Zones Act in 1934, and in amending that Act is 1950, neither contemplated nor authorized a grant to a public corporation of a State of the privilege of establishing a foreign-trade zone comprising less than 8,000 square feet with a "subzone" comprising 1,680.3 acres, or more than 73 million square feet, elsewhere in the state to enable a *private* corporation to operate an oil refinery.

It is clear from the record that, in enacting the Foreign-Trade Zones Act of 1934, Congress thought of the foreign-trade zone as primarily a zone to which foreign goods would be imported "not for domestic consumption, but for reexport to foreign markets and for conditioning or for combining with domestic products previous to export."[1] The proposal of the Maine Port Authority is neither designed to nor capable of accomplishing this primary objective of Congress.

The Foreign-Trade Zones Act, entitled "an act to provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce . . . ," authorizes the Foreign-Trade Zones Board "to grant to corporations the privilege of establishing, operating, and maintaining foreign-trade zones in or adjacent to ports of entry under the jurisdiction of the United States."[2] While the law requires that "preference shall be given to public corporations"[3] it nevertheless requires such public corporations to demonstrate that "the proposed plans and location [of the foreign-trade zone] are suitable for the accomplishment of the purpose of a foreign-trade zone under this act, and that the facilities and appurtenances which it proposed to provide are sufficient . . ."[4] Under the Act, "each zone shall be operated as a public utility . . . and the grantee [in this case the public corporation] shall afford to all who may apply for the use of the zone and its facilities and appurtenances uniform treatment under like conditions . . ."[5]

Provision for a subzone is found in the regulations which presuppose firstly, that there are "existing or authorized zones" in or adjacent to ports of entry and, secondly, that such existing or authorized zones "will not serve adequately the convenience of commerce with respect to the proposed purpose."[6]

The application of the Maine Port Authority for the privilege of establishing, operating and maintaining what is described as a general purpose foreign-trade zone in Portland, Maine, is a sham. There is neither an "existing" zone nor an "authorized" zone. Moreover, it is clear upon the face of the application of the Maine Port Authority that the 8,000 square foot area set aside for the proposed zone is not fit[7] for a zone and that the facilities and appurtenances which it proposes to provide are wholly insufficient.

It is clear to me that Congress anticipated that a public corporation of a state would make a good faith application for the privilege of establishing, operating and maintaining a zone and would not take advantage of the Act to establish a nominal zone as a vehicle to enable a private corporation to achieve the privileges of zone status.

The application of the Maine Port Authority identifies the zone as "an area of 7,930 square feet . . . located on the property of the Maine Port Authority . . ."[8] Referring to the blueprint and aerial photograph filed with the application, this area appears to be part of the parking lot for the Maine State Pier. Within the enclosing fence, the Maine Port Authority proposes to construct a one-story concrete building, a mere 50 feet by 60 feet.[9] This building will contain "one office and one toilet room constructed of concrete block partitions . . . for exclusive use of Customs Official."[10]

The Maine Port Authority, in all seriousness and in considerable detail, sets forth the facts that the building which will serve the nation's new foreign-trade zone will be lighted, heated, and have service connections for water and drainage.[11]

In Exhibit 7 to the application, the total cost of the proposed facilities at the zone is estimated at $49,500. The proposed subzone at Machiasport, on the other hand, is to comprise 1,680.3 acres, or 73,193,868 square feet. The cost of its facilities is estimated in Exhibit 7 at $70,150,000, or over 1,400 times as much as those at the zone.

The Maine Port Authority candidly states in its application that the foreign commerce in the Machiasport area is currently "minimal." Although Machiasport would develop if the proposed subzone were granted, foreign commerce, except for a pipeline, would remain "minimal." There is no serviceable pier there now and it appears that there is no plan to build one if the grant is made. According to the application, a dolphin would be constructed from which a tanker could be unloaded via pipeline to the refining facilities of Occidental Petroleum Corporation. Apparently, no wharfing facilities are to be provided for ordinary foreign commerce.

The lease agreement by and between Machiasport Company and the Maine Port Authority filed with the application recites that the former leases the entire acreage to the Maine Port Authority. By separate agreement, it is provided that the Authority will, upon approval of its application for the privilege of establishing a subzone at Machiasport, lease this land to Occidental Petroleum Corporation for the same amount that the Authority is required to pay to Machiasport Company plus an amount equal to the Authority's expenses in the operation of the subzone. This agreement provides that Occidental "understands" that such acreage within the subzone "not necessary for its use for its oil refinery" shall be available to any party wishing to lease said property and bear "its proportionate share of the rental and operating expenses.'"[12] Under the circumstances, it is inconceivable to me that any business engaged in international commerce in products other than petroleum based products would avail itself of surplus acreage in the subzone.

In Exhibit 3 to the application, Machiasport Company is identified as "a company privately formed to assist the Authority in establishing the foreign trade *zone and subzone*."[13]

In fact, I believe that it is fair to say that the Maine Port Authority is a nominal applicant and would be a nominal grantee. In consideration of its services, the state is promised rich rewards from the operation of the refinery. Indeed, the entire proposal under consideration by this Examiners Committee is, in my opinion, a transparent effort by Occidental Petroleum Corporation to avoid Section 17 of the Foreign-Trade Zones Act, which provides that a grant "shall not be sold, conveyed, transferred, set over, or assigned."

In practical effect, this is an application for "the establishment of a zone . . . for . . . the specialized purposes of storing, manipulating, manufacturing . . ."[14] petroleum products by a private corporation[15] which, so far as the record shows, has not been authorized by the legislature of the State of Maine to establish, operate and maintain a foreign-trade zone.

Regarded as an application by a public corporation for a subzone in Machiasport, Maine, an area separate from an existing zone, the application is defective under Regulations of the Foreign-Trade Zones Board, Section 400.304 since there is no "existing zone" and the Board cannot make the requisite finding that "existing" or "authorized zones" "will not serve adequately the convenience of commerce with respect to the proposed purposes."[16]

Finally, regarded as an application by a public corporation for a zone in Portland, Maine, the application is defective because the proposed zone does not meet the requirements of the Act.

FOOTNOTES

[1] This quotation is taken from a study which was made by the United States Tariff Commission in 1919 of the purposes and policies which would be served by legislation which would permit free zones (now called foreign-trade zones) to be established in the United States. Although the Foreign-Trade Zones Act did not become law until 1934, this study by the Tariff Commission was one undertaken at the request of Congress and was influential in the hearings and debates which led to the Act. See *Information Concerning Free Zones in Ports of the United States*, USTC, October 9, 1919, at page 8. In commenting on H.R. 5332 on June 30, 1949, the Secretary of Commerce advised the House Committee on Ways and Means that "the proposed permission of manufacturing in the zones is expected to further assist American business by enabling it to manufacture certain types of products *for export* under minimum cost conditions." (Emphasis added.)

[2] Section 2(a).

[3] Section 2(c).

[4] Section 7.

[5] Section 14.

[6] Regulations of the Foreign-Trade Zones Board, Section 400.304.

[7] See Section 6(a)(1)(C).

[8] Application, page 4.

[9] Application, Exhibit 6, page 74.

[10] Application, Exhibit 6, page 74.

[11] Application, Exhibit 6, pages 74–75.

[12] "Agreement," page 2 at application, page 16.

[13] Application, page 10. (Emphasis added.)

[14] Regulations of the Foreign-Trade Zones Board, section 400.304.

[15] The act defines a "private corporation"

as "any corporation (other than a public corporation) which is organized for the purpose of establishing, operating, and maintaining a foreign-trade zone and which is chartered under special act enacted after the date of enactment of this act of the State or States within which it is to operate such zone. . . ."

[16] Regulations of the Foreign-Trade Zones Board, section 400.304.

FORT WORTH, TEX.,
September 30, 1968.

Hon. HALE BOGGS,
House of Representatives,
Washington, D.C.

SIR: I respectfully request that you use your influence to prevent the Interior Department from granting any new special exceptions which would permit the additional import of cheap foreign crude into the United States.

I call your attention to the following problems concerning the domestic oil business in the United States and more particularly the problems of the independent producer and refiner.

The original intent of the oil import program as promulgated by the Eisenhower administration was to protect the domestic oil industry and the Nation under the National Defense Act, as outlined by the following general terms:

1. To maintain adequate producing capacity and crude oil reserves in the ground in the continental United States in the event of war;

2. To arrest the flood of cheap foreign oil and maintain a fair price for United States oil producers so they could continue to explore for more reserves and to stop the decline of the number of drilling rigs and crews;

3. To assure all refiners, both independent and major, a fair share of the permissible oil imports of cheap foreign crude oil; and

4. To assure the military and defense commands an on-shore, uninterruptable source of petroleum products in the event of war.

This general concept has worked fairly for the domestic oil industry and the country as a whole until the present administration under the leadership of Secretary of the Interior Udall began to grant exceptions to the program. Glaring inequities in the program are specifically pointed out such as: the special import quotas granted to off-shore refineries in the Caribbean; namely, Phillips Petroleum Company and Sun Oil Company in Puerto Rico and Hess Oil & Chemical Company in the Virgin Islands. There are a number of other applications for special exception import quotas, in this area, and if granted by the Secretary of Interior will further compound the inequities in the oil import program since companies refining and operating chemical plants in the Caribbean Islands are given a 100% capacity crude oil quota and a 20 year tax exemption. Needless to say, this is a tremendous economic advantage over domestic oil companies with on-shore refineries and chemical plants who pay normal taxes and receive only a small per cent of their crude oil capacity in cheap foreign crude oil.

There is now a proposal and it is under active consideration by the Secretary of Interior to award terminal operators on the eastern seaboard foreign heating oil quotas to help reduce their costs. With present excessive heating oil inventories on the Gulf Coast and eastern seaboard, there is no possible excuse to further weaken the oil import program under the National Security Act unless the Department of Interior is politically motivated in such action.

There are also applications for Free Trade Zones in several parts of the domestic United States which will allow both refining and chemical plants to be built and run entirely on foreign crude oil and/or products. This will further weaken the oil import program if granted by the Department of Commerce and approved by the Department of Interior.

The Occidental Petroleum Company has an application before the Department of Interior for a 300,000 barrels per day crude oil import quota. This application states a refinery of this capacity will be built in the State of Maine and will operate entirely on Libyan and Venezuelan crude oil. The resulting products to be sold at a 10% discount below domestic refiners' prices to both domestic consumers and the United States military in this area. This obviously is only possible because of cheap foreign crude oil and foreign flag vessels for transportation.

The domestic producing states are now drastically prorated as to the amount of crude oil each producer may produce per well per day. If the above application should be granted by the Secretary of Interior, it would result in additional cutbacks in the daily allowables given to domestic producers in the producing states. This will further compound the producers problems. With reduced incomes, they cannot continue to explore for new reserves and producing capacity, which would be urgently required in the event of war or needed for national energy consumption for the future.

I urgently request your efforts and influence to prevent any more special exceptions being granted by the Secretary of Interior to applicants, as outlined above. None of these come under the original conception of furthering National Defense. Anymore of the politically motivated exceptions will be the end of the crude oil import program and with it, the end of a healthy domestic producing and refining industry. This will be particularly true of the hundreds of small producers and refiners who will not have the facilities for the purchasing and handling of cheap foreign oil in competition with the major oil companies who already own 60% or more of the free world's foreign crude oil production.

Very truly yours,
A. R. MATTHEWS,
Independent Producer and Refiner.

INDEPENDENT PETROLEUM
ASSOCIATION OF AMERICA,
Washington, D.C., October 3, 1968.

Hon. HALE BOGGS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BOGGS: The application of the Occidental Petroleum Company for a foreign-trade zone at Machiasport, Maine, in which to operate a 300,000 barrel per day refinery entirely on foreign oil, a privilege no other refinery enjoys, has been set for hearing on October 10, 1968, at Portland, Maine. If approved, this proposal would destroy the Mandatory Oil Import Program so essential to our future supply of petroleum.

In view of the fundamental policy questions involved, we have requested the Foreign-Trade Zones Board to conduct the hearing rather than the technical Examiner's Committee as now proposed. There is also good reason why the hearing should be postponed which we have also requested. A copy of our request is enclosed.

It would be appreciated if you could consider urging the Board to grant our request. I also hope you will consider requesting the Board for permission to appear at the hearing. I know your appearance would be persuasive on the Board.

Very best regards.
Sincerely,
L. DAN JONES

INDEPENDENT PETROLEUM
ASSOCIATION OF AMERICA,
Washington, D.C., October 2, 1968.

Hon. C. R. SMITH,
Secretary of Commerce,
Department of Commerce,
Washington, D.C.

DEAR MR. SECRETARY: We feel that the application now pending before the Foreign-Trade Zones Board at Machiasport, Maine, presents a number of very broad policy questions which go beyond the legal and technical considerations that are normally involved in such applications. We, therefore, urge you as Chairman of the Board to consider the propriety of (1) the Board, sitting en bloc, conducting the public hearing to be held in this matter, and (2) postponement of such hearing until the Secretary of the Interior has published regulations on the treatment of foreign-trade zones in the administration of the Mandatory Oil Import Program.

Our detailed views in support of this request are set forth in the attached memorandum.

It is requested that this letter together with the attachment be treated and accepted as a formal petition for the actions requested and that the two requests set forth above be considered separately and individually.

In view of the very short time remaining before the scheduled hearing by the Examiner's Committee on October 10, we hope our requests may be promptly considered and acted upon.

Very truly yours,
HAROLD M. MCCLURE, Jr.

MEMORANDUM OF THE INDEPENDENT PETROLEUM ASSOCIATION OF AMERICA IN SUPPORT OF ITS PETITION FILED WITH THE FOREIGN-TRADE ZONES BOARD FOR (1) THE BOARD, SITTING EN BLOC, TO CONDUCT A PUBLIC HEARING ON THE APPLICATION FOR A ZONE AT MACHIASPORT, MAINE, AND (2) POSTPONEMENT OF ANY HEARING IN THIS MATTER UNTIL THE SECRETARY OF THE INTERIOR HAS PUBLISHED REGULATIONS ON THE TREATMENT OF FOREIGN-TRADE ZONES IN THE ADMINISTRATION OF THE MANDATORY OIL IMPORT PROGRAM [1]

A. The Foreign-Trade Zones Board, sitting en bloc, should conduct a public hearing on the application for a trade zone at Machiasport, Maine, for the following reasons:

1. The application pending before the Board involves broad and far-reaching policy questions which go beyond the Foreign-Trades Zones Act. Whenever petroleum is involved as in the pending application, the applicable law embraces Presidential Proclamation No. 3279, as amended, establishing the Mandatory Oil Import Program. In the pending application, questions are raised regarding such matters as (1) effect on the exploratory and development activity of the domestic industry and the resulting impact on the national security objective of the Program, and (2) equity among those parties permitted to import oil under the Program. The issues raised in such an application, therefore, must be determined in light of and conformity with both of these applicable laws and the policy objectives of each of them.

2. The application pending before the Board also raises a substantial question regarding its impact on the balance of payments since the immediate and direct adverse effect of importing 300,000 barrels daily as applied for would be in the order of $300 million annually.

3. The application pending before the Board is of deep and widespread concern to parties throughout the United States, substantially affecting the interests of many individuals and corporate entities. The issues involved are not confined to the state of Maine or to the northeastern United States. The issues go beyond the question of local industrial development, air pollution abatement or conservation of local resources. Likewise, the issues go beyond the technical and legal considerations under the Foreign-

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[1] Attached to letter dated October 2, 1968, from Harold M. McClure, Jr., President Independent Petroleum Association of America, to The Honorable C. R. Smith, Secretary of Commerce and Chairman of the Foreign-Trade Zones Board.

Trade Zones Act which are normally presented in such applications.

4. The Independent Petroleum Association of America, and it is submitted that many other interested parties are in a similar position, is not concerned with the technical and legal considerations involved in determining whether or not the pending application meets the requirements of the Foreign-Trade Zones Act. The Association, however, is deeply and vitally concerned with the policy questions which arise from the impact the operation of the zone may have on the Mandatory Oil Import Program.

5. In view of the special circumstances existing here, as distinguished from an application not involving oil, it is submitted that the Examiner's Committee designated to conduct an investigation of the application is not a proper or adequate forum to hear and resolve all of the issues presented; and that the Board, sitting en bloc, should hear the matter and make the initial findings therein, such hearing to be held in Washington, D.C. or some centrally located city more convenient to all the parties concerned than is Portland, Maine.

6. If the Board deems the Examiner's Committee investigation and public hearing before it as now scheduled on October 10, 1968, essential to the resolution of the technical and legal requirements of the Foreign-Trade Zones Act, then it is submitted that the public hearing be divided into two phases: Phase One, to be conducted by the Examiner's Committee as now scheduled and confined to the technical and legal requirements of the Foreign-Trade Zones Act; Phase Two, to be conducted by the Board and confined to the policy questions which arise from the impact the operation of the foreign-trade zone may have on the Mandatory Oil Import Program, the balance of payments and other policy matters, said hearing to be held in Washington, D.C. or some centrally located city most convenient to all the parties concerned.

B. Any public hearings held on the application for a zone at Machiasport, Maine should be postponed until the Secretary of the Interior publishes regulations on the treatment of foreign-trade zones in the administration of the Mandatory Oil Import Program, for the following reasons:

1. Secretary Udall, under Presidential Proclamation No. 3279 as amended, has the responsibility to determine the policy for treatment of foreign-trade zones as related to oil imports. The Secretary has indicated that this matter is now under consideration and that regulations reflecting such policy determinations will be published.

2. The interest of all concerned, the Government as well as individual parties would best be served if actions by the Board were deferred until the Secretary of the Interior has announced his policy position with respect to the treatment of foreign-trade zones. Otherwise both the Government and other parties may unnecessarily be put to the expense, burden and inconvenience of attending the hearing now scheduled to be held on October 10 at Portland, Maine. In the absence of action by the Secretary, the Board and the Examiner's Committee cannot know whether their actions will be meaningful or for naught. Orderly procedure, therefore, suggests that public hearings be deferred until the Secretary of the Interior has enunciated his policy position with respect to this matter.

3. The notice of the hearing to be held by the Examiner's Committee on October 10, 1968, was dated September 17, 1968, and appeared in the Federal Register dated September 18, 1968. In view of the broad interest in this matter, the many parties interested therein, the substantive rights involved and the very complex issues presented, it is submitted that notice was inadequate and for this reason alone the hearing should be postponed for at least 30 days.

House of Representatives,
Congress of the United States,
Washington, D.C., October 3, 1968.
Hon. Hale Boggs,
U.S. House of Representatives,
Washington, D.C.

Dear Hale: My good friend, Bob Mosbacher, has just stepped down as President of the American Association of Petroleum Landmen. He plans to be in Portland, Maine, for the hearing on the Machias Bay, free trades zones deal.

I asked him to look you up. He is a delightful person and has been a terrific advocate for sound positions in the oil business. I hope that he will get a chance to meet you up there.

Best regards,

George Bush,
Member of Congress.

[From the Washington (D.C.) Post, Oct. 12, 1968]

Spotty Congressional Record

By traditional standards, the Congress that now passes into history has been fairly productive. Especially during its post-convention period. It has enacted a large number of bills contributing to the national welfare. Yet it has fallen far short of covering itself with glory, and the antics of recent weeks have highlighted its deficiencies.

After much floundering, Congress passed the President's tax surcharge and discriminatingly defeated his proposed travel tax. It extended poultry inspection, authorized a study of automobile insurance, passed a weak gas pipeline safety bill, the truth-in-lending bill and various other measures aimed at the protection of consumers. The 1968 Civil Rights Act is probably the most sweeping measure of its kind ever passed by Congress. Along with it stands the Federal Jury Reform Act, a highly controversial Crime Control and Safe Streets Act, a far-reaching juvenile delinquency program and the restrained but useful gun-control bill.

No less significant is the housing and urban development program approved this year, with its emphasis on helping the poor to buy homes and rent apartments. The food stamp program was continued and various other social welfare programs extended. Federal aid to education got additional underpinning, although some appropriations were unfortunately cut, and the HEW's school desegregation enforcement program finally won approval.

In the field of conservation the record is highly creditable. Most noteworthy perhaps was the opening of new revenue sources to the Land and Water Conservation Fund for the purchase of additional park and recreational lands. This helped to prepare the way for the creation of two great new national parks (the Redwoods and the North Cascades) both of which were specifically authorized. In addition Congress passed the Scenic Rivers and Estuary Preservation Acts, created a national trails system, set up a National Water Commission and authorized the Central Arizona Project in a comprehensive Colorado River package that will cost more than $1.3 billion.

[From the Boston Herald Traveler, Oct. 10, 1968]

A Refinery Down East

In Portland today, the Foreign Trade Zones Board of the U.S. Commerce Department will hear an application for a foreign trade zone—one outside U.S. customs territory—in Maine. If the application is approved, and if the Interior Department grants the requested oil import permits, Occidental Petroleoum Corp. plans to build a refinery at Machiasport.

The proposal enjoys wide support. (Competing oil companies, not surprisingly, oppose it.) Six northeastern governors favor the plan, as does the New England Council, a regional development group which sees economic stimulus in the project.

The average citizen no doubt will find the argument of the Massachusetts Consumers Council most pertinent. If the Machiasport refinery were allowed to ship 90,000 barrels of home-heating oil and 10,000 barrels of gasoline into New England daily, its lower prices would mean savings to consumers of some $26 million a year, the Council says. The Council has consistently fought for measures that would forestall fuel shortages and price increases.

Of less immediate impact but still of importance is the quality of fuel which Occidental proposes to supply to New England. Low sulphur crude oil from Venezuela and Occidental's own fields in Libya will supply the refinery, and the fuel that emerges will have a lower air-pollution potential than that now used.

The proposal makes sense. More sense, at least, than the fact that New England burns some 800,000 barrels of oil products a day and yet not one of the country's more than 290 refineries is located here.

Fuel Costs High in New England—Free Trade Port, Refinery Proposed

Washington.—Electric rates and fuel costs generally are higher in the six New England states than in other regions of the United States because they lack fossil fuels and hydroelectric power.

So governors of the six states, and practically all New England congressional members, including Sen. Edward M. Kennedy, D-Mass., are backing a proposed "free trade" Atlantic world port in Maine.

The Foreign Trades Zone board will conduct hearings Oct. 10 and 11 at Portland, Me., on the zone at Portland and a subzone at Machiasport, Me.

Application for the zone also is supported by Occidental Petroleum Corp., which has agreed to build a 300,000-barrel-daily capacity refinery in the area. Occidental would import oil for the refinery.

Maine Gov. Kenneth M. Curtis in a statement issued here, said the refinery would lower the annual cost of New England heating oil by up to $60 million.

He said there are 291 refineries in the other 44 states but not one in New England. Gov. Curtis' statement was critical of opposition which he said is being pressed by major oil companies. He called their opposition "selfish" and said it ignores the public interest of his region.

Hooker Chemical Corp.,
Washington, D.C., October 1, 1968.
Hon. Hale Boggs,
Rayburn House Office Building,
Washington, D.C.

Dear Congressman Boggs: In view of our conversation I thought it would be useful to provide you with information regarding the sequence of events which led to our meeting today.

As you know, several of the employees of the Taft-Louisiana plant of Hooker Chemical Corp., including myself, contributed small sums to your campaign two years ago. This year, not having heard from you, I called your secretary to inquire concerning where the contributions should be sent. Your secretary, Miss Barbara Rathe, did not have the information, but she called me yesterday morning to suggest a meeting with you. I felt this was unnecessary, but she said that you insisted upon it. I confess I was a little perplexed by this insistence, for I do not consider myself a major contributor. However, I acceded to her request in view of the urgent way in which she presented it, and asked Mr. James Baldwin to accompany me so that he could meet you. I also asked the manager of our Washington office, who knows you, to join us.

When we arrived you had a photographer take several pictures of us, and I am grateful for this. I hope you will send me a copy. After the pictures were taken I told you what I had told your secretary and we had a general discussion about how your campaign was progressing. You indicated you needed help, and, as I told you, I will be glad to make whatever contribution I can.

This general discussion was concluded, and I was preparing to leave the office when you inquired whether Occidental Petroleum owned Hooker Chemical Corp. Of course they do. You then asked whether Hooker had an interest in the Maine refinery. To the extent that Hooker is a part of Occidental, it has an interest in the Maine refinery. Your third inquiry puzzled me somewhat. You raised the question whether you should testify or not. In fact, I did not know until this that you had an interest in the Maine refinery. I had not considered this before. Mr. Baldwin, who told me later that he thought you were concerned about whether there was a conflict of interest, responded in the negative. Before Mr. Baldwin could elaborate or explain his reason you terminated the meeting and asked us to return at 4:00.

Lest there be any misunderstanding, Mr. Baldwin and I want it abundantly clear that there is no relationship between the discussion regarding the campaign contribution and the Maine refinery. We assume you will do what you feel is in the best interests of your constituents with regard to the Maine refinery, and we do not wish to influence your judgment in this matter in any way.

Campaign contributions are personal matters and not at all related to any company policies or programs. I repeat, please understand that our only reason for responding to your request for a meeting was a matter of courtesy. We had no intention of raising or discussing the Maine refinery.

Yours sincerely,

E. W. MATHIAS,
Treasurer.

H.R. 20507

A bill to amend the bribery provisions of title 18, United States Code

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Section 201(a) of title 18, United States Code, is amended by adding at the end thereof, the following new sentence: "The term 'official act' shall also mean attendance at, or absence from a hearing or other proceeding concerning matters under the jurisdiction of any department, agency, or branch of the United States Government."

SEC. 2. Section 201(d) of title 18, United States Code, is amended by changing "absent himself therefrom" to read "appear or refrain from appearing at any such proceeding, whether or not under oath or affirmation".

[From the New Orleans (La.) Times-Picayune, Oct. 13, 1968]

Group Supports Boggs in Fight—Police Jury Is Against Maine Trade Zone

The St. Charles Parish Police Jury Saturday passed a resolution supporting U.S. Representative Hale Boggs in his fight against granting a free trade zone in Portland, Me.

The jury took the action in a special poll of the members in a meeting at Norco, according to jury president Roosevelt Dufrene.

The resolution agreed with Boggs' position that the granting of the trade zone would "wreck the oil import quota system and ruin the refinery and petro-chemical industry in St. Charles Parish.

The resolution said St. Charles Parish has one of the largest refineries, the Shell plant, in the country, and several large petro-chemical plants, all of which would be adversely affected if the Portland application was granted.

The resolution said Louisiana gets 45 per cent of its revenue from the oil industry and that granting the Portland request would insulate 300,000 barrels of foreign crude oil from the American import quota and would ultimately affect thousands of well-paying jobs in Louisiana.

"We commend Hale Boggs for his stand," the resolution said.

[From the Wall Street Journal, July 25, 1968]

Occidental Petroleum Consummates Merger With Hooker Chemical

LOS ANGELES.—Occidental Petroleum Corp. said it completed final contractual arrangements and consummated its merger with Hooker Chemical Corp. of New York.

At the same time, Hooker said it completed its acquisition of Sel-Rex Corp., Nutley, N.J.

Thomas F. Willers, who will continue as president and chief executive officer of Hooker, was named Occidental president. Dr. Armand Hammer, formerly president of Occidental, remains chairman and chief executive officer. Mr. Willers, F. Leonard Bryant and R. Wolcott Hooker, all Hooker directors, became Occidental directors.

On closing of the transaction, each share of Hooker common stock was converted into one-half share of a new Occidental \$3.60 convertible preferred stock, and Hooker's \$2.16 convertible preference stock became Occidental \$2.16 convertible preference stock. Each share of the \$3.60 preferred is convertible at any time into three shares of Occidental common and each share of the \$2.16 preferred into one and a half shares of Occidental common.

As was scheduled to be done just before consummation of the Occidental-Hooker merger, Hooker called for redemption on Aug. 23 all outstanding shares of its \$4.25 cumulative preferred stock and cumulative second preferred stock, Series C, at the respective prices of \$100 and \$103 a share plus accrued dividends.

News of Oil, Gas Industry—Allowable Cut Request Facing Louisiana Producers—13,463 Barrel Drop Per Day Is Indicated

(By W. Jeff Davis)

Louisiana's oil producers are faced with another request for an allowable cut in November. A state-wide hearing, called by Commissioner J. M. Menefee for Tuesday morning, indicated a drop in demand of about 13,463 barrels a day.

These were the advance nominations, which can of course, be changed from the floor. Last month's decline in demand of about the same size resulted in a one per cent decrease, based on the depth bracket formula.

Last week the national production was reported to be about 2,000 barrels a day above the previous week's totals.

Imports were running 1,059,000 barrels a day in the area east of the Rocky mountains. Gasoline stocks were up, approximately 2,000,000 barrels over the previous week's report.

Crude stocks east of California totaled 262,002,000 barrels, compared to 264,932,000 barrels a week earlier.

Total nominations reported in advance of Tuesday's hearing were for a daily 1,872,434 barrels. This compares to 1,885,900 for October and 2,006,043 for August, when the first cut in allowables was announced by the Commissioner.

[From the New Orleans (La.) Times-Picayune]

Boggs Opposes Maine Refinery—Will Go to Portland, He Tells Oilman

(By W. Jeff Davis)

Congressman Hale Boggs told the Mid-Continent Oil & Gas Association Tuesday night that he will be in Portland, Me., on Oct. 10 to oppose the proposed establishment of a crude oil refinery in that state.

Occidental Petroleum Corp., has proposed to build the refinery to use imported crude oil from Libya, provided a free trade zone is established. Boggs said that he is unalterably opposed to the proposition, and as one of the authors of the bill which established a free trade zone in New Orleans, the present proposal is entirely out of context with the meaning of the law.

"The obvious fact is," Boggs said, "that if the Occidental Maine project wins approval, the precedent for others has been set. If Maine and the New England states can put over this program, there will be no basis whatever for denying others," he concluded.

DANGERS SEEN

He implied that it would be a staggering blow to Louisiana's million-barrel-a-day refining industry, and implied that Texas would also suffer. Boggs said he considered this to be a blow to the mandatory import control program.

Earlier Tuesday, Thomas A. Martin, head of the oil and gas association's tax division department, said that despite all the assurances that the recently-imposed 10 per cent surcharge was to be only a temporary measure, it will be extended by Congress for at least another year and such action will probably take place as soon as Congress meets next January.

Martin told his audience of more than 300 oilmen that Social Security taxes will go up next year and all industry, including the oil and gas business, can prepare for an increase in unemployment insurance assessments. He said the cost of administering this program has increased greatly, and the administration is planning to put the additional burden on the employer.

NEW REGULATIONS

New regulations by the Internal Revenue Service have placed what Martin described as "an onerous burden" on the oil and gas producer, in making the proposed reports. This measure has been opposed by all organizations within the industry, and some relief has been promised, but the ruling still has not been handed down and he was not optimistic over the outcome. However, he was due back in Washington Wednesday to appear before the committee handling these proposals, and said he hopes to be able to report some relief in sight before the new regulations are handed down by the IRS director.

The speaker said the new pipeline safety bill has been drawn up in a manner which the industry can now accept, but the pending occupational safety bill has been submitted, and is too much for any manufacturer or producer to agree to submission.

Several parts of this measure are being opposed by all industries, including the refiners and gas processors. He predicted this bill will not pass in the present session of Congress, and it may be two to three years before approval is final.

PERCENTAGE DEPLETION

Arthur V. Harris, Gulf Oil Corporation's tax expert in the Pittsburgh, Pa., headquarters, presented a talk on percentage depletion which his company is giving to all of its employe groups. He said the company is making the talk and the illustrated slides used in the presentation, available to all companies, and that Gulf will send a lecturer to any group which wants to hear the story.

This is a part of the campaign being launched to counteract some of the 33 measures introduced in Congress this year to cut the oil industry's tax allowance.

Lewis Brubaker, an examiner for the Federal Power Commission, said the new concept in offshore pipeline practices is designed to cut the cost to the consumer. He said the

FPC's suggestion for cooperative lines by the producing companies will prove to be an economic advantage, despite the fact that the proposals have been opposed by the companies which want to operate as independent units.

NATURAL GAS COST

Brubaker predicted the cost of natural gas in the New York area is almost at the peak of competitive operation. He said that liquefied natural gas can now be shipped into the New England states from Africa at a cost of 50 cents a thousand cubic feet. The cost of Louisiana gas delivered to New York by pipeline is now 42 cents, he stated.

Coal fired and nuclear generator power will soon be down to the level where they can compete with natural gas as energy sources, in the findings of the FPC examiners.

Registration for the New Orleans meeting, the 46th in the Mid-Continent history, had passed the 200 mark by the time L. C. Adams, Pan American Petroleum Corp., called the meeting to order Tuesday morning.

The annual President's Banquet on Tuesday night initially had scheduled W. M. Wilson of the American Petroleum Institute as its speaker. However, Congressman Boggs, who was initially scheduled to speak at the closing session Wednesday at noon, was rescheduled for the banquet. Boggs left immediately after this speech to return to Washington where he has important matters coming up on Wednesday morning.

[From the New Orleans (La.) States-Item, Oct. 8, 1968]

Threat to Louisiana in Maine Refinery

Way up in Machiasport, Me., far from oil fields, Occidental Petroleum Corp. wants to build an oil refinery. There'd be nothing wrong with that of itself, although it might be uneconomic if it were to use American oil.

But there are special angles. Occidental wants to use low-cost foreign crude oil and it wants to refine it in a foreign trade zone, an enclave free of import duties.

So Occidental wants special treatment—on taking away part of somebody else's quota of restricted oil imports or obtaining an extra quota and creation of a free trade zone for a 300,000-barrel-a-day refinery. This week's hearings concern the second.

Since there is presently a 644,000-barrel daily import quota total for all American refiners, the Maine project would upset the applecart vigorously.

Louisiana and all other oil-producing states are up in arms. To increase use of foreign oil is to decrease use of American oil, and repercussions would extend all the way from reduced oil explorations to reduced payments into oil-state treasuries on bonuses, severance taxes and royalties.

For Maine and the five other New England states, the refinery project takes on the nature of a crusade. Occidental Petroleum sweetens the proposal by telling the states it will pay per-barrel royalties expected to yield the six states about $7 million annually for conservation work.

Occidental, of course, wants a market for some of its Libyan crude oil.

Arguments arrayed by the firm on behalf of the proposed Machiasport refinery range from human needs (the area is designated as "distressed") to lowered oil costs for home furnaces and less air pollution (lower sulphur content oil).

Operation of a refinery in a free trade zone is nothing new, but the Maine project would stretch the concept unconscionably, in our opinion.

At Taft, La., for example, Union Carbide Corp. converts imported naphtha into petrochemicals for shipment abroad. Domestic naphtha, UCC showed, was not available.

In the case of the proposed Maine refinery, it cannot be claimed there is a shortage of domestic crude oil. American oil wells are choked back to prevent a market glut.

Expansive claims for the Maine venture say that government could save on defense oil costs and more shipping would be provided United States tankers.

It stands to reason that if American oil is displaced by foreign oil, federal income will be impaired because part of the oil displaced will be that produced from the federal offshore areas and other federal lands.

And the Maine proponents do not consider that if foreign oil supplants domestic oil and products, this will be at the expense of shipping from the Gulf area.

Greater reliance on foreign oil would naturally be bad news for the nation's deficit in international payments. More dollars would be sent abroad in a period when the federal government seeks to curtail such outflow.

The great trouble about the Machiasport refinery project is that it works in so much political snake oil represented to be good for everything from poverty to New England state treasuries.

And that snake oil, unless there is vigorous opposition from Louisiana and other oil states, could lubricate the hinges to let the doors swing wide to cheap foreign oil and harm the domestic oil industry irreparably.

[From the New Orleans (La.) Times-Picayune, Oct. 12, 1968]

Maine Refinery Opposed by Speakers of Five States—Proposal Is "Frightening," Menefee Asserts

(By Edgar Poe)

Portland, Maine.—Spokesmen for the governors of Louisiana, Texas, Oklahoma and Wyoming, and Colorado Gov. John Love, who testified in person, Friday opposed the proposed "Down East" refinery in a Foreign Trade Subzone in Maine that would operate on cheaper foreign-produced oil as being nationally unsound with far-reaching economic ramifications.

Louisiana Conservation Commissioner J. M. Menefee, representing Gov. John McKeithen, insisted the long range implications of the proposal of Occidental Petroleum Corporation, to operate the refinery on oil produced abroad, are "frightening."

Menefee said that much publicity has been directed toward Occidental's intention to pass along many benefits to domestic New England customers in the form of lower prices. He said the absolute maximum of such reductions would be about $16 million a year, still permitting Occidental to reap $24 million a year under the import plan.

On the other hand, Gov. Philip H. Hoff of Vermont testified before the Examiners' Committee of the Foreign Trades Zones Board, that fuel-deficient New England is supporting the application of the Maine Port Authority to establish a New Foreign Trade Zone at Portland and a subzone at Machiasport, about 150 miles away on deep water, which would accommodate the world's largest oil tankers.

MAJOR FIELD

None of the opponents of the refinery proposal have expressed any opposition to a Foreign Trade Zone for Portland. The objection is to the proposal that would give special treatment to Occidental to bring in crude oil from its major field in Libya and elsewhere in competition to domestic production. Neither is there an official objection to Occidental building the 300,000 barrel a day capacity refinery and operating it with domestic production as other refineries.

Chairman Jim C. Langdon of the Texas Railroad Commission, representing the state and Gov. John B. Connally, told the examiner's committee that the plan would not only cripple the economy of Texas and Louisiana, the nation's two largest oil-producing states, but he maintained it would have a diverse effect on the entire domestic oil industry.

N. Norman Englebert of the Department of Commerce, chairman of the examining panel, and his associates, at some future date will make their recommendations pertaining to the proposed foreign trade zone and subzone in Maine, to the board consisting of the Secretaries of Commerce, Treasury and the Army. A final decision by the board is perhaps months away.

Englebert said Friday the hearings will be resumed in Washington Tuesday when additional members of Congress will be given an opportunity to be heard on the controversial plan.

THREE MEMBERS

Three members of the U.S. House of Representatives, including Rep. Hale Boggs of New Orleans, who sharply attacked the plan, testified Thursday.

Boggs said pressure was made to keep him from appearing at the hearing in Portland. He told the panel that his "honor" was at stake. However, he did not elaborate. As a result, numerous attendants at the hearing Friday were speculating informally what he meant. One union representative said he could not comprehend what the Louisianian was referring to.

The Louisiana conservation commissioner submitted to the examining committee a prepared statement, on behalf of the state of Louisiana. Menefee said the proposed Maine foreign trade zone is the most serious threat yet imposed upon the oil import program and could lead to the end of an effective import controls program.

"If within the 12.2 per cent level, the volume now allocated to refineries would be reduced by 18 percent from 565,000 barrels a day, to 465,000 barrels a day," said Menefee, "this reduction would be even greater (28 per cent) if historic refineries were not forced to share the reduction. The quota previously allocated to 122 refineries for the importation of numerous crudes from 14 foreign countries would not be assigned to a single refinery for predominately a single crude from one country for the benefit of one producer.

OUTSIDE LEVEL

"If the special allocation were outside the 12.2 per cent level, domestic production would be reduced by 100 barrels a day. Furthermore, if the promoters of the project actually provided lower product prices for domestic customers, these reductions would ultimately be reflected in reduced crude prices."

Menefee maintained that if Occidental is granted approval of the plan, other companies will demand and would probably obtain similar "special treatment." He expressed belief that it would be difficult to foresee how New York, Georgia, North Carolina and South Carolina could be denied trade zones on a similar basis.

He said the effect of a series of these projects on the domestic oil and gas industries would be staggering.

Menefee said the immediate effect on this special 100,000 a day quota grant on the present import program would be tremendous. He said if approved, a loan operation in one special grant would have accomplished greater inroads into the import program than the entire petrochemical industry has managed in more than five years of concerted effort.

Langdon said that the refinery proposal would have a marked effect on two neighboring oil-producing countries, Canada and Venezuela. He said both countries would be adversely affected with Venezuela particularly hard put since it currently supplies District 1–IV with approximately 55 per cent of all licensed imports of crude and unfinished oils, 85 per cent of all residual fuel imports, and more than 90 per cent of finished product imports.

MARKED CONCERN

The Texas Railroad Commission chairman said the trade zone plan is of marked concern to states like Pennsylvania and New Jersey, which produce little or no oil, but have large refining and petrochemical facilities located within their states, "not because they are a depressed area, but because of their geographical location and their proximity to the market for their products."

Gov. Hoff said that he didn't recall when New England was more united behind a plan than it is in behalf of the refinery proposal. After the Vermont governor completed his formal testimony, he was asked whether a refinery in Maine would not attract industry away from Vermont.

"That sounds like a divide-and-conquer sort of question to me," he said. He added that any benefits coming to Maine would also help the entire New England area.

Warren A. Morton spoke on behalf of Wyoming Gov. Stanley K. Hathaway.

Morton said that the plan constitutes a grave threat to the national security by treating as unnecessary, dependents on foreign trade supplies. He said hundreds of thousands of people throughout the nation are dependent on the oil industry for their employment. He said the implication of 300,000 barrels a day of foreign crude at an approximate value of $2 a barrel, would represent an annual deficit of over $200 million.

He said in Wyoming more than one-third of the state's assessed property is provided by the oil and gas industry. He added that more than half of the city, county and state income is provided by taxes and royalties paid by the oil industry.

"I object to the disrupting influence it would have if it is 100 per cent dependent on foreign oil," said Morton.

Gov. Love was the lead-off witness for the morning session. He said national security is dependent to a marked degree upon petroleum self-sufficiency.

Gov. Love said the oil shales of Colorado, Utah and Wyoming contained quantities of petroleum products far in excess of oil thus far discovered in this country. He said oil shales potentially will become a competitor in the energy market.

"The time has come," said Love, "when the erosion of the import control program must stop. Foreign trade zones are helpful as long as they encourage exports." The governor said he would have no objection to the establishment of a Maine foreign trade zone as long as it did not bring in foreign oil in excess of the quota.

[From the New Orleans (La.) Times-Picayune, Oct. 13, 1968]

Final Maine Oil Refinery Proposal Hearing Is Set—Members of Congress To Be Heard

(By Edgar A. Poe)

Washington, D.C.—The final public hearing on the highly controversial and now bitterly contested proposed major New England Oil Refinery in Maine will be conducted in Washington Tuesday, it was announced in Portland Saturday by the Hearing Examiners Committee.

Chairman N. Norman Englebert of the committee, which has been conducting hearings in Portland this week on behalf of the Foreign Trade Zones Board, gave various members of Congress a chance to be heard concerning the controversial issues.

The dispute grows out of a proposal of Occidental Petroleum Corp. of Los Angeles to build a $150 million refinery with a daily capacity of 300,000 barrels in a proposed foreign trade subzone at Machiasport, Me., with a 90-foot deep port for oil tankers.

The controversy involves a plan to import foreign oil from Occidental's big Libya field and other foreign oil. There is no official opposition from Louisiana, Texas and the other oil states nor from the major and independent competing oil companies to the building of the refinery in Maine. The opposing states and the opposition of companies said the foreign import plan would be bad for the oil states and for the oil companies.

DESTRUCTION SEEN

Louisiana witnesses maintained in their testimony that the proposal to bring in foreign oil would destroy the tax structure of Louisiana and would cripple its economy.

On the other hand, Gov. Kenneth M. Curtis of Maine summed up in his testimony on behalf of the New England states the proponents' story in this matter: "The large oil companies pretend their opposition is because of their concern with the destruction of the import quota system. This, they say, will destroy the production of oil in this country." Gov. Curtis described the contentions as "hypocritical cries."

New Hampshire Gov. John W. King, charging that the major oil companies have abandoned New England, said this six-state region is the highest cost energy region in the nation. He added: "No wonder that the majors view with alarm the efforts (of Occidental) . . . to break the monopolistic stranglehold on heating oil presently clamped on New England by these very same majors."

It appears following the Portland hearings that the New England states have made a strong case for the need for more and cheaper energy fuel.

POWERFUL CASE

However, it seems to some observers at the hearings that the oil producing states and their major and independent opposing companies, have made a powerful case against any special import treatment sought by Occidental.

The final decision in the case will be made at some future date by the Foreign Trades Zones Board, composed of the Secretaries of Commerce, Treasury and the Army.

Meantime, the controversy is making headlines in Maine. The Portland Press Herald Saturday carried a page one story with an eight-column headline: "Boggs Says Campaign Funds Offered For Oil Aid."

The story was based on allegations by U.S. Rep. Hale Boggs of New Orleans Friday night at a press conference in Washington that he was offered campaign funds by a representative of Occidental Petroleum Corp. who allegedly asked him to name the sum of campaign funds he needed. Boggs said Occidental officials did not want him to go to New England to testify in opposition to the proposed refinery. Boggs in appearing before the examiners committee Thursday said that his "honor was at stake."

FALSE, OUTRAGEOUS

The newspaper also carried a page one adjoining story in the form of a 400-word statement by Dr. Armand Hammer, chairman of Occidental, who described the Congressman's statement as "false and outrageous." At the same time Dr. Hammer called on Congressman Boggs to disclose what contributions "the oil executives of the major and other companies have made to his campaigns" and "will he tell us the total."

Meantime, Thomas Wachtell, vice-president of Occidental and executive assistant to Hammer, told the hearing examiners in his prepared testimony that Occidental's proposed big heating oil refinery in Maine has an alternative of building a plant in Canada a few miles north of Maine if the pending application is turned down.

Wachtell said in his written statement that the questions of the oil import program are not rightfully a part of the issue before the board. He said the board is concerned with whether import licenses should or should not be granted for the importation of crude oil into the foreign trade zone, or the importation of refinery products into the customs territory of the U.S.

The Occidental vice-president said a massive campaign is underway in connection with the pending application to transfer the oil import policy issue into the application of the state of Maine for a trade zone at Portland and a subzone 180 miles away, where the refinery would be built. He charged that the oil import program has "become a veritable gold mine for the domestic oil industry."

J. M. Menefee, Louisiana's conservation commissioner, in a statement presented to the board said that Occidental had received substantial publicity that it will pass along many benefits to New England customers.

PROFIT OF $24 MILLION

Commissioner Menefee said that the maximum reductions would be about $16 million a year, still allowing Occidental to make profits of $24 million a year under the import plan.

Shell Oil Co., strongly opposed to the Occidental plan, said that it is claimed the balance of payments would be improved by building the refinery in Maine. Shell states that its calculations indicate that the annual adverse effect on the balance of payments would be approximately $60 million annually.

In a letter to Interior Secretary Stewart L. Udall, a member of the Foreign Trades Zones Board, president R. C. McCurdy of Shell said: "We feel very strongly that when measured by the yardstick of objective economic appraisal, the Occidental proposal is stripped of its many misleading claims and stands revealed for what it is—a bold attempt to manipulate the import program in the hope of realizing massive profits denied to Occidental's competitors. I am firmly convinced that approval of the Machiasport proposal would be but another step down the road toward the destruction of the domestic producing industry and to national dependence on foreign energy sources."

John G. Buckley, an independent oil consultant of Weston, Conn., currently on retainer from Occidental Petroleum Corp. in connection with the proposed project, told the examiners committee that he was "amazed to find the Shell Oil Co. charging that Occidental's project was going to result in a foreign exchange loss to the U.S."

"Shell," said Buckley, "as I am sure the board knows, is a majority owned and controlled affiliate of the Royal Dutch Shell group of companies, and as its name implies, Royal Dutch is a British-Dutch majority owned company. The most profitable affiliated company in the Shell group in the U.S. branch is the United States branch. Last year, for example, the U.S. branch of Shell earned a net profit of some $285 million. Now that performance, I am sure, was quite beneficial to the British and Dutch balance of payments position internationally, and, goodness knows, our British friends need balance of payments help. Their problems in this regard are as famous as our own."

[From the New Orleans (La.) States-Item, Oct. 12, 1968]

Boggs Reports Oil Firm Funds Offer—Asks FBI To Investigate

Washington.—House Majority Whip Hale Boggs, D-La., said yesterday he has asked the FBI to look into the legal aspects of a meeting in which, he said, representatives of an old company offered him unlimited campaign funds.

Boggs told a news conference these visitors admitted, under his questioning, that they did not want him to go to Maine, where Boggs was to testify against the proposed establishment of a foreign trade zone as a location for their firm to build a refinery.

But he also displayed a letter from one of the men, stating emphatically that "there is no relationship between the discussion regarding the campaign contribution and the Maine refinery."

The State of Maine has asked the Commerce Department's Board of Foreign Trade Zones to establish a subzone at Machias, Maine, into which foreign material could be brought, duty-free, for processing.

Occidental Petroleum Corp. of Los Angeles wants to build a refinery in this zone and is seeking the Interior Department's permission to import oil to feed it.

Boggs said constituents had asked him to oppose the foreign trade zone at a board meeting in Maine because the Louisiana oil industry opposes the oil imports sought by Occidental.

Boggs testified against the proposed trade zone at the hearing in Portland, Maine, last Wednesday.

Armand Hammer, chairman of Occidental, issued a statement in Los Angeles last night denying what he termed "the false and outrageous charges made by Congressman Boggs."

"We deny emphatically any impropriety," Hammer said.

He said Occidental has not contributed to Boggs' campaign funds and said the congressman's allegations were "wild" and "untrue."

Meanwhile, Boggs said today if Hammer thinks the charges are false we should sue him.

"If Dr. Hammer thinks my charges are 'outrageous and false' I invite him to sue me for libel.

"The remarks were made in my office off the floor of the House of Representatives and are not protected by congressional immunity.

"He is welcome to sue me for libel or slander in the federal or local courts in Washington or New Orleans. In fact, I invite him to do so."

[From the New York Times, Oct. 12, 1968]

Two Governors Clash Over a Trade Zone Proposed in Maine

Portland, Maine, October 11.—The Governors of Colorado and Vermont clashed at the second day of hearings today on Maine's application for a foreign-trade zone in Portland and a subzone in Machiasport.

Gov. John A. Love, Republican of Colorado, argued that approval of the proposals would endanger the national security, and prevent the development of petroleum resources in the Rocky Mountain region.

Gov. Philip H. Hoff, Democrat of Vermont, focused on the high cost of oil and other petroleum products in the New England region, describing the situation as "intolerable" and "a scandal."

New England has the highest energy costs of any area in the country, according to oil industry sources, because the region has no primary refineries.

HEARINGS CONDUCTED

The Maine Port Authority has applied for the foreign-trade zones, and permission to construct a $150-million oil refinery in Machiasport, which is in an economically depressed area of the state.

The hearings are being conducted by a three-man committee of the Foreign Trade Zones Board.

Governor Love, the first witness today, said, "It is beyond question that our national security is dependent in part upon petroleum self-sufficiency."

He told the crowded hearing that the strict limitation of oil imports to 12.2 per cent of domestic production would have assured the protection of the domestic industry, but that exception followed exception "so that today we are allowing importation of more than 26 per cent of our domestic production."

HIGH COST CITED

Governor Hoff said the high cost of oil and other petroleum products to the New England region had resulted in support there, "I don't ever recall a time when New England was so united," Governor Hoff declared.

Approving the application would move New England into "an upward course"—a move "we badly need," he added.

The Occidental Petroleum Corporation of Los Angeles plans to build the refinery, contingent on the granting of licenses for the trade-zones.

The Secretaries of the Army, Commerce and the Treasury comprise the Foreign Trade Zone Board. The Department of the Interior must act on the oil import quota and license application.

Warren A. Morton, representing Gov. Stanley K. Hathaway of Wyoming, said granting the application would threaten national security, discourage the search for dependable domestic reserves and give temporary benefits to one company and region at the expense of others.

[From the New Orleans (La.) Times-Picayune, Oct. 3, 1968]

Free Trade Zone Distortion Threat

It's promoted in New England on the theme "If it's good for New England, I'm for it," but it could spell havoc for U.S. oil production—especially in Louisiana and Texas—if an oil company's request for a free trade zone in Maine is allowed by the Department of Interior.

From initial reports, we understand that Occidental Petroleum, over strenuous objections of the Independent Petroleum Assn. of America, seeks permission to import 300,000 barrels of crude oil a day, mostly from Libya, at bargain-basement prices—$2 cheaper than prevailing U.S. prices of $2.90 a barrel.

Competitive petroleum firms contend that if a new refinery were so allowed to use imported crude in a free trade zone, the present mandatory control of foreign oil imports would be meaningless, and the domestic oil market, now producing on an allowable basis and under capacity, would be plagued with new shut-ins and a further slowdown in reserves exploration.

A kind of precedent for U.S. free trade zones in the petroleum industry was set here at Taft about four years ago, when Union Carbide was allowed to import foreign naphtha for processing into petrochemicals, with tariff due on the imported portion of the processed products sold in the U.S. markets. But this was naphtha, not crude oil and was predicated on the need for the naphtha in order to compete in the export chemical markets.

Free trade zones were initially conceived as public facilities where foreign goods could be brought in duty-free and stored, processed, or mixed with domestic materials. A later provision allowed manufacturing, with the part-tariff feature for products marketed in this country.

Initial reports on the Maine enterprise make no mention of tariff proportions, if any are intended, for imports that would ultimately enter national markets, but the company proposes to pay 20 cents a barrel "royalty" into a seven-state New England conservation fund for products sold domestically. The 20-cent carrot, it is predicted, would amass an annual $7 million kitty.

Last year the Department of Interior allocated to the whole petrochemical industry import oil quotas totaling 74,000 barrels a day. Union Carbide's share naphtha was 13,903 a day. By comparison, the Occidental request to pour 300,000 barrels daily of foreign oil into United Stataes petroleum production is more than 21 times greater than going into the Taft operation, and four times greater than the whole national oil import quota last year.

Four years ago opponents of the Taft free trade zone argued that a rash of applications involving oil imports would follow, with subsequent displacement, they said, of as much as 300,000 barrels of Louisiana crude a day, an annual state severance tax loss of $5 million and loss of petroleum jobs through slowed Louisiana operations.

Congressman Hale Boggs, who successfully maneuvered a 1950 amendment to the trade zone act that permitted manufacturing processes in the zones, contends the Occidental application is contrary to intent of the amendment, and plans to fight the proposal at an Oct. 10 Interior Department hearing.

What is sauce for the goose is traditionally sauce for the gander. But we trust that the distinctions between the two states' free trade zone concepts will be amply clear to show that what is sauce for Louisiana's Pelican is not sauce for Maine's Chickadee.

[From the New York Times, Oct. 13, 1968]

Boggs Accuses Three of Bribe Attempt—Says Oil Executives Asked Help on Marine Project

(By William M. Blair)

Washington, October 11.—Representative Hale Boggs, Democrat of Louisiana, accused three oil company executives tonight of seeking to "bribe" him to head off his opposition to a major oil project in Maine.

He said three men from the Occidental Petroleum Corporation and its subsidiary, the Hooker Chemical Corporation, sought to keep him from appearing yesterday at a hearing in Portland, Me., on Maine's application for creation of a foreign trade zone where Occidental Oil would build a refinery.

"There is no doubt in my mind that Republican politics is mixed up in this," Mr. Boggs said. He complained that House Republicans had not permitted him to speak on the House floor of a meeting with the oil executives.

Mr. Boggs, who is Democratic whip, held a news conference in his office after he was cut off on the House floor by a Republican call for a quorum.

The three oilmen, he said, met with him last week in his office.

"They said, 'We want to help you with your campaign,'" Mr. Boggs related.

"I said, 'You mean a campaign contribution.'"

"They said, 'Exactly.'"

"'What sums are you talking about?' I asked," he said.

"'You spell it out, you name it,' they said."

Mr. Boggs said he then asked them, "Do you want me to go to Maine?"

They responded, he said, "My, you drive a hard bargain."

Finally, they said "they didn't want me to go to Maine," Mr. Boggs asserted.

He said he replied, "This is no bargain," and then said, "You're in trouble," and walked out.

Mr. Boggs supplied newsmen with a copy of a letter written to him by Edward A. Mathias, treasurer of the Hooker Chemical Corporation, 277 Park Avenue, New York. The letter was dated Oct. 1, the day of the meeting described by Mr. Boggs. Mr. Boggs said the letter was an effort by the oil executives to get "off the hook."

"Lest there be any misunderstanding," Mr. Mathias wrote, "Mr. [James] Baldwin and I want it abundantly clear that there is no relationship between the discussion regarding the campaign contribution and the Maine refinery."

"We assume," Mr. Mathias went on, "you will do what you feel is in the best interests of your constituents with regard to the Maine refinery, and we do not wish to influence your judgment in this matter in any way."

Mr. Boggs, who said he held some Occidental stock, testified yesterday at the Portland hearing that the proposed Occidental refinery would wreck the domestic oil industry.

The Maine Port Authority has applied to the Federal Government for a foreign trade zone at Portland with a sub-zone at Machiasport. Occidental would build a $150-million refinery at Machiasport if the zones are approved. The refinery would handle 100,000 barrels of foreign oil a day to turn out 300,000 barrels a day of refined products, including home heating oil, gasoline and jet airplane fuel.

The project is being bitterly fought by the domestic industry, which views the plan as an attempt to circumvent the oil import quota program, depress prices and wreck the domestic oil economy.

CHARGES CALLED "OUTRAGEOUS"

Dr. Armand Hammer, chairman of the Occidental Petroleum Corporation, last night denied Mr. Boggs' charges as "false and outrageous."

Dr. Hammer, in a statement released in Los Angeles, said: "We deny emphatically any impropriety."

He said he expected that "the major oil companies" would use "every desperate means to protect their monopoly" and avoid the competition Occidental would give them by building in Maine.

"The stakes are high for the major oil companies," he said. "They have made $5-billion in the last nine years from the oil import quota."

"Now," he continued, "when New England wants its fair share of that quota and Occidental is cooperating to achieve it, we are subjected to every scurrilous attack that unscrupulous minds can concoct. However, we did not anticipate that they would use a Congressman as a tool."

Answering charges against Hooker Chemical executives, he said that careful inquiries had been made of each of them and that "they are outraged by the falsity of the accusation."

Dr. Hammer described arrangements that he said were initiated by Mr. Boggs' office to set up a meeting between Mr. Boggs and Hooker Chemical executives.

"If, according to Mr. Boggs' statement, he considered that he had been 'approached' in an improper manner," Dr. Hammer said, "why did he wait 10 days and why has he decided to break the news only when he knows that the hearings on Maine's application for a foreign trade zone are going badly for the major oil companies?"

[From the Portland (Maine) Press Herald, Oct. 11, 1968]

U.S. Representative Boggs Steals Show at Trade Zone Hearing

Florid-faced, big-voiced U.S. Rep. Hale Boggs of Louisiana stole the show at Thursday's hearing on a proposed foreign trade zone for Portland and subzone for Machiasport.

Another "big name" at the opening session was lawyer Louis Nizer, also known for his books about lawyering, "My Life in Court" and "The Jury Returns."

Whether it was quoting the Bible to Gov. Kenneth M. Curtis or exchanging barbs with actor-politician Gary Merrill, Boggs was the southern master speechmaker, talking off the top of his head and doing it well.

Nizer, in turn, quarreled with figures used by Boggs.

Boggs spoke against the establishment of an oil refinery at Machiasport by Occidental Petroleum Corp. Nizer, is chief counsel for Occidental.

Boggs said he spoke as a stockholder of Occidental, "the only oil company in which I do hold any stock."

He said he also spoke as a man who almost didn't come here for the hearing. "I had made up my mind not to come," he declared, "and then something changed it."

That something was a visit from officials of Hooker Chemical Co., which operates a plant in Boggs' district. "I did not even know that Hooker had been taken over by Occidental until they told me," he said.

Boggs said pressure was put on him to stay away from the hearing. At that point the House Democratic whip made up his mind to come. He would not say what the pressure was, merely declaring that "if you people here can't understand what I mean, you're not very bright."

Boggs advised Gov. Curtis to enter more into the field of oceanography to improve Maine's economic picture (the governor has already done quite a bit in that area) and he quoted Luke 14:1–11 to the governor which he said, boils down to "When you have a problem, do something about it."

He said over and over again that he wants to help Maine and declared he's voted 11 times for the Dickey-Lincoln federal hydroelectric power project on the St. John River—"though I come from a district where public power is unpopular."

His sparring with Merrill came when Boggs started reading passages from the Thursday morning Press Herald about the hearing.

Suddenly Merrill popped up with an objection: "As Rep. Boggs says, most of us have already read the paper. Can't he get along to something else?"

Boggs asked who Merrill was and whom he represented. "I'm an unemployed actor," he answered, "and I'm representing myself." Merrill added that he's also "an unemployed politician."

"I was for the anti-poverty program and helped word some of the acts developing it. I hope this unemployed actor can find a job because of it," the Congressman asserted.

Boggs agreed with Gov. Curtis and Maine's two U.S. representatives that the last minute move by the Foreign Trade Zones Board to have a hearing on the zone and subzone in Washington Tuesday where Congressmen only can testify was "discourteous" to the State of Maine.

He blasted Rep. Robert Price, R-Texas, who had earlier called the proposal "a Johnson administration fix" for not coming to the hearing here.

"Why didn't he have the guts to come up?" Boggs asked. "This is all an attempt to get Republican politics into this thing."

Boggs gave the distinct impression he felt Price was the cause behind the call for the Washington hearing.

The difference in figures used by Boggs and Nizer concerned the actual amount of quota the oil firm seeks at Machiasport from the Department of the Interior.

Occidental seeks to import 300,000 barrels a day into the subzone under a special quota for foreign trade zones.

It also seeks, under the regular import quota, to send 100,000 barrels of the 300,000 into this country.

The House majority whip said Occidental wants an import quota of 300,000 barrels of oil a day.

Using a map and pointer, he showed that only 700,000 barrels a day of oil are allowed now under the oil import program. Of that, 200,000 barrels comes from Canada and 100,000 from Mexico, Boggs said.

"That leaves only 400,000 and Occidental wants 300,000. This company which poses as a small independent but which is really in the union with Humble and Shell and Texaco Co. and Gulf and the rest is asking for a 75 per cent increase," Boggs declared.

He put forward the theory, already repeatedly made by the major oil companies which oppose the proposal, that if Occidental gets such oil import quotas, all the major companies will ask for similar privileges and "the domestic oil industry will be ruined."

"I come from the second largest oil-producing state in the nation," Boggs declared. "Forty-five per cent of all Louisiana's state revenue comes from the oil and gas industries. Seventy-five per cent of all the money for our schools comes from the same source. I just can't imagine the Department of Interior granting these quotas. It's just fantastic."

Boggs left immediately for Washington after his testimony.

Famed courtroom lawyer Louis Nizer followed Rep. Boggs. He wrote two lists of figures on a blackboard. One list was headed "Boggs," the second "Corrections." Written at the bottom of the board was "Error 700 per cent."

Nizer had said before the hearing began that he would serve as Occidental's counsel without appearing as a witness himself. But he changed his mind and spoke.

Instead of 700,000 barrels as the total oil import quota figure, Nizer said it was 1,101,416. Canada takes 280,000 barrels of that instead of the 200,000 Boggs quoted, he said, and Mexico only 30,000 instead of the 100,000 Boggs listed.

Subtraction left 791,416 barrels instead of the 400,000 the Democratic whip reported. And Occidental, Nizer said, is only seeking a 100,000 barrel a day quota under that system, not 300,000 as Boggs had said.

Nizer's figures left 691,416 barrels for other companies under the quota compared to the 100,000 Boggs had left.

Occidental is seeking its 300,000 barrel import quota as a special situation for a foreign trade zone. No such situation has yet been handled by the Department of the Interior. Jurisdiction over such a foreign trade zone quota falls to Secretary of the Interior Stewart L. Udall.

Nizer said he believed the "mistakes" made by Boggs were "inadvertent."

After discussing the poverty that earlier witnesses had described in Washington County, Nizer said: "Anything that wipes out that kind of poverty is of benefit to the entire area."

Jim C. Langdon, chairman of the Texas Railroad Commission, rose to suggest that industry figures would speak for themselves and that there was no point in disputing them. He added that Nizer "doesn't know what he's talking about."

The Texas Railroad Commission is instrumental in fixing the amount of oil that is produced in that state annually.

[From the Portland (Maine) Press Herald, Oct. 11, 1968]

Thirty-Nine Firms Eye Use of Zone

(By Frank Sleeper)

Thirty-nine industries, including giant General Electric Co., have shown interest in use of a proposed foreign trade zone in Portland, the city's attorney, Corporation Counsel Barnett I. Shur, said Thursday.

Thirteen industries have submitted letters of intent to use the proposed zone, said Edward Langlois, general manager of the Maine Port Authority.

Both testified at the hearing on the trade zone proposal at the Federal Court House Building.

Those 13 are S. D. Warren Division of Scott Paper Co.; Danforth-White Division of the Eastern Corp.; Woodside Co., Inc.; William Underwood Co.; Sebago Moc Co., Inc.; Quoddy Moccasins; Sanders Associates; Bath Iron Works; Gardiner Shoe Co.; Taterstate Frozen Foods; C. M. Almy Co.; Schlotterbeck and Foss Co.; and Portland Warehouse and Storage Co.

Shur said the zone would give "a great boost to Portland's major effort to revitalize its waterfront."

That revitalization, he said, basically involves preserving what is best of the old and attracting the best of the new.

The afternoon session of the hearing was taken up almost entirely by proponents of the foreign trade zone here and the subzone in Machiasport.

Favoring the proposal were such organizations as the New England Fuel Institute, the Oil Dealers Association of Rhode Island, the Maine State Chamber of Commerce, the New England Council, and the Massachusetts Port Authority, U.S. Sens. John O. Pastore of Rhode Island and Norris Cotton of New Hampshire sent telegrams of support.

Department of Economic Development Commissioner James K. Keefe was perhaps most caustic in his disapproval of opposition to the Machiasport subzone and the oil refinery which would be built there.

"The major oil companies we foresaw, would oppose this project to the extent it eroded their New England monopoly," Keefe declared. "Frankly, we were unprepared for their hysterical outbursts.

"Even more surprising, I may add, was the tirade in Congress by a minion of the Texas oil interests. This man's case rested on the edifice of unassailable logic. He reasoned, for instance, that this project was 'political payola' which amounted to a special privilege to Occidental Petroleum Corp."

He referred to Rep. Robert Price, a Republican congressman who earlier had called the trade zone proposal a Johnson administration "fix" supported by pressure from Sen. Edmund S. Muskie.

Keefe asked if there can be anything "more incongruous" than the sight of a Texas congressman crying "payola" in such a case.

"Remember that some Gulf states have been given the opportunity to extend their offshore jurisdiction over vast oil reserves to about three marine leagues (or about nine miles). This, in contrast, to the strict limitation of a three mile offshore jurisdiction imposed on all other coastal states.

"And so, our friends from Texas have been allowed to push their petroleum frontiers out about six miles beyond most other states. A bloated boundary, of course, has value in its own hard currency."

Machiasport would be a magnet for other industries which require large amounts of raw materials which might be carried in large tankers or other large vessels.

The deep harbor at Machiasport is not equaled on the Atlantic coast, as several supporters of the trade zone proposal pointed out.

Prof. Adelman noted that the large supertankers need a half mile radius for their turning circle. They are 1,200 feet long and have a draft of 80 feet, thus needing the 90 feet of water at Machiasport.

He called the look of East Coast ports in general "curiously old-fashioned and ineffective."

Cheaper oil will lower costs of electricity made in plants powered by such oil. Prof. Adelman said the cost of nuclear power facilities "is very unsettled" and has risen considerably in the past two years.

Electricity made with cheap oil as its fuel could well compete with nuclear power in New England, he said.

[From the Portland (Maine) Evening Express, Oct. 11, 1968]

GOVERNORS DISAGREE ON TRADE ZONE BID

(By Richard S. Kimball)

The governor of the Green Mountain State opposed the governor of a Rocky Mountain State at this morning's session of the Foreign Trade Zone Hearings.

Gov. John A. Love of Colorado led the oppostion to the applications for a foreign trade zone in Portland and a subzone in Machiasport, while Gov. Philip Hoff of Vermont appeared for the proponents.

Representatives also appeared to offer testimony for the governors of Wyoming, Texas, Oklahoma and Louisiana. Like those who appeared yesterday, most of today's witnesses concentrated on the Occidental Petroleum Co.'s plan to build a refinery if the subzone is approved and if the Interior Department approves its request for an oil import quota.

Appearing first in the witness chair, Love argued that approval of the proposals would endanger national security and prevent the development of petroleum resources in the Rocky Mountain region.

"It is beyond question that our national security is dependent in part upon petroleum self-sufficiency," he said. And the resources of Colorado and neighboring states provide an "impregnable basis for the petroleum self-sufficiency of our nation."

"Every barrel of foreign oil which enters our land subtracts a barrel from our domestic industry."

Love said that strict limitation of oil imports to 12.2 per cent of domestic production would have assured the protection of the domestic industry.

But this is not what has happened! Instead, exception after exception to the import limitation has been granted so that today we are allowing importation of over 26 per cent of our domestic production.

"And yet, these exceptions have been sought—and supported—and granted—by men of good will."

In "a final word," Love described compromise as a basic ingredient of the American system, and said, "But sometimes a line must be drawn. Sometimes equivocation is dangerous. Sometimes it is fatal.

"I think we are in such a position now. I believe that giving Occidental half a loaf is just as dangerous as giving it the whole."

Hoff concentrated on the high cost of oil and other petroleum products to the New England region. The high cost of energy, he said, is "intolerable" and "a scandal."

He added he knew of no concerted opposition to the plan in New England. "I don't ever recall a time when New England was so united."

Hoff was asked after his statement whether a Maine refinery would not attract industry away from Vermont.

"That sounds like a divide and conquer sort of a question to me," he replied, adding that what would benefit Maine would help the entire area.

Approving the applications would "set our region on an upward course and an upward course we badly need," he told the three-man committee hearing the testimony.

The several statements from other governors opposing the application all gave reasons similar to the five listed by Warren A. Morton, who spoke for Gov. Stanley K. Hathaway of Wyoming.

He said that granting the application would threaten national security, discourage the search for dependable domestic reserves, disrupt the domestic industry, aggravate the balance of trade deficit, and give temporary benefits to one company and region at the expense of others.

"Over one-third of the cost of city, county, and state government in Wyoming is provided by taxes and royalties paid by the oil industry in the state and the entire school structure is virtually 100 per cent dependent upon this prime industry," Hathaway's statement said.

"At the risk of appearing selfish I trust that the committee in judging this application will consider all of the benefits that accrue from a strong and virile domestic oil and gas industry."

Judge Jim C. Langdon, representing Texas Gov. John B. Connally, argued that the economic benefits predicted for New England by proponents would not be as great as they have been described.

The benefits are "grossly overrated" and "extremely nebulous" he said.

He also argued that Machiasport, which "is not even close to Portland" would not be the proper place to build a refinery to serve New England. He said the proposed project would hurt not only established U.S. oil regions, but those in Canada and Venezuela, as well as potential resources in Alaska.

While not as spirited as yesterday's sessions, this morning's meeting was almost as well attended. There was standing room only until a section of the courtroom reserved for dignitaries was open to the general public.

Yesterday's hearing sessions were devoted largely to testimony by proponents of the applications for foreign trade zones in Portland and Machiasport and Occidental's planned refinery.

Gov. Kenneth M. Curtis opened the proceedings with a strong attack on the opposition. Supporting statements followed from New Hampshire Gov. John W. King; Occidental counsel Louis Nizer; U.S. Reps. William D. Hathaway and Peter N. Kyros, and a number of other regional and local leaders.

A leading member of the opposition Rep. Hale Boggs, D-La., also spoke, however. And though he spent only a few hours at the hearing, he made the time pay with a flamboyant speech which made a distinct impression on his audience.

In effect, Curtis presented an outline of the proponents' arguments, which others filled in and supplemented.

He gave three general reasons for the creation of the foreign trade zones:

Maine and Washington county's employment needs, New England's needs for its own fuel industry and for the zones; and the promise made by Occidental to create a marine resources foundation with a percentage of the profit from the proposed refinery.

Portland's attorney, Corporation Counsel Barnett I. Shur, and Edward Langlois, general manger of the Maine Port Authority, testified that 39 industries had shown interest in using a Portland Foreign Trade Zone.

Howard J. Marsden, chief of the Division of Ports and Systems, U.S. Maritime Administration, testified on the suitability of the Machiasport harbor for handling the supertankers of the future.

Only three ports in the U.S., all on the West Coast, can now handle the largest U.S. tanker, the Manhattan. Six tankers three times her size (106,000 deadweight tons) are now being built. Unless Machiasport is developed, then substantial dredging of existing East Coast facilities may be necessary.

Several proponents minced no words in attacking the opponents of the zones, many of whom represent oil producing regions and businesses.

Maine Department of Economic Development Commissioner James K. Keefe said. "The major oil companies, we foresaw, would oppose this project to the extent it eroded their New England monopoly. Frankly, we were unprepared for their hysterical outbursts."

But the most dramatic speaker was undoubtedly Boggs. The House Democratic whip said that he spoke as a stockholder in Occidental, and said he had decided to come after being pressured not to by Hooker Chemical Co. officials. Hooker is a subsidiary of Occidental.

Asked about the pressure, he replied, "If you people here can't understand what I mean, you're not very bright. He quoted the Bible (Luke 14:1–11) to Curtis, interpreting the passage as "When you have a problem, do something about it." He suggested that Curtis should concentrate on oceanography to improve Maine's economy.

Boggs also sparred with actor Gary Merrill, who said he attended the hearing as a private citizen and objected to Boggs' reading from Thursdays Portland Press Herald.

Boggs also charged that oil imports granted to Occidental would upset the present system and ruin the domestic oil industry. The figures were later disputed by Nizer, who submitted new figures into the record and announced that Boggs had made an error of 700 per cent. Nizer's figures were in turn disputed by Judge Langdon, chairman of the Texas Railroad Commission, in a sharp oral exchange.

[From the Portland (Maine) Press Herald, Oct. 10, 1968]

SECOND TRADE ZONE HEARING "SHOCKS" CURTIS

A dispute between Gov. Kenneth M. Curtis and U.S. Department of Commerce officials erupted Wednesday on the eve of the opening of foreign trade zone hearings in Portland.

The governor expressed "shock" at the department's announcement that it had scheduled an additional hearing on the state's application for a foreign trade zone Tuesday in Washington, D.C.

In a Wednesday night message to C. R. Smith, secretary of Commerce, Curtis protested what he called the "unprecedented additional hearing."

Curtis said the hearing was "contrary to the regulations relating to foreign trade zones in the United States."

He added the announcement of the hearing was contrary to "express understanding in writing" that the hearings would be begun and held in Portland.

"Any contention made to you that the additional hearing is necessary for the convenience of congressmen or senators is specious," Curtis declared.

He added of the meeting being held to receive the testimony of members of Congress. "It's too bad they can't come up here and face us on our own ground."

At least four governors and other legislative leaders are scheduled to testify today for or against the plan, which calls for a free trade-zone in Portland with a subzone and refinery at Machiasport.

The hearings, which could run into Sunday, are scheduled to open at 10 a.m. at the Federal Building.

If Maine's bid for the zone and industrial complex is successful it could bring New England its first oil refinery.

The proposal has drawn opposition from oil companies and has been injected into the national political campaign.

Gov. Curtis charged Wednesday that oil interests are trying to hold up the hearings "in hopes their man, Richard M. Nixon, will be elected president."

Earlier a Republican congressman from Texas called the project a Johnson administration "fix" supported by pressure from Sen. Edmund S. Muskie, the Democratic vice presidential candidate.

Rep. Robert Price predicted approval of the project which he termed a "smelly deal," and said it would give Occidental Petroleum Corp. of California an unfair competitive edge over domestic oil producers.

Curtis Wednesday denied that the plan would be a "give-away" and said, "Price ought to get the facts before he draws his Texas sixgun and starts shooting at us."

The governor said opponents want to turn the hearing into one dealing mainly with the matter of an oil import quota.

That question, said Curtis, will come before the Interior Department, which does not hold public hearings on such matters, if the free trade zone designation is granted.

Advocates of the proposal contend that the $150 million refinery, which Occidental has promised to build if the foreign trade zone designations and oil import quota are granted, will lower heating oil costs and bring jobs to industry-starved Washington County.

Gov. Curtis will lead off the testimony today at the hearings in Portland. Other prominent proponents scheduled to appear as witnesses include Gov. Philip Hoff of Vermont and Maine's Reps. William D. Hathaway and Peter N. Kyros.

Gov. Richard Hughes of New Jersey and Gov. John A. Love, Colorado, will be among those testifying in opposition to the foreign trade zone proposals. Louisiana's Rep. Hale Boggs is also scheduled to appear as an opponent to the plan, but may postpone his appearance to the Oct. 15 Washington hearing.

Gov. Love, however, will be heard Friday at his own request.

An official of the Department of Commerce, N. Norman Engleberg, arrived in Portland Wednesday to conduct today's hearings.

Engleberg said the hearings, originally set for Thursday and Friday, could even extend to Sunday afternoon to accommodate all who wish to testify.

Speaking of the department's additional hearing set for Oct. 15 in Washington, Engleberg said although the session will be open, only congressmen will be allowed to testify. He added that some other congressmen scheduled to appear in Portland might choose to attend the supplementary session.

Engleberg said that testimony given at the hearings will be used by the three-man board to prepare a report on which the complete Foreign Trade Zones Board will base its decisions.

The other two members of the board are Daniel J. Sullivan Jr. of Boston, deputy assistant regional commissioner of the Bureau of Customs for inspection and control, and Col. Franklin R. Day, New England division engineer of the Corps of Engineers in Waltham, Mass.

Opponents will probably argue against breaking down the established import quotas. Others may contend that oil industries in Machias Bay could create conservation and pollution problems.

Proponents will insist that a refinery in Maine would lower the cost of oil to New England and will provide needed jobs in Washington County.

TWENTY-SEVEN TO TESTIFY ON TRADE ZONE HERE

These witnesses are scheduled to testify at the foreign trade zones hearing here, according to a preliminary list released by the Foreign Trade Zones Board:

Proponents Gov. Kenneth M. Curtis of Maine, Gov. Philip Hoff of Vermont. Rep. Peter N. Kyros of Maine. Rep. William D. Hathaway of Maine, Thomas Watchell, vice president of Occidental Petroleum Corp., Los Angeles. Charles H. Burkhardt, executive vice president of New England Fuel Institute, Boston. A. Thomas Easley, executive vice president of the New England Council, Boston.

J. Hostelter, New England Conference of Public Health Officials and New England coordinator, Air Use Management. Walter E. Corey III, special oil coordinator to Gov. Curtis, Mr. Klingle, Savannah, Ga., Port Authority. Frank Sahlman, vice president of Northeastern Public Power Association, Boston.

OPPONENTS

Gov. Richard J. Hughes of New Jersey. Gov. John A. Love of Colorado. Rep. Hale Boggs of Louisiana. Rep. Ben Barnes, speaker of the Texas House of Representatives. George F. Getty II, executive vice president of Getty Oil Co., Los Angeles. J. M. Menefee, Louisiana commissioner of conservation. William J. Wynne, Murphy Oil Corp., El Dorado, Ark. Thomas D. Cabot, Cabot Corp., Boston.

Warren A. Morton, representing Gov. Stanley Hathaway of Wyoming. Jack Glaves, general counsel of the Kansas Corporation Commission. C. G. Drescher, vice president of Sinclair Oil Corp., New York City. Henry Rosenberg Jr., president of Crown Central Petroleum Corp., Baltimore. Oliver L. Stone, general attorney for Shell Oil Co., New York City. Gardiner C. Means, Bucks Harbor. Redington Fiske, New Canaan, Conn. Roy T. Durst, Fort Worth, Tex.

[From the Wall Street Journal, Jan. 31, 1968]

Occidental To Join With Signal Oil in Swap of Stock—Understanding of Merger Outlines Complex Exchange of Common and Preferred—Both Firms' Holders To Vote

Los Angeles.—Occidental Petroleum Corp. and Signal Oil & Gas Co. said they reached "an understanding" in principle for a proposed merger of the two companies through an exchange of stock.

The proposed terms call for Occidental to issue 0.325 share of a new $3 preferred stock in exchange for each Signal common share outstanding.

In addition, each Signal shareholder would receive for each share of Signal common, or its equivalent of Signal preferred, a partial share of Occidental common. The portion could vary from 0.2709 to 0.3095 share of Occidental common, based on Occidental shares outstanding before its 3-for-1 stock split, of this past Monday.

Occidental, traded on the New York exchange, closed yesterday at $32.875, up 12½ cents, after the 3-for-1 split, on a 22,800-share turnover. Signal's Class A, an American exchange issue, closed at $37, up 37½ cents, on 3,200 shares.

The joint statement issued late last night said the proposed merger was considered by both companies at board meetings yesterday.

"The two companies propose to enter into a definitive agreement shortly," the joint announcement said.

A merger of the two concerns would produce a giant company with combined annual sales of more than $2 billion on the basis of their 1966 volume, the latest figures available, after restatement for recent major acquisitions.

Signal's 1966 sales were about $1,400,000,000 after restatement for the August 1967 acquisition of Mack Trucks Inc. and Arizona Bancorporation. Occidental's 1966 volume would have been almost $800,000,000 after restatement to include the operations of recently acquired Island Creed Coal.

Occidental, a diversified natural resources company, closed at $97.75 a share, up 75 cents, on volume of 27,800 shares on the New York Stock Exchange yesterday. Signal Oil's Class A stock closed at $37, up 37½ cents, on volume of 32,000 shares on the American Stock Exchange.

The joint announcement said Occidental, which would be the surviving company, would be renamed Signal Occidental Petroleum Corp., and would have total assets of about $1,750,000,000.

The value of the transaction couldn't immediately be determined because of the complex formula for the exchange of both common and preferred of both companies.

The conversion value for the Occidental preferred to be issued to Signal shareholders would be fixed at an amount that is 12½% above the average closing price of Occidental common during the 30-day period ending 14 days before the shareholder meetings.

But the joint statement said that in no event will the conversion price of the Occidental preferred be less than $118.125 or more than $135.

The joint announcement, which was expressed in terms of Occidental common stock outstanding before Monday's 3-for-1 split, indicated that a total of 12.5 million Occidental common shares would be issued in the transaction.

This calculation assumed that the average price of presplit Occidental stock would rise no higher than $105 during the 30-day period ending 14 days before the shareholder meetings. The calculation also assumes full conversion of all Occidental preferred stock issued in the merger.

This would indicate that in terms of Occidental's split shares, which are currently being traded, the proposed merger would involve an exchange of about 37.5 million Occidental common shares.

The statement indicated that about the equivalent of 6.6 million presplit Occidental common shares would be issued to Signal shareholders at the time of the proposed merger. The total number of shares of Occidental's new $3 preferred that would be issued to Signal shareholders would eventually be convertible into the equivalent of about 5.9 million presplit shares of Occidental common.

Each share of Signal's $2.40 and $2.20 convertible preferred shares, now each convertible into two shares of Signal common, would receive twice the quantity of stock issued for the Signal common. The $1 Signal convertible preferred outstanding would receive 0.85 of the quantity of Occidental stock issued for Signal common, the announcement said.

One broker familiar with both companies said he was "frankly surprised and a little dismayed" with the merger proposal. He noted that Signal, as a company which has recently diversified widely with its own acquisitions, "hardly fits Occidental's announced intentions of becoming a natural resources company."

Samuel Mosher, current Signal chairman, would become chairman of the surviving company, Occidental said. Dr. Armand Hammer, Occidental president, would remain president and chief executive officer of the new company and Forrest Shumway, Signal president, would become chairman of the executive committee.

Signal, which has aggressively pursued major acquisitions for the past year, earlier this month called off a proposed merger with Allis-Chalmers Manufacturing Co., Milwaukee. That transaction would have been valued at over $475 million. The proposal fell through after Kleiner, Bell & Co., a Beverly Hills brokerage firm said to hold about 14% of Allis-Chalmers common stock, expressed displeasure with its terms and other stockholders of both companies appeared apathetic about the transaction.

Signal has also reached a tentative agreement to merge with Dunham-Bush Inc., a West Hartford, Conn., maker of cooling and heating systems in an exchange of stock valued at over $18.5 million.

Signal reported 1967 nine-month net of $34,856,000, or 75 cents a share, on sales of $330,948,000, including the results of Mack Trucks and Arizona Bancorporation.

Occidental's Dr. Hammer said at a special meeting of its shareholders last week that the company's 1967 earnings were $3 a share on the average 13,140,000 shares outstanding during the year. The $3 includes about $1 of nonrecurring gains, he said. Occidental's 1966 earnings were $1.99 a share, including 50 cents in nonrecurring items.

[From the Wall Street Journal, Jan. 31, 1968]

Occidental Petroleum's President, 25 Others Are Charged in Lawsuit—Holder Says Defendants Siphoned Off Stock for Own Gain—Firm Calls Charges Without Merit

Los Angeles.—An Occidental Petroleum Corp. shareholder has filed a $50 million lawsuit in Federal court here charging that Dr. Armand Hammer, Occidental president, and 25 other defendants have "systematically and progressively siphoned off for their own gain hundreds of thousands of shares of Occidental stock . . . in violation of the Federal securities laws" since 1956.

A spokesman for Occidental said, "the allegations are vicious and utterly without merit."

The lawsuit charges that Dr. Hammer was the "chief architect" of the alleged conspiracy to defraud the company and that the conspiracy is of "a continuing and secretive nature." The specific violations of the Federal securities laws charged in the lawsuit, however, apparently were said to have occurred prior to 1961.

Milton Jaffee, identified as a holder of 238 Occidental common shares, filed the lawsuit on behalf of Occidental and all other shareholders, according to the court papers. The lawsuit said Mr. Jaffee had filed the suit "at the first opportunity" after learning about the alleged violations late last year. Neither Mr. Jaffee nor his attorneys could be reached for elaboration on the lawsuit.

The Occidental spokesman said: "Milton Jaffee and a close associate, Carl Silver, . . . have made similar charges in the past against many of the same defendants. These similar charges were litigated in Federal court several years ago, resulting in the complete vindication of the defendants." He said the defendants in the earlier litigation had included Dr. Hammer.

The Occidental spokesman declined to elaborate on the identity of Messrs. Jaffee or Silver.

"In addition to the fact that the claims are without merit," the statute of limitations has long since run out, the Occidental spokesman said. "The case will be defended vigorously," he added.

In addition to Dr. Hammer and a number of former Occidental officers and directors, the defendants in the lawsuit include Marvin Hayutin, who was sentenced to jail last May in a Federal stock fraud case involving Allied Entertainment Corp. of America, and Alexander Guterma, who served a Federal prison sentence after being convicted in 1960 of failing to file certain reports with the Securities and Exchange Commission about F. L. Jacobs Co., a company he then headed.

One of the corporate defendants in Mr. Jaffee's lawsuit is the New York brokerage firm of Gilligan, Will & Co. Three members of the firm were disciplined by the American Stock Exchange in 1962 and the firm—American exchange specialist in Occidental's stock from July 1959 until December 1967—was criticized in a 1962 SEC report on the exchange. Occidental moved to the Big Board in March 1964.

ALLEGATION OF "UNLAWFUL CONSPIRACY"

The lawsuit alleges that Dr. Hammer, Dave A. Harris, H. Roy Roberts, Frank B. Barton, Samuel Shapiro, Charles K. Schwartz, the late Louis M. Halper and John M. Sullivan acquired control of Occidental in early 1956 and "entered into an unlawful conspiracy among themselves and other persons herein named as defendants . . . for the express purpose of obtaining large amounts of the corporate stock and other securities of Occidental in contravention of the antifraud provisions of the securities laws of the U.S."

The defendants, according to the lawsuit, "fraudulently induced" the commissioner of corporations of the state of California to issue permits authorizing Occidental to issue about 2 million shares of its common stock to the defendants between 1956 and 1961 in connection with certain business transactions of the company. The lawsuit charges that "statements in many of the applications (to the commissioner) as to the proposed use of the proceeds were untrue in material respects, in that . . . significant portions of such proceeds were illegally diverted to other uses for the benefit of Armand Hammer and some of his associates."

As to the truth of applications filed with the California Commissioner of Corporations, the Occidental spokesman said yesterday: "All appplications before the California Corporations Commissioner were handled by the firm of Pilsbury, Madison & Sutro of San Francisco, a leading U.S. law firm, of which Albert J. Brown, one of the defendants in the complaint, is a senior partner."

The lawsuit notes that in obtaining the permits from the state to issue Occidental stock, Dr. Hammer and other company officials said that the purchasers of the securities were acquiring the shares for investment and not with a view toward distribution. Thus, under Section 4(1) of the Securities Act of 1933 such shares would be exempt from Federal registration, according to the lawsuit.

But the lawsuit contends that "the defendants at no time intended to subject their stock to any investment restrictions." The suit adds: "The defendants thus maintained a vast traffic in Occidental stock without regard to the restriction implicit in the several securities permits issued by the California corporations commissioner that the stock was to be held for investment purposes."

The lawsuit charges that: "The means employed by the defendants to funnel the Occidental stock they were supposed to be holding for investment into the public market was through the agency of defendants James Gilligan and Gilligan, Will & Co., the Occidental floor specialist on the American Stock Exchange on which Occidental was then traded."

CHARGE OF "RIGGING" MARKET

"The defendants," according to the lawsuit, "particularly Hayutin (refers to partnership of Marvin and Harvey Hayutin), Alexander Guterma and Armand Hammer, artificially 'rigged' the market by trading Occidental stock back and forth between themselves and their agents at successively higher prices through the agency of various stockbrokers, thereby creating an appearance of greater activity in Occidental's stock than was in fact the case."

The lawsuit continues: "As the price rose and the public became interested and demand for Occidental stock increased, the orders for Occidental stock were filled by the defendants James Gilligan and Gilligan, Will & Co. by delivering the aforesaid Occidental 'investment stock' previously issued to the other defendants."

It couldn't be immediately determined whether the James Gilligan referred to in the lawsuit is James Patrick Gilligan, a partner in the firm of Gilligan, Will & Co., or his father, of the same name, who retired from the firm in 1962.

James Patrick Gilligan, the son, was suspended as an American specialist for five years and as an exchange member for three years in a 1962 action by the exchange. He was also fined $5,000. The details of the matter were never disclosed, but the exchange charged that Mr. Gilligan was "guilty of engaging in conduct inconsistent with just and equitable principles of trade" in certain transactions executed by him in a stock in which he was registered as a specialist. James Patrick Gilligan now is a regular member of the exchange. The other two members of the firm disciplined in 1962 were Albert and James Will.

In a 1957 incident, the lawsuit charges that the defendants illegally diverted about $150,000 from the proceeds of the sale of some Occidental stock "to the acquisition of a 20% interest by Occidental and an 80% interest by some of the other defendants in Mutual Broadcasting System Inc., a then financially distressed company." According to the lawsuit, the application for the state permit for the sale of the stock had stated that the use of the proceeds would be confined to Occidental's oil and gas operations.

The lawsuit alleges that "no disclosure was ever made that the defendants Armand Hammer Hayutin (the partnership), H. Roy Roberts, Paul Roberts, Alexander Guterma and Arthur K. Brown, among others, had secretly fabricated that transaction (acquisition of Mutual) beforehand, for the express purpose of selling Mutual Broadcasting System Inc. to Occidental at an inordinate profit to said defendants."

An attorney for Mr. Guterma, who was paroled after serving about three years of the jail sentence imposed on him after his Federal securities conviction in 1960, said in New York yesterday: "We haven't any knowledge of any suit naming Mr. Guterma with relation to Occidental Petroleum. To the best of my knowledge, Mr. Guterma never had anything to do with Occidental Petroleum." Mr. Guterma was named as a defendant.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Speaker, I join with the gentleman from Louisiana in paying tribute to the Speaker and to the majority leader for the manner in which they discharged their responsibilities during the 90th Congress. I also wish to express how much those of us in the minority appreciate the fairness with which they dealt with us of the minority at all times.

It is not easy to perform the duties of Speaker and majority leader, as I well recognize. Decisions are made which often are not satisfactory to each and every Member. You cannot please everyone, and particularly when hard decisions must be made. But, in all fairness, I must say that our Speaker and majority leader have attempted to exercise their very best judgment and to treat each and every Member of Congress with fairness.

Mr. Speaker, we look forward to seeing our esteemed Speaker and majority leader again in January of next year when we convene the first session of the 91st Congress, but I hope I will not be misunderstood if I suggest that it might prove to be under somewhat different circumstances than at present as we conclude the deliberations of this 90th Congress and look forward to the next.

THE GREAT 90TH CONGRESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, today the work of the 90th Congress will be finished and we will return to our respective districts and constituencies and give an accounting to those who have entrusted us with the responsibility of representing them in this House.

The 90th Congress has done the unexpected—and has done it remarkably well.

I say "unexpected" because following the congressional elections of 1966, there was a widespread belief that the 90th Congress would be a "holdfast, standpat," retrenching type of Congress. It was predicted that President Johnson would have to be content with consolidating the gains of the 89th Congress, and that he would have to give up any idea of breaking new ground in the 90th Congress.

Fortunately for the American people, these predictions did not come true. They did not come true because President Johnson and the Democratic Congress knew that a lot of things still had to be done for America.

It is my firm belief that the 90th Congress has been one of the great Congresses in modern American history—overshadowed perhaps only by the 89th Congress.

"Overshadowed" is about the most appropriate word I could use. Under any other circumstances, the legislation we have passed during these 2 years would have been hailed as truly historic by the press and public alike.

In accordance with the traditions which have been established I will not undertake at this time to list in detail the accomplishments of this session of Congress but will extend my remarks in the Record at an early date at which time I will present a detailed and comprehensive report on the activities of the past 20 months.

It is not my purpose, Mr. Speaker, to use this time to recite a list of bills which have been passed but rather to congratulate Members who have helped write this impressive record. Particularly, I extend my deep and heartfelt thanks to our distinguished Speaker, the Honorable John W. McCormack, for the guidance and leadership he so ably gives this House. The record compiled by any Congress, and this is particularly true of the 90th Congress, is far more than many realize the product of the energy and endeavor, the passion and patience, the wisdom and will, the knowledge and judgment, and above all the humanity of our great and beloved Speaker. To every Member of this House he is friend and counselor, comrade and teacher, leader and adviser. He is a legend in his own time. He is the very embodiment of that which is great about the House of Representatives.

To me, he has been an invaluable source of strength in the performance of my duties. I have never known a finer man nor has this House ever had a greater Speaker. We are all thankful that he gives himself to us and to the American people so unselfishly.

Every Member of the House shares my conviction that John McCormack ranks as one of the great Speakers of all times. For energy, for determination, for matchless judgment and for fairness to all at crucial moments the Speaker's performance during the consideration of the equal time bill showed the hand of a master at the helm. One could feel the pride, respect, and admiration which all Members of the House shared in the Speaker as this bill was considered during that historic night here in the House Chamber. The standing ovation which the Members gave the Speaker when this great job was referred to by the gentleman from Illinois [Mr. Pucinski] was eloquent testimony of the regard in which our beloved Speaker is held in this Chamber.

I want also to thank my good friend and distinguished colleague from Louisiana, the Democratic whip, Hale Boggs, and his valuable assistant whips without whose untiring efforts the work of this House could not go on and without whom the Democratic Party in the House of Representatives could not function. We are all deeply appreciative of the fine and dedicated service the whips have given us, the House of Representatives, and this country.

Also, I take this time to salute my good friends across the aisle. While the distinguished minority leader, Jerry Ford, and I stand on opposite sides of many issues we stand together in the belief that the House of Representatives is the fundamental forum of American democracy. We believe together that it is here that the voice of the people is most clearly heard. Together we have zealously tried to guard the prerogatives of the House of Representatives and the rights and privileges of each Member of the House.

Jerry Ford and his able and distinguished assistant, Republican whip, Les Arends, and other leaders on the minority side, have constantly worked with the Democratic leadership to carry forward the legislative program. Not only the members of the Republican Party but indeed all Members of the House are appreciative of the service they have rendered and the leadership they have given. Without their advice and counsel and yes, their cooperation, the program so vital to the future of this country could not have been considered by the Congress.

I want also to express my appreciation personally and the appreciation of all Members to our great Parliamentarian, Lew Deschler, without whom we would constantly find ourselves in a parliamentary morass. Lew's advice and counsel has contributed immeasurably to the good works of this body. Without him we would be lost. He has always acted fairly, impartially, and judiciously and I know my friends on both sides join me in expressing to him our deepest thanks. We appreciate too the work of Bill Cochrane and the other members of the Parliamentarian's staff for their untiring efforts.

Mr. Speaker, I extend the thanks of all of us to the other officers of the House of Representatives. To our distinguished Clerk, W. Pat Jennings, to William M. "Fishbait" Miller, our distinguished Doorkeeper, to Zeake Johnson, the able Sergeant at Arms, to H. H. Morris, our fine Postmaster, and to Dr. Edward Latch, our beloved Chaplain, goes my deepest appreciation.

Mr. Speaker, a special word of thanks to the other employees of the House of Representatives who labor long and hard without much recognition in order that we may be able to accomplish our tasks. To them—to the employees in the cloakroom, the clerks at the desk, the fine Official Reporters, the doormen, the pages, the custodians, and the others—we owe a great deal. I am confident that no other agency of government, legislative, executive or judicial, has a more competent staff of loyal employees than does the House of Representatives. Again, to all Members on both sides, I extend my deepest and most sincere thanks for your friendship and for all that you have done to assist me in my duties.

Mr. GERALD R. FORD. Mr. Speaker, I wish to associate myself with the remarks of my friend, the distinguished majority leader [Mr. Albert] in almost every respect. I, too, believe that this 90th Congress will rank as one of the better Congresses of our times, although I may be pardoned if I express the hope that it will be overshadowed in accomplishment, not by the 89th, but by the 91st Congress. In all else that the gentleman from Oklahoma has said in tribute to our beloved Speaker, and in appreciation to the Members on both sides of the aisle, I heartily concur.

Certainly there is one thing we can all agree on, as we come to the closing minutes of this Congress, and that is the respect and affection we cherish for this House and its place in the scheme of things in this great Republic. We are truly "the people's House," as I said at the outset of this 90th Congress, and we bear a special responsibility to reflect and represent the wishes and the best interests of the American people who sent us here to speak in their behalf. I am sure each one of us has diligently sought to do that, and we go forth from this session to seek the verdict of the voters as to how well be have succeeded. We shall all accept that verdict, because it is here in this House that the people rule.

Since the people themselves are seldom unanimous in their opinion, we have here a voice for the majority and for the minority alike. Speaking as the minority leader in this Congress, I want to say that should the people in their wisdom reverse our present situation, I hope that we as a majority will have a vigorous and independent minority, and that we will be as courteous and considerate of their rights and privileges as the Speaker and the majority leader have been to me and my colleagues on the Republican side on most occasions. We do not want either a one-party system or a multiparty system in this Government, and I think we can all agree to that as well.

When the history of these troubled times is finally written, I am sure it will record the fairness and firm devotion of the distinguished gentleman from Massachusetts as one of the outstanding Speakers who have defended the prerogatives of the House of Representatives from the beginning of our constitutional federal system. He is a great partisan, but above that he is a great patriot. Furthermore, he has been a great friend to all of us, and particularly to me, and I am deeply grateful to you, Mr. Speaker.

I would like to say a special word about the very large class of new Members who began their service in this 90th Congress. The majority of these new Members were of my party, I am proud to say, but I include them all. They have contributed greatly to the work of this Congress. They have worked hard and served their constituents well. I am not speaking in a partisan spirit when I express my gratification that the high responsibility of serving as a Member of Congress seems to be attracting a high caliber of concerned and conscientious citizens, despite some isolated scandals and cynical columnists' observations, and I hope this healthy trend continues in this body. I love this House and for myself, I know of no finer group of men and women that I could choose to be closely associated with. Personally—if not politically—I wish all of my colleagues the very best.

Finally, I would like to second the fine tribute which the distinguished majority leader has paid to the officers and employees of the House, with an added emphasis of gratitude to the minority employees. Working without regard for hours, long and diligently, these are the unsung heroes and heroines of every Congress who make it possible for all of us to do a better job in the interests of the American people. To them, as to the Speaker, the continuing independence and integrity of the House as an institution is a primary passion, and we highly value their expertness and their ever-ready help.

In closing, Mr. Speaker, and on behalf of my able colleagues in the Republican leadership and all the Members of what we hope and trust is only the temporary minority, may I say how much we appreciate the gentlemanly and gracious way you have presided over our deliberations in this 90th Congress. We all sincerely wish you continued health and happiness and service to our beloved country.

Mr. MATSUNAGA. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to my distinguished friend from Hawaii.

Mr. MATSUNAGA. I thank the gentleman for yielding.

Mr. Speaker, I, too, wish to join the majority leader in commending the Speaker for leading the 90th Congress to the great success that it will go down in history as being. I recall the Speaker telling me once in his office in confidence, "Rather than being known as a great man, I would prefer to be known as a good man, if I had a choice."

No one can disagree that in JOHN W. McCORMACK this country is blessed with a great good man.

Mr. Speaker, I think the fact that we have had a good and great man leading this body in the 90th Congress speaks for its accomplishments.

I wish to commend, too, the gentleman in the well [Mr. ALBERT] for the helping hand that he has cheerfully and willingly given to us junior Members. Had it not been for leadership such as that of the gentleman in the well [Mr. ALBERT] and the Speaker, and I might add the majority whip [Mr. BOGGS], I do not believe that the 90th Congress would go down in history, as it will, as a Congress of great accomplishments. I think more than anything else the 90th Congress will go down as the consumer's Congress, for in this area we have done much, and we can well be proud of having served in the 90th Congress. It has frequently been said that the Congress bends its will to high-powered lobbyists only. It is well known that the American consumer, as such, is without any lobbyist, and yet this 90th Congress has done more for the consumer than all previous Congresses. In fact, so much has been legislated for the benefit of the consumer, that the age-old adage of "Let the buyer beware" may well be said to have been changed by the 90th Congress to "Let the seller beware."

Mr. Speaker, I thank the gentleman in the well for yielding. It has been a great privilege and indeed a pleasure to serve under him and our great good Speaker.

Mr. ALBERT. Mr. Speaker, I thank the distinguished gentleman. I agree with him that our Speaker is both a great and a good man.

Mr. PICKLE. Mr. Speaker, oftentimes the closing of a session is the real test of the comradeship that exists in the House of Representatives. We forget the little differences that have separated us and all realize that we are working for the common good of the United States.

As Speaker of the House of Representatives, the gentleman from Massachusetts, the Honorable JOHN W. McCORMACK, has the honor of presiding over this great body. Sometimes we are impatient, sometimes we are noisy and rambunctious, and sometimes we are emotionally involved in the intensity of debate. Always, however, the Speaker presides over this body as a kindly knight, whose fairness, kindness, and deep love of America pervades throughout this Chamber. Never once has the Speaker lost his sense of balance or deprived any Member of his right of expression. I am proud to serve in this body and I am proud of the many tributes paid to our good and great Speaker.

This administration, under the leadership of President Lyndon B. Johnson, Speaker JOHN W. McCORMACK, Majority Leader CARL ALBERT, and Majority Whip HALE BOGGS, has given America the highest standard of living we have ever enjoyed. Although we have problems of differences of opinion, they are problems of great growth and good development and they are problems that we will solve as Americans, with commonsense and fairness.

I salute Speaker McCORMACK and his life of devotion and dedication to the American people.

Mr. HECHLER of West Virginia. Mr. Speaker, I wish to add a few words of tribute to what has been said about a great and good man, the Honorable JOHN W. McCORMACK, who serves as Speaker of the House. Many years have passed since the first time when I met this estimable gentleman. At the time Franklin D. Roosevelt was President of the United States, and just after the late Sam Rayburn had become Speaker of the House, I brought some Columbia College students to Washington, D.C., and we called at the office of the then majority leader who is now the Speaker. I shall never forget the occasion when this tall, kindly gentleman dropped his many pressing duties in order to answer scores of questions from students eager to learn.

I have often thought since that occasion, when the Speaker leaves the rostrum to participate in debate on some great issue which is very close to his heart, that perhaps he misses the rough and tumble of debate on the floor of the House which he could always enjoy on every issue as majority leader. Nevertheless, he has donned the toga of the Speakership with dignity, with fairness, and in the tradition of great progressive Speakers of the past.

There are dozens of visitors I have brought to see the Speaker, to be photographed with him, to see his office, to visit his second office beyond the Rayburn Room, or to autograph menus in the dining room. If 400-plus other Members bothered him as much as I have, there would certainly be little time left. Yet the Speaker has been unfailingly patient in this and so many other respects when I have brought personal problems to him. The most recent problem occurred last Saturday when the House met and I was anxious to meet two highly important speaking engagements in my district. With unfailing courtesy and consideration, the Speaker was able to work out the agreement that in the event a quorum were called, the House would adjourn over until Monday.

For his human qualities, for his fairness, for his keen awareness of the traditions and responsibilities of his office, I feel great pride in joining with my other colleagues in saluting Speaker John W. McCormack at the close of this session of the 90th Congress.

GENERAL LEAVE TO EXTEND

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members may extend and revise their remarks on this subject at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISTRICT OF COLUMBIA PARKING FACILITY ACT

Mr. DOWDY. Mr. Speaker, I call up the conference report on the bill (S. 944) relating to the establishment of parking facilities in the District of Columbia and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of October 12, 1968, pp. 31120–31127.)

Mr. DOWDY (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The question is on the conference report.

Mr. ASHBROOK. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. DOWDY. Mr. Speaker, will the gentleman hold in suspension his point of order in order that the bill might be discussed briefly?

The SPEAKER. Does the gentleman from Ohio withhold his point of order?

Mr. ASHBROOK. In the event the Chair does not place the question, I will withhold it, but the question was placed.

Mr. DOWDY. I will say that I will see that it is not done.

Mr. ASHBROOK. Mr. Speaker, I withhold my point of order.

Mr. BROYHILL of Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, I would hope that the distinguished gentleman from Ohio [Mr. Ashbrook] would not insist upon his point of order. Of course, it is my understanding that the gentleman from Texas will ask unanimous consent to withdraw the consideration of the conference report or ask for it not to be considered, if the gentleman from Ohio does insist upon his point of order.

However, Mr. Speaker, I should like to point out that this conference report represents the result of a great deal of work on the part of Members on both sides of the aisle.

When an objection was made to a unanimous-consent request to send the bill to conference last week, a meeting of the House Committee on the District of Columbia was called to instruct the chairman to make a motion to send it to conference which would only require a majority vote. At that time only 13 members of the committee, a bare majority, were in town. Miraculously, however, all 13 members came to the committee meeting and unanimously instructed the chairman to make the motion to send the bill to conference. This is highly unusual, with all the conflicting duties of our colleagues, to have a unanimous attendance of the members of the committee as well as the unanimous support of our efforts. It is not only a tribute to the members of the committee but also indicative of their strong support for passing legislation which would help to solve the parking problem in the District of Columbia before the Congress adjourns. It would, therefore, seem ironic, with all the efforts and cooperation on the part of so many people, that one Member would thwart the will of the overwhelming majority in attempting to pass this legislation.

Mr. Speaker, this conference report is a result of a compromise between two vastly different bills dealing with the problem of parking. The fact that there was so much difference between the two bills made a compromise appear highly unlikely. However, due to the cooperation and the spirit of give and take on the part of many people concerned with this problem as well as many people who were affected by the problem, we were able to work out what everyone feels is a reasonable compromise and a good solution to the problem. The conference report contains all the primary provisions of H.R. 17854 which passed the House on September 23 of this year and many modifications of S. 944 which passed the Senate last year.

Mr. Speaker, there are of course some features contained in the conference report which are unsatisfactory to me but this is always the case when a matter goes to conference with two vastly different approaches to a problem. But this is what we mean by compromise. There must be give and take on both sides in order to arrive at an agreement. An important point, however, Mr. Speaker, is the fact that all the supporters of both approaches to the problem were in complete agreement that the conference report does contain a good solution and that there is overwhelming support for the proposal as contained in the conference report.

I, therefore, wish to state again, Mr. Speaker, that I would hope the gentleman from Ohio would withdraw his point of order so that we can pass this legislation before the Congress adjourns. I wish to point out to the gentleman from Ohio that if this matter goes over until next year, it will definitely come up again and could possibly contain many more features objectionable to the gentleman from Ohio than it presently does. Therefore delaying approval of this legislation on the technical ground of a quorum not being present will not stop the passage of this legislation but merely delay it, causing continued inconvenience to the people in the metropolitan area of Washington and particularly those who must do business and work in the Nation's Capital.

Mr. Speaker, I will promise the House that if the gentleman from Ohio does insist on his point of order, I will introduce legislation on the opening day of the next Congress identical to the conference report and insist on its swift and early passage. At that time, a single objection from the gentleman from Ohio or any other Member will not preclude its passage when the overwhelming majority wants the legislation considered.

Mr. GUDE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GUDE. Mr. Speaker, I would like to certainly support the remarks of the distinguished gentleman from Virginia [Mr. Broyhill]. This is a desperately needed part of the transportation system for our metropolitan area on which we have been working very hard during this 90th Congress. Adequate parking facilities are a very necessary adjunct to a good well-planned transportation network. We recognized this when we provided for fringe parking as well as other innovations in the Federal Aid Highway Act of 1968.

Mr. Speaker, I do hope that the distinguished gentleman from Ohio [Mr. Ashbrook] will withhold his point of order and not ask for a vote thereon.

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SCOTT. Mr. Speaker, I would like to add my words in support of this bill. It is certainly something that is very much needed by our Government employees. These are the people who work for us, the people with whom we deal day by day, and I would hope that the membership of this House will see fit to let this bill pass in these closing moments of this Congress.

Mr. DOWDY. Mr. Speaker, I do not have any further requests for time on this.

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, as a

matter of fact I detailed about eight major objections which I would have to this bill but in the interest of brevity I shall only refer to two of them.

Mr. Speaker, I noticed that my colleague, the gentleman from Maryland [Mr. Mathias], on September 23, at page 27808 made the following statement when he was proposing an amendment:

> In the first place, my amendment which is now pending eliminates the question of any limited group of people being able to handle this, this produces nationwide bidding.

I would stop at that point of Mr. Mathias' quote and ask the gentleman from Texas whether or not the bill as amended or the bill as compromised would still include this provision?

Mr. BROYHILL of Virginia. Mr. Speaker, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Virginia.

Mr. BROYHILL of Virginia. The gentleman from Ohio is talking about a provision of local parking operations?

Mr. ASHBROOK. Yes.

Mr. BROYHILL of Virginia. The conference report requires that the leasing and contracting be submitted to the highest bidder regardless of where he comes from and does not permit a monopoly or a priority to local parking operators.

Mr. ASHBROOK. I would ask the gentleman from Virginia: Is the Mathias amendment in or is it out of the bill, S. 944?

Mr. BROYHILL of Virginia. I beg the gentleman's pardon. Would he repeat his question?

Mr. ASHBROOK. Is the Mathias amendment in or out of the bill S. 944?

Mr. BROYHILL of Virginia. It is in the conference report in that it requires the Parking Board to submit the contract at least to the highest bidder, and there is no provision for the priority to be given to a local parking lot operator.

Mr. ASHBROOK. I notice the gentleman went on to say further, and I would ask the gentleman to answer this, he said:

> Second, it would not be my concept that there would be any broad acquisition of land by the Government, but the land presently owned by the Government would be improved for this purpose.

Mr. BROYHILL of Virginia. In the bill that passed the House it permitted the General Services Administrator to lease for construction and operation of parking facilities on Federal Government and District-owned property. The conference report does permit the Parking Board provided for in the conference report to condemn other land for parking in downtown Washington.

Mr. ASHBROOK. I believe the gentleman will agree that that is a rather extensive broadening of the concept of the bill as it passed the House.

Mr. BROYHILL of Virginia. Will the gentleman yield?

Mr. ASHBROOK. Yes, I yield to the gentleman from Virginia.

Mr. BROYHILL of Virginia. There was a compromise on this aspect in that if they did seek to condemn land for this purpose it precludes condemnation in the case of land that is now being used for parking purposes, parking lots, or garages. It would also require a report to the House and Senate committees some 60 days prior to this procedure.

Mr. ASHBROOK. I would say to the gentleman from Virginia that it has been my experience where there is a question of eminent domain being in a bill, or out of a bill, that it is not much of a compromise to put eminent domain in. Particularly in this case in saying that it protects any building or building owners where a parking lot is attached, but makes it possible to condemn somebody else's land on down the street, so in this case the compromise may not work out very well for the interest of people in between, and the property interests of people in particular. And I would only say to the gentleman most politely that where you have a compromise of putting eminent domain in or out, that wherever you put it in it is not much of a compromise.

I understand that the gentleman from Virginia has worked hard and long on this, and maybe this would not have been in this bill if he had had his choice. But I, for one, would not now be in the position of holding up the House had the conferees been able to sustain the 2-year study which we implemented in the House-passed bill, which was not included by the other body.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Florida.

Mr. CRAMER. I thank the gentleman for yielding.

This District of Columbia parking bill that was suggested by the Senator from the other body from Maryland was incorporated in committee in the highway bill of 1968. The gentleman knows that I had many reservations, as other Members on both sides of the aisle did in the House, to the Senate bill on parking, and did not believe that was the place for it, No. 1, and, No. 2, it was too broad and it was agreed to take it out of the highway bill.

Since that time the gentleman from Virginia in particular has consistently kept the Committee on Public Works staff and myself advised as to the problems involved in working out the House bill versus the Senate bill in that I supported the House bill, I thought it was the best approach. However, I went over with the gentleman from Virginia point by point the objections that we raised in the conference to the bill from the other body on the same subject matter which was stricken from the Public Works Highway Construction Act of 1968.

I will say to the gentleman that I support this bill now before the House, although proceduralwise there can be some question raised about the procedure in which we have to take it up at this time.

However, I support the bill in that I think it is reasonably in accord with the objections raised, and consistent with the points raised, many of which the gentleman has suggested. Frankly, I believe it is the best compromise we are probably going to get. Next session I am afraid we will end up with a worse bill, and I would hope the gentleman would withdraw his reservation of objection.

Mr. ASHBROOK. I would say that a bill which includes eminent domain and includes divergence of funds from the highway fund, with the admitted obligation on the part of the Congress to provide funds to make up for that divergence of funds, and includes no specific limitations, smacks to me an awful lot of the type of situation we got into with the Rayburn Building and the Columbia Stadium as a result of accepting something under an urgency, and then more or less being saddled with it, and then having to come back in here and appropriate and appropriate.

Mr. CRAMER. I hope the gentleman realizes that under the Highway Act of 1968 there is an entire section dealing with the subject of fringe parking.

Mr. ASHBROOK. This is downtown parking.

Mr. CRAMER. I understand that, but fringe parking is also involved in the metropolitan area. That is in the basic act for highways in 1968 so there is nothing new about highway funds being used for fringe parking purposes on a pilot plant basis within the discretion of the local government, the city governing authority, and it is up to them to decide whether you do it or you do not do it.

As I understand, the same is true in this bill that we now have before us, it is up to the District, meaning the Congress too, in the District of Columbia whether you do it and then it is up to the States themselves in the fringe parking areas.

Mr. ASHBROOK. I thank the gentleman for adding that information.

Mr. DOWDY. Mr. Speaker, does the gentleman from Ohio insist on his point of order.

Mr. ASHBROOK. Yes, I do, Mr. Speaker.

Mr. DOWDY. Mr. Speaker, I ask unanimous consent to withdraw the conference report and we will attempt to take the matter up in the next session of the Congress.

The SPEAKER pro tempore (Mr. Albert). Without objection, it is so ordered.

There was no objection.

The SPEAKER pro tempore. Does the gentleman from Ohio [Mr. Ashbrook] now withdraw his point of order?

Mr. ASHBROOK. Yes, Mr. Speaker.

The SPEAKER pro tempore. The point of order is withdrawn.

THE 90TH CONGRESS

The SPEAKER pro tempore (Mr. Albert). The Chair recognizes the distinguished gentleman from Massachusetts, the Speaker of the House.

Mr. McCORMACK. Mr. Speaker, and distinguished colleagues, I appreciate very much the very generous remarks made about me today. I value them very much and shall always treasure them.

At the same time I would like to express my great pleasure not only personally but as Speaker of the House, in working with my colleagues—and not only the pleasure of working with them but also in the personal friendships that have developed between us, not only during the 90th Congress, with new Members, but with Members who have served in previous Congresses.

The spirit of this House, since this session of the Congress began in January 1967, has been one of outstanding cooperation and harmony, and of reasonable understanding give and take.

Growth and progress in the legislative field is invariably the result of reasonable compromise of conflicting views. I think this Congress has made an outstanding record for itself. It has been by reason of reasonable and understanding give and take on the part of the Members of either party and of Members of both parties.

In particular I pay my respects to my dear and distinguished friend, the exceptionally distinguished majority leader, CARL ALBERT. He has been a bulwark of strength to me. His kindness and his acceptance of my weaknesses, if any, and we are all human, and his loyalty has made a permanent impression on me and upon all of the Members of the House.

I also want to pay my respects and my appreciation to the outstanding majority whip HALE BOGGS whose loyalty I greatly value.

Both of these gentlemen have served with remarkable ability throughout this session of the Congress and their closeness and their loyalty to me is something that has been a bulwark of strength in the performance of my duties as Speaker of the House.

I wish also to thank the chairmen of the various committees and subcommittees and also the members of the democratic whip group for their splendid cooperation and for their loyalty and devotion to me.

I am particularly appreciative also to our very able minority leader, GERALD R. FORD, and the able minority whip, LES ARENDS, whose services to their party and to the House of Representatives has been outstanding. Their courtesy to me personally as Speaker of the House has been particularly impressed upon my mind. Our cooperation and understanding has been very close. They have their responsibilities as leaders of their party as have Mr. ALBERT and Mr. BOGGS as leaders of our party. But there has always existed between us understanding minds. I appreciate in particular not only the friendship but the friendly cooperation that has existed between us during the 90th Congress.

As in the past, as Speaker I have endeavored to play the role in an impartial way to the fullest extent possible. When I take the Speaker's chair every day, I take it as Speaker, not as JOHN MCCORMACK, the Democrat and the leader of my party in the House. This task has been made considerably easier by the many courtesies extended to me by Members on both sides of the aisle. My objective has always been to apply the rules as fairly and equally as possible to every Member of both parties as is humanly possible.

Looking back on the past 2 years, I am fully aware of the important roles played by the many employees of the House, who have performed their duties with diligence, and certainly deserve the thanks of every Member. I wish time permitted me to mention each by name. I do, however, want to pay my respects to the Clerk of the House of Representatives, Pat Jennings; the Doorkeeper, Bill Miller; the Sergeant at Arms, Zeake Johnson; the Postmaster, Hap Morris, and our beloved Chaplain, Dr. Latch; but over and above all I want to extend my very special gratitude to that great human being, that man equally brilliant and practical, that fountain of wisdom, our great Parliamentarian, Lewis Deschler.

I also want to express my thanks to Bill Cochrane and all the other members of the Parliamentarian's office and my own staff in the Speaker's office, and in my district office.

Lest I forget, I want to express my thanks to the pages who serve us in such a very able and loyal and diligent manner.

The performance of the House of Representatives during the 90th Congress is something of which all of us, without regard to partisanship, can be justly proud. In the field of conservation this Congress is the most historic in our entire history. The gentleman from Hawaii, Mr. MATSUNAGA, has referred to how historic this Congress has been in another very important field, and I agree with him. This Congress has passed many progressive measures in the best interests of our people.

I might say that I am so proud of the House—and I emphasize this—I am so proud of the House of Representatives in this trying period of the world's history. The House has been a bulwark of strength in the national interest of our country, in supporting both a strong national defense and a firm foreign policy. When the historians of tomorrow write the history of this period, I believe that the House of Representatives will occupy outstanding and prominent pages in the history of this time. It has certainly been a bulwark of strength.

In closing, may I state that I deeply appreciate the manifestations of friendship and respect, not only upon this occasion, but throughout the years during which I have served in this great body as a Member and as majority leader and now as Speaker of the House of Representatives.

As we are about to adjourn sine die, I wish for all of my colleagues a good rest, and, with the election coming on, that the complexion of the House of Representatives will be the same as it is today but with additional membership on my side of the aisle. I recognize the hope and ambition of my friends on the Republican side—and, of course, hope is eternal.

So, in conclusion, may I again express my deep and profound thanks to all of my colleagues, not only as colleagues, but as friends.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, I associate myself with the remarks of the distinguished Speaker now in the well. I merely would like to add this footnote. The record of this Congress would not have and could not have been achieved without the tremendous leadership of the Speaker. He is the mainspring of this people's assembly. This legislative body finds its strength in the leadership of the Speaker. That is as it should be.

Time and again, the Speaker has carefully preserved the dignity and the majesty of representative government. He has carefully protected the rights of every Member, be he on this side of the aisle or the other side of the aisle, or whether the Speaker agrees or disagrees with the Member. No man could ever say that Speaker MCCORMACK has failed to protect the rights of every Member of the House of Representatives to represent his constituency as he sees fit.

There have been many of those who sought expediency. We saw during a marathon session that some approached the podium, trying to get the Speaker to do this and to do that and that. Yet the Speaker, over a period of more than 32 hours, preserved the dignity of this House, within the rules of this House. So I say, Mr. Speaker, there are those who do not understand the complex nature of this House of Representatives. There are those who do not understand the complexities of representative government. The Speaker has given meaning to this democracy through his fair, deliberative leadership in presiding over this House. There is no question in my mind that, without his great leadership, we could not have achieved this record.

It is properly said the President proposes and the Congress disposes. The Speaker has been an excellent leader, working closely with the President of the United States.

At this moment I would add this word. Those who have said that a lame duck President could not achieve a great record, did not know Lyndon Johnson. I think the President, even after he announced his decision not to seek reelection, provided leadership for this country, leadership for his party, and leadership for the people. It was the Speaker, as Speaker of the House of Representatives and leader of his party in the House of Representatives, who so excellently carried out the wishes of the President.

I am proud to have been a Member of the 90th Congress, I am even more proud that I have had the great privilege of working with and serving with JOHN MCCORMACK.

Mr. McCORMACK. Mr. Speaker, I appreciate very much the remarks of my friend. Of course, I know my colleagues realize I have been speaking under restraint, because I do not like to make remarks about myself. I would rather have the give-and-take of debate. I feel very happy on this occasion to express my thanks.

I have been talking extemporaneously and depending upon my memory, but may I, before I forget, express my thanks to Frank Battaglia and the other Official Reporters of Debates. They have done a remarkable job for us. I sit in the Speaker's chair and I am amazed at their ability and their perfection, particularly when two or more Members get into a running debate. They keep the proceedings of this House correctly. I particularly want to thank them and express my admiration for their extraordinary ability.

Mr. ASHBROOK. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I am glad to yield to my friend from Ohio.

Mr. ASHBROOK. I say to the Speaker—and I know I speak for many on our side—we might debate about many things, and there might be some rancor, and perhaps once in a while some bitterness in debate; that is the way things are; but one thing we would never question is our feeling of appreciation of and respect for the Speaker. Whether he be the Speaker or the minority leader at the next session, we will still count the gentleman from Massachusetts one of the finest Congressmen who ever came down the pike.

Mr. McCORMACK. I thank the gentleman very, very much.

GENERAL LEAVE

Mr. RHODES of Arizona. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks immediately following the remarks of the distinguished Speaker.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AERONAUTICAL RESEARCH

The SPEAKER. Under a previous order of the House, the gentleman from West Virginia [Mr. HECHLER] is recognized for 10 minutes.

Mr. HECHLER of West Virginia. Mr. Speaker, for the past 6 years I have had the honor to serve as chairman of a subcommittee of the House Committee on Science and Astronautics. The name of the subcommittee which I chair is the Subcommittee on Advanced Research and Technology.

The House Committee on Science and Astronautics is responsible for the annual authorizing legislation for the National Aeronautics and Space Administration. Aeronautics is the first A in NASA. Approximately $75 million is annually authorized for aeronautical research within NASA. When all related work in avionics and electronics which has a bearing directly on aeronautics is counted, the fiscal year 1969 level of effort within NASA amounts to approximately $166 million.

On September 17, 1968, I announced to my colleagues in the House—page 27256 of the RECORD—the following:

> Mr. Speaker, I invite the attention of my colleagues to public hearings which the Subcommitte on Advanced Research and Technology of the Committee on Science and Astronautics will hold for 10 days, commencing September 24, on the future aeronautical research and development needs of the Nation. These hearings will be held commencing at 10 A.M. in room 2325 Rayburn Building.
>
> We must focus attention on urgent priorities in the field of aeronautics. We have been losing sight of the importance of today's aeronautical research in determining the strength of the Nation and its economy in the 1960's and beyond. The great partnership of scientists, engineers, and industrialists once concentrated a major effort in the field of aviation, which has brought the United States to a position of world leadership in this area. Yet the past decade has seen aeronautical research efforts overshadowed by concentration on space and missile development, with the recent budgetary limitations threatening to force aeronautics even further into the background. We must make a fresh assessment of what needs to be done to maintain our leadership in the years ahead.

Mr. Speaker, these highly productive hearings were concluded on October 3, 1968. The hearings will be published, and a report will also be published. I believe that it is in the public interest to submit a preliminary summary of these hearings, in view of an unprecedented personal attack which was made upon me in two public news releases on October 8 and October 9. Had these news releases been issued in the delightful spirit of partisanship which characterizes a political campaign, I would find no cause for calling attention to them. Had these news releases been issued by a private citizen, or simply contained in the usual form of editorial attack by a newspaper, they would not merit the dignity of a reply. However, I feel since these attacks were launched by a Member of the House of Representatives, they deserve some comment by me.

On October 8, 1968, the Representative in question, without the courtesy of a telephone call or personal inquiry of any kind, and without having attended any of the hearings, suddenly issued a news release to the press which stated:

> It's an old trick to hold hearings near the end of a Congressional Session, with no legislation before a committee, just to hunt headlines and try to assume a posture of authority, and this was the intent of the Subcommittee Chairman.

Mr. Speaker, with all good humor, I submit that my friend and colleague who divined my intent without consulting me was making a statement which might properly be labeled half "ex parte" and half "ex cathedra." I believe that my intent was fairly stated in the September 17 remarks which I made to the House, and the content and nature of the hearings would appear to be 180° at variance with the intent alleged by my friend and colleague quoted above.

Inasmuch as my subcommittee is responsible for recommending to the full House Committee on Science and Astronautics annual authorizations in this area, it would seem that a specific piece of legislation is not necessary in order to justify hearings on a subject for which authorizations must be voted.

My colleague and friendly critic continued in his press release of October 8 by characterizing the hearings of my subcommittee as "disconnected and pointless hearings at the public expense." Again, I would prefer to allow the record to speak for itself on whether these adjectives are accurately descriptive.

To underline the point he had made in his October 8 release, my colleague followed up with still another press release on October 9 which once again referred to my subcommittee's hearings as "pointless hearings." He further charged that I had exhibited "contempt for the people and the high office he holds." Now a new reason for the hearings suddenly cropped up, perhaps superseding prior characterization of the real intent of the subcommittee chairman. The October 9 release stated:

> Apparently these House Space subcommittee hearings, dragged out for the past two weeks, had no purpose at all except to generate personal publicity for a Congressman running for reelection.

Mr. Speaker, in my opening statement concerning these hearings, I noted on September 24:

> In the past two decades, the emerging problems in aeronautics have been solved as much by empirical expediency as by sound planning. These problems are catching up with and overtaking us. They will get worse in the years ahead. There are enough people working on immediate crash problems, and in these hearings we are not as much concerned with present crises as we are with planning for the future.
>
> The United States has always ranked at or near the top in nearly every phase of aeronautics because of the foresight which has enabled so much effort to be concentrated on advanced research. I deplore the efforts to squeeze, pare down, eliminate or cripple advanced research in the name of either economy or the stress demands of very immediate practical application. If these hearings accomplish nothing else, I hope they will focus national attention on the urgency of greater emphasis on aeronautical research. We cannot afford to slow down an effort which is so vital to all the people and to the strength of the nation itself.

Mr. Speaker, just prior to the opening of our hearings, I received a letter from the Honorable CLINTON P. ANDERSON, chairman of the Senate Committee on Aeronautical and Space Sciences, which stated:

> I am glad to see that you are holding these special hearings.

The Senate committee held hearings in January and February of 1967, and in January, 1968 published a report entitled "Aeronautical Research and Development Policy."

At the opening of our hearings, the ranking Republican member of the subcommittee, the Honorable THOMAS PELLY, of Washington, commented:

> I think it is appropriate to associate myself with remarks that you have just made and to point up the importance of aeronautical research. With the Russians successfully circling the moon and returning their spacecraft to earth and with impending further feats and achievements in space, by both the Soviets and ourselves, it is hard to retain perspective in less spectacular areas such as aeronautical research. I certainly hope these hearings will point up the importance of aeronautical research and our effort in that respect.

The witnesses for these hearings were selected in such a way as to orient the hearings toward research and development rather than operations. Where witnesses from operational and regulatory agencies appeared, they were accompanied by representatives of research and development activities. The following is the schedule of witnesses appearing before the subcommittee:

September 24: Dr. Thomas O. Paine, Deputy, Administrator, NASA; Mr. Charles W. Harper, Deputy Associate Administrator, NASA.

September 25: Mr. James M. Beggs, Associate Administrator for Advanced Research and Technology, NASA; Mr. James C. Elms, Director, Electronics Research Center, NASA; Mr. Charles W. Harper, Deputy Associate Administrator for Aeronautics, NASA; Mr. Edgar M. Cortright, Director, Langley Research Center, NASA; Dr. H. Guyford Stever, Chairman, Aeronautics and Space Engineering Board, National Academy of Engineering.

September 26: Mr. David D. Thomas, Acting Administrator, Federal Aviation Administration, Department of Transportation; Maj. Gen. Jewell C. Maxwell, Director, Supersonic Transport Development, Department of Transportation; Mr. Ben Alexander, Chairman, Advisory Committee on Air Traffic Control (Chairman of Board, General Research Corporation); Dr. Lawrence Goldmuntz, Executive Secretary to Advisory Committee on Air Traffic Control (Technical Advisor to Assistant Secretary of Transportation for Research and Technology).

September 30: Honorable Alan S. Boyd, Secretary of Transportation; Dr. Frank W. Lehan, Assistant Secretary of Transportation for Research and Technology.

October 1: Dr. Finn Larsen, Deputy to Director for Defense Research and Engineering, Department of Defense; General William F. McKee, Schriever-McKee Associates.

October 2: General Clifton F. von Kann, Vice President for Operations and Engineering, Air-Transport Association; Mr. F. W. Kolk, Vice President, Development Engineering, American Airlines; Mr. Scott Crossfield, Division Vice President, Flight Research and Development, Eastern Airlines; Mr. Robert W. Rummel, Vice President, Equipment, Planning and Research, Trans World Airlines; Mr. W. E. Rhoades, Vice President, Engineering, United Airlines; Mr. Edward Driscoll, President, National Air Carriers Association, accompanied by Mr. Robert F. Creson, Vice President, Research and Analysis, Flight Safety Foundation.

October 3: Mr. Herman C. Meyer, Executive Director, Professional Air Traffic Controllers Organization, accompanied by Mr. John Meehan, Vice Chairman of the Board, Professional Air Traffic Controllers Organization; Mr. Charles H. Ruby, President, Air Line Pilots Association, accompanied by Capt. Joseph Bartling (TWA), Chairman, Air Traffic Control Committee, Air Line Pilots Association; Capt. Joseph Meek (Delta Airlines), Vice Chairman, Air Line Pilots Association; Mr. Theodore Linnert, Director, Engineering and Air Safety, Air Line Pilots Association; Lt. Gen. Elwood R. Quesada (Ret.), Former Administrator, FAA.

At this point it is considered appropriate to refer to several letters to the chairman of the subcommittee from several Government officials regarding the importance and timing of the subcommittee hearings.

In his letter of September 24, Dr. E. C. Welch, Executive Director, Aeronautics and Space Council, stated in part:

> I respectfully express commendation to you and your colleagues for focusing thoughtful attention on the essentiality of research and development in the field of aeronautics. . . . The truth is that the nation needs to accelerate its investment in research and development and where should this acceleration be greater than in aeronautics.

In a letter dated September 28, Secretary of Defense Clark Clifford stated in part:

> I would like to take this opportunity to comment on the importance of your Subcommittee's work in looking into the adequacy of civil aeronautical research and development. By clarifying current national programs, goals, and technological gaps and identifying future requirements, these hearings will serve a most important public service. In addition, they will underscore the issues, challenges and opportunities facing the country in civil aviation.

In a 12-page statement filed for the record on October 4, Dr. D. F. Hornig, Director, Office of Science and Technology, stated, in part:

> These hearings are both timely and useful in focusing on an area that perhaps has languished in the shadows in the last ten years while the spotlight was on space . . . It is clear from testimony you have received as well as from many other sources that there are some problems for which studies are unnnecessary. These problems are widely recognized as required federal *research and development* attention. Foremost among these are: (1) problems of greater congestion approaching immobilization at times in our major terminal areas, both in the air and at the interface between the air and ground links; (2) the airport and all of its functions from cargo handling to passengers and aircraft maintenance; (3) aircraft noise near airports; (4) sonic boom; and (5) aviation safety . . . In summary, as I look into the future, I can anticipate a series of important and challenging problems which will require intensive research and development in the field of aeronautics.

A brief summary of the testimony given by the various witnesses before the subcommittee follows:

GOVERNMENT WITNESSES

National Aeronautics and Space Administration

Dr. Paine, Deputy Administrator, NASA, testified on September 24 in great detail on current NASA research efforts in aeronautics. Among other points, he stated that, "These hearings are especially timely because we have made progress not only in better identifying the nature and scope of these problems (research problems), but also in further clarifying avenues of approach to their solution." Dr. Paine pointed out the problems facing civil aeronautical research today and emphasized that research benefits from military programs would not be as meaningful as in past years, that civil aeronautical research needs were becoming critical in view of the unforeseen growth in civil aviation, and that the ground segment of air transportation was also in need of considerable research effort. Dr. Paine suggested that while the maximum initiative should be left in the hands of private industry, the Government should consider supporting aeronautical research from the stage where new technologies are uncovered through the fabrication and testing of experimental hardware. Dr. Paine also expressed the hope that NASA would be able to get increased fund authorization for aeronautical research and development in the FY 1970 budget.

Dr. Paine concluded by stating that the country was in a position today where its vital aeronautical research leadership in the world is being threatened, and that inadequate numbers of aeronautical research oriented students are being trained today to handle the complex research problems of the future. Mr. Harper, Deputy Associate Administrator for Aeronautics, NASA, pointed up the need for *increased* research efforts in three main areas, namely the interface between the pilot and the aircraft, the interface between an aircraft and other aircraft, and the interface between the aircraft and the surface modes.

On September 25 the Subcommittee heard testimony from Mr. Beggs, Associate Administrator for Advanced Research and Technology; Mr. Elms, Director of the NASA Electronics Research Center; and Mr Cortwright, Director of the Langley Research Center. These three expert witnesses reiterated the need for increased funding for aeronautical research, the need to expand current NASA facilities to better cope with the research problems to meet the needs of the next decade, and the need to reemphasize the importance of aeronautical research educational support to provide the needed researchers in aeronautics for the future.

Federal Aviation Administration

The main FAA witness was Mr. David D. Thomas, Acting Administrator of FAA, accompanied by Dr. J. Weber, Director of Research and Development, FAA. Mr. Thomas identified for the Subcommittee certain areas where new technologies are needed, particularly in the areas of flight control and traffic control, and summarized by saying, "We need an expanded aeronautical research and development program that places emphasis on our evolving National Airspace System and that anticipates the technology that aviation growth and prosperity requires."

The next witness from FAA was General Maxwell, who presented to the Subcommittee a status report on the development program for the supersonic transport and outlined the extent of governmental support for the research and development effort related to this program.

Department of Transportation

Department of Transportation witnesses consisted of Secretary Boyd, who opened the hearing, with the remainder of the time devoted to testimony by Frank Lehan, Assistant Secretary for Research and Development. Secretary Boyd called for greatly expanded research in numerous fields of aeronautics, such as noise, sonic boom, VTOL and STOL aircraft, helicopters, and others. Assistant Secretary Lehan warned of the dangers of "falling behind on the technological curve in the international competition" in aeronautics and called for increased research and efforts in noise, VTOL and STOL aircraft, sonic boom, landing aids and techniques, air traffic control systems, hypersonic aircraft, and others, all within the framework of an optimum overall national transportation system. He also called for greater involvement by DOT, FAA and NASA in expanding "proof-of-concept" demonstrations to bridge the gap between research results and actual application by the aerospace industry of such results.

Department of Defense

The Subcommittee heard testimony from Dr. Finn Larsen, Deputy Director of Defense Research and Engineering, DOD. Dr. Larsen pointed out that as military aircraft weapons systems become more and more specialized they will tend to incorporate less and less technology that will be applicable to civil aircraft than has been the case in the past. Dr. Larsen admitted to the current shortages in engineers, particularly aeronautical engineers. He recommended that the DOT be provided with expanded funds to better utilize the aeronautical research capabilities of NASA.

CONSULTING ENTITIES OR SENIOR EXPERTS

National Academy of Engineering

The witness, Dr. H. Guyford Stever, Chairmain of the Aeronautics and Space Engineering Board, National Academy of Engineering, reiterated the many important recommendations contained in the August, 1968 report of the Board on "Civil Aviation Research and Development." In addition to discussing the many technical areas where additional research and development effort is required, Dr. Stever emphasized that the most important recommendation of the Board was that the civil aviation *research and development activities* of NASA, DOT, and FAA should be knitted more tightly and that responsibilities in this area should be divided according to capability. His testimony was devoted primarily to the need for identifying research needs of the future and for creating a coordinated governmental effort to develop the new technologies to meet the research needs. He emphasized the need to expand the role of NASA as the *research* arm of the Government in the field of aeronautics.

Advisory committee on air traffic control

The Subcommittee heard testimony from Mr. Ben Alexander, Chairman of the Advisory Committee on Air Traffic Control for the DOT. Mr. Alexander outlined the charter of the Committee, which was to present to the Secretary of Transportation by July 1, 1969, a design for the air traffic control system to be put into use in the 1980 time period. The portions of the Committee's work germane to the Subcommittee hearings dealt with the requirement for the Committee to identify *research and development* programs which should be undertaken to insure the timely introduction of new technology needed to meet the air traffic control system of the 1980's.

General William F. McKee (former FAA Administrator and currently consultant with Schriever-McKee Associates)

General McKee commended the Chairman of the Subcommittee for holding the hearings which he stated to be "very important." He stated that "it becomes eminently clear that aggressive action over the entire spectrum of aeronautical *research and development* on a continuing basis is essential if we are to prevent a much more serious crisis in the years ahead." He stated that "had we gone through this exercise ten or fifteen years ago, we might not be beset by as many problems as we are today." General McKee cited the need for expanded research in certain specific areas such as traffic control systems, communications and navigation systems, weather forecasting and reporting systems, noise and sonic boom problems, improved radars, and others. He recommended that the DOT spell out what was needed in the area of new technologies for the 1980 period and utilize NASA to conduct the necessary research to obtain such technologies.

Flight safety foundation

The witness for the Foundation was Mr. R. F. Creson, Vice President for Research and Analysis. Mr. Creson called for expanded Government research in the fields of radar, clear air turbulence, collision avoidance systems, instrument landing systems, terminal control automation, airport design, fog alleviation and removal, runway traction, high speed turn-offs, arresting mechanisms, runway ice control, emergency landing, VTOL, and others.

General Elwood R. Quesada (former FAA Administrator)

General Quesada made one primary point in his testimony. He called for a greatly expanded research effort to solve the problem, both current and future, of point to point transportation between population centers not widely separated from each other. He stated, "I don't think there is any endeavor that could be more productive on the part of NASA than in the short takeoff and landing area . . . I can't think of anything that would contribute as much to the solution of the basic problem that confronts us for the next decade as *research and development* that would eventually result in an acceptable, usable and economic air transportation system connecting city pairs of short length."

AIRLINE OPERATORS AND RELATED ENTITIES

Air Transport Association

The Subcommittee heard testimony from General Von Kann, Vice President for Engineering and Operations of the Air Transport Association, which represents virtually all of the scheduled airliners in the country. He pointed out that military aeronautical research and development was becoming less and less applicable to civil aviation and that the industry would have to look more and more to NASA and FAA. He recommended that the airline operators, who are the ultimate users of any technology to be developed, should better organize and define their needs and make them known clearly and emphatically to the Government research agencies. He also stated that industry should itself undertake some of the research tasks based on its capability.

American Airlines

The witness for American Airlines was Mr. F. W. Kolk, Vice President for Development Engineering. Mr. Kolk endorsed the recommendations in the August, 1968, report by the National Academy of Engineering (referred to earlier) and called for greater research efforts by the Government in the areas of airports and air traffic systems, noise, and short-haul inter-metropolitan systems.

Eastern Airlines

The Subcommittee heard testimony from Mr. Scott Crossfield, Division Vice President for Flight Research Development, on current research efforts by Eastern Airlines in the fields of STOL, automatic ground data links, clear air turbulence and noise abatement. He called on the Subcommittee to assist in the implementation of research efforts to meet long range needs for aeronautics.

Trans World Airlines

The witness for TWA was Mr. R. W. Rummel, Vice President for Equipment Planning and Research. Mr. Rummel called for expanded governmental research in aeronautics, an expanded role for NASA in carrying out such research, and greater coordination within the Government over all research activities. Mr. Rummel summarized the research efforts of his company and specifically urged greater Government research in noise, human factors, air traffic surveillance by satellites, auxiliary decelerators, environmental sciences, fuels, advanced propulsion systems, low cost collision avoidance systems, emergency aircraft power, communications and V/STOL aircraft.

United Airlines

The witness for United Airlines was Mr. W. E. Rhoades, Vice President for Engineering. He emphasized the need for greater research efforts in the areas of airport design, air traffic control and landing systems.

National Air Carrier Association

The Subcommittee took testimony from E. J. Driscoll, President, NACA, which represents 13 airlines certificated for domestic and international *charter* activities. Mr. Driscoll's statement may be summarized in the following quotes: "What actions are necessary today to insure that five years from now we will have the capacity for technological developments in aviation that will have occurred during that span of time? The answer lies *wholly in research and development.*"

AIR TRAFFIC CONTROLLERS

Professional Air Traffic Controllers Association

Testimony was heard from Mr. H. Meyer, Executive Director, PATCO, who criticized the Government research agencies for their "inability to produce practical system advancements in sufficient time," thereby forcing "the air transportation system to resort to, and rely upon, outdated and unreliable equipment." He further criticized the Government research agencies for not consulting with the aircraft industry and the air traffic controllers before engaging in research projects.

AIRLINES PILOTS

Air Line Pilots Association

Witnesses included Mr. C. H. Ruby, President; Captain J. Meek, Vice Chairman, Air Worthiness and Performance Committee; Mr. T. Linnert, Director, Engineering and Air Safety; Mr. H. Kelly; and Mr. Bill Jay. The witnesses called for expanded governmental research and development efforts in numerous areas of aeronautics containing problems affecting current operations, as well as those which would affect operations in the next ten years and beyond. Among the problem areas cited for increased research effort were: airframe integrity; stability and control means; turbine engine disintegration effects; in-flight and post crash fire prevention; clear air turbulence; noise; air traffic control; collision avoidance systems; radar and weather forecasting and reporting; runway surfaces; fog dispersal; air worthiness flight recording; and accident cause flight recorders.

Mr. Speaker, the above represents only a brief summary of the nature of testimony brought out during these recent hearings. We have additional written testimony which is still coming in, and answers to some questions we have posed to various agencies, individuals, and organizations, in an effort to pinpoint some of the priorities in aeronautical research. I am proud of the work which the staff of the Committee on Science and Astronautics has done in connection with these hearings, and I would like to cite particularly the assistance of Peter Gerardi and Richard Hines, as well as Dr. Russell Sherburne of the Legislative Reference Service of the Library of Congress. A more comprehensive overview of these productive hearings will be available with the publication of the committee report.

Mr. Speaker, I would like to include at this point a summary of the aeronautics activities of the National Aeronautics and Space Administration, entitled "Aeronautics First 'A' in NASA":

When the National Aeronautics and Space Administration was formed 10 years ago a great amount of time and effort was devoted to recruiting trained scientists and engineers to manage the huge space program which was soon to come.

But the newly formed agency had no problem in building an aeronautical research organization—an experienced group already existed in NASA's predecessor, the National Advisory Committee for Aeronautics.

When NASA was created, aeronautical research had been going on steadily for more than 40 years under NACA guidance at the Langley Research Center near Hampton, Va., and today the center plays a leading role in solving complex aeronautical problems and lending assistance to other government agencies involved in aviation.

Although Langley has long been recognized as a leader in aeronautical research, much of the work of other NASA centers goes into vital research and development in support of aeronautical progress.

OTHER CENTERS

At the Lewis Research Center, near Cleveland, basic and applied research is pursued on problems of aircraft propulsion. It is at Lewis that NASA initiated its "Quiet Engine" program which is an attempt to combine all known noise control techniques into an engine which would be considerably quieter than present subsonic jets.

The Flight Research Centers at Edwards, Calif., is the home of the X–15 which has established a set of well known records—4,534 miles-per-hour and 67 miles peak altitude since the first flight nine years ago. However, equally important but lesser known flights take place every day in research to cope with the many problems of flight, from take-off to landing. It is here that the wingless research craft that may be forerunners of recoverable spacecraft are undergoing flight tests after high altitude drops from B-52 carrier aircraft.

Aeronautical research receives considerable attention from a staff of engineers at the Ames Research Center south of San Francisco with emphasis on Vertical/Short Take-off and Landing (V/STOL), supersonic aircraft and hypersonic research.

The program includes the focal point for studies of piloting problems with numerous fixed-base, moving base, and flight simulators. Flight research on V/STOL aircraft is an important part of the center's research.

Shortly after the Electronics Research Center was established at Cambridge, Mass., it initiated several programs designed to advance knowledge in avionics which will be required for the advanced airplanes of the future, from V/STOL to supersonic.

As it was with NACA, a major share of NASA's research effort at these Centers is devoted to support of other government agencies involved in aircraft development and operation, and in 1967 the agency estimated that about 45 per cent of the testing time was for these purposes.

GENERAL AVIATION

Recognizing the continuing increase in the number of "general" aviation type aircraft using the nation's airways, NASA has placed greater emphasis on research to cope with the problems facing the non-commercial, non-military pilot.

As the performance of these executive and pleasure-type airplanes increases they are being used more and more for basic transportation. With the increased performance he can get from the airplane, the pilot is inclined to venture further into unfamiliar environments where there is greater risk.

NASA is concentrating on research to prevent these circumstances from creating a hazardous situation for the non-professional pilot.

The emphasis NASA is placing on general aviation research is a reflection of the growing recognition of the need for advanced technology to solve the many problems which will be facing the users of a predicted 180,000 private planes by 1977.

In cooperation with the FAA, NASA is working on warning indicators to prevent air collisions. One possible method for clear weather conditions is the use of xenon flashing lights and electronic detectors. The lights not only give a brilliant visual flash but also send off a large amount of infrared energy which can be picked up by an infrared detector and used to alert the pilot who can then visually sight the other aircraft and avoid a collision.

A great percentage of the work going on within NASA to improve the performance of commercial aircraft is not immediately recognizable to the man on the street—or to the passenger in the seat.

Many of the beneficial changes and safety improvements involve complex engineering and aerodynamic designs. A good example of this is the NASA-developed "supercritical wing" which is a method for designing an airplane wing so that the shock on the upper surface does not cause separation of air flow and thus impede the airplane's speed.

Fog is a serious threat to air safety, and NASA has been working with the Cornell Aeronautical Laboratory on methods for solving the problem. The most promising technique involves seeding the fog with very fine crystals of ordinary table salt (sodium chloride) which readily absorbs moisture. NASA is confident that the successful laboratory tests can be translated to actual field operations and tests are planned at airports in upper New York state in cooperation with the Federal Aviation Administration.

A NASA research project at the Wallops Station, Va., has attracted considerable attention and the interest of airlines, the U.S. Air Force and several state highway departments. It involves the grooving of runways to assist in increasing braking at the landing speed of aircraft, when the surface is covered with water or slush. The Air Force and the FAA are experimenting with this concept at several locations.

SAFETY RESEARCH

The NASA program of aviation safety research reaches beyond the threats of adverse weather conditions and extends to research involving the physical stress on the pilot and the dangers from equipment failures.

The program includes research to insure the safety and survival of passengers and crew in the event of an accident by minimizing the effects of impact and fire. Beginning in 1964, NASA, working with the military, undertook a research program to design an aircraft seat for greater protection and safety of the traveling public.

Just as NASA has gained considerable experience in the physiological and psychological limits of the astronauts, the human factors experts in the NASA aeronautical program are accumulating data on the ability of pilots to perform under varied conditions. Results from this research are providing vital information on how quickly a pilot receives information and what displays provide it best; how the pilot can make decisions based on available information; how rapidly he can initiate proper control action and what conditions limit his ability to control his aircraft.

As airplanes grow bigger and fly faster, NASA continues to search for light-weight and high-temperature materials. This research has led to new alloys for use on turbine blades for supersonic aircraft engines which operate with gas temperatures over 2,000 degrees Fahrenheit.

The high speed aircraft pose a demand for a material to line the fuel tanks and prevent the loss of fuel.

At the Marshall Space Flight Center, Huntsville, Ala., researchers are favoring a new class of inorganic, high temperature polymer containing silicon and heterocyclic atomic structures.

AVIONICS STUDY

Avionics—electronics for aviation—is being relied upon more and more for aids to navigation, guidance, turbulence detection, collision avoidance, all-weather operation and automatic landing systems. Whereas in present day aircraft, different functions are provided by separate "black boxes," NASA's experience in spacecraft design has shown that all functions can be integrated into a single electronic system.

An advanced class of supersonic commercial transports has been selected as a model for the development of integrated electronic systems technology. A target date of 1972 has been set to have available the technology, as developed in this program, for the design by industry of an advanced avionics systems for future supersonic transports. The Electronics Research Center is the lead center for this effort.

Avionic devices are available which provide greater operating safety for the non-professional pilot, but the equipment is often too expensive for the general aviation public. NASA has been working on an economical flight control package which would reduce the pilot's workload in the cockpit. The plan is to give the pilot better cockpit displays and improve the aircraft's handling qualities.

Aircraft that can take off and land vertically or with a very short runway can play a major role in the nation's future short haul transportation system. By 1980, it is estimated that more than 40 million people will be concentrated in a metropolis along the Atlantic coast, over 35 million in the area of the Great Lakes, and over 20 million along the California coast. The projected number of major urbanized areas is 194. These are prime markets for rapid transportation such as can be supplied by V/STOL aircraft.

The basic objectives of short-haul air transportation are to improve service to the customer by decreasing trip time, cost, and annoyance, and at the same time, to improve safety to the greatest degree possible.

Unfortunately, despite the obvious civil and military needs, many technical obstacles still remain to be solved. One major problem involves the inability of any craft built to date to hover for any length of time while maneuvering around the airport and also to cruise at high speed. NASA is putting emphasis into research to find the answer to this and other problems of V/STOL flights, including a satisfactory device for converting power from forward thrust to lift with the transition being accomplished smoothly and under well-controlled conditions.

STOL FIRST

Because of its relative lack of design complexity and less stringent operational requirements, the short take-off and landing (STOL) aircraft is expected to precede that of the V/STOL in civil use. Operation of such transport aircraft will enable use of small airstrips closer to the city center, with a reduction in travel time.

Results of previous NASA research have indicated several promising and efficient means of using power to augment the aerodynamic lift. One of these is the rotating cylinder flap, considered especially for propeller-driven transports. Large-scale wind tunnel model tests have shown that a cylinder mounted at the flap leading edge and rotating at high speed in the direction of the air stream, can delay flow separation and enable attainment of very high lift. NASA plans to carry this concept to flight research to determine if it can be integrated successfully into a complete operational aircraft system.

Starting shortly after its organization, the NACA (and subsequently the NASA) has been concerned about the aircraft noise problem and has actively supported research relating to it. In this regard, several hundred technical reports and documents have been produced and made generally available to industry regarding concepts of noise generation and reduction, and the application of basic principles of noise reduction in the design and operation of aircraft.

This work has paralleled the technological advancements in the aircraft industry and, as such, has involved such research areas as propeller noise, reciprocating engine exhaust noise and mufflers, and jet engine exhaust noise and suppressors.

To assist in the national aircraft noise abatement effort, the National Aeronautics and Space Administration has embarked on a three-pronged attack to the problem.

As a partial and near-time solution to the noise problem, NASA has called upon two of the nation's leading aerospace firms—McDonnell Douglas and Boeing. Under contract to NASA, they are working on methods of lining engine housings with acoustical material to suppress noise. The aim of the project is to bring the noise down to an acceptable level until a longer range solution of basically quieter engines can be achieved. Although these programs are not scheduled to be completed until 1970, the results are being disseminated throughout the industry as soon as they become available.

The objective of the second approach to the noise problem is to accumulate the technology required to develop a subsonic aircraft engine which would generate a minimum amount of noise. This would be done by suppressing the noise sources within the engine by basic engine design changes.

This is known as the "Quiet Engine" program. Aeronautical experience shows that noise reductions of about 15 decibels could be possible with the use of a new design engine. (This is equivalent to moving the noise source about five times away.) The use of acoustical material to line the engine housing will make possible further noise reductions so that the installed engine noise output will be 20 to 25 decibels less than current engines. This experimental quiet engine program will be used to prove the design concepts for such an engine and the results will establish a firm technological base for quiet engines for subsonic transport aircraft.

The third approach to the noise problem would have the airplane land at a steeper angle, keeping the source of the noise further away from the ground during the landing approach. By increasing the approach angle from three to six degrees, it is possible to lessen the noise heard on the ground.

The aircraft operational problems associated with steeper approach angles are being carefully researched by NASA. A long series of test flights by NASA clearly show that a conventional aircraft will need new control aids to fly the steeper angle.

Further study is required to improve the performance of cockpit displays, throttle controls and aircraft aerodynamic controls which a pilot uses in bringing jet airliners into the final phases of approach and landing. NASA is tackling the problem through a research project called "Direct Lift Control."

While research on control of noise is emphasized in the NASA Aeronautical Research Program, other research of importance to both military and civil aircraft is also underway. Greater cruise performance, improved high speed maneuverability, solution to clear air turbulence, reducing speed and its relation to all-weather landing and safer runway operation, are examples of research where NASA is applying its talents in advanced technology.

OUR NATION'S CAPITOL

The SPEAKER. Under a previous order of the House, the gentleman from West Virginia [Mr. STAGGERS] is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, on a perfect autumn morning recently, I walked out into the spacious area which forms the setting for our Nation's Capitol. I was almost alone. The crowds of visitors who come in summer to view our "seat of empire" had returned to homes, to jobs, to schools, or whatever. It was an island of peace and serenity.

The greensward stretched away in pleasing undulations in every direction. The summer has been kind in rain and sunshine in Washington, and vegetation has responded happily and profusely. Wide-spreading and towering trees dot the hillsides. Many of them are, like us humans, foster children from other races and societies, brought here by anxious hands to grow and flourish in a friendly atmosphere. Clusters of shrubbery here and there are laden with heavy beads of fruit which will soon glow with the brilliant red of the coats of the British grenadiers from whom this fair land was wrested. Autumn flowers deck the wide plazas which form the base of the structure of the Capitol itself, especially roses of surpassing beauty of form and color.

I examine the massive blocks from which the beautiful Capitol rises. They seem rooted to the living rock of the hill. Many of them are covered with the lowest form of plant life from which the more useful trees and flowers develop with time and favorable conditions. The words of an old song occur to me: "They shall not be moved."

Superimposed on this firm foundation are broad terraces, and from these rises the majestic dome of the Capitol. The morning sun is reflected from its marble facades and the stately columns in dazzling brilliance. From its summit, and reaching up into the blue vault of the heavens, is the statue of "Liberty Enlightening the World." It faces the East and the Rising Sun, whose daily return over our fortunate domain assures us of the ever-recurring miracle of life and promise.

What an inspiring sight it is. And how fitting a symbol of a society dedicated to the service of mankind. As one looks on the Capitol, he can hardly fail to be convinced that nothing can destroy us except our own idiocy. So long as we hold fast to a faith in the wisdom and efficacy of the institutions which have been built up by the toil and sacrifice of generations of builders, so long as we live by the moral codes which are the concentrated essence of all wisdom, so long as we spend our energies and our skills in deeds worthy of men, nothing can stop us. If and when we abandon those faiths, and turn to folly and greed and dissension, we might just as well surrender our bodies to the sepulcher of lost dreams, for that is where our spirits will be when we no longer love and serve America.

OUR CIVILIZATION AND EDUCATION

British Premier Stanley Baldwin, quoted in Together, October 1968:

> Civilization itself is but the ice formed in the process of ages on the turbulent stream of human passions; and, while this ice seemed to our fathers secure and permanent, it has cracked and in places the submerged torrent has broken through.

Human passions heated up in the fiery furnace of unprecedented economic and social and political change during the last few decades have indeed broken through the crust of civilization and poured down in a flood of violence and discord over all our institutions. To those who have lost hope in the future, it must be suggested that even the hot lavas of a Vesuvius could not smother a vital civilization. Life returns and brings back its achievements and ideals. Hot passions cool, and a firm layer is laid over the charred embers again.

This civilization of ours is too beneficent and too idealistic to go down in ruins. A restorative agency is the belief in a common purpose and a common destiny. Every great society known to history has traced its origin to a fabulous ancestor and to a set of heroic deeds. In America, the common ancestor has been the life of struggle in an undeveloped wilderness, and our heroic deeds have been our epic achievements in science and the arts, and especially in government.

Much of our life in recent years has become as nomadic as was that of the ancient pastoral peoples. We wander about in search of jobs and pleasure and convenience almost as freely as they did in search of pasture for their cattle. The country moved into the city, and now the city is making efforts to move back into the country.

There is evidence, however, that the great migration is coming to an end. People are settling down, as we say. They are finding desirable places in which to live, and their jobs and various social institutions are being transferred to that locality. Again they will take roots, and take pride in what their own efforts have built.

Perhaps the public school has done more than any one institution in fostering local appreciation. The zeal with which children support their athletic teams, their school class achievements, their own peculiar sets of social behavior, is quite amazing. Nothing is more upsetting to a youngster than to be compelled to move from one school to another, where he will be an unknown, and where he will have to start all over again.

In a few years these children will reach the age of accountability and responsibility. The virtues of a civilization which their fathers fabricated and cherished will appeal to them with fresh intuition. Morals and customs will freeze into a new surface, more enduring than the last. That is the way it has always been. That is the way it will go in this age.

> Bury me on my face—

Said Diogenes; and when he was asked why, he replied—

> Because in a little while everything will be turned upside down.

CHUCK YEAGER AND THE SOUND BARRIER

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, on October 14, 1947, a young West Virginian named Chuck Yeager became the first human being to fly faster than the speed of sound. Chuck Yeager was an Air Force captain the day he made his historic flight over the dry lake bed in California. Today, it is Air Force Col. Charles E. Yeager. We honor him on this 21st anniversary of the flight which opened so many vistas to the future.

Chuck Yeager was born and brought up in rural Lincoln County, W. Va. It is perhaps symbolic that he broke the sound barrier 2 days after Columbus Day, and also that on this very day three brave astronauts have already logged more than a million miles since the launching of Apollo 7 last Friday morning.

We have come far in our conquest of space because men like Chuck Yeager had the courage and skill to speed into the unknown, as he did exactly 21 years ago. While others may have been content to rest on their laurels, it is characteristic for Chuck Yeager to devote so much of his energy and effort to help the country he loves. A fighter pilot ace in World War II, a pioneer in cracking the sound barrier, Chuck Yeager has modestly given his best effort in South Korea and in flying 127 missions in Vietnam.

Ed Rice of the Associated Press has recorded the courageous exploits of this outstanding West Virginian, and I would like to place into the RECORD the following article which appeared in the October

13 issue of the Huntington, W. Va., Herald-Advertiser.

The article follows:

LINCOLN COUNTY'S FAVORITE SON STILL FLYING 'EM HIGH AND FAST

(By Ed Rice)

The sky was clear 25,000 feet over California. Air Force Capt. Charles E. Yeager, a stocky West Virginian, sat cramped in the cockpit of an experimental rocket plane.

Signals were given and Yeager's Bell X-1 needle-nose was dropped from the belly of the B-29 parent craft.

First there was the short, fast drop as gravity sucked the tiny plane toward the ground below. Then Capt. Yeager fired the first of his four rockets.

Three rockets and only 2½ minutes later the X-1 was decelerating—but not before the 24-year-old war ace had become the first man to fly faster than the speed of sound.

That was 21 years ago, Oct. 14, 1947. Almost another year passed before Air Secretary Stuart Symington announced the feat to the world.

Today Col. Charles E. Yeager commands the combat-ready 4th Tactical Fighter Wing at Seymour Johnson Air Force Base, Goldsboro, N.C. The 4th recently returned from a six-month tour of duty in South Korea during the height of the Pueblo crisis.

Yeager had hardly touched down at Goldsboro before the Pueblo incident. Before that he flew 127 ground support missions in Vietnam.

At Seymour Johnson Yeager keeps himself combat-ready by piloting the Phantom II F-4D fighter at least 40 hours a month. He said the F-4, which is used extensively in Vietnam, has a maximum speed of about 1,600 miles per hour.

Along with authoress Pearl Buck, Yeager is one of the most famous natives of West Virginia.

One newspaper biography said: "Charley Yeager was born February 13, 1923, in a big white farmhouse 'up a holler midway between Hamlin and Myra, W. Va., near Upper Mud River.' "

Yeager enlisted in the Air Force immediately after graduating from Hamlin High School in 1941. He was sent to England in 1943 to fly the P-51 Mustang fighter.

Yeager was shot down in a mission over occupied France March 5, 1944. With the aid of the French underground he escaped through the Pyrenees Mountains into Spain. He was flown back to England by the Royal Air Force 45 days later.

In 64 World War II combat missions Yeager destroyed 12 German planes. He was one of the first Americans credited with downing a German jet.

For his combat heroics, Yeager was awarded the Silver Star, the Distinguished Flying Cross, the Bronze Star, the Air Medal and the Purple Heart.

After the war Yeager became a test pilot at Wright-Patterson Air Force Base, Dayton, Ohio. The historic flight occurred over the Muroc, Calif., test center five months after he received his regular commission.

"We'd been working about four months with the plane," Yeager recalled. "It wasn't a matter of not having airplanes that would fly at speeds like this. It was a matter of keeping them from falling apart."

He pointed out that the Air Force tests weren't primarily to break the sound barrier.

"We were just doing research in the region of the speed of sound. We were very much interested in what would happen at that speed."

Yeager said the supersonic flight took place during his eighth or ninth time up in the X-1. The flying speed had been increased gradually with each preceding flight.

Prior to the X-1 tests the Air Force had experimented at only about 80 per cent of the speed of sound, Yeager explained.

"Sure I was apprehensive," he admited. "When you're fooling around with something you don't know much about there has to be apprehension. But you don't let that affect your job."

Yeager remembered the brief vibrations as the X-1 sped into the unknown during the record flight. "Then it smoothed out and I looked at my indicators and saw I had passed the speed of sound. It was all downhill from there."

Yeager spoke modestly about his breakthrough. "A lot of people don't realize that when you're involved as a test pilot that's your business and that's your job. There's a lot of faith involved, faith in your airplane and knowing it as well as you possibly can.

"And press on. That's all there is to it."

About the secrecy of the flight Yeager said: "It costs a hell of a lot of money to do that sort of work. And, when you do it, you don't want to give it away." He explained military security also was involved in the decision on when to make the announcement.

Yeager was awarded the Mackay Trophy for his X-1 flight. The trophy is given annually to the Air Force pilot who makes the meritorious flight of the year.

Yeager continued his exploits as a test pilot and received more honors. He made national headlines on several occasions, including the time he was called upon to test a Russian Mig-15 jet turned over to the United States by a North Korean pilot, and again when he piloted an advanced version of the rocket plane, the X-1A, to a new speed record of 1,650 miles per hour.

Yeager said he couldn't describe the X-1 flight as the most thrilling of his career.

"It was the most outstanding as far as accomplishments are concerned," he said, but noted he's had several close brushes with death that were more thrilling. "I probably had more apprehension flying the X-1 because of the unknown element," Yeager said.

The tiny plane was retired to history at the Smithsonian Institution in April, 1950—three years after it first bore the stress of cracking the sound shield and only days after Yeager last squeezed himself into its cockpit.

Yeager said he hasn't considered retirement. "I plan to stay active and remain in the Air Force," he said.

Mr. FULTON of Pennsylvania. As the ranking Republican member of the House Committee on Science and Astronautics, I would like to join in paying tribute to Colonel Yeager on the 21st anniversary of his almost unbelievable exploit in breaking the sound barrier. The Bell X-1 plane in which Colonel Yeager flew is now on exhibit in the Smithsonian Institution, and it is amazing that one human being had the courage necessary to make that flight into the unknown in that flimsy plane. Our astronauts today truly owe a great deal, as does the entire world, to the courage of this outstanding American, Col. Charles E. Yeager.

DEDICATION OF MOSS REHABILITATION HOSPITAL

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, I am glad to see present, my old friend and colleague, Congressman JOSHUA EILBERG. I have known the Congressman for many years and he came to the Halls of Congress well orientated in legislative matters for, as you know. He was formally a member of the general assembly, a majority leader there and I can assure you one of the best liked and effective Members of the House.

REHABILITATION: THE UNMET CHALLENGE OF HEART DISEASE, CANCER AND STROKE

In the years I have served as member and now chairman of the House Appropriations Subcommittee for HEW and Labor, I have come to believe that rehabilitation is probably one of the least understood and appreciated medical fields, by the public.

I think this is unfortunate because I am certain most Americans would be amazed—this is no exaggeration—if they could see what is being done in rehabilitation today. I wish they could see how the blind and deaf are being assisted, by new and imaginative techniques—how more fully the potential of the mentally retarded is being developed—how thousands of the physically and mentally ill have left bed and hospital behind—how, through marvelous modern prosthetics, we are moving ever closer to achieving restoration of full function to amputees and to the crippled.

Rehabilitation has indeed made great strides since the Moss Hospital was founded 70 years ago. Moss is now one of the largest voluntary rehabilitation hospitals in the country, and ranks as a leading teaching center in this field. Today, with the opening of the Harry and Isadore Sley Research Wing, Moss Hospital takes a bold advance into the future.

This new facility will be a proper home for the excellent program in biomedical engineering begun under the superlative leadership of Dr. Frank H. Krusen. In fitting tribute, the Frank H. Krusen Center for Research and Engineering will be housed in this new wing, to continue and expand upon the work begun by this brilliant pioneer in the application of engineering to problems of rehabilitation.

The Krusen Center is the culmination of a highly successful joint effort by the Philco-Ford Corp., Temple University, and the Moss staff to explore the potential of engineering, in the field of rehabilitation generally, and, specifically, to work toward the development of more flexible, controllable limb prostheses. Studies in the development of an externally powered artificial arm for the Social and Rehabilitation Service, and studies of gait patterns of elderly women for the Public Health Service, indicated the potential for a permanent research and development center.

I understand that a major concern of the Krusen Center will be the application of engineering skills to rehabilitating victims of heart disease, cancer, and stroke. Often it is forgotten that rehabilitation is an integral part of the necessary care for such patients. I am particularly gratified by this effort, which meshes well with the national program to conquer and alleviate these major disease problems.

As you no doubt know, extensive basic

and applied research on heart disease, cancer, and stroke is now underway at hundreds of institutions across the Nation—much of it supported by public funds through the National Institutes of Health. The nationwide regional medical programs—also an NIH coordinated project—are assisting in bringing the latest advances in treating and diagnosing heart disease, cancer, and stroke to all Americans. And the Social and Rehabilitation Service has launched a major effort tc step up the rehabilitation services of the States, and to encourage and support specific research in these areas.

These programs are already having an impact in the long-term effort to bring under control these dread diseases, which take an enormous annual toll in premature death and disability. But, there are an estimated 20 million Americans handicapped to some degree by heart disease. There are 1 million persons disabled with cancer and another 2 million victims of stroke. While rehabilitation efforts have been successful in helping a limited number of cases, we are by no means anywhere near to approaching the total effort needed to meet national needs. While our advances in early diagnosis and treatment are enabling longer times of survival, our rehabilitative endeavors have not significantly answered the challenge of converting mere survival into living, in the fullest sense of that word.

Answering this challenge was an important area of concern in the 1964 Report of the President's Commission on Heart Disease, Cancer, and Stroke. The Commission's Subcommittee on Rehabilitation called attention to the complex problems of patients with heart disease, cancer, and stroke—problems which require the teamwork and skills of many professional disciplines for effective and lasting rehabilitation. The subcommittee underscored the need to integrate concerns for rehabilitation early in the diagnostic and therapeutic processes.

At the time of the Commission report, the needs of heart disease, cancer, and stroke victims were hardly being met at all. Cancer, in particular, was the forgotten area in rehabilitation. However, a little over a year later, a pilot regional center was established at the New York University School of Medicine to study the rehabilitation of facially disfigured cancer patients, aided by funds from the Vocational Rehabilitation Administration.

By 1966 State rehabilitation agencies had expanded services, under VRA encouragement, to rehabilitate over 6,300 heart disease cases, 690 cancer and 900 stroke cases. The VRA helped establish vocational evaluation units for heart and stroke cases. Various training programs were begun, for key State rehabilitation agency personnel, and a series of conferences were held which were aimed at stimulating top medical specialists to engage in vocational rehabilitation research. These conferences resulted in a large number of project applications to the VRA. Several new cancer rehabilitation centers were funded, and much needed research training grants were provided to universities to assist persons, working in rehabilitation of cancer and cardiovascular disease patients.

Last year, 2,300 more rehabilitations were made by State agencies in the heart, cancer, and stroke field, primarily in the cardiac category. The VRA's successor, the Social and Rehabilitation Service, has pointed out, that its intensive training programs, for State agency personnel, has had a lot to do with this hopeful trend. Such training is now underway in the State agencies themselves, and it is expected that even more dramatic gains will be seen in the years immediately ahead.

Aside from the services provided by the States, prospects are brightened by the increased flow of high-quality research proposals made in applications for grants under the SRS research-demonstration program in rehabilitation. A number of such projects are already underway.

At Northwestern University Medical School for example, a study of cardiac patients, who have undergone corrective surgery, is being conducted, to identify predictive indicators for recovery and long-term vocational, social and emotional adjustment.

The Memorial Hospital for Cancer and Allied Diseases in New York is engaged in demonstrations of rehabilitation, with patients suffering a full range of disabilities resulting from cancer.

A project at Rancho Los Amigos Hospital in California is concerned with types of cardiovascular problems in hemiplegic patients, in order to obtain objective data which will assist in determining the rehabilitative potential of such cases.

In the South Carolina State rehabilitation agency, a peripheral vascular rehabilitation facility and a cardiovascular surgery rehabilitation unit, has been established. In Delaware, a system is being developed for the referral of heart disease and cancer cases from hospitals and other community health resources to the State rehabilitation agency.

I think we can be grateful for this significant progress in an area of rehabilitation which was virtually ignored just a few short years ago. Yet many more people remain to be reached; only 5 percent of the cases handled by the State agencies are in the heart, cancer, and stroke area. In an effort to augment the efforts of other programs, the regional medical programs headquarters has recently turned, more directly, to interest in rehabilitation, and is encouraging the integration of rehabilitative services into the plans and objectives of the 53 regional programs now, either in the planning or operational phases.

Through the regional programs it is hoped to reach those not now being reached through the State agencies, as well as those who are receiving only limited or poor quality rehabilitative care. Specifically, the regional programs could provide planning funds for rehabilitation facilities and assist in the renovation of existing units for patient care demonstrations.

Potentially, these programs could be a major influence in the integration of rehabilitative services into general hospitals or community home projects. The regional medical program mechanism of cooperative arrangements, among all health resources in a region, is extremely relevant to the establishment of coordinated rehabilitation programs. Studies in manpower utilization which would aim at meeting the great manpower needs with available personnel would be feasible. Refresher courses for rehabilitation personnel and continuing education for community physicians in this field is another possible regional medical program activity.

Unfortunately, I am told that only a few projects concerned with rehabilitation have actually been initiated as yet in regional medical programs. However, more than half of the regional groups include representatives from the rehabilitation field on the regional advisory group and a large number have rehabilitation personnel in some way involved in their activities. Hopefully, this involvement at the regional level, in addition to the creation of an ad hoc advisory group of rehabilitation experts on the program's national level, will soon increase activity in this area. It is encouraging to learn that Moss Hospital will play a role in the rehabilitation efforts of the Greater Delaware Valley regional medical program.

I have purposely left for last a most important and exciting area of progress and hope: in rehabilitation of the heart, cancer, and stroke patient. This is biomedical engineering—the approach that will occupy the Krusen Center in the development of new and refined prosthetics to meet the specialized needs of victims of these diseases. Moss Hospital's undertaking of such a mission points up the tremendous opportunities for prosthetic devices in this field.

With an estimated 25,000 laryngectomized individuals in this country, improved electronic voice aids could assist in making possible more normal speech. Patients who have undergone disfiguring face and jaw surgery for cancer need improved protheses which meet both functional and cosmetic requirements.

Cancer is responsible for 5 percent of all amputations and a third of cancer amputees are children. Continued progress in the development of limb and other prostheses will be of great benefit to these cancer victims.

For the rehabilitation of the stroke patient, there is need for the further development of assistive devices for those with hemiplegia. Such devices, now in use, provide synthetic muscles consisting of gas or hydraulically operated braces and other types of assistors to overcome weakness, paralysis, or absence of extremities. Prosthetics reduce the energy expenditure of hemiplegics in performing physical tasks, and they considerably increase the range of physical activity and thus the employability of the hemiplegic person.

The potential for prosthetics in heart disease rehabilitation is well known. More than 13,000 persons are now alive in the United States as the result of 8 years of implanting cardiac pacemakers which deal with the problem of heartblock.

The National Heart Institute's artificial heart-myocardial infarction program has over the past 4 years let 73 contracts, totaling approximately $12 million, for the development of temporary and permanent heart-assist devices, as well as long-range studies on the total-replacement artificial heart.

The development of other cardiovascular prostheses—artificial blood vessels, heart valves, patches, and plugs made from synthetic materials—has made possible the repair of many acquired and inborn defects of the circulatory system. The replacement or bypass of diseased and damaged arteries with synthetic textile tubes has saved thousands of lives and limbs. Severely damaged heart valves have been replaced by prosthetic ones.

The development of such devices as well as other hardware used in diagnosis, treatment, and rehabilitation has been made possible, through the evolution of the hybrid discipline called biomedical engineering. Here the skills of the research scientist, the engineer, the clinician, and technicians of various persuasions are interwoven, to perfect complex systems and tools. Biomedical engineering has been applied to the handling of vast amounts of medical data for research, treatment, diagnosis, and other uses. Through automation, routine laboratory procedures are now being handled on an experimental basis in a fraction of the usual time. At Moss Hospital and elsewhere biomedical engineering is being put in the service of prosthetics development to achieve maximal simulation of natural function.

The provision of artificial replacement parts for the human body, is an old and important meeting ground for medicine and engineering. But in the past such parts have usually been passive or cosmetic only. More recently, the application of servomechanism and control theory, to the problem of artificial limbs, together with the development of small and powerful motors, promises that a fully useful controllable artificial limb may not be too far in the future. The muscle signal control package, developed here, represents a significant step in that direction.

At a conference held last September in Washington, D.C., aimed at illuminating the "Future Goals of Engineering in Biology and Science," several remarkable facts were brought to light, concerning the further development of orthotic-prosthetic systems. I thought it striking that, considering only, the broad area of disability of human limbs or extremities caused by disease, birth defects, or accidents, it is estimated that as many as 2½ million persons could conceivably benefit from the use of orthotic devices. Ironically, though, one major obstacle to accomplishing such assistance is that the need has not been precisely defined. What must be done first, it was pointed out, is to codify the types and number of disabilities in order to begin realistic orthotics development.

Two conferees noted that prosthetics are sufficiently complex to make separated development, evaluation, and manufacture impractical. They urged an overall systems management function, for all orthotic-prosthetics activities in the United States.

Whether such a rigid system, comparable to NASA's space management, is in the best interest of prosthetic development is debatable. However, most agree that some sort of standards and regulations are needed in this area.

During the first session of Congress last year the Medical Device Safety Act was introduced into the House. This bill, H.R. 10726, states its purpose "to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to assure the safety, reliability, and effectiveness of medical devices."

Under its provisions the bill would enable the Secretary of Health, Education, and Welfare to establish mandatory standards for the manufacturing of such specialized medical devices, as bone pins, catheters, X-ray equipment, and diathermy machines. Artificial organs and prosthetics, as well as other devices, would need to go through a clearance procedure prior to being marketed.

The bill spells out in detail the types of devices which would require conformity to standards and premarket clearance, as well as those which would not. Provision is made for hearings and judicial review, for those adversely affected by stipulations, made under authority of the act, and referral of such questions would be made to an independent advisory committee of experts, nominated by the National Academy of Sciences for a report and recommendation.

There is broad exemption from regulation under the bill's provisions for devices under clinical investigation. Nor would custom-made devices come under the regulations of the proposed act. The various provisions would be administered by the Food and Drug Administration.

As yet no hearings have been held on this measure. I would hope that discussion could be held in the near future, for I am aware that the bill is a highly controversial one. However, I think few would not agree that some kind of regulation and standardization is needed. What I hope would come out of hearings on this bill will be a practical solution that would strike a balance between self-regulation and government regulation that everyone could live with and which would serve the public interest.

The Medical Device Safety Act is only one proposal to deal with one area of concern in the application of engineering to biological problems. A broad spectrum evaluation of the subject is being conducted by the National Academy of Engineering under a contract awarded last July by the National Institutes of Health. A committee on the interplay of engineering with biology and medicine has been established by the Academy to delineate the characteristics and limitations of modern engineering in order to determine how this capability can be effectively directed toward medical and biological problems.

Other Federal involvement in biomedical engineering is concerned with direct research on applying technology for medical purposes and in support of training and research in this field in non-Federal institutions.

Biomedical engineering as applied specifically to rehabilitation is the concern of the Social and Rehabilitation Service. I am told that Moss Hospital has a grant from the Service for biomedical engineering amounting to $200,000 this year. In addition, another grant, taking effect just last week, will help fund a study of neuromuscular bladder dysfunction.

The association of biomedical engineering with rehabilitation is a relatively new concept and it will be most interesting to see what develops here at Moss Hospital, with these excellent new facilities to challenge the ingenuity of your research teams.

With the application of engineering and other skills to the victims of heart disease, cancer, and stroke, rehabilitation will no longer be forgotten, as a vital part of the care needed by such patients. Philadelphia, the State and the Nation are indeed fortunate to have such forward-looking programs underway. Your past successes assure that those yet to come will help return normal lives to suffering thousands.

NEW HOPE—NEW HORIZONS

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, yesterday in Keene, N.H., I attended the official opening ceremonies of the New Hope Center. This is a remarkably successful project sponsored by the Cheshire County Association for Retarded Children. This event was a heartwarming one for me. Friends in the area had interested me in this matter and my office was helpful in a small way concerning Federal and State programs of assistance.

The reason why I enjoyed the occasion so much was the manner in which it exemplified the way our system of government works best. The real work, drive, and inspiration for the project came from the local level. The Federal and State Governments can and should help, and, indeed, must help, but unless the spirit, willingness, and sacrifice by local people are in abundance, projects such as these are too often failures.

Mrs. Rita S. Saltz, who did so much to get the New Hope Center started, prepared a guide for visitors and volunteers of the New Hope Center, entitled "New Hope—New Horizons." Reading this over strikes a note of joy and hope, and I want to share this interesting document with my colleagues. This document is not only a guide for the New Hope Center in Keene, N.H., but it could well be a blueprint for similar projects that may be started elsewhere—indeed, a case study on how to get meaningful action and tackle serious problems at the local level. The document, which I will make a part of the RECORD at this point, will be followed by the program of the opening ceremonies to which I have referred.

NEW HOPE—NEW HORIZONS, HOW YOU CAN HELP

(A guide for visitors and volunteers of the New Hope Center)

INTRODUCTION TO THIS GUIDE

"New Hope . . . New Horizons: How You Can Help" is a guide developed by the Director for visitors and volunteers of The New Hope Center; it is meant to give you some idea of our history and purpose, our goals, and the nature of our program. It is also intended to provide more practical information concerning our pupils and policies. And, most important, it is designed to give you some idea of how you can help, both in furthering the goals of our own program, and in helping retarded children and adults in other parts of our state and our nation.

We are continually reminded of the National Advertising Council advertisement which reads, in part: "Six million mentally retarded have enough problems without you adding to them. Now you're probably saying to yourself, 'Why blame me? I didn't do anything.' That's the problem."

We hope that, through your experience at The New Hope Center, through meeting and working with our children, you will become concerned, as we are, with the fortune of our forgotten children, our neglected citizens, our wasted human resources, and add your concern and your voice to those which now speak for the retarded who may not, at present, themselves uphold their rights.

INTRODUCTION TO THE CENTER

The New Hope Center is a special project of the Cheshire County Association for Retarded Children, a non-profit organization which also sponsors the summer Camp Holiday program for the retarded.

The Center was established to provide classes for children who were considered ineligible for public school special education classes within Cheshire County.

The Center is staffed by an Executive Director and two full-time Instructional Counselors in addition to part-time staff. These personnel, as well as the several consultants employed by the Center, are trained in the areas of education, special education, psychology, nursing, or medicine. To provide more individual attention for the pupils enrolled, volunteer workers are also used in the program.

The Center is the recipient of a "partnership grant" through the U.S. Office of Public Health. This means that a portion of the necessary funding comes from the Office of Public Health, part from the local community. Local funds, as in the past, come from donations by private and industrial funds, civic and community groups, and private individuals. Many private individuals have also donated materials for use in our program.

The Center operates five days weekly, from 9:00 to 2:30; the calendar roughly parallel to the public school calendar. The Center leases the Cleveland School Building, Wood Street in Keene, from the local school district.

THE CENTER PUPILS

Twenty-four pupils are, at this writing, enrolled at The New Hope Center. As the present pupils adjust to the program, additional pupils will be added until the Center is operating at maximum capacity—35 pupils.

Our children range in age from five years to eighteen years. Their ability also covers a very wide range: some are very severely retarded, others appear only mildly so. While some have been excluded from public school classes because they are in the "trainable" category (special education classes locally provide for the "educable" retardate alone), others have emotional or physical handicaps which complicate their retardation. Some of the younger pupils are, presumably, simply too young mentally to benefit as yet from a public school program.

The children come from throughout Cheshire County. Representative towns include Keene, Winchester, Walpole, Troy, Harrisville, Gilsum and Westmoreland. The children are transported to and from the Center by parents or by volunteer drivers.

Although the children at The New Hope Center represent a variety of problems, they are in no way "depressing". Quite to the contrary, they are a joyous and loving group of children. They are deeply appreciative of attention and interest, apply themselves assiduously to any task demanded of them, and reward their teachers and other adults who meet them as equals and treat them as befits the dignity of a human being with a great deal of love and affection. Indeed, the love, the joy, the innocence which they bring to everyday living is a constant reminder to us of the Center staff of the truly wonderful qualities that exist in every human being. We frequently wish that we, in our dealings with others, could be as lavish with these gifts as our pupils are.

No summary could possibly give you as much insight into the children of The New Hope Center as actually meeting, talking, working with them. We hope that you will have the time to do so; those who have reported the sensation of being in some way changed by their contact with our pupils.

THE CENTER PROGRAM

The program and curriculum of the Center are as varied as the pupils. Every effort is made to provide individual programming to meet the individual needs. Various areas covered: self-help skills (grooming, dressing, etc.); communications skills (ranging from simply learning to speak to reading and writing in some cases); health; creative arts; practical arts (housekeeping skills, etc.); community knowledge and social studies; nature study; science work; physical education and music. Pre-academic areas for some children include number readiness and reading readiness. Craft instruction for some is quite advanced; for others, this may be simply learning to use paste. Again, participation in the program gives a much better idea of the range and areas covered.

POLICIES AFFECTING VISITORS AND VOLUNTEERS

Visitors and volunteers of any age, of any training, are welcome at The New Hope Center. Certain policies adopted by the Center's Board of Trustees (composed of professional and lay people with a common interest in the field of mental retardation) prevent us from allowing parents of Center pupils to work in a volunteer capacity directly with the pupils. Parents may co-operate and volunteer services in areas of the program which do not put them in contact with the pupils during the instructional day.

It is helpful if visits are arranged beforehand, although we certainly allow people to "drop in" unannounced. A telephone call to the Center is enough, however, to warn us of your visit, and to allow us to tell you if we are scheduled for some special activity that will be taking us away from the building at the time of your planned visit. The telephone at the Center is 352–7005; the staff is usually available at that number after 8:00 a.m. (The Director may be reached evenings at 563–7323 (Dublin, N.H.)

On an initial visit, you may be asked to meet and talk with the children, and to observe what they are doing. If you are able to stay longer, you may be asked to help an individual youngster with some task, or to participate in a game or an activity.

On subsequent visits, volunteers may be asked to work under the supervision of the director or counselors with individuals or small groups. An experience and training permit, or as imagination and initiative demonstrate themselves, volunteers are allowed to initiate activities on their own, rather than simply follow staff cues.

Dress: Because we serve as models, in a sense, for our children, we prefer that workers and visitors are neatly and properly dressed at all times. Because some of our activities are messy, and our daily constitutionals (on which we welcome additional walkers) take us out into sometimes biting weather, we do not expect elegant attire, but rather functional, practical attire. It is understandable that women and girls may prefer to wear slacks in rough weather; we will remind you that neat slacks provide a more acceptable female model of dress for our girls than, say, blue jeans. And, naturally, skirts and dresses are even more desirable from an instructional point of view. We are confident that our visitors will use their discretion, and dress in an appropriate manner.

Attitude and discipline: Our children, like all children, respond best when they are treated more or less as equals. While they enjoy attention, they do not particularly relish "being made much of". They recognize and accept respect and affection.

In return, we at the Center expect—and demand—a certain amount of respect from the children. We have rules of behavior—the everyday rules you would expect in a situation that brings many children together in close quarters—and expect them to be adhered to by our pupils. Even the most severely retarded child in our classes recognizes the meaning of the word "no", and should respond to it as well as to more positive suggestions and commands. We advise you to react to and treat these children as you would normal children; indeed, as you would your own. We are very careful not to make impossible demands; for this you must rely on your own discretion once again. One would not ask a child with a broken leg to run an obstacle course; one must similarly recognize the nature of each child's handicap, and not demand that which he cannot possibly fulfill. Exposure to and experience with these children will allow you to recognize the limitations which currently exist for each. And common sense and the sensitivity which is the portion of each of us will help a great deal until you are more familiar with a child.

One other caution: if a child can, in some way, help himself, we must be careful not to "do for him." For example, even if a child cannot button his own coat, he may, independently, be able to put one sleeve on. It is often hard to resist the impulse to feed a child who is spilling two-thirds of his Jell-o or who is constantly trying to put the wrong puzzle piece into the wrong place. But resist we must—although a verbal suggestion at times is desirable and may help the child correct his own behavior.

Specific suggestions for helping individual children will be made available within the classrooms—and the counselors and director are always available for suggestions, questions, or assistance. If you don't know, ask. If you need help, again, ask.

Also available within classrooms or from the Center staff: location of materials; specific rules of deportment; directions relating to the daily schedule.

WHAT CAN YOU DO?

The preceding has given you some idea of the functions of a volunteer worker at The New Hope Center. We certainly need people to work with children in the instructional aspect of the program on an individual basis. Training is not a necessary prerequisite, since work may be done under the direct supervision of a staff member. Other activities—reading aloud to a child, watching a child play, simply getting a child to speak about what he is doing—need no supervision.

In addition to working directly with the children in this way, there are other functions volunteers at The New Hope Center may serve:

1. We need more volunteer drivers and substitute volunteer drivers to assist in transporting the children to and from the Center.

2. We might use people to help with the preparation of the Center lunch. At present, one staff member and several pupils are preparing and serving lunch for the entire Center. Additional hands are appreciated.

3. Volunteers are essential for "special services"—if you are a gifted knitter, if you have spectacular slides on New Hampshire wildlife, if you have four frisky hamsters—

we need you. We enjoy the participation of "guest lecturers" in special fields, or of new experiences.

4. We always welcome volunteers on our Center walks. Such walks usually take place daily after lunch; they may take us into different parts of the community. Again, many hands make the walks less difficult for the staff.

5. We need volunteers who might be contacted to drive on Center field trips. For any trip over a few blocks distant, cars are necessary. Such trips have never been any great distance, and many are within the city limits.

These are the areas in which we need your help. But there is one even more important area, not only for us, but for the retarded everywhere. And for this we would like to enlist the aid of every visitor, every volunteer, every friend of The New Hope Center.

The retarded cannot, politically speaking, speak for themselves. In different parts of our country, different legislation exists to provide for the retarded, to protect the retarded. Find out what provision, what protection, we have in the state of New Hampshire. And if you think it insufficient, speak. Speak to your family, your neighbors, your friends, your representatives. Too long, the cause of retardation has been supported by a small number of parents and interested persons. It is time for all of us, the general public, to take an active interest in what is happening.

I will, at this point, provide the following facts for your consideration: In many states, each school-age child who is toilet-trained and can communicate his needs is assured of a place in a public school classroom suited to his needs. In New Hampshire, legislation governing the education of the retarded is "permissive"—that is, it states that school boards "may" provide classes for the mentally handicapped. Not "must". "May." With this in mind and with the understanding that our state is notoriously tax-poor—i.e., we just don't have the state income to provide appropriations for all the programs we would like to see—it is little wonder that so many children are "left out."

Bear in mind that retardates can be helped; that the great majority of retardates can be trained to perform some useful function within the community. That many can work in "sheltered workshops." That many retardates can live at home or in "halfway houses"; they can avoid institutionalization.

Be aware of the funds that must be spent each year to maintain retardates in an institution. Well over $2,000 yearly is the current cost of maintaining one individual at Laconia State School. This much yearly—for life. If we can save someone from institutionalization, we are saving our tax money as well as the individual. If we can make a retardate into a community asset, we are eliminating a public liability.

What can you do to help? You have begun by taking an interest in The New Hope Center. We hope you will continue your interest. Discover what other resources exist within our community for the retarded. Find out about our public-school classes for the retarded. Write your out-of-state friends, or visit out of state to see what resources exist in other states. Give us publicity; give the cause of retardation publicity. We are all taxpayers; we are all concerned. Let us get some focus on our concern. The voices of many carry more weight politically than the voices of a few.

Bring your family and friends to visit at The New Hope Center. Help your children to accept handicapped individuals as human beings, to accept them with the dignity due a fellow human being. Help to eliminate the prejudice and fear felt by those who do not know about retardation. Write the President's Committee on Mental Retardation to get free materials on retardation and services for retardates.

If you are interested in discussing the pertinent issues and facts, speak to the Center staff. Better yet, join the Cheshire County Association for Retarded Children. Dues are minimal, and joining will put you in contact with news of the latest work in the field of retardation.

Mental retardation is a community concern. We at the Center are fortunate in having had so much community support: through donations, through volunteer participation; through participation of local service agencies; through the co-operation of Keene State College faculty and students; the co-operation of the Dublin School; the co-operation of the Elliot Community Hospital School of Nursing faculty and students. We have enjoyed the interest and efforts of junior-high schoolchildren and of "senior ctizens". Volunteers have come from East Sullivan, Marlborough, Nelson, Fitzwilliam, from many towns outside Keene as well as from Keene itself. We are, indeed, a community concern. And we ask you to help make The New Hope Center and the cause of mental retardation a more vital community concern, and of concern to more of the community.

For the retarded, there can be new hope—and new horizons. Will you help?

OFFICIAL OPENING CEREMONIES FOR THE NEW HOPE CENTER, OCTOBER 13, 1968

Program

Mr. Russell F. Batchelor, Jr., Chairman, Board of Trustees: Welcome from Trustee.

Reverend Harold K. Shelley, Unitarian Universalist Church: Invocation.

The New Hope Center: Flag-raising and Salute.

Mr. James C. Haddock, Director, The New Hope Center: Address.

Introduction of the New Hope center staff

Major Richard E. Bean: Address.

Mr. John W. Day, Superintendent of Schools: Address.

Introduction of the New Hope Center Board of Trustees

Mr. Harold C. Ladam, Chairman, Bd. of Trustees, Retired: Address.

Mrs. Rita S. Saltz, Director, New Hope Center, Retired: Address.

Mr. Carl Delaney, president, Cheshire County Assoc. for Retarded Children: Address.

Congressman JAMES C. CLEVELAND's Address.

Rev. Gerard J. Vallee, The Newman Center, KCS: Benediction.

LONG SESSIONS OF CONGRESS—GOOD OR BAD?

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire.

There was no objection.

Mr. CLEVELAND. Mr. Speaker, as we limp into final adjournment with a quorum quite likely not present, it seems to me an appropriate time to consider anew the question whether these increasingly long sessions of Congress that we have been having are good or bad. I am sure the question is not a one-sided one. For my part, I consider them to be inherently bad. Without the discipline of an adjournment deadline, poor legislation is sometimes enacted. Even worse, I feel that the Members get out of touch with their districts and the realities, and that many of us become residents of Washington first, and of our district, second.

In the next session of the Congress, I hope we have an opportunity to consider the reorganization of our procedures here on the floor of the House. It is my hope that more attention will be given to this problem of long sessions. I discuss this matter at some length in my Washington Report No. 12, which I released last July 18. As I reread that report, I think that much of what I said then is relevant now and I wish to share my observations in the report with my colleagues at this point in the RECORD:

WASHINGTON REPORT NO. 12, THE IMPOSSIBLE DREAM

Adjournment is in the air. You can sense it by the hustle and bustle in the offices and halls of Congress as the leadership drives towards an avowed August 3 adjournment date. This will close the Congressional session just prior to the conventions of our two major political parties scheduled for August. However, it seems to many (myself included) an impossible dream. Long and protracted sessions of Congress have become a way of life in Washington.

The power structure that runs Congress likes Washington. Some call this Potomac Fever. It is here on the banks of the Potomac that the power structure of Capitol Hill enjoys their greatest prestige and their most cherished privileges and prerogatives. It is here that they can most conveniently huddle to plan their next issue and plot the new programs to solve them. It is here, too, that they can huddle with the media, to call the signals for the next plays and to set the stage for the next scrimmages in the unending battle between the good guys and the bad guys. Although I have long been an advocate of home rule for Washington, I cannot agree with those who say the District is not well represented in Congress. I think that the District is over-represented in Congress. It is here that many members have become most at home. With each passing year and with each protracted session of Congress, the gulf between the stately domes on the Potomac and the hinterlands widens.

The centralization of power accelerates. Its engines are fueled with an annual intake of new legislation, new programs and, yes—you guessed it, more problems. Just recently, after eight months of study, Congressman William Roth, of Delaware, compiled a list of 1,091 operating Federal assistance programs. He found that the Federal bureaucracy has become so large and so complex that people don't know where to go to find assistance. Even Congress itself is having trouble in effectively determining the desirability or need for new programs that may be proposed, let alone advising constituents what ones are already in existence.

ARE LONG LEGISLATIVE SESSIONS BAD?

Long legislative sessions are inherently bad. Without adjournment deadlines, poor legislation can be manipulated into law. The discipline of the grassroots can be avoided. Legislative schedules can be ignored, as happened the week that this is being written when the foreign aid and gun control bills were both inexplicably and hastily taken off the announced and published legislative agenda for the week. The liberal cant that legislation should be voted up or voted down has become a mockery. Legislation that is in trouble is being saved by detour, delay and deal. As sessions lengthen attendance falls off. On July 3 only 222 members (218 is a quorum) answered the roll on an important appropriation bill. In the waning days of the 89th Congress (1966) I recall vividly, important measures being voted on with long waits to get a bare quorum. Last year when we adjourned late in December, I observed in my last report that one reason why "so much power has become centralized in Washington may be that with Congress now meeting on an almost year-round basis, Washington is virtually 'home' for many Members."

PROBLEMS OF CENTRALIZATION

Lord Acton said that all power tends to corrupt—absolute power corrupts absolutely.

Surely total centralization of power leads ultimately to absolute power. It is equally true, of course, that a national government with a federal system would fall apart without some centralization of power. It is thus a question of degree. In my opinion the pendulum has now swung too far.

The problems of centralized power, however, are not confined just to government. In recent weeks, as answers to my questionnaire, many with accompanying letters, have poured in, I have been struck by the hardships and frustrations that centralization of power is causing the "forgotten man" in America. That mail has made it increasingly clear that many national organizations have also fallen victim to centralization. Union members are beginning to tell me in increasing numbers, that their national organizations do not always speak for them on some issues. The same is true of church members and members of business organizations and others.

National organizations here in Washington, staffed by high salaried officials, purport to speak for the rank and file, when in fact they often speak only for themselves or small fragments of their membership. These so called spokesmen have interlocking power structures of their own. Yet they purport to speak on endless occasions for their membership, the rank and file—the forgotten man.

THE FORGOTTEN MAN

Who is the Forgotten Man? The Forgotten Man is the guy in the midle, the hard-working, tax-paying, law-abiding, God-fearing citizen. He is not rich enough to fight the ravages of inflation by investing in the stock market or real estate, nor to command the advice of lawyers and accountants to steer him through the tax loopholes. He is not poor enough to have a federal program smother him with affection, nor does he seem to be young enough or old enough. He is told that Betty Furness loves him as a consumer, but he feels that her Administration's taxes and inflationary policies are robbing him blind. He is told that we are fighting a war to protect freedom against aggression in Vietnam but he senses that we are losing that same fight at home in a wave of civil disorder, mounting crime and court decisions that he cannot understand.

WHO REPRESENTS THE REAL YOUTH OF AMERICA?

Mr. BROTZMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, on Sunday, October 13, I was privileged to participate in a ceremony to award the Bronze Star posthumously to a young man who lost his life while serving his country in Vietnam.

It was a particularly moving experience for me. The young man who was being honored even in death was L/Cpl. Jimmie Prideaux of Brighton, Colo., in my district. I knew Jimmie Prideaux personally. In 1964 I had the privilege of nominating him to the Military Academy, but he had to decline the nomination because of a badly broken leg. Subsequently he joined the Marine Corps and was killed on February 5, 1968, by a fragmentation device while in combat at Phau Tiem near the DMZ.

Yesterday, as I presented the Bronze Star to Jimmie's mother, my thoughts went back to my first meeting with this young man. He had approached me concerning an appointment to the Military Academy. After I had explained to him the rigors of academy life and the sacrifices which would be required of him, he looked me in the eye and said: "Congressman, I want to serve my country." I will never forget that experience.

Jimmie Prideaux represented everything good about American youth—its ideals and hopes.

I could not help but contrast this young man's vision and hope for his country with the sordid stories in this morning's press—stories of the meetings of the Students for a Democratic Society currently being held at the University of Colorado. Last Saturday, October 12, the SDS forcibly ejected reporters and photographers from their meeting hall. An Associated Press story which ran in the Washington, D.C., Sunday Star on October 13, 1968, quotes SDS members as shouting, "No pictures, you pigs." This story also tells of how the crowd forced one television cameraman and four policemen against a wall. A freelance photographer was knocked to the floor before SDS members shoved newsmen, policemen, and university officials from the room.

This morning, I read in the Washington Post that the SDS has now called for a nationwide student strike and big city demonstrations to coincide with the November 5 presidential elections.

I abhor the violence and the strong-arm tactics used by the SDS to prevent publication of their plans for disruption and destruction. It is even more provoking to see that their acts of violence are done under the guise of the right to dissent.

The right to dissent is not the right to destroy.

One of the most moving, yet simple tributes to Jimmie Prideaux came from one of his buddies—Pfc. Johnnie L. Evans, of Germantown, Ohio. The letter began, "Dear Family," and continued as follows:

> I am very sorry about your great loss the family has to suffer. This is a letter to show how the company liked him. He was a brave man. When he got killed, him and a few more Marines were trying to recover a dead Marine's body on a bridge.
>
> I would have been there, but I got wounded. I was in the hospital when I heard the news. So don't think he died for nothing. I am tired of war, but I must keep fighting.
>
> Even though I am a Negro, I like him because the color of people's skins don't matter to me. He was a good man. I mean it, too. With grief.

The letter was signed, "Johnnie."

I say to the youth of America, "Cast your lot with the Jimmie Prideauxs and all he stood for. If you do, then America's future is secure."

BETTS REPORTS ON THE 90TH CONGRESS

Mr. BETTS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BETTS. Mr. Speaker, as I review the work of the 90th Congress, its record clearly falls far short of meeting the most pressing problems facing our Nation. The people of the Eighth District of Ohio whose views I try to reflect in the Congress share my judgment, I believe, as the role and responsibility of the Federal Government is contrasted with the major issues concerning our citizens. Let me summarize some of the attitudes of my constituents on important questions and compare them with action taken by the 90th Congress.

In two legislative questionnaires, the people of the Eighth District voiced displeasure with major domestic and foreign policies of the Johnson administration and the legislative program recommended to Congress. At home, the drifting, inconclusive conduct of the Vietnam war disturbs and frustrates most people. The capture of the *Pueblo* by the North Koreans almost 9 months ago and the enemic attempts to get the crew returned are unanimously deplored. Continued trading with the North Vietnamese by our allies, breakdown in NATO's effectiveness, blatant failure of foreign aid, and a nonexistent Cuban policy are high on the list of the unsatisfactory conduct of America's foreign affairs.

Turning to domestic matters, my constituents strongly voice dissatisfaction over the widespread lawlessness, fiscal irresponsibility, and a bloated Federal bureaucracy. Greater spending is opposed in large part because the dollars are not wisely spent or could be more effectively used by State and local governments. Billions are being poured into welfare and poverty efforts, to farm programs, for urban development and education, but despite this vast expenditure things get worse instead of improving. Law and order is a catchword for the overriding issue in the public's mind this year. I will discuss this subject and congressional response later in my report.

It is the permissiveness, lack of respect for authority, and low level of confidence in the Government, which prompts current criticism. Last year 78 percent of the people returning my questionnaire indicated a belief that they are receiving inadequate information on vital issues. Even Members of Congress find it difficult to get the hard facts they need to know about, the true picture of military action in Vietnam, or the economic conditions in the country on which to base tax policy. With duplicity and gross inconsistencies in statements by Federal officials rampant, it is no wonder that so many Americans are displeased.

With this as a background, here are some of the areas where Congress approved constructive legislation:

Raised social security benefits and made modest but important reforms in the welfare system.

Continued higher education construction and student loans and established a new vocational education program.

Three veterans' pension and compensation bills adopted.

Significant air and water pollution measures passed.

Several consumer protection bills enacted, some too deeply involving Federal control.

Omnibus Crime Control and Safe Streets Act, Commission on Noxious and Obscene Matters, Juvenile Delinquency

Prevention and Control Act, and Drug Abuse Amendments.

There is a wide array of subjects which this Congress failed to consider or did so inadequately. Here are some of the subjects most distressing to me:

Farm legislation was reviewed without any significant changes which would help raise farm prices or income.

Import restrictions on steel, farm products and a number of manufactured goods important in the Eighth District were not approved.

No reforms in foreign aid, nor any reconsideration of our overseas security treaties was undertaken.

Failure to stop or consolidate many of the more than 1,200 separate Federal aid programs, establish a new Hoover Commission, or require General Accounting Office approval of accounting system.

Private enterprise and State-local government programs were not strengthened in training the unemployed, slum improvement and urban housing needs.

Law enforcement legislation passed only partially deals with the complex needs to curb organized crime, riots, subversion, and strengthening local police capabilities. J. Edgar Hoover's views have not been heeded, most particularly by the Attorney General.

Government invasion of right to personal privacy not checked by census reforms, restrictions on proposed data bank and information collection policies.

Congress did initiate a good crime control program, often in spite of the Justice Department. The omnibus anticrime bill includes, first, creation of an institute to train law enforcement officers and encourage research into scientific advances for fighting crime; second, authority for wiretapping under court direction in cases of organized crime; third, clarification of police investigation procedures in an effort to avoid U.S. Supreme Court interferences; fourth, requirement for cooperation between Federal, State, and local authorities. Over the opposition of the U.S. Attorney General, the Congress passed an antiriot bill and a measure making it a Federal crime to burn or otherwise desecrate the American flag. While emotions over gun control ran high this year, I believe Congress went about as far as it could, or should, in the regulation of firearms. The mail-order sale of handguns is now prohibited. I supported these provisions and voted against amendments—which failed—to require registration of every gun or the licensing of every gun owner.

Vietnam, our country's undeclared war, has resulted in over 28,000 Americans killed and more than 175,000 wounded, yet we are unable to end the fighting. The President is responsible for the conduct of foreign affairs under the Constitution and has consulted with Congress very little on how the war should be pursued or strategies to bring an early peace. I share the growing frustration over the drift in the fighting and unproductive peace talks in Paris. My philosophy toward our involvement in Vietnam was contained in a newsletter prepared earlier this year but I believe is still most relevant today.

> Over the years I have said we cannot and should not be the policeman, banker and Santa Claus for the world. I have opposed foreign economic and military aid and believe many of our defense treaties over-commit this country. I look at Vietnam first as a supposed extension of U.S. national interest through our SEATO treaty. While I believe it is desirable that this country help its friends and allies and engage in international organizations, I feel that the proliferation of defense agreements, stationing of our troops extensively in dozens of countries, and embarking on a U.S. dominated land war in Asia are most dubious undertakings.
>
> Yet we are there, over our heads in the military, economic and political life of Vietnam. My inclination has been for many months and is now that we should exercise the force to win or open the way for a cease-fire and withdrawal. As a matter of fact, I think this is the core of the issue. For that reason, I have supported appropriations measures to supply our troops with all the equipment and supplies recommended by the Secretary of Defense. To do less would jeopardize the lives of 500,000 Americans on that Asian continent who are there through no fault of their own. I have spoken time and again over the years against the military and economic aid programs which I feel have directly involved us in Vietnam. I am disappointed that this view has not often prevailed and only now are people seeing the folly of such over-extension of our country in the world.

The deterioration of our economy has finally been recognized by this administration and many free wheeling economists who have the notion we can spend our way into prosperity and price stability. Well, rising inflation, a balance-of-payments crisis and unwieldy Federal deficits finally forced those in power to face a number of economic facts of life. As a member of the Ways and Means Committee, I worked hard to see that corrective policies were established but these were not supported by the administration. President Johnson has consistently failed to use the appropriate tools to remedy our financial plight.

A severe travel tax was called for but the real cause of the dollar drain, foreign aid, was left unchanged. The 10-percent surtax became necessary because the President would not cut domestic spending and even today continues to throw roadblocks in the way of implementing the $6 billion cut required by Congress. Imports threaten a wide range of industries and the farmer, but instead of imposing restrictions, the President wants subsidies for those weakened by the flow of foreign products. Inflation eats away at all our incomes and savings, but the Federal payroll is loaded still further and public debt is raised semiannually. These are some of the contradictions I see as prompting the economic instability and weakening of the dollar.

While the legislation before the House requires a great deal of my time, I devote much energy to the work of two House committees and in handling problems and requests from residents of the Eighth District.

COMMITTEE RESPONSIBILITIES

Perhaps the most important phase of congressional activity is action on legislation taken by committees. There, the most intensive consideration is given proposals and citizens and representatives or organizations are given the opportunity to be heard. It is a phase where a tremendous volume of hard work is done by the Congressmen, often unnoticed by the public. I have the privilege of serving on the Ways and Means Committee and the Committee on Standards of Official Conduct.

The Ways and Means Committee, composed of 25 members, was established in 1789 and is the oldest committee of the House. Its responsibilities include exclusive jurisdiction over revenue measures which cover the national debt, customs and duties, reciprocal trade agreements, all taxation, social security and medicare. During the 90th Congress, we have extensively studied these subjects and from our hearings and investigations sent 28 bills to the House for action, most of these were passed and signed into law. As there are no subcommittees in Ways and Means and we take up subjects rather than specific bills—over 2,000 were referred to the committee—hearings consume as much as 6 hours a day. Since the decisions of this committee affect every citizen, I feel a special responsibility to see that the views of Eighth District residents are presented to my colleagues.

The Committee on Standards of Official Conduct, or the ethics committee, was established in 1967 to formulate a code of conduct that Congressmen, employees of the House and its officers could understand and abide by. This committee was formed as a result of several cases of misconduct and the fact that the House did not have an official code of conduct nor a permanent committee to handle questions regarding Members actions. We met for nearly 11 months and held numerous hearings as well as reviewing ethics codes of several countries, the States and cities and prior legislation introduced on the subject. The House approved our resolution calling for the establishment of a permanent ethics committee with power to enforce the code of conduct, public disclosure of certain assets by Members, modernization of the Federal Corrupt Practices Act and clearer guidelines for use of funds and reporting procedures.

BETTS BILLS

As part of my legislative responsibilities I have introduced about 30 bills for House consideration. A number relate to my committee work and others are designed to stimulate action on subjects I do not feel are receiving adequate House attention. Let me briefly review some of these measures.

The problem of air and water pollution must be met more successfully if we are to live in a healthy environment. Federal action must be coupled with State and local responsibility and private industry must be encouraged to reduce their role in causing polluted conditions. I was pleased that the Water Quality Improvement Act of 1968 was passed to provide for construction of waste treatment works. To further this effort I proposed a bill to allow a tax deduction as an incentive to business to install such equipment which would reduce polluted material. Another aspect of this problem, especially along Lake

Erie, is to curb the dumping of polluted materials by the Army Corps of Engineers.

In 1968 Government dredging of harbors on Lake Erie by the corps will result in 7,015,000 cubic yards of spoil material, virtually all polluted, being produced for disposal in the lake. I joined with 112 of my colleagues in a bipartisan effort to prohibit the Department of the Army from dumping or approving the dumping of spoil material from dredging operations into any navigable water unless it can be determined that to do so will not result in the pollution of such water. It is no wonder industries and local governments continue to pollute Lake Erie when the Federal Government is setting such a poor example in failing to curb the disposal of waste material.

The price of education, both secondary and for college, increases continuously. In an effort to keep local control of education, assist parents and their children in college with education costs, I have introduced a comprehensive tax credit bill. My legislation would allow a tax credit for amounts paid for tuition or fees to colleges or for occupational training or retraining. This measure will also allow a credit for taxes paid for public education, and to exempt from income tax scholarships, fellowships, and student assistantships and some earnings by undergraduate college students.

One bill of particular importance to cattle growers and consumers is the one I have sponsored to forbid imports to this country of livestock or beef until the exporting nation satisfied the United States that no animals in this country are infected with hoof and mouth disease. Along similar lines, I am cosponsoring legislation to order the Department of Agriculture to stop destroying entire flocks of sheep when one is found to carry the disease of scrapie. There is no evidence at the present time to decide authoritatively that scrapie is contagious and therefore warrant the slaughter of an entire flock.

News accounts of the terrible riots last year and this spring described how firemen are often among the injured and those threatened by snipers. I feel these men should be better protected in their line of duty and have sponsored a bill to make it unlawful to injure, intimidate, or interfere with any fireman performing his duties during the course of a riot. These men are only trying to save our property and it is only right that we should give them better protection against those who would obstruct this job.

About a year ago the President asked the Senate to ratify a treaty whereby the United States would lose actual control over the Panama Canal Zone. I proposed a resolution that it is the sense of Congress that the Government of the United States should maintain and protect its sovereign rights and jurisdiction over the Panama Canal and that our Government in no way cede any of these rights to any other nation or international organization. We have invested $4 billion in the canal and have paid a gratuity to the Republic of Panama amounting to nearly $50 million. This canal is vital to the hemispheric defense and security of this country. This treaty, if ratified, would impair if not eliminate all known and admitted sovereign rights of the United States in the Panama Canal. As long as the United States maintains its sovereign rights in this area, we need not fear that ever happening so close to home.

My efforts to bring about census reform are familiar to most residents of the Eighth District. Perhaps the best way to describe the support I have received for my bill to make voluntary all but seven essential questions would be to quote from several editorials which have appeared across the country on the subject. The Boston Sunday Globe, November 5, 1967:

> Citizens in their personal capacities, wholly apart from their business activities are being harassed too much by a government whose demands oblige them to keep records beyond the ken of many and even more beyond the patience of all.

Long Beach, Calif., Independent, March 2, 1968:

> The Census should not pry. It should demand only such information as will reflect how many of us there are and the basic conditions under which we live.

New York Daily News, May 27, 1968:

> We hope he (Mr. Betts) can stir up enough of his colleagues to put a clamp on the Nosey Parkers in Government.

Tulsa World, May 26, 1968:

> We agree with him (Mr. Betts). We don't believe personal histories and facts about personal matters should be promiscuously gathered by the Federal Government to satisfy the whims of statisticians. . . .

New Haven Register, May 23, 1968:

> In a day when more and more grounds appear for fearing a centralized, computerized "Big Brother" type of informational bank on every soul in this country, the need for clear and specific definitions of bureaucratic roles and powers is imperative.

And finally, from the Fort Wayne News Sentinel, June 1, 1968:

> Congressman Betts' measure should be passed.

Chances are good that restrictive census legislation can be passed early in the next Congress.

I have always been much concerned with the amount of waste and mismanagement in the Government. One of the causes of this inefficiency is the fact that only 61 of 173 agencies have accounting systems which measure up to standards prescribed by the General Accounting Office. My research and discussions with colleagues prompted me to sponsor three bills designed to correct many of the sources of wasted tax dollars. The first measure provides that the Comptroller General must identify individuals who fail to comply with proper spending procedures, require new agencies to consult with the GAO before they begin operation and provide for annual reporting by departments and agencies on their adoption of GAO recommendations. My second bill would force the early adoption of better accounting systems and program planning by cutting off funds to any agency not complying with such a law. Finally, I would set up a complaint desk for Federal employees and citizens who know of inefficiency or mismanagement in any Government program.

I have called for a constitutional amendment to require a two-thirds vote by the Supreme Court to decide cases involving constitutional issues. The current low state of public confidence in the Supreme Court, as exhibited in the Fortas nomination and a recent Gallup poll, results from decisions on such subjects as Bible reading in the schools, pornography, criminal procedures, Communist subversion and legislative apportionment. Some of the most controversial and unpopular decisions were on a 5-to-4 vote of the Court. If such an amendment were adopted I believe the Court would be more restrained in cases where a basic interpretation of the Federal or a State constitution were involved.

ASSISTANCE AND SERVICE PROJECTS

Each year I receive more letters, calls and visits from constituents who have problems with Federal agencies or wish to provide me with their views on legislation before Congress. I welcome the opportunity to meet with as many citizens as possible because our form of representative government will be meaningful only if there is a closeness between elected officials and their constituents. As usual, I have continued my annual courthouse conferences allowing anyone who wants to meet with me an opportunity to do so. During several days I have had office hours at my Mansfield office, room 314, Richland Trust Building, and will reopen my Findlay office in the Niles Building after adjournment. Let me review some of the programs and services I try to provide as your Congressman.

The creation of many new Federal programs, such as medicare, expansion of veterans benefits and social security, and the Vietnam war have resulted in my having nearly 500 separate requests for assistance this year. My legislative mail runs into the thousands of letters, especially to respond to comments on the questionnaires. In addition to this volume of correspondence, students, teachers, local government officials and agriculture extension agents call on me for the various pamphlets available through my office. I try to give each letter my personal attention and provide a prompt, complete reply to all requests.

Again during this Congress my annual legislative questionnaire has proved to be a most valuable undertaking. I feel these questionnaires serve a useful function in that they acquaint me with the feelings and ideas of those I serve and also provide an opportunity for many citizens to review their personal thinking on important national issues. This is healthy participation by people in the legislative process which I am pleased has been so well received.

One of the most pleasant duties I have is to nominate young men to the U.S. Military Academy, the Naval Academy, the Air Force Academy and the Merchant Marine Academy for training to become officers in our Armed Forces. Although I cannot nominate men to the Coast Guard Academy, I am always pleased to provide catalogs to any young man interested in this Academy. Over the years quite a number of fine young men from our district have completed their educations at one of the academies and go on to distinguished military careers. I urge parents, school officials, and interested persons to recommend young men who might compete for an Academy appointment.

A strictly competitive system is used in determining the best candidates and I am proud to say that I was able to nominate six outstanding young men for the academies during the 90th Congress. Anyone who desires further information or catalogs should write to me at 2310 Rayburn Office Building, Washington, D.C. 20515.

The rapid increase in lawlessness and violence in America has brought many calls for immediate corrective action. Local, State, and Federal programs to combat crime are improving, but much more remains to be done before preventive efforts will reduce the crime rate. Basic to any successful attack on crime and delinquency is citizen participation in prevention. Churches, schools, businesses, and the family have the primary responsibility for prevention of crime. In order to bring the local and home responsibilities for crime control into focus I sponsored the Eighth District Conference on Crime and Law Enforcement in Mansfield last December. Each of the 250 persons attending this successful event was asked to reassess local efforts against crime and delinquency. The speakers on the program provided concrete suggestions on how citizens could help their law enforcement officials.

On April 16, I was pleased to cosponsor the Eighth District Youth Leadership Workshop with Heidelberg College in Tiffin. About 300 students and faculty advisors from 50 high schools came to discuss these young people's role in America's future. Several workshop panels and a luncheon program reviewed these topics: "The Individual and Foreign-Military Policy"; "Career Opportunities in a Changing World"; "The Individual and Morality: Respect for Law and Order"; "Striving for the Equality of Man"; "You and Your Government"; and "Challenge and Responsibility of Business and Industry Today."

CIVIL RIGHTS

Mr. BROYHILL of Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, the pendulum of justice, unbalanced by the distorted legal interpretations of the Johnson-Humphrey administration, has now swung to a point where the U.S. Department of Justice ignores the constitutional and civil rights of a certain minority group in the District of Columbia. I refer to the white minority.

In the wake of last April's race riots, the local newspapers revealed pressures and conspiracies by so-called black power groups to drive white merchants out of business. There were and continue to be actions and threats against businessmen solely because of their race, color, and creed. I add the word "creed," because some of the black power manifestation have been anti-Semitic, singling out certain merchants especially because they are of the Jewish faith.

My understanding of equal protection under the law is that all persons, white as well as black, are entitled to the same rights and privileges. If Negro merchants were harassed, looted, their enterprises burned by fire bombs, and open incitements and threats made against them solely on the basis of the color of their skin, the Department of Justice could and would find legal grounds, civil rights or otherwise, to protect them.

Let us imagine what would happen in the District of Columbia if "white power" organizations were formed and if such groups agitated and conspired to harass Negro merchants and drive them out of business with precisely the same tactics now being employed by black power against whites.

We would hear a tremendous outcry about racism, discrimination, fascism, Nazism, and so forth. We would see action.

But let me disclose to you today what happened when I tried to get the Attorney General to consider the minority rights of the non-Negro population of the District of Columbia, the whites who now number one-third or less of the total population.

On April 30, I wrote to Mr. Ramsey Clark. I expressed the view that the white minority in the District of Columbia was entitled to the same protection afforded nonwhites. I urged that he initiate steps to provide such protection on an equal basis to all citizens.

Last July 22, almost 3 months later, the Justice Department finally got around to replying. Mr. Stephen J. Pollak, Assistant Attorney General, in charge of the Civil Rights Division, wrote on behalf of Mr. Clark.

I had enclosed clippings from local newspapers and other evidence to establish that whites were being seriously harassed in the District merely because of their color. But Mr. Pollak reported to me that he could find "no statute administered by this Department covering the specific type of activity described in the clippings."

I would like to read for a moment, if I may, from one of those clippings entitled, "Negro Militants Force Immigrant to Close His Grocery Store." It appeared in the Washington Post on April 29, 1968.

> When Henry Walczak says he's living on borrowed time, he's not talking about the black militants whose pickets have forced him to close his 14th Street market. He is thinking instead of Poland and Russia, of World War II and the Minsk ghetto.
>
> "The Germans couldn't kill me", he says. "I was lucky".
>
> But at 56, Henry Walczak faces the loss of the P&G Market without the faith that has kept him on top of his trouble in the past. Short, with powerful arms, a ruddy Slavic complexion and direct blue eyes, he says he was until two weeks ago, "the boss" at 3404 14th st., n.w.
>
> When one casual customer, who later turned up as a picket for a group called "Build Black" told Walczak "we'll chase you out—we don't need you." Walczak scoffed at him. Sundays, the storekeeper said, neighborhood men who were his friends during the week would drink and boast of how he was going to be forced to move.
>
> But he was known to help people out and claims that in his five years near the corner of 14th and Monroe Streets the small store had never suffered a break-in or a holdup.
>
> "They respected him," says his wife. She is a one-woman Greek chorus to his narrative, emotional, her eyes worried. She has never felt secure in the store and it is her husband who the neighborhood knows better.
>
> The P&G, one of the few white-owned businesses on the east side of that block, lost its front window, its more valuable stock and several machines to the looters earlier this month. Walczak feels the presence of tenants on the second floor helped save the place from being burned. He was able to reopen soon after.
>
> He says after the riots subsided he assured several local residents that as long as he was there they were not going to starve.
>
> But two weeks after the trouble broke out, his militant customer was back, this time with friends, carrying a hand lettered sign reading "No more mom and pop stores." Walczak says the man, whom police identify as a member of "Build Black" from a few doors away, stopped people as they tried to enter the store. Presently the store was devoid of customers.
>
> The police came, but say the man was only picketing and not subject to arrest. Next day, the picketer was back, but Walczak had already begun to move out, despite an offer from the 10th Precinct for 'round-the-clock surveillance.
>
> "I didn't have any other choice. I told the police 'your intentions are good, but there's nothing you can do'."
>
> He may try to open another store outside the District, but his lease has a year to run. He will probably just start looking for a job, he said, just as he did when he immigrated here after the war. He has two sons, both students.
>
> The Walczaks feel their prices were no different than the other independents, all highly competitive but unable to match most chain store prices. But they say anti-Semitism is a traditional attitude along 14th Street.
>
> "A little kid, three years old," Mrs. Walczak measures the distance off the floor, "she comes in and says her mother told her to go buy candy at the white Jew store."
>
> "I'm not a racist," Walczak says. "I was raised to believe in people. But I'm not coming back. They told us it's not over yet."

Mr. Pollak informed me that the Justice Department felt that the laws of this United States were "inapplicable to interferences with an individual's conduct of his business relations even though that interference were premised on or motivated by racial considerations."

Mr. Pollak further stated that the Civil Rights Act of 1968 provided penalties in various instances but there was no penalty "for intimidation of a businessman" unless he were seeking to attend a public school, use public accommodations, or something like that, and such activity was the reason for his harassment.

Perhaps the white merchants of the District will have to register as students at the School for Afro-American Thought or some black power institute, get themselves harassed for being white, and then the Attorney General might step in and protect them on the basis of their being denied equal educational treatment.

Mr. Pollak went on to conclude that "the matter that you have brought to our attention therefore does not appear to violate any laws administered by this Department."

It was only a few miles from here where George Washington wrote his historic letter to the Hebrew Congregation of Newpoer, R.I. Our first President assured that group the U.S. Government would give "to bigotry no sanction."

Today it seems that black racism and black bigotry are lawful in the eyes of the administration. I reject racism of any kind, white or black. I also reject the discriminatory administration of justice by Mr. Ramsey Clark. He does not accept the simple proposition that what is sauce for the goose is sauce for the gander.

Since receiving the Justice Department's ruling that merchants who happen to be white have no right to protection from racial persecution, I have studied the matter.

Section 241 of the United States Code provides:

> If two or more persons conspire to injure, oppress, threaten, or intimidate any person in the full exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States . . . they shall be fined not more than $10,000 or imprisoned not more than ten years, or both; and if death results, they shall be subject to imprisonment for any term of years or for life.

The Federal law defines the term "privilege" as "the exercise of any occupation or business which requires a license from some proper authority. The term embraces any and all occupations that the legislature may in its discretion declare to be privileged and tax as such."

Mr. Pollak held that white merchants could only be protected if they encountered troubles because of discrimination involving school attendance, hotel accommodation, and so forth.

If Mr. Pollak and Mr. Clark will read title 1 of the Civil Rights Act of 1968 they will find that whoever "by force or threat of force willfully injures, intimidates, or interferes with any person or in order to intimidate such person or any other person or any class of persons from participating in or enjoying any benefit, service, privilege, program, facility, or activity provided for or administered by the United States "shall be subject to fine or imprisonment or both."

It is obvious that the conduct of business is provided for by the Government. It is certainly taxed and regulated, licensed, and controlled, as any merchant can attest. But why is it exempt from protection under the Ramsey Clark-Humphrey-Johnson interpretation?

The due process which appears in both the fifth and 14th amendments provides that no person shall be deprived of "life, liberty or property". This has been interpreted as encompassing within its meaning "the entire domain of civil rights." The Supreme Court has held that corporations and businesses are entitled to protection. The lawyers cite a case involving the Union Pacific Railroad Co.

We are not here talking about huge corporations or railroad companies. We are talking about little "mom and pop" stores and similar businesses. The total livelihood and fruit of the labor of many individuals went up in the smoke of last April and subsequent arson, intimidation, beatings, and killings that continue until this very day.

There is something very immoral about the present administration of justice by the Federal Government with reference to the failure to protect the civil rights of many hundreds of frightened white shopowners in the District. I have no objection to black people building their own enterprises. But I do caution against appeasement of bigotry and racism, black or white, when it involves the kind of coercion and terrorism we have witnessed in the Nation's Capital.

What is happening in the District transcends in importance the fate of the victims, tragic though the individual cases may be. Our white American concept of equal treatment under the law is involved.

If a white merchant is denied the same consideration the Government offers black merchants who might be similarly victimized, one can wonder whether white pedestrians or motorists who find themselves involved in interracial incidents or accidents in the District streets can expect fair treatment.

The Capital City of the United States should be a showcase of evenhanded justice and equality under the law. One city may have a black minority, another a white minority. What would be said if a black minority in a southern city, for instance, found the Federal Government indifferent to terrorism such as that now exercised, both subtly and flagrantly, against white businessmen of Washington, D.C.?

If the rights of one person are denied, we are all threatened. Our republican concept of government is undermined.

I do not think that the American people will permit the doubletalk and double standards of the U.S. Justice Department to continue after January. The basic American sense of decency and fair play will bring about a return to the generous vision of George Washington who gave "to bigotry no sanction, to persecution no assistance."

TAKE THE CHILD AND HIS MOTHER

Mr. MILLER of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MILLER of Ohio. Mr. Speaker, on October 6, 1968, at St. Joseph's Priory in Somerset, Ohio, a sesqui-centennial celebration of the founding of the Priory was held and the following dignitaries were in attendance: Most Reverend Clarence E. Elwell, D.D., bishop of Columbus, Ohio; Most Reverend Kenneth C. Sullivan, O.P., provincial of St. Joseph's Province, New York, U.S.A.; Most Reverend Aniceto Ferendez, O.P., S.T.M., master-general of the Dominican Order; Very Reverend Francis Ward, O.P., provincial of Holy Name Province, California; Very Reverend Louis C. Coffey, O.P., provincial of the Province of Ireland; Very Reverend Jerome J. O'Rorke, O.P., provincial of the Australian and New Zealand Province; Very Reverend Edward M. McDonald, O.P., native of Zanesville, Ohio, bursar-general of order in Rome; Very Reverend Adrian L. Dionne, O.P., Prior of St. Joseph Priory.

On that occasion a sermon was delivered by the Very Reverend James J. McLarney, O.P., S.T.M., former Prior of St. Joseph's and now residing at St. Gertrude's, Cincinnati, Ohio. I would like to share with my colleagues this sermon.

Take the Child and His Mother

(Mt. 2: 13)

(Sermon delivered at the St. Joseph's Priory, on the occasion of the sequicentennial Mass of Thanksgiving, October 6, 1968)

We have a rendezvous with dreams today. They are the dreams of St. Joseph. The Angel came to him four times in dreams. In them the Angel said: "Take the Child and His Mother with you and go into the land of Egypt and stay there until I tell you, for Herod intends to search for the Child and do away with Him. So Joseph got up and, taking the Child and His Mother with him, and left that night for Egypt. . . . And after Herod's death, the Angel of the Lord appeared to Joseph in a dream in Egypt, and said: Get up, take the Child and His Mother with you and go back to the land of Israel. So Joseph got up and, taking the Child and His Mother went back . . . and was warned in a fourth dream not to go to Judea . . . but he took the road to Galilee . . . to a town called Nazareth.

We rendezvous with those dreams today.

When Edward Dominic Fenwick dreamed in terms of black and white, in terms of bringing the wool of St. Dominic to the land of his birth, he had already taken the Child and His Mother from Maryland to Belgium, from Belgium to London. Then with a holy zeal he sailed with his small group to Baltimore. There he was told by his fellow-Marylander, Bishop John Carroll, to take the Child and His Mother to the distant Keystone State where Catholics needed priests. (They had enough on the Atlantic sea-board—they had 19!) So, with the Child in gallant hearts, His Mother's Rosary on their lips, six of our ancestors made their slow way to Kentucky.

Meanwhile, in the virgin forests of these acres, Jacob Dittoe was writing to Bishop Carroll about a priest to bring the Child and His Mother to the faithful. It took a few years of doing. In 1808 came Fenwick to our first Catholic families, bearing the burden of St. Joseph: that Child and that Mother.

It took ten years more to find a permanent Nazarene home for the Holy Family. In 1818, hearts were lifted high, hearts of Dittoe and Fink, Fenwick and Young, and others, high to the Cross that topped a home in honor of Joseph, who followed the dream and took the Child and His Mother. For a hundred and fifty years, here has been their home.

1818. The pope was Clement XI. The president was James Monroe. Napoleon was locked up in St. Helena to die. In Berlin that year, to a Jewish family named Marx, a boy was born. Karl, they called him. The 19th Century Europe was dreaming of a lasting Viennese peace. People there and here, blinded by the gloom of so-called enlightenment, had dreams of progress and prosperity. But there was something wrong with those dreams. No Child . . . no Mother. . . .

History has been made and written since then; some good, some bad. Never has been such development, such education, such high standard of human comfort. But never such great and many wars; such dissension; such cruelty; such unbelief in God Who makes Himself more evident every day. Why this contradiction in the affairs of men? Why? Because modern Herods have been trying to do away with the Child, and the Mother.

Yet here, in the face of that history, brothers have labored, priests have preached, parents prayed and children were taught by our

Sisters. The object of all that work of light and love has been the Child and His Mother. The burden of St. Joseph: the Child in His real Presence and the Mother in her Rosary.

So this Priory has given some twenty-five parishes to the dioceses of Ohio; the laity have reached an incomparable ratio of living vocations to the Church; such things have been known as policemen reciting the Rosary as they exchanged duties; local children have been called the most courteous and polite children in the country. And the fountain of this Culture, this heritage: the Child and His Mother.

Here was *not* taught the reverse: the mother and the child; but the Child and His Mother.

Now has something happened to the world and to us? Priests are no longer sturdy enough to shoulder the Child and the Mother. Their sermons have the ring of rights, rights, but no duties. Sisters are taken by progressive education, with little progress toward Jerusalem, the golden. Parents claim the Rosary is too long, can't be bothered with the things that Mary ponders in her heart with the result that young people merely shout contraries in their mouths. While so many people come to the Communion rail, so few seek the truly psychedelic blessing of a conscience made clear by the Sacrament of Penance. Faith is feeble. We can take Angels or leave them. A Pope is ridiculed and defied because he believes in Human Life and forbids his children to tinker with it. Sad scene: no respect for law, because there is little respect even for God, for the Son of God . . . and His mother.

Today, Rosary Sunday, if our rendezvous with the Josephine dream is to teach anything, it must be a high resolve to take up again the sweet yoke of Christ, the light burden which His earthly father bore.

Our priest brings nothing to man, if not the Child and His Mother. Our preachers preach only vanity, if not the Child and His Mother. Our people have nothing, if they gain the whole world, and know not the Child and His Mother. The Child in His Holy Name and His Real Presence. The Mother in our ponderings of the Rosary.

So I presume to state to my several superiors, to my conferers of the priesthood, to my Sisters who taught me as a tot, to you, the people of God—I say to you, if we truly venerate our St. Joseph and his house: Get up, take the Child and His Mother with you and go.

In the Name of the Father and of the Son and of the Holy Spirit. Amen.

TRIBUTE TO CONGRESSMAN THOMAS B. CURTIS

Mr. MILLS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, the House of Representatives will be losing at the close of this session of Congress one of its most erudite and learned Members, the Honorable THOMAS B. CURTIS.

TOM CURTIS has been a most valuable member of the Committee on Ways and Means since 1953. It has also been my honor to have served with him for a number of years on the Joint Committee on Internal Revenue Taxation. TOM is also a member of the Joint Economic Committee.

Mr. Speaker, during the 16 years of his distinguished service on the Committee on Ways and Means, TOM CURTIS has conscientiously and diligently devoted himself to a mastery of the many and complex subjects within the jurisdiction of the committee, relating as they do to Federal taxation, Federal trade and tariff laws, Federal social security legislation and numerous other important subjects. He has made many notable contributions to the development of legislation reported by the committee in all of these fields of activity.

Mr. Speaker, throughout his career of service in the House of Representatives, TOM CURTIS has manifested not only a real sincerity of purpose and a conscientious devotion to duty, but also has stood forthrightly for his views and has assiduously applied his many talents to the perfecting of legislation that has been enacted by this body.

I am honored and pleased to join with my colleagues and his many friends in the House of Representatives in expressing to TOM CURTIS our appreciation for his devoted service and our best wishes for his happiness and good health in the years that lie ahead.

TRIBUTE TO CONGRESSMAN FRANK M. KARSTEN

Mr. MILLS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, upon his retirement at the end of this Congress our colleague, the Honorable FRANK M. KARSTEN, will have served as a member of the Committee on Ways and Means for 14 years. During this time he has conscientiously and diligently devoted himself to a mastery of the many complex subjects within the jurisdiction of the committee, including Federal taxation, Federal trade and tariff laws, and Federal social security laws. He has assiduously worked to protect and promote the interests of his district and his State. His diligence and devoted service have resulted in many invaluable contributions to the public interest. It is only with the type of cooperative and helpful attitude of members such as FRANK KARSTEN that the many difficult and complex problems with which the Committee on Ways and Means is consistently confronted can be adequately and satisfactorily dealt with.

Mr. KARSTEN will indeed be missed by his colleagues on the committee. During his service with us he has personally endeared himself to all the Members by his graciousness, his thoughtfulness, and his never-failing courtesy. We hold him in the highest of esteem, and will well remember his many contributions to the work of the committee.

FRANK has been conscientious in his attendance at committee meetings and has participated actively and with high ability in the committee sessions on the many subjects within our jurisdiction. I could spend a great deal of time enumerating the major tax, tariff, and social security enactments over the past years to which FRANK KARSTEN has made notable contributions. As Members know, the Revenue Reduction Acts of 1962 and 1964, the Excise Tax Repeal Act of 1965, the major social security amendments back over the years, including the most recent ones of 1965, which included medicare in which he was so interested, and of 1967, are all notable examples of legislation which include his contributions in the public interest.

Mr. Speaker, as the Committee on Ways and Means in the next Congress proceeds on its day-to-day activities the members of the committee will recall with regret his decision to retire from the Congress. He has been a good and outstanding committee member, Member of Congress, and a legislator of the highest order.

I wish to extend to FRANK and Mrs. Karsten my very best wishes for health and happiness in the years that lie ahead.

DWIGHT D. EISENHOWER

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, I rise in tribute to Dwight D. Eisenhower, one of our country's greatest men, who is deeply loved by the American people for his outstanding leadership both in war and in peace.

General Eisenhower inspired our country in the war years of World War II and brought us through these dark days to a glorious victory. The spirit of victory which he radiated at all times should be a stimulant to our fighting forces across the seas today.

His bold, direct policies captured the spirit of the citizens of our country and this fostered the popularity that brought him the Presidency. His leadership of our country brought us peace with other countries and peace and progress within our own country.

We all cherish former President Eisenhower, because of his natural goodness, his strength of character and his ability to reach decisions and to carry them out positively and without fear.

As general of our Armed Forces and as President of our country he was a fighter. He is continuing this fight against his many heart attacks. Our prayers are with him.

May the spirit of this great American that so captured our Nation in its dark days, be permitted to shine forth and stimulate and electrify our people once again.

I am proud to count him as one of my close personal friends.

THE LEAN YEARS AND THE FAT YEARS

Mr. O'HARA of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, as you know, the Republican candidate, Richard M. Nixon, refuses to tell the American people what programs and policies he would pursue if elected to the highest office in our land. He refuses to participate in any forum where his proposals might be subect to objective questioning. He not only has gone to desperate lengths to avoid debate with Vice President HUMPHREY, he has also refused to appear on any of the network news interview programs or to hold news conferences.

One of the areas on which Nixon has refused to speak is that of economic and fiscal policy. One can only assume, therefore, that a Nixon administration would pursue the same policies as were pursued during the last Republican administration. Therefore, I insert at this point in the RECORD an analysis, compiled by the Democratic study group, of economic conditions nationally, and in selected States during the Republican years 1953–60 compared with the Democratic years 1960–68.

Where the term "real income" is used in this analysis, the figures are adjusted to reflect 1968 prices.

The material referred to follows:

The Lean Years and the Fat Years: National and State Economic Comparisons

THE NATION

The Republican years: 1953–60	*The Democratic years: 1961–68*
Three damaging economic recessions in seven years.	Ninety-one continuous months of economic growth and expansion, without a recession.
Unemployment nearly 7%—more than double the 1952 rate—leaving 5 million people out of work and representing a 2 million rise in unemployment.	Unemployment down 2 million since 1961 to a rate of 3.5 in August, 1968.
Jobs up by only 4.5 million.	Jobs up by 10.5 million.
Average real income of a family of four rose only $800.	Average real family income. rose by $2811. The average American family can live as well in 1968 as it did in 1960 and still have enough left to buy a new car out of its 1968 income—or pay for a year in college—without dipping into savings or borrowing.
Consumer prices rose by 11%; wholesale prices rose by 17%.	Consumer prices rose 16%; wholesale prices rose 16%.
Average real economic growth rate of 2.0%.	Average real economic growth rate of 5.3%.

Since January 1961, our real gross national product has grown 45%—or $264 billion in contrast to $113 billion under the Republicans.

Since early 1961, purchasing power *per person, after taxes, and after allowing for price increases,* has risen by one-third—or the equivalent of an extra 17 paychecks every year. During the eight Republican years the increase was barely 1% a year.

The Democratic Administration has lowered taxes. American individuals and corporations will pay $16 billion less in taxes in 1968 than if the tax rates of 1960 still prevailed. If it were not for the temporary surcharge, the cut would be $27 billion.

In 1964 and 1965 federal tax rates were lowered by *$11 billion* for individuals and *$3 billion* for corporations. This year, even after the temporary increases, American families are paying hundreds of dollars less in income taxes than in 1960, the last Republican year: a family with $5,000 income, $130 less; a family with $10,000 income, $174 less; a family with $15,000 income, $269 less.

The gold drain started under the Republican Administration. In the last three years under the Republicans the annual liquidity deficit averaged $3.7 billion. It has never been that high in any Democratic year. The country lost far more of its international reserves between 1952 and 1961 than between 1961 and 1968.

Unemployment is at the lowest level in 15 years. If the rate of unemployment was as high now as when the Republican Administration left office, nearly three million people who are now at work would be without jobs.

Savings accounts of American households, measured in constant prices, increased by 80 percent between 1960 and 1967.

The financial wealth—assets minus liabilities—of all American households is today up about $500 billion, in 1968 prices, from the total in 1960.

CALIFORNIA

In 1967, the per capita income in California was $950 higher than in 1960. The income per man, woman and child in California rose by more than one-third from $2715 in 1960 to $3665 in 1967. The average family of four persons in California today has $3800 more to spend or save than it had in 1960. During the Eisenhower-Nixon eight years. per capita income in California increased by $500. If price changes are corrected in both periods, *real* income per capita from 1953 to 1960 rose at only one-half the rate of the last seven years.

The total personal income for all people in California went up $16 billion between 1953 to 1960. It went up $27 billion from 1960 to 1967.

From 1960 to 1967, 1.5 million new jobs in non-agricultural employment were created in California—an increase of almost 30%. During 1953 to 1960, employment rose only one million or about two-thirds the increase under the Democrats.

In January 1953, 4.7% of all individuals in California covered by unemployment compensation were idle. The rate increased to 8.3% in January of 1961, when the Republicans left the White House. By January 1968, the rate had dropped back to 4.7% and in August of this year it was only 3%.

COLORADO

Total personal real income has risen by $1.7 billion—or 36% over the 1960 level.

Per capita real income has risen $587—or 22%—over the 1960 level. During the Republican period it rose $294—or 12%.

In 1967, an average Colorado family of four had nearly $2400 more purchasing power than in 1960. Thus in 1967 it could live as well as it had lived in 1960 and still have almost $2400 a year extra.

During the Republican years jobs increased by 90,000. During the Democratic years they grew by 134,000.

College enrollment rose about 22,000 between the fall of 1953 and the fall of 1960. Between the fall of 1960 and the fall of 1967 it rose by over 42,000.

Vocational education enrollment rose 11,500 in the Republican period and by almost 23,000 in the Democratic years.

FLORIDA

Real income per person has increased in Florida by $675 since 1960—or the equivalent of 16 extra paychecks a year.

The unemployment rate in Florida has been cut nearly in half—from 5.2% to 2.8%.

Net annual real income per farm has increased by $3417.

At the end of 1967, 568,000 retired workers living in Florida were receiving monthly Social Security payments which averaged nearly $100 per worker, as compared with 279,000 retirees who received an average of $76.22 a month in 1960. Total Social Security payments (excluding Medicare) to people of all ages added nearly $84,000,000 to the income of Florida's citizens each month in 1967, as compared with less than $32,000,000 a month in 1960.

Educational improvements include better salaries for public school teachers (up 42% in 1967 over 1960), greater enrollment in vocational education (up 135%), more students enrolled in college (up 146%), and 11 additional two-year institutions of higher learning.

During the Democratic Administration, the infant mortality rate dropped from 29.7 per 1000 live births to 23.7, the number of hospitals increased by 23, and the number of hospital beds climbed by 10,000.

ILLINOIS

Per capita real income in Illinois rose only $272—or 10%—between 1953 and 1960. Between 1960 and 1967 it rose $786—or 25%. This means that in 1967 a family of four could maintain its 1960 standard of living and still have $3,144 a year in added purchasing power.

In the Republican years, net real farm income *declined* $263 million—or 28%. In the Democratic years, it increased one-third.

Real net income per farm declined $804 a year between 1953 and 1960 or 16%. From 1960 to 1967, it rose almost $25.0—or 59%.

Non-agricultural employment rose only 78,000—or a mere 2%—during the entire period 1953 to 1960. From 1960 to 1967 employment rose almost 700,000—or 19%.

In Chicago jobs rose only 38,000 between 1953 and 1960—or only 1%. Between 1960 and 1967, they rose 435,000—or 18%.

Vocational education enrollment remained at 113,000 during all of the Eisenhower-Nixon years—showing no increase over an eight-year period. By 1967, enrollment had risen to 180,000—an increase of 67,000 students.

College enrollment rose from 128,000 in 1953 to 200,000 in 1960—an increase of only 72,000 students. Under the Democrats, enrollment had risen to 320,000 by 1967—an increase of 120,000 students over a comparable period.

IOWA

Real income per capita in Iowa rose from $2,065 to $2,320—only 12%—during the Republican years of 1953–1960. Under the Democrats, it rose to $3,218—or 39%—by 1967. Thus, a family of four had $3,600 more purchasing power per year in 1967 than at the end of the Republican period.

Real net farm income *fell* 32%—to $713 million—between 1953 and 1960. Between 1960 to 1967 real net farm income in Iowa *rose* $282 million—or 40%.

Teachers' salaries in Iowa averaged $4600 in the school year 1960–61. They rose by 56% to $7200 in school year 1967–68.

Enrollment in vocational education declined under the Republicans, but it increased from 62,500 to 80,400—or 29%—between school year 1960–61 and 1966–67. Total expenditures for vocational education rose only 46% in Iowa during the Republican period, but more than tripled from $3.8 million to $12.1 million between school years 1960–61 and 1966–67. Further, in 1960–61 federal expenditures on vocational education in Iowa were only $1 million. By 1966–67 they were $4.5 million.

MAINE

Real personal income grew $421 million between 1953 and 1960. Between 1960 and 1967 it has grown $578 million.

Real annual income per capita grew just over $300 between 1953 and 1960. It increased almost $600 per year between 1960 and 1967.

An average family of four in Maine had nearly $2400 more purchasing power in 1967 than it had in 1960—an increase of 28%. Thus, in 1967 while living as well as in 1960, such a family could accumulate a $4800 down payment on a house in only two years.

During the Republican years non-agricultural jobs in Maine increased only 2,000—or less than 1%. Since 1960 those jobs have increased almost 14%—a jump of 39,000.

In 1960, when the Republican period finally came to an end, there were 26,000 unemployed workers in Maine. In 1967 this number had declined to 15,000, a drop of 44%.

In 1969 the unemployment rate in Maine was 7.4%. In 1967 it was down to 4%. In the Portland labor market area alone, unemployment was at 6.3% in 1961. In the first 7 months of this year Portland's unemployment averaged only 2.8%.

College enrollment increased only 5,500 between 1953 and 1960. It rose by more than 11,000 from 1960–1967.

Enrollment in vocational education rose 3,000 in the Republican years and over 12,000 under the Democrats.

Between 1953 and 1960 the infant mortality rate declined less than one point—from 26.3 deaths per 1,000 live births in 1953 to 25.5 in 1960. Between 1960 and 1967 it declined by more than 4 points, to 21.4 per 1,000 live births.

MICHIGAN

Michigan was the only state in which real per capita income dropped between 1953 and 1960. Purchasing power per capita *dropped* 3% while it went up 9% nationwide. In contrast, from 1960 to 1967 the real income per person in Michigan *rose* an average of 4% or $1201 a year—higher than the national increase of 3.6% a year.

In 1958, unemployment in the United States averaged 6.8%. Unemployment in Michigan in 1958 was 13.8%—more than double the national rate. By 1967, the unemployment rate in Michigan was down to 4.6%—only slightly above the 3.8% national rate.

Actual jobs in non-agricultural industries in Michigan *dropped* 105,000 or 4% between 1953 and 1960. Under the Democratic Administration, the number of persons on payrolls in Michigan *increased* by 491,000—or 21%.

MINNESOTA

The number of people at work in Minnesota factories actually declined between 1953 and 1960. In contrast, there were 74,000 more workers in factories in Minnesota in 1967 than in 1960.

Between 1953 and 1960 under the Republicans, total employment in Minnesota rose 85,000. In the last seven years it increased 241,000—or more than 25%. This is a faster growth rate than experienced by the country as a whole.

The rate of employment among those eligible for unemployment insurance benefits was 3.8% in January 1953. By January 1961, it had risen to 8.1%. In January 1968 it was down to 3.1%, and by August 1968 it had fallen to below 1%.

Total personal income in Minnesota rose from $5.1 billion in 1953 to $7.2 billion in 1960. That is an increase of two billion, one hundred million dollars under the Eisenhower-Nixon Republicans. But under the Democrats, personal income of all people in Minnesota rose to $11.2 billion in 1967. That represents an increase of nearly $4 billion in seven years—a gain of more than 50% and nearly four times the gain under the Republicans.

On a per capita basis, the average man, woman and child in Minnesota had an income of $1665 in 1953 and $2116 in 1960—an increase of about $450 or roughly 25%. On the other hand, the average income in Minnesota rose from $2116 in 1960 to $3116 in 1967—an increase of $1,000 of almost 50%.

After adjusting for the increase in prices, the average man, woman and child in Minnesota today is able to buy about one-third more with his income than in 1960. The growth in constant dollars in the Democratic years was twice that of the Republican years.

NEW JERSEY

During the Eisenhower-Nixon years, less than 170,000 new jobs were created in the entire state of New Jersey. During the Democratic years, from 1960 to 1967, nearly 400,000 new jobs have been generated in this state. In the second recession in the Republican years, jobs actually *declined* in New Jersey by over 50,000. Every year since 1960, jobs in New Jersey have increased.

Manufacturing jobs actually declined between 1953 and 1960. They have risen under the Democrats. The same is true of jobs in the manufacture of durable goods and of electrical equipment and non-durable goods.

During the Republican recession year of 1958, unemployment in the state of New Jersey was 9%—one out of eleven workers was unemployed. Thousands of others were working only part-time.

Unemployment in 1960 in New Jersey totaled 169,000. By 1967, it had been cut almost 25%, to 129,000. If, during the Democratic years, we had achieved only a Republican level of prosperity, there would have been over 70,000 additional workers without jobs in New Jersey in 1967.

Total real personal income in New Jersey increased just over $4 billion—or 27%—during the years of 1953–1960. Between 1960 and 1967 it increased $7.3 billion—or 38%.

Real per capita income increased in the Republican years $261—or 9%. Between 1960 and 1967 it rose $633—or 20%. Thus, an average New Jersey family had more than $2500 more purchasing power in 1967 than in 1960, an increase such that it could live at the same level as in 1960 and still have nearly enough left over for educating a child in college.

Real annual income per farm in New Jersey actually declined by 1%—or $72—between 1953 and 1960. Between 1960 and 1967, it rose $977—or 14%.

At the end of the Republican period, five out of six labor market areas in the state had unemployment of *more* than 6%. In May 1968, five out of six had *less* than 5% unemployment. In the Atlantic City labor area unemployment dropped from 8.8% to 4.6%; in Jersey City, from 7.9% to 5.7%.

In February 1968, in New Jersey, 454,000 retired workers received social security payments averaging almost $105 per month, as compared with 300,000 receiving $81 a month at the end of the Republican years. Total social security payments (excluding Medicare) to New Jersey residents of all ages added almost $800 million to the income of New Jersey citizens in 1967—in contrast to $445 million in 1960.

Enrollment in vocational education was almost at a standstill during the Republican years. From 1953 to 1960 it increased by only 6,000, to a total of 30,000. Between 1960 and 1967, it increased by 145,000, to almost six times the level at the end of the Republican period.

College enrollment has risen 72% since 1960. College and professional degrees granted in New Jersey increased during the Democratic years by 5,000, or more than twice the increase in the Republican years.

During the Republican years, between 1953 and 1960, infant mortality in New Jersey actually increased—from 23.4 per 1,000 live births to 24.6. Since 1960 there has been a marked decrease—down to 20.7 per 1,000 live births.

NEW YORK

In New York during Republican years 1953–1960, real personal income increased $11 billion. Between 1960 and 1967 real personal income in New York State rose $17 billion.

Per capita real income rose only $444 a year—or 16% in the Republican years. Between 1960 and 1967 it rose $683—or 21%. This means that a typical family of four had $2732 more purchasing power in 1967 than in 1960 and could have a $5400 deposit on a house in only 2 years while living as well as they had lived in 1960.

Real net income per farm rose only $15, or less than 1% under the Republicans. Between 1960 and 1967, however it rose more than $1800, or 50%.

The number of non-agricultural jobs in New York rose less than 250,000 between 1953 and 1960, or only 4%. Between 1960 and 1967 non-agricultural jobs increased by 681,000, or 11%.

In 1960, the unemployment rate averaged 5.6%, with 430,000 people jobless. By 1967 the rate had dropped to 3.9% and it is even lower today. By 1967, the number of unemployed had dropped 115,000 to 315,000 or 27%. In New York City alone unemployment declined by 74,000 between 1960 and 1967.

In 1961, three of the labor market areas in New York State had an unemployment rate of more than 6%. Buffalo had more than 9% of its workforce unemployed. By May 1968, no metropolitan area had an unemployment rate of more than 6%. Buffalo had moved from 9.1% to 3.5% and Utica-Rome from 7.1% to 4.0.%

In New York in 1967 over 1.3 million retired workers received Social Security benefits averaging over $102 per month. Two and one-quarter million New Yorkers received some form of Social Security benefits totaling more than $2.3 billion.

The infant mortality rate in 1953 was 24.6 per thousand live births. In 1960 it was 24.1 per thousand. However, by 1967 the rate had fallen 7% to 22.3 per thousand.

College enrollment in New York increased between 1953 and 1960 by only 62,000—or 21%. Between 1960 and 1967, it rose over 300,000—or 86%.

Vocational education enrollment in the Republican period increased only 44,000—or 31%. Between 1960 and 1967 it rose 408,000 to more than triple the 1960 level.

NORTH CAROLINA

Real personal income in North Carolina increased by $2 billion between 1953 and 1960. Since 1960, it has increased more than $4.2 billion—or 52%.

Real per capita income increased $244 during the Republican years. Since 1960, it has increased by $700—or 38%. This means that a family of four has $2800 more purchasing power.

By the end of the Republican Administration, North Carolina had an unemployment rate of 5.5%. By 1967 it had fallen to 3.4%. This reflected a 29% reduction in the number of people unemployed.

During the Republican era non-agricultural jobs in North Carolina increased 172,000—or 17%. From 1960 to 1967 they leaped ahead 377,000—more than double the earlier rise.

In the seven years from 1953 to 1960 there were only 2 years in which textile employment in the State of North Carolina rose at all. The Republican years resulted in a net reduction of 13,700 textile jobs. In every year since 1961, employment in textiles has increased. From 1960 to 1967, textile employment has risen by 42,000 jobs.

Teachers' salaries have risen over twice as much in the last seven years as in the previous seven. Vocational school enrollment has more than tripled the earlier gain and the increase in college enrollment has more than doubled.

OHIO

In 1960, after eight years of Republican Administration, 5.3% of the workers in this state were unemployed. In 1967, average unemployment throughout Ohio was down to 3.2%. And in the first seven months of 1968 it has averaged only 2.9%.

In 1961 there were at least four major labor market areas in Ohio where more than 8% of the workers were unemployed. Today, unemployment is less than 3% in each of these areas.

Between 1953 and 1960, per capita income, adjusted for price changes, grew less than 4% per year. In contrast, real per capita personal income in Ohio has grown almost $600—or 22%—in the last seven years.

OKLAHOMA

In 1960 unemployment in Oklahoma averaged 4.9%; in July 1968 it was 3.8%. Twice during the Republican years non-agricultural jobs in Oklahoma actually declined while every year since 1960 they have increased. Over the years 1953 to 1960, total jobs in Oklahoma rose 46,000—or 9%—from 535,000 to 581,000. From 1960 to 1967 they rose 125,000—or 22%—to a total of 707,000.

Jobs rose by only 1,600 from 1953 to 1960, they increased by 29,600 from 1960 to 1967. Between 1960 and 1967 manufacturing employment in Tulsa rose 40%—from under 29,000 to over 40,000 employees.

Real personal income has risen one and a half times as fast in the Democratic as in the Republican years. It stood at $4.1 billion in 1953 and rose only to $5.1 billion in 1960, whereas from 1960 to 1966 it rose 34% to $6.8 billion.

Per capita real income rose only 15% between 1953 and 1960. Between 1960 and 1967 it rose at nearly twice that rate—26%—from $2,174 to $2,736. A family of four in Oklahoma enjoyed an increase of $2,250 more purchasing power in 1967 than in 1960, equivalent to 13 extra weekly paychecks.

PENNSYLVANIA

In the Republican years from 1953 to 1960, total real personal income in Pennsylvania rose $3.9 billion—or 15%. Between 1960 and 1967 it rose $8.7 billion—or about 30%.

Real annual income per capita crept up only $203—or 8% in the Republican years, 1953 to 1960. Between 1960 and 1967 under the Democratic Administrations, real per capita income in Pennsylvania rose $680, or nearly 26%—more than three times as much as in the Republican years.

A Pennsylvania family of four had $2,620 more purchasing power in 1967 than it had in 1960. While living as well in 1967 as it had in 1960, it could afford to pay a child's way through college. In effect each family received the equivalent of 14 additional weekly paychecks in 1967, compared to 1960.

Net real farm income in Pennsylvania *declined* $66 million in the Republican era. In the Democratic years net farm income *rose* by $40.3 million.

Real income per farm rose only $136 in the Republican period. Between 1960 and 1967, it rose over ten times as much, by $1448.

Non-agricultural jobs actually *declined* by nearly 200,000 in Pennsylvania between 1953 and 1960. During the Democratic years they *increased* by 455,000.

In 1960, 365,000 people were unemployed. The unemployment rate stood at 8%. Under the Democrats, unemployment declined by more than 200,000. The unemployment rate fell to 3.5% of a larger labor force.

In 1960, in Philadelphia, there were 115,000 unemployed, in Pittsburgh, 84,000. By 1967, unemployed declined by nearly 50.000 in Philadelphia and 54,000 in Pittsburgh.

In 1961 ten metropolitan areas had unemployment rates of 6% or more. Six of these areas had unemployment in excess of 9% and in three, Johnstown, Scranton, and Wilkes-Barre-Hazleton, unemployment exceeded 12%. Thus, in ten labor market areas of Pennsylvania at least one out of every 16 workers was on the street and in three of these areas one out of eight workers was idle. By May 1968, unemployment had dropped below 6% in each of the 12 areas. Nine of them had unemployment of 3% or less.

College enrollment increased by only 60,000 between the school year of 1953–1954 and that of 1959–1960. Between 1960 and the school year 1967–1968, it increased 129,000.

Enrollment in vocational education actually *declined* by nearly 1,000 pupils in the Republican years. It *rose* by 116,000 students between the fall of 1960 and the fall of 1967. The number of junior colleges increased from 12 to 15 in the Republican years. They jumped to 29—or nearly twice as many—between 1960 and 1967.

In 1967, 805,000 retired workers in the state of Pennsylvania received Social Security benefits. Their average monthly payment was over $100. In 1967, one and one-half million people in Pennsylvania received Social Security benefits (excluding Medicare) of $1.5 billion.

TENNESSEE

From 1953 to 1960 the total number of jobs in all non-agricultural industries in Tennessee increased 73,000—or only 8%. From 1960 to 1967, jobs increased 291,000—or 31%.

Measured in 1968 prices, the personal income of all the people of Tennessee went up from $5.3 billion in 1953 to $6.5 billion in 1960—one $1.2 billion. But from 1960 to 1967 it increased to $9.6 billion, a gain of $3.2 billion—or almost 50%. The gain under the Democrats was almost three times as great as that under the Republicans.

Real income per capita increased from $1,588 in 1953 to $1,803 in 1960, a gain of only $215—or 14%. Between 1960 and 1967 it increased to $2,478—a rise of $675—or 37%. A family of four had $2,700 more buying power in 1967 than it had at the end of the Republican Administration. In the comparable Republican period the rise was only $860 for a Tennessee family of four.

Under Republicans, net real income per farm in this state *declined* by 19%. In the Democratic years it *rose* by 19%.

While Nixon was Vice President the infant mortality rate per thousand live births in Tennessee was 30.3 in 1953 and 29.4 in 1960. But by 1967 it had declined to 25.6. The rate of improvement under the Democrats was almost four times that of the Republicans.

During the Republican years the number of two-year colleges in Tennessee *declined* from nine to six. In contrast, between the fall of 1960 to the fall of 1967 the number *increased* to 10.

Federal support for vocational education has almost tripled during the Democratic administrations. From school year 1953–54 to 1960–61 federal assistance increased only $630,000. During the Democratic period, that is, from school year 1960–61 to 1966–67, federal assistance in Tennessee increased by $5,280,000.

UTAH

During the eight Republican years non-agricultural employment in Utah rose by 46,300. During the seven Democratic years jobs increased by 63,000.

Between 1953–1960, net farm income *declined* by 48% from $70 million to $40 million a year. Between 1960 and 1967, net farm income *rose* almost 50%. Under the Republicans, net income per farm adjusted for price changes declined from $2900 to $2160 per year—or 22%. Under the Democrats it rose to $361—or *91%* in just 7 years.

Enrollment in vocational education actually *declined* by 9,000 people between school years 1953–54 and 1960–61 under the Republicans. Under the Democrats enrollment *increased* 36,000 or more than double.

College enrollment rose 60% under the Republicans and 120% under the Democrats.

WASHINGTON

In the State of Washington, per capita real income rose $850—or 30%—in the seven years since 1960. In contrast, during the eight Republican years, per capita real income increased less than $200.

The average Washington family of four had $3400 more buying power in 1967 than it had in 1960. This means that the average family could live as well in 1967 as in 1960 and have enough additional buying power left over to support a child in college for a full year.

Jobs in non-agricultural employment increased 244,000 from 1960 to 1967, whereas the gain was only 64,000 from 1953 to 1960. Average weekly earnings in manufacturing increased over 30% from 1960 to 1967. Unemployment in 1967 was down by one-third in the state and by one-half in Seattle from 1960.

Net farm income was $42 million—or 18%—*lower* in 1960 than in 1953. In 1967 it was $117 million, or 58% *higher* than in 1960.

Net income per farm in Washington reached a record high in 1967 of $6,983, well above the national average and nearly double the last year when Nixon was Vice President.

Enrollment in vocational education in the state rose nearly 6 times as fast in the Democratic years as in the Republican years. The number of college degrees conferred in the State of Washington has increased from about 7,200 in school year 1960–61 to 10,400 in 1967–68.

The infant mortality rate dropped in the last seven years at almost three times the rate in the Republican years.

WISCONSIN

Real personal income per capita in Wisconsin rose $232 or 10% from 1953 to 1960. From 1960 to 1967, it rose $726—or 29%. An average Wisconsin family of four had $2900 more purchasing power per year in 1967 than at the end of the Republican Administration. Thus, while living as well as in 1960, they could put a child through college, or in two years could save a $5,800 deposit for a house.

From 1953 to 1960 net farm income, in 1968 prices, *declined* disastrously, by $121 million—or 22%. By 1967, after seven Democratic years, it has *risen* 25%.

Non-agricultural jobs increased 95,000—or only 9%—from 1953 to 1960. In the Democratic years they rose 242,000—or 20%.

CONGRESSIONAL ACTIONS ON THE BUDGET

Mr. MAHON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAHON. Mr. Speaker, I have prepared some rather extensive remarks in regard to the actions of the 90th Congress and especially the second session of the 90th Congress in regard to appropriations and spending.

HIGHLIGHTS RESUME

Before getting into details I would like first to provide in briefest outline some of the major highlights. Elaboration will be provided later in these remarks.

During the session we enacted 19 appropriation measures and we reduced the budget estimates by $14.6 billion. Note that 5 of these measures related to fiscal year 1968, not fiscal year 1969, the current fiscal year which began on July 1, 1968. Subtracting the measures relating to fiscal year 1968 only, we have 14 bills remaining. In the 14 bills we reduced the President's budget requests for the fiscal year 1969 by $13.2 billion.

Now as to spending for fiscal year 1969, the current fiscal year, reductions in appropriations requested will result in an estimated reduction in spending for fiscal year 1969 in the sum of about $3.9 billion. This is a net figure which will be further explained.

The Revenue and Expenditure Control Act of 1968 requires that appropriations be reduced by not less than $10 billion. This goal we have more than achieved.

That same law also requires expenditure reductions this year of not less than $6 billion. Congress has not fully achieved this goal, thus the executive branch will have to make a further reduction in expenditures, according to our best approximations, of roughly $2.1 billion in order to achieve the $6 billion reduction figure.

Congress has dealt at this session with very large figures. We have appropriated more money and for more programs and purposes than any session of Congress in history. This is not good news though it is of statistical interest. It is, I think, important to note that this Congress has reduced the budget requests of the executive branch by a greater amount than ever before in the Nation's history.

One of the outstanding achievements of this session of the Congress has been the strengthening of confidence in the dollar, a result which was achieved by reducing proposed appropriations and expenditures and by enacting the surtax.

The foregoing statement gives the basic information which Members will want to remember. Additional detail and refinement are necessary to a more complete analysis of the situation.

SUMMARY BY FISCAL YEARS

May I add, as Members, of course, know, that while Congress, in any given session, deals principally with the budget for a single fiscal year—that would be fiscal 1969 in this session—we also to some extent deal with the previous fiscal year, which would be fiscal 1968, and in a handful of items, we deal with advance appropriations for fiscal 1970. I will submit figures that encompass all three, but we need to keep in mind, in relating the actions and the figures, that it is only the fiscal 1969 that was dealt with in the overall reductions of $10 billion and $6 billion ordered by Congress in the Revenue and Expenditure Control Act.

In relation to fiscal 1968, the five appropriation measures carried a total of $6.4 billion. We cut the supplemental budget requests by about $443 million in the aggregate.

In relation to the main business, having to do with the current fiscal year 1969 that began on July 1, last, Congress considered budget requests of $138.2 billion in the 14 appropriation bills. The enacted total is $125.0 billion, representing a reduction of $13.2 billion that would count against the "not less than" $10 billion reduction mandated in the Revenue and Expenditure Control Act of 1968. This reduction, I would add, includes some $2.7 billion in so-called participation sales authorizations requested but disallowed.

There are some offsetting increases voted above the requests in certain legislative bills, dealing principally with veterans, housing, and highways, aggregating, according to our best estimation, some $811 million, so that on this basis, Congress, in specific actions in the various bills, made net reductions in new budget authority requests of about $12.4 billion, more or less—well in excess of the $10 billion minimum reduction goal in the Revenue and Expenditure Control Act.

But we fell short of the $6 billion reduction in budgeted 1969 expenditures that was mandated in the tax-expenditure reduction legislation. For several reasons it is virtually impossible to make a precise translation of the effects of our reduction actions on the budget estimates—not requests—of 1969 outlays—expenditures and net lending. There are several imponderables not within the scope of the bills that can and do affect expenditure—disbursement—rates and timing. Carryover balances are involved. Uncertainties of deliveries; unforseeable administrative changes; construction schedule changes; lag of expenditures behind obligations for various research and other grants; and so on. All that can be done is to undertake reasonable approximations of the expenditure reductions.

Our best approximation is that in the specific bills affecting 1969 expenditures our reductions translate into expenditure reductions of about $3.9 billion. This means that the President, under terms of the law, must take additional steps to secure the overall reduction of $6 billion required by the law.

Mr. Speaker, enactment of the Revenue and Expenditure Control Act of 1968 in which we raised taxes and mandated budget reductions is perhaps the major fiscal accomplishment of the session, and more than anything else brought about restoration of confidence in the dollar in world money markets.

To round out the accounting for the totals, Mr. Speaker, may I add that in three of the appropriation bills we considered certain advance appropriations for fiscal 1970, dealing mainly with elementary education, urban renewal, mass transit aid, and aid to airport construction. The budget requests were $2.9 billion. We cut about $900 million, allowing about $2 billion.

Mr. Speaker, in referring to budgetary totals, we must also keep in mind that very considerable sums become available automatically each year under so-called permanent appropriations that do not require annual session action. These would involve principally such major items as interest on the debt and various trust funds such as social security, highways, and so on. The most recent estimate is that for fiscal 1969, these various amounts may total about $75.8 billion.

In total, then, for fiscal 1969, joining these permanment-type appropriations with the annual bills, something like $187 billion of new spending authority would become available.

HOUSE ACTIONS

Mr. Speaker, if we confine ourselves to what the House did in the appropriation bills, the totals are also impressive. In the 19 appropriation measures of the session, the House considered budget requests of $144 billion; it voted $130.4 billion; the consequent reductions were some $13.6 billion. About $13 billion of the reduction relates to fiscal 1969 amounts that count against the "not less than" $10 billion reduction mandated in the Revenue and Expenditure Control Act.

THE TWO SESSIONS OF THE 90TH CONGRESS

Mr. Speaker, taking the fiscal actions of the two sessions of the 90th Congress together, the figures as to reductions from the budget, and the size and range of the amounts appropriated, are without parallel.

In the two sessions of the 90th Congress, we have cut the budget requests by amounts greater than any of the previous 89 Congresses.

And in the two sessions of the 90th Congress, we have appropriated more money than any of the previous 89 Congresses.

Both sessions involved considerable controversy over spending questions. Last year, prolonged controversy over several months surrounded the economy reduction provisions of House Joint Resolution 888, which became Public Law 90–218, which reduced 1968 budgeted obligations by not less than $9 billion and 1968 budgeted expenditures in controllable programs by not less than $4 billion; both inclusive of reductions in obligations that would ensue from actions taken in the individual appropriation and other bills having budgetary impact. Reserves were required to be established to assure this result.

In round figures, the combined actions resulted in reductions in budgeted 1968 obligations of some $11.2 billion, but about $2,675 million of these were released by the Second Supplemental Act in this session to meet pay increases and other costs, leaving about $8,525 million in obligation reductions from the fiscal 1968 budgeted level.

As I indicated above, the reductions in the present session against new budget authority requests as distinguished from budgeted obligations, amount to some $13.2 billion in respect to fiscal 1969.

We have cut deeper than some would prefer. We have not cut as deeply as others would have done. I would have preferred even deeper cuts in some areas.

And by the same token, we have, in the opinion of some, appropriated too little; too much, in the opinion of others. I would have preferred a smaller appropriation total. But as all know, deciding how much to appropriate and what to appropriate for is always a matter of compromise, of making choices, because of one overriding reason: There never is enough money to cover all our collective national wants, and unfortunately not always enough to cover what a majority decides are our collective national needs. The money bills are the meeting ground for a great contest of competing claims on the national finances.

It is the same in making the budget. The President comes face to face with the same hard realities, the same hard choices.

There is an old saying that we have a choice between two freedoms: The freedom to do what we would like, or the freedom to do what we ought to do. I believe Congress chose the right course in enacting the Revenue and Expenditure Control Act of 1968 last June.

We chose to try to restore confidence in the dollar, which was under heavy crisis in world money markets, in order to help bring stability to the economy of the country. And that has been done. Doing what clearly was our imperative duty in arresting the erosion of faith in the dollar abroad, and restoring confidence in it, is perhaps the major accomplishment of this session of Congress. And I think the Nation owes its thanks to the persistence of President Johnson, to Secretary Fowler, to Chairman Martin, and all those in the executive branch who insisted that Congress act in this matter. Likewise, to every Member of Congress who participated in the unpopular duty of raising taxes and cutting appropriations and spending in order to help achieve the necessary objective.

To have failed in this duty would put our whole economy and our national defense and security in grave crisis. We simply could not afford back-to-back budget deficits of $25 billion or more.

Mr. Speaker, I include at this point two summaries of the totals involved in the various bills. Table 1 is confined to the appropriation bills. Table 2 undertakes to blend in the effect of budgetary actions in certain legislative bills as near as we have been able to identify and approximate them.

TABLE 1.—THE NEW BUDGET AUTHORITY TOTALS IN APPROPRIATIONS BILLS, 90TH CONG., 2D SESS.

[In millions]

	Session totals	Amounts relating to fiscal years		
		1969	1968	1970
Budget requests considered	$147, 908	$138, 195	$6, 818	$2, 895
Reductions enacted	−14, 569	−13, 197	−443	−929
Amounts enacted	133, 339	124, 998	6, 375	1, 966
Permanent-type authorizations (estimate) [1]	75, 800	75, 800		
Gross totals enacted	209, 139	200, 798	6, 375	1, 966
Deduct for interfund and intergovernmental transactions and applicable budget receipts (estimate) [2]	−13, 700	−13, 700		
Net totals enacted	195, 439	[3] 187, 098	6, 375	1, 966

[1] Consists mainly of various trust funds, particularly social security, and interest, which became available automatically under earlier laws. Amount as shown in Summer Review of 1969 Budget, issued Sept. 9.

[2] The only reason for showing this entry (taken from Summer Review, of Sept. 9) is to bring the totals down to a basis consistent with the budget summarization method that produced the overall total from which the $10,000,000,000 cut in the Revenue and Expenditure Control Act was made.

[3] Does not include the $1,600,000,000 in the January budget for general pay raise legislation enacted but not yet appropriated for.

TABLE 2.—SUMMARY OF CONGRESSIONAL CHANGES ON THE OUTGO SIDE OF THE BUDGET

[In millions]

	New budget authority	Outlays (expenditures and net lending)
1. Fiscal 1968:		
5 supplemental appropriation bills and resolutions	−$442. 9	−$425. 1
Legislative bills	−70. 0	+15. 0
Total, 1968	−512. 9	−410. 1
2. Fiscal 1969:		
14 appropriation bills	−13, 196. 9	−3, 923. 2
"Spillover" expenditure effect of 2d Supplemental Act, 1968		−301. 9
Subtotal, appropriation bills	−13. 196. 9	−4. 225. 1
Offsets in several legislative bills, or failures of enactment of legislative budget proposals (veterans, housing, highways, etc.)	+811. 4	+275. 9
Total, 1969	−12, 385. 5	−3, 949. 2
3. Fiscal 1970: In 3 appropriation bills	−929. 2	(1)
4. Session recapitulation (all 3 years):		
(a) In appropriation bills	−$14, 569. 0	−$4 650. 2
(b) In legislative bills	+741. 4	+290. 9
Total, session	−13, 827. 6	−4, 359. 3

(1) Not available.

Note: Figures on legislative bills are from staff report of the Joint Committee on Reduction of Federal Expenditures. All "outlays" amounts are necessarily approximations.

REVENUE AND EXPENDITURE CONTROL ACT OF 1968

Summarizing a bit more precisely in terms of the Revenue and Expenditure Control Act which dealt solely with fiscal 1969 budget amounts, in the 14 appropriation bills we have appropriated $124,998.8 million in new budget authority for fiscal 1969. This represents a cut of $13,196.9 million. That would count against the "not less than" $10 billion mandated in the tax legislation. There are, however, some offsetting increases in several legislative bills, totaling, according to our best information, about $811 million, so that, in total, the reduction is about $12.4 billion—some $2 billion, plus, more than the minimum required by the tax bill.

But since not all funds appropriated for a particular year are actually expended or paid out in that same year, and further, since the $12.4 billion reduction includes about $2.7 billion relating to so-called participation sales authorizations which does not translate into significant expenditure reductions during fiscal 1969, the resulting reduction in budgeted expenditures, for 1969, to which the $6 billion mandated in the tax bill relates, is considerably less. According to our tentative approximations, actions in the 14 appropriation bills for 1969 translate into expenditure reductions of about $3.9 billion. To this we would add the spillover expenditure reduction effect in 1969 of cuts made near the end of fiscal 1968 in the second supplemental bill, of about $300 million, making the total expenditure reduction arising from appropriation bill actions about $4.2 billion, more or less. Offsetting increases associated with actions in bills out of legislative committees are estimated at about $275 million.

So, in relation to the reductions required by the Revenue and Expenditure Control Act, our best figures are:

First, $12,385 million cut that is countable toward the "not less than" $10 billion required in new budget authority for 1969.

Second, $3,900 million, roughly, toward the "not less than" $6 million required in budget outlays—expenditures and net lending—budgeted for 1969. This is necessarily an approximation because Congress does not vote expenditures. It votes authority to obligate and spend.

I should recall here, Mr. Speaker, that the tax expenditure reduction bill was adopted in the face of prospective back-to-back, unacceptably high budget deficits in the range of $25 billion, rising inflationary pressures, a challenge to the dollar both at home and abroad, and a persistent imbalance in our international payments account. It underscored and emphasized the duty of the Congress, consistent with the necessities of Government, to bend every effort to make reductions wherever reasonably possible. We have met the $10 billion minimum cut specified in the law as to new budget authority, but we have not cut enough to translate into a reduction of $6 billion in expenditures. To that extent, there is some basis for saying that we have not completely followed through. The law specifically provided that if the Congress, in action on the spending proposals in the various appropriation and other bills, did not make specific reductions equalling the $10 billion and the $6 billion, then the President must make such additional specific reductions in the new appropriations voted, and out of unexpended carryovers, as would achieve the twin cuts of $10 billion and $6 billion.

Of course, some of the $6 billion can, and probably will, be taken out of expenditures budgeted against unexpended carryover balances of prior years. Some will probably be cut from the new budget authority voted by Congress in the bills this year. The matter, under the law, is in the discretion of the President.

The reductions will not be made without difficulty. President Johnson, from his position representing a constituency of 200 million people with a wide variety of competing and conflicting interests, submitted what he regarded as a restrained budget, one heavily restrained by the overriding necessities of war and a defense expenditure of about $80 billion. But there is no question but that the executive branch has set about to take, and is taking the necessary steps to come up to the $6 billion expenditure reduction in nonexempted areas and programs.

The additional reductions will come partly out of nonwar areas of defense spending as well as out of civilian spending areas. The tax-expenditure reduction bill exempted from the cutbacks large portions of the budget—those relating to Vietnam, and certain others that are fixed or are relatively uncontrollable without changing various basic laws, namely, interest on the debt, veterans benefits and services, and various social security trust funds. In the closing supplemental bill, Commodity Credit Corporation farm price supports and public assistance grants—similarly uncontrollable—were exempted. These exemptions involve about $98.4 billion of the $201.7 billion in new appropriations requested and some $92.6 billion, or about half of the $186.1 billion estimated expenditures in the original 1969 budget of last January. And recent information from the executive branch is that in these exempted areas, the revised 1969 expenditure outlook is between $5 and $6 billion higher than the original estimates.

But this does not change the fact that the law still holds as to the cutbacks. The $6 billion must still be cut from nonexempted areas. Now that Congress has finished its work for the session, and its actions are known, the executive branch will be able to proceed with the business of pinpointing the cuts.

In this general connection, the President issued the following memorandum to the heads of departments and agencies on the day he signed the expenditure reduction provisions:

THE WHITE HOUSE,
Washington, June 28, 1968.

MEMORANDUM FOR THE HEADS OF DEPARTMENTS AND AGENCIES

I have today signed Public Law 90–364. Its provisions will require significant readjustments, and I shall expect you to achieve these promptly and in a manner consistent with the Nation's interests.

We must reduce spending and lending by at least $6 billion below my original estimates for fiscal 1969. It will also be necessary to restrict hiring until Federal civilian employment is reduced to the June 1966 level.

I regard this situation as a challenge to management ingenuity. Make every dollar available to you go a little further; make sure every person in your agency is being used in the most effective way possible. This must not be a mechanical, across-the-board exercise. That's the easy way.

I will expect each of you to concern yourself personally with management decisions that will best allocate your diminished resources in money and manpower. All decisions should be made in the light of agencywide priorities.

The necessary procedures on hiring restrictions and budget reductions are being sent to you by the Budget Director. However, the precise dollar limitations for each agency must await completion by Congress of the 1969 appropriations. In the interim, I shall expect you to proceed with caution in obligating funds so that you can be sure that your agency will be able to make the necessary adjustments under the new law in an orderly manner.

LYNDON B. JOHNSON.

Additionally on this point, I include excerpts from the summer review of the 1969 budget, issued on September 9 by the Director of the Budget:

SUMMER REVIEW OF THE 1969 BUDGET

Charles J. Zwick, Director of the Bureau of the Budget, today announced the results of a Summer Review of the Fiscal Year 1969 Budget. Noting that congressional action is not yet completed on 5 of the 14 appropriations, Director Zwick said:

"The currently estimated amounts must be considered tentative. As soon as all the facts are in, we will move quickly to make the necessary adjustments to complete compliance with the Revenue and Expenditure Control Act of 1968. The current estimates represent strong efforts to make the reduction decisions in the light of needs and priorities but no cutback of this magnitude can be accomplished without difficulty."

The Review showed that:

Receipts are now estimated to be $1.3 billion higher than foreseen in January, reaching $179.4 billion;

Outlays will be reduced by nearly $1.7 billion (to $184.4 billion);

Deficit is expected to decline from $8 billion to $5 billion.

Special attention in the Review is focused on the reductions in outlays, which were required by the Revenue and Expenditure Control Act of 1968. Program costs exempted by the law have increased from January estimates by $4.4 billion—with $2.3 billion accounted for by increased support for Vietnam operations. The $6 billion reduction required by the law will have even greater impact than had been anticipated as a result of higher than estimated expenditures in so-called uncontrollable programs. For example, over $1 billion more will be needed to meet the outlays fixed by law for farm price supports and public assistance. Thus, approximately $7 billion in spending reductions will have to be made.

The Bureau of the Budget now estimates that when Congress completes its actions on 1969 spending, it will have cut $3.3 billion from the January budget proposals affected by the cutback law. In addition, to meet the roughly $7 billion of required reductions, administrative actions will be undertaken to cut:

$1 billion in Defense spending not required for support of Vietnam (or other critical defense needs);

$1 billion in loan programs, placing greater reliance on the private money market for these activities;

$200 million in the Federal-aid highway program;

$100 million for the space program, (below the amount resulting from congressional action) outside of requirements for the manned lunar landing.

$1.2 billion of reductions among all other civilian agencies. However, key social programs such as manpower, low-income housing, and safe streets are being protected.

Interim measures to achieve the required reductions have been instituted, and detailed agency plans are now being reviewed. When congressional action is completed, these plans will be modified where necessary and put into effect.

Mr. Speaker, in reference to the overall reductions mentioned in the above excerpt from the summer review, I should note that the action of Congress in the closing supplemental bill, exempting expenditures for farm price supports and public assistance grants from the cutbacks, will mean that offsetting reductions for the overruns in these two items will not now have to be made in order to realize the net cut of $6 billion in budgeted spending.

I should note also that the tax bill requires the President to submit in the 1970 budget, next January, a set of recommendations for rescissions of at least $8 billion of previously granted but uncommitted obligational authority. Disposition of those recommendations will, of course, be a matter for the next Congress.

RECENT BUDGET TRENDS

I think we should take good note of the fact that whereas, chiefly as a result of the war, the budget deficit last year—the year which ended June 30, 1968—the deficit was some $25.4 billion, that as a result of the actions of the Congress this year in spending matters and in tax matters, the estimated deficit for the current fiscal year 1969 is down to somewhere between $5 billion and $7 billion. This has been a tremendous reversal of a trend. I think every Member of Congress who has participated in this action has a reason to take pride in what has been done to maintain the economy and the stability of our country from the standpoint of protecting the dollar.

I would like to point out that the Johnson administration in fiscal 1964 experienced a budget deficit of $8.2 billion according to the administrative budget, which was the system of budget accounting being used at that time. The deficit went down in the next fiscal year, 1965, to $3.4 billion; in 1966 it went still further down, to $2.2 billion. We were moving rapidly toward a balanced budget.

This was a very heartening and encouraging situation, but beginning in mid-calendar year 1965 the war situation became increasingly intense and expensive, and largely as a result of the war the deficits began to mount again in fiscal year 1967, and to the unacceptably high amount of $25.4 billion in fiscal year 1968.

But even in spite of the war which is costing some $28 billion, plus, as a result of the actions of this Congress, the estimated deficit for the current fiscal year 1969 now looks to be in the range of $5 to $7 billion.

What this Congress has done in helping to maintain the stability of the dollar has, I believe, been outstanding. It has been perhaps the greatest accomplishment of this session that the dollar has been strengthened, and that the assaults on it have been repulsed. Of course, this is a continuing fight. The integrity of the dollar and confidence in it cannot be secured all at one session. It is a continuing battle. And controlling inflation and maintaining confidence in the dollar is not alone a matter of Goverment action. It requires restraint and cooperation on the part of all concerned.

Of course, Mr. Speaker, the last budget was higher than the year before. The long truth of history is that growth of the population and growth of the country virtually ordain some growth in public services, that is, over the long stretch of time. This has been more or less the unvarying case from the beginning. Speaking of national appropriations in 1879, the distinguished Republican, James A. Garfield, then a Member of the House and chairman of the Committee on Appropriations, made exactly this point. And he added, "war overturns all ordinary calculations," as, Mr. Speaker, it has helped upset recent budgets, including the current one.

President Eisenhower acknowledged much the same budget phenomena in his budget message to Congress in 1960:

> Moreover, inescapable demands resulting from new technology and the growth of our Nation, and new requirements resulting from the changing nature of our society, will generate Federal expenditures in future years. * * * We must not forget that a rapidly growing population creates virtually automatic increases in many Federal responsibilities.

All Members know that it costs a lot of money to operate a government for a big country such as ours. Making reductions is not a very pleasant task. People generally are more inclined to spending than they are in saving money.

It does not mean we have made all the

reductions that probably should have been made.

But I do not think it is necessary to take a negative approach to this matter. The House of Representatives and the Congress in this session, has provided new appropriations for 1969 of approximately $187 billion or so, including the sums relating to such permanent appropriations as those for trust funds, such as social security, interest on the debt, and the like, which do not require annual appropriation action in bills coming before us. So the funds made available for all governmental purposes; for the poor, and for all other programs, including defense, all of these programs—and, of course, defense is taking the larger share of the tax dollar—when we take into consideration all these things we have done, it is monumental. What we have done toward financing programs which are thought by a majority of the people, or at least by a majority of the Congress to be important, is tremendous from the standpoint of supporting programs in education, in health, in agriculture, in antipoverty programs, in public works, in control of air and water pollution—the whole range of governmental endeavor.

It is too bad that we were not able to bring revenues and expenditures within balance, but certainly we are moving rapidly in that direction. With the growth of the economy of the country, and with the lessening of the war effort which we all hope and pray for before too many more months, certainly this country ought to be able to put its fiscal affairs in better shape.

I say that as to the overall situation.

DELAYS IN PROCESSING APPROPRIATION BILLS

Mr. Speaker, as in all recent years, our schedule for reporting the regular appropriation bills to the House suffered some disruption and delay, principally because of lack of more timely action on a number of the annual authorization bills. It is a situation that all concerned should undertake to correct insofar as possible.

Delaying final enactment of the regular bills far beyond the beginning of the fiscal year to which they relate leaves the departments in considerable uncertainty. It is difficult for them to plan or proceed in an orderly way when they are left without their budgets being determined upon in timely fashion. We should seek to improve upon the situation. I trust we can. As Members know, it is not in order under the rules to report an appropriation not previously authorized by law.

THE APPROPRIATION BILL TOTALS

Mr. Speaker, I append two additional tables: One, a summary of the totals of the appropriation bills, the other a listing by individual appropriation bills:

SUMMARY OF APPROPRIATION BILL TOTALS OF NEW BUDGET (OBLIGATIONAL) AUTHORITY, 90TH CONG., 2D SESS., OCT. 12, 1968

[Does not, of course, include any "back-door" type budget authority; or any permanent (Federal or trust) authority, under earlier or "permanent" law,[1] without further or annual action by the Congress]

	New budget (obligational) authority (all figures are slightly rounded)		
	Bills for fiscal 1968	Bills for fiscal 1969	Bills for the session
A. House actions:			
1. Budget requests considered	$6,796,295,000	$137,268,023,000	$144,064,318,000
2. Amounts approved by House	6,425,665,000	123,995,851,000	130,421,516,000
3. Change from corresponding budget requests	−370,630,000	[2] −13,272,172,000	−13,642,802,000
B. Senate actions:			
1. Budget requests considered	6,818,092,000	141,090,711,000	147,908,803,000
2. Amounts approved by Senate	6,453,116,000	128,918,708,000	135,371,824,000
3. Change from corresponding budget requests	−364,976,000	−12,172,003,000	−12,536,979,000
4. Compared with House amounts in same bills	+27,451,000	+4,922,857,000	+4,950,308,000
C. Enacted:			
1. Budget requests considered	6,818,092,000	141,090,711,000	147,908,803,000
2. Amounts enacted	6,375,212,000	126,964,622,000	133,339,834,000
3. Comparison—with corresponding budget requests	−442,880,000	[3] −14,126,089,000	−14,568,969,000

[1] For fiscal 1969, in the January budget, total new budget (obligational) authority was tentatively estimated at $214,600,000,000 ($201,700,000,000, net of certain budget presentation adjustments), of which $141,500,000,000 was for action by Congress and $73,100,000,000 would become available under permanent law. The Summer Review issued by the executive branch on Sept. 9, indicates that the permanent authorizations may approximate $75,800,000,000 rather than $73,100,000,000.

[2] $13,037,986,000 of this figure would count against the "not less than" $10,000,000,000 cut in the tax bill; the $13,037,986,000 figure includes $2,685,000,000 of participation sales authorization reduction.

[3] $13,196,904,000 of this figure would count against the "not less than" $10,000,000,000 cut in the tax bill and it is tentatively estimated that this reduction from new budget authority requests will translate into expenditure reductions of roughly $3,923,000,000 below budgeted 1969 expenditures.

ACTIONS ON BUDGET ESTIMATES OF NEW BUDGET (OBLIGATIONAL) AUTHORITY IN APPROPRIATION BILLS, 90TH CONG., 2D SESS., OCT 12, 1968

[Does not, of course, include any "back-door" type budget authority; or any permanent (Federal or trust) authority, under earlier or "permanent" law,[1] without further or annual action by the Congress]

Bill and fiscal year	House actions		Senate actions		Enacted	(+) or (−), latest action compared with budget requests
	Budget requests considered	Approved	Budget requests considered	Approved		
Bills for fiscal 1969:						
1. Treasury-Post Office (net of estimated postal revenues appropriated)	$1,959,535,000	$1,777,800,000	$1,959,885,000	$1,781,053,000	$1,780,653,000	−$179,232,000
(Memoranda: Total, including authorizations out of postal funds)[2]	(8,337,359,000)	(8,155,624,000)	(8,337,709,000)	(8,158,877,000)	(8,158,477,000)	(−179,232,000)
2. Agriculture	6,923,979,800	5,523,635,500	6,923,979,800	5,540,550,300	5,531,296,650	−1,392,683,150
3. Independent offices-HUD (including 1970 advance)	16,570,580,300	13,670,636,000	18,353,717,300	15,505,214,000	14,570,395,000	−3,783,322,300
(Fiscal year 1969 amounts only)	(16,570,580,300)	(13,670,636,000)	(16,953,717,300)	(14,255,214,000)	(13,820,395,000)	(−3,133,322,300)
4. Interior	1,410,342,300	1,280,880,300	1,432,342,300	1,284,372,800	1,284,989,300	−147,353,000
5. State, Justice, Commerce, and judiciary	2,203,820,900	1,794,981,500	2,291,993,900	2,000,944,000	1,986,721,500	−305,272,400
6. Public works (and AEC)	4,908,657,000	4,449,223,000	4,908,657,000	4,727,622,500	4,608,421,000	−300,236,000
7. Labor-HEW (including 1970 advance)	18,205,261,000	17,232,871,300	19,301,525,000	19,033,346,000	18,566,568,800	−734,956,200
(Fiscal year 1969 amounts only)	(17,005,261,000)	(16,267,057,000)	(18,101,525,000)	[3] (17,953,346,000)	[3] (17,555,754,500)	(−545,770,500)
8. Legislative	257,162,531	247,497,349	308,897,533	298,151,396	298,151,396	−10,746,137
9. Transportation (including 1970 advances)	1,620,832,000	1,353,391,000	1,932,032,000	1,788,411,000	1,634,266,000	−297,766,000
(Fiscal year 1969 amounts only)	(1,620,832,000)	(1,353,391,000)	(1,637,032,000)	(1,523,411,000)	(1,429,266,000)	(−207,766,000)
10. District of Columbia (Federal funds)	171,961,000	145,672,000	176,961,000	153,755,000	148,755,000	−28,206,000
(District of Columbia funds)	(594,662,000)	(528,886,000)	(606,191,000)	(548,193,810)	(540,178,988)	(−66,012,012)
11. Defense	77,074,000,000	72,239,700,000	77,074,000,000	71,886,893,000	71,869,828,000	−5,204,172,000
12. Military construction	2,031,500,000	1,765,019,000	2,031,500,000	1,744,936,000	1,758,376,000	−273,124,000
13. Foreign assistance	3,654,711,000	2,341,011,000	3,654,711,000	2,658,261,000	2,479,511,000	−1,175,200,000
14. Supplemental	270,679,907	123,532,907	740,508,907	515,197,727	446,688,727	−293,820,180
Total, these bills—						
As to fiscal 1969	136,068,022,738	123,030,036,556	138,195,710,740	[3] 126,323,707,723	[3] 124,998,807,073	[3] −13,196,903,667
As to fiscal 1970	1,200,000,000	965,814,300	2,895,000,000	2,595,000,000	1,965,814,300	−929,185,700
Total, 1969 bills	137,268,022,738	123,995,850,856	141,090,710,740	128,918,707,723	126,964,621,373	[4] −14,126,089,367
Bills for fiscal 1968:						
1. Urgent supplemental	[5] (1,216,020,863)	[5] (1,214,780,863)	[5] (1,216,020,863)	[5] (1,405,445,863)	(5)	(5)
2. Unemployment compensation (H.J. Res. 1229)	28,800,000	28,000,000	28,800,000	28,000,000	28,000,000	−800,000
3. Claims and judgments (H.J. Res. 1268, which also carried $400,000,000 highway "liquidation cash")	50,980,863	50,980,863	50,980,863	50,980,863	50,980,863	----------
4. Secret Service (H.J. Res. 1292)	----------	400,000	----------	400,000	400,000	+400,000
5. 2d supplemental	6,716,514,679	6,346,283,924	6,738,311,393	6,373,735,498	6,295,831,498	−442,479,895
Release of reserves (under Public Law 90-218)	(2,976,051,100)	(2,674,902,800)	(2,976,051,100)	(2,687,902,800)	(2,674,902,800)	(−301,148,300)
Total, 1968 bills	6,796,295,542	6,425,664,787	6,818,092,256	6,453,116,361	6,375,212,361	−442,879,895

See footnotes at end of table.

ACTIONS ON BUDGET ESTIMATES OF NEW BUDGET (OBLIGATIONAL) AUTHORITY IN APPROPRIATION BILLS, 90TH CONG., 2D SESS., OCT 12, 1968.—Continued

[Does not, of course, include any "back-door" type budget authority; or any permanent (Federal or trust) authority, under earlier or "permanent" law,[1] without further or annual action by the Congress]

Bill and fiscal year	House actions		Senate actions		Enacted	(+) or (−), latest action compared with budget requests
	Budget requests considered	Approved	Budget requests considered	Approved		
Cumulative totals for the session:						
House	144,064,318,280	130,421,515,643				[4] −13,642,802,637
Senate			147,908,802,996	135,371,824,084		[4] −12,536,978,912
Enacted			147,908,802,996		133,339,833,734	[4] −14,568,969,262

[1] In round amounts, the January budget—for fiscal 1969—tentatively estimated total new budget (obligational) authority for 1969 at $214,581,000,000 ($201,723,000,000 net of certain offsets made for budget summary purposes only), of which $73,085,000,000 would become available, through so-called permanent authorizations, without further action by Congress, and $141,496,000,000 would require "current" action by Congress. The Summer Review issued by the executive branch on Sept. 9, indicates that the permanent authorizations may approximate $75,800,000,000 rather than $73,100,000,000.

[2] These figures assume the January budget estimate of 1969 postal revenues will hold.

[3] Includes $90,965,000 new budget authority technically designated as a fiscal 1968 item, but which actually involves fiscal 1969 rather than 1968 outlays.

[4] Includes $2,685,000,000 related to participation sales authorizations (Agriculture, $425,000,000; VA and HUD, $2,110,000,000; State-Justice bill, $150,000,000).

[5] Not added in totals, because every budget request and every item otherwise involved has been dealt with in other supplementals for 1968 listed herein.

McGEORGE BUNDY URGES A START ON VIETNAM TROOP WITHDRAWALS

Mr. MOORHEAD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MOORHEAD. Mr. Speaker, on September 25, I introduced in this body House Concurrent Resolution 825, which declares it the sense of Congress that the United States should begin to liquidate its military involvement in Vietnam.

In remarks accompanying the introduction of this resolution, I said:

> I feel that the time has come for America to tell its South Vietnamese allies that they must begin to shoulder more of the burden of the war against the Viet Cong guerrillas and the North Vietnamese regulars.

Thus, I was gratified to read in yesterday's edition of the New York Times excerpts from an eloquent address on the future direction of American policy in Vietnam by the Honorable McGeorge Bundy, former Adviser on National Security Affairs to Presidents Kennedy and Johnson.

In his remarks at a symposium on law, liberty, and progress at DePauw University in Greencastle, Ind., Mr. Bundy said that whether or not a negotiated settlement of the Vietnam conflict is achieved—

> we should plan and execute a gradual but substantial reduction in the level of our own military effort there.
>
> For what they can do, there are more than enough Americans in South Vietnam today. And what they cannot do could not be done by twice as many men.

Mr. Bundy said that "the fundamental first necessity for the next administration" is to—

> decide that it will steadily, systematically, and substantially reduce the number of American casualties, the number of Americans in Vietnam, and the dollar cost of the war. It must make this decision without bargaining or negotiation and establish it as a fact of American policy which must be understood, observed, and recognized by friend and foe alike, and shared in, as they decide, by the other allies of Saigon.

If a decision of this sort is taken, Mr. Bundy said, "We can come to the end of 1969 with as many as 100,000 or 150,000 fewer allied troops on the scene" and a reduction in expenditure on the war of from $5 billion to $8 billion.

Mr. Bundy said a similar reduction should be made in 1970, with later reductions to be keyed to the progress in negotiating a settlment. If American troops must be kept in Vietnam for many years after this, Mr. Bundy said, we should encourage a volunteer army by liberalizing benefits for combat troops and reducing our reliance on the selective service laws.

Mr. Speaker, on May 25, 1967, when this body was debating the Selective Service Act of that year, I urged in remarks entitled "Toward Volunteer Armed Services," that the Congress seek ways of putting our Armed Forces on a footing that would obviate the problems that the Vietnam war has created. I said:

> By a judicious combination of increases in base pay and combat pay I believe that we can reduce, and maybe someday eliminate, our reliance on the draft. This is to be highly preferred over a system, however fair, which exposes a minority of our young people, on an involuntary basis, to a danger which the majority of his peers escape.

Mr. Bundy's address was an eloquent and cogent appeal for a sensible reduction in our military involvement in Vietnam. Under leave to extend my remarks, I insert the New York Times' excerpts from his speech at this point in the RECORD and commend them to the attention of my colleagues.

EXCERPTS FROM TEXT OF BUNDY'S ADDRESS ON THE DIRECTION OF U.S. POLICY IN VIETNAM

(NOTE.—Following are excerpts from the text of an address yesterday by McGeorge Bundy at DePauw University, Greencastle, Ind., in a symposium on law, liberty and progress.)

John McNaughton and I lived next door in Cambridge for many years and we worked together for five years more in Washington. In a short life he did many good things, and since we have lost him and Sally and their son Ted we must take the comfort we can in what they were. No reminder could be more fitting than this memorial convocation.

The topic assigned to me today is a big one—"How to Build a Greater America."

Until the present burden of Vietnam is at least partly lifted from our society, it will not be easy—it may not even be possible—to move forward effectively with other great national tasks. This has not always been my view, but I think it was John McNaughton's before he died, and it seems to me wholly clear now that at its current level of effort and cost the war cannot be allowed to continue for long. Its penalties upon us all are much too great.

Decisive change in the war can come in only three ways—by impassing a military solution, by reaching agreement with our adversaries, or by a self-imposed decision to change our own level of effort.

My own view is first, that we cannot expect a military solution, second, that we should seek agreement but be prepared for the strong chance that we may not get it, and third, that with or without such agreement we should plan and execute a gradual but substantial reduction in the level of our own military effort there.

It is now plainly unacceptable that we should continue with annual costs of $30 billion and an annual rate of sacrifice of more than 10,000 American lives. It is equally wrong to accept the increasing bitterness and polarization of our people. There is a special pain in the growing alienation of a generation which is the best we have had. So we must not go on as we are going.

A WORD ABOUT THE PAST

I am addressing myself to the future and not to the past. But it may be proper here to insert one word about that past. To say that the burden of this war must now be lifted is not at all to say that it should never have been fought. It is not even to say that it has been fought the wrong way, although that is a somewhat different question.

My own view has been and remains that the avoidance of defeat in Southeast Asia was an object of such importance to us and to the people of the area that the basic decision of 1965, to stand and fight in South Vietnam, was right. I also believe that in this fundamental sense the decisions of 1965 have already been validated by events in the area.

Furthermore, I do not believe that we are required now, by our new necessities to lose what has been gained in this strategic sense. But I do believe we have to change our course. Whatever the rights and wrongs of past decisions, the imperative of the future is to begin to lift this burden from our national life.

There is no solution to the war in Vietnam through United States military escalation. There is no prospect of military victory against North Vietnam by any level of United States military force which is acceptable or desirable, either in our own interest or in the interest of world peace.

I take it as self-evident that it would be the worst kind of folly to use nuclear weapons of any sort at any time in this contest. What is somewhat less evident is that it would be equally fruitless to seek military victory by an escalation of conventional force—by renewed and intensified bombing of the North, or by air and naval blockade, or by enlargement of the American commitment in the South.

The last three years have demonstrated plainly that American forces can prevent defeat, and it was for his purpose that they were initially introduced in large numbers. But they have also shown us that they cannot produce victory.

In the last 12 months President Johnson has wisely resisted military pressure for continued escalation. The advocates of bombing not only opposed his major cutback of March 31, but both before and after they have wanted a wider and deeper air campaign against the North. They have been wrong.

Similarly, the predictable military reaction to the events of Tet last spring was to urge a major United States military reinforcement in the South—the requests appear to have totaled more than 200,000 men. These requests, too, were wisely rejected, with marginal exceptions, and the record of the last six months—a time in which the course of the battle has been better for us than for the opposition—demonstrates the wisdom of this decision. For what they can do, there are more than enough Americans in South Vietnam today. And what they cannot do could not be done by twice as many men.

Neither the framework of the primitive but tightly controlled North Vietnamese society nor the level of the Communist military effort has been broken by the levels of force we have so far employed.

Short of nuclear weapons, no higher use of force can be expected to produce such a change, and since the American people would rightly reject by an overwhelming majority any actual use of nuclear weapons, no nuclear threat would be remotely credible. So there is no solution in escalation. Its only consequence would be a higher level of sacrifice and cost without an early ending of the war.

Most Americans—and notably all political candidates—favor negotiations for peace in Vietnam. I strongly agree. It is a real step forward that we now have a diplomatic process going in Paris, and I believe that in 1969 we can do more than we have done so far to test the possibilities of peace by agreement.

At the same time I do not think we can be sure that this path is really open. It is not clear at all that Hanoi will accept any settlement that will be remotely acceptable to the people of this country.

VIETNAM PLANK CITED

For convenience in argument let me take the recommendations of the Vietnam plank which was proposed by opponents of Administration policy in the Democratic convention in Chicago. This remains the most "dovish" document with demonstrated support from a major political group.

The first recommendation of this plank was an unconditional halt in the bombing. I agree with this recommendation. The bombing was begun at a time when it appeared that a prompt and resolute demonstration of American will and purpose was essential to the prevention of Communist military victory in South Vietnam. That purpose is now far out of date, and the particular values which the bombing of the North still has, for the limitation of infiltration and resupply, are far outweighed by its political costs.

If it has not stopped before, it would seem to me both prudent and practical to stop it early in 1969. The risk to our own troops can be minimized by alternative means of defense and if necessary by alternative deployments.

The diplomatic advantages of stopping the bombing are obvious: It would shift the burden of response from Washington to Hanoi. It would test the estimates and offers which have come from the United Nations and from Moscow. It would underline the reality of our purpose of peace.

But stopping the bombing in itself will not bring peace. It will simply remove one obstacle to further negotiations. So let us continue with the agenda of the minority plank.

"Second," it says, "we will then negotiate a mutual withdrawal of all United States forces and all North Vietnamese troops from South Vietnam. This should be a phased withdrawal over a relatively short period of time."

HANOI ACTION NEEDED

This point—which incidentally is parallel to a similar point in the majority plank—is quite different from the first in that it calls for action by Hanoi. It therefore depends not upon our will alone but also upon theirs. And can any American assume with assurance today that this point is in fact negotiable? I think not. I do not say that it cannot be done, but I do say that we do not know it can be done.

For myself, I believe that it would be a good bargain for us and for South Vietnam, but I do not know that it is a bargain we can get. The United States Government, as I understand its policy, has been ready for this bargain for years. Surely the Government of 1969 must be ready for it.

But what of Hanoi? What is the likelihood that given the current state of affairs in the South the men in the North would in fact agree to remove all of their forces in return for the departure of ours? There have been hints, at least, in recent months of a developing insistence by Hanoi that no such trade is justified or possible.

Whereas for years the Government of North Vietnam refused to admit the presence of its forces in the South, now there is a shift in the line and we begin to hear that it is right and proper for the forces for the DRV to go wherever they are needed throughout Vietnam, without regard for the armistic lines of 1954.

If we can negotiate mutual withdrawal we should, but what if we cannot? The minority plank opposes unilateral withdrawal, so its assumption must be that without such agreement we would fight on. I submit that a proposal which depends on the agreement of the enemy is a proposal which may not of itself produce the changes we must have.

The third point in the minority plank is more complex—and it reflects an evident effort to reconcile significantly different views among those concerned. It says, "Third, we will encourage our South Vietnamese allies to negotiate a political reconciliation with the National Liberation Front looking toward a government which is broadly representative of these and all elements in South Vietnamese society. The specific shape of this reconciliation will be a matter for decision by the South Vietnamese spurred to action by the certain knowledge that the prop of American military support will soon be gone."

Here again we have a requirement which it is not within our power to enforce. As the document, itself proclaims, the decisive choices in this matter must be made by South Vietnamese and not by Americans. To me it has always seemed far from likely that there is in fact a possibility of a government broadly representative of the National Liberation Front and "all elements in South Vietnamese society."

The two main parties to the conflict have always defined their concept of representative government in ways that exclude their main enemy. I know of no close observer of the Communists who supposes that they intend to accept any settlement in which they do not have de facto control of the future of South Vietnam, and I know of no prospect that the present Government of South Vietnam would accept the concept of "political reconciliation" with Communists in the sense that we use these words at home.

I do not quarrel with the objective of reconciliation, but I do wonder whether it is possible. I do not believe any policy for reducing the cost of the war can be solidly based on the assumption that such a reconciliation will come soon.

You will see that in my judgment the minority plank goes through some murky waters in its second and its third points.

Now I turn from the minority plank to another frequently heard proposal—that we should negotiate a prompt cease-fire. This too is nice work if we can get it. But can we? A genuine cease-fire, in any war so largely civil as this one, is bound to work strongly in favor of the official government—since the end of violence, almost by definition, would give that government new authority and strength.

Let me sum up my own view of negotiation. It is that we should be ready for a compromise well short of victory in which the eventual outcome would remain to be settled by the people of South Vietnam. But I do not think that we can be sure of any such readiness for compromise on the other side, and my personal bet is against it, at least for 1969.

I would test the hypothesis by relentless diplomatic process, and I would begin by stopping the bombing. But I do not think I could be sure that these steps alone would begin to lift our burden. I believe that they would not, and that more will be needed.

If there is no solution in escalation, and if the promise of diplomacy is uncertain, then let us return to our initial premise—that we must begin to lift this burden from our lives. The one course that remains is to lift it by our own choice and decision—and this is the course it seems to me is the fundamental first necessity for the next administration.

It must decide that it will steadily, systematically and substantially reduce the number of Americans in Vietnam and the dollar cost of the war. It must make this decision without bargaining or negotiation and establish it as a fact of American policy which must be understood, observed and recognized by friend and foe alike, and shared in, as they decide, by the other allies of Saigon.

If the decision is firmly made and effectively executed, we can come to the end of 1969 with as many as 100,000 or 150,000 fewer allied troops on the scene and with an overall cost to the United States that is cheaper by $5-billion to $8-billion a year.

A reduction of similar magnitude should be planned for 1970. After that the course of our withdrawal would have to depend on the progress of the search for peace—but at the levels of 1971 we could and should have a volunteer war, if we have a war at all. And even before 1971 we can do some other things to help hold ourselves together—though most of them, unlike steps that I have so far recommended, would require help from Congress.

We can and should make drastic increases in our rewards for extended service in Vietnam—a force which rotates every 12 months is no force for this kind of war. We can and should increase substantially our after-service benefits for veterans of truly combat service. We can and should reform both the legislation and management of our Selective Service System. We cannot end danger or dissent, but we can do a lot about uncertainty, about unfairness and about administrative unsensitivity.

This reduced level of effort is more than enough still to sustain and execute the basic purpose of our forces in Vietnam—the purpose of preventing defeat.

It would also be wholly consistent with the important decision to strengthen limitations upon the use of force in civilian areas which has been put in effect under the leadership of Secretary Clifford. It would underline our own limited purpose and strengthen our hand in the process of diplomacy. But most of all, it would begin to lift the burden of the war upon our life at home.

But what of Saigon? What happens there as we cut down?

In particular we can and should continue the emphasis which we have placed since Tet upon the modernization and reinforcement of South Vietnamese forces. We can sustain and even intensify our efforts at political and economic cooperation. We can emphasize that no one who means to keep at least a hundred thousand troops in place for years (always assuming there is no decent settlement) can be accused of precipitate or faithless withdrawal.

> In a policy of cutback there is still ample room for steadfast support of our friends, and ample guarantee against defeat imposed by the external aggressor. There is also ample demonstration for all who live in the area not only that we keep our commitments but also that we know how to change our course with care and clarity.

PENNSYLVANIA'S DISTINGUISHED JURIST, MICHAEL A. MUSMANNO, HAS PASSED AWAY

Mr. MOORHEAD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MOORHEAD. Mr. Speaker, it is with great personal sadness that I report to the House the death last Saturday night of one of Pennsylvania's most distinguished citizens, the Honorable Michael A. Musmanno, Justice of the State Supreme Court.

Throughout his colorful and often controversial career as an attorney, State legislator, jurist, and author, Justice Musmanno was a consistent champion of the underprivileged and the oppressed. His death at 71 is a grievous blow not only to those of us from the City of Pittsburgh where he lived, but to the whole Commonwealth of Pennsylvania.

Ironically, Justice Musmanno died on Columbus Day, the holiday honoring the Italian explorer whose achievements he spent a lifetime studying and verifying.

Born in Stowe Township, Allegheny County, on April 7, 1897, Justice Musmanno began his legal career as a practicing attorney in Philadelphia after his graduation from the Georgetown University School of Law here in Washington.

He soon returned to Pittsburgh and after a brief but brilliant career as an attorney there, was elected to the State House of Representatives in 1928.

COAL AND IRON POLICE FOE

His strong espousal of liberal causes won him reelection by a large majority in 1930. Throughout his two terms he concentrated on one of the major aims of his life—the abolition of the so-called coal and iron police which was widely criticized because of its hard-fisted policies toward individuals.

Defeated twice in attempts to have the general assembly abolish the coal and iron police, Justice Musmanno attacked with a different weapon—a book, "Jan Volkanik," from which a movie, "Black Fury," starring Paul Muni, was made.

Public reaction to the brutal tactics of the industrial police system as portrayed in the book and movie brought quick reform by the State legislature.

That victory started Musmanno on a career which was to bring him international fame as the presiding judge in Military Tribunal II, the second of the famed trials of war criminals in Germany after World War II.

His judicial career began with his election to the county court of Allegheny County in 1931. Two years later he was elected to common pleas court, polling 320,000 of 340,000 votes cast, for the highest majority in history.

Before beginning his new duties, which would involve presiding at criminal court trials, Musmanno, a man deeply devoted to humanitarian principles, spent a week behind the bars of Western Penitentiary talking to and studying prisoners and their problems.

Speaking of that experience, he later said:

> Unless a judge knows to what place he is sending a defendant, how can he tell the term of months or years the defendant should spend in that place?

Musmanno's criminal court career was marked by the most stringent and successful drive against drunken driving ever made in this county.

Impressed by the increasing toll of death on American highways, he laid down a rule that every drunken driver convicted should serve a jail term. And of 413 guilty drivers who came before him, 413 went to jail. The action was reflected in a 65-percent decrease in drunken driving in Pittsburgh.

Musmanno's first political defeat came in 1935 when he was defeated in his first bid for election to the State supreme court. In that election, running without organization support, he sought and lost nominations of both Republican and Democratic tickets.

However, in 1943 he was reelected to Allegheny County common pleas court. In 1950 he again lost an election as a nominee for Lieutenant Governor, but in the following year he won election to the State supreme court, a post he held until his death.

A BITTER DEFEAT

Probably the most bitter political defeat suffered by Musmanno came in 1964 when he lost the Democratic nomination for U.S. Senator to Genevieve Blatt of Pittsburgh by a margin of 513 votes.

First returns indicated that Justice Musmanno was the winner, but when approximately 6,000 votes in Philadelphia were thrown out because they were cast by pulling the wrong lines on voting machines, the nomination went to Miss Blatt. Musmanno carried appeals to both the State supreme and U.S. Supreme Courts, but failed to have the ruling overturned.

A veteran of World War I, Justice Musmanno left the bench and volunteered for active service with the U.S. Navy when America entered World War II.

Serving first as a convoy officer in the North Atlantic, he later became the naval liaison officer with the 5th American Army which landed at Salerno. While he was taking a ship out of Bari the vessel was sunk by a German air raid. Justice Musmanno managed to get to shore on an improvised raft after spending several hours in the water.

The jurist, who later became naval aide to Gen. Mark W. Clark, commanding the Allied Armies in Italy, also served for a time as military governor of Italy.

He was wounded twice and received the Purple Heart Medal, the Bronze Star for Valor, the Legion of Merit, the Army Commendation Ribbon, and from Italy the Silver Medal for Gallantry.

Musmanno entered the service as a lieutenant commander and rose to the rank of captain. Following the armistice he became president of the United States Forcible Repatriation Board in Austria.

He served as Navy observer at the first war crimes trial at Nuremberg and later as judge. In the Tribunal II trial he was presiding judge in the Einsatzgruppen case involving 24 defendants accused of murder of a million citizens.

As an attorney, Musmanno joined the defense in the latter stages of the famed Sacco-Vanzetti trial in Boston and argued the case of the accused before the Supreme Court. Although he lost the case, his argument in their behalf was highly regarded by observers.

STRONGLY ANTI-RED

Strongly anti-Communist, Musmanno supported a bill outlawing the Communist Party in Pennsylvania and requiring loyalty oaths from public employees which eventually became law.

In 1950, he personally swore out informations against Steve Nelson, top Communist leader, and two associates charging them with violation of the State Sedition Act.

Nelson and four associates were convicted after a 35-week trial. Nelson and one other defendant were sentenced to 20 years in prison. However, the convictions were set aside by the U.S. Supreme Court, which ruled the State Sedition Act was superseded by the Federal Smith Act.

In his first year as a supreme court justice, Musmanno filed 32 dissenting opinions—a record number as dissents usually averaged only five or six per justice per year.

While they drew criticism from Chief Justice Horace Stern, who termed them "fiction," Justice Musmanno later was to point out that 65 percent of his dissents had become represented by the law of Pennsylvania.

His opinions were written in the colorful and ofttimes rhetorical language which characterized both his writings and his speeches—but they were so clear as to be easily understood by laymen as well as lawyers.

He battled communism, obscene books and movies, defamation of the American flag and any unpatriotic movement, but nothing aroused his volatile Italian temper so much as any claim that Christopher Columbus did not discover America.

After months of verbally countering claims that the Vikings and even Buddhist priests from the Far East were here before Columbus, Justice Musmanno brought out a book on the issue: "Columbus Was First."

PRAISED AS AN AUTHOR

Justice Musmanno distinguished himself as an author, turning out almost a dozen books on a wide range of subjects. Included was his "Proposed Amendments to the Constitution," which was acclaimed by both Congress and attorneys as a "magnificent treatise" on this subject.

Other works included "The Man and the Soldier," a biography of Gen. Mark W. Clark, "World War II in Italy," "Ten Days To Die," "Across the Street from the

Courthouse," and "Justice Musmanno Dissents."

In an editorial eulogy to Justice Musmanno, the Pittsburgh Post-Gazette today described him as "an indefatigable man of many talents." All those who were privileged to know Justice Musmanno would agree with this assessment and mourn his loss accordingly.

The Post-Gazette pointed to the "flamboyance and eccentricity" that characterized his active career, but concluded that these were not the qualities that make his loss a tragedy. The editorial said, rightly and truly:

> As a public official, soldier and patriot, and an author of vivid imagination and arabesque prose, Mike Musmanno brought to his work a sunny optimism, a great zest for life and a gift for friendship. The warmth of his nature should be remembered after his foibles have been forgotten.

SPEAKER PRO TEMPORE

The SPEAKER. The Chair requests the gentleman from Illinois [Mr. Arends] to assume the chair.

Mr. LESLIE C. ARENDS assumed the chair.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arizona.

COMMENDATION OF SPEAKER

Mr. RHODES of Arizona. Mr. Speaker, I offer a resolution (H. Res. 1324).

The Clerk read the resolution, as follows:

H. Res. 1324

> *Resolved*, That the thanks of the House are presented to the Honorable John W. McCormack, Speaker of the House of Representatives, for the able, impartial, and dignified manner in which he has presided over the deliberations and performed the arduous duties of the Chair during the present term of Congress.

The SPEAKER pro tempore. The gentleman from Arizona is recognized.

Mr. RHODES of Arizona. Mr. Speaker, I deem it a personal honor and a privilege to offer this resolution on behalf of all my colleagues in the House, and particularly on behalf of my colleagues in the minority.

The Speaker of the House, the Honorable John McCormack, is a man whose hallmark is eminent fairness. He has treated every Member of the House of Representatives not only as a man who deserves respect because he has been elected by his constituents, but also as a warm and personal friend.

He has leaned over backwards to give to every individual every right which he can possibly possess or expect under the rules of the House of Representatives. We revere him not only for these qualities but also for the fact that he has been a staunch defender of the institutions of the House of Representatives, which we all hold so dear.

Certainly, the House is a better institution, a more revered institution, because John McCormack has been the Speaker of this body.

In putting forth the legislative program of the majority, and in securing the consideration of legislation on the floor of the House, the Speaker has been eminently fair to the members of the minority. It has been said that the minority is the anvil upon which the majority hammers out a legislative program.

Mr. Speaker, some of us have the scars to prove that this is true. However, let me say to my good friend the Speaker that it has been a distinct pleasure to act as an anvil to such a beneficient hammer as the Speaker has wielded. Moreover I think that the work of the minority has been constructive in this particular session and in the whole Congress. And, because of the interplay between the majority and the minority, we have had a better legislative program than we otherwise would have had.

On a number of occasions, Members of the minority have offered constructive amendments to legislation and have helped to rewrite certain bills so that they could be broadly supported and enacted into law. These actions, I believe, have been in the best interests of the country and deserve the respect and admiration of the Members on the other side of the aisle.

It is with a great deal of pleasure that I say to the distinguished Speaker of the House that I wish him the best of everything in the months to come. I look forward to the very definite possibility, and I might say even probability, that his constituents in Massachusetts will return him as a Member of the 91st Congress. I hope that the people of the First District of Arizona will be equally kind to me and that we will be able to resume our friendship and associations in the 91st Congress. I think that the Speaker of this 90th Congress will make an admirable minority leader, and I look forward to greeting him in that particular position next year.

The SPEAKER pro tempore (Mr. Arends). The question is on the resolution.

The resolution was unanimously agreed to.

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, might I say this brief word in closing. I have just had the opportunity as minority whip to sit in the Speaker's chair representing the Republican Party. It not only felt comfortable, but I enjoyed it. I think, Mr. Speaker, in recalling the 8 years of the Eisenhower administration when we did on numerous occasions have the opportunity of presiding over this House, it provides us, as Republicans, a feel for the job. If future events bestow upon us the opportunity to sit in your chair more frequently, I think we will be prepared.

Thank you, Mr. Speaker.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Morris of New Mexico (at the request of Mr. Albert), for today, and the remainder of the week on account of illness in family.

Mr. Ryan (at the request of Mr. Albert), for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Hechler of West Virginia, for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Staggers, for 5 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Gonzalez (at the request of Mr. Matsunaga), for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Madden and to include extraneous matter in two instances.

Mr. Stratton and to include extraneous matter.

Mr. Gerald R. Ford (at the request of Mr. Arends) to extend his remarks following those of Mr. Albert today.

Mr. Ryan (at the request of Mr. Matsunaga) to extend his remarks in the permanent Record for October 3 on the Whitten amendment, No. 63, on the conference report on H.R. 18037, Labor-HEW appropriation bill.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 159. An act to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes;

H.R. 859. An act for the relief of Public Utility District No. 1 of Klickitat County, Wash.;

H.R. 1596. An act for the relief of Demetrios Konstontinos Georgaras (also known as James K. Georgaras);

H.R. 2283. An act for the relief of Dr. Ray F. McMillan;

H.R. 2288. An act for the relief of Charles B. Franklin;

H.R. 2760. An act for the relief of Sondra D. Shaw;

H.R. 2792. An act to amend sections 281 and 344 of the Immigration and Nationality Act to eliminate the statutory prescription of fees, and for other purposes;

H.R. 3593. An act to amend title 38 of the United States Code to provide nursing home care and contract hospitalization for certain veterans living in Alaska and Hawaii, and for other purposes;

H.R. 4939. An act for the relief of Joseph H. Bonduki;

H.R. 5785. An act to authorize the disposal of magnesium from the national stockpile;

H.R. 5818. An act for the relief of Clifton R. Kindt;

H.R. 7567. An act to amend the Internal Revenue Code of 1954 with respect to the definition of compensation for purposes of tax under the Railroad Retirement Tax Act, and for other purposes;

H.R. 8364. An act to amend the joint resolution of March 24, 1937, to provide for the termination of the interest of the United States in certain real property in Allen Park, Mich.;

H.R. 10256. An act to render the assertion of land claims by the United States based upon accretion or avulsion subject to legal and equitable defense to which private persons asserting such claims would be subject;

H.R. 10725. An act to amend the act of August 4, 1950 (64 Stat. 411), entitled "An act relating to the policing of the buildings and grounds of the Library of Congress" to provide salary increases for members of the police force of the Library of Congress, and for other purposes;

H.R. 10790. An act to amend the Public Health Services Act to provide for the protection of the public health from radiation emissions from electronic products;

H.R. 11394. An act to amend certain provisions of the Internal Revenue Code of 1954 relating to distilled spirits, and for other purposes;

H.R. 13058. An act to repeal certain acts relating to containers for fruits and vegetables, and for other purposes;

H.R. 14095. An act to amend the Internal Revenue Code of 1954 so as to make certain changes to facilitate the production of wine, and for other purposes;

H.R. 15114. An act to extend to savings notes the provisions of the Second Liberty Bond Act relating to the redemption of savings bonds and the payment of losses incurred in connection with such redemption;

H.R. 15147. An act to amend the Immigration and Nationality Act to provide for the naturalization of persons who have served in active-duty service in the Armed Services of the United States during the Vietnam hostilities, or in other periods of military hostilities, and for other purposes;

H.R. 15681. An act to consolidate and revise foreign assistance legislation relating to reimbursable military exports;

H.R. 15971. An act to increase the participation of military judges and counsel on courts-martial, and for other purposes;

H.R. 16025. An act to amend title 38 of the United States Code with respect to eligibility for, and the period of limitation on, educational assistance available under part III of such title, and for other purposes;

H.R. 17361. An act to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the city of Memphis;

H.R. 17864. An act to amend titles 5, 10, and 37, United States Code, to codify recent law, and to improve the code;

H.R. 18253. An act relating to the effective date of the 1966 change in the definition of earned income for purposes of pension plans of self-employed individuals;

H.R. 18373. An act for implementing Conventions for Free Admission of Professional Equipment and Containers, and for ATA, ECS, and TIR Carnets;

H.R. 18486. An act to amend the Internal Revenue Code of 1954 with respect to the treatment of income from the operation of a communications satellite system;

H.R. 18612. An act to enact title 44, United States Code, "Public Printing and Documents," codifying the general and permanent laws relating to public printing and documents;

H.R. 18942. An act relating to the income tax treatment of certain statutory mergers of corporations;

H.R. 19908. An act making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1969, and for other purposes;

H.R. 20300. An act making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes; and

H.J. Res. 691. Joint resolution extending greetings and felicitations to St. Louis University in the city of St. Louis, Mo., in connection with the 150th anniversary of its founding.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 857. An act for the relief of Puget Sound Plywood, Inc., of Tacoma, Wash.;

S. 2012. An act to amend the District of Columbia Public School Board Services Act to provide for the payment of salaries of food service employees from appropriated funds, to provide for adjustments in those salaries, and for other purposes;

S. 3174. An act to establish a National Memorial to Woodrow Wilson;

S. 3416. An act to amend the Federal Property and Administrative Act of 1949, as amended, to authorize the rendering of direct assistance to and performance of special services for the inaugural committee;

S. 3736. An act to authorize the Secretary of Agriculture to sell to the Village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex.; and

S. 4120. An act to amend title 5, United States Code, to authorize the waiver, in certain cases, of claims of the United States arising out of erroneous payments of pay to employees of the executive agencies, and for other purposes.

BILLS AND A JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 859. An act for the relief of Public Utility District No. 1 of Klickitat County, Wash.;

H.R. 1596. An act for the relief of Demetrios Konostontinos Georgaras (also known as James K. Georgaras);

H.R. 2283. An act for the relief of Dr. Ray F. McMillan;

H.R. 2288. An act for the relief of Charles B. Franklin;

H.R. 2760. An act for the relief of Sondra D. Shaw;

H.R. 2792. An act to amend sections 281 and 344 of the Immigration and Nationality Act to eliminate the statutory prescription of fees, and for other purposes;

H.R. 3593. An act to amend title 38 of the United States Code to provide nursing home care and contract hospitalization for certain veterans living in Alaska and Hawaii, and for other purposes;

H.R. 4939. An act for the relief of Joseph H. Bonduki;

H.R. 5785. An act to authorize the disposal of magnesium from the national stockpile;

H.R. 5818. An act for the relief of Clifton R. Kindt;

H.R. 7567. An act to amend the Internal Revenue Code of 1954 with respect to the definition of compensation for purposes of tax under the Railroad Retirement Tax Act, and for other purposes;

H.R. 8364. An act to amend the joint resolution of March 24, 1937, to provide for the termination of the interest of the United States in certain real property in Allen Park, Mich.;

H.R. 10256. An act to render the assertion of land claims by the United States based upon accretion or avulsion subject to legal and equitable defense to which private persons asserting such claims would be subject;

H.R. 10725. An act to amend the act of August 4, 1950 (64 Stat. 411), entitled "An act relating to the policing of the buildings and grounds of the Library of Congress" to provide salary increases for members of the police force of the Library of Congress, and for other purposes;

H.R. 10790. An act to amend the Public Health Service Act to provide for the protection of the public health from radiation emissions from electronic products;

H.R. 13058. An act to repeal certain acts relating to containers for fruits and vegetables, and for other purposes;

H.R. 14095. An act to amend the Internal Revenue Code of 1954 so as to make certain changes to facilitate the production of wine, and for other purposes;

H.R. 15114. An act to extend to savings notes the provisions of the Second Liberty Bond Act relating to the redemption of savings bonds and the payment of losses incurred in connection with such redemption;

H.R. 15147. An act to amend the Immigration and Nationality Act to provide for the naturalization of persons who have served in active-duty service in the Armed Services of the United States during the Vietnam hostilities, or in other periods of military hostilities, and for other purposes;

H.R. 15681. An act to consolidate and revise foreign assistance legislation relating to reimbursable military exports;

H.R. 15971. An act to increase the participation of military judges and counsel on courts-martial, and for other purposes;

H.R. 16025. An act to amend title 38 of the United States Code with respect to eligibility for, and the period of limitation on, educational assistance available under part III of such title, and for other purposes;

H.R. 17361. An act to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the city of Memphis;

H.R. 18253. An act relating to the effective date of the 1966 change in the definition of earned income for purposes of pension plans of self-employed individuals;

H.R. 18373. An act for implementing Conventions for Free Admission of Professional Equipment and Containers, and for ATA, ECS, and TIR Carnets;

H.R. 18486. An act to amend the Internal Revenue Code of 1954 with respect to the treatment of income from the operation of a communications satellite system;

H.R. 18612. An act to enact title 44, United States Code, "Public Printing and Documents", codifying the general and permanent laws relating to public printing and documents;

H.R. 18707. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes;

H.R. 18942. An act relating to the income tax treatment of certain statutory mergers of corporations;

H.R. 20300. An act making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes; and

H.J. Res. 691. Joint resolution extending greetings and felicitations to St. Louis University in the city of St. Louis, Mo., in connection with the 150th anniversary of its founding.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER. In accordance with the provisions of Senate Concurrent Resolution 83, the Chair declares the second session of the 90th Congress adjourned sine die.

Thereupon (at 2 o'clock p.m.), pursuant to Senate Concurrent Resolution 83, the House adjourned sine die.

BILLS PRESENTED TO THE PRESIDENT AFTER SINE DIE ADJOURNMENT

Mr. FRIEDEL, from the Committee on House Administration, reported that the committee did on October 15, 1968, present to the President for his approval bills of the House of the following titles:

H.R. 11394. An act to amend certain provisions of the Internal Revenue Code of 1954 relating to distilled spirits, and for other purposes; and

H.R. 17864. An act to amend titles 5, 10, and 37, United States Code, to codify recent law, and to improve the code.

On October 18, 1968:

H.R. 159. An act to amend title II of the Merchant Marine Act, 1936, to create an Independent Federal Maritime Administration, and for other purposes.

BILLS AND JOINT RESOLUTION APPROVED AFTER SINE DIE ADJOURNMENT

The President, subsequent to the sine die adjournment of the Congress, notified the Clerk of the House that on the following dates he had approved and signed bills and a joint resolution of the House of the following titles:

On October 8, 1968:

H.R. 15263. An act to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes; and

H.R. 16175. An act to authorize the transfer, conveyance, lease, and improvement of, and construction on, certain property in the District of Columbia, for use as a headquarters site for the Organization of American States, as sites for governments of foreign countries, and for other purposes.

On October 9, 1968:

H.R. 1340. An act to authorize the Secretary of the Interior to accept donations of land for, and to construct, administer, and maintain an extension of the Blue Ridge Parkway in the States of North Carolina and Georgia, and for other purposes.

On October 10, 1968:

H.R. 19136. An act to amend title 5, United States Code, to provide for the payment of overtime and standby pay to certain personnel employed in the Department of Transportation.

On October 11, 1968:

H.R. 17126. An act to amend the Food and Agriculture Act of 1965;

H.R. 18037. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1969, and for other purposes; and

H.J. Res. 1459. Joint resolution recognizing the significant part which Harry S. Truman played in the creation of the United Nations.

On October 12, 1968:

H.R. 2155. An act to amend the tariff schedules of the United States with respect to the classification of Chinese gooseberries;

H.R. 5117. An act to authorize the Secretary of the Interior to construct, operate, and maintain stage 1 and to acquire lands for stage 2 of the Palmetto Bend reclamation project, Texas, and for other purposes;

H.R. 6862. An act for the relief of Slator C. Blackiston, Jr.;

H.R. 8140. An act to provide for the settlement of claims against the District of Columbia by officers and employees of the District of Columbia for damage to, or loss of, personal property incident to their service, and for other purposes;

H.R. 9089. An act for the relief of E. Christian Des Marets, Sr.;

H.R. 13160. An act for the relief of William W. Hiebert;

H.R. 14079. An act for the relief of Lt. (j.g.) Herbert F. Swanson, and others;

H.R. 14098. An act to amend the act entitled "An act to provide for the annual inspection of all motor vehicles in the District of Columbia," approved February 18, 1938, as amended;

H.R. 14935. An act to amend title 39, United States Code, to regulate the mailing of master keys for motor vehicle ignition switches, and for other purposes;

H.R. 17104. An act to extend until July 15, 1969, the suspension of duty on electrodes for use in producing aluminum;

H.R. 17524. An act to amend section 502 of the Merchant Marine Act, 1936, relating to construction-differential subsidies;

H.R. 17684. An act to amend the act of August 9, 1955, to authorize longer term leases of Indian lands on the Pueblos of Cochiti, Pojoaque, Tesuque, and Zuni, in New Mexico; and

H.R. 19831. An act to provide funds on behalf of a grateful Nation in honor of Dwight David Eisenhower, 34th President of the United States, to be used in support of construction of educational facilities at Eisenhower College, Seneca Falls, N.Y., as a distinguished and permanent living memorial to his life and deeds.

On October 15, 1968:

H.R. 15758. An act to amend the Public Health Service Act so as to extend and improve the provisions relating to regional medical programs, to extend the authorization of grants for health of migratory agricultural workers, to provide for specialized facilities for alcoholics and narcotic addicts, and for other purposes.

On October 16, 1968:

H.R. 18366. An act to amend the Vocational Education Act of 1963, and for other purposes.

On October 17, 1968:

H.R. 1411. An act to amend title 39, United States Code, with respect to use of the mails to obtain money or property under false representations, and for other purposes;

H.R. 2282. An act for the relief of certain employees of the Naval Weapons Center, Concord, Calif.;

H.R. 8781. An act to authorize the Secretary of the Interior to exchange certain lands in Shasta County, Calif., and for other purposes;

H.R. 13099. An act to authorize the establishment of the Carl Sandburg Home National Historic Site in the State of North Carolina, and for other purposes;

H.R. 13480. An act to make the proof of financial responsibility requirements of section 39(a) of the Motor Vehicle Safety Responsibility Act of the District of Columbia inapplicable in the case of minor traffic violations involving drivers' licenses and motor vehicle registration;

H.R. 13844. An act to provide additional leave of absence for Federal employees in connection with the funerals of their immediate relatives who died as a result of wounds, disease, or injury incurred while serving as a member of the Armed Forces in a combat zone; and to provide additional leave for Federal employees called to duty as members of the National Guard or Armed Forces Reserves;

H.R. 15114. An act to extend to savings notes the provisions of the Second Liberty Bond Act relating to the redemption of savings bonds and the payment of losses incurred in connection with such redemption;

H.R. 17273. An act to amend the act of September 21, 1959 (Public Law 86-339) relating to the reservation of the Agua Caliente Band of Mission Indians;

H.R. 17361. An act to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the city of Memphis;

H.R. 17787. An act to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes;

H.R. 18707. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1969, and for other purposes;

H.R. 18885. An act to provide for the disposition of funds appropriated to pay judgments in favor of the Seminole Tribe of Oklahoma in dockets Nos. 150 and 248 of the Indian Claims Commission, and for other purposes; and

H.R. 19908. An act making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1969, and for other purposes.

On October 18, 1968:

H.R. 551. An act to authorize the establishment of the Biscayne National Monument in the State of Florida, and for other purposes;

H.R. 2263. An act for the relief of Henry E. Bullock;

H.R. 2283. An act for the relief of Dr. Ray F. McMillan;

H.R. 5785. An act to authorize the disposal of magnesium from the national stockpile;

H.R. 5818. An act for the relief of Clifton R. Kindt;

H.R. 10790. An act to amend the Public Health Service Act to provide for the protection of the public health from radiation emissions from electronic products; and

H.R. 18248. An act to amend the act of August 9, 1955, relating to certain common carrier operations in the District of Columbia.

On October 21, 1968:

H.R. 1596. An act for the relief of Demetrios Konstantinos Georgaras (also known as James K. Georgaras);

H.R. 2288. An act for the relief of Charles B. Franklin;

H.R. 2792. An act to amend sections 281 and 344 of the Immigration and Nationality Act to eliminate the statutory prescription of fees, and for other purposes;

H.R. 3593. An act to amend title 38 of the United States Code to provide nursing home care and contract hospitalization for certain veterans living in Alaska and Hawaii, and for other purposes;

H.R. 3865. An act for the relief of Mauritz A. Sterner;

H.R. 7417. An act to prescribe administrative procedures for the District of Columbia government;

H.R. 7735. An act to continue for 3 years the existing suspension of duties on certain alumina and bauxite, and for other purposes;

H.R. 8364. An act to amend the joint resolution of March 24, 1937, to provide for the termination of the interest of the United States in certain real property in Allen Park, Mich.;

H.R. 10725. An act to amend the act of August 4, 1950 (64 Stat. 411), entitled "An act relating to the policing of the buildings and grounds of the Library of Congress" to provide salary increases for members of the police force of the Library of Congress, and for other purposes;

H.R. 18253. An act relating to the effective date of the 1966 change in the definition of earned income for purposes of pension plans or self-employed individuals;

H.R. 20300. An act making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes; and

H.J. Res. 691. Joint resolution extending greetings and felicitations to Saint Louis University in the city of St. Louis, Mo., in connection with the 150th anniversary of its founding.

On October 22, 1968:

H.R. 859. An act for the relief of Public Utility District No. 1 of Klickitat County, Wash.;

H.R. 7567. An act to amend the Internal Revenue Code of 1954 with respect to the definition of compensation for purposes of tax under the Railroad Retirement Tax Act, and for other purposes;

H.R. 11394. An act to amend certain provisions of the Internal Revenue Code of 1954 relating to distilled spirits, and for other purposes;

H.R. 13058. An act to repeal certain acts relating to containers for fruits and vegetables, and for other purposes;

H.R. 14095. An act to amend the Internal Revenue Code of 1954 so as to make certain changes to facilitate the production of wine, and for other purposes;

H.R. 15681. An act to consolidate and revise foreign assistance legislation relating to reimbursable military exports;

H.R. 17735. An act to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms;

H.R. 17864. An act to amend titles 5, 10, and 37, United States Code, to codify recent law, and to improve the code;

H.R. 18486. An act to amend the Internal Revenue Code of 1954 with respect to the treatment of income from the operation of a communications satellite system;

H.R. 18612. An act to enact title 44, United States Code, "Public Printing and Documents," codifying the general and permanent laws relating to public printing and documents; and

H.R. 18942. An act relating to the income tax treatment of certain statutory mergers of corporations.

On October 23, 1968:

H.R. 16025. An act to amend title 38 of the United States Code with respect to eligibility for, and the period of limitation on, educational assistance available under part III of such title, and for other purposes.

On October 24, 1968:

H.R. 653. An act to amend the tariff schedules of the United States with respect to the rate of duty on certain nonmalleable iron castings, and for other purposes;

H.R. 2760. An act for the relief of Sondra D. Shaw;

H.R. 14096. An act to amend the Federal Food, Drug, and Cosmetic Act to increase the penalties for unlawful acts involving lysergic acid diethylamide (LSD) and other depressant and stimulant drugs, and for other purposes.

H.R. 15147. An act to amend the Immigration and Nationality Act to provide for the naturalization of persons who have served in active-duty service in the Armed Forces of the United States during the Vietnam hostilities, or in other periods of military hostilities, and for other purposes.

H.R. 15971. An act to increase the participation of military judges and counsel on courts-martial, and for other purposes;

H.R. 17324. An act to extend and amend the Renegotiation Act of 1951, and for other purposes; and

H.R. 18373. An act for implementing Conventions for Free Admission of Professional Equipment and Containers, and for ATA, ECS, and TIR Carnets.

HOUSE BILL DISAPPROVED AFTER SINE DIE ADJOURNMENT—ASSERTION OF LAND CLAIMS

I have withheld my approval from H.R. 10256, "A bill to render the assertion of land claims by the United States based upon accretion or avulsion subject to legal and equitable defense to which private persons asserting such claims would be subject."

On November 14, 1966, I had the unpleasant duty of withholding my approval from a similar bill, H.R. 13955, 89th Congress, relating to title to the same 2,100 acres of land in California covered by the present bill.

In my Memorandum of Disapproval on the earlier bill, I urged that the Congress permit the legal issue of title to be adjudicated in the traditional manner in the courts, then, "If the case is resolved against the claimants and the Congress believes that the equities were so compelling that relief should have been granted, the Congress can act after the factual issues have been fully litigated and a complete record has been assembled." H.R. 10256 does recognize that the court is the appropriate forum for deciding the legal issue of title, but it goes further. It grants the 19 individuals and corporations claiming under the bill special and unprecedented defenses against the United States such as laches, equitable estoppel, and adverse possession.

Since the parties are already in court, the only purpose the bill serves is to grant these special defenses to the claimants. Any one of these defenses could preclude a decision on the merits of the title issue. The bill has the effect of changing, after the United States has filed suit, the rules which would otherwise be applicable to a case of this kind. If this bill were to become law, it would establish a most undesirable precedent with far-reaching consequences. It would deprive the United States of its sovereign immunity to loss of the public lands by adverse possession, an immunity that is essential if we are to provide adequate protection of the people's interest in the more than 450 million acres of public lands. Moreover, the Federal Government must necessarily act through its officers and employees, and these agents cannot always act in a timely fashion to protect the public interest in lands because of other priorities, lack of funds or personnel, or other reasons.

California, where the land in question is located, and the adjoining State of Arizona both protect their own lands from alienation through adverse possession, and I believe the United States should do no less.

In recent years, many hundreds of trespassers on public lands along the Colorado River have, as a result of Government action, left the land or have arranged leases from the Government. Others have been removed by court action, and others are still engaged in title litigation. It would be manifestly unfair to all of these persons whose cases were or are fully governed by the customary legal rules to recognize special rules on behalf of the group of claimants covered by H.R. 10256.

For the foregoing reasons, and since there has been no relevant change in the facts and circumstances of this case since my disapproval of the earlier bill, I feel compelled to withhold my approval from the present bill. I urge the Congress to allow the pending case to go forward to decision in accordance with the rules of law governing all cases in which there is a dispute over land claimed by the United States.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 25, 1968*.

HOUSE BILL DISAPPROVED AFTER SINE DIE ADJOURNMENT—ROBERT L. MILLER AND MILDRED M. MILLER

I have withheld my approval from H.R. 5677, entitled "An act for the relief of Robert L. Miller and Mildred M. Miller."

H.R. 5677 would waive the requirements of the applicable statute of limitations to permit the Millers to file untimely claims for tax refund. For the reasons outlined below, approval of H.R. 5677 would constitute a very undesirable step.

It is vital to the fairness and effectiveness of our tax system that taxpayers who are in similar circumstances be treated alike. This bill discriminates in favor of the Millers and against all other taxpayers who are barred by the statute of limitations from recovering mistaken overpayments of tax. There is no justification for discrimination of this sort.

The statutory periods of limitation which Congress has included in the revenue laws are essential in order to assure finality in tax administration. They serve to bar, after the lapse of a reasonable amount of time, both the filing of a claim for refund by the taxpayer and the assessment of additional taxes by the Government. To override these statutory limitations in this case would open the door to the filing of untimely claims for refund in any instance in which a taxpayer made a mistake in filing his return or in selecting an attorney or tax advisor. Such a development would seriously weaken the statute of limitations in tax matters, and would jeopardize the effective administration of the tax laws.

Special circumstances do not justify granting relief in this case. The most basic of a citizen's obligations under our self-assessment system of taxation is the obligation to file a completed, signed tax return. In discharging this obligation, taxpayers are free to choose whomever they wish to assist them. However, the obligation to file a correct return remains the taxpayer's, even though he may ask others to assist him in preparing his return.

In this case, it is clear that the Millers are responsible and skillful business persons who were not unaware of their personal tax obligations. By 1952, they had been signing their personal income tax returns for 20 years, and had in fact signed returns prepared by their attorney in each of the four years immediately preceding 1952. Nevertheless the Millers failed to file their tax returns for 1952 and 1953 until February 15, 1960. No declarations of estimated tax were ever filed by them. Under these circumstances, it is clear that the problems which H.R. 5677 seeks to remedy are a direct result of the Millers own failure to discharge the most basic of the obligations imposed on all citizens by our tax system—the obligation to file timely and correct tax returns. A failure to discharge this basic obligation in a timely way, either by personal effort or by selecting a reliable tax advisor, does not constitute a proper ground for special legislative relief from the rules contained in the applicable statute of limitations.

For these reasons, I have withheld my approval of H.R. 5677.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 21, 1968.*

HOUSE BILL DISAPPROVED AFTER SINE DIE ADJOURNMENT—JOSEPH H. BONDUKI

I am withholding my approval of H.R. 4939, "A bill for the relief of Joseph H. Bonduki."

The bill would confer jurisdiction on the Court of Claims to hear, determine, and render judgment on the claim of Joseph H. Bonduki, based upon his allegedly wrongful separation in 1953 from employment with the then International Information Administration of the Department of State.

Mr. Bonduki appealed twice to the Civil Service Commission which ruled that the agency's action, based upon medical suitability, was warranted and in accordance with established procedures. Eight years later, in 1961, Mr. Bonduki filed suit in the United States District Court for the District of Columbia. The same reasons advanced before the Congress for this protracted delay were presented to the Court. The action was dismissed because of Mr. Bonduki's failure to seek timely relief.

In 1966, Mr. Bonduki again instituted suit this time in the United States District Court for the Southern District of New York. This litigation was dismissed because Mr. Bonduki had presented his claim to a Federal court in 1961 and that court had dismissed it even then as being untimely. This second dismissal was upheld upon appeal to the United States Court of Appeals for the Second Circuit.

Thus, the legislation runs counter to three court decisions and offends the strong public policy in favor of finality of judgments. It would force the United States to defend a suit on a 1953 claim upon which there was a ruling in 1961 of prejudice to the Government because of the delay in filing suit. Finally, the legislation is preferential in that it would permit Mr. Bonduki's unreasonably delayed and judicially barred claim to be litigated, whereas other employees similarly situated have not been given that opportunity.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 25, 1968.*

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mrs. DWYER:

H.R. 20578. A bill for the establishment, in a continuing basis, of the Commission on the Organization and Operation of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. FULTON of Pennsylvania:

H.R. 20579. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

H.J. Res. 1473. Joint resolution directing the Secretary of the Interior to erect a statue of Mahatma Gandhi in the District of Columbia; to the Committee on House Administration.

H. Res. 1325. Resolution authorizing the appointment of a select committee; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 20580. A bill for the relief of Tereas Giacoboni Volpe; to the Committee on the Judiciary.

By Mr. BIESTER:

H.R. 20581. A bill for the relief of Dr. Seung Chul Karl; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 20582. A bill for the relief of Ki-Boon Yang; to the Committee on the Judiciary.

H.R. 20583. A bill for the relief of Seung Ick Yang; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 20584. A bill for the relief of Mr. Cristofero Costa; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 20585. A bill for the relief of Vincenzo Covello; to the Committee on the Judiciary.

By Mr. RESNICK:

H.R. 20586. A bill for the relief of Helen Andreakos; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 20587. A bill for the relief of Daniel Sriqui; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, the following petition and papers were laid on the Clerk's desk:

408. The SPEAKER presented a petition of Henry Stoner, of Portland, Oreg., relative to establishing a committee to investigate reserved powers alluded to in the 10th amendment to the Constitution of the United States, which was referred to the Committee on Rules.

EXTENSIONS OF REMARKS

SOVIET MOVES IN EUROPE

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Friday, October 11, 1968

Mr. THURMOND. Mr. President, yesterday I addressed the Senate on the increased tensions which the Soviets have brought into central Europe with their massive deployment of troops in Czechoslovakia. I spoke of the necessity for positive action to back up the usual rhetoric.

I have just received a copy of an editorial published yesterday in The State, one of South Carolina's distinguished newspapers. The State points to exactly the same problem in similar terms. I would especially like to call to the attention of the Senate this important question: "Is it too much to hope that some day, somewhere, somehow, the leaders of the free world will assert themselves, capitalize on Communist blunders, and demand, rather than grant, concessions?"

Mr. President, I ask unanimous consent that the editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SAME OLD STORY

The British have a rather effective way of impressing motorists with the need for caution on dangerous stretches of highway. After a few notices of sharp curves, bad hills, or the like, there will suddenly appear a final sign which states simply:

"You Have Been Warned."

Discerning citizens of the world, regardless of nationality, should now be able to visualize just such a sign rising above the occupied country of Czechoslovakia.

The world has indeed been warned that the Soviet Union has lost none of its determination to impose its brand of Communism upon as much of Europe—and of the world—as it is able to do. The expansion of Communism in the Western world has been without force of arms as a general rule in recent years, but the Soviet-led invasion of Czechoslovakia proved that the Kremlin's leaders are prepared—in mind as well as resources—to employ military force when necessary.

In the long run, Russia's roughshod treatment of one of its own Communist satellites may prove to be the salvation of free Europe. The members of the North Atlantic Treaty Organization have been shaken out of their growing lethargy, the American builders of "bridges to the East" have been sobered, and a reassessment and revitalization of NATO's military establishment seems in the making.

But even as the West wakes up to the continued existence of a Soviet threat, the Communists again hold the initiative. It long has been a trick of dictators, of whatever label, to accuse their adversaries of precisely the evil actions (or intentions) which they themselves are promoting. And so it is again: The Soviets have sought to justify their invasion of Czechoslovakia by saying it was necessary preventive of West Germany agression against the Czechs.

This bald-faced allegation has been accompanied by strong hints that Russia might find it necessary (and legal under the peculiar cast of the Communist mind) to intervene in West German affairs. The Western response, while firm enough, is still a response—not an initiative.

And what is quite likely to result is another in the long and often humiliating series of setbacks to Western diplomacy. We foresee the possibility, indeed the probability, that the current Soviet threats—actual in the case of Czechoslovakia and implied in the case of West Germany—will be used as a lever to extract some sort of concession from the Western powers.

The men in the Kremlin are past masters at this game. When they find themselves at an impasse or at a point of international embarrassment, they simply whip up a crisis, exploit it to the maximum, and use that exploitation as a diplomatic weapon. The West habitually emerges from such confrontations with a loss of face or of advantage—or both.

Is it too much to hope that some day, somewhere, somehow the leaders of the Free World will assert themselves, capitalize on Communist blunders, and demand rather than grant concessions?

THE PLIGHT OF AMERICAN INDIANS

HON. CARL HAYDEN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. HAYDEN. Mr. President, at the request of the White Mountain Apache Tribe of Arizona, I ask unanimous consent that a statement be printed in the Extensions of Remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE PLIGHT OF AMERICAN INDIANS

As the problems of American minority groups are caught in the glare of the public spotlight and ugly events expose our neglect of these problems, the plight of American Indians must no longer remain hidden in the shadows. The magnitude of the Indian problems may be measured by the depth of its roots which go back through 450 years of exploitation. In spite of the sincere efforts of every administration in the history of the United States and the expenditure of more than five billion dollars in aid, the effects of inadequate remedial efforts are evident.

Out on the reservations, set apart by barriers of culture and sometimes language, many of the more than 400,000 American Indian people are still victims of poverty, disease, educational deficiencies, and unemployment. About forty per cent of them are jobless, and this number can climb up to eighty per cent in some seasons. Ninety percent live in substandard houses and these people have the highest mortality rate in the Nation.

Good intentions and appropriations have brought too little progress. Paternalism demands, and thereby prolongs, dependency. To bring the American Indian people within the social and economic mainstream of our national life will require gifts and programs that do not impair but strengthen the initiative and independent efforts of the American Indians themselves.

A program contributing to this desirable result has been undertaken on the reservations of the Southwest by Save the Children Federations, an international welfare organization helping children, families, and communities for more than thirty-five years. It is a self-help program based on person-to-person relationship between needy families and sponsors who encourage their efforts—a program offering funds for community use toward the achievement of community-desired projects.

In August, 1965, two Hopi villages accepted the challenge of self-help. Using SCF sponsorship funds to buy needed materials, the people of Shipaulovi and Shungopavy donated their own time and labor to repair and screen every door and window, to paint every house, and to construct wooden platforms so that each household could have its own water tank. Every member of each community had a voice in deciding how to invest the sponsorship funds, and everyone shared in the physical work. Through their own efforts these people improved every home, and raised their general standard of community hygiene.

Today more than 47 American Indian communities in eight states participate in the SCF self-help sponsorship plan.

They are improving their living conditions with better homes, better sanitation, running water and waste disposal. They are repairing roads, building community centers, installing street lights, working on vector control, flood control, forestry projects and soil conservation, adding recreational programs and opening craft centers.

Ronnie Lupe, Chairman of the White Mountain Apache Tribe in Arizona, issued a report in January, 1968, setting forth the many benefits derived from Save the Children Federation programs. In Canyon Day, SCF administered sponsorships for 56 needy children and over $5,000 for community betterment projects including the installation of washing machines in the community building. In Carrizo, 38 children were sponsored and homes were improved. Community funds in Cedar Creek were used to purchase street lights and fire hydrants which enhanced the safety of the village and 46 sponsored children had funds to buy school clothes and supplies. At East Fork, where 42 children were sponsored, SCF granted $4,200 for community self-help projects. The largest SCF program centered at Cibecue as 160 children received direct cash benefits and $16,000 in community funds. Contributing their labor, the people built a footbridge which increased the school attendance year by 47 days, installed street lights for night-time safety, and turned the community house into a recreational center complete with a movie projector.

In the six Pueblos of Sandoval County, New Mexico, where the unemployment rate is 77% of the population, 52% of the families have incomes under $1,000 a year, and only 18% of the youngsters enter high school. To improve these grim conditions, Save the Children Federation has introduced twenty-two summer programs combining study, work, and camp routines for young people. Boys of the Zia Pueblo cleared salt cedar to use for needed fencing on the reservations. At Cochiti a teen-age crew rebuilt a council house. Craft and recreation centers have been set up at Jemez and Isleta. But SCF's most significant achievement in this area has been the development of local leadership and community action skills among the inhabitants who have been encouraged to band together as a unit working for economic and social progress under the Office of Economic Opportunity. This Pueblo organization has been awarded Federal program funds totaling two million dollars over the past three years.

Working with American Indians since 1948, SCF has directed its main effort toward keeping American Indian boys and girls in school long enough to prepare them to meet the adjustments and the opportunities that offer a better share of our national abundance. When capable and intelligent Indian youngsters drop out of school because they lack decent clothing, school books or supplies, or the small change it takes to participate in after-school activities, this is more than a personal tragedy. The waste of their abilities, the crushing of their ambitions is also a national tragedy, especially when we consider how desperately we need nurses, teachers, engineers and a broad range of trained personnel for responsible positions in business and government.

SCF self-help scholarships enable American Indian youngsters to receive aid without diminishing their pride—for each youngster is encouraged to continue some kind of service in return for the funds received. The self-help projects which they undertake are not simply make-work programs. Many of them work in reservation hospitals where they not only earn money for their services but also become familiar with hygiene methods and health practices they can carry over into their homes. Another popular SCF program involving teenagers and young adults, is a summer work program that reduces summertime delinquency and develops work skills applicable to living needs—land clearing and fence building projects, stock breeding and ranch management for the boys; and weaving, pottery-making and other craft projects which interest the girls. Recently, too, they have introduced tourist-guide programs in which youngsters are taught tribal history and explanations of their tribal customs, dances and ceremonies so they can serve as informed hosts to tourists and summer visitors.

The Federation's Self-Help Fund, like the child-community sponsorships described earlier, provides cash grants, interest-free loans and personal counseling for American tribes eager to build community projects or create community services to benefit themselves and their children.

During the past winter, Save the Children Federation responded swiftly and compassionately to the suffering of Navajos and other Southwestern tribes who caught the full brunt of blizzard cold and snows. Similar storms twenty years ago first alerted the Federation to the chronic deprivation of our American Indian minority. Beginning then with emergency relief, SCF stayed on to develop a long range plan for self-help programs now serving some thirty different tribes from the Chippewas of Minnesota to the Cherokees of North Carolina.

Through its present battery of self-help programs, the Federation offers something beyond the relief of immediate needs. By encouraging community action and community decisions, Save the Children Federation prepares tribal members to absorb the shocks of transition and to accept the inevitable changes to present day standards of health and employment. By offering counseling and confidence, economic guidelines and educational stepping stones, it helps American Indians to find their way out of dependency and to achieve their full dignity and status as productive people able to enjoy the responsibilities and the rewards of America today.

The American Indian program is the largest area program operated by Save the Children Federation, but it was not the first. The work of the Federation began in the dark days of 1932 when the coal mines closed in Appalachia. Ever since then, the Federation's clothing program continues as a mainstay for Appalachian families with many children to dress for school and is supported annually by thousands of school children across our land. Millions of pounds of good used clothing collected during the annual clothing drive are shipped to the Federation Warehouse where they are reconditioned and made available to clothing centers in the Southern Mountains and also for emergency needs here and abroad. Five thousand pounds were airlifted to American Indian reservations during the past winter. SCF's first self-help program grew out of the need to keep the schoolhouses of Kentucky and Tennessee open and operating through the depression years, so that the children could continue their education. Small grants enabled the parents of the students to buy paint and lumber, to replace broken windows and sagging roofs and to set up hot lunch programs in the schools. In Appalachia, too, the Federation first tried self-help scholarships and today more than 500 youngsters of this still depressed region would be unable to remain in school without this SCF opportunity to earn while they learn.

A new self-help sponsorship program for Appalachia offers loans to help families seeking to improve their income. Through these sponsorships several families in Hancock

County, Tennessee, bought proper seed and fertilizer and obtained the technical advice to raise potato crops for a profitable sale to a potato chip company. Another project in Wolfe County (with per capita income under $500 a year) is helping families provide extra income by making and marketing native craft products.

In addition to these programs within the United States, Save the Children Federation also operates overseas—in poverty pockets of Europe, Latin America, Africa, the Middle East and Southeast Asia.

In South Vietnam, a sponsorship program initiated in 1966 is bringing help and hope to more than 700 Vietnamese children and families displaced by war. An emergency program launched after the Tet offensive supplements long range rebuilding with immediate relief. Self-help sponsorships in Binh-Dinh province have allowed refugee families to reclaim land, raise pigs, set up carpentry shops, tailoring shops, and grocery stores, and to make and to sell hats and fishing nets. The sponsorship program has also brought forth village wells, a school and a tile making workship in Qui Nhon and made possible the building of a dike, a bridge and a new hospital ward in Tuy-Phuoc district. In other provinces, sponsorships have provided funds for vegetable gardens, a library, an irrigation system, a kindergarten, and plans for flood protection and better housing.

Economic development for Southeast Asia also goes forward through SCF programs in Korea which started in 1951 with a similar plant to aid refugees survive and surmount the ravages of war. Today, two thousand sponsorships in Korea are helping children to continue their education, families to earn more income, and communities to raise their living standards. In Naegok village, ten miles north of Seoul, self-help sponsorships encouraged a large scale community project for building chicken yards and raising chickens—a project which is bringing greater financial returns each year to one hundred and fifty families.

SCF initiated its overseas program in 1940 by sending almost $10,000 to aid in evacuation of children from the blitzed cities of Britain. Urging Americans to support child victims of war through regular gifts of food and medicine, SCF began the child sponsorship program for the children of France, Italy, Austria, Finland and West Germany. At the war's close, SCF extended sponsorships to deprived children of Greece and established a program in Lebanon in 1952.

Save the Children Federation set the stage for a further breakthrough with the dynamics of self-help in 1959 when it established the Community Development Foundation, an organization that specializes in the development and dissemination of self-help technology and training programs to accelerate economic and social gains for disadvantaged people. By using Foundation research and resources, including an international data processing center equipped with a highly sophisticated computer, Save the Children Federation has greatly enriched and expanded its own programs.

Cooperation with Community Development Foundation led to the establishment of SCF programs in Latin America. A sponsorship program launched in Colombia in 1963 involved five communities in large scale construction projects last year for public works, health and education. At Soacha, the people of the community have completed the groundwork for a new school and are working enthusiastically to complete the entire building. Within recent months SCF programs for Latin America have sprung up in the Dominican Republic, Honduras, and in Baja, Mexico. SCF's programs for Africa are presently centered in Tanzania in support of national programs of community development. For the past six years sponsorship have enabled Tanzanian youth to continue their education and to prepare for responsible positions. New sponsorship plans will include self-help projects for schools.

Wherever its programs operate—on far off continents or within the United States, and whatever the racial group involved—white, yellow, black or red—Save the Children Federation recognizes the fundamental dignity of people. Through the self-help method, the Federation encourages people to dream their dreams and to carry them through to reality. And through sponsorship programs providing a personal link between people in need and people who care, the Federation is building bridges of understanding.

As one who can recommend the objectives and the results of Save the Children Federation programs for the American Indians, I hope all Americans will support its work both here and around the world. For further information about services to American Indians you may write to Director Dallas Johnson at 310 Val Verde Drive, S. E., Albuquerque, New Mexico 87108.

LAW AND ORDER: A POLITICAL FOOTBALL

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. DENT. Mr. Speaker, you do not need a calendar to know that election day is just around the corner. Anyone can tell by listening to the ridiculous charges and issues we hear more of every day. When some of our presidential candidates talk about "a return to law and order," you get the impression the next President will have to spend most of his time in the streets protecting the peace. Of course, this is a beautiful campaign issue that rivals even motherhood and apple pie. Everybody is for it. So why all the talk? Well, it seems that everybody is blaming everybody else for the increase in crime, and the blame seems to finally end up in the White House.

To show you how ridiculous these discussions can become, and how far you can carry them, I would like to answer a charge being made by many Republican candidates. These candidates say that during the 7 years of the Kennedy-Johnson Democratic administrations, crime in the United States has increased some 88 percent, while our population has increased only 10 percent. This is nothing less than a crude effort to suggest that Democrats are responsible for an increase in crime in recent years.

First of all, it is just as absurd to suggest the President of the United States is as responsible for robbery in Kansas City as he is for a kindly deed in Pittsburgh. But let us carry the example out, and answer the charge.

Now, it is true that crime statistics have increased sharply over the past 7 years. Part of the statistical increase is a result of reporting crimes which previously went unreported. Part is a result of changes in reporting procedures and other criteria. And part of the increase is due to an actual increase in the number of crimes committed.

Nonetheless, it is a fact that FBI reports indicate an 88-percent increase in crime since 1960.

But these reports also indicate that the biggest increases have occurred in cities and States with Republican administrations.

For example, according to FBI uniform crime reports, the five States which had Republican administrations throughout the 7-year period show an increase of 170 percent in the number of major crimes reported from 1960 through 1967, and an increase of 76 percent in the rate of crime per 100,000 population.

The 18 States which had Democratic administrations, for the entire 7-year period showed an increase of 66 percent in the number of crimes and an increase of 56 percent in the crime rate. The remaining 27 States had both Democratic and Republican Governors during the period.

Nationally, the number of crimes increased 88.7 percent, and the crime rate 71 percent.

The same pattern prevails no matter how you break up the 7-year period, as the following charts show.

Years and area	Increase in number of crimes reported (percent)	Increase in rate of crimes per 100,000 people (percent)
1961–64		
Entire Nation	39	31
27 Democratic States	39	15
9 Republican States	49	28
1965–67		
Entire Nation	46	41
23 Democratic States	31	27
14 Republican States	66	42
1961–62		
Entire Nation	10	6
34 Democratic States	9	5
16 Republican States	16	11
1963–64		
Entire Nation	27	22
34 Democratic States	27	23
16 Republican States	27	20
1965–66		
Entire Nation	25	15
33 Democratic States	19	10
17 Republican States	35	20
1967		
Entire Nation	16	14
25 Democratic States	14	11
25 Republican States	19	16

Now the fact of the matter is that law enforcement and law and order are essentially local responsibilities. In political terms, a Governor is more responsible for the maintenance of law and order in his State, than the President or any other Federal official. Likewise, a mayor or other city official is more directly responsible for law and order within a city, than the Governor or other State official.

That brings me to the second charge I often hear in the law and order debates taking place. That charge is that the greatest increase in crime has occurred in our urban centers which, they say, are characteristically run by Democratic bosses.

This is simply untrue. Crime has always been a problem of the cities, particularly in their low-income and physically deteriorated areas. Yet crime is not increasing in cities any faster than in small towns, suburbs, or rural areas. According to the FBI, between 1965 and 1966, crime increased 9.7 percent in cities, 11.9 percent in towns under 10,000, 12.8

percent in suburbs, and 9.8 percent in rural areas. Between 1966 and 1967 the increase was 17 percent in large cities, 16 percent in suburbs, and 13 percent in rural areas. FBI Director J. Edgar Hoover has stated:

> The crime increases were consistent throughout the United States.

So far, I have confined this discussion to the major political parties, that is, the Democrats and Republicans. This year, we have another political party. It is headed by a man who talks even more about the breakdown in law and order and promises that this will change if he becomes President.

Let us take a look at his area of the country. First of all, Alabama has the highest murder rate of any State in the Nation. In 1967, the Alabama murder rate was 11.7 per 100,000 population, nearly twice the national rate of 6.1 per 100,000.

George Wallace continually charges that "the streets of Washington, D.C., are not safe to walk at night," yet in Birmingham, Ala., the murder rate in 1967 was 12.4 per 100,000. The murder rate for Washington, was 8.6 per 100,000.

The overall crime index for Alabama rose 82 percent during the Wallace administrations, and the violent crime rate increased by 73 percent; both of these were well over the national average.

Finally, Alabama's aggravated assault rate is fourth highest of all the States. In 1967, this rate was 183.5 per 100,000 population—almost 45 percent higher than the national rate of 128 per 100,000. Only Florida, Maryland, and North Carolina have higher rates.

Now, what does all this mean? The fact is that it means nothing.

It is sheer demagoguery to imply that the incidence of crime is related to the party in power. Crime is as much of a problem in cities with Republican administrations as in cities with Democratic administrations. According to the 1966 FBI Uniform Crime Reports, Phoenix, Ariz., a city with a Republican mayor, had a crime rate of 2,810 crimes per 100,000 population. This figure is twice as high as Cleveland—1,351—and higher than Chicago—2,172—and other major metropolitan areas with Democratic administrations. Still another city with a Republican mayor, Baltimore, has a crime rate of 2,690—also higher than Cleveland, Chicago, and many other U.S. cities. In George Wallace's Alabama, the city of Birmingham's crime rate is well over 2,000 per 100,000 population.

It should be clear by now that crime and law and order have no relationship to the political party in power. These problems are no one person, or group, or party is responsible for, but problems we are all responsible for. They will be solved by no one person, or group, or party, but only through our collective efforts as Americans.

That is why I get a little tired of seeing these problems made an issue in a campaign and used as a political football. What we should do is keep building an America where there is no place for crime. What we should do is provide our local law enforcement officials with the proper tools and community support to do their jobs well. What we should do is open our minds to rational thought and close them to the peddlers of fear and hate. What we should not do is throw stones at each other in an attempt to cover our own shortcomings and deceive our neighbors.

WHO WILL DOMINATE THE STRATEGIC INDIAN OCEAN AREA IN THE 1970'S?

HON. J. CALEB BOGGS

OF DELAWARE

IN THE SENATE OF THE UNITED STATES

Friday, October 11, 1968

Mr. BOGGS. Mr. President, Dr. James D. Atkinson has written an article, published in the September issue of Navy magazine, which asks the important question: "Who will dominate the strategic Indian Ocean area in the 1970's?"

I think his perceptive article deserves a close reading by all those interested in the U.S. world position; I therefore ask unanimous consent that it be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHO WILL DOMINATE THE STRATEGIC INDIAN OCEAN AREA IN THE 1970's?—THE SOVIET NAVY MOVES IN AND ACQUIRES BASES IN THE VACUUM BEING LEFT BY THE BRITISH, AS THE UNITED STATES HESITATES

(By James D. Atkinson)

Little more than six months ago the then Secretary of Defense, Robert Strange McNamara, told a congressional committee that "in the 1960's the simple bipolar configuration which we knew in the earlier post-World War II period began to disintegrate. Solid friends and implacable foes are no longer so easy to label, and labels . . . such as free world and Iron Curtain, seem increasingly inadequate as descriptions . . . of the *new bonds of common interest being slowly built across what were thought to be impenetrable lines of demarcation.*" (Italics supplied.)

As the gunfire from Soviet tanks reverberates through the streets of Prague, one may well ask whether this analysis will prove as illusory as the former Defense Secretary's view that the Soviet Union would be unable to achieve even nuclear equality with the United States before the early 1970's.

For the plain fact is that the Soviets are striving mightily to attain not parity, but strategic superiority over the United States. And the unfolding evidence suggests that the major thrust of this search for strategic superiority is taking place on the high seas.

The Soviet effort at sea is a total one. It embraces naval combatant ships both undersea and on the surface, long-range aircraft under naval control, major research and development efforts in oceanology, and a vast merchant marine program.

FIVE YEAR CLIMB

When it is recalled that the great authority on sea power, Rear Admiral Alfred Thayer Mahan, had dismissed Russia's merchant navy with the observation that "Russia has little maritime commerce . . . her merchant flag is rarely seen," the Soviet climb in but five years (1963–1967) from number twelve to number six rank in world merchant tonnage is hard evidence of Soviet capabilities and intentions alike.

Equally significant is the fact that the Soviet merchant fleet, unlike the merchant shipping of non-Communist countries, is a totally controlled instrument of state power and is habitually used as a politico-diplomatic weapon. The relationship of the Soviet merchant marine to Soviet naval forces and the developing countries of Africa, Asia and the Middle East is, therefore, related to the over-all mix of maritime power: bases, facilities-agreements, industrial-technological assets, merchant shipping, and naval (including naval-air) forces.

Soviet ambitions on the oceans are underscored by current Soviet efforts directed towards the Red Sea-Persian Gulf-Indian Ocean complex, a vast, strategic area of the world's seas and an area quite new to the hammer and sickle flag of the U.S.S.R.

AFRICAN-INDIAN OCEAN STRATEGY

The Soviet maritime thrust in the Red Sea-Persian Gulf-Indian Ocean complex is, like Soviet expansion in the Mediterranean, an attempt to gain maximum exploitation from three increasingly related factors:

(1) The Soviet goal of attaining military-technological superiority over the United States.

(2) Soviet exploitation of tensions, political instability, and ethnic or other rivalries in the developing countries of Africa, Asia and the Middle East through the technique which the Soviets call "national liberation movements."

(3) The power vacuum created through the British withdrawal East of Suez.

As the military-technological power of Russia continues to rise, the Soviet leadership believes that this power can be used to support—psychologically and diplomatically—the revolutionary process in the new and developing nations. This strategy is stated frankly as follows in the May, 1968 issue of *Kommunist*, the authoritative official journal of the Communist Party of the Soviet Union:

"The growth of the political influence and the economic and military might of the world socialist system exerts a powerful influence on the course of the struggle between labor and capital on the international scene; it ties the hands of the imperialists and creates increasingly favorable conditions for the development of the world revolutionary process."

These are not idle words. They are being put into practice through Soviet politico-economic support for socialistic-revolutionary forces in Egypt, Sudan, Iraq, Yemen and other countries in the Red Sea-Persian Gulf-Indian Ocean complex.

SOVIETS ACQUIRE BASES

The Soviet Union is acquiring base facilities in Hodeida in the Yemen and is also using Port Sudan on the Red Sea. A guerrilla campaign has been organized against Mozambique (on the Indian Ocean across from the strategic island of Madagascar) from Soviet-sympathizing Tanzania and these guerrillas have both Soviet and Chinese Communist equipment. In this regard it should be noted that however sharp the propaganda attacks the Soviets and Chinese Communists mount against one another, they seem to be able to cooperate on the tactical level in East Africa when they face what they regard as the common enemy.

Soviet "national liberation warfare" techniques are being employed wherever possible throughout Africa, but it would appear that the Red Sea-Indian Ocean coast of Africa has been given major attention because of its strategic role in developing Soviet strategy. The Soviets are also attempting to link the African and Middle Eastern liberation warfare movement to their exploitation of Arab national feeling.

Thus when two Soviet warships paid an eight-day visit—for the first time in Soviet naval history—to the Persian Gulf in May 1968, they were greeted in the Iraq port of Umm Qasr with a gun salute and with thanks "for supporting the Arab cause." Not without interest is the fact that Iraq has now been equipped with Soviet-type Styx missiles such as was used to sink the Israeli destroyer ELATH.

It may not have been accidental that about the time of this Soviet naval visit in the Persian Gulf leading Soviet newspapers devoted a good deal of attention to the national liberation movement in Africa. The official Communist Party newspaper *Pravda* stated on May 25:

"The formation of a world system of socialism, which stands as a mighty stronghold of all anti-imperialist struggles in the world, the growth of the revolutionary struggle of the international working class and the rapid upsurge of the liberation movement of (the) African peoples . . . predetermined the collapse of the gigantic colonial prison in Africa."

"The present national liberation movement of the peoples of that continent has become an organic integral part of the world revolutionary process," said Pravda.

Equally important was a statement the same day in the official government newspaper, *Izvestia*. This emphasized Russia's "consistent policy for supporting national liberation movements." It went on to say that the Soviets had "accumulated rich experience in the defense of revolutionary movements," and that the Soviet solidarity Committee of Asian and African Countries was giving practical, physical support to the revolutionary forces of "Angola, Guinea (Bisau), Mozambique, and Zimbabwe (Rhodesia)."

EFFORTS IN INDIA AND CEYLON

On the other side of the Red Sea-Persian Gulf-Indian Ocean complex, the Soviet Union has been most active in both India and the great island of Ceylon. A Soviet naval squadron visited the Indian sub-continent in the spring of 1968, another first in Soviet naval history. Calls were made in Pakistan and in India and later on in Ceylon.

The visit to India is especially significant since that the Soviet Union has said it will supply the Indian Navy with "F" class submarines, escorts of the *Petya* class, MTB's of the *Poluchat I* class, a submarine support-ship, and additional auxiliary craft. Press reports say one submarine and some other craft have been delivered. This may be in order to lay the groundwork for a Soviet naval air presence in that part of the world since the Soviets have had talks with India looking towards an Andaman Island base. These islands are in the Bay of Bengal, strategically located not only with reference to the Indian Ocean generally, but also in relation to the seacoast of Burma, Malaysia, and Thailand.

They would be advantageous bases for the new Soviet helicopter and/or VTOL carriers and for Soviet land based aircraft, many of which come under the control of the Soviet Navy. It is also not without interest that *Pravda* announced June 1, 1968, that the scientific research ship *Ogon* was "carrying out hydrographic work in the Pacific and Indian oceans." The Soviets understand quite well that the search for strategic superiority is not military alone, but military, scientific, technological and psycho-political.

The psycho-political element of the overall strategic effort blending with the military is well illustrated by the Soviet naval visit to Ceylon. A Soviet naval squadron cruising in the Indian Ocean paid a five-day visit to the Ceylonese port of Colombo, July 7–11, 1968. Just prior to this Soviet naval visit, *Moscow Radio* announced on July 3 that the Communist Party of the Soviet Union had sent a congratulatory telegram to the "Communists of Ceylon, who are celebrating the 25th anniversary of their party." The telegram hailed "the Communist Party of Ceylon, the fraternal solidarity of the two parties, and the friendship of the Soviet and Ceylonese peoples."

Conjointly, *Moscow Radio* reported that a Soviet news agency representative had interviewed Pieter Keuneman, Secretary General of the Communist Party of Ceylon. He said that the Communist Party of Ceylon "was the first to demand the elimination of the British military bases on the island and the establishment of diplomatic and trade relations with the socialist [that is, the Communist bloc] countries." Keuneman went on to say that the Ceylonese Communist Party "fully supports the convening of the international conference of Communist and workers parties in November in Moscow."

THE BRITISH WITHDRAWAL

For almost a century the vast Red Sea-Persian Gulf-Indian Ocean complex was an area of relative stability. This was so because Great Britain—and associated friendly powers—controlled the perimeter boundaries. Whether it was the East African coast (Kenya, Tanganyika); key bases (Aden, Mombasa, Colombo, Singapore); or important islands (Mauritius, Andaman, Nicobar), British forces were on hand throughout these sea spaces and able to respond quickly for any needed police actions.

What of today? The British have announced that they will complete their withdrawal East of Suez by 1971. That this will likely be irreversible is shown by the fact that early in 1968 the withdrawal from Aden became a finality.

The power vacuum already exists. The potential, strategically, is alarming.

Australia, that great and good friend of the United States, is vitally dependent on the Indian Ocean. In the 1965–1966 period, for example, more than half of all Australian imports and almost half of all exports came by way of the Indian Ocean.

India, Pakistan, and the countries of East Africa depend on Indian Ocean routes for all but a little of their imports and exports. South Africa, at the Cape of Good Hope (more significant than ever with the closure of the Suez Canal), is vitally interested in the Indian Ocean. And the Red Sea-Persian Gulf oil routes are so well known as to require but passing mention.

Writing in the New York Times, Dec. 4, 1963, C. L. Sulzberger perceptively forecast the strategy stakes in this oceanic complex. "In the vast area extending from the Red Sea across the Indian Ocean to the Pacific inlets one finds today's main thrusts of both Russian and Chinese dynamism," he said. "They frequently compete with each other but ultimately work in tandem to weaken Western influence."

Looking ahead to 1969–1970, it can be seen that the Soviets will try to continue the forward momentum they have begun in 1967–1968. Will theirs be the power that fills the vacuum left by the British withdrawal? Or will the United States build up its naval forces so as to be able to deploy real strength for peace and stability in the Indian Ocean rimland?

ICC STAFF ASKS SOUTHERN PACIFIC: "IS THIS ANY WAY TO RUN A RAILROAD?"

HON. BROCK ADAMS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. ADAMS. Mr. Speaker, the Southern Pacific is giving us some interesting lessons on how not to operate a railroad. There used to be a crack luxury train, the Sunset Limited, running from New Orleans to Los Angeles, which served such major cities as Phoenix, Tucson, El Paso, and Houston. The train was well patronized and well liked by its passengers. Confronted with this situation, the Southern Pacific took steps that may astonish some of us who like to think that good old-fashioned service is what the public wants and will pay for. The SP took off the diners and the sleepers on this transcontinental train. Now the passenger who wishes to ride across country by train gets to sit up in a day coach for a thousand miles and is privileged to buy his meals, such as they are, from a vending machine. It says much for the determination of the much-abused passenger train rider, that even with this wretched service this train is still patronized and carries about 160,900 passengers a year.

Mr. Speaker, the Southern Pacific is now asking the ICC for permission to stop running this train altogether, alleging that it is losing too much money in its operation. I am happy to say that the ICC's Bureau of Enforcement has opposed this discontinuance in a brief filed with the Commission. In its brief the Bureau of Enforcement says:

> It seems clear that . . . the Southern Pacific took one action after another to downgrade passenger service on the "Sunset" with the intention of driving away passengers . . . Instead of acting to protect the basic service, the Southern Pacific, from the pattern of downgrading, clearly can be seen to have embarked on a deliberate course of action to drive away passengers.

The Commission's staff quite rightly urges the Commission not to allow the SP to get away with this abuse of the public. The SP's deficits on this run are grossly overstated by the railroad and are in great part created by the action of the railroad itself. I think it is up to the ICC to protect the public from the results of the strange way the Southern Pacific has found to run a railroad.

FAIRMONT, W. VA., TIMES EDITOR, BILL EVANS, QUESTIONS OBJECTIVITY IN NEWS REPORTING—EMPHASIZES EDITORIAL FREEDOM

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, October 11, 1968

Mr. RANDOLPH. Mr. President, the veteran newspaperman, William D. Evans, Jr., editor of the Fairmont, W. Va., Times, recently wrote a cogent and timely editorial on objectivity in reporting.

Bill Evans is held in high esteem by his journalistic colleagues. He does not suggest that newspapers should be restricted in the exercise of their editorial freedom. However, he does feel that partisanship and bias should not overflow into the columns which should be devoted to straight news articles.

Mr. President, I ask unanimous consent to have the editorial by this distinguished editor printed in the RECORD.

There being no objection, the editorial

was ordered to be printed in the RECORD, as follows:

TIME FOR AN INWARD LOOK

This is National Newspaper Week, six days in which the country's press takes the liberty of tooting its own horn to a cacophonous accompaniment of criticism. The print media, as papers are now called to distinguish them from radio and television, have taken quite a beating, especially in the turmoil of a fiercely contested election campaign.

The Times will not dwell in its traditional National Newspaper Week editorial on the virtues of a Free Press and the sanctity of the First Amendment under which it operates. Those facts, as Thomas Jefferson might have said, are "self-evident."

There is a serious problem for the nation's newspaper to consider as they examine themselves this week as they do the rest of the world 52 weeks a year. That is a growing lack of objectivity in reporting.

We do not suggest that the newspapers should be restricted as to their editorial freedom or in the right of those clearly conducting columns of opinion to express their own views with total freedom. It is when editorializing appears in the space reserved for news matter that the issue becomes a grave one.

"Slanted reporting" is a favorite accusation of political candidates running for everything from President of the United States to constable. And perhaps those who favor nominees other than the front-runners are more prone to read bias into the news than if the articles leaned toward the underdogs.

A case in point can be made over the reporting of speeches by the three aspirants for the presidency. When, for example, Dick Nixon toured the financial district of Chicago during the noon hour, the crowd that saw him was huge. Whether they were on the streets en route for lunch or for the purpose of seeing the Republican candidate is not material—they were credited to the drawing power of the nominee.

The politeness of the Chicago cops and the lack of dissent, demonstrations and disorder as contrasted with the scenes around the Democratic National Convention were mentioned without fail in every account of Nixon's visit we saw in print. Then, when George Wallace made his visit to Chicago, there seemed to be almost a calculated effort to minimize the outpouring of people under circumstances almost identical to Nixon's appearance.

Vice President Humphrey has been, through chance of calculation, the victim of a bad press. The day in Boston he got his biggest boost from Sen. Edward M. Kennedy, the accounts of their joint appearance gave equal or more prominence to the hecklers and demonstrators.

Humphrey has had to contend with dissidents almost every time he has risen to speak. And the appearance of the shouters and sign-wavers has received such attention as to blur what the vice president actually had to say.

The Times has previously paid its respects to the television industry for its biased, edited and prejudiced accounts of the Chicago convention. The newspaper business as a whole cannot take much credit for trying to offer a less-slanted picture. Indeed, some of the most respected writers in the trade "over-reacted" to the treatment of the Fourth Estate at the hands of Mayor Daley's police force and helped preach the gospel of the disgruntled commentators of the electronic media.

We make no apology for the vigorous support given Democrat principles and candidates by this newspaper. But we like to think that our admitted partisanship does not overflow into the columns devoted to "straight news."

National Newspaper Week would be a good time for some journalists who have been overlooking the doctrine of separation between news and comment to take a good, hard, inward look at themselves. What they see in the mirror should make many blush.

THE 90TH CONGRESS ACHIEVES OUTSTANDING RECORD IN CONSERVATION OF HUMAN AND NATURAL RESOURCES

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. JOHNSON of California. Mr. Speaker, any evaluation of the work of the 90th Congress will quickly reveal one significant fact which, I believe, is of tremendous importance to the Nation, to the State of California, and to the Second Congressional District which I represent. This is the great emphasis which the 90th Congress placed on conservation of our resources, both our natural resources and also our human resources. These combined to provide the strength by which this Nation has grown from a fledgling country composed of Thirteen Colonies to the world's leading country.

California's Second Congressional District, totaling some 55,000 square miles in area, is one of the richest resource areas in the Nation, providing water, electrical energy, timber, minerals, food and fiber, and summer and winter recreation areas for much of California and the Western States. It is only natural that the Representative of this district should take a primary interest in natural resources development and I am proud of the record of the 90th Congress and also of the two major resource-oriented committees on which I have served: the Committee on Interior and Insular Affairs and the Committee on Public Works.

On the former I have been privileged to serve as chairman of the Irrigation and Reclamation Subcommittee, which I believe has established a substantial record during the past 2 years. As a result of legislation on which initial consideration was given by this committee, we have created a National Water Commission; we have extended and broadened the Federal water conversion program; we have provided for improved planning of our water resource development. Seven new Federal reclamation projects, with a total value of about $1.8 billion, have been authorized, including legislation considered on and off for nearly three decades to develop the Colorado River Basin. I am pleased that this legislation assures California 4.4 million acre-feet of Colorado River water annually, with a priority over the central Arizona project water during water-short years.

This group of new authorizations includes two California projects: the San Felipe division of the central valley project and the enlargement and realinement of the Tehama-Colusa Canal to permit increased capacity in the canal for future extension.

One of the last items considered by the Congress on the recommendation of the Irrigation and Reclamation Subcommittee was my bill to authorize a land exchange between the Department of the Interior and Summit City Public Utility District, an exchange which will protect the Little League ball park facilities which have been developed over the years.

Other major conservation bills in which I had an active part as the senior member of the National Parks and Recreation Subcommittee or the Public Lands Subcommittee include the establishment of a fine, meaningful Redwood National Park, the North Cascades National Park in the State of Washington, a nationwide system of trails, the national system of wild rivers, the Flaming Gorge National Recreation Area of Utah and Wyoming, the Great Swamp and Natural Wildlife Refuge of New Jersey, the San Gabriel wilderness in California, the San Rafael wilderness, also in California; and the John Fitzgerald Kennedy National Historic Site in Massachusetts.

The Public Works Committee was equally energetic in its efforts to provide for adequate flood control and resources development programs. The actions which originated in this committee and became law include: provisions to increase the safety of the U.S. Capitol buildings and grounds, establishment of a National Visitors' Center, improvement of highway safety, provisions for making public buildings more accessible to the physically handicapped, an extension of the Federal-aid highway program which is, of course, extremely important to the Second District where there is currently authorized or underway some $84.6 million worth of highway improvement construction projects. Of this amount, more than $66.5 million will be funded by the Federal Government.

The Public Works Committee also moved the omnibus rivers and harbors flood control bill which is the basic legislation authorizing the construction of all U.S. Corps of Engineers projects.

As important as natural resources are to the Second Congressional District of the State of California and the Nation, the conservation of human resources is of equal significance. The 90th Congress has, I believe, a spectacular record in the fields of health, education, community and environmental improvements, and in providing our individual citizens with economic stability.

In the area of health, the 90th Congress enacted the Health Services Act, the Partnership in Health, the Child Health Act, the Federal Meat Inspection Act, the Wholesome Poultry Act, the Health Manpower Act, the Child Nutrition Act, Community Mental Health Centers Amendments, the Mental Retardation Act, the Flammable Fabrics Act, and created the National Eye Institute.

The 90th Congress was truly an educationally minded Congress, for it enacted the Higher Education Act, the Elementary and Secondary Education Act, the Vocational Education Act, the Educational Professions Development Act, and the college work-study program.

In the field of community and natural environment, we adopted the Omnibus Crime Control Act, the Juvenile Delinquency Prevention and Control Act, the Housing and Urban Development Act, and the Air Pollution Control Act. For the assistance of individual citizens, young and old, the Congress adopted the Vocational Rehabilitation Act, the Economic Opportunity Act, the Farmers Home Administration Loans and Grants Act, the Consumer Credit Act, the Veterans Pension and Readjustment Act, the Social Security Act Amendments, the Age Discrimination in Employment Act, and the Older Americans Act.

I think, Mr. Speaker, we all agree this has been a truly productive Congress whose work will be of value to our Nation and its people not only this year but in the decades ahead.

Mr. Speaker, in conclusion, it has been my practice at the end of each Congress to publish the record of my votes on the issues which we have faced during the 2 years, and I would like at this point to insert this record of votes which I have cast during the 2 years of this 90th Congress.

VOTING RECORD OF CONGRESSMAN HAROLD T. (BIZZ) JOHNSON—90TH CONG., 1ST SESS.

My stand	Issue	Status
For	Election of John McCormack as Speaker of the House of Representatives	McCormack elected.
Against	To seat Representative Adam Clayton Powell pending investigation of his conduct	Approved.
For	To appoint committee of 5 to investigate conduct of Representative Powell	Do.
Against	To cut off debate on the adoption of the Rules of the House of Representatives for the 90th Congress	Rejected.
Do	To eliminate the 21-day rule of the House of Representatives	Approved.
For	To provide a temporary increase in the public debt limit	Public Law 90-3.
For	To adopt the Reserve Forces Bill of Rights and Vitalization Act	Public Law 90-168.
For	To authorize legislative investigations by the House Agriculture Committee	Approved.
Against	To seat and penalize Representative Powell in accordance with Select Committee recommendations	Rejected.
For	To bar Representative Powell from the 90th Cong	Approved.
Against	To prevent expenditure of funds for military operations over or in North Vietnam	Rejected.
For	To authorize procurement of aircraft, missiles, and military construction	Public Law 90-5.
For	To provide emergency food assistance to India	Public Law 90-7.
For	To authorize Speaker of the House of Representatives to appoint special counsel in litigation filed by Representative Powell	Approved.
For	To pass the Interest Equalization Tax Extension Act to moderate foreign demands for U.S. capital	Public Law 90-59.
For	To appropriate supplemental funds for national defense purposes	Public Law 90-8.
For	To restore investment credits and allowances of accelerated depreciation	Public Law 90-26.
For	To extend GI bill to veterans of Vietnam and to increase existing benefits	Public Law 90-77.
For	To establish a national commission on holidays and proclamations	Passed House.
For	To continue civil government for Trust Territories of the Pacific Islands	Public Law 90-16.
For	To eliminate 15 positions from the Office of the Secretary of the Treasury	Approved.
For	To appropriate funds for the Departments of the Treasury and Post Office	Public Law 90-47.
Against	To restrict the President's authority at the Punta del Este Conference	Rejected.
For	To support other American republics in a historic new phase of the Alliance for Progress	Passed House.
Against	To increase funds for the Committee on Science and Astronautics	Rejected.
Do	To force hearings and further consideration of House Un-American Activities	Do.
For	To approve funds for House Un-American Activities Committee	Passed House.
For	To agree to consider proposed changes in the copyright laws	Approved.
For	To extend condolences to family of former German Chancellor	Passed House.
For	To authorize the Department of Interior to participate in construction and operation of a prototype desalting plant in California	Public Law 90-18.
Against	To reduce appropriations for the Forest Service, Park Service, Bureau of Land Management, and other agencies operating in the Second District.	Rejected.
For	To approve funds for these agencies which operate in the Second District	Public Law 90-28.
Against	To modify Railroad Labor Act and prevent shopcraft unions from exercising right to strike	Public Law 90-10.
For	To modernize copyright laws	Passed House.
For	To establish a Committee on Standards of Official Conduct of the House of Representatives	Do.
Paired (for)	To establish standards for equalization of congressional districts	Do.
Against	To extend further the period during which shopcraft unions would be deprived of right to strike	Public Law 90-13.
For	To provide funds for military and civil service pay increases and for other governmental functions	Public Law 90-21.
For	To authorize procurement of military equipment, including aircraft, missiles, and naval vessels	Public Law 90-22.
For	To authorize limited payment of telephone bills for district congressional offices	Passed House.
For	To improve the Capitol Police Force	Do.
Against	To reduce contracts in rent supplement program	Public Law 90-121
Do	To strike out construction funds in housing and urban development bill	Rejected.
For	To approve appropriations for independent Federal agencies and Department of Housing and Urban Development	Public Law 90-121.
Against	To modify the Federal aid to education formula in a way so as to reduce allocations to California	Passed House.
Do	To have State agencies rather than local school districts control supplementary educational centers and services	Do.
Do	To delay action on Education Act by further hearings	Rejected.
For	Final passage of the Elementary and Secondary Education Act	Public Law 90-247.
For	To extend the Military Selective Service Act	Public Law 90-40.
Against	To limit participation sales program of Small Business Administration and thereby restrict its operations	Passed House.
Do	To cut already-reduced appropriations for the Departments of Justice, Commerce, and State	Do.
For	To improve mail service for members of the armed services overseas	Do.
Against	To cut appropriations for the Department of Agriculture operations affecting 2d District	Rejected.
For	Final passage of appropriations for Department of Agriculture	Public Law 90-113.
For	To increase the public debt limit to permit continued funding of Federal programs	Rejected.
For	Final approval of appropriations for the U.S. Forest Service and Department of Interior	Public Law 90-28.
Against	To force State participation in Food Stamp Act	Rejected.
For	Passage of Food Stamp Act	Public Law 90-91.
For	To authorize adjustments in the amount of outstanding silver certificates	Public Law 90-29.
For	To appropriate funds for the Department of Defense and armed services	Public Law 90-96.
For	To establish a Federal Judicial Center to foster improvement in the administration of justice through research and studies	Public Law 90-211.
For	To extend and improve the Older Americans Act	Public Law 90-42.
For	To extend the program for acquisition of wet lands for conservation of migratory waterfowl	Public Law 90-205.
Against	To increase the fees for migratory bird hunting stamps	Passed House.
For	To extend the Universal Military and Training Act	Public Law 90-40.
For	To prohibit desecration of the American flag	Public Law 90-381.
For	To authorize an increase in the national debt to permit continued operations of Federal agencies after July 1	Public Law 90-39.
For	To increase the number of judges on the District of Columbia Court of Appeals	Public Law 90-178.
For	To curb crime in the District of Columbia	Public Law 90-226.
Against	To strike the Teacher Corps from the Higher Education Act of 1967	Rejected.
For	To extend and improve the Higher Education Act program	Public Law 90-35.
Against	To cut severely safety provisions from space authorizations	Public Law 90-67.
For	To extend the life of the Civil Rights Commission	Public Law 90-198.
For	To establish a National Water Commission to conduct a comprehensible review of water resources problems and programs	Public Law 90-515.
For	To prohibit banks and savings and loan associations from fostering or participating in gambling activities	Public Law 90-203.
Against	To concur in Senate amendments to force compulsory arbitration upon railroad unions	Public Law 90-54.
Do	To cut the appropriations for Department of Transportation, including a multimillion cut in California highway funds	Public Law 90-112.
For	To prohibit interstate travel for purpose of inciting riots	Public Law 90-284.
For	To take up consideration of bill offering Federal assistance in controlling rats	Rejected.
Against	To delete funds for Maine hydroelectric project	Passed House.
Do	To cut $50 million 2d District public works construction program	Rejected.
For	To approve public works appropriations, including 2d District program	Public Law 90-147.
Against	To impose unrealistic limitations on Inter-American Development Bank fund	Rejected.
For	To approve Inter-American Development Bank Act	Public Law 90-88.
For	To extend authority for exemptions from antitrust laws to safeguard balance-of-payments position of the United States	Public Law 90-62.
For	Final approval of Interest Equalization Tax Extension Act	Public Law 90-59.
For	To authorize construction of facilities at military installations	Public Law 90-110.
Against	To weaken Law Enforcement and Justice Assistance Act of 1967 and reduce allocations to California	Passed House.
For	Passage of amended Law Enforcement and Justice Assistance Act of 1967	Public Law 90-351.
Against	To prevent reorganization of the District of Columbia government to achieve greater efficiency	Rejected.
For	To authorize a census every 5 years	Passed House.

VOTING RECORD OF CONGRESSMAN HAROLD T. (BIZZ) JOHNSON—90TH CONG., 1ST SESS.—Continued

My stand	Issue	Status
For	To authorize construction of the San Felipe Reclamation project in California	Public Law 90-72.
For	To provide for more efficient management of the National Bureau of Standards standard reference data program	Public Law 90-396.
For	To start debate on legislation to prevent interference with legal civil rights activities	Approved.
For	Passage of civil rights legislation	Public Law 90-284.
For	To increase social security benefits	Public Law 90-248.
For	To increase veterans and G.I. benefits	Public Law 90-77.
For	To extend vocational rehabilitation program	Public Law 90-99.
For	To authorize transfer of peanut acreage allotments	Rejected.
For	To continue the National Aeronautics and Space program	Public Law 90-131.
Against	To eliminate Department of Defense credit sales authority	Passed House.
Do	To cut severely technical assistance programs under the Foreign Assistance Act	Do.
For	Final passage of Foreign Assistance Act	Public Law 90-137.
Paired (for)	To authorize construction of a Potomac River interceptor sewer	Public Law 90-84.
For	To provide benefits for law enforcement officers not employed by the United States who are killed or injured while apprehending Federal law violators.	Public Law 90-291.
For	To permit the United States to appeal a court order relating to the return of seized property and the suppression of evidence	Passed House.
For	To increase the authorization for the Missouri River Basin project	Public Law 90-89.
For	Final approval of Defense Department appropriations	Public Law 90-96.
For	To live up to an agreement relating to the purchase of wooden minesweepers for the Navy	Rejected.
For	To reduce the authorization for Appalachian Regional Development program	Passed House.
For	Final approval of Appalachian Regional Development program	Public Law 90-103.
For	To strengthen rules relating to unlawful seizure of American fishing vessels by foreign nations	Rejected.
For	To extend for 1 year indemnity payments to dairy farmers	Public Law 90-95.
For	To authorize the House Judiciary Committee to conduct certain investigations	Passed House.
For	Final passage of Food Stamp Act	Public Law 90-91.
Against	To return to committee Inter-American Development Bank Act Amendments of 1967	Approved.
For	To provide Federal assistance for rate control programs	Public Law 90-174.
For	To approve Partnership for Health Act	Do.
For	To expand and improve the public health laws relating to mental health	Public Law 90-170.
Against	To prohibit establishment of a nongovernmental, nonprofit private corporation to assist in improving educational television	Rejected.
For	To extend and improve existing Educational Television Facilities Act	Public Law 90-129.
For	To provide for elected Board of Education for District of Columbia	Public Law 90-292.
For	To permit the newly created District of Columbia Council to make rules and regulations under the Alcoholic Beverage Control Act for the District of Columbia.	Rejected.
Against	To spread among 50 States coordination of the Juvenile Delinquency Prevention Act	Passed House.
Do	To limit the definition of the term "private nonprofit agency" in Juvenile Delinquency Act	Do.
Do	To disapprove continuing appropriations funding day-to-day operations of many agencies	Do.
For	To assist domestic industries and workers hurt by increased imports from low-wage areas	Do.
For	To amend the Packers and Stockyards Act	Public Law 90-446.
For	To provide for economic and social development of Ryukyu Islands	Public Law 90-126.
For	To authorize disposal of Government-owned, longlines communications facilities in Alaska	Public Law 90-251.
For	To authorize extension of certain naval vessel loans now in existence	Passed House.
For	To extend for 10 days continuing appropriations for Federal agencies	Do.
For	To approve construction of facilities on military bases	Public Law 90-110.
Against	To return to committee conferees report on Labor, HEW Departments, and related agencies	Passed House.
For	To revise law regarding fraudulent use of mails to obtain money or property	At White House.
For	To retain House amendment relating to cropland adjustment program in Agriculture Department appropriations	Approved.
For	To retain House amendment regarding direct loans to farmers and ranchers through Farmers Home Administration in Agriculture Department appropriations.	Do.
For	To retain House amendment to Agriculture Department appropriations regarding Commodity Credit Corporation	Do.
Against	To return to committee the Postal Revenue-Federal Salary Act	Rejected.
For	On passage of Postal Revenue-Federal Salary Act	Public Law 90-206.
For	To clarify certain technical amendments to the Library Services and Construction Act	Public Law 90-154.
For	To extend the time limit for filing report of the Commission on Urban Problems	Public Law 90-118.
Against	To return to conferees Transportation Department appropriations	Rejected.
For	On adoption of conference report on Department of Transportation appropriations	Public Law 90-112.
For	To concur with Senate amendment providing funds for airport at Kelley Flats, Mont	Rejected.
For	To create an independent Federal Maritime Administration	Passed House.
Against	To adopt, in continuing appropriations, amendment that Federal spending not exceed that expended in 1967	Do.
For	To return continuing appropriations to committee to eliminate restrictions	Rejected.
Against	On passage of continuing appropriations, containing unworkable spending restrictions	Public Law 90-288.
For	To provide improved protection in U.S. Capitol Buildings and Capitol Grounds	Public Law 90-108.
For	To prohibit obstruction of criminal investigations	Public Law 90-123.
For	To transfer legislative jurisdiction on national cemeteries from the House Interior Committee to the Veterans' Affairs Committee	Passed House.
Against	To block passage of legislation to facilitate transfer of national forest lands to school districts	Rejected.
For	To authorize construction of a new bridge over the Chesapeake Bay	Public Law 90-144.
Against	To prevent passage of appropriations for independent Federal agencies	Rejected.
For	To permit funding of model cities program benefiting housing industry	Do.
For	To permit funding of the rent supplement program which also should help housing construction	Do.
For	To fund military construction programs	Public Law 90-180.
Against	To kill public works appropriations bill which contained $50,000,000 for 2d District projects	Rejected.
For	To provide funds for the Dickey-Lincoln project in Maine	Do.
For	To give final approval to appropriations for Independent Federal Agencies	Public Law 90-121.
For	To provide pay increases for our service men and women	Public Law 90-207.
Against	To kill bill which provides standards for Congressional redistricting	Rejected.
Paired (for)	To approve redistricting bill	In conference.
Paired (against)	To kill bill to restrict importation of extra long staple cotton from Egypt	Rejected.
Paired (for)	To restrict imports of Egyptian cotton	Vetoed.
For	To approve stricter meat inspection requirements	Public Law 90-201.
For	To initiate air pollution control program	Public Law 90-148.
For	To permit debate of Economic Opportunity Act	Approved.
For	To establish peanut acreage allotments	Public Law 90-211.
For	To establish a Commission on Product Safety	Public Law 90-146.
For	To extend Secret Service protection to families of former Presidents	Public Law 90-145.
For	To extend the duration of certain copyrights	Public Law 90-141.
For	To provide for transportation of housetrailers of military personnel	Public Law 90-246.
For	To up-date laws relating to military claims	Public Law 90-521.
For	To provide standards for production of animal drugs	Public Law 90-399.
For	To approve the Highway Safety Act	Public Law 90-150.
For	To approve a small boat harbor project in Manele Bay	Public Law 90-142.
For	To approve foreign assistance program	Public Law 90-137.
For	To approve appropriations for District of Columbia	Public Law 90-134.
For	To prohibit the use of Office of Economic Opportunity funds to organize unlawful demonstrations or to defend persons charged with crimes as a result of such demonstrations.	Approved.
Against	To reduce funds for Office of Economic Opportunity programs in Second District	Do.
For	To continue the War on Poverty	Public Law 90-222.
For	To permit full debate on foreign aid program	Approved.
Against	To kill the foreign aid program	Rejected.
For	To approve foreign aid program	Public Law 90-249.
For	To permit debate of legislation to prohibit obstruction of movement of Armed Forces	Approved.
For	To permit minor revisions in the Interstate Highway System	Public Law 90-238.
For	To authorize the Wheeling Creek Watershed Compact in Pennsylvania and West Virginia	Public Law 90-181.
For	To amend the International Claims Settlement Act	Public Law 90-421.
For	To complete transfer of 1,748 acres of land to the University of Maine	Public Law 90-307.
For	To give final approval to mental retardation program of 1967	Public Law 90-170.
For	To give final approval to partnership for health program	Public Law 90-174.
Against	To reduce Peace Corps authorization by $10,700,000	Rejected.
For	To extend the Peace Corps program	Public Law 90-175.
For	To establish the National Visitor's Center in Washington, D.C	Public Law 90-264.

VOTING RECORD OF CONGRESSMAN HAROLD T. (BIZZ) JOHNSON—90TH CONG., 1ST SESS.—Continued

My stand	Issue	Status
For	To approve the Flammable Fabrics Act	Public Law 90–189.
For	To continue appropriations for agencies not yet funded by regular appropriations	Public Law 90–162.
For	To require that Representatives in Congress seek election from specific districts and not run at large	Public Law 90–196.
For	To facilitate registration of Communist organizations	Public Law 90–237.
For	To instruct House conferees on Federal Meat Inspection Act to insist upon more stringent regulations	Rejected.
Paired (for)	To block increases in interest rates for Federal Farm Loan Act and Farm Credit Act	Do.
For	To extend Adult Education Act program for 2 years	Passed House.
For	To prohibit discrimination for age in employment	Public Law 90–202.
For	To keep alive the Subversive Activities Control Board	Public Law 90–237.
For	To establish a Federal judicial center to foster research and development for improvement of U.S. judicial system	Public Law 90–219.
For	To give final approval to Federal Meat Inspection Act	Public Law 90–201.
For	To give final approval to Office of Economic Opportuntiy program	Public Law 90–222.
For	To insure reduction of Federal spending obligations by $9,000,000,000 and controllable expenditures by $4,000,000,000 by ordering a 2-percent cut in personnel and a 10-percent cut in other programs.	Passed House.
For	To continue funding of agencies not yet funded through regular appropriations	Public Law 90–218.
For	To give final approval to Postal Revenue and Federal Salary Act	Public Law 90–206.
Paired (for)	To approve supplemental appropriations, including poverty funds	Public Law 90–239.
For	To amend Bank Holding Company Act as it relates to income taxes	Public Law 90–225.
For	To prohibit banks and savings and loan associations from fostering or participating in gambling activities	Public Law 90–203.
For	To give final approval to social security benefit increases	Public Law 90–248.
For	To give final approval to extension of Subversive Activities Control Act	Public Law 90–237.
Against	To reject conference agreement on foreign assistance program	Approved.
For	To accept new compromise on foreign assistance program	Public Law 90–249.
Against	To reject supplemental appropriations bill	Rejected.
For	To approve final version of Elementary and Secondary Education Act	Public Law 90–247.
For	To increase veterans earning allowances to permit them to receive social security benefit increases	Public Law 90–275.
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For	To amend District of Columbia Minimum Wage Act as it relates to hospital employees	Passed House.
Against	To regulate savings and loan holding companies by amendment defining "debt security"	Rejected.
For	To increase benefits under Railroad Retirement Act of 1937 and Railroad Unemployment Insurance Act (cosponsor)	Public Law 90–257.
For	To adopt amendment regarding "loan sharking" to Consumer Credit Protection Act	Approved.
For	To approve Consumer Credit Protection Act	Public Law 90–321.
For	To remove cherries from marketing orders	Passed House.
For	To convey lands to Glendale, Ariz	Public Law 90–360.
Against	To reduce by $1,000,000,000 Export-Import Bank's authority to lend money	Rejected.
For	To approve Export-Import Bank Act	Public Law 90–267.
For	To begin debate on Fire Research and Safety Act	Approved.
For	To approve Fire Research and Safety Act	Public Law 90–259.
For	To reject "gold cover" legislation, which eliminated Federal Reserve and U.S. notes and Treasury notes of 1890 from reserve requirements.	Rejected.
Against	To approve "gold cover" legislation	Public Law 90–269.
Do	To return District of Columbia Police and Firemen's Act to committee, with instructions concerning recruitment incentives	Rejected.
For	To approve District of Columbia Police and Firemen's Act	Public Law 90–320.
For	To improve jury selection	Public Law 90–274.
Against	To amend Arts and Humanities Act by severe cuts in a 1-year authorization	Approved.
For	To approve Arts and Humanities Act	Public Law 90–348.
For	To provide for travel for members of House Agriculture Committee	Passed House.
For	To pass Immigration and Nationality Act as it relates to naturalization of Armed Forces personnel in combat areas	In conference.
Against	To reject legislation creating San Rafael Wilderness (Creation of San Rafael Wilderness subsequently passed)	Rejected, Public Law 90–271.
For	To approve School Lunch Act	Public Law 90–302.
Against	To reduce arms control and disarmament program	Approved.
For	To approve Arms Control and Disarmament Act	Public Law 90–314.
Against	To require House Administration Committee to hold hearings on House Un-American Activities Committee budget	Rejected.
For	To provide funds for House Un-American Activities Committee	Passed House.
For	To provide overtime differential for postal service employees	Do.
For	To continue certain civil defense authorities	Public Law 90–336.
Against	To return to committee legislation for increased U.S. participation in Inter-American Development Bank. (Subsequently passed by voice vote.)	Rejected. Public Law 90–325.
For	To approve Radiation Control for Health and Safety Act of 1968	In conference.
For	To approve National Traffic and Motor Vehicle Safety Act	Public Law 90–283.
For	To approve Agricultural Fair Practices Act of 1967	Public Law 90–288.
For	To approve Veterans' Administration Housing Law amendments	Public Law 90–301.
For	Final passage of legislation providing benefits for law enforcement officers killed or injured apprehending Federal law violators.	Public Law 90–291.
For	To extend for 2 years Federal Reserve Banks' authority to purchase U.S. obligations directly from Treasury	Public Law 90–300.
For	To provide for employer contributions for joint industry promotion under the Labor-Management Relations Act	Passed House.
For	To control insecticide injury to fish and wildlife	Public Law 90–394.
For	To call for a study of a canal connecting Pacific and Atlantic Oceans	Public Law 90–359.
Against	To disapprove creation of a new Bureau of Narcotics and Dangerous Drugs	Rejected.
For	To make permanent House Committee on Standards of Official Conduct	Passed House.
For	To extend tax on air transportation and reduce personal exemption from duty, for returning residents	Do.
For	To authorize appropriations for Atomic Energy Commission	Public Law 90–289.
Against	To prevent the full funding of school assistance under the impacted areas program	In conference.
Do	To limit postal operations including eliminating Saturday deliveries	Rejected.
For	To appropriate funds for Treasury and Post Office Departments and Executive Office	Public Law 90–350.
For	To agree not to send civil rights bill to conference	Approved.
For	To agree to Senate amendment to civil rights bill, providing penalties for interference with civil rights	Do.
For	To allow District of Columbia School Board to set educational requirements for teachers and school officers	Do.
For	To approve District of Columbia teachers' salaries increase	Public Law 90–319.
Paired (for)	To increase the per diem travel expenses of Government employees	Passed House.
Do	To extend appropriation authorization for Corporation for Public Broadcasting	Public Law 90–294.
Do	To approve authorization for military construction	Public Law 90–408.
Do	To extend Executive reorganization authority	Passed House.
Do	To approve appropriations for Agriculture Department	Public Law 90–463.
For	To authorize appropriation for National Aeronautics and Space Administration	Public Law 90–373.
For	To provide cost-of-living allowances for Federal and judicial employees outside continental United States, or in Alaska and Hawaii	Rejected.
For	To provide security measures for banks and other financial institutions	Public Law 90–389.
For	To approve Vocational Rehabilitation Act Amendments of 1968	Public Law 90–391.
For	To consider legislation providing for uniform annual observance of certain legal holidays on Mondays	Public Law 90–363.
For	To authorize study by Secretary of Transportation into motor vehicle accident compensation system	Public Law 90–313.
For	To appropriate funds for Independent Offices and Housing and Urban Development Department	Public Law 90–550.
For	To approve final passage of Arms Control Disarmament Act	Public Law 90–314.
For	To amend Higher Education Act to withhold funds from those disrupting college or university administration	Approved.
For	To approve Higher Education Act as it pertains to college student assistance programs	Public Law 90–460.
Against	To prevent the observance of Washington's Birthday from being a 3-day holiday	Rejected.
For	To observe certain national holidays on Mondays, commencing in 1971, to permit 3-day weekends	Public Law 90–363.
Announced (for)	To begin debate to consider Special Drawing Rights Act	Approved.
For	To approve Special Drawing Rights Act	Public Law 90–349.
For	To authorize the Missouri River project	Public Law 90–315.
For	To amend Agricultural Trade Development Act to prohibit financing of sales of commodities to North Vietnam	Approved.
For	To approve Agricultural Trade Development Act	Public Law 90–436.
For	To prevent assaults on postal employees	Public Law 90–449.
Against	To cut $1,300,000,000 from appropriations earmarked for the Forest Service, National Park Service, Bureau of Land Management, Fish and Wildlife Service, and other Department of the Interior agencies.	Rejected.

VOTING RECORD OF CONGRESSMAN HAROLD T. (BIZZ) JOHNSON—90TH CONG., 2D SESS.—Continued

My stand	Issue	Status
For	To appropriate funds for the Forest Service, National Park Service, Bureau of Land Management, Fish and Wildlife Service, and other Department of the Interior agencies.	Public Law 90-425.
Against	To approve Interstate Taxation Act	Passed House.
For	To approve Land and Water Conservation Fund Act	Public Law 90-401.
For	To remove buildings burned or destroyed during riots in the District of Columbia	Rejected.
Against	To increase tuition fees at the Federal City College of Washington, Washington, D.C., to levels above those recommended by the Board of Education.	Do.
Do	To block establishment of the Federal City College in Washington, D.C. (subsequently establishment of college approved by voice vote).	Do. Public Law 90-354.
Do	To further reduce the appropriations for operation of the Departments of Justice, Commerce, State, and related agencies	Approved.
For	To approve appropriations for Departments of Justice, Commerce, State, and related agencies	Public Law 90-470.
For	To instruct conferees to reduce Federal expenditures by $4,000,000,000 under provisions of Tax Adjustment Act of 1968	Rejected.
For	To approve National Foundation on Arts and Humanities Act	Public Law 90-348.
For	To approve legislation providing additional circuit judges	Public Law 90-347.
Against	To disagree with Senate amendment to Omnibus Crime bill and request conference	Rejected.
For	To approve compensation for veterans with service-connected disabilities	Public Law 90-492.
For	To accept Senate amendment to Omnibus Crime Control and Safe Streets Act of 1968	Passed House.
For	To approve condolence resolution expressing sorrow on death of Senator Kennedy and to adjourn in his respect	Do.
For	To amend standards regulating aircraft noise abatement	Public Law 90-411.
For	To provide $90,000,000 for Federal aid to impacted school districts	Approved.
For	To approve Supplemental Appropriations for fiscal 1969	Public Law 90-392.
Against	To reduce Treasury and Post Office Departments' appropriations in such a manner as to possibly restrict postal service	Rejected.
For	To approve Treasury and Post Office Departments appropriations	Public Law 90-350.
For	To authorize the Speaker to appoint delegates to and alternates to International Labor Organization Conference in Geneva	Passed House.
Against	To limit to $100,000,000 losses incurred by Export-Import Bank	Public Law 90-390.
For	To approve Wholesome Poultry Act	Public Law 90-492.
Against	To cut $15,000,000 from Peace Corps Act	Rejected.
For	To approve Peace Corps Act	Public Law 90-362.
For	To approve legislation making Federal buildings easily accessible to the physically handicapped	Public Law 90-480.
Against	To prevent county soil conservation committees from being covered by Civil Service protection	Rejected.
For	To approve Soil Conservation and Domestic Allotment Act	Public Law 90-367.
Against	To strike planning funds for Dickey-Lincoln project, plus limiting total spending under public appropriations bill to $4,400,000,000.	Approved.
For	To begin debate on Revenue and Expenditure Control Act	Do.
For	To continue debate on Revenue and Expenditure Control Act	Do.
For	To approve Revenue and Expenditure Control Act	Public Law 90-364.
For	To authorize Secretary of Commerce to study increased use of metric system	Public Law 90-472.
For	To amend Labor-Health, Education, and Welfare Departments' appropriations to provide additional funds for education professions development facilities.	Approved.
Against	To reduce by $100,000,000 expenses for Office of Economic Opportunity in Labor-Health, Education, and Welfare Departments' appropriations.	Rejected.
Do	To send Labor-Health, Education, and Welfare Departments appropriations bill back to committee	Do.
For	To approve appropriations for legislative branch	Public Law 90-417.
For	To provide funds for free or reduced meals for needy children. (Temporary National School Lunch Act.)	Passed House.
For	To amend School Lunch Act to provide free or reduced meals for all children	Do.
For	To establish a Cradle of Forestry in America in the Pisgah National Forest, N.C.	Public Law 90-398.
For	To provide supplemental funding for Headstart	Approved.
For	To provide supplemental funding for school lunch programs and Manpower Development and Training Act	Public Law 90-392.
For	To adopt committee amendments to gas pipeline safety bill	Approved.
For	To approve gas pipeline safety bill	Public Law 90-481.
Against	Amendment to committee amendment on Federal Aid-to-Highway Act relating to beautification program	Approved.
Announced (against)	To reject District of Columbia Revenue Act	Do.
Against	To approve amendment to Housing and Urban Development Act relating to income limitations on low-income housing	Do.
Do	To reject Housing and Urban Development Act because of deletion of assistance for blighted areas	Do.
For	To approve Housing and Urban Development Act	Public Law 90-448.
For	To approve defense procurement authorization for aircraft, missiles, research, etc.	Public Law 90-500
For	To approve Public Health Service Act, as it relates to grants for regional medical programs, health of agricultural migrant workers and alcoholic and narcotic addict rehabilitation facilities.	In conference.
For	To approve creation of a Joint Committee To Investigate Crime (cosponsor)	Passed House.
For	To approve legislation amending Food, Drug, and Cosmetic Act to prescribe penalties for possession of LSD, and other depressant and stimulant drugs.	In conference.
For	To approve State Technical Services Act of 1965, amended	Public Law 90-422.
For	To approve Vocational Education Act	At White House.
For	To approve navigation and flood control authorizations	Public Law 90-483.
For	To approve the Redwood National Park	Public Law 90-545.
For	To prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States.	Passed House.
For	To extend the life of a passport from 3 to 5 years, and to raise the price from $10 to $12	Public Law 90-428.
For	To authorize construction of Palmetto Bend reclamation project, Texas	At White House.
For	To approve nationwide system of trails	Public Law 90-453.
For	To authorize construction of Oahe unit, James division, Missouri River Basin project, South Dakota	Do.
For	To broaden the exemption provided by the Interstate Commerce Act relating to the use of motor vehicles operated by agricultural cooperatives but carrying nonfarm commodities.	Public Law 90-433.
For	To begin debate on Foreign Assistance Act	Approved.
Against	To cut foreign aid bill $165,000,000 below the already extremely low levels established by the Foreign Affairs Committee	Do.
For	To approve the Foreign Assistance Act	Public Law 90-554.
For	To provide increased salaries of District of Columbia judges	At White House.
Against	To block necessary modernization and expansion of District of Columbia hospitals	Rejected.
	(Legislation authorizing modernization passed by voice vote)	Public Law 90-457.
Do	To subsidize privately owned D.C. Transit System	At White House.
For	To exclude rifle, shotgun, and .22-caliber rimfire ammunition from the State Firearms Control Assistance Act	Approved.
For	To impose heavy additional mandatory penalties ranging from 1 to 25 years without probation for using a gun to commit a Federal felony.	Do.
For	Adoption of amendment to State Firearms Control Assistance Act of 1968 to exempt those engaged in competition and military training.	Do.
Against	To approve passage of State Firearms Control Assistance Act of 1968	Passed House.
For	To deny students involved in the commission of certain crimes the right to participate in benefits offered by the Higher Education Act.	Approved.
For	To approve the Higher Education Act	At White House.
For	To begin debate on joint industry promotion program	Approved.
Against	To require equal employer-employee contributions to the joint industry promotion fund	Rejected.
For	To approve the joint industry promotion fund under the Labor-Management Relations Act	Passed House.
For	To approve final passage of Housing and Urban Development Act	Public Law 90-448.
Against	To strike from the highway bill provisions for deleting all program funds for highway beautification	Rejected.
	(Federal-Aid Highway Act subsequently passed by voice vote)	Public Law 90-495.
Do	To refuse to appropriate funds for construction of military facilities required for our defense	Rejected.
For	To remove authorization limitations on the food stamp program	Approved.
For	To extend and improve food stamp program for 4 years	Public Law 90-552.
For	To begin debate on Food and Agricultural Act	Approved.
Against	To impose limits on farm subsidy payments in such a way as to prove extremely harmful to the cotton industry	Do.
For	To extend the Food and Agriculture Act program	At White House.
For	To preserve the 4th-class post offices and to provide for continued Saturday service	Public Law 90-449.
For	To approve the Health Manpower Act	Public Law 90-490.
For	To grant travel authority to Public Works Committee	Passed House.
For	To approve Manpower Development and Training Act	Do
For	To approve a pear marketing for west coast States	Rejected.
For	To approve final passage of Defense Procurement Appropriation for aircraft, missiles, research, etc.	Public Law 90-500.
For	To approve the Foreign Military Sales Act	Passed House.
For	To permit start of debate on Defense appropriations	Approved.
Against	To restrict the areas in which the Department of Defense can acquire aircraft	Rejected.

VOTING RECORD OF CONGRESSMAN HAROLD T. (BIZZ) JOHNSON—90TH CON., 2D Sess.—Continued

My stand	Issue	Status
For	To approve Defense Appropriation Act of 1969	In conference.
For	To approve final passage of Redwood National Park	Public Law 90-545.
For	To approve final passage of Scenic Rivers Act	Public Law 90-542.
For	To establish the Biscayne National Monument	At White House.
For	To promote additional safety in the construction industry	Rejected.
For	To make it a Federal crime to transport in interstate commerce forged travelers' checks	Public Law 90-535.
For	To reduce to 1 the number of experimental fish protein concentrate plants which would receive Federal assistance	At White House.
For	To establish a Commission on Negro History and Culture	Passed House.
For	To establish the Great Swamp National Refuge in New Jersey	Public Law 90-532.
For	To provide premium overtime and standby pay for air traffic control and air safety employees	At the White House.
For	To approve the claim of Patterson, Eagle, Greenough, & Day, Esqs	Claim rejected.
Against	To reject the claim of Charles B. Franklin, a veteran	Claim approved.
Do	To reject the claim of Mr. and Mrs. John F. Fuentes, of California	Do.
Do	To reject the claim of the Puget Sound Plywood Corp	Claim rejected.
Do	To reject the claim of Pedro Irizarry Guido	Claim approved.
Do	To reject the claim of 2d Lt. Allan R. Schooler	Do.
For	To reject the claim of the Rochester Iron & Metal Co	Claim rejected.
For	To send Food and Agriculture Act to conference	Approved.
For	To consider legislation providing additional postions in certain executive agencies	Rejected.
For	To consider legislation relating to civil service retirement	Approved.
For	To approve final passage of Foreign Assistance Act of 1968	Public Law 90-554.
For	To begin debate on foreign assistance appropriations	Approved.
For	To continue debate on foreign assistance appropriations	Do.
For	To approve final passage of foreign assistance appropriations	In conference.
For	To return to the District of Columbia Committee legislation relating to parking facilities to improve the proposal	Rejected.
For	To approve final passage of Food and Agriculture Act	In conference.
Against	To restrict the food stamp program participation	Rejected.
For	To extend the Food Stamp Act	Public Law 90-552.
Against	To limit the number of Federal magistrates to the inadequate number of 250	Rejected.
For	To provide for extension of Senate Office Building site	Do.
Against	To reduce funds for Departments of Labor, Health, Education, and Welfare, and the Agency for International Development	Do.
Do	To refuse appropriations for Department of Defense after Oct. 5, 1968	Do.
For	To extend health services and facilities amendments to provide grants for regional medical programs to aid agricultural migrant workers and to establish alcoholic and narcotic addict rehabilitation facilities.	In conference.
For	To approve final passage of legislation regulating mailing of master keys for motor vehicle ignition switches	At White House.
Against	To abandon efforts for full funding of Federal aid to impacted areas for school year 1967-68	Rejected.
For	To continue efforts for full funding of Federal Aid to impacted areas for school year 1967-68	Passed House.
For	To amend Manpower Development and Training Act as it relates to seasonal unemployment in the contruction industry	Do.
For	To amend the Federal Water Pollution Control Act as it relates to construction of waste treatment works	In conference.
For	To promote the economic development of Guam	At White House.
For	To provide for the continuance of civil government for the Trust Territory of the Pacific Islands	Do.
For	To amend Agricultural Marketing Adjustment Act to provide for Federal milk marketing order amendments	Passed House.
Against	On motion to adjourn and thereby prevent debate on legislation to permit television debates between the 3 leading presidential candidates.	Rejected.
For	To proceed toward debate on legislation to permit television debates between the 3 leading presidential candidates	Approved.
For	do	Do.
For	On passage of legislation to permit television debates between the 3 leading presidential candidates	Passed House.
Against	To give final approval to Gun Control Act of 1968	At White House.

TREASURY BLOCKING OF RHODESIAN FUNDS

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, October 11, 1968

Mr. BYRD of Virginia. Mr. President, the Foreign Assets Control Division of the Treasury Department has issued a directive to the Riggs National Bank blocking funds in the personal checking accounts of Ken Towsey and John Hooper, who together operate the Rhodesian information office.

The Treasury Department directive said there was reason to believe that these funds, or part of them, belonged to the Rhodesian Government and were used to finance official functions of the information office.

This is the first time the United States has taken such action against a foreign government since 1963 when it froze funds of the Cuban Government acting under authority of the Trading with the Enemy Act.

The authority for this action against Rhodesia is the United Nations' participation act and the Executive order implementing that act. It is the first time ever for such an action under this authority.

Both Mr. Towsey and Mr. Hooper maintain homes in Washington. Towsey has a wife and three teenage children; Hooper has a wife and a son attending a university in Washington.

The action by the Treasury Department leaves both without funds to meet their household expenses. Mr. Towsey told me that the rent on his house was due Monday, and he was unable to pay it.

He flatly denies that any of the money in his checking account was used for official expenses. Funds for that purpose are sent to him direct by the Rhodesian Government.

The Treasury Department action, Mr. Towsey argues, goes well beyond the Executive order which is cited in the Treasury directive as its basic authority.

The effect of this directive will be to make it very difficult for the information office to continue its operations. It could be construed as another attempt to prevent the American people from hearing the other side of the Rhodesian story.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial entitled "Gagging Rhodesia," published in the Washington Evening Star of October 10, 1968.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

GAGGING RHODESIA

The government of the United States, in all its majesty, has blocked the checking accounts here of the Rhodesian Information Agency and the two men who operate it. The practical effect almost certainly will be to put the information agency out of business and thereby help to perpetuate in this country the transparent fiction that Rhodesia is a threat to world peace.

This high-handed piece of business had its inception in 1966-67 when the United States joined in a U.N. Security Council resolution calling for mandatory sanctions against Rhodesia. It was said that Rhodesia, which had declared its independence of Great Britain, was a threat to peace because of its racial politicies. If ever there was a phony argument, this was it. Rhodesia wasn't threatening anyone, and never has. Presumably Rhodesia would defend itself if attacked. But it isn't about to attack anybody.

The real reason for the sanctions and our participation in them is political. In Rhodesia, the minority whites who developed the country insist on maintaining control over the black majority. This may be a very wicked thing. It is an attitude against which many telling arguments can be brought to bear. But the argument that Rhodesia threatens the peace of the world is not among them.

The upshot of our government's latest action is that the two Rhodesian information officials, John Hooper and Kenneth Towsey, unable to write checks on their bank accounts, are down to about $100 between them. They can't eat for long on that, and they certainly cannot tell Rhodesia's story to the American people.

Meanwhile, it is reported that Prime Minister Wilson of Britain and Ian Smith, Rhodesia's prime ministre, are meeting again (an earlier meeting brought no results) on a warship near Gibraltar to try to resolve this bit of international disingenuousness. If these two men can reach an agreement on Rhodesia that will hold together, the U.N. sanctions presumably will be lifted. If that happens Messrs. Hooper and Towsey may be able to buy a meal and pay the rent. It also is conceivable that the American people once again would have access to information which ought not to be denied to them.

VOTING AND ATTENDANCE RECORD

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. TALCOTT. Mr. Speaker, under leave to extend my remarks I include a report of rollcall votes and quorum calls during the first session of the 90th Congress.

The rollcalls are listed numerically in chronological order. I have tried to identify the issues as concisely as possible to prevent the report from becoming too cumbersome. Of course, the issues represented in these votes are often complex and would need several pages to explain in detail. When absence prevented me from voting, I have indicated my position in the report. I submit this report for the hundreds of persons in my congressional district who are interested in the issues and my record.

The report follows:

CONGRESSMAN BURT L. TALCOTT'S VOTING RECORD, 1ST SESS., 90TH CONG., 1967

Rollcall No.	Date	Measure, question, and result	Vote
1	Jan. 10	Call of the House	Present.
2	Jan. 10	Election of the Speaker (McCormack, 246; Ford, 186)	Ford.
3	Jan. 10	H. Res. 1: On a motion to close debate and vote on the resolution calling for an investigation of the right of Representative-elect Powell to take his seat; in the interim he may vote as a Member. (Defeated 126 to 305.)	No.
4	Jan. 10	H. Res. 1: To adopt a substitute motion denying Mr. Powell the right to vote in the House while a committee investigates his right to his seat. (Passed 364 to 64.)	Yes.
5	Jan. 10	H. Res. 7: On a motion to close debate and vote on the resolution calling for the adoption of the rules of the 89th Cong., as the rules of this Congress. (Defeated 196 to 224.)	No.
6	Jan. 10	H. Res. 7: To amend the resolution to remove from the rules of the House, the "21-day rule" as it applied to the Committee on Rules in the 89th Cong. (Passed 232 to 185.)	Yes.
7	Jan. 23	Quorum call	Present.
8	Jan. 24	Quorum call	Present.
9	Jan. 31	Quorum call	Absent.
10	Feb. 8	Quorum call	Present.
11	Feb. 8	H. Res. 226: To adopt the rule for consideration of the debt limitation bill (H.R. 4573) permitting no amendments from the floor. (Passed 223 to 184.)	No.
12	Feb. 8	H.R. 4573: To recommit to committee the bill raising the debt limitation in order to include within the limitation the sale of participation certificates and to remove the 4¼-percent limitation on long-term U.S. bonds. (Defeated 155 to 261.)	Yes.
13	Feb. 8	H.R. 4573: To increase the public debt limit from $330,000,000,000 to $336,000,000,000. (Passed 215 to 199.)	No.
14	Feb. 20	Quorum call	Present.
15	Feb. 20	H. Res. 2: To suspend the rules and adopt the "Reserve Bill of Rights." (Passed 324 to 13.)	Yes.
16	Feb. 21	Quorum call	Absent.
17	Feb. 21	H. Res. 83: On ordering "the previous question" on the resolution authorizing the Committee on Agriculture to make studies and investigations. (Passed 231 to 85.)	Yes.
18	Feb. 21	H. Res. 83: To approve the resolution authorizing the Committee on Agriculture to make studies and investigations as amended not to include overseas travel. (Passed 304 to 18.)	Yes.
19	Feb. 28	Quorum call	Present.
20	Mar. 1	Quorum call	Present.
21	Mar. 1	Quorum call	Present.
22	Mar. 1	H. Res. 278: To adopt the "previous question" halting debate and calling for a vote without amendments on the resolution regarding Representative-elect Powell. (Defeated 202 to 222.)	No.
23	Mar. 1	H. Res. 278: To order the "previous question" on the substitute motion to exclude Mr. Powell from membership in the 90th Cong. (Passed 263 to 161.)	Yes.
24	Mar. 1	H.R. 278: To substitute for the recommendations of the select committee, a resolution excluding Mr. Powell from membership in the 90th Cong. (Passed 248 to 176.)	Yes.
25	Mar. 1	H. Res. 278: To approve the resolution as amended to exclude Mr. Powell from membership in the 90th Cong. (Passed 307 to 116.)	Yes.
26	Mar. 1	H. Res. 278: To order the "previous question" on a motion to adopt the foreamble to the resolution. (Passed 307 to 9.)	Yes.
27	Mar. 2	Quorum call	Present.
28	Mar. 2	H.R. 4515: To recommit to committee the bill authorizing supplemental military procurement, research, and construction in order to provide that none of the funds authorized in this bill shall be used to carry out military operations in or over North Vietnam. (Defeated 18 to 372.)	No.
29	Mar. 6	Quorum call	Present.
30	Mar. 9	S. 665: To approve the conference report on the bill authorizing supplemental military procurements, research, and construction for fiscal year 1967. (Passed 363 to 13.)	Yes.
31	Mar. 9	Quorum call	Present.
32	Mar. 9	H.J. Res. 267: To approve the resolution calling for emergency food assistance to India. (Passed 311 to 63.)	Yes.
33	Mar. 9	H. Res. 376: To order the "previous question" on the resolution authorizing the House of Representatives to employ special counsel in the court case filed by Adam Clayton Powell, Jr., et al. (Passed 254 to 85.)	Yes.
34	Mar. 13	Quorum call	Present.
35	Mar. 15	Quorum call	Present.
36	Mar. 15	H.R. 6098: To extend for 2 years the interest equalization tax. (Passed 261 to 138.)	No.
37	Mar. 16	Quorum call	Present.
38	Mar. 16	H.R. 7123: To approve the bill providing a $12,190,000,000 supplemental appropriation for the Department of Defense. (Passed 385 to 11.)	Yes.
39	Mar. 16	H.R. 6950: To approve the bill restoring the 7-percent investment credit and the allowance for accelerated depreciation in the case of certain real property. (Passed 386 to 2.)	Yes.
40	Mar. 20	H.R. 2068: To suspend the rules and pass the bill relative to veterans' pension and other benefits. (Passed 395 to 0)	Yes.
41	Mar. 20	H.R. 2513: To suspend the rules and pass the bill to establish a Commission on National Observances and Holidays. (Passed 313 to 35.)	Yes.
42	Mar. 21	Quorum call	Present.
43	Mar. 21	H.R. 5277: To approve the bill authorizing appropriations for the Trust Territory of the Pacific Islands and other purposes relative to the territory. (Passed 371 to 15.)	Yes.
44	Mar. 22	Quorum call	Present.
45	Mar. 22	H.R. 7501: To adopt an amendment cutting $185,000 from the appropriations bill for the Treasury Department to eliminate 15 positions from the Office of the Secretary of the Treasury. (Passed 210 to 175.)	Yes.
46	Mar. 22	H.R. 7501: On a motion to recommit to committee the Treasury-Post Office appropriations bill in order to make a 5-percent reduction in the appropriation recommended by the President. (Defeated 168 to 217.)	Yes.
47	Mar. 22	H.R. 7501: On final passage of the Treasury, Post Office, and Executive Office appropriation bill for 1968 in the amount of $7,500,000,000. (Passed 371 to 7.)	Yes.
48	Mar. 22	Quorum call	Present.
49	Mar. 22	H.J. Res. 428: On motion to recommend to committee the resolution on the Alliance for Progress in order to strike out all after the resolving clause and to adopt language stating that the Congress will give sympathetic consideration to ways of implementing any agreements to be made at Punta del Este. (Defeated 147 to 210.)	Yes.
50	Mar. 22	H.J. Res. 428: To approve the resolution in support for a new phase of the Alliance for Progress at this meeting of American Chiefs of State to be held at Punta del Este. (Passed 234 to 118.)	No.
51	Apr. 5	Quorum call	Present.
52	Apr. 5	H. Res. 364: To recommit to committee the resolution providing $250,000 for use by the Committee on Science for employment, travel, etc., in order to provide $30,000 more for employment and staff assistants to the minority. (Defeated 176 to 215.)	Yes.
53	Apr. 5	H. Res. 221: On a motion to order the "previous question" on the resolution providing $350,000 for investigative expenses by the House Committee on Un-American Activities. (Passed 305 to 92.)	Yes.
54	Apr. 5	H. Res. 221: On a motion to recommit to committee, the resolution providing funds for investigations by the House Committee on Un-American Activities in order that open hearings may be held on the request of the committee. (Defeated 92 to 304.)	No.
55	Apr. 5	H. Res. 221: To approve the resolution providing $350,000 for the investigative functions of the Committee on Un-American Activities. (Passed 348 to 43.)	Yes.
56	Apr. 6	Quorum call	Present.
57	Apr. 6	H. Res. 413: To adopt the rule under which H.R. 2512, the copyright provision bill is to be considered. (Passed 347 to 42.)	Yes.
58	Apr. 6	Quorum call	Present.
59	Apr. 6	Quorum call	Present.
60	Apr. 6	H.R. 2512: On a motion to strike the enacting clause from the bill providing for a general revision of the copyright laws. (Defeated 126 to 252.)	Yes.
61	Apr. 11	Quorum call	Present.
62	Apr. 11	H.J. Res. 493 (S.J. Res. 65): To suspend the rules and approve the resolution extending for 20 days until May 3, the date at which the railroad strike could take place. (Passed 396 to 8.)	Yes.
63	Apr. 11	H.R. 2512: To approve the Copyright Revision Act as amended by the House. (Passed 379 to 29.)	Yes.
64	Apr. 12	Quorum call	Present.
65	Apr. 12	H.R. 5404: To approve the bill amending the National Science Foundation Act to make certain changes with organization and operation of the Foundation. (Passed 391 to 22.)	Yes.
66	Apr. 13	Quorum call	Present.
67	Apr. 13	Quorum call	Present.
68	Apr. 13	H. Res. 418: To adopt the resolution establishing a Committee on Standards of Official Conduct. (Passed 400 to 0.)	Yes.
69	Apr. 17	Quorum call	Present.
70	Apr. 20	H. Res. 443: To approve the resolution expressing sympathy to the people of West Germany in the death of Konrad Adenauer. (Passed 357 to 0.)	Yes.
71	Apr. 20	H. R. 207: To provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant. (Passed 315 to 38.)	Yes.
72	Apr. 26	Quorum call	Present.
73	Apr. 27	H.R. 9029: On a motion to recommit to committee the 1968 appropriation bill for the Department of the Interior in order to make a 5-percent across-the-board reduction in the appropriation recommended by the President. (Defeated 158 to 231.)	Yes.
74	Apr. 27	H.R. 9029: To approve the $1,300,000,000 appropriation bill (1968) for the Department of the Interior and related agencies. (Passed 376 to 11.)	Yes.
75	Apr. 27	H.R. 442: To adopt the "previous question" on the resolution providing for the consideration of H.R. 2508, the bill relative to establishing Federal standards for congressional redistricting. (Passed 284 to 99.)	Yes.
76	Apr. 27	H.R. 2508: On a motion to recommit to committee the bill on Federal standards for congressional redistricting for the purpose of striking out the provisions that "the States of Hawaii and New Mexico may continue to elect their Representatives at Large. (Defeated 161 to 203.)	Yes.
77	Apr. 27	H.R. 2508: On final passage of the bill establishing Federal standards for congressional redistricting. (Passed 289 to 63.)	Yes.
78	May 1	Quorum call	Present.
79	May 1	H.J. Res. 543: To suspend the rules and pass the resolution extending the "cooling-off" period in the potential railroad strike to June 19. (Passed 301 to 56.)	Yes.

CONGRESSMAN BURT L. TALCOTT'S VOTING RECORD, 1ST SESS., 90TH CONG., 1967—Continued

Roll-call No.	Date	Measure, question, and result	Vote
80	May 3	Quorum call	Present.
81	May 3	H.R. 9481: To approve the 2d supplemental appropriations bill in the amount of $2,040,000,000. (Passed 391 to 6.)	Yes.
82	May 4	Quorum call	Present.
83	May 9	Quorum call	Present.
84	May 9	H.R. 9240: To approve the bill authorizing defense procurement, research, and development in the amount of $21,400,000,000. (Passed 401 to 3.)	Yes.
85	May 11	Quorum call	Present.
86	May 11	H. Res. 161: To approve the resolution providing up to $100 additional allowance for telephone service in the district office of Members of the House. (Passed 189 to 157.)	No.
87	May 11	H. Res. 464: To approve the resolution adding 78 officers and members to the Capitol Police Force. (Passed 334 to 16.)	Not voting.
88	May 15	Quorum call	Present.
89	May 15	Quorum call	Present.
90	May 16	Quorum call	Present.
91	May 17	Quorum call	Present.
92	May 17	H.R. 9960: To amend the appropriation bill for independent offices and the Department of Housing and Urban Development by striking out the provision authorizing new contracts in the rent supplement program. (Passed 232 to 171.)	Yes.
93	May 17	H.R. 9960: To recommit to committee the independent office and HUD appropriation bill in order to reduce the appropriation for model cities from $237,000,000 to $12,000,000. (Defeated 193 to 213.)	Yes.
94	May 17	H.R. 9960: To approve the $10,000,000,000 appropriation bill for independent offices and the Department of Housing and Urban Development. (Passed 347 to 56.)	Yes.
95	May 17	H.R. 6431: To approve the Mental Health Amendment of 1967. (Passed 353 to 0).	Yes.
96	May 22	Quorum call	Present.
97	May 22	Quorum call	Present.
98	May 23	Quorum call	Present.
99	May 23	Quorum call	Present.
100	May 24	Quorum call	Absent.
101	May 24	Quorum call	Present.
102	May 24	H.R. 7819: To adopt an amendment to the elementary and secondary education bill which would tend to give more Federal assistance to the poorer States. (Passed 221 to 195).	Yes.
103	May 24	H.R. 7819: To adopt an amendment to the elementary and secondary education bill which would provide more State control over certain programs under the act. (Passed 230 to 185.)	Yes.
104	May 24	H.R. 7819: To recommit to committee the bill amending the Elementary and Secondary Education Act in order to hold further hearings on the bill and all germane amendments. (Defeated 180 to 236.)	Yes.
105	May 24	H.R. 7819: On final passage of the Elementary and Secondary Education Amendments of 1967. (Passed 294 to 122.)	No.
106	May 25	Quorum call	Present.
107	May 25	Quorum call	Present.
108	May 25	S. 1423: To approve the bill amending the Universal Training and Service Act as amended by the House (Passed 362 to 9.)	Yes.
109	May 31	Quorum call	Present.
110	May 31	H.R. 10345: To amend the appropriation bill for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies in order to limit to $1,350,000 the subsidy SBA participation certificate. (Passed 185 to 44.)	Yes.
111	May 31	H.R. 10345: To recommit to committee the appropriation bill for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies in order to limit expenditures in these departments and agencies (except FBI) to 95 percent of the amount requested by the President in the budget. (Passed 171 to 156.)	Yes.
112	June 1	Quorum call	Present.
113	June 1	Quorum call	Present.
114	June 1	Quorum call	Present.
115	June 1	Quorum call	Present.
116	June 5	H.R. 10226: To suspend the rules and pass the bill providing additional free letter mail and air transportation mailing privileges of the Armed Forces. (Passed 315 to 0).	Yes.
117	June 6	Quorum call	Present.
118	June 6	Quorum call	Present.
119	June 6	H.R. 10509: To recommit to committee the agricultural appropriation bill in order to make a 5-percent reduction in the bill recommended by the President. (Except for the school lunch and school milk program.) (Defeated 175 to 222.)	Yes.
120	June 6	H.R. 10509: To approve the $4,700,000,000 Department of Agriculture appropriation bill (Passed 357 to 38.)	Yes.
121	June 7	Quorum call	Present.
122	June 7	H. Res. 504: To order the "previous question" on the resolution under which the bill authorizing an increase in the debt limitation was to be considered. (Passed 291 to 99.)	No.
123	June 7	H.R. 10328: To approve the bill raising the public debt limit to $365,000,000,000. (Defeated 197 to 210.)	No.
124	June 8	Quorum call	Present.
125	June 8	Quorum call	Present.
126	June 8	H.R. 9029: To approve the conference report on the $1,400,000,000 appropriation bill for the Department of the Interior and related agencies which was $17,500,000 above the bill as approved by the House originally. (Passed 321 to 49.)	Yes.
127	June 8	Quorum call	Present.
128	June 8	H.R. 1318 (S. 953): To amend the bill relating to the food stamp program in order to require States or local political units to pay for 20 percent of the free coupons distributed in the area. (Defeated 173 to 191.)	Yes.
129	June 8	H.R. 1318 (S. 953): On final passage of the bill to amend the Food Stamp Act of 1964. (Passed 230 to 128.)	No.
130	June 12	Quorum call	Present.
131	June 12	H.R. 7476 (S.1352): To approve the bill authorizing adjustments in the amount of outstanding silver certificates. (Passed 234 to 109.)	No.
132	June 13	Quorum call	Absent.
133	June 13	Quorum call	Present.
134	June 13	Quorum call	Present.
135	June 13	H.R. 10738: To approve the $70,000,000,000 defense appropriation bill. (Passed 407 to 1.)	Yes.
136	June 14	Quorum call	Present.
137	June 14	Quorum call	Present.
138	June 15	Quorum call	Present.
139	June 19	H.R. 6111: To suspend the rules and pass the bill providing for the establishment of a Federal Judicial Center. (Passed 229 to 98.)	Yes.
140	June 19	H.R. 10730: To suspend the rules and pass the bill to amend the Older Americans Act of 1965. (Passed 331 to 0.)	Yes.
141	June 19	H.R. 480: To suspend the rules and pass the bill extending for an additional 8 years the act relating to the acquisition of wet lands. (Passed 328 to 8.)	Yes.
142	June 19	H.R. 482: To suspend the rules and pass the bill authorizing an increase in fee for migrating bird hunting stamps. (Passed 238 to 97.)	No.
143	June 20	Quorum call	Present.
144	June 20	S. 1432: To adopt the conference report on the bill to amend and extend the Univeral Military Training and Service Act. (Passed 397 to 29.)	Yes.
145	June 20	H.R. 10480: To approve the bill to make it a Federal offense to desecrate the U.S. flag. (Passed 385 to 16.)	Yes.
146	June 21	Quorum call	Present.
147	June 21	H.R. 10867: To recommit to committee the bill increasing the public debt ceiling in order to set the limit at $336,000,000,000 (Defeated 191 to 224.)	Yes.
148	June 21	H.R. 10867: On final passage of the bill to increase the permanent debt limit to $358,000,000,000 with a "supplementary $7,000,000,000" for fiscal year 1969 and subsequently. (Passed 217 to 196.)	No.
149	June 22	Quorum call	Present.
150	June 22	Quorum call	Present.
151	June 22	Quorum call	Present.
152	June 22	Quorum call	Present.
153	June 26	S 1226: To approve the bill relating to the issuance of marriage licenses in the District of Columbia. (Passed 335 to 6.)	Yes.
154	June 27	H.R. 10783: To approve the bill relating to crime and criminal procedure in the District of Columbia. (Passed 355 to 14.)	Yes.
155	June 27	Quorum call	Present.
156	June 27	H.R. 10943: To recommit to committee the higher education bill in order to strike provisions for the Teacher Corps from the bill. (Defeated 146 to 257.)	Yes.
157	June 27	H.R. 10943: To approve the bill amending and extending title V of the Higher Education Act of 1965. (Passed 311 to 88.)	Yes.
158	June 28	Quorum call	Present.
159	June 28	Quorum call	Present.
160	June 28	H.R. 10340 (S. 1296): To recommit to committee the NASA authorization bill in order to cut $136,500,000 from the bill and to provide for an Aerospace Safety Advisory Panel. (Passed 238 to 157.)	Yes.
161	June 28	H.R. 10340 (S. 1296): To approve the NASA authorization bill as amended. (Passed 342 to 53.)	Yes.
162	July 11	Quorum call	Present.
163	July 11	H.R. 10805: To suspend the rules and pass the bill extending the existence of the U.S. Civil Rights Commission for 5 years to Jan. 31 ,1973. (Passed 283 to 89.)	Yes.
164	July 12	Quorum call	Present.
165	July 12	S. 20: To establish a National Water Commission to make a comprehensive review of national water resource problems and programs. (Passed 369 to 18.)	Yes.
166	July 13	Quorum call	Present.
167	July 13	H.R. 10595: To recommit to committee the bill prohibiting certain financial institutions from acting as lottery agencies. (Defeated 135 to 257.)	Yes.
168	July 13	H.R. 10595: To approve the bill prohibiting certain financial institutions (in New York State) from acting as lottery agencies. (Passed 271 to 111.)	No.
169	July 17	Quorum call	Present.
170	July 17	S.J.Res. 81: To pass the resolution for a settlement of the railway strike. (Passed 244 to 148.)	Yes.
171	July 18	Quorum call	Present.
172	July 18	Quorum call	Present.
173	July 18	H.R. 11456: To recommit to committee the appropriation bill for the Department of Transportation in order to reduce expenditures in fiscal 1968 by 5 percent of the budgetary request. (Passed 218 to 189.)	Yes.
174	July 18	H.R. 11456: To approve the $1,500,000,000 appropriation bill for the Department of Transportation as amended. (Passed 393 to 5.)	Yes.
175	July 19	Quorum call	Present.
176	July 19	H.R. 421: To approve the bill making it a Federal offense to travel or use the facilities in interstate or foreign commerce with intent to incite riot. (Passed 347 to 70.)	Yes.
177	July 20	Quorum call	Present.
178	July 20	H. Res 749: To adopt the resolution making it in order to consider H.R. 11000 the Rat Extermination Act of 1967. (Defeated 176 to 207.)	No.
179	July 25	Quorum call	Present.
180	July 25	H.R. 11641: To delete from the public works appropriation bill planning funds in the amount of $1,600,000 for the Dickey-Lincoln hydroelectric dam in Maine. (Passed 233 to 169).	Yes.
181	July 25	H.R. 11641: To recommit to committee the appropriation bill for public works and Atomic Energy Commission in order to reduce the appropriations for each item by 5 percent. (Defeated 168 to 239.)	Yes.
182	July 25	H.R. 11641: On final passage of the $4,600,000,000 appropriation bill for public works and the Atomic Energy Commission. (Passed 375 to 26.)	Yes.
183	July 26	Quorum call	Present.
184	July 26	Quorum call	Present.
185	July 26	Quorum call	Present.
186	July 26	H.R. 9547: To recommit to committee the bill authorizing funds for the Inter-American Development Bank in order to cut the amount from $900,000,000 to $750,000,000. (Defeated 185 to 217.)	Yes.

CONGRESSMAN BURT L. TALCOTT'S VOTING RECORD, 1ST SESS., 90TH CONG., 1967—Continued

Roll-call No.	Date	Measure, question, and result	Vote
187	July 27	H.R. 9547: To authorize funds in the amount of $900,000,000 for the Inter-American Development Bank. (Passed 275 to 122.)	No.
188	July 27	Quorum call	Present.
189	July 27	H.R. 8630: To approve the bill extending the authority for exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States. (Passed 308 to 66.)	Yes.
190	July 31	H.R. 6098: To adopt the conference report on the Interest Equalization Tax Extension Act of 1967. (Passed 223 to 83.)	No.
191	Aug. 1	Quorum call	Present.
192	Aug. 1	H.R. 11722: To approve the military construction authorization bill for 1968. (Passed 394 to 2.)	Yes.
193	Aug. 2	Quorum call	Present.
194	Aug. 2	Quorum call	Present.
195	Aug. 2	Quorum call	Present.
196	Aug. 2	Quorum call	Present.
197	Aug. 3	Quorum call	Present.
198	Aug. 3	Quorum call	Present.
199	Aug. 8	Quorum call	Present.
200	Aug. 8	H.R. 5037: To amend the Law Enforcement and Criminal Justice Assistance Act in order to strengthen the authority of the States in planning and administering the programs under the act. (Passed 256 to 147.)	Yes.
201	Aug. 8	H.R. 5037: To approve the Law Enforcement and Criminal Justice Assistance Act as amended. (Passed 377 to 23.)	Yes.
202	Aug. 9	Quorum call	Present.
203	Aug. 9	Quorum call	Present.
204	Aug. 9	H. Res. 512: To adopt the resolution disapproving the President's Reorganization Plan No. 3 relating to the government of the District of Columbia. (Defeated 160 to 244. A Yes vote was against the reorganization plan.)	Yes.
205	Aug. 10	Quorum call	Absent.[1]
206	Aug. 10	H.R. 7659: To adopt the bill providing for a mid-decade census beginning in 1975. (Passed 255 to 127.)	Not voting.[1]
207	Aug. 14	Quorum call	Present.
208	Aug. 14	H.R. 43: To adopt the bill authorizing the Secretary of Interior to construct, operate, and maintain the San Felipe division, Central Valley project California. (Passed 235 to 83.)	Yes.
209	Aug. 14	H.R. 6279: To amend bill authorizing the Secretary of Commerce to provide for the collection, compilation, evaluation, publication, and sale of standard reference data by limiting the authorization for an appropriation to 1 year in the amount of $1,860,000. (Passed 319 to 2.)	Yes.
210	Aug. 14	Quorum call	Present.
211	Aug. 15	Quorum call	Present.
212	Aug. 15	Quorum call	Present.
213	Aug. 15	Quorum call	Present.
214	Aug. 15	H. Res. 856: To adopt the "rule" under which to consider H.R. 2516, the bill for providing penalties for interference with civil rights. (Passed 330 to 77.)	Yes.
215	Aug. 15	Quorum call	Present.
216	Aug. 15	Quorum call	Present.
217	Aug. 15	Quorum call	Present.
218	Aug. 16	Quorum call	Present.
219	Aug. 16	Quorum call	Present.
220	Aug. 16	H.R. 2516: To approve the bill, as amended, providing penalties for interference with the proper exercise of civil rights. (Passed 326 to 93.)	Yes.
221	Aug. 17	Quorum call	Present.
222	Aug. 17	H.R. 12080: To adopt the Social Security Amendments of 1967. (Passed 415 to 3.)	Yes.
223	Aug. 17	S. 16: To adopt the conference report on the Veterans' Pension and Readjustment Assistance Act of 1967. (Passed 404 to 0.)	Yes.
224	Aug. 21	H.R. 12257: To suspend the rules and pass the Vocational Rehabilitation Amendments of 1967. (Passed 340 to 0.)	Yes.
225	Aug. 21	Quorum call	Present.
226	Aug. 21	H.R. 11565: To suspend the rules and pass the bill authorizing during the 1968 and 1969 crop years the intracounty lease, sale, and transfer of acreage allotment for peanuts among farms. (Defeated 208 to 146; a ⅔ vote being necessary.)	Yes.
227	Aug. 21	Quorum call	Present.
228	Aug. 22	Quorum call	Present.
229	Aug. 22	H.R. 12474: To approve the appropriation bill in the amount of $4,500,000,000 for the National Aeronautics and Space Administration. (Passed 312 to 92.)	Yes.
230	Aug. 22	Quorum call	Present.
231	Aug. 23	Quorum call	Present.
232	Aug. 23	Quorum call	Present.
233	Aug. 24	Quorum call	Present.
234	Aug. 24	Quorum call	Present.
235	Aug. 25	H.R. 12048: To eliminate from the foreign aid authorization bill the provision giving new authority for the President to arrange credit sales of military arms and services by private suppliers with U.S. Government guarantee. (Passed 236 to 157.)	Yes.
236	Aug. 25	H.R. 12048: To recommit to committee the foreign aid authorization bill in order to reduce the amount of the authorization for technical cooperation and development in fiscal year 1968 from $243,000,000 to $210,000,000 and to eliminate the $260,000,000 authorization for 1969. (Passed 234 to 163.)	Yes.
237	Aug. 25	H.R. 12048: To approve the Foreign Assistance Act of 1961 as amended. (Passed 202 to 194.)	No.
238	Aug. 28	Quorum call	Present.
239	Aug. 28	H.R. 8965: To approve the bill increasing the contribution of the Federal Government for construction of the interceptor sewer for the Dulles Airport from $3,000,000 to $15,500,000. (Passed 118 to 109.)	No.
240	Sept. 11	H.R. 11816: To approve the bill providing benefits to State and local law enforcement officers or their survivors when they are disabled or killed while apprehending a person who has violated a Federal law. (Passed 310 to 0.)	Yes.
241	Sept. 11	H.R. 8654: To approve the bill providing for an appeal by the United States from decisions sustaining motions to suppress evidence. (Passed 311 to 1.)	Yes.
242	Sept. 11	H.R. 8775: To approve the bill increasing the appropriation authorization for continuing work on the Missouri River Basin. (Passed 225 to 83.)	Yes.
243	Sept. 12	Quorum call	Present.
244	Sept. 12	H.R. 10738: To approve that portion of the defense appropriation conference report on which there was no disagreement. (Passed 365 to 4.)	Yes.
245	Sept. 12	H.R. 10738: On a motion that the House agree to strike from the defense appropriation bill the provision, "that none of the funds herein provided shall be used for the construction of any naval vessel in foreign shipyards. (Defeated 144 to 233.)	No.
246	Sept. 12	Quorum call	Present.
247	Sept. 13	Quorum call	Present.
248	Sept. 13	Quorum call	Present.
249	Sept. 13	Quorum call	Present.
250	Sept. 13	Quorum call	Present.
251	Sept. 14	Quorum call	Present.
252	Sept. 14	Quorum call	Present.
253	Sept. 14	S. 602: On a motion to reduce the authorization in the Appalachian Regional Development Act Amendments of 1967 by $50,000,000. (Passed 199 to 161.)	Not voting (for.)
254	Sept. 14	S. 602: On a motion to recommit to committee the Appalachian authorization bill in order to provide the funds to the Secretary of Transportation instead of the President to make changes in provisions relative to housing projects, and to supply funds to attack the alewife problem of the Great Lakes area. (Defeated 178 to 184.)	Not voting (for.)
255	Sept. 14	S. 602: On final passage of the Appalachian Regional Development Amendment of 1967 and amendment to the Public Works and Development Act of 1965. (Passed 189 to 168.)	Not voting (against.)
256	Sept. 18	Quorum call	Absent.[2]
257	Sept. 18	H.R. 4451: To suspend the rules and pass the Fisherman's Protective Act of 1967. (Defeated 147 to 175.)	Not voting.[2]
258	Sept. 18	S. 1657: To suspend the rules and pass the bill extending for 1 year the authority of the Secretary of Agriculture to make certain dairy indemnity payments. (Passed 320 to 7.)	Not voting.[2]
259	Sept. 18	H. Res. 838: To suspend the rules and pass the resolution authorizing the Committee on the Judiciary to observe and study the United Nations High Commissioner for Refugees. (Passed 262 to 52.)	Not voting.[3]
260	Sept. 19	Quorum call	Present.
261	Sept. 19	Quorum call	Present.
262	Sept. 19	S. 953: To adopt the conference report on the amendments to the Food Stamp Act. (Passed 196 to 154.)	No.
263	Sept. 20	Quorum call	Present.
264	Sept. 20	H.R. 9547: To recommit to the conference committee the bill amending the Inter-American Development Bank Act in order to insist upon retaining sec. 1 of the House-passed bill providing for an audit of the Bank. (Passed 274 to 126.)	Yes.
265	Sept. 20	H.R. 6418: On a motion to amend the Partnership for Health Amendments of 1967 in order to add $20,000,000 in each of 2 years intended to be spent for rat control. (Passed 227 to 173.)	No.
266	Sept. 20	H.R. 6418: On final passage of the Partnership for Health Amendments of 1967 as amended. (Passed 395 to 7.)	Yes.
267	Sept. 20	H.R. 6430: To approve the Mental Retardation Amendments of 1967. (Passed 389 to 0.)	Yes.
268	Sept. 21	Quorum call	Absent.
269	Sept. 21	Quorum call	Present.
270	Sept. 21	H.R. 6736: To recommit to committee the Public Broadcasting Act of 1967 in order to delete title II establishing a nonprofit educational broadcasting corporation, and in order to authorize $5,000,000 for assistance to existing educational broadcasting stations. (Defeated 167 to 194.)	Yes.
271	Sept. 21	H.R. 6736 (S. 1160): On final passage of the Public Broadcasting Act of 1967. (Passed 265 to 91.)	No.
272	Sept. 25	Quorum call	Present.
273	Sept. 25	H.R. 13042: To approve the bill providing for the election of the school board in the District of Columbia. (Passed 324 to 3.)	Yes.
274	Sept. 25	H.R. 13025: To approve the bill authorizing the District of Columbia Council to make regulations relating to the sale of alcoholic beverages and to alter the regulations on serving of alcoholic beverages at hotels and clubs in the District of Columbia. (Defeated 153 to 182.)	No.
275	Sept. 26	Quorum call	Present.
276	Sept. 26	Quorum call	Present.
277	Sept. 26	H.R. 12120: On an amendment to the Juvenile Delinquency Prevention and Control Act of 1967 to give States and local governments more control over the program (Passed 234 to 139.)	Yes.
278	Sept. 26	H.R. 12120: On an amendment to the Juvenile Delinquency Prevention and Control Act to prevent any use of funds authorized under this bill by the Office of Economic Opportunity. (Passed 241 to 132.)	Yes.
279	Sept. 27	Quorum call	Present.
280	Sept. 27	Quorum call	Present.
281	Sept. 27	Quorum call	Present.
282	Sept. 27	H.J. Res. 849: To recommit to committee the resolution continuing appropriations from Sept. 30 to Oct. 31. (Passed 202 to 182.)	Yes.
283	Sept. 28	Quorum call	Present.
284	Sept. 28	Quorum call	Present.
285	Sept. 28	H.R. 478: To approve the bill establishing procedures to relieve domestic industries and workers injured by increased imports from low-wage areas. (Passed 340 to 29.)	No.
286	Sept. 29	Quorum call	Present.
287	Sept. 29	H.R. 10673: To approve the bill amending the Packers and Stockyards Act of 1921 to strengthen and clarify stockyard owners' rights and responsibilities for the management of their stockyards. (Passed 234 to 6.)	Yes.
288	Oct. 2	Quorum call	Present.
289	Oct. 2	H.R. 4903: To suspend the rules and pass the bill amending the act providing for the economic and social development in the Ryukyu Islands. (Passed 284 to 80.)	No.
290	Oct. 2	S. 233: To suspend the rules and pass the bill authorizing disposal of the Government-owned long-lines communication facilities in Alaska. (Passed 357 to 1.)	Yes.
291	Oct. 2	H.R. 9796: To suspend the rules and pass the bill extending the loan of 15 vessels to certain foreign countries. (Passed 321 to 42.)	Yes.
292	Oct. 3	Quorum call	Present.

See footnotes at end of table.

CONGRESSMAN BURT L. TALCOTT'S VOTING RECORD, 1ST SESS., 90TH CONG., 1967—Continued

Roll-call No.	Date	Measure, question, and result	Vote
293	Oct. 3	H. Res. 938: To adopt the "previous question" on the resolution to take up and consider H.J. Res. 853 (continuing appropriations) which would mean that no amendments could be considered. (Passed 213 to 205.)	No.
294	Oct. 3	H.R. 11722: To adopt the conference report on the Military Construction Authorization Act. (Passed 377 to 33.)	Yes.
295	Oct. 4	Quorum call	Present.
296	Oct. 4	H.R. 10196: To recommit to conference the Labor-HEW appropriation bill in order to make reductions of $20,000,000 on those items in excess of budget request. (Passed 226 to 173.)	Yes.
297	Oct. 4	H.R. 1411: To approve the bill amending the law relative to use of the mails to obtain money or property under false representation. (Passed 353 to 32.)	Yes.
298	Oct. 9	Quorum call	Present.
299	Oct. 10	Quorum call	Present.
300	Oct. 10	H.R. 10509: On a motion to insist on House position on conference report on Department of Agriculture appropriations bill that funds for the cropland adjustment program be held at a level to meet existing contracts rather than increased by $52,200,000 to take 2,000,000 additional acres out of production. (Passed 377 to 8.)	Yes.
301	Oct. 10	H.R. 10509: On a motion to insist on House position on conference report on Department of Agriculture appropriation bill that funds for the Farmers Home Administration be kept at budget request rather than increased by $25,000,000. (Passed 326 to 24.)	Yes.
302	Oct. 10	H.R. 10509: On a motion to insist on House position on conference report on Department of Agriculture appropriation bill that funds for the Commodity Credit Corporation be kept at budget request rather than increased from $1,400,000,000 to $3,000,000,000. (Passed 391 to 3.)	Yes.
303	Oct. 10	Quorum call	Present.
304	Oct. 10	Quorum call	Present.
305	Oct. 11	Quorum call	Present.
306	Oct. 11	H.R. 7977: To recommit to committee the postal rate and Federal pay bill in order to eliminate from the bill provision for a 2d- and 3d-year pay increase and the provision for a "quadrennial commission" to set Federal salaries. (Defeated 199 to 211.)	Yes.
307	Oct. 11	H.R. 7977: On final passage of the Postal Revenue and Federal Salary Act of 1967. (Passed 318 to 89.)	Yes.
308	Oct. 16	Quorum call	Absent.
309	Oct. 16	H.R. 13048: To suspend the rules and pass the bill making certain technical amendments in the Library Services and Construction Act. (Passed 371 to 0.)	Not voting.
310	Oct. 16	S.J. Res. 112: To suspend the rules and pass the resolution extending from Mar. 6 to Dec. 31, 1968, the deadline for the report of the National Commission on Urban Problems. (Passed 343 to 10.)	Not voting.
311	Oct. 17	Quorum call	Present.
312	Oct. 17	Quorum call	Present.
313	Oct. 17	H.R. 11456: To recommit to committee the conference report on the Department of Transportation appropriation bill in order to insist on House disagreement with Senate amendments which exceed the President's budget requests. (Defeated 124 to 268.)	Yes.
314	Oct. 17	H.R. 11456: To approve the conference report on the Department of Transportation appropriations bill. (Passed 367 to 22.)	Yes.
315	Oct. 17	H.R. 11456: On a motion to agree to a Senate amendment to the Department of Transportation appropriations bill providing up to $140,000 in Federal funds for construction of an airport facility at Kelly Flats, Mont. (Defeated 161 to 222.)	No.
316	Oct. 17	H.R. 159: On final passage of the bill to establish an independent Federal Maritime Administration. (Passed 324 to 44.)	Yes.
317	Oct. 18	Quorum call	Absent.
318	Oct. 18	Quorum call	Present.
319	Oct. 18	H.J. Res. 888: To adopt the Whitten substitute resolution providing that Federal expenditures in fiscal 1968 shall not exceed those of 1967 with certain exceptions; the net administrative budget shall not exceed $131,500,000,000 except those expenditures in excess of $22,000,000,000 which the President finds necessary for war in Vietnam; OEO is limited to $1,200,000,000 and foreign aid to $2,000,000,000. (Passed 239 to 164.)	Yes.
320	Oct. 18	H.J. Res. 888: To recommit to committee the continuing (and economy) resolution as amended. (Defeated 158 to 244.)	No.
321	Oct. 18	H.J. Res. 888: On final passage of the continuing (and economy) resolution as amended. (Passed 258 to 143.)	Yes.
322	Oct. 19	Quorum call	Present.
323	Oct. 19	H.R. 13178: To pass the bill relative to the safety of the Capitol buildings and grounds. (Passed 336 to 20.)	Yes.
324	Oct. 19	Quorum call	Present.
325	Oct. 19	S. 678: To pass the bill prohibiting the obstruction of criminal investigations of the United States. (Passed 275 to 47.)	Yes.
326	Oct. 20	Quorum call	Present.
327	Oct. 20	H. Res. 241: To transfer jurisdiction over matters involving military cemeteries of the United States in which veterans are buried from the Committee on Interior and Insular Affairs to the Committee on Veterans' Affairs. (Passed 227 to 0.)	Yes.
328	Oct. 20	H. Res. 947: To approve the resolution involving the "rule" under which the House would consider H.R. 10442, the bill to facilitate the exchange of Forest Service land for public school use. (Passed 221 to 1.)	Yes.
329	Oct. 20	H.R. 10442: To recommit to committee the bill to facilitate the exchange of Forest Service land for public school use in order to provide that any money received from the sale of land should go into the general fund of the Treasury rather than into a special fund in Department of Agriculture. (Defeated 30 to 191.)	Yes.
330	Oct. 23	Quorum call	Present.
331	Oct. 23	Quorum call	Present.
332	Oct. 23	Quorum call	Present.
333	Oct. 23	H.R. 11627: To authorize the State of Maryland to construct and operate 4 bridges or tunnels across the Chesapeake Bay. (Passed 342 to 9.)	Yes.
334	Oct. 24	Quorum call	Present.
335	Oct. 24	H.R. 9960: To recommit to the conference committee the independent offices and Department of Housing and Urban Development appropriation bill in order to insist on the House disagreement with the Senate in 7 instances. (Defeated 184 to 208.)	Yes.
336	Oct. 24	H.R. 9960: On a motion to agree to the Senate amendment to the HUD appropriation bill increasing by $300,000,000 for model cities and certain urban renewal. (Defeated 156 to 241.)	No.
337	Oct. 24	H.R. 9960: On a motion to agree to the Senate amendment to the HUD appropriation bill providing $40,000,000 for new contracts under the rent supplement program. (Defeated 152 to 250.)	No.
338	Oct. 24	H.R. 13606: To approve the $2,100,000,000 military construction appropriation bill. (Passed 362 to 26.)	Yes.
339	Oct. 25	Quorum call	Present.
340	Oct. 25	H.R. 11641: On a motion to recommit to conference the public works and atomic energy appropriation bill. (Defeated 117 to 278.)	No.
341	Oct. 25	H.R. 11641: On a motion to agree to the Senate amendment providing $875,000 to continue planning on the Dickey-Lincoln School Dam and Reservoirs, Maine. (Defeated 162 to 236.)	No.
342	Oct. 25	H.R. 11641: On a motion to remove from the public works appropriation bill the $875,000 to fund continual planning on the Dickey-Lincoln School project in Maine. (Defeated 283 to 111.)	No.
343	Oct. 26	H.R. 9960: To recommit to conference the appropriation bill on independent offices and Department of Housing and Urban Development in order to insist upon the House position eliminating funds for new contracts for rent subsidies. (Defeated 184 to 198.)	No.
344	Oct. 26	H.R. 9960: To approve the conference report on the independent offices and Department of Housing and Urban Development appropriation bill. (Passed 296 to 88.)	Yes.
345	Oct. 26	H.R. 13510: To approve the bill increasing the basic pay for members of the uniformed services. (Passed 385 to 2.)	Yes.
346	Oct. 26	H.R. 2508: To recommit to conference the bill on congressional redistricting in order to add certain provisions. (Defeated 82 to 283.)	Yes.
347	Oct. 26	H.R. 2508: To approve the conference report on the bill on congressional redistricting. (Passed 241 to 105.)	No.
348	Oct. 30	Quorum call	Present.
349	Oct. 30	H.R. 10915: To recommit to committee the bill regarding reduction of extra-long-staple cotton quota. (Defeated 101 to 244.)	No.
350	Oct. 30	H.R. 10915: On final passage of the bill to give to U.S. growers most of the world quota for extra-long-staple cotton. (Passed 275 to 63.)	Yes.
351	Oct. 31	Quorum call	Present.
352	Oct. 31	Quorum call	Present.
353	Oct. 31	Quorum call	Present.
354	Oct. 31	H.R. 12144: On final passage of the Federal Meat Inspection Act (Passed 403 to 1.)	Yes.
355	Nov. 1	Quorum call	Present.
356	Nov. 1	Quorum call	Present.
357	Nov. 2	Quorum call	Present.
358	Nov. 2	Quorum call	Present.
359	Nov. 2	S. 780: To approve the Air Quality Act of 1967 as amended. (Passed 362 to 0.)	Yes.
360	Nov. 3	Quorum call	Present.
361	Nov. 3	H. Res. 966: To adopt the rule under which S. 2388 (economic opportunity amendments) is to be considered. (Passed 262 to 39.)	Yes.
362	Nov. 6	H.R. 11565: To suspend the rules and pass the bill authorizing the transfer of peanut acreage allotments. (Passed 255 to 57.)	Yes.
363	Nov. 6	S.J. Res. 33: To suspend the rules and pass the resolution establishing a National Commission on Product Safety. (Passed 206 to 102.)	Yes.
364	Nov. 6	H.R. 3639: To suspend the rules and pass the bill relating to the safety and effectiveness of new animal drugs. (Passed 317 to 0.)	Yes.
365	Nov. 6	H.R. 13165: To suspend the rules and pass the bill extending to Mar. 1, 1969, the Secret Service protection of Mrs. John F. Kennedy and children. (Passed 302 to 11.)	Yes.
366	Nov. 6	S.J. Res. 114: To suspend the rules and pass the resolution extending the duration of copyright protection in certain cases. (Passed 308 to 6.)	Yes.
367	Nov. 6	H.R. 3982: To suspend the rules and pass the bill relating to the transportation of house trailers of members of the uniformed services. (Passed 319 to 0.)	Yes.
368	Nov. 6	H.R. 13669: To suspend the rules and pass the bill relating to military claims and improvement of the administration and settlement of these claims. (Passed 317 to 0.)	Yes.
369	Nov. 6	S. 1552: To suspend the rules and pass the Highway Safety Act of 1966. (Passed 252 to 65.)	Yes.
370	Nov. 6	S. 423: To suspend the rules and pass the bill authorizing funds to help defray certain increased costs of harbor at Manele Bay, Lanai, Hawaii. (Passed 291 to 25.)	Yes.
371	Nov. 7	Quorum call	Present.
372	Nov. 7	Quorum call	Present.
373	Nov. 8	Quorum call	Present.
374	Nov. 8	S. 1872: To recommit to committee the conference report on the foreign aid authorization bill in order to insist upon the House amendment which provides that no defense articles may be sold to or purchased from any nation which supplies the Vietcong enemy in North Vietnam, and that Poland shall not have most-favored-nation treatment relative to tariffs as long as she furnishes supplies to Vietnamese Communists. (Defeated 196 to 200.)	Yes.
375	Nov. 8	S. 1872: To approve the conference report authorizing $2,600,000,000 for the foreign assistance program. (Passed 205 to 187.)	No.
376	Nov. 8	Quorum call	Present.
377	Nov. 9	Quorum call	Present.
378	Nov. 9	H.R. 11641: To approve the motion to agree to the Senate amendment to the civil functions appropriation bill (public works) providing $875,000 for the Dickey-Lincoln School hydroelectric project in Maine. (Defeated 118 to 263.)	No.

CONGRESSMAN BURT L. TALCOTT'S VOTING RECORD, 1ST SESS., 90TH CONG., 1967—Continued

Roll-call No.	Date	Measure, question, and result	Vote
379	Nov. 9	Quorum call	Present.
380	Nov. 9	H.R. 8569: To approve the $500,000,000 District of Columbia appropriations bill. (Passed 354 to 6.)	Yes.
381	Nov. 13	Quorum call	Present.
382	Nov. 14	Quorum call	Present.
383	Nov. 14	Quorum call	Present.
384	Nov. 14	Quorum call	Present.
385	Nov. 15	Quorum call	Present.
386	Nov. 15	S. 2388: To amend the economic opportunity bill by prohibiting use of OEO funds to provide legal defense for anyone charged with a crime growing out of any unlawful demonstration or civil disturbance. (Passed 332 to 79.)	Yes.
387	Nov. 15	S, 2388: To recommit to committee the Economic Opportunity Amendments of 1967 in order to reduce the authorization of funds from $2,060,000,000 to $1,600,000,000. (Passed 221 to 190.)	Yes.
388	Nov. 15	S. 2388: On final passage of the Economic Opportunity Amendments of 1967. (Passed 283 to 129.)	Yes.
389	Nov. 16	Quorum call	Present.
390	Nov. 16	H. Res. 978: To approve the rule waiving points of order against the bill making appropriation for foreign assistance. (Passed 200 to 190.)	Yes.
391	Nov. 16	Quorum call	Present.
392	Nov. 16	Quorum call	Present.
393	Nov. 17	Quroum call	Present.
394	Nov. 17	H.R. 13893: To recommit to committee the foreign aid appropriation bill. (Defeated 135 to 177.)	Yes.
395	Nov. 17	H.R. 13893: On final passage of the $2,700,000,000 foreign aid appropriation bill as amended. (Passed 167 to 143.)	No.
396	Nov. 17	H. Res. 509: To approve the rule under which the House will consider H.R. 8 relative to obstruction of the Armed Forces (Passed 211 to 37.)	Yes.
397	Nov. 20	Quorum call	Present.
398	Nov. 20	Quorum call	Present.
399	Nov. 20	H.R. 13933: To suspend the rules and pass the bill to modify the Interstate Highway System by allocating 200 additional miles to the 41,000 miles already authorized. (Passed 361 to 1.)	Yes.
400	Nov. 20	H.R. 12010: To suspend the rules and pass the bill granting the consent of the United States to the Wheeling Creek watershed protection and flood prevention district compact. (Passed 356 to 2.)	Yes.
401	Nov. 20	H.R. 9063: To suspend the rules and pass the bill amending the International Claims Settlement Act of 1949. (Passed 348 to 10.)	Yes.
402	Nov. 20	H.R. 11527: To suspend the rules and pass a bill relative to the transfer of U.S. land to the University of Maine. (Passed 326 to 24.)	Yes.
403	Nov. 21	Quorum call	Present.
404	Nov. 21	H.R. 6430: To approve the conference report on the Mental Retardation Amendments of 1967. (Passed 354 to 0.)	Yes.
405	Nov. 21	H.R. 6418: To approve the conference report on the Partnership for Health Amendments of 1967. (Passed 347 to 3.)	Yes.
406	Nov. 21	S. 1031: To recommit to committee the Peace Corps authorization bill in order to reduce the 1968 authorizations from $115,700,000 to $105,000,000 and to prohibit Peace Corps officials and employees from attempting to obtain a selective service deferment for anyone on account of his service in the Peace Corps. (Defeated 141 to 203.)	No.
407	Nov. 21	S. 1031: To approve the Peace Corps authorization bill providing $115,700,000 for the fiscal year 1968. (Passed 312 to 32.)	Yes.
408	Nov. 21	Quorum call	Present.
409	Nov. 27	Quorum call	Present.
410	Nov. 27	H.R. 12603: To approve the National Visitor Center Facilities Act of 1967. (Passed 316 to 34.)	Yes.
411	Nov. 27	S. 1003: To approve the bill amending the Flammable Fabrics Act to increase the protection afforded consumers against injurious flammable fabrics. (Passed 325 to 0.)	Yes.
412	Nov. 28	Quorum call	Present.
413	Nov. 28	H.J. Res. 936: To extend the date of the "continuing resolution on appropriations" to Dec. 2, 1967. (Passed 368 to 13.)	Yes.
414	Nov. 28	H. Res. 985: On ordering the "previous question" on the resolution providing for consideration of H.R. 2275, a private bill which had been amended by the Senate to include legislation relative to congressional districts. (Passed 201 to 179.)	No.
415	Nov. 28	H.R. 12601 (S. 2171): On a bill to amend the Internal Security Act with regard to the provisions of that act that deal with registration of Communist organizations. (Passed 269 to 104.)	Yes.
416	Nov. 29	Quorum call	Present.
417	Nov. 29	H.R. 12144: On a motion to instruct the managers on the part of the House to agree to the Senate amendment to the Federal meat inspection bill. (Defeated 166 to 207.)	No.
418	Nov. 29	H.R. 13706 (S. 2565): On a motion to recommit to committee the bill to amend the Federal Farm Loan Act and the Farm Credit Act in order to remove the 6-percent interest rate limitations for 2 years. (Defeated 102 to 269.)	No.
419	Nov. 30	Quorum call	Present.
420	Dec. 4	Quorum call	Present.
421	Dec. 4	H.R. 11276: To suspend the rules and pass the bill authorizing appropriations to carry out the Adult Education Act of 1966 for 2 additional years. (Passed 352 to 0.)	Yes.
422	Dec. 4	H.R. 13054 (S. 830): To suspend the rules and pass the bill relative to age discrimination in employment. (Passed 344 to 13.)	Yes.
423	Dec. 4	H. Res. 996: To approve the resolution insisting upon the House amendments to S. 2171, to amend the Subversive Activities Control Act, and to agree to a conference with the Senate. (Passed 287 to 58.)	Yes.
424	Dec. 5	Quorum call	Present.
425	Dec. 6	Quorum call	Present.
426	Dec. 6	H.R. 6111: To adopt the conference report on the bill establishing a Federal judicial center. (Passed 230 to 126.)	No.
427	Dec. 6	H.R. 12144: To adopt the conference report on the bill amending the Meat Inspection Act (Passed 336 to 28.)	Yes.
428	Dec. 11	Quorum call	Present.
429	Dec. 11	S. 2388: To adopt the conference report on the Economic Opportunity Act Amendments of 1967. (Passed 247 to 149.)	No.
430	Dec. 11	H.J. Res. 888: To order the previous question on the conference report on a resolution making continuing appropriations for fiscal 1968—thus blocking a Republican motion for an additional $1,600,000,000 expenditure for education. (Passed 213 to 183.)	No.
431	Dec. 11	H.J. Res. 888: To adopt the conference report on the resolution ordering expenditure reductions in fiscal 1968 totaling $4,100,000,000. (Passed 367 to 26.)	Yes.
432	Dec. 11	Quorum call	Present.
433	Dec. 11	H.R. 7977: To adopt the conference report on the Postal Revenue and Federal Salary Act of 1967. (Passed 327 to 62.)	Yes.
434	Dec. 12	Quorum call	Present.
435	Dec. 12	H.R. 14397: To pass the bill making supplemental appropriations for the fiscal year ending June 30, 1968. (Passed 307 to 77.)	Yes.
436	Dec. 12	H.R. 4765: To adopt the conference report on the bill affecting income tax treatment of certain distributions pursuant to the Bank Holding Company Act of 1956. (Passed 274 to 104.)	No.
437	Dec. 12	H.R. 10595: To adopt the bill prohibiting certain banks and savings and loan associations from selling State lottery tickets. (Passed 289 to 74.)	Not voting.[3]
438	Dec. 13	Quorum call	Absent.
439	Dec. 13	H.R. 12080: To adopt the conference report on the bill increasing social security benefits, providing benefits for additional categories of individuals, and improving the public assistance program and programs affecting the health and welfare of children. (Passed 390 to 3.)	Not voting.[3]
440	Dec. 13	Quorum call	Absent.
441	Dec. 13	S. 2171: To adopt the conference report on the bill amending the Subversive Activites Control Act in accordance with certain decisions of the courts. (Passed 276 to 114.)	Not voting.[3]
442	Dec. 14	Quorum call	Absent.
443	Dec. 14	H.R. 13893: A motion to recommit conference report on the bill making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1968. (Passed 196 to 185.)	Not voting[3] (for).
444	Dec. 15	H.R. 13893: To adopt a conference report on the bill making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1968. (Passed 198 to 158.)	Not voting[3] (against).
445	Dec. 15	H.R. 14397: To recommit to the conference committee the supplemental appropriation bill. (Defeated 108 to 255.)	Not voting.[3]
446	Dec. 15	H.R. 7819: To adopt a conference report on the bill amending and extending the Elementary and Secondary School Aid Act. (Passed 286 to 73.)	Not voting.[3]
447	Dec. 15	H.R. 12555: To suspend the House rules and pass the bill liberalizing provisions governing veterans pensions and to prevent an adverse impact on those pensions by social security increases. (Passed 354 to 0.)	Not voting.[3]

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[1] Attending oceanography seminar at U.S. Naval Postgraduate School, Monterey.

[2] Attending son's graduation from USAF pilot training.

[3] Absence due to death in family.

JOE BURKE

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Friday, October 11, 1968

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the RECORD an article which appeared in the Washington Daily News on July 18, 1968, entitled "Joe Burke's Only Platitude."

As the article notes, Mr. Burke is a native Kentuckian, being associated for many years with the Louisville Colonels. The Louisville baseball team, the Colonels, was one of the earliest formed in the country and sent many famous players to the National and American leagues. Mr. Burke was very much respected in Louisville, as he is today in Washington.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JOE BURKE'S ONLY PLATITUDE

(By Dave Burgin)

Baseball's faithful and baseball's critics are engrossed these days in sweeping statements about what's wrong with the game. There is a long list of general ills, ranging from boredom dwindling talent reserves to haphazard expansion to unimaginative leadership. You conclude there must be something wrong or there would be far less rhetoric.

Joe Burke is not much concerned. Most platitudes he leaves to columnists and commissioners. Joe Burke has what is right now one of baseball's most pathetic jobs. He is treasurer, and a vice-president, of the Washington Senators.

The word "treasury" in the same sentence with the Washington Senators is like putting the word compassion in the same sentence with George Wallace. You don't know whether to laugh or cry.

Joe Burke is a friendly man, an accountant from Louisville who started out 20 years ago pushing tickets for the old Louisville Colonels. The Colonels were an up and down, in and out minor league franchise and Joe rode a wave of lean times to the club's general managership.

"I sort of stuck it out," Joe was saying yesterday in the cool of his D.C. Stadium office, while in the background Dan Daniels and John McLain radioed the unfolding of the Senators' 2-1 victory at New York, ending a nine-game losing streak.

"There were days in Louisville when my neighbors never knew me," Joe went on. "It could get difficult at times. Another bunch of losers would move on and I'd move up a notch until I finally became general manager."

Joe Burke leaned back in his chair and a proud smile spread over his warm Irish face, betraying the fact he loved every minute of Louisville. "Well," he said, "we did produce a winner eventually and the world was at peace again."

The stakes are much higher now, the prestige of an executive position in the major leagues abundantly more. But Joe Burke, the accountant, whose job is to find pleasure in cold, hard figures, cannot be having very much fun.

The Senators are a unique expansion team. One day the old Senators packed off to become the Twins in Minnesota and the next day the Senators came in. There were no hordes of hungry baseball fans encamped at the advance sale booth, no starved National League lovers to pounce on any morsel the New York Mets could offer.

So Joe Burke has the dubious distinction of being treasurer of the only team in the current major league crop which has never turned a dime of profit. While the rest of the troubled baseball community flits about the platitudes, Joe Burke from Louisville offers a simple explanation:

"When you win, you make money. When you lose, you don't."

The expansion Senators have never won and this year of course they are in last place and all evidence available indicates they'll stay there. This means, by Joe Burke's reasoning, that he can practically sit in his office the rest of the summer and listen for the random click of a turnstyle.

To split even, it is estimated the Senators must draw around 850,000 for 81 home games. Thru 41 home games this year, they've drawn 362,447, and a large percentage of that came early in the season when optimism was Spring-fresh.

After 50 games in 1963, the Senators had drawn 378,434. Then they struggled to their worst year in the seven-year expansion history, winning 56 and losing 106 and drawing 535,604. The Senators may do worse in 1968.

The best season financially was 1962, when the Nats drew 729,775 with another last-place team. But that season D.C. Stadium was new and a novelty, and the All-Star game here in 1962 helped promotionally, as it will no doubt help next season when it is scheduled for D.C. Stadium again.

The best season for attendance was last year. The Senators, largely on the strength of a mid-season hot streak, totaled 770,868 and ended up with a 76-85 record in a tie for sixth with Baltimore.

Joe Burke had little trouble making his point. He produced a piece of paper on which neatly-typed columns of figures clearly correlated losing with low attendance, winning with many warm and happy bodies.

Joe Burke is not at all the type who would even privately second guess his boss, owner James H. Lemon, or his fellow executives, namely George Selkirk, the man charged with the responsibility of finding the right combination of athletes to win baseball games.

Nor is Joe apt to blame low attendance on local racial tensions, local inflation, increased local competition for the entertainment dollars, or a hundred other seemingly reasonable explanations. Pressed hard, he may say something like, "Things have just gone lousy for us since we left spring training."

He does admit that he has pondered in weaker moments why slugger Frank Howard had to have his captivating home-run binge in faraway places like Cleveland and Detroit.

Perhaps Joe Burke's only meaningful departure from the neat rows of figures, which to him spell winning is everything, is this: "You've gotta have faith."

CONGRESSMAN JOHN BRADEMAS REPORTS TO THE PEOPLE OF THE THIRD DISTRICT OF INDIANA

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. BRADEMAS. Mr. Speaker, under unanimous consent, I submit the text of my latest report to the people of the Third District of Indiana:

CONGRESSMAN JOHN BRADEMAS REPORTS TO THE PEOPLE OF THE THIRD DISTRICT

HIGHER EDUCATION BILL ADVANCES: MEASURE BY BRADEMAS TO STRENGTHEN STATE AND LOCAL GOVERNMENT INCLUDED

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 1968.

DEAR FRIEND: As I write, the 90th Congress is still in session, driving hard for adjournment.

This report to the people of the Third District brings you up to date on some of the actions of Congress since my last newsletter to you. I hope to send you as soon as possible following adjournment a final report summarizing the record of both sessions of Congress.

Although our country faces many difficult problems at home and abroad, I am confident that Americans have both the will and the ability to cope with them. What we need most right now is respect for each other, even when we disagree, and a deep trust in the future of human freedom.

Cordially,

JOHN BRADEMAS,
Member of Congress.

The House and Senate have reached agreement on one of the most important education bills since the 1965 Elementary and Secondary Education Act—a 3-year measure to improve and expand higher education throughout the country.

The bill, which I co-sponsored, will provide aid for millions of young Americans, including thousands of Hoosiers, seeking a college education in today's world.

Every college and university in our area, including the University of Notre Dame, Saint Mary's College, Indiana and Purdue Universities, and Bethel, Goshen and Grace Colleges, will directly benefit from funds authorized by the legislation for construction of classrooms, laboratories and libraries, for research and other purposes.

The bill also contains several new programs, including a Public Service Education Program, which I first introduced last year to assist colleges in training more qualified people for service in state and local government.

We certainly can't solve all the problems in our society from Washington, D.C., and one essential way to help state and local governments deal with today's problems is to upgrade the quality of personnel at these levels.

In addition to providing fellowships for young people planning careers in public service, the new program makes grants available to colleges and universities for strengthening public service education.

Other new features

Among other new higher education features provided in the bill are:

Cooperative education in which students alternate extended periods of employment and study.

Networks for Knowledge to help colleges and universities share academic resources.

Grants for improving graduate school programs, specifically, to strengthen doctoral studies in institutions ranking just below the nation's top graduate schools.

Grants to help law schools establish legal experience programs for their students.

Special remedial services to help disadvantaged students succeed once they're in college.

VOC ED BILL NEARS PASSAGE

Near final enactment as I write is a major bill to modernize and expand vocational education throughout the country.

The Vocational Education Act of 1968, of which I am a co-sponsor, is a landmark in the history of vocational education—perhaps the most important vocational training bill since the Federal-state-local program was established in 1917.

The new bill is particularly important to vocational educators and industrial and labor leaders in northern Indiana who have worked hard to provide improved job training facilities to meet the needs of the local economy.

The legislation could provide substantial support for vocational schools in our area, including the St. Joseph Valley Regional Institute of the Indiana Vocational and Technical College and the vocational high school proposed by the school boards of Plymouth, Warsaw and Rochester.

Some key provisions of the Vocational Education Bill:

Cooperative work-study to combine job training and classroom instruction.

Special vocational programs for the disadvantaged.

Funds for innovative programs to modernize vocational education.

Training of more vocational teachers.

JOBS CONFERENCE AT NOTRE DAME

On October 11 I am pleased to co-sponsor an unusual conference on "Job Development and Training—New Directions and Responsibilities" at Notre Dame's Center for Continuing Education. Principal speakers are three top authorities in the nation on job training.

Stanley H. Ruttenberg, Assistant Secretary of Labor for Manpower.

Leo C. Beebe, Executive Vice Chairman, National Alliance of Businessmen, Vice President, Ford Motor Company of Canada, Ltd.

Dr. Grant Venn, Associate Commissioner for Adult, Vocational and Library Programs, U.S. Office of Education.

The conference goal is to present an authoritative, first-hand report on new Federal programs and directions in manpower training and vocational education.

Local and regional experts will lead panel discussions on business involvement, the role of government and vocational training. Local panelists are:

Robert E. Brooker, General Manager, Great Lakes Foundry Division, Cummins Engine Company, Inc.

Homer E. Kelley, Vice President, Operations, Kaiser-Jeep Corporation.

Joseph A. Sanders, Associate Director, Human Development Division, South Bend-Mishawaka Area Chamber of Commerce.

Dr. Eldon Ruff, Assistant Professor of Education, Indiana University.

Richard W. Wysong, Director, St. Joseph Valley Regional Institute, Indiana Vocational Technical College.

Conference sponsors include: Human Development Division, South Bend-Mishawaka Chamber; Indiana Vocational Technical College; South Bend Community School Corporation; University of Notre Dame; Urban

League of St. Joseph County; and St. Joseph County Council, AFL–CIO.

FOOD STAMP PLAN EXPANSION APPROVED

Federal food stamps, distributed to poor families for food purchases at local grocery stores, are one effective way to strike at the pockets of hunger in our affluent land.

The food stamp plan also helps boost the farm economy by increasing demand for food products.

Congress has just voted to continue this program through 1970 with substantially increased funds.

Note: The South Bend-Mishawaka Area Chamber of Commerce recently issued a strong endorsement of the Federal food stamp plan for St. Joseph County. The Chamber said it "will improve the diet of the needy . . . (and) each purchaser will retain a sense of dignity and pride because he pays a portion of the cash value of each coupon purchase."

BRADEMAS IS NAMED SUBCOMMITTEE HEAD

The seniority system has many shortcomings but, as another Member of Congress once told me, "The longer you're here, the better you'll like it!" In August, after 10 years' service on the House Committee on Education and Labor, I became chairman of the Select Subcommittee on Labor, succeeding the late Elmer J. Holland (D-Pa.).

I am especially glad to assume this new post because the subcommittee's major jurisdiction, manpower training legislation, covers a program that was crucial to the South Bend-Mishawaka area following the shutdown of the Studebaker plant a few years ago. Our experience then and since demonstrates the great value to a community of manpower training and job development programs.

BRADEMAS HITS FARM SUBSIDY CEILING DELETION

Congress has passed a bill extending major farm programs for one more year but unfortunately eliminated an amendment restricting farm payments to any individual farmer or corporation to $20,000 a year.

I supported the $20,000 limitation because I think it unfair for a few big farmers to eat high off the Federal hog at a time when income for many small farmers is declining.

On July 31 this year, by a margin of 230 to 160, the House of Representatives voted to limit the amount of farm subsidies to $20,000 annually. When the House-Senate Committee on the farm bill deleted this ceiling, they thereby permitted some 9,900 farmers in the United States who last year received payments of over $20,000 to continue to do so.

Although I supported the bipartisan vote to continue farm programs for one more year, I did so in the strong hope that next year we can reshape farm programs to improve farm income and at the same time eliminate these big subsidies for a few wealthy farmers.

In my recent survey of Third District voters, more than 7 of 10 respondents favored a $10,000 limit on Federal payments to individuals farmers or farm corporations.

TOP PRIORITY: TAX REFORM

Earlier this year, I vote against the Johnson Administration's tax surcharge bill. One of the chief reasons: it increased the tax burden on lower and middle income American families, but imposed no significant increase in the taxes of a number of millionaires who now, through a variety of tax loopholes, pay little or no taxes at all.

I realize adequate Federal revenues are needed to pay the government's bills . . . and that's why I've voted this year against expenditures totalling nearly $6 billion, including $4 billion for the space bill, a $1.5 billion public works bill, $140 million to start a supersonic transport and $1.2 million for land for another Senate office building.

But in addition to cutting down on unnecessary expenditures, we can raise more revenue by plugging some of the tax loopholes.

Tax reform legislation has little chance of passage in the remaining days before adjournment, but I believe it must be at the top of the agenda of the 91st Congress.

I was, therefore, encouraged when Treasury Secretary Henry Fowler recently called for tax reform, warning of the "serious problem of those taxpayers with very high annual incomes who make little or no contribution to the Federal government because of the use, singly or in combination, of many of the tax preferences adopted for particular purposes."

It takes a lot of money to run a country as big as ours—but paying for it wouldn't be so painful if everyone contributed his fair share.

MEASURE FIGHTS JUVENILE CRIME

I was present at the White House when the President signed into law a bill I sponsored, the Juvenile Delinquency Prevention and Control Act of 1968. It will mean strengthened Federal, state and local efforts to attack youth crime and its causes.

The new law authorizes a $150 million, 3-year program to help finance projects for preventing delinquency and rehabilitating young offenders. States will have a central role in administering the programs.

One of the first bills I sponsored in Congress was the 1961 Juvenile Delinquency Act, which has helped train youth workers and assisted local agencies in fighting juvenile crime.

This year's legislation builds on the 1961 measure and gives us still more effective tools for dealing with the thorny problem of delinquency among young Americans.

YOUTH INVOLVEMENT URGED

One sound way to overcome youth unrest and violence is to give greater responsibilities to young people themselves.

This is one of the purposes of a bill I introduced earlier this year, the Youth Involvement Act of 1968.

By seeking to engage youth in important social service programs, the bill responds to the need for more constructive new outlets for the energy and imagination of the younger generation. If enacted, it would direct Federal agencies to develop and administer 52 existing Federal programs "with the maximum feasible participation of youth."

In addition to juvenile delinquency prevention programs, the bill enlists youth participation in areas such as education, child welfare, conservation, recreation, urban renewal and housing, and taking the United States Census.

JOHN GLENN TO SPEAK AT WALKERTON RITES

One of the most remarkable figures in our national life, former Astronaut John Glenn, will be at Walkerton on October 20 for the dedication of a new high school named for him. A friend of mine, whom I first met when he testified before the House Education Committee several years ago, I look forward to introducing Col. Glenn to Third District citizens.

BRADEMAS ASKS BENEFIT EXTENSION FOR POLICE, FIREMEN

Last spring Congress passed a law providing Federal death and disability benefits for local and state police officers killed or injured while apprehending violators of Federal law.

Now pending is another bill, of which I am a co-sponsor, that would extend the same benefits to any policeman or fireman killed or totally disabled in the line of duty whether or not a specific Federal criminal law happens to be involved.

When a fireman or policeman is injured or killed in serving the cause of public safety, I believe the nation as a whole has a responsibility to help compensate him and his family.

If enacted, the bill will provide an important degree of financial security for thousands of policemen and firemen across the country.

KAISER JEEP CONTRACTS REACH BILLION DOLLAR MARK

The Kaiser Jeep Corporation's South Bend plant has received over $250 million in Federal contract awards since last February.

This brings to nearly $1 billion the total dollar value of military vehicle contracts Kaiser-Jeep has received since taking over the former Studebaker facilities in 1964.

HEALTH MANPOWER BILL BECOMES LAW

President Johnson has signed into law an omnibus health manpower training bill aimed at meeting critical shortages of skilled health personnel such as doctors, nurses and medical technicians.

If current trends continue, experts predict the nation will face a shortage of 42,000 physicians and 186,000 nurses by 1973.

The Health Manpower Act of 1968, providing a total of $1.1 billion over the next two years, will go far toward closing these gaps by developing the kinds of trained medical personnel needed in the years ahead.

Enactment of this legislation should remind us again of the importance of establishing a second state medical school in our part of Indiana. Programs this new health law authorizes could be put to excellent use by a medical center located in St. Joseph County.

LOCAL POLICE GIVEN MORE ASSISTANCE

The Justice Department has allocated nearly $100,000 to Indiana under a riot control provision I co-sponsored in the Crime Control and Safe Streets Act, which Congress passed this year. Of this amount, $15,000 is earmarked for South Bend's Police Department for special radio equipment for use during civil disturbances. Earlier this year the South Bend Police Department obtained a similar Justice Department grant to expand its police community relations program.

SOUTH BEND RENEWAL GETS $10.6 MILLION GO-AHEAD

The All-America City heard good news a few weeks ago with the approval of Federal funds for South Bend's big downtown business district project. The Department of Housing and Urban Development has set aside $10.6 million for the Federal share of the project, which will redevelop nearly 140 acres for commercial and residential re-use.

The Federal go-ahead means the renewal effort will probably be under way within a few months. The project will contribute enormously to the revitalization of the entire downtown area and the economic growth of all of St. Joseph County.

CONGRESS RAISES VETERANS' BENEFITS

Before the August recess Congress voted a $235 million increase in compensation for nearly two million service-connected disabled veterans.

The new law provides a $100 monthly hike (to $400) in benefits for totally disabled veterans, and a flat 8 per cent boost in compensation for partially disabled veterans.

Congress also raised the Federal Government's guaranty on GI home loans from $7,500 to $12,500. The aim is to make GI home loans more competitive in the money market and help more veterans buy their own homes.

Also passed in this session of Congress: increased payments to veterans in state veterans' homes; improved vocational rehabilitation for disabled veterans; and educational allowances to widows of servicemen killed or totally disabled while on duty.

CLEAN POULTRY, PIPELANE SAFETY

Since my last newsletter, the 90th Congress has added to new laws to its record of consumer protection measures:

Wholesome Poultry Products Act: a companion to last year's meat inspection legislation, it requires all states to establish within two years poultry inspection standards at least equal to Federal standards.

Natural Gas Pipeline Safety Act: authorizes the establishment of safety standards for 760,000 miles of natural gas transmission and distribution lines.

PLYMOUTH, WAKARUSA, SOUTH BEND RECEIVE HEALTH PROJECT MONEY

Among Third District communities receiving Federal funds for important projects recently are: Plymouth, nearly $200,000 to help build an addition to the Parkview Hospital; Wakarusa, a second grant of $71,850 means a total of $200,000 in Federal money for sewer improvements; and South Bend, $860,000 to help finance community mental health facilities for both the Memorial Hospital and the Mental Health Center of St. Joseph County.

FOR ELKHART, $1.8 MILLION

Elkhart has won approval of nearly $2 million in Federal funds to launch its first downtown renewal project. Redevelopment will include new housing and manufacturing and a new street system.

FUNDS APPROVED FOR POTATO CREEK

I was glad to help win recent approval of a $1,084 million Federal grant from the Bureau of Outdoor Recreation, U.S. Department of the Interior, for carrying forward the planed Potato Creek State Park located between State Route 23 and U.S. 31.

The 3,803 acre park will be developed into a complete family-oriented recreation area.

If the present time table is met, Potato Creek Park will open in five years.

BRADEMAS SPONSORS CZECH INVASION PROTEST MEASURE

The world was shocked by the ruthless invasion of Czechoslovakia.

In September I joined 10 other members of the House in sponsoring a resolution condemning the Soviet action as "an affront to human rights and . . . an unlawful use of force contrary to the fundamental principles of the United Nations Charter and of international law."

The resolution calls upon the House to express its admiration for the Czechoslovaks and "its earnest hope that the principles of equal rights and self-determination of peoples embodied in the Charter . . . will be applied once again in Czechoslovakia."

"The people of Czechoslovakia by their calm and courage in the face of irresistible force have earned the respect of free peoples everywhere," the resolution states.

A TRIBUTE TO CHARLES A. HALLECK

I recently joined other Members of the House, both Democrats and Republicans, in paying tribute to our Hoosier colleague, Congressman Charles A. Halleck, retiring after 34 years of service in Congress.

I told the House: "I have had the high honor and privilege of serving in the House of Representatives from Indiana for 10 years now and during that period have come to have great respect and affection for Charlie Halleck.

"Congressman Halleck has served his party in high positions in Congress, most notably as a distinguished and highly effective Minority Leader. In this capacity he won the reputation of being a hard fighter for his point of view and his party, but of being at the same time a man of unimpeachable integrity."

BRADEMAS-BAYH BILL LETS WALTON LEAGUE ACQUIRE ARGOS HATCHERY AGAIN

The Argos Chapter of the Izaak Walton League of America has once more acquired the Argos National Fish Hatchery from the Federal Government as the result of a bill Senator Birch Bayh and I sponsored which was enacted this summer.

Originally donated by the Izaak Walton League to the U.S. in 1934, the hatchery will now be fully owned and operated by the Argos Chapter. Officials of the local chapter will develop the hatchery for recreational purposes.

Mr. Speaker, I also include at this point the captions on the photographs contained in this report.

CAPTIONS

The South Bend-based 6th Engineer Battalion (USMCR) recently won the outstanding Marine unit award of the Reserve Officers Association of the U.S. Shown at the award ceremony are (l. to r.): Congressman Brademas; Brig. Gen. John A. Scott, USMCR (ret.) and former Mayor of South Bend; Col. Keith Felix, Plymouth, former commanding officer of the 6th Battalion; and present Commander, Lt. Col. Lowell E. Enslen, Dyer.

(At left) Congressman Brademas describes the Capitol to visiting Indiana school children.

Congressman Carl Perkins of Kentucky, Chairman of House Education and Labor Committee, passes the gavel to Congressman Brademas, symbolizing his appointment to Labor Subcommittee Chairmanship. Brademas is also ranking member of two education subcommittees.

Congressman Brademas talks over law enforcement problems and new Federal anticrime programs with Hoosier police.

Model of planned South Bend Downtown Business District Project with Jefferson Blvd. bridge crossing the St. Joseph River in foreground. Background shows proposed development, including a cultural center, office buildings, housing, new South Bend Post Office, banks and parking garages.

John Brademas extends good wishes to Congressman Charles A. Halleck, former House Minority Leader, now retiring after 34 years representing Indiana's Second District.

BAYLOR DOCTORS PIONEER IN RUBELLA RESEARCH

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Friday, October 11, 1968

Mr. YARBOROUGH. Mr. President, last week, the President signed into law the Handicapped Children's Early Education Assistance Act—Public Law 90–538. For 8 years the Senate Committee on Labor and Public Welfare has labored to initiate, expand, and develop programs to assist in the education and training of handicapped children and youth. Those of us who have committed ourselves to help these children achieve their full potential through education are looking forward to reports of the implementation of this program. Some of the most exciting and promising ideas are developing from research related to the learning process of very young children with handicapping conditions.

We have presented an exciting challenge to the Bureau of Education for the Handicapped in the Office of Education, however we are confident that Dr. James Gallagher and his staff have the will and determination to help make the dreams of the parents of these children come true. I would like to call the attention of my colleagues to two articles which have appeared recently in the Washington Post and Woman's Day magazine. Both of these articles point out why early education is so important.

The Washington Post article, written by Nate Haseltine and entitled "Rubella: More Dangerous Than Earlier Believed," appeared on October 4, 1968, and highlighted the pioneering work being done in this field by a trio of scientists at the Baylor University College of Medicine in Texas.

The second article, written by Shirley Motter Linde and entitled "An End to the German Measle Menace?" appeared in the October issue of Woman's Day magazine.

I ask unanimous consent that both of these outstanding articles be printed in the Extensions of Remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 4, 1968]

RUBELLA: MORE DANGEROUS THAN EARLIER BELIEVED

(By Nate Haseltine)

Fear of giving birth to deformed babies may some day be a legalized reason for performing abortions by surgery, recent evidence indicates. The evidence was submitted by a trio of scientists at the Baylor University College of medicine.

The three doctors found that German measles (rubella) is more dangerous than commonly believed.

Past studies found that the unborn child of rubella-infected mothers is infected with the child-deforming virus in 48 to 64 per cent of the cases. The Baylor group, Drs. William E. Rawls, Jan Desmyter, and Joseph L. Melnick, have found the rate of fetus infections, and consequent deformities considerably higher, in a small series of 13 cases.

In 10 of their 13 cases where therapeutic abortions were performed, they reported that nine of the fetuses were infected. Previously, using simplified blood tests, they had found that the mothers became infected during their pregnancies.

Two mothers decided to accept the risks. Their babies seemed normal at birth but six months later both "developed stigmata of intrauterine rubella infection," evidence of cataracts in their eyes and other less discernible subtleties indicating deformities associated with virus infection within the womb.

In their report on the elapsed six-months period Drs. Rawls and Melnick also reported that one other woman who experienced rubella during the first trimester produced an infected fetus on abortion.

They used new, cheap and speedy blood tests for rubella, first described on Oct. 28, 1966, by Dr. Harry M. Meyer Jr. at a Chicago meeting of the American Academy of Pediatrics.

Dr. Meyer said then the blood tests can tell within three hours whether a woman has or has had the ordinarily mild childhood infection, and can pinpoint approximately when the affliction occurred. Past tests to determine present or past rubella infections took two to three weeks to perform.

Most states do not recognize rubella as a legal cause for abortion.

Health officials believe that German measles runs in 7-year epidemic cycles with the next siege expected in 1971–72.

By then an anti-rubella vaccine, now under testings, may have been perfected that would end the danger to the pregnant mother and her offspring. A vaccine now is on the market that promises to virtually eliminate regular measles as a health hazard.

[From Woman's Day Magazine, October 1968]

AN END TO THE GERMAN MEASLES MENACE?

(By Shirley Motter Linde)

Four years ago a huge and terrible German measles epidemic swept across the country. It is over now, but it took the lives of countless numbers of unborn babies and caused physical defects and mental retardation in thousands of other infants. For the first time, scientists were able to study the disease in full force—measuring its impact statistically and obtaining accurate records and follow-up reports from doctors across the nation. What they learned was that German measles cause more birth defects than was ever believed possible. The epidemic left us with damaged babies and a dangerous reservoir of infection. But it gave us knowledge about the disease that has resulted in new tests for discovering it in pregnant women and a vaccine that is now being developed against it—practical weapons that may keep such a devastating epidemic, such mass baby damage, from ever happening again.

The epidemic began in 1964 on the eastern seaboard and in the southern United States, spreading in the next months to the north central and northwestern states. It paused, then swept on in 1965 to the West Coast and Hawaii. It infected probably ten million people.

Then, the grim statistics began coming in. At first, it was estimated that some thirty thousand babies were born with birth defects because their mothers contracted German measles during pregnancy. Another thirty thousand babies were estimated to have been lost in miscarriages and stillbirths caused by the disease. No one knew how many tens of thousands of women had abortions because they feared having defective babies. All in all, it was estimated that the disease caused defects in three out of five babies whose mothers had German measles or rubella (the medical term for the disease) during early pregnancy.

Now authorities say these original estimates were much too low, that the damaging effects of German measles were really much greater than suspected. Many children had hidden defects, not obvious at birth, that were discovered later. In fact, says Dr. Virginia Apgar, famous director of birth defects research for the National Foundation-March of Dimes, it now appears that German measles may be responsible for far more of the birth defects "of unknown cause" than anyone suspected. She calls this discovery "the most important and significant news concerning birth defects since the thalidomide disaster. . . . The public must be alerted to the newly discovered facts about it."

Before the epidemic, it was known that when a pregnant woman was infected, her baby might have cataracts, deafness, mental retardation or diseases of the heart and blood vessels. During the epidemic, investigators found that German measles could also cause a rare and often fatal disease called thrombocytopenia purpura, marked by bleeding and easy bruising. They also found in German measles babies heretofore unrecognized abnormalities of the liver, spleen and other organs as well as such conditions as hepatitis, encephalitis, glaucoma, anemia, damage to bones, low birth weight and a stunting of growth. Often the children died several months after birth. It was found that one serious defect, a narrowing of the artery leading from the heart to the lung, appears not at birth, but develops as much as two years later, Dr. Joshua Lynfield of the New York University Medical Center recommends that children should be examined several times for this abnormality if their mothers had German measles during early pregnancy.

Another startling finding from the epidemic was that when mothers had rubella their babies often were born with active German measles infections and loaded with virus at birth! Many still had the virus weeks, months, in some cases a year or more after birth and had been spreading it to others all this time. Physicians all over the country reported the problem and said that it was a source of contagion for nurses, doctors, the babies' families and all those who came in contact with the infants. These people often then passed the disease on to *their* family and friends. Such babies constitute an enormous reservoir of German measles virus and are a threat to all pregnant women who come in contact with them.

The American Academy of Pediatrics recommends that the infected newborn baby be put immediately into complete isolation in a separate area at the hosiptal, not in the general nursery. Furthermore, the Academy warns women who might be pregnant not to work in hospital nurseries and not to visit infected babies for months after they come home. The period of highest risk for a woman is just after conception when she usually does not even know she is pregnant. So decisions to handle a baby who had German measles and/or defects at birth should be carefully thought out by any woman who has reason to suspect that she might possibly be pregnant.

German measles is so mild a disease, people often don't know when they get it or when they've been exposed. A child is contagious for as long as a week before he breaks out in a rash and for one week afterward. Children who come into close contact with the disease may get the infection and be contagious, but may not have any of the red spots. Sometimes the spots are faded, and almost unnoticeable, coming and going in a few hours. The incubation period from exposure to rash—if a rash appears—is fourteen to twenty-one days. So although there is no need to quarantine a child who has been exposed, the American Academy of Pediatrics advises keeping him away from pregnant women for a month afterward.

Many of the defective epidemic babies came from mothers who did not know they had even been exposed to German measles and who certainly had no symptoms. Only the presence of German measles virus in the babies' systems tipped doctors off to the true cause of their defects. In fact, in one group of defective babies studied at the University of Cincinnati, more than 90 percent were born to mothers who said they never suspected that they had German measles or even that they had been exposed to it during pregnancy.

"If this rate of unrecognized maternal rubella is widespread," says Dr. Apgar, "it means thousands of rubella babies could be born with hidden defects and with no reason for doctors to look for trouble."

What is obviously needed is a test to tell when and if a woman has had German measles. And one has just been developed by Dr. Harry M. Meyer Jr. and Dr. Paul D. Parkman of the National Institutes of Health in Bethesda, Maryland. The test is called the HI test (for hemagglutination inhibition) and it is now widely available at state health laboratories, private hospitals and commercial medical laboratories throughout the country. Private doctors can get individual kits for administering the test to find out whether or not a mother has rubella antibodies in the blood serum—a sure sign that she has caught the disease at some time and is immune.

Some doctors hope that one day this test will be given as routinely as a syphilis test before a marriage license is granted. Both could be done on the same sample of blood by the same laboratory.

But right now it is mainly for the woman who is beginning pregnancy and wants to know if she must guard against the disease because she hasn't had it yet. Some 90 percent of all women are immune. If the test shows that a woman has not had German measles and she is then exposed during pregnancy, the same test can be given again to determine whether or not she got rubella and might give birth to a defective baby. The British National Health Service has found that there is a 50 percent chance that a baby will be defective if its mother catches rubella during her first month of pregnancy; 25 percent if she catches it in the second month; 17 percent in the third month; 11 percent in the fourth month.

Faced with such odds, many women decide to have a therapeutic abortion and get pregnant again with better chances for a healthy normal baby. Only two states—Colorado and North Carolina—permit abortions when there is a danger that the baby is deformed. But in cases of German measles, many hospitals in other states openly permit abortions. And this year, over half of the states considered liberalized abortion laws.

German measles epidemics have been hitting about every seven or eight years, with huge epidemics—like the great one of 1964–65—coming once every twenty or thirty years. The next wave should occur in 1970, but experts say that a new German measles vaccine will undoubtedly become available in the meantime and the disease may be wiped out for good.

Till now, there has been no sure way to protect oneself against German measles. That's why the American Academy of Pediatrics advises parents to expose a young daughter to the disease, if they get the chance, and hope she catches it before her childbearing time begins.

Some doctors favor giving gamma globulin to pregnant women for whatever value it may have. Gamma globulin is a part of human blood plasma that contains antibodies to fight infection. The theory is that the antibodies in gamma globulin from people who have had German measles may help unexposed people to ward off the disease. But the American Academy of Pediatrics, the American Public Health Association and the American College of Obstetricians and Gynecologists seriously doubt the usefulness of gamma globulin for preventing German measles. Most experts believe that it prevents the clinical signs of the disease, such as the rash, but does not kill the virus or prevent it from going through the blood to infect the fetus.

Now, however, a vaccine is being tested that should one day give real protection. It was also developed by Drs. Meyer and Parkman of the National Institutes of Health. They cultured many generations of the virus till they developed one that had lost the ability to produce the disease, but had kept the ability to generate antibodies against it.

Meyer and Parkman first tested it in monkeys, where it gave complete protection and was harmless. Then it was tested in a group of fifty-two children, fifty of whom developed immunity to the virus. After their inoculation, an epidemic of German measles spread by chance through the institution where the children lived. Those vaccinated did not catch the disease when their cottage-mates in the same institution did. There were no side effects from the vaccine, according to Meyer and Parkman. Nearly three years after vaccination, antibody levels are still present, meaning that the immunity conferred by the vaccine will probably be a long-lasting one.

Now a number of centers are carrying out further clinical trials in children to determine this vaccine's effectiveness. Before it can be released, it has to be proved strong enough to give immunity but not so strong that it spreads the disease to other people. Dr. Meyer is optimistic. He points out that over ten thousand people have received inoculations so far without anyone else's being infected. His prediction: A vaccine probably in two years. When it comes it should sharply cut the incidence of damaged babies in the future and remove one of pregnant women's greatest worries.

THE RISKS OF BUYING AND SELLING

HON. THOMAS G. ABERNETHY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. ABERNETHY. Mr. Speaker, under unanimous consent to extend my remarks in the RECORD, I include the following:

REMARKS BY WINTON M. BLOUNT, PRESIDENT, CHAMBER OF COMMERCE OF THE UNITED STATES BEFORE TOWN HALL OF CALIFORNIA, LOS ANGELES, CALIF., OCTOBER 1, 1968

The average farmer at the turn of the century probably went the entire week before finding it necessary to go into town and stock up on the few provisions he could not provide for himself.

If he spent $100 for a wagon, he was forking out quite a sum. The largest consumer complaint he had was when the traveling horse trader got the best of him in a deal.

But today, how many of us can go through the entire day without buying something? Most of us buy three to ten items a day. We buy $300 television sets, $3,000 cars and $30,000 homes.

Is it any wonder, then, with these billions of purchases every day, that we have consumer problems?

In this complex, consumer economy of ours, it is absolutely necessary that we find effective ways of dealing with consumer complaints and questions—and I mean more effective ways than simply asking Congress to pass a law.

Why not a law? The case of Miss Mary Buxton is one example.

The Washington Post reported last week that Miss Buxton, a 69-year-old lady who has been baking for 38 years and selling to Presidents, Supreme Court Justices, and others, can no longer sell her famous breads and cakes because the District of Columbia Public Health Department regulations forbid the sale of food prepared in living quarters. A spokesman at Larimer's Market, where her home-baked goods were sold, said: "There must be a thousand people who want her bread and cakes and pies and cookies. She never could make enough of them."

Public hue and cry put her back in business a few days later but this is an illustration of how government regulation applied in a sweeping way can stifle diversity and initiative.

Isn't there a better answer than a law for every problem? Is business assuming its responsibilities? Is the consumer aware of his role?

Apparently something is out of kilter in business-consumer relations. The "consumer movement," within a span of a few years, has become one of the nation's chief domestic concerns.

President Kennedy sent Congress the first Presidential consumer message in 1962. Two years later, President Johnson appointed a Special Assistant for Consumer Affairs. The last Congress picked up the momentum by passing three consumer-oriented laws. The current Congress has already passed eleven consumer bills and there are at least fifty others pending.

If you read the newspapers, you know that we now have laws concerned with cigarette labeling, automobile safety, packaging and labeling, meat and poultry inspection, flamable fabrics, a National Commission on Product Safety, fire research and safety, clinical laboratories, consumer credit, auto insurance and interstate land sales.

Legislation pending before Congress is even more far-reaching.

Representative Rosenthal's bill to create a National Consumer Information Foundation would develop product standards and publish appropriate buying information through a system of tags which the manufacturer could—if he wished—purchase for display on his product.

Senator Hart, who has proposed a national agency to represent consumers, said the agency might develop a sort of vending machine which might be placed in department stores to dispense government developed product information on—for example—toasters, color television sets, or other products.

Other bills would generate more grade labeling of products, limit private advertising expenditures, regulate warranties and guarantees. Still others would affect automobiles, tire defects, cigarette advertising, credit rating disclosure, credit card fraud, FTC authority, and door-to-door sales.

Without commenting on the value or necessity of these new laws and bills, their existence illustrates that more and more today, there is a tendency to seek government solutions to consumer problems.

Government has an obligation to preserve the consumer's right to a free market and protect him from fraud, deception and danger in what he buys. But I do believe that some bills are pushed simply because of the political attractiveness of consumer issues, especially in a year when the pressure is on to hold down spending. These bills are relatively inexpensive and a tempting source of accomplishment for a Congress strapped for funds.

But it would be a mistake for business to write off the consumer movement as purely a political issue. Although consumers—by and large—are reasonably well satisfied with the products and services of American business, there has been a rising tide of consumer complaints.

Major sources of this dissatisfaction have emerged in areas of credit and installment practices, advertising claims and promotions, the quality of repair services, warranties, rising prices and lack of information.

Business must examine the underlying causes of this consumer discontent, and determine to what extent business itself is at fault.

Certainly one of the reasons for the consumer movement is the growing sophistication of the American consumer. He does not expect to purchase an electronic marvel and then pay $12 an hour for shoddy repairs.

Also, there has been a subtle shift in buyer emphasis, partly attributable to our prosperity.

When our consumer economy shifted into high gear after World War II and during the 1950's, the emphasis was on quantity. Most of us wanted a car first, a television set and a house in the suburbs. Later, we wanted two or three cars, and TV sets in several rooms and perhaps in a vacation cottage as well.

Today, consumer emphasis has shifted away from quantity to quality. The accent is on *better* instead of just *more*.

This represents a distinct shift in consumer thinking, and is related to the broader movement to upgrade the quality of life in general.

Still another underlying reason for consumer problems is the increasing complexity of the market. The new technology has brought with it more complexity and more variety in products. A General Motors executive said recently there are more parts in the automobile transmission of a Cadillac today than there were in the whole car four decades ago. The average buyer sometimes feels his inadequacy to evaluate the merits of modern machines.

Add to this the development of modern sales, marketing and advertising techniques.

And finally, add the fact that the market is becoming increasingly impersonal as the quest for efficiency and cost-savings force retailers to mechanize and computerize.

All and all there are a good many reasons for consumer questions and problems. I am convinced that the responsibility for solution lies equally with business, government and the consumer himself.

There is no question that in some areas government action is appropriate and needed. The National Chamber is right now supporting the bill before Congress which would permit the Federal Trade Commission, through the courts, to take action more quickly against illegal and deceptive practices.

We must recognize, however, that there is a price to be paid when government adopts legislative remedies for consumer problems.

Business pays the price in the form of controls on innocent companies in order that the law may get at the less innocent—because there is no way that the law can rifle-shoot some companies and ignore others. Miss Buxton's case is an obvious example.

Such regulations also hamper the businessman's flexibility to meet his own customer's needs and wants as he sees them. If outdated building codes in my own (construction) industry hamper innovation and cost-cutting techniques, it is not inconceivable that this will be the case eventually with product standards.

Consumers pay, too. They pay in the form of higher prices reflecting the increased costs of doing business because of the need to comply with an increasing variety of government restraints and requirements.

Consumers may pay, as well, in the form of reduced freedom of choice in the marketplace.

And as taxpayers, we all pay in the form of higher taxes for administering the government programs. Government's own activities in regard to excessive spending have contributed to inflationary trends and rising prices—a major source of consumer discontent. This was pointed out in a recent remark by Richard Nixon, who said: "A great many more consumers are affected by the rising cost of living and the rising cost of government than by fraudulent business practices."

Let no one claim that consumer protection is a free service of government.

What about the consumer's role and responsibility?

The buyer must remind himself that our system, in spite of its imperfections, is still the best devised by man. He should realize that it is basically a risk system, ruled by competition. If Company "A" were not running risks in competition with Company "B" for the consumer's dollar, there would be no choice in the marketplace.

A natural part of the sales competition is to put the best possible face on the product. It is up to the customer, therefore, to learn to discriminate, to think for himself, to make his decision and to accept a certain risk in doing so. Buying cannot be completely without risk if the system is to remain competitive and free.

Finally, he must seek a better understanding of how our economy operates, what the forces are that operate in the marketplace, and how he can better utilize them for his own benefit. He must learn how to develop his own economic capabilities to the fullest.

The concern of the Chamber of Commerce of the United States in the consumer issue is in protecting the freedom of businesses to compete and the freedom of consumers to choose. Its interest is also in maintaining the integrity of the market and responsibility on the part of business firms.

Let's turn now to the role and responsibility of business in seeking solutions to consumer problems.

Business has perhaps the most important role and it has not been idle in this field. Almost any day you can open the newspaper and find examples of business response.

The Wall Street Journal reported last week that American industry is making an overall effort to get its repairmen to polish their image and brush up on their knowledge, by sending them to schools and by teaching them to deal tactfully and helpfully with customers.

Whirlpool, for example, has helped Lake Michigan College in Benton Harbor, Michigan, set up a year-long curriculum in "appliance service." General Electric in Cincinnati is working with the public school system to set up a training course that would not only teach fundamentals of repair service but also teach repairmen how to act and how to dress on the job.

The National Association of Food Chains has been holding consumer dialogues in various cities, at which supermarket executives and housewives discuss food prices and other matters of mutual concern.

The *Journal* also recently reported that Detroit automakers are putting a new emphasis on quality control.

But it is important for us to recognize that this response to the American consumer is not a new thing. The consumer movement started when the free enterprise economy started. The consumer has always been foremost in our economy. It has been business reaction to his demand for better products and better services which has given thrust and direction to the economy, and it has been business reaction to his complaints that have refined the system, removed the clogs and kept it operating smoothly. We have come a long way since Henry Ford decided that all customers should have black cars. Buyers wanted other colors, and this same factor is behind the variety of colors, styles, sizes and prices of goods available today. It is the factor responsible for much of the research and development effort and other programs to satisfy consumer demands.

Critics who claim that the free market has been virtually eliminated by giant corporations who set their own prices and control demand through advertising, have simply not looked closely enough at the facts.

Only one out of every five new products that come out on the market is successful. Despite heavy advertising, many products fail. The consumer, using his dollars as ballots, make the ultimate decision on the success or failure of all products. It is readily apparent to any close observer that market consciousness still pervades our economy and its presence still produces the efficiency, innovation and variety characteristics of the free enterprise system.

It would be almost as disastrous in the long run for a company to ignore consumer problems as to ignore market demand.

In addition to this, business throughout the country has shown in recent years a greatly increased awareness of social responsibility, and this is another factor which should benefit the consumer.

In community after community, businessmen are joining with labor, minority groups, government, churches, and voluntary associations of all sorts to strengthen our communities and deal with social problems. Entire industries have been deeply involved in ways to clean up our waterways and our atmosphere. Companies and business organizations are investing an incredible share of their resources in drives to improve the quality of urban housing, to find jobs for the hard-core unemployed, to promote minority group entrepreneurship, to modernize government, to improve education, eradicate crime—just to name a few.

But there is room for improvement in business response to consumer problems. Business must deal effectively with the challenge of building up the consumer's trust to the point where he will not look to government to interfere in his behalf. The price for this is deeper regard for consumer rights.

Business policy makers must come to realize more fully that to whatever extent they permit the customer to be taken advantage of today, they will have to blame themselves, along with the politicians, for tomorrow's new regulations.

Not long ago, Paul C. Harper, board chairman of the Needham, Harper and Steers advertising agency in New York, pointed out that business is in trouble today with consumers, with government and with the intellectual community. He cited three causes: the technical naivete of the consumer which prevents him from knowing whether the repairman really did fix the electronic widget; the depersonalization of selling and billing, and the invisibility of business leadership which rarely gives corporate executives the personal public exposure and familiarity of well-known political figures.

I submit that this reflects a growing communications gap between business and consumers. The key to building trust is for business to knock down the communications barriers.

The National Chamber for many years has been urging businessmen to communicate more freely with their employees. Most firms participating in this program have enjoyed conspicuous improvements in their employee relations. Why can't the same kind of benefits be obtained by explaining the business and the business system to the public?

As another effort to improve communications, let me tell you about a new program of the Chamber of Commerce of the United States.

The National Chamber formed a Consumer Issues Committee more than a year ago to study—among other things—this problem of strengthening business communications with consumers. The committee sought to meld three critically important ingredients:

Local orientation, in recognition of the essentially local character of consumer activity.

Personal or close involvement of consumers so that they can participate in the identification of both problems and solutions.

Face-to-face dialogues between local businessmen and consumer representatives to provide for full, frank exchanges of information and viewpoint.

We have incorporated these elements into a single program to improve business-consumer relations. Next month, we will announce it nationally and make it available to the continent-spanning network of local chambers of commerce.

Essentially, we will encourage them to set up local Business-Consumer Relations Committees. The committees will be jointly composed of businessmen and consumer representatives, from such groups as senior citizens clubs, women's organizations, minority groups, and others. They will include community leaders with wide contact with consumers, such as teachers, clergymen, welfare workers and county agents. These committees will pinpoint the sources of local consumer difficulties and develop solutions. The scope of these solutions might range from supplying a bit of missing information to sponsoring a program of consumer education in the local schools.

The important thing, in our view, is that this program involves people in finding solutions to their own problems. And, unlike the government approach, it involves them as individuals and not as statistics.

The program has been field tested by a number of local chambers across the country and they shared their experiences with us so that we could refine the program accordingly. We were pleased with the field test results, and we learned a good deal. The most important thing we learned is that the concept of our program is sound, that it will work, and that business and consumers will both benefit from it.

I hasten to say that we are not offering this program as a final solution to consumers' problems but as a process by which to attack them.

Consumer complaints and problems will be with us as long as there is a marketplace and, in fact, they are a continuing spur to economic progress. It has been customer demand for better products and better services and the business response to that demand which has brought about many improvements in our system. The consumer occupies a place in the forefront of our economy. Consumer demand is what determines the direction of our economy, and consumer complaints are what refine it. Neither can be ignored for long if a company would continue to prosper.

This process of consumer complaint and business response has gotten out of balance in recent years, and I think it is mainly because of the increasing complexity of the market and the increasing sophistication of the consumer. Some businesses have not kept their response abreast of these developments and we have seen government step in.

My call today is for a restoration of the balance. Business must give high priority to responding to consumer complaints in a responsible way. It is even better if business does not wait for complaints but anticipates them. Business is gaining an ever increasing responsibility for the ramifications of its own actions, and this is bound to be reflected in its dealings with consumers.

Consumers also must present and express their problems to business first and give it a chance to work out these problems, rather than turning to the government for action in this area. Consumers must recognize their stake in maintaining the vitality of the business-consumer relationship and the harmful effects of excessive government intervention.

The program which the National Chamber is offering is one vehicle—one process—for consumer-business communication, interaction and reaction. It is a vehicle for responsible complaint and responsible response.

If both business and the consumers accept their responsibilities, I am convinced the consumer-business relationship can be revitalized and the balance restored.

NOMINATION OF JUSTICE FORTAS

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Friday, October 11, 1968

Mr. THURMOND. Mr. President, during the recent debate concerning the confirmation of the nomination of Justice Fortas to be Chief Justice of the United States, a letter written by Joseph O'Meara, dean emeritus of Notre Dame Law School, concerning the record of Justice Fortas on obscenity cases, was published in the Washington Post.

Clarence Manion, also dean emeritus of Notre Dame Law School, wrote a reply to this letter to the Washington Post. Inasmuch as Dean O'Meara's letter was placed in the CONGRESSIONAL RECORD, I believe it is important that this knowledgeable reply by a distinguished former dean be available to Senators and to the public.

Even though the question of Justice Fortas' confirmation has been settled, it is important that the record clarify this issue which, in my judgment, played a significant role in this debate.

I ask unanimous consent that Dean Clarence Manion's letter be printed in the Extensions of Remarks.

There being no objection, the letter

was ordered to be printed in the RECORD, as follows:

DORAN, MANION, BOYNTON & KAMM,
South Bend, Ind., September 20, 1968.

EDITOR,
Letters Column,
The Washington Post,
Washington, D.C.

SIR: The following enumerated points in a recent letter from Joseph O'Meara, Dean Emeritus, Notre Dame Law School, deserve an answer:

1. Dean O'Meara says "senators seem determined to block the confirmation of Mr. Justice Fortas' nomination . . . because of his votes in *two* recent obscenity cases." (Emphasis added.)

Answer. In 1967 and 1968 Justice Fortas voted to reverse not two but 40 convictions or holdings of obscenity.

2. "In neither of these cases did Mr. Justice Fortas issue a separate statement of his views."

Answer. It is no defense of Justice Fortas that he was unable or unwilling to give any reason for voting to reverse the carefully considered opinions of the lower courts and jury verdicts which had ruled that the movies and paperbacks involved were hard-core obscenity. It is the duty of Supreme Court justices to write opinions, stating their reason for reversing the lower courts.

3. "I am quite unable, therefore, to . . . extract from his votes very much about his positions on the complex obscenity issue."

Answer. Actions speak louder than words. Justice Fortas voted 40 times in the last two Court terms to stop prosecutions of obscenity and did not cast a single vote to affirm a conviction for obscenity. His position that the Federal statute against obscenity is unconstitutional is clearly set forth in 1 Lawyer's Edition 2d 2208 where appears an abstract of the brief he filed in the Supreme Court on behalf of two well known publishers of indecent magazines.

4. The Shackman case "involved a peep-show of a filmed burlesque performance not unlike those presented fairly widely in burleque houses throughout the country. Jacobs, on the other hand, involved a . . . seriously intended if unconventional, underground art film."

Answer. Apparently Dean O'Meara did not view any of the films involved in these cases. Federal Judge Hauk, who did view the Shackman films said in his decision (258 F. Supp. 983): "sensitive souls may wince at the facts which follow," (which were far worse than any burlesque show), and then concluded:

"The appeal of the films, taken as a whole, is to a shameful and morbid interest in nudity, sex, and the female organs of sex and excretion. . . . The court concludes as a matter of law that the exhibits and each of them are clearly, unequivocally and incontrovertibly obscene and pornographic in the hard-core sense. . . ."

The Citizens for Decent Literature report that the "Flaming Creatures" film involved in the Jacobs case depicted "a seven-minute rape scene and other sexual deviate actions." To describe this film only as "unconventional" is to close one's eyes to vice. In the Jacobs case, Justice Fortas was the *only* Supreme Court justice who voted to reverse the conviction of the exhibitor of this film (see 388 U.S. 431, 18 L ed 2d 1294).

5. "His opinion in the more recent Ginsberg case . . . reflect . . . a concern with the peddling of obscenity to the young."

Answer. This is most misleading, if not downright deceptive. In the recent Ginsberg case (20 L ed 2d 195), Justice Fortas dissented from the majority decision which upheld a New York statute prohibiting the sale of obscene material to minors under the age of 17 saying "petitioner is being prosecuted for the sale of magazines which he had a right under the decisions of this court to offer for sale."

6. "Judgment ought not to be frustrated or obscured by a fixation on votes in two recent obscenity cases, both decided without opinion."

Answer. Justice Fortas was extended an invitation to re-appear before the State Judiciary Committee and give a full opinion or explanation of his decisions in these obscenity cases. He declined to do so. He is not being criticized for only two obscenity votes but for some 40 such votes. In addition it was the hearings which brought out that he obtained valuable second class mailing permits for *Rogue* and *Playboy Magazines* when such permits are supposed to be issued only for reading material "published for the dissemination of information of a public character, or devoted to literature, to science, arts, or a special industry." (See 39 U.S. Code, § 4354)

7. "The time is long past when the Senate should be allowed to express its judgment whether, on the basis of Mr. Justice Fortas's entire career, it consents to his appointment as a fit Chief Justice.

Answer. It is strange that law school deans should object to the exercise by the Senate of its constitutional duty to pass on Supreme Court appointments. There is no record of the law school deans who joined in the O'Meara letter voicing a similar complaint when the Democrat majority in the Senate refused to confirm a nomination to a Cabinet office by President Eisenhower of the vigorously patriotic Lewis Strauss.

8. "At stake in these cases is the sensitive balance to be struck between a society's interest in protecting itself from smut, and its deep need to preserve and enhance freedom of artistic and literary expression. The Constitution places the responsibility for determining where that thin line is to be drawn on the nine Justices of the Supreme Court. It should remain there."

Answer. The Constitution does not place such responsibility on the nine Justices of the Supreme Court. The only responsibility that the *Constitution* places upon the Supreme Court is the trial of cases "affecting ambassadors and other public ministers and consuls and those in which a State shall be a party." All other responsibilities of the Supreme Court including its jurisdiction of all of the cases cited herein, have been placed upon it by Congress.

CLARENCE MANION,
Dean Emeritus, Notre Dame Law School.
NOTRE DAME, IND.

HON. ARNELL ENGSTROM, DEAN OF THE MICHIGAN HOUSE OF REPRESENTATIVES

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Friday, October 11, 1968

Mr. GRIFFIN. Mr. President, I wish to pay tribute to a close friend who is one of the most distinguished legislators in Michigan history—Arnell Engstrom, of Traverse City.

After more than half a century of service to his community and the State, Representative Engstrom—dean of the Michigan House of Representatives—is retiring.

Few public figures in the Nation have earned the respect and affection which Arnell Engstrom enjoys and deserves. He represents the finest tradition in public service; he is an outstanding example for all who have known him and served with him.

He leaves a record that is truly extraordinary. Before and while he served in the legislature, Arnell distinguished himself as a dedicated and outstanding civic and business leader in Traverse City. Over the years, he has served in a great many capacities in educational, business, and civic organizations.

Arnell first ran for the State house of representatives in 1940, and was elected. He is now completing his 14th consecutive term in office.

Not only is Arnell the dean of the Michigan House of Representatives, but he has served longer in the State legislature than any other member in either chamber. In addition, he is chairman of the house appropriations committee and chairman of the Republican caucus.

During his 28 years of legislative service, Mr. Engstrom has been responsible for much of Michigan's progressive legislation, especially in the fields of mental health, education, and conservation.

Arnell has championed programs to help mentally retarded children. It was due to his long and tireless efforts that groundbreaking ceremonies recently took place for a new children's unit at the Traverse City State Hospital, scheduled for completion in October 1969.

In the field of education, Arnell has been a major force behind the community college movement in Michigan. Traverse City is the home of Michigan's first community college. Not only was he one of the original incorporators of Northwestern Michigan College, he also has promoted the establishment and expansion of community colleges throughout the State.

Arnell has always taken an active interest in the field of conservation. An outdoorsman himself, he has been a prime mover in founding the coho salmon industry in Michigan. He is chiefly responsible for the establishment of a hatchery on the Platte River which is essential to the coho salmon stocking program.

Mr. President, I have pointed to only a few of the reasons for the high esteem in which Arnell Engstrom is held by his constituents, his fellow legislators, and the people of Michigan.

Arnell's departure from the State house of representatives marks the end of an era. His wise and great leadership will be sorely missed.

No finer tribute could be paid than the one expressed by his colleagues in the form of a concurrent resolution.

Mr. President, I ask unanimous consent that the resolution of the Michigan Legislature be printed in the RECORD.

There being no objection, the concurrent resolution was ordered to be printed in the RECORD, as follows:

HOUSE CONCURRENT RESOLUTION 323

A concurrent resolution for State Representative Arnell Engstrom of Traverse City

Whereas, The Honorable Arnell Engstrom, State Representative of the One Hundred Fourth District for twenty-eight years and Dean of the House of Representatives announced his retirement from The Michigan Legislature; and

Whereas, Representative Engstrom is one of the great statesmen Michigan has produced and his character and wise mentorship have made him one of The Michigan Legislature's most beloved public figures, profoundly esteemed by colleagues regardless of party affiliation. His chairmanship for

ten years and member for twenty-two years of the Committee on Appropriations has been masterly, and his intensive work ever ignored personal sacrifice far beyond duty's claims; and

Whereas, Born June 6, 1897 in Traverse City, Mr. Engstrom became co-owner of the Engstrom-Hicks Insurance Agency. For more than half a century he has given distinguished public service; as president of the Traverse City Chamber of Commerce, member of the City Commission and of the Board of Supervisors, member and president of the Board of Education for some seventeen years and secretary of the Traverse City Industrial Fund. He is one of the original incorporators and a trustee of Northwestern Michigan College and for forty-five years served as Secretary of the Northwestern Michigan Fair Association; and

Whereas, Mr. Engstrom became widely known as a sportsman and conservationist, and the film he and his partner made of an African safari which bagged all of the five big game animals, is shown extensively throughout Michigan. His honors and awards by sportsmen's clubs of the State rival the many other professional and civic organization accolades which his career engendered. The full measure of his worth to society and personally to his fellow men exceeds delineation or even public knowledge, existing in its greater portion within hundreds of human hearts; and

Whereas, No encomium for Representative Engstrom would be complete without honoring his wife, Mareda Heiges Engstrom, for her coequivalence in the pervasive esteem among members of successive Legislatures; she is indeed a great lady and as greatly beloved; now therefore be it

Resolved by the House of Representatives (the Senate concurring), That by these presents tribute is unanimously accorded The Honorable Arnell Engstrom as a signal mark of esteem for the preeminence of his service in The Michigan Legislature and in the affairs of his constituents and The People of the State of Michigan; and be it further

Resolved, That copies of this salute and tribute be presented to Representative Engstrom to convey the ever-present felicitations for his future welfare of The Michigan Legislature.

STEEL IMPORT PROBLEMS

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. DENT. Mr. Speaker, the steel import problem we face is one that began many years ago. I can recall the hearings my committee held in 1961, and the warnings I sounded then to the steel industry and steel labor. At that time, they did not believe foreign steel was a real threat to their existence and our economy.

The years go by, however, and opinions change. Steel labor and industry are now united in a fight against their foreign competition. Together, we are beginning to awaken the Congress to this problem and I am sure the Congress will not wait too long to act.

One of the companies leading the fight is the Pittsburgh Steel Co., which, I am proud to say, has a major producing facility in Monessen, Pa., in my congressional district. Recently, the board of directors of Pittsburgh Steel approved a resolution outlining the damage foreign steel did to the industry in 1967. A copy of that resolution follows:

PITTSBURGH STEEL CO.

(Certified Copy of Preambles and Resolution Adopted at a Meeting of the Board of Directors Held May 27, 1968.)

Whereas, A flood of foreign produced steel—11.5 million tons in 1967 alone—is flowing into the United States at a steadily accelerating rate; and

Whereas, The volume of such imports in 1967 approximated the output of 85,000 American steelworkers; and

Whereas, These imports created a deficit in the U.S. balance of payments of more than $1 billion; and

Whereas, Increasing dependence on foreign sources of steel is a threat to our national security;

Now, therefore, be it resolved, That Pittsburgh Steel Company is in full support of the American steel industry's recommendation that the U.S. Congress enact a bill which would set up a system of quotas limiting the quantities of pig iron and steel that can be brought into the country.

I, R. McL. Hillman, Secretary of Pittsburgh Steel Company, a Pennsylvania corporation, do hereby certify that the foregoing is a true and correct copy of a resolution adopted at a meeting of the Board of Directors duly called and held on May 27, 1968, and at which a quorum was present and voted, and that the foregoing resolution has not been amended or modified and remains in full force and effect on the date hereof.

In witness whereof, I have hereunto set my hand and affixed the seal of said Company this 29th day of May, 1968.

R. McL. HILLMAN,
Secretary.

J. K. Beeson, C. A. Breuer, H. B. Collamore, Charles Denby, D. C. Duvall, A D. Hannah, R. McL. Hillman, G. M. Lothrop, R. M. Marshall, A. R. Marshall Jr., H. S. Krusen, D. G. Sisterson.

Mr. Speaker, the damage being done in 1968 is even worse than the disastrous year of 1967.

In the first 8 months of 1968, approximately 11.8 million tons of imported steel mill products entered the United States, an increase of 64.4 percent over the comparable period of 1967. Instead of tapering off after the settlement between the steel companies and the steelworkers union, imports rose to a new high in August when they accounted for nearly one-third of all steel delivered in the United States.

In spite of our technological advances in steelmaking, we have not been able to match foreign steel price advantages. These advantages stem directly from lower hourly employment costs, which for European steel producers are less than one-half those in the United States and for Japanese producers, about one-fourth our comparable costs.

Thus, steel imports continue to increase, threatening not only the industry, but at a rate which will produce a steel trade deficit in 1968 of at least $1.4 billion. We can only guess what this means in terms of steelworkers jobs lost, but you can bet it is over 100,000.

* * * * *

For 11 years now, I have tried to awaken the Congress to this very serious matter; not only in steel, but in coal and glass and textiles, and every line of production goods that have been the backbone of our economy .

As I speak before you now, another great industry with a major base in my State is feeling the heavy weight of unrestricted competition from imports. I speak of the footwear industry. In the first 4 months of 1968 alone, footwear imports increased nearly 50 percent, and now represent over 30 percent of the entire U.S. consumption.

There are many other examples and I could go on naming them through the night. The fact of the matter is that no U.S. industry is safe from import damage. The whole gamut of production, from capital goods through consumer goods, shows the same vulnerability to unfair foreign competition. And I might add, this damage is best measured by the jobs we used to have but no longer do.

While we point with great pride to our high employment rate, we ignore the fact that the growth rate in the consumption of goods is far greater than the growth rate in job opportunities for American workers. The loss of jobs in just the steel and footwear industries, and those jobs which depend on those industries, number about 500,000. Those lost jobs represent a blow to the economy that few countries could withstand and no country can continue to withstand.

Mr. Speaker, as I said, I have been sounding the warnings ever since I came to Congress 11 years ago. I am not disappointed that it is taking this long to get my message across because my message requires a complete revamping of trade policies which have been ingrained in our system for many decades. Each year I add greater support to my effort, and these last 2 years in the 90th Congress have been the best.

Last year, the House passed, by a staggering 340-to-29 vote, my trade bill. Just a few years ago, I would have even had trouble getting a cosponsor. But the times have changed, and I hope my good neighbors back home will allow me to return here in January to not only put my bill through the House again, but to see it also passed by the Senate. This would give me the greatest satisfaction of all my 36 years of public service.

It would give me the greatest satisfaction because I would know that my bill was responsible for saving the jobs of thousands of American workers. And by saving those jobs, we would also save whole communities; communities like the one I was born in, which became a ghost town when the coal mines closed down. And when we save jobs and towns, we are saving the essence and backbone of the American economy and our way of life.

Mr. Speaker, when the 91st Congress convenes in 1969, I hope it comes prepared to meet the tremendous responsibilities it will face. One of these responsibilities will be the consideration of measures to put our industries on an equal footing with foreign competitors. Those decisions will have to be made in the next 2 years, because we cannot put up with much more. When they are made, although long overdue, American industry and labor will finally have their chance to show what they can do in head-to-head competition. I am confident as to the outcome.

CONSTRUCTIVE WELFARE REFORM

HON. CLIFFORD P. HANSEN

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Friday, October 11, 1968

Mr. HANSEN. Mr. President, this 90th Congress is virtually at an end. It would be inappropriate to introduce new subjects for reform at this late date, and I do not intend to do so. Yet I want to call attention to a problem of great urgency which must be faced by the next Congress, and to which we must give serious thought in the months to come. This is the problem of welfare reform.

This country is in a state of unease. The people are aware that our social problems are multiplying, that family structure seems to be weakening, that too many parents are not supporting their children, and that many millions of Americans—for reasons seemingly too complex to define—are being abandoned to hopelessness and nonparticipation in our society. The general public blames our welfare system for many of these failures. Unfortunately, Mr. President, the public is not altogether wrong.

I do not believe that the public welfare system lies at the root of all these problems, although it has in some ways contributed to them. What is altogether clear, however, is that it is not solving them.

Despite an era of prosperity and low unemployment, the welfare rolls are roaring to unprecedented heights. Most of this growth is in the program of aid to families with dependent children. The period of most rapid growth has been in the last 2 years, but the general upward trend has been evident for more than a decade. It is a national phenomenon, although some States have experienced it to a greater degree than others.

The facts are disturbing.

In the United States at the present time 55 children out of every 1,000 under age 18 are receiving aid to families with dependent children. This is 10 more than 3 years ago; it is 22 more than a decade ago. In my own State of Wyoming only 15 children out of every 1,000 were living on AFDC 10 years ago. Today that figure is nearly doubled—to 29. In New York State in this same period of time the figure has grown from 36 to 95; in California from 36 to 83; in Chicago from 19 to 44; and in Colorado from 32 to 58.

In 1958, the Nation's bill for public assistance, including expenditures at the Federal, State, and local levels, amounted to about $3.3 billion. In 1967 it had more than doubled to about $7.8 billion. For 1969, a figure approaching $10 billion would no longer be regarded as impossible.

Part of this increase in expenditures has come from expansion within the program, notably from the new title 19—or medicaid—program. But a substantial part of it is also attributable to simple growth in the numbers of recipients—most of them children.

The time has come to curb this growth.

I say this not because I seek to make innocent children suffer, but because I believe their present lives on public assistance have in them too much suffering. We must undertake humane reform which will give them not just a little more money, but a lot more hope.

Today millions of human lives are being wasted. Today more than 4 million children are living in homes supported by public assistance. For the most part, this means that these children are in broken homes, and may suffer from inadequate food, shelter, medical care, and education. Their prospects for constructive lives in the future are dim.

If we do not want to perpetuate poverty, if we do not want to promote ever-increasing welfare dependency, we must change our present welfare system.

I have no simple solutions. But I do accept as fundamental the concept that we must engage our welfare families as constructive participants in society. It is too easy—and it is wrong—to continue to pay them to remain on the outside. To force them, or to encourage them, to remain in a state of dependency is a poor solution for them and for society. Let us be honest. No amount of pressure from "welfare rights" groups or from any other source is likely to result in payments which are any more than adequate for basic needs, if, indeed, they are that. We must look toward a solution which offers more than lonely subsistence.

With this in mind, several areas of reform become obvious.

First of all, we must further explore and exploit the area of job training and employment. At this point, it must be admitted, there are not even solid studies or statistics which would help us judge just how many present or prospective welfare recipients could be expected to benefit from such an effort. Yet there is evidence to indicate that serious efforts may beget serious results.

The fact that Illinois was able to hold down its welfare rolls in recent years has been attributed to the effort made by that State to promote education and job-training programs for its assistance recipients. Similar successes were claimed in Connecticut.

Generally, however, most of our job-training programs have been aimed at those more easily employable than the hard-core public assistance recipient. Only recently have efforts been initiated at the Federal level to place an emphasis on helping welfare recipients. The Congress contributed to this effort in the 1967 Social Security Amendments by creating the new work-incentive program for recipients of aid to families with dependent children.

I am disappointed to see that this program seems to be getting off to a very slow beginning. It will obviously reach only a fraction of those who could benefit from it in this next year. Its success, or lack of it, should be analyzed carefully. It is my impression that the Federal effort in the training of welfare recipients should be much greater than is in evidence thus far in the development of the WIN program.

There are many practical and psychological barriers to be broken down if welfare recipients are to move into the economy. They are severely handicapped in seeking employment, and they know it. Most of them have low levels of education, many of them suffer from physical and mental illnesses and disabilities, and most have poor work histories. This is true of both men and women alike. It is necessary, then, to assist them in overcoming these handicaps, and in establishing their confidence in their abilities to become independent.

Similarly, welfare workers, employment advisers, and employers must be encouraged to overcome their past prejudices against welfare recipients and accept them as potential employees. We can scarcely expect the welfare recipient to view himself as employable when others reject him automatically because of his welfare status. I believe Federal leadership to overcome barriers of this type is essential.

In addition to concentrating increasing efforts on the education, training, and job placement of welfare adults, we must begin to do better by their children. It is clear that the children, like their parents, are not being well served by our present educational system. We must attempt to determine how our welfare effort can be developed to help these children prepare for their future. Studies of children on welfare show that although most of them remain in school through age 16 or 17, they become more and more retarded in school rankings in relation to nonwelfare children. By the time they reach high school they are all too often two or three grades behind. Thus we are perpetuating the welfare cycle. These children are severely handicapped in competing with their peers for jobs or for further education.

Another area for possible reform is in work incentives—making it worthwhile to hold down a job. This is not a revolutionary concept in this country, but for some reason or other we never bothered to apply it to the welfare recipient. For him, any earnings have meant an automatic and equal reduction in his welfare payment.

The 1967 amendments recognized the need for some kind of incentive and provided that parents on AFDC may keep the first $30 of their monthly earnings, as well as one-third in addition to that amount, without any reduction in their assistance checks. Unfortunately, this action had to be taken by the Congress without any real experimentation or studies on whether these amounts constituted a real work incentive. It is likely that we shall find this stab in the dark to be inadequate, and that alternatives must be found. I intend to study the effects of our new earnings exemption as it is applied in the various States, and, if necessary, to propose a new amendment aimed at making it possible for those who can work and are willing to work to earn worthwhile compensation.

I urge also that we study the needs and the feasibility of including housing in our efforts to overcome the present welfare crisis. All existing evidence points to the fact that welfare recipients live in vastly inadequate housing. Even our public housing, although it was built to help house low-income families, in fact contains a very low percentage of assistance recipients. There exists no mechanism by which we can work for the specific goal of upgrading the quality of housing for welfare recipients. We must develop one.

At the heart of the welfare problem is the breakup of the family, the fastest growing category of welfare recipients is in female-headed families where the father is absent from the home because of divorce, separation, desertion, or illegitimacy. I realize that the problems of family disruption is not confined to welfare families, and I realize that it will not be solved by laws alone. Nonetheless, it has been charged that the welfare system contributes to the problem, and I propose that we seek to determine whether this is true and, if so, what changes should be made.

It would appear that relatively little effort has been made in the past to hold fathers responsible for the support of their children on welfare. It would seem logical that this fact, along with the fact that many States will not even grant AFDC payments in cases when the father is in the home, has certainly not contributed to any sense of responsibility on the part of AFDC fathers.

I am aware that the 1967 Social Security Amendments attempted to meet this problem through several provisions, among them providing Federal matching funds to States for programs designed to find and secure support payments from fathers of welfare children, and also to develop programs to establish paternity and secure support payments in behalf of illegitimate children. I propose that the Congress follow carefully the developments caused by these amendments. I am not certain, however, that they will result in significant decreases in father delinquency. A more positive and enforcible approach would seem to be indicated. Nonetheless, much can be learned by studying the effects of these amendments. In the meantime it is essential that they be fully and effectively administered and that an effort be made to assess their consequences.

The welfare crisis is as difficult as it is serious. There are no simple answers and no immediate solutions. Yet the problem is urgent, and we must act soon.

I believe that the proposals I have outlined today should be the foundation of future reform. I believe they point to a goal which is both desirable and obtainable—the opportunity of all Americans who are capable of being self-sufficient to actually become so.

This will take time, money, and very hard work on the part of those who administer our welfare programs and the Congress. My reforms would not have the dramatic impact of the negative income tax, or of a system of family allowances. But they would be born of hope and faith, not of frustration. And they would be consistent with American principles and ideals.

Mr. President, I understand and sympathize with those who criticize our welfare system. We need reform. But let us be very sure that as we seek reform we place human being and human values first and foremost. Welfare should not be a dead end. It should be a step up. I believe we can make it so.

RECORD OF THE GENERAL SUBCOMMITTEE ON LABOR

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. DENT. Mr. Speaker, now that this Congress is about to adjourn I would like to report the accomplishments and efforts of the General Subcommittee on Labor. I am pleased to serve as chairman of that committee, and proud of the legislative record we have carved out over the past few years for the working men and women of America.

Over 40,000 of my constituents are members of organized labor and they, like their colleagues across our land, keep the pulse of our economy beating steadily. Coming from a labor background, it is easy for me to go home and keep in touch, to know what is on our minds, and to come back here and try to do something about it.

That is why I know the work my committee did during the 90th Congress is what had to be done. We had three major milestones of legislative accomplishment, and they all dealt with matters of vital concern to our working force. I would like to discuss those matters now.

TRADE BILL

In April 1967, my committee resumed hearings on my trade bill. For 4 months, we heard witness after witness proclaim the dangers of foreign competition; the danger of products coming into the United States to compete with American goods when those products were produced by labor paid only a fraction of U.S. wages; the danger to the jobs of workers in our most basic and vital industries—steel, footwear, glass, textiles, and so on; and, the danger to the industrial and economic base of our country.

We gave more consideration to that bill than to any bill I have ever seen during my 11 years in Congress. The final House vote on the bill proved it. By a staggering 340 to 29, the House turned its back on the outdated and shopworn trade policies of the past, and gave its support to a new and fair technique of placing our workers and industries on an equal footing with foreign competition. Unfortunately, the Senate did not act on the bill, but we managed to gather more support for it than we ever had before. And I hope my constituents will return me to the Congress next month, so we can again begin the task of passing the bill in both the House and Senate.

A lot of people have asked me a lot of questions about the bill, exactly what it does, and so on.

As far as the bill itself is concerned, let me just say it could represent the most sweeping change in U.S. trade policy since this Nation first exchanged goods with others. It amends the Fair Labor Standards Act and provides that any industry, group of workers, or community hurt by low-wage-inspired foreign competition may appeal to the Secretary of Labor for an investigation. If the Secretary finds there has been damage, he will so report to the President who is empowered to take any customs action to relieve the problem.

The real essence of this procedure, is that it provides an alternative to the present Tariff Commission route where since 1962 some 18 industry and labor appeals for import relief have been denied. That alternative is appeal to the Secretary of Labor. What I am intending here, is that import damage be calculated in terms of jobs lost and communities closed, instead of only in dollars and cents as is the present procedure.

The mechanism of my bill is based on our Fair Labor Standards Act, and its requirements for the payment to workers of at least the minimum wage, and time-and-one-half for hours worked in excess of 40 a week. We now impose these requirements on our domestic producers to the tune of $1.60 an hour minimum. If they do not meet the standards, they are forbidden, under penalty of law, from shipping their goods in interstate commerce. Yet, we have no such restrictions on foreign goods often produced with 15 cents an hour labor which travel the length and breadth of our country. What we are doing is requiring our producers to meet minimum standards of pay for their labor, and expecting them to compete with foreign producers who pay their workers a bare fraction of even our minimum standards. I defy anyone to explain to me the logic of this.

We are polluting our channels of commerce with cheap foreign goods, and thereby driving American producers out of existence or to other nations to produce their goods. The real loser is the American worker, his family, and the community in which he lives. My bill would require a close relationship between the wage of the foreign worker and the U.S. minimum wage before the product of the foreigner's labor could be shipped to the United States and sold alongside an American product.

I intentionally drew the bill's guidelines tight so that many foreign goods would be subject to investigation. We need a new, no-nonsense approach to foreign trade and I believe my bill goes right to the heart of the matter.

When I brought my committee together to begin hearings on the bill, a lot of people thought I was undertaking an exercise in futility. I guess they still thought I was kidding when my committee traveled to various parts of the world to see firsthand what type of foreign competition we were up against. Believe me, if anything was ever an eyeopener, that trip was.

We saw little girls who could not have been 10 years old working 12 hours a day in a Taiwan lumber mill whose products are exported and sold in the United States. I cannot forget a highly efficient factory not far from there, where workers got the grand sum of 15 cents an hour. The entire product of that factory was shipped to the United States and sold in competition with a similar American-made product produced with labor earning over $2.30 an hour.

The evidence was the same in all the

overseas factories we saw. How in the world we are supposed to compete with that kind of production under our present trade policy, I just do not know.

We cannot continue to lose the equivalent of 100,000 steelworker jobs every year. We cannot stand by while our glass plants become closed down. We cannot tolerate the creation of ghost towns where prosperous communities stood.

These are the byproducts of unfair foreign competition, and no country, no matter how strong, can afford to let that happen. Hopefully, we are beginning to realize that, and will come back here ready to do something about it.

AGE DISCRIMINATION IN EMPLOYMENT

The second major accomplishment of my committee began in August 1967, when we first considered a bill to prohibit age discrimination in employment. It ended on December 15, when President Johnson signed into law the Age Discrimination in Employment Act.

I had always been aware of the fact that some employers would pass over a middle-aged or older worker in favor of a younger one, but did not realize the extent of it until I got into the problem.

When my minimum wage bill was passed in 1966, we had a provision put in it that required the Secretary of Labor to study the question of age discrimination in employment. He did so, and made a report on his findings. That report produced some interesting figures.

It showed that, although there are now 52 million Americans between the ages of 40 and 64, half of all jobs were closed to workers over 55, and one-fourth of all jobs were closed to workers over 45.

It showed that workers 45 years old and older made up half of this country's long-term unemployed, and over one-fourth of all the unemployed.

It showed that, of the billion dollars in unemployment insurance paid out each year, three-fourths went to workers 45 or over.

It showed that, although Americans are now living longer and enjoying better health than ever before, older workers were often barred from jobs that could be performed efficiently by workers of any age.

Those figures add up to a senseless and costly waste of human talents and energy. They showed that men and women who needed to work, who wanted to work, and who were able to work, were not being given a fair chance to work.

The Age Discrimination in Employment Act is an answer to this national problem. Its basic purpose is to outlaw discrimination in employment against persons 40 to 65 years of age. It makes proper allowance for cases where age is an important factor in performing the job.

The act does not compel anyone to choose a person aged 40 to 65 over another person. It does require that one simple question be answered fairly:

Who has the best qualifications for the job?

WELFARE AND PENSION PLANS

The third area of major legislative accomplishment by my committee is one of great importance to the future security of America's workers. That area covers employee benefit and retirement plans.

In March of this year, we began hearings on my bill to require greater standards of responsibility for the administrators of such plans. The bill established safeguards to ensure that those who are entitled to benefits under welfare and pension plans will receive them when they are due.

There are presently over one million plans in the United States, and no two are alike. Billions of dollars are involved and we must require the greatest exercise of honesty and good judgment by those who handle them.

My committee approved the bill, but a lack of time prevented the Congress from acting on it. If things go well, we will begin a complete study in the entire area of employee benefit plans next year.

Mr. Speaker, we acted in a number of other areas also, but I have chosen only to mention the three. Our schedule has always been full, but open to suggestion. I would like to think our actions have always been efficient and beneficial. In any event, our record is one we are proud of and one we believe goes right to the heart of matters vital to America's people.

NATIONAL POETRY DAY IN ALABAMA

HON. LISTER HILL

OF ALABAMA

IN THE SENATE OF THE UNITED STATES

Friday, October 11, 1968

Mr. HILL. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks an article entitled "Statewide Celebration Set for National Poetry Day," published in the Montgomery Advertiser of October 2, 1968.

Mr. J. Mitchell Pilcher, chairman of the National Poetry Day Committee of the Alabama Writers' Conclave and his cochairmen deserve hearty congratulations on their efforts to encourage and inspire enthusiasm for creative writing among our young people. I am pleased to invite the attention of Senators to the article.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STATEWIDE CELEBRATION SET FOR NATIONAL POETRY DAY

One of the most ambitious of Alabama's art and culture festivals is the annual observance of National Poetry Day. October 15 is the date of the state's public celebration of community-campus creativity.

HUNTSVILLE-GADSDEN

Heading the list of north Alabama poetry centers and sponsors is Huntsville, the Space City with its national magazine of verse, *Poem*, and the state's largest literary association of poets, authors, artists and scientists. Also, Gadsden, with its Alabama Literary Association (ALALIT). ALALIT and Alabama Writers' Conclave cash awards to campus and Conclave poets total several hundred dollars annually.

MONTGOMERY

Highlighting the Montgomery celebration is the Huntingdon College library exhibit and campus program, Oct. 15, with other local programs honoring Beth (Mrs. Elizabeth Winston) Sheehan on the occasion of her just released book, POEMS.

The Montgomery United Spanish War Veterans Auxiliary will present a poetry program, at its October meeting, with readings by Mrs. Sheehan, and at the Press and Authors Club first meeting in October, Mrs. W. T. Sheehan Sr., club historian, will read from her book.

BIRMINGHAM

Richard G. Beyer, sponsor of the newly organized Alabama State Poetry Society announces the society's Birmingham poetry program, scheduled for Oct. 12, with Alabama poet laureate Bert Henderson's lecture.

Other Birmingham programs, announced by Mary B. Ward, former state laureate, include poetry programs for club and school presentation, in addition to library and exhibits and readings.

FLORENCE

Several members of the Alabama State Poetry Society in the Florence area are assisting local National Poetry Day activities by judging poetry submitted by Colbert and Lauderdale County school children in an area contest.

MOBILE

The PENSTERS have pioneered in the observance of Poetry Day, and will dedicate their Oct. 26 meeting to Poetry Day. The members will read their own poems. Other readings will feature selections from Beth Sheehan's POEMS, and the national award lyric by state Poetry Day chairman Joe Mitchell Pilcher of Montgomery titled "Lyrist Transcendent."

The programs are work of the state chairman, Joe Mitchell Pilcher, and his co-chairmen: Morton D. Prouty, (honorary) Tri-Cities; Richard G. Beyer, Alabama State Poetry Society, Florence; Mary B. Ward, Birmingham, north Alabama co-chairman; Beth Sheehan, Montgomery, and Dr. Clyde H. Cantrell, Director, Auburn University Library, central Alabama co-chairman; Frances Durham, Fairhope and Mobile, south Alabama co-chairman.

The National Director of National Poetry Day Committee, Inc., is the poet-artist Dr. Frances Clark Handler of Miami Beach, Fla.

REPORT TO THE PEOPLE OF THE FIRST DISTRICT OF MARYLAND

HON. ROGERS C. B. MORTON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. MORTON. Mr. Speaker, in line with my custom of reporting to my constituents on the activities of each session of the Congress, I would like to insert an account of my voting record during the second session of the 90th Congress, through Thursday, October 10, 1968.

It is impossible to give a full description of the subject of each vote; therefore, I have included only enough information to identify the measure. Upon request, I will be glad to furnish additional information about any of these votes.

In the course of this year, there have been 192 quorum calls, which I did not list on the following summary. I was present for 171 of these quorum calls.

The report follows:

90TH CONG., 2D SESS.

[NV—not voting; NVF—paired for; NVA—paired against]

Date, 1968	Roll-call No.	Measure, question, and result	Morton vote
Jan. 22	2	H.R. 10337, authorizing computation of overtime pay for District of Columbia hospital employees: On passage (passed, 283 to 9)	Yea.
23	4	H.R. 8696, savings and loan holding companies amendments: On amendment to redefine "debt security" (rejected, 156 to 198)	Yea.
25	6	H.R. 14563, increasing railroad unemployment insurance benefits: On passage (passed, 321 to 0)	Yea.
Feb. 1	12	H.R. 11601, Consumer Credit Act (truth-in-lending bill): On amendment to make "loan sharking" a Federal offense (adopted, 383 to 5)	Yea.
1	13	On passage (passed, 382 to 4)	Yea.
5	15	H.R. 4282, marketing orders for cherries used for canning or freezing: On passage (rejected under suspension of the rules, which requires ⅗ majority, 180 to 168)	Yea.
5	16	S. 974, authorizing sale of certain Federal land to the city of Glendale, Ariz.: On passage (rejected under suspension of the rules, 202 to 138)	Yea.
7	22	H.R. 6649, Export-Import Bank extension: On recommittal motion, to incerase loan ceiling to $12,500,000,000 instead of $13,500,000,000 (rejected, 164 to 232)	Yea.
7	23	On passage (passed, 375 to 19)	Yea.
8	25	H.R. 11284, Fire Research and Safety Act: On agreeing to H. Res. 926, the rule for the consideration of H.R. 11284 (agreed to, 332 to 21)	Yea.
8	26	On passage (passed, 268 to 78)	Yea.
21	30	H.R. 14743. Gold cover removal: On motion to recommit or "kill" the bill (rejected. 188 to 206)	Yea.
21	31	On passage (passed, 199 to 190)	Nay.
26	33	H.R. 15131, District of Columbia police-firemen salary increase: On motion to recommit with instructions to grant extra pay to policemen with college education (rejected, 125 to 234)	Yea.
26	34	On passage (passed, 353 to 2)	NV
26	35	S. 989, Federal Jury Selection Act: On passage (passed, 307 to 45)	Yea.
27	38	H.R. 11308, Arts and Humanities Foundation amendments: On amendment to extend for 1 year instead of 2; and authorize $11,200,000 instead of $55,000,000 (passed, 262 to 130)	Yea.
27	39	On passage (passed, 272 to 123)	Yea.
28	40	H. Res. 1070, authorizing Agriculture Committee travel: On agreeing to resolution (agreed to, 300 to 92)	Yea.
Mar. 4	43	H.R. 15147, naturalization of combat area servicemen: On passage (passed, 335 to 0)	NV.
5	45	S. 889, authorizing San Rafael wilderness: On motion to recommit the conference report with instructions to include additional land (rejected, 155 to 238)	NVF.
5	46	H.R. 15398, expanding the school lunch program: On passage (passed, 398 to 0)	NV.
6	49	H.R. 14940, extending the Arms Control and Disarmament Agency: On motion to recommit with instructions to substitute $20,000,000, 2-year authorization for $33,000,000, 3-year authorization (adopted, 241 to 161)	Yea.
6	50	On passage (passed, 305 to 96)	Yea.
13	53	H. Res. 1042, authorizing Un-American Activity Committee funds: On recommittal motion with instructions to hold open hearings on justification for funds (rejected, 78 to 305)	Nay.
13	54	On agreeing to resolution (agreed to, 343 to 45)	Yea.
13	55	H.R. 14933, regarding overtime pay for employees of postal field service: On passage (passed, 369 to 14)	Yea.
18	57	H.R. 15004, extension of civil defense programs: On passage (passed, 319 to 1)	Yea.
19	60	H.R. 15364, providing for increased U.S. participation in the Inter-American Development Bank: On motion to recommit with instructions to review programs (rejected, 126 to 271).	Yea.
20	62	H.R. 10790, amending Public Health Service Act to establish electronic radiation control program: On passage (passed, 381 to 0)	Yea.
21	63	S. 2029, providing temporary exemption from various safety standards for small producers of automobiles: On passage (passed, 344 to 2)	Yea.
25	65	H.R. 13541, Agricultural Fair Practices Act: On agreeing to H. Res. 1094, the rule for consideration of H.R. 13541 (agreed to, 270 to 39)	Yea.
25	67	On passage (passed, 232 to 90)	Yea.
26	70	H.R. 10477, veterans' housing amendments: On passage (passed, 366 to 12)	NV.
27	71	H.R. 11816, providing benefits for law enforcement officers killed or injured while upholding Federal law: On adoption of conference report (adopted, 375 to 0)	NV.
27	72	H.R. 4282, cherry marketing orders: On H. Res. 1103, rule for consideration of H.R. 4282 (agreed to, 316 to 44)	NV.
27	73	On passage (passed, 197 to 185)	NVA.
28	75	H.R. 15344, extending authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury: On passage (passed, 359 to 5)	NV.
Apr. 1	77	H.R. 15198, authorizing employer contributions to employer-employee committees to interpret collective bargaining agreements and for industry promotion of products: On passage (rejected on suspension, 219 to 138).	Yea.
	78	H.R. 15979, extending research program on effects of pesticides, etc., on fish and wildlife: On passage (passed, 333 to 25)	Yea.
1	79	H.R. 15190, extending life of Atlantic-Pacific Interoceanic Canal Study Commission: On passage (rejected on suspension, 216 to 137)	Yea.
2	82	H. Res. 1101, disagreeing to Narcotics Bureau reorganization: On agreeing to resolution (disagreed to, 190 to 200)	Yea.
3	85	H. Res 1099, establishing congressional code of ethics: On agreeing to resolution (agreed to, 405 to 1)	Yea.
4	86	H.R. 16241, foreign travel tax: On passage (passed, 279 to 102)	Nay.
4	87	H.R. 16324, Atomic Energy Commission authorization: On passage (passed, 318 to 14)	Yea.
4	88	H.R. 15399, Supplemental Appropriations Act: On amendment to conference report, providing additional $20,810,000 for aid to impacted school districts (adopted, 199 to 189.)	Nay.
9	92	H.R. 16489, Treasury-Post Office appropriations: On motion to recommit with instructions to cut postal operations funds (rejected, 102 to 250)	Yea.
9	93	On passage (passed, 342 to 10)	Yea.
10	95	H.R. 2516, 1968 civil rights bill: On motion to bring immediate vote on H. Res. 1100, the resolution to accept the Senate amendments (passed, 229 to 195)	Nay.
10	96	On agreeing to Senate amendments (agreed to, 250 to 171)	Nay.
22	98	H.R. 16409, increasing District of Columbia teachers' pay: On amendment to remove existing limitation on number of teacher aides (adopted, 146 to 140)	Nay.
22	99	On passage (passed, 255 to 32)	Yea.
23	101	H.R. 13738, increasing minimum travel allowance for Federal employees: On passage (passed, 289 to 65)	NV.
24	103	H.R. 15986, Public Broadcasting Corporation authorization: On passage (passed, 241 to 132)	Yea.
25	105	H.R. 16703, military construction authorization: On passage (passed, 345 to 14)	Yea.
29	107	H.R. 15688, extending President's authority to reorganize Federal agencies, subject to veto by House or Senate: On passage (passed, 258 to 51)	NV.
May 1	111	H.R. 16913, Department of Agriculture appropriations: On passage (passed, 318 to 70)	Nay.
2	113	H.R. 15856, NASA authorization: On passage (passed, 262 to 106)	Nay.
6	115	H.R. 13016, providing cost-of-living allowance for judicial employees outside the continental United States: On passage (rejected on suspension, 206 to 132)	NV.
6	116	H.R. 15345, directing Federal agencies to establish security measures with which banks must comply: On passage (passed, 235 to 98)	NV.
6	117	H.R. 16819, Vocational Rehabilitation Act extension: On passage (passed, 335 to 0)	NV.
7	119	H. Res. 1149, rule for consideration of H.R. 15951, uniform Monday holiday bill: On agreeing to resolution (agreed to, 350 to 27)	NV.
7	120	H.J. Res. 958, authorizing comprehensive study and investigation of automobile insurance system: On agreeing to resolution (agreed to, 363 to 3)	NV.
8	122	H.R. 17023, independent offices and HUD appropriations: On motion to recommit with instructions to limit spending to $15,500,000,000 (rejected, 173 to 216)	Yea.
8	123	On passage (passed, 353 to 37)	Nay.
9	125	H.R. 14940, extending the Arms Control and Disarmament Agency: On adopting the conference report (adopted 270 to 90)	Yea.
9	126	H.R. 16729, Higher Education Act amendments: On amendment to withhold funds from individuals causing disruption of university administration (adopted, 306 to 54)	Yea.
9	127	On passage (passed, 348 to 5)	Yea.
9	129	H.R. 15951, uniform Monday holiday bill: On motion to recommit with instructions that Washington's Birthday be observed on Feb. 22 (rejected, 141 to 153)	Yea.
9	130	On passage (passed, 212 to 83)	Yea.
10	132	H.R. 16911, providing for U.S. participation in facility based on special drawing rights in the International Monetary Fund: On agreeing to H. Res. 1169, the rule for consideration of H.R. 16911 (agreed to, 231 to 9).	Yea.
10	133	On passage (passed, 236 to 15)	Yea.
13	135	S. 3033, increasing authorization for continuing work on the Missouri River Basin project: On passage (passed, 295 to 18)	Yea.
14	147	H.R. 16165, Agricultural Trade Development and Assistance Act: On amendment prohibiting financing of sales of commodities to North Vietnam (adopted, 370 to 21)	Yea.
14	138	On passage (passed, 345 to 42)	Yea.
20	143	H.R. 15387, providing for disciplinary action against postal field service employees who assault other employees in performance of official duties: On passage (passed, 333 to 5).	Yea.
21	145	H.R. 17354, Department of Interior appropriations: On motion to recommit with instructions to limit spending to $1,300,000,000 (rejected, 174 to 207)	Yea.
21	146	On passage (passed, 364 to 14)	Yea.
22	148	H.R. 2158, Interstate Taxation Act: On passage (passed, 284 to 89)	Nay.
23	150	H. Res. 1093, authorizing investigations of U.S. military credit unions: On agreeing to resolution (agreed to, 186 to 173)	NVA.
23	151	H.R. 8578, amending the Land and Water Conservation Fund Act: On passage (passed, 336 to 13)	NVF.
27	152	H.R. 16948, directing District of Columbia Commissioner to remove, at District of Columbia expense, the buildings destroyed in riots: On passage (rejected, 141 to 184)	Nay.
27	153	H.R. 15280, Federal City College: On amendment to provide tuition charge (rejected, 159 to 175)	Yea.
27	154	On motion ot recommit (rejected, 84 to 254)	Nay.
28	156	H.R. 17522, Departments of State, Justice, and Commerce appropriations: On motion to recommit with instructions to limit spending to $1,989,640,000 (passed, 223 to 154)	Yea.
28	157	On passage (passed, 347 to 28)	Yea.
29	159	H.R. 15414, Revenue Expenditure and Control Act: On motion to instruct House conferees to cut Federal expenditures by $4,000,000,000 (rather than $6,000,000,000) (rejected, 137 to 259).	Nay.
June 5	164	H.R. 11308, Arts and Humanities Foundation: On adoption of conference report (adopted, 194 to 166)	Nay.
5	165	S. 2349, providing for appointment of additional circuit judges: On passage (passed, 357 to 13)	Yea.
5	166	H.R. 5037, anticrime bill: On motion to send bill to conference (rejected, 60 to 317)	Nay.
6	167	Motion to adjourn (rejected, 70 to 301)	Nay.
6	168	H.R. 16027, increasing veterans' service-connected disability compensation: On passage (passed, 388 to 0)	Yea.

90TH CONG., 2D SESS.—Continued

[NV—not voting; NVF—paired for; NVA—paired against]

Date, 1968	Roll-call No.	Measure, question, and result	Morton vote
June 6	169	H. Res. 1197, agreeing to Senate amendments to H.R. 5037, the anticrime bill: Motion to end debate and vote immediately (passed, 349 to 40)	Yea.
6	170	On agreeing to resolution (agreed to, 368 to 17)	Yea.
6	171	Motion to adjourn in respect to the late Senator Robert Kennedy (passed, 357 to 0)	Yea.
10	173	H.R. 3400, authorizing aircraft noise abatement regulation: On passage (passed, 312 to 0)	Yea.
11	176	H.R. 17734, 2d supplemental appropriations for 1968: On amendment providing $90,000,000 for aid to impacted school districts (adopted, 226 to 133)	Yea
11	177	On passage (passed, 324 to 33)	Yea.
12	179	H.R. 16489, Treasury and Post Office Department appropriations: On motion to recommit the conference report (rejected, 159 to 216)	NV.
12	180	On adoption of conference report (adopted, 368 to 10)	Yea.
12	181	H. Res. 1187, authorizing appointment of delegates to International Labor Organization Conference in Geneva: On agreeing to resolution (agreed to, 259 to 120)	Nay
12	182	H.R. 16162, extending Export-Import Bank loans: On amendment regarding $100,000,000 limitation to cover losses incurred by Banks (adopted, 217 to 163)	Yea.
13	184	H.R. 16363, Wholesome Poultry Products Act: On passage (passed, 352 to 17)	Nay.
13	185	H.R. 15087, Peace Corps Act amendments: On motion to recommit with instructions to reduce appropriation by $15,000,000 (rejected, 179 to 187)	Yea.
13	186	On passage (passed, 292 to 61)	Nay.
17	188	H.R. 6589, insuring accessibility to Federal buildings by handicapped: On passage (passed, 302 to 0)	Yea.
18	190	S. 1028, extending certain benefits to former employees of committees established pursuant to Soil Conservation and Domestic Allotment Act: On motion to recommit with instructions regarding civil service status for county committees (rejected, 136 to 228)	Yea.
18	191	On passage (passed, 353 to 13)	Yea.
19	195	H.R. 17903, public works appropriations: On amendment to strike funds for Dickey-Lincoln project in Maine, and to limit total spending to $4,400,000,000 (adopted, 265 to 132).	Yea.
20	197	H.R. 15414, Revenue Expenditure and Control Act, conference report: On H. Res. 1220, rule for consideration of the conference report (agreed to, 321 to 86)	Yea.
20	199	On H. Res. 1222, providing that Senate amendments contravene clause 1, sec. 7 of the Constitution: On motion to table the resolution (passed, 257 to 162)	Yea.
20	201	On adoption of conference report (adopted, 268 to 150)	Yea.
24	204	H.R. 3136, authorizing study of increased use of metric system: On passage (passed, 270 to 42)	Yea.
26	210	H.R. 18037, Labor-HEW appropriations: On amendment providing additional funds for educational professions development activities (adopted, 228 to 172)	Nay.
26	211	On amendment cutting OEO appropriations by $10,000,000 (rejected, 181 to 220)	Nay.
26	212	On previous question on motion to recommit (agreed to, 275 to 126)	Yea.
27	214	H.R. 18038, legislative appropriations: On passage (passed, 361 to 22)	Yea.
July 1	217	H.R. 17872, amending the School Lunch Act: On passage (passed, 274 to 78)	Yea.
1	218	H.R. 17873, amending the School Lunch Act: On passage (passed, 352 to 0)	Yea.
1	219	S. 2837, establishing the Cradle of Forestry in America: On passage (passed, 279 to 71)	Yea.
2	222	H.R. 17734, 2d supplemental appropriations for 1968, conference report: On motion to concur with Senate anendment providing $13,000,000 for manpower development and training (passed, 288 to 81)	Yea.
2	223	On amendment providing $5,000,000 for Headstart (adopted, 265 to 106)	Nay.
2	224	S. 1166, Natural Gas Pipeline Safety Act: On adoption of House Public Works Committee substitute (adopted, 247 to 125)	Yea.
2	225	On passage (passed, 351 to 14)	Yea.
3	227	H.R. 17134, Federal-Aid Highway Act of 1968: On highway beautification amendment (adopted, 211 to 145)	Yea.
3	228	H.R. 16361, District of Columbia Revenue Act of 1968: On motion to recommit (rejected, 100 to 122)	Yea.
10	238	H.R. 17989, Housing and Urban Development Act of 1968: On amendment regarding income limitations on low-income housing (adopted, 271 to 137)	Yea.
10	239	On motion to recommit with instructions to delete "upgrading management and services in public housing projects," and "interim assistance for blighted areas" (adopted, 217 to 193).	Yea.
10	240	On passage (passed, 295 to 114)	Yea.
11	243	S. 3293, defense procurement authorization: On passage (passed, 362 to 15)	Yea.
12	245	H.R. 15758, Public Health Service Act amendments: On passage (passed, 325 to 1)	Yea.
12	247	H.J. Res. 1, creating a Joint Committee To Investigate Crime: On passage (passed, 318 to 12)	Yea.
12	248	H.R. 14096, prescribing penalties for possession of LSD and other hallucinogenic drugs by unauthorized persons: On passage (passed, 319 to 2)	Yea.
12	249	H.R. 16824, State Technical Services Act extension: On passage (passed, 309 to 2)	Yea.
15	252	H.R. 18366, Vocational Education Act amendments: On passage (passed, 389 to 0)	Yea.
15	253	S. 3710, authorizing navigation and flood control projects: On passage (passed, 307 to 85)	Yea.
15	254	S. 2515, authorizing Redwood National Park: On passage (passed, 388 to 15)	Yea.
15	255	H.R. 163, preventing vessels built or rebuilt outside the United States, or documented under foreign registry, from carrying cargoes restricted to vessels of the United States: On passage (passed, 370 to 30).	Yea.
15	256	S. 1418, amending the passport laws: On passage (passed, 324 to 71)	Nay.
15	257	H.R. 5117, authorizing Palmetto Bend project: On passage (passed, 294 to 104)	Yea.
15	258	S. 827, authorizing national trails system: On passage (passed, 378 to 18)	Yea.
15	259	S. 6, authorizing Oahe unit. Missouri River Basin project: On passage (passed, 264 to 128)	Yea.
15	260	S. 752, amending Interstate Commerce Act regarding cooperative associations transportation: On passage (passed, 271 to 106)	Yea.
16	262	H.R. 15263, foreign aid authorization: On adoption of H. Res. 1240, rule for consideration of H.R. 15263 (adopted 282 to 118)	Yea.
18	267	On motion to recommit with instructions to cut $165,000,000 (passed, 267 to 150)	Nay.
18	268	On passage (passed, 228 to 184)	Yea.
22	271	H.R. 15678, increasing District of Columbia judges' salaries: On passage (passed, 338 to 44)	Yea.
22	272	S. 1228, District of Columbia medical facilities: On motion to recommit (rejected, 109 to 288)	Nay.
22	273	H.R. 18248, regarding transportation of schoolchildren in District of Columbia: On passage (passed, 205 to 84)	Yea.
24	275	H.R. 17735, State Firearms Control Assistance Act: On amendment exempting sports gun ammunition (adopted, 218 to 205)	Yea.
24	276	On amendment providing mandatory penalties for use of gun in committing crime (adopted, 412 to 11)	Yea.
24	277	On amendment to restore exemption for military training units (adopted, 225 to 198)	Yea.
24	278	On passage (passed, 305 to 118)	Yea.
25	280	H.R. 15067, Higher Education Act Amendments: On amendment denying funds to students involved in certain crimes (adopted, 259 to 147)	Nay.
25	281	On passage (passed, 389 to 15)	Yea.
25	282	H.R. 15198, providing for employer contributions to joint funds for industry promotion of products: On H. Res. 1234, rule for consideration of H.R. 15198 (adopted, 290 to 100)	Yea.
25	283	On amendment regarding equal contributions of funds (rejected, 156 to 217)	NV.
25	284	On amendment to renew funds used to resolve collective bargaining agreements (adopted, 190 to 177)	NVF.
25	285	On passage (passed, 201 to 169)	NVA.
26	287	S. 3497, Housing and Urban Development Act of 1968: On adoption of conference report (adopted, 226 to 135)	Nay.
26	288	S. 2418, Federal-Aid Highway Act of 1968, conference report: On motion to recommit to conference (rejected, 166 to 167)	NV.
29	291	H.R. 18785, military construction appropriations: On motion to recommit (rejected, 32 to 349)	Nay.
30	293	H.R. 18249, Food Stamp Act amendments: On amendment to provide 4-year authorization (adopted, 227 to 172)	Nay.
30	249	On passage (passed, 315 to 83)	Yea.
30	296	H.R. 17126, extending Food and Agriculture Act of 1965: On H. Res. 1218, rule for consideration of H.R. 17126 (adopted, 316 to 73)	Yea.
31	299	On motion to recommit with instructions to limit single farm subsidy payment to $20,000 (adopted, 230 to 160)	Nay.
31	300	On passage (passed, 215 to 176)	Nay.
Aug. 1	302	H.R. 15387, providing disciplinary action against postal field service employees who assault other employees in performance of official duties: On adoption of conference report (adopted, 345 to 24).	NV.
1	303	H.R. 15757, Health Manpower Act: On passage (passed, 350 to 0)	NV.
1	304	H. Res. 1247, granting additional travel authority to Public Works Committee (adopted, 218 to 107)	NV.
Sept. 5	309	H.R. 15045, Manpower Development and Training Act amendments: On passage (passed, 315 to 0)	NV.
9	311	H.R. 10564, pear marketing orders: On passage (passed, 111 to 165)	Nay.
10	312	S. 3293, defense procurement authorization: On adoption of conference report (adopted, 323 to 15)	NV.
10	313	H.R. 15681, Foreign Military Sales Act: On passage (passed, 313 to 29)	NV.
11	316	Procedural vote (motion to dispense with further proceedings under the call of the House) (passed, 283 to 71)	Yea.
12	318	H.R. 18707, Department of Defense Appropriations: On amendment providing that no funds be spent outside United States for purchase of aircraft (rejected, 73 to 268)	Nay.
12	319	On passage (passed, 334 to 7)	Yea.
12	320	S. 2515, authorizing Redwood National Park: On adoption of conference report (adopted, 329 to 1)	Yea.
12	321	H.R. 18260, authorizing national scenic rivers system: On passage (passed, 265 to 7)	Yea.
16	323	H.R. 551, authorizing Biscayne National Monument: On passage (passed, 243 to 92)	NV.
16	324	H.R. 2567, promoting health and safety in building trades: On passage (rejected on suspension, 196 to 136)	NV.
16	326	S. 1440, regarding interstate transportation of traveler's checks: On passage (passed, 328 to 4)	NV.

90TH CONG., 2D SESS.—Continued

[NV—not voting; NVF—paired for; NVA—paired against]

Date, 1968	Roll-call No.	Measure, question, and result	Morton vote
Sept. 16	327	S. 3030, regarding development of fish protein concentrate: On passage (passed, 218 to 102)	NV.
16	328	H.R. 12962, establishing a Commission on Negro History and Culture: On passage (passed 261 to 45)	NV.
16	329	S. 3379, authorizing Great Swamp National Refuge: On passage (passed, 269 to 22)	NV.
16	330	H.R. 19136, regarding overtime and standby pay for certain employees of Department of Transportation: On passage (passed, 317 to 2)	NV.
17	332	H.R. 16817, omnibus private bill: On amendment (adopted, 275 to 67)	NV.
17	333	On amendment (rejected, 39 to 303)	NV.
17	334	On amendment (rejected, 139 to 212)	NV.
17	335	On amendment (rejected, 115 to 236)	NV.
17	336	On amendment (rejected, 132 to 211)	NV.
17	337	On amendment (rejected, 127 to 203)	NV.
17	338	On amendment (adopted, 224 to 100)	NV.
17	339	H.R. 17126, extending Food and Agriculture Act of 1965: On motion to disagree with Senate amendments (passed, 223 to 85)	NVF.
18	341	H. Res. 1523, rule for consideration of H.R. 15890, creating supergrade positions in executive agencies: On agreeing to resolution (disagreed to, 134 to 221)	NVA.
18	342	H. Res. 1241, rule for consideration of H.R. 17682, regarding civil service retirement: On agreeing to resolution (agreed to, 290 to 67)	NV.
19	343	H.R. 15263, foreign assistance authorization: On adoption of conference report (adopted, 196 to 150)	NVF.
19	344	H.R. 19908, foreign aid appropriations: On H. Res. 1308, rule for consideration of H.R. 19908 (agreed to, 293 to 58)	NV.
19	345	On motion to resolve into Committee of the Whole to consider H.R. 19908 (passed, 270 to 64)	NV.
19	346	On passage (passed, 173 to 139)	NVF.
24	349	H.R. 17854, District of Columbia parking facilities: On motion to recommit (rejected, 127 to 225)	Yea.
24	351	H.R. 17126, extending Food and Agriculture Act of 1965: On adoption of conference report (adopted, 189 to 172)	Nay.
24	352	S. 3068, Food Stamp Act amendments: On motion to recommit to conference (rejected, 158 to 187)	Nay.
24	353	On adoption of conference report (adopted, 245 to 98)	Yea.
26	355	S. 945, Federal magistrates bill: On motion to recommit with instructions to limit number of magistrates to 250 and provide Presidential appointment of magistrates (rejected, 64 to 268.)	Nay.
26	356	S. 2484, providing extension of Senate Office Building site: On passage (rejected, 144 to 161)	Nay.
26	357	H.J. Res. 461, continuing appropriations:	
		On amendment to continue appropriations for Department of Defense only (rejected, 136 to 163)	Yea.
		On motion to recommit with instructions to continue appropriations for Defense Department only (rejected, 135 to 148)	Yea.
Oct. 1	360	H.R. 15758, health services and facilities amendments: On adoption of conference report (adopted, 317 to 0)	NV.
1	361	H.R. 14935, regulating the mailing of master keys for automobiles: On adoption of conference report (adopted, 251 to 62)	Nay.
3	363	H.R. 18037, Labor-HEW appropriations: On motion to agree to Senate amendment reappropriating $91,000,000 for aid to impacted school districts (agreed to, 200 to 145)	Yea.
3	366	On amendment regarding prohibiting of use of Federal funds to force busing of students (rejected, 167 to 175)	Yea.
3	367	On agreement to Senate amendment regarding prohibiting of use of Federal funds to force busing of students (agreed to, 330 to 7)	Yea.
3	368	On agreement to Senate amendment regarding prohibiting of busing of students as condition to receiving Federal funds (agreed to, 166 to 155)	Nay.
7	370	H.R. 15990, amending Manpower Development and Training Act, regarding seasonal employment in construction industry: On passage (passed, 265 to 0)	Yea.
7	371	S. 3206, Federal water pollution control amendments: On passage (passed, 277 to 0)	Yea.
7	372	S. 1763, Guam Development Fund: On passage (passed, 279 to 0)	Yea.
7	373	S. 3207, continuation of civil government of the trust territory: On passage (passed, 278 to 0)	Yea.
7	374	H.R. 19910, Milk marketing order amendments: On passage (passed, 201 to 76)	Yea.
9	408	Procedural vote: motion to table the appeal of Chair's ruling on locking Members in the Chamber (passed, 136 to 102)	Nay.
9	409	Procedural vote: motion to table motion to reconsider the vote on appeal of Chair's ruling (passed, 137 to 104)	Nay.
9	410	Motion to adjourn (rejected, 92 to 149)	Yea.
9	413	S.J. Res. 175, suspending equal-time provisions of Communications Act during the 1968 campaign: On H. Res. 1315, rule for consideration of S.J. Res. 175: On previous question (agreed to, 162 to 111).	NV.
9	414	On H. Res. 1315 (agreed to, 284 to 1)	NV.
9	416	On motion that House resolve itself into Committee of the Whole to consider S.J. Res. 175 (passed, 285 to 0)	NV.
9	418	On motion to recommit with instructions to provide equal but separate time for each of 3 major candidates (rejected, 112 to 204)	NV.
9	419	On passage (passed, 280 to 35)	NV.
10	422	H.R. 17735, State Firearms Control Assistance Act: On adoption of conference report (adopted, 160 to 129)	NVA.
10	423	H.R. 17324, renegotiation amendments of 1968: On adoption of conference report (adopted, 196 to 44)	Yea.
10	424	H. Res. 1304, authorizing Banking and Currency Committee to undertake housing study (agreed to, 152 to 66)	Yea.
10	425	H.R. 19908, foreign aid appropriations: On adoption of conference report (adopted, 125 to 93)	Yea.

FREEDOM OF THE PRESS

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Friday, October 11, 1968

Mr. THURMOND. Mr. President, in a period when the influence of the press is on the upswing, I wish to call attention to an editorial published in the Greenville, S.C., Piedmont, October 4, 1968, in reference to National Newspaper Week—October 6–12.

In his editorial entitled "Free Press Is Paramount for Freedom of Country," editor William Gaines points out that—

> Where newspapers are free from government restrictions, as they are in the United States, people are free to select the reading matter of their choice. This is one of the greatest of all freedoms.

Mr. President, today half of the world is under news censorship and control of the press is a tool used in the subjugation of a people by a dictator. We are indeed fortunate in our country to have a free press—a press free to report the news, free to interpret the news, free to serve as a public forum. I am pleased that this week has been designated as National Newspaper Week, and I would like to take this opportunity to express my appreciation to the newspapermen and women of this country for the outstanding job they are doing.

Mr. President, I ask unanimous consent that the editorial "Free Press Is Paramount for Freedom of Country" be placed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FREE PRESS IS PARAMOUNT FOR FREEDOM OF COUNTRY

October 6 to 12 has been designated as Newspaper Week.

Purpose of the observance is not to promote the interests of the press, but to impress upon the public the need for what has come to be known as a free press, admittedly a principal bulwark for a free people.

The newspaper has been an essential instrument in the lives of the American people since the beginning of the Republic.

Its basic purpose has been and always will be: To chronicle the happenings of the day, accurately and completely. Its next and inseparable function is to try to place the facts concerning these happenings in perspective—to give them meaning in the light of other events, past and present.

The newspaper has other important purposes—to serve as a medium for advertising, to entertain and amuse, to serve as a public forum.

Today half the world is under news censorship. Control of the press is the first and most important step in the subjugation of a people by a dictator. Denied access to the facts under censorship and press control, the people can base their judgment only on half-truths and outright lies, fed to them as a necessary preliminary to enslavement.

That this is frightfully true has been proved by developments in countries now under dictatorship. Governments have been overthrown and the rights of the people abrogated in many instances because they were denied the facts which would have been made available by a free press.

Where newspapers are free from government restrictions, as they are in the United States, people are free to select the reading matter of their choice. This is one of the greatest of all freedoms.

WALLACE DISTORTS FACTS AND HISTORY

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. DERWINSKI. Mr. Speaker, Monday, Mr. George C. Wallace delivered an address to the National Press Club in which he was guilty of a very basic distortion of facts and history in discussing foreign policy.

I refer specifically to this Wallace statement:

> For the past two decades or more, the other two parties have alternately tried their hands at managing our foreign affairs with consistently worsening results.

History and the facts show that there is a clear difference in the philosophy and administration of foreign policy between Republican and Democrat administrations. Basically, Democrats have consistently produced chaos through their diplomacy and have led us into two World Wars and two unresolved conflicts—Korea and Vietnam.

Republican diplomacy has been based on effective policies that have kept the peace. Timely documentation of these facts happens to be available in a book just published by a veteran correspondent, Frank L. Kluckhohn, describing the foreign policy of John Foster Dulles. I quote from Mr. Kluckhohn's book, "The Man Who Kept the Peace."

> Between the Korean war—with its 33,000 American dead and 103,000 wounded, its privileged sanctuaries, and its fear of "escalation" into nuclear "holocaust"—and Vietnam, with its 25,000 dead and 110,000 wounded, its anguish and its privileged sanctuaries and its fear of "escalation" into nuclear "holocaust"—there were eight years in which there were no peripheral wars. Under Dulles, not one American soldier died. Not one foot of ground was lost to the Red Russians or Chinese. Austria came out from under the Iron Curtain and the Soviet Union was forced to turn from supporting armed adventures to economic and psychological warfare that paid Russia no major dividends.
>
> * * * * *
>
> Dulles' policy, whatever it was called, worked. There was no Bay of Pigs, no U.S.S. *Pueblo*, no Cuban missile crisis, no Vietnam.
>
> * * * * *
>
> With John Foster Dulles ended an era of over six years in which we did not lose a foot of ground to the Red Russians or Chinese and did not lose a single American soldier. It was a golden era between two periods of war which had bled our country both in men and wealth. Under Dulles we had Peace with Honor.
>
> In these troubled times his epitaph could well be: "He showed us what can be done! He was the man who kept the Peace."
>
> * * * * *

The few passages I have just quoted from Mr. Kluckhohn's book show that there have been clear differences between Republican and Democrat administrations' foreign policies, but Mr. Wallace, being a Democrat, could hardly be expected to understand.

FRANK X. TOLBERT WRITES OF GALLAGHER RANCH, AND THE GRAND LADY WHO RUNS IT

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Friday, October 11, 1968

Mr. YARBOROUGH. Mr. President, Mr. Frank X. Tolbert writes a daily column, "Tolbert's Texas," which appears in the Dallas Morning News. In his October 10, 1968, column, Mr. Tolbert writes of the historic Gallagher Ranch located northwest of San Antonio, between Helotes and Bandera, Tex., and Mrs. McNutt who owns it. The Gallagher cattle spread is a working Texas ranch that sprawls over 10,000 beautiful acres in the Texas hill country. Mr. Tolbert's fame as a writer in Texas exceeds even that of the Gallagher Ranch.

Mr. President, I ask unanimous consent that the column by Frank X. Tolbert entitled, "About Grand Lady of Gallagher Ranch," appearing in the Dallas Morning News of October 10, 1968, be printed in the Extensions of Remarks today.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ABOUT GRAND LADY OF GALLAGHER RANCH

(By Frank X. Tolbert)

Mrs. V. H. McNutt, one of the most refreshing personalities in the Texas hill country, takes a few guests at her working ranch, the historic Gallagher cattle spread, between Helotes and Bandera, on Highway 16 northwest of San Antonio.

And what guests! My most recent visit to the Gallagher Ranch was 10 days or so ago for a party honoring Prince Rainier and Princess Grace. And if I hung around Gallagher's all the time this column might sound as if it were written by that jet set girl, Suzy Something-or-Other who composes syndicated name-dropping essays which appear occasionally in the Dallas News.

Mrs. McNutt is the widow of the founder of Borax, and Gallagher's is only her "home ranch." She has several more. Al Altwegg, this publication's business news editor, says that Mrs. Mac probably knows more presidents and chairmen of great corporations than anyone in this province. And business leaders from all over come to rest and relax on the beautiful, 10,000-acre ranch on San Geronimo Creek.

Singers such as Lily Pons are regular customers at Gallagher's. And one of Mrs. Mac's favorite guests was Sir Thomas Beecham, the late conductor of the London Philharmonic Orchestra.

"I'd heard that Sir Thomas was mighty crabby and didn't want him on my place, but the San Antonio symphony people insisted that I put him up," said Mrs. McNutt. "He turned out to be a delightful fellow. All he wanted was an audience."

Sir Thomas Beecham gave all the cowpunchers on the ranch front row tickets to the symphony in San Antonio one night.

"And you should have seen those cowhands squirming during long passages in the music," said Mrs. Mac.

My compadre on a wild boar hunt, Frank Stone, the Gallagher foreman, asked the great British conductor after the concert: "Sir Thomas, was all them fellows in your band paying any attention to your stick waving?"

"They'd better," said Beecham.

One of Mrs. Mac's cowhands sings quavering cow country songs while accompanying himself on the fiddle. After the cowboy performed at the ranch one night, the Metropolitan Opera tenor, Frederick Jagel, rendered a number.

"That was kind of pretty, Mr. Jagel," the cowboy told him.

Afterwards, though, the puncher whispered to Mrs. Mac: "That poor fellow! He can't even carry a tune."

The ranch house, built originally as a thick-walled, Spanish style fortress by Peter Gallagher, is a marvelous specimen of early 19th century Texas frontier architecture.

Some time ago, while going through the Texas General Land Office archives in Austin, I found that Robert E. Lee once owned 640 acres, "on the waters of the San Geronimo," of what is now Mrs. McNutt's Ranch. The Confederate commanding general's original last will and testament, also in the Land Office at Austin, shows that he bought 640 acres on the east side of San Geronimo Creek for $210 in 1856 while he was serving as an Army officer in Texas.

Lee's heirs had to send one of the original copies of the general's will to the Land Office in 1871 when they sold the 640 acres to Peter Gallagher for $275.

Today General Lee's 640 acres is worth at least $320,000. And Mrs. Gallaher has refused offers of more than $2,000,000 for her "home ranch."

RATE CONFERENCES AND NATIONAL INTERESTS

HON. JACK H. McDONALD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. McDONALD of Michigan. Mr. Speaker, I would like to call the attention of this body to a statement made by Commissioner James F. Fanseen of the Federal Maritime Commission before the American Merchant Marine Conference of the Propeller Club of the United States at St. Louis, Mo.

It is my desire to share his remarks in reference to the American maritime industry with this House as well as the American public.

I have unanimous consent that this be printed in the Extensions of Remarks of the CONGRESSIONAL RECORD, as follows:

RATE CONFERENCES AND NATIONAL INTERESTS

(Remarks of Commissioner James F. Fanseen, Federal Maritime Commission, before 42d Annual Convention and American Merchant Marine Conference of the Propeller Club of the United States, St. Louis, Mo., October 9, 1968)

The ocean freight industry operates in an arena of sharp international rivalry and interest. Historically, national control of shipping services has been regarded as one of the keys to national power. In theory, a national merchant marine was valued both for the revenue it produced and as a means of enforcing control over distant colonies. One of these colonies, the United States, contributed most to breaking the mercantilist's grip in order that merchant shipping might develop as a truly international industry.

The first act of the First Congress of the United States, was aimed at promoting industry, trade, and shipping. During the next forty years, over fifty additional statutes and commercial treaties were approved to protect and promote an American merchant marine. A reciprocity act of 1828 offered to remove all barriers to the shipping of any other nation which would accord equal treatment to ships of United States registry. It was followed twenty-one years later by repeal of the British navigation acts. By 1860 the spread of free trade principles had opened virtually all of the world's major ports to ships of all nations to compete equally for the world's trade. Shipments within nations and to their territories, however, were excluded from these trade agreements and continue to be reserved by many countries to their national flag ships. The United States cabotage laws are a formal recital of this policy.

Throughout our nation's history we find a policy of government promotion of commercial interests. By the late 1880's, however, many business conditions had deteriorated to a point where the huge commercial interests were taking undue advantage of individual citizens. In many areas, particularly transportation, rate wars were commonplace. And so Congress found it necessary to pass the first anti-trust laws in order to maintain a healthy competitive atmosphere in our national business community.

However, it was later realized that the international character of the ocean freight industry made conventional antitrust control inadvisable in the maritime field. An exception to the comprehensive antitrust policy was needed. Because of the unique rules and customs of international shipping, it was necessary to fashion sanctions and incentives which not only prevented predatory business tactics, but also furthered the national interest.

Regulation in the form of the 1916 Shipping Act became the course of action taken by Congress. The rationale behind this exception was that competition in this particular area was either impossible or manifestly undesirable.

When the newly created United States Shipping Board began operation, one problem facing the board members was that of regulating the ocean freight rate conferences.

In 1875 the conference system was developed in order to curb the cutthroat competition prevalent at that time. Although this system had effectively dealt with the the problem of rate wars, numerous drawbacks to conference operations continued to exist. Shippers oftimes appeared to suffer from abusive conference practices, and one purpose of our shipping laws was to help the industry eliminate these malpractices.

Over the years, however, the Shipping Board and its successors found their ability to regulate conference practices to be severely limited by inadequate statutory powers. There also appeared to be an unresolved legal question as to whether the conference system had been given a Congressional stamp of approval in 1916.

The well known Celler hearings were conducted, and the result was Public Law 87–346 in 1961. The Act gave legal approval to dual-rate contracts and other conference methods of operation.

Congress determined that although the conference system had its weaknesses, it was the best device yet conceived to prevent rate wars. And perhaps more importantly, our national legislators expressly considered conferences to be necessary to further the interests of the United States flag merchant marine. There seemed to be no question that conference operations in United States foreign commerce assisted high-cost United States flag carriers.

Another result of the Celler hearings was a substantial revision of the regulatory program. The Federal Maritime Commission was created as the agency to enforce the new policy. Experience since 1961 has demonstrated that vigorous administration can yield tangible results. The potential for comprehensive regulation, however, remains severely limited by the international character of the shipping industry.

Strong national interests tend to create strong rivalries between national flag fleets. This competition is fueled by each government's hope to minimize its promotional costs and by each subsidy recipient's desire to demonstrate that the payment of aid yields tangible benefits to the nation's commerce. As a result, each national flag fleet must respond both to the demands of domestic politics and to the pressures of international competition.

International shipping is exceedingly sensitive to the manner in which governments express their national interests and react to the actions of others. Artificial attempts to build up a national flag merchant fleet through subsidies or trade restrictions can easily lead to retaliatory restrictions against those whom they are designed to aid or to a reduction in trade.

The conference system, because it tends to mute conflicts between national flag carriers, helps to lessen the abrasion of international politics. It is quite possible for severe competitive struggles to develop within conferences. In numerous instances block voting by national flag lines has followed a national policy pattern.

However, while each line and each national flag group is interested in enhancing its own profit and advancing its own national interests, it also has an important stake in maintaining the integrity of the conference. Both individual and national interests may be required to be set aside in favor of the common good. Experience since World War II, in fact, suggests that when a choice must be made, conference carriers are more likely to identify their interests with the conference system than with the government which has registered their ships.

Sufficient checks and balances surround the conference system to yield at least some rough justice. A result is a system which has proved unusually durable.

Conference operations have benefited our national interest in a dual manner. Our merchant marine benefits by being able to operate in an area free from disastrous rate wars, and the entire population benefits from reasonable shipping rates and the elimination of abusive business practices.

From the shipper's point of view, an industry with stable rates and regular service is an obvious asset. In order for a shipper to be able to offer his goods for sale, he must be assured of the existence of a frequent common carrier type of service, preferably at predictable rates. This is precisely what conferences offer. Shippers are further assisted because the knowledge of frequent service and stable rates enables them to minimize the cost of production and inventory control.

We might list also some visible benefits of conference operations to the individual carrier. The conference is not only an anticompetitive device, but it also acts as a coordinator. In many trades this coordination extends to the agreed spacing of sailings and sharing of ports, in order to reduce duplication of sailings and competition for congested berths.

Particular trades often demand certain specialized characteristics in ships. Without the protection that shipping conferences provide from some trading risks, shipowners would be less willing to provide any specialized characteristics and equipment in their ships. Moreover, they would also be less willing to build up the elaborate organization necessary for the efficient conduct of a liner trade.

The identity of views between shippers and shipowners is therefore not nearly so divergent as may appear at first sight.

These checks and balances have not, however, been able to eradicate all abuses. Smaller countries, particularly, have not contained the resentment and suspicion that the system has been adverse to their national interests.

For many such countries, the result has been to pour fuel on national efforts to establish national merchant marines. Of course, in the United States a visible result has been our effort to regulate shipping rates and practices in our foreign trade.

The Federal Maritime Commission recognizes these benefits flowing from conference operations to our nation's commercial interests. Therefore, we maintain constant surveillance, not only to assure continuance of these services, but also to strengthen the weaknesses of the conference system. For instance, we at the Federal Maritime Commission have worked with many conferences to help implement self-policing plans. Our investigations brought to light practices which conferences agreed were adverse to the interests of all involved. The changes were made, and the abuses were eliminated.

Promotion of a national flag fleet and regulation of ships of all flags serving our foreign commerce offer alternative techniques for protecting the United States national interest in the field of maritime commerce.

These two alternatives can be regarded as mutually reinforcing. For example, effective and even-handed enforcement of a rule of fair competition should both tend to remove the incentive for engaging in predatory tactics and facilitate the development of an American merchant marine. However, if the impact of regulation falls more heavily on United States than foreign flags, it will impede the development of the United States flag fleet. Conversely, too enthusiastic support for the national flag merchant marine can potentially undermine regulatory objectives.

From either point of view it is essential that national maritime policy harmonize promotional, diplomatic, and regulatory considerations. Balancing off these competing objectives poses a continuing challenge for public policy makers and administrators. The industry plainly must operate in an environment which is in large measure beyond its control. The unique and complex nature of the international environment has had a crucial impact on the political process and on the development of public policy in the maritime field.

One closing observation is that regulation of not only conferences, but all aspects of the maritime industry, is the proper policy approach. This regulation, however, should be only where needed and only to the extent necessary.

As the freshman member of the Federal Maritime Commission, my impression has been that our maritime program since 1961 has been a productive one, particularly in our relations with the various conference operations.

I think a proper balance has been reached between the fair regulation of domestic and foreign flag carriers serving United States commerce and the furtherance of our overall national interest.

I hope such harmony continues—for the end result benefits shippers and carriers alike—and to all United States commercial interests.

Thank you.

SENATOR FRANK BEADLE, POET LAUREATE OF THE MICHIGAN LEGISLATURE

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Friday, October 11, 1968

Mr. GRIFFIN. Mr. President, one of Michigan's most highly regarded State senators, Frank Beadle, has announced his retirement after many years of distinguished public service.

Better known in Lansing, our State capital, as "Mr. Appropriations," it is doubtful that anyone has contributed as much during the past two decades to Michigan's economic growth. A member of the senate's appropriations committee since 1951, when he was first elected to the senate, Frank Beadle has served as its chairman since 1963.

During much of his tenure in the legislature, Senator Beadle played an important role as a member of the Republican leadership. He has been the majority leader of the Senate. His characteristic fair play and candor have won him the respect and affection of all his colleagues, regardless of party affiliation.

Needless to say, the constituents he has represented in the eastern Michigan district, which includes St. Clair, Huron, Sanilac, and Tuscola Counties, will lose a distinguished spokesman. But Senator Beadle's place in the legislature will be especially difficult to fill because he is a man of many talents.

With a quick wit and the ability to express himself in rhymes, he has been the "Poet Laureate of the Michigan Legislature" for many years.

In the heat of political debate and battle, Frank has often added a welcome touch of levity to cool the boiling tempers of his colleagues.

In 1964, Senator Beadle offered the public some examples of this celebrated wit and verse in the form of a book, "Out of the Doggerel House." One of the poems expressed his concept of service in the legislature in this way:

I know there's some here, who do not agree
With how we do our work, but do take it from me
We give all we've got, and in more ways than one,
And we do try our best, that a good job be done;
Our principal problem, and we get the deuce, too
Is supporting our State, in the way it's used to.

Following are several more examples of verse in the Frank Beadle style:

A NEW LOOK

They tell of the chap, from way out in the sticks,
An interest he got in some politics,
To the Legislature was elected, one year,
Came down to Lansing with a flurry of fear.
First time he got home, his Mrs. did ask,
How things did go, how he liked his new task?
Mandy, he said, 'tis first time sure as Fates,
To a nut house, I've gone, that's run by the inmates.

PASS A LAW?

Will Rogers, a man, long an idol of mine
They don't make them no more on that kind of design,
Called things as he saw 'em, philosopher, wit,
Just a few days ago, I came onto this bit;
Said his State Legislature, he's just addressed,
Helped them pass a law, and its aim, he confessed
An association of lawyers, to start with the plan,
Their conduct to guide, and their conscience to span.
And his conclusion, he was sure 'twas a fact,
No lawyer, honest is made, by a statute, or act.
Felt, when I read it, it well could be true,
The same reasoning applies to us realtors, too.
Unless, by our conscience, we do live by the code,
All the laws in the world, won't keep us on the road.
Realtor, that's a proud name to use,
Only untrue, when we choose to abuse.
Another angle, it so oft does occur,
Someone, they come up, a him or a her,
With some sort of gimmick, that sticks in their craw,
To their Senator says, why not pass a law?
Those built this country didn't do it that way,
When a problem came up, they did spirit display,
Stepped up to it pronto, on its knots, they did gnaw,
Would never have dreamed, to ask, pass a law.

Mr. President, Michigan will miss the great service of Frank Beadle in its legislature. Along with his constituents and many friends, I wish him many happy retirement years.

LEGAL AND MONETARY AFFAIRS SUBCOMMITTEE OF THE GOVERNMENT OPERATIONS COMMITTEE ACTIVITIES IN THE 90TH CONGRESS

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. FASCELL. Mr. Speaker, as we approach the end of the 90th Congress I believe the Members will be interested in reviewing the activities and accomplishments of the Legal and Monetary Affairs Subcommittee of the House Committee on Government Operations in this Congress.

At the beginning of the 90th Congress, the Honorable WILLIAM L. DAWSON, chairman of the full committee, appointed the following members to the Legal and Monetary Affairs Subcommittee: The Honorable CORNELIUS E. GALLAGHER, of New Jersey; Hon. JIM WRIGHT, of Texas; Hon. FERNAND J. ST GERMAIN, of Rhode Island; Hon. JACK EDWARDS, of Alabama; Hon. GUY VANDER JAGT, of Michigan; and Hon. WILLIAM O. COWGER, of Kentucky. I was made chairman.

Congressman VANDER JAGT served on the subcommittee until February 20, 1968, when he was succeeded by the Honorable JOHN T. MYERS, of Indiana. Mr. VANDER JAGT had made significant contributions to the work of the subcommittee, for which as chairman of the subcommittee, I wish to express my appreciation.

One of the subcommittee's main responsibilities is to concern itself with the efficiency and economy of the operations of a number of departments and agencies, among them the Treasury Department, the Department of Justice, the Federal bank and savings and loan regulatory agencies, the U.S. Coast Guard, and the Securities and Exchange Commission. The subcommittee, in the exercise of its oversight jurisdiction, seeks to have the departments and agencies improve the efficiency of their operations, and to effect savings whenever possible, to the benefit of the American taxpayer.

Increased efficiencies and savings in various areas of activities have resulted from operational changes which have been put into effect by the agencies in compliance with recommendations made by the subcommittee. That these have been significant is a matter of considerable pride.

During this Congress, the subcommittee held 12 days of public hearings, and in addition, numerous other studies were conducted without the necessity of public hearings. Among the more important studies made during the 90th Congress are the following:

FEDERAL EFFORT AGAINST ORGANIZED CRIME

Because the Department of Justice, practically all of the Federal investigative agencies and many of the Federal administrative and supervisory agencies are within the subcommittee's oversight jurisdiction, the subcommittee is studying the effort these agencies have made, and are making to combat organized crime. The inquiry is a study into agency operations; it has not investigated possible violations of law by any persons or groups of persons, nor the investigative or enforcement actions in any pending cases.

During the 8 days of hearings, representatives from 18 Federal departments and agencies testified. In addition, statements for the record were submitted by 22 other Federal departments and agencies, outlining the organized crime problem as they saw it, what they were doing to meet the problem, and suggesting what more should be done, agency by agency, or in an overall Federal effort.

House Report No. 1574, entitled "Federal Effort Against Organized Crime: Report of Agency Operations," summarizes the subcommittee's findings. Some of the obstacles which weaken the Federal effort are discussed. The Department of Justice should be in the forefront of the Government's battle against organized crime. However, it has not line authority over the investigative and law enforcement operations of the Federal departments and agencies, and Executive Order No. 11396, issued on February 7, 1968, which directed the Attorney General "to facilitate and coordinate" all Federal law enforcement activities and crime prevention programs has not been implemented by any directives for coordinating the Federal effort of all agencies that can participate in attempting to defeat organized crime.

The magnitude of the threat posed by organized crime is such that an effective and coordinated effort by Federal, State, and local law enforcement agencies is required for its ultimate defeat. However, apart from the question of such coordination of Federal, State, and local efforts, it became clear to the subcommittee that there is a relative absence of coordination among the Federal departments and agencies themselves. For example, an agency seeking evidence and data while conducting its own investigation could, unknowingly, be duplicating work already done by another agency, because no central intelligence-clearance point has been arranged. Similarly, in seeking to obtain needed information from other agencies, an agency has no assurance that the information it obtains constitutes all that the Federal Government, collectively, has already obtained on that matter—or even that it has obtained all that the contributing agency has in its files.

The Federal investigative agencies, on the whole, have contributed invaluably to the fight against syndicated crime within the ambit of their jurisdictions. Too many administrative agencies have shown, however, that they are without adequate apprehension of the real and potential dangers posed by organized crime within their sphere of operations. The incursion of organized crime into legitimate businesses of every kind suggests the need for all Federal agencies to use their administrative and regulatory powers to protect the public interest against organized crime.

The improvement and maintenance of

lines of communication between the agencies, and with other levels of Government and a constant search for new ideas and techniques to be used in the battle, in the subcommittee's estimation, would do much to bolster the Federal Government's capabilities as an effective crime-fighting force. Suggestions for improving the Federal effort are contained in the committee report. Other suggestions are being received from the Federal agencies and also from outside experts in fighting organized crime, which will be utilized by the subcommittee in its continued study of this important matter.

INTEREST EQUALIZATION TAX OPERATION

The Interest Equalization Tax Act of 1963—IET—as an aid toward improving the Nation's balance-of-international-payments position in general terms, imposes an excise tax on the first U.S. citizen, resident, business, or public organization to buy foreign securities from a foreign owner. No tax liability attaches to the purchase of foreign securities by one American from another. Under the law prior to July 31, 1967, a properly executed certificate of American ownership was deemed "conclusive proof" of prior American ownership, thus making the transfer exempt from taxation unless the prospective purchaser had "actual knowledge" of a material falsity.

Information from various sources, including the Securities and Exchange Commission, indicated to the Internal Revenue Service that various schemes were being utilized to evade payment of the tax on large volumes of foreign stock transactions. The gist of such schemes was the documenting of foreign securities transactions by attachment of spurious certificates of American ownership to qualify for tax exemption as American-to-American transactions. By amendment in July 1967, a more stringent standard of proof of prior American ownership was incorporated in the IET law.

In the course of investigations by the subcommittee, and an executive session hearing, there was obtained evidence of possible willful evasions in one case which totaled approximately $3.6 million. House Report No. 1570, entitled "Interest Equalization Tax Operations," which resulted, recommended that the evidence and information acquired by the subcommittee in that case be submitted to the Department of Justice and the Internal Revenue Service for such action as will best protect the public interest. Meanwhile, the subcommittee is continuing its study of the IET tax collection operation.

GAO BID PROTEST PROCEDURES

As one of its functions, the General Accounting Office decides protests that are filed against the awards, or intentions to award, Government contracts. Inquiry by the subcommittee into the GAO's adjudicatory process with respect to bidders' protests revealed some apparent procedural deficiencies, resulting from the practice of the GAO to consider and decide bid protests without first giving notice of the protest proceedings to other bidders, including the low bidder. The subcommittee's objective was to make certain that basic due process safeguards of notice and opportunity to present their positions were afforded by the GAO to all affected parties.

After the subcommittee's interest was made known, the GAO, in August 1967, issued regulations for notice of, and governing procedures in protest cases. The regulations were issued, however, without prior publication in the Federal Register, so that constructive comments on the regulations before their promulgation had been precluded. These regulations filled voids which had existed prior to their announcement, because up to that time, neither protestants nor defending parties had any published guides for the lodging or defense of a protest. However, as pointed out in House Report No. 1134, "GAO Bid Protest Procedures," in some respects, the language of the regulations indicated them to be more restrictive of rights of parties than the GAO intended them to be. The report, therefore, recommended specific changes that should be made in the regulations, and that the GAO prepublish them in the Federal Register as proposed regulations, and invite interested parties to comment on them before they became final. This the GAO has done, in full compliance with the report's recommendations.

JUSTICE'S HANDLING OF VA FORECLOSURES

The report entitled "Department of Justice's Handling of Veterans' Administration Mortgage Foreclosures," House Report No. 536, 90th Congress, first session, resulted from the subcommittee's study and made recommendations whereby the Department's handling of VA-owned mortgage foreclosures could be expedited, and with large savings. In March 1965 the Department of Justice had insisted on a takeover of the Veterans' Administration's function of foreclosing on defaulted VA-owned mortgages. However, prior thereto, the Department's incomplete investigations had failed to reveal the volume of foreclosures that it was committed to handle upon the takeover, or the problems that were likely to arise. No reliable projections had been made of the monetary and personnel requirements inherent in the takeover, and lack of awareness of these basic facts resulted in costly delays in the handling of the foreclosures. However, adoption by the Department of the subcommittee's recommendations should do much to expedite the processing of the foreclosures, and thereby eliminate the wasteful situations which arose after the takeover.

SEARCH AND RESCUE OUTSIDE THE UNITED STATES FOR PRIVATE AIRCRAFT

An inquiry was made by the subcommittee into the reasons for delay, in some cases, for the Coast Guard to commence search and rescue operations for U.S. private pilots missing in foreign areas. In one case such operations did not commence until 3½ days after notice. Basically, the study revealed a lack of any overall Federal plan which was applicable in such situations. As a result, the State Department, the Federal Aviation Administration, and the Coast Guard and other Federal agencies often were without knowledge as to the exact procedures to be followed; and, in fact, the extent of their authority to conduct such operations, and how to put their responsibilities into effect had not been spelled out.

House Report No. 832, 90th Congress, first session, entitled "Search and Rescue Operations for U.S. Private Pilots Missing in Foreign Areas," resulted from the study. Its recommendations called for the drawing up of an overall search and rescue plan by the agencies involved; promulgation by the State Department of internal instructions for the obtaining of clearance from foreign countries where required; and other procedures for the speedy search and recovery of downed U.S. pilots and aircraft in foreign areas. Efforts have been made to work up an overall plan for rescues outside the United States, and I have been advised that the subcommittee's interest has resulted in speedier inauguration of searches in incidents which have arisen since the report was issued.

FOREIGN PASSENGER SHIP EXAMINATION

In the aftermath of the *Yarmouth Castle* tragedy which claimed 90 lives, the subcommittee turned full attention to the Coast Guard's role in examining foreign passenger vessels. This resulted in the recommendation for greater assurance of passenger safety that were contained in House Report No. 1663, 89th Congress, second session, entitled "Coast Guard Examination of Foreign Passenger Vessels."

During the first session of the 90th Congress, a second report in that regard was issued, House Report No. 829, entitled "Coast Guard Examination of Foreign Passenger Vessels—Progress Report on Increased Passenger Safety." The report makes further suggestions for the improvement of safety conditions aboard foreign vessels. It also discusses the improved fire safety standards now being imposed on foreign vessels, and the requirements for informing prospective passengers of the applicable safety standards.

OTHER STUDIES

A number of other studies which have resulted in improved agency operations and substantial savings were conducted by the subcommittee during the 90th Congress which did not require public hearings nor the issuance of formal reports. Among such studies was one involving possible evasions of margin requirements by commercial banks in participation with unregulated lenders; and if a particular advertisement by a member of the stock exchanges invited speculation in stocks through unregulated lenders.

Another study has sought to determine whether significant savings could be achieved by use of a "net-pay" salary plan for Federal employees, thus reducing the numerous bookkeeping entries and transfer for withholding taxes and similar items.

A study into the feasibility of having quarterly collection made of unemployment taxes in place of annual collection has resulted in the Treasury's agreeing to seek legislative authority therefor with anticipated savings to the Treasury in millions of dollars.

In addition, other studies have considered the possibility of simplifying income tax forms and procedures so as to effect greater efficiency and economy; whether there are deficiencies in control over unloading bulk petroleum at U.S. ports, with resultant loss of customs revenue; the ramming by Cuban Vessel *26 de Julio* of a lifeboat containing would-be defectors while a Coast Guard vessel was in the area of Norfolk; various studies with respect to Treasury's savings bonds operations; the adequacy of enforcement of the Federal Firearms Act by the Treasury Department; and numerous others of continuing interest to the subcommittee.

Two subjects under current study arise from the Cuban situation. For one, Cuban terrorists have bombed several Communist-bloc ships and the businesses of various allegedly pro-Castro owners in this country. The other arises from the highjacking of aircraft to Cuba. Both studies involve operations of various agencies within the subcommittee's jurisdiction, such as the Department of Justice, the Immigration and Naturalization Service, Bureau of Customs, and the U.S. Coast Guard, as well as other agencies.

GENERAL ACCOUNTING OFFICE REPORTS

At the beginning of this Congress the subcommittee had six GAO reports under review and study, and 19 more were received. Twenty-two were closed after action by the subcommittee, or after it was determined that no action was required. Three GAO reports remain under review.

PRIOR ACTIVITIES OF CONTINUING INTEREST

In the 88th and 89th Congresses studies that were undertaken by the subcommittee resulted in numerous committee reports which contained recommendations to departments and agencies within the subcommittee's oversight jurisdiction for changes in operations in the interest of greater efficiency and economy. These are too many to discuss in this brief report. I might cite as an example, however, the subcommittee's study of the practices and procedures that the Department of Justice used in effecting collections on judgments and other judicial awards that were made in favor of the Government.

Following issuance of the committee report entitled "Judgment Collection Practices and Policies of the Department of Justice," House Report No. 1640, 88th Congress, second session, the amounts collected by the Department have exceeded $400 million more than would have been collected under the pace of collections which existed before the subcommittee interested itself in the matter. The subcommittee's interest in this problem and in the others that were developed in the 88th and 89th Congresses is continuing.

The above résumé, I believe, discloses that the work of the Legal and Monetary Affairs Subcommittee in the 90th Congress has been meaningful, both in improving governmental operations and in bringing about substantial savings for the taxpayers.

RESEARCH AND DEVELOPMENT—BY LT. GEN. ARTHUR G. TRUDEAU

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Friday, October 11, 1968

Mr. THURMOND. Mr. President, more evidence continues to show that our Nation's weapons' research and development capability requires a major overhaul. One of our latest failures in research and development is the Navy version of the F–111—TFX—aircraft. Serious consideration must now be given to canceling the Air Force F–111 series.

Where do these tragedies stem from? It is our Nation's research and development program. Too much time is spent studying aircraft instead of building them. The Soviets displayed a superb array of new aircraft development at the Moscow show, including the fastest fighter aircraft in the world. The Soviets have introduced twice as many types of operational fighter aircraft into its inventory as the U.S. Air Force over the past 10 years. Our research and development program requires painstaking scrutiny.

Mr. President, one of our country's most capable experts has forcibly pointed out our deficiencies in the research and development program. In addressing the Republican National Convention temporary committee on resolutions, Lt. Gen. Arthur G. Trudeau, USA-retired, former Chief of Army, research and development, and now head of research for the Gulf Oil Co., said:

> I think a better solution should be evolved to energize and streamline the whole research and development effort.

He concluded—

> In some research and engineering, military knowledge, experience and competence, should be exhausted before contracts for outside theoretical studies are made.

This conclusion could well apply to inside incompetent systems analysis.

Mr. President, General Trudeau's recommendations should be carefully studied and immediate corrective action taken to insure that our Nation's research and development effort does not produce any more failures in the face of the Soviets' overwhelming advances in military power.

Mr. President, I ask unanimous consent that General Trudeau's presentation be printed in the Extensions of Remarks.

There being no objection, the presentation was ordered to be printed in the RECORD, as follows:

REMARKS BY LT. GEN. ARTHUR G. TRUDEAU

Mr. Chairman, Distinguished Members of the Committee: I have been asked to comment on our national position with respect to research and development and the adequacy of funding.

I would like to consider first why R & D is important as only in this way can priorities of effort, and hence funding, be appropriately established.

Beyond the doubt of any reasonable and informed American, the Number One issue today is the survival of the United States. Never before, even in the darkest days after Pearl Harbor, has our very existence been threatened from without and within by the vile threat of World Communism to the degree that exists today. Every pronouncement for a generation has asserted their determination to eliminate us and those enjoying the free enterprise system as national entities in a distraught world. Consequently, while our advancement in science and technology is vital to our physical defense against aggression from without, it is also essential to ease the burning pressures from within that are scorching the thin veneer of Western civilization.

Second, the welfare and progress of the nation as a whole demand the full sweep of scientific and technological progress to meet the social, economic and political challenges of our time.

Thirdly, we know that we can no longer live in this most favored segment of God's earth without sharing with others less fortunate around the world our vast knowledge, our talents and, within reason, some of our resources.

Thus, the exploding field of science and technology has risen like a balloon in these last decades due to stimulation by and recognition of the three objectives I have mentioned.

Before going further, I would hope that the usual reference to just science when R & D is discussed would be broadened to include science and the related technology that gives practical meaning to the fruits of basic research. Too often, I have heard new developments classed as scientific successes or engineering failures based on results. Nothing could be less true. While I cannot speak directly for that great scientist, Dr. Edward Teller, if you were to question him today, I think he would tell you that our problems are as acute in the field of applied engineering as they are in basic research. This in no way degrades the vital importance of adequate basic research as the foundation for further advancement.

Our national program spanning research, development, test and evaluation is presently expending about $25 billion per year. One-third is provided by private funds and two-thirds by federal funds. One half of the federal effort is executed by government facilities and the other half by industry under contracts or education under grants or contracts. These tremendous funds have increased rapidly in the past years, but now a slowdown in that rate of increase is inevitable. At least, it should cover some 5% per year to cover built-in inflation. I would not expect R & D to stabilize as a fixed percentage of our growing GNP although an upward trend is reasonable. R & D, like the rising balloon, however, can climb to higher reaches by casting overboard some ballast that is certain to exist. Unprofitable duplication, long-term efforts of doubtful value, tasks of highly questionable or nebulous application and others need closer scrutiny and probably elimination. When funds are relatively stable and personnel levels are likewise, new high priority efforts can only be undertaken when those at the bottom are cut off. Ten years ago when I headed Army R & D, we eliminated perhaps 200 tasks or projects to take on more urgent work. The management, the employees and sometimes the politicians will resist—and sometimes they'll win—but not always. With today's dollar headaches, a sharper look should be taken.

If, as a former scientific advisor to the President states, the lead in certain scientific fields "has passed to Europe and Japan," the fault is his and the scientific community's. Surely, $17.5 billion should keep us ahead of the rest of the world if wisely spent. Perhaps some redirection is necessary. He cannot charge shortage of funds yet.

Federal organization of R & D needs further study. I am viewing it not as a scientist but as a high-level manager with 4½ years as Chief of Army R & D and 6 years as head of research for the Gulf Oil Corporation. I've seen both sides now. The responsibilities of OST, NSP, NAS–NRC–PSAC–FCST seem nebulous and conflicting. I think a better solution should be evolved to energize and streamline the whole effort. I do not believe, based on limited consideration, that a Department of Science is the answer. It would cut across all functional lines or departments in the Executive and operational conflicts would be inevitable.

While latitude must be given to scientists engaged in research, at least a fair degree of objectivity must be required. An industry that depended on serendipity for adequate progress and return on research expenditures would fail and not even the U.S. Government can afford any such luxury. Some discretionary funds should be available for unscheduled research and the proper distribution and use of such funds is a function of good management.

The man-year cost of research is increasing annually. To give you rough figures today, I would say university-supported research might average $35,000 per professional man-year, $40-50,000 in industry and $60,000 in federally-supported research centers.

I doubt if regional-funding would improve our overall capabilities. Certain areas lend themselves more to a particular field of interest and effort than others. The location of higher education facilities and industry seem to be a determining factor in the location of laboratories where freedom of choice prevails. I doubt if we can raise our talent level by spreading existing talent to small colleges or industries. The highest level of proficiency will still be attained at major universities where the concentration of both professional and potential talent will continue to concentrate.

The active collaboration of universities and industries is essential to maximize scientific and technological advancement. The campus needs the collaboration and even the instructional competence of many industrial researchers. By the same token, the tenure-protected halls of academe need exposure to the more practical problems of industry, where objectivity and the pay-out on cost bears closer relation to results.

The abundant government funding of research is in at least a small way abetting student unrest. It appears that one factor in the slowness of certain universities in clamping down on student disorders has been the fear of faculty criticism. This fear of faculty criticism is related to the existing antipathies between faculties and administrators. Some professors have been encouraged in their disdain of university authorities by the ease with which they have established their own private umbilical cords to federal funding agencies. Let's get university presidents in control of their universities.

I have frequently observed what I consider to be an unfortunate circumstance. This is that when scientific advisory committees are formed they are largely composed of professors. Repeatedly I have observed said professors attempting to resolve difficulties by asking for more money. A more practical approach is usually needed. I recommend that all influence possible be exerted to get such committees filled at least to about one-half with competent industrial scientists and engineers or ex-scientists who are now industrial research administrators. This is the most effective way I know to insure that a balanced view is achieved between the value of research and the funding that is appropriate.

In summary, we have come a long way. There is no end to the road, apparently, as we stretch our sights for the Mohole to the Quasars. Basic research is the least costly phase of the overall R & D problem and must be supported on the generous side. Closer scrutiny of projects and tasks is important, however.

Project nomenclature and descriptions still complicate identifying work that may be completely duplicative. This could even permit actual work funded by different offices to be paid for twice.

In some research and engineering, military knowledge, experience and competence should be exhausted before contracts for outside theoretical studies are made. The growing number of civilians hired to do work in the military field for which they have no background is a waste of money.

I believe the platform should support a national R & D effort that will insure our security, our progress and our eminence in the field of science and technology. To this end, an effort should be made and actions taken to streamline responsibilities, screen out projects of questionable value, and effect maximum economies.

GERMANY VICTIM OF TENSION

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. FINDLEY. Mr. Speaker, that Germany is clearly the victim, not the cause, of tension in Europe is demonstrated in a recent article by Dr. Rainer Barzel, chairman of the CDU group in the Bundestag. Writing in the September 9 issue of Deutschland-Union-Dienst, Dr. Barzel warned that the Soviet Union is currently going "to a lot of trouble to establish a basis for political intervention" in West Germany.

Here is the text of his timely article:

Political Solidarity

(By Dr. Rainer Barzel)

I

Moscow's attacks on free Germany are not merely a piece of propaganda of the moment launched as a diversion but part of a policy that has been perceptible for quite some time, the aim of that policy being to discredit and isolate the Federal Republic of Germany, to influence its political decisions, to preserve a right of intervention and thus create a political condition in which free Germany will be docile enough to make concessions to Soviet Russian policy.

While in other Western capitals the ambassadors of the Soviet Union were mainly trying to soothe away people's fears after the occupation of Czechoslovakia, we had to listen to threats.

Those responsible in Moscow seem to overlook that they are criticizing and attacking aspects of a German policy which both de jure and de facto is the joint responsibility of the United States, France, Great Britain and the Federal Republic of Germany. The status of free Berlin, non-recognition of the "GDR", the settlement of the frontier question only by the conclusion of a peace treaty, as well as the German defence contribution—all of these, for instance, are political postures which we and our friends jointly vouch for. And how could it be otherwise when Article 2 of the Convention on Relations between the Three Powers and the Federal Republic of Germany provides that "in view of the international situation, which has so far prevented the reunification of Germany and the conclusion of a peace settlement, the Three Powers retain the rights and the responsibilities, heretofore exercised or held by them, relating to Berlin and to Germany as a whole, including the reunification of Germany and a peace settlement." And Article 7 reads:

"The Signatory States are agreed that an essential aim of their common policy is a peace settlement for the whole of Germany, freely negotiated betwen Germany and her former enemies, which should lay the foundation for a lasting peace. They further agree that the final determination of the boundaries of Germany must await such a settlement.

"Pending the peace settlement, the Signatory States will cooperate to achieve, by peaceful means, their common aim of a reunified Germany enjoying a liberal-democratic constitution, like that of the Federal Republic, and integrated within the European community.

"The Three Powers will consult with the Federal Republic on all matters involving the exercise of their rights relating to Germany as a whole."

II

The Soviet Union has not only in recent months repeatedly invoked the Potsdam Agreement and the enemy-states clause of the United Nations Charter, not only brusquely terminated the dialogue on renunciation of force and published the relevant documents, not only brought about an aggravation of the Berlin situation last June and in so doing contravened applicable law, but on top of all that—while the drama in Czechoslovakia was taking place—instructed its ambassador to tell us we should abandon our "hostile attitude" and any attempts to alter the political status quo in Europe.

The Soviet Union's policy against us is not new; it had already been set out in the "Karlovy Vary declaration" of 24 April 1967. In that document the communists formulated their well-known political aims, describing a Europe of non-violence and non-interference (!) and then going on to exclude free Germany, maintaining that the "experience of history and the relevant international agreements give the other nations the right to interfere with developments 'in the Federal Republic'."

So the Federal Republic of Germany is not only the communists' scapegoat used to divert attention from their own outrages but has for some time been the target of calculated, consistent pressure, which shows they are going to a lot of trouble to establish a basis for political intervention.

III

The countries of the Western world can, and must, revive their political solidarity, exchange views and experiences in the light of recent events, consider what conclusions to draw and define the degree of priority that should in future be given (a) the Alliance and (b) co-operation between the super powers, necessary as it is in view of the present world political situation.

There is little doubt that the overwhelming majority of German citizens appreciate that the struggle by all parties represented in the Bundestag against radical political forces of the extreme right and extreme left is of great importance for home as well as foreign affairs, and that this struggle has to be won! I wonder if all those who vote for the NPD realise how much harm they are doing to our nation?

Others on the outside can help us by acknowledging the existence of democracy in our country and by showing their solidarity with us.

IV

In the first week after the summer recess the German Bundestag will be holding a political debate following a policy statement by the Federal Chancellor. Government and Parliament, Coalition and Opposition, Germans and Allies, have a common responsibility in warding off all attempts to exert political pressure on us. What is urgently wanted is progress in European policy. The Bundestag has long been dissatisfied with the state of developments in Europe.

Moreover, nobody will stop us from pursuing our policy according to our own concepts and interests. What is the object of our policy for peace? It was, and still is, to endeavor—on the basis of our security and in unison with friends acting likewise—to create a better political landscape for the whole of Europe, to fit together the elements of a new order and to make all Europeans aware that Germany is not the cause but rather the victim of tension.

It was, and is, to reduce the nuclear and political confrontation through partial and regional co-operation, the ultimate aim being lasting and organized peace in Europe. Its efforts were, and are, directed towards finding areas of common interest, towards easing relations, relaxing tension, and ending division. It dispensed with propaganda and waited to see if the others concerned were prepared to try with us to settle all points at issue peacefully, to normalise all relations and develop them with care, to preclude force in any form as a means of accomplishing political aims, and to enable all Europeans to live together in peace instead of being constantly against each other. By its language, by its accommodating tone, by many indications, by human contacts, and by its peaceful perseverance, this policy again and again sought to prove that it was both serious and well-intended.

It brought success in that no European nation any longer believed communist propaganda, the assertion that the Federal Republic of Germany is a danger to peace. The participation of "GDR" troops in the invasion of Czechoslovakia made it plain to the whole world who in Germany represents peace and who the opposite.

Free Germany's peace policy is consistent with our will, reason, responsibility for world peace, and our interests. If there is anything "hostile" in that, then it is up to those responsible in Moscow to try and explain what.

It is questionable whether this policy can be directed to any particular country at present and whether it should be pursued with the same intensity with regard to East Berlin, the countries of eastern Europe, and the Soviet Union. But the question of the method does not detract from the correctness of our policy's perspective, nor from the truth of its underlying principles. Little can be expected of this policy in the short term, but a great deal in the long term.

(This article was published in "Deutschland-Union-Dienst" September 9, 1968.)

DEATH OF DR. WALLACE BASSETT: NOTED TEXAS CHURCHMAN

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Friday, October 11, 1968

Mr. YARBOROUGH. Mr. President, it was with deep regret that I read in the Dallas Morning News, of October 9, 1968, of the death of Dr. Wallace Bassett, of Dallas, Tex. Dr. Bassett served as the pastor of the Cliff Temple Baptist Church, in the Oak Cliff section of Dallas, for nearly 50 years, the longest pastorate in the history of the Southern Baptist Convention.

In my early days as a young lawyer in El Paso, Tex., it was my pleasure to know Dr. Bassett's brother, who served as pastor of the First Christian Church of El Paso at that time.

I ask unanimous consent that the article entitled "Dr. Wallace Bassett: Noted Churchman Dies," which apeared in the Dallas Morning News, of October 9, 1968, be printed in the Extensions of Remarks today.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DR. WALLACE BASSETT: NOTED CHURCHMAN DIES

Dr. Wallace Bassett, 83, who served as pastor of the Cliff Temple Baptist Church for nearly 50 years, died Tuesday in Baylor Medical Center.

Dr. Bassett, of 1939 W. Colorado, was pastor of Cliff Temple from 1918 until his retirement March 1, 1966. His pastorate, the longest in the history of the Southern Baptist Convention, brought the Oak Cliff church from 1,100 members 50 years ago to 6,400 today, and from one building to an 8-building complex.

As president of the Southern Baptist Convention's annuity board for 43 years and president emeritus since his retirement, the dean of Texas Baptist ministers guided the financial institution from a $100,000 operation in 1918 to a $152 million one today.

Born in Middle Grove, Mo., Dr. Bassett received a BA degree from LaGrange College in LaGrange, Mo., in 1909. After studying at Central Baptist Theological Seminary in Kansas City, Mo., and Newtown Baptist Seminary in Boston, Mass., he received a doctor of divinity degree from LaGrange in 1916. Baylor University in Waco conferred another doctorate degree upon him in 1920.

Dr. Bassett began his career in the pulpit in Sulphur Springs. In 1915 he became pastor of the First Baptist Church of Amarillo, serving there until his appointment to Cliff Temple.

In addition to his work on the Southern Baptist Annuity Board, he had been president of the State Mission Board of the Texas Baptists, chairman of the Texas Baptist State Executive Board and a trustee of Baylor University.

He also was a trustee of the Southern Baptist Theological Seminary in Louisville, Ky., and served three terms as president of the Baptist General Convention of Texas.

Survivors include his wife; three daughters, Mrs. Travis Johnson of Dallas, Mrs. William B. Mayfield of Corsicana and Mrs. John Olson III of Albuquerque, N.M.; a son, Dr. Wallace H. Bassett of Dallas, and five grandchildren.

Funeral services will be held at 2 p.m. Thursday in the Cliff Temple Baptist Church. Burial will be in Laurel Land Memorial Park.

HISTORY OF THE HEAVENER (OKLA.) LEDGER

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. ALBERT. Mr. Speaker, under leave to extend my remarks, I insert a portion of "A History of the Heavener Ledger," written by Dennis Hamlin, now of Alva, Okla., whose father Dwight Hamlin formerly published the Heavener Ledger. I am indebted to an old friend, Col. E. M. Lightfoot, U.S. Air Force, retired, formerly a resident of Heavener, in the Third Congressional District, for making this history available.

The history of the newspaper recites events of early day pioneer Oklahoma through the years of the growth of the Indian territory into early statehood days, through the long years of the hardships of the great depression, and onward to the era of prosperity which had its beginnings in the Roosevelt administration. The first half of the history, which follows, covers the period from the first date of publication of the newspaper in January 1904 until, as a result of changes in management and steady growth, it became the Heavener Dispatch in April 1912 under the proprietorship of Mack Hall, who housed the paper in a new two-story brick building from which it carried to the community not only local news but news of national events up to and including World War I.

The history referred to follows:

A HISTORY OF THE HEAVENER LEDGER

INTRODUCTION

Although *The Heavener Ledger* was not the first newspaper published in Heavener, it began there weeks after the first paper was moved to Waldron, Arkansas, and local merchants underwrote the second effort *The Heavener Clipper*.

A history[1] of the city recorded that "the present city of Heavener was known as Choctaw City in 1884, with a total population of around 200, consisting mostly of Choctaw Indians and a few families of white people. Unimproved roads led into the town over which lumber was hauled by team and wagon and ox carts between Bates, Arkansas and Fort Smith, Arkansas."

This history also recorded that the name of Choctaw City was changed to Heavener in honor of the Joseph Heavener family.

The history of Heavener newspapers, the problems, the news, and the progress, evolved about the Kansas City Southern railroad, lumber from the mountainous region that surrounds the town, coal mining efforts from the abundant reserves of semi-anthracite coal of the area, farming and ranching, and hunting and fishing.

Tracing the early history of Heavener newspaper was difficult because a fire in 1919 destroyed files.

Available were partial files that had been preserved by the Oklahoma Historical Society, microfilmed, and recently returned to the Heavener Ledger.

HEAVENER'S FIRST NEWSPAPER

The oldest issue of a Heavener newspaper is Volume II, Number 28, dated Heavener, I. T. (Indian Territory), Friday, June 3, 1904. It was the *Heavener Globe*, Sam'l A. Leming, editor & Publisher.

From this we can conclude that Volume I, No. 1, was issued in December, 1901.

Besides the June 3, 1904 edition, ten other issues between that date and the final edition November 4, have been preserved . . . *The Heavener Globe* was a 5-column, eight-page paper, with four of the pages "Ready-Print". A two-column ad on the front page of the June 3, 1904, edition indicated the publisher supplemented his income, and read "Have U Insurance? on your dwelling or business house. If Not you are running a great risk. Call on me. S. A. Leming, Globe office, Heavener, I. T."

The end of the publication of the Globe is best described in an editorial entitled "Announcement" in the final edition dated November 4, 1904, which reads:

"With this issue the Globe suspends publication, the editor and publisher having decided to move to Waldron, Arkansas, where he will engage in a similar avocation that of editing and publishing the *Waldron Advance*, a new paper which he will establish at that town.

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[1] Mrs. Henry Moore, *Through The Years* (A pamphlet, which was a history of the First Baptist Church, Heavener, Oklahoma) p. 9.

"In discontinuing to publish the Globe we desire to make a few statements in behalf of the paper and the good people who have been its readers. It is not because of any financial strenuousness or because of the lack of proper support that we are making this move. It is not because the people of Heavener and the surrounding country have failed to do their part in helping to support us. They have aided us nobly and admirably. It is not because we have made so many enemies that we live in fear of remaining here or that we must flee to avoid their reproaches. Enemies we have none and we are thankful for it. We love all of our readers and their kindly support, encouraging words and the advice of many of them will always be remembered by us as something precious in days to come all these things will be as fresh in our mind as they are today.

"But, we are going to Waldron because we believe we can become more successful in the newspaper business, because the town is larger and the surrounding country is more thickly populated, because we were born and reared there and we feel that it is our home—and home ties are not easily broken; our people live there, our mother died there. Now, do you wonder why we have made this decision?

"In conclusion we will state that we are going to publish the best paper Waldron has ever had, and that we intend to devote a very liberal space of the paper to the happenings of Heavener and surrounding country. We are acquainted with the people and know just what kind of a paper they want. All parties that have paid advanced subscription for the *Heavener Globe* will receive the *Waldron Advance* till their time expires, and all subscriptions now due may be remitted to the Advance or paid to us before leave."

THE BIRTH OF THE LEDGER

Rushing to fill the void of a town without a newspaper, local merchants called on Arthur Johnson to start a new newspaper. In the January 4, 1945, edition of the *Heavener Ledger* a letter from Johnson, who lived in California, was quoted describing the situation:

"After Leming moved away, James Stewart, G. W. Daily, and Jim Olive came to me and offered to back me to start a small newspaper and agreed to let me pay them back in job work and advertising. I believe that O. J. M. Brewer, R. L. Walker, M. L. Hall, J. M. Young and some others were in on the deal to help back me in this venture. I shall always remember these pioneer business firms who showed their good faith in me."

After three weeks without a newspaper, *The Heavener Clipper* made its first appearance on Thursday, November 25, 1904, listing the publishers as Arthur Johnson and J. T. Baker. From this edition evolved continuous publication of Heavener's newspaper.

An editorial in the second edition (Volume 1, No. 2, December 2, 1904, the earliest edition existing today) entitled *The Clipper*, stated in part:

"This issue of the Clipper goes into the homes of about five hundred people. We felt a little ashamed of our first issue but it was with great difficulty that we turned out a paper at all. Some material that we had ordered did not arrive in time and we were compelled to leave out a great many important items. We entertain the hope that you can tell from this issue what the Clipper intends to be. We do not propose to evolutionize the newspaper business, not create any sensation among the reading people, but there is one thing that we desire to get fixed on the minds of our readers and that is; we are going to do everything in our power to entertain, detain, retain, obtain, and maintain the good will and friendship of everybody."

The Clipper appeared with eight 5-column pages, with four pages of local news and advertising and four pages of "Ready-Print".

The edition of Friday, March 30, 1905, without explanation, printed its edition number as Volume 1, Number 1, and listed only Arthur Johnson as editor and proprietor. Apparently, with the preceding edition the partnership between Baker and Johnson was dissolved.

In the March 20 issue is found the following notice: "Notice is hereby given that all partnership existing under the firm name of Johnson and Baker is dissolved by mutual consent; Mr. Baker retiring. All outstanding accounts will be collected by Johnson and all bills be paid by him. Arthur Johnson, J. T. Baker."

J. T. Baker moved to California where he worked as a carpenter.

The editorial attitude of Publisher Arthur Johnson was well expressed in an editorial in the October 3, 1907, edition of *The Clipper*, entitled "Clipper Not Republican Paper". It read as follows:

"Since the election we have been accused by some of our Democratic customers of running a Republican paper. Here is an explanation: Before the Democratic primary we had over twenty Democratic announcements. Those Democratic candidates paid for their names being run in *The Clipper's* announcement column. The primary election ended our contracts with the Democrats. After the Republican convention twelve Republican candidates had their names in our announcement column; and they paid for it just as the Democrats did. Before the general election we advertised Republican speakings. Consider it. Haven't we treated both sides with equal fairness?"

"Of course we have our political views, but why should that interfere with the business of *The Clipper?*"

"You have a right to your opinion. We have a right to ours. The man who would let his business affairs mix with his politics has a screw loose somewhere."

In *The Clipper*, Arthur Johnson exhibited a flair for literary writing. To further his ambitions, *"Western Breezes"*, a humorous literary paper, published semi-monthly at Heavener, on July 15, 1905. Subscription price was listed as 50 cents a year in advance. It is unknown how long this effort lasted. Two editions have survived: Volume I, Number 1, dated July 15, 1905, and Volume I, Number 2, dated August 1, 1905.

Due to the absence of files during 1908, the transfer of *The Heavener Clipper* from Arthur Johnson to Frank W. Richards is not recorded in print.

However, this information was filled in by Mrs. Fern Beavers, daughter of Richards, who makes her home in Heavener. Mrs. Beavers recalled that early in 1908 Mr. Richards went to Heavener, then a village of perhaps 500 population, from his home at Lucas, Iowa.

On March 5, 1908, the last available issue of the *Heavener Clipper* carried the following item on the front page:

"Mr. F. W. Richards is at his home in Iowa this week winding up his affairs, to move here. In the meantime ye former editor is the 'whole cheese' in the Clipper office.

"However, there is some doubt of Richards returning. If he does not, we will move into the upper story of the new bank building next Monday and Tuesday and may be late getting out the next issue," the item concluded.

According to Mrs. Beavers, Richards moved his family and this equipment from Lucas, Iowa, to Heavener on June 3, 1908, and immediately began reequipping the newspaper.

A cylinder press replaced the old Washington hand press that had been used to print *The Clipper*.

THE CLIPPER BECOMES THE LEDGER

Immediately, Richards changed the name of the paper to *The Heavener Ledger*. He had previously published papers at Garden Grove, Iowa, Burlington Junction, Missouri, and at Lucas, Iowa, and all of these three he had named Ledger.

The first remaining copy of the Heavener Ledger is dated September 10, 1908, Volume 4, Number 41, and lists F. W. Richards as editor. The size was five columns per page, with four pages of local news and four pages of "Ready-Print".

Progress in the development of the *Ledger* by Richards was noted in an editorial in the April 8, 1909, edition, which read as follows:

"THE LEDGER NOW AN OFFICIAL PAPER

"Thanks to the scores of good friends who signed the petitions circulated by the *Ledger* the past three weeks, we have been made the official paper of LeFlore county, the board of commissioners have ruled to that effect in their meeting. Heretofore the only paper having any circulation in this part of the county which published the proceedings and other official matter was the News At Poteau. Many of the Ledger readers do not take the News and the board very justly recognize the claim that the 750 subscribers to the Heavener paper were entitled to know what was done in county affairs."

"This will in a short time at least compell us to enlarge the Ledger as it was ever without the county printing been too small to really do justice to our advertisers and subscribers. But a larger paper will require a larger press and additional material, and these cost money. Do you owe for the *Ledger?* If so, remember that every dollar you pay will do that much toward a new press and a larger and better paper for Heavener. We have about $400 due us on subscription and sincerely hope our friends will pay up as soon as possible." the editorial concluded.

It should be noted that at this time Arthur Johnson, the former publisher, owned a department store and in this same issue ran a large advertisement for his store.

During 1909 news reached Heavener of an event that was to change the whole future of the city and its newspaper.

The Kansas City Southern railroad announced its decision to move its division from Mena, Arkansas, to Heavener, and preliminary work was begun of new facilities.

The population began to grow and the quiet little village turned into a boom town.

Appearing in the December 30, 1909, edition was the following article, entitled "Mena Takes Shot At Heavener":

"Mondays Mena Star . . .

"Mondays *Mena Star* contained probably the last gasp of the editor to retain the KCS shops at that place. It was a contemptable fling at our town regarding the prevalance of typhoid fever and pneumonia. The Star chose an inopportune time for the item as double the number of such cases were reported in its columns as could be found in our city. We learn from one of Mena's citizens who was in town Tuesday that that city itself has many cases of these diseases. While we have had considerable sickness yet there has been few deaths. We have four doctors KCS, and in part read: "Most natural, but in all the county near here and it is possible that it is due to this fact that the Star makes the above statement."

An article appearing in the issue of January 20, 1910, discussed the transfer of the KCS, and in part read: "Most natural, but really the only available point for the division. Though our people realize this they are none the less grateful to the KCS as by no other means could Heavener ever have become more than a pleasant little wayside station".

The Ledger had increased from five to six columns per page, and was regularly carrying news of the railroad and its progress with Heavener installations.

A headline appeared in the June 16 issue of the Ledger emphasizing the great building expansion that was going on during 1910. The headline read: "More than $500,000. That is Heaveners Record For The Past Twelve Months. Best Town in Oklahoma. Improvements in This City Set The Pace For All The State. Cold Facts and Colder Figures."

Also appearing in the June 16 issue of the Ledger was further comment on the Mena to Heavener transfer of the KCS. One such article was entitled, "Federal Court Refuses Injunction in Mena Cases". It read as follows:

"The petition of the Kansas City Southern Railway company for an injunction against the citizens of Mena to prevent them bringing suits or in any way interfering with the companys removal of the central division from Mena, was denied by Judge John H. Rogers of the U.S. District court Monday morning."

Most of the issues of the *Ledger* in 1910 carried stories pertaining to the KCS activity. On June 23 a headline proclaimed that "A Thousand Railroaders in Heavener in September", and told of industrial tracks, factories and warehouses.

With a two-column headline at the top of the page of the Ledger dated September 15, 1910, it was announced: "Terminal Now at Heavener"; the first paragraph read "It has come. After one year's hard work to build and equip one of the best and most complete terminal yards, roundhouse and machine shops on its entire line, the new whistle blew this morning for the beginning of business on the Mountain division of the Kansas City Southern railroad, and Heavener is as proud over this fact as the average young couple when the first baby puts in an appearance at the Home".

Prosperity and growth was enjoyed by Richards and the Ledger, but with it came competition.

THE HEAVENER DISPATCH

The first available edition of the *Heavener Dispatch* was Volume II, Number 49, dated Thursday, April 11, 1912. It was a 6-column 8-page paper, listing Mack Hall as proprietor. It was entered as second class matter May 26, 1910, at the post office at Heavener, Oklahoma.

Editions of the *Dispatch* for 1916 and 1917 were all that were available, revealing interest in national events and events leading up to and through World War I. However, major attention of the newspaper was devoted to local news.

In their competition, both editors were Democrats in politics. Both editors concentrated on local news, with editorials secondary.

Frank Richards was aided by his wife, who was from a newspaper family. He was occasionally chided by Hall in the *Dispatch* for bringing the whole family into publishing. Mrs. Hall was busy rearing their five children.

Hall came to Heavener from Waldron, Arkansas, where he was a school teacher. He first started a job printing shop and soon started the *Dispatch* on May 26, 1910.

Hall built a two-story brick building to house the Dispatch for several years.

THE SECOND GENERATION OF THE HEAVENER (OKLA.) LEDGER

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. ALBERT. Mr. Speaker, under leave to extend my remarks, I include the second part of "The History of the Heavener Ledger," contributed by a former Heavener resident, Col. E. M. Lightfoot, U.S. Air Force, retired. After a generation of changes and expansion, the Ledger in 1917 consolidated with a local rival paper, the Heavener Dispatch. It was felt that two papers in the community created an overly competitive situation and that the paper and the town itself would be better served by a single publisher; the Heavener Ledger became—under the terms of the sales contract and for a short time only—the Heavener Ledger Dispatch.

In 1925 in its 22d year of publication, the Ledger again changed management which it retained throughout 14 years of continuous editorship and a period which included the halcyon days of the 1920's, and a later period when the virgin pine forests of the area were cut away, sawmills were closed, coal mining decreased, depression arrived, the payrolls of the KCS railroad were cut back as the Nation's business slowed to a crawl, and the population turned hopefully to the public works projects of the Federal Government to sustain them. The archives of the Ledger record the renewed menace of war in the 1940's, the great victory, the uncertain peace of the pre- and post-Korean period, and the new frontiers of the 1950's and 1960's, all viewed through the eyes of editors in a small southwestern community. The Ledger changed as the times changed and it now produces weekly newspapers in Fort Smith and Waldron, two monthly tabloid publications and circulars, and a large volume of other commercial printing.

The history follows:

LEDGER BUYS THE DISPATCH

Consolidation of the *Ledger* and the *Dispatch* came on December 13, 1917, when the *Ledger* carried the following line under the masthead: "Consolidated With Heavener Dispatch December 8, 1917".

On the front page of this edition was an editorial announcing this consolidation, which read in part as follows:

"Last Saturday we purchased from Mr. Hall the *Dispatch* office including the subscription list and accounts. The *Dispatch* is discontinued and the subscription lists consolidated. Those owing for that paper are to make settlement with us, those who have paid in advance will receive the Ledger in its place."

"There has never been either room nor demand for more than one paper in Heavener. Two crowded the field so that neither could work to real advantage. Both were obliged to curb expenses, to employ limited help at limited wages, and naturally the results were not what could be desired either by the publisher or the public. The consolidation will enable us to employ better help so our patrons may expect and will receive a better paper."

"The consolidated lists give us a circulation of nearly 1300 copies. This gives our subscribers, we believe, the largest genuine list in LeFlore county."

"'It is a big undertaking to combine two subscriptions lists to avoid duplicating names that were on both lists and make no error in copying all names."

"Until January 1st, there will be no increase in our advertising rates, but after that date the price will be fifteen cents per inch, which is a small price for so large a circulation. Yours respectfully, Frank Richards."

The final edition of the Heavener Dispatch, Volume 8, Number 31, dated December 6, 1917, made no mention of the pending sale two days later, December 8, which was given as the official date of consolidation.

After selling the *Dispatch* to Frank Richards, Mack Hall went into the real estate business and later into banking. At the time of his death he was president of the State National Bank of Heavener.

During the final three editions of December, 1917, the newspaper appeared as the *Heavener Ledger*, but starting with the first issue of January, 1918, and throughout that year the name appeared on the masthead as the *Heavener Ledger Dispatch*.

Mrs. Beavers explained that although her father wanted only the name Ledger, it was necessary to carry both Ledger and Dispatch in the title to fulfill contract obligations of the *Dispatch*, and that as soon as this was done the name Dispatch was immediately dropped.

About this time an Intertype was added to the equipment of the Ledger and for the first time handset composition of news was eliminated.

Disaster struck the *Ledger* on December 19, 1919, when fire completely destroyed the building and plant of the newspaper, which was not insured.

AVERY BECOMES PUBLISHER

Sale of the Ledger to Mr. Jack Avery was announced in the issue of Thursday, December 31, 1925, with an editorial entitled "Good Bye to Our Friends", which read:

"It is with mingled feelings of pleasure and regret that we lay aside our pen as editor and owner of the Heavener Ledger with this issue. It gives pleasure because of relief from the toil and anxieties which because of age have become burdensome to us; regret because of the hundreds of pleasurable hours we have spent in putting our best efforts to add some measure of helpfulness to the town and community as well as the numberless instances of kindness and consideration extended us by those we are proud to think are our friends. Almost eighteen years we have striven to gain the confidence and good will of our readers and are egotistical enough to believe that we have in some degree succeeded."

"Tomorrow, the beginning of the New Year, the new volume, the new proprietor takes charge. Mr. Jack Avery arrived with his family Monday morning for that purpose and we take pleasure in introducing these good people to our readers. Mr. Avery is an experienced newspaper man and a first class printer, and being young and energetic, we predict for Heavener a better and more lively Ledger."

Following his sale of the *Ledger*, Richards became a partner in a cafe with Bob Waddell, but after a year and a half he retired.

In his first issue of 1926 dated January 7, Avery undertook a short history of the Ledger, in which he credited the beginning of the publication to the first week of January, 1904, a date that is still accepted as authentic.

The article as presented by Avery stated that "The Heavener Ledger starts . . .

"The Heavener Ledger starts this week on the 22nd year of its career in Heavener, although it has not always gone under its present name. When Frank Richards purchased the Heavener plant almost 18 years ago, it was known at that time as the Heavener Clipper and was purchased from Arthur Johnson on June 23rd, 1908, Mr. Richards taking possession July 1st of that year. The equipment at the time of the purchase consisted of 'ShackMouth' job press, news press about ten fonts of type and one galley.

"This was augmented considerably when the Iowa plant of the Richards was moved here a little later. The plant was gradually built up to a modern outfit, until December 19, 1919, when the most severe blow of the paper's career came through fire and the entire plant was destroyed, with no insurance. The loss was about $7,000. The paper was started again by the merchants paying several months in advance for advertising and job work and after another hard struggle the plant was again built up to its present value and the Richards have at last decided to rest on their laurels and quit the newspaper game.

"We, as their successors, are glad to give them full credit for success that has crowned their hard work during their newspaper experience in Heavener, and feel that they deserve all that they may have gotten out of it. Here is hoping that we may be able to show as good record when the time comes to write finis to our administration of the Ledger.

"And so the New Year sees a new milestone in the history of the paper, and a new editor at the helm. May the good people of Heavener and vicinity have mercy on us until we get familiar with our job and our surroundings, for something seems to tell us as we write this that we are going to need plenty of it in the very near future."

During the following 14 years of editorship, Jack Avery witnessed the virgin pine forests of the area cut away and the saw mills close; the mining of coal decrease with the depression years of the 1930's; payrolls of the KCS railroad decrease as the business of the nation used less transportation; and the population turning to the public works projects of the depression years to sustain them.

Throughout these years the *Ledger* maintained regular publication as a four-page 6-column local newspaper, boosting roads and highway construction, conservation, and all the projects that sought to promote the interests of local residents.

AD VALOREM TAXES AND THE NEWSPAPER

One of the problems that plagued the Heavener area was that there was never a foreclosure of property for delinquent ad valorem taxes, or a resale or delinquent property.

Facing this problem, the state legislature in the late 1930's, passed legislation that required delinquent property taxes be cleared by mandatory resale.

Publishers of the five newspapers of LeFlore county insisted that the legal publications required to give public notice of the delinquent tax sales be paid for by the county at legal rates set by statute.

Such publication fees by law, would be part of the costs paid by the taxpayer who paid back taxes, or assessed to the buyer who would purchase the property at resale.

However, county officials maintained that the cost to the county to start the action was too high (one estimate was placed at $35,000), and that a newspaper could produce the publication and provide adequate distribution for a much smaller figure.

The publishers maintained that in view of the general effect and high proportion of the county population that would be effected by the resale, the five papers would all run the publication and divide the revenue five ways.

County officials would not yield and the situation remained at this impasse for several months.

G. D. HUGHES BECOMES PUBLISHER

Then, as the story is told, Jack Avery and G. D. Hughes, Heavener's city manager and owner of the local theatre, got into an oral argument on the main street of the city, at which time Hughes asked how much Avery would take for his newspaper.

Avery quoted a price, and the two went to a local bank where the transaction was completed.

Hughes took possession of the *Ledger*, and the sale was announced in the August 24, 1939, edition of the newspaper.

The name of G. D. Hughes as editor and publisher appeared in only one edition of the Ledger, dated August 31, 1939, along with a front page editorial signed by Hughes.

HUGHES SELLS TO MC CAUSEY

The following week, September 7, the sale of the Ledger to B. J. McCausey Sr., was announced with the following story relating the event:

"Returning to the newspaper game and LeFlore county after a three-year tenure of absence, Bert McCausey assumed the position as publisher of the Heavener Ledger Monday morning after obtaining the publication from G. D. Hughes in a Saturday evening purchase."

"McCausey is former editor and manager of the LeFlore County Sun, leaving that position in June, 1937, after a seven year period. An appointment to a position with the tax commission called him to Oklahoma City three years ago. He resigned as Purchasing Agent and Supervisor of Printing and Supplies for the tax commission a few days ago to complete plans for purchasing the Ledger."

"McCausey is embarking on his thirty second year in the printing and newspaper profession. He has owned and operated plants in Charleston and Paris, Arkansas. He came to the Sooner state in 1930 to assume his duties with the Poteau publication. He has held positions with various metropolitan job shops and newspapers during the course of his career."

"Hughes purchased the Ledger some ten days ago."

Action on the publication of the Delinquent Tax List was begun immediately by McCausey, and on Thursday, October 5, 1939, the legal publication, almost 12 pages of six-point legal size type, plus four pages of local news, made its appearance.

The newspaper pointed out that it was "perhaps the largest delinquent tax list for real estate ever published in LeFlore county." The list advertised a total of 21,957 farm tracts, city and town lots.

With the *Heavener Ledger* appointed the official legal publication for LeFlore county, and the printing of the Delinquent Tax List and the Resale Tax List the following spring, the subscription list of the *Ledger* grew by several hundred, probably reaching the highest point in the history of the paper.

A headline in the *Ledger* of March 14, 1940, announced "Ledger Publisher and Son Purchase Poteau Newspaper". The story stated that McCausey Jr., had consummated the purchase of the *Poteau News* from Robert L. Kidd Sr., who had owned and operated that newspaper for 35 years.

On April 11, 1940, LeFlore county's first resale list was published in the Ledger—a total of 17 pages of agate size type.

Following the completion of this major legal publication, McCausey Sr. devoted most of his time to the publication of the *Poteau News*, and McCausey Jr. remained in Heavener to edit the *Ledger*.

Late in the year of 1940, Bert McCausey Jr., who was a reserve in the U.S. Marines, was notified of his recall to active duty, and the McCauseys decided to sell the Ledger and keep the Poteau News, which by that time had been appointed as the official legal publication for the county.

DWIGHT HAMLIN BUYS LEDGER

The February 27, 1941, edition of the *Ledger* carried the following story of the sale of the paper to Dwight Hamlin, effective March 1, 1941:

"In a transaction consummated Tuesday evening, Dwight Hamlin of Newkirk purchased the Heavener Ledger from B. J. McCausey and son and will assume possession and management of the firm Saturday."

"The McCauseys, who have owned and edited the Ledger since purchasing it from G. D. Hughes in September of 1939 will continue to operate the Poteau News which they assumed possession of in March of 1940."

"Hamlin, whose father and uncle are pioneers in Oklahoma newspaperdom at Newkirk, is a graduate of the University of Oklahoma School of Journalism and has been employed in advertising departments of the Anadarko Daily News, Capitol Hill Beacon in Oklahoma City and the Seminole Producer, in addition to working for his father on the Newkirk Herald Journal, a weekly."

Hamlin, aided by Mrs. Hamlin, set out to concentrate on local news, adding about 15 correspondents to report news from communities surrounding Heavener.

Without legal publications, which had boosted the circulation of the Ledger, the subscription list had dropped to less than 500, most of which were concentrated in Heavener.

On July 10, 1941, a Model 14 Linotype was added to the *Ledger* equipment to supplement the Intertype that had been in the shop for many years.

December 11, 1941, in the first edition following the bombing of Pearl Harbor, the *Ledger* devoted over half of its front page to a story headlined "More Than 130 Local Boys in War Services" reviewing the names, military services and location of men in service.

During the following year, photos of personnel in military service were printed, and several hundred plates were cataloged and used as news of transfers, promotions, injuries and deaths coming as a result of World War II.

On January 28, 1943, page size of the *Ledger* was changed for the first time since early days of the paper, from the traditional six 13-picas width columns of 20-inch length, to six 12-picas width columns of 18-inch length.

On September 30, 1943, the subscription rate was raised to $1.50 for one year in LeFlore county, and $2.50 a year outside the county. This was the first time in over 30 years that the rate had changed from $1.00 inside the county.

Beginning February 10, 1944, the regular side of the paper, entirely home print, was increased to eight pages, and eight or more pages have been carried on a regular basis since that time.

On January 2, 1947, the page length was returned to 20-inch columns, and by this time approximately 1350 papers were printed each week, concentrated in the southern part of LeFlore county.

JOHNSON ERA BEGINS IN 1947

In the edition of March 27, 1947, a headline in the *Ledger* announced the sale of the newspaper to Jack Johnson, who is not related to the founder of the original Heavener newspaper, and read as follows:

"Sale of the Heavener Ledger to Jack Johnson was made public this week by Dwight Hamlin, publisher of the newspaper for the past six years and the new publisher will arrive here during the weekend to take over duties of the plant."

"Johnson, son of O. A. Johnson of Spiro, has been serving as night foreman of the mechanical department of the Abilene, Texas, News-Reporter for several years. He attended the University of Oklahoma and the Mergenthaler Linotype factory school at Brooklyn, New York.

"Hamlin, in announcing the sale, stated that he will move to Newkirk, Oklahoma, where he will fill the position held by his father."

The sale of the *Ledger* to Jack Johnson and O. A. Johnson, completed during the third week in March, was originally scheduled for May 1, to give the new owners time to move to Heavener.

However, on the same day news came of the illness of Dwight Hamlin's father, J. E. Hamlin, who was co-publisher of the Newkirk, Oklahoma, *Herald Journal*. This was followed by hurried arrangements by all parties to take over the plant on April 1.

The new partnership listed Jack Johnson as editor and publisher, and O. A. remained a silent partner, although he was active in the mechanical operations, along with his wife, who was a capable Linotype operator.

In June, 1951, immediately following his graduation from the School of Journalism of the University of Oklahoma, Joe A. Johnson, leased the interest of his brother, Jack, for a period of one year, following Jack's recall for one year of service in the U.S. Air Force during the Korean conflict.

Jack Johnson resumed his position as editor of the Ledger in June, 1952, and Joe then leased the interest of his father, O. A. Johnson, who then retired.

The sale of the interest of O. A. Johnson to Joe was completed on January 1, 1954, and the partnership has continued to this date with Jack and Joe Johnson as co-publishers—Jack listed as editor and with Joe in charge of production.

In 1947, a new 8 x 12 job press and other equipment, was added to the plant, and in 1956 a C & P job press with a Kluge unit was purchased, the first automatic press ever used in the Ledger plant.

On Thursday, October 11, 1956, the Ledger appeared as a seven column newspaper, further increasing the page size.

OFFSET WORK IS STARTED

In 1960, the Johnson brothers bought their first offset printing equipment, a Number 1250 Multilith, and platemaker, and a light table, and began their first production of commercial printing to supplement their letterpress equipment.

For two years they ordered their offset plates until December 1963, when they purchased an 18 x 24 Kenso vertical camera.

On June 27, 1963, the Ledger appeared for the first time by the offset process, with the publishers "going all the way" with the new process, discarding all letterpress equipment, except the 8 x 12 job press and a few cases of handset job type.

The new offset process newspaper carried eight columns per page and was printed on a 35 x 45 S & L Harris press, replacing a hand-fed Campbell book press which was probably about 75 years old. The Harris press was a 1929 model.

Composition equipment for the new process included a set of Friden Justowriters, a recorder and a reproducer, a Varityper Headliner and a Waxer.

The November 26, 1964, edition of the Ledger again was changed, with the page size going to nine columns.

Then on August 25, 1966 the edition was published again with 8-column pages, printed for the first time on a 1962 model Vanguard V-15, four-unit webb-fed offset press, giving 16-page capacity and the possibility for the use of color.

The largest edition of the *Ledger* printed since the installation of the new press is dated Thursday, March 23, 1967, labeled the "KCS Progress Edition", an 18-page, two section issue utilizing color on eight of the pages.

Now, in addition of publication of eight to 12 pages of *The Heavener Ledger* each week, the staff of four in the front office and three back shop employees produce weekly newspapers located in Fort Smith, Arkansas, and Waldron, Arkansas, two monthly tabloid publications, and circulars and a large volume of other commercial printing.

In assembling one of the most modern small town weekly newspaper plants in the nation, the publishers have served readers of LeFlore county to merit a circulation of over 2,300, for which they receive $3 per year for subscription in the county, and $5 per year for papers going outside the county.

Editorially, the Ledger, during the past 20 years under the Johnson family, have maintained complete local coverage of news with liberal use of pictures.

Through regular use of his personal column "The Little Ledger", Editor Jack Johnson has continuously insisted upon open meetings of all local boards and commissions.

As active members of the Lions club, the Heavener Chamber of Commerce, and the Heavener Industrial Association, the publishers have been leaders in the productive projects of these and other local organizations with liberal coverage in the *Ledger*.

The two publishers have also received national recognition for their participation in the National Forest Service program of "Tree Farming", through timber management projects on mountain land that they have acquired.

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Jack Johnson, Editor The Heavener Ledger.

Joe A. Johnson, Production Manager, the Heavener Ledger.

Dwight Hamlin, Publisher of the Ledger, 1941–1947.

Mrs. Fern Beavers, Heavener, Oklahoma, daughter of Mr. Frank W. Richards, Publisher of Ledger, 1908–1925.

"Through the Years"—a pamphlet written by Mrs. Henry Moore which was a history of the first Baptist Church, Heavener, Oklahoma.

CLARENCE HOLMAN OBSERVES 50 YEARS AS PROPRIETOR OF E. A. DAVIS & CO.

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mrs. HECKLER of Massachusetts. Mr. Speaker, my fellow townsman, Mr. Clarence N. Holman, of Wellesley, Mass., has recently noted his 50th anniversary as proprietor of the fine old department store, E. A. Davis Co., and I have joined with other residents of our area to wish him warm congratulations on this remarkable milestone.

Margaret S. Urann of our fine weekly newspaper, the Wellesley Townsman, has written an excellent article relating to Mr. Holman's splendid achievement, which I am pleased to insert herewith in the CONGRESSIONAL RECORD:

CLARENCE HOLMAN OBSERVES 50 YEARS AS PROPRIETOR OF E. A. DAVIS & CO.

(By Margaret S. Urann)

A businessman in Wellesley since his graduation from Harvard with the Class of 1913, Clarence N. Holman is celebrating his 50th year as proprietor of E. A. Davis & Company, the town's first department store.

The concern was started as a dry goods shop by Mr. Holman's aunt, Mrs. Emma A. Davis of Brighton, who was among the first tenants in the Partridge Block completed in 1905 on the north side of Wellesley sq. The Town Report of 1904 lists the value of "cellar, new block" as $2,000; the assessment of the block in 1905 was $10,000. It contained seven stores with rooms above.

Mrs. Davis' selling space was at first confined to the small front part of 549 Washington st.; within four months the space had to be doubled.

With her business thriving, Mrs. Davis in 1910 required so much room that an addition was made not only at the rear of the store but also extending behind 551 and 553 Washington st. Two years later she bought the gift shop of George Abell at 557 Washington st. and connected it with her own area in a horseshoe effect that circumscribed three other shops. A large stone fireplace at the rear, with crackling logs, lent charm to the country store with city merchandise.

FORMS PARTNERSHIP

At the time of the 1912 expansion Mrs. Davis' brother-in-law, Charles E. Holman, became interested in the business and a partnership was formed between them under her name.

The next year her nephew, Clarence N. Holman, entered the company's employ as a June graduate of Harvard College. In 1916, upon Mrs. Davis' retirement, he took over the management and acquired her share in the enterprise; in 1918 he took over his father's part and became sole owner. The name E. A. Davis & Company was retained.

Expansion of the firm with the growth of the town led to requirement of still larger quarters. Charles and Clarence Holman, in 1920, bought the Clark property at the corner of Washington and Church sts. where they erected the Holman Block. The original section, consisting of 11 stores, was completed by the summer of 1922. E. A. Davis & Company moved into the central store facing Washington st.

Today Mr. Holman has only one original tenant, the College Pharmacy opened by N. Clark Clement being continued by his son, Robert C. Clement, who in 1964 discontinued the prescription department and renamed his store the College Shoppe.

Insufficient space continued to be a problem for the Davis store as the volume of business steadily increased year by year; customers came from Dedham, Sherborn, Waltham and Weston to take advantage of the extended stock of draperies, fabrics, drygoods, notions, clothing for men, women and children, furniture and supplies for school and college students, toys, etc. etc. In 1929 the store's merchandising area was enlarged nearly 100 per cent, for the new basement quarters about equalled the first floor and a spacious balcony was added.

BLOCK IS DOUBLED

The Holman Block itself was doubled in 1929 with the addition of 10 more stores along Church st.

It is a tradition that Mrs. Emma Davis began the dry goods store here as a result of her chance meeting, on a Mediterranean cruise, with William Partridge, then a Wellesley photographer and realtor. Her brother-in-law, Charles Holman, already had such a store in Allston, Brighton and Coolidge Corner, Brookline. When Mr. Partridge urged her to open one in our college town, she finally agreed to do so provided he would furnish the location.

On return from the cruise he acquired the property adjoining the Town Hall grounds toward the west, moved the Colonial dwelling (once Blanchard's Tavern, where George Washington is said to have slept) westerly to a site beside the rear of the Shattuck Block, and proceeded to build a sizable block of stores. According to an old-time resident, lumber for the block was obtained by purchase of the "poor farm" near the present Waban railroad bridge; it was transported to Wellesley Square piece by piece.

The old-timer recalled that the new block was first occupied (west to east) by George Abell, photographer; Joseph Tailby, florist; Martin Shaw, watchmaker; a candy store; E. A. Davis, dry goods; Proctor & Austin, plumbers; and Sias' market that shortly gave way to the Bird Cage tea room at the east and Benjamin Kartt, tailor, in the westerly part. Benny Kartt subsequently bought the block and rebuilt it, so that it now bears his name.

Upon retirement in 1916, Mrs. Emma Davis lived across Wellesley sq., upstairs in the Taylor Block, for a number of years before moving to San Diego, where she died in 1946. Her brother-in-law, Charles E. Holman, continued to live in Allston and died there in 1940.

ACTIVE CITIZEN

Throughout his 55 years with E. A. Davis & Company, Clarence Holman has been active in town and civic affairs. He became a charter member of Wellesley Kiwanis Club, formed in 1926, and served as its president in 1937. Mr. Holman has been a Town Meeting Member since the beginning of our representative government in 1937, and was elected also to the Advisory Committee and the Town Coordinating Committee. A past worshipful master of Bethesda Masonic Lodge Brighton (he was the youngest man in the Commonwealth to hold that office), he later became an affiliated past master of Wellesley Lodge, A.F. & A.M. He is a former director of the Brighton Savings Bank. Mr. Holman has been a trustee of the Wellesley Cooperative Bank and of Woodlawn Cemetery for long periods.

He and Mrs. Holman some years ago built their home at 260 Grove st., where on April 12, 1966, they celebrated their 50th wedding anniversary. Their family has grown from three daughters, all married, to include nine grandchildren. Barbara (Holman) Whitcomb became associated with her father at E. A. Davis & Company in 1959 and has since taken an active part in the conduct of the store.

YEAREND REPORT

HON. MELVIN R. LAIRD

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. LAIRD. Mr. Speaker, at the conclusion of each session of Congress, it has been my practice to prepare a yearend report in the form of a letter to my constituents in the Seventh Congressional District. Now that the 90th Congress is about to adjourn I have prepared a yearend letter to my constituents to be sent to them on October 16.

Under unanimous consent, I include my yearend report in the RECORD at this point:

YEAREND REPORT

OCTOBER 16, 1968.

DEAR FRIENDS: Another year has gone by—my sixteenth as your Congressman. With the Congress now in recess after a long and difficult Session, this will be my last Washington Report until the new Congress convenes in January.

As your voice in this 90th Congress, I have exercised my vote in the House of Representatives on the basis of what I thought was in the best interests of our District, our state and our nation. I have never claimed that my judgment was infallible on any issue but have made each decision after careful and conscientious study. I have cast several thousand Committee and House votes on legislation since being in public office.

If you ever have any question on why I voted as I did on any amendment, resolution, or bill, please drop me a postcard. I want you to have this information firsthand from me rather than accept a third party's explanation of my vote on any given piece of legislation.

The 90th Congress has been a very busy one for your man in Washington. During the two years of this Congress, my job as your representative has involved me in a great many diverse activities, some of which will be discussed in this report. These activities ranged from heavy involvement in battles for the dairy farmer to efforts in behalf of our older citizens living on social security, veterans and railroad pensions. They also included attempts to enact new and better programs for the problems of 20th Century America.

DAIRY PROBLEMS

After several appearances before the U.S. Tariff Commission, the House Ways and Means Committee and many conversations with Agriculture officials in the Executive Branch, partial success was realized in improving the situation of our dairy farmers. Our efforts brought Tariff Commission action to restrict the intolerable flood of dairy imports into this country both in June of 1967 and again last month. Also the milk marketing order affecting our area of the country was amended to provide that the minimum price received by farmers for milk in our area would not be decreased during the next marketing year. Paul Affeldt, President of the Pure Milk Products Cooperative recently said, "Whenever we have a problem, Mel Laird will help. He is truly dairyland's best friend in Washington."

SOCIAL SECURITY

Our fight to improve social security and veterans pensions was also partially successful. Across the board increases totalling some 13% in social security benefits were enacted and several veterans bills were passed. But the only permanent answer for those living on fixed incomes with the cost of living going up so fast is enactment of the Laird bill. The cost of living is now rising at a rate of about 6% a year. The present leadership in Washington apparently does not understand the relationship between huge spending and rapid inflation.

MILITARY DRAFT

I have long felt that the Selective Service System must be improved. Under a new administration and new leadership, greater equity can be realized in Selective Service policies. Specifically, I would hope we can reduce the number of years during which a young man can be considered for the draft, thereby providing some certainty to those liable for military service. When military manpower needs can be appreciably reduced, the Selective Service System should be placed on standby and a voluntary force should be substituted by providing adequate pay and career incentives.

WELFARE PROGRAMS

Another major area of continuing concern is the public welfare programs. The present welfare program is nothing more nor less than a Guaranteed Income Welfare Program. It guarantees a dole to the recipients with little hope and virtually no incentive for work or real training opportunities. What is needed is a new program that places major emphasis on work income incentives and work training opportunities. Such a program would be a Work Incentive Welfare Program. Such a new program can and must replace the present dole which insures in our society a permanent or semi-permanent class of tax eaters rather than taxpayers.

MEDICAL RESEARCH

As the ranking minority member of the House Appropriations Subcommittee on Health, Education and Welfare, I have consistently supported increased funds for medical research. Higher priority has been given by the Johnson-Humphrey Administration to space research than to human research. In my view, this is wrong and I will continue in my efforts to have health problems given a higher priority than is presently the case. We must also place top priority on delivering medical services to people through improved health manpower programs.

EDUCATION, HEALTH, AND WELFARE PROGRAMS

I have long voted against and opposed the categorical grant-in-aid approach to these problems. We now have over 1,000 separate federal grant-in-aid programs administered from Washington. More and more support is developing for my approach of functional bloc grants, returning a flat percentage of federal taxes and tax credits for state and local taxes to solve the problems of education, health, and welfare. Local and state governmental units need help but are capable of their own decision-making.

The Overriding Issues of 1968 are certainly clear; restoring peace in Vietnam and on our city streets; maintaining prosperity for our nation; reestablishing credibility in government; and finding new and better solutions to the problems of health, education and welfare. All Citizens of voting age have an opportunity to do something about these issues that are of concern to all Americans. Four basic choices are available: (1) Hubert Humphrey and a continuation of the Johnson-Humphrey Administration policies; (2) Richard Nixon and a change to a new Republican Administration; (3) George Wallace or some other independent candidate as a protest vote; and (4) noninvolvement by refusing to vote at all.

Each American, of course, must make up his own mind about what our country needs and who can best lead this nation in this time of crisis. I hope that every eligible voter in the 7th Congressional District will vote on Tuesday, November 5th. I appreciate very much the support and cooperation I have received from my constituents in the 7th Congressional District during this 90th Congress.

Best regards,

MEL LAIRD.

TAX-FREE ATTACK ON MARRIAGE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. RARICK. Mr. Speaker, while most Americans still believe in marriage and provide for their home and struggle to better their children's future, some privileged organizations who pay no taxes and have profited by exploiting "dogooder" causes now attack the sanctity of marriage and legitimacy of children.

What in commonsense is wrong with a ruling that "illegitimacy equals neglect"? Let those judges who hold otherwise pay the costs of the illegitimates and we will find how quick the acts become neglect per se.

Or better yet, let's tax the tax-free destroyers of marriage—ACLU, NAACP, Legal Defense Fund, Planned Parenthood Federation and the Medical Committee for Human Rights and use their financial resources to pay for the illegitimate offsprings they father by encouragement.

Those who profess the cliche that enforcement of the law is not a deterrent to an act have persuasion but no proof to their claim but one does not even need a second-grade education to know that when there is no law enforcement there is no deterrent—and the violation continues.

Mr. Speaker, I include the account "Illegitimacy Equals Neglect?" from the Washington Evening Star on October 10 to follow my comments so our colleagues can determine how far asunder the tax-free boys have gone in destroying society.

UPSET OF RULING ASKED: ILLEGITIMACY EQUALS NEGLECT?

(By Martha Angle)

ANNAPOLIS.—The Maryland Court of Appeals today was urged to overturn a 1967 Prince Georges Circuit Court decision equating illegitimacy with child neglect.

A battery of eight attorneys asked the high court to strike down a Sept. 21, 1967, ruling in which Circuit Court Judge Perry G. Bowen held that the presence in a home of two or more illegitimate children creates an unstable moral environment and constitutes neglect.

The court took the case under advisement.

"The mere fact of illegitimacy is not sufficient in and of itself to find a neglected environment. I think you have to go into the home, look around, and consider the total picture," said Frank M. Kratovil, court-appointed lawyer for the eight illegimate children of three Prince Georges County women.

POINTS TO DECISION

Kratovil's co-counsel, Norman Dorsen of New York City, an official of the American Civil Liberties Union, told the appellate court that the U.S. Supreme Court in a landmark decision in May "set out very clearly that illegitimacy by itself cannot be the basis" for such an action.

Dorsen said that in determining child neglect under Maryland law, "illegitimacy can be a factor, but of itself cannot be the decisive factor."

The case argued today before the state's highest court originated in May, 1967, when the Prince Georges state's attorney office filed neglect charges after three unwed mothers came to them seeking signatures required on their applications for welfare assistance.

On the welfare form, the mothers were required to name the fathers of their children so county prosecutors could attempt to find the men and bring child support proceedings against them.

INTENT IS ARGUED

Speaking on behalf of the three mothers, Washington attorney John J. Sexton today argued that information provided on the welfare form was intended solely to allow the state to force fathers to support their children.

"To condition the granting of welfare assistance upon a requirement that leaves mothers to incriminate themselves is unconstitutional," Sexton said.

He noted that the Prince Georges County welfare department "did not ask the state's attorney to bring the neglect action in this case. In fact, they opposed it."

Asst. Atty. Gen. Joseph R. Raymond, defending the prosecutor's original action, argued that the state's attorney had been "acting as an agent of the welfare department."

"You don't think he was an eager beaver?" inquired Chief Judge Hall Hammond.

CORRECTNESS QUESTIONED

"That may be," Raymond conceded. "The question is whether he acted correctly."

"Very few do," observed Judge Hammond.

Although the child neglect law involved in the present case has been on the Maryland books for years, charges rarely have been filed solely on the grounds of illegitimacy.

In his opinion in May, Judge Bowen said he was dealing with a "test case." The question to be answered, he said, was "whether this portion of state law furnished a vehicle to assist in coping with the problem of illegitimacy—a problem with a mounting cost to the taxpayers and a mounting cost in human misery."

The judge said the "minimum standard the community requires of a man and woman *who wish to live together, have sexual relations* and bring children into the world is that they be married."

Dorsen today told the Court of Appeals that "the court below expressed a matter of social policy. Some of us may agree, and some may not." But he added he thought Judge Bowen had "erred" in his interpretation of *the Maryland law.*

After submitting a "friend of the court" briefs on behalf of the appellants in today's case were the Planned Parenthood Federation of America, the Medial Committee for Human Rights, the ACLU and the NAACP Legal Defense Fund.

THE AUTOBIOGRAPHY OF R. M. MacIVER—"AS A TALE THAT IS TOLD"

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. KUPFERMAN. Mr. Speaker, after so many years as an author and teacher, our friend, Robert M. MacIver, has again brought forth a scholarly and provocative work.

"As a Tale That Is Told" is an autobiography of a full and important life.

The New School for Social Research in my district recently held a reception in honor of this new book written by its former president. Many distinguished persons came to the "bookwarming."

I know that my colleagues will be interested in this event and in the praiseworthy comment on the book.

One such comment follows:

AS A TALE THAT IS TOLD: THE AUTOBIOGRAPHY OF R. M. MACIVER

"When I had reached the age of gray-haired reminiscence and was told I should write my autobiography, I swore I never would." So begins one of the most charming, literate, and engrossing autobiographies written in our day by any social scientist. Good is it that Robert MacIver was persuaded—or, knowing his Scotch stubbornness to blandishments of others, persuaded himself—finally to write it. His life, now in its eighty-sixth vigorous year, has touched many lives, in diverse spheres on all continents where the social sciences are known, and can be assessed by the criteria of distinguished teaching, scholarship, professional consultantship, and university administration, quite apart from the criteria of humane citizenship. His is a remarkable life, and we can be grateful indeed that, added to the many other fine books Robert MacIver has written, there is now this one about himself, the influences that have shaped him, and the sorts of things that creative minds are likely to be turning over when they are not actually creating.

The book begins in Scotland, his native heath, and surely the temper of Scotch Calvinism has never been more felicitously, even affectionately, portrayed than by this man who though reared in its iron pieties, foreswore them as he was to foreswear all convictions that did not spring from personal experience and reason. From his native Stornoway in Scotland we move to the University of Edinburgh (where the great Saintsbury was one of his teachers), to Oriel College, Oxford, where he went "with good-sized scholarship masquerading as a Bible clerkship", and thence to Lecturerships at Aberdeen, in both political science and sociology, and on to a Professorship at, first Toronto and then, in 1927, at Columbia University, *from which he retired as Lieber Professor of* Political Philosophy and Sociology in 1950. At Columbia he had key influence in developing a department of sociology that was to include such eminent scholars as Robert Lynd, Robert Merton, and Paul Lazarsfeld, among others. A second career began with retirement at Columbia, one of more than *a decade of directorships of vital research* projects in the areas of juvenile delinquency, academic freedom, and the United Nations. And in 1963 a third career commenced with his accession to the Presidency of the New School for Social Research at age 81. High honors came regularly to this remarkable man, among them honorary degrees at Harvard, Princeton, Yale, Jewish Theological Seminary, Columbia, and, in 1952, his *alma mater,* Edinburgh. Books flowed continuously from his pen, beginning with *Community* in 1917, which this reviewer regards as the single most distinguished book yet written on that subject, and including *The Modern State* (1926), which for many of us was introduction to the sociology of politics, as well as to the great British pluralist tradition. In all, some twenty books, not to mention articles and addresses, keep the name MacIver as fresh today as at any time during the half-century in which they were written.

I would be doing this lovely book a disservice if I left the impression that it is solely or even chiefly about its writer. Mostly it is about others—family, friends, teachers, students, colleagues, administrators, political figures—and the glimpses we are given of these range from the penetrating to the affectionate. Rifts and tensions there were bound to be in a public career as long and active as his, but the book is singularly free of the belated *riposte* that so often figures in autobiographies of the great. The glimpses we are given of family life, including his wife of fifty-seven years, Ethel, are charming in every detail.

As a Tale That is Told (the title comes from Psalm 90: "We spend our years as a tale that is told") is a book not merely for the many whose lives have been shaped by this great teacher and mind, but for all who are interested in the events of the past three-quarters of a century as seen through the eyes of one of its most distinguished observers. Social scientist, he is also, proudly, a philosopher; I like to think of him as perhaps the last of the line of Scottish Moral Philosophers that began in the 18th century, one of the most influential lines of intellectual ancestry in modern history. If there is an academic hereafter, Robert MacIver will surely find a comfortable seat waiting for him near Adam Ferguson, Adam Smith, and the others who founded the line. Like each of them he is a man for all seasons.

WASHINGTON NEWSLETTER

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. STEIGER of Wisconsin. Mr. Speaker, under leave to extend my remarks in the RECORD, I include at this point my October 1968, report to the citizens of the Sixth District:

WASHINGTON NEWSLETTER

OCTOBER 7, 1968.

DEAR FRIEND: As this is written the 90th Congress is about to adjourn. As I have in the past I am taking this means of keeping you informed about the work of the House of Representatives. It has been an honor to represent the Sixth District during these past 22 months, and I am grateful to the many people who have taken the time either in person or by mail to express their opinions on matters coming before the Congress.

In this newsletter, I will try to outline what has happened to major legislation, how *I cast my vote, and some of what remains* to be done in the years ahead.

This Congress has been significant in a number of areas. We were able to make reductions in federal spending and to reduce the size of the federal deficit. We took the first steps toward simplifying the present categorical grant-in-aid approach by inaugurating bloc grants in areas such as Title III of the Elementary and Secondary Education Act. This gives greater flexibility to local and state governments and assures that they will have a greater voice in the decision-making process.

We established a number of new national parks and started the Scenic Rivers System to preserve important natural resources for the future. We adopted a number of programs to aid the public such as the Truth in Lending Act. We wrote major anti-crime laws to provide assistance to state and local enforcement efforts.

We did not however, enact the Congressional Reform legislation. We did not adopt the Election Reform Act to insure disclosure of campaign contributions and expenditures. We did not adopt priorities in federal programs, and we did not initiate the necessary study of the organization of the federal government aimed at reducing waste and duplication. During this Congress I was actively involved in attempting to get action on these matters.

In newsletters to you I have tried to discuss my work. I have stressed Education legislation which has been so much in the forefront during this Congress. As a member of the Education and Labor Committee, and two of its subcommittees, I have had the opportunity to work closely with many people in the Sixth District and in Wisconsin who share my concern for the quality of educational opportunities available. I will continue to work in this field because of my deep belief in the necessity of building our future through education.

GUN CONTROL LEGISLATION

Certainly the legislation which has created the heaviest volume of mail and about which the most people have expressed an interest is gun control.

I opposed any effort to establish a system of federal registration or licensing. While the bill which is presently in conference between the House and Senate does not contain any such provisions there is nonetheless a great deal of confusion about just what has passed the House.

H.R. 17735, the State Firearms Control Assistance Act, is the bill passed by the House which I supported. This bill bans the mail order shipment of rifles and shotguns; establishes restrictions on the sale and shipment of ammunition; licenses collectors, dealers, and manufacturers; and sets penalties for violators. The bill is consistent with the anti-crime bill which banned the mail order shipment of pistols and handguns.

Neither the House version nor the Senate version provides for federal registration or licensing of owners.

Over 8,000 people wrote to me about gun legislation. If any of you are interested in the full details of the bill adopted by Congress please write to me at my Washington office, and I'll be happy to send you the information.

BILLS I'VE SPONSORED WHICH PASSED THE CONGRESS

A number of bills I've joined in sponsoring have been passed by both the House and the Senate and have been signed into law by the President.

H.R. 10730—The Older Americans Act Amendments of 1967, Public Law 90–42;

H.R. 12257—Vocational Rehabilitation Amendments of 1967, P.L. 90–99;

H.R. 13048—Library Services and Construction Act Amendments of 1967, P.L. 90–154;

H.R. 16819—Vocational Rehabilitation Amendments of 1968, P.L. 90–391;

H.R. 18763—Handicapped Children's Early Education Assistance Act, P.L. 90–538;

H.J. Res. 1371—Providing for a White House Conference on Aging in 1971.

H.R. 18366—Vocational Education Act Amendments of 1968—passed by both houses of Congress and hopefully will soon be signed by the President.

In addition, a number of bills I've sponsored have been passed only by the House and as this is written are still pending in the Senate. Whether action will be taken on them is uncertain. These include a number of Education bills, two School Lunch Act amendments, creation of the American Hunger Commission, and two bills amending the Taft-Hartley Act to authorize joint industry-labor programs.

Much of the work of the House takes place in its Committees. I've had the opportunity to implement many of the suggestions passed on to me by individuals and groups in the Sixth District through amendments I've offered. During the past two years over three dozen amendments that I presented have been accepted either by the Committee or during consideration by the House. These reflect my meetings with people who are concerned with legislation and were aimed at improving legislation. I have also served as a member of the House-Senate Conference Committees (on Elementary and Secondary Education, and Vocational Education) which were selected to reconcile the differences between the House and Senate versions on these major bills.

LEGISLATIVE REPORT

My votes on major legislation during the second session of Congress:

H.R. 11601—Passage of Consumer Credit Protection Act, Yes.

H.J. Res. 958—Passage of automobile insurance study and investigation, Yes.

H.R. 14743—Passage of bill to remove the gold backing for U.S. currency, No.

H.R. 15856—Passage of appropriation for National Aeronautics and Space Administration, No

H.R. 15067—Passage of Higher Education Act of 1968, Yes.

H.R. 15263—Motion to recommit foreign aid bill to reduce spending, Yes.

H.R. 15263—Passage of foreign aid bill, No.

H.R. 16027—Passage of service-connected compensation increase for veterans, Yes.

H.R. 17126—Motion to impose $20,000 limitation in payments under Agriculture Act, Yes.

H.R. 17354—Motion to recommit to limit spending, Yes.

H.R. 14096—Passage of penalties for LSD and drug abuse, Yes.

H.R. 17126—Adoption of conference report extending the 1965 Agriculture Act, No.

H.R. 18260—Passage of bill providing for national scenic rivers, Yes.

H. Res. 1253—Adoption of rule to create additional agency positions at supergrade levels, No.

H.R. 2516—Adoption of Civil Rights Act of 1968, Yes.

S. 2484—Passage of act to authorize an additional Senate Office Building, No.

S. 2515—Passage of bill to create a Redwoods National Park, Yes.

H.R. 15951—Passage of uniform observance of certain holidays on Mondays, Yes.

H.R. 15414—Passage of Revenue and Expenditure Control Act, Yes.

H.R. 17023——Motion to recommit to limit spending, Yes.

AGRICULTURE BULLETINS

Each year the Department of Agriculture makes available to Members of Congress a supply of Agriculture bulletins. Some of you have already received the brochure which lists these publications. If you did not receive this bulletin please contact my district office, Room 201, Post Office Building, Oshkosh, Wisconsin 54901. Ask for the: Agriculture Department list of publications. A post card is all that's needed.

UNFINISHED BUSINESS

Good news came today with the passage of the Clean Lakes Act as a part of a series of amendments to the Federal Water Pollution Control Act. You may recall that I sponsored in the House H.R. 13312, the Clean Lakes Act, appeared at the House Public Works Committee hearing on pollution legislation, and have been in regular contact with the Committee on this much-needed legislation. S. 3206 passed the House today, containing the authorization for the Secretary of the Interior to carry forward a program of research and demonstration projects specifically aimed at cleaning up our nation's inland lakes.

Hearings were held for the first time in years on legislation to take the Post Office out of politics. This included my bill, H.R. 2150. Unfortunately no action was taken by the Post Office and Civil Service Committee, and thus political patronage and the Post Office will be held over until the 91st Congress.

Four bills I introduced which received no action are H.R. 7255, The Dairy Imports Act; H.R. 11340, the rate of duty on mink imports; H.R. 8764, to establish a program of national milk sanitation; and H.R. 11339, to provide inspection of foreign dairy products.

The next Congress will face the issue of Tax Reform. Legislation such as I have introduced, H.R. 10361, to increase the personal exemption from $600 to $1,000 will be in the forefront of legislation to amend the Internal Revenue Act of 1954. Other questions include tax credits for pollution control, for education, for training and re-training employees (the Human Investment Act, which I've sponsored, H.R. 4880), and depletion allowances for natural resources such as minerals and oil.

A Member of Congress serves many functions. In these newsletters I have stressed my role as a legislator. Nonetheless a great amount of my time is devoted to the problems which individuals, local governments, and Wisconsin state government, face in dealing with the federal government. This work involves representing the people of our district on questions they have with federal agencies, such as the Social Security Administration, the Veterans Administration, and the Immigration and Naturalization Service. It also means working with public and private institutions and agencies regarding applications for assistance or funds from the various Departments of the federal government. In all cases it has been a privilege to serve you in the 90th Congress.

WHERE YOU CAN REACH ME

In Washignton—Room 1038, Longworth House Office Building, Washington, D.C. 20515 (phone 202—225–2476).

In Oshkosh—Room 201, Post Office Building, Oshkosh 54901 (phone 231–6333). Office is staffed full-time.

In Fond du Lac—Room 205, Post Office Building, Fond du Lac 54935 (phone 922–1180). Office is staffed on Thursday afternoons, between 1:30 and 5:00 p.m.

In Sheboygan—Room 205, Post Office Building, Sehboygan 53081 (phone 452–3313). Office is staffed on Tuesday afternoons, between 1:30 and 5:00 p.m.

Best regards,

William A. Steiger,
Member of Congress.

CONGRESSMEN DISPLAYED COURAGE IN OPPOSING "TRUCK TRAIN" BILL

HON. ROBERT C. McEWEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. McEWEN. Mr. Speaker, my colleagues, the gentleman from New Hampshire [Mr. Cleveland] and the gentleman from Iowa [Mr. Schwengel] deserve a word of commendation for their courageous and successful battle against heavy trucking legislation that was somewhat hastily acted upon by their committee. The Locomotive Engineer in their issue for October 11, 1968, gave these two Congressmen a well-deserved hand and I wish to make their comment a part of the Record at this time.

Congressmen Displayed Courage in Opposing "Truck Train" Bill

(Chief's comment by Perry S. Heath)

The controversial "truck train" bill appears to be dead, at least for this session of Congress. I regard this as a victory for the BLE, which has been a leading opponent of the measure, and for common sense.

The legislation—S. 2658/H.R. 14474—would have permitted the trucking interests to put longer, wider and heavier vehicles on the interstate highway system, thereby greatly increasing the danger to the private motorist as well as to the locomotive engineer encountering such a monstrous rig at a grade crossing.

It is recognized that, besides the BLE, opponents of the bill included the American Automobile Association, the U.S. Conference of Mayors and a minority bloc of Congressmen who were quick to see the peril to the public safety this legislation posed.

It should be noted also that it took great courage on the part of the Congressional opponents of this measure, who had to resist the blandishments—and veiled threats—of the trucking interests in sticking to their guns and fighting for its defeat.

One of these men is Congressman James A. Cleveland (R., N.H.), who reported having received a wire from Roy H. Stewart of the Motor Transport Association of New Hampshire which read:

"Assuming you plan to run for re-election, I suggest you reconsider and support this bill."

Congressman Cleveland promptly made this message public and went right on fighting against the measure.

Another is Congressman Fred Schwengel (R. Ia.), who told colleagues he received a letter from Gerald H. Trautman, president of the Greyhound Corporation, which included this paragraph:

"Accordingly, I ask you to keep in mind when the above bill comes before you that a vote in favor of the bill will be appreciated by the 100 million passengers which Greyhound carries every year, by the 125,000 Greyhound shareholders and by our 35,000 employees."

Congressman Schwengel's reply to Trautman is worth repeating:

"You seem to imply that Greyhound's 100 million passengers, 125,000 shareholders and 35,000 employees will veto any Congressman who chooses to oppose the bill. This type of persuasion is an affront to the workings of the democratic system. It is the worst sort of pressure tactics and typical of the methods used by the trucking industry to railroad this bill through the Senate and through the House committee."

Washington sources now say it is unlikely a vote will be taken before Congress adjourns. The fact that Richard M. Nixon and Hubert H. Humphrey have expressed opposition to the measure was the last straw, and now no Congressman would touch it with a 10-foot pole.

But let us not forget that long before either of the two presidential candidates was prodded into taking a stand on the "truck train" bill, Congressmen Cleveland and Schwengel were in there, swinging against it.

Thank you, gentlemen. It was good to have you on our side in this fight.

FUTURE OF AMERICAN PEOPLE IN SPACE

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to place in the Congressional Record the following article from Challenge magazine, summer 1968 edition, in which the future of the American people in space is the topic of discussion. I include an article in the Record by Congressman Olin Teague, as chairman of the Manned Space Flight Subcommittee of the Committee on Science and Astronautics, in the Extensions of Remarks, along with an excerpt entitled "Reentry F":

Challenge Dialog: What Is Most of Your Mail About—Concerning the Space Program?

(By Hon. Olin E. Teague, U.S. Congressman, Texas, chairman, Subcommittee on Manned Space Flight)

"Over the past 18 months, my mail on the space program has run about 9-to-1 in favor of a continuing, aggressive program. In this mail are often questions as to the values and benefits of specific portions of the program, but I must say that, generally, the mail has been quite favorable. Indicative of this has been the response from my own area of the country to the space program. My own district in Texas is primarily agricultural and, of course, this is the topic that most concerns the people of that area. A recent poll, conducted by Trendex, Inc., a well-known polling firm, included Bryan, Texas, which is my district. Attitude towards the lunar landing program, its pace and expenditure were among the questions asked. This same poll asked the participants to assess the progress of the space program in general, as well. It was heartening to note that in my own area of the country those polled did support our national space effort. In fact, in Bryan, Texas, as well as in the five other cities surveyed, in every case more than 42 percent of the people supported a continued effort to be first in space. In my own area, 58 percent of those polled considered that we should maintain our pre-eminence in space effort.

"The Trendex survey included the cities of Pasadena, Des Moines, Cincinnati, St. Paul and Sandusky, and in summarizing the findings of this poll in comparison to similar previous polls, Trendex said: 'The pace of the space program seems to be satisfactory. The desire to speed up the program has decreased; there is not, however, a corresponding increase in desire to slow the program down.

" 'Respondents are more inclined to say the government is spending too much on the space program now than in January. Figures in this issue are more closely parallel to those of November 1966.

" 'Opinion of the way the space program is moving is about the same as it has been all along, with slightly more than half of the sample satisfied.

" 'Attitudes toward future activities have changed considerably from earlier waves. Although the number who want to stop all future space exploration is lower than in November 1966, it is higher than in January 1967. More importantly, there is a decided increase in respondents who do not know what we should do. Specific interest in moon exploration has decreased sharply.

" 'Space exploration is least often mentioned as a target for greater government involvement (a new area of questioning with this wave). Air pollution and water pollution are way out in front of the other areas. Job training for the unskilled is also of high importance here, while keeping America beautiful and the war on poverty are of only moderate interest,' according to the poll.

"*Although this is generally favorable, it is* important to note that this survey found that, from 1963 through 1967, interest in the space program has dropped to a lower level and that overall only half of the participants are now in favor of the competition to be first in space.

"Following this latest Trendex poll, I became interested in how the key executives in American industry viewed our space effort. Although the views of these executives may not be indicative of those of the general public, they are among those who are the key decision makers and opinion molders of our society of today. They are responsible for the control and distribution of vast resources. To me, it seemed important to understand how they viewed the national space program. Because of this, I wrote to 750 key industrial contractors in the United States, using the Fortune magazine listing of the 750 top industrial firms in the United States. I asked them eight questions with respect to our national space effort. At this time I have received 449 responses from 750 queried. Based on the data I have available at this time, these key industrial leaders have ranked national defense, aid to education and the space program as their top three national priorities. Over 53 percent of the respondents felt that a goal of a manned lunar landing in this decade should be maintained. In this same group of respondents, over two-thirds felt that the space program has made major contributions to science and over half felt that our space efforts were making a significant utilitarian contribution to our country.

"I am looking forward to the completion of the tabulation of these queries I have made because I think that these industrialists from all sectors of our industry are in an excellent position to view the merit of our national *space effort*. It's interesting to note that of the total 750 queries, only 125 were to corporations in the top 100 list of contractors for the Department of Defense and NASA. Therefore, if one assumes that all of these contractors have responded to the questionnaire to date, the majority, 324, are largely organizations which are not defense or aerospace-oriented. Consequently, I feel that the replies represent a relatively unbiased reply on our national space effort.

"Even though both the Trendex poll and my own inquiries with a number of our industrial leaders are encouraging, it seems important to recognize that the real story of the space program is not reaching a large enough sector of the American public. In this year of continuing war in Vietnam and other demands upon our resources, the space program could well suffer serious reductions in effort. The long-term adverse effects on our country, I am sure, are apparent to the readers of Challenge. However, it is important to bring the message of the space program to the general public. I feel that too often in the meetings and symposiums and in their day-to-day work, people in the aerospace industry talk to each other rather than talking to the general public about the merit and potential of our national space effort. My expectation would be that if the values of the space program are not better communicated to the public, we can expect a continued reduction in national interest. We must renew our efforts to provide an understanding of the benefits the space program has provided in science and technology, and its potential for the growth of knowledge and utilitarian return in the future.

"I urge those in industry who possess the talent and resources to bring the space program to the general public, so they will recognize its necessity in terms of national security, economic well being, growth of new knowledge and technology."

Re-Entry F

A National Aeronautics and Space Administration flight experiment in aerodynamic re-entry heating at speeds up to 13,500 miles per hour was launched in April from NASA's Wallops Station, Wallops Island, Virginia. Developed by Re-entry Systems for NASA's Langley Research Center, the experiment—Re-entry F—was launched successfully to a planned re-entry area 120 miles northeast of Bermuda.

The Re-entry F spacecraft is a graphite-tipped beryllium cone 13 feet long, tapering from 0.1 inch at the nose to 27.3 inches at the base and weighing 600 pounds.

The Re-entry F experiment was designed to measure aerodynamic heating on a slender cone at hypersonic speeds for comparison with ground test facility studies. Scientists are unable to stimulate in ground facilities all of the complex variables governing aerodynamic heating in a single experiment. For this reason, controlled flight experiments are needed to provide a basis for coordinating ground test results. NASA officials have said the results of Re-entry F will be useful in designing advanced aerospace vehicles.

Thermal sensors were used as a primary data source. These were highly sophisticated, miniaturized components, having four thermocouples of .0008-inch diameter heat shrunk into the beryllium heat shield at selected depths. Twenty-one of these thermal sensors were employed in patterned rays along the heat shield's length.

COLUMNIST J. A. LIVINGSTON HAILS KENNEDY-JOHNSON ACHIEVEMENT OF RECESSIONLESS EXPANSION

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. REUSS. Mr. Speaker, the Washington Sunday Star of October 6 contained an excellent article by the distinguished economics columnist, Mr. J. A. Livingston, in which he saluted the achievement of the Kennedy-Johnson administrations in giving the Nation 8 years of recessionless expansion:

Johnson's Legacy: Record 58 Months of National Prosperity

(By J. A. Livingston)

President Johnson is proud that he will hand on to his successor the longest period of continuous prosperity in U.S. annals. He has added 58 months to the 33 months John F. Kennedy legated to him.

No doubt this will be his valedictory. President Dwight D. Eisenhower established the precedent. In his final Economic Report, President Eisenhower reviewed the nation's performance for the entire period of the Employment Act and "in particular" his eight years in the White House.

On his own performance, President Johnson will be able to repeat his 1965 Economic Report. "I do not believe recessions are inevitable."

It's no secret that members of the Council of Economic Advisers are getting together the facts and figures on progress of his 62 months in office from Nov. 22, 1963 to Jan. 20, 1969. They'll be used extensively in the Economic Report and the State-of-the-Union message. A summary of the President's accomplishments might run like this:

EMPLOYMENT

An increase of more than 7½ million jobs—from 68,300,000 in November, 1963, to about 76 million today. A reduction in unemployment from 3,860,000 to less than 2,800,000. The unemployment rate at 3.5 percent is the lowest in 15 years and contrasts with 5.7 percent when President Johnson took office and with 6.6 percent when President Kennedy was inaugurated.

INCOME

A typical family of four today has $2,000 more to spend than at the beginning of the President's term. This is a genuine gain of 22 percent. It takes into account the increase in prices, the depreciation of the dollar.

POVERTY

Since 1963, more than 8 million persons moved above the poverty line. But this is unfinished business in the President's lexicon. There still remain about 25 million impoverished.

ECONOMIC GROWTH

The Gross National Product (output of all goods and services) has climbed near the trillion-dollar level—from $605,800,000,000 to $853,000,000,000. In real terms, allowing for price changes, the GNP increased 25 percent, or at a 5 percent annual rate.

Corporate profits advanced 45 percent after taxes from $35 billion to $51 billion. In the same period industrial production increased 30 percent—from 126 to 164 in the Federal Reserve Board index.

AGRICULTURE

Technological improvement has more than offset higher operating costs. There are fewer farms today than in 1963—about 3,100,000 versus 3,560,000. Net income per farm has increased from $3,700 to just under $5,000, or 33 percent. Taking into account the purchasing power of the dollar, the increases in real income per farm is 19 percent.

STATUS OF NEGRO

Since 1963, the nonwhite population in the poverty level has declined from 51 percent to 35 percent. And nonwhite families with incomes of $8,000 or more rose from 15 percent to nearly 30 percent of the nonwhite families.

Since 1960, the years of school completed by nonwhites (25 to 29 years old) increased from 10.8 to 12.2 years. Comparable figures for whites are 12.3 to 12.6 years. The gap in time is closing, though the same can't be said for quality.

Today nonwhite unemployment of just over 6 percent compares with 3 percent for whites and with 3.5 percent for the labor force as a whole. Among males, 35 to 44, nonwhite unemployment is only 3 percent—the lowest in 20 years. It compares with 2 percent for whites.

PRICES

Here the President doesn't rate A. Up to 1965, the record was good. The wholesale price index held fairly steady. Ditto the cost of living index, though less so. Then came the escalation in Vietnam. In the last 12 months, the cost of living has risen more than 4 percent. In the preceding 12 months, the increase was nearly 3 percent.

Yet, taking the entire Kennedy-Johnson span, U.S. prices are up only about 17 percent since 1960. German and Belgian prices rose more than 20 percent; those of Switzerland, the Netherlands, France, Sweden and the United Kingdom, more than 30 percent; Japan's and Denmark's more than 50 percent. It is only in the last two years that inflationary pressures have pushed prices up as fast as those of most other industrial nations.

GOLD AND THE U.S. BALANCE OF PAYMENTS

The President has had to resort to controls to restrict the outflow of gold. And the drop in the U.S. trade balance (surplus of exports over imports) has aroused doubts about the dollar: How sound is it?

But the President rates a big plus for the plan for "paper gold," the Special Drawing Rights to be administered by the International Monetary Fund. If the United States succeeds in reducing its balance-of-payments deficit, SDRs will emerge as a reality. Their annual "creation" will reduce dependence on South African and Soviet gold production. This will be a major improvement in the international monetary system.

Drawing on his experience in the Senate, as Vice President, and as President, Johnson offers these ideas to his successor.

INFLATION

He doubts the value of a wage-price board to review wages and prices before they take effect. The President would prefer voluntary means to formal controls.

The biggest pending economic problem is how to reconcile the objectives of high-employment prosperity and price stability. It's a challenge which faces not only the United States but all countries in the western world. It requires the cooperative understanding of inflation by corporate executives and union leaders.

TAXES

The President thinks that the long delay in enacting the 10 percent surcharge added to the price advance this year. He thinks it would be useful for Congress to empower the President—temporarily and within specified limits—to change personal and corporate income tax rates.

During a period of slowdown, the President could reduce taxes and thereby expand purchasing power. During a period of inflationary expansion, he could raise taxes and thus curb purchasing power. To safeguard Congressional prerogative, he'd subject such Presidential discretion to a veto within, say, 30 days.

STATE AND CITY FINANCES

To meet the increasingly difficult financial problems of state and local governments, particularly the larger cities, the federal governments made grants-in-aid amounting to $17 billion in the 1968 fiscal year, a 75 percent increase over 1964. But aid to cities, lifting the living standards of persons crowded in ghettoes and improving school facilities and teaching may require federal tax sharing in the future.

HELP FOR POOR

The President regards jobs as the first line of attack against poverty; second a good Social Security system. He wants to be sure that job-training programs are expanded and that a better system of aid is developed for the poor who can't work, particularly women with small children. His National Advisory Commission on Income and Maintenance is investigating the negitive income tax and other means to help the poor.

RELATIONS WITH FEDERAL RESERVE BOARD

Although the President was displeased when the board, by a 4-to-3 vote, raised the discount rate in December, 1965, he now feels comfortable with the board. William McChesney Martin, Jr., the board chairman, has been cooperative and has agreed generally with the administration's goals.

The President defines the role of the board as independent in, and not independent of, the government. He underlines the words "in" and "of." It would be helpful if Congress made the terms of the board chairman and vice-chairman roughly coterminous with that of the President. Then every President, on taking office, could select a chairman and vice-chairmen whose views on money and credit accord with his.

He also thinks that Congress should review the powers of the presidents and directors of the 12 Federal Reserve banks. They're not appointed by the President. Hence, they can be unresponsive to administration designs.

(However, the 12 bank presidents must be approved by the Reserve Board, whose members are appointed by the President.)

INTEREST RATE CEILING

The President concedes that the 4¼ percent top-rate on Treasury bonds limits flexibility in government financing. Yet he sees no great urgency to remove or raise the ceiling. Congress gave the Secretary of the Treasury some elbow room last year by extending Treasury notes to seven years. They had been confined to five years. Notes are not subject to the ceiling. Recently notes were issued with a 5⅝ percent coupon.

President Johnson transformed the New Economics from academic theory into political reality. In 1964, he pushed through Congress John F. Kennedy's proposal to reduce taxes to "speed progress toward full employment and faster growth."

President Kennedy got the country "moving again" after the Eisenhower recessions of 1953–4, 1957–8 and 1960–61. President Johnson kept it moving.

The record—the rise in living standards, the increase in jobs, the expansion in education, the improvement in conditions of the underprivileged—would be hard to match qualitatively and quantitatively within a five-year span.

But always there's Vietnam. No doubt it kept prosperity going. Yet, simultaneously the war's casualties and tensions overshadowed the economic achievements.

Will Vietnam—in time—fall into place as another episode in this nation's 200-year history? And then, will the social and economic progress under President Johnson become his mark in history?

This cannot be gainsaid: He took off from Kennedy and demonstrated that for eight years recessionless expansion was possible. In that, he stands alone among Presidents.

A TRIBUTE TO CASIMIR PULASKI: SOLDIER OF FREEDOM

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. ANNUNZIO. Mr. Speaker, today, as we commemorate the 189th anniversary of the day on which the great Polish patriot, Count Casimir Pulaski, gave his life in our American War of Independence, it is a privilege to join my colleagues in the House of Representatives to pay tribute to this gallant soldier of freedom.

Pulaski first heard of the American rebellion against the British in Paris in 1776, and offered his services to the American representatives there, Benjamin Franklin and Silas Deane. Both Franklin and Deane welcomed Pulaski's willingness to serve the cause of liberty and recommended him to Gen. George Washington.

In 1777, Washington placed Pulaski in charge of our cavalry forces, and in the ensuing Battle of Brandywine, Pulaski conducted himself so outstandingly that he was given the rank of brigadier general.

General Pulaski was then given the grave responsibility of reorganizing and improving the American cavalry. So thorough was he in discharging this arduous task that he even prepared a book of drill regulations and rules for officers and privates which still serves as the basis of cavalry drills in the U.S. Army.

Subsequently, he and his units took part in many battles, and gave distinguished service under Pulaski's exceptional leadership. Unfortunately, however, Pulaski's brilliant career was cut short when he was mortally wounded at the siege of Savannah in October 9, 1779. He fell with a grapeshot in the loin and was removed to the *Wasp*, where surgeons were unable to remove the bullet, and he died on board on October 11.

Pulaski was truly a hero—for he was a man of principle, of courage, one of high attainments. For him, the struggle for democracy was the most important motivating factor in the world, and he gladly gave his life in fighting for the freedom of our beloved country. With real pride and a deep sense of gratitude, I join my fellow Americans in honoring the memory of Count Casimir Pulaski and in rededicating ourselves to the noble cause of liberty for which he died.

SALUTE TO EISENHOWER

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. GOODLING. Mr. Speaker, the week of October 13 is one of dual recognition for a truly great man and a famous American—Dwight D. Eisenhower. For one thing, October 14 is Ike's birthday anniversary, and for another, the week of October 13, 1968, has been designated via House resolution and Presidential proclamation as "Salute to Eisenhower Week."

Ike is one of those individuals who has had the rare privilege of seeing himself become a living legend, hailed and admired by peoples around the world. He has won the love, respect, and devotion of his fellow man, those who lead and those who follow.

He has had the distinction of having a brilliant military career which, in turn, blended into a long span of spectacular public service in the Presidency of the United States.

As a private citizen, Ike has maintained an active interest in affairs that concern his Nation and his community—his counsel has been invaluable to our Nation's leaders and to heads of peace-loving countries throughout the world.

Mr. Eisenhower has been beseiged with illnesses, but his remarkable heart and his strong will have enabled him to prevail over these invasions on his health. We all wish him continued progress on his steady road to recovery.

I feel, Mr. Speaker, that I have a particular distinction wherein this great great man is concerned, because Ike's home in Gettysburg is in my congressional district; hence, Ike is my constituent.

When Dwight D. Eisenhower was campaigning for President of the United States, there were colorful signs displayed that announced in bold letters: "I like Ike!" Well, so it has always been, and on his birthday celebration of October 14 and for "Salute to Eisenhower Week," let us all raise our voices loud and clear so that he can hear, "We all like Ike!"

Mr. Speaker, former President Dwight David Eisenhower submitted an address to the Republican National Convention on August 5, 1968. Because this is a meaningful message, one which is directed to all Americans, I wish, as a salute to him on his birthday, to insert it into the Congressional Record.

As another salute, in recognition of "Salute to Eisenhower Week," I would like to insert into the Record an article entitled "Dwight D. Eisenhower—Great American" by Kevin McCann, president emeritus, the Defiance College, Defiance, Ohio. These articles follow:

Address by Former President Dwight David Eisenhower Before the Republican National Convention, Miami Beach, Fla., August 5, 1968, Speaking From Washington, D.C.

My good friends in Miami and across America by necessity, not choice, I am talking to you from Walter Reed Hospital in Washington, D.C.

For a long time I had counted on joining you personally at the Miami Convention, but the doctors have said no and again no.

Yet this Republican Convention, the first I have missed in sixteen years, is the one I wanted most to attend.

This is why.

For three months I have been sidelined by illness. Enforced inactivity has allowed me time to reflect on our country's growing difficulties and what our party can do to make the future a brighter one.

Today as we contemplate the troublesome developments in the nation it is scarcely possible to escape the feeling that ours is a time of critical testing. Work made our country and work kept it great. Work should be for all of us a word as honorable and appealing as patriotism! Every citizen must become involved, for on the current scene, apathy is scarcely less than a crime. I have delved into our country's history, yet I believe that none of us has known a time that has placed a higher premium on statesmanship—on courageousness, competence, leadership——on solid common sense—on a willingness to subordinate self to the general good! At every level of government we must, through diligent study and reflection, seek out candid and capable leaders, who can point the way to sound progress, serenity and confidence at home, and respect for America throughout the world.

Abroad, in every major sector, we confront a formidable foe—and expansionist tyranny which respects only toughness and strength and still displays little interest in traveling the pathways to peace, with honor and justice.

Remember, it is not by a tyrant's words, but only by his deeds that we can know him!

Today the Communists reach ruthlessly for domination over Southeast Asia and are trying to break our will to foil the attempt. In the Middle East, month by month they move closer to testing our resolution. The same is true in Korea. Constantly they stir new troubles in every area of weakness they can ferret out in Eastern Europe, in Africa and Latin America.

Even here in America they covertly labor to deepen citizen discontent to incite violence, and to rend the fabric of our society. Meantime they continue to expand their military power.

There is nothing particularly new in this. I have had personally to deal directly or indirectly with this ideological conflict a good part of my adult life. But what is new is a growing disposition among some of us to ignore these aggressive moves, to discount the blatant threats, to seek, in effect, for surface accommodations rather than to insist upon mutual acceptance in practice of principle. This is wishful thinking at its worst.

Of course, all of us yearn for universal peace with honor and tonight our prayers are both with our representatives in Paris and our brave men in Vietnam. But once we begin to compete over how best to contrive an American retreat in such a struggle—then we are heading for trouble. But I must offer this thought:

It is one thing to call for a peaceful settlement of this struggle. It is quite another to call for retreat by America. The latter is the best way I know to stockpile tragedy for our children.

This we are resolved to prevent.

Here at home let us first remind ourselves of the greatness of this nation and its people. In spite of the publicity given to disorders, riots and criminal violence, the vast portion of our people are law abiding and proud of their country and ready to sacrifice in her behalf. So, in what I have to say about what I believe to be mistaken general policies of government and the lawless actions of some minorities, that so crowd the TV screen and capture the headlines all but a tiny percentage of Americans are patriotic, optimistic, forward looking and loyal. Yet grave injury, some of it irretrievable, has been done our country. News media tells us daily of the scourge of inflation, crippling interest rates, rising production costs that damage our world trade, a recently deteriorating currency, successive Federal budgets of increasing size, and a rapidly mounting national debt. These are only part of the scene.

I suggest we should be more concerned with the evil spirit manifested in so many corners of the land. Violence is desolating cities with causes either inadequately understood or ineffectively combatted, major crimes are at a shocking level, and the nation suffering because of embittered race relations. Millions of poor are dispirited or resentful due to promises unkept and misery uneased. Many of our youth are rebellious, somehow disillusioned, but without remedies close to their hearts or acceptable to their minds. With all this our people are out of patience.

Let's not waste time this year searching out someone to blame, even though some seem more disposed to concede rather than to stand firmly for America's good, seeking short range political advantage instead of less popular, more lasting solutions. They are the ones who are more willing to extol the promised land than to knuckle down and work for it.

To these and other problems you must find adequate answers that are generous in meeting the nation's need, with common sense couched in terms that provide hope to all and assure effectiveness, real progress and national solvency and a universal respect for law and order. Moreover all Republicans must accept your plans and program as a personal pledge of honor, not merely as a fly trap to catch an unwary voter.

I know that this Republican Convention will demonstrate its concern for every citizen, regardless of any consideration of race or creed, whether he lives in a hovel or a mansion. Every delegate must be guided by his own convictions as to the long term good of our country. All other goals are secondary. Another thing—I for one, am tired of having the Republican Party referred to in sarcastic terms as a "minority party." The basis of this myth merely that in official registration—the Republicans comprise only twenty-seven percent of the electorate. But consider for one moment these figures taken from the World Almanac. In the sum total of popular votes in the most recent four Presidential elections the Republican candidates polled more than one hundred and six thousand over the Democratic candidates. Certainly, in the voting booths the Republicans were not a minority.

So—whatever the judgment of this Convention as to nominees, let us stand behind our standard bearers, and enthusiastically seek out the millions of Independents and discerning Democrats who can feel our sincerity, see the good sense of our proposals, and when the chips are down, will again vote with us.

Thus we shall carry our story across the land until every citizen of every city, village and farmstead recognizes that the entire Republican effort is dedicated to his good. Thus America, newly inspired spiritually and materially, will again begin climbing the mountain of real progress.

Thank you! Godspeed in this great work.

DWIGHT D. EISENHOWER—GREAT AMERICAN

(By Kevin McCann, President Emeritus, the Defiance College, Defiance, Ohio)

In six thousand words (the assigned size of this piece) or in sixty thousand, fully to describe Dwight David Eisenhower—the man and his character, his career and his achievement, the imprint he made on his country and on the world of his time—this is a mission beyond accomplishment. Within so limited a frame of words so large a panorama of background and growth, of learning and doing, of leadership and inspiration, can hardly be painted.

The story, on the American continent, begins more than two centuries ago when his forebears, on both his mother's and father's side, embarked on a perilous journey across the Atlantic that they might enjoy a larger freedom and a better opportunity for themselves and their children. It continues through the years to the Eisenhower grandparents who left a prosperous and rewarding life in a pleasant Pennsylvania valley that their children might win more abundant reward across the Mississippi, on the open plains of Kansas. In a later day it embraces a father and mother whose way of life centered on home and school and church, who taught their sons to stand straight and to work hard and to see in education the grand door to great living.

And into his life, three years more than a half century ago, stepped—according to his own description—" a vivacious and attractive girl, smaller than average, saucy in the look about her face and in her whole attitude," Mamie Doud. Since their first meeting at Fort Sam Houston on a 1915 fall day, none among his ancestors or his professional associates or his contemporaries within the elite of the world has contributed more than she to the making of Dwight D. Eisenhower.

Out of the long years of heredity; out of many people in day to day living; and out of his own actions and reactions to the men and women about him, to the events of his time and to the challenges of many confrontations with personal decision and public crisis, came the Dwight David Eisenhower all the world knows.

No six thousand words or sixty thousand can fully describe this man. Nevertheless, in hardly more than sixty, culminating in a single explosive monosyllable, his wartime comrade, Winston Churchill, defined the essence of Eisenhower. This was the occasion.

Seventeen years ago last month, Dwight David Eisenhower, on leave as president of Columbia University, that he might be the first Supreme Commander of Allied Powers, Europe, within the North Atlantic Treaty Organization, was the principal speaker before a gathering in Grosvenor House in London.

Introducing him was Winston Churchill. Through a long minute, the former Prime Minister stood in silence before the microphone, the eyes of the audience riveted on him. Then, turning toward the guest of honor and speaking almost to himself, in eloquent brevity he compressed the lifetime of the man beside him. He began:

"What shall I call this man? How shall I address him? By what title shall I refer to him? This soldier, this great soldier. This educator and historian, this great educator and great historian. This statesman, for truly he is one of the great statesmen of all time."

From a flat level tone, as he turned back to his audience, in a slow and stately crescendo that ended in a monosyllabic thunderclap, he went on:

"Why I shall call him what I have ever called him and what I shall always call him—IKE!"

No nickname can be more authentically American, compacting into its three letters the flavor of small towns and corner drug stores and rolling countryside. To a T it fits the authenically American man who bears it. And for hundreds of millions around the globe it signifies and personifies the real America, the enduring America of strength and good will, of limitless might and of abiding compassion—the America that is both great and good.

Here is a man laden with honors and place and responsibility; of a background comprising the wide spectrum of many carers; familiar with life in Abilene, Paris, Manila, Washington and a long chain of cities in between; no stranger to palaces and at home in farm houses. But here too is a man who is above all else a human being of good heart and good will.

The day-to-day Eisenhower is the next-door neighbor every family wants; plain, unpretentious; more ready to play with his grandchildren than to sit in on a council; prouder of his paintings that he still works at most laboriously than of the military decorations he hides away; as imperial in the kitchen over a pot of soup made to his own recipe as any grand hotel chief; most energetic when noisily singing cowboy laments while his son pounds the piano; a Niagara of words in evening conversation particularly when the topic is as remote from the latest crisis as Miltiades or Cimon of Athens.

This Eisenhower who, through most of his life, yearned and sedulously planned for a long respite of doing nothing—even when he knew the goal would be forever denied him—is most sharply portrayed in the shot by a camera man who caught him fishing in a Wisconsin lake, dressed in Army suntans, trousers rolled to his knees, feet trailing in the water over the bow of the boat, grinning from ear to ear as he displayed his fish—an adult compound of the Tom Sawyer who might amount to something some day and the Huckleberry Finn who would always be off fishing when opportunity knocked back in town.

This same Eisenhower, however, could erase from his mind all thought of happier pursuits and plunge with lightning-like ease into a heavy schedule of work, intolerable to the run of men. Up at the crack of dawn, sustained by the most Spartan sort of breakfast, he would tackle a desk loaded with papers that ranged from personal notes to communiques on flaring crises; talk his way through a score of appointments, exhorting some visitors to sharper effort in the pursuit of answers, upbraiding others, discussing subjects as divergent as missile warfare, the stocking of fish ponds, the moral content of Western culture; would listen to quick presentations of problems by associates and snap out even quicker decisions; instantly blotting out the latest discussion from his mind as the caller walked out the door, plunging into dictation or reading or another conversation; taking time out for a lunch as Spartan as his breakfast and a short rest; leaving his desk to greet an ambassador, a trade delegation, a children's group or to make a speech; returning to more correspondence, more appointments, more problems—shouldering his way hour after hour through the press of business until the evening shadows crowded through the windows of his office, the lines deepened in his face and he crouched back in his chair ready to pounce on the last chore, finish it off and go home to his family and friends.

This Eisenhower, in his public mien, is most vividly pictured by those who have caught the broad forehead of ridges and furrows, the taut tight jaw, the intense and overpowering concentration on the answer of integrity; or who have caught in the glow of the face, in the light of the eye, in the uplifting of the whole man his conviction that peace and friendship and freedom among nations are valid goals, worthy of every effort.

These are the two Eisenhowers we have long seen in the flesh and in portrait. Within them both, unseen yet animating and energizing and inspiring every movement, is the Eisenhower formed in an American home, an American community, steeped in an abiding faith that, under God, every human can achieve a measure of greatness; that greatness without goodness is sterile and transitory; that goodness without optimism and humor—and outright fun—is a barter of God's exciting world and its challenges for a drab dullness.

Of this sort of faith, Dwight David Eisenhower is a living embodiment. A flaming faith powers him in every task—faith in himself, in his fellowmen, in his country, in a provident God whose guiding hand he sees in all the history of men and of nations. And to faith is added a passion for America, its people and the principles that are its spiritual core.

For him, human freedom, human rights, human stewardship, human dignity that is a reflection of man's devine origin and destiny are the central facts of human existence. No pallid catchwords or threadbare slogans, their inescapable corollary for him is opportunity that every man may demonstrate his worth in free competition with all others and a lifelong responsibility on every man to exhaust the opportunity given him for his own growth and for service to his fellows.

Therein, I think, is the key to the Eisenhower character and career; the key that unlocks the physical masks to the real, the unseen Eisenhower.

Without character, the career might have been restricted to the slow pace and the quiet days of Abilene; without the career, the character could have been an influential exemplar only to the few who at firsthand knew the man and his worth. In historic fact, however, the interplay of character and career produced the Ike Winston Churchill described, the man who attained fame and shaped history in four diverse fields, the Ike whose nickname became the loudly proclaimed mark of the free world's affection and respect.

The character was rooted in a family environment. Of his parents, Dwight Eisenhower has written:

"Mother and Father maintained a genuine partnership in raising their six sons. Father was the breadwinner, Supreme Court, and Lord High Executioner. Mother was tutor and manager of our household. Their partnership was ideal. This may sound unbelievable, and only recollected in tranquility, but I never heard a cross word pass between them. Never did I hear them disagree on a value judgment in family, social, or economic affairs—not that there weren't sufficient causes. I never had any indication that they were annoyed with each other. Before their children, they were not demonstrative in their love for each other, but a quiet, mutual devotion permeated our home. This had its lasting effect on all the boys."

Four years at West Point, with its emphasis on Duty, Honor, Country, enlarged the Eisenhower character still further. There, in the midst of traditions that reached back to the War for Independence, among young men of all conditions and backgrounds, associated with officers whose total dedication was to the service of the Republic, the cadet—not losing an iota of his native self-reliance or, for that matter, of his self-assurance—prepared himself for a military career.

In those days, for most of those who entered such a career, the professional years were restricted to arms and their use in war, to tactics and strategy and the leadership of men in camp or in combat. If not isolated from the American mainstream, its practitioners were insulated from it by preoccupation with rigidly defined and narrow duties. Only through seniority—the tedious and slow progress from platoon to regiment or staff—they reached rewarding responsibility. Not Dwight Eisenhower, however.

Three years after his graduation, he found himself in command of 10,000 men. Thereafter in the lethargic aftermath of war he often did find himself engaged in petty tasks and routine assignments. But by 1926 military life brought him assignments that gave him at firsthand a profound knowledge about subjects as diverse as the nature of the French people and their country and their land; the industrial and political fabric of the American Republic; the process of developing from semi-colonial status to self-sustaining independence the islands of the Philippines.

And the men and women he met—no longer attached only to the military services but representing the broadest spectrum of governmental and political and social life—introduced him to ideas and to human affairs far larger than any single profession they represented, far broader and far more dynamic in their impact than the coded doctrines of grand strategy.

True enough, through all those years, he was shrouded in the anonymous obscurity of most officers in the United States Army; better known in Manila than in New York; more respected by a Bernard Baruch than recognized by political leadership; fully prepared for a national role, yet never exposed to the national limelight. Consequently, when his name first appeared in World War II headlines, to most he was an unknown figure and quantity. When he moved from the invasion of Africa and Sicily and Italy to the liberation of Continental Europe, as much engaged in the negotiations of diplomacy and the welding of a unique human alliance as in the conduct of battle, many millions undoubtedly were bewildered that this man, unheard of in 1941, by 1945 should be not least among the pre-eminent leaders of the whole world.

When he left the United States to assume American command in England, the Axis powers were still a tidal wave of armed success; the Allies had no foothold in all of Europe; the Nazi armies had reached the Black Sea and were driving eastward for a link-up with their Asian ally. The task before Dwight Eisenhower had no historic guidelines for its discharge; in his own words:

"There was no precedent to follow, no chart by which to steer. Where nations previously had been successful in concert against a common foe, one member of the coalition had usually been so strong as to be the dominating partner. Now it was necessary to produce effective unity out of concessions volutarily made. The true history of the war, and more especially the history of the operations Torch and Overlord, in the Mediterranean and northwest Europe, is the story of a unity produced on the basis of this voluntary co-operation. Differences there were, differences among strong men representing strong and proud peoples, but these paled into insignificance alongside the miracle of achievement represented in the shoulder-to-shoulder march of the Allies to complete victory in the West."

On the making of the miracle, scores of books have been and many score more will be written. In each, the author has or will have his own personal view of men and events, attributing final success to this circumstance or that decision, to one man or to many men. In every comprehensive history, however, Eisenhower is the conspicuous figure whose range of commanding influence extends from conversation with a platoon of soldiers to the final word of Allied decision.

His progress in less than four years from the temporary rank of Brigadier General to the life-time rank and duty of General of the Army was the professional index to his successful leadership in the making of a miracle. But there was a universal index too; a unique place in the affection of free men everywhere. In him, the world recognized a man of greatness in heart and mind.

By then, for most men, the challenges already met and won would have been warrant enough to assume the role of elder soldier or elder statesman. Even Dwight Eisenhower himself was tempted to seek a quiet life once his tour as Army Chief of Staff was finished. He toyed with the notion of finding a small cottage, where on an elm shaded campus among a few hundred students he might share with those about him the lessons of a lifetime that had embraced action on all fronts of human effort.

Instead, on the eve of his retirement from the Army in 1948, he committed himself to a new life of perplexing problems and a challenge of a sort never before encountered by him—the presidency of Columbia University in New York. To go there required both moral courage and faith in himself. As he later wrote:

"My difficulty in reaching a decision was a natural fear that I could hardly hope to discharge the responsibilities in an enterprise so different from all my own experience and already so richly endowed with leadership in its deans and senior faculty. After all, I was approaching sixty years of age and although I still thought myself capable of adjustment to new scenes and new circumstances, Columbia would require a transformation in my way of life. The severity of the change might have been one element that tipped the scale against searching out a small college where life would have been, on the surface, at least, easier.

"Above all, I saw in Columbia, because of its standing among American educational institutions and its influence on the educational process, opportunities as large and rewarding as the environment might be strange and difficult. If the faculty could stand me, I decided, I could stand the job."

Since the turn of the century, that institution had been led, commanded might be a better word, by Nicholas Murray Butler. Once among the nation's foremost raisers of money for higher education, in his declining years the university's revenues had not kept pace with its expenditures or its growth in enrollment. No new building had been erected in fifteen years. The faculty, tied to fixed salaries, was subject to raiding by more prosperous schools. The annual deficit ran a million and a half dollars. Fund raising was something that Dwight Eisenhower had never before in his life attempted.

One quality, however, he had in abundance—the ability to rally about him and the Columbia standard women and men of vision, to inspire them with a faith like to his own and purposefully so to direct their efforts that together they might, as he put it, "help Columbia University a little better to fulfill its purpose for the peace, freedom, and good of America and, therefore, of humanity."

Within two years, the deficit had been ended; raiding of the faculty had been stopped; expansion of the institution, physical and educational, had been resumed. Among important projects inaugurated, three were concerned with the use of physical resources for the satisfaction of man's physical needs; with the study of war and peace in a scholarly atmosphere free from emotional bias; with the conservation of human resources for the furthering of the dignity of man as a human being. Two new campuses, one at Arden House to be the seat of the American Assembly, the other at Tory Cliffs for research in the earth sciences, were acquired.

As new life and spirit developed within the university, he began to look forward to a period when he could be more concerned with the persons of the university, students and faculty alike, than to projects for the university. "Both Mamie and I," he later wrote, "were becoming very comfortable at Columbia, certain that ahead of us lay no summons that would take us away from university life." He could not have been more wrong.

In the late summer of 1950, the American people lived on a daily diet of alarms, fears, and suspicions, aroused by the continuing threat of Communist expansion. Dwight Eisenhower, along with most of his countrymen, knew that despite the West's desire for peace armed hostilities could be just around the corner unless the free world acted quickly in its own defense. Already war had erupted in the Far East. At any moment, the Soviet armies could march westward across the European continent to its Atlantic frontier without fear of punishing resistance. Desperately needed against that threat, the nations of the North Atlantic Treaty Organization were agreed, was a unified European army. To assemble and to command it, they asked that the President of the United States name Dwight D. Eisenhower.

On January 6, 1951, the new Supreme Allied Commander, Europe, flew to Paris. There and in other western European countries, he was to spend the following weeks studying the political, economic, and military elements involved. On his return to the United States, he talked to the nation by radio and by television.

"As a soldier," he began, "I have been given an Allied assignment that directly concerns the security of the free world, with special reference to the countries bordering upon the North Atlantic Ocean. I have approached the task, aiming at the good of the United States of America, conscious that a strong, solvent America is the indispensable foundation for a free world. While I have reached certain conclusions, the subject of the free world's security is so vast and complex that no man could hope to master its elements to the last critical item or, in a quarter hour, to answer all questions to his fellow-citizens' minds.

"Our hope," he continued, "remains the achievement of peace based on understanding and forbearance, the only sure foundation for peace. We must never lose faith that such a peace can be ultimately established. We seek such a peace, and no one can honestly interpret our current modest preparations otherwise. . . . we strive to erect a wall of security for the free world, behind which free institutions can live. That wall must be maintained until Communistic imperialism dies of its own inherent evils."

Not overnight nor even in months could the wall be built. Nevertheless, by the summer of 1951 the Supreme Commander, objectively assessing the progress made in a brief six months, could tell questioners that even the most aggressive-minded members of the Politboro would hesitate to go to war deliberately. The Soviets might hope that their armies could cross the Elbe and some of their divisions might even probe forward to the Rhine. But the Channel and the Bay of Biscay and the Western Mediterranean would be beyond their grasp.

As their armies faltered before the Allied wall; as units from the satellite countries mutinied, deserted, straggled away, the lines of supply and communication would be destroyed by air attack; their own cities would be battered; the Black Sea might easily become an Allied lake.

But the Supreme Commander, as always, saw military strength as only one element in a nation's or an alliance's might. The economic and the moral, the spiritual, he had always insisted were equally essential. So, as he continued forging the men and arms of the North Atlantic nations into an effective counterforce against any threat, he issued a stirring appeal to all the nations of the alliance that, erasing concern with trifles and small disputes which could be fanned into the flames of senseless antagonisms, Europe seek the towering stature possible to its peoples' skills and spirit. He urged an end to division by patchwork territorial fences that pyramided into a top-heavy structure of middle men, tariffs, taxes and overheads. In the economic field, he pointed out, they barred the efficient division of labor and resources and the easy flow of trade while, in the political field they promoted distrust and suspicion. He was now driving for the equivalent of a United States of Europe.

"With unity achieved," he said, "Europe could build adequate security and, at the same time, continue the march of human betterment that has characterized Western civilization. . . . It would mean early independence of aid from America. . . . The coffers, mines, and factories of that continent are not inexhaustible. Dependence upon them must be minimized by the maximum in co-operative effort. The establishment of a workable European federation would go far to create confidence among people everywhere that Europe was doing its full and vital share in giving this cooperation."

Undoubtedly, had he been granted another two years in Europe, the grand federation he envisioned among the free countries of the continent would have been achieved. Certainly everywhere from Iceland into the farthest reaches of Turkey, he who had been hailed years before as the architect of Europe's liberation from Nazi tyranny was now recognized as the architect of European security, devoid of selfish ambition and nationalistic prejudice, dedicated to freedom with justice in peace for all peoples. Before the vision could be realized, however, a clear call to a more compelling duty reached him—a summons by Republicans that he be their candidate for the Presidency of the United States.

Sixteen years have passed since his first election. In this season of the people's discontent with the conduct of government at home and around the world, the Eisenhower years stand out as a time of progress and prosperity; of tranquility across the nation; of stable strength on the frontiers of security; of decisiveness in every confrontation; with crisis, domestic or foreign. Basic to the Eisenhower leadership of the nation was his recognition that all problems within the world of men, whatever their magnitude, are still human problems subject to solution by creative effort within partnerships of good will; that all the worthy goals of mankind are still human goals which can be achieved when men and their nations recognize that the earth is large and rich enough, the skills of man great enough to feed and to clothe, to house and to educate mankind in plenty and in peace.

Two fundamental concepts guided him. Expressed in his own words, they are:

First—". . . man's spiritual side is still the dominant one. No human, whatever his position in the social heirarchy or his job in the working economy, merits more respect than any other animal of the woods or fields unless we accept without reservation the brotherhood of man under the Fatherhood of God. If men are not creatures of soul, as well as of body, they are not better than the field mule, harnessed to the plough, whipped and goaded to work, cared for in the measure of his cost and value.

Second—"We cannot, of course, attain perfection in human relations even within the smallest community, no matter how many laws we pass or policemen we hire. The rogue and the villain skulk on dark corners. But as we put street lamps on these corners so that decent folk may walk abroad after dark, so we can relight the lamps of brotherhood where they have been extinguished among men."

To some this may be the language of evangelism; to others, an exercise in platitudes. But the Eisenhower convictions were expressed in works that endured. First priority, to be sure, had to be the restoration of peace to a land whose economic being too long had been war-based and war-swollen.

Six months after the Eisenhower administration took office, a ceasefire on the Korean front was achieved, ending the fighting and assuring South Korea safety to build its own strength and prosperity as a dependable American friend in the Far East. Thereafter, through eight years, the American nation suffered no single battle casualty. This liberation from the toll of war was not the result of timid withdrawal from world responsibility. The direct contrary was an evident international fact.

In no previous administration had the Republic of the United States so vigorously manifested its presence and exercised its influence on the global scene—without the shedding of blood. By firmness in foreign policy, never compromising principle even when on occasion friends seemed to suffer hurt; by a formidable posture of strength in arms and a capacity for speedily moving an adequate number of troops and ships and planes as enforcers of the peace in explosive situations; by the construction of new alliances, fostering the enlightened self-interest of the partner countries—by all these, the Communist engulfment that began in 1946 was halted. The free world was given an eight year span of opportunity that economies might be expanded in freedom from fear.

For America at home, with the feverish pulse of war replaced by the steady tempo of creative work, the unfinished business of the Republic in human good and in material growth was resumed. Through much of a generation, depression and war had afflicted the land. On jobs that had to be done, improvisation and patchwork had often been the answer; for others, postponement or outright neglect had been the rule.

Enterprises so essential to the Republic's well-being as health, education and welfare had been consigned to a crazy quilt of agencies, often fiercely competitive in their fight for tax money and far too much entangled in bureaucratic jealousies that multiplied the evils of bureaucratic red tape. Here only decisive executive action could ward off imminent chaos. And the new President took it by merging the conglomerate agencies into one department of Government and raising its chief to cabinet rank. This began a reorganization of the federal establishment; the final purpose an efficient decentralization within each agency of government and the development of effective partnerships between federal, state and local authorities.

The establishment of the first new cabinet in forty years opened a long catalogue of other firsts. Dwight Eisenhower, for example, threw all his prestige and leadership to the support of the first civil rights bill since Reconstruction; to the achievement of the St. Lawrence Seaway that had been talked about for decades; to the biggest peacetime venture of the nation, an interstate highway net that would connect all regions of the country; to the elevation of science from a stepchild of the Armed Forces to an independent and fruitful role in the building of a greater nation; to the conversion of the atom's power from a solely destructive force to a limitless energy in the productive service of people; to the ending of America's laggard role in the exploitation of outer space for security and for the expansion of human knowledge.

These were instances of national accomplishment because of executive leadership. Dwight Eisenhower, however, rejected the delusion, long held, that only big government could solve big problems or accomplish big jobs. In the labor and talent and genius of Americans, working with government, he saw the Republic's chief resource. And successfully he rallied Americans as individuals to do their part—once in a gigantic renovation of the country's educational plant.

The schools of the nation had long been neglected. Structures were obsolete; facilities were inadequate; classrooms intended for the pupil population of the 20's were unable to handle the throngs of the 50's. Inevitably, teacher morale suffered, parents were discontented, and the children were the chief victims. Here was a situation beyond the federal government's capacity to transform; a totally national effort was required.

To the people of the Republic went a call from Dwight Eisenhower to survey the country's school needs and to explore ways of meeting them, applying to the problem their concern and imagination and determination. In answer to his call, community and district meetings reported their findings to county conferences; there proposals were screened and consolidated for transmittal to state and regional groupings. Finally, the nationwide survey culminated in a White House Conference on Education attended by parents and teachers where the findings of the greatest citizen study of the country's schools were converted into the most comprehensive analysis of their needs in the history of the United States.

A second federal program of aid was thereby assured. More important, however, was the awareness aroused throughout America that vast action had to be taken on a vast front. The result was an unparalleled wave of new construction. Old schools, often the shabbiest buildings in a community, were replaced by modern structures designed for modern learning. Nothing like it had ever happened before. The people of the nation had proved themselves capable, given aid and leadership, of immense achievement. And Eisenhower's faith in them was justified.

That faith embraced men of good will everywhere; and in their community of aspirations and hopes he saw the way to universal peace. In his first inaugural address, he had made a heartfelt appeal that every American become a worker for peace. He assured the listening world that the United States stood "ready to engage with any and all others in joint effort to remove the causes of mutual fear and distrust among nations."

Thereafter—before the United Nations, in Summit meetings, during Washington conferences, in every speech that permitted him the opportunity, finally in global tours where he was seen and heard by many millions—Dwight Eisenhower, tireless in his dedicated perseverance, preached the gospel of peace with justice in freedom.

His message was not words alone, albeit he often spoke with a moving eloquence. Proposals, concrete and far-reaching, for the pooling of techniques and know-how that humanity everywhere might live better, were repeatedly made. No discouragement, no rebuff dulled his dream. To the last days of his second administration, his foremost goal was still a world at peace with itself.

Years later, reviewing his life in the Presidency, he wrote that his principal political disappointment was the defeat of Dick Nixon in 1960. But he went on: ". . . though, in this (the search for peace) I suffered my greatest disappointment (of all), it has not destroyed my faith that in the next generation, the next century, the next millennium these things will come to pass."

His judgment on his own record was too severe. Given more perspective than he had when he wrote these words, we now recognize that the first thaw in the Cold War came through his work with the United Nations and at the earliest Summit. Freezes followed it, to be sure. But the climate of the world continued to warm each time that Dwight Eisenhower addressed himself to its people.

Through the snow that shrouded town and countryside the bitterly cold afternoon of January 20, 1961, Dwight D. Eisenhower rode with Mamie to what he was sure would be a side-line seat on the political, if not life's arena. This time, although his personal record in reading his own future had not been *such as to inspire confidence—for* many years before World War II he conclusively proved to himself and to anyone who would listen that the end of his military career would find him at no higher rank than colonel—he was reasonably sure an end had come to his public life. Thenceforward, *whenever he filled out a form requiring* a statement of occupation or profession, he expected to fill the blank with the simple word—farmer. After all, he had several months earlier celebrated his 70th birthday and he now felt confident that the retirement he had planned on fifteen years earlier would coincide with Mamie's and his arrival at the farm gate. He was wrong.

So intense are his convictions and his faith and his dedication to the American way that neither retirement nor the weight of near four score years have diminished in any wise his always earnest and often passionate expression of them. This is not a man who, a job done, is content to coast the rest of his days on earth.

Although years ago, more than once he firmly said that happiness meant for him a rocking chair on a porch far from telephones, his rocking chair through near eight years has been more often a jet plane bearing him to a speaking engagement across the country or across the ocean; a motorcade in a campaign year through densely crowded streets (in the 1962 campaign, for example, he visited 23 states, made 34 speeches, travelled 14,817 miles and celebrated his 72nd birthday in the thick of it all); the platform of a college commencement where he might pass on to those more than half a century younger than he some of his insight into the American system, some of his devotion to it; the chairmanship of a conference on new approaches for the advancement of education or human welfare or peace among the nations; and hour after hour, through months on end, dictating letters and articles and books on the ideas and the ideals that move him.

And always foremost in his mind the success of the Republican Party.

ROCKY'S COMPANY AIDS SOUTH AMERICA

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. MORSE of Massachusetts. Mr. Speaker, one of the most effective forces working toward development in Latin America has been the International Basic Economy Corp. Founded in 1947 by now Gov. Nelson A. Rockefeller of New York, IBEC has done a great deal to encourage businessmen in Latin America that profits can be made within a framework of social contribution and economic development.

Under unanimous consent I include in the RECORD an article outlining IBEC's achievements, by Jack Lefler, of the Associated Press, which appeared in the Lawrence, Mass., Eagle-Tribune this week:

ROCKY'S COMPANY AIDS SOUTH AMERICA

(By Jack Lefler)

NEW YORK.—A U.S. company with the double barreled aim of making profits and helping the economic and social progress of underdeveloped countries has been operating 21 years but few Americans know about it.

The firm is International Basic Economy Corp., a part of the Rockefeller empire.

It was founded in Brazil and Venezuela in *1947 by Nelson A. Rockefeller, now governor* of New York, and his brothers. It now operates 130 subsidiaries and affiliates in 33 countries.

Rockefeller's interest in South America stemmed from a visit in 1937 to the Venezuela oil properties of Creole Petroleum Corp., of which he was a director. It was heightened by his *World War II work as* U.S. coordinator of commercial and cultural relations between the American republics.

IBEC's first undertakings in Venezuela were a farming company, a fishing company, a food wholesaling company and a milk company.

Then and now, IBEC executives say, the purpose was:

"To do a worldwide, profitable business in fields important to economic development and concerned with basic human needs."

TROUBLE AT START

IBEC's start wasn't without its troubles. American executives ran into resistance to change in the ways of doing business and political and monetary instability. Some of its ventures were ill-conceived for certain areas and failed to show a profit. They have been liquidated.

Operations have been refined into five groups:

Food—Operates 52 supermarkets in South America, raises hybrid seed corn, catches and cans tuna, processes and distributes milk and other food products.

Poultry—Supplies breeding stock to chicken farmers in 23 countries.

Housing—Has constructed about 13,000 one-family, low- and medium-cost houses in Puerto Rico. Programs are under way in Mexico, Peru, the Virgin Islands and the United States.

Industrial—Manufactures a wide range of metal products in the United States and overseas.

Financial services and invesment—Manages mutual funds in six countries, plus worldwide insurance brokerage operations and varied investments.

REVENUES GROW

IBEC's revenues have grown from $72.85 million in 1958 to $213.29 million in 1967.

Group contributions to revenue in 1967 were: food, $106.4 million; poultry, $37 million; housing, $11.4 million; industrial, $50.8 million, and financial $7.7 million.

Profits in 1967 totaled $936,547. In the first six months of 1968 they rose to $1,814,000.

In an examination of IBEC's history and operations, the Journal of World Business, published by the Columbia University Graduate School of Business, says:

"Over-all, IBEC has sought to persuade business communities around the world of the soundness of a concept of long-run profit maximization within a socially responsive framework. . . .

"It seems clear that the opportunities today are manifold for private capital to take on the challenges of economic and social growth in the developing countries, and to be able to do this profitably."

IBEC's president, Rodman Rockefeller—son of the governor—says the corporation plans to extend its operations on a geographical scale with particular interest in Southeast Asia.

IBEC's newest undertaking is building houses under a mutual-help program for Choctaw, Cherokee and Creek Indians in Oklahoma.

The Rockefellers are majority stockholders in IBEC but there are about 1,000 other shareholders.

REPRESENTATIVE LONG OF MARYLAND REPORTS TO CONSTITUENTS

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. LONG of Maryland. Mr. Speaker, under unanimous consent, I place my latest newsletter to constituents in the RECORD at this time:

REPRESENTATIVE CLARENCE D. LONG REPORTS FROM WASHINGTON, OCTOBER 14, 1968

YOUR VOTE—NEVER UNDERESTIMATE ITS POWER

On Tuesday, November 5th, the nation votes. Have you thought about your vote?

For President, Senator, Congressman?

For raising the pay of Judges?

For prohibiting discrimination in sale of homes or in rental of apartments?

For bond issues in Baltimore County to finance parks, schools, libraries, emergency land purchases, community colleges, roads and buildings?

For salary increases for Councilmen, and other local matters?

Allow nothing—nothing!—to interfere with your voting on Tuesday, November 5th. Let no citizen say his ballot is insignificant. In my six years as your Representative, I have seen important issues decided on the floor of Congress by *one* vote. To get nonpartisan—and free—information on candidates and issues listed below, write me.

General Election Guide, League of Women Voters of Maryland. Lists all candidates and issues.

Our American Government: What Is It? How does It Function? 175 Questions and Answers.

PRESIDENTIAL DEBATE

Legislation allowing TV networks to offer free time for a debate by the three major candidates for President, Hubert Humphrey, Richard Nixon and George Wallace—without also having to provide such time for Communist and other fringe candidates—was just passed by the House of Representatives. The Senate, however, so far has declined to act on this bill.

NEW BUILDING AT ABERDEEN?

Plans for a new building for the Joint Military Packaging Training Center at the Proving Ground have been submitted for approval by the Defense Department.

NEW LAB FOR EDGEWOOD

A $4 million clinical research laboratory—to discover effective remedies for people poisoned by chemical agents—will be dedicated October 16 at Edgewood Arsenal.

BEL AIR, CHASE AND COCKEYSVILLE WIN AWARDS

Citations of excellence from the Post Office Department will be awarded this week to Bel Air Postmaster Thomas H. Adams, Chase Postmaster Francis J. Woodward, and Cockeysville Postmaster Prycea Lehman.

NEW CARRIER FOR CHURCHVILLE

Churchville has a new rural carrier, Edward K. Hirsch, just transferred from the Joppa post office.

THE 90TH CONGRESS: A NOTABLE RECORD

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. PATTEN. Mr. Speaker, the 90th Congress adjourns with a notable record of achievement, highlighted by the most comprehensive housing program in the Nation's history; a crime control measure that, hopefully, will improve law enforcement in a society beleaguered by violence; and programs that will provide new and sweeping protection for consumers. Yet much more must be done by the 91st Congress.

ADVANCES IN HOUSING

The urgent national goal of 6 million new housing units in the next 10 years was brought closer to realization when the President signed legislation authorizing construction or rehabilitation of 1.7 million homes and apartments.

Every American family dreams of owning a home and a provision in this act will help that dream come true. Low- and moderate-income families are now able to buy a home with a downpayment of only $200 and pay an interest rate of only 1 percent. The Federal Government will bear the balance of the interest charges—a tremendous saving for the homeowner.

New insurance programs provide flood and riot coverage difficult to obtain in the past. An amendment which I introduced was passed, providing reinsurance coverage to homeowners and businessmen in Washington, D.C., ghetto areas.

ADVANCES IN CRIME CONTROL

One of the most serious domestic problems facing America is crime—the mounting and alarming threat of robberies, rapes, murders, and other acts of violence. Reflecting the growing concern of the American people over breakdowns in law enforcement, Congress passed a bill I helped cosponsor—the Crime Control and Safe Streets Act of 1968.

The ban on interstate mail-order sale of all firearms and ammunition should also help reduce the shocking number of Americans killed every year by firearms. I received a tremendous amount of mail from constituents urging the ban.

The Juvenile Delinquency Prevention and Control Act, which provides U.S. grants to help develop programs to prevent trouble and to rehabilitate delinquents, helps combat a serious problem in another area of concern.

The dangerous streets of America must be made safe. If this is not done, civilization itself will be in jeopardy and fear and violence may prevail.

ADVANCES IN CONSUMER PROTECTION

No Congress ever passed more new programs to protect the consumer against fraudulent business practices or dangerous products. Heading the long list of accomplishments in this important area was a measure I strongly supported—the Consumer Protection Act of 1968. Lenders and retail creditors must now provide all information concerning finance charges. In addition, homeowners are protected against secondary mortgage exploitation. Other key legislation included: the National Commission on Product Safety—responsible for determining household products which may be hazardous; the Wholesome Meat Act—providing better meat inspection standards by States; the Automobile Insurance Study and Investigation Act—a broad study of the auto insurance industry; and the Gas Pipeline Safety Act—which creates safety standards in transporting natural gas.

LEGISLATIVE REFORM—A MUST GOAL FOR THE NEXT CONGRESS

Mr. Speaker, failure of the House to achieve legislative reform was a major disappointment. Congress is still operating under antiquated, arbitrary, and unrealistic procedures. I have often noted that unless broad legislative reforms are passed by Congress, the public will make sure they are made.

Some of the changes I will continue to strongly advocate include: more committee hearings open to the public; additional budget information by the executive branch; wider regulation of lobbyists; committee and floor business conducted on a 5-day workweek instead of the present Tuesday through Thursday schedule; selection of postmasters and rural carriers by the Post Office Department and not by House Members; and several other changes that would improve the legislative process, as well as increase public confidence in Congress.

ISRAEL'S PEACE PLAN

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. MORSE of Massachusetts. Mr. Speaker, Israeli Foreign Minister Abba Eban put forward at the United Nations General Assembly this week a nine-point plan for peace in the Middle East. It was a reasonable and balanced plan, open to compromise and interpretation. It is regrettable that the Arab Nations appear to have rejected the plan out of hand.

I hope that Mr. Eban will persist in his effort to bring about a settlement along these lines and that the U.S. delegation will encourage the U.N. to give his principles the attention they deserve.

The Boston Herald Traveler has expressed a similar point of view and I include its October 10 editorial in the RECORD under unanimous consent:

[From the Boston (Mass.) Herald Traveler, Oct. 10, 1968]

ISRAEL'S PEACE PLAN

If the Arab nations would now exhibit even a fraction of the reasonableness displayed by Israel in its nine-point plan presented to the United Nations Tuesday, the hope for peace in the Middle East would increase immeasurably.

Israel's basic plan is sound, and it has been offered in a way that should make it possible for her foes to come to terms and yet save face. The presence of Israeli troops in occupied territory has been a major bone of contention for the Arabs. Hashid Mourad, representative of the Arab League, charged that the Israeli proposal "never once used the word 'withdrawal'," but Mr. Mourad is splitting hairs. What Abba Eban, Israel's foreign minister, said was this: His nation is ready to replace cease-fire lines with "permanent, secure and recognized boundaries . . . and the disposition of forces will be carried out in full accordance with the boundaries under the final peace." This, Israeli sources made clear, means withdrawal.

In addition, Eban's presentation, while not abandoning his country's insistence on face-to-face negotiations with the Arab states, emphasized exchanges through Dr. Gunnar V. Jarring, U.N. Secretary-General U. Thant's representative charged with finding a Mideast settlement. Again, this approach eases the way for Arab cooperation.

Underlying the whole peace plan, of course, is the basic need for recognition by the Arab nations of Israel's right to exist—and to exist in peace. If Israel's neighbors can bring themselves to accept this fact of life, a settlement along the lines outlined by Eban could well produce peace for that troubled region.

Much as the Arab lands may resist the fundamental truth of Israel's existence, the alternative should be decreasingly attractive to them. The day after Eban unveiled the peace plan, President Johnson instructed

Secretary of State Rusk to start negotiations directed to the sale of U.S. supersonic jets to Israel. Congress favors the sale, and so do Richard Nixon and Hubert Humphrey, one of whom presumably will succeed Mr. Johnson. The choice should be clear to the Arab lands—a reasonable settlement of Mideast differences, or continued conflict with diminishing hope of gain for the Arabs.

SHORTAGE OF QUALIFIED HOSPITAL PERSONNEL

HON. JOSEPH Y. RESNICK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. RESNICK. Mr. Speaker, there is a dire shortage in this country of qualified hospital personnel below the professional level—therapists, attendants, nurses' aides, practical nurses—in Federal hospitals.

One means of helping alleviate this shortage is to make these jobs more attractive to prospective employees. At present, licensed practical nurses working in veterans' hospitals are lumped by the Civil Service Commission in the same category as nonprofessional personnel and are listed as GS–2, GS–3, and GS–4.

The licensed practical nurses are not nonprofessional personnel, but are, in fact, subprofessional personnel, licensed to aid doctors and registered nurses in the professional care of patients. They have completed a training period of 1 year in a school of practical nursing and have obtained a State license. Very often these LPN's are expected to perform some duties on the same level as registered nurses.

Mr. Speaker, I feel we are doing these people an injustice. And, in fact, we are doing ourselves an injustice. Therefore, I have today introduced a bill to amend the Classification and Wage Act under title 5 of the United States Code to categorize licensed practical nurses as subprofessional personnel and to elevate their pay level to GS–4, GS–5, and GS–6.

If we want quality care in our hospitals we are going to have to start paying for it. And the Federal Government has a responsibility to be a leader in this field. It is the first timid step in the much-needed complete overhaul of our hospital pay structures. I urge my colleagues to join me in support of this bill.

The text of the bill follows:

(A bill to amend title 5, United States Code, to provide for the reclassification of employees of Federal agencies in positions of Nursing Assistant who are licensed as practical nurses, and for other purposes)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 51 of title 5, United States Code, is amended by inserting immediately after section 5109 thereof the following new section:

"§ 5109A. Nursing Assistants licensed as practical nurses

"All positions of Nursing Assistant in each agency which are held by employees licensed as practical nurses by any State, the District of Columbia, or the Commonwealth of Puerto Rico, or by any political subdivision or other governmental authority thereof, are classified, in accordance with standards and regulations which the Civil Service Commission shall prescribe, at GS–4, GS–5, and GS–6,".

(b) The table of sections of chapter 51 of title 5, United States Code, is amended by inserting—

"5109A. Nursing Assistants licensed as practical nurses."

immediately below—

"5109. Positions classified by statute.".

SEC. 2. Effective on the effective date of this section, the initial classifications, and the initial adjustments of rates of basic pay pursuant to such classifications, of employees to whom the amendment made by the first section of this Act applies, shall be as follows:

(1) Initial Classifications—

Employees and positions classified, immediately before the effective date of this section, at GS–2, GS–3, and GS–4, respectively, of the General Schedule of section 5332 of title 5, United States Code, are classified at GS–4, GS–5, and GS–6, respectively, of that schedule.

(2) Initial Adjustments of Rates of Basic Pay Pursuant to Initial Classifications—

(A) If the employee was receiving, immediately before the effective date of this section, basic pay at one of the rates and steps of GS–2, GS–3, or GS–4, as the case may be, of the General Schedule of section 5332 of title 5, United States Code, he shall receive basic pay at that rate and step of GS–4, GS–5, or GS–6, respectively, of that schedule, which corresponds numerically to his rate and step immediately before such effective date.

(B) If the employee was receiving, immediately before such effective date, basic pay at a rate between two rates and steps of GS–2, GS–3, or GS–4, as the case may be, of the General Schedule, he shall receive basic pay at that rate and step which is the higher of those two respective rates and steps of GS–4, GS–5, or GS–6, as applicable, which correspond numerically to the two applicable rates and steps of GS–2, GS–3, or GS–4, immediately before such effective date, referred to above.

(C) If the employee was receiving, immediately before such effective date, basic pay at a rate in excess of the maximum rate of GS–2, GS–3, or GS–4, as the case may be, of the General Schedule, he shall receive basic pay at the lowest applicable rate and step of GS–4, GS–5, or GS–6, respectively, which is higher than his rate immediately before such effective date, or at his rate immediately before such effective date, whichever is higher.

SEC. 3. The foregoing provisions of this Act shall take effect at the beginning of the first pay period which commences on or after the date of enactment of this Act.

SHOOTING AND SAFETY

HON. WM. J. RANDALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. RANDALL. Mr. Speaker, on the editorial page of the Inter-City News, under the date of October 3, appeared an editorial that contained some logic which is almost irrefutable. I wish to share this with my colleagues.

Yesterday we approved the conference report of firearms legislation pertaining to long guns. While the record will show I supported the safe streets and omnibus crime bill containing some needed provisions for handguns, I firmly oppposed the so-called State Firearms Control Assistance Act which was a long-gun control bill. On Wednesday, October 2, in the Extensions of Remarks section of the CONGRESSIONAL RECORD, I stated at considerable length my stand on this bill, being H.R. 17735 passed by the House in July, and the same measure which was the subject of the conference report finally approved by the House yesterday, October 10.

The editorial of the Inter-City News points out that it wants no police-type surveillance of private citizens who may have to show reasonable cause why they want to purchase a gun. It continues on to argue that mortality statistics could be used to support the abolition of a great many things, including the bathtub because thousands of persons have been killed by falling in bathtubs. The same is true of an automobile, which is a lethal device that accounts for thousands of deaths every year. But who is going to be ridiculous enough to eliminate the bathtub or the automobile?

Mr. Speaker, this article gets very close to the heart or center of the controversy over whether or not more firearms legislation is needed. The real problem is not firearms but criminals. Legislation should be directed against the criminal, with mandatory sentences and without parole or suspension of these sentences. Firearms are only an instrument of crime. The editorial which I want to share with my colleagues is as follows:

[From the Independence (Mo.) Inter-City News, Oct. 3, 1968]

SHOOTING AND SAFETY

A favorite gambit of those who favor virtual extinction of the right of U.S. citizens to own firearms is to quote the number of people who die in a year "by gunfire." The statistic itself is pointless, and yet one national publication uses it to argue that ". . . anyone who wants to buy a gun must show reasonable cause why he wants it." In other words, in the matter of guns, this publication espouses police-type surveillance of private citizens.

On the same basis, mortality statistics could be used to support the abolition of a great many things—the bathtub, for instance. Thousands of people are killed or injured falling in bathtubs. And what about the automobile? This lethal device accounts for hundreds of thousands of deaths and injuries every year. Of course, it would be ridiculous to attempt to eliminate the bathtub or the automobile. But then is it any less ridiculous to go to the extreme in controlling gun ownership on the theory that such action would cure the crime wave? As a matter of fact, guns and their ownership by a responsible citizenry under a moderate degree of regulation are a most basic and essential right—not a frivolous privilege. Time after time, in peace and war, the legendary marksmanship of the U.S. rifleman has been a source of pride and national security.

The great body of U.S. sportsmen today are a responsible lot when it comes to guns. And, they have good reason to be. There are countless clubs and organizations that make it a business to promote safety and intelligent use of firearms. One of the most prominent in this area is the National Rifle Association, whose work to educate public-spirited citizens in the safe and efficient use of small arms for pleasure and protection, began back in 1871. The NRA's hunter safety course has increased in stature as an effective tool in the hands of game and conservation administrators to reduce shooting accidents.

Continuing safety education and reestablishment of respect for the law, as well as stern enforcement of laws already on the books, are the best answers to the so-called gun problem.

CONGRESSMAN PETER RODINO REPORTS ON THE 90TH CONGRESS

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. RODINO. Mr. Speaker, as we near the end of the 90th Congress I welcome this opportunity to report to residents of New Jersey's 10th District on highlights of our record these past 2 years.

CRIME, ORDER, AND JUSTICE

The most critical domestic issues facing the Nation—crime control, order through justice, strengthening civil rights and antiriot laws, and gun control—were of special concern to me. For they fall within the jurisdiction of the Judiciary Subcommittee of which I am ranking member, and I had a heavy responsibility in developing effective legislation directly geared toward solving these problems that are major sources of the violence, unrest, and divisiveness plaguing us today. And we made significant progress with enactment of these major measures: First, the Safe Streets and Crime Control Act which authorizes grants to State and local police departments to upgrade and improve law enforcement, and also includes prohibition of the mail-order sale of handguns; second, the Gun Control Act which bans interstate mail-order sale of long guns and ammunition, sales to minors and nonresidents of a State; third, the Civil Rights and Antiriot Act which prohibits interference with legitimate civil rights activities and establishes penalties for inciting riots. This law also contains the landmark fair-housing provision to prohibit discrimination in the sale and rental of housing; and fourth, two Justice and Court Procedure Improvement Acts to prevent discrimination in the selection of juries and to establish a Federal Judicial Center.

Other measures passed to help combat crime, particularly as it relates to our young people, were the Juvenile Delinquency Prevention and Control Act, the establishment of a Commission on Noxious and Obscene Matters and Materials, and a bill to provide penalties for possession of LSD and similar drugs.

I intend to continue to seek approval of my bills to establish a National Institute of Criminal Justice and a Joint Committee To Investigate Crime. I am also studying the possibility of obtaining an in-depth study of the impact on society as a whole of recent court decisions on the rights of individuals.

SPECIAL RODINO JUDICIARY COMMITTEE ACTIVITIES: AUTO INSURANCE STUDY

More than a year ago I had our Judiciary Antitrust Subcommittee conduct a preliminary survey of the auto insurance problem. As a result I sought a full-scale investigation by the subcommittee, since it would be directly involved in any resulting legislation to change the present system of exemption from Federal antitrust laws with regulation by the States. Final congressional action took the form of a law directing the Department of Transportation to make a comprehensive study. I intend, however, to keep close and careful watch on the progress and development of the study.

IMMIGRATION LEGISLATION

The long-sought Immigration Act amendments of 1965, to eliminate the repugnant national origins quota system and reunite families, became fully effective July 1, 1968, after a 3-year phaseout period. This had been my goal since I came to Congress. But in attaining the 1965 amendments—whereby every immigrant is judged on his individual merit—we were forced to accept provisions such as labor certification which resulted in unintended inequities. I foresaw many of these problems and have introduced major legislation to rectify them. Hearings have been held on my proposal, and I am hopeful of action early in the next session. This would also eliminate such situations as that which now creates hardship for prospective immigrants from Ireland, Germany, and other traditional countries of immigration. I have introduced separate legislation to deal with this special problem by authorizing utilization of already available but unused quotas. My general legislation would resolve this problem and also, through new refugee provisions, cover such situations as the Sicilian earthquake catastrophe and the Czechoslovak crisis.

I am very glad that in the final hours before adjournment we obtained approval of the long-needed bill I cosponsored to permit naturalization of aliens serving in our Armed Forces, similar to those passed for World War II and Korean war alien soldiers.

COLUMBUS DAY

This was a particularly memorable session for me since it marked the end of my long struggle to obtain national holiday status for Columbus Day. I was able to have it included as a new Federal holiday in the uniform Monday holiday bill, to become effective in 1971.

CONSUMER PROTECTION

The record of the 90th Congress well merits its designation as "the Consumer Congress." For many most essential measures were enacted to help protect the health, safety, and welfare of all Americans. I was particularly glad that the truth-in-lending bill, which I cosponsored, at long last became law. This will require the full disclosure of interest rates and finance charges in credit transactions and a limit on garnishment of wages.

Consumers will also benefit by passage of: the Wholesome Meat and Poultry Acts, to provide Federal aid to the States to upgrade their inspection procedures to meet improved Federal standards and including enforcement powers to impose regulations if a State fails to act within 2 years; the Flammable Fabrics Act, which directs the establishment of safety standards for all wearing apparel items and household furnishing fabrics; the Fire Research and Safety Act, to authorize studies into the causes of fires and methods of controlling and preventing them; the National Commission on Product Safety, which establishes a body to study additional consumer products that could be hazardous and to determine the effectiveness of State and local laws; and the Clinical Laboratories Act, to set up minimum performance standards for all such laboratories engaged in interstate commerce.

Also of great importance to every consumer was passage of the Revenue and Expenditure Control Act, which I voted against. This measure imposed a 10-percent tax surcharge on all Americans and required an indiscriminate $6 billion cut for all Federal programs. After long and careful study I concluded I had to oppose the bill, particularly since it lacked any provisions for tax reform and elimination of loopholes such as the oil depletion allowance which I have long advocated. I voted for a $4 billion cut, which the administration stated would not cripple essential governmental functions, but this effort was defeated. And we are already facing the adverse and dangerous economic consequences I anticipated.

The tax surcharge has not curbed inflation; in fact, living costs in our Middle Atlantic region for the first 8 months of this year increased at the fastest pace in 20 years. In addition, the inevitable exemptions to the mandatory spending cut are taking place, as in the case of such vital programs and services as those of the Post Office Department and air traffic control personnel.

EDUCATION, TRAINING, AND ANTIPOVERTY

This Congress continued the great strides made in the 89th Congress toward achieving a state of well-being for all our people, and made significant progress toward the goals of giving every American the opportunity for education and training to the extent of his ability and capacity and to solve the problem of poverty and unemployment.

Amendments to extend and improve the following landmark educational programs were passed: the Elementary and Secondary Education Act, in addition to extending existing aid, with particular emphasis on low-income areas, created several new and innovative programs, including that for school districts with large numbers of non-English-speaking students, additional grants for handicapped children, school dropouts and schools hit by natural disasters. The Higher Education Act amendments consolidated and extended a number of laws, including the National Defense Education Act, and the Vocational Student Loan Insurance Act. Student aid programs of scholarships, NDEA loans, loan guarantees and work-study aid were continued, as were construction grants and loans, aid for developing institutions, and funds to encourage the disadvantaged to attend college and for college libraries and equipment. New programs were created to allow alternate programs of full-time study and full-time employment, encourage the sharing of facilities, strengthen graduate programs, improve education for students going into public service and give law students clinical experience. The Vocational Education Act will more than double Federal aid for programs to enable millions of young Americans to learn to earn. It is truly an "industrybound" bill. It contains special programs for the disadvantaged, continues the work-study program and gives attention to the need for training vocational education instructors and administrators in addition to the expansion of existing programs.

Other related legislation in this area will move us a long way in the direction of assuring that every American will have a skill to enable him to take a decent and productive place in our society. These are the bills extending the Economic Opportunity Act to continue such vital programs as Headstart, the Job Corps, Neighborhood Youth Corps, and VISTA. Also approved was the bill extending the Manpower and Training Act amendments. Another vital measure is the Vocational Rehabilitation Act amendments, which extends present programs and makes substantive changes, the most important of which is a new program of support for State programs for disadvantaged, as opposed to handicapped, persons.

HEALTH AND WELFARE

The challenge presented by the Nation's increasing and ever more complex health and welfare needs met effective response by the 90th Congress. In the health area, action was taken on these major measures: Health Manpower Act extended and revised five existing programs—Public Health Service Act, the Health Research Facilities Act, the Health Professions Educational Assistance Act, the Nurse Training Act, and the Allied Health Professions Personnel Training Act. It will improve the training of medical and allied health personnel, provide construction and other improvement grants for training and research facilities, and broaden health student loan and scholarship programs; the Partnership for Health Act amendments provides grants to the States to aid them in developing comprehensive health planning and services, and includes $40 million for rat control projects.

In the area of mental health, the Mental Health and Mental Retardation Acts were extended to provide grants for the construction and staffing of community mental health centers and retardation facilities. Also included were provisions extending the training program for teachers of the handicapped and a new program for training teachers in physical education and recreation for the handicapped.

The Public Health Service Act was extended to continue the program of Federal contributions to regional medical programs that combat the major killing and crippling diseases of heart disease, cancer, and stroke. The bill also authorizes extension of the important program of research into the problem of solid waste disposal.

The welfare of all needy and low-income citizens should be improved with the legislation expanding the food stamp program, of which I was a cosponsor. Essex County is one of the areas which has pending an application for participation in the program, and without this hard-won expansion of the program there would be no hope for its inclusion.

Vital legislation was also enacted to meet the needs of special groups of Americans:

Senior citizens: The major Social Security Act amendments provided a 13-percent across-the-board increase in benefits and raised minimum benefits; in addition, the bill increased the ceiling on permissible outside earnings to $1,650 a year. Also approved was extension of the Older Americans Act, of which I was an original cosponsor, to continue the essential research, demonstration, and training programs authorized by the law.

Veterans: The Veterans' Pension and Readjustment Assistance Act, which I cosponsored, provides increased pensions and educational allowances; and another related measure raised the ceiling on GI home loans to $12,500.

Federal employees: Under the Postal Revenue and Federal Salary Act Government employees, and to a greater degree postal employees, are receiving increases designed to bring their salaries to the level of pay in private industry.

Youth: Many of the measures I have already mentioned, such as those in the areas of education and job training, are geared particularly toward solving the special problems our young people face in this turbulent and difficult era. Much more needs to be done, however, and in particular I will continue to press for action on legislation I have introduced to lower the voting age to 18. The vast majority of our young people today are mature, intelligent, and law abiding, and it is time they have a voice in their Government. In this connection, I am considering the feasibility of forming some type of consultative group of young people in the 10th District with which I could meet periodically to discuss issues of mutual interest and concern.

CONSERVATION

This Congress has achieved a notable record in the field of conservation of our dwindling natural resources. Of special interest to residents of New Jersey is approval of the bill I cosponsored to give wilderness status to a portion of the Great Swamp National Wildlife Refuge in Morris County. Another measure I cosponsored was the legislation finally approved after a long struggle to create the Redwood National Park. In addition, other major bills approved were those authorizing establishment of a national trail system, a scenic rivers system, and legislation to extend the Land and Water Conservation Fund Act and increase the funds available under this vital program of aid to the States.

URBAN AFFAIRS

The 10th District will benefit greatly from several major actions by the 90th Congress which are of critical importance to urban areas such as ours in northern New Jersey. The Housing and Urban Development Act in particular is a landmark measure, which continues existing programs and creates several promising new ones. It launches the most ambitious housing program in the Nation's history to eliminate substandard housing in the next decade. It includes: Federal interest subsidies for low-income families who want to buy homes; programs for rental and cooperative housing for low-income families; tenant services in public housing; rent supplements; a Federal program of reinsurance for properties in blighted and riot-prone areas; a national flood insurance program to facilitate insurance purchases by persons with property threatened by flood damage; and various incentives to bring private industry into this national housing and urban development effort. The Air Quality Act expands the existing programs for air pollution control and provides for designation of air quality control regions. Also extended was the Urban Mass Transportation Act providing Federal grants and loans to States and communities to improve mass transit systems and facilities.

FOREIGN AFFAIRS

The tragic Vietnam conflict is, of course, the major foreign policy facing us. I have continued in the forefront of the effort to urge the administration to take steps to bring about a negotiated settlement to end it. I have personally seen the devastation of South Vietnam and the suffering of refugees. And all Americans grieve for the young Americans we have lost in this agonizing conflict and regret the resources committed to it which are so urgently needed to meet domestic needs. Publicity on this problem might, in my judgment, endanger our peace initiatives, so I have not made known my many discussions at all levels with the State Department and the White House in urging deescalation of the war, the urgency of negotiations and moves toward its de-Americanization. But there must be some response from Hanoi for we cannot in wisdom or honor abandon South Vietnam to the nonexistent mercies of the Hanoi regime.

In other areas, I have supported continuation of the Arms Control and Disarmament Agency, of which I was an original sponsor, the foreign aid bill, and I am pressing for ratification of the nonproliferation treaty. And I have sponsored a bill to permit the sale of Phantom jets to Israel to assure that her self-defense requirements are fully met.

As in the past, I am a U.S. delegate to the Intergovernmental Committee on European Migration and NATO's parliamentary arm, the North Atlantic Assembly. I am Vice Chairman of its Scientific and Technical Committee and at our forthcoming meeting in November plan to present papers on several agenda items, including the subjects of technological solutions to air pollution and the problem of maritime law.

It has been a great honor and privilege to have represented the 10th District for the past 20 years, and I hope again to do so. And, as always, I stand ready to be of any possible help in resolving personal difficulties with the Federal Government and I will welcome your views on legislative issues before the Congress.

HON. BOB DOLE

HON. E. C. GATHINGS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. GATHINGS. Mr. Speaker, yesterday, October 10, tribute was paid to the Honorable ROBERT DOLE, of Kansas. Our chairman of the House Committee on Agriculture spoke splendidly of Bob's value as a member of our committee. At the time of those tributes, I was unable to join with my colleagues.

But Bob has been too much of a fine friend and too stanch a fighter for the farmers of this Nation for me to be remiss in adding to the fine things spoken of him yesterday. Bob Dole has been a soldier in the ranks of agriculture. He has served as valiantly as he served in Italy during World War II.

Bob Dole has made a real contribution to the work of the House of Representatives and I wish him well in all of his future undertakings.

DRAFT FAILS TO AFFECT COLLEGE ENROLLMENT

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. QUIE. Mr. Speaker, in the course of deliberations by the Committee on Education and Labor on the Higher Education Amendments of 1968, it was brought to the attention of the Members that changes in draft deferment policy would result in substantial numbers of college graduates being drafted who had intended to enroll in graduate school and a widely predicted and criticized decline in graduate enrollments. Very soon thereafter, we received the telegrams and letters of dozens of college presidents, deans, and administrators, urging us to "do something."

At a hearing at which the Selective Service Director was the key witness, we learned that the anticipated impact on graduate school enrollments could be avoided or moderated entirely by Executive action, which was duly urged. No legislative response was either necessary or desirable. And no action was taken by the executive branch of government.

Now we learn, thanks to the efforts of the Associated Press, that the harsh impact just never materialized. In a dispatch published on September 19, 1968, interviews with various school officials are reported. Though the reasons appear to vary from institution to institution, the general result has been that gross enrollment is about the same as before the changes in draft policy. In the absence of congressional or Executive action, it would appear that the universities have saved themselves. It may be true that more students who were bound for graduate school are now serving their Nation in the armed forces, but other qualified students have stepped forward to take up the slack in the education system.

I am pleased to note that in some cases the slack is taken up by the admission of more women to graduate schools.

The moral of the campus draft scare that never materialized seems to be that the Nation's universities can adapt to new conditions and help themselves.

Under unanimous consent I include at this point in the Record the Associated Press dispatch describing the denouement of the draft scare:

Draft Fails To Affect College Enrollment

Washington.—Predictions by educators that draft law changes would cause a mammoth drop in graduate school enrollments this autumn are not coming true.

As students flock back to campus, some university administrators report small * * * other graduate schools say attendance is equal to or higher than last year.

The over-all effect doesn't approach the 25 per cent or more decline predicted last February when military draft deferments were eliminated for all but medical and ministry graduate students.

Now, speaking privately, some deans and vice presidents are saying the claims of last spring were "mistaken evaluations" or the result of "people trying to make points to get the publicity they thought they needed."

PRECISE MEASURE

It will take a few more weeks of running registration cards through computers before universities can precisely measure the draft's impact by such figures as the number of women and age distribution of graduate students.

Some schools reporting decreases attributed the declines to this year's cutback in government-sponsored research and in fellowships from such agencies as the National Aeronautics and Space Administration.

At Harvard, the graduate school class may be as much as 15 per cent smaller than last year's 940 students, said Thomas K. Sissen, assistant dean.

"Our drop was expected and we did not overadmit," Sissen said. "The money situation is tight as far as science is concerned." So far, 45 students admitted for the fall have written to say they'd been drafted.

OFFSET DROPOFFS

At Yale Law School, said Dean Henry Poor, "we consciously overadmitted into our first year class in order to offset the likely dropoffs. As a result, we came out over-all with about the same population."

The normal 165-member first year class was increased to 206. The second year class is dropping from 175 to about 140, "and that's 99 44/100 per cent attributable to the draft situation," said Poor.

Even to get the 206 students on hand, Yale increased its number of admission acceptances from 320 to 465. Every year some who are accepted do not enroll. Of those who sent in tuition deposits and then backed out, about 70 did so because of the draft.

On the other hand, at George Washington University in the capital, Dr. Harold Bright, academic vice president, said "it looks as if our registration might be up slightly. This would almost be a random variation since we are not expanding. The draft certainly does not seem to have hurt us."

The Southern Regional Education Board checked eight schools and found graduate enrollment increases from 5 to 14 per cent at Louisiana State, Virginia, North Carolina, Maryland and Miami; enrollments unchanged at Rice and Emory, and a 10 per cent decrease at Vanderbilt.

A board publication theorized that the draft had less impact than expected because of decreasing draft calls and latitude given to local draft boards to grant deferments based on essential community needs. The November call is 10,000 men—far less than the 48,000 ordered last April.

At the University of Denver, where registration won't begin for nearly two weeks, Prof. James Blackledge said that "as far as we know we will not lose any graduate students to the draft." He is associate director of the school's Research Institute, where the cutback in government research funds may, however, knock a half dozen students off the roll.

Broad figures can mask soft spots in the enrollment picture. The University of Florida, for example, expects 2,900 graduate students compared to 2,737 last year.

But the chemistry department reported to the Council of Graduate Schools that of 36 postgraduates admitted in chemistry, eight had been drafted, two enlisted and two others took teaching jobs hoping to get deferments.

GROSS ENROLLMENT

Dr. Gustave Arlt, president of the council, said in Washington that "gross enrollment figures aren't going to give a true picture. They just give numbers but not quality. There is a good indication some institutions have had to admit people they wouldn't otherwise admit."

Michael Cardozo, executive secretary of the Law Schools Association of America, said "I hear most of the schools did not suffer as much as they feared but some have gone down for all sorts of reasons."

For example, he said front-rank law schools such as Yale accepted more students than usual, leaving fewer candidates for second-rank institutions.

At Stanford, two or three letters a day come from drafted students, but a university spokesman said "the draft scare has not materialized as much as we thought it would."

The 86 letter-writers who have been drafted and 48 others who are coming back to Stanford because of draft uncertainty would be about 2.5 per cent of last year's graduate school enrollment of 5,500.

UNIQUE PROBLEM

Stanford is facing one unique problem now: Finding housing for graduate women. Taking the draft situation into account, the university accepted more women than usual and now finds 150 more than expected will show up for registration next week. Now the school's housing office is scouring the off-campus market for rentals.

At Illinois Institute of Technology, "we made the estimate last spring that at the worst possible, enrollment might go down 25 per cent," said James J. Brophy, academic vice president. "Now we'll be down not more than 2 per cent." Among the most relaxed administrators was George Richter, dean of graduate students at Rice.

"I'm not aware of any large numbers of people who have been drafted out," he said. "In fact, I don't feel we will have any more commotion than in the past. I have never been pessimistic. And, well, I'm older. I don't get quite so excited about these crises that are supposed to develop every day."

EFFORTS TO BRING CONGRESSIONAL AND ELECTION REFORM BILL TO FLOOR OF HOUSE

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent to include in the Record at this point several news stories and comments which have appeared in the press concerning the efforts to bring the congressional and election reform bills to the floor of the House of Representatives before adjournment:

[From the Washington Post, Oct. 10, 1968]

Debates Bill Voted by House—Wild Session Sets Record of 32 Hours

(By Richard L. Lyons)

The presidential debate bill was approved by the House yesterday after one of the wildest and longest sessions in its history. The Senate is expected to accept it today though Republicans promised "extensive debate."

The bill authorizing free television debates between the three major presidential candidates was approved by a lopsided vote of 280 to 35, which gave little hint of the 45 roll calls and 27 hours of continuous session that led up to it. The session ended five hours later.

To break a Republican filibuster, which the GOP said was aimed at other legislation, Speaker John W. McCormack finally ordered all members locked in the chamber to keep a quorum present and permit the House to conduct business.

Rep. Robert Taft Jr. (R-Ohio) busted out and challenged security forces to arrest him, but they let him go. Another fled secretly by jimmying the latch in a back door.

Like most members, McCormack, 76, got no sleep Tuesday night, but at sundown yesterday was still full of pep, pushing the House to clear away the last legislative bars to adjournment.

The bill permits television networks to give free time for joint appearances by Vice President Humphrey, Richard M. Nixon and George C. Wallace without giving equal time to minor candidates for the presidency.

Nixon has said he would not debate Wallace, while Humphrey, who is running behind, has said he would debate any presidential candidate. So it is possible that what may result is a Humphrey-Wallace debate, unlike the 1960 debates between the two major party candidates which got John F. Kennedy off to a fast start.

Whatever the bill produces, Democratic leaders felt they won political points from the spectacle of Republicans apparently trying to prevent the House from considering a bill to permit the public to see the candidates debate head to head.

The Columbia Broadcasting System has offered the candidates free time for joint appearances. Yesterday, the National Broadcasting Co. invited the three candidates to discuss with it a format for such a broadcast.

Democrats accused Republicans of stalling to protect Nixon from the embarrassment of refusing to debate or of going on with Wallace. But on the final vote, 98 Republicans joined 182 Democrats in support of the bill. Only 35 Republicans voted against it. Earlier, the House rejected, 204 to 122, a Republican amendment aimed at limiting the debates to a Nixon-Humphrey confrontation.

Republicans insisted that their delaying tactics were aimed at forcing Democratic leaders to achieve a House vote on the pigeonholed Congressional and election reform bills. McCormack took up the challenge to the majority leadership and kept a sleepy quorum on hand all night to answer the quorum calls that came every half hour.

Republicans began their non-talking filibuster when the House met at noon Tuesday by requiring that the journal of Monday's session be read in full. This meant reading 68 pages of roll calls and the text of legislation considered.

Every five minutes or so as members drifted out of the chamber, a Republican made a point of order that a quorum of 217 members was not present. This automatically set off a 30-minute roll call to round up absent members.

The 45 quorum calls and roll call votes on the bill more than doubled the previous one-day record of 22. And when it adjourned last night, at 8:17 after more than 32 hours, the House had broken the certified record for a continuous session—29 hours in 1840. The House may have met longer in 1854, but the record is not clear.

All night long two clerks alternated reading the journal and calling the roll. Members napped in their seats, and outside of the south balcony Rep. Del Clawson (R-Calif.) spent his time between roll calls playing "Sons of the '30s" on a sweet clarinet.

Finally, at 5:30 a.m., McCormack interpreted a motion just adopted as empowering him to lock the doors and let no one out. Members could enter only. This had not happened since 1917. Subsequent quorum calls produced 222 members, and McCormack prevented any further quorum calls, with the logical argument that since a quorum was assembled after the doors were locked it must still be there. The journal reading was completed in two hours and the House moved on to consider the bill.

But at least two members got out. Taft protested that his constitutional rights were being violated by the lock-in and advised McCormack that he was about to go out the one unlocked but guarded door.

Taft, a football lineman at Yale, pushed his way through two layers of guarded doors with House Sergeant at Arms Zeake W. Johnson Jr. in hot pursuit.

Taft challenged Johnson to arrest him. Johnson, a friendly mild-mannered man who had never been confronted by such a situation, said "Would you wait here a minute while I go talk to the Speaker?"

Johnson returned with the message that Taft was free to go but was violating the action of the House. Taft, who insisted that the House had voted only to detain absent members when they appeared in the chamber, reappeared in a few minutes to an ovation from Republican members.

The other member known to have escaped from the locked room was Rep. Silvio O. Conte who used a pocket knife to open a back door from which the knob had been removed to prevent flight.

This was just before dawn and Conte decided that what he needed most was a steam bath in the House gym. He got his shower but felt a little nervous about being all alone in the gym. He headed back to the House and felt even more nervous when he couldn't open the door he left by. He had to go in through the guarded front door to the surprise of members who knew he was with them when the doors were locked.

[From the New York Times, Oct. 9, 1968]

ADJOURNMENT OF CONGRESS HINGES ON JOHNSON'S DECISION ON CHIEF JUSTICE

(By John W. Finney)

WASHINGTON, October 8.—President Johnson informed Senate Democratic leaders today that he had not yet decided whether to submit another nomination for Chief Justice of the United States before Congress adjourns.

Upon that decision hinge the apparently fading hopes of the 90th Congress to adjourn by the weekend. If the President sends another nomination to the Senate for confirmation, the Congressional session certainly will extend into next week and perhaps be resumed after the November elections.

At a White House meeting with Democratic Congressional leaders, Mr. Johnson indicated that he would make up his mind in the next few days on whether to submit another name to replace Earl Warren as Chief Justice. But even if he nominates a politically popular Senator, such as Philip A. Hart, Democrat of Michigan, Senate leaders were doubtful that the nomination would be confirmed.

DIRKSEN SEES TROUBLES

The Senate Republican leader Everett McKinley Dirksen of Illinois, predicted that any Supreme Court nomination now "would run into troubles" in the Senate. As Senator Dirksen observed to reporters, there is "some hostility" in the Judiciary Committee "toward confirming any judges at this point."

The hostility is largely found among Republicans, who are reluctant to let the Johnson Administration in its final days fill Federal judgeships that, come January, might be available to a Republican Administration. A half dozen Federal judgeships as well as several appointments of United States marshals, United States attorneys and other nominations are tied up in the Judiciary Committee.

The hostility would become even more pronounced and bipartisan in the case of a Supreme Court appointment. Such a nomination once again would arouse the Republican-Southern Democrat opposition to a Johnson appointment to the "Warren Court" that was largely responsible for the Senate's refusal to consider the nomination of Associate Justice Abe Fortas as Chief Justice.

LITTLE FILIBUSTERS

As partisan tempers began to flare in the closing days of the session, both the House and Senate became bogged down in small scale filibusters that could upset adjournment plans.

In the Senate, a small, bipartisan group of liberals, conducting what they described as a "minibuster," talked at length against an amendment in a minor tax bill that would reduce Federal payments to states for the Medicaid program.

In the House, a determined platoon of young Republicans resorted to delaying tactics, such as repeated demands for time-consuming quorum calls, in an effort to force consideration of reform bills for Congress and elections.

After the seventh quorum call, Speaker John W. McCormack ordered the House doors closed so that members could not leave the chamber. It was the first time that the seldom enforced rule on closing the doors during a quorum call had been invoked in 18 years.

When the Republicans succeeded in preventing the House from considering a supplemental appropriations bill and legislation suspending the "equal time" provision in the Federal Communications Act the House majority leader, Carl Albert of Oklahoma, angrily accused them of engaging in a filibuster.

The Republicans, led by Representative Donald Rumsfeld of Illinois, acknowledged that they were engaged in delaying tactics. But they said that the House Democratic leadership, in effect, had filibustered against the election and Congressional reform bills by preventing their consideration on the floor. Thus they were attempting to force consideration of the reform bills, already approved by the Senate.

At the White House meeting with the Senate leaders, President Johnson urged Senate consideration of the nuclear nonproliferation treaty before adjournment. But the Senate majority leader, Mike Mansfield of Montana, was noncommittal on calling up the treaty this year.

DECISION THIS WEEK

Senator Mansfield told reporters, as he earlier had told the President, that he would make a "final judgment" some time this week on whether to bring the treaty before the Senate.

Thus far Senator Mansfield has been disinclined to call up the treaty. He said, today that * * * 17 faced "an obstacle course this late in the session and in this political year." Before reaching a decision, therefore, he said he wanted another opportunity "to count votes and bodies" if the pact is brought to a vote.

Nose counts by the State Department show that the treaty has the overwhelming approval of the Senators—far more than the required two-thirds majority, with at most only 15 Senators in opposition.

But the problem worrying Senator Mansfield is that if the treaty is called up, it will be faced with prolonged opposition speeches by a small group of Republicans. In the end, he fears, the treaty may have to be laid aside, either for lack of a quorum or because absenteeism has eroded the ranks of the treaty supporters.

In their opposition, the Republicans would be taking their cue from Richard M. Nixon, who has urged that ratification of the treaty be delayed in view of the Soviet-led invasion of Czechoslovakia.

Senator Dirksen broke with the Nixon position today by saying that he was disposed to act now, particularly if ratification could provide a "psychological force" for winning acceptance of the treaty by important nations without nuclear weapons.

[From the Chicago Tribune, Oct. 10, 1968]

RUMSFELD LOSES ONE, BUT KEEPS FIGHTING

(By James Yuenger)

WASHINGTON, October 9.—The leader of "Rumsfeld's raiders" plopped wearily into a chair in the House cloakroom early today and talked about losing his battle but still hoping to win his war.

Rep. Donald Rumsfeld [R., Ill.] had gone sleepless since 6 a.m. yesterday as he led the Republican assault against the vote to suspend the equal-time provision of the communications act.

House Speaker John McCormack [D., Mass.] had just beaten back the Republican battlers by ordering the doors to the chamber locked, forcing an end to the G. O. P.'s time-consuming quorum and roll calls thru the night.

FIGHT ISN'T FINISHED

Now Rumsfeld was saying he was going to "stay loose" and that he wasn't finished in his fight to get a vote on two bills "that are darned important to the American people"—legislative reorganization and election reform.

He said those two bills—rather than an attempt to deny Vice President Humphrey free television debating time—was what the fight was really all about.

"The equal-time bill is going to pass by a big vote," he said. "We knew it all the time. The majority always has its way."

Responding to Democratic charges that he was engaged in an unprincipled "filibuster," Rumsfeld bitterly asserted that it was the House leadership which had, in effect, filibustered on the legislative reorganization and election reform acts.

PIGEONHOLED IN HOUSE

Both have been pigeonholed in the House rules committee for more than a year. One calls for streamlining congressional procedures and the other establishes strict controls on and full disclosure of political fund raising and spending. Both have been passed by the Senate.

"Congress is ending," Rumsfeld said. "If we don't get these bills now, we'll have to start all over again. Confronted with the iron-fisted control of the Democrats, we realized that the parliamentary tactics used yesterday constituted the best leverage available to us at this late date."

Rumsfeld and several companions in the House have been working for passage of the legislative reorganization act for more than three years.

HOPES TO FORCE ACTION

Despite the anger that their tactics on the equal-time bill aroused among House Democratic leaders, they still hope to force action on that bill and the election reform measure before Congress adjourns.

"These reform bills are as important to the American people as any other legislation now pending before the House," Rumsfeld said. "Simple parliamentary tactics have been used to keep them from coming to the floor and that is disgraceful."

MANHASSET-PORT WASHINGTON COALITION FOR RACIAL CONCERN

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. WOLFF. Mr. Speaker, a major step toward racial harmony was taken recently in my congressional district with the creation of the Manhasset-Port Washington Coalition for Racial Concern.

The purpose of this group and its principles are embodied in a statement I received, and I would like to place that statement in the CONGRESSIONAL RECORD to describe this effort and enable my colleagues to have the opportunity to consider themselves the goals of this group. It might well be a model for other similar organizations across the country.

The statement follows:

MANHASSET-PORT WASHINGTON COALITION FOR RACIAL CONCERN

MANHASSET-PORT WASHINGTON, September 26.—More than 1100 people in these North Shore of Long Island communities today joined in signing a two-page advertisement calling for community action to face the race problem.

The advertisement, appearing in four weekly newspapers today, says, "We, the one-thousand concerned citizens of Manhasset and Port Washington, are committed to a community-wide attack on our racial illness—to study its causes and to work for its total cure. Join us now."

The organization sponsoring the ad is the Manhasset-Port Washington Coalition for Racial Concern, described as a grass roots, community-wide organization, affiliated with no political, religious or social group.

According to Mr. John Meehan, of Manhasset, Chairman of the group, the Coalition had its genesis in a series of some 70 or 80 meetings held in local homes since the deaths of Rev. Martin Luther King and Sen. Robert F. Kennedy. The current ads are the first tangible step in a long-range program which hopes to involve the whole community.

Mr. Meehan said, "Our program will include objective, professional inquiries conducted by local citizens. The success of these inquiries will depend on broad community participation and we are seeking help from everyone. We hope that interested citizens will contact us."

There will be future ads so that many hundreds more persons in this 50,000 person area can demonstrate their support.

This coalition intends also to seek both evidence and opinion from every possible local neighborhood, interest group, age level and from all fraternal, ethnic, social and civic bodies.

"We hope to see these early efforts inspire other similar activity throughout our whole country," Mr. Meehan stated.

APPRAISAL OF CURRENT TRENDS IN BUSINESS AND FINANCE

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. WILLIAM D. FORD. Mr. Speaker, I am often asked questions about the state of our economy, and the answer is not always easy to give. There is probably no other matter which is the subject of so much misinformation.

The Wall Street Journal, on October 7, carried an excellent article which succinctly detailed the state of the American economy, with an analysis of the past 8 years, the present situation, and an outlook for the future.

I firmly believe that legislation adopted by this Congress in recent years has given this Nation programs and policies which have enabled us to keep the economy on a fairly stable course. Inflation has been a problem, but the gross national product and living standard of our people have risen steadily without major setbacks.

I am pleased to see that the Wall Street Journal, one of the most trusted and influential publications in the world, agrees with me that our efforts have been successful. I would like to have this article reprinted in the CONGRESSIONAL RECORD, and commend it to the attention of my colleagues, as follows:

THE OUTLOOK: APPRAISAL OF CURRENT TRENDS IN BUSINESS AND FINANCE

Once upon a time, long before there were Hippies or Yippies or even plain old Beatniks there was something in postwar America called a recession. It was a mildly unpleasant affair that would come along once every two or three years, and when it arrived, business would grow more slowly or even contract for a while and some unfortunate people would lose their jobs for a while and dividend checks would get a bit skimpy for a quarter or two.

But in 1961, some people called "new" economists came to Washington proclaiming that recessions didn't have to happen. Deft Federal policies, they said, could keep the economy expanding indefinitely. If business turned sluggish, for instance, taxes could be reduced to put pep into spending. If business began to overheat, taxes could be raised.

Well, since 1961 taxes have been reduced and taxes have been raised, and the economy has continued to expand without the unpleasantness of a recession. The country's gross national product will total about $855 billion this year, up from $790 billion last year, up from $748 billion in 1966, up from $685 billion in 1965 and so on and so on. To be sure, there have been a few problems. Living costs now rise at about 4% a year, on the average, compared with only about 1% a year when the new economists came to Washington. But there's been no recession, and none is in sight, according to the fall forecasts of most business analysts in and out of Government.

Altogether, the record since 1961 is a remarkable achievement of recession-free growth, and if the new economists are a little pleased with themselves at this point, one can hardly blame them. However, to put the performance into full perspective, it would perhaps be wise also to note that the effort to avoid a recession has been mightily facilitated by a fundamental change in the makeup of the American economy: The highly volatile, highly publicized "manufacturing" segment of the economy has become less and less significant while the relatively unspectacular "service" segment has quietly grown and grown.

What has been happening can be glimpsed in statistics that break down the gross national product by major components. About a decade ago, goods made up nearly 60% of total national output; services ranging from housework to construction work accounted for the remaining 40% or so. Now, however, the breakdown is almost precisely 50–50. All major components of GNP have grown, of course, in the booming 1960s. But the goods component has been a relative laggard.

A glance at some employment figures helps underline the magnitude of the trend. A decade ago, approximately a third of the nation's nonfarm workers were employed in manufacturing. Today, only about 28% are in manufacturing, and nearly a third of these hold nonproduction jobs. It's the production-line jobs, of course, that have been particularly volatile within the manufacturing category.

Statistics leave little doubt about the relative volatility of the manufacturing segment of the economy. Although it has risen some 65% in the past decade, the economic index that measures the physical output of the nation's factories has had plenty of downs as well as ups in recent years. In the last 12 months, for instance, the output index has risen eight times and dropped four times; some of the changes have been quite sharp. In the same period, in contrast, GNP has been steadily climbing, even after allowing for increases that reflect only higher prices.

The same sort of pattern is apparent on the labor front. Over the years, manufacturing employment has shot up, fallen steeply, shot up and so on. On the other hand, employment in such service-type occupations as finance, real estate, insurance and state and local government jobs has grown with relentless monotony.

The relative volatility of manufacturing, of course, reflects a variety of factors. Manufacturers tend often to be saddled with heavy inventories or, alternately, desperately striving to meet an unexpected spurt in customer demand; depending on the situation, workers are either being furloughed or frantically sought. Service organizations generally operate in calmer fashion. The New York State Motor Vehicle Department does not rush out to hire more employees if there is a sudden increase in citizens seeking new licenses; the lines just get longer. Nor does the department slash employment when things get slow. Similar attitudes generally prevail in such private service concerns as banks and insurance companies.

It can be argued, in view of the recent record, that the manufacturing segment of the economy gets a disproportionate amount of attention. Fully a third of the 12 key "leading" indicators that are watched for signs of change in general business deal exclusively with facets of manufacturing while none of the 12 reflects solely on service-type activity. Plant-and-equipment surveys generally overlook outlays by such service organizations as banks and insurance firms.

In another sense, manufacturing gets undue, and unfair, attention in Washington. It's not such industries as steel that are the culprits in today's inflation so much as much-demanded and hard-to-automate service items.

In part, the emphasis on manufacturing seems to stem from the fact that such statistics are relatively easy to come by: The productivity of a steel worker is easier to assess than the productivity of a brain surgeon. In addition, excessive attention to manufacturing statistics may represent an anachronism from days when that segment of the economy was more significant; indeed, efforts are under way in Washington to enlarge the supply of data that bear on services.

These efforts, one hopes, will be pursued with vigor. For demand ultimately shapes the makeup of the country's economy; happily, it remains an economy marvelously adaptable to the needs of a particular time. If this particular time increasingly cries out for computer programmers, rather than washing machine assemblers, the economy will respond. The boom will roll on, and the new economists will be helpful fellows, perhaps, but also fortunate to be in the right place at the right time.

—Alfred L. Malabre, Jr.

A TIME FOR GREATNESS

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. WYMAN. Mr. Speaker, in one of its unique messages in the form of advertisement in the U.S. News & World Report, the Warner & Swasey Co. points up the vital fact that the crises America faces are indeed a time for greatness. This is so very true, that all citizens regardless of their political party would do well to heed the clarion call in the exercise of the precious privilege of voting for the candidate of their choice for President of the United States.

In this time for greatness there is a man who has all the qualifications, the dedication, the selflessness and the leadership to save the United States. That man is Richard Nixon. He deserves the vote of every concerned American regardless of whether Democrat, Republican, or independent.

This is indeed a time for greatness.

The article referred to follows:

WHAT A TIME FOR GREATNESS!

For 31 years The Warner & Swasey Company has published messages expressing our beliefs, our hopes and fears for our Country. Many thousands of businessmen, workmen, housewives, men in the armed services, in politics and in every walk of life have written us, agreeing with these beliefs. Some others—not many but some—have disagreed; that is the wonderful American privilege.

In recent months the number of letters has increased markedly. More and more Americans are deeply concerned, as we are, with inflation, deficits, weakness. Some unions force unearned wage increases which are breeding inflation; too many in government are more interested in votes than the fiscal solvency of our government, and so continue to foster wasteful programs and bureaus; men in high places (government and business) compromise with our enemies abroad and so leave a deadly legacy to our children.

It has been said that when crucial need arises, America produces a leader—a great leader. We believe and the thousands who write us believe the need is here—desperate need. Now is the time—what a time for greatness!

REES CONGRESSIONAL WRAPUP

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. REES. Mr. Speaker, it is my desire to have included in the RECORD the report to my constituents which summarizes congressional activity in this session.

The report follows:

CONGRESSIONAL WRAPUP

DEAR CONSTITUENT: The purpose of this newsletter is to report to you what happened this past year in Congress. I had wanted to complete it earlier but the current session, which some optimists last January thought would end by August, seems to be unable to terminate itself although most of the major issues have been resolved for the year. It's been perhaps the most dramatic and erratic year of the decade and as such, difficult to evaluate. With this report to you, I hope that I've been able to hit the highlights of congressional actions for 1968.

This year the average congressman has been faced with disorders on campuses and at political conventions; with riots in ghetto areas; with the assassinations of Martin Luther King and Robert Kennedy; with a rising crime rate; a fiscal and monetary crisis at home and abroad; and a war in Vietnam which it seems less and less able to comprehend. The upcoming presidential election has seasoned congressional actions with a heavy dosage of partisanship. But, despite these very diverse ingredients, we did come up with some solid accomplishments.

Congress, in its frustration, probably spent too much time reacting to the course of events when what was called for was a little more reflecting. I believe there are adequate laws to deal with crime and that enough government programs exist even to deal with poverty, unemployment and rebuilding our slums. *The key is to make the laws we now have work*—which calls for analysis, adequate funding and overall coordination. But too many times the first reaction to a situation is to pass new laws and, while they might not accomplish anything, at least there is the aura of having done something.

The unrest both at home and abroad might be read as a warning that perhaps we are approaching new problems with outworn ideas and concepts. I interpret these disturbances as being symptomatic of a basic illness we have been ignoring.

It is my hope that at the next session of Congress there will be more reflecting on what present laws and programs are accomplishing and can accomplish. *We should examine all levels of government and start thinking in terms of total, not fragmented, solutions in the areas of education, unemployment, adequate housing and decreasing crime.* At present the governmental apparatus is needlessly complicated and distant—many times operated more for the sake of government than for the individuals it is supposed to serve.

SPENDING AND TAXES

The best way to grasp the problems facing government is to look at the budget. So, the bad news first. *The estimated federal budget for the fiscal year starting July 1, 1968, and ending June 30, 1969, is $184 billion.* The figures give an idea of where the money is to be spent and from that it is obvious where our nation's priorities lie. The three items we might call the cost of past, present and future wars (defense, Veterans Administration, and interest on the national debt) total $95 billion. This is 67% of the controllable federal budget, which does not include Social Security and Federal Highway Act trust funds as they are pre-committed. *The remaining 33% of the budget must cover all our civilian needs such as education, health, housing, employment, post office, etc.*

FISCAL AND MONETARY CRISIS

It was imperative last year that the economy had to be cooled down. Inflation was occurring at too fast a rate. Prices were rising, which affected the cost of U.S. goods to our disadvantage in the competitive, international market. Money was tight; interest rates were reaching new highs—especially in home financing; we were having trouble with our international balance of payments—more dollars were flowing out than coming in—and this depleted our gold stocks.

After months of agonizing, Congress finally passed a tax bill designed to raise $12 billion through a one-year increase in the income tax. Tied into this tax measure was an arbitrary $6 billion federal spending cut, the mechanics of which I opposed. It is the responsibility of Congress to appropriate money and, if spending is to be cut, to determine the priorities in the programs to be affected. The across-the-board spending cut, I felt, was an "easy" election year "cop out," giving only the appearance of action.

When the measure was up for debate, *I proposed an amendment as a first step toward comprehensive tax reform.* The surtax is a 10% addition to the present income tax rates which will affect primarily the middle-income taxpayer, increasing an already disproportionate share of the tax burden. I felt that the burden should be more equitably distributed to include those in higher brackets who pay little or nothing in taxes as they presently enjoy benefits of major tax loopholes. This will continue to be one of my main goals.

Although it is too early to assess the full effect of this surtax/spending cut package, it appears as though it will take sufficient pressure off the money market to halt the spiraling interest rates. The international balance of payments has eased and it is hoped that inflation will be partially checked.

JUSTICE AND LAW AND ORDER

The emotionally overpowering issue of the session was in the area of law and order. Washington itself was the scene of civil disorders following the tragic assassination of Martin Luther King, in a pattern which was repeated throughout the country. During the spring and summer, violence erupted in slums and on college campuses—as our youth and minority groups struggled to be heard by a system from which they, rightly or wrongly, felt increasingly alienated.

Then came the unbelievable assassination of Senator Robert Kennedy, one who had demonstrated his willingness to listen to the alienated, only seconds after his victory speech in the California Democratic primary; followed, two months later, by the Democratic National Convention in Chicago which produced a violent confrontation between police and dissatisfied youths.

As public order is the first business of government, Congress, against this tumultuous background, considered and passed laws—some good, others not so good.

THE CRIME CONTROL AND SAFE STREETS ACT

The major crime control legislation of the session provided assistance to local law enforcement agencies for planning grants, law enforcement assistance grants, and grants for training and research. Emphasis was placed on use of these funds to improve techniques for combating organized crime and for preventing and controlling riots. Funds may also be used for training and recruiting officers, increasing their salaries, and developing better crime control equipment and methods.

The underlying concept of the crime control bill is the local government has the primary responsibility in the fight against crime, and that the jurisdiction of the federal government should be to aid in developing programs, techniques and standards to best help local law enforcement agencies in their efforts.

GUN CONTROLS

Tied in with adequate law enforcement is the question of adequate gun controls. The FBI and most law enforcement agencies supported strong gun legislation. This issue, which had demanded attention for a long time, was brought to the forefront by the King and Kennedy assassinations. The final version of the measure outlaws mail order sales of handguns, shotguns and rifles and provides that purchasers of pistols must be 21 years of age (18 for rifles), possess adequate identification and not be under indictment or fleeing from the law.

Stiff, mandatory penalties for those who use firearms in the commission of crime were approved. An amendment for registration of firearms, which I strongly supported, was defeated.

CITIES

Slowly but surely Congress is beginning to pay more attention to the plight of the cities. In the 90th Congress, we voted for such programs as the Safe Streets Act, the Model Cities Act, and now have passed a comprehensive *Housing and Urban Development* measure which will emphasize home ownership by low income families. The main problem is not passing these measures, but the financial squeeze which limits funds to these vital programs.

The omnibus housing bill provides programs to develop low cost housing for both rental and purchase, working through private builders, investors and bankers, and is, in my opinion, far more promising than the public housing of the past.

This measure also establishes a government/private industry insurance plan to be made available to homes and businesses in so-called "riot or civil disturbance" areas. Before this plan, development of poorer areas of cities was virtually halted because of the absence of adequate fire and casualty insurance. With no insurance, lenders will simply not provide money to finance homes, stores and inventories.

While there now exist many programs designed to help the cities, I find that there is little coordination and practically no continuity, in terms of dependable financing. Until coordination and continuity are provided, the cities will continue to flounder in their morass of expanding problems and shrinking tax bases.

OPEN HOUSING

This was another plus for the 90th Congress, though it too was stimulated by a tragedy. The day after the funeral of Dr. Martin Luther King, the House approved legislation outlawing discrimination because of race, religion or national origin in the sale and rental of homes and apartments. I supported the measure which, incidentally, parallels existing California law.

Regrettably, in an action almost denying the previous approval of open-housing, Congress, six months later, refused to approve any funds for enforcement of the law.

TWO VICTORIES FOR CALIFORNIA

Redwood Park

After more than a half century of disagreement and frustration. Congress finally approved the creation of a Redwood National Park and thus saved the giant redwoods in the northern part of our state from extinction. Although I had earlier supported a much larger park, as proposed by the Sierra Club, I think what was achieved was a real victory. *The $92 million authorization will provide for a 58,000 acre park which will include the irreplacable first-growth trees as well as their life-giving watersheds.*

The Colorado River Basin project

The present major source of water supplies for Southern California is the Colorado River. Any threat to our water rights on the Colorado is a threat to our present and future development and so for years our state has battled furiously with Arizona in the courts over California's right to 4.4 million acre feet of that water annually.

The final solution came this year with passage of the Colorado River Basin act which *gave our state firm rights to this 4.4 million acre feet.* The measure also contemplates further development of the entire river basin to augment the stream's flow so as to avoid shortages in the future.

A side issue of this proposal had been the construction of two dams in the Grand Canyon to produce electric power. Conservationists (myself included) and the Sierra Club fought successfully against such a provision, so the Grand Canyon will continue to be preserved in its natural state.

CONSUMER LEGISLATION

The greatest beneficiary of this Congress is the long-forgotten consumer. Ten major pieces of legislation were passed, including Clinical Laboratories Improvement, Fire Research and Safety, Product Safety, Wholesome Meat and Poultry, and Automobile Insurance Study and Investigation.

But perhaps the most important is the *Truth in Lending bill* which will protect the consumer who uses credit in his purchases, which means most of us. Now, every time-plan or revolving credit plan must state exactly what the interest rate is and how this charge is figured. Ceilings have been established on these interest charges and all ads concerning time buying will now be required to list the conditions of the sale. There were also limits placed on the use of second mortgage financing and credit life insurance.

NEO-ISOLATIONISM

It appears that Congress is becoming more isolationist in its general view of the world. The foreign aid program, which consists primarily of *low interest loans to under-developed countries,* was cut down to a bare minimum of $1.9 billion—the smallest such appropriation in our history. I opposed many of these cuts as I feel we should help the poorer countries help themselves in such vital areas as health, food production, education and primary transportation.

Slow economic development and political instability can only lead these developing countries into a situation of revolutionary chaos, which could easily erupt into new Vietnams. *While we might not like the idea, we, along with other developed nations, must lessen the huge and expanding gap between this world's rich and poor.*

While the foreign assistance appropriation has been drastically cut, more emphasis is being placed on multi-national banks such as the World Bank, the Asian Development Bank and the Inter-American Development Bank.

Membership in these banks varies as do the banks' jurisdiction, but the purpose of each institution is to loan money for major development projects in the member nations. As a member of the International Finance Subcommittee of the Banking Committee, I have been working on legislation strengthening these banks. I believe that both the multi-nation participation and the regional approach are great improvements over the erratic performances of single-nation sponsors of programs which vary from year to year.

OPERATIONS OF CONGRESS

The House finally got around to adopting a Code of Ethics, which I think could have been stronger, but failed entirely to consider congressional and electoral reform measures. I was in strong support of both these proposals and *am still trying to get the Legislative Reorganization Act discharged from the Rules Committee where it has been bottled up for the past eighteen months.*

The present operation of Congress is archaic and its rules obstructive; the present law on campaign financing is more loophole than fabric—but, despite the efforts of a small group of us, the outlook for consideration of these much-needed reforms is pretty dim.

CONCLUSION

The 90th Congress was a transition Congress, reacting to the immediate crises. Because of problems in our cities, this body was forced to take actions designed to lessen tensions and improve law and order. On balance, the attitude of many Congressmen concerning new programs seemed to be that of "wait and see," perhaps to catch the feeling of their constituents on the problems affecting us today.

This uncertainty has made this a more conservative Congress and I don't see any major change for the near future. Few innovations are looming on the horizon. The mood is overhung with the cloud of Vietnam, the frustration of our position and the $72 billion cost of defense—which has become our first national priority. *With this gigantic financial commitment, there is little likelihood that there will be increases in domestic program expenditures.*

Sincerely,

THOMAS M. REES,
Member of Congress.

NEWSLETTER PROVIDING LEGISLATIVE WRAP-UP

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. DERWINSKI. Mr. Speaker, as Congress adjourns, I am mailing my constituents a newsletter providing a legislative wrap-up on major issues and comments on current international and domestic events. I include my newsletter at this point:

House Office Building,
Washington, D.C., October 1968.

Dear Friend: In my last newsletter to you I pointed out the obvious problems that would face Congress when the session resumed after the political conventions, and unfortunately, my concern was proven correct. It should have been clear to Congressional leadership that in a highly political atmosphere, legislation requiring thorough study and objective review would suffer.

As I also feared, the legislative backlog in the Senate caused great complications for Congressional adjournment. Our two legislative bodies operate under substantially different procedures and this was never more evident than in the last weeks of the session.

While there is no cure-all for every problem besetting the nation, a fundamental step that we must take is to reassert the jurisdiction of Congress in relation to the Executive and Judicial Branches of Government. The Judicial Branch, especially the Supreme Court, has rendered many decisions which are legislative rather than judicial in nature. The courts are clearly following a permissive philosophy in which dubious social concepts, pampering of criminals and coddling of student anarchists continues at the expense of the vast majority of American citizens who are honest and law-abiding individuals. The Executive Branch, through use of Federal bureaucracy and its huge budget, clearly disregards the intent of Congress and often ignores precise Congressional restraints.

The country needs a vigorous and independent Congress which as the Branch of Government closest to the public should provide you with protection from Executive Branch control and quasi-legal decisions.

Legislative Wrap-Up: Early in this session I predicted that the foreign aid appropriation would be substantially reduced. It was also my opinion that other practical economies in the Federal budget could be achieved. Unfortunately for you the taxpayer, the Executive Branch is reneging on its obligation to cut current Federal spending by the $6 billion figure which was agreed upon. Instead, budgetary gimmicks including juggling of trust funds are being used to achieve paper spending cuts.

The tax increase and budget cuts were reluctantly approved by Congress, since the budget deficit for the Federal fiscal year ending June 1968 exceeded $25 billion. The deficit for the current fiscal year could exceed $10 billion. Thus, the red ink in the Federal budget which has been a major cause of inflation isn't being effectively reduced.

The Lesson of Czechsolovakia: The Soviet seizure of Czechoslovakia demonstrates that Communism cannot allow its subjects even minimum rights and freedoms. In my opinion, the Czechoslovakian crisis also demonstrates that the policy of coexistence with Communism so avidly pursued by the Administration is a tragic failure. *Accommodating the Soviet enemy with treaties, trade subsidies and indirect aid has in return produced aggression in Asia, a build-up of Soviet power in the Middle East, and subversive activities in Africa and Latin America.*

Since 1961 the Administration's policy has been to shower the Soviets with kindness, and the complete chaos this has produced in our position and prestige abroad is too obvious to sweep under a rug.

When the satellite governments of East Germany, Poland, Hungary and Bulgaria dutifully followed Moscow's orders and participated in the seizure of Czechoslovakia, the wishful thinking that individual Communist countries could be lured from the Soviet orbit was completely demolished. Last year as a direct result of relaxed export controls, suppliers in our country were permitted to ship over $50 million worth of scarce and valuable commodities to the USSR and its Eastern European puppets, thus contributing to the Communists' domestic economic growth which permitted them to divert their resources to war production for North Vietnam and for their anti-Israeli vendetta. *The Czars dreamt for centuries of extending their power into the Mediterranean and this has been achieved by the Soviets due to the Administration's foreign policy failures.*

Even General DeGaulle was brought down to earth when he saw that the aggression against Czechoslovakia shattered his dream of a Europe in which the U.S. would play a minor role. The Europeans who remember the appeasement of Hitler in 1938 and his subsequent aggression now realize that their peace and freedom, and for that matter, world peace and freedom, depend on the leadership, strength and fortitude of the U.S.

Government Promises—Where Do They Lead? Many of our domestic complications are compounded by Government promises which have not or cannot be kept. Political prophets too often raise false hopes by appealing to the emotions of organized groups. For example, this year Congress passed a costly "new" housing bill which is basically a revision of programs which have been previously tried but unfortunately have failed to produce promised results.

Each year we face new proposals calling for "spending" as the cure for a multitude of problems. Then we find the requests for spending increasing while the problems remain far from real solution. I believe that we need a decentralization of Federal Government operations. States and local communities should be given the wherewithal and obligation to solve problems which are their basic responsibility. *Specific state and local welfare programs, school problems, recreation needs, and air and water pollution efforts are often complicated rather than aided by Federal regulators.* All too often Federal funds are used to dictate conditions which are based on Washington blueprints but are impractical in actual practice.

All through history man has struggled to limit Government, and in this advanced age of communication, transportation and technology, we need effective protection of individual rights rather than their subordination to Federal Government edicts.

Propaganda and the Olympics: The Olympics athletic contests are no longer being waged in the true spirit of amateur sports, since the Soviet Union and other Communist governments subsidize their team members in a manner that would classify them as professionals by our standards. The games have for practical purposes become propaganda contests between the Communist world and the United States, and unfortunately, we are coming out second best in the propaganda phase of the contests.

I have repeatedly urged that the facilities of the Voice of America be used to point out that the athletes of the Soviet Union are in fact hardened professionals. I have also urged that through the Voice of America broadcasts proper description be provided of the various non-Russian athletes who earn medals for the USSR team. Many outstanding Lithuanians, Latvians, Estonians, Ukrainians, Armenians and others among the captive peoples of the Soviet Union contribute to the USSR effort, and it would be practical for us to inform the world of the make-up of the Soviet team.

The Soviets use every means—economics, cultural affairs, politics, diplomacy and propaganda—to wage the Cold War, and we should lead a free world counter-offensive in all these fields. Worldwide reports containing a true evaluation of the Olympic Games would be a good starting effort.

Now that Congress has adjourned, I have returned home and have an extensive schedule which will take me into all the communities of our District. Through the courtesy of local civic groups I will have an opportunity to speak with many of you personally.

After the first week of November I will commence my annual visits to all the high schools of the area, discussing social science, government affairs and current events with interested students.

Please remember that I maintain a permanent staff in the District office which is located in the Blue Island Post Office building. My Washington and District staffs are always available to provide service to individuals, organizations and local government entities whenever the Federal Government is involved in the problem.

May I, as always, remind you that "No king ever wielded a scepter more powerful than a 10¢ pencil in the hands of an American citizen when he writes his Representative."

Your Congressman,
Ed Derwinski.

THE HONORABLE E. C. GATHINGS

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. McCLORY. Mr. Speaker, it was not my privilege to speak from the floor at the time our colleagues were paying respects to Ezekiel Candler "Took" Gathings. Perhaps it is best—for it is with emotion that I face the prospect of coming into these surroundings and not seeing his kindly face or hearing his quiet voice.

When the late Mrs. McClory and I came to Washington in January 1963—"Took" Gathings and his charming wife, Tolise, were among our early acquaintances and became our stalwart friends and mentors. From them we learned much of Washington and what is essential for a Member of Congress and his family to know and to do—in the best interests of his constituency.

My contact with "Took" Gathings—both in and out of sessions—has been inspiring and rewarding. His courtliness, his patience, his dedication, and his unceasing search for the highest and best for those whom he represented are examples which I recommend to all who aspire to public service.

Mr. Speaker, no one has earned the accolades bestowed upon a retiring Member of Congress more meritoriously than the Honorable E. C. "Took" Gathings. Yet, no one is more modest, more self-effacing than he. Those who have had the privilege of knowing him during his entire 30 years in Congress, and their praise has been articulated here, all attest to his integrity.

In groping for words with which to add my own appreciation of our retiring colleague, I am reminded of one of whom the poet wrote:

And, lo, Ben Adhem's name led all the rest!

This, then, is my salute to "TOOK" GATHINGS. May the blessings of God continue to illuminate his life.

DELMARVA ADVISORY COUNCIL PLANS FOR FUTURE

HON. ROGERS C. B. MORTON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. MORTON. Mr. Speaker, there is no doubt that the local political unit—the town hall, the county courthouse—is the most vital phase of Government. It is here we find the working end of democracy, for it is here where the people are served. I will always be a stanch defender against those who would threaten this level of Government.

At the same time, we live in an era of vast technological advancements. Great strides are being made in almost every direction—communication, construction, basic industry, farming. Yesterday, it made little difference to neighboring counties if a factory was built. Today, and as we are projected into the future, such things become important to neighboring counties and neighboring States and even further. In a time of instantaneous communication and split-second transportation cause-and-effect relationships are immediately seen. As a result, the concept of regional planning for environmental development and for economic and social advancement is rapidly gaining increased implementation throughout the country.

We are fortunate on the Delmarva Peninsula to have a regional planning association which coordinates the efforts of the Eastern Shore counties of Maryland and Virginia and the State of Delaware. Conceived in 1963 by the Governors of these States, the Delmarva Advisory Council, the purpose of which is to advance the economic and cultural welfare of the people of the Delmarva Peninsula.

DAC has undertaken several major projects in the 4 years of its existence. An economic analysis of the peninsula and proposed program of overall development led to Delmarva designation as an economic development district under the Public Works and Economic Development Act of 1965. Economic impact projection of the proposed Pocomoke River-Sinepuxent Bay Canal caused the Corps of Engineers to reexamine its own findings, about the cost-benefit ratio, based on the fact that a project in a redevelopment area may have a far-reaching economic impact as well as the direct benefits from increased traffic on the facility itself.

The council has undertaken a wide range of programs to promote local industry and tourism on the peninsula. Events such as Delmarva Night at the National Press Club in Washington, and Delmarva Day at the New York World's Fair call attention to the products and attractions of this region. Efforts of the Delmarva Advisory Council have led to the establishment of tristate campsite owners and antique dealers associations. Delmarva Hospitality, a subdivision of the council, realized a dollar for dollar pay-off in its promotion of tourism on the peninsula. Now underway is a program to coordinate the development of Chincoteague, Va., as the southern gateway to Assateague Island National Seashore.

Delmarva Report, a monthly publication of DAC has widespread circulation throughout the Delmarva Peninsula, providing an unmeasurable service as part of the overall development of this region.

The works of this organization, Mr. Speaker, speak well for the future of Delmarva.

PULASKI DAY, OCTOBER 11, 1968

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. RODINO. Mr. Speaker, today marks the 189th anniversary of the death of the Polish nobleman, Count Casimir Pulaski, hero of the American Revolution.

The annals of Poland have been fraught with tragedy. Sharing her borders with voracious neighbors, Poland has suffered the fate of partition and division throughout her history, at times having ceased to exist as a state. Her territory has consistently been coveted by more powerful states, and, more often than not, the balance of power has forced accession to demands upon her sovereignty. But because she has suffered, Poland has endured; and the ordeal of her passion has produced an uncommon number of gallant patriots, heroes whose fierce devotion to freedom and to Poland has earned for them lasting fame and honor—in their own nation and throughout the world.

One such Polish patriot was Casimir Pulaski. A nobleman by birth, he was forced to flee his homeland following his participation in an unsuccessful insurrection against foreign rule. His ardor for liberty could not be quenched, however, and finding himself homeless, he made his way to America in 1777, where he entered the service of General Washington. His heroic exploits in the Revolutionary War, until his death 2 years later, earned him the unstinting admiration and gratitude of Americans, who, like the Poles, had known the tyranny of foreign domination.

Poland is still not free today. Her suffering yet continues. But her determination to endure, and, indeed, to prevail, is as vital as it was two centuries ago, as vigorous as the American revolutionary spirit, and as abiding as our own veneration for the memory of Casimir Pulaski.

THE 100TH ANNIVERSARY OF THE PROTECTORY OF MARY IMMACULATE

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. MORSE of Massachusetts. Mr. Speaker, during the week of September 15 of this year, the Protectory of Mary Immaculate, Lawrence, Mass., celebrated its 100th anniversary of continuing service to the community. It was a proud moment indeed for all those associated with the protectory, from its capable directress, Sister M. Jeanne Turcotte, superior of the Sisters of the protectory, to all the Sisters of Charity who serve it so faithfully. Mr. Melvin S. Kirkman served as general chairman of the week's activities.

The city of Lawrence, Mass., was only 23 years old when the needs of those children orphaned by the Civil War and those immigrant girls from Ireland, England, France, and other countries who, working in the burgeoning city's mills, were suffering from consumption, came to the compassionate attention of an Irish Dominican priest, Father James H. D. Taafe.

Father Taafe had built the Immaculate Conception Church in 1853, and 4 years later had established an informal association he called the Catholic Friends Society. By 1867, the association had grown to 1,000 members and was charged with the care of 30 orphans of the city's Civil War dead. But Father Taafe and his Friend's Society rose to the challenge and, after raising necessary funds, they built the Protectory of Mary Immaculate which, with two additional wings added in 1901 and 1903, stands to this day.

In the years since 1868, when the protectory opened its doors under the leadership of Father Taafe, with the invaluable aid of five dedicated Sisters from the Order of Grey Nuns of Montreal, Canada, it has grown greatly, both in spirit and in terms of its contribution to those it cared for. Originally taking in 30 orphans, the protectory has, in the 100 years of its service, given shelter to over 4,000 orphan children. Gradually the functions of the protectory turned more toward caring for the sick and the aged and, in 1954, it was granted nursing home status, caring exclusively for the elderly and the infirm.

The week of observance began with a concelebrated mass, followed by a luncheon and a dedication of the projected new facilities. Many segments of the community were represented as the mayor of Lawrence, the Honorable Daniel P. Kiley, Jr., welcomed those present on behalf of the city which has benefited so much from the protectory's activities. Among those present were the Right Reverend Monsignor Joseph P. Burke, J.C.D.; General Chairman Melvin S. Kirkman; the Honorable Augustine D. Riley, special justice of the district court; John E. Fenton, Jr., president of the lay advisory board, and with a special place in the hearts of those attending, Mother

Georgette Leduc, superior general of the Grey Nuns.

Mr. Speaker, I extend to the protectory my warmest best wishes as they begin upon a new century of service and active involvement in the community of Lawrence. At the centennial banquet on September 21, which was honored by the presence and inspired by the message of the new auxiliary bishop of Boston, the Most Reverend Daniel A. Cronin, lay advisory board president, John Fenton, gave a moving address, the text of which I would like to share with my colleagues at this point in the RECORD.

REMARKS BY ATTORNEY JOHN E. FENTON, JR., PRESIDENT OF THE LAY ADVISORY BOARD AT THE CENTENNIAL BANQUET OF THE PROTECTORY OF MARY IMMACULATE, SEPTEMBER 21, 1968

We observe tonight not the end of a century of service, but the beginning of a century of opportunity. During the centennial observance of the founding of the Protectory of Mary Immaculate, this city and its people have paused in the rush of events to appropriately record the greatness of its past and the promise of its future. Its praises have been widely sung in photo and by word; but yet tonight, we assemble and rejoice with one final tribute of gratitude and thanksgiving.

As president of the lay advisory board, I am delighted to extend a warm and sincere welcome to all of you, our grood friends, who share with us in the joy and friendship of the evening.

We are most honored, indeed, by the presence of their Excellencies, Bishop Riley and Bishop Cronin. Bishop Riley has been among us often as a loyal and steadfast friend. We proclaim our allegiance to our new spiritual leader, Bishop Cronin, ordained to the Episcopate only nine days ago. We wish him great happiness and success in his new priestly mission.

We have found that the Protectory we honor is even greater than its legend. It was conceived in greatness, founded in greatness and has endured in greatness. During this centennial week, some saw it for the first time. Others realized that they had too casually accepted it. Still others lamented that they had not previously admitted it to themselves. But the greatness was always there, and it will loom even larger as the passage of years lends perspective.

The Protectory has been, and is today, an extraordinary institution, staffed by extraordinary nuns and dedicated employees, and blessed with an extraordinary mission.

Our common pride tonight is not simply based on the fact that the Protectory has survived for a century, however worthy that fact may be. For institutions, like people, must live and be judged by deeds, not years; by accomplishments, not aspirations; and it really matters not how long either we or they live, but how.

Our common pride more firmly rests on what the Protectory and its good sisters have accomplished in the century that has fled since the Grey Nuns of Montreal responded to the call of an Irish Dominican Priest, Father James Henry Anthony Taafe in 1868 and the Protectory welcomed its first guests.

This Nation was only 92 years old and the city of Lawrence 23 years young when the original red brick building loomed skyward and beckoned to its shelter children orphaned by the strife of the Civil War, and immigrant girls from Ireland, England, France and other nations who were working in the mills and suffering from consumption.

For 100 years these devoted and Christlike sisters have superintended the young and the sick to make them wholesome and well, and cared lovingly and compassionately for the aged and the healthy to keep them well. Their traditions have served as beacon lights for their kindred. For what Pericles said of the Athenians has long been true of the grey nuns: *"We do not imitate—for we are a model to others."* They have walked among us quietly and humbly for a century, ready to face each day's demands, carrying out their duties as nurses to the farthest reaches of this community, asking nothing in return except the prayers of the faithful that they be sustained to continue their mission.

The good sisters have not walked alone for 100 years. You good people, their employees, friends and benefactors have walked with them in their journey and over the bridges they have built and which we now cross.

The enduring qualities of the protectory—the common threads woven by the orphans friends, the patriots day teas in city hall, card parties with tables overflowing into spacious halls, Christmas parties chaired by Mr. Protectory, Daddy Bob Clifford as Santa Claus for more than 50 years, bean suppers and harvest festivals sponsored by the women's guild, the dedication and inspiration of Monsignor Burke, the great leadership of the women's guild and its presidents, Mrs. Wall, Mrs. Flaherty and now Mrs. Skulski, the contribution of the lay advisory board and its first president, Judge Riley—and finally, the magnificent effort of the centennial committee, ably led by its general chairman, Melvin Kirkman, and his coordinator, Raymond Monahan—these will not and can not be forgotten in the protectory's hallowed tradition. They are an indellible part of its life, its convictions, its view of the past, and its hopes for the future.

And now, the winds of change are blowing. Having lived through wars and depressions, through good times and bad, the protectory must be replaced and rebuilt, its capacities enlarged and its services expanded. Together, with your help, we will build a larger and even greater protectory, brick by brick, and stone by stone, patiently and prayerfully. While the processes of growth are gradual, bearing fruit in a decade and not in a day, it will soon rise to serve the needs of the century ahead. It will be something to be remembered in our day and our generation and will be a fitting tribute to the grey nuns who will staff it. Its vision will encompass every hope and dream of the most humble among us. The only guiding stars will be those which reflect the needs and aspirations of those who will require its services. This is our design for the new protectory of Mary immaculate. We believe that our tide is running strong. With thanks to almighty God for seeing us through the passage of a century, we ask His help anew in the challenge of the future.

We congratulate, commend and extend our good wishes to the grey nuns tonight on a proud and secure past. We thank them for serving us and our loved ones so well for so long. We thank them for having given each of us the opportunity to have served them. May the good Lord watch over and protect them. May they and their great administrator, Sister Jeanne Turcotte, be long in our company, so that the past may blend with the future—and both may endure forever.

A REFINERY DOWN EAST

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. MORSE of Massachusetts. Mr. Speaker, the Boston Herald Traveler yesterday made a persuasive case for the proposed foreign trade zone and subsequent oil refinery for the New England area. There is no reason why the region of the country most dependent on oil for heating homes, schools, hospitals, and business firms should be paying the highest prices and risking inadequate and uncertain supply.

All of New England is solidly behind the proposal and I include the Herald Traveler's editorial in the RECORD under unanimous consent.

A REFINERY DOWN EAST

In Portland today, the Foreign Trade Zones Board of the U.S. Commerce Department will hear an application for a foreign trade zone—one outside U.S. customs territory—in Maine. If the application is approved, and if the Interior Department grants the requested oil import permits, Occidental Petroleum Corp. plans to build a refinery at Machiasport.

The proposal enjoys wide support. (Competing oil companies, not surprisingly, oppose it.) Six northeastern governors favor the plan, as does the New England Council, a regional development group which sees economic stimulus in the project.

The average citizen no doubt will find the argument of the Massachusetts Consumers Council most pertinent. If the Machiasport refinery were allowed to ship 90,000 barrels of home heating oil and 10,000 barrels of gasoline into New England daily, its lower prices would mean savings to consumers of some $26 million a year, the Council says. The Council has consistently fought for measures that would forestall fuel shortages and price increases.

Of less immediate impact but still of importance is the quality of fuel which Occidental proposes to supply to New England. Low sulphur crude oil from Venezuela and Occidental's own fields in Libya will supply the refinery, and the fuel that emerges will have a lower air-pollution potential than that now used.

The proposal makes sense. More sense, at least, than the fact that New England burns some 800,000 barrels of oil products a day and yet not one of the country's more than 290 refineries is located here.

REPORT FROM WASHINGTON

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. ROUDEBUSH. Mr. Speaker, under leave to extend my remarks, I include my newsletter to the people of the Fifth District of Indiana:

CONGRESSMAN RICHARD L. ROUDEBUSH, FIFTH INDIANA DISTRICT, REPORTS FROM WASHINGTON: AMERICA'S STRATEGIC BALANCE OF POWER LOST UNDER MCNAMARA

An in-depth study by the Senate Preparedness Subcommittee reveals what has been suspected for some time—former Defense Secretary McNamara frittered away America's awesome military lead over Russia during his more than seven years in the Pentagon.

The report, released to Congress recently, contained these sobering findings:

1. Since Hiroshima our nuclear posture has moved progressively from monopoly to massive superiority to exploitable superiority to our present posture of what is at best marginal superiority.

2. The F-111, McNamara's "Flying Edsel," which was planned to provide America an interim capability in the strategic bomber role has obvious and admitted shortcomings in range and payload—and has been grounded from combat.

3. The numbers of launchers and gross megatonnage, standing alone, are not reliable measures of two opposing strategic forces. However, McNamara's assertion of superiority based on numbers of separately targetable, survivable, accurate warheads has the obvious weakness of being premised in large measure upon projected and hoped-for technological advances which have not yet been attained.

Other disconcerting and ominous findings of the Subcommittee included the following information:

The Soviet Union is building nuclear submarines like the U.S. Polaris subs with a probable range of 1,500 miles.

The Soviet trend in strategic nuclear weaponry features both a highly sophisticated offense and a defense designed to reduce the damage the U.S. could inflict.

The Chinese are expected to deploy a medium-range ballistic missile soon along with a limited number of fission warheads which could threaten nearby Asian nations within 18 months.

The Chinese by the early 1970's could have a modest number of medium-range missiles deployed as well as a new medium-range jet bomber.

The Chinese could threaten the U.S. with an ICBM by early 1970.

The history of the F-111, or TFX as it was originally known, is an interesting story, and will probably go down in military annals as McNamara's folly.

The planes cost $6.9 million each and were first sent into combat last March. Within four weeks, while flying a total of only 50 missions, three of the eight planes that were sent to Vietnam were lost.

None of these losses were due to enemy action. They were lost because of defects in the plane or other causes not known because the planes were never recovered.

Because of this heavy loss, the planes in Vietnam have been withdrawn from further combat for the past five months and now are grounded while efforts are being made to ascertain the causes of these crashes and to determine if the defects in this weapon can be remedied.

When the TFX plane was proposed originally, its construction as an all-service plane for both the Air Force and Navy met considerable opposition in Congress due to cost and military doubts.

But, McNamara plowed ahead despite the cost and when the plane was finally built at millions more than anticipated, it was found that the plane was practically useless insofar as the Navy was concerned because it was too heavy for carrier use.

In addition to the three F-111 crashes in Vietnam, seven other F-111's have crashed due to engine stalling, structural failure, hydraulic rod falling apart, and one crash on landing approach due to unknown causes.

The F-111 dispute will undoubtedly continue, particularly since foreign nations, including Australia are balking at orders they had put in for the plane.

The controversy started almost from the day when, in the fall of 1962, McNamara ordered the $6 billion F-111 contract awarded to General Dynamics, of Ft. Worth, Texas. In doing so, he overruled the unanimous recommendation of top uniformed officers that it be built by Boeing, which under-bid the Texas firm by $400 million.

Since that time, McNamara and his successor have been literally trying to get the TFX off the ground, while our Air Force and Navy perform their missions with older aircraft.

THE COMMUNITY SELF-DETERMINATION ACT

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. ROSENTHAL. Mr. Speaker, I join with many colleagues in both Houses to sponsor the Community Self-Determination Act of 1968.

This bill offers one of the few workable alternatives to the present unsatisfactory and threatening racial situation. Let me list some of the more obviously unacceptable alternatives, assuming that the present tension will change for better or worse:

First. Open racial war. This is neither a remote nor a diminishing possibility.

Second. Stronger, more open, and wider spread support, by blacks and whites, for separatism. Militants from both sides are increasingly vocal on the impossibility of integration in any form.

Third. Doing nothing—or doing more of the same thing we have been doing—and hoping that "things will get better."

None of these alternatives is tolerable. None offers the hope necessary to an America which should unite on the issue of preserving and improving our society.

The Community Self-Determination Act will proceed with imagination and with the assurance that what has worked elsewhere in human history can work in America: The poor, the victims of discrimination, and the products of injustice can lead themselves to achievement if their problems are understood and solutions are made possible.

This act provides the institutional basis for such achievement. It provides no handouts but it builds a ladder to step up. It offers human hope for the poor in America—rural or urban, black or white—that there is a way for them to solve their problems.

This hope, I submit, is not merely an alternative. It is the only alternative to those I listed.

I include here a summary of this bill and what it will do:

The Community Self-Determination Act is a fundamentally new approach to the problems of lower income communities. It is based not on governmental paternalism, but on local self-help, ownership, and decisionmaking. Instead of creating new government agencies, the act creates a new institutional structure so that the people of poor communities can achieve economic development and the ownership of productive resources through their own efforts and under their own control.

The basic element in the program is the Community Development Corporation, a stock business corporation formed by the residents of any area which is substantially below national norms in income or employment. Every over-16 resident may become a stockholder by buying a $5 share or by earning it through contributed labor; each, however, is limited to one share and one vote.

The formative process, supervised by a Community Corporation Certification Board, involves pledge cards, escrow deposits, and community referendums, so that competition is preserved and the will of the community freely expressed.

The CDC owns and manages subsidiary businesses in the community, and conducts a broad range of social service programs as desired by its stockholders. It thus resembles both a modern conglomerate corporation and a charitable foundation. Its subsidiaries channel their profits to the CDC to finance both additional investment and the service programs.

Financing business requires capital and credit. The act creates a system of CDC-owned Community Development Banks—CDB's. The CDB's resemble the National Land Bank Associations which for 50 years have been an important part of the national farm credit system. They are capitalized and owned by the CDC's themselves, and their initial capital is multiplied by the sale of income bonds backed by a special Federal Reserve escrow fund. A U.S. CDB is also created to serve as a secondary financial institution, similar to the Federal home loan banks.

The plan contains a number of tax incentives to encourage outside companies, like GE, Safeway Stores, or Xerox, to come into the area, establish a new plant, train local people to manage it properly, then sell it at a profit to the CDC as a new subsidiary. Other provisions reduce taxation on profits utilized for necessary community services. An important provision authorizes SBA grants to CDC's to enable them to contract for competent management training.

Experiments are already underway in many parts of the country which embody some or all aspects of the proposed program. Notable are Arthur Fletcher's Self-Help Cooperative in East Pasco, Wash.; Randy Blackwell's silk screen factory in Crawfordsville, Ga.; E.G. & G.-Roxbury in Boston; and the Xerox-backed Fighton Co. in Rochester. The program is adaptable to urban ghettos, depressed rural areas, and Indian reservations alike.

Total cost of the act is estimated to be under $1 billion for fiscal year 1970. Benefits will phase out as communities develop economically. The basic legislation has been sponsored by a large number of Republican and Democratic Congressmen and Senators. It was developed through the initiative of the Congress on Racial Equality—CORE—with the cooperation of legislative technicians representing views from conservative to radical.

COLUMBUS DAY, 1968

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. RODINO. Mr. Speaker, I am looking forward with particular pleasure to the celebration of Columbus Day in Newark tomorrow. For it will be our first commemoration of this holiday since it has, by law, been given national holiday status.

Since 1949, when I first introduced a bill to make Columbus Day a national holiday, I have worked toward this objective. And this year, with such a provision included in H.R. 15951, the uniform Monday holiday bill, to become effective in 1971, has meant the end of my long-sought quest.

The celebration of Columbus Day is far more to me than an occasion for happy gatherings and parades. For it is also a time for solemn contemplation and can be in the future a truly multi-purpose holiday.

Our Nation is going through a period of trial, unrest, and divisiveness. Yet despite these problems, the United States remains the most democratic, the most prosperous, the most forward-looking and the most humane nation on the face of the earth.

And we can look to the boldness and daring of Christopher Columbus, to his faith and courage, for inspiration to face the challenges of the future. Just today three brave Americans started on a valiant voyage into outer space, in the pioneering Apollo 7 mission which we hope will lead the way to a landing on the moon. Walter Schirra, Donn Eisele, and Walter Cunningham have today demonstrated the same faith, determination, and inspiration which so many years ago led the "Admiral of the Ocean Sea" to landfall in the Western Hemisphere.

So there is special reason today to hail the celebration of Columbus Day and to envision future days of great moments in our Nation's recorded history.

COLUMBUS DAY, A NATIONAL HOLIDAY

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. ST. ONGE. Mr. Speaker, as we observe on October 12 the 476th anniversary of the discovery of America by that intrepid Italian navigator Christopher Columbus, I am proud that our country has finally taken action to declare this historic date as a national holiday. On June 28 of this year, the President signed into law an act of Congress known as the Uniform Holiday Act which contains a provision for the nationwide observance of Columbus Day as a legal holiday.

Although this recognition is long overdue, he is certainly entitled to it. Nearly five centuries have gone by since that historic event in human affairs which began a new era for all of mankind, especially those of us in the Americas. I believe that much of our heritage of freedom and justice is due in large measure to the courage, the determination, and the ideals of Columbus. The recognition now given is therefore well deserved.

When I first came to Congress 6 years ago, one of my first bills was a measure to designate October 12 of each year as a national legal holiday in honor of Columbus. In fact, I also suggested that it be observed as a day of rededication to the ideals of peace, justice, and democracy which helped make America a great nation. I felt then, and I still feel today, that observing Columbus Day in this manner would make it more meaningful in our present-day world.

I would like to see Columbus Day as a day of reaffirmation by the American people of their faith in the future of this great country and a willingness on the part of our people to face with confidence the unknown challenges that lie ahead. Above all, this should be a day when we pay special tribute to our immigrant groups and their descendants by acknowledging their contributions to the upbuilding of a strong and secure America, a prosperous and just nation based on freedom and democracy. Let us remember the immortal words of our late President John F. Kennedy who referred to the American people as a "nation of immigrants."

I am glad to have contributed to some degree in the adoption of the bill to observe Columbus Day on a nationwide scale. This bill came out of the House Judiciary Committee, of which I am a member. It was subsequently approved by both Houses of Congress and signed into law by the President. Although the act does not become effective until 1971, the extra time was necessary in order to give calendar makers and others the opportunity to make the required changes.

Now that Columbus Day is a fact and will soon be a part of our national life as a legal national holiday, I wish to extend greetings to all Americans of Italian descent. On this occasion, we recall with appreciation the magnificent contribution and the invaluable role of Italian-Americans in the growth and development of America. I salute them for their loyalty and their patriotism on this Columbus Day, 1968.

ISRAEL ON THE SEVENTH DAY

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. WOLFF. Mr. Speaker, the Middle East has for centuries been a focus of man's attentions. It is a vibrant, turbulent area of the world and its magic is magnified by its religious significance to millions of different faiths.

It is only logical that many, through history, have devoted great time and energies to a study of the Middle East and its people. Over the past 20 years the authoress Ruth Gruber has been in the forefront of those who study, know and write about the Middle East.

Miss Gruber has made many trips to the Middle East and has concentrated on reporting on the state of Israel, its people and their relations with their Arab neighbors.

Her reporting in newspapers, periodicals and books has always been excellent; she is a perceptive observer and an engaging writer.

Miss Gruber's most recent book "Israel on the Seventh Day" is another example of her fine writing. I commend this book to my colleagues' attention as an excellent report on Israel and the entire Middle East in the wake of the June 1967 war.

Because of the value with which I hold this book and Miss Gruber's reporting, under leave to extend my remarks, I wish to include in the RECORD the jacket copy from "Israel on the Seventh Day," as follows:

ISRAEL ON THE SEVENTH DAY

In June 1967 the tiny country of Israel amazed the world with its determination and ability to survive. Behind the stunning battlefield success in the Six-Day War was a motivating sense of tradition symbolized by the Wall in Jerusalem, which reaches back into the distant Jewish past. But a more immediate source of motivation was a sense of recent history—the British Mandate in Palestine, the six million dead, the DP camps, the creation of a free and independent State.

Ruth Gruber has been a witness to much of this recent history. She saw the DP camps, the illegal immigrant ships bound for Palestine, observed the birth of Israel in 1948 and the bloody war of independence, and during her frequent visits to the Middle East has watched the nation grow in times of peace and war. Few writers can match her personal experience of Israel's history or her intimate knowledge of its people.

Her new book, is a perceptive survey of Israeli history, an exciting report on the Six-Day War and an assessment of conditions in Israel and all the Middle East one year after the war. There are chapters on the fighting in Sinai, the Gaza Strip, Jerusalem, the West Bank and the Golan Heights—personal stories gathered during the author's most recent trips to Israel, and further chapters on the Arab refugees, the role of the United Nations, and the problems of absorption, and the prospects for peace. For anyone who seeks to understand the personalities and the drama of Israel's past successes and also the internal and international problems she still faces, "Israel On The Seventh Day" is essential reading.

Ruth Gruber has made seventeen visits to Israel. Three of them since the six-day war. She has covered Israel's turbulent history since the 1940's as a correspondent for the New York Herald Tribune, and contributed to Look, Reader's Digest, Mademoiselle, Commentary, the Nation, Saturday Review, and the New Republic.

Among her many books are the award-winning "Destination Palestine: The Story of Haganah Ship Exodus 1947", "Israel Without Tears", "Israel Today: Land of Many Nations", and "Puerto Rico: Island of Promise". The book is published by Hill and Wang.

"'Israel On The Seventh Day' has the authenticity that is all too rare in the quickly observed books on Israel that throng the market. Even those who think they know the Israel story will find surprising freshness and much that they did not know in this eloquently written summation."

MEYER LEVIN.

COLUMBUS DAY

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. BRASCO. Mr. Speaker, tomorrow marks the 476th anniversary of the discovery of this great country of ours. This has long been one of my favorite holidays, and I hope I never grow too old, too hardened, too blase to enjoy and relish this festive event when we render fitting tribute to the one-time weaver from Genoa, whose vision, skill, and courage made possible that great moment of discovery.

Columbus laid a foundation for what has become a great and free nation. We owe a lasting debt of gratitude to him for seeing what others before him failed to see. We honor Columbus not just for what he did, but for the kind of man he was—a man who refused to accept the conventional wisdom that the world was flat, who turned his back on the defenders of the status quo, who said it could not be done. He was a man who had the courage and steadfastness to follow his vision to its realization.

For many years, controversy has raged in the academic world over the identity of the real discoverer of America—but whether or not various theories support others than Columbus are true, those who support them miss an essential point. If any men did land here before Columbus, they left nothing on which to build. Their solitary acts of courage faded quickly away into the mists of time. One of the true marks of a great man lies in the acceptance of his vision by the generations which follow him. A great man is a builder; and the greatest are those who lay solid foundations upon which others can build.

To say that Christopher Columbus did just that would be an understatement. He left with us a great legacy—one of spirit, adventure, and determination. He told Ferdinand and Isabella of Spain:

> I have given you a land of innumerable riches, inhabited by people who can be converted to our Christian faith. This will be the land of tomorrow.

I, for one, am proud of our "land of tomorrow." In this time, when all is not happy, when we have experienced tragic and depressing events, when we are confronted with rioting at home, and elusive peace in Vietnam, when we observe all the noisy demonstrations and counterdemonstrations, I have no knowledge of a better nation in all the world.

The United States remains the most democratic, the most prosperous, the most forward looking, the most humane nation on the face of the earth. Imperfect though it may be, ours is a more perfect union than any who would belittle us have been able to create. And, I do not doubt for an instant that the United States will endure, for this Nation of ours is unique. And a great part of its unique quality is inextricably bound up with the boldness and daring of Christopher Columbus.

For years, many of my colleagues here in the House have fought for national recognition of Columbus Day, and I am proud to have been a part of the efforts that were finally successful last year.

As celebrations take place all across our Nation on one specifically accorded day of recognition and tribute, I feel that Americans of Italian heritage will honor it with just a little extra show of love, and a somewhat deeper feeling of reverence, respect, and heartfelt warmth.

POLLSTER REPORTS

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. DENT. Mr. Speaker, many Americans are becoming exceedingly more disturbed over the pollster reports that have become dangerous weapons in the campaign for the Presidency.

There is a growing suspicion that the polls can be used to influence opinion for one candidate or another.

In fact, Mr. Speaker, many Members of this body have voiced serious doubts as to the propriety of the polls and the part they play in U.S. elections.

It appears rather obvious that a concerted effort by all media is being executed to destroy the public image of the U.S. election and issues.

I know many persons whose answer to any question of an opinion of the major candidates personally, the issues of the campaign is, all too often, a repeated percentage finding by one of more of the polls.

Recently one of the national candidates openly charged collusion between polls and a certain candidate.

George Wallace, of Alabama, charged the candidate of the GOP, Richard Nixon, and the Gallup poll with deliberately using the vantage point of front page newspaper coverage, the TV chains and radio hookups of the Gallup poll coverage to influence the campaign.

The statement by Governor Wallace is included at the end of my remarks.

Congress must, sooner or later, curb the political activities of the media or forget the U.S. elections institution as we now know it.

The election day coverage of the TV and radio media is a most dangerous political action.

Congress has before it legislation that can stop the publicity of election returns, or the computerized influencing of voter action, before all polling places have closed for the day.

Unless we do something in this area we may find ourselves with empty ballot boxes in late-closing States or even fixed elections by use, or rather, abuse of the freedom of the airwaves.

The statement referred to follows:

Wallace Blasts Pollster—Sees Nixon in Collusion

(By George Lardner Jr.)

Albany, N.Y., October 9.—George Wallace angrily assailed "professional pollsters" today and accused George Gallup of collusion with Republican presidential candidate Richard M. Nixon. Wallace called for a congressional investigation.

The third-party presidential candidate, apparently hearing in advance of a decline in the polls, derided Nixon and the pollsters before an exuberant crowd this morning in Scranton's Courthouse Square and again on his arrival for a rally here.

The former Alabama Governor declared in a press conference at the Albany Municipal Airport:

"In my judgment, this Eastern money interest crowd has control of the polls . . . Trying to elect candidates by controlling public opinion. Well, they're not going to get away with it."

[The Gallup Poll of Sept. 29 showed Wallace's strength at 21 per cent of the vote nationally. The poll for Thursday's papers puts him down one point, compared to 44 per cent for Nixon and 29 per cent for Vice President Humphrey.]

Nixon had maintained in Michigan Tuesday that Wallace has already hit his peak and will lose more and more of his support as election day approaches and advised voters to think twice about "wasting" their ballots. It was the GOP candidate's most determined Northern attack on the Alabamian.

"The reason for that," Wallace charged in Scranton, "is that Mr. Nixon knows what the Gallup poll is going to say in advance because they are for Mr. Nixon.

"We ought to have a Congressional investigation of these professional pollsters in the country."

The Alabamian acknowledged today that "the next poll is going to show that we are beginning to go down." But he insisted that it was all a put-up job and that Nixon was really running scared.

Wallace never did explain how he found out about the poll's results himself. Nor did he say why Nixon's advance knowledge—in contrast to his own—should be considered sinister. The polls are sent to newspapers in advance.

(A spokesman for Gallup said in Princeton, N.J., that there was no truth whatsoever to Wallace's statements, the Associated Press reported. The Gallup Poll has never done any work for any party or candidate," the spokesman said. "We're fact finders. We report the facts as we find them.")

Twitting Nixon repeatedly, Wallace said the Republican candidate plans to concentrate the remainder of the campaign in the populous states of the North "attacking Wallace."

"Now isn't that something," Wallace scoffed, "that you've got to stand and cut a Southern Governor down in Michigan and also in Indiana and Pennsylvania? That shows the strength of our movement."

"The polls and the newspapers are going to say we're receding from now on," he warned his partisans. "They'd better remember the old Literary Digest."

A low-water mark in the history of polling, the Digest predicted in 1936 that Alf Landon would win over Franklin Delano Roosevelt.

His dander up on several points, Wallace hotly chided the Scranton Tribune this morning for quoting him in the vernacular with a prediction that "we gonna win in November."

"I don't say 'gonna,' he insisted. "I say 'going.' I speak just as good an English as any newsman."

The crowd at Scranton, estimated at some 5000, was by no means all for the Alabamian. Hecklers carried signs reading "Chicken little was right" and chanted "Wallace go home, Wallace, go home."

HON. JAMES A. FARLEY

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mrs. KELLY. Mr. Speaker, those of us from New York are used to singing the praises of James A. Farley, and we know he is deserving of them. But I, for one, am always glad to note that his abilities and political expertise are acclaimed nationwide. Therefore, I was pleased to read an article entitled, "Durable Jim Farley" which appeared in the Omaha World-Herald on August 29, 1968, which I would like to share with my colleagues:

DURABLE JIM FARLEY

James A. Farley wears his 80 years with easy grace. His political advice, as expressed in Chicago this week, was as pungent and sensible as ever.

He liked abolition of his party's unit rule. He pleaded, probably in vain, for shorter nominating speeches and fewer seconding speeches. He reminded a tired and yawning world that the monkey business which causes late-night convention sessions stems from the decision to start proceedings during prime evening television time. Jim Farley says conventions should work days, but he knows that they are prisoners of "the tube" and are likely to remain so. Mr. Farley has always been a realist.

EQUAL GUN RIGHTS DENIED

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. RARICK. Mr. Speaker, adoption of the conference report on gun control may please some channels of communications and pressure groups but it certainly will deny equal rights to the law-abiding citizen to own and possess firearms.

The criminal and the anarchist are unaffected because they refuse to obey laws and the norms of society anyway.

The lessons of history all go for naught.

I include a column from the Manchester, N.H., Union Leader of July 9, 1968, for our colleagues, as follows:

"OH, BUT WE WILL HAVE GUNS," SO SAID COMMUNIST PARTY

(By John Perakis)

Note.—Today's article is reprinted from the Rifleman, publication of the National Rifle Assn. It is preceded by an editor's note which states: The following article represents the personal observations of the author and should not be taken as an expression of NRA policy or official viewpoint.)

As a native of Greece who has seen his country governed by a homegrown dictator, invaded by Nazis, engaged in a bloody civil war with Communists, and now taken over by a military government, I feel qualified to speak out on firearms registration in any country which thinks its democracy is eternal.

My observations are pertinent to the United States as well as Greece because I once got into a meeting of Communists in New York where the party's attitude toward firearms was spelled out with chilling clarity by one remark.

It was in 1948, just after I had arrived in this country as a Greek seaman during the war. I was in New York. One day I went along to a meeting, the Communist nature of which I didn't realize until it was well under way. A few new members were sworn in with the words, "You are now members of the Communist Party," and some long-standing members stood up to report on their activities.

Then we were instructed how to gain control of a labor union meeting. A raffle of Marxist books was held, and quite an uproar occurred when one man won most of them. Then came the key lecture.

We were told that we should support anti-firearms legislation in every way possible. Following the war, as is now known, the Communists had plans for the United States which did not exactly coincide with the plans of the American people. When we got the word on firearms, I innocently turned to the man next to me and said:

"I have a couple of guns. What's wrong with owning a gun?"

He looked at me and simply smiled, then said:

"Oh, but we will have guns."

I left that meeting somewhat shaken.

My firearms experience had begun in a roundabout way and was connected with sports, not with politics. As a youngster, I had admired my father and his sportsmen-hunter friends and it is probably safe to say that I began to like guns mainly because of the people who used them for sporting purposes. My father, a long-time hunter and shooter, taught me to use a gun safely when I was 14 and showed me where his revolver was kept and how to use it.

I had my first handgun at the age of 17, a Colt New Service in .445 Eley, and there were a number of other firearms around our home. They were not locked up. Every member of the family knew where they were and how to use them. They were always loaded.

(The only accident that befell me was when my mother found out that I cut one corner off a pocket in my trousers so the barrell of my revolver would fit through.)

When I was old enough, I joined the Greek Merchant Marine Cadet School in Greece and that's where I was when the war broke out. I joined the U.S. Merchant Marine in 1943.

COMMUNIST MEETING

It was then, as a newcomer to this country, that I got into the Communist meeting. It was wartime then, the United States and Russia were close allies, and the Communists were much less suspected than now for their real aims. But with that one remark—"Oh, but we will have guns . . ."—they made no bones about their aims.

The incident had a particularly severe effect on me because I had just gotten out of a country—my native country—which had seen the worst effects of disarming a populace.

There were no restrictions on the ownership of firearms in Greece until the dictatorship of J. Metaxas a few years before World War II. The people were then ordered for the first time to go to their local police station and register their firearms.

Soon they were ordered to turn in all firearms to the police, with the government promising to return the guns in a few days. To everyone's surprise, they were returned. Very soon thereafter, another order came from the government to turn in all firearms. This time there was no promise of a return. There was also no chance to hide the guns because they had all now been registered, and the police—by having the confiscation "drill" first—had conditioned the public and thus could demand a surrender of all arms without danger of a rebellion.

THE LAST TIME

This was the last time the Greeks ever saw their guns. Handguns were permitted to stay in private ownership temporarily because Metaxas did not feel these were as much of a danger to his regime as long guns were.

When the Nazis marched into Athens, virtually their first act was to order the surrender of all firearms. Their job was made easier because the Greek government had effectively disarmed its own people before the invaders arrived.

When my father obediently took his good Smith & Wesson revolver to the police station, one of the local Greek policemen whom the Nazis kept on duty suggested a swap: His nondescript Spanish imitation of an S&W for my father's fine one. "Why not let the Nazis have this old pot metal pistol?" he asked. No one will know. My father could not help smiling sadly as he refused.

"The Nazis now have your police station files listing all firearms by make, model, caliber and serial, together with their owners. Remember?"

The policeman remembered. Yet he did not seem to realize that the confiscation resulted from the arbitrary, oppressive gun law that he had enforced.

CAME FROM UNITED STATES

And when the Communist guerrillas tried to take over Greece after the Nazis left, where did the guns come from which defended Greece? From the United States. By the end of 1947, large areas of Greece were in Communist hands, and they had actually proclaimed a provisional government in the northern mountains. The American people had to supply the guns which had been taken away from the Greek people by their own government. Otherwise, Greece would now be on the other side of the Iron Curtain.

It is no secret that the present military government in Greece has ordered all firearms turned in, but has relented in the case of shotguns.

I am convinced that those people who are now clamoring for firearms registration in the United States are in the same state of mind as that policeman back home. Unless, of course, they are politically motivated.

In which case I have no doubt that "they" will have guns.

A GREAT PATRIOTIC ACCOMPLISHMENT OF RADIO STATION WCAO, BALTIMORE

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. FRIEDEL. Mr. Speaker, when a person, an organization, or a business corporation performs an outstanding act, or a great patriotic deed, I feel that the country should know about it in order that others may be likewise inspired. When such action is based upon humanitarian considerations it is all even more meritorious.

A leading radio broadcasting station serving the growing metropolitan area of Baltimore is WCAO, one of the Plough, Inc., stations and Mr. Byron Millenson is vice president and general manager of that facility. This radio broadcasting station has just completed a campaign whereby its many listeners were asked to send them transistor radios, either workable or repairable, which were then sent by this radio station to the American fighting forces in Vietnam through the USO. I have been informed that WCAO repaired these radios, purchased and supplied new batteries for all sets, and then sent over 1,800 fully operational transistor radios to our brave servicemen in the Far East. Thus, they were supplied with receivers, which not only gave them much needed radio entertainment via Armed Forces radio, but also gave them a little bit of home away from home.

For such a patriotic deed, for such unselfish service, and for such a great humanitarian cause, that our fighting men may have their morale raised while far from home merits our wholehearted commendation. I am, therefore, very pleased to bring this to the attention of the Members of the Congress of the United States and can say that we are very proud of such accomplishment.

LEGISLATION TO HELP THE CAB RELIEVE AIRPORT CONGESTION

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. MOORHEAD. Mr. Speaker, all of us have been affected in recent months by congestion in our skies and at our airports, and we are very far from long-term solution to the basic problems involved in this congestion—a shortage of air traffic controllers and inadequate runway, terminal, and access facilities at our airports.

In the absence of meaningful long-term solutions, Mr. Speaker, we must avail ourselves of every opportunity to apply short-term expedients in relieving current and potential congestion at and around our airports.

Accordingly, I am introducing today legislation giving the Civil Aeronautics Board—CAB—emergency powers to limit the number of scheduled flights to and from congested airports.

Concentrations of flights at the beginning and the end of each day and competitive duplications of service between the same points are major factors in congestion at many of our airports, and the CAB is powerless to alter airline schedules with the speed that a congestion emergency requires.

While the Federal Aviation Administration—FAA—has the power to act quickly on the safety factors in airport congestion, the CAB does not have parallel authority to act on the economic and competitive factors that may contribute to airport congestion.

My bill would empower the CAB to require airlines to immediately reschedule, eliminate or shift to other airports all flights to and from airports where congestion is impairing the adequacy or reliability of passenger service.

My bill also would allow the CAB to use fare differentials, surcharges on unused seat capacity and other economic tools to encourage airlines to schedule flights throughout the day in order to avoid peak-hour congestion.

FAA restrictions on the number of operations at crowded airports do not deal with the critical and complex problems of airline scheduling. The operational ceilings specify only how many flights, and the allocation of these flights is left to the competing airlines to work out among themselves.

It is conceivable that in the event of operational restrictions at a given airport, the competing airlines might be unable to reach agreement on the allocation of the flights allowed and the public convenience and necessity might suffer from the impasse. My bill would make the CAB the arbiter in this situation.

But even in situations where congestion does not threaten safety but results in serious delays and inconvenience to passengers, the CAB is powerless to act quickly.

Section 401(e)(4) of the Federal Aviation Act of 1958 forbids the CAB to restrict the right of a certified air carrier to add to or change its schedules without going through the lengthy process of notice and hearings.

My bill would amend this section to enable the CAB to act to relieve congestion immediately, without disturbing the airlines' right to contest the finality of these actions at later hearings.

The purpose of my bill is to give the CAB power to deal with the economic factors in congestion as expeditiously as the FAA deals with the safety factors.

The powers given to the CAB in my bill would be used only in emergencies, when either the FAA or the CAB has determined that congestion at an airport is substantially impairing the adequacy or reliability of service.

My bill empowers the CAB to relieve congestion impairing passenger service at an airport by:

Requiring airlines serving the airport to reschedule, eliminate, or shift to another airport flights contributing to the congestion.

Requiring airlines to apply to and get approval from the CAB in order to add or reschedule flights to or from that airport.

Establishing fare differentials for flights to and from that airport, with higher fares during peak hours to discourage concentration of service.

Imposing a surcharge on unused seat capacity on flights in and out of that airport to discourage duplication of service.

I recognize that limiting the number of flights at congested airports contributes little to the solution of the more basic problems of controller shortages and inadequate runway, terminal, and access facilities.

However, I feel that my bill will provide more flexibility to the CAB in applying short-term expedients, the only ones currently available.

The text of my bill follows:

H.R. 20499

A bill to provide the Civil Aeronautics Board with authority to assist in relieving airport congestion

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 401 of the Federal Aviation Act of 1958 (49 U.S.C. 1371) is amended by adding at the end thereof the following new subsection:

"AUTHORITY TO ACT TO RELIEVE AIRPORT CONGESTION

"(o) Notwithstanding any other provision of this Act, at any airport which the Civil Aeronautics Board or the Administrator of the Federal Aviation Administration has determined to be an airport at which congestion exists, either in the air or at the airport or the approaches thereto, which substantially impairs the adequacy or reliability of services provided to an authorized point through such an airport or airports—

"(1) For the purposes of relieving such congestion, the Board after notice and hearing, may require that one or more flights or categories of flights by any carrier or carriers using such airport or airports (as determined by time of day, type or use of aircraft, markets served, length of haul or other reasonable standards prescribed by the Board) may only be operated during specified periods of the day or shall be operated through other airports which serve the point, or that such flights shall not be operated: provided, that if the Board finds, after notice and opportunity for comment, that such congestion has so impaired the adequacy and reliability of service that the public interest requires immediate action, the Board may order that any such restriction of flights be made effective immediately pending a hearing and final determination of the matter;

"(2) No air carrier may add to the number of flights, or alter the scheduling of flights, which arrive at or depart such airport or airports except upon prior application to and approval of the Board;

"(3) The Board shall have authority to issue rules and regulations providing increased fare differentials applicable to flights which arrive at or depart from such airport or airports at such periods of the day as the Board determines congestion to exist, and decreased fare differentials applicable to flights which arrive at or depart from such airport or airports at such periods of the day as the Board may determine that no congestion exists;

"(4) The Board shall have authority to prescribe rules and regulations imposing a surcharge on the unused seat capacity of air carrier flights operated to and from such airports, to be paid into the Airport and Airways Trust Fund established by the 'Airport and Airways Development Act of 1969'."

AUTO INSURANCE

HON. WILLIAM T. CAHILL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. CAHILL. Mr. Speaker, I had occasion to testify before the Senate Subcommittee on Antitrust and Monopoly on July 22 relative to automobile liability insurance. During my testimony, I said:

> What is, in my judgment, so sinister about this de facto withdrawal of property and casualty insurance in New Jersey is the united front presented by the Industry members.
>
> With thousands of apparently acceptable motorists being turned down not one company has breached the line drawn by Industry. Again I am pursuaded by the situation that such concerted retaliatory effort presents a tacit conspiracy in restraint of trade . . .

As a result of that testimony, I have been informed by the Allstate and State Farm Mutual insurance companies that they have actually increased their automobile liability insurance business in the State of New Jersey. I am, therefore, happy to correct the record to indicate this increase by these two companies in the State of New Jersey.

As the result of their objection to my all-inclusive allegation, I had occasion to investigate the activities of these companies in my State. I found that Allstate was correct in its representation that its total automobile coverage during the first 6 months of 1968 was 10.4 percent higher than the similar period in 1967. However, it also should be noted that its subsidiary company, National Emblem, increased by 69 percent the "consent to rate filings" in New Jersey. As I pointed out in my testimony, under New Jersey law a person may "consent" to pay rates in excess of those fixed by the New Jersey Insurance Commissioner where they cannot obtain insurance at standard rates. In my testimony, I indicated that a great number of the companies had dramatically increased the number of consent to rate policies.

It would appear, therefore, that while Allstate has actually increased its standard policy writings, it has dramatically increased through National Emblem its consent to rate filings.

In any event, from the standpoint of objectivity and in a sense of fairplay, I am pleased, Mr. Speaker, to correct the record relative to State Farm Mutual and Allstate Insurance Co.

CONGRESSIONAL ETHICS

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mrs. KELLY. Mr. Speaker, on October 1, 1968, I addressed the House of Representatives on the delicate subject of congressional ethics. As one of the original members of the new permanent Committee on Standards of Official Conduct, I felt it my duty to summarize and relate to my colleagues who elected me unanimously to this committee its progress and actions. I refer you to page 29107 of the Congressional Record of that date.

However, Mr. Speaker, the recent public disclosure in regard to the voting irregularities in this House is but another occurrence through which this body could be further depreciated in the public eye. It is indeed fortunate that the Committee on Standards of Official Conduct, of which it is my honor to be a member, is available to look into this matter.

While an investigation of the voting irregularities will undoubtedly uncover where the fault lies, it is more important that there be a complete overhaul of voting procedures so as to eliminate, for all time, unhealthy practices and loose procedures.

In this age of electronic wonders, it might be wise to install an electronic voting system, along with other recommendations. It is my understanding that many State legislatures use electronic voting systems and that this provides an accurate permanent record and saves countless hours which are now taken up by our lengthy and frequent rollcalls. Moreover, such a system, if properly designed, would prevent absent Members being recorded as present and voting.

Any revision of the manner of voting in the House should also include the affirmative elimination of the pairing system by which absent Members attempt to indicate their views on legislation even though they are not present and voting. The pairing system is clearly a voting abuse and is not provided for by any rule of this House. I hasten to point out that a pair is not a vote.

In this regard, I refer to Cannon's Precedents of the House of Representatives, volume 8, section 3076, which I am quoting in its entirety:

"3076. In the early days of the Congress the practice of pairing was the subject of severe adverse criticism.

"Discussion of the origin of the practice of pairing in the House and Senate.

"On August 1, 1914, on motion of Mr. Jeremiah Donovan, of Connecticut, by unanimous consent, the Clerk read the following excerpt from Thirty Years in the United States Senate, by Thomas Hart Benton:

" 'At this time, and in the House of Representatives, was exhibited for the first time the spectacle of Members "pairing off," as the phrase was; that is to say, two Members of opposite political parties agreeing to absent themselves from the duties of the House, without the consent of the House and without deducting their *per diem* pay during the time of such voluntary absence. Such agreements were a clear breach of the rules of the House, a disregard of the Constitution, and a practice open to the grossest abuses. An instance of the kind was avowed on the floor by one of the parties to the agreement, by giving as a reason for not voting that he had "paired off" with another Member, whose affairs required him to go home. It was a strange annunciation and called for rebuke; and there was a Member present who had the spirit to administer it; and from whom it came with the greatest propriety on account of his age and dignity and perfect attention to all his duties as a Member, both in his attendance in the House and in the committee rooms. That Member was Mr. John Quincy Adams, who immediately proposed to the House the adoption of this resolution: "*Resolved*, That the practice, first openly avowed at the present session of Congress of pairing off, involves, on the part of the Members resorting to it, the violation of the Constitution of the United States, of an express rule of this House, and of the duties of both parties in the transaction to their immediate constituents, to this House, and to their country." This resolve was placed on the calendar to take its turn, but not being reached during the session was not voted upon. That was the first instance of this reprehensible practice, 50 years after the Government had gone into operation; but since then it has become common, and even inveterate, and is carried to to great length. Members pair off, and do as they please—either remain in the city refusing to attend to any duty, or go off together to neighboring cities, or separate, one staying and one going; and the one that remains sometimes standing up in his place and telling the Speaker of the House that he had paired off, and so refusing to vote. There is no justification for such conduct, and it becomes a facile way for shirking duty and evading responsibility. If a Member is under a necessity to go away, the rules of the House require him to ask leave; and the Journals of the early Congresses are full of such applications. If he is compelled to go, it is his misfortune, and should not be communicated to another. This writer had never seen an instance of it in the Senate during his 30 years of service there; but the practice has since penetrated that body, and "pairing off" has become as common in that House as in the other, in proportion to its numbers, and with an aggravation of the evil, as the absence of a Senator is a loss to his State of half its weight. As a consequence, the two Houses are habitually found voting with deficient numbers—often to the extent of a third—often with a bare quorum.

" 'In the first age of the Government no Member absented himself from the service of the House to which he belonged without first asking and obtaining its leave; or, if called off suddenly, a colleague was engaged to state the circumstances to the House, and ask the leave. In the Journals of the two Houses for the first 30 years of the Government there is in the index a regular head for "absent without leave," and turning to the indicated page every such name will be seen. That head in the index has disappeared in later times. I recollect no instance of leave asked since the last of the early Members—the Macons, Randolphs, Rufus Kings, Samuel Smiths, and John Taylors of Caroline—disappeared from the Halls of Congress.' "

Mr. Speaker, I believe that the citizens who elect us are entitled to no less than completely devoted service on our part. The people have elected us to represent them on all of the issues which come before this House. It is our duty to be in attendance when all of these issues are reached for debate and vote. Then, if we are not present, our constituents are entitled to know these facts and we must institute procedures which will insure that accurate information is always available to them.

REMARKS OF SENATOR EDMUND S. MUSKIE BEFORE THE NATIONAL CONVENTION OF THE POLISH AMERICAN CONGRESS

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. PUCINSKI. Mr. Speaker, Democratic vice-presidential candidate, Senator Edmund S. Muskie, appeared recently before the national convention of the Polish American Congress, which was held in Cleveland, Ohio.

Senator Muskie's appearance was warmly received by degelates to the convention, and I want to take this opportunity to insert in the Record excerpts from Senator Muskie's remarks, for the benefit of my colleagues.

Senator Muskie's remarks follow:

Excerpts From Remarks by Senator Edmund S. Muskie Before the National Convention of the Polish American Congress, Cleveland, Ohio, September 27, 1968

Politicians are frequently accused of wearing two hats. But this afternoon I come before you with two hats I am proud to wear.

First, I am proud to be with so many men and women with whom I share a common heritage and common ideals.

Secondly, I am here today as a politician who is seeking your support for national office.

These two roles are complementary.

Those of us whose roots are in Poland know the fruits and the burdens of living in a Democratic society.

We understand the struggle for freedom which is still being waged around the world today.

We are saddened that our relatives and friends in Poland cannot enjoy the blessings of liberty.

Yet while we all pray for a better day for Poland, we recall with pride her contributions to the cause of liberty and freedom.

We remember Pulaski's brave assistance to the cause of American independence.

We remember the impact of Paderewski on Woodrow Wilson during World War I.

We remember the valiant resistance of Poland against Hitler and his Nazi invaders during World War II.

We remember those thousands of Poles who fought outside their country when it had been overrun, and those other thousands who remained in Poland to resist the Nazi occupation.

We remember Poland's resistance to Russian Communism after the war.

We have watched with sadness while yet another yoke of oppression has been forced on the Polish people. But, though we weep for our Polish brethren today, we recall the words of Paderewski: "Poland shall not die, our martyred brethren, she shall not die. She shall live for all eternity, mighty and glorious—for you, for us, for all mankind."

And we remember the words of Poland's National Anthem, "As long as you live, Poland shall live."

My father came to this country as a young man like so many of your parents and grandparents to escape the oppressive tyranny of the Czar. He also came here to seek freedom. He believed that this country provided man's best answer to the age-old problem of making freedom work. He believed in an America in which all men are truly equal and in which every man has the right to progress as far as his innate abilities and inclinations lead him.

My father did find that freedom for himself and opportunity for his children. He lived to see his son become Governor of Maine and he died with an unshaken belief in the validity of our system of government.

My father's story is the story of millions of Polish-Americans, who brought to this country a deep and abiding faith in the spirit of freedom.

You have kept the free spirit of Poland alive for all Americans, by calling attention to Poland's history of freedom and Poland's struggle with tyranny.

You have kept that spirit alive for our young people by your emphasis on Polish cultural traditions.

The pride you have fostered in our Old World traditions has strengthened our pride in the new. Your work has strengthened America in her diverse traditions.

But I am troubled, as I am sure you are, by the attacks on our family traditions, by the social unrest which threatens community stability, and by crime and violence which threatens our security.

You have struggled to overcome the disruptive effects of poverty, ridicule, discrimination and poor housing.

Today, quite naturally, you do not want to see the fruits of your labors swept away.

You do not want to lose the material benefits of our society—your homes, cars, television sets, your jobs and your schools—and you do not want to lose the security against fear a free society should bring.

In this election year of 1968 our society and our system of government is being tested as never before. For the seeds of a new oppression are all around us.

They are fear, hate and intolerance. They are the ugly facets of disunity and lack of trust—in each other and in our basic institutions.

Thomas Jefferson once said that the ultimate objective of government in our society is the happiness of its people.

When we say the "happiness of its people," we mean the happiness of all of them—without exception, without distinction.

That is the lesson I think we must learn in this campaign all over again.

It isn't an easy idea to pursue, because Americans are many different kinds of people, of different races, colors, cultures, national origins, and economic groups. We have different educational backgrounds and different tastes.

But the lesson of our country is that people, no matter how different, can live together and advance each other's interests.

This is what my father believed about America. This is what I believe.

Others do not share that belief.

Where there is poverty, they sow hate.

Where there is love, they sow distrust.

Where there is comfort, they sow fear.

Where there is common interest, they sow division.

You and I know that hate, distrust, fear and division can only lead to anarchy and tyranny, the twin offspring of the enemies of freedom.

You and I know that no one can be free unless all are free.

You and I, having gained so much in this great land, should be in the forefront of those who want to help Americans who still suffer from discrimination—

—Those who have not enjoyed the fruits of equal opportunity and equal participation in our society.

The great freedom fighter, Kosciusko, left all his money in America for the emanicipation of the slaves.

Those of us who are his spiritual descendants should be the first to work for an equal chance for their descendants.

You and I should be the first to reject those who parade under the banner of suppression—disguised as law and order.

For we know that suppression breeds discontent—

—discontent breeds rebellion—

—and rebellion breeds violence and oppression.

Public safety we must have.

Crime we must combat.

But we can carry out these objectives only within the guarantees of our constitution, and in a society where there is mutual trust, where poverty is no more, where youth has hope and age has dignity, and where men and women—of whatever color or social status—control their own destiny.

Two months before he died, Paderewski said: "I am grateful to the supreme deity that he permitted me to come here, to this free soil of the United States, that he granted me the strength still to serve Poland . . ."

The cause of Poland is the cause of freedom for all mankind.

That is the cause of Vice President Humphrey's campaign—and

That is why I joined him.

Now I ask you to join me for the preservation of those traditions we all hold dear.

NOBEL PEACE PRIZE FOR MARXISM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. RARICK. Mr. Speaker, the Nobel awards committee have reinterpreted the word "peace" to adjust to their conclusion that peace can only exist when all resistance to Bolshevik communism has been annialated and all the people of the world are enslaved under communism.

And let us not forget that Martin Luther King, Jr., was a Nobel Prize winner.

No better analysis of the retrogressive policies and aims of the Nobel group can be found than an editorial in the Chicago Tribune for October 10, 1968, which I include following my comments:

A NOBEL PRIZE FOR PLUGGING MARXISM

The Nobel peace awards, as often as not, are highly eccentric, and this year's is no exception. It has been conferred upon an obscure French legal scribe, Rene Cassin, for his contributions in drafting the United Nations international declaration of human rights 22 years ago. The declaration was approved by the U. N. general assembly, but a covenant to implement it as a treaty has never been adopted by the United States.

The declaration is a windy document loaded with alien ideas which are entirely out of harmony with the American Constitution and the traditions of this Republic. The American Bill of Rights is intended to insure individual rights and liberties by defining those areas in which government may not interfere—as in freedom of the press, freedom of speech, freedom of religion, security of person and property, the right to a speedy and public trial, etc.

The U.N. declaration takes off from an opposite direction, holding that governments confer "rights" on individuals, but may withdraw, limit, or condition them during emergencies. In other words, what the state gives the state may take away.

The declaration places numerous obligations on governments in the social and economic fields, but nowhere alludes to the fundamental American right of private ownership of property. This omission is explained by the fact that many U. N. member states, especially those which are Communist, do not believe in the ownership of private property.

The entire drift of the U. N. declaration is toward the establishment of international collectivism and paternalism of the sort distinguishing all socialist and communist states. The reason for this was explained in 1952 by Dr. Charles Malik of Lebanon, who was at that time chairman of the commission on human rights. He said:

"A quiet revolution has occurred in the commission since its establishment. Three not altogether unrelated causes have brought about this revolution. First, the increasing impact of Marx and the amazing persistence of the soviet representatives in harping upon their views. Second, the rise of the economically and socially less developed, where the accent is far more on the material and social than on the personal and inner. And third, the apparent unimaginative helplessness of the western world in the face of these two impacts."

Studies of the U. N. declaration have produced precise parallels with articles of the soviet constitution. In order to implement many of them, such as guaranteed jobs at "just and favorable remuneration," a planned economy on the collectivist Marxian pattern would be necessary.

The U. N. declaration further breached American liberties as set forth in the Bill of Rights. The "right to hold opinions" and the "right to freedom of expression," for instance, were made "subject to certain restrictions . . . for the protection of national security and public order." Another provision inimical to freedom of the press and the right of public trial read, "The press and public may be excluded from all or part of a trial for reasons of morals, public order, or national security in a democratic society."

In the past the peace prize was awarded to such unlikely candidates as the late Gen. George C. Marshall, a principal agent of President Franklin Roosevelt in ushering the United States into World War II thru the back door, and Prof. Linus Pauling who lost a libel suit against a magazine which labeled him as a megaphone for soviet policies. But this year's selection is a new high in fantasy.

A SYSTEM OF SELF-REGULATION

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. ROONEY of Pennsylvania. Mr. Speaker, across the Nation we hear growing concern among private citizens and organizations of all kinds relative to recent trends toward greater emphasis on sex and sexual abnormalities as subjects for motion pictures. There are cries for Government censorship, or for other forms of control on the public showing of certain films.

The problem is one which warrants serious deliberation. It is one which will not readily be resolved.

I am most pleased, however, to bring to the attention of my colleagues a system of self-regulation which has been announced this week by the Motion Pictures Association of America. This organization, under the very capable leadership of a man I respect highly and regard as a great friend, Mr. Jack Valenti, is about to classify each of the motion picture industry's productions as to its suitability for particular types of audiences. This self-regulation system is known as "The Motion Picture Code and Rating Program."

Since assuming his new office in the motion picture industry 16 months ago, Jack Valenti has reviewed thoroughly the industry's production code. That code is updated now in the industry's new self-regulation system. That this step has been taken is evidence of his determination and leadership.

Of course, the Motion Picture Association has been a pioneer in self-regulation with a record of 40 years of work to make American movies reflect the customs, mores, and attitudes of the American people.

This milestone movie rating code reflects the industry's concern, and Jack Valenti's concern, for children and the fact they represent a fundamental link to a brighter future. I applaud the industry and Jack Valenti for the innovation of this new code as a guide to motion picture theater managers in determining the type of audience for which each film is best suited.

Under unanimous consent, I include the code in the RECORD for review by any of my colleagues who may not have had an opportunity to study its provisions:

The Motion Picture Code and Rating Program—A System of Self-Regulation

(NOTE.—The Code of Self-Regulation of the Motion Picture Association of America shall apply to production, to advertising, and to titles of motion pictures. The Code shall be administered by the Code and Rating Administration, headed by an Administrator. There shall also be a Director of the Code for Advertising, and a Director of the Code for Titles. Non-members are invited to submit pictures to the Code and Rating Administration on the same basis as members of the Association.)

DECLARATION OF PRINCIPLES OF THE CODE OF SELF-REGULATION OF THE MOTION PICTURE ASSOCIATION

This Code is designed to keep in close harmony with the mores, culture, the moral sense and change in our society.

The objectives of the Code are:

1. To encourage artistic expression by expanding creative freedom, and

2. To assure that the freedom which encourages the artist remains responsible and sensitive to the standards of the larger society.

Censorship is an odious enterprise. We oppose censorship and classification by governments because they are alien to the American tradition of freedom.

Much of this nation's strength and purpose is drawn from the premise that the humblest of citizens has the freedom of his own choice. Censorship destroys this freedom of choice.

It is within this framework that the Motion Picture Association continues to recognize its obligations to the society of which it is an integral part.

In our society parents are the arbiters of family conduct. Parents have the primary responsibility to guide their children in the kind of lives they lead, the character they build, the books they read, and the movies and other entertainment to which they are exposed.

The creators of motion pictures undertake a responsibility to make available pertinent information about their pictures which will assist parents to fulfill their responsibilities.

But this alone is not enough. In further recognition of our obligation to the public, and most especially to parents, we have extended the Code operation to include a nationwide voluntary film rating program which has as its prime objective a sensitive concern for children. Motion pictures will be reviewed by a Code and Rating Administration which, when it reviews a motion picture as to its conformity with the standards of the Code, will issue ratings. It is our intent that all motion pictures exhibited in the United States will carry a rating. These ratings are:

G. Suggested for General Audiences: This category includes motion pictures that in the opinion of the Code and Rating Administration would be acceptable for all audiences, without consideration of age.

M. Suggested for Mature Audiences—Adults & Mature Young People: This category includes motion pictures that in the opinion of the Code and Rating Administration, because of their theme, content and treatment, might require more mature judgment by viewers, and about which parents should exercise their discretion.

R. Restricted—Persons under 16 not admitted, unless accompanied by parent or adult guardian: This category includes motion pictures that in the opinion of the Code and Rating Administration, because of their theme, content or treatment, should not be presented to persons under 16 unless accompanied by a parent or adult guardian.

X. Persons Under 16 not Admitted: This category includes motion pictures submitted to the Code and Rating Administration which in the opinion of the Code and Rating Administration are rated x because of the treatment of sex, violence, crime or profanity. Pictures rated x do not qualify for a Code Seal. Pictures rated x should not be presented to persons under 16.

The program contemplates that any distributors outside the membership of the Association who choose not to submit their motion pictures to the Code and Rating Administration will self-apply the "X" rating.

The ratings and their meanings will be conveyed by advertising; by displays at the theaters; and in other ways. Thus, audiences, especially parents, will be alerted to the theme, content, and treatment of movies. Therefore, parents can determine whether a particular picture is one which children should see at the discretion of the parent; or only when accompanied by a parent; or should not see.

We believe self-restraint, self-regulation, to be in the American tradition. The results of self-discipline are always imperfect because that is the nature of all things mortal. But this Code, and its administration, will make clear that freedom of expression does not mean toleration of license.

The test of self-restraint—the rule of reason . . . lists in the treatment of a subject for the screen.

All members of the Motion Picture Association, as well as the National Association of Theatre Owners, the International Film Importers and Distributors of America, and other independent producer-distributors are cooperating in this endeavor. Most motion pictures exhibited in the United States will be submitted for Code approval and rating, or for rating only, to the Code and Rating Administration. The presence of the Seal indicates to the public that a picture has received Code approval.

We believe in and pledge our support to these deep and fundamental values in a democratic society:

Freedom of choice.

The right of creative man to achieve artistic excellence.

The importance of the role of the parent as the guide of the family's conduct.

Standards for production

In furtherance of the objectives of the Code to accord with the mores, the culture, and the moral sense of our society, the principles stated above and the following standards shall govern the Administrator in his consideration of motion pictures submitted for Code approval:

The basic dignity and value of human life shall be respected and upheld. Restraint shall be exercised in portraying the taking of life.

Evil, sin, crime and wrong-doing shall not be justified.

Special restraint shall be exercised in portraying criminal or anti-social activities in which minors participate or are involved.

Detailed and protracted costs of brutality, cruelty, physical violence, torture and abuse shall not be presented.

Indecent or undue exposure of the human body shall not be presented.

Illicit sex relationships shall not be justified. Intimate sex scenes violating common standards of decency shall not be portrayed.

Restraint and care shall be exercised in presentations dealing with sex aberrations.

Obscene speech, gestures or movements shall not be presented. Undue profanity shall not be permitted.

Religion shall not be demeaned.

Words or symbols contemptuous of racial, religious or national groups, shall not be used so as to incite bigotry or hatred.

Excessive cruelty to animals shall not be portrayed and animals shall not be treated inhumanely.

Standards for advertising

The principles of the Code cover advertising and publicity as well as production. There are times when their specific application to advertising may be different. A motion picture is viewed as a whole and may be judged that way. It is the nature of advertising, however, that it must select and emphasize only isolated portions and aspects of a film. It thus follows that what may be appropriate in a motion picture may not be equally appropriate in advertising. Furthermore, in application to advertising, the principles and standards of the Code are supplemented by the following standards for advertising:

Illustrations and text shall not misrepresent the character of a motion picture.

Illustrations shall not depict any indecent or undue exposure of the human body.

Advertising demeaning religion, race, or national origin shall not be used.

Cumulative overemphasis on sex, crime, violence, and brutality shall not be permitted.

Salacious postures and embraces shall not be shown.

Censorship disputes shall not be exploited or capitalized upon.

Standards for titles

A salacious, obscene, or profane title shall not be used on motion pictures.

REGULATIONS GOVERNING THE OPERATION OF THE MOTION PICTURE CODE AND RATING ADMINISTRATION

1. The Motion Picture Code and Rating Administration (hereinafter referred to as the Administration) is established to be composed of an Administrator and staff members, one of whom shall be experienced in the exhibition of motion pictures to the public.

2. a. All motion pictures produced or distributed by members of the Association and their subsidiaries will be submitted to the Administration for Code and rating.

b. Non-members of the Association may submit their motion pictures to the Administration for Code approval and rating in the same manner and under the same conditions as members of the Association or may submit their motion pictures to the Administration for rating only.

3. Members and non-members who submit their motion pictures to the Administration for approval and rating should, prior to the commencement of the production of the motion picture, submit a script or other treatment. The Administration will inform the producers in confidence whether a motion picture based upon the submitted script appears to conform to the Standards of the Code and indicate its probable rating. The final judgment of the Administration shall be made only upon reviewing of the completed picture.

4. a. When a completed motion picture is submitted to the Administration and is approved as conforming to the Standards of the Code, it will be rated by the Administration, either as "G" (suggested for general audiences), "M" (suggested for mature audiences—adults and mature young people), or "R" (restricted), according to the categories described in the Declaration of Principles.

b. Completed motion pictures submitted by nonmembers for rating only will be rated according to the categories described in the Declaration of Principles as "G", "M", "R" or "X".

5. Motion pictures of member companies or their subsidiaries which are approved under the Code and rated "G", "M", or "R" shall upon public release bear upon an introductory frame of every print distributed in the United States the official seal of the Association with the word "Approved" and the words "Certificate Number," followed by the number of the Certificate of Approval and the symbol of the rating assigned to it by the Administration. So far as possible the Seal of the Association and the rating shall be displayed in uniform type, size and prominence. All prints of an approved motion picture bearing the Code Seal shall be identical.

6. Motion pictures of non-member companies submitted for Code approval and rating or for rating only which receive a "G", "M" or "R" rating shall bear such ratings upon an introductory frame of every print distributed in the United States, in uniform shape, type, size and prominence. Prints of such pictures may also display the official Seal of the Association if application is made to the Association for the issuance of a Code Certificate number.

7. If the Administration determines that a motion picture submitted for approval and rating or rating only should be rated "X" in accordance with the description of that category in the DECLARATION OF PRINCIPLES, the symbol "X" must appear on all prints of the motion picture distributed in the United States in uniform type, size and prominence and in all advertising for the picture.

8. The Administration in issuing a Certificate of Approval and Rating or a Rating Certificate shall condition such issuance upon the agreement by the producer or distributor that all advertising and publicity to be used for the picture shall be submitted to and approved by the Director of the Code for Advertising.

9. The producer or distributor upon applying for a Certificate of Approval for a picture or a Rating Certificate for those pictures receiving a rating only shall advance to the Administration at the time of application a fee in accordance with the uniform schedule of fees approved by the Board of Directors of the Association.

10. The Standards for titles for motion pictures shall be applied by the Administration in consultation with the Director of the Code for Titles to all motion pictures submitted for approval and rating only and no motion picture for which a Certificate of Approval or Rating Certificate has been issued shall change its title without the prior approval of the Administration.

ADVERTISING CODE REGULATIONS

1. These regulations are applicable to all members of the Motion Picture Association of America, to all producers and distributors of motion pictures with respect to each picture for which the Association has granted its Certificate of Approval or Rating Certificate; and to all other producers and distributors who apply the "X" rating to their motion pictures and voluntarily submit their advertising.

2. The term "advertising" as used herein shall be deemed to mean all forms of motion picture advertising and exploitation and ideas therefor, including the following: pressbooks; still photographs; newspaper, magazine and trade paper advertising; publicity copy and art intended for use in pressbooks or otherwise intended for general distribution in printed form or for theater use; trailers; posters, lobby displays and other outdoor displays; advertising accessories, including heralds and throwaways; novelties; copy for exploitation tieups; and all radio and television copy and spots.

3. All advertising for motion pictures which have been submitted to the Code and Rating Administration for approval and rating, or for rating only, shall be submitted to the Director of the Code for Advertising for approval before use, and shall not be used in any way until so submitted and approved. All advertising shall be submitted in duplicate with the exception of pressbooks, which shall be submitted in triplicate.

4. The Director of the Code for Advertising shall proceed as promptly as feasible to approve or disapprove the advertising submitted.

The Director of the Code for Advertising shall stamp "Approved" on one copy of all advertising approved by him and return the stamped copy to the Company which submitted it. If the Director of the Code for Advertising disapproves of any advertising, the Director shall stamp the word "Disapproved" on one copy and return it to the Company which submitted it, together with the reasons for such disapproval; or, if the Director so desires, he may return the copy with suggestions for such changes or corrections as will cause it to be approved.

5. The Director of the Code for Advertising shall require all approved advertising for pictures submitted to the Code and Rating Administration by members of the Motion Picture Association of America and their subsidiaries to carry the official Code seal and a designation of the rating assigned to the picture by the Code and Rating Administration. Uniform standards as to type, size and prominence of the display of the seal and rating will be set forth by the Advertising Code Administrator.

6. Approved advertising for pictures submitted to the Code and Rating Administration by companies other than members of the Motion Picture Association of America, and their subsidiaries, for Code approval and rating, or for rating only, may bear the official seal at the distributor's option, but all such advertising shall bear the assigned rating.

7. Approved advertising for pictures rated "X" by the Code and Rating Administration shall bear the "X" rating but may not bear the official seal.

8. All pressbooks approved by the Director of the Code for Advertising shall bear in a prominent place the official seal of the Motion Picture Association of America and a designation of the rating assigned to the picture by the Code and Rating Administration. The word "Approved" shall be printed under the seal. Pressbooks shall also carry the following notice:

All advertising in this pressbook, as well as all other advertising and publicity materials referred to herein, has been approved under the Standards for Advertising of the Code of Self-Regulation of the Motion Picture Association of America. All inquiries on this procedure may be addressed to: Director of Code for Advertising, Motion Picture Association of America, 522 Fifth Avenue, New York, New York 10036.

9. Appeals. Any Company whose advertising has been disapproved may appeal from the decision of the Director of the Code for Advertising, as follows:

"It shall serve notice of such appeal on the Director of the Code for Advertising and on the President of the Association. The President, or in his absence a Vice President designated by him, shall thereupon promptly and within a week hold a hearing to pass upon the appeal. Oral and written evidence may be introduced by the Company and by the Director of the Code for Advertising, or their representatives. The appeal shall be decided as expeditiously as possible and the decision shall be final."

On appeals by companies, other than members of the Motion Picture Association of America and their subsidiaries the President shall, if requested, decide the appeal in consultation with a representative of Int'l. Film Importers and Distributors of America, as designated by its Governing Board.

10. Any company which has been granted a Certificate of Approval and which uses advertising without securing the prior approval of the Director of the Code for Advertising or if such advertising does not include the assigned rating may be brought up on charges before the Board of Directors by the President of the Association. Within a reasonable time, the Board may hold a hearing, at which time the company and the Director of the Code for Advertising or their representatives, may present oral or written statements. The Board, by a majority vote of those present, shall decide the matter as expeditiously as possible.

If the Board of Directors finds that the company has used advertising for a Code approved and rated picture without securing approval of the Director of the Code for Advertising, or without including the assigned rating, the Board may direct the Code and Rating Administration to void and revoke the Certificate of Approval granted for the picture and require the removal of the Association's seal from all prints of the picture.

11. Each company shall be responsible for compliance by its employees and agents with these regulations.

Code and rating appeals board

1. A Code and Rating Appeals Board is established, to be composed as follows:

(a) The President of the Motion Picture Association of America and 12 members designated by the President from the Board of Directors of the Association and executive officers of its member companies;

(b) Eight exhibitors designated by the National Association of Theatre Owners from its Board of Directors;

(c) Two producers designated by the Producers Guild of America; and

(d) Two distributors designated by the International Film Importers and Distributors of America.

2. A pro tempore member for any particular hearing to act as a substitute for a member unable to attend may be designated in the same manner as the absent member.

3. The President of the Motion Picture Association shall be Chairman of the Appeals Board, and the Association shall provide its secretariat.

4. The presence of 13 members is necessary

to constitute a quorum of the Appeals Board for a hearing of any appeal.

5. The Board will hear and determine appeals from:

(a) A decision of the Code and Rating Administration withholding Code approval from a picture submitted for approval and rating and which consequently received an "X" rating.

(b) A decision by the Code and Rating Administration applying an "X" rating to a picture submitted for rating only.

On such appeals a vote of two-thirds of the members present shall be required to sustain the decision of the Administration. If the decision of the Administration is not sustained, the Board shall proceed to rate the picture appropriately by majority vote.

6. The Board will also hear and determine appeals from the decision of the Code and Rating Administration applying any rating other than "X" to a motion picture.

Such appeals shall be decided by majority vote. If the decision of the Administration is not sustained the Board shall proceed to rate the picture appropriately.

7. (a) An appeal from a decision of the Administration shall be instituted by the filing of a notice of appeal addressed to the Chairman of the Appeals Board by the party which submitted the picture to the Administration.

(b) Provision shall be made for the screening by the members of the Appeals Board at the hearing or prior thereto of a print of the motion picture identical to the one reviewed and passed upon by the administration.

(c) The party taking the appeal and the Administration may represent oral or written statements to the Board at the hearing.

(d) No member of the Appeals Board shall participate on an appeal involving a picture in which the member or any company with which he is associated has a financial interest.

(e) The appeal shall be heard and decided as expeditiously as possible and the decision shall be final.

8. The Board will also act as an advisory body on Code matters and, upon the call of the Chairman, will discuss the progress of the operation of the Code and rating program and review the manner of adherence to the Advertising Code.

INFORMATION FOR PARENTS

With the adoption of the voluntary film rating system described in this booklet the creators, distributors and exhibitors of motion pictures fulfill an important responsibility to the parents of this country. Through this system guidance is now provided as to the suitability of certain films for young audiences.

The ratings are applied by the experienced staff of the Code and Rating Administration. Those few film companies that do not choose to submit a film for rating will self-apply the strictest rating to that film, an X. The symbols which indicate audience suitability can be found easily . . . in movie advertising, in theater boxoffice windows, in lobby displays, and in numerous newspapers and magazines.

This new system goes into effect on November 1, 1968, but there will be a period of from 3 to 6 months during which time movies in release prior to that date will continue to be shown without ratings. Their number will diminish rapidly, however, after the new system begins to operate.

The film industry is doing all in its power to make these ratings easily accessible, but we must rely on the public to become familiar with the symbols and their meanings, and to respect and follow the guidance offered. Parents especially must teach their own children to understand and observe the symbols. Theater managers will enforce all those which restrict children's admission.

WASHINGTON REPORT OF CONGRESSMAN WILLIAM E. MINSHALL

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. MINSHALL. Mr. Speaker, under leave to extend my remarks, I insert my October Washington Report in the RECORD, as follows:

WASHINGTON REPORT OF CONGRESSMAN WILLIAM E. MINSHALL, 23D DISTRICT, OHIO, OCTOBER 1968

Peace on our city streets, peace in Vietnam—These issues are foremost in the minds of those responding to the recent opinion poll. With nearly 20,000 questionnaires returned, 35% regard law and order as the principal problem facing the nation today. Rioting, vandalism, campus disorders, the break-down in morals and ethics, street crime and nationally-organized crime were cited by many, as well as the failure of U.S. Attorney General Ramsey Clark to enforce federal statutes and rulings by the U.S. Supreme Court which seem to favor the criminal over the victim. FBI statistics show law-breaking has sky-rocketed 89% since 1960, nine times the population growth rate, placing a curfew on the freedom of citizens who now are afraid to venture on the streets after dark. Vietnam ranked an important second as a critical national problem. As peace talks in Paris drag into the fifth month, voters indicate a ground-swell for de-escalating U.S. military efforts and turning the war over to the South Vietnamese. Firearms control received strong support, although many commented that such laws should be enacted at the state or local level, and 58% voted that no additional federal legislation is needed. I helped draft and make part of of the House-passed gun control bill an amendment placing stricter penalties on criminals who use guns in the commission of federal crimes. Complete results of the Minshall Opinion Poll follow:

[Results in percent]

1. If a satisfactory peace in Vietnam cannot be achieved at the Paris peace talks, which do you favor:

Further intensify peace efforts	12.2
Completely stop all bombing	3.1
Win or get out	28.4
Increase South Vietnam's military responsibility and gradually deescalate U.S. military efforts	41.7
Immediate withdrawal of all U.S. troops	8.4
Increase U.S. military efforts	5.6
No opinion	0.6

2. If the Soviets do not completely withdraw from Czechoslovakia, do you think:

Call for immediate withdrawal of all Warsaw Pact troops	10.7
The U.S. should respond with economic sanctions against Russia	25.1
The solution should be left to the United Nations	59.3
No opinion	4.9

3. What form of Selective Service System is preferable:

Present system	18.2
Universal military training for all	53.1
Lottery	7.5
Lottery with limited deferments	13.3
End the draft completely (this was a write-in vote)	2.8
No opinion	5.1

4. Gun control legislation is awaiting final action. Which one do you favor:

[Results in percent]

Registration of all firearms:	
Yes	51.8
No	48.2
Registration only of handguns:	
Yes	48.2
No	51.8
Licensing of all owners of firearms:	
Yes	61.2
No	38.8
A ban on mail order sales of all firearms:	
Yes	91.0
No	9.0
Strong penalties for criminals who use guns in committing crimes:	
Yes	99.9
No	.1
No additional federal legislation needed:	
Yes	58.1
No	41.9

5. In dealing with civil disorders, do you favor:

A stricter policy for law and order:	
Yes	99.9
No	.1
More money for antipoverty programs:	
Yes	52.3
No	47.7

6. What do you think is the principal problem facing the Nation today?

Law and order	35.6
Vietnam	20.5
Poverty, race relations	10.7
Inflation, taxes and federal spending	7.2
Lack of national leadership	7.0
Other, including the 1970 Census, trucks, water and air pollution	10.2
No opinion	8.8

FARMERS DESERVE A BETTER BREAK

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. MILLER of Ohio. Mr. Speaker, the Democrats have been in control of Congress since 1954, and they have been in control of the office of President since 1961. The Secretary of Agriculture, Mr. Orville Freeman, a Democrat, has been in office since 1961 and has been charged with the responsibility of presenting and administering farm programs along with the other affairs of the Department of Agriculture. Now I believe it is time we review what has happened to the farmer under these Democrat-controlled Congresses and Democrat administrations.

To begin there are almost 900,000 fewer farms today than there were in 1960. The loss of these farming operations means the loss of more than 4½ million people from rural America. These people did not quit the farm without good reason. For the most part, either directly or indirectly, the causes can be linked to the actions and programs of Democrat administrations.

This year our farmers have been receiving from 73 to 74 percent of parity—the lowest in 30 years—for what they have been producing. They are receiving these record-low prices at the same time they are paying more and more for what they purchase. Recently it was announced that the cost of living had risen for the 19th consecutive month. This inflation hits our farmers harder than any other group. Their income, thanks to administration programs, remains relatively fixed.

Farm prices are now so low that it takes 2 bushels of corn to produce a $2 haircut. A farmer must now sell almost 4 bushels of oats to pay for this same haircut. In 1967 alone, farmers suffered an 11.5-percent drop in realized net income. Realized farm income declined by $1.9 billion from 1966 to 1967.

The President's own Commission has reported that rural poverty now encompasses 14 million Americans. Coming from the administration itself this must be taken as proof of the fact that it has completely and totally failed to maintain a fair and reasonable income for the American farmer. Let me recall some of the efforts, or lack of same, by this administration which have contributed to the crisis now facing American agriculture:

First, this administration has steadfastly refused to increase the support price of price-supported commodities. Historically, Government price support programs have fixed the market price of commodities and continue to do so. An amendment to the farm bill was presented to the House on July 31, 1968. It would have fixed the level of price supports to be available to wheat and feed grain cooperators at 100 percent of parity. Without support of the Democrat-controlled House the measure did not pass. If it had, farm income would have increased almost immediately. Under the amendment farmers would have received $2.61 a bushel for wheat, $1.62 for corn and 89 cents for oats.

What was the reaction of Secretary Freeman regarding anticipated price declines for farm commodities? A headline from the April 1, 1966 New York Times indicates he was elated:

FREEMAN ELATED BY DROP IN FARM PRODUCT PRICES

Secretary of Agriculture Orville L. Freeman expressed pleasure today with the fact that the prices of farm products had dropped recently. It was the first time in the memory of Federal farm officials that a Secretary of Agriculture indicated that he was pleased with a decrease in farm prices.

That is a quote from the newspaper story.

And briefly there are these other points to consider when summing up the administration's efforts in agriculture:

Huge stocks of Commodity Credit grains have been dumped on the domestic market in order to depress grain and livestock market prices and to force noncooperators into Government programs. This dumping of Government-owned stocks has reduced the income of every midwestern farmer in America. Yet the administration and the Democrat majority on the House Agriculture Committee have resisted every effort to limit the authority of the Secretary of Agriculture to dump grain on the market for price-depressing purposes.

To the detriment of the farmer, this administration has purposely cut back on the purchases of pork and dairy products in the Department of Defense just as prices had started to rise.

The importation of meat into this country has increased steadily under this administration. In 1960, the last year of the Eisenhower administration, 451.1 million pounds of meat were imported. This year meat imports will total 990 million pounds.

The dairy industry has suffered from the lack of forthright and effective administration actions to reduce price-depressing dairy imports.

The Federal Government has purchased foreign food products for our Armed Forces at the same time these commodities were in surplus in the United States.

President Johnson has personally urged housewives to restrict their purchases of certain food items in order to depress prices.

This administration failed to protect American agriculture from price-depressing imports generally by failing to exact meaningful agreements at the tariff negotiations at Geneva.

This administration has permitted the importation of large quantities of vegetable oil from Communist Russia at the same time we had a surplus of soybean oil in this country.

I could go on and on reciting actions of this administration which have contributed to low farm income in America. In fact the agricultural policies and programs of this administration have been such miserable failures that Democrat candidates are counseled not to discuss them. During the 1966 campaign, Democratic congressional candidates attending a Washington briefing were advised to "slip, slide, and duck" questions on administration farm policies.

Mr. Speaker, I have attempted to refresh the memory of my colleagues on some of the actions and proposals which have caused the American farmer real concern. Is it any wonder that he is disenchanted with Democratic administrations and Democrat-controlled Congresses? Our Nation's farmers deserve a better break than they have been receiving. It cannot come too soon.

IAEA SAFEGUARDS SYSTEM SHAKY

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. HOSMER. Mr. Speaker, the proposed Nuclear Nonproliferation Treaty relies upon safeguards to be conducted by the International Atomic Energy Agency for preventing diversion of fissionable material from peaceful channels to atomic weapons. If that treaty is ever to accomplish what it is supposed to, then the IAEA's safeguards system must be a good one. Whether it is or is not is discussed in the following article by Orr Kelly which appeared in the Washington Star newspaper on October 10:

HOSMER WARNS OF LAG ON ATOM PACT CHECKS

(By Orr Kelly)

The international agency that would help police the nuclear non-proliferation treaty is almost totally unprepared to do the job, Rep. Craig Hosmer, R-Calif., said today.

Hosmer, who is in line to become chairman of the Joint Atomic Energy Committee if the Republicans take control of the House in the November elections, has just returned from a trip to Europe during which he visited the International Atomic Energy Agency headquarters in Vienna.

"The IAEA hasn't defined the problem, let alone found ways to come up with safeguards," Hosmer said in an interview.

Hosmer opposes United States ratification of the treaty, which is now pending before the Senate, until an adequate system of safeguards is set up. The treaty is designed to prevent the spread of nuclear weapons to countries which don't have them now.

The approach of the IAEA, he said, is to monitor the safeguards set up by the various nations using atomic energy for peaceful purposes to make sure nuclear materials are not diverted to the making of weapons.

But only the United States and the six-nation Euratom organization have adequate safeguards to control the diversion of nuclear material, he said.

"The IAEA is depending on systems that don't exist and may not exist for a decade, if ever," Hosmer said.

He said he became alarmed about the lack of safeguards during a visit to Vienna a year ago.

"I can say categorically that no one has done anything since then except to try to lower the estimates of how much it will cost to do an adequate job," he declared.

It now appears that the Senate will not act on the treaty during this session because of lack of time and the opposition that has developed since the Soviet invasion of Czechoslovakia.

NATIONAL WATER COMMISSION

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. SAYLOR. Mr. Speaker, the President announced on Wednesday, October 9, his appointments to the seven-man National Water Commission. The Commission was established by Public Law 90-515 which was enacted on September 26. The mission of the Commission is to conduct a comprehensive review of national water resource problems and programs and report thereon to the President and to the Congress within 5 years from the date of the act. The sum of $5 million has been authorized to be appropriated to finance the work of the Commission.

For the information of Members, the Presidents' appointments to the Commission are:

CHAIRMAN

Charles F. Luce, chief executive officer and chairman of the board, Consolidated Edison Co., New York. Mr. Luce has formerly held positions as Under Secretary of the Department of the Interior, and Administrator of the Bonneville Power Administration. He holds a B.A. degree and LL.B. degree from the University of Wisconsin.

MEMBERS

Russell E. Train, president of the Conservation Foundation, Washington, D.C. Mr. Train has formerly held positions as judge, U.S. Tax Court, and as Assistant to the Secretary, Treasury Department, and has served in various capacities as a congressional staff member. He holds an

A.B. degree from Princeton and an LL.D. degree from Columbia.

Frank C. DiLuzio, vice president, Edgerton, Germeshausen & Greier, Inc., Las Vegas, Nev. Mr. DiLuzio is also president of Reynolds Electrical & Engineering Co., Inc. of Las Vegas, Nev. He formerly held positions of Assistant Secretary of the Interior for Water Pollution Control and Director of the Office of Saline Water in the Department of the Interior. He has served as staff director of the Senate Committee on Aeronautical and Space Sciences and in many positions with Fairbanks, Morse & Co. He holds an engineering degree from Fenn Engineering College and attended Harvard Graduate School of Business Administration.

Myron A. Wright, chairman and chief executive officer of Humble Oil & Refining Co., Houston, Tex. He has had a long and distinguished career in the petroleum field, serving in numerous key positions with several oil companies. He holds a B.S. degree from Oklahoma A. & M.

Ray K. Linsley, professor and head of the Department of Civil Engineering, Stanford University. Mr. Linsley has served with the Office of Science and Technology and with the U.S. Weather Bureau. He served as Fulbright professor, Imperial College, London, for 2 years and is the author of numerous publications. He holds a B.S. degree from Worcester Polytechnic Institute.

Clyde T. Ellis, was for 25 years general manager of the National Rural Electric Cooperative Association. Mr. Ellis was a member of the Arkansas General Assembly and the State senate and was Congressman from the Third Arkansas District in the 76th and 77th Congresses. He holds a B.S. degree from the University of Arkansas.

Samuel C. Baxter, water commissioner and chief engineer of the Water Department, Philadelphia, Pa., a position which he has held since 1952. Mr. Baxter is a past president of the American Waterworks Association and a national director of the American Society of Civil Engineers. He received his education at the Drexel Institute of Technology.

TRIBUTE TO TEDDY NEELEY

HON. OMAR BURLESON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. BURLESON. Mr. Speaker, in these days of social turmoil, it gives me pleasure to call your attention to a young man who has achieved success in his chosen field and retained the qualities of character that we would like to see retained in the youth of America. His name is Teddy Neeley, and his climb to fame in the world of music is in the best tradition of the American spirit. While many of his contemporaries are unfortunately dedicating their musical talents to extolling the world of drugs and radical political protest, Teddy Neeley is taking time out to do benefits for such unhip causes as a money-raising concert for the music department of his high school at Ranger, Tex.

Teddy Neeley was born in this town where his father was working in the oilfields. He was raised in a musical family, taking part in church and school musical affairs from childhood. Before graduating from high school, he was writing his own songs and arrangements. Following his graduation, he and three of his friends formed a band and spent 2 years traveling and playing the hard 1-night stands that are the proving ground for most young artists. After traveling to Honolulu for an engagement, he met a number of celebrities who were to open the door for his professional career. Soon he was appearing on the top television shows and performing in the leading supper clubs as a singer.

Recording contracts added to his fame and fortune, but he has always maintained that his greatest goal in music is to bridge the gap between the teenagers and the adults. Both professionally and personally Teddy Neeley has retained the qualities that he acquired during his formative years in a typical small town of America. It is indeed gratifying to know such young men who stand ready to take time out and contribute their hard-won talents to worthy causes for no reason other than a sense of obligation to aid a school that will help other young people enjoy the wonders of music.

VOCATIONAL EDUCATION

HON. GEORGE HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. HANSEN of Idaho. Mr. Speaker, with the Vocational Education Amendments of 1968 approved by both the House and the Senate, I believe the following statement on vocational-technical education at Idaho State University is most appropriate for the attention of my colleagues at this time.

The statement, prepared by Dr. William E. Davis, president of ISU, dwells on the history of vocational-technical education at the university, the programs' successes and failures, and the philosophy supporting it.

While Dr. Davis does admit to some failures, I believe my colleagues will agree that the program, overall, is an outstanding success.

Mr. Speaker, under programs such as reported by Dr. Davis, the amendments we have approved for the Vocational Education Act can be nothing but successful.

Dr. Davis' report follows:

A COMMONSENSE APPROACH TO VOCATIONAL-TECHNICAL EDUCATION

(By William E. Davis)

Some purist in the hallowed groves of academe might lift an eyebrow at the thought of having a non-degree, non-academic vocational-technical program as an integral part of a state university. And there are those who believe that even in vocational-technical education an essential ingredient for a master teacher is a degree from a learned institution. In fact, I have heard all of the stereotyped arguments of why vocational-technical education must conform to the often rigid patterns and control of our academic offerings in public and higher education, and even more reasons why what we at Idaho State University are doing and planning will not work.

But, in Idaho, we do not have the money and we do not have the time to follow the sometimes traditional academic patterns. We have to find some new and better and more economical way of doing things. Further, we think that the changes taking place in our fast-growing program in vocational-technical education are so stimulating and exciting and make such good sense that we wonder why this pattern is not more common elsewhere.

Our goal is simple—to meet the needs of the student, to make him a productive, effective, self-sustaining citizen, to make him employable. We seek to take the talent he brings to us and help him to develop it to the limit of his and our ability.

Once we know what we want to do, the question is how do we get it done?

By design or happenstance (it matters little now), the vocational-technical function has long been an inherent part of our school. The present Idaho State University began as an academy in Pocatello in 1901, established primarily to provide preparatory college training for the state university at Moscow, some 600 driving or horseback miles away. In 1917, vocational offerings were added to the curriculum, and the name of the school was changed to Idaho Technical Institute.

As the population of the region grew and the need for education beyond high school increased, in 1927 we became a part of the University of Idaho known as the Southern Branch. Following World War II, the State Board of Education (we have a single Board in Idaho for all institutions of higher education and the public school system) and the Legislature made us an autonomous four-year, degree-granting college. We experienced yet another name change in 1963, becoming Idaho State University, and graduate programs were added and preparations made for the eventual offering of doctoral programs in specified areas. We expect this goal to be reached by 1970. (Our current enrollment, including vocational-technical, undergraduate, and graduate students, is just over 5,000.)

This pattern is typical of many of our newly emerging institutions throughout the country with name changes accompanying expansion and greater depth in academic programs. While we take great pride in our excellent undergraduate Liberal Arts College and the professional colleges of Pharmacy, Education, Business, and Medical Arts, and are building and developing our young graduate program, we have never lost sight of the important role our vocational-technical program plays in meeting the varied needs of students in our vast and sparsely populated area of southeastern Idaho.

For example, on our campus the vocational-technical students are full-fledged members of the academic community. Their program of courses is in the School of Vocational-Technical Education which, like the various academic colleges, has the same over-all university administration, including counseling and testing, registration and admissions, finance office, maintenance, etc. The vocational-technical students have representatives on the student government, use the same gymnasium and student union, live in the same dormitories, and participate in the same activities as do other students. The one exception for vocational-technical students is that they are not elegible to participate on our intercollegiate athletic teams—but that is because of Conference and NCAA rules, rather than our own. Perhaps, someday, even that will change.

There are, however, some important differences in internal administrative organization. For instance, the University receives a separate appropriation for the academic program and the vocational-technical program. This alleviates a great deal of potential ill will, inasmuch as it eliminates competition for the state dollar. Likewise, we have two separate faculty governments, each making its own recommendations pertaining to curriculum, faculty, and policies. When a matter of importance to the total University does occur, we meet as one body.

We do not try to crossbreed the academic and vocational-technical programs, believing that each has great merit in its own right. Therefore, there is no problem in the matter of transfer of courses because there is no transfer of courses. A student in the School of Vocational-Technical Education takes a solid course for seven instructional hours per day. If he needs English or mathematics in his program, it is offered as applied instruction in the program itself. He isn't required to take English 101 or anything else in the academic curriculum.

This is a touchy point with some educators who still aspire, even at this late date, to stimulate the intellectual growth of the vocational student by stipulating more required courses in English, history, civics, etc. But, having talked to hundreds of vocational students over the years, I find that this kind of forced diet of academe was the chief reason why many dropped out of high school or terminated their academic programs in the first place. What they were studying in high school their junior or senior years no longer was related to what they were interested in or wanted to do. They sought a relevancy to education, a practical training that would prepare them to stand on their own feet, make a living, and support their families. Thus, we try to tailor our programs to what they want and need to achieve *their* goals, not ours. Their goal is immediate and pressing—to prepare themselves to get a job.

Because a vocational-technical student has a heavy course load in his chosen area which takes up most of his day, he seldom elects to take courses in the University academic curriculum—although he is free to do so if his schedule permits.

The vocational-technical courses are terminal programs, lasting from nine months to three years. As they are not geared to the University calendar, they start and end at varying times. Thus, we get high utilization of plant facilities as it is virtually a year-round operation. At the completion of the program, we award certificates—not degrees. Again, we take pride in the fact that these certificates have merit in and of themselves, and there is no need to try to identify or equate them with an academic degree which has an entirely different connotation.

As for evaluating the completion of the vocational-technical program for purposes of transferring for college credit, we do not. If the student who completes a course seeks to enroll in the academic program, he starts as a freshman. More often, however, the transfer is the other way around. Inasmuch as our state policy is to admit any graduate of an Idaho high school to the University, we, consequently, get a number of students who either by training or interest or ability are not suited for the academic degree program. Through counseling and discussion, many of these tansfer to the School of Vocational-Technical Education with happy results. We try to emphasize the college is a place for searching and experimentation, for finding one's niche in life. We strive to reduce or eliminate the number of failures.

VOCATIONAL-TECHNICAL FIELDS OF STUDY

At present, our School of Vocational-Technical Education offers some twenty-three different programs, ranging from aircraft mechanics to electronics. These include: aircraft (air frame) mechanics, aircraft (power plant) mechanics, auto mechanics, auto service, auto body repair, business machine repair, civil technology, cosmetology, crop and soil technology, data processing, diesel mechanics, drafting and design technology, electrical instrumentation technology, electronic technology, food service, graphic arts, law enforcement, machine shop, merchandising, secretarial occupations, upholstery, and welding.

These programs are constantly shifting and changing, however, as we try to keep pace with and even anticipate changes in business and industry which create the job markets. For example, the most recent of new programs added include Crop and Soil Technology, Food Service, Merchandising, Law Enforcement, and Data Processing. The latter two courses, particularly, reflect an emphasis on problems of immediate concern.

To maintain a close working liaison with business, industry, and labor, we have advisory boards with representatives of management and labor (including a wholesome contribution by union leaders) who constantly scrutinize our curriculums. The support we receive is heartwarming. Donations of material, equipment, and time supplement our limited financial budget, and we could not long progress without this help.

Typical of the response from these persons is a recent scholarship drive within our community. Many of the contributions were specifically earmarked to help defray the fees for vocational-technical students ($140 per semester, or $280 per year).

In one instance, we were designated as the recipients of $100,000 from the estate of Galen Stone, who was killed in an airplane crash. A commercial flyer himself, he wanted to provide funds for the training of young pilots. This money has made possible the financing of flight instruction for a number of our students, many of them enrolled in the Aircrafts Mechanics course. The cooperation and assistance of the Simplot Aviation Corporation has further supplemented this program. I am sure the young men receiving this training will be in great demand upon their graduation.

The financing of education beyond the high school is always a problem. But we feel we have made a little money go a long way. In the last biennium, our vocational-technical enrollment was roughly 600 students per year at an annual cost to the state of $450,000. This was supplemented, when possible, by Federal funds. We seek to double the appropriation this next biennium to meet the growing demand for more training of this type and an increasing interest on the part of prospective students and their parents. Our rationale is simple. Considering the total expenditures for higher education in the state for roughly 50% of our youngsters who go on to college, it seems reasonable that we should strive as diligently to provide for the other 50%.

Before any educational endeavor can succeed, however, you need the right kind of people. Again, I think we are fortunate. Sam Glenn, a salty, hard-talking, hard-charging individual who had a great sensitivity to deserving young men and women, pioneered a lot of the progress that has been made in vocational-technical education in our state. He died suddenly this summer, and we mourn his loss but treasure his contributions which will extend far beyond his lifetime.

Within the University framework, the Executive Vice President, Dr. Lloyd Watkins, is responsible for seeing that the administrative gears of the School of Vocational-Technical Education mesh with the other academic machinery. In the Vo-Tech School itself, we have Jack Rucker as our Director, heading a corps of dedicated teachers. Our salaries are not phenomenal, ranging from $5,000 to $12,000 per year, with only four of the staff above the $10,000 level. But such is the loyalty and enthusiasm that over the past four years, with the exception of retirement, we have lost only five instructors.

Consider—these instructors teach as much as thirty-five contract hours per week for eleven months of the year. Yet, I have never had a faculty group from the School of Vocational-Technical Education complain about an excessive teaching load. When they come to the office, it usually is to ask what more they can do, or, better yet, with a new idea.

In the vocational-technical area, we are not tied to any state, regional, or national accrediting associations to approve and certify our teachers. We hire those who want to teach and who can do the job. A college degree is not a condition of employment. (Only eight of our faculty of fifty-six have degrees.) After all, what makes a good teacher? We think he must be a master craftsman and have such personal qualities as love of students, a willingness to work, an ability to get his subject matter across, the creativity to motivate, and a loyalty to the institution and the program. In vocational-technical education, we feel he can be all of these things without a college degree. Thus far, we have been right. There has been no lack of good or willing teachers to man our classrooms, and I would match them for competency in their fields and devotion to their work with any faculty anywhere. (Beginning teachers are helped with the techniques and mechanics of teaching by an in-service training program conducted during the summers and evenings. Experienced teachers are used to conduct these training classes and workshops.)

As for that other ingredient, the students, we get all kinds. At first we required a high school education, or its equivalent. Now we realize we must go much further. For example, we found that many students were having difficulty in keeping up with the work simply because they could not read or write or do basic arithmetic.

In November, 1967, under the leadership and inspiration of Mrs. Mary Dahlquist, a vocational-technical faculty member, we started an Adult Basic Education program to help meet the remedial needs of enrolled students in our program. Volunteer teachers from the community comprised the staff. No fundin was involved at this stage.

Classes were scheduled for two evenings weekly for two-hour sessions. Soon, on a voluntary basis, other adults in the community began to attend, and we encouraged their participation. Men and women working in all kinds of jobs were seeking a means to further their education. The word spread.

Among the first enrollees was a man of Mexican ancestry who worked for a transfer company. He needed to read and write English before he could be advanced within the firm. He since has been promoted and now supervises a group of drivers.

From a neighboring town, came a man whose education had been terminated in his second year of school. He had not learned to read during the first grade, and seemingly could not learn in the second. Thinking he was retarded, the school recommended that the parents withdraw him from school. He grew up, married, and worked in a potato processing plant. A good worker with many fine personal attributes, his promotion had been thwarted by his inability to read. He has since told us that he never understood what "miracle" brought him to the adult education class just when his need was so great. Within six months, he was reading on a sixth grade level and progressing rapidly. He also has been appointed to the supervisory position.

One man entered the program because he wanted to hold his young daughter on his lap in the evenings and read to her. A great-grandmother, well past 70, is discovering for the first time the ecstasy of reading.

The approach is informal—just four or five people struggling with the same problem sitting around a coffee table with an instructor. No one s embarrassed. There is much understanding.

The teachers come from many sources—mostly volunteers—and include retired teachers in our community, college students, University faculty—those who have a burning desire to teach. One, in fact, is almost completely blind, but somehow does an amazing job.

The Pocatello school district has also been most supportive, having donated over 5,000 textbooks for elementary reading courses.

From these humble beginnings, in nine months the total enrollment in Basic Adult Education is 114 at our School of Vocational-Technical Education. But, it has not ended there. At the request of the Indians on Fort Hall Reservation just outside Pocatello, we have started classes on the same basis. Some thirty-one are enrolled at one locale, fourteen at another. In the latter, the sessions were held in a kitchen, pending the acquiring of larger facilities. The Education Committee of the Tribal Council is excited about the project and most cooperative.

We no longer are completely dependent on volunteer help, having received state and Federal funds in the amount of $33,000, mostly to defray instructional costs and the purchase of appropriate textbooks and supplies. One thing for sure, however, it is now an established part of our program. We anticipate some 400 participants this fall and estimate that in the city of Pocatello alone (population 42,000), there are some 3,700 persons who do not read above an eighth-grade level. Mr. Gordon Jones, a former teacher of remedial English in the Pocatello High School, has been hired as supervisor for the program and is laying the groundwork for the next academic year.

This type of education may be a far cry from the traditional charges given to a state university, but the need so far outweighs any other factor that we are proud to do what we can. We feel this program is opening many doors for the people involved, including us.

Most of the students who come to our vocational-technical program do have a high-school education. Many have already selected a specific course when they enroll. Others work with our counselors in making decisions appropriate to their interests and abilities.

From the beginning, our instructors stress those factors that will make a man or woman employable, such as personal appearance and hygiene, punctuality, a willingness to work and learn. (Potential employers have told us, "Don't send us the long-hairs. They may be trained, but they are not employable. You are wasting your time and ours.") Our instructors tell some students to get a haircut, sometimes to take a bath, be as neat as possible. They even tell them to clean up their language in some instances. The response is excellent. Discipline problems are virtually nonexistent. They knew what they are there for. The *esprit de corps* and pride grow day by day.

The word relevance is a much used term, but I have a hunch it has meaning to these kids. You can walk into any of the classrooms at random, select a student, and ask him what he is doing. He can tell you what he has learned, what he is working on, and where he is going, and what he wants to do. The success stories are many.

One youngster had been a poor high-school student from a nearby small town (population 874). Entering the auto service program, he became especially interested in selling tires; so he studied the construction, pricing, and selling points avidly, along with wheel balancing and alignment. After graduation, he went back to his hometown, leased a one-stall service station, and did regular maintenance and tune-up work. But his passion was tires. He put his knowledge to work and now averages three to five thousand dollars a month in tire sales with a net annual income of over $12,000.

Another lad from a small town came to us with a serious speech impediment, was extremley shy and withdrawn. He was a good worker but had difficulty talking to people. His talent turned out to be a high specialization in brakes. After graduation, he was employed by a large garage and how has an average daily wage of $31.40.

A number of our students have similar or other physical handicaps and present a special challenge. With the help of the Vocational Rehabilitation program, we have had considerable success, including the training of a one-armed welder.

As another example, a deaf girl entered the secretarial training class. She could use sign language and also read lips, but because of her limited vocabulary, she had a difficult time understanding new words and keeping up with the class. But she and her teachers persevered until she reached a high level of competency. Now she is employed by the Argonne National Laboratories at the nearby Atomic Energy Site, typing, operating a multilith, and assisting in photography development. This tall, slender, athletic girl with a winning smile and personality has been an inspiration to many, both here and on her job. Last spring she married a fellow worker at Argonne (but we cannot take much credit for that).

Many of our courses, such as drafting and design and electronics technology, require a much deeper level of training, and hence stretch over a two- to three-year period. But the results are rewarding. Many graduates are now located in high-paying jobs well over the ten thousand dollar level in such positions as Chief of Electronics at the Southwestern Radiological Health Laboratory at Las Vegas, Business Manager of the Engineering Department of the ABC Television Center in Hollywood, and Electronics Field Engineer for Telemation Incorporated of Salt Lake City.

But, whoever the student and whatever the program, our staff has been persistent, not only in teaching and job placement, but also in follow-up to see how they performed after they left Idaho State University. Only in this way can we find gaps and inadequacies in our own training. Like our students, we are always learning.

For example, recently I had a letter from one of our legislators who hired one of our vocational-technical graduates in his business. The legislator stated that the individual did not possess the native ability ever to become a master craftsman in his line of work and was critical of our not being more selective in screening our students. He added that he saw no justification for the state to finance this type of vocational training. We try to follow up on exactly this type of criticism for the sake of the student and the employer as well as our own program. Were the demands of the job beyond the skill or ability of the student? Was this an example of just one student not filling the bill, or was the general level of training and ability of all students in this program below that needed for satisfactory performance? The answers are important.

We *are* concerned with our failures, both internally and externally. In each instance wherein a student drops out or fails to complete a course, we want to know why. Was it poor instruction? Was the pace too fast? Was the student's basic education too inadequate? Were there physical handicaps that interfered? As we go through this process of introspection we find ways to improve. Many of our programs now have a flexibility that is geared to the speed of the learner on the basis that some simply take longer than others to master the same material. By the same token the fast learner is moved on to more advanced courses in accordance with his own abilities.

In working with the individual student, we often rely upon other resources of the University, such as Counseling and Testing, the Department of Speech Pathology and Audiology (which has been extremely helpful and effective in working with those students who have hearing or speech defects), and the College of Education. Many of the academic professors on an individual basis have volunteered their time and expertise.

The social and campus life of the vocational-technical students is also of great concern. As mentioned earlier, they are strong and active participants in our student government and make many positive contributions to life on the campus. It is not unusual to find in a dormitory room a young man studying welding living with one majoring in nuclear physics. And they learn from each other the concept that in our technological society, we need men and women of many types of ability, talent, and training—and, that pride and respect go hand in hand with excellence in virtually any field.

On the campus as a whole, you can feel this respect and pride. The vocational-technical program is looked upon as a worthy part of our total educational program. In this geographic region where the distance between towns is vast, the people few, and the money scarce, we have to make maximum utilization of our resources and ingenuity our campuses and their facilities.

I would submit that other states looking for ways to solve their problems in vocational-technical education might well look to those schools whose campuses can accommodate additional students and realize the same type of economy of operation and service. And, if the good name of a university can lend some prestige or, even more important, some leadership to the venture, then so much the better.

Here at Idaho State University, we believe that we are taking, if not the established approach, at least one which makes sense to us and the people we strive to serve.

CULVER URGES GREATER FLEXIBILITY FOR U.S.-PARIS NEGOTIATORS

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. CULVER. Mr. Speaker, as a member of the House Foreign Affairs Committee, I have this week called upon President Johnson to provide U.S. negotiators in Paris more flexibility in their bargaining position at the peace talks, so as to get them off dead center and moving toward serious consideration of the substantive issues for a political settlement of the Vietnam war.

Specifically, I have urged the President to test the first lull in fighting by the Communist forces as evidence of the reciprocity we have been seeking to justify halting the bombing of North Vietnam.

I further suggest that, once the bombing has stopped, this peace initiative should be coupled with a worldwide diplomatic effort to place the most persuasive pressure on the Communists to involve themselves in serious negotiations, and propose that we share intelligence and surveillance information regarding the conduct of North Vietnam's military forces so as to discourage them from using this period to improve their military position.

The North Vietnamese have demonstrated some sensitivity to worldwide political views in the past, as evidenced by the pause in the shelling of Saigon, and the decision not to put on trial captive U.S. flyers, following vigorous U.S. diplomatic efforts around the world. There is reason to hope, therefore, that they would demonstrate a comparable response to the pressure of world public opinion following a U.S. bombing halt.

It goes without saying that, if there was evidence that the North Vietnamese were not responding in good faith, but instead were significantly improving their military position as a result of this halt, the United States would retain the option to take the necessary military steps to protect U.S. forces and positions presently in the field.

We are all aware of the risks involved in a bombing halt, but in my judgment this course of action by the United States offers the best immediate hope for moving the peace talks forward to the point of meaningful negotiations.

A key issue in the negotiated settlement must be the mutual withdrawal of all foreign forces, allied and Communist, from South Vietnam. In the absence of such an agreement and given the present military situation, I cannot support an immediate unilateral withdrawal of American troops because it would unquestionably sacrifice the people of South Vietnam to their aggressors and would raise doubts about the credibility of U.S. commitments in other key areas of the world, particularly Europe at this critical point.

Nevertheless, while we pursue our peace initiative and seek substantive negotiations with Hanoi, we must at the same time accelerate present efforts to improve the capabilities of the South Vietnamese Army so as to transfer primary responsibility for the execution of the war to their forces, reducing the number of our troops in Vietnam, and returning American personnel to advisory and supporting roles.

Finally, the South Vietnamese must recognize that military security is directly dependent upon their own internal economic and political stability. They must put an end to the corruption within their own Government, and complete the reform of their political system so that it is responsive to the needs of the people of South Vietnam.

SPEAKER JOHN McCORMACK: A TRIBUTE

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. BOLAND. Mr. Speaker, I would like to take this opportunity to pay tribute to a man we all know as a distinguished leader, a hard worker, and dedicated Congressman—the Speaker of the House, the Honorable John W. McCormack.

Our Speaker is, above all, a man of fairness and equity, a man who demonstrates his leadership with impartial regard for all House Members. Every man who has served in the Congress during the last four decades has been inspired by the example, guided by the counsel, or warmed by the friendship and unfailing consideration of John W. McCormack.

He has always been a man of humility and compassion, coupled with an iron will and determination to succeed. His father died when he was 13, and he has himself said of his youth:

> The day I graduated from grammar school, I went to work as a Western Union boy at three dollars a week. A Sunday paper route, with the help of my two younger brothers, brought home another eight to ten dollars. Later I went to work in a law office and eventually learned enough to pass the bar exam. I kept the paper route for six months after I hung out my shingle."

When John McCormack became Speaker, Time magazine quoted his brother Edward on the subject of the future Congressman. Remembering the difficult days after the death of their father, Edward said of John:

> It was him that kept us together. The main support was that he had a pretty good paper route, there in Andrews Square. He never went to high school, never went to college. He did nothing but work. He had to work, to keep his mother, and to keep the two of us, my brother and me, from going to the Home.

These two reminiscences reveal the essential qualities of John McCormack. He is as devoted to duty as he is to the needs of his constituents, having little time for the social circuit. His integrity, his loyalty, his humanity, are the qualities which make him today one of the best loved men in American politics.

I would like to point out that during Tuesday's overnight session, in which a record number of rollcalls was taken, the caliber of Speaker McCormack's leadership—his fairness, his dispassionate consideration of every Member—was never more in evidence. Tuesday evening is itself a tribute to Speaker McCormack's genuine honesty.

We are singularly blessed to have this great and good man as our Speaker; I wish to put on record my own admiration and high regard for the qualities which have endeared John McCormack to all who know him.

PERSONAL EXPLANATION

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. RUMSFELD. Mr. Speaker, on October 1, 1968, the House took action on the conference report on H.R. 15758, the Health Services and Facilities Amendments, and the conference report on H.R. 14935, concerning the mailing of motor vehicle master keys, wage board surveys, and powers of postal inspectors. Had I been present, my vote would have been cast as follows: On rollcall No. 360, to approve the conference report on H.R. 15758, I would have voted "yea." On rollcall No. 361, to approve the conference report on H.R. 14935, I would have voted "nay."

AN END OF SESSION REPORT

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. DUNCAN. Mr. Speaker, each year at the end of the session of Congress I report to my constituents in the Second District of Tennessee. Again this year it is a pleasure for me to send a final legislative report to the people I represent, and at this point I would like to insert this end of session summary in the Record.

End of Session Report, 90th Congress, Second Session

Washington, D.C.—The 90th Congress is now history and there will be many interpretations of its deliberations and actions. It is appropriate that I report to you, my constituents. Making this final report, as you know, is a practice I have followed since I entered Congress four years ago. I also initiated a system of periodic newsletter reports to the people of our district. Four years can be a long time, but four years is a very short period in national government where complex problems place a premium on experience.

435 Rollcalls—During the Second Session of the 90th Congress we had more than 435 rollcalls. I am fortunate that I was able to be present and vote on each issue. With the hundreds of issues before the Congress, I am aware of the fact that it would be an impossibility to vote in accordance with anyone's views 100 percent of the time. I try to inform myself of the best of all the legislation, and then I cast my vote for what I consider in the best interest of the people I represent and my country.

Majority control—Under our system of government the Majority Party controls the legislative machinery which includes the scheduling and consideration of all bills. There were 247 Democrats and 187 Republicans in the House of Representatives; 63 Democrats and 37 Republicans in the Senate during this Congress.

Appropriations $130 billion—Although the computers are still tabulating the results, it appears that the total amount of money appropriated by the Congress will exceed $130 billion. The planned deficit may run in excess of $6 billion. Obviously, any state, any city or county, or even your own family which so profoundly overspent its revenues would be in serious trouble. The nation's financial troubles are reflected by a 4½ percent increase in the cost of living in a one-year period, the highest interest rates since the Civil War, and a continuing drain on our gold supply and balance of payments.

Inflation and spending—The "average" wage earner is receiving $13.85 a week more than he did in October, 1965. But after adjusting for the increase in the cost of living and deductions for higher Social Security taxes, the real pay increase amounts to only 23 cents a week. Many persons living on fixed incomes, especially those living in retirement, actually have lost purchasing power in this same period. Clearly, inflation is one of the nation's most serious domestic problems. A year ago, as the Vietnam war of gradualism continued, the claim was made that the nation could afford both "guns and butter." The results have shown that it could not. Between 1961 and 1968, defense spending rose by 65 percent and domestic spending rose nearly 90 percent.

Crime—Congress finally took note of sharply rising crime rates and passed the Omnibus Crime and Safe Streets Act. Much of it was directed against the appointed Attorney General Ramsey Clark, head of the Department of Justice, who often seems to be saying that "society has failed the criminal," instead of the other way around. After the devastating Washington riots of last April, Attorney General Clark, in response to a newspaperman's question, said he was looking into reports that Stokely Carmichael had helped incite the riots by making inflamatory statements. He promised action, if appropriate. Five months later he presumably is still investigating.

The Anti-Crime Bill also included provisions intended to offset several Supreme Court decisions which many believe have made it increasingly hard for local law enforcement authorities to carry out their responsibilities to maintain law and order.

Cooperation—I have been especially grateful for the respect and cooperation my congressional colleagues have shown on the importance of the Tennessee Valley Authority, the installations at Oak Ridge, our Federal highway system, all of which are vital to the defense of our nation, and our institutions of higher learning.

Personal contact—To keep better informed about the problems facing the people of the Second District, I have visited the district some 44 times during the past 10 months to meet and talk with individual citizens. Hundreds of people have visited me at my district offices and at the Courthouses in their counties where I do not have a district office. Most of these people prefer to discuss their problems in person with their Congressman and not by mail. I am strongly of the opinion that staying close to the people makes me, or any other representative, more effective. I am more interested in what the people think in our district than any other place in these United States.

Imports—The House of Representatives failed to enact legislation that would have increased job stability and security for American workers in those industries subject to the constantly increasing impact of foreign imports flooding the American domestic market from nations where labor is cheap and production costs low.

Tax Reforms—I am hopeful that a comprehensive program of tax reform will be brought before the next Congress. I believe that an overhaul of our Federal tax program is long overdue. A thorough review of our tax policies is in order to close some tax loopholes and at the same time to raise the personal exemption. Action in these two areas would be a great benefit to the taxpayers in the low and middle income brackets.

Inefficiency—I have long believed that many inefficient government programs would be ferreted out and corrected or ended more quickly if the methods for monitoring these programs were more efficient. As our society grows and becomes more complex, government increases in complexity. To do the job expected the Congress must have access to far greater information than was ever at the disposal of earlier Congresses. To this end I have joined a number of my colleagues, from both political parties, in sponsoring a bill known as the Program Information Act. If enacted this measure would require the President to compile a complete and detailed catalog of all Federal programs.

Foreign Aid—Foreign aid has been a controversial issue for at least 15 of the last 20 years. This year Congress made the deepest reductions in foreign aid in the history of the program. In view of our fiscal situation, I think the cuts should have been deeper. No program is so sacred that it must go on forever, and by now we must have learned that American dollars are not the answer to what ails much of the world. Our own citizens have been asked to tighten their belts, while foreign aid advocates proposed to continue business as usual. This time Congress properly said "no."

Defense budget—Because of the defense of our nation is vital to us all, the budget requests of the Defense Department have been treated very liberally by the public and the Congress. I believe this is most unfortunate. The budget of the Defense Department must be scrutinized as carefully as those of other Federal agencies. One item which concerned me in particular during the year was the appropriation request for the Sentinel Anti-Ballistic Missile System. Administration and Defense experts have stated for some time that there was no need for such a system and regardless of the question of need there was little guarantee that is would work. This year, the Administration suddenly proposed the development of the defensive Sentinel ABM which would cost $5 billion.

Panama Canal treaty—One of the highlights of the 90th Congress was the proposal to give the Panama Canal and related properties to the Republic of Panama. After much research I discovered and brought to the attention of the House of Representatives a Constitutional provision that would prevent this being done without the consent of both the House and Senate. Most legal authorities agree with me and nothing has been heard from the proposal since that time. At least the Johnson Administration is not pursuing the proposal further.

Vietnam—The Vietnam war has cost the United States 170,000 casualties, including 27,000 killed (as of September 1, 1968) and with 70 percent of the casualties occurring since January 1967. Many have maintained for a long time that the only reason Hanoi agreed to meet us in Paris was because our war effort was hurting the enemy. In the spring of this year North Vietnam's internal situation had reached a critical point. Most of the railroads, highways, and bridges were damaged or destroyed. Valuable foreign imports were piling up because they could not be moved. When the President made his decision on March 31 to restrict bombing to the narrow southern portion of North Vietnam—leaving 90 percent of the population and resources free from further attack—Hanoi could not passup such a good deal. Shortly after the "peace talks" began the majority of the roads, bridges, and railroads, docks, electric power generating plants, and other essential services had been restored to working order. Men and supplies are moving forward to be used against our young American boys. Actually nothing has come from the enemy as a result of our tremendous concessions. Instead, more and bigger concessions are demanded and the enemy keeps getting stronger and stronger. To me this is a disservice to our fighting men. It has been said that if we cannot back our men properly, we have no right to ask them to fight.

Priorities—One of the toughest responsibilities facing every Member of Congress is the task of assigning spending priorities to the nation's needs. The Administration budget failed to do this, and if Congress had followed that lead by saying "yes" to every Administration request, the dollar would be in even greater trouble around the world and at home.

1970 census—There is growing opposition to the new census form which is being planned for use in 1970. The original purpose of the census was to find out how many people lived in the United States. Under the new plan, the Federal Government would require all American families to answer hundreds of questions about themselves and how they live which I consider highly personal and not the legitimate concern of the government. Opposition to the census form is hardening in Congress, and I intend to introduce corrective legislation in the 91st Congress. Some of the questions asked on the form range from what is your monthly rent to why did you not work last week.

Presidential election—The 1968 Presidential election would be thrown into the House of Representatives if no candidate received a clear Electoral College majority of 270 votes. Each state would have one vote, meaning that the two largest states, New York and California, would be equal with two of the smallest, Nevada and Delaware. Although New York has 41 congressmen, it would have the same voting power as Nevada and Delaware, each with only one. A majority of each state's House delegation would determine the state's vote. Thus, 26 state delegations—medium and small—could outvote 24 states representing the bulk of the nation's population. Thus, it is theoretically possible for 77 congressmen from 26 states representing 34 million people to elect a President, outvoting 24 states with 358 congressmen and 166 million people! It sometimes happens that a state's House delegation is equally divided. Oregon at present has two Democrats and two Republicans. Montana has one of each. Illinois is divided, 12 to 12. If the congressmen from these states stayed with their party, the states could not vote.

Check and balance—Probably, most of all the 90th Congress will be remembered as the first Congress in three decades to stand up against both the Executive and the Judiciary Branches in recapturing some of its authority as an equal branch of our tri-partite government. It warned both the President and the Court that none of the three branches of government is supreme in this country and that each can criticize and check the other.

Questionnaire results—I was very pleased with the thousands of responses I received after I mailed my annual legislative questionnaire earlier this year. I am sorry that I have not had an opportunity to mail each of you the results before this time. I do think you will be interested to see how the folks in our Second Congressional District voted on these issues which we have worked on in 1968. The results are presented on a percentage basis and were compiled by a private electronic data procesing firm.

[Figures in percent]

1. Do you favor the 10 percent surcharge on income taxes that is now pending final action by the Congress?

Yes	28.8
No	60.9
No opinion	10.8

2. Do you favor U.S. trade with nations that are aiding North Vietnam?

Yes	12.4
No	83.3
No opinion	4.3

3. Would you favor a requirement for specific congressional approval before the President could commit U.S. forces in the future to an undeclared war like that in Vietnam?

Yes	75.8
No	11.3
No opinion	12.9

4. Are you satisfied with the President's efforts to negotiate a peace in Vietnam?

Yes	47.6
No	34.8
No opinion	17.0

5. Would you like Communist China admitted to the United Nations?

Yes	13.3
No	70.7
No opinion	16.0

6. Should we eliminate the compulsory draft system in favor of a voluntary army?

Yes	21.8
No	62.5
No opinion	15.7

7. Do you favor the proposed restrictions on foreign travel by means of travel taxes as a way to improve our balance of payments?

Yes	40.1
No	42.2
No opinion	17.7

8. Do you believe in a Government-guaranteed minimum annual wage or income?

Yes	9.7
No	77.2
No opinion	13.1

[Figures in percent]

9. Would you want the Census Bureau to have the power to prosecute persons who refuse to answer all questions on the 1970 census questionnaire?

Yes	15.4
No	67.5
No opinion	17.1

10. Do you want to abolish the Electoral College and elect the President and the Vice President by direct popular vote?

Yes	70.9
No	14.7
No opinion	14.4

11. Do you believe that stricter handling of rioters and demonstrators by the police and courts would help reduce civil disorders?

Yes	86.1
No	3.2
No opinion	10.7

12. Do you believe that restrictions recently imposed on procedures of arrest have placed undue handicaps on the police and other law enforcement officers?

Yes	82.6
No	4.8
No opinion	12.6

Thank you—In closing this report, I wish to express my appreciation to the people of the Second Congressional District for the honor of serving you. In doing my best to render service, I am grateful to the members of my staff who have worked tirelessly to help me help you.

DR. ABEL WOLMAN

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. DADDARIO. Mr. Speaker, Dr. Abel Wolman will be honored on October 16, 1968, as the first recipient of the Lewis L. Dollinger Pure Environment Award. This award, which is accompanied by a cash honorarium of $2,500, is made in recognition of outstanding leadership and significant contributions to the field of sanitary engineering.

Dr. Wolman, professor emeritus at the Johns Hopkins University, has been most helpful to our Subcommittee on Science, Research, and Development in the past few years as we have worked to bring a technological perspective to the issues of pollution control, environmental quality, and management of our natural resources. A principal conclusion of these studies is that environmental problems transcend arbitrary political boundaries. Contamination of air, water, or landscape in one country can result in decreased quality and usefulness of the environment in another.

This worldwide interdependence has recently been documented by Abel Wolman in an article in the October 1968 Foreign Affairs entitled "Pollution as an International Issue." He states:

> Thus the world is confronted with continuing and increasing insults to the environment. Such interference cannot be allowed to continue unchecked. Management of the world's resources in a logical and beneficial manner is completely possible in the present state of the art and science. The constraints lie in public apathy, lack of political will, lack of funds, and lack of a proper managerial structure and competence.

I am proud of the recognition given to Dr. Wolman and commend his thoughts in this article to the Congress.

THE LATE DR. WILLARD F. BOND: MAN OF GREAT STATURE

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. GRIFFIN. Mr. Speaker, Mississippi recently lost a distinguished educator, an able statesman, and a dedicated humanitarian in the passing of the late Dr. Willard F. Bond. Few men in the State's history have devoted themselves so unselfishly in the service of our people.

As State superintendent of education from 1916 to 1936, Dr. Bond displayed farsighted leadership in developing such programs as vocational education, educational services for the blind, and the establishment of a junior college system which has served as an example for educational leaders throughout the Nation. He later served with distinction as State commissioner of public welfare, pioneering many programs to alleviate human suffering and despair.

Dr. Bond was not merely a man of great achievement, but a man of compassion and deep religious conviction. The First Baptist Church, of Jackson, Miss., where Dr. Bond was a lifetime deacon, recently adopted a resolution memorializing this great Mississipian. The resolution follows:

DR. BOND MEMORIALIZED BY CONGREGATION IN JACKSON

The following resolutions of the First Bapogenarian lifetime deacon, Dr. W. F. Bond, who died recently:

"WILLARD FAROE BOND: MAN OF GREAT STATURE, 1876–1968

"Today the congregation of the First Baptist Church memorialized the life of the nontist Church of Jackson, Mississippi, pauses to make formal and permanent record of its great esteem for Dr. Willard Faroe Bond to whom death came July 29, 1968 following a brief illness.

"History for the State of Mississippi began in 1817. History for the First Baptist Church of Jackson began in 1838. Life for Dr. Bond began on President George Washington's birthday in 1876 one hundred years after the Declaration of Independence of the thirteen United States of America and as Mississippi approached its fifty-ninth year of statehood, and as this church entered upon its thirty-eighth year of spiritual service to the people of this city. These dates are cited to help us comprehend the broad extent of time which Dr. Bond's life encompassed.

"Rarely does a person become a nonogenarian and remain strong of body, keen of intellect, and buoyant in spirit as did Dr. Bond. Although he terminated his active career as a public official in 1955 after sixty-one years of uninterrupted service to the State of Mississippi, he never diminshed in stature or in usefulness as the years continued to pass.

"There is no need for us to recount here the fascinating and inspiring story of his life—he did this for posterity in an autobiography, I Had A Friend. His down-to-earth philosophy of living has also become our legacy through his recently published booklet titled, Thoughts at Ninety.

"An eleemosynary institution bears his name, buildings on college and university campuses have been named to honor him, casual and organized groups with which he was identified have adopted relevant resolutions commemorating his rich life, and appropriate editorials regarding this remarkable person have been penned by editors of newspapers throughout the State.

"This assemblage, therefore, manifests its profound respect for this noble man by recognizing that as a life deacon of this church, as husband and father, as a commoner, friend of all, as a career public official, and as a private citizen, Dr. Bond epitomized the most exemplary traits of each role he played in his more than ninety-two years of living.

"Let this congregation hear again from this revered man when he was writing the closing lines of his biography. As he wrote the epilogue to his life story he referred to himself as 'The Old Man' standing in the family cemetery by the grave of his mother whose death left him an orphan at age five. In those moments he was evaluating his life. These few lines reveal the true character of the author. He said:

"Feeling very grateful for those who had cared for and loved him when he was an orphan and thankful to God for his guidance at all times, the old man after spending a few minutes at the grave of his mother . . . walks slowly away wondering if he had kept faith with the dear ones who rest in this sacred spot by living a good life, by helping those in need of a friend, and by realizing at all times that the highest privilege he has had was to do something for his fellowmen that needed to be done, that no one else could or would do, and to do it unselfishly.'

"As a lasting expression of respect by the membership of the First Baptist Church of Jackson, Mississippi, for the late Dr. Willard Faroe Bond this statement is recorded in its minutes and copies delivered to members of his immediate family and all news media.

"Cecil F. Travis,
"Chairman.
"Dr. Kirby P. Walker,
"Purser Hewitt,
"J. H. Wells,
"Dr. Boyd C. Edwards."

THE BATTLE TO IMPROVE CHILD NUTRITION

HON. CARL D. PERKINS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. PERKINS. Mr. Speaker, I want to announce here today that we have only begun the battle to improve child nutrition in this country. The Members of this House voted overwhelmingly to accept our responsibilities and put some real muscle into the child feeding programs. We approved H.R. 17872 to provide $100 million a year for 3 years from 32 funds to beef up the child feeding program. This money would have been available to the Secretary of Agriculture automatically each July 1 and would have been over and above any amounts provided by the Appropriations Committees. This money would have been directed to getting a good, sound food service to the children who most need it—the youngsters in remote rural schools and those millions of youngsters in the inner-city elementary schools. These are the forgotten children. We have neglected them far too long.

The second measure we passed unanimously, H.R. 17873, provided for essential and long-needed changes in the operation of the national school lunch program. It would have required the States for the first time—all of the States—to join with us in supporting the lunch program financially. A number of States have put tax dollars into the program but too many of the States were content with using children's payments to make up virtually all of their matching requirement. This bill would have outlined the kinds of things we want the schools to incorporate into their decisions as to who should receive lunch free or at reduced price. And a very important new feature authorized a nutrition education and training program.

These were both good measures and sound measures. They were the result of hours and hours of hearings, of getting the word and the recommendations of school officials, nutritionists, doctors, and interested and concerned private organizations and agencies.

They were the result of a real bipartisan effort to find out and do something about malnutrition in this country. We are agreed that the quickest and most effective route is to reach children in groups. This we can do using the techniques that we have perfected in the lunch and breakfast programs. All that was really required was a commitment and a will to move, both the commitment and the will require funds. These are funds that are not dissipated or diluted through a fancy administrative structure. These are funds that move from Washington to the school to get food on a child's plate.

While we are actually feeding the children we can move on the longer range problem of educating our population on the whys and hows of nutrition. It was very clear from the testimony we heard that this area of concern has been too long neglected.

As a result of all our efforts we did achieve two milestones. The first was enactment of a bill to extend food service programs to day care centers so we can reach the preschool child, to settlement and neighborhood houses so we can reach children who go there for supervised recreation and care, to summer day camps and organized summer recreational activities so we can reach the children whose good nutrition is a year-round need but who do not have access to a school lunch or breakfast program during the summer months.

The second milestone was a breakthrough in funding for school feeding in low-income areas. Unfortunately this is a 1-year, one-shot deal at half the level we had approved—$50 million instead of $100 million.

The States and the Department of Agriculture are going all-out to get lunch and breakfast programs into operation in those areas that need them most. For the first time they are in a position to make some real progress to reach thousands and thousands of needy children, the forgotten children.

The danger and the challenge will face us early in the next session. Will we put up the money to carry the momentum that is now building, will we keep that momentum or will we say to these children that they had a lunch or breakfast for a year and that their need for good nutrition ends there?

I want to assure the Members of this House that we will come right back early in the session and give priority attention to the two measures we passed this year. Those hours and hours of hearings, that testimony we heard, those bills we wrote and passed, will not be wasted. There is no excuse for a hungry child in this country and far less excuse for hundreds of thousands of hungry children. The food is there and we have the resources and the delivery systems to turn this situation around and this we will do.

ADDRESS OF VETERANS' AFFAIRS WILLIAM J. DRIVER TO THE AMERICAN LEGION NATIONAL CONVENTION

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. HELSTOSKI. Mr. Speaker, the 90th Congress has passed several pieces of beneficial legislation for veterans including a recordbreaking increase in compensation for service disabled veterans, improvements in the pension, and readjustment programs, and a full range of wartime benefits for veterans of the Vietnam conflict.

William P. Driver, Administrator of Veterans' Affairs, summed up many of these activities in his remarks to the 50th national convention of the American Legion held in New Orleans last month.

I join with Mr. Driver in his congratulations to the American Legion for its 50 years of accomplishments for veterans and their dependents, and I am honored to include in the Extensions of Remarks the full text of his address to the convention, as follows:

It has been just over a year since I had the privilege of meeting with you in your National Convention, and now you are celebrating your Golden Anniversary year. From the group of 500 men who attended the Paris Conference in 1919 and the 1,200 other founding members meeting in St. Louis the same year, I understand that only about 300 are still alive.

Commenting on this, the Speaker of the House of Representatives, John McCormack, summed up the vitality and the enthusiasm with which the Legion continues into its next half century. He said: "Yet, as the number of its founders dwindle, the American Legion marches on to newer achievements and an even more significant place in our national life. All Americans familiar with public affairs are aware of the significant and lasting contributions made by the American Legion to community, State and Nation—Contributions made for God and Country."

Your two and one-half million members in 16,500 posts are positive proof that those founding veterans had a good idea—that they were, indeed, men of vision. That vision of unity and strength has now blossomed into reality.

And during this year of celebration—you have had added incentives to expand the role you are playing on behalf of American veterans. You have witnessed the emergence of veteran affairs into a major position of importance because of the extensive new legislation and administrative services that have come into being during the past four years.

When I met with you last year I called 1967 the "Year of the Veteran." Now we realize that was only the beginning and I am going to have to extend that year into what we are happy to designate as "The Era of the Veteran."

Last year we thought the unprecedented message by the President to Congress concerning veterans affairs was one of those once-in-a-lifetime events that we had been permitted to witness. But I suppose none of us then realized the true extent of the President's deep concern in all the programs for veterans. For again this year—on January 30th, President Johnson sent another message to Congress, and this one contained 15 specific legislative and administrative proposals to better the lot of American veterans and dependents.

When a President's term comes to an end it is customary for every branch of the Executive Department to sum up what has been done during the period. I can assure you that the "summing up" for the VA is one of the most pleasant tasks we have had to perform in a long time. And no one can discount the motivating influence of the American Legion in speeding enactment of nearly 40 new laws that have been passed during just the past four years.

For an audience of this sophistication in veteran affairs, I know I do not have to go into detail on the unparalleled accomplishments of recent years. But I do want to mention briefly just some of the major advancements:

Two increases in compensation for service-disabled veterans adding up to more than $400-million-per-year with payments to totally disabled veterans boosted by $150-per-month, or 60-percent.

A Third Generation G.I. Bill that put more than 5,000,000 Post-Korean veterans on a benefit par with older veterans.

Three pension increases in four years plus protection of pensioners against income erosion as the result of increases in Social Security and other income.

Big improvements in the vocational rehabilitation and G.I. loan programs.

A change in philosophy and procedure that will unravel the Gordian knot that has shackled the availability of national cemeteries for many decades.

Better medical care for more veterans. Last year VA treated 154,000 more sick and disabled veterans than just 10 years ago.

Hospital waiting list at an all-time low.

A vast new, three-prong program of nursing home care.

And an entirely new philosophy of service that has reached out to help veterans on the battlefields in Viet-Nam—at every military hospital and separation center—and through U.S.

Veterans Assistance Centers in every major city.

Great though this record is—it is by no means the signal to halt our action. There is still much that needs to be done, and with the help of another sympathetic Administration and the support of the American Legion and other veteran organizations, the entire veterans' benefit program will continue as an integral and dynamic example of progress in our Government.

We have a blueprint for the future in the report of the U.S. Veterans Advisory Commission.

Two of the top three priority recommendations of the commission . . . concerning disability compensation and part-time vocational rehabilitation . . . are already the law of the land.

Many of the other urgent recommendations are at some stage of serious consideration in the halls of Congress, and all of the more than 70 remaining recommendations will, I am sure, receive careful evaluation in shaping up future legislative recommendations.

I have been most impressed by the dedication and thoroughness of the commission's work, and I can tell you that President Johnson was very pleased with the commission's efforts when I reported to him on that subject last July 11.

I don't know whether the general acclaim for the commission study is due to the fact that the Legion's own Bob McCurdy chaired this commission or not—for he certainly had an able group of men serving with him. But I know that never has a commission conducted its inquiry with more enthusiasm, more devotion, or more stability.

There were no wild-eyed recommendations that could be viewed by anyone as an attempt by a group to "raid the treasury." At the same time there were no recommendations that the VA be dismantled or that other agencies should take over the task for which the VA was created in 1930. The detailed list of recommendations will help bring the Veterans Administration benefit system more in line with the needs of our veterans in this last part of the 20th Century.

I know that it has been rewarding to you to witness so many of the improvements you have sought for so long become a reality. I know that those men who gathered in Paris 50 years ago would extend their "well-done" to you for a job far beyond even their expectations.

I congratulate you on 50 years of accomplishment. I thank you for the great help you have extended to all of our veterans, and tell you that your support has certainly made my job much easier—and more pleasant. I am sure we can all look forward to another half-century of great progress by the American Legion.

HON. HORACE KORNEGAY

HON. E. C. GATHINGS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. GATHINGS. Mr. Speaker, when the good people of the Sixth North Carolina District elected HORACE KORNEGAY to the 87th Congress, they had selected a man eminently qualified. Keenly educated, learned in the law, he also had served his Nation valiantly during World War II. He had distinguished himself as a district solicitor for the 12th District in North Carolina. He knew the problems and the economic needs of his Piedmont district.

That he has served those people with distinction—and the Nation well—is evident. I have visited in his State and his district on the official business of the Congress in seeking better legislative programs to aid the cotton grower and the industry. I have been impressed by HORACE's broad knowledge in this field and by the esteem his constituents have for him. They know how hard he has worked for them in the Congress.

And, we know. We are well aware that HORACE KORNEGAY has been a diligent legislator, a prompt and effective advocate of the programs developed by the committees on which he has so ably served. As a member of the Committee on Interstate and Foreign Commerce, he has worked in the devising of some of the greatest programs enacted over the past 8 years. As a dedicated member of the Committee on Veterans' Affairs, he has endeavored tirelessly to improve the programs we have enacted for our veterans and their dependents.

HORACE KORNEGAY will be missed in these legislative Halls. Another great lawmaker and a true friend will leave the Congress. As HORACE retires from the Congress after 8 years of superb service, our every good wish goes with him and his family.

MALADMINISTRATION WITHIN U.S. POST OFFICE DEPARTMENT

HON. CLARENCE J. BROWN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. BROWN of Ohio. Mr. Speaker, I am in receipt of a letter from Mr. John H. Bayless, curator and business manager of the Protestant Episcopal Cathedral Foundation, which contains some shocking details of maladministration within the U.S. Post Office Department.

The foundation with which Mr. Bayless is associated supports the Washington National Cathedral, well known to Members of Congress and to the public as, among other things, a national shrine of the Episcopal Church.

Mr. Bayless outlined in his letter a project utilized by the Washington Cathedral for over 40 years to raise funds for support of the cathedral and its work. Christmas cards have been distributed to patrons across the country in an effort to promote the true meaning of that holy day through the use of very lovely and distinctive cards.

The project has become an important source of revenue in helping maintain the cathedral's ministry. It is supported by recipients throughout the world who look forward to getting the cards and paying for them by mail. But beginning in 1966, a loss of over $10,000 a year in funds has been documented by the curator and, according to Mr. Bayless, the loss was sustained as a result of theft by one or more employees of the Post Office Department.

The respected dean of the Washington Cathderal, The Very Reverend Francis B. Sayre, Jr., expressed his concern and alarm over the missing funds in letters to the Postmaster General of the United States and the Postmaster of Washington, D.C., on December 6, 1967. Dean Sayre's letters were never even acknowledged.

A second letter dated April 19 of this year was answered in a typical bureaucratic perfunctory manner, and the loss of funds appears to be continuing at this time.

In short, the Postmaster General and the Postmaster of Washington, D.C., have failed to respond in good faith to a sincere request for relief from what appears to be wholesale thievery in a branch of the Post Office.

I will ask that the correspondence containing details of this appalling situation be included in the RECORD for the reference of my colleagues. I have today delivered to the respective chairmen of the House and Senate Post Office and Civil Service Committees letters requesting and urging a full investigation of the circumstances surrounding this pilfering of church-intended funds from the U.S. mail.

That there appears to be systematic stealing of funds intended for the Washington Cathedral, and that a postal employee has allegedly escaped prosecution after stolen mail was found in his possession, are both bad enough. But that the Postmaster General and Washington, D.C., postal officials have apparently seen fit to ignore or soft-pedal the complaints is outrageous.

The present administration apparently has no intentions of taking any steps to implement the recommendations of the June 1968 report of the President's Commission on Postal Organization entitled, "Towards Postal Excellence." I recognize that the recommendations of this Commission may be controversial in many ways and that various interest groups may react differently to them. But I also am aware that the American people are becoming increasingly impatient with the swift deterioration in postal service throughout our Nation. It is one thing, however, for the mails to be delayed because of increasing volume and the elimination of methods of transportation and delivery, but it is quite another for the mails to become untrustworthy—even for charitable organizations such as the National Episcopal Cathedral. And it is most shocking of all for the top officials of the Post Office Department to become so callous to the problems which are symptomatic of the collapse of our postal system that they simply ignore complaints such as those made by the National Cathedral, which I include at the conclusion of these remarks:

PROTESTANT EPISCOPAL
CATHEDRAL FOUNDATION,
Washington D.C., October 3, 1968.

Hon. CLARENCE BROWN,
House Office Building,
Washington, D.C.

DEAR CLARENCE: If I seemed in a bellicose mood on the telephone, believe me it was no pretense. This situation with the U.S. mails is intolerable and in my judgment the entire postal system, beginning with the Postmaster General, is at fault. Losses of important letters and gifts, both money and currency, across the past three years have been horrendous and the condition is worsening from month to month instead of improving.

Across the past forty-three years, Washington Cathedral has distributed very lovely Christmas cards to patrons throughout the country in an effort to promote the use of greetings at Christmas distinctive of the true and sacred meaning of the day. While the unit margin is quite small, through volume alone, the project has become a very helpful source of revenue in maintaining the Cathedral's ministry. I have always boasted whenever we did have an occasional loss that the Post Office was to be congratulated upon the fine service it did render. In 1966, we proved a loss of $14,000, which inspectors finally pinpointed to the Friendship branch of the local system. It was being taken literally by the bundle, not by the envelope. When the mail was seeded with fifty specially marked envelopes by inspectors on one particular night, forty-nine of the fifty disappeared. Only one came through, just to illustrate the seriousness of the situation. In 1967 we showed a loss of nearly $11,000 and the way the mail is coming through this fall, even though we are only in the third week of our season, is alarming.

When we wrote to the Postmaster General with a copy to the Washington Postmaster two years ago, we did not even have the courtesy of a reply. Last year, we again protested and enclosed copies of the original letters. This time we had a perfunctory but ineffective acknowledgment. Nothing was done. People are still being hired in the Post Office without screening. There was a time when service with the Post Office was a great source of pride. Alas, it is no longer true. I have seen mail carriers on the street with caps askew, shirt tails hanging out and Nehru medals flapping as they walked. When even pride in the uniform is forsaken, what can we expect? Where men and women once proved themselves over a period of many years before reaching the registry section, they are now hired "off the street" to the registered mail chutes and desks. Postal inspectors will testify to this and to the losses experienced nightly even in registered mail. Moreover they are virtually helpless in their efforts to protect because of our laws. Even when they see mail being taken if it is not marked and clearly identifiable they cannot touch the culprit. They must first plot and scheme and catch him, while for weeks he continues to pilfer. When our mail was found in the locker of an employee last year it was declared illegal search and thrown out. The man who took our $14,000 in 1966 has never served the first day in jail. Have we not reason for indignation?

If postal inspectors could be equipped with watch stations as they once were, if their number could be doubled, or better, if employees were better screened and proven, this criminal abuse might be minimized. There are no deterrants—not even penalties, other than temporary dismissal, then the culprit can be hired back in another Government agency as a rehabilitated citizen.

I can only say that the American public is being victimized by gross negligence on the part of postal officialdom and I repeat, nothing is being done. One inspector who formerly headed this service for an entire state has told me that more pilfering takes place in the Washington Post Office in one week than he experienced in his particular state across a period of many years.

I could go on and on. I am enclosing photocopies of our correspondence with the Post Office. If there is anything you can do to bring our plight and the concerns of an entire citizenry to the attention of those who are in a position to take affirmative action, we will all be grateful.

Thank you for listening.

Sincerely yours,

JOHN H. BAYLESS,
Curator and Business Manager.

OCTOBER 13, 1966.

Mr. W. H. WEAVER,
Postal Inspector,
Washington, D.C.

DEAR MR. WEAVER: Here are two of our envelopes about which I told you. Apparently someone is penetrating our envelopes with a sharp instrument and pulling up little flaplike windows through which they can quickly scan the contents. Incidentally, the torn flap continued right on through the letter enclosure to the very center where the check could be seen. Had currency instead of a check been sent, I am sure that the envelope would never have reached us.

One of these, you will note, from Salina, Kansas, reached us on October 3 and the other from Williard, Missouri, on October 4. These are not the only exhibits but since a pattern is being established, I thought it best to call this to your attention. I do hope that something can be done to ferret out the culprit.

Faithfully yours,

JOHN H. BAYLESS,
Business Manager.

DECEMBER 6, 1967.

The Honorable the POSTMASTER GENERAL,
Washington, D.C.

MY DEAR MR. POSTMASTER GENERAL: There is growing concern on the part of many people about the state of affairs in the Washington Post Office system. For decades we marveled at the efficient and relatively secure handling of mail in this area but the quality of that service has deteriorated alarmingly in recent years.

The pride once felt by all who served in the postal system seems lacking today and the integrity for which they were known and appreciated is similarly deficient. There are still many faithful and fully responsible men and women serving us in the postal system and for this we are grateful. There are, however, far too many admitted by a watered-down screening process who are unworthy.

Washington Cathedral mail was stolen by the handsful, not to say bundles, last year with an unrecovered loss we have conservatively estimated to be in excess of $14,000. The guilty person in the Friendship station was finally apprehended by inspectors but the same thing is happening again this fall. Other groups in the city have suffered even greater losses and we think it is time that more positive action be taken. I have been told that even in the registry section where only tried and proven employees were once assigned, new people are now taken from the street so that even registered mail is no longer safe.

This protest is filed with the hope that something can be done to restore public confidence in the administration and operation of our postal system.

Faithfully yours,

FRANCIS B. SAYRE, Jr.,
Dean.

APRIL 19, 1968.

The Honorable the POSTMASTER GENERAL,
Washington, D.C.

MY DEAR MR. POSTMASTER GENERAL: Five months ago, in a letter to the Postmaster General, I expressed grave concern over the rapidly deteriorating service to the American public on the part of our postal system.

This, as you might have gathered, was only a tactful way of expressing our dismay at the wholesale robbery which the Cathedral has suffered by thefts from mail, addressed to us. I presumed to bring our distress to your personal attention only because these thefts are still occurring. A copy of my December letter was sent to the Postmaster, Washington, D.C. Neither of you responded in any way! What we feel today is indignation, rather than concern, for no effective corrective action has been taken. Certainly there has been no apparent attempt to improve the situation and our losses continue to mount at an alarming rate.

A check with local postal inspectors will confirm the deplorable record of mail handling to which I allude. Unfortunately the hands of these dedicated servants are tied by outmoded legalities and red tape and the frustration they must feel contributes only further to the sad plight of our citizenry.

In view of our tabulation of losses there is no assurance that my December letter reached you. I shall, therefore, enclose a copy to reiterate our strong complaint and our plea for prompt action.

Faithfully yours,

FRANCIS B. SAYRE, Jr.

POST OFFICE DEPARTMENT,
CHIEF POSTAL INSPECTOR,
Washington, D.C., April 26, 1968.

Very Rev. FRANCIS B. SAYRE, Jr.,
Dean of Washington Cathedral,
Washington, D.C.

DEAR DEAN SAYRE: This will acknowledge your letter of April 19, 1968, addressed to the Postmaster General, concerning the theft of mail experienced by the Washington Cathedral.

Kindly be assured that we are vitally interested and involved when the sanctity of mail is impaired in any way. I am directing that a prompt report be submitted to me as to the status of the present investigation, together with a request that renewed and vigorous attention be given to resolving the situation.

Sincerely,

H. B. MONTAGUE,
Chief Inspector.

SUMMARY OF VOTES BY HON. DONALD RUMSFELD

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. RUMSFELD. Mr. Speaker, during the 90th Congress more than 20,000 bills and resolutions were introduced. This Congress, controlled by the Democratic Party—245 Democrats to 187 Republicans—has completed its efforts to deal with the people's business. More than 1,600 measures have been passed—some constructive, others imprecise and unresponsive to the problems. Regrettably, several important matters were not considered.

The following summary of my votes is similar to those provided for the 88th and 89th Congresses. Because such a compilation cannot include each of the hundreds of votes cast, additional information on any issue is available through my office, House Office Building, Washington, D.C. Also available are reports of the Joint Economic Committee, and the Committees on Science and Astronautics, and on Government Operations, as well as statements to congressional committees or in the House of Representatives.

INTERNATIONAL AFFAIRS AND NATIONAL SECURITY

The world is still not the peaceful and secure place we would wish. War and political tensions are, unhappily, the norm. Americans are still fighting and dying in Southeast Asia. During this Congress we witnessed the Israel-Arab War of 1967 and the North Korean seizure of the U.S.S. *Pueblo*. South America and Africa are restless continents.

In support of the search for peace and stability, I supported: amendments to the Inter-American Development Bank, emergency food assistance to India, extension of the Export-Import Bank, reduction and revision of the Foreign Aid program, the Peace Corps Act, limited military assistance to friendly nations, and amendments to the Arms Control and Disarmament Act.

I opposed: new loans of naval vessels to foreign countries, an excessive level of funding of the Agricultural Foreign Assistance Act because of the need to reexamine the relationships of the numerous foreign assistance programs in light of our balance of payments and budget problems.

The Selective Service Act was continued for 4 years. I favored a 2-year extension. Unfortunately, my amendments for a 2-year extension and to remove inequities were defeated.

I also sponsored legislation to institute a comprehensive congressional review of U.S. policy in Southeast Asia, regular military appropriations, the Uniform Services Pay Act of 1967, and the Military Procurement Act received my support.

THE BUDGET AND THE ECONOMY—A LACK OF PRIORITIES

The inflationary spiral continued upward, and purchasing power of the dollar went down. Increases in take-home pay resulted in little or no increase in real buying power.

Neither the present administration, nor the Congress established priorities that make sense for today. The package method of passing appropriations limits the opportunities for the Congress to order the goals and priorities with any precision. Because of my concern about the effect of the Federal deficit, I voted to reduce or defer some programs. Had the votes of a minority of the Members of Congress, and this Member, prevailed, the budget would have been reduced substantially, and the Federal spending priorities dramatically altered.

In an effort to impose some discipline upon the Executive, I opposed increasing the Federal debt limitation. The supersonic transport, a costly and lower priority item, should have been deferred.

In March 1968, I joined a group of Republicans in proposing the Human Renewal Fund to cut Federal spending—$6.6 billion—and establish new priorities by reallocating a portion of the cut into higher priority programs. A bill to establish a Commision on Federal Budget Priorities and Expenditure Policy was also introduced.

I voted "yes" to raise the limitation on earnings of social security recipients and other social security amendments, tax surcharge, to restore the investment tax credit, to eliminate certain new executive level jobs requested for the Treasury Department, for a 5 percent cut in appropriations for Commerce, State, Transportation, and Justice Departments to limit overall Federal spending. I voted against the interest equalization tax.

POLITICAL INSTITUTIONS

During the past 2 years, the performance of America's political institutions has been challenged. Our institutions are sound, let there be no doubt about it. However, many of our governmental processes and procedures urgently require updating and reform.

During this Congress, the Senate passed an Election Reform Act and the first Legislative Reorganization Act—since 1946. Despite the pleas of your Representative and a number of others, the Democratic leadership in the House would not let these two bills come to the floor of the House for debate, discussion, and a vote. By delay and inaction, the majority leadership, in effect, filibustered the scheduling of the bills.

Some institutional reform was made and I voted for the establishment of a code of ethics for Congress and the first House Committee on Standards of Official Conduct, the popular election of the Governor of Guam, a reorganization plan for the District of Columbia government, and a NASA Safety Review Board amendment which I authored to try to avoid a repetition of the Apollo 204 fire which took the lives of three U.S. astronauts. I continued my efforts to remove postmaster appointments from politics.

Our efforts to open the Government's unclassified files to the public continued. In December 1967, the Agency for International Development—AID—adopted a new policy requiring public disclosure of contracts, thereby enabling the public to know how AID is spending public funds. In February 1968, Selective Service Directors were directed to disclose the names of local draft board members upon the request of individual citizens. Our system of government requires that the public know as much as possible about their Government.

THE URBAN CRISIS—CRIME AND POVERTY

Fear and lawlessness cannot be allowed to replace effort, learning, and initiative as the hallmarks of our society. The Omnibus Crime Control and Safe Streets Act of 1968 was one congressional response to this issue. It provides for Federal grants to States to strengthen local law enforcement capabilities, controls on the interstate transportation and sale of firearms and ammunition, court supervised wiretapping, and laws regarding Federal criminal court procedures.

I also supported establishment of a Joint Committee to Investigate Crime, amendments to the Drug Abuse Act, Juvenile Delinquency Act amendments to improve State and community rehabilitation and prevention services for delinquent youth, the establishment of a Federal Judicial Center to foster improvements in the administration of justice, and Federal punishments for interstate traffic or possession of LSD.

The Joint Economic Committee on which I serve issued reports on cost-benefit analysis of human investment programs in the cities. I cosponsored the Community Self-Determination Act of 1968, and the Percy-Widnall low-income homeownership plan, which was incorporated, in part, in the housing bill of 1968, to help stimulate low-income homeownership. I voted to revise the poverty program and the model cities programs. I opposed the rent supplement program, and urged utilization of the existing rent certificate program as a more sensible approach to the problem.

EDUCATION—NOT ONLY FOR THE YOUNG

The strength of the United States depends in part on the quality of education available to all of our people. The young need to be equipped for productive lives. Many already in the labor force require additional training to remain productive in a constantly changing, increasingly technological economy. Because I believe the private sector can predict current and future needs better than the Government, I cosponsored the Human Investment Act to provide tax credits for industry to upgrade the skills of the labor force, and the National Manpower Act of 1968 to assist employers hiring and training hardcore unemployed.

I voted "yes" on amendments to strengthen the Vocational Rehabilitation Act, to extend the college work-study program, amendments to the national school lunch programs, extension of the Higher Education Act, amendments to the Elementary and Secondary School Assistance Act, and the Public Broadcasting Act of 1967.

For the third consecutive Congress I introduced a bill to provide for individual income tax deductions for partial costs of higher education, and continue to believe this to be a sound, necessary approach to help meet the spiraling costs of higher education.

HEALTH AND CONSUMER AFFAIRS—PROTECTION AND INSPECTION

In addition to the Partnership for Health Act amendments of 1967 and other health measures, this Congress passed a number of consumer protection bills.

I supported the Poultry Inspection Act, the Federal Meat Inspection Act, amendments to the Flammable Fabrics Act, a National Commission of Product Safety, the Consumer Credit Protection—truth-in-lending—Act, an aircraft noise abatement bill, and amendments to the Social Security Act.

A bill I introduced to provide special postal rates for certain materials for the blind was incorporated in the Postal Act of 1967.

CONSERVATION

Our natural resources must be available for the use and recreation of a growing population. To conserve and develop these resources, I supported the Redwoods Park bill, the National Trail System Act, the Water Conservation Fund Act, and legislation to establish a National Water Commission for a comprehensive study of water resources problems.

I also supported the attack on water and air pollution by voting for the Air Quality Act of 1967, and research programs in both areas. Introduced legislation in support of the Great Lakes Basin Compact, to provide penalties for dumping oil in certain navigable waters including the Great Lakes, to provide penalties for oil pollution, and to provide tax incentives to industry for the employment of air and water pollution control devices.

MISCELLANEOUS

I supported the Veterans' Pensions and Readjustment Assistance Act of 1967, Veterans' Mortgage Insurance Act, and service-connected compensation amendments. Also, the Civil Rights Act of 1968, Rights for American Indians, the Federal Jury Selection Act, the Monday holidays bill, copyright law revisions, and provision for a mid-decade census.

I voted no on legislation on peanut acreage allotments, the Dickey-Lincoln public power project, long staple cotton quotas, canning and freezing marketing orders for cherries and pears, and various public works bills, including the Dulles-Potomac interceptor sewer, the Central Valley project, the Palmetto Bend project, and the Missouri River Basin project.

This summary covers many of the votes and positions taken during the 90th Congress. Complete information on any aspect of the work of the 90th Congress is available upon request.

ADDRESS BY MRS. LLOYD BUCHER, WIFE OF COMMANDING OFFICER, U.S.S. "PUEBLO" AT THE AMERICAN LEGION NATIONAL CONVENTION

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. DUNCAN. Mr. Speaker, after more than 8 months of waiting and hoping, and despite the 20-odd meetings with North Korean representatives at Panmunjon, the administration is no closer to securing the release from North Korea of the 82 surviving crew members of the U.S.S. *Pueblo*. It is unfortunate that the American public must constantly be reminded of this failure on the part of the United States to protect its personnel to operate its vessels anywhere in international waters, and to uphold its image as a great power capable of carrying out its defense commitments to the smaller, free nations of Asia.

Among its many services to America, the American Legion has helped to keep us all aware of the fact that the *Pueblo* incident remains an unresolved issue. At its 50th annual national convention, recently concluded in New Orleans, the American Legion renewed its call for strong, positive action by the United States to recover the *Pueblo's* crew and the vessel itself. Mrs. Lloyd Bucher, wife of the *Pueblo's* commanding officer, addressed the convention and thanked Legionnaires, and especially those of Summers-Whitehead Post 14 of Chattanooga, Tenn., for their efforts to marshal public opinion "to pressure the executive department for positive action that will result in the return of the *Pueblo* and its crew to American soil immediately and with honor."

I am pleased to bring to the attention of the Members of the House the full remarks of Mrs. Bucher on that occasion, and the text of Legion Resolution No. 263, on the *Pueblo* incident:

MESSAGE OF GREETINGS FROM MRS. LLOYD BUCHER, WIFE OF COMMANDING OFFICER, U.S.S. "PUEBLO," AT AMERICAN LEGION NATIONAL CONVENTION, SEPTEMBER 10, 1968

I am deeply and sincerely grateful for this opportunity given me by your National Committee and the Summers-Whitehead Post 14 of Chattanooga, Tennessee, to address your convention. My purpose in appearing here today is to urge your support, indeed your leadership, in reminding the leaders of this great country that they have apparently abandoned the crew of the USS *Pueblo* and have allowed our Nation's honor to be questioned as never before in history.

It has been over seven and a half months since the USS *Pueblo*, a Navy ship on an assigned Navy mission, sailing the high seas under the protection of a sovereign flag was illegally seized in a tragic act of murder, kidnapping and piracy. 232 days of inaction, and I know of no poison where the antidote is a larger dose of the same poison. 232 days of "patient diplomacy"—unproductive diplomacy would be more appropriate!

Has this Nation's leadership become so bankrupt—does our flag mean so little—has our commitment to our fighting men become so weak—have our people's sense of outrage become so dulled that we cannot make the immediate release of the crew of the *Pueblo the* priority item on our Nation's agenda?

I am personally disillusioned that this—the greatest nation on earth—goes to the Panmunjon talks hat in hand when infrequently North Korea agrees to meet. Has this National decided how long it will talk before it decides that it has talked enough? Hundreds of Americans originally held in North Korean prisons since the Korean War are still unaccounted for, and each year we file a strong protest. Fifteen years from now will we be filing a strong protest once a year for the men of the *Pueblo?* It was on January 26th that the President said of the *Pueblo*, "This is a wanton and aggressive act. Clearly, this cannot be tolerated," but he has tolerated it, and he shows every indication of passing this crisis on to his successor. Apparently our Nation has decided not to solve crises, but to file them and hope they eventually solve themselves.

There has been much talk by the President about honoring our commitments to our men in Vietnam. Don't we have a commitment to all men in uniform, including the men of the *Pueblo* as well—and I wonder how the 82 surviving men feel about the way we have honored our commitment to them. If this Nation refuses to honor its part of the bargain, how long can we expect our fighting men to honor theirs?

Your great organization, dedicated to the honor of God, and the protection of country, has always led the fight for national honor. Your individual members, and posts such as the Summers-Whitehead Post 14 of Chattanooga, Tennessee, have accepted the leadership roles in their own communities to marshall public opinion to pressure the Executive Department for positive action that will result in the return of the *Pueblo* and its crew to American soil immediately and with honor.

I strongly urge this convention not only to pass a strong resolution, but to commit its entire membership to deluge all candidates for public office with their opinion on the handling of this blot on the Nation's honor, and to convince all seekers of public office that our Nation has not forgotten the *Pueblo*, even though some leaders may wish us to.

I know that in this Convention your time is short, and your agenda long, but I want to face my husband when he returns and tell him that the American Legion, at its National Convention, raised before the American people a banner which was so large it could be read from the Perdanalles to Washington, D.C.

Remember the *Pueblo!!*

AMERICAN LEGION RESOLUTION No. 263

Committee: Foreign Relations.

Subject: U.S.S. *Pueblo* Incident.

Purpose: To urge strong U.S. efforts to secure return of crew of the U.S.S. *Pueblo*.

Whereas, The American Legion is deeply concerned over the fact that the U.S.S. *Pueblo* and its crew have been detained in military custody by North Korea since January 23, 1968; and

Whereas, at the time of its illegal seizure by North Korean gunboats, the National Commander of The American Legion advised the President of the United States by telegram that this organization strongly backs "all determined efforts you deem necessary to effect the prompt return to United States control of the U.S.S. *Pueblo* and its personnel and equipment;" and

Whereas, repeated diplomatic representations, including resort to the Security Council of the United Nations and direct discussions with North Korean officials at Panmunjom, have failed thus far to produce any sign of willingness on the part of the North Koreans to return the vessel and crew; and

Whereas, the communists there and elsewhere are using this issue for propaganda purposes and, in their typical fashion, are confusing and distorting the facts in an effort to degrade and demoralize the personnel of the *Pueblo*, and to discredit and disparage the United States generally; and

Whereas, these communist tactics—plus the fact that we have not recovered our men and property—have tended to lower United States prestige among our allies and friends; and

Whereas, continued delay in resolving this issue satisfactorily will result in further loss of respect for the United States and in serious deterioration of our ability to fulfill the role of leader of the free world, and champion of free Asia; and

Whereas, The American Legion believes it is high time for the United States to reaffirm and reestablish its traditional posture of defender and protector of our international rights as an independent, law-abiding and God-fearing member of the community of nations; and

Whereas, The American Legion has the utmost sympathy for the plight of the men of the *Pueblo* and their family members at home; and

Whereas, The American Legion firmly adheres to the idea that a slogan which helped make that tradition is still a valid guideline for the foreign policy of this country, namely: "Millions for defense, but not one cent for tribute;" now, therefore, be it

Resolved, by The American Legion in National Convention assembled in New Orleans, Louisiana, September 10, 11, 12, 1968, That The American Legion:

(1) urges that effective diplomatic efforts be pursued to recover our men and the U.S.S. *Pueblo* itself; and

(2) insists that this matter must be resolved satisfactorily at an early date; and be it further

Resolved, That, meanwhile, the Government of the United States is urged to deny any financial aid to any country, or entry to any United States port of vessels of any country that trades with North Korea, until the members of the crew and the U.S.S. *Pueblo* are returned to United States jurisdiction; and be it further

Resolved, That if the communist regime of North Korea continues to refuse to return the *Pueblo* and its crew, The American Legion calls for and will support strong, positive action by our Government—including the use of whatever military force is required—to restore to United States control the personnel of the U.S.S. *Pueblo* and the vessel itself.

THE "PUEBLO"—HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. SCHERLE. Mr. Speaker, this is the 263d day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

TRIBUTE TO MONTGOMERY COUNTY AND GAITHERSBURG COMMUNITY LEADERS

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. GUDE. Mr. Speaker, Montgomery County, Md., would not have grown to be the great and strong county recognized throughout the United States today without such citizens as those who, in the last 2 years, have received public recognition by their fellow citizens in Gaithersburg. Not enough credit is given to the community leaders who have helped Gaithersburg and Montgomery County to become the fine and thriving community it is today. In the last 2 years the Gaithersburg Chamber of Commerce has taken cognizance of this face and initiated a program of honoring citizens who labor so hard on behalf of their fellow man and do so much good in the community.

At a dinner on May 2, 1967, the Gaithersburg Chamber of Commerce paid homage to two men whose acquaintance started when both were farmers and hauled milk in cans on horsedrawn wagons to the railroad station in Germantown for shipment to Washington: W. Larson King, one of the most outstanding farmers and milk producers in the area for a number of years, and Ernest C. Gartner, a farmer until 1919 and present owner of the Gartner Funeral Home in Gaithersburg. Forte Sandison, president of the host chambers made presentations of a heavy oil portrait to each man and a certificate marking the occasion.

This past summer on Thursday, June 27, 1968, two more citizens, prominent in community civic and social affairs and successful in their respective professions, were likewise honored by the chamber: Leonard H. Hoyle, a banker and business leader, formerly president of the Maryland State Bank, and later a vice president of the Suburban Trust Co., until his retirement 3 years ago; and, Dr. Frank J. Broschart, a physician, who served as Montgomery County medical examiner for approximately 21 years and was a member of the staff of Montgomery General Hospital until his retirement in 1964 after 33 years as chief radiologist at the hospital. Presentation of a painted personal portrait and distinguished service certificate was made by George Weast, president of the Gaithersburg Chamber of Commerce.

John Panagos, editor and publisher of the Gaithersburg Gazette, has joined in this effort of recognizing these outstanding citizens, and to this end I would like to bring to the attention of my colleagues two articles from the Gazette, which relate in detail the prominence of each of these men has played in the community. The articles follow:

[From the Gaithersburg (Md.) Gazette, Apr. 27, 1967]

CHAMBER READIES TO HONOR MR. KING AND MR. GARTNER

Two local men who have been serving the Gaithersburg community for the past five decades will be honored at a dinner sponsored by the Gaithersburg Chamber of Commerce at the Washingtonian Country Club on May 2. The local Chamber will pay tribute to W. Lawson King, who has been one of the most outstanding farmers and milk producers in this area; and Ernest C. Gartner, funeral director and embalmer in Gaithersburg.

It is interesting to note that the acquaintance of these two men started when both were farmers and hauled milk in cans on a horsedrawn wagon to the railroad station in Germantown for shipment to Washington.

Mr. King was born in Urbana and at the age of five in 1902 moved with his parents to Brink in Montgomery County, where he lived with his family until he was 21. His father purchased a farm at Quince Orchard, which he and his brother operated until 1919. "In August of that year I loaded my clothes, bed clothes, bed and bureau into a horse-drawn wagon and came to live in Gaithersburg," Mr. King recalled. At that time he owned two suitcases full of vests.

MILLING COMPANY SALESMAN

He went to work for Mr. A. R. Selby at the Liberty Milling Company in Germantown, where he was a salesman for approximately two years. Then he went to work for Wilkins Rogers Milling Company in Washington as a salesman. He was there six months when the mill burned and he went to work for Mr. Bradley Woodfield in Damascus and stayed with him for 5½ years.

He later worked for Mr. Deets Warfield and in 1928 took the Pontiac agency in Gaithersburg and had had the dealership ever since. He is now President of King Pontiac, Inc.

Mr. King has never lived anywhere but on a farm. When he lived on the farm with his parents, he hauled milk with horse and wagon to Germantown each day where the milk was loaded on a train and sent into Washington. Quite frequently on these trips, he met Mr. Gartner in Germantown, busy at the same task that he was performing.

SERVES MANY

Mr. King is presently a Director of Suburban Trust Company, Suburban Hospital, Tuberculosis and Heart Association, and the American Red Cross; a Member of the Board of Trustees of Hood College, a member of the Maryland State Fair Board, Montgomery County Library Board, Montgomery County Co-operative Agriculture Center, Fire Board of the Gaithersburg-Washington Grove Volunteer Fire Dept., Farm Bureau, honorary member of the Future Farmers of America, member of the National Rivers & Harbors Congress, the Montgomery County Chamber of Commerce, Gaithersburg Chamber of Commerce, Gaithersburg Rotary Club, was a charter member of the Gaithersburg Lions Club, member of the Masonic Lodge, member of the Washingtonian Country Club and Manor Club, and member of the Neelsville Presbyterian Church.

For 18 years, Mr. King served on the Board of Directors of the Farm Credit Administration in Baltimore. He is a former director of the Maryland & Virginia Milk Producers Association, and he served five years on the Maryland National Capital Park & Planning Commission.

Mr. Gartner was born in Everett, Pa., and came with his family to Germantown in 1906. He received his early education in the Hancock Public schools and graduated frrom the Renaurd School for Embalmers in New York City.

In 1918 Mr. Gartner married the former Annie E. Nelson, who passed away in 1950.

A farmer until 1919, he is the owner of Gartner Funeral Home in Gaithersburg.

He is a charter member and a president of the Gaithersburg-Washington Grove Fire Department; charter member and board member of the Gaithersburg Lions Club; charter member and board member of the Gaithersburg Chamber of Commerce (formerly the Gaithersburg Businessmen's Association; a member of the Forest Oak Lodge Knights of Pythias for 47 years; charter member of Montgomery Council, 2323 Knights of Columbus; member of St. Martin's Catholic Church in Gaithersburg; and member of the Washingtonian Country Club.

[From the Gaithersburg (Md.) Gazette, June 20, 1968]

BROSCHART, HOYLE TO BE HONORED AT LOCAL CHAMBER BANQUET

The Gaithersburg Chamber of Commerce will honor two prominent citizens of Gaithersburg at a special banquet at the Washington Country Club, on Thursday, June 27, at 7 p.m.

Scheduled to receive painted personal portraits, distinguished service certificates, and other awards at the banquet are Dr. Frank J. Broschart, physician, and Leonard H. Hoyle, banker and business leader.

Born in Dushmore, Pa., December 2, 1886, Dr. Boschart received his medical degree from the University of Maryland in 1911. After practicing among patients in the coal fields of West Virginia and service as a major in the U.S. Army Medical Corps during World War I, Dr. Broschart located in Gaithersburg in May 1919.

Medical examiner for Montgomery County for approximately 21 years, Dr. Broschart was a member of the staff of Montgomery General Hospital until his retirement in 1964 after 33 years as chief radiologist at the hospital for 33 years.

Since it was organized in 1962, Dr. Broschart has been Honorary Marshall at the Gaithersburg Open Golf Tournament. He was long active in the Rockville Lions Club and the American Legion and has been a member of numerous professional societies. He has been surgeon of the Baltimore and Ohio Railroad and the Gaithersburg-Washington Grove Fire Department. Dr. Broschart has three children and 17 grandchildren.

Leonard H. Hoyle is a native of Montgomery County and resident of Gaithersburg for nearly 35 years. A son of the late W. J. Hoyle, an Olney merchant for 60 years, Mr. Hoyle was raised "behind the counter."

Educated in the Montgomery County Public Schools he finished a four-year course in commercial art and design in three years at the Maryland Institute of Art in Baltimore. He attended the Stewart Business College and the American Institute of Banking in Washington, D.C.

Hoyle became a general investigator for Dun and Bradstreet before launching his banking career with Riggs National Bank in 1926.

He joined the First National Bank of Gaithersburg as assistant cashier on January 15, 1934, and became president shortly before the consolidation with the Germantown Bank, after which he was elected president of the new organization known as the Maryland State Bank of Montgomery County.

The Maryland State Bank merged with Suburban Trust Company on November 30, 1960, at which time Mr. Hoyle became vice-president of Suburban. Mr. Hoyle retired December 31, 1965.

Hoyle is a charter member of both the Rockville and Gaithersburg Lions Clubs and is a past president of the latter. He's a past president of the Gaithersburg PTA and the Montgomery County Bankers Association. He has also served as a member of the Montgomery County Board of Education Advisory Committee and the Montgomery County Council Financial Advisory Committee.

He was chairman of the Gaithersburg Area War Bond Drive during World War II and a veteran of World War I. He is a member of the board of trustees of the Grace Methodist Church.

Mr. Hoyle and his wife have two children and two grandchildren.

"THE NATIONAL POLITICS OF EDUCATION: A CONGRESSMAN'S VIEW"—AN ESSAY BY CONGRESSMAN JOHN BRADEMAS IN THE UNFINISHED JOURNEY: ISSUES IN AMERICAN EDUCATION

HON. CARL D. PERKINS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. PERKINS. Mr. Speaker, one of the members of the Committee on Education and Labor who has made a very great contribution to the writing of nearly all the education measures enacted into law in recent years, is the gentleman from Indiana [Mr. Brademas].

I am very pleased, therefore, to see that Congressman Brademas was one of 12 distinguished Americans who contributed essays to a recent volume marking the 100th anniversary of the founding of the U.S. Office of Education.

Congressman Brademas has written a most thoughtful analysis of some of the factors that went into the enactment of the historic Elementary and Secondary Education Act of 1965, to which he, himself, made a most significant contribution.

The other contributors to this volume are as follows: Ralph W. Tyler; Walter P. Reuther; Alison Davis; Sidney P. Marland, Jr.; Robert E. Slaughter; Harold B. Gores; Esther Raushenbush; Earl J. McGrath and L. Richard Meeth; James A. Perkins; Thomas J. Watson, Jr.; Charles Frankel.

President Johnson wrote a preface and U.S. Commissioner of Education, Harold Howe II, an introduction for this volume.

Mr. Speaker, at this point in the Record, I insert the text of Congressman Brademas' essay entitled "The National Politics of Education: A Congressman's View":

The National Politics of Education: A Congressman's View

(By John Brademas)

Writing in 1961, two perceptive American political scientists surveyed the prospects for federal aid to education and made a dim forecast: "For close to a century, the Federal aid story-line has run on without a break, rather in the manner of a daytime television serial. There is no particular reason to assume the end is now in sight, and some good reasons to suspect that Federal aid will not be approved within the immediate future."[1]

Yet within four years after those words were published, Congress had passed and President Johnson had signed the most significant law channeling federal funds into local school districts the nation had ever seen, the Elementary and Secondary Education Act of 1965 (ESEA). Indeed, by December of that year, when the 89th Congress adjourned, President Johnson had already put his signature on more federal-aid-to-education bills than had his thirty-five predecessors combined.

When Frank J. Munger and Richard F. Fenno, Jr., wrote their pessimistic prophecy there were in fact "good reasons to suspect" that additional federal education measures were doomed. Although 1958 had brought the National Defense Education Act, Congress in the years immediately following resisted, with a few exceptions, further extensions of federal assistance. In 1961 the House of Representatives overwhelmingly rejected an elementary and secondary school bill; two years later, after President Kennedy had presented the most sweeping program for federal help to education ever advocated up to that time by an American President, the outlook, especially for help to the schools, remained bleak.

The NDEA, moreover, had been passed at a moment of great national stress—the first, surprising Soviet success in space—and it is significant that "Defense" is part of the title of the act. Congress seemed to be saying that the use of federal dollars to support schools was justified only when national security was at stake, not education itself.

What happened in the years after 1961 to upset the grim prediction of Professors Munger and Fenno and to produce the most remarkable outpouring of education legislation in the nation's history? And in particular, what broke the logjam on federal aid to elementary and secondary education?

What happened, in essence, was that changes both outside and within Congress combined to alter, swiftly and dramatically, the national politics of education. Before attempting to describe these influences, I want to emphasize that I write from the perspective of a Member of Congress. Accordingly, I shall not pretend to be exhaustive in my account but rather shall focus on the ways in which Congress absorbs, weighs, and translates these often disparate forces into law. Only in recent years has there begun to be much sophisticated analysis of the relationship of the political process to the shaping of education policy, especially at the national level. Perhaps some useful contributions to this understanding can be made by a Member of Congress who serves on the House committee with principal responsibility for writing education legislation.

I think it is in order here, however, to add this qualification. Participants in decisionmaking on education policy—as, indeed, on policy in every other area—see that process, understandably, from their own vantage points. Congressmen and Senators, committee staffs aides and lobbyists, Commissioners of Education and Presidents may all be involved in the same events, but they view them from different perspectives.

What follows, then, is one view of the politics of education as seen from Capitol Hill.

EXTERNAL FORCES

First, I wish to examine some crucial external forces, by which I mean those influences outside Congress that mold education legislation. These include several major developments within American society as well as the pressures of education interest groups, activities of the President and certain agencies of the executive branch, and decisions of the federal courts.

The large forces at work in any society constitute the environment within which the politics of education, or of any other area of public policy, operates. Of the forces which affect our schools and colleges and therefore our perception of the kind and degree of federal support which education requires, I would single out four that have matured in this decade.

Urbanization. The continuing movement of our people into metropolitan areas, with a consequent rise in the demand for urban services and resources, has created special problems which no state government adequately anticipated and which few have even attempted to ease. City mayors and school superintendents, for example, finding little response to their urgent concerns from rurally dominated state legislatures, have started turning to Washington for help.

Poverty. The shaming discovery that poverty did not end with the Depression, that literally millions of Americans live and die in conditions that we thought afflicted only poor, struggling countries beyond our borders, has focused the national conscience on some thirty million Americans whom the affluent society has passed by.

Civil Rights. After three centuries of exclusion from full participation in American life, American Negroes have exploded in a powerful and insistent demand for the rights of citizenship. This awakening has ranged from intensified political action to nonviolent demonstrations to the riots of Watts and Newark and Detroit. Despite the confusion of voices, several messages have come through again and again: more jobs, better housing, better schools.

The Ecumenical Movement. The election of our first Roman Catholic President; the Papacy of John XXIII, the Pope most popular with American non-Catholics; the growing ecumenical movement throughout world Christendom; and the common struggle for civil rights which brought many American religious leaders together effectively for the first time—all these factors have combined to diminish the hostility of many groups to federal education legislation that allows parochial schoolchildren to share in its benefits.

These four developments in American society in effect constitute the raw material from which education legislation in the 1960's has been refined; they have shaped a national mood which makes its impact on every Senator and Congressman and which helps determine his response to education-aid proposals.

Congress is not alone, of course, in attempting to take the national pulse and prescribe remedies for the ills it diagnosis. A small army of other diagnosticians regularly parades to Capitol Hill to urge its own brand of medicine. Most conspicuous among these advocates are the education interest groups.

The education lobbies vary widely in their clientele, structure, focus of concern, and above all—from a political point of view—in the influence they wield. In addition to such obvious groups as the million-member National Education Association and the rapidly growing American Federation of Teachers (AFL–CIO), they include civil rights, religious, business, and labor organizations that are not ordinarily thought of as part of "the education lobby." Legislative representatives of the United States Chamber of Commerce, for example, nearly always testify at congressional education hearings, as do spokesmen for the National Council of Churches and the National Association for the Advancement of Colored People.

The diversity of the education interest groups reflects, of course, the pluralism of American education itself; this diversity, however, also limits the effectiveness of the education lobby, for not often are these organizations able to join forces and bring to bear on Congress the full weight of their memberships.

The National Education Association, for instance, is interested chiefly in elementary and secondary education and only intermittently makes its impact felt on issues involving college-aid legislation. The American Council on Education and the National Association of State Universities and Land-Grant Colleges direct their efforts almost exclusively to higher education, and other groups—such as the National Audio-Visual Association or the American Library Association—focus their influence on comparatively narrow segments of the educational enterprise.

It is understandably difficult for these various groups to find a common ground on crucial issues. Although all American education would have ultimately benefited from the passage of a college aid bill in 1962, the National Education Association helped defeat such a measure despite the strong support it enjoyed from the American Council on Education and virtually all the other higher-education groups.

The chief reason cited by the NEA for this opposition was that the bill authorized fed-

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Footnotes at end of article.

eral grants to church-related colleges and universities. Yet in 1965, when the interest of its own elementary and secondary constituency was at stake, the NEA overcame its long-standing apprehensions about federal programs that benefit nonpublic-school students and gave firm backing to the Elementary and Secondary Education Bill—which included federal grants for school programs in which parochial students could participate.

In 1965 the customary fragmentation of the education lobby was replaced by a rare demonstration of unity. The NEA, the National Council of Churches, the National Catholic Welfare Conference (now the U.S. Catholic Conference), the American Federation of Teachers and most of the education interest groups all moderated their earlier disagreements on school aid and became allies in championing ESEA.

Yet such united action by groups interested in education is exceptional.

One consequence of the difficulty the education lobby encounters in developing common positions is that ideas for education legislation come more and more from the executive branch rather than from the interest groups that speak for education.

The new importance of the White House in initiating and shaping education policy stems from two more basic causes: Presidential commitment to education and resources available to the President to back up that commitment.

John F. Kennedy's interest in education perhaps ran more deeply than that of any other President since Thomas Jefferson. According to one of his closest advisers, Theodore Sorensen, education was "the one domestic subject that mattered most to John Kennedy . . . Throughout his campaigns and throughout his Presidency, he devoted more time and talks to this single topic than to any other domestic issue." [2]

Stephen K. Bailey, dean of the Maxwell Graduate School of Public Affairs at Syracuse University, writes that "no President had given education a higher priority on his agenda of legislative proposals" than Kennedy.[3]

Lyndon B. Johnson has demonstrated an even more profound dedication to education. One of the most exciting moments of my life was the first time I heard the President talk about education," says John W. Gardner, then president of the Carnegie Corporation before becoming U.S. Secretary of Health, Education, and Welfare. He seemed to expand as he spoke. It was quite a thing for a man in my line of work to realize that this man, this President of the United States, felt what he felt so powerfully." [4]

That President Johnson does feel powerfully about education is evidenced by the high priority he has assigned to major education legislation since taking office. His actions and the energetic advocacy of his predecessor have given the Presidency a prominence in education policy making that it has never before occupied. Although no President can count on favorable response in Congress to all his proposals, the attention which President Johnson has given to education, coupled with his capacity for persuasion, have devisively altered the structure of education politics in our time.

In asserting his influence on making education policy, the President has been able to call on three substantially diverse resources within the executive branch: the Bureau of the Budget, Presidential task forces, and the U.S. Office of Education.

In 1939 the Bureau of the Budget was separated from the Treasury and placed in the newly established Executive Office of the President. Since then, BOB has become an increasingly important White House instrument, operating for the most part shielded from the public eye and characterized by the passion for anonymity" that President Franklin D. Roosevelt sought in his personal staff.

The functions of the Bureau of the Budget, more so than with most federal agencies, have varied with each Administration. Under President Eisenhower, the bureau operated with considerable restraint, as a kind of green-eyeshade, book-balancing operation. President Kennedy transformed it into a more interventionist agency, using it to prod lethargic, old-line government agencies and tighten Presidential control over the executive departments.

Today BOB operates as a powerful arm of the executive, determining agency budget requests, coordinating and regulating legislative proposals from the agencies, shaping the legislative program finally presented by the President to Congress each year, and supporting that program with facts and analyses as it runs the gauntlet of the legislative process. Although the bureau plays no formal political role—for example, its officials operate in relative isolation from Congress—it unquestionably exercises important influence on national education policy.

On the basis of surface evidence, this influence is not always positive. The bureau at times appears slow to accept new ideas and preoccupied with administrative form rather than substance; therefore it seems on occasion to be a negative force in formulating federal policy responsive to the real needs of education.

Even more than BOB, Presidential task forces function almost entirely unseen, largely secluded from the scrutiny of the education and political communities. By virtue of their distinguished membership and the merit of their recommendations, however, they can give the President proposals which, if he adopts them, already bear an impressive professional imprimatur which neither educators nor legislators can ignore.

The impact that a task force may have on national education policy depends largely on the competence and personality of its chairman, the imagination and motivation of its members, and the effectiveness of its staff, particularly the executive secretary. One key Presidential adviser believes that task forces on education have been more successful than those in other public policy areas. Certainly the 1964 Education Task Force headed by John W. Gardner (then with Carnegie) was one of the most effective; many of its recommendations are reflected in the Elementary and Secondary Education Act of 1965.

In addition to providing "an escape valve to allow good ideas to get out of the bureaucracy," as one government official described their function, task forces enable the President to launch fresh ideas with impressive force.

Of course, the central executive branch resource in making education policy is the U.S. Office of Education. Once described (by *Time*) as being mainly "a custodian of highly forgettable statistics," USOE has changed dramatically since 1962, when President Kennedy appointed Francis Keppel, then dean of the Harvard Graduate School of Education, as Commissioner.

One measure of the change is the increase in its responsibilities. When Keppel took over, USOE administered thirty-two programs with a budget of about $650 million and a staff of 1,175. Five years later, USOE administered over seventy programs touching every aspect of education from preschool to postgraduate; its budget has increased more than six times, to approximately $4 billion, and its staff has grown to over 2,500.

More important than quantitative growth, however, is a new activism within USOE that has transformed the agency from a data-gathering institution into a formidable participant in the politics of education. Much of this spirit can be traced to key personalities, such as Keppel and his successor, Harold Howe II. Their sharp sense of political realities and impressive professional qualifications have enabled them, often in the face of sharp criticism, to be compelling advocates for the Office of Education on Capitol Hill and elsewhere. The office has been fortunate in having in its parent agency, the Department of Health, Education, and Welfare, such extraordinarily able persons as Secretary Gardner, Under Secretary Wilbur J. Cohen, Assistant Secretary for Legislation Ralph Huitt and his deputy, Samuel Halperin.

As is true of many other older agencies, the middle ranks of the bureaucracy of the Office of Education are not easily moved from their traditional ways and are not widely regarded as a reservoir of fresh ideas. Despite this limitation, the Office of Education has emerged in a relatively few years, by a combination of outstanding leadership and an expanding budget, as an influential actor in the political arena.

The last force external to Congress that I must mention is the judiciary. For in education as in every other aspect of our national life, the decisions of the federal courts help shape the framework within which public policy evolves.

In our time, the courts have had an immense impact on education policy, especially in matters touching on race and religion. The most dramatic instance, of course, is the unanimous decision of the Supreme Court in *Brown v. Board of Education* (1954). In this case, the court declared that "segregated but equal" education was inherently *unequal,* and hence unconstitutional. The efforts of communities to conform—or to avoid conforming—to this decision still represents, fourteen years later, one of the most difficult of all problems, educational and political, in the Southern and border states.

The 1954 decision was directed specifically at *de jure* segregation. The Supreme Court has not yet ruled on *de facto* segregation, separation brought about by patterns of residence rather than by formal law. If the court ventures into such thorny thickets as this or, to turn to another area, if the court decides to take up certain incendiary church-state controversies, we shall see further evidence of the role of the federal judiciary in the politics of education. Nor should we overlook the increasingly profound impact of court decisions in cases involving the distribution of political power, such as congressional districting and reapportionment of state legislatures.

What happens after all these external influences—social forces, pressures from the White House and the education groups, decisions of the courts—reach Capitol Hill? How does Congress respond to the pressures brought to bear by other participants in the political process and adjust conflicting interests to produce education legislation?

To provide at least a partial answer to these questions, I shall touch on two particular aspects of the place of Congress in the politics of education: (1) the creative role of Congress in education legislation, and (2) changes in the composition of Congress, its committees and subcommittees, that significantly affect the outlook for education proposals.

CONGRESS AS A CONTRIBUTOR TO EDUCATION POLICY

Political scientists in recent years have not been kind to Congress. Many critics contend that Congress does little more than obstruct Presidential proposals, or—at the other extreme—that it surrenders without a whimper to the mighty powers of the executive.

While I agree that Congress often fails to respond to national needs with the urgency they warrant, I dispute the view that the House and Senate do little but hold up legislation or rubberstamp it. Such recent legislation as bills on civil rights, Medicare, and air and water pollution demonstrate that Congress has made substantial and creative contributions to national policy.

Footnotes at end of article.

Indeed, in the field of education legislation, there are notable examples in recent years of Congress leading and the President following. Members of Congress have been writing federal-aid proposals at least from the days of the Murray-Metcalf bill; Senator Robert Taft advocated federal aid for the schools in 1948, before the White House was ready to support such a radical idea.

The Teacher Corps was fathered by Senators Edward M. Kennedy of Massachusetts and Gaylord Nelson of Wisconsin; the "developing institutions" program for aid to poor, struggling colleges was conceived by Representative Edith Green of Oregon; a bipartisan group of young House Education and Labor Committee members pressed for a junior college-technical institute measure incorporated in a 1963 law; and the author of this essay first advocated the present graduate fellowship program for elementary and secondary school teachers—now part of the Education Professions Development Act of 1967—before the Administration endorsed it.

Although the fundamental provisions of ESEA, the most important education bill of recent years, were drafted almost entirely in the executive branch, I think it is also clear that Congress continues to be a creative partner in initiating education legislation.

CHANGES WITHIN CONGRESS

No factor is more decisive in determining the outcome of education legislation than changes in the political composition of Congress and of its committees and subcommittees. This is especially true of bills to assist elementary and secondary schools. For example, according to a 1967 study by Professor Philip Meranto, "A review of party platforms in the postwar era reveals that the Democratic party consistently has favored Federal aid to education and the Republican party generally has opposed such legislation. . ."[5]

Roll-call votes from 1946 to 1965 show that a majority of House and Senate Democrats voted for federal aid to education while a majority of Republicans—except for Republican Senators during 1948 and 1949 and again in 1965—voted against.

It is therefore not surprising that the election in 1964 of seventy-one new Democrats to the House of Representatives proved indispensable to the passage of the 1965 Elementary and Secondary Education Act. They provided the margin of victory for what some have described as the greatest single achievement in President Johnson's Administration so far. In 1965, 80 percent of the House Democrats and 93 percent of the Senate Democrats voted for ESEA while only 27 percent of the House Republicans and 56 percent of the GOP Senators supported the bill.

Although in 1967 a majority of Republicans in both the House and Senate for the first time voted for federal school aid in supporting a two-year extension of ESEA—after first trying to recommit the bill to committee—it would be premature to predict lasting changes in the traditional pattern of party voting. The politics of education clearly still depends largely on the ratio between the two parties. The loss of forty-seven Democratic seats in the 1966 congressional election has certainly, during the 90th Congress, meant a setback to proponents of a more significant federal role in education.

The clear majority that accounted for so many education bills in the 89th Congress no longer exists, and the conservative coalition of Republicans and Southern Democrats is exerting great power once more.

Changes, both political and individual, in the makeup of congressional committees and subcommittees can also sharply alter the outcome of education legislation.

In 1959, as a result of the gain of forty-nine Democratic seats in the House of Representatives, the party ratio on the House Committee on Education and Labor was increased to two Democrats for each Republican, and the appointment of five Northern Democratic freshmen gave the committee liberals a clear majority. Prior to 1959 the committee had frequently bottled up education proposals; liberals on the expanded committee now had the votes to report out such bills.

In 1961, Representative Adam Clayton Powell of New York succeeded Representative Graham Barden of North Carolina as chairman of the House Education and Labor Committee. Whatever Powell's shortcomings, he was a firm supporter of federal aid to education and worked effectively to help the Kennedy and Johnson Administrations compile an extraordinary record on education. The substitution of a liberal for the unyieldingly conservative Barden surely helped pave the way.

Also in 1961, the House Rules Committee, which had often obstructed measures pressed by Presidents, both Democratic and Republican, was enlarged from twelve to fifteen members. The effect of this change was to break a deadlock on the committee and to give advocates of federal aid an eight to seven margin, enough in most instances to move an education bill to the floor of the House for a vote.

And in 1967, a combination of death, election defeats and retirement radically revised the prospects for education in the 90th Congress. One day before Congress convened, Representative John Fogarty of Rhode Island died, and education lost a powerful friend. As chairman of the House subcommittee responsible for determining appropriations for the Department of Health, Education, and Welfare, Fogarty spoke with a commanding voice for substantial federal money for education programs. Defeat at the polls and voluntary retirement from the House of the five other Democrats on Fogarty's subcommittee left only Representative Daniel J. Flood of Pennsylvania, who became the new chairman.

Like Fogarty, Mr. Flood is a strong advocate of federal funds for education, but the Democratic members of his subcommittee, appointed in 1967, are considerably more conservative than their predecessors and have proved far more suspicious of substantial outlays for education. A refusal since 1966 to approve one cent for the International Education Act authorized that year and a sharp cutback in funds for the Teacher Corps in 1967 are just two examples of the far-reaching impact on education programs of changes in the composition of important subcommittees.

THE FUTURE

I have tried to indicate some of the major factors that characterize the national politics of education. Let me now hazard the prediction that the future shape of federal education legislation will depend in large measure on how we handle three highly volatile issues: race, religion, and federal control. All three are questions that have for some years, in one way or another, been at the center of the federal aid debate and, because none of them is completely resolved, are likely to be with us for some years to come.

For a long time, federal-aid proposals were pinioned on the horns of the race dilemma. On the one hand, civil rights groups would not support proposals that benefited segregated school districts, while on the other, conservative Congressmen would vote against bills whose bounty bypassed *de jure* segregated schools. By outlawing federal funds to all segregated institutions, the 1964 Civil Rights Act helped remove race as a barrier to the passage of a major school-aid bill.

Yet the issue now emerging is, what will be done—if anything—in Congress and elsewhere to discourage *de facto* segregation in the schools? Indeed, the conviction is growing among some civil rights advocates that it may be necessary for a time to accept all-Negro schools and make an intensive effort to raise their quality sharply.

Educators have certainly reached no consensus on how to provide first-rate schooling for the children of the ghetto, and it should therefore astonish no one that, especially on a problem of such great political sensitivity, Congress is unlikely to come up with effective answers until public views crystallize on reasonable alternatives.

Moreover, solutions to *de facto* school segregation must go far beyond education to include other complex issues, such as jobs for the hard-core unemployed and decent housing. Given this situation, I think it probable that once again we shall be compelled to rely on the federal courts for effective initiative in solving the continuing problem of race in our national education policy. Yet here, too, a caveat is in order, for the slow record of progress in school desegregation since the Brown case of 1954 should persuade even the most hopeful that the judiciary offers no sure answer to this most vexing dilemma in American life.

The issue of religion was resolved to a degree with the passage of ESEA in 1965. Prior to that time, Roman Catholic leaders fought federal-aid proposals that provided no benefits for children in nonpublic schools while opponents of aid to parochial students argued that it would breach the constitutional wall separating church from state.

The ingenious formulas in ESEA placated most antagonists of federal aid to church-affiliated schools by authorizing public school programs in which parochial students could take part.

Yet the unanimous Senate vote in 1967 for an amendment to ESEA permitting individual taxpayers to sue the federal government in cases involving aid to church-related institutions demonstrates that the issue of religion is not dead. The House-Senate Conference Committee on ESEA dropped the judicial-review amendment that year, fearing that its passage would end the carefully constructed *détente* among Catholic, Protestant, and public education groups.

It seems clear, however, that the question of aid to parochial schools will come up the next time Congress considers legislation to provided substantial federal support to elementary and secondary education.

The third area of continuing debate is often couched in terms of the allegation that federal control of the schools will surely follow hard on federal aid. Yet the use of federal tax dollars to support education of every kind and description is now so widely accepted that today's disputes center on who will decide how the federal money will be spent rather than on whether or not it should be.

Right now in Congress, this issue is best illustrated by the quarrel between advocates of general, or unrestricted, aid and those of categorical assistance, that is, aid pinpointed on pressing national problems in education which are not being effectively met by state and local education authorities.

Nearly all existing federal programs are directed to specific educational maladies—modernizing teacher training, expanding school libraries, adding academic facilities, improving schooling for the disadvantaged, strengthening state education agencies. But some governors, chief state school officers, school superintendents, and mayors, as well as some Congressmen, have been calling instead for general aid, to be used not for such categorical purposes but for any that state or local education officials see fit. In this way, they argue, the dangers of federal control will be minimized.

Other educators and public officials, however—federal, state, and local—have argued against general aid, contending that if the

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Footnotes at end of article.

limited amount of federal money available for education is not to be dribbled away, it should be directed at solving the most desperate problems in education.

I must here make clear my own view that the record of experience to date—from aid to impacted areas to the several ESEA programs—does not lend credible support to the proposition that federal dollars have brought federal control of either the curriculum, schoolteachers, or policies. On the contrary, these federal programs have expanded the resources, effectiveness, and options of local school agencies.

Moreover the advocates of unrestricted block grants of federal money to the states must come to grips with some difficult issues. For example, many state education agencies are not yet able, in terms of staff and other resources, to assume such a major administrative responsibility. Again, state governments have traditionally been unresponsive to the overwhelming needs of urban schools, especially in the major metropolitan areas. And finally, constitutional prohibitions in many states against using state funds directly or indirectly for parochial schools could, under a state-controlled block-grant program, raise anew the specter of religious discord.

I should make clear that I am not unsympathetic to some form of general aid at a later date. Given the rising cost of education and the limited tax resources of state and local governments, it may become necessary for the federal government to underwrite the cost of the nation's educational system, providing a common floor of support for every child in the country. But if such general aid does come, it should be in addition to, not in place of, essential categorical programs that are directed to problems of nationwide scope.[6]

It must be clear from this discussion that the politics of education in the United States has altered very sharply in the last several years. That there have been so many and such major changes in how education policy is determined—in particular, the greatly enhanced role of the federal government—demonstrates the new importance we have assigned education in our national life. or until quite recently, the pattern of education politics was comparatively stable. Its participants were well known and their attitudes generally predictable. Before 1958 the federal bureaucracy, the legislative committees and the education interest groups worked in quiet harmony, without much fuss. What the political scientists would call the subsystem of education politics resembled the other neat lobby-agency-committee subsystems which, some contend, characterize the Army Corps of Engineers, the Bureau of Indian Affairs, the U.S. Employment Service.

Today, however, it is no longer possible to depict the national politics of education as so predictable a system. The process of policy making, like the nation itself, is too much in flux. New actors are appearing on the educational scene—the publisher, the industrialist, the computer programmer, the aroused Negro mother, the militant teacher unionist, the vocal student leader.

New attitudes are developing within the political parties and hence in Congress.

And particularly important, the President of the United States has taken an intense interest in education programs. For as long as the White House continues to play the kind of activist part in national education policy that Presidents Kennedy and Johnson have done, a President determined to give leadership in education can, more than any other figure, shape the direction of policy making for education.

Commissioner of Education Harold Howe likes to say that we do not have in this country a single system for deciding education policy but rather a multiplicity of systems, public and private, local and state and federal. He is of course right, and I believe that most of the American people want it this way; they seek no monolithic method of running our schools and colleges.

But I am convinced as well that the American people are equally determined that our schools and colleges should be much better than they are and that education should be more widely accessible than it is. It is in fact to pursue both these purposes that Americans seem to be fully prepared to use the resources of their federal government. No one, therefore, who pretends to know American education can do so without an understanding of its national politics.

FOOTNOTES

[1] Frank J. Munger and Richard F. Fenno, Jr., *National Politics and Federal Aid to Education* (Syracuse, Syracuse University Press, 1962), p. 170.

[2] Theodore C. Sorensen, *Kennedy* (New York, Harper & Row, 1965), p. 358.

[3] Stephen K. Bailey, *The Office of Education and the Education Act of 1965*, Inter-University Case Program No. 100 (Indianapolis, Bobbs-Merrill, 1966), p. 3.

In regard to Kennedy's contribution to education legislation, see John Brademas in the foreword to William T. O'Hara (ed.), *John F. Kennedy on Education* (New York, Teachers College Press, Columbia University, 1966), p. vii:

". . . as Arthur Schlesinger has recently reminded us, 'little disappointed the Kennedys more in domestic policy than their failure to make significant progress in Federal aid to education.' [*A Thousand Days: John F. Kennedy in the White House* (Boston, Houghton Mifflin, 1965), p. 662.]

"Schlesinger's judgment, while accurate, must be tempered. For less than three years after Kennedy's 1963 Message, nearly every education measure which he had then pressed Congress to enact had become law.

"President Johnson's leadership, substantial margins in Congress committed to education, and widespread public support—all these factors helped produce the extraordinary record of education legislation of 1963–65: the Elementary and Secondary Education Act, the Higher Education Acts of 1963 and 1965, the Health Professions Educational Assistance Act, and major amendments to the Vocational Education and National Defense Education Acts, to cite only a few of the principal measures."

[4] *Newsweek* (February 28, 1966), p. 23.

[5] Philip Meranto, *The Politics of Federal Aid to Education in 1965* (Syracuse, Syracuse University Press, 1967), p. 87.

[6] In the January-February 1968 issue of *Education Age* (St. Paul, 3M Education Press), the present writer presents "The Case for Categorical Aid," while in the November 1967 issue of the same journal, Congressman Albert H. Quie, Republican, of Minnesota discusses "The Case for General Aid."

HUMPHREYISM NO. 13

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. SCHADEBERG. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

From a collection of Representative HENRY C. SCHADEBERG (R. Wis.):

"I have been hearing too often the voices of those that tell us that Americans are unkind to one another, lawless, riotous, licentious." (Press Conference, Huron, S. Dak., Sept. 11, 1964.)

PANAMA CANAL SOVEREIGNTY AND JURISDICTION: 1968 AMERICAN LEGION RESOLUTION

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. FLOOD. Mr. Speaker, as a close student of interoceanic canal problems, I long ago saw the necessity for an official reaffirmation by our Government of our treaty-based sovereignty and jurisdiction over the Canal Zone and Panama Canal. To this end, I introduced House Concurrent Resolution 33, 86th Congress, on January 9, 1959, expressing the sense and judgment of the Congress "that the United States should not, in any wise, surrender to any other government or authority, its jurisdiction over, and control of the Canal Zone, and its ownership, control, management, maintenance, operation, and protection of the Panama Canal." Again, on January 11, 1960, I introduced House Concurrent Resolution 450, 86th Congress, opposing the display of any official flag over the Canal Zone other than that of the United States as "violative of law, treaty, international usage, and the historic canal policy of the United States as fully upheld by its highest courts and administrative officials." For the full texts of these resolutions see House document No. 474, 89th Congress, pages 160–162.

While the House of Representatives did not act upon these two resolutions as written, it did pass, after considerable debate, on February 2, 1960, House Concurrent Resolution 459, 86th Congress, by the overwhelming vote of 381 to 12, expressing the view that "any variation in the traditional interpretation of the treaties of 1903, 1936, and 1955 between the United States and the Republic of Panama, with special reference to matters involving the provisions of such treaties concerning territorial sovereignty, shall only be made pursuant to treaty."

On June 26, 1967, the Presidents of the United States and Panama announced the completion of three proposed canal treaties that would cede sovereignty over the Canal Zone to Panama, make that country a partner in the management and defense of the canal and, ultimately, give to Panama without any reimbursement whatever, the Panama Canal and any new canal in the Canal Zone territory or in Panama to replace the existing canal.

The negotiators of these three treaties overlooked the provisions in article IV, section 3, clause 2 of the U.S. Constitution that vests the power to dispose of territory and other property of the United States in the Congress and not in the Senate alone, which provision I now quote:

> The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States. . .

Mr. Speaker, in view of the foregoing, it was with the greatest interest that I have read the ably written resolution of the 1968 annual convention of the

American Legion on the Panama Canal. It is the kind of “thunder” that I like to hear but I wish you to know whence the “lightning” came.

Because of the timeliness and pertinence of the indicated resolution to the Isthmian Canal question now under consideration in the Congress, I quote it as part of my remarks:

RESOLUTION 487

Resolution to oppose abrogation of U.S. rights concerning operation and security of the Panama Canal

(Adopted at the 50th annual national convention of the American Legion, New Orleans, La., September 10, 11, 12, 1968)

Whereas, in 1903, the United States and the Republic of Panama entered into a treaty “to insure the construction of a ship canal across the Isthmus of Panama to connect the Atlantic and Pacific oceans;” and

Whereas, by that treaty, the Republic of Panama (for a lump-sum payment of ten million dollars in gold, plus an annuity now amounting to nearly two million dollars) granted to the United States in perpetuity the use, occupation, and control of a zone of land and land under water for the construction, maintenance, operation, sanitation and protection of the canal, and granted to the United States all the rights, power and authority, within the zone mentioned, “which the United States would possess and exercise if it were the sovereign of the territory within which said lands and waters are located to the entire exclusion of the exercise by the Republic of Panama of any sovereign rights, power or authority;” and

Whereas, the Panama Canal now represents a total U.S. investment to date of nearly five billion dollars, and is a vital strategic asset to the United States for hemispheric defense and our own national security; and

Whereas, the Panama Canal also is of great economic importance to the United States, inasmuch as 70 percent of traffic through the Canal either originates or terminates in U.S. ports, and Canal operations represent a net gain for U.S. balance-of-payments of more than 40 million dollars annually; and

Whereas, despite the above stated considerations, representatives of the United States and the Republic of Panama have negotiated three new treaties concerning United States canal rights in Panama; and

Whereas, these three treaties, if ratified, would

(1) abrogate the 1903 treaty and eliminate all known rights, power and authority of the United States in the Canal Zone,

(2) substitute a weak and perhaps inefficient form of international administration over the present canal,

(3) compromise and probably render impossible our ability to defend the canal in times of crisis (or even to insure its security in normal periods),

(4) abandon both our capital investment and its earnings,

(5) give the existing canal outright to the Republic of Panama on or before the last day of 1999,

(6) provide that the United States might construct—at our expense—a second (i.e., “sea-level”) canal across Panamanian territory, the ownership of which would revert to Panama—at no cost to that country—60 years after the opening of such canal, or the year 2067, whichever is the earlier; and

Whereas, The American Legion has consistently expressed its strong opposition to any weakening of the United States sovereign rights, power, and authority over the Panama Canal and the Canal Zone; now, therefore, be it

Resolved, by The American Legion in National Convention assembled in New Orleans, Louisiana, September 10, 11, 12, 1968, That The American Legion reaffirms its positions heretofore taken with regard to the Panama Canal and the Canal Zone, and opposes any new Canal treaties that would abrogate the essential provisions of the 1903 U.S.-Panama Treaty; and be it further

Resolved, That we urge both the House of Representatives and the Senate of the United States Congress to adopt a joint resolution expressing it to be the sense of the Congress and the American people that the Government of the United States shall maintain and protect its sovereign rights and jurisdiction over the Panama Canal, and that the United States Government shall in no way forfeit, cede, negotiate, or transfer any of these sovereign rights or jurisdiction to any other administration, government, or international organization.

TRANS WORLD AIRLINES CITIZENSHIP PROGRAM

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. WINN. Mr. Speaker, the future of the communities, States, and Nation in which we work and live is being determined by decisions which are made each day by our local, State, and Federal Governments. The continued prosperity of our great Nation is dependent upon the wisdom of such political, economic, and social decisions.

We can exercise our right of free speech, we can exercise our privilege of voting, we can participate in civic affairs; or we can remain silent, fail to vote, and refuse to participate. The latter course may be subject to less criticism and require less physical and intellectual effort, but by following this course we abdicate the entire decisionmaking process to others whose ideas, abilities, integrity, goals, and interests may be entirely inconsistent and contrary to the best interests of ourselves, our communities, States, and Nation.

Good government can only be maintained if we are willing to support and participate in its processes. The benefits of good, honest, and fair government are shared by all who work, live, and travel within the jurisdictions of these governments.

In recognizing these basic principles, Trans World Airlines has instituted a citizenship program founded upon the premise that TWA and all those associated with them gain as a direct result of good government.

TWA believes that recognition of the problem is not enough. They believe that the only answer is participation. Therefore, they encourage, promote, and support employee participation in civic, community, and political activities, of the individual employee's choosing.

TWA, as a corporation, is strictly nonpartisan; it neither supports nor opposes any political party or candidate. Its sole purpose in conducting its citizenship program is to motivate a feeling of civic duty and responsibility among its employees.

I would like to highly commend TWA for its contribution to good government in America. Indeed, the citizenship program instituted by TWA merits the praise of every elected official.

CAN WE AFFORD ZERO HEALTH RISKS?

HON. OMAR BURLESON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. BURLESON. Mr. Speaker, at the suggestion of a very good friend and a man whose opinion I highly respect, Mr. Ernest B. Yeatts, a consulting engineer, of Abilene, Tex., I insert in the RECORD an article by Associate Prof. Joe O. Ledbetter of the University of Texas, entitled “Can We Afford Zero Health Risks?”:

CAN WE AFFORD ZERO HEALTH RISKS?

(By Joe O. Ledbetter)

There is a growing unwillingness among our people to accept certain health risks—especially those from air pollution, water pollution, ionizing radiations, and space explorations. Why this should be so when these same people are accepting the much greater risks of automobile travel, smoking, contact sports, and the like is an intriguing contradiction.

Undoubtedly, the principal reason for the general current awareness of air and water pollution is the publicity campaign that has been and is being waged against these ills. It would be much more comforting to have the dissemination of information on health risks handled by agencies which have no empires to build by appropriations from a scared Congress.

Another reason for the double standard in acceptance of health risks is a feeling that no personal choice is intolerable. Those health risks which are most readily entered into are those for which the individual exercises his own personal option.

Apparently, another of the reasons for our double standard is an attitude that “they” will pay for the reduction of certain risks. A recent survey in a badly polluted city showed that while nearly all of the people wanted the air pollution stopped, the vast majority answered no on their willingness to pay $15 per year for the clean-up.

Air pollution and water pollution are certainly undesirable and should be reduced as much as is economically justifiable on a probable effects basis on plants, animals, and property. However, in many instances where the cause-effect relationship is at best tenuous, we need to admit that elimination of the polluted conditions is to be done for esthetic reasons. When the health risk or obnoxious character is slight and the removal expensive, we should accept the ability of our environment to assimilate some wastes. The cost of pollutant removal rises rapidly for taking out the last vestige of the offender; for example, a particle removal efficiency of 98 percent may cost twice as much as one of 95 percent for a certain waste air stream.

Why has our inordinate fear of ionizing radiations put us in a very unfavorable position for using nuclear explosives to excavate canals, harbors, and reservoirs? Life shortening can hardly be the reason because very small radiation doses have not been shown to shorten life and somewhat larger exposures have actually lengthened life. Mutations should not be the reason, since our wearing trousers instead of kilts causes many times the number of mutations than the life fallout from controlled detonations causes. The real reason must be the scare attached to the word fallout used so much in the publicity, which leads one to believe that a person who dies of radiation is much deader than one who dies from any other cause.

The unacceptance of greater risks in space exploration has been based on preserving our country's image. Such an approach has set us back considerably in the space race and has been very expensive for the probable number of lives saved.

The decisions to remove a part or all of a health risk should be based on probable risk versus benefit considerations. Many people are loathe to put a value on a human life; yet, this needs to be done in some cases. Humanitarian subjectiveness may require this price to be considerably more than simply the remaining earning power of the individuals. Our courts currently use just such guidelines in damage awards. Our culture did not get to the present state of development by refusal to accept any risks, and it cannot advance in the face of the population explosion and other adversities without resorting to a statistical approach to risks. As Thurber said so aptly, "A pinch of probably is worth a pound of perhaps."

GEN. MARK W. CLARK—PERSONIFICATION OF HONOR

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. RIVERS. Mr. Speaker, Mark Clark needs no introduction from me. The whole Nation knows and respects him as great patriot, a brave soldier, an accomplished educator and a noble statesman.

In a recent article for the North American Newspaper Alliance, an article which will shortly be reprinted in the Readers Digest, General Clark discussed those values which have made this Nation and its people the world's only successful and enduring experiment in democracy: The virtues of honor, sacrifice and devotion to duty.

Further words on my part can do nothing to embellish the eloquent words of General Clark. I can only hope that every person in this country will read and take to heart the following article:

GEN. MARK CLARK CALLS ON NATION TO REESTABLISH OLD VIRTUES—SACRIFICE, DEVOTION TO DUTY, HONOR

(By Gen. Mark W. Clark, U.S.A., Retired)

Not long ago, unexpectedly, I had a telegram from a very happy young man. I remember this boy well, because during my last year as president of The Citadel, the military college of South Carolina, he had been found guilty of an infraction of the honor system, and we had to dismiss him.

The honor system, as it functions at The Citadel, does not bend. If you intentionally violate it, you have to leave. But I have never felt that one misstep should condemn a young man permanently. And so in almost all cases I did my best to help such youngsters—there weren't many—to gain admission to another college, or get another chance, where they could make a fresh start. This policy was almost always vindicated, and certainly it was in this case, because the lad had just been commissioned in the U.S. army. "Wish you could be here," the telegram said, "to help me celebrate my return to honor."

A return to honor . . . how often that phrase has come back to me during this election year as I have watched the candidates come and go on my television screen. And how often I've wished that instead of trying to please me with what they thought I wanted to hear, instead of promising me special favors as a member of a special group, one of them would simply say: "Ladies and gentlemen, I have only one promise to offer, and it is this: If elected, regardless of pressures from you or any other source, I will do my best always to do the honorable thing. That is my pledge to my country, to you, and to myself . . . and I will not deviate from it."

In my opinion, such a candidate could be elected to any office, from the presidency on down, that he chose to seek. Because the people of this country are hungry, they are starving, they are yearning for a man to stand up somewhere and with eloquence, pride and passion call them back to the path of honor.

This is the path that led our nation to greatness, and the vast majority of our citizens know it. But a nation's honor—like an individual's—does not stay bright by itself. It has to be kept bright—by sacrifice, by selflessness, by devotion to duty, through faith, and above all by frequent reminders of just what honor means, what it requires, what it demands. In these troubled times the greatness of our nation is being dimmed, not just by rioters and looters, by flag-burners and influence-peddlers, but by the failure of many of our leaders to call forth the latent nobility in our people. An old African proverb says: When the lion is silent, the jackals bark. We have been listening to the jackals long enough.

For more than half a century, as soldier and educator, I have been deeply concerned with this shining thing called honor. I have seen what happens to men who have it—and to men who don't. I have tried to instill an awareness of it into young people—and at times I have had as many as a million men under my command—because I truly believe that far more than just a word is involved here. What is involved is that ultimate quality of the individual. And this means, inevitably, the ultimate quality of the nation.

In a way, it is easier to say what honor is not than what it is. The honor code at the Citadel consists of just nine words: "A cadet does not lie, or cheat, or steal." That covers a good deal of territory, it's true. But there is also a positive side to honor. To me, it's the capacity to control the instinctive selfishness that lurks in all of us, the tough, case-hardened ability to put morality ahead of expediency, duty ahead of deviousness, and to do this instinctively and every time.

Honor also means pride in excellence of every sort, especially excellence of performance. Let me give you an example. After Pearl Harbor, at the beginning of World War II, many Americans of Japanese descent were rounded up and placed in detention camps. It was not an episode of which this nation can be proud; it was based on expediency, dictated by fear. But the younger Nisei did not waste time on bitterness or recrimination. They knew they were good Americans, and they were determined to prove it. They formed their own combat unit, came to Italy under my command, and fought the Germans so bravely and fiercely that they brought great honor to themselves—and to the country that had doubted them.

Devotion to honor can also be a lonely and difficult thing. Not long after the end of the war, I was given a difficult and demanding task. A family named Berkstrom, who lived in Utah, had lost four sons in battle, one in the Pacific, three in Europe. Now the bodies of all four were being brought home to rest in the family cemetery in the little town of Garland, Utah.

As a former commander of one of these young soldiers I was asked to attend the funeral services, and I did. I met the parents, calm and uncomplaining. I discovered they had two sons remaining, one still in service, the other a lad in his teens who lived at home.

Never in my life have I seen such courage as these parents displayed when we faced the four flag-draped coffins in the little Mormon church. Only once did the mother's heart falter. After the service, she turned to me and said in a low voice, "General, will they take my youngest too?" I hesitated, knowing that with two sons surviving the youngest would be eligible for the draft. But then the father spoke, "Don't misunderstand us, General," he said. "We want no special treatment for our boy. When his country needs him, he will go." I stood there with my throat too tight to speak, overwhelmed by the calm dignity of a man who put honor ahead of his own grief, his wife's sorrow, everything.

Another example comes to mind. During the war I found that men who won the Medal of Honor—and survived—were so conscious of the distinction that when returned to combat they showed even greater courage, took greater risks, and were far more likely to be killed than their comrades. This tendency was so pronounced that I instituted a policy of sending such men back to the states to train and inspire our untried troops. Usually they would protest bitterly, but I never let myself be swayed.

One such youngster, I remember, was a sergeant named Waybur. I decorated him with our highest award for valor, sent him home from Italy, and heard no more about him. Then one day after the war his parents called on me. They told me that their son had managed to get himself assigned to an outfit going overseas, had landed in Normandy shortly after D-Day, and had been killed fighting so heroically he was recommended for a second Medal of Honor. They were sad but proud—proud of a boy whose sense of honor would not let him accept safety and inaction while his comrades were still fighting.

Does such pride, such spirit still exist in our armed services? Yes, it does. I commanded our forces in Korea, I have visited the battlefields of Vietnam, and the same devotion and heroism prevail. But this cannot be said of the home front. In recent years this magnificent intangible, the sense of honor that our ancestors knew so well, has been weakened and diminished to a frightening extent. What has happened? How can this be?

The questions can best be answered, I think, by asking ourselves where our ancestors got their sense of honor. And the answer to that is plain. They got it from their parents. They got it from their churches. They got it from their political leaders. They got it from the very air they breathed.

They got it, in other words, because they were taught the fundamentals of it. They were taught that it is unworthy to cheat, dishonest to steal. They were taught that a man who breaks his pledged word is beneath contempt. They were taught that laws are to be obeyed, or changed, or amended—but not broken. They were taught that a public servant who barters his vote for a politician handout is a scoundrel. They were taught that there is a clear, sharp line between right and wrong. They were taught that certain things simply are not done, either secretly or openly.

The trouble with our time is that in too many areas honor has ceased to be taught; the word itself is seldom heard. In most cases, when a boy collided with the honor system at the Citadel, there would be tearful sessions with his parents. "But general," the mother would sob, "what are we going to do?" "Madam," I would feel like replying, "what have you been doing for the past 18 or 19 or 20 years?" Many parents will maintain to the end that they have tried to instill a sense of honesty and decency and responsibility in their children. But this is hard to do when the same parents drive over the speed limit, try to get parking tickets fixed, pad expense accounts, and falsify their tax returns.

I do not think the situation is hopeless. Far from it. I know from personal experience that there is in our young people still—as there has always been—a vast reservoir of idealism, a tremendous capacity for self-discipline, even for self-sacrifice. They want to be led by competent people. What we have to do is make these young people more aware of the tremendous asset that a commitment to honor can be in their lives. We have to make them see what it can do for them in their careers, their marriages, their ambitions, their short-term happiness and their long-term peace of mind.

The blunt, pragmatic truth is that in the long run there is no substitute for honor. American business knows this well. Year after year I have watched representatives of some of the greatest corporations in America compete amongst themselves for the services of our Citadel graduates. Why? Because they know that they are men who have been trained until making the honorable choice is instinctive with them. And they know, too, that wherever the man of honor goes, other men will accept his leadership, trust his judgment, heed his words, and give him their esteem.

Almost 200 years ago some of the bravest and wisest men that this continent ever produced signed their names to a document so dangerous that it might easily have become their death warrant. In the last line, they pledged to one another "our lives, our fortunes, and our sacred honor."

The men who signed the Declaration of Independence understood the meaning of that word in their day. We must re-capture the meaning of it for ours.

HON. ROBERT T. ASHMORE

HON. JOHN L. McMILLAN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. McMILLAN. Mr. Speaker, I want to take a few minutes to honor our colleague, the Honorable ROBERT T. ASHMORE, who is retiring from Congress this year.

Congressman ASHMORE has served as a Member of Congress with great distinction and honor to our great State of South Carolina. Congressman ASHMORE served with distinction as an officer during World War II and he has made a name for himself as an outstanding member of the House Judiciary Committee during the 16 years he has served with the House of Representatives. I am certain all our colleagues here in the House will greatly miss the services rendered by Congressman ASHMORE as he was always in attendance for every session of Congress and every committee meeting when his health would permit. We deeply regret that during the past few months Congressman ASHMORE has been in ill health and found it necessary to be hospitalized on several occasions.

We all wish him good health and happiness in the years to come and that he and Mrs. Ashmore will thoroughly enjoy the future. We hope that he will have an opportunity to do some of the things he has been denied during the years he has been serving as a Member of Congress and that he will continue to enjoy the practice of law in his home city of Greenville.

FIGHTS PENN CENTRAL FARE HIKE

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. OTTINGER. Mr. Speaker, the Penn Central has applied to the Public Service Commission for another fare hike. In testimony presented before the Commission at hearings in September, I urged that the request be turned down, unless the railroad undertakes to improve its deteriorating service and safety provisions.

The record shows that the merger between the Pennsylvania and the New York Central will result in $40 million a year savings for the line in 3 years and eventually will mean $100 million savings each year. I feel strongly that some portion of the windfall profits to the company should be required to be invested in improved commuter service.

Commuter service is vital to New York and to its suburbs. It is unlikely that this service will be fully effective until all levels of government join in a comprehensive mass transit program. In the meantime, the Public Service Commission has an obligation to prevent further unnecessary deterioration in service.

An excellent article summarizing the objections to this rate hike appeared in the Patent Trader, one of the leading newspapers in the 25th District, on September 21, 1968. I should like to bring this to the attention of my colleagues who are concerned about the transportation problems:

STATE TRANSPORTATION UNIT HITS RAIL FARE HIKE

(By James Transue)

NEW YORK.—The powerful voice of the State Department of Transportation has been added to those who oppose the suburban fare increase sought by Penn Central.

Joseph C. Davidson, a senior attorney for the department and representing its general counsel, Saul Corwin, presented the transportation department's case against the fare increase at a public hearing here Thursday called by the state Public Service Commission.

One of the DOT's major objections to the structure of the increase, Mr. Davidson said "is that it deliberately places the burden on the occasional rider, thereby negating the results achieved by an experiment in reduced fares undertaken by the (NY) Central at the request of the New York State Office of Transportation."

Several other speakers also were critical of the proposed increase and of the railroad's maintenance and service, including Rep. Richard L. Ottinger, D-Pleasantville.

Penn Central's case for the increase was presented to the PSC hearing examiner by James M. Loconto of Philadelphia, assistant vice president for passenger service and until recently, the mayor of Croton, and by Wesley F. French of New York, director of costs and profits analysis for the company.

Mr. Davidson noted that the DOT has no official role in the rate-making process, but, he said, "in view of its responsibility for the development of adequate, safe and efficient transportation facilities and services at reasonable costs to the people, the department feels obligated to comment on the proposed increases in fares on the suburban services of the Harlem and Hudson Divisions."

He said that minutes of a meeting three years ago between officials of the Pennsylvania, NY Central and New Haven railroads show that NY Central president Alfred E. Perlman said that the Central "was not losing a cent on commuter service" and that he had added that despite public claims of losses, "the fact is that we are getting damn good tax relief."

Mr. Davidson said the transportation department feels that Penn Central's proposal to increase substantially the Manhattan trip fares fails to recognize a basic finding of the recent Tri-State Transportation Commission's two-year demonstration project designed to increase ridership on the suburban divisions.

That finding he said, was that "decreases in off-peak services—and fare increases must be considered a decrease in off-peak service—result in decreases in peak hour usage. The proposed fare increase which falls 10 times as heavily on the occasional rider as it does on the commuter is inequitable and will become a revenue depressant."

"Not only is Penn Central's contention that off-peak service is more costly than peak-hour service without documented support," Mr. Davidson declared, "but it is also contrary to basic principles of transportation economics. The incremental cost of added daily use of equipment and manpower is not directly proportional to the mileage traveled or hours operated.

"Mass transit, including commuter rail service, has been faced with much of its financial difficulties because of the loss of off-peak ridership."

Since Rep. Ottinger was busy in Washington with a session with the House Commerce Committee, his statement was presented by John A. Hoyt Jr. of Eastchester, an attorney and his campaign chairman.

Rep. Ottinger's statement declared that the railroad should first improve service and safety conditions before being granted a fare increase. He said it is "incumbent on the PSC to see that the railroad meets its responsibility to the public by providing commuter services in keeping with modern-day demands and needs."

He reminded the PSC it had ordered the railroad to develop a comprehensive safety program and said it was "a disgrace that such a program has not been made public."

He said it was estimated that the merger of NY Central with Pennsylvania would result in cost savings of more than $40 million a year after three years of joint operation and $100 million a year after eight years. He called upon the PSC to require the railroad to turn back some of these savings into commuter service improvements, and said he doubted if commuter rail service will meet expectations until a comprehensive mass transit program is developed by all levels of government in cooperation with the railroads.

Some speakers cited personal experiences with the railroad which, they said, lead them to demand improvement in service and safety before a fare increase is granted. A Tarrytown commuter asserted he had been caught in a fire on a train and found that because of the crush of the crowd and the fact that the doors opened inwardly, he could not get the door open. He said a letter to him from a railroad official admitted that there is a shortage of cars because of maintenance difficulties.

George Case, deputy mayor of Tarrytown, said his village board opposes the fare hike, and added that he, too, has been involved in a fire on a train.

"My feeling is that not enough attention has been paid to maintenance of tracks. There is a problem of vandalism but if the railroad had more security people checking on vulnerable sections of the tracks, working with local police, the incidence of vandalism would be brought down."

William H. Levit Jr. of Riverdale asserted one of the reasons the railroad has trouble attracting riders is that trains "are all too often late."

"Although the distance from Riverdale to Grand Central is only 12 miles," he said, "the rush hour trains, when on schedule, require more than 30 minutes to make the trip."

But, he added, "in a recent six-day period, for example, one morning train was 14 minutes late, and an evening train was 22 minutes late."

Like other speakers, he cited lack of adequate air-conditioning, inadequate lighting in "cars of antique vintage," riding discomfort, and lack of maintenance.

Speaking for the railroad, Mr. French testified that by the end of this year, Penn Central's net monthly deficit on New York suburban service will be about an average of $185,726.

He also testified that estimates for this year show that labor costs will be about 80 per cent of total operating expenses, compared with only 73 per cent in 1962 as shown by a study then.

And, he added, about 80 percent of the estimated monthly deficit will be attributable to wage increases granted as of last January and since.

After much technical and complex testimony, Mr. French concluded that the proposed rate increase is consistent with "the national movement of prices since the second quarter of 1965." He said that economic studies have shown "there was an increase in the implicit price deflator (for the gross national product from the second quarter of 1965 to the second quarter of 1968 of 9.5 per cent, which compares with the proposed rate increase of 10.3 per cent."

Mr. Loconton testified that the estimated monthly revenue increase resulting from the fare hike would be $193,564. That is about $7,800 higher than Mr. French's estimated deficit, but Mr. Loconto said that the full amount of his estimated increase in revenue probably would not be realized because of conversion by riders from 10-trip, Manhattan trip, one-way coach or some combination of those tickets to monthly commutation tickets, and this would reduce the estimated monthly revenue increase by about $8,500.

"Such conversion" he said, "would leave us with a small deficit which would be partially offset by the increase in basic fares and 10-trip tickets beyond the suburban area on the Harlem Division."

Mr. Loconto said that in setting up the new rate structure, "we were guided not only by the need to assess a greater proportion of costs among the irregular users of the service, but also by the need to maintain a meaningful relationship between the several classes of tickets.

"The dominant need and justification for the suburban service," Mr. Loconto declared, "is to provide transportation for those employed in New York City. If it were not for regular commuters it is extremely doubtful that any suburban service could be provided at all.

"In pricing, our primary objective, therefore, must be the preservation of a reasonable monthly scale of commutation fares. This we believe we will have if the proposed fares become effective.

He asserted that "at all distances it will be noted that Penn Central's proposed fares are lower than the present fares on the Long Island and the New Haven."

Mr. Loconto asserted during his testimony that "during the past year or so, we have been the victims of an abnormal surge of vandalism."

"It is difficult enough to cycle our limited number of available coaches so as to meet the service requirements in our suburban area, but virtually every day several of our cars must be taken out of service for the replacement of broken windows or other damage directly resulting from acts of vandalism."

The cost of replacing just window glass broken by vandalism this year, he said, has averaged $8,600 a month.

Mr. Loconto concluded his testimony and summarized the railroad's position this way:

Penn Central, he said, is faced with a cash drain because of increased wages granted this year and faces further wage increase as of next January, which are already committed and will mean a further outlay of cash.

Therefore, he said, "it is essential that the revenues which will be produced by the proposed fare increases be obtained promptly. Accordingly, there can be no justification for delaying the proposed fare increase pending the ultimate effectuation of the MTA capital improvement program."

TESTIMONIAL DINNER HONORING MONSIGNOR, THE RIGHT REVEREND JAMES M. LOWRY

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. McDADE. Mr. Speaker, the history of America is replete with the names of outstanding members of the clergy who have given spiritual leadership to every community of this Nation in its climb to greatness.

In the city of Scranton, where we have many such outstanding members of the clergy, tribute was recently paid an outstanding monsignor, the Right Reverend James M. Lowry, upon the occasion of his being honored with the title prelate of honor.

I know that all of my colleagues here in the House would want to join me in extending to Monsignor Lowry our warmest congratulations, and to wish him many years of service to all his people. He is a splendid American clergyman who is, indeed, the model man in leading his parishoners to God.

With your permission, Mr. Speaker, I will here append the remarks of Mr. Dan Orr on the occasion of a testimonial dinner in honor of the good monsignor:

SPEECH DELIVERED BY DAN ORR, A MEMBER OF THE NEWS STAFF OF THE SCRANTONIAN AND THE TRIBUNE AT A TESTIMONIAL DINNER FOR RT. REV. MSGR. JAMES M. LOWRY, PASTOR OF ST. VINCENT DE PAUL PARISH, SCRANTON, IN THE JERMYN MOTOR INN, SCRANTON, ON SEPTEMBER 22, 1968

Monsignor Lowry, Reverend Clergy, friends and fellow members of St. Vincent's Parish: It is my great privilege at this joyous and long overdue tribute to Monsignor Lowry to say a few words on behalf of the parishoners. When our general chairman, Joe Doud, gave me this assignment, he stressed the word, "brief." I'll do my best to comply.

It's rather difficult these days to find something to be happy about.

What with the war in Vietnam, rioting in our cities, assassinations, invasions, high taxes and high prices.

But once in a while there comes along a piece of news that really picks you up—makes you feel good all over!

For we of St. Vincent's, that good news was the announcement by Bishop J. Carroll McCormick, that his Holiness, Pope Paul VI, had seen fit to elevate our pastor to Right Reverend Monsignor with the title of Prelate of Honor.

Now we are always delighted and proud when a member of our family is honored for doing a good job. It makes us want to go out and celebrate.

And in a sense, we the people of St. Vincent's are members of one family—and Monsignor Lowry is the spiritual head of that family. And that is why we are here tonight—to celebrate his good fortune and tell him how very proud we are of him.

First of all we are proud and grateful to him for the fine way he has administered the parish since coming here nine years ago. St. Vincent's has never been a rich parish. There are very few wealthy contributors on the parish books. Most of us are working stiffs.

Yet by skill, sacrifice and superb leadership, our pastor has built up the parish treasury to an incredible $243,000, and we here tonight can look forward to the building of a bigger and better St. Vincent's in the not too distant future!

But, concern over brick and mortar is only a small part of our pastor's duties.

Only those close to him can appreciate the problems that he must face every day.

It has been a difficult nine years in this history of the parish, its people and its pastor.

Many of our families have had the terrifying and heartbreaking experience of seeing their homes and properties suddenly wrecked by mine subsidences. In the past two months, we've had four more homes and businesses within one block of the church damaged by caving. Indeed, I don't think any of us would be surprised if tomorrow we learned that the earth had crumbled and damaged the church itself.

This, I understand, is the reason why construction on the new church has been delayed so long. If some of us are unhappy about this delay, can you imagine how disappointed and heartsick Monsignor must be?

Monsignor Lowry has not been satisfied to just console those already affected by subsidences. He has been in the forefront of the community's effort to spur government relief for those unfortunate families. He has also been a strong supporter of mine flushing projects in this area. A great many here, I'm sure, attended those meetings in the parish hall.

Monsignor Lowry has been in the vanguard of other efforts to improve life within the boundaries of the parish. Many of you may remember that two years ago he went before City Council and convinced the councilmen to scrap a zoning appeal. A businessman was planning to convert an unused parcel of land in a residential district into an unsightly commercial area.

But these are things we all know about. There are thousands of quieter services that he performs that only those directly involved would realize.

I'm a newspaperman and I've seen a lot of trouble in my time.

But nothing, thank God, like our pastor who must constantly wrestle with an endless variety of trouble coming to him through his congregation.

And it's worthy to note, that everyone I've talked to has said the Monsignor has been truly magnificent when serious trouble strikes.

But of course, the job he does best is bring us all a little closer to God.

In the newspaper world the highest compliment you can pay a newsman is to call him a reporter's reporter. It means that he is tops in his field. That he has the respect and admiration of his colleagues and sets an example for others to follow.

I'm sure all the clergymen gathered here tonight would agree with others I've spoken to that Monsignor Lowry is a priests' priest.

A few days ago a priest from another parish came into The Tribune office with an item of news for the paper.

I was pondering on this talk at the time and I asked him how a Right Reverend Monsignor ranks in the church hierarchy.

He scratched his head for a minute and then answered:

"Well—I guess you could think of him as a light colonel in the Pope's Army!"

Now we all know that a colonel rates a salute.

And, Monsignor, that is why all these people are here tonight.

To salute you! And to say thank you! Thank you for everything!

BROTZMAN STAYS ON THE JOB

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. MIZE. Mr. Speaker, many of us will long remember the marathon session of the House of Representatives earlier this week. It certainly was a unique and history-making experience.

The essence of the occasion was well captured in an article by Mr. James Foster of the Rocky Mountain News. His article not only captures the mood of this Chamber on the night of October 9, but also is a fine tribute to our colleague, the gentleman from Colorado [Mr. BROTZMAN] who remained here, on the job for his constituents during that long and exhausting night.

Mr. Speaker, I include the article by Mr. Foster in the RECORD as a part of my remarks:

[From the Rocky Mountain (Colo.) News, Oct. 10, 1968]

BROTZMAN BRAVES LACK OF SLEEP, FOOD IN HOUSE HASSLE

(By James Foster)

WASHINGTON.—At 12:03 p.m. Tuesday, Rep. Don Brotzman finished a hamburger lunch and answered a quorum call in the House of Representatives. He was the only Coloradan present.

Late Wednesday—27 hours, 45 quorum and roll calls, a bowl of vegetable soup, an ice cream bar and 2 slices of french toast later—he emerged still the only Coloradan on hand for the marathon House session which at one point saw Speaker John McCormack order the doors locked to keep members from leaving.

Where were Colorado's other three duly elected Representatives?

Reps. Wayne Aspinall, Byron Rogers, and Frank Evans were all out in their home districts campaigning for re-election.

And the three, all Democrats, chose to ignore Speaker McCormack's call for members to get back to Washington to tend to House business.

"Sure, every Congressman is anxious to be out campaigning," said Brotzman, a Republican, who faces tough competition in his 2nd District from Roy McVicker. "But I felt my primary responsibility was back here taking care of my constituents as badly as I wanted to be back campaigning myself. I felt official business transcended my own personal desires."

Although water pollution, appropriations and some school legislation were on the agenda, the t.v. debate bill was the chief concern to the 46 year old Congressman and chief target of the Republican filibuster tactics.

Brotzman said he "vigorously" supported suspension of provisions of the Broadcast Bill to permit televised debate by political candidates "if they wish to avail themselves of the opportunity."

"I have long felt that the real strength of a Democracy is an informed electorate and candidates must have the opportunity to express themselves if they choose," Brotzman declared.

The bill, as finally passed, provides for debate by the three major candidates, although it is not compulsory if a candidate chooses not to participate.

SLEEPY MEMORY

It had been quite a night, Brotzman observed as he searched his sleepy memory.

"You couldn't get any sleep," he said "I tried cat napping but that didn't work, I tried to sit there and relax and that didn't work, I finally gave up.

"Let me try to remember. At 8:30—or was it 9:00?—I called my family and told them it looked like it was going to be a long night."

That was the understatement of the evening.

Members visited, worked crossword puzzles and stretched out on couches in the cloakroom.

Brotzman said he got a bowl of soup and ice cream bar after he called home and then just wandered around, never far from the voting.

POKER GAME

Other members busied themselves in various activities. There was a poker game underway within dashing distance of the House floor.

Out on a Capitol balcony Rep. Del Clawsen, R-Calif., serenaded the moon with saxaphone renditions of such rousers as "Happy Days Are Here Again."

At one point, when the lumpy seat got the best of him, Brotzman went out to the cloak room and spotted Rep. Roger H. Zion, R-Ind., asleep on a comfortable looking couch. Brotzman tapped his colleague on the shoulder and suggested he better get out on the floor to vote. When Zion returned, Brotzman had stolen his spot and was fast asleep.

So it went.

About mid-morning, with the floor battle still raging, Brotzman breakfasted on french toast and coffee and dashed to the House Office Building long enough to shave and shower.

And his Secretary, Mrs. Pat Slovek, gave him two vitamin pills.

SHERIFF DALE CARSON, A REAL LEADER

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. BENNETT. Mr. Speaker, it is my privilege to represent here in Congress, Jacksonville, Fla., and Duval County, which embraces the city. The chief law enforcement officer in this area is Sheriff Dale Carson, a real leader in everything to make our community better and safer. It is my privilege to insert in the RECORD at this point an article by him printed in the October issue of the National Sheriff, and originally given as an address at the National Sheriff's Association:

REAL PROGRESS IN LAW ENFORCEMENT

(By Dale G. Carson, sheriff, Duval County, Fla.)

Doctor Kennedy is a most difficult speaker to follow. Somebody with whom I was talking said the Doctor told him he should give up drinking . . . it was going to kill him. So he quoted some statistics in return, then asked, "Did you ever notice how many more old drunks there are than old doctors?" Maybe the statistics aren't all in our favor.

I came here today to tell you about our newly consolidated government in Jacksonville, Florida. We think we have found some of the answers to the population growth and law enforcement as it should be handled in our metropolitan areas. I give you some of the reasons why we in Jacksonville felt we needed a new government. Maybe you'll find something in your hometown that may indicate that you need a change too. If you do need a change, you'll have something to take back to the people. Of course I don't want you to go back and try to reorganize the government, but if there is a governmental reorganization going on then maybe we will have some answers, particularly, if you are interested, as I am, in preserving the office of sheriff in modern-day law enforcement.

Jacksonville, of course, has a police department similar to those throughout the nation. They have five hundred sworn officers and civilian personnel. We in the sheriff's office have three hundred deputies; we have a road patrol of one hundred and seventy-five officers; a detective division and a civil division; and, of course, a jail. We're now in the process of consolidating and combining these two law enforcement agencies into one agency that will have complete jurisdiction over the county and the city which will in fact become a city-county.

This, of course, isn't the first consolidation attempt that has been made in the United States and it won't be the last. But I think the important thing here in this one is that the sheriff is taking over the complete law enforcement responsibilities, not the chief of police.

Not only does the sheriff maintain his status as the chief law enforcement officer, he continues as an elected official.

Let me quote from our charter just one section that deals with responsibility of the sheriff: "The sheriff shall be responsible for the performance of duties imposed upon the sheriff of Duval County by the constitution or by the attorney general or the special laws of Florida and shall be responsible for the management of, operation and control of, law enforcement and traffic safety in the consolidated government."

We will not have a police department in Jacksonville, Florida. We will have a sheriff's office for both the city and the county. The transition has already begun. On March first, the new city council and the new officials began phasing out the old government to make way for the new which will take effect officially on October 1, 1968.

There are many problems in consolidating two law enforcement agencies. You can realize some of these when you look at the people of your agency and compare them with the people who work in the city. There are new problems every day. Of course, we are keeping track of these and working out solutions. I hope that if you do go through this you can talk to us because we will be able to advise you of some of the mistakes that we have made that you can perhaps avoid.

We are trying, for example, some simple things like getting all of our officers on the same pay scale. This seems like the logical thing to do. It's the only fair thing. If two officers are riding together, they should be making the same money. Our starting salary in Duval County is $7500. Just to bring the city up to this will cost almost one-half million dollars, but we feel that this is necessary if we are going to work together. Our combined budgets last year were seven and one-half million dollars but it is going to take more than that. Even though it takes more, we feel that we will be able to perform better service and the taxaper will get more for his tax dollars. This will not, however, come about overnight. Some of the problems can't be solved today. Some may even take a couple of years. But in the long run, we feel it will be best.

Let me tell you about consolidation and how it came about and maybe you'll find some answers to some of the problems in your area. Jacksonville, and we call it now the bold new city in the south, is located on the St. Johns River in the northeast corner of Florida. It is the county seat of Duval County. Like so many other cities in our nation, it was a city of decline. What had happened to Jacksonville was not unique. Cities throughout the nation are facing the same problem. New and spectacular growth have brought us new and spectacular problems. The 1940 census listed the county population as two hundred and ten thousand, with all but thirty-seven thousand of those living inside the city limits. The city limits contained only thirty-one square miles. The county contains eight hundred and forty-four square miles. Growth, of course, was a major underlying factor that brought about this consolidation. In the twenty-five year period from 1940 to 1965, Duval County's population increased enormously, from two hundred and ten thousand to five hundred and fifty thousand . . . an increase of over 150%. Now during this dramatic population growth, few accompanying changes in governmental construction occurred. We simply grew and grew and grew.

Economic, educational, and governmental structures did not keep pace with the population growth. Let's compare a statistical picture of the city of Jacksonville with the rest of the nation. We'll point out some of the examples of why we are in trouble. From 1950 to 1960 the white population inside the city limits declined 10% while the non-white population increased 14%. In cities of over one hundred thousand population, Jacksonville ranked third in the number of non-white citizens. Washington was first, Richmond second, then Jacksonville with a 41.2% non-white population. This compared with less than 9% outside the city limits.

A family income under $3000 is considered to be below the poverty line. Jacksonville had 3% of its families below this level. This compared with 15% in the county. Over 30% of the housing according to the 1960 census was either in deteriorating or dilapidating condition inside the city limits, compared to 13% outside the city limits. This combined population and economic depreciation together with governmental neglect began to take its toll. Vitality had not kept pace with growth. We had this intertwining government with the social problems that would multiply with rising taxes, water and air pollution, disaccredited schools, high crime rate, public corruption, and social unrest.

Ideally, a city's boundaries should expand as it grows. Jacksonville had attempted to do this but had been unable to annex any territory since 1937. In the history of Jacksonville, annexation was placed on the ballot seven times . . . with only one favorable reaction, and that was back in 1937. The most recent attempts, back in 1963 and 1964, were voted for in the city but overwhelmingly defeated in the county.

Jacksonville's governmental structure was really unique. We had an elected city commission. The mayor was a member of this commission, and he served as police and fire commissioner. We had a council, a city treasurer, a municipal judge, a city recorder, a tax assessor, all of whom were elected. The city commission was the administrative body and the city council was the policy-making legislative body. The independent elected officials and the appointed boards all encroached on the other's authority and sometimes encroached on the policy-making decisions of the council.

This type of government was complex and cumbersome. The last change in the city charter was back in 1917. County government has remained virtually what it was in 1887.

In Duval County, there were seventy-four elected officials, plus a fifteen member legislative delegation. Since the responsibilities of many of these officials overlapped, there were often jurisdictional disputes among officials.

Following this vast array of public officials was confusing and bewildering to the average citizen who found it virtually impossible to fix responsibility. Despite the mass of public officials, county government was still without the necessary governmental powers to meet the needs of an urban population. Local government needs flexibility, and flexibility is the mark of municipal government. County government must rely almost solely on *ad valorem* taxes for support. While municipalities have different powers, they have the powers to license and regulate utility taxes and set service fees. Our new Jacksonville, as an example, simply because we are a city—or will be—will receive an additional ten million dollars from the cigarette tax which formerly went to the state.

County government was designed for rural population. With the advent of the new technology and the rapid population growth, pressures have arisen that have outdated some of the methods and the design of our Nineteenth Century sheriff's office. Urban areas, flexible annexation laws and codes, and the arrival of the automobile on the scene, have transformed the traditional role of the sheriff into that of a big city police chief. Our problems result from the fact that the sheriff often finds himself faced with many of the same problems and responsibilities as the chief of police but he lacks three important tools to do the job properly.

(1) The county government has no ordinance-making power. County government is an adjunct of state government. All county government powers must emanate from the state or be based on laws passed by the legislature. The legislature, however, feels that in many states and most areas it does not have to deal with the day to day problems of law enforcement. The theory apparently is that when the people have needed these types of services they have incorporated and passed whatever laws and ordinances they need.

(2) The sheriff's enforcement tools are really cumbersome. Incorporated cities have municipal courts which handle justice. They meet daily, and dispense justice in a rather short order. In our city, a defendant is arrested one day and tried the next day in municipal court. If he wants an attorney and demands a delay, he is given a delay . . . but never for more than five days. This means that we will have a rapid turnover in prisoners and we won't be holding them so long. The justices of the peace in many states perform a similar function, but they are not as set up for this rapid turnover as the municipal courts are.

(3) The sheriff must enforce state laws which are handled through state courts which are usually both slow and costly. State courts were never designed to handle a large volume of misdemeanor-type cases.

Perhaps the most important short-coming facing the sheriff is that his office has no official financial support—no tax base support.

The old fee system is fast being replaced because it has proven insufficient. Most of our sheriffs departments are supported from countywide *ad valorem* taxes and what fines they can collect. The increased pressure on county expenditures, especially for schools in this modern age, has made it very difficult for the sheriff to have an adequate appropriation.

When the sheriff goes beyond his regular process serving and jail work, then he is in effect providing a municipal type law enforcement protection. To do this properly, he must have a broader tax base support. What does the modern sheriff do? He is caught in a bind between more calls for service and less money with which to operate. Too often, I'm afraid, the sheriff has thrown up his hands and turned over this responsibility to some other agency, either city or state.

Gordon Meiser, in a recent magazine article, talks about this and gives an answer that you and I as sheriffs aren't going to like. He's talking about why we have failed to provide an overall municipal service. He asks if the sheriff is not the actual villain in the history of metropolitan law enforcement? The potentials of his office gave him the power to act and his position gave him innumerable opportunities to act. Invariably however, the sheriff has failed to act. Traditionally, the sheriff has confined his activities to the unincorporated areas of the county despite the fact that he was elected by a countywide vote. Meiser goes on to say that we have abdicated our responsibility.

Now I don't agree with this any more than you do. And yet. you and I know that it has happened in the past and has happened too often for any of us. We of all law enforcement agencies are in a fine position, an excellent position, to take care of the municipal law enforcement in our metropolitan areas. One hundred of the two hundred and twenty-eight metropolitan areas in the United States are within the confines of one county. It's a natural setup for it. The office of sheriff has a long and traditional history in this country. And we would really be doing a disservice to our offices if we did not try to meet this responsibility. We need to take a long, hard, look at our departments and ask ourselves how we measure up with the municipal departments in our area. We may not like the comparison. But we must take this look, if we are going to fulfill our responsibilities.

In Jacksonville, I am an elected city sheriff now. I have been the county sheriff for ten years and I know the problems we are going to face. Now I will be enforcing state laws and also municipal ordinances and codes through the entire county area. The citizens won't have to sweat out a warrant when we make an arrest. Our prisoners won't have to stay in jail for six months awaiting trial. And our agency will be serving the citizens and working from the municipal tax fees that will allow us to expand and grow with the community. Our new consolidated government is streamlined and simple and, we hope, responsive to the people. We have an elected mayor, a nineteen man council (fourteen of whom run from districts and five at large). We have a civil service board, a supervisor of elections, a tax collector, a tax assessor, and an elected sheriff.

Most of these urban problems are man-made. We are going to try to meet these problems with a newly man-made government in Jacksonville. Our charter creates a single unified city-county government with the feeling that only a single government can maintain and build effectively toward the future of all our people. The people of the new Jacksonville have given an elected sheriff an opportunity to prove himself. He has the authority and the tools necessary to do the job.

The nation is watching Jacksonville's new government. Law enforcement officials throughout the nation are wondering if the office of sheriff really can meet the needs of an urban population. Personally, I am confident that we can do the job. Even our critics which I quoted before admit that we have the potential.

I think that by providing a municipal type law enforcement, we can start to stem the tide that has slowly been washing the sheriff from the modern scene of American law enforcement.

PERSONAL ANNOUNCEMENT

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. CHAMBERLAIN. Mr. Speaker, in examining my voting record, I find that I am unrecorded on rollcall No. 204 on June 24. I would like the RECORD to show that had I been recorded I would have voted "yea."

THE F-111—A PILOT'S REPORT

HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. **WRIGHT**. Mr. Speaker, once again the F-111 program is in the headlines. The controversy continues unabated. But, as in most stories of this sort, the issues tend to be oversimplified and, unfortunately, in the F-111 program the major advances in tactical air effectiveness made possible by this revolutionary airplane are strangely ignored.

I wonder how many of my colleagues, who doubtless read news reports about certain unthinking criticism of this program, are aware of what a distinguished Member of the other body had to say in favor of the F-111? In the September issue issue of DATA magazine appears an article written by an esteemed Senator from Nevada, a man with a glowing military record as a fighter pilot, an Air Force Reserve major general, and a man who himself has flown the F-111A.

This is a revealing account, by an expert, as to the flying and other qualities of the F-111A and I am pleased to insert the article in the CONGRESSIONAL RECORD:

[From Data Magazine, Sept. 1968]

THE F-111—A PILOT'S REPORT

(By Senator HOWARD CANNON)

(NOTE.—A good many citizens in my home state of Nevada are very familiar with the controversial fighter bomber, the F-111A. It's been zipping over their heads and shaking the heavens with supersonic booms for many months now. A whole flock of these $6 million flying machines are nesting at Nellis Air Force Base where U.S. Air Force pilots are taught the complexities of this bird.)

The F-111 training program where I became a part-time "pupil" at Nellis is called "Harvest Reaper" and it's where ordinary jet jockeys get their Ph.Ds aboard this extraordinary plane. These pilots are vets. Many have dodged Korean and Vietnamese flak. As I am, they are familiar with the cockpits of the F-105, F-104, and F-4. Now they are nesting with a new bird and really liking it.

The mascot of the outfit is "Snoopy," the Peanuts comic strip character who dreams of dogfighting with the "Red Baron." Like Snoopy, their ship has a black nose. And I suspect that the F-111 pilots, like Snoopy, are anxious to test their skill in combat. Every ship has a Snoopy code-name—Snoopy Sparrow, Snoopy Owl, Snoopy Swallow.

The pilots certainly made it clear to me that they love their Snoopies. Major General Ralph G. Taylor, Jr., Commander of the Tactical Fighter Weapons Center at Nellis, has been quoted as saying, "Nobody is qualified to pass judgment on the F-111 until he has flown it. I wish the critics who have not flown it would come out here and talk to our pilots."

A mechanic put it much more bluntly. "The guys who bad-mouth this airplane, are the guys who never got in the cockpit." I agree with both the general and the sergeant.

A good example of why crews love this ship is that the F-111s at Nellis at the time of my first visit were averaging 60 hours a month in the air—a high rate of utilization for an ordinary aircraft and unbelievable for something as complex as this ship.

As a politician, I am fully aware that the plane is controversial. Since the spring of 1963, some of my colleagues on the Senate Government Operations Committee have questioned the manner in which the General Dynamics Corporation was chosen as the prime contractor for the TFX—the former designation for the F-111. Competition to build this plane was intense; almost 12,000 suppliers and subcontractors in 45 states are now involved in the 493 plane, $1.8 billion production contract.

But in this article, I am going to deal only with my other interest in the aircraft—my interest as a fighter pilot with 5000 hours in the air, a major general in the U.S. Air Force Reserve who has checked out just about every Air Force jet available, and as a flyer who wanted to know how this bird ticks.

It ticks exceedingly well. In the cockpit, I proved to myself that it can fly slower and faster than any other fighter-bomber in the world, is as easy to handle as a jet trainer, comes in to land at about 130 knots (which is slower than a 707 airliner) and has proved that the swing-wing technique is a trouble-free device. And it needs so little room for takeoff and landing that it can easily operate from short dirt or sod airfields.

EXCELLENT TERRAIN RADAR

I really studied its "black boxes," or avionics systems. The plane has a complex terrain following radar, for example. The TFR permits it to fly supersonically at very low altitude, too low for detection by enemy radar. TFR also permits the F-111 to take off and land in every imaginable kind of weather. Moreover, I discovered its accuracy in ordnance delivery is much better than anything the U.S. now possesses.

Air Force Secretary Harold Brown recently put it this way: "Comparing the F-111A with the Air Force's current 'best,' this aircraft can conservatively be credited in the conventional role (i.e., iron bomb delivery) with mission ranges, payload capabilities, weapons delivery accuracies and target destructive effectiveness at least two to three times those of either the F-4 or F-105."

During the checkout briefing, I learned that the F-111 also gives a pilot in combat outstanding protection. The plane is equipped with a detector in the tail, for example, which senses the heat of incoming missiles or aircraft in time for the pilot to take evasive action. At the same time, the F-111 has a very small radar profile—making it still harder for the enemy to see him. The F-111 also has several electronic eyes looking ahead and a unique electronic navigation system providing fantastic capabilities on low-level day or night missions.

Mechanics told me that they were really sold on the F-111 too. One man has said it looks like it was designed by Benvenuto Cellini. Engines, which are interchangeable left and right, can be installed in about 45 minutes. The crews pointed out that they can reach almost all of the systems they have to check and maintain from the ground, without ladders or other equipment. Engineers said to me that repairs that used to take hours can be done in minutes. I saw that the various electronic black boxes inside the aircraft can be easily pulled out and replaced. I noticed banks of computers in the hangars, which quickly isolate faults in the black boxes and show the way to quick, easy repairs. The engines even have explosive cartridge self-starters for remote field takeoffs.

In addition to regular Air Force pilots and perhaps a dozen General Dynamics test pilots, only a handful of others have flown the F-111 and I am flattered, as an Air Force Reserve pilot, to have been included among them. My opportunity to fly one came late last year.

As I looked at the camouflaged, mottle-skinned F-111s on the flight line, I liked what I saw. They look like dragon-flies on the ground—arrowheads in flight. Then it was time for a two-hour briefing on what makes the F-111 tick before actually climbing into the cockpit.

As I sat in the operations shack listening intently to Lt. Col. Jim Randall, a veteran pilot with hundreds of hours in the F-111, and a good friend of mine for many years, I was impatient to get into the airplane and try it out for myself. That, I thought, would give me some first hand answers to the many criticisms that have been leveled at the bird over the years.

EASY TO FLY

Soon I was buckling myself into the left-hand seat as Col. Randall continued to run through the preflight briefing. In the cockpit, the toughest thing to get used to is the side-by-side seating arrangement. It's more like a jet trainer, or the cockpit of an airliner, than that of a fighter-bomber. The pilot sitting in the lefthand seat simply can't see out of the cockpit over the man next to him. Very disconcerning for a jet jockey who has been used to tandem seating. Looking over the instrument display, I found it good, not as complex as I had feared.

Minutes later I taxied out, rolled it to full throttle, took off in a remarkably short distance, and quickly climbed to altitude. For the next two hours, climbing as high as 40,000 feet, I wrung it out; hitting speeds above Mach 2 with the wings sharply swept; trying out the fantastic avionics systems of the airplane, including its terrain following radar, and making several simulated target runs. Landing, it floats in like a balloon rather than hitting like a rock as most fighters do. As I told reporters after the hop, the F-111 has excellent handling and maneuverability at all speeds. It performs every mission beautifully.

Of course, not everything in this bird is perfect; all new model aircraft have bugs. I found her more sluggish than other Century Series aircraft in climbing to altitude. She had a record of compressor stalls at high speeds and altitudes, which has since been eliminated with inlet and other refinements. When the speed brakes are used, there is quite a bit of undesired buffeting. Learning how to read the attack radar correctly is a full-time job in itself. She can't turn as tightly as an old fighter pilot like myself would prefer. But none of these minor complaints alters the fact that this is still the swiftest, most effective weapons delivery system in the air today.

I found, to my delight, that the F-111's most revolutionary feature, its variable-sweep-wing, is very simple to operate.

It is done with a pistol grip handle on the left hand side of the cockpit. Ordinarily, the grip is tucked out of the way but when you want to move the wings forward you push the handle in that direction; if you want them tucked back in a delta configuration, you pull the handle toward you. A full wing sweep cycle from fully forward to fully swept back—from 16 degrees to 72.5 degrees of sweep—takes a little less than 20 seconds and is so smooth that it is hardly noticeable in the cockpit, except that the ship speeds up. Another interesting gimmick in this airplane is that the pylons under the wings on which bombs and rockets are stored adjust themselves to any wing position. No matter what wing setting, the F-111's external stores are always streamlined into the wind. An F-111 can carry up to 48 750-pound bombs on these wing pylons, and two more can be carried in its weapons bay. This is a fantastic ordnance carrying ability, and equal to the payload of four World War II bombers.

I also became familiar with the F-111's twin 18,500-pound thrust jet engines, which are rather unique. The F-111 gets its extreme range on internal fuel only by combining the variable-sweep-wing with jet engines that squeeze maximum range out of each gallon of fuel. The engines are turbofans, a feature which is a first for high performance fighters. With the engines, operating on "military power" only, which is only 45% of the total thrust available, coupled with a wing setting of 16–26 degrees, the pilot can get maximum range. By slipping past military power into one of five afterburner settings, at the same time sweeping the wings back sharply, the pilot is now pushing a delta-winged supersonic aircraft around with his stick. The afterburner is a feature in all jet fighters which gives the airplane very rapid acceleration—what we pilots call a "kick-in-the-pants"—by pumping jet fuel directly into the engine exhaust. The problem with using afterburner in a normal military jet is that it burns fuel at a prodigious rate. In the extraordinary F–111, the pilot can select five different zones of afterburning and thus get maximum performance with minimum fuel consumption. Familiarizing myself with this new feature, I tried several kicks-in-the-pants. Impressive.

MODULE PROTECTION AND SHIRT-SLEEVE ENVIRONMENT

Col. Randall and I were flying in a "short-sleeve" environment. Though we wore the usual safety harnesses, we did not need to wear parachutes or survival gear. Both are integral to the F–111's self-contained crew module.

In the event of an emergency in other fighter-bombers, ejection at high speed can frequently result in a serious injury or even a fatality. I have had friends badly banged up when they "punched out." But the F–111's module is as revolutionary in terms of crew safety as the variable-sweep-wing is aerodynamically. As the briefers explained it to me, the module and its ejection system operate from zero speed and altitude (i.e)., parked on the runway) up through the entire speed and altitude envelope of the F–111. In an emergency I was shown how to pull the ejection handle. They explained that a Rube Goldberg sequence of events would take place in the next few seconds. An explosive cord would sever the module from the fuselage, while guillotine-type knives would sever all cables connecting the module to the airplane. Automatically, the safety harnesses would pull me and Col. Randall into a safe, upright position as a rocket motor blasted the module up and away from the airplane. Integral to the module is a portion of the F–111 wings and these stabilize the module in the air as parachutes deploy and blossom.

As the module descended we could eject a substance called chaff—little pieces of metal which create a large and distinct image on radar, thus making it easier for rescuers to locate us. For obvious reasons, chaff would not be used by us if this were combat and we were descending into enemy territory.

Inflated bags under the module would absorb the impact of landing and, once safely out of the module, we could use it as a shelter and, together with the module's ample survival gear, exist in relative comfort until rescued.

Even more remarkable is the module's capabilities in the event of a water landing. If the module lands in water, it floats easily and self-righting bags keep it upright. We could then pump either control stick in one direction to keep the flotation bags inflated or, pumping in another direction, use it as a bilge pump to keep the module dry.

If for some reason we had landed in water without ejecting the module, possibly because we were injured or unconscious, the module would automatically separate itself from the fuselage and float safely to the surface before the aircraft had sunk below 20 feet. Very reassuring, I must say. Makes the chute and going over the side as I did in Holland during World War II seem primitive.

In the first actual emergency use of this remarkable system, two civilian test pilots ejected at nearly the speed of sound. The only crew injury occurred when one of the pilots cut his thumb after landing, while climbing through a barbed wire fence.

KEEPS YOU HOPPING

Despite all this careful planning for crew comfort and safety, the F–111 keeps you hopping enough to leave you tired by the end of a long flight, particularly after using the various radar configurations. As one pilot said, "A three-hour mission leaves you pretty washed out. You fly about three inches off your seat. It keeps you very busy. There isn't an idle moment."

Another system that can keep you on the edge of your seat is the F–111's terrain following radar, which I mentioned earlier. It is fantastic. Let me cite an example.

On the delivery flight of the first production F–111 from the General Dynamics plant at Fort Worth, Texas, to Nellis Air Force Base, Nevada—a distance of 1,047 miles—the pilot took off, set the TFR to maintain a constant ground clearance of less than 1,000 feet, and then folded his arms.

The airplane flew itself all the way, and the precision of its navigation system kept his F–111 within yards of each checkpoint. As he approached Nellis, the pilot unfolded his arms and made a routine landing, after a very un-routine flight. The TFR is a great radar system involving a complex of computers and sensors measuring and compensating automatically for the slightest deviation of the aircraft in any direction. Inertial guidance systems keep the plane right on target. While other aircraft have radar that can automatically avoid large land objects like mountains, the F–111 is the only machine that moves up and down with every slight wrinkle in the earth's crust. It is ideal for a high speed run on an enemy target at treetop level. I tried a number of TFR runs and while it's "hairy" having a black box fly you at treetop level, you get used to it."

TFR AS SAFETY DEVICE

Pilot confidence in the TFR is due in no small measure to a special TFR safety feature. In the event of a malfunction, the safety device automatically pulls the aircraft up to a safe altitude. Texas Instruments and General Electric have teamed up to make the radar and the controls which guide the plane.

Major General Andrew J. Kenney, commander of the Air Proving Ground Center at Eglin AFB, Florida, reports that once, while flying at 20,000 feet, he switched on the TFR and set it for 50 feet. He says it was difficult to resist grabbing the stick as the aircraft started to dive fast, seeking the 50 foot level. However, he resisted the impulse and the F–111 leveled out at 50 feet to continue the mission automatically. It's quite a device.

After the tragic series of three crashes in Thailand, each of which was at night using TFR, there was strong suspicion that somehow or other the TFR had malfunctioned over jungle terrain that can't be duplicated for testing purposes in the U.S. The Air Force, however, exonerated the TFR system and now believes the cause of all three crashes was a hydraulic valve that faultily actuated the F–111's horizontal stabilizers.

This defect has been corrected and the F–111 fleet resumed flying early this summer.

Sure, there have been F–111 crashes in the past and there may be some in the future. No new aircraft, military or civilian, ever comes out of the development stage scot-free. (Remember the Electra?) They lost 14 F–104s in the first 5000 hours. In its first 10,000 hours of flight testing, the F–111 still has a better safety record than any other Century Series fighter.

As Air Force Chief of Staff John P. McConnell recently told a House subcommittee: "It is my opinion, Mr. Chairman, that you have no cause to be alarmed over this (hydraulic valve problem) any more than you had over the other fighter aircraft that we have in the inventory. I have personally flown this aircraft in all of its modes. I would not hesitate at all to go out and fly it again today."

When I hear criticism of the F–111s over these crashes, I am reminded of the F–105, a big airplane and one of our chief workhorses in Vietnam. When it was being developed, critics focused on its size and called it "the squash bomber," saying that the only way it would ever destroy a target would be to taxi over on top of it and squash it to death. These critics, of course, have long since seen the error of their ways and I am confident they will, too, with the F–111A.

The F–111s may some day replace all the F–105s in Asia. Crews say the 105s are another breed of cat from the F–111 "Snoopies." As Captain John Phillips, an instructor at Nellis, explains it, "They're entirely different airplanes." The F–105 can hold its own in a dogfight with a MIG–21 but the F–111 is too heavy for this kind of melee. On the other hand, Capt. Phillips points out that, "On the deck, you could outrun a MIG–21 with your superior acceleration and range." Nellis pilots call the F–111 the "fastest gun in the west."

I discovered for myself that what the F–111 can do is fly further, faster, with a bigger payload and with greater accuracy than any other combat plane. The ships are proving this accuracy day after day, dawn to well after dark, in swift target runs over uninhabited land near the Grand Canyon where the civilians won't be bothered by the sonic booms.

As far as the pilots who fly the F–111 are concerned, they made it quite clear to me that they have a great deal of confidence in it and want to continue testing it against the enemy both as a bomber and as a fighter. As Colonel Ivan H. Dethman, commander of the F–111A squadron that went to Southeast Asia, told one reporter, "Until you get into the ring and get knocked around a little, you don't know how well you can do. But let me say this. The mission of a fighter-bomber is to put bombs or missiles on a target and, if necessary, be able to fight your way in and out again. Some say the days of dog-fighting are over, but this is simply not so. We think we can do this job in the F–111."

Having flown it myself, I think Dethman's right!

I believe that Senator CANNON's account of flying this airplane speaks directly and expertly to the question: Is the F–111A a good airplane to fly? His answer is a resounding one: The F–111A is an outstanding aircraft to fly.

I have repeatedly stated that other Air Force pilots who have actually flown the F–111A have expressed similar feelings about the superiority of this airplane, and I remain confident that it is a superior weapons system for the Air Force.

The confidence I express is shared by many, and I, therefore, include the following editorial from last Sunday's Washington Post in the RECORD:

FOXBATS, FLAGONS, F–111S

The F–111A, the Air Force version of the swing-wing fighter-bomber that used to be known as the TFX, was grounded the other day after its tenth crash. Controversial from the beginning, the F–111A had been on limited service in Vietnam. According to Pentagon officials, the trouble is not serious and the airplane will soon return to the skies. In fact, at the present stage of development—15,000 hours of flight time—the F–111 has a significantly better performance than many of its predecessors. The F–100 has 28 accidents in its first 15,000 hours, the F–104 had 21, and the F–101 had 18. There is no reason to doubt Air Force officials who say the plane can, and shortly will, fly.

The plane has had quite a history. Celebrated in the Great TFX Controversy in 1963, the F–111 was meant to be the final test of the principle of "commonality," the notion that a single plane could operate both from land bases and aircraft carriers. The services were never enthusiastic, arguing that in tailoring one to fit the other, both would be the loser. Others, most of them civilians, thought it was a reasonable enough theory since both the Air Force and the Navy are, after all, part of the American defense apparatus, not separate nations; cost savings alone would justify it.

In any case, after five years of development (and more than $1 billion), the Navy indicated that the plane could not be used effectively from carriers. The Senate turned down a budget request for purchase of the F-111B (the Navy version). The Pentagon says that the principle of commonality has not been proved one way or the other; the Navy brass says that it has, and it has been found wanting.

The Air Force version is said to have three virtues: Great range (earlier this year, two of them flew nonstop to Europe), great speed (1600 mph-plus), and superior instrumentation and "avionics," permitting it to be flown safely at night in any weather. The plane, in the argot of the trade, is "full of black boxes." Specifically, what the F-111 can do that no other fighter-bomber can do is come in very low at supersonic speed over a target from a great distance, at night in rainy weather.

It is true that the F-4 Phantom is just as fast, and the A-6 Intruder can also fly in any weather. The B-52 bomber, an entirely different airplane built for a different mission, has greater range and a much greater payload. But the F-111 is the only American fighter-bomber that combines all these features. That is what we have bought for $1 billion-plus in development costs, plus the $6.9 million cost of the airplane, a price tag which will escalate as the avionics become more sophisticated.

It is an airplane whose value so far is almost nil in South Vietnam, and limited in North Vietnam. In fact, whether such a sophisticated, expensive airplane should be risked in an insurgency is questionable. It is an airplane which would have been wonderful in World War II.

Defense Department officials are reassuring on these points, however. The Soviet Union is said to be quickly developing its own fighter-bombers, principally an improved version of the MIG-21 and two planes known as Flagon and Foxbat. Foxbat flies at more than three times the speed of sound. To counter the improved MIG-21, there is the F-111. To counter Flagon and Foxbat, the Administration has begun development of the FX and the VFX. Whatever the Soviet Union does, the U.S. will do also. And naturally, vice versa. Development costs of the FX and VFX are likely to be as great, if not greater, than the F-111. And these planes, as the F-111, will be approaching obsolescence as soon as they begin to fly. Of course, it is of enormous comfort and gratification that Flagon and Foxbat will be going through the same process, and the Russians will be forced to spend just as much money as we.

COUNCIL BLUFFS CHAMBER OF COMMERCE PRAISED

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. SCHERLE. Mr. Speaker, America's strength is measured by the efforts of its individuals and civic-minded organizations to improve our local communities. We too often fail to acknowledge a "job well done."

The Council Bluffs Nonpareil, in its October 5 edition, has praised the work of that fine community's chamber of commerce. I wish to join in this much-deserved compliment.

My colleagues, I commend the following editorial to your attention:

WE CREDIT THE CHAMBER

Every organization in Council Bluffs, and probably the overwhelming majority of the individuals in the city, is vitally interested in the growth and progress of this community. When one examines the individual and group effort that is expended each year in completely unselfish activities aimed at providing the present and future citizens of Council Bluffs with a fuller, more satisfying life, it warms the heart.

But of all the organizations that work at this, we think it has to be acknowledged that the Council Bluffs Chamber of Commerce is the leader. Nothing can guarantee economic progress of a city like an active, forward-looking, responsive chamber of commerce. Council Bluffs has that kind of chamber.

When an industry decides that Council Bluffs is worth looking into as a possible site for future expansion, it sends its officials to the chamber of commerce office. When a group of people is planning on visiting our city and wants to arrange a tour of interesting projects and historical sites, it first contacts the chamber of commerce. When a local industry has some problem and needs some expert to help in finding a solution, it sends its official to the chamber of commerce. And when a Council Bluffs resident hears of some business firm some place, whether large or small, that is contemplating a move to some other area, he goes to the chamber of commerce and passes on the tip.

At that point, the Council Bluffs Chamber of Commerce takes over. With its alert, highly-trained staff, with its excellent liaison with the various departments of city government and lending agencies of the city, and because it numbers among its members individuals who are knowledgeable about this city, its peculiar problems and potential, and are quick to offer their services, the Council Bluffs Chamber of Commerce is extremely well-qualified to provide the kind of help and assistance needed.

The chamber has enjoyed some marked successes in the last few months, especially in the field of industrial development. The principal achievement, we believe, was the decision of the organizers of Beef Packers, Inc. to locate their new cattle slaughtering plant in Council Bluffs. Those who worked with this venture are quick to say that had it not been for the diligence and tenacity of our local chamber people, this huge industry would likely have gotten away.

And there are dozens of smaller but still quite sizeable industries and businesses that have decided to locate in Council Bluffs largely because of the efforts of the chamber of commerce. And the list of industrial prospects, many of whom are more than just prospects but are quite enthused with Council Bluffs, is quite impressive. Right now the local chamber staff is working with industries which plan to invest over $150 million in new plants and equipment somewhere; it looks like Council Bluffs will get its share.

But all this takes money—scades of it. The chamber's only source is the dues and donations of its members. Despite the enormous achievements of the chamber the last few months, there are still dozens of businesses and professional firms in Council Bluffs that do not belong to the organization. The chamber needs their help. If the chamber is to capitalize on the vastly increased outside interest in our community, and give these industrial prospects the kind of follow-up they expect and deserve, it's going to take more money and more people than are now available.

It's a wonderful time to be a part of the Council Bluffs chamber effort. There are exciting things happening; there are many more exciting things in the offing. Get aboard. Join the chamber and participate in this promising activity.

BRIEF REVIEW OF THE SECOND SESSION OF THE 90TH CONGRESS

HON. E. ROSS ADAIR

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. ADAIR. Mr. Speaker, as this second session of the 90th Congress draws to a conclusion, I think it worth while to make a brief review of some of the more important matters which have engaged our attention and my attitude and actions with respect to them.

First, as to domestic issues:

CRIME AND RIOTS

A great deal was said about crime and riots and some legislation to cope with these problems was passed, but not enough. The major piece of legislation in this regard was the Omnibus Crime Control and Safe Streets Act of 1968. This act made a beginning in that it freed our police from some of the restraints of what were, in my view, unfortunate decisions by the Supreme Court in recent years. It also provided for prosecution of rioters moving across State lines, which legislation I have advocated for some time. I have further legislation pending to permit our police to stop and frisk potential criminals for probable cause.

FOREIGN IMPORTS

A great number of hearings were held on the problem of foreign imports, but due to administration pressure, no major legislation was acted upon. In an effort to be helpful to domestic producers, I introduced legislation limiting foreign imports to meat, dairy products, and steel.

TAXES

Recognizing the inflation problem too late, the Johnson administration pushed through the Revenue Expenditure Control Act of 1968 which added the 10-percent surtax to our income taxes, and delayed decreases in certain other taxes. I voted against this measure as I felt that we should make the reductions necessary to balance our budget and not burden our taxpayers with additional taxes. A more positive approach, in my opinion, would be to cut the requested spending authority as was done successfully in the case of foreign aid.

Interest on the public debt is running at the rate of $15.3 billion for the current fiscal year. In other words, every taxpayer is burdened with an interest charge on the national debt of $76 a year or about $304 per family of four.

Furthermore, I have voted against raising the debt limitation. I think it is important, and vital to the American dollar, that we put a stop to continuing the policy of deficit spending. In this connection, I have also voted to cut appropriations wherever practical and when reductions could be made without interfering with the conduct of essential domestic programs. With heavy military expenditures amounting to nearly $3 billion a month for Vietnam, it is imperative that we reduce Federal domestic spending.

SUPREME COURT

In order to try to maintain the balance among the three branches of the Federal Government, I introduced legislation to permit the Congress to reconfirm our Supreme Court Justices at regular intervals.

MATTERS AFFECTING INDIANA

Legislation which I sponsored would provide for improved tornado research and warning, and authority for a Great Lakes Basin compact which did become law this year.

VETERANS' AFFAIRS

As the senior Republican member of the Committee on Veterans' Affairs, I am proud of the record of accomplishment of that committee.

Legislation to provide wartime veterans' benefits for Vietnam-era servicemen was enacted. Two public laws have together provided more than $300 million annually in increased monthly payments to veterans and widows on pension rolls. Certain widows with severe physical handicaps were made eligible for a $50 monthly supplemental pension. Income limitations controlling the rate of pension were liberalized and increased.

Approximately 2 million service-connected disabled veterans received increases ranging from $2 to $100 in monthly compensation payments. In the field of housing, the Government guarantee on GI home loans was increased to $12,500 from the former ceiling of $7,500. The World War II GI home loan program was extended to July 25, 1970.

The veterans' nursing care program was made more meaningful by the passage of legislation increasing the daily Federal payment to State veterans homes and community nursing homes that provide nursing care for veterans.

The GI bill for Vietnam-era veterans was expanded to authorize job training, flight training, and farm training programs. Monthly educational allowances were increased.

This is a record of solid legislative accomplishment in which the Republican minority played a constructive part and it is a record with which I am proud to be associated.

Next, in the field of foreign affairs, the deterioration of our country's foreign relations continued during 1968. Instead of steps toward peace and security, we were given new evidence that aggressive international communism respects only strength and determination. In Czechoslovakia the first steps toward freedom were halted by the bayonets of troops of the Soviet Union and its East European satellites. I condemned this brutal Nazi-style aggression in a resolution in the House of Representatives, and urged that sanctions be imposed by the United States and the United Nations upon the aggressors.

In the Pacific we saw a fourth-rate power, North Korea, seize the *Pueblo* and its crew. In a statement to the House, I said that the Johnson-Humphrey administration has humiliated our country through its ineptness and lack of courage in failing to obtain the release of the ship and its crew.

Because of the need for an adequate defense against Communist aggression, I recently voted for the Foreign Military Sales Act which authorizes a modest program of military sales to selected countries. Also, I voted for a supplemental request to provide additional military assistance to South Korea, which faces a serious threat from the north. It is in our self-interest to help countries such as South Korea, Turkey, and Iran to maintain strong defenses.

Last spring the Congress authorized funds to continue the Arms Control and Disarmament Agency for 1 year. I supported the bill after we cut back on costly and unnecessary external research and limited the authorization to 2 years so that the next Congress can take a hard look at the Agency.

The annual Peace Corps authorization came before the Congress, and I voted for it after supporting a reduction in funds and criticizing its weak administration. The dedicated young people from the Fourth District who are Peace Corps volunteers deserve a soundly administered program.

The foreign aid authorization bill has passed the Congress. I voted against it and led the successful effort to cut $1 billion from the administration request.

On East-West trade, I cosponsored legislation to create a select committee to study the impact of East-West trade and assistance to nations which support aggression. Events in Czechoslovakia have since confirmed the need for the study.

Several months ago I expressed my concern that the newly negotiated Panama Canal treaty would relinquish U.S. sovereignty over the canal and give it to Panama. I introduced House Concurrent Resolution 418 expressing the sense of Congress that we should not abandon the canal.

This, Mr. Speaker, is a very brief résumé of some of the highlights of the activities of the 90th Congress that I felt would be of interest and importance to the people of the Fourth District of Indiana.

DOT ORDERS $3 MILLION PLANE

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. THOMPSON of Georgia. Mr. Speaker, there has been much controversy about excessive Government spending, about the crowded conditions of the Washington National Airport, and about the large fleet of jet aircraft operated by administrative agencies of the Government. With this as a background, you can understand how amazed this Congressman was to hear from a reliable source that the Department of Transportation is obtaining a $3 million Gulfstream II Executive passenger transport to be based at Washington National Airport for the use of DOT officials.

Technically, this aircraft will be a Coast Guard airplane of the VC-11A type, but in fact it will provide lush, ultraplush transportation for the officials in DOT and will add to the congestion at National Airport, if the plans to base it there are carried out.

I can understand the desire of Government officials who like to have $3 million private airplanes at their disposal but, good grief. Even the Congressmen have to use the commercial airlines. Why should the taxpayers be saddled with this expense in order to provide the bureaucrats in DOT with lush transportation?

Already based at National Airport, as part of the already too large FAA fleet which approximates 100 airplanes, are aircraft which I am told includes a superplush Gulfstream I, four-engine Jetstar, and others, all used by DOT executives.

I have today written a letter to the General Accounting Office asking them to give me a complete report on this proposed delivery of this superplush, executive jet transport for an agency whose job is supposed to be the safeguarding of our shores and the saving of lives but in fact apparently is going to be used for lush executive transportation.

"CONSTELLATION" STAMP

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. FRIEDEL. Mr. Speaker, the Metropolitan Civic Association and the Ensign C. Markland Kelly, Jr., Memorial Post No. 174 of the American Legion, two prominent groups in Baltimore, Md., have inaugurated a drive for the issuance of a *Constellation* stamp. This drive is explained in a joint statement issued by the executive boards of both organizations. The text follows:

> The Metropolitan Civic Association and the Ensign C. Markland Kelly, Jr. Memorial Post No. 174 of the American Legion, both of Baltimore City, are venturing into an area usually described as one into which fools rush where angels fear to tread—a campaign for the issuance of a U.S. Commemorative Postage Stamp, in 1972, in tribute to the 175th anniversary of the U.S. Frigate *Constellation*.
>
> As noted by the Constellation Restoration Committee, the *Constellation*, launched on September 7, 1797, was the first warship built for the U.S. Navy to get to sea.
>
> It has the longest record of total service of any U.S. warship.
>
> It is the oldest ship in the world continuously afloat.
>
> Since a U.S. Frigate *Constitution* commemorative stamp was issued in 1947 to commemorate the 150th anniversary of the launching of *"Old Ironsides"*—it is eminently fitting that such honor also be accorded to the U.S. Frigate *Constellation*, because of her seniority and the accolades she has received since 1797.
>
> It cannot be said that not enough time is available for adequate preparations, 1972 is still 4 years away.
>
> The officers and board members of the Metropolitan Civic Association are: Warren J. Weinberger, president; Reuben Fedderman, senior vice president; Bernard Potts, David Gordon, and Philip Baron, vice presidents; Maurice R. Shochatt, executive secretary; Albert Haar, chairman of executive board; Charles A. Grimes, vice president of executive board; Samuel Winik, Warren A. Burdette, Allen Quille, Philip Markman, and Paul Huddles, members of executive board.
>
> The officers and board members of the Kelly Post are: Walter Salmon, Jr., commander; Earl G. Davis, first vice commander; Michael Coyne, second vice commander; Hubert E. Buchar, chaplain; John E. Kaufman,

sergeant-at-arms; James E. Ways, service officer; Warren A. Burdette, historian; and Thaddeus J. Hense, judge advocate. Executive committeemen: Henry H. Miller, William Henry Adams, Roland Louis Sydnor, G. Leroy Haslup and Lt. Col. Philip Levoff. Treasurer: Donald W. Smith. Adjutant: Joseph K. Walker.

Historical material compiled about the *Constellation* by both organizations reveals the following interesting sidelights:

The *Constellation* is the Navy's oldest ship afloat. She displays more service ribbons than any other ship. She is an old lady now—171 years old. She was authorized by George Washington on March 27, 1794; and built at a cost of $314,212. She slid down the ways of Sterrett's shipyard at Harris Creek on the Patapsco on a bright morning at 9 o'clock September 7, 1797, amid the cheers of thousands clustered on the hills about the shipyard and in boats on the river. She was the first ship of the New Republic to put to sea fully equipped and manned. It was the training of her crew of 220 seamen and 40 marines, and the institution of gunnery practice under Capt. Thomas Truxtun that gave him the title "the Father of the U.S. Navy" and made the ship its birthplace. She struck the first mighty blows for American seapower. Frenchmen called her "Yankee race horse" because of her speed. She is probably unique among the U.S. naval vessels, in that she cut such a bold figure in world affairs and at the same time held such close regional ties with Baltimore and Maryland. During 1926 and 1927, Franklin Delano Roosevelt, Under Secretary of the Navy, recuperated from polio on her decks. She was dedicated on July 4, 1961, as a national shrine. It was because of exhaustive research and findings that the status of National Historical Landmark was conferred upon her. On September 9, 1914, during the centennial celebration of The Star-Spangled Banner, a tablet was unveiled on board to commemorate her return to home port. A symbol of America's proud naval heritage, she is named for the stars in the American flag and proudly answers to the name of U.S. Frigate *Constellation*.

The *Constellation*, first commissioned warship of the Navy, first to defeat an enemy ship and the first to capture an enemy warship, participated in five major wars including World War II. Having served longer than any other vessel in the Navy's history, and hailed as the oldest floating ship in the world, this victorious vessel represents a proud link in the history of Maryland, as well as the United States.

The New York Times reported on December 13, 1964:

The *Constellation*, which was constructed in Baltimore and launched there in 1797, is named for the stars in the American flag. Her launching took place nine weeks ahead of that of the *Constitution*, whose keel was laid in Hartt's shipyard in Boston. She is thus considered to be the first vessel constructed for the Navy.

The controversy, dating from 1955, centered on the *Constellation*'s authenticity. Some people claimed that public tax money was being squandered on a phony, that this was not the frigate *Constellation* built in 1797, nor indeed a frigate at all. They said she was a totally different ship—a corvette that had been constructed in Norfolk in 1853–54.

"According to this version of the *Constellation's* history, Government funds in the 1850's were more easily appropriated for the repair of old ships than for building new ones. Therefore, when the Navy wanted money to construct a corvette, it asked instead for money to repair the *Constellation* and used the funds for the new ship. The *Constellation* was then presumably scrapped and the corvette entered on the Navy's rolls as the 'frigate *Constellation*.'

"Now, after years of intensive research and minute examination of the old vessel, the *Constellation* Commission feels it can refute these allegations. To do so, it has produced original letters and plans of the ship's builder.

"They show that the contours and spacing of the present ship's hull frames, and the dimensions of her keel, are exactly what they were on the vessel built in 1797. The papers also show that the elliptical stern that replaced the original square one was turned out in 1829, and not in 1853, thus casting additional doubt on the corvette theory.

"Furthermore, the actual work records of 1853 prove that the original ship was repaired and perpetuated, not replaced with a new vessel. And the most eloquent proof of all, perhaps, are the long copper spikes, some of them stamped with the dates 1797, 1808 and 1812. They could not have come from a corvette built in Norfolk in 1853.

"It was because of this exhaustive research, and its findings, that the status of National Historic Landmark was conferred upon the *Constellation*. She now can be accepted as the Oldest American Ship afloat."

Marylanders and other patriotic Americans are now being asked to help restore the *Constellation* with her full complement of rigging and sails so as to remind us, upon the restoration of her majestic image, of her cherished place in our hearts—and in the heritage and history of our country. A *Constellation* stamp in 1972 would be a fitting tribute to the 175th anniversary of this historic and honor-laden vessel—the Navy's oldest ship afloat.

THE CENTRAL ARIZONA PROJECT

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. UDALL. Mr. Speaker, on May 16, in a historic vote, the House passed the Colorado River Basin Act which includes the central Arizona project. On September 30 President Johnson signed the measure and Arizona rejoiced because it meant the end of a 20-year struggle to insure the State a water base vitally needed for the State's economic progress.

In my regular newsletter to constituents, I am reporting on this happy ending to a long, long battle and under unanimous consent from my colleagues at this point include the text of my report, volume VII, No. 3, in the CONGRESSIONAL RECORD:

THE CAP IS SIGNED—THIS IS "NEXT YEAR"

Arizonans who have followed our state's 20-year fight for water must feel a little like the fans of baseball's Brooklyn Dodgers two decades ago. "Dem Bums of Flatbush" had perhaps the most fiercely loyal fans of all time. The team also had a fiercely maddening habit of blowing big leads and pennants—mostly in the last two weeks of September. After each debacle, one Flatbush storeowner would reportedly hoist a banner proclaiming, "Wait 'til next year!" Finally, one year it was the Giants who collapsed. The Bums actually took the pennant, and the fan's new banner across the whole storefront read: "This Is Next Year!"

Arizona's story has been similar, and fortunately it has had the same happy ending. Since 1963, when the Supreme Court gave Arizona the green light for another major fight in Congress, we've had four years of frustration. Each October must have seemed to Arizonans the same old story: after months of committee hearings, "summit meetings" between the states, new compromise bills, news stories and editorials, the congressional delegation would have to admit defeat for the year, while vowing a fresh effort in January. My 1966 opponent may have struck a responsive chord with many discouraged Arizonans when he blasted me for continuing to hold out "false hopes" and declared, "I am convinced that CAP will not pass this session of Congress, nor the next, nor during any other session."

But finally victory *did* come, and it came through the efforts of hundreds of Arizonans working together in a common cause. On September 30, I had a moment I'd long awaited—standing at the White House while President Johnson wrote his name on a piece of paper. At that moment, CAP was no longer a dream—it was now certain to become a reality. The Central Arizona Project *will* be built! Water *will* flow from Lake Havasu to Phoenix, on to the fertile lands of Pinal County, and thence to Tucson.

A FINAL REPORT

Since 1963, I've written five newsletters on the CAP. For this final report in an hour of triumph I just want to comment and explain four major effects of its passage:

1—Insurance for economic growth

First, the action by Congress removes a major barrier to sound, orderly economic growth in our state. It is a hard fact, one which many of us have been reluctant to discuss, that hard-headed industrial leaders have had misgivings about location or expansion in Central and Southern Arizona when a permanent, long-range water supply was in doubt. These doubts are now removed, and I believe we will begin to see an impact in management decisions about payrolls, industries and jobs. Industry always looks for a sound economic base of *markets, labor availability, electricity and fuel, community facilities*, etc. Water is a crucial part of that base, and until now Arizona could not always give satisfactory assurances.

Industry looks, too, for an environment which will help it attract employees. The Central Arizona Project will bring Arizona more recreational facilities with new lakes at Orme, Buttes and Charleston dams and new possibilities for recreation development in the northland through CAP's water exchange provisions.

2—Construction means payrolls

Second, during the next 10 years a gigantic federal construction program will pour $465 million into our state, providing a tremendous stimulus for Arizona business. This means payrolls for thousands of construction workers, truckers, draftsmen, engineers, office workers, etc. One of the world's biggest aqueduct systems will be constructed over 340 miles from Lake Havasu all the way to Tucson. The system will include 169-foot, $42 million Orme Dam east of Phoenix; 210-foot, $32 million Buttes Dam above Florence; and 158-foot, $33 million Charleston Dam east of Ft. Huachuca. There will be pumping stations, canals and other facilities built, too.

Even after construction, the Central Arizona Project will be a major industry. Every year an estimated $9 million will be spent for operation and maintenance.

3—Grand Canyon untouched

Third, it should be noted that the bill as passed not only does not authorize construction of the controversial Grand Canyon dams, but construction of any dam in the canyon is specifically *prohibited* until and unless a future Congress removes the moratorium imposed by the new law. This was a bitterly argued question, both in Arizona and throughout the nation. Personally, I'm happy that Arizona can "have its cake and eat it too"—build CAP *and* have the Grand Canyon left as it is.

4—Peace on the river

Finally, for the 11 states of the Far West and especially for the seven Colorado River states, passage of CAP means peace on the river and the end of a bitter water war which threatened to stalemate the development of an entire region. We began in 1963 seeking a simple CAP bill. We soon found that any proposal to take a big, new chunk of water out of a river in the nation's driest and fastest growing section raised serious questions in other states. In fact, the shock waves extended not just to Los Angeles but to Boise, Portland and Seattle. It soon became apparent that there would be no CAP unless there was a broad, regional settlement looking at least as far as the year 2000. With this great settlement, the western states have laid a foundation of water statesmanship and cooperation which I believe will serve us and the nation well.

A PROGRAM FOR THE FUTURE

Many authorities agree that by the year 2000 the Colorado River is likely to be short of meeting all its demands and commitments. By then, Arizona's population of 2 million and California's 20 million will have *doubled*. Much of the congressional debate centered on the kind of program which ought to be pursued to meet this shortage.

Our sister states insisted, and we agreed, that a vital feature of our bill should be a broad, comprehensive program of studies looking into every conceivable method of augmenting the water supply of our water-short region. One source of water considered is the Columbia River, which pours some 185 million acre-feet a year into the ocean. But the Columbia Basin states protested vehemently against even preliminary *studies* of the feasibility of moving Columbia River to the Southwest. This matter was the major item of contention between House and Senate conferees. The "grand compromise" on studies consists of three main points:

1. To quiet the fears of the Northwest, the bill prohibits any federal studies of inter-basin water transfer for 10 years. This will give Washington, Oregon and Idaho a decade to completely inventory their water resources and determine their ultimate needs. At the end of that time, all the facts will be known in both Southwest and Northwest, and the inter-basin transfer of water can be studied and informed decisions made.

2. Beginning now, and during the next five years, the new and prestigious National Water Commission will study the long-term water needs of the *entire nation* and will make recommendations on the broad policy questions involved, including those arising from proposals to move water from one region of the country to another.

3. While all this is going on, the Bureau of Reclamation will begin a big and comprehensive five-year study to determine what the seven Colorado River states can do *within their own river basin* to augment the common water supply. Some exciting scientific developments are occurring in weather modification and desalting of sea water; they will be looked at intensively, as will the possibility of exporting water from Northern California to the Colorado and the ability to salvage water now wasted.

As Congress adjourns, all of these studies and programs are now authorized. Arizona must support them and be in a position to help implement them when the final decisions are made.

SOME FLASHBACKS

My days and nights (and many Sundays and holidays) for the past five years—the busiest and most satisfying time of my life—have been filled with the problems of the big, muddy, Colorado River. In the months ahead, it will be a relief and a joy to have more time for other things I've accumulated over these years many file drawers of correspondence, reports, statements, pictures, editorials, and countless other documents. I now plan to turn this material over to the University of Arizona Library in the hope that it might be of interest to future students and writers of this era in Arizona history. For myself, I'll keep a lot of memories. In the "flashbacks" of my mind, I'll see a lot of highlights like:

The day in June, 1963 when the Supreme Court, after a record 12-year lawsuit, handed us a victory over California.

The day in 1965 when I presided over an informal meeting in Washington in which for the first time in decades water leaders of the seven states began to search for a consensus on which we could go forward together rather than renewing old fights.

The satisfaction of finding that California's leaders in Congress wanted to end this water war, too, and that they could and would work with us to get it through the House.

Those exciting seven days when I was host to a party of 10 congressman who rode the rapids of the Grand Canyon to weigh the issue of park boundaries and the effects of the proposed dams.

Speeches to water groups at Las Vegas, Cheyenne, Denver, Albuquerque and San Diego, and to a partly hostile crowd at the Los Angeles Town Hall when I told them we in Arizona would win our project, "either with your help or over your dead bodies."

A tense and often bitter debate with the Sierra Club's David Brower before the national press corps assembled on the rim of the Grand Canyon.

A trip I made to New York to argue with the editorial board of the *New York Times*.

The long and challenging hours in committee where I held not only my own vote but, by proxy, the crucial votes of many other Members.

The historic day, May 16, 1968, when the U.S. House of Representatives for the first time in all these years debated the CAP and then passed it on an almost unprecedented "voice vote."

The eight hectic days I sat with Senator Carl Hayden behind locked doors in House-Senate conference when the great water leaders of the Western States (men like Senators Scoop Jackson of Washington, Clint Anderson of New Mexico, Carl Hayden of Arizona, Frank Church and Len Jordan of Idaho, Tom Kuchel of California; the wily House Chairman, Wayne Aspinall of Colorado; Rep. Biz Johnson of California, and others) pondered and finally resolved the water future of a region.

Not least of these highlights was the great bi-partisan statesmanship displayed these last five years by three Arizona governors, three U.S. Senators, and three Arizona colleagues of mine in the House; throughout all this struggle our state came before politics, and we fashioned a strategy which could go all the way.

In addition to these memories, I'll keep at least one tangible memento for myself. It's one of the pens President Lyndon Baines Johnson used to complete this happy story. I'm going to let it sign one more thing—*my* signature for the printer's plate on this newsletter—and then, if you'll forgive me a little sentimentality, I'm going to have it framed with a copy of the bill for a place on my office wall.

M. Udall.

EFFORTS TO UNIONIZE J. P. STEVENS CO.

HON. ROBERT G. STEPHENS, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. STEPHENS. Mr. Speaker, the Union-Recorder in Milledgeville, Ga., contained an editorial recently on the efforts of the Textile Workers Union of America in its attempt to unionize the J. P. Stevens Co.

I think this editorial will be of interest to all of the Members of Congress. I submit it, therefore, for insertion in the Record:

> If there has been any question in the minds of the employees of the J. P. Stevens Company as to the Textile Workers Union of America's utter contempt and disregard for the rights of a free American worker to earn his living as he sees fit, they must surely have found their answer in the Union's attempt to organize a boycott against the company, urging all Americans to refuse to buy products bearing the Stevens Label.
>
> The Union has been waging a relentless battle against the J. P. Stevens Company for the past six years in fruitless efforts to bring the Company to it's knees. In election after election, called by its federal subsidiary, the National Labor Relations Board, the Union has been resoundingly and overwhelmingly defeated by the employees of Stevens. After their latest drubbing a Union official announced that they had not yet begun to fight.
>
> Of course we all realize that completely effective boycott would close down some seventy Stevens plants and totally eliminate some 45,000 jobs, as well as open the doors for another flood of textile imports. And what hangs in the balance for the Union is the $1 million-plus the Union had hoped to extract annually from the workers in the form of union dues.

AMERICANS

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. MINSHALL. Mr. Speaker, among the constituents who visited the Minshall traveling office in Berea last week was an outstanding young lady, Judy Sherrill Nichols of Berea. Congressional duties had called me to Washington and I regret that I was not able to meet with her personally, but she left with my staff a short note and a splendid quote. I agree with her that it is important to bear in mind the words of the Honorable Henry Cabot Lodge during these days of turmoil and unrest.

Under leave to extend my remarks, I would like to share it with my colleagues as we prepare to return to our districts:

> Dear Mr. Minshall: Some years ago, this writing was sent to me personally, for my Radio program. I think, in times like these, it is the true Pledge of Allegiance:
>
> "AMERICANS
>
> "Let every man honor and love the land of his birth and the race from which he springs and keep their memory green. It is a pious and honorable duty * * * but let us have done with colored-Americans and Irish-Americans—German and oriental Americans and so on, and all be Americans. * * *
>
> "If a man is going to be an American at all, let him be so without any qualifying adjectives; and if he is going to be something else, let him drop the word American from his personal description. (Henry Cabot Lodge.)"
>
> Judy Sherrill Nichols,
> *Youth Defender.*

NEWSLETTER OF HON. GEORGE BUSH

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. STEIGER of Wisconsin. Mr. Speaker, the gentleman from Texas [Mr. BUSH] has written a newsletter to his constituents which I thought would be of interest to all of the Members of this body. I, therefore, would like to have it inserted in the CONGRESSIONAL RECORD at this time:

NEWSLETTER OF HON. GEORGE BUSH

LEGISLATIVE PROPOSALS FOR THE 91ST CONGRESS

Important legislation, which I hope the 91st Congress will consider, includes: (1) Establishing priorities in federal spending; (2) tax incentives for private industry to encourage the hiring and training of the hard-core unemployed; (3) tax incentives for industries locating in rural areas with high rates of unemployment; (4) provisions to take politics out of the Post Office Department; (5) Congressional reform to modernize and speed up the work of Congress; (6) election reform to overhaul the federal election laws pertaining to campaign fund-raising and spending in federal elections; (7) consideration of electoral reform to more nearly reflect the popular vote for Presidential candidates.

CONGRESS RECESSED FOR NATIONAL CONVENTIONS

As Congress had not finished its necessary business before the conventions, there was an adjournment for the month of August. Since the conventions, there has been talk of the need for up-dating the method of choosing our presidential nominees. This subject is included in the questionnaire.

It was good to be home a few days after the Miami Convention. I hope that in future years, we can speed up the work of Congress so Members spend more time in their districts which, in my opinion, is vital to the democratic process of representation of our constituents in Washington.

In an effort to get some action in modernizing the work of Congress, I joined with 134 House Republicans urging the House Democratic leadership to schedule consideration of the Congressional Reform Bill which provides for open committee meetings and public disclosure of committee votes; restrictions on proxy voting in committees; fair consideration for adequate minority staff on committees; live telecasting and broadcasting of committee hearings; the use of automatic data processing of federal budget information; reorganization of the General Accounting Office; open hearings of the Appropriations Committees of both the House and Senate; mandatory roll call votes on all appropriation bills; removal of postmasters and rural letter carriers from the patronage system (this is in line with the recommendations made by the President's Commission which studied the operation of the Post Office Department and recommended that it be treated as a public utility and that its service be upgraded accordingly); increased regulation of lobbying activities; and others.

SOMETHING OF HISTORIC INTEREST

My wife, Barbara, has toured many places of historic interest in and around Washington. One of these tours interested her in a project of collecting slides of places of unusual interest. These slides depict places of historic importance or places known for their beauty or some unusual aspect—not normally seen by visitors to Washington. Barbara would be happy to show these slides for Houston organizations who might be interested. Just call my district office, CA 7-1489, and let us know if you would like to schedule such a program.

As I look to the future, I'd like to once again ask for your ideas. So, printed below is my first "His" and "Hers" Questionnaire. In the past, we have had a number of requests for an extra questionnaire to provide for individual answers.

1. In Viet Nam, do you think that the U.S. and her allies are:

(1) Losing ground?
(2) Standing still?
(3) Making progress?
(4) No opinion?

2. Without concessions of any kind from North Viet Nam, should we stop the bombing north of the demilitarized zone?

3. How do you feel about the peace talks in Paris?

(1) Do you think the talks are accomplishing anything?

(2) Do you think there should be a moratorium on debating Viet Nam policy so long as the Paris talks continue?

4. Do you believe that the major deterrent to crime is:

(1) More effective and better-trained police?
(2) Stricter penalties by the courts?
(3) Less lenient parole policies?
(4) Taking away dangerous weapons from the public?
(5) Modification of some Supreme Court decisions?

5. Do you believe the major cause of violence in the streets is:

(1) Living conditions?
(2) Organized crime?
(3) Demonstrations?
(4) Emotions?
(5) Permissiveness by the federal government?

6. Do you believe the tax increase and spending cuts are accomplishing their major objective—reducing the deficit and halting inflation?

7. Do you believe the Electoral College system for electing the President of the United States:

(1) Should be left as it is?
(2) Should be changed so the President would be elected by popular vote on a nationwide basis?
(3) Should be changed so the election would be decided on a regional basis, such as congressional districts?

8. Do you believe the nomination of candidates for President:

(1) Should be decided by the convention system as it now exists?
(2) Should continue to be decided by the convention system, but with substantial reform?
(3) Should be nominated in a national primary?

9. Do you think there should be tax reform legislation in the next Congress in the area of:

(1) Closing so-called loopholes?
(2) Broadening the base and lowering the tax rate?
(3) Re-evaluating standard deductions so as to minimize paper work?
(4) Tax tax-exempt foundations?

10. What do you think we should do about big city problems?

His ---------------------------------
Hers ---------------------------------

11. What do you think we should do about poverty?

His ---------------------------------
Hers ---------------------------------

12. What do you think we should do about Viet Nam?

His ---------------------------------
Hers ---------------------------------

13. Free question: Would you like to give me your opinion on something I haven't asked about in this questionnaire?

His ---------------------------------
Hers ---------------------------------

INSIDE OUTLOOK

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. McCLURE. Mr. Speaker, the remarks of Don Bruce in his column "Inside Outlook" of the August 1967 Success publication were brought to my attention recently by my good friend Ralph Smeed of Caldwell, Idaho. Mr. Smeed felt that the Congress could benefit from Mr. Bruce's remarks, and I would like to take this opportunity to bring them to the attention of my colleagues:

INSIDE OUTLOOK

(By Don Bruce)

Timothy J. Wheeler, Editor and Publisher of a rip-snorting monthly magazine, named Rally, comes forth with a Rally position paper in the June issue entitled The Call To Battle.

Noting the rebound displayed by the conservative movement after the premature burial services of Noevmber 1964, Wheeler ticks off the growth of Conservative groups, publications and enterprises in the last three years. He aptly points out, however, that impressive though the growth may be, "We have no equivalent to organized labor or the Establishment foundation money. Our 'little magazines' are outnumbered perhaps ten to one. We have yet to penetrate television, the mass magazines, and most newspapers."

HARD-HITTING TIM

Warming to his theme, Wheeler zeroes in. "Nor has growth occurred without drawbacks. The trauma of 1964 altered the conservative mystique in subtle ways. We're scared. A modulation if not timidity, has replaced the brash sallies of the youthful Buckley and Bozell; the senator from Arizona has traded in his knuckle-cracking jabs for the sonorous tones of statesmanship. The tone (though not the ideas) of some of our periodicals sometimes approaches that of those weary old voices of the old Left, the New Republic and the Nation. . . .

"To the extent that modulation has induced our editorialists to draw finer distinctions and show more discernment, it is good But modulation can tyrannize in its own right. If a man is a scoundrel, it does violence to the youth to call him merely 'misguided'. If a policy is catastrophic, the matter is not improved by labelling it 'ill-conceived'. . . . If a man is a louse, why not attack ad hominem? Must we always be constructive? . . . Gentle homilies are lost in the apocalypse!"

To which I say Amen!

What has happened that has dampened the fervor of the Right? There is no single answer that covers the entire problem but I suspect the left liberal propaganda attack equating "kooks" with conservatism has taken its toll. My personal experience over the last couple of years seems to indicate that some of our most articulate conservatives are inclined to see "kooks" under every bed. Subconsciously they may be placing the comfort of political "respectability" above the willingness to be controversial.

I know this is particularly true of some of my closest friends in the House of Representatives.They are still as conservative as ever, but lacking the balance of honest representation in the daily news media, they choose to avoid the limelight of controversy that marked the era of the early sixties. They forget that it was the fighting spirit of the early sixties that catapulted them into nationwide prominence, and gave heart to the grass roots army that was turned loose without leadership in the 1964 campaign.

It's about time that our conservatives who are so concerned about the influence of what they term "kooks" in the conservative movement grab hold of some of the honest issues being utilized by those they call "kooks" and come out swinging from their positions of "respectability." Congressman John Ashbrook can't do it alone in the House of Representatives; Strom Thurmond can't do it alone in the Senate.

What is the grass roots supposed to do? Sit back and wait for something to happen? When the July 24 issue of U.S. News and World Report carries a graphic breakdown of our losing our nuclear superiority to Russia, are they not expected to become alarmed? It tends to verify what the "kooks" have been saying over the years. Where are the "respectable" conservative voices in the political arena that are willing to do all-out battle on this crucial matter of survival?

THURMOND PUNCHES

Senator Strom Thurmond is featured in the current issue of YAF's New Guard with a long treatise on The Cultural Revolution, U.S.A. He documents what some of the "kooks" have been saying for some time. Where are the political voices of the conservative movement willing to grab Thurmond's thesis and come out swinging?

I share the concern of many other conservatives about the activities of some on our side who are called "kooks." However, I am even more concerned by the lack of leadership being provided from the "respectable" conservative bastions. The comfort of spearing political hor d'oeuvres in the air-conditioned office or studio may be exhilarating, but it isn't reaching the grass roots with any meaningful message or program.

Grassroots is concerned with the very real danger of what Wheeler refers to as "the apocalypse." I join with him in the cry to my talented friends in key positions . . .

"Launch"!

NURSING HOME CARE OF VETERANS HOSPITALIZED BY THE VETERANS' ADMINISTRATION IN ALASKA OR HAWAII

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. SAYLOR. Mr. Speaker, I want the Members of this House to know that I support the motion to concur in the Senate amendments to H.R. 3593 with some reluctance. I do not believe that they either strengthen or weaken the basic legislation, but merely represent the other body's desire to have the last word.

Community nursing homes that contract with the Veterans' Administration were paying employees a transitional minimum wage under the terms of the Fair Labor Standards Act with provisions for a 15-cent annual increase until the minimum wage rate of $1.60 was reached in February 1961. A recent decision by the Secretary of Labor made such nursings homes subject to the Service Contract Act and called for the immediate increase to the minimum wage of $1.60 per hour. The House amendment excluded these community nursing homes that contract with the Veterans' Administration from the provisions of the Service Contract Act, thus permitting these nursing homes to continue paying the transitional minimum wage. The Senate amendment, in effect, states that the payment of the transitional minimum wage constitutes compliance with the Service Contract Act. In other words, Mr. Speaker, they have merely employed different words to say the same thing that the House amendment had already said.

The second part of the Senate amendment would exclude the Veterans' Administration from the personnel reduction formula of the Revenue and Expenditures Control Act of 1968 when it has reached its June 30, 1966, employment level. The House amendment had merely excluded the Veterans' Administration from this personnel reduction because they have already reached their June 30, 1966, level.

I, therefore, submit that both Senate amendments were unwarranted and unnecessary. Because this legislation is necessary, if the veterans hospital and nursing care program is to survive, I shall reluctantly support the motion to concur. I want the other body, however, to take note of the fact that we will not tolerate this continuing effort to change a bill merely because it provides the opportunity to take credit for a bill that originated in the House of Representatives.

A LETTER FROM A PATRIOTIC AMERICAN

HON. JOHN L. McMILLAN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. McMILLAN. Mr. Speaker, I insert in the RECORD a letter just received from Mr. Willie James Kelley, a retired World War II veteran. I agree with Mr. Kelley that the people in some sections of our country seem to have completely forgotten there is such a thing as patriotism. We should also enforce the laws on the statute books and jail the people who tear or burn our American flag.

The letter follows:

OLANTA, S.C., *October 7, 1968*.

Hon. JOHN L. McMILLAN,
Washington, D.C.

DEAR CONGRESSMAN McMILLAN: As a sports fan and a patriotic American who served in the United States Army during World War II, I must express my repulsion at the manner in which our national anthem was sung today at the pregame ceremony at Tiger Stadium in Detroit. I have never witnessed anything as disgraceful as the "rock and roll" style in which "The Star-Spangled Banner" was delivered. I feel that all Americans felt shame that our national anthem should be so degraded before a television camera and displayed to the entire world.

I am sure that if any of the boys fighting in Vietnam heard this, they wonder what kind of country they are there to defend.

I am not against modern music in its place, but I feel such an arrangement of the national anthem was equally as bad and unpatriotic as mutilating an American flag or singing a hymn in such a way.

As our national pastime, I feel that baseball owes America an apology either by the baseball commissioner or someone in charge.

I hope you share my views on this matter and will relay our anger at this disgraceful conduct to the person responsible for this disgrace to our country.

Sincerely,

WILLIE JAMES KELLEY.

"MR. LABOR": PATRICK T. FAGAN

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to call to the attention of the Congress and the American people the outstanding 10th annual Labor Day observance sponsored by the Roman Catholic Diocese of Pittsburgh and Pittsburgh labor organizations. On this fine occasion, Patrick T. Fagan was presented with the annual St. Joseph Worker Award by His Excellency Bishop John J. Wright.

We in Pittsburgh and western Pennsylvania and the officers and members of organized labor nationwide are proud and happy about this award that has been made to Patrick T. Fagan, known well as "Pat" Fagan and "Mr. Labor."

The city of Pittsburgh has a long and colorful history as the birthplace of the labor movement. Among the pioneers who have contributed so much to the wonderful American heritage of collective bargaining, which has become so prevalent a custom today in labor management relations, is Patrick T. Fagan.

We must remember that such machinery has come as a result of much work and effort by the progressive leaders of both labor and management. Among those leaders Patrick T. Fagan and his sons Pat and Tom have certainly earned this praise.

As Congressman for Pat Fagan and his family and as a friend and admirer over the years, it is a pleasure to insert the excellent biographical sketch and the report of the Labor Day tribute from the Pittsburgh Press, Sunday, September 1, 1968, in the CONGRESSIONAL RECORD:

LABOR AGAIN HAILING FAGAN,
ITS GRAND OLD MAN

(By Edward Verlich)

Every morning, man faces the triple alliance—the world, the flesh and the devil.

And if he doesn't get down on his knees and ask for some help, "he may be in trouble before the day is over," says Patrick T. Fagan.

During his 80 years, the former president of City Council, who will be proclaimed "Mr. Labor" tomorrow Labor Day in the birthplace of the organized labor movement, has received a lot of help in his days.

ASKED FOR HELP

Mr. Fagan is quick to admit he has asked for it.

When Bishop John J. Wright hands him the St. Joseph Worker Award in the Civic Arena, it will signal a special milestone for a man who's life has been filled with so many milestones he looks like America's walking answer to the Blarney Stone.

Hundreds of Pittsburgh district workers, civic leaders and clergymen from all faiths will pay tribute to Mr. Fagan at the 10th annual Labor Day observance sponsored by the Roman Catholic Diocese of Pittsburgh and labor unions here.

Regis Aiken, secretary-treasurer of Steamfitters Local 449, will marshal a parade beginning at 9:15 a.m. at the City-County Bldg. and proceed to the Civic Arena where Bishop Wright will offer mass and present the award.

In a letter informing the political-labor leader of his selection for the award, Bishop Wright said he really needn't ask Pat Fagan to be present at the Labor Day observance because he has always participated.

However, special circumstances, the bishop said, "prompt me to ask formally that you be personally present."

BORN IN ARONA MINE

The best way to tell the story of Patrick T. Fagan is to start at the beginning, about 25 miles east of here where he was born July 27, 1888, in the mining town of Arona Mine, Madison, Westmoreland County.

He went down into the mines at the age of 12. A lasting friendship was formed there with a neighborhood pal, the late Philip Murray, who later founded the United Steel Workers (USW).

When the Fagan family moved to Castle Shannon, young Pat Fagan in 1910 decided to try his hand as a steelworker in the Homestead mill of what is now U.S. Steel Corp.

But when the boss asked him and two coworkers to work the 13-hour night shift after completing an 11-hour day shift, the three men thought they had enough of the steel mills and went back to the mines.

It was natural for the son of an old Knights of Labor member to become interested in the labor movement.

So he became secretary of United Mine Workers (UMW) Local 2363 until 1920 when he was appointed vice president of UMW District 5, the "Fightin' Five," that included the Pittsburgh district.

WITH MURRAY AGAIN

President of District 5 at the time was Phil Murray who became vice president in the UMW under John L. Lewis that year.

In October, 1922, Mr. Fagan was elected president of District 5 and re-elected each successive term until 1943, when he was ousted for siding with Phil Murray in the famous Murray-Lewis split.

Pat Fagan fought for his members during the three-year coal strike in the late 1920s and helped to reshape the union following that disastrous battle. He fought against the Communist leaning National Mine Workers that tried to take over the UMW.

In 1927, he was arrested on the City streets by the coal and iron police for telling imported workers not to go into strike-bound mines.

He sued the coal company for $50,000, was awarded $3000, but that award later was reversed by the State Supreme Court.

WARNED COUNCIL

"When the National Mine Workers tried to take us over, we went to City Council—we were all Republicans in those days—and told them a fight was coming up," Mr. Fagan recalled.

Because of this foresight, all members of the National Mine Workers ended up in jail plus about nine UMW members. One of the members happened to be Joseph Fagan, brother of Pat, who now lives in Carnegie.

The turnkey asked Joe Fagan—a familiar face at the lockup because of union activities—please not to show up again.

Then there was the time Joe Fagan went to the union office looking for Pat.

Someone in the office—being facetious, but not showing it—said they kicked Pat out and would do likewise to Joe. To uphold the Fagan honor Joe cleaned house.

Determined to make Joe pay for the smashed furniture, the union took him to court.

JUST A HANDSHAKE

"We found out there were two Knights of Columbus on the jury," Pat Fagan said. "So the day of the trial, the grand knight comes into the courtroom and shakes the hands of the two knights. The jury deliberated about 45 minutes before acquitting Joe."

In April, 1936, Pat Fagan was one of six emissaries sent by the Pennsylvania Federation of Labor to the Amalgamated Assn. of Iron, Steel and Tin Workers convention in Canonsburg to tell the Amalgamated delegates that the UMW and several other unions established the Steel Workers Organizing Committee (SWOC) with a kitty of $500,000 to organize the steel industry.

On June 3, 1936, Mr. Fagan represented the UMW when agreement was reached in Washington between SWOC, the Amalgamated and CIO unions to organize the steel industry. The meeting was headed by Mr. Murray.

Mr. Fagan also was one of the 12 "apostles" who met here on June 17, 1936, and proclaimed: The Steel Workers Organizing Committee wishes at the outset of this campaign to emphasize its main objective and the spirit of responsibility to the whole labor movement and to the nation in which it is undertaking the gigantic task of organizing the steel industry.

While busy organizing the steel industry, Pat Fagan found the time to serve on the State Labor Relations Board for three years after it was established in 1937.

MANPOWER HEAD

After his defeat in 1943 as District 5 chief, he became chairman of the War Manpower Commission for Western Pennsylvania—when everyone was frozen in their jobs—to virtually give him control over every job here.

One of his acts in that capacity was to have 15 Negroes trained and placed as bus and trolley drivers over the objections of both union and managements.

"I asked them (union and company representatives) if they were Christians," Mr. Fagan recalled. "They answered "What's religion got to do with it?'.

"I told them religion's the most important part of life. I told them they call themselves Christians and yet refuse to give men jobs because of their color."

Pat Fagan served as president of the Pittsburg Central Labor Union, now the Allegheny County Labor Council.

In 1949, he was appointed to City Council and was re-elected to four terms before retiring earlier this year. He served as council president the past six years.

SON TAKES PLACE

His son, Tom, president of Teamsters Local 249 who succeeded him on City Council, told his dad he was too young to retire.

"I told Tom I was tired before he was born," Pat laughed.

Another son, Pat, is active in the USW as a public relations staff member.

Patrick T. Fagan and his wife, the late Ida Fagan, raised seven sons. The eldest, Gerald, was killed in World War II.

Pat Fagan is the type of guy who always sends Bishop Wright a card on his birthday.

And the Bishop says "I'm at the age when you should only receive birthday cards from your mother and married sister . . . and Pat Fagan."

Meanwhile, tomorrow is another day in an illustrious career.

"I'm touched and deeply moved as a result of the wonderful award I'm going to receive," he said. "I hope and trust in God I'm worthy of it."

TRIBUTE TO SENATOR FRANK CARLSON

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. WINN. Mr. Speaker, when the gavel falls convening the 91st Congress next January, one of the Senate's most able and dedicated Members will be noticeably missing—a Member of that distinguished body whose work there has been varied and far reaching.

Many tributes have been written for the distinguished senior Senator from Kansas, the Honorable FRANK CARLSON, during these closing days of the 90th Congress which mark the end of more than 40 years of selfless public service.

Few men have exerted the influence in Congress that Senator FRANK CARLSON has exerted, nor has their influence been so diversified.

Senator CARLSON is recognized as an expert on taxation, an authority on civil service and international affairs; and as a farmer he has been constantly aware of the many problems of rural America—problems which he has worked relentlessly to correct.

A deeply religious man, Senator CARLSON initiated prayer breakfasts, where leaders of Congress meet weekly to ask for divine guidance and spiritual comfort.

FRANK CARLSON once said:

> If I am dedicated to one thing, it is the preservation of the opportunities I had for my children and grandchildren.

Kansans agree that he has upheld his aim. Their opinion is reflected in an article in the Salina Journal by Clifford R. Hope:

> During its 105 years as a state, Kansas has sent many men and one woman (Kathryn O'Laughlin) to the United States Congress. Some have had distinguished careers. It is doubtful, however, if any of them have had as broad as experience in government or have contributed as much to the state and nation as FRANK CARLSON.

NATIONAL BUSINESS WOMEN'S WEEK, OCTOBER 20 TO 26

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. ALBERT. Mr. Speaker, one of the greatest, loyal, and patriotic groups of American citizens is the Business and Professional Women's Clubs, Inc. This great organization will observe the week of October 20 to 26 as National Business Women's Week. Its president, Mrs. Hope Roberts, has invited us to join with the national federation in observance of that week.

The national federation is devoted to the welfare of our country, and each year adopts a national legislative platform. At this time, I offer for the RECORD the action items of its platform, as follows:

> Item 1. Propose and support legislation to amend the Constitution of the United States to provide equality of rights under the law to men and women.
>
> Item 2. Propose and support: (a) legislation in the field of employment which provides uniform laws and regulations for men and women as to working hours, working conditions, rates of pay, and equal employment opportunity; and (b) uniform legislation for men and women in the areas of taxation and retirement.
>
> Item 3. Propose and support legislation to provide for uniform jury service and uniform qualifications in the selection of men and women to serve on grand or petit juries in any court.
>
> Item 4. Propoce and support legislation to bring about more effective crime control and law enforcement.

FOUR WARS AND FIVE DEMOCRATIC PRESIDENTS

HON. KARL E. MUNDT

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. MUNDT. Mr. President, in this seventh year of the longest and most indecisive war of our long American history, many people continue to ask themselves and their friends why it is that since 1900—during the entire 20th century—no war has occurred under any Republican administration, and that every Democratic President we have had found himself presiding over our conduct of an international war fought many thousands of miles from American soil.

Max Lerner, the liberal columnist, recently wrote an interesting and informative piece on this phenomenon in an effort to explain why history has been so consistently cruel to the Democratic Presidents with regard to their ability to keep the peace. I ask unanimous consent that the article be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FOUR WARS AND FIVE DEMOCRATIC PRESIDENTS

This year's political campaign will see a sustained attack on President Johnson's war policies, especially in contrast with his 1964 position, when he seemed to be championing at least a measure of moderation and peace. He is enough of a political veteran to know this and to shape a political strategy to meet it. But what will the historian say about it, who tries not to be a partisan one way or the other, but uses history to illumine the present?

One thing he will note is a dramatically startling fact. In the past half-century America has engaged in four major wars that have affected the policies of five administrations. The wars have been World Wars I and II, the Korean war and the Vietnamese war. The administrations have been those of Wilson, Roosevelt, Truman, Kennedy and Johnson. And the startling fact is that all five have been those of Democratic liberals, and each has been divided into a reform administration and a war administration.

How is this explained? Is it sheer historical accident? Or is there some inner necessity that links the liberal Democrat in America with war?

One explanation sometimes offered is that the liberals are "starry-eyed idealists," "bleeding hearts" and "do-gooders" who are bound to get messsed up in war trouble through sheer moralistic meddling. This may well have applied to Woodrow Wilson, whose intervention in World War I no longer seems as inevitable as it once did. But Wilson's brand of moralism scarcely applies to any of his successors.

A second explanation stresses the economic phase of war—that America got into its wars to keep its economy going full blast. This may have been true of Wilson and Roosevelt to a minor degree. But it has not been at all true of Truman, Kennedy or Johnson. We know too much now about economics to make war tempting as a solution.

Why, then, the bloody record of a half century? The answer lies in America's emergence as a world power just as the old global power system was breaking up—hence America's role in World War I, in the effort to keep the Germans from wrecking the balanced global power structure that America was about to inherit.

From the time that Hitler and Roosevelt both came to power, in 1932, the chances of a clash between Nazi Germany and the Western democracies had to be reckoned with. But Roosevelt had to put the American house in order first, which he did reasonably well in his first reform term. Had he been able to get a united country behind him after 1936, to meet the Nazi challenge in Europe by collective security, World War II would never have taken place. It was not too much but too little American intervention; not the liberals but the appeasers that were responsible for World War II. The Japanese and Pearl Harbor merely triggered America's interest, which had been prepared by the revenge in Europe.

After Roosevelt and World War II a decisive new factor enters: The revolutionary nationalisms in uprisings which can be mounted or used by the Communist powers. Truman got involved in one of these wars—the Korean. His successors got involved in another, in Vietnam—Eisenhower a little, Kennedy more, Johnson most. There may be others. They come at the point where the revolutionary passions of nations, hunger, class, race, color and ideology, meet and merge. The ideal American response would be to ignore them, but failing this the best policy is to use economic and military aid to help organize regional or continent-wide alliances for collective security against a clear power thrust. Only thus can America stay out of strangling wars.

This still leaves the question of why it should have been Democratic presidents who did get entangled in them. One might answer, of course, that since 1932—when the ideological offensive began, first Nazi, then Communist—there have been Democrats in power in Washington, except for Eisenhower's two terms. Eisenhower and Dulles practiced a brink diplomacy, but, except briefly in Lebanon and tentatively in Vietnam, they didn't go over the brink and take the plunge. Truman did. Kennedy used the brink method in Berlin, went over the brink in Cuba but turned back, got more wisdom in handling Laos and used the brink on the missile confrontation—with luck and courage. Johnson went deeper into the water with every step in Vietnam and finally passed the point of no return.

Both the Democratic and Republican party leaders are practical men, but there is one difference between them. The Democrats, since Jefferson, have thought in terms of America's world mission and have tended to carve out what Jefferson called "an Empire for Liberty." The trouble is that there are too many nationalist combustible fires around the world to make such an empire worth carving, and, besides, the liberty is dubious.

COMMUNITY SELF-DETERMINATION

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. SCOTT. Mr. President, recently the U.S. News & World Report printed an exclusive interview of Dr. Thomas W. Matthew, a New York City neurosurgeon and president of the National Economic Growth and Reconstruction Organization—NEGRO. The responses of Dr. Matthew to his interviewer are indicative of a mood of the ghetto to which we are infrequently exposed. The underlying concept of Dr. Matthew's effort is "to build a people in pride, dignity, and self-respect through economic independence."

I strongly support the concept of self-help. I am cosponsoring the Community Self-Determination Act, S. 3876, which is designed to stimulate businesses, create jobs, and employ the residents of the ghetto, and would enable them to achieve ownership and control of resources in their area.

Business must go into the ghetto, for unemployment is acute, and it is through economic stability that the ghetto will be eventually dispersed, family by family and individual by individual. With the tools provided by the Community Self-Determination Act, I believe the momentum of self-help programs can be quickened.

Mr. President, I ask unanimous consent that the interview of Dr. Matthew conducted by U.S. News & World Report be printed in the RECORD.

There being no objection, the interview was ordered to be printed in the RECORD, as follows:

COMMUNITY SELF-DETERMINATION

Q. Dr. Matthew, what is the purpose of this organization, called NEGRO, that you head?

A. The basic concept is that our people—the black people in America—have no social cohesiveness other than their blackness, and in order for them to compete in the free-enterprise system in America, it is necessary that the Negro people develop some cohesive social structure that has economic implications.

So we have two objectives: One is to build the social cohesiveness, and the other is to build the economic structure. The end result, we hope, will be the formation of an economy within an economy—or a nation within a nation.

Q. Would you describe this as a "black society"?

A. Yes. "Black society" is a term which I like very much.

Q. How does your program differ from that of the so-called "black-nationalist movements?"

A. The difference between our movement and some other movements is that our apparent separatism is not a goal in itself. It is only a vehicle—a step toward ultimate integration of the races.

Integration is desirable because all integration means is that all human beings are willing to have a relationship with other human beings, and there is something basically healthy about that.

But you cannot have real integration when you have a patronizing relationship, with one person who is exceedingly strong, who has everything, always in the position of offering something to the other person. There you have no reciprocation, no *quid pro quo*. And, after all, the real basis of friendship is that I have something to offer you, and you have something to offer me—that we need one another. There must be interdependence. We cannot have real integration until we have integration of equals.

Other groups are talking about something else when they talk about withdrawing from the American society, about going back to Africa, or developing a separate black state. They are talking about a complete separatism.

Some of these groups are religious, such as the Black Muslims. Some are political. We are not talking about politics or religion. We are talking about total living—a planned society for black people, so they ultimately will be better able to participate in the general society.

Q. How do you think Negroes can best prepare for that goal?

A. Through self-help—through organizing and utilizing the resources of the black man for his own help.

This is actually a form of "black power"—a constructive form. Some have gone off on another tangent of turning "black power" into a threat. But that's not "black power" at all. That's black destructiveness.

Q. How does your program operate?

A. NEGRO is a national self-help program, designed to build a people in pride, dignity and self-respect through the development of economic independence.

Solely owned by a nonprofit foundation, NEGRO is an amalgam of business corporations which build from the bottom up, providing jobs and rehabilitation to the hard-core unemployed.

NEGRO's industries include a 160-bed general hospital; more than 600 housing units; construction firms; women's and children's clothing, chemical, paint and metal-fabricating plants; a laundry, bakery, and the total bus system in the Watts area of Los Angeles. We are now opening a farmers' market and mobile stores in the destroyed ghettos of Washington, D.C.

Our program has two parts—we run two systems simultaneously:

One is a profit-making system of industry which employs good workers, productive workers. Those industries make the profit for us, and we use the true free-enterprise system.

We also operate a nonprofit system of industry which offers training centers for human rehabilitation. We run what are called "industrial clinics." The people working there are defective in the sense that they could not do a day's work worth a day's pay. These are the people who are considered hard-core unemployed. We employ them knowing that they are defective. Then we bring in our social workers, our schoolteachers, our doctors and all the forces that we have to rehabilitate them—to develop skills, and to rehabilitate their attitudes toward work.

As a result of slavery and generations of welfare dependency, too many Negroes do not have the proper attitude toward work. They will not get to work on time in the mornings or have a sense of responsibility, and so on. This requires attitude-building as well as skill-building.

Q. How is all this financed?

A. Through the sale of bonds. Our bonds sell in denominations ranging from 25 cents to $10,000. They are 10-year debenture bonds and pay 6½ per cent interest annually.

We, as an organization, have never received any philanthropic funds, grants or gifts.

We now have over 3 million dollars' worth of assets and 15 industries. We employ more than 700 people across the country. We have restored to the tax rolls more than half a million dollars a year in taxes that ordinarily would not have been there. And we have as our projection that, before fiscal year 1969 is ended, we will have amassed some 10 million dollars in assets. By that time we will have some 50,000 people put in employment as a result of our program.

Q. Do you think it would be a good idea for the Government to use your approach rather than some of the methods now being tried?

A. Oh, yes. As a matter of fact, we have proposed to Congress a plan under which the Government would lend annually up to 100 million dollars at 2 per cent interest and would guarantee private loans at 4 per cent to promote black business enterprises.

Q. Is your program limited strictly to Negroes?

A. No. Our program does not exclude white individuals from participating in it. I would say that there are about 3,000 or 4,000 white individuals who have purchased bonds. We periodically seek consultations with white individuals, so that we have constant contact with the white community. And about 20 per cent of our employes are white.

This is not a total withdrawal. But it is an attempt to involve the Negro in the solution of his own problems, and to get the black people to use their own resources to help each other. This is what has been done by many ethnic groups—Jewish, Italian, Irish and others.

The marshaling of all the resources of any particular group is the power of that group. In this instance, since black people are involved, we call it "black power."

Too often, as a Negro businessman becomes successful, he moves out of the Negro community and he takes his money out of the community, just as a white businessman would do. He doesn't reinvest it in the black community.

We are saying that for the efforts of successful Negroes to be meaningful they should be part of an organized program. And, to be effective, it should be a national program. The reason it will not work if it is locally segmented is that it would then not utilize all the Negro resources across the country. Some black communities are too small to be able to help themselves. The larger communities have to help the smaller communities that cannot run self-help programs of their own.

Q. What about welfare programs to aid Negroes?

A. No society can base its future on dependency. It must base its future on being independent.

Now, we recognize that within any society there are some who must have help. But you don't start planning your society on charity. You let economic independence be the basis from which economic power will flow to take care of those in need. If the Negro people develop a strong economic program, the profits from their productivity will help take care of some of their less fortunate ones. Then we won't have so great a need of things like welfare or a guaranteed income. Even a guaranteed income is based on dependency.

Pride, dignity and a sense of accomplishment are the things we strive for. Our goal is that other people will have genuine reason for respecting us, and we in turn will have the right to respect ourselves.

I think that nobody will have respect for another man unless the man truly has earned it. And the black man in America no longer wants charity. He does not want to be patronized. He wants to be accepted for accomplishments and, in order for us to show those accomplishments, we must be given an opportunity to accomplish.

ADRIAN POOR GAIN HELPING HAND

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. ESCH. Mr. Speaker, it is my great privilege to bring to the attention of the House of Representatives the outstanding dedication and work of a young man in Adrian, Mich.

Christopher Moran has left the seminary in order to take an active part in fighting poverty and helping the disadvantaged people of Adrian. He typifies the very best in America's youth today. He is concerned—and is willing to give of himself to assist those who are in need. He is not willing to sit by and watch inequities and injustice. He has dedicated himself to fulfilling the American dream and promise of equal opportunity and equal justice for all.

The Toledo Blade gave an excellent account of his work with the Adrian Opportunity Exchange and I insert it at this point in the CONGRESSIONAL RECORD:

ADRIAN POOR GAIN HELPING HAND—YOUNG MAN FORSAKES SEMINARY STUDIES TO LEAD EFFORT

(By Lee Petitjean)

ADRIAN, MICH.—A dedicated young man is leading an effort to give disadvantaged families in the Adrian area an opportunity to help themselves gain acceptable living conditions.

Cristopher Moran, a native of Adrian, left Sacred Heart Seminary to become the director of the St. Vincent de Paul Society Community Action Center here.

His decision to leave the seminary was reached during the year. Last summer Mr. Moran and James Michlon, another seminarian, lived in a disadvantaged neighborhood at Adrian's south city limits. Located in Madison Township, the four-square-block area is without sewers and there is a shortage of active wells serving the area. Ten families now have no water supply.

By living in the area the two young men gained personal knowledge of the problems, the hopes, and the thoughts of the members of the 67 families living in the area.

TWO HUNDRED SIXTY-SEVEN PERSONS

The families, 30 of Spanish speaking background, 34 with southern backgrounds, and 3 Negro, included 150 children and 117 adults.

"It took six weeks to gain the trust of these people," Mr. Moran said. "We showed by example what could be done by the residents themselves to help clean up the area. When they responded, additional help was obtained from Madison Township."

The two seminarians worked through the federally financed Adrian Opportunity Exchange, which since disbanded because additional funds were not approved.

DETERMINED TO RETURN

They held mock elections to determine whether the people would approve annexation to the city and pay the cost of installing sewers and water lines. They also attempted to help the people gain local aid which was available to them.

In September both returned to the seminary, but Mr. Moran could not forget the social injustices. He became determined to return to Adrian and work to overcome those injustices.

The St. Vincent de Paul Society was in existence on paper in Adrian, but was practically defunct. It was reactivated with 15 members.

A local benefactor provided the funds to purchase a former grocery store in the area and it was developed into the offices of the Community Action Center.

The center also provides a meeting place for the neighborhood, a recreation center, and offices for the director and secretary, the only two paid members of the staff.

BUILDING PLANNED

A vacant lot adjacent to the center also has been presented to the society and another building will be built, Mr. Moran said. The new addition will double the space available. Members of the building trades will do the work and supply the materials without charge, Mr. Moran said.

Mr. Moran works with individuals on their individual problems and in many cases refers them to the proper agency, then follows up to insure that the needed assistance was given.

But his major work is for groups. An effort now is under way to annex the area to the city so that sewer and water can be extended.

Approval and financing for low cost housing is being sought. City officials, realtors, and churches have been asked to assist in obtaining a program with federal approval, Mr. Moran said.

INDUSTRY HELPS

Lenawee Industries, a newly formed company that will produce modular houses, also is cooperating in an effort to provide a building in a price range the residents can afford.

Mr. Moran said that a survey has indicated numerous building lots available in and around Adrian. Construction of the low cost housing in this manner is much preferred to a development, he said.

Schools have not been teaching the history of ethnic groups, Mr. Moran said. School officials have approved and will recommend to the board of education an 11-session course for teachers on Negro and Mexican-American history.

Efforts will be made to insure that the disadvantaged are not deprived of their rights to join in extracurricular activities within the schools, Mr. Moran said.

Civil rights is an area which has come in for special attention and the civil rights commission has been notified of various violations, he added.

Financing for the program has been obtained mainly from local people. Harry Moran, a retired insurance dealer and Christopher's father, has spearheaded the fund-raising efforts, which have yielded $20,000 this year, including $7,500 from the Detroit Catholic Archidiocese. All funds for next year must be raised locally.

Much of the support has been maintained through smaller contributions up to $500.

Mr. Moran said that four additional staff members are needed at the center, but because of lack of funds the work is being accomplished with volunteers.

The board of directors of the center is appointed by the St. Vincent de Paul Society and the advisory board consists of those in need of the services.

Support for the program has come in other ways, Mr. Moran said. Swimming has been arranged, without charge, three times a week for the children at the YMCA.

A special crafts program has been arranged by the city recreation department. Field trips are being scheduled, with the first one a visit to Hidden Lake Gardens. Adult education and home economics classes also are being scheduled at the center.

REMARKS OF MAURICE BLOND AT *PAN PACIFIC REHABILITATION* CONFERENCE

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. JAVITS. Mr. President, it gives me great pleasure to invite the attention of the Senate to an address delivered by Maurice Blond before the fourth Pan Pacific Rehabilitation Conference in Hong Kong last month.

Mr. Blond is president of an insurance agency in New York City, and has achieved an international reputation for creativity in the utilization of insurance to solve the problems of industry and labor.

In May of this year, Mr. Blond was honored by the life insurance division of the United Jewish Appeal.

I ask unanimous consent that excerpts from the citation be printed in the RECORD.

There being no objection, the excerpts from the citation were ordered to be printed in the RECORD, as follows:

CITATION HONORING MAURICE BLOND

The Life Insurance Division of the United Jewish Appeal is privileged to honor today one of its most outstanding members, Maurice Blond. Mr. Blond has devoted his lifetime not only to leadership in his profession, but to human betterment through his outstanding work in a vast number of community projects.

He is a founder and past president of the Life Underwriter's Association in Brooklyn where he first entered the business 23 years ago after 4½ years in the Army; serving in both the European and Pacific areas. A life member of the Million Dollar Round Table, he is a General Agent of the Travelers Insurance Company.

As President of Associated Bequests for Charity he conceived the successful UJA bequest program and helped develop the concept of charitable giving thru life insurance.

In recognition of his creative underwriting techniques he was asked to join the President's Committee on Employment of the Handicapped by the late President Kennedy and continues to serve under President Johnson.

Mr. JAVITS. Mr. President, Mr. Blond has won national and international awards and honors. He was named insurance consultant to the State of Israel by the late President Itzhak Ben-Zvi in 1961 in Jerusalem. He is the recipient of the doctor of humane letters degree from Philathea College, London, Ontario, and the Grand Cross of the Eloy Alfaro Foundation of the Republic of Panama.

Mr. President, I ask unanimous consent to have printed in the RECORD the text of Mr. Blond's address before the fourth Pan Pacific International Conference.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE NECESSITY OF ADEQUATE LEGISLATION FOR WORKMEN'S COMPENSATION

It is a great honor to have been invited to speak on the necessity of adequate legislation for Workmen's Compensation to such a distinguished and expert audience.

I cannot think of a more significant or timely theme than the one chosen for this conference. "Rehabilitation: New Talent for the Community." I strongly feel that a nation's most precious commodity is its free people and their ability to earn adequate income. To take away either the freedom or the right to work would be to create a depressed society and a demoralized citizenry.

Man's overriding concern today is for peace among the nations of the world. Among the greatest deterrents to world peace has been inadequate communication, cooperation, understanding and mutual respect. You have recognized that health problems, common to all nations, can effectively serve as a device which might bridge this enormous void. You are to be congratulated for the work that you have done and for the work that you propose to do in the field of the rehabilitation of the handicapped.

Earlier this year, I enjoyed the privilege of kicking off the campaign for the 4th Pan Pacific Rehabilitation Conference at an exciting and colorful press conference here in Hong Kong. It was there that I met your chairman, the Hon. Dhun Ruttonjee, Rev. John Collins, S.J., Dr. Harry S. Y. Fang, Conference Secretary Mrs. Patricia Lowe and Hugh Barton, a dedicated group who impressed me with their enthusiasm, spirit and warm hospitality.

The week before that press conference, it was my privilege to address the Kyoto Diabetes Association on the practices of American Insurance Companies. I hope that what I had to say will be of some help in liberalizing underwriting requirements so that a man with a disability may obtain the insurance so vital to the economic security of those for whom he must provide.

As an insurance man, I am concerned with the stability of a program that calls for the prompt provision of adequate medical treatment to the industrially injured worker, such treatment and care to continue until he has attained his maximum possible recovery of earning capacity. This is where the emphasis should be. In the interim, more as a supplementary and stop-gap measure, money payments should be made to him until he has attained that recovery. There are many who assert that this was the principal objective of Workmen's Compensation at its inception.

A system of compensating the injured is not new. You may be both surprised and pleased to learn that while the world has never known freedom from illness and injury—even in the time of the Exodus—the ancient laws and ordinances of Moses tell us that "if men strive together and one strike another with a stone or with his fist and he die not but keepeth his head, if he rise again and walk abroad upon his staff then he that smote him be quit; only he shall pay for the loss of his time and cause him to be thoroughly healed." The admonition in Leviticus, "Thou shalt not curse the deaf, nor put a stumbling block before the blind," could very well be the guidepost which our society is trying to emulate.

In recent times the only recourse an injured worker had for redress was an action at law for damages. This was a long, drawn out, and costly process. Early in the twentieth century, enlightened public opinion urged that a new and reformed system of compensating workers for industrial accidents be established.

A system of compensating the worker first started in Europe in the 1880's but it was not until 1908 that the United States covered some civil service employees. State laws came into being in 1911, and in 1948, the last State passed legislation to ensure benefits to workers injured on the job.

The Workmen's Compensation systems, like all man-made plans or devices, is hardly free from fault. A number of anomalous conditions exist. There are still too many gaps in coverage. As many laws as there are on the books, that's how many oddities there are. Some laws restrict coverage to hazardous occupations. In some states, a person involved in doing domestic or farm work, employers with a small number of help, or those employed by a charity or religious group are not covered, and therefore become a neglected group of individuals.

Another incongruity of the various state laws is the astounding fact that benefits vary from $7,350 for the loss of an arm in Maine to only $250 in Wisconsin. Loss of hearing in Nebraska would bring a $4,000 payment and in Arizona, as high as $33,000. Since the earliest days of Workmen's Compensation the emphasis has been on the money value of the claim, in terms of cash benefits. This may be due to the fact that Workmen's Compensation systems constitute replacements for the old common law action in tort. In those civil suits the entire emphasis was placed upon the determination of the money value of the case. How much in wages was lost; how much medical expenses had been incurred and would be incurred, how much was the plaintiff's pain and suffering worth? There was no concern at the trial with the matter of rehabilitating the plaintiff as promptly and as fully as possible. The Court's sole concern, if liability was established, was with how much cash the employer should be required to pay. This approach continues to be evidenced often in the basic operational pattern of Workmen's Compensation. Its deficiencies and imperfections have not, however, passed unnoticed.

As a member of the President's Committee on Employment of the Handicapped, I suggest that the emphasis should be changed from Compensation to Rehabilitation. In fact, I would even call it Workmen's Rehabilitation instead of Workmen's Compensation.

It is now recognized that early referral for rehabilitation is the prime requisite for its success. Litigation depresses the quality of medical care because it affects the workman's right to obtain care, affects his choice of physician, and affects his receptiveness for proposals for rehabilitation. The injured should have a free choice of physician as long as it does not interfere with his receiving the best possible care. I recommend a system that would provide for early identification of severe cases and some supervision over the referral for rehabilitation evaluation and the rendering of necessary services to such claimants.

I am proud of the fact that many of our Insurance Companies have been leaders in the rehabilitation and placement of the disabled worker. The Insurance Carriers went on record in 1955, stating that the only criterion for fixing premiums for Workmen's Compensation rates is the experience of the individual employer within a given industry. This was done publicly to dispel a prevalent misconception that the hiring of the physically impaired automatically caused a firm's compensation cost to go up.

Some of the leading authorities realized as early as 1924 that stress should be placed on rehabilitation in contradistinction to payment of cash benefits in well balanced Workmen's Compensation programs. E. H. Downey, in his book, "Workmen's Compensation," in 1924, said very significantly: "Very much that passes as malingering is, in reality, a well-founded fear of forfeiting compensation without being able to hold a place in industry. Much of the reluctance manifested by industrial cripples . . . is due to the maladroit device which rewards the victim's zeal therein by cutting off his indemnity. The way to promote rehabilitation is not to penalize it."

In 1959, Dr. Alexander Aitkin also made the very pertinent observation that: "When the compensation laws were formulated 40 years ago, there was no knowledge of rehabilitation, and medical science had not progressed to a point where it could cope with the most serious injuries. Such injuries did, indeed, lead to much permanent and total disability. The laws were thus established to provide financial recompense to the worker for his loss of earning power. Although medicine and its ancillary services have since developed to a degree where no injury, regardless of its severity, can be said to be truly totally and permanently disabling, provided the individual has the desire and fortitude to rehabilitate himself, this fact has not yet been recognized by our compensation systems. We have continued to dispose of the real basic needs of the injured worker through a complicated system of monetary awards. Under this system, the worker, realizing his earning capacity and employability have been jeopardized, naturally attempts to secure as much financial reimbursement as possible. . . ." Over the years we have developed a highly legalistic system which has flooded the dockets of our compensation agencies. Not only is the resultant controversy production of prolonged delays in adjudication, but it is the major factor in the high cost of workmen's compensation insurance . . . . "Our system thus creates a situation whereby the worker receives a sum of money which he spends and a disability which he keeps. . . ." It is axiomatic that litigation is incompatible with rehabilitation. In any reorganization of our workmen's compensation system, if we are sincerely interested in the restoration of injured workers to gainful employment, then the present highly legalistic systems must be abolished. "With the reduction of litigation, not only would more workers be restored to employment but the cost of workmen's compensation would drop to reasonable limits."

A study that I made of employment of the handicapped in the insurance industry offered heartwarming and incontrovertible proof that it is indeed ability, not disability, that counts. It was made clear from the facts and figures that I received, that employment of the handicapped is consistent with sound business and insurance principles as well as desirable from the human standpoint. The key to successful utilization of all such workers is the proper evaluation and selective placement.

The prime purpose of a rehabilitation program is the rescue of human beings from their economic dependence and reconstitute them as independent productive beings who can make their own way and contribute to the economic well-being of themselves and their community.

The recommendations and the positions which I have taken in this paper are neither new nor novel. These recommendations are based not only on my own experience in the field, but are based on the experience of a large number of experts who made a careful study of the problem and arrived at carefully thought-out conclusions. Through the years, much has been written on the subject and it could not be better stated than it was by a fellow panelist, the world-famous Dr. Howard Rusk, "Rehabilitation is a program designed to take disabled persons from the bed to the job."

It is to be noted that a study team from New York University made a detailed analysis of the problem pursuant to the request of the legislature of the State of New York in 1957. The team recommended specific legislation to include rehabilitation as an integral part of the medical care provided under the Workmen's Compensation law. They concluded that the restoration of the individual by rehabilitative medicine and careful guidance and placement service was as important as the payment of benefits to the injured worker. A Workmen's Compensation program must of necessity be directed toward the saving of the worker through his rehabilitation so that he can return to his place in the labor force and contribute not only to his own economic well being, but to the economic well-being of the community where he resides.

In truth and in fact, the world needs Workmen's Rehabilitation laws as an integral part of its social program to salvage and rehabilitate the unfortunate victims of industrial accidents.

TRIBUTE TO HON. BARRATT O'HARA

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. ZABLOCKI. Mr. Speaker, I join with my colleagues in paying tribute to a dear friend and colleague, Barratt O'Hara, who for more than half a century has served his State and his Nation with great distinction.

Few people can match the contributions which this great son of the State of Illinois made to our progress at home and to our constant effort to maintain harmonious relations with countries beyond our shores.

While serving in various posts in the government of the State of Illinois, he helped to secure significant improvements in State labor laws. He continued in these efforts during his service here in the House of Representatives.

But he also distinguished himself as a man of vision, compassion, and eminently sound sense in foreign affairs. As a member of the Committee on Foreign Affairs, where it has been my pleasure to serve with him for the past 12 years, Barratt O'Hara has worked diligently to strenthen our foreign policy and to temper it with his wisdom. And as chairman of the Subcommittee on Africa, he has been most understanding of the needs and aspirations of the developing nations of that vital continent.

All of us, I am certain, shall sorely miss his presence in these halls. But although he will not be with us in the next Congress, I am sure that Barratt O'Hara will continue to inspire our efforts with the same high motivations which guided his conduct and his service in the U.S. Congress.

NEWSLETTER OF HON. E. Y. BERRY

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BERRY. Mr. Speaker, under leave to extend my remarks, I wish to insert in the Record the newsletter I have prepared summarizing major legislation of interest to my district enacted during the 90th Congress.

My newsletter follows:

Newsletter of Hon. E. Y. Berry

October 1968.

Dear Friend: The 90th Congress has adjourned. It recessed over the month of August because of the national conventions in Miami and Chicago, then returned to finish the uncompleted work.

So far as my own personal efforts are concerned, this has been as productive a session for South Dakota as I have experienced in my 18 years of Congress.

Most important was the passage of the Oahe Irrigation project, culminating 30 years of work on my part, and on the part of many others, to put Missouri River water on South Dakota soil. Settlement of the Gunnery Range problem ended 15 years of effort on my part. Also two bills authorizing settlement with some who had never been paid for land taken for the Big Bend reservoir and one bill increasing funds for vocational training were some of the measures I am happy to report were enacted.

Add to that list my bill which passed the House providing a dependents' allowance for National Guardsmen and reservists called to active duty for more than 30 days. Others I co-sponsored which became law included an extension of the Mining Claims Occupancy Act until 1971; one making desecration of the flag a federal crime; the creation of a Commission on Noxious and Obscene Matters and Materials; an anti-riot law; one blocking the highway beautification program; and one increasing Social Security benefits to keep payments in line with rampant inflation.

OAHE

As you already know, many problems needed to be resolved before final passage of this legislation. Some of these dealt with the pumping, the level of the Blunt reservoir, drainage, and the salinization of the James River by return flow. These had to be solved one at a time as they came up. In addition, we had the legislative problems of field hearings, committee hearings in Washington, and the scheduling of floor action to fit in with other projects being handled by our Interior Committee. All of this was finally resolved, and all we need now is money to get the project started.

GUNNERY RANGE

Another landmark measure for South Dakota was the enactment of my bill extending the Badlands National Monument on south to the Gunnery Range area to include 150,000 acres of tribally owned scenic area. When the Gunnery Range area was taken from the former owners during World War II, they were promised that if they permitted the War Department to take the land without court action, they would be able to have it back when it was no longer needed by the government. Many years, many meetings, many heartbreaks later we finally got everything worked out. The former owners can buy back their land at a price that is fair and equitable both to them and the taxpayers. Title to the scenic portion will remain in the tribe, but the land will be used by the federal government for the national monument. Access roads will bring a tourist attraction that will excite many a non-resident, as well as residents who have never been able to get into this area before.

BRIEFS

The National Weather Modification Program under the direction of Dr. Richard Schleusener of the School of Mines is making great progress . . . Groundwork for the lignite gasification plant in Rapid City is scheduled to begin as soon as the subcontract is awarded . . . Potential industrial development in Mobridge has been boosted by the awarding of a contract for a survey to determine the feasibility of a million-dollar straw pulping plant along the Oahe reservoir . . . My bill authorizing the Secretary of Interior to accept gifts for Indian education and training has been signed into law by the President . . . The Berry Wool Amendment requiring the use of domestically produced wool, which has now been amended to include cotton and synthetics, in U.S. military supplies, was included in the Defense Appropriations bill for the 17th consecutive year.

Imports of beef are expected to reach nearly 1 billion pounds this year, comparable to the 1963 level which broke the domestic market. This flood of foreign-produced meat could have been stopped had the Hruska amendment not been defeated in the Senate by a mere two votes in 1964. Under the Hruska amendment, quotas would have been imposed this year when imports reached 611.3 million pounds. Instead, we are operating under the weak so-called Mansfield-McGovern law enacted after defeat of the meaningful Hruska amendment. Neither this year nor any year since its passage in 1964 have import quotas been imposed. The law will not force the Secretary to impose quotas this year until imports are estimated to reach 1.045 billion pounds. After three earlier erroneous estimates, Secretary Freeman announced on October 1 his revised estimate of 990 million pounds. Evidence of the failure of the present anemic law to cope with the problem is the steady increase of beef imports year after year. In 1965 they totaled 613.9 million pounds; in 1966, 823.4 million pounds; in 1967, 894.9 million pounds; and this year can easily exceed 1 billion pounds. Neither does the law cover the more than 600,000 feeder cattle imported from Canada and Mexico. The present law is like having a 200-mile speed limit down the main street of one of our towns. Beef pours in unchecked at a rate greater than the combined production of North and South Dakota, Montana, Wyoming and Colorado.

INCOME TAX SURCHARGE

Signed into law June 28 almost everyone has already felt the effects of this 10 percent tax increase. Congress further demanded the administration to cut spending by $6 billion. This carried because of the demand of the foreign bankers that the United States put its fiscal house in order or they would demand gold for their outstanding dollars. The nation has never been in these dire fiscal straits before when the value of our currency has been questioned.

OMNIBUS CRIME BILL

Recognizing the seriousness of the skyrocketing crime rate, Congress went further than the President requested in adopting an anti-crime law. In addition to federal funds to aid local police, provisions were added to overturn Supreme Court decisions regarding the use of voluntary confessions in criminal trials and to permit the use of electronic wiretapping devices to investigate a number of crimes.

FIREARMS

Supplementing the anti-crime bill's section prohibiting the interstate mail order sale and shipment of hand guns, legislation was enacted extending this ban to rifles and shotguns. Attempts to require registration and licensing of all firearms and guns were emphatically defeated.

EDUCATION

Adopted in the closing days of the session was a $7 billion measure extending for three years a number of higher education programs, including scholarships for needy college students, the work study program, and National Defense Education Act loans. Assistance for vocational education was also broadened, the Senator Mundt's amendment adding $91 million to the appropriation bill for impacted area schools was adopted by both the House and Senate.

FARM BILL

A simple one-year extension through 1970 of the present Agriculture Act was agreed upon. The administration had requested a four-year extension, but legislators refused to further extend the present farm program. The extension will give the new administration and Congress sufficient time to conduct a thorough review of the problems of agriculture and develop proposals to assure a sounder economy, bringing farm income up from a 30-year low.

FOREIGN AID

The frustration and disgust of American people with the cost of foreign aid, its lack of effectiveness, and mismanagement was evident when Congress cut the President's request of $2.9 billion to $1.6 billion, the lowest in history. With a serious balance of payments deficit and our enormous Vietnam war costs, this was a most justifiable area to reduce the burden of the American taxpayer. Hopefully the new administration will review the entire concept of foreign aid.

CIVIL RIGHTS

Open housing was the major provision in this, the third Civil Rights law in four years. By 1970, 80 percent of the nation's dwellings will be covered by the three-stage open housing section.

With my kind regards and best wishes, I am

Sincerely yours,

E. Y. BERRY.

HON. PAUL J. KILDAY

HON. GEORGE W. ANDREWS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. ANDREWS of Alabama. Mr. Speaker, it was with a sad heart that I learned on Saturday that a former colleague and personal friend, Judge Paul J. Kilday, died at his home in Chevy Chase, Md., of a heart attack.

He was elected to Congress from Texas' 20th District in 1938. As a member of the Armed Services Committee for 22 years he was credited with helping to draft many of the postwar military laws, including the Selective Service Act and revisions in the Uniform Code of Military Justice. In 1961 he was appointed judge of the U.S. Court of Military Appeals, and served with distinction as a member of that august body.

Paul Kilday was indeed a dedicated and conscientious legislator whose background and outstanding ability made him an asset and a credit to the Congress. He enjoyed the friendship and respect of his colleagues and the contributions he made during his tenure of service will stand as a memorial to him.

I extend my deepest sympathy to his family, whose loss we all share.

THE WAR AGAINST POVERTY IN PENNSYLVANIA

HON. JOSEPH S. CLARK

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. CLARK. Mr. President, in the past few months our society has been repeatedly and dramatically challenged by two significant elements of our population: campus activists and poor people. Each has been seeking recognition of traditional democratic rights and responsibilities; most notably, the freedom of expression and the right of participation. Each has been somewhat frustrated in that the response of individuals and groups of power have misdirected many of our Nation's economic and human resources. College students have observed their demands for an education relevant to today's societal and environmental conditions and relationships being bypassed in favor of computer knowledge-oriented educational developments. Poor people have observed their demands for viable and significant self-direction and organization being bypassed in favor of paternalistic and welfare-oriented social services. Students display unfulfilled goals and energies; poor people display unfulfilled goals and trust in the sincerity of the American commitment to alleviate conditions of poverty.

I am extremely pleased to note a recent proposal of the Office of Economic Opportunity—OEO—to activate these latent student resources in the State of Pennsylvania for full utilization in the war against poverty. Designed to train and organize students to provide available resources to strong indigenous organizations for work in poverty areas, this program is being administered by the U.S. National Students Association—USNSA—under the direction of the Tutorial Assistance Center. As cited in the basic proposal initially submitted to the Community Services Division of the community action program of OEO, the Pennsylvania project is designed to develop a statewide network/organization of student and ghetto youth leaders for:

First, stimulating new programs of student participation in community action; second, offering assistance to expand the impact of existing programs of student community involvement; third, stimulating the momentum and structure enabling the students of Pennsylvania to continue new development and expanding impact on their own.

Further, the project will attempt to reach the following objectives:

First. Student and ghetto youth leaders can join together as peers in local settings to produce a network of connected activity throughout the State which seeks common goals toward alleviating the conditions of poverty.

Second. This network-building process can develop and utilize resources—people, information, and money—in ways sufficiency integrated to generate a statewide organizational form, capable of sustaining itself, within 1 year of work.

Third. A student institutional presence in Pennsylvania will enable local student projects to influence community action agencies and the State OEO toward more flexible and responsive programing.

Fourth. A statewide student organization can strengthen the capability of students and projects to work for the greater involvement of university administration and faculty in dealing with ghetto and rural poverty problems, by direct involvement and by campus reform.

During the spring and summer USNSA program directors have outlined the action component of the project and have familiarized themselves with the attitudes and operations of Pennsylvania campuses. In the next few weeks they will contact ongoing community action groups and attempt to activate the potential energy of socially conscious individuals by initiating new efforts at cooperative student-community projects. After these initial organizational contacts are made, a formal training program will be conducted to familiarize the students with the policies, philosophies, and practices of community action programs. It is anticipated that from this training period both elements of the population involved—the students and the poor people of the district—will develop a deeper insight and understanding of the existing conditions of poverty and will, thereafter, proceed to actively and intelligently work to enact social change. Here is an important distinction to make, Mr. President. Previous student involvements in poverty areas have been initiated primarily for a sense of purpose, a sense of social service. The Pennsylvania project, however, is oriented toward social change. It is consistent with OEO's statement of purpose and USNSA's past and present policies to encourage students to work toward assisting the poor to gain the abilities, both individually and collectively, to change the conditions of their lives and to alter the institutions which have not met their needs.

From the series of 10 to 20 local projects throughout Pennsylvania a network of activists—both student and nonstudent—will be established to perpetuate the projects begun during this initial organizational year, to initiate student-community efforts in new locales or with new directions, and to influence and strengthen the State organization of poverty programs.

Supplementing the action component of the project is the research component to be conducted by Urban Systems, Inc., performing under subcontract to USNSA. Initially concerned with a study of the form and degree of existing student commitment and involvement, the research agency will attempt to analyze the developments of the Pennsylvania project in consideration of the following projected theories:

Poverty projects designed to create significant learning experiences for the student poverty worker, the community action agency staff, and the poor, have more positive and longer lasting effects on the attitudes of the workers and the poor, and the quality of the services performed, than do projects that are totally service oriented.

Programs designed by youthful leaders and involving student participants are as effective or more effective in dealing with poverty problems than traditional groups and agencies working on comparable problems with comparable or even greater financial resources.

Organized student involvement in off-campus poverty programs has the effect of increasing student-faculty activities on campus which are directed at generating modified or new policies and programing which are responsive to the needs of the poverty population.

Realizing that whatever their particular involvement—regardless of qualitative or quantitative variations—students can be a major asset to the war on poverty effort, especially when they work in cooperation with local community action agencies and similar groups, OEO has granted the Pennsylvania project $150,000—$100,000 designated for action; $50,000 designated for research.

I congratulate OEO for its fine attempt to channel the creative and enthusiastic energies of socially conscious college students toward the active elimination of poverty. I encourage USNSA and its affiliates to continue its efforts to stimulate student involvement in antipoverty projects. I am confident that the Pennsylvania project will prove to be a vital link between the volunteer resources of a campus community and the needs of a poor community. The relationship evolving between the campus activities and the poor people—through supporting existing activities, activating the potential for new campus-community involvement, and invoking increased concern of State and regional OEO officials—will significantly help to fulfill the goals and thwart the frustrations of both elements of our population.

NEWSLETTER FROM YOUR OPEN DOOR IN WASHINGTON, CONGRESSMAN ALBERT W. JOHNSON, 23D DISTRICT OF PENNSYLVANIA

HON. ALBERT W. JOHNSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. JOHNSON of Pennsylvania. Mr. Speaker, for the information of the Members and interested persons I inserted in the CONGRESSIONAL RECORD of October 9, 1968, appearing on page 30318, my end-of-the-session newsletter, which is about to be sent to my constituents in the 23d Congressional District. The thought occurred to me that the Members would be interested in the caption of my newsletter so I am submitting below this caption which contains a picture of myself at the door of my office at 1432 Longworth Building. The caption attached to the newsletter is as follows:

Newsletter from your open door in Washington, Congressman Albert W. Johnson, 23d District of Pennsylvania.

SPEECH BY JAMES A. LINEN

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. GERALD R. FORD. Mr. Speaker, on October 1, 1968, Mr. James Linen, president of Time, Inc., was the kickoff speaker at the Kent County united fund and community services campaign. In his remarks at this important luncheon in Grand Rapids, Mich., James Linen gave a challenging speech to a large group of dedicated and enthusiastic workers. I compliment Mr. Linen on his fine presentation and under unanimous consent I include his speech as a part of my remarks at this point in the RECORD:

SPEECH BY JAMES A. LINEN, PRESIDENT, TIME, INC.

Thank you very much. I am very pleased to be here this noon. Or to put it more modestly, I am both happy and apprehensive at being on this platform. It's a tough assignment to talk to you about urban ills and their solutions when you among the volunteers and professionals in the groups which make up your local United Fund & Community Services endeavor know so much more about your problems than I do.

Had I shown good judgment, I think I would have pleaded another engagement when Bill Schroeder called and invited me to come out to Grand Rapids and talk to you about some of the work in the past of the United Community Fund drives—and where we should be trying to move now in this work. And that feeling I have about judgment reminds me of the words of the old Southern preacher who said: "Good judgment—that comes from experience. And experience—that comes from bad judgment."

However, I have had a very special and long standing commitment to the United Fund efforts in this country. About ten years ago when I was very active with the United Community Funds & Councils, I traveled all around the nation and made about 30 speeches on how important it is to plan ahead in order to have successful Fund drive results.

I believe that a United Fund drive affords an ideal opportunity for the individual to help his neighbor in the American way. Because a United Fund embraces all or most of the voluntary services in the community, participation both as a worker and a giver in the drive inevitably becomes the real measure of the individual's interest. It is a citizen's best opportunity to stand up and be counted.

We meet today to begin this annual fund drive here in Grand Rapids at a time of crisis and change, a time of much confusion and chaos issuing out of the accelerating demands upon individuals, institutions, corporations and businesses—yes and even upon American technology—to understand the nature of the changes in our society. We cannot whisper in time's ear and ask it not to go so fast. We simply have to help each other understand the tasks all of us have in changing with the times. In America there has never been such a thing as maintaining the status quo.

We are now at a watershed period in the history of our country, a turning point as critical as any confronted by the people of any nation. We have a set of revolutions going on in this country. It is not just a revolution of minority protests and dissent. It is a revolution questioning the values and direction of the world's most affluent society—in our relations with other nations, and in our relations with our fellow Americans.

I am here today to talk about this crisis of understanding because I deeply believe it is the responsibility of every American to do what he individually can to help find new (as well as tested) solutions to the problems of our cities.

I am, as you may know, the new president of the National Urban League. But the first point I want to make to you is that the problem of our cities is surely more than a crisis of racial issues and problems. What is being challenged all across our country today—in a nation whose population in the vast majority lives in urban areas—is the fundamental precept that we are a nation founded on individuals—that we are a nation which protects minorities—all minorities and viewpoints—that we are a country where those who are well off help those who are less well off. What it boils down to, very simply, is that we have been a nation dedicated to Humanitarianism. This is the principle on which our democracy was established, and which has guided our conduct. Let me also remind you that this is the principle out of which the United Funds began and have grown. This must again be fought for.

The genius and the strength of the United Fund has always been its diversity of volunteer and professional services and its flexibility to meet local and national needs as well as its ability to respond over a sequence of decades to each new crisis of the disadvantaged in the communities of America. Look at the history of the United Funds—at what we have done and the road along which we have come.

In the 1920's we were raising funds to help immigrants find security and a chance in a strange, new land. This wasn't charity in any sense of the word. It was nothing more than enlightened self-interest. In the 1930's we went to work raising monies to improve the services for those displaced and defeated by the Depression. And in the 40's, as the country's own needs shifted with the onset of World War II and as our own concepts of what was right and just evolved, the United Funds again broadened their efforts and shifted focus to aid the victims of the war and, through the USO, our servicemen. In the '50's we concentrated on the dread diseases.

Now we are entering the last years of the decade of the 60's—and as always the 2200 United Funds in cities across the continent are once more attempting to determine just where community help can best be given—and how best to give it—to adapt their services to the needs of a new kind of immigrant to our cities while continuing to serve the rest of us too. This is the will and spirit of the United Funds. And it is the wish of the great majority of Americans who have shown that they only need to understand where help is needed and they'll give it.

A look at the list of recipient organizations here—73 agencies and services funded by the work of some 7500 volunteer fund raisers in this community—shows many familiar organizations—groups of selfless people, who as always, are helping out. The very familiarity of the names of some of these groups speaks of the good accomplished in the community. Last year you gave $168,000 to the Scouts and Campfire Girls; you gave $272,000 to the Red Cross, $105,000 to the Family Service Organization and $196,000 to the YW and YMCA's, to name but a few.

Over the last few years, however, another type of organization has been receiving an increasing share of your community contributions. These are the organizations which are attempting to improve the lot of the black man in this country. Quite frankly, I have heard a rumor that some of the allocation of funds has caused divisiveness in your community and may be one of the major reasons you fell a bit short of your ambitious $2 million goal last year.

I truly hope that I am mistaken about the reason. For if this is a part of the reason and we cannot raise enough money throughout this diverse community of Grand Rapids—a town made famous by its products which are very much a part of American life—furniture and auto equipment—a city distinguished by its sound old-fashioned habit of tithing to its churches—if we cannot greatly aid the efforts of the newer Negro citizens, then the United Fund & Community Services will for the first time be failing in its 50-year old mission to help those who have not yet achieved their fair share of what our society has to offer.

I feel that America's No. 1 problem is our urban one, the problem of urban minorities—largely the negro minority. Some 18 months ago the nation had reached bottom: What we had was a recipe for disaster.

1. Grossly inadequate education for the majority of Negro youngsters and living conditions that would surely perpetuate their handicaps.

2. Extreme job discrimination against Negroes on the part of many labor unions and others.

3. Conditions in the ghettos that breed crime and every form of social ill.

4. Deepening resentment on the part of Negroes, leading to acts of violence.

5. Growing resentment of that violence by whites.

Interestingly enough at just the time many of us were learning more about these problems, the picture slowly began to change. They have started to change because good and fair people working in their communities through the United Fund, through my organization of the Urban League of which you have a chapter and through new kinds or organizations like the Urban Coalition, have realized that they must be improved if we are to sustain a healthy democracy.

A large part of this change is in the area with which the United Fund & Community Services is concerned—a continuing and effective program of contributions reaching more individuals and enabling the less fortunate to move into the mainstream of productive American life. The question many of you ask is "Is it worth it?"—"Can we really make progress?" I think we can, but don't take my word for it. Listen to an American businessman, the highly successful Baltimore builder and banker, James Rouse, a hard-headed professional at calculating costs. "We look upon the task of making the city work as an economic burden. How do we know it isn't an economic opportunity? What would happen to the assessable base in a city with no slums, good housing, parks and green spaces, effective transportation, good schools and health centers, recreation areas, appealing opportunity for business and industry? What new values would be created? What new revenues would these values produce? I live with the abiding conviction that it is easier to make our cities work than to deal with the problems deriving from their failure to work . . . The only missing force is a lack of conviction among the people and their leaders, a lack of determination to pick up the tools, put the knowledge to work, and make the city noble."

Or listen to former President Arjay Miller of Ford Motor Company speaking last November: "For the first time in all recorded history we have a sound and practical basis for optimism about man's future. This might seem paradoxical at a time when the world appears in terrible shape . . . but the fact is that we increasingly recognize the need for a change in our attitudes and our old ways of doing things. We cannot afford to dally on the road to social progress. We know we must date to experiment, to innovate socially and to take big steps."

Perhaps because I've spent my professional life in the field of communications, I have felt that credibility and understanding of the problems at hand is crucial to their eventual solutions. The awesome lack of communication between the privileged and those who want to move into and upward in our society is just now beginning to yield to our efforts to close the gap of mutual understanding. For one thing, we hadn't talked frankly enough to each other about the realities. Today I think increasing numbers of us are coming to see, realistically along with the late Senate Chaplain Arthur Davies, that "the world is too dangerous for anything but the truth and too small for anything but brotherhood."

There has been a lot of false guilt and false innocence around. All of us—black and white alike, the second-generation immigrant and the Mayflower immigrants—must demand more honest words that will remove doubts—add to understanding—provoke thoughtful action—for the benefit of all, repeat all of us.

So turning back to the question in your mind, the minds of the leaders of the United Fund & Community Services here in the Grand Rapids area: Can we really make progress on these frustrating and harsh new problems in our cities? I know we can. We can provide that at the same time we make our individual financial pledges, we also give time from our minds and hearts to establish a continuing dialogue.

What do I mean by a dialogue? I simply mean getting an operation underway in which people in a community get the belief that they can be heard, that they matter, that they as individuals can constructively help change the direction of their own problems and their communities' problems. Granted this is a hard thing to do in a big city . . . in a mechanized society . . . in a world moving at jet speeds. It is hard, but not impossible. And I think some of the mayors of many cities across the land who have the responsibility for meeting this crisis are developing some of the most significant and innovative programs in modern U.S. history. The business community, which in the main has discovered that the Business of Business is America, and which is always a strong mover in the United Fund, has accepted the challenge to do more than it ever has before and to do it with some ingenuity. Though not directly connected with the United Fund & Community Services work, I think your two recent ventures—"The Committee of 100 for 100 Days of Progress" this spring and the Chamber of Commerce's Project 1003 to find 1003 jobs for the unskilled are excellent local examples.

The idea of the Urban Coalition sprang from ashes of the 1967 Detroit riots. Last September it gathered a thousand leaders of business, labor, clergy, civil rights and city governments along with community leaders, into heated discussions on what could be done about local city problems. One of its mottoes was "Give A Damn." And they did. There are now 33 Coalitions in major cities across the U.S. They are finding ways to start new businesses. And they are encouraging old businesses to find news ways to train, to hire and to help. I understand there have been several inquiries from Grand Rapids about these Coalition groups. I'd urge you to consider a local Coalition.

But the real meaning and value of projects within the Urban Coalition theme was summed up for me in two sentences uttered by a Negro woman who had taken part in such a dialogue in Dallas. "All my life I felt I had no voice. And now this has been changed for me. In this conference I have had a voice and I feel I am an American."

My point in citing some of these examples has been to underscore again the root problem for all of us—black and white and all of us within minorities—to underscore the lack of conviction and determination that we can make our enlarged, democratic society work. To cope with unemployment and family problems, to hire and train those now without the skills, to take up on a larger scale, what the United Fund privately has spent years doing in communities across the land, this does seem possible to most of us. What we mainly need now to do is to close the credibility gap and rediscover our faith in this country, a country which has been solving problems since the days of bitter arguments in Massachusetts Colony. The people on the Mayflower did not come over here to perpetuate the status quo.

As you begin now to meet your 1969 goal of $2,200,000 this year, I wonder if I could remind you that the purpose of the United Fund & Community Services is to help everyone. I think this idea has, in effect, been the judgment of history on the progress of the life of our nation. The problem issues facing this country at home and in our relations around the world are all ones which question the values of our society and turn on the strengths of purpose of our people. We must remember that we are a nation grown to affluence by ingenuity and hard work—moving ahead by the determination of our diverse people to create and to re-create the status quo into something better for all.

SELECTIVE MUDSLINGING BY TOP CANDIDATES

HON. KARL E. MUNDT

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. MUNDT. Mr. President, in these closing weeks of the presidential campaign of 1968, it is hoped that all of our top candidates—both Republican and Democratic—will demonstrate good judgment and self-restraint in refraining from engaging in the type of political hyperbole which has, at times, marred this campaign thus far.

Thus far HUBERT HUMPHREY and Ted Agnew have been the most frequently criticized candidates for the nature of some of their comments, while Dick Nixon and ED MUSKIE have fairly well managed to avoid the low road of campaign tactics. Perhaps the worst offender thus far, of course, is not really a top-level candidate or spokesman, George Ball, who in his initial political press conference sounded more like a carnival barker than a diplomat and who quickly earned the description of "HUMPHREY'S Hatchet Man." Since that first disgraceful performance, however, George Ball has either kept his silence or controlled his tongue with commendable relief from his name-calling entrance into partisan politics.

One of America's great newspapers—the Chicago Tribune—has made a rather careful study of what has been said, and by whom, thus far which might better have been left unsaid. A reading of that editorial might be a good exercise for all of us who occasionally hit the campaign trail.

The era of American history when the victory goes to the candidate with the most reckless tongue is, hopefully, and I believe actually gone. Today's voters judge a candidate by what he is, what he has done, the confidence he inspires, the political and economic philosophies which he embraces, and the nature of his friends and political allies, not by his capacity to harangue the multitude or his ability and willingness to call names and to abuse his opponent.

The Chicago Tribune editorial, "Selective Mudslinging" is well worth reading both by every candidate and all of his constitutents.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SELECTIVE MUDSLINGING

It is perfectly all right for Hubert Humphrey to say that Richard Nixon is "wiggly, wobbly." Or to imply some unholy alliance with the extreme reactionaries in the south by a sneering reference to those "we now call Nixiecrats." Or to say Mr. Nixon is "a cold warrior and a hard liner." Or to say that Nixon would like to "weasel." Or to charge that Humphrey's Republican Presidential opponent's concern for law, order, and justice is an attempt to exploit "the fears and hates aroused by the issue."

It is also thought to be perfectly permissible when Humphrey's running mate, Sen. Muskie, says that Nixon is using "big city lawyer" techniques to mislead people; that he seeks to persuade them that "two and two makes five," and to say, "I am sure the American people will learn that he is not telling the truth."

But when the Republican Vice Presidential candidate, Gov. Agnew, suggests that perhaps Mr. Humphrey has been "soft on communism," you should hear the wailing from the rooftops. Even the Republican congressional leadership wrings its hands, and, under this concerted front of one-sided viewing with alarm, Mr. Agnew withdraws the impeachment that Hubert is or has been gentle with communism.

We regret that Gov. Agnew was thus stampeded. A little reading of Humphrey's utterances would show that Agnew's original judgment is entirely defensible—as we intend to demonstrate from the record tomorrow. The verdict stands, even tho Hubert, after three flipflops on the McCarran internal security act of 1950, was able to contend that substantially he had shown himself to be anti-communist. [He always fudges every position.]

Mr. Humphrey was back manning the mudgun yesterday. To hear him tell it, Mr. Nixon alone was responsible for blocking President Johnson's nomination of his crony, Justice Abe Fortas, as chief justice of the Supreme court. This charge was advanced with a grave face, altho the Democrats have 63 seats in the Senate, which votes on confirmation, and the Republicans only 37.

Humphrey called Nixon a "Fearless Fosdick," after a comic strip parody figure, and charged he had made a deal with Sen. Strom Thurmond, South Carolina Republican, to keep Fortas from presiding over the tribunal. A lot of people would think that any deal to keep Fortas out of that spot was meritorious, but Humphrey offers no evidence whatsoever. He just says that this was "what some of us suspicioned."

We are waiting for the New York Times and like-minded organs to start tut-tutting about Hubert's taking "the low road." They have given Gov. Agnew the full treatment, but we hear no similar deprecating noises about the Humphrey-Muskie billingsgate.

Mr. Nixon is rather conspicuously taking the high road, tho there is an abundance of anti-Humphrey ammunition at hand. Stewart Alsop, who normally would not be considered unfriendly to Hubert, has written in Newsweek that the popular impression of him is that "he is a bit of an ass" and that "he has a face like a furious turtle's."

In his Senate days Humphrey earned such unenviable sobriquets as "Flannelmouth," "Gabby," "Whippersnapper," and "Pipsqueak." When he attacked the late Sen. Harry F. Byrd's joint committee on reduction of nonessential federal expenditures as a "publicity medium," Mr. Byrd bitingly rejoined:

"If he has ever hidden his light under a bushel, I am unaware of it. If he has ever run away from publicity, I do not know of it, and no one else does. I am not impressed by anything I have observed indicating that he is the shrinking-violet type evading publicity."

Mr. Nixon has not been unkind to Mr. Humphrey. Gov. Agnew, we fear, has been overly gentle. It isn't mudslinging that bothers those who profess to deplore it, but only when they fancy Humphrey and not Nixon is the target.

REPORT TO THE PEOPLE OF THE EIGHTH CONGRESSIONAL DISTRICT OF WISCONSIN—XXII

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BYRNES of Wisconsin. Mr. Speaker, under leave to extend my remarks, I include a report to the people of the Eighth Congressional District of Wisconsin on my voting and attendance record for the second session of the 90th Congress.

The report includes all rollcall votes taken during the second session. Its purpose is to collect in one place and in concise form information which is scattered through about 23,000 pages of the CONGRESSIONAL RECORD.

The description of the bills and the amendments or motions in the report are for purposes of identification only; no attempt is made to describe the legislation completely or to elaborate upon the issues involved. This word of caution is advisable in view of the fact that the descriptions used are, for the most part, taken from the official titles of the bill which, unfortunately, do not always reflect the nature or true purpose of the legislation. Upon request, I will be pleased to furnish more complete information concerning any particular bill as well as a summary of the issues involved and the reasons for my vote.

The furnishing of this report continues a service I began in the first session of the 80th Congress. This is the 22d report of my voting and attendance record. These 22 reports show how I voted on 3,130 questions in the House of Representatives. Based on quorum calls and the record votes, they also show an attendance record of 93 percent.

In addition to the votes shown in this report, there were 195 quorum calls in the House which are omitted to conserve space. This accounts for the nonconsecutive numbering of the rollcalls. I answered "present" to 170 quorum calls and I was absent for 25 quorum calls.

The report follows:

90TH CONG., 2D SESS.

Roll-call No.	Date, 1968	Measure, question, and result	Vote
		H.R. 10337, amending minimum wage laws for hospital employees of District of Columbia:	
2	Jan. 22	On passage. (Passed 283 to 9.)	Yea.
		H.R. 8696, establishing framework for regulation of savings and loan holding companies controlling 1 or more insured institutions:	
4	Jan. 23	On amendment limiting the definition of "debt security." (Rejected 156 to 198.)	Yea.
		H.R. 14563, increasing railroad retirement benefits for those not affected by social security increase:	
6	Jan. 25	On passage. (Passed 321 to 0.)	Yea.
		H.R. 11601, requiring lenders and merchants to disclose the cost of credit as an annual rate:	
12	Feb. 1	On amendment providing Federal enforcement of State usury laws. (Accepted 383 to 5.)	Yea.
13	Feb. 1	On passage. (Passed 382 to 4.)	Yea.
		H.R. 4282, authorizing marketing orders for cherries for canning or freezing without the consent of processors:	
15	Feb. 5	On motion to suspend rules and pass. (Rejected 180 to 168, a two-thirds majority being required.)	Nay.
		S. 974, authorizing sale of certain lands to the city of Glendale, Ariz.:	
16	Feb. 5	On motion to suspend rules and pass. (Rejected 202 to 138, a majority being required.)	Not voting.[1]
		H.R. 6649, extending the Export-Import Bank and increasing its lending authority:	
22	Feb. 7	On motion to recommit with instructions, to reduce lending authority by $1,000,000,000. (Rejected 164 to 232.)	Yea.
23	Feb. 7	On passage. (Passed 375 to 19.)	Yea.
		H. Res. 926, providing for consideration of H.R. 11284, establishing National Commission on Fire Prevention and Control:	
25	Feb. 8	On agreeing to resolution. (Agreed to 332 to 21.)	Yea.
		H.R. 11284, establishing National Commission on Fire Prevention and Control:	
26	Feb. 8	On passage. (Passed 268 to 78.)	Nay.
		H.R. 14743, eliminating 25-percent gold cover for U.S. currency:	
30	Feb. 21	On motion to recommit. (Rejected 188 to 206.)	Yea.
31	Feb. 21	On passage. (Passed 199 to 190.)	Yea.
		H.R. 15131, increasing salaries of police and firemen in District of Columbia:	
33	Feb. 26	On motion to recommit with instructions to add education and relocation benefits. (Rejected 125 to 234.)	Nay.
34	Feb. 26	On passage. (Passed 353 to 2.)	Yea.
		S. 989, prohibiting discrimination in selection of juries for Federal courts:	
35	Feb. 26	On passage. (Passed 307 to 45.)	Yea.
		H.R. 11308, authorizing funds for, and extension of, National Foundation on the Arts and the Humanities:	
38	Feb. 27	On amendment reducing authorization from $55,000,000 to $11,200,000, fiscal 1968 appropriation. (Accepted 261 to 130.)	Yea.
39	Feb. 27	On passage. (Passed 272 to 123.)	Nay.
		H. Res. 1070, authorizing members of Agriculture Committee to attend Foreign Agricultural Conference in Spain:	
40	Feb. 28	On agreeing to resolution. (Agreed to 300 to 92.)	Nay.
		H.R. 15147, extending wartime naturalization benefits to Vietnam veterans:	
43	Mar. 4	On motion to suspend rules and pass. (Passed 335 to 0.)	Yea.
		S. 889, designating San Rafael Wilderness in Los Padres National Forest, Calif.:	
45	Mar. 5	On motion to recommit conference report. (Rejected 155 to 238.)	Nay.
		H.R. 15398, extending and expanding National School Lunch Act:	
46	Mar. 5	On passage. (Passed 398 to 0.)	Yea.
		H.R. 14940, extending the Arms Control and Disarmament Agency:	
49	Mar. 6	On motion to recommit with instructions to reduce authorization from 3 to 2 years and from $33,000,000 to $20,000,000. (Agreed to 241 to 161.)	Not voting.[1]
50	Mar. 6	On passage. (Passed 305 to 96.)	Not voting.[1]
		H. Res. 1042, providing funds for House Committee on Un-American Activities:	
53	Mar. 13	On motion to recommit with instructions to hold open hearings on justification for funding. (Rejected 78 to 305.)	Nay.
54	Mar. 13	On agreeing to resolution. (Agreed to 343 to 44.)	Yea.
		H.R. 14933, authorizing premium pay for certain postal employees:	
55	Mar. 13	On passage. (Passed 369 to 14.)	Yea.
		H.R. 15004, extending certain civil defense programs:	
57	Mar. 18	On motion to suspend rules and pass. (Passed 319 to 1.)	Yea.
		H.R. 15364, increasing U.S. participation in the Inter-American Development Bank:	
60	Mar. 19	On motion to recommit. (Rejected 126 to 271.)	Yea.
		H.R. 10790, authorizing program of electronic product radiation control:	
62	Mar. 20	On passage. (Passed 381 to 0.)	Yea.
		S. 2029, allowing manufacturers of less than 500 cars annually to be exempted from certain safety standards for up to 3 years:	
63	Mar. 21	On passage. (Passed 344 to 2.)	Yea.
		H. Res. 1094, providing for consideration of H.R. 13541, establishing standards of fair practices for handlers and associations of producers of agricultural products:	
65	Mar. 25	On agreeing to resolution. (Agreed to 270 to 39.)	Not voting.[1]
		H.R. 13541, establishing standards of fair practices for handlers and associations of producers of agricultural products:	
67	Mar. 25	On passage. (Passed 232 to 90.)	Not voting.[1]
		H.R. 10477, increasing maximum guarantee on veterans' home loans to $12,500:	
70	Mar. 26	On passage. (Passed 366 to 12.)	Yea.
		H.R. 11816, providing disability and death benefits for State and local police killed or injured while enforcing Federal laws:	
71	Mar. 27	On agreeing to conference report. (Agreed to 375 to 0.)	Yea.
		H. Res. 1103, providing for consideration of H.R. 4282, authorizing marketing orders for cherries for canning or freezing without the consent of processors:	
72	Mar. 27	On agreeing to resolution. (Agreed to 316 to 44.)	Nay.
		H.R. 4282, authorizing marketing orders for cherries for canning or freezing without the consent of processors:	
73	Mar. 27	On passage. (Passed 197 to 185.)	Nay.
		H.R. 15344, extending for 2 years the authority of Federal Reserve banks to purchase obligations directly from the Treasury:	
75	Mar. 28	On passage. (Passed 359 to 5.)	Yea.
		H.R. 15198, permitting employer contributions to employer-employee committees for industry promotion of products and to interpret collective bargaining agreements:	
77	Apr. 1	On motion to suspend rules and pass. (Rejected 219 to 138, a ⅔ majority being required.)	Yea.
		H.R. 15979, authorizing continuation of program to combat pesticide injury to fish and wildlife:	
78	Apr. 1	On motion to suspend rules and pass. (Passed 333 to 25.)	Yea.
		H.R. 15190, authorizing additional $6,500,000 for Atlantic-Pacific Interoceanic Canal Study Commission:	
79	Apr. 1	On motion to suspend rules and pass. (Rejected 216 to 137, a ⅔ majority being required.)	Not voting.[1]
		H. Res. 1101, disapproving reorganization plan to merge drug control agencies under Department of Justice:	
82	Apr. 2	On agreeing to resolution. (Rejected 190 to 200.)	Yea.
		H. Res. 1099, establishing an official code of ethics for Representatives and House employees:	
85	Apr. 3	On agreeing to resolution. (Agreed to 405 to 1.)	Yea.
		H.R. 16241, extending air travel tax to international tickets and reducing duty exemption:	
86	Apr. 4	On passage. (Passed 279 to 102.)	Yea.
		H.R. 16324, authorizing funds for Atomic Energy Commission for fiscal 1969:	
87	Apr. 4	On passage. (Passed 381 to 14.)	Yea.
		H.R. 15399, appropriating supplemental funds for fiscal 1968:	
88	Apr. 4	On motion to concur in amendment to conference report reducing funds for school districts in impacted areas. (Agreed to 199 to 189.)	Yea.
		H.R. 16489, appropriating funds for Treasury, Post Office, and Executive Offices for fiscal 1969:	
92	Apr. 9	On motion to recommit with instructions to delete funds for delivery of Saturday mail in residential and rural areas. (Rejected 102 to 252.)	Yea.
93	Apr. 9	On passage (Passed 342 to 10).	Yea.
		H. Res. 1100, providing for agreement with Senate amendments on open housing to H.R. 2516, Civil Rights Act of 1968:	
95	Apr. 10	On ordering previous question (ending debate and precluding amendments). (Agreed to 229 to 195.)	Nay.
96	Apr. 10	On agreeing to resolution .(Agreed to 250 to 171.)	Yea.
		H.R. 16409, increasing salaries for teachers in District of Columbia:	
98	Apr. 22	On amendment authorizing school board to set educational requirements of D.C. teachers' aides. (Agreed to 146 to 140.)	Not voting.[1]
99	Apr. 22	On passage. (Passed 255 to 32.)	Not voting.[1]
		H.R. 13738, increasing travel allowances for Federal employees:	
101	Apr. 23	On passage. (Passed 289 to 65)	Not voting.[1]
		H.R. 15896, extending authorization for appropriations for public broadcasting corporation:	
103	Apr. 24	On passage. (Passed 241 to 133)	Nay.
		H.R. 16703, authorizing military construction for fiscal 1969:	
105	Apr. 25	On passage. (Passed 345 to 14)	Yea.
		H.R. 15688, extending for 2 years Presidential authority to submit reorganization plans to Congress:	
107	Apr. 29	On passage. (Passed 258 to 51)	Yes.
		H.R. 16913, appropriating funds for Department of Agriculture for fiscal 1969:	
111	May 1	On passage. (Passed 318 to 70.)	Yea.
		H.R. 15856, authorizing funding of National Aeronautics and Space Administration for fiscal 1969:	

See footnote at end of table.

90TH CONG., 2D SESS.—Continued

Roll-call No.	Date, 1968	Measure, question, and result	Vote
113	May 2	On passage. (Passed 262 to 105.)	Yea.
		H.R. 13016, providing cost-of-living allowances for judicial employees working outside continental United States:	
115	May 6	On motion to suspend rules and pass. (Rejected 206 to 132, a ⅔ majority being required.)	Yea.
		H.R. 15345, requiring use of protective security devices by financial institutions:	
116	May 6	On motion to suspend rules and pass. (Passed 235 to 98.)	Nay.
		H.R. 16819, extending Vocational Rehabilitation Act to disadvantaged individuals and providing authorization through 1972:	
117	May 6	On motion to suspend rules and pass. (Passed 335 to 0.)	Yea.
		H. Res. 1149, providing for consideration H.R. 15951, providing for uniform annual observances of certain legal public holidays on Mondays:	
119	May 7	On agreeing to resolution. (Agreed to 350 to 27.)	Yea.
		H.J. Res. 958, authorizing study of the automobile insurance industry by the deptartment of Transportation:	
120	May 7	On agreeing to resolution (Agreed to 363 to 3.)	Yea.
		H.R. 17023, appropriating funds for independent offices and Department of Housing and Urban Development for fiscal 1969:	
122	May 8	On motion to recommit with instructions to limit fiscal 1969 expenditures to $15,500,000,000. (Rejected 173 to 216.)	Yea.
123	May 8	On passage. (Passed 353 to 37.)	Yea.
		H.R. 14940, extending the Arms Control and Disarmament Agency:	
125	May 9	On agreeing to conference report (providing 2-year extension and $18,500,000 authorization). (Agreed to 269 to 90.)	Yea.
		H.R. 16729, extending aid programs for needy college students:	
126	May 9	On amendment denying funds to students who seriously disrupt college administration in violation of lawful regulations. (Agreed to 306 to 54.)	Yea.
127	May 9	On passage. (Passed 349 to 5.)	Yea.
		H.R. 15951, providing for uniform annual observances of certain legal public holidays on Mondays:	
129	May 9	On motion to recommit with instructions to retain observance of George Washington's Birthday on Feb. 22. (Rejected 141 to 153.)	Nay.
130	May 9	On passage. (Passed 212 to 83.)	Yea.
		H. Res. 1169 providing for consideration of H.R. 16911 providing for U.S. participation in the creation of special drawing rights plan within the International Monetary Fund:	
132	May 10	On agreeing to resolution. (Agreed to 231 to 9.)	Yea.
		H.R. 16911 providing for U.S. participation in the creation of special drawing rights plan within the International Monetary Fund:	
133	May 10	On passage. (Passed 236 to 15.)	Yea.
		S. 3033 authorizing continuing work in Missouri River Basin by Department of the Interior:	
135	May 13	On passage. (Passed 295 to 18.)	Yea.
		H.R. 16165 extending food for freedom (Public Law 480) program of food assistance to needy nations:	
137	May 14	On amendment prohibiting doing business with exporters engaged in any North Vietnam trade. (Agreed to 370 to 21.)	Yea.
138	May 14	On passage. (Passed 345 to 42.)	Yea.
		H.R. 15387, providing penalties for assaults on postal employees:	
143	May 20	On motion to suspend rules and pass. (Passed 333 to 5.)	Yea.
		H.R. 17354, appropriating funds for the Department of Interior for fiscal 1969:	
145	May 21	On motion to recommit with instructions to limit total expenditures to $1,400,000.000. (Rejected 174 to 207.)	Yea.
146	May 21	On passage. (Passed 364 to 14.)	Yea.
		H.R. 2158, establishing jurisdictional standards for State taxation of interstate commerce:	
148	May 22	On passage. (Passed 284 to 89.)	Yea.
		H. Res. 1093, authorizing travel to Europe and the Pacific by special subcommittee to investigate military credit unions:	
150	May 23	On agreeing to resolution. (Agreed to 186 to 173.)	Nay.
		H.R. 8578, augmenting revenues for land and water conservation fund by using certain revenues from oil and gas leases on the Outer Continental Shelf:	
151	May 23	On passage. (Passed 336 to 13.)	Yea.
		H.R. 16948, authorizing the District of Columbia to pay for removing remains of buildings destroyed or damaged in 1968 riots:	
152	May 27	On passage. (Rejected 141 to 184)	Yea.
		H.R. 15280, qualifying the Federal City College in Washington, D.C., as a land-grant college:	
153	May 27	On amendment specifying tuition rates. (Rejected 159 to 175.)	Nay.
154	May 27	On motion to recommit for further study by House District Committee. (Rejected 84 to 253.)	Nay.
		H.R. 17522, appropriating fund for Departments of State, Justice, and Commerce for fiscal 1969:	
156	May 28	On motion to recommit with instructions to limit 1969 expenditures to $1,989,640,000. (Agreed to 223 to 154.)	Yea.
157	May 28	On passage. (Passed 347 to 28.)	Yea.
		H.R. 15414, providing a 10-percent surcharge on personal and corporate income taxes, a $6,000,000,000 cut in fiscal 1969 Government spending and a $10,000,000,000 reduction in requested fiscal 1969 appropriations, and making other adjustments in tax laws:	
159	May 29	On motion to instruct conferees to cut fiscal 1969 spending by $4,000,000,000 rather than the $6.000,000,000 agreed upon by the conferees. (Rejected 137 to 259.)	Nay.
		H.R. 11308, increasing funds for, and extension of, National Foundation on the Arts and Humanities:	
164	June 5	On agreeing to conference report. (Agreed to 194 to 166.)	Nay.
		S. 2349, providing for additional Federal circuit court judges:	
165	June 5	On passage. (Passed 35 to 12.)	Yea.
		H.R. 5037, omnibus crime bill:	
166	June 5	On motion to disagree to Senate amendments and request a conference with Senate to resolve differences. (Rejected 60 to 317.)	Nay.
167	June 6	On motion to adjourn, thus postponing action on omnibus crime bill. (Rejected 70 to 301.)	Nay.
		H.R. 16027, increasing rates of compensation for veterans with service-connected disabilities:	
168	June 6	On motion to suspend rules and pass. (Passed 389 to 0.)	Yea.
		H. Res. 1197, providing for House acceptance of Senate amendments to omnibus crime bill:	
169	June 6	On ordering previous question (ending debate and precluding amendments). (Agreed to 349 to 40.)	Yea.
170	June 6	On agreeing to resolution. (Agreed to 368 to 17.)	Yea.
		H. Res. 1209, expressing condolence on the death of Senator Robert F. Kennedy:	
171	June 6	On agreeing to resolution. (Agreed to 357 to 0.)	Yea.
		H.R. 3400, authorizing standards to measure and control aircraft noise:	
173	June 10	On passage. (Passed 312 to 0.)	Yea.
		H.R. 17734, appropriating funds for defense and public assistance for fiscal 1968 (2d supplemental):	
176	June 11	On amendment providing additional funds for federally impacted school districts. (Agreed to 226 to 133.)	Nay.
177	June 11	On passage. (Passed 324 to 33.)	Yea.
		H.R. 16489 appropriating funds for Treasury, Post Office, and Executive Offices for fiscal 1969:	
179	June 12	On motion to recommit conference report with instructions to insist on House provision limiting fiscal 1969 expenditures to $7.500.000. (Rejected 159 to 216.)	Yea.
180	June 12	On agreeing to conference report. (Agreed to 371 to 10).	Yea.
		H. Res. 1187 authorizing Speaker to appoint certain Members to attend International Labor Organization Conference in Geneva Switzerland:	
181	June 12	On agreeing to resolution. (Agreed to 259 to 120.)	Nay.
		H.R. 16162, authorizing Export-Import Bank to approve extension of certain loans:	
182	June 12	On amendment limiting to $100,000,000 the amount of losses U.S. Treasury would cover. (Agreed to 217 to 163.)	Yea.
		H.R. 16363, requiring improved State poultry product inspection programs:	
184	June 13	On passage. (Passed 351 to 17.)	Yea.
		H.R. 15087, authorizing $112,800,000 for Peace Corps in fiscal 1969:	
185	June 13	On motion to recommit with instructions to reduce authorization to $97,000,000. (Rejected 179 to 187.)	Yea.
186	June 13	On passage. (Passed 292 to 61.)	Yea.
		H.R. 6859, providing that federally financed public buildings be constructed so as to be accessible to the physically handicapped:	
188	June 17	On motion to suspend rules and pass. (Passed 302 to 0.)	Yea.
		S. 1028, allowing prior service with county Agricultural Stabilization and Conservation Service committees to be counted in computing a Department of Agriculture employee's benefits:	
190	June 18	On motion to recommit with instructions to place county ASCS employees under civil service. (Rejected 136 to 228)	Yea.
191	June 18	On passage. (Passed 353 to 14)	Yea.
		H.R. 17903, appropriating funds for public works and the Atomic Energy Commission for fiscal 1969:	
195	June 19	On amendment deleting planning funds for Dickey-Lincoln power project in Maine. (Agreed to 265 to 132)	Yea.
		H. Res. 1220, providing for consideration of conference report on H.R. 15414, providing a 10 percent surcharge on personal and corporate income taxes, a $6,000,000,000 cut in fiscal 1969 Government spending and a $10,000,000,000 reduction in requested fiscal 1969 appropriations, and making other adjustments in tax laws:	
197	June 20	On agreeing to resolution. (Agreed to 321 to 86)	Yea.
		H. Res. 1222, stating opinion of House that Senate amendments to H.R. 15414 (Revenue and Expenditure Control Act) violate House's constitutional rights to initiate revenue legislation and directing that bill be returned to Senate:	
199	June 20	On motion to table (kill) resolution. (Agreed to 257 to 162.)	Yea.
		H.R. 15414, providing a 10-percent surcharge on personal and corporate income taxes, a $6,000,000,000 cut in fiscal 1969 Government spending and a $10,000,000,000 reduction in requested fiscal 1969 appropriations, and making other adjustments in tax laws:	
201	June 20	On agreeing to conference report. (Agreed to 268 to 150.)	Yea.
		H.R. 3136, authorizing 3-year study of use of, and possible conversion to metric system in the United States:	
204	June 24	On passage. (Passed 269 to 42.)	Yea.
		H.R. 18037, appropriating funds for Labor Department and Health, Education, and Welfare for fiscal 1969:	
210	June 26	On amendment increasing funds for education professions development program by $46,900,000. (Agreed to 228 to 172.)	Nay.

See footnote at end of table.

90TH CONG., 2D SESS.—Continued

Roll-call No.	Date, 1968	Measure, question, and result	Vote
211	June 26	On amendment reducing appropriations for Office of Economic Opportunity by $100,000,000. (Rejected 181 to 220.)	Yea.
212	June 26	On ordering previous question (ending debate and precluding amendments) on motion to recommit with instructions to amend the bill to include a limit on total expenditures. (Agreed to 275 to 126.)	Yea.
		H.R. 18038, appropriating funds for legislative branch for fiscal 1969:	
214	June 27	On passage. (Passed 360 to 22.)	Yea.
		H.R. 17872, authorizing use of up to $100,000,000 yearly in custom receipts for additional financing of school lunch program by passing regular appropriations procedure:	
217	July 1	On motion to suspend rules and pass. (Passed 247 to 78.)	Nay.
		H.R. 17873, amending present School Lunch Act to increase funds from State tax revenues and to assure equitable and nondiscriminatory allotment of meals:	
218	July 1	On motion to suspend rules and pass. (Passed 352 to 0.)	Yea.
		S. 2837, authorizing private contributions to Cradle of Forestry project in Pisgah National Forest, N.C.:	
219	July 1	On motion to suspend rules and pass. (Passed 279 to 71.)	Yea.
		H.R .17734, appropriating funds for defense and public assistance for fiscal 1968 (2d supplemental):	
222	July 2	On motion that House accept Senate-House compromise in conference report providing $13,000,000 for summer youth employment program. (Agreed to 287 to 82.)	Yea.
223	July 2	On motion that the House accept Senate-House compromise in conference report providing $5,000,000 for OEO's Headstart program. (Accepted 265 to 106.)	Yea.
		S. 1166, authorizing Secretary of Transportation to set safety standards for gas pipelines:	
224	July 2	On amendment providing for State assistance in enforcement. (Accepted 247 to 125.)	Yea.
225	July 2	On passage. (Passed 351 to 14.)	Yea.
		H.R. 17134, providing Federal aid for highways:	
227	July 3	On amendment eliminating funds for highway beautification except for a study on beautification. (Accepted 211 to 145.)	Yea.
		H.R. 16361, providing additional revenue for District of Columbia by increasing certain taxes and increasing Federal payment:	
228	July 3	On motion to recommit. (Rejected 100 to 122.)	Nay.
		H.R. 17989, authorizing $5,200,000,000 for 3 years, and additional funds later, to subsidize homeownerships and rental housing; and to expand number of existing housing programs:	
238	July 10	On amendment limiting eligibility for homeownership program to families with incomes not more than 30 percent higher than the ceiling for public housing in their area. (Agreed to 271 to 137.)	Yea.
239	July 10	On motion to recommit with instructions to delete programs concerning tenant services in public housing projects and grants for interim assistance for blighted areas. (Agreed to 217 to 193.)	Yea.
240	July 10	On passage. (Passed 295 to 114.)	Nay.
		S. 2393, authorizing funds for defense procurement and research and development in fiscal 1969:	
243	July 11	On passage. (Passed 362 to 15.)	Yea.
		H.R. 15758, establishing Federal grant program for treatment of alcoholics and extending regional medical, migratory worker, and narcotic addict health programs:	
245	July 12	On passage. (Passed 326 to 1.)	Yea.
		H.J. Res. 1, establishing Joint Committee To Investigate Crime:	
247	July 12	On agreeing to resolution. (Agreed to 319 to 12.)	Nay.
		H.R. 14096, providing criminal penalties for possession of LSD and other hallucinogenic drugs by unauthorized persons:	
248	July 12	On passage. (Passed 320 to 2.)	Yea.
		H.R. 16824, authorizing 3-year extension of State Technical Services Act:	
249	July 12	On passage. (Passed 309 to 2.)	Yea.
		H.R. 18366, extending the Vocational Education Act:	
252	July 15	On motion to suspend rules and pass. (Passed 390 to 0.)	Yea.
		S. 3719, authorizing funds for river and harbor projects:	
253	July 15	On motion to suspend rules and pass. (Passed 307 to 85.)	Nay.
		S. 2515, establishing Redwood National Park in Northern California:	
254	July 15	On motion to suspend rules and pass. (Passed 388 to 15.)	Yea.
		H.R. 183, banning the shipping of U.S. military cargoes on ships built or rebuilt outside the United States or ships of foreign registry:	
255	July 15	On motion to suspend rules and pass. (Passed 370 to 30.)	Yea.
		S. 1418, extending validity of a U.S. passport from 3 to 5 years, ending renewals and revising fees:	
256	July 15	On motion to suspend rules and pass. (Passed 324 to 71.)	Yea.
		H.R. 5117, authorizing $36,777,000 for Palmetto Bend reclamation project in Texas:	
257	July 15	On motion to suspend rules and pass. (Passed 294 to 104.)	Nay.
		H.R 4865, establishing nationwide system of recreational and scenic trails:	
258	July 15	On motion to suspend rules and pass. (Passed 378 to 18.)	Yea.
		S. 6, authorizing construction of first stage of Missouri River Basin Oahe water project in South Dakota:	
259	July 15	On motion to suspend rules and pass. (Passed 264 to 128.)	Yea.
		S. 752, limiting nonmember tonnage hauled by farmer cooperative trucks:	
260	July 15	On motion to suspend rules and pass. (Passed 272 to 106.)	Nay.
		H. Res. 1240, providing for consideration of H.R. 15263, authorizing funds for foreign assistance for fiscal 1969:	
262	July 16	On agreeing to resolution. (Agreed to 282 to 118.)	Yea.
		H.R. 15263, authorizing foreign aid for fiscal 1969:	
267	July 18	On motion to recommit with instructions to reduce authorization by $165,000,000. (Agreed to 268 to 150.)	Yea.
268	July 18	On passage. (Passed 228 to 184.)	Yea.
		H.R. 15678, increasing salaries of certain District of Columbia judges:	
271	July 22	On passage. (Passed 339 to 44.)	Yea.
		S. 1228, authorizing grants and loans for construction and modernization of District of Columbia hospitals:	
272	July 22	On motion to recommit. (Rejected 109 to 288.)	Nay.
		H.R. 18248, authorizing District of Columbia government to pay the difference between special school children's fare and the regular bus fare:	
273	July 22	On passage. (Passed 205 to 184.)	Yea.
		H.R. 17735, prohibiting interstate shipment and restricting out-of-State purchases of rifles and shotguns:	
275	July 24	On amendment exempting shotgun, rifle, and .22-caliber rim-fire ammunition from restrictions on the sale of ammunition. (Accepted 218 to 205.)	Nay.
276	July 24	On amendment setting mandatory prison sentences for persons using guns during commission of Federal felony. (Accepted 412 to 11.)	Yea.
277	July 24	On amendment to exempt programs of the National Board for the Promotion of Rifle Practice from provisions of the bill. (Accepted 225 to 198.)	Nay.
278	July 24	On passage. (Passed 350 to 118.)	Yea.
		H.R. 15067, amending and extending the Higher Education Act:	
280	July 25	On amendment requiring that funds be denied to students who seriously disrupt college administration in violation of lawful regulations. (Accepted 259 to 147.)	Yea.
281	July 25	On passage. (Passed 389 to 15.)	Yea.
		H. Res. 1234, providing for consideration of H.R 15198, permitting employer contributions to employer-employee committees for industry promotion of products and to interpret collective bargaining agreements:	
282	July 25	On agreeing to resolution. (Agreed to 290 to 100.)	Yea.
		H.R. 15198, permitting employer contributions to employer-employee committees for industry promotion of products and to interpret collective bargaining agreements:	
283	July 25	On amendment providing that contributions to product promotion funds be made equally by management and labor. (Rejected 156 to 217.)	Nay.
284	July 25	On amendment removing provisions permitting employer contributions to joint committees to resolve collective bargaining agreements. (Accepted 192 to 177.)	Nay.
285	July 25	On passage. (Passed 201 to 169)	Yea.
		S. 3497, authorizing $5,300,000,000 for 3 years, and additional funds later, to subsidize homeownership and rental housing and to expand number of existing housing programs:	
287	July 26	On agreeing to conference report. (Agreed to 227 to 135.)	Nay.
		S. 3418, providing Federal aid for highways:	
288	July 26	On motion to recommit conference report with instructions to House conferees to insist on deletion of all program funds for highway beautification. (Rejected 166 to 167.).	Yea.
		H.R. 18785, appropriating funds for military construction for fiscal 1969:	
291	July 29	On motion to recommit. (Rejected 32 to 350.)	Nay.
		H.R. 18249, extending food stamp program:	
293	July 30	On amendment providing an unlimited appropriations authorization for fiscal 1969–72. (Agreed to 227 to 172.)	Nay.
294	July 30	On passage. (Passed 315 to 83.)	Yea.
		H. Res. 1218, providing for consideration of H.R. 17126, extending the Food and Agriculture Act:	
296	July 30	On agreeing to resolution. (Agreed to 316 to 73.)	Yea.
		H.R. 17126, extending the Food and Agriculture Act:	
299	July 31	On motion to recommit with instructions to limit certain farm payments to any one farmer to $20,000 annually. (Agreed to 230 to 160.)	Nay.
300	July 31	On passage. (Passed 213 to 176)	Yea.
		H.R. 15387, providing penalties for assaults on postal employees:	
302	Aug. 1	On agreeing to conference report including exemption of most postal employees from manpower limitations of Revenue and Expenditure Control Act. (Agreed to 345 to 24.)	Nay.
		H.R. 15757, Health Manpower Act, authorizing programs of assistance to health professions schools and their students:	
303	Aug. 1	On passage. (Passed 350 to 0.)	Yea.

See footnote at end of table.

90TH CONG., 2D SESS.—Continued

Roll-call No.	Date, 1968	Measure, question, and result	Vote
		H. Res. 1247, authorizing foreign travel by Public Works Committee:	
304	Aug. 1	On agreeing to resolution. (Agreed to 218 to 107.)	Nay.
		H.R. 15045, extending expiring provisions of Manpower Development and Training Act:	
309	Sept. 5	On passage. (Passed 315 to 0.)	Yea.
		H.R. 10564, adding pears for canning or freezing to the list of commodities for which Federal marketing orders may be made applicable:	
311	Sept. 9	On passage. (Rejected 111 to 165.)	Nay.
		S. 3293, authorizing funds for defense procurement and research and development in fiscal 1969:	
312	Sept. 10	On agreeing to conference report. (Agreed to 323 to 15.)	Yea.
		H.R. 15681, authorizing credit sales of military equipment to foreign countries:	
313	Sept. 10	On passage. (Passed 313 to 29.)	Yea.
		Motion to dispense with further proceedings under the call of the House:	
316	Sept. 11	On agreeing to motion. (Agreed to 283 to 71)	Yea.
		H.R. 18707, appropriating funds for Department of Defense for fiscal 1969:	
318	Sept. 12	On amendment prohibiting purchase of aircraft or aircraft parts outside United States except when in national interest. (Rejected 73 to 268)	Yea.
319	Sept. 12	On passage. (Passed 334 to 7)	Yea.
		S. 2515, establishing a Redwood National Park in northern California:	
320	Sept. 12	On agreeing to conference report. (Agreed to 329 to 1)	Yea.
		H.R. 18260, establishing a national scenic rivers system:	
321	Sept. 12	On passage. (Passed 265 to 7)	Yea.
		H.R. 551, authorizing establishment of Biscayne National Monument in Florida:	
323	Sept. 16	On motion to suspend rules and pass. (Passed 234 to 92)	Yea.
		H.R. 2567, providing standards for health and safety in construction industry in federally financed construction:	
324	Sept. 16	On motion to suspend rules and pass. (Rejected 197 to 136, a 2/3 majority being required)	Nay.
		S. 1440, making it a Federal offense to transport forged traveler's checks across State lines:	
326	Sept. 16	On motion to suspend rules and pass. (Passed 328 to 4)	Yea
		S. 3030, increasing funds for construction of fish protein concentrate plant:	
327	Sept. 16	On motion to suspend rules and pass. (Passed 218 to 102)	Nay.
		H.R. 12962, providing for establishment of a Commission on Negro History and Culture:	
328	Sept. 16	On motion to suspend rules and pass. (Passed 263 to 45)	Yea.
		H.R. 16771, designating certain lands in the Great Swamp National Wildlife Refuge, New Jersey as Wilderness:	
329	Sept. 16	On motion to suspend rules and pass. (Passed 269 to 22)	Not voting.[1]
		H.R. 19136, increasing overtime pay of certain air traffic controllers in the Department of Transportation:	
330	Sept. 16	On motion to suspend rules and pass. (Passed 317 to 2)	Yea.
		H.R. 16187, omnibus private bill providing relief for sundry claimants:	
332	Sept. 17	On motion to delete provision reimbursing a law firm for additional taxes resulting from an error in a will. (Agreed to 275 to 67.)	Yea.
333	Sept. 17	On motion to delete provision providing for retroactive payment of disability compensation for period of 12 years. (Rejected 39 to 303.)	Yea.
334	Sept. 17	On motion to delete provision providing for waiving the statute of limitations to permit filing of a claim for refund to taxpayer for exemption not claimed in 1959 and 1960. (Rejected 139 to 212.)	Yea.
335	Sept. 17	On motion to delete provision compensating Puget Sound Plywood Corp. for claim against Government. (Rejected 115 to 236.)	Nay.
336	Sept. 17	On motion to delete provision granting overtime compensation for a Quartermaster Corps employee. (Rejected 132 to 211.)	Nay.
337	Sept. 17	On motion to delete provision reimbursing a serviceman for personal effects destroyed in a Government warehouse fire. (Rejected 127 to 203.)	Nay.
338	Sept. 17	On motion to delete provision reimbursing Rochester Iron & Metal Co. for claim against Government. (Agreed to 224 to 100.)	Yea.
		H.R. 17126, extending the Food and Agriculture Act:	
339	Sept. 17	On motion to disagree with Senate amendments and agree to conference. (Agreed to 223 to 85.)	Yea.
		H. Res. 1253, providing for consideration of H.R. 15890, providing additional supergrades in the Federal Government:	
341	Sept. 18	On agreeing to resolution. (Rejected 134 to 221.)	Nay.
		H. Res. 1241, providing for consideration of H.R. 17682, improving civil service retirement financing:	
342	Sept. 18	On agreeing to resolution. (Agreed to 290 to 67.)	Yea.
		H.R. 15263, authorizing foreign aid for fiscal 1969:	
343	Sept. 19	On agreeing to conference report. (Agreed to 196 to 150.)	Yea.
		H. Res. 1308, providing for consideration of H.R. 19908, appropriating funds for foreign aid for fiscal 1969:	
344	Sept. 19	On agreeing to resolution. (Agreed to 293 to 58.)	Yea.
		H.R. 19908, appropriating funds for foreign aid for fiscal 1969:	
345	Sept. 19	On motion to immediately consider H.R. 19908. (Agreed to 270 to 64.)	Yea.
346	Sept. 19	On passage. (Passed 173 to 139.)	Yea.
		H.R. 17854, authorizing program providing for parking facilities in District of Columbia:	
349	Sept. 25	On motion to recommit. (Rejected 127 to 225.)	Nay.
		H.R. 17126, extending the Food and Agriculture Act:	
351	Sept. 25	On agreeing to conference report. (Agreed to 189 to 172.)	Yea.
		S. 3068, extending food stamp program:	
352	Sept. 25	On motion to recommit conference report with instructions to specify that persons engaged in strikes or work stoppages would be ineligible to receive food stamps. (Rejected 158 to 187.)	Yea.
353	Sept. 25	On agreeing to conference report. (Agreed to 245 to 98.)	Yea.
		S. 945, abolishing the office of U.S. commissioner and instituting an office of U.S. magistrate:	
355	Sept. 26	On motion to recommit with instructions to limit number of magistrates to 250 and require Presidential appointment. (Rejected 64 to 258.)	Nay.
		S. 2484, authorizing acquisition of property for expansion of New Senate Office Building:	
356	Sept. 26	On passage. (Rejected 145 to 161.)	Yea.
		H.J. Res. 1461, providing continuing appropriations for fiscal 1969:	
357	Sept. 26	On amendment eliminating all funds except those for Defense Department. (Rejected 136 to 163.)	Yea.
358	Sept. 26	On motion to recommit with instructions to eliminate all funds except those for Defense Department. (Rejected 135 to 148.)	Yea.
		H.R. 15758, establishing Federal grant program for treatment of alcoholics and extending regional medical, migratory worker, and narcotic addict health programs:	
360	Oct. 1	On agreeing to conference report. (Agreed to 316 to 0.)	Yea.
		H.R. 14935, prohibiting mailing of master keys for motor vehicles:	
361	Oct. 1	On agreeing to conference report adding an amendment revising method of fixing pay of wage board employees. (Agreed to 251 to 62.)	Nay.
		H.R. 18037, appropriating funds for Departments of Labor and Health, Education, and Welfare for fiscal 1969:	
363	Oct. 3	On motion to add to conference report an appropriation of funds for aid to impacted areas. (Agreed to 200 to 145.)	Yea.
366	Oct. 3	On motion to amend conference report with respect to busing of students. (Rejected 167 to 175.)	Nay.
367	Oct. 3	On motion to concur in Senate amendment to conference report allowing use of funds to enforce Civil Rights Act of 1964 but banning use for busing to overcome racial imbalance. (Agreed to 330 to 7.)	Yea.
368	Oct. 3	On motion to concur in Senate amendment to conference report allowing Federal Government to withhold funds from unlawfully segregated schools. (Agreed to 166 to 155.)	Yea.
		H.R. 15990, providing for study of problems of seasonality in construction industry:	
370	Oct. 7	On motion to suspend rules and pass. (Passed 265 to 0.)	Yea.
		S. 3206, Water Quality Improvement Act of 1968:	
371	Oct. 7	On motion to suspend rules and pass. (Passed 277 to 0.)	Yea.
		H.R. 15151, authorizing revolving economic development fund to promote development of private enterprise and private industry in Guam:	
372	Oct. 7	On motion to suspend rules and pass. (Passed 279 to 0.)	Yea.
		H.R. 18205, providing for the continuance of civil government for the Trust Territory of the Pacific Islands:	
373	Oct. 7	On motion to suspend rules and pass. (Passed 278 to 0.)	Yea.
		H.R. 19910, Federal Milk Marketing Order Amendments of 1968:	
374	Oct. 7	On motion to suspend rules and pass. (Passed 201 to 76.)	Yea.
408	Oct. 9	On motion to table (reject) an appeal from a ruling of the Chair regarding the locking of the Chamber. (Rejected 136 to 102.)	Nay.
409	Oct. 9	On motion to table (reject) motion to reconsider rollcall 408. (Agreed to 137 to 134.)	Nay.
410	Oct. 9	On motion to adjourn. (Rejected 92 to 149.)	Yea.
		H. Res. 1315, providing for consideration of S.J. Res. 175, suspending the "equal time" provision of the Communications Act and permitting 3-way debates by the 1968 presidential candidates:	
413	Oct. 9	On ordering previous question (ending debate and precluding amendments). (Passed 162 to 111.)	Nay.
414	Oct. 9	On agreeing to resolution. (Agreed to 284 to 1.)	Yea.
416	Oct. 9	On motion to immediately consider S.J. Res. 175. (Agreed to 285 to 0.)	Yea.
		S.J. Res. 175, suspending the "equal time" provision of the Communications Act and permitting 3-way debates by the 1968 presidential candidates:	
418	Oct. 9	On motion to recommit with instructions to allow separate, equivalent appearances by candidates. (Rejected 112 to 114.)	Yea.
419	Oct. 9	On agreeing to resolution. (Agreed to 280 to 35.)	Yea.
		H.R. 17735, prohibiting interstate shipment and restricting out-of-State purchases of rifles and shotguns:	
422	Oct. 10	On agreeing to conference report. (Agreed to 160 to 129.)	Yea.
		H.R. 17324, Renegotiation Amendments Act of 1968:	

See footnote at end of table.

90TH CONG., 2D SESS.—Continued

Roll-call No.	Date, 1968	Measure, question, and result	Vote
423	Oct. 10	On agreeing to conference report. (Agreed to 196 to 44.)	Yea.
		H.Res. 1304, authorizing certain overseas travel by Committee on Banking and Currency:	
424	Oct 10	On agreeing to resolution. (Agreed to 152 to 66.)	Nay.
		H.R. 19908, appropriating funds for foreign aid for fiscal 1969:	
425	Oct. 10	On agreeing to conference report. (Agreed to 125 to 93.)	Yea.
		H.R. 20300, appropriating supplemental funds for fiscal 1969:	
426	Oct. 11	On agreeing to conference report. (Agreed to 209 to 12.)	Yea.
		H.R. 18707, appropriating funds for Department of Defense for fiscal 1969:	
427	Oct. 11	On agreeing to conference report. (Agreed to 213 to 6.)	Yea.

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[1] Absent. If present, would have voted "yea."

PRESIDENT ARNULFO ARIAS OF PANAMA OVERTHROWN

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FLOOD. Mr. Speaker, in a statement to the House of Representatives in the CONGRESSIONAL RECORD of May 28, 1968, page 15490, I warned of the election peril at Panama. My fears have been fully justified. The vital importance for the United States to retain full and complete sovereignty and jurisdiction over the Canal Zone and Panama Canal cannot be overstressed.

On Ocobter 11, after having served only 10 days as the chief magistrate of Panama, President Arnulfo Arias was overthrown in a military coup d'etat and sought safety in the Canal Zone, the only haven of refuge in that land of endemic revolution and political instability.

Late radio news indicate that the U.S. Government has taken a neutral position but has alerted our citizens in Panama to prepare for seeking safety in the Canal Zone.

The most recent news from Panama follows as part of my remarks:

[From the Washington (D.C.) Evening Star, Oct. 12, 1968]

PANAMA GUARD OUSTS PRESIDENT: TAKEOVER ENDS ARIAS REGIME AFTER 11 DAYS—COUP IS THE THIRD TO DEPOSE HIM OVER THREE DECADES

PANAMA CITY.—National Guard forces were reported in complete control of Panama today after an apparently bloodless military coup against the 11-day-old government of President Arnulfo Arias.

Arias, 67, who has been deposed from the presidency twice before by the guard in the past three decades, took refuge in the U.S.-controlled Canal Zone with most of his Cabinet ministers after the takeover began last night.

How long he planned to remain there was not known, but sources close to him indicated he might return to Panama City and try to rally popular support to face the guard, the country's only military force.

TWO OFFICERS LEAD

Lt. Col. Omar Torrijos identified himself and Maj. Boris Martinez, commander of the Chirgiqui Province military zone, as leaders of the coup, and said they were supported by "all the young officers."

The takover came as the guardsmen sent helmeted troops armed with machine-gun and shotguns into the capital and such key provincial centers as David, Chiriqui and Colon.

The coup leaders charged that Arias planned to "enthrone a dictatorship" and convert the guard into a "political instrument of persecution."

In a shakeup ordered by Arias, Torrijos earlier had been relieved as executive secretary of the guard and ordered abroad. Other anti-Arias officers were given unimportant posts.

Torrijos said Arias supporters were being rounded up.

NEXT STEP WEIGHED

The next step, Torrijos said, was to decide whether to set up a military junta or to "constitutionalize," the coup by calling in First Vice President Raul Arango to take the presidency. Arango could not be located but was reported with Arias.

Torrijos said he had no knowledge of a proclamation announcing a junta and calling for new elections that Martinez is reported to have issued in David, a city in the northern part of the country near the Costa Rican border where he has his headquarters.

Canal Zone Gov. W. P. Leber and U.S. Ambassador Charles W. Adair were reported hurrying back from a meeting of the Panama Canal Co. board of directors in Washington.

The U.S. Southern Command's radio and television network advised U.S. citizens and servicemen residing in Panama to stay in their quarters and those in the Canal Zone not to enter cities except on essential business.

Aside from small knots of people at doorways, the city appeared calm. There was some panic along A Avenue the street on which the guard's two-story, headquarters is located, when the coup got under way at 9 o'clock last night.

Roving guard patrols broke up any groups they found. There was an unconfirmed report that two men were wounded on Central Avenue the city's main thoroughfare.

A clandestine radio station was reported by several listeners to be on the air, calling on the people to rally to Arias, support. Listeners reported the station changed frequency constantly.

Two pro-Arias radio stations were closed by the guard. The plant of the morning newspapers was occupied by troops.

Arias who was at a party for the newly appointed comptroller general when he received news of the uprising, made an unsuccessful attempt to reach the presidential palace. He turned back when he saw it was surrounded by rebel troops.

Later in Balboa, which is separated from Panama City only by an invisible boundary, Arias issued a statement which he signed as "constitutional president of the Republic of Panama."

"With the exception of the few rebels whom the people already know, we have the loyalty of the chiefs, officers and men of the National Guard," he wrote. "The Panamanian people are supporting the legitimate government over which we preside and will not allow any pseudo-military dictatorship."

It was the second military takeover in two weeks in Latin America, coming eight days after a junta ousted President Fernando Belaunde Terry in Peru.

ARIAS VERSUS GUARD

For Arias it was another confrontation with the National Guard, which plays a major role in the nation's political life. Guard commanders have been at odds with Arias since he was first elected president in 1940.

In 1941 the guard supported a bloodless coup that ousted Arias. Ten years later it again forced him out of office in a second—and bloody—show of force.

In the 17 years since he was last overthrown, the guard has openly opposed Arias, a sharp-talking man of independent character whose strength in Panamanian politics lay with his rapport with the masses.

ABOUT-FACE IN MAY

Yet, in a drastic about-face last May, the guard made possible his return to power for a third time. Knowing that Arias had won election overwhelmingly, the guard, led for 17 years by Brig. Gen. Bolivar Vallarino, 52, announced its support and assured recognition of his election by the outgoing government.

Vallarino's action created dissension within the force, and talk of an uprising spread among young senior officers. In his inauguration speech Oct. 1, Arias promised both officers and enlisted men pay increases.

Arias' first move to consolidate his government was an attempt to bring the guard under control.

Earlier yesterday Vallarino had stepped down and Col. Bolivar Urrutia took command. Vallarino was reported in the Canal Zone today with Arias, who was joined by all his cabinet members except Ruben Arosemena. education minister.

STATUS OF GUARD OFFICERS

There was no report on the whereabouts of Torrijos' replacement, Lt. Col. Camilo Saaveira. Torrijos denied he had been killed. Urrutia and his deputy, Lt. Col. Aristides Hassan, both long-time guard officers, were in the headquarters building, but taking no part in the uprising, said Torrijos, who added that they would retain command of the guard if they supported the coup.

The two most prominent government ministers under arrest were Bolivar Davalos, deputy minister of government, and Aristides Vernaza, chief of the national investigations department, Torrijos said.

"MR. CPA," JOHN L. CAREY, RETIRES

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. JAVITS. Mr. President, with the convening in Washington today of the 81st annual meeting of the American Institute of Certified Public Accountants, I take pleasure in directing the attention of the Senate to the career of "Mr. CPA"—John L. Carey of New York, who steps down this week as administrative vice president of the institute.

Mr. Carey's 43 years of brilliant, imaginative and creative leadership have brought national recognition of the CPA as a respected professional whose signature testifies to the validity of financial statements.

Although Mr. Carey does not reach retirement age until next spring, it was announced at this meeting that he is relinquishing his post as the chief administrative officer of the 65,000-member organization so that his successor, John Lawler, might take office at the same time as the new president of the institute, Ralph E. Kent, managing partner of the national accounting firm of Arthur Young & Co., New York.

Mr. Lawler has been managing director of the institute and Mr. Carey will remain until May as adviser to Mr. Kent.

Mr. Carey came to the institute in 1925 as assistant secretary within a month after graduation. Five years later he was named secretary, and as such, became chief staff officer, a post which he retained for almost 40 years. During his tenure, the number of CPA's in the country grew from some 8,000 to over 100,000 and the number of institute members from 2,000 to over 65,000.

Under his administration, the institute staff also increased from 18 to 245 members in providing a wide variety of technical and educational services to the profession, not the least of which is the preparation of the uniform examination for CPA's which is given twice a year in all the States and territories. Last May, all or part of the examination was taken by 16,444 candidates aspiring for CPA certification.

The United States was entering the great depression, following the stock market crash of 1929, when Mr. Carey took office as chief administrative officer of the institute. The thousands of bankruptcies, the collapse of the Insull empire, and the Pecora investigation of the stock exchanges raised widespread doubts about the soundness of corporate accounting practices. The institute established a committee in 1930 to work with the New York Stock Exchange to find ways to restore public confidence in financial reporting.

In 1934, correspondence between the institute and the exchange was published as, "Audits of Corporate Accounts," which was to play a major role in the establishment and development of today's standards for financial reporting and auditing. According to many authorities, its publication undoubtedly was a significant factor in the decision by the Securities and Exchange Commission, which was established in the same year, to rely mainly on the profession to promulgate accounting rules instead of making them itself.

In another area, Mr. Carey was soon aware that the accounting profession could best serve the Nation and the investing public through a strong and unified national professional society. Consequently, during the next few years he bent his energies toward this goal, which was achieved in 1936 when the American Society of CPA's merged with the American Institute of Accountants. In 1957 the name was changed to the present American Institute of Certified Public Accountants, with a requirement that all members must be CPA's.

Relations with other professions also occupied Mr. Carey's attention during this period. Before World War II, professional tax practice was largely in the hands of CPA's and other accountants. However as tax rates increased, and tax laws became more complex, confusion arose between the accounting and legal professions as to their respective activities in this field. As a result, a National Conference of Lawyers and CPA's was organized in 1944, with Mr. Carey serving as secretary, to study the role of each profession in tax practice. In 1951, a "Statement of Principles in Tax Practice," was approved by the American Bar Association and the institute to delineate the separate but complementary roles of lawyers and CPA's in the field.

Throughout his years at the institute, Mr. Carey also devoted much time to strengthening the ethical standards of the profession in line with its responsibilities to the public. When he became secretary of the institute, he automatically became secretary of its ethics committee, a post which he held for more than two decades. He wrote "Professional Ethics of Certified Public Accountants," released in 1957, and again—in collaboration with William O. Doherty—as "Ethical Standards of the Accounting Profession" in 1966.

As editor of "The Journal of Accountancy" from 1937 to 1954, and as its publisher until 1966, Mr. Carey also wrote numerous editorials and articles which examined the various issues confronting the profession.

Since 1958 Mr. Carey also concentrated considerable time and effort on the development of long-range objectives for the institute. In 1965 he wrote a full-length book, "The CPA Plans for the Future," based on studies by a committee which, over an 8-year period, held numerous discussions not only with leading accountants but with educators, government officials, and leaders of other professions. Recent major improvements in the professional development courses offered by the institute and in other activities can be traced to these efforts.

An English major at Yale College, where he was elected to Phi Beta Kappa, Mr. Carey is the only nonaccountant ever to be awarded the institute's medal for distinguished service. He was also named this year to the Accounting Hall of Fame at Ohio State University.

CONGRESSMAN CHESTER MIZE REPORTS ON THE SECOND SESSION OF THE 90TH CONGRESS

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. MIZE. Mr. Speaker, following a practice I inaugurated when I first came to Congress, I make a session-end report to all of my constituents at or near the conclusion of each session. The report on the second session of the 90th Congress will be reaching my constituents through the mails within the next few days. The report carries my observations on the session; a breakdown of the legislation I have introduced; a list of the bills with which I have been associated and which have been enacted into law; and a breakdown of my voting record on the major issues.

Under leave to extend my remarks, I wish to call attention to this report in the Extensions of Remarks of the RECORD. The report follows:

CONGRESSMAN MIZE REPORTS ON THE SECOND SESSION OF THE 90TH CONGRESS

OCTOBER 1968.

THE 90TH IN REVIEW

The Second Session of the 90th Congress reflected the frustration, the indecision and the unrest in the country in what it did and what it did not do. Although it adopted impressive landmark legislation in the areas of civil rights, housing, consumer protection, law enforcement, expenditure reduction, conservation and education, it failed to act in areas where it is supposedly most knowledgeable—congressional reform and election reform.

There were times during the session when it became bogged down in its own out-moded procedures, yet the opportunity to do something about these procedures through legislative reorganization was never grasped. In an election year with more political surprises than most, and with fewer people satisfied with the way we chose our candidates, nothing was done about the Electoral College or other election reforms.

With the nation divided over our involvement in Viet Nam, no meaningful debate, leading to a restatement of the position of Congress with respect to our policies in Southeast Asia, ever materialized.

The 90th Congress did turn the corner on fiscal responsibility through the surtax and expenditure reduction act, giving promise that something can be done about inflation, high interest rates, and the rising cost of living. It also turned the corner in the battle to do something about crime and violence. The Omnibus Crime Bill and other legislation to control crime and criminals move us along the road back to law and order and greater respect for the rights of the decent, law-abiding, tax-paying citizens.

The 90th Congress set the stage for greater things to follow. A new administration and a new congress will be obligated to improve on what we did and make up for what we didn't do.

THE LEGISLATIVE MILL

Well over 20,000 bills were introduced in both sessions of the 90th Congress. Only about one-fiftieth of them will go into the statute books as public laws. I gave careful consideration to each bill I sponsored, either as the sole author or as one of a number of joint sponsors. Favorable action on a bill is always gratifying, but even when a bill is passed over, an idea is planted which can blossom later, so a summary of my activity is pertinent here.

MIZE BILLS

In addition to the 42 bills and resolutions I introduced in the first session of the 90th Congress, I placed an additional 13 measures in the hopper for consideration during the second session. The line-up of the bills for 1968 follows:

H.R. 14931—To Establish the Calendar Year as the Government's Fiscal Year.

H.R. 15364—To Provide Increased U.S. Participation in Inter-American Development Bank.

H.R. 15405—Private Bill for the Relief of the Sanborn Lumber Company.

H.R. 15735—To Provide for a Three-Year Extension of the Food for Peace Program.

H.R. 17259—To Establish Quotas on Steel Imports.

H.R. 17490. To Protect the Freedom of Choice of Federal Employees in Employee-Management Relations.

H.R. 18452—Relating to the Dumping of Certain Materials in the Navigable Waters of the U.S.

H.R. 18503—To Create a Catalog of Federal Assistance Programs.

H.R. 18576—To Establish a Commission for the Improvement of Government Management and Organization.

H.J. Res. 988—To Amend the Constitution to Authorize Congress to Override Decisions of the Supreme Court.

H.J. Res. 1004—To Extend Three-Mile Limit of U.S. in Certain Instances.

H.J. Res. 1111—To Grant Certain Powers to the Kansas City Transportation Authority.

H. Con. Res. 820—To Eliminate Government Restriction of Foreign Investments.

LEGISLATIVE VICTORIES

Several of the bills and resolutions I introduced in the 90th Congress have been signed into law, either as separate bills or as sections in other bills. In some instances, bills with language and provisions similar to that of my bills became law.

H.R. 2828—Providing for the distribution of judgment funds for the Iowa Tribes became Public Law 90–199

H.R. 2563—The Anti-Riot bill; similar provisions incorporated in Anti-Crime bill, Public Law 90–351

H.R. 4892—To provide for the conveyance of Certain VA Property to City of Leavenworth—Passed the House

H.R. 9680—Providing for the Appeal of Pre-Trial Motion to Suppress Evidence; also incorporated in Anti-Crime bill—Public Law 90–351

H.R. 2569—To Provide for the exchange of land between the City of Leavenworth and the Bureau of Prisons; Administrative action taken to accomplish transfer.

H.R. 12479—To Control Unfair Trade Practices; similar bill became Public Law 90–285

H.R. 15735—Extension of Food for Peace Program; Program extended for two years under Public Law 90–436

H. J. Res. 1111—Granting certain powers to the Kansas City Area Transportation Authority became Public Law 90–395

COMMITTEE ALWAYS BUSY

1968 was another busy year for the House Banking and Currency Committee. The wide range of the committee's jurisdiction called for it to grapple with matters as diverse as the authority to strike a medal to honor Walt Disney to the Omnibus Housing bill. We reported 16 bills and resolutions, most of which were signed into law. Significant among them are Truth-in-Lending, the Housing Bill, Removal of the Gold Cover and amendments to the Inter-American Development Bank and the Asian Development Bank and the Expansion of the Export-Import Bank.

MIZE VOTING RECORD

Here is how your Congressman voted on the major issues before the 2nd Session of the 90th Congress:

Voted for

Expenditure Reductions Amendments to Appropriation bills.
Truth-In-Lending.
Export-Import Bank Expansion.
Extension of School Lunch Program.
Arms Control and Disarmament Agency.
Un-American Activities Committee Funds.
Radiation Control.
Agricultural Fair Practices.
Increase in VA Home Loan Guarantees.
Congressional Code of Ethics.
1968 Civil Rights Act.
Executive Reorganization.
Vocational Rehabilitation.
Auto Insurance Study.
Agricultural Trade Development.
Water Conservation Fund.
Food For Peace.
Increased Veterans Compensation.
Omnibus Crime Bill..
Gas Pipeline Safety.
Poultry Inspection.
Omnibus Housing Bill.
Mail Order Gun Controls.
Extension of Food Stamp Program.
Surtax and Expenditure Reduction Act.
Joint Committee to Investigate Crime.
Redwoods National Park.
One-Year Extension of Farm Bill.

Voted against

Gold Cover Removal.
Highway Beautification Funds.
Foreign Aid Authorization and Funds.
Joint Industry Promotion.
D.C. Riot Damage Funds.

DEATH OF SP4C. BRADY HERRING

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. THURMOND. Mr. President, the war in Vietnam has created many personal tragedies for families in the United States whose loved ones have been killed. Senator Floyd Spence, of Lexington County, S.C., has called to my attention a letter which was published in the Journal of West Columbia, S.C., on October 2, 1968. This very moving defense of our position in Vietnam was written by Sp4c. Brady William Herring to his mother on September 15, the day before his death.

Specialist Herring describes the terror which the Vietcong have inflicted on the people of South Vietnam and the gratitude the South Vietnamese have expressed to the Americans fighting for them. This letter is eloquent testimony to the importance of our position in this embattled nation.

Mr. President, I ask unanimous consent that the letter be printed in the Extensions of Remarks of the CONGRESSIONAL RECORD at the conclusion of my comments.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WAS TO BE DISCHARGED IN 1 WEEK: BRADY HERRING KILLED IN VIETNAM

Spec. 4 Brady William Herring, 21, son of Mrs. Letha W. Herring, 1235 Guignard Ave., West Columbia, was killed September 16 in action in Vietnam, during his last week of service. He was scheduled to be separated from the army October 1.

On September 15, the day before his death, Spec. Herring wrote the following letter to his mother:

"DEAR MAMA: How is everyone back in South Carolina? All is well over here. I was down today to try and send some of my baggage home but the air force was closed. So, I will try again tomorrow.

"The one thing to do is not to expect me home in September. I hope to be there the first part of October. There is going to be a lot of personnel leaving around the same time, so, I plan for a delay at Travis for my clearance out of the army. There is already a hold up on the guys leaving Bien Hoa Air Base.

"I told you when I first came in that I would not stay in the army and I don't plan to. I came pretty close to it this past week, though. After you see what the Viet Cong have done to these little kids, and the kids still have faith in the United States and can still smile, you know there is no way of pulling out.

"Everyone back home keeps yelling to pull out and let the Vietnamese fight for themselves. Well, they don't know what it is like over here, and probably never will, after you have seen a little kid with a grenade scar on his face, a young boy with a bullet hole through his wrist, or the unlucky one with a hand missing, or maybe the little baby with a 30 calibre bullet crease on his head. (Just by doing the traveling I do, I can see the Vietnamese are thankful and in return are showing their gratitude. Maybe one of these days someone will wake up and realize just how necessary our being over here is. I could go on but I guess all this means very little to you.)

"I was down at Vung Tau yesterday. I tried to look up Duane Johnson, but ran out of time just as I found his company. I doubt that I will ever be that way or ever have a chance again.

"I just got back from operations. Do you remember the Air Medal I received some time ago? Well, I have multiplied the time by sixteen. Instead of medals, I will just receive clusters to put on the original Air Medal. I have put in better than 500 hours of flying with 416 of them credited to combat hours of operation. That sure seems like a lot of hours for the last 4½ months.

"Well, I guess I will close for now. Be sure and say hello to everyone and send good news this way.

"Love,

BRADY."

Funeral services were conducted for Spec. Herring at 4 p.m. September 30 from the Lutheran Church of the Transfiguration by the Rev. C. P. Fisher.

TRIBUTE TO HON. ROBERT B. MATHIAS

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 2, 1968

Mr. RIEGLE. Mr. Speaker, our good friend and colleague, Congressman BOB MATHIAS of California, left this morning for Mexico City to attend the 19th Olympic games. He will be a guest of honor of the Mexican Olympic Organizing Committee and serve as a member of the board of consultants to the U.S. Olympic team.

BOB is one of four Americans, whom the Mexicans have asked to be their guests of honor. The others, all former Olympic champions, are Jesse Owens, Pat McCormick, and Johnny Weismuller.

BOB MATHIAS won the Olympic decathlon championship in London in 1948, at the age of 17, and again in Helsinki, Finland, in 1952. He is the only man to have won the decathlon title twice. These will be the sixth consecutive Olympic games he has attended, either as a competitor or honored guest.

I think we can all be proud that one of our colleagues is at the Olympics as an honored guest of the Mexicans and a consultant to our own Olympic team. I know that he will let our athletes know that each of us supports them and wishes them the greatest of success.

HUMPHREY AND MUSKIE VOTED AGAINST HOUSE JOINT RESOLUTION 247, TO PROVIDE FOR PRESIDENTIAL DEBATES THROUGH SUSPENSION OF THE EQUAL OPPORTUNITY REQUIREMENTS OF THE COMMUNICATIONS ACT FOR THE 1964 CAMPAIGN—POLITICS, NOT PRINCIPLE, SEEMS TO GOVERN THEIR DEMAND FOR DEBATE IN 1968 AND THEIR VOTE "NO" TO A DEBATE IN 1964

HON. WILLIAM C. CRAMER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. CRAMER. Mr. Speaker, I feel it my duty, in view of the discussions taking place on the floor with regard to the equal time suspension legislation of 1968, to point out that both Mr. Humphrey and Mr. Muskie, the Democratic presidential and vice-presidential nominees, who are clamoring for a debate and for passage of the 1968 bill, in fact voted against the same bill in the 1964 presidential election. The record shows that Mr. Humphrey and Mr. Muskie opposed a debate in 1964 and I think it is rather obvious as to why they have made a 180-degree shift in position in 1968—it is blatant politics, not principle, pure and simple.

In 1964, Republican nominee, Barry Goldwater, and his running mate, Bill Miller, were repeatedly asking for debates. Mr. Humphrey, as a Senator, voted on rollcall No. 549, appearing in the Congressional Record, volume 110, part 15, page 20032, to table the conference report on House Joint Resolution 247, which proposed to suspend the equal-opportunity requirements of the Communications Act for the 1964 presidential election. The interesting aspect is that, if Humphrey and Muskie had not voted to kill the conference report, by opposing the Mansfield motion to table instead of supporting it, the motion to table would have failed and the conference report would have been adopted, making the presidential debates possible. This is obvious when the Record shows that, on rollcall No. 549, the motion carried by a vote of only 44 to 41. A switch of 2, meaning Humphrey and Muskie, would have resulted in a vote of 42 to table and 43 against the motion which killed the 1964 equal time suspension bill.

In the Congressional Record, volume 110, part 15, page 20032, Mr. Mansfield made the motion, "Mr. President, at this time, I move to table the motion of the Senator from Rhode Island." On page 20030, Senator Pastore, in reporting on the conference, made the motion, "I move the adoption of the conference report." And, as it appears on page 20032, the result of the vote on the motion of Senator Mansfield to table the conference report was yeas 44, nays 41, as follows:

[No. 549 Leg.]

Yeas, 44: Anderson, Bartlett, Bayh, Bible, Byrd, Va., Byrd, W. Va., Church, Clark, Dodd, Douglas, Edmondson, Fulbright, Gore, Gruening, Hart, Hayden, Holland, Humphrey, Inouye, Johnston, Lausche, Long, Mo., Long, La., Mansfield, McCarthy, McClellan, McGee, McGovern, McIntyre, McNamara, Metcalf, Moss, Muskie, Neuberger, Randolph, Ribicoff, Robertson, Russell, Salinger, Smathers, Stennis, Symington, Talmadge, Walters.

Nays, 41: Aiken, Allott, Beall, Bennett, Boggs, Carlson, Case, Cotton, Curtis, Dirksen, Dominick, Ellender, Ervin, Fong, Hruska, Jackson, Javits, Jordan, N.C., Jordan, Idaho, Keating, Kuchel, Mechem, Miller, Monroney, Morse, Morton, Mundt, Pastore, Pell, Prouty, Proxmire, Saltonstall, Scott, Simpson, Smith, Sparkman, Thurmond, Tower, Williams, Del., Young, N. Dak., Young, Ohio.

So the motion to table the motion of the Senator from Rhode Island [Mr. Pastore] was agreed to.

For further information, Senator Russell Long, Democrat, of Louisiana, who has recently issued public statements piously calling for the arrest of absent Senators "if necessary to force their return to Congress to vote on an equal television time debate bill" for the reason that "a face to face debate among the candidates is something the American people are demanding," also voted against debates in 1964. Long further stated that "it is the duty of the Senate to offer the people a chance to see a television debate among the candidates, and a duty of the candidates to appear in personal confrontation," and the Senate is "derelict in our duty unless we provide the American people an opportunity to see these debates," that is, in 1968, not in 1964. According to Senator Long, "The people will think less of us and less of Richard the fainthearted unless the way is cleared for the debates and they are held." In view of the Senator's public statements on this issue in 1968, I call attention to the curious fact that on the rollcall vote in 1964 on this same issue, Senator Long voted to table the conference report and thus to kill the debate bill.

With this evidence on the Record, it thus appears that Mr. Humphrey, who, on August 18, 1964, was one of the principal persons being discussed for the vice-presidential nomination, and as Democratic nominee for Vice President unalterably opposed a debate in 1964. Yet, in 1968, as the presidential nominee, he has completely switched his position, now supporting the debate. The fact that Humphrey had his eye on the nomination in 1964 and at the time of his vote was evidenced by the statement of Senator Scott in the August 18 Con-Senator Scott in the Congressional Record, volume 110, part 15, page 20031, during the debate on the 1964 bill, in which Senator Scott stated:

> I suggest that if the Senator is interested in debates [meaning Senator Pastore], he should arrange debates between the senior Senator from Minnesota [Mr. Humphrey] and the junior Senator from Minnesota [Mr. McCarthy] as to their relative qualifications for the Vice Presidency of the United States.

Are we to assume from the arguments made today by the Democrats in support of the debate that the same arguments did not apply equally to the situation in 1964? Are we to assume that presidential candidate Johnson and vice-presidential candidate Humphrey were "afraid" to debate Goldwater and Miller—that the people are entitled to a confrontation of candidates to hear their point of view in 1968, but were not in 1964? Are we to assume that it is the duty of the Senate to vote for a debate in 1968, but it was not its duty to do so in 1964 as Senator Long, and as Humphrey and Muskie state, all of whom opposed the debate in 1964, suggest? Are we to assume the Senate is also being derelict in its duty in 1968, but that it was not derelict in its duty in 1964?

The truth of the matter is, and I am sure the public recognizes it, that Mr. Humphrey and Mr. Muskie, who opposed a debate in 1964, did so because of politics and politics alone and they were obviously following the orders of President Johnson, when the Democratic Party was believed to be ahead in that election. However, now that Mr. Humphrey and Mr. Muskie are behind in this election, they are free to shift their political positions on this issue because they are being political and nothing more. Certainly the merits of a debate or a nondebate are about the same in any presidential election. It is quite obvious that Mr. Humphrey and Mr. Muskie do not want to talk about or give consideration to the merits but, as evidenced by their shift in position, are guided only by the politics of the situation. When the Democrats are ahead, as in 1964, they do not want a debate, when they are behind, as in 1968, they demand debates.

I voted for a debate in 1960, 1964, and 1968, based upon the merits, and not on politics. I thus believe that I am justified in calling to the attention of the House the obvious political positions being taken by the Democrat nominees, Humphrey and Muskie, as evidenced by their opposition to a debate in 1964, and their now politically inspired demand for a debate in 1968.

LETTER FROM GI WHO WAS KILLED IN VIETNAM

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. ALBERT. Mr. Speaker, under leave to extend my remarks I enclose a letter from Brady Herring, a South Carolina boy distantly related to my wife, who was killed in Vietnam. He was killed just 2 weeks before he was to be returned to this country. It is evident from his letter that he died for a cause in which he believed. I hope others will give consideration to what he had to say.

The letter follows:

September 15, 1968.

Dear Mama: How is everyone back in S.C.? Well all is well over here. I was down today to try and send some of my baggage home but the Air Force was closed. So, I will try again tomorrow.

The one thing to do is *not* to expect me home in September. I hope to be there the first part of Oct. The reason is there is going to be a lot of personnel leaving around the same time. So, I plan for a delay at Travis

for my clearance out of the Army. There is already a hold up on the guys leaving Bien Hoa Air Base.

You said for me not to re-enlist in the Army. Well I told you when I first came in that I would not stay in the Army and I don't plan to. I came pretty close to it this past week though. After you have seen what the Viet Cong have done to these little kids and the kids still have faith in the U.S. and can smile, you know there is no way of pulling out. Everyone back home keeps yelling to pull out and let the Vietnamese fight for themselves. Well, they don't know what it is like over here and probably never will. After you have seen a little kid with grenade scars on his face, a young boy with a bullet hole through his wrist or the unlucky one with a hand missing or maybe the little baby with a 30 cal. bullet crease on his head. Just by doing the traveling I do, I can see the Vietnamese are thankful and in return showing their gratitude. Maybe one of these days someone will wake up and realize just how necessary for us being over here is. I could go on but I guess all these mean very little to you.

I was down at Vung Tau yesterday. I tried to look up Duane Johnson but ran out of time just as I found his Company. I doubt that I will ever be that way or have a chance again.

I just got back from operations. Do you remember the Air Medal I received some time ago? Well I have multiplied the time by sixteen. Instead of medals, I will just receive clusters to put on the original Air Medal. I have put in better than 500 hours of flying with 416 of them credited to combat hours of operation. That sure seems like a lot of hours for the last 4½ months.

Well I guess I will close for now. Be sure and say hello to everyone and send good news this way.

Love,

BRADY.

ADDRESS BY POSTMASTER GENERAL W. MARVIN WATSON

HON. EARLE CABELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. CABELL. Mr. Speaker, the Park Cities Rotary Club, Park Cities, Tex., recently had the pleasure of having Postmaster General W. Marvin Watson as their guest speaker.

Under unanimous consent I insert in the RECORD at this point a copy of the Postmaster General's remarks:

ADDRESS BY W. MARVIN WATSON, POSTMASTER GENERAL, BEFORE THE PARK CITIES ROTARY CLUB, PARK CITIES, TEX., SEPTEMBER 27, 1968

It is always a pleasure—always, even, a deep and strong and thrilling experience—for me to come back to Texas.

For Texas is my home and Texas is that part of this great nation which provides for me the settling experience of knowing once again the sight, the smell and the sounds of my home ground . . . my home state where I was born and grew to maturity and first became active in the national life of this magnificent country.

And Texas is, to me, another part of that experience of knowing that the people out there beyond the mountains are still honest Americans, good Americans and strong Americans.

You know, my friends, in Washington we often lose sight of America. Insulated as we are by the 18-hour workdays and the constant daily problems, we see little of what really is America . . . we see so very few of those citizens who really make America great . . . we hear so seldom from those whose every deed and every expression is in keeping with the traditions of all that has made America the finest symbol of freedom in the history of man.

Our President often expresses that thought in the White House, where he will sit in meetings and hear only the voices of those who cry trouble . . . cry strife . . . cry torment . . . and, yes, cry fear that all we stand for is rapidly being lost.

And the President will reply—"yes, it may seem so to you today. But out there—out there beyond the mountains—there is a whole other land and a whole people who are the strength of this country. And they are not lost and they are not fearful and they are not quitting on us."

When the President says that, it always puts things back in their proper perspective.

And returning to Texas these past 24 hours, I can see again exactly what he means.

This is not, of course, something isolated to Texas alone.

Since becoming Postmaster General, I have travelled some 68,000 miles throughout this nation, visiting 94 cities and 37 states and personally meeting over 40,000 of our Postal employees. This was done with a purpose. The purpose is to see the Postal system as it exists today and to meet the people who run it, so that finally in the months that remain I may present to the next Congress the most comprehensive program ever submitted to modernize and mechanize our postal service.

In the course of these travels, I have also very naturally come into contact with many Americans outside the Post Office Department.

And these people—the good citizens of our land—have strongly indicated to me that America is not as troubled a nation as some have us believe . . . and America is not a dying nation as some would hope.

Now I speak to you today as the Postmaster General—and under ordinary circumstances the Postmaster General would speak only of politics.

But since March 31st, I have been one of the least political persons in Washington, D.C.

And since April 26th when I was sworn into this office, I can safely say that I have definitely been the most non-political Postmaster General in the entire history of America.

For I am a realist, my friends, and the sharp reality of positions such as mine is that the office I hold will terminate on January 20th at high noon, regardless of whether Hubert Humphrey, Richard Nixon or George Wallace is inaugurated as the President of the United States.

That is right and fitting—for that is the American way and that is the best form of government yet created by mankind.

In the interim period, however, in that period between April 26th and January 20th, I have been sworn to uphold the ideals and the constitution of this country and to perform my duties to the limit of my abilities.

There are some who will claim that this is in the fashion of being a caretaker Postmaster General.

I think by our travels, by the decisions we have already made and by the decisions we are prepared to make over the next months that we definitely put the lie to that. Because in this day and age no man can be a caretaker. Time is too precious and there is too much to do—too many miles to go, too many decisions to make.

I know our President views his role in this fashion. And I know that everyone associated with him is working as hard as ever—and as you know, no man has ever worked harder for this nation than Lyndon Baines Johnson.

I point all of this out, because at this time there are many who are somewhat confused about what America stands for.

And I point this out because there are many of us who are now out of politics but still in pursuit of justice who must make statements about the future of our nation.

And I am here today to tell you that our nation has a brilliant future—and a future which will not die on the shoals of discontent.

There are many who preach no hope, my friends. There are many who preach no faith. There are many who despair and are willing to crawl into a shelter and wait to die or to be destroyed.

Some of them are derived from that old crowd whose lament of the 1950s was "better red than dead."

And you can recall that ten years ago this was a strident philosophy—and a philosophy which failed when the American people reacted against such an obvious plot to overthrow all that we hold most dear.

Having failed with that attempt at intellectual overthrow, the remainder of this same group has now allied itself with a new method of action—sometimes called the New Left and sometimes called the student revolt.

Masked behind the image of students disturbed, students running amok, students who say they seek justice and yet actually use the tools of injustice, this new group attempts to spread trouble in our land at a time when a placard and a picket and a chant seem to be the symbol of America.

Well, I am here to tell you that these are not the symbols of America—for the symbols of America are people such as yourselves and all those others who believe in what we are and who have fought to keep us free.

The symbol of America can never be those who preach no faith . . . and no hope.

The symbol of America is people who have always triumphed over adversity—in war and in peace and who have made this nation the finest example of freedom which will ever exist.

I think it is about time that we identified the protestors for what they are—a small, but vocal minority, well-trained and well-led and utilizing some of the finest public relations in existence to dominate the news media.

Using the weapons of freedom, they are attempting to spread hysteria. Masked in the symbol of youth outraged, they shout down our leadership from all elements of each major political party—and with their shouts they attempt to deny our birthright of free speech.

But behind the symbols of youth enraged, my friends, there are many grown men of desperate purpose who seek to overthrow this nation by turning against us the tools of freedom—free speech, free movement, a free press and a free expression of thought.

They surface daily wherever the center of political activity may be—whether it be in Chicago at the convention or on the campaign trail or on the campuses of great universities.

They wear old clothes . . . yet, strangely, they never want for large amounts of cash.

They carry what appear to be makeshift signs, yet these signs are cleverly created by master political expressionists.

They arrive suddenly—the professionals among these groups—and assemble with local groups for their marches, yet the professionals, at times, have come from other parts of the nation in chartered airplanes.

The chants which they stimulate can be and often are among the most profane utterances in the history of public demonstrations, yet because of reasons of taste our television networks do not show the sounds of the real words they speak.

And having wreaked their havoc, having shouted down brave and truer men, they disappear again to surface in another town and start the whole show once more.

Now there are those who will say that this should be stopped.

But I am not one who would agree with that.

For in a nation where the freedoms are so great, it would be wrong to deny even these professionals the right to have their say.

But I do say that it is time that we recognize this for what it is—an organized movement to spread terror from within by demonstrations of dissent.

And it is also time that we recognize that those who would deny us free speech in this fashion are not serving the cause of freedom.

It is time that we answered back.

When they cry no hope, we can answer—there is hope, there always has been hope and there always will be hope.

When they cry no faith—we can reply that this nation was built on faith and will always exist because of our faith in ourselves and our God and our land.

When they cry for insurrection by dissent, we can answer in that finest expression of man—our free vote which will demonstrate once again that the American people have the ability to speak out forthrightly for themselves.

My friends, this is not a political speech in the sense that I speak to you as a Cabinet officer of a Democratic Administration.

As a Democrat—and as one who believes sincerely that this nation has been strengthened in its growth by the Democratic Party—I naturally endorse my party and our candidate.

I'm not that non-political.

As a thinking man, I also feel that those who hold no hope for America have made the Democratic Party their target because the Democratic Party is the one they fear most.

But as an American when I say vote—I mean only to vote freely and to vote for the man of your own choice.

Thus, silently, but with the greatest force of all we can supply the answer to those who chant for destruction.

Our weapon is freedom, my friends.

And your vote is our strongest single weapon.

CHICAGO'S COLUMBUS DAY PARADE

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. ANNUNZIO. Mr. Speaker, for the first time in the history of our great country, the Congress of the United States has passed a law to provide for the national celebration of Columbus Day. Beginning in 1971, Columbus Day will be observed as a national legal holiday. As one of the original sponsors of this legislation, it is gratifying indeed to know that at long last the greatest historical event of our times—the discovery of America in 1492 by Christopher Columbus—will receive appropriate recognition.

Each year, my own city of Chicago celebrates Columbus Day with a gigantic parade on State Street. This year, our parade was bigger and better than ever before. Vice President HUBERT HUMPHREY's wife, Mrs. Muriel Humphrey, and her daughter, Mrs. Nancy Solomonson, as guests of honor, led the parade which began on State Street at 10 a.m.

Joining Mrs. Humphrey and her daughter in leading the parade were honorary chairmen of the parade, Hon. Richard J. Daley, mayor of Chicago, and Hon. Giuseppe Avitabile, Consul General of Italy in Chicago.

The Governor of Illinois, Hon. Samuel Shapiro, and the secretary of state for Illinois, Hon. Paul Powell, joined in leading the parade, and following them in the line of march were political dignitaries, civic leaders, members of the judiciary, and businessmen from the community.

Over 225 units marched in the parade, representing every branch of the U.S. military forces. Drum and bugle corps, school bands, and more than 60 floats also took part in the procession. Women and children wearing authentic native costumes of Italy rode on the floats and marched in the parade. Michael Galgano, 4142 Wabansia, Chicago, Ill., who is a student at DePaul University, depicted Christopher Columbus on one of these floats.

The parade, which attracts over 1 million spectators, was televised over WGN-TV for 1½ hours. The telecast of the parade generally attracts an estimated television audience of an additional 2 million people. State Representative Victor A. Arrigo narrated the parade for the television audience. Sponsors of the telecast were Frank Armanetti of Armanetti Liquors, Anthony Paterno of Paterno Imports, and Dominick DiMatteo of Dominick's Finer Foods.

The theme of the 1968 parade was threefold this year. First, the Italian contribution to the development of Illinois and the United States was recognized; second, the Illinois Sesquicentennial Celebration was observed; and third, the Navy and Air Force Cadets who participated in Chicago in their annual football game were honored as a symbol of the American servicemen who are fighting all over the world for the preservation of our democratic way of life.

The Joint Civic Committee of Italian Americans, comprised of more than 40 Italo-American civic organizations in the Chicago area, sponsors the Columbus Day Parade each year. Mr. Anthony Sorrentino has ably served for many years as consultant for the Joint Civic Committee of Italian Americans.

Some of the leaders in the Italian community who participated in the parade were Dr. Mario Rubinelli, president of the Joint Civic Committee of Italian Americans; Rev. Armando Pierini, P.S.S.C., chaplain; Dominick DiMatteo, general chairman of the 1968 parade; Dr. James F. Greco, Joseph Bottalla, and Dominick Chirchirillo, special assistants to the general chairman; and Frank Armanetti, Fred Bartoli, Anthony Bottalla, Martin R. Buccieri, Victor J. Failla, Nello V. Ferrara, Anthony Paterno, Arthur S. Pullano, and Dr. Mario O. Rubinelli, who served as co-chairman of the parade.

Also participating were Louis P. Farina, co-chairman of the speakers platform committee; Hon. John D'Arco and Hon. Peter C. Granata, co-chairmen of the public officials committee; Mrs. Anthony Sorrentino, president of the women's division of the Joint Civic Committee of Italian Americans; Robert S. Tomaso, Mathew J. Alagna, Frank N. Catrambone, Sr., and Mrs. Serafina Ferrara, co-chairmen of the finance and souvenir book committee; Mathew J. Alagna, chairman of the business and professional committee, Hon. Victor A. Arrigo, chairman of the program and arrangement committee; Domenick Di Frisco, chairman of the publicity and queen contest committee; Joseph De Serto, chairman of the religious program and organizations committee; Dr. Mary Ellen Mancina Batinich, Mrs. Frank Amico, and Mrs. Elena Frigoletti, cochairmen of the Italian costumes committee; John G. Rovetto and Sam Canino, cochairmen of the floats committee; Lawrence Spallitta, chairman of the float personnel committee; Livio Petricca, chairman of the bands, marchers, and transportation committee; Victor J. Failla and Frank Esposito, co-chairmen of the labor committee; Marco De Stefano, grand marshal, and Fred Bartoli, Sam Canino, and Anthony Paterno, assistant marshals of the parade.

The other members of these committees are: Joseph Fusco, Peter Lavorata, Fred Mazzei, Vincent Lucania, Sam Cerniglia, Carl Cipolla, Charles P. De Vito, Anthony J. Fornelli, Albert Litterio, Vincent F. Lucchese, Charles C. Porcelli, Gerald L. Sbarboro, Peter R. Scalise, Horatio Tocco, Dominick M. Alberti, Dr. Joseph H. DiLeonarde, William Fantozzi, Sgt. Joseph Giglio, Rosario Lombardo, Amedeo Yelmini, Joseph Alagna, Charles Cannon Giannone, Dominick Gentile, Vincent Saverino, Emil Venuti, Dominick Dolci, Daniel A. Becco, Carl Ferina, Michael R. Fortino, Egisto Menconi, Louis Moretti, John Spatuzza, Joseph S. Rovetto, Tom Ardino, Russell Bonadonna, Stephen Florentino, Mrs. Lawrence Spallitta, Anthony Parisi, Joseph Tolitano, Peter Barbero, Rudolph Bilotta, Frank Bottigliero, Dr. Nicholas J. Bruno, Joseph Fontana, Peter Realmuto, Paul Iaccino, Henry L. Coco, James Coli, and Alfred Rota.

Nineteen-year-old Kathleen Perelli, of 14345 Woodlawn, Dolton, Ill., was chosen from 12 semifinalists to reign as queen of the Columbus Day Parade. The prizes awarded to the queen included a sterling silver place setting for eight donated by the Sterling Savings and Loan Association, 5920 West North Avenue, Chicago, Ill.; a free 21-day trip to Italy sponsored by the Joint Civic Committee of Italian Americans via Alitalia Airlines; and dinner for four at the Italian Village Restaurant, 79 West Monroe Street, Chicago, Ill., donated by the Capitanini family.

Prizes for the queen and the queen's court included gowns and shoes donated by Gamble-Aldens Department Store; two tickets each to opening night at the Mill Run Playhouse given with the compliments of Carl Stohn, Jr., and Gilda Moss of the Mill Run Playhouse; and two tickets each to the Chicago Theater and two tickets each to a neighborhood theater given with the compliments of the ABC Great States Theater.

The judges for the queen's contest were Al Borcover, assistant travel editor, Chicago Tribune; Tim Conner, public relations executive for Burson Marsteller; Miss Grace Zolecki, fashion coordinator for Gamble-Aldens Department Store; and Miss Jeanette Benedetti, sales department representative for Alitalia Airlines.

Winners of the citywide "legacy of Columbus" essay contest were: First prize, Christine Schmidt, St. Patrick Academy, 814 West Busse Avenue, Mount Prospect, Ill.; second prize, Robin Atlas, Mather High School, 2940 West Balmoral Avenue, Chicago, Ill.; Ferdinand Pleines, St. Michael High School, 211 West St. Paul Avenue, Chicago, Ill. First prize was a $250 U.S. savings bond; second prize was a $50 U.S. savings bond; third prize was a $25 U.S. savings bond. Additionally, Sister Julius of St. Patrick Academy was awarded a $100 U.S. savings bond for her contribution to the prize-winning essay as teacher of Christine Schmidt.

Judges for the essay contest were Mr. Joseph Sirchio and Anthony Fornelli, both of whom are members of the Joint Civic Committee of Italian Americans.

In conjunction with the Columbus Day celebration, the Joint Civic Committee of Italian Americans sponsored a festa della moda fashion show held in the Sheraton-Chicago Hotel on October 6. More than 80 persons, including children and adults, participated in the fashion show, and displayed authentic hand Italian costumes depicting the native dress of various regions in Italy.

The Columbus Day celebration began with the parade at 10 a.m., followed by Solemn High Mass at Our Lady of Pompeii Church in Chicago. Immediately after the Mass, wreath-laying ceremonies were held at the Columbus Statue in Columbus Plaza at Vernon Park across the street from Our Lady of Pompeii Church. Another wreath-laying ceremony at the Columbus Monument in Grant Park took place at 3 p.m.

At 4 p.m. a reception at the Sherman House in Chicago was held in honor of all of the committee chairmen and committee members who participated in making the 1968 parade a tremendous success. Leaders of the Italo-American organizations from Illinois were present at the reception, as well as officials from the city of Chicago and from the State of Illinois.

Columbus Day festivities were brought to a close at the Palmer House in Chicago where the Order Sons of Italy Banquet was held. His Excellency, Hon. Egidio Ortona, Italian Ambassador to the United States, was the guest of honor at the banquet.

It is a source of great personal pride to me to know that throughout the United States, all our people, regardless of age, race, or creed, have joined together enthusiastically to celebrate the 476th anniversary of Christopher Columbus' momentous discovery of the New World. And particularly this year, with the knowledge that Columbus Day is at long last a national legal holiday, I derive much pleasure in joining my friends in Chicago, my colleagues here in Washington, and my fellow citizens throughout our Nation in honoring the memory of the eminent Italian navigator—Christopher Columbus—whose boundless courage and determination opened the door to the future of the entire Western Hemisphere.

UKRAINIAN PROTEST AGAINST RUSSIAN COLONIALISM IN SPORTS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. DERWINSKI. Mr. Speaker, with the opening of the Olympic games, we must recognize that as far as the Soviets are concerned, they are hoping to exploit their achievements for maximum world propaganda.

It is important for us to note that substantial numbers of the Soviet Olympic team are non-Russians. They are from the many captive nations held in bondage in the Soviet colonial empire.

As an example of this, I include as part of my remarks a communication from the Ukrainian Olympic Movement in Exile and a list of Ukrainian athletes on the Soviet Olympic team.

Mr. Speaker, we must emphasize also that the Soviet team is composed of men who should be classified as professionals in contrast to the amateurs that represent the United States.

I am hopeful that the USIA will take cognizance of this material in their broadcast of the Olympic games.

UKRAINIAN PROTEST AGAINST RUSSIAN COLONIALISM IN SPORTS: NATIONAL DISCRIMINATION AND RUSSIAN COLONIALISM IN SPORTS CITED IN A LETTER TO A. BRUNDAGE AND MEMBERS OF THE IOC

The Ukrainian Olympic Movement in Exile (Ukrainian World Committee for Sport Affairs), which combats discrimination in sports as practiced by the Soviet Union, has taken issue with the International Olympic Committee, seeking the admission of Ukraine, a member of the United Nations, to the Olympic games as an independent participant.

In a letter of October 5, 1968, which was sent to the International Olympic Committee's President, Avery Brundage, and members of the I.O.C. present in Mexico, Ukrainians lodged a strong protest against national discrimination and colonialism in sports as practiced by Russia against other nations of the Soviet Union.

Excerpts from the letter to Mr. A. Brundage of October 5, 1968, follow:

"According to the Charter of the Olympic games discrimination is not allowed against any country or person on the ground of race, religion, or politics. The I.O.C., however, tolerates among its members the country which practices discrimination against Ukrainian, Byelorussian, Lithuanian, Estonian, Latvian, and Georgian athletes, as well as athletes from many other nations."

"How long will it be before Ukraine, a great European nation, will be included in the international Olympic movement? How long shall the I.O.C. tolerate such discrimination against a nation which is a member of the United Nations?"

"The Ukrainian Olympic Movement in Exile wishes to express its deep regret that the I.O.C. tolerates the discriminatory policy and colonialism practiced by the Olympic Committee of the USSR. We of the Ukrainian Olympic Movement in Exile present this formal protest to you (Mr. A. Brundage) charging the government and the Olympic Committee of the USSR with discrimination. These agencies prevent many nations from independent participation in international sports events and the Olympic games by forcibly including their athletes into Russian teams."

Ukrainians in their letter to Mr. A. Brundage request the I.O.C. to investigate the matter of colonialism and national discrimination in sports as practiced by the Olympic Committee of the USSR, to identify the achievements of the non-Russian athletes of the Soviet team according to their proper nationality, and to invite Ukraine to the next Olympiad in 1972.

MEXICO CITY, *October 12, 1968.*

LIST OF UKRAINIAN ATHLETES ON THE SOVIET OLYMPIC TEAM

The Ukrainian Olympic Movement in Exile (Ukrainian World Committee for Sport Affairs) requests the International Olympic Committee, the Organizing Committee for the XIX Olympiad, press agencies and reporters to identify the achievements of the non-Russian athletes of the Soviet Olympic team by their proper nationality.

A list of Ukrainian athletes on the Soviet Olympic team follows:

Basketball:

1. Anatoly Palyvoda, born 1947, student, Kiev.

Boxing:

2. Victor Zaporozhets, born 1947, student, Mykolayiv.
3. Volodymyr Musalimov, born 1944, military man, Kiev.

Canoeing and Rowing:

4. Oleksij Mishyn, born 1941, student, Kiev.
5. Valentyn Kravchuk, born 1944, student, Kiev.
6. Volodymyr Sterlyk, born 1940, student, Kiev.
7. Olexander Shaporenko, born 1946, joiner, Sumy.
8. Volodymyr Morozov, born 1940, military man, Kiev.
9. Mykola Chuzhykov, born 1938, student, Lysychansk.
10. Heorhij Karyukhin, born 1939, operator, Kherson.
11. Yury Stetsenko, born 1945, student, Kiev.

Cycling:

12. Serhij Kravtsov, born 1948, student, Kharkiv.
13. Ihor Tselovalnykov, born 1944, student, Kharkiv.

Fencing:

14. Victor Putyatin, born 1941, military man, Kiev.
15. Hryhorij Kryss, born 1940, military man, Kiev.
16. Yosyp Vitebskyj, born 1938, post-graduate student, Kiev.
17. Victor Sydyak, born 1943, military man, Lviv.
18. Vasyl Stankovych, born 1946, teacher.

Pentathlon, modern:

19. Pavlo Lednyov, born 1943, military man, Lviv.
20. Borys Onyshchenko, born 1937, teacher, Kiev.

Shooting:

21. Anatolij Onyshchuk, born 1940, military man, Lviv.

Swimming:

22. Lidya Hrebets, born 1953, student, Poltava.
23. Zoya Dns', born 1952, student, Luhans'k.
24. Tetyana Devyatova, born 1948, student, Kharkiv.
25. Yevhen Mykhayjov, born 1947, military man, Poltava.
26. Volodymyr Nyemshylov, born 1948, student, Lviv.
27. Yury Hromak, born 1948, student, Lviv.

Track and Field:

28. Lidya Tkachenko, born 1946, student, Kharkiv.
29. Valentyna Koxyr, born 1950, student, Kiev.
30. Lidya Tsymosh-Yasins'da, born 1942, teacher, Lviv.
31. Valentyna Evert, born 1946, technician, Kharkiv.

32. Oleksij Kholopotnov, born 1946, student, Kharkiv.

33. Yevhen Arzhanov, born 1948, student, Kiev.

34. Yury Volkov, born 1938, technician, Kryvyj Rih.

35. Vyacheslav Skomorokhov, born 1940, teacher, Luhans'k.

36. Victor Kudyns'kyj, born 1943, military man, Kiev.

37. Volodymyr Holubnychyj, born 1936, teacher, Sumy.

38. Leonid Borkovskyj, born 1940, military man, Kiev.

39. Hennadij Blybnetsov, born 1941, engineer, Kharkiv.

40. Mykola Avilov, born 1948, student, Odesa.

Volleyball:

41. Volodymyr Byelyayev, born 1944, student, Luhans'k.

42. Volodymyr Ivanov, born 1940, teacher, Kiev.

43. Yevhen Lapynskyj, born 1942, teacher, Odesa.

44. Vasylyus Matushevas, born 1945, student, Kharkiv.

45. Victor Mykhalchuk, born 1946, student, Odesa.

46. Yury Poyarkov, born 1937, teacher, Kharkiv.

47. Borys Tereshchuk, born 1945, student, Kiev.

Water Polo:

48. Olexij Barkalov, born 1946, student, Kharkiv.

Weightlifting:

49. Volodymyr Byelyayev, born 1940, military man, Kiev.

50. Leonid Zhabotynskyj, born 1938, military man, Kiev.

Wrestling:

51. Volodymyr Hulyutkin, born 1942, student, Kiev.

52. Borys Hurevych, born 1937, military man, Kiev.

Yachting:

53. Valentyn Mankin, born 1938, engineer, Kiev.

Cycling:

54. Yury Dmytriyev, born 1948, student, Lviv.

55. Anatolyj Starkov, born 1946, student, Kharkiv.

CONGRESSMAN BARRATT O'HARA

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. MADDEN. Mr. Speaker, today we are adjourning the 90th Congress sine die. Congressman Barratt O'Hara, soldier, newspaperman, patriot, and statesman is terminating his long career as the Representative of the Second District of Illinois today.

Congressman O'Hara is the only Spanish-American War veteran now serving as a Member of the U.S. House of Representatives. He is one of the few Spanish-American War Veterans who is active and enjoying good health and the rewards of old age in the Nation today. I speak for all my colleagues in this Nation's legislative body when I express our sorrow and regret that he is leaving the Congress for a well-deserved retirement when the bells of adjournment ring this afternoon.

In 1912, as a young man, Barratt was elected Lieutenant Governor of Illinois. After serving as Lieutenant Governor of Illinois he entered the armed services of our country for the second time during World War I.

When Lieutenant Governor of Illinois in 1913, he appointed a commission from the State senate of which he was chairman. The Chicago Tribune last June paid a great tribute to Barratt's long career. Excerpts from this editorial follow:

> Barratt has always pointed with pride to his attendance record, one of the best in the history of Congress. Except for two months, when he was serving as a special United States delegate to the United Nations several years ago, O'Hara had missed only one roll call in the House since he was elected in 1948.
>
> That one came while he was campaigning in Chicago, on a day when he had been promised there would be no roll calls.
>
> Thursday, a few hours after O'Hara returned from Chicago, three bells rang in his office, signaling a roll call vote. But, instead of dropping what he was doing and heading for the floor, as he has been doing for nearly 18 years, the veteran legislator smiled at an aid and said "Thank God, I don't have to worry about those anymore."
>
> Several hours later, the three bells again sounded, signaling another vote. O'Hara shrugged shoulders, smiled, and went back to his correspondence.
>
> "I knew they weren't key votes," he explained later, "or I'd have gone over."
>
> #### HEADED AFRICAN COMMITTEE
>
> O'Hara spent most of his career in the House on the foreign affairs committee, and headed the African subcommittee since its conception in 1959.
>
> He sees a great future for the African continent, comparing circumstances there now with the way America was growing 70 years ago.
>
> His outlook for America isn't quite so rosy. He fears that America may be getting soft during its prosperity. He is frightened by the growing nuclear arsenals thruout the world.
>
> "You can't serve on the foreign affairs committee as long as I have without feeling deep concern," O'Hara said. "World War III is inevitable, I fear, and I'm not sure our civilization will survive the next half dozen years."
>
> His greatest fear is Red China, which he believes will have the potential to deliver a nuclear bomb within the next two years.
>
> #### RECALLS "PUEBLO" INCIDENT
>
> "The night a group of us was called to the White House to be told about the capture of the Pueblo, we all know how close we could be to World War III," he said.
>
> O'Hara has made many trips to the White House, at the behest of both President Johnson and the late President Kennedy.
>
> "I served in the House with Jack Kennedy," he recalled, "And I told him one day that he got his sweetness from his mother's father, who was the mayor of Boston at one time.
>
> "We were always friendly and about two weeks before he was killed, he served as a guide when I took several constituents thru the White House," O'Hara continued. "When we left, he said 'Barratt knew my grandfather.' Those were the last words I heard him say."
>
> #### VOLUNTEERS FOR THE INFANTRY
>
> O'Hara, the only Spanish-American war veteran in the House, first saw the nation's capital during that war. He volunteered in his native St. Joseph, Mich., for the 33d Michigan volunteer infantry, at the age of 15, and was sent to Camp Alger, which was at what now is suburban Falls Church, Va.
>
> "I was just a kid at the time," O'Hara reminisced, "and went out one day in search of a quart of fresh milk.
>
> "I found a farmhouse and told the woman of the house that I didn't have a nickel at the time, but would come back and pay her the next day," he said. "She gave me the milk and then we were shipped out that very night for Cuba, landing there three days after Teddy Roosevelt and his Rough Riders.
>
> "When I first came to Congress, I went out to Falls Church several times, trying to find that woman and give her that nickel I owed her," O'Hara chuckled. "But I could never find that farmhouse."
>
> O'Hara said he plans to write a book in his retirement from Congress. No author of fiction would dare create a character who has lived O'Hara's life, because it would be too unbelievable.
>
> #### EXPLORED THE JUNGLES
>
> Even before his early enlistment which led to his trip to Cuba, O'Hara had explored the jungles of Nicaragua, seeking a route for the Panama canal. Later he was a newspaper man [which he looks back on as his happiest days], a criminal lawyer, a radio announcer, and the youngest lieutenant governor in the history of Illinois.

ELECTION OF PRESIDENT IN THE HOUSE OF REPRESENTATIVES

HON. CARLETON J. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. KING of New York. Mr. Speaker, during the past few weeks many people have written to me expressing their interest as to the procedure established by the Constitution for electing a President in the event the election is thrown into the House of Representatives. I am preparing a yearend report to my constituents and I have tried to explain the procedure that would be followed in the event the election is to be decided by the House of Representatives. I wish to share with my colleagues the following statement which will appear in my yearend report, exactly what will happen if no one wins in November. The article follows:

> If *no* candidate receives a majority of the electoral vote (278), then the House must elect a President. However, this vote is not by individual Member, but by each State. *The unit rule prevails with each state having only one vote.*
>
> Each State's vote is determined by a majority of the Congressional delegation. Missouri, for example, now has eight Democrats and two Republicans in its Congressional delegation. If this ratio is unchanged in the November election, Missouri's one vote would reflect the Democrat majority, and presumably be cast for the Democratic nominee . . . Humphrey.
>
> It is even possible for one Party to control a numerical majority of the House, and for the other Party to elect its candidate for President by virtue of controlling more State delegations. For example, despite the difference in population, New York and Rhode Island would *each have only one vote, and could balance each other off* even though the total number of Representatives in both states favored one of the two Parties! (The third Party candidate has no Congressional delegations).
>
> To be elected a candidate must receive 26 votes, a majority of the 50 States. If only a few States are evenly divided in their Congressional delegations, it is possible *that no one will receive a majority.*
>
> In this event, the Vice-President Elect would become the acting President. He would be chosen by the Senate. But the procedure

differs from the House. The choice is limited to the *two* candidates with the highest number of electoral votes (thus probably eliminating the third Party candidate from consideration.) Each Senator votes as an individual, so here it is far more likely that one or the other Vice-Presidential candidates would receive a majority (51 required out of 100 Senators). At the present time there are 37 Republican Senators and 67 Democrat Senators, though, of course this could change in November.

The Vice-President-Elect would then serve as acting President until such time as the House is able to elect a President. But the House deadlock could last indefinitely . . . perhaps for months. Obviously any Foreign or domestic crisis during this time could result in a chaotic situation.

These are the possibilities that now exist, and I believe it is incumbent upon all citizens to be familiar with what could happen next January, regardless of how they personally intend to vote.

GARY POST TRIBUNE ENDORSES VICE PRESIDENT HUMPHREY

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. MADDEN. Mr. Speaker, the Gary, Ind., Post Tribune on Sunday, October 6, joined the New York Times, Denver Post, Atlanta, Ga., Constitution, the Nashville Tennessean, the Santa Barbara, Calif., and Daytona, Fla., papers, and a number of other newspapers endorsing the candidacy of Vice President HUMPHREY for President of the United States.

In the following editorial the publisher sets out just a few of the outstanding qualifications, and experience, of the Vice President for being the only candidate in the field with a background of public service accomplishments.

[From Gary (Ind.) Post Tribune, Oct. 6, 1968]

AS WE SEE IT: OUR CHOICE FOR PRESIDENT OF THE UNITED STATES

To put it bluntly, Hubert H. Humphrey is of the major candidates the man best qualified to be President of the United States.

This country is in a moment of political evolution—or revolution. The old political patterns are breaking up. New ideas, new ambitions and new desires are everywhere evident. New problems and new aspirations cry out for new solutions and new goals. Some of the new demands are asinine and self-seeking. Many others however are rooted in discontent, in frustration, and in a very real feeling of somehow missing a piece of the action. These unhappinesses and dissatisfactions, so strikingly illustrated in so many different ways, cannot simply be brushed under the rug in the wild hope that somehow, some way, they will disappear.

The country, whether it wants to or not, will under the force of events and people take on new and sometimes seemingly strange directions—and this will be true whether the next President is Richard M. Nixon or George C. Wallace or Hubert H. Humphrey. The pressures of our times make it clear that any president notwithstanding political party allegiance will need to fashion bold and imaginative new programs to deal with the burgeoning problems of our cities, of our race relations, of our rapidly expanding suburbs and of our as always beleaguered agricultural community. We have urgent need for a re-assessment of our foreign policy, not only in regard to the thorny puzzle of Vietnam, but in the basic commitments of our diplomacy which is still operating on premises formulated in the late 1940s.

The current political campaign has thus far been singularly devoid of inspired oratory or specific suggestions for the amelioration of the many ills which beset the country. For presumably good reasons of their own, each of the candidates apparently feels himself a prisoner of his position or his prospects or his past. We cannot judge the candidates by what they have said in the campaign for in essence they have spoken much and said little.

We must therefore judge them on their records. It is his record which recommends Vice President Humphrey to the thinking person as the best qualified of the candidates to be President during the next eventful and crucial years in our history.

Hubert H. Humphrey is a man of imagination, of boldness and of creativity. His record in the field of domestic affairs is outstanding. Civil rights, social security, enlightened farm programs, medicare, the Peace Corps, help for the urban centers—you name it and Hubert Humphrey was in the forefront of the battle long before most people knew there was a battle. He is a man of deep sensitivity and compassion whose basic philosophy of both government and human relations can best be summed up in the words of the poet, Robert Burns: "A man's a man for all that."

He is a man of vast experience as mayor of a major American city, as an outstanding legislator, as a man who has seen the world at first hand and understands it as it is. What he might or might not have done differently in Vietnam had he been President, no one knows, but then the same can be said about the other two major candidates.

There is hardly a working man, a housewife, a senior citizen, a black man or a Latin-American in the United States whom Humphrey has not tried to help. There is no reason to believe he would try less hard as President than he did as mayor, senator and vice president. The young can be sure that he of all the candidates can best understand and sympathize with their problems.

For all of these reasons, The Post-Tribune recommends the election of Hubert H. Humphrey as President of the United States.

JUSTICE MICHAEL A. MUSMANNO, OF THE SUPREME COURT OF PENNSYLVANIA

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. ANNUNZIO. Mr. Speaker, I rise today with a feeling of great personal loss and profound sadness for on Columbus Day, October 12, 1968, a dear friend and one of the outstanding author-jurist-legislators of our time—Justice Michael A. Musmanno of the Pennsylvania Supreme Court—died suddenly at the age of 72.

Of Italian ancestry, Justice Musmanno was a gentle man with a patrician bearing. Yet his strength, his idealism, and his dedication to public service were always evident in his exciting and crowded career.

He first gained prominence as the young attorney who defended Nicola Sacco in the famous Sacco-Vanzetti case in Massachusetts in 1926. Later he served as a member of the Pennsylvania General Assembly and was instrumental in gaining passage of various reform measures. He served our country with distinction—in World War I in the Army—and again in World War II in the Navy as a lieutenant commander assigned to the Judge Advocate General's office.

Following the war, Justice Musmanno was one of the American prosecutors of war criminals at Nuremberg. At the time of his death, he was next in line for Chief Justice of the Pennsylvania Supreme Court.

To all of these legal and judicial posts, Justice Musmanno brought a passion for personal liberty and an intense sense of the law as an instrument of justice. He was an unremitting foe of those who would encroach on the dignity and freedom of mankind.

One of the dreams closest to his heart was to have Columbus Day established as a national legal holiday. Just before his death on the 476th anniversary of Columbus' discovery of America, his dream was realized, and this, at least, is a source of gratification to me.

Justice Musmanno lived a life rich with fulfillment. He will be mourned and missed by all of us, and particularly by the Italo-American community which he served so well and to which he brought such great honor.

Mrs. Annunzio and I express our heartfelt sympathy to the members of the Musmanno family. In our hearts and minds, he shall live on forever. His work, his writings, and his teachings shall never be forgotten by millions and millions of Americans who appreciated the brilliant and dedicated service he gave to his country during the entire span of his career.

An article about Justice Musmanno which appeared in the October 13 Washington Post follows:

JUSTICE MUSMANNO DIES IN PENNSYLVANIA

PITTSBURGH, October 12.—Justice Michael A. Musmanno of the Pennsylvania Supreme Court, a defense lawyer in the Sacco-Vanzetti case, a prosecutor in the Nuremberg war trials and a witness against Adolph Eichmann, died tonight in Mercy Hospital. He was 72.

The author-jurist-legislator was felled by a stroke at his apartment early Friday and taken to the hospital. Death was attributed to cerebral vascular accident.

Doctors said Musmanno suffered a "massive cerebral hemorrhage on his left side." Although partially paralyzed and in critical condition, he regained consciousness and communicated with doctors by squeezing their hands.

Late this afternoon, the hospital announced, he "took a dramatic turn for the worse" and his family was summoned. Last rites of the Roman Catholic Church were administered.

Justice Musmanno's colorful career spanned three generations. He first bolted into prominence as a young Pittsburgh lawyer who, without compensation, helped to defend Nicola Sacco in the famous Sacco-Vanzetti case in Massachusetts in 1926.

He maintained that the two men were innocent throughout his life.

Later, as a member of the Pennsylvania General Assembly, Justice Musmanno was instrumental in passing legislation that abolished the hated coal and iron police who ran roughshod in many small mining communities in the 1930s breaking up strikes.

His experience led to a book and later a movie, "Black Fury." The movie starred Paul Muni. He was the author of at least 11 books.

He warred on drunken drivers as a Common Pleas Court judge in Allegheny County. On New Year's Eve, 1951, 8,000 spectators, many in evening clothes, streamed through his courtroom to witness the discomfiture of fellow revelers who had been caught.

He enlisted in the Army in September, 1918, and was honorably discharged five months later. In 1942, he entered the Navy as a lieutenant commander assigned to the judge advocate general's office.

During World War II he was military governor of the Sorrentine peninsula in Italy and was on the staff of Gen. Mark Clark. Gen. Clark remained one of his greatest heroes.

At the end of the war he served with the commission established to certify the death of Adolf Hitler. Later, President Truman appointed him as one of the American prosecutors of war criminals at Nuremburg. In 1961, at the request of the Israeli government, he testified at the trial of Adolph Eichmann.

Justice Musmanno was elevated to the Pennsylvania Supreme Court in 1952 and was next in line for Chief Justice.

One of his great disappointments came in 1964, when he ran for the U.S. Senate in the Democratic primary. He was defeated in a bitter election by Genevieve Blatt, who later lost to Sen. Hugh Scott, a Republican.

Among the many campaigns waged by Justice Musmanno was one to have Columbus Day established as a national holiday.

HUMPHREY-MUSKIE CALL FOR RELIGIOUS FREEDOM

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. TENZER. Mr. Speaker, this past weekend thousands of Americans throughout the Nation met in demonstrations of solidarity with Soviet Jews on the eve of the celebration of the Jewish holiday, Simchas-Torah.

The Vice President of the United States Hubert H. Humphrey sent his message of solidarity to these demonstrations in major cities across the Nation, including New York's Central Park and the Washington Monument.

The message of the Vice President and his running mate Senator Muskie was clear, unequivocal, and of importance to all Americans.

The Vice President has long been a friend of Israel—of the Jewish people—and an outspoken critic of Soviet oppression of Jewry. Senator Muskie has also been a leader in the fight to bring world opinion to bear on the Russians for their treatment of Jews. Senator Muskie—a man who has fought for minority groups and who recognizes the problems of minorities abroad as well as at home—joined the Vice President in the following telegram which I place in the Record at this point:

Rabbi Israel Miller,
Chairman, American Jewish Conference on Soviet Jewry, New York, N.Y.:

I want to take the occasion of this weekend's nation-wide Simchas Torah demonstrations of solidarity with Soviet Jews to reaffirm my long-standing opposition to continued restrictions on Jews in the Soviet Union.

We must continue to protest these restrictions on the Jewish community in the Soviet Union and to decry anti-semitism not only in the U.S.S.R. but where it exists. We should encourage the Soviet leaders to make religious freedom and cultural expression, including the training of spiritual leaders, a reality for millions of Russian Jews.

Senator Muskie joins me in our expression of solidarity. We pray that the joy of the Simchas Torah festival will, in the future, have meaningful year-round expression for Jews all over the world.

Sincerely,

Hubert H. Humphrey.

I am sure my colleagues in the House will join me in a call for restoration of cultural and spiritual dignity to Jews in the Soviet Union.

The Vice President and Senator Muskie, by their statement of solidarity with Soviet Jews, have made the point that when the basic rights of any person or any group are threatened, then the rights of all of us are in danger.

WHITE HOUSE ACTUATES JETS TO ISRAEL NEGOTIATIONS

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. PODELL. Mr. Speaker, as one who played a leading roll in obtaining congressional approval of a resolution to sell Phantom supersonic jets to Israel, I applaud President Johnson's affirmative response to this congressional mandate by directing the State Department to enter into immediate negotiations with Israel.

This action is a major first step toward creating the circumstances for establishing a firm and permanent peace in the Middle East. The sale of Phantom jets to Israel will restore the balance of military power in that critical area, without which the aggressive intent of the Arab States cannot be curbed. It will demonstrate to the Soviet Union the utter futility of escalating the arms race in the Middle East, an arms race which could possibly trigger an East-West confrontation in that region. It will create a framework within which bilateral agreements can be effectively worked out for reducing the scale of armament deliveries into the Middle East.

On Tuesday, October 8, 1968, Foreign Minister Abba Eban enunciated at the General Nations Assembly nine principles essential for peace in the Middle East. Within those principles lie a reasonable formula for peace in the region and for the creation of conditions under which the Arab States and Israel may develop their resources in peaceful pursuit of higher living standards for their respective populations. The Eban proposals have revived the hopes for ultimate success of the United Nations peace mission of Dr. Gunnar V. Jarring.

The announcement by the White House that the State Department will initiate negotiations for the sale of Phantom jets to Israel is a further contribution to the success of the Jarring mission for peace in the Middle East.

Indeed, the announcement on Thursday, October 10, by the Foreign Minister of the United Arab Republic that Egypt is prepared to agree to a timetable set down by Dr. Jarring for execution of last year's United Nations resolution for settlement of the Middle East dispute may well be an acknowledgment by Egypt of the futility of a continuing arms race with Israel in light of the prospective sale of the Phantom jets.

THE PROUD RECORD OF THE 90TH CONGRESS

HON. JOHN W. McCORMACK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. McCORMACK. Mr. Speaker, America is a growing country. America is a changing country. America is a dynamic country. Our people have needs which must be met, and as the elected representatives of the people, we must look upon these needs as challenges. It is up to the Congress to provide the framework of laws to help America move forward.

The 90th Congress has done an outstanding job of moving America forward. In normal times, this Congress would be referred to as one of the great Congresses in the 20th century. Coming on the heels of the 89th Congress, however, the 90th Congress does not get the recognition it deserves.

Putting them together, I would say that the past two Congresses did more to move America forward than any other two consecutive Congresses, including the historic years of the early Roosevelt administration.

One reason people may be unaware of how much was done by the 90th Congress is that America has come to expect a record of progress by Democratic Congresses.

With the leadership and initiative of President Johnson, legislative landmarks have become commonplace. The people of this country clearly do not believe that we have achieved the best of all possible worlds. They want action and they want progress, and the 90th Congress gave them both.

Consumers were given additional protection.

Cities received massive help to begin the long process of revitalization.

Students, from first grade to graduate school, were given new assistance.

The health of our citizens was advanced through medical service and research programs, and through new attacks on our polluted environment.

Our older citizens received new benefits.

Millions of poor people moved above the poverty level.

The economy was kept on an upward course.

Great progress was made in conservation of our natural beauty and resources.

America's position of strength and respect in the world was maintained.

New ground was broken in the struggle for equal rights.

A massive attack was launched against crime and disorder.

Veterans and Government workers made new gains.

Gun controls were enacted into law.

I could continue, but I think the point has been well made that the 90th Congress carved out for itself a special niche in the history of America.

There has been a great deal of talk lately about the so-called inadequacy of the Congress as a major public institution in the modern world. This is a charge easy to make and difficult to back up. When we look at the record, the conclusion is inescapable that the 90th Congress, working in cooperation with President Johnson, has met its responsibilities.

It has met its responsibilities to the American consumer.

The 90th Congress could aptly be termed the "consumer's Congress." During the 1967 session, we enacted into law a strong program of Federal standards in inspection of meat and meat products. This measure authorizes a program of Federal-State cooperation to bring State meat inspection systems to level comparable to the Federal inspection system, States being required to initiate meat inspection at least equal to Federal requirements. If a State fails to design and enforce such a program within 2 years, the Agriculture Secretary is authorized to assume actual inspection of the State's plants doing intrastate business. The measure also contains emergency authority for the Secretary to impose Federal inspection of any intrastate plant which is processing meat dangerous to the public. The year 1968 saw the passage of a companion measure, the Poultry Products Inspection Act, to provide for cooperation with appropriate State agencies with respect to State poultry products inspection program.

In 1967, we acted to strengthen the 1953 Flammable Fabrics Act in order to cover all wearing apparel and home and office interiors furnished with materials of fabric or related materials. In 1967, this Congress also established a seven-member National Commission on Product Safety, which was directed to study the effectiveness of the existing State and Federal laws in controlling such products and to report to the Congress its findings and recommendations within 2 years.

An even greater legislative output on behalf of the American consumer characterized the 90th Congress second session. The Truth-in-Lending Act requires, effective July 1, 1969, the disclosures of credit, annual rates of finance charges on loans and installment credit, and annual as well as periodic disclosure of charges on revolving credit accounts. It requires meaningful disclosure of interest on first mortgages and permits persons to exempt themselves from fraudulent second mortgages within 3 days of agreement. Garnishment of wages by creditors is restricted and penalties for loan sharking are provided.

During the past year, we also directed the Secretary of Transportation to conduct a comprehensive study and investigation of all relevant aspects of the existing motor vehicle accident compensation system. The Fire Research and Safety Act of 1968 establishes a national fire research and safety program and expresses the sense of Congress that the Secretary of Commerce should establish fire research and safety centers for administration and carrying out the purposes of the legislation. It also establishes a National Commission on Fire Prevention and Control to study the problem and submit its report to the President and the Congress within 2 years.

In addition, there was incorporated in the Housing and Urban Development Act of 1968 a provision on Interstate Land Sales, making it unlawful for any developer to sell or lease, by use of the mail or by any means in interstate commerce, any lot in any subdivision of 50 or more lots offered as part of a common promotional plan unless, first, the subdivision is registered with the Department of Housing and Urban Development, and, second, a printed property report is furnished to the purchaser in advance of the signing of an agreement for sale or lease.

A measure to improve gas pipeline safety by giving authority to the Secretary of Transportation to set minimum Federal safety standards to be observed by all persons engaged in the transportation of gas was enacted into law. The Secretary is required to set these standards no later than 24 months after enactment.

The 90th Congress has acted to meet its responsibilities to our cities.

The Housing and Urban Development Act of 1968 provides aid in the form of reduced interest costs on mortgages to low- and moderate-income families trying to buy a home. This will afford many American families the opportunity, for the first time, to own their own home. Title II of the law will help to provide additional rental housing for low- and moderate-income families and authorizes an increase in public housing. Other principal sections: First, provide guarantees for financing the development of new communities; second, amend and improve the urban renewal program and authorize additional funds for rehabilitation; third, broaden and extend urban planning assistance programs; fourth, increase the authorization for urban mass transportation; fifth, authorize the creation of private profitmaking corporations to encourage maximum participation of the private sector of our economy in building low- and moderate-income housing; sixth, provide direct and insured loans in rural areas where other aid is not available; seventh, provide for reinsurance coverage by a Government corporation for insurers against property losses resulting from riots or civil disorders; eighth, authorize a national flood insurance program for one- to four-family homes through the cooperation of the private insurance industry and the Federal Government; ninth, increase the authorization for the model cities program, which holds so much promise for the rehabilitation of vital portions of our Nation's cities; and finally, tenth, direct the President to report to the Congress no later than January 15, 1969, on housing construction and rehabilitation goals and plans for the next 10 years.

The 90th Congress has also acted to meet its responsibilities in the field of education.

The first session of the 90th Congress extended the Elementary and Secondary Education Act through fiscal 1970; authorized new funds totaling $9.2 billion; authorized a new program of special incentive grants to be distributed to those States whose educational effort exceeded the national education effort; added a program of demonstration projects to prevent dropouts; authorized a new program of bilingual grants; authorized demonstration projects in the field of school bus safety, and extended the Adult Education Act through 1970. In 1967, we also in the Education Professions Development Act extended the Teachers Corps through fiscal 1970 and authorized $33 million for fiscal 1968, $46 million for fiscal 1969, and $56 million for fiscal 1970. This legislation also established a National Advisory Council on Education Professions Development and four new programs beginning in fiscal 1969 to provide: Grants and contracts to attract qualified persons to the education field; grants to local educational agencies experiencing critical shortages of teachers; grants and contracts to provide advance training; fellowships, traineeships, institutes and preservice and inservice training.

The Public Broadcasting Act of 1967 provided grants for construction of educational television and radio facilities; established a corporation for public broadcasting to facilitate expansion and development of noncommercial broadcasting and program diversity; and authorized the Secretary of Health, Education, and Welfare to conduct, a comprehensive study of instructional television and radio.

In 1968, we placed on the statute books the higher education amendments to amend and extend for 5 years the Higher Education Facilities Act of 1965, the Vocational Loan Insurance Act, and the National Defense Education Act; to consolidate the NDEA student loan, educational opportunity grants, and work-study programs, and provisions for special services to disadvantaged college students; to grant funds for cooperative education programs; to establish cooperative, specialized library and computer networks between higher education institutions—"networks for knowledge"—to provide grant and fellowship programs for education for the public service. We also amended and expanded the Vocational Education Act of 1963 to assist the States in maintaining, extending, and improving existing programs of vocational education, to develop new programs of vocational education, and to provide part-time employment for youths who need such financial assistance to continue their vocational education on a full-time basis. New programs authorized include programs to broaden the occupational aspirations and opportunities of youth, programs to meet the special needs of the socially and economically handicapped, and an expanded work-study program.

Public Law 90–348 extends for 1 year the authorization for appropriations to the National Foundation on the Arts and Humanities and expands its programs. Likewise, the National Science Foundation Act of 1950 was amended during the first session to make changes and improvements in the organization and operation of that foundation. The Preschool Centers Supplementary Education Act provides grants to improve the educational services in public and private nonprofit child day care centers.

The 90th Congress passed two significant measures on vocational rehabilitation. In 1967, we enacted Public Law 90–99 authorizing $500 million in fiscal 1969 and $600 million in fiscal 1970 for grants to the States for vocational rehabilitation services and to assist in establishing and operating a national center for deaf-blind youths and adults. In 1968, we acted further to extend the authority and operation of the Vocational Rehabilitation Act for grants to States, special projects and facilities and workshops through 1971. Minimum allotments of $1 million are provided for States and authority is given for State grant funds to be used for new construction of rehabilitation facilities and workshops. Rehabilitation services for the mentally retarded are also authorized as are grants for manpower programs to agencies serving handicapped individuals. The Federal share of the Federal-State program is increased from 75 percent to 80 percent, and a new program of vocational evaluation and work adjustment to serve the disadvantaged is established.

It has met its responsibilities in the field of health.

The first session of the 90th Congress enacted the Air Quality Act of 1967 which authorizes $428.3 million over a 3-year period to improve and expand existing authority to conduct or assist research relating to air pollutants, to assist in establishing regional air quality commissions, to establish standards and to assist in establishing and maintaining State programs; 1967 also saw the enactment of the mental health amendments which extended through June 30, 1970, Federal grants for the construction of community mental health centers with an authorization of $50 million for 1968, $60 million for 1969, and $70 million for 1970; and extended for 2 years through fiscal 1970 grants for staffing community mental health centers with an authorization of $26 million for 1969 and $32 million for 1970. We also extended in the Mental Retardation Amendments of 1967, through fiscal year 1970, the public health laws relating to mental retardation and authorized $226 million in new appropriations to improve and expand this program. The Partnership for Health Amendments of 1967 amended the Public Health Service Act to extend and expand the partnership for health programs through fiscal 1970 and authorized a total of $589 million in new appropriations to expand and improve these programs—$40 million of this amount will be used for the rat control program.

The second session of the 90th Congress also placed upon the statute books a series of far-reaching measures in the field of health. We authorized the establishment of a National Eye Institute to mobilize an attack on blindness and other visual disorders. This new Institute was directed to conduct research and training in special health problems and requirements of the blind and in the basic and clinical sciences relating to the mechanism of the visual function and preservation of sight. The Radiation Control for Health and Safety Act of 1968 directs the Secretary of Health, Education, and Welfare to protect the health and safety of the public from the dangers of radiation from electronic products. The Regional Medical Programs Act passed in 1968 extends the program of grants initiated by the Heart Disease, Cancer, and Stroke Amendments of 1965 to establish regional medical programs. It also extends the health service program for agricultural migratory workers for 2 years and provides grants for the construction of facilities for the prevention and treatment of alcoholism as well as grants for the staffing, operation, and maintenance of such facilities. The Health Manpower Act amended existing legislation to extend and improve programs relating to the training of nursing and other health professions and allied health professions personnel as well as the program relating to student aid for such personnel, and the program relating to health research facilities.

It has met its responsibilities and its obligations to our senior citizens.

The Congress in 1967 amended the Social Security Act to provide an across-the-board increase of at least 13 percent for all social security beneficiaries with minimum monthly benefits being increased from $44 to $55. This was the largest increase in social security benefits in 32 years. It also raised the amount of outstanding permissible earnings for social security beneficiaries from $1,500 to $1,680. To finance these liberalizations, the taxable wage base was increased from $6,000 to $7,800. There was also created a 60-day, lifetime reserve and hospital benefits under medicare but with the requirement that the patient pay $20 a day toward the cost of this coverage.

We enacted the Older Americans Act providing for an extension of the Older Americans Act of 1965 for 5 years through fiscal year 1972, in 1967. It authorizes appropriations of $10,550,000 for fiscal 1968 and $16,950,000 for fiscal 1969 for community aging programs, and appropriations of $6.4 million in fiscal 1968 and $10 million in fiscal 1969 for research, demonstration, and training programs. It also authorizes the Secretary of Health, Education, and Welfare to conduct a study for the need of training personnel in the field of the aging.

In 1968, we acted to further enlarge the scope and expand the programs under the Older Americans Act. The 1968 legislation will improve the planning, coordination and evaluation of State programs by increasing the amount available for the cost of administering State plans. It will strengthen State agencies and give them more staff to work with and help local communities.

The 90th Congress has likewise acted to bar discrimination against workers between the ages of 40 and 65 because of their age.

The Age Discrimination Act of 1967 enacted by this Congress bars discrimination against workers or potential workers between the ages of 40 and 65 because of their age. It prohibits employers, employment agencies and labor organizations from engaging in any discriminatory practice in hiring workers between the ages of 40 and 65. The investigation and enforcement of the provisions of the act are similar to those of the Fair Labor Standards Act. Any aggrieved individual, as well as the Secretary of Labor, is authorized to bring court action against a violator if the Secretary of Labor has filed to bring voluntary compliance through conciliation. The Secretary of Labor is also authorized to carry out an education program to reduce the barriers to employment for older workers. A $3 million annual appropriation is authorized.

The 90th Congress met its responsibilities by acting to aid and assist the economically deprived and depressed.

The Economic Opportunity Amendments of 1967 authorized the continuation of the economic opportunity program for 2 years through fiscal 1969, with an authorization of $1,900,000,000 for fiscal 1968 and $2,818,000,000 for fiscal 1969. It contained a new provision requiring that after February 1, 1969, community action programs shall, except under unusual circumstances, be carried on by local governments. Twenty-five million dollars was earmarked for a program to feed the hungry, and a new program of day care centers to assist working mothers was provided.

The 90th Congress acted in 1967 to provide a 2-year extension of the food stamp program by authorizing $200 million for fiscal 1968 and $225 million for fiscal 1969. This outstanding program, initially enacted on a pilot basis in 1961 and established on a 3-year basis in 1964, enables low-income families in both the urban slums and depressed areas to purchase Government-subsidized stamps which increases their food-buying power at grocery stores.

This program has permitted these citizens to supply their children with something approaching the basic nutritional diet necessary for sound physical and mental growth. Its continuation was truly a great humanitarian gesture on the part of the Congress. In the second session we further increased the 1969 authorization to $315 million and provided an authorization of $340 million for 1970 and $170 million for the first half of 1971.

We passed the Appalachia Redevelopment Act Amendments of 1967. This measure authorized appropriations of $1.7 million for fiscal 1968 and 1969 for administrative expenses of the Appalachian Regional Commission. In addition, it authorized an appropriation to the President of $715 million for the 4-year period ending June 30, 1971, an increase of $175 million over the existing authorization for the same period, for the highway program. For the nonhighway program there was authorized for fiscal 1968–69 an appropriation of $170 million. Twenty counties in Mississippi, two in Alabama, and one each in New York and Tennessee were added to the Appalachian Region. In addition to extending and modifying the Appalachia program, this law also provided for the development of comprehensive long-range economic planning by the five regional commissions established under the Public Works and Economic Development Act of 1965, and authorized a new program of supplemental grants for these five regions.

The 90th Congress met its responsibilities and made giant gains in the field of conservation.

It enacted the Wild and Scenic Rivers Act. Eight rivers will initially be included in the system. There is also established a procedure for the inclusion of additional rivers in the future. Rivers included in the system are to be preserved in their natural state and used for esthetic and recreation purposes. Administration would be by the Secretaries of the Interior and Agriculture jointly with the States. In Public Law 90-401, we authorized such appropriations as are necessary from the general fund of the Treasury sufficient to bring the total receipts of the land and water conservation fund up to $200 million annually for fiscal years 1969-73; to provide further that receipts from Outer Continental Shelf activities shall be covered into the fund to the extent that appropriations from the general fund fail to achieve this objective. The Secretary of the Interior is authorized to enter into advance contracts to acquire land and waters for recreation areas during 1969 and 1970 within a $30 million limitation.

The 90th Congress also authorized a nuclear desalting plant. This measure authorizes the Interior Department to participate in the construction of a very large nuclear power and desalting plant in southern California. There is authorized to be appropriated $57.2 million as the Interior Department's share of the project's total cost of $444.3 million. The plant is to be built in cooperation with the AEC, the Metropolitan Water District of Southern California, and three California power companies. This southern California project offers the prospect of the first large-scale application of nuclear energy to the desalting process, the first large combined power and desalting plant, and the production of an unprecedented volume of commercially competitive desalted water.

In Public Law 90-394 we directed the Secretary of the Interior to make a study to aid in the prevention of injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and pesticides. The second session of the 90th Congress also cleared the long-stalled Redwood National Park in California. The park will comprise 58,000 acres in northern California. It created the North Cascade National Park in the State of Washington. It authorized the construction of the central Arizona project aimed at aiding and relieving water-deficient areas in Southwestern United States. It established a National Water Commission to provide for comprehensive review of national water resource problems and programs. A proposal for a national trails system, to promote public access to travel within and enjoyment of national and State parks, forests, recreation areas, and historic sites, has also been approved.

The 90th Congress met its responsibilities in the area of civil rights.

In 1967, we acted to extend the life of the Civil Rights Commission to January 31, 1973. The 1968 Civil Rights Act, Public Law 90-284, can take its place on the statute books alongside the 1964 Civil Rights Act and the Voting Rights Act of 1965, each of which is a milestone in the continuing effort to guarantee Negroes and other racial minorities a real stake in American life. Principal among the provisions of Public Law 284 are the protection of persons exercising their legal and civil rights by the Federal Government; the establishment of national fair housing standards to prevent racial discrimination in the rental or sale of housing; the extension of Federal jurisdiction to riots and other acts of civil disobedience which threaten interstate commerce; and the protection of the basic rights of American Indians. Another measure which will help to insure justice for members of racial minorities is the Jury Selection and Service Act. It requires that jury selection in Federal courts be random and precludes discrimination of any kind.

The 90th Congress has acted to meet its responsibilities in the area of law enforcement. It enacted the Omnibus Crime Act, Public Law 90-351. The most notable features of this new law are the following: First, authorization of Federal grants to States to aid State and local law-enforcement agencies combat crime and prevent or control riots; second, permission, under certain circumstances, to admit into evidence voluntary confessions of crime even when the suspect was not advised as to his constitutional rights; third, permission for wiretapping and electronic surveillance by police under certain conditions; and fourth, prohibition of interstate shipment to individuals of pistols and revolvers, and regulation of over-the-counter sale of handguns. Other measures aimed at controlling or preventing crime and its tragic side effects are: the Juvenile Delinquency Prevention and Control Act, providing assistance to courts, correctional systems, and community agencies to help deal with troublesome youthful criminals; drug use legislation, which provides for increasing penalties for illegal manufacture of and traffic in LSD and other dangerous drugs; and a gun-control law which regulates the interstate sale of rifles and shotguns.

The Congress also acted to meet its responsibilities to both our Federal civilian employees and members of the armed services.

Congress passed the Postal Revenue and Federal Salary Act of 1967 providing a first-step raise of 6 percent for 725,000 postal employees and a 4.5-percent increase for 1.3 million classified workers retroactive to October 1, 1967, making various adjustments in postal rates, establishing a commission on executive, legislative, and judicial salaries whose function will be to review salaries of Federal executives, Members of Congress, and Federal judges, and submit a report of its views and recommendations to the President, and making it illegal for Federal officials to hire a relative. In addition, postal employees received a second pay increase of 5 percent in July of 1968, and the President as authorized gave classified employees adjustments in July of 1968 to close one-half of the difference between their salary levels and comparable private enterprise salary levels. The final third phase adjustment is provided for July of 1969 for all Government employees to bring their salaries up to a par with private enterprise salaries.

In 1967, Congress also enacted a military pay bill. It provided for an increase in the monthly pay of servicemen, effective October 1, 1967, a 4.5-percent increase for regular compensation, including basic pay, quarters, and subsistence allowance. Further, it provided for automatic military pay raises in the future that would correspond to salary increases for Federal civilian employees.

The 90th Congress acted to meet its responsibilities to our veterans.

We enacted into law the Veterans Pension and Readjustment Assistance Act of 1967. This measure gave veterans and their dependents a cost-of-living increase in pension payments, provides full wartime rates of compensation for those injured during the Vietnam era, and pensions for those who become disabled, higher educational allowances for veterans attending college under the cold war GI bill, and a number of new training programs under that law.

In the second session we enacted Public Law 90-301 to increase GI home loans from $7,500 to $12,500. This measure also eliminated the $7,500 ceiling which had been in effect since 1950 by authorizing 60-percent coverage on loans as high as $20,833, and 50 percent on $25,000 mortgages. An additional provision provides that a veteran may be reimbursed by the Veterans' Administration for any cost required to make a home structurally sound, durable, and livable.

In 1968, we also increased the basic compensation rate authorized for totally disabled veterans from $300 to $400 and adjusted compensation rates for those less than totally disabled to meet the increased cost of living. In Public Law 90-275, we increased the income limits which determine eligibility for the amount of veterans disability pensions. Pensioners may now receive greater amounts of income such as social security benefit increases without incurring a pension reduction. An additional measure enacted by this Congress during the second session extends educational assistance to widows of veterans killed in service. Finally, we gave our approval to House Concurrent Resolution 705 enunciating the policy of the Congress that veterans should be given employment preference in Government service.

The Congress also acted in a responsible manner in the area of fiscal policy.

We faced up to our responsibilities in the fiscal area by twice raising the debt ceiling in 1967. Public Law 90-3 raised the temporary national debt ceiling limit from $330 billion to $336 billion through June 30, 1967. Public Law 90-39 increased the permanent national debt limit to $358 billion effective in fiscal 1968.

The Revenue and Expenditure Control Act of 1968 provides for a 10-percent income tax surcharge on individual incomes, retroactive to April 1, 1968; and on corporate incomes retroactive to January 1, which will remain in effect until June 30, 1969; a $6-billion reduction in Federal spending in fiscal 1969; a $10-billion reduction in new obligational and loan authority below fiscal 1969 budget estimates; legislative recommendations by the President to rescind $8 billion of unobligated balances of obligational and loan authority approved prior to fiscal

1969; and extension of present excise tax rates on automobiles and communications through December 31, 1969. In addition, the Congress enacted legislation to repeal the gold cover for Federal Reserve notes and to provide for security measures for banks and other financial institutions.

The 90th Congress acted to meet its responsibilities in the field of agriculture by extending the Food and Agriculture Act of 1965. As enacted into law, this measure extends for 1 year, through 1970, the basic administration farm policy. The act provides supports for corn, wheat, feed grain, milk, wool, and mohair. In addition, it provides for voluntary crop reduction programs for wheat, cotton, and rice. A crop adjustment program provided payments to farmers who divert their entire crop and take conservation steps.

We likewise acted to meet our responsibilities in the international field.

Public Law 90–7, Food for India, passed in 1967, approved the participation of the United States in cooperation with other countries and multilateral organizations such as the World Bank, the OECE, and FAO, in international efforts to develop a self-help approach to the war on hunger, to assist India to achieve food self-sufficiency, and to help meet India's critical food shortages by providing agricultural commodities and other resources needed for food procurement or production. It also authorized the provision by the United States of up to 3 million tons of food grain in India, provided it was appropriately matched, and provided for the allocation of approximately $190 million in calendar year 1967 to cover the estimated cost of the grain.

Public Law 90–88—the Inter-American Development Bank—authorized an additional U.S. contribution to the Inter-American Development Bank of $900 million over a 3-year period—fiscal 1968–70. In addition in 1968, we enacted legislation authorizing the U.S. representative at the IADB to vote in favor of a $1 billion increase in the Bank's callable stock. This measure authorized the United States to subscribe to its proportionate share of the increase—$411,760,000.

The Interest Equalization Tax Extension Act of 1968 extended the interest equalization tax for 2 more years. This measure is aimed at relieving the chronic U.S. balance-of-payments deficit by making it more expensive for foreigners to borrow from U.S. sources.

During the past session, we extended the food for freedom program for 2 years, through December 31, 1970.

In 1968, we enacted two measures dealing with the Export-Import Bank. The first, the Export-Import Bank Act Extension, extends the life of the Export-Import Bank until June 30, 1973, and increases the bank's authority to issue export credit insurance, make loans, and extend loan insurance. The measure prohibits: First, bank transactions in connection with exports to nations in armed conflict with the United States, or countries trading with such nations; second, financing export purchases to "Communist" nations unless the President determines that such transactions are in the national interest; and third, Bank credits for military equipment sales to less developed countries unless the President determines that such sales are in the national interest. A second measure, Public Law 90–360, liberalizes the Bank's lending authority so as to permit it to make high-risk loans to borrowers previously ineligible for credit because of an inability to meet credit standards. The 90th Congress in 1968 also acted to extend the life of the Arms Control and Disarmament Agency through June 30, 1970, with an authorization of $18.5 million for the Agency's activities during the next 2 years.

The Congress in the Foreign Aid Authorization Act provided an authorization of $1,974,000,000 for foreign economic aid and military assistance for fiscal 1969, actual appropriations amounted to $1,755,600,000.

We acted to extend the Peace Corps and authorized an appropriation of $112.8 million for this organization during fiscal 1969, actual appropriations amounted to $102,000,000.

The Congress has met its responsibilities in the area of national defense.

We have provided a $72 billion defense appropriation for fiscal year 1969 the highest in our history, to keep our Nation secure at home and abroad.

In addition, we provided an appropriation of $1,758,376,000 for military construction.

We acted last year to extend the military draft and related statutes for 4 years to July 1, 1971. The new law changes the name of the 1951 Universal Military Training Services Act to the Military Selective Service Act of 1967. Besides extending the draft for men ages 18½ through 26, or up to 35 for those who receive deferment, it continues the authority to issue special calls for physicians and dentists to age 35 when they have been deferred for professional education. It also suspends the permanent limitations on the active duty strength of the Armed Forces.

This is the record of the 90th Congress. I submit that it is not the record of an indifferent, indecisive, or irresponsible Congress. It is the record of a determined Congress, determined to overcome political negativism and obstruction to support the leadership of the Johnson administration during these troubled times.

This Congress has performed well in spite of loud and persistent opposition from those committed to the proposition that we possess neither the funds, resources nor the will to build toward the progressive and humanitarian American society our people envision.

There are some who say "Congress should do more."

This could be said of every Congress, including the 89th. For no matter how much we accomplish, it is never enough so long as one American lacks opportunity or education or a decent house and future.

But by every realistic assessment, I think we can be proud of what we have accomplished during the past 2 years. The 90th Congress has in truth compiled an outstanding record of achievement.

PROGRESS AND DEVELOPMENT OF FOREST MANAGEMENT PROGRAMS

HON. RICHARD B. RUSSELL

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. RUSSELL. Mr. President, last week, it was my honor to address the meeting of the National Association of State Foresters in New Orleans.

For almost half a century, I have had an opportunity to observe, as well as participate in the development of forest management programs at every level of government. It was, therefore, an especial privilege for me to reflect on the progress of these programs and, in addition, make an appraisal of the challenges that confront us if we are to measure up to our obligation to insure that the forest resources of this country continue to serve the needs of our people.

I ask unanimous consent that the text of my remarks to the National Association of State Foresters be printed in the body of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

> Members, National Association of State Foresters, their charming ladies and guests, for many reasons, it is an especial privilege to be with you today.
>
> I am honored by the presence of so many distinguished Americans and, more particularly, to be the guest of the State Foresters of our nation. I congratulate you on meeting in this historic city. New Orleans is unique as one of the few American cities which has an atmosphere of its own and a special charm and majesty that I have always found enchanting.
>
> I would not speak anywhere in Louisiana without mentioning my very close ties of friendship with your two distinguished United States Senators. I can assure you that no State of the Union is more ably represented in the Senate than Louisiana.
>
> It is a source of sincere gratification to know that my efforts in the interest of forestry have met with the approval of this Association. No greater compensation can come to a public official than the knowledge that citizens with kindred interests and aspirations for our country have a favorable opinion of his service.
>
> I am country born and bred and grew up in a home that was heated by wood fires of pine knots and oak logs. As a boy, I can remember the instructions of my father to cut the trees where they were too thick and to get those that were crooked or had been struck by lightening. My lessons in forest conservation began before I was big enough to lift an axe or maul. I, therefore, feel at home among a group of those who are charged with the responsibility for preserving sensible forestry practices within the several states. I have lived with this problem all of my life and still find it more fascinating each day.
>
> When I reached the United States Senate in 1933 as its baby member, a feud between two of the oldest and most prominent members of that body resulted in the unprecedented appointment of the youngest member of the Senate as Chairman of the Subcommittee on Agricultural Appropriations, which then included forestry.
>
> State foresters have appeared before my Committee from time to time and I am glad to have this opportunity to assert in this

presence that I do not believe there has been any activity of government that has been more strongly supported or better administered over the past 35 years than the State Forestry Services of the several States. In no activity of government have more harmonious relations prevailed than between the Forest Services of our Federal Government and those of the States.

The needs of forest protection and the replanting of worn-out lands give us a long start toward meeting future needs and I salute the Forest Service and the several State Foresters of this nation and their predecessors for the wonderful work they have done in generating and preserving interest in forestry improvement among all classes and categories of our population, wherever they may reside.

As a State Legislator, I helped in the creation of the first forestry organization providing for Georgia's first State Forester.

I like to think that the Georgia Forestry Commission has generated a wholesome support of all of the people of Georgia in the recognition of trees as one of our greatest economic assets.

We have been fortunate to have outstanding leadership, particularly in the person of our present Director, my valued friend and your former President, Ray Shirley.

During my term as Governor of Georgia, our country was suffering its greatest economic depression. The property tax was then the primary source of State revenue and dollars became so scarce that the more property a man owned, the less able he became to pay taxes.

Many of my ambitious plans for the State went down the drain. I was confronted with the problem of operating that State for an entire year on an amount considerably less than Georgia now spends each month. It was necessary to husband every dollar. People were not only poor, but thousands were actually hungry.

A man well known to those interested in forestry throughout the country, the late Dr. Charles Herty, came to me to get some $50,000 to match a like sum to operate a pilot plant type experimental laboratory to demonstrate that Georgia pine could be used in the manufacture of pulp and paper.

In this day when people speak so glibly of billions of dollars, it may sound strange to hear that $50,000 was a lot of money in 1931. The Governor's Contingency Fund was small, but I robbed it of this $50,000 because of my faith in Dr. Herty and my vision of the future. From this small expenditure, Herty's experiments have now blossomed into a thriving pulp and paper industry with supporting forests that is one of the mainstays of our economy. The success of these experiments has also helped to awaken the entire nation to the fact that timber is a valuable agricultural crop.

I came to the Senate just before the Roosevelt Administration and participated in the famous 100 days that helped restore confidence to a nation in the doldrums. The establishment of the CCC provided us with a means to build nurseries, offer forest fire protection, initiate forest management programs and develop recreational areas and facilities.

In recent years, the Soil Bank Program and the development and expansion of research facilities such as the fire laboratories at Macon, Georgia; Riverside, California; Missoula, Montana; and in North Carolina's Raleigh-Durham Research Triangle has given stimulus to forestry on a nation-wide scale.

It has been a grand and gratifying experience to be a witness, as well as a participant, in the growth and progress of the Forest Service for over 40 years. But, we are confronted with a staggering challenge if we are to measure up to our obligation to insure that the forest resources of the United States continue to serve the economic, social and spiritual needs of our people in the future.

Our nation's prosperity and growth are dependent on our ability to derive maximum benefits from our forests. We cannot be satisfied with maintaining and preserving our present level of utilization of the basic resources of land, water and trees. We owe it to future generations to increase and expand this utilization.

Just a few months ago, our population passed the 200 million mark—a growth of over 50,000,000 people in less than 18 years. Federal predictions indicate another 100 million people in the United States 12 years from now. By the year 2,000, a total population of 340 million is predicted for this Nation. As our population grows, so will the demand for timber products.

The demand for plywood and veneer is destined to increase sharply to meet building needs. In addition, the public has become accustomed to such items as paper napkins and paper plates, as well as paper containers for milk, meat and vegetables. Paper diapers and even paper clothes are no longer products of the future. Low calorie food is being produced from wood pulp, and research laboratories will undoubtedly unveil other practical chemical conversions for wood.

I might add that I believe the Post Office Department can give further testimony to the extent to which our expanding population has become accustomed to using paper products.

To summarize, we will have to cut over 80 billion board feet during the year 2,000 as compared with our present level of less than 50 billion board feet per year.

The problem of meeting these demands has been greatly complicated by the competition for land space. Nine-tenths of the more than two billion acres that comprise the United States are devoted to farming, grazing or timber. Commercial forest land—federal, state and private—now totals about 500 million acres.

But, the most dynamic demand for more space comes from other land uses. It is generally accepted that one million acres of land each year are shifting from agriculture to stone, concrete and masonry. For an example, it is estimated that the current interstate highway program alone will take one and a half million acres before it is completed.

At the turn of the next century, at least 83% of the population are expected to be living in urban areas. As people have more and more money and more leisure time, they will look to the forest for their recreation. Americans of the computerized society of the future will have to search for the beauty and scenery of our world. They will no longer be able to take it for granted.

It will, therefore, become necessary to make adjustments in our land utilization without sacrificing other important forest values.

The rate at which productive land is being lost to meet the requirements of increasing human population will accelerate with this compounding growth rate.

We will not only have to insure that we have an adequate supply of timber to meet dramatic increases, but we will have to do it with less available land space.

We will have to increase production through better husbandry of our forests, getting more from existing acres. Adequate protection from fire, insects, disease and other destructive agents becomes not only necessary but imperative.

During the time that I presided over the Subcommittee on Agricultural Appropriations, we have funded many new programs and increased the activities of others. I know from my own personal experience of the damage wrought by fires, insects and disease in our forests. The first agricultural appropriations bill that I handled carried an appropriation of a million and a half dollars to match the States for forest fire protection under the McNary-Clark Act. When I took over the defense appropriations bill in 1963, the appropriations for this item had increased to $12,465,000.00.

I am still a member of the Subcommittee and last year I induced them to increase this fund substantially, but we only salvaged One and a Half Million Dollars in conference. I am well aware that the States now provide far more for this important activity than the Federal Government and that the federal contribution is inadequate, but without a budget estimate it was necessary to fight tooth and nail in the conference to get any money and, without the wholehearted support of this Association, we would probably have failed completely. However, I can assure you that further efforts will be made in this direction from year to year.

The essentiality of our forests to the welfare of our nation justifies a realistic and basic level of support for fire protection from the Federal Government. But the States have an even bigger stake in this program. New industries that use wood fiber give primary consideration to the nature of the fire protection in the States where they are contemplating investments.

There have been times when I have become concerned about the size of land ownership of many of our paper and pulp mills. However, statistics indicate that we still have many small forest ownerships and must look to them for a considerable share of future production. Farmers and private landowners must be increasingly provided with incentives to use their land in the production of forest products and it is impossible for them to protect their forests without the assistance of all areas of government.

We not only need to expand our research and development program but we need to accelerate the dissemination of the results of research and development to assist in the more efficient management of forest resources and in improving the technology of the wood-using industries. Since 1964, Georgia has been making improved tree seedlings available for public consumption and I understand Texas has recently established a similar program.

There are other ways the landowner—particularly the small landowner, where the need as well as the potential is greatest—can be assisted in forest management and protection.

The demand for leadership on every level from those of us who understand the essential nature of these problems has never been greater.

Time is of the essence. The public is not going to declare a moratorium on its demand for forest products or for recreation while we procrastinate in seeking satisfactory solutions.

Complacency and the failure to respond satisfactorily to the needs of our nation in the face of mounting public demands may well result in inadequate and misguided solutions under the pressure of political expediency and misinformed public opinion.

Federal and State Governments, as well as private interests, have a clear obligation to cooperate in attaining the common goals that serve the interest of our people.

Well managed and productive forests are vital to a continuation of a wholesome life in this country. The population explosion poses many difficult challenges for the future. Clear air, clean water, erosion protected soil, adequate food and fiber, recreation, the preservation of esthetic landscapes and available raw material are an inheritance we cannot fail to provide for future generations of Americans.

Few would have dreamed even two decades ago that we would be researching means to replenish and increase the number of edible fish, not only in our ponds and lakes, but in the oceans themselves. Despite the enormous production increase per acre of food and fiber, we are likewise seeking ways to provide even greater increases in this area as well as to produce food and fiber from other sources to provide for the increasing millions that will inhabit this earth within the next few years. There will be increasing demands upon our forests to contribute in almost every area of human existence.

The responsibility upon the members of your organization will be great to keep the advancing production of our forests abreast of increasing needs.

From my many years of working with you and your predecessors, I have no doubts that this vital part of the future is in good hands and will provide the essential raw material to be transformed into necessities of life of which we now only dream.

Thank you for permitting me to have the honor of being with you today.

THE "FAIR PLAY FOR HITLER" MOVEMENT

HON. DONALD J. IRWIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. IRWIN. Mr. Speaker, an English-born friend of mine recently put pen to paper and came up with a humorous parody entitled "The 'Fair Play for Hitler' Movement." While the setting is England in World War II, the story echoes those sentiments so often heard in this country today over the issue of Vietnam. I am submitting the following piece by Peter J. F. Hussey—alias N. Wyknott—for insertion in the CONGRESSIONAL RECORD because I believe that my colleagues will find it provocative as well as enjoyable reading:

THE "FAIR PLAY FOR HITLER" MOVEMENT

(By N. Wyknott)

This summer I took my vacation in England and was fortunate enough to come across some documents that spread light on a situation which, up to now, has been very successfully hushed up. It will be recalled that during the Second World War there were brief rumours to the effect that in London's East End, and in some of the major ports, there had been marches demanding the end of the war. Nothing was confirmed or denied and subsequent events encouraged us to forget the rumours. I can now confirm that those demonstrations did in fact take place and they were neither the beginning nor the end of the entire episode.

As far as can be determined, it all started with an editorial in "The Times". I was not allowed to make copies of any documents I saw, but the following is the general tenor of the editorial:

"WHOSE APPROVAL?

"His Majesty's Government declared war on Germany with the stated purpose of supporting Poland against invasion. This was done in order to fulfill a commitment made to the Polish Government. Be it said, in passing, that this newspaper has always felt that a commitment is only binding provided that its fulfillment does not create a worse state of affairs for either party than would be the case if the commitment were cancelled. What thinking man will deny that our determination to oppose Herr Hitler over the legally-dubious matter of the Polish Corridor has had serious repercussions for the entire world?

"His Majesty's Government's stubborn insistence on defending a piece of territory only a few miles wide, but hundreds of miles from the Straits of Dover, has resulted in a major war which engulfs not only Europe but also great areas of Asia and Africa. Which brings us to the main point of this editorial: who has approved the widening of this war?

"We cannot recall that the British public was ever asked whether it felt it important that we send vast numbers of troops to North Africa to fight. What has North Africa to do with Danzig?

"Who approved the dispatching of H.M.S. Prince of Wales and Repulse to the Far East to be sunk by Japanese planes? Are the Japanese a party to the Polish Corridor, too?

"The most important question of all is whether the British people approved the bombing of population centres such as Berlin and Cologne. The answer is that they most certainly did not and, what is more important, would not. The result of the bombing of Berlin is simply increased bombing of London and other British cities. The bombing of population centres of Germany is, let it be clearly stated, immoral. There is no Christian justification for it.

"Let the Prime Minister, for it is on his shoulders that the responsibility rests, tell us who approved these immoral acts, and whatever his answer may be, let him assure us that the bombing will be immediately ceased."

The circulation of "The Times", never enormous, was even more restricted during the war by newsprint shortage so it is safe to say that this editorial was probably read by no more than 20,000 persons. It thus cannot be said that it fell like a bombshell on the British scene but it did cause consternation where it was meant to, ie., in the highest councils of the government.

Mr. Churchill called the editor of "The Times", who refused to retract the editorial. When Mr. Churchill appealed to his patriotism, he was told that this was the last refuge of fools.

In the House of Commons, some members of the left wing of the Labour Party and others of the right wing of the Conservative Party tried to ask Mr. Churchill some questions on the subject but he refused to answer them on the grounds of security.

In the rest of the country, the general public was not yet aware of anything out of the ordinary being afoot. This did not last long, however, because two mass media took up the cry of "The Times" in different ways. On the B.B.C., the well-known writer of cook-books, Raymond Ladle, devoted one of his weekly "Raymond's Recipes" shows to telling the housewives of England that they should encourage their sons to refuse to serve in the Services because the war was immoral. The magazine, "Picture Post", ran a series of photographs received from Germany, via Sweden, showing the horrors of the bombing of Berlin and the courage of German women and children, juxtaposed with photos of RAF bomber pilots smiling as they described their bombing runs. The German women spoke particularly bitterly about the RAF's incendiary bombs, calling them immoral.

The next day "The Times" broadened its attack:

"REASON MUST PREVAIL

"Since the Prime Minister refused to answer perfectly legitimate questions in the House on the flimsy excuse that the nation's security was involved, it has now been made quite clear by popular magazines and radio personalities that this is a thoroughly unpopular war. This newspaper is proud to have been the first to bring to the attention of the Government the strong discontent with the war on the part of the general public.

"In our first editorial on the subject we discussed whether in a democracy a Prime Minister can balloon a war to his taste without attempting to get the approval of the public. We also demanded an end to the bombing on the strength that it is clearly immoral.

"The popular approval which was accorded to this editorial encourages us now to state that it is time that His Majesty's Government entered into negotiations with Herr Hitler. It is becoming quite clear that this is a war we cannot win. The Germans are beating us in North Africa, in the Atlantic and in the air over both England and Germany. The Vicar of Basingstoke has recently analysed the strategy of Field Marshal Brooke and shown clearly that it is sadly deficient. At the latest Lambeth Conference the Bishops seriously questioned the advisability of supplying the Russians through Archangel, suggesting that a Black Sea port would be more accessible. A Committee formed by Professors of Greek at Oxford has called torpedos obsolete and condemns their use because they mean that we have been forced into fighting the Germans on their own terms. A group of concerned Shakespearean actors published an advertisement in these pages which proved conclusively, to any fair-minded person, that this war is being run purely for the self-aggrandizement of Mr. Churchill.

"We, therefore, recommend that the following steps be taken immediately:

"(1) All bombing of Germany should cease.

"(2) Destroyers which are protecting convoys should not fire back at U-boats.

"(3) All British troops should immediately be withdrawn from North Africa.

"(4) Simultaneously with the above, Herr Hitler should be informed that we are eager to negotiate an end to the war.

"The above suggestions have self-evident advantages: the first three points show Herr Hitler our goodwill, as well as show the rest of the world that we have admitted the obscenity of our action in bombing defenceless civilians; the fourth point forces Herr Hitler either to come to the negotiating table or to expose himself to the moral opprobrium of decent-thinking men the world over."

On the same day that this editorial appeared, marches demanding an end to the war occurred simultaneously in the East End of London, and in four port cities. These spontaneous demonstrations were each led by a group consisting of well-known artists, poets, comedians, book critics, theologians, Moseleyites, osteopaths, psychologists, language professors and other similar authorities on politics, diplomacy and war.

On the same day, in the House of Commons, some Members insisted upon having replies to their questions, refusing this time to be put off with the plea of security. As soon as the Visitor's Gallery had been cleared, a number of questions were directed at Mr. Churchill, and a prolonged debate ensued. An interesting point arose when the Prime Minister stated to one of his critics that to negotiate with Hitler would condemn to death not only Jews who were still alive in concentration camps but also those who were still in Germany and who had remained undiscovered. His critic replied that it was hardly the task of the United Kingdom to continue to lose the flower of its youth to save the Jews in Germany, particularly, he added, when it has clearly been established that some of the Jews, before their imprisonment, had charged excessive interest on loans.

The critics further maintained that it had been a mistake to defend Poland against Germany in the first place. It was quite clear, they said, that Herr Hitler had the loyal support of the vast majority of the Germans, while, on the other hand, in the last prewar elections in Poland there were documented cases of fraud in some districts of Warsaw.

When the leading critic informed Mr. Churchill that at that very moment a group of distinguished Englishmen was in Berlin to seek the views of Herr Hitler, the Speaker of the House had to admonish the Prime Minister on his choice of language (cries of "Shame" from the P.M.'s critics). It appears that this provoked the ending of the debate. Nobody seems to know exactly what happened except that everybody agrees that nothing further was heard from the Government's critics.

PASTOR AND POLLUTION

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. RANDOLPH. Mr. President, I recently received an article written by Rev. Robert G. Howes, chairman of the City and Regional Planning Committee at the Catholic University of America and chairman of the university's Faculty Committee in Urban Affairs.

Reverend Howes has written this article because he believes, and I quote:

> Churchmen must be leaders in moving the national conscience to action for the human right of healthy air.

Mr. Howes has been very active in the urban problems of the area and in December 1966 participated in the Third National Conference on Air Pollution as chairman of the panel on "Economic and Social Aspects of Air Pollution Control."

I submit this very good article to the review of my colleagues, and ask unanimous consent that it be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PASTOR AND POLLUTION

(By Rev. Robert G. Howes, M.C.P.)

"Pollution is a variable which must be figured importantly into any equation for happiness in the civilization to which we preach. Churchmen must be leaders in moving the national conscience to action for the human right of healthy air." With these words, I justified my presence as chairman of the panel on "Economic and Social Aspects of Air Pollution Control" at the Third National Conference on Air Pollution. Since then I have become even more convinced of the urgency of pastoral involvement in the fight for a renewed environment! At the same time, quite frankly, I remain only at the threshold of knowing just what the pastor can actually do about pollution. Perhaps these pages begin a dialogue from which we will all learn.

The problem itself is giant. There can be no question about that. Giant in its variety of origin, giant in its total dimensions! Like so very many of our perplexities in and about cities, pollution is much wider than the pastoral neighborhood and far more intricate than the average pastoral competence. Factors of weather, engineering, geography, economics and politics are at stake. The problem, too, must be faced and fought at inter-state and metropolitan levels where the reach of the single pastor is apt to be weak. Clearly pastoral concern here if it is to be reasoned and reasonable must be backed by massive information, coupled into competent contact with remedial forces, and simplified for action at the power points.

The reality, the terrain over which the campaign must be fought, is evident. In a burning, powered up, mobile and affluent society, pollution of many kinds is a multiple menace. Pollution comes in many cloaks—water pollution, air pollution, noise pollution. Each has differences in causation and control. If I concentrate here rather on air pollution, I do not suggest that these differences are not material. I do suggest that the kind of pastoral response to air pollution control efforts in metropolis which is required could be a prototype for similar responses to noise and water pollution control efforts.

Sources of air pollution are five. Listed below are these sources, plus two indications of the relative pollutant effect of each:

Source	National (percent)	Northeast Illinois	
		Pollutant tons	Area
A. Space heating	5.7	346,500 per year	Chicago.
B. Power generation	11.0	1,100,000 per year	Northeast Illinois.
C. Waste disposal	2.3	17,000 per year	Chicago.
		21 per day	6 counties.
D. Industrial processing	17.0	146,500 (steel) per year	Northeast Illinois.
		247 (oil) per day	Do.
E. Transportation	64.0	5,605 (1963) per day	Do.
		8,890 (1990) per day	Do.

Some 133 million tons of pollutant material is annually dumped in the atmosphere. I cite these figures to demonstrate the size of the problem and the variety of pollutants all of which differently disturb the atmosphere and all of which require particular treatments. Control of air pollution must, then, come at various points and through various persons in the chronology and geography of pollution. Control must largely be directed toward the source of pollution and the guilty fuel. It must also be incorporated into performance standards, monitoring systems and land use regulation. Throughout, effective control must involve a carrot and stick treatment of polluters. Those who lead in cleansing the air for which they the responsible must be rewarded; those who lag must be prodded. Put another way, "The pressure to pollute in the past has been economic; the pressure to abate must in the future also be economic."

At this stage of the discussion, the problem complicates. No one is against motherhood (or clean air). But when clean air costs private and public dollars and restricts land options, then the debate is joined. A recent poll indicates that while a majority of the American people recognize an air pollution problem in their locality and about half of them are dis-satisfied with the job being done to solve that problem 46% would be unwilling to pay $15 a year more in taxes to finance a federal program to control air pollution. Speaking to the Third National Conference on Air Pollution President James P. Dixon of Antioch College cited the ethical implications of this dilemma when he quoted from a report of the Commission on Air Conservation of the American Academy of Arts and Sciences:

"(The problem) is to select the appropriate means for either disposing of or using the byproducts and to employ appropriate forms of energy. The definition of such an optimum, the risks we are prepared to take for the benefits we enjoy, is not a matter of scientific judgment, but rather one of moral and ethical judgment."

What control seems to come down to is matter of balancing the equities and firming up the will. From a weighing of public and private costs in a matrix with possible degrees of pollution tolerance, we shall have to find an optimum combination in which we can clean our air to a satisfactory extent and yet apportion the price for such cleaning fairly and feasibly. Out of this recognition of its essentially collective requirement, we shall have to will pollution control not alone as a great good but also as a valid constraint on our monies and our land habits. In a way what is required, as in so many other areas, is a metropolitan morality. We shall have to know that the burdens as well as the benefits of living in spread city must be shared. Only from such a metropolitan morality can we develop those fiscal and administrative programs which will suffice. Here is where the pastor rightfully enters the mix. The problem of pollution involves "countless decisions by many individuals." To put it another way: "(Its) solution will be accompanied by considerable social and political stress and strain . . . the whole problem is now more political and economic than technical."

One of the grisly guessing games in fight-pollution circles is estimating just how serious a pollution disaster is necessary before an effective citizens will to control develops. Vice President Humphrey suggested to the Third National Conference on Air Pollution that "nothing so concentrates a man's mind like the imminence of his hanging!" Yet even after pollution tragedies in Donora, Pennsylvania, in 1948, in London in 1952, and the near pollution tragedy in New York City on the day after Thanksgiving in 1966, no sustained citizen will to control developed. Poor housing and inadequate job opportunity have set off massive urban riots. There have not yet been riots demanding immediate action for clean air. Microbiologist Rene Jules Dubos points up "the extreme adaptability of the human race" and notes that while "they damage the physical and spiritual aspects of human life": "Congested environments, even though polluted, ugly and heartless, are compatible with economic growth and with political power."

What seems required, therefore, of the pastor and even more so of the informed congregant whose business involves him somehow in pollution control, is an intermediary operation of major significance. If pollution is self-evident, control is not. Nor can we anticipate any different response to control suggestions than is now observable in the response of various sectors of housing finance and production to suggestions of means to housing costs or in the response of various sectors of the tobacco industry to suggestions of a health menace in smoking. The minute a bundle of remedies is announced by government, each component of the pollutant mass will rush to excuse itself from cost, will try to shift the blame, will point to other possibilities for control effort. I do not suggest that any of this tugging and hauling is necessarily venal. I do suggest that the net effect will be to fill the air with contradictory claims and statistics. In such a circumstance it is clear that effective citizen action will come only if intermediaries, like academics and churchmen, have digested the basic data, analyzed the several proposals and agreed on certain programs which can be activated for public support in simple terms. What is indicated is a long-range, pervasive campaign rather than a quick, sharp strike. Steady education without the bittersweet benefit of specific tragedies will no doubt distinguish the course of the cause of control. At the end it must become as normal and right to tax for such control and regulate land use for such control as it is now to zone. Clearly, too, we shall have to reckon with the private car as the chief pollutor. What we do here, with this creature we hate in the mass but idolize in the particular, is critical.

As to the impact of what have come to be called "technological fixes" on the pollution fight, there are several possibilities. The electric car is one. Frank M. Stead of the division of environmental engineering of the California public-health department has already predicted that within fifteen years California air will be so polluted from other sources that it will not be able safely to accommodate vehicle emissions. He suggests: "legal notice that after 1980 no gasoline-powered motor vehicle will be permitted to operate in California."

There are many problems still with the electric car, but if perfected, it would notably eliminate the noise and air pollution impact of the gasoline vehicle. The availability of cheaper, cleaner and relatively inexhaustible power from the peaceful atom is another development which can help win the fight against pollution. With this energy source, not only do we eliminate polluting fossil fuels, but we give a great new portability to human settlement. Join the powering atom with a Buckminister Fuller dome and cities can be created almost anywhere, even in the tundra, even in the sands. When one includes harvesting the sea through agriculture and making deserts bloom through "operation plowshare" and agro-industry, and the chance to disperse many of the world's millions into areas now inhospitable becomes excitingly real. In the process, by dilution at least, the effluent of our collective affluence will be less painful.

From all of this, I suppose several pastoral counsels emerge. First, the problem is imperative and complex. Once it moves beyond noble words it will cost and cut. To understand it and to transmit it effectively to citizens will require great deal of sophistication in the intermediary. Its urgency has seldom been more cogently put than in the administration's proposed "Environmental Quality Preservation Act of 1968":

"The decline in environmental quality is threatening the health and survival of plant and animal life and indeed of man himself, is depriving man of esthetic and recreational values increasingly important to his physical and mental health; and is obstructing, and indeed may eventually prevent, the economic, social and material development necessary to meet the grave problems of an expanding population, and continuing urbanization and industrialization."

Second, the problem is total. It is not sectarian. It is not partisan. It is not, in most cases, even local. It doesn't have the areal emphasis of something like urban renewal or cluster zoning. It sprawls over most of us everywhere every day. Seldom has so clear a challenge been placed before the diverse territorial, economic, political, yes and religious constituencies in our society to unite in a common metropolitan cause. Third, the problem is both curvative and prospective. Remedial action is urgent in old cities. The involvement of pollution control as a vital variable in new community planning and in on-going metropolitan planning (e.g. northeast Illinois) is essential. An immediate concentration of some serious world thinking on the possibility of dispersed cities powered by peaceful atoms is strongly indicated. Fourth, the problem is importantly moral. Since the remedy to pollution must come through a combination of government, economics and morality, pastoral response to pollution must involve a similar combination. Intermediary clergy and laity will need to inform themselves of the technical aspects of the situation, mobilize at the power points where remedial decisions are being debated and, throughout, activate the will of man in metropolis to embrace that metropolitan morality of which the ethics of pollution control are part.

In hardware discussions of pollution control, it is often asked—the engineers are ready, are the citizens? It is sometimes asked in planning discussions of pollution control—the planners begin to be ready, are the citizens? It must now be asked in every pastoral conference on man in metropolis—the engineers and the planners are ready, are the pastors?

CLAYTON WILLIS INTERVIEWS ROY WILKINS

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. KUPFERMAN. Mr. Speaker, my friend, Clayton Willis, reporter for the Amsterdam News, recently interviewed Roy Wilkins on the need for Negroes to exercise their franchise.

Although Mr. Wilkins confused the fact that "law and justice" is indeed a Republican Nixon slogan, his point about voting is well taken, and I believe my colleagues will be interested in the article, which follows:

WILKINS URGES AFRO-AMERICANS TO GET OUT AND VOTE IN NOVEMBER

(By Clayton Willis)

Roy Wilkins, executive director of the NAACP, believes "You can't accomplish anything by sitting out this election."

In an interview at his office, 1790 Broadway, the regular Amsterdam News columnist said: "I urge people to vote and not to stay home."

Unlike some people who see no value in voting, Wilkins added, "we're pushing chapters in the northern urban centers and in the south."

As The Amsterdam News reported in its Aug. 31 edition, the seriousness of the Presidential candidacy of former Gov. George Wallace of Alabama also deeply concerns Wilkins.

"Because Wallace does not bother to conceal his antagonism to Negroes, is one reason why Negroes must vote more than ever," he noted.

"Wallace's whole program is that Washington should stay out of it and leave it to the states. This follows on employment as in education," he added.

Although Wilkins said the NAACP is not endorsing either Richard Nixon or Hubert Humphrey for President, he left no doubt where his sympathies lie—with Humphrey.

VIEW SUSPICIOUSLY

"The law and order stress by Nixon has to be viewed suspiciously because it was the Goldwater slogan of 1964," he believes.

Wilkens commented: "The Democrats stressed law with justice which is very different. The law and order idea of Nixon really means restriction of the Negroes."

His organization has designated Sept. 15–21 as "NAACP National Voter Registration Week," during which its 1800 branches will make "an all-out effort to help reduce the 12 percent gap between white and non-white voter registration."

The Gallup Poll reported last month that 36 percent of eligible non-white voters had not registered, with 24 percent unregistered whites.

"In terms of numbers, this means that 4,850,000 non-whites had not registered as of that date," W. C. Patton, NAACP associate director of voter education and registration said.

Patton noted the NAACP has spent $85,000 since January on registration campaigns. At present, there is still time to register in all states except California, Kentucky, Mississippi, Pennsylvania, Rhode Island and Texas. "In these states, the NAACP will focus on voter education and getting people to the polls," Patton promised.

In conjunction with the voter registration drive, the moderate accented organization has published a black, red, white and gray brochure, entitled "Ballots, Bullets and Blood: How Blacks Have Died for the Right To Vote."

The striking publication relates the efforts these men have made and how they lost their lives so others could vote:

The Rev. Dr. Martin Luther King, Jr., April 4, 1968, Memphis, Tenn.; Vernon Dahmer, Jan. 10, 1966, Hattiesburg, Miss.; Jimmie Lee Jackson, Feb. 1965, Marion, Ala.; Louis Allen, Jan. 31, 1964, Liberty, Miss.; James Chaney, June 1964, Philadelphia, Miss.; Medgar W. Evers, June 12, 1963, Jackson, Miss.; Herbert Lee, July 1961, Liberty, Miss.; Rev. George W. Lee, May 7, 1966, Belzoni, Miss.; and Lamar Smith, Aug. 13, 1965, Brookhaven, Miss. The pamphlet also mentions whites who lost their lives for the right of blacks to vote: Rev. James J. Reeb, March 11, 1965, Selma, Ala.; Mrs. Viola Liuzzo, March 25, 1965, Selma, Ala.; Michael Schwerner and Andrew Goodman, June 1964, Philadelphia, Miss.

FEDERAL TAX REFORM—MYTHS AND POSSIBILITIES—ADDRESS BY SENATOR MILLER

HON. JACK R. MILLER

OF IOWA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. MILLER. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks the text of an address entitled "Federal Tax Reform: Myths and Possibilities," which I delivered before the Lawyers Chautauqua at Okoboji, Iowa, on June 7, 1968.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

FEDERAL TAX REFORM—MYTHS AND POSSIBILITIES

(By JACK MILLER, U.S. Senator, Iowa)

With the advent of the ten percent income tax increase have come increased calls for "federal tax reform" and for "closing the loopholes." Articles, editorials and speeches have been appearing, suggesting that "millions of dollars—billions, in fact," could be collected by closing loopholes; and if only this were done, there would be no need for a tax increase—or, at least, no need for as large a tax increase. Most of these statements are made by people who know very little about taxation, but they do evoke cries of outrage, approving letters to the editor, standing ovations, and, of course, indignant letters to Members of Congress.

But when the specifics are scutinized, more often than not it becomes apparent that a gullible public has been taken for another roll. The word "loophole" implies that Congress, in enacting a tax measure, has overlooked something; and clever, devious lawyers and accountants have helped their clients save all kinds of money—at the expense of other taxpayers—by taking advantage of the Congressional oversight.

Most of you understand very well that such aberrations of Congress, for all its faults, are practically nonexistent. Either Congress has deliberately legislated tax-savings devices; or, if there was an oversight, has deliberately left the tax law alone. And there are reasons. An apparent "loophole" to one taxpayer may well be the key to economic survival to another taxpayer. Tax savings to one group of taxpayers may well be the difference between steady employment and unemployment or underemployment for the heads of many families. A good example is the investment tax credit, the bulk of the benefit of which is going to large corporations. It was promulgated by the Administration and, after a short suspension, recommended for reinstatement for just one reason—to stimulate industrial employment.

I think it has been well said that "Our taxes reflect a continuing struggle among contending interests for the privilege of paying the least."

All of this is not to say that there is no need for a constant reevaluation and improvement in our federal tax system. Not the least is the need for simplification; for three years now, I have been nursing a bill to establish a Presidential Commission on simplification of the federal income tax.

Our system requires voluntary assessment by each taxpayer of his own tax liability. Without fundamental public respect for the tax law, we cannot expect the broad-based tax compliance which is so essential to our system. Unfairness, discrimination, and abuse erode that respect. And so, as the tax bite becomes bigger, it behooves the Congress to act to minimize unfairness, discrimination, and abuse.

The Revenue Acts of 1962 and 1964 represented responses by Congress to this obligation. In 1962 a number of reform measures were adopted to restrict entertainment expenditures to curb abuses which had been brought to light; to deal with abuses of foreign tax havens and foreign holding companies; to fill the gap in taxation of co-ops so that someone—either the co-op or the patrons—would pay income tax on the profits; to limit capital gain treatment on the sale of depreciable personal property; and to require information reporting on payments of dividends and interest.

The 1964 Act repealed the dividend received credit; denied deductions for interest on certain loans to pay life insurance premiums, and for casualty and theft losses under $100. It tightened the rules on employee stock options, group-term life insurance, personal holding companies, and multiple corporations; narrowed the sick pay exclusion; and taxed as ordinary income the gain on the sale of realty relating to "excess" depreciation. On the relief side, the 1964 Act made some changes in income averaging, established a lifetime carry forward of capital losses, provided for a minimum standard deduction, and liberalized child care rules.

The Excise Tax Reduction Act of 1965 wiped away much of the confused and inconsistent thicket of excises which had grown like Topsy over the years.

I do not say that I agree with all of these actions. The point is that Congress has not been standing still.

Each year there are introduced a number of "tax reform" bills which receive some publicity but no action. Let me comment on a few of them.

Currently receiving a lot of attention is tax exempt interest from state and local government bonds. There can be no question but what many wealthy individuals, trusts and funds receive a large amount of tax-free income from this source. However, if this exemption were repealed, we are told that investment capital would quickly dry up and would force local governments to pay such high interest rates as to make their projects unfeasible or, at least, place an undue load on property taxpayers. The net result would probably be to force further dependence by these levels of government on the federal government for financing. Depending on one's philosophy of government, this would be bad or good. I personally abhor the thought.

But one is not necessarily driven to the position of advocating repeal for the sake of doing equity among taxpayers. A limitation could be placed on the amount of tax exempt interest to be reported on the tax return, with amounts over that limit subject to inclusion in taxable income. This is the approach I favor. Although it might cause a few large investment portfolios to be shifted, the net result could be a broader base for this type of investment which I believe would be healthy.

There is, of course, the old perennial proposal to reduce the percentage depletion deduction for oil, gas, and other minerals. I have heard one of my colleagues say on the Senate floor that, because of the 27½ percent percentage depletion deduction, some oil companies have made "millions of dollars" without having to pay any income tax at all. Of course he was a little embarrassed when I pointed out that the law specifies that this deduction can never be greater than fifty percent of net income, so that these companies should have paid tax on at least half their income. Then it was admitted that net operating loss carry-overs or carry-backs were in the picture, along with deductions for drilling the wells. Loss carry-overs and carry-backs are available to all taxpayers; and if deductions are not permitted for drilling the wells, where is the capital to come from for drilling more wells?

But even recognizing that the percentage depletion is limited to one-half the net income, might it not be lowered to save a billion or two in taxes? It's a fair question and deserves consideration. There are, I believe, two main answers. First, this deduction has existed for over forty years and has, therefore, become a built-in factor in the pricing of oil and gas. If the factor is changed, it will assuredly be reflected in increased costs of heating homes and driving automobiles—costs which affect everyone regardless of his relative ability to bear them. As it is now, the one or two billion dollars of revenue lost through this deduction is made up largely by income taxes levied according to relative ability to pay. This would seem to be a more equitable way of handling the problem than through the consumer route.

The second main answer is that to reduce this deduction would make our U.S. companies less competitive in world petroleum markets—especially in relation to the Soviet Union, which is our major competitor. At a time when our balance of payments deficit is one of our most serious problems, it would seem most shortsighted to take action which would diminish the favorable impact our overseas oil operations have on the deficit. A 1965 study conservatively estimated a net plus in receipts of $360 million for one year from overseas petroleum operations. Another, published by the National City Bank of New York reported that from $250 million to $500 million a year is the plus effect on our balance of payments. A 1966 study by the Chase Manhattan Bank, entitled "Balance of Payments of the Petroleum Industry" made this comment:

"In balance of payments terms the petroleum industry is more profitable than the average U.S. foreign investment: In 1964 it accounted for about a third of net U.S. overseas investment, yet produced over 50% of total U.S. direct investment income. Many additional dollar inflows are also induced by petroleum investment: exports of capital goods, petrochemicals and other products, service and management fees, and wages paid abroad to U.S. personnel who remit a substantial portion to the United States."

The study estimated that overseas petroleum operations resulted in a $207 million balance of payments advantage for the United States in 1960, $467 million in 1964; and estimated this would climb to $640 million by 1975.

Not to be overlooked is the fact that a reduction in percentage depletion for the purpose of collecting more federal income taxes would, in all probability, be frustrated by action of the foreign countries. They would merely have to adjust their tax laws to collect the tax differential, and since our tax laws are geared into the foreign tax rates, we would collect nothing additional.

These two reasons happen to appeal to me, but there are others. The intent of Congress in providing for percentage depletion deductions was to give an incentive for exploration and development of petroleum reserves. There are some who point out that there is an excess of oil producing capacity today, and there is. But a study by the U.S. Interior Department published in January 1965, entitled "An Appraisal of the Petroleum Industry of the United States," has this to say:

"On the basis of reasonable assumptions as to demand for domestically produced crude oil and natural gas liquids, the requirement for U.S. production through 1980 will aggregate 69 billion barrels. During the same period, the requirements for natural gas production to meet demand will be nearly 350 trillion cubic feet, equivalent to about 60 billion barrels of crude oil. These are very large quantities. In all the years between 1859 and 1963, the United States consumed 73 billion barrels of oil."

To meet the challenge to discover new reserves implicit in these statistics, the petroleum industry will have to make a massive effort; and this effort will not be forthcoming without incentives to overcome the risk that of every 100 wells drilled, an average of only three will find enough oil or gas to qualify as commercially successful.

This same study also went into the relative tax burden being borne by the Petroleum Industry, and the Interior Department study had this to say: ". . . it should be noted that State governments, through widespread extension of severance and production taxes and other special tax measures applicable to the oil and gas industry, have largely offset the special Federal treatment. The total tax bill of the petroleum industry and of other U.S. corporations compare closely. Petroleum operations are taxed by Federal and State authorities to the equivalent of approximately 4.4% of gross receipts as compared to 4.5% for all business corporations."

This observation is supported by another study covering the period 1955 through 1966 which discloses that the rate of return on invested capital for the petroleum industry was 9.7% as against 10.9% for all manufacturing industries.

It is considerations like these which are the reason why the old perennial proposal never gets out of committee, much less is approved by the Congress—although it is always good for a little publicity. I do not say that some changes may not be made, but it is going to require far more economic analysis than has heretofore been undertaken by the proponents for change.

Another proposal, for which Assistant Secretary of the Treasury Stanley Surrey has been given most of the credit or blame, as the case may be, and which he has been talking about for several years, now, is to impose a capital gains tax on the difference between the fair market value of property at date of death and its basis to the decedent. This is, of course, an area of untaxed increment in wealth. Such treatment would violate long-established rules covering the "realization" of income; and the proponents, therefore, are prepared to fall back to an alternative proposal of carrying forward the decedent's basis into the hands of the heirs. Of course they do not propose to correlate this treatment with the federal estate tax to allow the decedent's basis to be reported on the estate tax return instead of the fair market value. There would be nothing unconstitutional about such absence of correlation, however. These proposals have an offensive air about them in the realization that one has to die in order to obtain the benefit of tax avoidance; but in an atmosphere of high public emotion over runaway inflation, I would not be surprised to see the alternative—passing through the decedent's basis to the heir—eventually receive favorable treatment by the Congress.

Somewhat in the same ballpark is the area of missed income in the form of the fair market value of unharvested crops at the date of death. The revenue that would be raised by treating this as income to the decedent would be minor, but it is vulnerable.

Some of you are familiar with a proposal introduced by Senator Metcalf of Montana and by me relating to loss deductions from farming operations in the case of taxpayers with other business operations. For example, a corporation netting $200,000 a year goes into a ranching operation and loses $50,000. Uncle Sam picks up half the loss because the $50,000 loss can be offset against the $200,000 net income from the corporation's regular business operations. The rancher who must depend wholly on his ranching operations for a livelihood is hard put to compete against this arrangement, because he has to bear the entire loss, if he has one. The idea is to disallow the farming loss deduction in situations of this kind with a view to removing a form of unfair competition to the regular farmer or rancher. We don't expect any action on the proposal this year, and we welcome any ideas on the subject which will be helpful in drawing up a sound piece of legislation.

Congressman Reuss of Wisconsin has introduced a package of proposals which would abolish the unlimited charitable contribution deduction; repeal the present special treatment provided for stock options; repeal the $100 annual exclusion now granted individuals for dividend income; prevent single business enterprises from making multiple use of the corporate surtax exemption; and provide for full recapture of depreciation on sales of real estate. However, the Ways and Means Committee has evidenced little interest in them and will not go into them until after the tax rate increase is approved. There is a strong feeling against trying to devise an omnibus package containing both tax reform and tax rate adjustment features. The reason is that a tax reform program poses a complex of issues which are considerably different from those involved in a fiscal proposal. Whether tax exempt interest ought to be continued, for example, must be judged on grounds entirely separate from those which apply to determining whether the condition of the economy—inflation and high interest rates—needs more revenue.

Another point must be considered. Even if a reform program were enacted tomorrow, its revenue results would in all likelihood be a good deal longer in coming. Tax rules placed in issue by such a program of changes have been in our revenue system for many years. In some cases, firm commitments have been undertaken in reliance upon them. In others, there are economic and social consequences far beyond immediate tax effects. In such circumstances, it is unrealistic to expect legislative changes to be made fully effective immediately. Transitional rules, deferred effective dates, and other means of gradual implementation necessarily must attend approval by the Congress of the basic substantive changes. Effective fiscal policy, on the other hand, demands the rapid response which tax rate adjustments can achieve.

All legislative reform need not be accomplished by means of a major, omnibus tax reform bill. As the years go on, administrative experience, court decisions, and revenue rulings will disclose defects in particular aspects of the tax law. And these should be considered by the Congress piecemeal as they come to light. For example, only a couple of years ago it was brought to my attention that hail insurance proceeds, which are subject to tax as ordinary income because they take the place of crops which have been destroyed, must be reported in the year received—even though it means doubling up of income in that year because the farmer, following his usual practice, sold his crop from the last year in the year in which the hail occurred. I am trying to get this imperfection cured, but there is no need to wait for an omnibus tax reform package for favorable action.

Our tax laws are fundamentally a mechanism for raising revenue; and we should be sparing before we use them for any other purposes—whether for regulatory purposes, or to accomplish social and economic objectives. But to state that our tax laws should never be used for non-revenue ends is to ignore both history and reality. The Internal Revenue Code is replete with examples of nontax objectives being sought through tax incentives or deterrents. I have already mentioned the investment tax credit. Interest and real estate tax deductions are designed to encourage home ownership. Tax benefits are provided to encourage private retirement programs. Accelerated depreciation has been designed to encourage more rapid replacement—to stimulate manufacturing activity and employment. The proposal for a tax credit for college education expenses is motivated by a policy to encourage more people to go to college. I am a cosponsor of a bill to establish tax incentives to industries locating in rural areas—and the policy is to stem the flow of more people into the congested urban areas.

Currently being publicized is the idea of a so-called "negative income tax" as the magic answer to all of our social welfare and social security problems. This would, of course, be use of our tax mechanism as a means of guaranteeing minimal income maintenance for social purposes. Assuming, for the sake of argument, that such a guarantee is in accord with the character of our nation, the statutory arbitrariness of the tax concepts of gross income, adjusted gross income, taxable income, exclusions, exemptions, credits, and deductions, are not particularly relevant to the existence or nonexistence of a poverty status. Beyond this, however, the assignment of the audit function of the Internal Revenue Service to such returns would be a terrible waste of skilled manpower resources of the federal government. And it won't do to suggest that computers are the answer—because, if my radar reception is accurate, members of the law and accounting professions and their clients are not yet enamoured by the IRS computers.

As the title of my talk suggests, there are assuredly both myths and possibilities in the area of tax reform, and I have endeavored to point many of these out to you. All one has to do is look around at other tax systems in the world to discover that our own is the most equitable, most effective of all. But it is not perfect, and the desire of each Member of Congress is to perfect our system so that all taxpayers will be happy and we will never have to worry about being reelected.

LAW AND ORDER UNDER INTIMIDATION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. RARICK. Mr. Speaker, the street anarchists are still at it here in Washington, D.C.

They have got control of the courts and the communications media, but they still prefer to do their brawling on the street corner—to try to agitate a bigger show against police. Since they seem so adamant at denying the police any rights, you would think one day they would get smart and discipline their own to prevent violence which necessitates police action. That is, if they really want to run their own community.

I include several stories from the Sunday Star on the police intimidation fracas, as follows:

MAYOR WASHINGTON FACES RALLY

Mayor Walter Washington kept his cool through a barrage of insults and taunts yesterday at a street rally outside No. 13 Precinct station house attended by about 150 Negro and white citizens demanding community control of the police.

Derided by one speaker as a "lackey" and introduced as a "colonial governor, a viceroy, an appointee of the President," Washington appealed for unity, and said that what the leaders of the rally were demanding—local control over hiring and firing of precinct police—was beyond his power to grant.

"You want something I can't give and you know it," the mayor said, speaking over a public address system hooked up to a car parked in front of the precinct station. "I think we have made progress . . . I need your help. I want to do what's right. I live here too."

Washington was interrupted two or three times in his brief remarks by hecklers, and at one point showed his irritation by snapping, "Look! Don't tell me. I'm talking."

CHALLENGE BY WASKOW

When he finished, Arthur Waskow of the Institute for Policy Studies, the self-appointed master of ceremonies (it was his loudspeaker), challenged not only the mayor's explanation, but his credentials as well.

"I live in the 13th Precinct," said the bearded Waskow. "I don't know if you do" (The mayor in fact does live in the precinct.)

"Fifty of the best lawyers in the city say the mayor does have the power (to institute community control of police)." Waskow continued. "Maybe Congress would get sore, and make this a real colonial government. But whether it does or not, he can try. If he sets up the regulations and the courts say he doesn't have the power, well, we'll deal with them."

Waskow then called for a "vote" to determine who favored the proposal for community control of the police. There were several shouts of "Now!" When Waskow asked for opposing votes, there was silence.

"That make it unanimous," Waskow announced.

This procedure led Washington to take the microphone again and tell the crowd, "You don't even know what the proposal is . . . Don't deceive the people. One of the problems is that they've been deceived long enough."

As Waskow was in the midst of another mock vote, a burly Negro in a shortsleeved sweatshirt took the microphone proceeded to challenge Waskow's credentials.

"We don't need a white man to articulate for us," he said. "We understand the major's handicap, but he is a black man and he is going to get respect. If you can't give it to him, get the hell out of here."

Co-chairman Charles Cassell of the Black United Front—the speaker who had earlier referred to Washington as "just a lackey, I regret to say"—then explained the community-control proposal: An elected board to set criteria for police in the black community, including requirements that they be black and live in the community. Another inconclusive "vote" was held, and the unidentified Negro working man took the microphone again.

WARNS OF LATECOMERS

"I want to say, this brothers," he said. "You just cool it—and be careful who you follow. These people are coming along just lately. They're used to leading the bandwagon. If they want to follow, okay."

"Thank you, brother," said Waskow, as the man finished.

"I'm not your brother," snapped the man. He refused to give his name to a reporter, and walked away chatting with the Rev.

Channing Phillips, the District's Democratic national committeeman, who had spoken earlier in the 90-minute rally.

The meeting was held in the middle of the 1600 block of V Street NW, with police blocking off both ends of the block. The attendance appeared about equally divided between blacks and whites.

The immediate reason for holding the protest was the fatal shooting of a Negro, Elijah Bennett, by a white policeman, Pvt. David Roberts, last Tuesday. The shooting occurred in No. 13's territory, though Roberts is a traffic officer, not a precinct patrolman.

The longest speech of the afternoon was made by Cassell, who derided the police, as well as the mayor, as "lackeys" and questioned the whole idea of staging a meeting in front of the precinct.

"We should strike at the sources of power," said Cassell, "the people who hire these honkies—the Chamber of Commerce, the Board of Trade, the real estate brokers, all the people who have something to gain from racism, the honky landlords. The demonstration should be against the sources of power, not here."

As for the whites present, Cassell suggested that if they really were concerned, they could do more good educating their own communities than in coming into the black ghetto to protest.

Carmichael Blasts Slaying by Police—Rally Hears Appeal for Retaliation

(By Gerald Somerville)

Black United Front chairman Stokely Carmichael yesterday harangued a street rally of some 200 Negroes protesting Tuesday's fatal shooting of Elijah Bennett by a policeman. Carmichael called for retaliation.

As police rerouted traffic from 14th Street NW between V and W Streets to accommodate the crowd, Carmichael said, "In order to stop police brutality, we've got to kill some white cops.

"We don't have to stand and yell about it," he said. "We just organize and kill some white cops. There's not a right or wrong about killing. It's a matter of who has the power to do so. It's more honorable to kill a honky cop than a Vietnamese.

WE PUSH FOR CONTROL

Carmichael advised the orderly group overflowing the sidewalks into the street and passing canisters for contributions for Bennett's family that "we have to create a feeling that the killing of a honky cop is justified in the black community. Whenever a white cop is killed, no black man should speak out against it."

Saying he was tired of rallies, he added, "We don't need any more talk. Above ground, we push for control. Underground, we do what we have to."

Police officials held the 8 a.m. shift on duty an extra hour yesterday as a precaution and some police cars were patroling in the area with four men to a car. A brief outbreak of disorder followed the shooting Tuesday at 14th and U Streets NW and brought a full mobilization of the police department.

Another speaker at the hour-long rally, C. Sumner (Chuck) Stone, a member of the BUF governing board, said there now was a question as to whether Mayor Walter E. Washington "is responsive to the black people."

TWELVE INCIDENTS LISTED

He said the mayor should be given seven days to give black people control of the police, or "he should resign."

Stone listed 12 incidents of what he called police brutality cases against Negroes since the beginning of 1968.

He said, "We are beyond rhetoric, and it is time now to take control of the city, because we are in the majority."

BUF cochairman Charles Cassell, a candidate for the District school board, suggested that "the next time a white cop shoots a black man, we should advertise that he is wanted for murder."

Among other speakers was Q. T. Jackson, president of the Howard University Student Association and a leader of the campus rebellion there last spring.

Stone said after the rally that the front will not officially issue a statement on the Bennett shooting as it did when it termed the shooting last summer of a white policeman by a Negro "justifiable homicide in the same sense that police are allowed to kill black people and call it justifiable homicide." The statement embroiled the front in a bitter controversy with city officials and other groups.

Carmichael received bursts of applause during his talk and Stone was applauded when he said Washington should resign if he was not responsive to black community demands.

Meanwhile, the interracial Upper Northeast Group Ministry in a statement for the city council released yesterday endorsed the principles of the Black United Front proposal for neighborhood control of the police in the black community.

It is "with sadness that we note an increase in our city of crimes of all kinds and a growing dissatisfaction with and loss of confidence in our Metropolitan Washington Police Department," said the group, formally organized in June 1967 and including ministers of various denominations.

It traced "certainly a part of our present instability . . . to previous and long-standing discriminatory and repressive behavior patterns practiced by our white communities upon our black communities.

"We do not feel, for instance, that our laws are enforced equally, in all sectors of the city, and, in fact, we feel that certain illegal behavior is often winked at rather than exposed and controlled," the group said. "We mean specifically the drug traffic in the black ghetto. We do not feel, further, that the police act toward black lawbreakers in the same way that they act toward white lawbreakers.

MUTUAL HOSTILITY

"The net result of a police department in but not of the black community is mutual hostility, rather than mutual concern, mutual disregard for equal enforcement of the law, rather than mutual support. And we foresee an escalation of brutality by police on the citizenry and by the citizenry on the police."

The group saw a potential solution in the BUF proposal.

It said there was no intent to imply a selective law enforcement or a weakening of the powers of the police department, but the proposal was to decrease crime "by proper law enforcement, undergirded by the sympathetic participation of those being protected, through the creation of a community tool of support and concern."

MILITARY RETIREMENT PAY

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. SCOTT. Mr. President, regrettably, one of the items of business left unfinished by the adjournment of the 90th Congress was final action on S. 725, legislation which I joined with the distinguished Senator from Michigan [Mr. HART] in sponsoring so that a small and rapidly dwindling group of elderly military retirees might pursue their just claims for an adjustment of retirement pay. This measure was similar to other bills which have been introduced in recent sessions of Congress, all with strong bipartisan support. S. 725 sought to waive certain limitations including "any prior decision by any court of the United States, or any statute of limitation." It was a necessary counterpart to legislation which I also cosponsored, and which successfully resulted in the authority conferred by the 88th Congress through Public Law 519 for these cases to be heard in the U.S. district courts.

Congress, in enacting the Pay Readjustment Act of 1942, specifically directed, in section 15, paragraph 4, that the retired pay of any officer of the uniformed services, who had served prior to November 12, 1918—World War I—and who subsequently retired "under any provision of law," should be 75 percent of his active duty pay at the time of his retirement. This provision has never been repealed. It remains on the statute books today.

Subsequently, however, the Court of Claims, on three occasions, held that this section applies solely to Regular officers. Regular officers have received full retirement pay under it, but Reserve officers, equally qualified, have been denied the benefit of its language—language which, in my opinion, is clear and unambiguous. In this sense, S. 725 was intended to make possible only the enforcement of existing law. It did not seek to confer any authority for retirement pay which had not already been approved by Congress.

Probably the most knowledgeable men on this subject, because of their direct involvement with it, are former U.S. Senator Edwin C. Johnson and former U.S. Representative Dow W. Harter, both members of the conference committee which reported the Pay Readjustment Act of 1942. Because this issue is likely to be revived next year, I ask that their background statements in support of S. 725, presented to an August 23, 1967, hearing of a Special Senate Judiciary Subcommittee considering this bill, be printed at this point in the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

Statement of Hon. Edwin C. Johnson, Former U.S. Senator and Governor of Colorado

Mr. Chairman and members of the Special Subcommittee of the Senate Judiciary Committee, please accept my warm greetings and give me a few minutes of your time.

For the Record: My name is Edwin C. Johnson. I reside at 901 Sherman Street, Denver, Colorado. It has been my privilege to serve 18 years in the United States Senate. During World War II, I was the ranking member of the Senate Military Affairs Committee and, at frequent intervals, I was the Acting Chairman.

I am most grateful for the privilege of presenting to you for your consideration a recommendation that a grave injustice illegally imposed upon a relatively small group of American War-time patriots be set aside. I seek for them simple justice—nothing more—nothing less. In line with this objective, may I say that I am personally indebted to the Honorable Philip A. Hart and to the Honorable Hugh Scott for sponsoring in Congress a very pertinent bill which if enacted will give these injured patriots their day in Court. This legislation is identified as S. 725.

Other than that, this very timely and important legislative bill does not award anything to anyone. Actually, it seeks only to open the doors to delayed justice to a relatively small group of war-time patriots who have been discriminated against wantonly by the U.S. Court of Claims.

Just how the Reserve officers of the United States military forces got under the jurisdiction of the Claims Court I cannot say. Instead of having "claims", these Reserve Officers have "rights", and these rights have been sanctioned in laws enacted by Congress. The purpose of S. 725 is to get these Reserve Officers before a Federal "Court of Law and Equity" where their rights, already established and authorized by Congress and the President of the United States, can be determined on pertinent basic facts, just as other laws enacted by Congress are adjudicated.

Honorable Members of Congress, I am here knocking on your door, and with great respect suggesting that you should object to the Claims Court mutilating an important Act of Congress affecting the Armed Services. Our Army is and has always been a Civilian Army established and operated under laws enacted by Congress. Only Congress and the Federal Courts of Law and Equity can straighten out the "mess" that Claims Court bungling has imposed upon these honored Reserve Officers. This has happened in an area where I personally have had grave responsibility. Accordingly, it is my duty to come to you in their behalf.

I was the Chairman of the Senate Subcommittee that sponsored and handled the Pay Readjustment Act of 1942. In fact, I was the author of this legislation. Furthermore, I was the Chairman of the Senate-House Conference Committee which re-wrote the very paragraph which was mangled to death by the inept Claims Court.

Should any Member of this Committee feel that I am too harsh in expressing my judgment respecting the stupid action of the Court of Claims, please have him review the straight-forward language of the "Pay Readjustment Act of 1942" and then have him review the Court of Claims contradictory opinion. Anyone doing this will be shocked out of his boots!

Frankly, in my humble opinion, the Claims Court interpretation of paragraph 4 of section 15 of this Act is so unreasonable and so shocking, that it might well have been a bold attempt by them deliberately to set aside action by Congress on a high military policy question, and to impose their own views, in lieu thereof. It is generally known that it is the duty of the Comptroller General and the Court of Claims to discover, expose, and correct fraudulent and illegal claims which may be filed against the Government of the United States. But these very necessary agencies cannot modify, alter or repeal an Act of Congress affecting a policy decision with respect to the military. This matter must be reviewed by a Federal Court of Law and Equity in the name of National Security.

With the bombing of Hawaii, World War II burst wide open and hit with frightful and staggering suddenness. Among other embarrassments, there was a tragic shortage of Army Officers. On June 16, 1942, the day the Pay Readjustment Act became a law, 90% of the military officers then on duty were Reserve Officers.

By illegally limiting lawful retirement compensation to certain officers, the Court of Claims set aside the judgment of Congress, and therein committed a vicious and wicked act. Congress in its wisdom had recognized the great debt and obligation due Reserve Officers for their faithful and responsible action in a time of war and dire emergency. But the Claims Court, accustomed to dealing with cheats and chiselers, threw the worthy Reserve Officers' retirement pay, authorized by Congress, out the window along with the fictitious claims of swindlers. How do you like that?

In *Carroll* vs. *U.S.* (117 Ct. Cls. 53, 1948), the Claims Court, referring to this very wording of the Pay Adjustment Act of 1942, said that it was "clear and unambiguous." But in *Abbott* vs. *U.S.* (152 Ct. Cls. 798, 1961) that Court reversed itself and said exactly the opposite.

That the Claims Court was on sound ground in 1948, and wholly in error in 1961, is made evident by a simple reference to the wording of para. 4 of section 15 of the Pay Readjustment Act of 1942, which says, clearly and unambiguously:

"The retired pay of any officer of any of the services mentioned in the title of this Act who served in any capacity as a member of the military or naval forces of the United States prior to November 12, 1918, hereafter retired under any provision of law, shall be 75 per centum of his active duty pay at the time of his retirement."

Most respectfully, may I suggest that my "Pay Readjustment Act of 1942" expressed clearly and deliberately what later and once again was written into the law by Section 277, Title 10, of the US Code, which reads:

"Laws applying to both Regulars and Reserves shall be administered without discrimination (1) among Regulars; (2) among Reserves; and (3) between Regulars and Reserves."

This is the law. It has always been the law. Since the Court of Claims had no authority to alter a law enacted by the Congress, it has never been repealed. It was simply made ineffective. The Court of Claims had no authority to single out and remove Reserve Officers from the benefits Congress had planned and provided for all of its war-time officers, including its Reserve officers.

Congress is the exclusive policy making authority of the United States. It was the clear intent of Congress when the "Pay Readjustment Act of 1942" was written that there would be no discrimination in retired pay between and among Regulars, Reserves or National Guard officers. All had served shoulder to shoulder in the same war and all had faced the identical hardships and dangers. Reserve officers were separated from their families, their professions and their businesses, just as were the Regulars. War is War, a soldier is a soldier, and an Officer is an Officer!

When a question arises respecting the interpretation of an Act of Congress whose enactment occurred some years previous, the intent of Congress at the time of enactment becomes very important. I know exactly and I recall distinctly what the intent of Congress was, when the Pay Readjustment Act was enacted in 1942. I was in a position to know, and I did know, and I do know now.

I would be glad to state the following under oath, as I state it now:

"It was the clear and practically the unanimous intent of Congress when the Pay Readjustment Act was enacted in 1942 that there would be no discrimination in the matter of retired pay between and among Regular, Reserve or National Guard Officers."

The wording of the Pay Readjustment Act of 1942 is clear and unambiguous. The expression "any officer of any of the services" which I put in there myself, in para. 4 of section 15 of the Act, is to the point and meaningful. It expressed the precise intent of my Conference Committee and of the Congress in 1942. The Court of Claims has singled out military officers to be rewarded, and other military officers to be denied. That is neither legal, wholesome nor fair under our democracy nor under the justice we boast. To permit such a vile miscarriage of justice, mars our good name and our good record. The Congress of the United States should remove this blemish, and not tolerate such an injustice to remain uncorrected. S. 725 when enacted will allow the Federal Courts to enforce the law we wrote in 1942.

STATEMENT OF DOW W. HARTER

My name is Dow W. Harter. I was a Representative from the 14th District of Ohio from March 4, 1933 to January 3, 1943, the 73rd through the 77th Congresses. During this period I was a member of the House Military Affairs Committee and during the last four years of my tenure served as a House Conferee on all bills assigned to the Military Affairs Committee which went to conference with the Senate. This included the Selective Service Act, commonly known as the Draft Act of 1940, and the Pay Readjustment Act of 1942, the fourth paragraph of section fifteen of which Act is intimately related to S. 725, the bill now before you.

The United States was at war with both Germany and Japan when this was enacted. Those of us in Congress at the time, and particularly those who had served for years on the Military and Naval Affairs Committees of the House, had realized for several years before Pearl Harbor that War threatened, and that steps must be taken to increase our military forces by large expansion thereof. Hence the Draft Act, enacted nearly two years before, and mentioned above. We well realized that our Regular Army and Navy personnel could not fight a war of the magnitude which then threatened the United States.

By the time of the passage of this 1942 Pay Readjustment Act, hundreds of thousands of young Americans had been called up and were in various stages of training and service. The number of Regular Officers was totally inadequate to officer this tremendous civilian army, and in large part it was officered by Reserve officers, some of whom were those who had served in World War I, and to whom this Bill applies. Many more were young officers from the expanded Officers Training Schools and Camps.

It was the intention of those of us in Congress at the time of the enactment of this law in 1942 to treat Reserve officers exactly the same as those in the Regular forces. Is it likely that Congress, representing all the people of the United States, would pass a bill to benefit regular officers only? Reserve officers of experience, to help train and officer the citizens army made up of hundreds of thousands of young men from all walks of life, were needed desperately.

Both Senate and House passed bills upon the subject, which were reconciled in conference. The Senate conferees were Senators Reynolds, Thomas, Johnson, Austin and Gurney. Those of the House were Representatives May, Thomason, Harter, Andrews and Short. The report of this Joint Conference Committee was approved by Senate and House, and became the Pay Readjustment Act of 1942.

Senator Johnson, one of the above conferees, has prepared a most thorough and factual statement of his recollection of the conference and the passage of this 1942 Act. I have read this carefully and concur in what he has said. It is my understanding that the Senator's statement has been, or is to be, offered for inclusion in this record.

The Court of Claims held against Reserve officers in several cases tried in that Court. But it said in Carroll vs. U.S., 117 Ct. Cls. 53 (1948):

"The language of . . . (Par. 4, Sec. 15, 1942 Act) . . . is clear and unambiguous as to officers who had served in the military or naval forces prior to November 12, 1918."

Had the Court of Claims followed its foregoing pronouncement in its decisions, these Reserve officers would not be seeking the relief this bill would afford them. Moreover, by its decisions it has overridden the clear and unambiguous intent and language of Congress.

Finally, in *Abbott et al. v. U.S.* No. 235–59 (decided March 1, 1961) the Court of Claims came up with a most preposterous statement. It said:

"We think it would not be realistic to impute to Congress an intent to afford the same benefits to Reserve Officers as were intended to be given to Regular Officers."

Congress understands the necessity of the maintenance of a modest, well-trained Regular Army in this Country. It also knows that in any major war our standing Army is totally inadequate and such a war must largely be fought by men from civilian life, including Reserve officers. That there should be any difference in the treatment of regular personnel and civilian soldiers called up for the emergency is unthinkable.

During the consideration of S. 2025, which became the Pay Readjustment Act of 1942, a floor amendment was offered by Rep. Maas of Minnesota, then a Reserve Colonel in the Marine Corps Reserve. The purpose and the ultimate disposition of that amendment, though perfectly clear to us who handled the bill in the 77th Congress, seem to have left much confusion in the minds of many, including the Court of Claims. In *Danielson vs. U.S.* (121 Ct. Cls. 533) that Court in 1952 decided that the "Maas Amendment" was *not* included in the final enactment. In *Berry vs. U.S.* (123 Ct. Cls. 530), later in 1952, the same Court decided that the amendment *was* included in the final Act. This seemingly convinced the Court that para. 4 of sec. 15 of the 1942 Act was limited in its intent to equating the Navy with the Regular Army, which granted its World War I officer/retirees 75% retired pay irrespective of time on active duty, provided they had served in the earlier war.

Factually, the "Maas Amendment", which had earlier been proposed by the Navy through its representative CDR. Hopwood, was intended to equate as to retired pay all Naval officers, Regular and Reserve, who might retire after World War I service, with officers of the Regular Army. In the Navy, both Regulars and Reserves had been granted non-disability retirement under two 1938 laws, a fact which the Court of Claims either ignored or of which it may have been uninformed. Had the Congress, therefore, enacted into law the amendment as proposed by Maas and adopted by the House, the 75% retired pay provision would have been limited to officers of the Regular Army and of the Regular and Reserve components of the Navy.

Faced with this anomaly, so utterly out of harmony with the desire of the Congress to erase all discrimination between and amongst the Services, the Conference Committee, of which I was a member, struck down the restrictive "Maas Amendment", and substituted the all-inclusive wording of the law as enacted, and as re-enacted in the Career Compensation Act of 1949. That wording is exactly as follows, and as such is still the law:

"The retired pay of *any* officer of *any* of the services mentioned in the title of this Act who served in *any* capacity as a member of the military or naval forces of the United States prior to November 12, 1918, hereafter retired under *any* provision of law, shall, unless such officer is entitled to retired pay of a higher grade, be 75 per centum of his active duty pay at the time of his retirement."

The services mentioned in the title of the Act are "Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service."

I underline the word *"any"*, which we employed four separate times, to make it abundantly clear that there was to be no exception to the provision whatsoever.

Thus the comments of the Court of Claims in both the Danielson and the Berry cases were beside the point in each instance. The "Maas Amendment" was neither included as proposed, as they seem to have assumed in Berry; nor was it excluded, as they seemingly assumed in Danielson. It was, on the contrary, simply taken as a starting point, and expanded to refer to *"any* officer of *any* of the services."

Such was, in fact, the only possible and justifiable action which the Congress could have taken under the then existing war circumstances.

I respectfully submit that these Reserve officers, who served with distinction in both of this Country's World Wars, are entitled to have access to Federal District Courts to endeavor to receive the same treatment intended by Congress for all officers, regular and reserve.

SOCIAL SECURITY DISABILITY CASES POSE NEW CHALLENGE TO TRIAL BAR

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. VANIK. Mr. Speaker, one of the grave source of problems in my community relates to the qualification of disabled persons for disability benefits under the social security law. These proceedings are often drawn out and involved and require the presentation of documentary and medical evidence.

In the study of many cases through my office, I saw persons that I believe totally disabled denied social security disability benefits because their cases were not properly presented and organized.

I want to take this opportunity to address the attention of the House to a splendid article which appeared in Trial magazine, the August-September 1968 issue, published by the American Trial Lawyers Association. This article by Allen Sharp of Williamsport, Ind., outlines the role which attorneys can play in bringing about proper determinations in disability cases. The article is as follows:

SOCIAL SECURITY DISABILITY CASES POSE NEW CHALLENGE TO TRIAL BAR

(By Allen Sharp)

The recent decision of the U.S. Supreme Court in *Hopkins* v. *Cohen* [1] emphasizes the need for competent advocates in social security disability cases. Each year thousands of applications are made by persons claiming disability under the Social Security Act. Many of these are routinely allowed by the Social Security Administration; however, there are a mass of cases where disability is denied.

In these cases the skills of trained advocates are sorely needed for their just administration. It is estimated that more than 150,000 claimants annually make application for social security benefits on the basis of disability and less than 2% of these applicants end up in a U.S. District Court for review. However, only a very small percentage of these claimants are represented by attorneys at the administrative level.[2] Records show that examiners in recent years have ruled in favor of the applicant in approximately 40% of all disability cases.

PROVING INCAPACITY

The Social Security Act provides that a disabled worker must prove "inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months".[3] The relevant sections of the statute are 42 U.S.C. 401 et seq.

At the outset the social security disability claimant is confronted with complex administrative machinery regarding his claim. He generally has little understanding of it or appreciation of the importance of the record kept during the administrative consideration of his claim. All administrative remedies must be exhausted as a prerequisite to review by a U.S. District Court.

The administrative procedures for these claims are as follows. The initial claim is filed by the claimant, with the aid of social security personnel, at a local district office on a standard form. If the claimant has dependents, claims are filed either by or for them. Once filed, the claim is considered by the Division of Disability Operations which makes an initial determination and notifies the applicant.

If the claim has been disallowed, the reasons are specified and a six month period for requesting reconsideration follows. This period can be extended by the Social Security Administration for good cause. Additional evidence may be submitted with a request for reconsideration. If reconsideration is denied, then the claimant may file for a hearing within six months from the mailing date of the reconsideration determination. While the hearing is informal, conducted by a hearing examiner of the Social Security Administration, and the rules of evidence are not followed, there is a verbatim transcript made, new evidence may be presented, witnesses examined and cross-examined, subpoenas issued and oral argument presented.

LAWYER NEEDED AT HEARING

There is a decided advantage for the claimant to be represented by counsel at this hearing. Until the hearing examiner makes his decision, new evidence may be submitted and the hearing reopened. Should the decision of the hearing examiner be adverse to the claimant, in order to exhaust administrative remedies, review of the Appeals Council of the Social Security Administration must be requested within sixty days of the date of mailing notice of the hearing examiner's decision. The Appeals Council sits only in Washington and considers only the written record, but, upon a showing of good cause, additional evidence, usually written evidence in the form of additional medical reports, may be submitted.

If the Appeals Council affirms the decision adverse to the claimant, then the claimant may, within sixty days, seek review by a U.S. District Court. It is usually at this stage that a lawyer first enters the case. The proper venue for such review is in the district where the claimant resides and the proper party defendant is the Secretary of Health, Education, and Welfare.

Summons and complaint must be served upon the U.S. Attorney for the district and the Attorney General of the United States in Washington, D.C. The complaint filed should allege the plaintiff's place of residence, that jurisdiction lies under 42 U.S.C. 405(g), that the action is commenced within sixty days of the Appeals Council's decision, that all administrative remedies have been exhausted and that the findings of the Appeals Council are not based on substantial evidence and are contrary to the law and facts. This complaint need not be verified.

The Court reviews the entire administrative record to determine if the decision of the Social Security Administration is supported by "substantial evidence". The Court examines only the record; no new evidence is permitted. Procedurally the Court considers these cases on cross motions for summary judgment under Federal Rule 56 or cross motions for judgment on the pleadings under Federal Rule 12. The U.S. Attorney is required to represent the Secretary of HEW and must file a certified copy of the entire administrative record with his answer.

Footnotes at end of article.

REVERSAL IS FREQUENT

Notwithstanding the limited nature of the review of these cases, recent studies show that from 60–75% of cases which reach a U.S. District Court result in reversal of the Secretary's determination. The Court can reverse, affirm or remand the case to the Secretary of HEW for further proceedings.

There is a wealth of case law pertaining to the "substantial evidence" requirement. Only a few of the important areas can be touched here. The Social Security Act should be liberally construed in favor of those seeking its benefits. (See an excellent comprehensive annotation in 77 A.L.R. 2d 636.[4]) The burden is upon the Secretary to adduce evidence that claimant could perform substantial gainful activity which is actually available.[5] The practice of hearing examiners to rely on the Dictionary of Occupational Titles has been severely criticized.[6] The 4th Circuit has held that the Secretary must make specific findings, based on the particular claimant's ability, education, background and experience to perform employment and the actual availablity of such employment.[7] Judicial notice should be taken of the amount of exertion and dexterity required in certain occupations.[8] The conclusions of the Secretary are not binding on the Court[9] since the substantial evidence must be based on the records as a whole.[10]

Trial lawyers generally feel that the compensation available in social security disability cases is not sufficient to warrant their handling them. The attorney fees are regulated both before the Secretary of HEW and before the U.S. District Court but, at the administrative level, the Social Security Administration has allowed fees at and above the $1000 level. The impression that fees in these cases are limited to $20–$50 range is simply not true.

A recent amendment to the Social Security Act provides that, where a claimant is represented by a lawyer before the Secretary of HEW and a determination is made in his favor, the Secretary must fix a reasonable fee for legal service.[11] If the claimant is entitled to past due benefits, then the Secretary certifies the amount for legal services payable directly to the lawyer out of past due benefits. The amount paid is the smallest of: (a) 25% of total past due benefits; (b) amount of attorney's fee fixed by the Secretary; (c) amount agreed upon by the claimant and attorney.

It would appear that this statute, which became effective January 2, 1968, would liberalize previous social security regulations regarding attorney fees at the administrative level. However, this allowance must be made at the administrative level and cannot be provided by a U.S. District Court. Conversely, the legal services rendered in a review proceeding in a U.S. District Court must be allowed by the Court. Thus it is possible to have two allowances of fee in the same claim.

Until 1965 there was no statutory limit on the amount of attorney fees in proceedings for review in a U.S. District Court. This was a matter of private contract between attorney and client, although the Court had jurisdiction to fix or limit fees. In 1965 an amendment sponsored by HEW was passed, limiting the amount of attorney fees to a maximum of 25% of "past due benefits".[12] Almost immediately a conflict of decision developed over the meaning of "past due benefits". The Secretary of HEW held that the base for attorney fees should be limited to the benefits payable to the claimant alone, excluding benefits to his dependents.[13] Another line of cases read the amendment broadly, that the base for attorney fees included both the benefit to the claimant and his dependents, since all sprang automatically from the claimant's disability.[14]

In the *Hopkins v. Cohen* case the Supreme Court, speaking through Mr. Justice Douglas, rejected the narrow reading sought by HEW because the determination of the claimant's disability "results in a package of benefits to his immediate family; and those benefits inure to the benefit of the head of the family who files the 'claim' ". Thus, the benefits of the claimant's dependents must be included in the base for allowance of attorney fees.

The allowance of 25% of past due benefits is not automatic but is under the control of U.S. District Courts. The amount so fixed is certified and paid directly to the attorney. As a practical matter the Supreme Court decision in *Hopkins v. Cohen* will double the base upon which attorney fees are fixed in the average social security disability case. It will also permit a U.S. District Court to allow substantial fees in particularly complex, protracted and difficult cases.

FEES AT ADMINISTRATIVE LEVEL

The question also rises whether HEW will now follow the Supreme Court's reading of the 1965 social security amendment in *Hopkins v. Gardner* in interpreting the recent amendment on fees at the administrative level since the pertinent statutory language is identical. The language in *Hopkins* should compel such a reading.

It is vitally important that private attorneys represent this large class of claimants and to get into these disability cases early. Since the above statutes do clearly provide for a contingent fee at both the administrative and court levels, it is doubtful that OEO Legal Services program assistance will generally be available. Therefore, the private bar has the burden of this representation.

It is also essential that attorneys get into these cases at the administrative level so that the record can be carefully made. This is especially important in view of the vast amount of judicial criticism on the manner in which these administrative hearings are now conducted.[15] One federal judge suggested it is just as important for a social security disability claimant to have counsel in seeking benefits that may determine the future course of his life as it is to have counsel in a criminal case where his future freedom is at stake.[16] The just determination of this mass of social security claims absolutely compels such representation.

FOOTNOTES

[1] *Hopkins v. Cohen*, 88 S. Ct. 1146 (1968).

[2] See TRIAL, February/March 1968, p. 35, by Sherman L. Cohn and also 53 ABAJ 1141 by Richard D. Huttmer.

[3] 42 U.S.C. 416.

[4] See also extensive annotations under 42 U.S.C.A. 416.

[5] *Ratliff v. Celebrezze*, 338 F. 2d 978 (1964).

[6] *Stancavage v. Celebrezze*, 323 F. 2d 373 (1963).

[7] *Thomas v. Celebrezze*, 331 F. 2d 541 (1964). *Ray v. Celebrezze*, 340 F. 2d 556 (1965).

[8] *Bryant v. Celebrezze*, 231 F. Supp. 524 (1964).

[9] *Carroll v. Social Security Bd.*, 128 F. 2d 876.

[10] *Cyrus v. Celebrezze*, 341 F. 2d 192 (1965).

[11] Amendment to Sect. 206 of Social Security Act became effective Jan. 2, 1968. See p. 4642, *U.S. Code & Congressional and Administrative News*, Jan. 20, 1968.

[12] 42 U.S.C. 406 (b) (1).

[13] *Hopkins v. Gardner*, 374 F. 2d 726 (1967). *Sims v. Gardner*, 378 F. 2d 70 (1967).

[14] *Redden v. Celebrezze*, 270 F. 373 (1967). *Lambert v. Celebrezze*, 370 F. 373 (1967). *McKittrich v. Gardner*, 378 F. 2d 872 (1967).

[15] For examples see: *Farley v. Celebrezze*, 315 F. 2d 704 (1963). *Seldomridge v. Celebrezze*, 238 F. Supp. 610 (1964). *Mandim v. Gardner*, 264 F. Supp. 370 (1967), *Robinson v. Celebrezze*, 248 F. Supp. 149 (1965).

[16] *Perry v. Celebrezze*, 228 F. Supp. 508 (1964).

FORMER SENATOR WILLIAM BENTON RECEIVES HUMAN RELATIONS AWARD OF THE AMERICAN JEWISH COMMITTEE

HON. ABRAHAM A. RIBICOFF

OF CONNECTICUT

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. RIBICOFF. Mr. President, on October 9, in the Pick Congress Hotel in Chicago, the Honorable William Benton was the recipient of the Human Relations Award of the American Jewish Committee.

I can think of no more deserving recipient for this award. It is a choice that does honor both to the recipient and the committee. Bill Benton served with honor and distinction as a Member of the U.S. Senate. For the last several years, he has served his country with distinction as the Ambassador to UNESCO.

I ask unanimous consent that the remarks on October 9 of this distinguished and able public servant be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF WILLIAM BENTON ON RECEIVING HUMAN RELATIONS AWARD OF THE AMERICAN JEWISH COMMITTEE

The shocks and surprises of this year helped illumine a new facet of American life.

Our society today faces not one but two revolutionary challenges. One is the now familiar revolution of rising expectations. The other is a new and pre-emptive revolution of rising impatience.

These revolutions are cousinly in that they are related to the phenomenal progress of our age, to the new era of communications and the proliferation of knowledge and scholarship, science and technology. Both revolutions relate to legitimate goals of our society.

The revolution of rising expectations seek the realization of equal opportunity and justice for all. It is fueled by the gathering reality of this goal.

By contrast, however, the revolution of rising impatience means the evaporation of the goal into what General de Gaulle has called "the delights of anarchy." There are two mutually antagonistic elements in this second and super-imposed revolution: the first seeks more and more progress faster and faster and faster; the advocates of this right-now-ism do not propose to wait for the realization of the American dream. They want its fulfillment right now; indeed, yesterday. The other and opposite element will not tolerate "more progress faster." Its advocates fear that quick progress towards the dream for disadvantaged Americans will come only at their own expense. They advocate what might be called not-now-ism. Both elements are in revolt, and in the discords of this revolution of rising impatience, we have an American nightmare.

Our confrontation with the revolution of rising expectations, and at the same time with the surging and riotous revolution of rising impatience, will tax the wisdom of American citizens and institutions for years to come.

Mr. Chairman (Adlai Stevenson), your eloquence, like your name, evokes in me, as I am sure in all of us here, sharp memories of your father. How we miss him! How we miss him in this hour! Voices that talk sense to the American people, to any people, are ever in short supply.

Fortunately for America, another voice that talks sense to the American people is that of the American Jewish Committee.

As I heard myself introduced tonight, I was struck by the communion of our interests, yours of the American Jewish Committee and my own.

Your Committee fights oppression and prejudice and injustice. I have tried, through publishing, public office, and educational and philanthropic trusteeships—to fight their precursors, ignorance and demagoguery. We stand and fight together, and indeed we use the same weapon: education.

"Train up the child in the way he should go, and when he is old he will not depart from it," says the Book of Proverbs. Until recently, we have largely accepted the corollary, as well. "Train up the child in the way he should not go, and when he is old he will never be able to depart from it."

In this decade we have begun to attack this corollary. Our task is to seek to minimize the truth in it. We have begun to succeed, for today's ghetto child sees a glimmer of hope that is substantially more real than it was just a few years ago. Some day he may in fact "make it"—if he gets the help he needs. He my be able to "depart from the way he should not go." He may be able to get out of that rut.

But the task is still so arduous that you and I can barely comprehend its immensity. The distance from any ghetto to the Chicago Club is as unchartered and beset with perils as the distance from Spain to America in 1492.

It was rising expectations—it was hope, spurred on by a realistic possibility of fulfillment—that set Columbus' sails westward; that drove the American pioneers from their New England farms and shops; and that moves the courageous Negro today to claim the rights that President Lincoln proclaimed were his 105 years ago.

Men driven by rising expectations thrust out to realize them. They are driven by a hope, a promise—and the suddenly realistic possibility of success—documented every day by televised visions of plenty, of the comforts of the opulent society depicted for the ghetto child and the privileged child alike. The privileged have expected fulfillment all along. The rejected are now coming to expect it; suddenly, it's in the cards for all the children of TV. And why not?—the fulfillment is the TV version of the American dream of suburban success.

Now, may I turn to the revolution of rising impatience? How is the voice of reason to penetrate the increasingly strident din of the concomitant rebellious of right-now-ism and not-now-ism? How are we to persuade the leaders and followers of this revolution that seldom is anything ever done right that has to be done right now, that in the words of the Talmud, it is not for us to imagine that we can complete the task, even though we must not suppose that we can lay it down?

This great city of Chicago, which has played so dominant a part in my life, was a battlefield of this revolution of rising impatience when I was last here, for the Democratic Convention.

We have seen Chicago's reputation bespattered before the world when the right-now-ism of impatient demonstrators provoked the not-now-ism of impatient policemen into acting out an American nightmare.

We saw the nightmare obscure historic progress at the Convention toward the goal that was pursued through the Credentials and Rules Committee in continuing to purge the Party and Convention of bigots, in eliminating the unit rule and establishing new high standards for the delegates of the future.

Even more disturbing to me—for I've served on four Platform Committees—more, I suspect, than anyone in the country—we saw the nightmare obscure discussion of the finest and most constructive Democratic platform in decades.

Other battles have been fought in the nightmares of other cities. Detroit, Newark, Cleveland, even Washington, saw black rage and frustration spark battles in this revolution of rising impatience. Chicago last summer saw white fear and frustration erupt into violence against black demonstrators. New York last month saw the invasion of a court house by a white rabble of haters intent on beating Negroes in the style of the Ku Klux Klan of the "Reconstruction" South.

What feeds this overweening tide of impatience? How does this new revolution recruit rebels who hate and fear not only the establishment but one another, black and white, young and old, new left and old right—who seek to destroy the society which gives them sustenance—who deny the values of representative democracy and offer instead some form of chaos?

Yet for all the dangers this revolution brings, we dare not fail to seek to understand it.

We cannot afford the luxury of the medieval king of fable to whom a breathless runner cried, "Your Majesty, the people are revolting!"

"Revolting!" said the king, "They're nauseating!"

We cannot let bizarre or dirty clothes and bare feet and beards—or raging police or vigilante mobs—provoke us into ignoring the motivations of this revolution of rising impatience. Yes, we must seek to understand.

This prescription is easy. The hard part is: how?

We must listen as well as seek to be listened to. However provocative the deeds and demeanor of dissent, we must not respond with contempt to the core of the message, whether the message be that of resentment of injustice, or resentment of change.

The revolution of rising expectation challenges, and I think legitimately, our sincerity in professing that the American dream is open to all Americans. We use the language of equal opportunity and equal justice, but what of our performance? Do we mean what we proclaim in our rhetoric of equality? The American consensus has long spoken of equality. Is it moving with sufficient speed so that our actions will conform with our rhetoric?

The challenge thrust up to us by the revolution of rising impatience is harsher, harder to understand, offensive—even seditious. These newer revolutionists have written off our alleged goals as a fraud, our equality as inequality, justice as injustice. This revolution challenges the very existence of an American consensus.

Chief Justice Warren at New York University last Friday night called for a massive drive to solve the problem of racial hatred and distrust. How did this hatred happen to break out into violence in these years of prosperity and progress? The explanation is not the vaunted generation gap. That gap is as old as man; indeed Aristotle complained of the arrogance and impatience of youth. Is it not the accelerating technological changes that have been wrought upon our society and which are now magnifying the intensity and scope of dissent?

To speak of the communications revolution is commonplace. Indeed, it has become so commonplace that we need to take a closer look at it. Instant transmission of what happens—to every home—but what happens as seen by whom? From where? Which side of what happens? All of it? Our information about what is going on in today's America, and about what has been going on, many of us tend to accept uncritically as true because we saw it. Just as the citizen who sees rioters in action knows disorder is rampant, so the citizen who sees only poverty and degradation knows equality is a hoax.

We operate every day in the world of these new communication complexities which can help breed mistrust instead of understanding. Still, we of "the establishment," we who can afford the $115 dinners, tend to cling to our traditional rhetoric. We may over-remember the rhetoric—while ignoring it in our lives.

Shall we not admit that the American consensus is now open to challenge? Continued turbulence seems inevitable. Can we convert the nightmare into a healthy turbulence, a process of evolution towards the new consensus of a truly great society? Some sage once said of his turbulent era, "Times that are out of joint are times of rarest opportunity." But an opportunity to be realized must be seized. Can we seize the opportunity offered by this turbulent time? How can we confront the two revolutions—winning the one of rising expectations and modifying the one of rising impatience?

The rebels now speak the language of dissent; their banner—once emblazoned with the word "*on!*"—has been turned upside down so its legend becomes "*no!*"

How are we to deal with them? How can we turn upright those upside-down banners?

Rational and useful answers to such hard questions facing America have been found before by the American Jewish Committee. For leadership in this task, may we not again look to the Committee, with its long and impressive record of pioneering in troublesome areas, of genuine scholarship in pursuit of answers to key questions bearing upon the whole realm of human relations? Yes, and for disseminating the answers as well.

Does not the American Jewish Committee say to the white man who is worried about order, "give justice"? And to the black man who is worried about justice, "give order"? And to both, the exhortation of the prophet Micah: "to do justly, to love mercy, and to walk humbly with thy God."

Last Saturday when the New York Times reported J. Russell Wiggins' confirmation by the Senate, it summarized his "optimistic view of American society" in this quotation from him: "This country, time and again, has had its heart broken, its hopes frustrated, its expectations denied—but it has never given over to despair and resignation and defeat."

With these words, I associate myself and the American Jewish Committee.

The accumulated grievances of centuries; the sudden disenchantment with a society that has failed to solve its problems; the traditional rebellion of the young against the old now taking bizarre and even riotous forms—these all call for the genius in human relations to which the AJC's achievements testify. In accepting the award you bestow upon me tonight, and in thanking you for it, I can offer only one sure word of advice. It is the word which Picasso spoke to his students in Paris. He would pass behind them, study their work, pat them on the back, and say, "Continuez, Continuez."

TIMES PAST AND HOPES FOR THE FUTURE

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. MATHIAS of Maryland. Mr. Speaker, last spring on the 27th of April 1968, my distinguished colleague and friend Congressman Gilbert Gude addressed a record number of conservationists who had joined Justice William O. Douglas and the officers and members of the C. & O. Canal Association for the association's 14th annual reunion hike along the towpath of the historic canal.

Congressman Gude's remarks clearly expressed the need to establish a C. & O. Canal National Park, such as he and I have advocated by cosponsoring H.R. 7201, to preserve and protect this vital part of our national heritage. Mr. Gude has traced in his speech some of the events of the canal era and their contribution to the development and lore of this country.

Under unanimous consent I submit Congressman Gude's remarks which are an excellent expression of times past and our hopes for the future of the canal for inclusion in the Congressional Record, as follows:

SPEECH MADE TO THE 14TH ANNUAL MEETING C&O CANAL ASSOCIATION, SHEPHERDSTOWN, W. VA., APRIL 27, 1968

Justice and Mrs. Douglas, to whom we owe so much thanks and appreciation for friendship and support of our interest in the C&O Canal; our host and hostess, President and Mrs. Inkenberry; our leader, President Nadel and Mrs. Nadel and officers, members and guests of the C&O Canal Association, I want to thank you for your warm invitation and the honor you bestow on me in asking me to address your 14th Annual Meeting.

Last Thursday, I told Congressman Harley Staggers of West Virginia, whose District includes the Shepherdestown area, that I would be speaking in his Congressional District. I indeed appreciated the welcome he extended to me as one who would be a guest in his District. His warm hospitality speaks well of the citzens who are residents of these West Virginia hills.

Tonight, I would like to discuss three areas in which we share a great mutual interest. They are: proxemics, Sutton's Warbler Country, and James Rumsey. We are here this evening because you and I are intensely interested in one or more of these areas.

The first area, Sutton's Warbler country, has to do with Berkley and Jefferson Counties, which comprise that section of West Virginia adjacent to the segment of the Potomac along which you have been hiking all day. These counties are the home of Sutton's Warbler, a new variety of warbler which was first identified in 1939. There is some debate as to whether Sutton's Warbler is a cross between the Parula and the Yellow Throated Warblers or is a different variety of Warbler all together. Regardless of varietal enigma, those of us who are interested in conservation are here tonight we are interested in preserving the Sutton's Warbler, as well as all the natural history along the C&O Canal and in the Potomac Valley generally. The area along the Canal across the river from Shepherdstown, both up and down stream, is excellent for summer and winter birding. And there's great bass fishing here too.

But I do not have to further document the natural history which we wish to preserve here. We are aware of it and we work to preserve it.

The representatives of the Nature Conservancy, Mr. Thomas Richards and President, and Mrs. Herbert Hiller, I am sure are here because of their interest in the natural history of the area. The Conservancy is doing a great job in preserving so many areas across the nation. I have seen the work they are carrying on to preserve the Cranesville Swamp, an important area to naturalists in Maryland's far western Garrett County.

We all know that to varying degrees wildlife needs open space, and we know that man needs open space also. And for this reason, my second area of discussion, the subject of proxemics, is so important to us. I mention it as it relates to the open space aspects of the Canal and the Potomac Valley.

Proxemics is a new name for a concept and an area of research which we have understood to a certain extent for a long time. Proxemics includes the studies of the effects of living in close quarters. For example, scientists have discovered that laboratory rats when severely overcrowded go berserk, they develop all types of personality disorders.

Space is as necessary to living organisms as is food, water, and oxygen. The term proximity fuse of World War II is derived from the same base as proxemics. The proximity fuse was the device which when attached to a bomb triggered an explosion when it was brought too close to another object.

We can't help but feel that the lack of open space for living is a partial explanation for the terrible explosions which are taking place in our cities today. We have a need for open space in the inner cities of our metropolitan areas, and we need open space preserved in our wilderness areas. Many of you have been on the hike today because you appreciate this need for others as well as yourselves.

But when we hike the C&O Canal towpath we know there is something vastly different between this area and most of the other great outdoor areas of our nation. On every mile and at every turn of the towpath we find ourselves face to face with American history.

The C&O Canal is a rich slice of American history, and this is the reason for my third point of discussion—James Rumsey, a man who is part of the history of this Shepherdstown area and closely connected with the development of the Canal. Rumsey was appointed by George Washington as principal superintendent for the construction of canals for the Potomac Navigation Company, the predecessor company to the C&O Canal Company of which Washington was president.

But principally I would like to discuss Rumsey's work with the steamboat. James Rumsey developed one of the very first steamboats in the world. One hundred and eighty-two years ago at a bend in the river, close to Shepherdstown, hundreds gathered on the banks to see the success or failure of the "marvelous boat that was to move without oars, paddles, sails or set poles." Rumsey's craft was a fairly large boat calculated to carry 100 barrels of flour. It was manned by Rumsey and two others, carried a number of ladies as passengers, moved upstream about a half mile and cruised for two hours at a speed of three miles per hour! It was the first time in the history of the world a steamboat large enough to carry freight and passengers successfully operated before a great crowd of witnesses. This craft had the first water-tube boiler ever used to drive a steamboat. It also operated on a steam jet principle. Rumsey was indeed well in advance of his time.

Ben Franklin was so impressed with Rumsey and his achievements that he formed a Rumseian Society and was its first president. Rumsey's success in developing the steamboat was acknowledged by Congress in 1838 when a Congressional Committee made the following report:

"On review of the whole subject, the committee are of the opinion that to James Rumsey justly belongs the honor of constructing the first steamboat and by actual experiment demonstrating its capability, while to Robert Fulton attaches the merit of improving upon his predecessors plans and establishing the utility of steam navigation and bringing it into general use."

I guess it was because Rumsey did not have a Madison Avenue-type P.R. man, or perhaps it was because he didn't have a good sales manager—in any case he was unable to sell his inventions to the American public and sailed for England to patent his improvements and to interest English capital. He soon secured English patents on his boiler and steamboat, and through his friends similar patents were later granted him by the United States in 1791.

I certainly believe that there should be a facility recording the history of James Rumsey and his works in the Shepherdstown area of the Canal. Last Thursday, Mr. Nadel and I went to the Smithsonian Institution in order to get pictures of a model of James Rumsey's boat.

I don't feel that the young people of our country should have to go to the Smithsonian Institution in order to see a model of this early craft. Perhaps one of the restored Canal lock houses near Shepherdstown should have a model of Rumsey's boat and a display to record Rumsey's contributions to history. With the model and a display area, the young people could better visualize the history that took place at this very point.

As we think of these three areas, proxemics, Sutton's Warbler country, and James Rumsey, we automatically ask the question of how and by what means we shall achieve the conservation, the open space and the preservation of the history of the Canal and the Potomac Valley which we all love.

We have two principal choices at this time in order to achieve our goals: (1) legislation to establish a C&O Canal National Historical Park, and (2) legislation to establish a Potomac National River. I would like to make it clear that I do not feel that these two bills are mutually exclusive. I believe that they can and should go together. However, there is a section of the Potomac National River Bill about which I am concerned because the language contained therein would specifically abolish the C&O Canal National Monument which was established by President Eisenhower in 1961.

Just a week or so ago after first reading this provision of the National River Bill abolishing the Monument, I had a terrible dream. It was probably a combination of reading this bill and perhaps something I had eaten at dinner. I dreamed that it was the year 2000, and somehow one of the staff people of the Post Office Department had gotten into Interior. In line with a move to develop greater economy and efficiency they had decided to eliminate all names of national parks and give them zip code numbers instead. I could see my son, Gregory, who is here with me tonight, talking to his friends about No. 798427 and its wonderful hiking trails and camping facilities. And then the conservationist of this new generation shifted to the need for all conservationists to support the bill to establish No. 684329, because by this bill they could be assured of the preservation of some wonderful historical artifacts. But the dream had a good ending—Americans are ingenious and versatile. I found that in the end even the Cub Scouts were able to discuss the various parks without using the cumbersome zip codes. Instead they used nicknames. The conversation finally went: "When it comes to scenic beauty, No. 7 is my favorite," and "we have been going to 8½ for years because of the great birding there," and then someone else said, "but No. 3 is undoubtedly the best of all when you consider the wonderful interpretive program they have."

But seriously, there is much history in names. To me there is a real question about even eliminating in this manner the name Chesapeake and Ohio Canal. Think of some of the names in our history which mean so much in relating our great heritage. Names like: Albuquerque, St. Louis, Erie and the names Shenandoah and Sharpsburg and Antietam. They mean volumes. I hope that we will amend out this section of the National River Bill which provides for the abolishment of the name.

But the name alone is not the sole reason, even the principal reason for my concern about the elimination of a governmental entity to specifically administer the Canal and towpath area. I believe, and I think you will agree with me, that because of the importance of history and the heritage of the Chesapeake and Ohio Canal, the towpath and adjacent areas should be designated for special administration in order to best preserve and record its heritage for this and future generations.

It is necessary that we press for special administration of the Canal area which will be concerned in a continuing program, particularly in the area of historical research and development, because it is inexpensive and it holds top priority among the things that need to be done.

As to the point that what needs to be done is inexpensive: it's easy to see that restoration of sites and structures (archeological and digs), research, display construction, recordings and photographs relative to the cost of other areas of park development, can be carried out at a modest price.

On the other hand, the Potomac National River Bill has a multi-million dollar price tag and, with the tremendous demands on our national treasury, which I certainly do not have to list for you, would inevitably take a lower priority.

Second, action in this area demands top priority because history is fragile. With the relentless passage of time, most records, including the memory of man, fade into oblivion unless they are preserved.

Also, we can feel a sense of urgency when we know that visitors who throng through this area are young Americans—many of the people who could benefit from exposure to historical records which would make the Canal and its history come alive. Many of these young citizens will only pass this way once.

We must move now to give impetus to historic research and development, but we won't move rapidly with a Potomac National River Bill.

The Secretary of the Interior himself has indicated that it is improbable that the Bill would be passed this year or next. It is too controversial and will require extensive hearings from the citizens who live throughout the area, as well as all of the groups which are represented here this evening.

We can well support the long range concepts of the Potomac National River Bill and work for its passage; but let us realistically move and make progress with a measure which now have broad support and which has been carefully developed through much consultation and conference—namely the Chesapeake and Ohio National Historical Park Bill.

The need for action, because of the fragility of history, can well be illustrated by some examples I would like to give here this evening. I want to bring to your attention the recordings of some of the old-timers who lived, and worked and played along the banks of the Canal. The inflection and dialect of these old-timers is an example of fragile history.

A friend of mine, Ed Wesley, a native of Bethesda in Montgomery County, has recorded these old-timers, and at my invitation agreed to come and play some of his tapes this evening.

Though a native of our area, Ed roamed the West for a while and saw a little of America. When he returned to his native State, a strange thing happened to him—he fell in love with the Potomac River and the Potomac Valley, and I think you'll see why this happened in these tapes.

The first old-timer is Mr. Joe Sanbower of Shepherdstown, West Virginia, whose dad had a white mule who worked on the Canal and was so very, very fat:

"My daddy had a snow white mule and he was 21 years old, he would have been 21 years old in May, and we started out from here in March, and that mule was so fat when we took him on the canal—I didn't think he was that fat—he was fat—he overflowed his heart. I got up to the head of the five mile level at Little Orleans; I was raising up the lock and he just give a moan and fell dead as a mackerel right on the towpath. He was so fat that if you laid your fingers on him, like that, you'd bury your fingers. Yeah. Everybody remembers that mule: called him Ben. and he was . . . oh, he'd kick with one foot: every time if you'd touch him around on the side or something like that he'd smack ya with one foot. But he never done no damage."

We know that many cargoes of commerce were carried on the Canal, but not many of us know about the time that there was a circus on the Canal. Mr. Sanbower tells that story:

"We was a-movin' a circus one time from Oldtown: they got on our boat up there at Oldtown and we was to take 'em down to Harper's Ferry. Well, that was a couple of nights that they'd be on the boat. Ya know, and they had an old black bear with 'em and the thing got loose one night. Well, I was comin' out of the cabin. I stepped up in the recess, and something scraped me over the head when I come out—scraped my hat off. I looked up and here was that big old black bear lickin' me in the face. Well . . . I got back in the cabin . . . people were sleepin' on the floor . . . (laughs) . . . I said: "get that thing out of here!" They got up and got the old thing and tied it back up—I don't know whether they stuck a stake down in the coal or what they tied it to, but I said: "you tie that thing good or you'll never get to Harper's Ferry 'Cause I'm gonna leave the boat." [You actually carried a whole circus down to Harper's Ferry?] "yeah, yeah, it was only a small circus. But this old bear got loose. Oh, Boy!"

Another man who knows much of the days when the Canal was in operation is Mr. Earl Kronk of Harper's Ferry, West Virginia. In this next segment, you will hear about how he went swimming on the Maryland side of the river at Harper's Ferry:

"My father learned me to swim in the canal, and after I learned, all the boys over at Sandy Hook . . . well, in fact all of 'em swum in the canal. We would swim out, lots of times, and reach up and get ahold of the side of the canal boat when it was going towards Washington, because it was low. And when they was a-goin' west, when we wanted to get ahold of 'em we'd have to get ahold of what they called the 'runner' that guided the boat. Sometimes the boat people let you do it and sometimes they wouldn't. If they didn't want ye to and you insisted on it, they would curse ye and you had to get away from 'em.

[You said there was someplace where they used to play cards and yell at the boatman?] "yea, right around the tunnel; at this end of the tunnel right around the highway, there was a hollowed out place with a cliff extended that you could get back in and you wouldn't even get wet there in the rain. It was right above the canal. You could see 'em when they'd go down there and a lot of the fellas, sometimes just for devilment, they'd holler at the boatmen: muskrat on your runner: And when you hollered that, you'd better have a place to hide because lots of times he'd get his shotgun and he'd wail away at ye. But I never knowed of anybody gettin' hit from it because it was too good a place to hide. But they'd shoot at ye just the same. [And that's what they yelled at them?] Yeah, muskrat on your runner.

We can all realize that life on the Canal must have had a flavor all of its own as well as being an important focus of history during the years of its operation. And Mr. Kronk give some of the flavor of that idea:

"When the canal stopped, I mean the people missed it. They missed the horns, they missed seein' the boats and goin' an lookin' at 'em and everything else. And then the flood came and washed all the locks out, and when you'd go look at it, it was horrible lookin'. [I imagine it was kind of sad.] It was, there's not doubt about it, it was pretty sad lookin'. Of course, there at Sandy Hook the canal was just on the other side of the railroad tracks, and lots of places you could sit on the porch and see the boats go by, and hear 'em, and you'd hear 'em holler at the mules and blow them horns and all, and you missed all that stuff when it stopped. And then, they fished in the canal, and they swum in it . . . and after that was all over, why it was washed out and there was nothin' there."

But it is an interesting thing, of course, that history repeats itself. There is another gentleman who knows a great deal of the days of the operation of the Canal. I believe he is here this evening, Mr. George "Hooper" Wolfe of Williamsport, Maryland. In this next tape, Mr. Wolfe tells about Cox's army, a segment of our nation's history which was so well covered in an article in a recent edition of American Heritage:

"At one time, Coxy's army (came), which was a march on Washington much like the marches they have today . . . Coxy was from Massillon, Ohio, and he made a march on Washington with a gang of 'soldiers', and he called 'em, and his purpose was for better schools and better roads much like they're doin' the same thing for today. And on one of his marches from Cumberland to Williamsport, which is 84 miles, he got permission to come down on canal boats. Different captains haulded 'em; some of them hauled 15 or 20, and others maybe 10 or 15. They just rode the canal boats on to Williamsport. After a few speeches in the town of Williamsport they marched on to Washington and got there. They picked up a few recruits here—a couple of colored fellows and maybe one or two white people (some of them went with him and others turned around and came back)—and they got to Washington one way or another just like they do today. But it just shows that they had ways of getting into Washington in those days as well as today.

The C&O Canal is rich with the history of these men and men like James Rumsey who were the builders and doers of our republic. The Canal should be restored and developed now to make known to Americans the history and heritage which is so well told by the C&O Canal and the Potomac rich slices of American history.

THE CASE FOR THE REPUBLICAN PARTY: ECONOMIC CONSIDERATIONS—ADDRESS BY SENATOR MILLER

HON. JACK R. MILLER

OF IOWA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. MILLER. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks the text of an address entitled "The Case for the Republican Party: Economic Consideration," delivered by me before the Economic Club of Southwestern Michigan on October 8, 1968.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE CASE FOR THE REPUBLICAN PARTY: ECONOMIC CONSIDERATIONS

(By U.S. Senator JACK MILLER, of Iowa)

I am most pleased to be here to speak at the opening of the twenty-sixth season of your club.

Your tradition of inviting representatives of the two major parties to appear before you shortly before presidential elections is commendable. It measures up to the essential need in our system of government for an informed electorate—so well expressed by Thomas Jefferson when he wrote:

"The form of government, and majority rule itself, is no guaranty against despotism, if the principles animating those forming the government are not the principles of free men. Consent alone can confer legitimacy upon the power of government; but consent is only a necessary, not a sufficient condition. Enlightened consent is the necessary and sufficient condition."

Because this is the Economic Club of Southwestern Michigan, and because of considerations of time, I propose to emphasize the economic considerations which I hope will persuade you to wholeheartedly support the Republican Party and its candidates on November fifth.

I believe I can do this without keeping my fingers crossed, because the record will show very clearly that my views and my roll call votes—especially in areas involving monetary and fiscal policy—are in the mainstream of my party.

Any real student of political science knows that one can select a certain Democratic Congressman or Senator here and a certain Republican Congressman or Senator there whose voting records are very much alike. But to tell the difference between the two parties, one has to look to see how the great majority within each party votes.

In the October 7 issue of U.S. News and World Report you will find an article on the survey of 1,300 economists who advise business and industry. It is reported that they consider inflation the number one problem facing our country. I fully agree and, in fact, have been publicly so stating for the last three years. I made it one of the major issues in my campaign for reelection two years ago.

Our national economic policy was established by the Employment Act of 1946, which states twin goals for achievement: full employment, and a stable dollar. Both are to be achieved. Neither is to be traded off in favor of the other. It is most unfortunate that Vice President Humphrey says (in the September 28 issue of Business Week) only that "full employment and vigorous growth" are the objectives and overlooks the stable dollar objective. Perhaps the reason is that his voting record in the Senate was inconsistent with this objective. There are those who say that to have full employment we must have a certain amount of inflation. However, I find this a fatalistic, defeatist attitude towards our capitalistic economic system; and there is no basis for it to be found in the 1946 Act which was, incidentally, passed with bipartisan support.

EMPLOYMENT

Just what constitutes "full employment" was not clearly defined, and because of the softness in our unemployment statistics (granted they are as good as any country produces), the definition can vary considerably between the Administration, for example, on the one hand, and the AFL–CIO on the other. A few years ago, the Democratic Administration stated that its goal of "full employment" was an unemployment rate of 4 percent. The rate is around 3.5 percent, and from this it might be concluded that at least one of the twin objectives of national economic policy has been achieved. However, in evaluating this statistic of 3.5 percent unemployed, certain other statistics should be taken into account. In the last 7½ years, the Democratic Administration, aided and abetted by Congresses heavily controlled by the Democratic Party—in both the House and Senate—have added 675,000 more civilian employees to the federal payroll. Over one million more have been added to the Armed Forces. And upwards of two million jobs are associated with the war effort. My point is that while one may conclude that the objective of full employment has been achieved, one may also conclude that, in a capitalistic economic society of peace-loving citizens, the way it has been achieved is no cause for bragging by spokesmen for the Democratic Party.

INFLATION

In 1960 our dollar was worth 47¢ (based on a 1939 dollar worth 100¢). Today it is worth less than 40¢. Quite obviously the other twin objective of national economic policy—a stable dollar—has not been achieved.

The multi-billion-dollar deficit spending proclivities of those in control of your federal government—not only Democratic Presidents, but, especially, Democratic Congressmen and Senators—have been costing the people of our country very dearly. In 7½ years, they have driven our federal government $60 billion deeper into debt. This has been accompanied by inflation in the cost of living amounting to over $120 billion. Michigan's share of this last year alone was the equivalent of a 7% sales tax!

During the last seven years, the cost of a college education went up over $100 each year in public colleges; still more in private colleges. Young people and their parents who are paying from $750 to $1,000 a year more today for a college education than they would have paid in 1960 should realize what inflation has done to them; and if they are unhappy about it, they should know that this has happened under Democratic rule.

A home that would have cost $12,000 in 1960 is costing over $17,000 this year; and higher mortgage interest rates will add considerably more to the cost.

Even with the 7% increase in Social Security pensions in 1965 and the 13% increase which went into effect last February, Social Security pensions today are worth less than they were in 1958. From 1958 to 1965, inflation took $1.5 billion in purchasing power out of Social Security; and since then another $3 billion has been taken away by inflation.

One Republican answer (and I am the one who offered it as an amendment to the 1965 Social Security bill) is to change the law to provide an automatic increase in these pensions to keep pace with increases in the cost of living—just as Congress legislated in 1962 for Civil Service retirement pensions. The amendment was defeated by the Democratic leadership; and when we offered it again last fall, 80% of the Democratic Senators voted "no". Now I see that Vice President Humphrey has come out for it—but I never observed any efforts on the part of the Vice President to persuade the Democratic Senators to vote for my amendment. Incidentally, a Republican task force has found that since inflation tends to push up wages, this automatic cost of living increase in pensions would be covered by additional taxes from the increased wages, so that no increase in tax rates or wage base would be required.

The other Republican answer is the best one—keep our fiscal house in order and put a stop to inflation.

But this isn't the whole story of inflation. During the last 7½ years, while increases in the cost of living due to inflation were taking away over $120 billion in purchasing power from our people, inflation was eroding away from individual Americans another $106 billion from the value of bank deposits, savings accounts, life insurance and pension fund reserves, and government bonds.

At the rate we are going this year, inflation will take more purchasing power away from our people than the federal income tax. And there is no one to blame but the leaders and elected officials of the Democratic Party. Let me give you a few examples of how this has happened:

Last fall an amendment was offered in the House of Representatives to reduce appropriations for public works by 5%. (This came at a time when, due to a projected budget deficit of $25 billion, we were rapidly moving into the worst financial crisis our country has had since the Bank Holiday of 1933.) Ninety-one percent of the Republicans voted "aye"; eighty percent of the Democrats voted "no".

On a motion to recommit the State, Justice, Commerce, and Judiciary appropriations bill with instructions to cut budgeted spending by 5%, ninety-one percent of the Republicans voted "aye"; eighty percent of the Democrats voted "no".

On another motion to recommit a continuing appropriations resolution to help bring about a $5 billion cut in federal spending, one hundred percent of the Republicans voted "aye"; eighty-four percent of the Democrats voted "no".

Over in the Senate on last October 25, we voted on three amendments. One was by Senator John Williams to cut $5 billion in expenditures for the balance of fiscal year 1968. Seventy-seven percent of the Republicans voted for it; seventy-three percent of the Democrats voted against it.

Another, by Senator Mundt, would have required a 5% reduction in spending. Eighty-four percent of the Republicans voted for it; seventy-seven percent of the Democrats voted against it.

The third was by Senator Dirksen—a "sense of Congress" resolution that legislation be enacted to cut $5 billion below the President's budget estimates. Ninety-three percent of the Republicans voted "aye"; eighty percent of the Democrats voted "no."

And I could give you page after page of similar roll call votes demonstrating that the Republican Party—by its deeds—is the only one with the will to do something about this terribly serious problem of deficit spending and inflation.

All of this is reenforced by the policies set forth in the National Republican Party Platform adopted in Miami and by policy statements of Dick Nixon, the leader of our Party, such as you will find in Business Week for September 28 and in the October issue of Fortune Magazine.

I believe it is most significant that the survey of the 1,300 economists who advise business and industry, to which I earlier referred, discloses that only 3% of them relate higher consumer prices to a Nixon Administration; whereas 78% do so with respect to a Humphrey Administration in 1969, and 84% do so during the next four years. These viewpoints are not entirely responsive, however, because a Nixon Administration would need a Republican Congress to have maximum effectiveness in curbing inflation. During six of the eight years of the Eisenhower Administration, we had inflation; and during those six years we had a Democratically controlled Congress. During the other two years, when there was a Republican Congress, we had no inflation.

Comparative inflation

Some Democratic spokesmen, editorial writers, and columnists have sought to play down the seriousness of our inflation problem by citing figures to show that the rate of inflation in many other countries competing with us in domestic and world markets has been higher. For example, they say that, during the ten-year period 1957–1967, the U.S. dollar depreciated at an annual rate of 1.7 percent; whereas the average annual inflation rate in France was 4.7 percent; in Japan, 4.1 percent; in West Germany, 2.2 percent; in the United Kingdom, 2.8 percent; in Argentina, 24.8 percent, and so on. But what they overlook is the fact that low wage scales in these countries can be increased to keep pace with the high rates of inflation and still more than compete with high wage scales in this country increased to keep pace with lower rates of inflation.

For example, the 1966 hourly wage in manufacturing in the United States was $2.71; and this rose 12¢ to $2.83 in 1967. The average in France for 1966 was 79¢; and this rose 5¢ to 84¢ in 1967—almost $2 per hour less than ours. The average in Japan for 1966 was 51¢; and this rose 6¢ to 57¢ in 1967—$2.26 less than ours. The average in West Germany for 1966 was $1.11; and in 1967 this rose 4¢ to $1.15—still $1.68 less than ours. The average in the United Kingdom for 1966 was $1.29, and this went up 6¢ to $1.35 in 1967. In Argentina, the 1966 average was 49¢; and keeping pace with its high rate of inflation, the 1967 average would have gone up 12¢ to 61¢—$2.22 per hour less than ours. Except for Argentina, wage increases in 1967 put us even farther behind in meeting competition.

Using a ten-year average annual rate of inflation can be deceptive. So far in 1968 inflation in our country is running at rate of 4.6%—higher than France, Japan, and West Germany. The impact on our favorable balance of trade is awful, as I shall presently show.

Balance of trade

A few years ago, the late President Kennedy said that our single most important problem to solve was the continuing balance of payments deficit. Unfortunately it hasn't been solved, although this Administration has tried all kinds of palliatives, such as acceleration of payments by West Germany on contract purchases of defense items and restrictions on overseas investment. Last year the deficit came to $3.6 billion—the highest since 1960. Apparently Vice President Humphrey doesn't bother to look at the record, because he is quoted in Business Week as saying the situation is "improving". Our foreign aid program is one of the causes, but by no means the major cause. Another is overseas spending on troops in South Vietnam and Europe. The most important one is the terrible decline in our favorable balance of trade.

With inflation pushing up the costs of production more in the United States than in the major competitor countries, our exports have become relatively less competitive in world markets, and imports have become relatively more competitive in our own domestic market. Accordingly, the squeeze on our favorable balance of trade should have come as no surprise. In 1964 the favorable balance of exports over imports with $6.6 billion. By 1967 it had fallen to $3.8 billion. During three of the first six months of this year, we had an unfavorable balance; and for the six month period as a whole, our favorable balance was $1.5 billion less than for the first six months a year ago.

Another aspect of the foreign trade picture is that many of our so-called trading partners are making use of all kinds of nontariff barriers to protect their own industry and agriculture and to subsidize their exports to us. In a recent report of our Joint Economic Committee ("The Future of U.S. Foreign Trade Policy"), we said:

"Not infrequently, these nontariff barriers deny to the individual countries and the world the gains and efficiencies of free trade more effectively and more insidiously than the visible tariff obstructions themselves."

Nevertheless, when a system of reasonable import quotas is proposed to prevent these unfair practices from harming our own tax paying businesses, angry voices are raised in the Administration against such "protectionist" schemes; and all kinds of dire warnings are sounded that if these are adopted, there will be retaliation by our trading partners. However, the fact of the matter is that we are proposing to retaliate ourselves; and if we don't, our bargaining position to negotiate away restrictive trade practices will be weakened. Most Republicans and Democrats believe in the objectives of free trade, but the Republican Party—by its Platform, by the words of our candidate for President, and by the deeds of its Congressmen and Senators—stands for the proposition that free trade must not be a one-way street—against United States business.

Prosperity?

Some Democratic spokesmen are making the point that they have brought this country to an all-time peak of prosperity. There are two answers. First, assuming for the sake of argument that there is a high rate of economic growth, I don't believe anyone should ever refer to the economic stimulus of a war as "prosperity." Second, the "prosperity," so-called is more apparent than real.

The increase in our gross national product over the last seven years has been very dramatic—$281 billion. An even more dramatic increase, however, and one which, while very embarrassing, should be weighed against this nice-sounding figure of $281 billion increased GNP, is the increase during the same period of total debt—federal, state and local, and private—without which such an increased GNP would not have been possible. The increased debt was $540 billion, and I find it alarming to reflect that we had to have an increased debt of $540 billion in order to have an increased GNP of only $281 billion.

That $540 billion increased debt is a burden on all our citizens. They are going to have to pay the interest on it, and they or their children are going to have to pay it. This is something to remember when Vice President Humphrey claims that in each year since 1960 there has been an increase in per capita personal income. And this is true. But it would be well to remember that in each year since 1960 there has been an even larger increase in per capita debt.

A similar analysis can be made of the agricultural situation, which everyone except Orville Freeman knows is the worst since the depression years of the thirties. In his farm message earlier this year, the President said that net income per farm was up 55% over ten years ago. But he neglected to point out the other side of the ledger—net debt per farm was up 110%. It is true that there has been a cumulative increase over 1960 in realized net agricultural income of the nation during the past seven years totaling $13.5 billion. But during the same period, net agricultural debt increased by nearly $24 billion.

The conclusion to be drawn from these analyses is that our so-called "prosperity" has merely been borrowed—not earned.

These hard facts of economic life may be a little surprising to some of you. This is understandable, because press releases from the Administration highlight the favorable news and play down or omit the unfavorable; and, unfortunately, news coverage seems to follow the same pattern.

CRIME

Although Attorney General Ramsey Clark has said he doesn't think there is any crime wave, the FBI reports clearly show that the crime problem is the worst in our history, and it is getting worse. Serious crimes increased 15% in 1967 over 1966 and totaled over 3.8 million! During the first six months of 1968 look at these increases over 1967: Murder, 17%; aggravated assault, 14%; forcible rape, 15%; robbery, 29%; burglary, 17%; larceny, 23%; and auto theft, 24%.

Even though both Houses of Congress strongly supported the new law authorizing judge-controlled wiretapping in organized crime cases which law enforcement officials testified was essential to performing their job, Attorney General Clark—in line with President Johnson's policy—refuses to make use of it. You can be confident that a new Attorney General under Dick Nixon would use this and any other lawful means in waging a vigorous and effective war against crime.

WASTE AND EXTRAVAGANCE IN THE WAR ON POVERTY

Unfortunately for the taxpayers who are paying the bill, not to mention the poor and underprivileged who are supposed to be helped by the war on poverty, waste, extravagance, and abuses have continued to plague many of the programs. I am sure all of you read of the recent disclosures before the McClellan Investigating Committee about the Office of Economic Opportunity (OEO) operations in Chicago. Thousands of dollars in poverty funds intended to go to young gang members for attending special job training schools ended up, instead, in the pockets of a few gang leaders. Evidence was presented of widespread check forging and fraud. Spot checking turned up over 1,000 fraudulent signatures, and the number of forged documents ranged from 71% in January to 99% in May of this year. Even in our Nation's Capital, the General Accounting Office has reported evidence of widespread payroll padding, kickbacks, and forgery in the program to train and provide work for underprivileged young people. At one time the cost per enrollee in the Job Corps was over $12,000 per year, and while this has been reduced to around $7,800 per enrollee per year, it is still far in excess of what it should be. Moreover, only about one in four ever complete the program. Inadequate screening of applicants is a major reason, with the result that many well-intentioned young people have dropped out because they found themselves thrown in with young criminals. Job Corps enrollees have been involved in crimes ranging all the way from bank robbery and auto theft to murder. Then the question was raised, "Who is to pay for their defense attorneys?" And you can guess the answer provided by the Great Society—the OEO, of course. And that means you, the taxpayers.

Just how much this means has finally been brought to light during testimony before the House Education and Labor Committee. In a period of 18 months, the OEO executed 1,610 contracts with private attorneys to defend Job Corps enrollees in criminal cases at a total cost of a half million dollars!

There are, of course, reasons for these and countless other examples of waste, extravagance, and abuse of the anti-poverty program: first, the fact that the leadership of the Democratic Party has forgotten those who are paying the bill and is, frankly, incapable of prudent handling of public monies; and second, too many Democratic Senators are unwilling to support amendments to tighten up control over these programs and too willing to vote excessive amounts of money for these programs. It will continue this way until we have more Republicans in the Congress and a Republican President in the White House.

REPUBLICAN PARTY POSITIVE

My comments have been critical of Democratic leadership—in the White House and in the Congress, and this criticism is justified. And I haven't even mentioned the War, the conduct of which according to a prolonged war strategy has been terribly costly in human lives and resources, and has left our people more divided than at any time since the Civil War. This one issue alone warrants a change to a new Commander-in-Chief who understands the need for firmness in dealing with Communist leaders.

But all that has happened in the last eight years is not bad. Some very constructive, good legislation has been passed by the Congress—all of it with strong, bipartisan support. Neither Democrats nor Republicans can claim the credit, because both deserve the credit. Let me give you some examples of the kind of legislation which has been passed with the "aye" votes of strong Republican majorities—in both the House and Senate; and in some cases the unanimous vote of Republicans:

The Civil Rights Acts of 1964 and 1968, and the Voting Rights Act of 1965.

The Elementary and Secondary Education Acts.

Federal Aid for Educational Television.

The Vocational Education Acts.

The Higher Education Facilities Act.

The Library Sciences Act.

The Educational and Cultural Exchange Act.

The GI Bill of Rights.

The Land and Water Conservation Fund Act.

The Waterfowl Conservation Act.

The Wilderness Bill.

The Water and Air Pollution Control Acts.

The Trade Expansion Act.

President Kennedy's Communications Satellite Bill.

The Immigration Act.

The Manpower Training and Development Acts.

The Excise Tax Reduction Act of 1965.

The Model Cities Act.

The Home Ownership Act of 1968.

The Meat Inspection Act.

The Truth in Packaging and Truth in Lending Acts.

The Omnibus Crime Bill.

The Limited Nuclear Test Ban Treaty.

The Arms Control and Disarmament Agency Act.

The bill to establish the Peace Corps.

And I could go on. The point to be made, however, is that the record will clearly support a positive, constructive, forward-looking, and responsible image for the Republican Party.

We are ready to give you the kind of leadership our country so desperately needs.

CALIFANO SPEECHES: UNIQUE GUIDE TO RECENT HISTORY

HON. WALTER F. MONDALE

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. MONDALE. Mr. President, few men in America have been able to make any sense out of the difficult era through which we are passing. We generally leave such a task to historians in the belief that men are unable to view objectively the whirl of events which surround them.

I am of the opinion that some of the best history is not written after the fact but during the period when the fact is being shaped and realized. Thus de Tocqueville is still read with care by students of early American history—not because he was objective, but because he was caught up in the attitudes and events which typified that time and because he had a special gift for recounting what he saw and felt and sensed.

I call to the attention of the Senate today some observations of a comparable nature. A series of speeches by Mr. Joseph Califano, the very able Special Assistant to the President, provide a uniquely factual yet readable introduction to the broad outline of events and attitudes which are the dynamics of the present period in American history. I have found these speeches to be a personal guide to the Nation's problems, possibilities, and goals. I think they warrant the wide readership their inclusion in the RECORD will afford, and I ask unanimous consent that they be printed in the RECORD.

There being no objection, the speeches were ordered to be printed in the RECORD, as follows:

ADDRESS BY JOSEPH A. CALIFANO, JR., SPECIAL ASSISTANT TO THE PRESIDENT, BEFORE THE THOMAS MORE SOCIETY OF AMERICA ANNUAL LUNCHEON AT THE NATIONAL LAWYERS CLUB, WASHINGTON, D.C., MAY 19, 1966

An invitation to address the Thomas More Society about the goals of the Great Society sets up an almost irresistible temptation. One is readily tempted to deliver a talk on the topic of "Utopia and the Great Society."

I have decided to resist that temptation. I have no desire to read a headline in tomorrow's newspapers stating: "White House Aide Says Great Society is Utopia."

I have even less desire to read that "White House Aide Says Great Society is not Utopia."

Without creating that particular dilemma, however, I would like to invoke some thoughts about Thomas More's best known work, and the world of The Great Society.

Thomas More's Utopia is part of a long tradition of writing on ideal political societies which began with Plato and the Republic.

In More's Utopia, the chief narrator comes upon a state which is in being, rather than in the process of development. As in Plato's Republic, More presents his Utopia as an achieved ideal.

All the ideal societies of the past—all the Utopias—had one common characteristic. They were all static societies. They did not change. Change might be necessary at first to achieve the ideal. But once the ideal had been achieved, time itself virtually came to a stop.

In More's Utopia, everything is in a state of perfect balance:

There are 54 identical city-states, "all spacious and magnificent, identical in language, traditions, customs and laws."

"No city has any desire to extend its territories for they consider themselves as the tenants rather than the master of what they hold."

Diseases are curable and medical care is plentiful.

Not only is there full employment, but each individual performs the work for which he is best suited.

Poverty is non-existent, and leisure hours are all spent in productive and reinvigorating relaxation.

All the inhabitants are motivated only by the highest ideals; pride, ambition, avarice are unknown.

In short, the old are respected and secure. The young are healthy and educated. The government is always wise, compassionate and just. Complete harmony reigns supreme, and there is no need for change.

The Utopias have passed beyond progress. They are beyond change, because they have achieved Perfection. The city of Man has—very nearly—become the City of God.

Like it or not, we have not achieved perfection and never will in this world. Perfection remains the elusive goal which man on earth will pursue, but never quite attain. Each change that brings us a step closer to that elusive goal also brings new problems which make the remaining steps ever more difficult and ever more challenging.

Like it or not, change—social, economic, and scientific—is the most significant factors in the world today. Change has always been the very heart of the human condition. But today the pace of change is startling. The prospect is that its pace will become faster and faster, affecting every part of life. It will affect personal values, morality, and even religion—those things which seem most remote from technology. So swift is the acceleration, that as one commentator put it, trying to make sense out of change may soon come to be our basic industry.

Change is certainly the central influence in our Federal System—in the city, in the state and in the National Government. The programs of the Great Society are responsive to changing conditions. They constitute nothing less than a revolution in education, in health, in economic opportunity, in man's attempt to control his environment.

Yet, the Great Society programs of last year have barely been signed into law before this year's needs project us into new adventures to rebuild cities, clean rivers, eliminate poverty, reduce crime.

In this dynamic atmosphere, ever-changing programs must not only be administered efficiently. Their administration must take full advantage of the inventive genius the Constitution was designed to foster. With constantly increasing involvement of government at every level, the object of the Great Society is to provide each American citizen with a full and equal opportunity to attain the highest level of human and spiritual development of which he is capable. And the problem of the Great Society is to achieve this end in an environment of constant and rapid change.

It is precisely this problem to which the Administration addresses itself when we speak of "creative federalism." For even in More's Utopia, the provision of extended social welfare, employment and educational opportunities resulted in severe restrictions of individual freedom.

For a generation, we debated the extent and limit of the Federal role in general welfare. While we argued, a remarkable—but little noticed—thing happened. Federal participation—through the "cooperative federalism" that launched and guided the welfare programs of Franklin Roosevelt—helped to keep our state and local governments alive.

Now the steam has gone out of the old controversy. The vast accomplishments of the 89th Congress in welfare legislation have confirmed the baptized child of the New Deal. The nation now accepts—indeed demands—a Federal role in promoting the general welfare.

But the new accomplishments of the 89th Congress have brought new problems.

We are now embarking upon the great adventure of extending Federal services to education at all levels, to mass transportation, to regional development, to urban rehabilitation, to a concerted war on poverty, to the purification of our waters and atmosphere, to beautification of our natural environment, and even to that most fundamental right of the individual citizen in a democracy—the act of voting.

As we do so, we discover that an even more remarkable thing has happened. Now that we acknowledge that national responsibility in every sphere, we find that Federal power cannot be applied in any sphere except as it works through states, cities, local institutions and private citizens. We are entering a new era of relations among governmental levels and with private institutions and individual citizens. It is an era in which Federal laws and funds fail to achieve their full potential without a vast array of actions at all levels—action which we do not yet fully perceive or wholly comprehend.

This, nothing less, is the scale of the political and organizational problem we face, as our nation moves into the decisive decades ahead.

It is the need for our political institutions and forces to adapt to relentless and electric change. It is the problem of a new, creative federalism.

The problem has many facets:

First, Federal, State, and local governments alike are now determined to deal with a host of public needs in social and economical development. Most of the needs behind such laws cut across established governmental boundaries. They cannot be met by single jurisdictions, acting alone.

Air and water pollution are prime examples. The air we breathe and the water that flows in our rivers know no local and state boundary lines. Mass transportation—with commuters moving in and out of central cities, and, in many cases, across different state lines—is another example.

Second, no two public needs call for the same groupings of governments. These needs, and others of the sort, demand concerted action by numerous jurisdictions which differ, markedly, from case to case. For instance, the State and local units which must join together in the case of air or water pollution may not fit the needs of transportation, urban development or law enforcement.

Third, these public needs require contributions from all levels of government—Federal, state and local. The costs involved and the technical, human, and scientific resources that must be marshaled combine to levy staggering requirements on our society. As President Johnson observed last week at Princeton:

"Over the next five years, the Federal Government [alone] will need 30,000 more scientists and engineers and 6,000 more specialists in health, technology and education."

But local conditions vary so much, and local participation is so critical that cities, towns, and countries must not abdicate their functions. If these are the requirements of the Federal Government—just think of the problems for states or cities.

Fourth, not governments alone but private citizens—as groups and as individuals—have active roles to play in meeting many of our urgent needs. Our poverty programs, our mass transit and pollution programs, our supersonic transport and communication satellite programs, show our new dependence on a participating private citizenry.

Yet, all too often there are no precedents for citizens to follow, whether as neighbors, union leaders or corporation managers—no organizations in the field, no structures to guide their necessary efforts. Here, for the most part, we must rely on the spirit of innovation.

Fifth, within the Federal Government itself, the public needs for which we now provide, spill over the dividing lines and rectangular boxes of organization charts—both in the traditional Executive departments and in the committees of the Congress. They involve hundreds of separate authorizations under law. They engage scores of operating agencies with their own intra-departmental bureaucracies. These needs no more respect the jurisdictions of Federal departments than they do local or state governments, for the needs are functional. The Federal Government must find new ways to pool its talents and resources—in Washington and in the field—in a manner commensurate with the scope of the final decades of the Twentieth Century.

These five points suggest some of the elements of a creative Federalism and the problem of bringing it to fruition.

Historically, the Federal system was invented by the framers of our Constitution as a check against abuse of centralized power. It balanced Federal and State governments against each other by providing each a measure of exclusive jurisdiction. While certain activities were mingled deliberately, each level of Government was meant to guard its own prerogatives against the other.

But this historic Federalism no longer meets modern conditions. The new "creative Federalism" requires:

Joint action by all levels of government on common problems that cannot be solved by anyone alone.

Joint action at the local level through groups of governmental units—and of citizens as well—which differ sharply from problem to problem.

In the Great Society, it is precisely this joint action, and not jealously guarded jurisdiction, which preserves the checks a Federal system should provide. In the Great Society, no one governmental level acts, or can act effectively alone. "Togetherness" becomes our guarantee of balance under the Constitution.

If we are to work toward such a new, creative Federalism we must first discard a number of stale notions. To mold the institutions of creative Federalism, we must stretch our minds in a herculean intellectual, organizational, and above all, political effort. We must abandon many notions that have guided conservative bureaucracies at all levels of government for a generation:

The notion that the issue is states' rights—when the issue is states' responsibilities.

The notion that cities or counties are self-sufficient political entities—when the great problems of crime and transportation, of nutrition and education know no artificial boundaries in a mobile society.

The notion that free enterprise requires a wall of separation between the Federal Government and business and labor—when federal partnerships are essential to nourish and sustain our economic system.

The notion that obsolete programs must be continued for their own sake—when they have been supplanted by broader, more effective and less costly programs.

The notion that there is some one, single government institution that will solve all problems—when we require many institutions, as versatile as the problems are varied.

The notion that we cannot afford to attack poverty head on, to rebuild our cities, to clean our rivers and our air—when we are such an affluent society that our $112 billion dollar budget for 1967 is a smaller percentage of our Gross National Product than it has been in all but one of the last 16 years since 1951.

The principle that Federal involvement in poverty, in employment, in education and in medicare somehow diminishes individual freedom and initiative—when economic security, good health, and education on the abilty to learn rather than ability to learn rather than ability to pay, enhance each individual's opportunity to achieve his highest level of human and spiritual development.

With what do we replace those outworn ideas? How do we shed old prerogatives? How do we proceed through shared authority and joint responsibility, without dooming ourselves to poor administration, waste, confusion, ineffectiveness, and most of all, lessening of individual freedom?

This is the heart of the problem. This is the problem—as well as the opportunity—of which President Johnson spoke, when he said:

"Only through a creative and cooperative partnership of all private interests and all branches of Government—a creative federalism—can our economic and social objectives be attained."

The problem cannot be solved by the President alone. For the President cannot be the Mayor of every city, or the Governor of every State. He cannot be the Chairman of every Board or the President of every union. Nor can Secretary Gardner be the head of every school board, any more than the Surgeon General can be the head of every health district.

Governors must govern their states, and Mayors their cities. For these elected officials—no less than the President—are the bulwarks of our constitutional system. But they must recognize that some of their most critical problems today transcend artificial boundaries written by Pilgrims in New England or Pioneers in the West.

For our part, the Federal Government must get its own house in order. It must encourage the establishment of local and regional institutions essential for effective resolution of our pressing problems.

This, the President has sought to do.

At the Federal level, the President has already begun to organize the Government functionally.

He has proposed, and the Congress has established, a Department of Housing and Urban Development.

He has proposed and the Congress is now considering a Department of Transportation. He is focusing the problem of water pollution in the Department which handles all other water resource and planning problems. He has brought the Civil Rights effort of the Federal Government under the guidance of the Attorney General.

The President has also begun to encourage the formation of problem-oriented local and regional institutions.

He has proposed to the Congress a Community Development District Bill, whereby several counties in rural areas can band together, rise above their county lines, and pool their common human and material resources to provide services at a level never before known in rural America. In President Johnson's words:

"Our purpose is to demonstrate how a common effort can provide the needed district vocational school in one county, the hospital in another, the police training in a third, industry for an adequate library in a fourth. This effort can avoid the waste of duplication—or worse still, the total lack of such facilities or services because of a failure to pool common resources."

The President has proposed the Clean Rivers Bill to attack the problem of pollution on a scale never before attempted, to clean the entire river, from source to mouth, through union of state, city and county along the river. For one part of a river cannot be cleaned any more than one part of a bloodstream can be cured of leukemia.

The President has proposed mass transit programs and urban planning programs that recognize the mobility of the worker in and around the American city and the fact that city center can no longer ignore its suburbs, whether within or without the city limits, whether within or without the same state.

The President has recognized that deep Federal involvement and support may be essential for development of individual freedom and the nourishment of free enterprise. From Project Head-Start to Project ComSat, the Federal programs are designed to preserve our traditional values. The need of a helping hand for the poverty stricken four-year old to become a useful citizen is no less enormous than the need of a billion dollars for an AT&T or a Boeing or a Lockheed to develop a Communications Satellite or a Supersonic Transport.

These are by no means the answers to all of our problems. They are not even—to paraphrase Churchill—the "end of the beginning." They are the first steps on the road to creative federalism. They show that under the enduring shelter of our Constitution, there is ample room for the political ingenuity essential to meet the challenges of tomorrow.

But we do not pretend to know all the answers. For we cannot know what the future holds for us—how many changes will take place in science, in housing, in transportation, in education.

Even now, as I speak, two American astronauts are preparing to circle the planet. It is a reminder that, in just a few short years, the world will be very different from the world we know today.

The unrelenting, swift pace of change is uprooting old ways and placing new demands on all of us—in every sector of the economy in every walk of life, and in every branch of the Government.

Some have asked, "Are we really equal to the challenge of the sudden new world that confronts us?"

It seems to me that the answer was given back in 1835, by Alexis de Tocqueville, who said:

"[The Americans] have all a lively faith in the perfect ability of man, they judge that the diffusion of knowledge must necessarily be advantageous, and the consequences of ignorance fatal; they all consider society as a body in a state of improvement, humanity as a changing scene, in which nothing is, or ought to be, permanent; and they admit that what appears to them today to be good, may be superseded by something better tomorrow."

JUSTICE AND THE GREAT SOCIETY

(Address by Joseph A. Califano, Jr., in accepting the Man of the Year Award for 1966 at the annual dinner of the Justinian Society of Lawyers, Chicago, Ill., September 26, 1966)

I want to thank you, most sincerely, for this award.

I am grateful and honored. I am deeply moved by the opportunity I have had to serve my country and my people. As you know, there are hundreds of Califanos and Musmannos among us. If their lives had been touched by the Governor of Pennsylvania or the President of the United States, they might be standing here in my place.

And there are hundreds of Smiths and Schwartz' and Sanchez', who deserve similar recognition—and who, I hope, will receive it from as wonderful and distinguished a group as you are here tonight.

We are proud of our ancestry. Our ancestors gave Western civilization the longest period of peace it has ever known. They carried Christianity to the four corners of the ancient world. For two thousand years, our people have given the world a large share of its greatest art, its greatest music and its greatest scholars.

Italians have always been explorers and immigrants. Justinian—the great codifier—was himself an explorer and an immigrant. For an obscure immigrant to rise to great heights was, in Justinian's place and time, an exceptional occurrence. In our own time, in this country, it is commonplace. As President Johnson said when he signed the 1966 Columbus Day Proclamation, "every citizen of America is the descendent of men who were once foreigners—strangers from far off."

Those of us in this room have been enriched by our Italian heritage. We are better citizens because of it and, as parents, we have something special to give our children.

But the time has passed when immigrants from Italy formed a by-water in the American landscape, when they were not fully accepted in the melting pot of America, when their primary reason for association was protection against a scornful majority. Those who came to America themselves, or whose parents or grandparents came, have, by their deeds and service, earned the right to be considered part of the heart of America.

We have become part of the country's mainstream, both as lawyers and Americans. As such, we have responsibilities to fulfill, as well as pride to share.

These are responsibilities we share with all Americans. But as members of the legal profession, we hold a special trust which takes on critical importance in these times of electric change and monumental complexity.

It is to maintain justice in the Great Society.

The modern age has brought us great abundance and unparalleled prosperity. But with abundance comes the danger of anonymity, and with prosperity, the danger of losing perspective.

The loneliness of the large city has replaced the friendliness of the rural hamlet. Supermarkets with anonymous clerks and thousands of products have made the corner grocery obsolete. Computers are the bill collectors of 1966. The mass production of automobiles exceeds our ability to construct roads. And real estate is owned by men who never see it.

Never has the task of preserving personal identity been more difficult. Never has there been such an assault on the individuality of man. Organized society threatens to engulf the individual—with its super-marketplace, its super-university, its overcrowded courts, its big unions, its big corporations and its big governments.

We must not lose the individual in the forest of statistics we use to serve him better.

We must not lose the child in the computer we use to improve his education.

We must not become so efficient. so vast, so complex that we lose sight of our real goal—to enhance the inner glory of each person in our society. This is the goal of the Great Society.

The Great Society is not a huge society, but a just society. What is justice in the Great Society? It is, as President Johnson said, "to fulfill the fair expectations of man,"—to preserve and enhance man's liberty, dignity and opportunity, so that the individual can develop himself to the fullest extent of his ability.

There can be no Great Society without great individuals. And the former is in reality only a collection of the latter—as it was in the Athens of Pericles, the Rome of Justinian, the France of Moliere, the England of Elizabeth. Thus, when the President talks of a Great Society, he speaks of his attempt to preserve and fulfill the individuality and spirit of each of its citizens.

The problem for lawyers in a society of this size and complexity is not to change the concept of justice for which our forefathers struggled. It is to develop the techniques to fulfill the full promise of justice for every individual in this land.

That promise—that challenge—is simply to preserve man as an individual. It is to give man an opportunity for self-development, a fair chance in the marketplace, and justice in the courts.

I

Consider, first, man's quest for individual development in society.

Here is where some of the most far-reaching achievements of the Great Society have their place:

The Head Start program, preparing hundreds of thousands of needy 4- and 5-year olds, so that the public school system can be more than a stop on the road to the welfare rolls or the county jail.

The Elementary and Secondary Education Acts, to give our children and our teenagers the preparation they need to become skilled and productive citizens.

The college scholarship and building programs, to bring us closer to the day when an individual's educational level will be determined by his ability, and not the thickness of his father's wallet.

The Manpower Development and Training Act, providing an opportunity for the individual to achieve the skills essential for survival and employment in a society of rapid change and increasing specialization.

Medicare and the Heart, Stroke and Cancer acts, to add not just more years to the life of our citizens, but more life to their years.

The point of this legisaltion is to provide for the development of the whole man—his body, his mind and his spirit. Too often—and it is an unfortunate reflection of modern-day America—these legislative achievements are measured by how they look on a boxscore, not how they help the individual. The significance of this legislation lies in the fact that, for the first time in history, an Administration has looked at the whole man—at all stages of his life—and has asked: what should be done to uplift his spirit, maintain his dignity, preserve his individuality and enlarge his horizons.

The Great Society legislation is an explicit and boldly proclaimed recognition:

That different human beings of different ages, at different social levels, in different parts of this country, need varying kinds of assistance to fulfill their fair expectations and to achieve full individuality.

That government can no longer stand idly by and say to a million poor 4-year olds: "You are a problem solely for your parents; and if they do nothing for you, neither will we."

That a shoemaker's son, with basic ability, has as much right to become a surgeon as a doctor's son.

That man's ability—or, indeed, his failure—to save enough money during a lifetime of work should not condemn him to poverty and curable disease for his last years on earth.

That a man's nationality is no more relevant at an immigration station than his color is at a voting booth.

It is significant that the Federal government has recognized—clearly and unequivocably—the critical importance of a commitment to the individuality of man in a complex society. It is even more important that this Administration realizes that its actions to date represent only the first steps in the direction of fulfilling that commitment.

II

Consider man's quest for fairness in the marketplace.

No area of modern society presents more difficult problems than protecting the welfare of the individual consumer in the marketplace of the 1960's. Here we must give the individual—whether a housewife in a supermarket or a young father buying his first automobile—a chance against the array of multi-million dollar advertising agencies and corporations; and at the same time, preserve for the individual the benefits of a competitive society.

It is here that the President has pressed some of his most imaginative legislative proposals.

For the housewife, now faced with a supermarket of 8,000 products, anonymous retailers and persuasive advertisers, he has recommended a Truth-in-Packaging Bill. It is based on the simplest of all concepts—that the average buyer has a right to know what is in the package and a right to make a reasonable price comparison, without the need for a slide rule or a degree in mathematics.

For the automobile buyer, we have moved to provide a reasonably safe car, and a better than even chance to avoid injury on the highways of the country.

For the child, whose aspirin is now candy and whose stuffed animals may have toxic eyeballs, the President has proposed a Child Safety Act. Again, it is the application of a simple concept to the 1960's—children do not know that fire burns until they are scarred. But in modern-day America, with safety caps and harmless eyes for panda bears, there is no excuse for killing a child to teach him or his parents a bitter—and irrevocable—lesson.

For the millions of Americans who borrow money to buy their homes, who sign installment contracts for their cars and their television sets, and who clothe their families through revolving charge accounts, the President has endorsed Truth-in-Lending proposals, an area in which Senator Paul Douglas has done pioneering and outstanding work. Again, the concept is simple—a citizen has a right to know how much it costs him to borrow money.

The sophistication of our lawyers and our accountants has made usury laws obsolete and ineffective to protect the average citizen. In response, much more sophisticated legislation is required. When we have reached the point where some salesmen would prefer to finance your purchase on their installment plan, rather than to have you pay cash, we have reached the point where you are no longer on equal footing in the marketplace for money.

III

Consider, finally, man's quest to maintain his dignity.

In an age of crowded courts which too often render a mass production justice which is neither true nor certain; in an age of electronic achievement which sends a man to the moon and puts a "bug" in a martini; in an age where television may have a greater influence on a child's development than all the teachers he meets in the classroom—in such an age, man's quest for dignity must not become a futile pursuit.

It is in this area that the Great Society faces its most profound challenge. It is here that the search must be intensified for new remedies, for new techniques, for dramatic changes in our laws.

It is in this area that the Administration has just begun to move. In the Bail Reform Act, 175 years of freedom based on man's ability to pay bail was turned aside for a new age of freedom based on man's personal responsibility. In a variety of little noticed civil procedure laws, we have come to recognize that the doctrine of sovereign immunity—that the king can do no wrong—may have little or, indeed, no relevance, where it operates to weight the scales of justice heavily against the individual. For the first time, the government is generally subject to a statute of limitations and must pay the costs of litigation when it loses in the courtroom.

But much more remains to be done.

What good is an overcrowded court to a tenant who cannot find his landlord and who cannot pay for a lawyer—until after the bitter cold of winter has left his child sick with pneumonia? In a speech at Syracuse a few weeks ago, the President called upon the Attorney General and the best legal minds of this country to devise Twentieth Century procedures and concepts for what is acutely a Twentieth Century problem. He asked that the whole concept of landlord-tenant law be rethought—for it will serve little purpose if it protects the property only to destroy the person.

Laws to protect the person must stay astride of new technology. Every state in the Union has laws protecting the individual against a peeping Tom. But how many states have laws protecting against invasions of privacy in the Twentieth Century form—the peeping Tom in the olive of a martini, or in a tie clasp, or on a telephone line?

The record of the Administration in preserving man's dignity from overt forms of discrimination is unparalleled. The President has proposed legislation—and the Congress has enacted most of it—assuring equal rights in the voting booth, in the courtroom and in the employment office. But thoughtful men must certainly be concerned about the subtle and more insidious forms of discrimination—whether it is the blackball in the country club or fraternity, or the stereotype on television. If there are legal remedies—or procedures—to handle these problems, we have not yet found them.

Legal procedures must also recognize the intimate involvement of government at every level in the life of every citizen. Most people never see a courtroom in their lifetime. Many never see a lawyer. But no longer can man go through life in our society without dealing with government at the city, at the state, and at the Federal level every week. Yet, what are his remedies when an official unjustly withholds a driver's license, or a social security payment is too low or too late, or a college loan is improperly denied? And how can remedies be shaped to give the citizen a fair chance without obstructing vital work of government?

These are some of the most difficult questions for a lawyer in the Great Society. We must increasingly give our attention to them. For man's ability to give justice to the individual is challenged as never before by technological change and by man's own genius to deny him justice, whether intentional or not.

I began this evening with the ancient question—what is justice?

In a Great Society, justice means the fulfillment of man's fair expectations, the fulfillment of the individual.

There is nothing more precious than the individual. And there is nothing more essential to a Great Society than the preservation of individuality.

We have come a long way. But, at best, we are only approaching the end of the beginning.

Individuality is not as easy to preserve in the Chicago metropolis as it was in the New England town meeting.

Justice before the law is not as easily guaranteed in New York with its population of 8,000,000, as it was in Justinian's Rome with a population of less than 100,000.

Giving individual attention to the college student was easier than the University of Bologna in 1336, than at the University in Berkeley in 1966.

The task is difficult. Our work must be pursued with an imagination unencumbered by myths and stale dogmas.

We must abandon the notion that Federal involvement in poverty, in employment, in education and in medicare somehow diminishes individual freedom and initiative. For economic security, good health, and education based on ability to learn rather than ability to pay, enhance each man's opportunity to achieve his highest level of human and spiritual development.

Our work must be pursued with all the invention and fertile, creative genius that has been our heritage.

THE CHALLENGE OF IDEAS IN THE GREAT SOCIETY

(Address by Joseph A. Califano, Jr., Special Assistant to the President, at the Progress Dinner 1966 of the College of New Rochelle, Westchester Country Club, Rye, N.Y., October 25, 1966.)

It is a great pleasure for me to be here this evening.

Like many of the men in this room, I have fond memories of New Rochelle, and I owe a great deal to it. While every woman, like every man, is unique, they all have common traits which go beyond their basic human nature. And, rightly or wrongly, I attribute to New Rochelle most of the wonderful traits and high spirits of my own wife, leaving to my mother-in-law those occasional displays of stubborness which I know Trudy could never have learned here.

I

At least from my vantage point, the best thing that New Rochelle has done is accustom young girls to the world of ideas. Over 60 years ago, this great College was founded. It was then the turn of the century. Ursuline nuns and young women gathered together to ask the ancient questions:

How can we establish a society in harmony with our hopes?

How can we enlarge the meaning of life for each citizen?

How can we elevate the quality of our civilization?

Then, as now, the search for answers continues.

We have come a long way in these 60 years. Speed of light communications and supersonic transportation have dwarfed the globe. The Nation has fought through two terrible wars, where the future of democracy was preserved through tests of steel and fire. We have spawned a hydrogen bomb, rebuilt Europe, urbanized over 100 million people. Brave men have fought—and still fight tonight—for freedom's cause in far corners of the world.

For the past 200 years, free Americans have shaped the destiny of this land. We have grown and prospered. But change has never been so electric in the history of mankind as in the past few years. In the midst of this change, we must renew our commitment to the elusive goal of generations—a society where the needs of the spirit are fulfilled and each individual's highest potential is translated into the strength of his own achievement.

This commitment is at the heart of the Great Society. As the President has said, a Great Society is one which asks "not only how much, but how good—not only how fast we are going, but where we are headed."

We are going very fast. The speed of change is at the same time our greatest asset and our greatest problem.

The face of the Nation has changed in a decade, and will change even more profoundly in the few years ahead:

Millions of our people have moved from the farm to the city, creating the new problems of urban America and magnifying the old problems of rural America.

Television saturates the homes of disadvantaged Americans, with insistent portrayals of what it is like on the other side of the tracks.

Computers revolutionize entire industries and create new problems in their use and control.

The silvery dot of a space capsule carrying men around the globe, or the piercing beam of a laser cutting through the hardest metals are the forerunners of exciting times, but like atomic power, they bring new problems of harnessing force for the good of mankind.

But as dramatic as these changes are, they affect the face of the Nation—they are essentially superficial. While the problems they create are difficult, they do not present our society with its most profound challenge.

II

That challenge is to stimulate the ideas necessary to the achievement of a Great Society and to transform those ideas into actions.

For generations men have been concerned about the destruction of an idea by presenting it before its time. Galileo was condemned for his scientific discoveries. Freud's sanity was questioned for his profound insights into man's basic drives. Truman was characterized as a socialist for proposing Medicare.

Today men no longer worry that the premature disclosure of a new idea will sound its death knell. On the contrary, men press the search for new ideas with insistent urgency, as problem tumbles upon problem and crisis after crisis works to engulf the individual. In this atmosphere, the challenge of the Great Society is to translate the promise of an idea into performance, before it is overtaken by the new problems it could have avoided.

The challenge of ideas runs to the entire Nation. It must be met not merely by the scholar in the university and the scientist in the laboratory. It must be met by the labor leader in the union hall, the business executive in the board room, and the bureaucrat in Washington. It must become the commitment of every concerned and dedicated citizen—from the Cabinet officer to the neighborhood poverty worker.

The President, as the leader of our Nation, bears heavy responsibility in this area. For the Great Society can thrive only in a climate where ideas are encouraged and applied in their time.

It is the President's responsibility to foster a climate of ideas. It is his responsibility to lead an Administration in which ideas are encouraged and acted upon:

Not because of their source, but because of their intrinsic value.

Not because they are "feasible" or "politically popular" on first blush, but because they are right.

Not merely because they are new and glamorous, but because they will help solve some of the root problems of our society.

It is not easy to foster a climate of ideas.

Part of the answer rests in taking advantage of the climate of the times—we are a free and restless nation on the move.

Part of the answer stems from creating reverence in the Government for the idea, from nurturing the spirit to conceive and ripen ideas.

And a very large part of the answer lies in the fact—and this is the particular genius of this President—that never before in our history has the gap between the idea and action been so narrowed.

The historic and productive record of the 89th Congress—which enacted 181 of 200 major pieces of legislation—is the signal that ideas can be woven into concrete programs on an unprecedented scale to the benefit of all of our people.

This is the true significance of the legislative achievements of the 89th Congress. They represent a revolutionary—and remarkably swift—transformation of ideas into action. The numbers in the boxscore can only be understood in terms of their deep meaning for every man, woman and child in this country.

Look at the number of dramatically new ideas that have become programs in a matter of months—the war on poverty, the demonstration cities bill, total reform of the Federal bail system, air and water pollution control, beautification, and a variety of sophisticated consumer protection bills from auto safety to truth in packaging.

It has not been easy to foster this climate of ideas. And it will not be easy to maintain it. The challenge is critically important and increasingly difficult. The problems of an industrial society of some 200,000,000 people transcend the experience of recorded history. These problems must be met in a federal system, with national, state, and local governments increasingly involved in day-today life; with super-corporations commanding vast wealth; with super-unions claiming millions of workers in their membership; with the super-university and its thousands of anonymous students.

III

The task of fostering and nurturing the climate of ideas is hard work. The Administration must provide the means by which ideas can be presented, developed, evaluated and eventually discarded or used. The means must be flexible—as varied as the problems to which the ideas are addressed. The doors of the Administration must always be kept open to ideas—which may come from the Government itself or from the private sector.

First, the Government must be idea-oriented.

The process of searching movement and restless change, which has been so successfully initiated, must continue. Encouragement must come from the top. This is why the President spends so much of his time in selecting candidates for the leading posts in the departments and agencies of government. Today, the Cabinet and sub-Cabinet posts are held by about as distinguished a group as has ever been assembled. Many have brought from their universities and foundations a profound interest in ideas, a sense of exploration and excitement, and they have combined these qualities with a desire for action. Their quest for excellence must become a byword in Government.

With these men come not only ideas, but their students and the readers of their books. For the appointment of men like this at the top represents, particularly to the young, a commitment by the President to excellence.

At the President's direction, these bright and energetic young men and women now come to the White House in small groups, for luncheons with staff members who seek out their views. Their ideas are fresh and stimulating and they know their ideas are getting attention.

Second, the Government must be outer-directed in its search for ideas.

It is here that the Presidential task force makes its contribution. The task force focuses, with objectivity and detachment, a wellspring of brilliant talent on the major issues of our day.

In the task force, the President brings together the widely varying disciplines needed to attack a particular problem in a complex society. The nation's best minds join to explore the alternatives, chart new courses, and develop programs. Their mandate from the President is simple: "Give me the right answer."

Why the increasing use of the task force? Because as society becomes more complex, problems become many-faceted and can no longer be attacked by one or two skills. We have long recognized this in our systems analyses of airplanes and weapons. But we are now applying it to help solve the problems of our people.

Take, for example, the problem of juvenile delinquency. It requires more than judges and probation officers alone. Properly addressed, the problem also requires the talents of sociologists, doctors, psychiatrists, lawyers, educators, city planners, religious leaders, and many others.

Of course, the President does not bear sole responsibility to foster the climate of ideas.

The Presidential task force has its counterpart in the committees and hundreds of individual consultants that advise his Cabinet officers and their principal assistants. From across the country, from the universities and corporations, from the law firms and the labor movement, comes the individual consultant to the Government. These experts deal with an unbelievably wide range of complex matters—from surplus stockpile materials to space projects, from metal fatigue in aircraft to the effects of mental fatigue on a broken family; from city blight to rural poverty; from cancer and heart disease to crime and pollution.

Third, Congress must also bear a large portion of this responsibility. It has borne this burden magnificently. The Congress, in its own ranks and on its committee staffs, has an abundance of talent whose flow of creative ideas is too often unknown. There are more PhD's on Congressional staffs than there are teaching at the largest universities in this country.

IV

I have talked about the efforts of this Administration to fuse ideas and action in a complex society. Necessarily these efforts require the most creative experts in the country.

But the President and the ordinary citizen share another responsibility. For many of our best ideas do not come from the experts. They come from the most unexpected sources.

For his part, the President must make certain that the doors are open, that the public servants in his government are willing to judge an idea on its merits, just as the Supreme Court reviews a defendant's brief whether it is submitted by a Wall Street law firm or penciled on a piece of prison paper.

For his part, the individual citizen must recognize the difficulty in keeping the doors open. The very size of government and the very complexity of our society and its institutions place the greater responsibility here on the individual citizen.

It was this sense of responsibility that brought a Denver priest, Father C. B. Woodrich, to Washington. He came to explain his pilot project that provided nutritious low-cost lunches to poor children in his parish. Father Woodrich was frustrated by 13 years of unsuccessful work with his students. When the President announced the War on Poverty, Father Woodrich went to the local Department of Agriculture office, obtained some free food, bought a refrigerator from a junk man and signed up volunteer mothers to prepare the meals. In place of 35 cent lunches, he set up 10 cent lunches. In place of 10 cent milk, he distributed free milk.

The results were amazing. Attendance levels more than doubled. The drop-out rate decreased by 37%. Attention spans and marks went up. And, in place of some 400 arrests for juvenile crimes in the prior year, only 15 arrests were recorded during the year of his pilot program.

Father Woodrich took his program to Washington. He proved his case and the President sent to the Congress the Child Nutrition Act, which proposed the Woodrich programs on a national scale. Last month, that bill was signed into law. Thanks to Father Woodrich's idea, poor school children in every part of this country will soon benefit with free milk and low cost lunches that will strengthen their bodies and free their minds to learn.

It was the same sense of responsibility that caused a New York chemical engineer, Louis Schweitzer, to take a hard look at the archaic and unjust system of bail in Federal Courts. His ideas resulted in the Bail Reform Act, which the President signed a few months ago. This marked the first major change in the bail system in over 175 years. From now on, bail will be measured not by the size of a man's wallet, but by his responsibility as an individual.

V

These are, then, some of the myriad and countless ways in which the challenge of ideas in the Great Society is being met today. But what of the future? What of the large problems whose solutions we have not yet fully perceived, where the answers are not yet available because we do not even know all of the questions.

How can we insure that every American child will receive all the education he can absorb, on the basis of ability to learn, rather than ability to pay?

How can we wipe out the roots of crime that mock a great and just society?

How can we end crippling diseases?

How can we banish the last vestiges of discrimination in the country club and the fraternity house?

How can we eliminate poverty that scars the face of this land?

How can we put more life into the years of our elderly and not merely add more years to their life?

The need for new ideas to answer these questions has never been more urgent. Never has an Administration conducted a search for these ideas with greater intensity.

For ideas no more come from a bolt of lightning in a comic strip than they are transformed into performance by the wave of a magic wand. Ideas will be strangled in infancy unless they are permitted to grow and develop. They must be evaluated promptly by experts, probed, weighed against competing alernatives and then accepted or discarded. They must not be permitted to become stale for lack of interest or lack of action.

The challenge of new ideas is also the challenge of hard and imaginative work. For though—as Flaubert has written, "Ideas are great events"—they do not just happen. It is the President's recognition of this fact and his acceptance of this challenge that is at the heart of the Great Society.

THE JOHNSON ADMINISTRATION AND THE CHALLENGE OF PROSPERITY

(Remarks by Joseph A. Califano, Jr., Special Assistant to the President, at the Brooklyn Preparatory School Alumni Dinner, Brooklyn, N.Y., February 18, 1967)

There have been many discussions and debates about the "Great Society," the "New Economics," the "War on Poverty" and the other programs and policies, which have characterized the last few years since President Johnson assumed office, in November 1963.

Tonight I would like to discard those slogans and talk about the heart of the matter—the underlying concepts on which the President has shaped his program for the American people. It is, of course, difficult to fix any one label to this, although I suppose it could be called the Johnson philosophy or

Johnsonian democracy, or even, if the pundits must, the "New Democratics."

This philosophy can best be expressed in terms of six basic tenets:

First, our democratic system of Government, with its emphasis on individual achievement, human dignity and economic freedom, is the best political system yet devised by man.

Second, our Nation must be guided by an unswerving faith in the rule of law, in public order and in equal justice for all.

Third, each citizen should be given the opportunity to develop his talents to the full reach of his individual capabilities.

Fourth, wise and flexible economic policies can provide that opportunity for the vast majority of Americans—but not every American.

Fifth, some of our citizens—such as the poverty stricken older American and the hopelessly disabled—will require direct financial assistance to insure a standard of living that at least meets some minimum level consistent with human decency.

Sixth, other citizens—because of physical, economic or psychological handicaps—require some special help to enable them to stand on their own two feet.

An understanding of these tenets is essential to an understanding of the President's programs. Such an understanding points up the innovative nature of his programs. It reveals that the President's fundamental purpose is to bring the greatest opportunity to the greatest number who will—and can—help themselves.

To achieve this, the President has departed as sharply and dramatically from the New Deal principles of Franklin Roosevelt as he has from the conservative philosophy of Herbert Hoover.

The President's program hands out opportunity and self-reliance—not money. It offers education, training, and a chance to develop skills—not a subsistence allowance. It offers vital health care for those who must overcome the ills of the body before they can be useful and productive citizens—not lonely days of survival in the ward of a public institution.

An understanding of these principles clearly shows that the President's programs are not isolated, unrelated pieces of legislation. They are part of a larger design to bring to every American the opportunity to be himself and to stand proudly before his fellowman on his own two feet. To the extent that Government programs—economic as well as social—can help achieve this, the Johnson programs are designed to do just that.

The problems of Hoover and Roosevelt were the problems of a deep and often unyielding economic depression—the problems of one out of every four Americans out of work, of tens of millions of Americans who were working but at pitifully low wages. In those days the drastic surgery needed was the direct payment and welfare programs—short-range emergency stopgap investments—rather than long-range investments in human beings. And yet in 1939—unemployment was still at 17 percent.

The problems today are the problems of prosperity, when most of us are living better than any people in history. But they were not so clearly problems of prosperity only three years ago when the President was fighting for the New Economics. The New Economics proposed that if more money were returned to the private sector by lowering taxes real profits and wages would rise, lift the standard of living for millions of Americans, and in turn increase Government revenues. These increased revenues would permit the long-range investments needed to help, on a permanent basis, those Americans trapped by poverty, disease and despair.

The tax policies—as well as the other fiscal policies within the President's control—were boldly conceived and fulfilled the highest expectations of their proponents. Unemployment dropped to a point below 4% in 1966 and remained there throughout the rest of the year. Today, it stands at 3.7%. 74 million Americans are at work. They are bringing home higher paychecks than ever before.

For the first time in many years, the country has achieved strong and unparalleled prosperity on a continuing basis—a record that now extends into its 72d consecutive month.

However, during the past several years, it became increasingly clear that basic economic policy could not solve the problems of those citizens left behind by economic progress.

In very general terms, those citizens comprise two groups:

Those who are unable to make their own way in this world because of conditions beyond their control, and

Others who, with some special help, can come out of poverty and off the welfare rolls, thus gaining the satisfaction and self-respect that accompanies self-sufficiency.

The first group consists largely of the poverty-stricken senior citizen and the hopelessly disabled—who are beyond the reach of training or education programs and even current medical treatment.

For this group, the President has proposed an increase in social security, veterans pensions and public assistance. This will give them a fair chance to live at minimum levels of human decency and dignity. Two years ago the President proposed and the Congress enacted Medicare for those over 65. He is now asking that Medicare be extended to the totally disabled to make their lives as comfortable as possible.

Those are the underlying principles behind the President's recommendations for:

A 20% increase in social security benefits; with a 59% increase for those now receiving the lowest payments.

The establishment of minimum levels of payments for those on public assistance and welfare.

A 5.4% increase in pensions for over 1.4 million disabled veterans, widows and dependents.

The extension of Medicare to the 1.3 million permanently disabled Americans under 65.

There is much talk of guaranteed incomes of minimum amounts of money that every human being should receive. A great deal of this conversation overlooks the fact that if the Congress passes the President's proposals, many Americans, who are unable to earn sufficient money to live even at the lowest level of human dignity, will begin to receive meaningful annual incomes.

There is another group in our society, however, who are working at very low wages, unemployed or living in poverty—but who are capable of helping themselves if they are given an opportunity to do so.

For those receiving low wages, the President has proposed and the Congress has enacted a new minimum wage law to add 9 million new workers to the 32 million already covered.

For those who need special help to launch them on the road to a self-sufficient life of meaning and productivity, the President has proposed substantial and timely investments in their education and training.

Surely, for example, it is far wiser to invest $600 a year in a Head Start child than to leave him to the welfare rolls at a cost of thousands of dollars a year for most of his adult life.

Most of us here tonight were blessed and fortunate as youngsters. Our schooling was paid for by our parents. There was good food in our homes. We had all the warm clothing we needed when a cold winter struck. But today, there are millions of children and young people under 16 who do not have parents or relatives or even friends to help feed them, or clothe them, or send them to school.

These are the people to whom the President has directed so many of his programs:

Head Start is replacing the conviction of failure with the hope of success for hundreds of thousands of needy preschool children and their parents—over 500,000 this year alone.

The Elementary and Secondary Education Act will invest billions of dollars in schools in slum areas, and pockets of rural poverty. Today, 7 million needy children are receiving the benefits of better classrooms and better teachers.

One million young Americans, who would otherwise not be there, are in college this year because of federal grants, scholarships or loans under the Higher Education Act. This is one out of every six students in college today.

The Job Corps, the Neighborhood Youth Corps, a vastly expanded Manpower Development and Training Act and other programs are today training almost one million young men and women.

We are learning that when you give a man a hand-out alone, he is likely to stay poor. But when you give him new skills, he can get a job and rise from poverty.

Three years ago, most of these programs did not even exist. Now, they are providing new skills, new ambitions and new opportunities to young people who might otherwise have been silently waiting in a dingy tenement to receive their welfare checks, or condemned to an adulthood of trouble with the law.

Many of our critics say: "This is all fine, but this is a free country and so long as we have welfare programs, rather than work, millions of people will prefer to sit home and stay on the welfare rolls."

People remain on welfare rolls for three reasons:

1. They are completely unable to participate in the mainstream of society because they are very old or have a totally disabling physical or mental handicap over which they have no control.

2. They are so mired in the swamp of hopelessness that they believe there is no point in getting a job or training or education because they "have absolutely no chance to make it."

3. A few simply do not want to work.

I have told you how the President is attempting to reach the first group. By definition, they are incapable of helping themselves. It is a matter of simple Christian justice that the society in which they live is obliged to support them. This Administration has taken a wide-ranging series of measures—such as increased social security payments and Medicare—to provide just this help, so they may at least live in this prosperous and affluent society with dignity and self-respect.

For the second group, we have tried to create a sound economic climate in which jobs are plentiful so that any person in this country who is willing to work can enjoy the fruits of his labor. We are providing training and education programs to open new doors of opportunity. And for those who have borne the bitter chains of discrimination, this Administration has passed landmark Civil Rights legislation—and proposed another bill this year.

All of these proposals are stirring ambition born of hope in those thousands of persons now moving from public assistance to private employment.

For those who simply do not want to work—and there are far fewer than most middle-class Americans think—the President has proposed amendments to public assistance and unemployment compensation laws. In over-simplified terms, these amendments provide:

A sufficient level of subsistence for an individual while he is on the welfare rolls or without a job, so he will not lose hope or sink into the despair of poverty.

A series of incentives to require those individuals capable of being job-trained to take that training and to receive the necessary medical care to make them employable, if they wish to continue receiving benefits.

It may take a great many years before we fully recognize the magnitude of the changes that have been set in motion.

A child in a Head Start classroom in Chicago will not be a productive citizen for at least a decade and a half.

The poor four year old in a Los Angeles slum who, under the President's now "early treatment" program, gets an eye examination and then glasses to help him read and learn will not be a scientist until 1990.

But for thousands of Americans, some of these changes will come faster:

As a young man out of rural poverty completes college under a federal Opportunity Grant and then goes on to become a certified accountant.

As a teenager from Detroit, months ago lost and confused, gets a new skill and a good job when he leaves his Job Corps training course.

These programs—and many others like them—are investments designed to help us move toward a better America. They are conceived in the recognition that hope is the mother of ambition and opportunity is the seed of responsibility. They are providing that hope and that opportunity for millions of Americans who have been left behind in the march to abundance.

The Politics of Innovation and the Revolution in Government Management

(Remarks by Joseph A. Califano, Jr., Special Assistant to the President, Before the Washington Chapter of Sigma Delta Chi, April 19, 1967)

Tonight I would like to talk to you not about our more publicized problems or about our more celebrated achievements.

You are all too familiar with our problems—the urban ghettos, rural poverty, keeping the economy in a state of non-inflationary prosperity, the transportation snarl. You often write of those problems—more often, I must admit, than we would like.

You have also heard us speak many times of our achievements—the million college students now receiving Federal assistance; the million Americans acquiring new skills under Federal training programs, where none were receiving such help just a few years ago; the six million patients whose medical bills have already been paid by Medicare; the 72 months of unparalleled prosperity; the 3.6 per cent unemployment rate. Although you have not written about these accomplishments as often as we would like, you are certainly familiar with them.

The story I would like to talk about tonight is largely unwritten. It is a complex story and admittedly not the stuff of banner headlines. But it is as critical to the success of the President's domestic programs as are the legislative victories in education, in medicare, in civil rights.

This story involves two elements: the politics of innovation and the revolution in government management that it has inspired.

The politics of innovation springs from the exploding potential and production of the American nation, our capacity to grow in wealth and power more rapidly than in population, and our need to adjust constantly to a changing environment. The politics of innovation is characterized by our efforts to expand our national wealth so that we have the resources to deal with problems in a total context. As one commentator observed, the question is no longer whether there should be handouts to the poor, but how to break the poverty cycle; the question is not how to move more cars by more roads, but how to develop new transportation techniques that adjust to the whole urban environment.

The revolution in management is the response of government to the politics of innovation. The thrust of that revolution is to mobilize the powerful new means of processing and communicating information and to develop modern analytical techniques to deal with problems in their entirety.

These new problem-solving techniques are leading us to abandon many old slogans and to conduct our national dialogue on the basis of facts and through the prism of a total approach. This new approach to problem solving and decision making has many names: systems analysis, cost effectiveness, planning, programming, budgeting, evaluation.

The name is not important. The approach is. It is a systematic way of saying: what are all the parts of the problem, how do they affect each other, and why? It gives us new management tools to determine our objectives, set our priorities, examine the options open to us and apply the resources available to those programs which will have the maximum impact on the solution of our problems.

For the approach to be total, problems must be defined and examined in their entirety, as a whole, rather than in bits and pieces. It is an approach ideally suited to the Presidency.

First—much as you gather the facts for a story, or as a lawyer gathers the facts for a trial, all of the data bearing on the problem must be assembled.

Second—on the basis of that data, specific objectives must be defined.

Third—alternative means of reaching that objective must be clearly identified and evaluated.

Fourth—the available alternatives must be presented in a way that helps the President select the best option, in terms of the benefits it will bring in relation to costs, social as well as economic.

We must apply a total analysis not only to the substance of the problems, but to the institutions with which we try to solve them. It does no good, for example, only to develop a highly sophisticated mass transit system to speed commuters from their homes in one city to their destination in another. We must also tackle the problem of how the hundreds of Federal, state, city and county agencies involved can work together to install and operate the system effectively and inexpensively.

The new management revolution affects the machinery of government at all levels. It requires reorganization of Federal departments and agencies. It involves an entirely new set of relationships between Federal, state and local governments. These relationships and departments and agencies of government at all levels must be assessed in terms of their capability to define and solve problems.

These principles may seem simple and obvious to anyone in this room. While there were forerunners to be sure, perhaps the most startling fact is that these principles were so rarely applied in government until the last few years—and they have only recently begun to be applied to the domestic side of the Government.

The classic application of these new analytical techniques is in the Defense Department. There, the complex questions of force structure lend themselves to this new problem-solving approach—because they are so readily quantifiable. Defense planners can tell, for example, that an airplane weighing so many gross tons, costing so much to produce, can fly so far and penetrate enemy defenses with so many pounds of bombs. They can compare the effectiveness and cost of that airplane with the ability of a missile to deliver accurately a warhead of a given size in a few minutes to its target.

Perhaps the most difficult part of the Defense equation is the assessment of an enemy's capabilities and his intentions. To enhance our ability to make this assessment, it was essential to restructure the institutions responsible for making it—hence, the combination of separate service intelligence organizations into the Defense Intelligence Agency.

The difficulties of adapting these techniques to the domestic problems of our Nation are enormous. But their potential is vast—in imaginative and effective programs, in revitalizing the entire Federal structure of our country, in savings to our taxpayers, in giving the Presidency a more effective management mechanism than it has ever had.

President Johnson has fully grasped that potential. Years of experience on the House and Senate Armed Services Committees have given him an appreciation of the value of a systematic and total analysis—and of the difference in the operation of the Defense Department before and after its application there.

The same sure instinct for the effective use of Presidential leadership that has led so many legislative achievements has brought the President to seek their effective administration.

For, from the perspective of the Presidency, a total approach is essential to the solution of any problem. This is particularly true for a problem-oriented President. Crime to the Justice Department may be federal crimes and federal judges and federal courts. To the Department of Health, Education and Welfare, crime may be juvenile delinquency and halfway houses. To the Labor Department, it may be criminal records that prevent young men from getting jobs. But to the President, the problem is to control crime—not merely to get higher police salaries here and more judges there, not merely to get better correctional institutions here, and probation officers there.

The need for a total approach is particularly acute at a time when the President has committed, through the legislation of the last three years, a substantial amount of funds to the most visible national needs: education, health, poverty. Now we must look beneath the surface—and we must do so with analysis and judgment informed by facts, with a willingness to experiment, with a recognition of past mistakes and a determination to correct them.

For no one knows better than the President that we cannot content ourselves with putting new legislation on the books. We must constantly ask what we are trying to do and whether we are doing it well enough.

While one out of every six college students is now receiving Federal aid, how many potential college students have not even been identified?

While one million Americans are getting job training, how many of them will be self-supporting for extended periods of time? And how many thousands of Americans will not even walk down the street to the neighborhood employment center for help—and why not?

While Head Start is reaching a half-million preschoolers, how many other needy children have not yet felt the excitement of learning—or the encouragement of love?

While the overall unemployment rate is down to 3.6 percent, how do we reach the 12 percent of our teenage Americans who were without jobs in 1966?

While we wipe out measles and smallpox and other diseases, how do we bring the infant mortality rate of the most affluent nation in the world to a level that compares favorably with 10 other nations?

As we reach increased numbers of Americans with economic policies, with special training, education and health programs, the most important questions become: how to evaluate these programs in terms of their success in achieving our great national objectives and how to reach the untouched Americans.

It is critical that your government find and use the right approach at this point in the Nation's history.

For on that approach depends the confidence of the Congress essential for appropriations and new legislation. On that approach depends the confidence of the American taxpayer, who is entitled to the most effective programs his tax dollars can buy. And on that approach may depend the success of the most comprehensive commitment the Nation has made to improve the quality of life for all of its citizens.

How can this new, total approach operate on the domestic scene:

Where problems cut across several departments within each of which so many entrenched bureaucracies operate.

Where the facts—the raw material of decision making—are often social and psychological and hence not easily quantifiable, even if they are obtainable.

Where so many of the alternative tools to be applied to the problem rest with state and local governments who are often ill-equipped; and private institutions who are often disinterested.

Take the problem of the slum, for example.

A slum is a group of decayed and rotting buildings. It is also poverty. It is hunger. It is inadequate education. It is denial of job opportunity. It is discrimination. It is the infection of rat bites. It is despair and frustration.

Once we recognize that a slum is all these things, it becomes clear that health workers, transportation experts, educators, psychiatrists, vocational training and tax experts—all these and more are needed and they are needed at the right time and in the right place. From the very beginning, the approach must be inter-disciplinary and total.

The Federal government alone cannot wipe out a slum. For the President cannot, and should not be the mayor of every city. Nor can cities alone, when states are responsible for public health and employment services. Nor can states alone, when private industry has most of the jobs available for the unemployed.

Once we recognize that the Federal government cannot do the job alone—nor can the city or the state—a means must be found to bring together the potential of Federal, state and local programs with private initiative.

This is precisely what we are attempting to do with the Model Cities program. Under this program, local communities are asked to assemble all their resources—public and private—together with all available Federal programs and submit a comprehensive plan not only to build apartments, transportation systems, sewers, or hospitals, but to give people in the area the opportunity for self-development at the same time. The Federal government will pay a substantial bonus to help get the job done.

To join effectively with the local community, the Federal government must abandon its traditional vertical structure and bring to bear a horizontal lineup of departments and talents. This, itself, presents difficult problems to departments and agencies that have been inter-directed for a generation.

Another example of our preparations to handle problems in their total context is the Department of Transportation. Establishment of that Department formally recognizes that our transportation network is a series of highly inter-related forces that had far too long been going their own separate ways, fragmented and uncoordinated.

The problems and operations of each mode of transportation have a direct influence on the problems and operations of the others.

For example, an attempt to provide the swiftest, most efficient transportation system in the Northeast corridor raises these questions:

Are eight-lane turnpikes the answer? With special 100-mile per hour bus lanes?

Or high-speed railroads?

Or jumbo aircraft that can move more than 700 people in a single flight?

Or some combination? What combination?

Where, when and how should the Federal investment be made? And how much should it be? Should it be made at a time when it takes the airline passenger longer to get from the airport to the city than fly to the airport?

A few months ago, this Nation did not even have the organizational structure for asking—much less answering—questions such as these. It had instead 31 separate agencies and programs, uncoordinated and growing increasingly chaotic each year.

The Model Cities program and the Transportation Department are two tangible achievements which will allow us to apply a total systems approach. It is no accident that they were also two of the most controversial bills the President presented to the Congress last year.

They represent the politics of innovation in action. Old myths were destroyed. Past mistakes were recognized as such. Power structures—created in part by the politics of distribution to urban renewal departments in cities and to subsidized transportation industries—preferred the old to the new, the known to the unknown.

My point is not to dwell on these legislative achievements of President Johnson. I cite them merely to note some results of a systematic approach that is just beginning to take hold, and to assure you that we recognize that passage of a law is only the beginning.

These are early developments. Their most important impact may be within the Federal bureaucracy. When the President, by concrete example, demonstrates his willingness to take on the tough problems if a sound analysis based on facts has been made, he encourages the planners to ask the hard questions, to demand answers, to seek alternatives, to innovate.

We are beginning to ask these questions and, in some cases, get some startling answers.

We have recently completed a preliminary study of the welfare programs supported by the federal government to answer a very simple question: How many persons capable of working are on welfare?

Some would say many millions. But analysis disclosed that, over the next few years, out of the 7.3 million Americans on welfare, only 50,000 males may be capable of getting off—even if every program, public and private, were adequately staffed and efficiently run.

Of the 7.3 million citizens on welfare:

2.1 million, mostly women, are 65 or over, with a median age of 72.

700,000 are either blind or so severely handicapped that their work potential, if any, is extremely limited.

3.5 million are children whose parents cannot support them.

The remaining 1 million are the parents of those children: about 900,000 mothers and 150,000 fathers.

Two-thirds of the 150,000 fathers on welfare are incapacitated. Only some 50,000 are capable of being given job skills and training that will make them self-sufficient.

The problems this study raises are:

How to reach, how to motivate this proportionately small target of 50,000 fathers, and how to educate the American people to recognize and accept this target.

If special child-care centers and special training programs were established, how many mothers would we be able to move off the welfare rolls? Indeed, is it desirable to take two or three hundred thousand mothers away from their minor children?

Perhaps most important, we must determine whether past mistakes put almost one million mothers and 3.5 million children on welfare—and correct those mistakes.

And what of the hundreds of thousands of Americans who are part of the problem, but not on federally supported welfare programs.

This is only a preliminary collection of the most fundamental information on welfare. If more detailed studies and analyses confirm these preliminary findings, it will be relatively easy to define the target. The difficult task will be to resolve the issues such an analysis raises.

For identification of the problem, proper characterization of the issue, is only the beginning.

It is easy to say that the issue is not states' rights, but states' responsibilities. The difficult task is to define those responsibilities, and for the governors to get their states to recognize and assume them.

It is easy to say that free enterprise requires partnership, not a wall of separation, between the Federal government and business and labor. The difficult task is to establish effective federal partnerships with business and labor to solve the problems of contemporary America. Consider the proposal to establish the department of business and labor.

It is easy to say that long-standing programs are obsolete and are only being continued by institutions which they themselves created. The difficult task is to replace the obsolete with programs tuned to the problems of today and tomorrow. Consider our attempts last year to change the school milk and land grant college programs.

It is easy to say that artificial boundaries drawn by pilgrims in New England or pioneers in the West more often hinder than help solve transportation and pollution problems. The difficult task is to transcend those boundaries and set up new institutions.

Solving the difficult tasks—proposing innovative solutions—brings us squarely into the politics of innovation. The first step in practicing the politics of innovation is education—a responsibility that is ours to share, you in the press and we in the government. For in a public educational process, the press is indispensable.

I have attempted to describe the way President Johnson would like the government to approach problem solving and decision making. But the President is the first to recognize that systems analysis—and the entire planning, programming and budgeting system—is no substitute for judgment, compassion, or indeed, decision making itself.

What this process can do for a President is inform his judgment, help translate his compassion into effective action, and help assure that his decisions are based on facts, alternatives and sound analysis. It can measure—to the extent that such things are measurable—the costs and benefits of different alternatives. It can show a President how much he will get for what he spends today—and how much more, or less, it will cost if he waits until tomorrow. But it can never substitute for the political philosophy of a President or a party, or a President's concern for the welfare of his people and his Nation.

Nor do I mean to suggest that we are on the verge of shattering every deeply imbedded principle of government. In our search for new solutions, we have no intention of ignoring the lessons of experience. Actually, we will learn more and more from our experience, as we systematically evaluate it.

But we will not be like Mark Twain's cat who once sat on a hot stove. The cat never sat on a hot stove after that—but he never sat on a cold one either.

What a systems approach represents—and all it represents—is a method of analyzing problems. We have not yet found the answers to all the questions we have raised. In some cases, we have only begun to pose the questions. In others, we have not yet even found the right questions to ask.

This disclaimer does not in any sense downgrade what I consider to be the value of the effort. I place that value very high—

as high, indeed, as any government adventure of recent times.

All of us in this room have had experience with the crises of government which crowd other news off the front pages. But they are not what government is. The essence of government—the priceless quality which fuses it with the public will—is its capacity to respond to the needs of the people it serves. It is precisely to heighten this capacity that we have embarked upon the total system of analysis and problem solving that I have discussed tonight.

THE PUBLIC INTEREST PARTNERSHIP: A CREATIVE REVOLUTION

(Remarks by Joseph A. Califano, Jr., Special Assistant to the President, before the Cross and Scroll Society, College of the Holy Cross, Worcester, Mass., November 2, 1967)

Yesterday, something happened in the United States that in any other country would be cause for a national celebration. Yet it passed with relatively little notice. We have become accustomed in America to making the remarkable the routine.

Yesterday, November 1, 1967, we entered our 81st month of unbroken prosperity—the longest such period in our history.

In these six and one-half years we have seen over 9 million jobs added to the economy. In that same time American families have added $325 billion to their assets. The income of Americans, after taxes and corrected for price increases, is up 40 percent. Seventy-four and one-half million Americans are working today, at better paying and more secure jobs than ever.

What does that mean? Where do we go from here?

The events of today pass with such speed that we rarely have an occasion to pause and dwell on the undercurrents of American life. But tonight we have that opportunity—and I would like to reflect on some significant changes in American society over the past several years.

Tonight I would like to talk to you about myths, and partnerships, and creative revolution.

Two major myths are the fashion today and, I believe they increasingly blur our perception of America:

First, there is the myth that the conflict in Vietnam so saps our resources and strains our budget, that the unfinished work on our urgent needs at home must stop, or indeed has stopped, until the war is over.

Second, there is the myth that the Federal Government is some kind of "Machiavellian sugar daddy", bent on dominating the process of change in American schools, in the cities and in the life of individual citizens, spending money as fast as it can be printed.

Those who hold the myth about the impact of the Vietnam war on our domestic programs do so for a variety of reasons. But rarely do they face the real issue—the test of will.

To be sure, Vietnam imposes an obvious budgetary strain and clear and present pressure on our economy. But the problem is not whether our economy can carry the costs of the Vietnam war, while still maintaining forward progress on domestic programs. Of course, it can—if we have the will to devote the necessary resources and energies to the social problems of our day.

To those who say we must stop these programs, let me say that over the past four years including Fiscal 1968, even with the costs of the Vietnam war, budget expenditures should average less than 16% of our gross national product. This is slightly below the level of the late 1950's when there was no major military buildup in Vietnam. The costs of the Vietnam war amount to but three percent of the Nation's output and income.

To those who say we have stopped, let me say that we are now devoting more and more resources to our urgent domestic problems:

In 1960, federal aid to the poor was $9.9 billion. In 1968 it will be $25.6 billion—a 150 percent increase in the past seven years.

In 1960 we were spending about $6.6 billion for health, training and education. This year it will be over $22 billion.

In 1960 there were no federal programs to train unskilled Americans for useful jobs. In 1967, one million Americans will be trained through Federal programs.

And you must remember that every federal dollar summons up additional capital from the private sector and state and local governments.

This may not be as much as many of you, or I, might like to see spent on our domestic programs at this time. But those who believe we should do more must recognize that the end of the war in Vietnam will not produce some magic rainbow with a pot of additional gold for domestic programs. Vietnam expenditures, now totalling some $24 billion annually, will not automatically be transferred by the Congress to domestic programs when the war ends. The likelihood is that the Congress will turn back a large part (perhaps more than half) of that $24 billion to the American taxpayer rather than turn it over to the American bureaucrat—regardless of your social aims or mine. This has been the pattern of American history after every prior conflict in this century.

The Vietnam war provides a handy excuse for some who never really wanted the Great Society programs. These are the men who believe that poverty is the eternal lot of those born into it, something to be changed by chance and not by choice; who think that good health is the privilege of the few who can afford it, rather than the right of all; who consider a good job a privilege for those who can pay for education and training, rather than a birthright opportunity for those with the necessary talent and ambition. War or no war, these men will oppose Great Society programs.

There are also those who oppose these programs because they have a vested interest in disaster. The idea that a democratic society—with a free enterprise economy—can meet its enormous social needs, is anathema to them. They would rather condemn those who are trying to heal the wounds of centuries of neglect and discrimination, than put their own hands to that task.

What Vietnam presents, therefore, is not primarily a budgetary or a resource problem. Vietnam presents, rather, one of the greatest tests of will the American people have ever faced. It is a test of will abroad, surely. But tonight I wish to speak of the test it applies to our will at home.

This brings us to the second myth I mentioned earlier—that the federal government is some "Machiavellian sugar daddy" bent on dominating every aspect of American life.

Theodore Roosevelt's daughter Alice once said: "Father wants to be the bride at every wedding and the corpse at every funeral." Too many Americans are ready to make the President the Mayor of every city, the Governor of every state, the head of every school district and the chairman of every corporate board.

In the last few years, we have learned that the federal government—particularly if it is to reach the individual—can operate most effectively, and in many cases only, with the states and the cities, the foundations and the private charities, business and labor, and hosts of individuals at the grass roots of America.

This brings me to the central theme I would like to discuss with you tonight.

We have witnessed the development of truly significant partnerships in our society—alliances between the private sector and the government—which have grown out of a recognition of the limits of what the federal government can achieve alone.

We know that much remains to be done—so much so that on the White House staff because we found ourselves having to say it so often, we tried to come up with 50 ways to say "much remains to be done": there is much to do, unfinished work lies before us, there are myriad problems ahead, et cetera, et cetera.

The point is not that much remains to be done—we all know that. The point is that the federal government cannot do it alone.

The federal government cannot do it alone because it cannot wish or command and have it done—not in a free country.

The federal government cannot do the job alone because it does not have all the skills.

The federal government cannot do it alone because it is not enough in a free country for a few hundred federal officials to have the will:

Lawyers must be willing to represent the poor.

Small unions in hundreds of cities and towns must be willing to open their apprenticeship programs.

Big businessmen must be willing to help small businessmen.

Doctors must be willing to spend more of their time with the poor and to reorient their system for the delivery of health services.

The federal government cannot do these things by fiat. And it cannot buy them. In short, we must find the will and the ways to establish, on an individual basis, the kinds of partnerships that are developing between business and the federal government.

President Johnson articulated this clearly in his 1966 Economic Report to the Congress:

"The tasks involve new and growing problems of an increasingly complex and interdependent economy and society. Only the Federal Government can assume these tasks. But the Federal Government by itself cannot create prosperity, reduce unemployment, avoid inflation, balance our external accounts, restore our cities, strengthen agriculture, eliminate poverty, or make people healthy.

"Only through a creative and cooperative partnership of all private interests and all levels of government—a creative Federalism—can our economic and social objectives be attained."

In the last year or so that partnership has taken a new course—a creative revolution—in the deepening involvement of the private sector in the public and social problems of our society.

That partnership grew, out of self-interest, in arm's length transactions, where an uneasy government-business relationship developed because profits to stockholders coincided with the urgent need of the government to fulfill its most basic responsibility to the people it serves: the survival of their society. It has become a partnership familiar to the federal government in times of national security crises.

Let me call this the *skill partnership* of the 1940's and 1950's.

In the mid-1950's, for example, the government, in order to obtain the skills it needed—but which its own arsenals and laboratories lacked—sponsored new private profit and non-profit organizations, literally extensions of the government, to help develop strategic ballistic missiles and indeed strategy itself. While beating the clock in that race for survival, these relationships also helped break down some of the old barriers between government and the private sector.

This *skill partnership* of the late 1950's not only built the military hardware and weapons systems of deterrence. It also launched our effort in space. In the process, the technological fallout from this partnership helped make life easier and better for most Americans—in jet transports, television, transistor radios and even teflon frying pans.

The *skill partnership* achieved something much more significant. It set in motion an entirely new set of problem solving techniques—the "total" or "systems" approach—which Secretary McNamara brought to the Defense Department and which President Johnson is bringing to the government in the domestic field.

That early *skill partnership* set the stage for the next development. What would happen if the time were ripe for a major commercial technological advance, a major thrust forward that was far beyond the ability of private industry to finance?

How would the democratic, free enterprise system respond to a situation where military need did not justify the expenditure of defense funds, but where national need and opportunity inspired risks beyond the capability of private industry to absorb totally.

Let me call this the *risk partnership*.

Its most publicized—and controversial—example is the supersonic transport. The development of a supersonic transport was considered beyond the financial capability of any commercial firm. The vast technological advances imposed enormous economic risks. Unlike most of the commercial aviation advances that preceded it, the SST did not have the bonus of extensive military technology at the taxpayer's expense. The Defense Department foresaw no military requirement for such a plane.

Nevertheless, the promise of thousands of new jobs for American workers, millions of dollars of new orders for our factories, and the desire to maintain world leadership in commercial aviation in the face of foreign competition, led the government to join in a new venture with the private sector. The government selected the manufacturers and the Congress appropriated the funds to help finance the development of a supersonic transport. And the government will recover its share of the risk capital—and make a profit—if the enterprise succeeds.

Almost simultaneously with the development of the *risk partnership*, we saw another cooperative effort, where a legitimate public interest, representing all the people, was fused in hybrid partnership with legitimate private interests, working for a limited group of investors.

Let me call this a *common interest partnership*.

As the Nation grappled with the problems of developing and launching commercial satellites, the formation of a specially chartered Congressional corporation—COMSAT—was needed to accommodate inseparable public and private interests. The response to this problem was an arrangement which preserved private enterprise, but recognized the overriding national and international considerations involved in a world-wide communications system with a limited number of frequencies.

In the last two years, we have seen another dimension of the *common interest partnership*. In 1965, President Johnson called upon the business community to join in a voluntary balance of payments program, to forestall the mounting deficits in our international accounts. Early last year, as the economy threatened to overheat and interest rates rose sharply, the President called on the business community to show voluntary restraint: to put off building new plants and buying new equipment, to hold back on price increases. He called on labor leaders to show restraint in their wage demands, to stay within or close to the wage-price guidelines.

By heeding many of those appeals—made personally by the President in literally scores of meetings, large and small—elements of the private sector and the Government joined in *common interest partnerships* for another vital purpose—to help keep our economy on a steady course.

In the case of the *skill partnership*, the private sector came to the aid of the government. In the case of the *risk partnership*, the government came to the aid of the private sector. With the *common interest partnerships*, the government and the private sector joined for their mutual benefit.

These partnerships do not always fit into the neat categories I have pictured tonight. They often overlap. They have one common denominator: in all three partnerships, both the government and the concerned portion of the private sector had the will—the energy and the drive—and dedicated it to a common goal.

Now, I believe, we are beginning to see a fourth kind of partnership developing, a broader partnership for the benefit of third parties: the school child, the poverty stricken, the worker out of a job.

Let me call this the *public interest partnership*.

This is one of the little noticed—and most significant—achievements during the Johnson Administration.

This *public interest partnership* takes on a number of dimensions.

On a greater scale than ever before, the President has involved the private sector in the process of shaping the Nation's legislative and administrative programs. On any given day, you will find a dozen or more businessmen and labor leaders, professors and foundation researchers, doctors and lawyers, coming to Washington to advise and help plan America's future. Out of this process has come some of our most imaginative programs—model cities, head start, rent supplements.

Now—nurtured and encouraged for three years by the President—the *public interest partnership* is moving into the operational field through a series of pioneering ventures.

Within the last few months, for example, the Nation's life insurance companies pledged $1 billion of their own capital to finance homes for low and middle-income families. Millions of dollars have already been put to work. Dollar for dollar, this private capital can free federal funds for more low and moderate-income housing.

We have also witnessed the start of a new approach to public housing. Called "Turnkey", it departs from the traditional method of government contracting for low-income housing projects. Now, private builders can acquire their own land, frame their own designs and present the government with a package to build and operate low-income housing projects. By involving more heavily the private sector and by cutting red tape, this new "Turnkey" approach promises to reduce sharply the time needed to build housing for the poor.

In keeping with this *public interest partnership*, the President recently began a new job training program in which the government takes the special risks out of setting up new businesses in or near ghetto areas and in training the hard core unemployed for productive work. In this pilot effort, the government cuts the red tape by providing one stop service for the interested businessmen. The businessmen provide full-time continuing jobs in the growing private sector.

With the recent enactment of the President's proposal for a Public Television Corporation, we are about to see another example of the *public interest partnership* at work. Public Television can be an exciting and vital force in our daily lives, in our homes and in our classrooms. While government financial support is needed, government control must be avoided. While private resources and talents will be required, commercial control must also be avoided. To respond to the larger national interests, the President proposed a special public corporation with a board of directors selected by the President, confirmed by the Senate, but drawn mainly from the private sector. The corporation will be accountable neither to special commercial interests, selected shareholders, nor the Administration in power—only to the American people it will serve.

What accounts for the willingness of the private sector to involve itself deeply in public problems?

Only a generation ago the attitude of too many big businessmen was summed up in the words of the robber barons, "let the public be damned." Then, in the 1920's, America heard Calvin Coolidge say, "the business of America is business." Today, in our time, we are moving to the more hopeful dictum that "the business of business is America."

For many years, doctors and lawyers, labor unions and corporations have given funds to charitable and worthwhile causes—through donations to scholarships funds, private charities and foundations. Now, they themselves are becoming involved partners in the work to solve the social problems of our day.

Why?

No one can say with certainty what the answer is.

Part of the answer lies in the universities and colleges like Holy Cross which, in Professor Woodrow Wilson's words, are turning out not only an educated man but "a man of his nation as well as a man of his time."

But Wilson was ahead of his time, and it is the generation of men who came after him—the men of World War II, Korea and now Vietnam, who see their Nation through the eyes of men who fought to save it, who see their struggle as part of the larger issues involved. That, too, is part of the answer.

Much of the answer flows from the towering and sustained prosperity of the past six and one-half years. The spotlight of that prosperity illuminates ever more clearly the unfinished work of America. It highlights as never before the awareness that business does not live in isolation but has a destiny shaped by the future of the community it serves and the security of the Nation in which it flourishes. In short, part of the answer is enlightened self-interest.

Thus, when business sets up a merit scholarship, or supports the arts, or helps to rebuild a slum, it strengthens itself by improving the society in which it exists.

When business helps to train an unskilled, unemployed citizen to become a productive worker, it not only strengthens society but creates another consumer to buy its goods.

When business sends a group of executives to help developing nations stimulate industry, it makes a long-term investment in its own future by helping to insure a peaceful world and opening new markets abroad.

When business engages itself in the task of testing new methods and materials to renew and reclaim a slum, it may be on the threshold of a vast and untapped market in the midst of America.

Part of the answer is that new bridges of communication and understanding are being built between government and the private sector. To that task, the personal energy of the President is deeply committed on a scale unprecedented and hardly realized by the average citizen, whether in the man-to-man meetings of the President with a key labor leader, in the frank give and take of a business council dinner at the White House, or in a well-publicized public appeal.

The President has stimulated and fostered a healthy climate in which the relationships between the private sector and the government have grown, bringing it to the point of the *public interest partnership* we see today. This *public interest partnership* was not achieved overnight. It became possible as the uneasiness between business and a Democratic Administration decreased. It blossomed as businessmen realized that the Administration was trying to recognize legitimate private interests as it sought to secure the public interest. It has flourished as pragmatic liberals like Johnson and Humphrey took the reins of government, and public-sector oriented executives like Ford and Kaiser took over the corporate empires of our nation.

The foundations of this partnership are solidly based in our free enterprise system. In that system, of course, the propelling force of business is profit. For labor, the sustaining force is increased productivity and higher wages. As the President sees it, the challenge is to harness these forces with the resources of the government to promote the greater good of all.

Recognizing this, the government is encouraging industry to enter hitherto untapped areas of domestic concern—to see whether they will yield a fair profit.

One of the techniques is to minimize or reduce the risk. Thus, for example, through a network of special guarantees and loans, the government seeks to attract business investment and research in the renewal of our neighborhoods. By reducing red tape and bureaucratic obstacles, the government hopes to interest more builders in the low-income housing field.

These are, I believe, some of the reasons why this *public interest partnership* is taking hold.

No one can predict its ultimate outcome, whether it will be only a passing trend or the beginning of a balanced relationship that will become rooted in the American experience. Already, however, we can see it bearing early fruit:

In the Job Corps Center run by a space-age contractor.

In the doctor who brings his healing skills to the War on Poverty or to a Peace Corps mission.

In the participation of a firm in a Neighborhood Youth Corps Center to salvage high school drop-outs.

In the involvement of a union, a church group or a fraternal organization in the Rent Supplement Program.

In the lawyer who offers his legal services to help and counsel people in poor neighborhoods.

Technology—the electrifying dynamic of our time—is no longer the barrier to progress in a free, federal system. With its quantum leap forward since the end of World War II, the technology needed to improve man's condition is now within our reach.

The roadblock is not technology. It lies in individual and institutional inertia, fear of change and lack of imagination. *Public interest partnerships* of the kind I have described tonight—and others still beyond the horizon—may be the key to create a climate of action and constructive change to better the quality of American life.

The truly hard work lies ahead.

The unfinished agenda of America tells of 30 million poverty-stricken citizens in a Nation of abundance. It tells of crumbling tenements in our cities and of 7 million eroding houses which must be rebuilt. It tells of thousands of citizens who are capable of working, but who need the extra training and education and opportunities which lifetimes of discrimination and other men's prejudice have denied them. It tells of poisoned air and polluted water—the spectacular debris of the world's most technically advanced Nation.

Let me take one specific example from the catalog of this Nation's unfinished work—and how the problem can be approached through partnerships of the public and private sectors.

Take the health problem in our country. Today, on radio, on television, in fund-raising campaigns and indeed too often in the Government itself, we look at the health problem in terms of specific, categorical diseases. We hear that heart disease is the Number One killer, and that cancer is the Number Two killer and that emphysema and stroke are not far behind. We hear that venereal disease is reaching epidemic proportions in some of our largest cities.

But this is not the way to look at our health problem except for purposes of scientific investigation. While we need scientists in our laboratories to trace down viruses, that is only part of the solution to our Nation's health problem. For we now have powerful evidence that the number one preventable killer and crippler, the number one health problem in our Nation, is not heart disease or cancer or stroke. It is poverty—poverty aggravated by discrimination.

These sobering statistics give truth to the statement that "the sick get poorer and the poor get sicker."

If you are poor and non-white, the chances are you will die seven years sooner than the average American. Life expectancy has increased since the turn of the century. But a wide gap in the life span still exists: 64 years for the non-white. 71 years for the white.

If you are a poor non-white mother, the chances of your dying in childbirth are four times greater than the average white mother. 90 maternal deaths per 100,000 deliveries for the poor Negro mother. 22 maternal deaths per 100,000 for the white mother.

If you are born poor and non-white, you are twice as likely to die in infancy as the average child. 40 deaths per 1,000 non-white children; 21 deaths per 1,000 white children.

If you are poor and non-white, the chances are twice as great that you will die from tuberculosis, influenza and pneumonia, diseases which are easily controlled and cured when caught in time.

If you are part of a family with an income of less than $2,000, and there are 17 million Americans in this category, you are four times more likely to have a chronic handicap—heart trouble, arthritis, problems with your arms and legs—than if your family income were over $7,000.

If you are part of a family with an income of less than $2,000, each year you will spend 3½ times as many days bed-ridden or otherwise confined than if your family income were over $7,000.

Our work to close this health gap has only begun.

Because we are analyzing domestic problems in a new way for the first time—the "systems" or "total" approach I mentioned earlier—we are beginning to see that the only way to solve those problems is to attack all of their many parts.

When we now approach our Nation's health problem, we can look at it not merely in the setting of a specific disease but in its totality—in as broad a context as the environment of poverty itself that breeds disease, ill health and premature death.

We are able, thanks to this new method, to analyze poverty's tragic mark on the health—and the lives—of Americans. We can see emerge for the first time, a blueprint of action to cope with the problem. And the Federal Government cannot cope with it alone. Our Nation's health problem is an ideal task for a host of *public interest partnerships*.

Health for the poor is the problem of the slum and the depressed rural area. It is nutrition. It is transportation. It is an attitude towards doctors and hospitals shaped by years of crisis-oriented attention, after waiting hours in an inaccessible clinic miles across town—if indeed help was available even then. It is education and jobs. It is the need to find new ways to bring health services to the poor and the poor to health services. It is insurance and financing. It is overcoming the shortage of trained health workers and finding enough doctors to serve the poor. It is rat infested housing, leaking roofs and filthy public streets.

To succeed will take the talents and commitments of people in fields as diverse as the problem itself. It will take the bacteriologist and the doctor—but at least equally important are the insurance executive and the accountant; the nutritionist and the nurse; the financier and the farmer; the labor leader and the building contractor; the professor and the priest.

As you can see, no matter what you do when you leave Holy Cross, this problem will touch you. No matter what skill you acquire here or in later professional training, that skill can play its part in solving your country's health problem. And health is only one of our national problems.

For the fundamental fact I hope I leave with you tonight is that government alone cannot meet and master the great social problems of our day. It will take the matchless skill and enterprise of the private sector working closely with government at all levels. It will take *public interest partnerships* of a scope we cannot yet perceive.

In this state, a great American leader said:

"Let us develop the resources of our land, call forth its power, build up all its institutions, and see whether we in our day and generation may not perform something to be remembered."

These words were spoken by Daniel Webster over a century ago. He might have been speaking to you.

Never will you be as challenged as when you leave this campus. But never will you know greater satisfaction than the reward of continuing to build your Nation anew.

You will perform something to be remembered, if as E. M. Forster said, you "connect"—if you build your own destiny knowing that it will be linked to that of your fellow man.

The Dialogues of Impatience, Involvement, and Inquiry

(Remarks of Joseph A. Califano, Jr., before the Nieman Fellows, Harvard University, April 23, 1968)

As Nieman Fellows, you have put aside the reporter's pen to take up the scholar's mantle. This sabbatical gives you the opportunity to reflect on events in a broader perspective—free from the pressure of the daily deadline.

Through this perspective, I hope you will write about the remarkable changes in our society and in our attitudes over the past few years. That story has largely been obscured by the conflict in Vietnam and clouded by the disorders in our cities.

But change—deep and dramatic—has occurred. I believe that history will show the Johnson years cleared the old liberal agenda and in the process have opened up a new range of questions and issues. For the liberal programs shaped by the ideals of our parents are on the books. But they are not wonder drugs to cure all of society's ills. And they have had some unforseen side effects.

The issue of government insurance to pay medical bills of the elderly once sharply divided our parents. "Socialized medicine" now pays their hospital bills and in its present form helps aggravate a typically capitalistic problem, inflation.

Just a few years ago many of our liberals said our objective for Negroes should be equal treatment, but stopped there. Now some of our more conservative leaders insist that preferential treatment, in education, in training and in jobs, is essential to make up for years of disadvantage.

Long range economic, fiscal and budgetary planning designed to adjust our economy, is now an integral part of Presidential responsibility. Today, an Administration which failed to engage in the most comprehensive economic planning would be charged with negligence.

Cries of anguish about federal aid to education now center on the charge that we are not providing enough. The traditional primacy of property rights in homes, in hotels and in restaurants has been balanced by the assertion of human rights of equality and justice, through civil rights legislation that was filibustered out of our national legislature just a few years ago.

Few liberals would have believed these changes could have occurred in just a few years. Even fewer could have foreseen the enormous impact and unpredictable effects they would have on our society. Lines are blurred as never before; old labels no longer suffice. Our people are more impatient for quick solutions than ever. Enormous programs designed to do things that many thought only the Federal Government could do have served to emphasize the importance of involving the private sector. Perhaps most significant, searching questions have been brought to the surface about our society itself.

Today, some conservatives would move as quickly as possible to a guaranteed family income, while some liberals contend that this could be as debilitating as the present welfare system.

Some conservatives have urged that we place young children in day care centers and take mothers away to train for jobs, while liberals express concern about this intrusion of the State—this "sovietization"—in American family life.

Some conservatives who for years have preached the doctrine of local control are now saying we should have less community action, while some liberals are now apprehensive about big government and press for more local control and community involvement.

When a group of America's leading industrialists petitioned the Congress to enact the Model Cities Program, James Reston observed that their words sounded as if they had been written by George Meany or Walter Reuther.

All of this reflects ferment in our society and change in our attitudes. The result is a series of new dialogues—of impatience, of involvement and of inquiry.

The *dialogue of impatience* centers on the clamor for the quick solution and the quick answer. It is too often a quest for some new remedy, even before we know how the social programs of the past few years will fare.

The dialogue of impatience is understandable enough. A hundred years ago, Alexis De Tocqueville recognized this aspect of the American character. De Tocqueville's words are worth repeating this afternoon:

"The sufferings that are endured patiently as being inevitable become intolerable the moment that it appears there might be an escape. Reform then only serves to reveal more clearly what still remains oppressive and becomes now all the more unbearable. The sufferings, it's true, have been reduced, but one's sensitivity has become more acute."

But much of the dialogue of impatience is possessed of an air of unreality. Too often the quest for the new is in reality the quest for the easy. It fails to recognize that hard work will be required. It reflects frustration as we discover how difficult the job is.

Many new programs have been started. And many others will evolve from them. But passing a Poverty of a Manpower Training Bill is not enough. The task is to make them work, and to experiment and to change until the right combination appears.

There is usually a substantial lag between the time a Federal program is passed and the time it becomes fully operational. Comparable action by State legislatures is often required. Washington and field staffs have to be assmbled. Counterparts at State and local levels have to be hired. The programs passed in 1965 and 1966 were started from scratch.

For the most part, there has not been sufficient time to test fully their effectiveness. Moreover, it is becoming increasingly difficult for the Executive Branch to obtain the funds needed to evaluate these programs.

Today's dialogue of impatience tells us that we should have a bigger housing or job, or poverty program supported by much more massive funding. The money answer is easy and beguiling—but alone it is illusory. Unquestionably additional funds can be fruitfully spent in many areas.

But money is simply command over resources. If the particular resources we need—in the form of good teachers, or medical workers or builders—are not there, or if our political institutions block their use, then money alone will simply raise the price of scarce talent, not put it to work in the urban ghetto.

Men must be motivated to work, before you can spend more money to provide the basic skills they lack. There is no point in building schools faster than we train good teachers. Technology, the structure of our capital markets and the availability of professional talent prescribed the outer limits of the President's ten-year housing program—not some politically inspired fear about asking for too much money.

Moreover, substantial funds have already gone into the Johnson programs. The curve rises sharply from 1963 to 1969:

From $258 million to $2.1 billion for job training.

From $5 billion to $16 billion for health.

From $4 billion to $12 billion for education.

The money syndrome of the dialogue of impatience tends to focus on a pot of gold at the end of the rainbow when the Vietnam war ends. But, despite America's enoromus productivity and wealth, we will never have unlimited resources for social programs. If history is any guide, most of the money freed by ending the Vietnam war is not likely to be turned over to domestic programs. A congress that is so reluctant to raise taxes to help pay for the war or demands cuts in social programs as the price of a tax increase is at least as likely to repeal taxes when the war is over as it is to invest more money in domestic programs.

The dialogue of impatience has its problems. But along with the Johnson programs, it is leading us to a more constructive dialogue—the dialogue of involvement.

The core of that dialogue is about people and their role in society. It draws on Woodrow Wilson's notion that democracy is the force that can "release the energy" of every human being. During the Johnson years it has begun to translate President Kennedy's charge, "ask what you can do for your country," into a national happening.

The dialogue of involvement recognizes that it will take more than programs and money to conquer poverty or rebuild the wasteland of the slums. It reflects the critical fact that unless all sectors of society deeply involve themselves in helping to solve these problems, the effort will take far longer, the burdens will be far heavier, and indeed the problems will never be solved.

We now have over 400 programs—more than half of them passed in the last three years. $78 billion in Federal funds are devoted to our domestic problems. With this surge of government activity, has come an increasing realization that the Federal government, and indeed the Federal State and local governments combined, cannot solve the problems alone.

The private sector of our society must get to work. This is the first level of the dialogue of involvement. There is another, more important level.

A few years ago, Gunnar Myrdal, in his "Challenge to Affluence" asked why America "with the world's most generous and best organized private charity" was "so reluctant to more concretely recognize all the poverty at home."

The answer to Myrdal's question may be that most Americans would not "recognize all the poverty at home" because they had never seen it.

When the Nation's concern in the late 1950's was to overcome a recession, our purpose was to find a job for the skilled worker, not to salvage the high school dropout. But now the unparalleled prosperity of the past few years has given us that opportunity. Today many of our programs are designed with the thought that men of good will who see poverty will become involved in trying to eliminate it—if they have the opportunity.

Traditional concepts about the role of citizens and companies, universities and unions, indeed the poor themselves, in helping to solve the Nation's social problems, are changing. Out of this dialogue of involvement has come concrete action—the anti-poverty worker in a community action program, the union that sponsors a rent supplement project, the National Alliance of Businessmen trying to put thousands fo hard-core unemployed to work, the creation of the Urban Coalition.

But on a more profound level, the dialogue of involvement helps open the hearts and change the attitudes of individual Americans.

When a corporation trains and hires Negroes who never held a steady job or when a VISTA volunteer helps to hold a slum family together, the impact on the corporate executive or the Ivy League volunteer may be as significant for himself and our society, as the change in the life of the person he is trying to help.

The dialogue of involvements recognizes that people must not only provide energy and insights, but human contact. It seeks to replace indifference with compassion.

This is the point of so much that the President is trying to convey. Indeed, I believe this is precisely the much misunderstood central point of the Kerner Commission Report. The battle is in the hearts of individuals and there it must be won by each of us for ourselves. For America is one nation, and we must recognize that we are all neighbors.

Large scale rebuilding of the ghetto may simply push up land prices unless suburban America is willing at the same time to remove its formal and informal restrictions against Negro home buyers and renters. Training Negroes as skilled workers will lead to bitterness instead of jobs if racial restrictions on job opportunities stay in effect.

Clearing the liberal agenda has not only whetted our appetite for faster action and quicker solutions. It has not only focused our attention on the inability of the Federal government to do the job alone and the need to involve local government and the individual citizen. Clearing the liberal agenda has brought a host of new problems and issues. It has set off a dialogue of inquiry.

The great social programs of the past several years affect people, but they also affect institutions. And in so doing, they have raised questions which go to the very roots of our society.

Head Start pioneered a new concept in pre-school education for the disadvantaged. But the basic principles that inspired the Head Start program apply to all children. Should the Nation's public school system be revamped to begin, for everyone, at the age of three?

Government-sponsored medical research has provided major breakthroughs, including an enormously expensive artificial kidney machine. The lives of thousands of Americans could be saved and extended, if a judgment were made to expand the production of this machine, extending its presently limited availability beyond the very wealthy and relatively few who qualify under certain Federal laws. Is it a wise allocation of resources to increase vastly the production of these machines? If not who should receive its benefits? And who should make that determination?

The work of building a Nation and serving a people continues through a maze of channels at the Federal, State and local level. Over 400 Federal grant programs are administered by 150 separate departments, agencies, bureaus and offices in Washington, through over 400 regional and field offices, all assisting 50 States and thousands of cities.

The new water and air pollution programs must cope with the problems of our environment on a river basin and air shed basis because those problems transcend political boundaries. Economic development is now handled on a regional basis. The problems of the Negro ghetto in Harlem surely had some roots in the rural poverty of Alabama.

What is the value in 1968 of the state line that Pilgrims drew in the 17th Century? Railroads and businesses merge for efficiency—will States some day? Or will there be different mergers for different purposes—one set of boundaries for water pollution, another for regional development, still others for urban transportation and the administration of local school districts.

Today most Mayors have too little authority over the cities they are responsible for. They have no authority over the suburban areas which are their city's economic and social satellites. Several cities have populations larger than most states. Should the powers of Mayors be strengthened and their jurisdiction extended? How—and by whom?

The Office of the Presidency deserves the most penetrating examination of the dialogue of inquiry. The conventional wisdom expresses concern about the increasing power of the Presidency. But perhaps the greatest irony of the programs of the past three years is that they show how limited Presidential power really is. Even a President with the legislative acumen of Lyndon Johnson has been unable to eliminate obsolete programs as new legislation provides better and faster solutions. Virtually all the social programs depends upon State and city governments, and when they are weak, Presidential initiatives will inevitably be blunted.

Yet, increasingly, the American people hold the President responsible for the economy, for the condition of our cities, for the health and education of their children and for security in their old age.

If Presidents are to be held responsible for planning our economy, shouldn't we give them the authority to go with that responsibility? At least the power to raise or lower taxes within a specified range—say five percent—so that we can quickly react to fiscal emergencies?

Should the President, for example, be given special powers and funds to deal with domestic problems? If there is a breakthrough in one program, should the President have a multi-billion contingency fund to exploit that breakthrough promptly and efficiently? Or at least authority to move funds from one program to another?

A wise man once said that "convention is like the shell to a chick, a protection till he is strong enough to break it through." The dialogue of inquiry can break through that shell of convention and can lead us to greater wisdom.

These, then, are the dialogues of 1968—of impatience, involvement and inquiry.

In this election year our responsibility is particularly heavy—to get behind the promises and proposals into the reality; not to accept at face value but to question and probe.

For if we are satisfied merely with the dialogue of impatience, we may find that we have been tilting at windmills.

If we see only the events of the dialogue of involvement without testing their effect on the minds and hearts of individuals, then we will become last in superficialities.

If we accept the dialogue of election year rhetoric when we should demand a penetrating dialogue of inquiry, then we fail in our responsibility to help make a free society work.

The success and the viability of our society depend upon the constructive involvement of all of its people in all of its problems. Professors and priests, union officials and corporate leaders and indeed every individual citizen bear that responsibility. This is the lesson of our time. It is the heart of the dialogue of involvement. It is the central truth of the dialogue of inquiry.

Democracy's progress rests on an open mind and a free discussion. I hope I contribute to a little bit of each this afternoon.

REDISTRIBUTIONS OF WEALTH AND OF POWER IN AMERICA

(Remarks by Joseph A. Califano, Jr., Special Assistant to the President, before National Representatives of B'nai B'rith, June 27, 1968)

Today we are in the midst of one of the great changes of the Twentieth Century America—a redistribution of power. And history teaches us that redistributions of power are never tranquil.

There have been two great redistributions in our nation in this century. The first—the redistribution of wealth—began in the Thirties with Franklin Roosevelt and continues to this day.

The redistribution of power and the redistribution of wealth are not isolated phenomena. They reinforce and relate to each other. Sometimes, the redistribution of power is a consequence of a lag in the redistribution of wealth. Poor people, for example, who are denied or impatient for the fruits of economic wealth may seek to achieve it through a redistribution of power. Neither process is static or predictable. They are imperfectly structured and flow with the dynamics of the times.

The most obvious attempt at redistribution of wealth--and a most direct one—was the sharply graduated income tax, which, with more earnestness than effectiveness, set about to take from the rich to give to the poor.

But there have been many other examples of the redistribution of wealth in the first four decades of the Twentieth Century. There were bitter labor disputes. There were redistributions through the charity of the great philanthropists—the Mellons, the Rockefellers and many others.

The overt, aggressively pursued redistribution of wealth by the Federal Government marked the Roosevelt and Truman years. It was supported by a redistribution of power, basically among major economic groups. The labor laws of the 1930's secured for unions new power in dealing with management. The regulatory measures of the New Deal bridled the excesses of corporations. But the important point is that the redistributions of power during these years were incidental to the attempt to redistribute wealth.

The redistribution of wealth proceeded for four decades in its attempt to take from the very wealthy to give to the vast majority of Americans a full share in the material things of this Nation. But today—largely because the New Deal, World War II and the Fair Deal resulted in creating a majority of affluent Americans—the emphasis is no longer on redistributing wealth from the very few to the many. Rather, we are now asking the many to give to the relatively few—the 15 percent of our society who comprise the remaining "have nots" in the wealthiest nation in the world.

In its current form, the redistribution of wealth involves not merely money, as in the case of unemployment insurance or welfare grants, but also services, as in the case of health, education and training, to help an individual help himself. Indeed, the redistribution of wealth for this purpose has been accelerated during the brief span of the past four and one-half years.

A tripling of Federal expenditures on education—from $4 to $12 billion.

The more than tripling of expenditures on health—from $5 to $16 billion.

The enormous increase in investments in job training and poverty programs.

Moreover, never has there been a vaster—or more sophisticated—diffusion of wealth than during the Johnson Administration. The key has been the painstaking attention to our economic machinery which has generated 88 months of unprecedented prosperity—with its boom in profits and stock prices—with the rising incomes of the wealthy and middle class. This has made the current redistribution of wealth—significant as it is—painless and therefore less visible in the communications media.

The impact on the poor has been enormous. Between 1959 and 1963, for example, the number of persons in poverty declined by 3½ million, from 38.9 million to 35.3 million. And the number of Negroes in poverty actually increased slightly.

In sharp contrast, over the past four years the number of Americans in poverty has fallen by an estimated 9 million. And among Negroes the estimated drop has been at least 2.5 million from the 11.2 million in 1963.

The drop in the unemployment rate among the less advantaged groups of workers has been equally dramatic over the last four and one-half years:

The rate for non-white workers has dropped from 11.3% to 6.4%.

The rate for non-white males, twenty and over, has dropped from 9.7% to 3.7%.

The rate for skilled and semi-skilled, blue collar workers has dropped from 7.3% to 3.7%.

The rate for unskilled, non-farm laborers has dropped from 12.3% to 6.5%.

Nevertheless, despite the redistributions of wealth over the past few years, it is not a redistribution of wealth that will mark the Johnson years in the domestic arena. It is a much more subtle and complex redistribution of power.

If one trend can be discerned, it is that the government's redistribution of power in the decade of the 1960's is directed more to individuals, neighborhood groups and social entities than to economic units. And like other redistributions in our history, it has been successful because it has been part of a general trend and mood of our society.

This mood of our people is captured in large measure in Paul Goodman's phrase, "the psychology of being powerless." Many of our people believe that the great underlying conditions of modern life are beyond their power to influence. The technological and population explosions seem inevitable and uncontrollable. Hundreds of thousands of rural Americans outrun each other in the race to urbanize our society. Bureaucracy is everywhere in our lives--in big unions, in giant corporations, in cumbersome, impersonal Government at every level, and in long, forgettable sets of numbers which identify each of us.

As Goodman said:

"Our psychology, in brief, is that history is out of control. It is no longer something that we make but something that happens to us."

The sphere of effective power for an individual seems increasingly limited and increasingly local. Inevitably he insists upon more control over his own life, and the things that affect it.

The President's programs have tried to take account of this.

The most controversial redistribution of power involves the community action programs of the President's War on Poverty. These programs by law required the "maximum feasible participation" of the poor in planning and carrying out projects designed to help themselves move out of poverty--in schools, in clinics, in neighborhoods.

By 1967, there were over 900 non-profit community action agencies throughout the Nation—giving the poor a forceful voice in the administration of local anti-poverty efforts. Only about 100 community action programs were administered by State and local Government agencies. Just three years after Congress had given a go-ahead to community action, this new experimental and controversial power arrangement was back before the Congress. And this time, the Congress changed the original community action concept to shift much of the control from the poor and neighborhood people to the mayors and governors—if these officials elected to take it.

Many observers at the time—in Congress and in the Administration—believed that a great many of the 900 community action agencies would be taken over by City Hall and the State House.

But a truly remarkable and startling event has occurred. So deeply rooted is the desire for participation by the poor, so critical are the consequences of altering this arrangement, so effective are many of the arrangements, that to date nearly 95% of the mayors and governors—over 850 of them—have decided to leave the community action agencies alone. Only 48 local governments have so far elected to bring them under the City Hall.

This is a powerful, significant—little noticed event. Yet it is a sign that power has been successfully redistributed in hundreds of neighborhoods in America and has withstood its most severe challenge to date.

The redistribution of power is a critical element of the Model Cities program, where the law requires slum residents to vote on plans to rebuild their neighborhood and then to take an active role in carrying out those plans.

Administration programs to improve education, health and manpower training not only seek to make the dispossessed a productive member of society. More important, they give him more power over the circumstances of his own life without diminishing the power of any other segment of society or individual. He earns his own income, he is not dependent on the welfare or charity of others and he gains the power to compete and earn in the marketplace.

The President's attempt to redistribute power are also evident in the most fundamental process of democracy—the election of the governing bodies. The Voting Rights Act of 1965 more than doubled, to 1.5 million, the Negroes registered to vote in five states in the South. The President has proposed the vote for 18-year-olds. And last year, he recommended the elimination of outmoded state residency requirements for voter qualification to reflect a growing mobility in our population.

And, as was the case during the Roosevelt and Truman years with the redistribution of wealth, other segments of society are concurrently, but independently, involved.

The Supreme Court established the one-man, one-vote rule at the levels of both State and local government. A realignment of Congressional districts is taking place to further enhance the power of an individual's vote. These activities will have an enormous impact on the governing institutions of this country in a relatively few years. The result will probably be a significant swing in state legislatures and the national Congress to urban and suburban power—where most people live.

Demands for redistribution of power are heard on the American campus. Students are calling for a voice in the administration of the university, whose function it is to help prepare them for life.

The search of the Negro for his own identity and for an effective voice in politics has been a major trend of the 1960's.

Parents are beginning to reassert their interest in the education of their children. As a result, neighborhood schools shift to the control of neighborhood residents, who are replacing centralized and remote state bureaucracies.

The redistribution of wealth was accompanied by great tension which was occasionally turbulent. Much the same way, the redistribution of power is attended by fierce clashes of interest and occasional turmoil. But the stakes involved in the redistribution of power are much higher and much weightier. For power without responsibility is anarchy.

If the redistribution of power engenders so many risks, you may ask why rational people pursue it.

It is not because our society has failed. It is not because the redistribution of wealth has failed.

It is because we have learned that redistribution of wealth cannot be achieved in a vacuum. History has taught us that no group in our society can obtain the material things they need without some political muscle. More important, a mere redistribution of wealth is not enough. For material gains—obtained solely through the benevolence of others—is viewed by the recipient as patronizing philanthropy and can have a debilitating impact on the recipient. While charity is motivation of the highest sort, a life based on the charity of others is never satisfactory. No individual—particularly one living in a democratic, literate and creative society such as ours—can find and fulfill himself with money alone.

The redistribution of power, then, is deeply moral—for its aim is to fulfill and enlarge the individual, and the group to which he belongs.

This problem is not a new one. The Greek philosophers knew and taught that a man is not fully a man unless he is an active participant in the polls. American traditions—from the New England town meeting to the excitement with which thousands participate in Presidential politics—recognize that participation in the exercise of power is important for the individual.

At its best, redistributed power provides a link to the community, a voice in decision-making, an active role in the neighborhood, a sense of participation and belonging. In a mass urban society, where individual identity tends to be submerged and life is often over-regulated, the personality can wither in hermitage or break into wanton violence in the streets. The redistribution of power can offer a constructive channel, a moral equivalent to violence.

Ralph Ellison once wrote of the "Invisible Man," the story of people so submerged in society that they no longer counted—or were even counted. The redistribution of power involves the individual in the decision-making system which affects his own life and the future of his children. It moves him from invisibility to visibility.

This phenomenon has been most visible and dramatic where it has affected the poor and the black—in Community Action Programs, in the Poor People's Campaign in Washington. What is significant about that Campaign is that the request of the poor is not merely for food or housing or jobs. It is most urgently for a voice, for some means of participation, of self-determination. In short, the poor are asking for power over their own destiny:

Just as college students want a say in their own education; just as parents want a say in the education of their young children.

The critical element in redistributions of power is to avoid anarchy—an anarchy that is borne of lack of responsibility. The critical question is how power can be distributed and exercised responsibly to avoid chaos. A key function of government is to provide the conditions through which these objectives can be achieved.

Power redistributed by the peaceful processes of government or lawful individual action rests on a solid foundation. But power redistributed by violence and unlawful acts which disrupt the functioning of government or education rests on the sands of anarchy and nihilism.

It is intolerable in an ordered, democratic society. For no individual has the right to increase his power at the price of violating another individual's human rights or diminishing his freedom.

The responsibility I speak of is not the responsibility borne of timidity or of clinging to the status quo. It is the spirit of free inquiry and not being sure you always have the best answer. It is a spirit of seeking to understand the minds of others, of reaching out with conscience and courage to make the world a better place, of weighing interests—your interest and the interests of others without bias or rancor—not to seek consensus for consensus sake, but as the critical prerequisite for effective action. That is the spirit of responsibility which individual power demands and that is the spirit of America which lies in the heart of all of us. That is the spirit the President has tried to generate.

TRIBUTE TO RABBI SAMUEL S. RUDERMAN, RABBI EMERITUS OF TEMPLE BETHEL, FALL RIVER, MASS.

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mrs. HECKLER of Massachusetts. Mr. Speaker, I join the whole Fall River community and especially the members of Temple Beth El congregation in mourning the passing of their beloved and brilliant rabbi, Samuel Ruderman.

Our deep personal sorrow at his loss must not prevent us from passing on the legacy of his teachings to all men.

The story of his life and his teachings are an inspiration for all—rabbi, minister, and priest alike—Jew and non-Jew alike.

At Rabbi Ruderman's moving memorial service, Rabbi Moshe Babin, the present rabbi of Temple Beth El, offered the memorial prayer, Cantor William Crausman rendered an exquisite cantorial dedication, and Rabbi Matthew Derby told of his uncle's contribution in a personal sense to his life and to that of other nieces and nephews and to the lives of his total family.

I join with the residents of the Greater Fall River community in expressing our deep and sincere condolences to Rabbi Ruderman's wife and daughter.

Rabbi George Pollack of Cleveland, Ohio, beautifully expressed Rabbi Ruderman's quest for excellence. I wish to share his thoughts with you by including his eulogy, and for this reason Mr. Speaker, I insert it in the RECORD on this the last day of the 90th Congress:

EULOGY GIVEN BY RABBI GEORGE POLLAK AT THE FUNERAL SERVICES OF RABBI SAMUEL S. RUDERMAN ON FRIDAY, OCTOBER 11, 1968

Many a time I sat in the pulpit chair in this Temple listening to a great Rabbi eulogizing members of Temple Beth El. I never thought that some day it might become my sad privilege to officiate at his funeral. Having been a pupil as well as an associate of Rabbi Ruderman's, when the family asked me to participate in the services, I was deeply moved and honored and consented without hesitation. I am grateful to Rabbi Babin for permitting me to share his pulpit.

It is perhaps fitting that we should say our farewells to Rabbi Ruderman on this autumn festival of Sukkot, bringing to a close the season of forgiveness and atonement. This season celebrates not only the ingathering of the harvest of a fruitful year, but it stands also for a unique concept in Judaism—that of the beauty of a Mitzvah as it symbolizes the search for perfection. Pious Jews search for the most beautiful Etrot, for the prettiest citrus fruit with which to recite benedictions to the Lord. An Etrot with a flaw which does not have the perfect shape is rejecting in favor of a more perfect more beautiful one. If anything can sum up Rabbi Samuel Ruderman's life, it was his untiring search for perfection and like for an Etrot, he constantly searched for the more beautiful, for the more perfect, rejecting the mediocre discarding even the good in pursuit of the excellent.

He often quoted Walter Lippman to me: "The good is the worse enemy of the excellent." In fact and in deed making this the motto of his life. He was fond of the poet, Browning, and his favorite poet described the character that could have modeled on Rabbi Ruderman:

"He ventured neck or nothing—heaven's success,
Found, on earth's failure;
That low man seeks a little thing to do,
Sees it and does it;
This high man, was a great thing to pursue,
Dies ere he knows it.

"That low man goes on adding one to one,
His hundred is soon hit;
This high man, aiming at a million,
Misses a unit."

Rabbi Ruderman often courted Etrot's failure in pursuit of heaven's success. He often missed a unit in search for the most. But, this very pursuit is the monument, the glory, of what was Rabbi Ruderman. For it is not in the fullest attainment that man shines best, but in the nature of his goals. His toils and efforts were not without rich rewards of success. His ordination reads: Rabbi, Teacher, and Preacher. In all these capacities Rabbi Ruderman was without a peer. As Rabbi of this congregation for a quarter of a century he made an imprint that the passage of time will not erase. What could have been a provincial congregation, he lifted into national prominence. The educational system, both on the children and adults level, have served as a model to other Rabbis and to other congregations. He brought to Fall River, a level of cultural standard comparable to a university campus. Clergy of all denominations as well as hundreds of people of all faiths flocked to the lecture series that he organized. Ideas tried and tested in Beth El were emulated by his colleagues.

I recall the many letters of request and admiration he received when he established the standard in the congregation that no child could drop his formal Hebrew education at the Bar Mitzvah. He knew that at that level only a small window was yet open to the child and he was afraid that leaving the school with an imperfect vision, the child will not understand his heritage. That was setting standards on the highest level. It was an attainment bought at a high cost to himself. But his colleagues recognized that as a signal achievement.

In his years he was at Beth El he was intimately involved with the lives of his congregants. His members knew that they could turn to him with confidence in their personal problems. He would sacrifice his sabbaths and Sundays to counsel couples in marital trouble, to aid parents of children who have gone astray, people in financial difficuties. He had no means of his own, but he was influential in getting help to those who were on the verge of financial disaster. And when the occasion demanded he was also a Matan Baseter, a giver of direct alms to the needy unbeknowst to anyone. Perhaps one of the greatest satisfactions he had in his ministry was the fact that he helped 38 childless couples to raise families through adoption of children. For months he would work in the indefatigable search of many communities, through many agencies, to find a child and to bring him into the loving midst of the adopting family. There is hardly anyone in this congregation to whom he did not render personal service.

Long before the Ecumenical Council movement became a household word, Rabbi Ruderman established an Inter-faith relationship with the clergy and laity of the community. He preached as guest preacher in the pulpit of many local churches and in turn had distinguished clergy of other faiths as guest in his pulpit.

The Inter-faith Service he initiated in Fall River with the Union Methodist Church dates back 27 years. Through his efforts there has been a greater understanding between the denominations and a deeper appreciation of our own tradition among our non-Jewish neighbors.

He was held in universal esteem as a spokesman of the Jewish community. He was honored by the Bishops of the diocese, he was honored with the presidency of the Ministerial Association, and all who honored him knew that by so doing they honored themselves.

In the pulpit he was an eloquent preacher. He mastered the art of preaching to perfection. To listen to him was not only a spiritual but also an esthetic experience. Each thought he uttered was clearly formulated, logically constructed, beautifully phrased, and eloquently delivered. Rabbi Ruderman did not preach light sermons. Each sermon he preached was like a classic statuette hewn from marble, every word chiseled to perfection. The care he lavished on his sermons reflected his compulsive search for the excellent. He was never satisfied when a sentence came close to his intent, when a word approximated his meaning. It had to be precisely chosen, the right nuance, the correct phrasing. The results were masterpieces. I often wondered how it was possible to maintain week after week, year after year, such a high level of perfection. The standard was within him, for his congregation would have been happy with less. Many members of this congregation have tapes of some of his sermons. They are worthy of preservation.

Rabbi Ruderman was a great teacher as he was a great preacher. He could hold his audience spell bound on any subject he cared to lecture on. He had an instinct on how to captivate his listeners, whether adults or children. He mastered the art of combining serious intent with appropriate humor and light touch to keep his lessons interesting and stimulating. He knew that he was a great teacher. Many times he attempted to transmit his artistry to the teachers in his school, for though he was not a formally trained educator, he had a natural feel for education. But at best while one can acquire the skill of teaching, one has to be born with a special talent to master it as an art.

I recall listening to him as he lectured on the prophets. Each prophet came to life, as if standing before us, delivering anew the word of God. He became the prophet he presented. I could grasp the essence of the prophecy because of the greatness of the teacher.

Today I thought of another reason too, why the prophets have come to life when Rabbi Ruderman presented them—he identified himself not only with the prophet, but with the prophetic tradition. The prophets were fearless men, men of vision, men demanding excellence, men who knew not the word compromise. The prophets were men who were not afraid of establishment. They were no respecters of persons of kings or priest. When they saw evil they spoke out. They charted new revolutionary paths to a better world. They were not afraid of innovations. Such a man was Rabbi Ruderman. He was fearless in demanding new standards for Beth El. He had visions of a great congregation and then set out to make Beth El a model congregation for all others to follow. In setting his own high standards he did not compromise. How much easier his life could have been, had he given into those whom he led. His demands which were for the sake of the congregation, often brought him into conflict with the establishment. It was not in him to retreat from what he considered right and necessary. He understood, in the prophetic tradition, that leadership means to be out in front of men, not follow them. At times a leader, as the prophets have experienced it, is derided, even stoned for his efforts. This is the price that has to be paid for leadership. But such a leadership made a difference in Beth El. For a long time to come everything in Fall River will be measured against the norms set by Rabbi Ruderman.

A man of such vision, of such ideals, may be forgiven for impatience and temperament. If he rejected the second best in search of the best, that was the style of the man who was Rabbi Ruderman. If he was impatient with those who gave less of themselves than he would, he had a stern taskmaster within him. He was no more patient with himself. This was all the more remarkable, for throughout his fruitful career he was in constant battle with one illness after another. Yet he spared not himself and avoided no work and his drive did not abate. It was thus, that Beth El became a lengthened shadow of Rabbi Ruderman.

For myself, having worked with him for 4 years, I have come to understand what our ancient Rabbis meant by saying, that personal attendance upon a great master is more important than book learning. I had the opportunity to see a dedicated Rabbi and leader at work.

On the lighter side of Rabbi Ruderman's life was his great love for children. He knew all the children of this congregation. He officiated at their births. Bar Mitzvah, Bat Mitzvah, confirmation, and officiated at their weddings as they grew up. It was not only his concern for their spiritual well-being, but also his affection for them. I remember his visits to the nursery or to the Hebrew schools with pockets full of candy and he made the children happy for a moment with a smile, a hug, and candy. Rabbi Ruderman had a wonderful sense of humor. He was a born story teller. He enjoyed company and was sure to light up any gathering he attended. He had moments of relaxation. If only he had learned to take more of it.

His greatest source of joy was his love for his family. I feel as an intruder to mention that which was intimate and beautiful. One takes this for granted. But he did glory in Ora Beth, in her beauty, in her academic excellence, in her sharing his own outlook. His happiness with her was heightened at her marriage to Larry and through the grandchildren, Jill and Jonathan. And of course, there is the grand lady who was his wife, Tillie. We have come to know her and admire her as an ideal mate for a great man.

It was she who was a moderating influence when zeal would carry Rabbi Ruderman away. It was her role to try to slow down the burning drive and to shield him from the fall-out of a hazardous profession. That she shared in his joys and tribulations tells only part of the story. She was a nurse maid and a counselor, she was for many years the only confidant a Rabbi can have. She bore her role as the Rebbetzin with dignity, with a sense of propriety. She was an element in Rabbi Ruderman that comes into prominence through its very inobtrusivenss. The two lives were inseparably intertwined and what affected Rabbi Ruderman, affected Tillie. At this juncture who cannot but open up his heart to her, for her loss is the most grievous, her grief the most inconsolable. What comfort but the love in our hearts can we offer her for all her years of silent endurance, for her irreparable loss? It will be up to the good people of this community to assuage her pain through compassion and kindness. This is a good congregation and the storehouse of love that they possessed will open to her.

As the hour grows near to bid farewell to Rabbi Ruderman, let me again quote his favorite poet:

"So still within this life,
Though lifted over its strife,
Let me discern, compare, pronounce at last
This rage was right in the main
That acquiescence is vain
The future I may face now, I have proved the past."

May his record of achievements, his ideals, his prophetic zeal, his search of perfection be our guide. May God grant his soul rest among the holy and the pure.

Mr. Speaker, I would like to personally comment that Rabbi Ruderman moved in all areas of communal life in Fall River. His influence extended far beyond the temple he served, and his meaningful contributions to the city shall be long remembered as the entire district mourns his passing.

CHIEF JUSTICE WARREN AND THE GIFT FOR ACTION

HON. DONALD J. IRWIN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. IRWIN. Mr. Speaker, I should like to submit for insertion in the CONGRESSIONAL RECORD an address delivered by Under Secretary of State Eugene Rostow before the American Trial Lawyers Association. Secretary Rostow's speech honors Chief Justice Earl Warren and tells of the progress that the law—particularly in the field of Negro rights—has made during the past two decades.

The Court has acted decisively and responsibly while Earl Warren has been Chief Justice. Secretary Rostow's remarks, which reflect on this and on some of the new challenges facing the Court today, follow:

CHIEF JUSTICE WARREN AND THE GIFT FOR ACTION

(By Eugene V. Rostow, Under Secretary of State for Political Affairs, at American Trial Lawyers Association Luncheon Honoring Chief Justice Warren, Cambridge, Mass., September 28, 1968)

This ceremony honors two great leaders of our law—Roscoe Pound and Earl Warren.

Dean Pound was and is a power in shaping the way we all think about law. As a member of the Yale faculty, and a communicant of the Yale sect of sociological jurisprudence, it is a special pleasure for me to join in this tribute to his influence. He was a central figure in the movement which taught our profession to realize that law is not an arid game of words, to be played only in libraries, but the organizing principle of society; that law is part of life, and that it must be studied and practiced in its full context of history, philosophy and social experience. Above all, he expounded the basic lesson of Justice Holmes' "Common Law"—that the law must make sense—make sense in what it does and what it says, and make sense as a vital force in public policy.

The Chief Justice is an exemplar of American legal realism in action. It is right to link his spirit to the dedication of a research center intended to speed up the considered reform of the law—a process of reform determined at long last to make equal justice promptly available in the trial courts, and to achieve methods of trial based on the equal availability of professional skill and zeal, open to rich and poor alike.

The Chief Justice to whom we pay tribute today stands squarely in the tradition of his office. I have no doubt that he will be judged one of the staunchest and most perceptive of our Chief Justices, true in every sense of the duties of the post, and to the purposes of the Constitution.

His distinction has many qualities. They are dominated and made luminous by his instinct for action. After all, many understand. But few have the capacity for leadership, which is above all the capacity to perceive the simple issues which are always the heart of the matter, and then to act. His term of office has been a period of intense and threatening social conflict. The Chief Justice has not evaded his share of responsibility, nor has he sought trivial solutions. Instead, he has calmly applied the law, meeting the test of history head on, and without flinching, confident that his large-minded views would be accepted in the end because they are right.

II

The institution of judicial review makes our constitutional system nearly unique among those of the democracies. Our written Constitution, authoritatively interpreted by the Supreme Court, is a pervasive and continuing influence on the structure of our government, and on the quality of our society.

The Court is the gyroscope of the Constitution. As constitutional mediator, it has preserved and developed Marshall's grand design for the unity and diversity of the nation—his concept of a flexible, living federal system, which has permitted us to transform a group of small rural colonies into a modern industrial giant and a world power. Within this pattern of ordered freedom, the creative energies of our people have been released. Both the states and the nation have flourished in conducting the public life of a continent—and now, of a country which embraces states and a commonwealth beyond the continent.

But the Court's mandate includes more than maintaining the dikes of power and authority.

The American people have rallied to protect the Court against the enemies of law in a thousand battles, and they will do so again, in the dangerous conflicts in which we are engaged today, not only because the Court settles disputes between the states over water rights, and arguments about jurisdiction between President and Congress, and between state and nation, but because the Court is charged with enforcing our code of fundamental human rights. The American people appreciate the labors of the Court in maintaining the balance of our federal system. But the intensity of their feeling for the Court is addressed to the other aspect of its work. The people have come together time and again to protect the Court because they know that in large part their liberties depend upon its independence and integrity.

In this area, the Court has always faced its most severe challenges. The provisions of the Constitution protecting the citizen against the state are no more and no less ambiguous than most rules of law, or statutory provisions. They evolve through time, in response to changing conditions, and changing ideas of justice, exactly like the law of torts or bills and notes. The Rule in Shelley's case is hardly more predictable, for all its delusive mathematical form, than the due process clause.

But contests over human rights almost invariably arouse strong feelings, and almost invariably deny a majority of satisfaction it seeks. A Supreme Court decision on third degree methods, or on the boundaries of freedom of speech, stirs the country as no application of the Rule in Shelley's case can.

Here, as elsewhere in the law, the ultimate measure of a judge is his mastery of the forces which govern the growth of law—his capacity to sense the line the law can and should take, in accordance with its own aspirations—the aspirations for its future which are its essence, and its guiding force. When I speak of the law's aspirations for its future, I do not have in mind the judge's personal predilections about what the law ought to be, but the ideas, always innate in a body of law, about how it should evolve, from case to case, and how it should respond to the process of social and moral change.

Both public and private law call on the judge for the same qualities of insight, the same breadth of understanding, and the same will for action in the process of decision. But the problem has special dimensions when the case concerns human liberty. After all, the ordering of human rights is the foundation of society. In this realm, the price of error is indeed death.

The Chief Justice we honor today is unusually well endowed with this critical quality of mind and spirit. He can read the inner compass of the law, and has the courage to follow it. He already stands with the towering few in the roster of the Court's history.

On an occasion of this kind, one should remark many aspects of the Chief Justice's achievement during the last fifteen years. I shall confine myself, however, to one—the work of Chief Justice Warren and of his colleagues in the field of Negro rights.

The place of the Negro in our law, and in our lives, has been a central theme of our history as a people, of our politics, and of our constitutional law. We inherited the curse of slavery, and the burden of custom and outlook that went with it. Every American has always known that the Jeffersonian vision of the nation would not be realized until Black and White citizens were treated alike—alike in rights, alike in dignity, and alike in opportunity. Every American has known how great the gap has been between reality and the Jeffersonian ideal. The result has been a tension between the living law, the actual law of custom and habit at any given moment, and the law on the books. Until very recently, the gap was even greater between the law on the books and the law we knew to be the goal of the Constitution.

The story of the Negro in American law is one of horror, but not only of horror. Our treatment of the Negro has forced us to live with a crisis of conscience, as we confronted the difference between the actual and the ideal in our law. The challenge has required moral exertion of us, and strengthened the moral element in our polity. It has fortified the capacity of our legal order for self-realization, in requiring custom and history to yield in the end to constitutional principle.

A little more than a century ago, the Supreme Court faced a critical stage in the long slow struggle for Negro rights. As we all know, in *Dred Scott* it chose to look backward—it failed to anticipate the law of the future, in harmony with the true condition of American thought and feeling at the time. The Court did not understand the extent to which the compromises of 1789 had in fact eroded by 1857. Perhaps nothing could have prevented the Civil War. But the Supreme Court misjudged the law in its effort to head off the tragedy.

The lesson of the Civil War is burned deep in the American mind. It represents the only occasion in our history when the Constitution failed—failed, that is, as a system for organizing the debates through which we resolve and compromise our differences in peace. As a result, the first principle of our politics is that we never again allow disagreement over issues and policies to threaten the union of the American people vindicated on the battlefield, and confirmed at Appomattox.

III

For more than three generations after Appomattox, the Court and the nation have been engaged in a prolonged confrontation between custom and the Fourteenth Amendment.

There is always some difference between positive law and the living law of customary behavior. Sometimes the written law lags behind custom, as it does when laws become obsolete, like statutes proscribing contraception. Sometimes the law collides with custom, and has to retreat—the case of Prohibition comes to mind. The growth of the law normally reflects a complex process of interaction between behavior and the norms of law. The history of the law regarding the Negro in American life is the supreme instance of this process—the persistent effort of the law to fulfill its promise of equality for the Negro, and the slow and uneven response of the people to the urgings of the law.

In the aftermath of Civil War and Reconstruction, many people in the South undertook a campaign of civil disobedience against the Amendment—civil disobedience, be it said, reinforced by mobs, arson, murder, lynching, and intimidation. They disenfranchised the Negro and later imposed the rule of Jim Crow. Men said the Amendment had been illegally adopted. It was contrary to the mores of the South, and contrary to the law of God. It was against conscience for the majority of the nation to impose its will on the strongly held convictions of a region about the right ordering of society.

Facing this resistance, at a moment when the nation was weary of the struggle, the Supreme Court did little to apply the Fourteenth Amendment to Negro rights. But it did apply the Amendment in other areas, and began to enlarge its role as a guardian of fundamental liberties. As the passions of Reconstruction faded, the nation was reshaped by the progressive movement, and by its political and legislative response to the experience of industrialization. The social and moral climate changed. The First World War had its impact, even though it was followed by a decade of regression, when the Ku Klux Klan flourished, and the nation retreated to isolationism.

During the twenties, however, the Supreme Court did begin to enforce the Fourteenth Amendment in behalf of Negroes, and to develop it as a code governing the administration of criminal justice in the state courts. Many of the early cases in this line involved discrimination or violence against Negroes. The due process clause of the 14th Amendment, and the equal protection clause as well, were used to test the legality of criminal trials in the state courts, including trials conducted in the shadow of force and the threat of force, and trials based on the third degree. The amendment was also invoked in another important line of cases, to protect freedom of speech and of the press, freedom of religion, and other personal and political rights.

Before 1930, then, the Supreme Court had established two positions of central importance to the developments of the recent past: first, it had made the Constitution, and the process of constitutional adjudication, a far more active and continuous force in American public life than had ever been the case before, and it had won general acceptance for its role as the active protector of constitutional rights; and secondly, it had built a corpus of precedents from which the modern law of personal liberty emerged naturally and with the invaluable sanction of past authority.

The true turning point in the recent history of the Court is the Chief Justiceship of Charles Evans Hughes. The moral temper of the country was changing under the impact of the Great Depression, the experience of war and the threat of war. The law reflected that change, and played a considerable part in bringing it about.

During the 1930's, the constitutional law of personal and civil rights began to grow more rapidly. The Supreme Court dealt with a surprising number of problems, from freedom of speech and of religion to martial law, the right to vote, and the concept of due process in the criminal trial. And, in case after warning case, it began to enforce the 14th Amendment to protect Negroes against discrimination. The justices seemed to be alerting the nation to the fact that the old moratorium was crumbling away and would not long endure.

The struggle for equality has transformed American society in the last 35 years. While justice for the Negro has been its central theme, the effort has not been confined to the problem of the Negro. Once released, the "gospel of liberty" is contagious. In clearing up one wrong, men notice others. They see old habits of injustice, long taken to be the order of nature, with new eyes. So it has been with the flowering of the Jeffersonian spirit in our time.

Thus, the social and political experiences that altered the moral climate of the country also altered the law. In turn, the decisions and opinions of the courts, and notably those of the Supreme Court, exerted a powerful and far-reaching influence on the national mind. The renewed protection of Negro rights in the courts during the 1930's emerged as an integral part of a wider development, a fresh, confident assertion of the spirit of liberty and equality in many realms and at many levels of American life. It was one of those remarkable moments when the impulse for improvement was strong and made itself universally felt. The progressive feeling naturally embraced the question of Negro rights.

By the end of the thirties, the main outlines of the law to come were clearly delineated in the fields of educational opportunity, freedom of speech and of assembly, voting, and criminal law administration. But thus far, these were portents in the sky, not fully realized in the patterns of daily life.

The intensity of the yearning for progress was greatly heightened by World War II and by the strains and pressures of the period of Cold War. So far as the rights of the Negro were concerned, it had become more and more visibly absurd to require him to serve in the armed forces abroad and then to deny him full equality as a citizen at home. Race has taken on altogether new dimensions as a political and social problem, with the end of empire in the world, the rising importance of the colored nations of Africa and Asia, and the revulsion of the modern spirit against Hitlerism.

Earl Warren became Chief Justice at a critical moment in the history of the Negro in our law—a moment as critical to that history as the moment of *Dred Scott*, a century before. Law and social experience had taught us that the time had come to end the hypocrisy of our habits, and to jettison the bitter, poisonous heritage of slavery. The nation faced a confrontation as dangerous as that of the 1850's.

Earl Warren, enlightened product of the American political system, understood the necessity for decisive action under the law if the United States were to remain a humane nation, committed to freedom based on equality.

The Warren Court did not repeat the error of *Dred Scott*. With magisterial authority, the Chief Justice led the Court through a series of decisions which will stand with those of Marshall among the formative moments of our destiny.

In case after case, the Court appealed to the country by reminding us that we have made promises we have not kept, and that those promises represent the command of the Constitution, and the highest aspiration of our moral system.

The process of challenge reached its culminating point in *Brown* v. *Board of Education*, in 1954, dealing with segregation in elementary schools. That case stirred the nation as none of its predecessors had done, for it touched the daily life of all the people and put the issue in a form which politics could no longer ignore. Congress and the process of politics responded to the challenge in unmistakable terms. The transformations required by the vast surge forward of the Negro masses were and are often turbulent, and often disturbing. They reach beyond reason to fears and memories men shun, but cannot avoid. Resistance grew, as the clamor for progress and an equal voice increased in intensity.

There was a comparable shock in response to the series of reapportionment cases, rooted in the voting cases of the thirties, but far more sweeping in thir impact. Manifestly, if the law insisted on the vote for Negroes, it could not long tolerate old voting patterns which gave citizens who lived in cities one-tenth or one-twenieth of the voting power of citizens who lived in rural areas. Here again, the principle of equality required a deep change in familiar habits.

In every election until now, Congress and the people have ratified and reaffirmed the broad lines of th Court's decisions, generalizing its decrees as statutes. And the movement of civil disobedience, led by Governor Faubus and Governor Wallace, was finally put down by a show of force, as the simple insurrection which it was. The country saw the face of anarchy on television, when it watched policemen in Selma and other towns attack peaceful demonstrators petitioning for their rights under the Fourteenth Amendment. It voted to put the full power of government behind the Supreme Court's quest for a just and lawful order, consonant with the simple command of the Constitution.

We can hope that this heroic achievement of the Warren Court, crowning that of its predecessors, will soon become a matter not of political controversy, but of constitutional history. But we have not yet arrived at that goal.

We are once more in the midst of an election campaign in which the Supreme Court and its work have been made a central and ominous issue. Some candidates proclaim their desire to abolish life tenure for our judges—that is, to destroy the independence of the American courts, and other features of the Constitution as we have known it. Others hesitate to defend the Supreme Court against a vehement political attack on the distinguished nominee for Chief Justice, which for many is in fact an attack on the independence and integrity of the Court itself.

We who have come together today are men of law. I believe it is our duty to rally once more, as our predecessors have done so many times before us, to defend the Constitution against a clear and present danger. We have special responsibilities as custodians of the law. It is for us to rouse the nation when the constitutional order is under attack.

We disagree, I am sure, about many issues, and about candidates for high office.

But we do agree on how to organize a society of freedom governed by law. We agree, I am certain, that our Constitution has given our society a noble vision of self-fulfillment in freedom and in social peace—a procedure for reaching social decisions in which every voice can be heard, and the moral code of the Constitution be given its full weight in the political process. We agree on the widest feasible latitude for freedom of speech and of the press, and on the right of the people peaceably to assemble to petition the government for a redress of grievances. We agree on the protection of minorities against the hasty action of majorities, and we agree, above all, on the moral rightness of majority decisions. These are the rules of civility on which the possibility of social concord depends.

The doctrine of disobedience, civil and not so civil, has made strange converts in recent years. The philosophy of those Southerners who resisted the Fourteenth Amendment, both by passivity and by violence, has been adopted by some who oppose the conflict in Viet-Nam, and by others who seek to control or to destroy schools, universities, municipalities or the political process. Watching the spread of these activities, I sometimes recall Ionesco's play, The Rhinoceros, and his tragic vision of decent people joining the camp of slaves.

Our law does not recognize a right of civil disobedience. Freedom of peaceful assembly, however generously construed, hardly includes a right to commit arson, to occupy private premises, or to paralyze institutions and communities. Freedom of speech is not a license to deny the freedom of others to speak.

Nearly two hundred years ago Jefferson, echoing Plato, said that the just powers of government derived from the consent of the governed. It follows that in a society of consent the governed have a moral duty to obey the law. Every philosopher of law, whatever his views on other matters, has accepted this proposition as the essence of the social contract, and the indispensable predicate for the possibility of freedom in an open society. I am not speaking here, of course, of the obligations of citizenship, if there are any, in tyrannies and dictatorships, where the governed have no voice in the making of law. Nor am I speaking of test cases, in which the citizen attacks an ordinance or a statute in the name of the Constitution itself.

In our country today, a society of consent, we are bound by the social contract of which Locke and Jefferson wrote. We enjoy every civil right. The right we do not have and cannot condone is the right of individuals or groups to disobey laws they think are wrong, or to seek to impose their will by riot. Under our Constitution, we should govern ourselves through the tough and responsible dialogue of democracy, through laws and elections, not through the action of mobs in the streets. Those who believe that particular laws are wrong have every right, indeed, in a responsible democracy they are under a profound duty to protest against those laws, and to persuade their neighbors to change them when they agree. But there is and can be no right to defy the law.

The history of the struggle for Negro rights in this country is evidence enough of the corrosive and destructive meaning of civil disobedience, of mob rule, of intimidation by violence and the threat of violence. For more than two generations after the Civil War, and beyond, many leaders in the South engaged in prolonged campaigns of civil disobedience. The poisonous fruits of that campaign constitute a large and difficult part of our public business today.

The Supreme Court over which Chief Justice Warren presided met this challenge fourteen years ago. It called upon the nation, and upon each of us, at long last to obey and to honor the commitments of the Constitution, so long deferred. It made that call not in the name of force, but of the law—the moral rightness of the law, and each citizen's duty to obey it. The nation responded: the Presidency, through the enforcement of specific Court decrees; Congress, through the passage of legislation which generalized and applied the principles of those decrees; and the people, through a series of elections which have ratified and confirmed the work of the Court and of the Congress.

Now, once again, we face a political revolt in many parts of the nation intended to destroy what has been done by the Court, the Congress and the people, and in the process to destroy the Constitution under which we have lived for nearly two hundred years.

That effort must not—it cannot—succeed. It will not succeed if we and those who believe as we do take our full share of responsibility in mobilizing the loyalty of the American people to their constitutional creed, and in seeing to it that our legal system moves forward effectively and promptly, through programs like the O.E.O. Legal Assistance effort, and others of similar tenor, to make full use of the skills and imagination of our profession in bringing justice in fact to all our people. The office of the Chief Justice must be upheld as an independent office, beyond the reach of Congress or the President. The election must be fought with a full awareness of what is at stake for the future of the Supreme Court, and the vindication of constitutional principle.

If we, as men of law, take our rightful responsibility, I have no doubt of the outcome.

The Court and the Constitution have often been attacked by those who doubted whether law was after all worth while. But in every test, the sober second thoughts of the American people have always upheld the Constitution, and the way of life we have established under it. They will always do so, for such is the essence of our civilization.

REFLECTIONS ON DEPARTURE OF MR. GEORGE BALL

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. ASHBROOK. Mr. Speaker, in an article in the New York Times magazine of July 21, Joseph Kraft, the nationally syndicated columnist, observed that Vice President HUMPHREY was consulting George W. Ball about his Vietnam policies. Kraft stated further that "in these circumstances, it is only logical to assume that if HUMPHREY were elected, Ball would come under serious consideration as a candidate for Secretary of State."

The final paragraph of the article winds up with a quote by George Ball:

> Nobody who has done what I have done, who has spent his whole adult life in the world of international affairs, could possibly say he wouldn't want to be Secretary of State. I'd love it.

On September 26, Mr. Ball resigned from his position at the U.N. and was quoted by the Baltimore Sun of the 27th as saying:

> To avoid any misunderstanding of my motives and purposes, I wish to state flatly that after the November election I shall return promptly to private life.

The Sun, in addition, reported that Ball said he had asked the Vice President "not to consider me for any post in his administration."

Although Mr. Ball gave as his reason for resigning his desire "to help assure the election of HUBERT HUMPHREY and the defeat of Richard Nixon," the Wall Street Journal of October 4 suggested another possible reason for his departure:

> GOP Senators consider airing "moonlighting" charges against Humphrey adviser, George Ball. They say he continued to maintain an office at Lehman Brothers investment banking firm while serving as Ambassador to U.N. Some critics suggest that fear of embarrassing disclosures caused Ball to quit the U.N. post.

Almost 2 months before the above Journal item appeared, the Government Employees Exchange, a local publication covering Federal employees affairs, referred on August 7 to a "probe" of Mr. Ball's activities with regard to the "international and national lobbying activities of Lehman Brothers International, an affiliate of the banking firm of Lehman Brothers."

On September 28, Willard Edwards, the veteran newsman with the Chicago Tribune, mentioned in his column a "very private and unofficial inquiry on Capitol Hill concerning the activities of George Ball."

The above newspaper items refer, of course, to the age-old problem of conflict of interests. The Federal Register of September 4 published general provisions on employee responsibilities and conduct of Federal employees, including those of special Government employees—an officer or employee of, or person acting for or on behalf of the United States, in any official capacity, under or by virtue of the authority of any department or agency thereof. Mr. Ball, in his former post at the U.N., would come under the classification of special Government employees.

Section 735.302, C.F.R., entitled "Use of Government employment," states:

> A special Government employee shall not use his Government employment for a purpose that is, or gives the appearance of being, motivated by the desire for private gain for himself or another person, particularly one with whom he has family, business, or financial ties.

Section 735.303—"Use of inside information," states:

> (a) A special Government employee shall not use inside information obtained as a result of his Government employment for private gain for himself or another person either by direct action on his part or by counsel, recommendation, or suggestion to another person, particularly one with whom he has family, business or financial ties. For the purpose of this section, "inside information" means information obtained under Government authority which has not become part of the body of public information.

Perhaps Mr. Ball had no alternative but to tell Mr. HUMPHREY "not to consider me for any post in his administration." Perhaps remembering the catastrophe suffered by Justice Fortas in his appearance before the Senate, Mr. Ball might well have been reluctant to face the Senate again and answer questions possibly concerning an office at Lehman Brothers while he was at the U.N. used "for private gain for himself or another person, particularly one with whom he has family, business, or financial ties."

The Senate would want to know, of course, how deep an involvement, if any, Mr. Ball had with Lehman Brothers while serving as U.N. Ambassador. Did he actually engage in the business operations of the firm in any form? Did he seek new accounts for Lehman Brothers? Was he present for business meetings of the firm? Did he use third parties to further his business interests?

Senators might also want to ask Mr. Ball further questions about the "electronics room, a bugging room, an electronics laboratory" to which Mr. Ball testified he knew nothing about in his testimony before the Senate Foreign Relations Committee in May of this year. Despite Mr. Ball's denial and his statement that he would be the one to know if such a facility existed, Senator THUR-

MOND exhibited on the floor of the Senate a floor plan of the State Department building, showing the exact location of the laboratory. Senator THURMOND also inserted in the RECORD of May 13 the room numbers, measurements, and descriptions of the electronics facility which I had entered into the CONGRESSIONAL RECORD earlier in May.

Some Senators might also want to ask Mr. Ball about the part he played in the so-called amplification letters which the three State Department employees, Messrs. Reilly, Belisle, and Hill, wrote after they had been caught giving false testimony to a Senate subcommittee.

One final issue which, I am sure, many, many Senators, along with millions of American voters, would like to interrogate Mr. Ball about is his position on world trade. In 1962 a House subcommittee, Subcommittee on the Impact of Imports and Exports on American Employment, released a report which dealt among other things, with the effect on American industry of increases in tariff cuts. The report quotes Mr. Ball as saying in part:

> Certain low-wage industries will be hurt, but these industries will have to consider themselves expendable.

The subcommittee report, in outlining further Mr. Ball's views on expendable American industries, states:

> He goes on to say that textiles, mining, and light manufacturing will have to be dropped because advanced nations like the United States should willingly abandon these industries. These jobs would be sacrificed to the so-called poorer nations. This may be good, but the textile industry is the second largest employer in the United States.

Fortunately, the textile workers and those in other "expendable" industries will get an opportunity on November 5 to state just how "expendable" they themselves consider their jobs.

Another aspect of world trade is treated even more shockingly by Mr. Ball in the summer edition of the Atlantic Community Quarterly for 1968. This publication is published by the Atlantic Council of the United States, Inc., and the abovementioned edition carried excerpts from remarks by Mr. Ball before the British National Committee of the International Chamber of Commerce, London, Mr. Ball's remarks appear under the heading "COSMOCORP: The Importance of Being Stateless."

Lest one mistake the title for a blatant attempt to establish world government, it should be stated in all fairness that Mr. Ball's proposals do not "rest on the notion of world government or anything resembling it." Regarding the concept of world government, he states:

> I have lived far too long on the exposed steppes of diplomacy and practical politics to believe in such an apocalyptic development within foreseeable time.

Nevertheless, if Mr. Ball's recommendations were to be effected, the "Cosmocorp" would become a "Cosmocop" and the sovereign nations would have been "Cosmoconned."

The basis of Mr. Ball's thesis rests on the necessity to utilize the world's resources. He states:

> In order to survive, man must use the world's resources in the most efficient manner. This can be achieved only when all the factors necessary for the production and use of goods—capital, labor, raw materials, plant facilities and distribution—are freely mobilized and deployed according to the most efficient pattern.

This, says Mr. Ball, will come about "when national boundaries no longer play a critical role in defining economic horizons."

Here, of course, is where the world corporation comes into play.

Of the world corporation, Mr. Ball states:

> Conflict will increase between the world corporation, which is a modern concept evolved to meet the requirements of the modern age, and the nation-state, which is still rooted in archaic concepts unsympathetic to the needs of our complex world.

I am quite sure that the textile workers mentioned above would readily admit to Mr. Ball that they harbored such archaic concepts as paying the rent, providing the necessities for the family, contributing their fair share of the tax burden. I am equally certain that these American citizens will continue to insist on having the opportunity to pay their way, with American dollars, and by the fruit of their individual efforts and talents—at least until such a time as Mr. Ball comes along with a basket of Cosmodollars from the Cosmodole.

Seriously, it cannot be denied that our Nation has used its abundant gifts for those less privileged throughout the world. And we will continue to be of assistance to the needy in other lands. But how the Cosmocorp can help us to survive by the best utilization of the world's resources will take much explanation.

There are too many gems in Mr. Ball's speech to mention here. Several others must suffice.

When the world corporations finally get zooming, many changes in archaic concepts will be effected. Take foreign policy, for instance:

> But happily, there is a growing realization in the United States that we cannot use American-based world corporations as vehicles to export our own national psyche—our prejudices, whether with respect to trading with China or other Communist countries or to controlling monopolies or concerning restrictive practices.

On local ownership in the future system of world corporations, Mr. Ball states:

> The obvious drawback of local ownership interests is that they necessarily think in national and not in world terms. Thus they are likely to impress their narrowly focused views on vital policies having to do with prices, dividends, employment, the use of plant facilities in one country rather than another, even to the source of component materials. In other words, once the central management of a global company is restricted to the divergent interests of national partners, it loses its ability to pursue the true logic of the global economy.

Here is still another gem by Mr. Ball:

> I recognize, of course, that a company will not become effectively a citizen of the world merely by a legal laying on of hands. It requires something more than an international companies law to validate a company's passport; the company just become international. This means among other things that share ownership in the parent must be spread through the world so that the company cannot be regarded as the exclusive instrument of a particular nation.

In order to provide Mr. Ball's remarks wider dissemination, I insert the abovementioned speech in the RECORD at this point:

COSMOCORP: THE IMPORTANCE OF BEING STATELESS

(Remarks by George W. Ball, before the British National Committee of the International Chamber of Commerce, London)

During the several millennia of our history there have been long periods when time seemed to stand still. Now in this last third of the twentieth century it has not only caught up, but seems at times to be moving ahead of us. Caught in a whirlwind of pervasive and accelerating change, we have barely enough time to inquire as to its larger implications, and where they may lead us a decade hence.

We recognize that we live in a world whose resources are finite and whose demands are exploding. To avoid a Darwinian debacle on a global scale we will have to use our resources with maximum efficiency and a minimum of waste.

In these 20 postwar years, we have come to recognize in action, though not always in words, that the political boundaries of nation-states are too narrow and constricted to define the scope and activities of modern business. This recognition has found some reflection, though not enough, in political action. Six countries of Western Europe have frontally attacked the stifling restrictions imposed on trade by shedding the ancient concept of nation-states. They have created a thriving common market.

In the summer of 1968 goods will move with full freedom throughout Western Europe to serve the needs of nearly 200 million people. Nor is this the end of the process since, in spite of the counterwind of nationalism that is blowing with gale force from Paris, I have no doubt whatever that, within a few months or years, the European community will be expanded to include Great Britain.

The importance of common markets and free trade areas rests not only on their economic efficacy but also on the seeds of political unity they carry with them. Yet they by no means provide a full answer to the imperative need for efficiency in marshalling the world's resources; nor should we look for only one answer.

International trade, as everyone knows, is as old as time. Internationalized production is less familiar. Businessmen in the United Kingdom are old hands at making their living in world markets and exporting capital to produce goods abroad. This has not always been true of the United States. Except in extractive industries, most U.S. enterprises until recent times have concentrated their activities on producing for the national market, exporting only their surplus. Many still do. However this is no longer adequate for the requirements of the world we live in. In order to survive, man must use the world's resources in the most efficient manner. This can be achieved only when all the factors necessary for the production and use of goods—capital, labor, raw materials, plant facilities and distribution—are freely mobilized and deployed according to the most efficient pattern. And this in turn will be possible only when national boundaries no longer play a critical role in defining economic horizons.

VISION OF TOTAL WORLD ECONOMY

It is a fact of great import, therefore, that, at a time when politicians have been moving to create regional markets to supersede national markets, businessmen have been making quiet progress on an even larger scale: The great industrial enterprises of the world are moving to recast their plans and design their activities according to the vision of a total world economy.

In this development, as is so often the case in history, commerce has been in advance of politics. In a thoroughly pragmatic spirit it has improvised the fictions needed to shake free from strangling political impediments. To make possible the global activities of modern business, it has extended the fiction of the corporation—that artificial person invented by lawyers to free entrepreneurs of personal liability in doing business and thus enable them to mobilize capital from diverse financial sources. The corporate form was originally conceived as a special privilege granted by states to some businessmen for attainment of the states' political purposes. But, over the years, the corporate form of business has become common everywhere and enabled business to roam the world with substantial freedom from political interference, producing and selling in a multiplicity of national markets and creating corporate offspring of various nationalities.

Today we recognize the immense potentials of this emancipated corporate person. For at least a half century a handful of great companies have bought, produced and sold goods around the world. Since the Second World War the original handful has multiplied many fold. Today a large and rapidly expanding roster of companies is engaged in taking the raw materials produced in one group of countries, transforming these into manufactured goods with the labor and plant facilities of another group, and selling the products in still a third group. And, with the benefit of instant communications, quick transport, computers and modern managerial techniques, they are redeploying resources and altering patterns of production and distribution month by month in response to changes in price and availability of labor and materials.

This is an achievement of impressive magnitude and we are only beginning to know its implications. By no means all industries in the United States or elsewhere have comprehended the full meaning and opportunity of the world economy. But they will soon. Meanwhile we can detect the extent to which the concept shapes corporate thinking by the attitudes of management toward liberal trade.

By and large, those companies that have achieved a global vision of their operations tend to opt for a world in which not only goods but all of the factors of production can shift with maximum freedom. Other industries—some of great size and importance in the United States, such as steel and textiles—which have confined their production largely or entirely to domestic markets, anxiously demand protection whenever a substantial volume of imports begins to invade national markets.

HOLD THE HAILSTONES

At the moment, in the United States the free-trade movement is again threatened by protectionist storm clouds. I am confident that these clouds will blow by with more wind than hailstones. American businessmen have become involved in world trade to an extent where they can no longer turn their backs on it. But trouble will always arise in some places as business continues to expand its horizons. Conflict will increase between the world corporation, which is a modern concept evolved to meet the requirements of the modern age, and the nation-state, which is still rooted in archaic concepts unsympathetic to the needs of our complex world.

The lack of phasing between the development of our archaic political and modern business structures is sometimes abrasive. The abrasion has already surfaced in several places. The phenomenon is complex. It reflects not only honest business anxiety but a kind of neo-mercantilism. Even in economically advanced Western Europe the concern of local enterprises over the superior size and resources of the global company is being loudly voiced. European businessmen are worried because the measures taken to liberate the movement of goods have preceded adequate modernization of the structure of their own enterprises. They have not had time to build up their strength. They have not yet effected the across-boundary industrial concentration that is essential for European industry to stand on its feet and meet the competition of direct investment by the great global corporations.

The problem is perhaps even graver in Canada, where business and political leaders are deeply worried about how they can maintain their national integrity while living next to an economy 14 times the size of their own, and yet not jeopardize the inflow of investment capital on which their prosperity depends.

We see comparable phenomena in the developing countries. Hypersensitive to anything that suggests colonialism, they are afraid their economies will fall under foreign domination and, to prevent this, they impose obstacles to the entry of foreign firms, thereby blocking the inflow of the capital they desperately need.

Yet though the anxieties of local business cannot be ignored, I doubt that this is the most serious danger to worldwide corporate enterprise. A greater menace may come from the actions of governments addicted to a regime of planning, who see in the global corporation a foreign instrumentality that may frustrate their economic designs. The basis for their concern is easy to understand, especially in countries where a world company, if allowed in, would become the largest employer of national labor and consumer of national materials. The problem is something like this: how can a national government make an economic plan with any confidence if a board of directors meeting 5,000 miles away can by altering its patterns of purchasing and production affect in a major way the country's economic life?

BUSINESSMEN BETTER THAN BUREAUCRATS

Most managers of world corporations are, of course, thoroughly aware of this problem and may have achieved a commendable level of sophistication in dealing with it. Frequently, in fact, these global businessmen are more sensitive to possible abrasions than are the bureaucrats, who at time can be quite gauche. For example, the government of a major nation has exacerbated the conflict between corporation and country by loudly proclaiming its impotence to control the corporation without doing major harm to its economy.

The government of the United States is far from blameless in the corporation-state struggle. On more than one occasion it has sought to enforce its domestic legislation abroad by trying to extend its writ to actions of foreign subsidiaries of American companies. But, happily, there is a growing realization in the United States that we cannot use American-based world corporations as vehicles to export our own national psyche—our prejudices, whether with respect to trading with China or other Communist countries or to controlling monopolies or concerning restrictive practices—without diminishing the utility of the corporate institution itself. And if we are going to be consistent in our encouragement of the world economy and the global company that inhabits it, we shall have to change our ways.

Not that changing our international perspectives would solve or even touch the fundamental problems, for it is in the nature of things that the world company should frequently tread on hostile ground. After all, it is a new concept and one that has not yet fully found its own rationale. Implicit in its operations is a troubling question of political philosophy not yet fully resolved: it is the central question of the legitimacy of power. On the one hand, the shareholders of corporations have a right to expect a reasonable rate of return on capital and a chance to earn income in relation to entrepreneurial risks. But, at the same time, a foreign government is quite validly concerned with the ability of corporate managements to influence the employment and indeed the prosperity of the country. The dilemma arises because neither the people nor the government of the country in question plays a part in selecting the directors or the management of world corporations. Since it is only through national legislation that managements can be made in any way responsible to the local people, there is bound to be frustration when the managements of world firms are out of reach of such legislation.

INHERENT CONFLICT OF INTEREST

Thus there is an inherent conflict of interest between corporate managements that operate in the world economy and governments whose points of view are confined to the narrow national scene. We are going to have to ponder the problem far more in order to find the means to resolve the conflict.

One obvious solution is to modernize our political structures to evolve units larger than nation-states and better suited to the present day. But that is going to take a long time. Meanwhile, many company managements, sensitive to the problem if not always to the full range of considerations that produce it, have developed corporate diplomacy to a high level of sophistication. Not only do they take great pains to ease pressures on national governments but many seek to attach a kind of national coloration to their local subsidiaries.

These commendable efforts take a variety of forms. For example, some world corporations associate themselves with local partners; others take only minority holdings in their local affiliates. In some cases they leave effective control of local subsidiaries to local managers while inserting only a minimum of direction.

While leaving control to the local managers sometimes works well, often it gives rise to additional problems. It is clear to me that national ownership in local subsidiaries impedes the fulfillment of the world corporation's full potential as the best means yet devised for utilizing world resources according to the criterion of profit: an objective standard of efficiency.

The obvious drawback of local ownership interests is that they necessarily think in national and not in world terms. Thus they are likely to impress their narrowly focused views on vital policies having to do with prices, dividends, employment, the use of plant facilities in one country rather than another, even to the source of component materials. In other words, once the central management of a global company is restricted to the divergent interests of national partners, it loses its ability to pursue the true logic of the global economy.

"DENATIONALIZATION"

This leads me to suggest that we might do well to approach the problem at a different level, not by nationalizing local subsidiaries but by internationalizing or perhaps more accurately denationalizing the parent. Only in this way can we preserve the full economic promise of the world corporation as an institutional instrument of the world economy.

A solution in these terms represents a step well in advance of solutions that have been generally considered. Perhaps it may seem utopian and idealistic, but I would be prepared to wager that over the next decade or two we shall have to find a solution along this line if world companies are to avoid being increasingly hamstrung and emasculated by national restrictions.

The essence of this suggestion is that those artificial persons whom I have referred to as world corporations should become quite literally citizens of the world. What this implies is the establishment by treaty of an international companies law, administered by a supranational body, including representatives drawn from various countries, who would not only exercise normal domiciliary supervision but would also enforce antimonopoly laws and administer guarantees with regard to uncompensated expropriation. An international companies law could place limitations, for example, on the restrictions nation-states might be permitted to impose on companies established under its sanction. The operative standard defining those limitations might be the quantity of freedom needed to preserve the central principle of assuring the most economical and efficient use of world resources.

Obviously such an international company would have a central base of operations. It would not be like Mohammed's coffin, suspended in air. It is clearly unnecessary that there be a single profit center. The international company's operations in its home country would be subject to local laws, to the extent that they do not infringe the overriding regulations of the organic treaty.

COMPANIES AS WORLD CITIZENS

I recognize, of course, that a company will not become effectively a citizen of the world merely by a legal laying on of hands. It requires something more than an international companies law to validate a company's passport; the company must in fact become international. This means among other things that share ownership in the parent must be spread through the world so that the company cannot be regarded as the exclusive instrument of a particular nation. Of course, in view of the underdeveloped state of most national capital markets, even in economically advanced countries, this is not likely to occur very soon. But eventually, as savings are effectively mobilized for investment in more and more countries, companies will assume an increasingly international character. At the same time, we can expect a gradual internationalizing of boards of directors and parent company managements.

These suggestions are offered in tentative and speculative terms. They are not the only solution. One can envisage an international treaty, for example, directed at resolving jurisdictional conflicts and limiting national restrictions on trade and investment. Yet an international companies act, as I see it, has intrinsic merits. It offers the best means I can think of to preserve the great potential of the world corporation for all society.

Nor is this suggestion far beyond present contemplation. It is merely an adaptation in a larger arena of what is likely to be created within the next few years in Europe: a common companies law for the European Economic Community together with a body of regulations to be administered by the EEC.

But let me be quite clear on one point. This proposal does not rest on the notion of world government or anything resembling it. I have lived far too long on the exposed steppes of diplomacy and practical politics to believe in such an apocalyptic development within foreseeable time. Nonetheless what I am suggesting necessarily has its political implications. Freeing commerce from national interference through the creation of new world instrumentalities would inevitably, over time, stimulate mankind to close the gap between the archaic political structure of the world and visions of commerce vaulting beyond confining national boundaries to exploit the full promise of the world economy.

STANLEY S. WATTS BECOMES PRESIDENT OF MILLION DOLLAR ROUND TABLE

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FASCELL. Mr. Speaker, on November 1, Stanley S. Watts, of Coral Gables, Fla., becomes president of the life insurance industry's distinguished, international organization of 6,500 leading agents, the Million Dollar Round Table. Membership in the Round Table is the goal of every career life insurance man, and heading it is the highest and most significant career honor which can come to any individual in life insurance selling. I call this to your attention because the career and current activities of Stanley S. Watts offers an outstanding example of responsible, dedicated business leadership.

For 42 years, the Million Dollar Round Table has served the leading agents of the life insurance industry as a unique "invitation to excellence" in selling, in service, and in personal growth and advanced education. The organization provides a meeting ground for men and women who sell at least $1 million of life insurance a year, and who are determined to further improve their knowledge and ability to serve the insuring public. A major concept of the MDRT is that talented individuals must develop themselves as "whole men," equipped with a mature understanding of human problems and a keen sense of responsibility toward the solution of those problems. As a member of the governing executive committee of the Million Dollar Round Table for the past 3 years, Stanley S. Watts has made major contributions to and has become a living example of, the "whole man" concept.

In 1967, Watts was among those who arranged to have Europe's eminent psychiatrist, Dr. Viktor E. Frankl, author of "Man's Search for Meaning," address the 40th anniversary annual meeting of the Million Dollar Round Table. Dr. Frankl's message that responsibility is the essence of human existence fell on receptive ears. In his presidential acceptance address at the June 1968 annual meeting of the Round Table, Mr. Watts called upon his fellow MDRT members to join hands with government to attack the serious problems facing our country and our communities. He urged the organization and its membership to become more responsible and to take leadership roles in local philanthropic, charitable, civic, and educational programs. In suggesting that MDRT members get involved in problems such as housing, schooling, and job opportunities, he pointed out that it takes moral courage, intelligence, and stamina to solve urban problems—the same qualities required to qualify for the Million Dollar Round Table.

The principal speaker at the June annual meeting, John W. Gardner, chairman of the Urban Coalition, responded to the call by president-elect Watts by offering practical guidelines to MDRT members on how to exercise their leadership and influence for the public benefit. One of his suggestions was that the MDRT set up a public service committee to work with local action groups such as the Urban Coalition in many communities.

Acting on these suggestions, Stan Watts has become personally involved in the formation of the newly launched Greater Miami Coalition—which he serves as a member of the board of directors and executive committee. He has moved forward also with the planning of a public service program of the Million Dollar Round Table which will guide the life insurance industry's most successful and talented salesmen on effective involvement in helping their communities solve critical urban problems.

Throughout his career, Mr. Watts has been actively involved in leadership roles in the United Fund and Combined Jewish Appeal, both in Norfolk, Va., and in Miami, Fla. He is a member of the board of governors of Temple Israel in Miami. Besides his industry service as an officer of the MDRT, he has served as a member of the board of directors of the Norfolk, Va., Life Underwriters Association, as well as president of the Norfolk General Agents & Managers Association. He received his chartered life underwriter designation in 1961. In 1960, he was honored by the Norfolk-Portsmouth, Va., Sales Executives Club as "Sales Executive of the Year." He is listed in "Who's Who in America."

Stan Watts was born and raised in Richmond, Va. He graduated from the University of Richmond in 1943 before joining the U.S. Navy and serving as an officer aboard a destroyer in the Atlantic and Pacific theaters. He received the Commendation Medal for heroism.

Further reflecting his determination to excell, Stan Watts has been a perennial leader in the life insurance business as well as an agent, manager, and industry leader. Within several years of joining the Equitable Life Assurance Society of the United States in 1949, he was one of the Equitable's leading producers, ranking in the top 10 out of 10,000 agents. He was appointed district manager in Norfolk, Va., in 1955, and for 7 consecutive years his district led the entire company. Within 5 years of becoming Equitable's agency manager in Miami, Fla., in July 1963, he built this Florida agency from 57th to first place on the Equitable national honor roll, more than tripling the agency's production. He has qualified for the Million Dollar Round Table for 15 years, and he is mentioned prominently in the recently published McGraw-Hill book, "The Incomparable Salesmen."

As another aspect of the "whole man," Stan Watts is an avid advocate of personal time control—and of physical fitness to provide enough stamina to accomplish all of the tasks he sets for himself. He runs at least 2 miles every day in his neighborhood in the morning or during lunchtime, in the YMCA—in all, up to 10 miles a week.

Stan Watts' wife Val, like her husband, is active in her community. She currently serves as a panelist on the Panel of American Women. The Watts' have three youngsters, Thomas, a sophomore at Washington and Lee University, and two daughters, Dorothy and Peggy, students at Coral Gables High School.

We in Florida are especially proud of the achievements and the continuing efforts of Stanley S. Watts in the service of his clients, his industry, and his community. He is an outstanding example of the successful young businessman who demonstrates what one man can do when he is willing to apply his leadership talents where they are most needed.

THE FREE TRADE ZONE

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BUSH. Mr. Speaker, yesterday my good friend and distinguished colleague on the Ways and Means Committee, the Honorable HALE BOGGS, made some remarks in the RECORD concerning the hearing in Portland, Maine, on October 10, 1968, on the application of Occidental Petroleum Corp. to establish a free trade zone in Machiasport, Maine. Since my name was mentioned in these remarks, I would like at this time to respond.

I particularly appreciated Mr. BOGGS' kind words about my service on the Ways and Means Committee. It is highly flattering for a freshman Member to receive such a vote of confidence from a colleague as distinguished as the majority whip.

As the gentleman from Louisiana [Mr. BOGGS] correctly stated, his views and mine are in substantial agreement on this application. I was pleased to learn upon reading the RECORD this morning that the gentleman from Louisiana [Mr. BOGGS] felt my appearance at this hearing would have been helpful. Had Mr. BOGGS personally called me and asked that I accompany him, because of my respect for his judgment, I would have made every effort to have been in Maine.

However, like Mr. BOGGS I could see very little justification for appearing in person at the hearing. I had already written an extremely forceful letter to the Secretary of Commerce stating my opposition to this application and on October 1, I sent a prepared statement to Mr. N. Norman Engleberg to be included in the body of the hearing. I have been advised that this statement will become part of the hearing. I have every reason to believe that this statement will be given its proper weight by the examining board. A copy of the letter and statement will be included at the end of these remarks.

I had no objection to going to Maine, but I had a long-standing appearance outside of Washington which, at that late date, I felt I could not change.

I knew some of the people who were attending the hearing from Texas and they are extremely capable—particularly Judge James C. Langdon, chairman of the Texas Railroad Commission.

I am vitally interested in the outcome of this hearing. Like Congressman BOGGS I am opposed to the application and I hope to work with him to see that it is not adopted.

I know that this zone would not be good for my part of the country, and it would not be good for America as a whole. Because once we start torpedoing the mandatory oil import program, we are tampering with the basic defenses of this country.

The material referred to follows:

SEPTEMBER 19, 1968.

Hon. C. R. SMITH,
Secretary of Commerce,
Washington, D.C.

DEAR MR. SECRETARY: I am hopeful that the Foreign Trade Zones Board will reject the proposal made by Occidental Petroleum to set up a foreign trade zone at Machias Bay, Maine.

It seems to me that this application, if granted, would serve to torpedo the oil import program as now set up.

The Ways and Means Committee recently conducted a series of hearings on international trade for the purpose of making some recommendations as to legislation in the general field of international trade. One of the things that disturbed me was the evidence that exceptions to the oil import program had been made in Puerto Rico largely because the deal would benefit the Puerto Rican economy. The testimony showed that a large part of the consideration was certain concessions the importing company made in the area of upgrading the Puerto Rican economy. I don't believe the program should be used as a social welfare program. Puerto Rico needs help, and as I told the Puerto Rican witnesses, I think they did well for their area, but the vehicle for them should not be changes in the oil import program.

Now comes the Maine deal with its damaging effects on our balance of payments problem. It is true it will aid Maine's economy. Occidental will help the conservation fund, employ people, etc., but the beneficial side effects to one area should be sublimated to the overall national good.

Our Ways and Means hearings highlighted our critical balance of payments problem. This deal would seriously aggravate the problem.

In addition, it drives a great big loophole into the oil import program which, if permitted here, will lead to the annihilation of the program.

The program exists largely for defense reasons. It visualizes maintaining a reasonably strong domestic oil industry for our own national interest. An expanded use of free trade zones to increase the use of foreign crude in this country in contravention of the oil import program is not in our national interest now, and I strongly urge that you do all in your power to turn down the proposal.

Very truly yours,

GEORGE BUSH,
Member of Congress.

STATEMENT OF CONGRESSMAN GEORGE BUSH FOR THE HEARINGS ON THE APPLICATION FOR A FOREIGN-TRADE ZONE AT MACHIAS BAY, MAINE, OCTOBER 1, 1968

I am hopeful that the Foreign Trade Zones Board will reject the proposal made by Occidental Petroleum Corporation to set up a foreign trade zone at Machias Bay, Maine.

It seems to me that this application, if granted, would serve to torpedo the oil import program as now set up.

The Ways and Means Committee, of which I am a member, recently conducted a series of hearings on international trade for the purpose of making some recommendations as to legislation in the general field of international trade. One of the things that disturbed me was the evidence that exceptions to the oil import program had been made in Puerto Rico largely because the deal would benefit the Puerto Rican economy. The testimony showed that a large part of the consideration was certain concessions the importing company made in the area of upgrading the Puerto Rican economy. I don't believe the program should be used as a social welfare program. Puerto Rico needs help, and as I told the Puerto Rican witnesses, I think they did well for their area, but the vehicle for change for them should not be changes in the oil import program.

Now comes the Maine deal with its damaging effects on our balance of payments problem. It is true it will aid Maine's economy. Occidental will help the conservation fund, employ people, etc., but the beneficial side effects to one area should be sublimated to the overall national good.

Our Ways and Means Committee highlighted our critical balance of payments problem. This deal would seriously aggravate the problem. In addition, it drives a great big loophole into the oil import program which, if permitted here, will lead to the annihilation of the program.

The oil import program exists largely for defense reasons. It visualizes maintaining a reasonably strong domestic oil industry for our own national interest. During the Suez crisis in 1956 we learned how important oil is. But what would have happened if the event had somehow been linked with a massive Communist move against the Middle East?

Our domestic tap can't simply be turned on and off to supplement world demand.

If the Oil Import Program is going to be altered in this manner, if we are going to broaden the free trade zone concept so mammoth loopholes will be blasted into the program, let's not do it by bureaucratic decision. Let's make the program a part of the law and let the people through their Congress decide what changes should be made.

I believe that an expanded use of free trade zones to increase the use of foreign crude in this country in contravention of the oil import program would be detrimental to our national interest at this time. I believe that a decision with the ramifications of this ruling should be made by law and not by regulation. I, therefore, strongly urge that this proposal be rejected.

COMPUTERIZED CARGO RECORD HANDLING

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FASCELL. Mr. Speaker, recently Pan American World Airways, in its continuing efforts to make the going great, has computerized its cargo record handling at Miami—thereby making it a pushbutton operation.

An IBM electric accounting machine—EAM—system that will do almost everything but load and unload airplanes became operational in mid-September.

Harold L. Graham, vice president cargo sales, said that similar systems will be installed within the next year at Pan Am cargo terminals in Los Angeles, San Francisco, Honolulu, Boston, Chicago, Detroit, San Juan, London, Paris, Rome, Frankfurt, Caracas, Panama, and Tokyo.

At the press of a button, the equipment reports the whereabouts of any particular shipment; date and hour the shipment was received; its air way bill number and destination; number of pieces in the shipment; the weight of the total shipment; and a description of the contents.

When it is time to assemble cargo for a flight, the EAM system prints a list of all shipments in the terminal destined for any particular city on Pan Am's air network to 84 lands. It notes which shipments have reserved space priority.

Then, after the cargo is loaded, the equipment prints a manifest for Government clearance and also specifies the connecting flights to which any shipments must be transferred.

Mr. Speaker, this makes Miami the first of Pan Am's major cargo centers outside of New York to utilize this automated system.

SALUTE TO EISENHOWER

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. O'HARA of Michigan. Mr. Speaker, like most Americans of both parties, I have a permanent soft spot in my heart for former President Eisenhower. Many Americans had reservations about his policies as President, but I suspect there has seldom been a sentence which could come as close to gaining unanimous consent among the American people as the slogan "I Like Ike."

I join, therefore, most cheerfully in the "Salute to Eisenhower Week." But I do think it is worth mentioning that one man in public life, who is most intimately associated with ex-President Eisenhower, is taking a very odd way of expressing his affection. I refer, of course, to Richard Nixon, aspirant for the Presidency on the Republican ticket.

Nixon began his campaign by urging Republicans to "win this one for Ike," but since then he has remarkably little that is good to say about the man who fished him out of obscurity and made him Vice President.

At one point in the campaign, Nixon, in an unmistakable slap at his old political foe, Chief Justice Warren, stated that he would be making judicial appointments of a different character if he were elected. When one thinks back upon Eisenhower's appointments to the Supreme Court, which were of remarkably progressive character, one can only conclude that Nixon is repudiating that part of the Eisenhower administration. Today, Mr. Nixon announces, according to the papers, that he is going to "clean up the State Department," and that "this was not even done in the Eisenhower administration." My memory is pretty vivid about what happened in the State Department under the Eisenhower administration, at the hands of Scott McLeod and Joe McCarthy. While that may not have been a "cleanup," it was certainly a "shakeup," in the course of which many a State Department career employee learned that to entertain a controversial idea was to court disaster. Nixon apparently feels that this was not severe enough, and he plans, here, too, to go beyond the practices of the Eisenhower administration and do—what, no one quite seems to know.

I would not argue the merits of Mr. Nixon's announcement, since, as with most of his stands, we do not really know what he means. But I will argue that this strikes me as a strange way to celebrate "Salute to Eisenhower Week." I wonder, Mr. Speaker, what aspect of the Eisenhower administration Richard Nixon will disavow next.

Under unanimons consent I submit an article titled "Salute to Ike" and another titled "State Department Shakeup Pledged by Nixon," for inclusion in the CONGRESSIONAL RECORD, as follows:

SALUTE TO IKE

In this year of upsets, strange events and tragedies, the country has reason to be thankful for one remarkable event—the continued survival of its national hero and former President, Dwight D. Eisenhower, after seven heart attacks. The General's remarkable capacity to go his way after repeated serious illnesses adds much to the legend that now surrounds his name. As he celebrates his 78th birthday today, people in all walks of life will join in an affectionate salute.

Congress expressed its admiration for the General by passing a resolution in favor of a Salute to Eisenhower Week. President Johnson, in setting aside the current week for this purpose, referred to the General as "one of the most popular and respected living Americans." His place in history will not be changed by this warm outpouring of good will, but we hope it will cheer the heart of this indefatigably genial soldier and statesman who has devoted his life to his country's welfare.

STATE DEPARTMENT SHAKEUP PLEDGED BY NIXON

(By Don Oberdorfer)

KEY BISCAYNE, FLA., October 13.—A supremely confident Richard M. Nixon laid plans today for a final "three weeks blitz" to wrap up the presidential election—and promised to "clean house" in the State Department and revitalize NATO after Inauguration Day.

While Nixon met with close advisers amid the sun and surf of his favorite resort, his views on a wide range of issues were beamed to the public on previously recorded radio and television programs.

In two television interviews taped Friday in Dallas and broadcast tonight, the candidate exuded confidence and gave further details of his plans for a "Nixon Administration."

Declaring that "foreign policy is my strong suit," Nixon said that while he would bring "the best men," Republicans and Democrats alike, into his Cabinet, "I am going to call the turn."

"I want a Secretary of State that will join me in cleaning house in the State Department," Nixon volunteered. "We are going to clean house up there. It has never been done . . . it wasn't even done during the Eisenhower Administration."

While adding that "there are some good men in the State Department and I know who they are," Nixon told the listeners of WFAA-TV that "the routine men that have been the architects of the past, they will have other assignments, and we are going to bring new men in with a fresh approach.

"It's going to be a Nixon-oriented State Department," he declared.

Nixon aides here tonight were unable to say how far down the State Department rosters the proposed shakeup might extend, nor could they predict whether he would seek to suspend Civil Service rules to "clean house."

Nixon's proposed Foggy Bottom cleanup was reminiscent of the bitter State Department loyalty and security controversies of the 1950's, but in other respects he appeared anxious today to extend an olive branch to Democrats, in the hope of creating an era of bipartisanship if elected.

On Vietnam, Nixon declared that if elected "I would hope to have President Johnson's cooperation" in seeking an acceptable settlement.

Should the Democrats control Congress—as some pollsters say is likely even if Nixon wins the White House—the GOP candidate predicted bipartisan cooperation on "great international issues."

"I think we are going to be able to govern," he said.

On another subject, Nixon said in a nationwide radio address tonight on CBS that "NATO is in trouble" and "now is the time to save it."

To solve the problem, Nixon advocated that European NATO countries contribute more troops to build its strength to prescribed levels. The United States, he said, should provide "a new attitude . . . greater attention to what our allies think."

The GOP presidential candidate promised the European allies "free and far-ranging discussion of all the problems that confront the free world." He expressed a specific desire for new conversations with French President Charles deGaulle, who has withdrawn his troops from NATO and kicked NATO headquarters out of France.

Nixon arrived here early yesterday from the campaign trail in a lighthearted mood, tossing a football back and forth with a reporter, and from his televised comments and the beaming smiles of his advisers, it is apparent that he sees victory.

Asked on WFAA-TV if he would have a carefree, enjoyable atmosphere in the White House, Nixon was willing to comment that "We don't have perhaps the kind of swinging time that some people think is fashionable these days, but we have some good parties.

"I play the piano, for example, for Christmas carols . . . I can play all the old timers . . . and I've got to learn the new tunes, the swingers," he added.

He made clear, though, that he does not plan to spend the remaining three weeks of the campaign practicing his music.

AUSTIN PAYS THANKS TO ITS POLICEMEN

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. PICKLE. Mr. Speaker, on the evening of Monday, October 14, the citizens of the city of Austin undertook a project which I believe could well serve as a model to many other areas across the country.

Monday was Police Appreciation Day in Austin, and I was glad to be able to attend the huge fish fry held in the evening. The response to the event was overwhelming—there is simply no other way to put it. With only about 2 weeks' notice, a group of business and civic leaders, with the help of the Austin Chamber of Commerce, was able to organize, promote, and execute a fish fry serving over 4,000. I understand that every policeman on the force was able to attend since off-duty volunteers from the Texas Department of Public Safety manned the radios and patrol cars for their friends.

The picnic was a family affair, and it was heartening to see that so many

young people were able to enjoy themselves in a setting which would help them learn that the policeman is someone to respect.

Mr. Speaker, some time ago I made a statement on the floor to the effect that the first essential step in reversing the trend of crime is that we, the American people, toughen our own thinking. We must not only learn that we all have a role in the peace and order of our communities, but also that it is only when we accept this responsibility that the policeman can perform his job effectively and efficiently.

I believe civic awareness of the difficulties our police face is an important step and wish to commend all who helped organize the event. And I especially want to thank the members of the Austin Police Department who dedicate their lives to making our communities better places in which to live.

IN MEMORY OF EDWARD R. MURROW

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FASCELL. Mr. Speaker, it is always a privilege to hear one great man talk about another. I afford my colleague in the House of Representatives this opportunity today by bringing a speech to their attention. At the dedication of the Voice of America shortwave complex in Greenville, N.C., to the memory of Edward R. Murrow, Mr. Frank Stanton delivered the following address:

IN MEMORY OF EDWARD R. MURROW

(Remarks by Frank Stanton, chairman, U.S. Advisory Commission on Information, Washington, D.C., October 3, 1968)

The Voice of America transmitting complex we dedicate today is the most powerful in the world. That means—so long as this nation above all others stands for life, liberty and the pursuit of happiness—it is a beacon of hope whose light will help lead the people of the world to awareness and mutual understanding, to the organization of a peaceful society, and to a greater appreciation of what freedom means to mankind.

So it is right that harnessing such great capacity with such noble purpose calls up the memory of Edward R. Murrow. For this man devoted his life to transmitting a message of freedom, justice and hope to his nation—and to the world.

In honoring him today, you are honoring even more the ideal which made possible his exceptional achievement as a journalist of outstanding integrity and dedication. It was this ideal, in fact, that made Ed Murrow one of the handful of journalists in history whose stature as a man of his times—and for all times—came to overshadow even his towering stature as a broadcaster.

Those of us who worked with Ed Murrow and now look back at his life and career recognize three great forces that guided him. There was his strong faith in the power of education and enlightenment. There was his never-ending quest for perfection. And there was his passionate devotion to his duties as a journalist. His concept of those duties was to help the public—as he put it—"know the facts as far as they are ascertainable, and so to illuminate and explain facts and situations as fairly as possible, as to enable the listener to judge and weigh them for himself."

Ed used to say that all he knew about radio was that the short waves are long and the long waves short. That, of course, was part of his gift for understatement and humor. But beyond that, he had a rare capacity for conveying the deeper meaning and the emotional quality of world events. They flowed through him like a stream. We saw it vividly on that historic day in March 1938 when he went on the air from Vienna to report on the Anschluss of Austria and what we all recognized later as the beginning of the Second World War. That broadcast, the first CBS World News Roundup, was a milestone in journalism, tying the world together with live on-the-spot coverage of events as they were happening. In the three decades since then, this format has become the hallmark of electronic journalism—bringing together correspondents from world capitals, battlefields, disaster areas—wherever the news is breaking.

During the blitz of London, it was the measured tones and perceptive reporting of Ed Murrow that awakened Americans to the ugly realities of the war then raging through Europe. With deep compassion and concern for the suffering he saw, he brought the burning city into our living rooms. He carried the dead to our doors, and we knew they were more than the dead of London—they were the dead of mankind. He followed Londoners on their way to air-raid shelters and caught their measured footsteps on his microphone. He joined RAF bomber pilots on their raids over Germany and described the flak and fire.

This man destroyed the dangerous illusion of distance and time that insulated our nation from the grim events taking place in Europe. He destroyed the myth in many American minds that what is done 3,000 miles away is not really done at all. "There are no words to describe the thing that is happening here," he said of the inferno raging in London. But he somehow found the words—simple ones. As the first American correspondent to enter Buchenwald, he expressed the same inability to describe the horrors found there—but somehow did.

Back in this country after the war, Ed became even more widely known for such pioneering television series as See It Now, Person to Person and Small World. In the 1950's at a time when few others dared challenge Senator Joseph McCarthy, he documented McCarthyism, and thus helped turn the tide against the witch hunts of that period. "We cannot defend freedom abroad," Ed said, "by deserting it at home."

Finally, as head of the U.S. Information Agency, Ed Murrow soon became a member of John Kennedy's inner councils. He could not have served on any other terms; for he knew that what the USIA tried to say to the world could only be as effective as the policies it tried to translate. At the same time, he demanded that the USIA also give *all* the news about America—"the warts and blemishes", to use his words, as well as the "sunshine."

Ed Murrow left an important legacy to all of us. It is a legacy of reality reporting—vigorous, wise, honest, committed to the best in America and in humanity. Eric Sevareid, a longtime friend and colleague, summed it all up three years ago in his unforgettable eulogy: "Ed was an artist, passionately alive; living each day as if it were his last, absorbing the glories and miseries of his generation. The men, the machines, the battles, the beauties—the poetry of America was in his bones."

With that thought we dedicate the Voice of America short-wave complex in Greenville, North Carolina, to the memory of Edward R. Murrow.

THE DEMOCRATIC CHOICE

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FRASER. Mr. Speaker, I recently had the privilege of serving on the Commission on the Democratic Selection of Presidential Nominees. The commission's report was adopted by the Democratic Party during their convention in Chicago this August. I believe that the report points the way toward a better and more democratic method of choosing the presidential nominees. At this time I would like to insert the commission's report in the RECORD:

REPORT OF COMMISSION ON THE DEMOCRATIC SELECTION OF PRESIDENTIAL NOMINEES

MEMBERS

Hon. Harold Hughes, *Chairman,* Governor of Iowa.

Hon. DONALD M. FRASER, Vice Chairman, U.S. House of Representatives.

Harry Ashmore, Director, Center for the Study of Democratic Institutions.

Prof. Alexander Bickel, Kent Professor of Law and Legal History, Yale University.

Hon. H. Julian Bond, Georgia House of Representatives.

Frederick G. Dutton, Esq., Washington, D.C.

Mrs. Doris Fleeson Kimball, Washington, D.C.

COMMISSION STAFF

Thomas P. Alder, *Director;* Geoffrey Cowan, *Associate Director.*

Report staff: Simon Lazarus, *Editor;* Peter H. Darrow, *Editorial Research Director;* Barbara Barnes, David Kairys, John Lewis, Mrs. Judith Mullen, Marsha O'Bannon.

Field staff: H. Miles Jaffe, Philip W. Moore, Mrs. Marjorie Smith, Harold Stults, Frank Velie, Stanley Wagner.

Tweed Roosevelt, *Staff Administrator;* Gladd Patterson, *Office Manager;* Mary Jo Brown, *Editorial Secretary.*

FINDINGS AND RECOMMENDATIONS: A SUMMARY

This Commission was called into existence by members of the Committee on Rules and Order of Business and the Committee on Credentials of the 1968 Democratic National Convention. They asked the Commission to assemble a staff and to make an independent study of the convention and the delegate selection process. The Commission was to present to the Committees and to the Convention itself a report on its findings, along with recommendations for bringing the nomination process more closely into harmony with essential democratic principles.

We have completed our study. Included in this preface to our report is a summary statement of our principal conclusions and recommendations.

This Convention is on trial. The responsibilities of these Committees, and of all delegates to this Convention are unprecedented. To an extent not matched since the turn of the twentieth century, events in 1963 have called into question the integrity of the convention system for nominating presidential candidates. Recent developments have put the future of the two-party system itself into serious jeopardy.

The Democratic Party is in trouble—precisely where it ought to be in power. In major industrial states, such as California, New York, Illinois, Massachusetts, Michigan and Pennsylvania, the Party holds one or fewer of the top three state-wide offices; 24 of 39 non-Southern states (representing 272 of 407 non-Southern electoral votes) have Republican governors; in terms of non-Southern seats in the House of Representatives, the Democrats can claim exactly one more seat than the Republicans (and it may not hold that paper-thin advantage beyond November).

The crisis of the Democratic Party is a genuine crisis for democracy in America and especially for the two-party system. Racial minorities, the poor, the young, members of the upper-middle class, and much of the lower-middle and working classes as well—all are seriously considering transferring their allegiance away from either of the two major parties.

Wide-spread cynicism about the capacity of the parties, especially the Democratic Party, to accommodate the aspirations of emergent social forces, has brought vigorous demands for replacement of the convention system with a national primary—which would likely cripple the viability of the two-party system. At the same time, technological changes loom on the horizon which will make it feasible within a very few years to conduct simultaneous electronic polls of the entire electorate, a development which poses a more serious threat to the convention system and the two-party structure than would the concept of a national primary.

Against the background of these pressures and forces, we have scrutinized the processes by which Democrats will nominate their candidate for President of the United States in 1968. We have concluded that state systems for selecting delegates to the National Convention and the procedures of the Convention itself, display considerably less fidelity to basic democratic principles than a nation which claims to govern itself can safely tolerate. We recommended the following principal proposals to the Convention and its principal Committees, some to validate the procedures of the 1968 Convention itself, others to be implemented prospectively, to purify—and hopefully, to preserve—the power exercised by future Democratic National Conventions.

To validate the procedures of the 1968 Democratic National Convention, the Commission *recommends:*

1. That the Committee on Credentials and the Convention meet squarely and forthrightly the question of racial discrimination in party affairs. The Democratic National Committee has taken an historic step forward by including in the Call to the 1968 Convention a requirement that state party organizations assure all citizens, regardless of race or color, the opportunity to participate fully in party affairs. It is up to the Convention itself and the Credentials Committee to see that that mandate is not twisted into an excuse for mere tokenism. The Commission urges that a specific formula be adopted by the Credentials Committee to implement the Call by imposing an affirmative obligation on state democratic organizations to bring black Americans and other racial minorities into full and meaningful participation in party affairs; that the guidelines suggested by the United States Commission on Civil Rights be adopted for enforcing and applying that Call; and that in challenges to the credentials of particular state delegations, the burden of proof be placed on the state party organization wherever specific instances of racial exclusion or discrimination are shown or wherever gross disparities exist between the percentage of minority group members of the delegation and the percentage actually living in the state in question;

2. That the 1968 Convention abolish the Unit Rule and refuse to enforce instructions by state conventions, state committees, or state primary statutes, that individual delegates be bound to vote in accordance with the preferences of the majority of the delegation;

3. That the Committee on Rules and Order of Business propose, and the Convention approve, a rule requiring that the Convention seat as delegates to this Convention members of the Democratic National Committee selected in 1968 by the state parties, and that the Convention not seat the out-going members of the DNC;

4. That the votes of state delegations to the various Convention Committees, especially the Committee on Credentials, the Committee on Rules and Order of Business, and the Committee on Platform and Resolutions, be weighted in exact accordance with the relative strength of each state's voting power on the Convention floor;

5. That the Order of Business at the Convention be arranged to provide for the earliest possible disposition of Credentials challenges and enrolling of delegates; that pending such action, delegations whose credentials have been challenged have their vote suspended;

6. That in view of the extraordinary circumstances likely to prevail in the 1968 Convention city, provision be made for temporary recesses in balloting, where for any reason delegates are impeded from communicating or caucusing in a deliberate and normal way.

The Commission further proposes that the Convention and the Committee on Rules considered several plans for structural reform of the system as it operates at all levels of the selection process, to guide *future* Conventions.

The Commission believes that a national primary system for picking presidential nominees does *not* promise a complete corrective for the undemocratic aspects of current nominating procedures and that such a proposal if adopted would likely prove a cure more dangerous than the disease. Holding that democracy can truly be served by National Party Conventions, but that if it is to be so served, a number of reforms must be undertaken, the Commission *recommends:*

1. That all state delegate selection systems which rely in whole or in part on direct appointment of delegates by state party executives should be prohibited outright and replaced with systems which permit meaningful popular participation in the selection process.

2. That for those systems which do not use direct appointment of delegates, namely, systems which employ selection by state convention or selection by primary election, procedures should be amended to conform to five basic guidelines which are crucial to the fulfillment of elementary democratic principles:

a. *Meaningful Access* to the process by the public;

b. *Clarity of Purpose* for the voter at all levels of the nominating process such that he may register his choice for delegate-candidates without having thereby to select the same individuals as state party officers.

c. *Timely Selection*, such that no delegate to the National Convention be chosen by a process which was initiated more than six months before the Convention itself. (Over 600 delegates to the 1968 Convention were selected by processes initiated two or more years ago;)

d. *Fair Apportionment*, within the state selection system, an objective which requires that all state systems apportion voting power among the districts and counties participating on a one-man, one-vote basis;

e. *Fair Representation of Voter Preferences*, so that minority preferences are represented in the results of all stages of the selection process. Although this principle clearly indicates that the unit-rule and winner-take-all principles should be abolished in all state systems, the state-wide binding primary may have as an exceptional and redeeming value in its capacity to engage popular electoral interest.

The Commission believes that these five principles constitute simple and elementary principles of democracy and that all state delegate selection systems should operate in harmony with them. The Commission *recommends:*

That the 1968 Convention direct the Democratic National Committee to include in the Call to the 1972 Convention a requirement that all state systems comply with these basic principles; in the alternative, that the DNC be directed to appoint a special subcommittee like the Equal Rights Subcommittee appointed in January, 1965, to study state delegate systems and recommend adoption of similar principles as standards in the 1972 Call.

The Commission further concludes that the Convention should adopt a formula for apportionment of voting power among the delegations to the National Convention which ensures that no voter has a voice in the convention that is greater or lesser than the voice of other voters in other states. The Commission therefore *recommends:*

That members of the Democratic National Committee not be seated as delegates to the 1972 and subsequent conventions, or in the alternative, that their seats be counted as part of the state's regular delegation;

And that the Convention cease to award a ten-vote bonus to states where the previous convention's nominee secured the states' votes in the Electoral College for that election year.

Although the Commission believes that the issues are urgent, we do not consider our specific proposed remedies as the only possible answers to the problems. Nor do we think they are necessarily the best answers.

The Commission offers its recommendations to the 1968 Democratic National Convention with respect, affection, and a large dollop of compassion. The normal complement of convention problems is today multiplied many times. Not only are the conventions' procedures under attack but its historic role as a safety valve for the turbulence of American democracy is menaced. Delegates to this Convention are beset by pressures from within and without. They are harassed by mechanical difficulties which could cripple their ability to communicate with each other and with their leaders. These circumstances brought the Commission into being and resulted in this attempt to help make the system work. We have specified some problems which the Convention can still treat this quadrennial sitting, and others that require future implementation or further study. We are sure, however, of one thing. Deep-seated forces produced the currents of change which in turn have created the problems with which this Convention is burdened. They will yield only to honorable solutions, openly approved.

DEMOCRACY AND THE DEMOCRATIC PARTY—1968

The Democratic Party is in trouble precisely where it ought to be in power—in the major industrial states. Look, for example, at California, New York, Illinois, Massachusetts, Michigan, or Pennsylvania. In none of those states do Democrats hold more than one of the three top positions; where a Democrat sits in the state-house, both senators are Republicans, and where one of the senators is a Democrat, his colleague and the governor are Republicans. Outside the South, 24 of the 39 states have Republican governors; these states represent 272 of the 407 electoral votes outside the South. More indicative still, Democrats won only seven of 30 gubernatorial contests outside the South in 1966. Of these seven, five were incumbents. The Republicans, in contrast, elected 16 freshmen governors across the country. Many of those Republican governors, as well as other leaders of the Republican Party, are bright and able figures, with wide popular appeal and an evident zest for tackling the social problems which Democrats have traditionally claimed as their special area of competence.

It may be argued, of course, that the Democratic Party still has almost two-thirds of the Members of the Senate as well as an overwhelming majority in the House of Representatives. But the President, and those who have toiled with him to realize the promise of the Great Society, know that this is only a paper majority. Again, apart from the Southern Democrats, the Party has only 45 Senate seats; only seven Democratic Senators were elected in 1966, all of whom were incumbents. The Republicans elected 13 senators, seven of whom were freshmen. In the House, the Democratic Party has precisely one more non-Southern seat than the Republicans (165 to 164). In eighteen congressional delegations from non-Southern states, Republicans are in the majority; Democrats dominate an equal number of non-Southern delegations. Those members of the Democratic Party who inhabit the leadership echelons of Capitol Hill come from the South and the Rocky Mountains and plains states. The Party has simply lost much of its vitality in the large and populous states of the far West and the Northeast.

Not surprisingly, the story is at least equally dismal in state legislatures. Democrats control both houses in 12 non-Southern states, Republicans in 17. In only five states—Connecticut, Hawaii, Kentucky, Missouri and New Jersey—does the Democratic Party control both houses and the governor's mansion. By contrast, the Republicans control these institutions in ten states: Alaska, Arizona, Colorado, Idaho, Michigan, Ohio, Pennsylvania, South Dakota, Wisconsin, and Wyoming. When one examines their grip on positions of power, the Democrats appear to have become the minority party.

If 1968 has been a year of travail for the Democratic Party, it is a year of opportunity for democratic principles. A confluence of historical forces has made the 1968 Democratic National Convention an occasion of great moment in the inexorable movement of Presidential politics in America toward direct democracy.

A thumbnail sketch of the history of nominating conventions: From deliberation to bargaining to direct democracy

Presidential politics in the United States has persistently tended toward ever more direct democracy since the Constitution was ratified. The framers of the Constitution were suspicious both of direct popular participation in the selection of the Chief Executive, and of domination of the selection process by partisan factions or parties. They sought to establish a deliberative model for choosing presidents. The Electoral College was intended to convene distinguished leaders from various walks of life, who would discuss objectively the qualifications of presidential aspirants and designate the particular individual most capable of exercising the considerable powers vested in the president by the Constitution.

From the first, the strict deliberative model contemplated by the language of the Constitution was ignored in practice. In President Washington's second term, the supporters of Alexander Hamilton on the one hand and of Thomas Jefferson on the other, diverged and coalesced into opposing parties. In 1796, the congressional representatives of the two groups each selected nominees in caucuses. "King Caucus," as the institution came swiftly to be called, put the process of nominating candidates for the presidency into a forum that was more fit for bargaining among interest groups and their leaders than was the Constitution's electoral system.

The last nominating caucus in Congress was held in 1824. The first national party convention to select a president was held in 1832. The nominee was President Andrew Jackson. He and his counselors hit on the idea of holding a convention to outflank the powerful forces in Congress who supported his Vice President, John C. Calhoun. A convention, with delegates elected in each of the several states, would, Jackson correctly foresaw, emphasize his personal popularity with the people. Thus the convention system was a move toward democratization of the nomination process.

After 1832, conventions became the accepted device for selecting party nominees. As in the 1832 convention, voting power was allocated among the state delegations on the basis of their votes in the electoral college; each delegation was chosen according to a system of the state party's own preference. The values of deliberation, bargaining and direct democracy were reflected in the structure of the nominating process in a proportion which remained approximately static, at least in form, till the end of the nineteenth century.

While the formal structure of conventions and presidential politics remained unchanged however, the introduction and expansion of the railroad and of communications innovations such as the telegraph, the mass circulation newspaper, and finally the telephone, brought the public across the nation into contact with the maneuverings of the political elite to an ever-increasing extent. Knowledge of the importance of the matters at stake as politicians bargained over the choice of nominees, led to demands for direct popular participation in the nominating process.

Nominating Presidents in the 20th Century: The trend toward direct democracy

With the turn of the century, the trend toward democratization of the presidential selection system was sharply accelerated. Three distinct factors have swelled this trend, as it has grown into the fast-moving current which is breaking upon the 1968 Democratic National Convention.

The Impact of the Primaries

The first factor is technical change in the nomination system—especially the introduction of primaries during the Progressive Era. Although primary systems were eventually installed only in 19 states and though even in those states considerable power over the delegation was retained by party professionals, the primaries provided a mechanism by which popular preferences could be registered. Those preferences could be disregarded by the party, history was to demonstrate, at the party's peril. In 1912, Theodore Roosevelt consistently trounced incumbent President Taft in Republican primaries, but lost the nomination to Taft anyway; Taft, however, lost the election. Conventions were ill-disposed thereafter to disregard the mandate expressed by primary contests, at least where the primaries produced a mandate that could be interpreted with clarity. Party managers indeed welcomed the primaries as a proving ground which provided them with a much more adequate guide than their own hunches as to who would make an appealing candidate in the November election.

Structural anachronisms did manage to survive the progressive era. While the primaries made most state selection processes more responsive to the popular will, many states continued to allow party leaders to exercise unfettered control over the selection of some of their delegates. States like Pennsylvania and New York allowed the people to choose some of their delegates directly, by district, while the party leaders chose the remainder of the state's delegation. This system was based on the old method of choosing the national legislature: the people chose their representatives in the House directly, while state legislatures chose the states' representatives to the Senate. Even after the adoption of the constitutional amendment providing for direct election of U.S. senators, many states continued to allow a few party leaders to choose the state's at-large delegates to the national convention.

But the basic importance of the primaries lay in their role as symbols. They reflected a national commitment to the principle that the nomination of presidential candidates was not a matter to be decided simply by convention delegates or by power brokers working behind closed doors. The fact that many states declined to provide for delegate selection entirely by primary was acceptable to the nation—but only because the system did not override or frustrate the national commitment to direct democracy in the naming of presidential nominees. The primaries that did exist provided information more reliable than any that had been available before as to popular preferences. Party organizations, which, especially in the Democratic Party, accurately reflected the interests and sentiments of the constituent groups of the party's mass popular base, did not reject the information which the primaries provided about the tenor of the popular will.

Technological Advance: Radio, Television, and the Polls

In addition to the technical changes in the nominating process brought by the primary (in conjunction with other mechanisms for increased popular participation in government such as direct election of senators), technological advance also contributed to the continuing expansion of the democratic dimension of the selection of presidents. Radio and especially television have dramatically widened popular contact with conventions and candidates, and have thereby no doubt profoundly affected the manner in which candidates are chosen, as well as the identity and type of candidates who are chosen. No doubt, however, the impact of television on presidential politics has, at least to date, been considerably less than current fashion would have it. Telegenic candidates have an advantage they may have lacked before Marshall McLuhan was invented, though they do not always win even now, and they did not always lose in the old days. Charisma and popular rapport have been key ingredients in the politics of the presidency ever since the institution was transformed into an instrument of strong national leadership under progressive Presidents Theodore Roosevelt and Woodrow Wilson. Conversely, bargaining and power-brokering continued to be accepted and critical elements in the process, and the convention retained its legitimacy as a consequence.

The process has not significantly changed since the beginning of the twentieth century down to the present day, television and the polls to the contrary notwithstanding. These technological advances have, it is true, deepened the ability of the process to measure and to express the popular will. But to date they have merely created a climate in which significant changes are likely to be demanded—and to be gained. In this respect, the present period may be very like the turn of the century itself, when developments in communications prefigured the flowering of techniques designed to increase the role of direct democracy.

The New Electorate: Black Power and the Emergence of the Issue-Oriented Independent

As delegates assemble for the 1968 Democratic National Convention, the demand for more direct democracy and the call for an end to "boss control" of the nominating machinery can be heard, with an intensity not matched since the Progressive Era.

Technological advance alone is not responsible for this burst of discontent with the defects in the convention system as it presently operates. A more important factor, especially with respect to the Democratic Party, is the changed composition of the electorate. The upshot of these changes is the break-up of the New Deal coalition of Negroes, liberal intellectuals and professionals, labor union members and white ethnic groups of Irish, Italian and East European origin.

Two distinct trends have produced the strains in the coalition. First, Negroes display a rapidly increasing dissatisfaction with the role of junior partners in the coalition; they are no longer content to permit whites to monopolize the positions of political power in the cities. Their demands for political power have brought them into conflict with many party leaders and organizations in Northern states. Their demands for far-reaching social and economic advance have created bitter conflict between themselves and the white ethnic masses who form the specific constituencies of white urban Democratic leaders. Meanwhile, Negro demands for civil rights and the support for those demands by the Northern liberal wing of the Party, have alienated the once Solid South and dropped the black belt from the list of states that could be counted on, or even hoped for, on the Democratic side in presidential elections.

Concurrent with the Negro revolution, changes in its white components have undercut the potency of the New Deal coalition. The electorate is generally more affluent and more widely educated. The descendants of early twentieth century immigrants have now spread to all reaches of the economic spectrum; their voting patterns tend to reflect their economic status as much or more than their ethnic and religious background. They can no longer be counted on to vote Democratic, especially as far as the presidency is concerned. Moreover, the increasing education and affluence of the electorate generally have combined to erode substantially the role of well-defined interest groups in presidential politics. Issue-oriented individuals who rank relatively abstract ideological questions high among the criteria by which they approve or disapprove of candidates have become a substantial portion of the elecorate, as the Vietnam War has shown.

The emergence of the issue-oriented independent has called into question as never before the value of the convention system for selecting presidential nominees, as it has traditionally operated. First of all, it has taken a significant portion of the electorate outside the tightly-knit groups represented by Democratic party operatives. Whereas bargaining among representatives of party organizations once could be said to represent the interests and views of the mass constituency of the party, the decline of the interest groups behind the bosses has undercut that rationale. More importantly, the decline of interest groups has meant that a significant percentage of the total electorate is not automatically represented by either of the two major political parties. Thus we have the situation which has prevailed in this election year; the preferences of the public, as reflected by the primaries, do not coincide with the apparent preferences of the delegates and the party organizations which tend to control them.

The convergence of all these forces—technical changes in the electoral system, technological advances which increase popular intimacy with the nominating process, and most important, the erosion of the New Deal coalition which once formed a secure mass base for the party's professional elite—has created a genuine crisis for the Democratic Party and for democracy in the United States. For the first time in many decades, the Party may not be able to accommodate both the preferences of its professionals and those of its various constituencies. More critical, the crisis of the Democratic Party raises a serious threat that many millions of voters will feel themselves unrepresented by either of the candidates offered by the major parties in this presidential election. Recent rebellions on the campus and in the ghetto may therefore foreshadow a widespread and very sinister alienation and loss of confidence in government.

Democracy and the nomination of a presidential candidate: a political imperative

The demand that the voice of democracy be heard at national party conventions, especially Democratic Party conventions, is not a fad. It is not merely the rally cry of insurgent candidacies. Nor is it the by-product of a temporary intra-party squabble over a single issue, namely the war in Vietnam. Attacks on the undemocratic aspects of nominating conventions are the direct product of deep-seated forces—changes in political ideas, in the technology of mass communication, and in the nature of the electorate. Disquiet with the Democratic Party's procedures for nominating its presidential candidates arises from the same currents of change which have swept its gubernatorial and congressional candidates from power, and which have simultaneously created a wave of new Republican governors and senators.

The demand for democracy at political conventions and elsewhere in the process of government will be heard, and answered, however stubborn is the resistance mounted by forces whose habits are rooted in past customs. Indeed, even without the turbulent socioeconomic developments gathering force across the country, coming advances in communications technology of much greater political impact than television will within a few years force convention electioneering to permit vastly increased popular involvement in the process of selecting presidents. Access to central computers from every home will soon be feasible; with that development, instantaneous polls of the entire electorate will be a simple matter. In that America, conventions will be easily replaceable, and they will be replaced beyond doubt if they are seen as instruments of undemocratic rule, just as nomination by electors was once replaced by congressional caucus, and as the caucus was replaced by the national convention.

It is, therefore, imperative that those with a direct stake in the convention system recognize that this important American tradition is in serious jeopardy. Participants in the Democratic National Convention of 1968 face an urgent task of intelligent conserving. They must conserve not only the convention itself, but also related institutions and values which would not easily survive its end. Among these, none is more important, or more intimately linked with the convention, then the two-party system itself. There would be little national focus for durable political parties in a world where presidents were chosen in national primaries or by simultaneous electronic polls. And the party structure itself would be deprived of the vital infusion of fresh enthusiasm which only presidential politics can provide.

We have become so accustomed to national parties, that we seldom stop to examine their essential value. They are media which any segment of the population can use every four years to express its views, to vindicate its interests, and to change policies. But if existing parties fail to perform their function, they will not survive. If our parties prove incapable of embracing new interests and sentiments, if they become parochial strongholds of narrowly based interests, then the two-party structure will be supplanted. With the demise of that structure, a powerful force for stability will disappear from the fabric of American politics.

The present horizon is surely not without ominous danger signals. The Democratic National Convention of 1968 will meet at a time when racial minorities, the poor generally, youth, large numbers of professionals and other members of the upper-middle class, and of the lower-middle and working classes as well, are all seriously considering transferring their allegiance away from either of the two major parties.

All Americans, therefore, and not just party professionals, have a stake in preserving the convention system and the party structure. But only the professionals have, by virtue of their necessary and legitimate managerial role, the power to misuse that structure and therefore to invite its ultimate dismemberment.

It is in the political interest of the Democratic Party as much as it is in the public interest of the nation, to begin now to reform the procedures of the Democratic National Convention from the ground up. The report that follows is intended to provide a summary view of how those procedures operate today, and to suggest practical ways in which the 1968 convention could undertake to alter them in a manner more compatible with the democratic principles which the nation and the Party has always considered its ultimate values.

CHAPTER ONE—CONVENTION DELEGATE SELECTION: HOW STATES CHOOSE

Toward workable democracy in the nomination process

Even in theory, it is difficult to decide what method for selecting a presidential candidate best serves the people's will and the public interest. In practice, the difficulties are compounded. Since 1832, the Democratic Party has relied on a national convention to select a presidential candidate. The system has survived despite criticism on principle and on the ground that it has occasionally been subjected to severe abuse.

The main line of attack on the convention has always been that it permits "the bosses" to override the will of "the people." For the most part, this charge focuses on the systems by which states choose the delegates who travel to the convention city to do the actual job of voting on the party's candidate. This initial stage of the selection process, the composition of the membership of the convention, is, after all, the most critical stage. It is also the stage at which the people have the greatest opportunity to affect the outcome. Nevertheless, popular impression has it that state delegate selection processes are anything but democratic in their actual operation. It is the conclusion of the Commission that this popular impression is altogether too accurate.

Because the national party that assembles every four years to nominate a presidential candidate is a federation of state parties, and a very loose federation at that, each state party has been left free to select its delegation in any manner it see fit. The Commission's survey of methods adopted by the states reveals a remarkable hodge-podge of systems. The survey has also revealed that many systems fail to meet the most elementary requirements of a democratic selection process. Because the mechanics of the various systems differ so greatly, and because the national party has made no effort to evaluate the processes used by the state organizations, the Commission has attempted to define the prerequisites of a democratic system for delegate selection.

Our list of such prerequisites is not mechanical; no particular mechanism, such as the presidential primary, is necessarily the best or the only way to guarantee the people's right to participate in the process of choosing delegates, or their right to have their preferences represented by the delegates who are chosen. The Commission believes that no useful purpose would be served by imposing, by either convention resolution, national legislation or constitutional amendment, a nationwide requirement that a particular system be employed for selecting convention delegates. We do, however, believe that certain simple basic principles ought to be satisfied by all state systems. These are:

1. *Access.* Voters must have realistic and meaningful access to the process of selecting delegates. They must be fully informed when and where to attend precinct meetings and how to cast a vote in a primary on behalf of the candidate of their choice. They must be able to participate in local caucuses or to ascertain the preferences of the delegate-candidates on the primary ballot.

2. ***Clarity of Purpose.*** Delegates selected in statewide primaries, or participants in state conventions assembled for the purpose of selecting delegates, should be chosen by the people solely on the basis of their views on national issues, and their preferences with respect to the pending presidential nomination. The public should not be called upon

to vote for national convention delegates through the medium of party officers who will hold as only one of their responsibilities the selection of delegates to the national convention.

3. *Timing.* Delegates, or those who select them, should be elected by the people at a time which is reasonably proximate to the meeting of the National Convention. The Commission believes that to satisfy this requirement, all state processes for the selection of delegates should commence no earlier than six months before the convention.

4. *Fair Apportionment.* It is inherently unfair to give more weight to the votes of one area of a state than those cast in other areas. State systems which involve state conventions or primaries conducted on the basis of subdivisions within the state should therefore provide for apportionment on a one-man, one-vote basis.

5. *Fair Representation of Voter Preferences.* At the National Convention, when delegate votes are counted in the final tally, the majority necessarily rules on the choice of the party's candidate. But this National Convention vote is the final stage in a multi-tiered process. At the subordinate stages in the process, majority rule is not a necessary principle. If applied without qualification across the nation, the majority rule principle might seriously distort the tenor of popular preferences in the composition of the National Convention. Obstacles to the representation of minority preferences, such as the unit rule should therefore be eliminated from all levels of the delegate selection process.

The Commission recommends that the 1968 Convention mandate the National Committee to incorporate the first four principles enunciated above into the Call to the 1972 Convention. In addition, the Commission recommends that the minority representation principle be incorporated to the extent it compels abolition of the unit rule and of absolute majority rule at all stages of a state convention system.

The Commission also opposes the imposition of majority rule at any level of the state convention selection process. It recommends, instead, that all county, district and state conventions be guided by selection procedures which preserve minority preferences as the process moves from the local to the state to the national level.

The Commission does not, however, flatly condemn the winner-take-all principle in state primaries, since such primaries offer a useful device for engaging popular interest and involvement in the process of selecting a President.

Delegate selection in the several States

Each of the fifty states prescribes its own process for the selection of convention delegates. Some do so by statute; most leave it to the parties to control by their own rules and customs.

The delegates who will assemble in Chicago on August 26, 1968 have been selected in a bewildering variety of ways. Each of the 50 states has its own system for selecting convention delegates. The many systems may be roughly grouped into four categories, although each category has several variants. Moreover, some states elect delegates by more than one method.

The four methods are: (1) direct appointment; (2) election by convention; (3) direct election; and (4) binding presidential preference poll. Each of these methods will be described with particular reference to their operation in 1968. None of the methods guarantees democratic participation and fair representation; only delegate selection by direct appointment proves to be undemocratic in every instance. Each of the other three offers the possibility of a democractically selected delegation truly reflecting voter sentiment in the state, although none of them guarantees it.

Direct Appointment of Delegates by Party Officials

About forty per cent of the states provide that all or some of their delegates shall be selected by state party officials. Some with such systems are autocratic, leaving the choice to the governor alone, while others are relatively democratic, as where locally elected precinct committeemen convene to select delegates to a state convention which is in turn entrusted with national delegate selection.

a) In Louisiana, Georgia and North Carolina, the governor evercises virtually complete control over the selection of all or part of his state's delegation.

In Georgia, Rule 55 of the Democratic Party Rules provides that the state chairman shall select the national committeeman, the national committeewoman and all other delegates to the Democratic National Convention. He does so with the advice and consent of the governor, who, while Democratic gubernatorial nominee, was charged with selecting the state chairman. Nor may the party rules be changed without a vote of the executive committee, one-half of whom are directly appointed by the governor.

In Louisiana, the election law grants the state central committee the option to appoint delegates. The committee members who exercised this choice in 1968 were elected in 1964. They were elected from each parish in numbers equivalent to the parish's representation in the Louisiana House of Representatives. Nomination of a slate is made to the committee by the governor after consultation with local district chairmen. The governor's selection of delegates traditionally is ratified by the committee.

In North Carolina, the governor traditionally nominates a portion of the at-large delegates as well as the national committeeman and committeewoman. These nominations are approved *pro forma* by the state convention which meets to select district delegates. This year Governor Dan Moore named 22 of the state's 59 delegates. The extent of Governor Moore's control over the North Carolina process was evidenced this year by his response to pressure to include Negroes on his slate. Concerned that an all-white delegation would be vulnerable to a credentials challenge, the Governor replaced several at-large delegates with Negro substitutes. His influence with the state convention, however, made it possible to then include on district delegations those whom he had eliminated from the at-large slate.

b) In several states, all or some of the delegates are appointed by the state executive committee. These include New York, Maryland, Rhode Island, Arizona and Pennsylvania. In each of these states, the delegates are selected by state committee members who in turn are elected from local units—precincts, counties or legislative districts. But four of these five states last held the primary elections which produce state committee members in 1966. Not only were these committee members elected for purposes other than selection of delegates—thereby preventing the presidential issues from being squarely presented—but they were elected a full two years before the date for selecting delegates to the 1968 convention. As a result, there was no opportunity for voters to participate in the selection of delegates on the issues posed by the current presidential campaign.

In 1967, the Maryland legislature, having recently abolished the state's primary law, vested the delegate selection power in a state central committee which had had no such power when it was elected the previous year. The voters of Maryland thus had absolutely no opportunity this year to participate in the selection of those who would choose their delegates. The executive committee of the state central committee nominated a slate to the full committee; it was elected without difficulty.

Both New York and Pennsylvania provide for direct election of some delegates and state committee appointment of others. In Pennsylvania, a non-binding preference poll was held on April 23, the same date as the direct election of district delegates. But the state election statute requires that the at-large delegates be appointed by April 1. This appointment is the last act of a lame-duck state committee. A new state committee is elected in the April 23 primary. Thus, although Pennsylvania is about to elect a new committee and poll its voters, state law requires the retiring committee to select the state's 47 at-large delegates.

The appointments of the New York state executive committee are similarly undemocratic. Sixty-five of New York's 190 votes are appointed by the state executive committee and 125 delegates are directly elected in June district primaries. Since many at-large appointees receive only a one-half vote, many more than 65 delegates are actually appointed. The appointing state committee is elected in the same primary election as the directly elected delegates, but as the results this year indicate, the issues in the two races remain distinctly different.

In the June 1968 primary McCarthy delegates won a slight majority of the directly elected delegates with the others prefering either Kennedy or Humphrey or remaining uncommitted. Nevertheless, only 15 of the 65 appointed at-large votes were McCarthy supporters on the date of their appointment.

The disparity between the direct election and the district appointments is explained by several factors. First, party regulars tend to have the backing of district leaders and their local organizations. Secondly, the issues in any committeeman campaign tend to be locally framed. Finally, and most importantly, the delegate positions are used as rewards for faithful party service.

Seven New York delegate positions go to the national committeeman, the committeewoman, and the five officers of the state committee. The remaining delegates are chosen for reasons described by Monroe Goldwater, Law Chairman of the State Democratic Party, in the July 20, 1968 *New York Times:*

"By and large, the controlling factors in the selection of at large delegates have not changed. The telling factor is 'what have you done for me lately.' "

And State Chairman John Burns was quoted by the same source as saying:

"If I ignored the people who have helped me with the organization work and appointed strangers just because they're for McCarthy, I'd have a revolution on my hands."

It is the finding of the Commission that the appointment of delegates by individual or committee choice is inherently undemocratic. Voters are denied any effective participation in delegate selection. If they are allowed to vote at all for the selecting individual or committee, they vote, not for a representative who shares their presidential views, but for a party administrator. Nor are committee elections held at a sufficiently late date to raise presidential issues. Finally, delegates are not appointed to represent the prevailing political opinion of the state but almost solely to reward party work and financial contribution.

Since the direct appointment of delegates violates almost all of the precepts of democracy outlined above, the *Commission recommends* that no delegates directly appointed to future conventions be seated.

State Conventions Elect Delegates

Over half of the states hold a state convention to elect all or some of their delegates. There are two sub-categories within the state convention method, each with several variations. In the vast majority of the convention states, the initial stage is a town meeting or caucus which, in theory at least, is open to all party members. In Maine, parts of Connecticut, Vermont, Kentucky and Hawaii, these precinct caucuses choose delegates to the state convention. In the remaining states with precinct participation, the caucuses elect delegates to a county or district convention which in turn elects state convention delegates. Some states even have three tiers of conventions, with precinct-elected county delegates convening to elect district delegates who convene to draw a slate of district delegates to be nominated to the state convention.

Several states, including Michigan, Illinois, North Dakota, Montana, Wyoming and Delaware, select their delegates or a portion of them by a different kind of state convention. The delegates to these state conventions are selected by local party officials rather than by open caucuses in which voters can participate. Local party officials were themselves elected some two years before. In some Connecticut towns this method is used to select delegates to the state conventions. In most states, the same multi-convention process is used. In at least one state, North Dakota, the local precinct committeeman who initiates the process is not even elected; he is appointed by the district chairman, thus almost totally foreclosing popular participation at the most fundamental level.

The system in states which base their convention process on local precinct committeemen may be compared to the system of direct appointment by a governor or state committee. Those involved in the selection process are party officials whose election is usually based on local party issues and, so, is not a mandate for a particular candidate or presidential issue. In the convention states, the local precinct committeemen convene by county or by district to elect delegates to the state convention. Such a multi-tier system with large numbers of participants is admittedly more likely to reflect the spectrum of political opinion generally and is necessarily more open to insurgent challenges.

But to be democratic a convention system must be based on timely popular participation. A convention of delegates selected by party officials is open to the same criticism as direct appointment of delegates to the National Convention—party officials do not necessarily represent the party membership on issues of presidential politics. The Commission's study indicates that over 600 delegates to the 1968 Convention were selected by processes which have included no means of voter participation since 1966. At no time, then, were the issues of this presidential year presented to those voters whom these delegates will now represent in nominating the Democratic candidate.

For the same reasons that this report recommends the abolition of direct appointment, the Commission *recommends* that state conventions all be based on popular participation within six months of the national election.

The existing open caucus systems vary in their requirements for participation. In North Dakota, participation requires the purchase of a card at a cost in most districts of one dollar. In Texas, one must produce a receipt indicating he cast a vote in the primary held earlier in the day. The Texas primary polls close at the end of the working day, a rule which limits participation by working-class citizens. Although evidence of party affiliation is a reasonable prerequisite of caucus participation, economic barriers must not exist. Nor is the requirement of participation in state primaries a permissible prerequisite to voting on delegates to nominate a presidential candidate.

Assuming freedom of access to the initial stage of the multitier convention process, several further questions must be asked about its function. Is minority political expression preserved as the selection process progresses up the various stages of the system? Are there guarantees built into the system to insure that the state's delegation will ultimately reflect the full spectrum of views of Democratic voters? Are there sufficient checks on those operating within the system to prevent usurpation of undue power by individuals or factions?

Table I displays the various methods by which states select their delegates. The four major categories correspond to the nominating procedures discussed in this Chapter:

(1) Appointment by State or Party Officials—the procedure which allows either the governor or the state committee to decide without in any way referring their choice to the electorate.

(2) Election by Convention—the selection system used by most states, the delegates are selected by either district or state convention. The question which those who are concerned about the extent of democracy in the nominating process must ask is how the delegates to those conventions were themselves chosen:

(a) Open Precinct. In many states, the delegates to district and/or state conventions are selected by a precinct caucus which is open to all party members; or

(b) Closed Precincts. In some other states, however, the delegates to the district and/or state conventions are chosen by party officials—most of whom were themselves selected two or more years earlier.

(3) Direct Election—the primary system in which some delegates are elected either from the state's individual districts or at-large on a state-wide slate.

(4) Preferential Poll—the Presidential preferential primaries, through which many states give their voters an opportunity to express their preference of presidential candidates, have no legal effect in most states and the results are purely advisory; in some states, however, the delegates to the national convention, despite their personal choice, are required by state law to vote for the winner of the poll.

The least democratic systems are those which allow direct appointment of National Convention delegates by state or party officials, or those state convention systems which provide for selection of delegates to the state convention by closed precinct caucuses.

TABLE I.—SUMMARY OF 1968 SELECTION PROCEDURES FOR STATE DELEGATES TO THE NATIONAL CONVENTION

	Direct appointment	Convention	Open precinct	Closed precinct	Direct election	At large	By district	Preferential poll	Binding	Advisory
Alabama [1]	X									
Alaska		X	X							
Arizona	X	X		X						
Arkansas		X		X						
California					X	X		X	X	
Colorado		X	X							
Connecticut [2]		X	X	X						
Delaware [2]		X		X						
District of Columbia					X	X				
Florida					X	X	X	X		X
Georgia	X									
Hawaii		X								
Idaho [2]		X		X						
Illinois		X		X	X		X	X		X
Indiana [3]		X						X	X	
Iowa		X	X							
Kansas [2]		X		X						
Kentucky		X	X							
Louisiana [2]	X									
Maine		X	X							
Maryland [2]	X									
Massachusetts					X	X	X	X	X	
Michigan [4]		X		X						
Minnesota		X	X							
Mississippi		X	X							
Missouri		X	X							
Montana		X	X							
Nebraska					X		X	X		X
Nevada		X	X							
New Hampshire					X		X	X		X
New Jersey					X	X	X			
New Mexico		X	X							
New York	X				X		X			
North Carolina [2]	X	X	X							
North Dakota		X		X						
Ohio					X	X	X	X		X
Oklahoma [2]		X		X						
Oregon					X	X	X	X	X	
Pennsylvania [2]	X				X		X	X		X
Rhode Island [2]	X									
South Carolina	X	X	X							
South Dakota					X	X		X	X	
Tennessee		X	X							
Texas		X	X							
Utah		X	X							
Vermont		X	X							
Virginia		X	X	X						
Washington [2]		X	X	X						
West Virginia					X	X	X	X		X
Wisconsin					X	X	X	X	X	
Wyoming		X		X						
Total	10	32			15			13		

[1] The State executive committee may declare statewide primary.

[2] The party or State officials who choose all or part of the delegations in these States were themselves selected at least 1 year, in most cases 2 and even 4 years, before the national convention.

[3] Delegates to the district and State nominating conventions are popularly elected on the day the preferential poll is held.

[4] Delegates to the district and State nominating conventions are chosen by precinct representatives who are in turn elected in a primary held 2 years before the presidential election year.

Direct voter participation in the delegate selection process

Direct Election

The direct election of delegates takes place in many states. In California, this method applies to all delegates; New York and Pennsylvania, by comparison, choose only some delegates by direct election. Direct election may produce results which reflect the political opinion of a plurality of voters, but which deny representation to a minority viewpoint. Some direct election laws are more favorable to minorities than are others as a comparison of the California and New Jersey primaries demonstrates.

California's delegates to the national convention are all elected on a single state-wide ballot. This primary serves mainly as a presidential preference poll; indeed, the names of the individual delegate-nominees do not even appear on the ballot. The ballot contains only a group name—e.g., "Candidates for McCarthy." California, as a "winner take all" state, rewards heavily the candidate receiving the greatest number of votes. This year, for instance, Senator Kennedy won the entire state delegation despite the fact that a majority of the voters chose other candidates' slates. Thus, when it is clear that there are more than two serious candidates, a "winner take all" state will almost always give all of the state delegates to a candidate preferred by only a plurality of voters.

In New Jersey, Democratic state leaders decided to allocate 75 of the state's 82 delegates to congressional districts, each of which holds its own primary. Two New Jersey delegates, of course, are on the National Committee. The other five delegates, ran at-large. Of the 75 delegates elected in district primaries, 19 were won by McCarthy supporters. However, no McCarthy supporter was able to capture any at-large delegacy. Juxtaposing these figures with those of the California primary illustrates how minorities can gain a measure of power when delegates are elected by smaller voting units.

Unlike a perfectly operating, precinct-based state convention system, direct election cannot guarantee perfect representation of minority views. It is conceivable that no matter how small the congressional district, a significant political minority, evenly distributed throughout the state, might not be able to elect delegates and would find itself unrepresented at the convention.

New York and Pennsylvania provide for direct election of some delegates; others, as we have noted, are appointed by the state executive committee. To the voter, the New York and Pennsylvania primaries must be troublesome and confusing events. The ballots in those states do not show the delegates' preference for a presidential candidate. Failure to identify a delegate's preference cuts off the individual voter from meaningful participation, one of the main purposes of primary election. In Ohio, the candidates for delegate indicate both first and second choices for president. Thus, voters have some idea of how each delegate will vote on later convention ballots.

The Commission *recommends* that state primary ballots show the presidential preferences of delegates.

Presidential Preference Polls

Several states have presidential preference polls as a part of their delegate selection process. Technically, such polls are not involved in the delegate selection process since the delegates themselves are elected by one of the four methods outlined above and are then bound or advised by the results of the presidential poll. But in practice, preferential poll states become battlegrounds for presidential aspirants and the delegate process is forgotten.

Only a few states, including California, Massachusetts and Indiana, have laws which require that all delegates be bound by the results of the presidential preference poll. Although laws in these states provide that the state's delegates must support the candidate who wins the primary, the three states select the delegates themselves in very different ways.

In California, the delegates all run at large, by slate, and each slate is pledged to a presidential candidate. Thus the winner of the California primary not only gets the state's 174 convention votes on the first ballot; he also wins a full slate of delegates who are presumably dedicated to this cause.

Most Massachusetts delegates, by contrast, are elected in congressional district primaries, though some run at large. This process allows the voters of each district to choose their own delegates. Some of Massachusetts' twenty-four districts could, therefore, choose delegates who opposed the choice of the voters statewide. After the first ballot, those delegates would be free to support a candidate other than he one who won the state primary.

National convention delegates from Indiana, on the other hand, are not even chosen on the day of the state's binding presidential primary. Rather, voters choose delegates to the state convention on that day, and it is these delegates—meeting by district and in the state convention—who choose the national delegates. The ballot provides the information about which presidential candidate the state convention delegates prefer. Furthermore, the state convention selects not only the national delegates, but also the party's nominees for state offices. The result is that voters choose state convention delegates on the basis of state rather than national politics, and an Indiana voter might well vote for Candidate A while also unknowingly voting for a delegate to the state convention who, when it came to it, would support a delegate pledged to candidate B.

There is something to be said both for the system in California and the system in Massachusetts. Although both systems may have the unfortunate effect of eliminating minority representation, they have the redeeming value of providing a dramatic incentive for voters to participate in politics. The Indiana system, on the other hand is indefensible, since (1) it is difficult for the voter to know which state convention delegates will support his candidate, and (2) the meaning of the citizen's vote is appreciably lost in the myriad of issues with which the state convention delegate must be concerned.

Rectifying undemocratic selection practices

Political Minorities: Proportionate Representation and the Unit Rule

The Commission's study of the operation of the state convention system in several states indicates that some states have carefully apportioned their delegates to reflect minority opinion. In others, imposition of the unit rule has silenced minority preferences. In many, nomination and election of a slate of delegates has been controlled by a majority who grant merely token minority inclusion.

The Commission finds that the imposition of the unit rule violates the principle of fair representation; we recommend that it be abolished. Moreover, the Commission recommends that state conventions adopt a rule granting minorities a share of the delegation in proportion to their numbers on the convention floor at all stages of the convention process.

In North Dakota this year, many state legislative districts permitted no popular participation. In all but six or seven district caucuses, the caucus was formed solely by precinct chairmen who are themselves appointed rather than elected. In half of those few district caucuses where open precinct caucuses had been held to select representatives to the district caucus, the McCarthy challengers won majorities. Most of the closed districts merely sent the precinct chairman on to the state convention. It cannot be known whether the closed caucuses would also have reflected several McCarthy majorities if opened to popular participation.

In spite of this lack of popular access to influencing the selection process, the North Dakota state convention represented popular preferences with near-perfect fidelity. While the process of selecting delegates to the state convention did not ensure reflection of the voters' preferences, the party and convention chairmen did guarantee that the delegation to the national convention would reflect composition of the state convention. The convention was polled and McCarthy delegates comprised thirty-five per cent; Humphrey sixty-five. Although the majority delegates might well have demanded and drawn a slate of Humphrey delegates, the party and convention chairmen had announced before convening that the poll would determine the composition of the delegation. The nominating committee effort to dilute the McCarthy share was reversed on the floor. Although each of the delegation members was a loyal party worker or donor, the delegation was still fairly apportioned in terms of the state convention delegate poll. It may be noteworthy, however, that the division between Humphrey and McCarthy supporters in North Dakota was apparently not one between regular party members and insurgents, and this fact may account for the harmony in the apportioning of delegates.

The polling of state convention delegates to determine a ratio of proportional representation was suggested in several other convention states. Vermont, like North Dakota, polled its convention to define the proportion of its delegation. In Connecticut and Kentucky, however, the division between the McCarthy and Humphrey supporters was primarily between local party regulars and insurgents. Thus, in spite of the demands of the McCarhty delegates and the active intervention of members of Humphrey's national staff, the local Humphrey delegates refused to accept a procedural method of allocating minority representation. In both states their refusal prompted a walkout by McCarthy supporters.

The unit rule may also eliminate a minority's proper share of the succeeding conventions. In the Sixth Congressional District of Michigan, four counties sent delegations to the district convention—three with Humphrey majorities controlling by unit rule, and one, the largest, with a McCarthy majority but without unit rule. Some of the members of Michigan's national delegation are elected by district convention, and the Sixth Congressional District is alloted four. The Humphrey majority at the convention elected all four of their nominees. Ingham County, the largest in the district, which traditionally was alloted two of the four delegates, was not represented.

The Commission *recommends* that the fair share principle be incorporated by each state at each successive convention level. In future years, the National Convention should refuse to seat delegations elected by a state process which recognized a unit rule vote at any stage.

Political Minorities: Selection of Delegates by Caucus

The Commission recommendation that all state convention delegates be selected by a process which begins with a precinct caucus rather than with precinct committeemen raises some serious problems concerning representation of minorities. Precinct caucuses are often poorly attended by registered voters other than local party officials. Such caucuses are equivalent to state conventions composed of delegates chosen solely by party officials. But years of political indifference are not the problem. It is the struggle between factions within the party regulars or between insurgents and regulars which produce significant minority opinion. But in states with open precinct caucuses, a hard-fought struggle on the local precinct level can all too easily result in caucus packing, bearing no relation to actual political sentiment in the precinct.

In Minneapolis and St. Paul, enthusiastic McCarthy supporters packed every precinct caucus and captured control of most. Most party regulars who would not pledge to support McCarthy were swept aside by one hundred per cent McCarthy slates. These slates, of course, made no effort to reflect any substantial Humphrey support in the precinct.

It is impossible to suggest reliable procedures which will prevent one group from successfully packing a caucus. If a group of insurgents catch the party organization unaware, for example, and produce one hundred voters to the organization's ten, no reasonable system could prevent the insurgents from electing their own people as the precinct's representatives to the county convention.

As one effective check on abuses at precinct caucuses, however, the Commission *recommends* Connecticut's town primary system. A primary election between the nominated slate chosen by the caucus and the challenging one in Connecticut may be obtained when five per cent of the enrolled Democrats in the town sign a petition calling for a primary. In Connecticut this year, thirty-one primary challenges were invoked and nine changed the results.

Remedies for Procedural Irregularities

The perfectly structured system is not immune to abuse by the individuals who participate in it. Power must be vested in individuals since meetings must be chaired. While the recommendations in the preceding sections may serve to minimize the usurptions, emphasis in this section will be on the remedy rather than the prevention.

In at least two counties in Oklahoma and one congressional district in Missouri, conventions were held in secret. In three Indiana district conventions, McCarthy delegates tape recorded nominating sessions in which the chairman heard the nomination of the regular party slate, entertained a motion to close nominations and declared an affirmative vote with McCarthy delegates shouting for recognition. One tape records a complete nominating session lasting twenty-two seconds.

In these instances of obvious abuse, it is the remedy rather than the wrong which is elusive. Credential committees have no expertise in reaching conclusions of fact. Under present convention procedures, the hearing time is also inadequate. More important the only evidence before the committee is hearsay or, at best, conflicting direct testimony.

The manual for the 1968 convention provides that:

"The National Committee is authorized to deputize commissions to hear interested parties in credentials contests and make inquiry in the field and to report to the National Committee."

Efforts to invoke this process in challenges this year have not been fruitful. The authority of the Committee must be more clearly defined and its investigations should become a regular feature of credential challenges.

The Commission *recommends* that the Democratic National Committee in each convention year routinely establish a commission to investigate and record evidence of irregularities whenever requested to do so by any person competent to challenge the credentials of a delegate. Such a commission should be expected to make recommendations to the Credentials Committee at the time of its preconvention meeting.

CHAPTER TWO—DEMOCRACY AT THE NATIONAL CONVENTION

The key to selecting a presidential nominee who is genuinely the people's choice lies with the states. If delegations to the national convention are not chosen democratically even the most admirably structured convention will not be democratic. Conversely, if state delegations are democratically selected, efforts to "rig" the convention will probably fail.

Nevertheless, what happens after the states select delegates is important. Nominees are often made or unmade by manipulation of the nominating machinery at the national level. Moreover, democracy is often less apparent in the web of legal and political relationships forming the apparatus of the Democratic National Convention than it is in the state delegate selection systems.

In part, the relatively undemocratic nature of the convention apparatus is inherent and necessary. Virtually the only valid purpose of state delegate selection is representation of popular preferences or, more precisely, representation of the first preferences of the people. Yet the convention must serve additional aims. Since there are often more than two candidates in the running for a party's nomination, none may be able to win a majority on a first-ballot polling of the delegates. Furthermore, the position of the various candidates on matters of ideology and policy may be ambiguous or flexible—subject, therefore, to modification according to the power or weakness of the various interests and elements represented by the party membership. When more than two candidates are running and none garners a majority on the first ballot, a convention must resolve the deadlock by going beyond representation to the techniques of bargaining and deliberation.

A national party convention also serves an important ancillary purpose. The convention is the party's most useful single occasion for education of the electorate regarding the appeal of its candidate, other leaders and the positions on policy which it espouses. Properly understood, the aim of education should serve not merely the party as a corporate entity, but also the various constituent interests, groups and factions which have particular points to explain and dramatize.

These, then, are the primary roles of delegates to a national party convention.

(1) Representation;
(2) Bargaining;
(3) Deliberation; and
(4) Education.

This chapter attempts to examine the existing structure of the Democratic National Convention in the light of these purposes.

The convention itself is a three-stage process. The first stage involves advance-planning. This stage has traditionally been handled by the Democratic National Committee. The second stage, which occurs in the immediate pre-convention period, encompasses the work of the various convention committees—on rules and order of business, credentials, platform and resolutions, and permanent organization. The final stage of the process is the convention itself. In this chapter, each phase will be analyzed in turn.

Advance-planning for the convention: The work of the Democratic National Committee

Theoretically, the Democratic National Committee is a frail and dependent entity, existing merely as "the agency authorized to act in behalf of the Party during intervals between Conventions." The *Democratic Manual* describes it as the "creature of the National Convention and, therefore, subordinate to its control and direction."

In fact, the DNC *is* an ineffectual and dependent body. But its master is less the convention—either the preceding or succeeding convention—than the committee's own elite executive committee, its chairman and, when a Democrat is in the White House, the president. Because the chairman has, practically speaking, complete control of the DNC, he has made the *Manual's* evaluation of the DNC apply, in reverse, to the convention itself: that is, it has become the "creature" of the DNC. The convention, as represented by its governing procedures and principal officers, is "subordinate to [the DNC's] control and direction." To date, the record made by this year's Democratic National Committee and its able chairman, the Honorable John Bailey of Connecticut, in no way contradicts this tradition of DNC domination.

The DNC as a Legal Creature

As a legal entity, the Democratic National Committee has two aspects: (1) membership and officers and (2) its official mandate, the tasks assigned by the convention.

Membership in the DNC

The committee is composed of one man and one woman from each state, territory and district. At present, there are 110 members. Because of this size, the meetings, which may be thought of as small conventions, are held only every six months and often are suspended. Committeemen and committeewomen are selected by a variety of methods—the choice of method being left to each state, district or territory. Although nominated *before* each convention for a four-year term, and confirmed early in the convention proceedings, they do not presently replace outgoing committee members until *after* the convention.

Officers of the DNC, who need not be members of the committee, are selected principally by the committee, the remainder by the chairman, in the meeting immediately succeeding the convention. Between meetings, the committee's powers are exercised by an executive committee, composed of representatives from the various regions of the country and, in particular, by the chairman, who is empowered with "full authority to exercise the executive powers of the Committee," and is required to "submit to the members of the National Committee a written report of its activities at least annually." (The implication that, without the chairman's written report, the individual members of the committee would not know what "its" activities were, is not without some foundation in fact.)

The Official Mandate of the DNC

The *Democratic Manual* sets forth the duties and powers with which the DNC is invested. Among these, the most significant are:

a. Control and direction of the national campaign.

b. Creation of committees and subcommittees deemed necessary to the proper prosecution of its work.

c. Election or appointment of additional officers of committees who may or *may not be* members of the National Committee.

d. Maintenance of national headquarters at Washington and in the Convention city during sessions of the Convention, supplying information, enlisting Party cooperation, carrying out Party mandates and contributing to fulfillment of Party pledges.

e. Maintenance of press, radio and television service, speakers' bureaus, club and organization supervision, supplying literature, speakers, organizers and Party representatives.

f. Financing of Convention and campaign expenses and supervision of related expenditures.

The rules of the DNC elaborate the highly significant tasks which it carries out in connection with the convention itself:

1. Fixing the time and site thereof;

2. Authorization of the Call for the National Convention;

3. Determination and apportionment within authority granted by last National Convention of number of delegates and alternates. . . .

4. Preparation of temporary roll of delegates and alternates accepted as prima facie correct pending action on contests reported by the Committee on Credentials for disposition by the National Convention, including judging of contests for listing on temporary roll;

5. All physical arrangements. . . .

6. Arrangements for seating delegates, alternates, press, radio and television representatives and visitors;

7. Appointment of temporary officers, including the Temporary Chairman, subject to the approval of the National Convention;

8. Creation and designation of such committees, and the exercise of such further powers as may be necessary to the planning and production of a well-organized and efficiently managed National Convention.

These powers clearly give the DNC considerable freedom to shape the tone and affect the outcome of the convention, despite the supposed premise that its status is purely subordinate to the convention. Political exigencies hand over these legal powers to the chairman of the DNC with the result that his will and preferences become virtually insuperable.

The DNC as a Political Animal: The Dominance of the Chairman

According to the rules, the chairman of the DNC is elected by the committee. In fact, the chairman is selected in election years by the party's presidential candidate, by the president if the party is in the White House, and usually by a process of consent and compromise among party leaders if the party is not in power. A party presidential candidate or a president is recognized as the leader of the party, and it would be impossible for him to tolerate a party chairman who held views inconsistent with his own, or who was uncooperative.

For several reasons, the committee exercises little or no control over the committee chairman and staff. Continuing interest or activity is extremely difficult to sustain with only two meetings a year and, absent staff work, every meeting will be *de novo*. Because of the size of the committee and its geographic heterogeneity, it is virtually impossible for its members to develop any infrastructure or cohesion.

The chairman and his staff step into this power vacuum, especially when a Democrat occupies the White House, because he is understood to be acting through the chairman. In controlling the committee, the chairman holds all the cards: through the staff, he is the only person in contact with all the members; he can do favors by dispensing patronage or getting speakers into the state or party functions; he controls the time and place of the meetings, is chairman of the executive committee and sits as chairman of all DNC meetings Most important, as Paul T. David, Ralph M. Goldman, and Richard C. Bain have noted, the chairman is in command of "strategic information largely unavailable in written form." He is thus the "central link in a most extensive and complex network of word-of-mouth communication. . . ."

The Role of the DNC and Its Chairman in 1968

The role of the DNC and especially its chairman has been important in preparation for the 1968 Democratic National Convention. This is partially due to the acumen and energy of Mr. John Bailey who has filled the post of chairman since 1961. The present chairman's exceptional importance is also due to the uncommon turbulence of the campaign for the 1968 nomination. Finally, his predominance results from the sensitive and explosive matters entrusted to the DNC by the 1964 convention.

Party standards for racial discrimination

At the 1964 Democratic National Convention, the long-simmering conflict between deep South segregationists, on the one hand, and blacks and Northern liberals on the other, came to a head. The confrontation between the "regular" Mississippi delegation and the challenging slate of the Mississippi Freedom Democratic Party produced a "compromise" settlement which was accepted by the convention. As one part of the arrangement, the DNC was instructed to appoint a special equal rights subcommittee to draft nondiscrimination standards for the seating of delegates to the 1968 convention.

In January 1965, the DNC appointed a subcommittee consisting of 18 members to which was added the membership of the DNC executive committee. In April 1966, this subcommittee issued its report to the DNC. Although the report noted that "open" discrimination had marked some elements of the party, it asserted that efforts to eliminate it were meeting with success and the subcommittee recommended that they needed to be pursued.

The report did not recommend that specific actions or rules be adopted by the DNC or the convention. One of the members, however, Mrs. Mildred Jeffries, together with the associate counsel, Joseph L. Rauh, Jr., recommended that state parties be required to take affirmative steps to ensure black participation in party affairs. Additionally, if blacks comprised less than ten per cent of the delegation from any state where they constituted more than twenty per cent of the population, the party would have to justify the disparity Mrs. Jeffries and Mr. Rauh also recommended that the Credentials Committee be empowered not only to deny seats to a delegation failing to meet these requirements, but also that it be instructed to seat rival delegations which met them.

The equal rights subcommittee rejected the Jeffries-Rauh percentage-standard on the ground, according to DNC Chairman Bailey, that it would have required the party to adopt quotas for other minority groups. Instead, a letter signed by subcommittee chairman Richard J. Hughes of New Jersey was sent to all state parties emphasizing the party's "determination" to enforce the resolution adopted at the 1964 convention requiring nondiscrimination. The letter also stated that if official delegations were found to be in conflict with the nondiscrimination resolution of 1964, the 1968 Credentials Committee would seat rival delegations "broadly representative" of all portions of the party in the state. The administration of this nondiscrimination policy became one of the most critical tasks assumed by DNC Chairman Bailey in planning for the 1968 Convention.

The DNC and Advance Planning for the 1968 Convention

On January 8, 1968, the planning process was officially begun. On that day, the full DNC met to approve proposals drawn up by the Chairman and the staff. The committee issued the official call for the 1968 convention, which restated the 1964 nondiscrimination resolution and the loyalty proviso adopted in 1956—the outcome of a controversy generated by Southern refusal to participate in party support for racial equality.

The committee also approved the formula for apportionment of delegates proposed by Chairman Bailey. Essentially, it was the same formula adopted in 1964, providing bonus votes for states which went Democratic in the last election, and allotting two full votes to the state's national committeeman and national committeewoman. Perhaps nothing demonstrates the power of the DNC better than its ability to determine that each of its members would automatically become a delegate to the convention. When the committee first initiated the practice in 1960, as part of a new allotment formula which unsuccessfully tried to eliminate the malapportionment caused by the bonus system, each committee member was given a half vote. In 1964 this was increased to a full vote.

The committee also authorized Mr. Bailey on January 8, 1968 to convene convention committees and to appoint temporary chairmen thereof in advance of the convention. This last power was extremely critical, in view of the likelihood of challenges to certain delegations on racial grounds, and also because of the possibility of challenges on grounds of unfair procedure due to the nescent struggle within the party to replace President Johnson by a nominee committed to ending the Vietnam war.

By January 1968, this internecine struggle already showed signs of splitting both party and convention wide open. Senator Eugene J. McCarthy had declared his candidacy for the presidential nomination in opposition to President Johnson. Chairman Bailey, announcing the January 8 actions of the DNC, informed the press with disarming ingenuousness of his own sympathies in the campaign for the nomination. Recognizing that there had been "some differences" within the party, Chairman Bailey said nevertheless that "We *know* who our nominees will be . . . we will gather next August to nominate our President, Lyndon Johnson, and our Vice President, Hubert Humphrey."

Although the Chairman's certainty that the incumbent President would be renominated has proven misplaced, his fealty to the White House has not visibly eroded. The political and legal powers put at the Chairman's disposal by his position have made his loyalty a significant factor in the structuring of the convention's procedures, and its results.

Among the most significant of these powers have been:

The power to convene committees and appoint chairmen thereof. On June 18, Chairman Bailey announced the appointment of New Jersey Governor Hughes, former chairman of the special subcommittee on equal rights, as Chairman of the Credentials Committee. He also announced the appointment of Illinois Governor Samuel Shapiro to head the Committee on Rules and Order of Business and of Louisiana Representative and Majority Whip Hale Boggs as Chairman of the Platform Committee. These appointments were denounced the following day by McCarthy campaign aide Stephen Mitchell, as men who were favorable to the White House and to the continuation of current foreign and domestic policies. Mitchell further claimed that McCarthy forces had not been consulted by Bailey in the selection of committee chairmen. Bailey did not deny this charge, but explained to the press that Senator McCarthy had not appointed a liaison soon enough to participate in the process of selecting committee chairmen.

The power to appoint temporary and permanent chairmen of the convention. On June 18, Chairman Bailey also announced appointment of Senator Daniel K. Inouye of Hawaii as keynote speaker and temporary convention chairman, and of Oklahoma representative Carl Albert as permanent chairman of the convention.

The power to make physical arrangements for hotel and office space. This power can be of strategic importance to contending forces in a campaign. Charges have been continually filed against DNC Chairman Bailey by McCarthy campaign headquarters as well as from lesser insurgent quarters that denials of adequate working and living space by the DNC were deliberately aimed to place them at a disadvantage.

Arrangements for seating delegates, alternates, press, radio and television representatives and visitors. On June 18, Chairman Bailey also announced the appointment of himself as Chairman of the Arrangements Committee, whose membership was made coextensive with that of the Executive Committee. The success of insurgent candidacies, such as that of Wendell Wilkie in the Republican Convention of 1940, or those of "peace" forces in the Democratic Convention of 1968, may depend on the presence of enthusiastic "visitors" to the convention and on the exposure of demonstrations and other convention activities to a nationwide audience through the press and especially through television coverage. It is therefore not surprising that the question whether certain television cameras will be permitted on the floor of the convention has become sensitive this year. Normally, it is in a party's interest to have maximum coverage of its convention. This year, however, the enthusiasm of the DNC Chairman for extensive TV coverage has been somewhat muted; on July 23, Chairman Bailey in a joint press conference with Chicago Mayor Richard Daley announced that the convention would be held as planned in Chicago, whether or not the strike of the communications workers in that city had been settled by August 26, and that a "Convention without television coverage [was] a possibility." At this writing, television coverage of the convention itself is planned, but coverage of convention-related activities contiguous to the International Amphitheater may not be possible.

Most important among the housekeeping powers assigned the DNC Chairman is the power to make arrangements for security at the convention. Considerable attention has been devoted by the press to the elaborate steps allegedly being taken by Chairman Bailey to clamp down on the vigorous expressions of dissident sentiments at or near the convention. Columnists Rowland Evans and Robert Novak reported in the July 11, 1968, edition of the *Washington Post* that:

"Security arrangements at the convention, a group endeavor by Mayor Daley, the National Committee, and the Secret Service, are being touted as airtight—an impenetrable series of what amounts to concentric circles of checkpoints starting several blocks away from the International Amphitheater. This year no single badge will admit delegates, the press, or the public. Under present plans, separate tickets will be needed for each day, with perforated portions that will be torn off by security guards at each successive check-point. The purpose is not only to protect the President, but also to prevent disturbances on the floor (or near the convention) by Negroes, students, and other demonstrators that might be picked up by television for nationwide viewing. The idea is to hermetically seal the International Amphitheater from outside influences, and give convention managers total control."

In sum, before the delegates actually assemble for the 1968 Democratic National Convention the Chairman of the Democratic National Committee will have made several critical and crucial decisions relating to the nominating process. Among the matters which he will have decided are:

The apportionment formula by which delegates are meted out to the several states.

How to resolve conflicts over the question of discrimination by party organizations, and how hospitable in fact the party was to be to Negro efforts to participate in party affairs.

Who will be chairman for each of the committees which will have jurisdiction over the various explosive questions of race, loyalty, the procedural rules for the convention which in the nature of things will be substantially determined before delegates to the convention arrive in convention city.

Who will be the temporary and permanent Chairmen and other officers of the convention, who will hold enormous official and *de facto* discretion to recognize or ignore motions, speakers, requests for rulings, or for roll-call votes, and so forth.

The security arrangements which minimize the potential for expression of views hostile to administration policies and to the wishes of the convention managers (who are themselves under the Chairman's control and direction).

Conclusions and Recommendations About the DNC

There are several aspects of the present structure and operation of the Democratic National Committee which merit scrutiny and possible revision. Among these are:

Fair Apportionment. At present, each state has two members on the DNC. Equal representation for very small and very large states is clearly incompatible with democratic principles. Since the post of committeeman has been essentially honorary, protests against this denial of democratic representation have been muted. Since 1960, however, Illinois National Committeeman Jacob Arvey's proposal that each state's committeemen be given voting power weighted in proportion to their state's floor vote has gained interest among those concerned with party vitality.

The Commission *recommends:* that the 1968 Convention require weighted voting in the DNC in proportion to the convention voters of each state, territory, and district.

Secrecy. The enormous power of the Chairman and the staff of the DNC is largely rooted in their control over secret and strategic information, including the content of decisions made by the Chairman on behalf of the Committee and the Convention.

The Commission *recommends:*

a. That minutes be kept of all Committee and Executive Committee meetings; that all decisions made by the full Committee, the Executive Committee, or the Chairman, be made on the record, except when the membership duly determines that a matter is suitable for discussion in executive session; that all decisions made by the Chairman which must be confirmed by the full Committee be accompanied by a written explanation; and that all of the foregoing information be readily accessible to the public for study and reproduction.

b. That all other records kept by the DNC be available to any member of the public, and especially, to party members, for copying or other purposes.

Control of Convention Arrangements and Appointments

The Party needs an able DNC chairman and staff to look after its affairs between conventions. But the chairman should not exert unnecessary control over the convention.

The Commission *recommends:*

a. That the full Committee select the Committee on Arrangements and that the Chairman of the DNC be prohibited from serving as Chairman of that Committee.

b. That only *newly* elected DNC members be seated as delegates at the convention.

The immediate pre-convention process: the work of convention committees

Each state, territory and district has two members of each convention committee. The 1960 Convention requested that names of committeemen be submitted at least fourteen (14) days before the convention. Committee chairmen are appointed much earlier. This year their appointments were announced June 18 by DNC Chairman Bailey.

Like the Democratic National Committee, the convention committees tend to be large, unwieldy units which lack the cohesion, information and time to become effective decision-making bodies. Often, they serve merely to give the stamp of legitimacy to decisions of their chairmen.

The chairmen are always important party members, highly respected in their own right. They are not pawns of the DNC Chairman, but since they are appointed by him, they tend to reflect his views. Furthermore, a lack of time, information and staff severely limits their capacity for independent and considered judgment of the issues.

The Committees tend to be more political than deliberative, their decisions the product of behind-the-scenes bargaining and pressure.

The four major committees are:

The Committee on Rules and Order of Business;

The Committee on Credentials;

The Committee on Resolutions and Platform; and

The Committee on Permanent Organization.

The *Democratic Manual* requires members of these committees to meet in convention city whenever the DNC Chairman calls them prior to the convention. They proceed as *de facto* bodies, in anticipation of later confirmation by the Convention. The members are paid a *per diem* expense allowance during the advance meetings, at a rate set by the DNC Chairman.

In practice, the committees do not meet long before the convention. This year the Credentials Committee will meet on August 19, one week before the convention opens. That is early, when compared with prior years. The early date was set in anticipation of intense credentials battles.

The Credentials Committee has had a staff working under an experienced and highly competent staff director since the second week of August. The preparation of the Credentials Committee represents a distinct improvement over past years, but it is nonetheless inadequate to produce meaningful deliberation and judgment by committee members. Considerably more precarious, however, is the situation with the Committee on Rules and Order of Business. This year the Rules Committee will meet on the 22nd of August. Its staffing was not begun until the second week of August, and its Chairman, Governor Shapiro, has not had time to confront the issues which might be put before his Committee, let alone to formulate issues on his own. As of August 15, his staff knew of only one issue which the Committee would consider.

Reports by the committees must be submitted to the full convention, where the question of their approval is voted on. A minority of a committee which disagrees with the committee report may submit a minority report. If the minority exceeds ten per cent of the total membership of the committee, its report must also be voted upon by the convention.

On balance, the convention committees behave as legislative bodies; even the Committee on Credentials establishes standards at the same time that it decides whether to accept the credentials of contesting or contested delegates. But even though the committees' responsibility is inherently discretionary, their decisions should be reasoned judgments, made on the public record, with full opportunity for appropriate public participation.

The Commission therefore *recommends:*

a. That the committee chairmen be appointed far enough in advance of the convention to apprize themselves of the issues and that each chairman assemble an independent staff adequate to deal with the problems before the committee at least one month before the convention;

b. That all committee hearings and meetings be conducted on the record, and that the record be accessible to the public immediately following the close of the committee's deliberations;

c. That the Committee on Platform and Resolutions be required to conduct regional public hearings, as suggested this year by Vice President Humphrey. In this way the great potential of the platform committee, to provide a public forum for proposals from the grass-roots party membership, might be realized.

The final round: Democracy on the convention floor

The incalculable expenditure of resources that goes into a campaign for a presidential nomination is ultimately aimed at influencing a single event—the proceedings on the floor of the convention after the chairman of the National Committee first calls the delegates to order. By the same token, all the reforms which have heretofore been suggested for state delegates selection systems, for advance planning by the Democratic National Committee, and for the pre-convention deliberations of the convention committees, are also focused on that same moment. Earlier parts of the process are—or should be—mainly designed to ensure that the first ballot genuinely represents the wishes of the voters at the grass-roots level.

Although the convention itself is rightly intended as much as a forum for deliberation and bargaining as it is for simple representation of popular preferences, its most noted—and noteworthy—defects today concern its representative function. Some convention rules which would help to assure that the convention is representative are discussed below.

Abolition of the "Unit Rule"

Since the Democratic Party's first convention in 1832, the votes allocated to each delegation have been reported by a spokesman selected by each delegation. After informal development, the custom of allowing each state delegation (i.e., a majority thereof) to decide how to cast votes allocated to it was codified in the rules of the 1852 convention. In 1860, the rules provided that when any state did not provide its state convention with instructions on how the state's national delegation votes were to be cast, the national convention would recognize the right of every delegate to cast an individual vote. But no effective provision for the recognition of a minority vote within a delegation was made.

In this haphazard fashion, the basis was laid for the "Unit Rule," an institution unique to the Democratic Party which has persisted to the present day. This rule, as adopted in previous Democratic National Conventions, requires that the entire vote of a state be cast in accordance with the wishes of a majority of the state delegation regardless of the wishes of the minority, in all states where a state convention has instructed the delegation to observe the rule. Thus, if a state delegation instructed to observe the unit rule has 100 votes, 51 delegates may determine the casting of the entire 100 votes, regardless of how the other 49 delegates wish to vote. Under the unit rule the entire 100 votes of the state will be recorded in accordance with wishes of the majority.

In 1868 and 1884 attempts were made to abolish the unit rule, and to follow the Republican practice of requiring delegation spokesman to report the actual vote within their delegations. Defeat of these attempts was due in large part to states' rights sentiment in the party.

As late as 1892, presiding officers at Democratic conventions refused to go behind delegation votes as reported. Borrowing from the well established Republican practice, however, the 1896 chairman recognized the right of a delegate to challenge the vote of his state's delegation, as reported to the convention, and to demand a poll of the delegation (in that case, the delegation was bound by the unit rule, and the question was whether the spokesman's report accurately reflected majority sentiment within the delegation). The right to demand such a poll has continued to the present.

Unit rule practice in the Democratic Party became settled in 1912, when it was decided that the national convention should not enforce the unit rule for delegations which were chosen in a state primary. If delegates elected in a primary were to be bound, it was decided, enforcement should be left up to State law and not to the National Convention.

Thus the unit rule today only applies when delegates are selected at a state convention rather than by a primary election. Delegates elected in a primary cannot be bound to a majority decision within their delegation. Furthermore, the rule applies only when there *is* a majority—in case of a vote which is tied or split several ways without any majority, individual votes are recorded. The rule has been gradually falling out of favor; it has been abandoned by at least 10 of the 22 states which have used it frequently since 1896. It is mainly used by eight southern states. Of the large northern states, all but Michigan have primaries, and Michigan has not adopted the unit rule since 1956.

In 1960, a proposal was made in the national committee that it recommended that the convention abolish the rule. The proposal was made by Rawlings of Utah, and seconded by Jessen of Wisconsin. It was opposed by Bailey from Connecticut, Clayton of Mississippi, Skelton of Texas, Arvey of Illinois, Potter of Delaware, Theis of Kansas, and Davidson of Oregon, arguing that, absent the rule a state's delegation would be less representative, because instead of including all substantial views on its delegation a state convention would be sure that every delegate held the majority's views.

There was also some feeling that a state ought to be able to ensure that its delegation all vote as the majority of the state convention delegates would wish. Of course, the unit rule does not guarantee this. But in any event, Democratic conventions have declined (at least since 1912) to enforce instructions imposed on delegates elected in a primary—regarding that as a matter between the delegate and his constituency.

The Republicans, as indicated above, have never enforced a unit rule—their delegates have always been allowed to cast individual votes. From time to time delegations have come instructed to vote as a unit, but whenever the question has arisen, the convention has refused to enforce the unit rule against an unwilling delegate. This practice has been justified on the explicit ground that it is for the national convention itself—not for any state or its convention—to determine the procedures by which nominating votes are counted.

The main arguments in favor of the rule are either obsolete (the difficulty of building a two-thirds majority as was required for nomination before 1936), deserving of other solutions (if some states would otherwise exclude all minorities from the delegation, then a system is needed to ensure minorities a meaningful voice) correct but unappealing (the rule may enhance the power of a state which uses it—but this is unfair unless all states can use it: besides it is more the power of certain party workers than the power of the state which is enhanced) or simply irrelevant (if states' rights arguments were to prevail a unit rule might logically be required in the House and Senate if the state so wished).

The unit rule has been under especially severe attack during the present campaign. Senator McCarthy's campaign has made the rule a prime target. Vice-President Humphrey, who would lose a few votes if the rule were discarded, has also criticized it.

The Commission *recommends:*
that the convention abolish the unit rule and henceforth refuse to enforce any instructions by a state party to bind all delegates to the choice of the majority. If any member of a delegation objects to his chairman's report of the votes of the members and requests that the chair order that the delegation be polled, the chair shall so order and record the votes as polled.

A Rational Standard for Party Loyalty

"Party loyalty" has been one of the most explosive issues at national conventions for the past twenty years and yet it is an issue which is little understood. It is sometimes assumed that "party loyalty" refers to a delegate's support of his party's presidential nominee. The truth, however, is that, under present standards, a delegate need not intend to support his party's nominee in order to pass the party's "good faith" test of party loyalty. As Hubert Humphrey pointed out at a 1954 meeting of a DNC subcommittee in New Orleans, a delegate should not be bound to violate his conscience; he should have the right not to support the nominees of the convention, depending on who they are and what they say.

What "party loyalty" does require in the Democratic party is that delegates act in good faith to see to it that Democratic electors pledged to the party nominee appear on the state election ballot.

The first modern convention battle over party loyalty occurred in 1952, as a response to the Dixiecrat bolt of 1948. In that convention, a resolution was adopted which was proposed by Michigan Senator Blair Moody, which imposed on all delegates an affirmative duty to pledge:

That he will exert every honorable means available to him in any official capacity he may have, to provide that the nominees of this convention for President and Vice President, through their names or those of electors pledged to them, appear on the election ballot under the heading, name or designation of the Democratic Party.

Before the 1956 Convention, the DNC Chairman, Stephen A. Mitchell, now campaign aide for Senator McCarthy, appointed a Special Advisory Committee on Rules and Procedures to recommend further action on the loyalty question to the full DNC. The Vice-Chairmen of the Special Committee were ex-Virginia Governor John S. Battle, and then-Senator Hubert H. Humphrey. On the recommendation of this Special Advisory Committee, the DNC modified the Moody Resolution. Loyalty was defined by the same criteria—in terms of the delegate's willingness to have the convention's nominees represented on the ballot in his state—but the presumption of disloyalty implied by the Moody pledge procedure was reversed; all delegates were presumed loyal, unless their credentials were challenged, in which case they were required to demonstrate affirmatively that they were loyal—presumably by pledging their willingness to assure the Democratic nominees a place on their state's ballot. In addition, a "good faith" provision was added. As incorporated in the Call to the 1956 Convention and in each successive Call the loyalty requirement says:

"(1) It is the understanding that a State Democratic Party, in selecting and certifying delegates to the Democratic National Convention, thereby undertakes to assure that voters in the state . . . will have the opportunity to . . . cast their election ballots for the Presidential and Vice-Presidential nominees selected by said Convention, and for electors pledged formally and in good conscience to the election of these Presidential and Vice-Presidential nominees, under the Democratic Party label and designation;

"(2) It is understood that the Delegates to the Democratic National Convention, when certified by the state Democratic Party are bona fide Democrats who have the interests, welfare and success of the Democratic Party at heart, and will participate in the Convention in good faith and therefore no additional assurances shall be required of Delegates to the Democratic National Convention in the absence of credentials contest or challenge."

In 1968, the loyalty question is again before the convention, in respect to Southern delegates as usual, but also, for the first time in recent years, regarding Northern liberal delegates who have voiced uncertainty as to whether they will be able to support any nominee who does not vow to end the war in Vietnam. Since there appears to be no evidence that these Northern doves have any intention of denying the party nominee the Democratic electors' place on the electoral ballot, acceptance of the attack on their loyalty would involve a theory of party loyalty which the modern Democratic Party has never imposed.

The Commission *recommends* that the party continue to apply the traditional meaning of party loyalty, as embodied in the Call of the 1968 Convention. The Party has a legitimate interest in making certain that all of those who participate in the Democratic National Convention help to see to it that the Democratic voters in their state have an opportunity to vote for the convention's nominees.

Seating of Newly Elected Members of the Democratic National Committee as Delegates to the Convention

Under present rules, 110 votes are cast at the convention by members of the DNC, who were elected to their positions four years ago. There is no reason why any individual selected so long before the issues in contest at the present convention should cast a vote therein. For the convention to allow 110 such votes to be cast, a total which could easily be decisive in a close contest for the nomination, is altogether incompatible with the aim of securing a genuinely representative convention.

The Commission therefore *recommends* that the 1968 Convention require that members of the DNC be selected at least two weeks before the start of the national convention and that only newly selected DNC members be seated as delegates.

Rights of Contested Delegates To Participate in Convention Votes Before Their Credentials Are Approved by the Convention

According to the Tentative Convention Program in the *Democratic Manual* the report of the Committee on Credentials will not be presented to the convention for approval or rejection until the second session, and until after the reports of the Committee on Permanent Organization and the Committee on Rules and Order of Business have been presented. This procedure would allow contested delegates to vote on matters which may be vital to their own interest—for example, rules may well be offered by the Rules Committee which could reinforce or strengthen challenges to their own fitness to serve as delegates. The procedure also would permit delegates who may later be found unqualified, to be seated to vote on critical matters, which may go to the heart of the nominating process, and to provide the balance of power in the convention among various elements and interests in the party. By putting off the credentials report to the second day and putting no restrictions on the voting rights of contested delegates, the convention also would enable such delegates to participate in matters potentially critical to their status on the first day's session—such as confirmation of members of the convention committees, including the Rules and Credential Committees.

This situation is potentially inimical to representative principles, in that it allows delegates elected by undemocratic means to vote on important convention matters. The procedure is inherently unfair, as it allows delegates who are, in effect, on trial, to be a judge, if not in their own case, at least in disputes which may bear intimately on their own case.

The problem could be solved by keeping the order of business the same as it has traditionally been, but forbidding contested delegates from voting at all, until their credentials are confirmed, or by forbidding them from voting on matters related to their interest. Neither of these solutions is sound, however. The first is unfair to those delegates whose credentials are eventually approved. The second would be impossible to administer and inefficient.

Therefore the Commission *recommends:* that the convention amend the traditional order of business to make the presentation of the report of the Committee on Credentials item number eleven of the first session, to follow the adoption of temporary rules. The Commission further *recommends:* that, if any delegation is challenged in the Committee on Credentials and that challenge results in a recommendation against seating that delegation in either the majority report, or in a minority report which qualifies to be filed (i.e., by a 10% vote of the Committee), the Committee on Credentials shall notify the chairman of the convention and upon such notification, that delegation shall not be permitted to vote on any question, until it is seated by the convention after presentation of the report or reports of the Committee on Credentials; *provided that* if the majority and/or minority reports submitted by the Committee on Credentials recommend against seating delegates who comprise 20% or more of the total voting power of the convention, then all delegates shall be allowed to vote on all motions except questions directly pertaining to contests regarding their own credentials, until and unless their credentials are rejected by the convention.

Payment of Expenses of Delegates on a Per Diem Basis

As other sections of the Commission's report show, delegates to the Democratic National Convention do not represent a cross-section of the nation's population. In particular, the delegates include virtually no representatives of the poor, or even of the working classes. This situation is intolerable. It mocks the purport of the party to represent all sectors of the population, and particularly its claim to represent the poor. In effect, it represents a denial to the disadvantaged of full participation in American politics—as it is hardly appropriate to rely on the Republican Party to compensate the less well-off for their lack of participation in the affairs of the Democratic Party. The party ought at least to make a small step at the national level to bring into the nominating process representatives of classes who are missing from the current rolls.

Therefore the Commission *recommends:* that the DNC formulate a per diem expense allowance system to assure that no potential delegate is unable to participate in the convention solely for financial reasons. Ample precedent for such a rule is provided by the rule that members of the convention committees who are summoned to the convention city by the DNC Chairman before the convention begins be given a per diem allotment for their stay.

Elimination of Racial Discrimination

Judging by the number of black Americans participating in the 1968 convention, the Democratic Party, which has always claimed to represent the Negro, and which, indeed, will earnestly seek his support in this as in other Presidential election years, has a long way to go before the black communities of the nation are genuinely represented in the selection of the candidate who will seek their votes in November. Less than 175 of the delegates, and 125 of the alternates at the 1968 convention are Negro. Moreover, about 90 of the black delegates will cast only a ½ vote. Mexican-Americans, Indians, and other substantial racial minorities are all but unrepresented, despite their relative concentration in certain well-defined geographical areas.

In response to the challenge to the Mississippi delegation brought by the Mississippi Freedom Democratic Party in 1964, the Democratic National Committee formulated a ban on racial discrimination which was incorporated in the Call to the 1968 convention:

"It is the understanding that a State Democratic Party, in selecting and certifying delegates to the Democratic National Convention, thereby undertakes to assure that voters in the State regardless of race, color, creed, or national origin will have the opportunity to participate fully in Party affairs."

This resolution, with the accompanying power to reject delegate certification, can be the instrument that completes the racial integration of the Democratic Party. This was the clear intent of the delegates to the 1964 Convention who contributed the operative language. They deserve to be taken at their word. They do not deserve to have their words mocked, to be twisted into a mandate merely for tokenism. To the short-sighted, tokenism may appear to be the easy way out. In the not very long view, tokenism will destroy the credibility of this Party and of its premises. It will bring catastrophe, politically as well as morally.

Anything less than full access to every level of party activities negates the Democratic Party's claim to offer an authentic vehicle for black people's political interests. The 1964 Democratic Convention, faced with a challenge to the credentials of the lily-white Mississippi delegation, made a commitment to eliminate racial discrimination from the state parties that would be represented at this year's convention. It passed a resolution substantively incorporated in the 1968 convention Call and the Credentials Committee's challenge rules, requiring that state parties seeking certification for their delegates assure Negroes an opportunity for full participation in party affairs.

This is an historically important commitment. In politics, as in the economic and social life of the United States, black people have been under-represented for a century. Even today, despite substantial progress under the Voting Rights Act, Negroes account for a smaller percentage of registered voters in almost every state than their percentage of the population would indicate; and in the South the difference between the two figures is dramatic.

The Democratic Party has taken the lead, since the 1950's, in making available to Negroes the political opportunities they have systematically been denied in the past. It was a Democratic congress, organized by President Johnson, that passed the Civil Rights Act of 1957, which for the first time since Reconstruction applied the power of the federal government to assure black people their right to vote. The Civil Rights Acts of 1960 and 1964, strengthened its provisions; and in the 1965 Voting Rights Act, an effective enforcement mechanism was finally created. This was the work of a Democratic president and a congress with large Democratic majorities.

Full political participation, however, requires an entree to intra-party proceedings as well as general elections—a fact recognized since the white primary cases of the 1940's. Under a two-party system, a role in party affairs is the principle vehicle for sharing in political power and representing a group's interests. Legislation and administrative enforcement can guarantee this role only to the extent of protecting a group's right to vote in primaries. It is the party's responsibility to assure participation in less formal, but no less important party procedures—precinct meetings, committee memberships, etc.

The black people of the United States have made it clear that the Democrats are the party from which they expect to obtain this opportunity for full participation. More than 90% of their votes in 1964 were cast for the Democratic presidential candidate.

The Call for the 1968 convention meets this challenge by imposing an obligation on state parties to assure Negroes an opportunity for full participation in party affairs. This is not a promise that can be satisfied by tokenism—a few black delegates or even substantial representation without participation in the political process that precedes a convention.

The Commission *recommends:* That in considering challenges the committee take the 1964 convention at its word and demand from challenged slates evidence of vigorous efforts by the state parties to end racial discrimination. This would mean:

Examining the full range of party activities. In interpreting the Call, there is no easy distinction between party affairs in general and those directly related to the delegate selection process. It is often the permanent party officials in primary states who choose the candidates for delegate positions. Elsewhere, state committees select delegates directly without having to submit their choices to the voters. Such procedures depart from the democratic principles which should govern the delegate selection process. But so long as they are in effect, it is essential that Negroes have an opportunity to participate in the grass-roots political activities from which delegate-selection power ultimately derives.

Moreover, the 1964 convention in its choice of words did not limit the scope of the mandate to activities directly concerned with delegate selection. The people who framed the language referred to full participation in party affairs, and the committee should give the phrase the broad scope intended. A governor or state committee can handpick a respectable number of Negroes to serve on a state delegation, without conceding any real political influence to the black community. Only opportunities for grassroots participation can assure them of a significant role in the party.

Governor Hughes' letter of July 26, 1967, to the state chairmen suggests certain basic elements of voter participation in party affairs: open and fully publicized party meetings, adequate notice of the requirements and procedures for selecting party officials, etc. These are excellent guidelines for examining the vigor with which a state party has attempted to make opportunities for participation available to all voters, regardless of their race or their intimacy with the party's established leadership.

Shifting the burden of proof. In evaluating challenges, the committee will be faced with the difficult task of weighing the evidence presented. As a general matter, of course, a group challenging the regular party slate has the burden of proof. Certain facts, however, are such persuasive evidence of discrimination that they should have the effect of shifting the burden of proof. In particular, the burden should shift if:

a. There is a showing of exclusion based on race from any level of party activities; or.

b. The representation of Negroes on a delegation is grossly disproportionate to the percentage of Negro population in the state.

The committee's investigation would not end when one of these facts was demonstrated. The regular slate may still come forward and demonstrate that an instance of exclusion or a grossly unbalanced delegation is not part of a pattern or practice of racial discrimination. Nevertheless, it is appropriate that proof of either one should serve to shift the burden. Both are sufficient to create a strong presumption that the state party has not met its obligation to assure opportunities for full participation. Once this much has been established, the regular slate, in its connection with the state party, is best situated to produce the evidence necessary to permit a decision on the matter one way or the other.

Shifting the burden of proof has long been an established judicial mechanism in analogous situations. The courts in the voting rights and especially the jury selection cases have found the existence of a pattern of discrimination a very difficult question to determine. So long as substantial evidence has been produced to support the charge, the commission concludes that the state's evidence-gathering machinery is the party's best assurance of a fair decision in convention delegate contests.

Fair Apportion of Voting Power Among the States

It is basic to any democratic system of decision or selection that all individual participants must be treated fairly. In elections to state legislatures and to the lower house of the national legislature, the Constitution dictates that the only fair basis for apportioning voting power among individuals is equality; as far as election to these bodies is concerned, "one-man, one-vote" is the only acceptable formula. In contrast, the formula presently employed to apportion delegate strength and voting power among the delegations to the Democratic National Convention is more complex; it represents a number of objectives in addition to the primary objective of equality among individual voters. In evaluating the convention's apportionment formula, therefore, four questions must be considered:

1. Are the various objectives reflected by the present formula valid?

2. Are the objectives appropriately weighted (that is, are unimportant objectives favored too much at the expense of important objectives)?

3. Should other objectives be included?

4. Are alternative formulations available which reflect a superior mix of objectives and which are at the same time administratively feasible?

In this section, we will examine the present system of apportionment in the light of these questions.

How the present system works

Through an intricate series of national committee decisions during the past 24 years, the party has created a delegate apportionment system which incorporates at least four distinct objectives, or theories, of apportionment. As described in the Call for the 1968 Democratic National Convention, the formula works as follows:

1. Each state has three votes for each elector it sends to the Electoral College (or, three times the sum of its representatives plus its senators).

This rule reflects two objectives; first, the objective of equal representation among individual voters, insofar as the rule is based on the number of members of the House of Representatives (who are apportioned by the Constitution on the basis of population); second, the rule reflects the objective of equal representation of states, insofar as it is based on the number of Senators (who are apportioned on an equal basis among the states).

2. Each state has a bonus of one vote for every 100,000 popular votes cast in that state in the 1964 Presidential election who voted for the nominees of the Democratic National Convention, with the proviso that each state have a minimum of one such bonus vote.

This rule reflects the objective of equal representation among party members, or more precisely, among party supporters; in other words, this rule attempts to satisfy the maxim, "one Democrat, one vote."

3. Each member of the DNC elected by the 1964 Convention has one vote (there are two members from each state).

This rule reflects the objective of equal representation among states.

4. Each state which cast its electoral votes for the nominees of the 1964 Democratic National Convention has a bonus of ten votes.

This rule reflects the objective of rewarding victorious state party organizations.

5. The territories have 23 votes (including their representatives on the DNC), distributed as follows: Canal Zone—5, Guam—5, Puerto Rico—8, Virgin Islands—5.

This formula was not created at once; it evolved. Interestingly, its evolution—during which most of the non-populational factors were added—has been rather recent. Originally convention votes were allotted in proportion to Electoral College votes. There were two kinds of delegates from each state—one delegate representing each congressional district and two at large delegates (corresponding to the number of senators). Thus, except for the at-large delegates, votes were apportioned according to national population proportions, and, significantly, most delegates were thought to represent a definite segment of the people back home. Bonus votes were not awarded until 1944, when two bonus votes were given to each state that went Democratic in the last election. Since 1944, the party had added various bonuses, resulting in the present formula. As the bonuses were added, the idea that delegates represent the people back home was significantly eroded.

The present formula results in the distribution of votes set out in Table II, Column 1. It is very difficult to draw any conclusions from the vote distribution, so the Commission sought some measure of the relation of the voting power of each state at the convention to its population. Table II, Columns II and III and Graph 1 provide such a measure. Each state's proportion of the total number of convention votes is compared to its proportion of the national population according to the 1960 Census. (Since 1960 the bigger states have grown proportionally even larger, so the present malapportionment is probably greater than shown here.) If the apportionment of votes were directly related to population proportions, the resulting graph would be the 45° line shown; if votes were apportioned equally to each state, the resulting graph would be the horizontal line shown (not including the territories). As the graph indicates, the smaller states have a bigger share of the convention vote than their share of the population. Maine, New Mexico, Rhode Island and Utah each represent only .5% of the national population, yet they each have approximately 1% of the convention vote. Delaware has .2% of the population and .9% of the convention vote—over four times as much convention power as it would have if convention votes were distributed as the population is distributed.

TABLE II.—COMPARISON OF EACH STATE'S PROPORTION OF THE CONVENTION VOTES TO ITS PROPORTION OF THE POPULATION

State	Number of convention votes (1)	Percent of convention vote (2)	Percent of national population (3)	Col. (2) minus col. (3) (4)
1. Alabama	32	1.22	1.8	....
2. Alaska	22	.84	.1	0.74
3. Arizona	19	.72	.7	.02
4. Arkansas	33	1.26	1.0	.26
5. California	174	6.64	8.8	....
6. Colorado	35	1.33	1.0	.33
7. Connecticut	44	1.68	1.4	.28
8. Delaware	22	.84	.2	.64
9. Florida	63	2.40	2.8	....
10. Georgia	43	1.64	2.2	....
11. Hawaii	26	.99	.4	.59
12. Idaho	25	.95	.4	.55
13. Illinois	118	4.50	5.6	....
14. Indiana	63	2.40	2.6	....
15. Iowa	46	1.75	1.5	.25
16. Kansas	38	1.45	1.2	.25
17. Kentucky	46	1.75	1.7	.05
18. Louisiana	36	1.37	1.8	....
19. Maine	27	1.03	.5	.53
20. Maryland	49	1.87	1.7	.17
21. Massachusetts	72	2.75	2.9	....
22. Michigan	96	3.66	4.4	....
23. Minnesota	52	1.98	1.9	.08
24. Mississippi	24	.92	1.2	....
25. Missouri	60	2.29	2.4	....
26. Montana	26	.99	.4	.59
27. Nebraska	30	1.14	.8	.34
28. Nevada	22	.84	.2	.64
29. New Hampshire	26	.99	.3	.69
30. New Jersey	82	3.13	3.4	....
31. New Mexico	26	.99	.5	.49
32. New York	190	7.25	9.4	....
33. North Carolina	59	2.25	2.5	....
34. North Dakota	25	.95	.4	.55
35. Ohio	115	4.40	5.4	....
36. Oklahoma	41	1.56	1.3	.26
37. Oregon	35	1.33	1.0	.33
38. Pennsylvania	130	4.96	6.3	....
39. Rhode Island	27	1.03	.5	.53
40. South Carolina	28	1.07	1.3	....
41. South Dakota	26	.99	.4	.59
42. Tennessee	51	1.95	2.0	....
43. Texas	104	3.97	5.3	....
44. Utah	26	.99	.5	.49
45. Vermont	22	.84	.2	.64
46. Virginia	54	2.06	2.2	....
47. Washington	47	1.79	1.6	.19
48. West Virginia	38	1.45	1.0	.45
49. Wisconsin	59	2.25	2.2	....
50. Wyoming	22	.84	.2	.64
51. District of Columbia	23	.88	.4	.48
Territories	23	....	....	....
Total	2,622	....	....	12.64

Source: Col. (1) is from the "Democratic Manual for the Democratic National Convention of 1968." Col. (2) is computed from Col. (1). Col. (3) is from the U.S. Census, 1960. Col. (4) is computed from cols. (2) and (3).

Note: Graph 1—Proportion of convention votes vs. proportion of national population for each State [cannot be reproduced in Record].

Evaluation of the apportionment formula

As noted in the analysis above, the convention's present formula for apportioning voting power among delegations to the convention reflects four objectives:

(a) One man, one vote;

(b) One Democrat, one vote;

(c) Equal representation for states;

(d) Reward for victory.

The first two of these objectives are given predominant weight by the apportionment formula, in proper recognition of their superior importance as values. To a large extent the two objectives are, moreover, coexistensive. The number of Democrats in each state tends to vary in rough proportion to the number of people generally.

Objectives (c) and (d), on the other hand, conflict with the primary objectives of equal representation among members of the population and of the party. In the judgment of the commission, these latter objectives are accorded far too much weight under present practice.

Rewarding victory, the objective of the ten-vote bonus for those states in which Democratic nominees were successful in the 1964 presidential election, is not a valid objective of apportionment for the next convention. In the first place, the proper achievement to recognize is not victory—for the energy and ability of state party organizations is only one element, and likely not the most critical element, in the ultimate success or failure of Democratic nominees in a particular state. The proper quality to reward would be the effort of the state organization. A state party might put out an extraordinary effort and still fail to secure the defeat of the Republican nominee in its jurisdiction; conversely, a very ineffectual state organization might exist in a state where Democratic victory was attained—in particular, in states where Democratic success is more or less automatic, given the identity of the nominees and the nature of the issues.

The quality of a party organization's effort is not subject to measurement for purposes of fashioning an apportionment formula. Indeed, the present formula does reward state organizational effort through the rule assigning a bonus vote for each 100,000 Democratic voters in the immediately preceding presidential election. In the judgment of the commission, this rule provides adequate recognition for the efforts of state parties to generate support for the party's candidate.

But the most important vice of the reward-for-victory bonus rule is not that it seeks to achieve an improper objective. The problem is that the ten-vote bonus ends, whether by design or accident, in giving unnecessary weight in the overall apportionment scheme to the value of state sovereignty; it distorts voting power at the convention too far in the direction of equal representation among states, and thereby undermines the more fundamental objectives of equal representation among individual voters and party members and supporters.

In 1960, National Committee Chairman Paul M. Butler led a campaign to abolish the bonus system. He felt it had "greatly distorted representation" at the 1956 convention. As a remedy he suggested awarding additional votes to non-bonus states. The national committee adopted what it terms a "compromise". National committee members were each given one-half vote but the 1956 bonuses were left intact. This plan has not proved sufficient.

More than 30 states (each of which represents less than 2% of the population) have a greater proportion of the convention vote than their respective populations merit. Combined, they have a total of over 12% of the convention vote *more* than they would have if population proportions were the basis of vote apportionment. (See Table II, Column IV). That is not insignificant. To the extent that these small states all favor a policy or candidacy, the citizens of the larger and usually more urbanized states are significantly penalized. Even without such unanimity, the fact remains that citizens of some states are more powerfully represented than citizens of other states. As things are now, 10,000 Kentucky voters have one convention vote, while 10,000 Maine voters have two votes.

The Commission therefore *recommends:* that the rule allocating ten votes in each convention to states where Democratic nominees were victorious in the preceding presidential election be abolished and all such bonus votes be eliminated; and,

that seats no longer be awarded to members of the DNC, or that, in the alternative, that DNC members be seated as members of the delegation from their respective states, and be counted against the total number of seats otherwise allocated to each state.

Debate from the Floor: Increasing the Opportunity for Discussion of the Issues

Under the 1964 rules, committee reports are read and, at the conclusion of the reading of the report, the chairman of the committee is given thirty minutes to speak to the report or permit others to speak. The rules are silent as to the amount of time which is to be allowed for delegates to speak to the minority report(s). The rules provide that the minority report, when qualified to be presented, shall be presented immediately after the majority report; that both majority and minority reports are subject to amendment from the floor; and that voting shall be first on the minority report(s) and then on the majority report.

In order to increase the opportunity for meaningful debate on such important issues as the platform, resolutions, and the seating of delegations, the Commission *recommends:* that the 1964 rules be amended to provide for a set period of time for debate on major issues. While this has been traditional in past conventions by unanimous consent agreement (or suspension of the rules—see 1968 *Democratic Manual* at page 38), the requirement that extended debate be granted only upon vote of two-thirds of the delegates is unnecessarily restrictive on the right of the majority to have debate on crucial issues, particularly where the resolution of the issue itself will be decided by a simple majority of the Convention.

In order that all sides on the various issues have adequate advance notice to prepare their discussion of the issues and to organize their spokesmen so as to facilitate orderly debate, the amount of time to be alloted for debate on issues should be known in advance of the session at which the debate will occur.

Therefore the Commission *recommends:* that the rules for the convention provide that as part of the report of the Committee on Rules and Order of Business, the committee shall provide for a specified period for discussion and debate on each major issue, i.e., platform, resolutions and credentials; and, furthermore, that in the event that there is a minority report to the report of a committee, the rules should be amended to provide that the amount of time for debate shall be divided equally between the proponents of the majority report and the proponents of the minority report, said time to be controlled by a committee member who is a signatory to the report of which he is a proponent. In the event that more than one minority report is filed, the time for debate for the minority report shall be divided equally between the proponents of the several minority reports.

Obtaining a Rollcall Vote

At present, a roll call may be obtained on any vote if it is requested by a majority of eight (8) delegations. Prior to the 1956 Convention, a roll call vote could be obtained by request of 20% of the delegates. A reinstatement of this provision in addition to the present roll call rule would aid geographically diffuse political minorities in obtaining a roll call vote on vital questions. A recommended procedure or giving effect to the 20% rule would be to amend the rules to provide that upon motion by a delegate for a roll call vote, the Chair directs tellers to poll each delegation and report the results of the poll to the chair. If the tellers' poll indicated that more than 20% of the delegates had voted affirmatively on the motion, the motion would be carried and the roll call vote could be commenced. This procedure would insure that the right to a roll call vote would be preserved, without causing undue delay in the convention proceedings.

Presentation of Minority Reports

Currently, in order for a minority report to be entertained by the convention, it must be personally signed by not less than ten percent of the members of the committee. Since the committee is composed of two delegates from each state and territory (i.e., 110 members), the right to have a minority report presented to the convention bears only a distant relation to representation at the convention. Under present rules, if both delegates from each of the five largest states, representing 28% of the total number of delegates, sign a minority report, this would be insufficient to bring the report before the convention, whereas, if both delegates from the six smallest states and territories, representing only two percent of the total number of delegates, sign a minority report, the report would be presented.

In order to insure that the convention be given the fullest opportunity to debate and discuss those issues regarded as significant by a group representing a substantial portion of delegates, the Commission *recommends:* that the 1964 rules be changed so as to provide that each member of the committee be given proportional voting based upon the number of convention votes alloted to his State or territory, i.e., each committee member would vote one-half the number of votes allocated to his delegation; and the rule regarding bringing of minority report(s) before the convention be amended accordingly to provide that a minority report shall be presented to the convention if it is personally signed by delegates representing not less than ten percent of the total votes of the committee, computed on either a raw vote or weighted vote basis.

APPENDIX A

Profiles of convention delegates: economic status, race, and party affiliation

(NOTE.—Where information on the delegates to the 1968 convention is not yet available, information from previous conventions has been used.)

Economic status

For many citizens the cost of being a delegate are very difficult to bear. In most States each delegate must pay his own transportation and living expenses. The Citizens' Research Foundation, a nonpartisan, nonprofit organization which specializes in research on political finance, polled the delegates to the 1964 Democratic Convention and concluded that the average cost to delegates was $455. Delegates are often expected to attend $100-a-plate fund raising dinners and to contribute to the Party. In 1964 each delegate from Indiana had to contribute $250 to the Party: South Carolina's delegates had to contribute $15. This year Iowa's delegates were required to contribute $250, and Hawaii's delegates have to pay $25 to qualify for consideration by the convention. Also, delegates are often assessed for delegation expenses, such as a headquarters, staff, etc.; in 1964, Indiana's delegates each paid a $250 assessment. Finally, if a delegate has to campaign to win his delegacy, as many must, his costs are even higher.

Only a few of the states have provided economic assistance for the delegates. For example, a 1952 statute passed in North Dakota provides for payment of $200 to each delegate from public funds. This year a public fund-raising drive is being conducted in North Carolina to finance the delegacies of three black delegates.

Thus, no one should be surprised to find that most delegates are wealthy. The Citizens' Research Foundation concluded that "money *is* a determinant of who can participate in this phase of the presidential nomination process." Table III, Column I gives the income distribution of the delegates to the 1964 Democratic convention; Column II gives the 1964 family income distribution for the whole country. The median for the delegates was $18,223, compared to a national median family income of $5,742. The median for the 1964 Republican delegates was only slightly higher, $20,192. Table IV gives a breakdown of the occupations of the 1964 Democratic delegates.

TABLE III.—INCOME DISTRIBUTION OF 1964 DELEGATES COMPARED TO WHOLE POPULATION

Annual income level	Percent of the 1964 Democratic delegates (1)	Percent of whole population (1964) (2)
$50,000 or more	10.1	1.0
$25,000 to $49,999	19.9	
$20,000 to $24,999	13.4	4.4
$15,000 to $19,999	16.7	
$10,000 to $14,999	24.6	13.5
$5,000 to $9,999	11.9	37.9
$3,500 to $4,999	2.2	12.7
Under $3,500	.6	30.4

Source: Col. (1) is from a Citizens' Research Foundation poll (35 percent of the delegates responded) in K. McKeough and J. Bibby, "The Costs of Political Participation: A Study of National Convention Delegates 84" (1968). A summary of the results of the poll can be found at 26 Congressional Quarterly 1619 (June 28, 1968). Col. (2) is from Consumer Income Book—Current Population Report, Series P60, No. 47 (1965).

TABLE IV.—OCCUPATION OF 1964 DELEGATES

Occupation	Percent of 1964 Democratic delegates
Public officials	36.8
Party officials	54.6
Union members	4.1
Union officials	.6
Lawyers and judges	29.3
Publishers, editors, broadcasters	1.7
Businessmen	26.2
Other professions	6.6
Farmers and ranchers	6.4
Homemakers	6.2
Other	6.8

Source: From a Citizens' Research Foundation poll (35 percent of the delegates responded) in K. McKeough and J. Bibby, "The Costs of Political Participation: A Study of National Convention Delegates 83" (1968). A summary of the results of the poll can be found at 26 Congressional Quarterly 1620 (June 28, 1968).

Race

The Democratic Party, like the nation, has made some moves toward racial equality but finds itself facing ever more complex and intense racial problems. (The discussion is limited to black Americans; however, other racial groups, such as American Indians, are equally, if not more, disenfranchised by present party practices.) The percentages of the convention vote controlled by blacks has been slowly increasing: 1.5% in 1952, 2.2% in 1964, and about 5.7% in 1968. However, according to the 1960 Census, 10.5% of the country's population is black; most experts agree that that percentage is now much higher.

Many of the Southern states still have party rules which operate to exclude blacks. In Texas, no one can participate in precinct caucuses who has not voted in the primary held earlier the same day; since primary polls are open only during working hours, it is difficult for many laborers to participate. Also, votes are apportioned according to the primary turnout, so black and Spanish-American areas are under-represented. In Mississippi, no one can participate in the primaries who does not support the principles of the party, which include, by a resolution of the 1964 state convention, belief in segregation. Moreover, as the U.S. Commission on Civil Rights concluded in a 1968 study entitled "Political Participation," in the South physical intimidation and economic coercion are still major deterrents to black participation in political affairs.

Thus, there is still a significant disparity between the black proportion of the convention vote and the black proportion of the national population. And it is greatest in the states in which the black proportion of the population is highest. Table V on the following two pages gives a comparison of the percentage of each state's population that is black to the percentage of its convention vote that is controlled by blacks. Other than Louisiana and the District of Columbia, no state with a 20% or greater black population, has a comparable percentage of black controlled convention vote; elsewhere the black controlled vote percentage is at best only half of the black population percentage, and it ranges down to one-tenth.

TABLE V.—RACIAL COMPOSITION OF STATE DELEGATIONS

State	Number of black delegates from State (1)	Total number of delegates from State (2)	Percent of delegation that is black (3)	Percent of State population that is black (4)
Alabama [1]	2	56	3.6	30.0
Alaska	0	20	0	3.0
Arizona	1	32	3.1	3.3
Arkansas [1]	1	52	1.9	21.8
California	9	172	5.2	5.6
Colorado	3	40	7.5	2.3
Connecticut	3	42	7.1	4.2
Delaware	1	20	5.0	13.6
Florida	4	61	6.6	17.8
Georgia [1]	3	64	4.7	28.5
Hawaii	0	24	0	.8
Idaho	0	24	0	.2
Illinois	8	136	5.9	10.3
Indiana	5	66	7.6	5.8
Iowa	1	50	2.0	.9
Kansas	1	40	2.5	4.2
Kentucky	5	60	8.3	7.1
Louisiana [1]	9	50	18.0	31.9
Maine	0	28	0	.3
Maryland	3	47	6.4	16.7
Massachusetts	2	80	2.5	2.2
Michigan	20	100	20.0	9.2
Minnesota	3	60	5.0	.7
Mississippi [1]	1	44	2.3	42.0
Missouri	3	76	3.9	9.0
Montana	0	30	0	.2
Nebraska	0	30	0	2.1
Nevada	2	28	7.1	4.7
New Hampshire	0	24	0	.3
New Jersey	7	80	8.8	8.5
New Mexico	0	32	0	1.8
New York	13	226	5.8	8.4
North Carolina [1]	4	72	5.6	24.5
North Dakota	0	23	0	.1
Ohio	4	126	3.2	8.1
Oklahoma	5	56	8.9	6.6
Oregon	0	33	0	1.0
Pennsylvania	8	160	5.0	7.5
Rhode Island	1	32	3.1	2.1
South Carolina [1]	5	40	12.5	34.8
South Dakota	0	24	0	.2
Tennessee	7	64	10.9	16.5
Texas	5	120	4.2	12.4
Utah	0	24	0	.5
Vermont	0	20	0	.1
Virginia [1]	4	64	6.3	20.6
Washington	0	52	0	1.7
West Virginia	1	48	2.1	4.8
Wisconsin	0	60	0	1.9
Wyoming	0	26	0	.7
District of Columbia [1]	14	21	66.7	53.9
Total	168	2,959		

[1] States with 20 percent, or greater Negro population.

Note: Col. (1) does not account for the fact that many of the black delegates have only a half vote. Therefore, the number of black delegates has been compared to the number of delegates from their State and not the number of convention votes given their State. The maximum number was used as a total because, as is the usual practice, each State sends as many delegates as they are allowed. The figures in col. (4) were taken from the 1960 census; however, most experts agree that these percentages have risen since then. Therefore, the actual discrepancy between col. (3) and col. (4) is probably even greater than shown here. Information on the territories was not tabulated.

Source: Col. (1) was supplied by Louis Martin, Democratic National Committee deputy chairman in charge of the minorities division. Col. (2) is from the "Democratic Manual for the Democratic National Convention of 1968," pp. 16–17. Col. (3) was computed from cols. (1) and (2). Col. (4) was obtained from the U.S. Census, 1960.

Lack of sufficient numbers of blacks is only one aspect of the problem. It is perhaps even more important to ask who chooses the black delegates and whom do they represent. One Southern Democratic Governor, when interviewed about potential difficulties which his state organization might confront in complying with the 1968 Call's ban on racial discrimination, commented, "We will have no trouble finding a few black faces for the delegation." As this observation implies, "black faces for the delegation" cannot be equated with effective representation for black people.

Party Affiliation

In most states, convention delegacies are regarded as patronage. The delegations are mainly composed of party officials, and the number of delegates who are party officials seems to rise at each new convention. Furthermore, they are increasingly the same party officials who served as delegates at previous conventions.

At the 1964 convention, 54.6% of the delegates were party officials according to a Citizens' Research Foundation poll of the delegates. That poll also showed that over 80% of the delegates were regular contributors; they contributed an average of $220 in 1960 and $239 in 1962. This year, of Michigan's 100 delegates: 28 hold county or district offices, 7 hold state party offices or are past district office holders; 21 hold elected offices, 10 hold patronage jobs, and 7 were chosen to reward long and active party work. Rhode Island's delegation of 27 breaks down similarly: 17 hold elected offices, 2 are labor leaders, and 8 were chosen to reward party workers. New York State Chairman John Burns was quoted by *The New York Times* as saying, "If I ignored the people who have helped me with the organization's work and appointed strangers just because they're for McCarthy, I'd have a revolution on my hands."

APPENDIX B

A State by State summary of delegate selection procedures

Traditionally, the Democratic Party has allowed each of the states to adopt its own delegate selection system. The myriad procedures are collected in the *Nomination and Election of the President and Vice President of the United States including the Manner of Selecting Delegates to National Political Conventions* (1968), compiled under direction of Francis R. Valeo, Secretary of the Senate, by Richard D. Hupman and Robert L. Tienken. The rules of each of the state parties are summarized in the National Municipal League's study, *State Party Structures and Procedures, a State by State Compendium* (1967). The procedures used by the states in 1964 are outlined in the National Municipal League's report, *Presidential Nominating Procedures in 1964* (1965).

All three of these sources were used by the Commission staff in the preparation of field reports from the twenty states studied in detail in the preparation of this report. This summary is based on all three sources as well as staff field reports, and is designed to provide an abbreviated reference source on each state selection system.

Alabama

The state executive committee may declare by resolutions that delegates to the national conventions be elected in a state-wide primary, as they did in 1964. Candidates for election as delegates to the national convention by custom announce the person that they will support as the nominee for president or announce that they are unpledged. The 72 members of the State Democratic Executive Committee are elected at the primary directly from each of the nine executive committee districts.

Alaska

Delegates are selected at a state convention composed of 160 members, 40 of whom are chosen at each of four district conventions. Delegates to the district conventions are chosen at precinct caucuses in which each precinct receives one delegate for every 25 votes cast in the precinct for the party's highest state-wide candidate in the preceding election.

Arizona

Delegates are chosen at a state convention which is in reality a meeting of the party's state committee. The state committee is composed of the chairmen of each county committee and one additional member from each county committee for every 400 votes cast in the county for the party's last gubernatorial nominee.

Arkansas

The state committee elected at the 1966 convention chose the delegates. Primaries to elect delegates or show a presidential preference are optional.

California

Delegates are elected by slate in a primary held in June of each presidential election year. They do not have to specify a preference for any presidential candidate, but if they do, they must also sign an affidavit pledging their best effort for that candidate.

Colorado

Colorado elects some of its national delegates by state convention and some by congressional district convention. Delegates to each are the same and are elected by county conventions. County convention delegates are chosen by open precinct caucuses held early in May of each election year. The county central committee is comprised of two members elected from each precinct and is entrusted with apportionment of delegates between the precincts. The state central committee apportions the state conventions.

Connecticut

All of Connecticut's delegates are selected by a state convention whose delegates are selected from each individual town on a formula of two delegates each, plus additional delegates in proportion to the town's Democratic vote in the previous gubernatorial election. Towns are free to elect their state delegates in open caucus or through town committee, most of which were elected two years before. Any 5% of the registered Democrats in a town may request a primary to contest a delegate slate selected by the town caucus or town committee.

Delaware

County party leaders in Delaware meet and choose delegates to the state convention. These delegates elect the delegation to the national convention.

District of Columbia

Delegates are elected in a primary held in May of each presidential election year. All delegacies are at-large.

Florida

Delegates are elected by slate in a presidential preference primary held in May of each presidential election year. They are not bound by the primary results. At least one man and one woman are elected from each congressional district; the remaining district and at-large delegates must also be one-half men and one-half women.

Georgia

The Democratic state chairman chooses the Georgia delegation to the national convention with the advice and consent of the governor. The governor appoints the state chairman as his one official party act on becoming gubernatorial nominee. In addition, the nominee picks 100 members of the 200 member State Democratic Central Committee. This committee has complete authority to determine how national delegates are selected.

Hawaii

Delegates are selected at a state convention. Delegates to the state convention are apportioned between counties by the state central committee with all counties receiving a minimum of one vote.

Idaho

Delegates chosen by precinct caucuses attend the county central committees to select some delegates to the state convention. Other state convention delegates are chosen by district committees or are automatically delegated by virtue of their political office. The state convention then elects delegates to the national convention.

Illinois

Two delegates to the national convention are elected from each congressional district by state primary in June of election years. The balance of the delegates allotted to the state by the national party are elected at a state convention which is held following the primary. Delegates to the state convention are selected by county conventions, whose members are the party county central committeemen who were elected in the June primary.

Indiana

While Indiana has a binding presidential primary for May, delegates to the national convention are selected at district and state conventions which are held in late June. The delegates to the state convention—who are also the delegates to the district conventions—are elected on the day that the presidential primary is held, although the ballot makes no connection between the two elections.

Iowa

Delegates to the Democratic National Convention are selected at a state convention which is called the presidential convention in presidential election years. This may be the same as the regular state convention or a special convention at the discretion of the Democratic state chairman. Delegates to this convention are elected by county conventions, the number of votes going to each county being determined by the Democratic state chairman. Delegates to the county conventions are elected at precinct caucuses held in each county in the same year.

Kansas

Some delegates are chosen by congressional district convention. The balance of the at-large delegates are chosen by the state convention. The precinct committeemen and committeewomen who are elected in a party primary, gather at county conventions and elect delegates to the district convention, who also serve as delegates to the state convention.

Kentucky

Democratic state party rules provide that mass meetings be held in each county to choose delegates to the congressional district and state conventions. The district conventions elect some of Kentucky's currently allotted delegates and the state convention names the balance.

Louisiana

The state central committee is free to determine how the national delegates are selected. This year, as in most, the committee chose to appoint the delegation directly. The committee has at least one representative from each parish and as many additional members as each parish has state representatives. Thus, the committee totals about 80.

In practice, local district chairmen submit a list of 15 names to the governor and the national committeeman and woman. The governor proposes a slate of nominees from these suggestions and the committee approves them *pro forma.*

Maine

Maine elects delegates locally to sit at the state convention. Nominations to that convention are made by a committee composed of two delegates per county selected at a pre-convention caucus of the delegates from each county.

Maryland

In 1965, the Maryland legislature amended the state's election statutes to provide for local primaries to elect delegates to the state convention. It was subsequently discovered, however, that the legislature had set the primary for September 1968. Since this would be after the national convention, the legislature amended the statute again in 1967 and made the existing state central committee equivalent to a state convention. This committee was composed of members of county central committees who had been elected at-large in their counties from slates proposed by local precinct captains. The central committee was chosen in 1966 for a four year term.

Massachusetts

Congressional district delegates, apportioned among the districts by the state committee with at least 2 delegates per district, are elected in a primary held in April of each presidential year. At-large delegates, the number of which is determined by the state committee, are named by the state committee unless an election is necessary because of opposition candidates. Candidates for district delegacies must present nomination papers signed by 500 voters; at-large candidates need 2,500 such signatures.

A state statute binds all of the delegates to vote on the first national convention ballot for the presidential candidate receiving a majority or plurality in the preferential primary.

Michigan

In Michigan, the precinct delegates elected by local primary in 1966 provided the basis for the delegate selection system. Each of the 5,100 precincts which had elected delegates in 1966 sent those delegates to county conventions. Since fewer than one half of these precincts had actually selected delegates in 1966, county chairmen were able to exercise their power to appointment to fill numerous vacancies. The county conventions then elect delegates who go to a state convention where they elect at-large delegates and then go to a congressional district convention where they select the remainder of the delegates.

Minnesota

Minnesota bases its state convention system on open precinct caucuses which can be attended by anyone eligible to vote in the next general election who is not registered in another party. Precinct caucuses select delegates to the county conventions which in turn elect delegates who go to both the state convention, where the at-large delegates are chosen, and the congressional district conventions, where the other delegates are chosen.

Mississippi

Mississippi has a four-tier state convention system starting with open precinct meetings where county delegates are chosen who then elect delegates to the state convention. There, state delegates caucus to nominate 4 congressional district delegates from each of five districts. Each casts ½ a vote. They then meet in convention to select at-large delegates to cast the state's remaining votes.

Missouri

Missouri also has a four-tier convention system based on open precinct meetings. One-half of its delegates are selected by congressional district caucuses and ½ are elected at-large by the State convention.

Montana

Delegates are selected at a state convention, which is composed of delegates elected at county conventions. The county convention delegates are elected; there is one man and one woman from each precinct within a county. Each county gets one vote for every 1,000 votes cast in the county for the party gubernatorial candidate in the last election.

Nebraska

Delegates are elected in a primary held in May of each presidential election year. At least 2 delegates must be elected from each congressional district. There is also a presidential preference vote.

Nevada

Delegates and alternates to the Democratic National Convention are selected at the state convention. Delegates to the state convention are elected by the several county conventions of the party. Delegates to county conventions are elected by ballot at mass meetings in each voting precinct.

New Hampshire

Delegates are elected in a primary held in March of each presidential election year. At the same time a state-wide presidential preference vote is taken which is not binding on the delegates.

New Jersey

All delegates are directly elected in New Jersey. The state committee determines how many delegates run at large and how many run by congressional district. This year 75 ran by district and 5 ran at-large.

New Mexico

Delegates are selected at a state convention composed of delegates chosen at county conventions. Each county gets one state convention delegate for every 100 votes cast for the party gubernatorial candidate in the last election. County convention delegates are chosen at precinct caucuses.

New York

The state executive committee decides how many of New York's 190 votes shall be directly elected from congressional districts and how many shall be appointed at-large by the new executive committee which will be elected at the same time as the directly chosen delegates. This year each district elected three delegates; 65 were appointed.

North Carolina

The state convention elects the state's delegates to the national convention. The convention system is multi-tiered with open precinct meetings electing county delegates who in turn elect state delegates. The state delegates caucus by congressional district to nominate a slate for the convention floor. This year each district nominated three delegates and the governor nominated the remaining 24.

North Dakota

District caucuses elect the state convention delegates who in turn elect the national delegation. The majority of these caucuses are closed—the precinct committeemen who are appointed by the district chairman meet to select a candidate. A few districts, however, hold open precinct caucuses. At the convention, the national delegate selection committee, made up of the chairman of each region, controls nomination of the national slate.

Ohio

Ohio elects its delegates directly in a May primary. Delegates are elected both at-large and by districts. The regular party organization files a slate of delegates, but anyone may submit petitions and file without fee. Each candidate lists his first and second choice for president and such choices appear on the primary ballot. Delegate candidates may pledge to abide by the results of the primary insofar as voter preference for a presidential candidate is concerned.

Oklahoma

This year Oklahoma elected 58 delegates to cast 41 votes. 26 were selected by a state convention whose delegates were elected by county conventions. County delegates were selected in open precinct committees. The remaining delegates were selected by district committees—each of the five congressional districts select 6 delegates—and these committees consist of county committee officers elected at county conventions one year before. The national committeeman and woman are elected by the state convention. They each have one full vote while other delegates have equal fractional shares.

Oregon

Delegates are directly elected in Oregon in a May primary. Some run at-large and some by congressional district. The name of each presidential candidate thought by the Secretary of State to be generally recognized in the media as a candidate is placed on the ballot. Delegates are pledged for two ballots or until released or until the candidate receives less than 35% of the convention vote.

Pennsylvania

Some Pennsylvania delegates are appointed at-large by the state central committee and others run in district primaries. Four weeks after the appointments are made final, the general primary elects district delegates. The primary ballot also includes a nonbinding preference poll which delegates may pledge to follow.

Rhode Island

The Rhode Island state committee appoints the delegates to the national convention. The committee consists of one man and one woman from each state legislative district elected in primary in September of even numbered years. A sub-committee of 17 members nominates the slate to the full committee for ratification. This year's state committee was elected in September 1966.

South Carolina

The state convention elects the full-delegation. Open precinct meetings elect county delegates who elect state delegates. State delegates caucus by congressional district to nominate a district slate which is automatically ratified by the convention. The state party leadership nominates an at-large slate.

South Dakota

South Dakota directly elects its delegates at-large and by slate. Slates of delegates are pledged to individual candidates and are bound by their election to support him.

Tennessee

Some delegates in Tennessee are elected by state conventions and others by district caucuses of state convention delegates. These state delegates are elected by county conventions. County conventions are either mass county meetings or are comprised of delegates elected at precinct meetings.

Texas

Texas elects all of its delegates at a June state convention. State delegates are elected by county or state senatorial district conventions whose delegates were elected by precinct meetings. Precinct meetings are open to all Democrats who registered for and voted in the state primary earlier in the day of the precinct caucus.

Utah

Utah selects all its national delegates and its national committeeman and woman at a state convention. All delegates are nominated at-large. State convention delegates are elected at county conventions and county delegates are elected by open precinct meetings. Precinct meetings are held on the fourth Monday in May in each general election year. Each precinct and county is entitled to a number of delegates in ratio to its previous Democratic vote for congressman.

Vermont

Vermont selects all of its delegates at a state convention. State delegates are elected in April of an election year by direct election in each town. Each town elects two delegates plus one for each 100 Democratic votes in the last general election.

Virginia

Delegates to the national convention are elected at a state convention. City or county committees decide whether the delegates to the state convention will be chosen by mass meeting, primary or convention. These delegates caucus by congressional district to nominate a portion of the national convention delegation. The state convention elects those nominated by the congressional districts and selects the balance of the state's delegates to the national convention.

Washington

Delegates chosen by open precinct caucuses or county mass meetings hold county conventions to select some delegates to the state convenion. Other state convention delegates are chosen by district committees or are automatically delegated by virtue of their political office. A state party convention then elects delegates to the national convention.

West Virginia

West Virginia selects its national convention delegates by direct primary. At-large delegates are chosen by a state wide vote of party members. Congressional district delegates are elected by party members within each district.

In addition, voters choose their preference among presidential candidates who have filed with the secretary of state. West Virginia's delegates to the national convenion are not bound in any way by this preferential presidential primary.

Wisconsin

Wisconsin has a presidential primary. The name of each presidential candidate thought by a specially selected committee to be generally recognized in the media as a candidate is placed on the ballot. The delegates of the winning candidate in each congressional district and at-large automatically become delegates to the national convention. But if in a congressional district or at-large the voters select a candidate with no pledged delegates or a write-in candidate, the state central committee and the congressional district party organizations choose the respective delegates. These delegates, like those pledged to winning presidential candidates, are bound on the first ballot and until released, unless after the first ballot the candidate received less than one-third of the convention vote. Only if the party members vote for "none of the names shown" on their ballot or if no candidate wins a district or the state at-large, are the delegates unpledged.

Wyoming

Delegates to the Democratic National Convention are selected at a state convention on the second Friday in May of the presidential year. Delegates to the state convention are chosen by the county central committees. Each county central committee can send one delegate to the state convention for every 500 party votes cast in the preceding general election, plus a bonus of one additional delegate for every 500 increase in the vote over the presiding election in the county. Also, the Young Democrats can send four delegates to the state convention. Three-fourths of the delegates the state or convention chooses must come from nominees chosen by the "nominating committee" for the state convention and, to be considered by that committee, a person must receive the endorsement of his own county central committee. The other one-fourth of the delegates to the national convention are to be chosen from persons nominated from the floor of the state convention as delegates-at-large.

A REVIEW OF THE ACCOMPLISHMENTS OF THE 90TH CONGRESS

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. MATSUNAGA. Mr. Speaker, my third term as a Representative to Congress from Hawaii has indeed been a memorable experience. It marked my elevation from membership in the House Committees on Agriculture and Post Office and Civil Service to the strategic and powerful House Rules Committee. My deepest satisfaction, however, comes from the fact that I was privileged to serve in the 90th Congress, which is now about to come to a close.

The 90th Congress has been a productive Congress despite the fact that its Members have been called upon to cope with some of the thorniest problems ever to face our country.

I believe that this Congress can take justifiable pride in the response it has made to the challenges and burdens of the war, rising inflation, and new problems in the war on poverty and the civil rights movement.

It is both timely and appropriate to review today some of the outstanding accomplishments of the 90th Congress.

This Congress has been very much concerned with bringing about a better balance between our national income and expenditure, primarily because of the seriousness of the balance-of-payments deficit, and because of the strain on the economy produced by the Vietnam war effort. Consequently, it has tried to economize wherever possible, but without damaging essential programs. The 90th Congress has moved with confidence in the belief that the new revenue from the 10 percent income tax surcharge, plus the relief afforded the budget by a $6 billion expenditure reduction and a personnel freeze at 1966 authorized levels, will help to reduce inflationary trends and improve stability in our economy.

The landmark work in the area of civil rights of the 89th Congress has been carried on and extended in several major bills by the 90th Congress. The Federal Jury Reform Act of 1968 insures that jury panels from which Federal juries are drawn will be selected at random from a "fair cross-section of the community," and absolutely prohibits discrimination in jury selection on any basis. It was passed in affirmation of every American's constitutional right to be judged by a jury of his peers, and according to the full meaning of the concept of due process of law.

The Omnibus Civil Rights Act of 1968 contains some of the most significant and effective provisions established thus far for the protection of constitutional rights and the elimination of discrimination. Its fair housing provisions, when they become fully effective in January 1970, will prohibit discrimination in the sale or rental of about 80 percent of all housing. The only exemptions are the so-called Mrs. Murphy dwellings, some 5.5 million owner-occupied single-family homes sold or rented without the services of a real estate agent. Federal penalties are provided for the use of force or threats to obstruct the fair housing safeguards. Basic rights, such as voting, jury duty, school attendance, employment, or use of public facilities and accommodations, are given Federal protection by the civil rights provisions.

Finally, the 1968 civil rights bill also recognizes that riots and other forms of civil disorder constitute a genuinely national problem, and therefore establishes Federal penalties for the crossing of State lines by rioters, or providing weapons to incite a riot, or for interfering with a policeman or fireman performing his official duties during a riot.

More than any other single measure, the Omnibus Crime Control and Safe Streets Act reflects the great concern of Congress with the seemingly overwhelming problems of law enforcement facing the Nation today. It authorizes $100.1 million in fiscal year 1969 and $300 million in fiscal year 1970 for grants to aid State and local agencies in improving their law enforcement programs and to enable them to provide for training and research. Title II sets national standards for the admission in evidence of confessions. The bill also prohibits the interstate shipment of handguns to anyone other than a licensed dealer, and their over-the-counter sale to juveniles or to any persons not residents of the dealer's State.

Virtually on the eve of adjournment sine die, the 90th Congress sent to the White House the landmark Gun Control Act of 1968. Clearly designed to implement the provisions of the Omnibus Crime Control and Safe Streets Act, the new legislation would provide for better control of the interstate traffic of rifles, shotguns, and ammunition. Although disappointing to some because it does not contain the original provisions relating to the registration of firearms and the licensing of their owners, the Gun Control Act of 1968 nevertheless does strengthen and expand the handgun provisions of the earlier law. It now remains for a future Congress to assess the effectiveness of these two notable pieces of legislation passed by the 90th Congress to stem the rising tide of crime in the Nation.

Not since 1949 has legislation relating to housing and urban development come under such exhaustive scrutiny as in the 90th Congress. The result was the enactment earlier this year of the landmark Housing and Urban Development Act of 1968. While authorizing many new major programs, the new housing law zeroed in on low-income families by providing more than 1.7 million units of new and rehabilitated housing for this group. The authorized cost of $5.3 billion will be spread over a 3-year period. Other major programs provided under this law include Federal subsidies to help the poor buy their own homes and rent apartments, Federal underwriting of the insurance industry against riot losses, national flood and Tsunami insurance for homeowners and new urban renewal programs. Among the existing programs which will be extended and expanded under the Housing and Urban Development Act of 1968 are the rent supplement and model cities programs which were established by the 89th Congress.

The 90th Congress clearly has paid more attention than any other Congress in history to protecting the consumer against fraud and the sale of dangerous products. The Truth-in-Lending Act, particularly, is a landmark measure, ensuring that the consumer will not be the victim of misrepresentation of the cost of loans or credit. It requires the disclosure of annual rates of charges on loans and installment credit both in dollars and cents and in percentages, as well as the amount of interest on first mortgages. It also permits a person to exempt himself from a fraudulent second mortgage, restricts the practice of wage garnishment, and provides penalties against the evil practice of loan sharking.

Truth in lending is one of my special interests and I was a cosponsor of H.R. 11806, a bill identical with the comprehensive consumer credit protection bill that the President signed into law.

The new law is by no means a complete consumer credit code. But the protection which it provides our citizens is basic to a sound economic system.

In addition to the truth-in-lending measure, the 90th Congress should be given well-earned credit for passing five other important laws to our array of national consumer protection legislation. It would be well to touch upon these briefly in order that we may see how much they affect the daily lives of all Americans.

First, a National Commission on Product Safety was authorized by Congress on November 20, 1967. This Commission is composed of seven members whose duties are: First, to conduct a study of the scope and adequacy of measures now used to protect consumers from unreasonable risk of injuries which may be caused by hazardous household products, and, second, to submit such interim reports to the President and Congress as the Commission deems advisable before its final report which is due not later than January 1, 1969.

There is great need for the work of such a Commission since recent estimates indicate that more than 400,000 accidents a year can be attributed to power mowers, washing machines, power tools, and cooking utensils.

Second, the Clinical Laboratories Improvement Act was approved on December 5, 1967. This law requires clinical laboratories which deal with the health of man to obtain a license to operate if they intend to operate in interstate commerce. It also provides that the license be issued under standards found necessary by the Secretary of Health, Education, and Welfare to carry out the purpose of the act.

This law was the answer to many abuses in the clinical area of public health. For example, expert studies have indicated that one out of every four diagnostic tests conducted by clinical laboratories may be inaccurate. Furthermore, mismatched blood transfusions have caused serious injury or death and inaccurate tests have resulted in needless prescription of highly toxic drugs.

Third, amendments to the Flammable Fabrics Act of 1953 were approved on December 14, 1967. These amendments extend the coverage of the 1953 act to include interior furnishings, such as draperies and upholstery. The original act referred to clothing only.

Fourth, the Wholesome Meat Act of 1967 was approved on December 15, 1967. This measure forces States to upgrade their inspection standards to match those of the Federal Government. If the States fail to act within 2 years, the U.S. Department of Agriculture will step in and impose Federal inspection.

This law was desperately needed since 15 percent of all fresh meat and 25 percent of processed meat products do not enter into interstate commerce and, therefore, were not inspected under the Federal program. It was the revelation of shockingly filthy and unsanitary conditions in these plants which process meat for intrastate consumption only which led to the passage of this law.

And fifth, the President on August 18, 1968, signed the Wholesome Poultry Products Act. Like the Wholesome Meat Act, the poultry inspection law was passed because of a widespread need throughout the United States. It was found, for example, that 1.6 billion pounds of poultry were slaughtered in the United States each year without Federal inspection. Because of the lack of Federal inspection the poultry was slaughtered and dressed under unsanitary conditions, and this is the poultry which ended up on consumers' dining tables.

These recent major pieces of consumer legislation have provided a solid structure to the earlier foundation consisting of the Automobile Safety Act of 1966, which was designed to promote automobile standards in the interest of traffic safety, and the Fair Packaging Act of 1966, which enabled consumers to make logical price-quantity comparisons in supermarkets.

The 90th Congress has recognized the need for legislation in these important areas of consumer protection. These laws are designed to protect the life, health, and property of all Americans. In truth, this Congress may well be known in history as "the consumer's Congress" because of its great concern in providing adequate safeguards to all consumers.

Finally, I would like to say that the 90th Congress has, in keeping with its responsibilities, studied every national problem of any consequence to determine whether its solution lies in legislation. It has shown a reassuring willingness to learn from past experiences, and at the same time it has displayed the courage to institute new and imaginative approaches. Yes, as far as this Congress is concerned, I can say with considerable pride that its legislative record reflects both imagination and wisdom. I am grateful to the people of Hawaii who made it possible for me to serve as a Member of the 90th Congress.

THE IMPORT CRISIS

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. WYMAN. Mr. Speaker, one of the first responsibilities of the next Congress is passage of an orderly marketing law similar to my bill, H.R. 10679. The problem of the importation into the United States for competitive sales within the domestic economy of foreign made goods is becoming acute in certain fields. This legislation provides for relief and protection whenever the imports contribute to the economic impairment of the domestic industry producing similar articles or directly competitive goods

Information received from the New England Footwear Association indicates that August footwear imports were running 21 percent ahead of last year, and last year was ahead of the year before that, and so it goes. And the picture is a similar one for steel, for textiles, for miniature precision ball bearings, and other products.

The time has come for Congress to provide legislation which will guarantee relief to such industries from unreasonable levels of foreign competition over and despite the protests of the State Department. The situation is serious and the time for action is now.

Included at this point in the RECORD are the facts and figures relating to the shoe import situation for August 1968:

AUGUST FOOTWEAR IMPORTS 21 PERCENT AHEAD OF LAST YEAR

Imports of leather and vinyl footwear amounted to 122,252,700 pairs in the first eight months of 1968, for an increase of 37.9% over the same period in 1967. This equaled 27.6% of an estimated production of 442,201,000 pairs for this period.

Total footwear imports, including canvas-rubber, amounted to 156,817,700 pairs for the same period, an increase of 31.2% over a year ago. This equaled 28.6% of domestic production estimated at 548,221,000 pairs for the eight-month period.

Total August 1968 imports ran 21% ahead of August a year ago. Non-rubber imports were 31% ahead, rubber-canvas decreased by 3%.

Imports by the most important countries of origin are as follows:

Shoes and slippers (leather types) from—	8 months, 1968 (thousand pairs)	Percent change, 1968/1967
Japan	45,770.9	+18.2
Italy	42,361.3	+43.7
Spain	8,948.3	+118.7
France	2,210.4	+17.6
Taiwan	10,149.3	+139.4
All other	12,812.6	+25.3
Grand total	122,252.7	+37.9

TOTAL IMPORTS OF OVER-THE-FOOT FOOTWEAR

[In thousands of pairs. Dollar amounts in thousands]

Type of footwear	August 1968 (pairs)	Percent change, August 1968/August 1967	8 months, 1968			Percent change, 1968/1967	
			Pairs	Dollar value	Average dollar value per pair	Pairs	Dollar value
Leather and vinyl, total	11,619.2	+31.5	118,963.7	214,953.6	1.81	+39.1	+54.3
Leather, excluding slippers	5,176.3	+54.0	60,321.3	175,046.0	2.90	+40.0	+52.7
Men's, youths', boys'	1,824.5	+54.0	15,862.5	59,502.5	3.75	+41.9	+42.1
Women's, misses', children's, and infants'	3,062.5	+61.2	42,595.0	108,467.4	2.55	+42.5	+65.4
Moccasins	47.2	−60.4	462.6	501.2	1.08	−58.6	−60.4
Other leather (including work and athletics)	242.1	+54.6	1,401.2	6,574.9	4.69	+58.4	+11.4
Slippers	44.8	−24.7	217.4	474.0	2.18	−23.3	−14.0
Vinyl supported uppers	6,398.1	+18.1	58,425.0	39,433.6	.67	+38.6	+63.7
Other nonrubber types, total	420.8	+11.3	3,288.7	2,492.8	.76	+4.6	+15.6
Wood	18.1	+126.3	178.2	394.1	2.21	+17.6	+94.0
Fabric uppers	375.2	+28.0	2,812.2	1,859.8	.66	+12.3	+3.1
Other (not elsewhere specified)	27.5	−64.3	298.3	238.9	.80	−39.1	+58.8
Nonrubber footwear, total	12,039.9	+30.6	122,252.7	217,446.4	1.78	+37.9	+53.7
Rubber soled fabric uppers	3,732.5	−2.8	34,565.0	20,887.0	.60	+12.0	+22.3
Grand total, all types	15,772.4	+20.8	156,817.7	238,333.4	1.52	+31.2	+50.4

Note: Details may not add up due to rounding. Figures do not include imports of waterproof rubber footwear, zories and slipper socks. Rubber soled fabric upper footwear includes non-American selling price types.

Source: National Footwear Manufacturers Association estimates from census raw data.

THE 90TH CONGRESS FARM LEGISLATION

HON. W. R. POAGE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. POAGE. Mr. Speaker, the 90th Congress has been a crucial one to American agriculture.

Some observations on what is happening in this country regarding rural-urban relations in Congress, vis-a-vis relations only a decade or two ago, are in order. When I entered the House in January of 1937, and for years afterward, one often heard complaints about the existence of a so-called farm bloc. You never hear that term today. Since the Supreme Court one-man, one-vote decision, the power in Congress has switched overwhelmingly to urban district representatives.

Before I elaborate on that point of view, however, I wish to inform my colleagues that the House Committee on Agriculture plans to publish a document summarizing in some detail the legislation which has been approved by the committee during the past 2 years and signed into law. This committee print should be available soon for those who wish to review not only the legislation directly, but that indirectly affecting the American farmer and rancher. I shall include at the end of my remarks, the title of bills handled by the Committee on Agriculture in the 90th Congress which became law.

As I said a moment ago the 90th Congress has been a crucial one for American agriculture, I believe, because by its actions it has reflected a serious transition that has taken place in the public attitude toward the American farmer and his problems.

It is an attitude reflecting a general lack of knowledge and understanding, and possibly indifference, on the part of urban America regarding the problems which face the American farmer. Ironically, it is an attitude which in the long run may hurt city residents more than anyone. Failure to support programs which promote agricultural production, eventually will inevitably lead either to scarcities or monopolistic controls of production. In either case, we will have higher consumer prices.

This Congress has considered and enacted many measures of far-reaching importance to agriculture. Likewise, it has considered but failed to enact some equally important bills, thus making certain that some vital decisions face the 91st Congress which convenes next January, regardless of whether it is controlled by Democrats or Republicans, and regardless of whether the man in the White House is a Democrat or a Republican.

In a largely bipartisan atmosphere, the House Committee on Agriculture during the past 2 years has considered and passed judgment on scores of bills. Most of these approved by our committee have subsequently been signed into law. Some, however, have been emasculated or killed either in the Rules Committee or on the House floor, the target, not primarily of partisan opposition but of a great many urban legislators who, it appears, may not understand the complexities of agricultural legislation. Some of this opposition to farm legislation, I am sure, stems in part from the fact that while these colleagues themselves may see the justification for enactment of a particular piece of farm legislation, they believe an urban constituency, lacking the facts and understanding, would censure them if they supported the legislation.

As an example, I point to what happened to the bill to extend the Food and Agriculture Act of 1965, which would expire December 31, 1969.

Our committee by 28-to-5 vote on May 9, 1968, approved a bill—H.R. 17126—providing for a simple 1-year extension. That would permit the 91st Congress time to carefully consider the many views on the 1965 act, ranging from those who would make it permanent law to those who would let it and the crop price programs it authorizes expire.

While the 1965 act has its flaws, I am confident that the great percentage of American farmers feel it has prevented prices from falling below their present levels. The cost of these price support programs, which seek to balance supply with demand, in effect are really a subsidy to American consumers, who spend only 17½ percent of their disposable income for food as compared with 25 to 30 percent spent by most western Europeans and 50 percent by Russians.

This 1-year extension bill passed the House originally only after it had been amended on the House floor, by a 230-to-160 vote, to provide a $20,000 limitation on crop price support payments. This would effectively kill the whole program, because those with the largest acreage would plant fence to fence, dropping out of the program. Overproduction would result, and the little farmer would be the man most hurt by the plunging market prices. Eventually, in conference with the Senate, which passed a bill providing numerous changes in the 1965 act as well as a 4-year extension, the simple 1-year extension was agreed upon. This compromise, however, was adopted in the House by a 189-to-172 vote only in conjunction with compromises in food stamp legislation which primarily benefits urban areas.

As sent to the White House, the food stamp bill provided an 18-month extension of the food stamp program until December 31, 1970—coinciding with the life of the Farm bill; an increase of $90 million, from $225 million up to $315 million in the amount authorized for fiscal 1969; authorized up to $340 million for fiscal 1970, and authorized $170 million for the first half of fiscal 1971, that is, to December 31, 1970. As passed originally by the Senate the bill provided only for an increase of $20 million in authorized funds for fiscal 1969, up to $245 million, with no increase in succeeding years. The House had passed the bill originally with an open end provision as to monetary authorization and a 3-year extension, to June 30, 1972; but it also had tacked on a provision that would bar strikers and college students from eligibility for food stamps unless they already were receiving such aid before becoming college students or going out on strike. A move to have the striker-student provision reinserted by conferees failed in the House by a vote of 158 yeas to 187 nays.

In the field of farm credit the 90th Congress probably rendered its greatest service to American agriculture.

One measure—Public Law 90–488—is of wide-ranging scope, lending assistance to both individuals and to rural communities. It embodies a series of amendments to the Consolidated Farmers Home Administration Act of 1961 and was approved by the President August 15, 1968.

An important feature of the legislation is that part designed to supplement farm income through enlargement, improvement, and acquisition of added land to form more economically sized tracts. Still another is that section concerning the development of recreational enterprises on farm property, making it possible for a farmer to convert his entire farm to recreation and still be eligible for loans. Since 1962 the Farmers Home Administration has been authorized by Congress to make loans to farmers for the development of income-producing recreational enterprises. Nearly 800 have received loans totaling approximately $5 million, constructing such facilities as boating and camping areas, hunting preserves, and golf courses.

The request of small communities for financial assistance in construction of water and sewage disposal projects under the Poage-Aiken Act has exceeded available funds, and the record shows that where healthful and sanitary water and sewer facilities have been provided, a surge in general economic activities follows in the area.

Repayment of FHA farm ownership real estate loans, and loans to rural communities for development of water and waste disposal systems and grazing and recreation areas has been remarkably high, justifying an expansion of this self-financing program. One section of the enacted bill provided for the elimination until October 1, 1971, of the $450 million ceiling on the aggregate of such loans which could be made during a single year.

This means that we are able to make the loans out of money secured from the private money markets, not from the U.S. Treasury. Thus we are providing more credit for farmers and at the same time taking less money out of the Treasury. Under this new legislation we have provided an increase from $50 million up to $100 million in the annual development grant authority for these community projects. We also have increased from $50 million to $100 million the amount of loans the FHA can hold at any one time in the agricultural credit insurance fund from which notes are consolidated and sold in large blocks to investors.

Among the important pieces of legislation enacted by the 90th Congress was Public Law 90–345, signed by the President June 18, 1968, amending the Farm Loan Act and the Farm Credit Act of 1933 to improve the capitalization of Federal intermediate credit banks and production credit associations. The legislation would enhance the ability of these banks and PCAs to obtain additional capital funds from non-Government sources by increasing the debt-to-capital ratio of the banks from a 12-to-1 ratio to 20-to-1 ratio, the same as now applies to the Federal land banks, and permitting PCAs to issue their capital notes for sale to financing institutions within the present 10-to-1, debt-to-capital ratio.

Stepped up emergency credit to farmers who suffered losses because of droughts, floods, and hurricanes was made possible by legislation—Public Law 90–328—which directed the Commodity Credit Corporation to advance up to $30 million to the emergency credit revolving fund under the Farmers Home Administration. The CCC would be reimbursed out of later appropriations to the FHA.

In still another move to make more money available to farmers, the Congress passed and the President signed on December 15, 1967, a bill—Public Law 90–204—removing the statutory limit of 6 percent on the maximum interest rate for loans by Federal land banks and the banks for cooperatives. The measure left determination of interest rates to the boards of directors of the banks, subject to approval of the Farm Credit Administration. The cost of loan funds for these institutions—that is, the interest they must pay now to sell their bonds on the private money market, approaches or exceeds 6 percent, so it is not feasible for these borrower-owned establishments to obtain and lend out funds under the 6-percent loan rate ceiling.

Near the end of the second session officials of the Farm Credit Administration testified in support of legislation—H.R. 19418 in the House and S. 3986 in the Senate—designed to expedite the retirement of Government capital from the Federal intermediate credit banks, the production credit associations, and the banks for cooperatives. It was sought to meet an emergency situation created when the Budget Bureau construed the lending operations of the farm credit institutions to be subject to the Revenue and Expenditure Control Act of 1968. As a result, they would be subject to a cut of about $650 million in their lending capacity during the current fiscal year, and thus unable to meet farmer credit requirements. Once Federal holdings have been removed—a long stated policy of the Congress, these farm banking organizations would not be subject to the restriction imposed by the Budget Bureau. This legislation—under the Senate bill S. 3986—on October 11 was awaiting the President's signature.

Some other major bills affecting rural America had less success.

A bill to create REA Electric and Telephone Banks, for example, won strong backing in the House Committee on Agriculture but died in the Rules Committee. Similar fate met a subsequent bill which would have established simply an REA telephone bank.

A bill which would have permitted cherry growers to determine for themselves whether to establish marketing order areas in an effort to improve their income through voluntary production controls was defeated in the House.

These are but a few of the random thoughts that come to mind as one reflects over the current agricultural production situation—one which sees farmers receiving less now than they did 20 years ago on most major crops, and at a time when the cost of most of the basic items that go into production have gone up three times to four times what they were in the late 1940's.

It is certain that the 91st Congress faces many difficult decisions in regard to the future of American agriculture.

Measures handled by the House Committee on Agriculture follows:

PUBLIC AND PRIVATE LAWS ACTED ON BY THE COMMITTEE

Public Law No.	No. of bill		Title	Date of approval
90–6	H.J. Res.	273	Maryland Tobacco Allotments	Mar. 29, 1967
90–7	H.J. Res.	267	Emergency Food Assistance to India	Apr. 1, 1967
90–51	H.R.	8265	Lease, Sale, and Transfer of Tobacco Acreage Allotments and Acreage-Poundage Quotas	July 7, 1967
90–52	H.R.	5702	Removal of 5-Acre Limitation on Lease and Transfer of certain Tobacco Acreage Allotments	July 7, 1967
90–85	H.R.	547	Sale and Replacement of Pleasanton Plant Materials Center	Sept. 11, 1967
90–91	S.	953	Extension of Food Stamp Act of 1964. (S. 953 never referred to this committee; see H.R. 1318.)	Sept. 27, 1967
90–95	S.	1657	Extension of Dairy Indemnity Payments Authority	Sept. 28, 1967
90–98	H.R.	472	Purchase of Land from Texas Southmost College	Oct. 2, 1967
90–106	S.	1564	Facilitating Computation of Tobacco Acreage Allotments	Oct. 12, 1967
90–139	S.	219	Sale of Certain Land in Lander, Wyo	Nov. 16, 1967
90–140	S.	2179	Extension of Special milk program for Armed Forces and Veterans' Hospitals	Nov. 16, 1967
90–171	H.R.	10442	Authorize Exchange of National Forest Lands With Public School Authorities	Dec. 4, 1967
90–191	S.	2195	Relating to Farm Compliance With Yearly Rice Acreage Allotments Under the Agricultural Adjustment Act of 1938	Dec. 14, 1967
90–193	S.	1136	Increase of Timber Survey Authorization	Dec. 14, 1967
90–201	H.R.	12144	Wholesome Meat Act	Dec. 15, 1967
90–204	S.	2565	Amendment of Federal Farm Loan Act and Farm Credit Act of 1933. (S. 2565 never referred to this committee; see H.R. 13706)	Dec. 15, 1967
90–210	S.	2126	Eligibility for Participation in the Cropland Adjustment Program	Dec. 18, 1967
90–211	H.R.	11565	Peanut Acreage Allotments	Dec. 18, 1967
90–233	S.	1477	Providing that the National Advisory Committee on Agriculture Shall Meet Annually	Dec. 29, 1967
90–243	S.	1722	Amendment of Wheat Acreage Allotment Provisions of the Agricultural Adjustment Act of 1938	Jan. 2, 1968
90–258	H.R.	13094	Commodity Exchange Act Amendments	Feb. 19, 1968
90–288	S.	109	Agricultural Fair Practices Act	Apr. 16, 1968
90–307	H.R.	11527	Relating to the Conveyance of Certain Lands to the University of Maine	May 17, 1968
90–327	H.R.	15822	Authorize Establishment of Robert S. Kerr Memorial Arboretum and Nature Center in the Ouachita National Forest in Oklahoma	June 4, 1968
90–328	S.J. Res.	168	Authorize Temporary Funding of Emergency Credit Revolving Fund (S.J. Res. 168 never referred to this committee; see H.J. Res. 1227)	June 4, 1968
90–345	H.R.	16674	Amend Federal Farm Loan Act and Farm Credit Act of 1933 to Improve Capitalization of Federal Intermediate Credit Banks and Production Credit Associations	June 18, 1968
90–360	S.	974	Authorizing Conveyance of Certain Lands to City of Glendale, Ariz	June 22, 1968
90–361	S.	2276	Permit Secretary of Agriculture to Contract for Works of Improvement Under the Watershed Protection and Flood Prevention Act Upon Request of Local Organizations	June 27, 1968
90–387	H.R.	17002	Remove statutory Requirement for Consent of Lienholder in the Lease of Certain Tobacco Acreage Allotments	July 5, 1968
90–388	H.R.	16451	Cooperate With Governments of Central America in Prevention, Control, and Eradication of Foot-and-Mouth Disease or Rinderpest	July 6, 1968
90–398	S.	2837	Authorize Establishment of the Cradle of Forestry in America in the Pisgah National Forest, North Carolina	July 11, 1968
90–410	H.R.	16065	Release on Behalf of the United States Conditions in Deeds Conveying Certain Lands to the State of Iowa	July 21, 1968
90–418	S.	3143	Making Frozen Concentrated Orange Juice Subject to Provisions of Commodity Exchange Act	July 23, 1968
90–426	H.R.	15562	Extending the Act Which Authorizes Loans by the Secretary of Agriculture on Leasehood Interests in Hawaii	July 26, 1968
90–436	S.	2986	Amend and Extend Public Law 480	July 29, 1968
90–446	H.R.	10673	Clarifying the term "Stockyard" Under the Packers and Stockyards Act of 1921	July 31, 1968
90–475	H.R.	10864	Relating to Land Conveyance in Saline County, Ark., to Dierks Forest; and to Extra Long Staple Cotton Price Supports and Acreage Allotments	Aug. 11, 1968
90–484	S.	3638	Extend Authority for Indemnity Payments to Dairy Farmers	Aug. 13, 1968
90–487	H.R.	15794	Provide for U.S. Standards and National Inspection System for Grain	Aug. 15, 1968
90–488	S.	1504	Consolidated Farmers Home Administration Act Amendments	Aug. 15, 1968
90–492	H.R.	16363	Wholesome Poultry Products Act	Aug. 18, 1968
90–264	H.R.	17320	Authorize Secretary of Agriculture To Grant Easement Over Certain Lands to St. Louis-San Francisco Railway Co	June 27, 1968

Mr. Speaker, legislation extending the Food and Agriculture Act of 1965 for 1 year, until December 31, 1970, and extending the food stamp program until the same date were passed by the Congress and sent to the White House. The farm bill is H.R. 17126. The food stamp bill is S. 3068. The President signed the food stamp bill October 8, and the farm bill on October 11.

BILL POCKET VETOED

Long-staple-cotton imports: H.R. 10915, to amend the Agricultural Act of 1956 to prohibit the importation into the United States of extra-long-staple cotton produced in any country which has severed diplomatic relations with the United States. Pocket vetoed August 11, 1968.

A GENERAL'S WAR

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. MARSH. Mr. Speaker, as the 90th Congress draws to a close, I think that it is fitting that in the closing days of the CONGRESSIONAL RECORD that there be entered an editorial in tribute to one of America's soldiers who was also a truly great man—Keith Ware, major general, U.S. Army, commander, 1st Infantry Division. General Ware, displaying the same traits of character that would earn for him the Congressional Medal of Honor, gave his life for his country in Vietnam. Let us not forget him and others like him, who, for their country, go above and beyond the call of duty. The editorial follows:

A GENERAL'S WAR

Maj. Gen. Keith L. Ware, the commander of the 1st Infantry Division, is the fourth American general to die in Vietnam as a result of what is officially called "hostile enemy action." General Ware's command helicopter was hit by ground fire last Friday, as his troops pursued a retreating North Vietnamese regiment north of Saigon near the Cambodian border; seven men perished with him.

This latest tragedy is additional evidence, as if any were needed, that Vietnam is no safer for men who wear stars than it is for anybody else. There are no rear echelons in South Vietnam, and even if there were the nature of the war puts a general in the thick of the fight. It is not a war of grand strategy, assembled over maps and documents in a clean, well-lighted command post, but of small-unit infantry tactics. It is a war for platoon and company commanders. It is a war of skirmishes, not of massed armies meeting at Waterloo, Verdun, the Bulge, or the 38th parallel. It may yet come to that, but it is not that now.

The aggressive general, accordingly, finds a way to escape the maps and theories and get down to the platoons and companies, where the war is. As his men move on the ground, he monitors their advances in a helicopter. It is not unusual for a general (the one who comes instantly to mind is Brig. Gen. James Hollingsworth, the former assistant commander of the 1st Infantry Division) to command platoons, directing their maneuvers from the airborne command post hightailing it at sixty miles an hour at treetop level. If most generals do not go that far, they agree that the only way to follow the fight is literally to be on top of it.

It is dangerous work, because for all its advantages a helicopter is exceedingly vulnerable to shot and shell. As the enemy's resources grow, the more vulnerable American aircraft becomes. Most generals know that their recent training did not really qualify them to be platoon or company commanders, a job properly executed by lieutenants and captains. "This is a lousy war for generals." Hollingsworth once remarked.

But if a general truly wishes to command his men, to get the feel of the fight, rather than work from remote control at the division base, it is essential that he follow the troops aloft. It used to be said that 1500 feet was the safe limit. But most men go lower and General Ware, a medal of honor winner as a battalion commander in World War II, was one of them.

THE 50TH ANNIVERSARY OF THE DECLARATION OF INDEPENDENCE OF LATVIA

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. DERWINSKI. Mr. Speaker, this year 50 years will have passed since the Latvian nation proclaimed its independence on November 18, 1918. Like its sister nations on the Baltic Sea, Estonia and Lithuania, the Latvian people, after many centuries of foreign domination, finally had a chance to take their rightful place among the free peoples of the world. An unprecedented period of economic and cultural growth ensued, and the Latvians were able to enjoy the happiest period of their long history as masters of their own destiny.

In 1940, the Soviet Union, in violation of all existing treaties, militarily invaded the territory of Latvia and her Baltic sister nations and subsequently forcibly annexed them. Since that time the Latvians, Estonians, and Lithuanians represent a most flagrant case of Soviet colonialism in an age in which the principle of self-determination of nations prevails throughout the free world. Those Latvians who were fortunate enough to escape before the onslaught of the Communist forces and now reside in the United States, Canada, Australia, and other parts of the free world, consider it their sacred mission to help their compatriots in occupied Latvia regain their freedom, independence, and the democratic way of life.

In this 50th anniversary year of the American citizens of Latvian descent and origin have undertaken a major program to call to the attention of the free world the injustice perpetrated against the Latvian nation and the need to rescue the Latvians and other Baltic nations before it is too late. Otherwise the Communist ideology and the ethnic pressure exercised by the Soviet Union are certain to complete the genocide of these Baltic peoples.

The Congress of the American Latvian Association, commemorating the 50th anniversary of the Declaration of Independence of Latvia will convene in Washington, D.C., on October 17–20, 1968, at the Shoreham Hotel.

The American Latvian Association, which unites over 200 Latvian organizations in the United States representing American citizens of Latvian descent and origin throughout the country, is working for the liberation of the Latvians behind the Iron Curtain who themselves, under the dominance of Communist dictatorship, are unable to plead their own cause.

Several hundred delegates and guests from the United States and other parts of the free world are planning to attend this congress. The congress will appeal to the American Nation to remember the fate that befell the independent Republic of Latvia and the cause of its liberation.

The U.S. Government has steadfastly refused to recognize the Soviet annexation of Latvia and this support by the American Nation remains one of the bright beacons of hope to the oppressed Baltic people.

THE CONTINUING PLIGHT OF THE BIAFRAN PEOPLE MUST END

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. PODELL. Mr. Speaker, I would like to call to the attention of my colleagues the following remarks I made recently relative to the tragic events in Biafra. The full text of my remarks follows:

REMARKS OF REPRESENTATIVE BERTRAM L. PODELL, BROOKLYN COLLEGE, BROOKLYN, N.Y., OCTOBER 11, 1968

I share your shock and dismay over the tragic events in Biafra and even more deeply the failure of civilized governments to respond to the urgent need of the Biafran people.

The facts clearly disclose that the Nigerian government is determined to pursue its plan of extermination of the Biafran people in a program of genocide unequalled since Hitler.

The Nigerian government has refused reasonable calls for a cease-fire to end the carnage. That government has blocked every reasonable request to permit food and medical supplies for the people of Biafra. Starvation and dying children have become Nigerian weapons in one of the most horrible examples of man's inhumanity to man.

The war-torn Biafrans are in desperate need of food, medical supplies, and other forms of humanitarian aid. Yet, only two weeks ago, the Biafran town of Okigivi was captured and the first victims of Nigerian savagery and brutality were Red Cross workers in the performance of their humanitarian services.

Certainly questions of protocol, international relations, principles of sovereignty have their appointed roles to play. But these are man-made institutions, whose sole purpose is to advance the best interests of mankind. These institutions must give way when they impede lifesaving aid to workmen, to children, to the innocent.

Our government must start flying in food, and supplies and medical aid in massive amounts. We must handle the distribution of these simple lifesaving devices if need be by ourselves if that is what is necessary to put an end to this senseless slaughter. As individuals you must act by writing to the President and to the Presidential nominees urging them to speak out on this senseless waste of human lives. For as Plato said: "To be silent is to lie."

There comes a point in every country's history where certain humane factors are far more important than mere political expendiency. The world stood by while six million people were slaughtered in World War II. Once again this country is standing by shaking its head, spewing forth general and meaningless platitudes and yet failing to act. It is simply incredible that our country has sat on its hands, doing nothing while food rots and medicine goes to waste.

Your efforts today and similar meetings throughout our country give rise to the hope that our nation will measure up to its responsibilities.

TRIBUTE TO THE POLICEMEN

HON. J. IRVING WHALLEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. WHALLEY. Mr. Speaker, the following editorial was broadcast by WFBG radio station in Altoona, Pa. I include this commentary in the CONGRESSIONAL RECORD:

WHAT IS A POLICEMAN

(By Paul Harvey)

So many requests have been received by Station WFBG in Altoona for copies of "What is a Policeman" aired by Paul Harvey's Comments, October 9, 1968, that it has been reproduced by the station. Copies of it are being sent as a courtesy to all police departments in the Channel 10 viewing area.

What are policemen really made of? Well, a policeman is a composite of what all men are. A mingling of saint and sinner, dust and diety. Cold statistics wave the fan over the stinkers, underscore instances of corruption and brutality because they're news. But what that really means is that they are exceptional, unusual—not commonplace.

Buried under the froth is the fact that less than one-half of one percent of the policemen misfit that uniform.

What's a policeman made of? He, of all men, is at once the most needed, the most unwanted. He's a strangely nameless creature who is "Sir" to his face—"Fuzz" behind his back. He must be such a diplomat that he can settle differences between individuals so that each thinks he won! But, if he's neat, he's conceited. If he is careless, he's a bum. If he's pleasant, he's a flirt—if he isn't, he's a grouch.

He must make instant decisions. But, if he hurries, he's careless. If he's deliberate, he's lazy. He must be first to an accident, infallible with the diagnosis. He must be able to start breathing, stop bleeding, tie splints—above all, be sure that his patient goes home without a limp or else expect to be sued.

The police officer must know every gun, draw on the run, shoot where it doesn't hurt. He must be able to whip two men twice his size and one-half his age without damaging his uniform—without being brutal! If you hit him, he's a coward—if he hits you, he's a bully. A policeman must know everything . . . and not tell. He must know where all the sin is . . . and not partake.

A policeman must, from a single human hair, be able to describe the crime, the weapon, the criminal, tell you where the criminal is hiding. But if he catches the criminal he is lucky and if he doesn't he is a dunce. If he gets promoted, he has political pull and if he doesn't he's a dullard.

A policeman must chase bum leads to a dead end. He runs files, types reports until his eyes ache, to build a case against some felon who will get bailed out by a "shameless shamus" or an "honorable who isn't."

A policeman must be a minister, a social worker, diplomat, tough guy—a gentleman, and of course, he will have to be a genius for he'll have to feed a family on a policeman's salary.

Paul Harvey, Good day.

AGING IN MICHIGAN

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. DINGELL. Mr. Speaker, the September issue of Aging in Michigan, the newsletter of the Michigan Commission on Aging, contains an excellent article by my good friend and colleague, the Honorable WILLIAM D. FORD.

Congressman FORD, in his service in this Congress, has carried forward a most remarkable record of public service begun on the bench in Michigan, continued as a writer of Michigan's new constitution, and dignified by a distinguished term as one of our most able and effective State senators.

The thoughts of this outstanding Member of this body merit careful consideration.

In this article, Mr. FORD outlines some of the paradoxes and problems created for and by the increasing number of senior citizens in the United States. He also relates some of the important legislation enacted by Congress to meet these problems.

I include Congressman FORD's article in the CONGRESSIONAL RECORD, and recommend its reading by all my colleagues:

REPRESENTATIVE FORD TALLIES LEGISLATIVE GAINS

(By Congressman WILLIAM D. FORD, Democrat—15th District of Michigan)

The paradoxes of life in America today are poignantly apparent. In the midst of unprecedented prosperity, there is debasing poverty; spectacular advances in medical sciences are often accomplanied by inadequate care for those who need it most, and years added to our lifespan are often ones of loneliness and neglect. This disparity between things as they are and things as they should be constitute a continuing challenge to all Americans.

Never before in history have so many been able to live so long. There are 19 million individuals in this country who have passed their 65th birthday. More than 800 people enter these ranks every day, adding up to a net increase of 300,000 every year. In Michigan there are 744,000 people aged 65 or older. While in 1950, senior citizens accounted for 7.2 percent of the State population, in 1968 this percentage has increased to 8.7 percent.

Statistics alone are meaningless, but fleshed out they become valuable aids toward understanding the nature of the problem at hand. In terms of sheer numbers alone, it is clear that the problems and challenges of 19 million older Americans cannot be ignored. The fact that there will be nearly 25 million people in this group by 1980 serves only to sharpen the focus of our concern.

All of us have a stake in the problems and the opportunities which accompany old age. Barring catastrophe, the majority of us in this country will live on into old age. Future breakthrough in treatment of chronic and degenerative disease will mean that still greater numbers of people will have the chance to live longer.

Our stake in the problems of aging extends to practicalities as well. As taxpayers, the great majority of us contribute to the support of indigent aged persons, and many others are directly involved in caring for parents or other relatives. Through social security and other pension systems, almost all of us make a down payment on our own future financial security. Acceptable solutions to problems of employment and retirement are of deep mutual concern to employer and employee alike. Federal, State and local governments are increasingly committed to programs for meeting the needs of older people. Indeed, it is almost impossible for any of us *not* to be in some way affected by the presence of a large older population.

The Federal Government's concern for its older citizens has steadily increased over the past three decades. A look at the way this concern has developed since the 1930's is testimony to its depth and extent.

Older people today may differ among themselves in any number of ways, but it is nevertheless true that they have also shared many important and basic experiences. One of the more significant of these was the Depression of the 1930's.

Today's senior citizen was middle-aged then, and was approaching whatever accomplishment or success he might have expected to achieve. But with the onslaught of the Depression, achievement and financial security were suddenly snatched away from millions. As the effects of the Depression became ever more severe, the Federal Government began to undertake new responsibilities to help those who, through no fault of their own, were for the first time unable to help themselves.

SOCIAL SECURITY FIRST

The Social Security Act of 1935 was the first historic response by the Government to the needs of its older citizens. This Act has been called the cornerstone of Federal concern for the older members of our society.

As the Depression gradually began to recede, those who had been deprived of work and income concentrated all their energies on regaining economic security. Many were successful, and many more were not. The average man of that time probably reached retirement before he had time to prepare himself. His life was his work, and without it he probably found little else to fill the long hours.

Though this description of the "average middle-aged man" in the 1930's might be exaggerated or over-simplified in some respects, basically it is a fairly accurate picture. With the passage of 30 years, with increased prospects of an independent old age, the emphasis is shifting now from work to other pursuits. A sure sign of changing social conditions is the present stress on preparing for retirement, and the corresponding emphasis on the meaningful use of leisure time. The focus of local as well as national effort is increasingly turned on ways of ensuring that the post-retirement years are ones of dignity and self-fulfillment, rather than idleness and indigence.

The year 1965 can well lay claim to being the greatest legislative year in our history for older Americans. Landmark legislation was enacted in housing for older people; community health and welfare services for the elderly were expanded; and with the passage of the Social Security Amendments of 1965, the 30-year fight for national health insurance for those aged 65 and over was won. In addition, the Older Americans Act was signed into law, creating the Administration on Aging and stimulating a nationwide program of community planning to bring new and expanded services and facilities to older people.

While the full effect of these enactments is still to be felt, we can get some idea of what they mean to the people of Michigan and the nation as a whole by looking at the newly available figures on the Medicare program. In the fiscal year which ended July 31, 1967, total Medicare benefit payments amounted to more than $3 billion. Over 19 million people, age 65 and over, were protected under the program. In Michigan, alone, payments were more than $127 million and over 700,000 people were protected under the program.

There is a special meaning, I think, in the great social legislation of the last several years. Millions of Americans have finally come to realize that an affluent society still leaves a great deal to be desired. It took a lot to bring us to this conclusion. World War I probably raised the first serious questions about our goals. The Great Depression gave rise to still other questions. The agony of World War II reinforced the impression that all was not well. The dazzling rise to material prosperity in the 1950's was not enough to blind us to the gradual erosion of the worth of the individual.

All the answers haven't been found yet. But we can take heart from the knowledge that the search will continue—in all the 50 States, and in the national government as well. Recently the 90th Congress enacted further legislation of importance for older Americans.

The Social Security Amendments of 1967 have provided an increase of at least 13 percent in social security cash benefits; an increase in minimum benefits from $44 per month to $55; an increase in the amount of earnings a beneficiary under 72 can have without loss of social security benefits; as well as a number of other liberalizations in social security cash and health benefits.

Amendments to the Older Americans Act, which I co-sponsored, have extended the grant programs through fiscal year 1972, authorized specific amounts to be appropriated for the programs for fiscal years 1968 and 1969, and made numerous other substantive and technical changes in the original Act.

RESEGREGATED SCHOOLS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. RARICK. Mr. Speaker, change has been so commonplace that real progress toward local self-government and individual liberty has again come into view.

Of course, it is not labeled segregated education—this time it is called "decentralization of schools." And if the people want it—and are willing to pay for it—let them have it.

And everybody is for it—George Wallace, the Democrats, the Republicans, the Ford Foundation, Stokely Carmichael, school superintendents. Well, almost everybody—except Earl Warren and a few Federal judges, that are out of step with society and refuse to permit mothers and dads a choice in their children's school.

Mr. Speaker, I think our colleagues will find the special page 1 article on "School Control" by John Mathews from the Sunday Star of considerable interest along with other news stories. HEW, take note.

The articles follow:

[From the Washington (D.C.) Sunday Star, Oct. 13, 1968]

SCHOOL CONTROL IS THE REAL ISSUE

(By John Mathews)

Decentralization of schools, of government services—everybody's for it: the Republicans, the Democrats, George Wallace, Stokely Carmichael, the Ford Foundation, school superintendents. . . .

The unlikely allies all agree that schools and other governmental agencies, particularly in the cities, have become too big, too bureaucratically centralized and largely unresponsive to the needs of the neighborhoods.

But decentralization of schools, of itself, is not the issue that has plunged New York City into a recurrent school strike, led Negro parents there to seize control of an area school board and inspired parents in Southeast Washington to picket a school demanding removal of a principal.

The real issue is power over the schools, specifically the power of Negro communities to run their schools. Decentralization of schools only becomes a volatile issue when power of decision-making is the objective. This has become known as community control of school, the gut issue in education today.

First, some definitions: Decentralization of schools generally means splitting up a large system into smaller subsystems with their own local administrators and sometimes their own school boards. The central city school board and administration usually shares some power with the decentralized units, but retains the ultimate authority over the key fiscal, administrative and educational decisions.

Community control, however, is another matter that * * * administrative reshuffle. To its supporters community control means that a locally elected citizen board should be granted as much power over a single school or group of schools as central education boards have traditionally had over an entire school system.

In its fullest form community control could mean a series of locally elected boards operating virtually independent competing school systems, hiring and firing their own teachers and administrators, managing their own funds and deciding upon their own classroom curriculum and educational standards.

Much of the confusion about decentralization and community control has arisen because the terms have been used interchangeably. As Washington's school Supt. William R. Manning put it recently, the terms are "not synonymous. There exists some administrative decentralization of large school districts but little local control. To have decentralization without local control is a travesty."

LOCAL CONTROL

While clearing up the confusion between the meanings of decentralization and community control, Manning inadvertently complicates the issue by using the term "local control," instead of "community control." Community control is the term used regularly in the New York controversy and here in Washington when people talk of gaining power over their schools.

"Local control of schools", however, has become a national slogan popularized by George C. Wallace who means an end to what he sees as unwarranted and unconstitutional federal intervention to speed up desegregation of schools and to dictate to local communities how federal school funds should be spent.

There's a basic difference between the Wallace backers who speak of "local control" and the Negro parents and leaders who walk the picket line in support of community control. The local control advocates are satisfied with their schools and want to keep them the way they are. But the community control backers, the Negro parents, are convinced the schools have failed and must be changed.

The complex issue of community control of schools has its genesis in the dissatisfaction of Negro parents with their local schools and what they see as the failure of other approaches to improve innercity schools.

FALL 1966 CRITICAL

It is generally agreed that the issue of community control first gained public attention in the fall of 1966 surrounding the opening of IS 201, a new school in Harlem. (With little public fanfare and with conflicts that rarely reached beyond the conference table, citizens in the Adams-Morgan area of Washington were raising and resolving many of the same issues months before they flared into the open in Harlem.)

The community of IS 201 had been led to believe that the new school would be a top-quality facility with an integrated school population. Soon after the school opened, it became clear to the community that the only new element in the windowless school was its architecture.

Abetted by a militant community leadership, the original demand for integration of the IS 201 by parents was transformed into a new demand of community control.

In their book, "Black Power," Stokeley Carmichael and Charles V. Hamilton summed up the controversy this way:

"The parents at IS 201 failed because they are still powerless. But they succeeded in heating up the situation to the point where the dominant society will have to make certain choices. . . . One result has already been achieved by the IS 201 struggle: the concept of community control has now rooted itself in the consciousness of many black people. Such control has long been accepted in smaller communities, particularly white suburban areas. No longer is it 'white folks' business' only, are the only living examples of the concept in the nation. Many other big city school systems are currently beginning their own community control experiments. Some cities may have second thoughts about trying community control, because of its disruptive early history in New York."

The Bundy Committee—one of its members was Mrs. Walter Washington—issued its report 11 months ago. Its report put the stamp of the establishment on what the people had been demonstrating for on the streets for the previous year and a half.

DISMANTLING PROPOSED

It called for a vast dismantling of the 1.1 million pupil school system into a federation of 30 to 60 largely autonomous school districts, each with power to hire and fire teachers and spend its own funds within limits. The powerful teachers union denounced the plan; Mayor Lindsay watered it down, and the state legislature earlier this year responded to an intensive teacher union lobbying effort by further diluting the plan. The city school board is drawing up another decentralization measure which at this point appears to satisfy no one.

What has produced the demand for community control which has lead New York City into a protracted school strike and sharp racial tensions? Why has the same demand in Washington, so far at least, developed with relatively little conflict?

Contrasting the views of a leading exponent of community control, who happens to be white, and a leading opponent, who happens to be a Negro, helps to bring out the key issues.

The supporter of Community control is Mario D. Fantini, a Ford Foundation official, and the opponent is Bayard Rustin, for 30 years a leading activist in civil rights and civil liberties movements.

FANTINI A CONSULTANT

Fantini, chief staffer for the Bundy report, is now the leading consultant for what will become the District's second experiment in community control, the Anacostia project. Rustin, who led the 1963 March on Washington and a New York City school boycott the following year, is now executive director of the A. Philip Randolph Institute. In a recent book and in many articles Fantini has traced the course of educational history leading to the demand for community control.

He argues that a variety of strategies were evolved for dealing with the problem of ineffective education among the urban, usually Negro, masses, and that all of them have basically failed.

First, compensatory education, the strategy of pumping extra funds and programs into slum schools, was tried and failed to produce significant change. The approach was based on the premise that the student was failing and must get more of the same curative, ignoring the possibility that the system of education itself may have failed the child.

The second major tactic for dealing with ineffective big city schools was integration, Fantini says. Whites resisted integration and the concentration of Negroes in the cities made meaningful integration impossible unless it could be implemented on a metropolitan basis with the suburbs. This tactic, however, was "politically unfeasible," Fantini writes.

INTEGRATION OPPOSED

Many Negroes now oppose integration at the option of the white community and favor instead "power and control over the schools their children attend," Fantini adds. "This is rather different from the separate but equal doctrine," he continues, "since some 'black power' philosophers reason that when Negroes achieve quality education under their own aegis, they will then be prepared to connect (integrate) with the white society on a groundwork of parity instead of deficiency."

With compensatory education and desegregation now challenged as educational strategies, Fantini sees parents and education leaders turning toward improving existing schools by giving the parents of the consumers (the pupils) a greater voice.

Community control and participatory democracy in education have a positive effect on participants as well as the school system, Fantini wrote recently in the Harvard Educational Review. In East Harlem, he notes, when parents became more involved "quality education replaced black power as the slogan." He adds: "The classic pattern of the revolutionary is that when he takes power, he shifts from destroying institutions to building order and new institutions (of his own kind, to be sure)."

When a Ford Foundation official talks of revolutionaries, some commentators on the radical left get suspicious.

A REVERSE RACISM

But some traditional liberals also have argued that unquestioning approval of the demands of militant parents in community schools is a sort of reverse racism, acknowledging that the Negro is always right and must be allowed to "do his thing." The liberals worry about the overt or covert anti-Semitism of some Negro activists and the breakup in the old civil rights alliance of blacks and whites.

Rustin, one of the leading critics of community control, was considered a radical only a few years ago. He agrees that there are many advantages in greater community participation in educational decisions, but he also sees some real dangers. In a speech earlier this year to union teachers, he outlined the dangers as he sees them this way:

"First, the proposal (Bundy Report) seems concerned more with political self-determination in education than with quality in education. Second, it is meaningless to promise communities control without also promising them the funds to make this control effective. If political control is not complemented by the financial control, then it may ultimately lead merely to an increase in community frustrations.

"Third, there is a real danger of community school boards being taken over by extremist groups—black and white, on the right and on the left—who are less interested in education than in racial and community politics. The education of children is much too important to be subverted to such interests. Fourth, after all the years of our struggle, we are now being asked to accept the idea that segregated education is in fact a perfectly respectable, perfectly desirable and perfectly viable way of life in a democratic society."

POWER SLOGANS ABSENT

In Washington, the conflict between black and white power that has supercharged the atmosphere in the continuing New York City conflict is largely absent. This fact provides a partial explanation of why the movement toward community control of schools here is proceeding in a relatively smooth manner.

New York's school staff is over 90 percent white and its student population of 1.1 million is more than half Negro and Puerto Rican. In Washington, the staff is about 75 percent Negro and the school population is over 90 percent Negro.

The United Federation of Teachers in New York jealously guards the powers it has gained for its largely white members over the last eight years. The Washington Teachers Union, on the other hand, gained power in the spring of 1967 after a campaign with overtones of the civil rights movement and the growing self-assertiveness of Negro teachers in the fact of the then white-dominated school administration.

Another factor working against open conflicts here has been the quiet, behind-the-scenes support the teachers' union leadership has given the District's first community control experiment at the Morgan School since its beginning a year ago last month.

DECENTRALIZATION HIT

In New York, the union has actively opposed and lobbied against decentralization plans.

In Washington, the teachers' union leadership recently convinced its members to take a strong stand supporting community control. The union position accepts the premise that subcontracts, including hiring and firing provisions, can be worked out with community school boards. The UFT in New York adamantly rejects this position, favoring instead collective bargaining only at the citywide level. During the entire dispute, the New York union has refused to sit down at the same table with the Brooklyn citizen school board.

The calm and cooperation existing between potentially conflicting parties here in Washington may be discounted by the argument that the community control issue has barely been joined in the District.

Morgan School is a single elementary school of 700 pupils in a system of 153,000 students. The community control issue will grow in significance and visibility, however, when the Anacostia project, off to a slow start because of congressional cutbacks in funding, gets under way. The project will cover a series of schools with about 11,000 students.

BOARD SCREENS TEACHERS

Since the beginning of the Morgan School experiment, the elected neighborhood board has screened new teachers and passed on their suitability for teaching at the school. Unofficially, school principals have long exercised this power.

Teachers assigned to the school before the experiment began generally asked for transfers to other schools, if they were not in sympathy with the goals of the project. Thus, a conflict about teachers similar to the one in New York has yet to develop.

The school has attracted many teachers who believe in a free, innovative form of education, using many new techniques and materials. After just one year of the experiment, reading scores at Morgan School improved significantly, while they continued to lag at all but a handful of the District's more than 100 elementary schools.

The Morgan community board is negotiating with the school administration now on proposals to extend its authority to two more elementary schools and a junior high school.

FUND FLEXIBILITY

The board also wants more flexibility in the spending of funds now allocated to it from the central board of education. Currently, Morgan School, like any other city school, is assigned its proportionate share of the school budget for individual categories such as staff, books, supplies, maintenance and other items.

What the community board would like is a lump sum appropriation so that it could then determine for itself exactly how the money should be spent, rather than being tied to central board guidelines.

The Morgan board has directly obtained federal funds for a "Follow Through" program that provides teacher aides and other resources to solidify progress pupils in the early grades have made in Head Start preschool classes. The community board also wants greater leeway in seeking out direct grants from foundations and other sources.

School Supt. Manning and the Washington Teachers Union leadership both agree that community control of schools should not be imposed from the top, but should evolve from the demands and desires of communities within the city.

With the example of New York to draw from and the groundwork already accomplished here, it is possible that Washington may avoid a destructive battle over community control. Regardless of good intentions, however, the self interests of teachers and the community could still diverge. Or conflicts here could take a different direction, with the community contending with the school board, the city council or the Congress.

[From the Washington (D.C.) Post, Oct. 8, 1968]

Midwest College Agrees to Separatist Policy

(By Ellen Hoffman)

Northwestern University, in an action that may conflict with Federal civil rights laws, agreed yesterday to provide black students on its campus with separate housing and meeting facilities.

University Vice President Ronald J. Hines said at a press conference that Federal investigators would visit the Evanston, Ill. campus next week to determine whether the actions are in compliance with Federal civil rights policy.

Ordinarily the Department of Health, Education and Welfare compliance unit is asked to rule on cases where black students claim they are denied equal access to campus housing, scholarships and the like.

Hines outlined actions taken by the University in response to black students who demonstrated in protest against what they called the institution's "racist" policies.

Black students claimed that white students were reassigned if they objected to living with black roommates and that campus Greek-letter organizations operated segregated living quarters.

Hines said that "upperclassmen have submitted their requests and this has resulted" in a concentration of black men living in one residence and a group of black women living together in another residence. About 200 of the campus population of 8000 students are black.

Other steps taken by the student-administration committee formed after last spring's demonstrations include recruitment and extension of scholarship to additional black students, new courses in Afro-American studies; plans to hire a counselor to spend most of his time working with black students, and assignment of meeting facilities to the black students' organization, "For Members Only."

Black students' spokesman James Turner appeared at yesterday's press conference and called these steps "the beginning of the most significant and sophisticated development for black students."

[From the Washington (D.C.) Post, Oct. 9, 1968]

Guidelines Set by City on Community Schools

(By Ellen Hoffman)

Washington school officials have drawn up guidelines for turning clusters of schools over to community groups.

The new guidelines implement the Board of Education's decision to extend certain powers to neighborhood school boards—like the Morgan Community School and the ten-school Anacostia demonstration project.

Superintendent of Schools William R. Manning said in an interview that he hopes decentralization of the school system would come about through community initiative.

Manning compared the flexibility of his approach with what he calls the New York City school system's attempt to impose decentralization on neighborhoods according to a citywide plan.

Decentralization of big-city school systems has been proposed as a means of making the schools more responsive to the needs of individual neighborhoods.

The Morgan and Anacostia experiments as well as the future schools at the Fort Lincoln "new town" have already been entrusted to the school system's new Special Projects Division, which will administer the guidelines.

A project must "involve new forms and means of community involvement and participation" in a group of schools concentrated in a geographic area. This would be in contrast to the one-school pilot project at Morgan.

Parents of Lafayette Elementary School children near the District line in Northwest Washington have made inquiries about neighborhood-run experiments. Earlier this year residents of Capitol East were denied Board approval of a proposal involving several elementary schools.

If the city Board of Education approves a project, "a council or board of education, democratically elected" would contract with the city Board and the Washington Teachers Union (AFL-CIO) to carry out educational programs.

The programs would probably be operated through a nonprofit corporation in an attempt to bypass red tape on the local and Federal levels. The city system's Model School Division, which controls its own funds has had exeprience in contracting with outside agencies for certain services.

The neighborhood council would receive responsibility for budget decisions and evaluation of school personnel. It would have to "insure a curriculum which is innovative" and at the same time "guarantee minimum standards as required by the Board of Education."

[From the Washington (D.C.) Post, Oct. 8, 1968]

NEW YORK SCHOOL DISTRICT HEAD IS FIRED—TEACHERS POSTPONE A NEW STRIKE

(By Susan Jacoby)

NEW YORK, October 8—Rhody A. McCoy, administrator of a Brooklyn school district that has become the center of a city-wide dispute with tense racial overtones, was relieved of his duties today.

The move came as the AFL-CIO United Federation of Teachers put off a strike threatened for tomorrow because they regarded McCoy's removal as a concession to the Union. McCoy had refused to reassign 83 Ocean Hill-Brownsville teachers to classes, as the Union had demanded.

Superintendent of Schools Bernard E. Donovan said in removing McCoy and eight principals: "Mr. McCoy indicated to me clearly that he intends to obey the directions of the suspended Ocean Hill-Brownsville school board and not those of the Board of Education or the Superintendent of Schools."

The basic issue is whether local community school boards should have more control over their schools, including a say in hiring and firing teachers. It has become a racial issue because the teaching staff of the New York City school system is more than 90 per cent white, while demands for community control of the schools are coming mainly from black neighborhoods like Brownsville. More than half of the 1.1 million students in New York's public schools are black or Puerto Rican.

The effect of Donovan's action was immediate and blunt. "They'll have to carry me out of here," McCoy said. "If there's anything I think will really rally this city, it's this action."

The locally elected governing board in Ocean Hill-Brownsville, one of three such experimental districts, has already been officially suspended by the central Board of Education, but has continued to function on a *de facto* basis.

Hundreds of police peered into classrooms, perched on rooftops and manned barricades today outside of eight schools at the center of the controversy. Assigned in massive strength to a four-block area, the police were the most visible symbols of the city government's inability to settle the complicated dispute through ordinary political means.

The Union says the 83 teachers were arbitrarily dismissed and that racial and religious bigotry on the part of the governing board was at least partly responsible. The Brownsville officials counter by pointing out that more than two-thirds of the teachers they hired to replace the old ones were white and more than half were Jewish.

Meanwhile, growing demands and demonstrations in favor of community control of the schools are coming from other areas of the City, including Harlem, Bedford-Stuyvesant and Manhattan's lower East Side.

Spokesmen for both sides indicated they saw little hope for a satisfactory resolution of the dispute in the near future. All of the alternative courses of action open to Mayor John V. Lindsay and to the City's central Board of Education have serious drawbacks. One reason Donovan's action may be ineffective is that he ordered assistant principals—who have consistently backed up McCoy and the local governing board—to take over operation of the eight schools.

The police could conceivably remove McCoy and the other officials bodily from the schools, but they could obviously not force students to attend classes of the disputed teachers. Nor could they force angry parents in the district to send their youngsters to school.

"The very nature of the police," one official of the local school district noted, "is they can prevent a person from doing something negative but they can't force a person to do something positive."

Today the 83 teachers were in the schools but were sitting in empty classrooms or assigned to "workshops."

Brownsville residents, including people interviewed on the street who have no connection with the schools, bitterly refer to the police presence as "the occupation." The heavy concentration of uniformed patrolmen in a small area makes the police presence impossible to ignore. "It's an eerie feeling when it's quiet in your class and you look out the window and see police," said one teacher at Intermediate School 271, which has been a focal point for community demonstrations.

One angry mother asked a policeman in a front line outside the school, "Just how are the children going to learn with the cops on top of the building.'

"You know, she's got me," said the policeman to a comrade.

Parents of both races have been infuriated by the teachers' strikes, but white parents have generally thought the Union was right while black parents have been sympathetic to the Brownsville board. Many white parents are far more interested in averting another city-wide strike that would affect their children, but members of the Lindsay administration are aware that much of the black community would regard it as an affront if more forceful means were used to obtain compliance from the Brownsville board, such as a cut-off in funds to the Brownsville district.

THE WELSH IN THE UNITED STATES

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FLOOD. Mr. Speaker, in the early spring of 1867 a few Welsh people living in East Boston and Morgantown were holding prayer meetings and Sunday School from house to house where they would be invited. East Boston lay at the foot of Pringle Hill. The present borough of Edwardsville was formerly known as Morgantown, named in honor of Mr. David Morgan. Later this borough was incorporated and the name changed to Edwardsville to honor Mr. Daniel Edwards, president of the Kingston Coal Co. In 1906 a post office was established in Edwardsville, Pa.

In the spring of 1868 the group met in a house belonging to the coal company, located in "the patch," formerly occupied by William Jenkins, "the Sinker."

On Saturday evening November 28, formal meetings began for the organization of a church. The church was first called the Welsh Congregational Church of Kingston, because that was the name of the post office for a long time.

The list of names of original members are: Issac Jones, Pittston; Mrs. Isaac Jones, Pittston; William L. Roberts and Isaac Thomas, Plymouth; David Isaacs and Mrs. David Isaacs, Pittston; Ed Hopwood, Reese Jones and Mrs. Reese Jones, Plymouth; Evan J. Williams, Pittston; Mr. and Mrs. Wm. Hatchwell, Wales; Mrs. Hughes, Carbondale; David Nicholas and William Thomas, Mahanoy City; Mrs. Joseph Reeves, Wales; Mrs. John C. Williams, Pittston; Mrs. William Hopkins, Wales; David Thomas, Swansea, Wales; and Mrs. Jane Jones.

It is interesting to note the names of young women of that day, with similar names of those who are active in the church and community today: Mrs. Eli Rosser, Margaret Thomas, Mrs. Price—Charlotte Evans, and so forth.

The first officers of this unusual congregation were: Issac Jones, William Roberts, deacons; David Isaacs, secretary of the church. Minister assisting at the organization of the first official family were Rev. David Davies, Pittston, formerly of London and John Evans, of Plymouth.

Their devotion to their office as a member of the church is seen in the tragedy which occurred in 1869: Deacon Issac Jones lost his life in a heroic effort to save the life of another man who had fallen into a deep well. In the Gospel of John we read:

> Greater love hath no man than this, that a man lay down his life for his friends (John 15:13).

Deacon Jones qualified as a Disciple for the Lord Jesus Christ.

Likewise the pastors of the church found that the going was not easy. On a Sabbath evening of October 1869, when Rev. D. Davies of Pittston was preaching, and an exceptionally fine spirtual atmosphere pervading the service, in the quiet, worshipful moments of the holy evening, there rushed into the building a crowd of unruly men, boisterous and threatening, claiming that they had a better right to the building than his congregation had, and insisted on his quitting immediately. On several other occasions stones were thrown at the building during the prayer meetings and preaching services; but on this occasion the climax was reached, and the schoolhouse was vacated.

The Kingston Coal Co. presented them with a building later known as the Old Red School House, which was to become the home of the church until the erection of a regular church building.

The year 1888 was a memorable one, for in it was experienced the first fiery ordeal. About 10 o'clock on Friday morning, November 9, a fire broke out in the basement of the church, and rapidly spread and reduced the handsome and commodious building to a total wreck, incurring a loss of about $10,000; partly covered by insurance. The following Sunday the people assembled in a hall near Toby's Creek, and at the morning service the pastor preached from the text found in Nehemiah, second chapter, 17th and

18th verses. A new church building was voted and completed in time for the dedication in August 1889.

When Paramount Pictures chose to dramatize the story of the Molly Maguires, they overlooked an important incident which took place in the year 1905 and left an indelible impression on folks of the valley.

Early Saturday morning, May 6, only a few minutes after 3 o'clock, people were awakened by a severe shock, like the report of a huge cannon. In about 40 minutes the pastor was called by a friend who had kindly come to inform him that the church had been dynamited and ruined. The reason for the blast at first was undetermined. Later, when the criminals were apprehended, it was discovered that the motive was revenge by the Molly Maguires upon certain members of the congregation with whom they had political quarrels. Eventually they were found guilty and served jail terms. The records of the entire incident is recorded in the annals of Luzerne County.

During the subsequent years many pastors served this noted church. Among the many ministers the names of Dr. T. C. Edwards, for whom the name of the Welsh Church was changed to the Dr. Edwards Memorial Congregational Church, is the outstanding personality in the history of the congregation. He served 50 years; Rev. Enoch Hughes, 15 years, and the present pastor, Rev. Irvin Castner Wise, over 10 years.

During the contemporary period there have been organizations such as the Senior Women's Missionary Society, Junior Missionary Club, organized Sunday school classes, Christian Endeavor, and the various choirs, maintaining an attractive program. The church is sometimes called the Home of the Eisteddfod in the United States, an international musical group featuring competitive singing, musical compositions, and poetry, originating in Wales.

The 100th anniversary celebration of this church never would have been possible without the officers and men who are presently serving the church, in some capacity:

The trustees: Ralph S. Morgan, William R. James, William Rosser Morgan, Hugh Jones, and others: George Price, Samuel Jones, George P. Williams, Abram Daniels, Sr., David Gibbon, John Pugh, and John S. Davis.

The deacons: Benjamin J. Davis, Abram Daniels, Jr., Stephen L. Lewis, John Ellis, Cromwell E. Thomas, William M. Luff, David W. Davies, Eli Rosser, Rhys J. Jones, Edward T. Edwards, James Roberts, and J. David Jones.

FIDEL CASTRO, PROMISES AND FACTS

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. GUBSER. Mr. Speaker, recently I had the pleasure of meeting Mr. Agustin Garcia, a young man who had lived in Fidel Castro's Cuba. He is now employed in my congressional district and is highly respected by his employer and associates.

Mr. Garcia has written a paper entitled "Fidel Castro, Promises and Facts." I thought readers of the CONGRESSIONAL RECORD would profit by reading this excellent paper and it is inserted herewith:

FIDEL CASTRO, PROMISES AND FACTS

Fidel Castro has deceived Cubans with his government. All his economical, social and political promises have been betrayed. He promised bread and freedom but he brought hunger and oppression.

He promised bread, but in Cuba bread and almost everything else is restricted. Restriction began with some articles imported from the United States when the relationships between both countries were broken, and have ended up with all foods, including the nationally produced sugar and coffee; clothes, shoes, utensils of all classes; tires and gas, and everything conceivable from an envelope and a beer to an iron or a radio or television set. The actual allowances of foods are: 3 lbs. rice, 1½ lbs. sugar and 1½ lbs. beans a month; 1½ ounces coffee and ¼ lb. meat a week per capita; fresh milk is only given to children under seven years; potatoes, flour, soap, tooth paste, detergents and canned items do not have schedule: they are distributed perhaps once a month in insufficient amounts. Clothes and shoes must be obtained after several days and nights waiting outside the stores and even so through rationing cards that allow a person to get a pair of shoes, two slacks, two shirts, two pairs of socks a year and so forth. All this if your turn comes when these expensive and low quality articles are still available. If you want a pot or a dish, you have to wait until they come. If you need a tire you cannot get it because there are not any. Gas is restricted to twenty gallons per month, so if you need more, you only have a choice: wait until next month. Beers are only served in restaurants with meals. And those meals are so expensive that cannot be afforded by workers. If you need to write a letter, be sure you have paper and envelopes left from the last time you could get them. Irons, radio and television sets are not available because they are not supplied by the countries Cuba does business with.

One of the most needed changes in the social and economical life in Cuba was the Agrarian Reform. Also, it was one of the most highlighted points of Fidel Castro's speeches before his arrival to power. When the Agrarian Reform law was issued it was received with plenty acceptation and remarkably little criticism or opposition. Though it undoubtedly caused a great deal of perturbation on the part of those who were going to suffer from it, they were so isolated politically that they could do little but pretend to make the best of it.

The real trouble with the Agrarian Reform was caused by the application, not by the letter of the law. The Agrarian Reform as carried out had little or no relation to the Agrarian Reform as enacted. The state lands, for example, were supposed to be the first to be redistributed, but no effort was made to do so. The seizures were completely arbitrary, the pledge of indemnification was utterly ignored; personal effects had to be left when a home had to be abandoned immediately, and not so much as a receipt was issued for them.

As a result, all these mishandlings have brought about a quite different situation. All the land seized not only from large landowners, but from small farmers have become in state farms where the peasants, who hoped to work the field for themselves, have been forced to work for the government with very low wages. Moreover, the scarce owners of very little farms (less than 66 acres) still in "possession" of them, are totally dependent of the government and tightly controlled by an association that tells them what to plant and sets the prices to their products. As it would be expected, the agricultural production has been considerably cut as a consequence of the opposition to these procedures.

Another deceiving aspect of the Castro's Revolution is the production. It is almost cruel to recall what some leaders were saying in 1961 when, actually, the economy had already begun to backfire. In August 1961, for example, Minister of Economy Regino Boti calculated that the rate of growth of the Cuban economy for 1962–1965 would be between 10 and 14 per cent annually. "In 1965," said Minister Boti, "Cuba will be, in relation to its population, the most industrialized country in Latin America and it will be at the head of production per capita in electrical energy, steel, cement, tractors and refining of petroleum." As for five years more, he was even more euphoric: "I wish to emphasize that if we look further ahead and contemplate the future of Cuba in the next ten years, we must come to the conclusion that through the work and efforts of the people, Cuba will overcome the present transitory difficulties and will reach within nine or ten years the highest standard of living, as high as almost every country in Europe."

Up to here, the enthusiastic lies used to maintain the people waiting hopefully. But, what is the truth? The production in all these items has fallen every year between 15 and 20 per cent. In addition, sugar crops have fallen down from 6.8 million tons in 1961 to 4.8 million in 1962, and 3.8 in 1963. Also the rice that in 1957 reached a production of 181,000 tons was 95,400 in 1962. Coffee, an item entirely produced in Cuba enough for exportation before Castro, has been restricted in the last few years. Livestock and poultry, produced in enough abundance to fulfill the needs of the people as well as to be exported to England in the past, now have been rationed under the daily requirements of protein. Potatoes, bananas, onions, black beans and many other items formerly produced in the country in big amounts, today are rationed and, in some cases, imported.

Cuba before Castro was, indeed, a country with serious social problems, but it was far from being a peasant country or even a typically "underdeveloped" one. Its population was more urban than rural: 57% lived in the urban areas and 43% in the rural. The social inequalities less marked and the middle class rather bigger than in other parts of Latin America. The working class had strong unions and excellent wages and benefits. Negroes, even with their own clubs, were not discriminated against, and shared with whites the same public places like parks, theatres, cafes and buses. They were accepted at work everywhere when capable, and there was not tension between whites and blacks.

Now the social problems have been changed and worsened. Negroes feel now as if they are instruments of propaganda instead of being "liberated from their discrimination". The differences of classes more than social have become political: revolutionarios and counterrevolutionarios, Cubans and pro-imperialism. Workers have lost all their benefits because they were "imperialistic vicious" and they have now to work "voluntarily" without pay for the revolution. Now, in order to get a job it is necessary to fulfill revolutionary conditions rather than to possess the capability to do the job in question.

Unemployment, another social problem before Castro, has been hidden rather than abolished. The so-called "voluntary labor" is increased every day. Groups of workers are hauled off in trucks from government offices and state-owned factories to perform agricultural tasks for which they are ill-fitted and ill-disposed. Thus, the former unemployment has been changed into work without pay.

But for the working class as a whole, the Castro regime has introduced different methods of compulsion and coercion. The military-service law, concentration camps, Law No. 1098 and the Revolutionary Tribunals and lately, the system of wage scales and work norms, are the answer of the government to the opposition of the workers to the tyranny.

The military-service law instead of being military has provided the government a big amount of men between 16 and 26 years and women between 16 and 23 years old to perform agricultural and many other labors, at a cost of seven pesos a month each. For administrators, officials and workers, the regime has revived the institution of "labor camps", where they are sent as punishment for any small failure in their jobs. In those camps, the workers are forced to do the more hard jobs as a expiation of their faults. In 1963, the almost incredible law No. 1098 was enacted. It provided for imprisonment of twenty to thirty years for robbery or larceny of as little as $100, if civilians were involved, and the death penalty if committed in uniform. The accused were to be imprisoned as soon as charged and before having been found guilty, brought to trial in twenty four hours, and sentenced within seventy two hours by the Revolutionary Tribunals.

The system of wage scales and work norms needs a paragraph apart. It was adopted at the end of 1963, and it essentially reorganized the whole system of wage scales into eight categories. This meant that 72.4% of the working class was put in the lowest three categories and only 7.2% in the highest three. Thus, about 75% of all Cuban workers were graded to earn from 85 to 115 pesos monthly. The new scale also served to reduce the average hourly wage from 90 to 75 cents. In every category, however, the actual wages were predicted on the fulfillment of "norms" or standards of productivity set by the government for each type of work or operation. To receive his full salary, it became necessary for a worker to fulfill his norm. If he failed to do so, his wage would be reduced by the same number of points of percentage as his drop below his norm. If he overfulfilled his norm, however, his wage would be increased by only the half of the percentage points of his rise above the norm, but not exceeding the next category in the wage scale. All these facts give an idea how the proletariat "dictates" in Cuba: under the sword of Damocles.

Education has been one of the most relevant points of propaganda of Fidel Castro in his interminable speeches. Here are some facts. Before Castro, there were three universities, now there are still three even though they have been enlarged. Capable instructors, but not communist, have been substituted by less experienced ones, but loyal to the regime and able to teach Marxism. Thus, the quality of teaching is remarkably low in comparison with the past. Moreover, the requirements for admission in the universities are: first, the revolutionary merits of the student, and second, his academic records. So, no matter how good a student can be, if he has not any revolutionary condition, he cannot have a college education. Also, high schools, art, business and technical schools have lost their best teachers, and students without completion of their revolutionary tasks are dropped out regardless of their academic records and behaviors.

There are more primary schools, but they are, perhaps, the more affected with the changes made by the Revolution. Professional teachers with a four-year degree have been substituted by young instructors, the so-called "Popular Teachers" who have received a six month course, mostly Marxism, enabling them to change the mind of the entire childhood of Cuba. As a consequence, boys and girls are receiving a great deal of marxism indoctrination as background for their future revolutionary duties.

Another interesting fact is that girls and boys over ten years old and over fourth grade have to go to work in the agricultural fields no less than a month a course. High school and university students have to spend at least 45 days a year working in farms or sugar cane fields in order to get their grades.

Also, the illiteracy has been matter of propaganda. In accordance with 1957 statistics, there were 76.4% literate persons over ten years. In 1960 "Year of Education" the government made an intensive campaign to eradicate the illiteracy. The results, although positive, were not so satisfactory as displayed by the controlled press. Many persons declared literate merely know how to write their names and many others never even began to learn to write.

Many of the political promises of Fidel Castro have been forgotten or reversed. Castro's 1953 speech predicted that the first revolutionary law would be the restoration of the 1940 Constitution and made an allusion to a "government of popular election". Castro's Manifesto of July, 1957, his first political declaration from the Sierra Maestra, contained a "formal promise of general elections at the end of one year and absolute guarantee of freedom of information, press and all individual and political rights guaranteed by 1940 Constitution.

In an article in Coronet magazine of February, 1958, Castro wrote of fighting for a "genuine representative government", "truly honest and for general elections within twelve months, full and untramelled freedom of public information and all communication media, and reestablishment of all personal and political rights set forth in 1940 Constitution". In his answers to his first biographer, Jules Dubois, in May, 1958, Castro pledged "full enforcement of 1940 Constitution and a provisional government of entirely civilian character that will return the country to normality and hold general elections within a period of no more than a year".

But, what has he done? Everybody knows that after a few months of government he set himself up as Prime Minister and never more has spoken about free elections. In Cuba, press is controlled totally by government and everything published is in agreement with its premises, and nobody can make even a criticism for anything. This is no Civil Rights, and this is not 1940 Constitution. This is not freedom of information, and this is not freedom at all. But there are thousands and thousands of prisoners for the big counter-revolutionary crime of criticizing the government "of the people, to the people and with the people", that promised free elections, free press and free speech.

There are thousands of political prisoners in such prisons like the infamous "La Cabana" and Pine Island. Appeals by the International Red Cross and the Organization of American States to visit those prisoners have been regularly refused. Also, the government created the Military Units for Aid to Produccion or UMAP. These concentration camps started in 1965 as places where conscripts called "lumpens" or parasites were sent to cut sugar cane or work in the fields watched over by armed guards. Now, anybody can be sent there for any reason at any time and people talk about those camps with visible fear.

The vigilance system is spread all over the country. In each city block and in every hamlet, there is a Committee for the Defense of the Revolution. Night and day these control centers keep track of everybody and everything. They know people's salaries and habits, their tastes in dressing and eating and so forth. There is little people can do that the Committee will not find out. Furthermore, there are several repressive groups, like the so called G–2, that watch the loyalty of Army, Navy and Police as well as political activities of everybody.

Consequently, many Cubans, incapable to do something to overthrow the powerful system, have come to The United States in search of peace, freedom and future for their children. The first Cuban exiles to take refuge in The United States early in 1959 were the former "batistianos". Numbering only a few thousand, they succeeded mainly in giving Castro a propaganda point to score against American Government for harboring them. Then came the rich people fleeing after being despoiled. But the main exodus came in 1960. It started in the spring, speeded up in the summer and took on proportions of a mass flight at the end of the year. The large scale of expropriations that summer induced a great portion of the business community, big and small, to go. The purges of universities and secondary schools drove out hundreds of teachers. The communist takeover of the trade unions added many of their leaders to the stream. Professionals, intellectuals and technicians fled in increasingly large numbers.

By 1961, over 100,000 political emigrants had gathered in the United States. But this number was only a fraction of those who had tried to get out but could not. Even though flights were stopped with the 1962 missile crisis until December, 1965, when again the stream started at a rate of 4,000 a month, the amount of Cuban exiles reported in December, 1967, was over 400,000 many of them have come in small boats through the dangerous waters of the Gulf of Mexico.

In conclusion, the Cuban Revolution that started with almost a total endorsement of the Cuban people, that represented an inequal hope in the future of Cuba, has ended up in a complete frustration, in a complete failure and in a complete betrayal. Fidel Castro, the man who had all the resources in his hands to make Cuba rich and happy, free and prosperous, has made the country poor and unhappy and has converted the island into a big and hungry jail from where not too many can escape.

NIXON POSITION ON MIDDLE EAST

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. AYRES. Mr. Speaker, I know it will be of interest to all Americans to view the position taken by Mr. Nixon regarding the situation in the Middle East:

NIXON FIRM ON "VALID SELF-DEFENSE" FOR ISRAEL

(NOTE.—Following are excerpts from a statement made by Republican Presidential nominee Richard M. Nixon at the B'nai B'rith triennial convention in Washington, D.C. on September 8.)

Four fundamental facts of life are evident in the Middle East today.

First, the danger of war increases in direct ratio to the confidence of certain Arab leaders that they could win that war.

Second, the Soviet Union has the definite aggressive goal of extending its sphere of influence to include the Middle East.

Third, the United States has a firm and unwavering commitment to the national existence of Israel, repeated by four Presidents, and after Inauguration Day next year, it will be repeated by another President.

Fourth, the foundations for a permanent peace will be laid when hunger and disease and human misery have begun to disappear from the Arab world, and the breeding ground of bitterness and envy is removed.

LOOK HARD AT FACTS

America must look hard at those facts of life to determine how we can change the collision course of the nations of the Middle East, and avert a confrontation of the major powers.

Since the six-day war, the Soviet Union has systematically rebuilt the armed forces of the U.A.R. Their goal was not to restore a balance of power; their goal was to further Soviet ambitions.

To a disturbing extent, they have introduced new and more sophisticated weapons. Their Middle Eastern clients are growing more confident that they could win a war of revenge and drive Israel into the sea.

Therefore, the free world must act to maintain a balance of power to remove the confidence of would-be aggressors. Certainly a balance of power is a short-term solution; but when survival is at stake, short-term solutions are necessary.

Israel must possess sufficient military power to deter an attack. As long as the threat of Arab attack remains direct and imminent, "sufficient power" means the balance must be tipped in Israel's favor. An exact balance of power, which in any case is purely theoretical and not realistic, would run the risk that potential aggressors might miscalculate, and would offer them too much of a temptation.

MILITARY MARGIN

For that reason—to provide Israel a valid self-defense—I support a policy that would give Israel a technological military margin to more than offset her hostile neighbors' numerical superiority. If maintaining that margin should require that the U.S. supply Israel with supersonic Phantom F–4 jets—we should supply those Phantom jets.

In the Middle East and the Mediterranean, along the southern flank of NATO, we have been witnessing the advancement of Russian imperialism. This is no Communist innovation, but an age-old Russian geopolitical goal that the Soviet rulers inherited from the Czars.

Consider the pattern:

In June of 1966, the Warsaw pact nations bluntly declared the incorporation of the Middle East to the Communist sphere to be one of their aims.

During the next year, they provided the weapons and unleashed a propaganda campaign that inflamed tensions and led to the six-day war, which they consider only a temporary setback.

Since June of 1967, the Mediterranean complement of Soviet ships has more than quadrupled—from -- to nearly 50 ships. And for the first time in 60 years, the Soviets have moved a fleet into the Persian Gulf, which extends into the heart of west Asia.

Since the take-over of Czechoslovakia, the Soviets have stepped up their anti-Semitic propaganda, concocting a "Zionist Plot" in Prague to win support in the Middle East.

CLEAR-CUT MOVES

These are the clear-cut moves of a superpower seeking domination. Confronted with this diplomatic and military policy of expansionism on the part of the Soviets, the American response has been uncertain and ineffectual.

We can hardly ignore the fact that during the past five years of active Soviet penetration, the U.S. Government has at times seemed to hide its head in the sands of the Middle East; this Administration has failed to come to diplomatic grips with the scope and seriousness of the Soviet threat.

What must we do now? Short-range, we must counter the military build-up, as I have indicated. We must take the initiative for near-term settlements. Looking ahead, we must deal directly with the Soviets on the subject of the Middle East.

Without belligerence, we have to make it crystal clear that the stake of the free world in the Middle East is great; we must impress upon the Soviets the full extent of our determination, and then, and only then, will we cause them to reexamine their own policy to avoid a collision course.

Some of America's critics abroad say that support for Israel by American political leaders is purely an election-year exercise. They say it is a device to capture Jewish votes at home.

But these critics don't understand the American point of view.

America supports Israel because we believe in the self-determination of nations; America supports Israel because we oppose aggression in every form; America supports Israel because it is threatened by Soviet imperialism; and America supports Israel because its example offers long-range hope to the Middle East.

We can justify our firm support on the basis of principle but there is that human element involved as well.

All those reasons taken together add up to why we are not about to abandon Israel. America's word is good. It has cost us enough to prove that.

ISRAEL'S PREDICAMENT

We recognize Israel's predicament; its enemies can afford to fight a war and lose, and come back to fight again; Israel cannot afford to lose once. America knows that. And America is determined that Israel is here in the family of nations to stay.

Some Arab leaders equate America's support of Israel as being "against" them. That is simply not true.

The United States should work with every nation of the Middle East willing to live in peace with its neighbors on a far-reaching development program.

The imaginative Eisenhower plan to bring water—and thus food and employment—to the Middle East is one such proposal. This plan would provide atomic plants for the desalting of sea water—water so desperately needed to irrigate deserts. The first of these plants would produce as much fresh water as the entire Jordan River system does today, opening a new life to hundreds of thousands of Arab refugees. We must explore every avenue to turn the arms race into a race for development.

MUST TAKE THE LEAD

Right now, the United States must take the lead in forging an acceptable settlement in the Mideast.

Included in the terms of that settlement should be solid guarantees that the currently occupied territories will never again be used as bases of aggression or sanctuaries for terrorism. Access for the ships of all nations through the reopened Suez Canal and the Strait of Tiran should be guaranteed.

It is my view that for Israel to take formal and final possession of the occupied territories would be a grave mistake; at the same time, it is not realistic to expect Israel to surrender vital bargaining counters in the absence of a genuine peace and effective guarantees.

To find a just peace in an area of the world that has known only armed truces and three major and bitter wars in a generation, is not an easy task. But the United States is not without diplomatic and economic resources, and its private and public men are not without cogent ideas to get directly at the underlying problems of refugees and water.

AIRPORT OPERATORS LAUD FORMER FAA ADMINISTRATOR McKEE AND URGE RELIEF FROM AIRCRAFT NOISE AT 21ST ANNUAL MEETING

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. TENZER. Mr. Speaker, the Airport Operators Council International, representing the Nation's major publicly owned and operated airports, held its 21st annual meeting and conference in St. Louis, Mo., on October 1–4, 1968, and heard presentations by aviation leaders on some of the most pressing problems facing the industry today, including that of aircraft noise.

In its business sessions, the airport operators passed a resolution applauding the former FAA Administrator, Gen. William F. McKee, USAF, retired, for his efforts in behalf of civil aviation. The resolution specifically notes the former Administrator's interest in the aircraft noise problem and his leadership in obtaining congressional action on effective noise abatement legislation. This legislation, introduced as H.R. 3400, was enacted this session as Public Law 90–411.

As a cosponsor of H.R. 3400 and as a Member of Congress who requested the first White House Conference on Jet Noise in August 1965, which resulted in this legislative proposal, it is my hope that H.R. 3400 represents the first step on a course of action to reduce the menace of jet noise.

In regards to this legislation, the AOCI passed a resolution at its annual conference calling upon the Department of Transportation and the Federal Aviation Administration to promptly respond to the will of Congress, as reflected in the passage of Public Law 90–411, by affording and insuring present and future relief and protection to the public from aircraft noise and sonic boom. The resolution states that in any proposed aircraft noise certification rule implemented under the authority of Public Law 90–411, the Department of Transportation and the Federal Aviation Administration adopt the original FAA September 1966—Blatt letter—proposal for aircraft noise "measuring distances" of 1 statute mile—1.609 kilometers—from threshold on aircraft approach, 3 statute miles—4.827 kilometers—from start of roll on takeoff and 1,500 feet—457.1 meters—from the side and parallel to the runway centerline. Further, that a maximum noise certification limit of 105 EPNL on takeoff, as originally proposed and considered reasonable by the FAA, be adopted. Measuring distances farther from the runway, or aircraft certification based on greater maximum noise levels can only result in higher aircraft noise levels in many communities adjacent to major U.S. metropolitan airports, the resolution states.

Under unanimous consent, I submit the resolutions of the Airport Operators Council International noting their appreciation of former FAA Administrator McKee and calling for prompt Federal Aviation Administration adoption of meaningful aircraft noise certification criteria, together with their letter of this date to the President of the United States regarding the noise criteria:

APPRECIATION OF AIRPORT OPERATORS TO FORMER FAA ADMINISTRATOR McKEE

Whereas, General William McKee, U.S.A.F., Ret., served as Administrator of the Federal Aviation Administration from August 1, 1965 until July 31, 1968 and

Whereas, Administrator McKee, during his term of office, gave increased attention to problems of interest to airport operators including aircraft noise abatement and the need for new airport and airways financing legislation, and

Whereas, Administrator McKee was most effective within the halls of Congress in rallying support for needed aviation legislation; and

Whereas, Administrator McKee improved the morale of FAA employees by systematic application of decentralized decision making and proper reliance on staff recommendations

Now, therefore, be it resolved by the Members of the Airport Operators Council International, in meeting assembled, that a letter of appreciation from AOCI be transmitted to former FAA Administrator William F. McKee for his efforts on behalf of aviation during his term of office along with AOCI's best wishes for his success in future endeavors.

AIRPORT OPERATORS COUNCIL INTERNATIONAL, INC.,
October 14, 1968.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The U.S. Members of the Airport Operators Council International urge that the Department of Transportation and the Federal Aviation Administration promptly respond to the will of Congress, as reflected in the passage of Public Law 90–411, by affording and ensuring present and future relief and protection to the public from aircraft noise and sonic boom.

At the AOCI Annual Conference on October 4, 1968, the U.S. Members of the Council unanimously adopted a Resolution stating that in any proposed Aircraft Noise Certification rule implemented under the authority of P.L. 90–411, the Department of Transportation and the Federal Aviation Administration adopt the original F.A.A. September 1966 (Blatt letter) proposal for aircraft noise "measuring distances" of one statute mile (1.609 kilometers) from threshold on aircraft approach, three statute miles (4.827 kilometers) from start of roll on takeoff and 1500 feet (457.1 meters) from the side and parallel to the runway center line. Further, that a maximum noise certification limit of 105 EPNL on take-off, as originally proposed and considered reasonable by the F.A.A., be adopted.

Measuring distances further from the runway, or aircraft certification based on greater maximum noise levels can only result in higher aircraft noise levels in many communities adjacent to major U.S. metropolitan airports.

The full text of this AOCI Resolution is attached. We will be happy to discuss the contents of this Resolution, or answer any questions you may have, at your convenience.

Sincerely,

RICHARD E. MOONEY,
President.

AIRCRAFT NOISE CERTIFICATION CRITERIA

(U.S. Members only)

Whereas, the Airport Operators Council International is deeply concerned about, and recognizes that the use of jet aircraft in interstate commerce has created a serious national aircraft noise problem, and

Whereas, the Senate and House of Representatives of the United States have passed, and the President has signed into law Public Law 90–411 amending the Federal Aviation Act of 1958 governing the control and abatement of aircraft noise and sonic boom, and

Whereas, Public Law 90–411 directs the Administrator of the Federal Aviation Administration, after consulting with the Secretary of Transportation, to prescribe and amend standards for the measurement of aircraft noise and sonic boom and to prescribe and amend such rules and regulations for the control and abatement of aircraft noise and sonic boom, including the application of such standards, rules and regulations in the issuance, amendment, modification, suspension or revocation of aircraft, airman, and air carrier operating certificates, and

Whereas, the Airport Operators Council International recognizes its responsibility to study and evaluate proposals to implement said legislation, and

Whereas, a noise certification limit of 105 EPNL at a measuring point of three statute miles from start of roll on takeoff was initially proposed and considered reasonable by the Federal Aviation Administration, and

Whereas, many thousands of people live adjacent to airports in homes as close as three statute miles from start of roll on takeoff, and

Whereas, it has been brought to the Airport Operators Council International's attention that the Department of Transporation/Federal Aviation Administration's positions in the current discussions among the United States, Britain and France concerning certification of aircraft for noise purposes has reached the stage that they propose to adopt a noise certification limit of 108 EPNL at a measuring point of 3.5 nautical miles (4.0 statute miles) from start of roll on takeoff which will result in aircraft noise levels in communities adjacent to airports that are more than 15 EPNL higher (more than double the noise) than the criteria originally proposed by the FAA to the industry in September, 1966, and

Whereas, the proposed aircraft noise certification rule implementing Public Law 90–411 contains a measuring distance of 3.5 nautical miles from start of roll on takeoff and, in all probability, proposes a noise certification level of 108 EPNL at that point which will result in aircraft noise levels in communities adjacent to airports that are more than 15 EPNL higher (more than double the noise) than the criteria originally proposed by the FAA to the industry in September, 1966, and

Whereas, in these tripartite discussions and in the latest FAA proposed noise certification rule, it is proposed to move the measuring distances from one statute to one nautical mile from the threshold on landing and from 1,500 feet to .25 nautical mile from the side and parallel to the runway centerline;

Now, therefore, be it resolved by the Members of the Airport Operators Council, in the meeting assembled, that

1. The Department of Transportation and the Federal Aviation Administration be advised and be requested to respond to the will of Congress; namely, that the specific purpose of Public Law 90–411 is to afford present and future relief and protection to the public from aircraft noise and sonic boom, and

2. The Department of Transportation and the Federal Aviation Administration are urged to adopt the original September, 1966 proposal of the FAA "measuring distances" of one statute mile (1.609 kilometers) from threshold on approach, three statute miles from start of roll on takeoff (with a corresponding noise level of 105 EPNL) and 1,500 feet from the side and parallel to the runway center line, respectively, in any proposed Aircraft Noise Certification rule implementing Public Law 90–411.

THE LATE HONORABLE PAUL KILDAY

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. FISHER. Mr. Speaker, the untimely death of Paul Kilday on last Saturday came as a blow to all who knew him. He was one of the most able and respected legislators I have ever known.

On the Court of Military Appeals he left his imprint. Extremely able decisions marked his career there.

Paul Kilday was first elected to the Congress in 1938, following a legal career which featured his great ability as a prosecutor. It is said he kept San Antonio's underworld jittery for years, and came to be known as Big Poison to defense attorneys.

Serving in the Congress from 1938 to 1961, when he voluntarily retired to accept an appointment to the Court of Military Appeals, Mr. Kilday authored many bills for the benefit of those in the military service, and he was a leading figure in the drafting of the present Code of Military Justice. He played a major role in writing the Selective Service Act, and he exercised dominant influence in legislation relating to the service academies. Indeed, Paul Kilday's legislative accomplishments would fill a book. As a ranking member of the House Armed Services Committee, Paul was extremely influential. He was rated among the leading authorities on all aspects of military operations. When he spoke, everyone listened.

Paul Kilday was one of the most popular and respected men who has served in the Congress. I always thought of him as a close personal friend, and I never hesitated to pick up my telephone and call him for advice when I felt it was needed. His shoes can never be adequately filled.

To the family I extend my deepest sympathy in their bereavement.

DR. ROBERT C. WEAVER

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BOLAND. Mr. Speaker, Dr. Robert C. Weaver, the remarkably able Secretary of Housing and Urban Development, plans to resign his post after next month's national elections. I would like to congratulate Dr. Weaver on the first-rate job he has done in building HUD into one of our Government's finest departments. I would also like to extend to him my very best wishes for success in the new post he plans to take—the presidency of the projected Bernard M. Baruch College in Brooklyn, N.Y.

Intelligent, articulate, consummately skilled in government administration, Secretary Weaver has done a magnificent job as Director of HUD. As I have said many times before, he has handled the Department as well as anyone could possibly have done. He has pulled many divergent agencies into one integrated Department—a highly complex and difficult job that only a man of Dr. Weaver's abilities could carry out so smoothly.

Throughout his career in HUD, Dr. Weaver has shown leadership, dedication, and spirit. In his relationship with the House Appropriations Committee's Subcommittee on Independent Offices and HUD—a body on which I serve—the Secretary has been most cooperative. His ability to master HUD's problems and to articulate them properly has been a very great thing for the Department, for the Congress, and for the Nation.

Dr. Weaver's brilliant career as an educator, economist, author, and government administrator prepared him well for his post in HUD. With permission, Mr. Speaker, I would like to include in the Record at this point an article outlining Dr. Weaver's career before taking his Cabinet position. The article was published in 1961 by Current Biography:

Dr. Robert C. Weaver

Twenty days before his inauguration as President of the United States, John F. Kennedy appointed one of the nation's foremost housing experts, Dr. Robert C. Weaver, as administrator of the Housing and Home Finance Agency. This is the highest federal administrative position ever assigned to a Negro, and the designation spurred an uncommon degree of national and international interest.

An economist, educator, author, and specialist on Negro labor, urban renewal, federal aid to education, as well as housing, Weaver has held a series of important posts in federal and state government and with foundations and organizations. He served as administrator of the New York Temporary State Housing Commission from 1955 to 1959 and was vice-chairman of the New York City Housing and Development Board in 1960. A crusader for civil rights for some thirty years, Weaver once told a group of Negroes that the best way to attain equality is "to fight hard—and legally—and don't blow your top."

Robert Clifton Weaver, whose grandfather, Dr. Robert Tanner Freeman, was a Harvard graduate and the first Negro in America to earn a doctoral degree in dentistry, was born in Washington, D.C. on December 29, 1907. Raised in a Washington suburb that included seven Negro families among some 3,000 white neighbors, he got "interested early in segregation," he told Ted Poston (New York *Post Magazine*, March 4, 1956). "My brother Mortimer and I had to ride 45 minutes each day to school, while our white neighbors went right around the corner." He credits his mother, Mrs. Florence E. (Freeman) Weaver, who, he said to Poston, "had a very superior mind and respect for cultural things," with turning him to intellectual pursuits. His father, Mortimer Grover Weaver, was a United States postal clerk. His brother, who became an assistant professor at Howard University, died suddenly at the age of twenty-three.

While he studied at Dunbar High School in Washington, D.C., Robert Weaver was a fully paid electrician in his junior year and operated his own electrical business in his senior year. At Harvard University, where he majored in economics, he won the Pasteur Medal and the Bolyston Speaking Prize and received the B.A. degree *cum laude* in 1929 and the M.A. degree in 1931. After serving for a year as a professor of economics at the Agricultural and Technical College of North Carolina in Greensboro, Weaver returned to Harvard as an Austin Scholar (1932–33), wrote a thesis entitled "The High Wage of Prosperity," and received the Ph.D. degree in economics in 1934.

One of the young university men brought to Washington by the New Deal in 1933, Weaver received a succession of assignments, usually as an adviser on minority problems to some agency head. He was an adviser to Secretary of the Interior Harold L. Ickes (1934–38); special assistant to Nathan Straus, administrator of the Housing Authority (1938–40); administrative assistant to Sidney Hillman of the National Defense Advisory Commission (1940); chief of the Negro employment and training branch of the labor division, Office of Production Management (1942); chief of the Negro employment and training branch of the labor division, War Production Board (1942–43); and director of Negro Manpower Service, War Manpower Commission (1943–44).

As architect and leader of the "black cabinet," a group of tough-minded Negro brain trusters in the New Deal, Weaver was perhaps the least known yet most influential Negro in the entire federal government. The black cabinet did the spadework that has since resulted in an almost completed integrated federal government. Through their efforts minorities shared in government-sponsored projects during the Depression; Negroes worked in the housing-construction program; Negro workers were integrated into industry; and Negro families occupied one-third of low-rent and wartime housing.

A few years before the 1940 election, a sensational incident occurred that resulted in furthering the cause of the black cabinet, according to Richard Bardolph (*The Negro Vanguard*, 1959). When the Presidential party entered Pennsylvania Station in New York, Stephen T. Early, Franklin D. Roosevelt's press secretary, found his way barred by a ring of police. He angrily jostled the nearest cop to the floor—the policeman happened to be a Negro. The black cabinet was immediately asked to write a speech for FDR to salvage the Negro vote. Weaver demurred, saying a mere speech would not convince Negroes. The black cabinet then submitted its recommendations, and they won immediate approval. Within forty-eight hours, Benjamin O. Davis, Sr., was the first Negro general of the United States Army; Judge William H. Haste was the first Negro civilian aide to the Secretary of War; and Campbell C. Johnson was the first Negro civilian aide to the director of Selective Service.

During the administration of Franklin D. Roosevelt, Dr. Weaver also headed a survey of Negro white collar and skilled workers. The project cost over $500,000 and employed 1,800 people. For the Tennessee Valley Authority, he conducted a study of the TVA program and minorities' participation in it. A consultant to the President's Advisory Committee on Education, he supervised the preparation of a special study of the committee. He was a member of the advisory committee of the National Youth Administration that helped to prepare the commission's surveys on Negro youth in American society.

In the postwar period Weaver was a member of the United Nations Relief and Rehabilitation Administration mission in the Ukraine, U.S.S.R. in 1946, serving consecutively as supply officer, reports officer, and acting deputy chief of mission. Before going to the Ukraine, Dr. Weaver was executive director of the Mayor's Committee on Race Relations in Chicago, and upon his return he was an officer of the American Council on Race Relations. He also was on the board of the Metropolitan Housing Council of Chicago and on the board's executive committee of the National Committee on Housing.

In the field of education he was a lecturer at Northwestern University in Evanston, Illinois (1947–48), faculty member (summer 1947) and visiting professor (summer 1949) at Columbia University Teachers College, visiting professor at New York University School of Education (1948–51), and professor of economics at the New School for Social Research (summer 1949).

From 1949 to 1955 Dr. Weaver directed the opportunity fellowships program of the John Hay Whitney Foundation. The program makes grants to exceptional persons for advanced study who might otherwise have been denied it. Dr. Weaver was also a member of the national selection committee for Fulbright fellowships, a member of the fellowship committee of the Julius Rosenwald Fund, which chooses the Fellows for the fund, chairman of the faculty fellowship committee of the United Negro College Fund, and consultant to the Ford Foundation.

With the return to power of the Democrats in New York state in 1955, Dr. Weaver was called to Albany as Deputy State Rent Commissioner. By December 1955, he had become State Rent Commissioner, with cabinet rank. This was the first time a Negro served in the state cabinet. With his customary diligence he applied himself to New York's major housing problems: congestion and bias. To the complex problem of working for integration in urban and suburban communities Weaver advanced a four-point program: (1) decreasing the demand among nonwhites for middle-income housing in the center of cities; (2) removing the attraction of racial homogeneity from the suburbs; (3) reducing the snob appeal of racial exclusiveness since no area can guarantee it; (4) preventing "tipping" (overbalance) in any open neighborhood. Dr. Weaver served as State Rent Commissioner until January 1959. From June to December 1960 he was vice-chairman of the New York City Housing and Development Board.

An activist who rejects the gospel of gradualism, he told Ted Poston: "The need for action in human rights is quite immediate in view of the international situation." In 1960 Weaver called the student strikes against segregated lunch-counter service in the South "courageous and effective" action and a contribution to "functioning democracy" (New York *Herald Tribune*, June 22, 1960). In a commencement address at Livingstone College in Salisbury, North Carolina on May 31, 1960, he cautioned students to "develop the capacity for individual self-criticism and evaluation . . . to meet competition beyond the confines of a segregated world."

When the Manhattan City Council was considering a successor to Hulan Jack, Manhattan Borough president who was convicted of conflict-of-interest charges, Dr. Weaver was the choice of New York City Mayor Robert F. Wagner. Before a vote was taken, however, on December 31, 1960 President-elect John F. Kennedy made the dramatic announcement of Dr. Weaver's appointment as the administrator of the Housing and Home Finance Agency to succeed Norman P. Mason. The Senate confirmed the appointment on February 9, and Weaver took the oath of office two days later. Weaver's agency, which has an estimated annual budget of $340,000,000, has various subsidiaries: Federal Housing Administration, Community Facilities Administration, Urban Renewal Administration, Public Housing Administration, and Federal National Mortgage Association.

Before becoming administrator of the federal housing program, Dr. Weaver had said that segregation in housing is the basic cause of segregation in schools and other areas, advocated an executive order banning segregation in all federally aided housing, and criticized federal slum clearance projects because they tend to remove Negroes from choice city sites to other potential slum areas or hurt them through their inability to pay higher rents in new projects (New York *Times*, May 21, 1952).

The first of Dr. Weaver's two books, *Negro Labor; A National Problem*, was published by Harcourt in 1946. It examined the wartime effort of government and industry to use the talents and labors of ethnic minorities. Two years later Harcourt issued *The Negro Ghetto*. In his review, Harry A. Overstreet wrote: "The book dares to hold up a mirror to the North . . . it is a simple, ugly, and apparently hopeless story, told with the passion of unimpassioned maps and figures about residential segregation in the North" (*Saturday Review of Literature*, July 17, 1948). Dr. Weaver is a prolific writer; he has said: "When I can't relax . . . then I feel real frustrated and start writing." He has contributed about sixty articles to various periodicals.

Dr. Weaver has held office in many organizations. He was president of the National Committee Against Discrimination in Housing, member of the commission on law and social action of the American Jewish Congress, member of the Citizens Committee for Children in New York City, and member of the board of the New York Civil Liberties Union. For many years he has been active in the National Association for the Advancement of Colored People, and in 1960 he was chairman of its national board of directors.

On July 18, 1935 Robert C. Weaver married

Ella V. Haith, who later became an assistant professor of speech at Brooklyn College. They have an adopted son, Robert C., Jr. A heavyset man, Weaver is five feet ten inches tall, weighs 195 pounds, and has brown eyes and black hair. He is a chain smoker and dislikes exercise, but enjoys tinkering in his power-tooled workshop at his summer home in Connecticut and likes playing cards, having small social gatherings with friends, and attending the theater. Weaver, who owns a home in Washington, is now living in Capitol Park, an urban-renewal apartment house, to set an example as head of the nation's slum clearance program. In politics he is a Democrat, and in religion, a Protestant.

Weaver believes that everyone can do much to make the United States a better place in which to live by dropping the theory that America is the melting pot of the world. "We must stop trying to weld all cultures in the United States. There is richness in our differences," he said in 1948. Weaver was characterized in *The Negro Vanguard* as one of the "bold fighters, brilliant, high-minded, fearless, incorruptible, self-assertive" among Negro leaders.

GEORGE WALLACE

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. O'HARA of Michigan. Mr. Speaker, throughout his campaign, George Wallace has tried to portray himself as a representative of silent Americans, the "little man."

Well, Mr. Speaker, I think many of Mr. Wallace's supporters who might fall into this category of citizens would be amazed, and distressed to discover that this image is a carefully constructed facade.

This facade quite cleverly conceals the real men behind George Wallace: the power men of the ultra right, the John Birchers, the race-baiting segregationists, the virulent anti-Semites.

These are the men George Wallace really represents.

These are the men who provide Mr. Wallace with money and manpower to keep his third-party hopes alive.

Never before have these groups had such a man or an issue to serve as a coalescing force.

Mr. Wallace's rightwing ties are not widely known. Yet they have been documented by newspapers and independent research groups. This material has been collected by Mr. Wes McCune of Group Research, Inc.

Let us look at the facts about George Wallace's supporters.

The Los Angeles Times reported:

> Some of the presidential candidate George C. Wallace's key supporters in at least 34 states are members of extreme right-wing organizations, including several of the nation's most virulent racist and anti-Semitic groups.

It adds:

> John Birch Society and White Citizens Council members are heavily involved in Wallace campaign activities in most states, and members of more extreme groups—such as the Klu Klux Klan, the National States Rights Party and the paramilitary Minutemen—have been active supporters in several states.

The New York Times found that—

> Members of radical right wing organizations played leading roles in qualifying former Governor George C. Wallace's American Independent Party for the Presidential ballot in several western states.

It went on to say:

> Members of the John Birch Society were important factors in the pro-Wallace campaigns in Idaho, Colorado, Montana, and Nevada . . .

It adds:

> Though active, right wing elements were less visible in Utah, Arizona, Washington and Oregon.

A New York Times dispatch about the Wallace campaign in New England notes:

> The John Birch Society members are acting as catalysts in the process of making Mr. Wallace a serious candidate for president. These members, schooled in canvassing by telephone, gathering signatures and writing letters for conservative causes, are among the hardest workers. Several are Wallace state electors.

The most extensive investigations of rightwing support for Mr. Wallace were conducted by the Anti-Defamation League of B'nai B'rith and the Institute for American Democracy, an independent organization that monitors the activity of extremist groups.

The ADL reported:

> Persistent peddlers of race hatred, anti-Semitism or far-right extremism in America are likely to be among the electors designated to name the next President of the United States.
>
> They can be contributed to the Electoral College if George Wallace carries states he is expected to carry this November . . .

The ADL findings of extensive ultra-right participation in the Wallace campaign are supported by the studies of the Institute for American Democracy. The IAD says:

> Members of the John Birch Society and (White) Citizens Councils and related groups are serving as electors and/or holding down key campaign posts in the state organizations behind the Wallace candidacy . . .

Mr. Speaker, Americans must not be misled by this self-avowed Pied Piper of Populism into thinking that he speaks for a majority of Americans.

In reality he voices the divisive rantings of only a few—the men who are obsessed with hate and distrust of their fellow Americans.

Mr. Speaker, under unanimous consent, I submit the articles, "Radical Rightists Play Key Roles in Wallace Drive," from the Los Angeles Times, "Rightists Strong in Wallace Drive," "Wallace Drive in New England Gains," from the New York Times, and memorandums from the Anti-Defamation League and the Institute for American Democracy, for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the Los Angeles Times, Sept. 17, 1968]

RADICAL RIGHTISTS PLAY KEY ROLES IN WALLACE DRIVE—SOME LINKED TO GROUPS AMONG MOST RACIST AND ANTI-SEMITIC IN COUNTRY

(By Jack Nelson and Nicholas C. Chriss)

ATLANTA.—Some of presidential candidate George C. Wallace's key supporters in at least 34 states are members of extreme right-wing organizations, including several of the nation's most virulent racist and anti-Semitic groups.

Many hold top offices in state campaign organizations and serve as Wallace-pledged electors.

John Birch Society and White Citizens Council members are heavily involved in Wallace campaign activities in most states, and members of more extreme groups—such as the Ku Klux Klan, the National States Rights Party and the paramilitary Minutemen—have been active supporters in several states.

Extremists do much of the hard work of organizing and raising funds for Wallace, but often remain in the background at rallies and seldom attract the attention of news media. Thus, the story of how substantially the radical right underpins his campaign has been slow to surface.

A KEY TO SPRINGFIELD, ILL.

When Wallace spoke at a Springfield, Ill., rally last week, the press and his more than 3,000 enthusiastic listeners saw acting Mayor James Dunham give him a key to the city. But few saw the local Wallace campaign co-chairmen—Mel Jones, a former fulltime Birch organizer, and A. W. Castleman, best known locally for his campaign to remove a Negro from the Springfield police force.

Jones, interviewed on the fringe of the crowd, told a reporter that "many" Birchers in Illinois were working for Wallace. Charles Urban of Lockport, a Wallace elector, is a Birch leader and at least two other Wallace electors in Illinois—Mrs. Patricia Snyders and Carter H. Hoffman—have been linked to Birch activities.

The Los Angeles Times' findings that rightists are strategic supporters of Wallace in 34 states are based on its investigations and on studies made by four groups that monitor right-wing activities—the Institute for American Democracy (IAD), the Anti-Defamation League of B'nai B'rith (ADL), the Southern Committee on Political Ethics (SCOPE), and Group Research, Inc. The studies are incomplete because Wallace electors have not been selected in some states.

REPORTS SHOW LINKUPS

IAD has prepared a report linking Birch members to 22 of Wallace's state organizations and tying White Citizens Council members to 10 of his state organizations. In a report last week, ADL listed 37 of the candidates for electors pledged to Wallace as persons who have been active with rightist groups, and discussed 94 individuals in 25 states connected with Wallace's campaign. SCOPE and Group Research have published reports showing extensive rightist connections with the Wallace campaign.

The studies, which in the cases of IAD and ADL are continuing and will result in additional reports before the Nov. 5 election, were prompted by Wallace's growing strength and the fact that his candidacy has attracted many Americans who ostensibly shun racism and extremists activities.

Liberals and many conservatives are alarmed that Wallace might carry enough states to prevent Richard M. Nixon, the Republican nominee, or Hubert H. Humphrey, the Democratic nominee, from polling a majority of the electoral votes, thus giving some of the Wallace's extremist electors the balance of power in any electoral college negotiations toward electing a President.

If the issue were left unsettled by the college, Wallace still could have a hand in selecting the next President, because the election would be decided in the House of Representatives, where each state would have one vote.

Some observers do not rule out the possibility that Wallace could be elected.

Charles R. Boker, IAD executive director, said, "The voter has to decide to what extent the Birchers and racists would influence the Wallace movement in the event of a deadlock and the extent to which Wallace would drawn on this shifting and uneasy base for appointments if elected."

LARGE NUMBER

Wes McCune, director of Group Research and longtime observer of rightwing activities, said, "The Wallace campaign has attracted a substantially larger number of the hardcore radical right and bigots than the Goldwater (Republican nominee Barry Goldwater) campaign did four years ago, which was a high-water mark at that time. And this applies even to the racist campaign of Sen. Strom Thurmond of South Carolina in 1948 under the Dixiecrat banner, because his efforts were largely confined to the Southern region."

Many of Wallace's most zealous campaign officials and workers are Birchers or White Citizens Council members who began booming him for President long before he announced his candidacy.

For more than a year there has been activity in his behalf by a number of Ku Klux Klansmen and members of three other violence-prone hate groups—the Minutemen, NSRP and the American Nazi Party—in at least eight states.

Former Alabama Gov. Wallace, a segregationist who insists he is not a racist, has encouraged support from the Birch Society and some other quarters and has done little to discourage it from the more violent elements. He has said he does not welcome the support of the Nazi Party, observing, "Nazism grew out of communism."

Recently in Pittsburgh, Wallace said he "appreciates" the support of Birchers who formed a citizens committee in western Pennsylvania to promote his candidacy.

"I'm not going to denounce the John Birch Society," he told newsmen, adding that its members "are some of our finest citizens and its opposition to communism is well founded."

IAD and ADL listed a total of six Wallace electors in Pennsylvania who have engaged in Birch activities—Bernard J. Yuzavich, Robert J. Crow and John Mehalick, all reported as members, and John Noble, who has spoken nationally for the society; Dr. Charles Provan, operator of a Birch sponsored "Let Freedom Ring" telephone outlet in Duquesne and Mary R. Smith, an editor of the society's weekly Review of the News.

FILL OWN RANKS

Benjamin R. Epstein, ADL national director, and Arnold Forster, general counsel, said the ADL study shows that while Wallace is using the right-wing extremists, they are using his campaign "to advance their own propaganda and fill their own ranks and coffers."

They added that Wallace, "far from disavowing such support, has used such gatherings of hatemongers as forums for a 'campaign of innuendo' that needs no literal translation for his preconditioned audiences."

Some of Wallace's strongest rightist support in the South, where such hardline segregationists as Louisiana's Leander Perez and Georgia's Gov. Lester Maddox and ex-Gov. Martin Griffin, are leading campaign figures.

The same is true in the West, where California's William I. Shearer, a Citizens Council official, and Mrs. Opal Tanner White, secretary to Gerald L. K. Smith, a notorious anti-Semite, have helped head campaign activities, and Nevada's Dr. John H. DeTar, a Birch leader is Wallace state chairman. In 1966 DeTar led a walk-out of Birchers after the state GOP convention adopted a resolution condemning the Birch Society.

In Texas, Mrs. Margaret Bacon, former state treasurer of Wallace's American Independent Party, says all but three or four members of the party's 31-man executive committee are Birch Society members. State Chairman Bard Logan, named to the post by a top Wallace adviser and Birch member. Kent Courtney of New Orleans, said he did not know how many society members are on the committee.

Other Texas backers include former Maj. Gen. Edwin A. Walker, who has been active in operations of the Birch Society and of Dr. Billy James Hargis' Christian Crusade, and Dan Smoot, broadcaster of radical right propaganda.

ACTIVITY IN EAST

In the East—especially in Massachusetts, New Jersey, New York and Pennsylvania—Birchers are working feverishly for Wallace's election.

Laurence E. Bunker, a top national official of the Birch Society, functions as Wallace chairman in Massachusetts and is a Wallace elector.

Other electors include George B. Fowler, executive council member of the anti-Semitic Defenders of the American Constitution and a onetime contributor to Gerald L. K. Smith; Thomas DePalo, a former Birch leader and onetime vice president of We The People, another rightwing group; Harold Collins, a Bircher, and Ruth Wood, wife of a fulltime Birch Society official.

Electors in New Jersey include Wallace organizer Ernest T. Bradow, a Bircher and organizer of the Peoples Rights Enforced Against Riots and Murder (PRE-ARM), a white vigilante group; Dr. Francis Pflum, a speaker for the Birchers' American Opinion Speakers Bureau; Dr. Forster G. Ruhl, a Bircher, and Alan Stang, Analysis Editor of the Birch Society's Review of the News.

Electors in New York include at least three Birchers—Dave Syme, Jack Ross and Gerald F. Greene Jr. Syme organized New York's first White Citizens Council in 1965.

WELCH INTERVIEWED

Birch Society President Robert Welch, in a telephone interview from his Belmont, Mass., headquarters, acknowledged that "a lot" of Birchers are working for Wallace, but said "a lot" also worked for Nixon and for California Gov. Reagan when the latter was a candidate for the Republican Presidential nomination. But Welch said they have acted as individuals. He emphasized that the society's policy is to avoid involvement in political races.

Welch denounced as "a complete, false smear" reports that Wallace has had access to the Birch Society mailing list to help him in raising funds and in distributing campaign literature.

"There might be some local members who give him lists of names of friends that include members of the society," Welch said, "but no self-respecting organization would release its mailing list."

Welch, whose society first came to national atttention in 1960 after he had written a manuscript (The Politician) that charged that former President Dwight D. Eisenhower was a "dedicated conscious agent of the Communist Party," said that he had carefully refrained from becoming involved in this year's presidential race.

TWO KEY MEN

The IAD report names Welch and Perez as "two of the key men in the movement behind Wallace," and notes that Welch suggested California State Sen. John Schmitz, a Birch luminary, as a running mate for Wallace.

Perez' involvement is no secret. The millionaire oilman and boss of Plaquemines Parish (county) in south Louisiana has so much political muscle that Wallace could not afford to play down his role. They sat together at the head table at a Wallace fund-raising dinner last week in New Orleans, where Wallace hailed Perez as "the noblest Roman of them all."

Perez, Wallace's Louisiana campaign manager, was excommunicated by the Roman Catholic Church in 1964 for his anti-Negro activities. He also has been a vociferous anti-Semite.

The support of the radical right's more irrational elements obviously embarrasses Wallace at times and makes more difficult his efforts to project a campaign of respectability.

Earlier this month, for example, Connie Lynch, an NSRP leader and itinerant hate preacher from California, had just spoken in support of Wallace at a rally near Berea, Ky., when a gun battle broke out between whites and blacks. Two persons—one white and one black—were killed, and Lynch and 13 others were arrested on murder charges.

During a June 26 rally at Wetumpka, Ala., Wallace bodyguards, acting on his orders, seized and destroyed the film of ABC-TV camera crewmen after they filmed him shaking hands with Imperial Wizard Robert Shelton of the United Klans of America.

Before his assassination on Aug. 25, 1967, George Lincoln Rockwell, American Nazi Party commander, wrote, "It is theoretically possible that George Wallace might be able to run as a third-party candidate in 1968 and win, thus solving most of our problems, since Wallace, while not a 'Nazi,' is close enough as that, as President, he would probably preserve our nation and race."

Bursts of violence recently have focused attention on links by members of two organizations—the Law Enforcement Group (LEG) and the Minutemen—to Wallace's candidacy.

More than 200 persons, some of them off-duty policemen and many of them members of LEG and wearing Wallace campaign buttons, attacked a group of Negroes at the Brooklyn Criminal Courts Building and prevented them from attending a hearing for members of the militant Black Panthers.

LEG was formed by officers to seek the ouster of Criminal Court Judge John F. Furey, who, they contend, permitted disorderly conduct by Black Panthers during a court hearing.

On Aug. 24, two local chairmen for Wallace in Connecticut—Louis J. Rogers, 24, of Lisbon, and Frank D. Barber, 26, of Norwich—were arrested and identified as Minutemen after a group of Minutemen engaged in a gun battle with police following an alleged attempt to burn down a pacifist camp near Voluntown.

VIOLENCE RECORD

Shelton's United Klans of America, whose record of klan violence is surpassed only by Sam Bowers' dreaded White Knights of Mississippi, has been concentrating its work for Wallace in Virginia, Georgia, Alabama, Mississippi, and North Carolina.

The White Knights also campaign for Wallace.

In Laurel, Miss., Mrs. Sybil Nix, whose husband, Devours Nix, is one of the klansmen charged with arson in the fire-bombing death of a civil rights leader, Vernon Dahmer, announced she was local treasurer of the Wallace campaign. Mrs. Nix is secretary-treasurer of the White Knight-dominated Americans for the Preservation of the White Race.

Last Saturday night, another White Knight, Jimmy Swan of Hattiesburg, who ran third in the 1967 Mississippi governor's race, reported that his car was fired on after he made a speech supporting Wallace at a meeting near West.

The driver of his car, Pat Massingle, who is charged with tampering with a jury in the arson trial of Sam Bowers in the Dahmer case, said he returned the fire. There were no injuries. (A mistrial was declared in Bowers' case after the jury deadlocked, 11 to 1, in favor of conviction. He faces another trial.)

Not all klan activity in Wallace's behalf is confined to the South. The ADL report noted that in June a pro-Wallace group held a rally in Shelbyville, Ind., that was addressed by William M. Chaney, grand dragon of the Indiana klan. ADL said another klansman, James Short, was present and sold copies of racist recordings.

Robert Annable, who has been identified as a klansman in testimony by a policeman before the House Committee on Un-American Activities, heads the George Wallace Christian Conservative Party in Ohio and the North American Alliance of White People.

PROMOTING WALLACE

Some far-right groups have been promoting Wallace for the Presidency ever since 1964 when he entered three Democratic presidential primaries—Maryland, Indiana and Wisconsin—and made a creditable showing before withdrawing, apparently in support of Goldwater. Goldwater had much of the radical support in the election, but he never received the solid hardcore backing now enjoyed by Wallace.

In 1965, the Liberty Lobby, whose money-raising and propaganda campaigns, in the words of U.S. Court of Appeals Judge Warren Burger, "support a calculated program of anti-Semitism with racist overtones," sent its almost—200,000—member mailing list a copy of a lengthy tabloid called, "Stand Up for America—the Story of George Wallace."

The conservative Society of America, headed by such Birchers as Kent Courtney; J. Bracken Lee, former governor of Utah, and Frank Ranuzzi, a Los Angeles book shop operator, began selling "Win with Wallace in 1968" buttons at a July 2–4, 1966, "God, Family and Country" rally in Boston, Klansmen in several Southern states sold bumper tags and distributed literature supporting him in the summer of 1966.

Minuteman leader Robert DePugh, now a fugitive from a federal bank robbery conspiracy charge, said in the summer of 1967 that a group of right-wing organizations decided at a secret meeting to support Wallace for President and William Penn Patrick, a millionaire California cosmetics manufacturer, for Vice President.

The Patriotic Party, political arm of the Minutemen, nominated Wallace and Patrick at its annual meeting attended by 125 in Kansas City on July 4, 1967. The nomination was withdrawn later, although the party reported receiving a "warm and responsive personal letter" from Wallace.

The Wallace campaign for President was launched in Alabama at a secret meeting in Montgomery on Jan. 25, 1967, several hours after the inauguration of Wallace's wife. Lurleen, who succeeded him as governor.

Invitations to the meeting, attended by several dozen persons at the Woodley Country Club, were extended by Asa E. (Ace) Carter, then a Wallace speechwriter and well-known klan figure, and former sheriff Jim Clark of Selma, a speaker for the Birch Society.

The first Wallace for President clubs were announced by Courtney in 1967, and Birch Society national council members Tom Anderson of Tennessee and Floyd Paxton of Washington were among Wallace's earliest boosters.

[From the New York Times, Sept. 29, 1968]

RIGHTISTS STRONG IN WALLACE DRIVE—BIRCHERS AND OTHERS PLAY KEY ROLES IN THE WEST

(By Wallace Turner)

SAN FRANCISCO, September 28.—Members of radical right wing organizations played leading roles in qualifying former Gov. George C. Wallace's American Independent party for the Presidential ballot in several western states.

Members of the John Birch Society were important factors in the pro-Wallace campaigns in Idaho, Colorado, Montana, and Nevada, inquiries by representatives of The New York Times have determined.

Though active, right wing elements were less visible in Utah, Arizona, Washington and Oregon.

In California and Colorado, members of the anti-Negro Citizens Council were involved. In Idaho, the American Independent party's state chairman is a former field representative for the Liberty Lobby, a group that disseminates ultra-conservative propaganda.

Of the six electors pledged to Mr. Wallace if the A.I.P. carries Colorado, two are Citizens Council members and two are Birch Society members.

CITIZENS COUNCIL MEMBERS

Lyman Steele, a night-shift plant guard at the Gates Rubber Company in Denver, is a Citizens Council member and is secretary of the Wallace for President Committee.

The Rev. James Miller, a member of the Wallace campaign executive committee, is a Birch Society chapter leader. He is pastor of the Montclair Community Church in east Denver.

In California the herculean effort of getting 67,000 registrants in the new party brought every sort of right-wing radical into the campaign. More than 100,000 A.I.P. members were signed up.

In Bakersfield, for example, both the Birch Society and the Citizens Council were involved. The Rev. Alvin Mayall, a Missionary Baptist Minister who serves as a public relations man for the Citizens Council, organized the initial effort in Kern County for the American Independent party.

But the main push for registrations was accomplished through the organizational efforts of the Bakersfield chapter of the Birch Society, which recruited and trained 70 special registrars. They signed up 3,900 party members.

"SURE I'M A BIRCHER"

Last week, visitors to the Bakersfield Wallace headquarters were greeted by Harry Hutchison, who said of himself: "Sure I'm a Bircher." Others described him as "the brains of the Wallace Kern County campaign."

Governor Wallace's Idaho campaign chairman is Joseph Stumph, of Twin Falls, a former field representative of the Liberty Lobby. It was Mr. Stumph who started the recall campaign two years ago against Democratic Senator Frank Church. The campaign failed.

Joel Anderson of Pocatello is the American Independent party nominee for the eastern representatives. His brother is Mark Anderson, former Utah-Idaho Birch Society coordinator.

Among the resolutions passed by the Idaho A.I.P. convention was one urging that the Vice-Presidential nomination go to Ezra Taft Benson. He is an apostle of the Church of Jesus Christ of Latter-day Saints (Mormon), and was the Eisenhower Administration's Secretary of Agriculture.

The convention also resolved to "demand" victory over Communism, law and order, opposition to "destructive" decisions of the Supreme Court, opposition to gun controls, and support for the phasing out of the "Marxian graduated income tax—almost a litany of programs of the radical right.

EXPLAINS REFUSAL

Mr. Benson said in a telephone interview that about two weeks ago he decided he could not accept the Vice-Presidential nomination on the American Independent party ticket.

Had he been able to accept, said the Mormon leader, he thought the nomination would have been given to him. He said he had a long talk in February with Mr.Wallace and had kept abreast of the campaign's movement.

Mr. Benson said his decision was reached after consultation with David O. McKay, the 95-year-old president of his church. The 12 Mormon apostles and the counsellors to Mr. McKay are considered to be fully employed in their church duties.

"I'm supervising all the work for the church in the Orient," Mr. Benson said. "It just wasn't feasible. When I responded to Eisenhower's request, he was the President of the United States, a little different than having a candidate for the office."

Mr. Benson's son, Reed, has been a Birch Society organizer. The society's leaders have tried hard to affiliate the society with well-organized adjuncts of the Mormon Church, such as men's meeting groups.

Birch Society members have played a major role in the Wallace party organizing effort in Montana. Mike Foley of Helena, a Bircher, was elected vice chairman at the organizational meeting.

An invesigator who checked signatures on Montana nominating petitions said many of the members * * * Robert May of Great Falls, a Birch section leader, said the relationship stemmed from the society's urging members that they be involved in politics. The organizations are separate, he said, but many persons work in both.

When the A.I.P. was organized in Great Falls, Mont. last March Mr. May was on the platform along with Tom Turnipseed, a Wallace coordinator for 13 Western states. Mr. Turnipseed is a South Carolina lawyer. Mr. May also coordinated the drive for signatures to Wallace petitions.

In Washington, the Wallace party operates in tandem with the state's Conservative party, now five years old. The Conservative party also nominated Governor Wallace for President, and set up a slate of other candidates. Among its nominees is Don Tait, editor of The Yakima Eagle, a newspaper circulated among radical rightists.

The former head of the Conservative party's governing committee, H. Haskill Davis, a Seattle real estate broker, resigned to become chairman of the American Independent party. Mr. Davis once described himself as holding such views on race that "I don't believe in Irish marrying Germans."

JOINED BY KENNEDY MAN

Mrs. Elliott Carlson, the acting chairman of the Conservative party, said: "I'm sure we have some John Birchers, but we also have many other types including one man from the Robert Kennedy campaign who said he was convinced by the assassination of Senator Kennedy that only George Wallace and Wallace's philosophy can stop the insanity of what is going on in this country."

Dr. Walter Merritt, a veterinarian, is coordinator of the Wallace campaign in Arizona. He describes himself as a conservative Republican. He said he supposed there were Birch Society members in the Wallace campaign in Arizona.

The Birch Society's heavy involvement in the Wallace campaign in Nevada stems from Gov. Paul Laxalt's 1966 eviction of society members from the Republican party.

After the vote in the convention, Dr. John DeTar walked out. He had identified himself as a leader of the Birch Society in Reno.

Now Dr. DeTar is one of the three Presidential electors pledged to Governor Wallace in Nevada. The other two are also Birch Society members, Daniel Hansen of Sparks and John McCoy of Reno.

Governor Wallace's name was qualified for the Oregon ballot through a convention of more than 1,000 registered voters in Portland on Aug. 23.

The chairman of the convention was Keith E. Cook, who has been active in Portland in Truth About Civil Turmoil, a Birch front that belittles the contention of ghetto dwellers that the system shortchanges them.

[From the New York Times, Sept. 29, 1968]

WALLACE DRIVE IN NEW ENGLAND GAINS

(By John H. Fenton)

BOSTON, September 28.—The Wallace campaign in central New England is developing as steadily and as subtly as the autumn foliage on the hillsides. In some areas it is rich with contributions; in others it is patchy for lack of organization.

The issue of law and order is a prime factor in the appeal of George C. Wallace to a broad segment of Yankees. His simplistic approach to more complicated issues like Vietnam and foreign aid are other pluses for the former Governor of Alabama, especially among blue collar workers.

The John Birch Society members are acting as catalysts in the process of making Mr. Wallace a serious candidate for President.

These members, schooled in canvasing by telephone, gathering signatures and writing letters for conservative causes, are among the hardest workers. Several are Wallace state electors.

But the society, which has its national headquarters in suburban Belmont, has issued no directive on the campaign. The weekly Review of the News, published in Belmont, has given the candidates equal news space.

REDS LINKED TO CHICAGO

The publication devoted considerable space recently to events at Chicago during the Democratic National Convention last month. A recent eyewitness account listed name after name of left-wingers and Communists identified by the correspondent as active participants in the disorders.

In his latest monthly Bulletin, Robert Welch, founder and president, urged members of the Birch Society to write their Senators expressing opposition to the nomination of Abe Fortas as Chief Justice of the United States, to support their local police and to oppose "in every way you can" all gun control legislation.

Opposition to Mr. Fortas has replaced a former campaign to impeach Chief Justice Earl Warren. Mr. Welch commmented in the Bulletin. "If you like Earl Warren you'll love Abe Fortas!"

All of this is grist for the campaign mill. But, oddly enough, the Wallace campaign manager in Massachusetts is Charles H. McGlue, a Boston Irish politician and who is survivor of the brawling days of James M. Curley, a former Boston Mayor, Governor of Massachusetts and United States Representative.

Mr. McGlue is well aware that some of his stanchest workers are Birch Society members but he is not likely to let them take over.

"They have a bad name and they could hit you on the head with it," said Mr. McGlue.

Mr. McGlue, 76 years old, began his association with the Wallace campaign as legal adviser for the collection of 61,238 signatures required to place the former Governor's name on the ballot. Those and more than 4,000 to spare were certified.

Fifty years ago, while he was a student in law school, Mr. McGlue lost one campaign to the Massachusetts House by a single vote on a recount. Later, after serving two terms, he was gerrymandered out of his seat by Republicans. From then on he has made a career out of expertise on recounts and election law reform.

Five times chairman of the Democratic state committee Mr. McGlue has become disenchanted with the Establishment. "Pseudo-intellectuals," a Wallace phrase, have taken over the party, said Mr. McGlue bitterly the other day.

Mr. McGlue predicts that Mr. Wallace will get up to 500,000 votes in Massachusetts. And he believes that 90 per cent of the votes received by Mrs. Louise Day Hicks, in the Boston mayoral election of 1967, will go to the Alabamian.

Mrs. Hicks rolled up 90,154 votes while losing the election to Kevin H. White by 12,500. As one who shares Mr. Wallace's views on local education, Mrs. Hicks' name was suggested as a possible running mate for Mr. Wallace on his third party slate.

But Mr. Wallace has denied her name is consideration for Vice President and Mrs. Hicks flatly refuses to comment.

DONATION FROM COUNTESS

Although the Wallace forces are not required to report compaign contributions in Massachusetts until or unless they form an official committee. Mr. McGlue said that contributions had been encouraging.

Countess Rosalind Wood Guardabassi of Pride's Crossing, Mass., was an early contributor and has given $10,500 to date, Mr. McGlue said. The countess is the daughter of William A. Wood, the late founder of the American Woolen Company and is the widow of an Italian-born singer and artist. She reportedly became disenchanted with the Birch Society after attending a stormy meeting.

In past years, Countess Guardabassi has been a contributor to antifluoridation campaigns in Massachusetts. And Mr. McGlue has represented groups opposed to fluoridation.

Other contributors, according to Mr. McGlue, include Russell Codman, a former Harvard oarsman and Boston blueblood.

Col. Laurence Bunker, a member of the National Council of the Birch Society, is among the 14 Wallace electors for Massachusetts. Colonel Bunker, a former aid to General Douglas MacArthur, is considered the No. 3 man in the Birch organization. He is also one of the most approachable of the upper echelon group.

The Wallace headquarters in Boston are in a tiny second-floor suit of three sparely furnished rooms on State Street, in the heart of the financial district. Others are situated in Quincy, Worcester, Milford, Southbridge and Great Barrington, all centers of conservative thought.

Mr. McGlue is banking on registration efforts. He notes that of its 2.6 million voters, Massachusetts has one million independents. Of the rest, 1.1 million are Democrats and 600,000 are Republicans.

ON ALL STATE BALLOTS

The Wallace campaign is somewhat less clearly delineated in other New England states outside of Connecticut. But the candidate's name will be on all six ballots.

At a modest campaign headquarters in Portland, Me., Mrs. Eleanor Clark of Cape Elizabeth, a registered Republican, runs the office from 10 A.M. to 2 P.M. daily. There is no telephone, but Mrs. Clark said her hours were sufficient to cover requirements. As for funds, "we have all we need," Mrs. Clark said.

Much of the Wallace support in Maine, according to a New York Times correspondent, is concentrated along the Atlantic seacoast. Headquarters are situated in Limington, Ogunquit and Brunswick along the coast and in Gary, farther inland. Ben Dorsky, president of the Maine State Federation of Labor Councils, reports that Mr. Wallace has "some" labor support. He did not include himself.

In Vermont, 1964 supporters of Barry Goldwater, the G.O.P. Presidential nominee, are among those identified with the Wallace cause this time. But with Senator George D. Aiken, Republican, having no opposition, measurements of Wallace strength are scanty.

Times correspondents in New Hampshire and Rhode Island found no heavy contributors to the Wallace cause in those states, although there was sentiment for the Alabamian in both.

Maj. Ottor Bailey, retired, of Sewanee, Tenn., the Wallace coordinator in New Hampshire, said he did not expect more than $5,000 to be spent in the state. He said that less than $1,000 had been sent so far from Montgomery, Ala.

Signatures on Wallace petitions in Rhode Island contain many family groups, but none was recognized as a Birch member. An early $5 a plate dinner drew 45 diners. But a more formal push is expected next week.

A RELEASE FROM THE ANTIDEFAMATION LEAGUE OF B'NAI B'RITH

September 13, 1968.

Persistent peddlers of race hatred, anti-Semitism or far-right extremism in America are likely to be among the electors designated to name the next President of the United States.

They can be contributed to the Electoral College if George Wallace carries states he is expected to carry this November . . . and it appears he will be on the ballot in all 50.

The Anti-Defamation League of B'nai B'rith charged today (September 13) that many of Wallace's pledged electors—and organizers, petition gatherers, state and county chairmen—"too often represent the far right and the dangerous hate fringe."

Included in the group are members or supporters of either White Citizens' Councils, the Ku Klux Klan, the John Birch Socity, Liberty Lobby, Minutemen or of other "far-flung extremists," the ADL said, including "the notorious anti-Semite, Gerald Smith."

Benjamin R. Epstein, national director, and Arnold Forster, general counsel of the League, revealed that the ADL is readying for publication a nationwide fact-finding report that will document—

That electors pledged to Wallace in a number of states—South and North—are drawn frequently from the leadership ranks of racist White Citizens' Councils, the Birch Society and supporters of anti-Semitic groups;

That the Wallace campaign hierarchy is a coalition of Birchers, Klan supporters and known anti-Semites—from the national down through the state and county levels; the coalition has had the salutary effect of helping genuine conservatives to cleanse their ranks of extremist hangers-on;

That the candidate, far from disavowing such support, has used gatherings of hatemongers as forums for a "campaign of innuendo" that needs no literal translation for his pre-conditioned audiences;

And that the cooperative effort between Wallace and the extremists extends to the joint distribution of Wallace campaign literature and rightist and anti-Semitic propaganda, and to the promotion of his candidacy on right wing radio programs.

Epstein and Forster, who are co-authors of three books on right wing extremists in American life, said the Wallace campaign is likely to have the effect of "giving the far-out fringe a political voice it has never had.

"The Wallace campaign is being utilized by the extremist legions to advance their own propaganda and fill their own ranks and coffers.

"It is clear that the ex-Governor of Alabama is the favorite of the ultra right."

The League officials warned that regardless of Wallace's chance of election "the post-election consequences could pose a widespread and serious threat to democratic processes."

Such a threat—not the possibility of a Wallace election—he noted, is behind the decision to release the essentials of the League study now. The ADL is nonpolitical and neither for nor against any candidates, but its program includes surveying and reporting the activities of anti-Semitic and other extremist groups. And its fact-finding trail led directly to the campaign as hatemongers moved into it on the Wallace coattails.

Forster said that the backbone of the Wallace movement is drawn from the extremist legions and that among the leading spokesmen for such views who have rallied to the Wallace banner or who occupy important positions in the campaign are:

Kent Courtney, the segregationist New Orleans Bircher, who has published the *Wallace for President News* through 1967–68 and was a key Wallace organizer in the South.

Asa E. "Ace" Carter, founder in 1955 of the openly anti-Semitic North Alabama Citizens' Council and in 1956 of a new KKK group in Birmingham, and a distributor of vicious anti-Semitic materials—in recent years adviser and speechwriter for Wallace and organizer of a January 1967 secret meeting in Montgomery at which plans were drawn for Wallace's candidacy.

Floyd G. Kitchen, a Missouri rightist who once presided at a meeting addressed by leaders of the racist, anti-Semitic National States Rights Party—and by early this year was one of the national directors of the Wallace campaign.

Leander Perez, "boss" of Louisiana's Plaquemines Parish, excommunicated by the Catholic Church in 1962 for his anti-Negro views, the perpetrator of many anti-Jewish statements—and in 1968 the Louisiana state campaign manager for George Wallace.

Roy V. Harris, former national president of the White Citizen's Councils—and in 1968 Georgia state chairman of the Wallace campaign, as well as a Wallace-pledged elector.

Reid Stubbs, speaker at Klan rallies, operator of a John Birch Society American Opinion Bookstore—and North Carolina state chairman of the Wallace campaign.

Former Major General Edwin A. Walker, the Birch Society's military hero, and Dan Smoot, who broadcasts radical right propaganda in the Dan Smoot Report—both of Dallas and both speakers before Wallace's American Party Convention in Texas in March, 1968.

Bard Logan, for years a member of both the Birch Society and the Constitution Party, a small cabal on the extreme right wing of Texas politics—now chairman of Wallace's American Party in Texas.

Raymond Jarvis, a financial contributor to Gerald Smith's anti-Semitic Christian Nationalist Crusade—and now the Wallace party chairman in Hutchinson County, Texas.

Willis Carto, founder and guiding spirit of the Liberty Lobby (which has championed the Wallace candidacy since 1965), involved in the publication of anti-Semitic magazines—currently the virulent *American Mercury*—and a speaker for Wallace in Los Angeles.

Glenn O. Young, past president of the bigot-ridden Congress of Freedom, a member of the Birch Society's Committee of Endorsers and Liberty Lobby's Board of Policy, a contributing editor of the anti-Semitic *American Mercury*—and a Wallace committeeman in Oklahoma.

Opal Tanner White, for many years a top associate of anti-semite Gerald Smith—and now secretary of the leading California committee for Wallace.

On the fringes, Forster noted, has been Jim Clark, the sheriff who gained national notoriety at Selma in 1964 and '65 and since has been a speaker for the Birch Society and the White Citizens' Councils.

The Anti-Defamation League report will trace the relationship of a number of Wallace-pledged electors in Louisiana, in Mississippi, in Missouri, in Georgia and in South Carolina to the White Citizens' Councils. Many of these electors have held executive committee or other important posts in the Councils, including D. J. McDuffie and Clay B. Tucker of Louisiana, John C. McLaurin, Ellet Lawrence II and George Yarbrough of Mississippi, John H. Sutherland of Missouri, and William Lowndes of South Carolina, the last of whom contributed money in 1963 to the Gerald Smith Jew-hating crusade—as, in 1961, did H. S. Tuttle, a Wallace-pledged Wisconsin elector.

Mr. Epstein said the League study showed substantial activity in the Wallace campaign by Birch Society members coast-to-coast, including some who are or have been in leadership positions in Robert Welch's group.

"The Birch Society itself always denies it is 'political', Forster noted, and it has refrained from a clear endorsement—but it has found ways to make its pro-Wallace sentiments known.

"Birchites are numbered among Wallace campaigners or electors in Texas, Oklahoma and California—hotbeds of right wing Wallace enthusiasm—in Iowa, Ohio, Connecticut, New York, New Jersey and Massachusetts. We can—and will—name them," he added.

The ADL national director said members of the armed, paramilitary Minutemen have been active in Wallace's behalf. In May this year, leader Robert dePugh—a fugitive from justice on a federal grand jury indictment—issued a Wallace appeal from the Minutemen "underground headquarters." De Pugh is charged with conspiracy to rob a bank in the State of Washington.

In California, when leaders of the Patriotic Party, a Minutemen political front, nominated George Wallace for the Presidency, they reported receiving "a warm and responsive personal letter" from the candidate. Despite the letter, the Patriotic Party subsequently withdrew its nomination.

And in Connecticut on August 24 this year, a group of Minutemen, allegedly trying to burn down a pacifist camp near Voluntown, fought a close-range gun battle with police, and four of the armed extremists were wounded. One, Louis J. Rogers of Lisbon, Conn., had been recently identified as the Wallace-for-President chairman in his hometown; another, Frank D. Barber, has been co-chairman of the Wallace movement in Norwich.

Wallace has not repudiated the backing of Ku Klux Klansmen, whose support of his candidacy "is hardly surprising," Mr. Forster said, nor have his supporters hesitated to invite Klan speakers to their gatherings.

The League official said the agency's study will show that, in addition, the KKK for its part has used the Wallace campaign for fund-raising and recruitment. In Indiana, for example, in June a pro-Wallace group held a meeting in Shelbyville that was addressed by William M. Chaney (must use initial), Grand Dragon of the Indiana Klan. Another Klansman, James Short, was present and sold copies of racist recordings.

"It is evident," the ADL general counsel said, "that Wallace has become the standard-bearer of the radical right in America—the front man in a mass movement of extremism, dissension, and ill-concealed racism, using a presidential election to further its ideology and its influence on the American scene.

"The former Governor of Alabama can be seen as the classic demagogue leading a hard-bitten holy war that bears little or no resemblance to the traditional politics of America."

In addition to the foregoing, the League report includes the following data, for convenience listed here by state:

CALIFORNIA

Wallace's California support is split into two competing factions, each claiming to be the official Wallace party in the state. One is headed by William K. Shearer, who has been listed as secretary-treasurer of the White Citizens' Council in California, a major source of party support, and the other is headed by the Rev. Alvin Mayall of Bakersfield, who resigned his pulpit last March to work full-time for Wallace. Opal Tanner White—the long-time associate of Gerald Smith—is secretary of this Mayall committee, which is favored by Wallace. Despite differences and disputes over authority and power, the two groups are united in their backing of Wallace.

The hub of the Wallace effort is in Los Angeles, where the Los Angeles County Central Committee of the American Independent Party has been chaired by Kenneth S. Waite, who has attended a secret training session of the armed Minutemen. Its co-chairman is listed as Robert J. Walters, a pre-segregation activist.

Hugh Fine, a former Birch Society paid coordinator, has been chairman of the Wallace Central Committee in Santa Clara County.

The San Diego County Wallace party chairman has been Dr. Orville J. Davis, who has also been executive secretary of American Thought and Action, pulisher of anti-Semitic materials. Davis was responsible for a poison-pen letter that flooded the South early this year attacking Jews as "the Zionist enemies of America."

Among eight directors of the California campaign named by Wallace were Glenn Parker and John Ortman, both Birchers; Leon Sperry, an aide in San Diego County, has served as a Birch Society section leader.

COLORADO

Lyman Steele, a Wallace elector and one of the originators of the Wallace campaign in Colorado, once headed the state White Citizen's Councils. Another elector is Earl Southard, a veteran of two decades of extremist activity, a former associate of Gerald Smith, and ally of Kenneth Goff, Colorado's most notorious anti-Semite. Yet another elector is William H. Vickers, who has served as a Birch Society section leader.

CONNECTICUT

At least two of Connecticut's eight electors for Wallace are men prominent in Birch Society circles. One, Harold Richard Greene of Westport, has been a section leader and operator of a Birch bookstore. The other elector, Monroe Sherrow, is a young Hartford man active in the John Birch Society. The only avowed Bircher in the town of Wallingford, Aaron Hall, resigned from the GOP Town Committee to work for Wallace.

FLORIDA

The first political action in Florida to back Wallace was taken in 1965 by the Florida Constitution Party, the creation of Dr. William Campbell Douglass, a Bircher and Kent Courtney associate who founded and directs Let Freedom Ring, the call-in telephone message network which provides callers with virulent rightist propaganda, the sermon changing weekly.

Ben Klassen has been an avowed John Bircher and chairman of the Broward County Wallace committee.

GEORGIA

In addition to Roy V. Harris, the Georgia Wallace state chairman, one of Wallace's pledged electors is R. Carter Pittman, an outspoken racist, who has been Georgia editor for the Citizens' Councils magazine, *The Citizen*, and a member of the Birch Society Committee of Endorsers.

In Atlanta, the United Klans have plugged the Wallace candidacy with a telephone message campaign.

INDIANA

Fred Culp, state chairman of Wallace's American Independent Party, delivered the major address at a meeting near Greenfield on April 26, called by Klansman James Short; Culp also welcomed the notorious anti-Semite Kenneth Goff to Indiana for a Wallace speech.

On June 30 at a Greenwood rally for Wallace called by local John Birchers, George McMillin, who has been a member of the anti-Semitic National States Rights Party, delivered an oration in effect calling Adolf Hitler a misunderstood Christian patriot.

IOWA

Wallace's Iowa party state chairman is Robert Dilley, a John Bircher who publishes *True News*, a radical right picture magazine.

One of the Iowa state electors for Wallace is John Buffington, a Member of the Birch Society's National Council.

LOUISIANA

On February 17, 1967, Wallace addressed some 400 delegates from 21 states at the Citizens' Councils' 12th Annual Leadership Conference in New Orleans. Among the speakers who praised the candidate and vowed their support several expressed racist views and one was openly anti-Semitic. The audience was loudly enthusiastic for Wallace, the featured speaker.

MARYLAND

In December 1967 militants of the National States Rights Party gave a "Wallace for President Fund-Raising Dinner" in Dundalk, and earlier, a new organization, the Guardians of Democracy, had been founded by Vernon Naimaster, a former Grand Titan of the Maryland Klan, primarily to back the Wallace drive. This summer campaign brochures from the candidate's Alabama headquarters were circulated, attached to copies of *Task*

Force, published by Defenders of the American Constitution, led by the anti-Semite Pedro A. Del Valle.

MASSACHUSETTS

Wallace's Massachusetts electors include *Col. Laurence E. Bunker, a member of the* Birch Society's National Council and chairman of Boston's annual "Rally for God and Country," a radical right convention; Ruth Wood, wife of a full-time Birch Society official; Laura Davidson, in whose home the South Boston JBS chapter met; Harold Collins, Gloucester's most active Birch Society *member;* and *Dr. Thomas De Palo,* a Birch chapter leader who believes Wallace "is the only candidate who will give America back to the Americans."

MISSOURI

Here the Wallace movement was initiated by James Kernodle, a former Birch Society section leader. Kernodle was made Wallace coordinator for Missouri's 4th, 5th and 6th Congressional Districts. Floyd G. Kitchen, mentioned earlier, is a Missouri Wallace elector.

NEVADA

Dr. John DeTar of Reno, a John Birch Society *member, has been Wallace's state committee chairman.*

The local Las Vegas press reports that the Wallace campaign coordinator in that city is Gene Sandusky, who has been a Birch Society section leader. Another John Bircher, Evelyn Sanford was secretary-treasurer of the southern state committee of Nevadans for Wallace.

NEW JERSEY

Among the electors for Wallace in New Jersey are Dr. Francis Pflum, an executive member of the Birch-front New Jersey Committee to Support Your Local Police and a speaker for the Birchers' American Opinion Speakers Bureau; Dr. Forster G. Ruhl, a Birch member and long New Jersey's voice of Let Freedom Ring; Ernest T. Bradow, a Bircher who claimed to have organized the People's Rights Enforced Against Riots and Murder (PRE-ARM), a white vigilante group, and who has been Wallace's state organizer in New Jersey, and Alan Stang, the Analysis Editor of the Birch Society's weekly *Review of the News*.

NEW YORK

The Young New Yorkers for Wallace held a press conference and cocktail party on June 1 this year. A featured speaker, and reportedly the group's public relations director, was Ken Duggan, who had been chairman of New York's Committee to Support Your Local Police, a Birch front, during its feverish campaign to defeat a civilian police review board in 1966.

Another speaker at the event was Col. Curtis B. Dall, the chairman of Liberty Lobby, who once delivered anti-Semitic remarks before a Senate subcommittee; also on the podium was Arnold McCullough, a onetime Birch Society section leader and now New York coordinator of the Wallace for President Committee.

One of the New York State electors for Wallace is Dave Syme, a Bircher who in 1965 organized New York City's first White Citizens' Council. The group attracted a number of bigots to its ranks. Other New York electors are Col. Philip Nerzig, vice chairman of New Yorkers for the Constitution, supporters of the anti-UN hysteria created by Col. Arch E. Roberts; James E. Kramer, who has admitted that his group, Committee for Fairness to Our Patrolmen, was a front for the Peter Fechter Brigade (a group of former Birchers who regard the JBS as too moderate!); and at least two Birch Society section leaders, Jack Ross and Gerald F. Greene, Jr.

NORTH CAROLINA

This summer the Wallace headquarters in Angier, N.C. occupied the front room of a building whose back room housed the local unit of the United Klans.

An organization called Action by Citizens (ABC) has been plugging Wallace both here and in Richmond, Va. This group publishes extreme racist hate material, attacking Jews and Negroes and declaring that "Communism is Jewish."

OHIO

Wallace support here is strong and active, although the election law made it difficult for a third-party candidate to be on the ballot. Robert Annable, who has had Klan associations and keeps busy with extremist organizations of his own—the North American Alliance for White People, the United Citizens' Council of America in Columbus, and the George Wallace Christian Conservative Party—has been a mainstay of the Wallace effort, which appears to be centered in Cleveland.

William Shepler, who was a paid coordinator in Ohio for the John Birch Society, was recently introduced at Ohio State University as the state campaign manager for Wallace.

And Louis F. Molnar, a member of the Liberty Lobby Board of Policy, headed the Ohio Wallace committee.

OKLAHOMA

Reuel Little, a member of the advisory board of the Oklahoma City Speakers Forum, a right-wing agency that has invited extremist speakers in the past, has been Wallace's state chairman in Oklahoma; and the original Wallace committee in the state included a number of persons connected with the Committee of the States, a radical group dominated by well-known anti-Semites.

The Oklahoma City Speakers Forum was addressed by George Wallace on September 22, 1967.

PENNSYLVANIA

Wallace's presidential electors here include John Noble, who has spoken nationally for the John Birch Society; Dr. Charles Provan, who operates a Let Freedom Ring telephone outlet in Duquesne; and Mary R. Smith, an editor of the national Birch Society weekly, *Review of the News*.

SOUTH CAROLINA

A leading pro-Wallace activist in South Carolina is L. Maurice Bessinger, owner of the Piggie Park drive-in restaurant chain, who has bluntly refused to serve Negroes at his restaurants and has been active in efforts to halt school integration in the state. He has headed the pro-Wallace Independent Party and is now cooperating with the official Wallace Party in the state, the Wallace for President Association of South Carolina.

In addition to William Lowndes, mentioned earlier, the South Carolina slate of electors for Wallace includes James H. Hammond, a director of Bessinger's Independents, and Thomas Miller, a leader in the "National Association for the Advancement of White People."

TEXAS

In addition to the influence of American Party chairman Bard Logan, as well as General Walker, Dan Smoot and Raymond Jarvis—all discussed earlier—the Wallace effort in Texas has been bolstered, as it has in California, by Birch Society activists. The former party treasurer charged all but three or four of the State Executive Committee's 31 members were Birchers.

The party chairman in Travis County is Jack Caro, the Birch section leader in Austin, and the Midland County chairman, Dorothy Wyvell, was also a Birch section leader.

Wallace has flown more than 40,000 miles to some 25 states during his campaign on planes supplied by the Dallas Aero Service, Inc., a firm owned by 56-year-old Texas oil millionaire, Henry L. Seale. Asked why he supported Wallace for President, Seale replied: "He's like us on the nigger situation."

Wallace told reporters, "Mr. Seale is a good friend of ours."

VIRGINIA

The first Virginia effort for Wallace was launched early in 1967 by Karl Allen, an American Nazi who founded the militant Rockwell-like "White Party." The state leadership is in less radical hands.

The United Klans' Virginia Realm has been working diligently in the state both for Wallace and to boost Klan membership.

WASHINGTON

The Washington state chairman for Wallace this year has been Don Tait, publisher of an extremist far-right newspaper, *The Eagle* in Yakima. Copies of this paper, distributed through the official Wallace headquarters in Seattle, have carried articles by Tom Anderson of the Birch Society's National Council, by Senator Strom Thurmond, and by the anti-Semite Ned Touchstone. This summer, too, Wallace's Seattle headquarters made available copies of *Common Sense,* one of the nation's most notorious anti-Jewish hate sheets.

WISCONSIN

The 1968 Wallace campaign has been handled here by Lloyd Herbstreith, who had been associated with the **Liberty Amendment Committee,** the radical right's anti-income **tax** crusaders, and Robert Johnson, who has been a Birch Society member. **Herbstreith is one *of Wallace's state electors.***

[From the Institute for American Democracy, Inc., Washington, D.C., Sept. 12, 1968]

Birchers, Racists Hold Key Posts in State Wallace Campaign Machinery

Members of the John Birch Society and (White) Citizens Councils and related groups are serving as electors and/or holding down key campaign posts in the state organizations behind the Wallace candidacy, according to a preliminary survey released today by the Institute for American Democracy (IAD).

"In the event of a political stalemate, these electors presumably would hold the balance of power," Charles R. Baker, IAD executive director, observed in an accompanying memorandum.

Noting that Birch Society and (White) Citizens Councils organizers took the lead in setting up the state Wallace campaign organizations in 1967, Baker concludes, "The Wallace movement clearly is composed of Birchers, racists, anti-Semites as well as no doubt sincere and unaffiliated supporters of Wallace's positions.

The IAD survey noted Birth "ties" to 21 state Wallace organizations and Citizens Council links to 9 state Wallace efforts.

"The voter has to decide to what extent the Birchers and racists would influence the 'Wallace movement' in event of a deadlock and the extent to which Wallace would draw on this shifting and uneasy base for appointments if elected", Baker said.

He named Birch leader Robert Welch and Citizens Council leader Leander Perez of Louisiana as two of the key men in the movement behind Wallace.

(About IAD—This is a non-partisan institute which compiles and publishes information on extremist groups in America. Its board of sponsors includes religious, public service, business, trade union, and civic organization leaders.

(The chairman is Dr. Franklin H. Littell, president of Iowa Wesleyan College, Mt. Pleasant, Iowa, a Methodist clergyman and scholar. Dr. Littell was senior Protestant Advisor to the High Commissioner of Germany after World War II, and received the Grand Order of Merit from the West German Republic for his work in combatting totalitarian influences.)

[From the Institute for American Democracy, Inc., Washington, D.C., Sept. 11, 1968]

Who's Behind the George Wallace Movement?

(From Charles R. Baker, executive director)

While the issue remains clouded in a handful of States, an IAD survey shows that the

Wallace-for-President forces have not yet been denied a ballot position in any of them. They may have to settle for a write-in campaign in Ohio if a U.S. Supreme Court test fails, but clearly most Americans who want to vote for ex-Gov. George Wallace will have a chance to do so.

Meeting the complex petition and other requirements in all or just about every state is a monumental task, requiring money, manpower and at least the semblance of an organization. Much of this appears to have been supplied by the Far Right.

Our analysis of the available information shows that members of the (White) Citizens Councils, the John Birch Society and allied Far Right ideological groups are holding key Wallace campaign posts and/or serving as presidential electors in many states.

In the event of a political stalemate, these electors presumably would hold the balance of power. If released by Wallace, they apparently would be in a position to name the next President, or, by holding firm, throw the election into the House of Representatives.

The Wallace movement clearly is composed of Birchers, racists, anti-Semites as well as no doubt sincere and unaffiliated supporters of Wallace's positions. The voter has to decide to what extent the Birchers and racists would influence the "Wallace movement" in event of a deadlock and the extent to which Wallace would draw on this shifting and uneasy base for appointments if elected.

These are vital questions since the Wallace campaign represents a "movement" rather than a third party. No direct parallel exists for it in American history.

Wallace's name will be on the ballot under such diverse banners as the American Party (in Georgia and Louisiana), American Independent Party (as in Michigan and Utah), the George C. Wallace Party (in Maine and apparently Indiana), the Conservative Party in Kansas, the Courage Party in New York, as an Independent (in Illinois and Massachusetts) and as a Democrat in Alabama.

Key men in the movement behind Wallace appear to be Judge Leander H. Perez, wealthy political potentate of Louisiana's Plaquemines Parish, and a leader of the (White) Citizens Councils*, and Robert Welch, top man in the John Birch Society.

While Welch disclaims any partisan endorsement, Birchers have been working for Wallace since he openly accepted the support of the Society in his three-state 1964 Democratic primary campaign. Birchers took the lead in setting up "Wallace Clubs" in various states starting in 1967, and the national co-chairman of the Wallace effort was, and may still be, Jim Clark, ex-sheriff of Selma, Ala., and a member of the John Birch Society's American Opinion speakers bureau.* (It is not known whether Clark is a card-carrying member of the Society, however.)

The first "Wallace-for-President" clubs were announced by Bircher Kent Courtney early in 1967. Courtney heads the New Orleans-based "Conservative Society of America." Some of the individuals named by Courtney still hold key campaign posts or serve as electors.

Birch council members Tom Anderson of Tennessee and Floyd Paxton of Washington were among the earliest and most vigorous promoters of the Wallace candidacy. [It seems highly unlikely that so much Birch effort could be funneled into the Wallace campaign if this were not Welch policy.] Welch himself suggested that California State Senator John Schmitz, a Birch luminary, would make a good running mate for Wallace, a signal to the faithful of where the leader's sentiments lie.

Bircher Courtney and Birch speaker Clark were among those reported at a behind-the-scenes strategy meeting of Wallace supporters held in Montgomery on January 25, 1967, according to the *Birmingham News*. Also reported in attendance was Asa (Ace) Carter, one time assistant and speech writer for Governor Wallace although never on the state payroll.

Carter has been described as a disciple of old time racist Gerald L. K. Smith. (See Murray Kempton column in *New York Post* 3/8/56. On October 17, 1965, the *New York Times* quoted Alabama Attorney General Richmond M. Flowers as calling Carter a "widely known Klansman and right wing agitator." Perhaps because of this reputation Carter, like ex-Sheriff Clark, does not appear to have a currently public campaign role.

While it is impossible to trace the full extent to which Far Right forces are represented in the Wallace Movement, here is a state-by-state summary of currently available information:

NOTES ON SOME KEY WALLACE SUPPORTERS

Judge Leander Perez, wealthy political boss of Louisiana's Plaquemines Parish, was a key speaker at the dinner meeting of the ad hoc Southern Committee to help Elect the Next President held in Jackson, Miss., on June 17, 1963, and he went on to support the Wallace presidential primary effort in 1964. An old line segregationist and member of the New Orleans Citizens Council of the (White) Citizens Councils of America, Perez was reported part of an effort to unseat Gov. John McKeithen in 1966, which forms an interesting backdrop to McKeithen's early endorsement of Wallace.

Illustrative of Perez's social outlook, the New Orleans *Times Picayune* quotes him as saying in an Aug. 30, 1960, speech, critical of two federal judges: "Perez said 'There is a certain class of people in New Orleans today who are licking their chops in this situation. They are the most dangerous people in this country today—the Zionist Jews.' "

Rep. John Rarick (D. La.), participated in the Nov. 8, 1965, strategy meeting with Wallace before his candidacy was "announced" in *The Councilor*. Rarick, then a judge, was subsequently defeated in a bid to be elected governor, but is now in Congress. He is tied closely to Liberty Lobby and various groups linked to it including the American-Southern Africa Council (which promotes trade with Rhodesia and the Rhodesian "answer" to race problems). The Supreme Court Amendment League (Scale), and National Friends of John Rarick. In these Rarick is associated with John Acord, young Washington, D.C. based promoter of various Far Right causes and the national head of the Wallace Youth Committee. The latter is the campus arm of the campaign. Rarick is a member of the board of *The Councilor*, voice of the (White) Citizens Councils.

Kent Courtney, a Birch Society member, and proprietor of the New Orleans based "Conservative Society of America," has been travelling the country setting up Wallace clubs. Some of the state "contracts" he announced in the January, 1967 issue of his news letter are now state Wallace electors and/or hold key campaign posts today. Courtney manned the Wallace booth at the 1967 "God, Family & Country," Rally, the annual John Birch Society July 4th weekend event in Boston. (This year the booth was manned by ex-General Edwin Walker.) While Courtney lectures and seeks guest spots on radio programs, his wife, Phoebe, edits the "Independent American," which has been promoting the Wallace candidacy.

Ex-Sheriff Jim Clark, made his cattle prod a symbol of resistance to integration during the showdown at Selma, Ala. Clark began promoting Wallace clubs in late 1966, and at one point was billed as "National Co-Chairman" of the Wallace Campaign. During 1966 and 1967 Clark toured the nation of the John Birch Society's American Opinion speakers circuit, but has not been making headlines lately, possibly a tactical move to play down the Birch influence in the campaign.

A BRIEF PROFILE OF WHITE CITIZENS COUNCIL

Col. Laurence Bunker, a member of the Birch Society's five-man executive committee and the No. 3 man in the Birch hierarchy, is one of two Wallace electors-at-large in Massachusetts.

Followers of old-time anti-Semite Gerald L. K. Smith have key campaign roles in some states. Also active in the campaign are *Birch-linked* Liberty Lobby, Billy James Hargis' Christian Crusade (although Hargis himself has made no personal endorsement), the Ku Klux Klans, the Patriotic Party (political arm of the Minutemen) and the miniscule American Nazi Party.

Wallace's official campaign staff is composed largely of past Alabama state officials and funds are directed to headquarters in Montgomery. It seems highly improbable, however, that the elaborate job of qualifying for the ballot in the majority of states could have been pulled off without the help of the Birch and (White) Citizens Councils organizations.

Louisiana members of the (White) Citizens Councils of America have been deeply involved in the Wallace campaign from the very beginning. The Council's newspaper, *The Councilor* (claimed circ. 261,000) "announced" the "Wallace-for-President" campaign in its November 15, 1965, edition after its editor, Ned Touchstone, Judge John Rarick (now Congressman) and former Birch member Richard Cotton had discussed the prospects with Wallace in Montgomery, Ala., the previous week.

Rarick is a member of the board of *The Councilor* which is printed in Shreveport, La. *The Councilor* early started a mail order business in Wallace-for-President materials.

THE BEGINNINGS OF A SPACE SUIT

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. DORN. Mr. Speaker, we are proud of the Owens-Corning Fiberglas Corp. and its personnel who operate the splendid plant in Anderson, S.C., located in my congressional district. The achievements of this corporation and its employees are many. They are now contributing greatly to our successful space program.

On Saturday, October 12, 1968, the Greenville News ran a picture taken by Mrs. Sara Liverance, one of South Carolina's most outstanding journalists. The caption read, "The Beginnings of a Space Suit." It depicted three employees of Fiberglas holding Beta yarn from which the space suits of the Apollo 7 astronauts now circling the earth are made. This yarn is produced only by the Owens-Corning Fiberglas plant at Anderson.

This filament now being used by the space industry has been manufactured at Anderson for several years. It is also used in high-fashion drapery material, bedspreads, and tablecloths. The capacity yield of the plant at Anderson is approximately 10 million pounds annually.

Mr. Speaker, we must continue our efforts in space. As I have stated on this floor many times, we must be first in the race to the moon. The people of this great plant are contributing their share in this race. I congratulate Owens-Corning and the people in Anderson and my congressional district for their major role in keeping us ahead in space.

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* See brief profile at end of article.

ABSENTEE VOTING

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, the right of the American people to choose their own Government is the most precious right we have under the Constitution. In November of this year, Americans will go to the polls to exercise their individual privilege of voting for the Federal officials who will form a new Government in January 1969.

As the voting requirements and procedures are often complex and as they are not uniform throughout the States, it is important, in order to assure full participation in this national election, that the people know what the local laws and procedures are. Elections for Federal office are governed to a large extent in Pennsylvania by State laws. On two occasions this fall, therefore, I have taken the time to advise the citizens of my 27th Congressional District about the basic elements of registration and the requirements for obtaining an absentee ballot.

I place in the Congressional Record today, the types of letters I have used to remind our good servicemen and residents whose military assignment, work or health prevents them from voting in person, that the military and absentee ballots are available in Pennsylvania only by application.

As a public record of the 90th Congress and a matter of official business from my congressional office, I submit the following correspondence:

Dear ———: As your US Representative in Washington D.C., I am writing to congratulate you on your good civic and patriotic service to our country. Voting in the primary election is in the best American tradition of good citizenship.

Your voluntary action in taking the time to obtain a military ballot through our Allegheny County Board of Elections is a real tribute to your thoughtfulness and patriotism.

Having been elected to Congress from a US navy carrier in the South Pacific combat area in World War II, with you I know what military service means in terms of a career and family.

I believe you will be interested in having a military ballot for the election on Tuesday 5 November 1968. I am arranging to have an application for a ballot mailed to you through your home address, on the first day applications for you can be made, Monday 16 September 1968. Alert your folks to forward it promptly. The application should be sent back at once to the election board to be sure you get your ballot in this important National Election.

Any time my office or I can be of assistance to you or your family, please let us hear and we will be glad to cooperate.

Best wishes to you on your tour of duty.

Sincerely,

Congressman Jim Fulton.

Dear ———: It is a pleasure to enclose an application for a military ballot which I have now obtained especially for you.

It is important for you to send the application directly to the Board of Elections before Tuesday, 29 October 1968 in order to be able to vote in this important election.

I want to take this opportunity to congratulate you on your patriotic service to our good country, as well as your civic interest in exercising your voting privilege by applying for a military ballot.

Sincerely,

Congressman Jim Fulton.

Dear ———: As your US Representative in Washington, D.C., I am writing to congratulate you on your good civic and patriotic interest. Your voting in the 23 April 1968 primary election is in the best American tradition of good citizenship.

Your voluntary action in taking the time to obtain an absentee ballot through our Allegheny County Board of Elections is a real tribute to your thoughtfulness and patriotism.

As I believe you will be interested in an absentee ballot for the election on Tuesday, 5 November 1968, I am arranging to have an application for a ballot mailed to you on the first day application can be made, Monday, 16 September 1968. This application should be sent back at once to the Election Board to be sure you get your ballot in this important National Election.

Any time my office or I can be of assistance to you, let us here and we will be glad to cooperate.

Sincerely,

Congressman Jim Fulton.

Dear ———: It is a pleasure to enclose an application for an absentee ballot which I have now obtained especially for you.

This application should be filled out and sent back to the Board as promptly as possible, as Tuesday, 29 October 1968, is the last day to file an application for an absentee ballot.

I want to take this opportunity to congratulate you on your patriotic service to our good country, as well as your civic interest in exercising your voting privilege by applying for an absentee ballot.

Sincerely,

Congressman Jim Fulton.

A REPORT TO THE MEMBERS OF THE RURAL ELECTRIC MEMBERSHIP CORPORATIONS OF INDIANA'S THIRD CONGRESSIONAL DISTRICT

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BRADEMAS. Mr. Speaker, this week I am sending a report on current legislative developments affecting rural electrification to members of rural electric membership corporations in my congressional district.

I include at this point in the Record the text of my report, as well as the captions of the photographs appearing in the report:

Congressman John Brademas Reports to REMC Members

October 1968.

Dear Friend: As an REMC member, you have a day-to-day concern about the future of your rural electric cooperative. You want to be sure that it will supply all the electric power you need to run your farm or business and your home. As your Congressman, I share that concern.

This special report to REMC members is aimed at bringing you up to date on recent legislative developments affecting rural electrification programs as well as on some issues on the horizon of importance to you.

REA—STILL MOVING AHEAD

More than 30 years after President Franklin D. Roosevelt successfully pressed for the establishment of the Rural Electrification Administration, rural electrification is still a vital force for progress, the symbol of a better life in rural America. Three decades ago, only 10 per cent of the farm families of America enjoyed electricity. Today less than 2 per cent are *without* it, and the expansion of rural electrical service continues. Far from having outlived its usefulness, the program is still pioneering new ground, moving steadily toward its goal of low-cost electricity for all farm families.

Over 25 million people now receive the benefits of electrical and telephone service through systems financed by REA. Through the middle of 1968, REA had approved a total of more than $8 billion in loans to nearly 2,000 borrowers, including over 1200 electric and telephone cooperatives.

In Indiana alone, there are now 47 REA-financed electric systems, 46 of which are cooperatives, serving over 190,000 rural consumers. Most important, fully 99.5 per cent of the farms in Indiana are now electrified, compared with 11.7 per cent in 1935 when REA was born. Ninety per cent have telephone service provided through REA support.

All Americans who have been involved in the rural electric cooperative movement have a right to be proud of these achievements.

CHALLENGES AHEAD

But what of the future for REMC's? Clearly rural electrification faces great challenges.

One increasingly serious problem for rural electric systems across the country concerns their ability to meet the growing power loads of their member-consumers. Such loads increase every time you buy a new appliance for your home or a new piece of electrical equipment for your farm or business. Rural power requirements are estimated to triple over the next 20 years! To keep pace with these future needs, rural electrics must have access to adequate REA loan funds as well as new sources of capital financing.

SUPPLEMENTAL FINANCING PROPOSAL

Last year I supported legislation in Congress to establish a supplemental financing program for rural electric and telephone cooperatives. The proposed Rural Electrification Bank would have opened the way to new sources of capital in the private money market, a device which holds promise for securing the bulk of needed additional financing. Unfortunately the bill was so seriously crippled in committee that eventually the measure was tabled.

The financial picture for the rural electrics in the immediate future is particularly serious. Congress has passed legislation providing for an REA electric loan program of $370 million for the fiscal year which began last July 1, an amount $25 million above the Administration request.

REA LOAN FUNDS INADEQUATE

As I told the House of Representatives during debate on the REA appropriations measure (see exhibit 1), even the $370 million figure is still far below demonstrated needs of the rural electrics. Norman Clapp, REA Administrator, indicates that the demand for electrification loans in the current fiscal year will be over $700 million—double the amount available—resulting in the greatest backlog of unsatisfied REA loan applications in the history of the program.

BIG POWER SOURCES NEEDED

Another matter of tremendous importance to rural electric cooperatives is access to large-scale power supply. Your cooperative is dependent upon an adequate, low-cost wholesale power source to meet your needs.

Much more must be done to enable the rural electrification program to participate in the current technological developments in the power industry offering economies of size—huge generating plants, high-voltage transmission lines, and regional and inter-regional power pools. Rural electric coops must have facilities big enough and advanced enough to enable them to share in the savings enjoyed by other segments of the power industry.

Two important pieces of legislation bearing on this particular problem are before Congress as I write. one is the Electric Power Reliability Act, which would assure that rural electric cooperatives have a chance to take part in giant power developments of the future. The other proposal is the Aiken-Kennedy atomic power bill, designed to enable cooperatives to share in the ownership and benefits of nuclear power production.

Here's what these bills would mean to you: access to more reliable and more economical service. Both bills are still in committee and there is little hope this Congress will take action on them. The 91st Congress, however, should give top priority to both measures.

RURAL AREA DEVELOPMENT

Finally, one of the greatest challenges for rural electrification in the years ahead lies in its broad potential for accelerating the diversified economic development of rural America. Rural electric cooperatives in northern Indiana can play an important role in helping attract new industry, create new jobs and build new community facilities in our area.

Local coops can contribute significantly toward making rural communities more attractive and prosperous places in which to live and work.

The rural electric cooperative program is a concrete example of grass-roots democracy in action. Consumer owned and locally controlled, the REMC's demonstrate American enterprise at its best. If we continue to give strong support to the rural electrification program—as I believe we should—REMC's will continue to help strengthen the fabric of American freedom.

". . . as you ponder the future and what it means for you and the rural electric cooperatives you lead, look well to your growing responsibilities to the Nation, as leaders of a key institutional resource for creating and restoring a new and necessary rural-urban balance not only in terms of population numbers, not only in terms of economic opportunity, but also in the quality of life which people enjoy."

REA Administrator Norman Clapp, in a message in 1968 NRECA regional meetings:

BRADEMAS VOTING RECORD ON RURAL ELECTRIFICATION

During my 10 years in Congress I have given solid support to bills affecting the rural electrification program.

The National Rural Electric Cooperative Association reports that my voting record on bills deemed important to rural electric cooperatives shows 25 favorable votes out of 26 since I entered Congress.

Together with my Hoosier colleague, Congressman J. Edward Roush, I have the best record of support of rural electrification of any Congressman from Indiana during the entire history of the program. I am proud of that record.

CAPTIONS

Congressman Brademas meets with Marshall County REMC Directors. L. to R.: Seated—Donald Kaufman, Paul Carothers, Gordon Smith; Standing—Victor Samuelson, John Heckaman, Fred Wolff, Paul Winn, Ward Leeper, Congressman Brademas, Russell Ritenour, Richard Martin, Banks Burden and Harley Justus.

Congressman Brademas and REMC leaders review legislation affecting rural electric cooperatives. L. to R.: Harley Justus, Manager, Marshall County REMC; Dave Mueller, Manager, Indiana Statewide Rural Electric Cooperative; Congressman Brademas; William Orr, Manager, Kosciusko County REMC; Robert Merkle, Assistant Manager, Kosciusko REMC.

Cordially,

JOHN BRADEMAS,
Member of Congress.

EXHIBIT 1

[From the CONGRESSIONAL RECORD, May 1, 1968]

STATEMENT TO THE HOUSE OF REPRESENTATIVES BY CONGRESSMAN JOHN BRADEMAS IN SUPPORT OF INCREASED FUNDS FOR THE REA LOAN PROGRAM

Mr. BRADEMAS. Mr. Chairman, I wish to comment on one particular aspect of H.R. 16913, the agriculture appropriation bill for the fiscal year 1969. I refer to the appropriation for the loan program for the Rural Electrification Administration.

Mr. Chairman, the amount recommended by the Committee on Appropriations for the REA loan fund—$345.5 million—is a minimum figure. Indeed, the recommended appropriation is well below the amount of funds that will be needed to meet the financial requirements in rural electrification in the years ahead.

The evidence is, Mr. Chairman, that rural electric cooperatives are being called upon to serve some 150,000 additional consumers each year. Rural power requirements will triple over the next 20 years. These needs, added to those of rural telephone cooperatives, call for an estimated $11 billion in new capital during the next 15 years, an amount double that provided in congressional appropriations for REA loans over the past 15 years.

Certainly, in my own State, I know that the financial needs for the future growth of rural electric cooperatives are particularly great. The Indiana Statewide Rural Electric Cooperative has paid that continuation of the REA loan program at a restrictive level means that Indiana's rural electrics will be faced with financial strains which will seriously hamper their ability to meet the growing power demands of their 190,000 rural member-consumers.

Thus in future years we should be prepared not to restrict or diminish, but to increase the funds available for continuing the work of rural electrification.

Let me at this point, Mr. Chairman, quote from the report of the Committee on Appropriations on this bill. The report said:

"Testimony from the REA Administrator and representatives of the electric cooperatives indicates that the demand for electrification loans in the next fiscal year will be in excess of $700 million—double the amount available. One of the principal reasons for this large demand is that electricity now substitutes on the farm for labor which is no longer available. The modern farm is a highly automated and electrified operation."

And I think it ought here to be noted, Mr. Chairman, as the committee report declared of Rural Electrification loans:

"Based on previous experience, all of these loans will be repaid to the Treasury. They do not represent an unrecovered expenditure as do the regular operating programs of the Government."

Indeed, Mr. Chairman, spokesmen for the Rural Electrification Co-Op of Indiana have advised me of their view that the House should consider $500 million as a minimum figure for the loan authorization.

I realize, Mr. Chairman, that we must exercise restraint in many areas of Government expenditure, but the rural electrification loan program is so essential to the lives of many American farm families and to the economy of rural America, including the small towns of the Nation, that we must exercise great care to assure an adequate level of loan authorization for this program.

GEORGE C. WALLACE PLATFORM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. RARICK. Mr. Speaker, because of the tremendous national interest in the presidential candidacy of Gov. George C. Wallace, I feel our colleagues will be interested in a complete text of his American Independent Party platform which I include, as follows:

PLATFORM OF THE AMERICAN INDEPENDENT PARTY: GEORGE C. WALLACE, CANDIDATE FOR PRESIDENT OF THE UNITED STATES; CURTIS E. LEMAY, CANDIDATE FOR VICE PRESIDENT OF THE UNITED STATES

PREAMBLE

A sense of destiny pervades the creation and adoption of this first Platform of the American Independent Party, a Platform personifying the ideals, hopes, aspirations and proposals for action of the Party and its candidates for the Presidency and Vice Presidency of the United States, George C. Wallace and Curtis E. LeMay.

As this great nation searched vainly for leadership while beset by riots, minority group rebellions, domestic disorders, student protests, spiraling living costs, soaring interest rates, a frightening increase in the crime rate, war abroad and loss of personal liberty at home; while our national political parties and their leaders paid homage to the legions of dissent and disorder and worshipped at the shrine of political expediency, only this Party, the American Independent Party, and its candidates, George C. Wallace and Curtis E. LeMay, possessed the courage and fortitude to openly propose and advocate to the nation those actions which are necessary to return this country to its accustomed and deserved position of leadership among the community of nations and to offer hope to our people of some relief from the continued turmoil, frustration and confusion brought about through the fearful and inept leadership of our national political parties.

It is to this end and for this purpose that this Platform is designed. Herein will be set forth the policies, attitude, proposals and position of this Party and its candidates, treating with those matters of deepest concern to the average American, his home, his family, his property, his employment, his right to safety and security in the pursuit of the activities of his daily life, his right to freedom from interference and harassment from and by the government at all levels and, lastly, his pride in himself and this nation and all that it has stood for.

We feel that this American has an intense devotion to his country, glorifies in its accomplishments and is saddened by its failures and shortcomings; that he is tolerant of the mistakes of political leaders if he senses their actions to be in good faith and directed to the best interest of the country, but he is confused and dismayed when these leaders desert the principle of government for the people and dedicate themselves to minority appeasement as the country burns and decays.

This document treats of both foreign and domestic policy and is basically designed to present the proposals and action programs of this Party and its candidates in the area of:

1. Peace abroad and domestic tranquillity at home.

2. An enlightened and advancing educational program, assisted but not controlled by the federal government.

3. Job training and opportunity for all Americans willing and able to seek and hold gainful employment.

4. An alliance and partnership with the

private sector of our economy seeking an end to poverty among our people.

5. Efficiency and prudence in governmental spending leading to a helpful and stable economy free from the need for ever continuing taxation.

6. Inclusion of the farmer in our program of prosperity through his own efforts rather than total reliance on government subsidy.

7. Reestablishment by the authority and responsibility of local government by returning to the states, counties and cities those matters properly falling within their jurisdiction and responsibility.

8. Ending the inflationary spiral of the past decade through fiscal responsibility and efficiency in all echelons of government.

9. The orderly and economical utilization of the natural resources of this nation coupled with a sensible program of conservation of these resources.

10. An insistence that the laboring man and woman be given his fair share of responsibility and reward for the development of the mighty potential of this nation.

11. A re-dedication of this country to the love of God and country and the creation of a judiciary mindful of the attitudes of the people in this regard.

With these cardinal principles in mind, we herein set forth the precepts of our Party and Candidates in the following areas of concern:

DOMESTIC POLICY

Clearly, our citizens are deeply concerned over the domestic plight of this nation. Its cities are in decay and turmoil; its local schools and other institutions stand stripped of their rightful authority; law enforcement agencies and officers are hampered by arbitrary and unreasonable restrictions imposed by a beguiled judiciary; crime runs rampant through the nation; our farmers exist only through unrealistic government subsidies; welfare rolls and costs soar to astronomical heights; our great American institutions of learning are in chaos; living costs rise ever higher as do taxes; interest rates are reaching new heights; disciples of dissent and disorder are rewarded for their disruptive actions at the expense of our law-abiding, God fearing, hard working citizenry. America is alarmed that these conditions have come to exist and that our national leadership takes no corrective action. We feel that the programs and policies of our Party offers this leadership and provides constructive proposals of action for the elimination of the conditions now existing. This we would do in the following manner.

LOCAL GOVERNMENT

The Founding Fathers of our country, when they had won their freedom from King George III in the American Revolution, and were engaged in setting up our Federal Government, in their infinite wisdom, visualized the tyranny and despotism which would inevitably result from an omnipotent central government; and, they sought to avoid that peril by delegating to that central or federal government only those powers which could best be administered by a central or federal government, such as the laying and collecting of taxes to pay the national debt, providing for the common defense, regulating commerce between the states, declaring and waging war, coining money and establishing and maintaining a postal system. And then they provided, in Article X of the Bill of Rights, the Tenth Amendment to the Constitution of the United States, that:

"The powers, not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people."

The Federal Government, in derogation and flagrant violation of this Article of the Bill of Rights, has in the past three decades seized and usurped many powers not delegated to it, such as, among others: the operation and control of the public school system of the several states; the power to prescribe the eligibility and qualifications of those who would vote in our state and local elections; the power to intrude upon and control the farmer in the operation of his farm; the power to tell the property owner to whom he can and cannot sell or rent his property; and, many other rights and privileges of the individual citizen, which are properly subject to state or local control, as distinguished from federal control. The Federal Government has forced the states to reapportion their legislatures, a prerogative of the states alone. The Federal Government has attempted to take over and control the seniority and apprenticeship lists of the labor unions; the Federal Government has adopted so-called "Civil Rights Acts," particularly the one adopted in 1964, which have set race against race and class against class, all of which we condemn.

It shall be our purpose to take such steps and to pursue such courses as may be necessary and required to restore to the states the powers and authority which rightfully belong to the state and local governments, so that each state shall govern and control its internal affairs without interference or domination of the Federal Government. We feel that the people of a given state are in better position to operate its internal affairs, such as its public schools, than is the Federal Government in Washington; and, we pledge our best efforts to restore to state governments those powers which rightfully belong to the respective states, and which have been illegally and unlawfully seized by the Federal Government, in direct violation of Article X of the Bill of Rights.

THE FEDERAL JUDICIARY

Our forebears, in building our goverment, wisely provided and established, in the Constitution of the United States, that the Federal Government should consist of three branches, the Legislative, represented by the Congress, whose duty and responsibility it is to enact the laws; the Executive, represented by the President, whose duty it is to enforce the laws enacted by the Congress; and, the Judicial, whose duty and responsibility it is to interpret and construe those laws, not to enact them.

The Constitution of the United States provides that the judicial power of the United States shall be vested in a Supreme Court and in such inferior courts as the Congress shall from time to time ordain and establish; and, further, that the judges of the Federal courts shall hold their offices for life, during good behavior.

In the period of the past three decades, we have seen the Federal judiciary, primarily the Supreme Court, transgress repeatedly upon the prerogatives of the Congress and exceed its authority by enacting judicial legislation, in the form of decisions based upon political and sociological considerations, which would never have been enacted by the Congress. We have seen them, in their solicitude for the criminal and lawless element of our society, shackle the police and other law enforcement agencies; and, as a result, they have made it increasingly difficult to protect the law-abiding citizen from crime and criminals. This is one of the principal reasons for the turmoil and the near revolutionary conditions which prevail in our country today, and particularly in our national capital. The Federal judiciary, feeling secure in their knowledge that their appointment is for life, have far exceeded their constitutional authority, which is limited to interpreting or construing the law.

It shall be our policy and our purpose, at the earliest possible time, to propose and advocate and urge the adoption of an amendment to the United States Constitution whereby members of the Federal judiciary at District level be required to face the electorate on his record at periodical intervals; and, in the event he receives a negative vote upon such election, his office shall thereupon become vacant, and a successor shall be appointed to succeed him.

With respect to the Supreme Court and the Courts of Appeals I would propose that this amendment require re-confirmation of the office holder by the United States Senate at reasonable intervals.

PRIVATE PROPERTY

We hold that the ownership of private property is the right and privilege of every American citizen and is one of the foundation stones upon which this nation and its free-enterprise system has been built and has prospered. We feel that private property rights and human rights are inseparable and indivisible. Only in those nations that guarantee the right of ownership of private property as basic and sacred under their law is there any recognition of human rights.

We feel that the American system of private property ownership, coupled with its system of free enterprise, upon the basis of which our country has grown and prospered for more than two hundred years, is sacred; and, we repudiate and condemn those who propose to transform our nation like a socialist state; and, we propose to furnish and provide a national leadership that is dedicated to the preservation and perpetuation of the great American system of private enterprise and private ownership of property.

We repudiate and condemn any federal action regulating or controlling the sale or rental of private property as a socialistic assault upon only not the system of private ownership of property, but upon the right of each American citizen to manage his private affairs without regulation from an all-powerful central government.

There is no provision in the Federal Constitution which gives Congress the power to regulate the sale or rental of private property. Such legislation strikes at the very heart of the American system and if followed to its logical conclusion will inevitably lead to a system alien to our concept of free government, where citizens are no longer able to make decisions for themselves or manage their personal affairs. We pledge to take the Federal Government out of the business of controlling private property and return to the people the right to manage their lives and property in a democratic manner.

CRIME AND DISORDER

Lawlessness has become commonplace in our present society. The permissive attitude of the executive and judiciary at national level sets the tone for this moral decay. The criminal and anarchist who preys on the decent law abiding citizen is rewarded for his misconduct through never ending justification and platitudes from those in high places who seem to have lost their concern for that vast segment of America that so strongly believes in law and order.

We hear much of the "root causes" for the depredations committed in our streets and in our towns and cities. We hold that these are to be found in the apparent absence of respect for the law on the part of the perpetrators of these offenses, and the unexplainable compassion for the criminal evidenced by our executive and judicial officers and officials. We advocate and seek a society and a government in which there is an attitude of respect for the law and for those who seek its enforcement and an insistence on the part of our citizens that the judiciary be ever mindful of their primary duty and function of punishing the guilty and protecting the innocent.

We urge full support for law enforcement agencies and officers at every level of government and a situation in which their actions will not be unreasonably fettered by arbitrary judicial decrees.

We will insist on fair and equal treatment for all persons before the bar of justice.

We will provide every assistance to the continued training and improvement of our law enforcement facilities at federal and local level, providing and encouraging mutual cooperation between each in his own sphere of responsibility.

We will support needed legislation and action to seek out and bring to justice the criminal organizations of national scope operating in our country.

We will appoint as Attorney General a person interested in the enforcement rather than the disruption of legal processes and restore that office to the dignity and stature it deserves and requires.

We will provide leadership and action in a national effort against the usage of drugs and drug addiction, attacking this problem at every level and every source in a full scale campaign to drive this evil from our society.

We will provide increased emphasis in the area of juvenile delinquency and juvenile offenses in order to deter and rehabilitate young offenders.

We will not accept violence as the answer to any problem be it social, economic, or self-developed. Anarchists and law violators will be treated as such and subjected to prompt arrests and prosecution.

We will oppose federal legislation to enforce the registration of guns by our citizens, feeling that this measure would do little or nothing to deter criminal activity, but, rather, would prove restrictive to our decent, law abiding citizens, and could well encourage further activity by the criminal. We will preserve to the states their rights to take such reasonable measures as they deem appropriate in this area.

CITIES AND SUBURBS

The urban areas of our nation are in a state of social and economic unrest, largely brought about through unfilled promises hastily and carelessly made and the failure of ill-conceived programs enacted under duress and compulsion. For this, we must hold responsible the national leadership of the other two parties, for they were joint partners in this disastrous course of action resulting in the situation now existing in our cities.

We object to a federal policy which has poured billions of dollars into our cities over the past decades but which has not been able to prevent their stagnation and decay and has resulted in the flight of millions to the suburbs. We reject the notion that the solution is untold additional billions to be poured into the cities in the same manner, whether such huge sums are to be raised from taxes on the middle class in general, or by unwelcome taxes on those who live in the suburbs of the individual cities. We submit that no government can buy contentment for those living in the cities, suburbs, or rural areas. We advocate the formulation of a mutually arrived at, joint federal, state and local policy which will make it economically and socially attractive and physically safe for people to live again in all sections of all of our cities. We submit that the science and technology, which made possible the development and growth of these cities, is the instrument whereby this can be brought about.

Specifically, there must be a restoration and maintenance of law and order before any program, no matter how well conceived, will succeed. We pledge ourselves to this accomplishment and will exert forceful leadership at local level to such effort.

Those totally unfitted by training, background and environment for urban living who have been lured to the metropolitan areas by the wholly false promises and commitments of self-seeking political leaders must be afforded an opportunity for training or, in the alternative, an opportunity to return to gainful employment in the less urbanized area from whence they came. This we propose to accomplish in conjunction with private industry through a program of diversification and de-centralization of expanding industry into areas away from metropolitan centers, thereby providing relief for many of the problems of the area while providing productive life for those afforded the opportunity to depart these overcrowded areas.

We advocate assistance, but not control, to local governmental units from the federal level to enable them to cope with their multiplicity of problems, feeling they are better prepared to offer solution than those more removed therefrom.

We advocate and will sponsor a partnership with the private sector of our economy in the restoration of job opportunity and a healthy living environment to our cities through programs made economically attractive to industry.

We will support programs designed to provide means by which home-ownership can become a reality to our city dwellers, thereby instilling a greater feeling of dignity, stability and responsibility in those benefiting from such a program.

Above all, there must be a restoration of order in our cities as a prelude to any program of assistance, for without order neither government nor private industry will meet with success. Herein lies the cause of much failure in the past.

JOB OPPORTUNITY AND THE POOR

We feel that the matter of our citizens in need and the existence of job opportunities are so closely related as to warrant concurrent consideration.

We are convinced that the average American believes in the inherent dignity of gainful employment, prefering this method of attaining a livelihood to any welfare grant or benefit not earned through his own efforts. For this reason we consider the solution to the problem of our needy citizens, capable of gainful employment to be the provision of job opportunity. This will be the goal of our Party and our administration.

Our first consideration will be the inclusion of private industry in this program and effort. We believe that the private sector of our economy has the will and capability of providing a solution to the problem of poverty much more promptly and efficiently than any or all governmental programs of indiscriminate welfare contributions. Based on this premise, we will work in partnership with private industry in a program mutually beneficial to each to provide these job opportunities. We propose to make this program economically attractive to industry through tax incentives and other means of economic benefit, believing fully that the answer to this problem lies in the vigor and capability of our tremendous free enterprise system.

We would propose that the federal government aid and assist in a well designed program of job training or re-training for those in need thereof. This will be at the vocational school and lower level, depending on the needs of the trainees. We will encourage and assist the states in programs of job training or re-training through realistic productive efforts in this respect, including assistance to the establishment and maintenance of vocational trade schools and other like institutions designed to provide skilled and semi-skilled personnel for industrial employment, as well as means whereby "in-training" programs can be carried out by private industry in cooperation with government.

In the event a public works program becomes necessary to provide employment for all employable Americans, we will provide such a program assuring, however, that these programs be needful and productive and that the participants engage in labor beneficial to the nation and its economy rather than becoming wards of the government and the recipients of gratuitous handouts.

For those unemployable by reason of age, infirmity, disability or otherwise, provision will be made for their adequate care through programs of social services based on the requirements and needs of these persons. We hold that all Americans are deserving of and will have the care, compassion and benefits of the fullness of life.

HEALTH AND WELFARE

Our senior citizens

Social Security is basically an old age, survivors and disability Insurance Plan. It provides for citizens to pay into the Trust Fund during their working years and is designed to replace part of the earning capacity of the participant, or his family, lost due to retirement, death or disability. During past administrations, the Social Security Trust Fund has been depleted and current payments are being made from current revenues. Social Security cannot be financed from current revenues or from the Federal Treasury without raising taxes or jeopardizing other essential programs of government. Such a policy is irresponsible.

We pledge to restore the Social Security Trust Fund to a sound financial basis and by responsible fiscal policies to insure the following:

1. An immediate increase in social security payments with a goal of a 60% increase in benefits.
2. An increase in the minimum payment to $100, with annual cost of living increases.
3. Restoration of the 100% income tax deduction for drugs and medical expenses paid out by people 65 and over.
4. Removal of the earnings limitation on people 65 and over in order that they may earn any amount of additional income.

Our goal is to make every senior citizen a first class citizen; to restore their dignity, prestige, self-respect, independence and their security, without intrusion into their private lives by federal bureaucrats and guideline writers.

Health care

It is the obligation of a responsible government to help people who are unable to help themselves. There should be adequate medical assistance available to the aged and those unable to afford treatment. This can best be achieved through a partnership between federal and state governments and private enterprise. Medicare should be improved. It should be strengthened in conjunction with medical care provided at state and local governmental levels and by private insurance. Through sound fiscal management we set as a goal the following improvements in Medicare:

1. Relief to persons unable to pay deductable charges under Medicare.
2. Relief to persons unable to have deducted from their Social Security checks the monthly fee for physician service coverage under Medicare.
3. Providing for uninterrupted nursing home care for those with chronic illness who require such care.
4. We will encourage low cost insurance programs for the elderly and will assist the states and local communities in building hospitals, nursing homes, clinics as well as medical and nursing schools.

In this land of plenty, no one should be denied adequate medical care because of his financial condition.

We are particularly disturbed about the doctor-patient, and the hospital-patient relationship. We stand solidly for freedom of choice in this relationship. It is our intent that medical care programs be carried out without subjecting our professional people and our hospital administrators and personnel to the harassment which has been their lot since the implementation of the Medicare program. We believe that those assisted by the Medicare program should have some degree of selection in the medical and hospital services furnished to them, and that simplification in the administration of this program would prove of benefit to government, patient and the professional practitioner alike.

American medical and dental practice is the admitted marvel of the world. Its traditional freedom is one of the chief reasons why this is so. The American Independent Party pledges continuous study and effort to maintain that freedom both for doctor and for patient.

Other social services

The people of this land are the fiber of our nation. Their well-being is essential to a strong America. Unfortunately, many of our citizens are unable to earn an adequate living, due to no fault of their own. Our aged, our blind, and our disabled who are unemployed are the concern of us all.

In every area of social welfare, rehabilitation should be of paramount concern. This includes physical restoration where possible, training to develop new skills, adult education in many instances, and broad cooperative endeavors between government and private industry to develop jobs that the less skilled can fill. We believe that every American prefers independence and a wage earned. For those whose infirmities, age, or other problems prevent such independence, welfare services should be adequate to provide a living with dignity and honor.

Dependent children become the responsibility of government when they lack the care and support of parents or guardians. Every effort should be made to provide support by responsible persons rather than the government, where possible. However, when children are separated permanently, by death or other cause from their families, all facilities of government should safeguard, protect, serve and care for them.

In every area possible, federal grants should be administered through existing state and local governmental agencies, thus eliminating additional federal offices and agencies which merely duplicate efforts of existing state and local agencies.

We will review and examine the administration of these programs with a view to the elimination of waste and duplication and thereby better serve the purposes and people designed to be assisted. We subscribe to the principle of block grants, administered by state agencies as a possible solution to these problems.

NATIONAL ECONOMY

The national economy must be restored to and maintained in a healthy, viable posture under conditions assuring to each individual American the opportunity to participate in and enjoy the benefits arising from a real prosperity, as distinguished from the false, inflationary conditions presently existing. As a first step the nation's business, industry and other agencies and organizations of production must be freed from the ever increasing intrusions of government into the affairs of these institutions and organizations. This nation achieved its economic greatness under a system of free enterprise, coupled with human effort and ingenuity, and thus it must remain. This will be the attitude and objective of this Party.

There must be an end to inflation and the ever increasing cost of living. This is of vital concern to the laborer, the housewife, the farmer and the small business man, as well as the millions of Americans dependent upon their weekly or monthly income for sustenance. It wrecks the planned lives and retirement of our elderly who must survive on pension or savings gauged by the standards of another day.

We will take immediate, affirmative steps to bring these conditions to an end through selective decreases in the lavish expenditures of our federal government and through the institution of efficiency into the operation of the machinery of government, so badly plagued with duplication, overlapping and excesses in employment and programs. Bureaucracy will cease to exist solely for bureaucracy's own sake, and the institutions and functions of government will be judged by their efficiency of operation and their contribution to the lives and welfare of our citizens.

We will support and assist business and industry in those areas needful and desirable, such as in the area of small business.

We will enforce those laws designed to protect the consumer and wage earner, but will eliminate those programs and agencies serving only to harass and intimidate our business community.

We will review and propose revisions to our present tax structure so as to ease the load of the small income citizen and to place upon all their rightful share of the tax burden.

We will work toward a reduction in the tax burden for all our citizens, using as our tools efficiency and economy in the operation of government, the elimination of unnecessary and wasteful programs and reduction in government expenditures at home and abroad.

We will eliminate the favorable treatment now accorded the giant, non-tax paying foundations and institutions and require these organizations to assume their rightful responsibility as to the operation of our government.

To achieve these goals and objectives, we would use government for the strengthening of the free enterprise system rather than the replacement of the free enterprise system of government. We believe that strength and confidence in the American political and economic system will tend to encourage domestic private investment and prosperity in our economy.

We would propose that effective use be made during our administration of economic advisors dedicated to the preservation and strengthening of our economic freedoms in the areas of enterprise, labor and marketing that have contributed so much to the strength of the American system.

Our administration will be dedicated to the maintenance of prosperity and price stability in our economy. We will institute a strong anti-inflationary fiscal, monetary and debt management policy in our nation as the first requirement to solving international problems.

We propose to rely heavily upon a competitive market structure rather than upon prices administered or fixed by bureaucratic procedures.

We do not propose to use periodic, intermittent tax adjustments or surcharges as a tool of economic policy under the guise of stabilizing the inflationary spiral we are experiencing.

We feel little is done to curb inflationary trends in the nation's economy merely by taking from the taxpayer in order to enrich the spending programs of big government. We propose, rather, a stabilized and equitable tax base affording fair treatment to those of small income and designed to cause all persons, organizations and foundations to assume their rightful financial responsibility for government coupled with selective and prudent reductions in the wasteful expenditures of government.

AGRICULTURE

America's agriculture, and especially the small farmer, is on the brink of disaster. Under both Democratic and Republican administrations, the income of our farmers has steadily declined. Farm prices have been ranging at a parity level the lowest since the dark days of the great depression. Individual producers are unable to regulate the output or price of their products and stringent government controls have been forced upon farmers. Revolutionary methods of production have resulted in increased yield from less acreage and requiring less manpower. The farmer is hampered by a faulty system of distribution, and his costs have continued to increase at an astronomical rate. Yet, all America's farmers have received from either of the other two parties has been broken promises.

The following is the pledge of the American Independent Party to our nation's farmers:

1. We pledge ourselves to the protection and preservation of the family farm, which is the backbone of American Agriculture.

2. We pledge that the new Secretary of Agriculture will immediately begin to support prices at 90% of parity which is the highest level provided under present law.

3. Congress will be urged to increase the maximum support to 100% of parity.

4. Legislation will be sought to permit farmers to exercise their freedom of choice to vote whether or not to come under self-imposed controls.

5. We propose the creation of a National Feed Grain Authority, authorized to make long-term loans for development of farmer-owned and controlled warehouses, to be strategically located, permitting farmers to store large quantities of grain and to sell direct to the trade through their own local organizations.

6. We propose that no portion of the nation's emergency reserves of food, feed or fiber be sold for less than 115% of the prevailing farm price support of that commodity.

7. A limit to subsidy payments should be set in order to prevent an unfair advantage being built up by giant corporate farm structures over our small farmer or family farms.

8. We propose to impose reasonable limitations on the import of foreign farm and meat products into this country.

9. It is our belief that continued support of the REA and other cooperative programs designed to improve marketing methods and conditions throughout the nation is vital to our farming interests.

10. It is our belief that federal support for farm research is important, and that Agriculture Colleges and Extension Services should be more effectively utilized.

11. Government agencies similar to the Farm Home Administration have been beneficial to farmers and should be improved and continued.

12. We propose that the State Department and the Agriculture Department work together in a joint effort to develop new foreign markets for our farm products and develop a vigorous export program.

13. We support a good soil conservation program and pledge the continuation and improvement of such program.

14. It is our policy to assist in improving farm production reporting in order that farmers obtain more accurate production forecasts for planning purposes.

15. It is our intention to simplify the administration of all farm programs, and to eliminate wasteful duplication and red tape within the Department of Agriculture.

16. We will work toward gradual relaxation and elimination of farm regulation and control with a concurrent reduction in required subsidization as farm income increases, the eventual goal being the elimination of both controls and the need for subsidy, such program being contingent upon the increase in farm income to a level making subsidy unnecessary.

17. We will require that programs for disease and insect control be continued and expanded where needed if it is indicated that state and local bodies need and desire assistance from the federal level. Such program would, among other things, provide for necessary steps to eradicate the imported fire ants. This pest is now prevalent throughout a major portion of the southern region but will eventually affect three-fourths of the land area of the United States if eradication is not accomplished promptly.

The farmers of this nation are entitled to a fair, just and equitable profit on their investment, just as citizens in other fields of endeavor. It is our belief that a major step toward solving our problems in agriculture would be to insure a substantial increase in farm income. It is time for a new Secretary of Agriculture who represents the views and interest of the farmer and the rancher, and who will work ceaselessly and tirelessly to improve the income and the lives of America's farm families. We pledge to you such a Secretary and such a program.

LABOR

America achieved its greatness through the combined energy and efforts of the working men and women of this country. Retention of its greatness rests in their hands.

Through the means of their great trade organizations, these men and women have exerted tremendous influence on the economic and social life of the nation and have attained a standard of living known to no other nation. In the meantime, American labor has become a bulwark against the intrusion of foreign ideology into our free society. America must be eternally grateful to its working men and women.

The concern of this Party is that the gains which labor struggled so long to obtain not be lost to them either through inaction or subservience to illogical domestic policies of our other national parties.

We propose and pledge—

To guarantee to and protect labor in its right of collective bargaining;

To assert leadership at the federal level toward assuring labor its rightful reward for its contribution to the productivity of America;

To propose and support programs designed to improve living and employment conditions of our working men and women;

To prohibit intrusion by the federal government into the internal affairs of labor organizations, seeking to direct and control actions as to seniority and apprentice lists and other prerogatives;

To provide for and protect the working men and women in the exercise of democratic processes and principles in the conduct of the affairs of their organizations, free from threats, coercion, or reprisals from within or without such organization;

To support programs and legislation designed to afford an equitable minimum wage, desirable working hours and conditions of employment, and protection in the event of adversity or unemployment;

To add efficiency and dispatch to the actions and activities of the National Labor Relations Board, resulting in more prompt decisions by this agency;

To pledge and assure that labor will be adequately represented in all deliberations of this Party and its administration of the affairs of government;

To cause all agents of government to refrain from any coercive action in strike settlements, serving in the role of counselor and advisor only, believing that good faith bargaining between the parties concerned is the best solution to any settlement.

EDUCATION

Without question education offers the answer to many of the nation's social and economic problems. It is tragic that during the past two decades, while governed alternately by the Republican and Democratic parties, we have witnessed the deterioration of our public school systems into a state of disruption wherein the maintenance of order is the major problem and quality education is a forgotten objective. Our educational leaders and administrators are discouraged and dismayed by the continuing attacks upon, and erosion of, their duties and authority by agents of the federal bureaucracy and members of the federal judiciary.

Local educational officials have been stripped of their authority to administer the affairs of their school systems. Harassing directives and requirements of an unreasonable and unrealistic nature are constantly being imposed upon them. Parents, students and educators alike are dismayed, confused and at a loss as to where to turn for relief. Many of our institutions of higher learning have been completely disrupted by a small band of revolutionaries, encouraged by the permissive attitude of executive and judicial officials of government and the activities of other anarchists throughout the nation.

Many of our primary and secondary school systems have become centers for social experimentation rather than centers of learning, serving merely as pawns for the whims and caprices of some member of the federal judiciary or some agent of the federal bureaucracy.

These conditions must come to an end. Our educational systems and institutions must once again be given the opportunity to resume their rightful duty of preparing the youth of America for entry into our highly competitive society.

As a first and immediate step we must absolutely prohibit the agencies and agents of the federal government from intruding into and seeking to control the affairs of the local school systems of the states, counties and cities of the nation. Control of these schools must be returned to the local officials, representatives of the people, who have the rightful duty and authority to administer such school.

Once returned to proper control, order must be restored and education of our children again become the primary matter of concern in these schools. Sociological experiments must cease. The people of the several states, counties, cities and communities must be given the right to administer the affairs of their schools as they see fit without fear or threat of reprisal, economic or punitive, from the federal government.

We must cooperate with the administrators of our institutions of higher learning now in the hands of revolutionaries. We must support these officials in the restoration of order on their campuses and we must assure that no assistance, financial or otherwise, from the federal level be given to those seeking to disrupt and destroy these great institutions.

America is a nation "Under God" and we must see that it remain such a nation. We will support with all the power of the Executive action to restore to our educational institutions and the children they serve the right and freedom of prayer and devotions to God.

We must assure that the federal government assist in all phases of the educational processes of the nation without attempting to control these processes.

With these thoughts in mind—

We advocate a greater role of the states in administering federal aid and in determining national policy.

We advocate the return of our school systems to the states and to local, county and city officials.

We advocate support for administrators of our educational institutions in their efforts to restore order to these institutions.

We advocate fewer federal guidelines, regulations, and administrative procedures and greater simplification and consolidation of programs and procedures.

We advocate less categorical aid and more general aid to states with funding provided for well in advance.

We advocate educational opportunity for all people regardless of race, creed, color, economic or social status.

The complexities of education are many. State and local officials are faced with tremendous pressures to provide early childhood education, increased teacher salaries, provide vocational technical education, improved elementary and secondary education, provide adult education, continuing education, and urban and rural education, provide for higher education, graduate and professional education.

The goals of the American Independent Party are to improve the educational opportunity for all our citizens from early childhood through the graduate level. We believe that the improvement of educational opportunity can best be accomplished at the state and local level with adequate support from the federal level.

SCIENCE AND TECHNOLOGY

The scientific and technological skills and accomplishments of America are the marvel of modern civilization. Our potential in this area is unlimited. Our development of this potential must be commensurate with our capability. We live in a fiercely competitive world in the area of science and technology. For social, economic and security reasons we must not lag behind.

We would propose, encourage and provide from the federal level assistance to those of our youth showing demonstrated capacity in these areas of endeavor. Federal grants based on ability and aptitude will be provided to assure development of skills in this field.

Federal assistance will be made available for research in various fields of science for in research lies the key to tomorrow. Such assistance will be directed both to individuals and to institutions.

We propose that this research, development and scientific knowledge so acquired be directed to human problems as well as national security. In the fields of housing, transportation, education, industry and related activities, these skills and the knowledge so acquired can make for a better life for all Americans.

Emphasis on the further exploration and utilization of space must be renewed. This, again, is a highly competitive area between nations, but not for this reason alone, but for the welfare and security of this nation, we must not be lacking in our effort in this field.

We fully support renewed and expanded efforts in our space program with the objective of acquiring knowledge and experience of benefit to the peaceful pursuits of mankind as well as that essential to the military security of this nation.

TRANSPORTATION

The expansion of America's industry, commerce and its economy depends upon its transportation system. America cannot maintain its position as world leader in industry and commerce unless all modes of transportation are able to meet the demanding challenges of the future. To solve America's transportation problems requires ingenuity and planning.

Airport congestion around most major cities is not only a growing problem, but an ever-increasing danger. We face a major railroad crisis and citizens in many urban areas are unable to travel short distances without delays due to congested highway traffic. Our merchant marine fleet has dwindled and our shipbuilding industry suffers today. This not only affects our economy, but is a serious handicap to America's military might.

We therefore favor—

1. The development of a modern, low cost domestic mass transportation system within our congested urban areas;

2. Development of high-speed passenger trains between urban areas;

3. An emergency program carried out cooperatively by the federal government and the airline industry to develop adequate methods of controlling air congestion, and for financing and improving airport facilities;

4. Developing a program of assistance to modernize and stimulate our merchant marine fleet and our ship building industry.

The Interstate Highway System is one of America's wisest investments. Every effort must be made to speed up construction on existing plans, and farsighted planning of additional facilities must be accomplished.

The Interstate Highway System must be expanded, adding new routes between population centers, and extra attention should be given to constructing additional freeways in and around congested urban areas. Not only is this necessary for the expansion of commerce and the economy, but highway safety demands it.

Thousands of Americans lose their lives each year on the nation's highways. Most of these deaths are unnecessary. With proper highway planning, stricter enforcement of highway laws, and intensified driver education, along with property safety devices provided on automobiles, we will be able to cut these needless and tragic fatalities to a small fraction.

Public safety and convenience demand that we engage in a vast program to improve and four-lane many of the local road and highway networks. Highway construction is financed by those persons using the highways and is one of the few federal programs that is self-financed which amounts to a capital investment of public funds, and this we greatly favor.

We will encourage the development within the transportation industry of organizations who are specialists in the movement of passenger and cargo from point to point, using all modes and means of transportation, and we will encourage healthy competition between such agencies and organizations.

NATURAL RESOURCES AND CONSERVATION

The preservation of our natural resources and the quality of our natural environment has greatly been ignored during the past decade. We are vitally concerned about the future well-being of our citizens and fully realize that positive action programs must be undertaken, in a cooperative effort between the federal government and the states, to assure adequate outdoor recreational facilities and to assure necessary health safeguards for generations to come. To these ends we make the following pledge to the American people:

1. We will promote an aggressive campaign at all levels of government to combat the serious air and water pollution problem.
2. Full support will be given to the establishment of adequate water quality standards to protect the present high quality waters, to abate pollution, and to improve the status of waters not now considered of high quality.
3. We will work in close cooperation with private industry and governmental agencies toward engineering designs to abate the mounting air pollution problems.
4. We will actively support research to control pests through biological means and chemical means which are more selective and less persistent than those now used.
5. Legislation and an active program are necessary to protect our endangered wildlife species. This problem is of serious concern and will receive our immediate attention and action.
6. We will work for protection of our waterfowl wetlands and nesting areas.
7. Our estuarine areas must be protected as vital to the production of fish, shellfish, furbearers, waterfowl and other aquatic creatures.
8. All federal assistance programs to the states in the areas of game and fish and for outdoor recreation will be streamlined to gain the maximum benefit from each dollar invested.
9. Our increasing population demands improved and additional outdoor recreational areas. To this end we will support active programs at all levels of government for the development of existing parks and proper outdoor recreational programs. Public lands must be utilized for multiple uses to benefit all of our people.
10. The preservation of our forest and timber resources is of utmost concern to the nation. We pledge federal cooperation with efforts of state and local governments and with private industry for a sound and economically regulated basis to avoid depletion of this vital natural resource. Government and industry will be encouraged to participate in planned reforestation programs, and programs for protection of our forests from the ravages of fire and other destructive causes.

America is blessed with an abundance of natural resources, with beautiful scenery and bountiful waters. This land of ours should not be marred and its resources wasted. We recognize that progress invites construction and industrial development and we recognize its necessity, but we must assure that the intangible values of our parks, forests and estuarine areas will be protected, promoted and developed and that America shall retain its scenic beauty for centuries to come.

We will place particular emphasis on the problems of air and water pollution and will initiate joint cooperative programs with private industry to attack and solve these problems, as their correction is in the interest of all segments of our national life, the people, the government and the nation's industry.

VETERANS

America owes no other group of citizens so much as we do our veterans. To that group of self-sacrificing and patriotic individuals who have risked their lives for our nation and its principles in past wars and conflicts, and to our brave men and women returning from service in Vietnam, we pledge you the support of the American Independent Party. We pledge to you and your dependents our assurance of active and vigorous assistance in seeking out job opportunities; job training; further educational opportunities and business opportunities. We likewise support a program to provide educational benefits to children of deceased veterans in order that they may receive a quality education and participate in America's competitive society of the future.

We pledge to our veterans, their families and dependents the cooperation and active assistance of their government in providing adequate medical treatment and hospital care. Veterans' benefits and disability benefits will be updated and revised periodically in order to meet the increased cost of living. The Veterans' Administration and its hospitals will remain as an independent agency of the government, and its one objective will be to serve our veterans and their families.

INDIAN AFFAIRS

For over 100 years the other two parties have been making promises to our fellow citizens, the American Indians and Eskimos. For over 100 years the promises of those parties have not been kept. Our Party offers to these independent and hard working people a new hope. We promise that all of the programs of the federal government which have so lavishly bestowed benefits upon minority groups of this country will be made equally applicable to the American Indians and Eskimos. There will be no discrimination with respect to these two ancient and noble races.

We also promise that the federal government will cooperate fully to insure that job opportunity, job training, full educational opportunity, and equal application of all health and housing programs are afforded to these, our native citizens, in order that they may enjoy the same benefits and privileges enjoyed by every American. We will foster and support measures through which the beauties and accomplishments of their native culture will be preserved and enhanced.

FOREIGN POLICY

One of the greatest needs of our country at this moment in history is a strong, realistic, well defined policy to guide our relationship with the other nations of the world. The policy developed to govern our actions in foreign affairs must be one well stated and well understood, first by our own people and, equally as important, by friends and foes alike throughout the world. The absence of any such well defined and consistent policy throughout the past two decades has contributed immeasurably to the chaotic world conditions now existing.

Our foreign policy will be one designed to secure a just and lasting peace. We feel that such a situation can best come to exist when nations deal with one another on a basis of mutual trust and understanding. If this be lacking, as is so often the case in today's world, the only alternative is complete frankness and determination to adhere to stated objectives and courses of action. If a nation, as is the case with an individual, will only say what it means and means what it says, it will gain the respect, if not always the admiration, of its sister nations. It is in this regard that we have failed, so often equivocating in such a manner as to cause friendly, as well as unfriendly, nations to have grave doubt as to our stability, determination and reliability of purpose.

We feel that the road to peace lies through international cooperation and understanding. We will pursue this goal to the limits consistent with our own national interest. We will become participants in international programs of aid and development from which all member nations, including our own, derive benefit.

We will not abandon the United Nations Organization unless it first abandons us. It should be given fair opportunity at resolving international disputes, however, we will not subordinate the interest of our nation to the interest of any international organization. We feel that in this organzation, as in any other, participating members should bear proportionate shares of the cost of operation and we will insist on financial responsibility on the part of the member nations. We also feel that the officers and officials of such organization must conduct themselves with an abstract air of objectivity and impartiality, and we will so insist. We will give this organization every opportunity to succeed in its purpose but should it fail, we will reappraise our relationship with it.

FOREIGN AID

Foreign aid and assistance, both of an economic and military nature, will be granted on a basis of what is in the best interest of our own nation as well as the receiving nation.

We will deny aid and assistance to those nations who oppose us militarily in Vietnam and elsewhere, as well as those who seek our economic and military destruction by giving aid and comfort to our avowed enemies. This must be so in order to protect the economic welfare and national security of this country.

We will continue aid to those countries who need, deserve and have earned the right to our help. This will be done freely and willingly with every effort directed to elimination of waste and dishonesty from such programs.

Foreign aid must become an instrument of foreign policy and be used in such manner as to further the interest of this nation.

EXPORT-IMPORT

We believe strongly in the free enterprise system for America, internally as well as in its trade relations with other nations. However, should the increasing inflow of imports from low-wage nations endanger employment or marketing by American industry, we will approve reasonable quantitative limits on these imports. We feel that our home industry is entitled to a fair share of the present market and of future growth. Before seeking additional legislation in the import field all efforts will be exerted toward securing negotiated agreements that would fully protect American industry.

We will insist on equitable tax treatment for any industry adversely affected by foreign imports, in the area of depreciation allowances for plants and equipment and in like measure.

We will cause the Department of State and other interested agencies of government to work toward the lowering of trade barriers against American goods in a manner consistent with the policy of our administration on controlling imports into the American market.

In the event certain segments of our industrial economy are adversely affected by foreign imports to such an extent as to cause economic harm, we will sponsor and develop programs of re-training and re-employment for those so affected.

BALANCE OF PAYMENTS

A serious situation now exists in our balance of payments and this must be ended.

We feel that the adoption of the programs and proposals set out in this Platform will result in a more favorable balance of payments situation. Specifically, we feel that the relief we so badly need in this respect may be achieved through reductions in spending for foreign aid, more efficiency in the use of funds for international programs, and more reliance on our allies in meeting heavy military expenditures abroad.

We have earlier proposed that foreign aid be granted on a basis of need and in a manner consistent with the best interest of this country and that it be denied those who aggressively seek our destruction. We strongly advocate efficiency in operation and the elimination of waste and corruption from expenditures under international programs and we will insist that our allies assume their proportionate and rightful share of the burden of defenses in those areas in which we have mutual interest.

Our export-import situation remains in reasonable balance but our disastrous situation as to balance of payments is caused by excesses in our foreign aid program and other international gratuitous expenditures.

We will work to reduce our military expenditures overseas, not by lessening our military strength and preparedness, but by causing our allies to assume and bear their proportionate share of the burden.

MIDDLE EAST

* * * We will encourage the initiation of multilateral discussions to arrive at the best possible terms of settlement. This will mean resolving and stabilizing boundaries and the free use of water and land routes throughout this area. Binding nonaggression agreements must be developed and we must seek the mutual respect of both Israel and the Arab nations.

First and foremost is the need for sincere negotiatons between these two parties. Until this is accomplished we must assure that no imbalance of force comes to exist in this area. Nothing could more endanger the peace.

Should arms continue to be introduced into this area by foreign powers to such an extent as to endanger the peace in this part of the world, we must take steps to assure that a balance of force is brought to exist. We will join with other nations of the free world in providing the means whereby this balance of force will continue and the threat of aggression of one nation against another is made less likely. More importantly, this nation will strive in every way to merit and receive the friendship of all parties to this dispute and to earn the respect and good will of Israel and the Arab nations alike. The road to peace in the Middle East lies in this direction rather than in the continued use of military might.

EUROPE

We continue to regard Western Europe as an area of vital importance to America. In our concern with the interminable conflict in Southeast Asia we must not lose sight of the strategic importance of our relationship with our European allies. We must retain a posture of strength in this area and must work with and for our allies to assure that they remain economically and militarily strong.

We will continue to support the North Atlantic Treaty Organization and seek to strengthen it through the cooperative efforts of all member nations. We will retain the necessary troop strength in this vital area and will insist that our allies and member nations do likewise.

We will deal patiently but firmly with the present French government feeling that in due time its actions will, of necessity, be directed toward increased cooperation with its Western allies of long standing.

We will remain concerned for the captive satellite nations of Eastern Europe and share with them their hopes and aspirations for their eventual and inevitable return to the family of free nations.

LATIN AMERICA

The interests of the nations of Latin America are closely related to those of this country, economically, geographically, security-wise, socially and politically.

We must and will provide aid and assistance to these nations to enable them to achieve political and economic stability and to better prepare them to resist the threat of communist infiltration and subversion from the Red satellite, Cuba.

We will develop a program of assistance to these countries designed to relieve the conditions of economic and social poverty existing in some segments of these nations and to provide for their less fortunate citizens a better condition of life.

We will assist in the development of the agricultural and industrial potential of these nations and the development and proper utilization of their tremendous natural resources rather than the exploitation thereof, to the end that the nations of this hemisphere may live in peace, prosperity and harmony with one another and that the principles of the Monroe Doctrine may once again become a cornerstone of our national policy.

We will work with and support the Organization of American States.

CUBA

As for Cuba, we will continue and strengthen the economic pressures on the Castro tyranny. In order to do this, we must secure a greater degree of cooperation from nations of the free world than we have had in the past. Trade with Cuba by our allies must be effectively minimized, if not completely curtailed.

To frustrate Castro's attempt to export subversion, we must increase the quality and effectiveness of our military aid and assistance to Latin American allies with a primary objective of developing realistic indigenous counterinsurgency capabilities within those countries. Economic aid, more carefully planned and scrupulously administered, will be continued through the Alliance for Progress Program, or an improved version thereof.

AFRICA AND ASIA

The emerging nations of Africa and Asia desiring assistance and demonstrating a capability of reasonably assimilating such help and assistance will be aided. We will not aid in the replacing of one form of despotism with another, nor will we become concerned with the internal quarrelings of dissident groups and factions.

We disagree with present economic sanctions and pressures applied to Rhodesia and the Union of South Africa and will seek to have these removed and eliminated. We consider these to be nations friendly to this country and they will be respected and treated as such.

GENERAL

We will conduct the foreign affairs of this country on a basis of aiding, assisting and cooperating with our friends and recognizing and treating our enemies and adversaries as such. We feel that foreign affairs can be conducted effective only when there is respect for our nation and this respect is best engendered by attaining a position of strength and adopting an attitude of firmness and fairness. This we will do.

We feel that when this nation again becomes a strong and determined nation, dedicated to a fixed national and international policy, many of our existing difficulties throughout the world will become resolved and new difficulties are less likely to arise.

We will oppose aggression and subversion, Communist or otherwise, whenever it infringes upon the national interest of this country or its friendly allies through means appropriate to the situation.

We do not propose, nor does this or any other nation have the capability, to police the entire world. We will avoid unilateral entanglement in situations not vital to our national interest and will seek the cooperation of our allies at every opportunity.

VIETNAM

The current situation in Southeast Asia, and particularly in Vietnam, is one of the most critical which has ever faced this nation. The American people are angry, frustrated and bewildered as they seek for leadership which apparently fails to exist. There is no parallel in American history of such a situation as now exists, not even our engagement in Korea, where there were at least vaguely defined objectives.

It is too late to engage in debate as to why we are so deeply involved and committed in Vietnam. The fact is that we are so involved. No one can retrace the steps of the last ten years and correct and adjust all that has gone wrong. We presently have more than one-half million Americans committed to this conflict and they must be supported with the full resources of this nation. The question now is what does America do to maintain its honor, its respect and its position in this most strategic part of the world, Southeast Asia.

The prime consideration at this time is the honorable conclusion of hostilities in Vietnam. This must be accomplished at the earliest possible moment.

We earnestly desire that the conflict be terminated through peaceful negotiations and we will lend all aid, support, effort, sincerity and prayer to the efforts of our negotiators. Negotiation will be given every reasonable and logical chance for success and we will be patient to an extreme in seeking an end to the war through this means. If it becomes evident that the enemy does not desire to negotiate in good faith, that our hopes of termination of hostilities are not being realized and that the lives and safety of our committed troops are being further endangered, we must seek a military conclusion.

Hopefully such a situation will never arise, but should it come to pass, I would then seek the advice and good judgment of my Joint Chiefs of Staffs as to ways and means of reaching a military conclusion to this conflict with the least loss of life to our American servicemen and our South Vietnamese allies, stressing the fact that this is to be accomplished through the use of conventional weapons.

Military force has always been recognized as an instrument of national policy and its use to obtain national objectives has always been accepted. However, once national policy is established by the civilian government and military force has been selected as one of the means of attaining national objectives, the tactical employment of this force should be left to the military so long as this employment is consistent with national policy, and the mission of the military should be to attain these national objectives—nothing less.

I would retain full control, as a civilian Commander-in-Chief, of final decision, but I would pay heed to and consider to the fullest extent the advice and judgment of my military advisors.

Unfortunately, there is no clearly defined national policy with respect to the conflict in Vietnam. If there were, much of the doubt, debate and despair of the American people would be eased. There is a total absence of clearly announced and understood national objectives with respect to Vietnam. We are told that it is not victory over the enemy we seek but something else—what we do not know. In battle, and certainly this is battle, there can be but one objective—that is victory. Anything worth dying for is worth winning.

As a first step we must develop a clearly defined national policy as to Vietnam. This policy will be made known to the people of this country and will be based on our own national interest. The essence of this policy will be a timely and successful termination of the conflict, either through negotiation or by victory over the enemy. We will not allow this conflict to drag on indefinitely with its great drain on our national resources and manpower.

As President, we will designate a Secretary of Defense who holds the confidence and trust of the people, the Congress and the military establishments and one with the capability and desire of working in harmony with each. He will be required to reduce the excessive manpower of the Pentagon and rid the Department of Defense of those who have fostered the "no-win" policy.

We will then require the establishment of firm objectives in Vietnam. Should negotiations fail, and we pray that they will not fail, these objectives must provide for a military conclusion to the war. This would require the military defeat of the Vietcong in the South and the destruction of the will to fight or resist on the part of the government of North Vietnam, which is equipping and supporting the enemy troops in the South. We feel that the prompt and effective application of military force could achieve this objective with minimized loss of life, and the tactical employment of this force will be left in the hands of the military commanders, so long as they act pursuant to defined national policy.

We will require the military to plan and conduct military operations once policies and objectives are established and we will not, nor will we permit civilian subordinates, to usurp these functions and assume the role of "commander" or "tactician." This must be a team effort with officials and leaders of civil government performing their required functions and the military establishment being allowed to perform in the manner and for the purpose for which it is trained.

Once hostilities have ceased, efforts must be undertaken to stabilize the government and economy of Vietnam. This must be through programs of self-help and not through completely meaningless "give away" programs. We are dealing with a proud people of ancient culture. They are not, and never will be, adapted to all the facets of western civilization, nor should they be. We must help them to become secure in their government, their lands, their economy and in their homes, as their friends and allies and not as sanctimonious intruders. In this manner, we will gain a lasting ally.

NATIONAL DEFENSE

Nothing is of greater importance to the American people at this time than the state of our National Defense, and, sadly, there is no area of our national structure so fraught with misrepresentations and inconsistencies. As we near the end of the era of "computerized defense" and "cost effectiveness" rather than military reliability, it is difficult, if not impossible, for the nation to ascertain the true state of its defense.

We are aware of basic fallacies in the doctrines and logic of those who have been charged with the responsibility of our national security.

We have been told that strength is weakness and weakness is strength—This is not true.

We have been told that parity rather than superiority in weapons and munitions is sufficient to assure the keeping of the peace and the protection of this country—This is not true.

We have been told that a "deterrent" capability is preferable to an offensive capability in maintaining peace and assuring freedom from attack—This is not true.

We have been told that commitment of our military forces need not always be followed by a quest for victory—This is not true.

We have been led to believe in the proven invulnerability of our "second strike" capability—This is not true.

We have been told that the complete disruption of the structure of our Reserve Components resulted in a more readily responsive Reserve—This is not true.

We have been told that our research and development program, especially in the area of space research and development, is not lagging—This is not true,—And so on.

We propose an intensive and immediate review of the policies, practices and capabilities of the Department of Defense with a view to reestablishing sound principles of logic and reasoning to the decisions and directives of that agency and to eliminating from its ranks all of those who have been party to the dissemination and promulgation of the fálse doctrines of security and the coercion, intimidation and punishment of all who would oppose or disagree with them.

We are in accord with civilian control of our defense establishment but will insist that the civilian authorities work in partnership and harmony with the splendid military force with which this country is blessed. We propose to restore to their proper duties, functions and authority the leaders of our military services so that the nation may once again profit from their wisdom and experience.

We will require our civilian and military leaders of defense to establish a reasonable relationship between defensive and offensive capabilities and provide our services with the proper arms, munitions and equipment to afford a proper mix of both type weapons and munitions.

We will place increased emphasis on research and development in the area of space, weaponry and mobility, as well as other areas vital to our national security.

We support the installation of an antiballistic missile defense for the protection of our nation and its citizens. We will expedite this program.

We will assure to our services the best attainable weapons, equipment, machines and munitions without resort to devious distinctions of cost effectiveness and the substitution of arbitrary, unsound judgment for that of the professional military.

We will guarantee to the services and to the nation that American troops will never be committed with less than full support of available resources.

We will seek efficiency in the collection and evaluation of vital intelligence throughout the services.

We will never permit a static situation to develop wherein America stands still while her potential enemies continue to advance in all areas of development.

We will hasten the reconstitution of an adequate and efficiently organized reserve force throughout the several states of the nation. We will accept these reserve component forces into full partnership with the regular military establishment and will assure stability to their organizational structure and operation.

We will take all steps necessary to return our Merchant Marine fleet to its rightful place among the maritime nations of the world. This is not only vital to our national security but to the economic progress and viability of the nation. Maritime shipping has been, and will once again become, a vital part of the nation's economy and trade activity.

We will take steps to make military service more attractive to the enlistee, the inductee and the career personnel at all levels. We will support programs for better pay; better housing and living conditions, both on and off post; more realistic programs of promotion potential so that merit and performance may be rewarded; equitable sharing of hardship assignments; an increase and more uniform retirement benefit to correct serious inequities now existing; a pay scale commensurate with that of private employment, with provisions for periodic increases measured by the cost of living index; improved and expanded medical and hospital benefits for dependents, and a restoration of the dignity and prestige rightfully due those engaged in the defense of our nation.

With military services becoming more attractive the requirement for involuntary inductions through the Selective Service System is reduced. However, we favor retention of such system for so long as there is a need for manpower being acquired by this means. We would approve any changes to such system designed to eliminate inequities in the selection of inductees, and quite likely some do exist.

We would feel that eventually manpower requirements may be met on a voluntary basis. In such event, a fair and equitable system of civilian induction will be kept in existence, on standby basis, for use in the event of national emergency.

CONCLUSION

This Platform represents the attitude, policy, position, judgment and determination of this Party with respect to the major problems confronting America.

We believe that our analysis of the nature of these problems is in keeping with the feelings of the great majority of our people. We further feel that our approach to solution of these matters is sound, logical, practical and attainable and in keeping with the basic, inherent good judgment of the American people.

Among other proposals,

We offer opportunity for early peace to a nation at war.

We offer order and domestic tranquility to a nation sorely beset by disorder.

We offer a program of job opportunity for the jobless.

We offer a return to respect for the law and an opportunity for every citizen to pursue his daily activities in safety and security.

We offer to relieve our citizens, their businesses and institutions, from harassment and intimidation by agents of the federal bureaucracy.

We offer to return to the officials of local government those matters rightly and properly falling within their scope of responsibility.

We offer the laboring man and woman an opportunity to provide for himself and his family a better and fuller life and a greater democratic freedom in the management of the affairs of his organizations, free from intrusion by the federal government.

We offer to the farmer an opportunity to regain a place of prominence in the economy of this nation, a fair price for the products of his labor and less dependence on federal subsidation.

We offer to restore the dignity, strength and prestige of this nation to a level commensurate with its position as acknowledged leader of the nations of the free world.

We offer a national defense designed to assure the security of this nation and its citizens.

And, above all, we offer to each individual citizen a system of government recognizing his inherent dignity and importance as an individual and affording him an opportunity to take a direct hand in the shaping of his own destiny and the destiny of this nation. Under such a system, we are convinced, America will reach new heights of greatness.

NEWSLETTER

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. EDWARDS of Alabama. Mr. Speaker, I want to call to the attention of the readers of the CONGRESSIONAL RECORD the November newsletter issued by my colleague, the Honorable BILL DICKINSON of Alabama's Second Congressional District:

NEWSLETTER

DEAR FOLKS: Congress has finally adjourned. The Ninetieth Congress, as contrasted with the 89th, was not quite so much the rubber-stamp to the President's wishes. Still, we must look to the next Congress and the next Administration for true moves of economy, and an actual responsiveness to the will of the people.

On the last page of this newsletter, I give a rundown of my voting record on some of the major legislation acted on by the present Congress.

* * * * *

There are those who would have us believe that most crime springs from poverty. If this is true, why is there less poverty in America than ever before, yet more crimes? At a time of widespread poverty, the 1930's, the incidence of crime was at a record low. Why?

In Washington, D.C., the level of employment and average income is far above the national average for cities of comparable size. Why?

This "cause" of crime has been grossly overstated by apologists for the most outrageous form of misconduct spreading among some minority groups!

* * * * *

Pat and I enjoyed our visits with friends of all ages and professions.

Mrs. Dickinson asked that I thank all of you in this newsletter for the lovely time she had.

Many, many people from the Second Congressional District have contacted their District Congressional Office or the Washington Office to ask for assistance in cutting red tape and solving individual problems:

VETERANS

"My husband has been ill for quite sometime. . . . He filed a claim for a pension last month but it doesn't look like he will get it. . . . Is there anything you can do to help him get this pension?

After our inquiry, a complete review was made of the gentleman's records. He was then awarded a pension retroactive to the date he requested reconsideration of his claim.

MILITARY

"Our daughter . . . has received orders assigning her to Vietnam. Our son will complete his training . . . at which time he, too, in all probability will be assigned to Vietnam. Is there a current policy that would permit the Army to assign him to a less hazardous area until . . . his sister is rotated back. . . .

We explained to her that two members of the same family do not have to serve in a combat zone at the same time.

SOCIAL SECURITY

"My Mother has been a widow. . . . She . . . has been disabled . . . since 1931 . . . the Social Security Administration appraised my Mother that in their opinion she was not eligible for social security benefits. . . .

We contacted the Social Security Administration and within 20 days had a favorable reconsideration of the widow's claim for social security benefits. She not only promptly began receiving her money, but also received a lump sum from the date of her original application date.

If there is anyway I may be of service to you, please feel free to call upon me; it's my job. Remember that I have district offices both in Montgomery, telephone 263-7521, and Bay Minette, telephone 937-8818.

* * * * *

WHERE ELSE

Nixon, small grocer's son. Humphrey, small druggist's son. Muskie, immigrant Polish tailor's son. Agnew, immigrant Greek restaurant owner's son. In what other country could it happen?

VIETNAM NEGOTIATIONS

The United States must re-evaluate its objectives and strategies in Southeast Asia in order to:

1. better define national and free world security interests in Asia;

2. understand the costs and benefits of the political and military options still open to us;

3. take positive action based on U.S. strategic interests *rather than* surrender to indecision or remain on the defensive by reacting to the initiative of others.

* * * * *

Every Thursday the Alabama Congressional Delegation meets for lunch in the Capitol restaurant without outside guests. The newspaper clipping below is self explanatory, I believe.

* * * * *

NO GOOFING OFF

"Owens Bailey, popular 70-year-old waiter in the House restaurant who was rushed to the hospital after a recent heart attack, has the staff on edge.

"Ignoring a doctor's warning, he lifted his oxygen tent and phoned the House restaurant with instructions: 'The Alabama Congressmen are lunching together today. Some of them will want grits.'"

* * * * *

The Soviet bloc's lightning invasion of Czechoslovakia could bring about an examination of the North Atlantic Treaty Organization. Strategy is now based on assessment of Soviet intention, rather than military capability. In other words, war would not be expected without "political warning time" adequate for the allies to bolster their forces. However, Soviet bloc troops rolling into Czechoslovakia proves false any strategy based on a "political warning time." It wasn't so long ago that my Subcommittee went to Europe to study the ability of our allies to defend themselves and the readiness of the forces of the United States.

* * * * *

"Grow old along with me, the best is yet to be," poet Robert Browning once wrote. But for many of our older citizens, his words must have a hollow ring. For in spite of this year's increase in Social Security benefits, retirement for them means a hard scrabble struggle just for the bare necessities of life.

After forty years or more on the job, a person has the right to look forward to a life of dignity and independence when he reaches retirement. But there is not much of either when you're not sure where your next meal is coming from. A person should be able to work after retirement without losing Social Security benefits if he earns more than $1,680 per annum. Because the present low ceiling has a negative effect on an individual's incentive I introduced a bill to increase to $3,000 the amount of extra income permitted each year.

THE HUMAN RENEWAL FUND ACT

HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mrs. DWYER. Mr. Speaker, I have, late last week, introduced legislation, entitled the Human Renewal Fund Act, which is designed to channel additional billions of dollars to our State and local communities on a priority basis in order to meet urgent human needs and the crises facing us in urban and rural areas.

The duty and responsibility of the Congress and the executive branch to examine the country's needs on the basis of national priorities and to develop the procedures necessary to finance these priorities has long been with us. Yet, little or nothing has been done on a concrete basis.

Earlier this year, I joined a group of Republican Members in calling for the creation of a human renewal fund which, in effect, would have been financed by increasing appropriations in crisis areas—jobs, education, housing, pollution, crime, rural revitalization, and the District of Columbia, while deferring appropriations in many less vital areas. Unfortunately, nothing concrete came of this effort. Instead, as economic conditions worsened, Congress was forced to couple the imposition of a surtax with an across-the-board cut in appropriations. The lack of time and the absence of effective alternative methods forced Congress to take this type of action. Certainly, the failure of the administration to put its own economic house in order—by means of selective cutbacks and deferrals in less-essential spending—forced this burden upon the Congress. But, meat-ax cuts do not constitute sophisticated and healthy approaches to fiscal management or public leadership.

Those who are entrusted with the safety, health, and welfare of a nation's people must carefully examine each program and each request for financing programs. Levels of priority must be established and hard decisions must be made as to which programs to finance and which programs to defer; which programs to increase appropriations and which programs to cut back on appropriations.

Inextricably interwoven with such decisions are questions that deal with the methods of financing desired programs in order to obtain the greatest results for each dollar expended. Ideally, I believe a mixture should be arrived at whereby some portion of overall expenditures, on a national basis, should be spent directly by the Federal Government on programs that it can most effectively administer; some portion on grant-in-aid financing to State and local governments; some portion through revenue sharing and tax credit measures; some portion through State and local government programs financed directly by and administered most effectively at these levels; and, of growing importance, some portion financed and undertaken by private enterprise.

Revenue sharing, tax credits, and increased participation in social programs by private enterprise are the three areas, in my opinion, where the greatest fiscal and administrative breakthroughs can be made in the coming years in meeting our urban and rural crises. Much has been said about these recently—frequently by those who, in the past, have pushed the strongest for increased Federal concentration and control. But, little has been accomplished.

I recognize that the severe and cruel drain on available Federal revenues caused by the war in Vietnam has placed a dampener on efforts to initiate meaningful revenue sharing and tax credit programs. While we await the day—and I pray it arrives quickly—when active hostilities will no longer impede our efforts in these directions, we can nevertheless begin now to examine programs and spending on a priority basis and begin to channel money, freed thereby, into needed urban and rural programs through the revenue-sharing method. For that matter, the fact that available revenue is so scarce should compel us to exert an even greater effort in developing priorities in spending.

The crises that have struck our land in the past few years must make each and everyone of us aware that we cannot procrastinate while we wait until more money is available. If we tarry too long, there will be nothing to wait for; or at the very least, the efforts and moneys required to overcome our problems will be far more burdensome than they are today.

In the report of the Commission on Civil Disorders; in reports of city, county, and State executives; in reports from the Advisory Commission on Intergovernmental Relations; in congressional reports and reports of executive committees, commissions and task forces; in newspapers, periodicals, and books; in radio and television; in fact, in every form of communications media, and from almost every source has come the cry that our society is in trouble. I have great faith in my fellow man, in the strengths of our republican form of government, and in the resiliency of our society. But, we would be foolhardy to sit back and do nothing under the assumption that we are merely confronted by a transient disturbance, which, like a thunderstorm, will soon pass us by.

That which we immediately detect as wrong—street rioting, war protests, campus unrest, political rebellion, crime delinquency, et cetera—are but surface manifestations—albeit serious enough in their own right—of far deeper and more fundamental wrongs.

For those who qualify as have-nots, the desire to experience dignity and equality, to share in material benefits, and to manage their own destinies, is a compelling force which, if not adequately satisfied, will inevitably lead to resistance and revolt.

For those who, to a greater or lesser extent, are economically and socially more fortunate, and who, by the same token, have been reared in the spirit of fellowship, equality, and righteousness, the desire to share one's material and social benefits and to participate in the decisions of society is so great that undue frustrations, restraints, and failure can lead to similar types of resistance and revolt.

In both instances, misdirected leadership, misguided policies, mismanaged programs, and faulty priorities in spending can contribute to, if not directly cause, social blowups.

Foreign policies, as well as those directly affecting domestic affairs, must be developed not only in accordance with the informed consent and active participation of our people, but pursuant to economic priorities. Thus, a nation, in developing and practicing foreign affairs, must not only weigh carefully the costs—political, social, psychological, as well as economic—in seeking security, but, of equal importance, weigh such costs against domestic requirements. The failure of recent administrations to carefully engage in such determinations has been, I submit, perhaps the most significant cause of our current crisis.

While spending $30 billion annually in Vietnam and additional billions in other parts of the world and while committing millions of military personnel in foreign lands—many of whom will not come home—we have neglected to cope adequately with or resolve our overwhelming domestic problems.

In a period of economic expansion and rising expenditures, unemployment has fallen below 4 percent. But in the poorer areas of central cities, unemployment is over 10 percent. For Negro youths, aged 16 to 24, in the same areas, unemployment exceeds 20 percent while underemployment may be two or three times as high.

In the central city areas, over 30 percent of the families have incomes falling below the poverty line, while on a national basis under 15 percent are so disadvantaged. The same imbalance exists in many rural areas also.

Nationally, there is reported to be approximately 4 million unsound urban dwelling units, mainly in central city areas. Moreover, almost 30 percent of the residential units in the 138 cities applying for model city grants in 1967 were considered substandard.

Schools in the central city areas grow more overcrowded yearly while quality of education and facilities frequently decline. Students in these areas, on average, fall 1 to 3 years behind those in more affluent areas at the sixth grade level and three to five grades behind at the high school level. This assumes, of course, that most students reach high school and graduate—a fact which is sadly not true since dropout ratios in these areas are generally three or more times as high.

Infant mortality among nonwhite babies is 58 percent higher than white babies under 1 month old and three times as high from 1 month to 1 year old. Life expectancy is also less.

Welfare costs are rising at alarming rates, especially those designed to aid and support needy children, the disabled, and dependent mothers. In 1966, about 4.8 million children and unemployed parents were cared for under these programs while the figures climbed by 319,000 in 1967 and will probably climb by another 700,000 in 1968.

Crimes since 1960 have increased 10 times faster than population; daytime burglaries against homes rose 187 percent; narcotics violations increased 165 percent; murder rose 34 percent; and assaults were up by 67 percent. In urban areas where crime is a particular cause of social unrest, arrests are three to four times higher than in the suburbs and rural areas; murder rates are three times as high, and robberies are three to 11 times as high.

This in no way is meant to imply that all the problems lie in the central city areas or that all the problems and dissatisfactions rest with the nonwhite populations. Crime and delinquency in the suburbs is climbing rapidly; rural unemployment and poverty may exceed that of central cities; poverty may be found in even the most affluent suburbs; pollution—air, water and noise—frequently strikes rich and poor alike; traffic jams, inadequate mass transit systems and airline stackups are common throughout metropolitan areas.

To meet these problems, we have in the past few decades begun to devise new programs and to spend greater sums of money to solve them. But, the promises have always outrun performance with the result that expectations have increasingly given way to despair. Perhaps of equal importance, is the fact that much of the spending has been handled in ways least designed to accomplish results and those areas of government—State and local—most directly charged with the responsibility for meeting those burdens have been least able to discharge their responsibility financially.

State and local governments currently assume:

First, over 90 percent of the $33 billion annually expended for education.

Second, about 47 percent of the $7 billion expended annually on public welfare.

Third, approximately 95 percent of the $6 billion expended annually on health and hospitals.

Fourth, almost 70 percent of the $13 billion expended annually on highways.

Equal or greater burdens fall upon State and local governments in financing police and fire protection, sewage and sanitation, penal and correctional institutions, libraries, and parking facilities. Equally heavy costs are incurred in maintaining parks, participating in urban renewal and housing programs, and ground and air transportation operations.

States and particularly municipal governments must shoulder such burdens; moreover, at a time when urban populations are increasing—with all the problems associated with urban living—and at a time when the means of raising revenues at these levels are declining.

The Federal Government's virtual monoply of the income tax device to raise revenues—a device which permits revenues to expand elastically with increases in the economy's gross national product—has had the effect of greatly retarding the States' ability to utilize the income tax vehicle to any significant extent and to all but preclude municipalities from doing so. In the latter case, it should be noted, cities have had to rely almost entirely upon the inelastic and regressive property tax which not only places ceilings upon the amounts of collectable revenues but also sets in motion counterproductive migrations and urban deteriorations when high rates are imposed.

In order to assist States and local governments to meet their need for increased expenditures, the Federal Government in recent years has sought to return larger amounts of the revenues it has soaked up by means of the income tax device through grant-in-aid programs. While this has helped in some ways, grants-in-aid have frequently caused more problems than they have helped to solve.

First, the use of grants has had the effect of permitting the Federal Government to tell State and local governments the purposes for which the money is to be spent—usually without consulting the recipient governments and without learning what their priority needs are. Second, grant programs have curtailed the ability of State and local governments to experiment in accordance with local conditions in order to enable them to more capably meet the most pressing problems facing them. Third, so many grant programs have been initiated—over 1,000, according to Congressman ROTH's study—and so many different agencies and bureaucrats are charged with administering these programs that the needs of citizens are frequently lost in the shuffle of redtape. In this regard, I seriously question whether an adequate portion of moneys appropriated for many grant programs circulates down to the intended recipients. Fourth, due to the nature of bureaucracy, the larger the organization and the more entrenched programs and ideas become, the more difficult it is to terminate programs no longer needed and to shift funds to more priority areas—a problem that clearly has developed in the grant area.

As a consequence, while many millions of dollars are being pumped into grant programs today, every indication points to the failure of significant sums of this money being applied to areas having the greatest needs. In addition, of course, such funds are only a small portion of overall Federal revenues. Considerably larger sums are being appropriated for many Federal programs which, in my opinion, are of less priority than those crying for assistance.

I have, therefore, introduced the Human Renewal Fund Act as a means by which concerned Members of Congress will have an opportunity to transfer appropriations from programs of lesser to those of greater priority and also to be assured that such funds so transferred, will be distributed to State and local governments through the means of revenue sharing in order to give such governments and their citizens a greater opportunity to control their own destinies.

Under this act, there is created a human renewal fund. When confronted with the need to appropriate funds for a particular program, the act authorizes Congress to make a determination as to the relative importance of such a program. Where Congress believes that spending money on such a program is less urgent, than on other programs of greater priority to our urban and rural areas, the act authorizes it to designate that all or a specified portion of such appropriations shall be transferred to the human renewal fund. In addition, the act authorizes Congress to make direct appropriations to the fund.

Periodically, the Secretary of the Treasury is directed, under the act, to distribute money in the human renewal fund to States on the basis of population and on the basis of the State's own efforts to raise revenue. Further, in order to assist those States whose per capita income falls below the national average, 20 percent of the money in the fund is specifically set aside under the act for additional contributions to such States. A limit of 12 percent is placed, however, on the amount that any one State may receive each year from the fund and each State is required to distribute 45 percent of the money so received to local governments according to formulas and methods prescribed by the Advisory Commission on Intergovernmental Relations.

Moneys distributed under the act are to be used to meet the costs of urgent programs in urban and rural areas—employment, education, housing, pollution, crime, urban mass transportation, and urban and rural development. In addition, States may use up to 5 percent of funds so received for improving budgetary procedures and staffs, recruiting and training qualified personnel, and developing appropriate salary schedules for top-level management personnel.

States and local governments are required to comply with rules and regulations prescribed by the Advisory Commission relating to proper fiscal, accounting and information requirements. Failure to comply with these requirements and others, such as those relating to the distribution and expenditure of funds, shall be considered by the Advisory Commission and, if noncompliance is found to exist, funds to a particular State or local government shall be withheld by the Treasury pursuant to the directive of the Advisory Commission. The Advisory Commission, I should add, has been selected to assume these responsibilities because it is composed of members drawn from State and local governments, and private life, as well as from the Federal Government. I believe that this membership is especially cognizant of the needs and problems of States and local communities and will be unusually responsible and responsive in dicharging the duties under the act.

To summarize, Mr. Speaker, under my plan Congress would, for the first time, be able to transfer funds directly from low-priority programs to higher priority purposes like education, job training, health and pollution control. It would not require new budget requests or new spending, but would provide Congress with an effective method of concentrating Federal assistance on priority objectives.

Something like my plan is made especially necessary by several conditions which now prevent us from doing a better job of solving pressing public problems: The inevitable limit on available resources imposed by the war; the dispersal of Federal assistance through more than 1,000 special-purpose grant programs, many of which are duplicating and overlapping and even obsolete; and the failure of Congress to devise a better method of considering budget requests than the present piecemeal appropriations process.

At least two major obstacles to the more effective use of Federal aid could be overcome by my proposal:

First, for all practical purposes, Congress now has only two alternatives available when we consider authorization and appropriations bills: we can raise or lower spending amounts or keep them at levels requested by the administration; we cannot readily transfer funds to higher priority programs.

And second, the present categorical grant-in-aid system, as useful in many ways as it is, nevertheless deprives State and local governments of needed flexibility in meeting their individual urgent requirements.

I recognize, of course, that the imminent adjournment of the 90th Congress will not permit action on my bill this year, but I would hope that by introducing it at this time, interested persons will have an opportunity to study the idea in the coming months and thereby enable the 91st Congress to give the legislation early attention.

Although my staff and I have spent several months developing this new approach, I have no doubt that it can be greatly improved by the thoughtful contributions of others who share our concern that the operations of Government must be made more efficient and effective.

The Human Renewal Fund Act is only a beginning, Mr. Speaker, in the process of overhauling and rebuilding the structure and process of our Government. Many other actions will have to be commenced—and commenced soon—to improve economy and efficiency, to develop the means of evaluating programs, to perfect the determination of spending priorities, and to return greater responsibility and capacity to State and local government.

Until such measures are enacted, however, I believe the human renewal fund constitutes a good beginning in our effort to bring into being programs of revenue sharing and priority spending.

THE "PUEBLO"—HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. SCHERLE. Mr. Speaker, this is the 266th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

REGARDING THE TRUST TERRITORY OF THE PACIFIC

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mrs. MINK. Mr. Speaker, on July 18, 1947, the United States entered into a trusteeship agreement with the Security Council of the United Nations covering several thousand islands sprinkled over an area in the South Pacific roughly equivalent to that of the continental United States. Since that time the fortune of these people of Micronesia has been of particular concern to the United States by virtue of the responsibility which we solemnly undertook as the signatory of the trusteeship agreement.

It is of increasing importance that current information about Micronesia be imparted generally to the Members of Congress in order that we may be better informed about these far-flung islanders whose destiny is so inextricably linked with that of the United States.

Since my coming to Congress in 1965, I have taken a keen interest in the progress of our administration in this part of the Pacific. This will continue to be one of our most important responsibilities. I submit for the RECORD various materials which I hope will aid my colleagues in their understanding of the problems of the Trust Territory and enable us all to do a more effective job in fulfilling this most significant trust:

CONVENTION, MANDATED ISLANDS, JAPAN, FEBRUARY 2, 1922

(Convention between the United States and Japan regarding rights in former German Islands in the Pacific Ocean north of the Equator, and the Island of Yap. Signed at Washington, February 11, 1922; ratification advised by the Senate, March 1, 1922; ratified by the President, June 2, 1922; ratified by Japan, June 23, 1922; ratifications exchanged at Washington, July 13, 1922; proclaimed, July 13, 1922.)

A PROCLAMATION BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

Whereas a Convention between the United States of America and Japan with regard to the rights of the two Governments and their respective nationals in the former German Islands in the Pacific Ocean, lying north of the Equator, in particular the Island of Yap, was concluded and signed by their respective Plenipotentiaries at Washington, on the eleventh of February, one thousand nine hundred and twenty-two, the original of which Convention is word for word as follows:

The United States of America and Japan;

Considering that by Article 119 of the Treaty of Versailles, signed on June 28, 1919, Germany renounced in favor of the Powers described in that Treaty as the Principal Allied and Associated Powers, to wit, the United States of America, the British Empire, France, Italy and Japan, all her rights and titles over her oversea possessions;

Considering that the benefits accruing to the United States under the aforesaid Article 119 of the Treaty of Versailles were confimed by the Treaty between the United States and Germany, signed on August 25, 1921, to restore friendly relations between the two nations;

Considering that the said four Powers, to wit, the British Empire, France, Italy and Japan, have agreed to confer upon His Majesty the Emperor of Japan a mandate, pursuant to the Treaty of Versailles, to administer the groups of the former German Islands in the Pacific Ocean lying north of the Equator, in accordance with the following provisions:

"Article 1. The islands over which a Mandate is conferred upon His Majesty the Emperor of Japan (hereinafter called the Mandatory) comprise all the former German islands situated in the Pacific Ocean and lying north of the Equator.

"Article 2. The Mandatory shall have full power of administration and legislation over the territory subject to the present Mandate as an integral portion of the Empire of Japan, and may apply the laws of the Empire of Japan to the territory, subject to such local modifications as circumstances may require.

The Mandatory shall promote to the utmost the material and moral well-being and the social progress of the inhabitants of the territory subject to the present Mandate.

"Article 3. The Mandatory shall see that the slave trade is prohibited and that no forced labour is permitted, except for essential public works and services, and then only for adequate remuneration.

The Mandatory shall also see that the traffic in arms and ammunition is controlled in accordance with principles analogous to those laid down in the Convention relating to the control of the arms traffic, signed on September 10th, 1919, or in any convention amending same.

The supply of intoxicating spirits and beverages to the natives shall be prohibited.

"Article 4. The military training of the natives, otherwise than for purposes of internal police and the local defence of the territory, shall be prohibited. Furthermore, no military or naval bases shall be established or fortifications erected in the territory.

"Article 5. Subject to the provisions of any local law for the maintenance of public order and public morals, the Mandatory shall ensure in the territory freedom of conscience and the free exercise of all forms of worship, and shall allow all missionaries, nationals of any State Member of the League of Nations, to enter into, travel and reside in the territory for the purpose of prosecuting their calling.

"Article 6. The Mandatory shall make to the Council of the League of Nations an annual report to the satisfaction of the Council, containing full information with regard to the territory, and indicating the measures taken to carry out the obligations assumed under Articles 2, 3, 4, and 5.

"Article 7. The consent of the Council of the League of Nations is required for any modification of the terms of the present mandate.

"The Mandatory agrees that, if any dispute whatever should arise between the Mandatory and another member of the League of Nations relating to the interpretation or the application of the provisions of the Mandate, such dispute, if it cannot be settled by negotiation, shall be submitted to the Permanent Court of International Justice provided for by Article 14 of the Covenant of the League of Nations";

Considering that the United States did not ratify the Treaty of Versailles and did not participate in the agreement respecting the aforesaid Mandate;

Desiring to reach a definite understanding with regard to the rights of the two Governments and their respective nationals in the aforesaid islands, and in particular the Island of Yap, have resolved to conclude a convention for that purpose and to that end have named as their Plenipotentiaries:

The President of the United States of America: Charles Evans Hughes, Secretary of State of the United States; and

His Majesty the Emperor of Japan; Baron Kijuro Shidehara, His Majesty's Ambassador Extraordinary and Plenipotentiary at Washington;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed as follows:

ARTICLE I

Subject to the provisions of the present Convention, the United States consents to the administration by Japan, pursuant to the aforesaid Mandate, of all the former German Islands in the Pacific Ocean, lying north of the Equator.

ARTICLE II

The United States and its national shall receive all the benefits of the engagements of Japan, defined in Articles 3, 4, and 5 of the aforesaid Mandate, notwithstanding the fact that the United States is not a Member of the League of Nations.

It is further agreed between the High Contracting Parties as follows:

(1) Japan shall insure in the islands complete freedom of conscience and the free exercise of all forms of worship which are consonant with public order and morality; American missionaries of all such religions shall be free to enter the islands and to travel and reside therein, to acquire and possess property, to erect religious buildings and to open schools throughout the islands; it being understood, however, that Japan shall have the right to exercise such control as may be necessary for the maintenance of public order and good government and to take all measures required for such control.

(2) Vested American property rights in the mandated islands shall be respected and in no way impaired;

(3) Existing treaties between the United States and Japan shall be applicable to the mandated islands;

(4) Japan will address to the United States a duplicate of the annual report on the administration of the Mandate to be made by Japan to the Council of the League of Nations;

(5) Nothing contained in the present Convention shall be affected by any modification which may be made in the terms of the Mandate as recited in the Convention, unless such modification shall have been expressly assented to by the United States.

ARTICLE III

The United States and its nationals shall have free access to the Island of Yap on a footing of entire equality with Japan or any other nation and their respective nationals in all that relates to the landing and operation of the existing Yap-Guam cable or of any cable which may hereafter be laid or operated by the United States or by its nationals connecting with the Island of Yap.

The rights and privileges embraced by the preceding paragraph shall also be accorded to the Government of the United States and its nationals with respect to radio-telegraphic communication; provided, however, that so long as the Government of Japan shall maintain on the Island of Yap an adequate radio-telegraphic station, cooperating effectively with the cables and with other radio stations on ships or on shore, without discriminatory exactions or preferences, the exercise of the right to establish radio-telegraphic stations on the Island by the United States or its nationals shall be suspended.

ARTICLE IV

In connection with the rights embraced by Article III, specific rights, privileges and exemptions, insofar as they relate to electrical communications, shall be enjoyed in the Island of Yap by the United States and its nationals in terms as follows:

(1) Nationals of the United States shall have the unrestricted right to reside in the Island, and the United States and its nationals shall have the right to acquire and hold on a footing of entire equality with Japan or any other nation or their respective nationals all kinds of property and interests, both personal and real, including lands, buildings, residences, offices, works and appurtenances.

(2) Nationals of the United States shall not be obliged to obtain any permit or license in order to be entitled to land and operate cables on the Island, or to establish radio-telegraphic service, subject to the provisions of Article III, or to enjoy any of the rights and privileges embraced by this Article and by Article III.

(3) No censorship or supervision shall be exercised over cable or radio messages or operations.

(4) Nationals of the United States shall have complete freedom of entry and exit in the Island for their persons and property.

(5) No taxes, port, harbour, or landing charges or exactions of any nature whatsoever, shall be levied either with respect to the operation of cables or radio stations, or with respect to property, persons or vessels.

(6) No discriminatory police regulations shall be enforced.

(7) The Government of Japan will exercise its power of expropriation in the Island to secure to the United States or its nationals needed property and facilities for the purpose of electrical communications if such property or facilities cannot otherwise be obtained.

It is understood that the location and the area of land so to be expropriated shall be arranged between the two Governments according to the requirements of each case. Property of the United States or of its nationals and facilities for the purpose of electrical communication in the Island shall not be subject to expropriation.

ARTICLE V

The present Convention shall be ratified by the High Contracting Parties in accordance with their respective constitutions. The ratifications of this Convention shall be exchanged in Washington as soon as practicable, and it shall take effect on the date of the exchange of the ratifications.

In witness whereof, the respective Plenipotentiaries have signed this Convention and have hereunto affixed their seals.

DONE in duplicate at the City of Washington, this eleventh day of February, one thousand nine hundred and twenty-two.

[SEAL.] CHARLES EVANS HUGHES
[SEAL.] K. SHIDEHARA

And whereas the said Convention, has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Washington, on the thirteenth day of July, one thousand nine hundred and twenty-two;

Now, therefore, be it known that I, Warren G. Harding, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[SEAL.] Done at the city of Washington, this thirteenth day of July, in the year of our Lord one thousand nine hundred and twenty-two, and of the Independence of the United States the one hundred and forty-seventh.

WARREN G. HARDING

By the President:
CHARLES E. HUGHES
Secretary of State.

[EXCHANGE OF NOTES]

[The Japanese Ambassador to the Secretary of State]

JAPANESE EMBASSY,
Washington, February 11, 1922.

Honorable CHARLES E. HUGHES,
Secretary of State.

SIR: In proceeding this day to the signature of the Convention between Japan and the United States with respect to the islands, under Japan's Mandate, situated in the Pacific Ocean and lying north of the Equator, I have the honor to assure you, under authorization of my Government, that the usual comity will be extended to nationals and vessels of the United States in visiting the harbors and waters of those islands.

Accept, Sir, the renewed assurances of my highest consideration.

K. SHIDEHARA.

[The Secretary of State to the Japanese Ambassador]

DEPARTMENT OF STATE,
Washington, February 11, 1922.

His Excellency BARON KIJURO SHIDEHARA,
Ambassador of Japan.

EXCELLENCY: I have the honor to acknowledge the receipt of Your Excellency's Note under date of February 11, 1922, stating that the Japanese Government are quite willing to extend to American nationals and vessels the usual comity in visiting the harbors and waters of the Japanese mandated islands.

Accept, Excellency, the renewed assurances of my highest consideration.

CHARLES E. HUGHES.

[The Secretary of State to the Japanese Ambassador]

DEPARTMENT OF STATE,
Washington, February 11, 1922.

His Excellency BARON KIJURO SHIDEHARA,
Ambassador of Japan

EXCELLENCY: In proceeding this day to the signature of the Convention between the United States and Japan with respect to former German Possessions under a Mandate to Japan, I have the honor to state that if in the future the Government of the United States should have occasion to make any commercial treaties applicable to Australia and New Zealand, it will seek to obtain an extension of such treaties to the mandated islands south of the Equator, now under the Administration of those Dominions. I should add that the Government of the United States has not yet entered into a convention for the giving of its consent to the Mandate with respect to these islands.

I have the honor further to state that it is the intention of the Government of the United States, in making conventions, relating to former German territories under mandate, to request that the governments holding mandates should address to the United States, as one of the Principal Allied and Associated Powers, duplicates of the annual reports of the administration of their mandates.

Accept, Excellency, the renewed assurance of my highest consideration.

CHARLES E. HUGHES.

[The Japanese Ambassador to the Secretary of State]

JAPANESE EMBASSY,
Washington, February 11, 1922.

Hon. CHARLES E. HUGHES,
Secretary of State

SIR: I have the honor to acknowledge the receipt of your note of this date, stating that if in the future the Government of the United States should have occasion to make any commercial treaties applicable to Australia and New Zealand, it will seek to obtain an extension of such treaties to the islands south of the Equator, under the mandate of Australia and New Zealand, and further that it is the intention of the Government of the United States, in making hereafter conventions relating to former German territories under mandate, to request that the Mandatories should address to the United States, as one of the Principal Allied and Associated Powers, duplicates of the annual reports on the administration of such mandated territories.

In taking note of your communication under acknowledgement, I beg you, Sir, to accept the renewed assurances of my highest consideration.

K. SHIDEHARA.

OPENING STATEMENT TO THE UNITED NATIONS TRUSTEESHIP COUNCIL BY THE HONORABLE WILLIAM R. NORWOOD, HIGH COMMISSIONER OF THE TRUST TERRITORY OF THE PACIFIC ISLANDS, JUNE 8, 1967

Our annual report which is before the Council provides information on the period from July 1, 1965, to June 30, 1966. Inasmuch as almost a year has elapsed since the latter date, I shall discuss events occurring in the period subsequent to that of the report. In so doing, my remarks may overlap to some extent the information supplied to the Visiting Mission when it was in Micronesia last February.

At the time of my report to you a year ago, the Administering Authority had determined that our responsibilities to the people of Micronesia and our obligations under the Trusteeship Agreement required an acceleration of effort and a reorganized and revitalized program of development.

Legislation was drafted requesting the Congress of the United States to authorize and appropriate funds for an expanded construction program totaling $172 million over a five-year period, with corresponding increases in operating expenses.

Confronted with numerous other pressing demands, the 89th Congress took the view that the proposal was too ambitious and that a scaled down two-year program would be more realistic.

Accordingly, the legislation was revised to raise the then existing Trust Territory ceiling of $17.5 million to $32 million in fiscal 1967 and $35 million for 1968.

This legislation received strong support in both the U.S. Senate and House of Representatives. It passed the Senate but failed to pass the House when it became involved in a log-jam of legislation in the closing hours of the 89th Congress.

However, the momentum of support carried over into the 90th Congress. New Trust Territory legislation passed both houses and was signed into law by President Johnson May 10, 1967.

The new bill raised the ceiling to $25 million for 1967 and to $35 million—double the previous limit—for 1968 and 1969.

In a statement issued by the President at the time he signed the bill, he said:

"We have made an appreciable start toward meeting that obligation—though a great deal remains to be done to raise living standards in the islands.

"From my visit to American Samoa in October of last year, and from conversations with leaders of the Trust Territory in Guam last March, I know of the urgency that attends this responsibility. I am happy to sign into law a measure that recognizes that urgency and allows us to respond to it meaningfully.

"I have already asked that the Congress appropriate additional funds, both this year and next, so that among other projects we can build schools, hospitals, roads, airfields, and communication facilities, hire teachers and doctors and nurses, and provide for the economic development of the area. We are working to help the people of the islands become self reliant, and ultimately joined in a full relationship with other nations bordering the Pacific."

It should be emphasized, however, that the passage of this legislation does not mean that the Trust Territory now has available for its use the total amounts of money indicated by the new, higher ceilings.

These are merely upper limits. Requests for appropriations within these limits must be thoroughly and convincingly justified to gain approval of the several committees of the Congress which are responsible for reviewing and evaluating the Trust Territory programs and their costs.

The committees of the Congress and the Bureau of the Budget before which we have testified in quest of larger sums of money have stressed that while they recognize the expanding financial requirements of the Trust Territory, they also expect to see more evidence of achievement; more progress in education; better health programs; economic development; more evidence that the citizens of Micronesia are developing an increasing capability to share a larger responsibility for shaping and directing their destiny in a world that is rapidly closing in upon them.

It is evident, therefore, that the U.S. Congress and the Trusteeship Council of the United Nations look upon our administrative responsibilities in Micronesia in much the same light.

This has the effect of bringing the scrutiny to which our Administration is subjected into a binocular focus of attention. It should clarify and sharpen our vision and lend a sense of immediacy and urgency to our task.

A PERIOD OF PREPARATION

In the period that has elapsed since I reported to you a year ago, the main thrust of our effort has been in the direction of reorganization and preparation for program expansion and new construction as the needed additional funds are made available.

There have been a significant number of staff changes which should add strength to our administrative capability. Further changes are contemplated as we continue to assess our organizational and management requirements.

As a basic guideline for constructing new facilities and improving or expanding those presently existing, we believe there should be the maximum possible coordination and planning.

What is built, where and when it is built, should depend largely on identified priorities and planning.

Power, water and sanitation requirements were selected for first consideration. Through a consulting contract, we obtained power studies and pre-engineering surveys of the islands with the largest populations.

Similarly, through a separate consulting contract, we have obtained water supply surveys of Saipan, Koror and Moen and sewer surveys for Saipan and Koror.

The object of these surveys is not only to provide reliable data on which to base construction plans and budget projections as we seek to improve the residential areas of these various islands, but an equally important purpose is to identify as far as possible the scope and cost of services required to encourage economic development.

We intend to prepare a comprehensive plan for the entire territory to provide guidelines for highest and best use of the limited land areas. The objective is to shape the direction and character of future development so that services and facilities are appropriately related to community needs, and so that requirements for economic growth, urban expansion, and protection of valuable resources are in an orderly and mutually beneficial relationship.

Because Micronesia is subject to periodic typhoons, we occasionally are compelled by circumstances beyond our control to shift our administrative attention and our resources suddenly to meet emergencies.

The typhoon which devastated Koror and Babelthuap early in March causing damage estimated at $5 million is an example of such an emergency.

All available food supplies, construction materials and medical assistance were rushed to the stricken islands. The reconstruction program, which will be financed in large part from funds made available through the U.S. Office of Emergency Planning, is now underway.

Rather than limit the rebuilding to restoration of the previously existing structures and facilities, we decided to convert the disaster into an opportunity to rebuild according to a new community development plan.

This required adjusting our 1967 budget projections to allocate an additional $1,700,000 to supplement the Federal disaster assistance we expect to receive.

We look upon this as a sound investment because the combination of reconstruction and new construction should not only result in a more desirable arrangement of buildings and facilities but they should be sturdy enough to survive future typhoons.

THE PEACE CORPS

While we have been concentrating on efforts to improve our administration and on program planning, our ability to extend the reach and the effectiveness of existing programs has been strengthened substantially by the presence of the Peace Corps in Micronesia.

There are presently about 450 volunteers assigned to various districts. More than half of these are employed as teachers, principally in English language instruction. Almost 100 others are serving in health programs as health aides, nurses, medical technicians and x-ray technicians. The remainder of the group, including those serving as architects, lawyers, surveyors, business advisers, are assigned to a wide variety of activities including community development and miscellaneous other categories.

A new group of volunteers will begin training this summer at a Peace Corps training center on Udot Island in the Truk lagoon. By the end of this calendar year, it is estimated that there may be more than 700 volunteers in service throughout Micronesia.

At the outset of the movement of the Peace Corps into Micronesia a year ago, there was of course some concern about administrative and logistic support for the volunteers as well as concern about jurisdictional relations between the Peace Corps and the Administration.

We have in fact experienced some administrative growing pains. The Visiting Mission saw some evidence of this and has included some constructive comments in its report which we have taken into account in preparing training for the new group of Volunteers.

Regarding the question of jurisdiction, the Peace Corps and the High Commissioner have initiated a basic agreement which places the Peace Corps under the full authority of the Administration. Peace Corps programs are developed jointly between the Peace Corps and the High Commissioner. An advisory council, a Micronesian advisory council composed of members of the Congress of Micronesia, has been formed to advise the High Commissioner and Peace Corps.

There is one aspect of the Peace Corps involvement which I wish to highlight as particularly useful and timely. The volunteers are strongly service motivated. Their philosophy is to work *with* people in need of their services. Their desire to become directly involved in village life, has facilitated the establishment of constructive rapport with Micronesians.

This has enabled the volunteer to gain the confidence and respect of Micronesians and thus influence the planning of many useful community development projects by injecting a new revitalized spirit of self-help and self-assurance into the communities.

The Administering Authority and the citizens of the territory have gained much from the presence of the Peace Corps. Administrative and jurisdictional problems can and are being resolved and we look forward to a full and compatible partnership that will benefit the people of Micronesia.

ECONOMIC DEVELOPMENT

One of our major objectives in Micronesia is to identify ways and means of developing the economy of these islands. This has been a problem of great concern to the Trusteeship Council, the Administering Authority, the Congress of the United States and to the patient, deserving citizens of Micronesia.

Earlier this year, we took delivery of an economic development plan prepared by Robert R. Nathan & Associates. The plan is based on two year's study of various factors, conditions and policies affecting economic development prospects.

This massive report makes certain basic policy recommendations and establishes guidelines for coordinated program efforts to be implemented as rapidly as possible. (Copies of the report have been made available to members of the Trusteeship Council.)

The Administering Authority accepts the validity of the great majority of these recommendations. A few we accept with reservations or modification of approach. For example, we do not believe it would be politically practical to change the existing law so that non-citizens could own land in Micronesia. We feel that economic development objectives can be well served by long-term leases.

We are already encouraging outside investors to explore business opportunities in Micronesia. The resulting enterprises, however, should provide employment opportunity for Micronesians and make provision for Micronesian participation in the management and ownership.

The need to import some selected skills not locally available is recognized, but we doubt the necessity and political acceptability of any large-scale importation of cheap foreign labor. The preferable alternative is to accelerate training programs and vocational instruction as rapidly as possible.

CREDIT UNIONS AND COOPERATIVES

During the period of the Nathan study, the economy of Micronesia did not stand still. Progress has been slow but there have been some gains. For example, we have experienced rapid growth of credit unions and cooperatives. By the end of the 1966 calendar year, the number of credit unions throughout Micronesia increased from 26 to 41, or 57 percent. Their combined assets rose to one-half million dollars, an increase of 87 percent.

Cooperative activity also expanded during 1966. At the end of the year there were 24 cooperative associations in existence, an increase of eight from the preceding year. These cooperatives had approximately 6,200 members, or one member from every 2.5 families in Micronesia. They had gross revenues approaching $4 million.

AGRICULTURE

Agriculture with an estimated value product of close to $12,000,000 is the largest source of real income and support of the people in Micronesia today. However, the Administration, well aware of the impending increase in demand upon its limited labor supply and increasing costs of living is not satisfied with present levels of production. A critical evaluation of the total agricultural program has been undertaken to determine ways and means of increasing production of both domestic and export crops and the subsequent return to the producers.

Programs will be reviewed to improve the technology of both home garden and cash crop production. A fertilizer demonstration program will be initiated. Funds have been set aside to purchase both heavy equipment for land clearing and machinery for demonstration farming in those districts where mechanization is feasible and can provide the greatest impact. Consideration is being given to re-directing the emphasis of our agricultural stations away from experimentation and toward demonstration.

The rice, pepper and cacao pilot projects are being evaluated. Results of the cacao pilot projects are being evaluated. Results of the cacao feasibility study carried out by the Nathan team show that cacao, at the current scale of production is uneconomical. Results of a revised program with additional effort aimed toward increasing production through Fiscal '68 will determine whether we will further expand or phase out this project in Fiscal '69.

The plant disease and pest control sections are continuing their efforts to control the Rhinoceros beetle in Palau and eradicate the melon fly on Rota, while efforts are being continued to determine the cause of the Pingelap disease of breadfruit prevalent in the South Pacific and in the Marshalls, Ponape, Truk and Marianas Districts of the Trust Territory.

A new Trust Territory-Peace Corps program for agriculture, which will place major emphasis on increasing copra production has been developed, and is expected to be implemented this fall. The objective of this program will be to increase copra production by 30 percent in 2–4 years and by more than 100 percent in 8–10 years.

During the year, eleven Micronesians have either completed or are undergoing agricultural technical training outside the Trust Territory. These include a Plant Quarantine and Weed Control training program at the East-West Center in Hawaii, Paddy Rice Culture training in Taiwan, and Forestry training at the Bulolo Forestry Training Center in the Territory of Papua and New Guinea.

The Administration is presently investigating the possibility and benefits which might accrue from direct participation of the U.S.D.A. in ongoing Trust Territory agricultural programs.

We are anticipating a more than 100 percent increase in the total domestic demand for marketable food items by 1973 and a shift away from home grown to marketed food items of some 50 percent by 1973. This could result in an increase of from 5–10 million dollars in food imports. Our objective will be to increase the ability of local farmers to produce to fill the anticipated gap. Consistent program evaluation with redirection as necessary should provide the local producers with the necessary technical support to enable them to capture a fair share of the projected domestic market.

Copra continues to be the largest export item of the Trust Territory with over 12,000 tons valued at $2,000,000 estimated to be exported during the fiscal year, however this amounts to a decline in production and a decrease of $600,000 in earnings from the previous year. This was a result of disruption of field trip vessel service in the Marshalls and Truk Districts and the low world market price of copra which continued to decline up through November of 1966. The Copra Stabilization Fund now stands at a low of $383,000, having paid the producers $355,000 during this period while maintaining the price of a short ton of copra at $102.50. In line with a resolution passed by the Congress of Micronesia at its last session, the membership of the Board of Directors has been increased to include a representative from each district.

Regardless of the extent to which the world price of copra may fluctuate, copra is, and as far as we can determine will continue to be a major source of income to a large portion of the Trust Territory citizens for some time to come. In line with this reasoning, we are launching a program to upgrade our copra production base through coconut grove rehabilitation in an effort to safeguard this very important source of income and subsistence to out-island inhabitants.

A two-year contract has been awarded to the United Micronesian Development Association to purchase and market copra in the territory. This was the first territory-wide contract awarded a Micronesian firm. Atkins-Kroll and Company of San Francisco was the marketing agent for the past 12 years.

Mobil Oil Micronesia, a corporation organized under the laws of the Trust Territory, was granted a contract for the establishment of a commercially-operated petroleum supply, storage and distribution system throughout the territory. The distribution of the petroleum had been handled by the Government since World War II.

The contract has resulted in a reduction in fuel costs generally approximating 15 percent and will promote private enterprise with Micronesian participation throughout the districts. Micronesian district managers are currently being trained in the Philippines. Stock ownership by Micronesians is also available.

The Economic Development Loan Fund is presently capitalized at $700,000, and our goal is to raise the capital level to $1,000,000. Since last July, 19 direct loans totaling $193,000 (increase of $37,000 over 1966) have been granted to individuals to assist in new enterprises or to expand existing businesses.

Additionally, the Fund guaranteed 10 bank loans for a total of $285,700 (an increase of $158,000). The Board of Directors of the Fund is prepared to provide technical assistance to borrowers for the improvement of their projects. A loan specialist was hired to assist the Board in carrying out this program and follow up the loan project.

During the past year development of the marine resources of the territory continued. In Palau, the boatbuilding cooperative built a total of 60 boats ranging up to 75 feet and valued at approximately $150,000.

At the present time there are approximately 25 men participating in the Hawaii Skipjack Fisheries Training Program which gives each man two years of commercial fishing experience. Returning trainees are expected to participate in commercial fishing in the Trust Territory.

The commercial tuna vessels fishing in Palau landed 3,010 short tons of tuna valued at $280,000 during the year.

The Palau Fishermen's Cooperative, which produced approximately three quarters of a million pounds of reef fish for local and export sales, recently has completed some packaging trials and is planning on setting up a small packaging operation. The fishing cooperative on Truk has purchased a small ice plant of its own and is now erecting a cold storage plant. These facilities will make it possible to increase the production of reef fish in the Truk lagoon.

We have received many expressions of interest in the possibility of establishing a marine biological and oceanic research center in Palau, and believe that a useful program of pure and applied research can be established on Koror if we can finance suitable laboratories and buildings adequately equipped for research purposes.

LAND RESOURCES

An islander's most precious possession is his land. In Micronesia this attachment to the land is magnified by the fact that in this ocean area of some three million square miles, the land area of all the two thousand islands combined totals only some 700 square miles.

The Division of Land Management which has been established for nearly two years is responsible for the administration of approximately 236,000 acres of public lands scattered over hundreds of islands and atolls. Land administration and land tenure problems are complex. They are typical of most developing territories of the Pacific where there is an increasing requirement for land areas for expanding capital improvement programs. We need to establish criteria for determining Government requirements in relation to the enduring demand for return of lands to private ownership and use.

TRANSPORTATION

Transportation services and equipment are obsolete and critically inadequate. One of our most pressing needs is to obtain new ships properly designed for trade and travel within and between districts.

I particularly noted the Visiting Mission's statement that it ". . . can think of no single step which would be better calculated to invigorate the economy and encourage its growth than the improvement of shipping services between the islands and the districts and the outside world."

We are currently considering acquisition of some new vessels for administrative use so that our doctors, nurses, educational administrators and other staff members do not have to depend on the tight, commercial schedules of the trading ships to get necessary work done in outlying islands.

The larger logistic vessels on which we depend for inward and outward movement of goods and equipment are also obsolete. The present contract for the operation of these ships will expire at the end of August. We presently are developing a new set of specifications and will invite proposals from carriers who may be interested in providing services with newer ships better designed for our needs.

With respect to air transportation, the Mission noted that "services are neither sufficient nor sufficiently regular and there is a requirement for improved air services." (p. 68). The administration agrees and we have issued an invitation for proposals from qualified air carriers to provide improved services with better frequencies of flights and, hopefully, improved equipment. Our timetable calls for such improved services to be inaugurated no later than next January 1.

EDUCATION

The foregoing portion of this review has dwelt mainly on the material aspect of our various activities; money, economic development, transportation, power, water, land. In the concluding portion of this report, therefore, I shall focus on the human element—the people of Micronesia—what is being done to help them cope with changing conditions; to help them develop self-reliance; a capacity for self-determination.

The program areas that have the most interrelated influence on the Micronesian citizen and his ability to deal successfully with the challenges and uncertainties confronting him are education, health, community development and political action.

There is evidence that our approach to education and the present system of instruction in the elementary and secondary levels are not producing the results that the people of Micronesia deserve and that we hope to achieve.

Some statistics are impressive, showing steady increase in school enrollment, more classrooms built, more scholarships offered each year. But we have other concerns—the quality and content of education. These need attention as noted in the report of the Visiting Mission.

These comments are not intended to minimize the substantial achievement of those Micronesians who have gone on to or thorugh college or those who have developed skills in trades and professions. But it appears they have done so because they have been individually motivated and cannot be claimed as typical products of our educational system.

Perhaps we should not be too discouraged by what appears to be a lack of progress, because it was as recent as 1961—only six years ago—that the Administering Authority undertook to accelerate and coordinate a greatly expanded educational program, including school construction.

This past year, we have been reevaluating our efforts. We are attempting to identify needs that are not being met and devise new concepts and new procedures to do a better job.

The Nathan study calls for more emphasis on vocational and trade training. We are planning to establish at least one polytechnic high school, and will be placing more emphasis on vocational courses in the existing high schools.

We have had a study made of the feasibility of adapting educational television to our school program. The conclusion was that ETV could be applied effectively in some of the districts, but cost estimates were so substantial that we have temporarily deferred any decision or action.

Within the past few months, we have contracted with the Stanford Research Institute to do an overall evaluation of our educational system. This will cover curriculum, goals, quality of instruction, administrative organization, and other related factors.

During the year, the number of public elementary schools increased from 171 to 178 while enrollments (grades 1–8) climbed from 18,788 to 20,087, an increase of 1,299. Enrollments in private schools increased 706 in grades 1–8 and 219 in grades 9–12. Total enrollment in both public and private schools has increased during the past 4 years from 20,813 in 1963 to 29,724 in 1967. Three hundred and eighteen Micronesian students are enrolled in the schools of Guam. The total estimated number of Trust Territory students who will graduate from high schools this year is 544.

Of the 291 Micronesian students seeking higher education abroad, 141 are on full-support Government scholarships. Forty-two of these are studing in medical or paramedical fields. Sixty-eight students received partial scholarship support in the form of tuition and/or transportation assistance. The remaining 82 students received assistance from various private sources. Additionally, 141 Micronesians received short-term training in 36 different fields at the Institute for Technical Interchange at the East West Center. Five students were abroad under UN Technical Assistance programs. Many other Micronesians received technical training under various programs offered to the territory.

Major emphasis has been placed on the teaching of English as a second language. A system of instruction which has proved effective to other Pacific island areas is being adapted to our educational program. This is known as the Tate Oral English Syllabus.

Some 19,000 public and 4,600 private school children have benefited from programs under the provisions of the Elementary and Secondary Education Act. Special courses have been offered in remedial English and reading, commercial education, science instruction and "catch-up" education for youth who had dropped out of school. In addition, 41 experienced American teachers were employed in a project which emphasized teaching English as a second language.

Meantime, within budget limits under which we have been operating prior to the recent new ceiling legislation, we have continued some school construction. Ninety-six classrooms were completed during the year. Ninety-seven emergency classrooms for public elementary schools are expected to be completed by September 1967.

HEALTH

Health services and facilities in Micronesia are far from satisfactory. We have not achieved nearly as much progress as we had hoped following the critical report of the World Health Organization of more than a year ago. However, there have recently been some encouraging developments which lead us to believe that a year hence we shall have more to show for our efforts than we do at this time.

The year-long quest for a new director of health ended successfully a few weeks ago with the hiring of Dr. William Peck whose experience appears particularly applicable to our needs.

Since 1964 Dr. Peck has been in Malawi, Central Africa, supervising health programs conducted in that country by the University of North Carolina's School of Public Health. He worked closely with the Malawi Ministry of Health and supervised 41 Peace Corps volunteers as well as African health workers. From 1959 to 1964 he was head of the Territory of Guam's Division of Public Health. While there, he helped coordinate health programs with the Trust Territory's medical director.

We are considering moving this position up to cabinet level to strengthen responsibility for health program development and administration.

Meantime, the departmental staff has been augmented by a hospital administrator, an administrative assistant and a medical records librarian. The recruitment of eight fully-accredited physicians has been authorized and funded since 1964, but we have had great difficulty in filling these vacancies.

The three-year mass immunization program instituted in 1964 for smallpox, typhoid, tetanus, diphtheria, whooping cough and poliomyelitis is now virtually complete for all districts except the Marshalls, where to date some 10 of the 26 inhabited atolls have been covered. A continuing followup program on immunization is being conducted throughout the territory.

A serious epidemic of infantile gastroenteritis broke out in Ebeye late in April of this year. Despite imposition of rigorous sanitation measures and the prompt dispatch of medicines and a senior medical officer to the scene, five deaths resulted among the more than 700 cases. A quarantine was instituted, but was not successful in preventing spread of the disease to nearby Likiep atoll and the district center of Majuro. In the two latter areas, the epidemic has been milder in impact and less widespread, with no deaths reported.

Once again the outbreak of communicable disease on Ebeye has pointed up the urgency of reducing population on this crowded island of 72 acres. Plans are now underway to repatriate some 1,000 persons, who are not native residents of that atoll, to their homes elsewhere in the Marshalls or other districts.

Following upon a territory-wide health census now 90 percent complete, plans have been made, in cooperation with the University of Hawaii, for surveys of the incidence of tuberculosis, leprosy and filariasis. Peace Corps volunteers will be utilized to a large extent in this program.

The dental survey of Micronesian children, begun last year, continues. By the end of this year we expect that coverage will be complete for four districts—Truk, Ponape, Palau and the Marianas.

During the past year, the territory has been visited by 26 public health consultants, representing such agencies as the World Health Organization, the University of Hawaii, the University of Southern California, the National Institutes of Health, the College of Guam, and the Government of Guam.

Twelve students entered Central Medical School, Fiji, in January and are enrolled in medical, dental and para-medical fields. These are the first Micronesians to attend in Fiji since use of this institution was suspended in 1962. Additionally, 40 other Micronesians are studying abroad on medical scholarships. Three completed WHO fellowships. Six members of the public health staff participated in WHO seminars in the fields of statistics, training of health workers and environmental health. Four Micronesians attended programs sponsored by the South Pacific Commission dealing with mental health and problems of coral atoll populations.

Enrollment at the Trust Territory School of Nursing has been increased to 40 and six buildings have been renovated to provide additional classroom and dormitory space. One Peace Corps registered nurse has been added to the faculty. Plans are underway to expand the Nursing School to a three-year program by 1969.

The 13th Annual medical survey of the people of Rongelap was carried out in March by a joint AEC-Trust Territory team. No unusual findings were noticed during this survey. An exposed boy who had not been examined during the past few years because he was living in another atoll, had developed a nodule in the thyroid gland. Hormone therapy was prescribed rather than surgery.

COMMUNITY DEVELOPMENT

The community development program has continued in rural and urban areas throughout the territory with increased emphasis on improving services and self-improvement efforts in the territory's congested, urban communities, where more than 30 percent of the Micronesians now reside.

Community Action Agencies have been chartered in each of the six districts. These private, non-profit bodies have applied for more than $200,000 in grants from the Office of Economic Opportunity for the conduct of Head Start programs for an estimated 1,500 pre-school youngsters. * * *.

POST-WAR DAMAGE CLAIMS

During the period September 21 to November 4, 1966, a three-man team appointed by the Secretary of the Interior travelled throughout the Trust Territory and conducted an investigation of unpaid post-secure World War II damage claims against the United States. The team included two representatives of the Department of the Interior and the Trust Territory Attorney General.

As a result of the investigation, the team reported to the Secretary that there were a substantial number of unpaid claims against the United States for post-war damage to land, buildings, crops, trees and other personal property. A total of 889 claims has been received. It is expected that a small number of additional claims will be submitted but it is believed that a substantial majority of possible claims have been registered.

It is obvious that there must be a careful evaluation to determine a reasonably exact tabulation. Many of the claims received deal with injuries and damages to property occuring during actual hostilities and were not properly within the scope of the present claims investigation.

As a followup to the investigation, a claims office is being established in the office of the Attorney General at Trust Territory headquarters. The major task of this office will be to refine the existing claims data to eliminate those resulting from wartime activities; identify those which appear to be duplications; and establish identification of claimants or their heirs. Once the claims data are evaluated and refined, the Government should be in a position to recommend a formula for settlement.

At the request of the Congress of Micronesia, an investigation of Japanese postal savings and Japanese yen currency conversion claims was made during the year. The response to requests for submission of such claims was negligible. This category of claims appears to have been satisfactorily settled in 1957 when the Trust Territory Government received postal savings claims and paid out $25,000 to the Micronesian claimants.

POLITICAL AFFAIRS

If our record of achievement in Micronesia is not studded with success in all areas of administrative responsibility, there is one where progress has been impressive.

In the relatively short time they have been encouraged to do so, the Micronesians have demonstrated an ability to understand and use the democratic political process.

With perception and quality standards, they have selected some of the ablest individuals in the territory to represent them in the district legislatures and in the Congress of Micronesia. This not only reflects favorably on the growing maturity and reliability of the Micronesian voter, but it also credits the prior Administration with solid achievement in the area of political development.

From the administrative point of view, however, this progress presently tends to be paradoxically self-defeating. This is because most of the ablest legislators selected by the discriminating voters are also persons who have been chosen for responsible positions in the executive branch of the Government. Either the legislative or the executive branches stand to lose some top talent in the

1968 elections when some Government employees who are also members of the Congress must decide whether to continue to run for office or pursue a career as a Government employee.

Fortunately, this day of decision will leave neither the legislative nor executive arms of the Government without reserves to draw upon to replace losses which either side may suffer. There are many promising persons in Government who are not in legislatures. There should be opportunity for those with the proper training to move into vacated positions.

This also points up the urgency of developing the economy of the territory so that there will be more employment opportunities outside of Government service. In addition, it underscores the importance of better training for Government employees. This is necessary to have a reserve of qualified replacements for Micronesians who seek employment elsewhere. It is even more important in relation to our responsibility to prepare Micronesians adequately for positions now held by Americans.

We are making progress in this direction. The past year saw the start of a management intern program. This is designed to identify, select and train young Micronesians for positions of leadership in Government. Selections are by competitive examination to minimize personal favoritism. The first year of employment has been devoted to planned, systematic training in fundamentals of the intern's field of specialization.

A program to rotate Micronesian assistant district administrators is being prepared. The object is to broaden their experience and expose them to the differing political environments and the geographical conditions which distinguish each district and result in administrative requirements peculiar to each.

In addition, it is planned to assign one Micronesian assistant district administrator as administrative assistant to the high commissioner. As assistant to the high commissioner, he will become familiar with headquarters' operations and have direct administrative contact with all departments at the headquarters level. The availability of such a person should also help strengthen administrative coordination between headquarters and the districts.

We have also recently established a policy to have representative Micronesian staff members participate in cabinet meetings. The purpose is not only to acquaint Micronesian employees with major problems and issues confronting the Administration, but to bring them actively into the planning and decision-making process.

A revision of the Micronesian Title and Pay Plan will become effective July 1, 1967. This will provide for substantial wage increases for skilled craftsmen and craft supervisors. There will also be significant increases for clerical and administrative personnel.

CONGRESS OF MICRONESIA

The Second Regular Session of the Congress which convened July 11, 1966, concluded its 30-day session on August 9. This was followed by a short special session to reconsider certain appropriation bills, a proposed election law, and to review the Trust Territory budget prior to its submission to Washington. Of the 149 bills introduced during the Congress, 29 passed both houses and 27 were signed into law.

One of the most important of these measures was the Merit System Act, covering Micronesian employees. This law spells out terms, conditions and benefits of employment with the Trust Territory executive branch and gives legal force to the rights of employees.

Among features incorporated into the Merit System Law are: (1) appointment of a Territorial Personnel Board; (2) protection against arbitrary and discriminatory punishment of employees through procedural guarantees of due process and a system of appeals; (3) a provision for competitive appointments through examinations; (4) an employee council to act as official spokesman for employees on matters affecting their pay, status, and working conditions; (5) authorization for a retirement system, group life insurance, annual and sick leave and other benefits.

Although this act technically is not effective until July 1, 1967, all of the above features have been implemented already, except the appointment of a personnel board and the enactment of a retirement system.

Over 90 percent of all Micronesian and contract employees are now covered by the group life and accident insurance. Recommendations for a complete social security plan, developed by the Chief Actuary of the U.S. Social Security Administration, providing retirement benefits for wage earners in both public and private employment are under consideration.

Our Administration has been preparing a legislative program to present to the Third Regular Session of the Congress of Micronesia which will open July 10. We have transmitted to the Congress for advance study some twenty-five proposals originated by department heads and district administrators.

These include a government employee's retirement plan previously mentioned; laws to standardize and improve the administration of elections; legislation to provide for conservation of both land and marine resources; more effective tax collection; controls or protection to Trust Territory citizens in the areas of claims against the Government; laws regulating sale of securities and weights and measures; and one related to acquisition of land for public use.

In making these remarks, I have referred at times to the report of the Visiting Mission. As an independent audit of the Administration of the Trust Territory, this report was perceptive and helpful. Those of us who had the pleasure to meet the members of the Visiting Mission during their tour of the islands last February were impressed with the range and depth of their interest and their evident concern for the people of Micronesia, a concern which I am sure is shared by other members of the Trusteeship Council and by the administering authority.

CONCLUSION

In the foregoing report, I have sought to speak with candor. It serves neither pride nor purpose to gloss over failure or to overstate accomplishment. That some progress has been made is evident. That meaningful progress has lagged in some areas is also evident.

The capability of the Trust Territory Administration has been strengthened and will be strengthened further. The Congress and the President of the United States have recognized that we must have additional funds and resources to fulfill our responsibility to Micronesia under terms of the Trusteeship Agreement. They also insist that there must be a showing that results are being achieved. Members of the Trusteeship Council have provided an independent, perceptive and constructive surveillance over our efforts.

The U.N. Trusteeship Agreement has been in existence 20 years. We all recognize that the time should be now approaching for the citizens of Micronesia to decide for themselves what future political and governmental structure they prefer.

Whatever this decision may be and whenever it may come, it should be made in an environment which offers hope, health and opportunity to the citizens of Micronesia and assures them that we have fulfilled our obligation to them.

Closing Statement to the United Nations Trusteeship Council by the Honorable William R. Norwood, High Commissioner of the Trust Territory of the Pacific Islands, June 15, 1967

From the time of earliest migrations into the west central Pacific the Micronesians, along with other island peoples, have been skilled and daring voyagers.

Even today many of them ply canoes or other small craft in open ocean out of sight of land as they travel from island to island.

In former times the voyagers in the Marshalls, the most widely-scattered islands in all of Micronesia, learned to rely on the relative location of land masses and the resulting formation of wave action and ocean currents to chart their direction.

They could sense where they were and how far from their destination by the formation and action—the currents and cross currents—of the seas through which they sought to progress.

In like manner the discussion and debate of the past several days have produced a body of thought and concerns which provide a sense of direction and some indication of how much farther we must go to reach our destination.

That destination is a Micronesia with a physical, economic and political environment which offers assurance to the people of these far-flung islands that as they venture further into the uncertainties of the Twentieth Century there is a rewarding future for them and their children, and the future is theirs to make of it what they will.

The report of the Visiting Mission was a careful and thorough assessment of where we are today and how far from our objective. The supplementary discussion of recent days has sharpened the definition of those areas of effort and those programs which need continuing and increased attention.

We have observed little disagreement. Members of the Council appear to be generally of one mind with respect to where we want to go and what we must do to get there. If there are differences, they relate in the main to how rapidly we should seek to move.

I shall return to Micronesia with a clearer concept of what needs to be done and with a strengthened sense of purpose and direction.

It is encouraging to note that, as they have examined the various program areas and the efforts by the Administering Authority in Micronesia, the members of the Trusteeship Council have acknowledged some progress. It is recognized, however, that much remains to be done.

Out of the report of the Visiting Mission and the subsequent discussion at this meeting of the Council there has merged a unanimity of opinion that no single program can stand alone. All are interdependent.

Health, education, economic development, transportation, communications, political and social development are all essential components of the total environment which must reflect progressive total improvement in the months and years ahead.

Health standards and services have been subjected to most critical scrutiny. It has been acknowledged that progress has lagged.

Now with the selection of a new health director it is hoped and expected that there will be more effective long-range planning and action to improve facilities and to strengthen the staff further.

The need for better training of Micronesian health personnel and the provision and maintenance of improved equipment are recognized.

It has been noted that funds have been budgeted for a new large central hospital for referral and training purposes. This may cost about $5 million. It is recognized, however, that all districts need better medical and health facilities and there must be an appropriate balance between the services available in district centers and those required in outlying islands.

Our plans for this next fiscal year envision the expenditure of almost $600,000 for other health construction. This includes some $120,000 for new or improved dispensaries and $175,000 for sub-center hospital. An additional $300,000 is required for medical personnel housing.

The need to re-evaluate the educational system is recognized. A survey is already under way. It is expected this will produce recommendations for a more realistic balance between academic study and vocational training. In this connection our 1968 construction program calls for the start of a new polytechnic high school at a cost of $700,000.

There is an obvious need to develop curriculum materials that are more directly related to the Micronesian environment.

We shall continue to stress the teaching of English as a second language and are shifting to a new system of instruction which has proved effective in other Pacific Island areas.

As previously noted, this past year we contracted for surveys of our power, water and communications requirements. And now as we move into the 1938 fiscal year we expect to begin acquiring necessary new equipment at an ultimate cost of almost $2 million for electric power and a modern communications network.

The latter is essential not only to meet administrative requirements to tie the districts together more effectively, but will also benefit distribution of information for educational and political development purposes.

If a single component of our infra-structure has been identified as more urgently in need of attention than others, it is transportation—air, sea and land.

New proposals for improved air service are expected shortly from carriers who recognize the potential of developing a travel market in Micronesia. Similarly, invitations will be sent shortly to shipping companies who have indicated an interest in providing new ships and improved schedules.

Complaints against the present inadequacies of shipping between and within the districts are justified. Acquisition of new administrative vessels to reduce governmental dependence on the schedule of trading vessels is contemplated.

Much attention has focused on land ownership and land use. Questions have been raised regarding the high percentage (more than 50 percent) of the land under control of the Trust Territory Government.

It has been noted that the Congress of Micronesia has enacted legislation establishing land commissions. Land use in relation to master planning will receive proper attention.

Our discussions may have left the impression that all lands now held by the Government of Micronesia are in dispute with private claimants and that the Government is embarked on a program of acquiring more and more land. Over the years a program was carried out to determine title to lands claimed by both the Government and private parties or clans. The result has been that most of the lands now used by the Government or held as public domain are not the subject of claims by Micronesians.

Similarly, the Government wherever possible, makes use of Government lands for Government or public purposes. However, there have been and there will continue to be some cases in which additional private lands must be acquired for public purposes. At the same time it would be shortsighted if the Government did not maintain some land in reserve for future public uses as the rapidly expanding population requires additional public facilities and services. Land areas surplus to public requirements should be made available for private use that is consistent with the economic and social needs of the various communities.

It should be noted, however, that some Government land should be held in reserve to accommodate population pressures in some islands, so that overcrowding can be relieved and the islanders on socially-congested islands can be relocated elsewhere.

The Nathan report has provided helpful guidelines for economic development. Recommendations of this report are being evaluated. Each departmeht of the administration has been requested to examine recommendations specifically applicable to that department. This is to identify opportunities for action and to set priorities.

A summary of the report will be widely distributed throughout the Territory to stimulate discussion and to create broad public understanding of what must be done to achieve economic development in Micronesia.

Meantime, steps are being taken to strengthen our administrative ability to implement those recommendations regarded as presently feasible.

Agricultural programs must shift now from experimentation toward economic production. Crops which have shown promise as experiments need to be tested in the market place. Farmers must be encouraged by the extension of advisory services and technological assistance.

We are already experiencing increased interest in Micronesia's vast oceanographic resources. Prospects are that commercial fishing for export and domestic markets will show marked growth in the near future. But existing trade restrictions need to be modified.

Micronesia is endowed with areas uniquely suitable for oceanographic and biological research. A number of well established agencies have indicated an interest. A research facility is required and possibilities of obtaining funds for a marine science center are currently being explored.

The most important resource of Micronesia, however, is the human resource—the people whose proud traditions and history reflect ample evidence of their courage and ability to cope with the limitations and challenges of their natural environment.

It is evident that the time has come for Micronesians to assume more responsible roles in the administrative as well as the legislative branch of the Government. The ability of the Micronesians to shoulder legislative responsibility has already been convincingly demonstrated by the Congress of Micronesia.

Comparable opportunity for administrative leadership must now be identified and qualified Micronesians should be moving into positions of increasing responsibility in the executive branch.

Related to this is the difficult problem of devising some procedure by which the Congress of Micronesia can participate more directly and more influentially in formulation of the annual budgets and allocation of funds made available by the Congress of the United States.

In that connection, the presence of several U.S. Congressmen at the Trusteeship Council sessions was further evidence of their interest and that of the committees they represent.

Their attendance may also be construed as an indication that they expect the substantial increase in grants to Micronesia, which the U.S. Congress has authorized, will be prudently programmed and will produce results benefiting the people of Micronesia.

As the special representative of the Administrative Authority, I am grateful for the dedicated and informed interest of the members of the Trusteeship Council. These members represent a broad background of varied experience. Their views and recommendations provide a constructive and helpful audit of the accomplishments of the Administering Authority and our efforts to fulfill our obligations under terms of the Trusteeship Agreement.

Even complaints and criticism are welcome because they cut through complacency and cause us to re-examine and test anew the effectiveness of our stewardship.

In closing, Madam President, I should indeed be remiss if I did not acknoweldge the genuine pleasure we have derived from the opportunity to become acquainted with all members of the Council and their respective staffs.

The privilege of getting to know you individually as well as collectively has provided added dimension to the value of this experience.

Statement to the United Nations Trusteeship Council by Lazarus E. Salii, Adviser, U.S. Delegation, June 8, 1967

I bring to you and all other members of this august body greetings from my colleagues in the House of Representatives and the Senate of the Congress of Micronesia and the people of the Trust Territory. It is a great privilege and honor for me to be accorded the opportunity to appear before you today. I will always cherish the honor and the experience.

Our High Commissioner, the Honorable William R. Norwood, has amply presented to this Council the past accomplishments, current programs and future planning for the Trust Territory Government, and there is no need for me to impose on the time and indulgence of this Council in repeating these matters.

There are three ways to view and evaluate problems and conditions in the Trust Territory—through the eyes of the U.N. Visiting Missions to the Trust Territory, the most recent such mission having visited the area earlier this year; through the eyes of the Administering Authority; or through the eyes of the Micronesian people themselves.

I would like to address myself to the task of presenting to this Council a brief review of some of the major problems we have and areas of progress which have been made, as I think the Micronesians in general see them and specifically as I think the Congress of Micronesia sees these problems and progress.

It should be pointed out at the outset that the challenges in Micronesia are enormous in their complexity and magnitude and nearly overwhelming in their profusion and seeming ability to multiply, while the tools, the equipment and the resources necessary to combat these challenges are not always available either in the quality or quantity required.

The mission of developing a viable economy—a primary consideration in the total advancement of the Territory—has been difficult, although much has been accomplished and more continues to be accomplished. While recognizing that many of the difficulties in developing a viable economy in Micronesia are due to physical factors which have built-in limitations on what can be done, such as the islands' scattered location, small size and insularity as well as their deficiency in most of the natural resources generally considered essential for the development of industry, we feel that there are existing problems and conditions which can and should be eliminated in order to accelerate further economic development and growth.

Several of these are easily identifiable:

The existing tariff on Micronesian goods entering the United States, the restrictions on trade between Micronesia and foreign countries, the restrictive policies on immigration and admission of non-U.S. citizens into the Trust Territory, and the infusion of more U.S. and foreign capital and skilled manpower should at this time be examined and evaluated in the light of present demands and future economic needs of the Territory.

The role of the Government in the total economy of Micronesia must be tempered by the increasing capacity of Micronesian entrepreneurs to assume a more active role and participation in the economic development of the islands. Personally, I do not want to see the government dominating the whole field of economic development programs merely because it has financial credit, monopoly of skilled manpower, size and organization. I prefer seeing the government steering away from economic development programs and providing incentives to the private sector to wax and grow in a laissez faire atmosphere. If this means bringing in foreign capital and labor, we would like to see a movement in that direction by abandoning certain restrictions with the approval of the Congress of Micronesia; maintaining or creating, however, whatever safeguards will be necessary to insure that the Micronesians will share in the resulting prosperity.

We would like to see in the Trust Territory greater progress in the modernization and rationalization of land development, agriculture, forestry and fishery programs. Many Micronesians feel that the Trust Territory can benefit from technical assistance and expertise available from other U.S. Government Agencies, such as the Department of Agriculture, Bureau of Land Management, Public Health Service, the Department of Labor and so forth. The Peace Corps has been a blessing to Micronesia and the programs under the Office of Economic Opportunity which are just beginning to get off the ground look very promising.

Perhaps more technical assistance and experts could be obtained from South Pacific countries such as Australia and New Zealand, and so forth.

The Government continues to hold title to and control a great percentage of arable land. The homestead program as a method of returning lands to Micronesians has not kept abreast with modern land development and land management practices, with the steadily growing population and the concurrent demand for planned agriculture, industrial and residential subdivisions. As land is basic to a viable economy, it is essential that land management be staffed in each district with experienced professional and technical personnel and that training programs currently in operation be enlarged.

In two and perhaps three districts, the people have shown an eagerness to develop tourism as an industry, but such a proposition appears saddled with difficulties such as land use planning, poor water systems, lack of power and sewage systems, combined with poor roads and a generally inadequate transportation system. It is encouraging to the Micronesians to note, however, that the Administration is cognizant of these difficulties and of the great potential of tourism in Micronesia and has already taken some of the necessary first steps in the direction of developing this industry.

While traveling through the six districts in January and February, the Interim Committees of the Senate and the House of the Congress of Micronesia noted that public health services, especially in the outer islands, continue to be plagued by difficulties in communications and transportation, inadequate supplies and acceptable facilities and properly trained manpower to do a decent job.

In the field of education, high school graduates are generally ill-prepared to earn a living in Micronesia. This is because the curriculum is primarily academic and college preparatory, even though the great majority of the high school graduates do not go on to college. It is our hope that the current study of our educational system will give breadth, scope, orientation and direction as to where our school program should head. It appears that we need, not only Micronesians in law, medicine and the liberal arts, but also—and in greater numbers—those trained as technicians, administrative, executive and managerial personnel, bookkeepers, skilled machine operators, craftsmen and other skilled workers. Thus, our educational system should at this stage be oriented towards high-level Micronesian manpower for the critically important administrative, technical and educational work of development and nation-building, together with intermediate-level supporting occupations and towards making provision for training larger numbers of skilled workers, artisans, craftsmen and operatives required for an island-economic development.

In commerce, the business capacity of corporations and businesses in the Trust Territory lacks the standing and stature to secure loans and financial credit on par with like businesses and companies outside the Territory at the prevailing market level of economic activity. The several credit unions and cooperative associations which serve now as a mainstay of commercial activity for many Micronesians are only recently beginning to have any significant influence on the stream of commerce and would not have any overriding effect on the total economy for some time to come.

By recounting all these things, I do not mean to slight the progress that has been made in Micronesia, nor do I intend to belittle the positive and ambitious plans and programs now being carried out in the Trust Territory. Nor do I mean to imply that these problems are the problems of the Administration alone, and not of the Micronesians themselves as well. Rather, by doing so I feel that this body can better appreciate the many challenges, problems and tasks remaining before all of us in Micronesia, despite unrelenting and sustained efforts of the Administering Authority and the people of Micronesia to seek and explore new avenues of solutions to solve these problems.

My colleagues in the House and the Senate of the Congress of Micronesia place great trust and confidence in our energetic High Commissioner and in the United States as the Administering Authority for the Trust Territory of the Pacific Islands. There is, I believe, a genuine feeling of partnership between the Administration and the Congress of Micronesia. The development program for the Trust Territory which our High Commissioner has presented here has our explicit endorsement. The newly raised ceiling of federal grant expenditures in the Trust Territory coming shortly after the release of the Nathan Report and the Economic Development Plan for Micronesia is a timely blessing for the people of Micronesia.

The Congress of Micronesia intends to play a key role in the direction and the manner in which the over-all development of Micronesia will take. Although circumscribed by the extent of its legal authority and the resources available at its disposal, the Congress strongly favors more involvement and participation of Micronesians in the political and economic development of the Trust Territory. There are already some very encouraging signs that we are going to move in this direction more rapidly.

But perhaps this presentation will not be complete if I do not make mention of the political future of Micronesia. We in the Congress of Micronesia are well aware of the urgency of this question and have deliberated upon it during the last two sessions of the Congress. We recognize that Micronesia is but one of three remaining Trusteeships and the strides that Nauru and New Guinea are making towards self-determination and possible independence in the next few years have not gone unnoticed by the Congress of Micronesia. A number of measures in bills and resolutions were introduced in the last session of the Congress proposing to create a commission to make a study and recommendations; others called upon designated persons to make such a study and make known their feelings. These expressions of interest, however, are only tentative and perhaps premature. We do not want to exercise, at this point in time, our interest and right of self-determination until our people have acquired a first-hand knowledge of both the benefits and the responsibilities under each of the possible alternatives in the present 20th Century context. We want a chance to learn the issues so that we can wisely exercise the right to choose our political future. We hope that time is on our side. We feel most fortunate that during this interim period we have as our partner in the development of our islands the United States of America.

The Micronesians do not ask for much. We do not want to have our islands as a political buffer area nor do we want to be buffeted around in international politics. We would like to have, however, a measure of economic well-being, a measure of acceptable living standards, and a measure of political stability so that whatever the decision will be regarding our future political status Micronesia can meaningfully contribute to the peace and security of the Community of nations. This, after all, was the purpose, if not the reason, Micronesia came under the Trusteeship Council of the United Nations, and it is certainly the reason for which I was selected by my colleagues in the House of Representatives of the Congress of Micronesia to appear before you today. Thank you very much.

Report to the Congress of Micronesia by High Commissioner W. R. Norwood, July 12, 1967

Mr. President, Mr. Speaker, honorable members of the Congress of Micronesia, ladies and gentlemen:

At the outset of my report to you, may I extend congratulations to the newly elected members. As this third session of the Congress of Micronesia progresses, I hope we shall become well acquainted. It is also a pleasure to see here again the veteran members who were reelected and those whose terms carried over to this session.

It is a requirement of the democratic process of government that administrators of programs and services be held accountable to the people to whom the government is responsible.

The Trust Territory Administration is perhaps unique in relation to the number of agencies to which it is required to report on a regular if not almost continual basis.

We must report to and our Administration is subject to review by the President of the United States through the Bureau of the Budget: by the Secretary of the Interior; by the Interior committees of both the U.S. Senate and U.S. House of Representatives; by the Appropriation Committees of the Senate and House; by the Trusteeship Council of the United Nations; and by the Congress of Micronesia.

While the administration of the executive branch of the Government of Micronesia is held accountable to all of these agencies, none of them is more important than the people of Micronesia whom you represent as the legislative branch of our government.

Although it is important that our Administration be acceptable to the Congress of the United States, which provides the funds for our programs; and although it is helpful if we also have the favor of the U.N., it is essential that we meet the test of responsible and effective service to the people of Micronesia whose future depends so heavily on the combined efforts of the legislative, judicial and executive branches of our government.

At the time of my report to you a year ago, we had determined that our responsibilities to the people of Micronesia and our obligations under the Trusteeship Agreement required a reorganized and revitalized program of development.

The Congress of the United States, which is showing increasing concern for Micronesia, passed new legislation raising our authorized ceiling to $25 million for fiscal 1967 and to $35 million for fiscal years 1968 and 1969. This compares with our previously existing ceiling of $17.5 million.

It should be stressed, however, that the passage of this legislation, which was approved by President Johnson on May 10 of this year, does not mean that the Trust Territory now has available the total amounts of money indicated by the new, higher ceilings.

These are merely upper limits. Requests for appropriations within these limits must be thoroughly and convincingly justified to gain approval of the several committees of the Congress which are responsible for reviewing and evaluating the Trust Territory programs and their costs.

The committees of the Congress and the Bureau of the Budget before which we have testified in quest of larger sums of money have stressed that while they recognize the expanding financial requirements of the Trust Territory, they also expect to see more evidence of achievement; especially economic development; more progress in education; better health programs; more evidence that the citizens of Micronesia are developing an increasing capability to share a larger responsibility for shaping and directing their destiny in a world that is rapidly closing in upon them.

The probing, careful scrutiny with which our proposals for use of funds are screened by the committees of the Congress and Bureau of the Budget is illustrated by what happened to our requests for additional funds for 1967 and 1968.

Under our newly authorized ceiling of $25 million for 1967, we had asked for $22.5 million to begin to buildup for essential program development.

But because of many other pressing demands on the Congress, and because it was late in the fiscal year by the time our request for supplemental funds was considered, we were allowed only $1.7 million over our previously existing ceiling of $17.5 million. The additional amount of $1.7 was allowed to enable us to proceed with the reconstruction required by the Palau typhoon.

We fared somewhat better for fiscal 1968 but here again the funds made available were substantially under the authorized ceiling. The amount approved was a total of $24 million, or $6.5 million above our previous ceiling of $17.5 million.

When you consider that our administrative expenses, payroll, operations and maintenance, are now at about the $18 million cost level, you can see that the additional $6.5 million granted to us for 1968 does not represent a very substantial amount of money in relation to all of our building requirements.

I mention these money problems for two reasons. First, to explain in part why we have not moved ahead in construction programing this past year as aggressively as we had hoped to do. Secondly, to underscore how important it is for us to be able to justify our plans and convince the committees of the Congress and the Bureau of the Budget of our needs, and more particularly, to convince them of our ability to account for every dollar made available to us.

We expect that several members of the U.S. Congress will visit the territory this coming fall, probably in October and November. The members with whom we have discussed this visit have assured us it is going to be much more than a pleasure trip. They are going to see for themselves what's going on out here and whether we are in fact doing a good job and effectively using the funds they have made available to us.

The tentative budget plans for 1969 will be reviewed with you early in this session before they are forwarded to the Department of Interior. We recognize that our budget cycle and the present schedule for preparation and submission does not provide ample time for review by your committees. It is doubtful that under existing circumstances we can resolve this problem.

Meantime, the period that has elapsed since I reported to you a year ago can be described as one of reorganization and preparation for program expansion.

There have been a significant number of staff changes which should add strength to our administrative capability. Further changes are contemplated as we continue to assess our organizational and management requirements.

As a basic guideline for constructing new facilities and improving or expanding those presently existing, we believe there should be the maximum possible coordination and planning.

What is built, where and when it is built, should depend largely on identified priorities and planning.

Power, water and sanitation requirements were selected for first consideration. Through a consulting contract, we obtained power studies and pre-engineering surveys of the islands with the largest populations.

Similarly, water resource and sanitation studies have been made or are in process, as well as an engineering study for modernization of our communications network.

The object of these surveys is not only to provide reliable data on which to base construction plans and budget projections as we seek to improve the residential areas of these various islands, but an equally important purpose is to identify as far as possible the scope and cost of services required to encourage economic development.

We intend to prepare a comprehensive plan for the entire territory to provide guidelines for highest and best use of the limited land areas. The planning processes must involve the people through their elected representatives in legislative bodies.

The objective is to shape the direction and character of future development so that services and facilities are appropriately related to community needs, and so that requirements for economic growth, urban expansion, and protection of valuable resources are in an orderly and mutually beneficial relationship.

While we have been concentrating on efforts to improve our administration and on program planning, our ability to extend the reach and the effectiveness of existing programs has been strengthened substantially by the presence of the Peace Corps in Micronesia.

There are presently about 450 volunteers assigned to various districts. A new group of volunteers has begun training on Udot Island in the Truk lagoon. By the end of this calendar year, it is estimated that there may be more than 700 volunteers in service throughout Micronesia.

At the outset of the movement of the Peace Corps into Micronesia a year ago, there was some apprehension that we would not be able to accommodate this massive influx without some administrative and jurisdictional confusion.

We have in fact encountered some problems of indigestion. Our basic agreement clearly establishes the concept that the Peace Corps is not in Micronesia to establish independent programs, but is here to strengthen and support programs under the Trust Territory direction. Despite some continuing problems of administrative jurisdiction, the citizens of Micronesia and the government have gained much from the presence of these dedicated and service-motivated young people.

As we attempt to determine where we are today in Micronesia and where we want to go and when we hope to get there, it is clear that no single program area can stand alone. All are inter-dependent.

Health, education, transportation, communications, economic development, political and social progress are all essential components of the total environment which must reflect progressive total improvement in the months and years ahead.

It is also recognized, however, that there is a logical order of priority. There are certain basic needs which must be met first to enable us to move on to others which are no less important.

If, for example, we determine we should build a school in a certain area, the school is our ultimate goal. But first we must prepare the site or clear the ground for the structure that comes later.

That is what we are presently doing—clearing the way, getting prepared to do the ultimate job. That is why this past year we have been concentrating, within our means, on power, water, sanitation and communication requirements.

Now as we move into the 1968 fiscal year we expect to begin acquiring necessary new equipment at an ultimate cost of almost $2 million for electric power and a modern communications network. The latter is essential not only to meet administrative requirements to tie the districts together more effectively, it will also benefit distribution of information for educational and political development purposes.

This does not mean that everything else must wait and that we shall be standing still in such important program areas as health and education.

Health standards and services have been and are being critically reviewed. Progress has lagged. Most of our hospitals are far below the standards that we should achieve. Some of them are disgraceful.

Now that our prolonged search for a health director has ended in recruitment of Dr. William Peck, we expect there will be more effective long-range planning and action to improve services, staff and facilities.

Funds have been budgeted for at least one large referral and training hospital to cost about $5 million. All districts need better hospitals and dispensaries and medical personnel housing. We have planned the expenditure of some $600,000 for this purpose in the next fiscal year.

The need to reevaluate our educational system is recognized. A survey is already under way. This should produce recommendations for a better balance between academic study and vocational training. Our 1968 construction program calls for the start on a new vocational high school at a first phase cost of $700,000.

Meantime, we shall continue to improve and expand English language instruction so that English may soon become established and useful as the common language of Micronesia. To accelerate our efforts in this direction, we are shifting to a new system of instruction which has proved effective in other comparable Pacific Island areas.

If, as seems desirable and prudent, there should be more emphasis on vocational training in our school system, we must, obviously, develop more vocational opportunity—more jobs.

The Nathan report explores this problem in breadth and depth. This is a report on Micronesia's economic development potential. It makes basic policy recommendations and sets guidelines for coordinated program efforts. The report can be a useful guide book to lead us into the economic future of this area. But if it is to become more than just another expensive, dust-gathering study, we must use it—put it to work!

There are differences of opinion regarding some of the report's basic recommendations. I regard most of these proposals as valid, if some allowances are made for the timeliness of their implementation. A few we accept with reservations or modification of approach. For example, we do not believe it would be politically practical to change the existing law so that non-citizens could own land in Micronesia. We feel that economic development objectives can be well served by leases of varying terms.

We are already encouraging outside inventors to explore business opportunities in Micronesia. The resulting enterprises, however, should provide employment opportunity for Micronesians and make provision for Micronesian participation in the management and ownership.

The need to import some selected skills not locally available is recognized, but we doubt the necessity and political acceptability of any large-scale importation of cheap, foreign labor.

There is agreement and there already has been action in response to one of the report's main recommendations. That is that there should be broad public understanding of what economic development means in Micronesia—what our problems are—what are the economic facts of life in these islands today and what will they be in the foreseeable future.

To generate public discussion of the report and to obtain, hopefully, a reliable sampling of public interest in and reaction to it, we have printed and distributed more than 2,500 summaries together with a questionnaire through which we hope to obtain a cross-section of opinion.

In addition, we have now in process a detailed staff analysis of the report to determine how the recommendations, if applied now or later, will affect our departments, their organization and production.

You are among those whose views have been solicited and I have no doubt that we shall be hearing from you.

The report contains many suggestions for improving administration of the government and for developing a total society that is better equipped to cope with the challenges of the 20th century.

Among other matters, the report deals with our transportation systems which are today in such a sorry state of inadequacy. One recommendation is that if we are ever to have an economically significant travel industry in these islands, restrictions on trade and travel must be relaxed and we must have connecting links with other travel markets in all directions. This possibility is beyond the exclusive authority of this Administration but it is timely in connection with new air service proposals we shall be receiving from the number of carriers who have shown an interest in serving Micronesia.

We propose to appoint a selection panel to screen these proposals and to negotiate with the one which appears to be best designed to meet our present and future needs.

I invite you to nominate a representative of the Congress to serve on this panel. The person chosen should not be anyone who is associated with or a proponent of any of the applicants.

Surface transportation to and from and within the districts is also inadequate. We plan to obtain some administrative vessels to reduce governmental dependence on field trip trading schedules. Shipping service generally needs to be improved. The three large ships owned by the government are old, slow and expensive to operate. Possible replacement with new vessels is under consideration.

Land administration and land tenure problems are complex. They are typical of most developing territories of the Pacific where there is an increasing requirement for expanding capital improvement programs.

We need to establish criteria for determining government requirements. Land areas surplus to public need should be made available for private use that is consistent with the orderly economic and social development of the various communities. Master planning and zoning are needed to establish land use patterns.

It would be shortsighted if some of the land presently in the public domain were not held in reserve for future public uses as the rapidly expanding population requires additional public facilities and services.

Despite the general policy to use public lands for public purposes wherever and whenever possible, there will continue to be situations where the acquisition of private land for public use is unavoidable.

We know that the taking of private land is of great concern to the Congress. We share that concern. Among the several legislative proposals presented by the Administration for your consideration is a measure to provide safeguards against the improper use of the government's power to acquire land.

Land is a precious resource of these scattered islands but the most valuable resource is the human resource—the people whose proud traditions and history reflect the courage and ability to cope with the limitations and challenges of their natural environment.

The relative short history of the Congress of Micronesia is evidence of the ability of the citizens of these islands to adapt to changing conditions and make use of the democratic process to help shape their political future.

The time has come for Micronesians to assume more responsible roles in the administrative as well as the legislative branch of the government. We have not made enough progress in this direction. More emphasis on proper training is required. What is also required is the patient but persistent and firm insistence on standards of performance and production.

The Administration submitted to the Congress in advance of this third regular session 29 proposed bills. I have requested that these be introduced and enacted in a form mutually acceptable to the Congress and the Administration.

These measures cover a wide range of subjects. In the main, they are designed to strengthen the capability of our government to provide more effective service and protect the interests and rights of the people of these islands. A number of them concern law enforcement. Others would strengthen business practices and procedures. Still others have to do with taxation and propose ways of deriving more local revenue without penalizing business growth.

Some additional bills will be submitted shortly. These may include a proposal to establish a retirement or social security system. There is some doubt, however, that we could effectively administer the law in its present proposed form or that the Micronesian economy can now support its financial requirements. This accounts for the fact that it is not yet among the measures presented for your consideration.

As we contemplate where we are today and look to the future in an attempt to chart our course, we can sense that some new and as yet undefined political status for Micronesia is somewhere over the horizon.

There is increasing interest in the political future of Micronesia. This is evident in this Congress; in the district legislatures; in the Congress of the United States; and in the United Nations.

It is possible that within this current year, action will be taken by the U.S. Congress, or by the Congress and the Administration jointly, to appoint a study commission to visit Micronesia and to assess conditions and public attitudes that will affect a determination of when the citizens of Micronesia will be ready to choose some other political status, and what the alternatives may be.

This adds a sense of urgency to our effort; a new awareness of how much needs to be done today to prepare for tomorrow.

It is sometimes said the Micronesians have a tradition or pattern of living from day to day, without much concern for future events.

No doubt the hard life that many Micronesians still experience today makes every day's existence a challenge of its own. I have also been told that one reason why Micronesians in years past, and some of them today, could survive long voyages in open sea in small canoes, was their concentration on the problems immediately at hand, bailing the canoe, keeping it afloat, preserving the food, conserving the water, protecting the children. But they usually knew where they wanted to go and they usually arrived at their chosen destination.

So it is today. At times we are so busy bailing and patching the canoe, our progress indeed seems slow. But the tide now appears to be running in our favor. With more funds available, with a strong, coordinated effort, we can and we shall achieve a better future for these islands and the people of Micronesia.

ADDRESS OF THE HONORABLE BETHWEL HENRY, SPEAKER OF THE HOUSE OF REPRESENTATIVES, CONGRESS OF MICRONESIA, JULY 12, 1967

High Commissioner, Mr. Norwood, Mr. President, Honorable Colleagues of the House of Representatives and Senate, Ladies and Gentlemen: we launch the Third Regular Session of the Congress at a time when the United States, through the executive branch of the Territory Government, has already done and is doing much to give effect to the policies which will ultimately affect the future of Micronesia.

Since the last session of the Congress, considerable progress has been achieved in the direction in which I believe effort and expenditure should be concentrated. I think that at this point in time we can confidently look forward to further improvement—to a new private investment from within and outside the Territory, to a rising tempo of activity by the Trust Territory Government and private enterprise, and to rapidly increasing participation by Micronesians in the government of Micronesia.

In considering these advances, I propose to speak of the present and especially of the future, rather than of the past. There is every reason to believe that the future can bring even greater advancement and growth than we have witnessed to date. The only requirement to be met is that we be willing to continue working towards developing Micronesia for our mutual benefit as we have during fiscal year 1967.

A sound development program is necessarily guided by defined goals. Our goals have not changed; the sense of urgency to reach these goals, however, has gained new perspective and dimensions. We continue to give support to policies which will (1) achieve a continued growth in the economy and which will, in turn, provide a progressive, continuing rise in the standard of living and the well-being of every one of us; (2) utilize all of the available arable land in conformity with proper conservation practices; (3) increase the productivity of the land; (4) utilize to the optimum the available resources of the seas around these islands; (5) increase the supplies of electricity and water and provide them at lower costs both to industrial activities and to household consumers; (6) continue the deliberate improvement in school buildings, teaching equipment, and the quality of teaching; (7) effect further improvement in public health, public welfare, and safety facilities and practices; (8) develop a wholesome social environment; (9) improve the tax structure and achieve better enforcement of tax laws; and (10) generally provide political stability.

A review of accomplishments of the last fiscal year, when judged against the above enumerated goals, indicates that we have yet to shift from program evaluation and experimentation to actual field services and action.

Our first order of business for this new fiscal year must be to take stock of our territorial, district and municipal governments to determine if the different levels are properly structured to meet the services and program goals which we have set for ourselves in the years ahead. If upon our review it becomes evident that reorganization or streamlining of any or all of these levels of government is necessary, appropriate steps should be taken immediately to implement our findings.

Our total resources, including skilled personnel and financial grants from the United States, should be harnessed and wisely allocated so as to maximize their effect on our immediate and long term priority needs and requirements.

Our rate of progress in all fields of endeavor for fiscal year 1967 was hardly perceptible. The government's creative efforts to improve our lot in agriculture for the past and previous years has left unsolved many problems; even now, as we start fiscal year 1968, sufficient capital and labor must be found to spur meaningful and significant livestock production for these islands; transportation and market arrangements for farm produce must be established to service district centers, let alone our outlying communities; dependable feed supply must be obtained if poultry enterprises and swine production in the Territory are to increase significantly; effective means to prevent plant diseases and control pests must be found; the general decline and loss of interest in coconut planting and rehabilitation throughout the Territory must be reversed; inefficiencies of our domestic copra marketing system with inherent attendant problems require realistic solutions; cultural and other impediments to agriculture in terms of land planning, utilization and development must be removed without delay.

The Administration's fishery program as a facet to harness one of the Territory's major resources deserves closer attention than has been possible in the past. Constructive planning and proper allocation and use of available funds coupled with total commitment to achieve positive results in this particular endeavor will doubtless bring about better economic results than have been possible to date.

Inadequate capital and credit facilities, dearth of management know-how, and lack of Micronesian skilled manpower continue to plague the development of Micronesian private sector industries and activities.

We in the Congress are supporting the development of a tourist industry in the Territory to provide further inflow of incomes and to develop further economic opportunities of the people. The government should design a policy program whereby the various proposals and forecasts of the different private interests can be dovetailed in with the public part of the program in such a way as to form an integrated whole.

In air and sea transportation, the situation is daily becoming more critical. The inadequacy of means of transportation, intra- and inter-district, is not only becoming more pronounced but also reaching a point where it can be considered as prejudicial to the economic and social development of the overall Trust Territory. Special efforts should be devoted to the building of new roads and the improvement of existing ones. Priority should be given to the improvement of specific roads linking various points in each of the six district centers. It cannot be overemphasized that, apart from their economic value, efficient air and sea transportation systems for the Trust Territory have a social and political utility of primary importance. Needless to say they are a factor of national unity and of progress to the islands of Micronesia.

Finally, in probing for the solutions to all of the programs and areas of concern which I have set forth above, the Micronesian people should be brought to participate more effectively in the decisionmaking processes of the government. In this connection, and with respect especially to the political status question, now and for the foreseeable future, the Micronesian people should at least share in the basic day-to-day decisions which ultimately will affect or influence the course of our political future. I think that, together with economic, cultural and social development, political education should be vigorously pursued, so that all of us may understand exactly what is at stake in the matter of our political future, why we have to make a choice one day, and the responsibilities that choice will bring. I am happy to say that our Administration, the United States government, and the United Nations, have shown interest and concern about the political future question, and several proposals and alternatives as to the resolution of this matter have been made. It would appear now that we should prepare ourselves towards the day when that critical decision has to be made.

I believe that the challenges of today and tomorrow rest upon what we decide in these hallowed halls; we must prepare our minds and hearts for the task ahead; we must get our strength together and devote our energies for the betterment of all, and for an ever richer and fuller life. Our rendezvous with destiny is in the making and we should rise up to meet the challenge.

Thank you.

ADDRESS OF THE HONORABLE JOHN NGIRAKED, PRESIDENT OF THE SENATE, CONGRESS OF MICRONESIA, JULY 12, 1967

Today, we formalize the convening of the Congress of Micronesia for the third time since its inception as an institution to express views and opinions of the Micronesians about the affairs of these islands and their future. In the past two sessions our efforts were transitional as we changed from an advisory body to a true legislature and as we sought our role in the total organizational structure of the Trust Territory government. The definitive role of the Congress has become all too clear as the luster and novelty of the existence of the Congress gradually recedes to the background and as the responsibilities of the Congress as the legislative arm of the Trust Territory government loom ahead.

We now must address ourselves to the task of law-making and to the task of laying the basic groundwork of legislation upon which to build a viable political, economic and social program for Micronesia—a balanced plan of total development. We must now consider and set down a course which should be followed to achieve a greater degree of self-government and self-dependency.

In this endeavor we are fortunate, and I take comfort in the fact, that we have a wide range of technical knowledge and skilled manpower within our reach.

The infusion of manpower provided through the Peace Corps is beginning to permeate into our Micronesian social fabric; and I venture to say that the total impact of the presence of the Peace Corps here in Micronesia will contribute meaningfully to further progress and advancement of the Micronesian people. Their dedication and unrelenting contribution to the Territory's economic, social and educational programs not only reflect the wisdom of the concept, but also are a credit to the total Peace Corps approach.

We are extremely grateful for the extension of United States government programs to our people. These programs, such as those made available to us through the United States Office of Economic Opportunity, including the recently formed Community Action Agencies and Head Start programs, which began this summer, not only boost the rate of progress of the people of these islands, but also indicate by what additional types of programs and assistance the Territory can benefit. We are covered under some federal assistance such as the Federal Disaster Act, as victims of the recent typhoon in Palau have cause to note. The whole Territory has benefited from inclusion in the Elementary and Secondary School Act (PL 89–10), and more recently the Library Services and Construction Act.

The various study groups, such as the Nathan Team and the Stanford Research Institute Group, which have undertaken to assess the resources of the Territory and the scope of their development, examine the effect of current economic, fiscal and administrative policies and measures on the development of the economy and recommend in broad outline the appropriate allocation of resources to expand the economy, all provide valuable guides for policy and action by this Congress and by the Administration.

The findings and recommendations of the Interim Committees of the Senate and of the House of Representatives, followed by the report of the 1967 United Nations Visiting Mission, present to this Congress and bring to the fore needs and demands of the Micronesians which remain to be met.

In light of the assistance given to us, the Congress of Micronesia should begin now to create the basis for a better life for the people of Micronesia, insofar as this may be accomplished by legislative action.

It is my proposal that for this session of the Congress we direct our attention to the budgetary, fiscal and related problems of the Trust Territory and devote a great deal of attention to a productive and sober review of matters of great interest and concern to the whole Micronesia and, when it is deemed necessary, make specific proposals and recommendations, including the following:

(1) Establish a definite plan, in consultation with the Administration, of balanced development for the Territory and reach agreement as to the necessary means of financing for putting it into effect. This program should be carried out systematically with the cooperation of the territorial and district levels and all the inhabitants of Micronesia. The plan should take into account the need to encourage the people to participate in every way in the development of themselves.

(2) Place emphasis on improving credit facilities for the Micronesian enterprises and businessmen.

(3) In consultation with the executive branch of the government, continue to seek a solution of the problems of land tenure. It cannot be overemphasized that there exists a need to protect the Micronesians' rights with respect to land and natural resources, but this protection must be tempered by the need of the Micronesians to have outside economic and technical assistance from the United States and from other sources.

(4) Explore other areas whereby this Congress can assist in improving health services and facilities, both on a short-term and long-term basis.

(5) Review and study such matters as terms and conditions of Micronesian employment, housing, employment of women and juveniles, medical inspection and treatment, hours of work, job contracts, Micronesian pay-scale, recruitment, industrial safety, and accident compensation.

(6) Press forward with a balanced program which will not only provide primary education to as many children in Micronesia as possible, but will continue to expand secondary school facilities, thus providing an ample source of candidates for universities and colleges as well as for skilled trades within the Territory.

(7) Ensure the political education of our people so that we may be able to decide upon the future of Micronesia in full knowledge of the facts; and to develop the institutions of the Trust Territory in such a way that the transfer of responsibilities may take place without difficulty when the people decide that the time has come for it. In this connection, I feel it important that a pro-

gram of political education should be introduced at all levels with the use of modern means such as the radio. The program should include courses of civic instruction in the various educational institutions, study tours, and the dissemination of information on the present-day world and on the circumstances in which dependent countries have emerged into sovereignty and have lived following that change.

(8) Develop political consciousness on the part of the Micronesians, so as not to be overtaken by events, by taking steps forthwith to ensure that when the time comes for Micronesians to make the decision on their future political status, public opinion, as a whole, as reflected by the Congress of Micronesia will be able to assume its responsibilities in full knowledge of the facts.

In this endeavor, we in the Congress, should call upon all of the elements of the community—the businessmen, educators, economists, planners, as well as district, municipal and the Trust Territory Administration—and the United States government and the United Nations—so that the maximum talents and abilities which are available will be made available to us and we shall be incorporating their suggestions where applicable as we all face the problems, demands and needs before us. This is necessary so that whatever action is taken by the Congress shall come only after we have availed ourselves of the active participation of all levels and all parts of our Micronesian community. We should make every effort to mobilize the full forces of the community and government, assessing our strengths and our weaknesses in order to develop a program, not only of study, but a program of action to achieve our goal of economic growth and strength, and higher social standards and welfare, and greater political self-dependency and stability.

Thank you.

REPORT TO THE CONGRESS OF MICRONESIA BY JOHN PINCETICH, DIRECTOR, PEACE CORPS, MICRONESIA, JULY 19, 1967

On behalf of the Peace Corps Volunteers serving in Micronesia—"Thank You—sincerely for the opportunity to report on our activities to members of this Congress, and through you, to the people of Micronesia."

Just a year ago Ross Pritchard, Director of the Peace Corps' East Asia and Pacific programs, spoke to the Congress. No Peace Corps Volunteer had yet entered training for Micronesia; in fact, many had yet to be invited to share in this unique and historical mission with you and your people.

The commitment he talked about was immense—too ambitious, many felt. It had been less than three months earlier that the President of the United States, in a letter to Peace Corps Director Jack Vaughn, said, in part:

"I am writing to call your attention to a new development in the Trust Territory of the Pacific and to urge the greatest possible involvement on the part of the Peace Corps."

In handling this request from President Johnson, Pritchard talked to you in terms of more than 400 Peace Corps Volunteers working in education, health, community development, and specialized fields such as architecture, surveying and law. These Volunteers would arrive between October and January, would be assigned to remote islands as well as district centers, would speak local languages, eat local food, live in local houses and receive a monthly living allowance to assure a standard of living similar to that of the average Micronesian.

There were doubts that this could be done, and with good reason. But the Peace Corps has a history of reasons for knowing it could be done. As Pritchard said to you:

"In a practical day-to-day way, we (Peace Corps) have learned the wisdom of the old saying that every journey of 10,000 miles must begin with a single step. We have learned to take that single step, and then the next, with confidence, knowing that commitment and involvement are better travelling companions than doubt and despair."

We have taken many steps since that day.

And, one year after the speech and nine months after the first Volunteers arrived in Micronesia, the early doubts have diminished, if not faded. Let's quickly review some of the seemingly insurmountable problems faced a year ago, and contrast them with what's happening all over Micronesia today with 445 Volunteers in service and another 175 in training on the island of Udot in the Truk Lagoon.

We heard there wasn't enough available housing in the villages, especially in the district centers. We would have to build.

We were also told that Micronesian families would not welcome Volunteers to share their homes.

In the Marianas, Palau, Truk and Ponape today, Volunteers are living in houses provided them by the community, renting existing houses within the community or living with families. Some construction was necessary in Yap and the Marshalls, but these houses are being turned over to local families as other Volunteer arrangements are made.

We were told that young Americans could not live adequately on our proposed living allowance. On Saipan, for example, it was said Volunteers would require up to $200 per month to maintain a subsistence level of living.

Our 45 Saipan Volunteers are now maintaining adequate health and living standards on their $80 monthly allowance. Where rent is required, an additional $10 per month is supplied.

We were told that logistics would make it practically impossible to assign Volunteers and install radios on many remote islands.

Today, Volunteers are serving on more than 80 of the 97 inhabited islands in Micronesia; each has at least access to a nearby radio. We are making do.

We were told that the variety of languages spoken in Micronesia and the absence of published language materials would make it impossible to teach all languages effectively in a three-month period.

Nine different languages were taught in the first training programs; materials were created, language informants were sent to the training sites. Depending on his assignment and language ability, every Volunteer has some language proficiency, ranging from a working knowledge to fluency.

So Peace Corps Volunteers in Micronesia are doing just what Ross Pritchard said they would a year ago; they're living in local communities, on a comparable standard, speaking local languages and eating local foods.

All this just didn't happen. Many people in many ways, large and small, in and out of government, officially and unofficially, helped. There is one other factor: Peace Corps in Micronesia has proved to be an idea whose time had come.

But just getting to know you and live with you is not enough. This is basic to Peace Corps and its Volunteers.

Being a nice young American and making friends does not justify a Volunteer's presence in Micronesia. The fundamental question is: has Peace Corps made any dent in the areas President Johnson noted, education, health, public works, community development?

The answer is yes. Most definitely.

Of the 445 Volunteers, about 280 are serving in the Trust Territory education system, in all six Districts.

With this added manpower, more schools are more fully staffed; there are now schools where there were none a year ago; architectural assistance is available at the district level for government and individual planning; Peace Corps lawyers are acting as advisors to local attorneys, and to this Congress, the Judiciary, police departments, district and municipal legislatures and individuals; solutions to Micronesia's land problems are being sought by Volunteer lawyers and surveyors; business advisors are working in district economic development offices and with local businessmen to increase efficiency and to suggest innovations and assist in procuring building and development capital; nurses, lab and x-ray technicians are working in hospitals and dispensaries, giving treatment and training Micronesian counterparts, and public health Volunteers are involved in a continuing program consisting of a census, disease survey and follow-up.

An outstanding example of the Volunteer impact is found in the public health census—part of your Public Health Program. Peace Corps Volunteers, Micronesian and Trust Territory volunteer help and public health employees completed a Territory-wide census, providing invaluable data for everything from health programs to city planning.

This was a massive undertaking which went quietly forward in all Districts at a steady pace. In a few months various kinds of statistical material will be available to Trust Territory planners, permitting a much more sophisticated response to your problems.

The impact of the Volunteer in TESL (Teaching English as a Second Language) is impressive and measurable. According to the California Achievement Test administered in the Marianas District this year, there was an 8.5-month growth compared to a three-month growth last year. In other words, the average student in the Marianas advanced nearly three times as fast this year as last, and the gap between U.S. schools and Marianas schools was closed by nearly a full year. This rapid improvement is directly attributable to the input of 22 Volunteer TESL teachers in the Marianas education system this year. Not only did the Volunteers' presence in the classrooms allow the students to learn English more quickly, it also allowed the Education Department to spread its contract teachers into other vital subject areas such as math, science, social studies and history.

In Yap, visitors from outer islands formerly had to stay in a run-down, crowded dormitory whenever they came to Yap proper for business, because of illness or a visit. Plans had been drawn for a new facility, but the estimated cost of $15,000 was prohibitive. The Peace Corps architect took the dormitory as a project and reduced the cost to a reasonable and feasible $6,000, utilizing free labor and free local materials donated by the Yapese people.

When the recent typhoon hit Palau, Volunteers, Trust Territory employees and residents combined efforts in a massive cleanup and rebuilding campaign, distributed food and offered medical attention to victims. The detailed maps that had been prepared by the Volunteers for the Public Health census proved invaluable in assessing the damage and providing information for rehabilitation of the affected areas.

Many Volunteers in Truk are actively engaged in community development projects. There is a water improvement project on almost every island in the Truk Lagoon where a Volunteer is assigned. On Moen there is a highly successful "Head Start" program in business and a new large school going up on Wonei, with strong Volunteer leadership.

In Ponape, one example of Volunteer involvement is a Peace Corps Legal Services organization, which provides counseling to anyone on an impartial basis. Activities also include the promulgation of the Micronesian Advocate, quarterly legal journal, and assistance to the Sanyavin Times, a weekly newspaper which is the first free press in the district, and the formation of formal classes in law and legal procedure.

Volunteer architects in the Marshalls District have incorporated the census maps into plans for the mapping of Majuro for a city planning project. Two Volunteer architects have planned and designed a school construction program for the entire Marshalls district, have presented it to the Administration in Saipan and have received a favorable response, resulting in a pilot school construction project being approved for the atoll of Arno.

For your later reading, we are sending along a report from Peace Corps in the Marshalls to give you details of Volunteer activity as well as field operating philosophy. Similar things are happening in all Districts.

Volunteers, of course, are busy in other than their primary jobs.

There is scarcely a Volunteer who is not involved in secondary activities, helping out at district radio stations, working with coops, environmental sanitation projects, and many others. The impact of outside activities can be illustrated by the youth work of Volunteers in the Marianas.

More than half the population of the Marianas is under 20 years of age. Of these, nearly half are involved in youth work sponsored by Volunteers.

Shortly after arriving in the Marianas, Volunteers noted a potential juvenile delinquency problem. They decided to do something about it. And did. From village youth clubs, where members have weekend activities under supervised conditions, to the Youth Village, where all youth club members enjoy sports and skills such as dramatics, crafts, modern dance and so forth, to the Island Youth Council, made up of elected leaders of individual clubs who plan projects to benefit their district and prove that youth are responsible members of the community, there has been a surprising response from young people. What this particular group of young people means to the future of Micronesia, within the next few years, is so potentially powerful that the innocuous phrase "youth work" seems inadequate. It borders more on economic and political development. For at its heart is human dignity, the basic ingredient of any country's social and economic progress.

In the new Office of Economic Opportunity, OEO, programs that have been started in every District the degree of Volunteer participation has been significant, though they have sought to keep in the background, making certain their roles did not foreclose participation by other members of the community. There has been an upsurge in Grant-in-Aid grants during the past six months. Volunteers have served as focal points for energizing community interest and action in this area.

Since January 1967, approximately $110,000 in Grant-in-Aid funds have been approved compared to $10,000 approved between June 1966 and January of this year.

And there is a program that is totally Volunteer and Peace Corps inspired but coordinated with Trust Territory. It is the school-to-school project. As of today, five school projects, with more than $1,000 for each, have been approved for Micronesia. This is a program where a school in America "adopts" a school in a far-off country, then raises money to assist that school to erect new classrooms. We anticipate as many as 30 such school-to-school partnerships to be formed in Micronesia by the end of this year.

Finally, what is happening in Peace Corps training program on Udot Island in the Truk Lagoon is an important part of the picture.

A year ago, the idea of training future Volunteers in Micronesia seemed but a dream for the distant future. But the highly encouraging way in which Micronesia and Peace Corps formed a productive and comfortable alliance, the manner in which Volunteers were able to begin meaningful service, encouraged us to try to bring the dream to quick reality. Again, we faced questions of trying to do too much too soon in Micronesia. But there was also strong Micronesian interest. It seemed unquestionable that a better Volunteer could be produced here for service here. So, after considerable soul-searching, we decided to mount a large program this summer in Truk, where pledges of cooperation, a good training site, and other factors conjoined encouragingly.

Starting in April, and continuing until mid-June, a significant transformation occurred on the island of Udot, a noteworthy example of Peace Corps, its Volunteers, the Trust Territory, and the people of Micronesia bending their efforts to a common goal.

Today on Udot 175 trainees with about 110 staff people—Volunteers, Trust Territory people and Micronesians are deeply involved in a training program that is making history in Peace Corps.

Trainees live in 46 new houses, each about 15 by 30 feet, with corrugated tin roofs, wood siding, screens, concrete floors, in several attractive designs; near each is a new water seal toilet, with improved sanitation facilities. There is a water system with piped water into each of six village areas, with more improvement planned. Families, on whose land the new houses were built, help with the daily food service to the training program.

The plan for Udot called for a community involvement project as well as a training program. We are succeeding in both. There have been problems, and many plans have changed to meet conditions—but we are satisfied with what is being achieved.

Peace Corps will spend about a-half million dollars on this training, including a second phase starting in mid-September. We expect about 275 Volunteers to emerge from both programs. This summer the main emphasis is on TESL teachers plus Volunteers who will engage in media and communications work. This Fall the emphasis will be on agriculture, fisheries and economic development programs, each of which has been developed in conjunction with many Trust Territory people. All of them are programs which the Congress leadership, and the High Commissioner, have noted as priority areas of concern.

When training is finished the 46 houses will be turned over to the owners of the land on which they were built. Udot will be an improved island in many respects, and Peace Corps will have an improved brand of Volunteer, stamped "Made in Micronesia."

We invite the members of this body to visit and inspect the training program and the island of Udot and see for yourselves what can only be described as a minor miracle in Micronesia.

At this point, it may sound as if we've painted too rosy a word picture of Peace Corps' first year in Micronesia. Too self-seeking. Not realistic; that there have been as many problems as there has been progress.

Of course, we've had problems aplenty. But we have considered them as inherent to this situation wherein a young government organization—Peace Corps is but three years older than this Congress—meshes its operations with an older government agency. Each has its own traditions, its own pace, its own views on how progress is achieved. We've had differences of approach, but not of ends. Differences can contribute to healthy dialog, and this has occurred. Governmentally we've established a spirit of cooperation, while tested at times, is steadfast and fundamental to what has been achieved. And the achievements of this first year are witness to that spirit of cooperation.

Not all Volunteers in Micronesia—or in any country—are paragons. Of accomplishment. Or dress. Or conduct. They are individuals who have stepped out of their individual career patterns to be of service to others. They share a strong sense of nonconformity. But they also share a strong conformity of concern for their fellow man. They are action-oriented.

They are young people of dedication. They come in all sizes, shapes and tenor of voice. They can be a powerful force in the development of Micronesia if they are truly understood by you whom they have come to serve. The past year certainly gives promise of their power for service in Micronesia.

So much for the problems. They are behind us. It was with deep appreciation that we in Peace Corps listened to the words of President Ngiraked on July 12 when he strongly endorsed the Peace Corps' participation in your developmental efforts. This should affirmatively put to rest the question of whether the Micronesian people want the Peace Corps. It's nice to be wanted. We shall live up to your trust.

Before turning to the future, and our stewardship of your trust, let me summarize our first year: it has been an attempt to establish the Peace Corps in Micronesia in a manner responsive to your needs—as expressed in Trust Territory programs—and in a manner which assumes some continuity. We feel we've done that. In so doing there has been a direct economic impact, too. Peace Corps has spent about 1.79 million dollars on its efforts so far, in Micronesia. On our district and headquarters staff, there are a number of positions filled by Micronesians, while a large number of others are employed temporarily on the Udot training staff.

One aspect of the future concerns present programs. Having resolved "settling in" problems, we are now turning our attention to the programs themselves, how to assure that our Volunteers are better teachers, better health workers, how to see that they become more responsive to your spectrum of other needs. Much more should be done at the village and island level, where we have had our greatest success in Volunteer involvement; and much more in District Centers, where the problem of productive involvement is more difficult.

We are excited by our new programming areas—particularly in Agriculture. The Fall training on Udot will produce about 75 Volunteers (we are shooting for 100) for a concentrated program to increase copra production. It's a program designed by Trust Territory agriculturalists, who will assist in the training. It offers solid hopes of increasing production by at least 50 per cent within two to three years, according to the experts.

Fall training will also produce Volunteers who will concentrate in the cooperatives field as well as the private sector of economic development.

And we will have a small, but high potential, group of Volunteers to work in Trust Territory's fisheries program, with professional support coming in part from a Peace Corps staffer specifically hired for this program. This group of Volunteers should be able to help answer questions as to the role fisheries can properly play in Micronesia's long-range economic future.

By the end of the year, then, Peace Corps Volunteers will be strongly participating in three major areas of concern for the future: education, public health and economic development, including agriculture.

Volunteers will certainly continue to play a prominent role in assisting the OEO programs in support of community action in all six Districts. A special thrust will be in the "Head Start" programs which will serve the needs of the very young. Coming out of the summer training will be about 20 Media Volunteers, young people with newspaper, radio and other communications experience. They will be anxious to help improve all forms of communications, within existing frameworks. They will begin to tackle, with you, the thorny problems of political and economic enlightenment through civic education, which is so important to the people of Micronesia as they approach the time when a decision has to be made on their political future.

Finally, in viewing Volunteers' role for the future, it is important, as noted earlier, to understand the power of their presence. It goes beyond skills, whether they be strong or minimal. It is the essence of their youth: vision, dedication, impatience, sincerity of purpose. That presence cannot help but make an impact on Micronesia's youth. And as we look to the future of Micronesia, it is for the generations represented in this Congress to be the architects, but the youth of Micronesia—the generations to come—will be the builders. It is in them that must be instilled, more deeply, the qualities that will make for solid nationhood. And it is here that the power of the presence of Peace Corps Volunteers may have its greatest impact in the years ahead.

Thank you.

Master Planning Begins in Territory

Saipan, Mariana Islands, Trust Territory of the Pacific Islands, August 16.—A long range planning program for urban and regional development of the Trust Territory has been undertaken by Hawaii Architects and Engineers, Inc., of Honolulu. The Trust Territory Government has contracted with this company to make studies necessary for a coordinated development pattern as well as budget estimates for capital improvement facilities.

The studies will include plans for land use and major roads, architectural concepts, utilities maps, and location of public and private facilities such as schools, recreation areas, residential developments, community centers and industrial sites.

The program will include a comprehensive plan for the recommended use of land and off shore areas in Koror and Southern Babelthuap Islands, Palau District; Majuro Atoll, Ebeye and Carlson Islands, Marshalls District; Ponape Island Kusaie, Ponape District; Saipan, Rota and Tinian, Marianas District; Yap Islands and Ulithi, Yap District; and Moen, Dublon and Fefan Islands, Truk District.

Top priority will be given to special studies at Koror to coordinate the planning in that area with the Typhoon Sally Reconstruction program which is now underway.

Robert Way, project manager, said that for the first six months the company will have about twelve staff members working in the Trust Territory. Donald Wolbrink, president of Hawaii Architects and Engineers, will arrive next week to act as chief of the project. Employees of the company began arriving last week and will continue to arrive through this month.

Staff specialists will include Albert Solnit, senior planner, Louis Fulton, Glenda and William Julius, William Wenket, Edward Inskeep of Hawaii, and Carlton Smith of Guam.

Mr. Way said that staff members will work closely with the District Administrators and the local political and traditional leaders of the Trust Territory.

"There must be the fullest participation and acceptance of this program on the part of the people of Micronesia if the planning program is to be effective," Mr. Way said.

Hawaii Architects and Engineers Inc., an association of nine Honolulu-based companies, represents 275 professional planners, engineers and architects and related specialists. The firm recently completely the land use planning for the State of Hawaii.

News Release From East-West Center

August 31, 1967.

Honolulu.—A total of 279 men and women from the Pacific Islands of Micronesia have received technical and academic training at the East-West Center in Hawaii in the last seven years.

A report of the Evaluation and Alumni Liaison office today disclosed that 12 of the students have won bachelor's degrees from the University of Hawaii. Many of the alumni of the university and technical training courses now hold responsible positions in the government of the Trust Territory, former Japanese-held Pacific Islands administered by the U.S. since World War II.

The Center now has eight Trust Territory students, all studying for bachelor's degrees at the University of Hawaii.

Expected in September is Tosiwo Nakayama, president of the Senate of the Congress of Micronesia and assistant district administrator for public affairs of Truk. He plans to complete studies for a bachelor's degree.

The Micronesians who have come to the Center for technical programs lasting a few weeks to a year have included Congressmen, hospital administrators, agricultural specialists, librarians, teachers, legislative aides, doctors and nurses.

Currently, two programs are being conducted for Micronesians. They are refresher education for eight vice principals and technical training for four radio maintenance men.

Other programs involving Micronesian participants, as well as others from Asia and the Pacific, are business education, dressmaking, medical records maintenance, surveyor's aids, music leadership and dining room management.

These programs often are held in cooperation with the Trust Territory. Last spring, for example, the Center and the Trust Territory government sponsored a project in which 16 Micronesian Congressmen observed the Hawaii State Legislature in session. The current program for vice principals also is a joint project.

In September Micronesians are expected to participate in programs for medical and surgical nurses.

Major findings of the Alumni report are:

1. Of the 279 alumni, 17 were university scholarship students and 262 were technical trainees.

2. Although few in number, many of the students now hold responsible positions in government and education in the Trust Territory.

3. Twelve of the 17 students earned bachelor's degrees; one was a non-degree student.

4. The students majored in the following fields: political science, 6; education, 3; science and agriculture, 4; arts, 3; and business administration, 1.

5. The largest number of technical participants, 97, was in educational programs, followed by nursing and medical with 69, business with 50, agricultural with 27 and public administration with 19.

6. All six Trust Territory districts are well represented by alumni as follows: Saipan, 64; Palau, 51; Ponape, 49; Truk, 41; the Marshalls, 39; and Yap, 35.

7. The 17 students were all male while the technical participants were divided evenly—131 men to 131 women.

The report does not include training projects conducted by the Center in the Trust Territory. There have been 14 projects involving 472 participants.

Nearly all the students have returned home to become leaders in the educational, political and economic life of Micronesia. Eight are with the Trust Territory government, five are educators and one is in private business. Some of them also are serving in the Congress of Micronesia.

Of the remaining three, one is studying for a master's degree at the University of Missouri, another is in agricultural extension work in Thailand and a third was killed in an accident.

Former students holding key positions in the Trust Territory government are:

Leo Falcam, special assistant to the high commissioner.

Bailey Olter, assistant district administrator for public affairs.

Timothy Olkeriil, Palau district finance officer with the Department of Budget and Finance.

Strik S. Yoma, assistant political affairs officer.

Ambilos Iehsi, political development officer.

Ekpap Silk, political affairs adviser for the Marshalls district.

In addition, Iehsi, Olter and Silk are members of the Congress of Micronesia together with Petrus Tun, a high school teacher.

Patsy T. Mink, Democrat of Hawaii

July 26, 1967.

Washington, D.C.—Representative Patsy T. Mink announced today that she has introduced a bill in the House of Representatives to upgrade and expand the economy of the Trust Territories of the Pacific Islands; specifically, the legislation is designed to extend to the Micronesian islands the same tariff treatment as is accorded presently to other insular possessions of the United States.

Mrs. Mink, a member of the House Interior Committee and Territorial and Insular Affairs Subcommittee, said that a self-sufficient economy in the Pacific Islands is absolutely basic to eventual political autonomy, and that it is imperative that every possible step be taken toward this end. The favorable tariff treatment in her legislation would enable larger goals of economic, political, and social development embodied in the United Nations mandate to be realized.

In her statement, Mrs. Mink cited the House passage of H.R. 5277 on March 21, 1967, which set up a three-year program of economic development in the Trust Territory and authorized $7½ million supplemental appropriation for 1967 and $35 million for each of fiscal years 1968 and 1969. Although the eventual appropriation amounted to only $1.7 supplemental for the past fiscal year, $24 million for 1968, and no allocation was designated for 1969, Mrs. Mink emphasized that the favorable treatment in tariff schedules would be one additional and significant step to the commitment of the future of the Territories. In her support of H.R. 5722, Mrs. Mink had pointed out the crying need for increased expenditures for hospitals, medical personnel, school, communications, transportation, and other needs.

Representative Mink has worked continuously for the speedy development of the Trust Territories. The bill introduced today concurs with Senate Majority Leader Mike Mansfield's July 13 speech which suggested a re-examination of tariff policies in the Trust Territory. In the same speech Senator Mansfield introduced Senate Resolution 96 to create a commission to study the future political status of the Territory. "I submit, Mr. Speaker, that a self-sufficient economy for Micronesia is absolutely basic to eventual autonomy, and it is incumbent on us to take every step possible toward that end. The paucity of appropriations for the Trust Territory has kept the inhabitants in a state of near total dependency, and I am hopeful that this body will consider the favorable tariff treatment legislation I am introducing as a sensible and useful means toward our larger goals for the Trust Territory of the Pacific Islands. Because of various problems that inhere in our relations to a possession that is neither domestic nor foreign, I am convinced that we must accord to the Trust Territory the same benefits we extend to Samoa, Guam, and other possessions whose economic development is likewise directly contingent on our expression of commitment to their future," Mrs. Mink said in the conclusion of her statement.

Letter From Secretary of the Interior Udall to President Johnson

U.S. Department of the Interior,
Washington, D.C., August 2, 1967.
The President,
The White House,
Washington, D.C.

Dear Mr. President: The question of the political future of the Trust Territory of the Pacific Islands is a matter of great concern to the people of the Trust Territory (Micronesia), the Departments of the Interior, Defense and State, the Congress of the United States, and the United Nations. We are all aware, as I know you are, that an early resolution of that question is highly desirable.

In 1966 the popularly elected legislature of the Trust Territory, the Congress of Micronesia, by House Joint Resolution No. 47 petitioned you "to establish a commission to consult the people of Micronesia to ascertain their wishes and views, and to study and critically assess the political alternatives open to Micronesia . . .". The Secretary of Defense, the Secretary of State, and I believe that this request should be honored, and we believe also that a commission along the lines requested by the people of Micronesia through their representatives is the proper way in which to approach this matter.

After many months of joint consideration and close cooperation, the Departments of State, Defense and Interior have agreed upon a legslative proposal which responds to the request of the Congress of Micronesia, and which invites Congressional participation in a Presidential commission to make appropriate studies and recommendations to the President and to the Congress. There is enclosed a copy of that proposal in the form of a draft joint resolution "Regarding the Status of the Trust Territory of the Pacific Islands."

The balance of this letter states the relevant background, the need for the commission, and a detailed explanation of the proposed joint resolution. I recommend, and respectfully urge, that you commend this proposed legislation to the Congress of the United States for prompt and favorable action.

On July 18, 1947, by joint resolution, the Congress authorized the President to approve the Trusteeship Agreement between the United States and the Security Council of the United Nations, pursuant to which the United States has since administered the area known as the Trust Territory of the Pacific Islands. The Trust Territory, comprising the Mariana, Caroline, and Marshall Islands, involves over two thousand islands in the Western Pacific, and has a population of over 93,000. Since 1951, the Secretary of the Interior, by designation of the President has been responsible for the administration of the Trust Territory.

The Trust Territory occupies a unique relationship to the United States. Because we possess no sovereignty over the Trust Territory, United States authority in the area is derived from the 1947 Trusteeship Agreement. Under the 1947 Trusteeship Agreement (copy enclosed) which we signed with the United Nations Security Council, the United States does have "full powers of administration, legislation, and jurisdiction" over the territory (Article 3). The people of the Trust Territory are aliens as to the United States; yet the United States affords to them diplomatic protection when they travel abroad (Article 11). The Trust Territory is a foreign area for purposes of United States customs and tax laws, but the United States could, if it chose, cause these and other United States laws to apply there as fully as in the States (Articles 3 and 9).

The Trusteeship Agreement makes no provision concerning the procedure for its termination other than that its terms "shall not be altered, amended, or terminated without the consent" of the United States (Article 15). However, Article 6 requires that the United States "foster the development of such political institutions as are suited to the trust territory and shall promote the development of the inhabitants of the trust territory toward self-government or independence as may be appropriate to the particular circumstances of the trust territory and its peoples and the freely expressed wishes of the peoples concerned; and to this end shall give to the inhabitants of the trust territory a progressively increasing share in the administrative services in the territory; shall develop their participation in government; and give due recognition to the customs of the inhabitants in providing a system of law for the territory; and shall take other appropriate measures toward these ends."

In view of United Nations practice with respect to the termination of trusteeship status for other areas, we believe that an expression of opinion from the residents of the Trust Territory, in the form of a plebiscite with appropriate United Nations involvement, would be essential.

The United States is, in our judgment, endeavoring to meet the objectives of political development as stated in Article 6 of the Trusteeship Agreement. We have been and are fostering the development of political institutions and promoting self-government by, among other things, the creation and utilization of legislative bodies at all levels of the territorial government—municipal, district, and territory-wide. The people of the Trust Territory have shared and are sharing increasingly in the administration of the area through employment in the executive branch. For example, a Micronesian has recently been appointed as a District Administrator, several others serve as Assistant District Administrators and, at the Headquarters, a Micronesian was recently designated as Deputy Assistant Commissioner for Resources Development. We have given due recognition to the customs of the inhabitants in providing a system of law, as evidenced by provisions of the Trust Territory Code which recognize customs as having the status of law, in the absence of written statutes.

The United States has, through the Secretary of the Interior, created a Government of the Trust Territory which is similar in many respects to American territorial governments in Guam, American Samoa, and the Virgin Islands. Its chief executive, the High Commissioner, by virtue of Public Law 90–16, is a Presidential appointee subject to Senate confirmation; its popularly elected territorial legislature has extensive legislative powers; its independent judiciary is headed by appointees of the Secretary of the Interior, but is largely manned by natives of the area. As in the case of American Samoa, there is no appeal from final decisions of the highest court in the Trust Territory to the Federal judicial system. The Government of the Trust Territory is financed very largely by means of Federal grants which for the last three years have approximated $17,500,000 annually. The Congress has increased the authorization for such grants to $35,000,000 a year for fiscal years 1968 and 1969 through enactment of Public Law 90–16. The actual appropriation for FY 1967 was $19.2 million, and for FY 1968, $24 million.

We have not yet sought to elicit "the freely expressed wishes of the peoples concerned" as to the political status they would prefer. But in light of the evidence that the people of the Trust Territory are increasingly anxious to express themselves on this issue, we believe that the United States Government should promptly take action on this subject. In August of 1966, the Congress of Micronesia expressly requested that we do so. By overwhelming majorities in each house of that Congress, a resolution was adopted which stated in part that "this generation of Micronesians should have an early opportunity to determine the future constitutional and political status of Micronesia." The resolution called for the creation of a Presidential commission to assess the political alternatives open to Micronesia and to ascertain the wishes and views of the Micronesians. The full text of the pertinent resolution, H.J. Res. No. 47, is enclosed.

The enclosed joint resolution, if enacted, will respond to the request of the Congress of Micronesia. It will respond in what we believe will be a most comprehensive and effective manner. We think it is important, if we are to accept the responsibilities inherent in the undertaking requested by the representatives of the people of Micronesia, and as proposed by the joint resolution, that from the very beginning we devote our best efforts and our combined resources to the task. It is our hope that the Congress will, by enactment of the joint resolution, join in this effort. Our suggestion respecting the size of the membership of the commission and that there be eight congressional members is premised in part upon the recognition of the interests of several interested committees in each House.

Until an effort has been made to identify the political alternatives which are realistically available to the Micronesians, it seems to us premature for representatives of the United States to discuss officially alternatives with them. We anticipate that among the options available to the Micronesians, when they are asked to participate in a plebiscite, would be sovereign independence. Additionally, there is evidence that certain Micronesians believe that some form of lasting association with the United States is the most attractive status alternative. The commission, as we envision its activities, would meet in Micronesia and conduct extensive hearings and discussions, thus permitting maximum Micronesian involvement and participation. This we see as leading both to the formulation of the commission's recommendations and to a greater and useful understanding of the issues of the Micronesians.

If the people of the Trust Territory incline toward lasting political association with the United States, the form of that association is a matter ultimately for the Congress of the United States to act upon. It is because of this basic congressional responsibility that we have proposed the enclosed draft legislation authorizing the participation in a status commission of representatives of the United States Congress. Without such participation, it would be difficult for the proposed commission to arrive at, in the words of the Congress of Micronesia resolution, "meaningful proposals of the political and constitutional alternatives open to the people of Micronesia."

Specifically, the joint resolution begins with a series of seven recitals, the first four of which reflect the basic relationship of the Trust Territory to the United States and our obligations to the Trust Territory. The fifth acknowledges the request of the Congress of Micronesia that a commission be created; the sixth announces the desire of the President to create such a commission and to invite congressional participation; and the seventh recognizes the recent congressional action we have already noted which we believe evidences congressional support of an intensive program to promote the political, economic, social and educational advancement of the Trust Territory.

Section 1 states that "it is the sense of Congress that whatever steps may be necessary shall be taken to provide for such a degree of self-government" as will permit the Micronesians to participate meaningfully in the foreseen plebiscite. Apart from insuring consistency with the Trusteeship Agreement, this language means that, on the day they go to the polls to vote on their political future, the Micronesians must know what the consequences of their vote will be. If they vote to associate with the United States, they must know with reasonable certainty the terms of that association.

Section 1 also provides that this plebiscite, this occasion on which the people of the Trust Territory will "express their wishes . . . on the future status of the Trust Territory," will be held "as soon as possible, and not later than June 30, 1972."

Section 2 provides that in addition to eight members of the Commission to be appointed by the President, there shall be eight congressional members, four to be designated by the President of the Senate and four to be designated by the Speaker of the House of Representatives. The section also provides that the President shall appoint an additional member who shall be the Chairman.

Section 3 requires the commission to study and assess all factors bearing upon the future of the Trust Territory, and to submit recommendations to the President and to the Congress of the United States concerning the best means to obtain the objective set forth in section 1. Section 3 requires that the submission must be made within eight months after funds are appropriated and made available to the commission.

Section 4 provides for the detail of employees to the commission, the hiring of technical or expert personnel, and for the payment of travel expenses of the commission members, and per diem in lieu of subsistence.

Section 5 authorizes the appropriation of not to exceed $200,000 to be available until expended, for the purposes of the commission. This amount should permit necessary travel to, from, and through the Trust Territory by members of the commission, travel to and from Washington by public members, assuming that there will be such, and by Micronesian members of the commission, if any; a small staff for approximately 12 months; and all other necessary expenses of the commission such as communications, printing and supplies.

The Departments of State and Defense have concurred in the foregoing.

Respectfully yours,
STEWART L. UDALL,
Secretary of the Interior.

JOINT RESOLUTION REGARDING THE STATUS OF TRUST TERRITORY OF THE PACIFIC ISLANDS

Whereas the United States is the administering authority of the Trust Territory of the Pacific Islands, pursuant to the Trusteeship Agreement between the United States of America and the Security Council of the United Nations; and

Whereas the United States, in the Trusteeship Agreement, undertook a solemn obligation to "foster the development of such political institutions as are suited to the trust territory" and to "promote the development of the inhabitants of the trust territory toward self-government or independence as may be appropriate to the particular circumstances of the trust territory and its peoples and the freely expressed wishes of the people concerned;" and

Whereas the United States, in the Trusteeship Agreement, further undertook a solemn obligation to promote the economic, social, and educational advancement of the inhabitants of the Trust Territory; and

Whereas the United States is dedicated to the principle of government by consent of the governed; and

Whereas the Congress of Micronesia has petitioned the President to "establish a commission to consult the people of Micronesia to ascertain their wishes and views, and to study and critically assess the political alternatives open to Micronesia; and

Whereas the President has proposed to establish a commission in response to such petition and has invited congressional participation; and

Whereas the Congress by enacting Public Law 90–16 has evidenced its support for an intensive program to promote the political, economic, social and educational advancement of the Trust Territory, Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the sense of Congress that whatever steps may be necessary shall be taken to provide for such a degree of self-government as will permit the people of the Trust Territory freely to express their wishes as soon as possible, and not later than June 30, 1972, on the future status of the Trust Territory.

SEC. 2. In addition to eight members of the commission to be appointed by the President, the appointment of eight members of Congress to serve on the President's Commission on the Status of the Trust Territory is hereby authorized. Four of such members shall be appointed by the President of the Senate, and four shall be appointed by the Speaker of the House of Representatives. An additional member shall be appointed by the President, and shall serve as Chairman.

SEC. 3. The commission shall study and assess all factors bearing upon the future of the Trust Territory and shall consult as appropriate with representatives of the people of Micronesia. The commission shall, no later than eight months after funds for the commission are appropriated and made available to the commission, submit recommendations to the President and to the Congress of the United States concerning the best means to obtain the objective set forth in section 1.

SEC. 4. The commission is authorized to appoint and fix the compensation of such personnel as may be necessary to enable it to carry out its functions. Employees of the executive branch may be detailed to assist in the work of the commission, with or without reimbursement. Any member of the commission who may be appointed by the President from among the public shall be compensated $100 per diem for his services when engaged on commission business, and all members shall be entitled to reimbursement for actual travel and per diem in lieu of subsistence when engaged on commission business, as authorized by law for persons employed intermittently. The commission is authorized to procure services as authorized by 5 U.S.C. 3109.

SEC. 5. There is authorized to be appropriated out of moneys in the Treasury not otherwise appropriated such funds as may be necessary for the purpose of carrying out the provisions of this joint resolution, but not to exceed $200,000, to be available until expended.

HOUSE JOINT RESOLUTION 47

A House joint resolution requesting the High Commissioner, through the Secretary of the Department of the Interior, to petition the President of the United States of America to establish a Commission to ascertain the political desires of the people of Micronesia, and to develop and recommend procedures and courses of political education and action, with such alternatives as may be applicable and appropriate, to lead to the attainment of such desires and determination of the political status of Micronesia

Whereas, the Micronesian people should freely exercise their sovereign right of self-determination as set forth in the Trusteeship Agreement between the United Nations and the government of the United States of America; and

Whereas, the Congress of Micronesia believes that this generation of Micronesians should have an early opportunity to determine the ultimate constitutional and political status of Micronesia; and

Whereas, such determination should be made on the basis of meaningful proposals of the political and constitutional alternatives open to the people of Micronesia; now, therefore,

Be it resolved by the House of Representatives of the Congress of Micronesia, Second Regular Session, 1966 (the Senate concurring) that the High Commissioner, and through him the Secretary of the Department of the Interior, be and are hereby enjoined to use their good offices to petition the President of the United States of America to establish a commission to consult the people of Micronesia to ascertain their wishes and views, and to study and critically assess the political alternatives open to Micronesia; and,

Be it further resolved that said commission report its findings to the President of the United States of America no later than December 31, 1968.

SENATE JOINT RESOLUTION 25

A Senate joint resolution directing and authorizing the President of the Senate and the Speaker of the House of Representatives of the third regular session, 1967, Congress of Micronesia, to establish a Commission of the Congress to investigate and study the range of alternatives open to Micronesians in choosing their constitutional and future political status and report their findings to the Congress of Micronesia

Whereas, the Micronesian people must ultimately have to make a choice as to their future political status, as mandated by the Charter of the United Nations and the Trusteeship Agreement for the Former Japanese Mandated Islands; and

Whereas, several developing countries have emerged from the condition of political dependence to the status of independence or self-government; and

Whereas, Micronesians should take steps to insure that they are fully cognizant of the issues involved and the range of alternatives open to them with respect to their future political status; now, therefore,

Be it resolved by the Senate of the Congress of Micronesia, Third Regular Session, 1967, the House of Representatives concurring, that the President of the Senate and the Speaker of the House of Representatives be and they are hereby directed and authorized to initiate and establish a Commission, consisting of one Congressman from each administrative District. All members of the Commission shall by majority vote elect a chairman during its first meeting. The Commission shall meet at such time and place as the chairman may designate, provided however, that the first meeting of the Commission shall be held at the seat of the Government of the Trust Territory.

The duties, powers, and responsibilities of the Commission shall be, but not limited to, the following:

a. to develop and recommend procedures and courses of political education and action;

b. to present such range of possibilities and alternatives as may be open to Micronesians with respect to their choice of political status.

c. to recommend procedures and courses whereby the wishes of the people of the Trust Territory may be ascertained with respect to the political future status of Micronesia.

d. to undertake a comparative analysis and *to select areas* of study of the manners and procedures whereby the Commonwealth of Puerto Rico, Western Samoa, and Cook Island, and other territories and developing nations *have* achieved their self-government, independence, or other status.

e. to perform such other or additional duties as the Commission may deem appropriate to achieve the objectives as above set forth; and

Be it further resolved that each member of such Commission be authorized salary and per diem at standard rate and be assigned such other and further duties and responsibilities as the President of the Senate and the Speaker of the House of Representatives may deem appropriate, necessary or advisable; and

Be it further resolved that the findings of the Commission be reported to the Congress of Micronesia at its next Fourth Regular Session.

Introduced by:

BAILEY OLTER.
OLYMPIO T. BORJA.

Adopted August 5, 1967.

NOTES FROM MICRONESIA

(By PATSY T. MINK)

MAJURO, MARSHALL ISLANDS, January 9, 1968.—We have just left Majuro in the Marshall Islands enroute to Truk via Kwajalein. We were supposed to be flying to Ponape on the seaplane but the plane has broken down on Truk and so we plan to go to Truk first.

Majuro is the District Center for the Marshalls. It is quite primitive—we stayed in the only hotel, M.I.E. Co. Hotel. My room had no windows of any sort—there was no running water the first day at all. We had water the second day only because it rained! Most of the island is entirely without any running water at all—only what can be saved—caught off the rusted iron roofs into gasoline drums that are old, slimy and rusted. Of course, most of the natives have no electricity and cook with the husks of coconuts in stoves built into the ground. They live almost exclusively on fish and coconut and in season breadfruit and pandanus. Much of the fish is poisonous in the area and many natives still die from eating them. Amoebic dysentery is rampant and nearly no vegetable crops of any kind will grow on the rocky coral ground.

Approximately 60 Peace Corpsmen are on Majuro atoll and are primarily teachers and technicians—pharmacist, therapist, architect, lawyer, etc. We met with them for about 4 to 5 hours to hear their comments.

The two trading companies, M.I.E. Co. and K.I.T. Co. are just surviving. M.I.E. Co. is so far in debt that much of its stock is under chattel mortgage to a Japanese company. The warehousing is a mess—so disorganized—stuff piled helter skelter—boat mail together with merchandise.

We had a royal welcome and send off—high school band (Assumption School) trained by Father Hacker—Girl Scout troops—all the local leadership.

I met a Hawaiian boy, Mike Noland, here who was most helpful to me. I got to see the island and the unplanned places because of the personal tour guide services that Mike provided. His dad is Gorman Noland, realtor, whom you will recall was Senator Esposito's campaign manager, and he ran I believe once or twice himself.

Last night I was invited to have dinner with the Sisters at Father Hacker's church—they belong to the same Order as the Maryknoll Sisters in Hawaii. They were most cordial and hospitable. All Hawaii residents were there—Chester Kainuma of the weather bureau—Jack Murakami, head of the T. T. Public Works Department—a Peace Corps volunteer.

It is a most confused picture here thus far—western civilization has filtered in enough into the District Centers to have made some of the natives restless and aware of the disparities of life. For instance all U.S. citizens and T.T. employees have free government constructed housing—pay nothing for water and electricity—and they incidentally are the only ones that have all three! So it is understandable that the major gripe at the hearing was where is our water, our housing, or our electricity!

The educated leadership would have us believe that they want tourism, but only in the Americanized district centers. They do not want the tourists to contaminate the outer islands where the native leads a rather happy idyllic life! A plea for this sanctuary from civilization is most appealing to me.

But so long as we are here and others before us, Spaniards, Germans, and Japanese, we must do better! My belief is that these districts could be rapidly improved if American businessmen were allowed to freely enter their capital investments! Perhaps a trading company with a fleet of ships would do more good for these islands than all the money the Congress could appropriate. They suffer from irregular transportation schedules—ships are all operated by the T.T. government under contract to Micronesian lines, KITCO—several intra-island ships are owned by Marshallese companies. The Micronesian Lines is subsidized by the T.T. government to carry its goods, mail, patients, employees, etc. and these ships are referred to as field trip vessels. All U.S. goods destined to Marshalls must be routed through Guam—even those coming from Hawaii. This doubles the time for shipment. A plea was made for direct shipment from the U.S. to Marshalls—to save time—and money. Air mail service, too, appears to be bad, even to the district centers.

Hospital orders for supplies can only be filled out of Saipan and the warehouse in Saipan is manned by only one Marshallese storekeeper. The pharmacist at the hospital in Majuro told us that she had not yet received an order for merthiolate placed in March! Many orders she showed us dated back to December, *1966!*

Seriously ill patients that cannot be treated at Majuro must go to Guam Naval Hospital. Dr. Ishado asks that they be allowed to be sent to Honolulu—to Queens and to Kuakini Hospitals. From the whole T.T. there would be no more than 4 or 5 a month.

Who can travel on MATS to Hawaii at T.T. rates also was an issue.

The most important political issue I found here at Majuro was the cry for more District self-government and decision making authority, and I concur that this is important if progress is to be made.

NOTES FROM MICRONESIA

(By PATSY T. MINK)

ISLAND OF MOEN, TRUK, January 12, 1968.—We came to Truk on Tuesday from Majuro because the seaplane was grounded with engine trouble at Truk and could not meet us at Majuro. We had a warm welcome at the Truk airport and went directly to individual homes to spend the night. I stayed at the home of Mr. and Mrs. Trotta, both of whom teach at Truk. Mr. Trotta is an administrative aide in the Education Department and both are contract teachers here, having had two years' service in the Philippines in the Peace Corps.

The Trottas live in a government-owned house—fairly substantial quarters and undoubtedly one of the better homes on the island. Moen is the site of the District Center and has a much better physical plant than Majuro, the District Center of Majuro.

The Truk newspaper, Met Poraus, had a lead article about our visit. It criticized the T.T. administration for patch up work done on account of our visit. Roads were hurriedly scraped, buildings painted, screens installed at schools, and water was rationed prior to our visit so we would have an ample supply. The paint on the Truk Hotel which is owned and operated by the T.T. administration was still wet. We were not due in Truk until Friday but we came in on this detour Tuesday, so much of this activity was still going on when we arrived!

The Trottas invited a dozen or so people in after dinner, mostly Americans, with varying views about conditions and priority measures for Truk district.

The school situation is always a major issue. Here in Truk controversy exists as to exactly who has the responsibility for maintenance of the school buildings, lavatories, screens, etc.

Under the accelerated school construction program the schools were designed without adequate kitchens, lavatories and other facilities. Windows to the classroom are of wooden louvers and in some cases have no screens or if they did the children cut them away, being unaccustomed to them. None of the schools operate in the summer and there are no janitors or school personnel to watch over them. Consequently, every fall maintenance crews are needed to reopen the schools. The louvers are broken and many of the lavatories do not function. This fall schools did not open until October because the maintenance work had not been done.

Another problem in the schools in Truk is the U.S. Department of Agriculture lunch program. Commodities are available to Trust Territory schools. But often the food supply is short and when the food supply is gone, there is no school. To meet this situation school schedules have been rearranged so that all academies are taught in the morning and children are dismissed at 1 p.m. and in the afternoon such subjects as physical education and music are offered for those who return.

We left Truk early Wednesday morning on the seaplane (SA-16) manned by Pan American pilots (crew of 4) for Ponape. I got up at 5:15 a.m. to be ready with bags, etc. at planeside by 6:30 a.m. This being my first such seaplane launch it was an experience which was suspenseful. The plane rolled from the airfield, down the sea ramp into the water and motored to a long clearing in the middle of the lagoon. From there with all two motors roaring, water splashing up the windows so you couldn't see anything, we churned up the waves until we were up in the air. The engine roar throughout the flight made conversation impossible. We had a capacity load of 12 passengers with only one suitcase allowance for each. Most of our things were left back in Truk for our return.

Truk and Ponape are mountainous islands unlike the low-lying coral atolls of the Marshalls. We had a grand welcome at Ponape at the sea ramp on an island separated from Ponape itself. At each arrival we are presented with Micronesian 'leis' called Mahrahmas, a head coronet of flowers or shells or other materials.

The group had decided to split up at this point. I decided to go to Ujelang with Congressman Edmondson and Congressman Meeds and two staff members. Ujelang recently made the news when its residents, desperate for food, stormed a Trust Territory ship demanding to be moved to Eniwetok from where they came originally. The U.S. moved them from Eniwetok during the nuclear tests and settled them on the furthest and most remote island of Ujelang in the Marshalls group. Because it is so remote in the chain it seldom sees any Trust Territory boats and none of its copra can be marketed because the Trust Territory boats also pick up the cash crop for the islanders. Besides being without food, and medical supplies, its copra crop was badly hit by rats. Rats were also attacking the people in their huts at night while they slept. Dwight Heine had sent in food and medical supplies after the incident along with cats to help control the rats. We were advised by Trust Territory officials and Dwight Heine that this trip to Ujelang was dangerous because of the rough seas at this time of the year. The committee discussed this matter thoroughly but decided that we could not return from this tour without making the effort to see probably the worst of all conditions in the Trust Territory. And so I decided to go.

We landed in the lagoon off the island of Ujelang without incident. However, soon we discovered that the real problem was getting ashore. The only boats on the island were 4 or 5 outrigger type boats with a tall sail mast, so tall that it could not get near the seaplane without endangering the craft. We decided to launch a life raft and the crew helped to get it ready. Two of the men were in the water. Several times it seemed that the raft would blow away like a balloon because the winds were so strong.

I cannot honestly say that I did not entertain thoughts of not continuing on this precarious voyage, but somehow I was propelled to complete the job I had set out to do. And so with the others, I jumped into the life raft and bounced the waves until we maneuvered over to the outrigger sail boat. How I got aboard the outrigger is a sea saga in itself and words cannot describe this Pacific adventure, let alone begin to tell you about the trip back to the plane via the same means—outrigger to life raft to plane.

What we saw on Ujelang confirmed all the reports we had received. To see with all the signs of human struggle for survival the flag of the United States mounted on the wall with rat chewed floors of the school house, would shake the toughest! And yet these people ask not charity from us, only what rightfully was theirs, their home on Eniwetok. Let us hope, that at least for now, we can schedule regular boatloads of supplies for them, give them galvanized tin to use to protect their coconuts from the rats, give them sailcloth so they can use their boats to fish, and a few gallons of paint and putty to patch up their badly leaking boats.

This trip to Ujelang will be for me one of the high points of this tour. It dramatized in an unforgettable way the central and dominant problem of all of Micronesia—the lack of regular, reliable transportation to the 100 or more outer islands remote from the district centers.

We flew back to Ponape only minutes before sundown. Had we arrived after sundown we might not have been able to land. Without any lights on the sea runway it would have been nearly impossible to avoid the coral heads lying innocently just below the surface of the water.

It was great to be safely back to land—a 15-minute outboard motorboat ride to Ponape brought us wet, bruised and satisfied to the Kaselelia Hotel, owned and operated by the Trust Territory. Kaselelia is Ponapeian's equivalent to Aloha.

Thursday on Ponape was spent visiting the schools, agricultural station, the marketing co-ops, boat shops and other public projects. A big issue in Ponape is the airport which has been under construction but temporarily curtailed due to lack of an adequate dredge. This is a project which should have top priority.

In the afternoon we took a small 15-foot boat outfitted with two outboard motors and went to Father Costigan's mission at Metalanim. It was the roughest ride I had ever had by boat. We slammed the waves for over an hour. Father Costigan's work is truly remarkable—he has single handedly built a school which offers vocational training, engineering, architectural studies, engine repairs, farming, house building, etc.

We returned around 5 p.m., showered quickly as we were completely drenched from the sea and a rainstorm and went to a public meeting at the PIC High School. We answered a wide variety of questions about the plebiscite, its meaning, and heard that many of the people are not anxious to have this decision required of them at this time. They expressed the opinion that they do not know anything about it, that the vast majority of the people lack an education and that therefore an intelligent choice cannot be made.

After the public meeting we met for two hours with various elected officials in Ponape, including the Speaker of the Congress of Micronesia, Bethwel Henry. They also voiced their concerns for better educational programs and facilities, better roads and transportation facilities, and economic development programs for Micronesians.

After this meeting with the officials we went to a Community Supper at the Club Kolonia and met with many other leading citizens of Ponape. As in all other places I have visited thus far, there were many Hawaiians working for the Trust Territory government in Ponape.

We retired around midnight, and awoke at 6:30 a.m. for a 7 a.m. breakfast meeting with the Trust Territory District Administration staff headed by Bob Halvorsen. The new fact which we learned at this meeting was the lack of control and voice in budgetary matters by the local District Administrators.

At 9 a.m. we were bound for the boats—and then to the sea ramp to our seaplane flight back to Truk.

It seemed all of Truk was out to greet us today—the Mizpah High School band, Truk High School band, the Girl Scouts, all municipal, district and other leaders.

We dined with a small group of Trukese elected leaders led by Speaker of the Truk Legislature, Mr. Katsura, and discussed with his group their various problems regarding schools, economic development, political status, Peace Corps Training site, etc.

I will write to you next after I arrive in Saipan as there is no dependable mail service after we leave Truk on Monday. Six months delay in parcel post delivery is not unusual; radio dispatch seems to be the only way to communicate here.

NOTES FROM MICRONESIA

(By PATSY T. MINK)

TRUK, CAROLINE ISLANDS, January 15, 1968.—It is extremely dangerous to make even tentative conclusions while one is still engaged in a project such as a field trip investigation of general conditions in Micronesia. But for purposes of having a point from which to later draw upon, I thought it would be helpful to jot down at random my general observations as we move through Micronesia.

First, this trip is obviously too brief to cover all but the principal islands in this vast expanse of the Pacific. Still besides the district centers of Majuro, Ponape and Moen, we have thus far also visited the outer islands of Ebeye, Ujelang, Lukonor, Dublon, Fefan and Uman.

The distances between islands is great by any measurement. From east to west Micronesia covers over 2,500 miles. Approximately 100 of these islands are inhabited by about 90,000 people over half of whom are below 16 years of age. Its U.S. budget has tripled in recent years to the current level of $19 million. Next year the total U.S. budget will be $24 million. The major crop, copra, has a value of approximately $2 million annually.

With that brief background of a complex society of people who differ from one another quite noticeably, may I begin by saying that the conditions in each district also differ quite markedly. Thus to generalize is not an easy task because anyone familiar with the area could always fault the generality. But recognizing that risk, may I proceed by saying that a variety of historical accidents probably has contributed most to the confusion that I have found in Micronesia.

The Micronesians themselves are confused because of the series of foreign dominations, Spanish, German, Japanese and U.S. Each one is compared with the other and only the best consequence of each is remembered when evaluations are made of the present U.S. administration. The U.S. is criticized by the Micronesian for not doing more to help improve conditions and while I agree that for the most part little has been done, still the Micronesian forgets that the previous foreign powers came as autocratic overseers and that improvements were made to support the selfish interests of the ruling country.

The criticism of the Micronesian stems from his desire to enjoy the standard of living of modern life which he has seen and witnessed but is unable to provide for himself. Yet in the same breath as he demands larger high schools, more roads for automobiles, sewer systems, larger and faster boats to bring in the store-bought goods to supplement his basic diet, he also insists that he wants to preserve his idyllic subsistence life on his ancestral lands bearing only coconut or taro. He cannot see that a high school education for young people who have no job opportunities is an immense cruelty to the human mind, yet he demands that we solve what he calls the new detestable "juvenile delinquency" currently a major problem in the Truk district. He says that our failure to have "good" schools causes this delinquency and that under Japanese rule they had no such problem. He does not recall that the Japanese government did not extend education beyond the fifth grade because everyone was forced to work. Yet he argues that they need more education to stop this delinquency.

He wants the U.S. to provide more jobs, yet he is opposed to the intrusion of American capital and wants a continuation of U.S. policy that all business enterprises in Micronesia be available for 51% ownership by Micronesians. Their argument is we want American capital, but because we do not want you to do it for us, give us the controlling interest. The U.S. administration does have this policy and because it is highly restrictive, American businessmen have not seen that investments are worth the real risks that are present anyway apart from the loss of control of the management function. The Micronesian then argues that if U.S. capital can't share the immense wealth and know-how, other countries will, so why don't we allow other countries in.

The Micronesian leans heavily on the protective shield of the United Nations and many believe that the recent surge of money from the U.S. is due to the critical reports filed by the UN Trusteeship Council. Perhaps this is true and I personally believe that the Peace Corps for instance was hurriedly sent out here to answer some of this criticism. Still the Micronesian will not recall that the UN Trust Agreement which is their 'protector' is the basis of the U.S. policy against opening up business investments to other foreign governments.

The Micronesian insists that he wants all of Micronesia for the Micronesians, yet he will not acknowledge that this has been the precise policy of the U.S., which I am convinced is the reason for the lack of any large improvement. Until the early 60's, in other words for the first 10 or 12 years, our policy was to leave the Micronesians alone, free of the clutter and pressures of an American existence. Rightfully or not, the U.S. followed the 'paradise' path of the anthropologist and assumed the role of a pastoral administration. 'These people are happy'—'Leave them be'—'They will survive better without all the hardware.' This may have been appropriate for the postwar recovery period and would probably be workable today if they had been able to revert back to this idyllic paradise without memories of the Japanese 'hardware' upon which they had become dependent. But they did remember, and as those physical facilities fell into disuse they began to press for more American involvement in their community lives.

No American community no matter how poor could tolerate the conditions under which these people live. No American could withhold funds needed to bring these conditions to a minimum standard of fitness. So the essential question that must be posed is, is this an American community? This is the principal question which can only be answered by the Micronesian. He will not face this question so long as the American people cannot promise him the minimum standards of health, food, sanitation, water, transportation and communication the same as it would provide for any other American community.

I heard a doctor tell me that over 80% of the children are infested with roundworms and then go on to say that "It's okay"—"They seem to do well with them"—besides even if you did get rid of the worms in a child he would be infested again because he lives without water, without toilets, without refrigeration for food, without screens to keep out the flies, etc.

And so no problem is more important or more serious than another. All are interwoven—private enterprise is needed for jobs—schools are needed to teach them to qualify for jobs—when they are educated they can no longer accept the thatched roof subsistence but insist on money to buy goods—goods must be brought in great distances—to earn money a cash product must be encouraged—transportation systems become vital and its lack of dependability becomes a growing urgency—and as better health care is sought, water and sewers and electricity is needed to protect their health in the first instance. And so all the problems form a chain reaction and the momentum for change is a growing demand of a people caught in the swirl of the 20th century.

I do not believe it is any longer a question of what shall we do? We must do what is right and that is no less than what we would wish for ourselves.

Schools are without qualified teachers. Even where schools are in evidence it is a base physical facility without the teacher who can teach with any degree of competence. Every outer island school we visited has but one qualified teacher, if any; the rest are Micronesians who are hired for a starting pay of 44 cents an hour with maybe a fourth or fifth grade Micronesian education given him by a Micronesian teacher who had only a fourth or fifth grade education, et al. I would prefer a thatched roof structure, screened to keep out the dogs and cats and flies, fully staffed by competent college educated teachers paid U.S. salaries, than all the crash program type brick and cement structure that I saw! To say that an outer island child completed 8th grade is a farce and we should not perpetuate this system even for another day!

I would guess there are 40,000 children of school age in all of Micronesia. If 1,000 contract teachers were hired from the U.S. at an annual cost of $10,000, it would only be a budget of $10,000,000. This is the soundest investment that I can conceive for the real changes in Micronesia that are necessary to fulfill our obligation.

If 100 of Micronesia's top high school graduates were sent away to college at the cost of $2,500 per student per year for another $10,000,000 investment over a ten-year period, 1,000 Micronesians could replace the original 1,000 U.S. contract teachers. For this work, the Micronesian college graduate must be paid regular U.S. teacher salaries. The few Micronesian college graduates who are capable of teaching now refuse to do so for 44 cents an hour, and understandably!

Better education will produce a new group of citizens capable of dealing with their problems, and of leading their people out of this subsistence life, channeling their pride and initiative to create a larger community effort for self-improvement.

All college educated Micronesians must immediately be placed in the regular U.S. pay scale based solely upon his function and responsibility and nothing else. American policy must be satisfied only with the replacement of U.S. personnel with competent educated Micronesians.

Greater effort must be made for on-the-job training roles for every U.S. staff member so that the real goal of his own replacement can be the standard measurement of a good U.S. employee!

A Micronesian leader said this at a public meeting before the Committee, "You say U.S. employees must be hired because their expertise is needed to supervise the work of our main departments, yet in the field of health, which is the most important to us, since it affects our life itself, you have as the top supervisors Micronesian practitioners. Why, where our lives are concerned, is it enough to have a Micronesian but not in any other area? Where it is the life or death of a Micronesian why is it not important to have a U.S. medical expert?" The thinking Micronesian will continue to ask us this question with greater intensity if we do not prove our good faith by either hiring U.S. doctors to staff each district hospital or hiring Micronesians at U.S. salaries to head the various departments as quickly as they are trained to handle the jobs.

Medical care for most outer island Micronesians is still characterized by a health aide who bandages wounds, dispenses aspirin and cough syrup. For anyone seriously ill on all but the six principal island centers, you can get reasonable medical care if you can live long enough to be transported by boat to the district center. While we were in Truk a man died on the shore of his island waiting three hours for a boat to come to take him to the hospital.

So long as running water, flush toilets, roads, and electricity are reserved for the government buildings and the American compound, all the lessons of good health habits taught from a third grade reader will have no meaning whatever!

America cannot long have any good will left in Micronesia if we do not take care of its basic human needs. It's too late to say that the thatch roof native can live off of copra and that he is happy, because even a short visit to Micronesia reveals that he is not happy with his lot and he craves to survive and to live like his American guardian.

To say we must do more is not enough. We must actually do more and quickly and it is obvious that we need much more than $24 million a year to accomplish this task. We need at least $50 million a year. If every adult American will pay 50 cents a year to Micronesia, that is all that is required to get this job done. What I am asking is, can Americans afford 50 cents each year for the sake of all of Micronesia?

SEPTEMBER 19, 1967.

WASHINGTON, D.C.—Representative Patsy T. Mink announced that the Trust Territory of the Pacific will become eligible for Federal grants and project funds under an Amendment she offered today on the floor of the House of Representatives which won unanimous approval. House began debate on H.R. 6418, the Partnership for Health Amendments today to increase authorized appropriations for comprehensive health planning and public health services under the Public Health Service Act.

Mrs. Mink's Amendment made special project grants as well as formula grants available to the Trust Territory for the first time. At present, only Puerto Rico, Guam, American Samoa and the Virgin Islands are eligible for these health planning and public health services grants. Mrs. Mink stated that the grants for public health services would be a particularly significant contribution to the health and welfare of the peoples of the Trust Territory. It is estimated that approximately $300,000 of funds for a formula grant would be available for Fiscal Year 1969. States and territories will be allowed considerable discretion as to the use of these funds. Priorities for various public health needs are determined by States and Territories themselves and would supplement funds from existing sources. The effective date of the Congresswoman's amendment would be July 1, 1968, in order to allow revision of grant regulations and to permit the Territory to develop plans in accordance with those now outlined in Section 314 of the Public Health Service Act.

U.S. HEALTH LAW INCLUDES TRUST TERRITORY

The pen used by President Lyndon B. Johnson to sign the Partnership for Health Amendments Act of 1967 now belongs to Micronesia. The Act makes the Trust Territory eligible for some $265,000 of federal funds, on a matching basis for comprehensive health planning services, beginning July 1, 1968.

The Trust Territory, for the first time, will be eligible for the same medical grants and health services available to Guam, American Samoa, the Virgin Islands, Puerto Rico, as well as the fifty states under the Partnership for Health law.

Representative Patsy T. Mink, who was instrumental in getting the Trust Territory included in the Act, presented the pen to the Hon. Bethwel Henry, Speaker of the House of Representatives, Congress of Micronesia.

Accepting the pen from Congresswoman Mink, Speaker Henry said, "I accept this pen on behalf of the people of Micronesia with humility and great honor. May this pen be a further assurance for continued partnership between the people of the United States and the people of Micronesia."

Expressing his appreciation for the additional federal grants to Public Health, the Assistant Commissioner for Health Services Dr. William A. Peck said that this would open the door to other federal benefits such as full membership in Crippled Children and Maternal and Child Services, and to the large and successful Mental Health program now available to the states and U.S. territories.

The historic pen will be on display at the legislative halls of the Congress of Micronesia, Saipan.

TRUST TERRITORY AIR SERVICE AGREEMENT CONCLUDED WITH CONTINENTAL AIRLINES

Secretary of the Interior Stewart L. Udall announced today that an agreement has been formally concluded between the Trust Territory of the Pacific Islands and Continental Airlines for airline services during the next five years.

"The new service will vastly improve transportation and communication in this area and will be a major spur to economic development," Secretary Udall said today. Continental will operate through a partnership with Aloha Airlines of Hawaii and United Micronesian Development Association. UMDA is a Trust Territory corporation representing business interests throughout all parts of the Trust Territory.

Continental is committed to the construction of hotels in each of the six districts of the Trust Territory and to a vigorous program of travel promotion. An important element of Continental's undertaking is the training of Micronesians in the airline and related hotel operations.

Secretary Udall first announced the selection of Continental on November 10, 1967, following careful evaluation of proposals from several airlines and extended negotiations with all interested carriers. Execution of the agreement was postponed to afford the General Accounting Office an opportunity to consider a protest filed by one of the unsuccessful bidders.

The agreement was signed after General Accounting Office completed its review of the record of the proposals and negotiations and denied the protest.

TRUST TERRITORY AIR CONTRACT SIGNED

Continental Airlines will be the carrier to provide service to and within the Trust Territory for the next five years. W. R. Norwood, High Commissioner, has been advised by Mrs. Ruth G. Van Cleve, Director, Office of Territories, that a contract between the Department of Interior and Continental was signed on Jan. 17.

Continental will conduct operations through Air Micronesia, a corporation comprised of Continental, Aloha Airlines of Hawaii and the United Micronesia Development Association.

"The jet age has come to Micronesia," Secretary of the Interior Stewart L. Udall said recently. "Continental has agreed to inaugurate its service with the Boeing 727-100 QC. This will permit the carriage of both passengers and cargo at the speed that will encourage tourism and promote development of the area.

Continental will undertake a vigorous program of travel promotion to the Trust Territory designed to improve the economy of the islands. As part of this promotion it will construct a hotel in each of the six districts. The schedule calls for them to start two hotels within the first three years.

Continental will engage in a vigorous training program for Micronesians and will staff its entire operation with Trust Territory citizens as rapidly as possible.

Pan American Airlines will continue the present operation until Continental assumes the responsibility on May 16.

[From the Honolulu (Hawaii) Advertiser, Feb. 12, 1968]

Choice in Micronesia?

Congresswoman Patsy Mink has raised some basic questions in her opposition to President Johnson's proposal for a plebiscite by 1972 to determine the political future of the Trust Territory of the Pacific Islands.

There is much initial attraction in his idea of Congress establishing a presidential commission to study and propose alternatives for the Micronesian people to vote on relatively soon.

It would seem to satisfy both the feeling that colonial peoples deserve self-determination at an early date and past criticism at the United Nations, under whose mandate we administer the area.

Indeed, Mrs. Mink began her three-week trip to Micronesia last month strongly in favor of the President's proposal.

It is important to understand why she returned opposed because she doesn't think a quick decision is in the best interest of the Micronesian people.

She tells the story of a Micronesian who asked her: "Why do you want us? What have you done to show it?"

One part of the answer is we have done sadly little to indicate a deep interest in the people's welfare. Our past neglect of the Trust Territory has been well documented and is conceded by Washington in its statements about how we are going to do better.

As for why the U.S. "wants" Micronesia, it is not the concern for a dependent Pacific people that some here might feel. Basically, it is a question of U.S. national security considerations: some of the islands have varying value as present or potential bases, but equally we would not want the area used by any other power.

So one can honestly ask just how much free choice any presidential status commission would be able to offer the 90,000 people in the vast stretch of mid-Pacific islands.

Just how any plebiscite vote would go now in the Trust Territory is uncertain.

Mrs. Mink and other respected reporters say the leaders among the Micronesian people are now cool to any early plebiscite decision.

This would seem to include both the older leaders who are not eager for their islands to become a U.S. territory and the pro-American younger men in the Congress of Micronesia who feel both the people and the state of island development are not ready for any such permanent choice.

Some see the continuing U.N. association as an insurance policy they will not be neglected under American rule.

At the same time, it is said there is a younger generation coming along who might want an early plebiscite and American status because they are attracted to the material benefits our society seems to offer.

And there is some realization that private economic development, something badly needed in Micronesia, depends in part on a basic political decision indicating where the area is going.

In all of this there emerges the feeling that before the Trust Territory moves formally to be closer to the U.S. it will be necessary for the U.S. to become closer to the people of Micronesia.

We still seem to be neglecting our prime obligation in basic government facilities.

Last year a big show was made of Congress doubling the Trust Territory budget to $35 million a year. Actually, only $24 million was authorized, and with the various cuts and freezes imposed in recent months, it is doubtful how much more the area will really get above the old $17.5 million figure.

Representative Mink will soon offer her own alternative to the Administration proposal in Congress. She says its goal is to draw the U.S. "closer to the people of the islands."

Hopefully, it will include some firm commitments on Trust Territory development and a political outlook that is realistic and believable to the Micronesian people.

In this regard, it should be noted that the Congress of Micronesia has established its own commission to study the alternatives for the future. It has just started meeting, and its views will deserve the most important consideration.

Maybe in the process of this deliberation and the discussions in our own Congress we can start moving in Micronesia.

More than anything else, Washington must find time to care about more than just the narrow interests of our own security.

Micronesian Students Club of Honolulu,
Honolulu, February 13, 1968.

Editor,
The Honolulu Advertiser,
Honolulu, Hawaii.

Dear Sir: I am sure that nothing delights our leaders in Micronesia more than the change of position of Congresswoman Patsy Mink on the issue of the President's proposal to hold a plebiscite in 1972. Most of us Micronesian students at the UH, are also delighted and encouraged by Mrs. Mink's change of position to oppose the President's proposal.

The reasons for our opposition to the President's proposal to hold the plebiscite stem from the fear in the consequences of the plebiscite if it were hold in 1972. The prevailing sentiment in Micronesia is to affiliate in some manner with the U.S. which the Administering Authority is very well aware of. We feel then that the plebiscite is not needed for the expressed simple reason of recording the political sentiment of us, Micronesians, but for reasons which have not been revealed by the Administering Authority. The plebiscite, as I and many other Micronesian students see it, is only a political move which might entail consequences that will be out of Micronesian control.

We are afraid that we might lose our only forum for voicing our grievances—the United Nations. We are afraid that we might be considered as just a part of the poverty program or even less than poverty program and might be lost in the Washington files. (A Michigan Congressman protested against the Peace Corps—Micronesia during last session. And in fact the Congress has been dishonoring the agreement the U.S. has with U.N. by annually trimming the budget for Micronesia.) We are afraid that the U.S. might build bases in some of the islands in Micronesia irrespective of the welfare of the people. We don't want the plight of the people of Kwajelein and Bikini to be duplicated in the other islands.

Although an affiliation with the U.S. is inevitable, we, Micronesians, would like to have the type of affiliation that will best help develop our islands in the long run. This affiliation could only be realized and decided on if the people are properly given a political education concerning different alternatives of affiliation. The time between now and the proposed date of the plebiscite is not long enough for such political education of the uneducated Micronesians.

We do realize, however, that the United States is in Micronesia for no other reasons than national defense. It would be rather naive of us to demand too much from the Administering Authority. What we ask then from the people of the United States is their good will in helping us. Most of us are aware of the good the U.S. so far has done in Micronesia and in our own way some of us have volunteered and are now fighting side by side with Americans in Vietnam.

But this is not the end of it. We know the U.S. has the responsibility to fulfill and that we deserve to pay her in return when the responsibility is duly carried out.

Sincerely yours,
F. T. Uludong,
President.

February 27, 1968.

Washington, D.C.—The House Education and Labor Committee today unanimously accepted the amendment sponsored by U.S. Representative Patsy T. Mink to include the Trust Territory of the Pacific Islands in the National School Lunch Act.

"I was convinced during my field trip to the Trust Territory in January that the School Lunch Act is definitely needed in the area and would act as an incentive to youngsters to attend school—one of our principal objectives in administering this area," said Mrs. Mink.

"The evidence indicates that children in the U.S. who benefit from the program become better students and show great improvements in their ability to learn. Hopefully, we can expect the same from the youngsters in the Trust Territory who now suffer from poor housing, poor nutrition, and poor school facilities. Proper food should go a long way toward helping them as students."

Mrs. Mink is a member of the House Education and Labor Committee and amended the legislation in the General Subcommittee on Education. The legislation also authorizes a pilot project of lunches to pre-school children in day-care centers, settlement houses and some summer recreation programs.

It is understood that each state will receive a $50,000 basic grant for the pilot program. Additional funds will be allocated according to the population of youngsters 3 to 17 years of age in each state. There is authorized $32 million in annual Federal expenditures for the pilot program, but no indication has been given on the funds to be appropriated.

February 12, 1968.

Miss Mary Jo Keller,
Honolulu, Hawaii.

Dear Mary Jo: In response to your specific questions contained in your letter of January 29th about education in Micronesia, here are my personal thoughts:

The education that the vast majority of children in Micronesia receives today I do not feel is adequate. It is rudimentary, and so many of the Micronesian teachers are not trained beyond themselves being graduates of their own system to wit, 8th grade or at best 12th grade. It is unusual to find a Micronesian teacher who has a college teaching certificate. The fact that the children are taught in their own Micronesian tongue does not in and of itself disturb me, except that the teachers are not trained, have only a minimal educational base themselves, and do not have a good knowledge of English from which they could teach English themselves. Thus English is now the main project of the Peace Corps Volunteers who are teaching English as the second language (TESL). Dr. Rosamonde Porter in Ponape has 45 Micronesians enrolled in the Micronesian Teacher Education Center (MTEC), and she is working hard at trying to upgrade these Micronesian teachers academically as well as in their overall competence in English.

Without knowing really what the economic opportunities are in Micronesia, how can any educational system be rated in terms of meeting the economic needs? In terms of political awareness, I feel that there is promise here that by teaching these young children how to read and write, and how to think for themselves, that we can prepare them for self-government. This does not, of course, mean that they will all be able to earn a living because they are educated. This is the biggest problem in Micronesia. What can we do to help the area develop an economy that can promise jobs to the young people who will be demanding jobs commensurate with their education? The administration is turning to vocational education finally. This is a hopeful sign. But without any economy, even these young people can only hope to work for the government, unless private industry is able to get a start somehow.

A crash program to construct educational facilities was started several years ago (ASCP). Many concrete schools were built. Many more were promised that were never begun. But in my view of things, what is more important than all the brick and mortar is the quality of the education which the teacher can only provide if he or she is adequately trained for the job. I would therefore rather spend my million dollars on a training program for Micronesian teachers, and after they have been trained, pay them the same wages that the U.S. teacher now receives in Micronesia with a comparable background.

PL 89–10 has been a tremendous help to the teachers and children. New textbooks and equipment has been bought under this program. Additional staff has been hired. Some glaring mistakes have been made, but this is no different than anywhere else in the U.S.

From the viewpoint of instructional materials, the most important deficiency is the near total absence of reading material and textbooks suitable for the Micronesian child's limited view of the world. Greater effort must be put into projects designed to create reading materials and instructional materials adapted to Micronesia. The TESL materials is attempting to do this.

In my view, the United States has failed to live up to its commitment in the field of education as stated in the United Nations Trust Agreement when our performance is measured by our presence there these past twenty years. If you consider only the last five years, one could argue that much significant progress has been achieved, and if this rate of improvement continues for the next five years perhaps at that time we could say to ourselves that our responsibility has been met in providing an educational system consistent with the needs of the people of this area.

A uniform salary schedule for teachers is an absolute necessity if qualified college education as stated in the United Nations into the teaching profession. Now there is a dual standard of compensation wherein the educational qualification of the teacher is of no consequence; only whether he happens to be a U.S. citizen or a Micronesian. The starting pay for a Micronesian teacher is 44 cents an hour. A uniform pay schedule for all teachers must be put into effect where the only criteria is educational background and experience regardless of citizenship.

I hope these random thoughts in response to your questions will be helpful to you in writing your report.

Very truly yours,

Patsy T. Mink,
Member of Congress.

March 23, 1968.

Mrs. Nancy S. Sato,
Hilo, Hawaii.

Dear Mrs. Sato: Thank you for your letter concerning your research paper. You have undertaken quite an extensive assignment and I hope you will find it most enlightening.

May I suggest that you contact Mr. Don Wolbrink of the firm, Donald Wolbrink & Associates, Inc., whose address is Suite 2000, Ala Moana Building, Honolulu, Hawaii. His firm is now conducting extensive studies on the economic development of the Trust Territory.

In addition, you might consider purchasing a copy of the Nathan Associates, a Washington, D.C. firm, study on the Trust Territory. The title of the report is, "Economic Development Plan for Micronesia", and it comes in four parts. It can be purchased for $12.00 from the Honorable William R. Norwood, High Commissioner, Trust Territory of the Pacific Islands, Saipan, Mariana Islands 96950.

Also, the Trust Territory government issues an annual report which you might find useful. I believe these reports are available at the University of Hawaii library, or if not there, at the East-West Center Library.

Much has been written in the past five years in the Honolulu newspapers on the Trust Territory. I am certain that most of your questions can be answered by reading these articles which you will find probably microfilmed in the Hawaii library.

Briefly to respond to your specific questions:

1. "Neglect of the Trust" is a harsh way of saying that there is much confusion still on exactly what role the United States government should play in the development of the Trust Territory. Many past administrations regarded the area as quaintly "native" and believed that the people preferred to be left alone and to live their own way of life. They regarded the other foreign governments like Germany and Japan as "exploiters" of these natives, and decided we would not go that route. However, we are now slowly realizing that you cannot turn back the clock. These Micronesians remember well the "advantages" of past regimes; good roads, good shipping lines, money economy, electricity, jobs, water lines, extensive mining and farming, and other economic activities. They want these back, but they want them back under their exclusive control and management. They do not want "foreign" capital and foreign manpower in, as was true under Germany and Japan. That is the principal reason for such a slow start in economic development. Who will risk capital in a Micronesian company owned by Micronesians?

2. The principal point here is that the United States does not want to "exploit" the area. This is the chief difficulty. How to develop the area without the charges leveled of exploitation. The government appropriation method is slow. How do you get private capital to come in when the government policy is that all companies must make available 51% of its stock to Micronesians?

3. The Congress does still consider the area as of strategic importance to the United States and to the peace and security of the world. We do not wish to see a repeat of the Pacific war fought in these islands, and this is what we mean by strategic value. Not that the U.S. wishes to build military bases on the islands—only that it should not come under a foreign power which might exploit them for military purposes.

4. The committee believes that what we can do most quickly to help advance our relationship is to provide for the human needs of the people in this area. We must improve their useful educational pursuits; we must introduce agriculture; we must improve the roads; we must build water systems and sewer systems; we must build hospitals and dispensaries; we must bring in electricity; we must improve shipping and communication.

5. The trusteeship does not in and of itself create trade barriers. The Congress could pass laws which would allow Micronesian goods to be shipped and sold to the U.S. without payment of tariff and duty. I have a bill which will do this now pending before the House. Tariff relief is one of the most important measures which the Congress could enact to help Micronesia develop an economy. It could sell its copra to the U.S. It could develop a fisheries industry, a soap industry, etc.

6. I believe that the fisheries are the Trust Territory's most valuable asset and this is where the U.S. investment of dollars should be made. The ocean is rich and abundant in fishes.

I hope these answers will help you in your work. Thank you for writing to me.

Aloha,

Patsy T. Mink,
Member of Congress.

STATEMENT OF REPRESENTATIVE PATSY T. MINK ON H.R. 16183, MARCH 26, 1968

Mr. Speaker, on March 25th, 1968, I submitted a bill for consideration of the Congress which provides for the establishment of a civil government for the Trust Territory of the Pacific.

By Joint Resolution dated July 18, 1947, the Congress authorized the President to approve the Trusteeship Agreement between the United States and the Security Council of the United Nations for the Trust Territory of the Pacific Islands. The Trust Territory comprises 97 islands and atolls scattered over some 3 million square miles of the Pacific Ocean, an area approximately the same as the continental United States. It has today a population of approximately 90,000. Initially the President delegated the civil administration of the Trust Territory to the Secretary of the Navy, and later in 1951 transferred the administration to the Secretary of Interior.

The Trusteeship Agreement for the Trust Territory designates the United States as the administering authority of the Trust Territory, and confers upon the administering authority full powers to govern these islands. Under the terms of the Trusteeship Agreement, the United States assumed obligations to foster the development of such political institutions as are suited to the Trust Territory; to develop the participation of the people of the Trust Territory in their government; to give due recognition to the customs of the people of the Trust Territory in providing a system of law; to promote the economic development and self-sufficiency of the people by developing fisheries, agriculture and industries; to protect the people against loss of their lands and resources; to improve the means of transportation and communication; and to promote their social, educational and cultural advancement and to protect their health.

On January 17, 1953, the then Secretary of Interior, the Honorable Oscar L. Chapman, submitted to the Speaker of the House of Representatives a draft of a proposed bill to provide for a government for the Trust Territory of the Pacific Islands, and recommended that it be enacted into law. He said in his letter of transmittal to the Speaker that "the enactment of the proposed bill which provides an Organic Act for the Trust Territory would contribute toward the fulfillment of the obligations and responsibilities assumed by the United States as the administering authority of the Trust Territory."

Fifteen years have passed since this recommendation was first made, and still the Trust Territory is without an Organic Act. My bill which I have submitted follows very closely the proposed draft which was sent the Congress fifteen years ago by Secretary Chapman.

On August 24, 1967, H.J. Res. 805 was introduced as an Administration measure which expressed the sense of Congress that "whatever steps" as may be necessary "shall be taken to provide for such a degree of self-government as will permit the people of the Trust Territory freely to express their wishes as soon as possible, and not later than June 30, 1972, on the future status of the Trust Territory." The Resolution called for the establishment of an eight-member Commission appointed by the President to study and assess all factors bearing on the future of the Trust Territory and to submit recommendations on the best means of obtaining the objective of having a plebiscite by June 30, 1972.

I have recently had an opportunity to travel through the six Districts of the Trust Territory and after extensive discussions with the leaders of the Trust Territory returned with the conclusion that it would be a serious error to proceed with the resolution and expect that a plebiscite could be held by June 30, 1972, which would advance the cause of closer association of these islands and its people with the United States.

I am convinced that these islands of the Pacific are of strategic value to the United States, and that in keeping with the provisions of the Trust Agreement, we should demonstrate this conviction by enacting into law an Organic Act which would give them a basis of knowing the extent to which we as a nation are committed to help them develop a government in which they are given the widest measure of participation.

Three years ago by Order of the Secretary of Interior, the Congress of Micronesia was established. It held its first legislative session on July 12, 1965. Members of the Congress are elected in biennial elections from Districts. The Congress is a functioning body, composed of competent and conscientious legislators. It seems to me that the Congress of United States ought to recognize this advancement, and by the enactment of Organic legislation extend to the Congress of Micronesia all appropriate powers and responsibilities for the legislative management of the Trust Territory. More than any Study Commission, and certainly more than asking that a plebiscite be held by 1972, the granting of an Organic Act will serve to demonstrate our willingness to grant these people some measure of self-government. The Congress by enacting into law this Organic Act would be confirming the Order of the Secretary, and establishing a permanent body of law under which the Micronesians will be assured certain rights of self-government.

The enactment of this bill, together with increased efforts to improve the economic development, educational opportunity, health, transportation, and other facilities of the Trust Territory, will do more to assure that the determination of political status will be viewed with favor and will result overwhelmingly for a permanent association with the United States.

Fifteen years ago, Secretary Chapman said that the enactment of an Organic Act for the Trust Territory "would provide the basis for conferring on the people of the Trust Territory a larger and ever increasing measure of local self-government, and would contribute substantially toward fulfillment of the obligations assumed by the United States under Trusteeship Agreement to promote the political, social, economic and educational advancement of the inhabitants of the Trust Territory." If what he said was true then it is even more urgent today, particularly in view of the request by the Administration that the desires of the people of the Trust Territory be made known by a plebiscite by 1972. Before such a plebiscite can be held, it is my belief that the enactment of Organic legislation will serve to aid the Micronesian in understanding what government under the United States means, and what guarantees we are already willing to make even before they have decided whether they wish to continue in association with us. In discussing political status with the Micronesian leader his main inquiry related to alternatives. If we provide the people of the Trust Territory with an Organic Act, this will be the principal alternative which will serve as the framework for their discussions, and in my opinion resolve their nagging doubts as to the intentions of the United States with respect to our willingness to afford them greater self-government.

H.R. 16183 is similar to the Organic Acts of the several territories of the United States with variations designed to take into account the unique status of the Trust Territory and the fact that this is its first formal Organic document.

H.R. 16183 would provide for a separate legislative branch under the Congress of Micronesia. The executive branch would be headed by a Governor and Secretary both appointed by the President of the United States. Both branches would come under the general supervision of the Secretary of Interior. The President of the United States would, of course, continue to have authority to issue Executive Orders which would supersede any laws or regulations issued or enacted by either the Congress of Micronesia or the Governor.

The bill contains a bill of rights, patterned after the Bill of Rights in the United States Constitution and that of Puerto Rico. Under the bill, provision is made for the appointment by the President, by and with the advice and consent of the Senate, a Governor of the Trust Territory, who would hold office for four years and until his successor is appointed and qualified. The compensation of the Governor would be the same as for the Governors of the Virgin Islands and Guam.

The executive authority of the government of the Trust Territory would be vested in the Governor and exercised under the supervision of the Secretary of the Interior. He would have general supervision and control of all executive agencies and instrumentalities of the Trust Territory, and would coordinate all activities of a civil nature carried on by agencies of the Federal Government in the Trust Territory. The bill also provides that the President appoint a Secretary who would serve as Governor in case of a vacancy in the office of Governor or in his temporary absence or disability. The Secretary of the Interior would be authorized to designate the head of a territorial government department or other person to serve as Governor in the event of a vacancy in the office, or in case of the disability or temporary absence of both the Governor and the Secretary.

The Governor would be authorized to appoint all heads of executive agencies and instrumentalities with a preference to be given qualified persons of Micronesian ancestry. Also the Governor is directed to submit to the Secretary of the Interior an annual report on the Trust Territory with copies being sent to Congress and the President.

The legislative authority of the Trust Territory is vested in the already existing Congress of Micronesia and the present bicameral system and the present representatives in the Senate and House of Representatives are to continue to serve until the election of new members as provided in the Act. The six existing representative and administrative districts are also to be maintained i.e., Marianas, Marshalls, Palau, Ponape, Truk and Yap Districts. The legislative power of the Congress of Micronesia is extended to all rightful subjects of legislation, except that no legislation may be inconsistent with (1) treaties or international agreements of the United States; (2) laws of the United States applicable to the Trust Territory; and (3) Executive Orders of the President of the United States.

The bill also provides that the Governor is to submit the current and proposed budgets of the Trust Territory to the annual sessions of the Congress of Micronesia and that advisories by it shall be forwarded to the Congress of the United States. Regular sessions of the Congress of Micronesia are to be held annually for a period not to exceed sixty calendar days beginning on the second Monday in January of each year. Members of the Congress of Micronesia are to be paid an annual salary of $6,000 directly by the United States government. The United States would also pay their necessary expenses as well as those of the Congress of Micronesia and its staff.

The Governor would have the power to veto legislation passed by the Congress. Bills which are enacted must be reported to the Secretary of Interior and by him to the Congress of the United States.

The judicial power of the Trust Territory would be vested in a high court, the district courts, and the community courts of the Trust Territory which have been established and are in operation on the date of approval of this act under the prior regulations of the former High Commissioner. The bill would, in effect, ratify Interim Regulation No. 10-51, dated February 14, 1952, as subsequently amended, which was issued by the High Commissioner with the approval of the Secretary of the Interior. This regulation revised the judiciary system of the Trust Territory in accordance with the recommendations of Judge Albert Maris, of the United States Court of Appeals, who made a study of the judiciary of the Trust Territory during the summer of 1951 at the request of the Secretary of the Interior. The chief justice and two associate justices of the high court would be appointed by the Secretary of the Interior. The United States Court of Appeals for the Ninth Circuit would have jurisdiction of appeals from final decisions of the high court in civil and criminal cases involving the Constitution or a statute or treaty of the United States and in all other civil cases where the value involved exceeds $5,000, and in all habeas corpus proceedings.

The laws of the Trust Territory are defined to be those enacted by the Congress of Micronesia and approved by the High Commissioner in force on the date of enactment of the Act and all other laws, regulations and orders in force on the date of enactment are to be continued in force for a period of two years from enactment, giving the Congress of Micronesia and the Governor the necessary time to enact measures pursuant to the provisions of the Act. The bill would direct the President to appoint a commission to survey the field of Federal statutes and recommend to the Congress which Federal laws not in force in the Trust Territory should be extended to that area and which should be declared inapplicable within one year from the date of enactment.

The bill would exempt all articles of commerce or whatever sent to the United States from payment of any duty or tax or any sort.

All persons, not United States citizens are exempted from income tax laws of the United States.

The bill would grant Trust Territory citizenship to persons born in the Trust Territory except in specified instances and provide the basis for free entry of citizens of the Trust Territory into the United States. However, it is also provided that Trust Territory citizens are not to be deemed nationals of the United States.

The Governor is directed to provide an adequate public educational system in the Trust Territory and to establish and maintain public-health services.

All officers and employees of the Trust Territory whose homes are outside the Trust

Territory would be entitled to transportation at the expense of the United States for themselves and immediate families from their homes to their duty stations upon appointment and back to their homes upon completion of their duties. The bill requires the Governor to establish a uniform salary schedule to be established on an equal pay for equal work basis and specifically provides that compensation, appointments and promotions shall be on the basis of merit, educational qualifications and experience. When necessary for recruitment purposes the Governor is authorized to pay non-Trust Territory citizens a thirty per cent cost of living allowance in addition to their basic salary as provided in the salary schedule. The Federal Civil Service System would not apply to American citizens employed by the Trust Territory government.

The bill also provides that the appropriate agencies of the United States and Trust Territory governments must render a decision on claims respecting ownership of land or for damages within five years after the claim is filed or within five years after the enactment of this Act whichever is later in time. After such decision is rendered by the agency, the claimant is free to proceed through the courts as provided by law.

Enactment of H.R. 16183 would confirm the right of the people of the Trust Territory to formal assurances of self-government. They have both the capability and experience to govern themselves as effectively demonstrated during the past three years under the Congress of Micronesia.

H.R. 16183 would be another affirmative step in the development of our policy towards the Trust Territory, and an expression of our determination to grant these people every appropriate right to govern themselves within the requirements of the strategic trust which we hold under the United Nations.

After twenty years of protection and tutelage, it would be a statement to the world and to the United Nations that we possess the confidence to test our governance of these people by giving them every possible measure of self-rule.

[From the Honolulu (Hawaii) Star-Bulletin, Apr. 12, 1968]

THOUSANDS HOMELESS ON SAIPAN

Thousands of residents of tiny Saipan Island today dug among the rubble left by Typhoon Jean for valued possessions as they waited for help that was being rushed to them from the outside world.

The typhoon struck the island Wednesday with winds that reached the velocity of 175 miles an hour. Ninety per cent of all buildings on the 47-square-mile island were flattened.

Capt. Gordon Findley, liaison officer for the Trust Territory in Guam, said Navy, Coast Guard and Trust Territory planes flew emergency supplies to Saipan yesterday.

Two Trust Territory ships, laden with additional supplies, have been dispatched.

Heavy crop damages were reported on Guam and other islands in the Marianas, as well as the Hall Islands in the Truk District hundreds of miles to the southeast.

All telephone and power lines were knocked down by the screaming winds. Findley said six linemen were sent to Saipan by plane to repair utilities.

Although no deaths or serious injuries were reported, one youth reportedly was injured while fleeing to shelter. He was flown to Guam for treatment.

Herbert J. Riley, Hawaii State Red Cross disaster chairman, said Red Cross officials in Honolulu were standing by for reports from Red Cross personnel who flew to Saipan from Guam.

"It is possible the local chapter will send personnel into the stricken area to assist," Riley said.

He asked Hawaii residents not to bring in disaster donations of clothing or other items until actual needs are known.

[From the Honolulu (Hawaii) Star-Bulletin, Apr. 23, 1968]

MASSIVE AID NEED IN MARIANAS

(By BYRON BAKER)

The storm-ravaged people of the Marianas Islands in the Trust Territory have taken their first faltering steps toward recovery from the 190-mile-per-hour winds of Typhoon Jean that less than two weeks ago wrecked their homes, stores and gardens.

But their recovery will not be possible without massive infusions of financial aid from the federal government, an official Trust Territory report on the storm said today.

MOST PEOPLE HOMELESS

The fierce storm left most of Saipan's 10,000 people homeless and caused an estimated $16 million in damages in Saipan, Tinian, Rota and the northern Marianas Islands.

The fate of residents of the Hall Islands and other islands in the northern part of the Trust Territory's Truk district, struck earlier by the storm, is still not known.

A month's emergency food supplies for 1,000 people have been shipped there.

Such storms have been known to completely inundate low coral atolls like those north of Truk.

Typhoon Jean completely destroyed the aging rusty quonset huts where Marinas District government offices were located, flattened 115 houses and 30 quonset huts in which government employes lived and tore the roofs off almost every classroom on Saipan.

In Tinian 700 Islanders were almost all homeless, and the Tinian elementary school was heavily damaged.

Saipan was without power. The storm ripped the roof from the generating plant, drowned generators, and smashed at least half of the utility poles and wires on the Islands.

Officials could not predict how long it will be before telephone and electric services can be restored.

The Trust Territory Nursing School was demolished, as was a Catholic convent.

The Trust Territory government and U.S. military forces in the Marianas have begun a massive emergency relief operation.

Tents, generators, 4,000 sheets, 1,500 pillows, 1,800 blankets, tools and water containers, 150 utility poles, 13 heavy-duty refrigerators, clothing and 5,000 cartons of C-rations have been flown or shipped into the islands.

But the Trust Territory government also has asked the U.S. Department of Agriculture to provide a six-month supply of canned meat, rice and staples for 5,000 islanders.

Typhoid and tetanus immunization has been started, and emergency supplies of fresh water have been provided. The storm ruined Saipan's normal water distribution system.

Trust Territory officials hope to re-open shattered schools shortly under makeshift roofs.

Ralph Burns, regional director for the Office of Emergency Planning, is in the Marianas to determine whether they and the Hall Islands should be declared a national disaster area.

But recovery for the islands unquestionably will be agonizingly slow.

Guam, struck by a storm of similar ferocity in 1962, was still engaged in major rehabilitation efforts three years later after receiving a $45 million loan from the Federal Government.

The Trust Territory administration, operating for years on a shoestring budget, has scant funds to devote to any long-term recovery effort.

Secretary of the Interior Stewart L. Udall already has announced that Congress will need to make large appropriations to give the Marianas a new lease on life.

CONGRESS SLOW IN PAST

But the Trust Territory during the more than 20 years the United States has administered it never has been notably successful in getting adequate ordinary budgets through Congress.

And though typhoons regularly cause severe damage in the western Trust Territory, federal emergency benefits commonly have been quite limited.

INCREDIBLE DESTRUCTION

The Trust Territory had not yet determined last week how heavily damaged the northern islands of the Marianas were.

The storm struck the isles of Alamagan, Pagan, Sarigan and Anatahan to the north of Saipan.

Rota, 46 miles north of Guam, was smashed by another storm less than six months ago.

Storms of the intensity of the one that roared through Marianas cause incredible destruction.

Typhoon Jean peeled the foliage from most island plants, denuding Saipan; wrenched rubble from the ocean bottom to fill the channel of Rota harbor and hammered the 4,000-ton vessel Pacific Islander into Saipan's sole commercial wharf before snapping the ship's moorings and grounding it on a reef.

TRUSTEESHIP AGREEMENT FOR THE TRUST TERRITORY OF THE PACIFIC ISLANDS

PREAMBLE

Whereas Article 75 of the Charter of the United Nations provides for the establishment of an International Trusteeship System for the administration and supervision of such territories as may be placed thereunder by subsequent agreements; and

Whereas under Article 77 of the said Charter the Trusteeship System may be applied to territories now held under mandate; and

Whereas on 17 December 1920 the Council of the League of Nations confirmed a mandate for the former German islands north of the Equator to Japan, to be administered in accordance with Article 22 of the Covenant of the League of Nations; and

Whereas Japan, as a result of the Second World War, has ceased to exercise any authority in these islands;

Now, therefore, the Security Council of the United Nations, having satisfied itself that the relevant articles of the Charter have been complied with, hereby resolves to approve the following terms of trusteeship for the Pacific Islands formerly under mandate to Japan:

Article 1

The Territory of the Pacific Islands, consisting of the islands formerly held by Japan under mandate in accordance with Article 22 of the Covenant of the League of Nations, is hereby designated as a strategic area and placed under the Trusteeship System established in the Charter of the United Nations. The Territory of the Pacific Islands is hereinafter referred to as the Trust Territory.

Article 2

The United States of America is designated as the Administering Authority of the Trust Territory.

Article 3

The Administering Authority shall have full powers of administration, legislation, and jurisdiction over the Territory subject to the provisions of this Agreement, and may apply to the Trust Territory, subject to any modifications which the Administering Authority may consider desirable, such of the laws of the United States as it may deem appropriate to local conditions and requirements.

Article 4

The Administering Authority, in discharging the obligations of trusteeship in the Trust Territory, shall act in accordance with the Charter of the United Nations, and the provisions of this Agreement, and shall, as specified in Article 83 (2) of the Charter, apply the objectives of the International Trusteeship System, as set forth in Article 76 of the Charter, to the people of the Trust Territory.

Article 5

In discharging its obligations under Article 76a and Article 84 of the Charter, the Administering Authority shall ensure that the Trust Territory shall play its part, in accordance with the Charter of the United Nations, in the maintenance of international peace and security. To this end the Administering Authority shall be entitled:

1. To establish naval, military and air bases and to erect fortifications in the Trust Territory;

2. To station and employ armed forces in the Territory; and

3. To make use of volunteer forces, facilities and assistance from the Trust Territory in carrying out the obligations towards the Security Council undertaken in this regard by the Administering Authority, as well as for the local defense and the maintenance of law and order within the Trust Territory.

Article 6

In discharging its obligations under Article 76b of the Charter, the Administering Authority shall:

1. Foster the development of such political institutions as are suited to the Trust Territory and shall promote the development of the inhabitants of the Trust Territory towards self-government or independence as may be appropriate to the particular circumstances of the Trust Territory and its peoples and the freely expressed wishes of the peoples concerned; and to this end shall give to the inhabitants of the Trust Territory a progressively increasing share in the administrative services in the Territory; shall develop their participation in government; shall give due recognition to the customs of the inhabitants in providing a system of law for the Territory; and shall take other appropriate measures towards these ends;

2. Promote the economic advancement and self-sufficiency of the inhabitants, and to this end shall regulate the use of natural resources; encourage the development fisheries, agriculture, and industries; protect the inhabitants against the loss of their lands and resources; and improve the means of transportation and communication;

3. Promote the social advancement of the inhabitants, and to this end shall protect the rights and fundamental freedoms of all elements of the population without discrimination; protect the health of the inhabitants; control the traffic in arms and ammunition, opium and other dangerous drugs, and alcohol and other spirituous beverages; and institute such other regulations as may be necessary to protect the inhabitants against social abuses; and

4. Promote the educational advancement of the inhabitants, and to this end shall take steps towards the establishment of a general system of elementary education; facilitate the vocational and cultural advancement of the population; and shall encourage qualified students to pursue higher education, including training on the professional level.

Article 7

In discharging its obligations under Article 76c of the Charter, the Administering Authority shall guarantee to the inhabitants of the Trust Territory freedom of conscience, and, subject only to the requirements of public order and security, freedom of speech, of the Press, and of assembly; freedom of worship, and of religious teaching; and freedom of migration and movement.

Article 8

1. In discharging its obligations under Article 76d of the Charter, as defined by Article 83(2) of the Charter, the Administering Authority, subject to the requirements of security, and the obligation to promote the advancement of the inhabitants, shall accord to nationals of each Member of the United Nations and to companies and associations organized in conformity with the laws of such Member, treatment in the Trust Territory no less favourable than that accorded therein to nationals, companies and associations of any other United Nations except the Administering Authority.

2. The Administering Authority shall ensure equal treatment to the Members of the United Nations and their nationals in the administration of justice.

3. Nothing in this Article shall be so construed as to accord traffic rights to aircraft flying into and out of the Trust Territory. Such rights shall be subject to agreement between the Administering Authority and the State whose nationality such aircraft possesses.

4. The Administering Authority may negotiate and conclude commercial and other treaties and agreements with Member of the United Nations and other States, designed to attain for the inhabitants of the Trust Territory treatment by the Members of the United Nations and other States no less favourable than that granted by them to the nationals of other States. The Security Council may recommend, or invite other organs of the United Nations to consider and recommend, what rights the inhabitants of the Trust Territory should acquire in consideration of the rights obtained by Members of the United Nations in the Trust Territory.

Article 9

The Administering Authority shall be entitled to constitute the Trust Territory into a customs, fiscal, or administrative union or federation with other territories under United States jurisdiction and to establish common services between such territories and the Trust Territory where such measures are not inconsistent with the basic objectives of the International Trusteeship System and with the terms of this Agreement.

Article 10

The Administering Authority, acting under the provisions of article 3 of this Agreement, may accept membership in any regional advisory commission, regional authority, or technical organization, or other voluntary association of States, may co-operate with specialized international bodies, public or private, and may engage in other forms of international co-operation.

Article 11

1. The Administering Authority shall take the necessary steps to provide the status of citizenship of the Trust Territory for the inhabitants of the Trust Territory.

2. The Administering Authority shall afford diplomatic and consular protection to inhabitants of the Trust Territory when outside the territorial limits of the Trust Territory or of the territory of the Administering Authority.

Article 12

The Administering Authority shall enact such legislation as may be necessary to place the provisions of this Agreement in effect in the Trust Territory.

Article 13

The provisions of Articles 87 and 88 of the Charter shall be applicable to the Trust Territory, provided that the Administering Authority may determine the extent of their applicability to any areas which may from time to time be specified by it as closed for security reasons.

Article 14

The Administering Authority undertakes to apply in the Trust Territory the provisions of any international conventions and recommendations which may be appropriate to the particular circumstances of the Trust Territory and which would be conducive to the achievement of the basic objectives of article 6 of this Agreement.

Article 15

The terms of the present Agreement shall not be altered, amended or terminated without the consent of the Administering Authority.

Article 16

The present Agreement shall come into force when approved by the Security Council of the United Nations and by the Government of the United States after due constitutional process.

(Effective July 18, 1947.)

NEIGHBORHOOD YOUTH CORPS APPROVED

Approval of the Trust Territory's application for a Neighborhood Youth Corps has been granted by the U.S. Department of Labor, Director of Community Development Francis B. Mahoney has announced.

The Neighborhood Youth Corps is a work-training, remedial education program for out-of-school and unemployed youths between the ages of 16 and 21. Approximately 175 young men will be involved in the Trust Territory program.

The Department of Community Development is the sponsor for the program and will operate the Neighborhood Youth Corps in the districts with the local Community Action Agencies acting as delegate agencies. The Department of Community Development will provide overall program support and coordination.

Additional information may be obtained from the Department of Community Development, Trust Territory Government, Saipan, Mariana Islands.

[From the Honolulu (Hawaii) Star-Bulletin, Apr. 30, 1968]

ISLE JOB CORPS MAY TAKE PACIFIC BOYS

(By Helen Altonn)

The Hawaii Job Corps on July 1 may begin taking Pacific corpsmen—disadvantaged youths from Guam and the Trust Territory, State Land Chairman Jim P. Ferry said today.

He said a new vocational training program also will start on July 1 at the Koko Head Camp in cooperation with the Marine Cooks and Stewards Union in San Francisco.

The two developments are being finalized after a series of meetings on the Mainland and in Hawaii.

Ferry and Francis M. Izumi, deputy attorney general, were recently in Washington discussing the Pacific corpsmen program with Job Corps administrators.

Representatives of Guam and the Trust Territory then came here to meet with officials of the Department of Land and Natural Resources, which operates the Job Corps program on a federal contract.

The present Hawaii Job Corps Center will accommodate 250 youths, Ferry said.

"Hawaii has been favored to recruit its own youth, and not from out of State," he commented.

"However . . . Hawaii's role as the center of the Pacific entertains the entrance of at least 30 youths from Guam and the Trust Territory into the center program."

He said everyone concerned with the program is "very eager for its inception.

"We will help ourselves, as well as them, by bringing together the different cultures of the Pacific.

"Our manpower needs are not totally dissimilar," he added.

The cultural background of the "Pacific

corpsmen" will present some problems, but these are being worked out now, Ferry said.

The State has signed a $90,000 contract with the Marine Cooks and Stewards.

May 18, 1967.

Washington, D.C.—Representative Patsy T. Mink announced today that the Caroline Islands of Yap and Ponape will receive a total of $82,313 in Summer Head Start funds from the Office of Economic Opportunity. The Yap and Ponape Community Action Programs will receive the awards which will benefit a combined total of 501 pre-school age children.

On May 12, Mrs. Mink announced that a similar grant had been awarded to the CAP agency on the island of Moen to administer a program on the island of Truk benefiting 270 children. Total monies forwarded by OEO to the Trust Territories for this summer are in the sum of $174,641; total number of children receiving Head Start aid number 771.

Ponape, Eastern Caroline Islands—Summer Headstart

The Office of Economic Opportunity today announced a grant of $39,946 to the Ponape Community Action Agency, Trust Territory of the Pacific Islands, Ponape, Eastern Caroline Islands, for a summer Head Start program. Of this amount, $20,263 are new Federal funds and $19,683 are reprogrammed funds from a prior grant.

Bertrand M. Harding, Acting Director of OEO, said that the grant will finance a 1½ month child development program for 404 pre-school children. The children will meet in 15 different centers, which will use the services of 17 professional and 55 non-professional employees.

In addition to the educational curriculum, the children will receive the benefits of nutritional, medical and social services.

Mike Ezzell is the Head Start Director.

Saipan, Mariana Islands—Summer Headstart

The Office of Economic Opportunity today announced a grant of $34,091 to the Mariana Islands District Community Action Agency, Trust Territory of the Pacific Islands, Saipan, Mariana Islands, for a summer Head Start program. Of this amount, $31,093 represents new Federal funds, while $2,998 are reprogrammed funds from a previous grant.

Bertrand M. Harding, Acting Director of OEO, said that the grant will provide a two-month child development program for 370 pre-school children. The children will meet in eight different centers: six on Saipan, one on Rota, and one on Tinian. The centers will use the services of 33 professional and 24 non-professional employees.

The children will receive the benefits of medical, nutritional and social services.

Mr. Jesus Concepcion is the Head Start Director.

Petition Signed by 1,500 Palauans

We, the undersigned representatives, citizens and residents of the Palau District, Trust Territory of the Pacific Islands, hereby urge and petition the Administering Authority of the Trust Territory of the Pacific Islands as follows:

Whereas, the Palau District was devastated during and after the fighting that occurred in World War II, and most inhabitants suffered grave hardships caused both by the destruction of their homes and possessions as well as the loss of relatives and loved ones; and

Whereas, the inhabitants of the Palau District have been unable to fully recover from destruction caused by the fighting between the United States Government and the Government of Japan during World War II and the destruction of private homes by the United States military forces following the end of the war; as most of the homes that were built after the close of the war were surplus scraps of poor quality; and

Whereas, this condition has forced the inhabitants of the Palau District to live in sub-standard houses that threatens the lives of the inhabitants of the Palau District when typhoons occur in this area of the world, as well as causing grave hardships in having to rebuild blown down shacks which hinders the progressive development of the Palau District and the rest of the Trust Territory of the Pacific Islands; and

Whereas, over the years, numerous efforts have been undertaken to upgrade the standard of housing in the Palau District, but typhoons have ravaged our islands by destroying our homes that most recently happened in March, 1967, when Typhoon Sally packing 90 miles an hour winds with gusts to 130 knots, destroyed approximately 80% of the homes in Palau, and many people still remain homeless today; and

Whereas, in order to adequately protect the welfare of the inhabitants and to promote economic stability in this district and in the Trust Territory of the Pacific Islands, prompt steps must be taken to construct *permanent* houses which could be most effectively achieved through the payment of all "post-secure" claims of the United States Government; and

Whereas, if the Administering Authority could advance money for use by the people for permanent low-cost housing, a most critical need could be met and repayment could be made when the war claims are finally settled;

Now, therefore, we urge your favorable consideration to take steps as may be necessary to advance money for permanent low-cost housing to be which would be reimbursed from payments of World War II damage claims or such other sources as may be deemed feasible.

Yap Islands Resolution No. 37–5–68

(Commending the Honorable Patsy T. Mink, Member of the U.S. Congress from the State of Hawaii, for her sincere concern of the welfare of the inhabitants of the Trust Territory of the Pacific Islands)

Whereas, the Honorable Patsy T. Mink has often demonstrated her sincere concern, embracing the desire of the United States Congress to promote the political, economic, and social welfare of the people of the Trust Territory of the Pacific Islands, and most recently demonstrated her concern by introducing in the United States Congress *H.R. 16183*, entitled "Organic Act of the Trust Territory of the Pacific Islands"; and

Whereas, the Yap Islands Legislature has taken notice of the numerous Acts of the United States Congress establishing programs beneficial to the people of the United States and its possessions on which the Honorable Patsy T. Mink has taken a firm stand and proposed amendments and bravely defended the same in order that such programs could be extended to the Trust Territory so that the people of this area could enjoy and benefit from these programs; and

Whereas, the Honorable Patsy T. Mink was a member of the last United States Congressional Visiting Mission which toured the Trust Territory during the first months of this year during which she took active part in sharing with the people of the Trust Territory her wisdom and deep insight into the problems facing this area;

Therefore, be it resolved by the Yap Islands Legislature that. The Honorable Patsy T. Mink, member of the United States Congress, is hereby commended wholeheartedly in appreciation of her active role and initiative symbolizing her sincere and utmost concern for the numerous problems of the Trust Territory of the Pacific Islands, and drawing attention to these problems in the United States Congress;

Be it further resolved that certified copies of this commendation be forwarded to: The Honorable Patsy T. Mink; the President of the United States of America, the Honorable Lyndon B. Johnson; the President of the Senate, United States Congress, the Honorable Hubert H. Humphrey; the Speaker of the House of Representatives, United States Congress, the Honorable John W. McCormack; the Secretary of the Interior, the Honorable Stewart L. Udall; Chairman of the Committee on Interior and Insular Affairs, the Honorable Wayne N. Aspinall; the High Commissioner of the Trust Territory of the Pacific Islands, the Honorable William R. Norwood; and the District Administrator of Yap, Mr. James C. Flannery.

Adopted by the Yap Islands Legislature this 24th day of May, 1968.

Joachim Falmog,
President, Yap Islands Legislature.
Raphael Dabuchiren,
Secretary, Yap Islands Legislature.

Continental Airlines,
May 16, 1968.

Hon. Patsy T. Mink,
House of Representatives,
Washington, D.C.

Madam: This letter was on board the first Air Micronesia flight out of Guam destined for points within the Trust Territory of the Pacific Islands. The envelope has been imprinted with an official First Flight Cachet by the Post Office Department to commemorate this special occasion. The air service is being operated by Air Micronesia and Continental Airlines under a five year contract with the Government of the Trust Territory of the Pacific Islands.

The contract provides for scheduled air service to the Trust Territory Islands of Palau, Yap, Ponape, Kwajalein, Truk, Majuro, Rota, and Saipan, and will connect these islands with Guam, Honolulu, and Okinawa.

It is felt that you would like to have this collector's item as a memento of the occasion.

Sincerely,

Dominic P. Renda.

[From the Honolulu (Hawaii) Star-Bulletin, May 24, 1968]

Micronesia's Isolation Ends

This week's opening of the new Air Micronesia service is as significant to the Trust Territory as the opening of new railroads in the American West a century ago.

Suddenly the islands of Majuro, Kwajalein, Ponape and Truk have taken places on a thoroughfare running from Hawaii to Asia.

Until this week they were in a backwash—hard to reach and expensive to reach, largely unknown to and ignored by the world.

Now the transpacific traveler can visit them at little cost beyond his normal fare from America to Asia.

His stopover options are still limited but far improved over what they used to be, and sure to get better.

These once-remote islands will see the beginnings of a tourist trade.

There will be new hotels and then the supporting activities.

Elsewhere in the Pacific, air terminals have been the centers of ferment, the centers from which new ideas fan out to challenge old customs and practices.

The new air service will mean a quickening of this ferment in much of Micronesia. The results will not all be good or happy.

Yet Micronesia can not escape the 20th century any more than Hawaii could. The challenge for its administrators is to make the transition as beneficial, constructive and easy as possible.

[From the Honolulu (Hawaii) Advertiser, May 27, 1968]

Micronesia at Sea

Almost lost in the press conference a week ago on Air Micronesia's new service was a statement from High Commissioner William Norwood of the Trust Territory.

Norwood noted that the contract for surface shipping expires at the end of August. He said he hoped for a boost in ship transport comparable to that anticipated from the new air service.

This is saying something extremely important. For as pointed out earlier jet air service holds the potential for carrying almost twice as many people twice as often in half the old time schedule. Hawaii has seen what that meant in increased tourism and generally increased movement in and out of these islands.

Nothing as dramatic as the jet age is in store for ship service in the Trust Territory. But the potential for improvement should not be underestimated.

Virtually everyone who visits the Trust Territory concludes that inadequate transportation is one of the key problems that must be solved before real economic advancement is possible. The administration readily admits the need.

Improved air service is only part of the answer. Even when planned runways are built or present ones improved, air service will only be for the half-dozen islands that serve as district centers. There are more than 2,000 islands in the Trust Territory, of which more than 100 are inhabited.

So most of inter-island transportation is aboard the small, inadequate fleet of ships owned by the Trust Territory government which operates on a cost-plus-fee basis and a few private local operators.

Furthermore, copra is the major export crop of the Trust Territory. Poor and undependable service means wastage from rotting and lack of incentive to produce.

Storms, breakdowns and medical emergency needs often divert shops from schedules for many weeks of the year.

The situation has even caused political as well as economic and social problems.

Last year when a much-delayed ship finally arrived at Ujelang, an end-of-the-line island in the Marshalls, the people staged a protest sit-in. They had several grievances, but central in them was poor communication and transportation.

Publicity about the event was more than just a newspaper embarrassment for the United States. The grievance was taken to the United Nations.

It's hard to say just what answer will emerge for the shipping problem.

There are several possibilities. Among those bidding, for example, is Hawaii's Dillingham Corporation which proposes a regularly scheduled tug and barge service such as Young Brothers Company now operates among Hawaii's islands.

Whatever is suggested, the need seems akin to the air service requirement—better, faster equipment, more service and operating and ownership concepts that will involve the Micronesians.

Again what happens will not be as dramatic as the jet age coming to Micronesia, but the need is so basic and so acute that effort and thought must be made for the biggest and best possible improvement.

(NOTE.—The following is the text of High Commissioner W. R. Norwood's Opening Statement to the 35th Session of the Trusteeship Council, which opened in New York on May 27 (New York Times). The actual examination of conditions in the Trust Territory of the Pacific Islands began on May 28 and continued until June 5. Accompanying the High Commissioner were Senator Isaac Laawi of the Marshalls and Representative Jacob Sawaichi of the Congress of Micronesia, who also made appropriate statements.)

OPENING STATEMENT BY HIGH COMMISSIONER WILLIAM R. NORWOOD TO THE TRUSTEESHIP COUNCIL

INTRODUCTION

A year ago after I completed my meetings with the Trusteeship Council and headed homeward toward Micronesia, almost a half-world away, I traveled most of the distance by jet aircraft.

But when I arrived on the island of Guam, the then threshold of Micronesia, I transferred to a DC-4 propeller driven aircraft to re-enter the slower tempo of Micronesian life and progress.

This year when these meetings are completed, I expect to return by jet aircraft all the way. I shall be flying from Honolulu, Hawaii, to Majuro, in the Eastern Carolines, by way of Johnston Island. And if I chose to do so, I could continue on through Micronesia to Okinawa, and proceed from there to major cities of the Far East.

In the year that has elapsed since the last meeting of this Council, the quickening pace of events has in some instances hurdled the lag of prior years and has propelled Micronesia into a new and more immediate relationship with what formerly was a more distant and separate twentieth century world.

This does not mean that all islands or all districts have been comparably affected by the dramatic impact of modern travel linkage with Hawaii on the east and Okinawa on the west. Nor does this development mean that other measurements of program progress have registered similar change.

Some islands and their people will remain for the foreseeable future relatively untouched by the events of the year past. But the impact, with the inevitable reach of ripples set in motion by a stone tossed into a pond, will be felt, however gentle it may be.

The formal report of the year under review has been submitted. My remarks are intended as a supplement to highlight what has occurred since that report was completed covering the period from July 1, 1966 to June 30, 1967. To bring the record quickly up to date and, at the same time cover what is almost a full calendar year, I shall attempt to summarize the more significant developments.

THE POLITICAL FUTURE

There is mounting interest in the political future of Micronesia. This interest is evidenced by increasing discussion and debate within the Territory, and by a comparable display of external concern.

Micronesia's steady development of a capacity for political maturity was reflected by the actions of the third regular session of the Congress of Micronesia, which met from July 10 through August 8, 1967. The volume of bills introduced greatly exceeded that of the prior two sessions. Out of a total of 160 measures proposed, 41 survived the legislative scrutiny of the House of Representatives and the Senate and 34 were signed into law.

One of the most important of these new laws was a Social Security Act for Micronesians. This measure becomes effective July 1 of this year (1968). The Act was based on a study and proposal made by the chief actuary of the United States Social Security Administration. It covers private sector employees as well as those on the government payroll.

At the outset, one percent of salaries will be deducted to be matched by an equal amount by employers. Over a 15-year period the amount of deduction provided by the employee will increase to four percent and an equal amount will be contributed by employers.

Because of Micronesia's steady progress toward a money economy, this social security system is intended to provide Micronesians with income in old age and to give families some protection against untimely loss of their wage earners.

Another legislative milestone was passage of an Act setting up a Board of Land Surveying Examiners. This is the first piece of legislation setting professional standards for surveyors. Nine Micronesians have been registered as surveyors under provisions of this measure which is designed to enable us to deal more effectively with problems arising from disputed ownership and long pending land claims.

It will be recalled that the second regular session of the Congress of Micronesia requested appointment by the President of the United States of a status commission to investigate conditions and factors affecting Micronesia's political future and to recommend a date for a plebiscite. The President proposed legislation to implement this request and the matter is now under consideration by the U.S. Congress.

Meanwhile, the Congress of Micronesia proceeded at its third regular session to establish its own status commission. The powers and responsibilities of this commission are the following:

To develop and recommend procedures and course of political education and action;

To present such range of possibilities and alternatives as may be open to Micronesians with respect to their choice of political status;

To recommend procedures and courses whereby the wishes of the people of the Trust Territory may be ascertained with respect to the political status of Micronesia; and

To undertake a comparative analysis and to select areas of study of the manner and procedure whereby the Commonwealth of Puerto Rico, Western Samoa, and the Cook Islands, and other territories and developing nations have achieved self-government or independence.

The Commission has already held a series of meetings and hearings and has decided to establish contact with representatives of various agencies, territories and nations whose experience is relevant to Micronesia. The Commission also plans to establish liaison with the United States Status Commission if and when the latter is authorized and appointed.

The Congress of Micronesia Status Commission met separately with two subcommittees of the U.S. Congress who toured the Territory in February to assess political development, administrative performance and economic and financial requirements. The visiting U.S. Congressional groups were composed of nine members of the U.S. House Committee on Interior and Insular Affairs, plus staff, and three members of the U.S. Senate Sub-Committee on Interior and Insular Affairs, plus staff.

These visitors constituted the largest number of U.S. Representatives and Senators to visit Micronesia to date. They toured all districts and reached many remote islands not on the normal travel circuit. They held meetings with local legislatures, municipal councils, administrative representatives and other groups and individuals.

The extensive island coverage and time allotted for the visit reflected the increasing interest the U.S. Congress is taking in Micronesia and the desire of the Committees to become more directly familiar with the Territory and thus become better prepared to evaluate requests for increasing appropriations.

As a consequence of these visits new legislation has been proposed. I was advised just before leaving Washington a few days ago that the Senate Subcommittee has reportedly sent a bill which has three major provisions. First is a proposal to increase authorized appropriations to a total of $120 million for the three years from 1970 through 1972. This compares with our presently authorized ceil-

ing of $35 million for 1969. The Senate committee has also recommended increasing our economic development loan fund to $5 million, and has supported appointment of the proposed status commission.

PLANNING FOR FUTURE DEVELOPMENT

The political future of Micronesia is dependent to a large extent on the economic future and social development of this scattered island community.

In recognition of the need for a coordinated approach to the physical development of Micronesia, the Trust Territory Administration contracted with Hawaii Architects and Engineers to prepare comprehensive Master Plans for each of the district centers and the islands of Ebeye and Carlson. The basic purpose of the program was to chart a course for the orderly growth and development consistent with and complimentary to the social, economic, cultural and physical aspirations and needs of the people of Micronesia.

The objectives of the planning program are:

1. Provide a better basis for programming the expenditures of public funds for schools, roads, utilities and other public facilities.
2. To assure the proper location for such facilities.
3. To measure the magnitude of improvement needed.

One of the most important elements of the planning program was a commitment on the consultants' part to carry on an active and intensive program with the people, with the traditional leaders, with local legislatures, and with the Trust Territory Government staff; a program of information and education so there would be a maximum understanding and support for this planning program, and of even greater importance, to receive a feedback which would be helpful in making the necessary planning decisions. Planning Commissions were established, radio programs were initiated, and a monthly planning newsletter was published as part of this public information program, to enable the people to understand and help shape the planning process.

The value of this program has already been demonstrated in the siting of various facilities which are currently under construction. More importantly, the program is serving as an effective instrument which this administration, working with the people of Micronesia, is developing a coherent set of long-range policies for the physical growth and development of Micronesia.

THE ECONOMIC OUTLOOK

As indicated at the opening of this statement, new commercial jet air service promises to provide a major thrust to Micronesia's economic development.

Micronesian involvement in the ownership and operation of Air Micronesia is an important feature of this new service. The airline is owned 31 percent by Continental Airlines, 20 percent by Aloha Airlines from Hawaii, and 49 percent by the United Micronesian Development Association.

A training program for Micronesian personnel is underway. The company intends to staff as many positions as possible with Micronesian personnel as the latter complete training and meet job requirements.

In addition to linking Micronesia directly with Hawaii and Okinawa, the new service contract calls for construction of six hotels by Continental, one in each district. It is also the plan to staff these hotels with trained and qualified Micronesians.

The new jet service does not presently serve Ponape, but will do so upon completion of the Ponape airstrip late this year or early next year.

This means that Micronesia has been opened to and has become a part of the Pacific travel market. As facilities and services are improved, it is expected that the flow of travel dollars will have a substantial impact on the economy of the area and that there will be a significant increase in employment opportunity generated directly and indirectly by tourism.

The number of tourists entering the Territory has already shown a marked increase as a result of the establishment of direct air service between Tokyo and Guam, coupled with the opening of a new 54-room resort hotel on Saipan.

Improvements in shipping services comparable to those achieved in air travel, are in prospect, but probably will not be as dramatic. In March the Trust Territory Government issued an invitation for proposals from qualified carriers to provide major logistic service throughout the Territory. These proposals are currently under study and the selection of a carrier is expected shortly.

In addition to providing direct service from the West Coast of the United States, the invitation envisions a new 10-year contract including use of newer, faster ships, or combinations of equipment better adapted to Micronesia's economic needs than the schedules and vessels presently in use.

Although field trip schedules are still far from satisfactory to meet the needs of more remote island communities, we hope to improve this service also. In April we acquired an all-steel 178-foot vessel which has been assigned to the Marshalls to supplement administrative and field trip services in that widely scattered island group.

We are cognizant of the need to improve shipping services and administrative and commercial communications in all districts, especially in the Marshalls. The population pressures on some of the more remote islands outside of the district centers are demanding plans and action to overcome the distances and isolation. This problem was brought into a new focus of urgency this past year by food and supply shortages on Ujelang and population pressures on Kili.

Micronesians living in these more remote areas desire better and more reliable shipping and administrative attention than they have been receiving. The answer lies not in the mobilization of emergency measures to meet crises but in development in some areas of sub-district centers and the separation of field trips and administrative shipping schedules.

The vast ocean areas and fishery resources of Micronesia offer prospects of future development, but progress has been relatively slow. We recently have received indications of interest in the possibility of establishing commercial fishing and canning operations in Truk. We have conducted an engineering survey of possible plant sites and have developed new data on bait sources and tuna species in the area.

There is also increased interest in establishment of a marine science laboratory in Palau. A number of universities and agencies have indicated a desire to conduct marine research programs in Palau if laboratory facilities can be provided. We are hopeful of obtaining funds from private or government sources for this purpose.

The recommendations contained in the Nathan Report continues to provide some helpful guidelines for our economic development program. Since my appearance before you a year ago we have established an economic division within our department of resources and development and have added a widely experienced economic development specialist to the staff. The Nathan Report, meantime, has been widely publicized and has generated numerous inquiries and business proposals, some of which are currently under active consideration. The proposed major increase in the economic development loan fund should stimulate further interest and more action.

Our plans to shift from experimental agriculture to demonstration farming and market oriented production have not as yet produced significant results but the availability of more funds, more staff and equipment may enable us to register more progress in the year ahead.

NEW TRENDS IN EDUCATION

As interest in Micronesia's political future mounts and as changes occur affecting the economic and social environment, we have recognized the need to reevaluate and redirect the educational system and programs so that the latter are more realistically responsive to changing conditions.

Within the year under review there has been a major shift toward more vocational training without seriously weakening an appropriate balance of general academic study.

Our construction program in the immediate future and years ahead will require numerous skills not presently available in quantity. The newly emerging travel industry similarly will provide employment for qualified Micronesians.

A new vocational school to serve all Micronesia is planned for Koror, Palau, and is expected to be ready for use in September, 1969. Occupations for which training will be provided include construction and maintenance, surveying, drafting, food service, dressmaking, and others will be added to meet prospective employment requirements. The high schools are currently renewing their programs to include more vocational orientation and we expect to accomplish significant shifts in this direction.

We are aware, of course, that the emphasis on vocational training must be consistent with prospects for application of the skills acquired, and that general academic study is also important to enable Micronesian students to qualify for higher college-level education if they are interested in doing so.

Meanwhile, the English language training program has been continued with major assistance from Peace Corps volunteers. During the summer of 1967 the Trust Territory and Peace Corps personnel conducted the first English training program in Micronesia. One hundred and forty volunteers completed the training and were assigned to elementary and secondary schools in six districts. At present as we near the end of the 1967–1968 school year, 370 volunteers and contract teachers are teaching English, along with other duties.

We are also training Micronesians as English language instructors. It is planned to enroll 75 Micronesians in the 1968 summer training porgram. In addition, the College of Guam has accepted 18 Micronesians for a summer institute in English language instruction.

This emphasis on English is intended not only to provide the Micronesians with a widely useful second language, but to establish English as the common language of Micronesia and thus strengthen communication in the interest of political and administrative cohesiveness.

PROGRESS IN HEALTH PROGRAMS

Another major contribution by the Peace Corps during the year under review was a household census including health data. The study was under the general direction of the University of Hawaii using volunteers as field workers.

Although the analysis of disease survey data has not yet been completed, findings so far indicate that the level of community health thorughout Micronesia compares favorably with the level of health in the U.S. mainland.

Leprosy is a declining disease throughout the Territory and few new cases have been discovered except on the tiny atoll of Pingelap and the Pingelapese villages of Sokehs and Mandt which have long been recognized as areas of very high incidence, but all except one of these cases was classified as having tuberculoid leprosy, which means that the disease is not communicable. A leprosy eradication program is now underway in these areas, under the direction of the University of Hawaii. A fairly successful attempt has been made to obtain tuberculin tests on all inhabitants of the Territory. These are being tabulated and it appears that they are not unduly high, in most areas no higher than in many parts of the United States. A chest X-ray survey is now underway, and up to this point, has revealed comparatively few new cases, thus confirming the tuberculin data. Filariasis is found only in limited areas (not at all in the Marshalls or Mariana Islands) and seldom produces symptoms. An eradication program will soon be started.

Family planning has been introduced into each district center, and information, advice, devices and pills are being offered through the medical officers routinely. There has been no prejudice to these activities, though they are still functioning on a patient-to-patient basis. Accelerated family planning programs are to be introduced in those areas (i.e. Mortlocks, Marshalls) where population problems are most urgent.

Mental disease has been traditionally regarded with fear in Micronesia, and patients with such disease have been ostracized or treated as criminals. Three mental care units have been designed which will permit modern open-ward type of care as well as maximum security where necessary.

In the meantime, our department of health has shown steady administrative improvement. Previous difficulties in recruiting fully qualified doctors have been overcome. We have obtained the services of four new physicians and six others are prospective employees.

These are all successful mid-career general practitioners who seem to have skills necessary to work successfully along with our able Micronesian practitioners, giving the latter guidance in areas of weakness and setting generally accepted standards of professional performance.

Meantime the need to place more emphasis on improving environmental health is recognized. We are proceeding with plans and programs to improve water, power and sewer facilities; to expand distribution of adequate dispensaries; to train health aides and to strengthen health education.

CONCLUSION

In the foregoing report I have emphasized the positive, highlighting accomplishments and developments indicating progress during the past year. It must be acknowledged that gains in all areas and programs have not been uniform. Much remains to be done to reach and serve the needs of the people of Micronesia, especially those living in the more remote islands.

Greater effort must be made to train, qualify and assign Micronesians to senior administrative positions. Some progress has been made in this area but we have not given the training of Micronesians for administrative responsibility the attention and emphasis which it should have received by this point in time. We intend to correct this deficiency.

On the whole, however, the outlook is more encouraging than it was a year ago. The sympathetic and increasing interest and support of the U.S. Congress are particularly encouraging.

The careful, and at times, critical scrutiny with which the Trusteeship Council has followed our stewardship has been constructive and helpful.

Gains made during the year past lead to the hope and expectation that we shall make further progress in the year ahead.

Closing Statement by William R. Norwood, U.S. High Commissioner of the Trust Territory of the Pacific Islands, in the Trusteeship Council, June 5, 1968

As we come to the close of these proceedings, Madame President, I wish to thank the members of the Trusteeship Council for their friendly and constructive interest in Micronesia.

The probing questions and summary statements have brought into sharpened focus the problems and programs requiring continued and more effective administrative attention.

I believe the record will show that some encouraging gains have been made during the year under review. The start of new commercial air service; the opening of a new 54-room hotel on Saipan; master planning for orderly community development; recruitment of additional doctors; construction of 130 new classrooms; engineering studies and architectural designs for other new schools and hospitals are indications that there has been perceptible progress.

That the development has not gone forward with uniform effectiveness in all areas of responsibility is acknowledged.

Health conditions and health programs which were of critical concern to this Council and to the World Health Organization three years ago have shown demonstrable improvement. We have been successful in recruiting fully qualified doctors of medicine to fill previously existing vacancies. The education and training of Micronesian medical personnel has been given increased emphasis. The new health planning and evaluation contract recently negotiated between the Trust Territory and the University of Hawaii will provide further expert guidance for development of better facilities, practices and programs.

Discussion and debate of the past several days have emphasized the growing interest in the political future of Micronesia and Micronesia's capacity for self-determination. It will be recalled that only two years ago questions were raised in this Council as to whether in fact Micronesia did exist as a cohesive political and social entity. At that time the Congress of Micronesia was but one year old and had not yet held its second session. Since then political development has moved forward at an accelerating pace and the deliberation and legislative actions of the Congress of Micronesia have had the effect of strengthening bonds of mutual interest and a sense of common destiny.

The point has been made, however, that despite Micronesia's growing awareness of unity and direction, meaningful political self reliance can not be achieved without comparable economic strength. As noted in the statements by the various distinguished members of this Council, this underscores the necessity of stronger efforts to develop Micronesia's resources, along with the transportation and communications facilities without which this community of widely scattered islands cannot possibly achieve economic viability.

Along with this problem, we are confronted with the question of whether Micronesia is economically and politically prepared for some more productive form of self-imposed taxation. Threaded throughout the discussions we have had here is the recurrent view that we need to adopt a "pay as you go" philosophy, instead of "go now, pay later." There appears to be general agreement that a system of taxation equity adjusted to the carrying capacity of the taxpayers is a desirable, if not essential, ingredient to bind and strengthen the combined forward movement of political and economic progress.

If we use a single year as the time frame within which to measure progress, the gains may not seem spectacular execpt in a few dramatic instances such as in air travel. In some areas it may appear that relatively little significant progress has been achieved, but this ignores the substantial preparatory ground work which has been accomplished during the past year for construction and program development in the year ahead.

If we use a decade of comparisons for our measurement of achievement, the gains indeed are evident. For example, if we compare conditions existing in 1957 with those of 1967 we note:

	1957	*1967*
Elementary school enrollment	9,400	21,000
Secondary school enrollment	127	2,400
Higher education enrollment	68	300
Private commercial companies	18	43
Micronesians in private employment	765	2,800

Within the past two years we have seen the expenditure ceiling authorized by the U.S. Congress double from a level of $17.5 million in 1966 to $35 million for 1968. This in itself demonstrates a recognition by the administering authority of its responsibility to provide the financial resources for accelerated achievement.

Although we can take some pride in this statistical record, we recognize that the real measure of the success of our trusteeship is the extent to which Micronesians are involved in the formulation of policies and in the implementation of those policies.

All of the Council members without exception have expressed disappointment that so relatively few Micronesians have as yet been assigned to positions of senior administrative responsibility. The lag here is the more apparent when compared with the impressive performance of the members of the Congress of Micronesia in that relatively young legislative branch of the government. The need for more effective management and administrative training of Micronesians for employment at all levels of government is recognized. The existing training programs, which have shown encouraging results, need to be expanded and strengthened. At the same time it is recognized that the objectives of responsible and responsive government will not be achieved unless the placement program adheres to high standards of performance.

Finally, Madame President, may I acknowledge once again the value of the friendly and constructive interest of this Council. The independent and varied views, recommendations and criticisms of the Council members provide an objective audit of our stewardship. They serve to broaden our vision and instill in us a renewed determination to help the deserving people of Micronesia develop an ever increasing capacity for self-reliance and self-determination so that they can shape their own destiny and achieve a more justly rewarding life for themselves and their children.

Statement by Representative Jacob Sawaichi, of the Congress of Micronesia, to the Trusteeship Council, May 27, 1968

I come bearing greetings from the Speaker and members of the House of Representatives of the Congress of Micronesia. It is indeed a great honor for me to appear and to speak before you today. It is a privilege for me to accompany our High Commissioner, the Honorable William R. Norwood, to appear before this august body.

The position of Micronesia today is cast in a somewhat different perspective than that of last year, when my colleagues, Congressman Salii and Senator Kabua, appeared before you. At that time, representations were made that Micronesians did not want to exercise their right of self-determination until the people had acquired a firsthand knowledge of both the benefits and the responsibilities under each of the possible political status alternatives in the present Twentieth Century context. Since then, events within and without the Trust Territory have seemed to dictate a re-evaluation of our position in this regard and an exploration of ways and means to accelerate the time when the political status of Micronesia can be determined.

Last year, there were three remaining territories under the Trusteeship arrangement. Today, with Nauru having gained its independence, two territories remain, namely; New Guinea and our Pacific Trust Territory. The need, therefore, to re-examine our rate of progress towards self-determination and possible independence has gained a new dimension of urgency. We are anxious to get on with the job of nation building. I have all the misgivings, however, that unless we renew our efforts and unless we take positive steps to remove the obstacles which lie in the way of self-determination for the people of the Trust Territory, Micronesia may be overtaken by events; then it would be useless, and, indeed, moot to talk about plebiscite or self-determination.

Many of my fellow Micronesians within and without the Congress of Micronesia entertain doubts when one discusses the prospects of a plebiscite on status alternate which seem to be open to Micronesians. The argument they advance most frequently in support of their positions is that of inadequate development of education and of the economy. There seems to be a general consensus that social and economic developments must necessarily precede political self-determination.

There are other Micronesians who take the position that political self-determination must be exercised as soon as it is possible to do so in order to assure some measure of political stability, and that, having resolved the political question, the problems of economic, social, and educational development can then be easily identified and resolved.

I have not the capacity to pass judgment on these two diametrically opposed positions. Perhaps, a happy solution lies somewhere between the two. It is my conviction, however, that our methods of measuring economic, social and educational, and political progress needs to be re-examined. Too often we in Micronesia seem to be preoccupied with how much efforts have been expended in different fields of endeavor, when what we should be asking is: what are the results of our efforts. If we were to ask ourselves this question in relation to our efforts in the Trust Territory, I dare say that our rate of progress for the past year is hardly perceptible. Our creative efforts to improve our lot in agriculture have left many unresolved problems. Our programs in fisheries, low-cost housing, education, and medical services require further evaluation and examination to see where we have failed. In short, a review of accomplishments of the past and previous years and the rate of our progress and growth will indicate the time when Micronesians would be able to exercise their right of self-determination.

It appears timely, therefore, to expend our energies in program areas which would bear the most results, and in specific programs which are more pressing in terms of time. I consider among the more pressing and important requirements in the Trust Territory the following improvements: (1) A corps of highly qualified and motivated Micronesian civil servants; (2) A system of government at the territorial, district, and municipal levels which is readily responsive to the needs of the common people of Micronesia; (3) An immediate shift from program evaluation and experimentation to actual field services and program implementation; (4) A well-balanced and precise development plan, formulated with both imagination and realism, and carried out with firmness and the allocation of all the necessary means and financial resources required for their execution.

The determination of the future political status of Micronesia presumes a certain degree of economic and social self-sufficiency. The rate in which planned programs are put into effect will determine when it will be appropriate for Micronesians to decide on their political status. I am hopeful that the end results of our present efforts in the Trust Territory will be such that Micronesians may soon decide on their future political status.

Thank you.

Statement by Dr. Isaac Lanwi, Senator, Congress of Micronesia, to the Trusteeship Council, May 27, 1968

I am honored to be accorded the privilege to speak before such a distinguished Council. My colleagues in the Senate of the Congress of Micronesia wish me to convey their greetings and to extend our appreciation for your interest in the problems of our Pacific Trust Territory.

The people of Micronesia are grateful for the progress and development thus far achieved in the Trust Territory. Many of them, however, consider the rate of progress and development to require further acceleration. Micronesians, in the main, have not been weaned from a subsistence economy into a self-sustaining market economy; the rise in the well-being and general welfare of the people has already been perceptible; the productivity of the land and sea resources have yet to be fully realized, and our social and educational needs have not kept abreast with the changing of time.

But to recite these objectives, not yet fully achieved, is not to dismiss the past accomplishments, nor to lay blame on anyone in particular. They need mention, if only to indicate areas where our efforts should now be concentrated or focused.

I find among the many chronic problems facing the Trust Territory a number of pressing matters which, in my opinion, should require immediate solution if the Trust Territory is to move at a faster rate of progress in economic, social, and political development. I will speak of only two of these problems:

One of the problems which the Government in the Trust Territory should seek to solve with a certain degree of immediacy is its inability to recruit, employ, and keep qualified administrative, professional, technical, and managerial personnel. Too often, worthy and well-conceived programs in the Trust Territory stagnate, due primarily to inadequate staff and necessary support for the programs. Major economic endeavors invariably flounder at some stage or another, because few individuals can be found available to carry out the programs.

I find it disturbing, for example, to know that as recently as last March of this year the Administration had vacant 129 out of the total of 513 positions required to administer programs in Micronesia. The positions that were vacant constituted roughly 26% of the total number of positions sorely needed to insure success of a balanced development in the Trust Territory. I find it further disconcerting when these position vacancy figures are broken down into the departments and agencies of the Territory where they occur. Vacancy percentages are found generally to be larger in important department areas. Thus, in Public Health 50% of the total number of positions budgeted for and approved for hiring remained vacant; vacancies in Public Affairs ran 70%; 50% in Protection to Persons and Property; 25% in Administration; 24% in Public Works, Utilities, and Communications; 30% in Resources and Development; 20% in Community Development, and 13% in Education. It is no small wonder why implementation of programs is hampered under such circumstances.

In the fishery program, for instance, only one person is assigned to develop, administer, and follow through on this important economic potential; lack of personnel to coordinate and to oversee the low-cost housing program has stifled positive efforts to get the program under way. The low-cost housing authorities in the six districts of the Territory are well-nigh defunct, and certainly have not improved housing conditions of the Micronesian people in any significant manner. Among the problems to be found in the rice, cacao, and pepper productions, there is to be found the lack of personnel with marketing expertise as a contributing factor in enabling production of these items as major exports. Tourism with its ancillary facilities as an economic possibility in Micronesia has no person in the Government to plan and encourage its promotion.

The other area of concern to me is the matter of bringing Micronesians to share and participate in decision-making with respect to program initiation and implementation. I fully concur with the recommendation of the 1967 Visiting Mission to Micronesia that "economic development plans (as indeed any other important policies of the Government) must be discussed with and agreed to by the Micronesian people if they are to be understood and supported by the people of the Territory".

I cannot conceive of Micronesians ever becoming able to exercise self-determination or self-government if they are not allowed now to participate in program planning and execution. In view of the rising level of financial and manpower assistance provided by the United States, the Micronesian participation in the decision-making process as to priorities and distribution of the total revenues and subsidies among the competing fields of development and social services has gained new perspective and demand that participation be allowed at the earliest possible time. Otherwise, any subsidies provided the Trust Territory may not really benefit the people for whom the benefits were primarily intended.

The Administration, in its sincere desire to move forward, frequently overlooks the wisdom of consulting with or seeking advice from the people. It appears, at times, that the Administration is impatient in waiting for the consensus of the people to get expressed. Such impatience, however, has proven itself on several occasions to be short-sighted. Instances are not lacking where well-planned and adequately funded programs have failed or half succeeded only because the Administration did not see fit to consult with the Micronesians. Acquisition of sites for school buildings, court houses, and other government facilities frequently brings about disputes and claims, because the Micronesians themselves did not get to know what factors were taken into consideration for the programs being proposed. In such instances the Administration could probably have saved itself trouble had Micronesian leaders been consulted and their assistance or advice obtained.

In my opinion, it is not enough to place a few selected Micronesians in executive positions of the Government, and then expect much Micronesian participation to come from these selected few. I feel that participation by Micronesians in policy decisions must and should be a true and active sharing of policy decisions and responsibilities in every aspect of development of the Territory, with as broad a spectrum of Micronesian community as can be practically obtained.

The goals of development in Micronesia are simple; the means of development are infinitely varied. I see the process as one of intimate cooperation and consultation among the United States, the United Nations, and Micronesia, in which each will pool its own ideas and experience in order to promote and bring about growth and the achievement of our goals.

I trust that I have made myself clear and that our exchange of views here today will in some way bring us closer to the realization of our ends.

[From the Honolulu (Hawaii) Advertiser, May 29, 1968]

Senate OK's $190 Million Program for Trust Isles

Washington.—The Senate passed legislation yesterday authorizing a five-year $190 million program to run the Trust Territory of the Pacific Islands.

Also approved was a bill establishing a $5 million loan fund to promote the economic development of the islands, known as Micronesia. The United States administers the islands under a 1947 trusteeship agreement with the United Nations.

Both bills passed by voice vote and were sent to the House.

The five-year program authorizes Congress to appropriate as much as $35 million for the current fiscal year, $35 million for the fiscal year beginning July 1, and $120 million for the next three fiscal years.

In addition, the bill authorizes $10 million to be appropriated in the event that the hurricane-prone islands experience a "major disaster."

The loan fund is designed to encourage investment in Micronesia, which is almost totally devoid of viable industry.

Loans under the act would be limited to 25 years repayment at interest rates no less than the average on outstanding marketable obligations of the United States.

No loan would be permitted if financing is otherwise available.

The measure is patterned after the Guam development loan fund which passed the Senate last year.

[From the Honolulu (Hawaii) Star-Bulletin, June 1, 1968]

Training of Teachers Expanded in Micronesia

Weakness in English and inadequate academic background are the two chief problems of teachers in the Trust Territory of the Pacific Islands, according to Dr. Roseamonde Porter, director of the Micronesian Teacher Education Center in Ponape.

The center has completed five years under a contract between the University of Hawaii and the Government of the Trust Territory. Soon they will sign a second five-year contract to operate the center.

In the latter part of this year the center will double from 45 to 90 students and from three to six faculty members, and for the first time it will occupy buildings of its own.

Dr. Porter, a faculty member of the University of Hawaii's College of Education since 1945, has headed the center for two years. She also conducts a curriculum-research program for Ponape under a grant from the U.S. Office of Education. This week she returned in Honolulu for a month's leave before returning to Ponape for another year.

The Micronesian Teacher Education Center was set up in January 1963 to upgrade the elementary-school teaching in the territory. About 290 teachers have attended the center so far. They attended full time for one or two years, received payment, room and board.

The center teaches them the academic subjects they must teach the children; it improves their English; and it instructs them in teaching methods.

The curriculum-research project, separate from the center, is trying to develop lessons—oriented to the Ponape way of life—for teachers to teach pupils English. English as a second language is a required subject in the elementary schools.

American textbooks cannot be used because they tell of a life that the Ponape people—who lack bathrooms, electricity, telephones, etc.—do not understand.

Staff members at the center and in the curriculum research program are preparing elementary readers in the Ponapean languages. Ponape has five languages and dialects.

Johnson Authorizes Relief Funds

President Lyndon B. Johnson has advised High Commissioner W. R. Norwood that additional disaster relief funds have been allocated to the Trust Territory. In a message received at Saipan Tuesday, the President said: "I have authorized a supplemental allocation of Federal Disaster Relief Funds in the amount of $6,000,000 to effect the assistance authorized by my declaration of a major disaster on April 18, 1968, in the Trust Territory of the Pacific Islands. This makes a total of $8,500,000 in PL 81–865 funds that have been noticed for Typhoon Jean relief in the Trust Territory. Representatives of the Office of Emergency Planning will continue to consult with you and your staff and assist in the execution of the necessary documents governing expenditures of the allocated funds."

President Johnson authorized an initial allocation of $2,500,000 when he declared a major disaster for the Trust Territory islands which were wracked by Typhoon Jean on April 11.

Congress Convenes Fourth Session

Saipan, M. I.—The Congress of Micronesia convened its fourth regular session Monday, July 8 in Saipan. The first morning's activities were devoted to organization.

Leadership from the previous year was retained in both houses. In the Senate, John O. Ngiraked (Palau) serves as president; Olympio T. Borja (Marianas) is vice president; and Amata Kabua (Marshalls) is floor leader.

Bethwel Henry of Ponape is speaker of the House of Representatives; Chief Petrus Mailo (Truk) is vice speaker and Ambilos Ieshi (Ponape) is floorleader.

One of the first orders of business in the House was the swearing in of two members who were not present for last year's session: Namo Hermios (Marshalls) and Mitaro Danis (Truk). Danis was in Australia last summer on a United Nations fellowship studying land management techniques. Hermios was traveling in the mainland United States during the Congress.

In both houses the members agreed to keep the same committee chairmen they had last year. In the Senate they are: Bailey Olter (Ponape), ways and means; Francis Nuuan, (Yap), resources and development; Andon Amaraich (Truk), judiciary and governmental operations and Isaac Lanwi (Marshalls), education, health and social matters.

House committee chairmen are Raymond Setik (Truk), appropriations; Atlan Anien (Marshalls), ways and means; Chutomu Nimwes (Truk), education, health and social matters; Ekpap Silk (Marshalls), resources and development and Soukichi Fritz (Truk) judiciary and governmental operations.

Speaker Henry and President Ngiraked prepared speeches for the opening of their respective houses. Both of them discussed the impact of the jet age on Micronesia and emphasized the need for education and training to make the best possible use of Micronesia's human resources.

[From the Honolulu (Hawaii) Star-Bulletin, July 16, 1968]

Micronesians Ask U.N. Aid on Return

Saipan.—For the third time in less than four months, the United Nations has been petitioned to aid two Micronesian communities in returning to their home islands.

The latest petition is directed to the Trusteeship Council of the U.N.

It calls for the exact day, month and year the Marshallese now living on Ujelang will be returned to Eniwetok.

Earlier this year, the council was petitioned to aid in returning the Marshallese on the island of Kili to their former island of Bikini.

The Ujelang petition, signed by the island's two chiefs, Iroij Johannes and Iroij Lorenji, follows closely a similar petition set to the United Nations in May on behalf of the Eniwetokeans.

The recent petition is currently under discussion in the fourth regular session of the Congress of Micronesia in Saipan. In a presession report, a congress committee recommended that the high commissioner of the Trust Territory "see to it that a date is set" for the return of the Eniwetokeans.

Earlier, a Marshall Islands congressman said he would introduce a resolution to this effect this session.

[From the Honolulu (Hawaii) Star-Bulletin, July 16, 1968]

A Micronesian Looks Ahead

Hawaii feels a close kinship for the islands of Micronesia to the far west of us.

There are serious suggestions that the ultimate political future of these islands may lie under the U.S. flag as a part of a great Pacific state embracing both them and Hawaii.

It is thus with interest that we read of the remarks on Micronesia's future expressed by Speaker Bethwel Henry of Ponape as the House of Representatives of the Congress of Micronesia opened last week.

He spoke not of the future political status of the islands but of their general outlook for the future, the impact of the jet age on their culture, the opportunities for advancement and the need for education and for self-reliance.

Henry said he is optimistic that the limited land mass in Micronesia and the abundance of the sea life surrounding the islands may benefit the Micronesian people.

However, he said, the Micronesian congress must enact legislation to protect these "precious resources and to prescribe the conditions and circumstances under which they should be developed." He noted that Micronesians should have maximum participation in economic activity so that Micronesia can be developed. He pointed out that non-Micronesian personnel, possessing skills which Micronesians lack, will often be necessary "to supplement our efforts in the initiation, management and operation of the various developmental efforts. But we should not adhere or subscribe to developmental designs which would be carried out in spite of and despite the Micronesian people."

Henry said that the system of education as a tool to develop human resources must go hand in hand with Micronesia's limited natural resources. The 34-year-old representative believes the educational system in Micronesia, both primary and secondary, must be improved. "Vocational training is equally important," he added.

Henry stated that Micronesians frequently blame lack of funds for social ills and slow progress. He is positive that if Micronesians take advantage of their manpower and with their available resources they can support themselves at an economic level far beyond that at present. "The time has now come when Micronesians must start on the road to self-sufficiency and solvency," he said.

"If we must have economic viability to teach a point of self-government and self-determination, then the opportunities we wish to provide for our people are exceeded only by the responsibility that is ours today in this congress. If the jet age is bringing the people of Micronesia closer together, it is our task in the Congress to make such a closeness meaningful. We have the opportunity to serve our fellow citizens. Let us be remembered as having measured up to the opportunities of our day."

[From the Honolulu (Hawaii) Star-Bulletin, July 16, 1968]

Independence Called Best Step for Micronesia

Saipan.—Rep. Atlan Anien from the Marshall Islands says he favors Micronesian independence.

According to Anien, in an interview with the Micronesian News Service, there are three alternatives which Micronesians can choose from for their political decision: affiliation with the United States, commonwealth status or independence.

"We favor independence," Anien said, "because Americans tell us that our economy is limited. This is not true."

Many nations around the world including the United States consider Micronesia a very important area, he said. The Japanese government wants to take over Okinawa, which is one of the United States' defenses against Communist China.

Anien said that once Micronesia becomes independent, Micronesians are going to make decisions on how to use their land. Anien hopes that the United States will still need Micronesia for strategic purposes, because, he said, it will be the Micronesians who get the lease payment for such purposes.

The Marshallese representative said that once a bill is introduced for independence, he will support it.

In regard to the other two alternatives, Anien pointed out that if Micronesians become affiliated with the United States and become real citizens, they will have to surrender all their rights over everything simply because Americans are well educated. He said commonwealth status is not suitable.

Although the Micronesians will own Micronesia, they will not have a chance to exercise their full rights over their properties. He cited as an example the controversial eminent domain issue—the government power to take private land for public use.

On a related matter, Anien said that he strongly supports the petition of the people of Ujelang who want to know when they can return to Eniwetok. He is planning to introduce resolutions concerning their problems.

Anien also hopes to introduce resolutions concerning the Kwajalein people's problems. He said he had met with them on his way to Saipan and heard their problems. He is mostly concerned about mid-corridor people living on Ebeye—the people moved from their home islands because they lie in the path of missiles used in Kwajalein test site operations.

Anien is one of the strong supporters of the eminent domain bill which was first introduced by the Marshalls delegation during the first session of the Congress of Micronesia, in order to limit the government's power to take private land. No bill has yet been approved by the high commissioner.

[From the Honolulu (Hawaii) Star-Bulletin, July 18, 1968]

Air Service Is Changing Micronesia

Saipan.—Profound changes already are underway in Micronesia as a result of its new air service, High Commissioner William R. Norwood has reported to the Congress of Micronesia.

In a "state of the territory" address to the Congress now in session here, Norwood singled out the air link as one of the most significant developments of the past year.

He said traffic has developed faster than expected and developed numerous traffic jams which should be worked out by use of a better communications network.

With Micronesia now open to the tourist market, he said, many employment opportunities are being created, some directly related to the travel industry, others indirectly in the need for tradesmen, draftsmen, architects, banking services, business managers and the like.

He predicted increased pressure for better airports and related facilities such as access roads, water catchment facilities, harbors and fuel supplies.

Norwood said that while tourism will have a great effect, hotels will not be built on property where they are not wanted or in areas where local residents do not want tourists.

On other matters, Norwood reported:

Shipping—A 10-year contract is now being negotiated for improved surface service from the West Coast to Micronesia and within the islands. The award should be announced soon.

Communications—A $2.4 million modern communications network will provide high-speed, multi-channel radioteletype circuits and multi-channel telephone circuits from each of the five outlying districts into Saipan. The voice circuits are designed for extension through a Saipan switchboard to any Saipan number, to any Guam number and through RCZ in Guam to international points served by underseas cable.

The construction schedule calls for the Saipan-to-Guam link to be completed in March, 1969; the Saipan Control Station, August, 1969; Ponape, December, 1969; Truk and Palau, January, 1970; and Majuro and Yap, June 1970.

Education—The shortage of vocational skills recognized in the Nathan report will require a shift to more vocational education and on-the-job training. Academic study will also be maintained and opportunities for post-high school education should be expanded.

Public Health—The situation is much improved over that criticized several years ago by the World Health Organization. Much remains to be done and new hospital facilities are badly needed, but trained personnel are being developed and the overall mortality rate is lower than in the continental U.S.

U.S. Congress—To study visits by Congress and a number of bills now introduced in Congress promise increased understanding and sympathy in that area.

Norwood concluded that progress in the last year was perceptible even though it was not as fast as hoped.

Fiscal 1968 A Banner Year for Grant-in-Aid

Over $366,000 worth of needed community facilities for 45 Micronesian communities were funded through grant-in-aid during the past fiscal year, Francis B. Mahoney, Director of Community Development announced in a recent report to the High Commissioner. Government grants toward these projects amounted to $224,923, while matching contributions from the communities themselves amounted to more than $47,000 in cash as well as an additional estimated $94,000 in volunteer labor and other in-kind contributions—a total local input of better than 38%. Government grants in the preceding fiscal year came to only $63,680, less than a third of the amount approved this year.

All told, grants-in-aid awarded in Fiscal Year 1968 have funded 11 water systems, 7 community centers and/or recreational facilities, 4 dispensaries, 4 docks, 4 electric generators, 3 roads, 2 schools, 1 municipal office, 1 island-wide garbage collection system, 3 boats, 3 vehicles and 2 minor projects. Of the six districts in the Territory, Palau received the largest number of grants (11), followed by Ponape (10), with Truk and the Marshall Islands tied for third place (8 each). All districts received at least one grant.

The largest single grant authorized by the High Commissioner this past year was for $50,000 to be applied to the reconstruction of the Koror Community Abai which was completely demolished by Typhoon Sally in 1967. This sum is being matched by $25,000 in a grant from the Office of Emergency Planning and some $13,000 appropriated by the Palau District Legislature.

An approved grant-in-aid represents a contract between the Trust Territory government and a particular community, Mahoney explained. The people of a community identify a particular need of theirs, and decide there may be something they can and want to do about it. They draw up plans, study cost estimates and decide how much of this total cost they are prepared to pledge in cash and in volunteer labor or other in-kind contributions (free leasehold, food for workers, etc.). Their proposal is reviewed and assigned a relative priority by the District Grant-in-Aid Review Board, which then forwards it to the Director of Community Development for processing and final submission to the High Commissioner.

There has been a misunderstanding in some areas concerning the term "community" as referred to in the administrative directives governing grant-in-aid, Mahoney reported. While the majority of the grantees are, in fact, municipal governments, it is not necessary that the applicant community be a political unit, provided that it is a continuing non-profit social grouping desiring to create a facility or social service of benefit to the general public. Thus it is entirely possible for a single hamlet, women's society, youth organization or a Community Action Agency to apply for and receive a grant-in aid. Increasingly this is being done, he said. For example, the Kusaie Women's Club received a grant of $1,600 for a clubhouse and training center this year.

As explained by the Community Development director, there are several basic tests of a successful grant:

1. Evidence of genuine interest and desire on the part of the community expressed in a willingness to make a substantial commitment of their own cash and manpower resources;

2. Structural and financial feasibility of the design prepared and endorsed by the community; and

3. Evidence of a capability on the part of the grantee to operate and maintain the resulting structure or service without continued financial assistance from the government.

Community cash contributions, frequently the toughest hurdle in getting a grant-in-aid project underway, must be at least ten percent of the total estimated project value, Mahoney explained, unless this stipulation is expressly waived by the High Commissioner. Where the community does not plan to pledge a substantial in-kind contribution in addition, however, the local cash percentage is expected to approach 40 percent of the total amount required.

"At a time when major inputs of capital infrastructure by the Government are urgently required and must be designed, budgeted and created in a hurry, it is almost inevitable that community involvement in the decision making process often comes 'after-the-fact'," Mahoney observed. "Grant-in-aid projects are necessarily smaller and slower moving," he added, "but they provide the people most directly concerned with the chance to initiate planning at the ground-floor level, also, since major capital improvements tend necessarily to be concentrated in or near district centers, grant-in-aid projects provide a means whereby smaller more remote areas can create and enjoy a few of the amenities of improved living." It is estimated that thirty-eight of this past years forty-five grants were awarded to Micronesian communities outside the six district centers.

[From the Honolulu (Hawaii) Star-Bulletin, July 28, 1968]

U.S. Congress More Aware of Trust Isles

The U.S. Congress is becoming increasingly aware of Micronesia, the Trust Territory of the Pacific Islands. And Micronesia is becoming increasingly aware of the modern world outside its waters.

This was the theme of a report to the fourth regular session of the Congress of Micronesia by William R. Norwood, high commissioner.

The 2,141 islands of Micronesia have a total land area less than half the size of Rhode Island. They are sprinkled over 3 million square miles of the Pacific, larger than the continental U.S. Population of the 96 inhabited islands is 93,000.

Since World War II, they have been assisted by the U.S. under a United Nations Trusteeship.

Norwood reported to the Micronesian Congress that the U.S. Congress, after a Senate inspection tour last January is considering measures which would:

Appropriate up to $120 million for fiscal years 1970 to 1972, and increase the economic development loan fund to $5 million.

Revise the tariff act so that the commercial products of Micronesia would have more advantageous access to U.S. markets.

Extend the services of the Small Business Administration to Micronesia.

Provide Micronesia with a new territorial constitution and create a commission to assess factors related to Micronesia's political future.

"In the past year we have made it easier for American travelers to enter the territory, and we expect foreign visitors to have less cumbersome entry requirements soon. This can be a real economic benefit," Norwood said in his annual report.

"This means that Micronesia has been opened to and has become a part of the Pacific travel market," he said, adding:

"There is some fear that Micronesia's cultural traditions will be cheapened and exploited and that the cherished quiet and privacy of villages will be invaded.

"This need not happen and will not happen if we exercise adequate controls."

NEED IMPROVEMENTS

Norwood said the increased tourist attention will place Washington "under greater pressure to move ahead more aggressively with power, water, sanitation and road improvements."

But a byproduct of change is an unusual problem for Micronesia. Not enough of its own people are being trained or seeking training for the jobs the tourist industry will provide.

"There must be a major shift in our educational program toward more vocational training," Norwood said. "This can and should be done without weakening an appropriate balance of general academic study—especially continued emphasis on the English language."

Public health has been a major territory problem, but major improvements were noted.

KEEP PACE

In the meantime, Micronesia's leaders are energetically trying to spur the population to keep pace with opportunities of modernization reaching those islands recently.

New transportation and communications links are opening Micronesia to increasing tourism. But there is a critical shortage of Micronesians qualified to fill the jobs which this is making available.

"It is the basic function of our form of government to provide programs and services which will enable the people of these islands to adjust successfully to changing conditions," Norwood said.

"It is our responsibility to protect and preserve the cultural values which blend together to give Micronesians their individuality and strength of character," he added.

"At the same time, the barriers which heretofore have tended to isolate Micronesia from the rest of the world are beginning to disappear and Micronesia is becoming a part of the 20th century world.

JET SERVICE

Jet service linking Hawaii and Micronesia was initiated last year with a line owned 31 per cent by Continental Airlines, 20 per cent by Aloha Airlines and 49 per cent by the United Micronesian Development Association.

Under the contract, Continental will construct hotels in six Micronesia districts—the first tentatively planned for groundbreaking.

Visiting U.S. senators reported to colleagues: "The subcommittee was prepared to find a medical crisis in the territory as a result of the critical report of the World Health Organization a few years ago.

"No such crisis was found, but every evidence of recent dramatic achievement in health. Almost all hospitals need replacement, but what they have are quite well equipped, maintained and manned."

UH INVOLVED

In Norwood's report, he said the territory's Department of Health has entered into a contract with the School of Public Health of the University of Hawaii for the purpose of planning, evaluation and consultation.

"An overall construction plan has been developed," he said. It is planned that bids will be asked in 1969 for construction of new subdistrict hospitals on Rota and Kusaie, with Truk and Ponape hospitals in the stage of final working drawings already.

"Data collected by Peace Corps volunteers and analyzed by the University of Hawaii show that Micronesia is fundamentally a wholesome place in which to live. Overall death rate, for instance, is better than in continental United States," Norwood said.

Political Status Commission Submits Report

(By Luke Bekevekmad)

Saipan, M.I.—The Congress of Micronesia Political Status Commission has submitted its first year's report to the Congress. Both Houses have adopted resolutions extending the life of the commission for another year, with its final report due next July.

The commission feels that there is still a great deal of work ahead of it which should continue, according to Chairman Lazarus Salii, representative from Palau. The commission has asked the congress for an appropriation of $70,000 to continue this work.

The six member commission was created last year by the congress during its third regular session to do research and make a comparative analysis of all the territories which are under United States administration, and to study the possible alternatives which Micronesians can choose from in deciding their future political status.

Salii said that concerning political education on the status question, the commission feels that the Micronesians must be given the opportunity to understand their system of government at the present and be in a situation where a choice of democratic types of government is possible.

"The members of the commission," he added, "were generally of the opinion that any realistic recommendations as to procedures and courses of political education and action should be preceded by thorough evaluation and study of alternatives open to Micronesians with respect to their choice of political status."

There are at least nine possible alternatives, according to Salii. He pointed out that there are many areas that could be united with the Trust Territory, including Guam, Nauru, American Samoa, the Cook Islands, the Gilbert and Ellice Islands, and others. Asked if any of these possible unions is of particular advantage, he said, "They have little to offer in the way of economic help and their problems are much the same as those of Micronesia. Culturally," Salii continued, "there would be little advantage since none of these groups, except Guam and the Gilberts, have the same languages, historical heritage or culture and would only add to the divisive influences already present in Micronesia." Salii also emphasized that union with any of these areas would reduce available resources.

"The time available to the commission did not allow the members to satisfy themselves that they had considered every aspect of the question of splitting up the Trust Territory, so as to feel comfortable in dismissing possible alternatives in this area," said Salii. However, he said the commission felt that a divided Trust Territory with the present status would have little to offer. "Tentative conclusions of the commission would seem to indicate an answer in the negative," he said.

Salii said that both the United States and the United Nations have expressly indicated on many occasions that "fragmentation" is out of the question as a public policy.

The commission tentatively agreed to preserve the present Trust Territory as a whole for the sake of taking up the fragmentation question under different orientation and context.

According to Salii, the commission feels that there are good arguments both for and against independence. The whole subject revolves around the problem of economic development. A question was raised as to when the economic structure of Micronesia will be strong enough to stand alone without outside help and sustain the Micronesian government. "The answer," said Salii, "lies in the rate growth of the major industries of fishing and tourism and supporting industries of agriculture, copra and handicrafts."

A metropolitan nation is needed for aid and assistance in development and skilled manpower if Micronesia ever becomes a free associated state or protectorate. Which nation will associate with Micronesia and what the substance of that association will be must be discussed, Salii noted. "The Commission feels that these problems should be studied carefully before a decision accepting or rejecting the alternative is made," he said.

According to Salii, there is a possibility for Micronesia to integrate with other nations. The United States appears to be the logical choice for integration. "Such a relationship with the United States," he said, "would practically guarantee continued support for the development programs now being carried on within the Trust Territory."

With regard to the kind of relationship to be entered into, Salii suggested several possibilities. These are: commonwealth status; unincorporated territory like Guam or the Virgin Islands; incorporated territory like Alaska and Hawaii were before statehood; or Trust Territory status.

Salii said, "The final status alternative is that of remaining as a Trust Territory. One argument which favors this course of action cites the pressure which continued public exposure would produce on the United States Congress. Countering this argument, however, is the fact that resolution of the status question would hasten development by establishing with certainty the relationship of Micronesia with the United States and with other countries of the world."

August 5, 1968.

Washington, D.C.—Today Representative Patsy T. Mink announced that the Department of Interior has modified the original order issued by the Secretary of Interior on September 28, 1964, which established the Congress of Micronesia and created legislative authority in the Trust Territory of the Pacific.

Under the original 1964 order as of January 1, 1969, no one who was employed by the government of the Trust Territory in a supervisory position or who was serving as a district or local official could serve in the Congress of Micronesia. This meant that in order to be elected to the Congress this fall, any such employee or official had to resign. Practically, this would have precluded nearly two-thirds of the present Trust Territory legislators who are employed by the government from further service since they would have been compelled to give up their jobs.

which in most cases, was their only means of livelihood.

Pursuant to the request of the Congress of Micronesia and other officials, the Secretary of Interior has now amended his previous order so that effective Jan. 1, 1969, for the first time, duly elected members of the Congress of Micronesia are to receive an annual salary of $3,500 and the President of the Senate and the Speaker of the House, $4,000. The new amendment also provides that each member of the Congress of Micronesia shall be enttiled to receive travel expenses and per diem payments while traveling to and from sessions of the Congress or while on other official business.

This enables the elected members of the Congress of Micronesia to resign from their employment and still have a means of support for their families while in elective office.

Mrs. Mink, who is one of the strongest supporters of the Trust Territory in the United States Congress, hailed the new Secretarial amendment and said: "I am pleased to learn of this response by the Secretary of the Interior to the request by the Congress of Micronesia. This change was imperative if the Congress of Micronesia was to remain an effective voice in the affairs concerning the people of Micronesia. Payment of an annual salary of $3,500 to the members of the Congress of Micronesia will enable them to be independent of the Executive Branch and to work for their constituents."

"I still hope that my bill providing for a permanent civil government, in effect, an Organic Act, for Micronesia will be endorsed by the Congress of Micronesia. I do not approve of government by Secretarial Order as in this instant case. The people of Micronesia deserve something better, something more stable, and not be so dependent upon who sits in the White House, or who is Secretary of Interior."

"How the members of the Congress of Micronesia are to be elected, what their salary shall be, their tenure, their power and jurisdiction ought to be guaranteed by the Congress of the United States in the form of a permanent government code not subject to amendment by Secretarial Order. This is the mandate I read in the UN Trusteeship Agreement regarding our responsibility to provide for more self government. Currently, a change in the White House could change overnight the policy of governing these people. This is wrong and this is why I am urging adoption of an Organic Act."

[From the Honolulu (Hawaii) Advertiser, Sept. 16, 1968]

DIRECT CARGO SERVICE FOR TRUST TERRITORY

The first scheduled direct cargo shipping service between Honolulu and the Trust Territory of the Pacific Islands will be initiated Nov. 9.

On Nov. 9, the MS Golden Swan, of the Marine Chartering Co., Inc., will arrive here enroute to the Trust Territory.

Marine Chartering Co. was recently awarded a 10-year contract to provide shipping service to the Trust Territory.

The MS Golden Swan, which eventually will make monthly runs between Hawaii and the Trust Islands, will travel to Majuro, Kwajalein, Kusaie, Ponape, Truk, Saipan, Yap and Koror.

Local agents for Marine Chartering Co., Inc., are Hawaii Freight Lines, Inc., headed by George Over, president.

"This scheduled direct service, heretofore not available, will open new markets and provide Island businessmen excellent opportunities to participate in trade with the Trust Territory," said Over yesterday.

A briefing meeting for potential users of the cargo service will be held at 10 a.m. Friday at the Hawaii Chamber of Commerce offices. For information call 507-491.

VIOLENCE IN OUR CULTURE

HON. BASIL L. WHITENER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. WHITENER. Mr. Speaker, every American is gravely concerned over the violence prevalent throughout the Nation. As one who has supported all reasonable efforts to bring about a more effective enforcement of our laws, I was very pleased to read recently a speech made by Charles H. Crutchfield, president and general manager, Jefferson Standard Broadcasting Co., Charlotte, N.C., before the National Council on Crime and Delinquency.

Mr. Crutchfield's penetrating analysis of some of the causes of lawlessness which has swept our society in recent years was entitled "Violence in Our Culture." I feel that every American should read his speech. By unanimous consent of my colleagues, I insert the speech in the RECORD:

VIOLENCE IN OUR CULTURE

When the topic, "Violence in our Culture," was assigned to me, a broadcaster, the implication seemed quite clear: that broadcasting, namely television, is—to a large degree—responsible for the violence which has swept our society in recent years.

Presumably, I'm supposed to defend TV, but to use this forum for that purpose would be both unwise and unnecessary. I would, however, like to comment, very briefly, on television and its purported relationship to violence.

First, I must admit to some puzzlement that this theory has gained such wide acceptance and has been embraced by so many otherwise intelligent and objective people. Since there is insufficient evidence to support such a theory, we see the rather bewildering spectacle of an industry being tried without benefit of a jury and convicted without benefit of evidence.

It may well be that television is a contributing factor to lawlessness in our nation. Certainly, this possibility is strong enough to warrant some research and some fact-finding. The industry itself, until such time as research is available, is submitting itself to thorough policing and to considerable re-evaluation of its programming policies. As a result, the editor's knife has been used on scenes which, in the past, would have been viewed on the home screen. You will see vivid and visual results of this action this fall in the Saturday morning cartoons and in the evening hours.

I am convinced, however, that if we are to zero in on the problem accurately, we must concentrate on a wider target than just television. We must look at the total area of mass communications, first with the idea of drawing documented conclusions and then with the intention of finding solutions to the problems we have uncovered. For example:

If television cartoons, as charged, do warp innocent minds and direct them down the path of violence, these cartoons must be removed from the air immediately.

If action-adventure series do create antisocial behavior in otherwise normal citizens, a new story-telling technique must replace the current format.

If suggestive and salacious movie ads in newspapers do bring to the surface the worst in us, they must be pulled, to say nothing of the movies themselves.

If hard-liquor ads in newspapers and in magazines implant in the minds of teenagers and others the belief that drinking is the correct thing to do, they must be eliminated.

If some comics are proved to be contributing factors to child and juvenile misbehavior, they must disappear from the daily newspaper.

If the pornographic literature which is boldly flaunted on our newsstands does leave its suggestive filth imbedded in the minds of young people, then it must—at the very least—be driven back underground.

If the stealing, the murdering, and the cannibalism in fairy tale stories do distort pre-school minds, we must seek ways to keep these fairy tales out of our children's bedrooms.

Speaking of fairy tales reminds me of Little Red Riding Hood. Some of you may remember the story. I'd just about forgotten it until I was drafted as a baby-sitter last week and ordered—by my 4-year-old grandson—to read that rather blood-curdling story. If you'll remember, the wolf didn't gun Granny down; he ate her down. And the woodsman didn't go after the bad wolf with a sawed-off shotgun or a Molotov cocktail, he did it less violently; he opened the wolf's innards with an axe.

But, enough of Red Riding Hood, who may be—along with cartoons and comics and movies and liquor ads—a causative factor in violence. How can we be certain, however?

We can't—unless and until an all-encompassing program of research and fact-finding is implemented to cover all the mass media. To this end, I suggest that the President of the United States immediately establish another special subcommittee—as an offshoot of his "Commission on Violence"—whose function will be to operate exclusively in the area of violence as it relates to the media.

This subcommittee, as I visualize it, would be more than just a task force. It would go beyond the holding of public hearings and interviews with sociologists and psychologists. It could utilize existing research companies to delve into actual case histories of criminals and lawbreakers to determine the correlation—if any—of crime to the media. This subcommittee, in other words, would provide—for the first time to my knowledge—a definitive study in an area which heretofore has been limited to opinion and to conjecture—with little foundation in fact.

Such exhaustive research, obviously, will require quite a large sum of money—both to uncover the facts and then to implement them. I would further suggest, then, that the Congress appropriate the necessary funds, regardless of the amount, and then stand 100 percent behind the recommendations which the subcommittee makes.

What else can we do? First, we can look at the thug, the mugster, the rapist and the murderer for what he is—a malicious and malignant parasite who is eating at the very heart of our society. The time is past for glamorizing the criminal punk . . . for picturing him as a modern day hero . . . for depicting him as a knight in shining armor. Let's show the tarnish on that armor—in all the media, including television.

Secondly, we can reduce crime and violence by returning to the principle which says that "Just as justice dictates that innocent men go free, it also means that guilty men pay the penalty for their crimes." We can, in the words of former Vice-President Nixon, "make crime a more hazardous and less rewarding occupation."

We have roadblocks—official roadblocks I'm sorry to say—which make this difficult. One major one is the Supreme Court, whose Escobedo and Miranda decisions have had the effect of hampering the police and strengthening the criminal.

Incidentally, I am pleased that Congress approved, and the President signed into law, a bill with provisions which weaken Supreme court rulings against use of confessions in court.

Unfortunately, Miranda and Escobedo are only two of the High Court rulings which have hamstrung police. Wade and Gilbert, though less well-known, ruled that in a line-up confrontation between witness and accused, the absence of a lawyer for the accused could, of itself, render the identification inadmissable in court. I agree with Mr. Nixon who stated that he failed to see how a lawyer's presence at a line-up can be helpful to the quality of the witness' identification.

The Wade and Gilbert ruling, in U.S. vs. Beasley, already has been carried to an absurd extreme. Here's what happened. In Washington, D.C., police saw three men beating and robbing an old man. When they approached, the assailants fled, leaving their victim behind. Police gave chase, caught one man, and returned with him to the scene to assist the victim and to radio for help. There was, then, an inevitable confrontation between the suspect and the victim, and the former was positively identified by the latter as one of the men who attacked him. Here's the unbelievable part. The on-the-spot identification was ruled as inadmissable evidence because the alleged assailant did not have an attorney present when he confronted the victim on the street, immediately following the crime.

It's easy to see why one official, speaking of the Wade and Gilbert case, said of the Supreme Court "The mountain labored, and brought forth a mouse."

So much for court actions which stifle law enforcement, and so much for the communications media which may, unwittingly, be contributing to violence. By examining these, as we have during the past few minutes, we are treating merely the surface. The violence which has convulsed us stems—I am afraid—from something much more basic and much more powerful than anything we have touched on this morning. We are now harvesting the results of our failure to give meaning and purpose to too many people. Instead of purpose, we have sown permissiveness, and this permissiveness now pervades our homes, our churches, our schools, our courts, our government—every area of our lives. The discipline and the restraint which once were an integral part of our lives have—in too large a measure—disappeared in this era of abundance.

I remember writing, in an industry publication some time back, that the modern age has done things to us; it has taken much from us—the desire to dare, the inclination to aspire, the ability to act, the guts to gamble. Contentment has replaced care; concern has given way to conformity; incentive has been shoved aside for insurance; leadership has lost out to laxity.

I don't believe, then, that our society has a snowball's chance of emerging from its present condition, intact, unless we get with it.

It would indeed be presumptuous of me to stand here, and attempt to give you—a magic formula to cure what ails us as a nation. Conversely, I would be shirking my responsibilities were I to fail to try to come up with answers as they relate to my own profession, which is broadcasting.

I have done this, in the printed pieces which you'll find at the back of the room. I made this "American Values" presentation some time back to the Board of Directors of the National Association of Broadcasters. I believe it is a positive program which—when fully implemented—will have an immediate and a lasting effect for good.

When those of you who are interested have read it, I will welcome the opportunity to discuss it in detail—either before we convene this evening, or by phone or mail after this session.

Thank you. I appreciate your attention.

CONGRESSMAN SAM STRATTON REPORTS TO THE PEOPLE OF THE 35TH CONGRESSIONAL DISTRICT ON THE ACCOMPLISHMENTS OF THE SECOND SESSION OF THE 90TH CONGRESS

HON. SAMUEL S. STRATTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. STRATTON. Mr. Speaker, as this second session of the 90th Congress now concludes, I take this opportunity to review, for the benefit of the people of the 35th Congressional District of New York, the record and accomplishments of the session.

MAJOR STRATTON LEGISLATION

Perhaps you will forgive me if I begin on a personal note. This second session has been especially significant to me because it marked the enactment into law of two major pieces of legislation for which I have been working for a number of years.

MONDAY HOLIDAY—COLUMBUS DAY LAW

The first of these is the so-called Monday holiday law which you have frequently heard me mention, now known officially as Public Law 90–363. The President signed it into law on June 28, 1968, although it does not actually go into effect until 1971, to give both the individual States and calendar manufacturers a reasonable opportunity to make the necessary changes to fall into step with Federal law. This new Stratton Act does two things: First, establishes Columbus Day as a new national holiday, to fall each year on the second Monday in October; and second, adjusts three other present national holidays to fall each year on a Monday, too, Washington's Birthday on the third Monday in February, Memorial Day on the last Monday in May, and Veterans' Day on the fourth Monday in October. Having worked and fought for this change for 10 years, I am proud of what it will mean both in terms of increased family togetherness and increased tourist travel into upstate New York as well as elsewhere. This is a measure the great Finger Lakes Association has been pushing so long and so hard to get. After it was finally signed into law Mr. Clarence A. Arata, president of the National Association of Travel Organizations, called the Stratton Act "the greatest thing that has happened to the travel industry since the invention of the automobile."

EISENHOWER MEMORIAL

The other major Stratton measure enacted into law this past year was the bill to grant $5 million of Federal funds—made available on a matching basis—to Eisenhower College in Seneca Falls as a national memorial from a grateful nation to the life and deeds of former President Eisenhower. When the President signed this legislation on October 12, 1968, it became Public Law 90–563. In many ways this is landmark legislation, and sets an important precedent. While it is not the first time that Congress has honored a former President with a "living" memorial rather than with a monument of bronze or marble—some $15 million of Federal funds were appropriated in 1964 for the John F. Kennedy Center for the Performing Arts as a national "living" memorial to President Kennedy—it is the first time that such a "living" memorial was approved by Congress while the former President so honored was still living.

Having worked closely with Eisenhower College, which opened its doors to its first class just a little more than a month ago, as a friend and a member of its board of trustees, I know how helpful this gift will be in promoting the type of education Eisenhower College seeks to make available. Needless to say I am also proud, as a Democrat, to have taken the lead in providing this much-deserved memorial to our only living Republican ex-President, a man whose hold on the respect and affection of the American people of course goes far beyond narrow partisan lines.

THE NATION'S ECONOMY

Overall, the single most important issue that faced this session was the health and stability of the Nation's economy. Nearly every action we took, or failed to take, was done in the light of this all-pervading question. Faced with a $29 billion deficit for fiscal 1968 and the prospect of another 1969 deficit of from $25 to $31 billion, congressional leaders of both parties recognized that unless we acted quickly the country could be confronted with a galloping inflation that could literally devastate the purchasing power of all our dollars. Consequently we "bit the bullet" in this election year and passed the surtax package to bring the budget quickly into balance and halt inflation. But we took the step only after coupling the surtax measure with a provision requiring a cut of $6 billion in Government spending, and a limit on the total number of Government employees. The President had tried to limit the cut to $4 billion, but I supported the larger $6 billion figure as being the least we could do to economize in a budget of $186 billion, and we prevailed. Thus the budget has been brought more closely into balance this year than at any time in many years, and the economy now appears to be reacting to our decision and moving slowly away from the inflationary threat that had faced us.

Several efforts have since been made to breach the expenditure and personnel ceilings imposed by this package but, except for the personnel ceiling in the Post Office Department, these efforts have not succeeded. In fact Congress has actually cut appropriations for fiscal 1969 by over $10 billion, although this represents a cut in fiscal 1969 spending of only about $3.5 billion. The balance of the spending cuts must be made, and in fact are being made, by the President himself.

To some extent all our programs, except for direct support of the war in Vietnam, social security, and veterans benefits, have felt the effect of these cutbacks, but the greatest cuts were taken in foreign aid, over $1 billion; space, about $1 billion; the highway program, about $500 million deferred; and non-Vietnam defense activities, about $3 billion.

DOMESTIC PROGRAMS

Because of the pressure for fiscal stability this session of Congress has placed more emphasis on reviewing, revamping, and consolidating existing domestic programs than it has in creating new ones. I believe this has been a healthy trend and in line with what most people want. Not all of our new programs have been working efficiently, and they need improvement. Yet it would be a mistake to suppose that this Congress, as some have suggested, has been so preoccupied with events in Vietnam that it has done nothing to meet our urgent domestic needs. Almost all our current domestic programs have been continued, some have been expanded, and several new programs have even been set in motion.

Among these new ones are the following: a new Civil Rights Act of 1968, a sweeping new housing program which emphasizes the vital role of private capital, an expanded food stamp plan to help make sure that no American goes to bed hungry, a law to insure full public disclosure of all the costs of borrowing and of charge accounts, a new poultry inspection law, a gas pipeline safety bill, a new and expanded 4-year vocational education program, and a new inquiry into automobile insurance costs and practices.

In fact in the field of domestic legislation like housing, education, civil rights, health, manpower training, urban renewal, antipoverty, and consumer protection, the plain fact is that the 89th and 90th Congresses together have done more than has ever been done in any comparable period in our whole history. This does not mean that all of our problems have been solved but it does demonstrate that we have been making significant progress in the direction we most need to move, to help people help themselves, become useful and productive citizens rather than remaining on the welfare roles.

LAW AND ORDER

At the same time that Congress has moved to meet some of the basic sources of injustice, frustration, and unrest, we have also reaffirmed our belief that lasting progress in America can only be achieved in a climate of stability, harmony, and conformity with law. Disobedience for law can lead only to chaos and anarchy, and then everybody loses and all progress stops.

To help meet the threat of anarchy Congress enacted several pieces of important legislation this year. One was the original anti-riot bill which passed the House a year ago. The Senate finally tacked it onto the civil rights bill and it was signed into law this year. Also enacted was a crime control bill providing funds to strengthen local law enforcement agencies, permitting court-approved wiretapping to combat organized crime, and overruling several recent Supreme Court decisions that have been widely assailed as hampering the work of police and law enforcement agencies. Congress incorporated into this year's extension of the program for Federal aid to college students a provision withholding Federal funds from students who participate in serious and disruptive college rioting, a view, by the way, which was supported by nearly 90 percent of those who responded to our recent questionnaire.

GUN LEGISLATION

A number of proposals were offered during the year to limit or control the use of guns. The Crime Control Act itself included a provision outlawing the sale of handguns through the mail. After a good deal of study and rather heated debate Congress enacted an additional gun law which extended that mail order ban to rifles, shotguns, and ammunition, outlawed the importation of surplus foreign firearms, and prohibited dealers from selling firearms to minors, out-of-State residents, or those under indictment for felonies. Both Houses, however, overwhelmingly rejected, as I did myself, a proposal to require registration and licensing of all guns. This prevailing view was also supported, you will be interested to know, by the results of our recent questionnaire, by a margin of more than two to one.

MISCELLANEOUS LEGISLATION

Among other measures of interest to our district are several important conservation laws enacted this year, among them one finally creating a Redwoods National Park, another creating a national network of scenic trails, and a third establishing a national system of wild or "scenic" rivers. I supported all three of the programs, by the way, although I did insist on an amendment to the scenic rivers bill to guarantee that there would be no interference with our continuing fight to save Goodyear Lake in Otsego County.

Another measure of great interest to upstate New York was the Federal Highway Act of 1968, which added some 1,500 additional miles to the Federal highway system. This provision could well provide the means for building some of the new highways being urgently sought after in our district, for example, the Maine to Amsterdam highway, the Otsego-Delaware expressway, the Nu-Way through Chenango County, and the proposed extension of the Appalachian thruway from Elmira to Cortland.

Also included in this highway legislation was a continuation of the highway beautification program, originally enacted in 1965, requiring the removal of all signs on highways large enough to carry a route number except those constructed 660 feet from the right of way. As a result of the fight I made on the House floor, in which I made public an RPI study of the very damaging effect of this provision on small tourist businesses in the Finger Lakes and other upstate areas, we were able to win a brief reprieve in the application of this billboard section. This year's delay should give Congress time to enact some constructive amendments to the basic beautification law which will give small businesses more freedom and flexibility in pointing out the location of their enterprises without at the same time damaging the essential highway beauty that all travelers and tourists rightly and properly seek. I personally believe very strongly that we can have highway beauty without destroying small tourist businesses and I have fought for several years to get the necessary changes made in the basic law. Next year should offer us that opportunity.

Still another measure of considerable interest was the adoption of a formal code of conduct to guide Members of the House and avoid conflict of interest situations that in the past have cast suspicion and disapproval on Members of Congress.

FARM AND DAIRY LEGISLATION

The major effort in this field which is of such great importance to many parts of our district, was a move to extend the present Farm Act, now scheduled to expire at the end of 1969, for another 4 years. I opposed any extension believing that the next administration ought to have its own opportunity to review and revamp farm legislation in line with its own ideas. But in the end Congress did extend the act, though only for an additional 1 year. I also supported an effort to put a ceiling of $20,000 on subsidy payments, to individual farms—some actually run as high as $4 million, believe it or not—but we were unable to keep this ceiling in the final bill.

Another measure that passed in the closing days of the session provided for continuing standby authority for dairy farmers to adopt class I base plans if they so desire, but with bloc voting eliminated in the referendum. An effort to include mandatory deductions from milk checks to finance milk promotional advertising was defeated, however. Actually, the past year has seen considerable progress for the dairy farmer. The price he gets for his milk in the Federal Order No. 2 area is now the highest in history, although unfortunately inflation has pushed up his operating cost, too. The joint, bipartisan efforts of our northeast dairy bloc here in Congress, which I was instrumental in organizing last year, have helped to get this action out of the Agriculture Department, have also helped get new limits on cheese imports, and have helped in the decision to retain cooperative payments that have proved so vital to the operation of our dairy cooperatives.

No formal action was taken on my bill to prohibit deceptive advertising of imitation milk, but it has gained the attention and interest of key members of the House Interstate Commerce Committee, and several Congressmen from dairy districts, in both parties, have introduced bills identical to mine. Action to handle this serious threat to dairy farmers should be a top priority item in the 91st Congress.

At this moment efforts are being made once again to have grape juice included in the school lunch program, as we had done last year. If this effort is successful it should prove very helpful to Finger Lakes grape growers.

OTHER STRATTON LEGISLATIVE ACCOMPLISHMENTS

In addition to the two major pieces of Stratton legislation referred to above, which were enacted in this session, one other bill was also passed and signed into law, providing U.S. citizenship posthumously for the late Pvt. Willy Michalik, of Canandaigua, a courageous soldier and a native of Germany, who was looking forward eagerly to achieving full American citizenship once his tour of duty in the Armed Forces was over.

Instead he was killed in action in Vietnam last spring.

The 1969 Defense Authorization Act contained an amendment which I originally introduced to open the door for the distribution of some form of defense surplus material to local firefighting organizations. This is a step in the direction of the fuller access to Government surplus I have long sought to achieve for fire companies. As my amendment emerged in the final bill it applies only to weapons, gas masks, and protective armor—things that might be required in a riot situation. But the conference report still directs the Defense Department to make other surplus equipment available to firefighters, too, so before long generators and tank trucks may well become available to volunteer fire organizations.

At my request the U.S. Army Corps of Engineers began on Seneca Lake, 2 weeks ago, its first study, under a new law, into the possible elimination of the underwater weed menace. If the Army Engineers find the answer to this problem it will benefit all the Finger Lakes and many other lakes as well.

Our long fight to save Goodyear Lake, already mentioned, has occupied much time and attention throughout the year. I have already referred to our success in eliminating certain features from the scenic rivers bill that could have gravely damaged this fight. We also succeeded in getting the Federal Power Commission to recognize its own important leverage in bringing about a mutually satisfactory solution to this problem. A "summit conference" of all concerned on Goodyear Lake is now set for October 25, and we may then be able to work out a satisfactory solution.

ARMED SERVICES COMMITTEE WORK

Besides these accomplishments of local and district interest, I should also mention my continuing activity on my own Committee on the Armed Services. Having steadily moved up in seniority on this committee, I have had the opportunity during this past year to head a thorough inquiry into the status of our Nation's defense against Soviet submarine activity. I have become convinced, as have the other members of my subcommittee, that the Department of Defense is seriously underestimating Soviet submarine capabilities and is not reacting with sufficient vigor to beef up our defenses. While I did not succeed in getting all the necessary funds included in the Defense appropriation bill for this purpose, I was pleased to see that this year for the first time congressional attention on defense matters was focused more on submarine matters than on missiles or aircraft, as in the past.

A second major part of my committee work included an investigation by another special subcommittee into the status of our worldwide defense posture. In May this subcommittee made a brief visit to Europe, the Mediterranean, the Middle East, Yugoslavia, and the Scandinavian countries. We came back disturbed by the apparent disarray in our NATO alliance, the increased Soviet military threat in Europe, and the lackadaisical halfhearted support which we are getting from some of our NATO allies. These fears, incidentally, appear to have been rather fully borne out by the lightning Soviet military occupation of Czechoslovakia in August.

LOCAL ACCOMPLISHMENTS

In reporting on some of the actions of Congress and other agencies of the Federal Government during the past year to provide assistance to local communities, groups, and industries within our district, I believe the easiest way would be to summarize this information by individual county:

MONTGOMERY COUNTY

A $255,000 grant to Fulmont Development Corp. for on-the-job training programs involving 44 local industries.

A $75,000 grant for practical nurse training, city of Amsterdam.

An $8 million grant for urban renewal, city of Amsterdam.

A $99,000 grant for planning new comprehensive high school and living and learning center, city of Amsterdam.

Headstart and Neighborhood Youth Corps programs approved for Amsterdam and Fulmont Development Corp.

A $167,000 contract for post office printing to Amsterdam Printing Co.

One thousand five hundred miles added to Federal Interstate Highway System—possible inclusion of main Amsterdam highway.

OTSEGO COUNTY

Preservation of Goodyear Lake and elimination of damaging sections of Scenic Rivers Act.

A $1.7 million grant for urban renewal for Oneonta.

Site approval for low-rent housing project in Oneonta.

Neighborhood Youth Corps for Otsego County.

Dedication of new Worcester Post Office.

Appalachian grant for Cooperstown sewer system.

Federal funds to support development of Glimmerglass State Park, Otsego Lake.

A $316,000 grant for construction of Otsego County Occupation Center, Milford.

One thousand five hundred miles added to Federal Interstate Highway System—possible inclusion of Otsego-Delaware Expressway.

CHENANGO COUNTY

New sewer system for Greene.

New sewer system for Bainbridge.

Planning funds for new water system for Oxford.

Funding for opportunities for Chenango County and Neighborhood Youth Corps projects.

Obtained a defense contract for bandage purchases for Lily-White Co. in Sherburne.

Continued progress toward new Sherburne Post Office.

Action on new Afton Post Office.

One thousand five hundred miles added to Federal Interstate Highway System—possible inclusion of Nu-Way.

CORTLAND COUNTY

Continued improvement and lighting of new Cortland Airport.

Completion of Cortland Senior Citizens Housing Center.

Continued rehabilitation and expansion of Cortland's Gracie Fish Hatchery and Laboratory.

A $361,000 grant for operation of occupational center in Homer.

Continued Headstart program.

Dedication of new Cincinnatus Post Office.

One thousand five hundred miles added to Federal Interstate Highway System—possible inclusion of Appalachian Thruway extension.

CAYUGA COUNTY

Approval of Triangle Block urban renewal project, Auburn.

A $493,000 grant for improved water facilities—Auburn.

Approval of private-financed rent supplement housing for Auburn.

Plans for new $3.5 million Federal office building in Auburn—construction deferred at my request, however, until after conclusion of Vietnam war.

A $203,000 grant for water and sewer project in Moravia.

Designation of new Navy ship as U.S.S. *Cayuga*.

Community development program for migrant workers and provision of surplus food to migrant workers.

A $49,000 grant for nurses training program in Auburn.

Completion of Genoa water and sewer project.

Continuation of summer Headstart project in Auburn and training grant to Cayuga county action program—Holy Family Church.

SENECA COUNTY

A $5 million matching grant for Eisenhower College.

Federal loans for new Eisenhower College building construction.

Obtained wage increase for hourly employees at Seneca Army Depot effective July 1969.

A $100,000 grant for sewage treatment facilities, Seneca Falls.

Army Engineers weed control project begun in Seneca Lake.

Arranged to testify before Atomic Energy Commission on projected nuclear power project for Cayuga Lake.

ONTARIO COUNTY

A $111,000 grant for sewage treatment plant, Victor.

Federal funds for new hospital expansion in Canandaigua.

Funds released for water project, town of Seneca.

Approval of senior citizens housing project, Geneva.

Continued operation of Headstart program, Geneva.

Wage increase for hourly employees at Canandaigua VA Hospital, effective July 1969.

Army Engineers weed control project for Seneca Lake.

YATES COUNTY

Final approval for Keuka Lake Outlet urban renewal project, Penn Yan, making possible relocation of Walkerbilt factory.

Action toward final approval of St. Marks senior citizen housing project.

Completion of new addition to Soldiers and Sailors Memorial Hospital, Penn Yan.

GENERAL COMMENTS

Let me just conclude by thanking all of those who were good enough to respond to my annual congressional questionnaire. We are still in the process of replying to the more than 15,000 cards which were returned, many of them with extensive additional comments. All of these replies, and all of the comments, I found most helpful. The tabulated results have now been placed in the CONGRESSIONAL RECORD and have been released to all news media. Those who replied will very shortly receive a full copy of the final tabulation for their own files.

During the month of August, when Congress was in recess for the national political conventions, I held my annual open-air office hours at various post offices, and appreciated the opportunity of meeting and talking with so many of you.

As this session concludes then I do want to express again my deep appreciation for the honor of serving as your Congressman here in Washington. My staff and I remain ready to be of help to you in every possible way during the adjournment period, at our Washington, Amsterdam, and Auburn offices.

DEATH COMES TO LAWRENCE M. JUDD, FORMER GOVERNOR OF HAWAII

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. MATSUNAGA. Mr. Speaker, one of Hawaii's outstanding citizens, former Gov. Lawrence M. Judd, died last week at the age of 81.

Lawrence Judd was the grandson of Dr. Gerrit P. Judd, a medical missionary who served as a statesman and adviser to Hawaii's monarchs, and the son of Albert Francis Judd, Chief Justice of the Supreme Court of the Kingdom and later the Republic of Hawaii.

In 1929, Lawrence Judd was appointed the seventh Governor of the Territory of Hawaii, and served as Governor until March 1, 1934.

Governor Judd was actively serving his State and community up to the end of his life, and the loss of this distinguished citizen and fine American is indeed a sad loss to Hawaii and the Nation.

It seems unnecessary to dwell upon the long and eventful record of public service of Governor Judd, because it speaks for itself. I would like to share with my colleagues, however, a tribute to Governor Judd which appeared in the Honolulu Star Bulletin on October 12 which expresses in simple yet poignant words the feelings of those who cherish his memory.

I wish to include in the CONGRESSIONAL RECORD also an editorial from the Honolulu Star-Bulletin on October 5, 1968, in honor of Governor Judd:

TRIBUTE TO JUDD

SIR: The passing of former Gov. Lawrence M. Judd is an irreparable loss to those who had known him. As a patient at Kalaupapa I admired his kindness and leadership that his life represented.

During his superintendency at Kalaupapa, he and Mrs. Judd instituted a change in the social life at the Settlement; Mrs. Judd in the art-craft and hospital work, Mr. Judd in his endeavor towards the relaxation of the rules enforced through segregation.

His dedication in the Hansen's Disease program brought praise and criticism from people in many walks of life, yet he dared to challenge the public regarding his views on the treatment of patients afflicted with Hansen's Disease. Few men have ever held the position of high esteem which had been his these many years.

It is said an individual is measured not by what he or she has, but by the service towards others. That service is gratefully appreciated by his many friends at Kalaupapa Settlement.

TIMOTHY WAIAMAU.

LAWRENCE M. JUDD

In 1929, when Lawrence McCully Judd was appointed governor of the Territory of Hawaii at the age of 42 there were those who said that he was too young to rise so high, that everything afterward would be anti-climactic.

His governorship, marked as it was by the nationally famous Massie Case, was climactic and dramatic indeed.

His quick commutation of the Navy family's sentence was highly controversial but he saw it as the only way to save Hawaii from serious reprisals from a mis-informed and aroused military establishment.

It demonstrated to him and to others the urgent need for Hawaii to have the security of Statehood and was one of the key factors in launching the Statehood drive in earnest.

Lawrence Judd left the governorship in 1934 and perhaps things did seem anti-climactic at times, but he never never stopped his efforts to contribute what he could to his community and country.

He served as rent control administrator for Honolulu, as governor of American Samoa, and as an administrator of the Hansen's Disease program in Hawaii.

This year at 81 he was still fighting. It was his public objection last March that called the State's attention to the need to re-examine its Hansen's Disease program. He challenged the plan to build a big new hospital to isolate patients.

It was Judd who encouraged the Star-Bulletin to look into the research of Dr. Robert Worth and others and to call public attention to the developments that have made long-term isolation of leprosy patients no longer necessary.

The State is now embarked on a re-examination of Hansen's Disease policies. It had hoped to include him on the committee to make the review.

Death now has removed him from the scene, but Lawrence Judd was still serving his community 34 years after he left the governorship, right up to the time of his final hospitalization last month.

PREACHING ISN'T PRACTICED

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. STEIGER of Wisconsin. Mr. Speaker, although the 90th Congress will adjourn without taking final action on the congressional reorganization bill—a situation which I very much regret—I would like to call the attention of my colleagues to the Milwaukee Journal editorial of October 13, 1968. I think it provides some excellent food for thought for the 91st Congress, and I insert it as follows:

PREACHING ISN'T PRACTICED

The congress required that the president cut spending by $6 billion. At the same time it boosted the congressional budget to almost $300 million. It called on the president to cut payrolls. Meanwhile congressional payrolls have reached 12,000.

Last year the senate voted a reform bill. It wasn't drastic, but did provide for some basic and necessary changes. For instance, it tightened controls on lobbyists and took postmasters and some other employes out of the patronage area. It hit at the committee system to a degree. It would curb some of the arbitrary powers of chairmen. Minority party committee members would be given staff to help them study bills and form policy.

Speaker McCormack ignored the precedent under which the 1946 measure on congressional reorganization was sent straight to the floor. He sent the senate bill, instead, to the rules committee. After a few hours of hearings in April of 1967, the committee chairman bottled up the bill and kept it there. Insistence upon action has brought so much bargaining that the bill is reduced to almost nothing. Rep. Madden (D-Ind.), house sponsor of the senate approved measure, says the compromise bill is "worse than nothing."

Reform, the house leadership seems to be saying, is something for other people.

EDUCATIONAL PAMPHLET

HON. JOHN P. HAMMERSCHMIDT

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. HAMMERSCHMIDT. Mr. Speaker, in a continuing effort to keep in communication with residents of the Third Congressional District of Arkansas, I have put together a small pamphlet of interest to those who wish to consider the possibility of going on to college. In the belief that this item will be of interest to my colleagues, I place it in the RECORD at this point:

"YOU CAN GO TO COLLEGE, AND HERE'S HOW"—COMPLIMENTS OF CONGRESSMAN JOHN PAUL HAMMERSCHMIDT, THIRD DISTRICT, ARKANSAS

DEAR HIGH SCHOOL STUDENT: My purpose in preparing and distributing this booklet is to offer encouragement and assistance to all students who desire to attend college but who need financial help to do so. I hope that the sources of financial aid mentioned here will make it possible for deserving young men and women to find the necessary help to continue their education.

The cost of a college education has risen in recent years, but it is important to know that assistance opportunities from private and governmental sources have increased also.

If you would like to further your education and have a good scholastic record, yet limited financial means, this booklet is for you. I have included brief descriptions of some of the different types of aid available and have also listed places where more details can be obtained.

Please feel free to call on me if you have need for my services.

With best wishes for your future success, I am

Sincerely yours,
JOHN PAUL HAMMERSCHMIDT,
Member of Congress.

OPPORTUNITIES FOR YOUR EDUCATION

This booklet attempts to give briefly the possibilities of obtaining college loan or scholarship aid from all available sources. In addition to those mentioned in this booklet, there are countless loan, scholarship, and work-study opportunities at the individual colleges and universities and you should not overlook the possibility of obtaining some kind of financial assistance from the college or university of your choice.

You may have to combine several sources to finance your educational program. Complete information on the details of such programs can be secured *only* by writing directly to the institution.

If you have a good high school record and need financial help, you should proceed as follows:

1. Check with your high school guidance counselor, principal or advisor for scholarship information.

2. Write to admission directors at the colleges in which you are interested. New scholarship programs are being established every day and it would be impossible to list them all in this booklet.

3. Write to foundations and private businesses which offer special grants, such as the General Motors and Ford Foundation Scholarship Plans; the Kroger Company; Sears, Roebuck Foundation; Procter & Gamble; etc.

4. Write to the College Scholarship Service of the College Entrance Board, 475 Riverside Drive, New York, New York 10027. They will provide information on their services and a parental financial statement upon request.

5. Write to the Division of Student Financial Aid, Bureau of Higher Education, U.S. Office of Education, Washington, D.C. 20201, for a copy of "Federal Aids for College Students." There is no charge for this publication.

The National Merit Scholarship Program awards 4-year scholarships which may be used in any accredited college or university in the United States. Students are selected through a process starting with nation-wide competitive examinations. This is a national program, and students compete each year for over 2,300 awards ranging from $100 to $1,500 per year in value. Applicants must take the National Merit Scholarship Qualifying Test in the year preceding high school graduation, normally as juniors. For detailed information, consult your high school counselor or write the National Merit Scholarship Corporation, 990 Grove Street, Evanston, Illinois 60201.

The National Achievement Scholarship Program awards 4-year scholarships to outstanding Negro students in an annual nation-wide competition. Winners may use their awards at any accredited college or university in the United States and receive from $250 to $1,500 per year. Over 250 awards are given annually. The program is administered by the National Merit Scholarship Corporation. For detailed information, consult your high school counselor or write the National Achievement Scholarship program, 990 Grove Street, Evanston, Illinois, 60201.

Knights of Columbus Educational Trust Fund—Scholarships are available to sons and daughters of Knights who were killed or disabled as a result of military service during World War II, the Korean War or the Viet Nam War. In addition, special $1000 scholarships are awarded for undergraduate study at The Catholic University of America, Washington, D.C., for sons and daughters, brothers and sisters of living or deceased members of the Knights of Columbus. Write to the Supreme Secretary, Knights of Columbus, Drawer 1670, New Haven, Connecticut 06507.

Westinghouse Science Scholarships and Awards—The Science Clubs of America conduct an annual talent search for outstanding students who are interested in science. 40 winners are selected with the top five getting $25,000 in scholarships and the other 35 awards of $250 each. Information may be obtained from the Science Clubs of America, 1719 N Street, N.W., Washington, D.C. 20036. Deadline for all materials is December 27.

The Elks have scholarship programs for children of members who were killed or died in the armed services. Applications should be made directly to the lodge of which their father was a member.

Fraternal Order of Eagles offers medical, dental and educational assistance to minor children of Eagle members who lost their lives while in the armed services. For information contact the local Eagle Aerie or Eagles Memorial Foundation, 4710 14th St., W., Bradenton, Florida 33505.

The Amvets grant scholarships to high school seniors whose fathers are deceased or disabled veterans of World War II or the Korean War. Write: Amvets, 1710 Rhode Island Avenue, N.W., Washington, D.C. 20036.

American Association of University Women Educational Foundation—Awards about 50 fellowships. Write American Association of University Women, 2401 Virginia Avenue, N.W., Washington, D.C. 20007.

The Hattie M. Strong Foundation makes loans without interest or collateral up to $3,000 to students who are within 2 years of their final degree. Loans are based almost entirely on need—top limit of $1,500 per year per student. For additional information write the Hattie M. Strong Foundation, Room 409, 1625 Eye Street, Washington, D.C. 20006.

The Woodrow Wilson National Fellowship Foundation grants 1,000 fellowships for first year graduate students interested in college teaching careers in the liberal arts field. Current grants are contingent upon availability of funds beyond June, 1968. Write the Woodrow Wilson National Fellowship Foundation, Box 642, Princeton, New Jersey 08540.

Foundation for Independent Education, 224 Clarendon Street, Boston, Massachusetts. Approximately 8 to 10 scholarships valued at $300 are awarded annually to attend private junior colleges. For information write: Funds for Education, Inc., 319 Lincoln Street, Manchester, New Hampshire 03103.

Church scholarships are available through many denominations. 500 National Methodist Scholarships are awarded to outstanding students in over 100 accredited Methodist institutions. Students may also obtain loans from the Methodist Student Loan Fund while attending any institution of higher education accredited by its regional accrediting association. Write, Department of Student Loans and Scholarships, P.O. Box 871, Nashville, Tenn. 37202. The American Baptist Student Aid Fund also awards national scholarships and further information on this program may be obtained by writing, American Baptist Student Aid Fund, Valley Forge, Pa. 19481. The United Presbyterian Church U.S.A. offers 50 scholarships to qualified Presbyterian youths entering 45 church-related colleges. Application forms may be secured from the Board of Christian Education, United Presbyterian Church, 425 Witherspoon Building, Philadelphia, Pa. 19107. The Lutheran Churches affiliated with the Lutheran Council in the U.S.A. have a unified graduate scholarship program in social work for qualified Lutheran applicants. For details write: Division of Welfare Services, LCUSA, 315 Park Avenue South, New York, New York 10010. The National Jewish Welfare Board, 145 East 32nd Street, N.Y., N.Y. 10016, will furnish information about careers in social group work and scholarship help for graduate social work education.

United Daughters of the Confederacy Committee on Education provides annual scholarship grants and loans which range from $50 to $500. For further information, write UDC Divisions or Chapters in the States or Mrs. Pansy B. Fetzer, Box 1167, Shelby, N.C. 28150.

THE FIELD OF MEDICINE

Federal: The Health Professions Educational Assistance Act of 1963, as amended in 1965, provides for loans up to $2,500 per year for students pursuing a full-time course of study leading to a doctorate degree in medicine, dentistry, osteopathy, optometry, pharmacy, podiatry, and surgical chiropody. The 1965 Amendments provide for scholarships up to $2,500 per year for students in schools of medicine, osteopathy, dentistry, and optometry. Specific inquiries should be addressed to the institution to which students have applied for admission, or at which they are enrolled.

Medical Social Work: Medical Social Work Section, National Association of Social Workers, 2 Park Avenue, New York, N.Y. 10016.

Physical Therapy: American Physical Therapy Association, 1740 Broadway, New York, N.Y. 10019.

Medicine: Council on Medical Education and Hospitals, American Medical Association, 535 North Dearborn Street, Chicago, Illinois 60610 or Association of American Medical Colleges, 2530 Ridge Avenue, Evanston, Illinois 60201.

Occupational Therapy: American Occupational Therapy Assn., 251 Park Ave., South, New York, N.Y. 10010.

NURSES

If you are interested in a career as a nurse, or in furthering your education if you are presently in nursing, you may want to contact the following sources for information: Department of Information Services, National League for Nursing, 10 Columbus Circle, N.Y., N.Y. 10019. The National Foundation, 800 Second Ave., New York, N.Y. 10017.

The 8 and 40 Tuberculosis Nursing Scholarship Fund assists students in securing advanced preparation for positions in supervision, administration or teaching with a direct relationship to tuberculosis control. Write: Box 1055, Indianapolis, Indiana 46206.

A list of institutions offering nursing traineeships is available at no cost from the Division of Nursing, Public Health Service, Room 407, 800 N. Quincy St., Arlington, Va. 22203.

The Nursing Student Loan Program provides for the establishment of a student loan fund in those public or nonprofit schools of nursing which wish to participate.

Talented high school graduates in need of financial assistance to enter and complete basic programs in nursing should apply for admission to the schools of their choice. Once admitted, they are eligible for loans under this Act. For information, write: Division of Community Health Services, Rm. 810, 800 N. Quincy St., Arlington, Va. 22203.

Students may cancel up to 50% of their loan for full-time employment as a professional nurse in any public or nonprofit private institution or agency. For each complete year of service, the rate of cancellation shall be 10% of the loan, plus interest, which is unpaid on the first day of employment.

FEDERAL ASSISTANCE

The national defense student loan program

In 1958, President Eisenhower signed into law the National Defense Education Act in which most colleges and universities in the United States participate.

High School graduates who have been accepted for enrollment by colleges and universities and who need financial help for educational expenses are eligible for student loans.

An undergraduate student may borrow up to $1,000 each academic year—to a total of $5,000. Repayment does not begin until 9 months after college; interest also does not begin until then. Repayments at 3% interest per annum may be extended over a 10-year period although the school may require a minimum repayment of $15 a month.

The "Teachers' Forgiveness Clause" in this program provides that if a borrower becomes a full-time teacher in an elementary or secondary school or an institution of higher education, up to half of the loan may be forgiven at the rate of 10% for each year of teaching service. Borrowers who elect to teach in certain eligible schools located in areas of primarily low-income families or to teach handicapped children may qualify for cancellation of their entire obligation at the rate of 15% per year.

The colleges and universities—not the Federal Government—approve and make the loans. A student desiring this financial assistance should make application directly to the college or university which has accepted him.

A booket containing a summary of this loan program and listing participating colleges and universities may be obtained by writing to the Department of Health, Education, and Welfare, Office of Education, Washington, D.C. 20201 or to me.

Federal grants and guaranteed loans

One of the final acts of the First Session of the 89th Congress was the Higher Education Act of 1965, which authorizes both Federally-financed grants and guaranteed student loans.

The grants are available through colleges and universities for students found to be in exceptional financial need. The maximum annual grant will be $800, except that a student who is in the upper half of his college class scholastically may receive an additional $200.

The colleges and universities will determine who is to receive the scholarships, and in what amount, so that application should be made directly to the college the student is attending or plans to attend.

Special emphasis will be placed upon identifying able students while they are still in high school with the promise of scholarship aid upon graduation from high school.

Guaranteed student loan program

Under this program, students may borrow from a local commercial bank, savings and loan association, mutual savings bank, insurance company, credit union, or other eligible lender to help meet college costs. The loan is made directly to the student, and is, in turn, guaranteed against default by a guarantee agency designated for each State. Loans may range up to $1,500 per year. Repayment may begin not less than nine nor more than twelve months after student leaves college. For such loans, the Federal Government will pay a portion of the interest charges for eligible students.

Training for teachers of handicapped children

Grants are available through selected institutions for individuals for training as teachers or specially trained education personnel for children who are mentally retarded, seriously emotionally disturbed, hearing, speech or sight impaired, crippled, or otherwise health impaired. Available are traineeship grants for full-time senior year undergraduate study as well as post-graduate study. For information write: Division of Handicapped Children and Youth, U.S. Office of Education, Washington, D.C. 20201.

Federal loans assistance for vocational students

Students attending public and private vocational schools (including private schools operated for profit) may also apply for loans under a loan guarantee program highly similar to that described above. Such students are also eligible for Federal interest benefits.

Information concerning this assistance may be obtained through local Commissions for Higher Education, from high school counselors and from the business, trade, or vocational school the student plans to attend.

The U.S. Army sponsors the Army Reserve Officers Training Corps (AROTC) wherein a male student may earn a commission in the Regular Army of a Reserve Component. The student may enroll in a 4-year program in his freshman year of college or, under a new program, may qualify for enrollment in a 2-year program in his junior year of college. 4-year and 2-year ROTC scholarship are also available for selected students who are interested in a military career. For detailed information, write to the Professor of Military Science at any Army ROTC or to Army ROTC, Fort Monroe, Virginia 23351.

The Army has a pamphlet, "Educational Scholarships, Loans, and Financial Aids," which contains information regarding the Army Scholarship and Loan Program and numerous other public, private and military programs which offer financial aid for education primarily to dependent children of active, retired and deceased military personnel. Copies of this publication may be obtained from The Adjutant General, Department of the Army, Attn: AGMG-D, Washington, D.C. 20315. Another Army publication, "Study for Your Future with the New Action Army," contains information regarding opportunities to continue various levels of education while on active duty. Copies of this publication may be obtained from the Adjutant General, Department of the Army, Attn: AGMG-G, Washington, D.C. 20315.

The War Orphans' Education Program offers assistance to the children of deceased or permanently and totally disabled veterans in certain categories. Financial aid is available for the education of children of veterans who are, or who died while, permanently and totally disabled from or whose death was due to disease or injury incurred or aggravated in the line of duty during the Spanish-American War, World War I, World War II, the Korean Conflict, the Vietnam Conflict and the induction period. The latter is the period, exclusive of war time, when young men are liable to induction under the Universal Military Service and Training Act.

Children of the above veterans may be entitled to help for 36 months or 4 academic years. Those who attend approved colleges, vocational and business schools can receive $130 monthly if on a full-time basis. Those on a ¾ time basis may receive $95 monthly and those on half-time may get $60 monthly.

To inquire about this program, write to the Veterans Administration Office nearest to your home, or to me.

The U.S. Navy enrolls in the Regular Naval Reserve Officers Training Corps (NROTC) selected male candidates who are sincerely interested in pursuing careers as officers in the Regular Navy and Marine Corps. High school seniors and graduates are eligible to take the Navy College Aptitude Test, the qualifying mental examination, which is given each December. Selectees are appointed Midshipmen, United States Naval Reserve, and receive not more than four years of training and education at one of 52 colleges and universities. Midshipmen receive tuition, educational fees, uniforms, Naval science textbooks, and a subsistance allowance of $50.00 per month.

NROTC Bulletins of Information with application blanks are available each spring at high schools, Navy Recruiting Stations, NROTC colleges and universities, from the Chief of Naval Personnel, Department of the Navy, Washington, D.C. 20370, or from my office.

The Navy also enrolls male college freshmen in the Contract NROTC Program, which commissions graduates as reserve officers in the Navy and Marine Corps. Selections are made by Commanding Officers of NROTC Units at 53 colleges and universities. Students may also enter this program at the junior level by attending a special summer course. During the junior and senior years, students receive $40.00 a month subsistence allowance. Brochures are available at Naval Recruiting Stations, NROTC Units, and the Bureau of Naval Personnel.

Navy-Marines

Scholarship awards are available for sons and daughters of officers and enlisted men of the Navy and Marine Corps, active, retired with pay, or deceased. Applications may be obtained from Chief of Naval Personnel, Navy Department, Washington, D.C. Dependents of discharged personnel are not eligible for these benefits.

Air Force education assistance

Central Welfare Education Assistance Program—The Air Force, through the United States Air Force Central Welfare Education Assistance Program, will provide financial assistance to a limited number of dependent children of its military members to obtain a college education. Funds from this program will be used annually to support four-year Air Force Merit Scholarships. Air Force Regulation 214–13 sets forth the eligibility criteria. Information about the program may be obtained from the Personnel Services Office at any Air Force base.

Education Services Program—The Air Force, through the Education Services Program, provides tuition assistance to eligible active-duty personnel who participate in off-duty college programs either on or nearby Air Force Installations.

The amount of assistance, as authorized by law, may provide for as much as 75% of the tuition cost or fees in lieu of tuition not to exceed $14.25 for each semester-hour credit or $9.50 for each quarter-hour credit. All Air Force personnel are encouraged to participate—provided it does not conflict with their primary duty responsibilities. A wide range of college courses qualify for such financial assistance.

Reserve Officers' Training Corps—The Air Force enrolls male college freshmen in the basic Reserve Officers' Training Corps (AFROTC). Students are selected for enrollment in the advanced AFROTC course from a list of eligible applicants by Professors of Aerospace Studies at colleges which have these programs.

Transfer students from junior colleges and sophomores enrolled in a 4-year course of studies may also apply for admission in the advanced course. However, these qualified applicants must successfully complete a six-week basic military training program between their sophomore and junior years before being admitted into advanced AFROTC.

Students selected for the advanced course receive $40.00 a month during their junior and senior years. Necessary uniforms and textbooks are furnished at no cost to the student. Students enrolled in a 4-year ROTC program may apply for scholarship assistance covering the cost of tuition, fees, books and laboratory expenses.

For a complete list of colleges participating in this program and information concerning scholarships, write: Commandant, AFROTC, Maxwell AFB, Alabama.

The U.S. Coast Guard appoints qualified young men as cadets, and upon the successful completion of a 4-year course at the U.S. Coast Guard Academy in New London, Connecticut, they receive a Bachelor of Science degree and a commission as Ensign in the U.S. Coast Guard. Candidates are selected solely on the basis of a nationwide competitive examination and must apply to the Coast Guard prior to 15 December each year. Candidates themselves must also arrange to take the prescribed College Entrance Examination Board tests given in December and request that the scores be sent directly to the Coast Guard Academy. This should be done prior to the late October deadline set by the CEEB for receipt of applications. They must take both the verbal and mathematics scholastic aptitude tests and the achievement tests in mathematics (level I or level II), and English composition (not the writing sample).

The Academy will inform applicants of their status in mid-February. Submit application prior to the date of the December College Entrance Examination Board test to: Director of Admissions, U.S. Coast Guard Academy, New London, Connecticut 06320.

ADDITIONAL REFERENCES

The American Legion publishes a booklet entitled, "Need a Lift?" This booklet lists scholarships and fellowships available through private and public sources and may be obtained by sending 25¢ to the Child Welfare Service, American Legion, Indianapolis, Indiana.

"How About College Financing" is a booklet describing various approaches to college financing for students and parents. Copies may be obtained for 30¢ from the American Personnel and Guidance Association, 1607 New Hampshire Ave., N.W., Washington, D.C. 20009.

"How to Pay for Your Child's College Education" may be obtained by sending 25¢ to Public Affairs Pamphlets, 22 East 28th Street, New York, N.Y. 10016.

"The New American Guide to Scholarships, Fellowships and Loans" may be obtained at 75¢ a copy by writing New American Library of World Literature, 1301 Avenue of the Americas, New York, N.Y. 10019.

Visit your local library and ask to see a copy of "How to Finance a College Education" by W. Bradford Craig, published by Henry Holt & Company.

The United Business Schools Association maintains a listing of schools it has accredited. Many of these schools offer general work of service scholarships to eligible students. Some also offer work-study programs. For a listing of these business schools write: Accrediting Commission for Business Schools, 5057 Woodward Ave., Detroit, Michigan 48202.

College Admissions Information Centers. The following three college admissions information centers have been established to help high school seniors and graduates looking for colleges and colleges looking for prospective students. These centers charge a nominal fee and function as clearing centers where the records of student applicants are reviewed by interested colleges. Students make individual college applications only after they are requested to do so by colleges desiring more information.

American College Admissions Advisory Center 12th & Walnut Streets, Phila., Pa.; College Admissions Assistance Center, 41 E. 65th Street, New York, New York; College Admissions Center, 610 Church Street, Evanston, Illinois; Catholic Colleges Admissions and Information Center, 500 Salisbury Street, Worcester, Mass. 01609.

INFORMATION FOR ARKANSAS STUDENTS

The State of Arkansas does not make direct appropriations from State moneys for scholarship grants, aids and awards to students in public schools and colleges. Residents who have high scores on the School and College Ability Test (SCAT) which is administered on a statewide basis are eligible for scholarships which apply toward tuition and incidental fees. Further information may be obtained from the registrars of state colleges and universities.

A major source of student financial assistance is the institution of higher education itself which often makes available a variety of aid programs.

Some scholarships are given by private business and industries either local or national; others come from privately donated or memorial scholarships. Some are from funds collected from alumni, others from a college's own funds. The assistance is given in varying amounts and for specified as well as general purposes. The forms of student aid are too numerous to catalogue here but are well worth investigating. For further information the student should write to the institution in which he or she is interested.

The Arkansas Opportunity Fund gives automatic consideration to all students who take the National Merit Examination for ten 4-year scholarships each year. The amount is based upon the financial need as determined by the National Merit Scholarship Foundation financial reports.

In addition, the Arkansas Rural Endowment Fund, Inc. loan program (203 National Old Line Building, Little Rock, Arkansas) extends financial assistance in the form of loans to deserving individuals seeking to further their education. Preference is given to students in rural areas in smaller towns. The average loan for two semesters has been between $500 and $600, with as many as 250 such loans made during a school year. The amount and number of loans each year depend on the rapidity with which the students repay.

There are of course many other local sources of assistance to qualified students. Your high school counselor will usually know of any such aids.

As a Member of Congress, I have the authority to make nominations to the United States Service Academies, including the Air Force Academy, the United States Military Academy, and the United States Naval Academy, as well as the United States Merchant Marine Academy. I authorize all eligible applicants to take a series of competitive examinations conducted by the Civil Service Commission, and my nominations are based on the results of these tests. Applications in the form of personal letters addressed to me—Congressman John Paul Hammerschmidt, House Office Building, Washington, D.C. 20515—must be in my hands on or before October 15 of any given year for consideration for appointment to classes of the following year at the Service Academies. Additional information and eligibility requirements may be obtained by writing to the above address.

This booklet prepared and distributed by Congressman JOHN PAUL HAMMERSCHMIDT, Third District of Arkansas.)

THE 90TH CONGRESS

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. STUCKEY. Mr. Speaker, I want to take this opportunity to thank all of the good people of our Eighth Congressional District for the confidence you have shown in my representation of our district in the 90th Congress.

Because of the confidence which you have shown, I will be able to spend the next few months giving the fullest concentration to the major issues which confront our country rather than spending all of that time campaigning for reelection.

Just to briefly recap this first year and a half of the 90th Congress, we have seen five new post offices awarded in our district and the approval of two more. Moody Air Force Base Hospital has a new hospital wing. Cochran has a new airport. And, Jekyll and Douglas have received funds for new extensions to their airports. Funds were approved in 1967 for the construction of a new Hill-Burton hospital in Appling County, and we got approval of funds this year for an extension to the Riverside Nursing Home in Waycross.

In the Congress we were able to get the peanut allotment bill passed. This legislation which I cosponsored makes it possible for many producers to acquire enough peanut acreage to grow peanuts on a more sound economic basis. This bill is of great importance to our State and our Eighth District. It allows for the lease, sale, and transfer of peanut acreage allotments among farms.

During this Congress, we were also able to get site-location funds for the new Waycross Federal Building included in the independent offices appropriations.

We have been able to arrive at an agreement with the Department of the Interior on legislation to bring the Okefenokee Wildlife Refuge into the Wilderness System. Initially, Interior had made a proposal to bring the Okefenokee into the wilderness system including 75,000 additional acres of what was supposed to be swamp area.

Also, there was no specific provision in Interior's proposal which would guarantee the right to fish, boat, and sightsee.

Our bill, which I prepared at the request of the Interior Department, specifically excluded the inclusion of the additional 75,000 acres of land. Also, the bill which I have prepared guarantees the continued right to boating, fishing, and sightseeing. I intend to introduce this bill at the beginning of the 91st Congress.

Also, during this Congress we have been able to secure approval of the House Public Works Committee for a new survey to be conducted by the Corps of Engineers of the Satilla, St. Marys and the entire Suwannee River Basin. If this new survey proves that the cost-benefit ratio is high enough to warrant a dam project on the Alapaha, or other rivers and their tributaries, then steps can begin toward getting these projects underway.

Other areas of national legislation of general interest have been the Veterans Pension Readjustment Act which was passed last year. A major provision of the new GI bill was a cost of living pension increase. An estimated 2,380 Eighth District citizens are now receiving nearly $134,290 additional benefits, since the bill became effective in October 1967.

Another measure passed in this Congress was a bill affecting our senior citizens. This was an amendment to the present social security law. In addition to increasing social security benefits of our senior citizens, this legislation provides that a senior citizen can now earn up to $1,680 without having his benefits penalized. I had introduced a measure which would allow our senior citizens to earn up to $3,000 before benefits were penalized. However, I did support the increase to $1,680 when it was brought before the House, and I will reintroduce my bill to bring the level to $3,000 at the beginning of the 91st Congress.

Another issue which has been of prime concern in this Congress has been the increase in the rate of crime. Although there is still a long way to go, we were able this year to pass a safe streets and crime control bill which will be instrumental in returning the needed law enforcement powers to our local law enforcement officers.

As I mentioned, the issues which I have just discussed, barely scratch the surface of the activities during this Congress.

We passed a bill to extend the existing Agriculture Act through 1970, and we passed legislation which will aid our farmers in getting better loans.

All in all the last 2 years have been busy, and I believe that they have been somewhat productive for our Eighth District. It is a very humbling thought that I have had the privilege of playing a part in this. I am deeply appreciative to all of the good people who have been so helpful to me in serving our district. And, I am appreciative for the opportunity of representing our interests in the 90th Congress.

MRS. KITTY BROMAN: 1968 WINNER OF THE NORTHEASTERN U.S. GOLDEN MIKE AWARD

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BOLAND. Mr. Speaker, Mrs. Kitty Broman, the bright and affable hostess of a conversation program aired by television station WWLP in Springfield, Mass., has won the 1968 Golden Mike Award for the northeastern section of the United States.

The award, given yearly by a broadcast organization entitled American Women in Radio and Television, honors community service and major contributions to the broadcasting industry. A two-time winner of the northeast area's Golden Mike—she took the award in 1963 for her work on behalf of Monson State Hospital in Monson, Mass.—Mrs. Broman has used her program for the past 13 years to help promote charities and other community service projects. The program, called "At Home With Kitty," often serves as a forum for the discussion of problems in the Springfield area.

With permission, Mr. Speaker, I include in the RECORD at this point an article from the Holyoke, Mass., Daily Transcript outlining Mrs. Broman's television career and the significance of her second Golden Mike Award:

[From the Holyoke Daily Transcript, Sept. 14, 1968]

KITTY WINS GOLDEN MIKE AWARD

Kitty Broman, hostess for the past 13 years on WWLP's "At Home With Kitty" program, has been named 1968 Golden Mike Award winner for the Northeast area of American Women in Radio and Television.

The award will be presented to Mrs. Broman by Mary Door, national AWRT president and radio-television personality from Santa Monica, Calif., as the highlight of the plenary banquet of AWRT's Northeast Area Conference, Oct. 12, in Egremont, Mass.

This will be the second Golden Mike for Kitty, who was honored with this award in 1963 for her efforts in behalf of Monson State Hospital. The award, long a symbol of distinguished performance in communications, has been expanded this year to include the "total woman" concept, accenting the winner's contributions to her industry, her community and her country.

The Golden Mike Awards for women in radio and television, originally sponsored by McCall's Magazine and presented annually for 15 years at the AWRT national conventions, are now awarded each year at area conferences to honor one member of each AWRT geographical area.

The object is to give formal recognition to members whose contributions command the respect of their associates in broadcasting and allied fields.

Mrs. Broman's on-the-air work and community services are closely related, and best known is the daily program, "At Home With Kitty," a variety-and-conversation half-hour on WWLP which serves many purposes for many organizations and individuals.

She serves as secretary and administrative assistant to President William L. Putman of Springfield Television Broadcasting Corporation, participating in policy-making and day-to-day decision making.

Mrs. Broman's interest and participation in many of the civic activities of her area is well known. She is vice-president of the Springfield Mental Health Association and co-sponsor of its 1968 fund drive. She is a member of the Board of Directors of the Hampden County Association for Retarded Children and annually sponsors a benefit luncheon for this organization. She is chairman of the Susan Auchter Memorial Fund which raised $65,000 to install an artificial kidney machine at Springfield Hospital.

In June of 1968 the Women's Division of the Greater Springfield Chamber of Commerce honored Kitty Broman as "Woman of the Year" for her exceptional community service. This is only the latest in a series of tributes from local organizations in recognition of her outstanding contributions.

Selections for the Golden Mike Award in the seven geographical areas of AWRT were made by a panel of judges, none of whom were members of AWRT, but all nationally-know executives in the field of commercial broadcasting, educational broadcasting and advertising. The Northeast Area comprises New England and New York.

American Women in Radio and Television, Inc. is a nonprofit professional organization of women working as broadcasters, executives, administrators and creative personnel in radio, television, broadcasting-advertising and closely allied fields.

COMMUNISTS ASSASSINATE ANOTHER AMERICAN

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. RARICK. Mr. Speaker, U.S. Army Capt. Charles Rodney Chandler, a Vietnam veteran of Arcadia, La., was savagely murdered by machinegun fire at his residence in São Paulo, Brazil.

The two assassins left antiwar leaflets near the body accusing Captain Chandler of being a "Vietnam war criminal" and being in Brazil to "train war criminals and show them the most advanced techniques of torture and cruelty."

Captain Chandler's assassination marks the fourth American to be thus murdered by terrorists in Latin America this year.

This assassination, like the others, was not an act of brutal violence against the individual but against his nationality and symbolically an act of aggression against every citizen of the United States.

We must have a reevaluation of our cold-war policy and I know of no better way to start than to clean out the State Department and replace the policymakers with Americans who realize that policies "soft on communism" only encourage more violence and murder, and deter nothing.

What is one American boy's life worth? What is the value of pride in being an American when our leaders tolerate every revolutionist in the world knocking off our men who honorably serve our country?

A photograph of Captain Chandler's body, pierced by 11 bullets, lying in the blood-splattered seat of his car, appeared in one Louisiana daily. But you will not see it elsewhere—you will find pictures of Vietcong killed by Americans, but never of our countrymen killed by Communists. Why? Fear that it might so infuriate the American people they would demand action?

My profound sympathy to Captain Chandler's wife and four children—my condolences to our fellow countrymen.

Under unanimous consent, I submit this news story from the Baton Rouge Sunday Advocate and the Evening Star for October 14 for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the Baton Rouge (La.) Sunday Advocate, Oct. 13, 1968]

ARMY OFFICER FROM LOUISIANA IS SLAIN IN BRAZIL

SAO PAULO, BRAZIL.—Anti-Vietnam War terrorists assassinated a U.S. Army captain with bursts of machine gun fire Saturday before the horrified eyes of his 9-year-old son. The officer had served in Vietnam.

The two killers escaped in a car without license plates after scattering pamphlets reading "Revolutionary justice executes Vietnam War criminals and warns all followers that one day they will pay debts to the revolutionary court."

The victim, Capt. Charles R. Chandler, 30, of Arcadia, La., was shot to death in front of his home as he was backing his car out of the driveway at 8:40 a.m.

Police said the two killers stepped from a white Volkswagen carrying no license plates, walked to Chandler's car where they took positions on either side of the vehicle. Both men fired pumping six bullets into Chandler's body and killing him instantly.

The assassins made a clean getaway.

In addition to the son who witnessed the slaying, Chandler is survived by his widow and three other young children.

Chandler was in the last months of a two-year period of study in Portuguese at the University of Sao Paulo as an Olmsted Scholar and planned to teach Portuguese as an instructor at West Point.

Chandler had been in Brazil since January, 1967, and one of his children was born here. He was due to return to the United States next January.

The U.S. consul general in Sao Paulo issued a statement saying the United States reacted to Chandler's assassination with "shock and consternation."

Chandler was the fourth American official to be shot and killed in Latin America this year. The U.S. ambassador to Guatemala, John Gordon Mein, was killed by a machinegunner in August. In January an assassination team gunned down Col. John D. Webber, Jr., 47, head of the U.S. military group in Guatemala and Lt. Comdr. Ernest A. Munro, head of the U.S. naval section.

The leaflets called Chandler "a notorious imperialist agent responsible for the practice of numerous war crimes against the Vietnamese people."

"The assassination of Major Che Guevara in Bolivia was committed through the orders and orientation of war criminals such as this," said the leaflets. "Brazil is the Vietnam of America. The only road for revolution in Brazil is armed conflict."

The leaflets also used a favorite Fidel Castro quote: "The duty of each revolutionary is to make revolution—to create one, two or three Vietnams."

[From the Washington (D.C.) Evening Star, Oct. 14, 1968]

CASTRO GROUP IN RIO?—CAPTAIN'S ASSASSINS PUT SON OUT OF CAR

(By Jeremiah O'Leary)

RIO DE JANEIRO.—Brazilian terrorists ordered the 9-year-old son of Capt. Charles

Chandler out of his father's car before opening fire with a machine gun burst that killed the U.S. army officer in Sao Paulo Saturday.

The boy, Darryl, and his mother, Mrs. Joan Chandler, were horrified witnesses to the political murder of the 30-year-old Vietnam veteran in the driveway of their home. Mrs. Chandler was standing on the porch to watch her husband and son drive away on an errand when the terrorists appeared and pumped 11 bullets into Chandler's body.

Mrs. Chandler and her four children left Rio today for New York, accompanying the body of the slain officer. The other children are Jeffrey, 4, Todd 3 and Luane 4 months.

Sao Paulo public order police and military agents were reported still without clues as to the identity of the murderers except for the license number of one of the three cars the assassins used. Police also have a description of the gunmen from the boy, Mrs. Chandler and one neighbor. The car used by the terrorists apparently was stolen.

Brazilian newspapers speculated that Chandler could have been killed by extremists of either the left or the right. But U.S. sources believed the crime was carried out by hard-core leftists trained in Cuba to launch urban guerrilla warfare in Brazil.

The most extreme group of Castro-line Communists in Sao Paulo is led by Carlos Marighella, and is estimated at from 300 to 500 activists with Cuban training and Brazilian weapons.

Ballistics tests showed the bullets which killed Chandler were from Brazilian-made weapons.

Other evidence includes pamphlets left behind by the killers which said the murder was an act of revolutionary justice against the war criminals of Vietnam and "the agent of imperialism, Charles Chandler."

It charged that Chandler, who had been studying Portuguese at the University of Sao Paulo, was really sent to Brazil by the Pentagon to train counter-revolutionaries. It connected his assignment with the death of Che Guevara in Bolivia.

Chandler had been articulate on the subject of Vietnam and was well known in riot-prone student circles in Sao Paulo. He recently had planned to give a speech on Vietnam, but Ambassador John W. Tuthill decided it should not be made because of recent student violence in Sao Paulo.

Chandler was scheduled to leave Brazil next month to continue his studies at American University in Washington.

Chandler was the second foreign military officer slain in Brazil this year. On July 1, West German Army Maj. Eduard Ernest Maxmilian von Westerhagen was shot to death in Rio de Janeiro by gunmen armed with machine pistols. Von Westerhagen is thought to have been killed by leftists who believed he had Nazi connections.

Chandler had received several threats against his life. At least one other member of the U.S. Embassy today received a threat against the lives of his children when a note was slipped under the door of his home.

[From the New Orleans (La.) Times Picayune, Oct. 13, 1968]

CAPTAIN CHANDLER SLAIN IN BRAZIL—MACHINEGUNNED VICTIM WAS FROM ARCADIA, LA.

SAO PAULO, BRAZIL.—A U.S. Army captain who was a Vietnam veteran was machine-gunned to death by two self-styled Brazilian revolutionaries Saturday in front of his 9-year-old son.

The boy told police the men riddled his father's car with machine gun bullets as he was backing it out of the family garage, then sped off in a small white automobile. The victim was identified as Capt. Charles Rodney Chandler, 29, of Arcadia, La.

The assassins left leaflets scattered near the body, accusing Chandler of being a "Vietnam war criminal" and of being in Brazil to "train war criminals and show them the most advanced techniques of torture and cruelty."

Chandler's wife and three other children were in the house during the shooting.

Robert Corrigan, the American consul, said Chandler had spent a year in Vietnam. He said the captain was scheduled to leave Brazil in November to take a teaching post at the U.S. Military Academy at West Point, N.Y.

Chandler was in Brazil "strictly on civilian status," said Corrigan, studying Portuguese and Brazilian history at the University of Sao Paulo under a two-year Olmsted Scholarship.

He said Chandler always wore civilian clothes and had "no military training functions of any kind."

The leaflets called Chandler "a notorious imperialist agent responsible for the practice of numerous war crimes against the Vietnamese people."

LEAFLET CONTENTS

"The assassination of Major Che Guevara in Bolivia was committed through the orders and orientation of war criminals such as this," said the leaflets.

"Brazil is the Vietnam of America. The only road for revolution in Brazil is armed conflict."

The leaflets also used a favorite Fidel Castro quote: "The duty of each revolutionary is to make revolution—to create one, two or three Vietnams."

Police said they had no clue to the identity of the assassins.

Police said they found 11 slugs in Chandler's body and three in his station wagon.

Chandler was the fourth American official to be shot and killed in Latin America this year. The U.S. ambassador to Guatemala, John Gordon Mein, was killed by a machine-gunner in August. In January an assassination team gunned down Col. John D. Webber Jr., 47, head of the U.S. military group in Guatemala and Lt. Cmdr. Ernest A. Munro, head of the U.S. naval section.

DR. ROBERT C. WOOD

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BOLAND. Mr. Speaker, Dr. Robert C. Wood has played a major role in making the Department of Housing and Urban Development a model of brisk efficiency. As Under Secretary of HUD—number two man behind Secretary Robert C. Weaver—Dr. Wood took part in the monumental task of shaping a big new Government department out of a collection of diverse and scattered agencies. As a ranking member of the Appropriations Subcommittee on Independent Offices and Housing—the body that handles HUD's budget—I can testify personally to the many contributions Dr. Wood has made to the department he helped form. Intelligent, skilled, characterized by an appetite for hard work and an ability to get things done, Dr. Wood is one of the most able Government administrators in Washington.

The Florida Times-Union published an outline of Dr. Wood's brilliant career in January 1966, just as he was leaving his post as head of the political science department at Massachusetts Institute of Technology to join HUD.

With permission, Mr. Speaker, I would like to put this article in the RECORD at this point:

WOOD TOOK ACADEMIC PATH TO JOB

(By Joe Sigler)

A product by the Duval County public school system, who early in life struck up a love affair with political sicence, heard himself nominated last night by President Johnson as Under Secretary in the newly created Department of Housing and Urban Development.

Dr. Robert C. Woods, 42, the nominee in the new Cabinet Department, moved to Jacksonville with his parents and two older brothers from St. Louis, Mo., when he was 18 months old.

One of the brothers, Dr. Jonathan H. Wood, a Jacksonville surgeon, was waiting at about midnight for his brother to return from Washington to Boston so he could call and offer congratulations. Wood is head of the Department of Political Science at the Massachusetts Institute of Technology in Cambridge, Mass., near Boston.

Another brother, F. B. Wood, is head of the Department of Astronomy at the University of Pennsylvania in Philadelphia. Their father, T. Frank Wood, lives in Altamonte Springs.

Wood attended Ortefa Elementary School, where his mother, the late Mrs. Mary Bradshaw Wood, taught for many years, John Gorrie Junior High School and Robert E. Lee High School, where he was graduated in 1940.

On a scholarship—supplemented by money he earned waiting tables—Wood entered Princeton University, but left before graduation to enlist in the infantry in World War II. After the war, he returned to Princeton and earned his bachelor's degree in political science.

Wood received a fellowship to Harvard, where he earned two master's degrees and his doctorate in political science.

"He aimed all along at political science," Wood's Jacksonville brother said, "and he thought for a time of entering politics." But instead, he followed a different route to high Government office.

Wood served for 2 years with the Federal Bureau of the Budget, worked for a couple of summers for the Legislative Reference Bureau in Tallahassee and later joined the faculty at Harvard.

He served at Harvard until going to MIT, where he was elevated to department head in political science a year ago.

TAPPED BY KENNEDY

His knowledge of urban affairs resulted in his being tapped by President Kennedy to serve on his task force on urban affairs. President Johnson appointed him to the advisory board of the National Capital Transportation Agency.

Wood submitted to Johnson a still-secret report as chairman of the President's task force on the organization of the Department of Housing and Urban Development—the Department to which Johnson yesterday nominated him as Under Secretary.

Along the way, Wood found time to write, two books, "Suburbia: Its People and Their Politics," and the more recent "1,400 Governments," a study of the political economy of the sprawling New York City political region.

Wood also has been sent on several missions to Latin America and the Far East as an adviser on urban affairs.

In an interview with Jayne Brumley, a former Times-Union staff writer, now with Newsweek magazine, Wood commented on today's big cities—a problem he will tackle increasingly in his new Federal assignment.

"The American city," Wood said, "is not about to fly apart or explode. It works as an economic unit. The issue is not whether it's spinning out of control, but whether we can make it more attractive and more livable."

Mrs. Brumley's article on Wood appears in the January 17 issue of Newsweek.

NATIONAL JEWISH LEADER WARNS THAT INACTION IS EQUIVALENT TO LOSING BY DEFAULT

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. REUSS. Mr. Speaker, during a rally on the Washington Monument grounds last weekend, Howard Samuels, Administrator of the Small Business Administration and a leader of the Nation's Jewish community, warned that the great peril to Jews everywhere lay in the growth of the right wing in America.

Mr. Samuels made an eloquent plea for involvement, and told his listeners:

> The greatest risks to Jews, not only in Russia and Israel, but in all other countries of the world, lie right here in our own country.

He urged his audience, which had gathered to demonstrate support for religious and cultural freedom for Jews in the Soviet Union, to take part in a great new crusade for Jewish principles in American politics.

The call for law and order has become a prime campaign slogan for those who do not wish to make the great investment in human resources needed to get at the basic cause of lawlessness and hopelessness which are permeating American life—

Mr. Samuels said:

> The mood of the nation, to do nothing, which the right wing is fostering, is leading to great confrontations—between black and white, between young and old—which actually threaten our democratic institutions. And the threat to democratic institutions in America is a threat to Judaism and freedom throughout the world.

Mr. Samuels said the future of Israel, and what hope Russian Jews have, are closely related to a just, free society in America. He urged that American Jews be in the forefront of the crusade for the principles of human investment of Maimonides, which are so desperately needed in our country.

Only one candidate for the Presidency—Hubert Humphrey—has had the courage to talk about this vital human investment in proper perspective, and has been willing to commit his Administration to the proper utilization of America's growing wealth—he said.

Mr. Samuels declared:

> It is typical of our disgraceful indifference to national problems that this country can spend $8 billion for cigarettes a year, and cannot afford to support child day care centers and other educational programs for the disadvantaged, programs which are fundamental to an attack on poverty and the causes of crime.

He recalled the answer that Pastor Martin Niemoller, the famed Protestant leader in Germany in the 1930's, gave when asked how a country with as much intelligence as his could let a man like Hitler come to power:

When Hitler attacked the Jews—

Niemoller said—

> I was not a Jew, therefore, I was not concerned. And when Hitler attacked the Catholics, I was not a Catholic, and therefore, I was not concerned. And when Hitler attacked the unions and the industrialists, I was not a member of the unions and I was not concerned.
>
> Then, Hitler attacked me and the Protestant church—and there was nobody left to be concerned.

Mr. Samuels appealed directly to the young people in his audience, warning:

> Inaction is equivalent to losing by default—and openly invites election disaster.
>
> You won't solve the problems of Americans by letting things get so bad that instant reforms will result. It doesn't work that way. It didn't in Germany and it won't work here. It is naive to think that because a demogogue does things which are absurd, cruel, stupid, that his actions will be revealing and automatically will defeat him.
>
> Don't ever take a demogogue for granted. Remember that pie, even in the sky, is much more plausible and inviting than the idea that a person may have to pay more taxes, give up some of his cherished prejudices, or even his small feeling of superiority.
>
> Don't let your great energy and enthusiasm go to waste. Our world, that world of politics that some of you think of with such scorn, is, and must be by the nature of vast differences of opinion, a world of the possible—yes, even a world with a little compromise. Do your share, for I assure you, that otherwise you make it possible for the people you detest—the conformists, the do-nothings, the unconcerned—to take over.
>
> If you really believe what you say, then do your own thing—and take over America yourself. Involve yourself. Our country belongs to you, if only you are willing to take it over, a portion at a time. Don't give up on the whole scene because you can't have instant success.

CONGREGATION WILL HONOR CANTOR

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. VANIK. Mr. Speaker, I am pleased to call to the attention of the House that Cantor and Mrs. Saul Meisels will be honored on Tuesday evening, October 29, at the annual Israel Bond dinner of the Temple on the Heights.

Cantor Meisels completed his 25th year of service with the Temple on the Heights last year. He is beloved by the congregation. His voice is well renowned throughout the Greater Cleveland area. His distinguished career has been filled with service to his religion, his people, and the general community. His musical work at the Temple is unexcelled.

My family and I wish to join the congregation of Temple on the Heights in extending to Cantor and Mrs. Saul Meisels our heartiest congratulations and best wishes on the occasion of the testimonial dinner in their honor. The entire community of Greater Cleveland is proud of his devotion, the quality of his work, and his deep faith. I am proud to know him.

I wish to insert, at this point in the RECORD, an article from the October 4 issue of the Cleveland Jewish News:

SAUL AND IDA MEISELS TO BE FETED AT HEIGHTS TEMPLE'S ISRAEL BOND DINNER

Saul Meisels, cantor of the Temple on the Heights, and his wife, Ida Ruth, will be honored on Tuesday evening, Oct. 29, at the annual Israel Bond dinner to be tendered by the congregation.

An eloquent exponent of the music of his people Cantor Meisels' concert renditions of folk and liturgical music have been acclaimed throughout the United States, Canada, and Israel. His programs include Hebrew chants and cantillations, Hasidic and Yiddish folksongs, modern songs of Israel and of the Six-Day War, and humorous character songs from Jewish life.

His masterful style is a rich blending of the old-world deep-rooted traditional manner with that of the carefully trained modern musician.

Cantor Meisels is well known for the lecture recitals on Jewish music which he has presented at Oberlin College, the Cleveland Museum of Art, and many universities. He has appeared as soloist with various orchestras and choruses, and is a recording artist for RCA Victor and Tikvah Records.

NATIONAL PAST PRESIDENT

The Cantor is a past-president of the Cantors Assembly of America, the national organization of cantors serving in Conservative synagogues in the United States and Canada. He is a member of the board of governors of the Jewish Theological Seminary of America, a founder of the Jewish Liturgical Music Society of America, a director of the America-Israel Music Association, and a member of the Delegate Assembly of the Jewish Community Federation of Cleveland.

Through his congregation, Cantor Meisels has commissioned a number of distinguished composers in the United States and Israel to create new musical works for the synagogue, and has appeared in their world premiere performances.

Mrs. Meisels is herself a widely-reputed musician, who has performed as the cantor's accompanist in most of his concert engagements. She is a music educator who has served the community in many capacities.

Last year, Cantor Meisels' 25th anniversary with the Temple on the Heights was marked with special festivities.

PULASKI DAY

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. WYMAN. Mr. Speaker, today marks the 189th anniversary of the death of Casimir Pulaski. This great Polish patriot, who is remembered in history as the Father of American Cavalry, gave his life in the American struggle for independence.

Pulaski, born in Poland in 1748, fought with his father in the popular uprising against Russian control after Poland had been partitioned by Germany, Russia, and Austria. When the forces of freedom, which had fought so gallantly against enormous odds and with inadequate equipment, were crushed by the Russians, Pulaski dispersed his men and sought aid for their cause abroad. Although a penniless refugee, and having lost his father and brother in the fight for freedom for Poland, he sought help in Prussia, Turkey, and then France. In Paris, Pulaski met Benjamin Franklin, who told him of the need for trained soldiers and leaders in the American Revolutionary War. The Polish hero traveled to the United States, seeing our struggle as another opportunity to fight for freedom, and presented a letter of introduction from Franklin to George Washington.

In paying tribute again this year to General Pulaski, we who now enjoy American freedom must rededicate ourselves to the restoration of freedom in Pulaski's homeland, Poland, which still suffers under the foreign domination of Soviet Russian imperialism.

We would all do well to remember General Pulaski's words:

> Whenever on the globe men are fighting for liberty it is as if it were our own affair.

The memory of the brutal invasion of Hungary and the shadow of the recent blitzkrieg in Czechoslovakia appal and sadden Americans of Polish descent who live in blessed freedom here. The use of such military force against tiny countries that threatened no aggression but only sought freedom for their people is living proof of communism's intolerance of all things free.

At the present time, when the Communist government in Warsaw is providing major support to the North Vietnamese Government, the memory of Pulaski's fight for the freedom of Poland and America stands in complete contradiction to the policies of the Soviet-imposed Polish Government. History does repeat itself, and the spirit of Pulaski inspires the Polish people to their quiet resistance against the dictatorial Warsaw regime.

We, here in the United States, must urge the development of a foreign policy that will help restore freedom to all countries under Communist control. In the long run such a policy is the best way to insure continued freedom from aggression upon America itself.

I am proud to join with Americans across the Nation in honor and respect to our great Polish-American hero, Gen. Casimir Pulaski.

OCTOBER 3, 1968, REMARKS OF MR. RYAN ON H.R. 18037, THE DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATIONS OF 1969, IN OPPOSITION TO MOTION OFFERED BY MR. FLOOD THAT THE HOUSE RECEDE FROM ITS DISAGREEMENT TO THE AMENDMENT OF THE SENATE NUMBERED 63, AND CONCUR THEREIN WITH AN AMENDMENT

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1968

Mr. RYAN. Mr. Speaker, 14 years after the U.S. Supreme Court desegregation decision and 4 years after we finally enacted title VI of the Civil Rights Act of 1964, which prohibits the use of Federal funds for programs which discriminate on the basis of race, color, or national origin—the only effective means for eliminating segregated public schools—legislation which I had introduced for years and which I helped to persuade President John F. Kennedy and Attorney General Robert F. Kennedy to accept as part of the 1964 Civil Rights Act, it is appalling that the House conferees on H.R. 18037, Departments of Labor, and Health, Education, and Welfare, and related agencies appropriation for fiscal year 1969, should recommend section 409 and section 410, the Whitten amendments, the only purpose of which is to circumvent the U.S. Supreme Court decision and perpetuate segregation through so-called "freedom of choice" plans which the Federal courts have ruled invalid.

The adoption of the Whitten amendments would be a signal to every recalcitrant southern school district to disregard the law of the land which guarantees the constitutional rights of Negro students to equal opportunity in public elementary and secondary schools.

The Whitten riders to H.R. 18037 would require the use of Federal funds to subsidize segregated education and to perpetuate unconstitutional dual school systems in the South, revoking the authority of the Department of Health, Education, and Welfare to meet its constitutional and statutory responsibilities, under the school desegregation decisions of the Supreme Court and title VI of the Civil Rights Act of 1964, to withhold financial aid from unconstitutionally segregated schools.

In 1954 the Supreme Court held that racially segregated "separate but equal" school systems are unconstitutional. In title VI of the Civil Rights Act of July 2, 1964, Congress provided that "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any programs or activity receiving Federal financial assistance." Congress further provided that each Federal department and agency that extends any form of Federal financial assistance to any program or activity by way of grant, loan, or contract is required to ascertain that the funds it administers are not used to perpetuate racial discrimination.

Since 1964 some Southern school systems have abolished dual systems of education, while others have begun to do so. Other school systems, however, have attempted to circumvent constitutional and statutory requirements by restoring to so-called "free choice" plans and other stratagems and have forced HEW to suspend grants of Federal money to them. Under so-called "free choice" plans—a label that thoroughly perverts the meaning of words—students or their parents are required to choose which schools they shall attend. As the perpetrators of these schemes intended, individual Negroes often have been reluctant and afraid to take positive action to attend white schools in many cases out of fear of punitive economic and social action.

These "free choice" schemes are an attempt illegally to shift the burden of desegregation from school officials to Negroes and to avoid responsibility for developing and implementing plans that will effect meaningful desegregation.

In May 1968, the Supreme Court unequivocally stated that the positive burden of eliminating unconstitutional segregation rests squarely with school officials, and they cannot avoid this responsibility by resorting to strategems of evasion and duplicity.

The Whitten amendments would forbid HEW to withhold Federal funds from schools for failures to correct unconstitutional practices that perpetuate desegregation. Stated in positive terms, the amendments would require HEW to grant to schools for the perpetuation of unconstitutional discriminatory practices. In light of the relevant Supreme Court decisions and the Civil Rights Act of 1964 the amendments would require HEW to violate the Constitution and the clear mandate of Congress. It is bitterly ironical that many of those who profess a concern for law and order would not hesitate to violate the Constitution and statutory law.

I also want to make clear my disagreement with the compromise language of the Senate version of section 409 and section 410, which would inhibit the Department of Health, Education, and Welfare from taking affirmative steps to overcome racial imbalance. If quality integrated education is to be achieved, then the Secretary of HEW and the Commissioner of education must have the flexibility and the leverage, if necessary, to employ a variety of devices including busing, pairing of schools such as the Princeton plan, educational parks, and innovative and creative educational experiences, so that the virus of racism is eliminated, and equal educational opportunities are made available for all of our children.

COMMEMORATIVE STAMP FOR NATIONAL FEDERATION OF BUSINESS AND PROFESSIONAL WOMEN'S CLUBS

HON. J. IRVING WHALLEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. WHALLEY. Mr. Speaker, the National Federation of Business and Professional Women's Clubs will observe their golden anniversary in 1969. There are 3,812 of these clubs consisting of 178,000 members throughout the country. Pennsylvania, alone, has 12,079 of these women.

This group, which has long been active in civic affairs, deserves the thanks of a grateful Nation.

I am, therefore, asking the Postmaster General of the United States to issue a commemorative stamp honoring these ladies for their 50 years in public service.

L. DONALD PRUHS

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. GROSS. Mr. Speaker, I continue to be intrigued by the activities of Alaska Democrat State Central Committeeman L. Donald Pruhs.

It will be remembered that Pruhs got all he asked for in the form of an SBA "disaster" loan last year to repair his flood-damaged motel. At the same time the SBA cut in half the loan request of his rival, the Republican Governor of Alaska, whose motel just across the street had been much more heavily damaged.

Democrat Pruhs got a 3-percent, 30-year loan of $894,000. Most of it went to pay off a commercial bank loan that carried 8 percent interest over its 10-year life.

He claimed it cost him $107,400 for repairs to his motel, but I recently learned that an SBA inspector found he spent only about $50,570 on repairs. The question, of course, is what happened to the other $56,830?

It is quite interesting to note, by the way, that although Pruhs claimed he was in such financial straits that he would go bankrupt if he did not get the SBA loan, he and a friend suddenly discovered enough money to buy $203,000 worth of land in Arizona only 2 weeks after the loan was made.

Mr. Speaker, I have just learned of yet another fascinating aspect of Democrat functionary Pruhs' dealings with the Federal Government.

It seems that Pruhs' contracting firm—Pruhs & Associates, Inc., was the only firm allowed to bid on two Federal Housing Administration contracts to clean up and repair FHA-owned houses and an FHA-owned housing project.

These contracts were not even advertised and there is no evidence the FHA had solicited bids from other contractors as required by Federal procurement regulations.

In spite of the fact that the director of the FHA's insuring office claimed Pruhs' firm was the only one available which could do the work, I have learned that at least six other well-qualified contractors in the Fairbanks area would have been eager to bid on the contract but were totally unaware that it was going to be let. Not one of them was ever approached by the FHA to submit offers for performing this work.

I do not know what sort of magic hold Mr. Pruhs has over this FHA official up there in Alaska, but it apparently causes him to be a little loose with the facts.

For example, he claimed he rejected Pruhs' original offer of $120,000 to do the work. On the contrary, I am informed that Pruhs & Associates made no such offer, but simply accepted the contract price of $93,500 set by the FHA.

You will remember that Mr. Pruhs is unable to account for more than half the money loaned him by the Small Business Administration to repair his motel.

The Federal Housing Administration has gone the SBA one better because it made no attempt whatever to verify or evaluate the costs incurred by Pruhs & Associates under this contract.

Mr. Speaker, shortly after this first contract had been quietly given to Democratic Committeeman Pruhs, the FHA dealt under the table again in rewarding him—and that is certainly the word—with a second contract, this one to repair the FHA-owned Hamilton Apartments.

Once again, those six contractors who had been frozen out of the first contract were blithely ignored.

The contract price was set at $15,000 by the local FHA director. He claims it was based on an inspection of the damage. I am informed, however, that no such inspection was ever made.

There can be no excusing this type of goings on. The record of the dealings with this Democratic Party functionary by the SBA and the FHA smells to high heaven. It is shot through with shabby disregard for the public interest. It reeks of callous indifference on the part of high Government officials to what is right, what is fair, and what is equitable.

I am rapidly coming to the conclusion that the Johnson-Humphrey administration looks up Fairbanks, Alaska as the private fiefdom of L. Donald Pruhs.

VOTING AND ATTENDANCE RECORD

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. TALCOTT. Mr. Speaker, under leave to extend my remarks, I include a report of rollcall votes and quorum calls during the second session of the 90th Congress.

The rollcalls are listed numerically in chronological order. I have tried to identify the issues as concisely as possible to prevent the report from becoming too cumbersome. Of course, the issues represented in these votes are often complex and would need several pages to explain in detail. When absence prevented me from voting, I have indicated my position in the report. I submit this report for the hundreds of persons in my congressional district who are interested in the issues and my record.

The report follows:

CONGRESSMAN BURT L. TALCOTT'S VOTING RECORD, 2D SESS., 90TH CONG., 1968

Rollcall No.	Date	Measure, question, and result	Vote
1	Jan. 15	Call of the House	Absent.[1]
2	Jan. 22	H.R. 10337: To approve the bill amending the District of Columbia Minimum Wage Act to authorize computation of overtime compensation of hospital employees on basis of 14-day work period. (Passed 283 to 9.)	Not voting[1] (for).
3	Jan. 23	Quorum call	Absent.[1]
4	Jan. 23	H.R. 8696: To adopt an amendment defining "debt security" in the bill regulating savings and loan holding companies. (Defeated 156 to 198.)	Not voting[1] (for).
5	Jan. 24	Quorum call	Absent.[1]
6	Jan. 25	H.R. 14563: To approve the bill increasing Railroad Retirement Act benefits. (Passed 321 to 0.)	Not voting[1] (for).
7	Jan. 30	Quorum call	Absent.[1]
8	Jan. 30	Quorum call	Absent.[1]
9	Jan. 31	Quorum call	Absent.[1]
10	Jan. 31	Quorum call	Absent.[1]
11	Feb. 1	Quorum call	Absent.[1]
12	Feb. 1	H.R. 11601: To adopt an amendment making "loansharking" (lending of money at interest rates higher than permitted by State law) a Federal offense to the bill requiring full disclosure of interest charges. (Passed 383 to 5.).	Not Voting[1] (for).
13	Feb. 1	H.R. 11601: To approve the bill requiring full disclosure of interest charges and finance terms on credit transactions. (Passed 383 to 4.).	Not voting[1] (for).
14	Feb. 5	Quorum call	Present.
15	Feb. 5	H.R. 4282: To suspend the rules and pass the bill revising establishment of cherry marketing orders. (Defeated 180 to 168, a 2/3 vote being required.).	No.
16	Feb. 5	S. 974: To suspend the rules and pass the bill conveying certain lands to the city of Glendale, Ariz. (Defeated 202 to 138, a ⅔ vote being required.)	Yes.
17	Feb. 6	Quorum call	Present.
18	Feb. 6	Quorum call	Present.
19	Feb. 6	Quorum call	Present.
20	Feb. 7	Quorum call	Present.
21	Feb. 7	Quorum call	Present.
22	Feb. 7	H.R. 6649: To adopt an amendment reducing the authority to increase outstanding Export-Import Bank loans, guarantees, and insurance from $13,500,000,000 to $12,500,000,000. (Defeated 164 to 232.)	Yes.
23	Feb. 7	H.R. 6649: To increase the limitation on Export-Import Bank loans, guarantees, and insurance from $9,000,000,000 to $13,500,000,000 and to increase export credit insurance authority from $2,000,000,000 to $3,500,000,000. (Passed 376 to 19.)	Yes.
24	Feb. 8	Quorum call	Absent.
25	Feb. 8	H. Res. 926: To adopt the resolution making it in order to consider H.R. 11284, a bill establishing the National Commission on Fire Prevention and Control. (Passed 332 to 21.)	Yes.
26	Feb. 8	H.R. 11284: To approve the bill establishing a National Commission on Fire Prevention and Control, a function which could be handled by the National Bureau of Standards. (Passed 269 to 78.)	No.
27	Feb. 20	Quorum call	Present.
28	Feb. 20	Quorum call	Present.
29	Feb. 21	Quorum call	Present.
30	Feb. 21	H.R. 14743: On a motion to recommit the bill eliminating the gold reserve requirements for Federal Reserve notes to committee. (Defeated 188 to 206.)	Not voting[2] (for).
31	Feb. 21	H.R. 14743: To approve the bill eliminating the gold reserve requirements for Federal Reserve notes. (Passed 199 to 190.)	Not voting[2] (against).
32	Feb. 26	Quorum call	Absent.[2]
33	Feb. 26	H.R. 15131: On a motion to recommit bill to committee for amendment to give incentive pay to policemen acquiring higher education in field of law enforcement. (Defeated 124 to 235).	Not voting[2] (for).
34	Feb. 26	H.R. 15131: To approve the bill increasing salaries of District of Columbia police and firemen. (Passed 353 to 2).	Not voting[2]
35	Feb. 26	S. 989: To approve the bill providing uniform, nondiscriminatory selection procedures for Federal juries. (Passed 307 to 45.)	Not voting[2] (for).
36	Feb. 27	Quorum call	Present.
37	Feb. 27	Quorum call	Present.
38	Feb. 27	H.R. 11308: To amend the bill to hold authorization for the National Foundation on the Arts and Humanities to the fiscal year 1967 level. (Passed 262 to 130.)	Yes.
39	Feb. 27	H.R. 11308: To extend the National Foundation on the Arts and Humanities Act of 1965. (Passed 273 to 122.)	No

See footnotes at end of table.

CONGRESSMAN BURT L. TALCOTT'S VOTING RECORD, 2D SESS., 90TH CONG., 1968—Continued

Roll-call No.	Date	Measure, question, and result	Vote
40	Feb. 28	H. Res. 1070: To approve a resolution authorizing foreign travel by members of the House Committee on Agriculture. (Passed 301 to 92.)	Yes.
41	Feb. 28	Quorum call	Present.
42	Feb. 29	Quorum call	Present.
43	Mar. 4	H.R. 15147: To suspend the rules and approve the bill authorizing naturalization of persons who have served on active duty in the U.S. Armed Forces in combatant areas. (Passed 335 to 0.)	Yes.
44	Mar. 5	Quorum call	Present.
45	Mar. 5	S. 889: To recommit the bill establishing the San Rafael Wilderness Area, Calif., to include additional acreage. (Defeated 156 to 238.)	No.
46	Mar. 5	H.R. 15398: To approve the bill extending the school lunch program to child care centers and continuing the pilot breakfast program. (Passed 398 to 0.)	Yes.
47	Mar. 6	Quorum call	Present.
48	Mar. 6	Quorum call	Present.
49	Mar. 6	H.R. 14940: To amend the bill extending the Arms Control and Disarmament Act so as to authorize a 2-year, $20,000,000 extension rather than a 3-year $33,000,000 extension. (Passed 241 to 162.)	Yes.
50	Mar. 6	H.R. 14940: To extend the Arms Control and Disarmament Act for 2 years. (Passed 305 to 96.)	No.
51	Mar. 12	Quorum call	Present.
52	Mar. 13	Quorum call	Present.
53	Mar. 13	H. Res. 1042: To recommit the resolution providing operating funds for the Committee on Un-American Activities for holding of open hearings by House Administration Committee. (Defeated 78 to 305.)	No.
54	Mar. 13	H. Res. 1042: To approve the resolution providing $375,000, for the operation of the Committee on Un-American Activities. (Passed 343 to 45.)	Yes.
55	Mar. 13	H. R. 14933: To approve the bill establishing a 5-day workweek for postal inspectors and allowing premium pay for overtime work (Passed 370 to 14.)	Yes.
56	Mar. 14	Quorum call	Present.
57	Mar. 18	H. R. 15004: To suspend the rules and approve the bill extending certain civil defense programs providing assistance to States; procurement of radiological equipment; and payment of travel and per diem to trainees. (Passed 319 to 1).	Yes.
58	Mar. 19	Quorum call	Present.
59	Mar. 19	Quorum call	Present.
60	Mar. 19	H.R. 15364: To recommit the bill authorizing the United States to subscribe to $411,760,000 of capital stock in the Inter-American Development Bank. (Defeated 126 to 271.) Bill passed by voice vote.	No.
61	Mar. 20	Quorum call	Present.
62	Mar. 20	H.R. 10790: To approve the bill giving the Public Health Service authority to provide protection for the public against radiation from television sets. (Passed 344 to 2.)	Yes.
63	Mar. 21	S. 2029: To approve the bill providing temporary exemption of manufacturers of less than 500 automobiles per year from the standards in the National Traffic and Motor Vehicle Safety Act of 1966. (Passed 344 to 2.)	Not voting [3] (for).
64	Mar. 25	Quorum call	Absent.[3]
65	Mar. 25	H. Res. 1094: To approve the resolution making it in order to consider H.R. 13541, the Agricultural Fair Practices Act. (Passed 272 to 39.)	Not voting [3] (for).
66	Mar. 25	Quorum call	Absent.[3]
67	Mar. 25	H.R. 13541: To approve the Agricultural Fair Practices Act. (Passed 232 to 90.)	Not voting (for).
68	Mar. 26	Quorum call	Present.
69	Mar. 26	Quorum call	Present.
70	Mar. 26	H.R. 10447: To approve the bill increasing the GI home loan guarantee from $7,500 to $12,500. (Passed 367 to 12.)	Yes.
71	Mar. 27	H.R. 11816: To approve the bill providing benefits to local law enforcement officers injured or killed apprehending Federal criminals. (Passed 376 to 0.)	Yes.
72	Mar. 27	H. Res. 1103: To approve the resolution making it in order to consider H.R. 4282, concerning cherry marketing orders. (Passed 316 to 45.)	Yes.
73	Mar. 27	H.R. 4282: To approve the bill revising establishment of cherry marketing orders. (Passed 197 to 185.)	No.
74	Mar. 28	Quorum call	Present.
75	Mar. 28	H.R. 15344: To approve the bill extending for two years the authority of the Federal Reserve banks to purchsae U.S. obligations directly from the Treasury. (Passed 358 to 5.)	Yes.
76	Apr. 1	Quorum call	Present.
77	Apr. 1	H.R. 15198: To suspend the rules and approve the bill permitting employer contributions for joint industry promotion of products. (Defeated 219 to 138, a 2/3 vote necessary.)	No.
78	Apr. 1	H.R. 15979: To suspend the rules and approve the bill continuing the Department of Interior's research program into effects of pesticides on fish and wildlife and to require labels to show warnings on hazards to wildlife. (Passed 333 to 25.)	Yes.
79	Apr. 1	H.R. 15190: To suspend the rules and approve the bill authorizing an additional $6,500,000 and 1 year for completion of the study of an Atlantic-Pacific sea-level canal. (Defeated 216 to 137, a 2/3 vote being required.)	No.
80	Apr. 2	Quorum call	Present.
81	Apr. 2	Quorum call	Present.
82	Apr. 2	H. Res. 1101: To approve the resolution disapproving the merger of the Bureau of Narcotics and the Bureau of Drug Abuse Control and transfer to the Department of Justice. (Defeated 190 to 200.)	Yes.
83	Apr. 3	Quorum call	Present.
84	Apr. 3	Quorum call	Present.
85	Apr. 3	H. Res. 1099: To adopt the resolution establishing a code of conduct for the House of Representatives and the Committee on Official Conduct. (Passed 406 to 1.)	Yes.
86	Apr. 4	H.R. 16241: To approve the bill extending the 5-percent tax on air travel to overseas fares and reducing the amount of duty-free purchases admitted to the United States per person in order to help offset the present adverse balance of international payments. (Passed 279 to 102.)	Yes.
87	Apr. 4	H.R. 16324: To approve the bill authorizing $2,618,301,000 for operation of the Atomic Energy Commission for fiscal year 1968. (Passed 381 to 14.)	Yes.
88	Apr. 4	H.R. 15399: On a motion to appropriate $20,810,000 for federally impacted school districts in the supplemental appropriation bill rather than $90,965,000 approved by the Senate. (Passed 200 to 189.)	No.
89	Apr. 9	Quorum call	Present.
90	Apr. 9	Quorum call	Present.
91	Apr. 9	Quorum call	Present.
92	Apr. 9	H.R. 16489: To recommit the bill appropriating $8,155,624,000 for the Departments of Treasury and Post Office to reduce the funds by $121,000,000. (Defeated 102 to 250.)	Yes.
93	Apr. 9	H.R. 16489: To approve the bill appropriating $8,155,624,000 for the Departments of Treasury and Post Office. This was a reduction in budget request of $181,735,000. (Passed 342 to 10)	Yes.
94	Apr. 10	Quorum call	Present.
95	Apr. 10	H. Res. 1100: To order the "previous question" on the resolution agreeing to the Senate amendment, which includes opening housing, to H.R. 2516, prescribing penalties for intimidating civil rights workers. Agreement to the previous question ended possibility of improving the bill. (Passed 229 to 195)	No.
96	Apr. 10	H. Res. 1100: To adopt the resolution agreeing to the Senate amendments to H.R. 2516. (Passed 250 to 172)	No.
97	Apr. 22	Quorum call	Present.
98	Apr. 22	H.R. 16409: To agree to amendment to the District of Columbia Teachers' Salary bill removing current limitation on number of teachers' aides and requirement that such aides have 60 college credit hours. (Passed 146 to 140.)	No.
99	Apr. 22	H.R. 16409: To approve the bill increasing District of Columbia teachers' salaries. (Passed 255 to 32.)	Yes.
100	Apr. 23	Quorum call	Present.
101	Apr. 23	H.R. 13738: To approve the bill increasing U.S. Government employee per diem rates. (Passed 289 to 65.).	Yes.
102	Apr. 24	Quorum call	Present.
103	Apr. 24	H.R. 15986: To approve a bill authorizing expenditures of $9,000,000 by the Public Broadcasting Corp. (Passed 241 to 138.)	No.
104	Apr. 25	Quorum call	Present.
105	Apr. 25	H.R. 16703: To approve the bill authorizing construction at military installations. (Passed 346 to 14.)	Yes.
106	Apr. 29	Quorum call	Absent.
107	Apr. 29	H.R. 15688: To approve the bill extending the Executive Reorganization Act for 4 years. (Passed 258 to 51.)	Yes.
108	Apr 30	Quorum call	Absent.
109	May 1	Quorum call	Present.
110	May 1	Quorum call	Present.
111	May 1	H.R. 16913: To approve the bill appropriating $5,523,635,500 for operation of the Department of Agriculture. This was a reduction in budget request of $1,400,344,300. (Passed 317 to 71.)	Yes.
112	May 2	Quorum call	Present.
113	May 2	H.R. 15856: To approve the bill authorizing the appropriation of $4,031,423,000 for the National Aeronautics and Space Administration. This was $338,977,000 less than the Administration's request. Of this amount, $185,900,000 was cut during House consideration. (Passed 262 to 106.)	Yes.
114	May 6	Quorum call	Present.
115	May 6	H.R. 13016: To suspend the rules and approve the bill providing cost-of-living allowances for judicial employees outside the continental United States. (Defeated 206 to 132, a ⅔ vote being necessary.)	No.
116	May 6	H.R. 15345: To suspend the rules and approve the bill authorizing the installation of bank security devices to reduce bank robberies. (Passed 235 to 98.)	Yes.
117	May 6	H.R. 16819: To approve the bill amending and extending the Vocational Rehabilitation Act for rehabilitation of handicapped persons. (Passed 335 to 0.)	Yes.
118	May 7	Quorum call	Present.
119	May 7	H. Res. 1149: To approve the resolution making it in order to consider H.R. 15951, a bill providing for observance of certain holidays on Mondays. (Passed 350 to 27.)	Yes.
120	May 7	H.J. Res. 958: To approve the resolution authorizing Secretary of Transportation to study the automobile insurance problem. (Passed 363 to 3.)	Yes.
121	May 8	Quorum call	Present.
122	May 8	H.R. 17023: To recommit the appropriation bill for the Independent Offices and the Department of Housing and Urban Development to restrict fiscal year 1969 spending in these agencies to $15,518,483,000 except for the VA and Federal Home Loan Bank Board. (Defeated 173 to 217.)	Yes.
123	May 8	H.R. 17023: To approve the bill appropriating $13,670,636,000 to the Independent Offices and HUD. This was a reduction of the budget request of $2,899,944,300. $1,600,000,000 of the reduction was the disapproval of the request to sell participation certificates. (Passed 353 to 37.)	Yes.
124	May 9	Quorum call	Present.
125	May 9	H.R. 14940: To adopt the conference report extending the Arms Control and Disarmament Agency for 2 years with authorization for appropriations of $18,500,000 for the 2 years. (Passed 269 to 90.)	No.
126	May 9	H.R. 16729: To amend the bill extending student assistance programs in higher education to prevant use of funds by students refusing to obey lawful regulations of the institution. (Passed 306 to 54.)	Yes.
127	May 9	H.R. 16729: To approve the bill extending programs of assistance for students of higher education. (Passed 349 to 5.)	Not voting [3] (for).
128	May 9	Quorum call	Absent.[3]
129	May 9	H.R. 15951: On motion to recommit the bill establishing observance of certain holidays on Mondays to delete Washington's Birthday from change. (Defeated 141 to 153.)	Not voting [3] (against).
130	May 9	H.R. 15951: To approve the bill establishing observance of Washington's Birthday on 3d Monday in February, Memorial Day on last Monday in May, Veterans Day on 4th Monday in October, and Columbus Day on 2d Monday in October. (Passed 212 to 83.)	Not voting [3] (for).

See footnotes at end of table.

CONGRESSMAN BURT L. TALCOTT'S VOTING RECORD, 2D SESS., 90TH CONG., 1968—Continued

Roll-call No.	Date	Measure, question, and result	Vote
131	May 10	Quorum call	Absent.[2]
132	May 10	H. Res. 1169: To approve the resolution making it in order to consider H.R. 16911 concerning special drawing rights in the International Monetary Fund. (Passed 231 to 9.)	Not voting [2] (for).
133	May 10	H.R. 16911: To approve the bill authorizing U.S. participation in facility based on special drawing rights in the IMF. (Passed 236 to 15.)	Not voting [2] (against).
134	May 13	Quorum call	Absent.[2]
135	May 13	S. 3033: To approve the bill authorizing continued study on the Missouri River Basin by Secretary of the Interior. (Passed 296 to 18.)	Not voting [2] (for).
136	May 14	Quorum call	Present.
137	May 14	H.R. 16165: To amend the bill extending the food for peace program to prohibit participation by exporters who have traded with North Vietnam. (Passed 370 to 21.)	Yes.
138	May 14	H.R. 16165: To approve the bill extending the food for peace program for 1 year through Dec. 31, 1968. (Passed 346 to 42.)	Yes.
139	May 15	Quorum call	Present.
140	May 15	Quorum call	Present.
141	May 16	Quorum call	Present.
142	May 16	Quorum call	Present.
143	May 20	H.R. 15387: To suspend the rules and approve the bill providing Postmaster General with authority to discipline employees who assault another employee. (Passed 334 to 5.)	Yes.
144	May 21	Quorum call	Present.
145	May 21	H.R. 17354: On a motion to recommit the bill appropriating $1,411,680,300 for the Department of Interior to limit spending to $1,383,432,068. (Defeated 174 to 207.)	Yes.
146	May 21	H.R. 17354: To approve the bill appropriating $1,411,680,300 to the Department of Interior. This was a reduction in the budget request of $143,432,000. (Passed 364 to 14.)	Yes.
147	May 22	Quorum call	Present.
148	May 22	H.R. 2158: To approve the bill establishing Federal standards for State taxation of interstate commerce. (Passed 286 to 89.)	No.
149	May 23	Quorum call	Present.
150	May 23	H. Res. 1093: To approve the resolution authorizing an investigation of U.S. military credit unions in the European and Pacific commands. (Passed 186 to 173.)	No.
151	May 23	H.R. 8578: To approve the bill increasing revenues for the Land and Water Conservation Fund to $200,000,000 annually for 5 years. (Passed 336 to 13.)	Yes.
152	May 27	H.R. 16498: To approve the bill directing the Commissioner of the District of Columbia to remove the riot wreckage at the expense of the District of Columbia. (Defeated 142 to 185.)	No.
153	May 27	H.R. 15280: To amend the bill establishing tuition fees for the Washington, D.C. Community College and Technical Institute of $100 per quarter and $50 per quarter, respectively. (Defeated 159 to 177.)	Yes.
154	May 27	H.R. 15280: On a motion to recommit the bill to committee. (Defeated 84 to 254.)	No.
155	May 28	Quorum call	Present.
156	May 28	H.R. 17522: On a motion to recommit the bill appropriating funds for the Departments of State, Justice, and Commerce to restrict spending of these agencies in fiscal year 1969 to $1,989,640,000. (Passed 223 to 154.)	Yes.
157	May 28	H.R. 17522: To approve the bill appropriating $1,794,981,500 for the Departments of State, Justice, and Commerce. The amount was $152,839,400 below the administration's request in addition to $256,000,000 struck out during House consideration on a point of order. (Passed 348 to 28.)	Yes.
158	May 29	Quorum call	Present.
159	May 29	H.R. 15414: On a motion to instruct the conferees to reduce the spending cutback from $6,000,000,000 to $4,000,000,000 for fiscal year 1969 as contained in the bill continuing automobile and communication services excise taxes. (Defeated 137 to 259.)	No.
160	June 3	Quorum call	Present.
161	June 4	Quorum call	Present.
162	June 4	Quorum call	Present.
163	June 5	Quorum call	Present.
164	June 5	H.R. 11308: To adopt the conference report on H.R. 11308, authorizing expenditure of $34,000,000 by the National Foundation on the Arts and Humanities. (Passed 194 to 166.)	No.
165	June 5	S. 2349: To approve the bill providing 13 additional circuit judgeships, including 4 for the 9th circuit, which contains California. (Approved 357 to 13.)	Yes.
166	June 5	H.R. 5037: On motion to disagree with Senate amendments to the Omnibus Crime Control and Safe Streets Act. (Defeated 60 to 318.)	No.
167	June 6	On motion to adjourn. (Defeated 70 to 301.)	No.
168	June 6	H.R. 16027: To suspend the rules and approve the bill increasing rates of compensation for disabled veterans. (Passed 389 to 0.)	Yes.
169	June 6	H. Res. 1197: On ordering the "previous question" on H. Res. 1197, to agree to Senate amendments to the Omnibus Crime Control and Safe Streets Act. (Passed 349 to 40.)	Yes.
170	June 6	H. Res. 1197: To adopt the resolution agreeing to the Senate amendments to the Omnibus Crime Control and Safe Streets Act. (Passed 369 to 17.)	Yes.
171	June 6	H.Res. 1209: To agree to the resolution expressing condolences of the House of Representatives on the death of Robert F. Kennedy. (Passed 357 to 0.)	Yes.
172	June 10	Quorum call	Present.
173	June 10	H.R. 3400: To approve the bill authorizing aircraft noise abatement regulations. (Passed 312 to 0.)	Yes.
174	June 11	Quorum call	Present.
175	June 11	Quorum call	Present.
176	June 11	H.R. 17734: On an amendment to the supplemental appropriations bill appropriating $90,965,000 to federally impacted school districts. (Passed 226 to 133.)	Yes.
177	June 11	H.R. 17734: To approve the bill appropriating $6,136,100,000 in supplemental funds for fiscal year 1968 and releasing $2,674,902,800 of blocked funds. (The Appropriations Committee recommendation was $461,195,755 under the administration request.) (Passed 324 to 33.).	Yes.
178	June 12	Quorum call	Present.
179	June 12	H.R. 16489: On motion to recommit conference report on appropriation bill for the Departments of Treasury and Post Office instructing conferees to insist on House language in the bill restricting spending to $7,461,423,000. (Defeated 159 to 216.).	Yes.
180	June 12	H.R. 16489: To agree to conference report on appropriation bill for the Departments of Treasury and Post Office. The bill appropriates $8,158,477,000 which is $179,232,000 less than the administration request. (Passed 371 to 10.)	Yes.
181	June 12	H. Res. 1187: To approve the resolution giving the Speaker authority to appoint delegates to attend the International Labor Organization in Geneva, Switzerland. (Passed 259 to 120.).	No.
182	June 12	H.R. 16162: On amendment to the bill enabling the Export-Import Bank to extend credit on transactions which are reasonably certain to be collectible to limit the Treasury liability to $100,000,000. (Passed 218 to 163.)	Yes.
183	June 13	Quorum call	Present.
184	June 13	H.R. 16303: To approve the bill improving poultry inspection programs. (Passed 352 to 17.)	Yes.
185	June 13	H.R. 15087: On motion to recommit the bill extending the Peace Corps Act to reduce appropriation authorization from $112,800,000 to $97,000,000. (Defeated 179 to 187.)	Yes.
186	June 13	H.R. 15087: To approve the bill extending the Peace Corps Act for 1 year. (Passed 293 to 61.)	Yes.
187	June 17	Quorum call	Present.
188	June 17	H.R. 6589: To suspend the rules and approve the bill insuring that public buildings financed with Federal funds will be constructed to be accessible to the physically handicapped. (Passed 302 to 0.)	Yes.
189	June 18	Quorum call	Present.
190	June 18	S. 1028: On motion to recommit bill extending certain retirement benefits to former employees of county ASC committees to committee to make such employees "full-fledged" Federal employees. (Defeated 136 to 228.)	Yes.
191	June 18	S. 1028: To approve the bill extending certain retirement benefits to former employees of county ASC committees. (Passed 353 to 13.)	Yes.
192	June 19	Quorum call	Present.
193	June 19	Quorum call	Present.
194	June 19	Quorum call	Present.
195	June 19	H.R. 17903: On amendment to delete $671,000 for construction planning of the Dickey-Lincoln public power project in Maine from the bill appropriating funds for public works construction. (Passed 266 to 132.)	Yes.
196	June 20	Quorum call	Present.
197	June 20	H. Res. 1220: To approve the resolution making it in order to consider the conference report on H.R. 15414. (Passed 321 to 86.)	Yes.
198	June 20	Quorum call	Present.
199	June 20	H. Res. 1222: On motion to lay on the table H. Res. 1222 stating that conference report on H.R. 15414 is unconstitutional. (Passed 257 to 162.)	No.
200	June 20	Quorum call	Present.
201	June 20	H.R. 15414: To adopt the conference report on the bill extending certain excise taxes and imposing a 10 percent surcharge on income taxes. (Passed 268 to 150.)	Yes.
202	June 24	Quorum call	Present.
203	June 24	Quorum call	Present.
204	June 24	H.R. 3136: To approve the bill authorizing the Secretary of Commerce to study the advantages and disadvantages of using the metric system in the United States. (Passed 271 to 42.)	Yes.
205	June 24	Quorum call	Present.
206	June 25	Quorum call	Present.
207	June 25	Quorum call	Present.
208	June 25	Quorum call	Present.
209	June 26	Quorum call	Present.
210	June 26	H.R. 18037: On amendment to increase the $80,000,000 in the Department of HEW appropriation bill for a teacher training program by $46,900,000. (Passed 228 to 172.)	No.
211	June 26	H.R. 18037: On amendment to reduce the $1,873,000,000 in the bill for the Office of Economic Opportunity by $100,000,000 to the same level of funding for this fiscal year. (Defeated 181 to 220.)	Yes.
212	June 26	H.R. 18037: On ordering the "previous question" on motion to recommit bill to committee with instructions to add proviso that the net expenditure for the Department of Health, Education, and Welfare will not exceed $16,819,277,000 except for social security in fiscal year 1969. (Passed 275 to 126.) Motion subsequently defeated on voice vote.	Yes.
		As finally approved, the bill appropriated $17,224,771,000 for the Department of Health, Education, and Welfare. This was $980,490,000 less than the administration request.	
213	June 27	Quorum call	Present.
214	June 27	H.R. 18038: To approve the bill appropriating $247,497.349 for the legislative branch, Library of Congress, and Government Printing Office. This was $9,665,182 under the budget estimates. (Passed 362 to 22.)	Not voting [2] (for).
215	July 1	Quorum call	Absent.[2]
216	July 1	Quorum call	Absent.[2]
217	July 1	H.R. 17872: To suspend the rules and approve the bill authorizing use of $100,000,000 annually for 3 years of sec. 32 funds to provide free or reduced cost meals to children not receiving school lunches. (Passed 274 to 78.)	Not voting [2] (for).
218	July 1	H.R. 17873: To suspend the rules and approve the bill preventing any form of discrimination against students receiving free or reduced cost school lunches and to require State matching funds amounting to 10 percent of program costs. (Passed 352 to 0.)	Not voting [2] (for).
219	July 1	S. 2837: To suspend the rules and approve the bill establishing the Cradle of Forestry in the Pisgah National Forest, N.C., and permitting individual contributions to it. (Passed 279 to 71.)	Not voting [2] (for).
220	July 1	Quorum call	Absent.[2]
221	July 2	Quorum call	Present.

See footnotes at end of table.

CONGRESSMAN BURT L. TALCOTT'S VOTING RECORD, 2D SESS., 90TH CONG., 1968—Continued

Roll-call No.	Date	Measure, question, and result	Vote
222	July 2	H.R. 17734: To agree to the motion amending the 2d supplemental appropriations bill to provide an additional $13,000,000 for the manpower development training program. (Passed 287 to 82.)	Yes.
223	July 2	H.R. 17734: To agree to the motion amending the 2d supplemental appropriations bill to provide an additional $5,000,000 for the Headstart program. (Passed 265 to 106.)	Yes.
224	July 2	S. 1166: To agree to the Interstate and Foreign Commerce Committee amendment to the National Gas Pipeline Safety Act. (Passed 247 to 125.)	Yes.
225	July 2	S. 1166: To approve the Natural Gas Pipeline Safety Act. (Passed 351 to 14.)	Yes.
226	July 3	Quorum call	Present.
227	July 3	H.R. 17134: To amend the Federal-aid highway authorization bill to delete authorization for billboard and junkyard control, and highway beautification. (Passed 211 to 145.)	Yes.
228	July 3	H.R. 16361: To recommit to committee the bill increasing revenues for the District of Columbia. (Defeated 100 to 122.)	Yes.
229	July 8	Quorum call	Present.
230	July 8	Quorum call	Present.
231	July 8	Quorum call	Present.
232	July 8	Quorum call	Present.
233	July 8	Quorum call	Present.
234	July 8	Quorum call	Present.
235	July 9	Quorum call	Present.
236	July 9	Quorum call	Present.
237	July 10	Quorum call	Present.
238	July 10	H.R. 17989: To adopt an amendment to the housing and urban development bill limiting subsidized mortgage payments to families whose income is 130 percent of the income eligibility for admission to public housing projects. (Passed 271 to 137.)	Yes.
239	July 10	H.R. 17989: On motion to recommit bill to committee with instructions to strike out provisions for tenant services and Federal support for community maintenance assistance in blighted areas. (Passed 217 to 193.)	Yes.
240	July 10	H.R. 17989: To approve the Housing and Urban Development Act of 1968. (Passed 295 to 114.)	Yes.
241	July 11	Quorum call	Present.
242	July 11	Quorum call	Present.
243	July 11	S. 3293: To approve the bill authorizing the appropriation of funds for military procurement, research, and development for fiscal year 1969. (Passed 362 to 15.)	Yes.
244	July 12	Quorum call	Absent.
245	July 12	H.R. 15758: To approve the bill extending for 2 years the regional medical program grants for heart disease, stroke, cancer, and related diseases; health service programs for migrant farmworkers; and rehabilitation program for narcotic addicts. (Passed 326 to 1.)	Yes.
246	July 12	Quorum call	Present.
247	July 12	H.J. Res. 1: To approve the resolution establishing a Joint Congressional Committee To Investigate Crime. (Passed 319 to 12.)	Yes.
248	July 12	H.R. 14096: To approve the bill prescribing penalties for illegal possession of LSD and other hallucinogenic drugs. (Passed 320 to 2.)	Yes.
249	July 12	H.R. 16824: To approve the bill extending for 3 years the State Technical Services Act. (Passed 309 to 2.)	Yes.
250	July 15	Quorum call	Present.
251	July 15	Quorum call	Present.
252	July 15	H.R. 18366: To suspend the rules and approve the bill extending and improving the vocational education program. (Passed 390 to 0.)	Yes.
253	July 15	S. 3710: To suspend the rules and approve the bill authorizing certain public works on the rivers and harbors for navigation, flood control, and other purposes. (Passed 307 to 85.)	Not voting (for.)
254	July 15	S. 2515: To suspend the rules and approve the bill establishing the Redwood National Park. (Passed 388 to 15.)	Yes.
255	July 15	H.R. 163: To suspend the rules and approve the bill closing loopholes which permit vessels built or rebuilt outside the United States to carry cargoes restricted to U.S. vessels. (Passed 370 to 30.)	Yes.
256	July 15	S. 1418: To suspend the rules and approve the bill increasing passport fees. (Passed 324 to 71.)	No.
257	July 15	H.R. 5117: To suspend the rules and approve the bill authorizing construction of the Palmetto Bend, Tex., reclamation project. (Passed 294 to 104.)	Yes.
258	July 15	H.R. 4865: To suspend the rules and approve the bill establishing the National Trails System. (Passed 378 to 18.)	Yes.
259	July 15	S. 6: To suspend the rules and approve the bill authorizing construction of the Oahe unit of the Missouri River Basin project South Dakota. (Passed 264 to 128.)	Not voting (for).
260	July 15	S. 752: To suspend the rules and approve the bill clarifying the exemption from the Interstate Commerce Act of vehicles operated by agricultural cooperative associations. (Passed 272 to 106.)	Yes.
261	July 16	Quorum call	Present.
262	July 16	H. Res. 1240: To approve the resolution making it in order to consider H.R. 15263 the foreign aid bill. (Passed 282 to 118.)	Yes.
263	July 16	Quorum call	Present.
264	July 17	Quorum call	Present.
265	July 17	Quorum call	Present.
266	July 18	Quorum call	Present.
267	July 18	H.R. 15263: To recommit the foreign aid bill authorization with instructions to reduce authorization by $165,000,000. (Passed 268 to 150.)	Yes.
268	July 18	H.R. 15263: To approve the bill authorizing approximately $2,000,000,000 for foreign aid. (Passed 228 to 184.)	No.
269	July 19	Quorum call	Present.
270	July 22	Quorum call	Absent.
271	July 22	H.R. 15678: To approve the bill increasing salaries for judges in the District of Columbia by $4,000. (Passed 339 to 44.)	Not voting [2] (for).
272	July 22	S. 1228: To recommit to committee the bill authorizing $40,000,000 in grants and $40,000,000 in loans to replace, repair, and modernize 9 hospitals in the District of Columbia. (Defeated 109 to 288.)	Not voting [2] (paired for).
273	July 22	H.R. 18248: To approve the bill authorizing a subsidy of up to $1,000,000 per year for 3 years to the D.C. Transit Co. to offset the loss for carrying school children at reduced rates. (Passed 205 to 184.)	Not voting.[2]
274	July 24	Quorum call	Present.
275	July 24	H.R. 17735: To approve the amendment to the gun control bill to cover the sale of ammunition for pistols, revolvers, and destructive devices. (Passed 218 to 205.)	Yes.
276	July 24	H.R. 17735: To approve the amendment to the gun control bill to provide nonsuspendable and nonpardonable prison term sentences for use of a firearm in any felony or for carrying a firearm while committing any felony which may be prosecuted in a Federal court. (Passed 412 to 11.)	Yes.
277	July 24	H.R. 17735: To approve the amendment to the gun control bill to exempt the National Rifle Association from the ban on interstate shipment of firearms and ammunition. (Passed 225 to 198.)	No.
278	July 24	H.R. 17735: To approve the gun control bill limiting the interstate shipment of long guns and restricting the sale of certain ammunition (Passed 305 to 118.)	Yes.
279	July 25	Quorum call	Present.
280	July 25	H.R. 15067: To approve the amendment forcing a higher education institution to deny any grant or loan benefit under the Higher Education Act to any student who willfully refuses to obey any regulation of the institution where such refusal contributed to serious disruption of the institution. (Passed 259 to 147.)	Not voting (no).
281	July 25	H.R. 15067: To approve the bill extending several higher education programs: NDEA, Higher Education Facilities Act of 1963, Higher Education Act of 1965, and the National Vocational Student Loan Insurance Act of 1965. (Passed 389 to 15.)	Yes.
282	July 25	H. Res. 1234: To approve the resolution making it in order to consider H.R. 15198, the bill authorizing employer contributions to joint labor-management promotion of products and for joint committees to interpret collective bargaining agreements. (Passed 290 to 100.)	Yes.
283	July 25	H.R. 15198: To amend the bill concerning joint labor-management promotion of product boards to require equal participation and equal voice in operation of such boards. (Defeated 156 to 217.)	Yes.
284	July 25	H.R. 15198: To amend the bill to delete inclusion of joint labor-management committees or boards to interpret collective bargaining agreements from the coverage of the bill. (Passed 192 to 177.)	Yes.
285	July 25	H.R. 15198: To approve the bill authorizing employer contributions to joint labor-management boards to promote industry products. (Passed 201 to 169.)	No.
286	July 26	Quorum call	Present.
287	July 26	S. 3497: To adopt the conference report on the Housing and Urban Development Act of 1968. (Passed 227 to 135.)	Yes.
288	July 26	S. 3418: To recommit the conference report on the bill extending the Fedral-Aid Highway Act to committee with instructions to delete all funds for highway beautification programs. (Defeated 166 to 167.)	No.
289	July 26	Quorum call	Present.
290	July 29	Quorum call	Present.
291	July 29	H.R. 18785: To recommit to committee the bill appropriating $1,765,019,000 for military construction. This amount was 13 percent below the budget request. (Defeated 32 to 350.)	No.
292	July 30	Quorum call	Present.
293	July 30	H.R. 18249: To amend the bill extending the food stamp program to delete the authority for $225,000,000 and allow the expenditure of whatever funds may be appropriated. (Passed 227 to 172.)	No.
294	July 30	H.R. 18249: To approve the bill authorizing an unlimited food stamp program. (Passed 315 to 83.)	No.
295	July 30	Quorum call	Present.
296	July 30	H. Res. 1218: To approve the resolution making it in order to consider H.R. 17126, extension of the farm program. (Passed 316 to 73.)	Yes.
297	July 31	Quorum call	Present.
298	July 31	Quorum call	Present.
299	July 31	H.R. 17126: To amend the bill extending the farm program to limit payments under the farm program to any 1 producer to $20,000. (Passed 230 to 160.)	No.
300	July 31	H.R. 17126: To approve the bill extending the farm program for 1 year with payments limited to $20,000 for any 1 producer. (Passed 213 to 176.)	No.
301	Aug. 1	Quorum call	Present.
302	Aug. 1	H.R. 15387: To approve the conference report on the bill providing for disciplinary action against persons assaulting postal personnel which was amended to exempt the postal field service from the cut in Federal personnel enacted by Congress in the Revenue and Control Act of 1968. (Passed 345 to 24.)	Yes.
303	Aug. 1	H.R. 15757: To approve the bill extending the health professions program and health research facilities program. (Passed 350 to 0.)	Not voting (for).
304	Aug 1	H. Res. 1247: To allow certain members of the House Committee on Public Works to travel abroad to examine public works. (Passed 218 to 107.)	Not voting (against).
305	Aug. 2	Quorum call	Absent.
306	Aug. 2	Quorum call	Absent.
307	Sept. 4	Quorum call	Present.
308	Sept. 5	Quorum call	Present.
309	Sept. 5	H.R. 15045: To approve the bill extending the Manpower Development and Training Act for 3 years. (Passed 315 to 0).	Yes.
310	Sept. 9	Quorum call	Present.
311	Sept. 9	H.R. 10564: To approve the bill to bring pears for canning and freezing under the marketing order control provisions of the Agriculture Marketing Agreement Act of 1937. (Defeated 111 to 165.)	No.
312	Sept. 10	S. 3293: To adopt the conference report authorizing military procurement for fiscal year 1969, and prescribing personnel strength of the Selected Reserves. (Passed 323 to 15.)	Yes.

See footnotes at end of table.

CONGRESSMAN BURT L. TALCOTT'S VOTING RECORD, 2D SESS., 90TH CONG., 1968—Continued

Rollcall No.	Date	Measure, question, and result	Vote
313	Sept. 10	H.R. 15681: To provide authority for the U.S. Government to sell military equipment and service to foreign countries and international organizations under the Foreign Military Sales Act. (Passed 313 to 29.)	Yes.
314	Sept. 11	Quorum call	Present.
315	Sept. 11	Quorum call	Present.
316	Sept. 11	On a motion to dispense with further proceedings under a quorum call. (Passed 283 to 71.)	Yes.
317	Sept. 11	Quorum call	Present.
318	Sept. 12	H.R. 18707: To approve an amendment to the Defense appropriation bill that none of the funds will be spent outside the United States for purchase of aircraft or major components of aircraft. (Defeated 73 to 268.)	No.
319	Sept. 12	H.R. 18707: To approve the Department of Defense Appropriation Act for fiscal 1969 in the amount of $72,200,000,000. (Passed 334 to 7.)	Yes.
320	Sept. 12	S. 2515: To approve the conference report establishing a Redwood National Park consisting of 58,000 acres. The Senate originally approved 66,384 acres and the House 28,500 acres. (Passed 329 to 1.)	Yes.
321	Sept. 12	H.R. 18260: To approve the bill providing for a natural scenic rivers system. (Passed 265 to 7.)	Yes.
322	Sept. 16	Quorum call	Present.
323	Sept. 16	H.R. 551: To approve the bill to authorize the establishment of Biscayne National Monument in Florida at a cost of $27,475,000. (Passed 234 to 92.)	No.
324	Sept. 16	H.R. 2567: On a motion to suspend the rules and pass H.R. 2567, to regulate health and safety standards in federally financed or assisted construction projects. (Defeated 197 to 136, a ⅔ vote being necessary.)	No.
325	Sept. 16	Quorum call	Present.
326	Sept. 16	S. 1440: To approve the bill making unlawful the interstate or foreign commerce of traveler's checks bearing forged countersignatures. (Passed 328 to 4.)	Yes.
327	Sept. 16	S. 3030: To approve the bill authorizing the Secretary of the Interior to construct or lease an experimental plant to produce fish protein concentrate. (Passed 218 to 102.)	Yes.
328	Sept. 16	H.R. 12962: To approve the bill providing for the establishment of a Commission on Negro History and Culture. (Passed 263 to 45.)	Yes.
329	Sept. 16	S. 3379 (in lieu of H.R. 16771): To approve the bill designating certain lands in the Great Swamp National Wildlife Refuge in New Jersey as wilderness. (Passed 269 to 22.)	Yes.
330	Sept. 16	H.R. 19136: To approve the bill to provide payment for overtime and standby pay to air traffic control personnel in the Department of Transportation. (Passed 317 to 2.)	Yes.
331	Sept. 17	Quorum call	Present.
332	Sept. 17	H.R. 16187 (omnibus private bill): On a motion to strike title III containing H.R. 1885. Title III would provide relief to a law firm for the sum paid a beneficiary of a will in connection with a gift tax incurred because of an error in the drawing of the will. (Passed 275 to 67.)	Yes.
333	Sept. 17	H.R. 16187: On a motion to strike title IV containing H.R. 2288. Title IV would direct the Veterans' Administration to pay disability compensation to a veteran not paid by reason of inability of the VA to locate him for 12 years. (Defeated 39 to 303.)	Yes.
334	Sept. 17	H.R. 16187: On a motion to strike title VIII containing H.R. 4936. Title VIII waives the statute of limitations to permit a taxpayer to file for a tax refund for 2 years for which he did not claim an additional exemption on reaching the age of 65. (Defeated 139 to 212.)	Not voting (no position).
335	Sept. 17	H.R. 16187: On a motion to strike title IX containing H.R. 4949. Title IX would direct the Secretary of the Treasury to pay claimant for a loss sustained under contract with the Forestry Service. (Defeated 115 to 236.)	Yes.
336	Sept. 17	H.R. 16187: On a motion to strike title X containing H.R. 5970. Title X would direct the Secretary of the Treasury to pay the claimant additional compensation for overtime and nightwork performed for the Department of the Army. (Defeated 132 to 211.)	Yes.
337	Sept. 17	H.R. 16187: On a motion to strike title XI containing H.R. 6325. Title XI would direct the Secretary of the Treasury to pay a military claimant for a loss in excess of $10,000 sustained in a warehouse fire while his household goods were in transit at Government expense. (Defeated 127 to 203.)	Yes.
338	Sept. 17	H.R. 16187: On a motion to strike title XIV containing H.R. 7210. Title XIV would reimburse a corporation for a claimed overpayment to the Federal Government for 1940 tons of steel not delivered due to a shortage in the amount estimated by the Government to be sold under the contract on an "as is, where is" basis, without recourse. Case was rejected by U.S. Court of Claims as well as the 85th and 86th Cong. (Passed 224 to 100.)	Yes.
339	Sept. 17	H.R. 17126: On a motion to send the bill to amend the Food and Agriculture Act of 1965, with Senate amendments, to conference. (Passed 223 to 85.)	Yes.
340	Sept. 18	Quorum call	Present.
341	Sept. 18	H. Res. 1253: To approve the resolution making it in order to consider H.R. 15890 which would provide for additional positions in certain executive agencies. (Defeated 134 to 221.)	No.
342	Sept. 18	H. Res. 1241: To approve the resolution making it in order to consider H.R. 17682 relating to civil service retirement financing and liberalization of payments to retired employees. (Passed 290 to 67.)	Yes.
343	Sept. 19	H.R. 15263: To agree to the conference report on H.R. 15263, the Foreign Assistance Act of 1968. (Passed 196 to 150.)	Not voting [3] (against).
344	Sept. 19	H. Res. 1308: To approve the resolution making it in order to consider H.R. 19908, foreign aid appropriations bill, and waiving points of order. (Passed 293 to 58.)	Not voting [3] (for).
345	Sept. 19	On a motion that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of H.R. 19908. (Passed 270 to 64.)	Not voting [3] (for).
346	Sept. 19	H.R. 19908: To approve the bill appropriating $1,619,000,000 for foreign aid. (Passed 173 to 139.)	No.
347	Sept. 23	Quorum call	Present.
348	Sept. 25	Quorum call	Present.
349	Sept. 25	H.R. 17854: On a motion to recommit the bill authorizing construction of parking facilities in the District of Columbia. (Defeated 127 to 225.)	No.
350	Sept. 25	Quorum call	Present.
351	Sept. 25	H.R. 17126: To agree to the conference report on the bill extending the Agricultural Act of 1965 for 1 year. (Passed 189 to 172.)	Yes.
352	Sept. 25	S. 3068: To recommit the conference report on the bill extending the food stamp program instructing the conferees to insist on language making persons participating in strikes and work stoppages who were not previously eligible for food stamps ineligible. (Defeated 158 to 187.)	Yes.
353	Sept. 25	S. 3068: To agree to the conference report extending the food stamp program. (Passed 245 to 98.)	Yes.
354	Sept. 26	Quorum call	Present.
355	Sept. 26	S. 945: To recommit the bill abolishing U.S. commissioners and establishing magistrates, to limit the number of magistrates to 250 and require Presidential appointment. (Defeated 64 to 258.)	No.
356	Sept. 26	S. 2482: To approve the bill authorizing purchase of property for future expansion of the New Senate Office Building. (Defeated 145 to 161.)	No.
357	Sept. 26	H.J. Res. 1461: To amend the resolution extending the "continuing resolution" to Oct. 12 by restricting it to the Department of Defense. (Defeated 136 to 163.)	Yes.
358	Sept. 26	H.J. Res. 1461: To amend the resolution extending the "continuing resolution" restricting it to the Department of Defense and revising the termination date from Oct. 12 to Oct. 5. (Defeated 135 to 148.)	Yes.
359	Oct. 1	Quorum call	Present.
360	Oct. 1	H.R. 15758: To agree to the conference report on the bill extending the regional medical grant program and the migrant agricultural employees health program. (Passed 317 to 0.)	Yes.
361	Oct. 1	H.R. 14935: To agree to the conference report on the bill regulating the mailing of master keys, but to which the Senate added 2 major provisions on other matters not germane to the bill. (Passed 251 to 62.)	No.
362	Oct. 3	Quorum call	Present.
363	Oct. 3	H.R. 18037: Conference report on the Labor, HEW appropriation bill. On a motion to agree to the Senate amendment adding $91,000,000 for federally-impacted schools, but without the limitation for fiscal year 1969. (Defeated 200 to 145.)	No.
364	Oct. 3	Quorum call	Present.
365	Oct. 3	Quorum call	Present.
366	Oct. 3	H.R. 18037: Conference report. On a motion to agree to conference report language prohibiting use of funds to force busing of students to attend a school against the choice of his parents. (Defeated 167 to 175.)	No.
367	Oct. 3	H.R. 18037: Conference report. On a motion to agree to Senate amendment prohibiting the use of funds to force busing of children to overcome racial imbalance. (Passed 330 to 7.)	Yes.
368	Oct. 3	H.R. 18037: Conference report. On a motion to agree to Senate amendment prohibiting use of funds to force busing of children to overcome racial imbalance as a condition precedent to obtaining funds otherwise available to any State or school. (Passed 166 to 155.)	No.
369	Oct. 7	Quorum call	Present.
370	Oct. 7	H.R. 15990: To suspend the rules and approve the bill authorizing the Secretary of Labor to make a study to discover ways to eliminate seasonality in the construction trades. (Passed 370 to 0.)	Yes.
371	Oct. 7	S. 3206: To suspend the rules and approve the Water Quality Improvement Act of 1968. (Passed 277 to 0.)	Yes.
372	Oct. 7	H.R. 15151: To suspend the rules and approve the Guam Development Fund Act. (Passed 279 to 0.)	Yes.
373	Oct. 7	H.R. 18205: To suspend the rules and approve the bill for continuance of civil government for the Trust Territories of the Pacific. (Passed 278 to 0.)	Yes.
374	Oct. 7	H.R. 19910: To suspend the rules and approve the bill amending the Agricultural Adjustment Act. (Passed 201 to 76.)	No.
375–380	Oct. 8	Quorum calls	Present.
381	Oct. 8	Quorum call	Absent.
382–384	Oct. 8	Quorum calls	Present.
385	Oct. 8	Quorum call	Absent.
386–398	Oct. 8	Quorum calls	Present.
399	Oct. 8	Quorum call	Absent.
400–407	Oct. 8	Quorum calls	Present.
408	Oct. 8	On a motion to lay on the table the motion to permit Members who answered the last quorum call to leave the House Chamber. (Passed 136 to 102.)	No.
409	Oct. 8	On a motion to lay on the table the motion to reconsider rollcall vote No. 408. (Passed 137 to 104.)	No.
410	Oct. 8	On a motion to adjourn. (Defeated 92 to 149)	Yes.
411	Oct. 8	Quorum call	Present.
412	Oct. 8	Quorum call	Present.
413	Oct. 8	On the "previous question" move on H. Res. 1315, providing debate time for S.J. Res. 175, suspending sec. 315, the equal time provisions, of the Communications Act. (Passed 162 to 111.)	No.
414	Oct. 8	H. Res. 1315: On passage of the resolution providing debate time for S.J. Res. 175. (Passed 284 to 1.)	Yes.
415	Oct. 8	Quorum call	Present.
416	Oct. 8	On a motion to resolve the House into the Committee of the Whole House for consideration of S.J. Res. 175. (Passed 285 to 0.)	Yes.
417	Oct. 8	Quorum call	Present.
418	Oct. 8	S.J. Res. 175: On a motion to recommit the resolution with instructions that it be amended to provide for "separate equivalent appearances" by the presidential candidates on the ballot in ⅔ of the States. (Defeated 112 to 204.)	Yes.

See footnotes at end of table.

CONGRESSMAN BURT L. TALCOTT'S VOTING RECORD, 2D SESS., 90TH CONG., 1968—Continued

Roll-call No.	Date	Measure, question, and result	Vote
419	Oct. 8	S.J. Res. 175: To approve the resolution suspending section 315, the equal time provisions, of the Communications Act for presidential candidates on the ballot in ⅔ of the States. (Passed 280 to 35.)	Yes.
420	Oct. 8	Quorum call	Present.
421	Oct. 10	Quorum call	Present.
422	Oct. 10	H.R. 17735: To approve the conference report on the Gun Control Act, which eliminated the nonpardonable, nonconcurrent, nonsuspendable prison sentence for committing a Federal felony or for illegally possessing a firearm during commission of a Federal felony and which also imposed unnecessary burdensome regulatio s on the sale of ammunit ion useful only for sports and target shooting. (Passed 160 to 129.)	No.
423	Oct. 10	H.R. 17324: To approve the conference report on the bill extending the Renegotiation Act. (Passed 196 to 44.)	Yes.
424	Oct. 10	H. Res. 1304: To approve the resolution authorizing members and staff of the House Committee on Banking and Currency to tour 11 European countries and 8 Far Eastern countries to study housing and new community developments. (Passed 152 to 66.)	No.
425	Oct. 10	H.R. 19908: To approve the conference report on Foreign Aid appropriations in the amount of $1,755,600,000. (Passed 125 to 93.)	No.
426	Oct. 11	H.R. 20300: To approve the conference report on the supplemental appropriation bill. (Passed 209 to 12.)	Absent [3] (for)
427	Oct. 11	H.R. 18707: To approve the conference report on the Defense Department appropriation bill. (Passed 213 to 6.)	Absent [3] (for)
428	Oct. 11	Quorum call	Absent.[3]

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[1] In Vietnam on official business.

[2] In California 12th Congressional District.

[3] Attending Robison Saber ceremony at the Tomb of the Unknowns.

WHAT HAPPENS IF NOBODY WINS IN NOVEMBER?

HON. CARLETON J. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. KING of New York. Mr. Speaker, during the past few weeks many people have written to me expressing their interest as to the procedure established by the Constitution for electing a President in the event the election is thrown into the House of Representatives. I am preparing a yearend report to my constituents and I have tried to explain the procedure that would be followed in the event the election is to be decided by the House of Representatives. I wish to share with my colleagues the following statement which will appear in my yearend report, exactly what will happen if no one wins in November.

The article follows:

WHAT HAPPENS IF NOBODY WINS IN NOVEMBER?

With three Presidential candidates in the running, the 1968 election might be the first since 1824 to be referred to the House of Representatives for final solution. Because many people are uncertain as to the procedures established by the Constitution in the event this would happen, I wish to briefly spell out what takes place in the event the President is to be chosen by the House.

If no candidate receives a majority of the electoral vote (270), then the House must elect a President. However, this vote is not by individual Member, but by each State. The unit rule prevails with each State having only one vote.

Each State's vote is determined by a majority of the Congressional Delegation, New York, for example, now has 25 Democrats and 15 Republicans in its Congressional Delegation. If this ratio is unchanged in the November election, New York's one vote would reflect the Democrat majority and presumably be cast for the Democrat nominee.

To be elected a candiate must receive 26 votes, a majority of the 50 States. If only a few States are evenly divided in their Congressional Delegations, it is possible that no one will receive a majority.

In this event, the Vice-President-Elect would become the Acting President. He would be chosen by the Senate. But the procedure differs from the House. The choice is limited to the two candidates with the highest number of electoral votes (thus probably eliminating the Third Party Candidate from consideration). Each Senator votes as an individual, so here it is far more likely that one or the other Vice-President candidates would receive a majority (51 required out of 100 Senators). At the present time there are 37 Republican Senators and 67 Democrat Senators, though this could change in November.

The Vice-President-Elect would then serve as Acting President until such time as the House is able to elect a President. But the House deadlock could last indefinitely . . . perhaps for months. Obviously, any foreign or domestic crisis during this time could result in a chaotic situation.

These are the serious possibilities that now exist, and I believe it is incumbent upon all citizens to be familiar with what could happen next January, regardless of how they personally intend to vote.

ALARMING REVERSAL OF FAVORABLE TRADE BALANCES

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. MATHIAS of Maryland. Mr. Speaker, I would like to include at this point in the RECORD two articles from the Journal of Commerce of October 3, 1968. They report an alarming reversal in many of the favorable trade balances once maintained with our major trading partners. It is distressing to me that the present administration has not used the vast talents of salesmanship and promotion available in the United States to sell more American goods abroad and maintain a favorable trade balance.

Export expansion is of vital significance to the State of Maryland; and continued trade through the port of Baltimore is a key to the growth of Maryland's economy.

Since this administration has been in office we have seen our trade balance shrink from over a $7-billion surplus to a likely deficit condition this year.

I will certainly encourage the next administration to use all of the resources of American industry and finance to recapture our former lead in trading:

CANADA'S RATE OF GAIN SLOWS: U.S. IMPORTS SOAR DURING AUGUST

(By George F. W. Telfer)

Nearly every major trading partner of the United States continued to make striking gains in its exports to the United States in August, an analysis of the breakdown of the United States trade statistics shows.

Only in the case of Canada did the rate of increase slow down from the pace being set in the previous seven months of the year. Canada's exports to the U.S. rose 6.4 per cent in August, and were up 22.7 per cent for the first eight months.

The statistics released by the U.S. Com- deficit in its trade with Great Britain for the second straight month, in addition to its now regular deficit with Japan and West Germany. Britain now has come close to evening up its 1968 trade balance with this country, while the U.S. is merely holding its own with the six-nation European Economic Community (EEC).

The statistics also show the U.S. had a merce Department this week also show that, on the export side, the U.S. has made its best gains this year in sales to Latin America, the countries in the European Free Trade Association other than Britain, Japan, the Middle East and Australia and Oceania.

But in all cases, the gains are relatively modest compared with the gains made by this country's leading trade partners in their sales here. All told, U.S. imports rose 23 per cent in January-August to $21.5 billion from last year.

For example, the EEC countries' exports to the U.S. rose by 46.5 per cent in August from the year before, to $519.5 million. This brought their eight-month total to $3.9 billion, up nearly 37 per cent from the 1967 period.

U.S. sales to this area also rose sharply in August, by 23 per cent, to $540 million. For the eight months, they rose only 6.8 per cent to $3.99 billion. The surplus was only $90 million.

Japan's sales to the U.S. rose by 49.2 per cent in August, to $402.9 million, bringing its sales here during January–August to $2.57 billion, a rise of 31.5 per cent.

U.S. sales to Japan rose to $247.4 million in August from $216 million in August 1967, bringing the year's total so far to $1.92 billion, up 10.2 per cent. This left a deficit in U.S. trade with Japan of $640.7 million, more than three times as large as the comparable 1967 period deficit of $204.2 million.

Great Britain's exports to the U.S. soared by 39 per cent in August to $188.7 million from the year before, for an eight-month total of $1.35 billion, up 21.6 per cent.

With a surplus of $26.4 million in July and August in its trade with the U.S., Britain had narrowed its eight-month deficit to $11.8 million. During the comparable 1967 period, Britain had a deficit of $147.5 million with the U.S.

U.S. sales to Britain have risen by only 8.2 per cent in the first eight months to $1.36 billion.

Canada's 6.4 per cent rise in sales here during August to $615.3 million brought its sales for the year to $5.62 billion, up 22.7 per cent. Main reason for this gain continues to be the large numbers of autos and parts entering the U.S. under the Automotive Free-Trade Pact signed in 1965 between the two neighbors.

U.S. exports to Canada have been up only 7.3 per cent so far this year to $5.07 billion, leaving a deficit with Canada of $149.2 million during the period.

The U.S. improved its trading position with Latin America, as it sold 11 per cent more goods in 20 Latin republics during the first eight months, for a total of $3.05 billion. U.S. imports from the same nations rose by 9.9 per cent to $2.84 billion. The $211.4 million surplus compared with a $164 million surplus the year before.

Sales to the countries of the Latin American Free Trade Association (LAFTA) rose 12.6 per cent in January–August to $2.63 billion, while those countries' sales to the U.S. rose 10.3 per cent to $2.44 billion.

U.S. sales to Australia and Oceania climbed 12.2 per cent to $690.8 million, but U.S. purchases from that area rose 21.5 per cent to $452.4 million.

Sales to Africa rose only 1.2 per cent to $855.3 million, while U.S. purchases from that continent rose by 25.9 per cent to $768.5 million, narrowing the U.S. surplus considerably.

WORLD TRADE: U.S. TRADE BALANCE WORSENS WITH A GROWING NUMBER OF COUNTRIES; INCREASING COSTS ARE MAINLY TO BLAME

WASHINGTON.—O. R. Stackbein, that constant watcher of U.S. trade trends, has come up with a new and startling report.

Slowly but surely, he says, the United States is getting the short end of the trade balance with a growing number of countries.

The most notable instance is Japan. Until 1964, the U.S. invariably chalked up healthy surpluses in its trade with the Japanese, often well over $100 million annually.

Now, the situation has been reversed dramatically. In each of the last three years, the U.S. has been in deficit with Japan on trade account by more than $300 million. This year, Mr. Strackbein suggests, this deficit might top more than a half billion dollars.

That's a lot of red ink on the U.S. payments blotter.

WEST GERMANY

West Germany, according to Mr. Strackbein's paper, also provides cause for concern here. Up to 1965, the Germans had consistently bought more from us than we took from them. But in the past two years, patterns have changed radically.

Two years ago, the U.S. suffered a $220 million deficit with the Germans and it expanded to $279 million last year. This year, it, like the Japanese trade deficit, may exceed a half billion dollars.

That may be enough to don a mediation skirt, but it's far from all Mr. Strackbein serves up.

He turns next to Canada, our leading trade partner, and there, too, he sees plenty of trouble. For many years, Canadians have complained and resented the massive deficits they incurred with this country, trade deficits that in some years approached $1 billion.

As late as 1966, the U.S. enjoyed a surplus in its Canadian trade of over $500 million but last year, the balance plunged to a mere $73 million and in the first half of this year, the U.S. was in deficit, by nearly $400 million!

The Canadian swingaround, Mr. Strackbein points out, was due in large measure to the automotive trade agreement with that country. But no such special factor explains those whopping deficits with Germany and Japan.

The United States is losing out elsewhere says Mr. Strackbein, pointing to Italy, Sweden, Mexico and South Africa as countries where our sizable surpluses are steadily becoming less so.

These disturbing trends are occurring, though the United States continues to boost its exports. We are just importing so much more.

MANUFACTURED GOODS

What are these imports? Manufactured goods, Mr. Strackbein answers resoundingly. Imports of manufactures rocketed from $3.7 billion in 1955 to $15.6 billion last year. In contrast, raw materials imports during the same span rose less than $1 billion to $5.6 billion.

The surge was spread over a wide range of goods, including machinery, transport equipment, steel, textiles and chemicals. The implication is that there has been some basic common factor behind the big foreign gains.

It's America's climbing costs and prices, boosted upward by minimum wages, wage settlements, military spending, social welfare programs, farm price supports and other stimulants, concludes Mr. S.

There's no arguing with this.

JUSTICE MICHAEL A. MUSMANNO

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. RODINO. Mr. Speaker, last Saturday I learned with deep sorrow of the death of Justice Michael A. Musmanno. I was to have seen him in 2 days—on October 14—for this warm and wonderful man was coming to Newark as the principal speaker at our Columbus Day awards ceremonies. So a day which we had anticipated would be totally joyous, in celebrating the passage of legislation making Columbus Day a national holiday, was touched with special sadness. I am grateful, however, that Justice Musmanno lived to see the dream we shared become a reality.

Mr. Speaker, I include in the RECORD at this point my remarks on October 14, when Mike Musmanno was so missed but so fondly remembered:

REMARKS OF CONGRESSMAN PETER W. RODINO IN TRIBUTE TO JUSTICE MICHAEL MUSMANNO ON THE OCCASION OF THE NATIONAL COLUMBUS DAY AWARDS PRESENTATION IN NEWARK, N.J., OCTOBER 14, 1968

In the sudden and untimely death of Justice Michael Musmanno, I have suffered the grievous loss of a close and long-time personal friend. And, I mourn his passing.

Americans of Italian heritage have lost a brilliant and inspirational leader. And, we mourn his passing.

All Americans, regardless of ethnic background have lost an outstanding jurist, a dedicated servant of law and justice and a truly great patriot. And, we mourn his passing.

All freedom loving peoples throughout the world have lost a dynamic crusader in the cause of liberty. And, they join with us to mourn his passing. History notes for us, with a certain sense of irony, that two of America's greatest patriots, founders of our democracy, John Adams and Thomas Jefferson, both great fighters for independence, died on Independence Day, the Fourth of July, 1826.

And now it is an ironic footnote to history that another great patriot, Justice Musmanno, died on Columbus Day, a holiday that meant so much to him in life.

During the long and often frustrating struggle to enact legislation in the Congress to make Columbus Day a national holiday, Justice Musmanno was a constant source of strength and inspiration, of encouragement and optimism to me and I shall not forget his help, his understanding, and his friendship. Soldier, scholar, lawyer, jurist, author, patriot, humanitarian, Justice Musmanno contributed mightily to the building of a better America and a better world. His contributions remain his own best memorial. Let us observe a moment of silence in tribute to his shining memory.

CRAMER RENEWS DEMAND FOR ANTIRIOT PROSECUTION OF STOKELY CARMICHAEL

HON. WILLIAM C. CRAMER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. CRAMER. Mr. Speaker, I again urge the Attorney General to take necessary action against Stokely Carmichael, the Black United Front chairman, who continues his travels throughout the Nation preaching violence. On October 12, as reported in the Washington Star on October 13, he called for the killing of "honky cops," obviously attempting to stir his audience to violent reaction and further rioting and killing.

As author of the antiriot law covering the States and the District of Columbia which became a part of Public Law 90–284, I can say that I believe the activities of Stokely Carmichael clearly fall within the scope of the act and that he is subject to prosecution.

Stokely Carmichael's past exploits are well known and I have placed many of them in the RECORD along with his cry for all of the people in the community to "get your gun" while holding his gun aloft in the crowd during the early hours of the recent Washington riot in April of this year and now this latest intentional and purposeful effort to provoke further violence and killing. Traveling all over the country to accomplish this is certainly beyond the scope of freedom of speech and definitely within the inflammatory action intended to be deterred by the antiriot laws. Carmichael in Washington on October 12 among other things said "In order to stop police brutality, we've got to kill some white cops. We don't have to stand and yell about it," he said. "We just organize and kill some white cops. There's not a right or wrong about killing. It's a matter of who has the power to do so. It's more honorable to kill a honky cop than a Vietnamese. Whenever a white cop is killed, no black man should speak out against it. We don't need any more talk. Above ground, we push for control. Underground, we do what we have to."

Carmichael's intentional and purposeful traveling to and from the District of Columbia and coming to Washington on this particular date following the Tuesday, October 8 shooting of Elijah Bennett as he escaped the policeman's arrest and making inflammatory statements calling for the killing of cops in retaliation is obviously an intentional and purposeful call for murder, encouraging riots, and anarchy. Such activities by Carmichael, which he undoubtedly learned well while in Hanoi and Havana, must be brought to an end. I, therefore, repeat my demand for full prosecution of Stokely Carmichael.

The following article published in the October 13 issue of the Sunday Star is made a part of the RECORD hereafter:

CARMICHAEL BLASTS SLAYING BY POLICE: RALLY HEARS APPEAL FOR RETALIATION

(By Gerald Somerville)

Black United Front chairman Stokely Carmichael yesterday harangued a street rally of some 200 Negroes protesting Tuesday's fatal shooting of Elijah Bennett by a policeman. Carmichael called for retaliation.

As police rerouted traffic from 14th Street NW between V and W Streets to accommodate the crowd, Carmichael said, "In order to stop police brutality, we've got to kill some white cops.

"We don't have to stand and yell about it," he said. "We just organize and kill some white cops. There's not a right or wrong about killing. It's a matter of who has the power to do so. It's more honorable to kill a honky cop than a Vietnamese.

WE PUSH FOR CONTROL

Carmichael advised the orderly group overflowing the sidewalks into the street and passing canisters for contributions for Bennett's family that "we have to create a feeling that the killing by a honky cop is justified in the black community. Whenever a white cop is killed, no black man should speak out against it."

Saying he was tired of rallies, he added, "We don't need any more talk. Above ground, we push for control. Underground, we do what we have to."

Police officials held the 8 a.m. shift on duty an extra hour yesterday as a precaution and some police cars were patroling in the area with four men to a car. A brief outbreak of disorder followed the shooting Tuesday at 14th and U Streets NW and brought a full mobilization of the police department.

Another speaker at the hour-long rally, C. Sumner (Chuck) Stone, a member of the BUF governing board, said there now was a question as to whether Mayor Walter E. Washington "is responsive to the black people."

TWELVE INCIDENTS LISTED

He said the mayor should be given seven days to give black people control of the police, or "he should resign."

Stone listed 12 incidents of what he called police brutality cases against Negroes since the beginning of 1968.

He said, "We are beyond rhetoric, and it is time now to take control of the city, because we are in the majority."

BUF cochairman Charles Cassell, a candidate for the District school board, suggested that "the next time a white cop shoots a black man, we should advertise that he is wanted for murder."

Among other speakers was Q. T. Jackson, president of the Howard University Student Association and a leader of the campus rebellion there last spring.

Stone said after the rally that the front will not officially issue a statement on the Bennett shooting as it did when it termed the shooting last summer of a white policeman by a Negro "justifiable homicide in the same sense that police are allowed to kill black people and call it justifiable homicide." The statement embroiled the front in a bitter controversy with city officials and other groups.

Carmichael received bursts of applause during his talk and Stone was applauded when he said Washington should resign if he was not responsive to black community demands.

HUMPHREYISM NO. 14

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. SCHADEBERG. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

From a Collection of Representative Henry C. Schadeberg (R. Wisc.).

"We seek only to permit self-determination, and if that means Communist rule, that is something we can accept." (The Nation, April 29, 1968.)

REPORT OF THE HOUSE MAJORITY LEADER ON THE ACCOMPLISHMENTS OF THE SECOND SESSION OF THE 90TH CONGRESS AND A REVIEW OF THE JOHNSON PRESIDENCY

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. ALBERT. Mr. Speaker, the 90th Congress is now history. The ultimate judgment of its record must lie with future historians. It will, I trust, measure up remarkably well. Better, perhaps, than some anticipated.

Two hundred forty-nine measures became public law during the first session of this Congress. During this second session, Congress has enacted additional important legislation: measures which continued and amended the landmark higher education acts of 1965, the most comprehensive housing bill since 1949, a fair housing act, a truth-in-lending act, crime control measures, and a tax bill. These, and others, I shall discuss in a few moments.

Before turning to that task, however, it is appropriate to pay tribute to the President of the United States, the Honorable Lyndon Baines Johnson.

THE JOHNSON PRESIDENCY

During his 5 years in office, Lyndon B. Johnson has enjoyed a relationship with the Congress known to few Presidents in the history of this country. Never before, in my opinion, has a President obtained so much of what he requested. His legislative achievements have been voluminous; and no one can contend that they are mostly of the moment.

Indeed, the Congressional Quarterly Service deemed it appropriate to issue a special report on the Johnson record after the President announced his withdrawal from the 1968 election last spring. In the opinion of that service, many laws enacted between 1964 and 1969 will have "an impact on the country for generations to come."

The Congressional Quarterly pointed out:

> Some of this legislation had been bottled up in Congress since the Truman administration. Other programs—particularly the initiation of the 'war on poverty'—bore Mr. Johnson's personal stamp.

In a year-by-year assessment, the Congressional Quarterly cataloged those measures which will be of especial long term import to the Nation. In 1964 there were the Kennedy proposed tax reduction—greatly responsible for a revitalized economy and unprecedented economic growth—and the most far-reaching civil rights act of the 20th century, covering public accommodations, hiring practices, and voting rights.

Additional 1964 acts were addressed to our conservation needs, and supplied mass transit assistance for our urban centers. That year saw, too, the commencement of a concerted attack on poverty, the first such effort since Franklin Roosevelt decried the phenomenon of one-third of a nation, "ill-housed, ill-clad, and ill-fed." Ten basic programs were established by the 1964 Economic Opportunity Act, among them Headstart, the Job Corps, and VISTA. In spite of opposition from some quarters in the Congress, these programs were continued in 1965, 1966, and 1967, with increasing appropriations. Under the energetic leadership of Sargent Shriver, now Ambassador to France, these programs began to reach out to our poor.

Unfortunately, their future now stands in jeopardy. The fainthearted and those too little concerned with the millions excluded from American prosperity now sound a call of retreat. Should they prevail, the promise of the Johnson poverty program will go up in smoke.

In 1965, with substantial Democratic majorities in both the House of Representatives and the Senate, the President realized goals advocated by the Democratic Party for the past 35 years. Of particular significance was the medical care for the aged law, providing health insurance for the elderly under social security. We recall the bitter opposition over the decades to this proposal, but we have already seen how this compassionate measure has eased the terror and despair of the old and sick. When the President signed that law he stated:

> No longer will older Americans be denied the miracles of modern medicine.

The shame of it is that countless persons were denied them for too long because of the false cry of "socialized medicine." Now, the only question in the minds of Americans is: "Why did we wait so long?"

The first session of the 89th Congress also passed the first comprehensive program of Federal aid to grade and high school students, and augmented aid to college students and institutions of higher learning. We remember this bitter struggle, too, but now one finds few Members in the Congress, or few Americans, opposed in principle to Federal aid to education.

An Appalachian aid program and other regional poverty programs were also begun in 1965. The sensible premises of these programs are certain problems—unemployment, transportation, and industry—must be viewed from the broader, regional perspective, and that there must be coordination of Federal, State, local, and private industry efforts within a region in attacking these problems. This approach recognizes that the welfare of "X" community is related to the welfare of "Y" community in a depressed area, and that only through cooperation and coordination can the needs of both be adequately met.

The Voting Rights Act of 1965 implemented, finally, the guarantees of the

15th amendment to the Constitution. Also passed in 1965 was a new Immigration Act, eliminating the outmoded quota system in effect since 1921. Rent supplements received initial congressional approval that year, and a Cabinet-level Department of Housing and Urban Development was established, headed by Robert C. Weaver.

Despite domestic turmoil in 1966, additional new programs were sanctioned by the Congress. These included the model cities program, the most sensible approach in decades to urban blight and slums. Recognizing that the various transportation needs and programs at all levels of Government require coordination if we are to cope with the transportation tangle in the time to come, Congress established a Department of Transportation. The 1966 Auto Safety Act authorized Federal standards for motor vehicles and tires to alleviate the slaughter on our highways. Partnership for Health grants-in-aid were authorized to assist the States in upgrading their public health programs and facilities. And 1966 was the year that Congress raised the minimum wage from $1.25 to $1.60 an hour.

Unquestionably, the loss of a comfortable Democratic majority in the House of Representatives contributed to a slowing down of the achievement flow in the 90th Congress. Nevertheless, the record during the first session of this Congress was outstanding. Indeed, in reviewing it last December I was struck by how productive a session it had been; one of the better in the 20th century.

The continuation and improvement of aid to elementary and secondary education, a 2-year authorization for the poverty program, and increases in social security benefits, as well as improvements in the medicare and medicaid programs, were important, necessary actions taken during 1967. The Public Broadcasting Act, passed in the first session, will promote the development of educational television and radio broadcasting on a scale not previously possible. Also of significance was the Air Quality Act which, over a 3-year period, authorizes $428.3 million for Federal air pollution control. Included in this important antipollution measure was a 2-year study of the pollution effect of motor-vehicle fuel combustion.

Finally, the 90th Congress has seen the passage of several consumer protection acts which promote safety, guard the public health, and insure fair practices by American business. Never before have so many measures been enacted to guarantee each American protection from injury and from fraud. During the first session, consumer protection bills enacted included the Federal Meat Inspection Act, the Flammable Fabrics Act amendments, and the National Commission on Product Safety.

This, then, was the Johnson record as Congress moved into this second session and we learned that the President would be retiring at the end of this year.

It is not unjust to the Congress to note that the President has played a vital innovative role in much of this legislation. As President Johnson now prepares to leave office, it is surely fitting that we call attention to his splendid record. No better estimation of the meaning of Lyndon Johnson's Presidency is to be found, I believe, than in Theodore White's observations in "The Making of the President, 1964."

In the final chapter of his book, White reports that the President formulated the theme of his Presidency sometime between his assumption of office following President John Kennedy's death and the spring of 1964. That theme was articulated in his now famous commencement address at the University of Michigan. The label which came to dramatize his conception is surely of less importance than the substance of that conception, but it will forever be the shorthand reference for it: The Great Society.

It is worth listening once more to what he said to that graduating class of 1964:

> The challenge of the next half century is whether we have the wisdom to use [our] wealth to enrich and elevate our national life—and to advance the quality of American civilization—for in your time we have the opportunity to move not only toward the rich society and the powerful society but upward to the Great Society.
>
> The Great Society rests on abundance and liberty for all. It demands an end to poverty and racial injustice—to which we are totally committed in our time, but that is just the beginning. The Great Society is a place where every child can find knowledge to enrich his mind and enlarge his talents. It is a place where leisure is a welcome chance to build and reflect, not a feared cause of boredom and restlessness. It is a place where the city of man serves not only the needs of the body and the demands of commerce, but the desire for beauty and the hunger for community. It is a place where man can renew contact with nature. It is a place which honors creation for its own sake, and for what it adds to the understanding of the race. It is a place where men are more concerned with the quality of their goals than the quality of their goods. But most of all, the Great Society is not a safe harbor, a resting place, a final objective, a finished work. It is a challenge constantly renewed, beckoning us toward a destiny where the meaning of our lives matches the marvelous products of our labor. . . .

Clearly, as White notes, these thoughts accurately reflect an America moving beyond abundance. The age-old problems of food, comfort, and housing have been or are being resolved for 200 million people. Never before in history has such a prospect faced a people. And now, in our individual lives and in our political life too, attention must focus in the decades to come on the higher purposes of society.

I am reminded, in this regard, of John Adams' letter to his wife Abigail in 1780:

> The science of government—

He wrote—

> it is my duty to study, more than all other sciences. . . . I must study politics and war that my sons have liberty to study mathematics and philosophy. My sons ought to study mathematics and philosophy, geography, natural history and naval architecture, navigation, commerce and agriculture, in order to give their children a right to study painting, poetry, music, architecture, statuary, tapestry and porcelain.

This is the spirit in which we measure the progress of industry, education, and nation-building in our land.

All this progress, however, has not been accomplished without agony or disparity or incongruity. Too often, material advancement has outpaced social advancement, and dangerous gaps have appeared in the social fabric. Some people have been left behind; they have not shared adequately for a multitude of reasons in the plentitude of our prosperity. One is reminded of Jefferson's prophetic warning that "widespread poverty and concentrated wealth cannot long endure side by side in a democracy."

National policies must shift and respond to the times. It is to the President's credit that he recognized this signal truth.

The eternal goals of democracy—freedom, equality, and justice—are not always compatible one with the other. Incompatability may result from an overemphasis of one in relation to another. If this occurs, these countervailing forces fall out of balance. Disparity is followed by frustration and resentment. Adjustment must then be made to set the ship of State on even keel. This, surely, the President has attempted to do in the many programs he has promoted.

Of these three goals, justice is the one most difficult to achieve. Justice—fair and equitable treatment for all—is meted out not only in courts of law but in all public affairs of a society. Its presence reflects the temper of a people. Reduced to its simplest level, doing the just thing is doing the right thing. The degree of justice in our society at any given time is an important measure of the quality of our Nation. There can be no question that the President has desired to impove and has improved the quality of justice in our Nation.

Equality, too, has marked many efforts of his administration. I think again of the manpower training programs, of the poverty programs, and the education programs. Their intent is to provide for each person an equal opportunity to realize the full measure of his talents. Surely, this is a legitimate end of Government.

And, finally, there is freedom. I fear that we understand freedom inadequately these days. The air is filled with talk that the Federal Government is contravening people's freedom. Surely, that is a danger and one to be guarded against, but nothing is gained by arousing false fears.

The men who shaped our Constitution were aware of the potential for tyranny in any form of government. That is why they created institutions to limit the power of government, and, in particular, retained an independent judiciary to act as a conscience for the Nation and a guardian of individual liberty.

But a man's freedom is not singular. It exists and is defined in relation to the freedom of others. One does not sense that this is widely appreciated today, but it is essential that it be clearly understood.

It is encouraging, therefore, to note that many of our young people are aware of the disparities and incongruities in our society, and desire to correct them. One must hope that their energies will be channeled through existing political structures. One must hope that necessary change will occur within the established framework. To the extent this fails to occur, to that extent is the system failing to function adequately.

It seems undeniable to me that the Presidency of Lyndon Johnson has been marked by the desire to improve the quality of every American's life. The programs of the Great Society have as their ultimate purpose more meaningful freedom for all, greater opportunity for all, and equal justice for all.

As with all grand visions, the Great Society has not been fully realized during Lyndon Johnson's Presidency. Great strides have been made. There can be no question of that. There have been some failures. That is true also. New programs, after all, are experimental. They involve risk and possible failure.

The vision Lyndon Johnson brought to the Presidency and expounded to the Nation, however, must not be judged solely by its successes or its failures. It must be judged by the breadth of its compassion and the degree to which it has promoted the ultimate goals of our democratic Nation.

Here it stands up well, I believe, for it is underpinned by his realization that America's growth will not continue unless all share in abundance; that real freedom comes as all enjoy freedom; that, while men are not born with equal talents, each must be permitted to realize the fullest development of his talents; that justice is the root of law and order; and that peace, whether at home or abroad, must be eagerly sought after and not merely piously hoped for.

Lyndon Johnson's vision outdistanced his reach, as it should. All the programs taken together constitute but a beginning and it is not possible yet to judge the validity of his conception.

As Theodore White concludes:

> [H]ere Lyndon Johnson, too, reaches the end of his frontier. Beyond his immediate proposals lie questions that we can only dimly see except from the reports that our scouts and scholars bring back to us.
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> Politics is a process which should slowly bring to public concern all the private worries and hidden hopes of individuals. Generation after generation, formal politics in America has been disrupted by the sudden delivery, center stage, of a concern that had once been entirely private and apart from government. Hunger and sickness were once matters of private charity; jobs and employment were once the responsibility of private industry. The beauty of the wilderness was once nature's endowment and nature's care; a man's wealth was once his own to spend; and the poor's misery, their own to bear. Government's first concern long ago in Western civilization, as it still must be in Asia and Africa today, was to provide discipline and order so that men could be safe. Each new concept of government offered by the extreme fringe of those who looked ahead was hailed with shrieks and mourning.
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> So, too, it will probably be as Lyndon Johnson moves through his Presidency to the far edge of the present plateau. For on the far edge of the plateau lie problems which we in this decade cannot conceive of as political.

Lyndon Johnson went to the far edge of his plateau. He dared to propose much and to begin much. In that respect history will judge him well. Now it remains for a new President to assume the burdens ahead.

Of all the legislative achievements of his administration, the President was most gratified by the advancements in education. He has expressed the hope that his time will be remembered as an "age of education." Therein, he believes, lies the great hope for the future, the indispensable means for unraveling the knots in the social fabric. There is hope in that, and I am sure that we will pray that he is proven correct.

THE FINAL CHAPTER

The second session of the 90th Congress has written the final legislative chapter in the Johnson Presidency. The President's announcement of withdrawal did not cause the Congress to stand still. Important new programs were enacted and equally significant ones were continued.

This has been, by any measure, a fantastic year in our history. Two youthful and brilliant public figures were cut down by the assassin's bullet. Martin Luther King and Robert Kennedy are mourned by millions in the land, and one tangibly senses the despair and frustration in the wake of their deaths.

In the Congress there have been attempts to address the institutions of Government to the causes of despair and frustration so eloquently spoken by both these men.

Some strides have been taken, but it would be false to maintain that enough has been done and it is time to rest. Yet, legislation must not be passed too hastily. The false start may prove as damaging as the slow start.

Unquestionably, the next session of the Congress must address itself to the problems that continue to exist, and I remain optimistic that it will. The first and second sessions of the 90th Congress did respond positively to the legitimate needs of our people. On balance, I think we have a fine record to take to the people.

Credit must go to all Members who have acted in good faith. I appreciate the efforts of my colleagues on both sides of the aisle. In particular I must commend our beloved Speaker, JOHN McCORMACK, in this his 40th year in Congress. His is truly a remarkable record of service to the public and the House. My friend and colleague, HALE BOGGS, has performed in his accustomed and admirable fashion as assistant floor leader. I appreciate his valuable work. And, if I may be permitted a personal indulgence, I look forward again to cooperating with all Members in the next Congress.

AUTHORIZATION AND APPROPRIATIONS

Despite peace-feelers and an encouraging beginning of talks in Paris, the Vietnam war during 1968 continued to require immense outlays of expenditure as well as commitment of American troops. Consequently, the national economy, and particularly the Federal budget, has been strained. During fiscal 1968, the deficit approached $20 billion. It was this situation, among others, which prompted the President to demand time and again a tax increase, which ultimately the Congress enacted.

In his budget message for fiscal 1969, the President noted that despite economy measures, a deficit of at least $8 billion could be anticipated during the present fiscal year. To reduce the deficit to that level required prudent planning and a setting of priorities. He reported:

> After carefully weighing priorities, I am proposing three kinds of actions:
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> First, I have carefully examined the broad range of defense and civilian needs, and am proposing the *selective expansion* of existing programs or the inauguration of new programs only as necessary to meet those urgent requirements whose fulfillment we cannot delay.
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> Second, I am proposing *delays and deferments* in existing programs, wherever this can be done without sacrificing vital national objectives.
>
> Third, I am proposing *basic changes, reforms, or reductions* designed to lower the budgetary cost of a number of Federal programs which, in their present form, no longer effectively meet the needs of today.

The President stated that any further reductions which Congress felt should be made required that the Congress specify where cuts be made without endangering vital programs.

In urging the Congress to take constructive action to meet the deficit problem, the President warned against steps which appeared plausible on the surface but which would only aggravate the situation in the long run. In his economic report he specifically advised against high tariffs or import quotas, noting that not only would these be contrary to long-term policies but, by provoking retaliation, would reduce receipts by as much or more than our overseas payments. This would be disastrous both to the domestic economy and world trade. Clearly, no solution to the balance-of-payments predicament and the domestic deficit, which reflects this predicament, lies in this direction.

Nevertheless, the Congress did exercise every possible opportunity to eliminate unnecessary governmental expenditure. This is reflected in the appropriation and authorization measures passed for fiscal 1969.

SUPPLEMENTALS, 1968

The first appropriation measures to receive attention were those to provide supplemental funds for 1968. In February, the President requested $1.2 billion to cover mandatory payments required by law, including more than $1.1 billion for grants to the States to meet public assistance cost increases, $32.8 million for judgments and claims against the United States, and $28.8 million for unemployment compensation for ex-servicemen and former Federal employees.

H.R. 15399 was passed virtually intact by the House with less than a $1.3 million reduction in the amount requested by the administration. In the Senate, however, $214,425,000 was added to the administration's request. This extra amount included $25 million for Project Headstart, $75 million for summer youth work, $25.5 million for the Department of Agriculture, and $90,965,000 for "impacted" areas' assistance. The Senate rejected the conference report, which eliminated Headstart and summer work funds.

Subsequently, House Joint Resolution 1229—Public Law 90–286—appropriated $28,000,000 to cover the unemployment fund request in H.R. 15399, while the $50,980,863 appropriated in H.R. 15399 for claims and judgments was included in House Joint Resolution 1268—Public Law 90–352—which also provided $400 million for the highway trust fund.

The remaining administration requests in H.R. 15399 were included in a later supplemental 1968 request—H.R. 17734. As sent to Congress, H.R. 17734 requested $4,095,412,000 for the Department of Defense, $1,519,268,000 for the Department of Health, Education, and Welfare, $791,626,384 to meet pay raise increases in the executive branch, and $332,005,009 for other items—aid to Korea, cost of living increase for VA pension recipients, low-rent public housing, meat inspection, selective service, air pollution, community health, work incentive programs, Osaka World Exposition, and a prototype desalting plant. H.R. 17734 further requested the release of $2,976,051,100 in funds frozen by House Joint Resolution 888—a $4 billion economy measure passed by the Congress during the first session of the 90th Congress, Public Law 90–218.

House and Senate action on the requests in H.R. 17734 occurred as follows: The House approved $3.9 billion for the Department of Defense, $1.5 billion for HEW, $516 million for pay raise costs, and $285 million for other items. The total appropriation passed by the House was $6,255,318,924, more than $475 million below the administration request. Items rejected included rat control funds and funds for air pollution control and community health services. Added by the House was $90,965,000 for education aid to impacted areas. Public Law 90–218 funds released by the House totaled $2,674,902,800, more than $300 million below the administration request. It should be noted that more than $6.1 billion of appropriations and released funds were for Southeast Asia operations.

The Senate approved only $3.8 billion for DOD, almost $1.7 billion for HEW, $461,640,000 for pay costs, and $347,574,849 for other items—an increase in the administration requests—for a total appropriation of $6,373,735,498. Public Law 218 funds released totaled $2,687,902,800. Slightly more than $6 billion of these sums were for support of Southeast Asia. Items added to the House appropriation included $35 million for school lunches, $75 million for summer jobs, $25 million for Headstart, and $5.5 million for the educational system of the Ryukyu Islands.

Final figures for H.R. 17734—Public Law 90–392—were as follows: Agriculture, $10 million in new appropriations, $18,786,000 in released funds; Defense, $3,905,677,000 in new appropriations, $2,351,600,000 in released funds; District of Columbia $9,708,800 in new appropriations; military assistance, $100 million; independent offices and HUD Department, $89,340,000; Interior, $53,292,000 in new appropriations, $25,368,000 in released funds; Labor and HEW Departments, $1,616,993,000 in new appropriations, $10,775,000 in released funds; legislative, $1,770,000; State, Justice, Commerce, and the judiciary, $16,484,000 in new appropriations, $1,431,000 in released funds; Treasury and Post Office, $14,239,000 in new appropriations, $19,421,000 in released funds; claims and judgments, $16,687,049; and, pay increases, $461,640,649 in new appropriations, $247,521,800 in released funds.

Major items included: Southeast Asia emergency fund, $3,750,950,000—for our operations in South Vietnam; welfare payments, $1,135 million; pay increases, $461,640,649; military assistance, $100 million—Korea; impacted school aid, $90,965,000; summer jobs, $13 million; school lunches, $10 million; Headstart, $5 million; and $1 million for the prototype desalting plant. Estimated from the bill were Senate passed provisions allocating $13 million in released funds for rat control and $5.5 million in new appropriations for education on the Ryukyu Islands.

All told, $6,295,831,498 in new appropriations were granted and $2,674,902,800 in Public Law 90–218 funds were released for a grand total in Public Law 90–392 of $8,970,734,298, as compared with the administration's request for $9,714,362,493.

AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS ACT

The administration requested $6,923,979,800 to fund the operations of the Department of Agriculture and related agencies. The House cut $1,400,344,300 from this request, a 20-percent cut, and 24 percent below the amount appropriated in 1968.

In recommending these cuts the Appropriations Committee noted that it was advisable to specify cuts at this point rather than to have to enact formula cuts at a later time.

In the Senate, a sum of $5,540,550,300 was appropriated to cover the Department's activities. This was about $17 million more than the House appropriated yet still well below the budget request.

As it emerged from conference, H.R. 16913—Public Law 90–463—provided $5,531,296,650. Among the important programs financed with this appropriation and their 1969 funds are: the Agriculture Research Service, $220,257,800; the Extension Service, $96,988,000; the Soil Conservation Service, $229,314,000; the Consumer and Marketing Service, $521,488,500—including $225 million for the food stamp program; the Stabilization and Conservation Service, $617,031,400; Rural Electrification, $461,805,000; the Farmers Home Administration, $91,830,000; the Federal Crop Insurance Corporation, $11,243,500; Public Law 83–480 food-for-peace funds, $300 million; and the Commodity Credit Corporation, $2,837,645,500.

In addition to the $5.5 billion in new obligational authority, H.R. 16913 appropriated an additional $540,467,000 to liquidate contract authority.

DEFENSE AUTHORIZATIONS AND APPROPRIATIONS

When I spoke last December of the temporariness of our passage of the largest single appropriation in the history of this country, I was indeed a prophet, for 1968 marked the passage of yet a larger Defense appropriation. Congress, of course, takes four separate steps in allocating the funds necessary for maintaining our national defense forces. First, the law requires that authorization be granted for military construction and for military procurement. Subsequently, Congress passes a military construction appropriation and the massive Department of Defense appropriation.

A major factor in increased defense spending has been, of course, the conflict in Vietnam. That unfortunate encounter continues even while our negotiators strive in Paris to reach some initial accord with the North Vietnamese. It is the duty of the Congress to provide support for our troops and this we have done.

Here, briefly, I shall discuss the four steps taken by the Congress in support of our defense readiness.

MILITARY CONSTRUCTION AUTHORIZATION AND APPROPRIATIONS ACTS

Public Law 90–408—H.R. 16703, S. 3225—authorized $1,800,151,000 for construction of military and related facilities during 1969. This amount was $95,838,000 below that requested by the administration. New construction funds in the authorization were $1,782,844,000 while the remaining $17.3 million is to cover the higher costs of previously authorized projects. A sum of $586,700,000 would aid in the construction of military family housing while an additional $11.8 million is provided for homeowners' assistance.

Actual 1969 appropriations for military construction were granted in Public Law 90–513—H.R. 18785—approved in late September. They were $41,775,000 below the authorization figure. The grand total appropriation for construction was $1,758,376,000, of which $1,145,176,000 was for facilities to serve active forces, $23,300,000 was for Reserve Forces facilities, $583,700,000 for military family housing, and $6,200,000 for homeowners' assistance. Included in these funds was $207,104,000 for facilities related to the Vietnam conflict and $227.3 million for construction of a Sentinel thin anti-ballistic-missile system.

MILITARY PROCUREMENT AUTHORIZATION; MULTIYEAR PROCUREMENT AUTHORITY

The President requested $22,385,052,000 for procurement of military weaponry and for research and development. Congress provided less than that in Public Law 90–500—S. 3293. The amount authorized totaled $21,625,750,000 with $13,832,013,000 authorized for procurement of aircraft, missiles, vessels and tanks, and $7,793,737,000 for research and development. One of the largest allocations in S. 3293 was for the Sentinel antiballistic missile and other missile systems, a sum of $655.6 million.

The various services were authorized funds as follows: Army, $13,832,013,000, Air Force, $6,980,000,000, and Navy and Marine Corps, $4,861,000,000.

It should be noted that no funds were

authorized for the F-111B Navy fighter aircraft. Instead, $287 million was committed to development of a successor aircraft, the VFX-1. Also deleted from the final bill were any funds for construction of fast deployment logistic ships, which were recommended by the President in 1967. In addition to the monetary sums approved in this authorization, provisos were included instructing, directing, or prohibiting the Department of Defense in connection with procurement transactions.

Brief mention should be made of Public Law 378—H.R. 15789—which authorizes multiyear procurement in certain instances. Congress enacted this law at the request of the Armed Forces which have discovered that significant savings could be realized in the procurement of certain services if they were not restricted to a 1-year contract, as is the normal case. Convinced of the soundness of their argument, the Congress authorized multiyear contracts, up to 5 years, for services, and items of supply related to such services, performed outside the 48 contiguous States and the District of Columbia. Such contracts may be authorized by agency heads in situations where there will be a continual need for a service, where investment costs to the contractor will be substantial, and where economical operation will be assured and competitive bidding promoted.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT

The final action by Congress is providing the sums necessary to maintain and operate our defense forces came with the passage late in the session of the Department of Defense Appropriation Act. As submitted by the administration, H.R. 18707 requested a total of $77,074,000,000 to finance 1969 activities by our military forces.

The House voted less than this amount on September 12, appropriating $72,239,700,000, as recommended by the Committee on Appropriations. The Senate Committee on Appropriations reported a smaller amount on September 19, a total of $71,886,893,000, which received Senate approval October 3. Both these amounts represented the largest appropriations ever passed in the House and the Senate. At the same time, these amounts were less than the total 1968 funds granted by several appropriation acts for military activities—$74,152,312,000.

In Senate debate on H.R. 18707 one distinguished Member of that body noted that the Vietnam war had drained defense stockpiles and advised that conclusion of that conflict should not mislead the Nation into anticipating significant cuts in defense expenditures.

Members will wish to know that about $25.5 billion of the 1969 appropriation will finance military operations in Vietnam.

Conference action on H.R. 18707 produced a final appropriation of $71,869,828,000.

FOREIGN AID AUTHORIZATION AND APPROPRIATION AND PEACE CORPS AUTHORIZATION ACTS

Three actions must be taken by the Congress in authorizing and appropriating funds for foreign aid. First, a foreign aid authorization must be passed. Second, a separate authorization is required for the Peace Corps. Third, actual funds must then be appropriated.

In the first session the President's requests for foreign aid were reduced substantially, in his opinion a dangerous trend and one he remonstrated against when signing both the authorization and the appropriation measures.

In his 1968 foreign aid message, therefore, he reemphasized the importance of our foreign aid programs to the promotion of world peace:

> Twenty years ago America resolved to lead the world against the destructive power of man's oldest enemies. We declared war on the hunger, the ignorance, the disease, and the hopelessness which breed violence in human affairs.
>
> We knew then that the job would take many years. We knew then that many trials and many disappointments would test our will.
>
> But we also knew that, in the long run, a single ray of hope—a school, a road, a hybrid seed, a vaccination—can do more to build peace and guard America from harm than guns and bombs.
>
> This is the great truth upon which all our foreign aid programs are founded. It was valid in 1948 when we helped Greece and Turkey maintain their independence. It was valid in the early fifties when the Marshall Plan helped rebuild a ruined Western Europe into a showcase of freedom. It was valid in the sixties when we helped Taiwan and Iran and Israel take their places in the ranks of free nations able to defend their own independence and moving toward prosperity on their own.
>
> The programs I propose today are as important and as essential to the security of this nation as our military defenses. Victory on the battlefield must be matched by victory in the peaceful struggles which shape men's minds.
>
> In these fateful years, we must not falter. In these decisive times, we dare not fail.

The President further noted in his message the six criteria of foreign aid assistance, announced in 1967, to which we remain committed: self-help, multilateralism, regionalism, priority for agriculture and population planning, balance-of-payments protection, and efficient administration.

Congress provided the full amount requested to finance 1969 operations by the Peace Corps. Public Law 90-362—H.R. 15087, S. 2914—authorized $112.8 million to the Peace Corps, which has proven such an effective force for good will abroad.

The foreign aid authorization—Public Law 90-554, H.R. 15263—however, was cut heavily. The President requested $2,541,475,000 in economic assistance and $420 million in military assistance. This $2.96 billion authorization was initially reduced by almost $600 million as reported out by the House Committee on Foreign Affairs and reduced still further on the House floor July 18. As passed by the House H.R. 15263 authorized $1.6 billion in economic assistance and $390 million in military assistance, for a total of $1,993,850,000, almost $970 million below the amount requested by the President. The Senate proved even more vigorous in its reductions, paring economic assistance to $1,585,900,000 and military assistance to $360 million, more than $1 billion below the administration figure. After conference action, H.R. 15263 authorized $1,599,050,000 in economic assistance and $375 million in military assistance. This total authorization of $1,974,050,000 was $987,425,000 less than the President's proposal and was the lowest authorization in the history of our foreign aid program.

Several provisos were also included in the bill, three of which deserve noting here. First, the Congress expressed its sense that the President should take steps to negotiate with Israel for the sale of such supersonic planes as may be necessary for a deterrent against future attacks on Israel. Second, the President was requested to make a comprehensive review and reorganization of all U.S. foreign assistance programs and to consider proposals for the establishment of a Government corporation or a federally chartered private corporation to coordinate the use of U.S. private capital in "less developed friendly countries." Third, a prohibition was included on the sale for export of more than 350 million board-feet of unprocessed lumber from Federal lands west of the 100th meridian in a single year, unless, after public hearing, it is found that a surplus is available above domestic needs.

Actual funds for 1969 foreign aid were appropriated in H.R. 19908, which passed the House September 19 and the Senate October 4. In this instance the roles were reversed from those on the authorization measure, with the House funding at a lower level than the Senate. The President requested $2.5 billion in economic assistance and $420 million in military assistance. In addition he asked for $734,711,000 for related activities, including $112.8 million for the Peace Corps and $505,880,000 for the Inter-American Development Bank.

The House appropriated the full amount requested for the I-ADB but reduced Peace Corps funds to $100 million, thus granting only $721,911,000 in total other funds in H.R. 19908. Foreign aid funds were decreased in every category. The request of $765 million for the development loan fund was cut back to $265 million. Technical cooperation funds were reduced from the requested $235 million to $150 million. The Alliance for Progress, our Latin American aid program, was cut back to $270 million as compared with the administration request for $625 million. International organization funds were reduced from $154,255,000 to $120 million, supporting assistance from $595 million to $365 million, the contingency fund from $45 million to $5 million, administrative expenses for AID from $58,775,000 to $51 million, and administrative expenses for the State Department from $3,870,000 to $3,500,000. Military assistance funds were granted in the amount of $375 million, $45 million less than requested, but the full amount authorized in H.R. 15263. The total in foreign aid provided by the House was $1,619,100,000, slightly more than $1.3 billion below the President's request.

The Senate restored $313.3 million cut

by the House when it passed H.R. 19908. Economic assistance was budgeted at more than $1.5 billion, with $375 million granted in military assistance. Senate action raised the Peace Corps' appropriation $4 million above the House-enacted $100 million, upped the development loan fund figure by $85 million, technical assistance funds by $50 million, the Alliance for Progress by $130 million, and international organization allocations by $27.9 million. Its total foreign aid figure of $1,932,500,000 was nearer than the House's figure to the $1.974 billion authorized in H.R. 15263.

Final foreign aid appropriations were determined in conference and allocated $1,380,600,000 for economic assistance, $375 million for military assistance, and $723,911,000 for other agencies and programs, including $102 million for the Peace Corps, a grand total of $2,479,511,000.

DEPARTMENT OF INTERIOR APPROPRIATIONS ACT

Appropriations to support 1969 operations by the Department of the Interior and related agencies were provided in Public Law 90–425—H.R. 17354. All told $1,415,789,300 was appropriated: $1,284,989,300 in new budget authority and $130,800,000 to liquidate contract authorizations. The Department of the Interior itself was granted $829,261,300 for the activities of its various agencies and offices, including the Bureau of Land Management, the Bureau of Indian Affairs, the Bureau of Outdoor Recreation, the Office of Territories, Geological Survey agency, the Bureau of Mines, the Office of Coal Research, the Office of Oil and Gas, the Bureau of Commercial Fisheries, the National Park Service, the Office of Saline Water, and the Office of Water Resources Research.

Major appropriations for related agencies included $244,923,000 for the Forest Service, in the Department of Agriculture; $104,960,000 for Indian health activities, administered by the Public Health Service; $43,772,000 for the Washington Metropolitan Area Transit Authority; $11.5 million for the National Foundation on the Arts and the Humanities; and $46,161,000 for the Smithsonian Institution.

Major specific items approved were $90 million for the land and water conservation fund—used to acquire park and recreation areas—with $45 million earmarked for specific parks and projects, including wilderness areas; $1 million for Federal Government participation in the building of a major nuclear-powered desalting plant in southern California; and $24,556,000 for saline water conversion activities.

The amount appropriated was about $162 million below the budget request of $1,577,112,300.

LEGISLATIVE BRANCH APPROPRIATIONS ACT

Agencies provided for in the Legislative Branch Appropriations Act—Public Law 90–417, H.R. 18038—include, in addition to the Congress itself, the Architect of the Capitol, the Botanic Garden, the Library of Congress, the Government Printing Office, and the General Accounting Office.

Funds for 1969 were granted as follows: House of Representatives, $85,039,420; Senate, $47,082,247; joint House Senate items, $12,711,229; Architect of the Capitol, $15,614,700; Botanic Garden, $565,000; the Library of Congress, including the Legislative Reference Service, $40,638,000; the Government Printing Office, $39 million; and the General Accounting Office, $57,500,000. The total appropriation for 1969 is $298,678,396, including $527,000 to liquidate contract authority. This is more than $17 million below the budget estimate.

DEPARTMENT OF LABOR AND DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS ACT

The appropriation act for the Department of Labor and the Department of Health, Education, and Welfare—HEW—allocates money for some of the most important programs launched by Democratic administrations. These include funds for elementary, secondary, and higher education, for medical care for the aged, and for the basic poverty programs. I cannot here detail each item of legislation in this massive act but advise Members that a tabular summary of the conference report on H.R. 18037 may be found in the CONGRESSIONAL RECORD of October 3, on pages 29426–29429.

The administration requested $19,301,525,000 to support the many activities of these two Departments, and related agencies like the Office of Economic Opportunity. A total of $729,697,000 was requested for the Department of Labor, $16,325,149,000 for Department of Health, Education, and Welfare, and $2,246,679,000 for related agencies, of which $2.18 billion was for OEO. On June 26, the House approved $710 million for Labor, almost $14.6 billion for HEW, and $1,936,972,000 for related agencies—$1.83 billion for OEO—for a total of $17,232,871,300. On September 6, the Senate increased these sums in two instances, while decreasing them in one. It approved only $692 million for Labor, but $16,186,520,000 for HEW, and $2,154,650,000 for related agencies—$2.088 billion for OEO—for a total of $19,033,346,000. Differences were resolved in conference producing these final appropriations: Department of Labor, $692,076,000; HEW, $15,770,377,800; related agencies, $2,013,150,000—OEO, $1,948,000,000—for a total of $18,475,603,800.

Mention should be made of amounts appropriated for activities of particular interest to Members. Manpower development and training programs were funded at $400 million for 1969, with another $26.7 million appropriated for administrative expenses. Unemployment compensation for Federal employees and exservicemen was funded at $92.2 million. A sum of $604,073,000 will be available in grand-aid form for State unemployment compensation and State employment service administration. Other Labor Department agencies receiving funds are the Labor-Management Services Administration, the Wage and Labor Standards Administration, the Bureau of Labor Statistics, the Bureau of International Labor Affairs, the Office of the Solicitor, and the Office of the Secretary.

Elementary and secondary education programs will dispense $1,476,993,000 during fiscal 1969. H.R. 18037 also makes available an indefinite 1970 appropriation of $1,010,814,300 for these programs. A sum of $520,845,000 was appropriated for assistance to areas adversely affected tax-wise by the Federal Government. Available in 1969 will be $171,900,000 for programs aimed at developing the education professions. The Teacher Corps, which hires high caliber talent to teach in areas with low education standards, received a $20.9 million allocation. Grants under the higher education acts were appropriated in the amount of $696,307,000, with another $100 million supplied for the higher education facilities loan fund. Funds during 1969 for expansion and improvement of vocational education will be $248,216,000. Funds for improvement of community library services were provided in the amount of $143,144,000. A total of $78,850,000 was granted for special educational programs for the handicapped. More than $89 million will be available for research and training programs in education while $15.7 million is available for foreign language training programs. All told more than $4.6 billion were appropriated to support the many fine Federal aid to education programs.

Other HEW agencies and their 1969 appropriations are: Public Health Service, including funds for various health programs passed in recent years, $378,742,000; Food and Drug Administration, $67,296,000; the eight National Institutes of Health and the regional medical programs, $1,170,399,000; the National Institute of Mental Health, $361,516,000; social and rehabilitation service, including the several welfare programs such as public assistance and maternal and child health and welfare, as well as medicaid, $6,671,524,000; the Social Security Administration, $1,690,772,000, including $1.36 billion in payments to medicare trust funds; and special institutions, such as Howard University and Gallaudet College $35,398,000. Special mention should be made of $5 million appropriated for public broadcasting programs, which were authorized by the Public Broadcasting Act of 1967, and the $4,375,000 granted for construction and operation of educational broacasting facilities.

Finally, this act provided that $2 million previously mentioned for certain related agencies. The $1.948 billion of this granted to the Office of Economic Opportunity will finance the operations of the several poverty programs, including VISTA and the Job Corps. I might add that the amount appropriate to OEO for 1969 represents an increase of $170 million above that appropriated for 1968.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION; DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND INDEPENDENT OFFICES APPROPRIATIONS ACT

Law requires that the Space Administration obtain annual authorization of funds. This Congress provided in H.R. 15856—Public Law 90–373—for fiscal 1969. The authorization was $4,013,373,000, almost $360 million less than the administration request of $4,370,400,000. It is of further interest to remark that the 1969 authorization was $852,378,000 below the 1968 authorization, a decrease deemed necessary by the need to reduce Government expenditures.

Among the space exploration activities authorized by H.R. 15856 is the Apollo moon program with a 1970 target date for landing on the moon. Actual 1969 funds for NASA were provided in the HUD-Independent Offices Appropriation Act, H.R. 17023—Public Law 90–550. They totalled $3,995,273,000, of which $3.37 billion is for research and development, $21.8 million for facilities' construction, and $603 million for administrative expenditures.

Some very important aspects of the administration's cities' and poverty programs are financed through the HUD half of this appropriation and deserve special mention here. The President asked for $1 billion to implement the model cities program, but received only $625 million, including $312.5 million for urban renewal projects within model city areas. He requested $16.6 million for rent supplement payments and administrative expenses connected with them, but received only $13,350,000. Mention must also be made of the deletion in conference of $9 million for enforcement of the open housing provisions of H.R. 2516, the 1968 Civil Rights Act—but, see below section on first supplemental, 1969. The conference report justified this deletion by noting that the Housing and Urban Development Department, "as well as a number of other Federal agencies are already engaged in the activities provided for in this proposal" and that no additional funds should be appropriated for it unless "facts can be presented in the future to prove the necessity."

Other important programs and their 1969 funds are: housing loans for elderly, $25 million; neighborhood facilities grants, $35 million; 1970 urban renewal programs, $750 million—the President requested $1.4 billion; public housing annual contributions, $350 million; urban planning grants, $43,838,000; water and sewer facilities grants, $165 million; community development training programs, $3 million; city planning and urban studies fellowships, $500,000; urban research and technology, $11 million.

The total amount appropriated for the Department of Housing and Urban Development's 1969 activities was $2,125,226,000, significantly under the $4,797,660,000 request of the administration. It is questionable whether significant progress can be made, therefore, in fulfilling the aims of the various programs enacted by the Congress for improving urban living conditions and for providing the housing necessary if our cities are to be habitable in the future.

The remaining $12.4 billion allocated by H.R. 17023 finances the activities of five Executive offices and 16 independent offices, including the previously mentioned National Aeronautics and Space Administration. Among these independent agencies, with their 1969 funds, are: Civil Aeronautics Board, $9,350,000; Civil Service Commission, $151,298,000; Federal Communications Commission, $19,750,000; Federal Trade Commission, $16 million; General Services Administration, $497,932,000; Interstate Commerce Commission, $23,846,000; the National Science Foundation, $400 million; Securities and Exchange Commission, $17,830,000; the Selective Service System, $63,568,000; the Veterans' Administration, $6,975,207,000; and Civil Defense, DOD, $60,540,000.

New budget authority in Public Law 90–550 was appropriated in the amount of $14,570,395,000. An additional $122 million was provided to liquidate contract obligations, for a grand total of $14,692,395,000, as compared with the administration budget request for $18,490,813,000.

PUBLIC WORKS AND THE ATOMIC ENERGY COMMISSION AUTHORIZATIONS AND APPROPRIATIONS ACT

Authorization acts are required for both public works projects and the Atomic Energy Commission. Subsequently, funds for the activities authorized are appropriated in a Public Works/Atomic Energy Commission Appropriations Act.

Congress authorized $2,618,301,000 for operating, capital, and equipment expenditures during 1969 by the Atomic Energy Commission. Public Law 90–289—H.R. 16324, S. 3262—was almost $300 million below the $2,911,342,000 requested in the budget.

Congress completed work on authorizations for future public works—Public Law 90–483, S. 3710—just prior to its recess for the national party conventions. As signed into law 90–483 authorized 31 navigation projects, $324,508,000; one beach erosion project, $680,000; 41 flood control projects, $875,706,000; and 13 increases in river basin projects, $469,000,000; at a total cost of $1,669,894,000. That figure represents a compromise between the $1,590,319,000 authorization passed by the House, and the $2,127,321,000 authorization passed by the Senate. In addition, certain provisos and directives were written into the act.

Public Law 90–479 allocated those sums to be spent in 1969 both by AEC and for public works projects. The Atomic Energy Commission received $2,570,874,000 for its 1969 activities, less than its budget request of $2,754,600,000. Public works projects were funded at a lesser amount than in 1968. The Army Corps of Engineers will spend $1,214,722,500 on flood control and rivers and harbors improvements during 1969. This is almost $87 million less than in 1968 and $60 million below the administration recommendation. The Congress provided money for only 11 new starts on projects, three of which will be solely land acquisition, at a cost of $40 million. These figures are well below the 58 starts at a cost of $935 million begun in 1967 and the 34 starts begun in 1968 at a cost of $179 million.

The Interior Department's Bureau of Reclamation, the other major public works agency of the Federal Government, received a 1969 appropriation of $273,351,500. Like the Corps of Engineers, its moneys are less than in 1968 and less than requested by the administration. No new starts were authorized to the Bureau.

The Federal Water Pollution Control Administration, in the Department of Interior, received $302,838,000. Included in this amount is $214 million for waste treatment construction grants, $11 million below the requested amount and substantially less than the $700 million recommended for 1969 in the 1966 law which authorized this grant program.

The total amount appropriated by this act was $4,608,421,000, as compared with the administration request of $4,908,657,000. The Department of Defense's share of this was $1,267,457,000, which includes the funds for rivers, harbors, and flood control, $15 million for cemetery expenses, and $37,684,500 for the Panama Canal. A total of $711,111,500 was appropriated for the Department of the Interior. In addition to the Bureau of Reclamation and the Federal Water Pollution Control Administration, funds were granted for the operation of four Power Administrations: Alaska, $1,002,000; Bonneville, $123,500,000; Southeastern, $850,000; and Southwestern, $9,570,000. As previously mentioned, AEC received $2,570,874,000. In addition, $58,978,500 was granted for the cost of maintaining and operating the Tennessee Valley Authority, $50,250,000; the Atlantic-Pacific Interoceanic Canal Study Commission, $4.9 million; the Delaware River Basin Commission, $201,000; the Interstate Commission on the Potomac River Basin, $5,000; and the Water Resources Council, $3,622,500.

DEPARTMENTS OF STATE, JUSTICE, COMMERCE, AND THE JUDICIARY APPROPRIATIONS ACT AND THE MARITIME ADMINISTRATION AUTHORIZATION

In the first session of the 90th Congress we passed a law requiring the Maritime Administration to obtain annual authorizations for acquisition, construction, or reconstruction of vessels, for payment of construction-differential subsidies, for payment of operating-differential subsidies, for research and development expenditures, for reserve fleet expenses, for training of employees at the Merchant Marine Academy, for Federal payments to State marine schools, and for payments to the vessel operations revolving fund.

The first Maritime Administration Authorization Act was approved this year—Public Law 90–471, H.R. 15189, S. 3016—and authorized a total of $429,451,000 for the various noted activities, a larger sum of money than requested by the administration—$344,856,000. The increases approved by Congress were in vessel construction, research and development, and aid to State marine schools.

Appropriations for the Maritime Administration were granted in the 1969 Appropriations Act for the Departments of State, Justice, Commerce, and the judiciary branch—Public Law 90–470, H.R. 17522. These amounted to $148,577,000, as requested by the administration.

Congress voted $389,802,600 for the State Department, $13 million less than the budget request of $412,948,000.

H.R. 17522 appropriates $505,754,000 to the Justice Department, including $207,450,000 to the FBI and $63 million for the Law Enforcement Assistance Administration, which is responsible for financial assistance to the State and local law enforcement agencies. The total appropriation for the Justice Department was less than the budget request of $547,733,000.

Moneys granted to the Commerce Department for 1969 operations totaled

$758,777,000, as compared with the administration's request of $825,860,000. In addition to the $148.5 million for the Maritime Administration, other agencies financed in the Commerce appropriation include: the Bureau of the Census, $41,725,000; the Environmental Science Services Administration, $162,700,000; the Office of State Technical Services, $5.3 million; the Patent Office, $42 million; and the National Bureau of Standards, $36.8 million. A sum of $274,740,000 was allocated for economic development assistance during 1969 and a sum of $20,588,000 for international activities by the Department of Commerce.

The judiciary branch received $103,229,500 for 1969 operations. The administration had submitted a request for $107,939,900.

Thirteen other agencies or commissions of the Government were appropriated for in H.R. 17522: American Battle Monuments Commission, $2,329,000; Commission on Civil Rights, $2,650,000; HEW—Office of Education, civil rights activities, $10,750,000; Equal Employment Opportunity Commission, $8,750,000; Federal Maritime Commission, $3,653,000; Foreign Claims Settlement Commission, $750,000; National Commission on Reform of Federal Criminal Laws, $250,000; Small Business Administration, $13,214,000; Special Representatives for Trade Negotiations, $450,000; Subversive Activities Control Board, $344,400; Tariff Commission, $3,850,000; U.S. Arms Control and Disarmament Agency, $9 million; and the U.S. Information Agency, $173,168,000.

Total new budget authority appropriated in H.R. 17522 was $1,986,721,500, as compared with a requested $2,291,993,900. An additional $207,275,000 were provided to liquidate Maritime Administration contract obligations.

DEPARTMENT OF TRANSPORTATION APPROPRIATIONS ACT

The President requested $1,932,032,000 to finance 1969 activities by agencies within the Department of Transportation, including the Coast Guard which receives an annual authorization. The Congress cut this request by almost $300 million in passing DOT's 1969 appropriations. First, however, it authorized funds for the Coast Guard.

COAST GUARD AUTHORIZATION

The President requested $107 million for procurement of Coast Guard vessels and facilities. As it emerged from Congress, H.R. 15224—Public Law 90–334—increased that sum by $29 million. This $133 million authorized the procurement of three high-endurance cutters, an oceanographic cutter, a buoy tender, a ferryboat, and a river tender and barge at a total cost of $67,904,000. An additional $14,636,000 was authorized for the purchase of nine medium-range helicopters and another $47,660,000 for construction at shore installations and other facilities. A sum of $5.8 million was authorized for alterations at railroad and public highway bridges so as to facilitate navigation. The bill further authorized the Coast Guard to obtain housing and to lease it without charge to military personnel and dependents when adequate housing is not available in the area of a Coast Guard base.

DEPARTMENT OF TRANSPORTATION FUNDS

Of the $1,634,266,000 provided in H.R. 18183, $205 million was advance funding for fiscal 1970. The remainder will finance 1969 operations of the Department, the Coast Guard, the Federal Aviation Administration, the Federal Highway Administration, the Federal Railroad Administration, and the National Transportation Safety Board.

The Coast Guard received $532 million, including $90 million for procurement of vessels and construction and improvement of facilities. The Federal Aviation Administration was granted $857,554,000, including $670,954,000 for air traffic control and an additional $120 million for air safety equipment. Fiscal 1970 grants-in-aid for airports were in the amount of $30 million.

The Federal Highway Administration was appropriated $31,512,000, including $26.5 million for highway safety, $2,012,000 for motor carrier safety, and $1 million for highway beautification. The Federal Railroad Administration received $17.9 million, of which $13 million will support research and development of high speed ground transportation. Urban mass transportation grants for fiscal 1970 were funded at $175 million.

It should be noted that no funds were allocated for production of the supersonic transport, although the President had submitted a budget request of $223 million. In addition, the Congress rescinded a previously granted $30 million for that project. The need to reduce nonessential expenditures required these actions. Finally, it should be mentioned that $4,241,970,000 were granted for liquidation of contract obligations, most of it for the Federal aid to highways trust fund.

TREASURY, POST OFFICE, EXECUTIVE OFFICE OF THE PRESIDENT, AND CERTAIN INDEPENDENT AGENCIES APPROPRIATIONS ACT

The President requested $1,959,535,000 to finance 1969 operations of the Departments of Treasury and the Post Office, the Executive Office of the President, and certain independent agencies, including the Commission on Obscenity and Pornography established by Public Law 90–100.

The House cut $181,735,000 from the request: $170,710,000 from the Post Office, $10,166,000 from the Treasury, $316,000 from the Executive Office of the President, and $543,000 from the independent agencies.

As passed by the House, H.R. 16489 provided $749,176,000 in direct appropriations for the operations of the Post Office Department—another $6.4 billion accrues as revenue from the sale of stamps and services—$1,006,650,000 for the activities of the Treasury Department, including the Bureau of Accounts, the Bureau of Customs, the Bureau of the Mint, the Internal Revenue Service, and the Secret Service; $18,596,000 for the Executive Office of the President, including the Bureau of the Budget, the Council of Economic Advisers, the National Security Council, and other executive offices; and $3,378,000 for independent agencies, including, in addition to the one already mentioned, the Advisory Commission on Intergovernmental Relations, the U.S. Tax Court, and the Administrative Council of the United States.

In the Senate, $750,176,000 was appropriated for the Post Office, $1,008,360,000 for the Treasury Department, $18,596,000 for the Executive Office of the President—the same as in the House—and $3,921,000 for the independent agencies. The total Senate appropriation was $1,781,053,000 as compared with the $1,777,800,000 appropriated by the House, and the $1,959,535,000 requested by the administration.

After conference action, H.R. 16489—Public Law 90–350—allotted the following sums: $750,176,000, Post Office; $1,007,960,000, Treasury; $18,596,000, Executive Office of the President; and $3,921,000, independent agencies, for a total of $1,780,653,000. The additional $6,377,824,000 in postal revenues raised the grand total to $8,158,477,000.

I should mention that included in the Secret Service appropriation for 1969 was $1.6 million to cover the expenses of protecting major candidates for President and Vice President. Congressional enactment of this protection is elsewhere discussed in this report.

FIRST SUPPLEMENTAL APPROPRIATIONS ACT OF 1969

The final appropriations action by the 90th Congress was passage on adjournment eve of the First Supplemental Appropriations Act of 1969. This supplemental provides those funds not granted in regular appropriations, often because Congress has enacted legislation during a session which increases expenditures for an agency.

H.R. 20300 budget estimates were $740,508,907 for the Department of Agriculture, the District of Columbia, HUD and Independent Offices, the Department of Interior, HEW, the legislative branch, Public Works, the Departments of State, Justice, Commerce, and the Judiciary, the Department of Transportation, the Department of the Treasury, and for claims and judgments.

The House approved a total of $123,532,907 on October 9.

Included in H.R. 20300 were exemptions for certain agencies from the expenditure ceilings in the Revenue and Expenditure Control Act of 1968—the Commodity Credit Corporation's farm price support program and HEW's public assistance grants. I might add that the Congress found it necessary in several instances to rescind both expenditure and personnel limitations imposed by the Revenue and Expenditure Control Act, notably for the Post Office Department.

The Senate appropriated a total of $515,197,727 in supplemental funds and conferees settled on a sum of $446,688,727. Final amounts were: Agriculture, $56,525,000, including $55 million for the food stamp program; District of Columbia, $7,902,000 in loans for capital outlay; $296 million for foreign military credit sales; $1,288,000 for certain independent offices; $12,125,000 for HUD, including $2 million for fair housing administrative expenses; $11,402,000 for the Department of the Interior; $4,056,-

000 for Indian health facilities; $5 million for juvenile delinquency prevention and control; $494,031 for the legislative branch; $2,350,000 for public works, including $150,000 for the new National Water Commission, and $2.2 million for the Upper Colorado River storage project; $500,000 for the Department of Commerce; $500,000 for the judiciary branch; $4,830,000 for the Department of Transportation; $8,028,000 for the Department of the Treasury and Executive Office of the President, including $5 million for grants to Eisenhower College; and $35,238,696 in claims and judgments.

AGRICULTURE

Mr. Speaker, I will summarize now the major substantive items of legislation enacted during the second session, beginning with those affecting the field of agriculture.

COMMODITY EXCHANGE ACT AMENDMENTS

Early in the session Congress completed action on H.R. 13094, which amended the Commodity Exchange Act to guard against fraud and manipulation in the Nation's commodity exchanges. Among other things, this act—Public Law 90–258—authorizes the Secretary of Agriculture to disapprove bylaws and rules of contract markets if he finds they violate the Commodity Exchange Act, to establish minimum financial requirements for merchants who deal in the commodity futures market, and to deny or revoke registration for any person who fails to meet the requirements of or otherwise violates the act.

AGRICULTURAL PRODUCT TRADE PRACTICES ACT

Also enacted this year by the Congress was S. 109—Public Law 90–288—to prohibit unfair trade practices affecting producers of agricultural products, including cooperatives. The law prohibits canners, packers, and other purchasers of farm products from using discrimination, coercion, intimidation, bribery, falsehood, or conspiracy to discourage growers from belonging to producer cooperatives. Cooperatives, at the same time, are prohibited from any such tactics to induce growers to join them. A cooperative, of course, is any association of farmers acting together in marketing transactions. Passage of this act strengthens competitive marketing of agricultural commodities.

INTERNATIONAL GRAINS ARRANGEMENT

The Senate this year approved an International Grains Arrangement Treaty which sets world wheat prices, depending on the type of wheat, at from $1.50 to $1.955 minimum per bushel and from $1.90 to $2.355 maximum. Prices for U.S. wheat are ranged from $1.60 to $2.23 a bushel. The treaty also assures a steady supply of grains for contribution to needy countries.

GRAIN STANDARDS ACT AMENDMENTS

Amendments to the 1916 U.S. Grain Standards Act were adopted by the Congress this year. H.R. 15794—Public Law 90–487—altered existing law by authorizing permissive rather than mandatory inspection of grain shipped interstate. When originally enacted, most grain was shipped by rail permitting fairly simple mandatory inspection. Today grain is shipped more and more in trucks, and mandatory inspection is costly and inexpedient. Other provisions of Public Law 90–487 authorize the use of modern grain-sampling techniques and provide for 3-year renewable licenses for grain inspectors.

FISH PROTEIN CONCENTRATE

In 1966 Congress authorized—Public Law 89–701—the construction of a pilot plant for the production of fish protein concentrate—flour—and the leasing of a second plant. This year it passed S. 3030—Public Law 90–549—reducing to one the number of authorized experimental plants for producing such concentrate. This was deemed advisable because the cost of constructing a plant is almost twice the amount originally authorized and Congress felt this necessitated elimination of the second plant.

FOOD STAMP PROGRAM

Congress this year approved a 2½-year authorization for the food stamp program which helps needy families put better fare on the dinner table. The House passed a 4-year, open-ended authorization on July 20 but this was stricken in conference. S. 3068—Public Law 552—increased 1969 food stamp authorizations by $90 million—see above, first supplemental, 1969, for actual appropriation—authorized $340 million for 1970, and $170 million for the first half of fiscal 1971. More and more counties are now participating in the food stamp program, which is commendable, for it means that an important means is available to reduce hunger among the needy in those participating counties. It should be noted that, all told, more than $1 billion in food will be distributed under various food programs during fiscal 1969, including your special milk programs, school lunch programs, food stamps, donations to schools, and special poverty food distribution programs.

FOOD AND AGRICULTURE ACT OF 1965, EXTENSION

Congress made history when it passed the Food and Agriculture Act of 1965—Public Law 89–321—for up to that time price-support policies had been determined on a year-to-year basis, resulting usually in a good deal of turmoil. The 1965 act authorized a 4-year program with innovations in wheat, cotton, feed grains, wool, and rice support programs and cropland adjustment programs.

This second session of the 90th Congress voted to extend the provisions of the 1965 act through fiscal 1970, a 1-year extension. Differing versions of H.R. 17126 were passed in the House and Senate. The House version prevailed in conference, resulting in the 1-year extension rather than the 4 years approved in the Senate.

CIVIL RIGHTS LEGISLATION

Mr. Speaker, at the beginning of the 90th Congress the President submitted an omnibus civil rights bill calling for extension of the Civil Rights Commission, improvement of Federal and State jury selection procedures, Federal open-housing provisions, penalties for intimidation and interference with those exercising their civil rights, and enforcement powers for the Equal Employment Opportunity Commission.

The Congress acted positively on each of these recommendations with the exception of enforcement authority for the EEOC. This may have surprised a few congressional watchers for it will be remembered that Congress failed to enact an open-housing civil rights bill in 1966.

I think we can be justifiably proud that the two civil rights acts were enacted this session. This was in addition to Public Law 90–189, extending the life of the Civil Rights Commission through January 1973, which we passed in the first session.

FEDERAL JURY REFORM ACT, 1968

Early this session Congress completed action on S. 989—Public Law 90–274—the Federal Jury Reform Act. Henceforth, Federal court jury panels must be selected at random from a "fair cross section of the community" in which they are empaneled. Specifically prohibited by this act is discrimination in jury selection on the basis of race, color, religion, national origin, or economic status. This will insure that juries are not "loaded" against a defendant on any of these counts.

CIVIL RIGHTS ACT OF 1968

The Civil Rights Act of 1968—H.R. 2516, Public Law 90–284—contains provisions relating to protection against intimidation in the exercise of civil rights, relating to fair housing, relating to the rights of American Indians, and relating to riot incitement.

Past actions of intimidation and interference by persons hostile to those exercising their constitutional and legal rights to vote, to sit on juries, to attend schools, and to work at or use places of public accommodation led Congress to enact Federal penalties for conviction of such intimidating practices. These penalties strengthen those provisions in the Constitution and the various civil rights acts guaranteeing to each American his rights as a citizen.

Various civil disturbances in our cities have aroused concern in the Nation. Responding to this concern and the need to maintain order, the Congress included in H.R. 2516 Federal penalties for crossing a State line or using the facilities of interstate commerce to incite rioting or to instruct persons in the making and using of weapons of violence for use in rioting. The act makes it a Federal crime to interfere with a law-enforcement officer or fireman performing his official duties during a riot.

COMMERCE, INDUSTRY, AND TRANSPORTATION

There are a number of measures affecting commerce, industry, and transportation which merit noting, including the Aircraft Noise Abatement Act, the Federal Aid to Highways Act, and extension of the State Technical Services Act.

STATE TECHNICAL SERVICES ACT EXTENSION

In 1965, Congress enacted a State Technical Services Act authorizing, over a period of 3 years, $60 million in matching grants to States establishing technical information programs at State universities, land-grant colleges, technical institutions, and business administration schools. The purpose of these programs is to aid businesses in applying scientific techniques to their operations. By 1968, 1,500 projects were underway in 50 States.

Congress has continued this constructive program through fiscal 1971, authorizing appropriations totaling $26.6 million, $6.6 million in 1969 and $10 million each in 1970 and 1971—Public Law 90–422, S. 3245, H.R. 16824.

COMMERCIAL FISHERIES RESEARCH AND DEVELOPMENT ACT EXTENSION

Late in the session, the Congress extended the 1964 Commercial Fisheries Research and Development Act through 1972 and authorized matching grant funds for the various programs it supports—Public Law 90–551, S. 3866. This act has enabled the States to manage commercial fishery resources more effectively and to carry on important research and development of commercial fishing. Since enactment of the 1964 act all but one State, Nevada, have launched programs with the grants provided by the act. Grants are also available for launching new fisheries and for assisting States hit by unusual fish crises, such as disease.

AIRCRAFT NOISE ABATEMENT ACT

The development of commercial aircraft has not been an unmixed blessing. The sonic speeds at which they move and their powerful engines combine to create bothersome noise and booms. The public is not happy with that situation and there have been demands for some control of these nuisances. Accordingly, Congress passed H.R. 3400—Public Law 90–411—during the second session, authorizing the Federal Aviation Administration to set aircraft noise and sonic boom standards for commercial aircraft. An aircraft will not be certified for flying until it has been determined that it comports with these standards.

HIGH-SPEED GROUND TRANSPORTATION

Congress extended through 1971 the High-Speed Ground Transportation Act of 1965. H.R. 16024—Public Law 90–423—in addition, authorizes expenditures of $16.2 million for fiscal 1969 and $21.2 million for fiscal 1970. The purpose of money provided by these acts is to develop high-speed rail lines between major urban areas and surrounding suburbs. With rapid access to the city, commuters may be more prone to use such trains, leave their cars at home, and, thereby, reduce traffic problems in our large cities.

FEDERAL AID TO HIGHWAYS ACT OF 1968

In passing S. 3418—Public Law 90–495—the Congress authorized $12.3 billion for construction of highways and other roads during 1970 and 1971. A sum of $8.34 billion was authorized for the Interstate Highway System and this amount spans 1970 through 1974. Another $2.2 billion was authorized for primary-secondary-urban extension roads. Highway beautification programs were authorized $25 million. Additional sums were allotted for State safety programs, safety research and development, forest highways, public lands, highways, forest trail roads, park trail roads, and Indian reservation roads and bridges.

Numerous directives and provisions were included in the act, including an increase in the mileage of the Interstate System from 41,000 to 42,500 and extension of its completion date from 1972 to 1974.

MASTER KEYS ACT

The theft of automobiles is a continuous problem in our society, but there is no sense making the deed easier. In recent years an increasing number of companies have been advertising and selling master keys allegedly capable of unlocking trunks and doors of all makes of cars. Here is one of those seemingly useful inventions with unanticipated drawbacks, for while such keys permit the owner to get into his car, if by chance he has lost his keys or locked them in his trunk, they also permit the car thief to get in and drive it away.

Congress this session, therefore, passed H.R. 14935, prohibiting the mailing of master keys for motor vehicles, or the advertisement of them for sale. The Postmaster General is authorized to grant certain exemptions to the mailing prohibition. By imposing this prohibition Congress hopes to abate to some degree the flow of such potentially criminal tools.

MERCHANT MARINE ACT AMENDMENT

Passage of S. 2419—Public Law 90–268—amended the 1936 Merchant Marine Act to prohibit the Maritime Administration from continuing to discriminate on the basis of container length and height dimensions in granting construction or operating subsidies or mortgage insurance.

FEDERAL MARITIME ACT

On adjournment eve Congress gave final approval to H.R. 159 providing for the establishment of a Federal Maritime Administration as an independent agency in the executive branch. H.R. 159 places the Maritime Administration under the three-member Federal Maritime Board and designates the Chairman of the Board its chief administrative officer. The Maritime Administration is presently within the Department of Commerce. The President has favored transferring it to the Department of Transportation, but H.R. 159 will make it an independent agency.

CONSUMER PROTECTION LEGISLATION

The past 3 years have found the Congress giving considerable attention to measures designed to protect the consumer from injury or fraud. In 1966, we passed an important Auto Safety Act setting higher standards in the production of automobiles. Last year we passed the Flammable Fabrics Amendments and the Clean Meat Act. This year Congress enacted additional legislation of like nature, including a Credit Protection Act which has been in the legislative mill for several years.

CONSUMER CREDIT PROTECTION ACT

Passage of S. 5, Public Law 90–321, climaxed a near decade of debate over legislation requiring that a person obtaining a loan or credit be advised in full of the interest cost to him. Mr. Speaker, surely we cannot discuss this subject without honoring a former Member of the other body, the Honorable Paul Douglas of Illinois, who was the champion of this bill for many years.

The major aspect of the Consumer Credit Protection Act is the Truth-in-Lending Act, title I of Public Law 90–321. It requires, effective July 1969, the disclosure of credit costs and annual rates of finance charges on loans and installment credit, not only in percentage but in dollars and cents as well. Also required is annual, and periodic, disclosure of charges on revolving credit accounts. First mortgages are also generally brought within the provisions of this act, though home lenders are not required to disclose the total dollar cost of a financing charge.

The act imposes new restrictions aimed at ending fraudulent second mortgage practices which have bilked the unsuspecting. Generally, these practices entail some minor home improvement at an inflated cost. The homeowner signs a second mortgage as collateral against failure to pay for the improvement. Often, when payments are not kept up, the holder of the second mortgage moves in to foreclose, an option carefully planted within the second mortgage. To protect the homeowner against entrapment in such shady deals, S. 5 permits him to cancel any second mortgage within 3 days of signing it.

Another provision of 90–321 limits the amount of money a creditor may garnish from the paycheck of a person in debt to him. No more than 25-percent garnishment of take-home pay will be permitted, and a flat $48 weekly exemption from garnishment is provided for low-income workers.

Lastly, the act contains provisions to fight the "loan sharks" who collect exorbitant interest for granting loans to persons with poor credit ratings. Any financing of extortionate extensions of credit or attempts to collect through extortionate means is now a Federal offense punishable by a maximum $10,000 fine and 20 years' imprisonment.

FIRE RESEARCH SAFETY ACT

The second consumer act of the second session was the Fire Research and Safety Act—Public Law 90–259, H.R. 11284—authorizing a 2-year $5 million Federal program of research on the causes of fires and methods of reducing loss of life and loss of property from fire. Also established by the act is a 20-member National Commission on Fire Prevention and Control. This 2-year study of the problems and methods for coping with fire should help cut down the terrible losses which accompany fires.

AUTO INSURANCE STUDY ACT

The public has complained for some time about the adequacy and cost of automobile insurance. Responding to this discontent, the President, in his extensive consumer message, requested that Congress authorize a study of the entire industry. This it did by enacting Senate Joint Resolution 129—Public Law 90–331—authorizing a 2-year study by the Department of Transportation at a cost of $2 million. This comprehensive study will investigate all aspects of the automobile compensation insurance system with the expectation of legislation resulting which will correct any flagrant abuses or which will strengthen the system.

POULTRY PRODUCTS INSPECTION ACT

A companion measure to the 1967 Wholesome Meat Act emerged from the

Congress this past year. The Wholesome Poultry Products Act—Public Law 90-492, H.R. 16363—extends Federal inspection standards to poultry sold within a State in the same way the Meat Act extended it to meat production plants which operate solely within a State. H.R. 16363 authorizes the Secretary of Agriculture to work with State agencies in establishing adequate poultry inspection programs, equal, at least, to those of the Federal Government. It is estimated that 1.6 billion pounds of poultry slaughtered annually in the United States will be covered now by adequate inspection standards.

REFERENCE TO OTHER RELATED ACTIONS

Before passing on to legislation affecting the District of Columbia, I would advise Members that discussion of the Interstate Land Sales Disclosure Act is to be found in the housing section and the discussion of the Gas Pipeline Safety Act is to be found in the natural resources section of this report.

DISTRICT OF COLUMBIA

Mr. Speaker, for more than a year now the District of Columbia has been operating under a new form of government, pursuant to the President's reorganization plan which eliminated the three-man Commissioner system and substituted a single Commissioner, a Deputy Commissioner, and a City Council, appointed by the President with the consent of the Senate. The results have been more than satisfactory. The City Council has proven a useful forum for the expression of community feelings and for voicing the demands and concerns of the residents of the District.

Congress, of course, retains primary responsibility for District legislation. This past session we enacted some important District of Columbia measures, including a bill to provide for an elected school board, increases in pay for policemen, firemen, and schoolteachers, and a revenue act.

ELECTED SCHOOL BOARD

The Congress completed action this session on H.R. 13042—Public Law 90-292—which provides for an elected school board for the District of Columbia. Probably no issue is closer to the people of a community than the operation of their school system. Prior to enactment of Public Law 90-292 the District of Columbia School Board was an appointed body, with Federal district court judges exercising the power of appointment. The judges themselves were not disposed to retain this power of appointment and petitioned the Congress to provide for popular election.

For the first time in its history, then, the District of Columbia will elect a school board. It will be composed of 11 members, eight elected from wards and three elected at large.

Mr. Speaker, the 90th Congress has taken two important steps toward providing the residents of the District of Columbia a greater voice in the determination of policy affecting them. It is to be hoped that the residents will welcome and responsibly exercise the franchise extended to them by Public Law 90-292. Of historical interest, Mr. Speaker, is the fact that residents of the Capital City have not been permitted a vote in community affairs since 1874-78, when they chose a nonvoting Delegate to the House of Representatives.

PAY INCREASES: FIREMEN AND POLICE, TEACHERS AND SCHOOL OFFICERS

The Congress voted pay increases for District firemen and policemen and District teachers, the Superintendent of Schools, and the Deputy Superintendent. H.R. 15131—Public Law 90-320—increased the pay of firemen and policemen in two stages. Stage 1, retroactive to October 1967, increased entrance salaries from $6,700 to $7,800 with proportionate increases in other salaries. Stage 2, effective July 1968, set the entrance salary at $8,000, and revised higher salaries. H.R. 16049—Public Law 90-319—provided a two-stage pay increase for teachers and school officers. Stage 1, retroactive to October 1967, increased the entrance salary to $6,400 for a teacher, and revised the salary schedule accordingly. It also raised the Superintendent's salary to $29,000 and the Deputy Superintendent's to $25,000. Stage 2, effective July 1968, revised the salary schedule to reflect a beginning salary of $8,000, and increased the annual salaries of the Superintendent and Deputy Superintendent to $30,000 and $26,000 respectively.

VISITOR'S CENTER ACT

Congressional approval of H.R. 12603—Public Law 90-264—authorized the Secretary of the Interior to reach agreements with the Washington Terminal Co. for remodeling Union Station, near the Capitol, for use as a National Visitor Center accommodating 6,000 persons per hour, with parking facilities for 4,000 vehicles. The company is not to spend more than $16 million for renovation and construction. If the Government is satisfied with the reconstruction, it retains the option of leasing the building for up to 25 years and the further option of purchasing it. No Federal expenditures will be made until the facilities are ready for public use in 2 or 3 years.

Mr. Speaker, when completed this will be a fine center for Americans visiting Washington, D.C. There they will be able to obtain information about their National Capital and become familiar with its terrain and the location of important public buildings and memorials.

FEDERAL CITY COLLEGE

Members will recall that in the first session we established two centers of learning in the District of Columbia: the Federal City College and the Washington Technical Institute. This session, Congress designated the Federal City College a land-grant college, entitling it to annual Federal grants in lieu of land—S. 1999, Public Law 90-354.

AIR POLLUTION CONTROL ACT

Washington, like other major metropolitan centers, faces an air pollution problem. In recent years, the Congress has passed measures to grant funds to States and cities for the establishment of effective air pollution control problems. Last year we passed a very fine Air Quality Act.

In addition to money, it is important that a city have the authority to establish air pollution standards. Accordingly, Congress this year passed S. 1941—Public Law 90-440—authorizing the District of Columbia City Council and the Commissioner of the District to take such action as may be necessary to protect and improve the quality of air in the District. This act provided that the Council may adopt air pollution control regulations of the type proposed in the model air pollution control ordinance adopted by the Metropolitan Washington Council of Governments.

REVENUE ACT OF 1968

Each year the Congress approves an authorization act for the District. The one approved this year is of particular importance as it increased the income tax rates in the District.

H.R. 16361—Public Law 90-450—amended the tax rate schedule as follows: not over $1,000, 2 percent of taxable income; $1,000 but not over $3,000, $20 plus 3 percent of excess above $1,000; $3,000 but not over $5,000, $80 plus 4 percent of excess above $3,000; $5,000 but not over $10,000, $160 plus 5 percent of excess above $5,000; over $10,000, $410 plus 6 percent of excess above $10,000. The act further increased the tax on corporations and other businesses from 5 percent to 6 percent and provided for a 4-percent sales tax, with the exception of groceries which shall be taxed at 1 percent.

Additional provisions of Public Law 90-450 prohibit the transporting of District school students solely to achieve racial balance in the public schools; prohibit the expenditure of funds to provide education for students outside the District unless they are handicapped or live in foster homes outside the city's boundaries; prohibit the expenditure of funds to further the aims of demonstrations directed toward influencing legislation or government policy; and authorize the Alcoholic Control Board to determine the hours during which liquor shall be sold in the District.

Finally, the act authorized a Federal payment to the District general fund of $90 million. As Members know, this payment reflects the presence of the National Government in the District and the peculiar burden this places on the city and its residents. Accordingly, a share of the cost of running the city is assumed by the Federal Government.

APPROPRIATIONS ACT, 1969

Appropriations for 1969 were granted the District in H.R. 18706—Public Law 90-473. A sum of $79 million was provided in Federal funds to the District of Columbia general fund. Additional Federal grants raised the Government's total contribution to the District to $82,282,000. Federal loans were authorized in the amount of $66,473,000 with appropriations from the District of Columbia revenues contributing the balance of funds which brought the total appropriation to $540,178,988. In addition to these sums, the District will obtain another $186.8 million in Federal grants during fiscal 1969. I should note that the appropriations carried no funds for the proposed rapid rail transit system.

ALCOHOLIC REHABILITATION ACT

It is more and more recognized that chronic alcoholism is a medical rather than criminal problem. Congress enacted, therefore, an Alcoholic Rehabilitation Act for the District of Columbia—H.R. 14330, Public Law 90–452.

H.R. 14330 develops within the District law the concept that chronic alcoholism is primarily a medical problem, not a criminal offense, by modifying the law to define drunkenness not in terms of disturbing the peace, but rather as representing a danger to the person himself, to others, and to property.

Public Law 90–452 directs the Commissioner of the District to establish a comprehensive program of medical and rehabilitative services for chronic alcoholics, and for the prevention of alcoholism. This action represents an intelligent and humane approach to this problem.

MEDICAL FACILITIES CONSTRUCTION ACT

Congress passed a Medical Facilities Construction Act—S. 1228, Public Law 90–457—authorizing over a 4-year period the appropriation of $40 million for the modernizing of public or nonprofit private hospitals, and the construction or modernization of public health centers, long-term care facilities, diagnostic or treatment centers, rehabilitation facilities, facilities for the mentally retarded, and community mental health centers in the District of Columbia.

S. 1228 further authorizes $40,575,000 in loans for construction or modernization of any hospital or other medical care facility in the District. No loans shall cover more than 50 percent of the cost of a project and the period of repayment may be as long as 50 years.

Passage of this act was needed to provide hospital construction and modernization grants and funds in addition to those available through existing Federal aid programs.

ADMINISTRATIVE PROCEDURE ACT

Toward the close of the second session the Congress completed action on H.R. 7417, an Administrative Procedure Act for the District of Columbia. This act applies to the 93 administrative governmental agencies of the District, and the laws which they administer.

It directs the Commissioner, the Council, and subordinate agencies of the District of Columbia government to establish rules governing the formal and informal procedures prescribed by the Administrative Procedure Act. These rules must be published and will afford to the resident of the District information with which he may determine the fairness of any ruling made by any agency of the District government. This act will further guarantee that decisions affecting the public will be a matter of public record.

Mr. Speaker, this is a comprehensive and very fine piece of legislation based upon a study by local lawyers of the administrative practices and procedures of District government agencies. Nineteen States have similiar laws and it is to our credit that Congress enacted this act for the benefit of District residents and the improvement of the government of the District of Columbia.

Mr. Speaker, in 1967 Congress extended the Elementary and Secondary Education Act of 1965 and the college work-study program. It also adopted amendments to the Library Services and Construction Act and passed the Public Broadcasting Act.

We were equally productive this second session.

HIGHER EDUCATION AND STUDENT LOAN PROGRAMS

In 1968, Congress passed an extension of the Higher Education Act of 1965, the National Defense Education Act of 1958, the Higher Education Facilities Act of 1963, and the National Vocational Student Loan Insurance Act of 1965.

S. 3769 extends these important programs through 1971. Funds for 1969, in addition to those already authorized, total $885,290,000. In 1970, a total of $2,964,180,000 is authorized, and in fiscal 1971, $3,539,850,000.

These funds will continue the many fine loan programs that enable American youth to obtain a college education, which, in turn, enables them to enjoy a better life. Ultimately, of course, society benefits from the gains realized from each student's betterment of himself. This is the larger reward resulting from the truly magnificent education programs which have been enacted during the past 10 years.

In addition to authorizing loans for individual students, S. 3769 provides grants and loans for college construction, aid for developing institutions, and funds for college libraries.

A number of new programs are also initiated by this act, including grants to set up programs allowing alternative periods of full-time study and full-time employment; to encourage institutions of higher education to share facilities; to strengthen graduate education programs; to improve the education of students preparing for public service; and to assist law students in gaining practical experience.

Two new programs will provide assistance to disadvantaged students, and the NDEA school equipment program was extended to elementary and secondary schools in poverty areas. A special program was authorized to provide services to college students who come from deprived backgrounds.

Here are some of the major authorizations in this Omnibus Higher Education Act:

Educational opportunity grants: 1969, $70 million; 1970, $100 million; and 1971, $140 million. These grants particularly aid needy college students.

College work study: 1969, $225 million; 1970, $255 million; 1971, $285 million.

NDEA student loans: 1969, $210 million; 1970, $275 million; and 1971, $300 million.

Upward Bound: 1969, $10 million; 1970, $56,680,000; 1971, $96 million.

Small college aid: 1969, $35 million; 1970, $70 million; 1971, $91 million.

Networks for knowledge: 1969, $340,000—in addition to funds already authorized; 1970, $4 million; 1971, $15 million.

Graduate education assistance to institutions: 1969, $340,000—in addition to funds already authorized; 1970, $5 million; 1971, $10 million.

Library resources: 1969, $25 million; 1970, $75 million; 1971, $90 million.

Facilities construction: During 1970 and 1971, $936 million for undergraduate facilities, and $120 million for graduate facilities.

VOCATIONAL EDUCATION

Late in the second session, Congress completed action on H.R. 18366 which extended and improved several Federal aid programs to vocational education. In addition to granting funds, H.R. 18366 established a 21-member National Advisory Council on Vocational Education. It is to work with existing State advisory councils for the improvement of vocational education programs.

Funds authorized for various existing high school, post-high school, and handicapped programs, and for research and training in institutions of higher learning and other vocational training institutions were as follows: 1969, $355 million; 1970, $675 million; 1971, $675 million; 1972, $675 million; 1973 and each succeeding fiscal year, $565 million.

Programs were authorized to assist States in reducing the continuing high level of youth unemployment among those who do not continue their education beyond the secondary level. Grant funds for these programs were authorized at $15 million for 1969, and $57.5 million for 1970, and $75 million for 1971 and 1972. Programs funded by these grants are "to broaden occupational aspirations and opportunities for youths, with special emphasis given to youths who have academic, socioeconomic, or other handicaps."

A program of demonstration residential vocational education schools was authorized by H.R. 18366. Youths between 15 and 21 will receive vocational training and also live at the schools providing that training. These schools will aim particularly at the dropout and youthful unemployed. Funds for this new effort are: 1969, $25 million; 1970, $30 million; 1971 and 1972, $35 million. Additional sums were allotted for State provision of facilities: $15 million in 1969; $15 million in 1970.

Consumer and homemaking education programs were continued by H.R. 18366, Authorizations are $25 million for 1970, $35 million for 1971, and $50 million for 1972. Federal support of home economic programs was one of the earliest forms of Federal aid to education.

This act also expanded cooperative work-study programs by providing financial assistance for personnel to coordinate such programs, to provide instruction, and for employers who cooperate in work-study programs. Authorizations granted for 1969 were $20 million; for 1970, $35 million; for 1971, $50 million; and for 1972, $75 million. In addition, grants to States for work-study programs were authorized at $35 million each for 1969 and 1970.

Authorizations for curriculum development in vocational and technical education are $7 million for 1969 and $10 million for 1970.

H.R. 18366 amended the vocational education leadership and professional development title of the Higher Education Act of 1965 by providing for advanced study by experienced vocational educators. Grants will be available to the States for providing the opportunities and the programs for this advanced study. For 1969, these will amount to $25 million and for 1970, $35 million.

Important miscellaneous provisions of H.R. 18366 exempted Federal aid to education programs from the expenditure limitations in the Revenue and Expenditure Control Act—Public Law 90-364—authorized the Commissioner of Education to study the feasibility of consolidating education programs in order to provide more efficient use of Federal funds, authorized the Commissioner to study means by which the Job Corps might be transferred to State or joint Federal-State operation in conjunction with the residential vocational education program authorized in H.R. 18366, and authorized the President to study the advisability of transferring the Headstart program from the Office of Economic Opportunity to some other agency of the Government.

Mr. Speaker, it can truly be said that this act will be an effective force for checking the dropout problem among some of our youth and for providing opportunities for meaningful employment training to those young persons who might otherwise join the ranks of the unemployed and the underemployed.

HANDICAPPED CHILDREN'S EARLY EDUCATION ASSISTANCE ACT

Congress this year initiated yet another valuable program to assist in the education of the handicapped. H.R. 18763—Public Law 538—authorizes the Commissioner of Education to arrange with either public or private nonprofit agencies for experimental programs for handicapped preschool children. A total of $23 million is authorized for programs through 1971: $1 million in 1969, $10 million in fiscal 1970, and $12 million in 1971. The Federal Government will pay 90 percent of the cost of these programs.

NATIONAL SCHOOL LUNCH ACT AMENDMENT

The National School Lunch Act was amended this year to extend the program to children in public or private nonprofit child-care institutions in areas where poor economic conditions exist or where there are high concentrations of working mothers. H.R. 15398—Public Law 90-302—includes institutions which provide day-care service for handicapped children within the extension. Also extended through 1971, by H.R. 15398, was the school breakfast program initiated by the 1966 Child Nutrition Act.

NATIONAL SCIENCE FOUNDATION

A major reorganization of the National Science Foundation was authorized in H.R. 5404—Public Law 90-407. The scope of the Foundation was enlarged by permitting it to support applied as well as basic research, and to support research in the social sciences as well as the natural sciences.

Public Law 90-407 requires the Foundation to obtain annual authorizations for funds, an innovation. The 1969 authorization is $525 million. So fantastic has been the growth of NSF activities that its appropriations have risen from a beginning level of $500,000 in 1950 to more than $400 million during fiscal 1969.

Other changes enacted by H.R. 5404 include fostering of computer and other scientific methods for research and education in the sciences, and administrative reorganization of the Foundation.

NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES

Congress authorized $34 million in appropriations through 1970 for the programs and activities of the National Foundation on the Arts and Humanities. In addition, H.R. 11308—Public Law 348—authorized the matching of private gifts to the Foundation up to $13.5 million over the 2-year period. These authorizations will permit the Foundation to continue support of artistic and cultural development in our society. Actual funds for 1969 were appropriated in the Interior Department Appropriations Act, discussed earlier in this report.

SEA GRANT COLLEGE AUTHORIZATION ACT

Another education measure enacted by Congress during 1968 authorized 1969 and 1970 funds to support schools and programs in the marine sciences. These sea grant college appropriations were first authorized in 1966. H.R. 13781—Public Law 90-477—provides $6 million in 1969 and $8 million in 1970 to continue them. The act also clarifies the matching fund procedures followed in applying for Federal assistance.

EISENHOWER COLLEGE AND WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

Finally, it is appropriate to note that Congress took two actions to honor past Presidents of the United States. In passing H.R. 19831 Congress directed the Secretary of the Treasury to grant funds to Eisenhower College in Seneca Falls, N.Y., for the construction and renovation of buildings and grounds. Up to $5 million in grants will be available for these purposes.

In passing S. 3174, Congress authorized an International Center for Scholars to be constructed near the Smithsonian Institution in the District of Columbia. This center was suggested as a fitting living memorial to President Wilson by the Woodrow Wilson Memorial Commission, established by Congress in 1961. The center will serve as a place of study for distinguished scholars from all over the world. S. 3174 is an initial step toward final realization of the center.

Passage of these two measures closed out a very productive 2-years' action by the Congress in support of education in the United States.

FOREIGN AFFAIRS, NATIONAL SECURITY, ARMED FORCES, AND VETERANS LEGISLATION

Quite an array of legislation was passed this session touching the conduct of our foreign affairs, our national security, and Armed Forces, and our veterans. These measures, of course, are in addition to the funds provided in the several appropriations and authorization measures affecting these areas as discussed above.

FOREIGN AFFAIRS AND FOREIGN TRADE

Three measures relating to the Export-Import Bank were passed by the Congress during 1968. S. 1155—Public Law 90-267—extended the Bank for 5 years, increased its lending authority from $9 billion to $13.5 billion, and shortened its name to Eximbank. President Johnson has requested these actions in his 1967 economic message. The increase in the Bank's lending authority, it is hoped, will act as a corrective to our adverse balance-of-payments situation.

Three important provisos were attached by the Congress to Public Law 90-267. One bars Eximbank credit for purchases of U.S. goods by nations at war with the United States or by nations aiding such adversaries. A second proviso bars transactions by the Bank with Communist countries unless the President reports his determination to do so to the Congress. A third proviso relates to Eximbank loans to underdeveloped countries for the purchase of military supplies and services. It will be recalled that Congress attached several provisos prohibiting or discouraging such activities by Government agencies to legislation passed in the first session. Congress stipulated in S. 1155 that the Eximbank could not make such loans unless the President finds them in the national interest and gives Congress 30 days' notice.

Subsequently, Congress passed the Foreign Military Sales Act, a measure submitted by the administration because of congressional opposition to existing sales policy. H.R. 15681 consolidated and revised the Foreign Assistance Act of 1961 as the latter applied to U.S. sales of armaments to foreign nations.

The new military sales act permits the sale of arms to developed nations and authorizes the Eximbank to participate in such sales through credit arrangements. It bars Eximbank funding of sales to less developed countries, however, and abolishes the Department of Defense fund which permitted DOD crediting of such sales to less developed countries. H.R. 15681 states that credit sales of arms shall be funded in the future only to the extent permitted by specific congressional authorization. This will preclude clandestine sales, which sometimes occurred in the past. H.R. 15681 authorized no more than $296 million for such transactions during 1969.

In passing H.R. 16162—Public Law 90-390—Congress broadened the lending authority of the Eximbank by permitting it to make relatively high-risk loans to foreign borrowers otherwise ineligible for credit under Eximbank standards. This new authority will permit the Bank to compete more effectively with the export agencies and programs in other nations. It was requested by the President to help reverse our balance-of-payments deficits.

H.R. 16162 authorizes use of $500 million of the Bank's $13.5 billion lending authority for high-risk loans if the Bank's directors feel that the probability of repayment is good. The requirement for only a 25-percent guarantee and insurance liability could permit the extension of $2 billion in new credit under this high-risk loan authorization. None of the credit extended under this new program may finance the sale of military equipment.

The Congress completed action late in the second session on H.R. 17324 which amended the Renegotiation Act, amended the Antidumping Act of 1921, and continued U.S. participation in the International Coffee Agreement through September 30, 1970.

H.R. 17324 extended the Renegotiation Act of 1951 through fiscal 1971. This act permits renegotiation by Government agencies to eliminate excessive profits in contracts and subcontracts related to national defense and space programs. Technically, discussion of the act falls within the section in my report on national defense following this section. I have included it here because of the antidumping amendment in H.R. 17324. This amendment authorizes the Tariff Commission to take into consideration the provisions of the U.S. Antidumping Act in applying or implementing the International Antidumping Code. In effect, the amendment adopted by the Congress permits discretion by the Tariff Commission in following the International Code. This flexibility will ensure that International Code restrictions adverse to the United States and U.S. industry will not unnecessarily bind the Commission in the making of its decisions.

The programs and research activities of the Arms Control and Disarmament Agency were extended through 1970 by H.R. 14940—Public Law 90–314. Authorizations for the 2-year period total $18,500,000 with a $7 million limitation on contracted research.

H.R. 15364—Public Law 90–325—authorized the U.S. Governor of the Inter-American Development Bank to vote for an increase in the authorized capital stock of the bank. Also authorized was the U.S. share—$411,760,000—of the $1 billion increase in the Bank's capital stock. The I–ADB, of course, finances loans to our sister republics to the south for the improvement of their economies and societies.

Let me mention also that among the treaties approved by the Senate this session was one revising the structure of the Organization of American States. These revisions will improve the effectiveness of the OAS in coping with mutual hemispheric problems.

One of the most successful components of our foreign aid activities is the food for peace program—Public Law 83–480. Congress extended this through 1970 when it passed S. 2986—Public Law 90–436. Under the Food for Peace Act, the President authorizes sales and donations of U.S. farm surpluses and produce to needy nations. The 1968 extension states that resulting foreign currencies should be used to promote voluntarily population growth control programs in recipient countries. It further authorizes use of such currencies for cultural and educational exchange programs. Another provision directs the President to gain assurances from developing countries of a fair U.S. share of any increases of farm commodities purchased by them. Finally, S. 2986 prohibits sales of farm commodities to countries trading with North Vietnam.

The Congress authorized a Foreign Service Information Officer Corps this session—S. 633, Public Law 90–494. In formalizing the training of such personnel, this act promotes more effective discharge of duties by Foreign Service Information officers.

NATIONAL DEFENSE AND THE ARMED FORCES

The Congress passed a companion measure to H.R. 17324, the Renegotiation Act extension discussed in the previous section. H.R. 10573, Public Law 90–152, amended the Truth in Negotiations Act of 1962 to give the Government authority to examine contractor pricing records for those defense contracts not let through competitive bidding. These types of contracts total almost $5 billion annually. The examining authority will act as an inhibition toward guaranteeing honesty and efficiency in noncompetitive defense contracting.

Congress extended the Defense Production Act of 1950 with passage of H.R. 17268—Public Law 90–370. This act established procedures to assure the orderly flow of defense supplies in wartime. H.R. 17268 continues these through June 30, 1970. Moreover, it requires the Comptroller General to study the feasibility of applying uniform cost accounting standards to all defense contracts and subcontracts of $100,000 or more. His findings are to be reported to the appropriate congressional committees by December 1969.

Among those items enacted affecting the Armed Forces of the United States were Public Law 90–486, Public Law 90–510, and H.R. 15971.

Public Law 486—S. 3865—clarifies the employee status of National Guard technicians. Such technicians as of 1969 will be considered Federal employees and are thereby afforded the various health, insurance, pension, and death benefits available to other Federal employees. This act also established a 42,500 ceiling on the number of such technicians that may be employed at any one time.

Public Law 510—H.R. 17780—authorizes hostile-fire pay to the crew of the U.S.S. *Pueblo* during its incarceration by the North Koreans. We remain hopeful, of course, that their release will soon be negotiated.

Finally, H.R. 15971, cleared late in the session, makes some landmark revisions in the military justice system. For the first time bail provisions have been approved for military personnel appealing court-martial decisions. Another provision of H.R. 15971 ensures that legal officers will not be unduly pressured in the performance of their duties by base commanders.

This act also provides a defendant with the option of trial by a legal officer rather than by officers or enlisted men in his own unit. It also extends a defendant's right to a qualified military lawyer during special and summary courts-martial, as well as general courts-martial. Finally, it will permit an accused to petition for a new trial within 2 years, rather than the present 1 year allowance.

VETERANS LEGISLATION

During the past few years we have enacted a number of important measures benefiting Armed Services veterans, including the comprehensive Veterans' Pension and Readjustment Act of 1967. Additional beneficial measures were passed during the second session of the 90th Congress.

Among them was H.R. 15147, which will facilitate naturalization procedures for aliens who have served with the Armed Forces in Vietnam. This is a just privilege to extend to men willing to sacrifice their lives in fighting for the United States. Earlier in the session Congress approved H.R. 10135—Public Law 90–369—which extends citizenship privileges to surviving spouses of members of the Armed Forces killed in combat areas.

Congress passed a $235 million increase in disability compensation payments for veterans. H.R. 16027—Public Law 90–493—authorizes an increase in monthly benefits of $100—currently the payment is $300, with higher payments to those with severe disabilities—to veterans totally disabled. An 18-percent monthly increase was authorized for veterans with less than total disability.

In prior action, the Congress, by passing H.R. 12555—Public Law 90–275—increased the income limitations used to determine eligibility for the amount of pension allotted disabled veterans. H.R. 12555 permits pensioners to receive greater amounts of income than was previously the case from such sources as social security benefits without incurring reduction in their disability pension.

H.R. 14954—Public Law 90–431—provides for part-time vocational training for veterans. Previous to passage of H.R. 14954 veterans were limited to obtaining full-time training. This alteration will permit disabled veterans to retain employment at the same time they receive training for better jobs.

H.R. 16025, cleared on adjournment eve, lengthened the period of a veteran's entitlement to educational GI benefits so that it may equal one and one-half the duration of his active duty service. Under this provision, a maximum 36 months of benefits will be available to a veteran. H.R. 16025 extended educational benefits to widows of veterans killed in the service. It also authorized flight training for eligible veterans and contained additional benefits.

H.R. 16902—Public Law 90–432—raised the per diem for veterans' care in State operated veterans' homes and extended through fiscal 1974 the matching grant program for construction of State nursing home facilities for veterans. The per diem was raised to $3.50, and in some cases $5, while construction grants were authorized at $5 million per year.

Public Law 90–429—H.R. 7481—raised the maximum per diem from $12 to $14.40 for veterans transferred from Veterans' Administration hospitals to community nursing homes. Subsequently, Congress approved H.R. 3593 to include nursing home care in Alaska and Hawaii within this per diem allowance. H.R. 3593 also exempted the Veterans' Administration from the personnel ceilings imposed by the Revenue and Expenditure Control Act—Public Law 90–364.

H.R. 10477—Public Law 90–301—authorizes the Veterans' Administration Administrator to regulate the allowable interest rate on housing loans for veterans. The effect of this authorization is to permit mortgage guarantee by the Federal Housing Authority above the present 6-percent maximum. This removal of the 6-percent limitation will continue through October 1, 1969. It will permit greater flexibility in guaranteeing FHA backing of mortgages, and comports with the general high-level interest being charged for housing loans at this time.

Finally, Congress gave approval to House Concurrent Resolution 705 which enunciates the policy of giving preference to veterans in recruiting employees for the Government and encouraging preferential hiring policies in private industry through Federal procurement of service and supplies from the private sector.

In this section, Mr. Speaker, I deal with measures relating to the structure, organization, operations, and personnel of the Federal Government and to State-Federal relations. It should be understood that these are only the more significant of many bills enacted in these areas during the second session.

PROTECTION OF PRESIDENTIAL CANDIDATES

Regrettably, Congress found it necessary to adopt a measure providing Secret Service protection for major presidential candidates. Congress acted swiftly to extend this protection following the assassination of Senator Robert F. Kennedy in Los Angeles, Calif., last June. Vice presidential candidates also were authorized protection by House Joint Resolution 1292—Public Law 90–331. A committee composed of the House and Senate leadership and the Secretary of the Treasury determines who shall receive protection. House Joint Resolution 1292 appropriated a sum of $400,000 to cover initial costs for providing this protection. Subsequently, Congress appropriated $1.6 million in the Treasury, Post Office Appropriations Act to pay for the personnel necessary to provide this added protection.

ELECTION LAW ACTS

Congress passed three election law changes of some significance. H.R. 17325—Public Law 90–346—permits, once more, a tax deduction to businesses purchasing advertisements in the programs of national party conventions. Funds obtained in this manner must be used solely to defray the cost of a convention, or subsequent conventions, for the tax deduction to apply.

Public Law 90–343—S. 2884—amended the Federal Voting Assistance Act of 1955 to encourage States to alter absentee registration and voting procedures in order that citizens temporarily residing overseas may vote in elections.

Public Law 90–344—S. 1581—amended the Federal Voting Assistance Act of 1955 to assist Armed Service personnel to vote in Federal elections.

WHITE HOUSE CONFERENCE ON AGING

Congress agreed to the President's request for a White House conference on aging—House Joint Resolution 1371, Public Law 90–526. This conference will take place in 1971 and will issue a report within 120 days after its commencement. A $1.9 million authorization was included in House Joint Resolution 1371.

There have been two previous White House conferences on aging. President Truman called the first in 1950 to dramatize the problems facing old people. The second, called by President Kennedy in 1961, issued more than 600 proposals for aiding the elderly. Many of these have since been enacted into law, including the Administration on Aging in HEW, the Older Americans Act of 1965, the Age Discrimination Act passed last session, and the Manpower Development and Training Amendments of 1966.

Among topics to be considered by the 1971 conference are health, employment, housing, and retirement income.

INTERGOVERNMENTAL COOPERATION ACT

An important measure for the improvement of Federal-State cooperation cleared the Congress this session. S. 698 is the most significant action yet taken by the Congress to implement President Johnson's call for creative federalism. It encourages increased cooperation between the Federal Government and the Governors of the States in the administration of grants-in-aid and provides for congressional review of future grant programs.

The measure authorizes technical assistance and training services by Federal agencies for State and local governments. It establishes a coordinated intergovernmental urban assistance policy. It authorizes presidential consolidation of grant programs where this will expedite assistance.

FEDERAL MAGISTRATES ACT

Late in the session Congress completed action on the Federal Magistrates Act—S. 945. Passage of S. 945 replaces the existing system of U.S. commissioners appointed by Federal district judges. This change was supported by the Justice Department, the American Bar Association, the Judicial Conference of the United States, and the National Association of U.S. Commissioners.

Under the provisions of S. 945 the commissioners are abolished and replaced by magistrates, still appointed by Federal district judges. The important difference is that magistrates must, if at all possible, be lawyers, which is not the case under the existing system.

The present fee system of compensation for commissioners is replaced by a salary scale based on anticipated workloads. The terms of a magistrate is set at 8 years; that of a part-time magistrate at 4 years.

The Federal magistrates will perform the duties now performed by commissioners, which include arraignment of persons brought in on Federal charges and the trying of petty offenses. Magistrates are further authorized by S. 945 to perform such duties as the Federal district Court may assign, such as supervision of pretrial and discovery proceedings or preliminary consideration of certain petitions. Magistrates may also try certain minor Federal offenses if the defendant waives his rights to trial by a district court or by jury. These additional duties, and the fact that all magistrates if possible, shall be lawyers, will serve to relieve the workload in our Federal courts, which is heavy and increasing.

CIRCUIT COURT JUDGES INCREASE

It was in response to this increased workload that Congress approved S. 2349—Public Law 90–347—this session. This act provides for the appointment of one additional circuit court judge for the third circuit—making a total of nine—two additional judges for the fifth circuit—for a total there of 15—one additional judge for the sixth circuit—for a total of nine—four additional judges for the ninth circuit—total, 13—and one additional judge for the 10th circuit—for a total of seven.

ANNUITIES COVERAGE FOR SURVIVORS OF FEDERAL JUDGES

H.R. 9391—Public Law 90–466—permits Federal judges to provide annuities for their survivors within 6 months after marriage. This plugs a loophole in the law and places judges on equal footing with Members of the Congress, who may already provide for survivors' annuities.

CONGRESSIONAL STANDARDS OF OFFICIAL CONDUCT

Both the House and the Senate approved resolutions establishing standards of official conduct for their Members. The House passed House Resolution 1099, which made the Committee on Standards of Official Conduct a permanent standing committee of the House. House Resolution 1099 further defined the duties and powers of the committee, which include investigating and making recommendations concerning alleged misconduct by Members of the House. The Senate adopted Senate Resolution 266, which established certain guidelines of conduct for Members and employees of the Senate.

Both resolutions provided for a limited form of financial disclosure by Members and certain officers and employees of their respective chambers.

ASSAULTS ON POSTAL EMPLOYEES AND EXEMPTION FOR THE POST OFFICE FROM PERSONNEL CEILINGS IN PUBLIC LAW 90-364

Congress enacted H.R. 15387—Public Law 90–449—to provide penalties for assaults on postal employees while in the performance of their duties. H.R. 15387 also exempted the Post Office Department from the personnel ceiling imposed by the Revenue and Expenditure Control Act of 1968. This proved necessary after Postmaster General Marvin Watson advised the Congress that imposition of the ceiling would impair essential services of the Post Office Department.

COPYRIGHT EXTENSION

Congress once more failed to complete action on a comprehensive revision of the copyright laws, although the House did pass H.R. 2512 during the first session. The Congress, therefore, passed Senate Joint Resolution 172—Public Law 90–416—to continue present laws on copyright through December 31, 1969.

HEALTH AND HEALTH INSURANCE

Recent Congresses have enacted major health and health insurance legislation, including, of course, the Medicare Act of 1965. Additional advances were made by the 90th Congress during its second session.

ANIMAL DRUG AMENDMENTS ACT

Congress approved certain amendments to the Federal Food, Drug, and

Cosmetic Act assuring the safety and effectiveness of new animal drugs. H.R. 3639—Public Law 90-399—consolidates the provisions of Federal law relating to premarketing clearance of new drugs for administration to animals either directly or in their feed and water. It also expedites the procedure for obtaining this clearance by the Food and Administration.

NATIONAL EYE INSTITUTE ACT

H.R. 12843—Public Law 90-489—received congressional approval in 1968 and provided for a National Eye Institute in the National Institutes of Health. Establishment of this Institute will focus efforts to cure and prevent blindness and other eye disorders. The Institute will conduct research and training in special health problems and requirements of the blind. Among other things, H.R. 12843 provides for traineeships and fellowships in visual disorders.

HEALTH PROFESSIONS TRAINING ACT

Congress this year extended and expanded Federal aid programs providing educational assistance to persons in the health professions. S. 3095—Public Law 90-490—authorized grants for 2 years, 1970-71, for teaching facilities construction grants: $170 million in 1970, and $225 million in 1971.

Special project grants to institutions for training health professionals were authorized in the amount of $117 million in fiscal 1970 and $168 million in fiscal 1971. Student loan programs were continued, as authorized by the Public Health Service Act, through 1971 and, in some cases, through 1973. The loan interest rate will be 3 percent effective July 1, 1969. Scholarship programs are continued through 1971, with veterinary students declared eligible for them.

S. 3095 also extended nursing school construction funds for 2 years, authorizing $25 million in 1970 and $35 million in 1971. It expanded special project funds for grant programs to schools offering nursing diplomas, with 1970 authorizations of $35 million and 1971 authorizations of $40 million. Traineeship grants were extended through 1971 with $15 million authorized in 1970 and $19 million in 1971. Student loans were also extended through 1971, with the maximum loan raised from $1,000 to $1,500 per year and the aggregate amount borrowable set at $6,000.

A 1-year extension of the teaching facility construction program for the allied health professions was authorized at $10 million for fiscal 1970. Improvement grants in 1970 are for $20 million, and advanced training grants for $5 million.

Graduate training in public health grants was authorized through 1971 at $8.5 million and $14 million in succeeding years, while $10 million and $14 million authorizations were voted for traineeships for professional public health personnel.

Finally, S. 3095 extended the research facility construction grant program through fiscal 1972 and authorized $20 million in grants for 1970 and $30 million for 1971.

These substantial sums will help to close the gap between need and availability in the health professions.

REGIONAL MEDICAL PROGRAMS EXTENSION

Congress also extended the program of grants initiated by the Heart Disease, Cancer, and Stroke Amendments of 1965. H.R. 15758 continues these regional medical programs through 1970. The act also extends health service programs for domestic agricultural works. Included in H.R. 15758 is an Alcoholic Rehabilitation Act, authorizing grants for construction of facilities and their staffing for the prevention and treatment of alcoholism. Authorizations in the measure total $576.5 million: $89 million for fiscal 1969 and $487.5 million for fiscal 1970. Regional medical programs were authorized $185 million: $65 million in 1969, $120 million in 1970. Migrant worker health programs were authorized $9 million in 1969 and $15 million in 1970. Grants for the alcoholic rehabilitation program are $15 million in 1969 and $25 million in 1970.

H.R. 15758 also extended the Hill-Burton Hospital Construction Act through 1970, with a 1970 authorization of $295 million, and authorized $32 million for a 1-year extension of research and demonstration programs in the field of solid waste disposal.

PROTECTION FROM RADIATION

Late in the session Congress reached agreement on H.R. 10790, a bill designed to protect consumers from hazardous radiation emissions from electronic products such as color TV sets. H.R. 10790 directs the Secretary of HEW to establish a radiation control program, with authority to fix standards if he finds this necessary for the protection of public health and safety. Injunctions may be obtained in Federal courts to prevent the sale of products which fail to meet emission control standards.

HOUSING AND URBAN DEVELOPMENT

This session of Congress enacted the most comprehensive housing bill since 1949. Included in S. 3497 were an Interstate Land Sale Disclosure Act and a National Flood Insurance Act, as well as continuation of existing Federal housing programs and the creation of new ones. Altogether, a total of $5.3 billion was authorized over a 3-year period with an emphasis on providing more than 1.7 million new or rehabilitated units for low-income families. Major new programs include subsidies to help persons on low incomes purchase their own homes or rent apartments, and new urban renewal programs.

Significant aspects of this omnibus act include: assistance to low- and moderate-income families in purchasing homes; assistance to low- and moderate-income families in renting homes; amendments to strengthen various FHA mortgage insurance programs; FHA assistance for developers of new communities; improved urban renewal programs; extension of urban planning assistance programs to nonmetropolitan areas; increased authorizations for the mass transit programs and extension of the Emergency Act through June 1970; a new structure for FNMA to turn mortgage operations over to private hands while leaving certain administrative functions with the Government; new programs to encourage private industry construction of low- and moderate-income housing; housing loans for rural residents if other assistance is unavailable; a National Insurance Development Corporation to provide Federal-State shared reinsurance coverage for insurers when property loss has resulted from various criminal acts—riots; a 10-year housing program requiring the President to submit a report on goals and plans, with annual reports thereafter; and increased authorizations for the model cities program.

The National Flood Insurance Act in S. 3497—Public Law 90-448—will provide insurance coverage for families living in flood-prone areas, families the private insurance industry has been unable or unwilling to insure. Under this new program, the Federal Government will underwrite private insurance companies that issue policies protecting homes and property in areas subject to flooding.

Public Law 90-448 also contains the Interstate Land Sales Disclosure Act to curtail fraud in mail order sales of land. Sellers of land through the mail must register with the Secretary of Housing and Urban Development. Penalties are provided for misrepresentation of material facts relating to the sale of property via the mails.

Passage of S. 3497 was one of the truly landmark achievements of the entire 90th Congress. The measure had full bipartisan support and Members of Congress contributed important provisions to this act, which had administration backing. We know that improved housing is a keystone to tolerable urban life in the future. This measure will go far to meet the goals articulated by President Johnson when he informed the Congress that between now and the turn of the century it is likely that as much housing must be built as in all previous decades. S. 3497 also affirms the goal set forth by the 1949 Housing Act of providing a decent home for every American family.

INDIAN LEGISLATION

The Congress cleared more than 35 items of legislation concerned either with the disposal or use of judgment funds awarded Indian tribes by the Claims Commission, or the use of Indian lands, or with other tribal fiduciary matters.

It should be noted too that Congress passed an authorization increase for Indian vocational education programs early in the second session. S. 306—Public Law 90-252—increases the authorization from $15 to $25 million. These added authorizations when appropriated will ease a backlog of more than 900 applicants for vocational training, which is available to Indians between 18 and 35 in 23 Western States. Also passed in the second session was S. 876—Public Law 90-280—providing Federal support for the education of Indian students in sectarian institutions of higher education.

LAW ENFORCEMENT AND CRIMINAL PROCEDURES

The widespread concern over breakdowns in law and order is reflected in the work of Congress this year. Mention has already been made in this report of the establishment of Federal penalties for crossing State lines to incite to riot—Public Law 90-284, the Civil Rights Act—

and of H.R. 14935, curtailing indiscriminate mailing of master automobile keys—see commerce, industry, and transportation section above.

OMNIBUS CRIME CONTROL ACT

Another action of great importance taken this year was passage of H.R. 5037—Public Law 90–351—the Omnibus Crime Control Act. H.R. 5037 will allocate funds in block grants through the States for improved training of State and local police forces. Particular emphasis is to be placed on improving methods for coping with organized crime and methods for handling riots.

The Omnibus Crime Act also prohibits the interstate shipment of handguns to anyone other than a licensed dealer, and regulates their sale over the counter, including the prohibition of their sale to juveniles and to persons not residents of a dealer's State.

LONG GUNS CONTROL ACT

Subsequently, the Congress passed H.R. 17735 which, limited the mail-order shipment of firearms and ammunition.

FEDERAL NARCOTICS BUREAU AND THE DRUG ABUSE ACT

Two actions were supported by Congress to minimize the use of dangerous drugs by American youth. The President under his reorganization power created a new Bureau of Narcotics and Dangerous Drugs within the Justice Department. The Congress concurred in this plan which combined the existing Bureau of Narcotics in the Treasury Department and the Bureau of Drug Abuse Control in HEW. Coordination of the work of these two agencies will expedite the Federal effort to control an expanding traffic in drugs.

Congress also passed H.R. 14096, which established stiff legal penalties for trafficking in LSD, stimulant, or depressant drugs. Penalties were also provided for possession of such drugs.

It is a difficult matter to provide penalties for use of such drugs; a criminal record may irreparably damage the future of a youngster who casually experiments with them. Accordingly, latitude was authorized to judges in dealing with first offenders brought to trial for possession of these drugs. They may be placed on probation and their records wiped clean of criminal conviction if they do not violate that probation.

JUVENILE DELINQUENCY ACT

A comprehensive Juvenile Delinquency Prevention and Control Act cleared the Congress in 1968. H.R. 12120—Public Law 90–445—is a far broader measure than the juvenile delinquency statutes of 1961 and 1965. It will provide Federal grant assistance to courts, correctional systems and community agencies for the prevention, treatment, and control of juvenile delinquency. H.R. 12120 has four titles: planning, preventive and rehabilitative services; training; improved techniques and practices; and administration.

Funds provided are to be distributed on a modified block-grant basis with $25 million authorized for fiscal 1969, $50 million for fiscal 1970, and $75 million for fiscal 1971.

The benefits of such assistance are immeasurable, for with adequate training and attention the juvenile offender may be steered away from a path of future crime. If the lure of crime is blunted at an impressionable age, the probability is strong that the juvenile offender will not become the adult offender.

OTHER LEGISLATION

I will briefly mention a number of other legislative items in this area which received final approval this session. Public Law 90–291—H.R. 11816—provides benefits to law-enforcement officers, or their survivors, who are injured or killed while enforcing Federal laws. S. 375—Public Law 90–299—makes it a Federal crime to place abusive, harassing, or obscene telephone calls across State lines and sets a maximum penalty of $500 fine or 6 months in prison, or both, for conviction of such acts. Public Law 90–371—H.R. 15216—authorizes improvements in the Bureau of Prison system. Finally, Public Law 90–381—H.R. 10480—prescribes penalties for desecration of the American Flag.

MANPOWER TRAINING PROGRAMS

As the Greeks so wisely understood, man is a working animal. Indeed, we are surrounded by the fruits of labor of millions of human beings who have preceded us on this planet. Since man generally desires to work, it is a social problem of some magnitude when conditions conspire to prevent his doing so.

The rapid pace of technological advancement in this country has unfortunately been accompanied by unemployment and despair among unskilled laborers. Both Presidents Kennedy and Johnson devoted considerable efforts to devising Federal programs that might help the poor and the disadvantaged gain access to the economic mainstream of America. In the course of making these end-of-session reports I have had occasion to speak of many of them: the poverty programs, the Appalachian and other regional development acts, and special programs to provide Federal aid to needy students from low-income families.

In this session, Congress continued two programs which have offered hope to the handicapped and to nonskilled laborers: the Vocational Rehabilitation Grants Act and the Manpower Development and Training Act of 1962.

Passage of H.R. 16819—Public Law 90–391—extended through 1971 authorizations under the Vocational Rehabilitation Act for grants to States for special projects, and for facilities and workshops. Among other benefits, these funds help handicapped persons find new career opportunities and offer other rehabilitation services. H.R. 16819 also increased the Federal share of Federal-State programs from the present 75 percent to 80 percent, effective fiscal 1970. It established, in addition, a new program of vocational evaluation and work adjustment to serve disadvantaged persons, including the handicapped, the young as well as the old, and others with conditions which act as a barrier to employment.

Toward the end of this session, Congress approved H.R. 15045 which extended certain expiring provisions of the Manpower Development and Training Act of 1962 through 1970 and, in some instances, through 1972. While Congress felt that the MDTA was a sound base for expansion of efforts to improve manpower training in the country, it was of the opinion that greater effort needs to be made toward coordinating existing law.

MONETARY, BANKING, TAX, AND FISCAL POLICIES

While the economy has been growing at a steady pace for a long period of time, the President has warned that failure to follow certain guidelines and policies could cause problems. It was his concern over an economy moving toward inflation that led him to urge on several occasions enactment of a tax surcharge. This the Congress approved during the past session.

REVENUE AND EXPENDITURE CONTROL ACT

The Revenue and Expenditure Control Act—Public Law 90–364, H.R. 15414—poses a 10-percent surtax on personal and corporate income taxes. The surtax on individual incomes, however, did not become effective until April 1, 1968, which means that individuals will be paying up to 7.5 percent extra in taxes for the year. Sixteen million low-income taxpayers will not be affected by the increase. During its application—to June 30, 1969—the surtax is expected to net an additional $15.6 billion in revenues.

Additional provisions of H.R. 15414 include: extension of existing excise taxes on automobiles and telephone service—these were temporarily extended by Public Law 90–258—limitation on civilian employment by the executive branch to fiscal 1966 levels—various exemptions were subsequently voted for some agencies, which I have noted where applicable—requirement that corporations become more current in the payment of their estimated taxes; postponement of the effective date of ceilings voted by Congress last session on the aid to families with dependent children program; reduction of Federal spending to $180.1 billion during 1969, $6-billion cut; reduction of new 1969 obligational authority by $10 billion and recision of $8 billion in unused prior authorizations; a request for tax reform proposals from the President by the end of December 1968; and tax exemptions for advertising in national political party convention programs—see also discussion of Public Law 90–346 in general Government section above—and for certain cooperative organizations serving tax-exempt hospitals.

BANK PROTECTON ACT

Congress enacted H.R. 15345—Public Law 90–389—this year, which directs Federal agencies having responsibility over banks and savings and loan institutions to issue rules and regulations requiring the installations, maintenance, and operation of security devices and other procedures to discourage robberies.

GOLD COVER REPEAL

At the request of the President, the gold cover for certain Federal notes was terminated by the Congress—Public Law 90–269, S. 2857. The drain on the Treasury's gold reserves required that this release be made as we were approaching a minimum reserve level.

SPECIAL DRAWING RIGHTS

Congress passed H.R. 16911—Public Law 90-349—during the second session, amending the International Monetary Fund agreements to provide that the Exchange Stabilization Fund of the Treasury Department may receive a new monetary facility called Special Drawing Rights. These Drawing Rights serve the same purpose as gold bullion assets, although they are paper. They will be used only by governments in foreign trade transactions. Agreement by many nations to their use could ease somewhat the gold transaction problems which have beset the international economic community.

OTHER LEGISLATION

Congress also amended the National Housing Act to provide for the regulation of savings and loan holding companies and their subsidiaries—S. 1542, Public Law 90-255. In addition, it passed S. 1290—Public Law 90-437—to regulate the credit of securities not registered on the National Securities Exchange.

NATURAL RESOURCES, CONSERVATION, PUBLIC WORKS, AND TERRITORIES

A phenomenal amount of legislation cleared the Congress this second session, having to do with natural resources conservation, water programs, public works, parklands, and territories of the United States. Coupled with the acts passed during the first session—see CONGRESSIONAL RECORD, volume 113, part 27, pages 37378-37380, they cap a 5-year record of unparalleled action by the Congress in these areas. History will show that conservation was a major achievement of the Johnson Presidency.

GAS PIPELINE SAFETY ACT

One of the more significant items of legislation to clear the Congress this year was S. 1166, the Gas Pipeline Safety Act—Public Law 90-481. In recent years dangerous leaks have occurred in the pipeline system which transports natural gas from fields in the southwestern and western parts of the country to other sections. The President asked Congress to enact legislation which would set Federal safety standards to be observed by companies engaged in the underground shipment of gas.

Congress responded with S. 1166, authorizing the Secretary of Transportation to set interim standards, and then continuing standards, for 760,000 miles of transmission and distribution lines and for some gathering lines in residential and commercial areas. States are authorized to supervise these standards within their boundaries. Penalties are established for violation of them. Authorizations for implementing the program are: 1969, $500,000; 1970, $2 million; and 1971, $4 million. Up to 50 percent of the cost of bringing a State's pipelines up to the standards will be met with Federal funds.

ESTUARINE PRESERVES ACT

Congress authorized the Secretary of the Interior, in consultation with concerned agencies of the States and the Federal Government, to conduct a 2-year study and inventory of the Nation's estuaries and waters of the Great Lakes which are breeding grounds for fish. The report on this study is to be submitted no later than January 20, 1970, together with recommendations for legislation, including the advisability of establishing a nationwide system of estuarine areas. Passage of H.R. 25, Public Law 90-454, initiates action to insure that the Nation's fish-breeding waters will be safeguarded against pollution and destruction.

RESEARCH ON INSECTICIDE DANGER TO FISH AND WILDLIFE

Many conservationists have pointed in recent years to the danger of injury to fish and wildlife from chemical insecticides and other pest control substances. This year Congress responded to this very real danger by authorizing the Secretary of the Interior to continue research programs for the prevention of such injury. H.R. 15979—Public Law 90-394—grants authorizations through 1971 at a rate of $3.5 million annually.

CARL SANDBURG HOME

The widow of the late poet and historian, Carl Sandburg, generously offered for sale to the United States the farm in Flat Rock, N.C., where Mr. Sandburg lived and worked from 1945 until his death last year. Responding to this offer, Congress passed H.R. 13099 authorizing $224,000 for acquiring the land and $952,000 for development of the farm into the Carl Sandburg Home National Historic Site. This 248-acre memorial will serve as a fitting tribute to a man who gave Americans such monumental works as his volumes on Abraham Lincoln.

NATIONAL WILD RIVERS SYSTEMS ACT

Action was completed to establish a National Wild Rivers System in the Nation. Passage of S. 119—Public Law 90-542—along with the National Trails Act—discussed immediately below—and the previously enacted Wilderness System Act and Wetlands Preservation Act, provides a comprehensive natural resources conservation policy for the future. Congress and President Johnson are to be congratulated for their responsible actions in this area.

S. 119 initiates efforts to preserve stretches of wild and scenic rivers in their natural state. Eight rivers were designated for inclusion in the system: Clearwater in Idaho, Eleven Point in Missouri, Feather in California, Rio Grande in New Mexico, Rouge in Oregon, Saint Croix in Minnesota and Wisconsin, Salmon in Idaho, and Wolf in Wisconsin.

Twenty-seven other rivers are to be studied for potential inclusion. S. 119 establishes procedures by which land up to 100 acres on either side of a river may be purchased. States will be permitted to donate such land as they may possess in a designated stretch. The Secretary of the Interior is authorized to trade federally owned land for land needed for the system.

NATIONAL TRAILS ACT

Action was also completed on the National Trails Act, requested by the administration in 1965. S. 827—Public Law 90-543—designates trails to be included in the national system and those to be studied for potential inclusion. Two initial units were designated, the Appalachian Trail stretching about 2,000 miles from Maine to Georgia, and the Pacific Crest Trail stretching some 2,350 miles along the mountain ranges of the west coast States.

Fourteen other trails were marked for possible future inclusion, including the Lewis and Clark Trail to Oregon, and the Mormon Trail from Nauvoo, Ill., to Salt Lake City, Utah.

Three categories of trails are provided for in S. 827: national scenic trails, national recreation trails, and connecting trails. The act further provides for the marking of designated trails, the acquiring of land to complete them, and for their upkeep. Funds for these purposes are to come from the land and water conservation fund and are authorized at $5 million for the Appalachian Trail and $500,000 for the Pacific Crest Trail.

LAND AND WATER CONSERVATION FUND AMENDMENTS

The land and water conservation fund is the money pool from which land acquisitions are made for the several conservation and parkland programs herein noted. Because revenues for the fund have fallen short of expectations, Congress passed S. 1401—Public Law 90-401—to provide that the annual level of the fund shall be at least $200 million and that deficiencies caused by regular sources for the fund shall be made up with direct appropriations by the Congress from general tax revenues or, if necessary, receipts from Federal gas and oil leases on the Outer Continental Shelf.

This measure will guarantee that adequate funds will be available for acquisition purposes. Additional provisions of S. 1401 repeal in 1970 the uniform system of admission and user fees at Federal recreation areas and authorize certain land transactions by the Secretary of the Interior.

PARKLAND AND WILDERNESS LEGISLATION

Mr. Speaker, a very significant number of authorizations emerged from Congress either creating new national parks, or providing for the improvement of existing parks, or designating certain park and forest areas for inclusion in the wilderness system. For the benefit of Members I shall here briefly mention the more notable ones.

Two important new national parks were created this year. Public Law 90-544—S. 1321—creates a North Cascades National Park in the State of Washington. This park is composed of 1,194,000 acres of land along the Canadian border and includes the Ross Lake and Lake Chelan National Recreation Areas and the Pasayten Wilderness, also established by this act. S. 1321 also adds 10,000 acres to the existing Glacier Wilderness area, adjacent to the new park. Appropriations for acquisition are limited to $3.5 million. Passage of this measure realized proposals for a park in the area made as long ago as 1906.

Public Law 90-545—S. 2515—created a 58,000-acre Redwood National Park in northern California. The act guarantees that future generations of Americans will enjoy the beauties of these gigantic trees. Two unique acquisition provisions were written into S. 2515. The first authorizes the Secretary of the Interior to exchange federally owned Forest Service lands for privately owned land in the park area. This has never before been authorized in a park measure. The second provision invested ownership of all land in the park in the Federal Government immediately upon enactment of S. 2515. This will prevent destruction of standing timber. A sum of $92 million was authorized from the land and water conservation fund for acquisition of private land.

Other parkland and wilderness measures enacted during the second session include: Public Law 90–318—S. 2531—designating the San Gabriel Wilderness, Angeles National Forest, in the State of California; Public Law 90–271—S. 889—designating the San Rafael Primitive Area, Los Padres National Forest as the San Rafael Wilderness, in the State of California; Public Law 90–398—S. 2837—establishing the Pisgah National Forest as the Cradle of Forestry in America, in the State of North Carolina; Public Law 90–532—S. 3379—designating the Great Swamp National Wildlife Refuge as part of the National Wilderness System, in the State of New Jersey; Public Law 90–540—S. 444—establishing the Flaming Gorge National Recreation Area; Public Law 90–548—S. 2751—designating part of the Mount Jefferson Primitive Area the Mount Jefferson Wilderness, in the State of Oregon, and naming the remainder the Willamette, Dechutes, and Mount Hood National Forests; H.R. 511, authorizing the Biscayne National Monument, in the State of Florida; and H.R. 17787, authorizing funds to complete land acquisition for the Padres Island National Seashore, in the State of Texas.

WATER RESOURCES PROGRAMS

Several bills which emerged from the second session continue or expand Federal Government support of research into ways and means of developing water resources in the United States.

A major act was S. 20—Public Law 90–515—which establishes a National Water Commission authorized to review national water resource needs, problems, and potential solutions. It is hoped that this presidentially appointed Commission will submit recommendations that will aid in more efficient use of existing water supplies and will suggest new ways in which to develop water.

One such method for augmenting the supply of water is the saline conversion program under development for several years. The Congress continued Federal support of this program by authorizing appropriations in S. 2912—Public Law 90–297. Congress also voted an authorization increase in Federal funds allocated through the Water Resources Planning Act—Public Law 90–547, S. 3058.

In a related action, it authorized the Secretary of the Interior to engage in water resource development feasibility studies in North Dakota, Arizona, and Oklahoma—Public Law 90–254, S. 1788.

WATER RESOURCES AND PUBLIC WORKS DEVELOPMENT

Important water resources public works projects were authorized by the Congress during 1968. Included was the new river basin project to be launched on the Colorado River. Passage of S. 1004—Public Law 90–537—climaxed a 20-year effort to provide for such a project without violating any Western State's rights to water from the river. S. 1004 benefits will be manifold, including adequate water supply for deficient areas in Arizona and western New Mexico and the construction of dams and hydroelectric plants to serve the residents of the several States through which this river and its tributaries flow.

The Congress also approved a Great Lakes Basin Compact. Public Law 90–419—S. 660—permits a compact among the States surrounding the Great Lakes for cooperative development of projects to improve the basin area. Congress granted funds in S. 6—Public Law 90–453—to authorize the first stages of an irrigation project in the Oahe unit of the Missouri River Basin in South Dakota. Estimated total cost of the project is $191,670,000. Congress also increased the authorization of funds for Missouri River Basin work during fiscal years 1969–70 by $59 million—Public Law 90–315, S. 3033. As of June 15, 1968, authorizations for Missouri River Basin projects totaled $1,386,135,000 for the Bureau of Reclamation and $1,462,094,000 for the Army Corps of Engineers. This basin has been under development since 1944.

Congress amended the Watershed Protection and Flood Prevention Act to permit the Secretary of Agriculture to contract for the construction of works of improvement upon request of local organizations. Public Law 90–361—S. 2276—will facilitate Federal support of flood control project construction.

I have already spoken of public works authorizations and appropriations in the section devoted to those subjects.

TERRITORIES

Lastly, Mr. Speaker, note is taken of three laws affecting territories owned by the United States. Congress passed S. 450—Public Law 90–496—providing for the popular election of the Governor and Lieutenant Governor of the Virgin Islands. In a related action, it provided for the popular election of the Governor and Lieutenant Governor of Guam, for appointment of a Government Comptroller there, and for other changes—Public Law 90–497, S. 449. Finally, it passed S. 3207 toward the end of the session to continue the Trust Territory of the Pacific Islands and authorize appropriations for governmental functions on these islands—see also my discussion of Public Law 90–16 in the first session report, CONGRESSIONAL RECORD, volume 113, part 27, page 37378.

PUBLIC AND PRIVATE PENSIONS

Two bills cleared the congressional mill this session which relate to public or private pensions.

The first of these, Public Law 90–257—H.R. 14563—increased Railroad Retirement Act benefits in line with the increases voted during the first session in social security benefits. Persons who receive both social security and railroad retirement benefits will be reduced in their 1968 increase by the benefits realized from their social security increase. Spouse benefits were raised by H.R. 14563 to a $115.50 monthly maximum by January 1970. The act also permits annuities at age 50 for widows and widowers who are disabled.

H.R. 14563 also increases the daily unemployment and sickness benefits at every level by $2.50, bringing the maximum rate to $12.70 per day. The bulk of the cost for these increases will be met from actuarial gains from the social security amendments enacted in 1967.

The second measure, H.R. 272—Public Law 90–430—extended for 5 years the period during which Reed Act funds previously transferred from the employment trust fund may be used by the States for paying administrative expenses connected with the fund.

MISCELLANEOUS

Finally, Mr. Speaker, there are those few items of legislation which defy categorization no matter how fertile the imagination.

We passed this session H.R. 15951—Public Law 90–363—to provide for uniform annual observance of the following holidays on Monday, effective in 1971: Washington's birthday, third Monday in February; Memorial Day, last Monday in May; Labor Day, first Monday in September; Columbus Day, second Monday in October; and Veterans Day, fourth Monday in October.

We also passed H.R. 14910—Public Law 90–379—amending the Communications Act of 1934 to authorize the FCC to prescribe regulations for the manufacture, import, sale, shipment, or use of devices which interfere with radio reception.

H.R. 6279, the Standard Reference Data Act, authorizes the Secretary of Commerce to provide for the collection, compilation, evaluation, and dissemination of reliable standardized scientific and technical data for the benefit of the Nation's scientists and engineers. Another provision of Public Law 90–396 provides for the obtaining of copyright for the United States on these data and for their sale.

Our last item mentioned is H.R. 3136—Public Law 90–472—authorizing the Secretary of Commerce to study the advantages and disadvantages of increased use of the metric system in the United States, and to report his determinations on the same.

SUMMARY

So, Mr. Speaker, we are at an end. The 90th Congress has put the final touches to its 2-year record. To reiterate, and I think this review is convincing evidence, we have enjoyed a most productive session, especially when one considers the party conventions and the presidential election soon upon us. Add the accomplishments of this session to those of the first and I think it cannot be denied that we have put in a busy 2 years. I would remind Members, in concluding, that my report on that first session may be found in the December 27, 1967, CONGRESSIONAL RECORD, volume 113, part 27, pages 37354–37382.

GUN CONTROL OPINION DIVIDED, STIFFER LAWS ARE SUGGESTED

HON. THOMAS J. DODD

OF CONNECTICUT

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. DODD. Mr. President, the best firearms controls ever considered by the Federal Government were adopted by the 90th Congress.

The wide-open commerce in handguns was strictly controlled by title IV of the omnibus crime bill, signed into law June 19.

The longarms and ammunition amendment was adopted by the House and Senate last week and is now at the White House awaiting the President's signature. Both were long overdue and adopted as the result of intense public interest over the misuse of guns in our society.

While there has been virtual unanimity in public concern over the need for firearms laws that address themselves to 20th century problems, there has been something less than uniform agreement on the form such laws should take.

There is a clear-cut, easily identified, loud and well-financed minority who, as a practical matter, wanted no tightening of the Federal gun laws.

There are those who are tentatively satisfied with the giant steps taken by the 90th Congress in keeping firearms out of the hands of criminals and others who should not have them.

They are willing to wait and see if more is needed.

The third group is pleased—but not content—with the work of the 90th Congress, and with its legislative victories over the giant firearms lobby.

They approve of what has become law, but insist that the law should require the registration and licensing of all firearms.

And, Mr. President, they intend to push toward that end.

While the Gun Control Act of 1968 is awaiting the signature of the President, I would like to share with my colleagues the published opinions of spokesmen for the latter two groups.

These views are important, and are a force to be reckoned with in the next Congress. I will quote from some of these, Mr. President, and ask unanimous consent that all of the articles be printed in full in the RECORD at the conclusion of my remarks.

Akron, Ohio, Beacon Journal:

There are two ways to look at the Senate's approval this week of a gun control bill restricting interstate sales of rifles, shotguns and ammunition: "One can consider this an inadequate measure which still leaves guns available to every criminal and irresponsible individual who is looking for trouble. Or one can consider it a small but hopeful step forward in the long process of bringing guns under control."

Gun fanatics of course would take a third view—complete opposition to any control. But that would be unrealistic.

Salem, Oreg., Capital Journal:

Congressmen will take more convincing, however. Law enforcement officials will have to keep documenting the contention that gun registration would help reduce crime. And more public support will have to be generated, enough to overcome the vocal minority which resists registration so heatedly.

We regret the unwillingness of Congress to finish the job. But we consider the pending enactment of some controls an important step forward.

Dayton, Ohio, News:

Passage of a federal gun control law ought to encourage states and communities, including Ohio and Dayton, to pursue gun restrictions. Local and state legislators would be wise to begin where Congress left off—with provisions to register guns and license their users.

Bloomington, Ill., Pantagraph:

What we see in gun control laws is not an end to hatred and crime. What we do see in them is the freely given trust of the great majority that they will yield an absolute privilege to gain greater protection for society.

Gun control laws are, in the main, not cure-alls, but recognition that doing the best we can is better than doing nothing at all.

Lincoln, Nebr., Journal:

The U.S. Senate didn't do everything that it might, or should, in passing a gun control bill.

But it did make some progress toward the goal of cutting down this country's needless human slaughter by firearms. For that the Senate—including its two Nebraska members Roman Hruska and Carl Curtis, who voted for the bill—deserves full credit.

Before any real advance can be made against the problem, legislation will have to be enacted to register all guns and to license their users. This will be the only effective way to try to keep guns out of the hands of persons who lack the mentality, the responsibility or the desire to use guns for their lawful purposes.

Scranton, Pa., Tribune:

Attempts in the Senate to impose more strict controls such as the registration of all guns or the licensing of gun owners were voted down by the opposition. Many former opponents of gun control legislation, however, voted for the modified bill which was approved.

Terre Haute, Ind., Star:

The curious thing is that those most adamantly opposed to federal gun control legislation are often loudest in their demands for "law and order." That is curious because the connection between guns and crime is indisputable.

Salem, Oreg., Statesman:

States and cities have authority to pass special laws covering guns, subject to the limitation of the constitution guaranteeing the "right to bear arms." Some have. The Statesman believes that a nationwide system of gun registration is desirable. Some day we should become civilized enough that our people won't think they have to own a rifle or pistol to be a free and independent citizen, or that having the ownership recorded infringes on their liberties.

Gainesville, Fla., Sun:

Politicians who talk about "crime in the streets" and evade the gun control issue are kidding the American people. The FBI figures show conclusively that firearms are an inextricable part of the violent crime picture.

Meadville, Pa., Tribune:

The Senate bill is one with which reasonable opponents of gun controls could live and which, if enforced diligently, may prove adequate without the need for registration and licensing.

Sunbury, Pa., Item:

Convicted felons—and those who have dodged the law—are not in the practice of purchasing guns in the open market, either in person or by mail. They come by weapons in devious ways. And the impression is inescapable that another go will be necessary to keep guns from the hands of those who, for the safety of society, should not have them.

Danville, Ill., Commercial-News:

Some gun control zealots, it is true, have gone to absurd lengths in their demands. But moderate laws, aimed to prevent, correct, or even diminish misuse of firearms can be attacked only on an emotional, not a logical basis.

Philadelphia, Pa., Inquirer:

In a country that has seen far too much violence of late, and may see even more, the new legislation may inevitably seem "too little and too late" if worse comes to worst. But by putting up roadblocks in the way of mail-order, cross-country gun traffic, it will make the arming of lunatic fringes a little harder, anyway. And if that's the best we can get for now—we'll take it.

Allentown, Pa., Chronicle:

What the Senate has done now is a partial compensation for its failure to act previously. But it still has left one major base for firearms control uncovered in heeding the gun lobby's arguments against registration and licensing, an inconvenience, to be sure, but certainly not an imposition if even one life were to be saved by closing this loophole in the law.

Baltimore, Md., Sun:

Through a maze of congressional halls, in and out of a labyrinth of committees, past hordes of well-armed sentries representing the National Rifle Association, a gun control bill has wended and is about to become law. Only one essential element is missing from the bill: a provision requiring the registration of all firearms and the licensing of all owners.

Chicago, Ill., News:

No gun law is going to end all the killing. But a good federal law—backed by good enforcement and good local controls—would save lives. Many of those would be the lives of policemen. It's a paradox, however, that some of our noisiest advocates of "law and order" are also our noisiest opponents of gun controls. They persist in this contradiction even though it's largely to the police that we must look for the preservation of law and order, and even though the police are daily imperiled by the nation's free-and-easy way with guns.

Scranton, Pa., Times:

If the Senate-passed bill is finally approved, it will represent only a partial victory in the fight for effective gun control laws. But it is an impressive victory, for the demand for a ban on mail-order sales of rifles and shotguns has been met, following the enactment earlier this year of a similar ban on handguns.

Fayetteville, N.C., Observer:

Ultimately, if gun control laws are to be the weapon they could be in the effort to combat the sharply rising crime rate in America and all Americans are to receive the protections they're entitled to, a gun registration and licensing law will have to be put on the books.

Chicago, Ill., Sun-Times:

The proposed legislation does not prohibit or hamper sportsmen and hunters from owning or buying firearms or ammunition, a protection the Senate and House were anxious to preserve, as was the Illinois Legislature when it passed the Illinois gun-control bills. The legislation will, however, make it much more difficult for criminals, minors and the mentally incompetent to obtain guns—and that is all to the good.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Salem (Oreg.) Capital Journal, Sept. 20, 1968]

HALF A GUN LAW BETTER THAN NONE AT ALL

The great gun battle of 1968—the one between congressmen over gun controls—appears almost over.

For the Senate approved a bill 70 to 17 Wednesday which places a number of new restrictions upon guns, primarily mail order traffic of weapons and ammunition. But the battle ended in a draw, for the Senate also refused to license gun owners and register weapons.

The Senate bill bans mail order sales of rifles, shotguns and ammunition. It prohibits the sale of long guns to persons under age 18 (a previous law bans sale of handguns to those under 21.) Senators also would require licensing, under new federal standards, for all gun manufacturers, dealers and importers. Over-the-counter sales of firearms to non-residents of a state would be prohibited, except where two adjoining states legalized such activity. A standard seven-day waiting period would be required for all sales, plus filing of an affidavit of eligibility. And the bill also would stiffen sentences up to life imprisonment for persons committing federal crimes of violence while carrying firearms.

The previously approved House version is somewhat more lenient than the Senate bill. But most of the latter is expected to survive the conference and compromise process that will precede the final enactment of a bill.

Many of these provisions were passed over the vehement and well-financed opposition of the National Rifle Association, of course. But the NRA and other members of the potent gun lobby won the other half of the battle over registration and licensing.

The gun lobby frightens many congressmen, especially in an election year, because of its ability to mobilize angry gun owners by the thousands to write letters. But, in addition, some congressmen have honest doubts whether such registration would prevent enough crime to be worth its cost.

We believe it would, and we are amazed that a society which licenses everything from dogs to vehicles hasn't gotten around yet to potentially dangerous firearms.

Congressmen will take more convincing, however. Law enforcement officials will have to keep documenting the contention that gun registration would help reduce crime. And more public support will have to be generated, enough to overcome the vocal minority which resists registration so heatedly.

We regret the unwillingness of Congress to finish the job. But we consider the pending enactment of some controls an important step forward.

[From the Dayton (Ohio) News, Sept. 22, 1968]

GUN LAW ONLY A PARTIAL VICTORY

The gun control legislation heading for congressional enactment isn't the victory that a crime-plagued and assassination-damaged nation wanted and needed. Still it helps a little.

The Senate regrettably followed the House's lead in rejecting licensing and registration provisions. The narrowness of the Senate vote on these issues, however, gives reason for optimism that they eventually will be approved. These provisions would make it easier for police to trace guns and solve crimes. They would help keep guns out of the hands of felons, dope addicts, alcoholics and mental incompetents.

Despite its drawbacks, the legislation represents the only major effort in 30 years to bring some sanity to firearms selling and distribution. The law adds rifles, shotguns and ammunition to the interstate mail order ban—handguns were prohibited in the mail by the crime control bill passed last spring.

The legislation also stops over-the-counter sales of firearms to out-of-state residents. Restrictions will be placed on gun purchases by young adults—no handguns for those under 21, no rifles and shot guns for those under 18.

Passage of a federal gun control law ought to encourage states and communities, including Ohio and Dayton, to pursue gun restrictions. Local and state legislators would be wise to begin where Congress left off—with provisions to register guns and license their users.

[From the Bloomington (Ill.) Pantagraph, Sept. 16, 1968]

GUN LAW BASIC PART OF DEMAND FOR ORDER

Some low-grade temperatures may run in Washington next week as the Senate and House attempt to patch together more potent gun-control legislation than the hand-gun bill passed earlier this year.

The pros and cons of gun legislation have been extensively debated, if not well, in Congress, in the press and on street corners.

Part of the confusion and much of the bitterness of the debate arises from the variety of gun controls discussed and the extreme claims made against them and, occasionally, in their behalf.

There are only two questions at issue. Let's begin with those:

1. Does the widespread ownership of guns with limited control present a danger to American individuals and our society?

2. Will any of the gun control measures now suggested or recently adopted appreciably reduce that danger?

Beyond any reasonable doubt, the answer to the first question is clearly yes.

Even the most dangerous or potentially dangerous in our society can buy guns with little or no restraint in most states.

The answer to the second question is, in our opinion, also yes. But beyond reasonable doubt? We just can't claim that much.

But we need not wait to act until all reasonable doubt is eliminated. We must act when the greater weight of the evidence is clear. The greater weight of the evidence favors broad, but not confiscatory, gun laws.

We hold that a number of suggested laws governing sale, possession, use and identification of firearms can effectively reduce death by gun and general crime with a gun.

We know of no law which could be passed which would absolutely prevent the obtaining of a firearm by a person bent on murder and or other crime. Not every professional gunman or hoodlum would surrender the tools of his trade.

Having said that, the registration of all firearms—and permits for handguns—offers hope of reducing crimes of passion, accidents via firearms, added opportunity to solve gun crimes and a legal way to bar guns to some obnoxious risk groups.

There would be a price to the individual, both in dollars and inconvenience.

There also would be another price—the commitment to strengthening the fight against crime and uprooting its causes so that all Americans would feel secure in their homes and on the streets.

That guns are required for self protection is a myth. It is more than a myth, it is an invitation to the lunacy of the mob on one hand and the vigilantes on the other. Historically, little has set the two groups apart.

We hold that gun control laws are no more invasion of privacy than stop and frisk laws. We should have both.

We support mandatory blood-alcohol tests for motorists involved in accidents. The innocent would be tested with the guilty.

And the process might not eliminate driving while intoxicated.

What we see in gun control laws is not an end to hatred and crime. What we do see in them is the freely given trust of the great majority that they will yield an absolute privilege to gain greater protection for society.

Gun control laws are, in the main, not cure-alls, but recognition that doing the best we can is better than doing nothing at all.

[From the Lincoln (Nebr.) Journal, Sept. 20, 1968]

PROGRESS ON GUN CONTROL

The U.S. Senate didn't do everything that it might, or should, in passing a gun control bill.

But it did make some progress toward the goal of cutting down this country's needless human slaughter by firearms. For that the Senate—including its two Nebraska members Roman Hruska and Carl Curtis, who voted for the bill—deserves full credit.

The Senate bill, like that already passed by the House, is aimed primarily at preventing the mail order sales of rifles and shotguns. While this is a small step toward what ultimately will be needed for effective control of arms, it is an important step.

Coupled with a measure passed earlier in the year banning the mail order sale of handguns, this at least requires a potential killer to come face to face with another human being in the process of procuring his weapon. No longer can he rely on the anonymity and secrecy of the mails, perhaps with a false name, to shroud his evil intents.

Just how many killings the mail order ban might prevent is highly speculative. The important thing about the Senate action, and the earlier bill passage by the House, is the indication of willingness, at last, to do something about this great and obvious national problem.

Before any real advance can be made against the problem, legislation will have to be enacted to register all guns and to license their users. This will be the only effective way to try to keep guns out of the hands of persons who lack the mentality, the responsibility or the desire to use guns for their lawful purposes.

Much was said during congressional deliberation of these bills to the effect that registration and licensing should be left to the states. This is all well and proper, providing the states will take up the challenge to deal with the problem and will enact uniform laws so that the intent cannot be violated merely by crossing the state line.

The state legislatures, nearly all of which meet next year, have a huge responsibility now to move into the registration and licensing of guns. If a good many of them do not make such moves in their coming legislative sessions, it should be an open invitation for Congress to return to its responsibilities and finish the job it started this year.

In the meantime, it can be hoped that Senate conferees, who will join House leaders to iron out differences in their respective versions of the bill, will resist some of the weaker provisions in the House bill.

Particularly onerous would be the House amendment which, in effect, exempts members of the National Rifle Association (NRA) from the ban on mail order guns. The NRA has pumped millions of dollars into the fight against any kind of meaningful gun controls. The special loophole for its members to be immune from the mail order law will only swell its membership rolls and its treasury and finance even more vigorous opposition to further controls.

The good start made by the Senate should be built upon, not torn down.

[From the Scranton (Pa.) Tribune, Sept. 20, 1968]

THE SENATE'S GUN BILL

In an effort to get some kind of meaningful gun control legislation on the books before adjournment of Congress, the Senate has just passed a modified firearms restriction bill by an overwhelming vote of 70 to 17.

The measure restricts interstate sales of rifles, shotguns and ammunition. It will now go to a conference committee to resolve differences between it and a bill passed by the House. Basically, the Senate voided one major House provision that would have exempted more types of ammunition from controls.

The legislation is designed to help states enforce their own gun laws by limiting the interstate traffic in firearms and ammunition. The measure would prohibit interstate mail order sales of rifles and shotguns. A similar ban on the sale of revolvers and pistols was contained in the crime control law passed last spring.

Over-the-counter sales of firearms to out-of-state residents would be prohibited. Both the Senate and House bills, however, contain a provision permitting adjoining states to exempt each other from this prohibition. Sales of handguns and ammunition to those under 21 would be forbidden and sales of rifles and shotguns to those under 18 would likewise be banned.

One purpose of the legislation is to make it mandatory for a person to acquire a firearm only from a licensed gun dealer in his own state, thus preventing a person from circumventing state gun laws by ordering a gun through the mails or buying a gun out of state.

In both the Senate and House bills, however, new and looser definitions were established for gun dealer and gun collector licenses. As a result, it is feared that persons who are not genuine dealers or collectors will be able to circumvent the controls in the new legislation by obtaining licenses.

Attempts in the Senate to impose more strict controls such as the registration of all guns or the licensing of gun owners were voted down by the opposition. Many former opponents of gun control legislation, however, voted for the modified bill which was approved.

[From the Terre Haute (Ind.) Star, Sept. 15, 1968]

Focus on Gun Control

The national political conventions and the start of campaigning, coupled with the continuing hassle over the Fortas appointment, have all but obscured one prime concern facing Congress now that it is back in session. This is the matter of taking effective action to place gun sales under tighter restraints. The public, which is shown by polls to be overwhelmingly in favor of better controls, needs to sharpen its focus on this important issue again.

The curious thing is that those most adamantly opposed to federal gun control legislation are often loudest in their demands for "law and order." That is curious because the connection between guns and crime is indisputable.

Attorney General Clark re-emphasizes this in a letter and memorandum sent to every senator. "Gun control legislation," he told them from his viewpoint as the nation's chief legal officer, "is the most important crime issue before the Senate. If we are serious in our professions of concern about crime, and especially violent crime, then let us move directly against the favored weapon of the lawless—guns."

More of what Clark told the Senate deserves reiteration as an antidote for the flood of misleading statements to which both Congress and the public have been subjected. "The real question before the Senate," he wrote, "is not whether gun control legislation can reduce crime and save lives. We know it can. The question is whether our system of government will address itself to the issues that must be faced if we are to survive as a free and great people."

As things now stand, the Senate is considering a bill that would curb mail order sales of rifles and shotguns as well as handguns; registration of guns and licensing of owners is not included. The measure is weak but would, as Clark says, be "an essential first step." That step should be taken without further delay

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[From the Salem (Oreg.) Statesman, Sept. 20, 1968]

Senate Gun Bill

The Senate on Wednesday beat back an effort to amend the gun control bill to require registration of all firearms. The vote was 70 to 17. (Sen. Hatfield voted against the amendment; Sen. Morse was paired against it.) The strong pro-gun lobby and the avalanche of letters from gun owners carried the day. A boy in the city has to have a license for his bicycle; but the Senate does not favor requiring licensing of firearms.

The bill as passed by the Senate bars interstate sales of rifles and shotguns. Such sale of hand guns was prohibited in the 1968 anti-crime bill. It also restricts interstate sale of ammunition. The House version of this legislation likewise omits gun registration, but does allow certain exceptions on interstate sales.

One provision of the Senate bill imposes a possible penalty of life imprisonment for a person possessing a gun while committing any one of a list of federal crimes.

States and cities have authority to pass special laws covering guns, subject to the limitation of the constitution guaranteeing the "right to bear arms." Some have. The Statesman believes that a nationwide system of gun registration is desirable. Some day we should become civilized enough that our people won't think they have to own a rifle or pistol to be a free and independent citizen, or that having the ownership recorded infringes on their liberties.

[From the Gainesville (Fla.) Sun, Sept. 8, 1968]

Guns and Crime

The most serious crimes in the FBI's crime index are the crimes of violence against persons. The latest FBI crime report shows the prominent part played by guns in violent crime in the U.S.

Of the four crimes of violence for which the FBI collects figures—murder, aggravated assault, forcible rape and robbery—firearms are commonly used in all but rape. The FBI reports that during 1967, guns were employed in 63 per cent of the murders, 21 per cent of aggravated assaults 63 per cent of armed robberies.

More than 130,000 of the 494,000 most dangerous and serious crimes were committed last year with firearms. Seventy-one of the 76 police officers killed by criminal action in 1967 were killed through the use of a firearm.

Even the most stringent gun controls cannot eliminate violent crime. More than 35 per cent of murders, for example, were committed within the family or as a result of lovers' quarrels. But effective regulation can help keep guns out of the hands of irresponsible persons known to be dangerous. In most states anyone can buy a gun regardless of probability that he will commit a holdup. There were 73,000 armed robberies last year in which the hold-up weapon was a gun.

Both political conventions were long on oratory about the pressing need for "law and order." But both party platforms weaseled on the gun control issue. The Republicans talked vaguely about legislation "to control indiscriminate availability of firearms," and Democrats referred to "effective federal, state and local gun control legislation." Neither party endoresd the specific measures—licensing and registration—that are essential for effective control.

Politicians who talk about "crime in the streets" and evade the gun control issue are kidding the American people. The FBI figures show conclusively that firearms are an inextricable part of the violent crime picture.

[From the Meadville (Pa.) Tribune, Sept. 21, 1968]

Senate Gun Bill Preferred

The Senate's gun control bill, although still inadequate, is such an improvement over the House version and so much better than had been anticipated that it should be enacted into law. It represents a fair compromise, providing controls on the interstate shipment of long guns and ammunition but lacking the registration and licensing features so detested by sportsmen.

Many sportsmen and gun devotees contend that, except for handguns, there should be no restrictions at all on commerce in these lethal weapons. The Senate measure, which supplements regulations imposed earlier on the interstate sale of handguns, however would not prevent any person from purchasing a gun in his own state in compliance with the laws of that state. In shutting off interstate sales, the legislation prevents gun buyers from circumventing the laws of their own states.

The ban on mail-order sale of ammunition makes the Senate bill preferable to the House version which proposes to exempt from controls 22-caliber rim-fire ammunition as well as ammunition for rifles and shotguns. In addition to prohibiting mail-order sale of long guns, both bills would ban over-the-counter sales to out-of-state residents except to those persons living in adjoining states. The Senate bill, however, calls for dealers to file affidavits of sales to nonresidents with the chief law enforcement agencies of buyers' home residences. Also barred would be sale of guns and ammunition to juveniles, 21 in the case of handguns and 18 for rifles and shotguns.

The House should give speedy concurrence to the Senate changes which would strengthen the measure adopted by the lower chamber. The Senate bill is one with which reasonable opponents of gun controls could live and which, if enforced diligently, may prove adequate without the need for registration and licensing.

[From the Sunbury (Pa.) Item, Sept. 20, 1968]

Firearms Control

Convicted felons are prohibited from buying guns and limitations are placed on underage purchases of firearms under the terms of legislation finally adopted by Congress—after months of controversy during which strong opposition has been expressed in relation to various proposed controls.

As matters now stand the principal additions to existing curbs are prohibition of mail order sales of guns and ammunition and the imposition of stiffer penalties for those convicted of federal crimes which involve the use of firearms. Even so, the congressional action is not completed. There remains the matter of compromises on differences between the Senate and House bills on the same general subject.

Hometown police approval of applications for gun purchases by persons under 21 years of age is the nearest approach in this legislation to a blanket registration requirement sought by President Johnson. Even so there is criticism on the part of the National Rifle Association and various sportsmen's organizations.

Demands for regulatory action that arose following the assassination of President John F. Kennedy centered largely on the ease with which firearms could be purchased by mail, as demonstrated by Lee Harvey Oswald, the alleged assassin. Agitation mounted with the slaying of Dr. Martin Luther King and reached fever heat when Senator Robert F. Kennedy was shot to death.

It is only natural that each of these tragedies stirred the nation's conscience. Homicide, however, has been a common problem and killings, by no means limited to firearms, have increased year after year. That the problem has not been faced in a realistic manner is apparent in the fact that demands continue to rise for abolition of the death penalty while squeamish judges and juries deal lightly with murderers and boards of pardon and parole round out the formula for leniency.

Convicted felons—and those who have dodged the law—are not in the practice of purchasing guns in the open market, either in person or by mail. They come by weapons in devious ways. And the impression is inescapable that another go will be necessary to keep guns from the hands of those who, for the safety of society, should not have them.

[From the Danville (Ill.) Commercial-News, Sept. 18, 1968]

Senate's Action Wise

The U.S. Senate displayed wisdom this week in reversing the recommendation of its own Judiciary Committee to allow the mail order sale of ammunition for rifles, shotguns and .22-caliber weapons.

The committee had proposed an amendment to the main control bill.

A bill earlier passed by the House bars mail order sale of guns and ammunition to private persons.

The committee may be in for another rebuff. One of its proposals sure to touch off a major floor fight, would allow an individual to purchase a gun over the counter in a state adjoining his own. The Senate would be well advised to knock this out, too. The only possible reason that occurs to us for an individual to cross a state line to buy a gun would be to evade the controls set up by the state of his residence. It is a flimsy reason, however much he might sound off about the rights of the individual.

We see no constitutional conflict in reasonable gun control legislation. There is nothing in the Constitution about the right of the people to own and drive an automobile. If there had been, this scarcely would be justification for griping about paying license fees or being required to have a driver's license or being restricted to operating a car on the highway instead of the sidewalk or through a property owner's front yard.

Some gun control zealots, it is true, have gone to absurd lengths in their demands. But moderate laws, aimed to prevent, correct, or even diminish misuse of firearms can be attacked only on an emotional, not a logical basis.

[From the Philadelphia (Pa.) Inquirer, Oct. 11, 1968]

Useful Gun-Control Legislation

The measure worked out by a Senate-House conference committee, and quickly passed by both Houses, to reduce the anonymous traffic in guns and ammunition in this country, is better than most observers had expected.

It not only bans the interstate, mail-order sale of guns AND ammunition (the House had declined to forbid the latter) but also restricts to a sensible degree, mail-order sales within each State. A seven-day waiting period and the filing of an affidavit of eligibility by a purchaser will be required.

Gun clubs associated with the National Rifle Association will still, we note, be able to obtain surplus weapons and ammunition through the Army Civilian Marksmanship Program, a wide-open question mark where some clubs may be concerned, and over-the-counter sales to residents of a State are still virtually untouched—except that buyers are not supposed to be mental incompetents, drug addicts or criminals, needless to say.

We still feel that a proper licensing and registration measure would have been more effective, but are somewhat reassured by word from the Internal Revenue Service that it will thoroughly check the licenses of all existent firearms dealers. This is a small defense against private individuals stockpiling at wholesale rates for a sometime insurrection, but it could be at least some help.

In a country that has seen far too much violence of late, and may see even more, the new legislation may inevitably seem "too little and too late" if worse comes to worst. But by putting up roadblocks in the way of mail-order, cross-country gun traffic, it will make the arming of lunatic fringes a little harder, anyway. And if that's the best we can get for now—we'll take it.

[From the Allentown (Pa.) Chronicle, Sept. 19, 1968]

Senate Bows to a Lobby

In passing a bill banning the mail order sale of rifles and shotguns the Senate has moved closer to realistic gun control than Congress did in its earlier ban on such sales of handguns.

But it still lacked the courage to go all the way, as demonstrated by its rejection of proposals to register firearms and license their owners.

During the debate on this issue opponents of firearms control were not above contending that one purpose of the legislation was to disarm gun owners by opening the way for government seizure of privately owned firearms.

No reasonable or reasoning person has ever suggested any such thing. The only purpose of any control legislation, including registration and licensing, is to inject some degree of responsibility into the acquisition and ownership of firearms.

Over the years opinion polls have shown overwhelming public support for strong firearms control while the major opposition has been mounted by organizations, including the National Rifle Association.

So, in rejecting the highly desirable registration and licensing provision the Senate is bowing to the will of lobbyists whose injection of the constitutional right to bear arms into the discussions was nothing more than a smoke screen which for too long frustrated the national desire for gun control.

What the Senate has done now is a partial compensation for its failure to act previously. But it still has left one major base for firearms control uncovered in heeding the gun lobby's arguments against registration and licensing, an inconvenience, to be sure, but certainly not an imposition if even one life were to be saved by closing this loophole in the law.

[From the Baltimore, (Md.) Sun, Oct. 11, 1968]

Gun Control

Through a maze of congressional halls, in and out of a labyrinth of committees, past hordes of well-armed sentries representing the National Rifle Association, a gun control bill has wended and is about to become law. Only one essential element is missing from the bill: a provision requiring the registration of all firearms and the licensing of all owners.

Despite the omission the bill is far stronger than the one we might have had. Without the tragic slaying of Robert Kennedy the country almost certainly would have had to be content with the weak law enacted earlier in the congressional session. That law, part of the Omnibus Crime Control and Safe Streets Act, would have provided a welcome but insufficient ban on the interstate mail order sales of handguns.

The bill agreed upon this week by Senate-House conferees greatly enlarges on that law, banning mail order sales of rifles, shotguns and all kinds of ammunition. It also provides other restrictions on instate sales. The bill, as consolidated, is as strong as or stronger than the version which emerged from either the House or Senate. It is faulty only in that it falls somewhat short of the ideal.

[From the Chicago (Ill.) News, Oct. 10, 1968]

Guns and Law and Order

The Senate has passed a moderate bill that prohibits mail-order sales of guns and ammunition. The House is expected to pass it and President Johnson is expected to sign it. And the gun lobby is expected to howl.

Whatever the protests, however, look at the record. On the day before the Senate acted, a bank robber killed a policeman in Chicago—with a gun. On the day before a New York policeman was killed in a gun battle with two men he stopped for a traffic violation. And on the day before that, near Opelika, Ala., a 26-year-old man shot and killed two of his brothers-in-law and wounded another because of a "misunderstanding." A casual reading of recent news reveals an unending record of maiming and slaughter—several street gang killings in Chicago, two police officers wounded in Americus, Ga., by an escaped mental patient, four persons executed in Cleveland—all by guns.

No gun law is going to end all the killing. But a good federal law—backed by good enforcement and good local controls—would save lives. Many of those would be the lives of policemen. It's a paradox, however, that some of our noisiest advocates of "law and order" are also our noisiest opponents of gun controls. They persist in this contradiction even though it's largely to the police that we must look for the preservation of law and order, and even though the police are daily imperiled by the nation's free-and-easy way with guns.

[From the Scranton (Pa.) Times, Sept. 19, 1968]

Victory for Gun Controls

Congress has finally bowed to the weight of public opinion, so often and so clearly expressed, and has approved a bill establishing effective controls on the sale of guns. By a vote of 71–17, the Senate yesterday passed a measure which prohibits the interstate sales of rifles, shotguns and ammunition. This ban appears certain of final congressional approval, since it had already been voted by the House.

That the national lawmakers had at long last recognized the strong public demands for adequate gun control laws was indicated by the Senate vote, which found a number of long-time opponents of such legislation lining up to support the measure. There was a touch of drama in the Senate action, too, for Sen. Edward M. Kennedy made his first appearance on the floor since the assassination of his brother, Sen. Robert F. Kennedy, last June in order to cast his vote for passage of the bill. It was following the assassination of his other brother, President John F. Kennedy, in November, 1963, that the nationwide agitation for enactment of gun control laws first developed in earnest.

The Senate-approved measure now goes to a conference committee for the resolution of differences in the House and Senate versions. While the Senate bill imposes a ban on all interstate sales of ammunition, the House measure would exempt most types of ammunition from controls. The House version also exempts the National Rifle Association and affiliated gun clubs from some of the restrictions on the purchase of guns and ammunition.

If the Senate-passed bill is finally approved, it will represent only a partial victory in the fight for effective gun control laws. But it is an impressive victory, for the demand for a ban on mail-order sales of rifles and shotguns has been met, following the enactment earlier this year of a similar ban on handguns. A proposal for the registration of all firearms and the licensing of their owners—another basic requirement for all-around controls—was defeated by the Senate yesterday, 55–31. Pennsylvania's senators—Joseph S. Clark and Hugh D. Scott—voted for the registration-licensing amendments and we commend them for it, even though they supported a losing cause.

[From the Fayetteville (N.C.) Observer, Sept. 22, 1968]

Part of the Loaf

As news dispatches reported, the gun control bill that will soon become law is a great deal less than President Johnson's administration had sought.

The basic feature of the legislation approved a few days ago by the Senate bans the mail order sales of rifles, shotguns and all types of ammunition. Thus the mail order sales ban, already applicable to pistols as a result of legislation previously enacted, will soon cover all guns.

Other features of the package provide stricter controls of over-the-counter sales to nonresidents of a state and a ban on sales to people under 18 (persons under 21 are already prohibited from purchasing pistols).

The administration's proposal for registering all guns and licensing their owners was defeated, although no really valid arguments were advanced against it.

Despite the failure of the registration and licensing proposal, the importance of the gun control legislation that did win congressional approval should not be minimized. In a problem area where the dangers are clearly going to increase, not diminish, a half or even less of a loaf is better than nothing. And it is reasonable to hope and think that the mail order sales ban on both guns and ammunition will curb the traffic in guns to some extent.

Ultimately, if gun control laws are to be the weapon they could be in the effort to combat the sharply rising crime rate in America and all Americans are to receive the protections they're entitled to, a gun registration and licensing law will have to be put on the books.

[From the Chicago (Ill.) Sun-Times, Oct. 10, 1968]

A Stronger Gun-Control Bill

The Senate has accepted a Senate-House conference committee gun-control bill that is more restrictive than most advocates of gun-control legislation had hoped for. The committee took the strongest parts of bills passed previously by the Senate and the House and combined them into a compromise measure that has drawn praise from the sponsors of gun-control bills.

Although the conference committee bill does not provide for the licensing and registration of all firearms, it does prohibit the interstate mail order sales of all firearms and ammunition. Thus it supplements the section of the Omnibus Crime Control and Safe Streets bill, passed earlier this year, which bans interstate mail order sales of handguns. The new bill also bans the sale of rifles and shotguns to those persons under the age of 18 and it provides for a seven-day waiting period for mail order sales of firearms within a state.

The proposed legislation does not prohibit or hamper sportsmen and hunters from owning or buying firearms or ammunition, a protection the Senate and House were anxious to preserve, as was the Illinois Legislature when it passed the Illinois gun-control bills. The legislation will, however, make it much more difficult for criminals, minors and the mentally incompetent to obtain guns—and that is all to the good.

[From the Baltimore (Md.) Sun, Oct. 10, 1968]

Gun Control

Hear Mr. Mahoney talk. He talks about guns. He talks about good people. He wants good people to have guns. He says it is bad to take guns away from good people. He says that is a "Communist idea." Communist is worse than bad.

Hear us talk. We are talking about bad people. We say bad people are different from good people. We say bad people use guns to shoot good people. We say take guns away from bad people. We say bad people without guns cannot shoot good people. We say that is not a Communist idea. We say that is a good idea.

Is Mr. Mahoney a bad person? No. Is Mr. Mahoney a silly person? Yes.

[From the Baltimore (Md.) News American, Oct. 11, 1968]

Red Herring

Gun control, according to George P. Mahoney, independent candidate for the Senate, is a "Communist idea."

Mr. Mahoney dragged this silly red herring across the campaign trail in a radio interview in which he said he is against "taking guns away from good people." The conscripting of guns from civilians, he added, had enabled the Communists to take over several countries.

This parrotting of the extreme line against federal gun registration may conceivably pick up a few votes for Mr. Mahoney, but it will hardly contribute to his reputation for statesmanship, if any. The absurdity of the charge that federal gun controls are the first step in a Communist take-over will be apparent to all thoughtful citizens.

However, from a man who campaigned for governor on the one-note slogan, "Your home is your castle," perhaps this line of reasoning is to be expected.

[From the Akron (Ohio) Beacon Journal, Sept. 20, 1968]

A Small Step Forward

There are two ways to look at the Senate's approval this week of a gun control bill restricting interstate sales of rifles, shotguns and ammunition:

One can consider this an inadequate measure which still leaves guns available to every criminal and irresponsible individual who is looking for trouble.

Or one can consider it a small but hopeful step forward in the long process of bringing guns under control.

Gun fanatics, of course, would take a third view—complete opposition to any control. But that is selfish and unrealistic.

While anxious for more comprehensive controls, we will join with those who give a mild cheer to the 70 Senators who finally went so far as to restrict interstate sales. This, in effect, means that a purchaser has to face a dealer across a counter and thus is subject to some sort of identification. No one with a clear conscience need worry about this—and probably some with evil intent won't either.

It is regrettable that only 31 Senators were willing to vote for registration of all firearms and licensing of gun owners as against 55 who opposed this means of really controlling firearms.

How many more Kennedys and Martin Luther Kings will have to be assassinated before legislators can be persuaded to take the logical and necessary steps to really bring guns under control?

[From the New York (N.Y.) Post, Oct. 11, 1968]

Setback for the Gun Lobby

After firing repeated blanks on gun control this session, Congress is on target—if not exactly on the bullseye—with a fairly well-aimed law. The score may relate to the vote-hunting season.

An adaptation in conference of Senate and House bills passed earlier, the measure significantly provides for a ban on mail-order shipments of rifles and shotguns as well as ammunition; handguns are covered in a crime-law amendment. Restrictions on counter sales of long weapons and age limits are also included in the new law.

Unfortunately, there are no requirements for registration and licensing of firearms, despite appeals from many responsible local, state and federal officials and the public. The law will, however, reduce what President Johnson graphically termed "mail-order murder" and it will furnish a foundation for the more comprehensive controls later. Moreover, and perhaps most importantly in the long run, the law will blunt the blatantly false claims of gun lobbyists that any controls mean "confiscation" of guns.

[From the Washington (D.C.) Post, Oct. 11, 1968]

Life Saver

It will henceforth be somewhat more difficult for a man who wants to assassinate a President or rob a bank or shoot a policeman or exterminate his family to obtain the necessary equipment. A firearm is almost indispensable for any of these purposes; at any rate, it makes accomplishment of it much easier. Other weapons can kill, too. But they are awkward, messy, fallible and require proximity; guns make killing a cinch for almost anybody, the young, the weak in mind or in body, the cowardly, the fanatic.

Under the terms of the gun control bill agreed to yesterday by the House and the Senate, mail order sales of rifles, shotguns and ammunition will be banned; and so will over-the-counter sales of these lethal weapons to minors and to non-residents of the state where they are sold. These limitations were made applicable to the sale of handguns some months ago in the omnibus crime bill. As we have contended on many an occasion, we think this is elementary common sense, restricting in no way the rights and the legitimate activities of sportsmen and gun collectors.

We wish that gun control had been strengthened by provision for the registration of all firearms and the licensing of those who possess them. This, too, we are convinced, could be accomplished without injury to law-abiding, responsible adults who want guns for hunting or target shooting or collecting or self-protection. Such provisions would make gun control far more effective and thus protect the general welfare and public safety.

Nevertheless, the gun bill as passed by Congress represents an important step forward. It is a better bill than the one passed during the summer by the House. It reflects patient consideration and exhaustive efforts on the part of the sponsors to meet and make accommodation to the honest misgivings of critics. So, like the most major innovative legislation, it is a compromise. We believe that over the years a lot of Americans will owe their lives to it.

[From the Erie (Pa.) Times, Sept. 16, 1968]

Guns and Crime

There was commendable toughness in that letter last week from Atty. Gen. Ramsey Clark to the Senate.

The Attorney General told the Senators if they really want to do something to control crime they should immediately enact a comprehensive gun control bill, including registration and licensing of firearms.

Along the same line, the FBI's Uniform Crime Reports for 1967, released a few days ago, confirms a continued upswing in serious crime—and an increase in the crimes of violence.

In 1967, firearms were used to commit more than 7,600 murders, 52,000 aggravated assaults, and 73,000 robberies.

Firearms were used in 63 per cent of the armed robberies.

Of the firearms used in murder, 76 per cent were handguns, 14 per cent were shotguns and 10 per cent were rifles.

Of the 411 police killings since 1960, 96 per cent involved the use of firearms—specifically, 304 handguns, 52 shotguns, and 38 rifles.

Yet you can't advocate gun controls in this country without being accused by some groups of being anti-patriotic.

As Attorney General Clark said: "Gun control legislation is the most important crime issue before the Senate. If we are serious in our professions of concern about crime, and especially violent crime, then let us move directly against the favored weapon of the lawless—guns."

[From the Scranton (Pa.) Times, Sept. 21, 1968]

GUN CONTROLS AT HOME

The issue of establishing effective controls on the traffic in firearms, which has been aired in Congress and in state legislatures for the past five years or more, was brought into the spotlight on the local level yesterday. And it is gratifying to know that out of a discussion of the question at City Hall came an agreement reaffirming the right of local police to determine who shall be granted permits to own handguns.

Under the law in effect here, the police are notified when a person seeks to buy a handgun—a pistol or revolver—and the applicant for the permit must satisfy the authorities that the purpose for which the weapon is being acquired is a proper one.

The right of the police to make this determination was challenged by a representative of a North Scranton gunshop, who complained that Detective Capt. James McDonald had exceeded his authority in refusing to issue a permit covering the purchase of a "snub-nosed" .38 caliber revolver. The police consider a gun of this type to be intended for use only by properly designated law enforcement officials, since the revolver ordinarily is not used for target shooting. When the petition of the original prospective buyer of the gun was rejected, it is alleged that the application was renewed in the name of one of his relatives who is a deputy sheriff. This was also denied.

In general, the local law is designed to prevent sale of a revolver to anyone who has a criminal record or questionable background. In the case at issue, it was more a matter of the type of the gun than the character of the would-be buyer which influenced the police decision. We are glad to see Public Safety Director Longo uphold the right of the police department to thus control the sale of handguns in Scranton.

[From the Allentown (Pa.) Call, Sept. 17, 1968]

LAW AND ORDER COUNT

The Senate's new debate on gun controls and the subsequent voting on the proposals will give Americans another opportunity to judge how much demagoguery there is among politicians and how genuine some others have been about their demands that the nation restore law and order.

As usual, the gun lobby is loaded for bear. Its spokesmen in and out of Congress once again trumpet the argument that Americans need guns to protect themselves and their families against murderers, rapists and thieves and perhaps defend their country against Communists who might be infiltrating the cities and countryside building up for a siege of Red terror.

All who accept this argument should read the proposed legislation. There isn't a single serious proposal to deny any law-abiding citizen freedom to own all the guns he wants or use them legitimately. He doesn't even have to be a member of the National Rifle Association to qualify. It is aimed only at making it more difficult for convicted criminals, drug addicts and irresponsible juveniles to get these weapons and become killers.

Atty. Gen. Ramsey Clark made the point that "those who stridently call for law and order yet oppose or ignore gun controls fail to face the issue and fail to protect the public." This week should provide a good opportunity to determine on which side they want to be counted.

[From the Greensboro (N.C.) News, Sept. 19, 1968]

THE GUN CONTROL BILL TODAY

The federal firearms control bill, which was shot full of holes in the House, managed a sort of recovery in the Senate. The bill the senators passed Wednesday is not as strong as the one proposed long ago by President Johnson, but there are new hopes that it can have a useful life.

The most important feature of the Senate bill, at this point, is its ban on the interstate sale of long guns and ammunition. Hand guns were placed under the same restrictions in an earlier law. The present bill would put a stop to the reckless practice of many dealers of selling guns and ammunition to anyone who mails them a check. In most instances gun-shoppers would have to make purchases in their own states.

An amendment added Tuesday would stiffen the penalties for some federal crimes if guns are used in committing them. If the proposal holds up it could extend to life imprisonment the sentences of persons found guilty of federal crimes of violence. Such a law's discouragement of the use of firearms by criminals is at least debatable.

In a voice vote the senators prohibited the confiscation of legally owned and used firearms by any federal agency. The amendment was unnecessary—for nothing in any proposed legislation permits confiscation—but by reassuring those opposed to gun control and registration it may help get the bill through Congress.

The Senate unfortunately rejected, 45–42, a requirement that applicants for a gun dealer's license have premises for conducting their business. Thus the part-time gun sales operations from homes and post office boxes which handle most of the questionable gun traffic, will be allowed to continue.

The bill will still have to survive a conference committee. It is certain to face rough treatment from members of the House, but Senate support for some of the original legislation's key provisions—chiefly the ban on mail-order sales—should give the new law part of the power it needs.

Even the weakened bill is being opposed by the manufacturers'-supported gun lobby and by misguided congressmen. Now is the right time for voters to remind senators and representatives of their support for firearms control measures.

[From the Columbus (Ohio) Citizen-Journal, Sept. 21, 1968]

THE GUN FIGHT WINDS UP

After all the fight, light and heat, the gun battle in the United States Senate has wound up just about where the same controversy finished in the House.

House and Senate versions are quite similar: mail-order sales of rifles and shotguns are prohibited (handgun sales by mail already are illegal); over-the-counter sales to nonresidents of a state are restricted; minimum age limits are fixed.

The Senate also would bar mail-order sale of shotgun and rifle ammunition, and the House ought to agree to this. Senate penalties are slightly tougher in most cases, and again the House should concur.

Neither House accepted the proposal for a general registration of firearms and licensing of gun owners. This was the object of a big push and the main point of the long controversy.

As in the House, this proposal was defeated in the Senate, as far as we can see, because most gun owners opposed it and because some senators were not at all convinced that such a law would do all in the way of curbing crime that its proponents claimed.

But the bill, as it finally was put together in the Senate, has one good, strong provision aimed at the criminal.

The Senate bill permits the courts to hand out extra imprisonment, up to life, to anyone convicted in a federal court of a crime of violence (murder, rape, robbery, assault) if a gun is used in the crime.

The only trouble with this provision is that it is discretionary with the court for first offenders. While the maximum—a life sentence—is tough enough, a lenient judge could let the guilty man off with a probationary sentence.

The House bill is more specific: It proposes mandatory sentences of one to 10 years for the first offense, five to 25 years the second time. These sentences, imposed solely for using a gun, would be laid on top of whatever penalties were imposed for the crime itself.

This types of legislation surely would be a greater deterrent to a criminal than many of the other proposals, more so than more registration. But the penalties should be made not only tough but mandatory. And ought to be copied in every state, since the pending bill, if it finally is passed, would apply only to federal crimes.

The registration proposal was defeated because it would apply to legitimate gun owners, but would not necessarily be obeyed by the criminals, who could only lose by complying. The "bonus" penalty for use of a gun in committing a crime, if made harsh enough, is aimed directly at the criminal. We hope the final version, to be worked out between the House and Senate, goes for maximum, mandatory penalties.

[From the Ashville (N.C.) Citizen, Sept. 20, 1968]

SENATE MEASURE HALTS RIFLE SALES BY MAIL

By a decisive vote of 70 to 17 the Senate has approved a bill banning the interstate mail order sale of shotguns, rifles and all types of ammunition. This supplements the ban on mail order sales of handguns which was approved by Congress earlier this year.

The bill also:

Prohibits the sale of firearms to persons under 18 and of all firearms except shotguns, rifles and ammunition to persons under 21.

Bans over-the-counter gun sales to nonresidents of a state, although a person can make a gun purchase in an adjoining state if the laws of both states permit it.

Allows mail order gun sales within a state subject to a seven-day waiting period and the filing of an affidavit of eligibility by the purchaser.

Provides that any person carrying a firearm while committing a Federal crime of violence—such as rape, murder, arson, theft or kidnapping—may be imprisoned for life.

The majority of the American people want to make it more difficult for juveniles, mentally deranged persons and criminals to get possession of guns. The country is apparently not yet ready for gun registration but it does want to stop unrestricted gun sales through the mails.

The amendment providing for a sentence

of life imprisonment for carrying a firearm while committing a Federal crime of violence is stronger than that in the House bill. Proposed by Western Senators, it ought to be a deterrent to crime.

This bill now goes to conference, with leaders of Congress determined to obtain final action before adjournment next month. Since there has been prolonged discussion of it in both houses, the conferees should not find it difficult to reach agreement. The country will welcome passage of this measure.

[From the Lewiston (Maine) Sun, Sept. 10, 1968]

MASSACHUSETTS GUN LAW

While Congress has been talking gun controls to death, the Massachusetts General Court has taken action which will place the Bay State in the forefront of firearms control. The eyes of the nation certainly will be on Massachusetts as the law becomes effective next month.

The primary purpose of the new law is to screen out persons who should not have firearms. Every gun owner will be required to have a Firearms Identification Card, which will cover all of his guns. The law bars the issuance of such cards to anyone convicted of a felony within five years; mental patients, unless they have a doctor's certificate; anyone convicted of violating the narcotics laws within five years, or who has been under treatment for drug addiction or habitual drunkenness; and minors under 18 unless they have their parents' permission and are over 16.

Gun owners will have from Oct. 21 to Jan. 1 to get their ID cards from the local police departments. A $2 fee will be charged for a card and it will be valid for five years, then automatically renewed unless the gun owner is disqualified.

No one may purchase ammunition without displaying his ID card.

The General Court put teeth into the law by setting a penalty of a $500 fine or up to one year in jail for anyone found to have a gun in his possession without the required ID card.

Maine has followed the lead of its mother state of Massachusetts in much of its law. It should do so in the area of effective gun controls.

[From the Roanoke (Va.) Times, Sept. 20, 1968]

GUN-LAW ISSUES SHIFTS TO STATES

Capitol Hill's gun battle is over, with the antagonists still not happy, few of the underlying issues settled, and no clear indication of where the country is to go from here.

Nonetheless, a significant first step has been taken down the road toward effective control of firearms. Further, more drastic steps doubtless will follow, as even the opponents of gun controls must surely realize. What remains uncertain is whether these subsequent steps will be taken at the federal level, which we believe would be a mistake, or at the community and state level, where—as Roanoke recently has demonstrated—apathy still is all too evident.

Local and state governments have in effect been given an additional grace period in which to deal with the issue. They will not have too many more grace periods, however. For, as virtually all law enforcement agencies are quick to remind us, tighter controls are both desirable and necessary. Clearly, then, if something is not done at the grassroots level, federal action will be inevitable—especially if, God forbid, there is a further recurrence of the political assassinations that have racked the country in the past five years.

The legislation that finally got through Congress establishes only minimal federal controls, all of which were needed to close loopholes that exist even in states and cities with the most stringent local gun-control laws. The new federal controls, some of which were passed by the Senate only this week, insure that the indiscriminate mail-order sale of rifles, shotguns and handguns will now cease. Oswald-style purchases thus will no longer be possible—at least not with the ease that JFK's assassin enjoyed.

Additionally, these new laws will keep criminals in gun-control states and cities from routinely crossing into non-control states to buy their firearms on the open market, with no questions asked. If the House accepts the strengthened Senate version of the measure to control long-guns, mail-order sales of ammunition also will be curbed. This will erect an important new obstacle for criminals who doubtless find it easier to steal a gun than to acquire a constant ammunition supply in places where local restrictions exist.

Congress also was wise, we believe, to authorize stiffer sentences for persons using guns in federal crimes. The power should be discretionary, however, since young first offenders ought not to go to prison unless the circumstances warrant; furthermore, the excessive new sentences authorized this week by the Senate clearly ought to be dropped in favor of the more moderate House provisions voted earlier this summer at the instigation of Rep. Richard H. Poff and the House leadership.

More extreme measures, such as outright federal registration of guns and licensing of gunowners, were properly rejected by both the House and Senate. Ultimately, if urban areas with a high incidence of gun-involved crimes fail to enact some type of licensing or registration procedure, further federal action may become necessary.

It should not be in the form of federal registration, however; rather, Congress should simply order that federal aid for anticrime work be given only to places that have effective firearm-control laws. Such a carrot-and-stick approach would achieve the desired objective in nearly all cases, and without in any way threatening gun owners with the national registration that they bitterly and understandably oppose.

[From the Cumberland (Md.) Times, Sept. 25, 1968]

CRIMINAL GUN USE UP ACCORDING TO FBI

During the first half of this year, while Congress was dragging its heels on gun control law, criminal use of guns was thriving. In percentage, increases over crime reported the first six months of 1967, the Federal Bureau of Investigation notes, armed robbery and assaults with firearms set the pace.

From December to July, says the FBI, firearms were used in 61 per cent of all known robberies. Firearms always figure heavily in such crimes, but the trend to greater use of them while Congress dallied is instructive: the proportion of robberies in which firearms were used this year was up 34 per cent from last year.

It would be unfair to make too much of this; certainly it would be a gross distortion to say that congressional reluctance to act was responsible for the sharp increase in criminal use of firearms. The factors responsible for the crime rise and increasing use of guns are numerous and complex.

But it is a reasonable conclusion that had Congress acted years ago in the matter of gun control the figures for the first six months of 1968 might not be as bad as they are. Those figures should be a spur to action now.

[From the Homestead (Fla.) News Leader, Sept. 10, 1968]

A GOOD PRECEDENT

Many no doubt will pooh-pooh the gun registration ordinances recently enacted by Miami and Miami Beach, but at least the measures are a step in the right direction.

The ordinances call for registration of firearms in the cities and prohibit the sale of firearms to convicted felons, minors, drug addicts and drunks.

The penalty for violating the new ordinance in the City of Miami is a fine of up to $500 and up to 60 days in jail. Mayor Steve Clark, who opposed the measure, noted that it will not significantly reduce crime.

That may be true, especially in view of lax restrictive measures elsewhere in the county and state. There is some hope, however, that others will eventually follow the precedent set by the two cities.

If one person a year is kept from being gunned down as a result of the ordinances they will have proved worthwhile.

It is very difficult to refute the arguments of the proponents of strong gun legislation that in countries where such legislation exists there is an embarrasing difference in the number of gun related deaths each year.

[From the Buffalo (N.Y.) Courier Express, Sept. 14, 1968]

KNOWLEDGE OF SAFE-HUNTING RULES A MUST

With the opening of the fall hunting season only a few weeks away, safe hunter-training classes are being offered in several suburban sites. Primarily the classes are for first-time hunters 14 years of age and over so they can learn at the start the fundamentals of the safe use of firearms in the field.

However, with the alarming loss of life and injuries tabulated each year it would be advisable for other hunters to avail themselves of a refresher course in firearms handling. Many hunters over the years have unconsciously acquired bad or dangerous habits. The casualty figures each year attest to this. It is not uncommon to read where a hunter fired at a moving bush or something he "thought" was a deer or bird only to find that he had shot another hunter.

Accidents of this nature are avoidable. With more and more hunters taking to the open lands each season it is imperative that every precaution be taken to make certain that every hunter does not become involved in an avoidable accident. A refresher course in safe gun handling is about the best way to do it.

[From the Minneapolis (Minn.) Tribune, Oct. 3, 1968.]

AN ASSAILANT GETS HIS GUN BACK

The right of one Minnesota sportsman to enjoy the hunting season has been assured by a court order requiring the Hennepin County sheriff to return the hunter's shotgun to him. Last spring, the man shot a deputy with the same weapon, crippling the officer's left hand. The incident, which occurred in a Minneapolis suburb, involved a police investigation of a domestic quarrel.

After pleading guilty to a charge of aggravated assault without intent to do bodily harm, the man was sentenced, then placed on probation. The order returning the shotgun apparently restricts his use of it to the hunting season, after which the gun will be returned to his attorney.

Some may wonder why the gun was returned in the first place. They may even wonder if the public interest is well served by permitting an individual who shot a law-enforcement officer six months ago to be allowed to use the same weapon again now, regardless of the limitations specified.

The answer to the first question is that state law is silent on such matters, although legislators are talking about gun-control. A House Judiciary subcommittee hearing on that subject in St. Paul last month received so many volleys of anti-control rhetoric that chairman Harold J. Anderson decided there was no chance of passing a strong registration law. What he predicted instead was a law against carrying concealed weapons without a permit. Such a law would have no effect on the case of this particular hunter.

The answer to the second question is, in our opinion, that the public interest is mocked by a legislative irrationality which condones possession of firearms with no pretense of restriction.

[From the Montgomery (Ala.) Advertiser, Sept. 27, 1968]

There Are Still Plenty of Guns

After a furor lasting several months, the Senate got around to passing a gun control bill the other day.

The legislation would stop interstate mail order sales of rifles, shotguns and ammunition. It abolishes the loose practices of gun dealers which allowed a Lee Harvey Oswald simply to order a murder weapon without challenge or license.

Mail order sales within the home state of the buyer would be delayed a week while authorities had time to check the records to see if the buyer had applied for a license. The waiting period and license check also apply to persons who go out of state to purchase weapons or ammunition. The bill prohibits the sale of weapons to persons under the age of 18.

The penalty for violation is still, up to 10 years in prison and as much as $10,000 fine. But it isn't oppressive, nor does it mean unrealistic federal controls. Actually, the bill is aimed at helping local authorities enforce local firearms control laws.

The Senate version of the bill was sent to a conference committee, where minor differences with a similar House-passed bill will be worked out. President Johnson should have the final draft on his desk for signature around Nov. 15.

The provision which provoked hysteria from gun nuts was omitted. The powerful lobby of the National Rifle Association and others were successful in killing the clause requiring federal registration of every firearm in the nation.

Under the Senate bill, Lee Harvey Oswald wouldn't be allowed to purchase a murder weapon by mail. He wouldn't have to go to that trouble. All he would have to do is buy an unregistered gun from an individual, who certainly wouldn't check his record or background.

Congress has passed a gun control bill, but it is inadequate.

[From the St. Cloud (Minn.) Times, Sept. 25, 1968]

Crime and Guns

During the first half of this year, while Congress was dragging its heels on gun control law, criminal use of guns was thriving. In percentage increases over crime reported the first six months of 1967, the Federal Bureau of Investigation notes, armed robbery and assaults with firearms set the pace.

From December to July, says the FBI, firearms were used in 61 percent of all known robberies. Firearms always figure heavily in such crimes, but the trend to greater use of them while Congress dallied is instructive: the proportion of robberies in which firearms were used this year was up 34 per cent from last year.

It would be unfair to make too much of this; certainly it would be a gross distortion to say that congressional reluctance to act was responsible for the sharp increase in criminal use of firearms. The factors responsible for the crime rise and increasing use of guns are numerous and complex.

But it is a reasonable conclusion that had Congress acted years ago in the matter of gun control the figures for the first six months of 1968 might not be as bad as they are. Those figures should be a spur to action now.

[From the Evansville (Ind.) Courier, Sept. 24, 1968]

First Step in Gun Control

The national political conventions and the start of campaigning, coupled with the continuing hassle over the Fortas appointment, have all but obscured one prime concern facing Congress now that it is back in session.

This is the matter of taking effective action to place gun sales under tighter restraints.

The public, which is shown by polls to be overwhelmingly in favor of better controls, needs to sharpen its focus on this important issue again.

The curious thing is that those adamantly opposed to federal gun control legislation are often loudest in their demands for "law and order." That is curious because the connection between guns and crime is indisputable.

Attorney General Clark re-emphasizes this in a letter and memorandum sent to every senator.

. . . "Gun control legislation," he told them from his viewpoint as the nation's chief legal officer, "is the most important crime issue before the Senate. If we are serious in our professions of concern about crime, and especially violent crime, then let us move directly against the favored weapon of the lawless—guns."

More of what Clark told the Senate deserves reiteration as an antidote for the flood of misleading statements to which both Congress and the public have been subjected.

"The real question before the Senate," he wrote, "is not whether gun control legislation can reduce crime and save lives. We know it can. The question is whether our system of government will address itself to the issues that must be faced if we are to survive as a free and great people."

As things now stand, Senate-House committees are considering a bill that would curb mail order sales of rifles and shotguns as well as handguns; registration of guns and licensing of owners is not included.

The measure is weak but would, as Clark says, be "an essential first step." That step should be taken.

[From the Ridgewood, (N.J.) Sunday News, Sept. 21, 1968]

Backing for Gun Law

The narrow escape from destruction by a sniper's bullet of Patrolman William Salvesen of Washington Township, which precipitated the recent great manhunt from Ho-Ho-Kus to the New York Line, offers further backing for a stiff national gun law, if any additional evidence were needed. Ptl. Salvesen took chase after a speeding car on what seemed a routine chore; instead, he was courting disaster. A bullet was fired from a rifle by one of four occupants of the sinister car, and passed through the officer's cap, skimming his head, after puncturing the windshield. Gamely, Ptl. Salvesen maintained the chase although he was badly outgunned with only his service revolver to oppose the fugitive's rifle. Fortunately, the desperado did not fire again and ultimately left the car and took to the woods near Waldwick to escape.

The incident emphasizes once again that while New Jersey has a very firm gun law it has no control over the free circulation of firearms and no protection from their wanton use so long as Washington lags in the enactment of corrective legislation. The strict regulations are circumvented as weapons pour in from neighboring commonwealths that tolerate the free sale of guns.

What is needed is a check on the sale of guns—everywhere—or there can be little effective local control within state boundaries and that of course involves Washington. The House of Representatives passed an adequate bill to regulate mail order sale of rifles, shotguns and hand guns. The Senate has yet to do so. In that body there has been a great deal of stalling, much of it obviously promoted by the powerful gun lobby. When Congress reconvenes the upper chamber must turn realistic about a national menace.

[From the Washington (D.C.) Star, Oct. 14, 1968]

Guns and Criminals

Congress has passed and sent to the White House a bill which will be of considerable help in restraining the indiscriminate sale of guns and ammunition. Regrettably, despite the claims of some of its sponsors, it will be less helpful in discouraging the use of guns by the criminal element in the commission of crimes.

As enacted, the measure outlaws the mail order sale of "long arms" and ammunition. A similar ban was imposed by Congress earlier in the year on the sale of pistols and revolvers. Other provisions are intended to keep these weapons out of the hands of irresponsible persons even where their sale is permissible.

As passed by the House, the bill contained a section known as the Poff amendment. This amendment was designed to discourage the use of guns in the commission of crimes, and to require the imposition of mandatory jail sentences for any violation.

For a first offense the mandatory jail sentence would have been one to 10 years. For a second and any subsequent offense it would have been five to 25 years. Furthermore, these mandatory sentences would have been imposed in addition to the penalty for the basic offense.

Is there a need for mandatory sentences? We think so. Representative Rogers of Florida recently put in the Congressional Record a summary of sentences imposed during one week by our District Court judges following convictions for crimes in which guns were used. There were a total of 17 such cases. In six of them, or more than one-third, the judge gave suspended sentences, which means that no jail term was served. One defendant found guilty of first degree murder and robbery got a two-year minimum sentence. Another received an eight-month minimum jail sentence for second degree murder, and another actually was given a suspended sentence for assault with intent to kill.

From this it seems clear tc us that some of our judges are not willing to impose appropriate sentences, even after conviction for crimes in which guns were used. The Poff amendment would have corrected this with its mandatory sentence provisions. In conference, however, the amendment was watered down. The stiff mandatory sentence for a second offense remains in the bill. In the case of a first offense, however, the one-to-10-year sentence is authorized, but not required.

Unless the judges get the message, and we hope they will get it, this means that first offenders can still hope to escape jail. And in consequence the deterrent effect of the new law on guntoting criminals will be weakened. Still, even this softened version of the Poff amendment is better than nothing, and if experience demonstrates the need a future Congress can always go back to the original version.

[From the Waukegan (Ill.) News-Sun, Sept. 25, 1968]

Gun Bill Is Better Than Nothing

Two months ago the House of Representatives sent to the Senate a gun control bill which was so watered down it was a virtually meaningless piece of legislation. This month the Senate approved a strengthened version of the House bill, but it still falls short of what is needed.

The real need—firearms licensing and registration—has been defeated by the horrified shrieks of the powerful National Rifle Association which irrationally views all forms of legislation as the first step toward federal confiscation.

At this point it remains for the House and Senate to agree upon a final bill which will probably reflect a middle ground between the House's "nothing" and the Senate's "better than nothing" bill.

We hope the House committee is able to accept Senate modifications which have made the House version less of a mockery. Among the most important changes which should be retained are those which strengthen controls over the sale of rifle ammunition, prohibit intra-state mail order shipment of firearms, impose greater penalties for carrying a firearm while committing a crime of violence, and double the maximum sentence for giving false statements to a dealer when applying for a license.

None of these get at the greater problem of handguns, but at least we will have made a start. Politics is still the art of compromise, and if we don't get what we want, we have to take what we can get.

[From the Daytona Beach (Fla.) Journal-Sun-News, Sept. 11, 1968]

More on Guns

On the same day that a jewelry salesman was chased and gunned down on a Tampa street last week, the Miami City Commission was passing a strict gun control law over the loud objections of a gun lobby. True, it squeaked by on a 3–2 vote, but the law is now on the books.

Miamians now must register their firearms, and any future ones they buy. Gun stores—whose representatives stormed the Commission meeting in protest—no longer can sell guns to minors, convicted felons, drug addicts and drunks.

The new law may help Miami curb its crime rate. Indeed, statistics say that it will do so.

States with gun control do have fewer firearms murders than those with minimal or no gun control. In the gun control state of Rhode Island, the gun murder rate is 1.4 per 100,000 population. In New Jersey, it is 3.5; New York, 4.8.

In contrast, it is 10.6 in Nevada; 9.9 in Louisiana; 9.7 in Mississippi, and 9.1 in Texas, where there is lax gun control.

Firearms are involved in only 25 percent of the murders committed in New York City, which is under the Sullivan Law, while in Dallas, with no control, the rate is 72 percent and in Phoenix, also with no control, 65.9 percent. Despite what small towners may think of "wicked" New York, it has the fifth lowest assault rate of the nation's 10 largest cities, the third lowest murder rate, and the lowest robbery rate of them all.

It could be better still in New York, as it could be in city ringed Miami, if the whole country were under some type of Sullivan Law and New Yorkers and Miamians could not go outside their city limits and purchase guns.

Just issued is a well researched report by the Anti-Defamation League on the way Americans are arming themselves. It cites the inflammatory directions on guns by such organizations as the Minute Men, the Douglas MacArthur Shooting Club, the Ku Klux Klan and the National States Rights Party. An imagined Communist takeover or impending race war are the motives.

On the other extreme are outfits like the Black Panthers, whose organizer, Huey Newton, has just been convicted of voluntary manslaughter in Oakland, Cal., and Revolutionary Action Movement (RAM) which plotted to assassinate moderate civil rights leaders not long ago. Newton has been quoted as saying: "Political power comes through the barrel of a gun."

The Minute Men advocate beefing up pistols by using hollow point bullets filled with poison.

The report on the extremists was frightening, chilling. Frantically, the paranoids in this nation are arming themselves for guerrilla war.

And they are doing it unchecked in most areas of the country.

We commend the three Commissioners in Miami who voted on the side of sanity, but we certainly have no cause now to commend the Congress which long ago should have put the brakes on this runaway madness.

It is toward Congress that the efforts of concerned people must be directed so that a nationwide check on gun sales can be made.

Atty. Gen. Ramsey Clark yesterday sent letters to all members of the Senate, in which he warned that there are probably 100 million privately owned firearms in the country now, and added: "We should have acted years ago."

We didn't, but let's insist that we act now!

[From the Orlando (Fla.) Sentinel, Sept. 15, 1968]

Register Pistols

While Congress deliberates and delays over enactment of gun control laws, and the American Rifle Association continues to warn against infringement of free born Americans' right to hunt quail, the sale of pistols in this country has increased by 350,000 a year while shotgun sales have barely held their own and rifle sales have actually declined.

The registration of pistols would seem to be of first importance in the war on crime. Not only are they the most frequently used of all kinds of guns in criminal acts, but they are also the easiest to obtain, to carry and conceal. A man walking down the street with a shotgun in his hands would be spotted immediately, but a would-be assassin carrying a pistol could move right into a political convention without being observed.

No law-abiding citizen who keeps a gun around the house for his family's protection should object to registering it. Such action might save him from considerable embarrassment if his pistol were stolen for the commission of crime by someone else. If he reported the theft to the police, he could hardly be held responsible for its future use.

Although it seems unlikely that any meaningful law will be passed by Congress any time soon, many cities are losing no time in enacting local statutes which, though not as effective as federal legislation, could serve a useful purpose in combatting crime.

We have long since passed the stage when "frontier justice" required every citizen to be his own bodyguard.

[From the Willimantic (Conn.) Chronicle, Sept. 14, 1968]

Focus on Gun Control

The national political conventions and the start of campaigning, coupled with the continuing hassle over the Fortas appointment, have all but obscured one prime concern facing Congress now that it is back in session. That is the matter of taking effective action to place gun sales under tighter restraints.

The public, which is shown by polls to be overwhelmingly in favor of better controls, needs to sharpen its focus on this important issue again.

The curious thing is that those most adamantly opposed to federal gun control legislation are often loudest in their demands for "law and order." That is curious because the connection between guns and crime is indisputable.

Attorney General Clark re-emphasizes this in a letter and memorandum sent to every senator. "Gun control legislation," he told them from his viewpoint as the nation's chief legal officer, "is the most important crime issue before the Senate. If we are serious in our professions of concern about crime, then let us move directly against the favored weapon of the lawless—guns."

More of what Clark told the Senate deserves reiteration as an antidote for the flood of misleading statements to which both Congress and the public have been subjected.

"The real question before the Senate," he wrote, "is not whether gun control legislation can reduce crime and save lives. We know it can. The question is whether our system of government will address itself to the issues that must be faced if we are to survive as a free and great people."

As things now stand, the Senate is considering a bill that would curb mail order sales of rifles and shotguns as well as handguns; registration of guns and licensing of owners is not included.

The measure is weak but would, as Clark says, be "an essential first step." That step should be taken without further delay.

[From the Charlottesville (Va.) Progress, Sept. 20, 1968]

The Gun Control Bill

The Senate's action in passing the bill banning interstate mail order sale of rifle and shotguns is a reasonable step forward in the field of gun control.

The measure is similar to one passed by the House earlier in the summer and little difficulty is expected in the Senate-House conference to iron out the differences.

Senate approval of the bill means that rifles and shotguns will now be included in the perviously-enacted ban on interstate mail order sales of handguns. The Senate bill also prohibits the mail order sale of ammunition for all kinds of weapons.

Another provision bans the over-the-counter sales of firearms to non-residents of a state, although a person in one state may make a purchase in an adjoining state if this is legally permissible in both states. The buyer must submit an affidavit of eligibility and the seller may not make delivery for seven days so that police may object if they have reason to oppose the sale.

Several other provisions of lesser importance were enacted and the Senate rejected a number of proposals, including one for licensing and registration of firearms. The bill, as it finally emerged from the Senate, also provides that any person carrying a firearm while commiting a Federal crime of violence may be imprisoned for life.

If the Senate-House conference produces a final measure approximately the same as that passed by the Senate Wednesday, very real progress can be hoped for in crime control involving guns for the simple reason that they will not now be so easily available to those who should not have them.

Congressional action has not only wiped out an easy method for criminals—and those who are about to become criminals—to obtain guns, but it has opened the way for the states to keep a closer watch on those who purchase weapons.

Let us hasten to state, before the National Rifle Association says it for us, that the bill when it becomes law will not wipe out crime overnight in these United States and a great many persons who want a gun for no good purpose will get one, some way or another.

But they will not be quite so easy to get, more time will be required to obtain them and police will obtain names of more persons who have made purchases of firearms. All this adds up to the fact that some good will result. How much, no one knows but certainly if only a dozen lives are saved and a handful of major crimes prevented, the law will be worthwhile. After all, with the exception of a relatively few mail order gun dealers, no one will have a big financial loss or suffer serious inconvenience.

When the measure becomes law, as it is virtually certain to be, the time will be at hand for the state to examine closely their own laws and to tighten them where they need tightening.

[From the Winston Salem (N.C.) Twin City Sentinel, Sept. 20, 1968]

Gun Control Realities

If Congress enacts a reasonably effective rifle-control measure, it is bound to have some effect on a law-abiding citizen's desire to purchase a rifle or a shotgun. It will be more difficult for *all* men to buy guns—the man who wants to go to Mattamuskeet for a weekend of hunting and the man who wants to rob a bank. Those who favor federal control on guns ought to acknowledge this straight out, because in this country you don't draw up an effective federal or state control law without infringing, to some degree, on the rights of honest, law-abiding citizens.

If advocates of gun control admit this, as they should, then opponents of the law ought to admit something too. The registration of an automobile doesn't prevent auto theft and it doesn't prevent a bootlegger from using a licensed automobile to haul untaxed whiskey. What registration does is give the police an outside chance of tracing the criminal down. Without such a registration law, there would be no arrests in most cases.

The analogy holds for rifles and shotguns, today more than ever before. When we ask a man to put on a uniform, put a pistol on his hip and go into some ghetto or dark building looking for a sniper or a looter, we owe him some insurance. We can't protect his life, because he is sworn to put his life on the line. What we can do is cut down on the chances that he will be blown in two by a shotgun or murdered by a high-powered rifle while doing his duty.

This is common sense. If this nation—this crowded, urban nation—is ever to have the kind of law and order most Americans believe in, we are going to have to control the sale of firearms. Not just pistols, but all firearms that could conceivably be used against citizens and policemen. We cannot have it both ways. We cannot demand law and order, on the other hand, and then affirm the right of psychotics and thugs to buy weapons as freely as one buys a sandwich. Somewhere, we have to draw a line. We have to say to ourselves that gun control *does* inconvenience the man who wants to go trap shooting, the man who wants to hunt on the weekends. At the same time, it more effectively inconveniences the criminal and would-be criminal. Not absolutely, because any man can put his hands on a gun in this country. But it does make it more difficult. And this means that somebody's life will be saved somewhere along the line.

This is why Congress must enact effective gun-control legislation—not to stop crime altogether, but to give the forces of law and order better odds in the war against crime. It is this simple, and we should make an effort to see the issue in its simplicity.

[From the Richmond (Ind.) Palladium-Item, Sept. 22, 1968]

RATIONAL APPROACH TO GUN CONTROL

Firearms control measures just approved by the Senate seem to embrace the most sensible approach to federal activity in regulating gun traffic and criminal use of guns.

While maintaining individual states' responsibility for formulating their own internal restraints on gun sale and use, the Senate bill prohibits mail order sales of rifles, shotguns and all types of ammunition, thereby augmenting a law passed earlier this year in which such sales of handguns were barred.

In addition, prohibitions on over-the-counter sales of guns to out of state residents was ordered in cases where reciprocal state laws do not already provide adequate restrictions.

For mail order sales within a state, as well as store sales, the Senate provided a seven-day waiting period and filing of an affidavit of eligibility by the purchaser.

Sale of rifles and shotguns to persons under 18 and handguns to those under 21 is now banned. Penalties for violation of these provisions range up to 10 years' imprisonment and $10,000 fines.

And perhaps most significant, the Senate action includes a possible life sentence for any person carrying a firearm while committing a federal crime of violence.

A bill similar to that of the Senate has already been passed by the House, and no difficulty is foreseen in arranging a final draft of the measure.

Wisely defeated in the Senate voting were proposals to require federal registration of all firearms and licensing of gun owners.

Although the cries for complete nationwide regulation of gun purchase and use were understandable after the tragic assassinations of Robert Kennedy and Martin Luther King, it is fortunate that the lawmakers were not panicked into hasty, regrettable acts.

Like all laws, the new gun control measures cannot hope to eliminate crime and abuse. But it is likely that this careful, rational approach will sufficiently curtail the indiscriminate sale and use of dangerous weapons to provide a greater safeguard on the public welfare than existed before.

And the rights and lawful desires of millions of law-abiding Americans to own and use guns for protection and recreation will be preserved.

[From the Jamaica, (N.Y.) Long Island Press, Sept. 20, 1968]

CURBING THE MECHANISMS OF DEATH

The Senate turns this week from gun control to bomb control and in so doing confronts the same fundamental issue.

The mechanisms of death come as big as 100 megaton bombs and as small as .22 caliber bullets and we have a responsibility to limit the threat of all.

The gun bill approved by the Senate was nothing to brag about, but it was better than nothing. It was also better than the bill passed by the House because in addition to barring mail order sales of rifles and shotguns, the Senate version prohibits the sale by mail of all ammunition and provides stiffer penalties for violators. The bill now goes to a House-Senate conference where the differences must be ironed out.

Even if the strengths of the Senate bill are preserved in the final joint measure, the public will have to wait—hopefully only until next year—for the more meaningful protection of registration and licensing of guns.

But there is no valid reason to delay the safeguards in the nuclear nonproliferation treaty. The treaty, endorsed by a 13 to 3 vote of the Senate Foreign Relations Committee, seeks to limit the spread of nuclear weapons in this crisis-ridden world.

If those safeguards are incomplete, they are also better than nothing. If the world becomes a nuclear arsenal, then a single spark, anywhere, will blow us all to eternity.

The treaty will not guarantee that will never happen, just as the gun bill will not guarantee anyone that he will not become the victim of an armed maniac, but both reduce the risks.

Each represents the best we can do at the moment. The value of the treaty and the gun bill is not only what each accomplishes now but as first steps we must take if there is to be a future worth worrying about.

CONGRESSMAN STUCKEY ADDRESSES INDEPENDENT BROKER-DEALERS' TRADE ASSOCIATION

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. REES. Mr. Speaker, recently our colleague, the gentleman from Georgia, Congressman W. S. "BILL" STUCKEY, JR., spoke before the Independent Broker-Dealers' Trade Association in Chicago. His speech gives an excellent overall analysis of one viewpoint to this controversial matter concerning the securities industry. I would like very much to have it included in the RECORD:

REMARKS OF HON. WILLIAMSON S. STUCKEY, JR., TO INDEPENDENT BROKER-DEALERS' TRADE ASSOCIATION, CHICAGO, ILL., AUGUST 15, 1968

The underlying goal of the Federal securities laws is public confidence in our securities markets. Your organization speaks for the 3,000 brokers and dealers who are authorized by the Securities and Exchange Commission to engage in the securities business, but who are not members of the New York Stock Exchange. Since there are only about 4,000 broker-dealers registered under the Securities Exchange Act of 1934, your members typify ¾ of the business establishments serving the investing public. Your members often are virtually the only means of raising new capital for our free-enterprise system available to local industry, and may offer the only available access to the market-place for public investors in a firm's particular geographical area. It is highly important to the depth, liquidity and continuity of our securities markets that they have local and regional securities firms widely dispersed throughout our non-metropolitan areas. The small businessman is important to our economy and our philosophy of government—and a small securities dealer is a very important small businessman.

In the United States today we have nearly 25 million shareholders in American industry, with shares of some 25,000 companies actively traded in our listed and over-the-counter securities markets. The Congress has established the Securities and Exchange Commission and authorized it to administer our Federal securities laws. The policy of Congress is "full disclosure"—to insure that there is adequate information available to the investing public about the issuers of publicly offered or owned securities and their managements. Another policy of Congress is "market regulation"—to insure that the securities markets function in a fair and orderly manner. Congress has also established an "anti-fraud" policy in the law—to protect investors from improper practices in the securities markets.

These policies are embodied in our "truth in securities" law (Securities Act of 1933); in the "truth in securities markets" law (Securities Exchange Act of 1934); and the "truth in mutual funds" law (Investment Company Act of 1940).

Congress requires the SEC to report annually on its activities, and at other times when a change in the statutory scheme should be considered, and this is what concerns me today. Our securities laws have worked well—our industrial system is the wonder of the world. Productivity depends on invested capital, which in turn depends on ever-increasing numbers of shareholder-participants in the capitalistic system. Our laws must create public confidence through adequate protection of investors, while at the same time leaving shareholders free to elect management of their choice, and to make such internal policy decisions as management compensation, sales charges, the type and nature of securities to be offered, stock-options, employee welfare and pension plans, level of brokerage commissions, etc. Congress intends that it be the shareholder and investor, *not* the SEC, who makes the judgment on the worth of securities and all of these other matters.

Today we stand at a crossroads in the securities industry. Congress has just enacted three securities laws—S.J. Resolution 160 to study institution trading; S. 1299 to extend margin trading to over-the-counter securities; and S. 510 to require full disclosure in "take-over" bids. These laws will strengthen the industry. These laws come on top of the 1964 amendments to the Securities Exchange Act of 1934, extending disclosure and reporting requirements to publicly held securities of companies in the over-the-counter market with assets of $1 million and 500 shareholders. How many more laws do we need?

Now Congress has before it S. 3724 passed by the Senate, and the SEC has pending a proposed rule on give-ups and volume discounts on brokerage commissions. Both of these SEC proposals have evoked widespread comment and controversy. The question is whether more government regulation is needed or justified.

Congress has chosen to rely on self-regulation in the securities industry. Thus, the New York Stock Exchange regulates its members in accordance with the law subject to SEC oversight and the National Association of Securities Dealers regulates over-the-counter dealers who belong to it, under SEC oversight.

The central thrust of S. 3724 and the proposed SEC rule is to replace self-regulation and investor judgment on internal matters with SEC judgments on management compensation, sales commissions, brokerage commissions, type of securities, and similar matters.

The question is, will this help or hurt investors and the securities industry? Overregulation is as destructive as under-regulation.

Although I have not reached a final conclusion, my study of available information persuades me that we should not move too rapidly on S. 3724. I am not satisfied that the SEC has made full use of its existing authority to require full disclosure and adequate reports. I am not satisfied that a need for more regulation has been shown. I do not share the SEC's view that somehow the present Investment Company Act insulates the directors from shareholder lawsuits except for "waste" of assets. All officers and directors of all companies, including mutual funds, are fiduciaries, and their business decisions must be made in good faith. No company executive can overpay himself, his fellow-executives, his employees or his salesmen without being liable in court. This is existing law. He is a fiduciary under the law.

In the present mutual fund law we require sales commissions and management compensation to be clearly set out in proxies, shareholder reports and SEC reports. If shareholders do not approve, they can elect new directors, sue, or sell their shares. Indeed, management and sales commission contracts must be approved each year, after full disclosure. If there is no shareholder approval, they are unlawful.

Mutual funds provide a unique investment opportunity, a redeemable security at net asset value. Its liquidity does not depend upon finding a buyer—the company stands ready to redeem its shares on demand. Shares must be sold on a continuous basis in order to offset inevitable redemptions. It is against existing shareholder interest for a mutual fund to be put in a liquidating position and to be compelled to sell portions of its portfolio to meet redemptions without regard to the wisdom of such sales from an investment standpoint. Thus, it is imperative that shareholders and their managements be free to establish sales loads at the level necessary to meet competition and keep up sales, without undue government interference. The growth of a mutual fund brings improved management services, and lower expense to shareholders. This also requires an adequate sales load. The present law provides for competition at the underwriter level, from "no load" to 9%, depending on what the shareholders decide. Present law also protects against cut-throat price competition at the retail level, similar to the fair-trade laws we have elsewhere in our economy. I am afraid that the reduction in management and selling incentive sure to follow any arbitrary SEC reduction in compensation, despite contrary shareholder approval, would seriously disrupt the securities markets and the mutual fund industry. This would be against the interest of consumers and investors.

I am equally concerned with the so-called give-up question, and the related problem of volume discounts on stock exchange brokerage commissions. The SEC has under consideration a proposal (Rule 10b–10) to prohibit investment company managers from directing brokers executing portfolio transactions for a mutual fund to divide their brokerage commissions in any way with other brokers. The SEC's purpose is to reduce the commissions paid by shareholders to brokers for buying and selling securities, Everyone wants to buy "wholesale"—it is easy to appeal to the darker side of human nature, the hope of a reduced price, a cutrate, the something-for-nothing instinct. But there should be reasonable competition among brokers for business, not only as to price, but service, experience, skill and other factors. Quality and service are equally as important as price in the execution of securities transactions.

The flat rate fixed minimum brokerage commission rate of the New York Stock Exchange does not now provide a discount for larger transactions. The minimum rate is graduated according to the value of a 100-share round lot. Also, member firms get a rate preference over non-member broker-dealers and the public. Because an institutional investor cannot get a volume discount from a NYSE member, it directs the executing broker to "give-up" or divide and share up to 75% of the commission on the transaction with other member firms, or directs other forms of commission-sharing with non-members, such as sending to them reciprocal commission business or other transactions.

As I understand it, reciprocal business in the mutual fund industry, whether given a particular executing broker or a broker selected for a give-up, is directed in return for services rendered, such as the furnishing of investment research information, provision of wire services to disseminate quotations, assistance in collecting securities prices for fund pricing purposes, for sale of shares of a fund, and as a general contribution to the overhead costs of maintaining local and regional investment banking firms so essential to activity, customer service, depth and customer contact in our securities markets.

Also, great benefits flow to shareholders from the capital-raising activities of dealers, and it is proper for the mutual fund industry to recognize these activities by directing business to these dealers. Give-ups under these circumstances provide a flexible means of compensating various brokerage firms for different constructive services within the framework of a single commission. Give-ups serve a useful purpose in allowing mutual fund managers to concentrate orders with brokers who specialize in institutional trading and who are best equipped to handle such transactions.

What, then, is the fair answer? It would seem that volume discounts are desirable so long as the depth and liquidity of stock exchange markets are not jeopardized. Some substantial increase in access of non-member broker-dealers to the exchange markets should be provided, and commission-sharing between members and non-members should be permitted. Although there are 1,366 "seats" on the NYSE, there are only about 600 member firms. When an NYSE member performs an execution and clearing function for another broker-dealer, the price he pays should not be dependent on whether he is a member of the exchange. While membership incentives are important, the differential should not result in unfair competition.

We must promote the concentration of buyers and sellers of securities in primary markets—we cannot splinter primary securities markets without destroying viability and liquidity. We must avoid rate warfare and destructive price competition. We cannot permit price competition to impair the quality of executions.

These are all complicated problems, and I am not sure that I know the answers.

However, I am in favor of small business, increased investor protection, and adequate incentives for management, salesmen and employees. I am inclined to think this adds up to volume discounts on brokerage commissions, access to the exchanges for nonmembers, an arrangement for commission sharing between member and non-member firms, and removal of rate discrimination as between members and non-members. I will continue to study the problems I have discussed, and I welcome industry views.

Congress should not be stampeded into socializing the securities industry in the form of government regulation of brokerage commissions, sales charges, and management compensation, under the misleading label of consumer legislation. We have all kinds of "truth" laws—in lending, packaging, securities, and mutual funds. They all have one thing in common—full disclosure. But when we go beyond disclosure, and authorize the government to substitute its judgment for that of the consumer as to the merits or value of a product or a service, we invade the consumer's constitutional freedom of choice, freedom to buy or not to buy, invest or not to invest, to borrow or not to borrow. We take the first step toward economic dictatorship, a government-managed society, and this I cannot support. America's greatness depends on freedom of choice in the marketplace, with competition, not a government price-fixing agency, as the balance wheel to determine price.

AMERICA'S OTHER MINORITY: THE MEXICAN-AMERICAN

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. YARBOROUGH. Mr. President, as a Texan and as the author of the Bilingual Education Act, I am acutely aware of the problems of our Mexican-American citizens. And I have been aware that their needs have been overlooked by the rest of the United States to a shocking extent. Few newspapers and magazines have taken the time and effort to explore the problems which are centered in the southwestern United States.

The Economist, the British weekly journal, in its issue of June 8, 1968, has called the attention of the world to this problem with a series of articles under the general heading: "America's Other Minority." The articles, which are worthy of the most careful consideration by all Members of Congress, begin with these words:

> That there is another minority caught in a predicament of alienation and deprivation, worse than that of the Negro in many ways, has until recently been one of the best-kept secrets in the United States.

Mr. President, I ask unanimous consent that these articles from the Economist be printed in their entirety at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

AMERICA'S OTHER MINORITY

(NOTE.—That there is another minority caught in a predicament of alienation and deprivation, worse than that of the Negro in many ways, has until recently been one of the best-kept secrets in the United States. But in 1966 these Mexican-Americans broke into the news with massive strikes and marches in the agricultural districts of Texas and California, followed by a revolt in New Mexico. Now they are to be seen wherever there are protest meetings and demonstrations—at the conferences of the New Left in Chicago and California, among the poor people who are now camping in Washington. President Johnson goes out of his way to appease the Mexican-Americans, Senator Robert Kennedy to woo them—with a good deal of success—as he campaigns for the Democratic presidential nomination. And now their developing struggle for freedom has received the final commendation—a grant from the Ford Foundation. These Spanish-speaking people live in a part of North America that was first settled by the Spaniards and was taken over from their Mexican successors by the United States in the middle of the nineteenth century. While a majority of the Mexican-Americans have been in this region for generations, about 40 per cent are immigrants, or the children of immigrants, from Mexico. A correspondent from Texas reports on this relatively unknown group now becoming conscious of its political power.)

REVOLT IN THE SOUTHWEST?

While about half of America's 20 million Negroes live outside the South, some 90 per cent of the almost 5 million Mexican-Americans live in one region, the southwestern states of Arizona, California, Colorado, New Mexico and Texas, bordering on their mother country. Like their ethnic cousins, the American Indians, the Mexican-Americans have remained out of the sight and the concern of a nation preoccupied with more obvious problems. In the last five years, however, a number of Mexican-Americans have begun a still uncoordinated ethnic revolution which could have as sharp an impact on the Southwest as the Negro struggle has had throughout the country. This revolution is still in its first stages; it could develop into either a peaceful assertion of civil and economic rights or a violent explosion.

It would be a mistake to draw too close a comparison between the recent history of the Negro and the future course of the Mexican-American. It is true that the statistics show a basic similarity in the living conditions of the two minorities. The Mexican-Americans suffer to an even greater degree from inferior education, deficient housing and poor medical care. Both groups live predominantly in rural and urban poverty within a structure of political and economic dependence.

But, unlike the Negro, the Mexican-American cannot make a dramatic appeal to the guilt aroused in other Americans by memories of slavery and systematic segregation. This partly explains his dearth of publicity, funds, workers and organisation; in the Negro's case these came originally from sympathetic whites. The most basic difference, however, is that the Mexican-American has a language and a well-developed culture of his own, replenished and reinforced by his proximity to Mexico. He has continued in his minority culture, if not in his minority poverty, by choice. In this he has more in common with, say, the French-Canadian than with the Negro, who has been shaped, for better or for worse, by American culture.

The message of the Negro revolution, however, has not been lost on Mexican-Americans. The striking Mexican-American farmworkers who marched on the capitals of Texas and California borrowed their tactics from Dr. Martin Luther King's marches in Alabama. But apart from this, their methods have been basically their own. Rather than setting a pattern for action, the Negro revolution has been an example of another race successfully asserting its identify by focusing attention on its exploitation by others and appealing to its pride in itself. This example is helping some Mexican-American leaders to change the idea of *La Raza* (explained in the following article) from stoic acceptance of one's lot to an active determination to change it. It has also frightened conservative Mexican-Americans into a determined defence of their traditions.

La Raza

The appeal to *La Raza*, "the race," is a rallying cry common to almost all political and economic activity of the Mexican-American. For the radicals, it is a call to ethnic pride; for the conservatives, an appeal to traditions and the *status quo*. Any concept flexible enough to serve both purposes is necessarily vague. But definitely *La Raza* has less to do with the superficial characteristics of Mexican (that is, mostly Indian) blood than with the Spanish legacy brought across the Rio Grande from Mexico. The continuity of this culture north of the border was strangely uninterrupted by the egalitarian and secular force of the Mexican Revolution of 1910. This tilts the scales against the radicals, whose appeal is to pride rather than to tradition.

In more specific terms, the preservation of *La Raza* within the dominant American culture means that Mexican-American families observe the Roman Catholic faith, speak Spanish and yield to the male the authority associated with Mediterranean custom. Their religion teaches them to bear the sufferings of this world with resignation. Much of the elaborate class system, the intricate web of kinship and the existence of patrons who dispense jobs and command respect helps to preserve the traditions. The prevalence of these customs has given many Anglos a deeply ingrained but quite unfair stereotype of the Mexican-American as a lazy illiterate who has just swum the Rio Grande from Mexico last week. What gives rise to this image is the tenacity with which even those Mexican-Americans whose civilised ancestors came to the American continent centuries ago have often refused to become "Americanised."

One of the most important factors in the preservation of *La Raza* has been the tendency of Mexican-Americans to live near Mexico. Children are sent back to be married; money is sent home to relatives left behind. Even at full flood, the Rio Grande is a trickle compared to the oceans other immigrants have had to cross. All along the border the easy access from one side to the other has underscored the contrasts in living conditions between a developing country and a highly developed one.

The traditions of *La Raza* have generated an unwillingness to challenge authority which has helped make poverty endemic. The lines of authority are clear and extend down from the church and state to the family, which continues to be the strongest force in the community, maintaining stability and keeping crime rates low. Mexican-American politicians have taken advantage of this easily obtained loyalty. Often, solidarity within *La Raza* is an excuse for exploitation of the poor and uneducated Mexican-American by his fellows. This traditional conservatism is a major obstacle to the more liberal leaders.

As they are basically without power, the radical leaders must take their cues from the people with power, the white, or "Anglo," majority. On a local level the Anglo response to the awakening of the Mexican-American has taken several forms. In many cases the threat to the Anglo's accustomed position of power, coming from the very people whose unquestioned docility makes that power possible, has brought legal or illegal repression to thwart strikes and attempts at political organisation. The aggressively violent racial prejudice directed against the Negro has not been inflicted on the Mexican-American to any similar extent. The passions are more muted; the problems more subtle. In some cases, Anglos and Mexican-Americans are working together on common problems; but such co-operation is more the exception than the rule.

In the official level, President Johnson has called Mexican-American conferences, established an interdepartmental agency on Mexican-American affairs, ordered a step-up in recruitment of Mexican-Americans for jobs in the federal government and tried to ensure that Mexican-Americans get a fair share in federal undertakings (although Mexican-Americans are now complaining that the Negroes are being given preference in some of the poverty programs). No other President had done even this much—but no other President has been a Texan. Congress has authorized a bilingual education programme to help to bridge the language gap between English and Spanish and is also considering the extension of collective bargaining rights to farm and migratory workers, many of whom are Mexican-Americans. Now the Ford Foundation has turned its imagination to the problem, with the establishment of a Legal Defence and Educational Fund for Mexican-Americans, to help them to secure their civil rights through action in the law courts, as the Negroes have done before them. Although some of these efforts have brought substantial progress they are still small in terms of the problems involved.

The Mexican-Americans have brought the United States more than cheap labour and persistent problems. The Southwest was, after all, once entirely a part of Mexico and retains the stamp of the Latin-American influence. Ancestors of the present Mexican-Americans founded and named the cities of Los Angeles, Albuquerque, Tucson, El Paso, San Francisco and San Antonio. In most of these cities the plaza, centre of the old Mexican city, still remains; but it is now surrounded by skyscrapers and ringed with highways. Most of the Mexican Americans, along with their markets, their festivals and their customs of outdoor living, have moved into slums known locally as barrios.

So, while the Anglos who have taken over the cities continue to fire their palates with highly-spiced Mexican food, enrich ther way of life with Latin customs and expand their vocabulary with Spanish words, the Mexican-Americans who started it all remain isolated in a forgotten slum. Their poverty and apparent hopelessness have made them the focus for new and radical urban political activity. And it has made the barrios a potential source of mass violence. Whether or not they will follow the examples of the Negro ghettos depends on both Anglo good faith and Mexican-American patience; both seem to be in short supply.

More Grapes of Wrath

The Mexican-Americans who are employed in farming and farm industries are among the poorest working people in the United States. They have the worst grasp of English, the lowest expectancy of life and the poorest housing. This poverty has been the result of three basic factors: the availability of cheap labour from Mexico to break strikes and keep wages low; the lack of education and suspicion of organisation among Mexican-Americans themselves; and the exclusion of farm workers from the national labour laws guaranteeing collective bargaining, trade union rights and minimum wages. After defeating attempts stretching back 75 years to organise Mexican-Americans, these factors have at last begun to lose their force. The importation of workers (called "braceros") from Mexico became illegal in 1964. Many Mexican-Americans came under the minimum wage Act last summer when it was extended to cover farms employing large numbers of permanent workers. And since 1963 Mexican-Americans have been developing their own leadership in the fields.

The major impact of this change has come in the grape-growing areas of California. In 1965, the National Farm Workers Association (NFWA) an independent Mexican-American trade union, went on strike against two of the largest agricultural employers in the state, the DiGiorgio Corporation and Shenley Industries. After over a year of strikes at vineyards in the Delano area, the union obtained contracts with both firms, which are large, publicly-owned companies. The NFWA then merged with a similar Filipino group to form the United Farm Workers Organizing Committee. The new contracts, and others subsequently signed, perked up the wage scale from $1.20 to $1.80 an hour. Most of the Californian wine companies have come to terms with the union and it is now attacking growers of table grapes.

The wages themselves are not so important as the recognition of the union and its Mexican-American leadership. Before this, individual Mexican-Americans had acted as "patrons" in the fields, where they mediated between the Anglo management and the poorer Mexican-Americans and furnished workers to farms that needed them. The leadership of the Delano strikes came from the fields, eliminating this patron, although Mr. Cesar Chavez, founder of the NFWA, still fulfills this function to some extent.

When Mr. Chavez led the farmworkers on a 300-mile march to the California state capital in Sacramento in 1966, he spoke in both Spanish and English from the steps of the Capitol building—English to the world, Spanish to his followers. He has the confidence and respect of the farmworkers, but he is more than a middleman between a bewildering and complex Anglo world and the poorer members of *La Raza*. He is the vital element, the leader from the fields, and his emergence marks a new stage in the development of Mexican-American power.

In 1966 Mr. Chavez sent one of his strike captains, Mr. Eugene Nelson, to Texas to organise boycotts against products from the struck Californian farms. He stayed to organise a wildcat strike of his own. The irrigated farm area along the Rio Grande is described in enthusiastic press releases as "the magic valley." The magic, however, is lost on the Mexican-Americans who work the farms. In the melon-growing area of Starr County, over two-thirds of the Mexican-American population (90 per cent of the county's people) have incomes below the official poverty level of $3,000 a year; some earn as little as 50 cents an hour.

Starr County was a tougher job than Delano could ever have been. The area's melon crop did not require the special skills needed in the vineyards. A strike had to be concentrated in the crucial weeks of planting and harvest, when a well-timed court injunction prohibiting a strike could postpone it to the following season. The Starr County growers furnished a united opposition and could count on anti-union-minded state and local officials to help break a strike. Finally, Mexico was only a few minutes away and it was easy for growers to draw on a large pool of Mexican day labourers to fill vacancies left by strikers. As the strike pulled workers off the fields, the growers obtained court injunctions branding the use of picketing and boycotts as "un-American." What was worse for the strikers, the State Governor's office sent the Texas Rangers, the state militia, to keep order. The common belief among the strikers was that the Rangers, who resorted to methods more appropriate to subduing hostile Indians, had been sent not to uphold the law, but to protect the interests of the growers.

As in California, the most disputed issue was the minimum wage but the issue of union recognition was more important. The owners of one of the largest farms, La Casita, were willing to pay the minimum wage, but vowed to shut down their farms if they had to bargain with a farmworkers' union. The testimony of these growers to the Senate Subcommittee on Migratory Labour, which investigated the situation (both Kennedy brothers are members), was a mixture of benevolent paternalism toward the farmworkers and of conviction that the special nature of farming made strikes, and therefore trade unions, a business disaster. The growers remained united in their belief that the strikes, and the idea of a union, had been brought in by outside agitators. The unsuccessful efforts in Starr County have made union organising in the valley a statewide political issue. Labour organisers are now looking to the citrus-growing counties nearer the Gulf of Mexico, where conditions are not so impossible for unions as in Starr County.

The poverty of the Texas farmworkers is more than just a Texan matter, however. It drives thousands of Mexican-Americans to become migratory labourers, following the harvests of potatoes, wheat and vegetables from the Rio Grande to the northern fields of Wisconsin, Idaho and Michigan. They are always on the move, travelling in lorries and sleeping along the roadsides. Where they work they often have to live dormitory style, making family life impossible. Even the new programmes for migrant education do not give their children proper schooling. Being so mobile, they are almost impossible to organise, even with the help of the more enlightened labour laws in the northern states.

The Mexican-Americans engaged in trade union activity, have one great, although negative, advantage. Attempts to organise Mexican-American farmworkers have not had to face the aggressive racial prejudice that has hampered attempts to organise Negro migrants and sharecroppers and their white co-workers. The kind of farming Mexican-Americans do is also an occupation where low wages have driven out most of the Anglo workers. In such a situation, organisation and strikes are not simply an economic challenge; they are part of a cultural and ethnic revolution. Trade union activity is one of the pillars of the Mexican-Americans' awakening. If they no longer accept Anglo authority in the fields without question, they are hardly likely to do so at the ballot box.

ON THE ROAD TO POWER

The most spectacular, although least typical, example of Mexican-American political activity during the last five years has been the occasional armed attempts of the *Alianza Federal de Mercedes* (Federal Alliance of Land Grants) to assert its ownership of the Southwest on the basis of the land grants made in the old Spanish and Mexican days. Other Mexican-Americans using more traditional political methods have elected a Senator, Mr. Joseph Montoya of New Mexico, and an increasing number of Mexican-American Congressmen and state legislators. In South Texas, organisations of poor Mexican-Americans are assuming control of local politics. Finally, there are a number of young Mexican-Americans who participate in the fringe movements of the New Left.

The *Alianza*, which is now something of a folk legend, is still the most extreme group and the least influenced by the political and intellectual movements of white and Negro radicalism. From its headquarters in the parched "Spanish counties" of northern New Mexico, its members conducted an armed raid on Tierra Amarilla last year to free their imprisoned leader, Señor Reies Tijerina. The successful raid was defeated only by a military-type operation involving tanks and aircraft. Members of the *Alianza* had previously gone so far as to set up camp on land that they claimed to own in Carson National Forest; they had even arrested two forest rangers for trespassing.

The *Alianza's* claims do not go without sympathy from the Anglos. The Republican Governor of New Mexico, Mr. David Cargo, testified at Señor Tijerina's trial that, broadly speaking, the *Alianza* had real grievances, suggested Mr. Cargo, were more likely to be rectified than were the land claims to be granted, since the latter would mean handing over New Mexico. Whatever the *Alianza's* future may be, the uneasy harmony between Anglo and Mexican-American in New Mexico, which had only papered over real differences, is not likely to be easily restored.

In South Texas, a similar coalescing of grievances and aspirations took a different, but hardly less revolutionary, form. Crystal City, Texas, in the middle of the rugged brush country between San Antonio and the Rio Grande, is an unlikely spot for a revolution. Its main square is graced by a large statue of Popeye the Sailor, which proclaims the town "Spinach Capital of the World." Out of Crystal City's 10,000 people, 7,500 are Mexican-Americans. Even so, the town had been controlled by the same Anglo coalition for 25 years. This coalition was toppled in 1963 in a political takeover which marked the start of other similar attempts in South Texas, where Mexican-Americans provide 80 per cent of the population.

It began with the Democrats' drive to get potential voters registered in Crystal City for the 1960 presidential election, on the assumption that the poorer Mexican-Americans would vote for John Kennedy—which they did. After this effort Mexican-Americans had a majority of the registered voters for the first time. In 1963 a local organisation of poor Mexican-Americans, backed by the teamsters' union and with statewide support from Mexican-Americans, engineered a successful campaign that elected its candidates to all five seats on the city council.

In San Antonio and in the border cities along the Rio Grande, Mexican-Americans have exercised political power since the nineteen-thirties. In Crystal City, however, not just the Anglos, but their allies, the Mexican-American Tío Tomáses, or Uncle Toms, were overthrown. These men have been the classic "token" representatives of South Texas, a perpetual two-man minority on five-man city councils, their Spanish names a sop to *La Raza*. Crystal City made it plain that Mexican-Americans would no longer vote just for a Spanish name. Class, and *La Raza* in so far as it means the interests of the poor, have begun to matter.

This growing independence of Mexican-American voters will have a significant effect on the politics of the state and probably on the rest of the Southwest eventually. Numerous politicians owe their offices to poor Mexican-American votes delivered by political bosses and patrons. Such block voting is on the way out now. Not just the conservative wing of the fractious Texan Democratic party, but the liberal coalitions in the big cities—the Harris County Democrats of Houston, for example—are in danger of being split by the increasing independence of Mexican-American, as well as Negro, members. These coalitions are based on the cooperation between trade unions, minority groups and intellectuals which has existed since the days of Franklin Roosevelt. In so far as such co-operation depends on taking the Mexican-American vote for granted, these liberal groups are threatened as much as are the old conservative machines.

The pattern of the future political activity of Mexican-Americans will be set by the young, but there is as yet little indication of how they are going to move. There are no Mexican-American equivalents to the large Negro universities which helped to generate a sense of race and which furnished the vanguard for the civil rights and black power movements. The young Mexican-Americans who do go to university attend with Anglos. And from there it is not so hard to move on into the Anglo world, which is open to the light-skinned and the educated. Mexican-American graduates often tend to acquire the Anglo's way of looking at the poorer Mexican-Americans who become, to them also, just "dumb Mexicans."

Among some of the more recent graduates, however, there is a new solidarity with these same "dumb Mexicans." In urban ghettoes these graduates are working at community organization. Others have been active in the farm workers' strikes in Texas and California. But, in general, incomplete segregation lets too many educated Mexican-Americans into the Anglo world for the spark of racial solidarity to burn in definite political terms.

There are, however, a small number of young Mexican-Americans who appeal to the instinct of pure race, to "chili power" and to the hatred of "the blue-eyed devils." Such radical young Mexican-Americans regard the Negro with envy. While their elders are working with Negroes in coalition politics, they are jealous of the attention given to the Negro while the Mexican-American is being ignored—not just by the Anglos but by the Negroes too. The current mass demonstration by poor people in Washington is threatened with disruption by complaints from Mexican-Americans that they are being discriminated against, and their special grievances ignored, by the Negro leaders.

The growing militancy among at least some Mexican-Americans is worrying Señor Chavez, an advocate of nonviolence. But the militants get a certain inspiration from Señor Reies Tijerina, not so much from his claims as from his Pancho Villa style, something which appeals especially to young men strongly influenced by *machismo*, the Latin idea of aggressive masculinity. He himself has, however, made peace with Elijah Muhammad of the Black Muslims and is now being suggested as a possible vice-presidential candidate by the new Peace and Freedom party, set up in California last winter, a coalition of the radical left, whether black, white or brown.

HON. GERALD R. FORD'S VOTING RECORD, SECOND SESSION, 90TH CONGRESS

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. GERALD R. FORD. Mr. Speaker, under leave to extend my remarks, I include a report of my voting and attendance record during the second session of the 90th Congress.

The record includes all rollcall votes and all quorum calls. The description of bills is for the purpose of identification only; no attempt has been made to describe the bills completely or to elaborate upon the issues involved.

The purpose of this report is to collect in one place information which is scattered through thousands of pages of the CONGRESSIONAL RECORD. I want to be able to provide any interested constituent with a simple compilation of my voting and attendance record.

The report is as follows:

GERALD R. FORD'S VOTING RECORD, 2D SESS., 90TH CONG.

Roll call No.	Date	Measure, question, and result	Vote
1	Jan. 15	Quorum call	Present.
2	Jan. 22	H.R. 10337: To approve the bill which brings the District of Columbia minimum wage relative to hospital employees in line with other employees of the District (Passed 283 to 9.)	Yes.
3	Jan. 23	Quorum call	Present.
4	Jan. 23	H.R. 8696 (S. 1542): On a motion to amend the bill relative to savings and loan holding companies in order to change the definition of the term "debt security." (Defeated 156 to 198.)	Yes.
5	Jan. 24	Quorum call	Present.
6	Jan. 25	H.R. 14563: To approve the bill providing an increase in benefits and other changes in the Railroad Retirement and Unemployment Insurance Acts. (Passed 321 to 0.)	Yes.
7	Jan. 30	Quorum call	Present.
8	Jan. 30	Quorum call	Present.
9	Jan. 31	Quorum call	Present.
10	Jan. 31	Quorum call	Present.
11	Feb. 1	Quorum call	Present.
12	Feb. 1	H.R. 11601 (S.5): To amend the "truth-in-lending" bill to make it a Federal criminal offense for anyone engaged in interstate commerce to lend money at rates of interest illegal under the laws of the State where the transaction takes place. (Passed 383 to 5.)	Yes.
13	Feb. 1	H.R. 11601 (S.5): On final passage of the "truth-in-lending" bill. (Passed 382 to 4.)	Yes.
14	Feb. 5	Quorum call	Present.
15	Feb. 5	H.R. 4282: To suspend the rules and approve the legislation eliminating certain marketing orders for cherries. (Defeated 180 to 168; ⅔ vote being required.)	No.
16	Feb. 5	S. 974: To suspend the rules and approve the bill conveying certain lands to the city of Glendale, Ariz. (Defeated 202 to 138; ⅔ vote being required.)	Yes.
17	Feb. 6	Quorum call	Present.
18	Feb. 6	Quorum call	Present.
19	Feb. 6	Quorum call	Present.
20	Feb. 7	Quorum call	Present.
21	Feb. 7	Quorum call	Present.
22	Feb. 7	H.R. 6649: To recommit to committee the bill relative to the Export-Import Bank in order to reduce the loan and guarantee authority from $13,500,000,000 to $12,500,000,000. (Defeated 164 to 232.)	Yes.
23	Feb. 7	H.R. 6649: On final passage of bill extending the life of the Export-Import Bank and expanding its lending authority. (Passed 375 to 19.)	Yes.
24	Feb. 8	Quorum call	Present.
25	Feb. 8	H. Res. 926: To adopt the resolution (rule) under which H.R. 11284, the Fire Research and Safety Act, would be considered. (Passed 332 to 21.)	Yes.
26	Feb. 8	H.R. 11284 (S. 1124): On final passage of the Fire Research and Safety Act. (Passed 268 to 78.)	Yes.
27	Feb. 20	Quorum call	Absent.[1]
28	Feb. 20	Quorum call	Absent.[1]
29	Feb. 21	Quorum call	Present.
30	Feb. 21	H.R. 14743: To recommit to committee the bill removing the 25 percent gold cover from U.S. currency. (Defeated 188 to 206.)	Yes.
31	Feb. 21	H.R. 14743: On final passage of the bill removing the 25 percent gold cover from U.S. currency. (Passed 199 to 190.)	No.
32	Feb. 26	Quorum call	Present.
33	Feb. 26	H.R. 15131: On a motion to recommit the District of Columbia Police and Fireman's Salary Act in order to provide recruitment and educational incentive proposals for police officials. (Defeated 125 to 234.)	No.
34	Feb. 26	H.R. 15131: On final passage of the District of Columbia Police and Fireman's Salary Act. (Passed 353 to 2.)	Yes.
35	Feb. 26	S. 989: To approve the Federal Jury Selection Act. (Passed 307 to 45.)	Yes.
36	Feb. 27	Quorum call	Present.
37	Feb. 27	Quorum call	Present.
38	Feb. 27	H.R. 11308: On a motion to recommit to committee the bill amending the National Foundation on the Arts and Humanities Act in order to reduce the authorization from $135,000,000 for 2 years to $11,200,000 for 1 year. (Passed 261 to 130.)	Yes.
39	Feb. 27	H.R. 11308: On final passage of the 1-year $11,200,000 authorization for the National Foundation on the Arts and Humanities. (Passed 272 to 123.)	Yes.
40	Feb. 28	H.Res. 1070: On approving a resolution authorizing the Committee on Agriculture to send 3 members and 1 staff official to the Foreign Agricultural Service European Attache Conference in Madrid in March. (Passed 300 to 92.)	Yes.
41	Feb. 28	Quorum call	Present.
42	Feb. 29	Quorum call	Present.
43	Mar. 4	H.R. 15147: To suspend the rules and pass the bill relative to the naturalization of aliens who have served in combat areas in active-duty service in the Armed Forces. (Passed 335 to 0.)	Yes.
44	Mar. 5	Quorum call	Present.
45	Mar 5	S. 889: To recommit to conference the bill designating the size of the San Rafael Wilderness, Los Padres National Forest. (Defeated 155 to 238.)	No
46	Mar. 5	H.R. 15398: On final passage of the bill to expand and extend the school lunch program. (Passed 389 to 0.)	Yes.
47	Mar. 6	Quorum call	Present.
48	Mar. 6	Quorum call	Present.
49	Mar. 6	H.R. 14940: To recommit the bill amending the Arms Control and Disarmament Act in order to reduce the authorized appropriation from $33,000,000 for 3 years to $20,000,000 for 2 years. (Passed 241 to 161.)	Yes.
50	Mar. 6	H.R. 14940: On final passage of the amendments to the Arms Control and Disarmament Act as amended. (Passed 305 to 96.)	Yes.
51	Mar. 12	Quorum call	Present.
52	Mar. 13	Quorum call	Present.
53	Mar. 13	H. Res. 1042: To recommit to Committee on House Administration so that open hearings can be held on the request of the Committee on Un-American Activities for additional funds. (Defeated 78 to 305.)	No.
54	Mar. 13	H. Res. 1042: On final passage of the resolution authorizing an additional $425,000 to the Committee on Un-American Activities.	Yes.
55	Mar. 13	H.R. 14933: To approve the bill modifying the law relative to hours of work and overtime pay for certain employees in the Post Office Department. (Passed 369 to 14.)	Yes.
56	Mar. 14	Quorum call	Present.
57	Mar. 18	H.R. 15004: To suspend the rules and pass the bill extending for 4 years certain civil defense authorities. (passed 319 to 1.)	Yes.
58	Mar. 19	Quorum call	Present.
59	Mar. 19	Quorum call	Present.
60	Mar. 19	H.R. 15364: To recommit to committee that bill providing for increased participation by the United States in the Inter-American Development Bank. (Defeated 126 to 271.)	No.
61	Mar. 20	Quorum call	Present.
62	Mar. 20	H.R. 10790: To approve the bill providing for the protection of the public health from radiation emissions from electronic products. (Passed 381 to 0.)	Yes.
63	Mar. 21	S. 2029: To approve the bill amending the National Traffic and Motor Vehicle Safety Act relative to standards for cars produced in quantities of less than 500. (Passed 344 to 2.)	Yes.
64	Mar. 25	Quorum call	Present.
65	Mar. 25	H. Res. 1094: To adopt the "rule" under which to consider H.R. 13541, the Agricultural Fair Practices Act. (Passed 270 to 39.)	Yes.
66	Mar. 25	Quorum call	Present.
67	Mar. 25	H.R. 13541: On final passage of the Agricultural Fair Practices Act. (Passed 232 to 90.)	Yes.
68	Mar. 26	Quorum call	Present.

See footnotes at end of table.

GERALD R. FORD'S VOTING RECORD, 2D SESS., 90TH CONG.—Continued

Roll call No.	Date	Measure, question, and result	Vote
69	Mar. 26	Quorum call	Present.
70	Mar. 26	H.R. 10477: On final passage of the bill amending the Veterans' Administration housing law. (Passed 366 to 12.)	Yes.
71	Mar. 27	H.R. 11816: To approve the conference report on the bill providing benefits for local or State law enforcement officers who are killed or injured while apprehending violators of Federal law. (Passed 375 to 0.)	Yes.
72	Mar. 27	H. Res. 1103: To adopt the "rule" under which to consider H.R. 4282 relative to marketing orders for cherries. (Passed 316 to 44.)	Yes.
73	Mar. 27	H.R. 4282: To approve the bill eliminating certain requirements for obtaining marketing orders for cherries. (Passed 197 to 185.)	No.
74	Mar. 28	Quorum call	Present.
75	Mar. 28	H.R. 15344: To approve the bill extending for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury. (Passed 359 to 5.)	Yes.
76	Apr. 1	Quorum call	Present.
77	Apr. 1	H.R. 15198: To suspend the rules and pass the bill permitting employer contributions for joint industry promotion of products. (Defeated 219 to 138; a ⅔ vote being necessary.)	Yes.
78	Apr. 1	H.R. 15979: To suspend the rules and pass the bill to prevent or minimize injury to fish and wildlife from the use of pesticides. (Passed 333 to 25.)	Yes.
79	Apr. 1	H.R. 15190: To suspend the rules and pass the bill extending the life of the Atlantic-Pacific Inter-Oceanic Canal Study Commission for 1 year and authorizing an additional $6,500,000 for its use. (Defeated 216 to 137; a ⅔ vote being necessary.)	Yes.
80	Apr. 2	Quorum call	Present.
81	Apr. 2	Quorum call	Present.
82	Apr. 2	H. Res. 1101: To disapprove Reorganization Plan No. 1, to combine the Bureau of Narcotics and the Bureau of Drug Abuse Control and place the new Bureau in the Department of Justice. (Defeated 190 to 200.)	Yes.
83	Apr. 3	Quorum call	Present.
84	Apr. 3	Quorum call	Present.
85	Apr. 3	H. Res 1099: To approve the resolution making the Committee on Standards of Official Conduct a permanent standing committee and adopting a code of ethics. (Passed 405 to 1.)	Yes.
86	Apr. 4	H.R. 16241: To approve the bill extending the 5-percent tax on air fares to international flights and to reduce the amount of goods to be brought in duty free. (Passed 279 to 102.)	Yes.
87	Apr. 4	H.R. 16324: To approve the bill authorizing $2,600,000,000 for the Atomic Energy Commission in fiscal year 1969. (Passed 381 to 14.)	Yes.
88	Apr. 4	H.R. 15399: On an amendment to the conference report on the urgent supplement appropriation to reduce from $91,000,000 to $20,800,000 funds for federally impacted school districts and to establish rules for payment. (Passed 199 to 189.)	Yes.
89	Apr. 9	Quorum call	Present.
90	Apr. 9	Quorum call	Present.
91	Apr. 9	Quorum call	Present.
92	Apr. 9	H.R. 16489: To recommit to committee the Treasury-Post Office appropriation bill in order to reduce the postal operations appropriations by $121,200,000. (Defeated 102 to 252.)	Yes.
93	Apr. 9	H.R. 16489: On final passage of the Treasury-Post Office appropriations bill. (Passed 342-10.)	Yes.
94	Apr. 10	Quorum call	Present.
95	Apr. 10	H. Res. 1100: To order the previous question on the resolution providing for agreeing to the Senate amendments to H.R. 2516, the Civil Rights Act of 1968. (Passed 229-195.)	No.
96	Apr. 10	H. Res. 1100: To adopt the resolution agreeing to the Senate amendments to H.R. 2516, the Civil Rights Act, including the provisions on open housing. (Passed 250-171.)	Yes.
97	Apr. 22	Quorum call	Absent.[1]
98	Apr. 22	H.R. 16409: On a motion to amend the District of Columbia teachers' salaries bill to provide that the school board set the educational requirements of District of Columbia teachers' aides. (Passed 146-140.)	Absent.[2]
99	Apr. 22	H.R. 16409: To approve the District of Columbia Teachers' Salary Act. (Passed 255-32.)	Absent.[2]
100	Apr. 23	Quorum call	Present.
101	Apr. 23	H.R. 13738: On passage of the bill increasing the maximum rate of per diem allowance for Government employees on official travel. (Passed 289-65.)	Yes.
102	Apr. 24	Quorum call	Present.
103	Apr. 24	H.R. 15986 (S. 3135): To approve the bill authorizing $9,000,000 for the Corporation for Public Broadcasting. (Passed 241-133.)	Yes.
104	Apr. 25	Quorum call	Present.
105	Apr. 25	H.R 16703: On final passage of the bill authorizing construction at military installations. (Passed 345 to 14.)	Yes.
106	Apr. 29	Quorum call	Absent.[1]
107	Apr 29	H.R 15688: To adopt the bill extending for 2 years the President's authority to submit reorganization plans to Congress (Passed 258 to 51.)	Absent.[2]
108	Apr. 30	Quorum call	Present.
109	May 1	Quorum call	Present.
110	May 1	Quorum call	Present.
111	May 1	H.R. 16913: To approve the $5,500,000,000 appropriation bill for the Department of Agriculture. (Passed 318 to 70.)	No.
112	May 2	Quorum call	Absent.[1]
113	May 2	H.R. 15856: To approve the $4,030,000,000 authorization bill for the National Aeronautics and Space Agency. (Passed 262 to 105.)	Yes.
114	May 6	Quorum call	Present.
115	May 6	H.R. 13016: To suspend the rules and pass the bill increasing the cost-of-living allowance for judicial employees stationed outside the continental United States (Defeated 206 to 132; a ⅔ vote being necessary.)	No.
116	May 6	H.R 15346: To suspend the rules and pass the bill directing Federal supervisory agencies to promulgate rules for banks and savings and loan associations relative to security devices and procedures. (Passed 235 to 98.)	Yes.
117	May 6	H.R. 16819: To suspend the rules and pass the bill amending the Vocational Rehabilitation Act. (Passed 335 to 0.)	Yes.
118	May 7	Quorum call	Present.
119	May 7	H. Res. 1149: To adopt the "rule" providing for the consideration of H.R. 15951, the bill setting certain legal holidays on Monday. (Passed 350 to 27.)	Yes.
120	May 7	H.J. Res. 958 (S.J. Res. 129): To approve the resolution authorizing the Secretary of Transportation to conduct a study of automobile insurance. (Passed 363 to 3.)	Yes.
121	May 8	Quorum call	Present.
122	May 8	H.R. 17023: On a motion to recommit to committee the HUD-independent offices appropriation bill in order to set the expenditure ceiling for fiscal 1969 at $15,500,000,000. (Defeated 173 to 216.)	Yes.
123	May 8	H.R. 17023: On final passage of the HUD-independent offices appropriation bill. (Passed 353 to 37.)	Yes.
124	May 9	Quorum call	Present.
125	May 9	H.R. 14940: To adopt the conference report on the Arms Control and Disarmament Agency authorization bill. (Passed 269 to 90.)	Yes.
126	May 9	H.R. 16729: On an amendment to the Higher Education Act denying funds to individuals causing disturbances and disruptions at the college or university. (Passed 306 to 54.)	Yes.
127	May 9	H.R. 16729: On final passage of the Higher Education Act amendments. (Passed 349 to 5.)	Yes.
128	May 9	Quorum call	Present.
129	May	H.R. 15951: To amend the bill relative to Monday holidays to set the observance of Washington's Birthday on February 22. (Defeated 141 to 153.)	Yes.
130	May 9	H.R. 15951: On final passage of the bill setting the celebration of 5 legal holidays on Monday. (Passed 212 to 83.)	Yes.
131	May 10	Quorum call	Absent.[1]
132	May 10	H. Res. 1169: To adopt the resolution relative to the consideration of H.R. 16911, the special drawing rights bill. (Passed 231 to 9.)	Absent.[2]
133	May 10	H.R. 16911: To approve the bill providing for U.S. participation in the facility based on special drawing rights in the International Monetary Fund. (Passed 236 to 15.)	Absent.[2]
134	May 13	Quorum call	Absent.[1]
135	May 13	S. 3033: To approve the bill authorizing appropriations to continue the work in the Missouri River Basin by the Department of the Interior. (Passed 295 to 18.)	Absent.[2]
136	May 14	Quorum call	Present.
137	May 14	H.R. 16165: To amend the agricultural trade development bill to prohibit financing of sales of commodities to North Vietnam. (Passed 370 to 21.)	Yes.
138	May 14	H.R. 16165: On final passage of the agricultural trade development bill extending for 1 year the food-for-peace program. (Passed 345 to 42.)	Yes.
139	May 15	Quorum call	Present.
140	May 15	Quorum call	Present.
141	May 16	Quorum call	Present.
142	May 16	Quorum call	Present.
143	May 20	H.R. 15387: To suspend the rules and pass the bill relative to assaults on postal employees. (Passed 333 to 5).	Yes.
144	May 21	Quorum call	Present.
145	May 21	H.R. 17354: To recommit to committee the Department of Interior and related agencies 1969 appropriations bill in order to cut $101,000,000 from the bill and set expenditures for the year at $1,380,000,000. (Defeated 174 to 207).	Yes.
146	May 21	H.R. 17354: On final passage of the appropriations bill for the Department of Interior and related agencies for 1969 in the amount of $1,400,000,000. (Passed 364 to 14.)	Yes.
147	May 22	Quorum call	Present.
148	May 22	H.R. 2158: To approve the bill relative to the taxation of interstate commerce. (Passed 284 to 89.)	Yes.
149	May 23	Quorum call	Present.
150	May 23	H. Res. 1093: To authorize certain members of the Committee on Banking and Currency to investigate operations of U.S. military credit unions in the European and Pacific commands. (Passed 186 to 173).	No.
151	May 23	H.R. 8578 (S. 1401): To pass the bill amending title I of the Land and Water Conservation Fund Act of 1965. (Passed 336 to 13.)	Yes.
152	May 27	H.R. 16948: To approve the bill authorizing the government of the District of Columbia to bear the expense of removing unsafe buildings damaged or destroyed during the April riots. (Defeated 141 to 184.)	Absent.[3]
153	May 27	H.R. 15280: On an amendment to the bill qualifying the Federal City College as a land-grant college setting minimum tuition charges. (Defeated 159 to 175.)	Absent.[3]
154	May 27	H.R. 15280: To recommit to committee the bill qualifying the Federal City College as a land-grant college. (Defeated 84 to 253.)	Absent.[3]
155	May 28	Quorum call	Present.
156	May 28	H.R. 17522: On a motion to recommit the appropriation bill for the Department of State, Justice, and Commerce, and the judiciary in order to cut expenditures for 1969 by $69,000,000. (Passed 223 to 154.)	Yes.
157	May 28	H.R. 17522: On final passage of the $2,000,000,000 appropriation bill, as amended, for the Departments of State, Justice, and Commerce, and the judiciary. (Passed 347 to 28.)	Yes.
158	May 29	Quorum call	Present.
159	May 29	H.R. 15414: On a motion to instruct the House conferees to insist on an expenditure reduction of $4,000,000,000 for fiscal year 1969 instead of $6,000,000,000. (Defeated 137 to 259.)	No.
160	June 3	Quorum call	Absent.[1]
161	June 4	Quorum call	Present.
162	June 4	Quorum call	Present.
163	June 5	Quorum call	Present.
164	June 5	H.R. 11308: To adopt the conference report on the bill amending the National Foundation on the Arts and Humanities Act of 1965. (Passed 194 to 166.)	No.
165	June 5	S. 2349: To approve the bill providing for the appointment of additional circuit judges. (Passed 357 to 12.)	Yes.
166	June 5	H.R. 5037: On a motion to send the Omnibus Crime Control and Safe Streets Act to conference. (Defeated 60 to 317.)	No.
167	June 6	On a motion to adjourn the House. (Defeated 70 to 301.)	No.
168	June 6	H.R. 16027: To suspend the rules and pass the bill providing increases in rates of compensation for disabled veterans. (Passed 389 to 0.)	Yes.
169	June 6	H. Res. 1197: On the motion ordering the previous question on the resolution providing for House agreement to the Senate amendments to H.R. 5037, the omnibus crime bill. (Passed 349 to 40.)	Yes.

See footnotes at end of table.

GERALD R. FORD'S VOTING RECORD, 2D SESS., 90TH CONG.—Continued

Roll call No.	Date	Measure, question, and result	Vote
170	June 6	H. Res. 1197: To adopt the resolution providing for House agreement to the Senate amendments to H.R. 5037, the Law Enforcement and Criminal Justice Assistance Act of 1967. (Passed 368 to 17.)	Yes.
171	June 6	H. Res. 1209: To approve the resolution adjourning the House out of respect to the memory of the late Senator Robert F. Kennedy. (Passed 357 to 0.)	Yes.
172	June 10	Quorum call	Present.
173	June 10	H.R. 3400: To approve the bill amending the Federal Aviation Act to authorize aircraft noise abatement regulation. (Passed 312 to 0.)	Yes.
174	June 11	Quorum call	Present.
175	June 11	Quorum call	Present.
176	June 11	H.R. 17734: On an amendment to the 2d supplemental appropriations bill providing $90,000,000 for impacted school areas. (Passed 226 to 133.)	No.
177	June 11	H.R. 17734: On final passage of the $6,200,000,000 2d supplemental appropriations bill. (Passed 324 to 33.)	Yes.
178	June 12	Quorum call	Present.
179	June 12	H.R. 16489: On a motion to recommit to conference the Treasury, Post Office, and Executive Office appropriations bill to insist upon House provision cutting the appropriation by $738,000,000. (Defeated 159 to 216.)	Yes.
180	June 12	H.R. 16489: To approve the conference report on the Treasury, Post Office, and Executive Office appropriation bill. (Passed 371 to 10.)	Yes.
181	June 12	H. Res. 1187: On a resolution authorizing the Speaker to appoint delegates to the International Labor Organization Conference in Geneva. (Passed 259 to 120.)	Yes.
182	June 12	H.R. 16162: To adopt the amendment to the Export-Import Bank bill limiting Treasury liability on default on loans to $100,000,000. (Passed 217 to 163.)	Yes.
183	June 13	Quorum call	Present.
184	June 13	H.R. 16363: To pass the bill clarifying and amending the Poultry Products Inspection Act. (Passed 351 to 17.)	Yes.
185	June 13	H.R. 15087: To recommit to committee the authorization bill for the Peace Corps in order to reduce the authorization from $112,800,000 to $97,000,000. (Defeated 179 to 187.)	Yes.
186	June 13	H.R. 15087: To approve the $112,800,000 authorization bill for the Peace Corps. (Passed 292 to 61.)	Yes.
187	June 17	Quorum call	Present.
188	June 17	H.R. 6589: To suspend the rules and pass the bill to insure that public buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped. (Passed 302 to 0.)	Yes.
189	June 18	Quorum call	Present.
190	June 18	S. 1028: To recommit to committee the bill relative to Federal employment conditions for former employees of agricultural county committees in order to bring all such present county employees under the Federal classified civil service system. (Defeated 136 to 228.)	Yes.
191	June 18	S. 1028: To approve the bill relative to Federal employment conditions for former employees of agricultural county committee. (Passed 353 to 14.)	Yes.
192	June 19	Quorum call	Present.
193	June 19	Quorum call	Present.
194	June 19	Quorum call	Present.
195	June 19	H.R. 17903: To strike from the public works-atomic energy appropriation bill the planning funds ($671,000) for the Dickey-Lincoln School Reservoirs project in Maine. (Passed 265 to 132.)	Yes.
196	June 20	Quorum call	Present.
197	June 20	H. Res. 1220: To approve the resolution agreeing to the consideration of the conference report on H.R. 15414, the tax increase, expenditure reduction bill. (Passed 321 to 86.)	Yes.
198	June 20	Quorum call	Present.
199	June 20	H. Res. 1222: On a motion to lay on the table the resolution calling for the return of H.R. 15414 to the Senate explaining that the Senate amendments are an infringement on the privileges of the House. (Passed 257 to 162.)	Yes.
200	June 20	Quorum call	Present.
201	June 20	H.R. 15414: To adopt the conference report on the 10-percent surtax-$6,000,000,000 expenditure reduction, etc., bill. (Passed 268 to 150.)	Yes.
202	June 24	Quorum call	Absent.[1]
203	June 24	Quorum call	Absent.[1]
204	June 24	H.R. 3136: To approve the bill authorizing the Secretary of Commerce to make a study to determine the advantages and disadvantages of the increased use of the metric system in the United States. (Passed 269 to 42.)	Absent.[2]
205	June 24	Quorum call	Absent.[1]
206	June 25	Quorum call	Present.
207	June 25	Quorum call	Present.
208	June 25	Quorum call	Present.
209	June 26	Quorum call	Absent.[1]
210	June 26	H.R. 18037: To amend the Labor, and Health, Education, and Welfare appropriations bill in order to provide $46,900,000 in an additional amount for the education professions development activity. (Passed 228 to 172.)	No.
211	June 26	H.R. 18037: To amend the Labor, and Health, Education, and Welfare appropriations bill in order to set the appropriations for OEO in 1969 at the level of this year's expenditures, making a reduction of $100,000,000 in the committee's recommendation. (Defeated 181 to 220.)	No.
212	June 26	H.R. 18037: On the motion ordering the previous question on the motion to recommit to committee the Labor, and HEW appropriation bill in order to limit total spending to approximately $16,800,000,000. (Passed 275 to 126.)	Yes.
213	June 27	Quorum call	Present.
214	June 27	H.R. 18038: To approve the legislative appropriation bill in the amount of $247,000,000 (Senate items to be added). Passed 36 to 22.)	Yes.
215	July 1	Quorum call	Present.
216	July 1	Quorum call	Present.
217	July 1	H.R. 17872: To suspend the rules and approve the bill providing an additional $100,000,000 for each of the next 3 fiscal years for expansion of the school lunch prgoram. (Passed 274 to 78.)	Yes.
218	July 1	H.R. 17873: To suspend the rules and approve the bill amending the National School Lunch Act. (Passed 352 to 0.)	Yes.
219	July 1	S. 2837: To suspend the rules and pass the bill establishing the Cradle of Forestry in America in the Pisgah National Forest in North Carolina. (Passed 279 to 71.)	No.
220	July 1	Quorum call	Present.
221	July 2	Quorum call	Present.
222	July 2	H.R. 17734: To accept that item in the conference report on the 2d supplemental appropriation which sets the amount for the manpower development training program at $13,000,000. (Passed 287 to 82.)	Yes.
223	July 2	H.R. 17734: To accept that item in the conference report on the 2d supplemental appropriation which sets the amount for the Headstart program at $5,000,000. (Passed 265 to 106.)	Yes.
224	July 2	S. 1166: To approve the amendment to the Natural Gas Pipeline Safety Act offered by the House Committee on Interstate and Foreign Commerce as a substitute for the Senate act. (Passed 247 to 125.)	Yes.
225	July 2	S. 1166: To approve the Natural Gas Pipeline Safety Act as amended by the House. (Passed 351 to 14.)	Yes.
226	July 3	Quorum call	Present.
227	July 3	H.R. 17134: On the amendment to the Federal Highway Act limiting the highway beautification funds to administrative money needed to carry out a study of the program and striking out the $25,500,000 authorization for beautification. (Passed 211 to 145.)	Yes.
228	July 3	H.R. 16361: To recommit to committee the District of Columbia Revenue Act of 1968. (Defeated 100 to 122.)	Yes.
229	July 8	Quorum call	Present.
230	July 8	Quorum call	Present.
231	July 8	Quorum call	Present.
232	July 8	Quorum call	Present.
233	July 8	Quorum call	Present.
234	July 8	Quorum call	Present.
235	July 9	Quorum call	Present.
236	July 9	Quorum call	Present.
237	July 10	Quorum call	Present.
238	July 10	H.R. 17989 (S. 3497): On the amendment to the housing bill providing an income limitation in connection with low-income housing.	Yes.
239	July 10	H.R. 17989 (S. 3497): On a motion to recommit to committee the omnibus housing bill in order to delete upgrading management and services in public housing section and interim assistance for blighted areas section. (Passed 217 to 193.)	Yes.
240	July 10	H.R. 17989 (S. 3497): On final passage of the Housing and Urban Development Act of 1968. (Passed 295 to 114.)	Yes.
241	July 11	Quorum call	Present.
242	July 11	Quorum call	Present.
243	July 11	S. 3293: To approve the bill authorizing appropriations for 1969 procurement of aircraft missiles, naval vessels, and other purposes. (Passed 362 to 15.)	Yes. Yes.
244	July 12	Quorum call	Present.
245	July 12	H.R. 15758: To pass the bill amending the Public Health Services Act. (Passed 326 to 1.)	Yes.
246	July 12	Quorum call	Present.
247	July 12	H.J. Res. 1: To approve the resolution calling for the establishment of a Joint Committee to Investigate Crime. (Passed 319 to 12.)	Yes.
248	July 12	H.R. 14096: To increase the penalties for the illegal trafficking in, and possession of, LSD and other drugs. (Passed 320 to 2.)	Yes.
249	July 12	H.R. 16824 (S. 3245): To approve the bill extending for 3 years the State Technical Services Act of 1965 and authorizing appropriations of it. (Passed 309 to 2.)	Yes.
250	July 15	Quorum call	Present.
251	July 15	Quorum call	Present.
252	July 15	H.R. 18366: To suspend the rules and pass the Vocational Education Amendments of 1968. (Passed 390 to 0.)	Yes.
253	July 15	H.R. 3710: To suspend the rules and pass the Public Works Authorization Act of 1968. (Passed 307 to 85.)	Yes.
254	July 15	S. 2515: To suspend the rules and pass the bill authorizing the establishment of a Redwood National Park. (Passed 388 to 15.)	Yes.
255	July 15	H.R. 163: To suspend the rules and pass the bill which would prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying government-generated cargoes restricted to American vessels. (Passed 370 to 30.)	Yes.
256	July 15	S. 1418: To suspend the rules and pass the bill changing the length of of time a passport is valid and modifying the passport fees. (Passed 324 to 71.)	No
257	July 15	H.R. 5117: To suspend the rules and pass the bill authorizing stage 1 of the Palmetto Bend reclamation project, Texas. (Passed 294 to 104.)	Yes
258	July 15	H.R. 4865: To suspend the rules and pass the bill to establish a nationwide system of trails. (Passed 378 to 18.)	Yes.
259	July 15	S. 6: To suspend the rules and pass the bill authorizing the initial stage of the Oahe unit, James division, Missouri River Basin project, South Dakota. (Passed 264 to 128.)	Yes.
260	July 15	S. 752: To suspend the rules and pass the bill relating to exemptions from the ICC Act for motor vehicles operated by agricultural cooperative associations. (Passed 272 to 106.)	Yes.
261	July 16	Quorum call	Present.
262	July 16	H. Res. 1240: To adopt the resolution providing for the consideration of H.R. 15263, the Foreign Assistance Authorization Act. (Passed 282 to 118.)	Yes.
263	July 16	Quorum call	Present.
264	July 17	Quorum call	Present.
265	July 17	Quorum call	Present.
266	July 18	Quorum call	Present.
267	July 18	H.R. 15263: To recommit to committee the foreign aid authorization bill in order to reduce the amount by $370,000,000. (Passed 268 to 150.)	Yes.
268	July 18	H.R. 15263: To approve the foreign aid authorization bill in the amount of $1,900,000,000. (Passed 228 to 184.)	Yes.
269	July 19	Quorum call	Present.

See footnotes at end of table.

GERALD R. FORD'S VOTING RECORD, 2D SESS., 90TH CONG.—Continued

Roll call No.	Date	Measure, question, and result	Vote
270	July 22	Quorum call	Present.
271	July 22	H.R. 15678: To increase salaries of judges in the District of Columbia courts. (Passed 339 to 44.)	Yes.
272	July 22	S. 1228: To recommit to committee the bill authorizing grants for construction and modernization of hospitals in the District of Columbia. (Defeated 109 to 288.)	Yes.
273	July 22	H.R. 18248: To subsidize the D.C. Transit System for the reduced fares granted to students. (Passed 205 to 184.)	Yes.
274	July 24	Quorum call	Present.
275	July 24	H.R. 17735: On an amendment to the gun control bill to exempt from the provisions of the act shotgun and rifle shells and any .22-caliber rimfire ammunition. (Passed 218 to 205.)	No.
276	July 24	H.R. 17735: On an amendment to the gun control bill to require mandatory prison terms as an additional penalty for those who use or carry firearms while committing a Federal felony. (Passed 412 to 11.)	Yes.
277	July 24	H.R. 17735: On an amendment to the gun control bill to permit the shipment of weapons and ammunition to rifle clubs and ROTC units without regard to the licensing provisions of the act. (Passed 225 to 198.)	No.
278	July 24	H.R. 17735: On final passage of the State Firearms Control Assistance Act of 1968. (Passed 305 to 118.)	Yes.
279	July 25	Quorum call	Present.
280	July 25	H.R. 15067: To approve the amendment denying benefits under the Higher Education Act to those students guilty of disrupting the administration of a college or university. (Passed 259 to 147.)	Yes.
281	July 25	H.R. 15067 (S. 3769): On final passage of the Higher Education Act of 1968. (Passed 389 to 15.)	Yes.
282	July 25	H.Res. 1234: To adopt the resolution providing for consideration of H.R. 15198, relating to employer contributions for joint industry promotion of products, etc. (Passed 290 to 100.)	Yes.
283	July 25	H.R. 15198: To amend the bill relative to joint contributions for industrial promotion to provide that labor and management shall have a joint voice in determining how funds are to be spent. (Defeated 156 to 217.)	No.
284	July 25	H.R. 15198: To amend the bill relative to joint contributions for industrial promotion by removing from the bill the provisions relating to funds being used for committees to resolve disputes over the interpretation of collective bargaining agreements. (Passed 192 to 177.)	Yes.
285	July 25	H.R. 15198: On final passage of the bill relative to employer contributions for joint industry promotion of products, etc. (Passed 201 to 169.)	Yes.
286	July 26	Quorum call	Present.
287	July 26	S. 3497: To agree to the conference report on the Housing and Urban Development Act. (Passed 227 to 135.)	Yes.
288	July 26	S. 3418: To recommit to the conference committee the Federal Aid Highway Act to insist upon the House position deleting funds for highway beautification. (Defeated 166 to 167.)	Yes.
289	July 26	Quorum call	Present.
290	July 29	Quorum call	Present.
291	July 29	H.R. 18785: To recommit to committee the military construction appropriations bill. (Defeated 32 to 350.)	No.
292	July 30	Quorum call	Present.
293	July 30	H.R. 18249: To amend the bill extending the Food Stamp Act by removing the limitation on the authorization and providing for a 4-year authorization. (Passed 227 to 172.)	No.
294	July 30	H.R. 18249 (S. 3068): On final passage of the amendments to the Food Stamp Act as amended. (Passed 315 to 83.)	Yes.
295	July 30	Quorum call	Present.
296	July 30	H. Res. 1218: To adopt the resolution providing for the consideration of the bill to amend the Food and Agriculture Act of 1965. (Passed 316 to 73.)	Yes.
297	July 31	Quorum call	Present.
298	July 31	Quorum call	Present.
299	July 31	H.R. 17126: To recommit to committee the food and agriculture bill in order to place a limitation of $20,000 in subsidy payments to any 1 producer in 1 year. (Passed 213 to 160.)	Yes.
300	July 31	H.R. 17126 (S. 3590): On final passage of the bill to amend the Food and Agriculture Act of 1965 (Passed 213 to 176.)	Yes.
301	Aug. 1	Quorum call	Present.
302	Aug. 1	H.R. 15387: To adopt the conference report on a Post Office bill which among other things exempted this Department from the provisions of the Revenue and Expenditures Act of 1968. (Passed 345 to 24.)	No.
303	Aug. 1	H.R. 15757: To pass the bill amending the Public Health Services Act. (Passed 350 to 0).	Yes.
304	Aug. 1	H. Res. 1247: To approve the resolution granting additional travel authority to the Committee on Public Works. (Passed 218 to 107.)	Yes.
305	Aug. 2	Quorum call	Present.
306	Aug. 2	Quorum call	Present
307	Sept. 4	Quorum call	Present.
308	Sept. 5	Quorum call	Present.
309	Sept. 5	H.R. 15045: To approve amendments to the Manpower Development and Training Act of 1962. (Passed 315 to 0.)	Yes.
310	Sept. 9	Quorum call	Present.
311	Sept. 9	H.R. 10564: To approve the bill adding pears for canning or freezing to the list of commodities for which Federal marketing orders may be made applicable. (Defeated 111 to 165.)	No.
312	Sept. 10	S. 3293: To adopt the conference report on the bill authorizing military procurement. (Passed 312 to 15.)	Yes.
313	Sept. 10	H.R. 15681: To approve the bill relative to foreign military sales as amended. (Passed 313 to 29.)	Yes.
314	Sept. 11	Quorum call	Present.
315	Sept. 11	Quorum call	Present.
316	Sept. 11	On a motion to dispense with further proceedings under the quorum call. (Passed 283 to 71.)	No.
317	Sept. 11	Quorum call	Present.
318	Sept. 12	H.R. 18707: To adopt an amendment to the Defense appropriation bill providing that no funds be spent outside the United States for purchase of aircraft or major components of aircraft. (Defeated 73 to 268.)	No.
319	Sept. 12	H.R. 18707: On final passage of the $72,000,000,000 appropriation bill for the Department of Defense. (Passed 334 to 7.)	Yes.
320	Sept. 12	S. 2515: To approve the conference report on the bill to establish the Redwood National Park. (Passed 329 to 1.)	Yes.
321	Sept. 12	H.R. 18260: To approve the National Scenic Rivers Act of 1968. (Passed 265 to 7.)	Yes.
322	Sept. 16	Quorum call	Present.
323	Sept. 16	H.R. 551: To suspend the rules and approve the bill authorizing the Biscayne National Monument in Florida. (Passed 234 to 92.)	Absent.[3]
324	Sept. 16	H.R. 2567: To suspend the rules and pass relating to safety regulations in connection with Federal or federally assisted construction projects. (Defeated 197 to 135; a ⅔ vote being necessary.)	Absent.[3]
325	Sept. 16	Quorum call	Absent.[1]
326	Sept. 16	S. 1440: To suspend the rules and approve the bill making it a Federal crime to transport in interstate commerce a traveler's check with a forged countersignature. (Passed 328 to 4.)	Absent.[2]
327	Sept. 16	S. 3030: To suspend the rules and pass the bill authorizing up to $2,500,000 for the construction or leasing of an experiment and demonstration plant for the production of fish protein concentrates. (Passed 218 to 102.)	Absent [3]
328	Sept. 16	H.R. 12926: To suspend the rules and approve the legislation establishing a Commission on Negro History and Culture. (Passed 263 to 45.)	Absent.[2]
329	Sept. 16	H.R. 16771: To suspend the rules and pass the bill designating certain lands in the Great Swamp National Wildlife Refuge in New Jersey as "wilderness." (Passed 269 to 22.)	Absent.[2]
330	Sept. 16	H.R. 19136: To suspend the rules and approve the bill providing payment for overtime to certain persons in Department of Transportation who have responsibilities in aviation safety. (Passed 317 to 2.)	Absent.[2]
331	Sept. 17	Quorum call	Present.
332	Sept. 17	H.R. 16187: To strike from the omnibus claims bill title II for the relief of Mrs. Raisla Stein. (Passed 275 to 67.)	Yes.
333	Sept. 17	H.R. 16187: To strike from the omnibus claims bill title IV for the relief of Charles B. Franklin. (Defeated 39 to 303.)	Yes.
334	Sept. 17	H.R. 16187: To strike from the omnibus claims bill, title VIII for the relief of Mr. and Mrs. John F. Fuentes. (Defeated 139 to 212.)	Yes.
335	Sept. 17	H.R. 16187: To strike from the omnibus claims bill, title IX for the relief of Puget Sound Plywood, Inc. (Defeated 115 to 236).	No.
336	Sept. 17	H.R. 16187: To strike from the omnibus claims bill, title X for the relief of Pedro I. Guido. (Defeated 132 to 211.)	Yes.
337	Sept. 17	H R. 16187: To strike from the omnibus claims bill, title XI for the relief of 2d Lt. Allan L. Schooler. (Defeated 127 to 203.)	No.
338	Sept. 17	H.R. 16187: To strike from the omnibus claims bill, title XIV for the relief of the Rochester Iron & Metal Co. (Passed 224 to 100.)	Yes.
339	Sept. 17	H.R. 17126: On a motion to send to conference the bill to amend the Food and Agriculture Act of 1965. (Passed 223 to 85.)	Yes.
340	Sept. 18	Quorum call	Present.
341	Sept. 18	H.R. 15890: To pass the bill authorizing 365 additional positions in grades GS–16, GS–17, GS–18 (supergrades) in the executive branch of Government. (Defeated 134 to 221.)	No.
342	Sept. 18	H.Res. 1241: To adopt the "rule" under which to consider H.R. 17682, a bill relating to civil service retirement. (Passed 290 to 67.)	No.
343	Sept. 19	H.R. 15263: To adopt the conference report on the Foreign Aid Assistance Act, authorizing an appropriation of $1,970,000,000. (Passed 196 to 150.)	Yes.
344	Sept. 19	H. Res. 1309: To adopt the rule under which to consider the foreign aid appropriation bill. (Passed 293 to 58.)	Yes.
345	Sept. 19	H.R. 19908: To pass the motion that the House resolve itself into the Committee of the Whole House to consider the foreign aid appropriations bill. (Passed 270 to 64.)	Yes.
346	Sept. 19	H.R. 19908: To approve the foreign aid appropriation bill in the amount of $1,600,000,000. (Passed 173 to 139.)	Yes.
347	Sept. 23	Quorum call	Absent.[1]
348	Sept. 25	Quorum call	Present.
349	Sept. 25	H.R. 17854: To recommit to committee the bill authorizing construction of parking facilities in the District of Columbia. (Defeated 127 to 225.)	No.
350	Sept. 25	Quorum call	Present.
351	Sept. 25	H.R. 17126: To adopt the conference report on the amendments to the Food and Agriculture Act of 1965. (Passed 189 to 172.)	Yes.
352	Sept. 25	S. 3068: To recommit to conference the food stamp bill with instructions to insist upon the House provision that college students and strikers should not be eligible for food stamps because of their position as college students or strikers. (Defeated 158 to 187.)	Yes.
353	Sept. 25	S. 3068: To adopt the conference report on the bill amending the Food Stamp Act of 1964. (Passed 245 to 98.)	Yes.
354	Sept. 26	Quorum call	Present.
355	Sept. 26	S. 945: To recommit to committee the Federal magistrates bill in order to limit the number to 250 and to provide for Presidential appointment. (Defeated 64 to 258.)	No.
356	Sept. 26	S. 2484: On the bill authorizing the extension of the additional Senate Office Building site. (Defeated 145 to 161.)	Yes.
357	Sept. 26	H.J. Res. 1461: On the motion to substitute for the resolution extending the "continuing resolution" to Oct. 12, a provision applying the extension only to the Defense appropriation. (Defeated 136 to 163.)	Yes.
358	Sept. 26	H.J. Res. 1461: To recommit to committee the resolution extending the "continuing resolution" to Oct. 12 in order to set the date at Oct. 5. (Defeated 135 to 148.)	Yes.
359	Oct. 1	Quorum call	Absent.[1]
360	Oct. 1	H.R. 15758: To adopt the conference report on the bill amending the Public Health Service Act. (Passed 316 to 0.)	Absent.[2]
361	Oct. 1	H.R. 14935: To adopt the conference report on bill relative to motor vehicle master keys, wage board surveys, and powers of postal inspectors. (Passed 251 to 62.)	Absent.[2]
362	Oct. 3	Quorum call	Absent.[1]
363	Oct. 3	H.R. 18037: On a motion to delete from the conference report on the Labor-HEW appropriation bill a provision eliminating the exemption from the Revenue and Expenditures Control Act the payments to federally impacted school districts. (Passed 200 to 145.)	Yes.
364	Oct. 3	Quorum call	Present.
365	Oct. 3	Quorum call	Present.

See footnotes at end of table.

GERALD R. FORD'S VOTING RECORD, 2D SESS., 90TH CONG.—Continued

Roll call No.	Date	Measure, question, and result	Vote
366	Oct. 3	H.R. 18037: On a motion to concur in an amendment to a Senate amendment to the conference report on the Labor-HEW appropriation bill as follows: "No part of the funds contained in this Act may be used to force busing of student, abolishment of any school or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent." (Defeated 167 to 175.)	Yes.
367	Oct. 3	H.R. 18037: To agree to the Senate amendment to the Labor-HEW appropriations bill which would prohibit HEW from withholding funds for failure to correct racial imbalance in schools but will not prohibit withholding funds for failures to correct unconstitutional desegregation. (Passed 330 to 7.)	Yes.
368	Oct. 3	H.R. 18037: On a motion to accept the Senate amendment to the Labor-HEW appropriation bill relative to maintaining title VI of the Civil Rights Act of 1964. (Passed 166 to 155.)	Absent.[2]
369	Oct. 7	Quorum call	Present.
370	Oct. 7	H.R. 15990: To suspend the rules and pass the bill amending the Manpower Development and Training Act relating to seasonal unemployment in the contstruction industry. (Passed 265 to 9.)	Yes.
371	Oct. 7	S. 3206: To suspend the rules and pass the Water Quality Improvement Act of 1968. (Passed 277 to 0.)	Yes.
372	Oct. 7	H.R. 15151: To suspend the rules and pass the Guam Development Fund Act of 1968. (Passed 279 to 0.)	Yes.
373	Oct. 7	H.R. 18205: To suspend the rules and pass the bill providing for the continuance of civil government for the Trust Territories of the Pacific Islands. (Passed 278 to 0.)	Yes.
374	Oct. 7	H.R. 19910: To suspend the rules and pass the bill relative to Federal milk marketing order amendments. (Passed 201 to 76.)	No.
375	Oct. 8	Quorum call	Present.
376	Oct. 8	Quorum call	Present.
377	Oct. 8	Quorum call	Present.
378	Oct. 8	Quorum call	Present.
379	Oct. 8	Quorum call	Present.
380	Oct. 8	Quorum call	Present.
381	Oct. 8	Quorum call	Present.
382	Oct. 8	Quorum call	Present.
383	Oct. 8	Quorum call	Present.
384	Oct. 8	Quorum call	Present.
385	Oct. 8	Quorum call	Present.
386	Oct. 8	Quorum call	Present.
387	Oct. 8	Quorum call	Present.
388	Oct. 8	Quorum call	Present.
389	Oct. 8	Quorum call	Present.
390	Oct. 8	Quorum call	Present.
391	Oct. 8	Quorum call	Present.
392	Oct. 8	Quorum call	Present.
393	Oct. 8	Quorum call	Present.
394	Oct. 8	Quorum call	Present.
395	Oct. 8	Quorum call	Present.
396	Oct. 8	Quorum call	Present.
397	Oct. 8	Quorum call	Present.
398	Oct. 8	Quorum call	Present.
399	Oct. 8	Quorum call	Present.
400	Oct. 8	Quorum call	Present.
401	Oct. 8	Quorum call	Present.
402	Oct. 8	Quorum call	Present.
403	Oct. 8	Quorum call	Present.
404	Oct. 8	Quorum call	Present.
405	Oct. 8	Quorum call	Present.
406	Oct. 8	Quorum call	Present.
407	Oct. 8	Quorum call	Present.
408	Oct. 8	On a motion to "lay on the table" a motion appealing the ruling of the Chair which refused a Member the privilege of making a motion relative to requiring certain Members to remain on the floor. (Passed 136 to 102)	No.
409	Oct. 8	On a motion to "lay on the table" a motion to reconsider the vote by which the motion in rollcall 408 was approved. (Passed 137 to 104.)	No.
410	Oct. 8	On a motion that the House adjourn. (Defeated 92 to 149.)	Yes.
411	Oct. 8	Quorum call	Present.
412	Oct. 8	Quorum call	Present.
413	Oct. 8	H. Res. 1315: On the motion ordering "the previous question" on the resolution relative to the "rule" on consideration of S.J. Res. 175 suspending the equal-time requirement for presidential and vice-presidential candidates in sec. 315 of Communications Act of 1935. (Passed 162 to 111.)	No.
414	Oct. 8	H. Res. 1315: To adopt the resolution providing for the consideration of S.J. Res. 175 suspending the equal time requirement for presidential and vice presidential candidates in sec. 315 of the Communications Act of 1935. (Passed 284 to 1.)	Yes.
415	Oct. 8	Quorum call	Present.
416	Oct. 8	S.J. Res. 175: On a motion that the House resolve itself into the Committee of the Whole House for the purpose of considering the joint resolution. (Passed 285 to 0.)	Yes.
417	Oct. 8	Quorum call	Present.
418	Oct. 8	S.J. Res. 175: On a motion to recommit the joint resolution on "equal time" for presidential candidate debates in order to provide for equal but separate time for the 3 major candidates instead of a debate. (Defeated 112 to 204.)	Yes.
419	Oct. 8	S.J. Res. 175: To adopt the resolution as amended by the House providing for suspension of the equal time provision of sec. 315 of the Communications Act of 1935 in order to permit TV and radio debates among the 3 major presidential candidates. (Passed 280 to 35.)	No.
420	Oct. 8	Quorum call	Absent.[1]
421	Oct. 10	Quorum call	Absent.[1]
422	Oct. 10	H.R. 17735: To adopt the conference report on the Gun Control Act of 1968. (Passed 160 to 129.)	Absent.[2]
423	Oct. 10	H.R. 17324: To adopt the conference report on the Renegotiation Amendments Act of 1968. (Passed 196 to 44.)	Absent.[2]
424	Oct. 10	H. Res. 1304: To adopt the resolution authorizing the Committee on Banking and Currency to send members and staff personnel abroad to investigate and study housing and new community developments and development lending activities. (Passed 152 to 66.)	Absent.[2]
425	Oct. 10	H.R. 19908: To adopt the conference report on the foreign aid appropriation bill. (Passed 125 to 93.)	Absent.[2]
426	Oct. 11	H.R. 20300: To adopt the conference report on the supplemental appropriation bill of $446,000,000. (Passed 209 to 12.)	Yes.
427	Oct. 11	H.R. 18707: To adopt the conference report on the Defense appropriation bill of $71,800,000,000. (Passed 213 to 6.)	Yes.
428	Oct. 11	Quorum call	Present.

[1] Speaking engagement.

[2] If present, would have voted "Yes."

[3] If present, would have voted "No."

DISTRICT OF COLUMBIA'S PROJECT READ

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. MORSE. Mr. President, I note with pleasure that the public schools of the District of Columbia under the leadership of the Superintendent, Dr. William R. Manning, are taking action to improve the reading levels of their students. Project Read using linguistic, programed reading books developed by Behavioral Research Laboratories, Palo Alto, Calif., will be used for teaching reading to 13,000 of the District students. Behavioral Research Laboratories will provide consultants for inservice education for the teachers and continuing support as needed. They will be assisted by staff members of the Reading Center and the Supervising Director, Mrs. Kathryn Lumley.

I commend the Board of Education, Superintendent Manning, the Reading Center staff, and the participating principals and teachers for making this innovative program available as an important step toward upgrading both the student's reading abilities and improving their attitude toward reading.

Mr. President, I ask unanimous consent that a press release under date of October 8, 1968, concerning Project Read be printed at this point in my remarks.

There being no objection, the press release ordered to be printed in the RECORD, is as follows:

WASHINGTON, D.C., October 8.—Dr. William R. Manning, Superintendent of Schools, stated today that the District is taking a major step towards improving reading skills by implementing Project Read for 13,000 students in the Dunbar High School area.

At a press conference in the Goding School, Dr. Manning said the Board of Education's $195,000 agreement with Behavioral Research Laboratories, Palo Alto, Calif., calls for an intensive programmed linguistic reading program for students in grades K through 8.

The District's Project Read, which is one of the largest developmental reading programs in an inner-city area in the U.S., is being conducted for every student in 18 elementary schools and in the reading classes of two junior high schools. Stuart and Terrell Junior High Schools will be participating, along with the following elementary schools; Blair, J. F. Cook, Edmonds, Goding, Hayes, Logan, Ludlow, Madison, Taylor, Perry, Seaton, Simmons, Walker-Jones, J. O. Wilson, Slater, Langston, Mott and Katie Lewis.

"We will be using this program for 13,000 pupils, and our goal is to bring these children up to, or above grade level," Dr. Manning said.

He explained that past experience has shown that conventional reading materials and methods are inadequate for teaching inner-city children in the large urban centers. Therefore during the past year, the Reading Center has had several experimental programs in operation including Project Read.

"From our first hand experience and an investigation of other urban school systems that have used Project Read, we believe it can be helpful in reversing the downward spiral in reading," Dr. Manning added.

Dr. Manning noted that he and the District's reading experts were particularly impressed with Project Read since it is an individualized programmed approach to reading, which coincides with our "system adopted philosophy of individualizing the instructional program."

While observing Project Read in other inner-city school systems, Dr. Manning said that he was particularly impressed since the program represents a comprehensive approach to the teaching of reading—and goes beyond the conventional mode of providing a graded reader and a teacher's guide.

"It is a complete program, which in addition to the materials, contains a continuing consultant service for teachers and a community relations program to involve the parents," he added.

Mrs. Kay Lumley, Director of the District's Reading Center, will supervise Project Read. Mrs. Lumley, who observed Project Read in operation in several cities, pointed out, "The innovative aspects of the materials have special appeal to all students including the underachiever since the materials have a built-in 'success' factor. This gives pupils confidence in their ability to succeed and contributes to their positive self-image."

"I know that our students possess plenty of innate ability, which they have never had the opportunity to develop. Project Read is one means of helping them achieve their potential," said Mrs. Lumley, adding, "I am convinced that both student and teacher will enjoy and profit from using these programmed materials.

Behavioral Research Laboratories (BRL), which presently is conducting the same type of reading programs in disadvantaged areas in cities including New York, San Francisco, Miami, Pittsburgh, Cleveland, and Newark, will provide throughout the project specially designed programmed linguistic reading textbooks and related materials.

They also will handle the pre-service training of teachers and supervisory personnel and call upon consultants—who are presently using the Project Read materials in other inner-city school systems. These consultants will conduct in-service conferences, workshops, and actually assist teachers in the classroom during the year.

BRL consultants will train paraprofessionals to handle those responsibilities assigned to them in the project. A group of BRL consultants, working with the District staff, also will be going into the communities to hold meetings with the parents, local boards and community representatives to apprise them of Project Read and keep them informed of its progress.

To insure that the community has an opportunity to become a part of Project Read, parents and all interested persons will be invited to observe student progress and learn about this programmed reading method. Dr. Manning plans to send a letter to parents of all children participating in the program explaining Project Read and urging them to visit their schools.

Dr. Manning said BRL is assigning two Project Directors to the program. They are Donald Porter, who has been associated with BRL for two years, and Robert Hollifield, a former director for the Teachers Corps in Detroit. Project Administrators representing BRL will include Dr. Allen D. Calvin, president of BRL and a learning theorist; Dr. Robert L. Green, an Associate Professor of Education at Michigan State University and a former education director for the Southern Christian Leadership Conference under Dr. Martin Luther King; and Dr. M. William Sullivan, noted linguist and authority on reading skills and the developer of the BRL texts.

Rev. Everett A. Hewlett, President of the Board of Education, said that the Board's approval of Project Read "indicates once more that improvement in reading skills is a major educational priority and a factor basic to the future success of our students."

"We will observe closely the reading progress of our 13,000 pupils involved in the project," he stated, stressing that, "we are eager to find effective programs to improve reading instruction in our schools."

Dr. Sullivan and Dr. Calvin started developing their programs for teaching reading in 1958 under a Carnegie Foundation grant. The system combines a programmed linguistic approach that allows the student to work at a pace dictated by his own ability. The student participates individually and actively, while experiencing continued reinforcement as his reading improves.

NEW ASIA AND AMERICA'S ROLE: ECONOMIC DYNAMISM IN THE PACIFIC

HON. THOMAS E. MORGAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. MORGAN. Mr. Speaker, last week Najeeb E. Halaby, president of Pan American World Airways, addressed the Far East-America Council in New York concerning what, in his opinion, should be the national agenda for Asia.

It is appropriate that the president of the international airline which pioneered the Pacific and which has for more than 10 years now carried on a technical assistance program which has helped some half-dozen Asian countries expand and modernize their air services, should offer suggestions on the type of role private industry could play in the coming decades in Asia.

I find myself in agreement with many of Mr. Halaby's remarks and, because I feel my colleagues would benefit from a close scrutiny of his address, I am inserting it in the RECORD at this point:

NEW ASIA AND AMERICA'S ROLE: ECONOMIC DYNAMISM IN THE PACIFIC

Our future and the world's will depend on peaceful revolution in the new Asia. We in the United States can think and work to help bring that about. We Americans must develop a viewpoint and a relationship toward Asia that will have a modern Pacific rather than an antique European perspective. We need to fashion new policies in industry and government dynamically tuned to Asian outlooks and prospects for the future, not the past. Then, we have to determine the right role for us to play in the new Asia of tomorrow. Neither as policemen nor as rim watchers but as organizers of secure peace and builders of industry and trade we should venture anew into the Pacific.

One of the greatest of frontiers yet to challenge man's spirit and character still lies to the west of us—the Pacific and Asia. Traditionally, we have called it the Far East—a European orientation. But Asia is not the Far East for America. It is far west, and not so very far at that. In the days of jets and satellites, it is becoming instant Asia to us. We have to look outward, not as exploiters but explorers, not despoilers but developers.

Like other meeting grounds, other market places, the new Asia is open to change, inviting new ideas and welcoming new opportunities for construction development. Foreign exploitation and occupation are hopefully and happily finished. Now the answers to Asia's dilemmas can come mainly from Asian initiatives and leaders. Let us recognize and welcome the new and different type of leadership which is emerging in Asia. It is youthful, of course, pragmatic and responsive to popular demands and above all nationalistic. But, more significant, it will be the first generation of leadership educated and trained after the end of colonialism. Young leaders in Asia already are more aware of the concepts of science, the possibilities of technology and modern techniques of management. We will find them a tough, fresh, intelligent breed—often congenial but never subservient, independent, but more realistic and worldly.

Asia is a mass of humanity, concentrated around the rim of the Pacific. We see today half the world's population on one-third of the earth's land mass. Just 30 years from now, two of three human beings on this planet—around 4 billion people—will be Asian: Where they live and what they do will have enormous impact on our children and grandchildren. If we want them to grow up in a safer, saner world than we did, we obviously have got to think and act right about Asia now:

If man is not careful, hundreds of millions of Asians will soon mass themselves into urban concentrations that will degrade their lives and escalate their human tensions. I have very deep fear that the Asian countries may be getting themselves into the same terrible dilemma that we Americans did not foresee and prevent in our own country. Just as we are struggling now with the movement of millions of people from small towns and off the farms into our slums, ghettos and sprawling suburbs, so we can't avoid a sense of alarm when we seem to see the same thing happening in many of the large cities of Asia today. I wonder, therefore, if a first priority for all of us is not to see where the masses of Asians are going and what can be done to help them avoid repeating our mistakes before it is too late.

Understandably, young people from villages now want to move into the towns and cities. Radio and TV have told them about the excitement and novelty in the big city. They now expect better training and good jobs. And, they leave the farm with the impression that some employment and welfare will take care of them even in a strange new way of life. The tragedy is that what we call modernization, development and nation-building may hide within the automatic slum-building and the massing of people together in conditions totally inadequate to take care of them.

The populations are exploding and cities mushrooming all across Asia because modern man has improved death control while ignoring birth control—at least until recently. The reduction of mortality and illness has increased the number of humans and lengthened their lives. Now the success of medical science and public health in disease control needs matching in birth control, if Asia's burgeoning population is not to suffocate in less space and starve even with more food.

Asia's potential will never be realized unless more effective population planning can be implemented rapidly and unless her citizens can be induced to cooperate fully in family planning. Asian countries, although awake to their dilemmas of population growth, have so far been generally unsuccessful in their attempts to significantly reduce the birth rate. And while steps in this direction are being taken by the United Nations, planned parenthood, the population council, health ministries, and other agencies, it is becoming only too clear the sociology is lagging the technology and that their present combined efforts are not going to be enough.

Whether in the village or in the city, "the race between the fork or the stork," as one westerner dramatized this issue, is still grim in Asia, but now there is a glimmer of hope as we look ahead to the end of the century.

The year 2000 sounds like a long time away. But is it really? Does it not already come within the practical time horizon of the hopes of most individuals—they will only be middle aged then.—As well as the goals of business firms and governments? Despite planned obsolescence, many of our buildings, our highways, our major transport systems, and much of the basic infrastructure system for commerce will still be in use in the 21st century. Much of the technology of the year 2000 will be based on science of the sixties and seventies. Although the time lag between discovery and application may be shrinking, it is likely, for example, that decisions taken now in the development of new aircraft and related systems, will determine the evolution of air transportation into the new century. So the study of the future is of interest to the present, primarily because we may, by actions taken now, be able to influence and shape the patterns of tomorrow.

Looking ahead and taking a wide-angle view of the Pacific-Asian region, what are the major trends and currents upon which predictions of the future may be based?

The grim and growing contrasts between the haves and havenots and the spectre of more and more people to feed and burgeoning populations devouring the productive energies of nations are probably the most haunting. The rate of population growth in Asia, exclusive of Japan, is between two and three times that of the United States and Europe. If this continues, the imbalance in the world distribution of population will be further intensified.

While Asia is now awakening to its population growth problems, the hard fact remains that even with a dramatic drop, Asia will by the year 2000 have an estimated two-thirds of the world's population. Asia must overcome the problems of chronic food shortage and the spectre of periodic famine. Can it?

The outlook, fortunately, gives a cautiously hopeful "yes." From a purely technical standpoint, food production prospects in Asia have changed almost beyond belief in the last two or three years. Several Asian governments have given top priority to the modernization of the whole agro-infrastucture, with increasing foreign exchange resources being firmly committed to the growing of food, to the purchase of fertilizer, to pesticides. The introduction of new miracle seeds developed by genetic engineering has spectacular yields.

The technological potential for further advance and progress toward Asian self-sufficiency in food is brightening.

The development of new drought-resistant, high-yielding strains of wheat in Mexico and of high-yielding, low-growing rice at the Los Banos Research Institute in the Philippines have done much to spark a still limited but significant agricultural revolution. What you've had is the multiplier effect at work. The new seeds require heavy doses of fertilizer and new insecticides. The increased production calls for better transport and storage facilities. The need for water leads to the construction of tube wells and larger irrigation works. Gradually, erratically, but very rapidly compared with past eras, you start edging here and there toward a technologically-oriented economy. As Asia is proving, the time is past when emphasis on agriculture means semi-permanent subservience to the industrially advanced nations. Investment in modern agriculture can be a highly effective generator of broad economic growth and the same be true of aquaculture as the science of the sea fathoms its productive future.

The potential for further advance and progress toward Asian self-sufficiency in food is bright. If there is improvement in distribution and marketing systems, the net effect could be the most significant economic development since the economic rebirth of Europe after World War II.

There is already considerable movement in Asia toward a widened technological base. The Republic of China and the Republic of Korea have both entered a stage of rapid technological development. Hong Kong, which can hardly be classified as less developed, India, Pakistan—all have made significant progress. Yet for many countries the pace of growth remains unsatisfactory, and their terms of trade are deteriorating. They need and demand greater progress.

Thinking about Asia's broader economic future, however, is more difficult. It must be kept in mind that, while old in terms of culture and history, Asia is mostly made up of newly formed, independent nations simultaneously trying to emerge from traditional and colonial socio-economic-political systems—all obsolete—into modern states. Given the great diversification between the stages of development of Asian nations, economic progress and growth is going to be markedly uneven in the remaining years of this century.

An old American failing is to think that all problems can be resolved by the American way of doing things, by American equipment, or by American personnel. Many of us know better, of course. What works in Indiana may not work at all in Indonesia. There are, in fact, immense problems in taking technology which has developed gradually in high-income countries and transferring it to the underdeveloped. It takes patience, flexibility, and, most of all, a willingness and capacity on the part of the developing country to absorb something technologically strange, which is not yet the case with all the countries of Asia.

When you get down to it, there are just two approaches to technical modernization. One is to import the newest techniques in the hope that the developing nation will quickly acquire an efficiency close to that of the more advanced country. Provided the skills are available, this approach can mean low unit costs of production and effective competition with foreign companies.

But there are drawbacks to consider. The initial market may really be too small to sustain a heavy investment in equipment. If the technique is labor-saving, it is at best likely to produce only small increases in employment and, at worst, some short-run displacement of workers. In any case, the gulf between the small modernized labor force and the petty trader and farmer is apt to deepen—with political and social consequences.

The other approach is to retrace, at an accelerated pace, the steps toward industrialization that others have taken. This means using older machinery and techniques. The advantages are that more workers are involved in the process, the cost of equipment is likely to be less, maintenance and service structures cheaper, the skills required less sophisticated. The disadvantage is that more capital per unit output may be needed, and the methods or products obsolete.

Obviously, both approaches are inadequate. One advocates the transplant of ready-made techniques and neglects local conditions. The other reestablishes a path to progress, but fails to consider the changes that have taken place since modernization. It is precisely because something better is needed that I think private industry, which possesses among its other resources an acknowledged flexibility, will not only be welcomed, but is essential in these next decades in Asia.

Let me define the role it may fill.

One is to stimulate local research, perhaps through establishing research facilities as part of its investment in a local subsidiary or its licensing arrangement.

Second is to implant engineering capabilities that will allow the developing country to adapt and transfer products and techniques in response to changes in supply and demand.

It is not enough for foreign companies to bring their own adaptive answers to the problem of the lesser developed nations. If there is to be real strengthening of the economies of Asian countries they must do their own adapting. This was, in fact, the route followed by Japan. It initially followed imported designs, processes, and techniques, but then evolved its own, first for the Japanese market, later for those overseas.

You may say Japan was a special case, because it had the infra-structure for rapid development. But even in countries with relatively low literacy rates, and great diversity of social patterns and economic achievement, there has been some highly successful adaptation of technology. Both India and Pakistan, for example, have taken Mexican wheat strains, experimented with them, and developed seeds specifically conditioned to the weather and soil factors of the subcontinent.

Third, the foreign enterprise should help the host country to develop specialties that are within its technological and economic means. To take my own company as an example, Pan American has for some ten years now carried on a technical assistance program through which we have helped some half-dozen Asian countries expand and modernize their air services. Generally, we've tried to get a strong local and regional service established, not because we fear more international competition—a little more wouldn't make much difference—but because the needs and capabilities were for something more modest at the start.

Fourth, the foreign firm should demonstrate the case for modern management of private enterprise. It should point up, in other words, the long-term economic advantages of high-volume, low-cost production, of progressive labor relationships, quality and other production controls, a commitment to research and development, and of a responsible and cooperative attitude toward the community around it.

Progress will be a slow, step-by-step process. True, the process of change will be speeded by widespread "mind power," by the rapid transference of science and technology, by improvement in internal and external transportation and communications, by international travel and exchange, and by regional and international cooperation. But, despite these aids, most of the developing countries in Asia will find that, in relative terms, the gap in the living standards between the developed and the less developed countries will be further widened in Asia—and outside Asia. In fact, a few Asian countries whose starting base is slow, will still be struggling toward a self-sustaining economy into the 21st century.

The rectification of this imbalance between the haves and have-nots is going to require greater regional cooperation and programs of mutual assistance if the less advanced states of Asia are to be brought into the modern world. They want neither neocolonialism nor paternalism. We reject protectionism as well but as Robert McNamara has suggested it is going to require a greater infusion of foreign capital and management know-how as well as economic and social discipline. In industry and commerce we have a special opportunity and responsibility to see how we can help promote the ways and means of practical regionalism.

The United States obviously has tremendous interests at stake in the future orientation of Asia. This interest goes beyond the economic, political and security problems of today and tomorrow, important as they may be. We must think of our own life span and on into the next century to find the roots of our national interest, because the odds favor a future Asia which will have far more relative power at its command vis-a-vis the United States than it has today. Keep in mind the size, its population, its history and its past greatness in comparison with the less advanced early western civilizations. History could repeat itself. The present unequal power balance between Asian and western advanced countries could, and probably will, shift dramatically in Asia's favor in the century that lies ahead.

The problems of the moment, including the rising Asian protectionism as it relates to trade, the problems of opening of new markets, of new highways for travel and commerce, of new economic opportunity for investment and industry in Asia, while important, must be viewed against longer-term perspectives and the effect of actions taken today on the kind of world Asia's children and ours will inherit.

The American interest should be focused on building a peaceful Asia, a progressive Asia and in time a stable Asian community of states living with and contributing to a more hopeful and sane world. The United States should continue to be concerned with assisting in the economic development of the poor countries of Asia. It should be concerned with the establishment of mutually beneficial Asian-American trade relations and a breaking down of restrictive barriers to commerce, to an increase in travel and cultural educational exchange, to a free flow of ideas. It should be concerned with the building of mutual respect between our people and the peoples of Asia. This is our national agenda for Asia.

FAIR PLAY FOR THE CATTLE INDUSTRY

HON. ROMAN L. HRUSKA

OF NEBRASKA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. HRUSKA. Mr. President, former Vice President Nixon has spoken out candidly on the problems of the cattle industry, and shown himself well-informed and sympathetic to its needs.

In his statement, he points out that during the past 20 years, American cattlemen have been subjected to an unrelenting cost-price squeeze. Cattle prices this year are actually below the levels of 1948—20 years ago—while the cattleman's costs have risen. Mr. Nixon points out that according to the official figures, the cattleman must pay 36 percent more for the things he must buy today than was the case 20 years ago. This calculation is based on the so-called prices paid index as calculated by the Department of Agriculture. He might have pointed out that the prices cattlemen must pay have probably risen even more than that, since the Government index does not include such items as the value of land, which has increased sharply during this period.

Mr. Nixon placed himself squarely on record in favor of legislation to plug up the loopholes in the present import quota law. I have been unable to find that Mr. Humphry has taken a similar forthright stand on such legislation—or, in fact, that he has commented on the legislation at all. He has publicly supported the imposition of quotas on foreign steel and textiles, but has avoided giving any similar commitment to the livestock industry.

However, his close supporter and adviser, Secretary of Agriculture Orville Freeman, has taken a firm position—against the American livestockman. In a statement before the House Ways and Means Committee on June 10 of this year, he said:

> The various quota proposals now before the Congress show clearly that this country also has a touch of the protectionist virus.

Then he went on to discuss what a terrible thing protectionism is.

It is interesting to recall that in 1964, Mr. Freeman was extremely vocal against our efforts to protect the domestic livestock industry with quotas on foreign beef. He opposed the legislation then pending, both before the Senate Finance Committee and in numerous public statements.

Today, he has changed his mind about that 1964 legislation. In the course of the same statement of June 10 before the Ways and Means Committee from which I just quoted, he cited the meat import law of 1964 as the perfect example of selective legislation which "enabled us to achieve orderly importing of beef in the interests of our own producers without being restrictive."

It is heartening to know that Mr. Freeman is not beyond the reach of missionary effort on behalf of the American beef industry. Perhaps we may hope that in the course of time he will be converted to tolerance of legislation needed to plug the loopholes in that 1964 law. But until he and his friend Mr. Humphrey do so and are willing to go on record to that effect, the American producer would do well to keep his fingers crossed.

Mr. President, I ask unanimous consent that the statement by Mr. Nixon be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

FAIR PLAY FOR THE CATTLE INDUSTRY

The cattle industry, our largest farm industry in terms of dollar sales, has consistently met the rapidly growing demand of the American consumer for high quality beef. It has done so independently, without any special government support program.

In the past 20 years per capita consumption of beef in our country has risen from under 70 to more than 104 pounds per person. In the same period, the average portion of family income expended on food has actually declined by more than 7 percent.

The cattle industry, however, has not kept pace with an increasing national prosperity because of a severe cost-price squeeze, and adverse governmental policies. The result has been that many small family cattle operations, which represent the bedrock of the industry, have been forced out of business. Those that have survived have been saddled with crippling debts.

In 1948 choice-fed steers in Chicago sold for an average price of $30.96 per 100 pounds; during the first 8 months of this year the selling price averaged $27.40 and it has fluctuated below that figure during most of the past 20 years. During 1964 following record imports, prices fell to a low of $20.52.

The official government index of prices paid by cattlemen, on the other hand, has increased 36 percent since 1948.

One cause of this severe cost-price squeeze has been the impact of imported meat. Because of the meat export subsidy practices of competing meat nations and the tariff restrictions of other nations, the American market has at times been flooded with cheap foreign beef.

In 1962 and 1963 meat imports precipitated a collapse in American cattle prices of as much as 30 percent in the course of a few months.

During the following year Republicans in Congress proposed legislation to fairly equate the flow of imports with the growth of the American market. The Administration stubbornly opposed it and the Senate defeated the first bill 46–44, with then Senator Humphrey and Senator Muskie both voting against the legislation. The Congress later in 1964 enacted Public Law 88–482.

Because of Administration pressure, the meat import legislation ultimately enacted was riddled with loopholes.

As a result, and in spite of the law, the volume of imports this year threatens to be greater than in any past year, except the record year 1963. Yet Secretary Freeman has consistently failed to invoke even those provisions of the law which could be effective.

Loopholes in the present law must be closed so that domestic cattle producers can participate on a fair basis in the growth of the domestic market. Unfortunately, during the past Congress the Administration, of which Mr. Humphrey is a part, continued to oppose legislation in this field, notwithstanding the pious pronouncements of the Vice President's colleague, Secretary Freeman, regarding the need for protection against subsidized foreign imports.

The Nixon administration will not turn its back on the needs of the cattlemen. The Nixon administration will be dedicated to seeing to it that cattlemen enjoy their full fair share of our increasing national prosperity and that Federal policies encourage the health and growth of this vital industry.

VICE PRESIDENT'S LAW AND ORDER SPEECH FRANK, SUPERB

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. YARBOROUGH. Mr. President, Vice President Humphrey addressed the Nation via television Saturday evening on the subject that is clearly one of the most pressing issues of this presidential election year: the need for law and order in America.

His speech was temperate, realistic, and calm in tone. Unlike some who have sought to alarm and incite fear, Mr. Humphrey offered proposals to stem the rising crime rate and to curtail disorder in America without ripping away the guarantees of personal liberty that are the foundation of our heritage. At this time I ask unanimous consent for inclusion of the Vice President's remarks in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

ADDRESS OF VICE PRESIDENT HUBERT H. HUMPHREY, OCTOBER 12, 1968

Last week I spoke to you about one of the campaign's major issues: how to achieve peace abroad.

I told you what I will do to end the war in Vietnam if there is no cease fire and negotiations are not yielding promise by January 20, 1969.

I told you how I would stop the bombing

as a step toward peace—a risk within our national interest—and I proposed a cease-fire, the de-Americanization of the war, and free elections in South Vietnam with everyone taking part.

Tonight, I want to speak with you frankly about achieving peace here at home.

For this is a time for straight talk on the issue of crime and violence and riots.

America has a right to life—to live in safety—free from coercion, threat or violence.

All my life I have fought to assure every American the right to live in safety and to make the most of himself.

I have discussed our common problems with thousands of people in hundreds of towns and cities—long before this campaign began. I have visited every one of your 50 states. I know America.

I know that Americans want to live in safety.

I know that husbands want their wives and children to be safe when they leave for work.

I know that mothers want their children to be safe on their way home from school.

I know that merchants want to be safe in their stores.

I know that families—in cities large and small—and in rural America—want safety.

Yet, what do we see and hear?

We hear extremists preaching hate and violence.

We read about robbery and killing.

We see and read about riots, fire-bombing and sniping. We know all of this is going on in our country. And many Americans are afraid.

They wonder why more is not being done about it.

More can be done, and, if I am President, more will be done.

The first obligation of government is to provide for the safety of every American in his home and neighborhood.

Grabbing guns, throwing fire bombs, cynically discrediting America's institutions and insisting on racial name-calling is not progress.

To the violent few who, through their words and actions would join guerrilla movements, I say that you are as mistaken and anti-American as the extremist white groups that would equally spread fear and violence through the land.

If this trend toward guerrilla bands and vigilantes continues, there is no question in my mind but that strong legislation is inevitable to stop their activities.

As President I would propose such legislation.

We cannot tolerate in America armed terrorist groups of any color or persuasion.

On this there can be—there will be—no compromise.

A candidate for President must be honest with the American people—all of them.

Most Americans are decent, fair-minded people who are willing to give everyone a fair chance. But today many Americans are afraid—afraid of crime—afraid of riots. Fear has replaced trust.

Many white Americans fear black Americans. Many blacks fear whites.

And the result is rising tension, frustration, hate, and violence.

But before we act out of frustration and fear, let's be calm and sensible and honest with each other.

There are blacks who break the law.

There are also whites who break the law. Both should be brought to justice—the *same* justice.

We must be honest with ourselves—both as to the fears which grip many Americans today—and as to the sources of crime and violence in America.

The issue in 1968 is *not* who is against crime and violence.

The issue in 1968 is who can—and will—do something about it.

I know these problems first hand.

Right after I was elected Mayor of Minneapolis, I came to Washington to ask the advice of J. Edgar Hoover about cleaning up crime in Minneapolis.

Mr. Hoover gave me some good advice—get the best man you can for police chief and then give him all the support he needs. I followed his recommendation and I went back to Minneapolis to get the job done.

As Mayor, I rode around the city at night in patrol cars with our police officers. I went with them and saw that they closed down gambling houses and illegal bars whose operators had always been able to buy off somebody.

I raised police salaries—and I insisted on first-class performance.

I backed my police and I asked the community to back them.

We didn't finish the job overnight. I was shot at more than once by hoodlums who didn't appreciate the heat.

But we ran the racketeers out of town and laid the foundation for a decent city for all the people—and I'm still proud of this record.

I got results in Minneapolis. And I'll get results as President of the United States.

But let's be quite clear what we're talking about. Ninety-eight per cent of our police force are state and local . . . not federal. The basic police power is in your states and local governments. This is in accord with our Constitutional tradition.

Americans don't want a national police force. That could lead to a police state.

But with a determined Federal Government, I say we can beat crime and put down rioting and violence.

Your President—and your Federal government—*can* give your state and local officials desperately needed help in our battle against crime.

If I am President, they will get this help. I intend to take the offensive against crime.

Criminal justice is a three step process.

It begins with the police.

It proceeds with the courts.

It ends—if the defendant is guilty—in prison.

First, your local policemen need help.

We give them one of the most important and difficult jobs in society—to balance order and liberty . . . to regulate the conduct of rebellious children . . . quarreling couples . . . drunken drivers, and people filled with generations of hate.

Then we pay them, on the average, two-thirds of what is necessary to support a family, and we give them education and training.

Last year, over 50,000 jobs for police officers could not be filled.

Chances are your city is short of police right now.

That's why you are probably not getting the protection you deserve.

There is a second hard fact we must face: Our courts are understaffed, over worked and over *crowded*.

In some cities, two years pass before a criminal case is brought to trial. Witnesses die and convictions are lost. Dangerous criminals walk the streets awaiting trial.

If the courts were adequately equipped to handle their workload, justice would be both swift and effective.

We need to help our courts—not attack them.

Then, there is this shocking fact:

Of the nearly half million Americans now in jail and prison, three out of four will be arrested again for another crime.

If we reduced the number of repeaters by only one-fifth, we would stop the increase in crime.

If we cut the number of repeaters in half, the crime rate would drop sharply.

The most tragic fact of all is that *almost the entire* increase in crime since 1960 has been caused by *young people*. Last year, people under 25 committed 88 per cent of the auto thefts . . . 82 per cent of the burglaries . . . and 80 per cent of the arsons.

A majority of crimes against property—burglary, larceny and car theft—are committed by young people between the ages of 11 and 17.

There is one encouraging fact:

Our battle against organized crime is showing results.

Last year, the Federal government indicted a record number of 1,166 persons for organized crime—compared with only 19 in the last year we had a Republican Administration.

But forces of organized crime continue to expand their activities.

In the face of these realities, what must be done?

The most urgent need is Federal assistance to states and cities for better pay, professional training, and the most modern equipment for our law enforcement officers.

Your local police need better technical equipment such as automatic finger print identification systems . . . safe, non-lethal weapons . . . night vision and sensor devices used by the army . . . fast, computerized information systems and radio and other communication equipment, such as pocket-sized walkie-talkies, especially for foot patrolmen—to help speed policemen to the scene of the crime in the first critical minutes.

Your local police need better professional training.

Here, the Federal government has made a start, but more must be done.

We can establish centers for crime prevention and control at every major university. Since 1965, we have already done this at 27 institutions.

We can continue to expand the FBI National Academy at Quantico, Virginia.

The Federal government can, and should, help our states to establish and maintain police training institutes and cooperative training programs such as Operation Combine in New Jersey.

We must help our police—through fellowships and grants—to obtain in-service training and education.

Citizens must have police alarm call boxes throughout their city to summon help, just as fire alarm boxes call the fire department.

We must help cities improve their street lighting—and we must do it on a national scale.

Crime drops rapidly when all streets are properly lighted—just as the citizens of St. Louis and other cities where it has been done.

I shall propose a nationwide street lighting program.

I shall call in local and police officials and the electrical utility industry to put this program into action.

I shall propose a new National Courts Assistance Act—to give our courts the skilled manpower and efficient techniques they need.

I will see that the Federal government helps law schools to train more prosecutors, public defenders, and other court officers.

I will take the lead in changing our prisons from schools for crime into places where men break the cycle of crime.

And let me be very clear on this next point: Juvenile criminals must be made to respect the law and their fellow-citizens. They, and their parents, must understand that if they break the law they will be punished.

But this is only part of the story.

We can prevent juvenile crime through programs strengthening family ties.

We must provide jobs for all Americans—so that fathers can raise their children with dignity.

And there is much more we can do. We can use our schools over weekends and during vacations . . . establish day-care centers to help working mothers . . . and rebuild our cities so that our young people will not be out of work and out of school . . . but out of trouble and off the streets, working and learning to become useful citizens.

We must do everything necessary to protect our young people from the tragedy of drug addiction.

Federal, state, and local agencies must be mobilized in a massive effort to stop the drug traffic in this country.

This means an increase in enforcement personnel.

It means prosecuting drug peddlers to the full extent of the law.

It means a large-scale program for treating drug addiction and for rehabilitating its victims.

We must also keep guns out of the hands of criminals, drug addicts and the mentally ill.

If the states do not act promptly, I shall propose legislation to the Congress for full registration and licensing of firearms.

As for organized crime, I would expand the successful organized crime strike forces within the Department of Justice and strengthen their efforts through an increase in personnel . . . a new planning and research unit . . . and a computerized system for collecting and correlating intelligence about organized crime.

I would enlist the help of both legitimate business and labor—increasingly the targets of organized crime—in reporting information about the syndicate's activities.

For a decade, we have shamefully neglected our law enforcement agencies.

Now, we are reaping the harvest of this neglect.

Revenues available from the local tax base on property are no longer enough to meet the urgent needs of law enforcement.

I proposed Federal revenue-sharing with the states and localities. This will help provide more money at the state and local level.

Beyond this, a direct attack against crime itself, I shall propose in January to the Congress a ten-fold increase in funds available under the Safe Streets Act passed this year—an increase from 62 million to 620 million dollars.

Last year, crime cost the American people $27 billion. For a small fraction of this amount, we can sharply reduce this tragic loss . . . save lives . . . protect property and help banish fear.

If Congress approves my request, I promise you that these funds will be on their way to the states and to local police departments immediately.

These things are not cheap.

A society that asks so much of its police, its courts, and its prisons must be willing to pay the bill.

And the bill is worth paying because:

Your life can be saved.

Your children will be protected.

Your home will be secure.

I will need your help in getting the approval of the Congress.

If you are prepared to help, tell your Congressman or Senator now.

Let him know—before the election—so that we can get this money early in the next session of Congress.

If your Congressman or Senator is not prepared to vote for these funds, you should think about voting for someone who will.

That is the problem of crime. There is also the problem of riots and disorder.

I know you are distressed and outraged by the riots and disorder in many of our cities. And so am I. We cannot build a just society in the midst of violence.

The best way to stop riots is to keep them from starting.

To do that, I propose the establishment of Councils of Civil Peace in our states and cities.

Its job would be to head it off before it begins.

But if they do break out, looting and burning must—and will—be stopped.

Looters and arsonists must be punished according to the law—and they will be.

The key to stopping riots is immediate mobilization of police and National Guard in sufficient numbers to end the violence in its early states.

As President, I will provide continuous training for National Guard units in riot control, teamwork and planning.

I will maintain small, highly-mobile National Guard riot control units, ready for immediate service when needed. I will stand ready to respond to any legitimate call from states or cities for military manpower in the advance of large-scale disorders.

But we cannot expect police or National Guard to solve all of society's problems.

We have laws—and if I am President, they will be enforced.

We need order—and if I am President, we will have order.

But we also need individual liberty and justice—and if I am President we will have liberty and justice, too.

Anyone who seriously believes that order can exist without liberty and justice is tragically—even dangerously—misguided.

And anyone who tells this country—as Mr. Nixon has—that poverty and crime have little or no relationship, is fooling you and himself.

All of us know that poverty . . . despair and alienation have throughout history been the breeding ground for crime. I am pledged to overcoming these evils, just as I am pledged to defeat crime.

On this, too, there can be no compromise.

All of what I have talked about tonight is possible. If I am President, these things will be done.

My two principal opponents in this campaign have talked a great deal about crime and played heavily on fear.

The third party candidate, George Wallace, has talked of little else but crime and race.

George Wallace has appealed to the fears and emotions felt by so many of our white citizens.

He has said he would take care of criminals and anarchists.

But he has never told us *how*—except to downgrade our courts, threaten our liberties or run over his enemies with his automobile.

When he was Governor of Alabama, he gave the American people quite a demonstration of law and order.

He decided which courts suited him—and disobeyed the rest.

He decided which judges he liked—and vilified the others.

He decided which laws he preferred—and attempted to defy others.

The murder rate in his state was the highest in the country. The rate of aggravated assaults was close behind.

I think the American people have the right to ask: If he behaved this way as Governor of Alabama, how would he behave as President of the United States?

My Republican opponent—Richard Nixon—has used more careful language.

But in speech after speech—on platform after platform—he has played upon the fear and the emotions of the American people.

Some of his TV ads and commercials have done exactly the same thing.

Last week, Mr. Nixon released a statement on crime. It contained four so-called "major" recommendations.

Mr. Nixon's advisors forgot to tell him that three of his recommendations were *already* part of the Federal government's program to fight crime.

The only *new* recommendation made by Mr. Nixon was to suggest a series of nationwide town-hall conferences on crime prevention—more *talk* about crime.

The time for talking is over. We need *action*. And we need specific programs to do the job.

On this, Mr. Nixon remains silent.

But Mr. Nixon's Republican colleagues in Congress have not been silent.

Eighty-nine percent of the Republicans in the House of Representatives voted against a Democratic proposal to give policemen in this District of Columbia extra pay for completing college-level courses in law enforcement.

Sixty-six percent of the Republicans in the Senate voted against a Democratic proposal to prevent extremist groups—like the American Nazi Party or the Black Panthers—from qualifying as gun dealers in order to stockpile guns at wholesale prices.

And 95% of the House Republicans voted against a Democratic proposal to create a coordinated unified Federal effort to wipe out the narcotics and dangerous drug traffic when they opposed the creation of a Federal Bureau of Narcotics and Dangerous Drugs. I think there is in the American people enough courage to resist appeal to fear . . . enough compassion to reject repression . . . and enough wisdom to ignore the demagogues.

America has serious problems.

But America has a vast majority of millions of people who want to solve these problems, not in anger and recrimination, but in peace and reconciliation and in trust in one another.

It is to those millions that I appeal.

It is to them that I put my faith.

If there is one thing that I have learned as a young man, as mayor of a great city and then as senator and vice president, it is that nothing comes easy.

Problems don't go away because you want them to go away.

Problems aren't solved by ballyhoo.

Problems are solved by work, hard work, rolled-up sleeves work. Work of not just one man either but of many men. This has been the experience of our America. The problem of crime and violence is not going to go away just because we think it's bad and we wish it would go away.

It will go away only if we work at it. And this means dedication, commitment, and energy, brains, and it means money. More money for police and more money for equipment. This country was built by men who said, "I want to give my sons and grandsons something better, and I will work for it." What I offer you is the opportunity to pass on to your children and grandchildren a better world than the one we inherited.

Now tonight I have talked with you about the realities of crime and violence in America.

I've told you specifically what I intend to do about them as president. I have clear differences with Mr. Nixon and Mr. Wallace on this vital issue as I have on the great issues of Vietnam, of the arms race, of human rights in America, of the crisis in our cities, of economic and social growth.

For the past eight years Mr. Nixon has called for great debates by the Presidential candidates. Now when challenged to such debates, he ducks the issue, as I believe he is ducking the other basic and vital issues in this campaign. And I ask, why is Mr. Nixon afraid to debate? Why does he fear the judgment of the American people?

I call on Mr. Nixon and Mr. Wallace to join me in open debate, the three of us together on the same platform. I do not believe the American people should trust any man as President if he dare not trust himself in the free competition of ideas.

We must not let a President be elected by the size of his advertising budget or because he has more money to spend than the other candidates. I am willing to put myself and my programs and my ability before the American people for judgment. This is an obligation that I feel I owe, and I will meet this obligation.

I ask the Republican nominee and the third party candidate to do the same. I call on Governor Agnew and General LeMay to have the courage to meet my Vice Presidential running mate, Senator Ed Muskie of Maine, in similar open debate.

I say let the people hear us. Let the people compare. Let the people choose. Let the people decide. Let the American people be our jury and cast their decision and their judgment.

In this I ask for your help and in this I hope that I may merit your vote.

Thank you.

ALF'S MONUMENT

HON. JAMES B. PEARSON

OF KANSAS

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. PEARSON. Mr. President, in 1967, Kansas State University inaugurated the Landon Lecture Series. Named in honor of Mr. Alf Landon, former Governor, former presidential candidate, the State's most distinguished citizen, and one of the Nation's most respected elder statesmen, this program brings to the university campus at Manhattan the leading national figures of the day.

Already this program is widely recognized as one of the best of its kind anywhere in the Nation. The brilliant success of this series is testimony to the deep respect which national leaders of all persuasions hold for Mr. Landon and a tribute to the vision and initiative of Kansas State University officials.

During the 1968–69 season, my distinguished colleague from Massachusetts, Senator Ed Brooke, and the distinguished majority leader, Senator Mike Mansfield, will take part in the series. A recent editorial in the Hutchinson News noting the forthcoming lineup of speakers goes on to discuss the importance of the series to the State of Kansas and also pays additional tribute to Mr. Landon, who I am privileged to call my dear friend.

Mr. President, I ask unanimous consent that this editorial, "Alf's Monument," be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

ALF'S MONUMENT

A Bart Starr they are not, but Sens. Edward Brooke and Mike Mansfield and Pulitzer Prize winner Arthur Schlesinger Jr. make a dazzling lineup for fall.

And Brooke, Mansfield and Schlesinger are all coming to Kansas as "Landon Lecture Series" speakers at Kansas State University.

Their appearances won't have the impact on most of us as, say, a winning Wildcat season.

Their speeches will be put into book form, and will be relegated to smaller public exposure in the years ahead than whatever the Wildcats' final standing in the 1968–69 season.

This, despite the fact that these three men have a playing field comprised of the world, abide by rules as strict as those laid down to a left end and have the opportunity to quarterback in some policy that may bind this country and the world in the years to come.

So it is not that we should honor Bart Starr less, but that we should honor our statesmen more.

Kansas State University should take great pride in its founding of the series named for former Gov. Alf Landon, who is respected all over the world.

And Kansans should go a step further and ask that their State Office Building be named in honor of the state's most distinguished elder statesman.

Surely the legislature could do no better for openers in January of 1969. The members have no further to look than the nearest football stadium to see that this sort of thing is done.

But cynicism leads us to suspect that by the time the House and Senate have organized, lethargy will be epidemic in the ranks of the members.

In such an atmosphere, State Office Building has a soothing ring to it.

CONGRESSMAN MOORHEAD MAKES STRONG APPEAL TO LABOR VOTES IN 1968 ELECTION

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. CONYERS. Mr. Speaker, I would like to bring to the attention of my colleagues a speech made on October 10, 1968, by my good friend, the gentleman from Pennsylvania, Congressman William Moorhead. In addressing the 48th Annual Convention of the Pennsylvania State Council, Brotherhood of Carpenters and Joiners of America, AFL–CIO, Congressman Moorhead came out strongly in support of the Democratic nominee and the principles of the Democratic Party which have always channeled discontent into effective action to ease the problems of society. He points out that under a Republican or an American Independent Party administration the progressive tendencies of the last few years would be slowed, if not stifled completely. I hope that Congressman Moorhead's speech is heard and heeded not only by the workingman, but by all segments of our society who do not feel that the system has dealt fairly with their interests.

I would like to insert the text of Bill Moorhead's speech in hopes that it will reach as many persons as possible:

THE ELECTION OF 1968: LABOR'S CRITICAL CHOICE

(Remarks of Congressman William S. Moorhead (Democrat of Pennsylvania), before the 48th Annual Convention of the Pennsylvania State Council, Brotherhood of Carpenters and Joiners of America, AFL–CIO, Chatham Center, Pittsburgh, Pa., October 10, 1968)

President Walish, Secretary-Treasurer Gemmill, members of the Executive Board, officials of the United Brotherhood of Carpenters and Joiners, my good friend Jim Bailey, my distinguished colleague and fellow Democrat Joe Clark, my longtime friend and fellow-Democrat Bob Casey, members of the State Council, ladies and gentlemen:

It has been my observation over the years that however emotional the American people may become over the issues in an election, when the time comes to vote, they vote their minds, not their feelings.

If there was ever a year in which it was important for the American people to vote their intelligence, their reason and their conscience, instead of their emotions and their prejudices, the year 1968 is it.

This is true for all Americans, but it is even more crucial for members of the unions that have given the American working man his strong voice in our political system.

Young people today have a phrase they use when they are impatient to learn the truth. "Tell it like it is," they say. This is what I intend to do here today.

Straight out, let me say this: the American working man stands to lose more in this election year than any in the past if he votes his emotions instead of his brain.

Let me put it more bluntly: a vote for Dick Nixon or George Wallace risks everything the labor movement has fought for for the past half-century. A vote for Hubert Humphrey assures continuation of policies that have given labor its rightful voice in our political system and its rightful share in our tremendous wealth.

It is a tribute to labor's political strength that all three Presidential candidates have made a direct pitch for labor's valuable support. All three have claimed, "I and my party are the friends of organized American labor."

The claims of two of these candidates and their parties are as phoney as the J. P. Stevens Company's claims that it treats textile union organizers fairly.

Only Hubert H. Humphrey and the Democrats tell it like it is.

Let's look at the facts.

Dick Nixon is the candidate of the Republican Party. Let's forget Mr. Nixon for a moment and look at the GOP's recent record as a "friend of labor."

Three years ago tomorrow, the Senate voted against shutting off debate so a vote could be taken on H.R. 77, the bill to repeal Section 14(b) of the Taft-Hartley Act, which permits the so-called state right-to-work laws prohibiting union shops. Senate Republicans voted by a margin of 5 to 1 against shutting off debate, while the Democrats voted 2 to 1 in favor of the motion. How can the Republican Party keep a straight face when it claims to be labor's friend?

Two and one-half months before the Senate killed the bill to repeal 14(b), the House passed it by a vote of 221 to 203. Republicans lined up against the bill by a lopsided 6 to 1 margin, while the Democrats were for it, 9 to 4. How can the Republican Party keep a straight face when it claims to be labor's friend?

How does the GOP stand on 14(b) now? Let me read you an excerpt from the 1968 Republican Platform, that incredible collection of meaningless platitudes:

"We strongly believe that the protection of individual liberty is the cornerstone of sound labor policy."

That high-sounding sentence translates like this:

"We strongly endorse Section 14(b) of the Taft-Hartley Act, and we encourage all states that haven't already done so to enact open-shop right-to-work laws."

Again I ask, how can the Republican Party keep a straight face when it claims to be labor's friend?

In the Congress at this time are Republican-sponsored bills to destroy industry-wide bargaining, establish a national right-to-work law, substitute a Presidentially-appointed Labor Court for the National Labor Relations Act, and outlaw multi-union bargaining.

The Republican Platform's criticism of what it calls "crippling economic strikes" and "government intervention" in labor disputes, coupled with its promise of enforcement of the Taft-Hartley and Landrum-Griffin Acts, indicates that many of the proposals above would gain substantial momentum with the election of Nixon and a few more Republicans in the Congress.

I might add that the Republican platform has nothing at all to say about unemployment compensation, workmen's compensation, occupational safety, situs picketing, or the extension of the National Labor Relations Act to farm workers and others now denied its protection.

How can the Republican Party keep a straight face when it claims to be labor's friend?

Now let's look at Dick Nixon's claim that he is labor's friend. In his first race for Congress, Nixon ran on this slogan: "A vote for Nixon is a vote against the PAC." The PAC, as you remember, was the Political Action Committee of the CIO, the early equivalent of today's COPE.

On the opening day of the 80th Congress, Dick Nixon told his constituents what his stand on labor issues would be be. "I was elected," he said, "to smash the labor bosses." And, good as his word, he got an assignment to the House Education and Labor Committee and eagerly joined in the drafting of the Taft-Hartley Act.

What do you think Nixon enjoyed most about this bill? He is quoted in the August 2, 1968 *Washington Report* of the U.S. Chamber of Commerce as follows:

"As a member of the House Labor Committee, I helped write Section 14(b) into law."

Other parts of Nixon's record are also of interest. In the House, he voted against industry-wide labor bargaining and against extending the minimum wage. In the Senate, he was not around to break a 1958 tie vote rejecting a $5 a month increase in public assistance payments to the aged, the blind and the disabled.

I wonder, in view of this record, how Nixon can manage a straight face when he claims to be labor's friend.

Now for George Wallace and the American Independent Party.

Wallace is a one-issue candidate running for a many-issue office—the Presidency of the United States of America. Furthermore, his one issue is a phoney one because law and order is primarily a state and local matter—94% of all law enforcement officials work at the state and local levels—and when Wallace had the responsibility for law and order in Alabama he was a dismal failure.

In Pennsylvania in 1965 there were 72 aggravated assaults for every 100 thousand population, whereas in Alabama, which has the fourth highest assault rate in the United States, there were 149 aggravated assaults per 100 thousand population—double the rate in Pennsylvania. In other words, the chances that you or your wife or your child would be subjected to a serious assault were twice as high in Wallace's Alabama as they would have been here in Pennsylvania. What claim has this man to be the apostle of law and order?

Alabama has the highest murder rate in the United States—11.4 per 100 thousand population compared to 3.5 for Pennsylvania. In other words, the chances that you or your wife or child would be murdered would be three times higher if you lived in Wallace's Alabama than they would be if you lived in Pennsylvania. Wallace's claim to be the apostle of law and order is based only on emotionalism, and it evaporates when we look at the facts.

Despite these facts, there has been a lot of talk that Wallace is making heavy inroads among union members. That may be the case now, but I cannot see how today's prosperous, well-educated union member can allow his feelings to outweigh his intelligence and his common sense when he goes to the polls on November 5.

Let's talk about you—members of the Pennsylvania State Council of the Brotherhood of Carpenters and Joiners of America, AFL–CIO—and what you could expect under a Wallace Administration.

Electing George Wallace President could cost you up to $76 a week. Does that sound unbelievable? Let's look at the facts. According to the Bureau of Labor Statistics of the U.S. Department of Labor, the union-negotiated hourly rate for building trades carpenters in Pittsburgh as of September 1 was $5.90. According to the same source, the going rates in George Wallace's right-to-work Alabama at that time were: Birmingham, $4.35; Mobile, $4.25; and in Montgomery, the state capital where George Wallace reigned, $4.00.

You might say it would cost you only if you moved to Alabama, and that you have your union to protect you here. Are you sure? Let's look at Wallace's attitude toward unions. In a ten-year period of Wallace rule in Alabama, union membership *declined*—yes, declined—by 17.3 per cent, while it was growing by nearly 65 per cent in neighboring Arkansas. That's the kind of friendship George Wallace feels for unions.

Still, you might say, Wallace couldn't hurt us here in Pennsylvania where there is no right-to-work law. Are you sure? Whom might George Wallace choose as his Secretary of Labor? Whom might he appoint to the National Labor Relations Board, the National Mediation Board and other agencies which are vital to the workingman?

One of George Wallace's strongest backers is Florida millionaire Edward Ball, who has run his Florida East Coast Railroad for *five years* with scab labor rather than negotiate with striking union employes. Are you sure Wallace wouldn't put him on the NLRB?

Another who shares Wallace's views on labor is Thurman Sensing, Executive Vice President of the Southern States Industrial Council. Mr. Sensing writes a widely-distributed column on labor and other problems. Here, from column number 443, are his views on right-to-work laws:

"Where right-to-work laws are not in force, the working man is without adequate protection. He must in effect pay tribute to a union in order to hold down a job. This is an outrageous situation, for a man's job should be dependent on nothing save his ability to satisfy his employer that he is capable and willing to do a day's work for a day's pay."

Are you sure that Wallace wouldn't name Thurman Sensing as Secretary of Labor and make *mandatory* right-to-work laws part of his program?

Let me give you an example of what workers in high-wage, unionized states could expect if right-to-work laws became mandatory. Four months after a right-to-work law took effect in Mississippi back in 1954, the mayor of Pelahatchie wrote an industrialist in high-wage Connecticut inviting him to open a plant in that town. He described Mississippi as "a veritable industrial paradise." You'll see why he called it that in these excerpts from the mayor's letter:

". . . our wonderful labor, 98 per cent native born, mostly high school graduates, will lower average hourly industrial wage rates 6 cents to 49 cents below other Southern States, and from 50 cents to 95 cents below Northern States. . . . This labor is truly American, . . . and works together joyously with management for the success of both.

". . . No one will tell you whom you must employ and all detrimental State laws for industrial operations have been repealed. The closed union shop has just been outlawed in Mississippi."

Pennsylvania has lost plants by this technique. Those plants employed workers whose homes you might have built had their jobs not been eliminated. It would be worse under Wallace.

Some other facts about Alabama give an indication of what kind of policies might be expected from a Wallace Administration:

Alabama is 48th among the States in per capita income, and nearly $1,000 below the national average.

Alabama is 48th among the states in welfare payments for dependent children.

Only seven states pay less in unemployment compensation than Alabama.

Alabama is one of only 16 states without an effective minimum wage law.

Only nine states pay lower maximum weekly benefits for disability under workmen's compensation than Alabama.

In the face of these facts, I cannot see how a union member who has paid his dues and fought hard for his economic and political gains could vote for Wallace, whose record plainly promises new anti-union attacks.

These facts make it clear that to protect his own interests, the American union member must reject both Wallace and his Dixiecrats and Nixon and his Nixiecrats.

The Democratic Party and its leader and standard-bearer, Vice President Hubert H. Humphrey, have fought long and hard for labor's advancement, and they will continue to do so.

The past record and the 1968 Platform of the Democratic Party almost speak for themselves. For the past, it is sufficient to say that virtually all of organized labor's legal protections and solid economic advances have come during Democratic Administrations.

The 1968 Democratic Platform, unlike its Republican counterpart, proposes specific steps to build on past achievements. It promises to update the National Labor Relations Act to reinforce the right of workers to organize and bargain collectively. It endorses repeal of Section 14(b) of the Taft-Hartley Act and the legalization of situs picketing. It calls for the extension of National Labor Relations Act protection to agricultural workers and others now excluded. It advocates the improvement and extension of wage-hour coverage, federal minimum standards for unemployment compensation and federal action to promote health and safety on the job.

Hubert Humphrey's record in support of labor's cherished goals is unequivocal. It was he who stood up on the Senate floor in 1959 to give a speech entitled "What's Right With American Labor" in a year when organized labor was under heavy attack. Mr. Humphrey said then, and his words are just as true today:

"Much of what the unions of America have done for their members and for others can be measured statistically. But perhaps the major contribution of all . . . is that intangible thing that makes everything else in life shrink to nothingness. It is what the unions have done to enhance the dignity, the spirit, the personality of the individual."

Mr. Humphrey recognized the incredible contribution that unions and their members have made both to the prosperity of America and to the sense of justice, fair play and compassion that makes America the great nation it is. Mr. Humphrey now leads the party that joined hands with labor in its long and continuing march toward economic and social justice, and he needs from you now the same support he has given you in his more than 20 years of dedicated public service.

I fear that America without Mr. Humphrey as President will lose the momentum that the Democratic Party and organized labor have built up in the past half-century.

Let me ask you this: What will the past eight years of uninterrupted economic growth, of ever-increasing prosperity and basic social reform be worth to us if we cannot build further on the foundation we have established?

When you're building a house, you don't quit with the footings or the slab. You don't quit when the studs are up or the joists are laid down. You don't quit when the roof-beams and the king-posts are in place, or the trim is fitted. You don't quit until the job is finished.

And if you stop before the roof is on, there is a risk that bad weather may distort, warp, or even rot the framing below.

The house we're building is a house of justice and opportunity for all Americans, a house of individual dignity and security—and we haven't put the roof on it yet. If we put our hammers and saws, our miter boxes and T-squares, our planes and chisels down now, we risk years of bad weather that could warp, even destroy, all we have built before.

My point is this. This Democratic Party and organized labor have come a long way together, and we have been responsible for most of the progress this century has seen in economic and social reform.

If we abandon our historic goals, and yield to fear and resentment, we will be yielding, ironically, to the very forces we have struggled so long to overcome.

Discontent with the *status quo*, which now marks our youth and our black citizens, has long been the hallmark of both the Democratic Party and the labor movement. Indeed, I think it is responsible in large measure for our progress as a nation.

If we now become defenders of the *status quo* because we are comfortable or we are afraid of what change might bring, we will be the losers, because we will have betrayed the principles for which we have fought so long, and, thus far, so successfully.

We ourselves must remain discontent with the *status quo* if we are to lead America forward. We cannot allow the subtle panderings of a Nixon or the blatant bigotry of a Wallace to turn our productive and creative discontent into a loss of faith in America and the fundamental principles of liberty and justice for all that have made us strong.

I urge you to ponder the choice that faces America this year and to vote your intelligence, your reason, and your conscience. Vote for the future. Vote Humphrey, and vote Democratic.

SHOULD WE APOLOGIZE FOR THE "PUEBLO"?

HON. THOMAS J. DODD

OF CONNECTICUT

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. DODD. Mr. President, I have received a number of letters from concerned citizens and several from the relatives of *Pueblo* crewmen urging that we apologize to the North Korean Government, if this is the price we have to pay for effecting the release of its crew.

Some of those who wrote apparently believe that the *Pueblo* was inside North Korea's 12-mile limit, and that an apology was therefore in order.

Others who wrote said it did not really matter whether the *Pueblo* was inside or outside the 12-mile limit. We should apologize anyway in order to extricate our men.

I share the concern of these people, and indeed of every American citizen, over the plight of the *Pueblo* crewmen.

I know the anguish their loved ones have suffered, and my heart goes out to them.

But it would be wrong morally and a national humiliation of unforeseeable consequences if we were now to humble ourselves by apologizing for doing something that we had every right to do under international law and which was right.

It would be like requiring the victims of piracy to apologize to the pirates.

The argument has been made that, since we were not in radio contact with the *Pueblo* at all times, it is possible that at certain points in its voyage the *Pueblo* may have entered the 12-mile limit which North Korea claims for itself.

But the essential point is, and about this there is no doubt of any kind, that at the time of its seizure the *Pueblo* was in international waters, even by North Korean standards.

However, even if the *Pueblo* had been inside North Korea's 12-mile limit, it would still not have justified its seizure.

As the administration has pointed out, it is customary practice between nations when a military vessel of another nation enters its waters without permission, either intentionally or unintentionally, to simply warn it off.

This is the procedure we have followed in a number of cases where Soviet radar vessels have violated our 3-mile limit.

What an outcry there would be if the U.S. Navy were to seize one of the numerous Soviet intelligence trawlers that often frequent our 3-mile limit, charge it with transgressing this limit, and demand an apology from the Soviet Union before its crew was released.

The men of the *Pueblo* must be released. This is a matter on which all patriotic Americans are united.

I believe there is general agreement that we must also seek to release them by means short of war, by employing a combination of the legal, diplomatic, economic, and political options that are open to us.

I have one proposal to make which I submitted to the President in the form of a letter this week.

In this letter I suggested that we invite the North Korean Government to join us in bringing the *Pueblo* dispute before the International Court of Justice in the Hague.

I pointed out that there was precedent for doing so and that there was some hope for believing that this formula could break the impasse.

By way of expanding on my proposal, I ask unanimous consent to insert into the RECORD at this point the full text of my letter to President Johnson.

Mr. President, it is in the interest of world peace that the *Pueblo* dispute be resolved.

Let us use the International Court of Justice as a means for settling this dispute.

Let the voices of those who clamor "apologize" examine the facts, as some of us did on the Senate Foreign Relations Committee, and let them wait for a court decision.

Let the irrational voices who shout for shooting the *Pueblo* free also calm down until we can get a clear decision by the International Court.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I wish to submit for your consideration a proposal for a new initiative in the Pueblo matter.

North Korea insists that the Pueblo was inside the 12-mile limit. We insist it was not. And the entire matter has remained deadlocked for more than 8 months now.

My proposal is that we invite the North Korean government to join us in submitting the Pueblo case to the International Court of Justice at the Hague, and that we both bind ourselves to accept its verdict.

There is a precedent for this proposal, involving a naval dispute between a democratic government and a communist government.

In October of 1946 two British destroyers, passing through the Strait of Corfu off the coast of Albania, hit mines and suffered severe damage and casualties.

Since it was clear that these new mines had been placed in position by the Albanian government in violation of international law, the British government asked for reparations and took the case to the International Court of Justice.

The Albanian government, after initially challenging the Court's jurisdiction, finally consented to accept it. In doing so, it filed a counterclaim charging that Britain had violated her sovereignty (a) by sending British warships into Albanian waters on the day of the explosion and (b) by undertaking minesweeping operations in Albanian waters three weeks after the incident.

In a series of three decisions, the International Court found that Albania's emplacement of mines in the Strait of Corfu constituted a denial of the right of innocent passage in time of peace and that Albania was therefore responsible under international law for the explosions which occurred in her territorial waters and for the resulting damage and loss of life. While upholding the "right of innocent passage," the Court held that the minesweeping operations undertaken by the British Navy subsequent to the incident had been in violation of Albanian sovereignty and that "this declaration by the Court constitutes by itself appropriate satisfaction."

Although Albania ignored the Court's decision ordering it to pay reparations in the amount of £844,000 to the British government, the case is of the greatest significance because of the legal principles it established, and because it created a precedent for settling disputes involving alleged naval transgressions into the claimed territorial waters of other nations.

The Albanian government of that day was as radical a communist government as one could hope to find anywhere. If this government agreed to accept the jurisdiction of the International Court, then there is some reason for hoping that the North Korean government may do likewise.

Let them submit their proof to the Court that the Pueblo was in territorial waters at the time of the dispute, and let us submit our proof that it was not.

Let us file formal claim for the release of the Pueblo crewmen; and let North Korea, if it so desires, file a counterclaim.

If the Court finds that, contrary to our information, the Pueblo was, in fact, in territorial waters at the time it was seized, then we will tender an official apology in exchange for the release of our men.

If, however, the Court finds that the Pueblo was *not* in North Korea's territorial waters, then we would expect the government of North Korea, similarly, to accept this finding and to release the Pueblo and its crew forthwith.

This is a proposal for which I believe we can find overwhelming support internationally and at the United Nations.

If the Korean government, for any reason, refuses to acknowledge the jurisdiction of the Court, then I would like to propose that we explore the possibility of proceeding unilaterally by submitting the case to the Court, offering it our complete cooperation, and committing ourselves in advance to accept its verdict, whatever it may be.

I look forward with interest to the Administration's evaluation of this proposal.

With every best wish,

Sincerely,

THOMAS J. DODD.

ROBERT T. ASHMORE

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. DORN. Mr. Speaker, my good friend and colleague from South Carolina, Congressman ROBERT T. ASHMORE has announced his retirement as a Member of this body. After faithfully serving the people of the Fourth Congressional District for the past 15½ years he has won the high respect of his constituents as well as the Members of this House who have been privileged to work with him. I am sorry he has decided to retire for we will miss his wisdom, counsel, and guidance in many matters which come before us.

BOB ASHMORE, who has served so nobly on the Judiciary Committee, was an outstanding attorney long before he decided to serve his people as a Representative in Washington. He was first elected solicitor for Greenville County in 1930. He was then elected solicitor for the 13th Judicial Circuit of South Carolina in 1936 and held this position until he was elected to Congress, June 1953.

He has taken great interest in the affairs relating to our veterans and has given his full support to any legislation which would better their lot while fulfilling this Nation's obligation to those who have served our country.

BOB ASHMORE has long been an advocate of law and order and has promoted legislation which would assure that every American would be safe any place in this country. His devotion to the Constitution and the rights inherent with the States has known no limits. His long struggle for election reforms dates back many years. As a ranking member of the House Administration Committee he has seen that political reforms were made at whatever level inequities existed.

BOB ASHMORE was one of the first men in this country to point out the evils of narcotics addiction, and was one of the first to take part in investigations into the problems brought about because of the narcotic rackets. He fought for our young people when he sought to have laws enacted which would prevent the traffic in marihuana and other harmful drugs.

This man has served his country long and faithfully. He enlisted in the armed services, and has retired with the rank of colonel in the U.S. Army Reserve. He has taken the lead in providing our military forces with the finest weaponry and equipment anywhere in the world.

Yes, BOB ASHMORE has been the epitome of what a public servant should be. He is completing 36 years of public service. BOB's late brother, Maurice, served the people of South Carolina and particularly the veterans as county service officer for many years. Maurice had the reputation of being one of the finest service officers in the entire United States. The family has more than fulfilled their obligations to the people they serve.

BOB ASHMORE is an asset to this Nation and a credit to the State of South Carolina. I express my gratitude, and the thanks of the people of our State for such service. We will miss him here in the House of Representatives, but we know that he will never retire from helping other people so long as he lives. Mrs. Dorn joins me in wishing for BOB and Billie Ashmore and their lovely daughter the very best always.

A LETTER FROM A HOOSIER WAR VICTIM

HON. BIRCH E. BAYH

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. BAYH. Mr. President, throughout history the scars of war have resulted in heart-rending, poignant stories. Perhaps none are more sad than those instances where close relatives are privileged to read for the first time the cherished words of their loved one sometime after he has already paid the supreme sacrifice.

Recently one such tragic instance came to my attention. Sgt. Jeffrey A. Davis, a young soldier from Brownsburg, Ind., wrote a letter last November which was opened after his death by his bride of less than a year. This letter, which was published in the Indianapolis Star recently, is a remarkable illustration of the devotion to duty and love of country which has almost universally characterized our fighting men in Vietnam.

Looking ahead to the possible time when his life might be taken, Sergeant Davis wanted the members of his family to know his conviction that he would not die in vain. Even though he was not sure that he understood all of the implications of the conflict, and aware that his task would not be a pleasant one, Sergeant Davis nonetheless wanted to assure those whom he might leave behind that he would have died for a good reason.

Mr. President, those of us who are secure at home and not touched personally by the fortunes of battle too often overlook the tremendous spirit and loyalty of the men in our Armed Forces. Because of the lesson which all of us can learn from the testimony of this young Hoosier hero, I ask unanimous consent that the article be printed in full in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LETTER FROM HOOSIER WAR VICTIM: "AT LEAST I DIED FOR A REASON, AND A GOOD ONE"

A young Brownsburg soldier, killed Sept. 4 in Vietnam, knew whom and what he was fighting for—and left a record of it for his widow.

"Don't cry over me," urged Sgt. Jeffrey A. Davis in the letter written last Nov. 21, to be opened "only in the event of my death."

So sure was his wife that he would soon be home, since his tour of duty in Vietnam was to be over in November, that she nearly destroyed the unopened letter.

Army Sgt. Davis, 20 years old, had gone off to war on Dec. 1, 1967, and last May during a two-week leave of duty in Hawaii he married Miss Janet Hall, "the girl" he met at Northwest High School.

In his letter—opened by his young wife after his death in battle was reported—Sgt. Davis wrote:

"Well, if you are reading this, my short but full life has ended. However, I'm not sad or hurt; I'm happy where I am now.

"I am free of the great responsibilities that life puts upon a person. It is too bad I had to die in another country. The United States is so wonderful, but at least I died for a reason, and a good one.

"I may not understand this war, or like it, or want to fight it, but nevertheless I had to do it and I did. I died for the people of the United States. I died really for you; you were my one real happiness. I died also for your mom and dad so that they could go on working at Grant's and Chevrolet. For your brothers that they could play sports in freedom without Communist rule.

"I died for my parents that they could enjoy my dad's retirement in freedom, go on vacations and have fun. Nancy, so she could raise her sons to be normally and physically straight in a free world, or country at least. For Duke, whom I admired my whole life. For others also who enjoy this wonderful country, and who appreciate what they have and thank God every day for it.

"(This next part I would like to put in the paper for my own reasons.) I died for the guys with the long hair and protest signs. The draft card burners, the hippies, the anti-everything people who have nothing better to do. The college kids who think they shouldn't have to serve because they are too good—I died so these people could have a little longer time to try to get straightened out in life.

"God knows they need it. Yes, I died for the so-called 'younger generation' of which I was a part but for some unknown reason I never became an active member. I guess I was a 'square' or something with short hair, no police record, didn't drink or smoke (pot included) and volunteered for the service.

"I died for the parents of these kids also, God forgive them. I died so these members, active members, of the 'young generation' could have the right to do what they do. To protest, have long hair, go to the college of their choice, wear weird clothes, and run around mixed up, with no direction at all.

"I died so they could protest the war I fought and died in. Without it, what would they protest? But I also died for the many thousands who died in this war and other wars before for these same reasons. For the men who fought gallantly on the many battlefields of many wars to keep this country free. I guess that in order to gain freedom there must be war. I died for the United States.

"Sgt. J. A. DAVIS,
"Co. A, 3/187th Abn. Inf.
"101st Abn. Div."

(EDITOR'S NOTE.—Sgt. Davis then added the following to the letter.)

"(Concerning future children) Please send them to church. Let them learn of God and how wonderful He is. Teach them to be strong persons: physically, mentally and morally . . . my life is over now and I leave behind a big debt . . . do me a favor. Don't cry over me now. It's too late. It's over. Forget it, and start again. Mould your life around a new partner because I've gone to a new life. I hope some day that you shall join me here, and if you do then I'll know my life has been lived according to God's wishes, 'cause with you I will be in Heaven. Thank you, and Goodbye."

GEORGE WALLACE

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. O'HARA of Michigan. Mr. Speaker, in recent days there has been some attempt by the third-party candidate for President to change his image—to plate it with respectability, so to speak.

He has somewhat muted his earlier racist tone but its shrill echo still serves to divide Americans.

His call for "law and order" has turned these words into a blatant racist codephrase; its meaning is well understood by those to whom he appeals.

Americans who truly seek law and order should be reminded that Alabama has one of the highest rates of murder, aggravated assault, and forcible rape in the Nation. This is George Wallace's legacy of "law and order" to his home State.

It is interesting to note how Governor Wallace exercised his responsibilities while in command of his State. It appears that he was less interested in insuring the safety of its citizens than in "soliciting" contributions to his presidential campaign. Not surprisingly he found it quite easy to persuade businessmen doing business with the State to "contribute" to this effort.

In this regard, and for the enlightenment of my colleagues, I submit for inclusion in the RECORD the article "Pinch on Wallace: Loss of Statehouse Control Cuts Donations to Alabamian's Drive—Businessmen Say They Don't Have To Contribute Now To Land State Contracts—Highly Detailed Specifications:" written by investigative reporters Jerry Landauer and Kenneth Slocum and published in the Wall Street Journal:

PINCH ON WALLACE: LOSS OF STATEHOUSE CONTROL CUTS DONATIONS TO ALABAMIAN'S DRIVE—BUSINESSMEN SAY THEY DON'T HAVE TO CONTRIBUTE NOW TO LAND STATE CONTRACTS—HIGHLY DETAILED SPECIFICATIONS

(By Jerry Landauer and Kenneth Slocum)

MONTGOMERY, ALA.—George Wallace lost more than a courageous wife when Gov. Lurleen Wallace surrendered to cancer last month. He also lost his tight money-raising grip on Alabama businessmen, who have helped finance his Presidential campaign.

Albert Brewer, Lurleen's urbane 39-year-old successor, carefully avoids any suggestion of ungraciousness toward his former patrons. But Mr. Brewer isn't prepared to tolerate use of the state's purchasing power and patronage to help raise the $15 million to $20 million that Wallace men casually say they'll spend on the Presidential race.

And now that Mr. Wallace has vacated his capital quarters after more than five years, many businessmen say they no longer feel compelled to donate to his campaign as a cost of doing business with the state. "When Lurleen died, George lost his biggest campaign income sources," one capitol insider asserts.

"YOU'RE NOT ON OUR LIST"

"This time George will run with my moral support but not my money," vows Dempsey Boyd, president of Dempsey Brothers Transportation Co. in Clayton; campaign contributions enable a rival trucker to dominate the hauling business for Alabama's state-run liquor monopoly, he claims.

A salesman for Philco-Ford Corp., a subsidiary of Ford Motor Co., visited Alabama A&M University, a state institution, some months ago to sell sophisticated teaching materials. "Sorry, we like your stuff, but we can't buy from you," the salesman was told. "You're not on our list." The salesman took this to mean a list of campaign donors.

The bookkeeper-wife of a Montgomery dealer in visual aids relates a similar experience: "We thought the world of the Wallaces, but we couldn't seem to get school business without somebody's hand being stretched out."

As if to confirm that his purse may now be pinched, Mr. Wallace recently sent another in a series of pleading letters ("Please help us with any amount you can afford") to 24,000 honorary Alabama colonels whose appointments lapsed when Mr. Brewer became governor. Fund-raising at rallies and dinners also will be a key Wallace goal whenever he resumes campaigning in the North.

"IN A FISHBOWL"

Alabama's political hangovers from the Wallace era are being liquidated in various ways, some of them explosive. In one instance, a lawsuit filed in April in Federal District Court by Waugh Asphalt Co., of the tiny town of Waugh, so enraged Mr. Wallace that friends had to restrain him from accusing company President Howard Alexander of hastening Lurleen's death. The suit alleged that for years it was "virtually impossible" to sell asphalt to the state without paying secret "commissions" to Wallace agents or contributing cash to Wallace campaign. Complainant Alexander had enlisted several competitors to testify for him, but after conferring with Gov. Brewer, he dropped the suit. Since then, he has received a state asphalt order originally intended for another company.

"The governor promised me that bidding would be on a strict competitive basis from now on," Mr. Alexander says. "His people know they're in a fishbowl, and I'm sure they'll swim straight."

Gov. Brewer's assurance is welcome news indeed to certain other firms. Among them is Thompson Tractor Co. of Birmingham, which acts as dealer in 39 Alabama counties for the full line of machinery produced by Caterpillar Tractor Co. But President Hall Thompson is a vocal Republican, and he worked for George Wallace's chief opponent in the 1962 Democratic primary.

"We lost," Mr. Thompson says, "and while we're the largest equipment house in Alabama, we haven't sold the first gasket (to the state). In fact, they (the Wallace administration) blacklisted us from selling parts for any existing Caterpillar machinery. They went out of state in many cases, and they also used nongenuine parts . . . Then they set about on a program to eliminate Caterpillar machinery . . . from the equipment list . . . and they bought second and third and fourth-class stuff to replace it with at great expense to the people of Alabama."

THE QUESTION OF SPECIFICATIONS

State officials deny there has been any intent to punish businessmen who don't cough up for the Wallace cause. "If they (Republican Thompson's company) sell us less equipment, it's probably because their prices are higher," declares state purchasing agent Howard L. White Jr. Yet the state government's method of writing specifications seemingly lends support to Mr. Thompson's belief that he's being "speced out"—that specifications are knowingly written in such a way that he can't compete.

Last August, in inviting bids on crawler tractors needed by the highway department, the state specified that engines must be four-cycle, diesel turbocharged direct-injection type with six cylinders and a piston displacement of 249 cubic inches. These requirements exactly match International Harvester Co.'s TD-20 (series B) model. Even the specified size of stroke and bore—$4\frac{1}{2}$ by $4\frac{1}{2}$ inches—seems tailored to fit the Harvester tractor; Caterpillar's is larger.

Similarly, specifications for another costly machine seem to eliminate Caterpillar in favor of Allis Chalmers Manufacturing Co. For each clutch, Alabama demanded friction surfaces of 30 linear inches and total friction area of 2,028 square inches. Both requirements are precisely those built into Allis Chalmers' HD 16 tractor. What's more, the state specified track length of 8 feet 11 9-16 inches (Caterpillar's measures 8 feet 11 inches).

By thus appearing to favor particular bidders, Wallace men kept campaign funds flowing from those bidders, concludes another businessman who has tried to sell to the state. "They spread business among their friends, and in turn they put the arm on these people—for instance, for George Wallace's Presidential campaign. . . . Repeatedly this crowd comes back and back to industry—not only to vendors of machinery but to contractors themselves."

Indeed, Mr. Wallace let it be known that business beneficiaries were expected to be generous. One signal was his choice of state Finance Director Seymore Trammell as top campaign aide; that appointment combined political fund-raising tasks with the state official's control over $30 million to $40 million a year in state purchases, plus authority to designate consultants, manage bond issues, settle claims, invest certain state funds and dispense other favors. (One of Gov. Brewer's first official acts was to accept Mr. Trammell's resignation.)

Sometimes, it appears, Mr. Trammell made the connection between state purchasing and campaign contributions quite clear and direct. On one occasion, George Moulton, president of an engineering firm in Mobile, visited Gov. George Wallace and then was designated by the Alabama highway department as a consultant to handle two projects. But for some reason Mr. Wallace wouldn't sign the contracts. Again Mr. Moulton went to Montgomery, this time to see Finance Director Trammell, who, according to Mr. Moulton, told him the highway work would go to another firm because he "didn't contribute enough" to the Wallace campaign.

A DENIAL FROM MR. MOULTON

Consultant Moulton himself described the sequence of events in a signed statement given in 1964 to investigators for the Federal Bureau of Public Roads who were checking into payment of contingent fees by consultants on highway contracts involving Federal money. But he now denies that Mr. Trammell suggested any link between campaign gifts and state business. "We never discussed that," he asserts. "We solicited some business and didn't get it, that's all. Evidently we weren't their favorite boys."

Mr. Trammell refused to discuss with Federal Bureau of Public Roads investigators any of the specific questions they raised; he said their investigation reflected Washington vindictiveness toward the Wallace administration. He declines to let reporters interview him about the matter now.

Trucker Dempsey Boyd is more communicative. He recalls that during World War II soldier George Wallace hitched a ride from Brundage to Clio aboard Mr. Boyd's peanut-hauling truck. Eighteen years later, Mr.

Boyd presumed upon that acquaintanceship to ask Gov. George Wallace about disturbing rumors.

"I heard that somebody else had made prior arrangements to get the liquor-hauling business by putting big money into the campaign," Mr. Boyd says. "The story made me mad so I ran right up to Montgomery to tell George. I thought for sure it was a lie. But he sort of gave me the brush-off, and he answered in such a way that I knew it wasn't." Furthermore, says Mr. Boyd, a Wallace agent subsequently confided that a Boyd bid had been rejected not as too high but as not high enough. "He said I bid too cheap. I figured maybe he meant I wouldn't have enough profit left to kick back something."

Mr. Boyd's story might be discounted as mere suspicion by an angry loser. But state Auditor Melba Till Allen (who was elected in 1966) says an examination of his bid shows that he was indeed the low man, and she declares that Alabama is still paying Mr. Boyd's rival $200,000 a year more than necessary. "If I had had more help, I would have turned this state upside down," she vows.

"ONE OF THE STRAIGHTEST"

Perhaps so. But it should be emphasized that many observers rate the two Wallace regimes as no more dishonest than predecessor administrations, nor has there been any hint that George Wallace has sought private personal gain. "That fellow Wallace is one of the straightest men I've ever seen," says Fuller Kimbrell, who served in former Gov. James (Kissin' Jim) Folsom's cabinet.

"The Wallace administration was a substantial improvement over the prior three," opines a close associate of Gov. Brewer. "George's fault is this: He wasn't here often enough, and he doesn't like to fool around with detail."

Accordingly, in matters large and small, say Alabama sources, some Wallace followers apparently took advantage of his trusting tendencies when he was inattentive or distracted by Lurleen's illness or carrying his states' rights banner northward. For example:

Late last year a number of property owners engaged attorney Rankin Fite to file claims with the Alabama highway department contending improper road construction damaged their land. Mr. Fite, a Wallace man, happens to be speaker of the Alabama house. One claimant, who had already collected $6,000 in compensation, said paving materials were being washed into his land. But the highway department's Tuscaloosa division was "unable to find films of tar or signs of it on the property" and recommended rejecting the claim. "In the public interest, we don't feel that the owner should be favored again with the payment of taxpayers' money," division engineer F. W. Weldy wrote on Oct. 24, 1967.

Claims by two other Fite clients were similarly rejected by the division engineer in Decatur. "It is our opinion that the highway department is not liable for either of these claims," the engineer wrote, submitting eight supporting photographs. Yet Highway Director H. L. Nelson summarily reversed the recommendations to reject all three claims and so advised the state board of adjustment on Nov. 15. That board, without troubling even to take testimony, promptly awarded Speaker Fite's three clients $14,500.

Speaker Fite says the matter was handled routinely and in conformance with state law.

Jack Brock, former labor lobbyist assigned to the Alabama legislature and a Wallace friend for nearly two decades, sells liquor to the alcoholic beverage control board that runs the state liquor monopoly. His sales amount to $2 million annually, and he supposedly operates out of 1378 Chandler Street, Montgomery. But a two-foot-high growth of weeds at the entrance to a ramshackle warehouse at that address suggests little business activity. Instead, Mr. Brock works from his home, and the beverage board often saves him the trouble of calling the Kentucky distillery from which he buys for resale to the state. "I don't necessarily deal with Mr. Brock," says Winget Jackson, the board's traffic manager. "I call the distillery. . . . Our trucks bring the stuff right to our warehouse."

Mr. Brock rejects suggestions that the state could save money by buying direct from the distillery, eliminating him as middleman, and he vehemently denies that favoritism might be involved. "I haven't even talked to George Wallace about whiskey in three, four or five years," he asserts.

Gregory Cashio, a Wallace friend in college and a Wallace worker in every political campaign, has also been well treated by the state administration. One week after George became governor Mr. Cashio helped incorporate American Materials & Supply Co., of which he's now secretary-treasurer. American Materials quickly vaulted up the list of state asphalt suppliers; in the year ended Oct. 1, 1967, the company sold 84,450 tons worth $643,250, or $120,000 more than the next highest among 29 competitors could sell.

Mr. Cashio isn't reluctant to discuss his friendship with ex-Gov. George, though he says he would have switched to asphalt from coaching high school football no matter who occupied the governor's chair. In contrast, company President Horace Houze prefers not to discuss his relationship with George Wallace's younger brother, Gerald, who was regarded as influential during the Wallace administrations, except to say, "We're acquainted." Asked about reports that he has ferried Gerald in a private plane to the Bahamas and other pleasure spots, Mr. Houze breaks off with a "that's all, fella" and hangs up the phone.

WESTERN UNITY AND WESTERN STRENGTH

HON. ROMAN L. HRUSKA

OF NEBRASKA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. HRUSKA. Mr. President, on October 5, it was my privilege to address a civic, patriotic community in Chetek, Wis. The occasion was a State convention of the Western Bohemian Fraternal Association, the membership of which is predominantly of Czech and Slovak birth or extraction. The invitation for my appearance suggested a discussion of the meaning of the U.S.S.R. military seizure and occupation of Czechoslovakia; and its impact upon prospects upon world peace.

A similar request had come to me earlier from the program committee of the Czechoslovak National Council. The occasion for this latter invitation was the celebration of the 50th anniversary of the Declaration of Independence of the Republic of Czechoslovakia. That celebration was scheduled for October 17 and 18 in Washington, D.C. Remarks have already been prepared by me for delivery at the Washington meeting. Hence, I undertook to summarize and to deliver same to the meeting in Chetek inasmuch as it appeared that none of the members of that audience would be present at the Washington celebration.

These remarks were under the title of "Western Unity and Western Strength—An Appraisal, U.S.S.R. Military Occupation of Czechoslovakia," by Senator ROMAN L. HRUSKA, Nebraska.

Mr. President, I ask unanimous consent that the text of these remarks be set out at this point in the CONGRESSIONAL RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

WESTERN UNITY AND WESTERN STRENGTH—AN APPRAISAL, U.S.S.R. MILITARY OCCUPATION OF CZECHOSLOVAKIA

In common with a large number of Americans, my deep interest and long-acquired knowledge in the history, role and meaning of Czechoslovakia, springs originally from a parentage from that country. My mother's family arrived in America from that country in 1854; my father came in 1876 at the age of 5 months.

The encouragement of my father and mother to do so, led to my sustained curiosity, interest, study and observation of the origins, development and progress of the Czechs and the Slovaks. Accounts of their attributes, achievements and glories in all fields of endeavor have been a constant source of delight and inspiration.

Their contributions to the advancement of humanity are rich, varied and numerous. They include: the natural, effective evolution through the centuries into a nation in the true sense of that term; their successful formation and administration of governmental structure and forms in keeping with the times embraced in the past 600 or more years—since before Charles IV to the present; their architecture and engineering which is still widely admired and studied and so copiously illustrated in Prague as well as other cities; their early appreciation and consistent, ardent pursuit of excellence in education as indispensable for human progress; the fascination and rapture of the arts—music, painting, sculpture and so on. The list is long. It is notable. And throughout the centuries, there is a high degree of enlistment and a devotion to humanitarianism.

Finally, their contribution to America to which vast numbers emigrated in this past century. They brought with them so many fine qualities which they shared with those already in their newly found home. Their rich, cultural, humanistic heritage blended well with other ingredients in the American melting pot. It contributed much to the vigor, strength and high character of our country.

All Americans of Czech or Slovak ancestry can justly be proud and grateful for all these things. They are better, more loyal, more patriotic because of them.

It is against this background that I gladly participate in this momentous, historic program today. I am honored by the invitation to do so. I am grateful for all of the planning and effort of the anniversary committee which is making this occasion so auspicious and memorable.

PREPARATIONS FOR REJOICING DURING 50TH ANNIVERSARY

In Czechoslovakia, most of 1968 witnessed preparations for celebration of the 50th anniversary of their declaration of independence as a republic. It was expected to be a time for rejoicing. These expectations were enhanced greatly by prospects for the gain of a new freedom. Newspapers, intellectuals, students, men in the street, all wanted to be able to talk and think.

They wanted their nation to become an open, although communistic state, with a moderate restoration of rights for the people, trade with all the nations, and a pattern of diplomacy in keeping with traditional international relations. They worked at this goal cautiously, carefully; completely aware of risks involved. For a time, it seemed that their moderation and deference contained hopeful signs.

It was a matter of pride that they were allowed to honor once again the two Masaryks: "Taticek" Thomas Masaryk, Father of his Country and its first President; and his talented son, Jan, foreign minister after his father's death and during the time of the communist takeover. Both were great men in the annals of freedom and humanity; both were truly "Champions of Liberty." In the past summer, shrubs outlined with flowers were planted about their graves to spell out the presidential motto "Pravada Vitezi,"—"Truth Prevails."

For a long time, such extension of recognition and honor had been denied. The Novotny Regime had long sought to erase from the nation's history and memory, the lives and the doings of these and other true patriots.

In the midst of this modest and peaceful reform movement, came the heavy military seizure and occupation by the Russian Soviet. The harshness of this suppression proved that there is no erosion in the historic ruthlessness and terror of Soviet communistic leadership and method.

It was employed, not to suppress armed rebellion or repudiation of loyalty to the Russian Soviet; but rather to halt a mellowing and humanizing of communist party rule of a satellite. This was considered and treated as a most dangerous threat to the Soviet system.

LESSONS

Some lessons of this frantic, ill-advised action are immediately evident. This is so because of the virtually worldwide denuncia-and rejection of the move.

1. Human liberty, decency, and dignity are incompatible with and wholly unacceptable to the communist system. Freedom—national and individual—is a natural enemy which the Soviet cannot tolerate.

2. The indefensible military invasion is a shocking proof of the urgency and ultranecessity of a review and drastic revision of the United States "policy of convergence," of the so-called "bridge building" between the East and the West, of this nation's "detente mentality." It is now indisputable that there is no basis for an assumption of convergence or detente; there are no plausible foundations or justification for bridge building.

3. That invasion is in keeping with other definite indicators that the U.S.S.R. continues to pose a clear and early threat to world peace. It shows continued determination for extending its communistic domination far beyond its present borders.

POLICY OF CONVERGENCE AND DETENTE HAVE NO BASIS

The present United States policy is to try to build bridges between East and West, to remove trade restrictions, to establish cultural exchanges, to enter into treaties of all kinds, including the Non-Proliferation Treaty, to remove travel restrictions, to establish direct airline connections between Moscow and Washington, to reduce NATO military forces and so on.

This policy of "convergence" assumes that Russia has and will continue to develop and prosper in such a way that its interests will converge with those of the western democracies and of the United States. And that detente will result.

Such assumptions are not warranted. Evidence that this is true is strong and undeniable. Russia has not changed one bit in her program of world conquest and domination. She shows no signs of trying to cooperate toward stabilizing the peace.

Former Ambassador George F. Kennan is regarded by many as the top American authority on communism. Shortly after the seizure and occupation of Czechoslovakia, he strongly questioned that there would be a detente or relaxation of tensions between East and West. He stated, in part:

"I have never understood this talk about detente. I have not seen any evidence of detente and I would not trust any so-called detente if it is not supported by free contact between governments and peoples."

He went on to say that an atmosphere of cooperation with the Soviet Union "simply doesn't exist. Their conspiratorial method of diplomatic action cannot create such an atmosphere." He then went on to say further:

"Any real detente would have to begin with agreement on the future of Eastern and Central Europe. But I do not see that anything has changed in this respect. . . ."

Consider these additional items:

1. Restatement and reaffirmation of Soviet Russia's plans and faith for a world conquest program which were spoken and printed often and emphatically during the celebration of their 50th anniversary of Soviet communism last year.

2. Continued support by Soviet Russia for maintaining Cuba so that she would not collapse. This is at a rate of over a million dollars a day. Cuba's mission is to export the communist brand of violence, subversion, and revolution in the Western Hemisphere.

3. Russia has been supplying the arms, munitions, and supplies without which the North Vietnamese forces could not continue the war in that country. It is reported that this aid could reach as high as $2 billion rate per year. Very likely, it is three or four times that amount, according to highly respected authorities. Without these continued shipments, North Vietnam would not be able to continue that war; and the weapons furnished by Russia would not be killing American fighting men every day and every week as they have been doing for the last three years.

4. And, finally, comes the tragedy and the brutality of the occupation of Czechoslovakia.

Far from manifesting good will and cooperation, the Soviet repeatedly underscored their own desire to "win" over us, to defeat the Western democracies and the United States and to see that they are "buried." United States foreign policy should be revised to accommodate these realities.

OCCUPATION VIEWED IN LARGER FRAME OF REFERENCE

Military occupation of Czechoslovakia is not an isolated incident or tragedy. It is to be viewed as part of a larger scene and program in which the Russian Soviet is engaged. She has been so engaged for a long time. That engagement has not changed. In fact, it has intensified. Consider the following:

A 15 percent increase in the military budget of the Russian Soviet.

Continued progress by the Russian Soviet in building a massive modern naval fleet, including the program of building the largest submarine fleet in the world.

Deployment of that fleet in all parts of the world, in many parts for the first time in the history of the world.

The presence in the Mediterranean Sea of about 50 Russian naval vessels, whereas a year ago it had been only four. The presence there, also, of a large, but unknown exact number of Russian Soviet submarines.

Multibillion dollar military supply and assistance to North Vietnam.

Maintenance and support of Cuba which would collapse without such assistance and which serves as a source of export of Communist subversion, violence, and revolution throughout the Western Hemisphere.

Entry into the Mideast theatre by arming and supplying Arab nations with vast quantities of military equipment, munitions and materiel, including the most modern of military planes.

Notwithstanding all of these and many other realities, there continues an unabated support of the policy of convergence. Only recently, our Secretary of Defense stated that he would not recommend an increase in the NATO forces. Only recently, the presidential candidate of the Administration party stated that "despite the tragedy of Czechoslovakia, we would not forgo the hope and indeed the practice of trying to build better relationships, economically, politically, and culturally with Eastern Europe.

There is a sharp but welcome contrast in the position taken by the presidential candidate of the other majority party who discussed "bridge building" in these terms: "A policy of realism toward the Soviets will be a policy that is directed toward their prudence and not toward their good will. . . . That kind of policy holds the promise of peace."

He further observed, "If Czechoslovakia has taught the world nothing else, it has taught us that weakness is an invitation to aggression that military inferiority in the face of an ambitious power is a threat to world peace."

All factors point to a necessity of a thorough review and revision of United States foreign policy on this point, in the interest of world peace.

The Czechoslovak invasion should be considered in the larger frame of reference just suggested. The actual deeds, course of conduct, and nature of the Soviet should be sensibly and intelligently weighed.

Our response to them should be constructive, but firm. It should be calculated to meet the threats to world peace, and effectively to block the future as now programmed by the USSR and which it seeks to impose upon all the world.

We cannot directly aid the people of Czechoslovakia in their present moment of crisis and despair, but we, the American people, can with prudent foresight prepare our nation and our alliances to prevent similar tragedies in other countries.

This must be in the hearts and minds of every citizen of America in these troubled times.

WE MUST SAVE OUR SCHOOLS

HON. JAMIE L. WHITTEN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. WHITTEN. Mr. Speaker, the people must prevent the public school system from going the way of law and order; and in this Congress we made a forward step—one which with public support we can follow up.

I find that many people do not understand just how we finally came out on restricting the use of force on our schools by the U.S. Department of Education. My complete language was accepted by the Congress; it is italicized. The Senate modifications, which the Congress insisted on adding, are not italicized.

SEC. 409. *No part of the funds contained in this Act may be used to force busing of students, abolishment of any school, or to force any student attending any* elementary or *secondary school to attend a particular school against the choice of his or her parents or parent* in order to overcome racial imbalance.

SEC. 410. *No part of the funds contained in this Act shall be used to force busing of students, the abolishment of any school, or the attendance of students at a particular school* in order to overcome racial imbalance *as a condition precedent to obtaining Federal funds otherwise available to any State,* *school district, or school:* Provided, That the Secretary shall assign as many persons to the investigation and compliance activities of title VI of the Civil Rights Act of 1964 related to elementary and secondary education in the other States as are assigned to the seventeen Southern and border States to assure that this law is administered and enforced on a national basis, and the Secretary is directed to enforce compliance with title VI of the Civil Rights Act of 1964 by like methods and with equal emphasis in all States of the Union and to report to the Congress by March 1, 1969, on the actions he has taken and the results achieved in establishing this compliance program on a national basis: . . . Provided further, That notwithstanding any other provision of law, moneys received from national forests to be expended for the benefit of the public schools or public roads of the county or counties in which the national forest is situated, may not be recommended for withholding by any official employed under appropriations contained herein.

While the Senate language was tied to my language after all sorts of pressure by a close vote, 175 to 167 and by 166 to 155, the final version constitutes law we have not had, and if followed by the Department of Education or the Federal courts the right of people to send their children to schools of their own choice would be restored.

Freedom of choice is one thing; but forcing attendance at a particular school against the wishes of the parent is something else. We all know the Federal Government, including the Attorney General, the Department of Education and the Federal courts are not going to carry out the Senate directive in the rest of the country. That being true, Federal judges should suspend all further action where there is complete freedom of choice.

The Supreme Court is not a supreme department; but if it were, it has not gone as far as the subordinate courts. Federal judges are going to learn that the American people are tired of being run over by the Department of Education and the Federal courts, and the people can stop it.

EMPLOYMENT OF THE PHYSICALLY HANDICAPPED

HON. MIKE MANSFIELD

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. MANSFIELD. Mr. President, my attention has just been directed to the joint statement released by the President's Committee on Employment of the Handicapped.

This statement is concise and an excellent summation of the many problems that face the handicapped in this country. Also, President Johnson, as requested by the Congress, has designated the first full week of October each year as National Employ the Physically Handicapped Week. Both of these efforts are deserving of each and everyone's attention.

I ask that the joint statement and the President's proclamation be printed in the Extensions of Remarks of the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE PRESIDENT'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED

JOINT STATEMENT, 1968

We, the Associate Members of the President's Committee on Employment of the Handicapped, congratulate our physically and mentally handicapped fellow-citizens who are fighting valiantly to gain their full rights as Americans.

We note with satisfaction their strides in employment. We know the value of the well-placed handicapped worker; we see the results in our offices every day.

We note with satisfaction the number of handicapped persons who have succesfully completed rehabilitation programs, and have taken their places as self-sufficient, working members of our society.

We applaud the innovations for the handicapped which have been wrought in architectural and transportation design-innovations which will permit all Americans to utilize fully the facilities of our country.

But we denounce the barriers which remain.

We deplore the inaccessible public or private building, the unreachable room, the unread book, the unfilled job, the missed opportunity.

We deplore the human waste represented by the still too high unemployment and underemployment rates of the handicapped.

We deplore the residue of backward attitudes that still can be found toward mental illness, mental retardation, degenerative diseases, epilepsy, and some other disabilities.

These last vestiges of prejudice and of neglect can be eliminated only if we join with the handicapped in a massive effort to enlighten all America.

Every American shares this responsibility. The handicapped need our help, our encouragement, our understanding.

Cooperatively, we can remove the remaining barriers, eliminate the remaining obstacles, and move on to fulfillment of the promise of America—a land where a man can live, work, and be himself.

Dean Rusk, Secretary of State; Henry H. Fowler, Secretary of the Treasury; Clark M. Clifford, Secretary of Defense; Ramsey Clark, Attorney General; W. Marvin Watson, Postmaster General; Stewart L. Udall, Secretary of the Interior; Orville L. Freeman, Secretary of Agriculture; C. R. Smith, Secretary of Commerce; Willard Wirtz, Secretary of Labor; Wilbur J. Cohen, Secretary of Health, Education, and Welfare; Robert C. Weaver, Secretary of Housing and Urban Development; Alan S. Boyd, Secretary of Transportation; William J. Driver, Administrator of Veterans Affairs; John W. Macy, Jr., Chairman, U.S. Civil Service Commission; Price Daniel, Director Office of Emergency Planning; Lawson B. Knott, Jr., Administrator of General Services.

A. PROCLAMATION

America's program of rehabilitation has brightened the hopes and lives of millions of our citizens who are handicapped by chronic illness or disability.

As a result of advanced medical knowledge, expanded treatment centers, and ingenious prosthetic devices, wounded veterans and disabled workers, children with defects from birth, and young persons injured in accidents can look forward to useful, productive lives.

The ultimate enrichment of the lives of our handicapped is the opportunity to work. Since World War II, over seven million handicapped have been hired by private industry, and nearly a quarter million have been hired by the Federal Government.

While these accomplishments are impressive, the goal of a job for every disabled person who seeks one has not yet been reached.

Thousands of blind persons are unemployed.

Many deaf men and women are in jobs far beneath their true capabilities.

Epileptics remain the victims of public misinformation and misconception.

Persons with cerebral palsy, multiple sclerosis, or muscular dystrophy have shockingly high unemployment rates.

A disproportionate number of unemployed handicapped men and women are trapped in the urban slums and in the rural areas of our country.

The handicapped have come a long way. But all of us—and particularly those who have been spared crippling injury—must help in providing a still wider range of job opportunities for the handicapped.

Now, therefore, I Lyndon B. Johnson, President of the United States of America, in accordance with the joint resolution of Congress approved August 11, 1945 (59 Stat. 530), designating the first full week of October of each year as National Employ the Physically Handicapped Week, do hereby call upon the people of our Nation to observe the week beginning October 6, 1968, for such purpose.

During that week I urge all the Governors of States, mayors of cities, and other public officials, as well as leaders of industry, educational and religious groups, labor, civic, veterans', agricultural, women's, scientific, professional, and fraternal organizations, and all other interested organizations and individuals, including the handicapped themselves, to participate in this observance.

In witness whereof, I have hereunto set my hand this twenty-fourth day of September, in the year of our Lord nineteen hundred and sixty-eight, and of the Independence of the United States of America the one hundred and ninety-third.

LYNDON B. JOHNSON.

DOMESTIC TRANQUILLITY

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. UTT. Mr. Speaker, Dr. Robert B. Watts is known to millions of Americans through his sermons and addresses on present conditions in this country.

In addition to personal appearances all over the United States, he has written for the Copley News Service and has been widely quoted by such other writers as David Lawrence. His speeches have appeared in the CONGRESSIONAL RECORD, been reprinted in newspapers and periodicals, and read on television and radio as well as used from pulpits of many denominations.

The Freedoms Foundation at Valley Forge has honored him "for outstanding achievement in bringing about a better understanding of the American way of life" by the award of three successive George Washington Medals for "The Armour of God" in 1966, "The Sound of the Trumpet" in 1967 and "The Just Cause" in 1968. Numerous other national awards and citations have been made by other organizations.

Dr. Watts speaks and writes from a unique background. He is a lawyer—having been a Federal prosecutor in New York, a Special Assistant to the Attorney General of the United States, and a senior partner in New York and Chicago law firms.

He is an expert in the labor law field, having been general counsel of the National Labor Relations Board; and a corporate executive, having been a vice president and director of General Dynamics Corp., to which he is now a consultant.

Since 1958, Dr. Watts has been a priest of the Episcopal Church—active in a ministry at La Jolla, Calif., and chaplain of the International Order of St. Luke the Physician.

He is a representative of the Sovereign Grand Inspector General of the Scottish Rite in California, and heads the rite's Americanism committee in California. In addition, he is a trustee of Bates College and of the Bishop's School, and is a biographee in "Who's Who in America."

The following speech was given by Dr. Watts at Reno, Nev., early in October, 1968:

Lest We Forget

To this audience—concerned over preserving for our children and grandchildren the priceless heritage of a truly free America—I point to the deadly dangers of Communism which we have at last seen clearly, and I say in the words of Kipling, "Lord God of Hosts, be with us yet; Lest we forget—Lest we forget."

I want no American to forget the grave danger in which we stand. And I want every American to act against that danger, rising above personalities, prejudices or partisan politics. To this end, I shall speak plainly.

Personally, I have been directly facing and combatting Communists within the United States for over 30 years. But it has taken a long time for the great majority of Americans to believe that any active Communist conspiracy to destroy our Country has existed. Americans are decent and tolerant persons. And it has been hard for them to feel it possible that foreign enemies are not only here but determined to topple us in their struggle for domination of the world.

Moreover, despite the published world conquest plans of the Communists, drawn up at Baku on the Caspian Sea in 1920, our people have been lulled into false security by those in our Government, particularly in the State Department, who have furthered the interests of Communist Russia and its allies.

They were told not to worry about harmless "agrarian reformers" in China, "freedom" parties in Cuba, and "civilian reforms" in North Korea—while America watched the uncovering and conviction of Alger Hiss. They watched the bold missile installations in Communist Cuba, and noted the clear indications that those missiles were removed only as a part of a secret deal to leave Castro unmolested. They saw the frenzied "bridge-building" to woo Communist Russia.

But with Viet Nam—where for the second time in a devasting confrontation with Communism our military leaders were tied down to a "no win war," with sanctuaries behind which our enemies could retreat safely after killing our troops—the eyes of America were opened.

And over and above all. Americans sprang to the alert as they heard the rumble of countless tanks, the screaming jets of swarming Russian fighters and bombers and the tread of over a half million men ruthlessly and without mercy overrunning Czechoslovakia in a display of raw, naked military power.

If ever the emotional outbursts, the nationwide demonstrations and the unbelievable uproar over our presence in Viet Nam to discharge treaty obligations and preserve basic freedom was sincere and not mere propaganda to aid our Communist enemies—why have we neither seen nor heard voices and actions from the same sources protesting massive Communist military aggression?

These things I say—"Lest we forget."

As a part of the amended Baku plan of world conquest, the Communists have been hard at work on their "Trojan Horse" technique—aimed at rendering our people incapable, even if interested, in defending themselves.

We have seen the attack on all religious faith in the "God is dead" campaign. Some have given up to this prophecy of hopelessness. But most have read the first sentence of the 53rd Psalm and found there a complete answer. Read it!

We have seen the attempt to destroy all moral codes under the billing of "The New Morality," which is no more new than the gutter or the practices of Sodom and Gomorrah.

We have seen the ever-increasing pushing of drugs among our young people, seeking to enslave their minds and destroy their capacity to resist; and the twin flood of filth and pornography, rivalling that of Rome at its most decadent period.

What better suited avenues could one imagine if he were preparing to soften up a nation from within?

But apart from these areas of personal demoralization, I would speak to you of a more direct three-pronged attack which is in process against us.

The first is the attempt to seize, demoralize and destroy our colleges and universities—to take away from us our capacity to train leaders for our Country and to train the minds of our youth in the principles of freedom.

I am myself a trustee of a small college, and as a director of General Dynamics Corporation I voted a million dollar donation to bring graduate schools of the University of California to San Diego. But I am dismayed by what I see now, especially on State-supported campuses.

Look at Columbia, lest we forget the physical seizure of university properties, the illegal imprisonment of faculty personnel, the wanton destruction of furnishings, the wiping-out of the products of life-time research, the tampering with utilities and the physical combat with those who sought order that the task of the University might proceed.

Look at Berkeley—where every conceivable kind of unlawful action has made the University a by-word for violence and hatred.

Look at Stanford—and all across the Country where similar destructive forces are at work.

Note the saturation of college campuses by Communist speakers like Herbert Aptheker and his like. And, of perhaps deepest concern, note the role of arrogant faculty members who—ably and actively assisted by paid graduate students—advise, incite and encourage all manner of campus violence.

At the University of California at San Diego one finds—in full academic standing as a faculty member—the alien-born Herbert Marcuse, open disciple of Marx. Marx taught "the abolition of bourgeois individuality, . . . independence and . . . freedom." This Marxist, paid by tax dollars, is described by a colleague, Prof. Seymour Harris, who had the guts to write: "First, he wants to spawn potential revolutionaries. . . . Second, he would deny freedom of speech to those who disagree with him on vital issues. . . ."

Listen to Stokely Carmichael, screaming at Miles College in Alabama: "To hell with the laws of the United States. Your brothers of the ghettos are going to wake up with matches. If a white man tries to walk over you, kill him. Burn, baby burn—we're going to tear the cities up."

Then turn to the case of Eldridge Cleaver. This obscene, venom-spewing black racist has served time on a narcotics charge, been convicted and jailed for assault with intent to commit murder and for assault with a deadly weapon and is now awaiting trial on another violent felony charge. He boasts that he will pay no taxes, and has publicly advocated the killing of whites. Yet that individual was hired by the University of California faculty to deliver a series of lectures for credit, and when a storm of protest arose, a small majority of the Board of Regents voted against the Governor and others and validated the appearance, limited to one lecture, hopefully without credit. The result was even more amazing when by an overwhelming vote, the 1,000 faculty member Senate evidenced its complete disdain of public and official opinion and authorized ten lectures by this contemptible criminal.

Who is pushing all of this campus insanity? Well, first of all, Gus Hall, National Secretary for the Communist Party in America, says openly that they have a lot "going for them" on the campuses. Then the National Secretary for Students for a Democratic Society—some 25 of whose members are currently being received by Castro in Communist Cuba—said recently: "I consider myself as a revolutionary Communist." This same group held workshops in sabotage and explosives at a convention at Michigan State College, according to F.B.I. reports. And the F.B.I. Security Reports flatly point to the active manipulators of the Communists in this area.

Despite all this, our cream-puff Attorney General of the United States lets the Carmichaels and the Cleavers as well as the Dillingers, the Hoffmans and the Davises run loose despite the criminal provisions of the 1968 Civil Rights Act.

But the voices of outraged citizens are coming through now—loud and clear.

For the moment, they cannot reach professors who hide behind tenure. But long-range they may well apply to teachers the same rule which governs physicians and lawyers—highly trained professionals whose employment may be terminated at any moment when they lose the confidence of their patient or client.

Right now, however, there is potent medicine available. That is the simple device of taxpayers refusing to approve any further school bond issues until those responsible clean up the current mess. Why should citizens be ignored and dealt with in contempt by those whom they hire to run our public institutions? Why should taxpayers be treated as stupid milch cows?

One thing is certain. Once this withholding of new funds is applied effectively, there will be an amazingly rapid return to normalcy by those who want capital funds for public institutions.

The second area of the three-pronged attack against us is that of inflation. Lest we forget—the Roman Republic crashed when inflation debased its currency. The Roman denarius was worth 20 cents, and contained 94% silver. Foreign spending and domestic welfare hand-outs required more money, and someone decided to get it by cheapening the denarius. So they took out silver and added base metal. When they were through, the denarius was worth ½ cent, and contained 5% silver; the Republic declared itself bankrupt and Augustus took over with a despotic Empire.

If you want to know what I mean, reach for an American quarter and look. But you already know what I mean because all of you have been finding out for yourselves how much less your quarter and your dollar will buy.

On October 1st, the U.S. stated: "The director of the International Monetary Fund warned yesterday—that the U.S. dollar may face another crisis unless the United States slows down its inflation rate."

Yet we continue to pour out untold sums both at home and abroad—not knowing what we are getting for our money—and most certainty not buying friends with it. And then William Martin, Chairman of the Federal Reserve Board, caps the climax by saying recently that Americans should not complain about inflation! In Heaven's name, how else than by seeing the danger and warning our representatives to change their course can Americans stop the thievery of inflation?

This brings me to the final and most desperate of our dangers. It is internal insurrection, the sharpest cutting edge of Communist attack.

Incidentally, one of the oldest Communist tricks in moulding public opinion is to put a special twist on words to distort their meaning. The current attempt consists of trying to make "dirty words" out of the phrase "law and order," so that people may be fooled into attaching some significance of racism to the words "law and order."

So to dispose of this red herring once and for all, let's not use the words "law and order." Let's look at our Constitution and see what the specific purposes were, for which that Constitution was written and adopted. Right away, you will find that a specific purpose was to insure "domestic tranquility."

Let's take our Constitutional guarantee of "domestic tranquility" and see how well those officers who swore to uphold and defend it have done so.

Never in all of our history has there been such violent destruction in our cities—with burning, looting and sniping rampant.

Never has there been such explosive danger in walking the streets of our cities—our Capitol not excluded—with citizens brazenly robbed, beaten, raped and terrified. We have the pitiful spectacle of a President fearful of travel. And we have a Vice-President openly giving thanks when he reached the rural areas of Minnesota, where one could walk safely in the parks and on the streets.

Official F.B.I. reports show crimes up an incredible 98% since 1960, with violent crimes up 73%—while population rose only 10%.

Once again I ask—who is doing the manipulating which lies behind these outrageous conditions? The Communist "Crusader" gave the answer ahead of time. It said: ". . . the U.S.A. will become a bedlam of confusion and chaos. Stores will be destroyed and looted. Buildings will be reduced to ashes."

Late intelligence reports indicate that there are some 500 Communist Russian active secret agents in the United States, accredited with diplomatic status. Yet despite this, we see our leaders completing an agreement under which an additional chain of Communist consular offices will be opened all across America. Is there to be no end to our guillibility?

These things we name, lest we forget.

Americans are rising up to smash all these Communist attacks—the moral disintegration tactics, the assaults on our universities, the fanning of inflation and the open outright insurrections on our streets.

They demand and will secure the protection which their Constitution guarantees—unhampered by political timidity or the handcuffing of our peace officers.

They demand and will obtain a return to fiscal normalcy—stopping the stealing of their money by debasement and inflation.

They demand and will secure an end to the misuse of our colleges and universities, by stopping additional tax funds until it is done.

They will speak out clearly of their faith in God—and their determination in that faith to crush Communist attempts to destroy their Country.

Americans know that the time for action is at hand!

These things we affirm—"Lest we forget."

ALF LANDON OUTLINES WORLD PROBLEMS FACING NEXT PRESIDENT

HON. JAMES B. PEARSON

OF KANSAS

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. PEARSON. Mr. President, there is little doubt but that international affairs will be a dominating concern of our next President. Whoever assumes the oath of office next January will be confronted with the enormous challenge of adjusting our foreign policy to fit the new realities of international life to assure the protection and promotion of American interests in a world marked by instabilities and tensions.

To assure that this is realized, all of us, but particularly our President, must be able to see the world as it really is today and what it is likely to be in the future rather than reliving what was once and hoping for what might have been.

Mr. President, there are few responsible commentators who have as deep an appreciation of this fact as Mr. Alf M. Landon, and there are few who speak with the perception and the precision about the new world realities and the challenges these will pose for our next President as Mr. Landon.

His latest statement on this subject is particularly worthwhile and timely; a statement which deserves to be called to the attention of my colleagues, the public and our next President.

Mr. President, I ask unanimous consent that the speech by Mr. Landon, "International Problems Facing the New President," before the West Topeka Rotary Club on October 10, 1968, be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

INTERNATIONAL PROBLEMS FACING THE NEW PRESIDENT

(Speech by Alf M. Landon at West Topeka Rotary Club, Topeka Country Club)

There is widespread militancy and uneasiness throughout the world.

Three weeks from today, American voters will elect not only a man to lead our nation for the ensuing four years, but—in an awesome sense—a man to whom the peoples of the world—especially those of non-Communist nations—will look for world leadership.

Seldom before in American history has so much been at stake as in next month's electoral decision.

Vietnam, of course, has overwhelmingly dominated our foreign and domestic policies these past several years. And what happens in that tragic little land will have a tremendous impact on world life.

The anguish of Vietnam at home and abroad is a fact we cannot avoid, for it is a continuity threaded through the labyrinth of all our important aspirations at home and our relations abroad.

But I do not propose to confine my remarks to tormenting Vietnam. Rather, I ask you to consider with me—in a broader sense—the major international problems facing our new president—against a background of the challenges of the new realities of international life today.

What are these new realities?

Essentially, they have not changed since December, 1966, when I inaugurated the Landon Lectures at Kansas State University. Then, I said that the new realities included: "The Soviet modernizing of Communist dogma; the Sino-Soviet split; European self-determination and independence from Soviet and American domination; the advent of Chinese nuclear power; the growing non-alignment of developing nations; the recession of the Communist tide; and worldwide acceptance of the concept of the welfare state."

Add to these the realities of the decline of our dollar and continuance of the Red Guard civil disorders of China—and we witness vastly changed international dimensions from a decade ago.

First, I propose to focus your attention on our policy toward China, then to consider Southeast Asia, South Asia, the Middle East and Europe—in that order.

I believe that the foremost international problem facing our next president is China, which we see as our haunting and belligerent adversary in Vietnam, Asia and the world.

Though Asia and the world have changed tremendously in the past nineteen years, our policy toward China has not changed one bit.

We still view Chiang Kai-shek's dictatorship—confined though it is to Formosa and a few small islands—as so-called "free" China, and as legally representing all of China.

Officially, so far as we have been concerned for almost a score of years, the long-established government on the Mainland, representing almost one-fourth of the world population, simply does not exist.

Add to this the fact that we have ringed Red China with our military bases, and you can understand some of the reasons why their leaders emote fear and belligerence toward us.

And so—unchanged for the past nineteen years—our policy has been strongly committed to the maximum isolation of Communist China and thereby our own isolation from China.

Since 1949, we have given full recognition to the Nationalist Government of Formosa as the government of all China. Toward the vast and populous mainland, the core of our policy has comprised: (1) political non-recognition, (2) economic embargo and (3) opposition to all forms of interaction between the non-Communist world and Communist China, including opposition to its seating in the United Nations.

We therefore ignore the fact that our staunchest ally—England—long ago abandoned us on these questions. England trades with Communist China—fully recognizes its government—and favors its seating in the United Nations—as do also France and the Soviet Union—the other permanent members of the United Nations Security Council.

The remaining most populous nations of the world—India, Indonesia and Pakistan—also oppose our policy of isolation of Communist China.

No major power—even England—supports us militarily in Vietnam. And we are alone among the nations in our commitment to defend the domain of the dictatorship of Chiang Kai-shek.

Nineteen years ago—shortly after the Communist government was established in 1949 on the Chinese mainland—I first spoke out in favor of its recognition by the United States and its seating in the United Nations. I have never yielded on this position.

In 1964, after Communist China exploded its first nuclear bomb, its government invited all nuclear powers to a conference to discuss means by which the world could establish nuclear disarmament. The United States promptly refused—terming the offer as insincere. At the time, I spoke out urging the United States to accept the invitation for the purpose of discussion. China's sincerity would thus be put to a test. The next day, in an unprecedented statement, United Nations Secretary General U Thant publicly approved my statement. But instead, the United States persisted in its ostrich-headed policy of ignoring the existence of Communist China.

The fact is that we no longer have a bipolar world—but rather now a multipolar world—for Communist China has emerged as one of the world's superpowers along with the United States and the Soviet Union.

We should not be mislead about China's power because of its internal turmoil. We cannot resolve the problems of Southeast Asia—and make progress toward peace with the rest of the world—without coming to terms with China.

I ask you whether there would have been a Korean War and now a Vietnam War had we not isolated ourselves from China by trying to isolate China from us and the rest of the world.

I believe that our policy toward China has been counter-productive. It is past time for a change.

The gravest and most urgent problem facing our next president, then, is China. If he does not manage a turnabout in our policy, we may well continue on a collision course toward war with that potent giant!

I do not mean we should ignore the fact that the countries that orbit China are fearful of Communist China. Indeed, other countries of Asia are uncertain about China's intentions. Especially—now that China is wracked by internal turmoil featuring the Red Guards and the army—it is within the realm of possibility that the army could stage a military take-over of China. Should that happen, the fear of Chinese aggression might either increase or decrease.

Moreover, the fear of China among Southeast Asian countries is linked to the experience of attempted Communist subversion in several of these countries.

For twelve arduous years—from 1948 to 1960—Malaya suffered Communist guerrilla warfare which was put down only with the help of British and Australian forces. And there are still some Communist insurgents there—almost all of whom are and have been Chinese whose loyalties were clearly to Peking.

Unfortunately, the British are in the process of rapidly withdrawing all their military forces east of Suez by 1971—which would leave Malaysia and Singapore, as well as neighboring nations, bereft of big-power protection.

Our next president will have to face up to the question whether the United States should attempt to fill the void created by British withdrawal from the area. Assistant Secretary of State William Bundy already has warned nations of the region that the United States has no intention of filling this void.

To the south is Indonesia—comprising thousands of islands stretching over a vast area—and the fifth largest population of the world. Under the dictator Sukarno, Indonesia had the largest Communist party in the world—outside of Communist China. Sukarno had initiated confrontation with Malaysia—withdrawn Indonesia from the United Nations—and maintained increasingly intimate relations with Communist China.

This was the situation in the fall of 1965—when the Communists, probably influenced by Peking, attempted to take over the government. The aftermath was one of the biggest blood baths in history, which, to some extent, is still going on. The Communists have suffered their most serious reversal in history in Indonesia.

The Philippines also have experienced intermittent Communist so-called "Huk" guerrilla activity. There is evidence of Communist insurgency also in Laos, Thailand and Burma. And the ambivalent posture of King Sihanouk of Cambodia over the years gives cause for concern.

A vital question facing our next president—and one repeatedly raised—is whether there will be other Vietnams among these nations. This is familiarly known as the so-called "domino theory,"—namely that unless we continue to hold the line at the 17th parallel in Vietnam, other nations in Southeast Asia would fall to Communism—one after another—like falling dominoes.

This theory would appear valid if the governments and leaders of these other Southeast Asian nations did not enjoy the support of the bulk of their respective populations. But the fact is that—unlike the Saigon government—each does enjoy such support and is committed—and works for—the social and economic uplift of its people.

Still, our next president must decide whether we are going to retire into a fortress America and ignore their aspirations—or will we commit ourselves to protect and help develop these nations.

Moving on to South Asia—and more particularly India and Pakistan—we find issues no less complex concerning these second and sixth most populous nations.

Ever since 1947—when British India was partitioned into the States of India and the Islamic State of Pakistan—these two nations have been hostile toward one another—principally over the still undecided status of the Himalayan state of Kashmir, which both nations claim.

Meanwhile, until the fall of 1962, the United States gave generous military and economic assistance to its SEATO partner, Pakistan, and only economic assistance to India. But when China invaded India in the fall of 1962 over the issue of India's northern borders, India asked for and received military assistance from the United States for the first time.

This United States action alienated Pakistan in its relations with the United States and the relations of these two countries have been steadily deteriorating ever since—while Pakistan's relations with Communist China have become more intimate.

In August and September, 1965, India and Pakistan went to war with each other, which ended in a stand-off. The fact that they fought each other with American weapons caused the United States to stop military assistance to both nations. Since then, the Soviet Union is finding itself in a position similar to that theretofore held by the United States, in that it has allegedly promised military assistance to both countries, with neither being happy about the other receiving such assistance.

The fact is that neither the United States nor the Soviet Union wants to become embroiled in the hostility between Pakistan and India. Furthermore, the United States and the Soviet Union share the kindred interest of protecting India from Communist China.

The Sino-Soviet split motivates the Soviet Union to help India check Chinese influence. And the United States sides with India in its struggle with China for the economic and political leadership of all Asia and for the opportunity to demonstrate to the uncommitted nations of Asia which way of life is better. India follows a route in keeping with human dignity and freedom. Red China represents the route of regimented controls and ruthless denial of human rights.

But the harsh fact is that China has surged ahead of India economically and militarily—while the United States has severely cut its aid to India to the point that its relations with India are now seriously strained.

I believe that it is this great Asian drama—this struggle between the world's most populous nations—democratic India and Communist China—that should have a major claim to the attention of our next president and should substantially determine our policy decisions in Asia.

This brings us to the issues confronting our next president in West Asia and North Africa—or more familiarly known here as the Middle East—the most imminently explosive region of the world.

Even before the Bolshevik Revolution of 1917, Russia always wanted warm water outlets in the Mediterranean for its vast nation. Today, the Soviet Union not only has these outlets backed by its navy, but also has replaced United States influence in much of the Arab world with its own influence—thus quickly upsetting the balance of power as an aftermath of the June, 1967, war between Israel and its Arab neighbors. Victorious Israel still occupies the Sinai Peninsula and West Jordan, including the old city of Jerusalem—a holy city for Jews, Christians and Muslims alike. And the Suez Canal and Gulf of Aqaba still remain closed to the world's shipping.

United States support for Israel—though from private more than public sources—caused Egypt, Syria, Algeria, Yemen and Iraq to sever diplomatic relations with the United States—and these relations still remain severed. The Soviet has furnished these governments—and other including North Vietnam—with enormous amounts of modern military equipment.

Yet, both the United States and the Soviet Union approved the United Nations resolution to bring peace to the Middle East. This resolution calls for (1) withdrawal of Israeli forces to within Israel's borders as they were prior to the June, 1967 war; (2) opening of the Gulf of Aqaba to world shipping; (3) opening of the Suez Canal for all nations; (4) acceptance of the independence and territorial integrity of all nations of the area by each other; (5) a just solution of the wretched Arab refugee problem; and (6) an end to the state of belligerency of the Arab nations toward Israel.

Despite United States and Soviet Union approval, their actions have not been commensurate with the goals set forth in the resolution. Both are furnishing military equipment to both sides.

The Congress a few weeks ago adopted the policy of selling new modern fighting planes to Israel. Both Mr. Nixon and Mr. Humphrey support that policy. At best, it will be three or four years before these modern planes can restore some military balance in that area. Soviet leaders must face the question whether it is in the interest of the nations of the area for it to continue to escalate its military support of Arab states. The United States and the Soviet must face the question whether such continued support might not further embolden the militarist and extremist elements within the nations of the area and hence enhance the possibility not only of continued intermittent Middle East wars but also a military confrontation between the United States and the Soviet Union and a consequent world war.

The Arab governments must face the question of recognizing the existence of Israel, just as the United States of America must face the question of recognizing the existence of China.

And, finally, we come to Europe, where the Soviet Union is just as interested in protecting its flanks to its west as it is in securing a foothold in the Mediterranean—and this because of the Soviet fear of an increasingly belligerent and bellicose nuclear China. The longest border in the world is that between the Soviet Union and China. And China's nuclear test site is uncomfortably much closer to Russia than it is to any other power.

The Sino-Soviet split—as it is called—is real and deep. Gone, perhaps forever, is the monolith of a united Communist world—if ever it did exist.

Aside from historic ethnic conflicts between China and Russia, this split dates back at least to 1960 when China deported its last Soviet technicians and advisors. It is essentially an ideological split between Russian revisionists, on the one side, and Chinese fundamentalists, on the other. And so, too, do the civil disorders within China similarly represent a struggle between revisionists and fundamentalists.

Essentially, the revisionists embrace the doctrine of peaceful co-existence between states with different social systems, whereas the fundamentalists accept the inevitability of war between Communist and non-Communist states as well as so-called wars of national liberation.

Precisely because the Soviet Union fears war with Communist China—perhaps even more than it fears war with the West—it wants to shore up with strength its Western flank in East Europe while it faces the threat from China to its east and south.

It is in this context, I believe, that we must assess the continental situation. I do not believe that the balance of power in Europe has been upset, but rather it has been changed by the Soviet invasion and occupation of Czechoslovakia. Nor do I believe that Soviet leaders necessarily are as erratic and incalculable as some have pictured them.

They are obtuse. Their use of raw military force has set back their existing opportunity to secure their western flank through a detente with western European governments—England and the United States of America.

The Soviet has brought about the Foreign Secretary of England reaffirming last week the necessity of the North Atlantic Treaty Organization holding together.

Because of the critical Soviet simultaneous military threats to West Germany, our President, last Friday, felt it essential to send his oral assurances to Chancellor Kiesinger through Secretary Clark Clifford that the United States of America would regard any attack on West Germany as an attack on the United States.

The foreign offices of the world are noting that this message was conveyed by the American Secretary of Defense instead of the usual diplomatic channels. Secretary Clifford followed with a long conference with West Germany's Defense Minister to discuss defense problems.

President DeGaulle previously assured Chancellor Kiesinger that France honored its commitment to West Germany.

All the obtuse Soviet leaders accomplished was to unite the old enemies of Germany behind the West Germans.

I have tried to broadly assess the world scene our next president faces. He also must carefully and thoughtfully consider the increasingly apparent fact that our domestic problems reflect in our schools, streets and alleys the new realities of world-wide changes taking place among all ethnic groups for recognition of individual human dignity—from Watts to Paris and Chicago—from Czechoslovakia to the Middle East—from India to Indonesia, Vietnam and even China. The quest for human dignity also explains much about social and political changes taking place in Africa and Latin America.

To objectively assess these changes and realities, and to adjust our national interest and goals with respect to them, our next president must initiate a comprehensive and complete review of our foreign policy as repeatedly advocated by Senator Fulbright and myself.

Such a review must appraise our experience with foreign aid in terms of its costs, scope and effectiveness. It must appraise the future of the dollar, world trade, the United Nations, military strength and arms control and disarmament.

I strongly believe that many of the problems concerning our attempted world posture derive from the fact that America has oversold its strength, its faith, and its hopes in relation to its abilities and resources.

We have oversold our military might. Despite our obvious strength, we cannot make all things happen which we want to have happen, or prevent all things from happening which we do not want to happen.

We have oversold the capacity of our economy. Despite our obvious affluence, we cannot finance world security, world development, the Vietnam War, and the elimination of poverty at home—all at the same time.

We have oversold our will and resolve. We are the most generous people of the world, the most committed to the protection of freedom, the most altruistic, but, despite these qualities, there are limits beyond which we cannot reasonably exercise our will and resolve to assume alone the role of world policeman and benefactor.

We have oversold the dollar. Despite the fact that the dollar is the world's most stable currency and monetary value base, we are witnessing its decline and vulnerability.

We have oversold the United Nations. Established to achieve world peace, the United Nations remains—after 23 years—far from realizing its purpose, and it will continue to do so as long as the major powers—including the United States—act unilaterally on major world issues, and as long as Communist China—representing one-fourth of humanity—is unrepresented in that body.

Meanwhile, so long as we continue to live in a state of world anarchy, world peace will depend chiefly on agreements reached between the Soviet Union, the United States and China. Chances for such agreements, in turn, depend on a parity of power based on mutual deterrence between these three super powers. Essentially, mutual detente requires mutual deterrence within the context of world anarchy. That is why perhaps the most important responsibility facing our next president is to see to it that the United States may continue to negotiate with the Soviet Union and China from a position of at least equal military strength. However, that does not mean relying on military strength as the proper instrument in reconstructing international relations.

Above all, our next president—in framing long-range foreign policies—must see to it that we do not miscalculate how the leaders of other lands react to our moves and how they feel about us and our intentions. And he must see to it, by the same token, that they do not miscalculate us.

Miscalculations have led to—and can lead to more—wars—big and small—and more wars can lead to the expansion of Communism. After World War I, Russia went Communist. After World War II, China, East Europe, North Vietnam and North Korea went Communist. Communism feeds on war.

The times call for wisdom, tact and, above all, Equity—in our next president for the ensuing four years in meeting the multitudinous dangerous problems of strained human relations in the world.

POSSIBLE VIOLATIONS OF THE FEDERAL FALSE CLAIMS ACT

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. GROSS. Mr. Speaker, I have just learned that, for almost 7 months, the Justice Department has been sitting on evidence of possible criminal fraud against the Government on the part of top officials of the Rand Development Corp. of Cleveland, Ohio, and the Universal Fiberglass Corp., of Two Harbors, Minn.

Officials of these two companies have powerful connections among the Democrat Party hierarchy in Washington and one of them, George H. Bookbinder, has served as a fundraiser for Vice President HUBERT H. HUMPHREY.

So close are their connections that Universal Fiberglass, which was nothing more than a shell corporation, was given a $13.3 million contract to manufacture mailtrucks for the Post Office Department despite the warnings of the experts in both the General Services Administration and the Small Business Administration that the company could not fulfill the contract.

The result was as predicted. The company fell flat on its face and the taxpayers are left holding the bag to the tune of $2.1 million in progress payments for trucks that were never delivered.

Mr. Speaker, the only reason Universal was given this contract is that the then SBA Administrator, Eugene P. Foley, a former HUMPHREY aide, overruled all those experts and issued a "certificate of competency" to the company, forcing the Government to award the contract to Universal.

Foley was not the only one in the act. Universal's attorney is a man named Roger A. Peterson. His brother, Neal D. Peterson is a member of HUMPHREY's staff, and Neal D. Peterson was up to his ears in arranging things at the SBA.

The whole deal reeked of political influence at the highest levels.

And what has the Johnson-Humphrey administration's Justice Department been doing?

I have learned that since last March Attorney General Ramsey Clark has been in possession of information that indicates a continuing conspiracy to defraud the Government in several ways. Here is some of the evidence in Clark's possession:

Rand Development Corp. often charged its subsidiary—Universal Fiberglass—as much as eight to 10 times its own purchase price for materials it supplied Universal for the manufacture of mail trucks. Universal than billed GSA.

There is evidence that this scheme was part of an overall plan to siphon Federal funds—mainly in the form of GSA progress payments—from Universal to Rand, which was in a shaky financial position.

There is evidence that an official of Universal Fiberglass was directed by two of his superiors—George Bookbinder and Novak Pasalich—to include indirect labor and material and ineligible overhead items in progress payment requests to GSA in order to obtain more money from the Government.

The General Services Administration does, in fact, have evidence that ineligible costs were included in progress payment requests made by Universal.

There is evidence that large payments to Rand Development Corp. of these GSA progress payment funds were entered on Universal's books as payments of invoices from Rand for overpriced or damaged supplies or consultation services by Rand officials that never were performed.

There is evidence that Henry J. Rand, president of both Rand Development and

Universal, wrote checks against Universal's progress payment account in the Franklin National Bank of New York and sent large portions of that money directly to Rand Development Corp.

There is evidence that, in connection with an SBA loan, Universal was required to have firm orders for at least 3,000 of the fiberglass fenders it was then manufacturing. Since there were not that many orders, Mr. Henry Rand guaranteed to the SBA that Rand Development Corp. would buy that many fenders from Universal. Rand Development never placed any such order with Universal and, although the fenders remaining at its plant when it stopped producing them were shipped to Rand Development Corp., they were neither invoiced nor paid for.

Mr. Speaker, the history of the Rand Development Corp. can best be described as shady.

It has been in hot water with the Food and Drug Administration and the Securities and Exchange Commission over its promotion of a so-called cancer vaccine.

It has been in trouble with the Interior Department over expenses billed under a contract with that agency.

It has arrogantly refused to allow the General Services Administration to inspect its books to find out just exactly how big a bag it has left the taxpayers holding on this mail truck project.

In my opinion, Mr. Speaker, the only reason Rand Development Corp. is still in business is the close and intimate relationship between its top officials and high officials of the Johnson-Humphrey administration.

I have in my office files 70 pages of telephone company records showing calls made from Rand Development Corp.'s New York City office and from the swank 52d Street apartment it maintains for visiting firemen.

These calls cover the period of time when the General Services Administration was becoming highly suspicious of what was going on at Universal Fiberglass and it is interesting to note the number of them that were placed to offices here on Capitol Hill.

I do not know what is going on down at the Justice Department in connection with the information I have outlined here, but it indicates the strong possibility of multiple violations of the Federal False Claims Act.

In view of the close relationship between these Rand officials and certain members of the present administration, however, it may be too much to expect any action before November 5.

OEO HEAD TELLS OF POVERTY'S TRAGIC TOLL

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. YARBOROUGH. Mr. President, the Acting Director of the Office of Economic Opportunity, Mr. Bertrand M. Harding, visited my State during the summer to address the Texas GI Forum State Convention in Del Rio. The GI Forum, as most Senators know, is an outstanding veterans organization devoted to the needs of Spanish-speaking Americans.

Mr. Harding spoke of poverty and its tragic effects among Mexican-Americans in the Southwest, but his speech was directed not merely at the GI Forum membership. They are already active in the fight against economic deprivation in our land.

Rather, his speech was aimed at middle- and upper-class America, especially a group he calls the hard-core rich. It was a passionate and appropriate appeal, deserving consideration by every adult American.

I ask unanimous consent at this time to have printed in the RECORD an address by Mr. Harding before the GI Forum convention July 15, 1968, in Del Rio, Tex.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TEXAS GI FORUM CONVENTION, DEL RIO, TEX., JULY 5, 1968

Not long ago, a white middle-class American took his vacation in the Southwest. One afternoon, he was driving along—enjoying the new scenery and breathing the fresh air. Going through one stretch, he saw a parked car beside the road. The sun beat down on it. The man pulled over and looked inside. He saw three little children.

They were Mexican-Americans. The youngest was a baby boy about 6 months old. He screamed and squirmed in pain. The flesh on his lower body was raw because he had diarrhea. He had been soiling himself all day without being changed or washed. Next to him on the front seat was a little girl—about 3 or 4. She burned with fever. In the back seat, a 6-year-old boy lay unconscious. He was hardly breathing.

After looking around frantically the man found the parents. They were in a nearby orchard picking fruit—for about 80 cents an hour. They started at 6:00 AM and would finish at 8:00 PM.

That night the man went back to his motel. He was still shaking at the sight of those sick and dying Mexican-American children. He told a friend what he saw. The friend turned to him and said "Don't bother with those people. That's the way they've always lived. They're used to it."

Those words were said in the Southwest about poor Mexican-Americans. But I have heard the same kind of words said in the Northeast about poor Negro Americans. They have been said about the poor white people of Appalachia, the Eskimos in Alaska, the Indians in Oklahoma. Those words have been said about every one of America's 26 million poor people.

Who has been saying them? The hard-core rich. Those Americans who have allowed their material wealth to harden and blind them to the needs and rights of poor America. Right now, nothing is more damaging to our country than this attitude of smugness. When a portion of affluent America says "Don't bother with the poor," it threatens to make a tragedy of our hopes and a travesty of our democracy. It could lead the affluent to become more haughty and the poor more hating. It could make communication less clear and community less certain.

Worse than this, it can make the War on Poverty not just harder to win, but even harder to explain. When enough people like the hard-core rich try to convince the rest of America that we shouldn't bother with the poor, then perhaps pretty soon we won't. The Congress can cut the budget of the poverty program—as it did by $307 million last week—and some misguided people will be glad, as some were glad last week.

When we read the history of Mexico, we are horrified at how the Aztecs used to sacrifice human lives on their altars. We think about all those wasted lives. But today, there are just as many lives being wasted—not because we are killing people, but because we don't let them really become alive. Look at the statistics about Mexican-Americans.

In the Southwest, according to a special report by the University of Wisconsin based on the last census, Mexican-Americans average 7.1 years of schooling against 12.1 for Anglos. In Texas, it is 4.8 years. Economists say that a high school diploma is worth at least $60,000 over a lifetime. But what if you don't even have a grade school diploma? If you're lucky, you can pick fruit for 80¢ an hour. That's about $30,000 over a lifetime—or less than $2,000 a year.

The health conditions for millions of Mexican-Americans is worse than in some parts of Asia or Latin America. Dr. Hector Garcia once wrote: "I am still haunted by that remembrance of a day ten years ago when a little boy came to my office to ask me to go and see his mother, who was sick. I went to his home—a one room shack. I found a dead mother with six children lying in the same bed, all covered with blood from the hemorrhage of a dying tubercular mother."

Only 19% of Mexican-American men are in white-collar jobs. Most of the rest are employed as semi-skilled workers, if employed at all. The actual unemployment rate is roughly twice that of Anglos.

In the metropolitan areas of the Southwest, over 33% of Mexican-American families live in overcrowded houses.

Those are some of the things that happen when some affluent white Americans say, "Don't bother with those people."

The first question is, what should the committed and concerned person do about it? What should he do about arousing that part of affluent America that refuses to consider the poverty now suffered by 26 million Americans.

The first thing to do is stand up and proclaim loudly that you refuse to ignore the poor. Proclaim it to everyone within sight or sound. This is what the Texas GI Forum has been doing ever since it began in Corpus Christi on March 26, 1948. For 20 years, the GI Forum has raised its voice against unfair housing and unfair employment laws. It has raised its voice against the public schools that segregated Mexican-American children. It has raised its voice against the Bracero system. It has raised its voice against anything that treated the Mexican-American less than a full American citizen.

All of you here tonight have seen what happens when, backed by a just cause, you raise your voice. It is heard. Things begin to change, wrongs are righted, poverty is eliminated. This doesn't happen in a day, nor even a decade. And not everyone is satisfied with the rate of progress. But, still, the evidence of social change is there—the voice of the GI Forum *has* been heard.

But there are still millions of Americans who, despite groups like the GI Forum, still say, "Don't bother with the poor." What about these people—the hard-core rich?

First, you can try to get their attention with appeals based on the teaching of Christianity: "What you do for the least of these, you do also for Me." Or else you can appeal to the democratic ideals of life, liberty and the pursuit of happiness. I am aware that many of America's poor people are growing weary of the appeal method. But in the past four years—since the War on Poverty began—there have been results that would never have been achieved without these appeals.

For example, there would be no OEO program called VISTA—Volunteers in Service to America. As you know better than I, VISTA is the Spanish word meaning "view." That's exactly what a VISTA Volunteer is: a person who views human life and says it can be changed, a person who views human suffering and says it can be cured. He sees himself not apart from the poor, but as a part of the poor.

In 1964, President Johnson made an appeal for this kind of person to step forward. He asked for Americans willing to give one year of their lives to serve the poor—not abroad, as in the Peace Corps, but at home. It is just as important to eliminate poverty in San Jose, California as it is in San Jose, Costa Rica. The problems in Del Rio are as pressing as those in Delhi.

As a result of this appeal, over 300,000 Americans have inquired about serving in VISTA. 70,000 sent in final applications. 20% of these were selected to serve. Today, over 5,000 VISTA Volunteers work for $50 a month in 49 states.

You couldn't pay someone to do the kind of work they're doing. Money would mean nothing. You can just appeal to the hearts and consciences of the average American—and see what happens. We know that something *does* happen.

Another result of the appeal method is that the War on Poverty has created the largest volunteer army America has ever seen. In less than 4 years, over 500,000 men and women have volunteered for other jobs in the War on Poverty. They serve as tutors in Head Start, as teachers in the Neighborhood Youth Corps, as teacher's aides in Upward Bound, as Foster Grandparents, as volunteer doctors and nurses in the Neighborhood Health Centers, as volunteer lawyers in the Legal Services offices in every large American city and rural area.

It is easy to pass off these volunteers as "dabblers in poverty." But go to a Head Start class and see for yourselves. Or an NYC or Legal Service office. No one is dabbling. They're serving and they're working.

Little of this was happening four years ago. There were few volunteers. Why? No one asked them. It was that simple. But then, leaders like President Johnson, Vice President Humphrey and Sargent Shriver went to affluent America and said, "We need your help. The poor need your help." Over half-million Americans have been giving ever since. They weren't unconcerned about serving the poor after all. They were just uninformed about how. Once an appeal was made, they came forward.

The second way of getting the attention of the hard-core rich is not to appeal to moral or humanitarian reasons—but merely point out the economic facts.

For example, the 26 million poor people in America represent a potentially large dollar-market. It's a market larger than many of the foreign countries with whom we trade. Twenty-eight times the population of Costa Rica. Ten times the population of Ireland. Four times Sweden. In fact, there are almost as many poor in America as the total population of Mexico.

If American companies and investors are becoming more and more interested in trading and profiting in these foreign markets, then they can't afford to pass up a domestic market of 26 million at home.

But first, the poor must have the money for trading. To get it, they must have the same opportunity as the middle-class for education, justice, health care and equality. If 26 million poor Americans did have these opportunities, it is likely they could earn as much as the middle-class. They could have a yearly per capita income over $7,000, which 54% of Americans now enjoy.

Fortunately, some white middle-class businessmen are beginning to see the high cost of letting the poor stay poor. They see the market they have been missing out on. Many of our Job Corps centers are being run by large American corporations—corporations whose chief interest is not the poor, but making money. Companies like IBM, GE, Westinghouse, RCA, Xerox, Philco-Ford know that Job Corps just doesn't open up the labor market—it also opens up the consumer market.

Take the story of Frank Guevara. He's a young Mexican-American from Lubbock, Texas. He only went as far as the sixth grade. He had to quit school to help his family. He worked as a farm laborer, alongside his father. In late 1966, he went to the Weber Basin Job Corps Center in Utah. He stayed for thirteen months and learned how to be a welder. He came back to Lubbock and is now working for the WARCO Trailer Company for $1.71 an hour. He'll get his first raise soon. In a few years, he'll be earning as much as the average American—$7,000 a year, maybe $10,000.

To us in Washington, that story means success. Frank Guevara made it. He's no longer poor.

But to the businessmen in Lubbock, that story also means money. It means that, first, Frank Guevara and many, many more like him won't end up on county welfare rolls and cause taxes to go up. Instead of being a tax-eater, he'll be a tax-payer. Second, it means that Frank Guevara now has money to spend on clothes, food, recreation, maybe a car.

All of this is economics. It's not just democracy. Not just morality. It would have been nice if these things had been the only reasons for action among American businessmen, but they weren't. The merchants know that springing the poor from poverty is good business, because the poor represent future business.

That may sound cold and heartless, but it's real and it represents important social change—directly affecting the future of millions of under-privileged Mexican-Americans. It's the kind of social change that must happen to allow any minority group entry into the main flow of American life. Take the Irish. At first, the majority group—English and Dutch Protestants—tried to keep the Irish Catholics out of America. When that didn't work, they tried to keep the Irish down. But after a while, the English realized what all bigots eventually realize: to keep a person in the ditch, you must get in the ditch with him.

Gradually, the Irish were allowed to hold better and better jobs. Before the English knew it, the Irish had enough economic power to say where they wanted to live, where they wanted to send their children to school, what clubs they wished to join. And before anyone knew what happened, America had its first Irish Catholic President.

That's simplifying it a little bit, but what happened to the Irish will soon happen to every other minority group now struggling in America. Before the year 2,000—which is only 32 years away—I can see in the White House someone named Garcia, or Gonzales.

A few years ago, even a few weeks ago, who would have thought that a young Mexican-American, Lee Trevino, from an obscure town in west Texas and who only two years ago was making $30 a week, would now be the U.S. open golf champion?

Despite all the progress made by the G. I. Forum in the last twenty years, despite the chances for a future Mexican-American president, despite even Lee Trevino, no one be fooled—the struggles of 6 million Mexican-Americans to seek freedom and equality is not easy. It is not easy today—and it won't be easy tomorrow. All that can be said is that today's struggle is not as hard as yesterday's. We now know something about eliminating poverty. We now know how to enroll the Mexican-American child in education programs, even though he moves from one state to another with his parents. In Texas alone, over 22,000 Mexican-American children have been reached by OEO programs.

We now know how to serve Mexican-American old people and orphans. At the Green Memorial Hospital in San Antonio, 38 Foster Grandparents are working with hundreds of infants in the nursery and pediatrics section. The Foster Grandparent program in San Antonio is one of the best in the country.

We now know that Community Action works. In over a thousand American communities, we have seen local problems of poverty being solved by local people. They aren't solved by bureaucrats in Washington, 2,000 miles away. They're solved by local businessmen, clergy, parents—rich and poor. When Community Action was first proposed four years ago, the critics said it would never work. The poor are lazy and shiftless, they said. They won't lift a finger to help themselves. Yet since the War on Poverty began, 9 million Americans have broken out of poverty. In 1963, there were 35.3 million Americans under the poverty line. Today, the number has decreased to 26.3 million.

Many of those 9 million broke out of poverty through Community Action. Local people had something they never had before: power. The power to create their own programs, to run those programs, to fight poverty as it was in their community—in Bexar County, in El Paso, in Dallas, in San Angelo or San Marcos, in Brownsville. In all parts of Texas, in all parts of America.

For the 26 million Americans still trapped in poverty, there will be even more opportunities to escape it this year. In 1960, at the end of the Eisenhower administration, the total amount to fight poverty was only $9.5 billion—with 12 million more poor than now. This year, America will invest 28.1 billion to fight poverty. No administration has been more conscious of the poor in America or more serving to those poor than the one of Lyndon Johnson.

The War on Poverty wasn't something President Johnson dreamed up as a political gimmick. He knew poverty as an everyday fact long before he knew it as a political issue. At 21, he was a school teacher—among Mexican-Americans here in Texas. Lyndon Johnson lived with the families of his students, ate with them, suffered with them, hoped with them. He ate frijoles, learned to love Mexican music and culture. When he came to Washington as a Congressman, he didn't need to look around for some fashionable causes to champion. He already had enough unfashionable causes—poverty, disease, sickness: the lot of the Mexican-Americans. The lot of the poor, wherever they were in America.

Thirty years later, when Lyndon Johnson became President, he didn't need anyone to tell him to start a War on Poverty. He had already decided to fight one long ago. But now he had the power. And he used it.

How soon will America completely eliminate poverty? How soon will every Mexican-American be able to find a job that pays a fair salary? How soon will every Mexican-American child get the kind of education that every child of affluent America enjoys? How soon will the goals of the G. I. Forum be realized?

These are some of the crucial questions of the times. They will not wait much longer for tokenized answers. Too many poor people in America have a feeling of being let down—by Congress, by the affluent, by the impersonal machine called The System. The one thing that will change all this is for every American to realize that poverty is not just a problem of the poor people. It's a problem of the American people. Not everyone has to have the same reason for getting into the War on Poverty. It might be for moral reasons, or political, or economic. But everyone must be involved for some reason. Because when the tide goes out, all the boats sink. And when the tide comes in, all the boats rise. When poverty is eliminated in America, all will benefit.

In the past four years of the War on Poverty and the last twenty years of the G. I. Forum, we have seen that results are possible. Our job is not to threaten affluent America, but to inform it. Not to terrorize, but to organize. Not to seek revenge, but reunion.

When this happens—and it can happen—both the rich and poor will see they have more in common than in conflict. The man who takes his vacation in the Southwest and sees three dying children in a car by the roadside will not see them as Mexican-American children—but simply as his children. He will see the parents in the field not as migrant workers, but as human beings. And he will seek not to become his brother's keeper, but his brother's brother.

Thank you.

HON. ROBERT W. HEMPHILL

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. DORN. Mr. Speaker, for 8 years I served in the House of Representatives with my warm friend, the Honorable Robert W. Hemphill. Since leaving Congress, he has served on the Federal bench and has distinguished himself as a judge.

Those who know our friend and colleague are aware of his love for God and country. He believes in America.

Earlier this year, the Federal building in my hometown of Greenwood, S.C., was completely modernized. Judge Hemphill was invited to give the rededication address in the new courtroom. I was fortunate to hear the superb remarks of our former colleague, and I would like to share with you excerpts from Judge Hemphill's address. It shows the strong feeling this man holds for his fellow man and his dedication to his profession.

The address follows:

Thank you very much for your very kind introduction, Mr. President. Solicitor Jones, Judge Hayes, Judge Greneker, members of the Bar, and distinguished guests.

I assure you that it is not only a pleasure to be here, but having been on the Federal bench some five years now, I haven't heard anything as nice as the introduction in all that time.

Let me assure you, first, that before I left Greenville Chief Judge Haynesworth of the United States Fourth Circuit Court of Appeals came up to the courtroom where I was sentencing people, called me from the bench and asked that I convey to all of you assembled here his regard and gratitude and his appreciation: for this ceremony today, for the fine appointments of this beautiful courtroom, and for the fact that you would take your time to dedicate it as we gather here today.

As I came off the bench to take off my robe and put on my coat, Judge Russell called, and asked that I convey to each of you his gratitude and appreciation and his regrets that he could not be here.

Chief Judge Martin has been on assignment to West Virginia. He goes back to West Virginia tomorrow to engage in some motions and some sentencing in a case in which he has been involved for a number of weeks. We consider it a signal honor to the State of South Carolina that our Chief Judge of the District of South Carolina has been called to go and try one of the most important cases in the history of the State of West Virginia.

I talked with Judge Simons late yesterday afternoon, and he told me if he could possibly be here that he would attend. Congressman Dorn, I forgot to pay honor to you, but I didn't see you back there until you came in the door.

Ladies and gentlemen, perhaps, I made a mistake when I moved your court after the heat, and two or three trains had gone by and the jury had said they couldn't hear, and I had on my winter robe, and the fan wouldn't work. I told my bailiff going up the road to Greenville where we had moved the court, if you will pardon the expression, "Looks like I played hell, doesn't it?"

With thanks to the good office of the Congressman, to the General Services Administration, represented in the audience, and the diligence of your Bar Association, you now have here a courtroom which is unexcelled and which has very fine appointments so that I shall be delighted to come back, and I am sure every other judge will want to come here and hold court.

More than that I think there is a significance here.

In a time when the world is troubled, and when as I heard yesterday in a little rally day program (as the children sang) in my church, it is a time of greatness and a time of sadness, when people are troubled in mind and body and spirit and soul, we forget sometimes that there are certain things that we must do. I am happy in the fact that this ceremony was begun today with an invocation because despite the criticism of a court in saying that a morning prayer could not be imposed upon the children in the schools, and I will not comment upon our feeling about that, we find that in the Federal Courts every naturalization ceremony that is conducted is opened with a prayer. We try to tell the new citizens that this is a country to which God gave freedom, that the phrase "In God We Trust" which appears on the coin of the realm, is no idle gesture, but a significant statement of the faith of a people who were dedicated to the proposition that God and Country are even more sacred than family and friends.

Again let me call your attention to the fact that in a time when law and order is being talked about from one end of the nation to the other, and the courts are being criticized, sometimes, perhaps, justly so—because, after all, the judge on the bench can make a mistake, and the lawyer in the pit can make a mistake, and the jury system which knows no peer in jurisprudence can sometimes make a wrong decision—little do we think of the fact that when we destroy the confidence of the people in the courts of the land, then we have destroyed their confidence in the form of government which fosters the procedures which we follow in the court.

I sometimes feel as I read some of the reports in the papers some of the criticisms that come forth about the system of jurisprudence that, perhaps, emanates from people who are either ignorant or who are indifferent, or who perhaps are cynical. Just last week I had on a jury 14 people who had only limited service on the jury. Two out of the fourteen had served in county court. Twelve out of the 14 had not served. We eliminated two of the 14 at the end of the trial because two of the 14 were alternates which left only one man on the jury who had served on a jury before and I made it a point to make him foreman as I had to have his experience in arriving at some just verdict. After the case was over and the jury had rendered a verdict, I thanked them for their service. I don't ever comment on their decision. I don't think a judge has the authority to criticize a jury, or thank them or commend them as that is not his business, but his business is to see that justice is done, and so I said to them, "I hope that this experience has enriched your life and has taught you the meaning of justice in the courts, and the fact that an integral part of the freedom which you enjoy is the fact that you can get a fair trial such as you have participated in."

I thought no more of it. We went immediately into another case, and about an hour and a half later I walked back to my office and there sat the foreman of the jury, a gentleman I did not know. I said, "Yes, sir, I am glad to see you. What can I do for you?" I thought he wanted to be excused from further service. He said "I came to tell you that I believe in this system of justice, and those jurors believe in it, and they admitted to me in the course of our negotiations and our deliberations that this service on the jury had meant so much to them because before they had only heard of the jury system, and now they appreciated the cause of freedom represented by that system."

So, as I looked last at the jury box here when I abandoned some few months ago with misgivings—it was air-conditioned in Greenville, but I will say it is mighty nice here—I am reminded that, perhaps, I would not like to wear the robe, which I hope I grace, except for the jury system.

Now we are engaging upon a new concept of a jury. We are engaged upon a concept in which no particular profession will be excused. The lawyer and the doctor, as well as the preacher, and the nurses will be called to jury duty. I do not stand here to issue any clarion call to those people with better educations and professional training, and wide experience in human affairs, to give their service on the jury unless they feel that they can serve their country at home on the front line of freedom just as our soldiers are serving on the front line in Vietnam.

I think it behooves us as lawyers and as citizens, particularly, the law profession to bring to the people of this country a new appreciation of the fact that law and order cannot exist unless people believe in justice because a policeman who walks the streets, and who has been so maligned of late, represents the entire wish of society that laws exist, and that order be the way of the land—which is something we might contemplate for one second. How many of us, how many of us, would dare stay away from our home at night or sleep without a loaded gun in our bedroom if we were to do away with the law of burglary or of housebreaking, or other laws for one single night? So it becomes welcome to rededicate this great hall of justice to law and order.

I mention some names of your great that come to my attention: The late Mr. Todd, whom I knew so well, and who loved the University of South Carolina as much as I do.

The late Mr. Nicholson, Sr., whom my father loved so much, and whose son now graces the bench.

Judge Featherstone whom I knew when I was a boy, and before whom I tried one or two cases before his untimely passing.

The late Mr. Calhoun Mays whom I knew not only as a great lawyer, but as a high-type Christian gentleman.

The late Mr. McDonald, Sr., whom I knew so well—

And if I speak of the older generation it was because I was taught at my father's knee to respect those great men of the profession, and in respecting those great men of the profession I came to love the law and to appreciate the fact that they were dedicated to justice. From the shadows of this very building today, their spirits and efforts reach out that those of us who would walk in their footsteps, to show us that justice is a way of life and a necessity to our freedom.

To this end, for my part of the ceremony, I thank you from the bottom of my heart as we re-dedicate this building to the lives and memories of the principles of those great lawyers who passed on, and those present lawyers of the Greenwood Bar, and the surrounding counties of the Division who I am sure will carry on.

CHICAGO: AN EYEWITNESS REPORT

HON. THOMAS J. DODD

OF CONNECTICUT

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. DODD. Mr. President, during the last 6 weeks, much has been said and written about the events that occurred in Chicago during the Democratic National Convention in August.

Many voices were raised in this land. Some were highly critical of the manner in which the Chicago police handled the disturbances, but said very little about the demonstrators.

There may be a very valid reason for this. Perhaps some of those who were most critical of the police based their observations on what they saw on television or read in certain newspapers.

Mr. President, I was there and was an eyewitness to some of the events which took place in Grant Park and on Michigan Avenue in front of the Hilton, Blackstone, and Pick Congress Hotels. That the Nation's television networks presented an incredibly distorted picture of the demonstrations and demonstrators is indisputable.

Let it be perfectly clear that the demonstrations in Chicago were not demonstrations as we know them to be.

I saw, not a group of protesters demanding the constitutional right of assembly, but a mob bent on anarchy.

Ignoring police officers' pleas for order, hundreds of angry people, some young and some not so young, swept into the street, blocking all traffic and violating the rights of fellow citizens.

As the huge mob moved toward the Hilton Hotel, the police formed their lines blocking Michigan Avenue and the hotel itself.

Hundreds of other protesters, who had gathered in Grant Park, across from the Hilton Hotel, joined the mob which now blocked the street. They chanted various slogans and obscenities directed at the police, Mayor Daley, President Johnson, and Vice President HUMPHREY.

Rocks, bottles, and various other objects were thrown into the police ranks. Cherry bombs exploded at their feet. At least one went off in the face of one policeman.

Although I personally did not see them occur, there is solid evidence that other weapons were used against the police, including urine and human excrement. In the face of this provocation, the police held their tempers and stood their ground. In fact, the Chicago police displayed amazing self-control and discipline.

During the entire confrontation, the mob was screaming foul language at the police and their families. Cries of "kill the pigs" and "Let's go, let's go to the Amphitheater. Move on, move on. Don't stop. You can't stop us," reverberated throughout the unruly mob.

As the huge crowd surged forward, the violent disorder began.

The policemen at the surge point began to shove back and hit back with their night sticks.

Many arrests were made, and many people, including policemen, were injured.

The television cameras recorded this violent confrontation, which lasted less than 20 minutes, and then, through the use of film and videotape, flashed the scene of disorder all over the Nation. The inference was given that this was a bloody riot and that the police had brutally attacked a group of peaceful dissenters gathered in a peaceful protest.

The most dreadful result of this type of coverage by the television cameras was the impression given to the American people that this mob was representative of young America; that this was a genuine and legitimate political protest against the majority of convention delegates who were pro-HUMPHREY.

The television network officials and the commentators had to know that this was not the case.

For weeks, the leaders of several extreme antiwar groups had been sounding the clarion call to converge on Chicago for the express purpose of disrupting the Democratic National Convention.

Their goal was to recruit 100,000 protesters to Chicago.

Even if they had succeeded in bringing 100,000 people to Chicago, no self-respecting reporter, nor even the most inexperienced copyboy, could have interpreted this to reflect a general consensus of opinion by America's youth.

The record is clear that fewer than 10,000 protesters took part in the demonstrations in Chicago.

As a result of the severe criticism leveled at the Chicago authorities, Chicago officials issued a comprehensive report on the disturbances.

The report noted the following:

> Although publicity, largely unfavorable, was enormous, arrests and injuries were moderate. The Convention was not disrupted; the City was not paralyzed. Not one shot was fired; not one life lost.

The report also noted that 198 police officers were injured, some seriously, during the disturbances. Also, of the 641 persons arrested, only 280 were under the age of 21—only 208 were students. At the most, 175 were residents of the city of Chicago.

The conclusion is inescapable, as the report points out:

> An overwhelming majority of the persons arrested were not youngsters, were not students and were not Chicagoans.

I have spent a good part of my life in law-enforcement work. I have walked the streets with uniformed police officers, and detectives, and with law-enforcement officers of the Federal Government.

I have had an opportunity firsthand to observe the police forces of this country at work. I know them from the top to the bottom.

In addition, as a prosecutor of many years, I worked intimately with police officers and law-enforcement people.

I know the police officers and the law-enforcement people of Connecticut, as well as I know a great many police and law-enforcement people across the Nation.

There is no better group of people in this country. They are dedicated; and they are hard working; they are brave; and they are honest.

Here and there a few misfits creep in, unfortunately, and it is a constant task to weed them out. But, understanding the nature of police work, it is not a surprise to me that a person who is unfit for the work does, sometimes, get in and gives a black eye to the vast majority of others.

Because of my personal observations in Chicago, I consider it an outrage that uninformed people who had to observe the incidents, who have had no experience with the police officers of this country, have criticized and abused the police and the mayor of the city of Chicago.

I have not only seen something of the riots in Chicago, but I also was in the thick of them in Washington, D.C., and I had a first-class opportunity to observe what happened there as well.

It has become fashionable these days in certain quarters to make fun of the expression of law and order.

There is nothing more American, nothing more deeply founded in our society, than law and order. Without it, our freedoms will disappear, and the rights and privileges which we enjoy as Americans will no longer exist.

Mr. President, as a delegate to the Democratic National Convention, I personally want to pay tribute to the Chicago police for a job well done. I would add further that it is my hope that those who unjustly criticized the actions of the Chicago police would apologize to them and to the Chicago mayor, Richard J. Daley.

PULASKI DAY TRIBUTE

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. McDADE. Mr. Speaker, on Sunday, October 13, it was my great privilege to be a guest at the 11th annual Pulaski Day dinner held at the Jermyn Motor Inn in Scranton, Pa.

It was, I assure you, a pleasure and a privilege to be there.

A moving invocation was delivered by the Reverend Thaddeus L. Kotarski.

After a delicious dinner, the general chairman, Joseph W. Kluck, opened the program with appropriate remarks, after which the mayor, Hon. James J. Walsh, warmly welcomed the guests. We were then entertained by the beautiful and talented young vocalist, Carol Pochaski.

Major Modrzejewski, commanding officer of the U.S. Marines at the Naval Academy, and recipient of the Medal of Honor, delivered a most stirring address on this occasion, honoring the great

American Revolutionary War hero, Gen. Casimir Pulaski, for his brave assistance to the cause of American independence.

This outstanding occasion served to remind us of the significant contribution which Poland has made to history—a contribution in which all Polish Americans may take pride.

REMARKS ON THE 90TH CONGRESS BY SENATOR NELSON

HON. GAYLORD NELSON

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. NELSON. Mr. President, our major newspapers and magazines have paid close attention to the programs and accomplishments of the 90th Congress, and I think some of my colleagues might find their comments interesting.

For example, the Washington Post concluded:

> For all its noisy wrangling . . . the Congress was more productive than seemed likely when it convened in January.

The New York Times, in a similar comment, said:

> In terms of conservation and education, in some ways it was a trail blazing Congress.

In another address to conservation problems, the New York Times recently noted that Congress will have to pay attention to what they term the "conservation crisis":

> Responsible scientists believe that the world faces a crisis in relations between man and environment . . . This newspaper believes that during the term of the next President critical decisions will have to be taken about smog, about water pollution, about the use of pesticides, about the protection of estuaries, about strip mining, about noise pollution, about unrestrained highway development, and about the protection of wildlife, wild lands and open spaces. If new programs are not begun, if existing programs are not adequately financed, and if enforcement procedures are not vigorously administered, the nation's physical environment—its land, water and air—is sure to be damaged irretrievably and some areas may well become unlivable.

Although the 90th Congress did not act on proposals to reform our election system, the Senate Judiciary Committee did report on the proposals which have been made. The Los Angeles Times commented:

> Senator Gaylord Nelson's suggestion . . . is the most sensible that has been made so far.

I hope that we will be able to take some action on one or more of the measures during the next session.

One of the finest accomplishments of this Congress was, I feel, its appropriation for the Teacher Corps, which put the program on financially sound footing for the first time since its enactment in 1965. Of this successful program to train college graduates to teach in urban schools, Life magazine said:

> At these prices, the Teacher Corps remains the best bargain in the Federal education program.

AUDIE MURPHY

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. TEAGUE of Texas. Mr. Speaker, there appeared recently in a number of newspapers around the country an article written by Vernon Scott on Mr. Audie Murphy, a fine gentleman and American whom I have known for a number of years and for whom I have had much respect over those years.

I think the article very aptly describes the very serious problem confronting Audie—and, like the article, I am very sure that one of these days he will be back on top again.

The article follows:

[From the Killeen Daily Herald, Oct. 3, 1968]

AUDIE MURPHY MAY BE IN DEBT, BUT HE'S PAID COST OF HEROISM

(By Vernon Scott)

HOLLYWOOD.—News item: Audie Murphy is broke and in debt.

But Audie has paid off the most relentless debt of all—the cost of heroism.

In every studio handout and reference to Audie Murphy over the years was attached his claim to fame, "The country's most decorated soldier of World War II."

The decorations he won were his credentials for becoming a movie star.

Discharged from the Army as a 1st lieutenant, Murphy, of Farmersville, Tex., held the Congressional Medal of Honor among 20 other decorations, including two Silver Stars, a Bronze Star, three Purple Hearts, Distinguished Service Cross and the Legion of Merit.

HOLLYWOOD STEPS IN

When the government had fully exploited the baby-faced hero, Hollywood quickly stepped in to make a buck and add a celluloid star to his beribboned chest.

Like most legitimate heroes, Murphy strove to lose his identification as a killer of other men in combat.

Second eldest of seven children—who sometimes went hunting in the Texas hills for the family dinner—Audie was an introverted young man when he made his film debut in "Beyond Glory" and "Texas, Heaven and Brooklyn." He later starred in "Bad Boy."

In a community of tissue paper heroes going back to Douglas Fairbanks, Audie Murphy was a freak.

On every sound stage, at every glittering party the great names of the screen approached Audie to discuss how he killed those lousy Krauts—the very subject Murphy loathed.

They cast him in one wretched picture after another, exploiting his war record for all it was worth: "Tumbleweed," "Ride Clear of Diablo," "Joe Butterfly," "Guns at Fort Petticoat."

As an actor Murphy would not make the world forget, say, Greg Peck. But he did his best. Then, as the images of World War II faded and the anti-heroes took over—the Paul Newmans, Marlon Brandos, Rod Steigers et al—the real hero became an anachronism.

BOMBS ON TV

The producers had wrung every drop of heroism from Audie Murphy.

Then seven years ago he attempted a television series, "Whispering Smith." It bombed.

Audie's private life was almost as disastrous. He married and divorced actress Wanda Hendrix. He and his second wife, Pamela, live in a modest San Fernando Valley home with their sons, James, 14, and Terry, 16.

I told Audie the boys were nearing draft age. "God, I hope they never have to go," he said.

Of his current position in Hollywood, Murphy said: "I feel like a prostitute who is a little over the hill. I get all kinds of promotional offers for movies. But instead of my usual price of $100,000 per picture they offer $20,000 and a percentage of the profits you never see.

"When people find you need the money in this town they cut their offer by 80 per cent. And I keep turning down liquor and cigarette commercials. I don't believe they're good for kids. I guess it's a matter of not being 100 per cent prostitute."

STILL CONFIDENT

Murphy hasn't lost his courage or confidence, although he admits he probably will never be an actor again.

"I'll come out of my present financial difficulties," he said. "I'll be okay, and at least I've been able to stand up and count my friends."

In good times and bad, Audie Murphy has kept his own counsel. His dignity is intact. His luck is abominable.

Now 44 years old, Murphy told Superior Court Commissioner Hyman Danoff that he lost $260,000 in an Algerian oil venture at the time of the six-day war between the Arab nations and Israel.

He is entangled with the revenue people for back taxes. Television residual payments from his old movies—and he made about 30 of them—are immediately attached by the authorities.

The farm boy who killed or captured 240 Germans in hand-to-hand combat in World War II is in a very different kind of foxhole now.

He was generous to everybody who touched him for a loan, but never asked for anything from anyone. He was a loner and still is. There are no cop-outs, no crying, no excuses proffered by Murphy.

Curiously, sadly, the greatest money-earner of all his motion pictures was "To Hell and Back"—a biography of his war exploits.

PROGRESS IN INDIAN EDUCATION

HON. THOMAS H. KUCHEL

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. KUCHEL. Mr. President, with the passage of this year's appropriations for the Office of Education, we will begin to fund the Bilingual Education Act of 1967. I was proud to be a cosponsor of that legislation. The major impetus behind it is to mesh cultural and educational development in the great American Southwest. As I have pointed out on the floor on previous occasions, the Treaty of Guadalupe Hidalgo of 1848 assured cultural freedom to the Spanish-speaking peoples of what we have come to call the Mexican Cession.

America is enriched by the preservation of these important cultural assets. Among them is certainly the tradition of the American Indian. Today, we are making belated but, perhaps at last, some real progress in generating an indigenous cultural development for the Indian peoples of our country. At the Rough Rock

Demonstration School in Arizona a nonprofit private organization of Navaho leaders has organized a demonstration in Navaho education. It is supported by both private and public agencies, including a substantial grant from the William H. Donner Foundation. The significance of the Rough Rock effort is its ability to bring the problems of Indian education the necessary involvement at the citizen level which has been the key to growth in our country.

Mr. President, I ask unanimous consent that an article entitled "An Overview of the Rough Rock Demonstration School" be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AN OVERVIEW OF THE ROUGH ROCK DEMONSTRATION SCHOOL

(By Robert A. Roessel, Jr., Director)

In the early 1960's, Allen D. Yazzie, Chairman of the Navaho Tribal Education Committee, and other Navaho leaders discussed the unique needs of Indian education. They felt the schools then educating Indian boys and girls neglected several important areas. Among these areas were meaningful local school boards, cultural identification, community education and community development, native language learning, home visits, and guidance and counseling.

In 1964, when the Economic Opportunity Act was passed providing funds for demonstration projects in poverty areas, Allen Yazzie and his associates presented a proposal to the Office of Economic Opportunity. OEO felt it important to demonstrate these ideas about Indian education and agreed to fund a three-year demonstration in Indian education. The Navaho Tribe received $214,300 from OEO for the first year of the project, July, 1965 to June, 1966.

The Bureau of Indian Affairs, which was also interested in trying new approaches, offered the Bureau school at Lukachukai, Arizona, as the site of the demonstration project.[1] The offer was accepted and the first year of the Demonstration in Indian Education was at Lukachukai.

A factor which plagued the first year operation was that the Lukachukai BIA school had its own staff and administrative organization, while superimposed on this was the new OEO staff with its administration. A two-headed horse rarely wins a race and Lukachukai proved no exception.

Evaluation of the Lukachukai project at the end of a year revealed both successes and disappointments. Perhaps the biggest disappointment lay in the fact that the local school board could not function as the Tribe wished. BIA schools, being Federal Government schools, must abide by civil service regulations. Thus it was felt by school officials that the school board could not do the hiring and firing and the members were forced to play a lesser role than their interest and knowledge allowed.

The Navaho Tribe, OEO and BIA still felt, however, that the demonstration project warranted further opportunity to succeed. To provide the structure for a more flexible operation, a non-profit, private corporation of Navaho leaders was created for the purpose of receiving buildings and funds for the project. The group called itself DINE, Inc., the acronym for Demonstration in Navaho Education.

The Board of Directors for DINE is composed of three leading Navahos from the reservation. The president of the corporation is Allen D. Yazzie; the treasurer is Ned Hatathli, former Resources Director for the Navaho Tribe and presently Director of Education for the Navaho Irrigation Project; and Guy Gorman, secretary of the board, was former councilman and member of the Navaho Education Committee and is presently a member of the Public School Board at Chinle.

The BIA offered to turn over to DINE, Inc., a new $3 million school facility at Rough Rock, Arizona, located in one of the most remote and traditional areas of the Reservation. The school at Rough Rock had just been completed and had no staff; hence, all employees could be selected by the Navaho people without civil service restrictions. (The workers at Rough Rock are not civil service employees.)

The Board of Directors felt that any school to be maximally successful must have its roots in the community and be looked upon as a school belonging to the Navaho people.

In keeping with those sentiments, and realizing that control by Window Rock was not a great deal better than control by Washington, the Board of Directors held a series of meetings with the Rough Rock Community to ascertain, first if it wanted to have a Demonstration School, and second, if it did, whether it wanted to elect a local school board to join it in its control and leadership.

After many discussions, the Rough Rock Community unanimously endorsed having the demonstration school and voted to select a five-member school board to provide direction and control. Officially the Rough Rock Demonstration School came into being July 1, 1966.

Later, in a very significant discussion, the school board enlarged its membership to seven to provide representation of areas from which the Rough Rock Demonstration School drew children but which previously had no representation.

During the first year at Rough Rock, the Bureau gave $307,000, which would have been the money allotted had the school been operated by BIA. OEO granted $329,000 for intensive experimentation and demonstration in the following ten areas:

(1) School-community relations and parental involvement.

(2) Cultural identification.

(3) Home and school visitation.

(4) Language development and teaching English as a *second* language.

(5) Navaho language learning.

(6) In-service training and staff orientation.

(7) Adult education.

(8) Dormitory living.

(9) Guidance and counseling.

(10) Auxiliary services, such as evaluation, recreation, art, finances, social work and a school library.

During the second year (1967–68) at Rough Rock, the programs were sharpened and redefined by the School Board and the Board of Directors. Programs developed and/or initiated by the School Board during the first year became major thrusts in the second year. This included an expanded arts and crafts training program, a strengthened dormitory parent program, a home economics and shop program and a community health program. During the second year, the Bureau of Indian Affairs provided $546,000 while the Office of Economic Opportunity granted $447,000 to the Rough Rock Demonstration School. The funds have been used to carry out the programs described in part later in this issue and also to educate 370 children and 250 regularly-scheduled adults.

In the past there have been three kinds of schools operating on the Navaho Reservation: (1) Bureau of Indian Affairs Schools, (2) public schools and (3) mission schools. Navahos call BIA schools "Wa'a'shin-doon bi 'olt'a" or "Washington's school." They call public schools "Bilaga'ana Yazzie bi 'olt'a" or "little whiteman's school." Mission schools are "Eeneishoodi bi 'olt'a" or the school of "those who drag their clothes," a name stemming from the first Catholic priests who came to the reservation.

A fourth kind of school has now appeared. It's a tribal school, controlled and operated by the local Navaho community at Rough Rock, Arizona. Its English name is Rough Rock Demonstration School. Navahos call it "Dine' bi 'olt'a," or the "Navaho's school." There are nearly one hundred schools located on the Navaho Reservation but only one is so honored. These words express more eloquently than anything the significance and sense of identification the Navahos attach to the Rough Rock Demonstration School.

AREAS OF DEMONSTRATION

Rough Rock Demonstration School is pioneering in Indian education in a variety of areas:

The Navaho people are directly and actively involved in the operation of the school.

The funds for the school have been assigned to the governing body, DINE, Inc., which is composed of an all-Navaho Board of Directors.

The policies of the school are established by an elected seven-member, all-Navaho school board and the Board of Directors. The policies and programs at Rough Rock are the result of action initiated by the Navaho people. The creation of the most successful programs lies with the community—not the professionals.

The School Board and the Board of Directors hold monthly joint meetings. These sessions allow the Board of Directors to keep current on the school and to share their ideas and suggestions at regularly scheduled intervals. In many other schools, school officials or other professional personnel establish policies and initiate activities, often without advising or gaining consent from the community.

The school board meets with the chapter (local government unit) to discuss school affairs and holds monthly school-community meetings to consider school matters and work out school-community projects and relations.

Parents from the community work in the dormitories on a rotating basis, living there for eight weeks and acting as foster parents and adult counselors to the boys and girls. Community elders visit the dormitories to tell stories and acquaint the youngsters with Navaho traditions, legends, and history.

Weekly day-long school board meetings are held which are attended by large numbers of community residents.

The role of the professional has been changed from one of control to one of assistance. If the community, through its school board, were to choose to do something which the professional thought unwise, the role of the professional would include discussion with the community to point out the possible consequences of such action and would include mapping alternate routes and their consequences. But if the community insisted on taking certain action, the professional would accept that decision and make every effort to make the choice a successful one. In other words, the professional is the servant, not the master. Democracy itself draws its strength and greatness from this conviction.

The school maintains close contact with the home and community.

Students are not only allowed but are encouraged to go home for weekends visits as often as possible. Transportation is provided in those cases where children otherwise would not be able to go home. The basic policy of the school is that the children belong to the parents and not the school.

Teachers visit the homes of their students several times a year. Accompanied by the child, the teacher goes to see the parents and to explain the school's program and the child's work.

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[1] See the May, 1966 issue of the *Journal of American Indian Education* which discusses the Demonstration at Lukachukai.

Parents are urged to visit the school and classrooms at any time. On these visits the parents or community members are guests of the school and stay in the dormitory and eat in the cafeteria. Transportation is provided when necessary.

The cultural identification program makes Navaho culture a significant and integral part of the school program.

At Rough Rock, where a "both-and" approach is used, students are exposed to important values and customs of *both* Navaho culture *and* the dominant society. Students are not forced to make an "either-or" choice.

(A) There is instruction in the Navaho language. Both reading and writing Navaho are taught to all students. (B) Students are taught Navaho history in both the classrooms and the dormitories. (C) Formal instructional sessions with dormitory parents, as well as informal conversations, acquaint students with Navaho etiquette, Navaho beliefs, and Navaho lore. (D) Students may use, in fact are encouraged to use, their native Navaho language in the dormitory, in the dining hall, on the playground, and in the school.

A Navaho Curriculum Center has been established at the Rough Rock Demonstration School. The Center is funded in part by an Elementary and Secondary Education Act grant. The Center is responsible for producing a series of books for use in the intermediate grades dealing with such areas as Navaho biographies, history, legends, and modern problems and programs. A series of 18 books is being prepared which will be used not only at Rough Rock but at other locations both on and off the reservation.

The school provides in-service training to staff members.

Many Navahos who could not be employed at other schools, because they are not high school graduates or do not speak English, have been hired in various capacities such as dormitory aides, janitors, dormitory parents, kitchen aides, maintenance helpers, arts and crafts trainees and instructors. During the first year at Rough Rock, more than 40 Navahos were employed who never before had held permanent jobs.

Uneducated and inexperienced Navaho employees are given instruction in their jobs and in basic education while they are employed. An extensive adult education program has been designed to teach them English, home economics or shop, consumer education, baby care, first aid, and other areas in which they express interest. Employees are given the opportunity to take high school work or extension college courses at the school.

All employees attend a two-week orientation period before school opens in the fall. The orientation acquaints the staff with the history of the Navaho people, the philosophy and objectives of the school, and the unique features of Indian education.

The school provides meaningful adult education opportunities for community members.

The Demonstration School makes it possible for non-English speaking adults to learn new skills. (A) Instruction in the English language is offered to employees and community residents. (B) Adults may learn how to repair automobiles and trucks. (C) Instruction in home economics gives basic information in nutrition, food preparation, and in serving the women of the community.

(D) Woodworking and shop instruction makes it possible for the men to learn marketable skills and to learn to construct items needed in their homes. (E) Women in the community can learn to use the electric sewing machines in the dormitories and can use the machines to make and mend clothing for their families. (F) Adults receive driver education training on a pick-up truck donated for that purpose by a Gallup, New Mexico, automobile agency.

A toy factory was begun during the second year at Rough Rock which builds sturdy toys for use by primary children. In addition, the project constructs desks, tables, and chairs on order. The new program had during its first few months of operation $5,000 worth of orders. The toy project employs and trains local Navahos.

A variety of auxiliary services provides assistance to the community.

(A) Laundry facilities are available for community use. (B) Shower facilities can be used by community residents. (C) The recreation department plans activities for community residents. (D) The school library is open in the evening and on the weekends for use of staff members and community people. (E) Hay is purchased and sold at cost to community residents. (F) Special milk to feed lambs is sold at cost to livestock owners.

The school encourages community members to learn and become skilled in traditional Navaho arts and crafts.

Master Navaho craftsmen are employed to demonstrate and teach the arts and crafts of the Navaho people. Crafts being taught include: silversmithing, weaving, sash belt making, pottery making and basket weaving.

Interested adults of the community are invited to learn any of these crafts. In addition, Navahos from throughout the reservation are eligible to take part in the training if they wish. A select number of trainees are paid a small salary so that they can learn quality Navaho arts and crafts on a full-time basis. Examples of Navaho arts and crafts are displayed in the school.

During the first year, records kept on the graduates of the arts and crafts training program indicated that graduates more than doubled their income as a result of the training.

The school constantly attempts to provide and expand employment opportunities for community members.

The school's employment policies enable the school to broaden its economic role in the community. The Rough Rock Demonstration School is able to employ increased numbers of Navaho people through the School Board's action to eliminate educational requirements for many jobs and to reduce salaries correspondingly.

Many positions are filled on a rotating basis, thus giving job opportunities, experience, and income to many members of the community. Local people are hired as dormitory parents, laundry workers, arts and crafts trainees, etc. The entire institutional laundry needs of the Demonstration School are met through employing local people to operate a laundry at Rough Rock instead of contracting out to off-reservation commercial laundries as is done in all other schools on the Navaho reservation. During the summer of 1967, the school cafeteria operated as a cafe, thereby employing additional local people as waitresses, cooks, etc.

During the first year, over 60 percent of the adult community derived some direct benefit from the school. The figure for the second year will be even higher, probably approaching 75 percent.

The school serves as a resource for many other agencies.

ONEO Arts and Crafts program (a component of the Office of Navaho Economic Opportunity, the reservation Community Action Program) has used the facilities and staff of the Rough Rock school to give additional training to ONEO craft instructors.

The Advisory Board of the ONEO Navaho Culture Component meets at Rough Rock frequently. ("We like to meet where people are proud of being Navaho," said one elder.) This group also cooperates with the Rough Rock Navaho Curriculum Center, exchanging and coordinating information.

The school cooperates with the U.S. Public Health Service in a demonstration in community health. During the second year, a community health committee was elected, which meets weekly with Public Health officials in coordinating and improvng health in the Rough Rock community. An important area of demonstration the second year at Rough Rock was in health, with the USPHS expending maximum interest and resources.

The school provides housing for the Navaho Police personnel assigned to the community.

Head Start training sessions have been held at Rough Rock which included teachers and teacher-aides from the entire Southwest.

The school initiated a pilot program in Navaho mental health designed to continue and develop Navaho methods of psychotherapy. A larger program is pending approval in Washington.

Conferences at the school (sponsored by the school and/or by tribal groups) enable individuals and groups to discuss common problems in Indian affairs and share ideas and information.

Innovation and experimentation in the classroom is cultivated and encouraged.

Teaching English as a second language is a program stressed at the Demonstration School and specialists are on hand to provide leadership to the project. Various organizational structures are tried in an effort to determine the most effective plan in terms of more nearly meeting the individual needs of the children. Specialists in a variety of areas are on the staff to provide leadership in physical education, art, music, reading, speech therapy, etc.

FUTURE OF THE ROUGH ROCK DEMONSTRATION SCHOOL

The Rough Rock Demonstration School has taken yet another significant step in demonstration in Indian education. This is the decision by the School Board and Board of Directors to appoint Dillon Platero as the new director, effective July, 1969. Platero, formerly chairman of the Navaho Education Committee, was the deputy director at Rough Rock for the preceding year and a half. By appointing him to the position of director, the Navaho people have taken the final step in achieving control and direction over their own education.

With 15,000 visitors during Rough Rock's first 22 months of operation, anonymity is not a problem. However, the future of Rough Rock lies in a very real way upon forces outside the control of the Rough Rock community or even the Navaho people.

The President's message to Congress on Indian affairs included the very ingredients which are presently in operation so successfully at Rough Rock. In addition to requesting maximum Indian involvement in education, the President requested the establishment of model community schools. Surely, Rough Rock is such a model. The future direction of Indian education is intimately related to the future of the Rough Rock Demonstration School.

If the Bureau of Indian Affairs and public school systems believe the answers to problems facing Indians in the field of education lie in "more of the same," and if they believe that the solution to these problems rest primarily in more money, the significance of Rough Rock will have been lost. Unfortunately, there are many signs today that many people in high places in Indian education are of the opinion that Indian education can best be improved through more efficient centralized administration combined with more money placed in the hands of professional educators.

On the other hand, if the BIA and public school systems finally recognize the problems affecting Indians in schools demand not more of the same, but a radical new departure and new approach, then Rough Rock stands vindicated and its significance will never be lost. In a very real way, the significance of Rough Rock is based on two factors: First, control of Indian education by Indian people, and second, the incorporation into the school curriculum of positive elements of Indian life and culture.

Should the agencies and individuals having responsibilities of Indian education realize that Indian people must control and direct their education, and should the Congress of the United States see fit to act upon the President's message on Indians and provide funds to carry out the suggested programs, then certainly Rough Rock's future ought to be assured by becoming perhaps the first "Model Community School."

As newness wears off, one of two things is likely to happen at Rough Rock. First, the school through its independence and firm convictions may antagonize or alienate the entrenched power structures in Indian education or, second, the school may lose its direction and sense of purpose and revert back to an "8 to 5—don't rock the boat" type of operation. It is hoped that Rough Rock will be allowed to choose a path which will let it continue to project and innovate.

The degree to which the Bureau of Indian Affairs will adopt and incorporate the successful findings of Rough Rock Demonstration School is as yet an unknown factor. Should the Bureau, for whatever reasons, see fit not to effect changes based on the Rough Rock experience, then it would have forfeited its position of responsibility to Indian education and to Indian people. The former Assistant Commissioner of Education for the BIA, Dr. Carl Marberger, was vitally aware of the importance and significance of the Rough Rock Demonstration School. Based on projects developed at the school, Dr. Marberger was effecting changes and making recommendations. Mr. Charles Zellers, newly appointed to this position, has not revealed by his actions his feelings concerning Rough Rock and its programs.

The time has long since passed when Indian people will be content to allow officials in Washington or anywhere else to make decisions affecting the future of their children and the future of their communities. The words of an old World War I song are appropriate in amply highlighting the impact of Rough Rock on Indian people: "How can you keep them down on the farm after they have seen gay Paree."

In other words, after Indian people have seen what has been accomplished by so-called uneducated Indians at Rough Rock in a backward and primitive community, how can you keep them from demanding and assuming the control of their future and of their education. Times have changed and Rough Rock reflects this change. It is now up to professionals and agencies having responsibilities in the field of Indian education to recognize and respect that change.

SIGNIFICANCE

The Rough Rock Demonstration School has shown what is possible when Indian people, with limited or no formal education, are given an opportunity to direct and control their own education. No longer will it be possible for people to sit back and say: "The Indians aren't ready yet." Rough Rock has conclusively shown that Indians are ready to exercise leadership in affairs affecting them if only given the chance.

At Rough Rock the School Board and the community now enjoy a right long enjoyed by other Americans, but which in the past has been effectively denied the American Indian; this is the *right to be wrong*. The Rough Rock community has accepted the responsibility and the challenge of thinking for itself and developing its own educational programs.

Bear in mind this is being done through a locally elected, all Navaho School Board, which has less than five years of formal education total among its seven members. The School Board is the group that has displayed imagination, creativeness, leadership, and understanding in developing and implementing educational programs for the entire community. This is the group of men who are truly re-creating Indian education and Indian affairs.

The significance of the Rough Rock Demonstration School lies far beyond Indian education. The greatness and strength of this nation was derived from the involvement of its citizens and from placing in their hands the nation's future.

In a day and age in which the average American plays an ever decreasing role in decision making, and in which each person's part in providing control and leadership in public education is at an all time low, Rough Rock stands as a light in the night with an unmistakable message. This small, isolated school is drawing attention, from all portions of this country, to the principles on which this nation was founded. Rough Rock has been visited by literally thousands of other Americans interested in rediscovering the ways whereby a community, regardless of its educational level and experience, accepts the responsibility and succeeds in directing and controlling the education of its children.

Democracy has always been based on the involvement and the acceptance of responsibility by all citizens, regardless of education and experience. In a democracy, the trained professionals and the skilled experts are the servants, not the masters. Surely these kinds of people are needed and have contributed greatly to the growth of the United States. But their most significant contributions have been, and must continue to be, if democracy is to be both effective and strong, in the areas of pointing out alternatives, making recommendations, and providing answers to questions, not in dictating decisions through an aristocracy of the elite. Rough Rock proves conclusively that Indian people have the interest and ability to direct and control their education.

Rough Rock proves that American public education can be controlled by the people it serves and that an effective partnership can be established between the professionals and the people—with control and leadership residing with the people.

NASA'S JIM WEBB—A RARE BUREAUCRAT

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. TEAGUE of Texas. Mr. Speaker, perhaps one of the most incisive and accurate descriptions of an outstanding administrator and gentleman was the Friday, October 11 article by Jonathan Spivak in the Wall Street Journal. Here in a relatively few words he describes the contributions which James E. Webb, recently retired Administrator of the National Aeronautics and Space Administration, has made to our national space effort and to the Nation. Mr. Webb, gentleman, businessman, manager, and great American, has contributed much through public service during the past 25 years. His great achievements in our national space effort are among his finest contributions. I commend this article to my congressional colleagues and to the general public:

NASA'S JIM WEBB—A RARE BUREAUCRAT

(By Jonathan Spivak)

Jim Webb's sudden departure as the nation's space boss just as the spectacular start of the Apollo Moon flights at first glance seems somewhat mystifying.

Bouncy and belligerent as ever, and at 62 years of age not eager for retirement, Mr. Webb could surely have held NASA's reins until next January and perhaps even longer. Meanwhile, the Moon flights would be well under way and, after an otherwise undramatic career, Mr. Webb might have harvested the plaudits for his part in the nation's most complex and costly technical undertaking.

So why quit now, before the glory and glamour? Only Mr. Webb, of course, knows all the answers. But in many ways his resignation is a reflection of the role he played supremely well for almost eight years as space agency administrator—faithful Federal bureaucrat. He steps down, so he insists, to devote his time to helping younger men advance their careers. And he urgently advocates that acting NASA Administrator Thomas Paine, his deputy, be permanently promoted to the top spot.

OFTEN DERIDED

As neither scientist nor engineer, Mr. Webb's contributions to the nation's space program were often denounced and derided. Many reporters and space buffs considered him evasive and overbearing, more eager to filibuster than furnish the facts . . . in short, a pompous politician. The academic scientists scoffed at his protestations about practical "spinoffs" from space activities and his cloudy philosophizing about engineering solutions to urban ills. The hard-driving lunar engineers were angered at his inability to coax unlimited funds from Congress, his propensity for public relations projects and his refusal to turn Apollo into a crash program, akin to the wartime Manhattan Project.

A good deal of this criticism may be unfair and exaggerated, and most of it misses the point. Mr. Webb probably deserves far more credit than he will ever receive for his achievements with the space program. Beneath the bluster, NASA's administrator was smart, honest and independent. Most of all, he had the courage to confront the conflicts—with astronauts, associates, contractors and Congress—which threatened to undermine the agency. "He had guts and imagination," concedes one non-admirer.

Mr. Webb's major concern was to put the broad aims of NASA—and the nation—ahead of the more parochial goals of the agency's powerful program managers. In some aspects the struggle was similar to that faced by Robert McNamara at the Pentagon, though at NASA the confrontations were never carried out by computer; they were flesh and blood affairs (Webb trucks once rolled onto Wernher von Braun's Huntsville preserve to take physical possession of the languishing Centaur rocket and move it to another field center at Cleveland).

Each year, at budget time, Mr. Webb talked endlessly and enthusiastically about a "balanced" space program; it neither pleased the public nor satisfied the space specialists. NASA rocket builders single-mindedly sought bigger and bigger boosters; the manned flight fanciers fought to tackle Mars even before the Moon was mastered; the space scientists urged ever more complex contraptions to orbit the Earth and other planets.

But the Webb approach, a little bit of everything, turned out to be the sensible and successful one. There were communications and weather satellites for Earth applications; instrument-laden probes to the Moon, Mars and Venus for space science; a series of increasingly commodious craft-Mercury, Gemini and now Apollo—to master manned flight.

At first, when Congress' enthusiasm for space was soaring, selling the balanced program was a cinch. Indeed, Mr. Webb probably erred in letting NASA overconfidently undertake too many assignments. Costly spacecraft and experiments were started in a rush, then scrapped when technical difficulties proved overwhelming. Supervision was slack at NASA's Jet Propulsion Laboratory in California and Goddard Space Flight Center in Maryland.

But later, when budget pressures mounted and political opposition arose, Mr. Webb showed his strength and resourcefulness. The easy course politically would have been to concentrate on the competitive and glamorous lunar landing commitment and let other space efforts go by the boards. Instead, Mr. Webb successfully sustained the less popular part of the program—space science. He staved off disastrous budget cuts for such strange-sounding satellites as OGO, OSO and IMP, which the public cared scarcely a whit about. The knowledge these craft cull from the cosmos may prove far more fundamental than the findings of the Apollo astronauts.

HIDDEN TALENTS

In many ways, the vaunted Webb verbosity and his obsession with the obscure (he can talk of "conceptualization of reality") hid his talents as an administrator. He picked and promoted able associates—men like Harold Finger, a bright young nuclear expert; Edgar Cortright, a lunar and planetary specialist; and Joseph Shea, an intense engineer whose NASA career was sacrificed, probably unfairly, in the tragic Apollo fire.

Boldly Mr. Webb launched a NASA training program for Ph.D. scientists that has proved a boon to graduate education. Space agency money, for example, helped make an otherwise mediocre school, the University of Maryland, outstanding in physics and mathematics.

Successfully he supported his own technicians in a bitter battle with Jerome Wiesner, then President Kennedy's influential science adviser, over the preferred technique for achieving a lunar landing. Any Webb wavering probably would have further delayed the Moon mission and could have been disastrous to agency morale.

As much as anyone, Mr. Webb was responsible for making sure that NASA had the technical competence to oversee the work of space contractors. "It was a new pattern," he remarks. "We didn't want a Government agency prisoner of the contractors or of a non-Government agency" like the Air Force RAND Corp.

Politics probably figured in the Webb preference for locating NASA's big industrial complexes in rural regions, but it also sped the economic development of the South. No doubt the space program distributed its share from the pork barrel, but associates insist that Mr. Webb resisted White House and partisan pressures when it counted. In any event, the integrity of Mr. Webb's major contract awards remains unchallenged, even by his most bitter detractors.

Finally, Mr. Webb did not back off from the wrangles required to establish the ascendancy of NASA's management, particularly over the astronauts who thought they really ought to run the agency. The critical test was probably the mid-1963 struggle over an extra manned Mercury mission, the so-called MA-10 flight.

The planned flights, of only a few hours duration, had all been completed and the Mercury program was scheduled to end. But the astronauts were eager to undertake a more ambitious day-long flight, and their supervisors at NASA's Houston Manned Spacecraft Center had—without Washington's knowledge—spent $1 million to modify the one-man Mercury spaceship for a longer mission.

When Mr. Webb and his associates found out, they scotched MA-10, saying it needlessly diverted men and money from the just-starting Gemini program. The issue—agency policy versus astronaut ego—was resolved only after the spacemen unsuccesfully carried their case direct to President Kennedy at a White House reception.

A POLITICAL CHOICE

When Jim Webb was named to succeed T. Keith Glennan as NASA administrator back in 1961, many people thought he was chosen mainly because of his close political ties with the late Sen. Robert Kerr and then Vice President Lyndon Johnson. The deputy administrator, the late Hugh Dryden, was a scientist of immense international standing who had hoped to head the agency; he labored loyally on until his death in December 1965. The agency's number three man, Robert Seamans Jr., who resigned last Jan. 1, was a brilliant engineer with an incredibly detailed grasp of NASA's endeavors.

Between these two, there seemed little left for a man of Mr. Webb's non-technical tallents. Indeed, most of the time NASA was run by a triumvirate, and the key scientific decisions were made by Messrs. Dryden and Seamans. But it was Jim Webb who successfully piloted NASA past the earthly struggles that threatened its achievements in space—as only a good bureaucrat could.

DEDICATION, DISCIPLINE, DUTY

Hon. EVERETT McKINLEY DIRKSEN

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD the following Republican report for the second session of the 90th Congress.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

DEDICATION, DISCIPLINE, DUTY

(The Republican report of Senator EVERETT McKINLEY DIRKSEN, of Illinois, minority leader, for the second session, 90th Congress)

"If we do not make common cause to save the good old ship of the Union on this voyage, nobody will have a chance to pilot her on another voyage.

* * * * *

"Let us have faith that right makes might; and in that faith let us, to the end, dare to do our duty as we understand it."

ABRAHAM LINCOLN.

Those are plain, old-fashioned words, yet they are perhaps more meaningful for Americans today than at any time in the past one hundred years. At war abroad, in turmoil at home, divided, uncertain, apprehensive, our people are in torment greater than any they have known since The War Between the States.

In such a period it would profit us little to point the finger of blame for purely partisan advantage or to view the scene with alarm for no better reason than to say "I told you so." Too much—far too much—must now be done to restore to our government that stability and purpose and new direction that alone can assure a brighter and safer future for all Americans.

Throughout the course of this Second Session of the Ninetieth Congress, as in those that have gone before, the Republicans in the Senate and in the House of Representatives, ever loyal in opposition, have consistently proposed and supported new ideas, new proposals, new departures from the past, in an unprecedented effort to lead—and to listen to—the American people in this time of peril and of need.

I. VIETNAM AND THE FUTURE

There are 541,000 Americans fighting and serving now in Vietnam. More than 28,000 of them have died during six, long, tragic years. Over 170,000 have been wounded. And the end is not in sight. Such statistics spell heartbreak in hundreds of American homes. They also reveal the total failure of the Administration's policy—militarily, diplomatically, and in relation to our own people.

The platform of the Republican Party, in its statement on Vietnam, offers hope and help toward the solution of this fearful issue. The Republican position and determination have never been more clearly stated. The platform's paragraphs for peace deserve repetition and re-affirmation here:

"We pledge a program for peace in Vietnam—neither peace at any price nor a camouflaged surrender of legitimate United States or allied interests—but a positive program that will offer a fair and equitable settlement to all, based on the principle of self-determination, our national interests and the cause of long-range world peace.

"We will sincerely and vigorously pursue peace negotiations as long as they offer any reasonable prospect for a just peace. We pledge to develop a clear and purposeful negotiating position.

"We will return to one of the cardinal principles of the last Republican Administration: that American interests are best served by multilateral action with our allies rather than by unilateral U.S. action."

Now, as the present Administration's negotiators have sat, week after fruitless week, at the hoped-for-peace table in Paris, it becomes ever more apparent that only a leadership of new vigor and new comprehension, unshackled by policies and practices of the past, unembarrassed by past failures and present weaknesses, can hope to achieve for America a peace in Vietnam that will be early, honorable, durable and just.

II. ON THE HOME FRONT

In "Green Pastures", that great play of a generation ago, "De Lawd" says to "Noah": "Everythin' dat's s'posed to be fastened down is comin' loose!" Indeed it is—today! Too many of the principles, the practices, the customs and the standards that once we knew and have always cherished appear to be in eclipse, some perhaps lost to us forever.

Not all of the reasons for this are clear and certain, but when to the harrowing, costly impact of the war in Viet Nam there are added escalating crime, continuing civil violence, unrelieved racial tension, debt-propelled inflation and an ever-growing, almost all-consuming Federal Government, whose massive expenditures increase the people's heavy tax burden with every passing month, then we come with righteous anger to the conviction that something must be done, drastically and soon, to change both America's leadership and the erratic, dangerous course it has set for the country for too many months and years.

Crime

The source: the Annual Crime Report of the F.B.I. The period of time: 1960–67. The cold, harsh fact: crime in America, in that period, rose 89%! Seldom has there been such a scathing indictment of American leadership. Rarely has there been so obvious a need for a change.

The F.B.I. reports that, during 1967 alone: a violent crime was committed each minute; murder was committed every 43 minutes; forcible rape was committed every 19 minutes; aggravated assault was committed every 2 minutes; robbery was committed every 2½ minutes; burglary was committed every 20 seconds; larceny was committed every 30 seconds; auto theft was committed every 48 seconds.

Never in our history has our national leadership been so vulnerable to criticism—and replacement—as it is today in the face of such stark statistics.

Frightening as these facts are, we have reason to be equally concerned about another: the apparent collapse of our peoples' confidence in the orderly and just society our forefathers strove so hard and so long to build. That loss of confidence can be attributed only to America's lack of leadership at the highest level.

The Law Enforcement Code of Ethics published in the F.B.I. Report, in its opening paragraph reads:

"As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice."

As we look and work together toward a new day in America, beyond present turmoil and torment, the remarkable dedication, superb discipline and clear sense of duty reflected by those words should serve us well, in the Congress and across the land.

The steadily rising cost of living

The facts of inflation, of the steadily rising cost of living, are painfully known to every American. The reasons for it are equally clear: the $2.5-billion-a-month cost of the war in Viet Nam, the Administration's willful, wasteful, reckless spending of tax dollars on non-essential domestic programs, and that same Administration's utter failure to maintain its much-publicized wage-price "guidelines" for the stabilizing of the economy.

Every year, for four long years, the cost of living has risen without interruption and with no apparent effort on the part of those in authority to check or to reverse it. This record of indifference, or incompetence, or both, is inexcusable. The rising cost of living that so alarms and angers every American family can be stemmed in but one way—not alone with a change of Administration come November, but by the election of dedicated Republican majorities in Senate and House, empowered at the polls to stem this surging cost of living by making a dollar worth a dollar again and the housewife's budget healthy once more.

The frightening growth and cost of the Federal Government

The amoeba-like* growth of the Federal Government continues month by month, no longer a matter only of concern but for greatest alarm. Operating now under the largest budget in our peacetime history—and creating the largest deficits—employing more than 3,000,000 people, with Federal agencies multiplying rapidly and bureaucratic authority being extended over ever more aspects of the life of the individual, the Federal Government threatens soon to become overpowering and to suffocate the individual American.

If a swifter, surer, less costly response to human problems is to be found it *must* be by decentralization of this awesome power over us—by a return to the states and local communities of much of the authority and revenue now concentrated in Washington. With this must come a strict, even severe, Congressional supervision of the way in which agencies and arms of the Federal Government carry out the will of the people as expressed by Congress—in short, obey the law in both its letter and spirit. Let there be no mistake about it! Republicans in Congress are dedicated to this end and determined to achieve it!

Let it also be emphasized, however, that our position in this is wholly constructive and is by no means intended nor designed to obstruct or to destroy. If the Federal Government's massive expenditures had produced—or were now producing—real results for our people no one would question them. But the fact is that they have not and there is no indication that under this Administration they will.

To tax and tax and spend and spend, with no apparent interest in the competent management of these programs, many of which have proved disastrous, is a policy we find intolerable. To tax and tax and spend and spend, with no evident concern about the enormous squandering of the people's dollars which every day, more and more, are strewn along this Administration's reckless course is a practice we will no longer permit.

Republicans in Congress and across the country have consistently proposed alternatives to many of these programs—with private enterprise directing them, to greater effect and infinitely less expense. Given majorities in the Senate and House by November's votes, we can take prompt action to achieve them!

III. THE TEMPER OF THE CONGRESS

Doubt and dismay

The mood and the role of the Congress in this past year have each reflected its doubts, among them:

On the Domestic Scene

Doubt that this Administration comprehends the scope and viciousness of individual and organized crime in the United States;

Doubt that this Administration is at all aware of the housewife's dreadful dilemma as living costs soar out of sight;

Doubt that this Administration is doing anything whatever—in practical, visible, meaningful ways—to solve the frightening problems of our cities;

Doubt that this Administration appreciates the impossible economic position into which it has forced the American farmer;

Doubt that this Administration knows the meaning and menace of the mounting Federal deficit and overwhelming national debt;

Doubt that this Administration sees the effect of its suffocation of state and local leadership and personal self-reliance.

And Abroad

Doubt that this Administration realizes the dangers we face in spreading our forces and our resources so widely, so thinly, around the world;

Doubt that this Administration knows how to prevent local conflicts from escalating into World War III;

Doubt that this Administration's insistence upon ever greater foreign aid is practical, necessary or wise;

Doubt that this Administration is equipped to prevent the rapid drain of our gold to nations overseas;

Doubt that this Administration's passion for "building bridges" with Red nations bent upon our destruction makes any sense at all;

Doubt that this Administration, bankrupt in foreign policy and bogged down in foreign war, can prevent future crises anywhere, or, most importantly, end the conflict in Viet Nam.

The temper of the Congress, beset by such doubts and by growing dismay, has been manifested not alone by dedicated Republicans but by disheartened Democrats as well. There has been evident a very human, wholly bipartisan reaction to a philosophy, to policies and to practices the representatives of the people could no longer accept.

The "constructive center"

Determined to help and never to hinder genuine progress, the Republicans in Congress have consistently, throughout these sessions, as in those preceding, not only supported and improved sound ideas and programs for the public good but have repeatedly initiated and developed original programs for which they have earnestly sought majority cooperation.

By way of example:

On Crime

Republican Senators sponsored provisions for the Omnibus Crime Control and Safe Streets Act of 1968 that made it workable, meaningful and possible;

On Gun Control

In the Senate, as in the House, Republican proposals revised and strengthened existing Federal firearms control laws and made passage of the bill possible;

In Agriculture

Sensible, effective revision of the Consolidated Farmers Home Administration Act—to help low-income farmers and rural areas—was proposed by Republicans and won overwhelming acceptance;

In Housing

The National Home Ownership Foundation and the "sweat equity" basis for low-income-home-ownership-with-pride became part of the 1968 Housing Act only through Republican origin, insistence and determination;

In Civil Rights

The Civil Rights Act of 1968, with its provisions for fair housing, penalties for incitement to riot and the creation of an Indian bill of rights would not have become law but for Republican leadership and votes;

In Foreign Policy

Only eloquent Republican insistence that the Middle East represents a tinder-box of fearful proportions finally brought Administration negotiations of sale to Israel of supersonic aircraft essential to maintain the balance of armed strength in that area in America's and the world's best interest.

The list could be extended at great length, for the Republican record in this Congress, a record of seeking and holding the "constructive center", is one in which we take pride.

Where the defense of the nation and the support of our armed forces has been concerned, our response has been immediate and unanimous. Where the needs and the protection of our people here at home have been effectively met by Administration action, we have applauded and approved. But where the spending of our people's dollars has been willful and unwise, or when proposals for solution of domestic problems have, in our opinion, been unwarranted and ill-considered, we have not hesitated to work and vote for their rejection.

In all that we have done or attempted to do, we have been guided by Abraham Lincoln's sensible attitude: "I shall try to correct errors where shown to be errors, and I shall adopt new views as fast as they shall appear to be true views."

To make this report to the people on the state of the Congress is not, by any means, to look upon this great body as an institution separate and apart from the people. It is, rather, to make an accounting of the stewardship of those to whom the people have entrusted, in a very real sense today, their lives, their fortunes and their sacred honor. The Congress, created by the people and fully representative of them, shares with them the opportunities and the obligations that are the right and the responsibility of every American.

It is for this reason that it would seem the time has come for us to rethink our history and to realize once more what has made our America the wonderful place that it is. That history should be given emphasis in every school, every church, every public forum in the land—and in every citizen's heart and mind. The legacy that is ours came from those who stood so tall before us. Into this land they built their skills and talents, their hopes and dreams, their tears and sacrifices

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*Amoeba: . . . found in stagnant water or as a parasite on other animals, of indefinite shape, reproducing by simple division of one into two.

Today, we are the trustees of America, each and all of us. Upon us, therefore, rests a double obligation. The one is to those who came before us and gave us this blessed land for our inheritance. The other is to those who shall come after us, that for them and theirs it may ever be a better land for all.

How can we best meet this obligation of ours? Only and always, in Congress and throughout the nation, by dedication, discipline, duty.

HUMPHREY WILL GUARANTEE A BRIGHT TOMORROW

HON. GEORGE E. SHIPLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. SHIPLEY. Mr. Speaker, Dr. George S. Reuter, Jr., recently addressed a group of educators and ministers concerning the issues of 1968. Under leave to extend my remarks in the Record, I include the address of Dr. Reuter's entitled "Humphrey Will Guarantee a Bright Tomorrow":

Humphrey Will Guarantee a Bright Tomorrow

(By Dr. George S. Reuter, Jr.)

INTRODUCTION

In a few days we will select a new President of the United States. It will be one of the greatest decisions in the history of our nation. I believe Walter Lippmann is wrong in his choice, because if we use wisdom, it must be Hubert H. Humphrey. He is capable of bringing to America a bright tomorrow. Otherwise, we will be entering a period of darkness and drift. These words are not being said as a Democrat but as an American. Let's look at some of the key issues and consider the facts. No candidate will answer every dream, but Mr. Humphrey comes far nearer.

ATTITUDE TOWARD OUR FOUNDING FATHERS

The philosophy of the Founding Fathers transcends liberalism and conservatism. Their work, the Constitution, was intended to unite and foster the best aspects of these two traditions. Their statesmanship mastered the art of reconciling permanence and change. The philosophy of Alexander Hamilton was one of property rights, while Thomas Jefferson's philosophy was one of human rights. These statesmen were related with our Founding Fathers in bringing into being the kind of land and system we have. On this, there was never any great quarrel. When libertarianism becomes a dictrine, equipped with its own moral scale and set of beliefs about the world, it turns into romantic fantasy; it becomes fully irrationalist in the way in which it frightens liberal intellectuals.

ATTITUDE TOWARD CHRISTIANITY

It is not enough that we labor for our natural family likeness. No, we must also labor for our spiritual family likeness. As we are born into one, so must we be born into the other. But being in the family does not erase the individual. It helps him. Can you think of any greater need of any greater number of people today than that—something to pull life together and integrate it—to deal with the inward conflicts that damage spiritual health so seriously; something to eliminate the discords and repressions and inferiorities and complexes, and to bring everything into harmony and bring unity of strong, clean vigorous health—emotional and moral. This is one of the reasons why Jesus has been called the "Great Physician."

Salt is a substance necessary for physical health. Because of its importance ancient peoples used it as a symbol of that which is significant spiritually. Salt has qualities of cleansing, seasoning, and preservation and thus it came to serve as a symbol for what is healthful, clean and pure, zestful, constant and desirable in the spiritual realm. For this reason it was brought into the cult of the Old Testament. Salt was sprinkled on offerings to God (Lev. 2:13). Salt in the food makes for a good taste. Christians are the Salt of the Earth and should leave a good taste wherever they go. "Let your speech always be gracious, seasoned with salt," says Paul (Col. 4:6). Finally, the Gospel of Christ is not dependent upon America but America is dependent upon the Gospel of Christ.

ATTITUDE TOWARD KNOWLEDGE

An objective in life should be knowledge. Knowledge must be organized in a way that it can best be used by mankind to achieve individual integrity as well as to promote world society. The end result is the best approach to service for humanity. There is a pioneer example that should be cited.

During the debates of the Constitutional Convention, James Wilson, declared that "The cultivation and improvement of the human mind (is) the most noble object (of) government." Consistent therewith, Wilson supported a motion introduced by Madison and Pinckney that would have specifically invested Congress with the power to establish a national university. This motion came very close to being adopted, and perhaps would have been adopted had not some delegates agreed with Gouverneur Morris that the motion was unnecessary. Unnecessary, in his opinion, because Congress could establish a university as the Constitution was silent on this point. Washington agreed.

Just as America is poorer without a national university, so too are road-blocks being erected by people who claim to be friends of knowledge and education. The 1964 study of the Commission on Religion in the Public Schools entitled "Religion in the Public Schools," is a giant step in the wrong direction. Rather than encourage Congressional action to make dismissed time, released time, and shared time legal under all conditions and thus insure America against God-less public schools, the study goes in the opposite direction. Knowledge and understanding are hindered.

ATTITUDE TOWARD IDEAS

Justice Oliver Wendell Holmes based his greatest dictum on the Greek agora. "Let your ideas," he said, "find their currency in the competition of the market place. Let anyone who has an idea stand on a soap box and express it. Let others with different views have the same privilege. In this way, foolish ideas will be punctured, while sound ones will prevail, in the free competition of the market place of ideas."

ATTITUDE TOWARD MANKIND

Of all the creatures who over the eons have inhabited this planet, man has been unique in his ability deliberately to alter the environment. One striking way in which he has done so has been to reduce disease by making the man-occupied world less hospitable for parasites and their insect transport.

As an example in the foreign area, Asia is cited. Historically, as Asia's population increased, it was supported by traditional agriculture on an ever-expanding area of cropland. As the postwar population explosion gained momentum in the late 1950s and early 1960s, the supply of new land was used up, but the productivity of land under cultivation increased little. The result was a slowdown in the rate of gain in food production and a growing concern that population growth and food production were on a collision course. The gravity of the situation came into focus as the monsoon on the Indian subcontinent failed two years running, in 1965 and 1966.

As an example in the domestic area, discrimination is cited. Prior to 1965, only two states had fair employment practice statutes which prohibited employment discrimination based on sex—Wisconsin (1961) and Hawaii (1964). Beginning in 1965, eleven other states and the District of Columbia have enacted such prohibitions.

ATTITUDE TOWARD PROGRESS

We are moving into the last few decades of the 20th century with greater technological skill than could have been dreamed of in years past. Once we could make mistakes in using our environment that made entire regions uninhabitable. Today we are capable of making the entire world uninhabitable.

Experience has shown that where significant long-term needs exist, industry eventually finds solutions and at a profit. Often it is with government support, at least initially, as has been the case in all major forms of transportation development—rails, ships, roads, airports—and in the development of our petroleum supply. I thus see no danger to individual liberties from those who advocate—as John Kenneth Galbraith does in his book, "The Industrial Society," that government greatly expand its role and aggressively pursue the development of a better society.

ATTITUDE TOWARD YOUTH

There are violent elements in our society who have no scruples against breaking the law. They need so little excuse to lie, steal and pillage. Until this violent minority is controlled by youth, it would be folly to reduce the voting age, but one must encourage the better things in life. Whitman suggested:

"But you, a new brood, native, athletic, continental, greater than before known.
I myself but write one or two indicative words for the future,
Leaving it to you to prove and define it.
Expecting the main things from you."

ATTITUDE TOWARD LAW AND ORDER

Those of us who term ourselves "Christian" should call to mind some of our teachings. Both the Old and the New Testaments uphold the importance of law. Indeed, the basic structure of the laws of this land stem from the Ten Commandments. It is thus easy to understand why the great majority of Americans cheered Mayor Richard J. Daley during his difficult days at the Democratic National Convention. To a large extent the frustrations of the young people in the protests in Chicago were unjustified. A minority attempted to defeat the will of the majority. This is just one of many valid reasons why national primaries should not occur. A candidate with the most money or the most vocal supporters could force the nomination of a Hitler or a Stalin.

For sometime now, we have been concerned over the riots which have been taking place in our day, and we have a right to be so concerned. To be sure, they symbolize so much of the unrest of the time, a lack of direction for many, and the unfulfilled dreams and hopes for others. However, the riots of recent times, are not the first to have been experienced. In the New Testament, the Book of Acts records a number of riots, but the conditions were different.

It is thus easy to understand why the great majority of Americans are sick and tired of the flood of crime in their cities. They love their families and their homes. And they are not going to let any vicious breed of criminals continue to roam their streets and spit at the law. And whatever it takes in force to achieve this freedom to live peacefully is coming.

ATTITUDE TOWARD LIBERALS

The new liberals have been confusing their vocabulary by opposing the old liberals. For example, instead of supporting the Vietnam War completely, they have opposed it. One can understand why such an outstanding true liberal as Senator Paul H. Douglas of Illinois is concerned with the folly of the new or phony liberals.

The old liberals are dedicated to the idea of making the Negro American a complete and equal part of our society, but all domestic principles and programs must go slower until there is a successful conclusion of Vietnam. This is just common sense. Many books have been written telling us what is wrong with America, but few have told what is right. The United States has been called a land of pyramid climbers, privacy invaders, waste makers, status seekers, a nation of sheep and so forth. There are sound practical reasons for the phony liberals to return to the old and true liberals. Once united, let's end Vietnam only on honorable terms and then work to achieve success for urgent domestic programs.

ATTITUDE TOWARD MORALITY

In ten years illegitimacy has increased 100% along with the greater knowledge and accessibility of contraceptives. Abortions are estimated to exceed 100,000 a year. Pornography has become a $200 billion business which has multiplied four times in two years. Every kind of obscenity is commonplace. Crime is at an all time high. Juvenile delinquency is increasing seven times as fast as the population increase.

ATTITUDE TOWARD WAR

We became involved with Vietnam under President Eisenhower, hence the issue is one that both parties must accept responsibility for. Contrary to the polls, I find strong general support in my many trips throughout America for what America is doing. There are many who prefer an all-out war to the limited one, but history will prove them wrong. South Vietnam today is where America was in 1776. The American Revolution was an act of rebellion against constituted authority. It was a breach of existing law, which gave rise to the organization of American society under a new system of laws, made by the revolutionaries and intended by them to be eternal. This war confirmed the thesis that the Union of 1789 was an indissolubie compact, made by the people themselves, and not to be broken by the states.

Probably, America has been the greatest supporter of international law. Hugo Grotious in the 17th century had to make an impassioned appeal for international law as the basis for a sane world order, and he came to be known therefore as the "Father of International Law in the West." Opposing the Machiavellian doctrine that States cannot be preserved unless they are absolved from obeying the moral code laid upon their citizens, Grotious stood boldly. Many of the ideas of Grotious are in common practice today. The U.N. symbolises his dream of international peace and order. History reveals much progress in the field of domestic and international law, but there is a long way to go.

There is a general malaise among peoples everywhere today. The plain fact is that Hanoi is not ready to negotiate, save perhaps to preside at our ritual surrender. This is a fact all Americans should realize. Ultimately the Communists must understand that what they seek to achieve cannot be gained by their methods.

ATTITUDE TOWARD DRAFT

It is folly to talk of ending the draft. The youngest child will never see this happen. It is a necessary institution until the end of the world. Also, there are those who would attempt to change the draft by using the false argument of equality. John F. Kennedy and many others have referred to the fact that England killed the "cream of her crop" in wars and this was a major cause for the decline of her status in the world. It is thus essential for America to protect her "brain power" by deferring her college and university students and drafting others. Yes, there is a real challenge for mankind's talents and training. The challenge is to combine profit, social purpose, and fun, or as Robert Frost put it in "Two Tramps in Mudtime:"

"But yield who will to their separation.
 My object in living is to unite
My avocation and my vocation
 As my two eyes make one in sight.
Only where love and need are one,
 And the work is play for mortal stakes,
Is the deed ever really done
 For Heaven and the future's stakes."

CONCLUSIONS

Let us rise today to a new dedication to the tasks that are before us. Let us rise to a new sense of love for country. Let us rise up to recapture the values which make for a strong people and a strong nation. Let us rise to a reaffirmation of the pledge given yonder in Gettysburg. Now, in a spirit of rededication let us rise and give our pledge of allegiance to the flag of the United States of America.

I know only one American who ranks high among the candidates for President of the United States who qualifies. He is Hubert H. Humphrey. He is needed to be our next President.

LET US TALK SENSE ABOUT BOMBING

HON. THOMAS J. DODD

OF CONNECTICUT

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. DODD. Mr. President, there has been so much nonsense spoken and so much hypocrisy and so much distorted information on the question of our bombing of North Vietnam, that I find honest and intelligent members of the public succumbing to the confusion generated by this propaganda.

During the period before President Johnson announced that we were unilaterally restricting our bombing of the North, the international "stop the bombing" chorus swelled to a shrill crescendo. We were being asked to stop the bombing not merely by the critics, but by neutrals and friends and allies, and by men of unchallenged stature in the worlds of politics and culture and science.

When, on March 31, President Johnson took himself out of the presidential race and announced that we were restricting our bombing to a narrow corridor just north of the DMZ, thus creating a bomb-free zone embracing 90 percent of North Vietnam's population, the stop-the-bombing chorus still continued, arguing that this partial cessation of bombing was not enough, that only our acceptance of Hanoi's demand for a total cessation could lead to meaningful peace talks.

In making this argument the bombing critics completely ignore the fact that we had on four previous occasions suspended all bombing of the North, in one instance for 37 days, in an honest attempt to test the assertion that the cessation of bombing would lead to serious peace talks.

The great majority of those who have urged that we stop the bombing of the North are, I have no doubt, genuinely motivated by humanitarian concern, even though their fear of offending Communist sensitivities has rendered them pathetically mute on the subject of Communist atrocities.

But they are not all humanitarians.

The stop-the-bombing clamor, as the record will show, has been supported by the entire world Communist propaganda apparatus, with its multibillion-dollar resources and its infinite levers of action, direct and indirect.

Those who have been loudest in their outcries about civilian victims of the bombing of North Vietnam suffer from badly tarnished moral credentials because of their failure to protest against the murder activities of the Vietcong in South Vietnam, which before the Tet invasion of the cities had cost the lives of more than 30,000 civilians.

This moral blindness of the bombing critics, or at least of the majority of them, is all the more difficult to understand because in our case we are dealing with accidental deaths that occur despite very great efforts to prevent them, while in their case we are dealing with the deliberate murder and torture and mutilation of tens of thousands of men and women and children whose only crime is that they refuse to compromise with the Vietcong or that they happen to live in villages which have resisted Vietcong control.

If the stop-the-bombing critics were simply concerned with saving human life, they should at least be as loud in their protests against the Vietcong terrorism which each year has exacted a toll of civilian life in South Vietnam far greater than the total number of bombing casualties to date in the North.

One might expect them to protest against the Vietcong raid on the Montagnard village of Dak Son, when several hundred civilians, men, women, and children, were massacred in the most gruesome manner by Vietcong soldiers armed with flamethrowers which they used at point blank range.

One might expect them to protest, too, against the persistent Vietcong tactic of attacking allied forces from the cover of South Vietnamese villages, knowing that, in self-defense, the allied forces will have to bring planes and artillery into action against the village and all those in it.

But with only a handful of exceptions, the critics of our Vietnam policy have displayed total indifference to the scores of thousands of civilian casualties in South Vietnam produced each year by the Vietcong terror and by the Vietcong's brutal mode of military operation, while they scream to high heaven about the hundreds of casualties resulting from our bombing operations in the north.

They stand convicted by their own hypocrisy, so that no American administration need pay attention to their ranting no matter how vociferous or how well financed.

SETTING THE RECORD STRAIGHT ON BOMBING

Before the Vietnam war can be discussed in a rational atmosphere, it is essential to clear away the mountains of nonsensical debris that has accumulated on the subject of the American bombing of North Vietnam.

Many of the bombing critics were old

enough to take a stand on issues during World War II. But, to the best of my knowledge, not a single one of them, outside the ranks of the absolute pacifists, ever took issue with our bombing of Germany or Japan.

What all this adds up to is that if a cause is just, then bombing is justified; if it is unjust, then nothing is justified.

Looking back, I confess to having some serious doubts about the unrestricted area bombing of enemy cities which was the practice of both sides in World War II and which cost the lives of many hundreds of thousands of civilians in London and Liverpool, in Hamburg, and Dresden, in Tokyo, and in other cities. In the worst of these bombings the casualty figures approached, or even exceeded, 100,000 for a single raid.

But we have never gone in for the unrestricted bombing of civilian areas in North Vietnam. If we had, there would not be a single city in North Vietnam that had not been razed to the ground, and the civilian casualties would be counted by the thousands rather than by the hundreds.

I am satisfied that from the first day until this day our bombing raids in North Vietnam have been directed essentially at military targets.

But even with the greatest care, it is inevitable that some civilians will be killed. This is a fact which we all deplore.

On this point, I note that the liberation of France cost more than 1,000,000 civilian casualties, and that our liberation of the city of Caen in France alone resulted in the killing of 5,000 civilians.

Against these figures, I note that when Harrison Salisbury's dispatches from Hanoi resulted in an international furor about American bombing of civilians, a careful reading of the text of his articles revealed that 89 civilians had been killed in 51 raids. These figures, I point out, were provided to Salisbury by the Hanoi government.

Instead of proving what Salisbury and certain of our critics say they proved, I believe that they proved precisely the contrary—that we had been taking altogether extraordinary precautions in our bombing operations to keep civilian casualties to a minimum. Indeed, since the advent of the bombing plane, no nation at war has even used bombers with as much restraint as we have used them in North Vietnam.

That we have been using the greatest care to protect civilian life was borne out by a statement of the official North Vietnamese news agency in September 1967. According to this statement, American bombing had cost 500 civilian lives during the first 6 months of 1967. This is an almost incredibly low figure when one compares it with bombing casualty figures for World War II, and when one considers the huge tonnage of bombs dropped.

I am in favor of the present limitation on the bombing of the north and I would be in favor of a total cessation of the bombing if the Communists gave us serious evidence of a willingness to reciprocate.

Indeed, I cannot emphasize too strongly that I would like to see a total cessation, by agreement, of all the shooting and all the killing on both sides.

But to agree to a total cessation of bombing without any commitment to reciprocal action on the part of the Communists would be a betrayal of the cause of peace and of the commitment for which almost 30,000 American servicemen have now given their lives.

I have yet to meet a single military man who favors an unconditional cessation of the bombing of the north.

This is a matter I had occasion to discuss with scores of officers and enlisted men in various parts of Vietnam when I last visited that country. And these conversations have continued, virtually on a nonstop basis, both with officers and enlisted men, over the intervening period

Let me say again, that I have yet to find a single member of our Military Establishment who is not convinced that an unconditional cessation of the bombing of the north would handicap our forces in Vietnam and cause more casualties, more wounds, more deaths.

On this point, a dispatch in U.S. News & World Report from October 11, says that, in the view of battlefield leaders, the U.S. war effort has already been hurt by the restrictions in bombing ordered by the President last March 31. It noted that—

> Rail traffic in the Hanoi-Haiphong complex and stretching down to the city of Than Hoa, just below the 20th parallel is ten times as great as it was before the March 31 order.

According to the American military leaders who were interviewed, the unconditional cessation of the bombing would force the United States to retreat from vital fortified positions and would result in vastly increased infiltration from the north and increased American casualties.

Even more important is the fact that the bombing has been built up in the eyes of the world, and especially in the eyes of Asia, as an issue of such fundamental importance, that if we were now to give ground on this issue without some reciprocal concession from Hanoi, the psychological impact would be disastrous. It would be interpreted as an admission of American defeat, by the South Vietnamese, by the North Vietnamese, and by all of our Asian allies and friends.

On this point I note that a recent editorial in the Korean National Daily, Taehan Ilbo, warned that the United States would be falling into a snare set by North Vietnam if it agrees to totally halt bombing raids on the north.

The paper expressed concern that the pressure of our electoral campaign was pushing the United States in the direction of accepting Hanoi's demands.

And it said that a total bombing halt would be tantamount to "the first step toward a total surrender to the Communists, psychologically and strategically."

Every student of Asian affairs with whom I have discussed the matter is agreed that if we were to accept Hanoi's demands for an unconditional cessation of the bombing of the north, it would have a catastrophic psychological impact.

One longtime Vietnam expert whom it has been my privilege to know favored a unilateral bombing pause less than a year ago. Today, for the reasons I have given, he is strongly opposed as our military men are to a cessation of the bombing that is not conditioned on reciprocal deescalation by the north.

FOR A TOTAL CEASE-FIRE IN VIETNAM

Because I am in favor of ending the war and ending the killing on both sides, I believe we should challenge the Communists at every opportunity to enter into a total ceasefire agreement with us, an agreement that would naturally have to include a total cessation of terrorist activities in South Vietnam.

In the interest of saving human lives, I believe we should serve formal notice on Hanoi, in plainly spoken terms, along the following lines:

We have always conducted our bombing operations in the north for military purposes and with maximum efforts to save civilian lives.

Since the end of March, in the interests of saving human life and promoting peace, we have unilaterally restricted our bombing operations to the area south of the 19th parallel. In doing so, we have granted total immunity to Haiphong and Hanoi and the other major cities of the north.

Your response to these actions has been to step up the war. And you have stepped up in a particularly brutal manner, in a manner that makes innocent civilians, men, women, and children, the prime victims of the war.

Our patience is now at an end.

We want to save human life in the north. But we also want to save human life in the south. And because of this we warn you, in all solemnity, that if you launch another attack on the people of the cities of South Vietnam, we will respond by taking out certain strategic targets which we have thus far refrained from bombing.

If you create half a million refugees in the south, then we can create half a million refugees in the north.

We do not want to do this. But if you attack the cities of South Vietnam again, you will leave us with no alternative.

We want an end to all the killing in both the north and the south.

The decision is up to you.

I cannot think of a single measure we could take that would afford a greater degree of protection to the cities of South Vietnam.

We could reinforce this ultimatum by another modification in our bombing policy.

Our bombers are busy every day in the area south of the 19th parallel, knocking out bridges and power stations and factories that can contribute to the war effort. It would make more sense to the people of South Vietnam, and it would present far greater justification to the people of North Vietnam, if, acting at the request of the South Vietnamese Government, we made our bombing strikes specific acts of retaliation for acts of terrorism carried out against the people of South Vietnam.

Instead of an eye for an eye, we could say to the Communists that for every 10 shells dropped on Saigon we will take out a power station or that for every 50 civilian victims of Communist terrorism we will destroy a factory.

I know that some of the opponents of our Vietnam commitment will scream to high heaven against these proposals.

But I urge the President not to listen to these blind-in-one-eye humanitarians.

I am convinced that if the facts were put before them, the American people and the free peoples of the world would understand and support such a policy.

Mr. President, I ask unanimous consent to insert in the Record at this point the following articles dealing with the subject of the bombing of North Vietnam:

First. "How Cutback in Bombing Has Helped the Reds," U.S. News & World Report, October 1968.

Second. "How the War Could End," U.S. News & World Report, October 1968.

Third. "United States Warned Not To Fall Into Bomb-Halt Trap," Reuters, October 11, 1968.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From U.S. News & World Report]

How Cutbacks in Bombing Has Helped the Reds

Saigon.—Now being spelled out for the first time here in Saigon are the reasons why U.S. military commanders are so strongly against a total halt of the bombing of North Vietnam.

In the view of battlefield leaders, the U.S. war effort has already been damaged by the partial bombing pause ordered last March 31 by the President.

End all the bombing, these leaders say, and the U.S. would be forced to retreat from vital fortified positions, infiltration from the North would skyrocket, U.S. casualties would climb rapidly and the war conceivably could be lost.

American officers, studying intelligence reports, already see Hanoi building a vast arsenal in the lower half of North Vietnam, with little interference. A total bombing pause, they believe, would enable Hanoi to shift its strength even closer to South Vietnam's borders.

RAIL TRAFFIC HEAVY

Already rail traffic in the Hanoi-Haiphong complex and stretching down to the city of Thanh Hoa, just below the twentieth parallel, is 10 times as great as it was before the March 31 order from the White House.

Analysts predict the same upsurge will occur south of Thanh Hoa, deep into the southern panhandle and right up to the Demilitarized Zone.

Even the possibility of aerial combat over the South is being talked of, in case the bombing of all the North is halted. With a total halt, Hanoi could move MIG's and IL-28 light bombers close enough to South Vietnam to threaten a broadened air war, even though American air power is solidly superior to the Communists'.

Another cause of concern: The dry season on the so-called Ho Chi Minh Trail is due later in October. The infiltration roads through Laos will be jammed with traffic. Intelligence sources predict it could amount to 500 or 1,000 trucks daily.

Turn off the bombing, as some American politicians have suggested and as Hanoi has demanded, and U.S. troops in South Vietnam will be in trouble, commanders warn.

DANGER FOR DMZ

The most likely trouble spot is the Demilitarized Zone at the seventeenth parallel. President Johnson in September quoted Gen. Creighton W. Abrams, the U.S. commander in Vietnam, as warning that the northern part of South Vietnam could not be held if the bombing were stopped.

Since July, 59 heavy-artillery pieces have been destroyed by U.S. bombers in the Demilitarized Zone. At least twice that number are in camouflaged positions, ready to fire on American troops just below the southern edge of the DMZ. If all U.S. bombing were stopped, those 100-plus Communist guns could quickly become 200 or 300.

Communist antiaircraft fire, already thick in the area, would be even more dangerous if the Communists were able to operate without the threat of air attacks. This would mean that U.S. spotter aircraft would not be able to direct counterbattery fire should the Reds really open up with a big attack.

Almost every American commander in Vietnam shares the feeling that the number of U.S. dead and wounded would be "extremely heavy" if the bombing were stopped, and the Reds went on the offensive in the northern Provinces.

DIFFICULT TO RESUME

There is also agreement that once the U.S. stopped all the bombing, it would be difficult ever to restart, even if Hanoi showed bad faith. Says one ranking officer:

"There would be that constant refrain of 'Wait a few more days and really give Hanoi a chance; don't start things up again too quickly.' "

As matters stand, U.S. pilots are already holding back from attacks in areas that many Americans believe are being bombed. The fact is that the biggest targets within the geographical lines laid down by the President on March 31 actually are still "off limits." This has only now been acknowledged in Saigon.

What is described as a giant "military supermarket" has been built up at Thanh Hoa. Similar enlargements of storage and staging areas for men and material have taken place at Vinh and Dong Hoi. An air base for handling jets has been built at Bai Thuong.

A glance at the map on page 45 shows that all these targets are below the twentieth parallel. President Johnson on March 31 set the twentieth as the farthest north that American planes could strike. In fact, there have been no strikes above the nineteenth parallel since April.

RESTRICTED AREAS

The reasons for keeping Thanh Hoa, Vinh-Dong Hoi and other smaller cities "off limits" is to avoid causing civilian casualties.

What military men call "established communities" are strictly out of bounds for U.S. bombers. That was the case when bombing was permitted over all of North Vietnam, including the environs of Hanoi and Haiphong.

What has happened since March 31, according to one U.S. source, is that the North Vietnamese "have built new population centers right under our noses."

Arms and ammunition are stocked in churches, schools, houses, even under trees close to where—as one intelligence expert says—"people might be living—and I underline might."

Another officer declares: "We still can't go for the jugular."

AIM FOR ACCURACY

"Some U.S. airmen cite restrictions on the types of ordnance used to rupture enemy transportation routes. It is understood that light air-to-ground missiles are prefered over heavy bombs, to get greater precision.

The desire for more accurate bombing is not to make sure the ordance is more effective, but to decrease the chances of hitting civilians or their dwellings.

INFILTRATION SLOWDOWN

Air Force and Navy pilots claim they have done a creditable jobs in slowing the infiltration of supplies into the South, even under the White House "ground rules."

At one point this summer, the North Vietnamese were moving approximately 1,000 trucks daily on main roads leading to infiltration staging points. Each truck carries up to 2½ tons.

The daily total dropped to a fraction of that by the summer's end. The weather had a hand in the drop-off. Typhoon Bess left a number of quality routes out of action for two or three weeks in September.

Destroying Communist trucks, say aviation experts, is not as simple as might appear. Even though moving vehicles are fair game for U.S. bombers, actual destruction of trucks runs to an average of about 10 a day.

More success has been noted in cutting roads and forcing the North Vietnamese to use coolies to shift loads from trucks on one side of a cut to the other side where other vehicles wait to continue the journey.

Forcing the Reds to use a "shuttle system," the experts estimate, has prevented 50,000 tons of supplies from reaching the South since June.

TROOPS GET THROUGH

As for the infiltration of troops from North Vietnam, the number has not been reduced, but their journey has been made incomparably more difficult. Most are forced to walk hundreds of miles instead of being moved by vehicles down the southern panhandle and then into Laos.

Laos presents its own problems. The restrictions against bombing the Ho Chi Minh Trail through Laos are even tighter than in North Vietnam. American pilots are forbidden to attack "targets of opportunity" in Laos without specific permission. By the time this is received, targets usually have vanished.

What is puzzling to American pilots is the cautious U.S. attitude. The Laotian Government has made it clear that it does not care what the U.S. does against the infiltration areas in Laos as long as Washington does not identify the Laotian Government as an accessory. Sources in Vientiane have made that point time after time.

SUPPLY CHUTE

Cambodia is another problem. It is regarded as certain that the bulk of the Communists' supplies in the southern half of South Vietnam enter not through Laos but through Cambodia, after being unloaded from ships in Cambodian ports.

The Communist sanctuary inside Cambodia is another place military men would like to be able to do something about.

For the most part, military men at the scene are reconciled to the idea that eventually political pressures in the U.S. are going to bring an end to even the partial bombing of the North.

What some military men want is a go-ahead to demolish the results of the current Communist build-up before a total halt is put into effect.

Few senior Americans here hold out much hope for even that.

[From U.S. News & World Report]

How the War Could End

War in Vietnam—and how to end it—is becoming the hottest issue of the final weeks of this year's political campaign.

At the center of rising debate is the idea that an order to halt all U.S. bombing of North Vietnam would somehow bring a quick end to the conflict.

That idea is now being firmly rejected by top military authorities in Saigon and Washington. Their warning is clear: Further concessions to the Communists will prolong, not shorten, the conflict.

The conviction of military leaders—divorced from politics—is that the war will end only after North Vietnam is forced by superior power to quit on the battlefield.

When that time comes, one of two things then will happen:

The Communists will either "fade away"—a theory held by an impressive number of senior U.S. generals—or a significant break will be forced on the Communists in negotiations.

WHAT SOLDIERS SAY

Military men say they are now able to establish a timetable for these events. Because of official U.S. sensitivity surrounding the Paris "truce talks," officers in uniform have been restrained by the State Department from speaking out publicly.

The views of U.S. commanders, however, are being circulated privately. What follows is based on background discussions with many officers.

First of all, many military men believe, it is "naive" to hold that Hanoi will automatically begin serious peace talks in Paris, if only the U.S. will put a total halt to the bombing.

Hanoi has never given any such indication. The Communists, in fact, have laid down not one, but five, conditions for serious negotiations. An end to the bombing is only the first of these. The analysis on this page gives Hanoi's position in more detail.

HANOI'S AIM

If the U.S. does make one important concession after another until Hanoi agrees to talk, the U.S. would then next be faced with Hanoi's basic negotiating demands, often repeated, which add up to little more than outright surrender for the U.S. and the Saigon Government.

Military men warn that this course, if followed, would spell abandonment not only of South Vietnam but of all Southeast Asia to the Communists.

Many military authorities believe the following to be a more realistic and reasonable course for the future:

Give American troops the time still needed to end the war in the field. They already have the means. What is necessary is more patience at home, and keeping up "very, very strong pressure on the enemy." Military commanders stress: The war still can be won.

By the military's timetable, the war would be all but over for U.S. forces in 12 to 18 months. Whether disengagement starts late in 1969 or not until 1970 depends on how quickly the South Vietnamese Army and Government are brought up to snuff. Hard work is being devoted to the task.

It is emphasized that a premature "political withdrawal" of U.S. forces from Vietnam—of even 10 to 25 per cent—could lead to disaster for the South Vietnamese while war continues at its present level.

GROWING CONFIDENCE

Progress in South Vietnam is described as substantial. In the words of one commander:

"This war is no longer a stalemate. The extent of our forward movement in the past few months has been lost in a haze of political oratory back home. If the North Vietnamese make no serious new escalation—and I do not believe they can—I would judge that by the end of 1970 most American troops would be home except for a security force along the lines of the two divisions we continue to maintain in South Korea."

Many reasons are cited for the growing confidence.

Enemy losses are reported to be nearing intolerable levels. Saigon's Government is gaining both political power and authority. South Vietnam's military forces are improving not only in size and training, but in battle.

With Allied intelligence making a breakthrough, vast stores of enemy supplies are being captured, and Allied troops are assaulting the Communists in build-up areas before they can spring their own attacks.

RED FADEAWAY?

A year or more of this, U.S. officers report, and Hanoi will be forced to find a way out of the war—on terms not its own.

The dominant line of thinking is that the war will come to a *de facto* end. The Reds will fade away. Instead of admitting defeat, they will disappear back into North Vietnam, or into Laos and Cambodia. No treaty would be signed. No promise would come from Hanoi to give up its war aims.

Hanoi still could send its troops back into South Vietnam without breaking any new agreement. But there is confidence that by that time, South Vietnam alone could handle its own security. Time, say U.S. military men, now is swinging over to Saigon's side.

ONE VIEW

A top-ranking officer who predicts a Red fadeaway makes this point:

"Considering the extent to which Hanoi has committed itself over the years, severe loss of face could be involved in unfavorable negotiations.

"I'm of the judgment that Hanoi will scale down the war and leave, rather than give an inch in negotiations."

Other officers—those predicting an end to the war through talks in Paris—foresee a lengthy procession of deadlocks and tradeoffs.

A negotiated settlement, in this view, could follow this pattern:

Completely fruitless meetings in Paris until well after a new President is in the White House and at least until North Vietnam has been set back decisively on the battlefield.

An end to the bombing of North Vietnam, but only after Hanoi has reciprocated by keeping down the level of fighting and reestablishing the Demilitarized Zone as a neutral strip.

Political jockeying at Paris over seating representatives of the South Vietnamese Government and the Communists' National Liberation Front. Some compromise will have to be reached.

The start of "hard core" negotiations, lasting weeks and months, while both sides maneuver for advantage. The present talks in Paris are seen as a model for the general trend of negotiations, with each side focusing on one issue at a time, forcing lengthy deliberations.

The last stage—the "end" to the war—might well be marked by separate but simultaneous cease-fires, followed by a phased withdrawal of North Vietnamese and American forces. U.S. military advisers, or possibly some combat units, could be left in the country. Guerrilla activity would in all likelihood continue, but radically scaled down.

Outlook for talks. Once started in earnest, how long would negotiations last?

Many officers feel U.S. military gains in the field, once they are rolling, will make delay expensive for the Communist negotiators.

Other officers fear that unless vocal public pressure in the U.S. for a quick settlement ceases, it will work against the U.S., giving the Reds encouragement to hold on indefinitely.

One danger for the U.S., as fighting men see it, is that during the political campaign now going on, statements are likely to be made that will haunt a new President after Inauguration Day.

Military men emphasize they realize that campaign oratory is an accepted part of any election, but many fear that the U.S. position may be weakened. As politicians fish for votes among the uncommitted, the North Vietnamese seem to accumulate a new and stronger sense that a great majority of Americans want peace—at any price. Says one officer:

"If a quick peace at any price is not the prevailing mood at home, then the next President is going to have to convince Hanoi all over again—and that means on the field of battle."

WOULD A BOMBING HALT SATISFY HANOI?

On the opening of the Paris talks last May 13, North Vietnam laid down these specific conditions for serious negotiations:

1. An unconditional halt to U.S. bombing attacks in all of North Vietnam.
2. A halt to U.S. reconnaissance flights over the North.
3. An end to all attacks from the sea.
4. U.S. withdrawal from the Demilitarized Zone and a halt to shelling from that region.
5. An end to U.S. psychological warfare "and all other military action."

Hanoi has not budged from those terms. Even if the bombing were halted, there would be four more conditions to meet. Only after all five conditions are fulfilled, the North Vietnamese said, would Hanoi be prepared to discuss with the U.S. its basic demands for ending the war. These demands include American withdrawal from South Vietnam and handing over the Saigon Government to the Communists.

UNITED STATES WARNED NOT TO FALL INTO BOMB-HALT TRAP

SEOUL.—The South Korean national daily *Taehan Ilbo* warned that the United States would be falling into a snare set by North Vietnam if it decides to totally halt bombing raids on the north. This warning was voiced in a 10 October editorial commenting on reports from Paris that President Johnson might approve a total bombing halt to seek a major breakthrough in the Paris negotiations, thereby reversing the American presidential campaign trends, which are unfavorable to Democratic candidate Hubert Humphrey.

The Korean-language daily said: "North Vietnam set the snare of an unconditional bombing halt because it expected the U.S. presidential campaign to progress as it has. It appears now that North Vietnam's predictions about the American presidential campaign have come true, and that the United States is moving step by step toward the snare." The newspaper said a total bombing halt would be tantamount to the "first step toward a total surrender to the communists, psychologically and strategically."

THE AMAZING SIR BARNES WALLIS

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. SIKES. Mr. Speaker, I wish to call attention to this interesting story by Winston S. Churchill, son of Britain's great wartime leader, which provides important insight into the British thinking on many major defense and industry problems of the current period:

[From the London Evening News, July 10, 1968]

THE AMAZING SIR BARNES WALLIS AND HIS PLAN FOR BRITAIN'S SURVIVAL

(By Winston S. Churchill)

"Take a look at these figures," said Sir Barnes Wallis, pushing across his desk piled high with drawings, graphs and calculations a copy of a recent issue of military balance published by the Institute of Strategic Studies.

"The Russians now have nearly 400 hunter-killer submarines, built to destroy surface shipping, and this figure does not include their fleet of Polaris-type submarines.

"By comparison, the United States has only 140 hunter-killers, and Britain 47.

SWING WING

"The Russians do not make such large investments for fun. What can be their purpose if it is not, in the event of war, to deny the Western world the use of the high seas on which it is so heavily dependent?"

Sir Barnes, the designer of the R100 airship and the famous Wellington bomber of the Second World War, inventor of the bouncing Dambuster bomb and of the swing-wing Swallow (turned down by the British Government in 1957 and since offered back to us by the Americans in the form of the F-111) is a young man of 80.

He is wonderfully alive and alert. He has a twinkle in his eye and a genial good humour which years of battling with bumbling, short sighted officialdom has not blunted.

I recently visited Sir Barnes at the British Aircraft Corporation's Weybridge factory where he is in charge of the research department. Full-scale models of his blockbuster bombs, Tall Boy and Grand Slam, towering more than two stories high, stand guard outside his office.

In the two hours that I was with him he spoke of:

Cargo-carrying submarines that would travel unseen at several times the depth attainable by today's submarines;

Sub-orbital aircraft that would travel to Australia non-stop in three hours;

The shortcomings of modern education;

London's third airport (which he thinks could be made unnecessary);

The disadvantages of atom powered engines for aircraft;

And the design of radio telescopes.

From time to time, when discussing some well-known law of physics or advanced proposition of aerodynamics, thermodynamics or chemistry, he would detect a puzzled look on my face.

DISASTROUS

"Oh dear me, dear me, you don't know about . . ." he would lament turning to a bookcase beside him or rummaging through one of the many stacks of files to produce a set of scarcely less puzzling graphs or formulas to explain the earlier proposition. He was remarkably patient with my ignorance.

His ideas followed one another with such speed that one had the feeling that speech could never be fast enough to keep up with his mind.

Just as the last war was not bacteriological or chemical, since both sides had these horrifying weapons and knew how disastrous their use would be, so Sir Barnes believes the next war, if there must be one, will not be fought with nuclear weapons.

Any British Government that conceives the possibility of a conventional war with Russia in Europe—which is precisely the threat that our armed forces are being told they must be ready to meet—must also consider the possibility of unrestricted submarine warfare on the high seas.

The aim would be to cut off Britain's and indeed all of Western Europe's overseas supplies of food and raw materials such as petroleum.

Britain's mastery of the seas played a major part in assuring her survival and ultimate victory in two world wars. Although it was a close thing in 1941 at the height of the Battle of the Atlantic when some 700,000 tons of shipping was lost in a month to a fleet of nearly 200 German U-Boats.

But times have changed and Britannia no longer rules the waves.

Most people have reconciled themselves to the fact but there are few perhaps who have given serious thought to its implications.

The U.S. Navy is unquestionably the most powerful in the world today, and has been for many years past.

And while our closest ally was unchallenged in naval power, the passing of our centuries old pre-eminence on the high seas did not assume in the minds of Britons the importance that it might have done.

But it should today, now that Russia, with its as yet unrenounced threat to dominate the world, has set out to become a major naval power.

SINISTER

The reason Russia has never been a maritime nation is due very largely to the fact that she is landlocked to the West and her access to the sea is controlled.

This is perhaps one reason why the Russians have chosen to build a large submarine navy. Nevertheless the implications of this decision are very sinister.

Sir Barnes quoted the late Admiral of the Fleet, Lord Fisher, as saying that the real danger facing this country in war was not defeat, but starvation.

If we are unable to guarantee supplies of raw materials to our armed forces and our industry or ensure food supplies for our people, we could not carry on the struggle for more than a matter of weeks.

And the same would apply, perhaps to a lesser extent, to all the other countries of Western Europe.

This is the problem that Sir Barnes has set himself to solve in the twilight years of his life.

From the time of his first job on the design of a rigid airship at Vickers before the First World War his main concern and indeed his life's work has been devoted to the interest of this island's security.

One might have supposed that with so many of his best ideas turned down over the years by the British Government, he might have been tempted to go to other countries.

To do so would be to misjudge Sir Barnes. He prefers to stay here in the service of his own country carrying on his research with a staff of a few dedicated assistants.

Even now he works with the vigour of a man in the prime of life and with a mental agility given to few.

"I'm sorry I can't offer you lunch," he remarked as I took leave of him, "I never have time to stop for a mid-day meal—only a cup of tea and a biscuit and cheese."

RESTORING FISHING ON THE GREAT LAKES

HON. BIRCH E. BAYH

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. BAYH. Mr. President, few stories are more dramatic or suspenseful than the battle which has been waged during the last few years to restore fishing in the Great Lakes. Long noted as vast storehouses for commercial, recreational, and sport fishing, these huge inland seas have been subjected since the 1920's to two separate invasions of predators which practically depleted them as major sources for the supply of edible fish.

First came the sea lamprey, an ugly eel-like creature which apparently reached the upper lakes through the Welland Canal and which attached itself to its victims and literally drained them of their life sustenance. After years of research, numerous experiments, and many false starts, scientists finally discovered a chemical which in a remarkably short time has largely eliminated the threat of this parasite.

Hardly had this success been scored when another serious challenge appeared. The alewife, a small fish which also was of salt-water origin, multiplied with great rapidity until it became completely dominant, especially in Lake Michigan. Of little value alive, the alewife soon proved to be a terrible nuisance after its life span had been completed. Carcasses of billions of dead alewives soon cluttered hundreds of miles of Lake Michigan beaches, fouled water intakes, and created an unprecedented nuisance which seriously affected tourist and resort business and made life miserable for the native population. This threat, too, apparently has been overcome through the introduction of the coho salmon, and along with it an entirely new, exciting, and expanding industry is developing.

Mr. Russell McKee, associate editor of Michigan Conservation, has written a very fine description of the damage done by these two unwanted invaders and the successful efforts made to overcome them. I ask unanimous consent that this important article, entitled "Defeat of the Killer Eel," which appeared in the July-August issue of Audubon magazine, be printed in the CONGRESSIONAL RECORD.

There being no obligation the article was ordered to be printed in the RECORD, as follows:

DEFEAT OF THE KILLER EEL

(By Russell McKee)[1]

Fifteen years ago despair and gloom were fairly common commodities around port towns of the Great Lakes. Grand Marais, Fairport, Tobermory, Port Washington, Bay Port, Saugatuck—those are little towns, and back in the early 1950's they were very quiet places, pleasant places to visit. You could park your car most anywhere. There weren't many people, and those you saw had the leathery look of belonging. The stores stocked Peerless, the taverns were dusty, the glass in the restaurant jukeboxes were inclined to cracks. The hotels were big, boxy, wheezy—and empty. Absolutely marvelous places. Charming to visit.

Not, however, the most fruitful places in which to live and work. Beneath the quiet and behind the weathered faces of those Great Lakes towns, you saw the belief that they, the residents, had been left behind to witness the final act of a modern tragedy. It was only a question of time—and everybody knew it—before such places would die simply from a lack of people. Those who lived there reflected on this daily. Their deep thoughts were the quiet you could almost hear. What talk there was ran small. Any young people seen there almost certainly came from Detroit or Chicago to visit grandparents. The closed stores and empty houses did not even carry *For Sale* signs. Who'd buy?

Doctors who studied this Great Lakes malaise included a small army of economists, sociologists, welfare leaders, legislators and, finally, conservationists. The sociologists documented the drain of lifeblood out of the patient. Economists urged development of industry. Welfare leaders called for more funds. Legislators provided school tax relief, and promoted local road construction. But as it turned out, the real help came from the conservationists—who came shining through with one of the most spectacular natural resource management victories ever seen in North America.

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[1] Russell McKee is associate editor of Michigan Conservation, the award-winning magazine of the Michigan Department of Conservation. He is author of the book "Great Lakes Country," which recounts the rich history and natural wealth of that region of America, and is now writing a second book in the same vein, "The Great Plains."

The whole history really started nearly half a century ago, on November 8, 1921. A commercial fisherman from Merlin, Ont., was lifting his nets in eastern Lake Erie when he noticed a strange creature attached to the side of a whitefish and looking somewhat like an 18-inch length of dirty gray garden hose. Pulled free, it left ugly gash marks on the whitefish. The creature's mouth was like a circular wood rasp full of short sharp teeth which turned inward. The whitefish was nearly dead from the attack. But the parasite lived for a long time on the deck of the boat.

Now the fisherman found more snakelike forms attached to other fish in his nets. And as the weeks passed, other commercial fishermen reported similar experiences. The U.S. Bureau of Fisheries, a predecessor of the U.S. Fish and Wildlife Service, investigated and reported that the parasite was the sea lamprey, a saltwater creature that had adapted to the fresh water of the Great Lakes. It had long been known in Lake Ontario, but had been blocked from entering the upper lakes by Niagara Falls. Then, with the construction of an early canal at Welland, Ont., in the first half of the 19th century, individual lampreys filtered upward into Lake Erie, apparently trapped in lock waters.

Sea lampreys multiplied very slowly in Lake Erie and strangely enough never did become firmly established there. They remained an oddity, if a nuisance, and no one—neither scientist nor fisherman—realized at that time the menace they presented to the upper lakes. Lampreys were reported in western Lake Erie in the late 1920's and in the Huron and Clinton rivers of southeastern Michigan in the early 1930's. Still, no real problem existed.

And then, suddenly, they were in southern Lake Huron.

What the lamprey failed to find in the lower lakes it now found in the Lake Huron watershed—plenty of streams for spawning, deep and cold water for living, and an almost unlimited supply of food. The food was the fine fish sought for sport and by commercial fishermen. The oddity and nuisance now became a deadly threat to the entire fishing industry of the upper lakes.

The sea lamprey's progress could be traced northward on Lake Huron as port after port saw steady declines in production of lake trout, whitefish, burbot, ciscoes. By 1947 the Huron fishery was gone, and catches in Lake Michigan were sliding downhill. By 1955 even Lake Superior was in trouble. Superior, it had been hoped, would be protected for many years by the Soo locks at Sault Ste. Marie. To some extent this was true—a point of only slight comfort to fishermen, resort operators and community interests on the other lakes.

In truth, the lamprey's attack was jugular for the entire Great Lakes area. And fish would not be the only victims.

By 1950 production of lake trout from Lakes Michigan and Huron dropped from eleven million pounds per year to less than 500,000 pounds, and many commercial fishermen had strung their nets on drying racks and turned their backs on the lakes. (You can still see these filmy gray nets at some ports, fluttering and weathered on their spools.) By 1955 lake trout were almost wiped out; production of even a few hundred pounds per year was considered fortunate. Whitefish suffered much the same fate. Steelhead trout simply disappeared from many tributary streams. Decimated, too, were burbots, ciscoes, smallmouth bass, northern pike, and suckers—all important and valuable fish, all gone to the lamprey.

And so, fifteen years ago, all those little port towns that were built by lake trout and held together for so long by gill nets, twine, and the sport fisherman's dollar were dying quietly.

It was immediately after the end of World War II—just as the sea lamprey was reaching the peak of its rampage—that Vernon C. Applegate, a biologist-turned-infantry officer, returned to join the Michigan Department of Conservation. He had graduated from the University of Michigan in 1941, then served with the Pacific Salmon Commission on the Fraser River in British Columbia before enlisting in the Army. And he was immediately assigned to learn as much as possible about the killer eel. There was only the thinnest hope, however, that anything could be done to quell this voracious and destructive parasite.

Indeed, very little was known about the sea lamprey. Applegate's study would thus be one of the first full-scale life histories ever drawn together. He soon learned that the lamprey is a specialized deviate of an ancient marine group, that its breathing apparatus is different from other fishes', and that it has a very peculiar growth and development. Among other differences, the lamprey young—called ammocoetes—are spawned as eggs each spring in streams tributary to the Great Lakes, where they remain from four to seven years. During that time they remain small, blind, and harmless to other fish, finally undergoing a striking change to adulthood, much as a tadpole changes into a frog.

During the lamprey's transformation, the ammocoetes grow rapidly, gain eyesight, develop a rasping set of teeth, and move downstream to the big lakes to start their single year of destruction. They continue to grow in the deep waters, rapidly reaching a length of 16 to 18 inches, moving from fish to fish, sucking out the life juices of each victim. When a lamprey attaches itself, the fish is slowed and becomes easy prey for other lampreys. Sometimes four or five lampreys attach themselves to a single fish, bringing much quicker death to the predators' host.

Lamprey *eel* though this primitive parasite is often called—and the adult sea lamprey does indeed closely resemble an eel—there is no relationship. There are thirteen lampreys in North America, six of them parasitic. Lampreys and the several (and related) kinds of hagfish are the only two groups of jawless fishes.

One biologist witnessed what he believed was the initial attack of a lamprey on a trout, probably a steelhead. He was fishing on a bay of Lake Michigan when the trout suddenly leaped out of the water nearby with a lamprey attached to its side. Again and again the fish leaped, but the lamprey remained firmly attached. Finally, after several more swirls near the surface, fish and lamprey were gone—the fish to its eventual death, the lamprey to further depredations.

At the end of their one year of adult life, lampreys return to any convenient and suitable stream, where they spawn and die. The brief length of their destructive life is offset by the prolific nature of the female, which deposits an average of more than 60,000 eggs in a stream bed.

Applegate reasoned correctly that the time and place to control lampreys was while they were concentrated in streams, and the most direct approach would be to destroy the adults before they had an opportunity to spawn. How? Would mechanical weirs, placed like fences across streams, do the job? How about electrical weirs, or shockers? Could some form of poison be used? All these methods were snarled with problems, and more than that, they also threatened the existence of desirable fish in those same streams.

Nonetheless, James W. Moffett, in charge of Great Lakes fisheries investigations for the U.S. Fish and Wildlife Service, thought Applegate might have some answers and invited him to a conference in Ann Arbor in the fall of 1949. And Applegate, having completed the first phase of his lamprey work for the Michigan Department of Conservation, soon joined the federal staff. The broader base of the federal operation was needed to continue his work, he felt, and he set out immediately to search for a practical solution.

The Fish and Wildlife Service had been formed in 1940, and its budget was still as small as its history. Little money was available for the lamprey program. But Applegate moved to the Hammond Bay Research Laboratory, an abandoned Coast Guard station near Rogers City on Lake Huron, and began gathering weir-making materials wherever he could find them. Mechanical weirs, he figured, would prevent lampreys from migrating up streams to spawn. As it turned out, they also prevented desirable fish from spawning. Furthermore, logs busting downstream tore holes in the fencelike structures. Attendants had to be on hand constantly to service the weirs and remove lampreys that collected below, searching for any way through.

Next, Applegate and his colleagues tried electrical weirs, which used electrodes that dangled in the stream. These set up an electrical field in the water which prevented lampreys from passing, and they solved the problem of jams caused by logs and other debris, which now slipped beneath the free-hanging electrodes. But electrical weirs were costly to operate, subject to power failures, and somewhat dangerous. They also needed frequent tending, which meant more people, which meant more money.

So Applegate and Moffett reluctantly turned to their third and last hope; the discovery of some selective chemical that would poison lampreys but not kill other fish. It would have to dissolve easily in water, be effective for only a short time, then become harmless. Both Moffett and Applegate knew that no one had ever used chemicals to destroy *selectively* one type of vertebrate animal while not harming others, although selective removal had been accomplished with insects.

The year was 1952, and they embarked on a far longer journey than either expected. Applegate converted his weir-making machine shop at Hammond Bay into a bioassay station for chemical tests. He and his assistant, John H. Howell, another young biologist, constructed test tanks and began their search. They were aided by several chemical companies, whose research staffs agreed to provide test amounts of various chemical compounds which they thought might do the job. One after another, day after day, these were tested, results were watched, and then each in turn was rejected. More compounds were made, tested, discarded. Weeks lengthened into months and months into years as hundreds and then thousands of chemicals were tried and abandoned. All told, Applegate and Howell tested nearly 6,000 different compounds during what Applegate now terms "a six-year sentence of unmitigated boredom."

After several years, the burden of frustration and failure began to tell, and serious doubts were raised by fisheries officials both in the Great Lakes region and in Washington. Moffett had a difficult time convincing his superiors that the work should continue. "Strangely enough," Applegate notes today, "the public never seemed to doubt that the day would come when we'd find the chemical and save the lakes from lampreys. Personally, I myself doubted it many, many times."

But public backing for the project, plus unstinting support from Moffett and others, drove the experiments ahead despite the steady barrage of discouraging failures.

Then one day at Hammond Bay the magic began to happen. Not all at once, and not like finding a rich strike in a gold field. Applegate and Howell simply were testing another chemical—just as they had thousands of others—but this time they saw that it seemed to be killing the lampreys while a control fish also in the tank was not being harmed. Something must be wrong with their technique they guessed. They set up another tank and tried again the next day with the same chemical. And now, suddenly, hope began to bloom. There, in that tank, were dead lampreys and the live fish side by side.

Trying hard to contain their excitement, they began a series of devil's-advocate tests to see if the chemical worked at high and low temperatures, at various concentrations, in various kinds of stream waters. They tried small fish and small lampreys, big fish and big lampreys. The compound took all these challenges and continued to perform.

Then came the chastening note. The chemical was called a halogen-nitrophenol. It was a rare, little-known substance and research chemists said it could not be produced in concentrated quantities, that would be pure and useful on a large scale. Furthermore, it was very expensive. But there were several close relatives of the compound, and one or more of these might do the job. So, Applegate and Howell went back to the test tanks.

For the next several months they tried a wide variety of these halogen-nitrophenols. All told, they found eleven other compounds which seemed to work, and from these picked one, called TFM, which held the most promise; TFM could be produced in quantity with consistent purity, its cost was not prohibitive, and the chemical was effective at very low concentrations. A series of tests on deer, rabbits and cows showed these animals suffered little effect from the chemical.

While waiting for production of a quantity of TFM, a test of related chemical, Dowlap 30, was arranged on Elliott's Creek, sometimes called Little Billie's Creek, in Cheboygan County, Mich. It was October 29, 1957. The techniques of application were new and cumbersome, but the test proved highly successful. Soon another test was conducted on Black Mallard Creek near the Hammond Bay station. Again success was high, and some of the techniques of application were ironed out. By the spring of 1958, with some field experience and a quantity of TFM in hand, a bigger test was run on a long section of the Mosquito River in Alger County, a tributary of Lake Superior. "Success on that test," Applegate recalls, "exceeded any of our expectations, and now we really allowed ourselves to believe we had the answer. The kill of lampreys was virtually complete, and other fishlife in the stream showed very little effect."

A few weeks later the Great Lakes Fisheries Commission held a special meeting at Marquette, and more than 125 leading fisheries officials and administrators from throughout the Great Lakes region attended. The highlight of the meeting was a test of the chemical on the Silver River in Baraga County. The demonstration was a huge success, and plans were started immediately for a full-dress attack on lampreys in Lake Superior.

None too soon. By the spring of 1958 the lamprey had worked its way steadily westward and trout fishing had all but collapsed in the eastern two-thirds of Lake Superior. Howell went to the west end of the lake with a field crew to begin a systematic treatment of all rivers, creeks, and feeder streams entering the lake. By the fall of 1960, with Howell's crew working in the United States and the Fisheries Research Board of Canada supervising similar operations in Ontario, all streams on both the American and Canadian sides of Superior had been treated. Applegate, Moffett and others attached to the project now began the long nail-chewing wait for results. To ask any of these men about the project during that time was like whistling during a chess tournament. The participants were notably testy and talk-shy. If they said anything, it was filled with if's and maybe's.

The answer finally came, all in a rush, in the spring of 1962. Annual counts at certain weirs had shown a normal total of 67,000 sea lampreys the previous spring. When final reports came in from those weirs in early 1962, the lamprey total had nose-dived to a mere 9,000. The chemical had done the job. The nail-chewing ended, and confidence in the entire program began to grow. A scramble now began for suitable fish stocks to install in these "new" waters.

But new trouble had appeared without warning. The lake trout and whitefish had filled important roles in the Great Lakes ecology, and when the lamprey struck them down a vacuum was left. So now another saltwater fish invaded the chain of lakes. This was the alewife, a silvery six-inch fish with little commercial and no sport fishing value, a nuisance that windrows its dead by the millions along Great Lakes shores and, worst of all, one which could successfully drive most other fish species out of Lakes Michigan and Huron. "Three years ago," one fisheries official said recently, "the alewife represented 90 percent of all fish, by weight, in Lake Michigan." The alewife eats the eggs and young of all fish, yet successfully spawns in the lakes itself.

Fortunately, the dismal inroads that the alewife was making would soon turn to profit. A new phase of the fight to save the Great Lakes fishery was shaping up, and results would soon surpass the wildest hopes of fisheries workers.

Here again, individual efforts mixed with luck and determination moved the entire project toward success. Viewed in long-range perspective, the whole story reads like a novel. Russell Robertson, superintendent of the state fish hatchery at Marquette, Mich., had begun to collect lake trout eggs from various parts of Lake Superior during the late 1910's. That was when the lamprey was first moving into the lake, and Robertson realized this would be the only chance anyone would ever have to save some of these fish. He knew that attempts to raise lake trout in hatcheries had met with but little success, but he decided to try anyway.

By experimenting with water temperatures and aeration he was able to hatch some lake trout eggs and to keep the young fish alive. Commercial fishermen had long recognized several kinds, or subspecies, of trout in the lake. Robertson was careful to include as many of these as possible in his brood stock collection. Gradually these fish grew and prospered. And as the lamprey pushed westward through Superior, Robertson's collection became all that remained of many of these subspecies. Most viewed them as little more than curiosities—hopeless fragments of an era of Great Lakes history now past and lost.

Then came the successful TFM tests on the Mosquito and Silver rivers in the spring of 1958, and those brood stocks of lake trout suddenly were priceless. Robertson was urged to push ahead immediately with production of young from adults in his tanks. Using the lake trout know-how he had gathered over the years, he soon had a whole new "industry" of lake trout production under way, the offspring of his lake trout and their offsprings' offspring serving as the nucleus for the entire lake trout rehabilitation program. Adult fish were shipped to other hatcheries, and soon millions of young trout were being produced. Several million young fish are now released each year into the upper lakes, and natural reproduction has been reestablished.

In addition to the lake trout, fisheries biologists now asked: Is there room for other fine fish stocks in these waters? Perhaps salmon? What about possible predators to control the alewives?

Fortunately, North American fisheries workers have inherited a long history of fish introductions, and have been trained in traditions of resource management involving such introductions. On the whole, this history has been good, though marked by many failures, plus some unfortunate successes, such as the carp. Consequently, fish biologists now look on introductions of exotic species in somewhat the same way that robins watch snakes.

Numerous suggestions for Great Lakes introductions were made, studied, abandoned. Still the biologists persisted, and after sorting out the possibilities, the Michigan Department of Conservation took the initiative and settled on two—the coho and the chinook—both salmon, both native to the Pacific Coast. Both are also anadromous; that is, they are fish that spawn in freshwater streams, but live most of their lives in deep, open water. And, of vital importance, both would feed on the alewives.

Growth of such fish is very rapid, they are highly prized both on tackle and table, and if they could take the Great Lakes, the Great Lakes could surely take them. Accordingly, conservationists in Michigan, Oregon, Washington and Alaska set up a cooperative fisheries project aimed at establishing these salmon in the Great Lakes. Along with a wealth of needed advice, Oregon was first to provide a million coho eggs in the fall of 1964. Early in 1965, Michigan received another two million eggs from Oregon and Washington, plus an additional 50,000 from Alaska.

Hatched and raised at three Michigan hatcheries, the young salmon, all five to seven inches long, were released in three plantings in April and May 1966. The Big Huron River received 192,000, while the Platte River received 314,000 and the Manistee River system received another 395,000. The Big Huron empties into western Lake Superior; the Platte and Manistee both empty into northern Lake Michigan. Fisheries technicians then sat down to await results.

They were not long in coming. On August 9th, a scant 100 days after the first plantings, a commercial fisherman lifting nets off Charlevoix, Mich., brought up a handsome silvery fish such as he'd never seen before. It was a coho, and it measured 15½ inches in length and weighed a plump 20 ounces. It had increased its length two and one-half times and its weight ten times in those 100 days! On August 26th another commercial fisherman in Green Bay pulled up more cohos, these averaging seventeen inches in length and each weighing around two and one-half pounds. On September 14th another fisherman tugged one aboard that measured two feet in length and weighed six and one-half pounds. Soon after, a shocked fisherman caught one that weighed a full seven pounds—and that's scale weight, not gunnel talk!

It was astonishing but true. These were, in truth, those little hand-length cohos planted so recently, and their growth in length and weight seemed almost incredible. Fisheries biologists said such growth couldn't be duplicated even under the most ideal hatchery conditions, and added that it looked as though cohos were here to stay.

Since then, all has been fantastic for fishing and fishermen throughout the Great Lakes region. There seems simply no other word to describe it. The breadth and scope of this happening must be seen as an absolutely unbelievable transformation in the hopes, economy, growth and excitement of every community, large and small, surrounding the Great Lakes. Classmates of the five- and six-pound cohos taken the fall of 1966 returned a year later to the Manistee-Frankfort area of northern Lake Michigan weighing three times that much.

They struck in school-size numbers at baits dangled by the few unbelieving fishermen who were on the scene that first weekend in September 1967. And the shock waves of those catches rippled out across the countryside like news of that proverbial gold strike.

Within days literally thousands of fishermen appeared from nearly every state in the nation. They went to sea in an unbelievable array of floating apparatus, including such items as amphibious automobiles, dinghys, hydroplanes, sailboats, flat-bottomed rowboats, inflatable rafts and uninflatable rafts. And remember the old World War II "Duck"? They tried to fish with the only tackle most had available—lightweight spinning and casting rods. The cohos, which fight with mean-tempered fury, got more sport out of those early rounds than the fishermen. Rods were broken, reels stripped, thumbs burned. Small casting plugs sent to face these fish returned with hooks bent straight—if they returned at all.

For a time it was nearly impossible to buy heavyweight tackle in sporting good stores anywhere in Michigan. Everything was simply sold out. Men who had to quit the scene for such mundane pursuits as work or family found they could sell a single heavy-duty plug for up to $10. A man could starve in jammed restaurants before he could capture a waitress long enough to order a hamburger.

Incredible scenes are recalled: A man rolled in a single blanket trying to sleep through the night on the bony frame of a boat trailer. Two dozen men scrambling into the water with dip nets upon seeing a school of cohos appear in the shallow mouth of a river—and conservation officers literally having to shout them out of this illegal activity. A man trying to set off in a large cabin cruiser just purchased—without even knowing how to start the engine, much less operate such a craft. A dead-weary gas station attendant filling car and boat tanks at 4 a.m., smiling through yawns to say yes, his business was up a thousand percent or so, he guessed. The overnight appearance of a full-fledged charterboat industry. Chamber of Commerce members valiantly directing traffic to give weary city policemen some much-needed rest. Tent cities springing up. Empty lots turned into parking areas. *No vacancy* signs hung on every motel within 30 miles of the Frankfort-Manistee area. Apoplexy among beachcombers and surf walkers upon suddenly seeing schools of 50 huge salmon lazing along a dozen feet off the sandy northern Lake Michigan shore. Shouts in the night. Men running. Threats of divorce.

That was the fall of 1967, and fishing in the spring of 1968 has already proved that this was merely a prelude to an enormity of activity yet to come. The million coho that started it all have since been supplanted by several million more salmon, both cohos and chinooks. The chinook is the vaunted West Coast king salmon. The world record coho (or silver salmon) weighed 31 pounds. The world record chinook weighed around 120 pounds. As yet, Great Lakes fishermen have not been tested by any of those chinooks. The chinook spawning cycle is a year or two longer than that of the coho, so they may not be seen for another couple of years. But when they do start to appear, the mayhem seen to date may be forgotten in the new tumult.

What had been gloom and despair around the Great Lakes is now the vibrant activity of new life. It is a conservation story beyond measure, containing all the success of resource management and development that any working conservationist could ever hope to achieve. New York, Pennsylvania, Ohio, Indiana, Wisconsin, Minnesota and Ontario have now joined Michigan by starting coho programs of their own in their great lakes waters. These enormous bodies of water, which suffered from such a long emptiness, are being returned to a grand fullness of use and production.

Indeed, the success is almost too good to be true, as some die-hard critics have been wanting to point out. And it must be added that already there are danger signals. A few biologists wonder how long the alewife can last as a food fish against the growing number of predatory salmon. Others note that the amount of pesticides which has washed off the upland and is now found in coho eggs is already at a dangerous level, and that much higher than normal dieoffs of young salmon have occurred in Michigan hatcheries, with a long-lived DDT the probable cause. Too, the sea lamprey is still a substantial menace in parts of Lake Michigan and throughout Lake Huron, and federal funds for lamprey control have been slashed by $150,000 this year. This may well delay planned lamprey eradication in Lake Huron—where a $20 million fishery is possible. And while coho production is affected by DDT levels, chinook are much more susceptible to this same chemical.

Still, what has happened to date has been almost a miracle. The defeat of the lamprey, the introduction of the salmon, the reconstruction of the lake trout fishery, and the rebirth of Great Lakes towns—all have been achievements beyond the hopes of anyone who dared hope at all fifteen years ago.

That's called conservation.

REPORT OF THE NATIONAL ADVISORY COMMISSION ON LIBRARIES

HON. CARL D. PERKINS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. PERKINS. Mr. Speaker, in the closing hours of a congressional year, it is traditional that we review our accomplishments and set forth some goals for future action. Accordingly, as chairman of the House Education and Labor Committee, I point with pride to the progress we have made in advancing and strengthening the Nation's library resources. Title II of the Higher Education Act, which we have recently extended in the Higher Education Amendments of 1968, will continue for another 3 years Federal assistance to help provide college library resources, training and research in librarianship, and cooperative cataloging by the Library of Congress.

In connection with this important program, I wish to call my colleagues' attention to the recent report of the National Advisory Commission on Libraries. As you know, when this Commission was established in September of 1966, it was directed "to appraise the role and adequacy of our libraries, now and in the future, as sources for scholarly research, as centers for the distribution of knowledge, and as links in our Nation's rapidly evolving communications networks."

During the 90th Congress, we have considered and approved various programs, in addition to HEA, title II, such as the Public Broadcasting Act, Interlibrary Cooperation, and the new Networks for Knowledge, which, to me, all appear related to the work of the Library Commission, soon to be disbanded now that its report has been transmitted to the President.

In reading the Commission's report, I find that this initial study makes it clearly evident that the job has just begun if we really mean to serve the educational needs of all our people. The first recommendation of the advisory panel is the establishment of a National Commission on Libraries and Information Science as a continuing Federal planning agency. It is my hope that early in the 91st Congress we will consider this recommendation and take positive action.

At this time, I insert the report of the National Advisory Commission on Libraries in the RECORD so that all the Members may have the benefit of its findings and recommendations:

THE SECRETARY OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., October 3, 1968.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The Report of the National Advisory Commission on Libraries, established in September 1966, by your Executive Order Number 11301, is attached. The Report has been reviewed by the members of the President's Committee on Libraries.

The Committee found it a highly stimulating report, containing numerous ideas which would strengthen the role of libraries in our society. It reflected the painstaking and energetic efforts of the Commission to look at the varied problems confronting libraries and librarians as they seek to supply a variety of services in the midst of growing demands.

Libraries are the keepers of our history and our culture. But they are not merely storehouses for the relics of the past, but meeting places for people and ideas, vital partners in our system of education.

The Committee urges a wide distribution of the Report. Its recommendations should be considered and discussed by individuals and groups at Federal, State and local levels, both in and out of the library community. It should encourage all of these groups as they make plans for even more effective services.

Respectfully yours,
WILBUR J. COHEN,
Chairman, President's Committee on Libraries.

LIBRARY SERVICES FOR THE NATION'S NEEDS: TOWARD FULFILLMENT OF A NATIONAL POLICY—REPORT OF THE NATIONAL ADVISORY COMMISSION ON LIBRARIES, JULY 1968

ACKNOWLEDGMENTS

The appendixes of this Report of the National Advisory Commission on Libraries contain lists of the witnesses who offered testimony and organizations which submitted useful special studies. Many other individuals in one way or another contributed to the efforts of the Commission. It is appropriate here to mention our particular thanks to Dr. Frederick H. Wagman, Director, University Library, The University of Michigan, whose preliminary compilation of written material at the request of the Commission served as indispensable resource for discussions at its final meetings and enabled the distillation of content for the December 1967 preliminary Report and the present Report to be completed within the limited time available. Finally, the Commission wishes to thank the officials and agencies of the Federal Government, whose cooperation has been most helpful from the beginning.

LETTER OF TRANSMITTAL

NATIONAL ADVISORY COMMISSION ON
LIBRARIES,
Washington, D.C., July 1, 1968.

Hon. WILBUR J. COHEN,
Secretary, Department of Health, Education, and Welfare; Chairman, President's Committee on Libraries, Washington, D.C.

DEAR MR. SECRETARY: In accordance with the Executive Order of the President of the United States, we are pleased to transmit to the President's Committee on Libraries the recommendations of the National Advisory Commission on Libraries. The Commission believes that its six broad objectives for the transitional and future development of library and information services can be achieved responsibly and realistically through the structural and organizational recommendations set forth in these pages.

The Commission has tried diligently to meet its charge as set forth in Chapter 1 of this Report. We have met eleven times as a full Commission to discuss library problems and potentials as perceived by a most interesting diversity of viewpoints represented by our membership. We have heard formal testimony and had informal discussions with technological experts, librarians, people from government and private agencies, and a variety of users and producers of both conventional literary material and newer forms of informational transfer. Regional hearings were held in communities throughout the country by members of the Commission to ascertain the people's library needs at the grass roots of our nation. Special studies on a number of relevant topics, in most cases specially commissioned by us, were submitted to the Commission and contributed to our deliberations on problems and issues. Already, areas for vital new research are evident.

On the basis of deliberations through early December 1967, the Commission had agreed on its recommendations and reached some basic conclusions on fulfilling the national policy we recommend for library services appropriate to the needs of the people. We presented these conclusions and our specific recommendations in a preliminary Report dated December 1967. Since then, the Commission has prepared a chapter analyzing its response to the President's charge, completed a statement on library manpower for Chapter 3, and made certain other refinements and modifications in the five basic recommendations now set forth in Chapter 4.

The work we have started can continue most meaningfully through the combined efforts of many existing and evolving entities, coordinated by the overall planning efforts of our recommended National Commission on Libraries and Information Science. There must be continuing, coordinated study and action in the years ahead—it is an ongoing, never-ending venture. Because the results of all the activities of the present Commission can continue to provide resource on library and information science and service in the future, we are supplementing our Report with a forthcoming volume which will be based on a variety of materials and data, including the special studies, in an attempt to synthesize and document a complex set of problems and issues.

At this time, it is our hope that the President's Committee on Libraries will study our Report and commend our proposals for action to the early attention of the President and the Congress. The problems are urgent. A sound beginning can be made.

Sincerely yours,

DOUGLAS M. KNIGHT,
Chairman, National Advisory Commission on Libraries, President, Duke University.

MEMBERSHIP OF THE NATIONAL ADVISORY COMMISSION ON LIBRARIES

Chairman: Douglas M. Knight, President, Duke University, Durham, North Carolina.

Vice Chairman: Frederick H. Burkhardt, President, American Council of Learned Societies, New York, New York.

Estelle Brodman, Librarian and Professor of Medical History, Washington University School of Medicine, St. Louis, Missouri.

Launor F. Carter, Vice President and Manager, Public Systems Division, System Development Corporation, Santa Monica, California.

Verner W. Clapp, Consultant, Council on Library Resources, Washington, D.C.

Carl Elliott, Attorney at Law, Jasper, Alabama.

Alvin C. Eurich, President, Academy for Educational Development, New York, New York.

Mildred P. Frary, Director of Library Services, City Schools Libraries, Los Angeles, California.

Herman H. Fussler, Director of the University Library and Professor in the Graduate Library School, The University of Chicago, Chicago, Illinois.

Marian G. Gallagher, Professor of Law and Law Librarian, University of Washington, Seattle, Washington.

Emerson Greenaway, Director, Free Library of Philadelphia, Philadelphia, Pennsylvania.

Caryl P. Haskins, President, Carnegie Institution of Washington, Washington, D.C.

William N. Hubbard, Jr., Dean, University of Michigan Medical School, Ann Arbor, Michigan.

Dan Lacy, Senior Vice President, McGraw-Hill Book Company, New York, New York.

Mrs. Merlin M. Moore, Supervisor of Economic Education, State Department of Education, State Capitol, Little Rock, Arkansas.

Carl F. J. Overhage, Professor of Engineering, Massachusetts Institute of Technology, Cambridge, Massachusetts.

Harry H. Ransom, Chancellor, University of Texas, Austin, Texas.

Wilbur L. Schramm, Director, Institute for Communication Research, Stanford University, Stanford, California.

Mrs. George Rodney Wallace, Trustee, Fitchburg Public Library, Fitchburg, Massachusetts.

Stephen J. Wright, President, United Negro College Fund, Inc., New York, New York.

Staff of the commission

Melville J. Ruggles, Executive Director (November 1, 1966–December 31, 1967).

Daniel J. Reed, Deputy Director (January 1, 1967–December 31, 1967).

E. Shepley Nourse, Editor (August 15, 1967–).

Mary Alice Hedge, Administrative Officer (August 1, 1967–).

Richard K. Burns, Research Associate (September 11, 1967–December 31, 1967).

FOREWORD

When the President appointed the National Advisory Commission on Libraries more than a year ago, he gave it a demanding task, and one with urgent as well as enduring aspects. He asked the Commission to consider the nation's library structure, the nature of the present and wisest possible future involvement of Federal support in the development of national library and informational resources, and the most effective shaping of those resources to our common need as we can picture it over the next decade. This third concern of the Commission has been for resources of every kind, and needs at every level. We know very well how difficult it is to relate Federal and local, public and private sources of support and definitions of purpose, but we have tried to suggest some of the ways in which that crucial job can be done.

Our recommendations will be understood best, I think, by seeing them as they result from our basic concern for adequate library resources. This concern may in its turn seem simple or self-evident until we look at the history of libraries and the needs of this country in the late 20th century—needs which grow equally from the individual citizen and the large corporation, the pioneering university and the complex Federal agency. The historical growth of libraries is a vivid commentary on our problems today, in fact, for we see at major periods in the past the development of one or two particular kinds of library. Today we have the whole array of libraries alive at once; our world demands this variety, while our achievements and our great need grow from it. We are Alexandrian or Renaissance citizens in our development of great book and manuscript collections which range across the past of Western culture; we are Roman or Baroque in many of our superb private and personally shaped libraries; we are medievalists in our development of libraries for specialized fields of learning; and we continue the public or national traditions of the 18th and 19th centuries in our great Federal, municipal, and university libraries. Just as we have an astonishing range of demands on our libraries, so we have range in the kinds of library we create and support.

But what in fact do we mean by a library? We must ask this elementary question, because we are surrounded, almost overwhelmed, by the tangible fact of libraries. We take their meaning, like their existence, too much for granted. That existence, and meaning are best understood, perhaps, by realizing what libraries are *not*—not warehouses of books and manuscripts, not collections of reading rooms, and not sets of reading devices. Any library is instead a particular kind of meeting-place, and it grows from certain major attributes of the human mind and spirit. It is not a neutral spot, not passive, and yet it does not have restrictive purpose or direction as a thoughtful radio or television show does. A library differs from other systems of communication, indeed, precisely because its value and power emerge from the use which we as individuals choose to make of it.

A library—great or small, privately or publicly supported—has two major and unique functions. First, it makes possible meetings of mind and idea which are not limited by our *normal boundaries of time, space,* and social or economic level. An effective library gives us the option of moving to the far side of the world, to the fifth century B.C., or to the company of prophets and princes. And we do all this, not by the transient means of fantasy, but by the enduring power of our own human awareness. We can become more than we were; we can, if we wish it, increase our individual stature as well as our public effectiveness.

To say this is to suggest the second great function of a library. It is the institution in our society which allows and encourages the development, the extension of ideas—not their passive absorption, but their active generation. Here our image of the conventional reading room many interfere. We picture a hundred silent, inert figures, and forget that each is making some active reckoning with all that he thought to be true before he confronted a new range of ideas or conditions. He may be more active at that quiet moment, in fact, than at any other time in his life. The technical means of his encounter may be a record, a tape, a film, a print-out or—most radical of all—a book. Libraries are not bounded by means; they will and should employ any means to achieve their ends.

At a time of great technical virtuosity it is important to realize that in the predictable future new means of information storage and retrieval will not displace the book. Nor will they lessen the need for materials, buildings, or skilled staff. Instead they will extend and supplement what we now have, and our investments during the next decade must take equal account of the enduring purposes of libraries and the diverse emergent means of strengthening them.

Clearly, of course, libraries cannot achieve their ends for the illiterate or the indifferent. They are dependent on teachers, writers, parents to set interest alight, but they are the means of meeting the interest, and giving it range beyond those who first stirred it. This creative center which is a library should not be defined by the adequacy of its space, equipment, and collections alone, but by the adequacy of its people—those who first teach the mind to inquire, and those in the libraries who can show it *how* to inquire. The librarian of today and tomorrow must have many technical and professional skills, but above all he must have skill with people. He is a teacher whose subject is learning itself, and his class has no limits on age, field of study, or degree of competence. The national policy which we propose is as a result based equally on the need for skilled and sensitive people, bold and yet imaginative technical means, and support from every sector of the economy as well as every major level of government.

DOUGLAS M. KNIGHT,
Chairman, National Advisory Commission on Libraries, President, Duke University.

CHAPTER 1.—THE COMMISSION'S CHARGE

In the Executive Order of September 2, 1966 (see Appendix A), the National Advisory Commission on Libraries was charged to:

(1) Make a comprehensive study and appraisal of the role of libraries as resources for scholarly pursuits, as centers for the dissemination of knowledge, and as components of the evolving national information systems;

(2) Appraise the policies, programs, and practices of public agencies and private institutions and organizations, together with other factors, which have a bearing on the role and effective utilization of libraries;

(3) Appraise library funding, including Federal support of libraries, to determine how funds available for the construction and support of libraries and library services can be more effectively and efficiently utilized; and

(4) Develop recommendations for action by Government or private institutions and organizations designed to ensure an effective and efficient library system for the Nation.

The Commission tried conscientiously to meet these charges. In particular, it attempted a broad look at the complex roles of libraries in relation to user needs in a changing society, and it developed some recommendations for structural adaptations that can foster evolutionary development and enable continuing, coordinated study and action in the years ahead. The Commission's conclusions with respect to major objectives and its five specific recommendations for realizing these objectives are the basic subject matter of this Report. Chapters 2 through 4 present the rationale for the Commission's response to point 4 in the Executive Order.

Here in Chapter 1, however, it seems appropriate to comment on the response of the National Advisory Commission on Libraries to the first three points set forth in the Executive Order.

In some areas the Commission feels it would be presumptuous to make premature judgments on the basis of current evidence, but even in these cases some tentative judgments can be made. The discussion that follows touches on many areas, including some still confused by question affecting the philosophy, administration, and financing of library and information services for the nation's needs. Tackling the imponderables is part of the job ahead.

Evolving responsiveness to user needs

With respect to point 1 in the original charge, the National Advisory Commission on Libraries approached its appraisal of the role of libraries in several ways. It arranged to hear a variety of testimony (see Appendixes C and D); it sponsored several major studies on basic aspects of the roles of libraries—notably the System Development Corporation report on *Technology and Libraries* and the American Council of Learned Societies' study *On Research Libraries* (see Appendix B); and its members have discussed the issues at some length and familiarized themselves with many of the other major studies that fall into this general area. As a result of this effort, the Commission has reached a number of conclusions that have led to its specific recommendations.

The Commission believes that libraries are both essential and major elements in providing resources for scholarship in almost all fields of knowledge, in serving as centers for the dissemination of knowledge, and in serving as components in the evolving national information systems. The library role in these matters is in fact so critical that the Commission believes that libraries serving these purposes must be significantly strengthened. This increased strength will require a variety of different approaches and techniques; Federal support, long-range planning, and better coordination are all urgent requirements.

In the Statement by the President accompanying the Executive Order, three serious questions were asked about the future of our libraries. One of these was quite similar to the item in point 1 of the Commission's charge about the role of libraries as components of evolving national information systems. It asked:

What part can libraries play in the development of our communications and information-exchange networks?

In considering the role of libraries in national information systems and in communications and information-exchange networks, the Commission found many uncertainties, often further complicated by semantic confusion and a tendency to polarize conventional written information and scientific and technical data. The National Advisory Commission on Libraries favors resolving the uncertainties through multiple but coordinated planning and experimentation. It urges an evolutionary development responsive to user needs, whether it is simple interlibrary cooperation or a highly technical communications system. Some points supporting this conclusion appear to be already evident.

Libraries are reservoirs of information whose means and ends of distribution are determined by the function the information is to serve in the hands of the user rather than by some abstract set of values inherent in the term "library" itself. Similarly, one cannot evaluate electronic and computer-processed information stores except in terms of improving the function of the ultimate user of this information.

The requirements for effective library and information access for students, scholars, and practitioners in various disciplinary areas and at various levels display sharp and complex variations. Consequently, sweeping generalizations with respect to user needs are likely to be misleading through incompleteness and inaccuracy. For example, some misunderstandings exist because the need for books has now been joined by needs for information in other formats. In some technical fields traditional books may be playing a decreasing role as reservoirs of information. In other fields the need for traditional literary information may actually be increasing. But in all fields the needs are multiple and are likely to become more so as new multidisciplinary relationships emerge and develop simultaneously with further highly specialized needs.

At the beginning levels of formal education, we find that the close adaptation of elementary school libraries to the functional needs of changing teaching patterns has made the book only one of many information resources handled by the information center of the elementary school. It is at other levels within the formal educational system—the secondary school, college, and university levels—that library needs are most evident and least satisfied. Here the more traditional understanding of the library asserts itself and a wide variety of measures will be needed, including more collaborative efforts among these libraries, to insure their long-range effectiveness. As for academic research, the library responses to these needs display, even where there appears to be great strength, severe stresses and great unevenness in access.

The roles of the public library are changing. The relative inefficiency of completely self-planned instruction and the increasing availability of organized instruction within the community have decreased the function of the public library as the university of the poor. Nevertheless, as educational demands upon the public library by the educational system itself increase, and as the sophistication of the community increases, the public library becomes an essential element within the community as an information reservoir for multiple user groups.

It follows from the foregoing paragraphs that naturally evolving systems that clearly serve the needs of users should be given support in their own right at this time. No one can perceive the final nature of communications and information-exchange networks, nor the quality of a national information system—with a single exception. The exception is that such a system will finally be made up of a large number of highly specialized individual components, each one of which should be designed to serve the needs of a defined user group.

The specialized libraries, such as the National Library of Medicine, one of our three existing national libraries, can therefore be looked upon as important models of how a library alters or develops its role and activity to serve a defined group—in this case the medical scientists and practitioners. The National Library of Medicine also engages in cooperative activities. Likewise the largest of our national libraries, the Library of Congress, has demonstrated many kinds of cooperation with other units, thus exemplifying how the understanding of the need of response to a user group (e.g., the Congress) does not exclude sensitivity to cooperation with the larger whole.

Libraries badly need support in establishing new means of intercommunication and cooperation. Only after this kind of support of the existing order has been established can it be reliably estimated what the role of these units is in the evolving national information system.

To summarize, then, and to place the Commission's response to the very broad point 1 of its charge in somewhat clearer focus, the following observations are relevant here. These are shared by members of the Commission and recur many times throughout this Report in various contexts.

First, in order to improve the access of our society to information, the Commission believes the basic necessity is to foster development by an evolutionary process. An example is the application of technology, which can play an extremely important role in improving library and informational operations; the Commission does not presently see a technological solution that will make either the printed book or the library itself quickly obsolete—nor does it see any near-term system that will inexpensively provide instant access to all knowledge at any location.

Second, if the present unsatisfactory situation, described particularly in Chapter 3 of this Report, is to be improved, the Commission believes there should be augmented Federal support for: (a) national or regional resource collections and services for infrequently used research materials in a carefully planned pattern; (b) nationally oriented indexing, cataloging, abstracting, and other bibliographical services; (c) basic and applied research in library operations and in the intellectual problems, technology, and economics of information transfer and dissemination.

Third, it is apparent that public, school, and academic libraries will all be obligated to change many of their methods of work, their interrelationships, and some of their roles and objectives in the years ahead. If these libraries are to be responsive to contemporary and future requirements, the Commission believes that changes will have to take place at a much faster rate than has heretofore been the case. To effect more rapid rates of change and response, funds, among other things, will be required that are not now available.

Fourth, there are, and there will continue to be, many information dissemination and data-handling functions that may be handled in part or entirely outside the walls of traditional libraries—e.g., indexing, abstracting, literature evaluation, synthesis, and computer or other means of access to extensive economic, sociological, scientific, and other data banks. These services are of great importance in insuring effective access to the resources collected, organized, preserved, and made available primarily through libraries—especially those of a scholarly research nature.

Fifth, the Commission believes that the nation's library and other information systems will continue to be a shared responsibility of Federal agencies, the States, municipalities, educational institutions, and many other public and private organizations. No monolithic Federal or other centralized administrative control seems either feasible or desirable. There will have to be many different kinds of informations systems and working relationships among a variety of institutions if we are to provide effective access to relevant information for our society. New systems, roles, and relationships are likely to emerge at very different rates of speed in response to widely varying user needs.

Finally, it should be stated here that the tasks of analyzing the needs, planning, setting standards, allocating resources, measuring performance, and coordinating efforts will be difficult and complex in the years ahead. Effective progress will require the sustained effort of the persent Commission's recommended ongoing National Commission on Libraries and Information Science working with Federal agencies, the national libraries, and many other institutions, groups, and individuals.

The fragmentation of efforts

The second of the President's charges required the National Advisory Commission on Libraries to "Appraise the policies, programs, and practices of public agencies and private institutions and organizations, together with other factors, which have a bearing on the role and effective utilization of libraries."

In an effort to accomplish this appraisal, a number of the special studies referred to earlier were planned by the Commission to concentrate on the various kinds of libraries and the different public agencies involved. These studies by competent authorities included one on the Federal Government and libraries by Duke University, one on State libraries and library agencies by Nelson Associates, Inc.; one on research libraries by the American Council of Learned Societies; three on undergraduate and junior college libraries, public libraries, and school libraries, respectively, all by Nelson Associates, Inc.; and one on special libraries by the American Documentation Institute. The Commission also heard testimony from representatives of all types of libraries, from Federal and State agencies concerned, and from library associations.

It is impossible to present any reliable appraisal of the policies, programs, and practices of even a single type among the multitudinous agencies and institutions that are involved in giving library and information services to the American people. An overriding conclusion, however, evident from all the studies and hearings, is that there is an extremely wide range in both the character and the adequacy of library services and library resources. The incomparable holdings of the great university libraries contrast starkly with the nearly empty shelves of new community colleges and similar institutions. Residents of some large cities and affluent suburbs enjoy a wealth of library services denied to residents of most rural areas. The schools of suburbia are likely to have superb libraries, the schools of urban and rural slums none at all—at least until the Elementary and Secondary Education Act of 1965 (P.L. 89–10, P.L. 89–750) began to offer assistance. What kind of library service an American has available to him may have the widest possible variation, depending on his means and where he lives. In general, the areas of greatest poverty and social need and the institutions confronting the most critical social and educational problems are those with the least adequate library services. Where such great efforts are required to induce nonusers of library services to become users, we face a great lack.

More detailed appraisals of particular strengths and weaknesses are reflected in the definitions of objectives and the recommendations for action that make up the ensuing chapters of this Report. A forthcoming book planned by the Commission and based on Commission materials, including a number of the special studies, will attempt a further analysis of the multiplicity of users and uses of library and information services. Surely one of the primary tasks of the present Commission's recommended ongoing National Commission on Libraries and Information Science will be broad planning toward understanding and coordinating the present fragmented situation.

In the Statement by the President accompanying the Executive Order establishing the National Advisory Commission on Libraries, there was a question, somewhat related to point 2 in the charge but directed toward the fragmentation of Federal efforts:

Are our Federal efforts to assist libraries intelligently administered, or are they too fragmented among separate programs and agencies?

As mentioned above, there are many current complexities in evaluating and even identifying some of the programs and the relationships between them. The Commission clearly believes that coordination of and cooperation between the organic units of the whole body of library efforts, both within the Federal Government and supported by it, are inadequate. Such a body needs a central nervous system. In pursuing this analogy, it is important to emphasize that a central nervous system is the servant of the organs—that each has its own independent and discrete function on behalf of the whole. The central nervous system cannot substitute for the function of the organ, but the function of the organ serves the whole body only when it is coordinated.

For this reason the National Advisory Commission on Libraries does not recommend that one of the organic units—for instance the largest of the national libraries, the Library of Congress—should dominate all of the other organic units in this coordination. Rather, the Commission recommends that a body roughly analogous to that serving the national Library of Medicine as its Regents should be established as a Board of Advisers to the Library of Congress, and that an Institute should be established within the Office of the Secretary of Health, Education, and Welfare to coordinate developmental efforts. The brain of this system is that overall planning and advisory agency, the National Commission on Libraries and Information Science, already referred to several times here in Chapter 1.

The present Commission believes that, within this system it has recommended, the haphazard fragmentation of efforts can be circumvented and the strength of diversity maximized.

Sources and uses of funds

The third point in the charge to the National Advisory Commission on Libraries was to "Appraise library funding, including Federal support of libraries, to determine how funds available for the construction and support of libraries and library services can be more effectively and efficiently utilized." Attention was further directed to the following question from the President's Statement:

Are we getting the most benefit for the taxpayer's dollar spent?

The pitiful incompleteness and tardiness of library statistics, and their lack of comparability, make it impossible to give specific quantitative responses to this series of questions. No one knows precisely, or even with close approximation, what the total present library expenditures of the nation are, or even what the Federal contributions to those expenditures are—nor can even approximately reliable specific estimates be made of the costs of remedying the serious deficiencies in library service that we all know exist.

Estimated needs suggest extensive expenditures in order to approach the various sets of standards adopted by the American Library Association (ALA). According to figures supplied to the Commission by the United States Office of Education in June 1968, it would require a lump sum expenditure in 1968 of $1.6 billion to stock school libraries optimally. Just to make up the backlog of space required to construct centralized public school libraries where they did not exist in 1961 would require $2.145 billion. Space requirements for replacement and new growth for public libraries have been estimated at $1.132 billion for the period 1962–75. As for academic libraries, available figures compare present trend with optimum trend over the total period 1962–75: $1.945 billion compared with $9.891 billion for books and materials, $120 million compared with $360 million for new construction.

Obviously such large amounts are beyond immediate achievement, but the estimates afford some general measure of the magnitude of the financial problem that lies ahead in the development of library services. The present Commission has not attempted to make its own specific estimate of the dollar needs of libraries—in part because the members have not found it possible to evaluate existing standards and do not believe an adequate factual basis for a reliable estimate exists, and in part because any estimate would quickly be made obsolete by changing needs and costs—but primarily because the principal need is to create machinery for continuing examination of changing library needs, for devising means of meeting them, and for determining priorities and costs. This would be the task of the permanent National Commission on Libraries and Information Science proposed in this Report.

It already seems perfectly clear, however, that the need for additional financial support for our libraries is great at present and will grow rapidly in the future. Population growth, our more extensive educational commitments, the rapidly increasing role of research, the greater complexity of our society, and our determination to achieve a massive improvement in the educational and vocational status of the poorer and less-educated among our citizens will join to require very substantial increases in the quantity and quality of library services.

The present Commission has explored possible means of reducing the unit cost of library service to offset in some degree the total financial impact of the need for greatly increased services. Interlibrary cooperation, the establishment of interlibrary networks, and the more extensive employment by libraries of new information technology have all been considered in this connection. As other sections of this Report indicate, the Commission believes that all of these developments have great potentialities for library service and should be vigorously pursued. Their value, however, will almost certainly rest in making it possible for us to have library services of a form and scope now unattainable—for example in making the holdings of the great research libraries more realistically available to users in smaller communities and institutions—rather than in reducing the cost of services. In reality, the effective employment of these new devices and methods will itself require a large additional investment of funds.

The unit cost of library services is, in fact, almost certain to rise substantially over the foreseeable future. Three fourths or more of the cost of library service consists of salaries. These will undoubtedly rise steadily as the general wage and salary level of society rises with higher productivity. Indeed, the acute shortage of professional personnel is likely to drive library salaries up even faster than the general salary level. The absence of opportunities to increase man-hour productivity comparable to those available in industry, coupled with increases in salary rates, will produce substantial and inescapable increases in unit costs. This is the same problem the nation faces in connection with increasing costs of education and medical services.

Since the principal reason for the steady increase in the cost of library services, as of other social services, is the rising affluence of the country, the means exist to meet these costs. It is inescapable, however, that these should be met from sources of public income that rise hand-in-hand with increases in the gross national product. Public libraries and school libraries are now financed primarily from local real estate taxes, which are inelastic and respond very slowly to increases in national income; many college and university libraries are heavily dependent on endowment income and student fees, which are also capable of only limited increase. The role of State support for many of these types of libraries has been substantially enlarged and should be further increased as a partial response to the inflexibility of other sources of support. Even State income, however, based as it is largely on low income taxes and sales taxes, responds relatively slowly to rises in the general level of productivity and is critically low in just those states especially in need of large-scale expansion of library services.

For all these reasons, the Commission believes that over the coming decade very large increases in Federal support of libraries will be necessary and, indeed, inescapable. Even if this necessity did not exist, however, there would be ample justification for an increase in the Federal component of library support. The problem of research libraries is peculiarly a national one: we need to develop national centers of research collections, national backstopping facilities to improve access to research materials, national plans for coordination, national catalogs and bibliographies, and other apparatus that will improve the accessibility of relevant information. The employment of the newer information technology in libraries—including research to develop its applications, the formulation of uniform or compatible information storage and retrieval systems, and the creation of library networks—are also inescapably national problems whose solutions require national participation and support.

Even on the level of local school and public libraries, there is a great and distinct national interest. Especially with a population so mobile as that of the United States, the whole nation must have a concern for the level of educational and informational services throughout the country. Illiteracy, ignorance, limited education, and lack of vocational skills, and other poverty-engendering deprivations, wherever orginating, spread their impact by migration and otherwise throughout the country. Library development is an essential element in such national objectives as the elimination of poverty and the achievement of rapid social and economic development, and it requires and deserves national support.

As for the effective utilization of funds already available for the construction and support of libraries and library services, it should be pointed out that, during the life of the Commission, the Federal contribution to libraries had just been greatly expanded under the Elementary and Secondary Education Act of 1965 and the Higher Education Act of 1965 (P.L. 89–329, P.L. 90–35, P.L. 90–82), and appropriate procedures and staffing were still being worked out. There was some inevitable confusion and it is too early to reach dependable judgments about the efficiency of the Federal program. In general, however, the Commission hopes that the administration of these acts may be moving toward the quite high level of efficiency already achieved in the administration of the Library Services and Construction Act (P.L. 88–269, P.L. 89–511, P.L. 90–154) and the library components (Titles III and XI) of the National Defense Education Act (P.L. 88–665).

There are, however, some fundamental weaknesses in the present pattern of Federal library support:

a. It is given under a large number of different acts in addition to the four mentioned above. Some such diffusion is inevitable, and even to some degree desirable since it would be unwise to pull library components out of many different Federal programs and put them into one act, thus separating libarary support from the objectives it is intended to serve. But there is substantial overlapping and lack of coordination among these different acts at present, and they have not been planned as part of a comprehensive whole.

b. There is no program of Federal support for research libraries as such.

c. There is no central program for the development of the newer information technology and its application to libraries.

d. Although manpower is a most critical library problem, Federal support has been almost wholly given to buildings and materials, with limited support for training and almost none for salaries.

e. Effective employment of Federal funds within the States, especially for school and public libraries, and effective State support both depend on strong State library planning and administrative services, which do not always exist.

The National Advisory Commission on Libraries has stated in this Report a number of conclusions and recommendations to strengthen these aspects of Federal support. Particularly relevant in this respect are the permanent National Commission on Libraries and Information Science to undertake broad central planning toward coordination; a central Federal Institute of Library and Information Science for research and development; aid to research libraries as well as other libraries; improved manpower recruitment, training, and utilization; and strengthening of State libraries. The Commission believes the adoption of these approaches would substantially improve both the efficiency and the effectiveness of library funding and the use of Federal funds.

The criterion of social value

In retrospect, examining the objectives and recommendations presented in this Report in relation to the original charge, the National Advisory Commission on Libraries believes that questions now unanswered will yield to the diverse approaches and interlinked continuing bodies recommended. There clearly already are, and will continue to be, many challenging problems for the scrutiny of the continuing National Commission on Libraries and Information Science—the very fact that the present Commission, in only the few months since completion of its preliminary Report, has developed additional conclusions and recommendations for the present Report is encouraging evidence of the validity of the commission function in overall planning and advising.

One theme emerges throughout all the activities of the National Advisory Commission on Libraries since its first meeting in November 1966. This is a strong social-benefit awareness, a service orientation that pervades every existing and conceivable library and information function. Perhaps it is not too soon to propose the criterion of social value as the most important in decision-making—whether for broad central planning, more specific planning, or immediate problem-solving. We should look at the value to our people and our culture that accrues from the activities of the user whose functions are to be enhanced by improved availability of library and information services. A library can be understood only as it enhances a socially valuable function, one of which—and one that all libraries can enhance—is the personal intellectual and ethical development of every individual in our society. The variety of the other socially valuable functions determines the need for variety in kinds of libraries.

In this spirit of social awareness, the National Advisory Commission on Libraries developed its recommendations for a National Library Policy, presented in the following chapter.

CHAPTER 2. A NATIONAL LIBRARY POLICY

Recommendation: That it be declared National Policy, enunciated by the President and enacted into law by the Congress, that the American people should be provided with library and informational services adequate to their needs, and that the Federal Government, in collaboration with State and local governments and private agencies, should exercise leadership in assuring the provision of such services.

Increasingly over the years the need for a national library policy has become apparent—a policy which could permit plans that take into consideration the needs for library service of the American people as a whole. Recent developments which have profoundly affected not only the supply and the use of informational materials, but also the way in which information is used, have made the recognition of this need inescapable.

As long ago as circa 1730, when Benjamin Franklin and his youthful colleagues were establishing what was perhaps the first communal library in the American colonies, he gave expression to the basic principle of modern library service. By "clubbing our books to a common library," he wrote, each member had "the advantage of using the books of all the other members, which would be nearly as beneficial as if each owned the whole." Today, some Americans share the use of collections of millions of volumes, while others still lack access even to meager and deficient library facilities.

By the end of the 19th century the country possessed many thousands of academic, public, and other libraries, all based on Benjamin Franklin's principle of clubbing. These libraries were all more or less self-sufficient institutions, necessarily limited by their local resources, but providing important services to local communities of users. But the need for more broadly based services was already recognized and growing, and interlibrary lending, union catalogs, and other products of interlibrary cooperation were responding to this need.

During the next 50 years, however, it became clear that the library needs of the country could not be met merely by cooperation between independent units having local responsibilities. Several of the State governments led the way in developing regional library services organized around their State libraries, while increasingly through the period the libraries of the country were taking advantage of central services—of which the Library of Congress catalog-card system is the archetype—for reducing their costs and increasing their effectiveness. Finally, in 1956, in the Library Services Act (P.L. 597), Congress took a major step to enable the Federal Government, in collaboration with the States, to extend public library services to that third of the nation's population, mainly in rural areas, that still lacked them.

That Act was just in time. Since 1956 the accelerated momentum of events has made cumulative demands upon the libraries of the country which they were quite unprepared to meet, but the experience gained under the Library Services Act has proved invaluable for suggesting methods for meeting library problems.

It is now clear that library services are needed, to greater or less extent, directly or indirectly, by the entire citizenry of the country. Such services are increasingly essential for education, scholarship, and private inquiry; for research, development, commerce, industry, national defense, and the arts; for individual and community enrichment; for knowledge alike of the natural world and of man—in short, for the continuity of civilization on the one hand and increasingly for the preservation of man's place in nature on the other.

It is also now clear that these needs can no longer be met by spontaneous independent institutions having merely local responsibilities and claiming merely local support, no matter how willing they may be to assist. Indeed, these institutions through the years are persistently further and further from self-sufficiency and increasingly dependent upon the services of external bodies—public and private, State and Federal, domestic and foreign—without which their costs would skyrocket and their services diminish.

A principal reason for this exists in the sheer mass of new information continuously being added to the existing stock as a result of the ceaseless probings of scholarship and research—information which is requisite for the increasingly complex activities of civilization and of modern communities, yet which is beyond the capacity of individual libraries to acquire, organize, store, search, and make available for service. For the efficient handling of this information, a system of specialized agencies is needed. Elements of such an arrangement actually do exist, but on an unplanned and spontaneous basis. The situation requires rationalization through the execution of careful plans in the national interest.

There are other reasons why libraries can less and less attempt to serve as self-sufficient entities but must more and more derive strength from membership in regional or national systems or networks. One of these is the increasing mobility both of people and of industry—a mobility that tends not only to diversify, but also to intensify the demands upon local libraries for specialized materials. Another is the enormous increase in personnel costs that all service organizations, including libraries, are forced to sustain, costs that compel them wherever possible to substitute mechanisms and automatons for manual operations. A special aspect of this process is the inevitable impact of electronic technology on information transfer—a process already under way in the development of methods for storage of information in electronic memories, processing by computer, distribution by wire or microwave, and service to the consumer by telefacsimile or cathode-ray-tube display.

To avoid haphazard and fragmented response to the inevitable forces of a changing society, a national plan is required that can be used to guide the next steps of all participants toward a recognized and achievable goal of adequate library service to all Americans. Because of the deep involvement of the Federal Government as producer, processor, and user of information, and because this is a matter closely touching the national welfare, the leadership of the Federal Government is essential to the success of any plan.

A prerequisite to the development of such a plan is a clear enunciation of the policy on which the plan is to be based. In consequence, the first recommendation of the National Advisory Commission on Libraries, on which all its further recommendations rest, is that it be declared National Policy, enunciated by the President and enacted into law by the Congress, that the American people should be provided with library and informational services adequate to their needs, and that the Federal Government, in collaboration with State and local governments and private agencies, should exercise leadership in assuring the provision of such services.

The international dimension

A National Library Policy for meeting the needs of our own citizens does not preclude an international awareness and responsibility. In fact a national policy statement on international book and library activities already exists—it was approved by the President on January 4, 1967. Subsequent directives to government agencies have further elucidated this policy for the encouragement of education through exchanges of books and of teachers and students, fostering indigenous book publishing and distribution facilities, support for programs of library development, training programs for library personnel, liaison between American and foreign libraries, increased exchange of reference and bibliographic information, and joint undertakings in the development of library technology.

The National Advisory Commission on Libraries shares the enthusiasm of the library profession toward achieving these goals and urges the appropriation of funds to implement the International Education Act (P.L. 89–698). The Commission also commends the idea of a clearinghouse at the Library of Congress to which foreign scholars and libraries might apply for needed publications.

The contribution of our library profession and our libraries to the improvement of international relations over the years has been noteworthy. Their acquisitions programs have attempted to develop rich resources of information from all parts of the world to meet the ever increasing needs of our citizens. They have aided in the work of creating understanding of our society and our policies by making publications of the United States available to libraries abroad. They have participated on a continuing basis in the work of international library associations and of the United Nations Educational, Scientific, and Cultural Organization (UNESCO) in its program of fostering education and librarianship abroad, and they have helped restore libraries ravaged by war and natural disasters.

Today, when it is clearly in our national interest to help the emerging countries develop progressive educational systems and provide a basis, through education and knowledge, for peaceful coexistence in the community of nations, the American library profession can—through participation in both publicly and privately supported efforts—make a greater contribution than ever before.

The United States can demonstrate to the world that we support our convictions regarding intellectual freedom by providing free access to all types of information and all shades of opinion for all citizens. Our libraries can strive to become a vital positive force in the social and intellectual reconstruction of a broadening and changing society. The National Advisory Commission on Libraries believes that toe basic first step for the Federal Government is to state a National Library Policy toward the provision of services truly adequate to the nation's needs.

CHAPTER 3. OBJECTIVES FOR OVERCOMING CURRENT INADEQUACIES

In order to fulfill the National Policy and provide library and informational services adequate to the nation's needs, current inadequacies must be faced. The purpose of this chapter is to discuss some areas where objectives are needed: where existing deficiencies threaten to undermine the success of any coherent development into the future. These deficiencies already severely limit or deny effective access to libraries and relevant knowledge for many individuals, but the situation can and must be remedied. A variety of complex responses and changes are required, and these responses and changes need to be developed in a sustained, consistent, and evolutionary manner over a period of time—and with a substantial degree of Federal leadership and participation. The National Advisory Commission on Libraries recommends that immediate national attention be given to six broad and fundamental objectives. The long-range development of an adequate library and information system will be dependent to a large degree on the achievement of these objectives.

Formal education at all levels

Objective: Provide adequate library and informational services for formal education at all levels.

First of all, we must reduce some serious current deficiencies in those libraries serving not only every level of formal education, but also the increasingly blurred boundary lines between these levels.[1] School library deficiencies, labeled "a national disgrace" by former Commissioner of Education, Francis Keppel, have truly serious consequences for our entire system of education. The habit of reading, skill in reading, and skill in identifying and using pertinent information are vital in the learning process, in dealing with concepts, in making wise judgments, in pursuing a vocation or profession, in extending the frontiers of knowledge, and in the liberation and extension of the mind of man.

Recent Federal legislation has already had visible impact on elementary and secondary school library development, in part by encouraging much greater local effort in library improvement. Nevertheless, and in spite of differences from one system to another, the needs of our schools in general for books and other library materials, for adequate physical facilities in which to house libraries, and for staff are so enormous that continued Federal assistance is necessary. The Commission believes that appropriations for school library resources should be increased as soon as possible to at least the full amount authorized by the Elementary and Secondary Education Act of 1965 (P.L. 89–10, P.L. 89–750). At this time some school buildings have no libraries in any sense of the word; too often meager materials are housed with notable inadequacy. Provision for libraries should be made mandatory in any Federal legislation supporting the construction of new school buildings or the expansion of existing buildings that do not already have adequate library facilities. It should be noted that libraries in schools serving educationally deprived children appear to be extremely deficient, and it would be advisable to bolster the library assistance provided by the Elementary and Secondary Education Act with supplementary legislation to help solve this problem in our large cities where so many disadvantaged children reside. To provide for a more efficient use of materials, equipment, and personnel, local and State school library agencies should be further encouraged to form community and regional systems to provide centralized consultation and acquisitions and processing services for school library materials.

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[1] As evidenced, for example, by such phenomena as advanced-placement credit for college-level courses taken in high school and early-entrance programs to professional education.

The implementation of a national plan to raise elementary and secondary school libraries to full and continuing adequacy will require far better data on school libraries than are now available. Investigations should also be undertaken on the relative cost and utility of the various types of library materials, which are often indistinguishable from instructional materials; on differing patterns of service, supervision, and library organization; on appropriate standards; on the various means of coordinating school library districts to provide centralized consultant, processing, and materials-evaluation services; and on the means of stimulating the production of special library materials for students and preschool children in disadvantaged or bilingual communities, where children lack the preschool preparation and relative linguistic and cultural sophistication of children from middle-class American families.

One of the most complex problems that will have to be resolved in any national planning for genuine adequacy of library service to the total span of education relates to the difficulty of coordinating the various library agencies that serve high school and college students in urban areas. Because high schools, urban colleges, and junior colleges are often remote from areas where many of their students reside, and because it is frequently difficult and costly to provide the maintenance services necessary to keep the school library open evenings and weekends, and because the school collections are often inadequate to the needs, students have been resorting to their local public libraries in such large numbers as seriously to overload the public library. Coordination of public library directors, teachers, school principals, and various librarians within different geographic jurisdictions is not an easy administrative matter, but evidence suggests that there is a serious lack of such coordination even within areas where the jurisdictional boundaries of the public library and school library systems coincide. New thinking and planning are critically needed regarding the distribution of responsibility and financial support to the various types of libraries within each region if we are to serve the increasing demands of formal education.

As college enrollments have increased since World War II, we have witnessed an almost phenomenal increase in the number of junior and community colleges. In no other type of institution serving higher education are library shortcomings so glaring. The great majority of library collections of junior colleges are considered substandard, and a high percentage of the libraries of four-year colleges are also weak. Of all the difficulties that beset the college library, the most visible is that of inadequacy of library buildings. The Higher Education Facilities Act of 1963 (P.L. 88–204, as amended) has been a tremendous stimulus and support for college library construction. Substantial amounts have been granted under this Act for undergraduate college library buildings, but in many instances the combination of Federal aid and local resources has led only to an alleviation of the pressing immediate need for more library space, and not to solutions viable for long periods.

The National Advisory Commission on Libraries believes it to be of great national importance that the libraries serving the undergraduate students and facilities of our two-year and four-year colleges, and also the undergraduate colleges in our universities, be equipped and staffed to do their jobs with full adequacy. To help achieve this goal, the Commission believes that sums appropriated under the authority of the Higher Education Act of 1965 to strengthen the collections of college libraries should be increased substantially, and in the administration of grants for this purpose, special attention should be given to improvement of the collections of the two-year and four-year colleges that are most seriously in need. Additionally, the limitation on grants for the construction of academic library buildings under the Higher Education Facilities Act of 1963 (P.L. 88–204 as amended) should be raised to permit a Federal contribution of three fourths of the construction cost, as provided, for example, in the Medical Library Assistance Act (P.L. 89–291).

For long-range college library development, plans should be developed for centralized services to college libraries in acquisitions, processing, and storage of little-used material; in effecting cooperative arrangements that will give college students and faculty members efficient bibliographic and physical access to the resources of research libraries; in arranging for advisory services to college librarians, especially with respect to the utilization of technological aids to library work; and in persuading the States and other responsible agencies that adequate libraries are essential rather than marginal or optional facilities.

As formal education progresses into graduate and professional schools of the university and the continuing education of practitioners, the informational needs become more complex and the boundary lines between education and research become blurred. Inadequacies in serving the nation's research needs are discussed later in this chapter under other objectives, but it is appropriate to point out here that a dynamic relationship exists between all the areas for which the National Advisory Commission on Libraries has identified inadequacies and suggested objectives.

The public at large

Objective: Provide adequate library and informational services for the public at large.

Serving the informal educational needs at all levels might well be the stated function of the only libraries to which the undifferentiated general public has access today—the public libraries. There are inadequacies here too, and there are strong arguments for overcoming these in order to strengthen the health of our democracy.

The public library reaches the entire population as does no other aspect of library service. Parents of preschool children rely on it for the picture and storybooks that are the child's first introduction to the mystery of reading. Elementary school children go to the public library for books when school is out and during vacation, as do high school students, who also use it for assistance in homework and term papers. Urban college students living at home find the public library more convenient than their college libraries. Adults rely on it for recreation and continuing education. Businessmen may turn to it for practical information, as do housewives, craftsmen, and hobbyists. The larger public libraries are major research resources. More recently we have turned to the library as one of the social agencies needed to assist in liberating the prisoners of urban ghettos from ignorance and poverty. For all men and women, it is the one place through which they may reach the world's collected informational and intellectual resources.

Yet, important as the public library is, there are few social services so unequally provided to the American people. Residents of some cities can command the resources of enormous institutions holding many hundreds of thousands, or even millions, of volumes. At the other extreme, some 20 million Americans, largely in rural areas, have no public library service at all, and some 10 million more have access only to very small libraries with very inadequate collections and little or no service from professional librarians. Indeed, only residents of cities of substantial size or of areas served by well-sustained county or regional library systems are likely to have access to reasonably adequate library service. It is essential that measures be taken to extend at least basic local public library service to every American. The encouragement of library systems, interlibrary loans, and other similar approaches can give everyone ultimate access to all the library resources he needs.

The unequal distribution of service is not the only inadequacy. Even where public library service is available, indeed even in some of the better served cities, it is usually far below any reasonable standard of adequacy. More than two thirds of all public libraries fail to meet American Library Association (ALA) standards as to the minimum adequate size of collections, and not one in 30 meets ALA standards for per-capita financial support.

There are a number of other quite critical problems in current public library services. One is the heavy burden of high school and college student use of the public library. This pressure will in part be relieved as the educational libraries are strengthened. But students turn to the public library not only because of its relative strength, but because of its convenience. This motive will not be lessened by the improvement of a high school library, for it may still be closed on evenings and weekends, or by the improvement of a college library that may be distant from a student's home. Diverting students away from the public library would deprive them of definite conveniences. The desirable objective would be to assist the public library in developing the means to meet the pressure and serve the student better. Public libraries need to be included in programs of assistance to educational libraries.

Another special problem, shared by many urban services, arises from the fact that patterns of public library service in metropolitan areas by no means correspond to the pattern of local governmental jurisdiction. In particular, the public library of the central city may be called on to render service to residents of the entire metropolitan area, without any financial support from suburban jurisdictions. The situation is doubly complicated when the metropolitan area, as in several of our large cities, extends across state lines. Further means of support and coordination must be found.

Still other problems stem from the fact that the nature of the informational and reading needs of the residents of core cities has radically changed in the last decade, so radically as to require substantial changes in the outlook, collections, and services of the core-city branches of urban public libraries if they are to become effective instruments in the attack on poverty, ignorance, and semiliteracy. The public libraries require assistance, financial and professional, in equipping themselves to meet these new needs.

One of the principal tasks of the National Commission on Libraries and Information Science, proposed in Chapter 4, should be to develop a national plan, calling on Federal, State, and local sources of support for making adequate public libraries service available to all Americans. Such a plan should give special attention to the problems of large cities with difficult educational problems, of metropolitan areas with multiple jurisdictions, and of rural areas entirely or almost entirely lacking public library services. The planning give attention to the coordination of school, college, and public library services. It should consider arrangements for the maximum use of cooperative library systems, and assure compensation to larger or more specialized libraries—public or private—when they give service to such systems that extends beyond the demands of their normal clientele. The National Advisory

Commission on Libraries believes the plan should provide for substantially increased levels of support on a matching-fund basis.

The term "public library" includes county libraries serving townships without libraries, or with very inadequate ones, and State libraries. State libraries support the public library system in their respective States and provide assistance to school libraries. They are entrusted, usually, with planning State library systems and with the administration of State aid to public libraries. In some instances they are required to provide legal collections and other resources necessary for the work of State government. The deficiencies some State library agencies face are so severe that one recommendation of the National Advisory Commission on Libraries is specifically directed to this problem area.

Research in all fields at all levels

Objective: Provide materials to support research in all fields at all levels.

A third broad national goal must be the development and implementation of a plan that will insure that the nation has the research resources required for its increasingly complex informational and research needs. The publication of new books and new editions of older titles (exclusive of government publications, dissertations, pamphlets, and most subscription books) doubled between 1950 and 1966. The growth of knowledge and the phenomenal increase in its use is reflected not only in the increased production of books, but in the proliferation of such information-bearing records as journals, research reports, dissertations, microfilms, audiorecordings, and other materials. Increases in the use of all publications are difficult to assess, but a recent report states that the use of scientific literature has been increasing by 12 to 17 percent per year. In addition, there are major new areas of research concern (such as Asia, Africa, the Middle East, and Eastern Europe) requiring acquisitions programs for large quantities of material that are very costly, very difficult to acquire, and very expensive to catalog and organize for effective use.

The increase in research conducted by universities and sponsored by Federal and State agencies, corporations, and foundations, has made demands upon university libraries that have not been satisfied by either the growth of library collections or staffs. All agencies of government, foundations, industries, and other organizations that subsidize research by contracts, grants-in-aid, fellowships, and other means should be made aware of the greatly augmented burden on the library that their grants and subventions commonly entail. This should be taken into account in the planning of grants and programs. Continuity of such funding is critically important.

Although many libraries share in carrying the burden of acquiring, organizing, and servicing this vast body of material for the nation, the principal burden at the present time falls upon a relatively small number of university libraries, the three great national libraries (the Library of Congress, the National Library of Medicine, and the National Agricultural Library), and a number of very large public libraries and privately supported research libraries. Rapid increases in the costs and scope of required publications and of the staffs for handling them, as well as the added needs for sufficient space, are severely straining the very limited resources of all these institutions. Existing programs of Federal assistance are not in general addressed to the development or the accessibility of research materials. It is essential to develop and fund a more systematic and comprehensive national program to assist these libraries in the acquisition, organization, housing, and servicing of materials likely to be of research value to the nation.

Research, basic or applied, requires source materials and itself produces new informational output—this is true of the arts and humanities as well as the natural and physical sciences, the social and behavioral sciences, and many technical areas. As society continues to demand both new knowledge and more rapid application of knowledge for its own betterment, the proliferation of information may defeat its own purpose unless it is adequately recorded, acquired, and available for use.

Bibliographic access

Objective: Provide adequate bibliographic access to the nation's research and informational resources.

It is not enough simply to acquire research and informational resources. To insure that their existence and relevance will be known to those who need them, an adequate apparatus for indexing, cataloging, abstracting, and evaluating their content must be developed.

The work of bibliographic organization of vast collections of books and other materials, and of providing the tools that permit any user to determine their location quickly, grows in complexity with every volume added to the collections and with the proliferation in the sources, the subjects, the languages, and the forms in which pertinent materials appear. Under the Higher Education Act of 1965 (P.L. 89-329, P.L. 90-35, P.L. 90-82), funds totaling $3 million were provided in 1967 to enable the Library of Congress to expand its acquisitions and cataloging program in an effort to provide cataloging data for any foreign book that an American library might purchase. This appropriation has now been increased substantially and the program, if sustained, may prove to be the most far-reaching service to scholarly and many other national bibliographic needs of all Federal library undertakings.

At present the technology of electronically storing, updating, querying, and transmitting bibliographic data is emerging. In Chapter 4, the National Advisory Commission on Libraries sets forth its recommendation for a vigorous program of research and development leading toward national networks that will provide better access to improved bibliographic and related services.

Bibliographic access to the content of the many thousands of journals and research reports in our libraries is inadequate and uneven. There is no agency: (1) to initiate and develop national technical standards that could help to insure coverage of all journals contributing to the total research effort, (2) to coordinate the work of various association-supported, governmental, and commercial enterprises, and (3) to assist in determining priorities in funding.

Despite the seeming wealth of service of all kinds to assist in providing bibliographic access to information in the sciences and technology, several deficiencies in the present pattern are obvious. Except for medicine, agriculture, and the Library of Congress, the responsibility of the Government agencies for coverage is naturally based primarily on the particular objectives and literature requirements of the agency. The commercial services respond only to demonstrably large-scale need in special fields, and the work of the various scientific associations is not well coordinated. As a consequence, there are both extensive overlapping of effort and tremendous gaps in coverage. Moreover, a proprietary attitude in both the Government agencies and the scientific societies as regards their bibliographic products is a natural consequence of their desire to satisfy the special requirements of their users.

There is no direction by any national agency concerned with the total information problem. As separate services proliferate, grow, and succeed, the prospect for standardization and compatibility diminishes. There is clearly a need for national planning and coordination to insure, for all subject fields, including the humanities and social and behavioral sciences, adequate systems of bibliographical control.

Physical access

Objective: Provide adequate physical access to required materials or their texts throughout the nation.

Plans to strengthen national holdings of research resources and their effective subject or bibliographical control must also provide for effective physical access to the texts themselves. Even the largest research, university, corporate, or Federal library cannot hope to achieve self-sufficiency, despite the fact that it must possess library resources adequate for all but the most unusual needs of its staff or constituency. As the college library looks to the university library in its locality, so must the university library depend on the holdings of other institutions and the national libraries to satisfy requests for publications that it has not acquired. The public library, in turn, may look to State library agencies, other public libraries, or to academic libraries for materials needed by readers.

The demands for research information extend far beyond the requirements of scholars employed at universities. Industry must be able to draw upon the resources that our university libraries offer, since the duplication of their holdings in the depth and extent necessary for many industrial research purposes is almost inconceivable. Moreover, the needs of governmental agencies at all levels, of the professions, of the private scholar, all require access to research and other information not necessarily available in the immediate vicinity. Means must be found to make the full text of documents available in some suitable form and at locations convenient to all users, with minimum delay and at manageable and equitably distributed costs. The problems of physical access are likely to be further complicated in future unless efforts are made to discourage the continued use of book paper with a rapid rate of deterioration.

The present cooperative arrangements between libraries to make materials available are slow and inefficient and are costly to the relatively small number of libraries that are called upon to provide a major part of this service without recompense. Furthermore, the present difficulties in the way of interinstitutional physical access to publications forces research and other libraries, at high cost, to acquire, catalog, and house large amounts of little-used materials. These costs might be significantly reduced if new and effective patterns of joint physical access to materials can be developed. It is apparent that national, regional, and State planning is needed to facilitate physical access to publications generally, utilizing any technological aids that it is feasible to employ.

Such planning will obviously entail: (1) support from Federal, State, and other sources for improvement of interlibrary loan and copying services, which the research and certain other libraries can no longer provide gratuitously at high cost to themselves; (2) the establishment of regional library networks and of resource libraries to serve them; and (3) support for agencies, such as the Center for Research Libraries, which should have Federal assistance in their efforts to serve research and informational needs in all parts of the country. Finally, it will be important in the public interest, whether under the present copyright law or any revision that may be adopted, that arrangements for the protection of copyright proprietors do not unreasonably hinder access to and use of information.

Library manpower

Objective: Provide adequate trained personnel for the varied and changing demands of librarianship.

Recent analyses undertaken by the library profession, as well as the testimony of almost all witnesses before the National Advisory Commission on Libraries, indicate that the problem of manpower shortage in our libraries is of such critical severity as to merit its being singled out for special mention. All estimates of the number of professional personnel needed to fill existing vacancies and for normal attrition of staff in public, academic, and special libraries exceed the number of librarians graduated each year by the 42 accredited schools of librarianship in the United States and Canada. With respect to the provision of librarians qualified for positions in elementary and secondary school libraries, the situation is even more unsatisfactory.

Before the library profession can hope to enroll the requisite number of persons for training in the schools of librarianship, a variety of obstacles must be overcome. First, librarianship should be made more attractive as a career for men as well as for women. As is true of most professions in which women predominate at the lower and middle levels of responsibility, the prestige of librarianship as a whole is lower in the public view than it deserves to be, and the financial rewards are less tempting than in many other professions that require professional education. General public ignorance of the variety of interesting specialized career opportunities within the broad field of librarianship also make recruitment difficult. A further handicap is the discrepancy between the status, salaries, and fringe benefits accorded the librarians of many academic institutions and those available to their colleagues employed in teaching and research. Finally, there is a long tradition of recruitment for librarianship among only the humanistically oriented college students. Too few scientifically oriented young people understand that the profession of librarianship embraces all categories of specialists who mediate between the sources of recorded information and the people who need access to information in all subject fields and at all levels of sophistication.

A second major obstacle is the inadequacy of the 42 accredited graduate schools of librarianship in the United States and Canada with respect to financial support for staff and physical facilities. It is not known how many qualified applicants for library training may be lost for this reason. To complicate matters still further, all schools of librarianship contend with a shortage of qualified teachers, with a scarcity of fellowships to encourage the advanced study requisite for the preparation of future faculty, and with inadequate support for workshops, institutes, and other programs to enhance the competence of librarians already employed and help them adjust to changing demands. Equally important is the inadequacy of support for working librarians who wish to take advantage of opportunities for specialized training or advanced training when these do exist.

Paralleling these dilemmas is the slowness of the library profession itself in achieving agreement regarding the nature and extent of education or training needed for employment in the various specializations of librarianship, and in enlisting more fully the aid of the various disciplines of the social, behavioral, and applied sciences in preparing library science students for the changing requirements of library management and for the evolving role of the library in our society.

The resolution of library and information science manpower problems will be difficult, but they can yield to a number of specific measures. First, the library profession should undertake a program of ongoing research in librarianship in order to improve functional efficiency and facilitate the establishment of the variety of training programs needed now and in the future. Research in library education itself should be encouraged, as well as curricular experimentation.

Second, library administrators should employ every effort to make all professional library work intellectually and socially challenging to retain the best minds that enter the profession.

Third, the Federal Government, which has already acknowledged its responsibility for the improvement of library service under its constitutional mandate on the general welfare, should assist the profession through a number of undertakings. The United States Office of Education should analyze the library personnel situation on a regular basis, compare it with standards established by itself or the library associations, and publish its findings. It should, further, maintain a clearinghouse of information on all innovations in library education and training and on all efforts of libraries to make more efficient use of personnel. Further, the Office of Education should provide advisory aid to library schools, library associations, and others interested in recruiting people to library work in adequate numbers to carry out the various existing and emerging specialized tasks required.

To assist the library profession, the proposed National Commission on Libraries and Information Science should give high priority to an exploration of professional education and training, including experimentation with alternate modes of library training. The Commission should assist also with achieving improved salary scales and providing better promotional possibilities to make librarianship more attractive as a career.

Finally, Federal assistance in developing library personnel should be provided: (1) by direct aid to schools offering graduate and undergraduate training, postgraduate inservice training, and refresher courses; (2) by aid in the publication of suitable texts for such training; (3) by support of special programs to train potential teachers of librarianship; and (4) by greatly increased provision of funds for fellowships for undergraduate, graduate, and special library training.

Conclusion

These, then, are six areas where current inadequacies exist, and future inadequacies are foreseen unless all participants in the management and use of information can look to coherent national planning and coordinated research and development. The nation's needs for library and information service can be expressed in terms of the need to serve formal education, the public at large, and research of all kinds. The need to provide appropriate ways of locating information (bibliographic access) and acquiring it for use (physical access) is basic. Manpower is a pervasive and very urgent problem area. The six interrelated objectives discussed above form the context for the recommendations of the National Advisory Commission on Libraries set forth in Chapter 4.

CHAPTER 4. RECOMMENDATIONS FOR ACHIEVING THE OBJECTIVES

In order to serve the needs of education at all levels, the general public in all its diversity, and research in all fields of knowledge, the problems of access to continually burgeoning information and efficient utilization of manpower must be resolved. Some dilemmas are immediately pressing and can be handled by immediate action. Other dilemmas are foreseen as still emerging over the transition period to the long future, and thus provision must be made for constant adaptation to inevitably changing needs and improved understanding of these needs. The National Advisory Commission on Libraries believes the five recommendations discussed below provide both a sound base for the future and a realistic means of coping with current inadequacies.

National Commission on Libraries and Information Science

Recommendation: Establishment of a National Commission on Libraries and Information Science as a continuing Federal planning agency.

In order to implement and further develop the national policy of library services for the nation's needs, the most important single measure that can be undertaken is the establishment of a continuing Federal planning agency. It is noteworthy that almost all representatives of library, scholarly, scientific, and other professional associations who testified before the National Advisory Commission on Libraries gave high priority in their recommendations to the creation of such a Federal planning agency. The present Commission's efforts to analyze current and future national library needs, assess the strengths and weaknesses of existing library resources and services, and evaluate the effects of library legislation, leave the members with the absolute conviction that the goal of library adequacy will be achieved only as a consequence of long-range planning and fostering of the evolutionary process of library development. This will require taking advantage of present and emerging knowledge in information science; it will require encouraging and exploiting future research.

The proposed National Commission should be charged with the responsibility of preparing full-scale plans to deal with the nation's library and information needs, and for advising the Federal Government and other agencies, institutions, and groups—both public and private, with respect to those needs. It should be empowered to conduct, or have conducted, such studies and analyses as are necessary for the fulfillment of its responsibilities; it should have ready access to information relevant to its purposes from other Government agencies concerned with library and information services; and it should be empowered to recommend legislation which is needed to enhance and strengthen the nation's library and information services.

The National Commission should be established by the Congress. Its members should be appointed by the President with the advice and consent of the Senate. The National Commission should report at least once a year to the President and to the Congress on its activities, recommendations, and plans in the areas of its responsibility and concern. This report should be published.

The present National Advisory Commission on Libraries recommends that this proposed National Commission on Libraries and Information Science be constituted of not more than 15 private citizens of distinction. This group shall include, but not necessarily be restricted to, persons competent in the library and information science professions. The Chairman should be appointed by the President from among its members. A rotating, staggered membership is suggested so that individuals serve for a term of five or six years.

To accomplish its complex and broad mission the National Commission should be provided with a staff adequate in number and strong in expertise, and with funds sufficient to enable it to exercise the extensive research and planning functions which will be necessary if it is to provide sound advice to the President and the Congress. A suggested location appropriate for the National Commission on Libraries and Information Science is in the Office of the Secretary of Health, Education, and Welfare.

The Library of Congress: The National Library of the United States

Recommedation: Recognition and strengthening of the role of the Library of Congress as the National Library of the United States and establishment of a Board of Advisers.

The National Advisory Commission on Libraries believes that the role of the Library of Congress as the National Library of the United States should be recognized and strengthened, and it specifically recommends:

1. That the Congress define the responsibilities of the Library of Congress as follows: (a) to serve as the principal reference and research arm of the Congress, thus serving the nation through this body; (b) to assemble, maintain, and provide national availability for comprehensive national research collections of materials from all countries and in all fields of knowledge, except those for which the National Library of Medicine and the National Agricultural Library have accepted responsibility; (c) to catalog these materials promptly and offer its catalog cards for sale to other libraries; and (d) to provide basic national bibliographical, reference, and copyright services. The Commission suggests that these functions of the Library of Congress, already largely exercised in fact, should be further recognized by adding an appropriate phrase to its title, so that its formal designation would be: "The Library of Congress: The National Library of the United States."

2. That a Board of Advisers to the Library of Congress be created. Its chairman and members should be drawn from the public, including scholarly and research organizations, the scientific community, universities and colleges, and research librarianship, and they should be appointed by the President of the Senate and the Speaker of the House of Representatives. The recommended functions of this proposed Board of Advisers are to review the Library's operations and services and to advise the Librarian of Congress—and, as desired, the appropriate Committees of Congress—on matters that would assist the Library in the development of its collections and the performance of its national services. The Board should be required to prepare and submit an annual report to the Congress and to the Librarian of Congress. This report should be published.

The rationale for the Commission's conclusions lies chiefly in the fact that, by far-reaching legislation and generous appropriations over the last 70 years, the Congress has created in the Library of Congress perhaps the greatest of the world's national libraries. It has the principal national research collections in most fields of knowledge, except of course those served by its two companion national institutions, the National Library of Medicine and the National Agricultural Library. It is a source of last resort to which other libraries can turn for inter-library loans and for microfilms of materials. It provides a means of acquisitions, for other libraries' collections as well as for its own, of public documents and other research materials not available through the book trade, especially from Asia, Africa, Latin and South America. and Eastern Europe.

The catalog cards of the Library of Congress provide a basis for the catalogs of most American libraries. The Library houses and maintains the *National Union Catalog*, one of the greatest and most nearly indispensable of our bibliographical tools. The publication of its own catalogs in book form has provided a major reference resource for libraries here and abroad. Many of its other bibliographic services have become essential to research libraries and to scholars. Since 1948 the Library of Congress has published the best continuing bibliography of Russian books compiled outside the Soviet Union. It edits the indispensable *National Union List of Serials* and publishes regularly a list of new serial titles received by principal American and Canadian libraries. It provides the subject apparatus for the national listing of doctoral dissertations, maintains a *National Register of Microcopy Masters*, and publishes a *National Union Catalog of Manuscript Collections*.

The Library of Congress performs many other national services as well. It is the chief agency in providing Braille and "talking" books for the blind. It has undertaken major responsibility for a national program to preserve the physically deteriorating book stocks of libraries. On a contractual basis it has provided a major bibliographical and documentation service to a number of Federal agencies concerned with scientific and technological research.

The Library of Congress in general—and, in their respective fields, the National Library of Medicine and the National Agricultural Library—have the ultimate in comprehensive national research collections and provide national bibliographical services that are absolutely indispensable to research and scholarship in many fields and to the whole system of American research libraries. Comprehensive as the collections and bibliographic services of the Library of Congress now are, however, they need further strengthening in a number of areas.[2] This strengthening of the Library of Congress through provision of a Board of Advisers, definition of the Library's responsibilities, and recognition of the role it already plays as a great national library, is the main thrust of the Commission's recommendations here.

It is a great credit to the wisdom and vision of the Congress that the Library of Congress has been so responsive to many needs. Today all the nation's requirements for library services are becoming so complex that the Library, which has never had a charter or basic constituent act defining its responsibilities, must be formally recognized for its national role and provided with advisers that can help to steer its future responsiveness.

The National Advisory Commission on Libraries does not recommend that the Library of Congress have responsibility for the development, administration, or coordination of a national library system or for the administration of programs of library assistance or grants such as those carried on by the United States Office of Education, the National Science Foundation, and other agencies. That would be a deterrent to its main function as a national library. The Commission believes that the indispensable role of the Library of Congress is in the development and availability of its unmatched collections and in its unique cataloging and bibliographic services. These should be strengthened in every possible way.

Federal Institute of Library and Information Science

Recommendation: Establishment of a Federal Institute of Library and Information Science as a principal center for basic and applied research in all relevant areas.

The National Advisory Commission on Libraries recommends that a Federal Institute of Library and Information Science be established to become a principal national center of research on library and information science in all its aspects. The Institute should have as one of its major responsibilities the system engineering and technical direction involved in the design and implementation of an integrated national library and information system, but the mission of this proposed Institute must range beyond matters of technological development and application to research into the changing needs of information users and the effectiveness of libraries and information systems in meeting these needs.

This recommendation is based on the striking contrast between the serious inadequacies of the nation's libraries and the rapid progress in the technology of information transfer. One of the great challenges of our day is to apply new technology to the operations of our libraries and thereby give each individual in our society easy and comprehensive access to the information resources he needs to make his work competent and his life meaningful.

The Commission recognizes that this goal will not be achieved by a single sweeping innovation, but rather by a succession of technical advances, some already within reach, others attainable by short-term efforts, and some approachable only through prolonged research activities. The times at which elements of new technology are introduced into specific libraries will also vary with the type of library service. Books and card files will be the mainstays of most small libraries for many years to come, but the large research libraries and a few special libraries will press for the earliest possible exploitation of new developments. Ultimately, the new technology will provide effective links from all information resources to all information users.

The uses of microfilm and document copiers are already familiar to every serious library user, even to some elementary school pupils. In the near future, gradual reduction in the costs of microfilm duplicates and full-size paper copiers will make on-demand duplication compete even more with traditional circulation of books and other materials in responding to many kinds of readers' needs. At a later time, as communication costs come down, we shall also see a more extensive adoption by libraries of telefacsimile transmission to distant users.

Of greater potential importance for future libraries than any past technical innovation will be the utilization of high-speed digital computers and their associated information-handling equipment, for the employment of computers in libraries has already led to high hopes for improved access to informational resources, in spite of the exponential growth of knowledge. Computers will most likely be applied to library operations in three successive stages. The computer has already demonstrated its usefulness as a rapid and efficient accounting device for the control of such library functions as acquisitions, circulation, serial records, and binding, as well as for general business operations; this is the first stage. Second, we are witnessing the initial successful attempts to apply the computer to bibliographic operations. The third and most exciting stage of computer involvement, which we are only beginning to approach, is the interaction between the library and the on-line computer community, in which a time-shared central computer is used as a general intellectual tool by many users working simultaneously at different terminals in a network. Development work is now in progress on the transmission of bibliographic data in such networks and on the more formidable problem of storing and transmitting the full text of documents.

In the course of time, different local networks will be interconnected and we shall see the emergence of regional, national, and international information-transfer networks. What we know today by the term "interlibrary cooperation" will be superseded by a much more fluid pattern of providing access to distant users without preventing concurrent access by local users. The evolution of these networks is the brightest promise of the new technology for libraries, but there are many technical, economic, and other problems that must be resolved before such networks can be operational.

The realization of all that is implied in this array of new technology can be achieved only by a substantial program of research and development. This Commission urges that the Federal Government should actively promote research and development in all aspects of technology as it relates to libraries and information transfer. To this end, the proposed National Commission on Libraries and Information Science should develop an integrated plan of support and cooperation involving the various Federal agencies now sponsoring such research and development work. Such a plan would greatly aid the continuation and strengthening of the current grant and contract program, which involves research and development projects at universities, private and public libraries, nonprofit research and development organizations, professional societies, and private companies.

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[2] This is true, for example, in connection with the previously mentioned acquisition and prompt central cataloging of foreign research materials not available through normal trade channels. To a considerable extent, this must now be accomplished through the transfer of funds appropriated to the United States Office of Education under Title II–C of the Higher Education Act of 1965 (P.L. 89–329) and the transfer of foreign currencies accumulated under Public Law 480.

The major Federal Institute recommended by the National Advisory Commission on Libraries can play an important role in the over-all plan. This Institute should itself undertake multidisciplinary research, development, and prototype application of all types of new technology as they relate to library and information science activities. Its program should be built on a foundation of basic research efforts directed toward better tools for the analysis of library and information requirements, quantitative measures for judging the value of existing systems and services, and an understanding of the relative value of various information-transfer media and of the role of interactive systems.

Supported by such basic investigations, the major research and development activities of the program should aim for further multidisciplinary efforts to improve library work—for example: (1) through applications of new technology for purposes of saving labor, improving speed and accuracy, maximizing convenience and dependability, reducing costs, and performing tasks previously impossible; (2) through more effective devices for organizing, storing, transmitting, displaying, and copying information; (3) through more effective organization of manpower and service units; (4) through superior understanding of the theoretical foundations of library work and of the storage, organization, and communication of knowledge; (5) through understanding, based on comprehensive studies of both users and nonusers of libraries, both as to their library requirements and also the reasons for nonuse; and (6) through the resolution of legal problems, such as those relating to the photocopying of copyrighted material.

The apex of the overall plan for research and development should be a system of interconnected libraries, established as a prototype network, a model for information transfer by advanced techniques. Such a network, after attaining full operational success, would become the first step in the evolution of an integrated national library system. The National Advisory Commission on Libraries recommends that the proposed Institute should be given the system engineering and technical direction responsibilities for the design and implementation of such a system.

In all planning of technological applications in library work, in all library network or systems planning, a crucial element is the development and application of national standards for the compatibility and convertibility of data systems and techniques among libraries. The proposed Institute should take a leading part in bringing about such standardization.

Administratively and organizationally, the Government can choose among many different patterns in establishing a research and development Institute of the type here contemplated. It is recommended that this Institute be established within the Office of the Secretary of Health, Education, and Welfare. If may be helpful to point out that the models that were prominent in the Commission's thinking were the National Institutes of Health and the National Laboratories of the Atomic Energy Commission.

U.S. Office of Education

Recommendation: Recognition and full acceptance of the critically important role the United States Office of Education currently plays in meeting needs for library services.

Recent legislation and Federal appropriations providing for: (1) major research programs that greatly accelerate the growth of new knowledge and (2) additional massive support for education at all levels place new and large responsibilities on the Office of Education. Its task would become even greater with the adoption of the National Advisory Commission on Libraries' proposals for a National Policy on library services for the nation's needs, the creation of a nationwide library network, and the widespread use of technological aids to improve library services.

The Commission recognizes the steps which the Office of Education has taken during this past year to strengthen and to increase the efficiency of its operations. The proposed organization of the Office's activities that affect libraries must focus on the most critical library problems: programs, professional education, facilities, research, planning, and development. In addition, the National Center for Educational Statistics must be in a position to collect on a continuing basis the pertinent and adequate library data--urgently required and not now available—for an appraisal of present programs and formulating plans for the future. But to carry out these key functions, the Office's staff must immediately be strengthened. The Commission urges the approval without delay of support for professionally trained, experienced people, with supporting staff, to serve in the library programs of the Office, particularly within its Division of Library Services and Educational Facilities. To provide the essential overall leadership, the National Advisory Commission on Libraries specifically recommends the appointment of an Associate United States Commissioner for Libraries, responsible directly to the Commissioner of Education.

With its library and information services programs properly organized and staffed, the Office of Education would be in a far better position to administer present and impending Federal legislation and to conduct efficiently more extensive activities on behalf of the libraries. It could then plan, extend, and coordinate, at the national level, all types of library services for schools, colleges, continuing and adult education, public libraries, research, industry, government, and other agencies. In doing so, it would assist greatly in providing the service to libraries so vital in our time.

The critically important role of the Office of Education in meeting the nation's need for services in support of libraries must be clearly recognized and fully accepted by the Federal Government.

State library agencies

Recommendation: Strengthening State library agencies to overcome deficiencies in fulfilling their current functions.

Because State library agencies are unable to fulfill their current role adequately, far less their participative role in new joint ventures toward the objectives discussed in Chapter 3, State library agencies must be strengthened. This can best be done at this time by amendment of the Library Services and Construction Act (P.L. 88–269, P.L. 89–511, P.L. 90–154) authorizing aid specifically for such agencies to enable them: (1) to overcome staff shortages, (2) to provide better consultative services to public libraries, (3) to offer special information and library services to State Government, (4) to insure that a full range of library services is offered to the handicapped and disadvantaged, (5) to initiate and encourage research into library problems, and (6) to coordinate library planning for total library service. These are the areas where serious deficiencies currently exist.

In the long-range development of State-related library services, the principle of State matching should be retained. The National Advisory Commission on Libraries believes that Federal programs should give increasing attention to the building and strengthening of regional and interstate library programs where these appear to respond more effectively and efficiently to library needs.

Conclusion

The five recommendations discussed above are the result of the deliberations of the National Advisory Commission on Libraries from its establishment by Executive Order September 2, 1966, through June 1968. They are intended to provide structural innovations and realignments for a planned and coordinated approach to society's changing needs in the years ahead, as well as immediate actions to solve immediate problems. The order of presentation and relative length of descriptive text do not imply order of importance. All are major recommendations. Some relate to all the objectives discussed in Chapter 3; others relate more to one objective than another. All are aimed toward fulfillment of the National Policy presented in Chapter 2:

Recommendation: That it be declared National Policy, enunciated by the President and enacted into law by the Congress, that the American people should be provided with library and informational services adequate to their needs, and that the Federal Government, in collaboration with State and local governments and private agencies, should exercise leadership in assuring the provision of such services.

SUMMARY OF OBJECTIVES AND RECOMMENDATIONS

The fundamental recommendation of the National Advisory Commission on Libraries, on which further recommendations are based, is that it be declared National Policy, enunciated by the President and enacted into law by the Congress, that the American people should be provided with library and informational services adequate to their needs, and that the Federal Government, in collaboration with State and local governments and private agencies, should exercise leadership assuring the provision of such services.

Objectives for overcoming current inadequacies

Provide adequate library and informational services for formal education at all levels.

Provide adequate library and informational services for the public at large.

Provide materials to support research in all fields at all levels.

Provide adequate bibliographic access to the nation's research and informational resources.

Provide adequate physical access to required materials or their texts throughout the nation.

Provide adequate trained personnel for the varied and changing demands of librarianship.

Recommendations for achieving the objectives

1. Establishment of a National Commission on Libraries and Information Science as a continuing Federal planning agency.
2. Recognition and strengthening of the role of The Library of Congress as the National Library of the United States and establishment of a Board of Advisers.
3. Establishment of a Federal Institute of Library and Information Science as a principal center for basic and applied research in all relevant areas.
4. Recognition and full acceptance of the critically important role the United States

Office of Education currently plays in meeting needs for library services.

5. Strengthening State library agencies to overcome deficiencies in fulfilling their current functions.

APPENDIX A

TEXT OF THE PRESIDENT'S STATEMENT AND THE EXECUTIVE ORDER ESTABLISHING THE PRESIDENT'S COMMITTEE ON LIBRARIES AND THE NATIONAL ADVISORY COMMISSION ON LIBRARIES

1. STATEMENT BY THE PRESIDENT

Our nation is providing better education to more citizens today than ever before. The result of this expanding effort in education is a rising demand for information—and a tidal wave of new information touching every aspect of our lives: health, education, jobs, national defense, goods and services, transportation, communications and environmental use.

But merely piling up valuable new knowledge is not enough; we must apply that knowledge to bettering our lives.

In our effort to do this, we depend heavily upon the nation's libraries. For this reason, the Federal government will spend, next year, more than $600 million in the library field.

But money alone cannot do the job. We need intelligent planning and advice to see that our millions are spent well. We need to ask serious questions about the future of our libraries:

What part can libraries play in the development of our communications and information-exchange networks?

Are our Federal efforts to assist libraries intelligently administered, or are they too fragmented among separate programs and agencies?

Are we getting the most benefit for the taxpayer's dollar spent?

To help answer these questions, I have signed today an Executive Order creating the National Advisory Commission on Libraries, composed of distinguished citizens and experts.

I have asked the Commission to appraise the role and adequacy of our libraries, now and in the future, as sources for scholarly research, as centers for the distribution of knowledge, and as links in our nation's rapidly evolving communications networks.

I have also asked the Commission to evaluate policies, programs, and practices of public agencies and private organizations—and to recommend actions which might be taken by public and private groups to ensure an effective, efficient library system for the nation.

I believe that this new Commission, aided by public and private efforts, will bring real advances in our progress toward adequate library service for every citizen.

Dr. Douglas Knight, president of Duke University in Durham, North Carolina, will serve as the Commission chairman.

The other members are: [1]

Proposed Membership for the National Library Commission:

Douglas M. Knight, President of Duke University, Chairman.

Verner Clapp, President, Council on Library Resources.

Herman Fussler, Library, University of Chicago.

Carl Overhage, M.I.T., Cambridge, Massachusetts.

Theodore Waller, President, Teaching Materials Corporation, New York (resigned December 28, 1966).

Wilbur Schramm, Director, Institute for Communication Research, Stanford University.

Launor Carter, Senior Vice President, System Development Corporation, Santa Monica.

Caryl Haskins, Carnegie Institution, Washington, D.C.

William N. Hubbard, Jr., Dean, University of Michigan Medical School, and Chairman, Educom.

Alvin Eurich, President, Aspen Institute for Humanistic Studies, Colorado.

Stephen Wright, former President of Fisk University, Nashville, Tennessee.

Harry Ransom, Chancellor, University of Texas, Austin.

Carl Elliott, former Congressman from Alabama.

Estelle Brodman, Medical Library, Washington University, St. Louis, Missouri.

2. EXECUTIVE ORDER NO. 11301

By virtue of the authority vested in me as President of the United States, it is ordered as follows:

Section 1. *Establishment of Committee.* (a) There is hereby established the President's Committee on Libraries (hereinafter referred to as the "Committee").

(b) The membership of the Committee shall consist of the Secretary of Health, Education, and Welfare, who shall be the Chairman of the Committee, the Secretary of Agriculture, the Director of the Office of Science and Technology, and the Director of the National Science Foundation, and may include, in addition, the Librarian of Congress who is hereby invited to be a member of the Committee. Each member of the Committee may designate an alternate, who shall serve as a member of the Committee whenever the regular member is unable to attend any meeting of the Committee.

Section 2. *Duties of the Committee.* (a) The Committee shall:

(1) Appraise the role of libraries as resources for scholarly pursuits, as centers for the dissemination of knowledge, and as components of the Nation's rapidly evolving communications and information-exchange network;

(2) Evaluate policies, programs, and practices of public agencies and private institutions and organizations with reference to maximum effective and efficient use of the Nation's library resources; and

(3) Develop recommendations for action by Government or by private institutions and organizations designed to ensure an effective and efficient library system for the Nation.

(b) Such recommendations shall take into account the final report of the National Advisory Commission on Libraries established by Section 3 of this order, which report shall be transmitted to the President with the recommendations of the Committee.

Section 3. *Establishment of Commission.* (a) To assist the Committee in carrying out its functions under Section 2 of this order, there is hereby established the National Advisory Commission on Libraries (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of not more than twenty members appointed by the President, none of whom shall be officers or full-time employees of the Federal Government. The President shall designate the Chairman of the Commission from among its members.

(c) The Commission shall meet on call of the Chairman.

(d) Each member of the Commission may be compensated for each day such member is engaged upon work of the Commission, and shall be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 55a; 5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

Section 4. *Duties of the Commission.* (a) The Commission shall transmit to the Committee its independent analysis, evaluation, and recommendations with respect to all matters assigned to the Committee for study and recommendations.

(b) In carrying out its duties under subsection (a), above, the Commission shall:

(1) Make a comprehensive study and appraisal of the role of libraries as resources for scholarly pursuits, as centers for the dissemination of knowledge, and as components of the evolving national information systems;

(2) Appraise the policies, programs, and practices of public agencies and private institutions and organizations, together with other factors, which have a bearing on the role and effective utilization of libraries;

(3) Appraise library funding, including Federal support of libraries, to determine how funds available for the construction and support of libraries and library services can be more effectively and efficiently utilized; and

(4) Develop recommendations for action by Government or private institutions and organizations designed to ensure an effective and efficient library system for the Nation.

(c) The Commission shall submit its final report and recommendations to the Committee no later than one year after the date of its first meeting, and shall make such interim reports as it deems appropriate for improving the utilization of library resources.

Section 5. *Federal departments and agencies.* (a) The Committee or the Commission is authorized to request from any Federal department or agency any information deemed necessary to carry out its functions under this order; and each department or agency is authorized, consistent with law and within the limits of available funds, to furnish such information to the Committee or the Commission.

(b) Each department or other executive agency the head of which is named in Section 1(b) of this order shall, as may be necessary, furnish assistance to the Committee or the Commission in accordance with the provisions of Section 214 of the Act of May 3, 1945 (59 Stat. 134; 31 U.S.C. 691), or as otherwise permitted by law.

(c) The Department of Health, Education, and Welfare is hereby designated as the agency which shall provide administrative services for the Commission.

Section 6. *Termination of the Committee and the Commission.* The Committee and the Commission shall terminate ninety days after the final report of the Commission is submitted to the Committee.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *September 2, 1966.*

APPENDIX B

SELECT LIST OF SPECIAL STUDIES

One of the most ambitious endeavors undertaken by the National Advisory Commission on Libraries was to call for more than a dozen special studies on a wide range of subjects. Social science, history, political science, economics, information science, education, and library science were only some of the disciplines contributing to the studies—all of which were performed within the limited space of a few months.

Most of these special studies, commissioned by or made available to the Commission, contributed at least partially to Commission decision-making, although there was by no means a total endorsement of every position or recommended action in even the most highly acclaimed studies. All will be made available to the United States Office of Education for consideration for the Educational Research Information Center (ERIC), and several will appear elsewhere—notably in a forthcoming book based on Commission activity.

The list on the following page includes those special studies the Commission judged to be relevant to the problems with which it was concerned and worthy of serious consideration, although a few are of mostly descriptive value. Studies, or parts of studies, that were not completed in time for careful study by the membership are not included on the list, nor are those deemed to be of little or no immediate relevance to Commission decision-making in the form in which they were submitted.

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[1] See beginning of report for the final official list of Commission membership.

TITLE OF STUDY AND AGENCY CONDUCTING STUDY

1. Technology and Libraries, System Development Corporation.

2. On Research Libraries,[2] American Council of Learned Societies.

3. The Impact of Technology, on the Library Building,[2] Educational Facilities Laboratories.

4. The Federal Government and Libraries, Duke University.

5. American State Libraries and State Library Agencies, Nelson Associates, Inc.

6. Impact of Social Change on Libraries, National Book Committee.

7. On the Economics of Library Operation, Mathematica.

8. The Use of Libraries and the Conditions That Promote Their Use, The Academy for Educational Development, Inc.

9. Special Libraries: Problems and Cooperative Potentials, American Documentation Institute.

10. School Libraries in the United States, Nelson Associates, Inc.

11. Undergraduate and Junior College Libraries in the United States, Nelson Associates, Inc.

12 Public Libraries in the United States, Nelson Associates, Inc.

13. Libraries and Industry, Programming Services, Inc.

Appendix C

List of Regional Hearings

Another project of the National Advisory Commission on Libraries was designed to acquire information on the people's needs for library and informational services. This was the series of regional hearings, held during the summer and early fall of 1967, at which subcommittees of Commission membership heard testimony from variety of citizens, businessmen, professional people, farmers, white-collar and blue-collar workers, students, teachers, parents, and local, state, and national officials in communities of varying size throughout the nation. There was testimony representing the blind, the aged, and virtually all religious and ethnic groups in America.

The results contributed particularly to the Commission's consensus on the objective to "provide adequate library and informational services for the public at large" and on the recommendation for strengthening State library agencies. The need to solve library problems by effective manpower utilization was pervasive throughout all the hearings. The forthcoming book based on Commission materials will include highlights from the regional hearings and a complete list of all who testified. A summary table appears below:

REGIONAL HEARINGS

Locale	Date, 1967	Number of witnesses
St. Louis, Mo. [1]	Apr. 12	7
Tampa, Fla	Sept. 8	25
Great Falls, Mont	Sept. 11	30
Portland, Oreg	Sept. 13	34
Anchorage, Alaska	Sept. 15	22
Nome, Alaska [2]	Sept. 16	
Bismarck, N. Dak	Sept. 18	42
Wilkes-Barre, Pa	Sept. 22	23
Baton Rouge, La	Oct. 4	48
Lubbock, Tex	Oct. 6	47
Pikeville, Ky	Oct. 20	64
Tucson, Ariz	Oct. 27	24

[1] This earlier meeting was actually held before the series of regional hearings was established.

[2] No transcript has been received in the Commission office, hence there is no record of the number of witnesses giving testimony.

Appendix D

List of Commission Meetings and Witnesses and Guests at Each

The Members of the National Advisory Commission on Libraries convened formally on eleven occasions to hear testimony, to converse with both witnesses and guests, and to deliberate among themselves on a broad range of topics relevant to the study of library and informational services for the nation's needs. A list of these meetings of the full Commission appears below. The titles of the witnesses who gave formal testimony and of the guests who visited are shown as they were at the time of each meeting.

I. NOVEMBER 30, 1966, WASHINGTON, D.C.

Guests: S. Douglass Cater, Jr., Special Assistant to the President; Harold Howe II, Commissioner of Education; Louis Hausman, Assistant to the Commissioner of Education; Jerome N. Bluestein, Administrative Officer, Office of the Commissioner of Education.

II. JANUARY 7 AND 8, 1967, NEW ORLEANS, LA.

Witnesses: An informal meeting was held on January 8 with representatives of the Association of Research Libraries Liaison Committee and the Committee on National Library-Information Systems. There is no transcript of this meeting.

III. FEBRUARY 13, 1967, WASHINGTON, D.C.

Witnesses

Burton W. Adkinson, Head, Office of Science Information Service, National Science Foundation.

Scott Adams, Deputy Director, National Library of Medicine.

Andrew A. Aines, Technical Assistant, Office of Science and Technology, and Acting Chairman of the Committee on Scientific and Technical Information (COSATI) of the Federal Council for Science and Technology (FCST).

Foster E. Mohrhardt, Director, National Agricultural Library.

IV. MARCH 5 AND 6, 1967 NEW YORK, N.Y.

Witnesses

Kathleen Molz, Editor, *Wilson Library Bulletin.*

Jean Connor, Director, Division of Library Development, New York State Library.

Edward G. Freehafer, Director, New York Public Library.

Frank L. Schick, Director, School of Library and Information Science, University of Wisconsin (Milwaukee).

Bill M. Woods, Executive Director, Special Libraries Association.

Frank E. McKenna, President, Special Libraries Association.

Lester E. Asheim, Director, Office for Library Education, American Library Association.

John M. Cory, Executive Director, New York Metropolitan Reference and Research Library Agency.

John A. Humphry, Director, Brooklyn Public Library.

Paul Wasserman, Dean, School of Library and Information Services, University of Maryland.

Eric Moon, Editor, *Library Journal*, R. R. Bowker Publishing Company.

V. APRIL 18 AND 19, 1967, CHICAGO, ILL.

Witnesses

American Library Association Representatives: Mary V. Gaver, President; David H. Clift, Executive Director.

American Library Association Panel Members: Ralph U. Blasingame, Associate Professor, Graduate School of Library Science, Rutgers University; Keith Doms, Director, Carnegie Library of Pittsburgh; Frances B. Jenkins, Professor, Graduate School of Library Science, University of Illinois; Marion A. Milczewski, Director, University of Washington Libraries; Frederick H. Wagman, Director, University of Michigan Library; Eileen Thornton, Librarian, Oberlin College, Harold G. Johnston, Director, Detroit Metropolitan Library Project; Genevieve M. Casey, State Librarian, Michigan State Library; Gertrude E. Gscheidle, Chief Librarian, Chicago Public Library; Jesse H. Shera, Dean, School of Library Science, Western Reserve University; Don R. Swanson, Dean, Graduate Library School, University of Chicago; Ralph H. Parker, Dean, Library School, University of Missouri; James L. Lundy, President, University Microfilms; James G. Miller, Principal Scientist, Educom.

VI. MAY 22 AND 23, 1967, WASHINGTON, D.C.

Witnesses

Present from the Library of Congress: L. Quincy Mumford, Librarian of Congress; John G. Lorenz, Deputy Librarian of Congress; Elizabeth E. Hamer, Assistant Librarian; Marlene D. Morrisey, Executive Assistant to the Librarian of Congress; Paul L. Berry, Director, Administrative Department; Lewis C. Coffin, Law Librarian; Roy P. Basler, Director, Reference Department; William J. Welsh, Acting Director, Processing Department; Marvin W. McFarland, Chief, Science and Technology Division; Abraham L. Kaminstein, Register of Copyrights; Lester S. Jayson, Director, Legislative Reference Service; Paul R. Reimers, Coordinator of Information Systems.

Alice Ball, Executive Director, United States Book Exchange.

Germaine Krettek, Associate Executive Director, American Library Association, and Director, ALA Washington Office.

Edwin Castagna, Chairman, Legislation Committee, American Library Association.

Paul Howard, Executive Secretary, Federal Library Committee.

Henry J. Gartland, Director of Libraries, Veterans Administration.

Burton E. Lamkin, Chief, Library and Information Retrieval Branch, Federal Aviation Administration.

Hubert E. Sauter, Deputy Director, Clearinghouse of Federal Scientific and Technical Information.

Melvin S. Day, Deputy Assistant Administrator, Office of Technical Utilization, National Aeronautics and Space Administration.

Edward J. Bruenenkant, Director, Division of Technical Information, U.S. Atomic Energy Commission.

Walter C. Christensen, Staff Assistant for Scientific Information, Department of Defense.

Representatives from the Office of Education: Harold Howe II, Commissioner of Education; Grant Venn, Associate Commissioner, Bureau of Adult and Vocational Education; Lee Burchinal, Director, Division of Research Training and Dissemination; Ray Fry, Director, Division of Library Services and Educational Facilities; Eugene Kennedy, Chief, Library and Information Science Research Branch; Alexander Mood, Assistant Commissioner, National Center for Educational Statistics; Morris Ullman, Chief, Adult, Vocational, and Library Studies Branch.

VII. JUNE 25 AND 26, 1967, SAN FRANCISCO, CALIF.

Guests: Maryann Reynolds, Librarian, Washington State Library; Lucile Nix, Library Consultant, Georgia State Department of Education, Public Library Unit (Library Extension Service); Carma Leigh, Librarian, California State Library.

VIII. SEPTEMBER 6 AND 7, 1967, WASHINGTON, D.C.

Guests: Carolyn I. Whitenack, Associate Professor, Library and Audiovisual Education, Purdue University; Mary Helen Mahar, Chief of School Library Section and Acting Chief, Instruction Research Branch, U.S. Office of Education; William Knox, Vice-President, McGraw-Hill, Inc.; J. Lee Westrate, Senior Management Analyst, Bureau of the Budget; Louis B. Wright, Director, Folger Shakespeare Library.

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[2] Not financed or only partially financed by the Commission but offered to ERIC.

IX. OCTOBER 9, 10, AND 11, 1967, WASHINGTON, D.C.

Guest: Barnaby C. Keeney, Chairman, National Endowment for the Humanities.

ADDITIONAL HEARING

November 27 and 28, 1967 (Washington, D.C.).

May 1, 1968 (New York, New York).

CONGRESSWOMAN DWYER REPORTS TO THE PEOPLE OF THE 12TH CONGRESSIONAL DISTRICT

HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mrs. DWYER. Mr. Speaker, this was a Congress which made considerable progress but which should and could have made a great deal more.

One year ago, at the conclusion of the first session of the 90th Congress, I suggested that the record of that session—while adequate by more conventional standards—did not meet the needs of a swiftly changing, crisis-ridden nation.

Today, as the second session of this Congress comes to an end, a similar judgment seems thoroughly justified. Though Congress' achievements were notable in several fields—among them, housing, consumer protection, crime control, education and conservation—its failures, in terms of quality if not of quantity, were at least as significant. The refusal even to give formal consideration—aside from routine action on appropriations—to the No. 1 issue of this decade, the war in Vietnam, indicates the extent of the failure.

In this, my annual roundup report on the activities of the congressional year and on my own position on the major issues, I shall try to show why such a critical appraisal is valid.

But, first, our accomplishments as I viewed them:

HOUSING AND URBAN DEVELOPMENT

By general agreement, the biggest and the best of the bills enacted in 1968 was the Housing and Urban Development Act, a measure to which I was able to give the closest attention at every stage of its progress by virtue of my membership on the Housing Subcommittee, the full Banking and Currency Committee, and the joint House-Senate conference committee which resolved the differences between the versions earlier passed by the two Houses.

Among its dozens of provisions, the bill was considered a "landmark" for these major features: the authority to produce more than 1.7 million units of new and rehabilitated housing for low-income families; a new program designed to assist low- and moderate-income families to own their own homes, similiar to legislation I had earlier cosponsored with Senator PERCY and Congressman WIDNALL; a flood insurance program which should help residents of our own flood-prone areas obtain needed protection; a property insurance program designed to help stabilize inner-city areas; the beginning of an effort to encourage the more orderly planning and development of new communities as an antidote to what has become so depressingly familiar as "urban sprawl"; an improved method for the funding of the urban renewal program so as to reduce delays and encourage communities to do a better job; a directive to the FHA to make more loans for the rehabilitation of central-city neighborhoods; and an improved urban mass transportation program.

The bill also included an amendment I offered on the House floor which I am hopeful will lead to important improvements in the way the Department of Housing and Urban Development—HUD—manages its many programs. Because HUD has been subject to severe criticism for administrative inefficiency, delay and redtape, my amendment directs the Department to report to our committee annually on what it is doing, and what needs to be done, to eliminate redtape, simplify procedures, reduce delays, improve coordination, and in general get more effective results from our heavy investment in its programs. The amendment will, at least, force HUD officials to reflect more deeply on how they can improve their performance.

If my amendment should be as effective as New York City's Housing and Development Administrator—a former top HUD official—said he thinks it will be, it may prove useful to apply the same requirement to other departments and agencies.

CONSUMER PROTECTION

This year was also a good year for consumers. And here, again, our Banking and Currency Committee produced the chief legislative accomplishment: the truth-in-lending bill. Considered by many observers to be the most far-reaching consumer bill in more than 30 years, it will require those who lend money or extend credit to reveal the full costs and conditions to their customers and to do so on a uniform basis which will allow consumers to make the same kind of informed judgment about credit costs that they now can make about the prices of things they buy.

It took 10 years—and much painful experience with deceptive credit practices—to enact this protective legislation into law. And, as ranking minority member of our committee's Consumer Affairs Subcommittee, I was proud to be able to propose the key amendment—concerning revolving credit—which finally broke the long deadlock and brought the legislation to the House floor.

Consumers will profit by these other actions as well:

First, the inclusion of about 1.6 billion pounds of poultry a year under Federal inspection standards to assure its purity.

Second, a 2-year program of research into the causes of fires and methods of reducing the loss of life from fires.

Third, a requirement that performance standards be established to limit or prevent the emission of radiation from electronic appliances, especially television sets.

Fourth, authorization for similar safety standards covering natural gas pipelines.

Fifth, a 2-year study of the automobile insurance industry aimed at eliminating abuses and inequities especially in the area of compensation for accident losses—a long-needed first step toward reform.

Although it does not qualify specifically as consumer protection, consumers and everyone else should receive protection from the hazards of jet aircraft noise as a result of legislation authorizing the Federal Aviation Administration to set noise and sonic boom standards.

CRIME CONTROL

Congress this year left no doubt about its concern at the growing crime rate in this country and in a series of actions greatly improved the ability of law enforcement agencies to cope with crime and civil disorder more effectively.

The Crime Control and Safe Streets Act, the principal legislative accomplishment in this field, included these major provisions: substantial grants for upgrading State and local law enforcement agencies; provision for the admissibility in Federal criminal trials of confessions, if given voluntarily, and of eyewitness testimony; limited authority to police officers to use wiretapping; the prohibition of interstate sales of certain weapons; and additional penalties for persons convicted of a felony in connection with a riot or civil disorder.

Two useful anticrime measures also came out of my Banking and Currency Committee: we made "loan sharking," or the charging of usurious interest rates and the use of intimidation to collect such debts, a Federal crime, and we authorized Federal banking officials to require the installation of alarm systems and protective devices in banking institutions in an effort to help arrest the disturbing increase in the rate of bank robberies and larcenies. The new loan shark law, which was a part of the Truth-in-Lending Act, has already brought at least one prosecution against a prominent member of an organized criminal syndicate.

On a more personal plane, Congress approved two other crime control proposals which I first advanced: consolidation of the Bureau of Narcotics—formerly in the Treasury Department—and the Bureau of Drug Abuse Control—previously in the Department of Health, Education, and Welfare—in a new and more effectively coordinated agency in the Justice Department, a recommendation I made following my subcommittee investigation last year into Federal enforcement of drug and narcotics laws; and the provision of stiffer penalties for the possession and sale of dangerous drugs—including LSD—without a valid prescription, a measure which law enforcement officials believe will greatly strengthen their fight against this particularly reprehensible form of crime.

In addition, Congress established a new program for the prevention of juvenile delinquency and the rehabilitation of young offenders; provided benefits for policemen killed or disabled while enforcing Federal law; created a number of new Federal judgeships to help ease the backlog of cases; and established a system of Federal magistrates to replace existing U.S. commissioners.

EDUCATION

In education, this 1968 session advanced on two major fronts. First, existing programs of aid to higher education—student loans, fellowships, and other aid, construction of college facilities, teacher training, special assistance for developing institutions, and so forth—were extended, improved, and combined in a single package, together with new approaches for helping disadvantaged students stay in college, for encouraging programs of alternate periods of full-time study and full-time employment, and for strengthening graduate programs. Second, vocational education programs were greatly expanded in an effort to equip students to meet the demands of a rapidly changing and more complex technology.

Congress also increased funds for the Teacher Corps, an especially worthwhile project for improving the quality of education in slum area schools.

For many of us, this session will be known as the conservation Congress. In the face of a rapidly growing population and encroaching urbanization, the preservation of natural resources and the conservation of open space has become a matter of high urgency. Congress responded to the need in several ways:

First, we created two new national parks, including the Redwood National Park in California which contains some of the oldest and largest trees in the world.

Second, we provided the ultimate form of protection to the Great Swamp in neighboring Morris County by making it a wilderness area, thereby quelling once and for all the persistent designs of the Port of New York Authority on this valuable and scarce piece of unspoiled nature. I am happy to report that I cosponsored this legislation.

Third, we assigned to the Land and Water Conservation Fund, the Government's chief park and recreation development program, revenues from Federal oil and gas leases on the Outer Continental Shelf, thereby placing this important effort on sounder financial grounds and helping to counteract the rapid increase in costs of land acquisition.

Fourth, we successfully blocked construction of two proposed hydroelectric dams near the Grand Canyon in giving final approval to the development of the Colorado River Basin.

SCENIC TRAILS AND RIVERS

Fifth, we established a national system of scenic trails, with primary emphasis on recreation trails near urban areas rather than in more remote sections, and we created the scenic rivers system, which designates for preservation from pollution and commercialization segments of certain rivers which can be maintained in their wild and natural state.

Sixth, we established a non-Federal National Water Commission to make a comprehensive study of the Nation's water resource problems—a somewhat enlarged version of the Northeast U.S. Water Supply Study—NEWS—which was authorized at my request 2 years ago and which has since made substantial progress in determining what must be done to protect the Northeast from the dangerous droughts to which we have been exposed in recent years.

Seventh, and last, we initiated a program to preserve valuable estuaries, the coastal marshlands, bays, and sounds which serve as breeding grounds for fish and other wildlife.

Congress' achievements extended into other areas, including these:

First, enactment of the Health Manpower Act which expanded and improved training of nurses and doctors and other health personnel, broadened loan and scholarship assistance in these fields, provided assistance for construction and improvement of health training and research facilities.

Second, passage of a civil rights bill, which included prohibitions similar to those in New Jersey against discrimination in the sale or rental of housing, and extended protection to civil rights workers and others in the exercise of their legal rights. It also contained several antiriot provisions.

Third, the reform of methods by which Federal juries are chosen in order to prohibit discrimination—on the basis of sex as well as other factors—and to assure that such juries do in fact reflect "a fair cross section of the community." This was something of a victory for Congresswoman GRIFFITHS and I who had pursued this reform quite vigorously.

Fourth, the provision for observing three public holidays—Washington's Birthday, Memorial Day, and Veterans Day—on Mondays and for creating a fourth public holiday, Columbus Day.

SOME NEEDED ECONOMIES

Fifth, the exercise of unusually close scrutiny on the administration's budget request for its space program which resulted in economies of more than $375 million and removed this program from the status of "untouchable" from which position it has grown to cost more than $4 billion a year.

Sixth, denial of the administration request for $223 million to develop the supersonic transport.

Seventh, an increase in the number of air traffic controllers to help improve air safety and ease the growing traffic jams at many major airports.

Eighth, extension of the Highspeed Ground Transportation Act which brings closer the day of rapid and convenient rail travel between Boston, New York, and Washington and points in between.

Ninth, the unmourned death of legislation which would have permitted bigger and heavier trucks on the Interstate Highway System and soon after, of course, on other highways, at a high cost in terms of added maintenance costs and increased safety hazards. A great public outcry, in which many of my constituents joined, contributed significantly toward stopping this bill.

Tenth, the demise, too, of the administration's proposed tax on international travel—a proposal which, I am convinced, would have been inequitable and potentially counterproductive.

Last, but by no means least among the year's achievements, was enactment of the Intergovernmental Cooperation Act about which I have written extensively. In addition to numerous improvements in the administration and coordination of Federal grant-in-aid-programs, and the strengthening of the States' role in utilizing Federal assistance, the bill includes provisions I first introduced 7 years ago which, for the first time, will require congressional committees to review periodically the operation of grant programs and recommend to their respective Houses whether such programs should be retained, revised, or eliminated.

As one of two original House sponsors of both the review requirements and the omnibus Intergovernmental Cooperation Act, their enactment into law represented, for me, an especially meaningful victory and an important first step toward the comprehensive reorganization of the Federal Establishment.

Now, to those actions or lack of action which I would classify as failures:

THE WAR IN VIETNAM

No. 1 was the war in Vietnam.

Here, once again, another congressional year went by with no more than passing formal attention paid by this House to the most costly, the most divisive, the bitterest political issue that has torn our people apart in an entire generation.

Once again, we completed an entire session of more than 9 months, including 139 days of formal meetings, without having debated the war, without having subjected this continuing crisis to the examination—the independent examination—of the representatives of the American people. Meanwhile, the cost of this war to the very people we were elected to represent has surpassed 27,000 Americans killed, more than 140,000 other Americans wounded, and over $60 billion in U.S. resources—not to speak of the estimated 200,000 South Vietnamese lives and the immeasurable destruction of that tiny country which the war has exacted.

No less than 70 percent of these American casualties occurred since January 1967, the beginning of the 90th Congress—while the House remained officially mute.

I do not suggest that Congress should seek to take over the strategic direction of the war in Vietnam. But I do insist that the people have a right to be heard on this issue, above all, and their elected representatives in Congress comprise the proper channel for such an expression. Nor have I ever favored unilateral U.S. withdrawal from Vietnam or the cutting off of appropriations for the war, which would have amounted to the same thing. But I do believe that this Congress could have made an important contribution by forcing the administration to give more serious consideration to the several proposals which have been advanced to bring the fighting to an earlier end and to begin more meaningful negotiations for a political settlement—including my own proposal for a series of U.S. initiatives leading to a mutual cease-fire—including the bombing of North Vietnam—under conditions which would assure that neither side could take military advantage of the halt in hostilities.

The House certainly had plenty of opportunity to do this. After repeated attempts by many of us, as individuals, had failed to persuade the House to undertake a review of the war, we joined, on September 25, 1967, as a bipartisan group to introduce House Concurrent Resolution 509 which directed the appropriate committees to consider immediately and report to the House and Senate "their determination as to whether further congressional action is desirable in respect to policies in Southeast Asia."

Simple as it sounds, this resolution would have required Congress, finally, to take official cognizance of the war and come to some kind of conclusion about it—a development which the administration and its leadership allies would not have welcomed. And so, even as we adjourn, our resolution languishes untouched in the Rules Committee.

Whatever may come of the present Paris meetings between United States and North Vietnamese representatives—and it is important to remember that these meetings are not peace negotiations but only preliminary discussions limited to the question of how and when the United States will cease bombing the north—the conclusion cannot be avoided that the 90th Congress failed to involve itself responsibly in the search for peace.

OTHER FAILURES

This was the big one, but there were other failures, too. As the Federal Government grew bigger and more expensive, slower and less responsive, Congress continued to resist all efforts to reorganize and modernize the executive branch on a comprehensive basis. As Federal grant-in-aid programs approached the 1,300 mark—and there may be others not yet fully identified—Congress refused even to consider most of the legislation aimed at bringing order, efficiency and effectiveness out of the present chaos and complexity, the only significant exception being enactment of my Intergovernmental Cooperation Act.

This Congress was derelict, too, in reforming its own operations and in trying to improve the political process generally—an essential first step in the direction of regaining the confidence of the American people. While the Senate approved both the Congressional Reorganization Act and the Election Reform Act, neither bill was even brought to the House floor for consideration. And no formal attention, whatsoever, was paid to the twin issues—so strikingly evident in this election year—of revising the presidential nominating convention system, or replacing it with a national party primary, and of reforming the electoral college to assure that it reflects the will of American voters.

In this year of tragedy, shock, and surprise, severe strains were imposed on our system of government and politics. And while the year has another two and a half months to go, who can say that the system has responded adequately? The executive branch, certainly, did not set any records for effective and expeditious response to critical situations. The Congress on too many occasions revealed the weakness of its outmoded and undemocratic procedures. Our election laws, especially with respect to the raising, spending and reporting of campaign funds, have once again been shown to be a porous and widely ignored body of unenforceable statutes. And throughout the presidential campaign, a campaign of unsurpassed significance in terms of what the election results could mean to the Nation, the principal concern of most of us has been that the electoral college might not be able to determine a winner and in that not unlikely event, the election would have to be decided in the House of Representatives under the most undemocratic procedures imaginable.

We have survived, of course, and shall probably continue to. But why must we put up, year after year, with these archaic and potentially disastrous disabilities?

DISCONCERTING AND UNNECESSARY

These failures—and they are continuing ones—were particularly disconcerting for a number of reasons. First, innumerable legislative proposals—including much of my own "more for your money" program of a dozen bills—have been awaiting action for several years. Second, these proposals would not add to the budget; they would save money: by increasing efficiency, eliminating waste and duplication, cutting redtape, and improving performance. Third, better management, coordination and simplification of programs would mean a higher return from our investment in programs designed to provide good schools, transportation, housing, health care, pollution control, and so on. And, fourth, the continued reluctance to modernize government and make it more responsive and responsible simply adds to the sense of frustration and disaffection which has plagued our Nation and which, I am convinced, contributes to the spirit of rebellion and the incidence of disorder. People have a right to expect their Government to respond to their needs, to exhibit courage and integrity, to perform effectively. When it fails to do so, when it seems unable to make a visible impact on problems which cry out for solutions, people get unhappy—whether they are conservatives, moderates or liberals—and this is what is happening.

Should any of my constituents, by the way, desire further details about my "More for Your Money" program, I shall be glad to furnish the information upon request.

One can speculate endlessly about the reasons for the failures I have described. Two, at least, are obvious. Bureaucrats tend to get caught up in the day-to-day demands of the programs they administer and have little time to reflect on ways of improving their performance, especially when improvement involves basic changes and comprehensive reorganization. And they do not like "outsiders"—whether Congress or independent commissions—telling them how to do their jobs.

These barriers to progress are often difficult to break down, especially when both Congress and the Administration are controlled by the same political party. Congressional leaders, under such conditions, do not like to embarrass their opposite numbers in the White House—a rather expensive form of noblesse oblige, and a major factor in my decision last year to introduce legislation creating a special House committee, headed by the minority, and empowered to investigate whenever majority-controlled standing committees failed to act.

Whatever the reasons and however high the barriers, the time has come when we can no longer afford to tolerate a governmental establishment that is too clumsy, too complex, too enmeshed in redtape to meet its responsibilities to the American people. No. 1 on the list of priorities for the 91st Congress must be the reform of its own operations and the streamlining of the Federal executive. Quality government cannot be postponed. The people's confidence and respect must be redeemed if social progress and order are to be sustained.

As the senior Republican on the House Committee on Government Operations, this objective shall continue to be uppermost for me.

MORE FAILURES

In the category of failures, I should also mention the following:

First, the death, late in the session, of amendments to the Water Pollution Control Act which would have placed this critically needed program on a much sounder financial basis by permitting communities to move forward with their pollution control projects with the assurance the Federal Government would pay its share of the cost.

Second, the switch, unfortunately typical of last-minute parliamentary maneuvering, which saw Congress unmake its earlier decision to tighten up the increasingly large and expensive tax loophole which enables most States to provide big corporations with low-cost industrial development bonds at the expense of Federal taxpayers. The tax exemption for such bonds was once a justifiable device for attracting industry into economically depressed areas, but since most States now utilize this device and the major benefits often go to corporations which can easily finance their own expansion, and because this kind of subsidy encourages the "pirating" of industry from established industrial areas like our own, the exemption should be removed or drastically limited—and I have, for the last several years, sponsored legislation to do this.

Third, another year of inaction on legislation to establish uniform standards governing the power of States to tax business located in other States.

And fourth, Congress' continued failure to act favorably on two bills which a number of colleagues and I have long cosponsored: cost-of-living increases in social security benefits and a tax deduction for a portion of the expenses of higher education. Both these bills, it seems to me, would remedy existing inequities and enable Congress to achieve important objectives without imposing additional bureaucratic burdens.

THE GREY AREA

Between the successes and failures of this session, there was an area of activity that, for lack of a better term, can only be described as "gray." It consisted of a number of halfway measures and of inadequate funding of key programs. An optimist might describe them as encouraging beginnings. A pessimist could minimize them as triumphs of appearance over substance.

As, I hope, a realist, I tend to view them as reflecting both hope of future progress and the need for stronger commitment to the accomplishment of major goals.

In this middle category, therefore, I would list the following:

Enactment of a compromise gun control bill which, while it goes beyond the dismal measure passed by the House and bans the interstate mail-order sale of all handguns, long guns, and ammunition and prohibits sales to persons below the age of 18, fails nevertheless to include requirements for the registration of guns and the licensing of owners. And judging from concrete experience, these are the two provisions which could be most effective in aiding law enforcement and in keeping firearms out of the hands of those most likely to use them illegally or irresponsibly.

Adoption by the House of a code of ethics and a permanent Committee on Standards of Official Conduct. While disappointingly unspecific and limited, especially in terms of its requirements for disclosure of outside income, the code is a beginning. And the committee, while it hasn't been especially aggressive, undoubtedly serves as a useful deterrent. I do wish, however, that the committee would spend some time on the preparation of advisory opinions on the propriety of various kinds of hypothetical conduct. As I suggested often during my sponsorship and support of ethics legislation, this important function could become the committee's major contribution to higher standards of conduct in the Congress.

In a closely related area, note should be taken of the House decision not to act on legislation increasing our own retirement income by what I believe—and charged publicly—was an unconscionably high percentage. Whether congressional sensitivities were moral or political, public attention to the proposal happily served to deflect it.

DISTRICT OF COLUMBIA—THE ORPHAN

Next, continued congressional ambivalence toward the District of Columbia—the ill-treated orphan of the United States—consisting, on the positive side, of such developments as a reorganized city government and an elected school board and, on the negative, insistence that the city complete an extensive and disrupting freeway system that it does not want and a calculated slowdown on development of a mass transit system which it does want and badly needs.

Also, the reversal of priorities in aid to elementary and secondary education from relatively greater emphasis on helping schools in low-income areas through the Elementary and Secondary Education Act to a relatively more generous attitude toward assisting schools in areas with large numbers of Federal employees, schools which, for the most part, are located in higher income areas.

This same gray area, reflecting the pressures and counterpressures of American society, extended to such major areas of congressional activity as agriculture, defense, foreign aid, and the national economy.

In agriculture, for instance, a preliminary victory in the House for those of us who believe payments to big farmers for withdrawing land from crop production should be limited to a maximum of $20,000 a year was snatched away late in the session by means of a conference committee agreement to limit extension of the farm program to 1 year and by some adroit parliamentary maneuvering. At the same time, Congress extended the food-for-freedom program.

Also, in the wake of convincing evidence of large-scale hunger and malnutrition in the United States and in response to the demands of 70 of my colleagues and I who formed the bipartisan "coalition to help malnourished Americans," Congress significantly broadened the food stamp and school lunch programs—only to retreat somewhat, however, when it came to voting money for these purposes. Nevertheless, we made a net gain here.

NATIONAL DEFENSE

In the field of defense policy, Congress appropriated the largest amount ever approved for the armed services—approximately $72 billion plus $1.75 billion for military construction. Yet, this amount was $5.2 billion less than the Pentagon requested—the deepest such cuts ever made and evidence of a somewhat more critical and selective approach to military spending, and one I hope will be continued in the future.

A letter I recently received from a knowledgeable colonel in the Air Force Reserve suggests the need for more careful scrutiny of the defense budget. He wrote, in part, after a tour of duty in the Pentagon, as follows:

> Without exception, every full colonel in the Air Force with whom I discussed the matter was in full agreement that the military staff (and probably the civilian) should be drastically reduced. Everybody is duplicating everybody else's work not just once or twice, but sometimes three and four times—layers and layers of reviews, doubled, tripled and quadrupled because everything reaching the JCS is reviewed, re-reviewed, re-re-reviewed, and re-re-re-reviewed in the Army, Navy, Air Force and Marine Corps.

Congress' action on foreign aid was similarly inconsistent. Record cuts left the basic foreign aid program at the lowest level in its 21-year history, just below $2 billion or about a third below the administration's request. This sizable reduction, coupled with further restrictions on the sale of military equipment to developing countries, reflected Congress' dissatisfaction with the present program and its preference for extending economic assistance through international organizations. Yet, the Senate failed to complete action on a House-approved bill to replenish the International Development Association, a principal channel of multilateral economic aid.

The chief example of the session's mixed approach to policy problems involved the actions Congress took affecting the national economy. After inordinate delays, both by the administration and Congress, we finally faced up to the need to arrest the deficit in our balance of payments and to try to hold back climbing prices and interest rates. Neither effort was a complete success. Congress insisted on coupling the administration request for a 10-percent income tax surcharge with a requirement that approximately $7 billion be cut from fiscal 1969 spending together with a reduction of $18 billion in past and future appropriations. This resulted in a reduction of $14 billion from appropriations requests and a net spending cut for this year of about $4 billion, which leaves to the administration the task of finding additional savings of $3 billion.

In the balance-of-payments area, Congress again went only half way, removing the so-called gold cover in order to meet U.S. obligations, and providing for U.S. participation in a new international monetary reserve system designed to supplement gold stocks and ease the strain on international liquidity due to increased world trade.

It is too early to determine the lasting effects of either effort. It is clear, however, that more must be done, especially to control inflation. Although the full impact of the tax increase and spending reduction will not be felt until 1969, interest rates, economic activity, and personal consumption remain very high and the price level is increasing this year at an annual rate of 5 percent—a completely unacceptable rate. The great danger, it seems to me, is that an inflationary psychology will take hold to such an extent that extreme measures may be necessary to halt it. Because, in part, of ineffective and inconsistent Government economic policy, American investors, consumers, and producers seem so convinced that prices will continue to increase that they are engaging in a spending race which can only add to inflationary pressures.

THE REASONS WHY

Here, too, there were reasons for the incomplete, halfhearted, or reluctant actions taken by Congress—some good, some not so good.

Budgetary limitations were necessarily a major factor in considering all appropriations bills, though Congress did not always exercise—in my personal judgment—the appropriate ordering of priorities, as, for instance, when it revoked—through some adroit parliamentary maneuvering—the earlier House-imposed maximum of $20,000 on payments to farmers for not growing certain crops.

A related factor was the continued inadequacy of congressional procedures which effectively restricts us to the consideration of budget requests and appropriations on a piecemeal basis, prevents us from making spending decisions in the perspective of the whole budget, and severely limits us in determining priorities.

For these reasons, I introduced late in the session the product of several months of work—a bill to enable Congress to transfer funds directly from a low-priority item to a higher priority program or purpose through the creation of a human renewal fund into which the transferred funds would be placed for subsequent apportioning to States and local governments. The fund would be used for programs deemed by the States to be most urgent in the general area of education, jobs, pollution, transportation, housing, crime, and urban development.

A final reason, I suggest, for the inadequacies and inconsistencies I have noted is the representative character of the Congress. When the country is unsure, Congress is unsure. When the country is divided and pulled this way and that by conflicting pressures and contesting forces, then Congress is going to demonstrate similar symptoms. It is then that Congress sometimes yields to the political temptation to give with one hand and take away with the other, to sacrifice substance for appearance, to have it both ways.

Effective leadership—both within the Congress and in the White House—is essential if Congress is to play the constructive and courageous role the times require. This leadership was not always forthcoming in the second session of the 90th Congress. The 91st Congress must do better.

Seldom has our country been so rich, the best that is in us all, so that the rich and poor and all our people can share and our people so divided. Never have we had the capacity to do so much, and been so weakened by fear and bitterness and disorder. The 91st Congress must help lead the way back—back to unity, to a sense of common purpose, to give of fully in the promise of America.

For this, I ask your help.

TEXAS CITIZENS PETITION CONGRESS

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. YARBOROUGH. Mr. President, I recently received a petition signed by 1,392 citizens in my State of Texas. It is a petition addressed to Congress as a whole and I want to take this opportunity to share it with my fellow Senators.

The petition urges the adoption of the recommendations of the President's Commission on Civil Disorders. The petition quotes from that Commission's report in regard to our domestic challenges:

> From every American, it will require new attitudes, new understanding, and above all, new will.

I ask unanimous consent that this petition—without the names—be printed in the CONGRESSIONAL RECORD.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

> IT IS TIME TO MAKE GOOD THE PROMISES OF AMERICAN DEMOCRACY TO ALL CITIZENS—COMMISSION ON CIVIL DISORDERS, MARCH 4, 1968
>
> DEAR SENATOR OR REPRESENTATIVE: We urge you and all members of Congress to adopt quickly the recommendations of the National Advisory Commission on Civil Disorders.
>
> We call for re-examination of our nation's objectives and reassessment of our national priorities. The international situation cannot serve as an excuse for inaction. Education, equal opportunities, meaningful jobs, decent living conditions, adequate medical care, and a humane welfare system are not luxuries our poorest citizens must continue to forego.
>
> We must act now to confront our nation's problems, not our nation's citizens. We must redress wrongs, not repress those who have been wronged. "There can be no higher priority for national action and no higher claim on the Nation's conscience."
>
> "What white Americans have never fully understood—but what the Negro can never forget—is that white society is deeply implicated in the ghetto. White institutions created it, white institutions maintain it, and white society condones it." To eliminate injustice spawned by white racism and sustained by white indifference "will require a commitment to national action—compassionate, massive and sustained, backed by the resources of the most powerful and richest nation on earth. From every American, it will require new attitudes, new understanding, and above all, new will."
>
> We, the undersigned, urge you to take immediate positive action to implement the Commission's recommendations.
>
> (Signed by 1,392 Citizens of Texas.)

HON. PAUL KILDAY: A GREAT AMERICAN PASSES

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. PHILBIN. Mr. Speaker, I was greatly shocked and very deeply grieved to learn of the recent sudden passing of my dearly beloved, able, and distinguished friend, a former very distinguished Member of this House, and learned member of the U.S. Court of Military Appeals, the Honorable Paul J. Kilday, for many years an able, distinguished Representative from the great State of Texas.

I had not known that Paul had been ill, and news of his passing comes to me as a great shock and greatly saddens me.

It was not long ago that he and his outstanding colleagues of the court, the great chief judge of the court, the Honorable Robert Quinn, my valued and outstanding friend, and Hon. Homer Ferguson, had appeared before my Subcommittee No. 1 of the Armed Services Committee with reference to legislation affecting military justice that was recently pending before us.

At that time, Paul seemed to be in perfect health, and as usual with customary brilliance, legal learning and effectiveness presented his views on the pending bill.

After listening to his views, and those of his distinguished colleagues, the committee unanimously passed the bill and later on the House and other body did the same.

Paul Kilday was one of the outstanding men who ever served in the Congress of the United States. He represented his district and State with exceptional zeal, ability, distinction, purpose, and effectiveness.

He brought to the Congress extraordinary powers of legal analysis and keenness of mind that enabled him to go to the heart of any problem, however complex, with ready apprehension and effectiveness.

His contributions to the work of the House Armed Services Committee over a considerable period of time were of tremendous value and helped us immeasurably in our deliberations and the results we achieved.

Paul was the very able chairman of one of our most important subcommittees, and was an authority in every field of our work. He handled many of the most complex measures before us, including complicated pay bills, accounting and financial measures, and other legislation virtually indispensable to the success of our efforts for the national defense.

An experienced prosecutor and lawyer, he brought to the important U.S. Court of Military Appeals a keen penetrating legal mind, a broad knowledge of law, and a ready understanding of the problems coming before that great tribunal which is at once the spearhead and repository of military justice for American boys and girls in this Nation and throughout the world.

Paul Kilday served with great men of broad experience and outstanding legal ability like himself, Chief Justice Quinn, a former illustrious Governor, and former, learned chief justice of the great State of Rhode Island Supreme Court, an internationally known lawyer and jurist, and with the former very able and distinguished Member of the U.S. Senate, Hon. Homer Ferguson, also a lawyer and judge of highest stature in the legal profession.

In addition to his magnificent qualifications and legal powers, Paul Kilday made for himself a tremendous record as an outstanding legislator and an achiever that will long be gratefully appreciated in the Congress, and by the American people.

Judge Kilday was a man of deep convictions as well as firm opinions, and was noted, not only for his legal talents but for his patriotism, his courage, and forthrightness and fairness of judgment.

Always considerate of his colleagues, members of the bar, and the people, Paul's responsiveness as a friend and a warmhearted human being endeared him to all of us who served with him.

He was a man of strength and character and determination, and he was unswerving in his search for justice and righteous decisions. It would be very difficult, if not impossible, to replace a man like Paul Kilday. In fact, his place in American life and in the field of military justice could never be precisely filled.

As a friend who admired and loved him, I share the irreparable loss that his family, his district, State, and the Nation have sustained in his passing, and I sorrowfully join his dear ones in mourning him.

I tender my devout prayers and heartfelt sympathy to his very gracious widow and helpmate, who stood with him throughout his long, brilliant career in the public service, and his lovely family, to all of whom he was so deeply attached and loved so much.

I hope that the Good Lord will lighten their heavy burden of sorrow and bereavement, and give them the fortitude to stand up with courage and reconciliation to the truly irreparable loss that they have suffered in the loss of such a cherished dear one.

Washington official life, his colleagues past and present, his district, State, and Nation, have indeed sustained a grievous loss in the passing of this great American and outstanding, dedicated son of the great State of Texas.

Paul Kilday was deeply devoted to his religious beliefs and his public responsibilities and achievements. He was a man of profound, lifelong dedication to his spiritual faith and his country. May he find rest and peace in his eternal heavenly reward.

REPORT OF THE NATIONAL ADVISORY COMMISSION ON LIBRARIES

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. MORSE. Mr. President, on October 3, the President's Committee on Libraries submitted to the President the report of the National Advisory Commission on Libraries. In his letter of transmittal, HEW Secretary Wilbur Cohen who served as chairman stated that:

> The Committee found it a highly stimulating report, containing numerous ideas which would strengthen the role of libraries in our society . . . . Libraries are the keepers of our history and our culture. But they are not merely storehouses for the relics of the past, but meeting places for people and ideas, vital partners in our system of education.
>
> The Committee urges a wide distribution of the Report. Its recommendations should be considered and discussed by individuals and groups at Federal, State and local levels, both in and out of the library community. It should encourage all of these groups as they make plans for even more effective services.

As part of the Commission's investigation, regional hearings were held in a dozen communities throughout the country to ascertain the people's library needs at the grassroots of our Nation. One of these important hearings took place in Portland, Oreg., where a representative group of some 34 people from Oregon and neighboring States testified on the significance of libraries in their communities, and needs for the future.

For 8 years I have been chairman of the Educational Subcommittee and next year I will be chairman of the highly important full Committee on Labor and Public Welfare, which considers bills on education, including libraries. I may say that I think we have made great progress to date in assisting the people of Oregon and the people of the whole Nation to receive improved library service, but much more needs to be done if all of our people are to have available to them the kind of library service which is so essential to our country's well-being and progress.

One of the most steadfast supporters of this effort has been my friend and colleague Lister Hill, of Alabama, who is retiring this year after 45 years in Congress, 30 of them in the Senate. In recognition of his longstanding support of libraries, Senator Hill was recently honored at a luncheon by more than 100 librarians from 46 States, meeting in Washington. On this occasion he was presented with a hand-lettered citation, adopted earlier this year by the American Library Association at their annual conference:

> RESOLUTION ADOPTED BY THE ALA COUNCIL
>
> (The governing body of the American Library Association, at the Association's 87th annual conference in Kansas City, Mo., June 28, 1968)
>
> Whereas, Senator Lister Hill of Alabama has served with distinction in the United States House of Representatives for fifteen years, in the United States Senate for thirty years, and as Chairman of the Committee on Labor and Public Welfare of the United States Senate for thirteen years, and
>
> Whereas, Senator Hill first sponsored legislation in support of Federal assistance for public library service in rural areas on May 12, 1946, in the Second Session of the 79th Congress, and patiently sustained his advocacy of this great cause until the Library Services Act was enacted in the Second Session of the 84th Congress and signed by the President on June 19, 1956, and
>
> Whereas, Senator Hill was instrumental in the expansion of the Library Services Act by the United States Congress in November 1963 to permit extension of public library services, with Federal support, to every part of every State in the Union, and
>
> Whereas, in the course of his long and distinguished career in the United States Congress, Senator Hill has continuously and creatively sought to strengthen and advance the schools, colleges, universities and research institutions of the Nation and to this end has guided to enactment by the United States Congress such legislative landmarks as the School Assistance in Federally Affected Areas Act of 1950, the National Defense Education Act of 1958, the Higher Education Facilities Act of 1963, the Higher Education Act of 1965, and the monumental Elementary and Secondary Education Act of 1965, and
>
> Whereas, Senator Hill's inspired leadership also secured enactment by the United States Congress of numerous other statutes in furtherance of the cause of education and library services, including the Veterans Readjustment Acts of World War II and subsequent conflicts, the National Science Foundation Act of 1950, the National Library of Medicine Act of 1956, the War Orphans Educational Assistance Act of 1956, the Captioned Films for the Deaf Act of 1958, the Economic Opportunity Act of 1964, the Older Americans Act of 1965, the Act of 1965 for the National Foundation on the Arts and Humanities, and the Sea Grant College Act of 1966, and
>
> Whereas, Senator Hill was among the handful of United States Senators who courageously and presciently evoked the support of the American people for the organization of the United Nations and his unfaltering devotion to the cause of cooperation among all countries has been manifest in his espousal of the historic International Education Act of 1966, and
>
> Whereas, Senator Hill has been since 1956 an Honorary Life Member of the American Library Association,
>
> Now, therefore, do we, The Council of the American Library Association, hereby approve for transmittal this Certificate of Commendation to Senator Lister Hill of Alabama in tribute to his distinguished career in public office, his unmatched contributions in behalf of all libraries and his steadfast, compassionate and understanding dedication to the enlightenment and advancement of the people of the United States of America.
>
> Transmitted by David H. Clift, executive director, American Library Association.

It seems fitting to take this opportunity to commend Senator Hill for his efforts in behalf of libraries and education, as the National Advisory Commission on Libraries issues a report which highlights the successes of the past and points out the continuing work needed to meet the future.

CULVER ANNOUNCES RESULT OF FOURTH ANNUAL SECOND DISTRICT QUESTIONNAIRE

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. CULVER. Mr. Speaker, every year since I have been in Congress, I have prepared and mailed to my constituents a detailed questionnaire, in order to obtain their opinions on the critical issues which we are called upon to consider in this House.

There has never been a greater or more obvious need in this country for participation by the widest sector of our population in this decisionmaking process.

The problems we face today, both foreign and domestic, are problems which affect every man and woman in this country, regardless of where they live or what type of job they hold.

The decisions we make, and the action we take, will determine the course of the future, for ourselves and for our children and grandchildren.

I am pleased, therefore, by the size of the response to my questionnaires, which has increased each year, and, particularly, by the extensive comments which so many of my constituents added in their replies.

We have tabulated the initial returns of my fourth annual questionnaire, which has already been returned by more than 13,000 men and women in the Second District.

Those responses indicate the opinions of a representative sample of people in my district, from every one of the 11 counties, the 3 major cities, the more than 115 smaller communities, and from the farms. They include responses from working men, farmers, businessmen, housewives, professional persons, and students.

The Congress cannot be guided by public opinion polls alone, but, because my district represents such a broad cross section of interests and opinions, I think that the results of this latest questionnaire should be of interest to every Member of this body.

I therefore include them at this point in the Record:

General Priority Problems: Which of the following problems do you consider of top

priority importance to our nation, and requiring the most legislative attention? (Mark no more than 4):

[In percent]

Crime and delinquency	69.8
Inflation	46.0
Urban decay	10.3
Education	18.5
Consumer protection	12.5
Medical costs	25.4
Governmental reorganization	19.1
Conservation	13.3
World hunger	15.8
Needs of the elderly	11.6
Farm prices	21.8
Vietnam	60.9
Race relations	30.5
Rural development	3.3
Balance of payments	14.9
Other	2.9

The Current Budget: In its consideration and passage of tax legislation the Congress has insisted on a cut of at least $6 billion in federal expenditures during this fiscal year. In reaching this required reduction, which I supported, which functions do you feel ought to absorb more?

Aid to education	11.5
Welfare	32.0
Space exploration	41.7
Housing and urban renewal	18.0
Farm programs	18.5
Public works	18.9
Supersonic aircraft	37.4
Non-Vietnam defense	15.2
War on poverty	25.9
Foreign assistance	42.0
Medicare	13.9
Highways	11.2
Other	5.9

Agriculture: The Voluntary Feed Grains Program, which is designed to help maintain a balance between supply and demand in agriculture, expires in 1969. What do you prefer?

4-year extension	20.4
1-year extension	16.4
No program	22.1
No opinion	31.0

Vietnam: While preliminary peace talks are underway in Paris, do you favor:

Continuation of the approximate present level of efforts	20.0
Intensification of our efforts on the ground and through increased bombing of the north	35.5
Unilateral cessation by the United States of all bombing in the north	15.4
Withdrawal irrespective of what happens in Paris	20.5

The Presidency and the Elections: Do you think there is merit in replacing the national party conventions with a national primary for the selection of Presidential nominees?

Yes	77.7
No	15.0
No opinion	7.2

Do you favor the election of the President by direct popular vote rather than through the Electoral College?

Yes	85.4
No	7.8
No opinion	6.8

Voting Age: Do you favor reducing the voting age to 18?

Yes	47.0
No	40.5
Undecided	12.5

The Draft: Do you support reform of the present selective service law to provide for the selection of draftees by lottery, with the youngest eligibles called first and with deferred college students treated as the youngest group upon leaving college?

Yes	50.6
No	24.5
Undecided	24.9

Political Campaign Expenditures: Do you favor legislation which would make the principal costs of political campaigns for President and members of Congress a public expenditure rather than dependent on private gifts?

Yes	20.2
No	64.7
Undecided	15.1

Crime and Violence: In meeting the problems of mounting crime and violence in our nation and in our neighborhoods, do you support:

Stricter regulation of the content of TV programs?

Yes	62.4
No	26.3
Undecided	11.3

Greater federal assistance for improvement and support of local police, correction and rehabilitation agencies?

Yes	68.7
No	18.5
Undecided	12.8

More effective public and private programs in the areas of jobs, housing, and education to improve conditions in the cities?

Yes	76.0
No	9.9
Undecided	14.1

Questionnaire: Last year, as you may recall, I used an IBM card for my annual questionnaire. This year I have used a larger printed form to provide space for more detailed questions and responses. Which form do you prefer?

IBM	4.7
Printed questionnaire	74.2
No opinion	21.1

VISTA: A NEW APPROACH

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. YARBOROUGH. Mr. President, I find that Mr. Bill Crook, former director of VISTA, and now U.S. Ambassador to Australia, has written an informative article on the VISTA Citizen's Volunteer Corps which appears in the July issue of Future/JCI World magazine. Most of us are familiar with the work of VISTA volunteers in the needy areas of our country, but Mr. Crook's article describes the work of the 35,000 concerned Americans who participate in the Citizen's Volunteer Corps, a newer dimension of VISTA. He discusses specific projects in various parts of our Nation, and points out how these students, housewives, and older citizens work as tutors, teachers' aides, and counselors to combat the degrading influence of poverty and want.

In order to recognize the meritorious work of this progressive and constructive program, I ask unanimous consent that this article beginning on page 19 be reprinted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VISTA: A NEW APPROACH

(By Bill Crook, director VISTA)

There is little doubt that America's people have more time on their hands today than any nation's people have had before.

Industries are being carved out of leisure time. Services are accounting for more dollars of the gross national product each year. Vacations are longer; weekend vacations are becoming commonplace. During the week, the average family spends more than five and one-half hours each day in front of the TV set. Time itself has become a problem in this country. For many Americans, the filling, if not the fulfilling, of spare time is becoming a sort of second life.

It is a paradox, then, that we are just beginning to heed Americans who have demonstrated that they are willing to put some of this time into helping their fellow man. A Gallup survey concerning service in the VISTA program, shows that 75 percent of all college alumni are willing to serve as volunteers on a full-time or part-time basis in projects that will help others. More than half the college population feels the same way.

Thousands of Americans do find time for worthwhile work. But millions of others await the call. This paradox is the result of a communications gap between those who need help and those who are willing to give it.

President Johnson no doubt was aware of this spirit, this resource that Gallup called a "veritable Niagara of brainpower" when he announced the VISTA Citizens' Volunteer Corps early in 1967. The President said: "Millions of Americans live in poverty depsite our nation's great wealth. I believe this should not be—and need not be, if enough lend their help. It is not possible, of course, for all who would like to help to be full-time VISTA Volunteers But if half the young people in our high schools and universities, volunteer a few hours each week, this could provide a personal tutor for almost every potential highschool dropout; a teacher's aide for every Head Start child; a personal counselor for mothers who are struggling to rear families in poverty. I hope you agree that such a volunteer effort could produce exciting results. And I urge you to join the VISTA Citizens' Volunteer Corps—a new and promising project to enlist public-spirited Americans in the effort to improve life for all our people."

In 1964 television and the OEO dragged poverty center stage, and hit a national nerve. Increasingly, there came to be a national sense of mission which frequently finds expression in "What can I do?"

To those, this part-time volunteer corps was and continues to be the answer. It offered a chance to shake the tokenism of the "bandage rolling" and "Wednesday afternoon lecture" approaches to duty.

The outstanding feature of the program is that it produces enormous benefits at little or no cost. VISTA estimates that it can field a Citizens Corps of 100,000 for administrative costs of about $100,000 a year—one dollar a year per volunteer.

Poverty areas benefit from the new resource of labor that brings to the poor a rich variety of services and talents. Sponsoring poverty agencies are a natural framework to take on this added manpower, at no added cost, and provide a significant effort. The public, of course, can channel its energies into the nation's assault against poverty. And the volunteers serving in this program are seeing first hand the depth of the poverty problem.

VISTA was the natural choice to develop the Citizens Corps. It was approaching its current strength of 4,250 full-time volunteers when the Corps was inaugurated. Its knowledge of volunteers and their role in the War on Poverty could be extended to build a new army of part-time volunteers. And a survey showed that full-time VISTA workers already were using part-time volunteers on many projects.

Citizens Corps volunteers are housewives, professional people, students, and white and blue collar workers from all economic levels of society. Americans 14 or older are eligible. It is estimated that 35,000 have responded to the call. Vista is working toward an initial goal of 100,000.

What do Citizens Corps volunteers do? Like regular VISTA volunteers, they act as a link between people and various Federal, state and community programs set up to help them. They are a channel for communication with the middle class community and the political community. They may work with a gang, settle a welfare problem, do volunteer recreation work or counsel dropouts. They work in Head Start programs, and many work in tutoring programs. They direct families to a wide range of governmental services in health, legal aid, job training and education.

Some examples of Citizens Corps projects:

In Pittsburgh's East Liberty section, 400 neglected youngsters are now involved in a cultural enrichment program which has taken them out of the ghetto environment to museums, college campuses and ball games. The program is called LINK, and has attempted to match volunteer college students with small groups of youngsters. LINK's originator was a VISTA volunteer who recruited more than 150 students into a personal involvement with the youngsters and their families.

Over 200 college and high school students were recruited in Baltimore to participate in a tutorial project based in a public housing project. They recruit, screen and help train the tutors, recruit children from the housing project, and match tutor with child.

A VISTA volunteer recruited hundreds of students from university campuses in New York City. These part-time volunteers work with high school students who have college potential in a college preparatory effort. Professors are now providing in-service training for the tutors as well as academic evaluation for students who are receiving degree credit for their participation.

In northern Michigan, VISTA volunteers are running a program where high school students are tutoring their own classmates.

In a North Carolina community, 50 of the best students in two Negro schools were trained, and are tutoring elementary school children.

In an isolated area in Appalachia, 1,500 local residents joined forces with VISTA volunteers to help design and put into action a countywide recreation program. Only with such help could the program have been broadened to reach more than 9,000 children and young adults.

For seasonal farm workers in Florida, VISTA volunteers rounded up enough mothers to provide the vital manpower to run pre-schools for over 750 children.

A volunteer in Omaha used over 300 members of two clubs of young people to establish a library in the low-income area of the city. The clubs were given all the responsibilities. The VISTA worker is now encouraging continued involvement on the part of these young people—not only with the running of the library, but with the people for whom it was built.

A young volunteer in Houston recruited 80 students and set up seven tutorial centers in churches and homes in the Mexican-American and Negro areas of the city. The results: the *Houston Post* publicized the need for more tutors, another group donated printed pamphlets describing the program, and when fully launched, the YMCA took over the bulk of the program's administrative work.

To give the program direction and efficiency, VISTA is now giving every full time volunteer trainee a basic knowledge on recruiting and supervising Citizens Corps volunteers. Each of the seven regional training centers, where workers received six weeks training, is organizing a Corps program. A continuing laboratory for training VISTAs to mobilize the Corpsman resource is being maintained.

This, then, is the Citizens Corps. It is barely off the ground, in terms of its potential. As it grows so will the national awareness of poverty. Every person that volunteers to help will reduce the intensity of poverty in this nation.

CONCERN OVER THE FAA'S PROPOSALS FOR RESTRICTING TRAFFIC

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BOW. Mr. Speaker, with the concern over the FAA's proposals for restricting traffic at high density airports mounting daily, it is most important that these proposals be closely scrutinized for their effect on general aviation. Victor J. Kayne, vice president in charge of policy and technical planning for the Aircraft Owners & Pilots Association, presented a very cogent and persuasive statement in the public hearing held before the Federal Aviation Administration on these proposals. Mr. Kayne clearly points out the adverse effects which these regulations will have on general aviation and presents a set of sound recommendations worthy of serious consideration. I commend his statement to the attention of those interested in this issue.

The statement follows:

STATEMENT OF VICTOR J. KAYNE ON HIGH DENSITY TRAFFIC AIRPORTS

I am Victor J. Kayne, Vice President, Policy and Technical Planning, Aircraft Owners and Pilots Association. AOPA is an association which serves some 147,000 members who own and fly aircraft for business, personal and pleasure purposes. These are people who use their airplanes for the same reasons that people use their automobiles. We are concerned about better air transportation for everybody. These hearings are being held in the public interest. Probably more than any other group to appear, AOPA represents a cross section of the public. Because they are air-oriented, our members also constitute a large segment of the passengers who fly on the commercial airlines.

INTRODUCTION

AOPA is opposed to the proposals set forth in Notice 68–20 in that:

1. The measures proposed are entirely unnecessary to solve the delay and inconvenience that is found at certain hours at a very few airports.

2. They are contrary to the intent of the Congress as set forth in Sections 103, 104, 305, 306, 308 and 601 of the Federal Aviation Act of 1958. The concept of the proposals is one of restriction instead of "promotion, encouragement and development of civil aeronautics", which is the charge laid upon the Administrator in the Act. Further, the proposals cannot be implemented without abridging the provisions of Section 104 of the Act, which provides: "There is hereby recognized and declared to exist in behalf of any citizen of the United States a public right of freedom of transit through the navigable airspace of the United States."

3. They would institute discriminatory practices and procedures against general aviation and would grant priority in the use of airspace and airports to air carriers and scheduled air taxi operations. To be sure, Section 307 grants the Administrator broad authority to assign the use of the navigable airspace and promulgate air traffic rules for safety and efficiency. But this provision must be read in light of other provisions which strongly suggest nondiscriminatory treatment for general aviation. For example, Section 306 charges the Administrator with giving "full consideration to the requirements of national defense, and of commercial and general aviation, and to the public right of freedom of transit through the navigable airspace."

4. The proposal contains unreasonable requirements that would effectively exclude many general aviation aircraft from operating into and out of the airports in question, even though they have been able to do so safely and expeditiously under the existing rules for many years.

5. The proposals are negative and restrictive.

6. The FAA and the Department of Transportation have assumed prerogatives for determining what portion of the public may use public facilities. No such authority has been granted to them by the Congress.

COMMENTS ON THE PROPOSAL

Justification

Notice 68–20 proposes to establish severe precedent-setting restrictions at five airports initially, with five additional candidate locations named and promise of others to come. The entire proposal is justified only by the vague statement that "delays of varying magnitude are encountered at many terminal areas." Nothing definite is said as to the nature, extent or cause of the delays, yet these delays are the excuse being used to propose drastic changes in the historic usage of airports and airspace to the severe detriment of private and business aircraft operators.

Delays

Mr. D. D. Thomas, the Acting Administrator of the FAA, made a speech in New York on August 20, 1968, in which he said that two thirds of the aircraft using the three major New York City airports were delayed on July 19, 1968, for periods up to three hours. He also noted that there was considerable thunderstorm activity in the area. He compared this with August 9, wherein no departing flight was delayed longer than 30 minutes and no arrival more than 15 minutes. He also indicated that the average number of minutes of delay per air carrier operation on a nationwide basis, due to either airport congestion or airways congestion, has increased in the last four years from about one minute to one and a half minutes. We can no more expect elimination of delay at airports than expect elimination of delay at traffic signals, bridges and tunnels. What is necessary is to minimize delays on all air travelers by maintaining maximum flexibility so as to achieve the best possible use of these public facilities. Under the FAA proposal, severe restrictions or inconveniences would be placed on traffic at these airports on all days, including those when normally no undue delays would have been suffered by any user, excepting perhaps those who choose to schedule multiple operations at precisely the same time. The latter, of course, is done with the knowledge that it creates delays and signifies a willingness on the part of the operator to accept those delays caused by his own scheduling.

Delays and congestion at major airports are symbolic of competitive airline scheduling and operational practices. Despite this, a number of the restrictive provisions of the proposal are aimed at general aviation. Yet, we find that there are many general aviation airports in the country with more traffic than some of these so-called major airports listed for restrictive measures and that there are no significant delays at these general aviation airports. Spokesmen for the FAA and the Department of Transportation have said in other forums with regard to user charges that general aviation aircraft take up as much runway and approach time as the airline jets. If general aviation was indeed a delaying factor and really tied up the runways as long as the airlines, then the high volume of general aviation operations at locations like Opa-locka and Van Nuys would not be possible without insufferable delays—which are not occurring.

A candid admission by an airline spokesman that airline scheduling was the cause of this summer's delay in the New York area was reported in the Aviation Daily of September 18, 1968, wherein Mr. R. A. Ryan, director of scheduling for Northeast Airlines, is quoted as saying that the airlines have dropped nearly 60 flights a day from the New York schedules since Labor Day and that this has reduced delays to an average of 10 to 20 minutes. He is further reported as saying that the New York air traffic congestion crisis has ended as far as Northeast Airlines is concerned.

High density traffic airports

The proposal would designate certain airports as high density traffic airports and names ten possible candidates, with an indication that restrictive measures could be applied at many others as delays increase. No definition or criterion is mentioned as to what may constitute a high density airport. It could be any of the many large hubs, as defined by the FAA, or it could be any location having scheduled airline traffic. It is a well-advertised fact that congestion and delay result at some locations, like Washington National simply because of inadequate passenger terminal facilities. Thus, if the airlines chose to schedule several jumbo jets into any location simultaneously at some time in the future, and created undue congestion of the passenger terminal with resulting delays to scheduled operations, this could result in restrictions being placed on general aviation because of the delays to the airlines. This may sound far-fetched, but it is completely within the realm of possibility under the ground rules—or lack of criteria—under which this proposal is made.

It is inconceivable how the present list of so-called high density airports was selected. The FAA Air Traffic Activity Report for Fiscal year 1968 shows the five prime airports mentioned in this proposal include airports which are as low as 45th on the list of busiest airports. There are 19 airports busier in handling air traffic than LaGuardia. Twenty-two airports are busier than Washington National. Forty-four airports are busier than Newark. Airports which now handle more traffic than Kennedy are Van Nuys, California and Fort Lauderdale, Florida. Phoenix, Santa Ana, California, and Denver are busier than LaGuardia. Islip, Long Island, Concord, California and Bedford, Massachusetts are all handling more air traffic than Newark. None of these airports are considered high-density. None of them experience serious traffic delays. Why, then are the five airports singled out for restrictions? Is it not because these are the places where the airlines schedule flights at peak times and operate partially filled airplanes?

Reservations and ATC workload

The proposal would require all traffic operating into or out of the designated high density traffic airports to first make a reservation and to also be on a flight plan. While the detail of this arrangement is not spelled out in the proposal, it does appear that the reservation must be obtained first through the usual ATC landline communications channels and then a flight plan must be filed. Even if these two operations are combined into one, it is crystal clear that the reservation system is going to impose a great workload involving manpower and communications on the already overloaded air traffic control system. While the proposal on the one hand would require general aviation to file flight plans and request reservations for slots, the latter, we presume through the FAA communications network, the preamble also states that the FAA already has planned to curtail VFR flight plan services and reduce the hours of operation of flight service stations. Since these services would be necessary to enable the general aviation pilot to request a reservation and to file a flight plan, this is a clear indication that the FAA intends to make it as difficult as possible for this class of user to even be able to make his needs known. The airlines would automatically obtain reservations by the mere act of filing their schedules with the FAA.

Reservations and utility of aircraft

The aircraft operator who operates on a demand basis and obtains maximum utility from his aircraft because it takes him where he needs to go when he needs to go there, will find it all but impossible to obtain any reasonable degree of use of his aircraft at these high density airports because of the uncertainty of obtaining a reservation under the proposed ground rules. The proposed restrictions would have a significant impact on both the operator and on the economy of the community that he serves.

The reservation system would eliminate the use of the subject airports as alternatives on IFR flight plans, which could be a safety consideration. These airports regularly are used as alternates by air carriers as well as general aviation.

Aircraft speed requirement

The proposal would require an aircraft on an IFR flight plan to be capable of maintaining an airspeed of not less than 150 knots. This proposal oddly contrasts with the existing speed *limit* of 156 knots for reciprocating engine aircraft in airport traffic areas (200 knots for turbine-powered aircraft). This leaves a spread of only 6 knots in airport traffic areas between the minimum speed capability in the proposal and the maximum speed limit for piston aircraft. It also automatically excludes what has been estimated from 70 percent to as high as 90 percent of the general aviation fleet from being eligible to operate into these airports IFR. This provision is unnecessary, unduly restrictive and discriminatory against general aviation.

Radar transponder requirement

There are few knowledgeable people in this business who would deny the advantages of a radar transponder under most conditions. However, these very same people are well aware of the difficulties encountered with trying to use transponders close-in to a major terminal with the resultant clutter on the controllers radar scope. It seems that the favorite expression of the controller when you are in the terminal area is "Squawk Standby". It is in this area, close to the terminal area radar, that primary returns on the radar scope are best.

Many general aviation airplanes are now transponder equipped but the bulk of them are not. Yet every airline airplane expected to operate at these airports already has a transponder. This again, can be viewed as another attempt to force individuals to buy tickets for public transportation instead of using their own airplanes.

Two pilots required

This is like the previous requirements in that both civil and military aircraft have been operating into major airports under IFR with only one pilot in complete safety and without delaying anyone. This proposed requirement also is unnecessary, unduly restrictive and discriminatory since the airlines always have two pilots but general aviation usually does not. The proposal is capricious since it does not even specify the qualifications that would be required of the second pilot.

Allocation of so-called capacity: Discrimination by another name

The proposal would establish a theoretical capacity for each of the airports under consideration and then arbitrarily divide this capacity between various classes of users. It is in this exercise that the discrimination that is more or less concealed in the other provisions comes right out into the open. The proposal to allocate most of the capacity to the scheduled airlines (in fact, all of it during certain hours at Kennedy) has been "justified" by Mr. Boyd as being proper because he feels that the government has the greatest responsibility toward mass transportation. Yet, no power granted by the Congress to the FAA or the DOT even hints at handing over public facilities to air transportation companies organized for a profit. To the contrary, Section 308 of the Federal Aviation Act of 1958 states "There shall be no exclusive right for the use of any landing area or air navigation facility upon which Federal funds have been expended." The contention of the FAA that permitting a few operations per hour during certain hours "accommodates all classes of users" is a subterfuge and an insult to the intelligence of the public and the Congress. Further, Section 601 of the Act states "The Administrator . . . shall not deem himself required to give preference to either air transportation or other air commerce in the administration and enforcement of this title."

The priority for reserved landing or takeoff slots would go first to the airlines, next to scheduled air taxi, and then to a classification designated as "other." Much is said about the generosity of the proposal to general aviation with reference to the "other" category, but nothing is said about the fact that the "other" category includes not only private and business aircraft, but also nonscheduled air taxi operations, non-scheduled supplemental and charter carriers with 707's, DC–8's and the like, airline ferry, test and training flights, military, and even FAA's own considerable fleet, which is as large as some airline fleets. The chances of a private or business pilot to get a reserved slot against all this competition are very slim indeed.

First-come, first-served, would be junked

The United States air transportation system has always worked on the principle of serving all comers under reasonable rules and without discrimination or priority. The first-come, first-served principle always has been an integral part of the official United States policy at international meetings and has been upheld by government, airline and general aviation people alike. Now, it would be abolished at the stroke of a pen. If this ill-advised proposal is established as policy by the FAA and the DOT within the United States, we can soon expect the same policy abroad with the dangers that all of us have seen and avoided in the past. It is only one small step from the FAA proposal to discrimination in favor of aircraft of national registry versus those of foreign registry. United States registered aircraft could expect to be lumped in the "other" category at foreign airports, with those of home registry being allocated most of the reserved slots. We hope that the U.S. airlines have pondered this situation because it will surely haunt them overseas if the United States establishes this precedent at home. There is nothing in the present situation of delays at several airports to justify in any way the junking of this American way of life. It is not the answer to delays and congestion.

Proposed allocations would allow increased airline operations

The airlines could schedule more flights into these airports than they did during the last twelve months. For example, O'Hare had 614.140 airline operations in fiscal year 1968. This averages out to 93.5 per hour if all flights are credited to the 18-hour period under consideration in the proposal. This is a conservative way of figuring. Yet, the airlines are permitted 115 per hour in the proposal, meaning that they could operate 378 more flights in each 18-hour day than they did during the last 12 months. The corresponding increases at the other airports would be for Kennedy—144, LaGuardia—234, Newark—162, and Washington National—72.

Thus, in effect, the proposal is granting the airlines even more use of the airports than they now have—while simultaneously limiting access to these public airports by other users.

GENERAL COMMENTS

The most good for the most people

Spokesmen for the airlines have tried to justify priorities for the airlines on the basis of "the most good for the most people." This is just another way of saying that "might makes right" and that the majority have the right to preempt the individual rights of the minority. Of course, general aviation is always thrown a bone by mentioning "separate but equal facilities." The Supreme Court laid this concept to rest some time ago. In actuality, general aviation is a major part of the national transportation system, serving more than 10,000 landing places in the country as compared to the limited number of about 550 served by the scheduled airlines: If the FAA would discharge its responsibilities to obtain accurate statistics on general aviation. I think that it would be found that general aviation, in itinerant, local and specialized operations, carries as many people as do the scheduled airlines. We have found nothing in the enabling legislation of the FAA or the DOT which gives them the authority to consider the requirements of mass transportation or commercial profit-making ahead of individual transportation. Both are vital to the national welfare.

Reliever airports

Much has been said about "reliever airports" to attract general aviation pilots away from the major airports when they do not have reason to use them. We have endorsed this idea and think that many communities could do as was done in the Minneapolis area, with suitable satellite airports around the major terminus (and general aviation still can use the major airport). The proponents of restrictions for general aviation at major airports claim that other airports are available. Yet, Teterboro in New York is already busier than Newark. Nine airlines have petitioned the CAB for service to White Plains Airport in Westchester County. These airlines are Allegheny, American, Braniff, Eastern, Frontier, Lake Central, Northwest, Ozark, TWA, and United. Mohawk already serves the airport. Airlines also are moving to Van Nuys and Islip airports. This points up a growing tendency of the airlines to use airports that heretofore were used mainly by general aviation, and then to start complaining of congestion. The so-called reliever airports are actually to relieve airports used by the airlines, and I think that it is high time that we started talking about reliever airports for the airlines, rather than for general aviation. That is what is needed in Washington, New York and Chicago. In Washington, the solution lies at hand in Dulles and Friendship—all that is needed is some backbone on the part of the FAA and the CAB to force the issue on the airlines. In the New York area, Calverton and McGuire are possibilities for international and transcontinental heavy jets, as is the little-used former Dow Air Force Base, now Bangor International Airport in Bangor, Maine.

General aviation traffic figures

Statistics have been quoted many times in the recent past with regard to the amount of general aviation traffic at these major hubs. However, what has very carefully been avoided is the fact that much of the general aviation traffic count is made up of air taxi operations, some scheduled and some on demand. Most of it is to serve the airlines and in at least one case, the airline is subsidizing the air taxi operation. At Washington National, for example, there has been a great upsurge in commuter airline operations—with the blessing of the airport manager—despite the supposedly great crisis in congestion and delays. General aviation is being charged with this increase by the airlines.

ALTERNATIVE SOLUTIONS

AOPA sent to the FAA under date of July 23, 1968, a list of 14 short-range and 7 long-range recommendations for solving this problem. In addition, there are other measures that can be taken with regard to the troubled locations. We are concerned that the FAA has taken no more than token steps toward a constructive solution. The following is a summarization of alternative solutions, which will be included in our written comments to the docket.

RECOMMENDATIONS

1. Increase capacity of runways by greater use of intersection takeoffs. Many airplanes need only a fraction of the runway length built for large airliners. Takeoffs from runway and taxiway intersections clear the airport area faster.

2. Reduce pressure on the air traffic control system by prohibiting flight under Instrument Flight Rules below 10,000 feet except when visibility conditions require it. There are flight rules now by which most general aviation flies when visibility is good. There is also a speed limit below 10,000 feet. Greater volumes of traffic can be accommodated in safety under these existing rules.

3. Establish climb and descent corridors at major airports. Certain airspace should be set aside at major airports for approaching and departing high speed aircraft.

4. Reduce schedule bunching by the airlines. The airlines serve 525 airports in the 48 contiguous states with about 1800 airplanes. This is one airport for every three airplanes. The line-ups and delays you see are evidence that the schedules are bunched at peak times resulting both in congestion at a few cities and poor service to many others. Shift International and connecting flights to less congested airports. Many international flights should be moved from the few busy airports to less congested airports. Similarly, airlines should rearrange flights to use less busy airports more for connecting flights where passengers are merely changing from one airplane to another.

5. Reevaluate all noise abatement procedures. At many airports, some runways cannot be used because of procedures to reduce noise levels. These should be studied and changed where practical. General aviation—the quiet side of flying—can use all runways.

6. Increase runway capacity through dual operations by small aircraft. The width and length of runways at major airports make it safe for two small aircraft to use the runway simultaneously.

7. Close traffic control towers during night hours to make more controllers available during peak periods. Only 318 airports in the U.S. have FAA traffic control towers. Thus, 97% of the airports operate under established rules without any local radio control. By eliminating the late night shift of controllers at most airports, a substantial increase in the number of controllers could be immediately available for busy terminals at peak hours.

8. Reduce controller workload by eliminating certain unnecessary communications. Some radio transmissions now required can be eliminated entirely—others can be replaced—by signs at runway exits.

9. Special VFR should be reinstated. Until several weeks ago, many aircraft conducted flights under Special Visual Flight Rules when visibility did not permit regular visual flight but did not require full instrument operation. This was discontinued by FAA order at 33 airports, throwing an unnecessary load on the IFR air traffic control system. It should be reinstated.

10. Speed up runway availability by establishing more runway exits. Many long runways have exits spaced so far apart that aircraft must remain on the runway longer than necessary until reaching a place to turn off. More exits would clear the runways faster.

11. Use available taxiways for runways. The size of many taxiways is sufficient for takeoff and landing of light aircraft.

12. Increase airport capacity by using more runways. Some existing runways are not now being used to capacity because of unrealistic crosswind restrictions, noise abatement or traffic flow patterns. These should be studied and present restrictions amended or removed where and when they can be done with safety.

13. Revise operations manuals of airlines to remove impractical limitations on pilots. The FAA should examine each manual with a view to eliminating or modifying all such limitations that have a bearing on the flow of traffic and which do not have substantial factual justification as being necessary for safety.

14. Return more control to local controllers. The manuals telling controllers how to handle traffic should be revised. Controllers should once again be permitted to exercise their judgments and skills to vector aircraft of differing performance toward runways on the basis of each airplane's characteristics and the traffic situation at that moment.

15. Provide short parallel runways on major airports for light aircraft.

16. Provide more airports, adequately equipped. Suitable satellite airports in major terminal areas will relieve the need for some general aviation operations to utilize the larger airports.

17. By-pass taxiways and high-speed turnoffs from runways are needed to expedite traffic movement on the airport surface.

18. Washington National in fiscal year 1968 had only seven percent more traffic than it had in 1960—and both Bolling Air Force Base and Anacostia Naval Air Station were operating across the Potomac at that time. The main difference is in the size and character of the aircraft operated by the airlines. The congestion at this airport is prmarily in the ground facilities for handling airline passengers. Washington National was designed and built for propeller aircraft in the days of the DC–3, and when the DC–4 was just being flight tested. No runways have been added since it was opened in 1941—in fact, one has been closed. In the interim, Dulles International was designed for jet airline aircraft and was built at tremendous cost to taxpayers. However, its great capacity remains virtually unused by the airlines. We suggest that serious consideration be given to moving all jet traffic out of Washington National so that it can revert to the type of traffic for which it was designed and can serve as a close-in commuter and short-haul facility. This also will eliminate much of the noise and pollution complaints that now plague all concerned. Dulles and Baltimore's Friendship airports have adequate capacity to absorb the airline jet traffic.

19. Another consideration for increasing the traffic handling capacity close-in to the Washington area lies in the Anacostia Naval Air Station facilities across the Potomac from Natonal. Oddly enough, when this was

first suggested and hearings held by a Congressional Committee, both the Air Transport Association and the FAA opposed use of these facilities by general aviation.

20. While the FAA expresses great concern about congestion at National, they still have made no move to transfer their own fleet of aircraft from National to Dulles. The Coast Guard, also a part of the Department of Transportation, has aircraft based at National and these, too, should be moved out if positive solutions are being sought. If the proposed rules are adopted, both the FAA and Coast Guard aircraft will be competing with general aviation for the so-called "other" slots. We cannot seriously believe that the FAA Administrator, the Secretary of Transportation, or the Commandant of the Coast Guard would be refused permission to land or take off regardless of who else may have established a reservation.

21. The noise abatement procedures in the New York area are holding capacity of Kennedy, as an example, to about one half of its unrestricted traffic handling capability. Easement of noise abatement restrictions should have number one priority in the New York area.

22. Airline reliever airports should be established at Calverton and McGuire.

23. The radar equipment said to be stored at Westchester should be installed.

24. Independent IFR operations should be established for Teterboro.

25. Floyd Bennett should be activated as a general aviation airport.

26. Consolidate airline scheduling so as to eliminate the 10,000 empty seats being flown daily between Chicago and New York by competing airlines. The FAA proposal would give priority to these scheduled, but empty seats, over all other traffic. This same recommendation applies to the Chicago area.

27. Provide instrument approach capability for Meigs Field.

28. Improve flight services in the area by de-centralizing the present consolidated function at Joliet.

29. Establish airline reliever airports for O'Hare. Better use of Midway is a start.

CONCLUSION

The rules proposed in Notice 68–20 are unduly restrictive, unnecessary and discriminatory and we deplore the negative approach of the FAA and the policy makers in the Office of the Secretary of Transportation. A positive and constructive approach to the problem at hand is recommended.

The Aircraft Owners and Pilots Association recommends that Notice of Proposed Rule Making 68–20 be withdrawn and that in lieu thereof, the FAA proceed immediately to evaluate the many constructive measures that have been recommended by all of the aviation community for improvements in airport capacity and traffic handling capability. These and other moves to enhance the flow of traffic throughout the land should be initiated without delay. Many actions are long overdue. Many can be accomplished with little or no expenditure of government funds. The Congress and the public are aware of the need for action and will support constructive and reasonable solutions in the best interest of the country. We feel strongly that the negative approach of 68–20 is not the answer.

TEACHING THE BLIND TO BE COMPUTER PROGRAMERS

HON. BIRCH E. BAYH

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. BAYH. Mr. President, the progress which has been made in training handicapped persons to become completely independent and self-supporting is truly remarkable. One of the most inspiring stories which I have read recently relates how an Indianapolis school, Lear Siegler Institute, is teaching a special class of sightless persons how to program computers.

In order that others may learn about the success of this remarkable project, I ask unanimous consent that an article which appeared in the Indianapolis Star on October 13, 1968, be printed in full in the Congressional Record:

There being no objection, the article was ordered to be printed in the Record, as follows:

COMPUTER PROGRAMING: A NEW OUTLOOK FOR THE BLIND

(By Maureen Northcutt)

Although they are unable to see, they are men and women of vision, "clear-sighted" in their ability to think logically. As blind persons who have been trained to be computer programers, they are excellent in their jobs.

One reason for the success of these blind programers is that they are able to use their handicap as an asset. Because they live in a sighted world without sight, they have developed an extraordinary ability to organize their lives mentally. And this "mental vision" is a prime prerequisite for success in the programing field.

Although computers can store information, retrieve it and solve problems, they can't think for themselves. They will perform only operations they are told to perform and only in predetermined sequences.

This is where the mental abilities of programers come in. As the human brains behind the mechanical brains, programers take the problems that the computers must solve, determine the steps necessary to solve them and tell the machines what to do in a language they will understand. All this requires a great amount of reasoning and ability to organize problems into their logical parts.

Blind people, then, may be well-qualified programers because of their brain power. But even persons with the best prerequisites for a job are unable to do the work if they're not trained.

Until a few years ago, communication problems between blind persons, sighted co-workers and computers loomed as major stumbling blocks to training the blind for work in this profession. But now, Lear Siegler Institute (formerly International Academy) can teach the blind to overcome these handicaps.

The company's new Indianapolis school, 440 North Meridian Street, now is preparing its first blind students for computer programing jobs. Working with Donald Thacker, chief of rehabilitation at the Indiana Agency for the Blind, the school in July added its special blind class to the regularly scheduled computer programing classes.

When the blind students complete their 34-week course in mid-March, they will be able to take jobs as independently as any sighted person.

As Indiana's first training center of this type for the blind, this school joins others in such states as Maryland, Virginia, Ohio, Pennsylvania, New Jersey and Oklahoma whose graduates are already holding computer programing jobs successfully.

How do these blind persons program computers? In much the same way a sighted person does.

If asked to program a computer to handle a payroll, first a blind programer verbally receives the specifications for his job and records them on his tape recorder for future reference. Using special Braille techniques, he prepares a flowchart (a logical sequence of the steps the machine must take to compute the payroll).

At this point, it is necessary for him to communicate his instructions to the computer. The blind programer does this by punching his instructions using a small, 12-key keypunch machine, which may be operated by one hand leaving the other free to read Braille. The keypunch cards are then fed to the computer and a Braille print-out of results made so the programer can review them and check for errors.

Computers may be programed to make a Braille print-out easily. Using only the periods on its printing machine, the computer printes sheets which, when turned over, have the raised Braille dots that the blind persons read with a touch of the hands.

Ink print-outs, besides Braille ones, allow sighted supervisors to check blind programers' work; written communications between blind programers and sighted coworkers is accomplished by using a typewriter.

Computer programing involves more than ability to reason, make flowcharts and correctly devise a process by which a computer can solve problems. Programers also must be able to write in "computer languages."

William F. Belser, one instructor of the blind students at Lear Siegler Institute (LSI), has described these languages as "codes by which a computer may be instructed."

To explain what they are like, he uses the example of a customer in a restaurant ordering a bacon, lettuce and tomato sandwich. The waitress writing the code BLT for the customer's order is doing much the same thing that the programer does in using a computer language. Both are using a code to instruct a "brain" to produce a result.

"Learning one of these languages is like learning German or French," Belser explains. At the institute, four languages are taught to students, enabling them to handle all kinds of programing problems.

LSI students are able to check their on-the-job efficiency while they are still in school by making use of "hands on" experience. As the name suggests, students receiving this training actually program computers while taking instructions at the school. This "learning by doing" gives them an idea of what they will face on the job and helps them become accustomed to deadlines.

Besides actual computer training, students are given background in data processing concepts and management. They are aided in becoming completely self-sufficient and independent and are able to manage without the use of seeing-eye dogs.

Not every blind person, however, will make a good programer, just as every sighted person is not cut out for this work. To determine the capabilities of prospective students (both sighted and blind), the institute interviews all applicants and gives them the Aptitude Test for Programer Personnel. They must be high school graduates with at least a C-plus average.

In addition, blind students must be judged in good physical and mental health and be proficient in typewriting and Braille.

The final step in the education of the blind programer is the education of the future employer. Burton Lipson, director of LSI, has found that many employers are reluctant to hire blind programers because they do not realize that they are as efficient and independent as sighted programers.

Accordingly, the school's placement service aims at informing employers that communication between blind programers, sighted co-workers and computers will be uncomplicated and uncostly.

Also, any extra equipment necessary for documentation of the program, such as a Braille writer and Braille slate, will be provided by the programer himself.

What do the students themselves think of their opportunity to become programers?

Some, like Clarence Omo, find the complicated world of computers an attraction. "I feel I will enjoy working with computers," he states.

All are impressed by the great opportunity for financial advancement in this field where salaries start at $5,500 and rise within five years to as much as $13,000.

Jim Hart expresses the students' feelings, saying, "In computer programing, I will make more money and have more chance to advance than I would otherwise have."

According to their comments, the blind have been given a new outlook by their opportunity. And since it is estimated that 500,000 workers will be needed in this area by 1970, their entrance into this field has also given a brighter outlook to all of computer programing.

CUBAN POWER: THREAT TO THE UNITED STATES IN 1968—CONTINUING CUBA MENACE

HON. WILLIAM C. CRAMER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. CRAMER. Mr. Speaker, I am placing in the RECORD an extremely illuminating document circulated by the American Security Council in its Washington Report of July 1, 1968, entitled "Cuban Power: Threat to the United States in 1968," containing a documented report by the editor of Radio Free Americas, Dr. Herminio Portell Vial. A careful reading of this clearly evidences the need for firm U.S. action to eventually rid this hemisphere of the Castro-Communist menace. As the article indicates, the threat of Cuban communism has extended itself to this country and is now concentrating on teaching guerrilla tactics to some of those involved in riots and civil disturbances, including in particular Stokely Carmichael. The article clearly points out the activities of the Castro organization known as "Cuban Power" that operates from "New York to Miami."

I most strongly urge my colleagues to read this alarming and illuminating document:

CUBAN POWER: THREAT TO THE UNITED STATES IN 1968

While Washington and Moscow busily promote world ratification of the nuclear nonproliferation treaty, the Kremlin says it has no intention of committing the Soviet Union or its satellites to any agreement which would prevent the use of nuclear weapons in Latin America.

This little publicized but highly significant development emerged from the May 28th signing—in the Kremlin—of a cultural exchange agreement between Mexico and the Russians.

Winding up the first "goodwill" visit by a top Mexican official since Communism seized power in Russia 50 years ago, Foreign Minister Antonio Carrillo Flores turned to his Russian hosts and asked if they would be good enough to sign the Treaty of Tlalteloco. That is the treaty—already endorsed by Great Britain and the United States—which proclaims that all signatories recognize Latin America as a nuclear-free zone, one in which nuclear arms will never be employed. Kremlin spokesmen reportedly told the surprised Mexican Minister that the most they would consider was a verbal pledge not to use nuclear weapons in or over Mexico, providing no other country ever used them there.

Minister Carrillo Flores could have anticipated this response since Cuba's Fidel Castro has repeatedly declared his determined opposition to the Treaty of Tlalteloco. Castro has boldly insisted, ever since the 1962 Cuban missile crisis, that Cuba will not hesitate to use nuclear missiles if and when it suits Havana's purpose. In promoting Communist subversion and revolution in the Western Hemisphere, Russia and Cuba have presented the image of Cuba as a mightily armed advance base of Red militancy ready to launch unlimited warfare in any direction any time Moscow gives the go-ahead.

For this reason, the Kremlin declaration to the Mexicans takes on a particularly serious dimension in this summer of 1968 as one reads the closed-door testimony now being released by the U.S. House Appropriations Subcommittee on Defense.

The highlight of subcommittee hearings was the disclosure by the top officials and officers of the U.S. Navy that fast-moving (35 to 40 knots) and highly maneuverable (comparable to torpedo boats) cruise missile ships engineered by the Soviet Union have been turned over to Castro and now hover threateningly off the Atlantic and Gulf Coasts of Florida.

Naval specialists and Congressional experts testified that perhaps as many as 15 of these vessels of the KOMAR and OSA class are patrolling in easy range of both our own naval units and shore installations around Florida.

It was just such a cruise missile ship which fire the deadly STYX missile which sank the Israeli destroyer Eilat not long after the uncertain truce began following last June's Israeli "blitzkrieg" against her Arab neighbors.

Since the sinking of the Eilat, British and American naval authorities have suggested with increasing urgency that the Russian development of cruise missile ships leaves Western fleet units vulnerable to devastating attack, particularly where air cover is not immediately available.

Subcommittee questioning brought out testimony that the U.S. presently has no sure defense against the surface-to-surface 15-mile range cruise missiles with the possible exception of the under 9-mile range American "Sea Sparrow" missile now installed on carriers in the western Pacific. Nor does the U.S. yet have cruise missile ships of its own to compare with the Communist KOMAR and OSA class craft.

Both the OSA (160 tons) and KOMAR (75 tons) are able to operate in relatively shallow coastal waters. The OSA class carry four large hood-type missile launchers—two abreast—and the KOMAR class carry two launchers.

All of the expert witnesses interviewed by the House subcommittee, including Navy Secretary Paul Ignatius, reluctantly testified that the United States has a serious problem in coping with Cuba's new Naval threat. Thus, it was hardly reassuring to note the final testimony of former Defense Secretary Robert McNamara. He told the subcommittee: "I believe our current ability to meet the cruise missile threat, when considered in its full context is adequate . . . I would like to emphasize that by far the largest portion of potentially hostile cruise missile launchers are mounted in coast defense sites or on short-range patrol boats, which do not represent a hazard to our forces *unless we choose to close with them.*" (Editor's italics.)

In other words, the United States Navy is safe as long as Cuba does not "choose to close" with us and we do not challenge Cuba. And how safe is any of our coastline on the Atlantic or the Gulf if Castro and his Russian advisors ever decide to arm those cruise missiles with nuclear warheads?

The answer the Mexicans received from the Kremlin also points up the persistent report that Cuba still retains a number of bases where missile launching facilities remain intact. Refugee sources in recent months report with renewed concern that missile weaponry never fully and convincingly accounted for in '62 remains on the firing line in caves and camouflaged military complexes.

The testimony of Cuban architect Lorenzo Medrano is particularly noteworthy. He was put in charge—in November, 1962—of concealing and camouflaging through sophisticated landscaping the nuclear bases at San Julian, 188 miles west of Havana, and Palo Alto, 330 miles southeast of the Cuban capital. Medrano says the missile equipment was carefully housed underground at the very time the Russians were supposedly carrying it back to the Soviet Union aboard their freighters after the 1962 showdown.

Missiles in the caves of San Cristobal-Soroa, 60 miles west of Havana, were the focal point of much of the late U.N. Ambassador Adlai Stevenson's ire during United Nations debate over the Cuban missile threat in 1962, yet even the Cuban magazine *Bohemia* says dismantling as promised by Khrushchev was never completed and Castro merely camouflaged the location.

Other sites frequently alluded to by the refugees arriving from Cuba in the past year are San Antonio de los Banos, 20 miles southwest of Havana; Cayo Frances, 210 miles east of Havana along the north coast overlooking the sea lanes to the Bahamas; Banes, 520 miles east of Havana; Holguin, 120 miles northwest of the U.S. Guantanamo Naval Base; Laguna Blanca, 510 miles east of Havana; San Rafael, 50 miles west of Guantanamo, and Sierra Morena on the north coast and Purial high in the central Cuban mountains, both some 200 miles east of Havana.

Though U.S. officials generally dispute the accuracy of these reports, or question the size and range of missiles which may be harbored in them, none can forget that it was the word of Cuban refugees, long ignored, that finally led to the uncovering of such missiles six years ago.

Only now we are learning from no less a source than the U.S. Navy Department of Defense and the Congress that Castro's cruise missiles which are a serious threat without nuclear warheads and which may, presumably, be adjusted to carry them, are operating within easy range of Florida's coast.

In addition, it has been long known that a powerful Soviet submarine fleet roams at will up and down the Atlantic coast of the United States, often accompanied by Cuban and Russian fishing trawlers equipped with electronic spying equipment and operating from modern sub-pen bases in Mariel, 10 miles from Havana and due south of Key West, Florida, and Banes, mentioned earlier.

Because of the mighty buildup of Communist military aircraft, Cuba has been called the world's largest stationary aircraft carrier.

Many Americans think of Communist Cuba as a threat 90 miles away. Actually that is an outdated concept because Cuba's Communism is now a threat in our own streets.

Immediately after that missile crisis of 1962, Fidel Castro stepped up his penetration of the United States with propaganda and subversion. From three complexes of transmitters each with an output of 100–150,000 watts, Castro's broadcasters round-the-clock deliver the Communist message of hate for America and the blueprint for subversion and revolution. Broadcasts detail how to assemble Molotov cocktails, how to cut high tension lines that can cripple a highly advanced industrialized society, and how to play on the already strained emotions of minority elements in the U.S. society.

Castro's official newspaper *Granma* is circulated in both English and Spanish language editions by the thousands each week to every U.S. campus, minority pressure group and militant activist organization whether dedicated to civil rights, the use of drugs or the opposition to the U.S. effort to stop Communist aggression in Vietnam.

When Martin Luther King was assassinated, a printing firm in Communist Czechoslovakia went to work on a rush assignment. Within one week, posters marked "printed in Prague" shipped to Havana and then to the Cuban delegation at the United Nations for distribution throughout the United States called for "Black Power" rebellion.

In recent testimony before a House subcommittee of the Appropriations Committee, FBI Director J. Edgar Hoover summed up the Cuban government's effort in the U.S. this way:

"Cuban intelligence personnel are carrying out sophisticated operations in the United States . . . Experienced operatives utilizing Soviet tactics are actively engaged in a continuing program of recruiting Cuban agents in this country. The methodical, persistent and highly specialized approach being used bears the indelible stamp of Soviet cunning and is geared to provide Cuba's intelligence service with a large pool of agents needed to fulfill its increasing demands. The stepped-up Cuban espionage program has been able to draw from the large reservoir of Cuban refugees who, between December, 1965, and December, 1967, have entered the United States at the rate of over 3,700 a month. Although the vast majority of refugees are disillusioned and disgusted with Castro's Communism, the Cuban regime has redoubled its efforts to utilize this humanitarian refugee channel as a means of infiltrating trained agents into this country."

Just a year ago, this month, when Fidel Castro was about to celebrate the anniversary of his 26th of July movement and the Latin American Solidarity Organization was about to have a major meeting to plot Hemisphere terrorism, U.S. "Black Power" advocate Stokley Carmichael arrived in Havana from Prague.

Carmichael went first to Santiago de Cuba to visit an American Negro training camp at La Estrella, an old Spanish battery and army camp dating back to the days of the Spanish-American War. He met with the trainees, some 200 of them from all parts of the United States, to find out what they were learning about the tactics of guerrilla warfare. Two days later, Carmichael visited another training camp, La Campana, located in the mountains of Central Cuba where trainees from the English-speaking countries of Africa are being taught to speak like American Negroes and are learning the geography, history and customs of the Negro in America so they may pass for Americans. These Africans are already accredited Communist guerrilla fighters. Carmichael then made his appearance in Havana at the LASO meeting, was interviewed and called for revolution in the U.S.

Here in the United States, a Castro organization known as "Cuban Power" operates from New York to Miami, setting off dynamite charges in front of private homes; tossing tear gas into Cuban exile parties, dances, rallies, night clubs and restaurants; telephoning late night threats to individual exiles; and extending their terror beyond the fringe of anti-Communist, anti-Castro exiles from Cuba into the centers of Negro and Puerto Rican communities where they can team up with like-minded revolutionists dedicated to destroying America.

One example of how Castro's underground in the U.S. works today was provided on May 7 of this year in Miami. Columnist Diego Gonzalez of New York's influential Spanish-Language newspaper *El Tiempo* has been a tough critic of Castro and Cuban Communists and an even tougher critic of "Cuban Power." As he and his wife stepped out of Miami's airport to taxi into the city for a brief vacation, they were followed in a midnight chase through virtually empty streets. When the Gonzalez cab reached 8th Street and 17th Avenue, Southwest, the pursuants cut off further progress, forcing it to the curb. Mr. and Mrs. Gonzalez jumped out and ran toward a nearby restaurant but never quite made it. Some ten people intercepted them, stabbed and black-jacked Mr. Gonzalez and then vanished as bystanders intervened. Fortunately, Mr. Gonzalez survived this attack.

The core of the Castro subversives in the United States is the anti-Batista apparatus established here between 1952 and 1959. When Castro came to power, his first trip was to the U.S. and Canada where he reorganized this anti-Batista group and weeded out those dedicated members who were also anti-Communist.

Initially, Havana's underground in America was based in Chicago and Detroit and used Windsor, Ontario and other Canadian border points as contact centers for the transmission of money and intelligence information.

Now the "Cuban Power" network is set up in New York, Miami, Baltimore, Washington, New Orleans and Tampa as well.

Its directives generally come through the Cuban U.N. delegation headquarters though in Washington, some messages are funneled to Castro's operatives from the Cuban delegation that participates in meetings of the U.N. World Health Organization.

In this summer of 1968—

While the United States ties the hands of those Cuban exiles willing to die to restore freedom to their homeland—

While elements in our State Department increasingly talk of re-establishing diplomatic relations with Havana, and—

While sympathizers like Cleveland industrialist Cyrus Eaton campaign for "building bridges" and resuming trade between the U.S. and Castro—

Castro is reaching into the heart of America, training guerrilla fighters for the war in our streets, stimulating unrest and popularizing violence from ghettos to campuses, and posing a new and increasingly serious naval and missile threat to our national security.

Dr. HERMINIO PORTELL VILLÁ,
Editor, Radio Free Americas.
JOHN F. LEWIS,
Associate Editor.

SENATOR CLARK'S TV REMARKS

HON. CARL T. CURTIS

OF NEBRASKA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. CURTIS. Mr. President, on July 27, 1968, the senior Senator from Pennsylvania [Mr. CLARK] made several statements on Senate Resolution 13, during the course of a television broadcast. In speaking of this resolution to establish a Standing Committee of the Senate on Veterans' Affairs Senator CLARK said:

> I think it would turn the Senate over to being a tool of the veterans organizations.

Later in the same broadcast he said:

> I am opposed to a separate Committee in the Senate for Veterans Affairs because I think it would turn this over to a lobby which I do not think will operate in the public interest.

I have enough faith in our veterans to believe that they would not abuse a committee dedicated to the just and equitable treatment of their problems, and these problems mount daily. I have enough faith in the U.S. Senate to believe that any committee it creates will operate properly and not as a lobby. I have enough faith in the U.S. Senate to believe that any Standing Committee on Veterans would operate in the public interest. I do not share Mr. CLARK's belief that there is a distinction between the "public" and the "veteran."

Let me call to your attention the statements of Senator WILLIAMS of Delaware and of Senator CANNON of Nevada, on January 11, 1967, when this resolution and similar measures were introduced.

All of us are aware of Senator WILLIAMS' feelings about accomplishing the work of the Senate in the most efficient way possible. On the floor that day he pointed out the tail-end treatment that veterans legislation often gets and said:

> I believe that to have a separate committee would be a constructive step from the standpoint of the business of the Sentate, as well as from the standpoint of protecting the interest of veterans' organizations. (CONGRESSIONAL RECORD, vol. 113, pt. 1, p. 264.)

Even if my colleague, Senator CLARK, is not interested in veterans and their human problems perhaps he is interested in Senate efficiency and will take heed of Senator WILLIAMS' remarks.

Senator CANNON upon introducing Senate Resolution 13 on that same day pointed out that—

> The need for a Standing Committee on Veterans Affairs has become even more evident in the last two years because of our commitment in Viet Nam. . . .those who have served their nation with honor deserve from a grateful country the best and most specialized attention possible. This can best be accomplished by a new Standing Committee. (CONGRESSIONAL RECORD, vol. 113, pt. 1, p. 264.)

I commend these remarks to my colleague, Senator CLARK, with the hope that he might reconsider his harsh words about veterans and take into account the pressing problems of the men who have kept this Nation free.

NASA'S LESSONS FOR HANDLING EARTHLY PROBLEMS

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. TEAGUE of Texas. Mr. Speaker, James E. Webb's article in the Washington Post on Sunday, October 13, 1968, is his own brilliant valedictory after long and outstanding service as Administrator of the National Aeronautics and Space Administration. In this article he recounts not only the obvious achievements of NASA during his administration of its programs, but also the less obvious contributions that NASA is making on a day-to-day basis to our Nation at large. This brief but profound commentary by the man who faced the day-to-day problems is an important contribution to those who must carry on and face the tasks of making us preeminent in space so that our Nation may be strong.

Under unanimous consent I submit the

article for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the Washington Post, Oct. 13, 1968]

NASA's LESSONS FOR HANDLING EARTHLY PROBLEMS

(By James E. Webb)

These are uncertain and unusual times. The war in Vietnam, the peace talks in Paris, the problems that face our cities, new alarms as to Soviet intentions, the problems of inflation and of the balance of payments and the uncertainties of an election year—taken together and interacting—place us all in a position from which it is most difficult to chart a clear and certain course for the future.

Almost every important national and regional enterprise is proceeding through a series of adjustments and readjustments as our economic, political and social systems move to resolve the problems with which we are faced. And most local enterprises cannot go forward independent of national and regional conditions.

The National Aeronautics and Space Administration is no exception. Adjustments to the needs of these times have taken the form of sharp reductions in our budget and programs and the initiation of a series of organizational and personnel changes designed to provide both continuity and vigorous leadership during this period of transition.

These reductions in the level of research and development work in the fields of aeronautics and space will have many serious effects on the U.S. position in science and technology, and in time on our status and prospects as a great power. But the ones to which we are adapting this year are only the most recent in a series of cutbacks that constitute in total what may be called a national decision.

This decision has been in the making since 1964. It is that the United States will not at this time take the steps necessary to use the trained manpower and capital plant which we have built up to continue the advances of recent years in the scientific and engineering fields essential for success in space and aeronautics.

SECOND-RATE IN SPACE

Looked at in another way, the decision means that the United States is not pursuing, for the time being at least, its goal of pre-eminence in space.

The U.S.S.R. is quite evidently stepping up its efforts at the same time that we are curtailing our own. At the time that our production of the large Saturn boosters grinds to a halt, the Soviets will be bringing on stream their large new booster.

While our plans for a Saturn 5 orbiting workshop remain on ice, the Soviets will be able to proceed with their long-heralded multimanned and multi-purpose space station.

At present levels, the launching of planetary probes and deep space exploration in the early 1970s will be left to the almost exclusive domain of the U.S.S.R.

The United States is accepting for a long time, perhaps for the indefinite future, both the advantage of expenditure reduction and the disadvantages of a second-rate position in space.

As responsible Government officials, we in NASA accept the result of our Nation's decision-making process. We know that our immediate job is to achieve success in the mission started in past years and now nearing completion. We accept the necessity of adjusting our organization, programs, contracts, university grants and facilities to meet the reductions that have been decided on.

In my opinion, what may appear to some to be a decline in public support is not a changed attitude toward space but a reflection of a new awareness of other high-priority problems and requirements.

This may well lead to the recognition that many of the other newly seen problems can best be approached and actions to solve them taken within the framework of NASA's experience with the organization of large-scale scientific and engineering efforts. The investments made in NASA may well add greatly to the value of investments we will have to make in these other fields.

LIMITS OF BUREAUCRACY

I believe what we have done in space measures up in importance to any of the other great national accomplishments of our history. The space story, however, has another significance. There is the matter of *how* as well as *what*.

The *way* in which we have built up our space capabilities and what we have learned in the process about the requirements for success in such long-scale endeavors, and how well we adapt to the conditions of today, may constitute as important a contribution to our Nation—to its ability to move forward into the future—as the space capabilities themselves.

The feature that has hitherto most strongly marked large-scale organized activity in our society has been the trend toward ever larger and more ponderous bureaucracies. When the job is routine, or repetitive, the mechanistic approach of the bureaucracy is probably the best to use since it is both safer and surer.

But where the job is new and different, where it involves coping with uncertainty and rapid change, where it requires a first use of new knowledge and new technology, where it is concerned with new and shifting demands, where it is dependent for success on highly skilled and sensitive individuals with varied types of expertise, the bureaucratic approach falls down.

Its structure is almost by definition inflexible. It can, as the historian William H. McNeil has pointed out, "only do what it was built to do." It cannot be readily redirected.

The type of job with which NASA was charged in the National Aeronautics and Space Act of 1958 is clearly beyond the capability of a traditional bureaucratic establishment. It requires above everything flexibility. It cannot be accomplished by an organization that is rigid either in structure or methods.

The essence of the job NASA has done is not that a new body of knowledge and technology has been brought into being. Most of the basic knowledge and basic technology was already at hand. The essence of our job has been that of organizing and managing the use of available knowledge and technology in a purposeful and effective way.

This, fundamentally, has been a job of organizing and managing people and simultaneously making sure citizens and their legislative representatives were in position to understand, to accept and to support what was being done and the purposes for which it was being done.

Here, I believe, also lies the essence of the other great undertakings that our society will have to face up to. I doubt that we will need to discover new knowledge or to invent new technology to meet urban and other pressing problems. Our real need is to better organize the use of the knowledge and technology we have and to apply the increased power thus attained to those purposes we decide to pursue. The experience we have gained in NASA can surely provide more than a little guidance to those entrusted with this process.

In saying these things, I am not seeking, as some may contend, new assignments for NASA or added work for the aerospace industry. I am not suggesting that those of us who have engaged in the aeronautics and space programs should be entrusted with other great tasks. My thought instead is that NASA's experiences—its failures as well as its successes—can help in the critically needed development of a proven way to organize and administer large and complex enterprises.

THE MOON AS A GOAL

One matter that is little understood is the importance of the choice of the lunar landing mission as a means of unifying and integrating into a single workable system the varied goals and the widely separated problems that marked the early years of the space program.

I do not mean to suggest that something similar to a "moon goal" is needed or will work for other large and complex undertakings. I do believe, however, that for success in such undertakings the same sort of approach that we followed and which resulted in selection of the moon goal is necessary.

I believe, more specifically, that it is necessary to make the most careful analysis of all known needs at the start, to fix on a goal or set of goals that will encompass all of these needs and at the same time make adequate allowances for unknown factors and unexpected developments.

A second area of NASA experience that I feel worthy of note has to do with organizational arrangements. We adopted the policy in the performance of our work of utilizing, to the maximum feasible, existing organizations and institutions.

This policy was applied in the first instance to the laboratories, research and development centers and other installations transferred to NASA from other Government agencies. These establishments were left in place and allowed a large degree of operational and administrative autonomy. We have also made extensive use of the manpower and facilities available in other Government agencies.

A major NASA policy has been to rely on contracts with nongovernmental establishments and institutions for the work they were qualified to do. Over 90 per cent of all funds invested in the NASA program have been spent outside the Government.

Seldom in history has a large and complex undertaking been so widely spread over existing organizations and institutions as has been the case with NASA. The NASA program has involved about 20,000 industrial prime and subcontractors and suppliers, 200 universities and almost 400,000 nongovernmental workers.

THE ART OF ADMINISTRATION

The spreading of NASA's load over such a large number of elements has forced us to extend into new dimensions the art and practice of administration and management.

It is not possible to rely upon even the most complex contracting system where accountants and lawyers are the prime reliance for performance. In NASA, we have found that we must be able to speak and understand the language of those on whom we rely, to know as much about the problems they are dealing with as they do, to check and supplement their work in our own laboratories, to step in when required with the necessary specialists and, in some cases, to help untangle snarled situations.

In other words, we have to learn to be active participants in all phases of the projects that we entrust to others without undermining their own discipline and control.

What is the significance of such organizational arrangements? I would say simply this: Our society cannot afford the creation of one massive organization after another to cope with every new, complex situation that arises. We cannot continue the practice of "Government by crisis." We must equip ourselves to deal with the large and the difficult and the complex in a regularized way.

We must develop and systematize methods and procedures whereby we can combine, dismantle and recombine elements of existing establishments in and outside of government to get big and increasingly complex jobs done. We must learn how to marshal and focus the great resources available in our established organizations and institutions to shifting "points of main impact." This must be accomplished without disruption of those organizations and institutions or diminution of their ability to perform the other tasks with which they are concerned. And we must accustom ourselves to the regular use of such an approach.

A last matter that I would touch upon is our experiences with regard to the changing tempo and scale of the NASA operation.

We have used structural reorganization as an important administrative device. We have sought, in other words, "desired disequilibrium" as necessary to meet both the complex requirements of today and the unknown requirements of the future.

We have also recognized that in the project-type endeavor, acceleration would have to be followed by deceleration. We foresaw that the NASA program would involve areas of declining activity as well as areas where newly approved projects were building up.

SECRET OF PHASING DOWN

We have already reduced the scale of our total activities to about one-half the peak level, which was attained three years ago.

No one thing, it seems to me, is as important in gaining acceptance for the use of large and complex endeavors to get big and special jobs done as the demonstration of a capacity for the orderly phasing down of activities if the early momentum cannot continue.

Organizations, private as well as public, have a way of generating dynamics to keep themselves going or even to increase the scope of their activities. This is perhaps one reason why citizens generally resist the initiation of special efforts to meet difficult problems until there is a full-blown crisis. And here, I believe the instincts of our citizens are in part sound.

We cannot afford to continuously add self-perpetuating organizations to our governmental structure. But there is another side to the story: We also cannot afford to dismantle and scrap effective organizations that have been built up at great cost each time a special job is finished. We particularly cannot afford this when the organizations in question are capable of initiating and leading the new technological developments essential for the continued advancement of our society.

How is our Nation to deal with this dilemma? We all need to give it much attention and study. As a possible contribution, I would offer in closing the thought that progress can be encouraged through a better understanding of what is needed for governmental elements to adapt effectively to changing conditions, to be able to reorganize and regroup components and units as problems and situations and opportunities change. Such an ability to adapt, to restructure, will require important legislative changes as well as strong leadership in the Executive Branch. For both, a better base of knowledge as to what produces success or failure is needed.

THE PLIGHT OF THE FIREMEN

HON. THOMAS J. DODD

OF CONNECTICUT

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. DODD. Mr. President, during the last several years, some of our major cities, and even some smaller ones, have been torn by riots and disorders.

The city of Detroit was particularly hard hit. Sections of Detroit appeared to have been subjected to a bombing raid reminiscent of World War II in Europe.

The Watts section of Los Angeles, scene of the first major riot, was nearly destroyed by fire bombers and arsonists.

While much attention has been paid to the heavy burdens these disorders have placed on the law enforcement agencies, the riots have also been accompanied by widespread arson, and they have opened up a whole new aspect concerning the task of firefighters.

And it is an aspect for which the firemen of this country have not been trained nor, indeed, are they capable of coping with it.

First of all, riotous disorders involving a large number of fires places on the firemen and equipment an almost overwhelming strain.

Hydrants are opened, hoses are slashed, a large number of false alarms are rung, and, worst of all, the firemen themselves have been assaulted, have been seriously injured, and some have lost their lives.

The difficulty of the policemen and the law enforcement people is now compounded by the attacks on the firemen. In some of our major cities the number of false alarms turned in has risen by 500 percent or more. In New York City last year, of 172,000 alarms turned in, more than 48,000, or almost 30 percent, were false alarms.

In the past 10 years in Washington, D.C., alone, the number of firemen injured each year has tripled.

The growing attacks on our firemen, perhaps more than anything else, should drive home to every reasonable person the depraved nature of our riot extremists.

No one has ever accused firemen of "brutality."

The fireman has traditionally been the friend and benefactor of the people in his neighborhood. But despite his unblemished record as a benefactor of white and black alike, the fireman has been the target of the most malicious kinds of attacks in recent riots, when he sought to save Negro homes and Negro stores and Negro recreational facilities that had been put to the torch by extremist arsonists.

In 11 major riots which took place before August of 1967, 418 firefighters were injured and four were killed. Information accumulated by the International Association of Fire Fighters indicates that the total number of firemen injured during the epidemic of riots that swept our Nation by now exceeds 1,000.

During the Hartford riot, six firefighters were injured. And in Bridgeport, according to a spokesman for the fire department who testified before the Senate Judiciary Committee in August 1967:

> Engine House No. 7 . . . is called Fort Apache because it has been under siege all summer long.

These facts indicate that the rioters and the arsonists and those who cause civil turmoil have, as their objective, not protest but the total disruption of our society.

So I say that it is high time that the American people insisted on relief for the firefighters, as well as the police officers. And if they must face personal attack, then we must provide them with the necessary protections against this attack.

Mr. President, these firemen are the brave in our midst. We owe them nothing less than our full support.

UNOFFICIAL COMPILATION OF THE MANPOWER DEVELOPMENT AND TRAINING ACT, AS AMENDED

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BRADEMAS. Mr. Speaker, on October 10, the House, in accepting the bill S. 2938, completed congressional action on the Manpower Development and Training Act Amendments of 1968. As of now, the bill has not been signed by the President, and the public law text of the 1968 amendments are not yet available, nor, because of the parliamentary situation, was S. 2938 ordered printed in any quantity after passage by either body. It will, I assume, be some time before the act as amended by the 1968 and previous enactments will be compiled and distributed to persons involved in manpower programs at any level.

In order to accommodate such persons, I have directed the committee staff to prepare a compilation of the act as amended to date. This is, of course, an unofficial compilation, and cannot be considered authoritative, but I think it will be of use to those at the Federal, State, and local levels who are working with MDTA on a day-to-day basis. I include at this point in the RECORD, first, the text of S. 2938 as sent to the President, and, second, the unofficial compilation of MDTA as it will read with the 1968 amendments added:

S. 2938

An act to extend expiring provisions under the Manpower Development and Training Act of 1962, as amended, and for purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Manpower Development and Training Act of 1962 is amended as follows:

(1) Section 104(a) of the Act (LABOR MOBILITY DEMONSTRATION PROJECTS) is amended by striking out "1968" in the first sentence of such section, and inserting in lieu thereof "1970";

(2) Section 105 of the Act (TRAINEE PLACEMENT ASSISTANCE DEMONSTRATION PROJECTS) is amended by striking out "1968" in the first sentence of such section, and inserting in lieu thereof "1970";

(3) Section 251 of the Act (PART D—CORRECTIONAL INSTITUTIONS) is amended by striking out "1969" in the first sentence of such section, and inserting in lieu thereof "1970";

(4) Section 304(d) of the Act is amended by striking out "1968" and "1969", and inserting respectively in lieu thereof "1969" and "1970";

(5) Sections 310(a) and 310(b) of the Act are amended by striking out "1969" wherever it appears, and inserting in lieu thereof "1972".

SEC. 2. Section 106 of the Manpower Development and Training Act of 1962 is amended to read as follows:

"LABOR MARKET INFORMATION AND JOB MATCHING PROGRAM

"SEC. 106. (a) The Secretary of Labor shall develop a comprehensive system of labor market information on a national, State, local, or other appropriate basis, including but not limited to information regarding—

"(1) the nature and extent of impediments to the maximum development of individual employment potential including the number and characteristics of all persons requiring manpower services;

"(2) job opportunities and skill requirements;

"(3) labor supply in various skills;

"(4) occupational outlook and employment trends in various occupations; and

"(5) in cooperation and after consultation with the Secretary of Commerce, economic and business development and location trends.

Information collected under this subsection shall be developed and made available in a timely fashion in order to meet in a comprehensive manner the needs of public and private users, including the need for and private users, including the need for such information in recruitment, counseling, education, training, placement, job development, and other appropriate activities under this Act and under the Economic Opportunity Act of 1964, the Social Security Act, the Public Works and Economic Development Act of 1965, the Wagner-Peyser Act, the Vocational Educational Act of 1963, the Vocational Rehabilitation Act, the Demonstration Cities and Metropolitan Development Act of 1966, and other relevant Federal statutes.

"(b) The Secretary of Labor shall develop and publish on a regular basis information on available job opportunities throughout the United States on a National, State, local, or other appropriate basis for use in public and private job placement and related activities and in connection with job matching programs conducted pursuant to this subsection. The Secretary is directed to develop and establish a program for matching the qualifications of unemployed, underemployed, and low income persons with employer requirements and job opportunities on a National, State, local, or other appropriate basis. Such programs shall be designed to provide a quick and direct means of communication among local recruitment, job training and placement agencies and organizations, and between such agencies and organizations on a National, State, local, or other appropriate basis, with a view to the referral and placement of such persons in jobs. In the development of such a program, the Secretary shall make maximum possible use of electronic data processing and telecommunication systems for the storage, retrieval, and communication of job and worker information.

"(c) A report on the activities and achievements under this section shall be included in the report required under section 107.

"(d) Not less than 2 per centum of the sums appropriated in any fiscal year to carry out titles I, II, and III of this Act shall be available only for carrying out the provisions of subsection (b) of this section."

SEC. 3. (a) Section 202(f) of the Manpower Development and Training Act of 1962 is amended by striking "(i)" and inserting in lieu thereof "(j)".

(b) The first sentence of section 231 of such Act is amended by striking "(i)" and inserting in lieu thereof "(j)".

SEC. 4. Section 203(c) of the Manpower Development and Training Act of 1962 is amended by striking out the words "at a rate not in excess of $20 a week" and by inserting in lieu thereof the following: "at a rate which shall not exceed the average weekly gross unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payments during the most recent four-calendar-quarter period for which such data are available".

SEC. 5. (a) Section 203(a) of the Manpower Development and Training Act of 1962 is amended by striking out "and the Virgin Islands" and inserting in lieu thereof ", the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands".

(b) The third sentence of section 231 of such Act is amended by inserting after "purposes of the Act" the following: ", and except that the State agency for the Trust Territory of the Pacific Islands may be paid up to 100 per centum of such costs".

(c) Section 308 of such Act is amended by striking out "and Guam" and inserting in lieu thereof "Guam, American Samoa, and the Trust Territory of the Pacific Islands".

SEC. 6. Section 204(a) of the Manpower Development and Training Act of 1962 is amended by inserting before the period at the end thereof a colon and the following: "*Provided,* That the Secretary shall not refuse to receive for consideration any application from an applicant who desires to conduct a training program under this part".

SEC. 7. Section 231 of the Manpower Development and Training Act of 1962 is amended by renumbering the existing provisions (a) and by adding new subsection (b) as follows:

"(b) In making arrangements for institutional training financed in whole or in part with funds appropriated to carry out title I, and title II, parts A, B, C, and D of this Act, including but not limited to basic education, employability and communications skills, prevocational training, vocational and technical programs, and supplementary or related instruction for on-the-job training whether conducted at the job site or elsewhere, priority shall be given to the use of skills centers as established under the authority of this section."

SEC. 8. The first sentence of section 301 of the Manpower Development and Training Act of 1962 is amended by adding before the period a comma and the following: "but in no event shall any State be apportioned less than $750,000; except that for the Virgin Islands, Guam, and American Samoa, such amount shall be $100,000 each".

SEC. 9. Section 301 of the Manpower Development and Training Act of 1962 is amended (1) by striking out "sixth month" in the proviso therein and inserting in lieu thereof "ninth month", (2) by striking out "30 days" in such proviso and by inserting in lieu thereof "15 days", and (3) by striking out in such proviso ", except that the requirement for prior notice shall not apply with respect to any reapportionment made during the last quarter of the fiscal year".

SEC. 10. Section 301 of the Manpower Development and Training Act of 1962 is further amended by inserting "(a)" immediately after "SEC. 301." and by adding the following new subsection at the end thereof:

"(b) Where the Secretaries of Labor and Health, Education, and Welfare have approved a plan submitted by a State council with whom they have an agreement under this Act, which plan may be submitted under a comprehensive area manpower planning system or under such other planning requirements as the Secretaries may specify, such State agency shall have authority to approve (1) project applications for an amount not to exceed 20 per centum of the fund apportion to such State under the first sentence of section 301(a) without further project approval by the Federal Government; and (2) all other project applications which conform to such State plan, unless either of the Secretaries disapprove such project applications within 30 days following receipt of such applications."

SEC. 11. The Manpower Development and Training Act of 1962 is amended by inserting after section 308 the following new section:

"TRAINING AND TECHNICAL ASSISTANCE

"SEC. 309 (a) In carrying out the responsibilities under this Act, the Secretary of Labor and the Secretary of Health, Education, and Welfare shall provide, directly or through grants, contracts, or other arangements, training for specialized or other personnel and technical assistance which is needed in connection with the programs established under this Act or which otherwise pertains to the purposes of this Act. Upon request, the Secretary may make special assignments of personnel to public or private agencies, institutions, or employers to carry out the purposes of this section; but no such special assignments shall be for a period of more than two years.

"(b) Two per centum of the sums appropriated in any fiscal year to carry out titles I, II, and III of this Act shall be available only for training and assistance authorized by this section."

SEC. 12. The Manpower Development and Training Act of 1962 is further amended by adding at the end thereof a new title as follows:

"TITLE IV—SEASONAL UNEMPLOYMENT IN THE CONSTRUCTION INDUSTRY

"SEC. 401. (a) The Congress finds that seasonal unemployment represents a substantial portion of the unemployment in the construction industry, and a significant portion of all unemployment, that seasonal unemployment results in economic hardship for construction employees, employers, and for the consumers of construction services; that such unemployment constitutes unnecessary and wasteful misuse of the Nation's manpower resources; that stabilization of construction operations may be expected to have a correspondingly stabilizing effect on construction employment and costs; and that it is highly desirable from the standpoint of the economy as a whole, and manpower policy in particular that positive and expeditious action be taken by public authorities and private groups to regularize construction employment.

"(b) It is therefore the purpose of this title to provide for the conduct of a study of seasonality in the construction industry, with special attention to its implications for national manpower policy.

"SEC. 402. The Secretary of Labor and the Secretary of Commerce, jointly, shall study, investigate, conduct research, and prepare a report containing their findings and recommendations concerning means to achieve stabilization of employment in the construction industry and the diminishment of seasonality of employment in such industry, with special attention to its implications for national manpower policy, and shall transmit such report to the President and to the Congress no later than December 31, 1969.

"SEC. 403. Matters which the Secretary of Labor and the Secretary of Commerce, after consultation with other appropriate officials of Federal agencies, including, but not necessarily limited to, the Secretary of Health, Education, and Welfare, the Secretary of Housing and Urban Development, the Secretary of the Interior, the Secretary of Transportation, the Administrator of the General Services Administration, and the Director of the Bureau of the Budget, and with engineers, with other appropriate officials of Federal agencies, including, but not necessarily limited to, the Secretary of Health, Education, and Welfare, the Secretary of Housing and Urban Development, the Secretary of the Interior, the Secretary of Transportation, the Administrator of the General Services Administration, and the Director of the Bureau of the Budget, and with engineers, architects, and representatives of labor and management in the construction industry, shall consider, shall include, but not necessarily be limited to, the extent to which seasonal unemployment in the construction industry can be reduced without substantial increases in construction costs by means such as—

"(a) the application of modern techniques to reduce the influence of weather on construction activity;

"(b) the resolution of technical problems which have not been solved by existing research and development activities;

"(c) possible changes in contract procedures in allocation cycles; and

"(d) improved planning and scheduling of construction projects."

Sec. 13. The Manpower Development and Training Act of 1962 is amended by adding at the end thereof the following new title:

"TITLE V—SUPPLEMENTARY STATE

"STATEMENT OF PURPOSE

"Sec. 501. It is the purpose of this title to provide a method whereby a State may utilize Federal matching funds, together with its own funds for the purposes of supplementing, coordinating and improving the effectiveness of, or correcting imbalances among, the services available from all Federal manpower and related programs seeking to improve the ability of disadvantaged persons to move into productive employment.

"AUTHORIZATION FOR GRANTS

"Sec. 502. The Secretary of Labor (hereinafter in this title referred to as the Secretary) is authorized to grant to any State which meets the requirements of section 403 an amount, for fiscal years 1969 and 1970, not to exceed 75 per centum of the cost of the supplemental efforts and activities undertaken by a State pursuant to the provisions of this title.

"APPLICATIONS AND CONDITIONS

"Sec. 503. (a) Any State which desires a grant under this title shall make application to the Secretary at such time, in such manner, and containing or accompanied by such information as he deems reasonably necessary.

"(b) No grant may be made under the provisions of this title unless the Secretary finds that—

"(1) after consultation with said State, the effectiveness of Federal manpower and related programs seeking to move disadvantaged persons into productive employment within such State can be facilitated or improved by additional State efforts and activities; and

"(2) such application (A) describes how such additional efforts and activities will be undertaken in support of existing Federal programs, (B) demonstrates that such efforts and activities are not inconsistent with such State's cooperative area manpower planning system plan, (C) demonstrates that such efforts and activities will contribute to carrying out the purposes of this title, and (D) provides assurances that the State will pay the non-Federal share of the costs of such efforts and activities under this title.

"RULES AND REGULATIONS

"Sec. 504. The Secretary may prescribe such rules and regulations under this title as he deems netcessary.

"AUTHORIZATIONS OF APPROPRIATIONS

"Sec. 505. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title."

Manpower Development and Training Act of 1962, as Amended[1]

An act relating to manpower requirements, resources, development, and utilization, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Manpower Development and Training Act of 1962".

TITLE I—MANPOWER REQUIREMENTS, DEVELOPMENT, AND UTILIZATION

STATEMENT OF FINDINGS AND PURPOSE

Sec. 101. The Congress finds that there is critical need for more and better trained personnel in many vital occupational categories, including professional, scientific, technical, and apprenticeable categories; that even in periods of high unemployment, many employment opportunities remain unfilled because of the shortages of qualified personnel; and that it is in the national interest that current and prospective manpower shortages be identified and that persons who can be qualified for these positions through education and training be sought out and trained as quickly as is reasonably possible, in order that the Nation may meet the staffing requirements of the struggle for freedom. The Congress further finds that the skills of many persons have been rendered obsolete by dislocations in the economy arising from automation or other technological developments, foreign competition, relocation of industry, shifts in market demands, and other changes in the structure of the economy; that Government leadership is necessary to insure that the benefits of automation do not become burdens of widespread unemployment; that the problem of assuring sufficient employment opportunities will be compounded by the extraordinarily rapid growth of the labor force in the next decade, particularly by the entrance of young people into the labor force, that improved planning and expanded efforts will be required to assure that men, women, and young people will be trained and available to meet shifting employment needs; that many persons now unemployed or underemployed, in order to become qualified for reemployment or full employment must be assisted in providing themselves with skills which are or will be in demand in the labor market; that the skills of many persons now employed are inadequate to enable them to make their maximum contribution to the Nation's economy; and that it is in the national interest that the opportunity to acquire new skills be afforded to these people with the least delay in order to alleviate the hardships of unemployment, reduce the costs of unemployment compensation and public assistance, and to increase the Nation's productivity and its capacity to meet the requirements of the space age. The Congress further finds that many professional employees who have become unemployed because of the specialized nature of their previous employment are in need of brief refresher or reorientation educational courses in order to become qualified for other employment in their professions, where such training would further the purposes of this Act. It is therefore the purpose of this Act to require the Federal Government to appraise the manpower requirements and resources of the Nation, and to develop and apply the information and methods needed to deal with the problems of unemployment resulting from automation and technological changes and other types of persistent unemployment.

EVALUATION, INFORMATION, AND RESEARCH

Sec. 102. To assist the Nation in accomplishing the objectives of technological progress while avoiding or minimizing individual hardship and widespread unemployment, the Secretary of Labor shall—

(1) evaluate the impact of, and benefits and problems created by automation, technological progress, and other changes in the structure of production and demand on the use of the Nation's human resources; establish techniques and methods for detecting in advance the potential impact of such developments; develop solutions to these problems, and publish findings pertaining thereto;

(2) establish a program of factual studies of practices of employers and unions which tend to impede the mobility of workers or which facilitate mobility, including but not limited to early retirement and vesting provisions and practices under private compensation plans; the extension of health, welfare, and insurance benefits to laid-off workers; the operation of severance pay plans; and the use of extended leave plans for education and training purposes. A report on these studies shall be included as part of the Secretary's report required under section 107;

(3) appraise the adequacy of the Nation's manpower development efforts to meet foreseeable manpower needs and recommend needed adjustment, including methods for promoting the most effective occupational utilization of and providing useful work experience and training opportunities for untrained and inexperienced youth;

(4) promote, encourage, or directly engage in programs of information and communication concerning manpower requirements, development, and utilization, including prevention and amelioration of undesirable manpower effects from automation and other technological developments and improvement of the mobility of workers;

(5) arrange, through grants or contracts, for the conduct of such research and investigations as give promise of furthering the objectives of this Act; and

(6) establish a program of experimental, developmental, demonstration, and pilot projects, through grants to or contracts with public or private nonprofit organizations, or through contracts with other private organizations for the purpose of improving techniques and demonstrating the effectiveness of specialized methods in meeting the manpower, employment, and training problems of worker groups such as the long-term unemployed, disadvantaged youth, displaced older workers, the handicapped, members of minority groups, and other similar groups. In carrying out this subsection the Secretary of Labor shall, where appropriate, consult with the Secretaries of Health, Education, and Welfare, and Commerce, and the Director of the Office of Economic Opportunity. Where programs under this paragraph require institutional training, appropriate arrangements for such training shall be agreed to by the Secretary of Labor and the Secretary of Health, Education, and Welfare. He shall also seek the advice of consultants with respect to the standards governing the adequacy and design of proposals, the ability of applicants, and the priority of projects in meeting the objectives of this Act.

JOB DEVELOPMENT PROGRAMS

Sec. 103. The Secretary of Labor shall stimulate and assist, in cooperation with interested agencies both public and private, job development programs, through on-the-job training and other suitable methods, that will serve to expand employment by the filling of those service and related needs which are not now being met because of lack of trained workers or other reasons affecting employment or opportunities for employment.

LABOR MOBILITY DEMONSTRATION PROJECTS

Sec. 104. (a) During the period ending June 30, 1970, the Secretary of Labor shall develop and carry out, in a limited number of geographical areas, pilot projects designed to assess or demonstrate the effectiveness of reducing unemployment of programs to increase the mobility of unemployed workers by providing assistance to meet their relocation expenses. In carrying out such projects the Secretary may provide such assistance, in the form of grants or loans, or both, only to involuntarily unemployed individuals who cannot reasonably be expected to secure full-time employment in the community in which they reside, have bona fide offers of employment (other than temporary or seasonal employment), and are deemed qualified to perform the work for which they are being employed.

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[1] P.L. 87–415, Mar. 15, 1962, 76 Stat. 24–33, as amended by (a) P.L. 87–729, Oct. 1, 1962, 76 Stat. 679, (b) P.L. 88–214, Dec. 19, 1963, 77 Stat. 422, (c) P.L. 89–15, Apr. 26, 1965, 79 Stat. 75, (d) P.L. 89–792, Nov. 7, 1966, 80 Stat. 1434, and (e) P.L. 89–794, Nov. 8, 1966, 80 Stat. 1451, and by the bill S. 2938 as passed by the Senate on October 7, 1968, and concurred in by the House on October 10, 1968.

(b) Loans or grants provided under this section shall be subject to such terms and conditions as the Secretary shall prescribe, with loans subject to the following limitations:

(1) there is reasonable assurance of repayment of the loan;

(2) the credit is not otherwise available on reasonable terms from private sources or other Federal, State, or local programs;

(3) the amount of the loan, together with other funds available, is adequate to assure achievement of the purposes for which the loan is made;

(4) the loan bears interest at a rate not less than (A) a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding Treasury obligations of comparable maturity, plus (B) such additional charge, if any, toward covering other costs of the program as the Secretary may determine to be consistent with its purposes; and

(5) the loan is repayable within not more than ten years.

(c) Of the funds appropriated for a fiscal year to carry out this Act, not more than $5,000,000 may be used for the purposes of this section.

TRAINEE PLACEMENT ASSISTANCE DEMONSTRATION PROJECTS

Sec. 105. During the period ending June 30, 1970, the Secretary of Labor shall develop and carry out experimental and demonstration projects to assist in the placement of persons seeking employment through a public employment office who have successfully completed or participated in a federally assisted or financed training, counseling, work training, or work experience program and who, after appropriate counseling, have been found by the Secretary to be qualified and suitable for the employment in question, but to whom employment is or may be denied for reasons other than ability to perform, including difficulty in securing bonds for indemnifying their employers against loss from the infidelity, dishonesty, or default of such persons. In carrying out these projects the Secretary may make payments to or contracts with employers or institutions authorized to indemnify employers against such losses. Of the funds appropriated for a fiscal year to carry out this Act, not more than $300,000 may be used for purposes of this section.

LABOR MARKET INFORMATION AND JOB MATCHING PROGRAM

Sec. 106. (a) The Secretary of Labor shall develop a comprehensive system of labor market information on a national, State, local, or other appropriate basis, including but not limited to information regarding—

(1) the nature and extent of impediments to the maximum development of individual employment potential including the number and characteristics of all persons requiring manpower services;

(2) job opportunities and skill requirements;

(3) labor supply in various skills;

(4) occupational outlook and employment trends in various occupations; and

(5) in cooperation and after consultation with the Secretary of Commerce, economic and business development and location trends.

Information collected under this subsection shall be developed and made available in a timely fashion in order to meet in a comprehensive manner the needs of public and private users, including the need for such information in recruitment, counseling, education, training, placement, job development, and other appropriate activities under this Act and under the Economic Opportunity Act of 1964, the Social Security Act, the Public Works and Economic Development Act of 1965, the Wagner-Peyser Act, the Vocational Education Act of 1963, the Vocational Rehabilitation Act, the Demonstration Cities and Metropolitan Development Act of 1966, and other relevant Federal statutes.

(b) The Secretary of Labor shall develop and publish on a regular basis information on available job opportunities throughout the United States on a National, State, local, or other appropriate basis for use in public and private job placement and related activities and in connection with job matching programs conducted pursuant to this subsection. The Secretary is directed to develop and establish a program for matching the qualifications of unemployed, underemployed, and low-income persons with employer requirements and job opportunities on a National, State, local, or other appropriate basis. Such programs shall be designed to provide a quick and direct means of communication among local recruitment, job training and placement agencies and organizations, and between such agencies and organizations on a National, State, local, or other appropriate basis, with a view to the referral and placement of such persons in jobs. In the development of such a program, the Secretary shall make maximum possible use of electronic data processing and telecommunication systems for the storage, retrieval, and communication of job and worker information.

(c) A report on the activities and achievements under this section shall be included in the report required under section 107.

(d) Not less than 2 per centum of the sums appropriated in any fiscal year to carry out titles I, II, and III of this Act shall be available only for carrying out the provisions of subsection (b) of this section.

MANPOWER REPORT

Sec. 107. The Secretary of Labor shall make such reports and recommendations to the President as he deems appropriate pertaining to manpower requirements, resources, use, and training; and the President shall transmit to the Congress within sixty days after the beginning of each regular session (commencing with the year 1963) a report pertaining to manpower requirements, resources, utilization, and training.

TITLE II—TRAINING AND SKILL DEVELOPMENT PROGRAMS

Part A—Duties of the Secretary of Labor

GENERAL RESPONSIBILITY

Sec. 201. In carrying out the purposes of this Act, the Secretary of Labor shall determine the skill requirements of the economy, develop policies for the adequate occupational development and maximum utilization of the skills of the Nation's workers, promote and encourage the development of broad and diversified training programs, including on-the-job training, designed to qualify for employment the many persons who cannot reasonably be expected to secure full-time employment without such training, and to equip the Nation's workers with the new and improved skills that are or will be required. Whenever appropriate, the Secretary of Labor shall coordinate and provide for combinations of programs, to be pursued concurrently or sequentially, under this Act with programs under other Federal Acts, where the purposes of this Act would be accomplished thereby.

SELECTION OF TRAINEES

Sec. 202. (a) The Secretary of Labor shall provide a program for testing, counseling, and selecting for occupational training under this Act those unemployed or underemployed persons who cannot reasonably be expected to secure appropriate full-time employment without training. Workers in farm families with less than $1,200 annual net family income shall be considered unemployed for the purpose of this Act.

(b) Whenever appropriate the Secretary shall provide a special program for the testing, counseling, selection, and referral of youths, sixteen years of age or older, for occupational training and further schooling, who because of inadequate educational background and work preparation are unable to qualify for and obtain employment without such training and schooling.

(c) The Secretary of Labor shall provide, where appropriate, a special program of testing, counseling, selection, and referral of persons forty-five years of age or older for occupational training and further schooling designed to meet the special problems faced by such persons in the labor market.

(d) Although priority in referral for training shall be extended to unemployed persons, the Secretary of Labor shall, to the maximum extent possible, also refer other persons qualified for training programs which will enable them to acquire needed skills. Priority in referral for training shall also be extended to persons to be trained for skills needed within, first, the labor market area in which they reside and, second, within the State of their residence.

(e) The Secretary of Labor shall determine the occupational training needs of referred persons, provide for their orderly selection and referral for training under this Act, and provide counseling and placement services to persons who have completed their training, as well as follow-up studies to determine whether the programs provided meet the occupational training needs of the persons referred.

(f) Before selecting a person for training, other than for training under subsection (j), the Secretary shall determine that there is a reasonable expectation of employment in the occupation for which the person is to be trained. If such employment is not available in the area in which the person resides, the Secretary shall obtain reasonable assurance of such person's willingness to accept employment outside his area of residence.

(g) The Secretary shall not refer persons for training in an occupation which requires less than two weeks training, unless there are immediate employment opportunities in such occupation.

(h) The duration of any training program to which a person is referred shall be reasonable and consistent with the occupation for which the person is being trained.

(i) Upon certification by the responsible training agency that a person who has been referred for training does not have a satisfactory attendance record or is not making satisfactory progress in such training absent good cause, the Secretary shall forthwith terminate his training and subsistence allowances, and his transportation allowances except such as may be necessary to enable him to return to his regular place of residence after termination of training, and withdraw his referral. Such person shall not be eligible for such allowances for one year thereafter

(j) Whenever appropriate, the Secretary of Labor may also refer, for the attainment of basic education and communications and employment skills, those eligible persons who indicate their intention to and will thereby be able to pursue, subsequently or concurrently, courses of occupational training of a type for which there appears to be a reasonable expectation of employment, or who have completed or do not need occupational training but do require such other preparation to render them employable. Such referrals shall be considered a referral for training within the meaning of this Act.

(k) The Secretary of Labor may enter into an agreement with the Secretary of Health, Education, and Welfare for the purpose of furthering the objectives of this Act by facilitating the provision of appropriate physical examinations, medical treatment, and prostheses for persons selected or otherwise eligible to be selected for training under this Act. The agreement may provide that where any such person cannot reasonably be expected to pay the cost of the services and the services are not otherwise available without cost to him from any other resource in the community, there may be expended (from sums appropriated to carry out this title and pursuant to arrangements made by the Secretary of Health, Education, and Welfare) not more than an aggregate of $100 to provide such services to that person. If the Secretary of Health, Education, and Welfare is unable to arrange for the provision of services under this section, the Secretary of Labor may expend not more than an aggregate of $100 to provide such services to any one person.

(l) In order to assist in providing qualified workers in areas or in occupations in which there are critical skill shortages the Secretary of Labor shall, in accordance with regulations prescribed by him, provide an experimental program for part-time training of persons, including employed persons, to meet such skill shortages.

TRAINING ALLOWANCES

SEC. 203. (a) The Secretary of Labor may, on behalf of the United States, enter into agreements with States under which the Secretary of Labor shall make payments to such States either in advance or by way of reimbursement for the purpose of enabling such States, as agents for the United States, to make payment of weekly training allowances to unemployed persons selected for training pursuant to the provisions of section 202 and undergoing such training in a program operated pursuant to the provisions of the Act. Such payments shall be made for a period not exceeding one hundred and four weeks, and the basic amount of any such payment in any week for persons undergoing training, including uncompensated employer-provided training, shall not exceed $10 more than the amount of the average weekly gross unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payments during the most recent four-calendar-quarter period for which such data are available: *Provided*, That the basic amount of such payments may be increased by $5 a week for each dependent over two up to a maximum of four additional dependents: *Provided further*, That in any week an individual who, but for his training, would be entitled to unemployment compensation in excess of his total allowance, including payments for dependents, shall receive an allowance increased by the amount of such excess. With respect to Guam, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands the Secretary shall by regulation determine the amount of the training allowance to be paid any eligible person training under this Act.

With respect to any week for which a person receives unemployment compensation under title XV of the Social Security Act or any other Federal or State unemployment compensation law which is less than the total training allowance, including payments for dependents, provided for by the preceding paragraph, a supplemental training allowance may be paid to a person eligible for a training allowance under this Act. The supplemental training allowance shall not exceed the difference between his unemployment compensation and the training allowance provided by the preceding paragraph.

For persons undergoing on-the-job training, the amount of any payment which would otherwise be made by the Secretary of Labor under this section shall be reduced by an amount which bears the same ratio to that payment as the number of compensated hours per week under the training program bears to forty hours.

The training allowance of a person engaged in training under section 204 or 231 shall not be reduced on account of employment (other than employment under an on-the-job training program under section 204) which does not exceed twenty hours per week, but shall be reduced in an amount equal to his full earnings for hours worked (other than in employment under such an on-the-job training program) in excess of twenty hours per week.

(b) The Secretary of Labor is authorized to pay to any person engaged in training under this title, including compensated full-time on-the-job training, such sums as he may determine to be necessary to defray transportation expenses, and when such training is provided in facilities which are not within commuting distance of the trainee's regular place of residence, subsistence expenses for separate maintenance of the trainee: *Provided*, That the Secretary in defraying such subsistence expenses shall not afford any individual an allowance exceeding $35 per week, at the rate of $5 per day; nor shall the Secretary authorize any transportation expenditure exceeding the rate of 10 cents per mile, except in the case of local transportation where he may authorize reimbursement for the trainee's travel by the most economical mode of public transportation, and except that in noncontiguous States and in areas outside the continental United States where the per diem allowance prescribed under section 836 of title 5, United States Code, exceeds the maximum per diem allowance prescribed under that section for contiguous States, the Secretary may provide for a reasonable increase in the transportation and subsistence expenses in such amounts as he may deem necessary to carry out the purposes of this Act, and subject to such limitations as he may prescribe.

(c) The Secretary of Labor shall pay training allowances only to unemployed persons who have had at least one year of experience in gainful employment: *Provided*, That he shall not pay training allowances to members of a family or a household in which the head of the family or the head of the household as defined in the Internal Revenue Code of 1954 is employed, unless the Secretary determines that such payments are necessary in order for the trainees to undertake or to continue training: *Provided further*, That, no allowances shall be paid to any member of a family or household if the Secretary of Labor determines that the head of such family or household has terminated his employment for the purpose of qualifying such member for training allowances under this section. Notwithstanding the preceding sentence, the Secretary may pay training allowances at a rate which shall not exceed the average weekly gross unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payments during the most recent four-calendar-quarter period for which such data are available to youths seventeen years of age or older who require such training allowance in order to undertake training, who are referred for training in accordance with section 202(b), and who are not entitled to allowances under the preceding sentence, except that no such training allowance shall be paid to any such youth who has not graduated from high school, unless the Secretary has satisfied himself that such youth has continuously failed to attend school for a period of not less than one year or that the local authorities after pursuing all appropriate procedures, including guidance and counseling, have concluded, after considering any assistance available under section 13 of the Vocational Education Act of 1963, that further school attendance by such youth in any regular academic or vocational program is no longer practicable under the circumstances. The number of youths under the age of twenty-two who are receiving training allowances (or who would be entitled thereto but for the receipt of unemployment compensation) shall, except for such adjustments as may be necessary for effective management of programs under this section, not exceed 25 per centum of all persons receiving such allowances (or who would be entitled thereto but for the receipt of unemployment compensation). The Secretary of Labor may authorize continued payments of allowances to any youth who becomes twenty-two years of age during the course of his training, if he has completed a substantial part of such training. Notwithstanding any provision to the contrary in this subsection or in subsection (h), the Secretary may refer any individual who has completed a program under part B of title I of the Economic Opportunity Act of 1964 to training under this Act, and such individual may be paid a training allowance as provided in section 203(a) of this Act without regard to the requirements imposed on such payments by the preceding sentences of subsection (c) or by subsection (h) of this section. Such payments shall not exceed the average weekly gross unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payments during the most recent four-calendar-quarter period for which such data are available. Such persons shall not be deemed youths for the purpose of applying the provision under this subsection limiting the number of youths who may receive training allowances.

(d) No training allowance shall be made to any person otherwise eligible who, with respect to the week for which such payment would be made, has received or is seeking unemployment compensation under title XV of the Social Security Act or any other Federal or State unemployment compensation law, but if the appropriate State or Federal agency finally determines that a person denied training allowances for any week because of this subsection was not entitled to unemployment compensation under title XV of the Social Security Act or such Federal or State law with respect to such week, this subsection shall not apply with respect to such week.

(e) A person who refuses, without good cause, to accept training under this Act shall not, for one year thereafter, be entitled to training allowances.

(f) Any agreement under this section may contain such provisions (including, as far as may be appropriate, provisions authorized or made applicable with respect to agreements concluded by the Secretary of Labor pursuant to title XV of the Social Security Act) as will promote effective administration, protect the United States against loss and insure the proper application of payments made to the State under such agreement. Except as may be provided in such agreements, or in regulations hereinafter authorized, determinations by any duly designated officer or agency as to the eligibility of persons for weekly training allowances under this section shall be final and conclusive for any purposes and not subject to review by any court or any other officer.

(g)(1) If State unemployment compensation payments are paid to a person taking training under this Act and eligible for a training allowance, the State making such payments shall be reimbursed from funds herein appropriated. The amount of such reimbursement shall be determined by the Secretary of Labor on the basis of reports furnished to him by the States and such amount shall then be placed in the State's unemployment trust fund account.

(2) If employment benefits under the Railroad Unemployment Insurance Act are paid to a person taking training under this Act and eligible for a training allowance, the

railroad unemployment insurance account in the unemployment trust fund shall be reimbursed, from funds herein appropriated, for all of such benefits paid. The amount of such reimbursement shall be determined by the Secretary of Labor on the basis of reports furnished to him by the Railroad Retirement Board and such amount shall then be placed in the railroad unemployment insurance account.

(h) A person who, in connection with an occupational training program, has received a training allowance or whose unemployment compensation payments were reimbursed under the provisions of this Act or any other Federal Act shall not be entitled to training allowances under this Act for one year after the completion or other termination (for other than good cause) of the training with respect to which such allowance or payment was made unless the Secretary determines that there is good cause to permit an individual referred to further training to receive training allowances so that he may be prepared adequately for full-time employment.

(i) No training allowance shall be paid to any person who is receiving training for an occupation which requires a training period of less than six days.

(j) To assure the maximum use of training opportunities, the Secretary of Labor is authorized to make, or cause to be made, advance payments of training allowances or a part thereof to individuals selected for training who, because of immediate financial needs for the maintenance of themselves or their dependents pending receipt of training allowances, would otherwise be unable to enter or continue training. The total advance payments to a trainee under this subsection outstanding at any time shall not exceed the amount of the average weekly gross unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making such payments during the four-calendar-quarter period for which such data are available most immediately prior to the commencement of training by such trainee. Such advance payments shall be repaid either through deductions from training allowances or through other arrangements with such trainee.

(k) Under such standards as the Secretary of Labor may find appropriate to achieve the purposes of subsection 202(l), an individual referred to part-time training under such section shall be paid an amount not to exceed $10 with respect to each week in which he is engaged in such training and such payment shall be in lieu of any other payments to which he may otherwise be entitled under this section.

(l)(1) No training allowance shall be paid to any person for any period for which a money payment has been made with respect to the need of that person under a State plan which has been approved under title I, IV, X, XIV, or XVI of the Social Security Act and which meets the requirements of the first sentence of paragraph (2) of this subsection. The Secretary of Labor is authorized to pay to any such person (A) such sums as the Secretary determines to be necessary to defray expenses of that person which are attributable to training pursuant to the provisions of this Act, and (B) a training incentive payment of not more than $20 per week. Persons receiving payments under the preceding sentence shall be counted for purposes of the third sentence of section 203(c) as though they were receiving training allowances.

(2) Notwithstanding the provisions of titles I, IV, X, XIV, and XVI of the Social Security Act, a State plan approved under any such title shall provide that no payment made to any person pursuant to paragraph (1) of this subsection shall be regarded (A) as income or resources of that person in determining his need under such approved State plan, or (B) as income or resources of any other person in determining the need of that other person under such approved State plan. No funds to which a State is otherwise entitled under title I, IV, X, XIV, or XVI of the Social Security Act for any period before the first month beginning after the adjournment of the State's first regular legislative session which adjourns more than sixty days after the enactment of this subsection shall be withheld by reason of any action taken pursuant to a State statute which prevents such State from complying with the requirements of this paragraph.

ON-THE-JOB TRAINING

SEC. 204. (a) The Secretary of Labor shall encourage, develop, and secure the adoption of programs for on-the-job training needed to equip persons selected for training with the appropriate skills. The Secretary shall, to the maximum extent possible, secure the adoption by the States and by private and public agencies, employers, trade associations, labor organizations, and other industrial and community groups which he determines are qualified to conduct effective training programs under this title of such programs as he approves, and for this purpose he is authorized to enter into appropriate agreements with them: *Provided*, That the Secretary shall not refuse to receive for consideration any application from an applicant who desires to conduct a training program under this part.

(b) In adopting or approving any training program under this part, and as a condition to the expenditure of funds for any such program, the Secretary shall make such arrangements as he deems necessary to insure adherence to appropriate training standards, including assurances—

(1) that the training content of the program is adequate, involves reasonable progression, and will result in the qualification of trainees for suitable employment;

(2) that the training period is reasonable and consistent with periods customarily required for comparable training;

(3) that adequate and safe facilities, and adequate personnel and records of attendance and progress are provided; and

(4) that the trainees are compensated by the employer at such rates, including periodic increases, as may be deemed reasonable under regulations hereinafter authorized, considering such factors as industry, geographical region, and trainee proficiency.

(c) Where on-the-job training programs under this part require supplementary classroom instruction, appropriate arrangements for such instruction shall be agreed to by the Secretary of Health, Education, and Welfare and the Secretary of Labor.

ADVISORY COMMITTEES

SEC. 205. (a) The Secretary shall appoint a National Advisory Committee which shall consist of ten members and shall be composed of representatives of labor, management, agriculture, education, and training, and the public in general. From the members appointed to such Committee the Secretary shall designate a Chairman. Such Committee, or any duly established subcommittee thereof, shall from time to time make recommendations to the Secretary relative to the carrying out of his duties under this Act. Such Committee shall hold not less than two meetings during each calendar year.

(b) For the purpose of making expert assistance available to persons formulating and carrying on programs under this title, the Secretary shall, where appropriate, require the organization on a community, State, and/or regional basis of labor-management-public advisory committees.

(c) The National Advisory Committee may accept gifts or bequests, either for carrying out specific programs or for its general activities or for its responsibilities under subsection (b) of this section.

(d) Appointed members of the National Advisory Committee shall be paid compensation at the rate of $50 per diem when engaged in the work of the National Advisory Committee, including travel time, and shall be allowed travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently and receiving compensation on a per diem, when actually employed, basis.

(e) (1) Any member of the National Advisory Committee is hereby exempted, with respect to such appointment, from the operation of sections 281, 283, and 1914 of title 18 of the United States Code, and section 190 of the Revised Statutes (5 U.S.C. 99), except as otherwise specified in paragraph (2) of this subsection.

(2) The exemption granted by paragraph (1) of this subsection shall not extend—

(A) to the receipt or payment of salary in connection with the appointee's Government service from any source other than the private employer of the appointee at the time of his appointment, or

(B) during the period of such appointment, to the prosecution or participation in the prosecution, by any person so appointed, of any claim against the Government involving any matter with which such person, during such period, is or was directly connected by reason of such appointment.

STATE AGREEMENTS

SEC. 206. (a) The Secretary of Labor is authorized to enter into an agreement with each State, or with the appropriate agency of each State, pursuant to which the Secretary of Labor may, for the purpose of carrying out his functions and duties under this title, utilize the services of the appropriate State agency and, notwithstanding any other provision of law, may make payments to such State or appropriate agency for expenses incurred for such purposes.

(b) Any agreement under this section may contain such provisions as will promote effective administration, protect the United States against loss and insure that the functions and duties to be carried out by the appropriate State agency are performed in a manner satisfactory to the Secretary.

RULES AND REGULATIONS

SEC. 207. The Secretary of Labor shall prescribe such rules and regulations as he may deem necessary and appropriate to carry out the provisions of this part.

PART B—DUTIES OF THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE

GENERAL RESPONSIBILITIES

SEC. 231. (a) The Secretary of Health, Education, and Welfare shall, pursuant to the provisions of this title enter into agreements with States under which the appropriate State education agencies will undertake to provide training needed to equip persons referred to the Secretary of Health, Education, and Welfare by the Secretary of Labor pursuant to section 202, for the occupations specified in the referrals, except that with respect to education to be provided pursuant to referrals under subsection (b) or (j) of section 202, the Secretary of Health, Education, and Welfare may make arrangements for the provision of the education to be provided under such subsection through other appropriate education agencies. Such State agencies shall provide for such training through public educational agencies or institutions or through arrangements with private educational or training institutions where such private institutions can provide equipment or services not available in public institutions, particularly for training in technical and subprofessional occupations, or where such institutions can, at comparable cost, (1) provide substantially equivalent training, or (2) make possible an expanded use of the individual referral method, or (3) aid in reducing more quickly unemployment or current and prospective manpower shortages. The State agency shall be paid not more than 90 per centum of the cost to the State of carrying out the agreement, unless the Secretary of Health, Education, and Welfare determines that payments in excess of 90 per centum are necessary because such payments with respect to private institutions or programs carried out in conjunction with programs or projects under section 102(6) are required to give full effect to the purposes of the Act, and except that the State Agency for the Trust Territory of the Pacific Islands may be paid up to 100 per centum of such costs: *Provided*, That for the period ending June 30, 1966, the State agency shall be paid 100 per centum of the cost to the State of carrying out the agreement. Non-Federal contributions may be in cash or kind, fairly evaluated, including but not limited to plant, equipment, and services. Such agreements shall contain such other provisions as will promote effective administration (including provision (1) for reports on the attendance and performance of trainees, (2) for immediate certification to the Secretary of Labor by the responsible training agency with respect to each person referred for training who does not have a satisfactory attendance record or is not making satisfactory progress in such training absent good cause, and (3) for continuous supervision of the training programs conducted under the agreement to insure the quality and adequacy of the training provided), protect the United States against loss, and assure that the functions and duties to be carried out by such State agency are performed in such fashion as will carry out the purposes of this title. The Secretary of Health, Education, and Welfare shall give preference to training and education provided through State vocational education agencies and other State education agencies. However, in any case in which he determines that it would permit persons to begin their training or education within a shorter period of time, or permit the needed training or education to be provided more economically, or more effectively, he may provide the needed training or education by agreement or contract made directly with public or private training or educational facilities or through such other arrangements as he deems necessary to give full effect to this Act.

(b) In making arrangements for institutional training financed in whole or in part with funds appropriated to carry out title I, and title II, parts A, B, C, and D of this Act, including but not limited to basic education, employability and communications skills, prevocational training, vocational and technical programs, and supplementary or related instruction for on-the-job training whether conducted at the job site or elsewhere, priority shall be given to the use of skills centers as established under the authority of this section.

RULES AND REGULATIONS

SEC. 232. The Secretary of Health, Education, and Welfare may prescribe such rules and regulations as he may deem necessary and appropriate to carry out the provisions of this part.

ANNUAL REPORT

SEC. 233. Prior to April first of each year, the Secretary of Health, Education, and Welfare shall make an annual report to Congress. Such report shall contain an evaluation of the programs under section 231, the need for continuing such programs, and recommendations for improvement. The reports shall also contain progress reports on the vocational training study which will be conducted under the supervision of the Secretary during 1966 and 1967.

Part C—Redevelopment Area

SEC. 241. The Secretaries of Labor and of Health, Education, and Welfare, in accordance with their respective responsibilities under parts A and B of this title, are authorized to provide a supplementary program of training and training allowances, in consultation with the Secretary of Commerce, for unemployed and underemployed persons residing in areas designed as redevelopment areas by the Secretary of Commerce under the Area Redevelopment Act or any subsequent Act authorizing such designation. Such program shall be carried out by the Secretaries of Labor and of Health, Education, and Welfare in accordance with the provisions otherwise applicable to programs under this Act and with their respective functions under those provisions, except that—

(1) the Secretary of Labor, in consultation with the Secretary of Commerce, shall determine the occupational training or retraining needs of unemployed or underemployed individuals residing in redevelopment areas;

(2) all unemployed or underemployed individuals residing in redevelopment areas who can reasonably be expected to obtain employment as a result of such training may be referred and selected for training and shall be eligible for training allowances under this section: *Provided*, That the amount and duration of training allowances under this section shall in no event exceed the amount and duration of training allowances provided under section 203(a) of this Act;

(3) the Secretaries of Labor and of Health, Education, and Welfare shall, each with respect to his functions under this section, prescribe jointly with the Secretary of Commerce such rules and regulations as may be necessary to carry out the purposes of this section; and

(4) no funds available under this section shall be apportioned to any State pursuant to section 301 of this Act, nor shall any matching funds be required.

Part D—Correctional Institutions

SEC. 251. Without regard to any provision of this title or section 301 of this Act, the Secretary of Labor shall, during the period ending June 30, 1970, develop and carry out experimental and demonstration programs of training and education for persons in correctional institutions who are in need thereof to obtain employment upon release. Arrangements for such education and training shall be made by the Secretary of Health, Education, and Welfare after consultation with the appropriate area manpower development and training advisory committee. Programs under this part shall be conducted through agreements with officials of Federal, State, and local correctional institutions. To the fullest extent practicable, the Secretary of Labor shall utilize the available services of other Federal departments and agencies. Programs under this part may include vocational education; special job development and placement activities; prevocational, basic, and secondary education, and counseling, where appropriate; supportive and followup services and such other assistance as is deemed necessary.

Part E—Work Experience and Training Programs

SEC. 261. (a) The Secretary of Labor, in cooperation with the Secretary of Health, Education, and Welfare, shall provide, under this part, programs for needy persons who require work experience or special family and supportive services, as well as training, in order that they may be assisted to secure and hold regular employment in a competitive labor market. Such programs shall—

(a) provide for the selection of participants pursuant to procedures and criteria jointly prescribed by the Secretary of Labor and the Secretary of Health, Education, and Welfare;

(2) include pretraining services and basic maintenance, health, family and day care, counseling, and similar social services, and basic education, as provided by the Secretary of Health, Education, and Welfare pursuant to section 502 of the Economic Opportunity Act of 1964, as amended;

(3) provide through agreements with appropriate public or private nonprofit agencies. work experience to the extent required to assist participants in developing necessary work attitudes or to prepare them for work or training involving the acquisition of needed skills;

(4) provide testing, counseling, training either on or off the job (including classroom instruction where needed through appropriate arrangements agreed to by the Secretary of Labor and the Secretary of Health, Education, and Welfare), to assist participants to develop their occupational potential, improve their occupational level and secure promotion or advancement;

(5) provide, through appropriate arrangements with employers, labor organizations, and other public and private agencies, for development where needed of additional employment opportunities for participants, for job referral and follow-up services required to assist participants in securing and retaining employment and securing possibilities for advancement; and

(6) provide, in accordance with the criteria prescribed in section 104 of this Act, relocation assistance to involuntarily unemployed individuals where the Secretary of Labor determines they cannot reasonably be expected to secure full-time employment in the community in which they reside.

(b) In developing and approving programs under this part, the Secretary of Labor shall give priority to programs with a high-training potential and which afford the best prospects for contributing to the upward mobility of participants.

(c) Notwithstanding any other provision of this Act, the provisions of section 503 of the Economic Opportunity Act of 1964, as amended, shall govern the use and apportionment among the several States of funds provided pursuant to such Act for the purpose of carrying out this part.

TITLE III—MISCELLANEOUS

APPORTIONMENT OF BENEFITS

SEC. 301. (a) For the purpose of effecting an equitable apportionment of Federal expenditures among the States in carrying out the programs authorized under parts A and B of title II of this Act, the Secretary of Labor and the Secretary of Health, Education, and Welfare shall apportion 80 per centum of the funds available for such purposes in accordance with uniform standards and in arriving at such standards shall consider only the following factors: (1) the proportion which the labor force of a State bears to the total labor force of the United States, (2) the proportion which the unemployed in a State during the preceding calendar year bears to the total number of unemployed in the United States in the preceding calendar year, (3) the lack of appropriate full-time employment in the State, (4) the proportion which the insured unemployed within a State bears to the total number of insured employed within such State, and (5) the average weekly unemployment compensation benefits paid by the State, but in no event shall any State be apportioned less than $750,000; except that for the Virgin Islands, Guam, and American Samoa, such amount shall be $100,000 each.

The remaining 20 per centum may be expended by the Secretary of Labor and the Secretary of Health, Education, and Welfare as they find necessary or appropriate to carry out the purposes of title II. The Secretary of Labor and the Secretary of Health, Education, and Welfare are authorized to make reapportionments from time to time where the total amounts apportioned under this section have not been fully obligated in a particular State, or where the State or appropriate agencies in the State have not entered into the necessary agreements, and the

Secretaries find that any other State is in need of additional funds to carry out the programs authorized by this Act: *Provided*, That no funds apportioned with respect to a State in any fiscal year shall be reapportioned before the expiration of the ninth month of such fiscal year and only upon 15 days' prior notice to such State of the proposed reapportionment.

(b) Where the Secretaries of Labor and Health, Education, and Welfare have approved a plan submitted by a State council with whom they have an agreement under this Act, which plan may be submitted under a comprehensive area manpower planning system or under such other planning requirements as the Secretaries may specify, such State agency shall have authority to approve (1) project applications for an amount not to exceed 20 per centum of the funds apportioned to such State under the first sentence of section 301(a) without further project approval by the Federal Government; and (2) all other project applications which conform to such State plan, unless either of the Secretaries disapprove such project applications within 30 days following receipt of such applications.

MAINTENANCE OF STATE EFFORT

SEC. 302. No training program which is financed in whole or in part by the Federal Government under this Act shall be approved unless the Secretary of Labor, if the program is authorized under part A of title II, or the Secretary of Health, Education, and Welfare, if the program is authorized under part B of title II, satisfies himself that neither the State nor the locality in which the training is carried out has reduced or is reducing its own level of expenditures for vocational education and training, including program operation under provisions of the Smith-Hughes Vocational Education Act, titles I, II, and III of the Vocational Education Act of 1946, and the Vocational Education Act of 1963, except for reductions unrelated to the provisions or purposes of this Act.

OTHER AGENCIES AND DEPARTMENTS

SEC. 303. (a) In the performance of their function under this Act, the Secretary of Labor and the Secretary of Health, Education, and Welfare, in order to avoid unnecessary expense and duplication of functions among Government agencies, shall use the available services or facilities of other agencies and instrumentalities of the Federal Government, under conditions specified in section 306(a). Each department, agency, or establishment of the United States is authorized and directed to cooperate with the Secretary of Labor and the Secretary of Health, Education, and Welfare and, to the extent permitted by law, to provide such services and facilities as either may request for his assistance in the performance of his functions under this Act.

(b) The Secretary of Labor and the Secretary of Health, Education, and Welfare shall carry out their responsibilities under this Act through the maximum utilization of all possible resources for skill development available in industry, labor, public and private educational and training institutions, State, Federal, and local agencies, and other appropriate public and private organizations and facilities.

APPROPRIATIONS AUTHORIZED

SEC. 304. (a) For the purposes of carrying out title I, there are hereby authorized to be appropriated not in excess of $46,000,000 for the fiscal year ending June 30, 1966, and for each fiscal year thereafter such amounts as may be necessary.

(b) For the purpose of carrying out parts A and B of title II, there are hereby authorized to be appropriated not in excess of $385,000,000 for the fiscal year ending June 30, 1966, and for each fiscal year thereafter such amounts as may be necessary.

(c) For the purpose of carrying out part C of title II, there are hereby authorized to be appropriated not in excess of $22,000,000 for the fiscal year ending June 30, 1966, and for each year thereafter such amounts as may be necessary.

(d) For the purpose of carrying out part D of title II, there are hereby authorized to be appropriated for the fiscal year ending June 30, 1969, and for the fiscal year ending June 30, 1970 such amounts as may be necessary.

(e) For the purpose of carrying out title III, there are hereby authorized to be appropriated not in excess of $1,000,000 for the fiscal year ending June 30, 1966, and for each year thereafter such amounts as may be necessary.

LIMITATIONS ON USE OF APPROPRIATED FUNDS

SEC. 305. (a) Funds appropriated under the authorization of this Act may be transferred, with the approval of the Director of the Bureau of the Budget, between departments and agencies of the Government, if such funds are used for the purposes for which they are specifically authorized and appropriated.

(b) Any equipment and teaching aids purchased by a State or local education agency with funds appropriated to carry out the provisions of part B shall become the property of the State.

(c) No portion of the funds to be used under part B of this Act shall be appropriated directly or indirectly to the purchase, erection or repair of any building except for minor remodeling of a public building necessary to make it suitable for use in training under part B.

(d) Funds appropriated under this Act shall remain available for one fiscal year beyond that in which appropriated.

(e) The costs of all training programs approved in any fiscal year, including the total cost of training allowances for such programs, may be paid from funds appropriated for such purposes for that fiscal year; and the amount of the Federal payment shall be computed on the basis of the per centum requirement in effect at the time such programs are approved: *Provided*, That funds appropriated for the fiscal year ending June 30, 1966, may be expended for training programs approved under this Act prior to July 1, 1965.

AUTHORITY TO CONTRACT

SEC. 306. (a) The Secretary of Labor and the Secretary of Health, Education, and Welfare may make such contracts or agreements, establish such procedures, including (subject to such policies, rules, and regulations as they may prescribe) the approval of any program under section 202, the cost of which does not exceed $75,000, and make such payments, either in advance or by way of reimbursement, or otherwise allocate or expend funds made available under this Act, as they deem necessary to carry out the provisions of this Act.

(b) The Secretary of Labor and the Secretary of Health, Education, and Welfare shall not use any authority conferred by this Act to assist in relocating establishments from one area to another. Such limitation shall not prohibit assistance to a business entity in the establishment of a new branch, affiliate, or subsidiary of such entity if the Secretary of Labor finds that assistance will not result in an increase in unemployment in the area of original location or in any other area where such entity conducts business operations, unless he has reason to believe that such branch, affiliate, or subsidiary is being established with the intention of closing down the operations of the existing business entity in the area of its original location or in any other area where it conducts such operations.

SELECTION AND REFERRAL

SEC. 307. The selection of persons for training under this Act and for placement of such persons shall not be contingent upon such person's membership or nonmembership in a labor organization.

DEFINITION

SEC. 308. For the purposes of this Act, the term "State" includes the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

TRAINING AND TECHNICAL ASSISTANCE

SEC. 309. (a) In carrying out the responsibilities under this Act, the Secretary of Labor and the Secretary of Health, Education, and Welfare shall provide, directly or through grants, contracts, or other arrangements, training for specialized or other personnel and technical assistance which is needed in connection with the programs established under this Act or which otherwise pertains to the purposes of this Act. Upon request, the Secretary may make special assignments of personnel to public or private agencies, institutions, or employers to carry out the purposes of this section; but no such special assignments shall be for a period of more than two years.

(b) Two per centum of the sums appropriated in any fiscal year to carry out titles I, II, and III of this Act shall be available only for training and assistance authorized by this section.

TERMINATION OF AUTHORITY

SEC. 310. (a) All authority conferred under title II of this Act shall terminate at the close of June 30, 1972.

(b) Notwithstanding the foregoing, the termination of title II shall not affect the disbursement of funds under, or the carrying out of, any contract, commitment or other obligation entered into prior to the date of such termination: *Provided*, That no disbursement of funds shall be made pursuant to the authority conferred under title II of this Act after December 30, 1972.

TITLE IV—SEASONAL UNEMPLOYMENT IN THE CONSTRUCTION INDUSTRY

SEC. 401. (a) The Congress finds that seasonal unemployment represents a substantial portion of the unemployment in the construction industry, and a significant portion of all unemployment, that seasonal unemployment results in economic hardship for construction employees, employers, and for the consumers of construction services; that such unemployment constitutes unnecessary and wasteful misuse of the Nation's manpower resources; that stabilization of construction operations may be expected to have a correspondingly stabilizing effect on construction employment and costs; and that it is highly desirable from the standpoint of the economy as a whole, and manpower policy in particular that positive and expeditious action be taken by public authorities and private groups to regularize construction employment.

(b) It is therefore the purpose of this title to provide for the conduct of a study of seasonality in the construction industry, with special attention to its implications for national manpower policy.

SEC. 402. The Secretary of Labor and the Secretary of Commerce, jointly, shall study, investigate, conduct research, and prepare a report containing their findings and recommendations concerning means to achieve stabilization of employment in the construction industry and the diminishment of seasonality of employment in such industry, with special attention to its implications for national manpower policy, and shall transmit such report to the President and to the Congress no later than December 31, 1969.

SEC. 403. Matters which the Secretary of

Labor and the Secretary of Commerce, after consultation with other appropriate officials of Federal agencies, including, but not necessarily limited to, the Secretary of Health, Education, and Welfare, the Secretary of Housing and Urban Development, the Secretary of the Interior, the Secretary of Transportation, the Administrator of the General Services Administration, and the Director of the Bureau of the Budget, and with engineers, with other appropriate officials of Federal agencies, including, but not necessarily limited to, the Secretary of Health, Education, and Welfare, the Secretary of Housing and Urban Development, the Secretary of the Interior, the Secretary of Transportation, the Administrator of the General Services Administration, and the Director of the Bureau of the Budget, and with engineers, architects, and representatives of labor and management in the construction industry, shall consider, shall include, but not necessarily be limited to, the extent to which seasonal unemployment in the construction industry can be reduced without substantial increases in construction costs by means such as—

(a) the application of modern techniques to reduce the influence of weather on construction activity;

(b) the resolution of technical problems which have not been solved by existing research and development activities;

(c) possible changes in contract procedures in allocation cycles; and

(d) improved planning and scheduling of construction projects.

TITLE V—SUPPLEMENTARY STATE PROGRAMS

STATEMENT OF PURPOSE

SEC. 501. It is the purpose of this title to provide a method whereby a State may utilize Federal matching funds, together with its own funds for the purposes of supplementing, coordinating and improving the effectiveness of, or correcting imbalances among, the services available from all Federal manpower and related programs seeking to improve the ability of disadvantaged persons to move into productive employment.

AUTHORIZATION FOR GRANTS

SEC. 502. The Secretary of Labor (hereinafter in this title referred to as the Secretary) is authorized to grant to any State which meets the requirements of section 403 an amount, for fiscal years 1969 and 1970, not to exceed 75 per centum of the cost of the supplemental efforts and activities undertaken by a State pursuant to the provisions of this title.

APPLICATIONS AND CONDITIONS

SEC. 503. (a) Any State which desires a grant under this title shall make application to the Secretary at such time, in such manner, and containing or accompanied by such information as he deems reasonably necessary.

(b) No grant may be made under the provisions of this title unless the Secretary finds that—

(1) after consultation with said State, the effectiveness of Federal manpower and related programs seeking to move disadvantaged persons into productive employment within such State can be facilitated or improved by additional State efforts and activities; and

(2) such application (A) describes how such additional efforts and activities will be undertaken in support of existing Federal programs, (B) demonstrates that such efforts and activities are not inconsistent with such State's cooperative area manpower planning system plan, (C) demonstrates that such efforts and activities will contribute to carrying out the purposes of this title, and (D) provides assurances that the State will pay the non-Federal share of the cost of such efforts and activities under this title.

RULES AND REGULATIONS

SEC. 504. The Secretary may prescribe such rules and regulations under this title as he deems necessary.

AUTHORIZATION OF APPROPRIATIONS

SEC. 505. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

PAUL KILDAY

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. YARBOROUGH. Mr. President, I was shocked to learn this weekend of the sudden death of Judge Paul J. Kilday of the U.S. Court of Military Appeals, and former Congressman from the San Antonio area of Texas.

Judge Kilday was born in 1900 in Uvalde County, Tex. At age 22, with a law degree from George Washington University, he set up practice in San Antonio. In 1935 he left private practice to become first assistant criminal district attorney for Bexar County, Tex., which includes San Antonio. It was back then, in 1935, that I met Paul Kilday.

In Texas the name Kilday is known throughout the length and breadth of the State. Paul Kilday helped to make the name famous. But he came from a family dedicated to public service. I knew his brother, the late James Kilday, well. James Kilday was active all over the State of Texas, particularly in my home city of Austin, holding both State and National office. For many years another brother, Owen Kilday, was sheriff of Bexar County.

Judge Kilday was not only a good and trusted friend; he was a true statesman. In 1938 he was elected to the 76th Congress where he served with honor until 1961 when he accepted President John F. Kennedy's nomination to the U.S. Court of Military Appeals.

During his 23 years in Congress, Judge Kilday received more honors than most men achieve during a lifetime. The honor of serving as a judge of the Court of Military Appeals—the supreme court of the military system—was a higher honor than most lawyers hope to achieve.

As an assistant district attorney, Paul Kilday enforced the law. As a Congressman he wrote the law—including the Uniform Code of Military Justice which he was later to apply to cases before him. And as judge he interpreted the law.

The awards he received during his congressional service fill half a page of fine print in the Congressional Directory. These awards were merited. But taken in perspective they were merely evidence of what those who had the honor to know him understood: That he was a great man; a man who honored his family, his city, his State, and his Nation. All of the facets of life touched by his great service cause him to be mourned by the people who knew him and knew of him.

I request unanimous consent to have printed in the RECORD at this point the obituaries on Judge Kilday which appeared in the Washington Post and the Sunday Star, October 13, 1968.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Oct. 13, 1968]

JUDGE PAUL J. KILDAY DIES—EX-CONGRESSMAN WAS 68

Paul J. Kilday, a judge of the U.S. Court of Military Appeals and a 12-term former Congressman from Texas, died yesterday at the Washington Hospital Center after an apparent heart attack. He was 68.

Judge Kilday, who served on the House Armed Services Committee from 1946 to 1961, retired from Congress to accept a 15-year appointment from President Kennedy to the Court of Military Appeals.

Since his appointment to the bench, the military court has greatly extended Constitutional protections to servicemen, nullifying much of the strict interpretation of military law that had been dominant since the American Revolution.

As chairman of a House Armed Services subcommittee, Judge Kilday helped draft the Uniform Code of Military Justice, the body of law which the Court of Military Appeals adjudicates and under which the Court was established in 1951.

The Court, which has three civilian judges, is in essence the supreme court of the military, with jurisdiction to hear cases involving American servicemen stationed anywhere in the world.

Judge Kilday, a Democrat who entered the House in 1938 as a member of the 76th Congress, won a reputation early in his career as a friend of the individual serviceman through his membership on the old Committee on Military Affairs.

A consistent sponsor and supporter of pay raises for the military, Judge Kilday was second in seniority to Chairman Carl Vinson (D-Ga.) on the Armed Services Committee when the Texan was named to the Court of Military Appeals.

Under Congressman Kilday's direction, his Armed Services Subcommittee Number One drafted the Army and Air Force Organization Act in 1949, which created an independent Air Force.

Judge Kilday, who was born in Uvalde County, Tex., moved as a boy to San Antonio, where he attended St. Mary's College. After receiving a law degree in 1922 from Georgetown University here, he was engaged in private law practice in San Antonio until 1935. From 1936 until his election to the House, Judge Kilday served as an assistant district attorney in Bexar County, Tex., which includes San Antonio.

For more than 10 of his years as a Congressman, he served as a member of the Joint Committee on Atomic Energy.

Since leaving Congress, it had been Judge Kilday's custom to visit the Capitol on Saturdays and lunch with House Speaker John W. McCormack (D-Mass.) and Rep. Wright Patman (D-Tex.).

The Speaker said yesterday that he was "deeply grieved at the passing of my dear friend . . . As a member of Congress and in his judicial capacity, he served his country well.

Judge Kilday is survived by his wife, the former Cecile Newton, of the home, 5115 Chevy Chase Parkway nw.; two daughters, Mary Catherine Kilday and Betty Ann Drogula, both of Washington; three brothers and two grandchildren.

[From the Washington (D.C., Sunday Star, Oct. 13, 1968]

JUDGE PAUL KILDAY, 68, EX-CONGRESSMAN, DIES

Judge Paul J. Kilday of the U.S. Court of Military Appeals, who earlier had represented the San Antonio area of Texas for 23 years in Congress, died at his home, 5115 Chevy Chase Parkway, Chevy Chase, yesterday of a heart attack. He was 68.

As a member of the Armed Services Committee for 22 years before his 1961 appointment to the judgeship, he was credited with helping to draft many of the postwar military laws, including the Selective Service Act and revisions in the Uniform Code of Military Justice. In 1949, 1951 and 1958 he supported the passage of bills for military pay increases, designed to encourage careers in the armed services.

Judge Kilday also was influential in obtaining benefits for military retirees and survivors of military personnel and in establishing the military installations around San Antonio.

CAME TO STUDY LAW

The ninth child in a family of 12, he came to Washington from Texas to study law at Georgetown University. He worked at Army Air Service Headquarters and as a law clerk with the U.S. Shipping Board until he received his law degree in 1922.

Returning to San Antonio, he practiced law until 1935 when he became assistant District Criminal Attorney for Bexar County. In 1938 he was elected to Congress from Texas' 20th District, San Antonio.

Among the honors he received were the Citation of Honor from the Air Force Association in 1955; the Army Times 1957 Accomplishment Award; the VFW's gold medal of merit in 1961, and his doctorate of law from St. Mary's College in San Antonio in 1963.

He was an honorary member of the Fleet Reserve Association, and of the Reserve Officers Association of the United States. He received the "Honor Bell" from the Military Order of the Carabou for "distinguished service" in 1960.

TRIBUTE FROM SPEAKER

House Speaker John W. McCormack with whom the Judge lunched each Saturday, said today, "I am deeply grieved at the passing of my dear friend. . . . As a member of Congress and in his judicial capacity he served his country well."

Besides his wife, the former Cecile Newton, he leaves two daughters: Mrs. Fred Drogula of 5437 Chevy Chase Pkwy. NW and Mary Catherine Kilday of 3724 Windham Pl. NW; three brothers: W. P. Kilday of San Antonio, Rev. Father Frank A., O.M.I., of San Juan, Tex., and Col. Tom of Palo Alto, Calif., and 2 grandchildren.

Friends may call from 7 to 9 p.m. today and from 2 to 4 and 7 to 9 p.m. tomorrow at Joseph Gawler's Sons Funeral Home, Wisconsin Avenue and Harrison Street NW. A rosary will be recited on Monday at 8 p.m.

The requiem mass will be celebrated at St. Ann's Catholic Church, Tenley Circle, at 10 a.m. Tuesday.

REPORT TO THE FIRST DISTRICT OF TENNESSEE

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. QUILLEN. Mr. Speaker, I am making a report to my constituents on the activities of the second session of the 90th Congress, and I am pleased to make it available to my colleagues and the readers of the Record. This report will be mailed to the families in the First District of Tennessee on a postal patron basis.

October 1968.

Dear Friends: The 90th Congress has drawn to a close and there will be many interpretations of its deliberations and actions. It is a pleasure for me to report to you on some of the decisions and activities in which I have been involved during the second session of the 90th Congress.

The widespread dissatisfaction of the American people with the proposals of the Johnson Administration was reflected in the refusal of the Congress to "rubber stamp" many of the Administration's proposals.

During this past year concerned Members of the House were able to restrain the Administration, and rightly so.

Thus, the Senate—wisely, I think—refused to advise and consent to the appointment of Associate Justice Abe Fortas as Chief Justice of the United States.

The positive accomplishments of the 90th Congress were precisely those accomplishments the Administration opposed.

The President, thus faced with rebellion from a Congress run by his own Party, could not very well attack the Democratic leadership.

He did, however, try and "get back" at Congress by deliberately reducing mail service and holding back greatly needed funds for the construction of highways.

And thus the Congress cut—but not enough—the Administration's foreign aid programs. I spoke out on the floor of the House to eliminate foreign aid altogether and was successful with the help of a majority of the Members to drastically cut this controversial program—the deepest reduction in foreign aid in its history. In view of our own fiscal situation, I felt—and still feel—that the program has served its useful purpose.

Certainly, foreign aid should not be extended to countries doing business with North Vietnam. It is shocking to think of giving aid to our enemies.

I feel that the war in Vietnam should be brought to an honorable conclusion just as soon as possible—we need to bring our boys back home.

A year ago, as the Vietnam War continued, the claim was made that the Nation could afford both "guns and butter". The results have shown it could not, and that there was blood in the butter! Between 1961 and 1968 defense spending rose by 65 per cent and domestic spending rose nearly 90 per cent!

Let's end the war honorably and speedily.

At long last, Congress took note of sharply rising crime rates and passed the Omnibus Anti-Crime Bill of 1968. Much of it was directed against the appointed Attorney General, Ramsey Clark, head of the Department of Justice—who often seems to be saying that "society has failed the criminal", instead of the other way around. After the devestating Washington riots of last April, Attorney General Clark, in response to a newsman's questions, said he "was looking into reports" that Stokely Carmichael had helped incite the riot by making inflammatory statements. He promised action, if appropriate. Today, five months afterward, he presumably is still "investigating".

There are many other activities and decisions in which I was involved, but space will not permit me to detail them all. On the following pages are a few.

TVA JURY TRIAL BILL BECOMES A LAW

I introduced and helped sponsor the law that provides for a jury trial in land condemnation suits by the Tennessee Valley Authority. This in no way affects the value of the TVA and by no means is intended as a criticism of the outstanding and continuing achievements of TVA.

THE CONSTITUTION GIVES EVERY LAW-ABIDING CITIZEN THE RIGHT TO BEAR ARMS

I opposed the enactment of laws which would destroy the basic constitutional right of every law-abiding citizen to bear arms.

I do not feel that legislation can be drawn to prevent the illegal use of guns, nor do I feel that additional gun legislation is the answer, rather it is the enforcement of existing laws.

Let me give you this shocking information about gun control legislation in European countries prior to the takeover of those countries by the Communists.

The following countries had registration of guns prior to the establishment of dictatorial governments:

Bulgaria (prior to the establishment of a Communist government).

Czechoslovakia (prior to the establishment of a Communist government).

Germany (prior to Hitler).

Greece (prior to the recent *Putsch* by the Colonels).

Hungary (prior to the Communist takeover).

Italy (prior to Mussolini).

Poland (prior to the establishment of a Communist government).

Romania (prior to the establishment of a Communist government).

Russia (prior to the establishment of a Communist government).

Yugoslavia (prior to the establishment of a Communist government).

Ten countries in Europe alone have changed their form of government after passing gun registration laws.

FLAG DESECRATORS—BEWARE!

My Flag Bill, after passing the House last year, was enacted by the Senate and signed into law by the President. This was a long, hard fight, but well worth the effort.

The bill makes it a federal crime to desecrate the American Flag, and provides that "whoever knowingly casts contempt upon any flag of the United States by publicly mutilating, defacing, defiling, burning, or trampling upon it shall be fined not more than $1,000 or imprisoned for not more than one year, or both."

HONORED BY VETERANS' ORGANIZATIONS

I received two awards at the Veterans of Foreign Wars State Convention in Gatlinburg, Tennessee, on June 29, 1968.

The first award—the Medal of Merit for exceptional service rendered to Country, community, and mankind—was presented by Claude Davis, State Commander.

The second award was a citation which read "For Congressman James H. Quillen's sponsorship and support of veterans' legislation, especially his leadership service as a distinguished member of the House Rules Committee where he has been instrumental in submitting to the floor of the House of Representatives legislation which has benefited our Nation's veterans and their families and legislation which would preserve the American way of life."

Earlier this year, I was presented The American Legion special award in appreciation for my participation in the 50th Anniversary commemoration of the founding of The American Legion. This was during the 1968 American Legion Convention in Washington.

The award was presented by Joe F. Hudgens, Director of the Tennessee Department of Veterans' Affairs, and Ivo W. Sanders, Commander of The American Legion, Department of Tennessee.

During the first session of this Congress. I received an award from Toy L. Hicks, First District Commander of The American Legion, which reads as follows: "First District American Legion, Department of Tennessee, Presented to James H. Quillen, in grateful recognition for legislation furthering Americanism. . . ."

I have also received awards from other Veterans' Organizations, including the Disabled American Veterans and Veterans of World War I.

SOCIAL SECURITY INCREASE

With the cost of living continuing to increase at a rapid rate, I feel that an increase in Social Security benefits is in order for all recipients by cutting out altogether or reducing appreciably our foreign aid giveaway programs.

CUTBACK IN FEDERAL HIGHWAY FUNDS—UNNECESSARY, RIDICULOUS!

Once again the Administration held back Interstate Highway Funds under the guise of cutting the budget.

Construction of the Interstate System in the First District is far behind schedule. This political nonsense by the Administration will continue to slow down the completion of these highways, and it should not be tolerated any longer.

When these funds were withheld by the White House, I immediately registered my protest to the President and Federal Highway Administrator.

The Highway Trust Fund, established for the sole purpose of constructing, improving, and maintaining the Interstate and ABC Federal-aid systems, is sustained by highway user taxes. It is not part of the general revenue fund of the Treasury and, for this reason, should not be diverted, suspended, or cut back to serve any other needs of the Government.

Already the completion date of the Interstate Highway System has been extended beyond its target date of 1972 because of numerous delays in the construction program. Additional postponements and delays will aggravate further the accident rate and traffic congestion on the Nation's highways, increase the cost of highway construction for mileage postponed, and disrupt planned construction projects entailing the loss of many jobs. The Administration has ordered cutbacks on the highway funds too many times already, then restored them, then cut them back again. Use of the Highway Trust Fund for other than specific highway purposes is not the intent of the Congress.

The completion of our highway program is too vital to the safety and well being of our Nation to be toyed with and continually interrupted.

MY NEW WASHINGTON ADDRESS—102 CANNON HOUSE OFFICE BUILDING

Most of the Cannon Building has been remodeled, and my staff was lucky enough to draw Suite 102, which gives us an extra room in order to better serve the people of the First District.

Whenever you are in Washington, I hope you will come by my office—just across Independence Avenue from the Capitol.

When you come by, it will be my pleasure to furnish you with passes to both the House and Senate galleries so that you will have an opportunity to see Congress in action. My staff and I will be happy to do anything we can to make your visit to Washington a pleasant and memorable one.

HOUSE RULES COMMITTEE

The Chairman, Congressman William M. Colmer of Mississippi, is in the foreground and I am the fourth on the left. This picture was taken during this session of the 90th Congress and shows my Committee at work.

WATCHDOG OF THE TREASURY

In a special ceremony in October, I received the "Watchdog of the Treasury" Award from John C. Mason, President, National Associated Businessmen, in recognition of my economy voting record.

FARMERS SHOULD BE INVOLVED IN THE FARM SOLUTION

Congress completed action to provide for a one-year extension of the 1965 Agriculture Act. The Administration had proposed a four-year extension of the current farm programs.

I feel the whole program needs to be overhauled, but I hope the temporary one-year extension will allow adequate time for a new President, a new Secretary of Agriculture, and a new Congress to conduct a thorough review of the problems faced by our farmers. This would be followed by solid proposals, preferably initiated from the experienced farm community, instead of continuing along the same path of adopting the piecemeal "solutions" which have been coming from the professional economists in the Department of Agriculture.

The bureaucrats have proven time and time again that they do not understand the productive capacity of America's farmers.

IN CONCLUSION

I voted against the legislative package calling for a 10 per cent income tax surcharge, coupled with a $6 billion spending reduction, because it did not spell out priorities for cuts. Now it is highway funds, loans to farmers, and school aid which are being chopped. Cuts should be made in our wasteful and unnecessary foreign and domestic programs, instead of those designed to make America great.

It has been a real opportunity for me to serve you, by trying to fulfill the duties and responsibilities of the office I am privileged to occupy. In doing my best to render service, I am grateful to the members of my staff who have worked tirelessly to help me help you.

Sincerely,

JAMES H. QUILLEN.

ELECTORAL COLLEGE REFORM

HON. BIRCH E. BAYH

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. BAYH. Mr. President, unusual interest has been generated this year in the need for changing the system now used to elect the President and Vice President of the United States. Many writers have examined the reasons why the provisions in article II and amendment XII of the Constitution ought to be revised.

In the October 10, 1968, issue of Roll Call, Mr. Allan C. Brownfeld briefly reviews the historical development of the electoral college and makes a thoughtful appraisal of how it is now operating. I ask unanimous consent, Mr. President, that this analysis be printed in the CONGRESSIONAL RECORD so that it may receive wider distribution.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

ELECTORAL COLLEGE SYSTEM PASSÉ?

(By Allan C. Brownfeld)

The candidacy of George Wallace and the possibility that this year's presidential election may be thrown into the House of Representatives have made many Americans consider the need for Electoral College reform.

Ordinarily, proposals for reform are presented in non-campaign years by organizations such as the American Bar Association, or by legislators who have devoted themselves to a study of the many anachronisms inherent in the present system. This year, however, the general public has involved itself in the debate, often failing to understand that there are reasons above and beyond George Wallace for a careful consideration of the manner in which we elect our national leaders.

The Electoral College emerged as a compromise between the patrician's view of government and the belief, shared by James Madison and Gouverneur Morris, that Americans elect their president directly. Direct election, if adopted in 1787, would also have undercut the strength of the South where ⅗ of the slaves were counted to determine House representation, but could not vote. Thus, the Electoral College gave the South the numerical strength of its slaves without permitting them to vote.

Unless he is an elector, no American votes directly for President of the United States. Each slate of electors is equal to the total of each State's U.S. Senators and representatives. Small states have the same disproportionate influence they get from their two Senate seats. New York with a population fifty times that of Nevada has only fourteen times as many electoral votes.

Those who opposed the philosophy of the Electoral College were the advocates of direct democracy. George Washington expressed his disagreement with this view in a letter to Thomas Jefferson. He warned that "We pour legislation into the Senatorial saucer to cool it." The saucers included not only the then indirectly elected Senate but a non-elective, unrecallable judiciary, an electoral college for the Presidency, and a Constitution deliberately made difficult to amend and making referenda almost impossible.

John Adams, in 1815, also challenged the philosophy of direct democracy: ". . . Unlimited sovereignty . . . is the same in a majority of a popular assembly . . . and a single emperor. Equally arbitrary, cruel, bloody and in every respect diabolical."

The Founding Fathers felt that freedom and liberty could best be preserved by removing them from the immediate passions of the people. Discussing George Washington, H. L. Mencken noted that "He had no belief in the infallible wisdom of the common people but regarded them as inflammatory dolts, and tried to save the Republic from them."

Is direct, mass democracy as recently enunciated in the "one man, one vote" philosophy of the Baker v. Carr case, really the best way to preserve freedom and liberty? There is, of course, difference of opinion. One view holds that it is not. Peter Viereck, in his volume The Unadjusted Man, states that modern American democracy may well envy the vigorous free speech and unlimited free debate of Edmund Burke's aristocratic parliament, a freedom "unequalled by modern mass parliaments dependent on mass elections and mass demagogy." Viereck noted that "Feudal privilege and aristocratic individualism may be considered the true root of liberty; a leveling democratic egalitarianism would then be liberty's true foe. Parliamentary and civil liberties were created not by modern democracies but by medieval feudalism . . . Free institutions, Magna Cartas, constitutions, Dumas, were originally founded and bled for by noblemen. Modern democracies merely inherited from feudalism the sacredness of individual liberty and then mass produced it."

The authors of the Constitution intended the electors to choose the two best men to be President and Vice President. The nominating function, however, was quickly assumed by the parties. The electors were almost immediately deprived of their real function and party leaders pushed through a winner-take-all method of awarding a state's electoral vote to the popular vote champion.

In the election of 1800, Democrat-Republican Thomas Jefferson received 73 electoral votes, the same number as his vice-president, Aaron Burr. The House took 36 ballots to elect Jefferson and four years later the 12th amendment was adopted requiring separate votes for President and Vice President. There has been no change since.

In 1824, the Presidential vote was split among 4 Democrats. Henry Clay and William H. Crawford each won 13% of the popular vote, enough electoral votes to deny Andrew Jackson, the popular winner with 42.2% of the vote, a majority. In the House, Clay threw his strength to the runner up, John Quincy Adams, who received 31.9% of the popular vote. Adams became President, Clay became Secretary of State.

In 1876, New York Democratic Governor Samuel J. Tilden won the popular presidential vote with 50.9%. Even so, electoral votes in 4 disputed states went to Rutherford B. Hayes. In 1948, Harry Truman received 49.6% of the vote, and John F. Kennedy in 1960, received 49.5%.

Laws in each State award all its electoral votes to the state-wide winner, no matter how large or small his plurality. If no one candidate wins a clear majority of the 538 electoral votes, the contest moves into the House of Representatives where, in theory, the 26 smallest states, with 17% of the U.S. population, could impose a President on the country.

The Congressional election this year, therefore, takes on a special significance. Each state casts one vote in the House, and the winner must receive an absolute majority of 26. If a state's delegation to the House is evenly divided, as are Illinois, Oregon and Montana in the current Congress—it has no vote and voters of those states are effectively disenfranchised. Today, Democrats are a majority in 29 state delegations and Republicans are a majority in 18. If the 1968 election is deadlocked, it will be the new Congress which will make the decision.

It is clear that the Electoral College is not working as it was intended to work. Meant to be a buffer between government and mass democracy, it has simply served to bring mass democracy to our national elections but to stop short of awarding victory to the popular vote winner.

There is a great deal wrong with the philosophy of mass democracy which our society now accepts as if it were a religious tenet. It tends to produce the political blandness of this election. Each candidate appeals to that view expressed by 51% of the population as recorded by pollsters. Principle and leadership tend to vanish, and matinee-idol appeal tends to replace it. Is it any wonder that entertainers have found a fertile field in politics?

But whatever the merits of mass democracy, it is obvious that the Electoral College no longer prevents or forestalls it. Today we have mass democracy, but through the peculiar quirk of the Electoral system, less than a majority may rule. Such a system is even worse than the one-man, one-vote philosophy itself. If we are going to adhere to that philosophy, we must at least do it honestly.

Even more ironical is the fact that George Wallace, a latter day Populist, tends to gain from the Electoral College system, the creation of Federalists who distrusted the passions of the people. Populist tradition rested squarely on faith in the natural goodness of man, the infinite perfectability of humanity. It is similar to Rousseau who contrasted the Noble Savage of the Western Hinterland with the corrupt, overcivilized intellectual of the big city. George Wallace has said that taxi drivers, barbers and policemen instinctively know what is best for the country. The creation of Adams and Washington now enhances the strength of that view.

With this impetus, it is likely that the new Congress will seriously consider the many proposals for Elector Reform which have been made. Many have come to believe that any change would be somewhat for the better.

REPORT

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. CUNNINGHAM. Mr. Speaker, following is a report I am sending to my constituents on my activities as Representative of the Second District of Nebraska. It is my practice to send these reports out periodically, and this will be my final report for the 90th Congress:

WASHINGTON REPORT: CONGRESSMAN GLENN CUNNINGHAM, SECOND DISTRICT, NEBRASKA

DEAR FRIENDS: Congress finally adjourned on October 15 after a long and at times hectic session. A few days prior to adjournment we had an all-day, all-night, all-day session. During that period I went 41 hours without sleep, as did many other Congressmen who were on the job.

To give you an idea of the legislation acted upon in just one day recently we took up the following pieces of legislation, some of minor importance but others of rather major significance. We often have been in session until late, late at night. On this one day referred to, the Democratic leadership scheduled 25 bills. These bills are listed here to give you an idea of the complexities of one day's legislative work, and needless to say we worked quite late that night:

A FULL DAY'S WORK

H.R. 18366 (Vocational Education Amendments); S. 3710 (Public Works Authorization); S. 2515 (Redwood National Park); H.R. 163 (Prohibitions against foreign-built vessels); H.R. 9362 (Mountain Lake Reclamation Project, Oklahoma); H.R. 18065 (Foreign Service Buildings Act Amendments); S. 1418 (Changes in Passport Law); H.R. 5117 (Palmetto Bend Reclamation Project, Texas); H.R. 4865 (National Trails System Act); S. J. Res. 172 (Extending Duration of Coypright Protection); H.R. 17752 (Dairy Indemnity Payments); H.R. 12698 (Federal Power Act Amendments); H.R. 7696 (Over-the-Counter Margin Regulations by Federal Reserve Board); H.R. 18203 (Increase Size of Board of Directors of Gallaudet College); S. 660 (Great Lakes Basin Compact); S. 6 (Oahe Unit, James Division, Missouri River Basin, South Dakota); H.R. 18260 (National Scenic Rivers Act); S. 752 (Amend Interstate Commerce Act re Cooperative Associations); H.J. Res. 946 (Investigation of Operation of Institutional Investors); H.R. 11026 (Conservation Program on Military Reservations); H.R. 17144 (Commission on Hunger); H.R. 18340 (Continuation of Authority to Develop American-flag Carriers); H.R. 18254 (Amend Merchant Marine Act); S. 3143 (Regulation of Futures Trading in Frozen Orange Juice); S. 510 (Disclosure of Corporate Equity Ownership Securities).

MAIL AND PROBLEMS GET PRIORITY

In addition to the legislation acted upon each day we also have committee meetings in the morning and a large volume of mail each day which I read and answer promptly. Many of these letters are from people from my Congressional District who have problems with a Federal agency, and as the elected Representative in Congress I give these letters top priority. My staff and I go to work immediately to solve these problems between my constituents and the various Federal agencies.

The Federal Government has become so huge that a major part of a Congressman's responsibility is to work out these problems which come from his Congressional District, with the agencies in the executive branch and try to bring about solutions. We have been highly successful in working out many of these problems for the people I represent. I also have a full-time *District Office in Omaha* under the direction of Mr. Carl Heine, in the New Federal Building, and many of your problems can be taken care of by that office because it is in the same building as local Federal agencies.

THREE AREAS OF RESPONSIBILITY

I have often said that *a Congressman's responsibilities are in three fields.* Some people might think that a Congressman only sits in the House of Representatives and votes, but this is not the case. One-third of his work involves the committees of which he is a member. These committees meet each day from 10:00 a.m. until noon. *All legislative bills are referred to one of the committees.*

During the Committee meetings public witnesses are given an opportunity to testify either for or against a particular piece of legislation. On a major bill the testimony may take several weeks, after which the committee then goes into "executive session" to discuss the pros and cons behind closed doors. The testimony of the persons who appear in favor of, or against the legislation, is carefully considered and if their proposals have merit, in the committee's judgement, the original bill is amended—sometimes completely rewritten. If the bill is passed by the committee it is then sent to the House of Representatives where it is debated and either approved or disapproved.

Many feel that the real work of the Congress is in the committees on which Congressmen serve because this is where the laws are actually written. Sometimes a bill is amended further when it is before the House of Representatives and this is usually the result of the minority party wanting to support the legislation but feeling that it needs stronger or less harsh provisions.

SESSIONS OF THE HOUSE

The House of Representatives meets at noon and goes on often until late at night in order to finish up the business which the Speaker has scheduled for that day. So we have *one-third of our responsibilities in our committee* work, *one-third in the actual votes on the legislation in the House,* and the *other one-third of our responsibility is in the correspondence we receive,* which we welcome.

I have been invited by the President to attend ceremonies at which he has signed into law legislation I have sponsored, co-sponsored or played a leading role in guiding its enactment into law. I believe I have been to the White House for these bill-signing ceremonies 19 times just this year.

The President invites us to witness the bill signing and presents us with a pen he actually used in signing the legislation into law. He will usually use 10 or 12 pens in signing his name to the law and he gives those of us who played an important part in passing the legislation one of the pens. *No one receives one of the pens unless the President feels he has earned the right to receive one.*

I have received 24 or 25 of these pens. A picture of some of them is shown. Even though the President and I are of different parties, he recognizes the part I have played in enacting legislation; that is why he has invited me to the White House so often to participate in the signing ceremony. I was also invited to the White House frequently when President Eisenhower and President Kennedy were our Presidents.

Below are some of the bills I have sponsored, co-sponsored, or guided to passage in the last couple of years which were signed into law:

Public Law 90–284, Indian Civil Rights Bill.

Public Law 90–206, Prohibition of Pandering Advertisements.

Public Law 90–136, Missouri River Basin, Nebraska Mid-State Project.

Public Law 90–100, Commission on Noxious and Obscene Matters and Materials.

Public Law 90–299, Obscene or Harassing Telephone Calls.

Public Law 90-129, Public Broadcasting—Educational TV.

Public Law 90-189, Flammable Fabrics Act.

Public Law 90-174, Partnership for Health Act of 1967.

Public Law 89-430, Interstate Commerce Act Amendments.

Public Law 89-563, National Traffic and Motor Vehicle Safety Act.

Public Law 89-670, Department of Transportation Act.

Public Law 89-109, Community Health Services Extension Act of 1965.

Public Law 89-74, Drug Control Bill.

Public Law 89-115, Health Research Facilities Act of 1965.

Public Law 89-220, High Speed Ground Transportation Research and Development Act of 1965.

Public Law 87-793, Communist Mail Bill.

Public Law 89-272, Clean Air Standards.

I hope these periodic reports have been of interest to you. It has been my pleasure to supply you with this information regarding my duties in Washington.

Sincerely,

GLENN C.

KAUFMAN HOSPITAL FULFILLS THE NEED

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. YARBOROUGH. Mr. President, each of us has a vital and deeply personal interest in our Nation's medical and hospital facilities.

I came across a report recently in the Dallas Times Herald on the Kaufman Hospital. Jim Featherston wrote a perceptive article on the small hospital and its place in the community.

The Kaufman Hospital is different from many other hospitals since it is a proprietary hospital, which means it is privately owned and that it is operated like any other business. Like nearly all of the proprietary hospitals, it is fully accredited by the Joint Commission on Accreditation and, like some 200 of its kind, it is a member of the Federation of American Hospitals. The FAH is the only group that represents the proprietary hospitals, and it has been doing an increasingly important job in bringing these hospitals to the attention of the Federal Government and seeing to it that they are given proper recognition.

The Kaufman Hospital belongs to the 10 percent of American hospitals which are privately owned and managed. It has an emergency room and nurse training facilities. Its 60 employees are not as highly specialized as technicians in larger hospitals, but each of them is as dedicated to his work as any professional worker in our country. Last year the Kaufman Hospital clocked in 99 births, and 48 deaths. In a very real way, it is a mini version of a large city hospital. And it provides the town of Kaufman with a facility that only came about due to the private sector responding to neighborhood need.

I ask unanimous consent that the article "Where Size Doesn't Count" from the September 15, 1968, Dallas Times Herald be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE SMALL HOSPITAL: WHERE SIZE DOESN'T COUNT

(By Jim Featherston)

There was a time, and not too long ago, when adequate medical care was hard to come by in areas outside the larger cities. The "country doctor" sometimes worked miracles under primitive conditions, but often survival depended upon whether the patient could be taken in time to the nearest metropolitan hospital.

The dark days of rural medical care have brightened in the past decade or two. Now, even some of the smallest of the towns have adequately equipped hospitals—some built with tax money and federal grants, and others with private capital.

One example, and there are a number of varying sizes, is the hospital at Kaufman, 30-odd miles east of Dallas. The Kaufman Hospital is equipped to handle almost any kind of medical case.

"Obviously, we can't do heart transplants, but our operating room is well equipped to do the general run of what folks call country surgery," says Dr. Ed Hall, one of the founders.

By this, Dr. Hall means that the Kaufman Hospital and its staff can handle all surgical cases except in specialized fields, such as brain and eye operations.

"We can handle 95 per cent of the cases that come to us," Dr. Hall says. Only a few must now be transferred to big city hospitals.

The hospital also has an emergency room which can and does treat all sorts of cases—from automobile accident victims to patients with severe sunburn. Emergency cases—ranging from snake bites to fishhook injuries—have increased since the completion of nearby Cedar Creek.

The 36-bed Kaufman Hospital also has many of the conveniences of its big-city counterparts and much less confusion. And you can even find a parking space outside.

Most of the hospital rooms have television, voice intercommunication systems with the nursing stations, and beds that can be raised and lowered electrically. And because Kaufman Hospital is small, the patients and staff get to know each other.

Away from the bright lights, the hospital has to compete for and train its personnel.

We are in competition with the Dallas market—and also Terrell State Hospital—for registered nurses. We have to pay well and provide good working conditions. We pay about $100—above the Dallas scale—between $600 and $700 a month—for registered nurses. And we have a school for LVN's (licensed vocational nurses)—"we create our own," says Mrs. Patty Pettigrew, the hospital administrator.

This small hospital is an outgrowth of a time during World War II when Kaufman (population now more than 3,000) found itself without a doctor. The town's two young doctors, William deVlaming and Guy G. Shaw—were in service. Dr. Hall arrived from Grand Prairie to fill the vacuum.

Following the war, the three doctors tried to interest city officials in building a hospital but were told it was not feasible financially. The doctors then built the hospital themselves. The first unit was opened in 1948, with additional wings opened in 1958 and 1964.

"The hospital was built to fill a need. You can't practice decent medicine without hospital facilities. I know, because I have practiced out of a bag and sometimes by lantern light," says Dr. Hall.

Hall, deVlaming and Shaw were joined by Dr. Giraldo Mancebo, a Cuban immigrant, in 1964. The four men now are partners and comprise the hospital medical staff.

The Kaufman facility in reality is a mini-version of a big city hospital. Life begins (99 births last year) and ends (48 deaths). There are tears and laughter—pain and pleasure.

One difference, perhaps, is that the 60 employes of the hospital find themselves called upon to perform more and different duties.

"The surgeon may, for instance, also have to lift the patient. Or, for that matter, work on the generator if need be," says Dr. Hall.

SUPREME COURT DECISIONS CONTRIBUTE TO CRIME INCREASE

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. ROUDEBUSH. Mr. Speaker, under leave to extend my remarks in the RECORD, I include my most recent news letter:

CONGRESSMAN RICHARD L. ROUDEBUSH, FIFTH INDIANA DISTRICT, REPORTS FROM WASHINGTON

SUPREME COURT DECISIONS CONTRIBUTE TO CRIME INCREASE

Apologists for the Supreme Court see no relation between the phenomenal increase in the crime rate and a series of recent Court decisions in criminal cases.

"Criminals don't read court decisions," the apologists assert, "and, a burglar or mugger doesn't adjust his activities to the Supreme Court rulings."

These arguments are specious because even if the criminal doesn't subscribe to the latest law journals and keeps abreast of legal precedents, the criminal lawyer does.

And, it is the following major decisions by the Supreme Court which have allowed convicted and confessed felons back on the streets to rob, rape and pillage:

Payne v. *Arkansas* (1958): Even though enough evidence apart from the inadmissible confession is available to sustain a jury verdict of guilty, if the confession has been admitted in evidence, the conviction must be reversed. The court had ruled the opposite five years earlier.

Spano v. *New York* (1959): The court must look to circumstances or trustworthiness of a confession in deciding whether it is admissible. Voluntariness and trustworthiness have been the fundamental test in Anglo-American law for almost 350 years.

Rogers v. *Richmond* (1961): The truth of a defendant's confession is immaterial in deciding whether it is admissible. The whole test of admissibility turns on the conduct of the law enforcement officials in obtaining the confession.

Mapp v. *Ohio* (1961): Evidence illegally seized cannot be admitted, even if it proves the defendant's guilt. This decision contradicted an opinion by Mr. Justice Cardoza in *Palko* v. *Connecticut*, in which he asked: "Because the constable blundered, shall the criminal go free?" It also contradicted the opinion of Mr. Justice Frankfurter in *Wolfe* v. *Colorado*, in 1949.

Gallegos v. *Colorado* (1963): A confession which was voluntary and given almost immediately after the defendant was apprehended was held to be inadmissible because the defendant was young. In this case he was 14. Only if the young suspect has a friendly adult advisor at his side when he makes the confession is it admissible in evidence.

Escobedo v. *Illinois* (1963): If police seek information from a suspect, even though they do not yet have enough evidence to formally charge him with the crime, the information he may give may not be used against him unless they provide him with a lawyer at the start of questioning. (For hundreds of years, English-American legal theory held that the right to counsel became available only when a person was charged with a crime; to hold otherwise, it was believed, prevented society from accurately and efficiently learning the facts of a crime from persons having knowledge of it.)

Miranda v. *Arizona* (1966): Any confession is inadmissible unless, before questioning begins, the suspect is warned (a) he does not have to answer; (b) if he does answer, his answers may be used against him; (c) he has a right to a lawyer; (d) a court-appointed lawyer will be provided if he is unable to afford one. In addition, the court said, if during the questioning the suspect indicates he does not want to answer, the questioning must cease or all his answers will be inadmissible. (The court has gone further and now holds that the prosecution is under a "heavy burden" to prove that the accused made a knowing and intelligent waiver of the above rights before it will admit any evidence so obtained.) Because of language used in the Warren opinion, these rules apply not only when a suspect is brought into a station house for questioning, but any time police "substantially impair his freedom of movement" for the purpose of questioning. Thus, if a policeman detains a suspect for questioning about a crime that has just occurred, the "Miranda warnings" must be given and the suspect must affirmatively waive those rights or the information he gives will be inadmissible if he later is brought to trial.

U.S. v. *Wade; Gilbert* v. *California, Stovall* v. *Denno* (1967): If a lawyer is not present when a witness identifies a suspect in custody, the identification may not be revealed to the jury. In the wake of these cases, defense lawyers have been permitted to argue to the jury that no witness is presented in court or the witness is silent as to identification of the defendant because the prosecution has no identification witness or the witness is unable to positively identify the defendant.

ALBERT "POP" LOEWINTHAN

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FARBSTEIN. Mr. Speaker, I wish to insert in the Extensions of Remarks of the RECORD the following editorial written in commemoration of Albert "Pop" Loewinthan, a resident of the Lower East Side of New York. The editorial appeared in the East Side News, a weekly publication with wide circulation throughout this area of New York City which I represent, and was written by my good friend, Abe E. Eisenstein:

ALBERT "POP" LOEWINTHAN, 1879–1968

(By Abe E. Eisenstein)

Oct. 14, Monday, would have been the 89th birthday of the late famed East Side-New York's beloved school teacher, principal, educator, guide and counselor, Albert "Pop" Loewinthan.

"The roses in Memories Garden never fade away,
But O for the touch of that vanished friendship hand
And the sound of his booming voice that is still."

"Pop" Loewinthan was—

One who stood high in the public light as an educator and builder of men;

One who was loved by his former pupils, campers, associates, family and friends;

One of the most popular and famous teachers of old P.S. 34, under whose supervision, instruction and coaching the school produced some of the outstanding athletic teams and study groups the city has ever known.

Albert Loewinthan (Rivington Street boy) was the class valedictorian when he was graduated from East Side's P.S. 22. He was a 1901 graduate of CCNY and continued until his death as class secretary.

"Pop" Loewinthan was a former member of The Edward Eggeleston Literary Society, The Cleonia Literary Society, and a former leader of The City History Club at the Hebrew Alliance.

During his eight year teaching at P. S. 34 (then on Broome and Sheriff Sts.) "Pop" Loewinthan's efforts, sacrifice and presence instilled a winning spirit in the boys who were victorious in scholastic activities.

Herman Koenigsberg, long time alumni secretary, prominent East Sider, and noted attorney, talking about "Pop" Loewinthan, said:

"He was a leader of the finest type, an executive of rare ability, and a teacher and gentleman that make up the best in a man and teacher. He loved his pupils and his work and his efforts in our behalf was reciprocated by our personal love and affection and that of our parents. Our success in school and in our endeavors today we attribute in a large measure to the able guidance of "Pop" Loewinthan and his method of teaching and living."

As an educator, he served as an English teacher and coach of the freshman baseball and basketball teams. He became an assistant principal (De Witt Clinton H. S.) and coached the school's 1914 varsity team that won the City Basketball Championship.

He was principal of P.S. 78 for two years and of Evening School 70. Loewinthan was the well-known owner and director for eighteen years of the outstanding boys' camp at Munsonville, N. H.—The Granite Lake Camp for Boys. He also served as principal for twelve years of Manhattan's P.S. 30 and the Yorkville Junior High School.

"Pop" Loewinthan is the organizer of the present day-famed "34" Alumni and is known by the entire membership as "Mr. 34".

Albert Loewinthan was married to Mrs. Minnie (Schlossberg) Loewinthan on Nov. 2, 1902. They had three children, Dr. Lawrence Loewinthan (gynecologist), Mrs. Lillian Perlman, Mildred (Mrs. Oscar Gruber), and four grandchildren, Betty and Charles Gruber, Frances and Peter Loewinthan. Mrs. Minnie Loewinthan, beloved East Sider, died on May 18, 1962.

"Mr. 34" Loewinthan died at the Morton Towers (Florida) on April 4, 1968.

We salute the memory of one who was held in high esteem by all. His sincerity, his loyalty, his patriotism, his cheerfulness, his friendliness, his "Big Hello"! and his firm friendship grasp of your hand drew one to him. His sterling personal qualities will long be remembered.

TRIBUTE TO HON. BARRATT O'HARA

HON. THOMAS E. MORGAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. MORGAN. Mr. Speaker, we are losing to private life, the services of one of our most esteemed and valued colleagues. The Honorable BARRATT O'HARA, who has so ably represented the city of Chicago for nine terms, will not be with us next January.

When I say that we are losing BARRATT, I mean it in the sense of a very real and great loss for this House will not be the same without his cheerful personality, his peerless legislative skill, and his matchless ability as one of the truly great orators who has served in this august body.

I shall not take the time to refer to the high points in the long and distinguished career of our colleague, BARRATT. His accomplishments are so numerous as to have become legendary, and I only want to take this time to say how sorry I am that he will not be with us in the next Congress and how much I am going to miss him.

BARRATT has served as the chairman of the extremely important Foreign Affairs Subcommittee on Africa. To that chairmanship he has brought a deep and sympathetic knowledge of the problems of the emerging peoples of Africa, and all Americans owe him a debt of gratitude for his indefatigable efforts to serve the mutual interests of the United States and the nations of that continent.

Under BARRATT's chairmanship, the Subcommittee on Africa has added luster to the record of work performance of the committee, and we shall find it difficult, indeed, to try and match his record of energetic and devoted service.

BARRATT's service with the Foreign Affairs Committee has by no means been limited to the area of Africa. He is completely versatile in his interests as well as his accomplishments, and he has been a tower of strength in our efforts to secure the enactment of constructive foreign policy legislation designed to promote the security and best interests of our country.

I regard BARRATT as one of the truly great Americans of this and all generations, and as he goes back to private life, I wish him the utmost in continued success and happiness.

CLUB AMERICANA: PEOPLE TO PEOPLE

HON. JOHN W. McCORMACK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. McCORMACK. Mr. Speaker, I am pleased to include in my remarks a statement recently issued by Mr. Robert J. Flynn of 3400 Highwood Drive SE., Washington, D.C., in relation to the establishment by Mr. Flynn of "Club Americana: People to People."

This is a new organization, as stated in the memorandum sent to me by Mr. Flynn, to carry out in an effective manner a statement made by President Lyndon B. Johnson that—

> The richest of all the resources in which America abounds is the character of our people—their lively interest in the world, their friendly spirit, their generous hearts and willing hands.

This new organization founded by Mr. Flynn is a most constructive one. I hope that other persons in other sections of the country will become interested in establishing similar organizations in their own community:

CLUB AMERICANA: PEOPLE TO PEOPLE

The President of the United States, Lyndon B. Johnson, has said, "The richest of all the resources in which America abounds is the character of our people—their lively interest in the world, their friendly spirit, their generous hearts and willing hands."

A new organization, whose purpose is to further this resource, has just been founded in Washington, D.C. Its name is Club Americana. It represents America, its people and their culture.

I learned of Club Americana through one of my former Pages—Carey Flynn. It was my pleasure to give Carey a temporary appointment as Page Boy in June of 1962. So well did he assume his duties, that I reappointed him each year until he graduated from Capitol Page School in June of 1966.

The tradition of self-discipline and liberty existing side by side which is really America in action and which is so much a part of the life of a Page Boy on Capitol Hill has played a part in the forming of Club Americana—of which Carey is an officer and his father its founder.

Club Americana already is becoming active in its program of sharing the American way of life with others through the well-known Washington International Center which was established in 1950 to provide an introduction to the United States for visitors from abroad on trips sponsored by the U.S. Government. Club Americana, through its members, will provide "host families" for those visitors, and in some small way, help them understand our country—its life, its customs and its people.

In addition, the Club, as a part of its People to People Program, will invite speakers from the various Embassies here in Washington for talks with its members and thus enable them to understand and appreciate the cultures of other peoples and countries.

Perhaps, in its own way, Club Americana can help solve one of America's most pressing problems—that of trying to live peacefully with our fellow man throughout the world.

This undertaking is worthy of our recognition.

OVERPAYMENT RELIEF FOR CIVILIAN EMPLOYEES OF KELLY AIR FORCE BASE

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. GONZALEZ. Mr. Speaker, I am deeply disappointed that this Congress did not enact my private bill, H.R. 8096, for the relief of various civilian employees of Kelly Air Force Base. Many of these employees were my constituents; some were the constituents of my colleagues, the Honorable O. C. Fisher and the Honorable Abraham Kazen, Jr.

These Kelly employees, through no fault or knowledge of their own, received salary overpayments in recent years. When periodic audits revealed the administrative errors, their pay had already been spent. Repayment would constitute a hardship, for the majority of these employees are in low grades. For some, repayment would be a severe hardship.

On April 5, 1967, I introduced H.R. 8096 for the relief of 57 Kelly employees. Mr. Kazen and Mr. Fisher introduced companion bills. The House committee in its deliberations found that 16 more employees were also overpayed under similar circumstances and added their names to my bill. As amended, the House passed H.R. 8096 on December 5, 1967, and sent it to the Senate. It contained 73 names.

This summer many additional Kelly employees were informed that another audit disclosed overpayments to them also. Mr. Kazen and I agreed to direct our constituents to request the Texas Senators to help add their names by Senate amendment to H.R. 8096, since it was pending in the Senate and the session was drawing to a close.

Finally, on October 10, 1968, after having the bill for 10 months, the Senate passed H.R. 8096, in the adjournment rush. By amendment offered on the Senate floor, 125 more Kelly employees were added to the 73 in the House-passed bill.

On the next day, the Senate-amended bill was received by the House, on the last full legislative day of the 90th Congress. The House committee which originally approved the bill decided it could not get the Senate version approved. With adjournment right on top of us, the bill would have to come up under unanimous consent. The committee staff felt there was no chance to avert the single objection which would kill the bill under the rules of unanimous consent. I checked into the situation carefully, but had to abide by the committee decision, despite my disappointment.

I am forced to admit that I cannot fault the committee's analysis of the situation, which ran like this: the committee member managing H.R. 8096, whoever he might have been, would have been forced to admit—most likely to the official Republican objector—that the majority of the names now on H.R. 8096, the House had not seen before. He would have been forced to admit that the reports on which the Senate had based the amendment had only just arrived with the bill from the Senate; forced to admit that the Senate amendment was a floor amendment, without the authority and deliberation implicit in a committee amendment; forced to admit that some of the dates of overpayment in the Senate amendment did not conform to the House bill as originally introduced; forced to admit, in short, that the House did not have a reasonable amount of time to review a substantially altered bill.

I sincerely regret that the Senate did not act soon enough to give the House any reasonable opportunity to approve the enlarged bill. I have no doubt that the House would have enacted H.R. 8096 if given time for an adequate review

Technically, collection proceedings will be initiated against these 198 Kelly employees, now that the 90th Congress has adjourned without enacting pending relief legislation. However, I have requested the Secretary of the Air Force to continue to suspend collection, on the grounds that the House did not have a reasonable chance to act upon the newly revealed cases of overpayment. Both bodies of Congress affirmed their support of waiving repayment for certain Kelly employees, although not in the required identical form. Congress further affirmed the general principle of waiving Government overpayment claims by enacting S. 4120. I am confident that the 91st Congress will reaffirm these policies, and tie up the loose ends by relieving all 198 Kelly employees who have been found to be overpaid.

Mr. Speaker, I wish to include my letter to the Secretary of the Air Force at this point:

October 16, 1968.

Hon. Harold Brown,
Secretary of the Air Force,
The Pentagon,
Washington, D.C.

Dear Mr. Secretary: I am writing in behalf of the 198 civilian employees of Kelly Air Force Base who are listed in my bill, H.R. 8096, as amended. This bill would have relieved the named employees from claims of the government for salary overpayments that resulted from administrative error.

These 198 employees are not all my constituents; some are represented by the Honorable O. C. Fisher and some by the Honorable Abraham Kazen, Jr. My colleagues introduced and ably advocated companion legislation to H.R. 8096.

These Kelly employees were exempt from collection of the claims against them while the 90th Congress had relief legislation under consideration. Despite the fact that the 90th Congress has adjourned without enacting H.R. 8096, I respectfully request that the Air Force continue to defer collection, for the following reasons.

H.R. 8096 passed the House on December 5, 1967, providing relief for 73 employees at Kelly. This summer additional Kelly employees were informed that another audit disclosed overpayments to them also. These employees requested their Senators to help add their names to H.R. 8096. The Senate finally responded on October 10, 1968, adding 125 new names via a floor amendment. H.R. 8096 as amended by the Senate reached the House the next day, the last full legislative day of the 90th Congress. There was simply not time enough for the House to adequately review a bill which had more than doubled in size since it was last seen. Most of the names in the bill were new.

If reelected, I will reintroduce a private bill in the 91st Congress to relieve all the Kelly employees now found to have been paid too much as a result of administrative error. Since both bodies of Congress have approved relief for certain of the Kelly employees, and since Congress in passing S. 4120 enacted the principle of waiving government claims for overpayment where there is no indication "of fraud, misrepresentation, fault, or lack of good faith on the part of the employee," I request that the Air Force continue to suspend overpayment collections until the 91st Congress has an opportunity to deliberate on relief legislation for all the Kelly employees who were overpaid.

With every respect, I remain
Sincerely yours,
Henry B. Gonzalez,
Member of Congress.

EDWIN E. WILLIS

HON. WILLIAM M. McCULLOCH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. McCULLOCH. Mr. Speaker, I wish to join in the sentiments of my colleagues in paying tribute to Edwin E. Willis as he leaves the House after 20 years of distinguished service to his country and to the people of the Third Congressional District of Louisiana.

One of the great pleasures and privileges of my tenure in the House has been my longstanding friendship with Ed Willis. Our association went beyond mere friendship. It was one born of and nurtured by working together on innumerable legislative matters. Ed's outstanding efforts on the Judiciary Committee are well known. His contribution to our Nation's welfare took many forms. Ed's roles in the committee as third ranking majority member and as chairman of two very important subcommittees—Submerged Lands and State Taxation of Interstate Commerce permitted him to put his many talents to effective use. Ed's dedication to duty was again manifest most recently in the successful results of Ed's 7 years of hard work on State Taxation of Interstate Commerce when the bill finally passed the House in May of this year.

Ed also serves as chairman of the Judiciary Subcommittee on Patents, Trademarks, Copyrights, and Revision of the Laws. We all remember, I am sure, the long and arduous labors that went into the general copyright revision bill that also passed the House in this Congress. Ed was also hard at work on comprehensive revision of the patent law during this Congress.

As if these monumental tasks Ed had undertaken in the Judiciary Committee were not enough for him, his able leadership as chairman of the House Un-American Activities Committee demonstrates but another facet of his service to the Nation.

Ed brought to each of these varied roles great ability, both as a scholar and as a lawyer. Some of you may remember that Ed was a law professor before he came to Washington. His wise counsel and encyclopedic knowledge of constitutional law was constantly available to all of his colleagues on the committee and aided us immeasurably over the years to better discharge our duties as legislators. Ed's absence from the Halls of Congress and in the Judiciary Committee will be sharply felt. But the lasting memory of his contributions and his warm personality will sustain us in his absence. We are also comforted to know that Ed will be back in Louisiana, the land he loves so well, to enjoy those pleasures that have always been postponed under the pressure of life in Congress. You have all our very best wishes, always.

THE EARTHWORM INTELLECTUAL

HON. JOHN DOWDY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. DOWDY. Mr. Speaker, Mr. J. B. McMillan, of Garrison, Tex., has composed a short article expressing the widespread frustration and disappointment resulting from the overcentralization of power in the Federal Government, and the controls being placed on the people by overzealous bureaucrats. I include his article to be inserted in the Record:

The Earthworm Intellectual

Reports from veteran observers from every section of a bewildered Nation, including all major opinion polls clearly indicate stupendous events in the making and foreshadow an approaching avalanche of protest.

And all the while the crescendo of that deep, foreboding thunder of awakening multitudes, coming from and spreading over every nook and cranny of the Great Land, steadily swells in volume and intensity.

The awesome phenomenon of such a vast and belated awakening is reminiscent of the story of Rip Van Winkle, the good-natured, intemperate fellow who, while hunting in the Catskills fell in with a bunch of sailors on a binge and drank himself into sodden, dreamless sleep. When he finally awakened, he was amazed to learn that he had slept for twenty years; that his friends were all strangers and that the world itself had changed so greatly that nothing ever would or could be the same again.

Sadly enough, the American People have far outslept Old Rip. Skillfully trapped in the early Thirties, the People were lulled to sleep by the horde of self-anointed Big Brains then engulfing Washington and known to collective fame as the "Brain Trust." And only now, after keeping the kindly, good-natured American People duped and slumbering for thirty years, they have clearly out Ripped Old Rip, even though they have apparently learned absolutely nothing themselves by all the things they have wrought. But then since the super-geniuses already know all there is to know, how could they be expected to learn anything? And even so, who would dare presume to teach them? The only "teacher" of sufficient stature would seem to be the American Electorate.

And, if the highly skilled forecasters are right, about two-thirds of the awakened voters are thoroughly aroused, disgusted and angry about a whole raft of grievances running over three decades. Among them the break down of law and order; the disgusting coddling of agitators and anarchists; the No Win war in Vietnam; The Supreme Court's arrogant reign of judicial tyranny; the effrontery of the Supreme Court in baldly basing a nation-shaking decision on the biased writing and ranting of a notorious Swedish Socialist; Super-legal "guide lines" from over-zealous bureaucrats in Washington; student violence; chaos in neighborhood schools; Big Government; burdensome taxes and many other abuses.

With all that and much, much more, wouldn't you say that the American People have had about enough? And while fame may be an elusive thing, the Big Brains are certain of a place in history more enduring than marble monuments for they will be remembered by millions as The Earthworm Intellectuals because they stubbornly plough through everlasting night without ever a glimpse of light.

SAMUEL SAKAMOTO, CLUB 100 PRESIDENT, SPEAKS OF FREEDOM AND RESPONSIBILITY

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. MATSUNAGA. Mr. Speaker, sometimes the message of orderly democratic process is drowned out by the voices of the irresponsible and abusive minority of protesters and demonstrators in our Nation.

As we end the 90th Congress, a Congress which, despite frustrations and setbacks, has strived to meet its responsibilities to the American people, I wish to call to the attention of my colleagues a penetrating editorial on the subject of freedom and responsibility.

The editorial is based on the introductory remarks of Mr. Samuel Sakamoto, president of Club 100, an organization of veterans of the 100th Infantry Battalion which won great fame in World War II, as a separate battalion and as the first battalion of the famed 442d Regimental Combat Team, and the address of Brig. Gen. Charles W. Ryder, Jr. As one who served with Mr. Sakamoto in the same unit, under the command of General Ryder's father, Gen. Charles W. Ryder, Sr., I was privileged to hear them deliver their most moving Memorial Day remarks. It is with pleasure and a sense of pride that I submit the editorial from the October 8, 1968, issue of the Honolulu Star-Bulletin for inclusion in the Record:

Responsible Freedom

If today's protestors and dissenters would ask to be understood, it is perhaps only fair that they should be asked in turn to try to understand their critics—the so-called "establishment."

The plea to respect the existing order and to seek change respectfully, not disrespectfully, came recently from a group peculiarly qualified to make such a plea.

Club 100 observed the 25th anniversary of the day their first comrade-in-arms was killed in action in World War II with simple ceremonies at Punchbowl National Cemetery.

Its Nisei soldiers had known discrimination of a severe sort at home, yet they stood up for their country when it was being tested, and came home to fight for and win within the establishment the respect and equal opportunity they so richly deserved.

President Samuel Sakamoto told his fellow veterans:

"You the living veterans of the 100th Infantry Battalion should also be honored. I propose this not so much because by some fate beyond your control you were spared while those around you fell, but because you and your fallen comrades voluntarily and willingly served your country when your country needed you.

"Despite the political, economical and social injustices and indignities suffered by you and your parents prior to and during World War II, you did not protest by sit-ins, sleep-ins, violent demonstrations, burning, looting or other abusive public displays.

"You protested constructively and cooperated with properly constituted authorities.

"You served your country well in contrast to the vocal, violent and abusive minority who protest everything from college administration to the war in Vietnam today."

The principal speaker, Brig. Gen. Charles W. Ryder, Jr., addressed himself with equal directness to the problems of today.

Said he:

"America has a great stake in freedom, and the free world has a great stake in American freedom. Unfortunately, for many people, freedom is an abstraction. It becomes a reality for them only when it is denied to them.

"Like other abstract concepts such as peace and justice, freedom has no meaning except in comparison with slavery, imprisonment, or death. Most of us today do not know what it is to be a slave, or to be imprisoned, or to experience harassment, or to wait for a sinister knock on the door of our homes.

"It is not surprising then, that most of us take freedom for granted.

"With equal danger, many may confuse freedom with carte blanche license. History shows that when liberty becomes license for anybody to do anything at any time, then freedom from want becomes freedom from work—freedom of worship becomes freedom from workship—freedom of speech becomes freedom from truth—freedom from fear becomes freedom from duty.

"Just as there are two sides to every story, so there are two sides to freedom. It can either be used or abused. For it is not enough to have many rights; what is needed is to use those rights responsibly."

PATRICK LAYTON PAULSEN—A PRESIDENTIAL PROGRESS REPORT

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. REES. Mr. Speaker, I need not tell all my distinguished colleagues that 1968 has been a most unusual election year. Candidates have appeared on the horizon; candidates have disappeared over the horizon. Both of our major parties have been rent by internal dissension. We have witnessed the alarming appearance of a genuinely dark force in American political life in the candidacy of George Wallace.

Most of the unusual happenings in this political year have been discouraging and perturbing, but there has been one ray of skewed sanity and morose sunshine in the darkness. This has been provided by the candidacy of Patrick Layton Paulsen, the unchallenged favorite of the Straight Talking American Government Party.

Mr. Speaker, Pat Paulsen slouched over the horizon about a year ago. He began his campaign on the "Smothers Brothers Comedy Hour" in the classic manner, by repeated insistence that he was not a candidate, and that indeed he was spending time and money with his clubs around the country—"honest Americans who are simply supporting a great man"—in trying to discourage their advocacy of his candidacy.

But all in vain. On what Paulsen characterized as "a groundswell of apathy" he was carried by his supporters into a reluctant but effective candidacy. He began with a barnstorming biplane flight in *The Spirit of Orange County* to his ancestral acres in Healdsburg, Calif. He continued with homey and indeed baffling visits to Gov. George Romney of Michigan and Gov. James Rhodes of Ohio. The latter is still attempting to unravel Paulsen's gnomic farewell remark: "For centuries to come, years will pass." It is believed that it was his obsession with this mystery that distracted him to the point where he allowed Governor Wallace to slip onto the Ohio ballot.

In the course of his "annus merabilis," candidate Paulsen has made some revolutionary breakthroughs in the political art. We have always thought that testimonial dinners must pitch their appeal in round numbers—say $100. This is no longer so. In my own Beverly Hills, while I labored unawares here in Washington, this charisma-laden phenomenon turned out the piety and wit of Hollywood at Ontra Cafeteria for an 89-cent spaghetti dinner. The proceeds he then cunningly turned over to Colonel Glenn's Committee for Emergency Gun Control Legislation. He even lured two political sachems of redoubtable magnitude, Jesse Unruh and Alan Cranston, to his dais, where they traded merry quips with my constituency through a bacchanalian evening.

Not content with his coup de main on my turf, this relentless campaigner repeated his triumph—at the same low price—in a Horn & Hardart Automat in New York City, with Paul O'Dwyer dancing attendance.

And he has uncovered yet other truths about campaigning hitherto hidden from view. The value of endorsements by the fair sex: Nancy Ames has admitted: "Pat Paulsen turns me on."

Campaigning at a profit. "Only a dummy," Paulsen avows, "will spend $30 million trying to get a job that only pays $100,000 a year." But with a plethora of campaign merchandise that covers the entire range of human activity, Paulsen succeeds in selling this gimcrackery. As he puts it, with eloquent simplicity, "I am in this campaign to bring my philosophy before the American people—and to pick up a few bucks on the side." Those of us who have gone out to our supporters' cars, cleaned the chrome and affixed the bumper stickers ourselves will weep with frustrated envy.

Why is this candidate not like any other candidate? Perhaps because he summons up so many memories of great leaders from the past, and yet outdoes them—more dynamic than Millard Fillmore, better organized than Martin Van Buren, prettier than Chester Arthur, and almost as sexy as Grover Cleveland—here he stands, with a franchise that extends to all of us who know that a sense of humor may be what actually saves us from the fire next time. Patrick Layton Paulsen—the name trips from the tongue like the ripple of the broad Pacific over the candidate's birthplace at North Cove, Wash., now marked only by a buoy. Patrick Layton Paulsen—for having made us laugh when otherwise we would have cried, our salute and our thanks.

COLUMBUS DAY

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mrs. KELLY. Mr. Speaker, it can be said without exaggeration that today, as never before in history, the occasion of Columbus Day is one of high significance to the people of the New World. The reason is clear: That today, as in the lifetime of Columbus, the minds of men are groping for new concepts, new vistas, new horizons. As ever, the outer limits of space stir the imagination of all mankind; yet now, finally, the exploration is no longer tentative; it is at hand; the impetus to search is ours; the search itself at last is on.

In the footsteps of Columbus, the scientific leaders of today have thought us through to the point of action. Again in the manner of Columbus, our stalwart spacemen supply the stamina, the nerve, the forthright determination, to act upon the evidence and penetrate, without further delay, the great and vast unknown.

When, in 1492, Columbus probed the mysteries of the Western World, he well may have acted with a sense of hope extending far beyond the economic goals involved. Columbus was, after all, a man of political ability, acquainted with kings and queens, and governmental leaders of every kind. As such, he recognized the true condition of Europe in those dread, distressing times. The Ottoman Turks had just finished the destruction of the Byzantine Empire, overrun the Balkans, and jeopardized the fate of Austria. Emperor Frederick III had been driven from his Austrian lands by the Hungarians and now was in retirement. The War of the Roses had rent the heart of British nobility and the Houses of York and Lancaster were in shambles. Such were political conditions when Christopher Columbus set sail for the New World, in 1492.

Is it too much to assume that as a man of political sensitivity, he hoped to ease the troubles of the Old World as much as seek the riches of the New?

In the same manner today, surrounded by worldly problems monumental in nature, we forge ahead, investigating the greatest mysteries of space and time. Some protest, of course, and criticize the move, proclaiming it impractical. But what of that? There were many who regarded the acts of Columbus in the same light; who asked in irritation, what in heaven's name anybody ever expected to find on the other side of the world? What Columbus did find, of course, changed the fate of millions of living beings, at the time, and countless more with the passage of the years.

Paradise was not, of course, the result of Columbus' discovery. Indeed, in certain respects, the world became at once more disorderly, as the leaders of European lands struggled for control of the newly found riches of the West. World troubles have persisted since 1492, without doubt.

And yet, it was his work, his vision, his dream that brought about creation of the great American colossus of the West: the land of liberty; the land of plenty; the land of just designs, in which equality, if not yet accomplished, is nonetheless two-thirds accomplished, and moving resolutely toward fulfillment.

Riches were here; not merely in terms of gold and other precious objects, but more than that: Here was land and opportunity, and best of all, a chance to escape the mistakes of the past and begin anew.

Who can say that this is not the case today, with respect to the once impenetrable universe, nearer to us at this moment than ever before.

The spirit of Columbus still lives and burns bright in all of us. After many years of struggle the Congress finally enacted legislation in the 90th Congress declaring October 12 to be a legal holiday. In addition the law—Public Law 90-

363—provides uniform annual observances for the following holidays; George Washington's Birthday, Memorial Day, Columbus Day, and Veterans Day. This law becomes fully effective in 1971. Although I had introduced separate legislation declaring October 12 to be a legal holiday, I supported the final legislation and I am proud to have played an active role in this successful effort.

CONFERENCE REPORT TO ACCOMPANY H.R. 14096

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. HALL. Mr. Speaker, I object in principle, to the conference report on H.R. 14096 as submitted; because of amendment No. 5 which changes the names of the National Institute of Neurological Diseases and Blindness to the National Institute of Neurological Diseases and Stroke. I regret that the conferees on the part of the House receded because these two words are redundant, since any type of stroke of necessity and by definition affects the brain which is the seat of all neurological disease. Second, it gives undue emphasis to the condition of cerebral occlusion at the expense of other disorders and diseases of the neurological system. I fear this was done either as a penchant of a very tired person as a memorial, or to emphasize the lack of "breakthrough" as compared with heart and cancer; the sum total of which are the "big three" for emphasis of the "Great Society."

Most damning of all, Mr. Speaker, is the fragmentation of institutes under the National Institutes of Health. Currently, ear, nose, and throat specialists work happily and satisfactorily in the National Institute of Neurological Diseases and Blindness. Recently we have established an Institute of Ophthalmology at an anticipated expense to the taxpayers of $800,000 per year, although certainly, the eyes are special end organs of the brain and all are neurological tissue. What is to keep the ear, nose, and throat people from wanting an additional institute of their own?

I want to make it perfectly clear that I think the amendment to increase penalties for unlawful acts involving LSD is timely and appropriate. Indeed, with the "doctors in the House" we provided the naval film for all Members and their staffs, pointing out the noncontrollability of this drug even in the hands of prescription writers, to say nothing of the delayed aftereffect. It is only the obvious need for this legislation that allows me to go along with this conference report with the "and Stroke" new name tacked on to the National Institute of Neurological Diseases, but I certainly hope and pray that when the "lame ducks" are gone, and when the new Congress under a new administration convenes, that the Committee on Interstate and Foreign Commerce will take a look at all of the Institutes of the National Institutes of Health and perhaps oversee a reorganization, as well as a proper naming.

PROS AND CONS OF THE WEST FRONT EXTENSION

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. SCHWENGEL. Mr. Speaker, I cooperated in making available to Kathryn Smith of the Washingtonian magazine material for the article on the pros and cons of the west front extension and rebuilding project of the Capitol. In a measure, it was worthwhile because it did reflect some of the pertinent ideas which I thought were feasible. However, the person interviewed to treat the opposition to the project was lacking in knowledge so I have written the following letter with the documented corrections of the statements made in opposition.

So that Members of Congress, at least, may know the facts, I am herewith submitting it to the Extensions of Remarks of the RECORD as the true facts will be known about this very important development:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 14, 1968.

EDITOR,
The Washingtonian Magazine,
Washington, D.C.

DEAR SIR: Enclosed herein is an analysis evaluation and list of corrections that should be made in the article that appeared in the September Washingtonian Magazine, under the title of "The Great West Front Imbroglio".

I think this is so serious and the untruths so blatant that this should be published in full in your fine magazine, because I am sure you want people to make judgment based upon the true facts rather than misconceptions, mistakes and misjudgments.

Sincerely yours,

FRED SCHWENGEL,
Member of Congress.

P.S.—I am having a copy of this put in the Congressional Record, so that the Members of Congress, at least, will know.

RE WASHINGTON ARTICLE, SEPTEMBER 1968, "THE GREAT WEST FRONT IMBROGLIO" BY KATHRYN SMITH

I read with great interest the article entitled, "The Great West Front Imbroglio." While I think it made some contributions to a better understanding, I was amazed at the material that the writer used from quotations by one who was opposed to the West Front extension. In writing any article, the writer should check out the truth before it is published. Unless the truth of the story is told, there cannot be a proper appraisal and judgment made by the readers.

There are very many mistakes and half-truths that need noting. It is my hope that you will check the following notations on my part and if you find them, as I know them, to be true then you will publish them.

For instance, page 39, paragraph 1, she says, ". . . The terrace would be considerably widened and windows would be added for the restaurants . . ." The plans clearly show that the overall terrace will not be widened at all. Only the central portion of the terrace which extends westward will be widened a very small amount. The present area of the terraces is 105,350 square feet. The area of the terraces including the slight enlargement will amount to 116,020 square feet or a 10 percent increase. This certainly is not a considerable enlargement.

Further, by checking the design in the Architect's office, six of the windows that would serve the restaurants would correspond to the existing windows in a similar location in the present central portion; however, a few additional windows will be added. No windows will be added in the main terrace areas and these walls will remain as solid stone walls as designed by Olmsted.

Then on page 39, last paragraph, reads, ". . . The American Institute of Architects believes that if we want to preserve the present wall, Our technology, wealth, and will would be adequate to meet the challenge . . ."

But the AIA does not recognize the fact that the west central half of the building between the present Senate and House Wings would have to be vacated during a period of some 5 to 10 years for such an operation, as these walls support the brick floor arches and such arches would have to be shored.

Now, how badly damaged is the west wall? On page 40, paragraph 6, she states, ". . . Proponents say the four crossed-timber braces now supporting the west portico. . ." This is my mistake, there are actually five such supports.

On page 40, paragraphs 7 and 8, it reads in part, ". . . The American Institute of Architects in a 1966 report on the condition of the wall agrees that the West Front has cracks, slipping keystones, and sagging masonry . . ." Then it adds that ". . . none of these appears to indicate that danger of collapse is imminent or that correction is impracticable . . ." I have it on unimpeachable authority that a group from the AIA inspected the West Front one afternoon about two years ago accompanied by an engineer. One of our engineers who accompanied the group asked their engineer whether he thought this wall could successfully be restored or replaced. Their engineer replied he thought it could be done but that he would not want that responsibility.

Then according to page 40, paragraph 10, ". . . The AIA also suggests that the dramatic appearance of much of the damage in 1966 was caused by the Architect's failure to fill the cracks or paint the wall since before the Kennedy Inauguration . . ." In all fairness, it should be noted that the Architect did request the funds for the referenced work after the normal time interval since the last painting. He was denied the funds on the basis the West Front extension might be proceeding soon.

In paragraph 11, page 40, we read that ". . . D. W. Kessler, former chief of the National Bureau of Standards building-stone section. . . . also said that scaling the stone down half an inch would make the wall as good as new . . ." This according to the testimony of the best architects I know is the most absurd statement made yet. If this were a simple plain facade with no ornamental projections, this might be possible, but how does one scale down by one-half inch the acanthus leaves on the Corinthian column capitals when much of this stone detail is less than an inch thick. One-half inch off of the front and back of these leaves would leave nothing. Likewise, how would one scale back the detail of the cornices, its dentils, eggs and darts, and leafed brackets, etc., not to mention moldings which would be emaciated to an insignificant nothing, totally unrelated even if possible to any known form of classical detail and certainly unrelated to the architecture of Thornton, Latrobe and Bulfinch. The resulting condition would be worse than the existing in that details would be cut down to the thickness of papier-mache, certainly too thin to permit such cutting back of existing standstone. Even if it were possible, this would not solve the problem of the cracked stones as many of these cracks would recur as the walls continue to open and close due to expansion and contraction from the heat of the summer and the cold of the winter, and lack of existing expansion joints. As in the case of refacing, this would not be a solution as expansion joints could not be built into an existing wall which is bonded to the interior arched floor construction.

Can it be fixed and for how much? On page 40, paragraph 7, we read, ". . . In 1966, the Fine Arts Commission, formed in 1910 to advise the President and Congress on art, commissioned an independent structural expert to study the five-volume Thompson and Lichtner report. He indicated that it would be 'feasible,' even though difficult, to restore the original walls or to practically rebuild them . . ." But the Fine Arts Commission ignores statements made by their own engineer such as "occupancy of most of the building would be impossible," his agreement with our engineer that extension "would be the least hazardous and would cause the least interference with occupancy," that refacing would require the existing wall to be "dismantled completely, facing and back-up from top to bottom." Even if rebuilding were possible, it would no more be the original wall than the proposed extended west front wall.

Then on page 40, paragraph 8, ". . . In September 1966, AIA president Charles Ness appointed a five-member task force of architects to go into the whole matter thoroughly. President Ness said that if their findings supported extension, 'I think we are big enough to change our position.' After extended study, the task force concluded that 'no evidence has been produced that would make impracticable the restoration of the west wall in its present form.'" (Nes—Correction supplied). This, however, is not a statement of fact because the problems of restoration were carefully explained by the Associate Architects and representatives of the Architect of the Capitol, e.g.: (1) Due to many many cracked and deteriorated stones, the majority of the stones would have to be replaced; (2) Some of the stones are 3′-0″ and more in depth, act as bonding stones between the inner and outer faces of the walls, which, if removed, would require removal of many if not all the stones above, as in case of the belt course at the principal floor level and the main cornice under the roof balustrade. Since the core of these walls is of very poor quality such an operation would be hazardous; and (3) Cracks would recur since expansion joints could not be built into an existing wall as previously explained in one of the foregoing comments.

Also on page 40, paragraph 9, the statement is made that ". . . The AIA subsequently pointed out that such restoration work has been done extensively in Europe and that techniques have been developed there to deal with just such problems of stress and load as are presented in the west wall. Past AIA president Morris Ketchum cited the renovation of several Wren churches, including St. Paul's in London, which have the same system of arches as the West Front. Furthermore, the AIA says the Capitol's west wall, which is filled with loose material between foot-thick sandstone, could be made solid by pumping liquid cement grout into the wall under pressure. . ." But a further study reveals that we must differ with the former AIA president that "St. Paul's in London has the same system of arches as the West Front." One has only to look at a cross section of the two structures, to see that the only similarity to be found might be in the crypt or basement level below the Nave floor. But one must remember the church was built over a period of 35 years as a single entity. It did not have a larger dome added at a later date. It did not have terraces added on the downward slope of a hill at a later date. It was designed and supervised by a single great architect and one master mason followed the entire construction. The mechanics employed in St. Paul's were far superior to those available in our infant nation when our Capitol was built. The stone material used was likewise superior to what was then available in our young country at the time our original Capitol was built. Pumping liquid cement grout into the wall under pressure would cause damage to interior decorated plaster walls and ceiling.

And on page 41, paragraph 1, we are told that ". . . Extension opponents also challenge the statement that sandstone to match the original is no longer available. In 1966 the owners of Aquia Creek Quarry near Quantico, the quarry which supplied the original stone, offered replacement sandstone for the west wall free except for the cost of quarrying it . . ." The fact is that the Architect's office was also approached by the owners of the quarry who claim they supplied the original stone. We were furnished with a sample of what they can supply. This stone sample is wholly unlike anything we have seen in the Capitol. The stone is even more inferior to the existing sandstone in the Capitol and is full of inclusions. It is certain that they would have submitted the best sample they could lay hold of, leading to the suspicion that the remainder of the material would be even of lesser quality. It is further suspected that in view therefore, the quarry has long since been spent of its better stone. Still further, it is doubted that cubic stock of sufficient sizes to match existing stone sizes can be furnished. It is also doubted that the quarry that furnished the recent sample is the same quarry that furnished the original stone for the Capitol.

Paragraph 3, page 41, it is asserted that ". . . In 1966 both houses of Congress passed legislation stopping work on the West Front until an independent study of the cost was undertaken and completed . . ." This is a false statement. Congress has not "passed legislation stopping work on the West Front." On the contrary, in October 1965, Congress appropriated $300,000 for preliminary plans, a model, and cost estimates, in accord with Plan II approved by the Commission in charge. If funds were made available now for the construction work, it could proceed immediately. No funds have been requested for construction. In published hearings before the House Committee on Appropriations in December 1967 when committee members asked the Architect's representatives why funds had not been requested, the following was stated: "I believe in all fairness, though, that this so-called economy wave in the House is what has kept the Commission from acting this year and directing us to go to you and ask for $34 million which is the amount involved."

On the need for space. The AIA sums up on page 41, last paragraph, that ". . . There is obviously a limit to the amount of space which can be added to the Capitol if it is to retain any resemblance to its original form—or even to the present building. Congress will presumably decide at some point not to make any more additions. We believe Congress should make that decision now . . ." It should be noted that the extension in question is similar to one which has been under consideration for almost 100 years. It was first recommended by the Fourth Architect of the Capitol, Thomas U. Walter, one of the Founders and Second President of the AIA. It was obvious to Mr. Walter that having added the larger dome and new Senate and House Wings the original composition had been adversely affected and to correct this aesthetic imbalance, the east front and the west front should be extended to once again place the building into a proper architectural composition. If done, this should be the last extension to the Capitol.

A museum or a functional building? There is a statement, page 42, paragraph 7, that reads, ". . . The AIA agrees: "The work of these significant American architects would seem important to keep in a world in which we are losing many of our original resources in buildings and nature.' . . ." However, the record shows that the AIA vacilates on this subject. In 1957, when the AIA was opposing the East Front, it publicized that it had a plan for extending the West Front (Washington Post, dated August 13, 1958, page A-15: "The AIA has a plan for providing much extra space by extending the West Front.")

Mr. Walker who was honored by the AIA by being given the Gold Medal for the Architect of the Century also opposed the East Front Extension and recommended the Extension of the West Front: ". . . everything that would be obtained by the predetermined plan . . . that of moving the east front and also extending the wings, could be accomplished much more pleasantly, esthetically and efficiently by the reconstruction of the west front which has no great historic significance."

Also on page 42, the author writes that ". . . While Schwengel insists that the West Front extension 'finishes' the Capitol, opponents can still hear Speaker Rayburn saying in 1958, 'We are not going to touch the West Front.'" The fact is that in view of the opposition raised regarding cost, Speaker Rayburn advised the Architect that he would support the Extension of the East Front and leave to others the extension of the west front at a later date.

On personalities and procedures. On page 43, we note the following quote, ". . . The defenders do say that a number of architects who can design in the classical Greek style desired are very few . . ." The inference here is that the exterior of the Capitol is of classical Greek style. This is incorrect as it derives from the English Classical Renaissance, along Palladian lines. However, the interiors of the old Capitol designed by Latrobe and Bulfinsh after the fire of 1814 are of the Greek Revival Period.

Then on page 43, paragraph 4, it relates that ". . . For months after West Front plans were complete, Stewart refused to show them to anyone except commission members . . ." This is a ridiculous criticism. This procedure is normal in any professional architect's office. Does anyone know of any architect who publicizes drawings for a project before showing them to his client? Furthermore, the Commission held a press conference immediately after its meeting of June 17, 1966, at which all information, pictures, drawings, etc., were made public and released to the press. The AIA could have had the information just for the asking.

The statement, page 43, paragraph 6, last sentence, reads, ". . . The AIA says that the claim that the same architects must be used because so few know classical design is 'absolutely and completely fallacious.'. . ." My answer is that one has only to look at current architectural publications, and talk to deans of schools of architecture to find that this statement is not so fallacious. Classical design is not now being taught nor is it being used in current practices except in minor instances.

Esthetics. On page 57, paragraph 2, ". . . The proponents also use the AIA's past statements to support their point. In 1958, while opposing the East Front extension, the AIA argued that 'the real needs of Congress could be best cared for by extending the building to the west where there is no great architectural masterpiece to be preserved.' The AIA answers that this was the opinion of an AIA member, never an official statement of the institute . . ." Memo No. 178, an official document of The American Institute of Architects, Washington, D.C., January 27, 1958, states: "It is believed that the space requirements could better be filled—at far less cost—by leaving the east front alone and instead developing a proposed scheme for expansion on the west side of the building."

On page 57, paragraph 5, reads, ". . . McLaughlin spent a month in the Office of the Capitol Architect studying the history of the West Front. He argues in an unpublished manuscript that Stewart's extension would significantly change the West Front, to its esthetic detriment. He urges the publishing of photos of the extension model from all angles, not just from the straight-on view always presented by the Capitol Architect . . ." McLaughlin spent a month in the Architect's office for the purpose of compiling unpublished material on Frederick Law Olmsted, landscape architect, and a history of the Capitol Grounds. He did not ask nor was he given any material on the proposed extension of the West Front. McLaughlin is not qualified to speak on the matter of esthetics concerning the architecture of the proposed West Front, as he has never studied architecture or landscape architecture and is a Professor of American Civilization at American University. Why quote a history professor on landscape architecture? Since the author has quoted so freely from the so-called report on the AIA, why should she not logically have checked into the position of the American Society of Landscape Architects? The ASLA examined the west extension plans and made suggestions which were accepted. ASLA then agreed to take no position on the extension project "in view of the fact that it has been in preparation for years with private and public knowledge and approval, and is in the hands of eminently qualified professional persons of high standing in their own organizations." The ASLA could not foresee any of the dire consequences envisioned by the professor. This fact puts the professor's comment in proper perspective. The Architect of the Capitol has no responsibility as to what views of the proposed extension are shown. There have been numerous photographs taken of the model and the choice has been that of the press.

Further, at top of page 58, she states, ". . . McLaughlin contends; the extension, he believes, will destroy a work of art . . ." Many prominent architects and others knowledgeable about the proportions, composition and details of classical architecture contend otherwise. They state the west central front is the least successful side and has a rather undigested look.

On page 58, paragraph 2, reads, ". . . Olmsted, in his writings, made it clear that he would have opposed the proposed semicircular service entrance . . ." (Olmsted—Correction Supplied). This is mere conjecture on McLaughlin's part. Does Mr. McLaughlin think that Olmsted would have preferred having the garbage trucks and delivery trucks in full evidence on the east front at the Senate and House Wings where the sidewalk lifts are located or have this service handled through the use of properly screened driveways on the west side, with trucks loading and unloading under the building concealed from public view?

In conclusion, the author of this article has attempted to give the impression that she was trying to be fair by representing the causes "for" and "against" the extension project, but it is obvious that in almost every instance she has researched the cause against more thoroughly than the cause for. Her article leaves much to be desired in factually and fairly presenting the case for the project. She could have included quotes from Thomas U. Walter and many other illustrious greats among the classical architects since Walter who have felt the West Front should be extended to complete the composition of the Capitol altered by the addition of the present larger dome and the present Senate and House Wings more than 100 years ago.

LOUIS A. TRAXEL SPEAKS ON RIOT CONTROL

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. COLLIER. Mr. Speaker, each of us is affected by the ideas and teachings of various men with whom we come in contact throughout life. Important to me was a man named Louis A. Traxel, my high school journalism instructor.

Since that time Mr. Traxel has moved to Washington, is now a practicing lawyer in the District of Columbia and has argued cases before the Supreme Court. He is also a member of the bar in Illinois and Michigan and has had wide experience in both private business and the government.

Thus it was with keen interest that I noted a speech by Mr. Traxel before the Institute of Criminal Justice in Chicago recently in which he discussed a key issue facing the Nation today—law and order.

To be brief, Mr. Traxel called for a better organization of police departments to cope with civil disturbances, better training for National Guardsmen in handling disorders and a speedup in the legal processes necessary before Federal troops can be called into riot situations. But Mr. Traxel's major theme is that the heart of any situation is the ordinary patrolman.

Mr. Traxel said:

> How well he is trained, how well he understands his job, how well he is briefed and how well he is led, spells success or failure in his assignment, and he must be backed by his superiors, by the prosecutors, by the courts and by the public.

I was so impressed by his remarks that I insert into the CONGRESSIONAL RECORD the following article from the Georgetowner newspaper here in Washington which reports on Mr. Traxel's Chicago speech:

LOUIS ALEXANDER TRAXEL SPEAKS ON RIOT CONTROL

"A minor civil disturbance is similar to a small fire. If it is not checked immediately, it will get hopelessly out of control," said Attorney Louis Alexander Traxel at the Institute of Criminal Justice in Chicago on July 25 before some 120 police administrators. The institute, sponsored by the Chicago-Kent College of Law, held a three day session on Riot Control. Mr. Traxel, past president of the Georgetown Citizens Association and a member of the Seventh Precinct Police Advisory Committee, spoke on "Riot Control—Peaceful Restraint Through Force."

"Just as a bucket of water is useless in putting out a small gasoline fire, so is one police officer powerless to quiet a mob of 100 rioters. The area must be saturated with a force of uniformed personnel sufficient in number so that there will be no question in the minds of the rioters as to who will control the situation. If this control is achieved, it will not be necessary to use night sticks or firearms to safeguard life and property," he continued.

"Since the pattern of recent riots in most American cities indicates organized leadership, police departments must be better organized in order to meet this challenge. Even though most police departments have special riot details prepared to handle outbreaks, most of them do not have personnel adequate in numbers to saturate a troubled area. Recalling off-duty policemen may be helpful for a few hours, but these men usually have not had a good night's sleep and will be handicapped by fatigue. The national Guard should fill the role adequately if its members have been deputized beforehand, trained for riot duty, and kept on a constant semialert. Members of the Guard work at jobs and the time lag between call-up, assembly at the armory, briefing of the situation and actual deployment to the troubled areas may be more than 12 hours as was demonstrated in Washington and other places this year."

"The use of federal troops would be ideal in an escalating riot because they are stationed close to most large cities, are trained for riot duty and are immediately available. However, the procedures for certifying to the President that local and state forces are unable to contain disorders are so cumbersome that, as in the case of the National Guard, too much time elapses before they can be used to restore peace and order. New laws and regulations should be established to speed up the process."

Attorney Traxel stressed the fact that convenient distortions of definitions of dissent and protest into "civil disobedience" by civil rights leaders, clergymen, war dissenters and radio and TV commentators have been responsible for many of the riots. Civil disobedience is the open, willful breaking, by an individual or a group, of a law which that individual or group believes to be unfair or unjust with a view toward effecting its change, or the commission of a similarly unlawful act in order to influence government policy. Dissent and protest are lawful means of disagreement. In tolerating and often encouraging certain forms of civil disobedience, we have wittingly walked a fine line between individual liberty and anarchy because of our belief that the freedom of each person to say and do what he feels is right is paramount. But we must not allow freedom to become license, and the right to say, read and hear what one wants does not bear with it the right to ignore the rules completely.

Mr. Traxel quoted Dr. Robert E. Fitch of Pacific School of Religion who said: "Permissiveness and laxity in our society is making it more and more easy for anyone to resort to violence. People know they can get away with violence and disobedience to the law whether they are Black Panthers or the Ku Klux Klan. Where penalties are withdrawn, people are going to do as they please. What we need now is a national leadership that can engage the loyalty and the commitment of the American people to a restoration of law and the democratic processes."

He also called attention to a recent statement made by Attorney Earl F. Morris, president of the American Bar Association: "Some commentators have characterized the American Revolution and the events leading up to it, especially the Boston Tea Party, as "the greatest incident of civil disobedience of them all". Our Revolution however, was an attempt not to change the law within the existing government structure but to overthrow that government. Therefore, it neither falls within my working definition nor offers a valid parallel with contemporray acts of civil disobedience. Perhaps the most significant application of the rule of law and surely the most timely in our present context—is the concept that each of us must comply with the law if we are to have an ordered society in which rights and responsibilities are concomitant. An ordered society cannot survive—and ours, strong as it is, will not survive—if each individual may determine which laws he will obey and with impunity flout those he finds distasteful."

Traxel closed his talk by saying: "Fundamentally, it is the police officer who has the responsibility to maintain law and order and to protect life and property in society. No one questions his responsibility, but more and more people question his authority and how he uses it. Shall he protect life at the expense of property or property at the expense of life? To many reasonable people, the question revolves around the relationship between the property and the life. If a police officer saw a child in a burning building, he would save the child and then turn in a fire alarm to save the property. On the other hand, if he witnessed a bank robbery, it would be his duty to apprehend the felon with his loot by using whatever force a reasonable man would use."

The guts of any police department is the patrolman. How well he is trained, how well he understands his job, how well he is briefed and how well he is led, spells success or failure in his assignment. And finally, he must be backed up by his superiors, by the prosecutors, by the courts, and by the public.

HEARINGS OF THE SUBCOMMITTEE ON ADVANCED RESEARCH AND TECHNOLOGY OF THE COMMITTEE ON SCIENCE AND ASTRONAUTICS ON AERONAUTICAL RESEARCH AND DEVELOPMENT HELD BETWEEN SEPTEMBER 24 AND OCTOBER 3

HON. KEN HECHLER

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. HECHLER of West Virginia. Mr. Speaker, I received the following letter from the Honorable CLINTON P. ANDERSON, Senator from New Mexico, who is chairman of the Senate Committee on Aeronautical and Space Sciences. Senator ANDERSON made several comments upon the subcommittee hearings which follow:

U.S. SENATE, COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES,
Washington, D.C., October 11, 1968.

Hon. KEN HECHLER,
U.S. House of Representatives,
Washington, D.C.

DEAR KEN: As you know, the Senate Committee on Aeronautical and Space Sciences has for some time been concerned with the adequacy of the level of aeronautical research and development in the United States. Our aeronautical system contributes significantly to our nation's transportation capability, employment, the Gross National Product, and accounts for a large percentage of our favorable balance of trade (44% in 1967). It is imperative therefore that NASA's aeronautical R&D effort follow a policy and operate at a level that will assure the continuation of these benefits to our economy.

Naturally, then, I was quiet interested when you wrote to me earlier this year telling me of the hearings that your Subcommittee intended to hold. The professional staff of the Committee has followed those hearings closely and I was delighted to learn that your approach and your interests so closely paralleled those of the Senate Committee on Aeronautical and Space Sciences. I want to congratulate you on a fine job. The joint efforts of the House and Senate Committees are complementary in helping to develop a still better aeronautical research and development policy for our country.

With warm regards, I am

Sincerely yours,

CLINTON P. ANDERSON,
Chairman.

INDIANAPOLIS ANTICRIME CRUSADE AND CITIZENS' FORUM: HOW A CITY HELPS ITSELF AND ITS CITIZENS

HON. WILLIAM C. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BRAY. Mr. Speaker, the October 22, 1968, issue of National Review carries an article entitled "Volition in Indianapolis" by the prominent author and columnist Russell Kirk. As Mr. Kirk describes, the Anticrime Crusade, under the leadership of Mrs. Margaret Moore, and the Citizens' Forum, under the leadership of Mrs. Mattie Coney, have worked miracles in making a major American city a better place to live.

Mrs. Moore's and Mrs. Coney's examples could well be copied by other cities in our country. I am proud to commend the following report on their work to the attention of all:

VOLITION IN INDIANAPOLIS

Although it is better known for velocity than for volition, the capital of Indiana is a conservative city which retains a good deal of its old character—particularly the American and Hoosier talent for creating voluntary associations to make unnecessary what Professor Frank Tannenbaum calls "the evil benefits of the welfare state." Indianapolis long has known what Dr. Daniel Moynihan discovered only last year: that our cities cannot be governed from Washington.

Like every other big town in this country, Indianapolis has been ravaged ever since the Second World War by downtown blight. Yet Indianapolis has retained powers of recuperation superior to those of many cities. The two Pulliam newspapers, the *Star* and the *News*, are more imaginative and more ready to furnish leadership than those of most places the size of Indianapolis; a young Republican mayor, Mr. Richard Lugar, well-educated and vigorous, was elected last year; and there emerged providentially upon the usual scene of urban decay some very unusual citizens who have undertaken a grand work of restoration. Women have been especially eminent in this labor.

Among them is Mrs. Margaret Moore, prime mover in the Indianapolis Anti-Crime Crusade, which has taught clubwomen and others the art of making the city a safe place to dwell, and co-author, with M. Stanton Evans, of *The Law Breakers*. The General Federation of Women's Clubs is carrying throughout the land Mrs. Moore's model program for law-stiffening and court-watching, street lighting and neighborhood clean-up, school dropout-saving and police improvement. The rate of crime has diminished perceptibly in Indianapolis, through the cooperation of the Crusaders and the city administration.

Some months ago, I made the acquaintance of another remarkable Indianapolis woman, Mrs. Mattie Coney, leading light of the Citizens' Forum, Inc. Mrs. Coney is witty, indefatigable, and a Negro. Helped by her husband, Mr. Elmo Coney—who left his own business for this good work—and by a slim budget from the Lilly Endowment principally, Mr. Coney has engaged in teaching people to lift themselves by their own bootstraps. Loving her country, she acted on Burke's principle that "for us to love our country, our country ought to be lovely."

The most successful undertaking of Citizens' Forum has been the vast cleanup of inner-city—indeed, some outercity—neighborhoods. Mrs. Coney and her colleagues now have about 770 active book-clubs, whose purpose is to improve residential areas, get people to know one another and cooperate, inculcate manners and morals, teach respect for schools and teachers, counsel the puzzled and distressed, and bring about harmony among white and black.

Although most of the officers of Citizens' Forum are Negroes, the general membership of this bi-racial organization consists of approximately equal numbers of white and Negro citizens. Were a hundred more organizations such as this formed throughout this country, we would know genuine urban community once more.

After all, any large reforms begin by brightening the corner where we are. Citizens' Forum begins literally in that fashion, clearing away the junked cars and refrigerators, bringing in teen-agers and clubwomen to tidy whole streets, developing neighborhood self-respect and therefore personal hope.

"Bad neighborhoods develop because individuals fail," Mrs. Coney says. "Negroes must change their environment by their own efforts. If I am a sloppy, dirty, noisy, rowdy neighbor in one part of town, I will be the same in another neighborhood. You just do not get culture on a moving van!"

Love of neighbor and love of country are the Coneys' first principles. It is sufficiently ironical that the ideologues' schemes are financed liberally out of federal grants and foundation benefactions, while Citizens' Forum does its far more benign and effective work out of the most slender of purses—not that the Coneys would accept largesse from the federal treasury, that being contrary to their whole understanding of voluntary community. Far from desiring power, the Coneys stand for freedom.

"I am very much alarmed about the lack of teaching in our schools of courtesy, discipline, punctuality, and truthfulness," says Mrs. Coney, who had three decades' experience as an inner-city teacher. "I wish schools would teach that freedom is not free. You work at it from the time you are born until the time you die. Our schools must teach that someone must pay the bill for everything. The idea of expecting a 'Great White Father' to hand one something for nothing has created a class of irresponsible welfare slaves. We must get rid of the idea that all one needs is to satisfy one's gullet, get drunk, have children, and throw them out into the community to let someone else care for them."

On the sound principle that one doesn't literally cut someone he has been introduced to, Elmo Coney gets neighbors, previously anonymous, to shake hands and tell one another their names. The mugger, as he points out, is not ordinarily a murderer; and not only would it seem rude to cosh someone you have met, but it would be impolite—since he would know your name, and remember you.

Citizens' Forum gives all sorts of help freely. The address is 3211 North Illinois Street, Indianapolis—an obscure store-front amidst the blight. Membership is $1 per year. This is only a candle in the urban jungle, but it burns with a clear religious light.

TRIBUTE TO HON. CHARLES A. HALLECK

HON. WILLIAM M. McCULLOCH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. McCULLOCH. Mr. Speaker, the retirement of CHARLES A. HALLECK after 33 years of loyal and distinguished service to his country and his party fills me with emotion. My friendship with CHARLIE began almost as soon as I entered the

House almost 22 years ago. It has grown stronger with each passing year and I am saddened at the prospect of his departure from the Halls of Congress.

CHARLIE HALLECK takes with him as he leaves the House the satisfaction of long and able service. More than most of his colleagues, CHARLIE has participated in the making of our modern history. His service in the House both as majority leader and minority leader and his contributions to responsible lawmaking and to Republican Party progress are landmarks in American history.

CHARLIE's courageous leadership in the controversial areas of labor legislation, international relations, foreign affairs and human rights testify to his stature as a great national figure.

The preeminence to which CHARLIE rose was not surprising for he brought with him to Washington considerable talents. His record as an outstanding trial lawyer in Indiana was well known. His eloquence on the floor and forensic talents are sure evidence of his courtroom skills. But behind that silver tongue is also the mind of the scholar. CHARLIE's academic career bears the hallmarks of excellence. He is a member of Phi Beta Kappa and the lawyers among us especially will note the significance of his membership in the Order of the Coif.

We will miss the keen mind and hearty prose of CHARLIE HALLECK. But we can take comfort in the thought that at long last CHARLIE will have the time to devote to all those projects and all those pleasures that his public service required postponing for so long.

ADDRESS OF REV. JOSEPH A. COGO, C.S., AT DINNER OF CLEVELAND CHAPTER OF ACIM

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FEIGHAN. Mr. Speaker, on September 14 my very good friend, the Reverend Joseph A. Cogo, C.S., executive secretary of American Committee on Italian Migration, addressed the Cleveland chapter of ACIM at the chapter dinner in honor of His Eminence John Cardinal Krol, a native of Cleveland, whose parents were immigrants from Poland, and who is now archbishop of Philadelphia. I believe the remarks of Reverend Cogo will be of special interest to many of my colleagues, and especially those who have segments in their district of constituents of Italian descent. Reverend Cogo has taken a keen and sympathetic interest in their immigration problems, and by leave obtained, I insert in the RECORD his address:

ACIM CLEVELAND CHAPTER DINNER IN HONOR OF HIS EMINENCE JOHN CARDINAL KROL, ARCHBISHOP OF PHILADELPHIA, SEPTEMBER 14, 1968

Your Eminence, Honored Guests and Ladies and Gentlemen: It is with great pleasure that I convey to you tonight the sentiments of appreciation and esteem of the National Board of the American Committee on Italian Migration—appreciation and esteem so well deserved by the Officers, Members and friends of the Cleveland Chapter of ACIM, as the success of this function so eloquently confirms.

Your support through the past 16 years has enabled our Organization to reap abundant fruits. A better life was offered to 145,000 poor, but eager Italians (some of whom are breaking bread tonight with us)—the door to a better future is open yearly to about 25,000 immigrants from Italy.

Your continued cooperation will hopefully work the miracle of realizing the dream of migration for approximately 80,000 brothers and sisters, some of whom have dreamed their first dream back in 1956. Our united persistent efforts will further reopen the doors of our land to skilled workers from Italy who are now hopelessly barred from contributing to our economy.

With your help, the good will and zeal for a liberal immigration policy of your own Congressman Michael Feighan—who continues to work closely with us—will once more be effective as in 1965.

It is with pride that together we pursue the objectives of a greater immigration, pride based on the knowledge that immigration can contribute to this country men of the likeness of the man we are honoring tonight, John Cardinal Krol.

DEMOCRATIC STUDY GROUP REPORTS ON MAJOR LEGISLATION ENACTED SINCE AUGUST 1, 1968

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BINGHAM. Mr. Speaker, I insert at this point in the RECORD a summary of major legislation enacted by the 90th Congress since August 1, 1968, which has been prepared by the Democratic Study Group. It updates an earlier report by the DSG on the status of legislation before the Congress which appeared in the RECORD of August 2 at page 25233 and should be used in conjunction with that report. This summary includes major legislation enacted since August 1, a chart of amounts appropriated, and a list of major bills pending at adjournment. Where no description of the provisions of a bill are included, the information contained in the August 2 report still applies. The summary follows:

MAJOR LEGISLATION ENACTED BY THE 90TH CONGRESS—PART II

ENACTED SINCE AUGUST 1, 1968

Agriculture

Extension of the Food and Agriculture Act of 1965, Public Law 90–559

This measure extends through 1970 the basic Administration farm policy. The Act provides price supports for corn, wheat, feed grain, milk, wool and mohair. In addition, it provides for voluntary crop reduction programs for wheat, cotton and rice. Signed on October 11.

Extension of the Food Stamp Program, Public Law 90–552

This measure authorizes funds for a one-year extension—through December 31, 1970—of the basic food stamp program. This bill authorizes: an increase of $90 million—from $225 million to $315 million—for this fiscal year; $340 million for fiscal 1970; and $170 million for the first half of fiscal 1971. Signed on October 8. (The Second Supplemental Appropriations bill appropriated $50 million of the additional $90 million authorized for the current fiscal year.)

Consolidated Farmers Home Administration Act Amendments, Public Law 90–488

This bill improves credit assistance for farm families and increases matching funds for water and waste disposal projects in rural communities. Signed on August 19.

Amendments to the Federal Farm Loan Act and the Farm Credit Act of 1933—awaiting President's signature.

This Act will expedite the retirement of government capital from the federal intermediate credit banks, production credit associations and banks for cooperatives by providing that the stock owned by the federal government may be retired at fair value instead of par value. The bill contains a provision which would preclude reintroduction of the accounts of these banks into federal budget totals when funds are temporarily invested in a limited number of banks to permit meeting agricultural credit needs. Cleared for White House on October 1.

Congressional matters

Special Committee To Investigate and Report on Campaign Expenditures of Candidates for the House of Representatives

This measure passed the House on August 1.

Conservation

National Trails System Act, Public Law 90–543

This measure was signed on October 2.

Redwood Park bill, Public Law 90–545

This measure establishes a 58,000-acre Redwood National Park in Northern California. Signed on October 2.

National Water Commission, Public Law 90–515

This measure creates a non-federal seven-member National Water Commission for a five-year study of U.S. water resource problems such as future supply and pollution. Signed on September 26.

Scenic Rivers, Public Law 90–542

This measure establishes a national scenic rivers system composed of eight rivers: the Rogue in Oregon; the Clearwater and the Middle Fork of the Salmon in Idaho; the Rio Grande in New Mexico; the Wolf in Wisconsin; the St. Croix in Minnesota and Wisconsin; the Feather in California; and the Eleven Point in Missouri. It provides that the rivers included in the system are to be preserved in their natural state and used for esthetic and recreational purposes. The bill also lists 27 river sections as potential additions to the system and forbids federal licensing of power or water resource projects on the parts of the rivers designated for a period of five years following passage of the Act, and three additional years if a study of the river is being made. Signed on October 2.

Colorado River Basin Project, Public Law 90–537

Signed on September 30.

North Cascades National Park, Public Law 90–544

This measure establishes a 1.2 million acre recreational complex in the North Cascade Mountains of Washington. Signed on October 2.

Mount Jefferson Wilderness Area, Public Law 90–548

This measure adds about 100,000 acres in Oregon to the national wilderness system. Signed on October 2.

Great Swamp Wildlife Refuge, Public Law 90–532

This measure redesignates 3,750 acres within the 5,800-acre Great Swamp National Wilderness Refuge in New Jersey as a wilderness area. Signed on September 28.

Water Resources Planning Act Amendments, Public Law 90–547

This bill increases the appropriation for administration of the Water Resources Council from the present annual authorization of $300,000 to a limitation of $500,000 each year. Signed on October 2.

Consumer programs

Wholesome Poultry Products Act, Public Law 90–492

Signed on August 18.

Natural Gas Pipeline Safety Act of 1968, Public Law 90–481

This Act authorizes the Secretary of Transportation to establish minimum safety requirements for the transportation and storage of natural gas and for pipeline facilities used in the transportation and treatment of gas. It requires persons engaged in transportation of gas by pipeline to comply with the standards, file a plan of inspection and make accident reports. The standards apply to existing pipeline only where the Secretary of Transportation finds that a particular hazard exists.

The Secretary will enforce the Act as to interstate pipeline. All other enforcement would be undertaken by the state upon its certification that its standards are as stringent as the federal standards. Such certification will not apply unless the state has enacted legislation providing for injunctions against pipeline violations and civil penalties for violation of state standards. The burden of proof of compliance is on the state if its standards are challenged by the Secretary of Transportation. Signed on August 12.

Crime and law enforcement

Gun Control Act of 1968—Awaiting President's Signature

This measure will: 1) prohibit the interstate mail-order sale of all guns and ammunition; 2) prohibit sales of rifles, shotguns and ammunition to persons under 18; 3) ban over-the-counter sales of guns to nonresidents of a state unless the sale is of a shotgun or rifle and is made in an adjoining state to a person qualified under the laws of both states; 4) require mail-order purchasers of guns within a state to file an affidavit of eligibility and to wait seven days before obtaining the weapon; 5) prohibit the sale of firearms and ammunition to felons, fugitives, persons under indictment for a felony, narcotics addicts and mental defectives; 6) ban the importation of all foreign surplus military weapons; and 7) provide maximum penalties of $5,000 and five years in prison for violation of these provisions.

The measure permits a person who loses or damages his rifle or shotgun while hunting or at an organized rifle or shotgun match to purchase another outside his state of residence after execution of a sworn statement and notice to the chief law enforcement officer in his own state. Cleared for the White House on October 10.

Drug Abuse Amendments—Awaiting President's Signature

This measure provides penalties for unlawful acts involving LSD and other depressant and stimulant drugs of imprisonment for not more than one year, a fine of not more than $1,000, or both, for the first two convictions and imprisonment for not more than three years, a fine of not more than $10,000, or both, for subsequent convictions. The amendments also authorize judges to set aside convictions of first offenders. This provision is designed to keep young people who experiment with drugs from having a criminal record. Cleared for the White House on October 11.

Federal Magistrates Act, Public Law 90–578

This measure establishes a system of federal magistrates to replace the existing system of U.S. Commissioners. Signed on October 17.

Education, training, and antipoverty

Higher Education Act Amendments of 1968, Public Law 90–575

This measure extends—through fiscal 1972—the programs originally authorized in the National Defense Education Act of 1958, the Higher Education Facilities Act of 1963, the Higher Education Act of 1965 and the National Vocational Student Loan Act of 1965. The bill authorizes an additional $8.8 million for fiscal 1969, $2.9 billion for fiscal 1970, and $3.5 billion for fiscal 1971.

The bill contains several new programs, including a public service education program, a Commission on University Education, and a program to encourage universities to share resources. It extends special programs to encourage disdvantaged students to go on to college. The bill also makes financial aid cutoffs mandatory when a student is found guilty of participating in a campus "crime of a serious nature" in relation to campus disorders. Signed on October 16.

Vocational Education Act Amendments of 1968, Public Law 90–576

These admendments extend the programs included in the Vocational Education Act through fiscal 1972 with an authorization of $3.7 billion. New programs included in this bill are: exemplary projects to broaden occupational aspirations of youths—especially disadvantaged youths; a cooperative work-study program expanding the uses of federal funding; curriculum development; a vocational education leadership and professional development program; and exchange programs and teachers institutes for advanced teacher training. Signed on October 16.

Handicapped Children, Public Law 90–538

This Act authorizes the Education Commissioner to arrange with either public or private, non-profit agencies for experimental programs for handicapped preschool children. Appropriations of $23 million through fiscal 1971 are authorized. Signed on September 30.

Manpower Development and Training Act Amendments of 1968—Awaiting President's Signature

This bill continues the basic programs through fiscal 1972. It gives new emphasis to the training of administrators and counselors and to the developing of a comprehensive system of labor market information. This measure also includes changes in the administration of the MDTA programs. Cleared for the White House on October 10.

Federal employees

Air Traffic Controllers, Public Law 90–556

This bill changes overtime pay computation standards for federal air traffic safety workers in higher civil service grades. Signed on October 10.

Federal program coordination

Intergovernmental Cooperation Act, Public Law 90–577

This bill intends to increase the efficiency and effectiveness of federal grant-in-aid programs by assuring uniformity of implementation and closer coordination between federal and state planning authorities. Signed on October 16.

Foreign policy and defense

Foreign Assistance Act of 1968, Public Law 90–554

This foreign aid authorization bill contains the lowest authorization in the history of the program. The authorization for fiscal 1969 is $1.97 billion for foreign economic aid and military assistance. Signed on October 8.

Military Procurement Act, Public Law 90–500

This Act authorizes $21.6 billion for defense procurement and research and development in fiscal 1969. The measure provides $656 million for procurement and testing of the Sentinel antiballistic missile system. A provision of the bill enables the Secretary of Defense to sell surplus small arms, gas masks and protective body armor to state and local law enforcement and firefighting agencies. The entire $585 million requested for the F–111B fighter aircraft was deleted from the bill. Signed on September 20.

Foreign Military Sales Act—Awaiting President's Signature

H.R. 15681 passed the Senate without amendment on October 10.

Renegotiation Act Amendments of 1968—Awaiting President's Signature

This measure extends the life of the Renegotiation Board, which reviews government contracts for war profiteering and other abuses, for three years. The Act also amends the Revenue Control and Expenditure Act with respect to the taxation of industrial development bonds. Under the Revenue Act, bonds are not tax exempt unless the aggregate authorized face amount of the bond is $1 million or less. This Act would increase the exemption to $5 million in certain circumstances. Cleared for the White House on October 10.

Health and welfare

National Eye Institute, Public Law 90–489

This Act authorizes the Secretary of HEW to create a new institute dealing with visual disorders and blindness. The bill provides research and training fellowships and changes the name of the National Institute of Neurological Diseases and Blindness to the National Institute of Neurological Diseases.

Health Manpower Act of 1968, Public Law 90–490

The Senate agreed to the House version of the bill which provides authorizations for two years—through fiscal 1971—rather than three years as authorized in the Senate bill. See previous description. Signed August 16.

Public Health Service Act Amendments, Public Law 90–574

These amendments extend the regional medical center program for heart disease, cancer, stroke, and related diseases, and the grant programs for medical services for migrant workers and narcotics addicts. A new program for construction and operation of community mental health centers is included as well as a one-year extension of the Hill-Burton program of federal matching grants for construction and modernization of hospitals and other health facilities. As cleared by the Congress on October 1, the measure authorizes appropriations of $576.5 million, of which $295 million represents the one-year extension of the Hill-Burton program. Signed on October 15.

Housing

Housing and Urban Development Act of 1968, Public Law 90–448

Signed on August 1.

Public works

Federal-Aid Highway Act of 1968, Public Law 90–495

Signed on August 23.

Design and Construction of Buildings Financed with Federal Funds to be Accessible to the Physically Handicapped, Public Law 90–480

Signed on August 12.

Rivers and Harbors Flood Control Act of 1968, Public Law 90–483

Signed on August 13.

Taxation

Interest Rate Controls, Public Law 90–505

This measure extends for one year the 1966 law which gives federal banking regulatory agencies more flexible authority to set interest rates for fixed maturity deposits in banks and savings and loan institutions. Signed on September 21.

Veterans

Employment Preference for Veterans of the Vietnam Era

On July 30, Congress completed action on H. Con. Res. 705 expressing the "sense of Congress" that armed forces veterans who serve during the Vietnam War period be given employment preference by the federal government and private industry.

Service Connected Compensation Increase for Veterans, Public Law 90–493

This Act provides an 8% increase in compensation payments to veterans with service-connected disabilities, except veterans with 100% disabilities who will receive a compensation increase of $100 per month.

AMOUNTS APPROPRIATED BY 90TH CONG., 2D SESS.

[In millions of dollars]

	Requested	Passed House	Passed Senate	Final
Agriculture	$6,924	$5,524	$5,541	$5,531
Defense	77,074	72,240	71,887	71,870
District of Columbia:				
Federal payment	73	78	83	82
District budget	606	529	548	540
Foreign aid:				
Regular	2,920	1,619	1,932	1.756
Peace Corps	113	100	104	102
Other	622	622	622	622
Independent office-HUD	18,354	13,671	15,505	14,692
Interior	1,432	1,281	1,284	1,285
Labor-HEW	19,302	17,225	19,033	18,567
Legislative	309	247	298	8,298
Military construction	2,032	1,765	1,745	1,758
Public works	4,909	4,499	4,728	4,608
State-Justice-Commerce-Judiciary	2,292	1,795	2,001	1,987
Transportation	1,932	1,353	1,788	1,634
Treasury-Post Office-Executive Offices	8,338	8,156	8,159	8,158
Candidate protection, 1968	.4	.4	4	.4
2d supplemental	6,738	6,346	6,374	6,296
Urgent supplemental for Bureau of Employment Security	29	29	28	28
Supplemental, 1968 (highways and claims)	51	51	51	51

Major bills pending at adjournment

Equal-Time, Senate Joint Resolution 175

Passed the House with amendments on October 9. The House bill permitted three-way television debates by the 1968 Presidential candidates. Under the Senate bill, it was left up to the television networks to invite Wallace to participate in a debate. The Senate deferred action on the amended bill, allowing it to die.

Legislative Reorganization Act, S. 355

Passed the Senate on March 7, 1967. Pending in the House Rules Committee.

Election Reform Act, H.R. 11233

Pending in Rules Committee.

Federal Water Pollution Control Act, S. 3206

Passed the Senate July 10. Passed House amended October 7. In disagreement at adjournment.

Guaranteed Employment Act of 1968, H.R. 12280 and S. 3063

Not reported.

Federal Employee Protection Against Invasion of Privacy, S. 1035

No House action.

Nuclear Nonproliferation Treaty, Executive H

Reported in the Senate September 17. No further action.

Occupational Health and Safety Act of 1968, H.R. 17748

Reported in the House. No further action.

Construction Safety Act of 1968, H.R. 2567

Failed of passage under suspension of the rules of the House of September 16, 1968.

National School Lunch Act Amendments, H.R. 17872 and H.R. 17873

Passed the House. Included in Senate version of Vocational Education Act, but deleted in conference.

Situs Picketing, H.R. 100

Reported in House. No further action.

Coverage of Agricultural Workers Under the NLRB, H.R. 16014

Reported April 3, 1968. No further action.

Interstate Taxation Act, H.R. 2158

Passed the House. No further action.

Foreign Travel Tax, H.R. 16241

Passed the House. No further action.

LETTER FROM THE ORGANIZATION FOR THE DEFENSE OF FOUR FREEDOMS FOR UKRAINE, INC.

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BROYHILL of Virginia. Mr. Speaker, Mr. Volodymyr Y. Mayewsky, chairman of the Organization for the Defense of Four Freedoms for Ukraine, Inc., recently wrote a letter to the editor of the Washington Post which I believe deserves the attention of all who read this RECORD.

It is my pleasure to include Mr. Mayewsky's letter at this point in the RECORD.

The letter, in full, reads as follows:

ORGANIZATION FOR THE DEFENSE OF
FOUR FREEDOMS FOR UKRAINE,
INC.,
Washington, D.C., August 27, 1968.

The EDITOR,
The Washington Post,
Washington, D.C.

DEAR SIR: The Public is aghast at the treacherous aggression of the Russian Communist Empire against sovereign and independent Czechoslovakia. This Russian aggression is a flagrant violation of the United Nations charter, the terms of the Warsaw Treaty and all accepted standards of international behavior. By this act, Russia stands guilty before the world of a brutal crime not only against the Czech and Slovak people but against all of humanity.

The tragic events in Czechoslovakia have proved once again that we can never trust the Russians. Russian historical imperialistic interests and not social improvement of the human lot are the primary goals of the communist dictators in the Kremlin. Russia never abandoned her centuries-old imperialistic conquest of other countries and the idea to rule the world.

One should be aware that the members of the U.S.S.R. except for Russia are all subjugated nations. Those subjugated nations are waging a relentless heroic struggle to free themselves from Russian Communist oppression.

Most of the American newsmedia, including The Washington Post responded properly to the act of aggression. We fully agree with the position that this Russian imperialistic aggression should be condemned in the United Nations forum and in every other conceivable forum. World public opinion has already voiced its condemnation of this aggression.

Although condemnation of this act of Russian aggression carries with it great moral weight, it alone provides no solution. The U.S. and all the nations of the Free World should pursue a policy of liberation of Czechoslovakia, Hungary, Ukraine, and other captive nations in Eastern Europe and other parts of the world. The World half-free and half-slave cannot survive. Until the last vestige of tyranny is erased from Eastern Europe and wherever else it may exist there can be no Peace.

Sincerely,
VOLODYMYR Y. MAYEWSKY,
Chairman.

MEMORABLE ADDRESS AT UNIVERSITY OF ILLINOIS BY THAILAND'S FOREIGN MINISTER

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. O'HARA of Illinois. Mr. Speaker, one of the memorable addresses of the year was the Adlai Stevenson Memorial Lecture by the Honorable Thanat Khoman, Minister of Foreign Affairs of Thailand, at the Illinois State University on September 30, 1968.

The course in the Far East he advocates he says "becomes even more urgent and necessary after a large Asian power has begun experimenting with nuclear devices; there is not much time to be wasted."

Following are excerpts from this noteworthy lecture:

> As I am welcome in this great State of the Union which gave birth to famous sons, I bow in deep and humble tribute to those great Americans who not only have made America great but have permeated the whole world with the generous spirit of this inspiring land and creative people.
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> * * * * *
>
> I consider it a distinct honour and great privilege to have been invited to give a lecture in the series named in the memory of the late Governor Stevenson.
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>
> Above all, Governor Stevenson was a man of peace and knew the anguish of a world on a precarious precipice which can be saved from itself only by its inhabitants working together to bridge the gulfs of fear and discord, of ignorance and misunderstanding, of discrimination and divergent interests, and building new horizons of international amity and goodwill for all mankind. In a poignant and oft-quoted statement, and one of the last to come from his lips, Adlai Stevenson said: "We travel together, passengers on a little space ship, dependent on its vulnerable reserves of air and soil; all committed for our safety to its security and peace; preserved from annihilation only by the care, the work, and, I will say, the love we give our

fragile craft. We cannot maintain it half slave—to the ancient enemies of man—half free in a liberation of resources undreamed of until this day. No craft, no crew can travel safely with such vast contradictions. On their resolution depends the survival of us all."

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The present chapter of the Asian history began when Japanese bombs rained on American warships riding at anchor at Pearl Harbor and the Japanese war machine thundered across the green paddy lands of Southeast Asia and splitting asunder the pillars supporting western imperial power. For the first time in decades and even in centuries, the colonial rule of many western nations was interrupted and disrupted. Worse, it was humiliated in the eyes of subject people who had endured for so long alien domination.

Although Japan could not maintain its rule permanently and after its defeat in the world contest it had ultimately to bow out of Southeast Asia, the Japanese invaders left indelible marks upon the region and scores of millions of its inhabitants. For the first time, they gave them the notion of possible liberation from alien colonial rule. The western powers staged a come-back, tried to reestablish and continue as heretofore their dominance. But by then, Southeast Asia, and indeed the whole of Asia, had undergone such considerable changes that they were not prepared to revert to the status quo ante. Since the western imperial powers had proven themselves to be unable to protect their overseas possessions against external encroachments, there appeared to be no valid justification for the subject peoples to place themselves once again under the western colonial yoke.

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Struggles for independence then started, on occasions bitter and destructive. In the years following the end of World War II even with the changing fortune of war, the writing on the walls was clear for all to see; colonial powers could no longer stay in Asia. They must leave. If they were wise enough the withdrawal would be orderly and more or less graceful. Those who lacked a perceptive understanding of the situation had to suffer the most humiliating defeats.

Thus by 1954, all the dependent territories in Southeast Asia, with the exception of Malaya which became independent three years later, were liberated and attained sovereign statehood.

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After the nationalist regime of Generalissimo Chiang Kaishek was pushed out of the mainland China and replaced by a totalitarian communist authority, the new policy of imperialistic expansionism began to receive a most vigorous implementation. More ruthless, but at the same time more insidious and flexible than western colonialism, Marxist form of conquest and domination does not necessarily seek direct rule, nor does it resort only to naked force. In certain instances, it would content itself with the rule by proxy, or by what they call in their jargon, "sister socialist states" which would appear to the outside world as separate distinct entities but in reality would have to follow closely the leader who may be one 'big brother' or another.

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Confronted with these ominous developments, Asian and other nations showed a variety of reactions and attitudes. The largest of all, India, probably because of its size and its large population, seemed to believe that, being the two largest nations on the Asian continent, China and India would have interests in being on good terms with each other and their co-operation might lead to important consequences for the whole of Asia, either in the political and economic fields or in regard to the preservation of peace and stability in this vast area. Undoubtedly with these purposes in mind, India actively sought to win favours and be in good grace with the People's Republic of China which was debarred from joining the Family of Nations because of its militant and aggressive policy and behaviour in Asia and elsewhere.

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While the largest nations of Asia were pondering over the possibility of forging a novel "bi-polarization" policy for the Asian continent, other smaller countries fearing to be caught in the middle between the antagonistic world powers, sought strenuously to stay out of the area of conflict by adopting what they lovingly call "non-alignment policy" which they hoped would give them a safe haven against possible interference and intervention by one side or another. They particularly gathered around India, the leading protagonist of that policy. They also strove to make such policy a world-wide movement by enlisting the support and adherence from nations on other continents, in Africa and Europe.

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Since Chinese encroachments were perpetrated on Indian territory, other members of the so-called "Colombo powers" have experienced various kinds of pressure, interference and indirect intervention from the militant revolutionary regime of Peking. The putsch in Indonesia would have succeeded and pro-Peking government installed in Djakarta had it not been for fortuitous circumstances of two or three generals being able to escape communist massacre namely General Nasution who was saved by his young daughter sacrificing her life so that her father could have time to flee the attackers and the present Indonesian president, General Suharto who happened to be absent from his home when the coup was staged. Nepal and Ceylon also have been having difficult relations with Communist China which tried to compel them to accept Red Guards' propaganda and agitation. Burma is now in even worse condition after demonstrations and attempt to overthrow the legitimate government by Red guards type actions failed.

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Quite a different reaction to communist attempt to fill the power vacuum with its own influence and control was represented by the collective defense system which was adopted by certain Asian countries such as Pakistan, the Philippines and Thailand in collaboration with outside powers of Europe, America and Australasia.

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Before proceeding further along the road in search of the clue to our problem, let us pause for a while and ponder over the oft-repeated proposal that a good part of Asia, certainly South Vietnam and perhaps the rest of the non-communist Southeast Asia should be neutralized to help bring about an end to the present conflict and open a new era of peace and stability. This is known as the neutralization plan of Southeast Asia which has been advanced by one statesman or another from the west with an almost pontifical earnestness. I hasten to confess that I have not seen anything set in written and systematic form. Indeed if it is a plan it must be one of the vaguest ever devised by human minds.

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Clearly the motivations behind such proposals aim at finding a justification for a more or less honourable withdrawal of western, particularly American presence from Asia and for sacrificing the interests of free nations in favour of the communists in the hope that the latter may be satiated with their preys and leave others in peace. Evidently the plans afford no acceptable answer to our present problem of seeking an equitable settlement without allowing communist regimes from filling with their own power the vacuum caused by the withdrawal of western colonial rule.

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The crux of the problem lies in the fact that there exists at present a power vacuum which communist regimes of the region attempt to fill to their advantage. If they were to succeed in their objective, there will be neither settlement nor lasting peace. * * * The free nations of Asia which are facing an acute danger to their independent existence have to content themselves with a limited and temporary security provided by a debilitated collective defense system. Since the other means which have been resorted to and tried by some nations during the past two decades or so are not apt to lead to a peaceful and lasting settlement, we have to seek other means to help us reach the objective that we desire. Indeed there seems to be no other alternative left except that we, the nations of the area, shall together have to provide the power base to fill the gap and not allow others to do it and to dominate our life and our existence. However, to recognize the truth of the situation does not mean that the problem has been resolved. The nations of Asia are known to be weak and most of them are small. Even the most populous ones, India, Indonesia and Pakistan are not exactly the repository of power, either economic or military. Therefore, the task of building a power base from weak and wobbling materials is undoubtedly not an easy one. There also exist innumerable divergences in their background, their outlook and approach to the problems which are being cultivated and magnified by those who seek to sow division and dissension so as to facilitate their attempt at expansion and domination. Nevertheless, it becomes increasingly apparent that we have no other choice; we must attempt the impossible and lay the groundwork for a regional solidarity and cooperation.

This has become an urgent and compelling necessity for all the free nations in this area to undertake together the formation of as adequate a power base as possible, a power base which will, on the one hand, forestall the aggressive regimes from imposing its will upon us, and on the other, provide an effective instrument of collaboration with those sharing similar or identical interests.

Why is a power base necessary? The reasons are not difficult to see. In the past, the western colonialists provided the power. They also held in their hands the right to shape the destiny of their subject peoples and to decide the fate of a large area of the world that is Asia. After their departure, the new Marxist imperialists seek to replace them and to substitute their power for that of western colonialism. Surely, for the nations of Asia and particularly the compact region of Southeast Asia, this state of affairs cannot be satisfactory.

The above, the existence of regional cohesion and cooperation, appears to be a sine qua non condition for an eventual settlement. Such condition becomes even more compelling after the frustration and disappointment felt over the conduct of the Vietnam war have spurred an urge for a major world power, the United States, to retrench and even disengage itself from such world scenes as Southeast Asia. In our opinion, the difficulty concerning the United States' engagement in Vietnam has undoubtedly resulted from the inadequacy and present lack of well-organized power grouping in Asia with which the American power can effectively cooperate. If such a power base can be strengthened to become more appropriately capable of shouldering its part of sacrifices and responsibility, the outside power which has an interest in preserving world peace and stability will experience less difficulty with its own domestic opinion and can more reliably perform its salutary peacekeeping function by working closely with such an enlarged and re-inforced power grouping.

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The prerequisite remains the formation of a workable regional power base which has already begun and concerning which some progress has been achieved. The creation of organization such as the Asian and Pacific Council, ASPAC, the Association of the Southeast Asian nations, ASEAN, although still in their initial phase aims at laying the ground work for a forthcoming settlement. If these efforts meet with success and a sufficiently coherent power base is thus established, Southeast Asia and, indeed, the whole of Asia can look forward with a reasonable measure of confidence toward a peaceful settlement.

That is why, even though the guns are still firing in Vietnam and Laos and indeed in all over Southeast Asia, foundations must now be laid, without further delay, for the future creation of a viable power base which will make possible the much desired peaceful settlement. This course becomes even more urgent and necessary after a large Asian power has begun experimenting with nuclear devices. There is not much time to be wasted. The sooner it is realized, the better. The efforts and energy of many free nations in Southeast Asia are being directed toward that end.

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The settlement, when it comes, will open a new chapter of Asian history. It will turn the leaves over the outmoded concepts and practices of expansion, conquest and domination, either in the old form of past colonialism or in the superficially modified version, deceptively called "struggle for national liberation." The new settlement will recognize and sanction the right of each and every nation, large and small, to exist and survive as a free and independent entity and to seek its own path of national advancement.

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This undoubtedly is the essence of regional cooperation which after it has been firmly consolidated may extend further to encompass the whole continent and ultimately span over distant lands to become in the future an inter-continental undertaking embracing wide areas of the globe.

This is the vista that we entertain for the years to come. I am certain that if Adlai Stevenson was still with us, he would with his unexcelled talent and boundless energy endorse such a vision and even contribute to its realization. For a true liberal like Adlai Stevenson and those who follow his ideals and tradition, the only worthy vision can only be that of service to man's liberty and progress.

NATIONAL DAY OF PRAYER

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BOGGS. Mr. Speaker, in October millions of people bowed their heads in prayer on the National Day of Prayer. Mr. Speaker, it was fitting that we sought refuge in the Almighty in such troublesome times. The Nation and the world are going through a period of change the like of which mankind has never known. But we shall emerge a greater nation and world if we continue to recognize our dependence on Our Maker and if we continue to reflect on His goodness and inspiration.

The National Day of Prayer in my own city of New Orleans was highlighted at the Key Men's breakfast and followed by prayers in business offices and special services at churches throughout the city.

Three prayers were offered in my city, by Catholic Archbishop Philip M. Hannan; Dr. Benedict A. Galloway, minister of Rayne Memorial Methodist Church; and Rabbi Roy A. Rosenberg, of Temple Sinai.

They follow:

NATIONAL DAY OF PRAYER

On this National Day of Prayer, we renew our basic belief that You, O God, are Alpha and Omega, the beginning and the end; the One who is and was and is to come, the Almighty.

As we witness to our personal dependence on You, we likewise avow that Your Providence presides over the affairs of nations. You have left reflections of your power and glory everywhere and, as Your creatures, we need only search for them.

Creator and Father of all, let the beginning and the end of our quest as free men be mutual trust and amity within the family of nations, both its strong and weak, affluent and underdeveloped, long established and emerging members. Whether continents separate countries or common borders make them neighbors, let their leaders unceasingly and unerringly seek ways for all people to live in harmony and flourish together with reciprocal respect for beliefs and customs, legitimate hopes and aspirations.

God of our fathers, help us make more vigorous our own national life and more vibrant the voice of the American people by promoting unity of ideals without insistence on uniformity of ideas in the solution of our problems; by encouraging dissent over issues and yet avoiding destructive discord or distorted debate; by tolerating lawful protest without the virus of violence; and by practicing justice equitably among the powerful and the oppressed, the prosperous and the poor, the disciplined and the disenchanted.

Let every word and work of ours begin each day with You and through You be happily ended. Amen. (Philip M. Hannan, Archbishop of New Orleans.)

PRAYER FOR OUR NATION ON THE NATIONAL DAY OF PRAYER

God of our fathers, we raise to thee our deep concern for our nation. We thank thee for the heritage that has come down to us, for the character that has been woven into the fabric of this nation, and for the foundations of righteousness upon which it has been built. May we not lose this noble heritage, but building upon it, may we stand as a nation of God before the world, that we may be remembered not for what we say but what we are, not for our professions but for our performances.

We pray for the leaders of our nation in whose hands our destiny lies. Grant them wisdom, faith, and a dependence upon thee that they may direct our paths in the way of peace and righteousness. Help them to know that they need a strength greater than their own. Let thy word be a lamp unto their feet and a light unto their path as they seek to lead us and our nation toward its true destiny.

We pray for peace in Vietnam and upon the streets of our nation. Witness our sorrow for the prejudice that blows its ill will across our land, and forgive us as we repent the errors that choose war rather than peace, suspicion when we might have trust. And as we bow in proud brief before the names of those men and women who gave their lives in glad, abandoned sacrifice, we repeat in shame that such sacrifice should ever become necessary. This is our sin, O God, that we have worked for peace without reference to thee or to thy holy will. Forgive us as in our desperation we pray for thy peace and for our rededication to all good causes that keep the peace.

We pray for the people of this nation as they in this presidential campaign select the one who is to lead us in the years that lie immediately ahead. Remembering how the Psalmist said: "Blessed is the nation whose God is the Lord and the people whom He hath chosen for His inheritance" (Psalm 35:12), may we the people keep close to the eternal sources, and as from some cool fountain from the hidden depths nourish us with faith, hope, and courage, that we may know that inner calm that comes to those whose hearts are stayed on thee.

So bless us and all who like us seek thy grace this day, that upon the President and all the humblest members of the nation thy benediction may rest until at last to us may come the day of brotherhood and peace.

We ask in the name of Christ, our Lord. Amen. (Dr. Benedict A. Galloway, Minister of Rayne Memorial Methodist Church.)

NATIONAL DAY OF PRAYER

Our God and Father, on this World Day of Prayer we approach You in thanksgiving for all the gifts that we enjoy. We thank You for the bounties of nature that You bestow upon us day by day, we thank You for the love and concern of family and friends, we thank You for the ideals which our country cherishes and which have sustained us in spiritual health.

We pray that we will always be worthy of Your blessing. We pray that our nation will remain true to its heritage—that American ideals and principles will be preserved in their purity in the land which we hold dear. In a time of world turmoil, we pray that all people will keep their hearts and their minds staid upon You and upon the values of which You are the source and the inspiration. We pray that the blights of poverty, ignorance and hate may be banished from our land, and that, indeed, all the world may know the light which comes from the knowledge of God.

Be with us now and always; show compassion upon our failings, and enable us to reach the heights which You have promised, that the Scripture may be fulfilled, "You have set man but little lower than God, and have crowned him with glory and honor." Amen. (Rabbi Roy A. Rosenberg, Temple Sinai, New Orleans, La.)

IN THE DEFENSE OF OUR CIVIL SERVANTS

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. DULSKI. Mr. Speaker, from time to time during my years of public service, certain press and other statements reflecting adversely—and unfairly—on the caliber and abilities of Federal employees have come to my attention.

I have shared with other Members a sense of gratification that, in recent years there have been few, if any, such attacks from responsible sources—evidencing a better public understanding and appreciation of the true worth of our postal and other Federal employees and the great contribution they make in the economic, cultural, and social life of the Nation.

The highly critical article entitled

"Riding the Gravy Train" in the October, 1968, issue of "Nation's Business," therefore, was as shocking to me as it must have been to my colleagues in the Congress. In my judgment, it is a most unfair and grossly exaggerated reflection on an outstanding group of public servants.

Mr. Speaker, the very incisive and perceptive response to that article, written by Mr. Joseph Young, staff writer for the Washington Evening Star and a nationally acknowledged authority on the Federal civil service, is an outstanding journalistic achievement and worthy of special attention by all Members of Congress. It is a thoughtful and timely commentary that warrants inclusion in the RECORD in the public interest.

The article follows:

CHAMBER OF COMMERCE ATTACK ON U.S. EMPLOYEES VIEWED AS SO MUCH BILGE WATER

(By Joseph Young)

The other day, this column printed some excerpts from an article in the October issue of Nation's Business, in which civil service employes were called "the most mollycoddled working class in the nation"—among other things even less complimentary.

Although I mentioned that the tone of the article was like some we used to read 20 years ago, I want to be sure that readers don't identify me with this out-of-date thinking. And I am surprised that in this day the U.S. Chamber of Commerce, for which Nation's Business is the official voice, would allow itself to be identified with such a gratuitous insult to 3 million Americans.

From my extensive observation—obviously a lot more extensive than that of the article's author—I know that the picture of the federal civil servant "riding the gravy train" is so much bilge water. In the first place, he works at least as hard and as long as any private employe, and in the second place he is not loaded down with "fringe goodies." In much of industry now, the company pays the full cost of employees' life insurance, health benefits and pensions. If annual leave in federal service is more generous, it is also deducted for short absences of a kind usually excused in private business.

SAME OLD ASSUMPTION

What gets my goat really, though, is the same old assumption that government employes don't do anything. What's so bad about their having similar fringe benefits? Because, goes the outworn stereotype, they don't do any work, that's what's bad about it. This is the uninformed attitude displayed, year in and year out, by this particular type of critic.

I happen to know something about the extent to which people in all parts of this country depend on the work of civil servants.

To begin with, federal workers keep track of time itself—at the Naval Observatory. They are responsible for the safety of air traffic. They catch kidnapers and narcotics pushers and counterfeiters. They deliver 80 billion pieces of mail a year. They inspect the meat you are going to eat, and they are very obstinate about the purity of drugs you may have to take. They are involved in the most advanced scientific research, finding out what goes on everywhere from outerspace to inside a human cancer cell.

KEY ROLES PLAYED

As inventors, federal civil servants have played key roles in developing computers, space vehicles, neon lights, wash-and-wear fabrics, push-button dispensers, stretch cotton and concentrated frozen fruit juice. They provide services to veterans, businessmen, farmers, highway-users, young people, old people and the armed forces.

This is a lot of very useful, not to say necessary, work, and it is all authorized by Congress. What gets me is that the people who are always ready to say we should get rid of government employes never say which of all those services we should get rid of.

The same old cliche that government employes can't be fired is not worth answering, except that the Nation's Business figure of 1,000 firings a year is about 13,000 short of the actual average of those fired for cause. The total for fiscal 1967 was 13,966.

And, rather than "clinging like barnacles" to their jobs, about one in four federal workers resigns each year—a turnover rate of some concern to the government.

FOREGO SOME RIGHTS

Instead of being the "most mollycoddled" workers, they are in some ways the most deprived. For the privilege of serving their fellow citizens, they forego rights others take for granted, such as the right to strike and to participate fully in the political process. In addition, they are fair game for anyone who wants to take an undeserved shot at them, a la Nation's Business.

The writer makes much of the government's liberal retirement system. Federal workers pay their share for their retirement benefits, while pensions of many private employes are fully funded by employers. Those in the private sector also enjoy Social Security coverage; federal civil servants do not.

Rather than "running neck-and-neck salarywise" with most private industry workers, the pay of federal workers still falls far short of comparability in most grades—and it will continue to lag by more than a year even after next July's anticipated increase.

Nor do their fringe benefits "far outclass those in industry." Rather, surveys show the industrial average cost of fringe benefits as a percentage of payrolls to be 26 percent, compared to 23.8 percent for government.

It's most unfortunate to see such an unjustified attack against public servants in the official organ of the leading association of businessmen at a time when understanding and cooperation between leaders of business and government have reached such a high point. This was highlighted most recently by President Johnson in his address to the postmasters here last weekend.

Applauding industrial leaders who are helping to solve problems of the hard-core unemployed, the President said: "The old days when the responsibilities of government and industry were sharply separate are gone and are over. Men in government today know that America's great human needs just cannot be met by government action alone. Men in industry know that they cannot prosper in a land that is torn by strife and in a land that is divided by despair and hate."

A few days earlier, in announcing the appointment of an Advisory Panel on Personnel Interchange between government and industry, the President called for cooperation and understanding between industry and government.

The Chamber of Commerce hardly helps advance such understanding in allowing its publication to be used for such an unjustified attack on public servants.

REPORT TO CONSTITUENTS

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BOB WILSON. Mr. Speaker, under leave to extend my remarks, I include the following report to my constituents:

REPORT TO CONSTITUENTS

With the close of the 90th Congress, I am completing my 16th year of congressional service to the people of the San Diego area. These have been event-filled years, and I am proud to have played a part in helping San Diego grow and prosper.

During this period, San Diego has become the world's greatest naval port, a major shipbuilding community, the nation's oceanographic capital and a prominent center for research in medicine, atomic energy and electronics.

We have hit the major leagues in other fields too. San Diego has its own University of California campus, part of which sits on former Marine Corps property transferred to the University under one of my bills. Another piece of legislation I authored gave San Diego its own federal court district. We are also a major water desalting research center which started with our successful efforts to locate one of the nation's first desalinization demonstration plants in San Diego. Federal dredging reopened the booming Mission Bay complex. Navy dredging of San Diego Harbor brought the nation's biggest fighting ships into San Diego and incidentally created the new Harbor Island, soon to become another tourist attraction.

It would be impossible to recap all the activities these past 16 years which involved San Diego and the federal government, but I can assure you Washington knows about San Diego and will be hearing more and more from us.

DISTRICT MATTERS

Now that Congress has authorized a $30-million federal building for San Diego to house our federal courts, the next step is for Congress to authorize the appointment of three more U.S. district judges to handle San Diego's huge backlog of federal cases. The need for more judges is urgent since San Diego has the largest case load per district judge in the country. The U.S. Judicial Conference has endorsed my legislation to provide the additional judges, clearing the way for Congress to act on the bill next year when it considers the judgeship needs of the entire country.

Construction of the $29-million San Diego Veterans Hospital is scheduled to begin in February. Design work on the six-story, 811-bed hospital is now completed and the Veterans' Administration will be calling for construction bids this month. The VA is presently considering my proposal that a rehabilitation program for drug addicts be established at all Veterans hospitals in view of the increasing incidents of drug abuse in the Armed Services.

Another major project for San Diego is moving right along too. Construction bids are being sought for the $11.2-million Post Office to be built in the Midway-Frontier area with start of construction scheduled for next October and completion in 1971.

The Army Engineers' study of a model of San Diego Harbor to determine the feasibility of cutting open a second bay entrance should be finished by next June. The Army says it will need $50,000 more in federal funds to analyze the model study findings to determine the exact location of a second entrance. This additional study should be completed by mid-1970. The Navy has indicated that a second entrance not only would ease ship congestion in the harbor but may improve the bay's circulation pattern to allow the Navy to berth nuclear-powered surface ships in San Diego Harbor.

IMPACT AID

One of the best federal programs provides financial assistance to local school districts which educate large numbers of students whose parents are employed in either the federal civilian or military services. This is commonly called the "impact aid" program and is the most important to San Diego educators.

During the closing days of this session, Congress overturned the Administration's efforts to limit the program's funding to 80 percent. Instead, we voted to grant the $91 million needed to bring the program up to full funding. We also exempted these funds from being withheld under the $6 billion spending cut ordered earlier by Congress.

San Diego County is one of the largest recipients of impact aid. This year, our schools will receive $14.5 million in impact aid funds, which is their full entitlement. Had Congress not acted to provide the additional money, San Diego area schools would have lost $2.9 million under the Administration's plan. This would have created critical budget problems for our local schools.

AWARDS

To be honored by others for your work always produces a warm and gratifying feeling, especially when you believe so deeply in what you are doing. In recent months, I've had the honor of receiving a number of awards including:

The Watchdog of the Treasury Award for consistently voting in favor of economies in the federal government.

The VFW Silver Medal for pushing legislation to overcome the critical shortage of National Cemetery space in San Diego and other areas.

A Citation by the San Diego District of the American Legion for helping to locate in San Diego the new Veterans Hospital which will be built soon.

Legislator-of-the-Year award by the American Federation of Advertising for improving advertising-government relations in 1968.

More important than these awards, however, is your opinion of my efforts as your representative in Washington. For this reason, I welcome your letters and comments on the many issues confronting our community and our nation.

LONELY SOLDIER

Pfc. William Rice, the "lonely soldier" in Vietnam last Christmas who asked Americans to send him and other GIs some mail, shows me his scrapbook of favorite letters. He received 195,000 letters and 19,000 packages after I convinced the Army to lift its ban on the mail which it labeled anonymous because it was addressed to a "Lonely Serviceman" in care of Private Rice.

"It was a great feeling to know the people back home hadn't forgotten us," said Rice who distributed the letters and packages to hundreds of his fellow soldiers.

With another Christmas nearing, we should keep his words in mind. The Pentagon says that packages with regular postage should be mailed by Nov. 9 and air mail parcels by Dec. 11 if they are to reach servicemen in Vietnam by Christmas. All packages should be wrapped securely and addressed correctly using the five-digit Fleet Post Office (FPO) and Army Post Office (APO) numbers.

STAFF

Best two-phone gal in the West is Arlene Carroll who holds down the front desk in my San Diego office.

Arlene came to us in '62 to help Marge O'Donnell for a few hours a week and became so indispensable we put her to work full time and then some. She keeps her eye on the door welcoming visitors and serving as a sympathetic chaplain to those with problems. In between times, Arlene grinds out the mail never once in the hectic pace of a Congressional office losing her "cool".

Arlene is the wife of a lifelong friend and former Jaycee chairman, John Carroll. She is the mother of a lively teen-age son, David, and a newly married daughter, Mrs. Stephen Bills whose husband is serving in Vietnam.

Drop in to meet Arlene next time you are in the Main Post Office. You'll see why we really appreciate her great work for all of us.

With the help of my staff, I have answered more than a million constituent letters in the last 16 years.

SCHWEIKER PROPOSALS TO COMBAT CRIME

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. SCHWEIKER. Mr. Speaker, I intend to issue the following report to my constituents, and felt that it would be of interest to my colleagues:

DICK SCHWEIKER SPEAKS FRANKLY ABOUT CONGRESS: OCTOBER 1968

THE CRIME PROBLEM

The pre-eminent challenge facing us in 1968 is to make our system responsive again. Responsive to the people—all the people. Responsive to the need for peace, and for national unity, and for domestic stability. Responsive to the need for a change in the way government works, if peace and unity and stability are ever to come.

The nation's approach to crime helps make my point. Of course we need more and better paid and superbly trained police. Of course we must enforce the law if order is to follow. Of course we must stop glorifying violence on our television screen.

But leadership requires far more. More police, tougher law enforcement, and greater vigilance in television programming are the easy answers. They do not strike at the heart of the problem. The major obstacle to reducing crime is our willingness to put up with a system which stifles fundamental change.

The language of the times is a major factor. It over-simplifies a complex subject. It makes misleading slogans fashionable. When our public debate lumps together in one package both the legitimate protester and the provocateur of violence, both the demonstrator and the looter, both the hardened criminal and the frustrated slum dweller—

When the national dialogue centers on law enforcement and pays only lip service to understanding the causes of criminal behavior—Or, on the other hand, when our courts, even by narrow margins, are so preoccupied with safeguarding the rights of the guilty that they endanger the lives of the innocent—When politicians' efforts are focused more on controlling guns than on controlling criminals—

When government mouths mighty concern for society but does nothing for the innocent victims of the crime it abhors—Then indeed something is wrong with our system.

Fifty percent of street crime is committed by narcotics addicts in search of drug money, and narcotics is the business of organized crime—but the Attorney General says organized crime simply has no connection with street crime. When this kind of thinking impinges on logic, there is something wrong with our system.

The corruption bred by organized crime inevitably diminishes the respect for government and the law among the urban poor who are the victims of the syndicate. When we do nothing about the corruption and graft which build public resentment against our system, then there is something wrong with that system. And the bureaucracy of our government contributes.

When the crime-fighting apparatus of Washington sprawls over eight separate cabinet departments and through twenty separate law enforcement and investigative agencies, with duplicate efforts and interagency jealousy, and tragically little coordination, then there is something wrong with our system.

And the public contributes. When a political system, which rests on the paramount importance of individual responsibility, day-after-day sees citizens who are too indifferent to help those who are mugged, or to report a crime they have witnessed, or to get involved, then something is wrong with the system.

THE SCHWEICKER PROPOSALS

If the system now in force can't do the job, then let's change it. Here's what I propose:

1. We must provide law enforcement funds to the states through bloc grants from Washington. Combatting crime is largely a state and local responsibility. It will take more money and fewer strings on that money. Washington doesn't know your local crime problems and shouldn't try to solve them—except to return an appropriate share of the federal tax revenues so that the crime-fighting job can get done.

2. We must launch a massive federal war on organized crime. Here the job must be done with direction from Washington because the syndicate which runs the numbers, narcotics, and loan-sharking rackets that suck the life-blood from the urban poor is national in its ties, its financing, its operations. Without fear of the political consequences, we must reopen the drive against organized crime, put on the back burner since 1964.

3. As part of that drive on organized crime, we must launch a serious effort against drug addiction in this country. Sensitive laws to help rehabilitate addicts and harsh laws to punish street pushers are appropriate. But the really critical test is whether we have the courage to end the supply of drugs. They come from organized crime. If we break the syndicate, we will break the back of the narcotics trade. The importance of this effort cannot be exaggerated. Fully half of the street crime in our major cities—muggings, theft, armed robbery—is committed by addicts, who in their personal desperation turned first to narcotics and then to crime to find the money to feed their habit. And that money ends up lining the pockets of the war lords of organized crime.

4. We must improve the organizational structure of the law enforcement establishment of the federal government. A super national police agency should be avoided at all costs, but we must begin to coordinate the conflicting operations of the twenty plus law enforcement and investigative agencies which operate in Washington. We must not continue to so fractionalize our approach to the administration of justice that we divide as well our opportunity for comprehensive change.

We must begin to treat all the segments of the administration of justice—investigation, crime prevention, arrest, prosecution, conviction, sentencing, confinement, rehabilitation, and parole—we must begin to treat each as intimately related with the rest and not separate and distinct functions which do not share identical goals and need not share identical guidance. There should be a coordinating office for all of them at the highest levels of the Justice Department. And it should be armed by Congress with authority to prescribe regulations for interagency cooperation and coordination. The Departments of Labor, HEW, HUD, and Transportation all emerged out of efforts to collect in some orderly way those federal operations which were attempting to serve a similar purpose. It is time for such a reordering on law enforcement.

5. We should establish in the Justice Department a new Division of Research to explore the reasons for criminal behavior. Private research in the area exists. And some government research projects are underway. But there is practically no such work being undertaken in the Justice Department today, and there is no central collection point for all the work done by others. It is an oversight which can hardly be tolerated in a society which craves an end to growing crime and violence.

6. An inter-departmental board, chaired by the Attorney General, should be established to assure adequate and uniform crime prevention content of all federal social welfare programs. Surely one function of the welfare program, the anti-poverty program, the school aid program, is to help in some way to diminish the resort to crime. But not all agencies recognize this as a legitimate function of their programs. Some work under comflicting theories of what is the best way a program of this kind can contribute to crime prevention, and at this point the Justice Department provides no guidance at all. Few disagree that unsatisfactory social conditions can influence men toward crime. Few should disagree that some effort is appropriate to assure coordinated and consistent crime prevention content in government programs to relieve those unsatisfactory social conditions.

7. We should, after ample study, establish a national board to compensate in some meaningful way the innocent victims of crimes against the federal law. It could serve as a model for similar state boards. At present there simply is no redress for those who are the real losers in today's surge of lawlessness.

8. The Congress must address itself to the excesses of the current Supreme Court. In view of the narrow margin in the Escobedo and Miranda decisions, I have confidence that in a future court today's minority opinion will become the majority and the court will reverse itself. But in the meantime, law enforcement should be freed from the hampering harassment of a court engaged in an abstract and intricate debate with itself over obscure and dubious legal theory.

Every man, no matter what he is alleged to have done, has rights which must be preserved for his sake and society's. But by the same token the enforcement of the law must not be made impossible if the many in our society are to be protected from the few who would defy it.

Finally, and most important, we must insist on leadership . . . with the guts to fight organized crime . . . with the vision to rebuild the federal law enforcement establishment to make it work . . . with the wisdom to give the states what they need to strengthen local law enforcement . . . with the sense to know that obedience to the law must be indivisible . . . and above all, leadership which will reject slogans and utopian dreams for the business of rebuilding the rule of law within a system which, by its success, can command your trust and your respect and your pride and your participation.

For, in the end, only if each of us has trust in, respect for, and pride in the capacity of the system, and the capacity of those who lead it, are we likely to see the growth of citizens' involvement which is the cornerstone of a just society of men under law.

VOTER INFORMATION

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. LONG of Maryland. Mr. Speaker, it is vitally important that the voters in the upcoming election in November be as well informed as possible about the issues and the candidates.

I have made available to my constituents several publications that will help prepare them to go to the polls and vote. My voter information letter follows:

On Tuesday, Nov. 5th, the nation votes. Have you thought about *your* vote?

For President, Senator, Congressman?

On the State open housing law?

On bond issues in Baltimore County?

On Baltimore County Charter Amendments?

Like to know more about the candidates and the issues? Listed on the other side are four publications that may help you with your vote. Free. Check card and mail.

"Dear Congressman Long: Please send me by return mail the following publications to help me with my vote on November 5th: Check two

"Comparative Positions of Humphrey, Nixon and Wallace on Law and Order and on Vietnam, Christian Science Monitor, Oct. 12–14, 1968.

"Editorial Endorsements of the Presidential Candidates.

"General Election Guide, League of Women Voters of Md. Discusses Maryland candidates and issues.

"Our American Government: What Is It? How Does It Function? 175 Questions and Answers."

MISS JEWELL TO RETIRE AS NEWSWOMAN

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to call to the attention of the Congress and the American people the fine record of quality reporting over the years of Ingrid Jewell, Washington correspondent for the Pittsburgh Post-Gazette.

Miss Jewell has announced her well-earned retirement, and I am glad to join with the people of Pittsburgh in recognizing her more than 20 years of fine service to the people of western Pennsylvania. We will all miss her.

I insert in the Record the article announcing her retirement from the Pittsburgh Post-Gazette of Monday, September 2, 1968:

Miss Jewell To Retire as Newswoman—Served as Post-Gazette Correspondent in Washington

Ingrid Jewell (Mrs. Sam M. Jones), Washington correspondent for the Pittsburgh Post-Gazette for almost 24 years, will retire Dec. 1.

A newspaperwoman for 42 years, Miss Jewell has been a distinguished member of the Capital press corps since January, 1945.

HAS WEEKLY COLUMN

Her daily reports on political and governmental developments were supplemented by a weekly column, "Washington Wire."

Born in Detroit, Miss Jewell grew up in Ann Arbor, Mich. and graduated from the University of Michigan with a journalism major in 1926.

After brief stints with the Adrian (Mich.) Telegram, Toledo (O.) News-Bee and Toledo (O.) Times, she spent six months in London, returning for graduate work in rhetoric at the University of Michigan.

WROTE BOOK IN TOLEDO

She was with the Toledo Times from 1932 to 1944, when she resigned to write a book for the Toledo City Plan Commission. She joined the Post-Gazette Washington staff upon completion of the book.

She is a former recording secretary of the Women's National Press Club.

She and Mr. Jones were married Dec. 9, 1966, in Arlington, Va., where they reside. After her retirement, they plan to move to a home they own in Bluemont, Va.

KIRWAN APARTMENTS A SOLUTION TO PROBLEM OF INADEQUATE HOUSING IN VIRGIN ISLANDS

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. O'HARA of Illinois. Mr. Speaker, no one is held in greater affection and appreciation in the Virgin Islands, than the Honorable Michael J. Kirwan, who long has been the tireless champion of the people of the Virgin Islands, in the Congress of the United tSates.

I am extending my remarks to include the following article from the August 25, 1968, edition of the Sunday Journal of St. Thomas, appearing under this headline: "Kirwan Apartments Seen as Major Step in Battle Against Inadequate Housing":

Kirwan Apartments Seen as Major Step in Battle Against Inadequate Housing

(By Radcliffe A. Joe)

For a long while there was little else in that area but wastelands, brush-covered, undulating tracts of ground through which the more adventurous children of the neighborhood stomped; and stray animals roamed, foraging for food; and myriads of little tropical birds and butterflies flitted and fluttered . . .

Then, above the noise of the big jets at the nearby airport, and the lesser noises of the immediate environment, there arose a new sound . . . the sound of construction.

As if by magic, the birds and butterflies stopped flitting, the animals disappeared, and the kids moved to new stomping grounds. In their place appeared masses of constructional steel girders, concrete blocks and all the other broad-shouldered regalia of heavy duty construction.

That was in October last year. Residents in the surrounding Bourne Field and Lindberg Bay areas looked out their louvered windows at the steel-helmeted workmen barking orders at each other; and the protesting dump trucks laden with sand and fill; and listened to the whine and churn of the cement mixers, and speculated.

Today they know. All that activity represents another step forward in the Virgin Islands massive drive against one of its biggest bug-bears to progress—Housing. Out of that topsy-turvy assortment of sand, and cement, and fill, and steel, there is rising, at an almost unbelievable rate, another in the growing number of sophisticated low cost housing projects conceived to ease the thorny accommodation problem.

The buildings, officially called the Michael J. Kirwan project, were earmarked for completion in the late winter, early spring of 1970, but last week an elated Mr. Neville Thomas, executive director of the Virgin Islands Housing Authority, smiled happily as he anticipated that the 138 units would be handed over to his office by the middle of next year.

"Nogama Construction Company, the firm whose bid we accepted for the project is doing a remarkable job," he commented. "And if the present schedule is maintained then we should be moving in the new families by the Fall of next year."

The $3,051,671 project is comprised of 12-

one bedroom, 36-two bedroom, 80-three bedroom 6-four bedroom and 4-five bedroom units.

These are fitted with all conveniences, including screens and tiles . . . a new feature added to the project for the increased comfort of tenants. The grounds of the project, like those of its predecessors, are carefully landscaped with close attention being paid to recreational facilities.

"With these units we are also experimenting with a new concept of apartment dwelling in which the tenant will live on two floors instead of at one-level as was previously done," Thomas explained.

He pointed out that this "split-level" type dwelling will give the householder the opportunity to have his bedrooms at one level while his kitchen and living quarters will be at another. "We feel that this would appeal to tenants," Thomas continued.

For all this comfort, the lucky tenants will be charged nominal rents based on their income. These monthly rents could start at as ridiculously low a rate as $10 per unit. "This is why you seldom find tenants vacating the apartments, except to move into their own homes or go away from the islands," Thomas said.

This is also one of the reasons why, according to one long-suffering Virgin Islander, it would be easier to get into heaven than get into one of the gleaming new units.

If you can get past the agonizingly long waiting list, requirements for getting one of the apartments are relatively simple.

You must be a U.S. citizen, either by birth or naturalization, you must have a family, and you must show reasonable means whereby you could afford to pay the monthly rent.

Thomas refers to the Kirwan apartment as "a drop in the bucket!", "We have over 15,000 applications on file between here and St. Croix," he revealed.

"And in addition to that backlog we get a steady average of about 25 new applicants every month on St. Thomas and 40 a month from St. Croix.

Between 1950 when the V. I. Housing Authority was first set up, and the present time, numerous new government projects have been constructed in an effort to keep pace with the continuing demand.

But now, even with the Kirwan apartments nearing completion, and several other projects in various stages of development both on St. Thomas and St. Croix, Thomas stresses that construction work must be accelerated if his office ever hopes to keep pace with the demand.

"At present," he said, indicating a pile of blueprints on his desk, "we have some 1,247 in various stages of planning and construction on St. Thomas and St. Croix. Five hundred and forty seven of these are located on St. Thomas while the others are in St. Croix. Yet, this is but scratching the surface."

Thomas indicated that because of the staggering costs of constructing Public housing units on the islands, via the present method of inviting bids, his office is considering moving into an entirely new concept of housing development—one in which bidders will be eliminated and investors with lands and know how would be invited to submit blueprints for future projects.

"If we find what they have to offer is acceptable to our needs, then we will give them the green light for construction and purchase the project outright upon completion" he said.

The first of these experimental projects is expected to get underway at Tutu this Fall when an estimated 300 individual housing units will be constructed.

Thomas is confident that the concept will not only be feasible to the government and investors developing the units, but also to the householder in search of a place to live. Guided by this quiet confidence, plans are also being made for more units constructed along similar lines.

Thomas revealed that the accepted bidder's figure quoted for the Kirwan apartments was far in excess of the amount for which his office had originally budgeted. "As a result, the V.I. government was forced to subsidize the project by some $320,000.

"This has been a growing pattern with projects of this sort. It happened at King's Hill, St. Croix and on other projects and we need to keep our costs down," he said.

The V.I. Housing Authority is operated with Federal Funds. Although, as Thomas was quick to point out, money for a project does not come in bulk from the Federal Treasury. It is, instead, raised through the sale of guaranteed bonds, revenue from other projects, and the mortgaging of the finished units to private investors.

"In 1967, the actual funds we received from the Federal Government amounted to $762,000, while we have an annual operating budget of around $400,000," said Thomas.

The authority is overseered by a locally-based Board of Commissioners to whom all ideas, suggestions and comments on projects, past, present and future must be submitted for scrutiny and approval before being sent on to Washington.

Although the Authority works closely with a similar organization run exclusively by the V.I. Government, yet it remains a totally Federal project.

"There is, however, no overlapping of ideas, as we have a working arrangement which precludes this," assured Thomas.

Other Housing Authority projects in various stages of development in St. Thomas include Berg Homes, in the vicinity of the Kirwan Apartments, and homes for the aged at Long Bay.

Neville Thomas, has been executive director of the V.I. Housing Authority for the past three years. He was born in St. John and holds a Masters and Bachelor of Science Degrees from New York University.

Before accepting his present position he was principal of the Charlotte Amalie High School for two years between 1963 and 1965.

He is married to the former Rachel Jeter. They have a seven year old son, Lawrence. The Thomas' live at Hospital Ground.

TRIBUTE TO THE HONORABLE DWIGHT DAVID EISENHOWER

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mrs. BOLTON. Mr. Speaker, October 14 marks the birthday anniversary of one of our country's greatest and most respected individuals—Dwight David Eisenhower. I know that not only in our own country, but around the world, people everywhere join with us in wishing General Eisenhower many happy returns of the day.

He has lived his life simply, humbly, with complete dedication to his country.

As the leader of our military forces in World War II and then as President, General Eisenhower inspired confidence. Citizens of all walks of life have been drawn to him for consolation and encouragement in times of trouble, and they have not been refused for this remarkable man has the capacity to reward trust with performance.

As President of the United States, Dwight Eisenhower presided over a country that was sound fiscally and highly respected internationally. His administration was marked by 8 years of peace, progress, and purpose.

I was fortunate in having opportunity to work with General Eisenhower—when he was Chief of Staff, when he was president of Columbia, when he was President of these United States—in ways that gave me knowledge of the man. Loyalty, friendliness as well as a great capacity for friendship made our association more than usually meaningful. That he should have to bear with illness, with pain, grieves me deeply as it does all who know him. Yet as I see the continuing evidence of his abiding faith and the courage with which he lives each day I am grateful for the example he is to us all.

Thank you, General, for the strength you have given and still give to your fellow Americans. May Heaven bless and keep you now and always.

THE 91ST CONGRESS MUST REORGANIZE ITSELF AND REFORM ELECTION LAWS

HON. CLARK MacGREGOR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. MACGREGOR. Mr. Speaker, Republicans in the House of Representatives made a dramatic move aimed at prying loose the congressional reorganization and election reform measures from the Rules Committee in the closing days of the session.

Opponents of these two bills sought to cloud the issue and brand the move as a "stop equal time" tactic. This simply was not the case. These two bills are deserving of passage. I am confident that the 91st Congress will pass both bills. They are pieces of "must" legislation.

The following are some examples of the coverage given to our efforts by newspapers around the country. Included are editorials and articles from the Chicago American, the National Observer, Paddock Publications, the Washington Post, the Denver Post, Newark Star-Ledger, Chicago Heights Star, Roll Call, and United Press International:

[From the Chicago American, Oct. 11, 1968]

DOUBLE DEFEAT ON TV BILL

Senator Everett Dirksen's success in killing off chances for a Presidential TV debate was a major defeat for the public on two counts. Not only did this maneuver deprive voters of an important benefit—a chance to watch the leading candidates in confrontation and form a clear idea of them and the issues; it also spoiled a chance to get action this year on a separate issue, congressional reform.

The bill knocked out yesterday would have eased the "equal time" provision of the federal communications act, thus making it possible to televise joint appearances of the major candidate without having to give equal time to a swarm of minor ones. Democrats wanted the free-time bill passed and Republicans didn't, on the theory that Richard Nixon's rivals would benefit more than Nixon would from a nationally broadcast debate.

The bill won through the House after a bitter struggle, but Senate minority leader Dirksen got it killed yesterday by telling Republican senators not to answer a quorum call. Facing this sit-out, the Democratic leadership gave up, and the bill may be dead.

The House battle came about when a group of Republicans led by Rep. Donald Rumsfeld [R., Ill.] tried to put the free-time bill to use. They saw it as a lever to pry loose reform legislation long locked up in the House rules committee. The reformers staged a slowdown that was aimed at striking a bargain with the Democrats: Free the reform bills and the free-time bill would go through.

We criticized this tactic. It seemed to be what the Senate maneuver plainly was, a gimmick to spare Nixon a TV debate that he does not want. But it does not seem so now. The Democratic leadership does not want congressional reform, and the only way of blasting this legislation loose was just such a bargain as Rumsfeld attempted. We are sorry it failed.

The point is that a similar attempt could have been made in the Senate and might have succeeded, if the Republicans had not been in such a rush to kill off the free-time bill. A reform measure, for instance, might have been added to the bill as a rider [adding irrelevant riders to good bills is a practice that Dirksen has made peculiarly his own]. Conceivably a bargain that would benefit everybody could have been reached.

But the Senate G. O. P. leadership, apparently, could see nothing in all this but the possible loss of a campaign advantage. So it chose to block the free-time bill along with the session's last chance at congressional reform. Great work, men.

[From the National Observer, Oct. 14, 1968]

Marathon

(By John Peterson)

Rep. John H. Dent of Pennsylvania walked through the Speaker's Lobby just off the House floor. "I've had it," he quipped. "I'm smelling like a hippie." Said Minority Whip Leslie C. Arends of Illinois, strolling in off the House floor: "I've never seen anything like this in my 34 years here."

Nor had any other congressman. The only time the House had been in continuous session longer than last week's 32-hour, 17-minute performance was in 1854 when the Kansas-Nebraska Act was under consideration for two full days. The last time, before last week, that House members had been locked in their chamber to preserve a quorum had been under Speaker Champ Clark in 1917, to consider the National Home for Disabled Volunteer Soldiers. Last week's marathon, beginning Tuesday noon and ending Wednesday at 8:17 p.m., set a new record for quorum calls at 37.

The reason for the marathon session, if one believes the Republicans, was to force the House Democratic leadership to allow the congressional-reorganization and election-reform bills to reach the House floor. Or, if one believes the Democrats, it was because the GOP did not want to allow a measure to reach a vote that would authorize a TV debate starring the Presidential candidates, Richard Nixon, Hubert Humphrey, and George Wallace.

Regardless, the session had something for everyone. Late in the afternoon, when it became apparent it would be an all-night session, Vice President Humphrey unexpectedly stopped by to ensure that Speaker John McCormack would press on until he got a vote on the TV-debate authorization. As the night wore on, members snoozed in their chairs. Others whiled the time away between quorum calls harmonizing in barbershop-quartet style on a balcony off the Speaker's Lobby. Rep. Delwin Clawson of California broke out his clarinet to play a few oldtime favorites such as *Red Sails in the Sunset*.

Sarcastic comments flew across the House floor. Rep. Carl Albert, the majority leader, asked at one point: "Does this filibuster prove that certain members are afraid for Mr. Nixon to debate Mr. Humphrey?"

But 15 young Republicans, backed by Minority Leader Gerald Ford, remained unruffled. Their leader, Rep. Donald Rumsfeld of Illinois, explained that for the 19 months since the Senate passed the two reform bills, the bills had been "disgracefully blocked and ignored by the Democratic leadership."

"The Democrats are calling our insistence that the House follow its rules a filibuster or dilatory tactics," the urbane Mr. Rumsfeld said. "But we are simply making the House proceed by the letter of the rule, that a majority of members be present to conduct its business."

Traditionally the House's first order of business each day is the reading of the previous day's proceedings, which is ordinarily dispensed with by unanimous consent. The Republicans on Tuesday insisted that the clerk read the 68-page account in full. Any time it appeared a quorum (majority) was lacking, the Republicans politely asked for a roll call, which must be performed before business can continue. Roll calls usually consume about 20 to 25 minutes. After 37 roll calls Speaker McCormack ordered the chamber doors locked at daybreak with more than a quorum inside. One Republican, Robert Taft, Jr., of Ohio, broke out of the chamber to dramatize his dispute with Mr. McCormack's lock-in. The clerk finally droned through the rest of the record, concluding shortly after 8 a.m., and the House moved to consider the TV-debate measure. Within hours the measure passed, 280 to 35.

The agonies of Congress last week, instigated only in part by Mr. Rumsfeld and his allies, were showing that "reorganization is needed to produce better quality in product," said one Republican. Administration programs, regardless of merit, were being unmercifully whacked as Congress swept toward adjournment. Both houses approved cuts of more than $1 billion of Housing and Urban Development Department projects such as model cities, urban renewal, and rent subsidies. And the House Appropriations Committee reduced the President's supplemental appropriation to $101,000,000 from $270,000,000, wiping out more than a dozen programs under the new housing-aid and open-housing laws.

The primary aim of the congressional-reform measure is to open up the committee system. This, of course, would reduce the sweeping powers that committee chairmen now enjoy. The House Democratic leadership has wanted to maintain these powers, which in part accounted for the Republicans' inability last week to force the reform bills out of the Rules Committee onto the floor.

It was a historic week for the House, but the stuff of history produced little of substance. When the Senate received the measure to authorize the TV debate, the Democrats were unable to muster a quorum to consider it. Minority Leader Everett Dirksen had sent aides scurrying to tell GOP senators to remain off the floor. Majority Leader Mike Mansfield had no alternative but to indefinitely postpone the measure's consideration in the Senate, killing it for one year.

[From Paddock Publications, Inc., Oct. 11, 1968]

Congress Slowed? Change the Rules—Reform Measures Deserve Attention

Congressman Donald Rumsfeld (R-13th) was accused this week of attempting to prevent Congress from approving televised debates among the Presidential candidates.

A bill in Congress would waive television's "equal time" provision so the three major Presidential candidates can debate without forcing the TV networks to give equal time to a host of minor candidates. Rumsfeld's mentor, Richard M. Nixon, has said he would not debate Independent Party candidate George C. Wallace, so some Republicans opposed three-way debates.

From the standpoint of public policy this opposition is unwise. Polls tell us Wallace is a major contestant in the 1968 campaign. His views should be aired thoroughly. After Congress approves debates it is up to Nixon and the other candidates to decide whether they want to participate; we believe the American people would be better able to judge Wallace's caliber if he were placed side by side with the other two candidates.

The criticism of Rumsfeld, however, is misdirected. The northwest suburban congressman announced nearly two months ago that he planned to use every parliamentary technique available to him to slow the pace of the House of Representatives until the House leadership permitted two important issues to reach the House floor: Congressional and Election reform.

Rumsfeld, who was confident both measures would pass overwhelmingly if they were brought to the floor, reported they were bottled up by the leadership and Speaker John McCormack would not give him a satisfactory answer as to when Congress would be permitted to vote on the bills.

Filibusters are not permitted in the House, So Rumsfeld announced the slowdown plans under which he has been requiring the House to adhere strictly to its rules. In anger this week, McCormack locked the doors of the House so representatives would be present for Rumsfeld's frequently called roll calls.

Singling Rumsfeld out for criticism on the equal time waiver is unjustified and overlooks the failure of the leadership even to permit a vote on the reform measures.

We have consistently supported measures to bring about basic reform in elections and in Congressional procedure. It appears Congress will adjourn without ever having to faceup to the Rumsfeld proposals, which seem merited—even modest in view of the need. If the leadership opposes details of these reform measures, it should give Congress a chance to amend them. The bills were previously passed by the Senate, and the question of reform has concerned leaders of both parties.

The Congressional reform bill provides for improvements in the committee system, strengthening of fiscal controls, improved sources of information, regulation of lobbying activities and other operational changes. It would remove postmasters and rural letter carriers from the patronage system, permit live telecasting of Congressional committee hearings, open hearings of both House and Senate Appropriations Committees and make other changes appropriate for the main legislative body of a modern democracy.

The election reform proposal would overhaul federal election laws pertinent to fund raising and spending in federal elections. It would repeal the existing limitations of spending by candidates and political committees, retain the present $5,000 limit on individual contributions and require periodic, comprehensive reports of campaign finances. It would require senators and representatives to disclose gifts and honorariums in excess of $100 whenever they occur, even between elections. And it would prohibit diversion of political contributions to personal needs.

In formally announcing the slowdown move Sept. 10, Rumsfeld said:

"We live in an area of change. Whether that change will be wild and erratic or thoughtful and responsive depends in part on the United States Congress.

"Recent events in our own country, as well as throughout the world, have emphasized the critical need for democratic institutions to keep abreast of the times."

It is appropriate that Rumsfeld and his collaborators in the slowdown are using antiquated rules in their effort to get Congress to look at the efficiency of its procedures.

[From the Washington Post, Oct. 9, 1968]

House GOP Accused of Blocking TV Debate

(By Richard L. Lyons)

House Democrats accused Republicans last night of conducting a marathon "filibuster" to prevent consideration of the equal-time suspension bill because "Mr. Nixon is afraid to debate Mr. Humphrey."

Speaker John W. McCormack, sensing political advantage for Vice President Humphrey from the Republican stalling tactics, vowed to keep the House in session all night, if necessary, to break the procedural filibuster and pass the bill to permit free nationwide television debates between the major presidential candidates.

By 3 a.m. Republicans had forced 28 quorum calls, a record for a single day, and prevented the House from doing anything except read the Journal of Monday's proceedings. After a 13-hour session the Reading Clerk had read only half of it.

Republicans said their slow-down was aimed not at killing the television debate bill but at forcing Democratic leaders to bring the pigeon-holed Congressional and election reform bills to a House vote.

But most Democrats and some Republicans felt that the young activists who led the filibuster had pulled a political boner by taking a position that could be construed as trying to prevent the voters from seeing the candidates on the same platform

Late yesterday afternoon Humphrey went to McCormack's office in the Capitol to stress that point to newsmen. He said passage of the bill is "imperative" to give voters their best opportunity to choose among the candidates.

Humphrey, who trails GOP nominee Richard M. Nixon in the presidential polls, has been pressing for debates and expressed willingness to face third-party candidate George C. Wallace who would be included in a three-way debate under the House bill.

Nixon, who lost ground in his 1960 debates with John F. Kennedy, has refused to go on the same program with Wallace. The purpose of the bill is to permit television networks to give free time to major presidential candidates without being forced to give equal time to minor candidates for the office. The Senate bill would permit Humphrey-Nixon debates, but the House bill requires that Wallace be invited to participate.

"I don't think the presidency is for sale," said Humphrey. "It should not go to the one with the biggest advertising budget. It should go to the one with the best ideas and the one in whom the public has the most confidence."

Referring to "dilatory tactics" by House Republicans, Humphrey said: "I didn't think Mr. Nixon needed that kind of protection. All he has to do is pick up a telephone and tell them to pass the bill. He can even call collect. I'll pay for it."

Humphrey denounced the "unwillingness of the Republican candidate to stand up and be counted and discuss the issues."

DENIAL BY LEADER

Rep. Donald Rumsfeld (R-Ill.), who led the delaying tactics, admitted his group was filibustering, but denied that it was trying to kill the equal-time suspension bill.

Rumsfeld said members of the group were trying to hold up the bill as a club to prod Democratic leaders into bringing to a House vote Congressional and election reform bills that have languished in the House Rules Committee for months.

"We have tried every procedure we know to bring these bills to the floor," said Rumsfeld. "What better leverage could you have than this bill which the Vice President wants?"

Majority Leader Carl Albert (D-Okla.) told newsmen Republicans were filibustering to protect Nixon "from embarrassment." He said the claim that Republicans were trying to spring the reform bills "falls flat on its face" because a discharge petition to take the Congressional reform bill to the floor had collected less than 70 of the required 217 signatures.

Rumsfeld replied that if any one had filibustered it was the Democratic leadership in letting the reform bills die in committee.

ENFORCING RULES

After eight quorum calls, McCormack applied the only pressure he could by strictly enforcing the rules. When a quorum call began, the Speaker ordered that all doors to the chamber be closed and that when members entered to answer they not be permitted to leave until the quorum call had ended. But when it did, they began drifting away, and five minutes later another quorum call began. In between, a clerk read the journal of Monday's session.

The House always has trouble keeping a quorum on the floor, and the problem is compounded now by campaign absenteeism. The high count yesterday was 285 of 432 members present.

The filibuster was led by a group of young Republicans. At one point, Rep. Roman C. Pucinski (D-Ill.) asked as a parliamentary inquiry—the only form of speech permitted in the circumstances—whether "the Republican leadership has lost control of the kiddie corps." There was no reply, but Majority Leader Gerald R. Ford (R-Mich.) seemed in no mood to call off the action. By dark, it seemed to have become a game of chicken with neither side willing to back down.

[From the Chicago American, Oct. 9, 1968]

Debate Bill—Congressmen Stage All Night Hassle Over TV

(By Edmund LeBreton)

Washington.—House members were locked into their chamber today in an effort to break an all-night attempt at delaying action on a bill to facilitate a three-way television debate among the Presidential candidates.

Majority Democrats shouted approval of a motion to lock the chamber's doors and keep a working quorum on the floor. The step was unprecedented in modern times.

"With the doors locked and a quorum present, Republicans were unable to continue incessant demands for quorum calls.

RECORDS FALL

The House fought and muddled its way thru almost 20 hours of delaying tactics before taking up the bill.

Records and precedents fell like tenpins during the continuous struggle.

Before the motion to consider the bill could be called up there were 36 roll calls—by a wide margin a record for one continuous session. Thereafter Republicans continued to find ways to force roll calls, each consuming about a half an hour.

The measure would exempt television debates between Democrat Hubert H. Humphrey, Republican Richard M. Nixon, and third-party candidate George C. Wallace from the equal time requirement.

GOP SEEKS "LEVERAGE"

The Democrats had charged filibustering Republicans with trying to prevent the Presidential debate and at the same time shield their candidate from blame for ducking the encounter.

The Republicans maintained they were holding the equal time bill as leverage in an effort to force the Democratic leadership into scheduling action on congressional reorganization and election reform bills.

ASSAILS LOCK-IN

Rep. John B. Anderson [R., Ill.] received a standing ovation from Republican members later when he denounced the lock-in and said:

"I hope to God it never happens again . . . I don't think Oct. 8 and 9 are going to shine very brightly in the history of the House."

When the long-delayed debate on the equal time bill finally began Rep. Delbert L. Latta, [R., O.] said it never would have been called up if Humphrey wasn't trailing Nixon in the public opinion polls.

At a midmorning news conference, Republican leader Gerald R. Ford denied a Democratic charge he had been in contact with Nixon while the House was in session.

CITES HUMPHREY

Rep. Donald Rumsfeld [R., Ill.], one of the leaders in the delaying tactics, also said they had not talked to Nixon.

"We picked this bill to make our point because Humphrey wanted it," Rumsfeld said. "Humphrey wanted it bad enough to write a letter to the speaker and to come up here to talk with him. I haven't seen any letters from him on our bills."

Ford said Humphrey and Wallace forces worked together in an attempt to break the Republican filibuster.

"Someone will say we're against the equal-time bill but we're not. We still think we're right. We still think it's wrong for the session to end without taking up the clean elections and reorganization bills," Rumsfeld said.

Rumsfeld said he is uncommitted on the equal time bill.

SYMBOLIC SUMMONS ORDER

The bill would allow networks to arrange the debate without giving equal time to numerous minor candidates.

The motion by Rep. Brock Adams [D., Wash.] not only called for locking the doors, which was done immediately, but for the sergeant at arms to seek out and bring in absent members.

This part of the procedure apparently was mainly symbolic. Democratic absentees were summoned by telegram.

Republican members raised a storm of protest over the locked doors.

Some said it was an illegal use of powers under the House rules and Rep. Robert Taft Jr. [R., O.] said the restriction on the freedom of the members violated their constitutional rights.

House Speaker John W. McCormack said he was bound by the majority vote in support of Adams' motion and insisted that the doors would remain locked until the business before the House was completed.

Taft, still protesting that locking in the members violated their civil liberties, challenged the legality of the action by forcing his way out of the chamber.

A burly man, he pushed thru the door when it was unlocked to permit another member to go to the rest room, then brushed past two startled doormen, who grabbed him belatedly and forced him to halt.

Zeake W. Johnson, Jr., the sergeant at arms of the House, told Taft he would have to return but the congressman refused to do so unless Johnson put him under arrest.

LEAVES, THEN RETURNS

Johnson declined to arrest him, but told Taft he was in violation of the rules of the House. Taft left, but later returned to the chamber.

While Republicans kept the measure off the floor with parliamentary maneuvers producing a record number of roll calls, Humphrey visited the Capitol last night to urge enactment of the bill and dared Nixon to make this possible.

"He could do it with a simple phone call," the Vice President told newsmen. The call, he said, "could even be collect. I'd pay the bill."

"I didn't think Mr. Nixon needed that kind of protection . . ." Humphrey said. "I believe that what we have seen is unwillingness on the part of the Republican candidate to stand up and be counted, to engage in debate, in dialog."

SHUNS THREE-WAY DEBATE

Nixon has said he might be willing to debate Humphrey if the equal time provision is suspended, as it was in 1960 when he went on the networks against John F. Kennedy.

He said, however, he would not take part in a three-way debate involving Wallace.

The bill, similar to one already approved by the Senate, would change the law which now requires radio and television stations to allow equal time to any candidate for a particular office if another candidate for that office gets air time.

[From the Chicago American, Oct. 9, 1968]

First Lock-in for Congress in 51 Years

WASHINGTON.—The locking up of House members into their chamber to insure a quorum during the so-called equal time debate, revived a rule that has not been used for 51 years.

The last time the House was locked up was Feb. 14, 1917.

House officials say records indicate Speaker Champ Clark ordered that lockup to expedite action on a bill concerning the National Home for Disabled Volunteer Soldiers.

[From the Denver Post, Sept. 29, 1968]

Needed but Unlikely—Two-Party Group Bucks Seniors for House Reform

(By Robert Gruenberg)

WASHINGTON.—In the closing days of Congress, a last valiant effort is under way to bring the House of Representatives into the 20th century.

Although not labeled so by the men trying the almost-impossible, it is in reality a bipartisan effort, although there is no official link between the Democrats and the Republicans working on the project.

It is the attempt to bring the Legislative Reorganization Act of 1967 out of the hidebound Rules Committee of the House, where it has been for 18 months—ever since its overwhelming passage by the Senate—with little more than a half day's hearing.

Despite its dull title, its lack of glamor, and what Rep. Donald Rumsfeld, R-Ill., and Rep. Brock Adams, D-Wash., two of the chief battlers for the measure, would agree is "an issue without a constituency," it is one of the most important congressional measures since the last one was passed in 1946.

NEW CIRCUIT

If approved in this session of Congress it could go a long way toward disproving the theory of America's young dissenters in the streets—that The Establishment is unable to govern itself, much less the nation. If not approved it will have to start the long, involved subcommittee-committee-Senate-House route all over again.

House Democrats and Republicans who want to see the bill pass candidly acknowledge that leaders in their own parties are—if not dragging their feet—working against it.

Last week, said Rumsfeld, he discussed the bill with Majority Leader Carl Albert, D-Okla., "and he indicated he would frustrate it," said Rumsfeld.

The measure is, after all, a threat to time-dishonored practices, and gets at some of the roots of what is wrong with the legislative process.

It would, for instance, in reforming the committee system, provide for open meetings and disclosure of votes; limit proxy voting, and prohibit House floor consideration of a measure until it had been available to members for three days.

It would allow minority committee members to call witnesses, and permit committee hearings while the House or Senate is in session—which is extremely difficult to do under present rules, resulting in great waste of time.

It would overhaul budget procedures and force roll call votes on all spending measures. It would do away with the practice of choking off the effectiveness of minority members by denying them staff.

Probably most important—and here is where it runs into the opposition of the Old Guard in both parties—it would remove postmasters and rural mail carriers from the patronage system, regulate lobbyists closer, including complete disclosure of money spent for lobbying, and disclose contingent fees paid to influence legislation.

These are only a fraction of the reforms its backers argue for. But intransigency prevails. Early this week 134 House Republicans, led by Rumsfeld and 14 others, got 129 of their colleagues to sign a letter urging House Speaker John W. McCormack, D-Mass., to schedule for consideration the congressional reform measure, as well as a federal elections reform bill also holed up in the Rules committee under William Colmer, D-Miss.

UNREST CITED

The 134 Republicans wrote: "Times change, and unless our beloved House changes with the times its greatness will surely be challenged. There are broad currents of unrest running across the land.

"Disrespect for cherished institutions is mounting—particularly among the young. If the House reveals itself as incapable of change and reform, are we not contributing to a situation we all deplore?"

Late last week, independent-minded Democrats also began moving. Adams and Rep. Thomas Rees, Calif., got a movement under way seeking to get Democrats behind the effort to pry the measure out of the Rules Committee.

DISCHARGE WRIT

They plan to do this by filing a "discharge petition" on the speaker's desk for all to sign—Democrats and Republicans. A minimum of 219 votes are needed.

Rees is realist enough not to expect more than "40 or 50" Democrats to sign. Committee chairmen have long memories, and challenging the seniority system can be unhealthy for a congressman's future.

But if there are 50 Democrats willing to sign the discharge petition, and the 134 House Republicans meant what they said in the letter to McCormick, then the total—184—is within shooting distance of passage, and perhaps the momentum would carry it through.

It's a long shot and its failure would surprise nobody. But failure would underline again the House's own hardening of its arteries.

[From the Newark (N.J.) Star-Ledger, Sept. 24, 1968]

Legislative Reform Bill Gains Support in House

(By Peter Bernstein)

WASHINGTON.—An attempt by a handful of Republican representatives two weeks ago to bring a legislative reform bill to the House floor for a vote gained sudden momentum yesterday as 134 GOP House members signed a statement dramatizing the need for reform.

The group, including five of New Jersey's six Republican members—the exception was Rep. Charles W. Sandman, Jr. (2d dist.)—urged Democratic House leaders to by-pass the conservative rules committee and schedule floor debate on congressional and election reform bills.

Both measures were drafted by a bipartisan committee and approved by the Senate last year with strong support from the Democratic and Republican leaderships.

However, since then a conservative coalition on the House rules committee has refused to free them for a final vote. The coalition is thought to have the quiet support of powerful committee chairmen who consider the bill a threat to their individual freedoms.

BACKED BY DEMS

Despite opposition from the Democratic leadership of the rules committee, the proposed Legislative Reorganization Act has received substantial support from rank-and-file Democrats.

Rep. Joseph G. Minish, (D-11th), endorsed the bill in a statement urging legislative reforms.

"Congress and congressional procedure," he said, "must be streamlined if the legislative branch is to deal effectively with complex issues arising in a fast-moving society."

Rep. Donald Rumsfeld, Illinois Republican who is spear-heading the Republican move for reforms, cited "broad currents of unrest, in the country aggravated by disrespect for cherished institutions, particularly among the young.

"If the House of Representatives reveals itself publicly as incapable of change and reform," asked Rumsfeld, "are we not contributing to a situation we all deplore?"

He urged Rep. John McCormack (D-Mass.), House Speaker, to sidestep the rules committee and bring the legislative reform bill to the floor under special procedure so that debate could start and amendments be offered.

Aimed primarily at committee procedure, the bill would require open committee meetings and public disclosure of committee votes, mandatory roll-call votes on all spending measures, live telecasting and broadcasting of committee hearings, increased regulation of lobbying activities, and removal of postmasters and rural patronage system.

[From the Chicago Heights (Ill.) Star, Sept. 29, 1968]

Worthy Last-Ditch Stand

A Legislative Reorganization Act was approved by the United States Senate on March 7, 1967, and an Election Reform Act was approved by that body on September 12, 1967, but neither has become law.

The legislation has been locked up in the House Rules committee, and time is running out, as far as this session is concerned. But a group of legislators launched a last-ditch stand to bring the measures to the House floor.

Leader of this group is Congressman Donald Rumsfeld of Illinois' 13th district in Northern Cook county, and we believe he deserves credit for supporting the attempt to introduce up-to-date methods into House procedures. Rumsfeld is a Republican, but a number of interested Democrats reportedly have joined in his effort.

A particularly progressive feature of the Legislative Reorganization Act, it seems to us, is a provision for open business meetings of committees and public disclosure of votes taken in these meetings. Restrictions on proxy voting in committee would be imposed, public notice of hearings would be required, and broadcasting of open committee hearings would be permitted.

This part of the legislation would tend to place Congressional committees on a par with public bodies at a lower level with regard to open meetings. In Illinois, thanks to such legislators as Anthony Scariano, Park Forest Democrat, great strides have been made in permitting the public to know what goes on when officials meet to transact the public's business. It is almost incredible that members of Congressional committees can escape attention while voting to kill legislation or keep it alive.

There are various other reforms included in the far-reaching bill, including the removal of rural area mail carriers from the patronage system.

The election reform legislation calls for a bi-partisan federal elections commission, prohibits the use of political contributions for personal purposes, tightens the reporting of campaign contributions, eliminates loopholes which permit evasion of the limitation on contributions, and contain other provisions designed to improve the election procedure.

It is not suggested here that all of the many sections of the Senate legislation are essential. Rep. Rumsfeld and his group, however, are justified in wanting the measures brought to the House floor under an open rule, which would make possible amendments and debate. This would seem to be a logical first step in getting the public's business out of the boiler room.

[From the Washington Post, Oct. 12, 1968]

ADJOURNMENT IS BLOCKED BY HOUSE SNAGS

(By Robert C. Albright)

The 90th Congress last night completed all items of major business but the House ran into quorum trouble and other difficulties that threatened to delay indefinitely final adjournment of the session.

Unable to muster more than 180 members—far short of the necessary 217—when it attempted to get a quorum late yesterday to consider an adjournment resolution, the House went home for the night at 7:53 p.m. It will meet again at noon today. The Senate, meanwhile, after waiting in vain for the House to act, recessed and met again at 10 a.m. in a pro forma session at which it agreed to come in again at noon Monday.

The trouble in the House was compounded when Rep. James G. O'Hara (D-Mich.) and some other Democratic liberals said they would withhold their votes, essential to a quorum, until the Senate agrees to legislation authorizing free time for presidential television debates.

The Senate, which was forced by a Republican "sit-out" on Thursday to abandon a bill permitting three-way Humphrey-Nixon-Wallace debates, showed no indication of changing its mind.

As the House cleared the last two major bills, the $446.7-million supplemental appropriation and a $72-billion defense bill with quorum margins dwindling on every roll call, the protesting House bloc warned again they would not provide the needed margin to adjourn.

Said Rep. Brock Adams (D-Wash.): "Since the only major legislation left before the Senate will be the presidential debate bill, I propose to leave for my district and will return when I am called to act on that bill and to adjourn sine die."

Senate Majority Leader Mike Mansfield (D-Mont.), who was thwarted by Sen. Everett M. Dirksen (R.-Ill.) and other Republicans Thursday when he tried to call up the debate bill, ignored the House liberals' move.

Instead, as soon as the Senate passed the defense appropriation measure, Mansfield introduced the usual session-end resolution that Congress should "stand adjourned sine die"—or until the new Congress begins in January.

The Senate approved it at 6:17 p.m.

Mansfield's other ceremonial adjournment resolutions providing for Congress' formal windup, were also passed quickly and sped to the House.

By custom it is the House which usually initiates adjournment action, but after testing House sentiment on a preliminary move, House leaders deferred to Mansfield.

The House adjournment feeler, sent to the Speaker's desk by House Majority Leader Carl Albert (D-Okla.), had authorized the usual committee of four leaders to advise the President that the two Houses "have completed their business of the session and are ready to adjourn unless he has some further communication to make to them."

Rep. O'Hara promptly rose to observe that "I do not agree that Congress has completed its business since the other body still has a matter to consider." O'Hara told the Speaker however, that he would not resist that initial adjournment effort.

But even without the O'Hara move, the House was so short of the necessary majority that it took a two-hour roll call to produce quorums for final action on major bills.

Finally, the House gave up its attempt to produce a quorum and quit for the night at 7:53 p.m.

The way for final adjournment had seemed clear early yesterday after Sen. Mansfield said he had decided not to take up the nuclear nonproliferation treaty at this time, despite a new plea for action by the President and a statement by Mr. Johnson that he might call the Senate back into session to act on the treaty if it did not ratify it now.

"We will cross that bridge when we come to it," said Mansfield, adding that the election-year atmosphere and the emotional climate prevailing at present did not lend itself to action on the treaty now.

Mansfield said that the treaty can be moved quickly to the Senate floor when Congress returns in January, however.

House leaders plainly were in a quandary about what to do if a quorum cannot be obtained over the weekend. Under the rules, the House cannot even take three-day recesses without unanimous consent of its members.

O'Hara is expected to be on tap today to insist on a quorum before allowing a sine die adjournment, but will not block any unanimous consent arrangement for a series of three-day recesses.

If a quorum for adjournment cannot be obtained, most members probably will simply go home to campaign, leaving a handful to conduct token sessions indefinitely until a majority can somehow be produced.

As the weary legislators struggled to get through their remaining business and go home for the election campaign, the House and Senate pushed through their final appropriations and legislative bills. The compromise $1.75-billion foreign aid appropriation—the smallest in history, slashed more than $1 billion below the President's $2.9-billion request—was cleared by the Senate and sent to the White House.

For a while it appeared the $72-billion defense bill might be delayed because of lack of a quorum in the House, but Rep. Olin Teague (D-Texas) appeared, giving the House enough members present to act on the bill and send it to the President.

The $446.7 million in the final supplemental bill included $55 million to enable the food stamp plan to be expanded to new counties and cities. The $55 million is to be added to $225 million already provided for the program in earlier legislation this year.

The supplemental carried exemptions for the Medicare program and Commodity Credit Corporation farm program from the spending ceilings imposed earlier this year by the surtax bill.

Also in the compromise supplemental were $50 million in contract authority for the new home ownership and rental aid programs for the poor (the Administration had sought $150 million authority); $2 million (out of $8 million requested) for enforcement of the open housing law enacted earlier this year; $1.5 million to initiate a flood insurance program; $296 million for credit sales of arms overseas, and small amounts for implementation of the truth-in-lending law, a study of institutional investors, the National Water Commission, juvenile delinquency, and the natural gas pipeline safety law. No money was provided for the National Commission on Consumer Finance.

Two other bills sent to the White House made possession of LSD and other dangerous drugs a Federal crime and authorized Federal controls over dangerous radiation emissions from color TV sets and other electronic products.

Also given final Congressional approval yesterday was a bill giving veterans under the present cold-war GI Bill of Rights up to 36 months of educational benefits for 18 months of service. At present, they receive one month of benefits for each month of service.

Another bill rushed to the President yesterday was the omnibus measure to control water pollution and to bar discharge of sewage and oil from boats.

In an executive action, the Senate confirmed Covey T. Oliver as U.S. Executive Director of the International Bank for Reconstruction and Development.

Also confirmed was Nathaniel Davis as Ambassador to Guatemala.

Still another measure that was put through in the waning hours yesterday was a bill to establish an independent Federal Maritime Administration. Maritime affairs are now under the Department of Commerce. The Administration strongly opposed the bill and had favored putting maritime affairs under the Department of Transportation.

The Senate, on a voice vote, killed the House-passed Administration proposal to tax airplane tickets for overseas flights 5 per cent, the same rate as domestic flights. Another Administration proposal, to tax tourists' foreign spending, died in committee earlier this year.

[From the Capitol Hill Roll Call, Oct. 10, 1968]

ADJOURNMENT FEVER NOW JAILHOUSE BLUES

High hopes for a Friday adjournment of Congress were locked out this week as Speaker McCormack locked in his charges in an attempt to muster a vote on the Equal Time TV Debate bill.

The session which began at noon Tuesday was the longest in House history and set a new record for quorum calls. In addition, it was the first time in memory of any legislator or official that the Speaker invoked his powers to lock members in the chamber.

There were some reports that similar action had been taken 25 and 40 years ago, but officials in the House and the Legislative Reference Section of the Library of Congress said they had no such record. Roll Call's unofficial historian Winant Ellmore contends that if any such action had been taken in the House, it was back a century ago, before 1873 when the CONGRESSIONAL RECORD was established.

Previous to the rhubarb, it was almost a foregone conclusion that the Congress would finally adjourn this weekend. At press time it was doubtful whether that goal would be achieved. Senate Majority Leader Mansfield said it looked more like next weekend to him, although if the House could break out of its straightjacket it could dash to freedom at any time.

The Jailhouse session started Tuesday when Democratic leaders announced that the House would consider the controversial equal time suspension bill. But with the usually-routine reading of the Journal, House Republicans, led by Rep. Donald Rumsfeld (Ill.) initiated a procedural filibuster to stall consideration of the bill. After 13 hours, the Clerk had read only about half of the Journal (which normally takes about one minute) and a record of 27 quorum calls had been set.

After eight quorum calls, Speaker McCormack ordered the doors of the chamber closed, and members were not allowed to leave until the call ended. Members, as they often do, began drifting away as soon as the calls ended.

Harried Congressmen took the move good-naturedly at first, joking and ribbing each other. But as the calls continued, and the Clerk interspersed a few words from the Journal, absenteeism increased and good natures turned sour.

As the frustrating session continued through the night it was obvious history was being made. Speaker McCormack ordered the doors locked at 6 AM. One Republican, Rep. Robert Taft (Ohio) broke out after a scuffle with Sergeant-at-arms Zeake Johnson and a door attendant, and fled to the press gallery. Speaker McCormack sent Johnson in pursuit, but did not issue orders for Taft's arrest.

At 7:45 AM, behind locked doors, the reading of the Journal was completed and McCormack ordered the doors unlocked. In another seldom-used procedure, McCormack ordered the Sergeant-at-arms (on the 34th roll call) to notify the 111 absent members—including those campaigning in their districts—to return to the chamber immediately.

On the 40th roll call, at 10:25 AM, the House voted to take up the TV bill. On a previous vote, the House rejected a GOP move to include election reform legislation. Republicans claim the purpose of their "TVbuster" was to force Democratic leaders to bring up the long-locked House reorganization and campaign reform legislation, and not to save their Presidential nominee the embarrassment of having to debate—or refuse to debate—Hubert Humphrey.

During the long night and early-morning hours, members snatched some shuteye, watched late TV movies, discussed the unprecedented happenings and even heard Rep. Del Clawson tooting on his sax . . . probably, "This Is A Lovely Way to Spend An Evening."

The bill passed after 27 hours and 45 roll calls.

CONGRESS

WASHINGTON.—Deadlocked in round-the-clock session since noontime Tuesday, the House of Representatives today finally got to the troublesome question of whether to permit televised debates by the major presidential candidates.

House Republicans, however, threatened to continue their delaying tactics on procedural matters to hold off consideration of the measure, which has the support of the Democratic leadership.

In an unprecedented move this morning, Speaker McCormack ordered the House chamber doors locked in retaliation to the Republican tactic of calling time-consuming quorum and rollcalls during the night.

One Republican member broke out of the locked chamber but was forced to return.

The reading of the lengthy Journal was completed at 7:45 a.m., some 20 hours after the clerk began reading it shortly after noon yesterday.

McCormack then ordered the doors unlocked and the House began to move on the controversial "equal time" bill, which left the House subject to more delaying tactics by the Republicans.

The doors were locked at 6 a.m.

Rep. Robert Taft, R-Ohio, announced he was not going to let himself be locked in. When a door was unlocked to allow another member to visit the men's room—under escort—Taft bolted. He scuffled briefly with Sergeant at Arms Zeake Johnson and another door attendant.

Planting himself in the corridor, Taft challenged Johnson to arrest him.

McCormack sent word to Johnson to inform Taft he was in violation of House rules, but not to arrest him. Violating the rules may be punishable by censure of the House.

Taft returned to the floor and was greeted with wild applause from fellow Republicans.

Meantime the 34th procedural rollcall since Tuesday noon was in progress, a delaying tactic comparable to the Senate filibuster.

Besides ordering the lock-up, McCormack ordered the sergeant at arms to notify the 111 absent members to return to the chamber immediately.

This would include Congressmen who are campaigning in their home districts.

McCormack acted after the Democratic majority in the House shouted approval of a motion invoking a rule authorizing the lock-up. Veteran members said the rule had never been used before to their knowledge.

The rule provided that members answering the next quorum call be locked in the chamber until pending business is completed.

The pending business is legislation to suspend the equal-time provision of current communication law so TV networks could offer free time for Hubert Humphrey, Richard Nixon and George Wallace to debate without having to do the same for lesser presidential candidates.

Republicans opened a procedural filibuster against the bill when the House convened yesterday and all work came to a stop while quorum call after quorum call was taken at their insistence.

Humphrey joined House Democrats in charging the move was inspired by partisan desire to protect Nixon, who has side-stepped repeated challenges from Humphrey to debate on television.

Republicans replied the filibuster was aimed at forcing action on congressional and election reform bills buried in the Rules Committee and had noting to do with Nixon.

Humphrey came to McCormack's Capitol Hill office yesterday to denounce the "unwillingness of the Republican candidate to stand up and be counted and discuss the issues."

"I didn't think Mr. Nixon needed that kind of protection," Humphrey said. "All he has to do is pick up a telephone and tell them to pass the bill. He can even call collect. I'll pay for it."

The slowdown, which killed all hopes for final adjournment this week, began when GOP members refused Tuesday to dispense with the reading of the previous day's Journal according to custom. As the reading began the proceedings were interrupted by a request—for a quorum call.

Democrats were hampered by lack of attendance on their side of the aisle and were unable, without Republican help, to keep the necessary 217 members on the floor for a quorum.

Most roll calls turned up 250 more of the 433 members, but Republicans pulled their members out after each tally, paving the way for the next point of no quorum and another call of the roll. By 6 a.m., 33 quorum calls, consuming a half-hour apiece had ensued.

CLARIFYING AMENDMENT

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FRIEDEL. Mr. Speaker, as you will recall, the Committee on Interstate and Foreign Commerce submitted its recommendation on August 2, 1968, that H.R. 17685 be adopted for the purpose of amending the Federal Aviation Act of 1958 with respect to the definition of "supplemental air transportation" and for certain other purposes. This bill, with one clarifying amendment, offered by Mr. PICKLE, was unanimously passed on that day. The bill, with the House amendments, was subsequently accepted by the Senate on September 13, 1968, with a statement of understanding by the distinguished Senator from Oklahoma, concurred in by the distinguished Senators from New Hampshire and Washington. The President signed the bill on September 27, 1968, and it became Public Law 90-514.

Mr. Speaker, as chairman of the Subcommittee on Transportation and Aeronautics of the Committee on Interstate and Foreign Commerce, I wish to associate myself with the understanding set forth by the distinguished Senator from Oklahoma. That statement clearly sets forth what I understand to be the intent of the House of Representatives in accepting the amendment offered by my colleague from Texas [Mr. PICKLE], which, according to him, was merely a clarifying amendment. The amendment was to clarify that the term "charter" in section 410(e)(6) of the act includes "inclusive tour charters," thus conforming it to section 101(33) the definition of supplemental air transportation. The amendment, in my judgment, does not alter the Board's authority but merely clarifies the intent of Congress to make certain that the Board has the right to license scheduled carriers to perform such service if and when it decides such action is in the public interest. In these circumstances the Board will continue to have the same discretionary control over the scheduled carriers' charters that it had under the law prior to the enactment of this legislation. Mr. Speaker, in view of the fact that I am associating myself with the comments from the distinguished Senator from Oklahoma, I am submitting these for inclusion in the RECORD.

TRIBUTES PAID TO MUSMANNO

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, the people of the United States, especially the State of Pennsylvania, will long remember Justice Michael Angelo Musmanno, who died on Columbus Day, October 12, 1968. He was an admiral in the U.S. Navy, a justice of the Supreme Court of Pennsylvania, and an outstanding patriotic author. By his devotion to our good country, his patriotic fervor, and his untiring efforts for the progress of the average person, he set an example for us all.

As a personal friend, admirer, and fellow citizen of Pittsburgh, it is a pleasure to note for the RECORD, the pride and esteem in which Michael Angelo Musmanno has been held by our people.

I insert in the RECORD articles from the Pittsburgh Press, the Pittsburgh Post Gazette, and the New York Times of October 14, 1968, paying tribute to Justice Musmanno:

[From the Pittsburgh (Pa.) Press, Oct. 14, 1968]

TRIBUTES PAID TO MUSMANNO

Mayor Joseph M. Barr, one of the thousands saddened by the death of State Supreme Court Justice Michael A. Musmanno, last night paid tribute to the distinguished jurist and humanitarian.

"I share the grief of this city, state and nation in the death of Justice Michael A. Musmanno," the mayor said. "He was a warm and compassionate man—a man of humble beginnings who won international acclaim as a jurist.

"Whenever he strode the halls of justice, he provided a flamboyant and dynamic ingredient that characterized his zest for life and for his profession.

"Those who ever had the privilege to know Justice Musmanno will never forget him. He was the most sincerely dedicated man I ever knew."

Other comments from prominent leaders:

Gov. Raymond P. Shafer said, "Justice Musmanno's legal acuity; his wit, and his courage to say and fight for what he believed have left their mark on all men who knew—or knew of—this outstanding jurist."

U.S. Sen. Joseph S. Clark of Philadelphia, like Musmanno a Democrat but often at political odds with the justice, commented:

"Justice Musmanno's death is a real loss to the people of Pennsylvania. For many years he had been most active as a lawyer, as a jurist, as a leader of the Italo-American community and as a friend of labor."

Mayor James H. J. Tate of Philadelphia said, "There was no field of endeavor where Justice Musmanno did not add an illustrious chapter to history in his eloquence, his wisdom, and his courageous determination in the cause of righteousness."

Yissakhar Ben-Yaacov, the Israel consul general in Philadelphia, said Musmanno was "a great and noble son of the American nation and a distinguished friend of the Jewish people . . ."

[From the Pittsburgh (Pa.) Post Gazette, Oct. 14, 1968]

JUSTICE MICHAEL A. MUSMANNO

This State lost one of its most colorful and controversial public figures in the sudden death of Justice Michael A. Musmanno of the Pennsylvania Supreme Court.

A man of humble origins, Justice Musmanno from early manhood brought to every major public issue a passionate, if at times quixotic, concern for the underdog. As a legislator, he was instrumental in ridding Pennsylvania of its hated iron and coal police. His fiery nature propelled him into active participation in such causes celebres as the Sacco-Vanzetti case, the Nuremberg trials of Nazi war criminals and the trial and conviction of Adolf Eichmann.

* * *. He was determined to be heard at all costs, and heard he was. It was somewhat fitting that he should die on Columbus Day, for he had devoted enormous energy and endless rhetoric to the defense of Christopher Columbus as the discoverer of America. This crusade reflected his zealous loyalty to the Italy from which his forebears came.

* * *. At an age when many men have retired he still attempted to win election to the U.S. Congress.

As a jurist, Justice Musmanno was best known for his dissents and for controversy. * * *. Among his followers, were those who argued that beyond his eccentric behavior lay a sound knowledge of the law and many outstanding opinions.

* * *. As a public official, soldier and patriot, and an author of vivid imagination and arabesque prose, Mike Musmanno brought to his work a sunny optimism, a great zest for life and a gift for friendship. The warmth of his nature should be remembered after his foibles have been forgotten.

[From the New York Times, Oct. 14, 1968]

MICHAEL A. MUSMANNO, 71, DIES—DEFENDER OF SACCO AND VANZETTI—JUDGE AT NUREMBERG TRIALS—UPHELD COLUMBUS AGAINST DETRACTORS

PITTSBURGH, October 12.—Justice Michael A. Musmanno of the Pennsylvania Supreme Court, one of the most colorful jurists in the state's history, died Saturday at Mercy Hospital. He was 72 years old.

Justice Musmanno was felled by a stroke at his apartment early Friday and taken to the hospital. Death was attributed to a cerebral vascular accident.

A lifelong bachelor, Justice Musmanno is survived by several nieces and nephews.

* * * * *

A concelebrated requiem mass will be offered at 11 A.M. Wednesday in St. Paul's Roman Catholic Cathedral here.

LONG AND COLORFUL CAREER

(By Albin Krebs)

Like the great Italian sculptor after whom he was named, Michael Angelo Musmanno was a brilliant, articulate, compassionate and highly volatile original.

Michelangelo worked with hammer and chisel on stone; his namesake's tools were words, usually spoken or written on paper, * * *.

Justice Musmanno had a long and colorful career. He acted as counsel for the doomed radicals, Sacco and Vanzetti. He was one of the principal judges at the Nuremberg trials of Nazi war criminals. He was the champion of coal miners persecuted by company police in Pennsylvania. * * *.

Judge Musmanno's rhetoric was as awesome as it was florid, whether it centered on a defense of Christopher Columbus as the true discoverer of America or the condemnation of what he believed to be a filthy movie.

When asked what he had achieved in life, Justice Musmanno, * * * once replied that he had been "a coal miner, a steelworker, a hero of both World Wars, a rear admiral in the Navy Reserve, a former State Representative, a composer, an orator, and a prolific author," not to mention his better-known accomplishments.

* * * * *

Born in the mill town of McKees Rocks, near Pittsburgh, Justice Musmanno went to work while in high school as a coal miner and he worked as a waterboy for steelworkers in Pittsburgh. He earned seven degrees from five universities, including bachelor's and master's degrees from Georgetown University in Washington.

During World War I, Justice Musmanno served in the Army and received a minor wound.

He achieved his first national attention in his second term in the Pennsylvania Legislature in the nineteen-thirties, when he championed a bill to abolish policemen for coal and iron companies who were hired to break strikes and, as he told his colleagues, "crack the skulls of decent, Christian men."

The bill was vetoed by the governor, but Mr. Musmanno wrote his first book, "Jan Volkanik," based on his interviews with striking miners. It was made into a movie, "Black Fury," starring Paul Muni, and many people, including Justice Musmanno, maintained that the movie helped curb company abuses in the mining industry.

For years Justice Musmanno had been representing impoverished widows and bankrupt small businessmen, while in Massachusetts, Nicola Sacco, a shoemaker, and Bartolomeo Vanzetti, a fish peddler, went through several trials on charges of double murder.

The two men were Italian immigrants and anarchists, and world attention had been focused on their trials, mostly because many people believed they had been railroaded to the death house not because they were killers but because of their political beliefs.

Justice Musmanno held that view, and in 1920, he became the chief counsel, in a battery of lawyers, for the condemned men. Sacco and Vanzetti were executed a few minutes after the convicted murderer, who had confessed that the two men had not taken part in the payroll robbery in which the double murder had occurred, was put to death.

For the rest of his life, Judge Musmanno, in dozens of speeches, as well as in articles and books, maintained that Sacco and Vanzetti had been unjustly convicted and executed.

"The most momentous assignment I ever handled," Justice Musmanno said, was presiding over what he called "the biggest murder trial in history," that of 21 members of the Nazi Einsatzgruppen, charged with responsibility for murdering two million Jews during the early years of World War II before the opening of mass annihilation camps.

Fourteen of the 21 defendants who stood before Judge Musmanno were sentenced to be hanged.

Before World War II, in which he served in the Navy as a captain and naval liaison officer on the staff of Gen. Mark Clark in the Po Valley campaign, Justice Musmanno had served on the Pennsylvania Common Pleas Court in Pittsburgh as well as on the Allegheny County bench.

When he was elected, without the support of the Democratic organization, to the State Supreme Court in 1951, Justice Musmanno brought out into the open beliefs that most politicians might have held but refrained from mentioning in public.

At one point, Justice Musmanno sentenced himself to jail for three days, "so I can learn what it's like for the people I send there." He campaigned exhaustively against drunken driving, and for his efforts—he gave six-month prison terms to drunken drivers—was temporarily suspended from the bench.

Justice Musmanno probably wrote more dissenting opinions than anyone who ever served on his state's highest court—32 in his first year alone.

Communism, obscene books and films, desecration of the flag, and the lack of patriotism were all subjects of Justice Musmanno flowery and baroque rhetoric. Several of his 10 books, including "Columbus WAS First," concerned his great hero.

He died on Columbus Day, several hours after he was to have served as grand marshal in Pittsburgh's Columbus Day parade.

NEWSLETTER TO CONSTITUENTS

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. LONG of Maryland. Mr. Speaker, I have sent the following newsletter to my constituents summing up some of the achievements of this session and some of the tasks facing the next Congress. I would like to share this newsletter with my colleagues:

FULL SPEED AHEAD OR ASTERN?

Who stands most to gain—or to lose—from the next Congress? You, that's who! Here's what a forward-looking Congress will do (and what a backward-looking Congress will not do) for you and your family.

Plug the tax loopholes, through which the wealthy dump their share of taxes onto middle-class taxpayers.

Set up an impartial Small Tax Claims Court where a taxpayer can appeal unfair assessments, at no cost to himself.

Improve Social Security and Medicare benefits.

Raise unemployment benefits for the jobless.

End discrimination—including income tax and Social Security bias—against women.

Permit retirement for Government workers after 30 years' service.

Provide "portable" pensions, in place of the "nailed-to-the-floor" pensions which you lose if you change jobs.

Pass more effective laws against pollution.

Take a hard look at our foreign aid—especially our military assistance which finances arms races among poor nations.

Make Government serve you better and cheaper.

Reform the welfare system to end chiseling but to help people with genuine needs.

BALTIMORE AND HARTFORD COUNTIES—6 YEARS OF ACCOMPLISHMENT

$39 million in military construction for Bainbridge, Edgewood, and Aberdeen.

$12 million for public schools and colleges, student loans, school buildings, medical training, research, and retirement insurance.

$8 million for water and sewage treatment facilities.

$621 thousand for conservation projects.

$598 thousand for parks, recreation and beautification.

$53 thousand for urban mass transportation, and part of over $5.5 million for housing and urban development awarded to several Maryland counties.

JOBS FOR YOUNG AND OLD

My job desk works full time to find jobs—including summer jobs for students—and to get promotions or transfers. Call 828-6616 (Mrs. Hope). The Maryland Employment Service has set up a special office in Middle River (687-6719) at my request to find jobs for Martin lay-offs. My bill (H.R. 3555) would set up a Bureau of Older Workers to provide leadership in lowering job barriers against older workers.

OFFICE ON WHEELS

Each Saturday, at 10 a.m., your Congressman brings his Office on Wheels to a different community to find what help people seek: Nov. 9—Dundalk Post Office.

INVESTIGATION OF AMERICAN FARM BUREAU FEDERATION

HON. JOSEPH Y. RESNICK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. RESNICK. Mr. Speaker, for some time now I have been conducting an investigation of the American Farm Bureau Federation, an organization which professes to be a friend of the farmer, but which is actually a gigantic combine of insurance companies and other businesses that has used the farmer to further its own interests.

For years the Farm Bureau has walked hand in hand with the giant corporate farmers and the forces of reaction, totally indifferent to the problems of the small farmer; indeed, totally indifferent to what is good for all interests but its own. Here is how it works.

In California, the farmworkers have organized a nationwide boycott of California grapes in order to press their demands for higher wages, firm contracts, and the right to be included under the authority of the National Labor Relations Board. As a means of retaliating against the poverty-stricken farmworkers, the American Farm Bureau Federation has launched a nationwide campaign of economic warfare against American cities supporting farmworkers in the grape dispute.

The directors of the New Jersey Farm Bureau have officially proposed to the national organization that it abandon plans to hold next year's convention in Kansas City, and move it to Chicago instead. This coincidentally, of course, followed passage of a resolution by the Kansas City Council expressing support for the grape boycott. Obviously, the Farm Bureau has embarked on a policy of inflicting punshment on anyone who supports the poverty-stricken grapepickers.

Allan Grant, president of the California Farm Bureau, has declared that the California organization would not hold its 1972 convention in San Francisco as planned. Mr. Grant admits that the reason for making this move, which will cost San Francisco hundreds of thousands of dollars, stems from statements by San Francisco Mayor Joseph Alioto in support of the strikers.

Elsewhere in California, the Fresno County Farm Bureau has been using intense pressure in a so far unsuccessful effort to get the Fresno City Council to pass a resolution opposing the grape strikers.

In Denver, the president of the Colorado Farm Bureau has also gotten into the fight by attacking Denver grocery operators who are supporting the boycott.

Pressure, intimidation, and the economic blackjacks are all weapons that the Farm Bureau is using to undermine the support that many American citizens are giving to the striking farmworkers.

Once again, as it has done many times in the past, the Farm Bureau is lining up shoulder to shoulder with the forces of reaction. It is totally indifferent to the low salaries, poor housing, and generally substandard health, living, and working conditions which the farmworkers are now fighting to improve.

The workers are presently not even covered by the National Labor Relations Act, a most basic form of protection enjoyed by virtually every other American worker. Of course, one has learned to expect this behavior from the Farm Bureau, which has historically opposed increases in the minimum wage, medicare, aid to education, social security, and most other social legislative advances of the 20th century.

The Farm Bureau's present tactics provide further evidence of its true interests, not as an organization representing agriculture, but rather as a gigantic business enterprise whose primary concern is profits and protecting corporation farms.

CONGRESSMAN BRADEMAS URGES CONSTITUENTS OF THE THIRD DISTRICT OF INDIANA TO VOTE ON NOVEMBER 5

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BRADEMAS. Mr. Speaker, I hereby include in the RECORD the text of a letter which I plan to send to voters in the Third Congressional District of Indiana urging them to exercise their sacred privilege of voting on November 5, and giving them information about their precinct and the location of their voting places:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., November 1968.

DEAR FRIEND: You will shortly have an opportunity that millions of people in many other countries of the world do not enjoy—the opportunity to vote for those men and women whom you wish to be your representatives in government.

Keeping America strong and free largely depends on you, for our democracy is based on the participation of the individual citizen in choosing his government.

Election day is almost here—Tuesday, November 5. I urge you, therefore, to be sure to go to the polls to vote.

Whether you are a Democrat, Republican, or Independent, be sure that you exercise your sacred privilege. How you vote is your business, but be sure to vote!

For your convenience, I am enclosing information about your precinct as well as the location of your own voting place.

With best wishes,
Sincerely,

JOHN BRADEMAS,
Member of Congress.

P.S.—The polls are open from 6:00 a.m. to 7:00 p.m. on Tuesday, November 5.

THE PRIDE AND THE GREATNESS

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. DENT. Mr. Speaker, in this very upset period of our history it is refreshing to read an article by an eminent writer, reaffirming a faith in our system of government.

The following appeared in the Pittsburgh Press, written by Eric Hoffer, TV, radio, and newspaper commentator.

I quote from Mr. Hoffer:

THE PRIDE AND THE GREATNESS

When I talk to American students and teachers about common Americans it is as if I was talking about mysterious people living on a mysterious continent.

They write books about us. They say we are a mass of brainless saps and automatic ghouls. Someone tells us how to vote, what to buy, how to live.

They ignore the fact that we elected Roosevelt four times in the teeth of all the newspapers, in the teeth of Wall Street. And we elected Truman when all the newspapers said Dewey was elected.

I remember the picture when Truman was sworn in—all the great brains standing around and wondering, "Look who is being sworn in as president."

Now the Trumans are a dime a dozen in this country. You can almost close your eyes, reach over to the sidewalk, and make a man president—and he'll turn out to be a Truman.

Show me a society anywhere that can supply potential leaders like that. It's breathtaking.

Who among the intellectuals would have predicted that a machine politician, patronized by the Knowlands, here in Oakland, Calif., would become Chief Justice Earl Warren; that a hack politician endorsed by the Ku Klux Klan would become Justice Hugo Black.

Or that a bankrupt haberdasher, who was given his start by the corrupt Pendergast machine, would become President Truman; that Johnson, a Southern politician, would push through the civil rights legislation?

I have lived with Trumans and Johnsons all my life. To me they are the pride and the greatness of this country, and they know how to defend it.

When a Johnson gets a job you do not presume to tell him how to do it. You have faith in his competence, and his capacity to learn. You know he will do whatever he does the best way he knows how. You also know that the Johnsons don't scare, and will not swerve from their path.

It is the unique greatness of this country that it has many Trumans and Johnsons.

To us, a Johnson in the White House is not a hero, but one of us, saddled with the toughest job in the world, and trying to do his best. If he fails, we fail; he succeeds, we succeed.

Mr. Speaker, the simple and abiding faith in our governmental system, our institutions, and our people cannot be more eloquently expressed.

In this day of false values being paraded as virtues, one finds it hard to separate the sheep from the goats. We have always been able to evaluate our public office seekers by what they say, how they act and react, and somehow we manage to make the next selection in the vast majority of elections.

Today, however, I am afraid that Congress should go further with our Truth-in-Packaging and Truth-in-Lending Acts.

When we have major political candidates who refuse to go before the people in a free and open debate or to be questioned without notes in time honored press conferences, we wonder if the truth-in-packaging bill went far enough.

We protect a car buyer against fraud by compelling a price invoice to be put on the window of all new cars offered for sale. We compel all lenders to show how much interest a borrower must pay or how much is added to charge accounts for installment payments for services, interest and so forth.

However, we have no such protection for a consumer acting in his capacity as a voter. He is asked to buy a "pig in a poke." The only image he gets of the product—candidate—is one that is prefilmed, preprinted, and prejudged by public relations experts spending millions of dollars without any acknowledgement being made as to the source of funds or the "interest" that will be charged by the lenders if the candidate is elected.

To date, we have the unheard-of situation where our candidate is spending, according to his supporters, $25 to $30 million for public relations, and yet refuses to be questioned except in limited and prescribed areas.

We have a vice presidential candidate whose remarks made in public appearances have been so embarrassing to his supporters that for all practical purposes he has been put under "closed mouth" guard. On a recent trip to Pittsburgh this same national candidate refused to see newsmen, canceled a public trip through the city, and slipped out of town to a neighboring community for a political talk.

The interpretation, of course, was to the point—he had been "shut up" by his party's political leaders or perhaps even worse, by the hired ghost writers.

This does not help to give us the kind of selections and freedom of choice covered so well by Mr. Hoffer. It gives us a new bar of soap or a detergent or a new body deodorant, but not a President and Vice President.

The people are told that an old candidate is a new person, but nothing on the window tells us how much it will cost or how it will perform. You cannot sell an old car, newly painted as a new car under the truth-in-packaging bill. Why should we be sold an old candidate with a new label?

Mr. Speaker, this is particularly important today. We have troubles, dissention, a costly war, and a major share of our crime appears to be inspired by enemies of our societies. We have problems of imports and unemployment, highway construction, clean streams, pure air, aid to education, antipoverty and medicare, social security and pension and welfare rights.

We have many issues that should be answered and they cannot be answered by a candidate who answers only in the words of the Madison Avenue ghost writers. You cannot nail a candidate down whose only answer is, "I don't like what we have and there is going to be a change."

What change, Mr. Candidate?

What year, Mr. Candidate?

What cost, Mr. Candidate?

Do we change the past? Do we change the present? Or do we change the future?

It is not enough, Mr. Speaker, and it matters not what party is represented; that party and its candidates must tell us where we are going "if they win."

NEWSLETTER TO CONSTITUENTS

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. GILBERT. Mr. Speaker, it is my custom to periodically inform those I have the honor to represent of my activities in Congress and to outline major legislation of particular interest to my district. I hereby insert in the RECORD my most recent Newsletter to my constituents in the 22d District, Bronx, N.Y.:

OCTOBER 1968.

DEAR FRIEND: As the 90th Congress draws to a close, I would like to report to you on some of its achievements and failures. I wish I could report more achievements, but the fearful state of the country has precluded the enactment of the progressive legislation that I think we need. I am persuaded that we cannot make much progress until we end the horrible war in Vietnam, which not only drains our resources but seems to injure our national sanity. It makes us, as a nation, angry and frustrated and distorts our perspective on ourselves and our future. I think it is imperative that we take the steps necessary to end the Vietnam war, including an immediate cessation of bombing in North Vietnam. While we claim to bomb to protect our soldiers, thousands of them die each month as the war drags on. It is worth the risk to try for peace. My position is not a new one; I have consistently spoken out for a bombing halt to the Congress and to the President and Secretary of State. I believe that once the war is over, we will get back to building a more healthy society—of opportunity, prosperity, equality—a society that rejects hysteria and demagoguery for the solution to problems.

As our first order of business in creating this society, I have joined with other Americans to call for passage of important anti-gun legislation. It is silly for us to tolerate unimpeded traffic of firearms. I am not so naive as to think that restricting acquisition to guns will transform the hearts of men. But I do believe that it will keep them from casual killing—and will keep our society from abetting the impulse to kill. Congress has already passed a bill forbidding the sale of handguns by mail order. But it must also require the registration of firearms and the licensing of gun owners, so that lethal weapons can no longer be passed around as unceremoniously as used guitars. We can no longer be deluded by the propaganda of the National Rifle Association or the vigilante wing of the Republican Party. Without infering with legitimate self-defense and the right to shoot as a sport, we must stop the senseless indifference to the presence of guns all around us.

On the day Senator Kennedy died, Congress voted final passage of the President's Omnibus Crime Control and Safe Streets Act. The new law authorizes $100 million this year and $300 million next year for training, research and operations in law enforcement. It is an unfortunate commentary on our country that we must put these funds into extra police protection when we need them so badly for schools and housing. But by instilling new respect for security on our streets, we are honoring Dr. King and Senator Kennedy.

Since I last wrote you, Congress passed the Housing and Urban Development Act, the most important housing legislation in twenty years. It authorized $5.3 billion over three years to finance, among other things, 1.7 million units of new and rehabilitated housing for low-income families. Included also were Federal subsidies to help the poor buy their own homes and rent apartments. The bill was designed as the first step in a goal of providing 6 million units to replace substandard housing. I, of course, vigorously supported this measure and expect to see its effects soon flowing into our District in the form of better housing for many of our people.

Congress recently voted final passage to the Juvenile Delinquency and Control Act, which authorizes grants to plan and operate anti-delinquency projects. I was in favor of the bill, although I objected to the way Dixiecrats and Republicans mangled it on the House floor by requiring the approval of all state governments for any grants. In New York, the state government is, on the whole, progressive, but in other states the statehouse becomes an obstacle to foresighted action. I am hopeful that this legislation will help us to make headway against the grievous problems of juvenile delinquency, which is faced by virtually every locality.

I am exceedingly pleased to report to you that Congress also passed the Truth-in-Lending Law in this session, although it will not go into effect until July 1, 1969. The law, which I have fought for over the course of many years, is perhaps the most important consumer legislation of our era. It requires that lenders—banks, department stores, loan companies, retail merchants—provide the accurate cost of any credit that is offered. In the past, lenders have been able to hoodwink the public by all kinds of devices to conceal interest rates. These devices will be allowable no longer. The new law should significantly assist the careful shopper to get better bargains. I am also happy to note that the new law contains severe provisions against loan sharking. These provisions should become a major obstacle to the hoodlums who prey on the needy with dirty money. I think this Truth-in-Lending Law is a major step forward in the concern government must show for the poor and for the consumer generally.

Let me mention briefly other important items of legislation in which I have been involved and in which you may be interested. All were voted into law in the current session.

A bill designed to abate aircraft noise around jet airports by providing for anti-noise research and the establishment of anti-noise standards.

A bill founding a National Eye Institute within the National Institutes of Health, to conduct research on eye diseases.

A bill closing the loopholes in poultry inspection, so that consumers may buy poultry with the assurance that it is safe.

A bill improving veterans benefits of all kinds, including disability benefits, GI Bill, mortgage assistance and retirement pensions.

One bill I regret is the 10 per cent tax surcharge. I fought its passage both in the Ways and Means Committee, of which I am a member, and on the floor of the House. I did not approve of the bill's perpetuating inequities that already existed in the taxing system by a blanket 10 per cent increase. Most of all, I objected to the accompanying requirement—forced through by Republicans and Dixiecrats—that the budget be cut by $6 billion. That money will come chiefly out of the pockets of the poor, which I regard as both indecent and unwise. I look for the opportunity soon to repeal the surcharge.

I was deeply disappointed this year in the inadequacy of the appropriation for anti-poverty work. It was about $1.8 billion—compared to some $80 billion for the Department of Defense. Our own District has benefitted enormously from the anti-poverty program. I find that since 1965, more than 1800 children have attended Head Start programs, while almost 4000 children have attended summer programs, thanks to anti-poverty funds. I am pleased to report that I was successful in securing the approval of $3.5 million in Federal funds for our Hunts Point Multi-Service Center for its various social programs, including health, education, anti-poverty, recreation, training and employment. This is the way government money should be spent: on helping people. That is why I fought so vigorously for continued adequate funding of the anti-poverty program, and become so indignant when I see our money spent so aimlessly on unnecessary wars.

It is no contradiction that I begrudge expenditures for Vietnam while favoring delivery of American Phantom jets to Israel, a country whose very existence is threatened. Israel's enemies are being rapidly rearmed by the Soviet Union, which wants to establish a permanent military presence in the Mediterranean. The military security which Israel has enjoyed since last year's June war, and which has since kept the peace, is vanishing. I have notified the President that we must no longer withhold these jets, on which an arms balance in the Middle East depends.

As your representative in Congress, I am deeply grateful for the support you are giving me. I hope you had a pleasant summer. I look forward to spending more time in the District when Congress adjourns and hope to have the opportunity to meet you personally.

Sincerely yours,

JACOB H. GILBERT,
Member of Congress.

HUMPHREYISM NO. 15

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. SCHADEBERG. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

From a Collection of Representative HENRY C. SCHADEBERG'S (R., Wisc.):

"There's no Humphrey program, just the Johnson program, and there are no Humphrey people, just Johnson people, and I'm one of them." (Quoted in Saturday Evening Post, Apr. 10, 1965.)

"I have my own views. I have my own conscience. I wear no man's collar." (Quoted by AP, Apr. 10, 1966.)

EUGENE R. BLACK DISCUSSES POLICY IN THE MIDDLE EAST AND IN EAST ASIA

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. KUPFERMAN. Mr. Speaker, my good friend and constituent, Joseph Verner Reed, Jr., has for some time now assisted Eugene R. Black in dealing with problem areas throughout the world.

He has called to my attention an interesting point of view expressed by Mr. Black on the subject of "Settlement or Solution in the Middle East" before the Middle East Institute and on the subject, "Towards a New Diplomacy in East Asia," before the Research Institute of Japan.

I am pleased to bring these to the attention of my colleagues for their thoughtful consideration, as follows:

SETTLEMENT OR SOLUTION IN THE MIDDLE EAST?

(Address by the Honorable Eugene R. Black, before the Middle East Institute, Washington, D.C., October 4, 1968)

I thought long and hard before agreeing to accept Ambassador Hare's flattering invitation to come here today. I am not a Government official or a lawyer or a professional diplomat and the dire problems of the Middle East today cry out for the immediate attention of such people. I am painfully aware of the importance and the delicacy of the Jarring Mission. I know only too well that the task of the peace-maker is often made as difficult by the words of those who merely wish him well, as by the words of those whose interests he must somehow reconcile.

I view world problems, including those of the Middle East, as a practitioner of development finance. Thus I am accustomed to taking a long view of world problems. "Development" is not a "problem" that can be solved; it is a continuing process that involves all aspects of life. I believe that only as nations come to concentrate more on that process will the danger of wars, great and small, decrease.

But "development" takes for granted that in the real world nations usually cannot solve for once and for all the problems that divide them. As Jean Monnet said recently, the best nations can hope to do is to move around insoluble problems.

I accepted this invitation in the hope that a consideration of the long view might help to increase the chances for achieving in the near future some settlement of the perilous issues which are inflaming the Middle East today to a degree I have never yet experienced. I do not intend to talk to those issues. Others are doing that more expertly than I can. But because there exist today so many plausible suggestions for settlement—formulas which would reflect and enforce the key interest of Israel in its national security and survival and the key interest of the Arab states in recovering lands lost in war—I am moved to point out that the reasons why these formulas have not resulted in settlement is that there is not now enough confidence, enough trust, or enough hope on both sides to permit settlement. That this should be so should surprise nobody familiar with the realities of the Middle East. It should, however, command from us coolness in rhetoric and discussion, but I am afraid we Americans still have a lot to learn about how to "play it cool" in international affairs.

To illustrate what I mean, let me cite three fallacies—three dangerous non-sequiturs—which threaten to become commonplace beliefs to the grave peril of us all. Each of these fallacies starts with a fact. But each fact has given birth to a false conclusion which could, if taken seriously, raise the temperature of the Middle East to a new flash point—one which could even spark World War III.

The first fallacy has been used to freely feed hatreds in the Arab states. It is the fallacy that the policies of the Israeli Government are made in Washington . . . or that Washington's Middle East policies are made in Israel. There are several facts behind this fallacy, and I won't attempt to enumerate them. The basic fact which gives plausibility to this fallacy is, of course, the fact that Israel was established in part by an international enactment in which the United States and the former imperial powers of Western Europe played the leading role. Even in the absence of a large Jewish population in the United States, Arab leaders would still be inclined to attribute to Washington an official connection with the policies of the Israeli Government which had little relation to reality.

It has until now proved nearly impossible for the United States Government to follow a policy in the Middle East which did not recruit converts to this fallacy. Yet how different reality is! The United States Government today has almost as much difficulty getting its way with Israel as it does with any Arab Government. You know this to be true. I know it to be true. For the fact is that no nation in the world today is going to permit the United States Government to speak or act for it where vital issues of national security and survival are at stake. And those are the issues which Israeli Government leaders quite naturally believe to be at stake.

The second fallacy is much like the first and is gaining dangerous currency in the non-Arab world. It is that Arab policies are or can be made in Moscow. This fallacy begins, of course, with the undeniable fact that the Soviet Government has in the past few years realized Russia's centuries-old dream of becoming a Mediterranean power. Arab dependence on communist sources for arms and armaments helped make this possible. But to jump to the conclusion that the Arab states are willing to become a huge backyard of the Soviet Union is especially dangerous.

The infiltration of Russians into certain Middle East states today is very alarming. This is because the Russians are acting in the Middle East in the classic imperial tradition. They are there to divide and rule, as were the British and French in decades past. Insofar as we Americans feed the fallacy that Arab policies are made in Moscow, we are helping the Russians at their game. It is a game that cannot succeed, but that can greatly increase the chances of a new war.

The third fallacy is perhaps the most dangerous of all because it is such a temptation for those who wish it were so. This is the fallacy that peace in the Middle East can somehow be handed down as the result of a Russian-American entente. Here again the fallacy grows out of a fact—a very important fact. There will be no settlement of outstanding issues in the Middle East unless both the United States and Russia at least agree to acquiesce. It may be that discussions between Israel and her neighbors will not even get started until Russia and the United

States make it clear that they must. But is is very dangerous to conclude that any settlement can be imposed from Washington and Moscow. Neither party has any such influence or any such ability to control affairs in the Middle East. Particularly after the recent events in Czechoslavakia, no one can take much comfort in the hope that Russia and America can sit down together and arrange a peace in the Middle East. That can only come as the two powers make possible negotiations between the aggrieved parties.

What I am saying, of course, is that both Russia and the United States have to live with the fact that their great military power does not endow them with an equal measure of political influence. The heightened sense of national and personal power which followed the invention and development of nuclear weapons led leaders in both nations to believe that their influence would increase in proportion to their military might. Yet the reality often has been almost the opposite. Peace, not just in the Middle East, but world-wide, depends upon both Great Powers appreciating this fact before it is too late.

The Middle East, in the very near future, could well be the place where we either learn this lesson or become accomplices of catastrophe. It is not enough just to say "Play it cool", we have to learn what that means.

We desperately want the Israelis and the Arabs to talk sense to each other about the issues that divide them. We desperately want to help Ambassador Jarring in his most responsible task. Speaking as a citizen of the United States, I think we can help only as we accept much more than we do now the realities of the situation. And once we do that, I think we will see that our best chance to help lies in convincing the Arabs of two things. First, that the United States does not, and cannot possibly forge the policies of the Israeli government any more than Russia can forge the policies of the Arab states. And second, that our influence in Israel depends first and foremost on our ability to act as advocate of a reasonable Arab position.

Only the Arab states can propose such a position in the context of the points I am making. I believe there is more hope in the positions of some Arab leaders than has been given credence here in the United States. But that is not relevant to my thesis today. All I ask here is that the next Administration recognize publicly certain fundamentals:

First, our government has very little, if any, political credit in the Arab states today;

Second, the position of our Israeli friends is made all the more perilous for this fact;

Third, our government can only exert effective political influence on the Israeli government insofar as it can support a reasonable Arab position; and

Fourth, this will not be possible until we show ourselves willing and able to develop some *enduring* interests in common with the Arab states.

If we cannot accept these four facts, ladies and gentlemen, we face the grave danger of finding that our great military power is no longer in reality under our own complete control. For power and influence are no longer like Siamese twins in international affairs, and this is nowhere more obvious than in the Middle East.

We have then to begin again in our relations with the Arab states. I would like, as a development banker, to think we could begin by making common cause with the Arab world, around any of a large number of regional development problems and projects which desperately need attention. I would particularly like to believe we could make common cause with them over the problem of finding a new life for the refugees, those millions of cases of individual tragedy and personal suffering whose plight today is like a dagger at the heart of humanity. But if we are to make common cause in these matters, we must start by realizing that we have frittered away much of our credit as the builders and planners of development projects in the Middle East. Our advice is now suspect and our money scorned. Yet I still believe it is possible to make common cause with the Arab world around some of their common development problems. My belief rests on another of those fundamental realities in the Middle East which is not widely appreciated here in the United States.

Despite all the particular interests which characterize and divide the Arab part of the Islamic world, the nations there have shared a common experience and are reacting to that experience in similar ways. The personal security, the dignity, the ordained order of their great culture have been shaken to their foundations by the impact of modern intrusions from the West. Even if no State of Israel had ever existed, Arab attitudes towards us would be at best an ambiguous combination of deep resentments and sincere envy and admiration. These attitudes reflect the classic ambiguity found in any traditional society today which is passing through an historic transformation as a result of its many-sided encounters with western ideas and achievements.

In the Arab world this transformation has been particularly agonizing because memories of past glories and prophesies of future greatness play such a central role in the rich Islamic culture. Finally, the establishment first of a home, and then of a state, for the Jewish people provided a focus for historical anxieties. In the words of the distinguished Jewish historian, J. L. Talmon, it confronted the Arabs "with the injury and shame of having an alien race injected by imperialism into the nerve-center of their promised empire."

We Americans, particularly, should be alive to the poignancy of such a situation, for we live with a not dissimilar problem in our race relations here at home. We should know that real solutions in such situations are only possible when there is enough confidence and hope on both sides to permit of mutual trust. I fear we must accept the fact that until the historic transformation going on in the Arab world has run a much longer course, it is not realistic to talk of complete solutions. I believe that this is appreciated by the best minds on both sides of the conflict.

Settlement must come, then, in spite of this grave reality. Settlement must come in the absence of sufficient development to make "solution" possible. Surely the least we Americans can do is to realize this state of affairs and to reflect it in our official policy. The enduring element in our policy should be to try in every way we can to encourage cooperation within the Arab world around development problems, not just for the sake of a given settlement, but for the sake of keeping alive over time the hope for peace in the Middle East.

I know we have tried to do this, but we have failed. We have failed because we have not taken development seriously. We have time and again sacrificed the long-term reality for the short-term problem. We have allowed the burning of a library or the purchase of an arms shipment from the Soviet Bloc to obscure the realities we have to live with.

I know this from personal experience. My first acquaintance with the Arab world came in the early days of President Eisenhower's Administration, when, as President of the World Bank, I made my first visit to several Arab countries. I arrived in Egypt shortly after the revolution and heard directly from President Neguib his hopes that the United States would come to his aid, specifically to make a reality out of the promise of the great Aswan Dam project. When I returned to Washington, President Eisenhower saw immediately the importance of this opportunity and gave me every encouragement to bring together those financial resources and engineering talents needed to get the project started. The preparations were tedious and difficult, as they always are in matters like this. In particular, the normal conditions on which an investment banker must insist did not sit well with the revolutionary government of Egypt. But there was a will on both sides. Here in Washington, Secretary of State Dulles told me on several occasions that he, personally, accorded the project a very high priority. As a matter of fact, he was so anxious to reach agreement on the Aswan Dam that he even asked me at one point please not to act too much like a banker! Because of my determination to uphold the integrity and international character of the World Bank, that was a concession I could not and did not make, yet we did achieve an agreement finally, involving Egypt, the World Bank, the United States and the United Kingdom. It was the greatest disappointment of my professional life when the United States Government saw fit to back out of that agreement in the heat of the moment. It was a classic case where long-term policy was sacrificed because of short-term problems and irritations.

And war came shortly after. And the Russians have now built the Aswan Dam, one of the great engineering achievements of all time.

In President Kennedy's Administration another new beginning was sought, with similar kinds of objectives in the Arab world. But again we could not find ways to follow through in the face of various crises. Again it turned out not to be an enduring policy, which could be supported here at home and in the Arab world as well, given Arab political goals. Again war came.

The next Administration must try again, under far more difficult circumstances because of our off-again, on-again policies of the past. In concluding today I would like to make a few suggestions about how such a new beginning might be made.

As I have said, new promises of money from us are not likely to be received at all well in the Arab world today. In any case, in development matters we should curb the natural instincts which so often lead us, not to help others to help themselves, but simply to provide that help ourselves. Perhaps as part of a thorough review of our aid policies, we should make it clear that we want others to come to us with their plans and projects, not the other way around. So far as the Middle East is concerned, we should try in every way we can to make such an invitation believed. We should invite Arab states singly or in groups to come to us with their projects and plans—particularly projects and plans for cooperative river basin development, for there is a desperate need to make the best use of each drop of water in the Middle East and the rivers flow along and across international borders. We should particularly urge the Arab states to go to the World Bank, and we should use our influence in that institution to make the Middle East its special concern for the next decade. I know Robert McNamara is as engaged with this part of the world as anxiously and as deeply as I am.

As an earnest of our serious intent, I think it very important that the next Administration indicate in appropriate ways its interest in helping the Egyptian government to reopen the Suez Canal without prejudice to any final settlement. I believe that the Egyptian government is prepared to open the Canal once there is any prospect of international support forthcoming and once there is some prospect that such support will have an effect on the position of the Israeli government. I believe that the Canal should be opened in the immediate future for its continued closure is penalizing everybody, and its reopening need not prejudice anybody's vital interests.

I cannot here deliver a lecture on the economics of the canal. That would take all day. The important thing about the canal is that it is being sacrificed to political considerations to the benefit of nobody at all. All the nations of Europe, particularly the United Kingdom, are sustaining serious financial losses because the canal is closed. Japan's trade is being disrupted. Food and other aid shipments to India and Pakistan are made more costly and deliveries are delayed. A number of small states and cities—the Port of Trieste, for example, and Somalia's trade with Italy—have been seriously affected. Three Arab states—Kuwait, Saudi Arabia and Libya—are paying the Egyptian government $266 million a year to compensate for lost transit tolls. This money simply means less development capital for all the Arab world.

This second closure of the canal in recent years has greatly acelerated efforts on the part of the international oil companies to become independent of the canal. Through construction of fantastically large tankers, they are within sight of their goal. The big fellows can take care of themselves, as is to be expected. But most of the world community has no such opportunity. If, in general, the United States is sustaining relatively smaller losses, it is all the more important that we recognize the position of others.

There is a further reason for opening the canal now. It bids fair to become a Cold War bone of contention if it stays closed much longer. It is widely believed that the Soviet Union itself wants the canal opened, and it is not hard to understand why. However, if we seize on this point to justify keeping the canal closed, we must seriously ask ourselves if we are helping to bring about settlement in the Middle East. The Suez Canal has a symbolic value as well as an economic function. An open canal means hope; a closed canal suggests the opposite. Is it not time we did something to increase even a little the level of hope in the Middle East?

I make this suggestion fully aware of all the difficulties involved. I am not suggesting that the Egyptian government do so, and that we receive the initiative sympathetically, as an earnest of our intent to invite serious proposals from the Arab world which concern their common development problems.

I would hope, too, that without prejudice to fundamental issues the Arab states or a group from among them would come forward to the World Bank, or to a consortium of non-Arab states, with plans and projects directly concerned with the future of the refugees. Again I refer to an Arab initiative, not to an American initiative. In a very special way the plight of the refugees is a world responsibility much more than the responsibility of either Israel or the Arab states. Their plight is a result in large part of international action which fell tragically short of its goals. Should the Arab world come forward with development projects and plans related to the future of these peoples, I know the reception here in the United States and world-wide will be generous and understanding. For anyone who has visited the refugee camps as I have can only cry out, "Is there any hope for these people? Is anybody willing to invest in increasing their prospects for earning a livelihood, rather than increasing their prospects for living in continued misery and breeding hatred?"

I mention the canal and the refugees simply to illustrate in my own field of competence those kinds of reasonable Arab positions which I, for one, would willingly advocate anywhere. And, as I have said, it is only as the government of the United States can exert its influence in support of such positions that it can hope to help reduce the temperature in the Middle East, to promote settlement and to keep alive the hope that some day there will be the necessary confidence on both sides to permit real solutions.

If we are to exert an influence in the Middle East which does more than reflect the limitations of our awesome military power, we must finally adopt policies which makes the exercise of influence possible. I am afraid that this is going to mean that more American political leaders will have to sacrifice some partisan appeals here at home in the name of promoting settlement in the Middle East. It may be that the Arabs have few votes in American elections, but they have a very large voice in their part of the world. Economically and commercially the Arab world is very important to the United States and vital to all of Europe. The Arab culture does not reject war in the way ours does. And I don't have to tell you that war in the Middle East, far more than war in Vietnam, carries with it the horrible promise of World War III.

Towards a New Diplomacy in East Asia

(Address by Hon. Eugene R. Black before the Research Institute of Japan, Tokyo, September 17, 1968)

I am very honored to have been asked to come here today, but I confess I was reluctant to accept your generous invitation. Most matters of high policy which distinguished American officials have discussed in this forum in recent years lie outside my responsibilities.

I am by trade a practitioner of development finance. I have had long and close associations with many men of finance in your country, and they have taught me a great deal. So perhaps the best I can do here today is to tell how I think that our work relates to some of the more pressing problems which concern our two countries.

Good diplomats and good development bankers have one thing in common. They pride themselves on being realists. They take for granted many things that others do not. They take it for granted, for example, that the normal state of relations between countries, even very friendly countries, involves tensions and competing and conflicting interests. While diplomats and bankers may, and must, preach the goal of perfect harmony among nations, our professions involve reconciling conflicting interests. And we take it for granted that every country has a pride of culture, which may often seem arrogant in the eyes of others. As professionals we have to accept the fact that the nations of the human race are accustomed to seeing themselves in a contest to lead or to catch up technologically or culturally with others. We know that no nation can win such a contest, and that all nations lose when the contest is pressed with military force. But realism dictates that we recognize the existence of cultural imperatives in all nations nonetheless.

The fact that American and Japanese officials in recent years have come more and more to take for granted the peculiarities of each other's culture is, I think, the most hopeful advance in relations between our two countries in over a century. It is true we both have a lot to learn still about the basic design of the other's way of life. But compelled by our common interests, we have learned to respect the cultural imperatives inherent in the other's official actions and to work together ever more effectively, in spite of these factors. If, as I believe, such an understanding between us is growing, I give great credit to those officials, especially the diplomats, who have worked so hard to widen and deepen the range of our common interests. This kind of understanding, I think, is of the greatest importance for the peace of the world.

But realism needs a belief to rescue it from cynicism. In international relations, realism needs an agreed goal to rescue nations from the twin dangers of isolationism and militarism, dangers which both of our countries have known. I can never be sure what diplomats believe in. I understand they are supposed to keep their beliefs to themselves. But development bankers make no secret of their beliefs. They believe that cooperation in development can someday become a substitute for war among nations.

On the surface this is an absurd belief. Who knows better than the Japanese that the process of development is a fickle process? It destroys old attitudes toward life and work, even as it creates new opportunities. It usually raises hopes much faster than it raises incomes. It is an unsettling process, full of uncertainties and dangers. It threatens to make us all the creatures of modern urbanization in its most tasteless forms.

Worse still, when development is regarded as the same thing as economic growth, it seems to thrive on war. It is a very sobering fact that the most important external factor in the phenomenal economic growth of East Asia in recent months has been the Vietnam war. The United States has a balance of payments deficit last year of $3.6 billion; of this, about $2.5 billion were directly attributable to security expenditures in East Asia—$1.8 billion on the Vietnam war itself. The economic activity generated by this deficit is far greater in raw statistics than all the work of the development bankers put together. Here in Japan alone, the Vietnam war is responsible for perhaps $1 billion in additional earnings—a significant contribution to the emerging surplus Japan has in its balance of payments. In other countries of the region, the war has brought comparable commercial benefits and a very marked increase in dollar reserves.

But I need not say that these benefits are but a pittance in relation to the terrible costs of that war. They may not be lasting benefits at all. Economic growth is not the same thing as development. The roots of development lie deep in society; they are made up of a combination of factors—social, psychological, historical and economic—about which we know very little. The war in Vietnam has certainly benefitted the economic growth of East Asia. But only those countries which have learned the development process will realize any lasting benefit. Once the war is over, only those countries which have learned the development process can hope to make up in new commercial markets what they are now earning as a by-product of the war.

The distinction between development and economic growth is too little understood everywhere. It is a dangerous lack of understanding, for it encourages the belief that a little war now and then is good for the nations not involved—because it seems to be good for their economic growth. So-called "developed" nations, like Japan, the United States and the Soviet Union, are, perhaps, less tempted by this illusion; they have much to lose in any war, and war amongst themselves has become unthinkable. Amongst the poorer nations, however, we must expect a different attitude for a long time to come. There are bound to be powerful people in these countries who are desperate enough, for quite understandable reasons, to believe they have little to lose, even in war.

There are other leaders in those countries, of course, who believe that cooperation in development can and must some day become a substitute for war. This is my belief and I think it is grounded in realism. Certainly the security of developed nations demands such cooperation because only as others learn the development process will they feel they have too much to lose to risk even a little war now and then.

There is a lesser, but still very important reason for stressing the distinction between development and economic growth. If economic growth were really the same thing as development, we could content ourselves simply with preaching to the poor countries to copy others in learning the develpoment process. We could say to India or Indonesia or Laos or Cambodia, "Go to Japan or Taiwan or Korea and study the policies they have adopted to achieve their spectacular rates of growth and then go home and copy those policies yourselves." But this approach is certain to fail because it assumes that economic factors are the sole or the most important factors in development. They are not. Each society, because of its special cultural and historical background, must learn the development process for itself. It must to a certain extent devise its own development process. Is that not what Japan has done?

To be sure, these countries should be encouraged to borrow the techniques of others, as did Japan in its phenomenal age of modernization. I wish, for example, that many more countries would establish realistic interest rates, as did Taiwan and Korea, to bring private savings out of real estate and commerce and into long-term productive investment. I wish many more techniques, taken for granted here in Japan and in my own country, would be taken for granted in all developing countries.

But because development is not the same thing as economic growth, we cannot content ourselves with these preachments and wait for peaceful evolution to come. We need to foster a working cooperation between ourselves and these other countries. And cooperation in this new realm of diplomacy demands, I think, new ways of conducting diplomacy.

To illustrate, let me turn to Southeast Asia, the region of greatest immediate concern to both our countries. A new and different diplomacy in Southeast Asia requires first, I think, mechanisms of regional cooperation through which modern technology can be more effectively planted and shared in the countries of the region. The second need, I think, is for firm commitments to provide the development capital to make these regional mechanisms work both economically and politically. The initiative by the countries of Southeast Asia in devising regional mechanisms for development will need be matched by the leadership of Japan and the United States in responding to these initiatives. I stress the regional mechanisms first because I know that development bankers who talk too much about the need for capital tend to lose their audience. The two needs are joined, but capital by itself is no substitute for diplomacy.

When an American talks about regionalism in East Asia these days, he invites criticism, particularly from scholars in his own country, for trying to implant an idea in Asia that happened to work in Europe. When I gave a talk here in Tokyo approximately two years ago, I tried to show why it is that the United States has a global interest in encouraging regional cooperation which transcends the peculiarities of each region. My point was a simple one: if in these times large and powerful nations are to conduct effective diplomacy with small and weak nations, with even the pretense of talking as equals, then the small must talk collectively to the large through regional organizations. This was, in fact, the case in Europe—and the result has been a truly independent European community of nations. I believe that the realities of nationalism in Southeast Asia demand that the United States and Japan hold out to these nations just such a possibility. This, I think, we have to do to avoid costly wars and develop constructive diplomatic relations instead.

At the same time the forms that regionalism took in Europe have become something of an albatross about my neck. Many have been quick to enumerate for me all the reasons why forms devised for a European setting will not work in an Asian setting. These critics have accordingly tended to dismiss regionalism in East Asia as a romantic idea. This is unfortunate, I think, for I envision very different forms of regional cooperation for development in Southeast Asia.

I believe that regional cooperation in that region will grow initially around common services, rather than around common markets, though the possibility of the latter, too, should not be lost sight of. For example, I would hope before long to see serious negotiations started, looking towards the establishment of such entities as a Southeast Asian grid or transport authority. Technical experts who are studying the possibilities of common services in Southeast Asia believe that probable future technical developments in energy supply, transport and communications will favor functional association even among countries as widely separated geographically as are the countries of that region. The Mekong Development Program, under the aegis of the United Nations, makes it quite clear that some regional power grid under some form of international authority will be imperative if the latent energy in that great river is to be harnessed. The Deputy Prime Minister of Malaysia has taken the lead in proposing coordination of regional transportation and communications programs. This was followed by eight countries of Southeast Asia setting as a goal the development of regionally integrated transport and communications systems. And, of course, a development bank—The Asian Development Bank—already exists for providing finance to such regional proposals.

Some initial steps have also been taken to provide common, regional services in education and health. The Southeast Asian Ministers of Education have formed an association which is already at work on several projects of regional importance. One does not think of regional education or health authorities in the same way as with transport and power. But the leaders of the Southeast Asian nations have already accepted the principle of pooling their resources and resourcefulness to some extent in these areas of public service simply as a necessary means of diffusing new technology throughout the region at a cost which the region may eventually be able to bear itself.

Even now, plans are maturing in Southeast Asia for a number of regional centers for specialized education and research. And I attach particular value to the annual Ministerial Conferences on Southeast Asian Development as a forum for consultation and joint planning of regional projects. The fruits of this endeavor are already appearing in the proposal for an Agriculture Fund to be administered by the Asian Development Bank and the completion of plans for the Southeast Asia Fisheries Center. The constructive Japanese role in these cases illustrates well what can be accomplished.

Just because economics and technology seem to favor the establishment of some common services in Southeast Asia does not, of course, mean that it will be possible politically to achieve this objective. All that can be said now is that several leaders in the region are showing a lively interest in these ideas. And I believe that the prospect of important and fairly rapid technical advance offers one of the few really persuasive arguments for inducing the leaders of the region to accept Japan and the United States as full partners in their development. Finally, if a habit of cooperation grows around the concrete problems of providing common services to the region, might it not be easier to achieve agreement later on broader, political problems? Success with these specific functional undertakings will help realize the economic and social objectives of ASPAC and ASEAN.

This is what I mean when I say I hope for a new kind of diplomacy in Southeast Asia. I realize that the existing regional superstructure to which I have referred appears very rickety today to the casual observer. This is because it was begun in the face of the Vietnam war and because initiatives have come from all points of the compass, very notably from here in Japan. You might say that we have conducted some pilot diplomacy and found some very enthusiastic reactions among the leaders of Southeast Asia. However, the opportunity has not yet presented itself for Japan and the United States, together with the other developed nations of the Pacific Basin, to fashion out of our common and separate efforts a visible coherence which can support the heavy word "policy." To make that possible will require both strengthening regional mechanisms in Southeast Asia and a joint and firm commitment of development capital over several years.

I have left the question of capital until last, because I appear before you having to say that some commitments my government has wished to make have not yet been fulfilled. This is the major reason why I was reluctant to accept your generous invitation. For after all, what good is a development banker if he cannot fulfill his commitments?

The fact is that the Congress of the United States did not see fit to authorize this year the $200 million in special funds for the Asian Development Bank which President Johnson has requested. Basically the reason for this failure is that the policy about which I have been talking has not yet emerged before the Congress from behind the clouds of the war That it will emerge next year, and that it will be accepted by the Congress, I have no doubt. Despite the rhetorical excesses which attend every election campaign in my country, I have assured myself—and can assure you—that neither presidential candidate harbors the illusion that the United States can somehow cease to be an active participant in the affairs of East Asia. At the same time, both candidates are groping for policies which promise to avoid a repetition of the events in Vietnam. Inevitably they are being led in the very directions towards which I have been pointing.

Concerning the need for development capital, I would like to leave one thought with you. In development matters, as you know, it has been common practice for the United States to say to other donor governments, like Japan, that we will commit so much to a certain venture or organization if others will match or exceed our investment. Our officials are constantly knocking at your door with such proposals. In recent months I have sometimes played the messenger myself.

Lately, however, you in Japan have been knocking on our door with some proposals of your own, such as your proposal for a special fund for agriculture at the Asian Development Bank. More recently yet I have read with considerable interest some of your thoughts on the Pacific Basin Community and how it might serve jointly as a means of receiving the development plans and programs of the leaders of Southeast Asia and arranging for coordinated financial assistance to those plans and programs. I would not presume here to comment or elaborate on these ideas of yours. I would urge you, however, to consider presenting your ideas in a formal proposal which might be considered by the legislatures of the several Pacific Basin donor nations. Speaking as a development banker, not as an official of my government, I would welcome the chance to report in my country that there is strong Japanese leadership expressed in terms of a creative proposal for reconstruction and dedevelopment of Southeast Asia in which we were asked to match your pledge.

Such leadership on the part of the Japanese Government would, I think, be timely not only in view of the situation in Southeast Asia, but also as a logical extension of the very important financial and trade agreements to which both of our governments have become party in the past year. Out of the Kennedy Round of tariff negotiations and the agreement to create Special Drawing Rights at the International Monetary Fund should come a new and very hopeful chapter in international cooperation. The creation of Special Drawing Rights is, in my view, the most important advance since the Bretton Woods Conference. I know that the position of my government in those negotiations was greatly strengthened by the steadfast support you gave us.

But there is general agreement that these financial and trade negotiations left some business unfinished. Most of the unfinished business affects the so-called developing countries—their needs both for preferential trade outlets in the developed countries and for greater access to development capital. Your leadership will be needed in these matters as well. And would not such leadership be very much in Japan's self-interest, given your own dependence on capital imports and liberal trade?

I must say that I am speaking as a development banker, not as an official of my government. I am indulging here in that bad American habit—that cultural imperative—of giving others unsolicited advice. I dare to do this because I am confident we understand each other well enough—we Americans and Japanese—to talk this way and because there is a grave danger among those of our generation of failing to see that the men and women coming after us will have a different view, and perhaps their view may be more enlightened than that of our generation.

In the United States, as in all developed countries, a new, post-World War II generation is becoming an articulate participant in politics. This new generation in my country does not see Japan as a strange and fascinating Oriental society. It sees Japan as the world's third industrial power—as representing the second largest economy among members of those international organizations concerned with finance and development. This new generation is likely to preach less than did mine, especially to Japan. It is likely to be willing to learn more from a nation which has rebuilt itself at such a phenomenal pace. At the same time, it is bound to expect more from Japan.

This new generation in my country shares in common with its contemporaries in Japan a deep uneasiness over the problems and shortcomings of modern, urban society. Both at home and abroad this generation is likely to accept more readily than my own the important distinction between development and economic growth. At home this generation is expressing much more concern about the quality of life than about quantities of production. They can afford to, of course, because they grew up in a society more affluent than any known by generations before them. As for attitudes towards the outside world, the new generation in the United States is not yet tempted by isolationism, but I think it could be if it came to believe that the practice of cooperative diplomacy had become obsolete. I wonder if this is not also true of the new generation in Japan. In both our countries your strong leadership in the fashioning of a new diplomacy in Southeast Asia will, I believe, meet with a very positive response.

Those of us who have read a bit about the history of Japanese-American relations are familiar with the American teacher, who lived among you for many years before the turn of the last century, and left with the Japanese language that American exhortation, "Be Ambitious." What I am suggesting is that you throw that challenge back to us now.

What is important, it seems to me, is to seek common purposes and adventures, not to assert our cultural imperatives over and against one another. If, as I believe, many Americans and Japanese have learned this lesson through long years of working together, can we not together hope to persuade others to share our experience with us? Will you not have to share the leadership with us in such an adventure just as we urgently need your partnership?

LOS ANGELES REPRESENTATIVE EDWARD R. ROYBAL MAKES HIS 19TH REPORT FROM WASHINGTON TO THE RESIDENTS OF CALIFORNIA'S 30TH CONGRESSIONAL DISTRICT

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. ROYBAL. Mr. Speaker, since I believe that one of the important duties of a Member of Congress is to keep his constituents fully informed of his activities on their behalf in the Nation's Capital, I want to include in the CONGRESSIONAL RECORD, at this point, the text of my 19th regular report from Washington to the residents of California's 30th Congressional District.

This report serves as a brief review of the major accomplishments of the 90th Congress, particularly as they relate to the interests of the citizens of our Metropolitan Los Angeles area.

The report follows:

CONGRESSMAN ED ROYBAL, REPRESENTATIVE, 30TH DISTRICT, CALIFORNIA, REPORTS FROM WASHINGTON

THE 90TH CONGRESS—MAJOR ACCOMPLISHMENTS

I am happy to send you this "end-of-the session" Report from Washington, the 19th in a series of regular reports to the residents of our 30th District on my activities as your Representative in the Nation's Capital.

In addition, I have also sent 14 special reports to cover some of the more significant events and legislative issues considered by Congress, which are of particular interest to citizens of our own Metropolitan Los Angeles area.

Clean air victory

One of the highlights of the 90th Congress for Californians was the sensational victory for the cause of clean air in our State we won with passage of the Air Quality Act—an historic step forward in our effort to organize a truly national program to eliminate the dangerous impurities in the air we breathe, and to create the kind of clean, wholesome atmosphere we want for ourselves and for our children.

I was particularly happy at our success in obtaining overwhelming approval of the so-called California Amendment to the Act, allowing the Golden State to enforce, and continue to strengthen our pioneering auto-smog air pollution control regulations.

This was an unprecedented legislative victory, marking a major milestone in protecting the health of our nearly 20 million citizens against the increasing threat of a potential smog disaster that could result from a concentration of deadly car exhaust fumes in the Los Angeles Basin, or in one of California's other urban metropolitan centers.

Consumer protection

The 90th Congress has also made its mark as a strong champion of the American consumer by enacting more measures for the protection of consumers than any other Congress in history.

The Truth-In-Lending Act, which I co-sponsored, is probably the best known consumer legislation passed this year—to ban hidden finance charges, and protect the Nation's private borrowers from deception and fraud by requiring loan companies, financial institutions, and retail merchants to make disclosures of total credit costs and annual interest rates on cash loans, department store revolving accounts, and other forms of consumer credit and installament purchase contracts.

I have always believed that credit is a commodity like anything else you can buy or rent, and the American consumer has just as much right to know the real cost of borrowing money, as he does to know the price of a loaf of bread, a pair of shoes, or a gallon of gasoline.

Other important consumer-oriented measures include: the Wholesome Meat and Poultry Inspection Acts; establishment of a National Commission on Household Product Safety; authorization for the U.S. Department of Transportation to conduct a comprehensive investigation of auto insurance industry premium costs; passage of the Fire Safety and Flammable Fabrics Protection Acts; and setting up a nationwide program to enforce minimum safety standards for natural gas pipelines.

This year's "Consumer Congress" has earned its title by passing these, plus earlier bills to promote automobile, tire, and highway safety; to control serious air and water pollution problems; to protect children against hazardous toys and medication; as well as the so-called Truth-In-Packaging Bill to outlaw deceptive and unfair practices in labeling and packaging retail goods—and provide American consumers and housewives with accurate, complete, and honest information on the food and drugs they buy.

Peace in Vietnam

The cause of peace in Vietnam is one in which every citizen of Los Angeles, and the nation at large, has an intense, personal interest.

Each of my fellow members of the House Foreign Affairs Committee also shares with me an urgent desire that we find the basis for achieving equitable terms on which to build an enduring and workable peace with freedom in that war-torn part of the world.

Within the past few weeks, there have been increasing indications, both in Vietnam and at the Paris Negotiations, that seem to foreshadow a greater degree of diplomatic flexibility on both sides, as well as improved prospects for starting meaningful discussions to end that tragic conflict through an agreed settlement which would preserve the honor of the United States, protect our vital interests, while allowing the people of South Vietnam to determine the affairs of their own nation in their own way.

We should be quick to seize this hopeful opportunity as a possible turning point in the movement toward a just and lasting peace in Vietnam.

Then, we can join with the other members of the world community of nations in working with the people of a Southeast Asia no longer ravaged by the terrible scourge of war, to turn the tremendous resources and energies of the entire area, once and for all, away from conflict, and toward the creative task of building a more secure foundation for a a better way of life in the future.

Free enterprise business leadership

Because I have introduced several pieces of legislation to assist and encourage the American business community to become more involved in promoting expanded job opportunities and continued economic prosperity in our major metropolitan centers like Los Angeles, I was delighted at the recent statement of Mr. Winton M. Blount, President of the United States Chamber of Commerce, endorsing a "joint effort by business, government, and private individuals and organizations" to accomplish this objective.

In fact, Mr. Blount optimistically predicted that a combination of "the business community, through the private enterprise system, and working with government, can effectively eliminate poverty, slums, and discrimination" from American life.

An excellent illustration of this kind of cooperative approach to solving our nation's critical urban problems came last month with the announcement that such top industrial and commercial leaders as Edgar Kaiser of Kaiser Industries, Ernest Arbuckle of the Wells Fargo Bank, Donald Burnham of Westinghouse Electric, and David Rockefeller of the Chase Manhattan Bank, had joined in organizing the National Housing Partnership, a privately financed corporation authorized by the Housing and Urban Development Act of 1968, which I joined in cosponsoring in Congress.

The National Housing Partnership will provide a free enterprise mechanism to help involve U.S. industry and financial institutions in achieving our country's urgent goal of constructing an average of 600,000 housing units for low and moderate income families over the next 10 years.

With this kind of progressive thinking from business organizations like the Chamber of Commerce, and dynamic action from individual industry leaders, I am confident that we will be able to meet the challenges of the rapidly-changing world in which we live, and fulfill the promise of the American dream of an equal opportunity for all our citizens to earn a share in the bounty with which our nation has been so richly endowed.

Summer intern

UCLA student Armando Lopez spent the early part of the summer at a special Ford Foundation-sponsored Harvard University Pre-Law Institute, and then worked in our Washington office as a Congressional Intern.

1968 is the sixth year in a row I have participated in the College Intern Program, which I believe to be extremely valuable—not only in helping with the office work—but as a fascinating way for young people to gain a personal understanding of how their government operates.

Students interested in coming to Washington in future years, should contact their school's intern director for information on this excellent program.

Gun control

After nearly a year of parliamentary maneuvering, and just prior to the adjournment deadline, Congress adopted a considerably watered-down compromise gun control bill—the first major federal firearms control act to be passed in 30 years.

Generally, the bill bans interstate mail order sales of rifles, shotguns and ammunition (like the similar handgun restrictions contained in the crime control bill enacted this summer); prohibits over-the-counter sales to minors and non-residents of a state; and provides other controls to try to prevent guns from falling into the hands of criminals or irresponsible persons.

The measure does not include Administration-requested provisions for gun licensing and registration. But it prohibits sale of firearms and ammunition to felons, fugitives, persons under indictment for a felony, narcotic addicts, and mental defectives. It also creates a new federal crime of using or carrying a gun during the commission of a federal felony, which could be punished by a first offense prison sentence of 1 to 10 years.

Social security increase

House Speaker John McCormack of Massachusetts and Vice President Humphrey discuss my proposal for a substantial across-the-board increase in social security benefits for America's 24 million elderly citizens, including over 2 million California residents.

In addition to a higher monthly minimum income for retired persons, I believe the social security program should provide a built-in system of automatic payment increases—tied to the consumer price index—to keep pace with the rising cost-of-living.

Such an actuarily sound expansion of social security benefits would go a long way toward offering a level of economic protection for our senior citizens which will allow them to live their remaining years in dignity, secure in the knowledge that they have provided adequately for their basic needs during retirement years.

Also of direct interest to adult Americans was enactment by the 90th Congress of the Age Discrimination in Employment Act prohibiting employers, labor unions, and employment agencies from engaging in arbitrary employment practices which deny jobs, employment benefits, and privileges to persons between the ages of 40 and 65.

Law enforcement and crime control

The 90th Congress has also taken decisive action to meet the growing crime crisis in America.

Through passage of such legislation as the Omnibus Crime Control and Safe Streets Act, and the Juvenile Delinquency Prevention Act, members of the Senate and House of Representatives have given firm bipartisan evidence that they recognize the urgency of today's crime situation, and they simply will not tolerate conditions of criminal activity and social disorder to continue to exist in this country.

Enactment of these measures clearly shows that Congress strongly believes that controlling and preventing crime in our cities; improving the effectiveness of local law enforcement; making it safe again for our citizens to walk without fear in the nation's streets; and creating in America a wholesome, peaceful place in which to live and raise a family—that these are among the most critical problems facing us today.

As in education, public health, and other areas of our social life, the primary responsibility for crime control is—and must remain—at the state and local level.

But the federal government does have an important responsibility to assist and support state and local law enforcement officials. That is what the measures enacted by the 90th Congress are designed to do.

The State of California has already received fund allocations under provisions of the new federal anti-crime legislation for $1.4 million to develop a statewide plan for better law enforcement, as well as for $415,000 to start a series of projects dealing with the prevention, detection and control of riots and other violent civil disorders.

To assure that future Congresses will be able to continue to work for effective crime control, I introduced a resolution, H.J. Res. 712, to create a special bipartisan 14-member Joint House/Senate Committee on Crime.

After obtaining an overwhelming 319–12 vote of approval in the House, I hope we can get favorable action in the Senate early next year because I feel that such a Joint Congressional Committee on Crime would serve as a valuable focus for national concern with this pressing problem, and give Congress stronger legislative tools to take the initiative in the war on crime—to spearhead an aggressive attack on the root causes and basic conditions that breed criminal activity.

Recreation and conservation

Of direct interest to citizens of California, among a series of landmark recreation and conservation measures enacted by the 90th Congress, are bills to establish a Redwood National Park in the northern part of our State, and to approve initial work on the urgently needed Colorado River Water Project.

Congress also created the North Cascades National Park, with its magnificent recreation and wilderness areas, comprising some 1.2 million acres of rugged, glacier-studded mountain range less than 100 miles from Seattle, Washington.

And the Land and Water Conservation Fund Amendments authorize grants to states for planning, acquiring, and developing outdoor recreation areas and facilities.

Other key actions set up the beginning of a National Trails System, as well as a National Scenic Rivers System, to help preserve at least a portion of our country's irreplaceable natural heritage for the use and enjoyment of generations of Americans yet unborn.

Finally, the National Water Commission Act will start the first overall analysis and review in U.S. history of our long-range water resource development needs—a vital consideration for the future prosperity of our fast-growing but arid Southwestern States.

A new $2 million grant for job training

It was with pleasure that I announced this month a new $2.3 million grant for a comprehensive program of basic education, vocational training and job placement for some 600 unemployed workers in the East Los Angeles area.

Authorized under the federal Manpower Development and Training Act, as expanded by Congress this year, the project includes training in such occupations as Electro Mechanical Assembler, Combination Welder, Business Office Clerk, Nursing Aide, and Production Machine Operator. Training will be conducted at the East Los Angeles Skill Centers and actual job placement will be made through the Employment Service.

OTHER IMPORTANT LEGISLATION ENACTED

Education

Elementary and Secondary Education Act Amendments providing federal grant programs to improve grade and high school education, with special assistance for schools with large numbers of disadvantaged children.

Education Professions Development Act consolidates seven earlier programs and provides for training of a wide range of school personnel.

Higher Education Act Amendments provide aid to colleges and universities to improve educational opportunities; student loan and scholarship aid; and a National Teacher Corps to improve education of children in rural and urban slums.

Vocational Education Act Amendments, emphasizing needs of metropolitan areas, offer training so every American youngster can graduate from high school with a marketable job skill.

Health

Health Manpower Act provides grants for medical and nursing school construction and rehabilitation, improved educational programs, extended scholarship and loan programs, and incentives to increase enrollments in medical and nursing schools.

Child Health Act extends services to reduce infant mortality, improve dental care for poor children, and screen and treat children with disabling conditions.

Child Nutrition Act expands the national school lunch and special milk programs, and initiates a new breakfast program for needy school children.

Partnership for Health Act Amendments authorize grants to states to aid development of comprehensive health planning and services.

Community Mental Health Act Amendments offer funds for construction or expansion of community mental health centers.

Housing

Housing and Urban Development Act launches an ambitious housing program to eliminate substandard housing in the next decade through federal interest subsidies for low-income families to purchase homes; rental and cooperative housing for low-income families; improved tenant services in public housing; rent supplements; and incentives to engage private industry in the national housing effort.

Model Cities and Metropolitan Development Act Amendments establishes the Model Cities program enabling urban communities to rebuild whole neighborhoods through a concerted attack on physical, social and economic problems.

Human rights

Civil Rights Act prohibits discrimination based on race, color, religion, or national origin in the sale or rental of eighty percent of the nation's housing.

Federal Jury Reform Act requires that federal juries be selected at random from a "fair cross-section of the community."

Job opportunities and poverty

Economic Opportunity Act Amendments provide the most comprehensive attempt to eliminate human poverty and unemployment in the nation's history. Among the programs, Head Start, VISTA, adult basic education, Job Corps, Work-Study, Community Action, and Neighborhood Youth Corps.

Manpower Development and Training Act Amendments extend and expand programs to help unemployed workers learn new job skills.

Vocational Rehabilitation Act Amendments offer job training and counseling for disadvantaged, physically handicapped and mentally retarded persons.

Veterans Pension and Readjustment Act provides a substantial cost-of-living increase for pensioners; raises educational and training allowances under the G.I. Bill of Rights; and provides for additional types of training for World War II, Korean, and Vietnam veterans.

Transportation

High-Speed Ground Transportation Research and Development Act Amendments development and demonstration programs in high-speed ground transportation.

Urban Mass Transportation Act Amendments provide federal funds from the new cabinet-level Department of Transportation to states and localities for acquiring, constructing and improving facilities and equipment for mass transportation.

Service academy exams—Final call

Saturday, November 9th will be the last chance this year for young men from the 30th District—who are interested in competing for 1969 nominations to the Air Force, Naval, Military, or Merchant Marine Academies—to take the U.S. Civil Service Commission's special Academy Designation Exam in Los Angeles. For additional information, please call our District office on 688-4870.

TRIBUTE TO HON. EDWIN E. WILLIS

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. SIKES. Mr. Speaker, I am pleased indeed to join my colleagues in paying a well-deserved tribute to Representative Edwin E. Willis, of Louisiana, who has served in the Congress with outstanding distinction for the past 20 years.

Ed is a man of uncommon ability who always maintains the common touch, that is, the knowledge of the problems of average people and the solutions of these problems. He has made valuable contributions to the Un-American Activities Committee, of which he is chairman, and to the Judiciary Committee.

Certainly there could be no more devoted, patriotic, or able representative of the people than Ed Willis. His record here, since he came to serve in these historic Halls, has been one of great achievement and complete fidelity to duty.

Congressman Willis has served his constituency, the State of Louisiana, and our beloved Nation with admirable ability and a spirit of dedication and loyalty. He has been a strong leader and a most effective legislator.

Although I am sorry to see him leaving the Congress, I join with his many friends in congratulating him on his service in the Congress and in wishing him success and happiness in all his future endeavors.

CONGRATULATIONS AND GOOD WISHES TO THE FREE NATIONS OF AFRICA, NOW 42 IN NUMBER

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. O'HARA of Illinois. Mr. Speaker, as chairman of the African Subcommittee of the Committee on Foreign Affairs, it has been my privilege and decidedly my pleasure to note the independence days of the young nations of Africa as they came around and to voice for the Congress and the American people our congratulations and our good wishes. I trust that in the 91st and succeeding Congresses, when I will not be here, that the practice will be continued. With each passing year the strength and the importance of the nations of Africa will grow with amazing speed. It is my hope and prayer that the bonds uniting us with the nations and the peoples of Africa will remain as strong as steel and as enduring as time.

In less than a week after our adjournment, October 20 will be celebrated as Kenyatta Day in the Republic of Kenya, the anniversary of President Kenyatta's arrest in 1952. On this significant milestone in President Kenyatta's personal struggle for the independence of his country, Americans will join their Kenya friends in expressing best wishes for his continued good health and success in exercising wise leadership of the Republic of Kenya. Americans, and indeed people throughout the world who cherish freedom, will feel it a privilege to record on that important occasion their great admiration for President Kenyatta's tireless efforts in behalf of human dignity, economic progress and world peace.

For myself personally as well as for the Subcommittee on Africa I congratulate the citizens of the Republic of Equatorial Guinea on their independence, achieved on October 12, 1968, just a day or two ago. The newest country to join the international community of nations after 190 years as a Spanish colony, Equatorial Guinea is the 42d African state to gain its independence.

The United States recognized the new nation immediately upon its independence, which took place on the day on which we commemorate the arrival in North America of the Spanish expedition under Christopher Columbus. We share the joy of this day with the citizens of the new Republic and look forward to the growth of close and friendly relations between our two governments and peoples.

I extend the best wishes of my colleagues and myself to the people of the new country and to the Chief of State, President Francisco Macias Nguema. We warmly welcome the Republic of Equatorial Guinea to the family of nations.

A HOMEBUILDER WHO DOES IT ALL

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. REES. Mr. Speaker, in their August 24 issue, Business Week discussed the growth of Larwin Group Cos. in an article "A Homebuilder Who Does It All." I am very proud to have Larwin as a constituent since I have long been impressed with the fine progress they have made. Not only has the company grown, but it has developed new concepts in building which should be of interest to all of us. I am particularly impressed with their thoughts on the creation of housing for lower income families.

At this time I would like to have included in the Record the excellent article from Business Week:

A Homebuilder Who Does It All—Lawrence Weinberg's Larwin Group Not Only Builds, but Supplies Furnishings and Financing as Well

From the standpoint of size, marketing, and management, homebuilding is now "an industry in swaddling clothes," says Lawrence Weinberg, president of Larwin Group Cos. "The growth opportunities are straight up, and at this point in time and space, we have as good a chance to grab the brass ring as anybody."

Weinberg has strong reasons for his optimism. The housing industry, in the view of many experts, will be dominated a decade from now by a dozen or so large operators doing business both nationwide and abroad. The biggest will gross as much as a billion dollars a year.

INTEGRATING OPERATIONS

These companies will be integrated to provide their own mortgage funds at a steady, reasonable rate, freeing themselves from the hazards of the money market. They will sell not only housing, but furniture, draperies, carpeting, and other housewares. They will build shopping centers and recreation facilities to go with their housing projects. And they will manufacture substantial amounts of their product in factories.

Larwin is accomplishing many of these things already. So are a few others, including New York's Levitt & Sons. But Levitt is now an affiliate of International Telephone & Telegraph Corp., with all the financial and technological muscle that that implies. Larwin, though the nation's largest independent, privately owned homebuilder, has less than half Levitt's volume.

Like Levitt, Larwin has been a star performer in a sluggish industry. While housing starts were declining nationally from 1964 through 1966, Larwin consistently boosted sales. Last year, when starts moved up 11%, Larwin revenues soared 50%. This year, Larwin expects to net 10% on sales of at least $50-million, up from $37-million in 1967.

What makes this performance particularly impressive is that Larwin operates largely in the Los Angeles area, which has been a badly troubled housing market in recent years.

WHO NEEDS ADVICE?

If Weinberg back in 1947 had listened to advice from his cousin, a builder, he might never have been heard from again. As a senior at UCLA, he figured the housing industry just had to be a good opportunity because he couldn't find a place for himself to live. But his cousin told him. "You're a year too late. The building boom is over."

Weinberg, now 42, didn't listen. He put up four houses just to test the wind and cleared $32. He has since built 22,000 homes in 37 new communities, and with his younger brother William, who is executive vice-president has created a lineup of companies that includes:

The Larwin Co., which builds new communities and accounts for two-thirds of Larwin Groups sales.

Brentwood Mortgage Corp., which holds $300-million worth of mortgages, 35% of them on Larwin homes.

Larwin Fund, industrial and commercial property developers, which operates 1-million sq. ft. of shopping centers, with another 2-million sq. ft. on the drawing boards.

Larwin Home Center, started this year, which sells rugs, draperies, furniture, swimming pools, block walls, custom cabinetry, and other items bought early by home buyers.

Wilshire National Corp., an insurance agency, specializing in diversified insurance for the home owner.

Weinberg also plans to set up a finance company to cover merchandise sold from the home center that cannot conveniently be lumped with mortgage payments.

UNCOMMON TALENT

In patterning his homebuilding company of the future, Weinberg has developed special expertise in marketing and management, a talent that is not commonplace in an industry now dominated by small-scale operators. Michael L. Tenzer, Larwin's vice-president for marketing, calls the company's marketing outlook "total." Larwin's goal is a housing program that competes not only for the consumer's housing dollar but for his potential travel and recreational expenditures.

One Larwin technique is to find the markets, then build the community to serve them. For example, the company discovered a huge home market among the engineers and other aerospace professionals working at McDonnell Douglas and North American Rockwell plants in southeastern Los Angeles County and southwestern Orange County.

For them, Larwin built Greenbrook, one of the fastest selling single-home developments in the U.S., and Tanglewood, one of the company's many successful townhouse developments. The latter is a place planners and builders from around the world come to see. Greenbrook, started in the fall of 1966, has sold 1,200 homes at an average price of $31,500. Its best selling model is the "Spacemaker," with a second floor prepared for future expansion. Its price: $27,000 to $37,000 for 1,600 to 2,980 sq. ft.

Similar in merchandising concept is the Tempo development in Southern California's Simi Valley. Larwin aimed these houses at first-home buyers aged 22 to 28. These homes are smaller (1,202 to 2,017 sq. ft. on a 6,500-sq.-ft. lot), but incorporate techniques learned at Greenbrook to create a sense of space, such as large open areas and huge family rooms. They have been selling at a steady 20-a-week clip since the development opened in April at prices ranging from $18,000 to $22,000.

A TRICKIER FIELD

Larwin's management methods grew out of ventures in town house development. The degree of sophistication and coordination involved in town house projects far exceeds that of single family subdivisions, says Joel Rottman, vice president for operations.

Larwin found it impossible to coordinate the efforts of outside landscape engineers, drainage engineers, and other specialists in its town house projects. So the company hired such experts for its own staff. When Weinberg realized mistakes were being repeated, he ordered that standard operating procedures be set up for everything—even for the processing of documents for the Federal Housing Agency, municipal governments, and lending institutions.

Larwin also installed a cost accounting system which keeps track of 3,200 to 3,500 homes simultaneously. "We know the cost of every item and we know the square foot cost of every house," says Rottman. "We know what it costs for land, improvement, landscaping, direct home construction, indirect construction, and financing charges."

While Larwin's reputation is now solidly established, some Los Angeles area builders criticize the quality of the company's earlier projects. "They built what they could get away with," says one competitor sourly.

EFFICIENCY'S PROFITS

Weinberg contends that the bigger, well-managed homebuilders will prosper even when the industry is in the doldrums, because such companies "can make better land buys and serve more markets." Says he: "Profits improve, too, because homes can be priced to produce a fair profit, without having to compete with marginal operators."

The challenge of the 1970s for Larwin and other builders, says Weinberg, is "to respond to the overwhelming housing need of minority groups and other disadvantaged persons. The job can be done by private industry, but the government must be willing to let builders make a profit commensurate with risk. Most government housing programs are not successful because there is no opportunity to earn profits. The good commercial builders will take alternate means to earn greater profits and greater rewards."

FEDERAL AID

Weinberg thinks the new federal housing law, enacted earlier this month, has improved industry prospects. A major goal of the law is to encourage builders now selling to the middle-class suburban market to put up housing for lower-income families. But Weinberg is worried the program could get bogged down because of inadequate funds, bureaucratic red tape, inoperable requirements, and "sabotage" at local levels.

The government could make another big contribution to low-cost housing, Weinberg believes, by turning loose its vast land holdings in and around major cities. Since government land is not subject to building codes, he says, boldly experimental housing programs could be tried on these properties.

In setting Larwin's sights on a $1-billion sales goal, Weinberg things his company can achieve it without going public or selling out to a big conglomerate like ITT. One means he is exploring to spur such dramatic growth is joint ventures in which Larwin's knowhow would be mated with the money of outside investors. Three projects of this kind are now under study, but Weinberg is unwilling to say who his potential partners are.

ROUDEBUSH NEWSLETTER

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. ROUDEBUSH. Mr. Speaker, under leave granted, I include my newsletter for October-November in the RECORD. My newsletter follows:

ROUDEBUSH NEWSLETTER

AMERICA TRADING WITH THE ENEMY DURING WAR TIME IS HISTORICAL FIRST

If the make-up of the 91st Congress is changed substantially, the first order of business should be the halting of American trade in strategic supplies with the communist-bloc nations.

For exactly two years now the Johnson-Humphrey administration has permitted a fantastic list of materials to flow to the Red-bloc countries which, of course, supply the communist North Vietnamese who are slaying American boys in that dismal war.

Never before in the history of the United States has an American Commander-in-Chief permitted American would-be profiteers to sell a single dollar's worth of merchandise to the enemy.

But during the present Vietnam conflict, shipments are being made to Russia and other Red slave satellites, which is part of the "bridge-building" philosophy prevailing in official Washington today.

The tragic truth is that these materials going to the communists help supply the civilian needs and some of the military necessities of Russia, which in turn, has provided 80 percent of the military equipment delivered to North Vietnam since 1965.

Vehicular shipments to North Vietnam from Russia are running about 5,000 per year; seaborne shipments through the sanctuary harbor of Haiphong were over half a million tons last year and are running higher now with the threat of bombing removed and 2,500 Soviet military technicians are now in North Vietnam training Red personnel in the use of sophisticated military hardware.

And, at the same time the administration allows 400 decontrolled American export items such as auto parts, motor vehicle lighting equipment, spark plugs and electrical starting and ignition systems, drilling equipment, food, metal scrap, minerals, lubricants, petroleum, rubber, chemicals, machinery, and other strategic items to be shipped to the Russians.

There are 1,900 additional categories of commodities still controlled as strategic, but which are, in fact, readily accessible to communist buyers due to lax administration of the export program by the Department of Commerce.

When historians write the book on this administration, the blackest page is going to be centered around President Johnson's Executive action of October 12, 1966, when, by the stroke of a pen, he invalidated the trade restrictions of the Battle Act and ignored completely repeated Congressional action which historically has restricted and prohibited trading with the enemy in time of war.

If you desire a list of the items that this administration is permitting to be shipped to the communists at a time when we are at war, with 200,000 casualties already sustained, please write me and I will send you the complete list.

EDITORIAL COMMENT

"What in Heaven's name, has happened to our common sense during the last few years? Have we taken leave of our senses entirely? We're pampering criminals and hampering police. We're spending billions to pay people not to work—when we can't find workers to fill the available jobs. We embrace our enemies abroad and renounce our friends. We permit teen-age children to take over our educational institutions. We permit laws to be determined by demonstrations and riots. Have we gone completely nuts?"—*Alexandria (Va.) Gazette.*

WHO SAID WHAT

"It is tragic that the communist idea was spawned; it is tragic that the communist system ever took root in the huge land dominated by the Soviet state. But history is full of tragedies; indeed tragedy is part of the human condition. In view of the historical circumstances, in consideration of the communist goal of absolute domination of the world, the free people of the United States, if they cherish their freedom, have no choice but to work for victory. This means we must match our material resources with a moral resolve to win."—Anthony Harrigan, Managing Editor, *"The Will To Win,"* Report of the American Security Council, Congressional Record, October 1, 1968, Pages 29072–29073.

CONGRESSIONAL COMMENT

"How can any public official say in good conscience to the widow or parent of a man killed in action, 'We did all we could to win the war,' when he knows that the weapon that killed that serviceman may have been made from materials which we sold to a communist country or was propelled by chemicals which the United States sold to Russia or was trucked to the area of the fighting in vehicles made operational by the oil, the rubber, or the ignition system which were purchased from us by the Russians? The thought, to me, is sickening."—Senator Karl Mundt (R-S.D.), Congressional Record, October 1, 1968, Page 28955.

SENATE DEBATE

"There is much talk in the newspapers from many people as to whether or not we should stop the bombing of North Vietnam. Inasmuch as we announced back in March that we would not bomb north of the 20th parallel, and inasmuch as 95 percent of the military targets of North Vietnam are above the 20th parallel, does not the Senator from Georgia agree that what we are doing now in the way of bombing is largely a matter of form rather than one of substance?"—Senator Symington (D-Mo.).

VIETNAM COMMENT

"I think it is because of the policy we follow in fighting this war on the enemy's terms. We have been at least two years late in every action we have taken in Vietnam. We have delayed and hoped that we would be able to work out some peaceful solution, although every public statement of Ho Chi Minh has grown more and more intransigent and threatening."—Senator Russell (D-Ga.), Chairman, Senate Armed Services Committee.

SUPREME COURT CONTROVERSY

"The office of Chief Justice of the United States is, in many ways, more important than that of President of the United States. If the people disapprove of the acts of a President they may rid themselves of him after four years. But, if a Supreme Court Justice does not demonstrate as much devotion to the Constitution as he does to his own personal notions, the country must still put up with him for life."—Senator Robert Byrd (D-W. Va.).

The ability of the bureaucrats to dream up new projects never ceases to amaze me. The latest innovation is a move by the Department of Transportation to propose safety standards for bicycles. I'm not surprised though, after last year's order by the Food and Drug Administration proclaiming standards for cherry pie. After they set up standards for bikes, they can go after tricycles, skate boards and baby carriages.

AUTUMN QUOTE

Good intentions will always be pleaded for every assumption of authority. It is hardly too strong to say that the Constitution was made to guard the people against the dangers of good intentions. There are men in all ages who mean to govern well, but they mean to govern. They promise to be good masters, but they mean to be masters.—*Daniel Webster.*

Write Congressman Roudebush.

SENATOR CARL HAYDEN—JOINT COMMITTEE ON PRINTING

HON. OMAR BURLESON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BURLESON. Mr. Speaker, as a former member and vice chairman of the Joint Committee on Printing for many years, I would not want to conclude that interesting and rewarding experience without reviewing some of the achievements in which I was privileged to participate.

Elsewhere on this page appears, for the last time over the signature of "CARL HAYDEN, Chairman," the traditional notice advising when the last issue of the daily CONGRESSIONAL RECORD for the 90th Congress will be published. [Not shown.]

One might say this is a kind of sine die notice which Senator HAYDEN has issued, marking another milestone in a distinguished career replete with such milestones and, undoubtedly, with others yet to come.

In that connection, hereinafter is the text of a precedent-establishing annual award, entitled "The Carl Hayden Memorial Award." Presented on September 17, 1968, at the last meeting of the Joint Committee on Printing in the 90th Congress, it tells its own story, as follows:

TRIBUTE TO CARL HAYDEN

It is uniquely appropriate that this first presentation should be made to the man whom it honors by being named for him.

It will be given annually to an outstanding Federal employee in the advancement of the graphic arts.

Senator Hayden is a twentieth century elder statesman whose exercise of prudence with power has contributed significantly to the breakthrough in the development of high-speed photographic typesetting. A grateful nation salutes this legislator, whose foresight and understanding have greatly enhanced the printing resources of this age.

In pioneering the way for the use of electronics in the printing arts, he has created guideposts to a major revolution through the blending of typography and data processing in our time.

Presented in the Office of the Joint Committee on Printing where he has served, for the most part, as Chairman, for more than a quarter century.

WASHINGTON, D.C.

Like its able chairman, the Joint Committee on Printing is a quiet, hardworking committee. Although its actions are not ones which ordinarily attract broad public attention, that should not persuade us to undervalue its genuine accomplishments.

One of its particularly noteworthy actions was the committee-directed study of the total Federal printing program which is now providing the informational basis for creating a nationwide system of Government Printing Office regional procurement offices.

Fundamentally, this represents the most significant policy direction change in the National Government's printing program which has happened in this century. Its real long-term benefit will be the broad reduction of Government-produced printing in favor of procuring those needs from the commercial printing industry.

For purposes of clarification, I am inserting at this point a most significant article which appeared in the "Bulletin" of the Printing Industry of America. As it was published last June at "Print '68" in Chicago, it is noteworthy to cite that this tremendous exhibition is generally conceded to be the largest gathering of printing craftsmen and hardware exhibitors from all over the world. The article follows:

BIG CHALLENGE TO COMMERCIAL PRINTERS—DO GOVERNMENT WORK OR GOVERNMENT MUST DO IT ITSELF

Several significant and timely findings are developing from the comprehensive survey of the Federal printing program conducted under the aegis of the Joint Committee on Printing upon the recommendation of its Staff Director, Mr. John F. Haley. One of these concerned itself with the factor of *proximity*—producing the printed product close to the point of use. The jet age mode of transportation which shrinks distance in time does not justify a method of day-to-day printing on the East Coast to meet the needs of a West Coast Federal establishment. Decentralization of responsibility to combine similar requirements, to issue invitations to bid and to award contracts became the threefold objective.

But, before policies can be established it is necessary to find out in specific terms the current volume of Federal printing in every part of the Nation. To achieve this goal, Mr. Haley has developed a pragmatic and commendable blueprint. This plan of action is "pragmatic" because it approaches the problem in workable manner by dividing the U.S. into survey sections rather than guestimating from Washington on total Federal printing figures.

From this entire undertaking the Joint Committee on Printing hopes to establish throughout the country, Regional Printing Procurement Centers which will work closely with the commercial printers in each area and in this way narrow and perhaps eliminate the communications gap that too often prevails at the present time with the centralization of printing contractual authority in Washington. The Regional Printing Procurement Centers will be staffed by trained Government Printing Office personnel who are selected by Public Printer James L. Harrison, whose cooperation in this endeavor deserves recognition.

In the months ahead more sectional survey meetings will be held in other parts of the country. Commercial printers are aware of the full implications of these meetings. This awareness makes them realize the important challenge facing them now and in the future—to do more and more printing for their Government or to force the Government to develop its own printing facilities in many places.

Commercial printers whose areas have not yet been visited can look forward with considerable interest to the meetings which will cover their territories.

The plan is "commendable" in its basic attitude of attempting to convince commercial printers everywhere that it is good business to do business with the Federal Government.

At the direction of Mr. Haley a Federal Survey Team has already begun to examine and report on the Federal printing needs in different sections of the Nation. To date, three such surveys have been completed and their findings have been made known to the commercial printers in these market areas. The first meeting of this kind took place in Denver, Colo., on Monday, May 6, 1968, followed by similar meetings in Boston (May 24, 1968) and Philadelphia (May 29, 1968). To each of these meetings have come an average of 30 key printers desiring to learn about the dollar value, the quantity and the quality of current and potential printing requirements of all Federal agencies in the region.

The Federal Survey Team, under Joint Committee direction, is composed of Government Printing Office and Federal officials familiar with government contracting procedures and others representing affected Federal Departments and Agencies, from both Military and Civilian branches.

The Denver, Boston and Philadelphia meetings have been most satisfactory in tone and content. Such face-to-face exchanges of vital information on actual and potential Federal printing needs for fiscal year 1968–69 have given the commercial printers concrete data on what the Government wants. In turn the printers have responded with an affirmative commitment that they Can and Will meet all the Federal printing needs.

Supplementing and confirming that article, I have a recent gratifying report from the staff director of the Joint Committee on Printing concerning the progress being made on that program, as follows:

Hon. Omar Burleson,
House of Representatives,
Washington, D.C.

Dear Congressman Burleson: In compliance with your recent request, I am pleased to advise you that our Federal printing program survey is on schedule. Our regional printing procurement concept is being well accepted in the areas now serviced by Government Printing Office regional procurement offices.

Members of the JCP-sponsored Federal survey team have remained substantially the same group of high level printing officials from the various agencies represented in each of the regions visited.

By keeping the "first team" essentially intact, team members are becoming quite expert. They are meeting with many printing industry representatives in all sections visited. This team visited prime contractors in New England during the first week of October and concluded important business in Connecticut and Massachusetts with Pratt & Whitney Aircraft Co., General Electric, Hygrade Sylvania Co., and Avco. These contractors are doing extensive work in producing copy for technical manuals and technical orders needed by the contracting agencies of our government.

During the last week of October the survey team will be visiting field printing facilities in Omaha, Nebr.; Kansas City and St. Louis, Mo., and will meet with printers from these states in St. Louis on the final day. Here, as in all other areas scheduled to be visited, printers will be advised of the approximate nature and value of the Government printing available to them within their area.

Beginning December 2 our team is scheduled to visit Government facilities in Kentucky, Ohio, Illinois, Michigan and Indiana. Other surveys will follow until the entire country is covered and the Government Printing Office has established as many procurement offices as necessary to best meet the needs of the Government.

Respectfully and gratefully,
John F. Haley, *Staff Director.*

Entirely unrelated to traditional concepts is the Linotron story. Here the Joint Committee on Printing, by directing the initiation of a research and development program in an effort to find a solution to the ever-increasing composition problem being generated by computers, pioneered a historic eventual creation of a high-speed electronic composition system which is technologically considered to be the most significant breakthrough in the graphic arts world since the advent of the linotype.

The first installation of that system, known as the Linotron, is currently working at the Government Printing Office and the second installation is expected to be completed in the near future at the Wright-Patterson Air Force Base, Dayton, Ohio.

This conclusively demonstrated that the Joint Committee on Printing, even though the longest established of all currently existing congressional joint committees, is as modern as tomorrow.

To better illustrate how the printing industry image is being changed by technology, and to cite the important role the joint committee has played in the development and progress, the following letter is largely noted as the launching impetus:

Congress of the United States,
Joint Committee on Printing,
Washington, April 10, 1962.

Hon. James L. Harrison,
The Public Printer,
Government Printing Office,
Washington, D.C.

My Dear Sir: The Joint Committee on Printing has noted the growing amount of material produced from high-speed printers on automatic data processing equipment which is submitted to the Government Printing Office for printing. A majority of this copy lacks legibility and when printed results in significant waste of paper, presswork, folding, and related operations. In addition, the bulkiness of the finished product, together with the difficulty of reading, provides generally unsatisfactory results.

Because of the need for improving the legibility of this class of copy, and to reduce the bulk with its attendant waste, the Joint Committee on Printing, in compliance with law as provided by section 4, title 44, United States Code, requests the Public Printer to institute in the Government Printing Office a research and development program in order to improve the quality of the copy emanating from automatic data processing equipment and make greater utilization of such process in printing production.

The Public Printer is authorized to obtain, subject to approval of the Joint Committee on Printing, necessary equipment to provide printout service from tapes or other media furnished by Government agencies when it is in the public interest.

The Public Printer is requested to make periodic reports to the Joint Committee on Printing covering developments resulting from operation of the requested program, and to make recommendations for the consideration of the committee.

Yours very sincerely,
Carl Hayden,
Chairman.

The breakthrough was achieved after five busy and exciting years of research and development. I believe that an excellent word picture was published in September 1967 by the distinguished magazine, Printing Impressions. This excellent publication is reputedly the world's largest circulated technical and news publication for printing and publishing. The very graphic thesis follows:

Typesetting Breakthrough Made Possible by Joint Industry-Government Research Work

The fastest and most flexible phototypesetting and photocomposing system ever developed, utilizing a high-speed computerized approach to produce page composition and page phototypesetting of graphic arts quality, is now being installed at the U.S. Government Printing Office, Washington, D.C. Official dedication ceremonies will be held at a time subsequently to be announced by the Public Printer. (It was installed on October 2, 1967.)

The installation, a prime example of technological breakthrough in full-page type composition and printing, was accomplished through joint cooperative efforts of the Federal Government and private industry. The new system, known in the government as the Electronic Composing System, embodies the Linotron which can set an average 8x10½" page of text, electronically, in ten seconds and can run at substantially higher speeds for proofing purposes.

This historically and practicably significant achievement had its formal beginning when, in 1963, the U.S. Government Printing Office solicited proposals, to be based on specifications prepared by the Federal Electronics Printing Committee which had been organized pursuant to directions of the Joint Committee on Printing, U.S. Congress.

Inasmuch as those specifications called for a high-speed photocomposing and typesetting system, able to produce quality typesetting from magnetic tape inputs, the problem was not simply the construction of a new machine, but of developing, designing and building a completely new kind of system.

A major factor in meeting that exacting challenge was Mergenthaler's association with the CBS Laboratories division of the Columbia Broadcasting System in developing the new technology. The arrangement whereby those laboratories designed and built the new photocomposing units was effected after proposals submitted by IBM, Harris-Intertype, A. B. Dick, Alphanumeric, Photon and Mergenthaler were evaluated extensively and the contract awarded to Mergenthaler on the basis that its proposal was considered to be the most responsive.

It is almost inevitably true that historical technological achievements of the magnitude represented in this system are preceded by fundamentally important forerunners. This case is no different in that respect.

In that context is contained the action of the Joint Committee on Printing when, in March of 1962, it authorized the Department of Health, Education, and Welfare to acquire a high-speed phototypesetting system to be used as the output for the MEDLARS (Medical Literature Analysis and Retrieval System), to be operated by the National Library of Medicine of the U.S. Public Health Service.

This was the first attempt to bridge the gap between computers' electronic speeds and the electro-mechanical speeds of more conventional composing equipment. It resulted in the acquisition of a system known as GRACE, manufactured by Photon Inc., which was designed essentially around the requirements of a single publication, "Index Medicus."

Since it was not designed to meet the generalized requirements of a major printing activity such as the Government Printing Office, the Joint Committee on Printing, under the chairmanship of Senator Carl Hayden, in April 1962 directed the Public Printer to initiate a research and development program designed to develop a composing system to meet those overall requirements.

Other preliminary activities contributing to the creation of the Linotron system include many years of private research, as well as a feasibility study for the Department of the Air Force, both done by Mergenthaler.

Also pursuant to Joint Committee on Printing authorization, the "LGCP" version of the Linotron—the "Lexical-Graphical Composer Printer"—will be installed at Wright-Patterson Air Force Base, Dayton, Ohio, following its completion. Although compatible with the Government Printing Office System, it differs in that it will be able, in addition to text typesetting, to process halftone and line art illustrations which will be electronically inserted in preselected places in a complete page output.

HOW THE SYSTEM WORKS

The system is made up of a computer programmed with the Mergenthaler Master Typography Program, the Linotron Photocomposer, and certain peripheral equipment such as the film processor.

Linotron: A photocomposer which produces a fully made-up 8x10½" page on film or paper. Since all characters on the page are displayed in their proper position before the film is advanced, the variety of formats which can be produced are limited only by the imagination of the user.

A 255-character grid or set of typefaces is always available at electronic speed. Three additional 255-character grids are located in a turret and can be selected and placed automatically in 0.5 second, giving a complement of 1,020 characters. Character grids can be changed in a few seconds and no adjustments are required.

The Linotron is a closed circuit television system. An input tape reader, a control unit, a character generator, and a display unit are its main components.

The tape reader is a conventional magnetic tape drive as used by a computer. Machine function and character selection and dimension codes are contained on the input tape. All 255 characters contained on a grid are continuously projected on the cathode of the character generating tube. The character generator selects the character specified, in effect at zero accession time, and produces the signals required to control the display tube. The beam of the display tube is positioned to the specified character coordinates before the character generator causes the character to be scanned onto the surface of the display tube. As the character is displayed it is projected through a precision lens on the film.

Master Typography Program: Since the photocomposer is a slave machine, its input must contain all data, data dimensions, and machine control commands. It is the function of the Master Typography Computer Program to produce these tapes. This program is made up of a series of routines which provide the computer with instructions to perform every operation that a compositor must perform from setting galleys of type to page makeup.

Input to this program has been kept very simple by developing a system which incorporates job instructions for each specific job (typeface, type size, leading, line length, page width, page depth, running head location, and folio location) into the format library magnetic tape file. These job instructions are read from this tape by the Master Typography Program before it processes the data to be formatted.

Apart from the production of more and better printing at lower cost, the work of the Federal government in the field of phototypesetting has several significant features:

1. The breakthrough in typesetting technology has developed high-speed and quality features which will be generally available to the commercial printing industry.

2. A bridge has been established between internal speeds of computers and high quality typographic output devices.

3. A trend away from in-line (computer) printers operating within electromechanical technology has been started. This will result in increased use of computers.

4. A strong precedent has been set for the active coordinated interest of government and industry in printing and communications technology.

CONGRESSIONAL RECORD

Looking at our own House I am happy to advise that the Joint Committee on Printing effected several improvements in the Congressional Record at the start of the second session of this Congress which are designed to make the Record, by the 91st Congress, "substantially a verbatim report of proceedings" as required by existing law.

Those changes, which involved renaming the "Appendix" as the "Extensions of Remarks," provided that the daily Record would carry an alphabetical listing of Members whose extensions appeared in each issue, together with applicable page numbers, listed on the last page of each edition.

In 1967, the extraneous material in the Appendix represented only 15 percent of the total number of Record pages, thereby illustrating the strong tendency to confuse the proceedings part of the Record with such insertions.

In the 1968 Extensions of Remarks, however, the ratio doubled essentially, restoring much more order and clarity to the legislative colloquy in the body of the Record.

CONCLUSION

Although the present physical proximity of the GPO is, and as I believe, should be, closely attuned to the responsive service needs of the Congress, the nationwide regional procurement approach is equally necessary to fulfill the responsive service needs of the other branches of government, as well as encouraging our competitive free enterprise system.

My gratitude is boundless for the privilege of having been associated with Chairman Carl Hayden, of Arizona; Senators Jordan, of North Carolina, and Scott, of Pennsylvania, along with my House colleagues, Congressmen Hays, of Ohio, and Lipscomb, of California. My sincerest and best wishes are extended to my successor Congressman Samuel N. Friedel, of Maryland.

I am glad to have shared in these achievements and will watch with keen interest as the future programs of the Joint Committee on Printing continue to advance.

THE HONORABLE PAUL J. KILDAY

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. ROONEY of New York. Mr. Speaker, I was profoundly shocked to learn of the passing this weekend of a longtime friend, the Honorable Paul J. Kilday, a Judge of the Court of Military Appeals and former Congressman from south Texas. When I first came to Congress on June 6, 1944, I was assigned to the House Committee on Military Affairs of which Paul was also a member. Those were memorable days, D-day was upon us and fortress Europe was indeed under siege. During November and December of that year I visited, with a group of that committee including Paul Kilday, the western and Italian fronts. The memories of that trip and of Paul Kilday long will be fresh in my mind. But the memories of Paul Kilday as a valued and trusted colleague, and as a warm and gracious friend will remain even longer. To his wife Cecile and two daughters I express my deepest sympathy and prayers.

FINAL REPORT OF HON. CARL HAYDEN

HON. GALE W. McGEE

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. McGEE. Mr. President, for the past several days I have been attempting to arrive at some way to express tribute to a great man and a great public servant who is retiring this year—our beloved Carl Hayden.

As many of my colleagues can attest, it is not an easy task to express the profound admiration and respect we all feel and have for Carl Hayden.

But just recently, Mr. President, I have had the oportunity to see Senator Hayden's final newsletter report to his constituents in Arizona. Carl Hayden has always said a Member of Congress can either be a "show horse, or a work horse" and he preferred to be a "work horse."

Mr. President, this final report of Carl Hayden to the people of Arizona certainly demonstrates that he has, indeed, been a "work horse" for his State.

I can think of no better way to pay my high respects to Senator Hayden, Mr. President, than to ask unanimous consent that this "Arizona Report," by Senator Hayden be made a permanent part of the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

Arizona Report

Dear Friend: There is a time when a good servant must give an accounting of his stewardship. That time has come for me, and before I return to Arizona, I thought there should be an accounting of my service as your Senator.

After entering the House of Representatives in 1912, I received some sage advice from a senior Maryland Congressman, who told me there were two ways to represent your constituents, "Being a show horse or being a work horse." I tried to be the latter and have found it to be rewarding—for me, certainly—and I trust for the people of Arizona too.

Development of water and our States natural resources has probably occupied more of my time in Washington than any other legislative subject. I have sponsored land and water development proposals since Statehood, including the San Carlos Irrigation Project and construction of the Coolidge Dad. In addition, my staff and I have worked closely with the Army Corps of Engineers to authorize and appropriate funds for flood control works on Arizona rivers and streams which every Arizonan knows can be torrents of destruction and death during the rainy seasons.

Earlier, I reported on Congressional passage of the Central Arizona Project. In the last few days, the President has signed that bill into law. My efforts in behalf of the C.A.P. began while I was still a Congressman, and I consider its enactment the most significant accomplishment for Arizona of my career.

The work is not yet finished. Securing appropriations to insure the construction of the C.A.P. must be the overriding concern of the next Senator of Arizona during the next decade.

In 1919, I was a sponsor and floor manager in the House of the bill creating the Grand Canyon National Park, and I have sponsored or urged creation of many other national parks, monuments and landmarks. The preservation and intelligent use of our National Forest land—so as to benefit the people and industry—has been another important interest of mine.

Over the years, I have sponsored legislation to help the Indians. One such bill was the 1949 law for rehabilitation and development of natural resources on the Navajo and Hopi Reservations. Although the recent Economic Development Act has greatly aided Arizona Reservations, there are many, many problems yet to be solved and my successor must be one who will work with our Indian Citizens.

Arizona faces a unique problem—large expanses of land but a very small tax base for raising revenues to build and improve roads. In 1934, the Hayden-Cartwright Highway Act was approved putting into law the principal of Federal-State sharing of highway project costs. I have worked to see that Arizona has received its share of highway trust funds, as well as to see that there has been money available for forest roads and for highways across public lands. This job needs to be carried on.

My father was founder of Tempe Normal School, now Arizona State University, and he impressed upon me the value of a good education. During my service in Congress, I have worked to make a good education available for all Americans through support of the National Defense Education Act of 1958, G.I. Educational Benefits for W.W. II, Korean and Cold War Veterans, the Higher Education Facilities Act, the Health Professions Education Act which permits federal sharing of the costs of the new medical school at the University of Arizona, and many others of continuing importance to our State and Nation.

The first bill introduced as a young Congressman was one to authorize construction of a railroad to Ft. Huachuca. That old cavalry post has become the worldwide headquarters for the Army Strategic Communications Command. When the Army Air Corps began its expansion during World War II, I told War Department Officials that Arizona has the best flying weather in the country. This led to the establishment of Luke, Williams and Davis-Monthan Air Bases and the Yuma Marine Corps Air Station, which play an important part in keeping America strong.

I have not forgotten the ladies. In 1919, I sponsored the Amendment to the Constitution granting the right of suffrage to women. Since then, I have worked closely with the League of Women Voters on many projects over the years.

One important duty that a Senator faces from day to day is to listen to the appeals for help from Social Security Pensioners, military service-men and their dependents, veterans and Civil Service Employees. Many of these people do not know all their rights or cannot afford counsel to assist them, so a senator must also make himself available to give his personal attention to their problems. They have a right to be heard and helped.

May I finally say that a senator in Washington must primarily represent the people of his state while at the same time fill the role of a National legislator. Many desire to forsake the former and favor the latter, which, of course, stands to make the representative a National figure, but often at the expense of his ability to be an effective legislator. It has been my belief that a senator must balance the two, and I hope that I have done so during my years in Congress.

There is inscribed on the National Archives Building in Washington this motto: "What is Past is Prologue." Indeed it is! Although I was born and grew to manhood during the 19th Century, I know full well our State and Country cannot return to the way of thinking of those years. The lesson is that while we can learn from the past, Arizona and the Nation needs a Senator who is in step with the times and who is willing to lead us into the future where the fulfillment of the good life awaits all our people. And so, this is my last report to the people of Arizona, I shall be home soon.

CARL HAYDEN.

THE NIXON RECORD

HON. DONALD E. LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. LUKENS. Mr. Speaker, in the closing days of this hotly contested presidential race, the need for objective, factual information on candidates is greater than ever.

The July 15 issue of U.S. News & World Report included such information—an in-depth examination of the public record and policy goals of Richard Nixon. Mr. Nixon's outstanding career as a public servant, and his sound but imaginative proposals for meeting our national needs were examined closely and accurately.

Because of the value of this article, and its interest to the Members of this body and the American people, I include it in the RECORD:

THE NIXON RECORD

(NOTE.—Richard M. Nixon, making a second bid for the White House, has a 22-year record in public life. Lately he has spoken out on many touchy issues. From past performance, and recent speeches, where does the former Vice President stand on Vietnam? Riots? Crime? How would he change major policies if elected? What did he do as Vice President? A close-up of Nixon—the facts vs. the myths—emerges from a study of the record.)

A month in advance of the Republican National Convention, Richard M. Nixon appears to be his party's choice for President in the November election.

Who is Richard Nixon? What has he done? Where does he stand on the nation's problems?

This is what the record shows:

For eight years, Mr. Nixon served as Vice President in the Eisenhower Administration, 1953–61. At 39, he became the second-youngest man in history to ever hold the No. 2 position in the U.S. Government.

Before that, Mr. Nixon had served in Congress for six years—four years in the House, two years in the Senate—from the State of California.

Leaving Washington in 1961, Mr. Nixon practiced law in Los Angeles for two years. In 1963, he moved to New York, where he is now a senior partner in one of the 10 largest law firms in the country.

Widely traveled, Mr. Nixon has been abroad 14 times since 1961 on various business or personal "fact-finding trips" to every continent, including three round-the-world journeys. He has visited Vietnam five times in the last five years.

Now 55 years old, Mr. Nixon is younger than: Vice President Hubert Humphrey, who was 57 on May 27; Governor Nelson A. Rockefeller, of New York, who was 60 on July 8; President Lyndon B. Johnson, who will be 60 on August 27.

In the last 22 years, Mr. Nixon has run for public office in seven elections. He won five, lost two. Now, he is engaged in his eighth campaign.

Announcing his candidacy for President in 1968, Mr. Nixon entered the Republican primary elections in six States. He won them all, by the following vote percentages: 79 per cent in New Hampshire; 80 per cent in Wisconsin; 71 per cent in Nebraska; 73 per cent in Oregon; 100 per cent in Indiana and South Dakota.

Significant elements of the Nixon record include—

Early life: Richard Milhous Nixon was born Jan. 9, 1913, at Yorba Linda, Calif., the son of Francis A. and Hannah Milhous Nixon. The Nixons were a working-class family of modest means.

Both of his parents were descended from early American stock that had migrated to New England from Ireland before the American Revolution, and gone on to the West Coast by way of Ohio and Indiana.

Mr. Nixon's mother was a Quaker, and he had a Quaker upbringing. He was to explain later:

"The three passions of the Quakers are peace, civil rights and tolerance. That's why, as a Quaker, I can't be an extremist, a racist, or an uncompromising hawk."

When he was 9 years old, his family moved to Whittier, Calif., where his father ran a general store and filling station. During his boyhood, Mr. Nixon kept books and clerked in the store.

Education: Mr. Nixon worked his way through Whittier College, a small Quaker institution, where he graduated in 1934 with an A.B. degree. He received a scholarship to Duke University law school at Durham, N.C., where he finished third in his class in 1937. He returned to Whittier to practice law for 4½ years.

War record: As a Quaker, Mr. Nixon could have claimed the status of a conscientious objector in the draft in World War II. Instead, he took a Navy commission in 1942, and served 3½ years—mostly on islands in the Pacific—rising from lieutenant, junior grade, to lieutenant commander.

Family: In 1940, Mr. Nixon married Thelma Catherine (Pat) Ryan, daughter of a Nevada miner, who had worked her way through the University of Southern California, and gone to Whittier to teach school.

The Nixons observed their 28th wedding anniversity on June 21. They have two daughters. Patricia, 22, graduated June 14 at fashionable Finch College in Manhattan. Her father gave the commencement address. Julie, 19, a student at Smith College, is engaged to David Eisenhower, grandson of the former President under whom Mr. Nixon served.

The family lives in a 10-room co-operative apartment on Fifth Avenue overlooking New York's Central Park, in the same building where Governor Rockefeller has a residence. The Nixons now attend the Marble Collegiate Church in New York, which is affiliated with the Dutch Reformed Church in America.

Finances: Since he has been in New York, Mr. Nixon has earned about $200,000 a year from practicing law, and writing newspaper and magazine articles.

His net worth is estimated at around $250,000—mostly in real estate in New York and California. When he left the Government in 1961, Mr. Nixon estimated his net worth at around $48,000.

The law firm—Nixon, Mudge, Rose, Guthrie, Alexander and Mitchell—has a staff of 70 lawyers, serving a number of corporate and international clients. Their offices occupy four floors at 20 Broad Street in the heart of New York's financial district.

Characteristics: Mr. Nixon is one of few men left in public life today who write their own speeches. He keeps up with current events by reading, traveling, talking or corresponding with a wide variety of acquaintances in Government, business, and educational circles.

For relaxation, he plays piano by ear, and listens to symphony music. He follows football and baseball on the sports pages.

Formerly a golfer, he now walks for exercise. Seldom ill, he is bothered occasionally by hay fever. He follows a self-prescribed diet to hold down his weight. His doctors say that he is in normal good health.

Public life: During his public career in the last 22 years, Mr. Nixon has said or done these things:

CONGRESS—1947–52

As a 33-year-old war veteran just out of Navy uniform, Mr. Nixon was first elected to Congress in 1946 from the twelfth district in southern California. He unseated Representative Jerry Voorhis, a "New Deal" Democrat who had held the office for 10 years. Mr. Nixon won by a margin of 15,592 votes, with 56.7 per cent of the total vote.

In 1948, Mr. Nixon won the nomination of both major parties under California's old cross-filing system, and was re-elected with 141,509 of the 162,807 votes cast.

After the Korean War broke out in 1950, Mr. Nixon was elected to the U.S. Senate to succeed Senator Sheridan Downey, a Democrat, who retired because of illness. In the Senate campaign, Mr. Nixon defeated Representative Helen Gahagan Douglas, a onetime movie actress and "liberal" Democrat, by a plurality of 680,947 votes and 59.2 per cent of the total.

What he was for: In Congress, Mr. Nixon supported such things as the United Nations, North Atlantic Treaty Organization, European recovery program, U.S. troops for Europe, economic and military assistance for allies in Europe and Asia, technical assistance for underdeveloped areas, and the Reciprocal Trade Agreements Act. He cosponsored the unsuccessful Bricker amendment to restrict treaty-making powers of the President.

Mr. Nixon also supported civil rights, selective service, universal military training, raising the federal minimum wage, increasing Social Security benefits and coverage, the Tidelands oil bill, a bill to exempt independent natural-gas producers from federal regulation, income tax reduction, the displaced persons and McCarran-Walter immigration acts, the St. Lawrence Seaway, and statehood for Alaska and Hawaii.

As a freshman Congressman in 1947, he toured Europe with a select House committee to lay the groundwork for America's postwar foreign-aid program, starting with the Marshall Plan.

Things he opposed: Mr. Nixon opposed the Brannan farm plan, public-housing subsidies, extension of federal rent controls, and admission of Communist China to the United Nations.

As a member of the House Education and Labor Committee, he helped draft the Taft-Hartley labor law in 1947, and voted to pass it over President Truman's veto. Also, he voted to request the President to invoke the national-emergency-injunction provisions of the law in the 1952 steel strike.

On civil rights, he voted for a bill in 1950 to establish a Fair Employment Practice Commission. He also voted against poll taxes and segregation in the armed forces, and for "home rule" for the District of Columbia.

Mr. Nixon came to national attention in 1948–49 for his role in developing evidence in the Alger Hiss case. President Truman called the case a "red herring."

Subsequently, Mr. Hiss, a high State Department official was convicted of perjury, for lying under oath to the House Un-American Activities Committee about his connections with Soviet agents.

VICE PRESIDENT—1953–61

When he was 39, Richard Nixon was chosen by acclamation at the 1952 Republican Convention in Chicago to be the vice-presidential running mate of General of the Army Dwight D. Eisenhower.

The Eisenhower-Nixon ticket won by a plurality of 6,621,242 votes, receiving 55.1 per cent of the total vote—to end 20 years of the Democratic "New Deal" in Washington.

In 1956, the Eisenhower-Nixon ticket was re-elected by a margin of 9,567,720 votes, with 57.4 per cent of the total—carrying all but seven States.

As Vice President, Mr. Nixon presided over Cabinet meetings and the National Security Council during the serious illnesses of President Eisenhower in 1955 (heart attack), 1956 (ileitis operation), and 1957 (stroke). Also, Mr. Nixon served as head of two intergovernment bodies—the President's Committee on Government Contracts, affecting equality in employment, and the Cabinet Committee on Price Stability for Economic Growth.

As presiding officer of the U.S. Senate for eight years, Mr. Nixon broke more tie votes than any other Vice President in history.

He issued an advisory ruling that the Senate could—at the start of each new Congress—by simple majority vote amend Senate Rule XXII, the "cloture rule" frequently used to prolong debate on civil-rights legislation.

In the Eisenhower Administration, Mr. Nixon's friends and allies were the so-called "progressives" in the Cabinet—such as Labor Secretary James P. Mitchell, Interior Secretary Fred A. Seaton, Attorney General William P. Rogers, and Secretary of Health, Education and Welfare Arthur S. Flemming.

The Vice President teamed up with Mr. Mitchell in 1960 to settle a national steel strike, with a pay raise for union workers. In 1958, Mr. Nixon proposed a tax cut—unsuccessfully—as an "antirecession" measure.

As President Eisenhower's personal emissary, Mr. Nixon and his wife visited 55 countries on various "good will" trips between 1953 and 1959, traveling 160,000 miles. The Vice President's party narrowly escaped injury when the Nixons were stoned by Communist-incited mobs in Peru and Venezuela in 1958 during a tour of nine South American countries.

In 1959, the Nixons visited Poland and Russia on a 10-day journey, when Mr. Nixon opened the U.S. exhibition in Moscow.

There the Vice President engaged in an impromptu and celebrated "kitchen debate" with the Soviet Premier, Nikita Khrushchev, which was televised around the world.

Toward the end of his Administration, President Eisenhower said of Mr. Nixon: "No man in history was ever better trained for the Presidency, if such duties should fall upon him."

TWO-TIME LOSER—1960–62

Critics call Mr. Nixon a "two-time loser," arising out of his defeats in the elections of 1960 and 1962. Here are the facts:

In 1960, the Republicans nominated Mr. Nixon for President, with U.N. Ambassador Henry Cabot Lodge as his running mate.

The Democrats chose a ticket composed of Senator John F. Kennedy, of Massachusetts, for President, and Senator Lyndon B. Johnson, of Texas, for Vice President.

Mr. Nixon lost the closest national election in 76 years by a margin of 118,574 votes out of a total of 68,838,218, or a difference of one fifth of 1 per cent in the major-party vote.

The popular vote was:

Kennedy-Johnson	34, 226, 731
Nixon-Lodge	34, 108, 157

Mr. Nixon carried 26 States, to 22 for Mr. Kennedy. The late Senator Harry F. Byrd, Sr., of Virginia, got a majority of the electors in two States. The electoral vote was: Kennedy 303, Nixon 219, Byrd 15.

Election returns showed that the Democrats won the electoral votes of key Northern industrial States in a few big cities dominated by Democratic machines. A Republican Party leader said later that more than 5,000 voting precincts in these cities either were not manned by Republican poll-watchers at all, or were "improperly manned." In 1968, he added, "every poll will be manned."

Mr. Nixon, in his book called "Six Crises," attributed his defeat in part to alleged vote frauds in some States, plus a wholesale shift of Catholic voters to the Democratic ticket, without "a corresponding and balancing shift of Protestants away from Kennedy."

Returning to California, Mr. Nixon was encouraged by friends to run for Governor in 1962 against Democrat Edmund G. (Pat) Brown, who had defeated former Senator William F. Knowland for Governor in 1958 by a margin of 1,029,165 votes, with 59.7 per cent of the total.

A primary fight ensued in the Republican Party. The California Republican organization endorsed Mr. Nixon and adopted a resolution condemning the John Birch Society as "dictatorial and totalitarian."

"Conservative" Republicans backed Joseph C. Shell, minority leader of the California legislature. Mr. Nixon won the primary by around 1,288,000 votes to 670,000 for Mr. Shell.

In the general election, Governor Brown beat Mr. Nixon by a margin of 296,758 out of nearly 6 million ballots, with 51.9 per cent of the total vote.

Mr. Nixon blamed his defeat on a defection of "conservatives." Said he:

"I did reasonably well among Democrats and independents, but failed to get the Republican vote. Ironically, I was supposed to be the 'conservative' candidate."

Calling it "my last campaign for public office," Mr. Nixon moved to New York to begin an entirely new career.

NEW YORK LAWYER—1963–68

Since 1963, Mr. Nixon has been practicing law, speaking, writing, and traveling at home and abroad. In 1967 alone, he traveled 100,000 miles overseas, visiting 40 countries in Africa and the Middle East, Western and Eastern Europe, the Soviet Union, Asia and Latin America.

In 1964, he supported Barry Goldwater for President, making more than 100 speeches for the Republican nominee in 36 States. In 1966, he made campaign appearances for Republican candidates in 35 States and 61 congressional districts. Republicans made sweeping gains in the 1966 mid-term election, including 8 Governors, 3 U.S. Senators, and 47 Representatives.

Mr. Nixon estimates that he has traveled 200,000 miles since 1964, helping to build political organizations, promote candidates, and raise funds for the Republican Party.

By 1968, it was apparent that he had made one of the most remarkable political comebacks in American history. On February 1, Richard Nixon formally announced that he would be a candidate for the 1968 Republican nomination.

In his quest of the Presidency, Mr. Nixon has stated these policy positions on major issues:

Leadership: In a speech in New York on January 27: "When the strongest nation in the world can be tied down for four years in a war with a fourth-rate military power; when respect for the United States has fallen so low that a fourth-rate power like North Korea will hijack an American ship on the high seas; when the nation with the greatest tradition of respect for the rule of law is torn apart by unprecedented lawlessness; when a nation which has been a symbol of human liberty and equality of opportunity for all the people is divided by racial strife; and when the President of the United States cannot travel at home or abroad without fearing a hostile demonstration, then I say, this is not a time to continue—this is a time for new leadership."

At Indianapolis on May 2: "A divided Democratic Party cannot unite this divided country."

A statement on June 28:

"Hubert Humphrey is the second man and chief publicist of an Administration that has presided over the near collapse of peace at home, and has failed to bring to an end the longest war in American history. . . . What Mr. Humphrey offers America is four more years of the same programs and policies that have failed for the last five years."

Law and order: In an article in the October, 1967, issue of "Reader's Digest": "Far from being a 'Great Society,' ours is becoming a lawless society. . . .

"Our judges have gone too far in weakening the peace forces as against the criminal forces. Our opinion-makers have gone too far in promoting the doctrine that when a law is broken, society—not the criminal—is to blame. . . .

"Our judges and courts must take a large measure of responsibility for the current lawlessness."

Radio speech June 27: "America has been rocked by disorders, shocked by crime, stunned by assassinations, and left in puzzled fury by a wave of unruly demonstrations and mass obstructionism, not only in the streets of our cities, but in the halls of our great universities."

Crime: In a "white paper" issued May 9: The U.S. is fast becoming "an armed camp of 200 million Americans living in fear." Mr. Nixon called for a concerted attack on crime, including:

Legalized wiretapping and electronic surveillance of criminals; grants to the States for improved crime laboratories and detection facilities; more policemen at higher pay and with better training; removal of Supreme Court restrictions on criminal confessions in evidence.

The Supreme Court, Mr. Nixon charged, has erected a "barbed wire of legalisms" which has "effectively shielded hundreds of criminals from punishment." Said he: "There is a genuine need for future Presidents to include in their appointments to the U.S. Supreme Court men who are thoroughly experienced and versed in the criminal laws of the land."

When Congress passed an omnibus crime bill, Mr. Nixon accused President Johnson of "vacillation" in signing the measure. He said the President and Attorney General Ramsey Clark were "reluctant conscripts" in the war on crime.

On June 22, Mr. Nixon pointed out that law enforcement in Washington, D.C., is a federal responsibility. He called the crime rate in the nation's capital—up 100 per cent since 1960—"a national disgrace." He said that millions of Americans who once visited the seat of their Government were staying away "out of a justified fear for their welfare and safety."

Civil rights: A statement in Boston on February 15: "The most fundamental civil right is the right to be safe from violence. . . . We should be uncompromising in resisting breaches of law, whether they take the form of wanton rioting, of civil disobedience in the cause of civil rights, or of illegal strikes against the public health and safety."

In an NBC radio address March 7: A major deficiency in the report of the President's Commission on Civil Disorders is "its tendency to lay the blame for the riots on everyone except the rioters."

A speech in New York on Dec. 8, 1967:

"Year by year, the violence in our cities takes on more of the aspects of guerrilla war. . . . Under the illusion of the Government's unlimited power to remake society, extravagant promises have been made to the Negro. . . . Much of the bitterness of the Negro slum dweller is the result of these false premises. . . . The urban Negro is the chief victim of urban violence."

Students: When Columbia University was reduced to a state of virtual siege by militant students, Mr. Nixon called the uprising "a national disgrace." Even more deplorable, he said, was "the conduct of those professors and teachers who have condoned or encouraged or excused the lawlessness of their students."

Strikes: On February 10, in connection with the New York garbage strike:

"No union has the right to strike against the public health or safety. . . . Our cities can be livable only if they can be governed. . . . This means the right to apply the law, and the right to insist that those employees on whom the public health and safety depend discharge their public obligations in good faith."

Poverty: From the May 9 "white paper" on crime:

"The role of poverty as a cause of the crime upsurge in America has been grossly exaggerated—and the incumbent Administration bears a major responsibility for perpetuation of the myth. . . . The war on poverty is not a war on crime; it is no substitute for a war on crime."

In New York on January 27:

"We hear a great deal about the war on poverty in this country, but let us never forget that the war on poverty didn't begin with Lyndon Johnson. It began 190 years ago when this country was founded. . . . The reason for America's progress over 190 years is not because of what Government did for the people, but because of what the people did for themselves."

Cities: In Minneapolis on April 20: Politicians' promises of billions of dollars in taxpayers' money to rebuild the big cities of America are "dishonest and a cruel delusion." The U.S. is facing "one of the greatest financial crises in our history." Declared Mr. Nixon: "I am not going to join those candidates who are promising more and more billions."

Instead, he proposed a program of "black capitalism" to advance Negroes in the American economic system through private ownership of homes and businesses, assisted by management training, loan guarantees, and new capital sources.

"In order to have human rights, people need property rights—and never has this been more true than in the case of the Negro today," Mr. Nixon observed. He pointed out that "black militants" don't talk about "handouts" and "welfare"—what they want is "dignity and self-respect."

The former Vice President proposed on May 2 a number of "specific practical things that can be done now to get private enterprise into the ghetto," as a substitute for "federal doles, federal housing, federal make-work jobs."

Government spending: In New York on January 27: "For a nation with our wealth and growth over the past five years to spend 50 billion dollars more than we take in—this is certainly an economic insanity."

In Chicago on February 18:

"The Johnson Administration itself—its own spending—is to blame for the fiscal mess we're in; for the fact that we're going to have the highest interest rates in this century, the highest taxes in history, and the highest rise in the cost-of-living in a generation. It isn't what Americans spend abroad, but what the Administration is spending in Washington, that is the reason for the weakness of the American dollar."

At Minneapolis on April 20: The "family budget" is being pinched by inflationary Government spending, and a declining value of the dollar, he said.

At Aberdeen, S.D., on April 27, Mr. Nixon said the nation has a "runaway economy." He added that every day President Johnson put off cutting the federal budget, "he places in greater jeopardy the entire international monetary structure."

In a radio speech June 27, Mr. Nixon proposed a new commission on government reorganization—with a "broader mandate" than the Hoover Commission—to conduct a "fundamental reappraisal of our whole structure of government," from federal down through State and local agencies, to make government "more responsive" to the will of the people.

Said Mr. Nixon: "Power has been flowing to Washington for a third of a century, and now it's time to start it flowing back—to the States, to the communities, and most important, to the people."

Business: To the National Association of Manufacturers in New York on Dec. 8, 1967:

"American business—men like yourselves—built the cities of this nation; and American business can rebuild them. The modern corporation is no longer simply an economic unit. It has become a social unit, an action unit, and its skills are needed where the action is.

"No force on earth, none in the history of man's experience, has ever shown the capacity for creating employment that has been shown by the private economy of the U.S. It is a mighty engine of social progress."

Vietnam: In an interview in Boston on Aug. 21, 1967: "The Administration, in effect, has resigned America to a long and grinding war. I support the use of air and sea power—but not all of our power. I am opposed to the use of nuclear weapons."

In a statement on Nov. 2, 1967:

"What is at stake in this war is not just the future of Vietnam, but the future of peace and freedom in the Pacific. That means our future."

The Johnson Administration has "based its policy on the false assumption that the Soviet Union wants to end this war. . . . Its policy of gradualism has resulted in frittering away our immense military and economic advantages. . . . Let's end this war. But let's end it in a way that will bring lasting peace—and not produce another war."

A statement in Chicago on Feb. 18:

"Where the Communists are concerned—as we learned in Korea—when we talk, they fight. We must never forget that after truce talks started in Korea, there were 18,000 American deaths—more than died before the truce talks began. We must never let that happen in Vietnam."

At Corvallis, Oreg., April 25: Mr. Nixon opposed a "coalition Government" in South Vietnam which would include the Viet Cong Communists, saying: "That would end the war, but lose the peace."

A statement issued in Chicago on June 20: "I believe a negotiated settlement in Vietnam is in the interest of the U.S. and our allies," but presidential candidates should be careful what they say during peace negotiations.

"Any candidate who takes a weaker position than the President on Vietnam is taking a chance of exploding the peace talks. . . . Nothing would do more to discourage an end to the war, than to say we will not resort to military needs in Vietnam."

Foreign policy: An NBC network radio speech on March 28: "Never has the U.S. been in more trouble in more places than it is today—in Europe, in Latin America, in the Middle East, in Southeast Asia. . . .

"We have come to a time when America must reappraise . . . its role and its responsibilities in the world. . . . If the other nations of the free world want to remain free, they must rise in their own defense. They can no longer afford the luxury of relying on American power."

Foreign Aid: A speech in New York on Sept. 12, 1967:

"The economic history of the poorer countries since World War II points to one clear fact; that the successful countries . . . have adopted an incentive economy, while those that have followed the socialist road have failed. So, let's stop apologizing for the success of free enterprise."

Mideast: A statement in Chicago on February 18:

"In the Middle East . . . the big winner turns out to be the Soviet Union. They have a naval presence in the Mediterranean they've never had before. They have immense diplomatic and political influence, from Iran to Morocco.

"So what we face . . . is another powder keg developing, and we've just got to get some leadership in the U.S. and some co-operation from European friends, which will defuse this situation, or it will explode again—and the next time, it could ignite a world war."

Defense: A speech in New York on January 27:

"Seven years ago, with Dwight D. Eisenhower in office, there was no question about our power, and none about his credibility. That is why we were able to end one war, and avoid other wars during the Eisenhower Administration.

"Today, that power which was at least 6 or 7 to 1 in our favor has been reduced to 2½ to 1 in terms of deliverable nuclear capability. Unless there is new leadership, and a change of policy, within two or three years the Soviet Union will equal us in nuclear capabilities, and will then pass us—unless we do something about it."

Mr. Nixon recalled that an alleged "missile gap" was used as an argument against him in the 1960 election. Because of the superiority in nuclear-weapons systems built up during the Eisenhower Administration. Mr. Nixon pointed out in an NBC radio address on March 28:

"In 1962, at the time of the Cuban missile crisis, the balance of strategic power made it possible for President Kennedy to deliver a fully credible threat of nuclear retaliation.

The President was able to face down the Soviet leaders, and to force them to withdraw their offensive missiles from Cuba.

"But the U.S. no longer has such a decisive power advantage. . . . As we approach the day of nuclear parity between the U.S. and the Soviet Union, we approach the moment of truth in relations between East and West. . . .

"We must restore at least a part of the strategic advantage that we once held—not because we want power, but because in the world as it is, we need power if we are to be secure."

That is the public record of Richard Nixon—the prospective Republican nominee for President in 1968.

CRACKDOWN ON INCOME TAX FARMERS

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. METCALF. Mr. President, in mid-September several Senators joined with me in offering S. 4059, to limit the amount of deductions attributable to the business of farming which may be used to offset nonfarm income.

It was my hope that introduction then of the successor to S. 2613 would provide the impetus for an exchange of views among all interested farm and business groups in preparation for hearings which we hope will be held early in the 91st Congress.

One farm writer, Dick Hansen, Jr., of the Great Falls Tribune, defines the forces which are accelerating corporate farming activities and concludes that "the tax writeoffs will have absorbed most of the cost of putting together these huge operations." With their control of production, processing, packaging, and distribution from farm to supermarket the giants will liquidate the family farm system, Mr. Hansen predicts.

Jerry Carlson is the author of an editorial in the November issue of the Farm Journal released on October 12, called "Crackdown on Income Tax Farmers," an excellent analysis of my bill which, Mr. Carlson says, would give farmers "a fairer chance to compete against 'income tax farmers'—those high bracket taxpayers who use current farm expenses to writeoff large sums of nonfarm income."

So that these two articles may be available to others who are interested, I ask unanimous consent to have them printed in full in the Extensions of Remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Great Falls (Mont.) Tribune, Oct. 14, 1968]

BUSINESS LOOKS FOR FARM SQUEEZE

(By Dick Hansen, Jr.)

JOPLIN.—Many large corporations with no former connection with agriculture are moving into farming at an increasing pace and on a gigantic scale. This well-publicized fact has brought numerous howls of "taxloss write-off," and similar protests. And, since in many cases these corporations are pouring millions of dollars into their new farming ventures and realizing little or no profit at the present, these tax-losses are undoubtedly a real bonus for them.

But the majority of the corporations have available to them far greater tax loopholes than their farming losses if they want to take advantage of them.

The simple fact is that they view agriculture as perhaps the greatest single profit-potential industry in sight today.

This may seem hard to swallow by most farmers, but many signs point to its becoming a real possibility—not in the immediate future, or for many years to come—perhaps not in the lifetimes of many of us. But it is real enough to be attracting billions in investment from these hard-headed businessmen who traditionally take the long, long view.

The added sweetening is that when, and if, the day comes, tax-write-offs will have absorbed most of the cost of putting together these huge operations.

How do they figure? They see the great migration of farmers off the land and the growing concentration of our national food and fiber being controlled by fewer and fewer persons each year, as the key which will eventually unlock huge profits in the farming industry.

Along with this increasingly concentrated control, the distinct possibilities for control of prices for production of commodities increases also.

And what does all this mean for those individual farmers who manage to survive this transformation and hang on into the age when a few great corporations control most of our farm production?

It will mean, first of all, that they will be forced to compete much the same as the small manufacturer against the giants in the business world today. This will mean large volume, low profit-margin business undreamed of today, the sort of operation where only the very, very large can survive and thrive.

It will also mean that the smaller operators will be constantly exposed to the threats of merger, take-over, and freeze-out—again paralleling what is happening in the business world today.

And, it will mean that these giants of farming will move into processing, packaging, and distributing their entire production. They will in short, have absolute control of their commodities from the fields to the shelves of the supermarkets—which it is only logical to assume they also will own.

And this is where the great profit potential becomes reality. It is also where the family system of today becomes pages of tomorrow's history books.

[From the Farm Journal]

CRACKDOWN ON INCOME TAX FARMERS

A new bill introduced in the Senate on Sept. 19 would give you a fairer chance to compete against "income tax farmers"—those high-bracket taxpayers who use current farm expenses to write off large sums of non-farm income.

A bipartisan group of 18 senators joined Sen. Lee Metcalf (D., Mont.) to cosponsor the bill (S 4059). A companion bill (HR 19916) was introduced in the House. The USDA and Treasury support it. Said Treasury: "Our tax laws have spawned artificial tax profits and have distorted the farm economy."

So the showdown is arriving on this long-debated tax loophole.

It should head off those investors who are "more interested in farming the Internal-Revenue Code than they are the land," says Metcalf.

The bill is a new version of one Metcalf introduced last November. Now revised according to Treasury suggestions, it provides that:

A taxpayer could use farming losses to offset a maximum of $15,000 of non-farm income. Thus it's aimed directly at the substantial nonfarm taxpayers and not the ordinary farmer who works part-time at a job in town.

As nonfarm income rises above $15,000, it reduces the allowable deduction dollar for dollar—until, for instance, the man with $30,000 or more nonfarm income couldn't offset a farm loss at all. The rule would except such things as local taxes, interest, and casualty losses. These are deductions allowable to any taxpayer.

Since a taxpayer must report farm and nonfarm income separately, the bill would avoid lawsuits over who's a "bona fide farmer," which, said the Treasury, was a hangup in Metcalf's earlier bill.

Actually, high-bracket taxpayers are exploiting the liberal cash-basis accounting rules which Treasury lets farmers use to spare you extra bookkeeping chores.

You don't have to include inventory increases as accrued income, as most businesses do.

You're among the few businessmen allowed to deduct certain capital investments as current expenses. For instance, costs of raising dairy or breeding stock, and some costs of establishing fruit trees or improving land.

Metcalf and the Treasury assert that nobody's trying to take cash-basis accounting away from farmers, but just prevent its abuse.

Here's what a 70%-bracket movie star, for instance, can gain now by raising a beef breeding herd: Using cash-basis accounting, he can declare as current expense the $200,000 it costs to raise his breeding herd. It's pure loss in the buildup period, cutting taxes on his nonfarm income by $140,000. Now suppose he sells the herd for only what he has in it, $200,000. The sale is taxed at the capital gains rate of 25%; he pays only $50,000. Thus, he would "realize a $90,000 tax profit from a transaction which economically is merely break-even," says the Treasury.

Internal Revenue studies show that taxpayers with higher nonfarm incomes have the highest rate of "losses" on their farm returns.

If the Metcalf bill had been in effect in 1966, it would have restricted about 15,000 taxpayers from writing off a potential of some $200 million in farm losses against nonfarm income.

Some farmers claim outsiders, attracted by tax benefits, bring a net benefit to agriculture—new breeding stock, for instance. But the bill has met generally favorable comment from farm organizations. "It's an important bill—we're for it," says Tony Dechant, president of the Farmers Union.

Says Herschel Newsom, Master of the National Grange: "In general, we've historically opposed substantial tax write-offs against big non-farm incomes."

Adds Roger Fleming of the American Farm Bureau Federation's Washington office: "It's an improvement over the earlier version. You can be sure of this: We will be discussing the bill in meetings around the country during this winter."—

JERRY CARLSON.

REPORT ON SECOND SESSION, 90TH CONGRESS

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. MYERS. Mr. Speaker, as the books are closed on the 90th Congress, it seems fitting to make an appraisal of this Congress. For what, if anything, will it be remembered? What did it do? Where were its failures? How will it be rated in history?

Meeting during the sixth and seventh years of the longest war in American history, the 90th Congress was a busy institution. It dealt with the many problems involving the war in Vietnam abroad and the so-called war on poverty here at home. Many feel, as I do, that the administration and its overwhelming majorities in both Houses of Congress also were engaged in yet a third war—a war against the American dollar.

In fact, those of us who voted against the administration's 10-percent increase in taxes had reason to say "I told you so" when official figures proved the hike in taxes had no effect on inflation or the budget deficit.

In voting against the tax increase I warned that it would do little except penalize the taxpayers. This month the Government announced the cost of living increased for the 19th consecutive month. Meanwhile, the administration, despite a pledge to reduce spending by $6 billion, is spending at a rate of $10 to $14 billion above the proposed budget for fiscal 1969.

With few exceptions, the administration and its congressional majorities authorized a faster spending rate and larger sums of money than ever before in our history. It is hoped the 91st Congress will realize that simply throwing Federal money at a problem will not provide a lasting solution.

Congress did pass a good crime control act—but unfortunately the Attorney General has refused to utilize some of the modern tools which Congress provided him in the war against crime. It approved aid to education and made progress on conservation and clean air and water programs.

Perhaps most of all, "the 90th" will be remembered as the first Congress in three decades to serve notice to the executive and judicial branches that none of the three branches is supreme in this country; that each can criticize and check the other; that each has its own tool with which to work its will and to reflect what it believes to be the peoples' wishes and the purpose of government under our Constitution.

Hopefully, the Presidency, the Congress, and the courts will all function more efficiently as a result of this experience. If so, for that, the 90th Congress will be most remembered and most respected.

HIGHWAYS

The Federal-Aid Highway Act of 1968 will do much to help our part of the State meet its urgent need for highway improvements so long as the administration keeps its hands off the dedicated funds in the Federal Treasury. The measure would expand the interstate program and specifically mentions the Chicago-to-Evansville corridor as one which needs immediate attention. On three different occasions in the last 2 years, the administration has decided to withhold highway construction funds in an effort to show a reduction in spending. The cold, hard facts are that these funds are not a part of the reductions that can help balance our budget. They come from taxes you and I pay each time we buy a gallon of gas. I have strongly opposed such cutbacks in the past and will continue to do so. We cannot afford any further delays in highway construction if we are to meet highway safety needs in our State.

FOREIGN AID

Despite the deepening fiscal crisis at home and abroad, the Johnson-Humphrey administration sent Congress a request for nearly $2.9 billion in foreign aid assistance. A figure of $1.75 billion was finally approved by Congress. But despite the fact the amount is the lowest in the 20-year history of the program, I voted against the appropriation because I am convinced that much of that amount is still wasted. When you consider that the American taxpayer has poured some $150 billion into foreign aid programs, including considerable aid to Nasser's Egypt and other Communist countries, we can point to few benefits to either the United States or the receiving nations.

SOCIAL SECURITY

Runaway inflation hits hardest at those living on social security benefits and other forms of fixed incomes. The 90th Congress passed an across-the-board increase in social security payments of 12½ percent but failed to go along with a Republican-sponsored proposal which would once and for all have taken the matter of social security out of the realm of politics. I was cosponsor of a provision for automatic increases in social security benefits. However, the Johnson-Humphrey administration opposed the measure which would have helped recipients keep pace with the rapid rise in living costs without waiting for an election-year promise.

FARM ECONOMY

One other major failure of the Johnson-Humphrey administration and its majority in the 90th Congress was the lack of positive action to help the American farmer. It is hardly news to anyone in these parts that much of agriculture urgently needs new programs, new policies and new leadership, if we are to meet this problem. However, what did the administration ask for and nearly receive—an indefinite extension of the programs which have failed so miserably. The majority even refused to undertake serious hearings on alternative proposals. As a member of the House Agriculture Committee, I was able to help convince my colleagues that a 1-year extension was long enough and many of us have already begun studies into alternatives to the present programs which I hope will be adopted by a new administration and the 91st Congress next year.

REORGANIZATION

The majority leadership blocked all efforts to bring the congressional reorganization bill to a vote. It is badly needed to update and modernize Congress. The proposal would make Congress more than a bill factory by beefing up its ability to review and improve the operation of existing programs.

OTHER LEGISLATION

As I have discussed in our other reports to the Seventh District, Congress took action on a number of other important matters including veterans' pensions, truth in lending, vocational education, mental rehabilitation, and a measure to control the mailing of obscene materials.

ACADEMIES SCREENING BOARD

Again this year, we will be naming a Seventh District academies screening board to interview applicants for appointment to the three U.S. military academies. The board will meet in November to screen the three dozen young men who have applied for appointment to one of the academies. As last year, it will be made up of representatives of the universities in the district, military officers, veterans' organizations, and business and professional leaders.

We have taken these appointments out of politics in an effort to seek out the best qualified young men who have the intelligence, the desire and the physical aptitude to meet the rigid standards. Our response to this nonpartisan approach to the selection of academy appointments has been most gratifying. I also appreciate the vote of confidence from the Tribune-Star Publishing Co., in Terre Haute which has agreed to sponsor again this year the special luncheon for applicants and their parents.

ONE VOTE—YOUR VOTE

History shows that when people disregard their right to vote, they are putting out the welcome mat for despotism, tyranny, and dictatorship. If you are tempted to give away your voice in your Government by not voting on November 5, just remember that without the right to free elections, you lose all your rights.

Trial by jury, the right of habeas corpus, protection from unreasonable search and seizure, a free press, free speech, freedom of religious worship, the right of assembly, freedom to choose one's occupation and residence—these rights the dictators can take away from their people and the people have no recourse. Then bullets, not ballots, become their only road to freedom.

Your vote also influences how the people of other lands look upon our form of government.

> If the total vote in this country is light—

The American Heritage Foundation warns us—

> we show our neighbors that we're not so hot about this democracy as we say we are.

On the other hand, a big turnout at the polls demonstrates our common unity and strength—a genuine deterrent to an aggressor, a very real contribution to peace in the world.

Your vote is important. I urge you to exercise one of our more precious freedoms on November 5. Vote for the candidates of your choice to lead your county, State, and National governments.

CONCLUSION

Though the 90th Congress has adjourned, the work in your congressional office does not come to a halt. As a matter of fact, the attention of my office to the business and problems of constituents continues year-round.

Our office has handled thousands of requests during both sessions of the 90th Congress, many of them dealing with personal problems regarding social security, disability claims, military assignments, internal revenue, senior citizens, and many, many other areas involving the Federal Government. Please remember we are here to serve you. If we can ever be of help, do not hesitate to let us know.

Nearly 2,000 Seventh District residents visited our office in the Longworth Building during the 90th Congress. I hope you will come to see us if business or pleasure bring you to the Nation's Capital. If possible, let us know in advance and we will do all we can to make your trip more enjoyable.

A REMARKABLE MAN: ROBERT C. COOK

HON. ERNEST GRUENING

OF ALASKA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. GRUENING. Mr. President, earlier this year Robert C. Cook became senior consultant of the Population Reference Bureau and William E. Moran, Jr., succeeded him as president of the bureau. As an editorial writer for the Scripps-Howard newspapers wrote:

> In almost a lifetime of concern with this problem (population), Cook has not only been an authority, but perhaps has contributed more than anyone to an understanding of the problem—an essential prelude to even approaching a solution.

The observation is correct.

Bob Cook has been associated with the Population Reference Bureau for 17 years and under his direction the bureau became the real leader in coordinating and disseminating facts about population.

The Population Reference Bureau is a nonprofit, private, scientific, and educational organization. Through its publications and research, it explores the many facets of population trends and their economic and social effects. The work the Bureau does is admirable; the studies it produces are rich in information.

I have known Bob Cook and his lovely wife, Annabelle, for many years. Their amazing insight into the overall population crisis in which we find ourselves has been of enormous help to me. As the population crisis hearings on S. 1676 have developed in the 89th and 90th Congresses, the Cooks have been always willing to help me or members of my staff work out ways to bring particular problems into proper focus.

Bob Cook is an able man, and we can all be grateful that he will continue to work with the Population Reference Bureau because we need his wisdom.

I recall the day he testified at the Population Crisis hearings which were being held by the Government Operations Subcommittee on Foreign Aid Expenditures of which I am chairman. Bob pointed out on June 23, 1965, that destructively rapid population growth has "profound effects on the economies, and the cultures of the nations struggling to emerge into a 20th-century economy." He noted that:

> The resulting misery and disintegration invite turbulence and war. Though famine is at least temporarily banished, hunger is endemic over growing areas, and education becomes more difficult.

He documented his statements with facts and for those who are interested may I refer them to part 1 of the 1965 population crisis hearings. Bob suggested that Dr. Walsh McDermott, professor of public health and chairman of the Department of Public Health of Cornell University Medical School, would make a valuable contribution to the population problem, and subsequently it was possible for Dr. McDermott to take part in an excellent seminar arranged for the Subcommittee by the National Institutes of Health earlier this year. That seminar detailed the advances in medical care and related topics and how they bear on the developed and developing areas of the world.

When Bob Cook testified before my subcommittee in midyear 1965, he pointed out that there are about 130 million births each year and about 60 million deaths. Those facts have altered little in the past 3 years. He also noted that the large proportion of children around the world represents a truly enormous fertility potential. This fact remains constant.

We still have a long way to go if we are to bring the world's population and the world's food supply into alinement.

The gentleman who is the new president of the Population Reference Bureau is William C. Moran, Jr., former dean of the Georgetown School of Foreign Service. Bill Moran has had a distinguished career, and he is eminently qualified for his new position. Like Bob Cook, he has contributed to the population crisis hearings, appearing before the subcommittee on February 9, 1966. At that time he wisely pointed out:

> Success in our efforts to increase production and reduce population, for both are essential, will result only if man can be brought to understand his condition and induced to use new methods. . . . I am firmly convinced that the population problem is a human problem and will only be effectively attacked in terms commensurate with our traditions if it is done through making man more knowledgeable and putting him in a position to be responsible.

The Population Reference Bureau has a big job ahead of it.

Mr. President, I ask unanimous consent that the articles appearing in the September 1, 1968, issue of the Washington Post and the September 22, 1968, issue of the Sunday Star along with the full text of an editorial appearing nationally in the Scripps-Howard newspapers be printed in full in the CONGRESSIONAL RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 1, 1963]

BIRTH EXPERT TO RETIRE: HE CITES GAINS IN CONCERN FOR OVERPOPULATION

(By Bernadette Carey)

Robert C. Cook, retiring president of the Population Reference Bureau, is a man not overly fond of politicians.

"Take Benjamin Disraeli," he said referring to the 19th-century British Prime Minister.

"He once described three categories of untruth as lies, damn lies and statistics."

But to Cook and the other members of the Population Reference Bureau, staff statistics are the principal weapon in their fight against what they believe is mankind's greatest enemy—his capacity to overproduce himself.

Cook has been fighting that battle at the Bureau for more than 30 years.

INDEPENDENT ORGANIZATION

"We're not a birth-control outfit," he explained recently, "We're an independent organization sponsored by foundations and private contributors whose job is to gather and disseminate information.

"Our aim," he added, "is to use the facts to educate people into awareness of a problem.

"How they deal with that problem can then really become an issue."

In recent years, Cook feels, some headway has been made in the Bureau's work.

"Back in the early 1950s," Cook said, "phrases like birth control and family planning and the suggestion that men should begin to consider the consequences of overproducing himself were pretty much taboo.

"Politicians everywhere, the press and media would not discuss the subjects."

FEW HARD FACTS

"Today," he observed, "at least there is interest in the subject. But it is incredible how little people really know in terms of hard facts, in history and theory."

For centuries, Cook explained, in various parts of the world where events made overpopulation a concern, people used a variety of means of population control.

"In 18th-century France there was widespread infanticide and child abandonment," he said.

"In 19th-century Ireland there was an almost universally-observed, unwritten law that a man could not marry unless he had a plot of land on which to raise enough potatoes to feed a family.

"In South America today there is widespread practice of self-induced abortion."

KENNEDY SHOWED INTEREST

Cook feels that one of the most important American politicians to take an interest in the subject was the late President John F. Kennedy.

"President Kennedy was the first American President to understand that advances in controlling the death rate and changes in patterns of fertility will eventually revolutionize man's life just as the development of the alphabet and the invention of the wheel."

In 1952, Cook pointed out, the annual population increase in the world was 22 million people. Today it is more than 70 million and still rising.

The complexity of emotion and opinion about overpopulation, Cook feels, intensifies the need for education on the subject.

CITES VATICAN ENCYCLICAL

"The recent statement of the Vatican on birth control is an example," Cook said.

"We feel, like Cardinal Sunens of Belgium who said at the Ecumenical Council almost four years ago that 'one Galileo case is enough for a church.' "

But Cook added that many Catholics who cannot oppose the Church's ruling as a matter of religious conscience, still feel the need to know the facts.

When he retires as president to become senior consultant of the bureau next week, he will be succeeded by William E. Moran Jr. Moran is a Catholic.

"At least the Catholic Church has everybody talking about birth control," Cook said.

"Not a single one of the political candidates for the office of the Presidency of this country has taken any kind of stand about the population crisis, and that leaves the Pope ahead of the politicians."

[From the Washington (D.C.) Sunday Star, Sept. 22, 1968]

Population Bureau Leaves Wilderness

(By Ann Cottrell Free)

Wilderness days are ending for PRB, demography and Robert Carter Cook.

For years, the Population Reference Bureau (PRB), the social science of vital statistics called demography, and champion demographer Cook have been virtually unknown to the general public. Voices, indeed crying in the wilderness. But now the population problem—as well as population—is exploding all over the place.

Booms, thunderclaps and all kinds of concussion and repercussion can be heard throughout the Roman Catholic Church in the wake of the Pope's encyclical forbidding population control by artificial means. The President, in recent days, has appointed John D. Rockefeller to conduct an in-depth study on population problems. And in the meantime, in the boudoir and the research lab, merits of various new methods are tested and debated.

As a result the once unknowns—PRB, demography and Cook—occupy a position undreamed of 20 years ago. Washington-born Cook, however, has known for at least 45 years, through his study of vital statistics in the Malthusian manner, that unspeakable tragedy lies ahead if births are not checked. In fact, he is the man who coined the term: "population explosion." But when he joined the shoestring PRB not long after it was founded, no one was listening.

PRB's founder, Iowan Guy Irving Burch, had done his best trying to help Margaret Sanger, but in 1929 shifted to a slightly different approach: "to provide and interpret facts of population change and relate them to world affairs." He chose Washington as his base.

NEW LEASE ON LIFE

But it took Cook—a trained geneticist with a talent for the apt phrase—to give statistics of birth and death a new lease on life. He was the editor of the "Journal of Heredity" and later was to author "Human Fertility: the Modern Dilemma." Actually, PRB didn't get under way in its modern form until 1951 when Cook became its director and editor and later its president. From then on, newspaper editors, correspondents, educators and other opinion makers started receiving with regularity soberly printed pamphlets from PRB, which made extraordinarily lively reading. One bulletin, for example, asked the question: "How Many People Have Ever Lived?" (Answer: 77 billion.)

The numbers game of population took on understandable meaning when PRB estimated that at the time of Christ there were only about one quarter billion people in the world. It has taken, PRB revealed, all the millenia of man's existence for his numbers to reach 3.3 billion people simultaneously alive, but it will take only 32 years to achieve a simultaneously alive population of seven billion expected in the year 2000.

In 1961, Cook and his chief associate and wife Annabelle realized that at least one man was listening. It was President John F. Kennedy. "This was the turning point," Cook emphasizes. Kennedy singled out rapid population growth in Latin America and other developing areas as the major threat to economic growth.

The taboos had been smashed—and by a Roman Catholic. PRB was on its way. Soon, gone were the days when the tiny staff felt they were operating out of a Dixie cup (chief benefactor and board chairman in those days was Quaker Hugh Moore, President of Dixie Cups.) The Ford Foundation, with its first donation to population control, gave PRB $60,000 for a three-year period to help "carry the message to Garcia."

Today PRB's annual budget is more than $300,000 with large amounts for such foundations as Ford, Rockefeller, Avalon and Old Dominion. The Cooks believe that hundreds of millions of readers are getting the message via the bulletins and Population Profiles that find their way to the desks of editors and other media leaders. Their publications, which can be subscribed to for three dollars a year, carry such titles as: "Marriage Gaps and Gains," "Man vs. Technology," "New Patterns in U.S. Fertility."

ON SOLID FOOTING

Now that PRB is on a solid footing, Cook, 70, is turning over the day to day Presidential duties to William C. Moran Jr., 52, former dean of Georgetown School of Foreign Service. Cook, as President emeritus and senior consultant, is two distinct parts: "explosion and implosion." Moran explains that the exploding birth rate is the hallmark of underdeveloped countries, especially Latin America. A Catholic himself, Moran says that the "Pope's encyclical may slow down official birth control programs in countries that are slow, reluctant starters," but he believes that government leaders will reach the conclusion that it is better for conception to be prevented rather than for births to be terminated by abortion or for thousands of babies to die from severe malnutrition. In Uruguay, for example, there are 2.5 abortions for every live birth. PRB has established a Latin American department that is going full steam ahead preaching the doctrine of population control. Moran points out that many Catholic countries have stabilized birth rates and that "ignorance and poverty" lead to the population glut.

"IMPLOSION" TO CONTINUE

"Implosion"—meaning "bursting inward"—will continue in the U.S., Cook and Moran believe, unless something is done to lessen the concentration of people in the cities. With 70 per cent of the people occupying 10 percent of the land, the future looks gloomy unless both migration to the cities and urban birth rate are curtailed. Though the PRB leaders have not involved themselves with racial problems, a recent PRB publication noted that Negroes (who have migrated in great numbers to the cities from depressed rural areas) have a 50 per cent higher birth rate than whites.

Though Cook and Moran deplore the glossing over of population control problems in the two presidential platforms, the "implosion" issue was tackled in the last few days by Richard Nixon and Spiro Agnew. They called for a brake on migration to the cities by the creation of an economically more attractive rural life.

Out from the wilderness, PRB is now in the midst of swirling political and religious crosscurrents. But its a sure bet that Moran and Cook will continue to tell it as it is.

[From Scripps-Howard editorial, Aug. 19, 1968]

The Population Man

Robert C. Cook is retiring, and if you don't know Cook you must know about his work—or at least of the problem which has consumed him for more than 30 years.

Cook may not have coined the phrase, "population explosion," although there is evidence he was the first to use it.

Since 1951 he has been a top man at the Population Reference Bureau, a Washington-based, privately financed operation wholly concerned with the problems of population.

The bureau gathers statistics and seeks to educate the public to the troubles that the rapidly rising increase in population are producing.

Starvation in India and Biafra, to cite only two of the worst places, tragically illustrates the problem.

Population control was virtually ignored only a few years ago, and such ideas as "birth control" were almost untouchable. But now, at least, these taboos have been overcome; 30 countries even have signed a pact to encourage controls. Cook can take some of the credit.

"With world population increasing at nearly a million and a half each week," Cook says, "more than declarations and policy statements are needed . . . Rates of increase cannot, in the stress countries, long continue without the gravest consequences."

The "gravest consequences" obviously include hunger, poverty and illiteracy.

In almost a lifetime of concern with this problem, Cook has not only been an authority, but perhaps has contributed more than anyone to an understanding of the problem—an essential prelude to even approaching a solution.

THE MUSMANNO PERSONALITY

HON. JOSEPH S. CLARK

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. CLARK. Mr. President, on October 14, 1968, the Beaver County Times, a highly regarded newspaper which is widely read by the citizens of Beaver County, Pa., published a most interesting article by Mr. Louis H. Simons of the editorial department of that newspaper entitled, "A Visit With the Judge."

I ask unanimous consent that Mr. Simons' article may be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LOOKING INTO MUSMANNO PERSONALITY—A VISIT WITH THE JUDGE

(NOTE.—For the past three years Times Reporter Louis H. Simons carried on a correspondence with Supreme Court Justice Michael A. Musmanno whose death occurred Saturday night. In the following article Simons tells of a visit to the jurist's chambers in the City-County Building, Pittsburgh, and reveals some interesting sidelights of his dramatic personality.)

(By Louis H. Simons)

I first met Justice Michael A. Musmanno in August, 1966, in his chambers in the City-County Building, Pittsburgh. I had been invited to lunch.

Previously the jurist telephoned to thank me for an article that appeared in the Beaver County Times in which I defended his participation in a civil rights rally in Mississippi. Pittsburgh newspapers assailed him for his activity and charged that his involvement constituted a violation of the Canons of Judicial Ethics.

I recall that that August afternoon was very warm and humid. Musmanno was wearing a thin scarf around his neck. He had a marked pallor. I wondered why he was spending his time in the city since the Supreme Court was in recess.

"When do you take a vacation?" I asked.

"I never take vacations," he replied. "Being off the bench is a vacation."

He pointed to papers on his desk. "I'm writing the court's opinion in a wiretapping case," he said, beaming. "We don't think the issue has ever come up before."

I told him that I had read several of his books.

He turned abruptly. "Have you read 'Verdict!'?"

"Verdict!" deals mostly with his experiences as a trial lawyer. The book sparkles with brilliant touches.

"It's a fascinating book," I said. "That chapter on your debate with Clarence Darrow was exciting."

The Justice discussed the notable event with ardent interest. He said the debate occurred in December, 1932, in Carnegie Music Hall, Pittsburgh.

"I recall that you tripped him up on a quotation from Voltaire," I interposed.

The Justice chuckled. "I remember the quotation to this day," he said, smiling. "Here are the exact words: 'If God did not exist, it would be necessary to invent Him.' But Darrow insisted that Voltaire said, 'If we did not have a God, man would create one.'"

Before the debate ended, the jurist relates in the book, a librarian produced an authentic source proving conclusively that Musmanno had correctly quoted the French philosopher.

The subject of the debate was: "Does Man Live Again?" Musmanno upheld the affirmative proposition.

Darrow was an avowed agnostic. The famous criminal lawyer was involved in many outstanding trials. One of his best-known was the 1925 John T. Scopes case in which he defended the right to teach evolution in Tennessee schools.

"I'm writing a book about Darrow," the Justice said. "I'm going to show that he was a religious man."

Musmanno said he was gathering material for the Darrow book. He added that another book "in the works" was an autobiography. He went over to a large bookcase and withdrew a huge pouch. "I have this much for the autobiography," he said.

"How do you find time to write your books in view of the pressure of your judicial duties?" I inquired.

"I really have to work at it," he replied. "I write during spare moments—while traveling in planes, during the summer months and at any other time when I have nothing else to do."

The conversation turned to social issues. His irrepressible desire to answer his critics about such problems occurred to me at this time. How could one probe his reasons? I was undecided on a proper approach, some way that would reflect prudent discreetness. I finally hit on an idea. I decided to rule out cautious judgment.

"Mr. Justice," I said in a benevolent attitude, as though to avoid offense, "why do you answer your critics? Why don't you ignore them, as if to say, 'The hell with you guys'?"

"I have to fight back," he asserted firmly. "I can't let them get away with it." He paused momentarily. "All my life I've fought for the things I thought were right."

A year before I met the jurist we started a correspondence over an article I had written for this newspaper criticizing his support of motion picture censorship. I said such restriction was repugnant to the democratic process. He maintained that the legislative plan that he favored was not censorship within the true meaning of the term.

Last December we exchanged Christmas cards. At that time the Justice said publicly that he was undecided about running for the U.S. Senate. In view of his apparent quandry and also that his seniority on the bench entitled him to the Chief Justiceship by 1972, I added the following notation on a Christmas card:

"If you decide to run for the Senate I think you should play the political game at this stage in your judicial career the way the late Andrew W. Mellon played his poker game." It was said of his technique that invariably "when they called him he had 'em."

A few days later I received an autographed edition of his new book "The Glory and the Dream" which critics acclaimed as "a little jewel of a book." It deals with President Abraham Lincoln, the Gettysburg Address and a poignant revelation of the President's historic triumph.

His chambers were filled with a remarkable accumulation of memorabilia. One of the pictures shows him standing at the tomb of Christopher Columbus in the Cathedral of Santo Domingo.

A portion of the reception room was converted into a shrine. The shrine was consecrated to the memory of President John F. Kennedy whom the Justice knew intimately.

The scores of items are exceptionally worthy of remembrance, many of which denote a deep sense of civic duty. And his humanitarian instincts dominate the over-all view of the spectacular display in a manner that commands admiration and respect.

ELECTION REFORM LEGISLATION

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. TIERNAN. Mr. Speaker, in the aftermath of the recent presidential conventions, I have given serious attention to the question of election reform. After considerable study, I plan to introduce two bills designed to improve our presidential selection process by providing for a greater degree of popular participation.

The first measure calls for the creation of a joint congressional commission to investigate the entire presidential nominating system in the hope that a plan for more democratic and uniform procedures will be devised.

It is my intention that this commission will suggest improvements in the present convention system and that it will also render a verdict on the feasibility of instituting a national direct presidential primary. There are two obvious benefits to be derived from a national primary:

First. It would give the average voter a much greater voice in the selection of presidential nominees than he possesses at present; and

Second. It would bring order and uniformity to the selection process.

It would be one purpose of my study commission to ascertain whether or not these apparent advantages of a direct national primary outweigh any potential defects.

My second piece of reform legislation is a constitutional amendment which would require that electors be bound or pledged to support the candidate whom the voters of the State select. At present, only 15 of the 50 States bind their electors. The others, including Rhode Island, leave them free to ignore the mandate of the people. Because of the failure to bind members of the electoral college a number of abuses have recently taken place. For example, in 1964 there were "wildcard," unpledged electors in Mississippi, and in 1960 Georgia electors violated their popular mandate by refusing to support John F. Kennedy. If the electoral college is to be retained, then my amendment would eliminate these devious maneuvers.

In the event that the passage of my legislation is delayed, I urge Rhode Island to take the initiative in election reform by instituting a presidential primary for the selection of delegates to the national conventions and by passing a law binding the State's electors.

TEN YEARS OF PROGRESS AT SUNRISE HOSPITAL, LAS VEGAS, NEV.

HON. ALAN BIBLE

OF NEVADA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. BIBLE. Mr. President, Sunrise Hospital at Las Vegas is finishing the first decade of its history in Nevada. It was in January 1959 that Sunrise Hospital first opened its doors. It had 62 beds at that time and it immediately began to make a major contribution to Las Vegas and to all of Clark County.

Now, 10 years later, Sunrise has 325 beds. It possesses one of the finest X-ray facilities in the Southwest, and one of the few radioisotope laboratories in my State. There is a coronary unit with four beds equipped with remote monitors, geared to detect any abnormal change in heart action. Its 2-to-1 ratio of employees to patients is clearly indicative of the type of service it has given to its patients and to the community it serves.

Before Sunrise was established in 1959, most major surgery cases had to be taken to Los Angeles or San Francisco. Now many of them get excellent treatment in Las Vegas. There is a pathology department with 31 technicians and a referral service for the entire section of the State.

I am especially interested in giving recognition to Sunrise because it is a privately owned or proprietary hospital. It pays taxes and has to compete with institutional and nonprofit hospitals just as any other business would have to. If it does not do a good job it will fail. If it does a good job, the community will recognize its contribution.

That is exactly what has happened at Sunrise. It has played an important role in the development of the general health scene in Las Vegas. Its women's auxiliary has just collected 800 pounds of medical supplies for a civilian hospital in Vietnam. Its junior nurses aides, known as candy stripers, are remembered gratefully by thousands of patients. Their male counterparts, the junior premeds, have proved to be a group of technicians who have shown their interest in medicine.

Sunrise is fully accredited by the Joint Commission on Accreditation of Hospitals. Its president and the chairman of its board, Nate Adelson, is very active in the Federation of American Hospitals. The FAH is the only association of proprietary hospitals in our Nation. It has done a good deal to bring to the attention of the American public the important function being carried out by privately owned hospitals, most of which were formed by doctors, using their own money, seeking bank loans, to bring needed medical care to areas where no proper facilities existed.

I think it is interesting to recall that Sunrise achieved a certain amount of fame in January 1967, when Mrs. Thomas Van Lyssel gave birth to a son, Kenneth Dean. Kenneth, 3½ months premature, weighed only 1 pound, 7 ounces. Las Vegas, where there is a certain ability to evaluate the laws of chance, gave Kenneth one chance in a million. Sunrise Hospital was up to the occasion. Kenneth is now a healthy and robust baby, thanks to proper care at a properly run hospital.

I think that it is proper to take note of Sunrise's 10th birthday. It is comforting to realize that privately owned hospitals are playing such a vital role in today's health. It is my hope that Sunrise, which has grown from 62 beds to 325 beds in only 10 years, will continue to grow even more rapidly during its second decade.

CONGRATULATIONS TO MALAGASY REPUBLIC

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. O'HARA of Illinois. Mr. Speaker, today, October 14, is the 10th anniversary of the proclamation of the Malagasy Republic. On this historic occasion, I offer my hearty congratulations and best wishes to President Philibert Tsiranana and the Malagasy people.

As our great Project Apollo mission takes place, our attention again will be called to the wonderful cooperation which the Malagasy Republic is offering the United States in man's peaceful exploration of space.

Our thoughts and warm greetings are with our good friends in the Indian Ocean on this happy anniversary.

TRAINING HARD CORE UNEMPLOYED

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. SCHEUER. Mr. Speaker, I was pleased to note the recent announcement by the U.S. Office of Education of five new research projects which are intended to help local communities make effective use of trained nonprofessional aides in their services to the public. It is indeed heartening for me to see this expansion of a concept and program started by my amendment to the Economic Opportunity Act of 1966 which provided for the first program of training hard core unemployed for vacant nonprofessional Government jobs.

It is my hope and expectation that this project will prove to be a valuable contribution to the improvement and expansion of the program. The text of the announcement follows:

Five new research projects designed to enable local communities to improve their services to the public through the use of trained nonprofessional aides were announced today by the U.S. Office of Education.

The Office's Bureau of Research said that the projects will develop experimental educational programs to train subprofessionals for new careers in municipal government, law enforcement, social welfare, recreation for the disabled, and audio-visual instruction.

Dr. Norman J. Boyan, Acting Associate Commissioner for Research, said the basic idea of the program "is that well-designed new career programs will alleviate acute shortages of professional manpower, provide useful jobs with career possibilities for disadvantaged, unemployed, or underemployed persons, and help improve the delivery of welfare, recreation, municipal, and other services to the community."

In general, the researchers will identify the kinds of public service jobs that nonprofessionals can perform and draw up job specifications of required skills. They also will rank the tasks and skills in a career "ladder" of increasing responsibility and pay, from entry-level jobs needing little or no training up to professional positions.

New vocational and technical education programs are to be created at the high school, postsecondary and higher education levels both to train people for entrance into the public service and to help working subprofessionals up the career ladder, according to their interests and abilities.

These courses may be built into the jobs as part of in-service training or taken in short-term adult education sessions.

One project, administered by the Institute for Self-Government, Berkeley, Calif., will produce a package of junior college courses for nonprofessionals in municipal government, including city inspectors, planning aides, and officials in personnel, finance, and public works departments.

New York University, New York City, will design courses for high schools, community colleges, and adult education programs to train recreation aides for work in hospitals, extended medical care facilities, homes for the elderly, and municipal centers.

Funds for the projects are being provided under a section of the Vocational Education Act of 1963 which authorizes research, training, and experimental programs designed to meet special needs in vocational and technical education.

The organizations conducting the projects, the project directors, and the titles of the projects are:

Institute for Local Self-Government, Berkeley, Calif.; Randy H. Hamilton; "Municipalities as a Model for New Careers and Re-Direction of Vocational-Technical Education Programs."

National Education Association, Washington, D.C.; Anna L. Hyer; "Manpower and Instructional Media: A Study of Jobs, Personnel, and Training."

New Careers Development Organization, Oakland, Calif.; J. Douglas Grant; "Develop New Career Ladders, with Appropriate Education Components, in the Administration of Justice."

New York University, New York, N.Y.; Doris L. Berryman; "Development of Educational Programs for New Careers in Recreation Services for the Disabled."

YMCA of Metropolitan Chicago, Chicago, Ill.; Robert K. Soong; "Social Service Aide Project for the Education and Training of Subprofessionals."

INTERNATIONAL GRAINS ARRANGEMENT

HON. GALE W. McGEE

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. McGEE. Mr. President, recent press reports have carried some sharp criticism of the International Grains Arrangement—IGA—by a Member of Congress, and by the grain trade. I take this opportunity to put the current debate on the International Grains Arrangement into proper perspective.

I believe that this agreement unquestionably is in the best interests of America, and of American wheat farmers.

The chief contribution of the IGA to the well-being of our farmers is its promotion of orderly marketing. With world wheat supplies again at a high level, we need now, more than ever before, some assurance that our wheat will have buyers—and that the prices paid for our wheat in world markets will be fair.

The International Grains Arrangement makes for orderly world wheat trade in two major ways:

First. It establishes minimum and maximum prices for 14 major wheats from various countries. This feature is now clearly acting as a world market price support.

Second. It assures that importing countries will buy a maximum share of their import requirements from the

United States and other member exporting countries.

Yet at such a critical time as this we hear the cry, "Do away with the International Grains Arrangement." That is poor advice and should not be heeded.

Who would gain by ripping away the price floor provided by the IGA? American wheat producers certainly would not gain, by losing their price protection in world markets.

It would be the foreign purchasers, not American farmers, who would gain from dissolution of the IGA.

To do away with the IGA at this time would make the American farmer the victim of some of the most general price-cutting the world has ever seen.

Is this what critics of the IGA really want?

Let us examine who the critics are, and what are their arguments.

First of all the main critics are in the grain trade—the big export companies. These big operators want big volume not good prices. They are not necessarily against the farmer, but they have never been accused of being "for the farmer."

These critics say that the Agreement has made us noncompetitive in world markets. That charge is false.

The IGA gives us every right to compete in foreign markets and we are competing.

Last April, in hearings on the IGA, Under Secretary of Agriculture John A. Schnittker replied this way to a question by Senator FRANK CARLSON, of Kansas:

> If necessary, because of price cutting around the world, we are determined, and we are allowed under the Arrangement to price our wheats competitively even at prices under the proposed minimums.

The reply to another question by Senator CARLSON was:

> We will be carefully watching the actions of our competitors, and we intend with equal firmness to take whatever measures are necessary to remain actively competitive once the Arrangement becomes effective.

The U.S. policy is completely clear: The United States firmly intends to maintain the U.S. position in world wheat trade and intends to use the procedures of the new Arrangement while bringing this about. If it appears at any time that the floor price formula is placing the United States at a competitive disadvantage in world wheat markets, the new Arrangement provides for adjustments whereby the minimum applying to one or more exporters may be either raised or lowered relative to the minimums of other exporters. The agreement provides that if this adjustment mechanism fails to restore the competitive position of an exporter, its prices may either go below or remain below the minimums. In such a case, the minimums would cease, at least for a time, to be fully effective.

I have talked with the officials who are administering the program. They are very watchful of our competitive position. These men took part in a very important exporter meeting at Canberra, Australia, just a few days ago. They were assured that other exporting countries are not doing better so far this year than we are. To close competitive loopholes, Australia offered to list two new wheats in the IGA price schedule. And at U.S. insistence, new procedures are being developed to assure use of comparable freight rates in computing minimum prices.

It has been argued that the agreement should be thrown out because domestic wheat prices have fallen.

The facts would dictate just exactly the opposite action. We need the IGA most of all when prices at home are low. Dissolving the IGA under the present conditions of heavy world wheat supplies would cost the American wheat producer heavily on his 1968 production. This is why:

U.S. wheat prices today are very near, but still below, the loan rate of $1.25 a bushel. The world price of wheat is 15 to 20 cents above the U.S. loan rate—thanks to the new IGA. Through operation of the U.S. export certificate program, the farmer will benefit from these higher world prices. A substantial pool of receipts is being collected for farmers through payments by exporters. U.S. wheat producers who cooperate in the 1968 program will receive a supplemental payment when proceeds from the export certificate pool are distributed next year.

How else would our wheat producers get a substantial payment—in a year of record world wheat supplies—except under the IGA?

Clearly, scuttling of the IGA and the world floor price would mean a lowering of U.S. export prices and a correspondingly smaller end-of-the-year payment to U.S. wheatgrowers.

It is argued that the International Grains Arrangement is responsible for the current slackening in U.S. wheat exports.

The truth is that factors other than the IGA account for the slowness in U.S. wheat shipments so far this year. The critics of the IGA—in the trade and in Congress—know this.

Food aid shipments under Public Law 480 have contributed very heavily to the growth of U.S. wheat exports in recent years. Although our average annual commercial exports have risen from about 200 million in the 1950's to just under 300 million in the 1960's, our yearly food aid shipments rose from about 190 million bushels to about 450 million for the same period. The significance of this, of course, is that if in 1968–69 we see our food aid shipments declining because of big crops in India and Pakistan, we should recognize the reason, and not condemn the IGA.

As for our commercial wheat exports, world demand this year appears to be somewhat smaller than usual. More important, importers are slow to cover their requirements as long as there is a chance that world floor prices will fall. Those in this country and abroad who continually carp about the inevitable failure of the world floor price are contributing to the slowdown in commercial wheat exports.

The same factors that are affecting U.S. commercial wheat exports are being felt by other major wheat shipping countries. Their volume of trade, in the aggregate, also is down. This means, of course, that all exporting countries must cooperate in making the agreement work. If all exporters hold the line on world prices, as indicated in the Canberra meeting, the importing countries that are now drawing down their working stocks in the hope of getting lower prices will inevitably come back into the market as buyers.

It is unfortunate that the first months the IGA has operated are months in which the world has had very heavy supplies of wheat. Those supplies are putting a severe strain on the price arrangements worked out by exporting and importing countries.

In another sense, however, it is good that the IGA is being subjected to such rigid testing. The Arrangement has 3 years to run. If it survives the testing period, it will undoubtedly realize the promise expected of it when it was drafted.

Let us give the IGA a chance to work. After all, this important contribution to international marketing has been in effect for only a few weeks. It is far too early to come to a judgment that "critics of the IGA have been proved right on all grounds." The IGA deserves the opportunity to show what it can do, to prove that its critics are wrong.

The important goal for us is to maintain and to expand our share of the world commercial market. In recent years our share has averaged about 35 percent. If we can maintain this share in 1968–69, hold the line on prices, and give U.S. farmers an extra payout, then we will have passed the most critical period in the further development of orderly world wheat marketing under the IGA. The agreement, if we allow it to have a fair trial, will demonstrate in other years to come its value to American agriculture and the U.S. economy generally.

STATEMENT BY CONGRESSMAN GUDE ON PROPOSED RULEMAKING BY FAA

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. GUDE. Mr. Speaker, one of the most serious problems which we in the Washington area face is the overcrowded conditions at National Airport. My constituents in Montgomery County are plagued daily by the repeated roar of jets flying directly over their homes. While new and innovative efforts on behalf of the District Committee here in Congress, the City Council, and the Mayor's office are being made to combat the increasing density of polluted air over our Nation's Capital, it is incongruous and inconceivable that the National Capital Planning Commission should be asked to consider plans to expand National Airport.

A very heavy taxpayer investment was made in Dulles Airport to serve the Washington area's jet age needs, but it is operating at one-quarter of its full capacity. Friendship International lies tangent to our city, fully equipped, and yet is operating at an average of only 35 percent of its daily capacity.

Rescheduling of flights from National to these fine facilities is essential. If there is to be an expansion of flight service to the Washington metropolitan area, we must consider the safety and the convenience of the entire area. All nearby facilities must be used to the fullest, not heap the burden on one single, and presently overcrowded if not out-of-date, airport.

In context of this total metropolitan regional approach to our air traffic needs, I submit my statement before the FAA hearings on the proposed rulemaking, rules docket GC–24, as follows:

STATEMENT BY CONGRESSMAN GILBERT GUDE AT HEARINGS ON PROPOSED RULEMAKING BY FAA, SEPTEMBER 25, 1968

I very much appreciate having this opportunity to testify before you this morning about a problem which is mammoth in proportions, and increasing in complexity daily. The proposed regulations by the FAA issued September 3, the subject of these hearings, were long-awaited and give all concerned a springboard from which to launch constructive discussions and comments which will—indeed must—lead to the most viable solution to the ever-crowded and potentially dangerous conditions at our high-density traffic airports. Representing a Metropolitan Washington constituency in Maryland, my main focus, of course, is on the Metropolitan Washington airports, National and its present subsidiaries, Dulles and Friendship.

Inherent in this metropolitan area approach is to encourage the significantly more equitable use of all three airports than is presently practiced. This redistribution of air traffic will require cooperation on the part of all airlines using National for the bulk of their operations at the present time. The Civil Aeronautics Board's Washington-Baltimore airport investigation initiated in June 1967 has been dealing with this very problem. The convenience of National's location to some area residents cannot be denied. However, this in itself must not dominate the scheduling of aircraft to the Washington area, endangering passengers due to packed, supersaturated scheduling there. The consequent inconvenience due to delay often offsets such locational accessibility.

Such excellent experiments as Eastern's newly instituted STOL shuttle services must be commended as a realistic effort at both alleviating the crowded conditions at National, for these smaller aircraft can use facilities that jets cannot, and encouraging airline and passenger service to both Dulles and Friendship by increasing their availability. Hopefully the increased use of such smaller aircraft will help to reduce jet traffic in general, by providing stand-by or substitute assistance to scheduled flights depending on passenger demand.

I have urged on several occasions, and I reaffirm my strong conviction, that the commercial airlines must take the initiative in scaling down operations at National, by rescheduling appropriate flights to Dulles, which is now operating at a mere 25% capacity, and to Friendship.

If the commercial airlines don't meet their responsibility, we are going to have more and more government intervention. I am convinced that residents of the metropolitan area, especially those departing for long-distance flights, would find these airports not significantly more distant than National, and, given present conditions, perhaps even more convenient in regards to the efficient expedition of their trip.

One factor which I might suggest as one representing suburban Maryland in Congress, is the extremely high density of population over which much of the jet traffic out of National flies. As one of my constituents wrote recently, "a crash in the air near National could be a catastrophe below." Noise abatement procedures which the large jets follow, of course, help somewhat to alleviate the din. But a scaling down of operations out of National certainly would affect both the safety and comfort of the thousands of residents over whom jets north ascend.

In the necessary negotiations by the airlines about rescheduling flights, I would encourage international airlines to join with U.S. airlines in a cooperative scheduling of flights to the various international airports.

In this general scaling down of IFR operations at National, I am in total accord with the proposed rules concerning the allotment of reservations to scheduled air carriers, scheduled air taxis, and all other aircraft operators. Lacking the expertise of FAA and CAB officials regarding appropriate numbers of scheduled operations in each category, I can only express the view that general aviation using National as a designated high density airport, should not be unduly restricted from access. As we will hear substantiated at these hearings, there are many private air carriers that fully meet established and proposed regulations and standards with respect to radar and flight equipment, flight crew, and capability to maintain the necessary approach air speed. These air carriers should always be allowed reservations if at all possible.

Let me say, at this point, however, that we must consider present and future implications of a definition of a "high density traffic airport" when such a designation by FAA would put into effect these proposed regulations. The term "high density airport" should infer that there exists in the reasonably immediate vicinity a full instrument airport suitable for use by general aviation.

In the case that such standard equipment or crew regulations for high density airports are not met, or circumstances are such that the hourly allotment has been filled, as may happen during peak hours (say, for example, between 5–8 pm), these satellite airports must be made attractive and accessible. I have taken a strong interest in the development of satellite airports in our Washington area and will continue to work to that end. Increased use of satellite airports would free invaluable airspace and runways for operations in and out of National.

In short, the public interest must be served by any action taken subsequent to these hearings. Regulations concerning operations at high density airports, such as National, are going to require some extent of compromise on the part of all interests concerned. The safety of crews and passengers is vitally at stake, however, and only in this context can optimum service to all categories of aviation be administered.

CAMPAIGN CONTRIBUTIONS AND SPENDING SPIRAL PAST FULL DISCLOSURE

HON. CHARLES E. GOODELL

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. GOODELL. Mr. President, clean elections legislation has been sidetracked for another year. Not even a locked-in all-night House of Representatives managed to take action on long-overdue revision of Federal election laws.

The impasse on campaign reform, hopefully, will be overcome with the next Congress. That the reform movement is well underway is seen in the efforts of more than 134 Republican House Members who sought to have the Election Reform Act of 1968—H.R. 11233—scheduled for floor debate.

For over 2 years I have had a keen interest in strengthening Federal regulation of campaign spending. That reform is urgent is seen in the facts of campaign financing.

The following article written by Steve Horn underscores the urgency for reform. Steve is a senior fellow with the Brookings Institution. In this article he concludes that in the present state of reform, inaction "is both the challenge and the reality of American campaign financing." I am pleased to enclose his excellent article on this subject, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Stanford Alumni Almanac,
October 1968]

THE COST OF AMERICAN POLITICS

(By Stephen Horn)

(NOTE.—Senior fellow with the Brookings Institution in Washington, D.C., Stephen Horn currently is completing a study of the ethical dilemmas and problems of campaign finance confronted by members of Congress. His extensive research is reflected in his Almanac article. He was legislative assistant to U.S. Sen. Thomas Kuchel of California from 1960–66, after serving as administrative assistant to Secretary of Labor James Mitchell. He has been a visiting fellow at Kansas U. and Indiana U., was appointed one of the first ten fellows of the John F. Kennedy Institute of Politics at Harvard, and is host and senior consultant for Westinghouse Broadcasting Company's series "Operation Government.")

"Money," as California Democratic leader Jesse Unruh once observed, "is the mother's milk of politics." In 1968, between $250 and $300 million will be contributed by 12 to 15 million Americans to candidates of their choice from the local to the national level.

The financing of American politics has long been a basic problem in our system. Must a man be a millionaire to be President? No, but it helps. Stanford's Professor Thomas A. Bailey has noted that "millionaire status is now acceptable, provided that the money was inherited, married, or made honestly in enterprises unconnected with the candidate's possible shenanigans as a . . . public servant." The mother of the late Senator Robert F. Kennedy commented shortly after her son won the 1968 Indiana primary, "It's our own money and we're free to spend it any way we please."

Many a loser has probably pondered Will Rogers' maxim that "Politics has got so expensive that it takes lots of money to even get beat with." Senator Eugene McCarthy and Governor Nelson Rockefeller, each of whom probably spent between $5 and $8 million in failing to receive their party's nomination, would undoubtedly agree. To finance his losing 1896 Presidential campaign, William Jennings Bryan demanded that each party committee pay to hear him speak. His regular price was $150 to speak from the rear platform of the train. When the campaign train reached Rushville, Indiana, Bryan failed to appear until the local Democrats produced an extra $50. They had erected a speaking platform 200 feet from the tracks and Bryan's fee was $200 if he had to leave the train.

Today, Presidential campaign financing is more sophisticated—and more expensive. It has to be. The demands are greater. As the towns have been replaced by the metropolis and the suburbs, the airplane has replaced the train. Personalized jets with office facilities, sleeping quarters, television, radio, and telephones are a necessity as candidate and staff span the continent. The hastily erected wooden platform and the cheering thousands have been superseded by the complex television studio with an unseen audience of millions. The small staff of personal friends and party workers—usually volunteers—has been broadened to include, among others, public opinion analysts, media specialists, foreign and domestic policy researchers, speechwriters, experts in personal and office security, and even an occasional make-up man.

Now—as then—loyalty is an important ingredient in forming a Presidential campaign staff. But so is money. In 1966, Richard M. Nixon renewed his campaign for the Presidency with one paid employee. By the time he had swept various 1968 Republican primaries and brought his triumphant organization to Miami Beach to secure his party's nomination, he had almost 150 paid employees and a $200,000 monthly payroll.

But Nixon also had thousands of volunteers whom money could never buy. Today's Presidential campaigns are filled not only with the doorbell-ringing and envelope-stuffing volunteer—still a necessity to get out the vote—but also with high-priced creative and executive talent from American business, education, government, and labor who are frequently paid for one job while doing another. Howard Stein, dynamic president of the Dreyfus Fund, devoted untold hours to organizing Senator Eugene McCarthy's national fund-raising operation. College professors and foundation experts supplied a steady stream of memoranda to candidates of their choice. Secretary of Agriculture Orville Freeman, a long-time friend of Vice President Hubert Humphrey, quietly touched base with Democratic officials around the country prior to the Chicago convention. Young professionals and clerical help on the Senate payroll of Senator Edward M. Kennedy worked in the Presidential campaign headquarters of his brother, Senator Robert F. Kennedy. Members of organized labor's Washington and regional bureaucracy contacted delegates on behalf of Humphrey.

Some of this talent will be reimbursed for their expenses. Others will pay their own way. At a younger but no less energetic level, the thousands of youthful volunteers for Senator McCarthy in Washington and Chicago voted themselves expenses ranging from $5 a day to $50 a week—and when the money was no longer available continued to work anyhow.

Every national campaign has its share of insurance company executives, young attorneys from the metropolitan law factories, and labor officials all "on leave" working as advance men reconnoitering an area before the candidate arrives. Federal law prohibits direct contributions from corporations or labor unions to a Presidential or Congressional election. Yet these two groups provide not only some of the campaign staff, but also much of the funding for both major parties. Some company officers and directors are paid a higher salary than ordinary with the clear understanding that it is to be "voluntarily" contributed to candidates who are favorably inclined to the corporation's views on public policy. Some labor unions retain a Washington legal counsel with the clear understanding that their attorney will "voluntarily" attend certain $100 and $500 a plate dinners for candidates favorable to labor's cause.

Also uncounted in the expenditure reports filed in many campaigns are the printing bills for a candidate's brochures which were somehow merged into a company or union's regular printing order, the use of automobiles, private planes, and credit cards (for telephone, meals, and lodging), or simply postage stamps from the petty cash drawer. Untold millions are contributed in this manner to candidates supported by business or labor leaders, but not necessarily stockholders, employees, or union members.

But the taxpayers also pick up some of the campaign bills—those of the incumbents. A President or Vice President running for reelection has at his disposal a legion of political appointees and higher civil servants to prepare memoranda and policy proposals and to develop arguments and statistics answering the charges of the opposition. A member of the Senate has anywhere from 8 to 40 employees whose major mission is to see that their boss is re-elected. Robo-typewriters spew forth thousands of seemingly personalized letters addressed by first or last name as is appropriate and machine signed by an automatic pen which scrawls the Senator's first or full name—as is appropriate. In addition, a trip home each month, one or more offices in the constituency, the use of the frank for "non-political" meal, and telephone, telegraph, and stamp allowances are all furnished by the taxpayers and available to aid the incumbent. A member of the House of Representatives has the same advantages only on a smaller scale—perhaps 7 to 10 employees.

All of this makes it very difficult to unseat an incumbent and results in ever-higher costs for a challenger's campaign. As Congressional sessions have lengthened from a few months to almost the whole year, there has also been a professionalization of politics. A century ago, a legislator went to Washington for a few years but maintained and soon returned to his business or profession at home. Today, over four-fifths of the Congress is regularly re-elected. Less than one-fifth of the seats, if that, turn over every two years.

Yet incumbents are unseated. In 1964, with the Lyndon Johnson landslide—or the Barry Goldwater debacle as you prefer—the Democrats took 48 House seats from the Republicans while only losing 10. The Democrat usually replaced a Republican who had been in Washington for several terms. They were young and aggressive. They knew that to survive in what had been generally Republican districts would require work and service for their constituency. The Democrats did work. Post Offices, dams, economic development and poverty grants were literally poured into some districts. Many of the Democrats went home each weekend to talk to the voters although their Republican predecessors had seldom gone home. Free telephone service was provided by the Democratic National Committee so the new Congressmen could talk with their constituents during the evening hours.

The Republicans realized that, unless they ousted this aggressive crop of Democrats in the 1966 mid-term elections, the districts might well change the political complexion permanently. The result was that where the pre-1964 Republican predecessor had spent between $12,000 and $40,000 for re-election, after the Democratic intrusion a number of the Republicans had to spend $40,000 to $170,000 to regain the seat. The GOP gained over half the seats lost in 1964, and more besides. And they have been running ever since to match the level of constituency service which the one-term Democrats had made available.

In the financing of Congressional elections, the Republicans are far ahead of their Democratic opponents and the various labor union political action groups allied with them. The National Republican Congressional Campaign Committee, which has operated continuously since 1866 to elect House members, maintains a full-time staff of three dozen in Washington and in the field to advise incumbents and possible GOP challengers. Photographers take pictures of the legislator and his constituents for the home-town newspaper. Funds are available to pay for the newsletters, speech reprints, and radio and television tapes.

The Republican Senatorial Campaign Committee has a handful of professionals and directs its efforts to paying many of the political bills for GOP incumbents: radio and television taping, photographs, and newsletter and newspaper mat costs. Two years before a GOP Senator is up for re-election, he is given an air travel card good for unlimited trips to his constituency.

THE WAR CHESTS

The war chest for both committees is filled by periodically holding $500-a-plate dinners to which all lobbyists are cordially invited. But, in addition, the House Republicans have organized the Congressional Boosters Club. It is patterned after the President's Club begun by John F. Kennedy and continued by Lyndon B. Johnson. Membership is $1,000 per head and, in return, the donor gets personalized stationery to communicate with members of Congress and special briefings from some of the recipients of his largess. He is made to feel "in." The budget for 1968 is $1,250,000—with a quarter of a million dollars of that being assigned to various Senate campaigns.

In 1968, the Republican strategy will not only be to gain the 31 additional seats needed to assure Republican control of the House of Representatives, but also to secure a majority in 26 of the 50 state delegations. Should the candidacy of former Alabama Governor George Wallace throw the choice of the next President into the House, the Republicans intend to be prepared. Under the Constitution, the House would ballot by states with a majority of the Congressional delegation in each state determining how the state's vote would be cast. The vote of Alaska's single representative would equal the vote of a majority of New York's 41 representatives. Currently there is a GOP majority in 18 of the 50 state delegations. A switch of only one seat in each of the remaining delegations would give the Republicans control of 7 more states and divide 11 others evenly.

The Congressional Democrats also hold expensive dinners, but they have long been understaffed and the money does not seem to go as far. Part of this is the result of the confusion, secrecy, and lack of credibility in national Democratic financing which has occurred since the Kennedy administration. Where the Republicans hold joint dinners and divide the funds between the Capitol Hill committees and the Republican National Committee which is responsible for waging the Presidential campaign, the Democrats seldom agree on even eating together, let alone the split. This is partly because in 1965, when the Democrats did agree and held a dinner netting $800,000, the Democratic National Committee refused to give the legislative committees their share. Perhaps there is reason why no adequate treasurer's reports have been made at meetings of the Democratic National Committee since 1962.

As suspicions increased among the various Democratic groups, the Democrats began to rely more and more on the big contributors of $500 and over to make ends meet. With President Johnson's "consensus politics" and the successful wooing of Wall Street and the big business community during the 1964 campaign, the Republicans have suddenly become the party of the small contributor. In 1964, according to the Citizens' Research Foundation which specializes in the analysis of campaign financing, the Democrats received approximately 69 percent of the dollar value of their total individual contributions in amounts of $500 and over. The Republicans, on the other hand, received only 28 percent. The GOP switch to small contributions was due partly to the grassroots Goldwater effort which encouraged many who had never contributed to the party to give a few dollars. But the real change which resulted in broadening the base of the GOP began earlier, when the Republicans established a national sustaining fund of $10-a-year memberships in 1962.

Direct mail techniques were utilized and computers tossed out millions of individually typed and "personalized" letters to party faithfuls throughout the country. The wonders of computer programming assured that the prospective donor's name was always carefully worked into the middle of several paragraphs in the letter. During the fund's first year there were 70,000 contributions totaling over $750,000. Six years later, in the first half of 1968 alone, the fund had grown to 250,000 contributions totaling more than $2.7 million.

As with the Goldwater effort in 1964, the McCarthy campaign in 1968 showed that funds can be found from small and large contributors alike to support deeply felt emotional issues in American politics. Both men elicited not only substantial monetary support but also a group of zealous and dedicated volunteers. The financial plight of American politics is not with the extremes in either party but with the center. It is also not so much with the Presidency as with the Congress and many lesser public offices. One could argue that it might be financially simpler to run for the Presidency than for the State Assembly. Senator McCarthy began with nothing and because he had the courage to challenge the incumbent he attracted—on a fit and start basis—between $5 and $8 million from his supporters to wage his campaign. A national or state-wide challenger can attract the television and press attention to become widely known in a very short time. But for Congressional and local races it is difficult for a newcomer to pierce the wall of voter apathy without substantial sums of money.

GOVERNMENT SUBSIDY

The financial plight of American politics has been much talked about and little acted upon throughout most of this century. In 1907, President Theodore Roosevelt advocated direct governmental subsidies to the political parties. Over sixty years later, many Republican members of the House were demanding that the Democratic leadership permit a vote on the Election Reform Act of 1968 which had been stalled in committee for over a year.

The Ashmore-Goodell bill—as it is popularly known because of its sponsors Representative Robert T. Ashmore (D-S.C.) and Senator Charles E. Goodell (R-N.Y.)—would completely overhaul the laws pertaining to campaign fundraising and spending in federal elections. It would include primary, special, and general elections as well as conventions and caucuses to select delegates for national nominating conventions. In 1968, Democratic contenders probably spent $17 million before Chicago seeking the nomination; Republicans probably spent $14 million before Miami Beach. And then there is George Wallace, who might well have spent over $4 million thus far. Yet no outsider knows who gave how much to whom for what. Some states require filings for the Presidential primaries—but even the best state law is filled with loopholes as to accounting for the actual funds spent to influence an election within the state. The result is that the electorate remains unaware of the special influences which might have a hold on a particular candidate.

The bill would also cover most recognized campaign expenses, not just those personally known to a candidate, which has traditionally meant the failure to file reports on the expenditures made by the committees working on behalf of a candidate. In 1966, several House candidates who had committees spending almost a hundred thousand dollars for their election filed reports claiming that they personally knew of only a few hundred or a few thousand dollars which had been spent in their behalf.

DISCLOSURE OF CONTRIBUTIONS

The measure would remove the unrealistic limits now imposed by the Corrupt Practices Act of 1925 which President Johnson has correctly described as "more loophole than law." Instead, the emphasis would be on disclosure of campaign contributions before and after the election. An individual (except the candidate himself) could not give more than $5,000 to any one campaign. Under the present law there is seemingly a $5,000 ceiling but "fat cat" contributors in both parties regularly avoid it simply by giving $5,000 to each of the several committees usually established on behalf of a particular candidate. Any individual giving more than $100 to a federal campaign in a calendar year would also have to report. The other weakness in existing law is that reports are simply filed with the Secretary of the Senate and the Clerk of the House. There is no followup to see if the filings are accurate and no attempt is made to secure reports from those who have failed to file. The Ashmore-Goodell proposal would establish a five-member bipartisan Federal Elections Commission to enforce uniform reporting and to analyze the data.

Not all political financing is done during a campaign—a House member with a two-year term is continuously campaigning. Some funds come in the form of gifts and honoraria to a candidate between elections. The bill recognizes this by requiring that a description of the services rendered for honorariums in excess of $100 be reported.

Congress so far has failed not only to let the public know what is going on in campaign finance, but also to figure out a way to remedy the financial plight confronted by many candidates. In 1967, a Presidential election subsidy bill passed a year earlier was repealed before it could be implemented. This plan, authored by Senator Russell B. Long (D-La.), would have given a taxpayer the option of checking a special box on his income tax return to set aside one dollar for a Presidential Election Campaign Fund. The money would have been shared equally by the two major parties and been available to pay legitimate and specified Presidential campaign expenses between September 1 and election day.

Many have felt that the money problem was not so much with Presidential as with Congressional elections. Tax deductions have been favored by some reformers—but opposed by organized labor. Labor prefers a tax credit permitting an individual to deduct on his federal income tax return an amount up to $10 which he has donated to a candidate or political committee of his choice.

Another scheme—somewhat akin to the Long plan—is the direct government subsidy of either the candidates or the party to pay certain printing and media bills. The subsidy could be a flat grant or an amount based on the total number of votes secured in an election. Difficult questions arise concerning the extent to which the subsidy should be applied to primary candidates. One solution might be having an eligible candidate secure several thousand signatures on a petition as evidence of some popular support. There is also the problem of strengthening a particular "in" group against any independent challenge if the funds are supplied through the party structure.

Still other proposals would compel television and radio broadcasters who are granted use of public airwaves to make available a certain amount of free time to candidates for federal office. A difficulty here is typified by an area such as Los Angeles where one television station might cover twenty Congressional districts. To have at least forty candidates parading their wares might be too much for even an interested public. Some proposals would extend the "free" space concept to newspapers who utilize the 2nd Class Mail privilege. However, to avoid the wrath of the powerful lobbies and the leading local citizens who own stations and newspapers, still others have advocated government reimbursement for the use of such facilities. Simpler alternatives include, first, a governmentally subsidized campaign pamphlet in which each candidate would have an opportunity to present his views and, second, one free mailing for each candidate to every voter in the constituency.

While the talk about reform has continued in Congress, some efforts for improvement have voluntarily occurred at the local level. Corporations such as Aerojet-General have successfully sponsored bipartisan drives to encourage each employee to contribute to the party and candidate of his choice. In Arizona, every major bank has agreed to permit a depositor to authorize the automatic deduction of as little as twenty-five cents a month from his bank account to be sent to either of the two major parties.

But these voluntary efforts have not kept pace with the rising costs of American politics where a one-minute TV spot during prime evening viewing time on a single Los Angeles station costs approximately $2,300—or a full page advertisement in a major national magazine costs almost $40,000. To change existing laws and practices requires an informed public opinion and legislators willing to make the change. It is understandable that many incumbent legislators are not enthusiastic about some changes. They arrived where they are under the present system. They have the staff and the frank—all paid for by the taxpayers. Incumbents like it the way it is and they are not about to make it easier for a potential rival. In this state of affairs is both the challenge and the reality of American campaign financing.

BASKETBALL HALL OF FAME—NAT HOLMAN

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FARBSTEIN. Mr. Speaker, there recently appeared in the East Side News, a weekly publication with wide circulation in my congressional district, an editorial written by Mr. Abe E. Eisenstein in honor of Nat Holman's 72d birthday.

I am pleased to join with Mr. Eisenstein and the readers of this publication in extending good wishes to Nat Holman, another graduate of New York's famous Lower East Side:

Under unanimous consent I submit the article for inclusion in the CONGRESSIONAL RECORD, as follows:

BASKETBALL HALL OF FAME: NAT HOLMAN

(By Abe E. Eisenstein)

There is no sport more all-American than basketball, a game that was born, weaned, and aged in the United States and especially on the East Side.

As a constant reminder of the greats of the past and present basketball, The National Hall of Fame (Springfield, Mass.) was conceived, as was basketball by Dr. James Naismith in 1891. It compasses both professional and amateur levels of the sport.

Seventy-two years young, on Saturday,

Oct. 19, the National Basketball Hall of Famer, Nat Holman, is one of East Side New York's famed native sons, one of the most colorful and outstanding personalities in the field of sports, one of America's greatest star basketball players of yesteryears, and one of the country's famed retired coaches.

East Side's Norfolk Street boy, he is a graduate of the famed old P.S. 62, Commerce High School (established himself as a star player of the school's basketball, baseball, and soccer teams), and Savage School of Physical Education. He did graduate work at NYU and served as an associate professor of Hygiene and head coach at CCNY. In his 36½ years as City College's coach, he had a record of 422 victories, 188 losses, won the Collegiate Title and National Tournament in 1950. He is the recipient of many honors and the 1968 CCNY Alumni Sports of Fame Plaque. Holman, in accepting his plaque on induction into the college's Athletic Hall of Fame, called the honor "one of gratitude, one of humbleness, and one of appreciation."

Nat Holman ("Mr. Basketball"), learned to play the court game on East Side's back yards, playgrounds, settlement houses, and at old P.S. 62. Following a period in the Navy during World War One, Holman became the youngest basketball coach in the country when he was engaged as coach of CCNY. Later, he had the opportunity of coaching the baseball and soccer teams.

His first professional basketball was with the Knickerbockers with whom he soon established himself as being one of the greatest players of his day. It was when Nat Holman joined the Original Celtics (reigned supreme in the professional basketball world from 1922 to 1928) that it became the wonder team of basketball. After the break-up of the Celtics, he organized and captained the Brooklyn Hakoahs and later played with the Syracuse and Chicago teams until he retired as an active player.

Nat Holman's contribution to the game of basketball has been world wide. His textbooks, "Scientific Basketball" and "Holman On Basketball," have been translated into several foreign languages. The Israeli and Mexican governments had invited him to their respective countries to teach the sport. The State Department had sent him to Turkey, Korea, Taiwan, and Japan.

Nat Holman was a director of physical education at the 92nd Street YMHA, and first national director of athletics of A.Z.O., the junior order of The B'nai B'rith. He is a former president of the National Collegiate Basketball Coaches Association, and a national basketball rules interpreter for the A.A.U. He was commissioner for the National Basketball Championships, a basketball analyst on the air, and coached the Eastern All Stars in the East and West games. He produced two motion pictures dealing with basketball. He is a lecturer and conducts Camp Scatico at Elizaville, New York.

Nat Holman married Mrs. Ruth (Jackson) Holman. His beloved wife and constant companion died in November 1967.

We salute the East Side—New York—and America's famed athlete, teacher, and builder of men—Nat Holman—on his 72nd birthday.

HUMPHREYISM NO. 16

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. SCHADEBERG. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

From a collection of Representative HENRY C. SCHADEBERG's (R. Wis.):

"Nor should some of my old friends imagine that I support some basic Administration policies merely because of constricting official involvement. I am supporting them out of clear intellectual commitment." (The Nation, June 17, 1968)

ACTIVITIES OF THE SENATE COMMITTEE ON FINANCE, 90TH CONGRESS, SECOND SESSION

HON. RUSSELL B. LONG

OF LOUISIANA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. LONG of Louisiana. Mr. President, during the second session of the 90th Congress, 103 Senate and House bills were referred to the Committee on Finance. The committee considered a number of these measures and filed reports on a variety of legislative proposals. Thirty of these bills—or their contents—passed the Senate, and 21 have become public law or are awaiting the President's signature. These are summarized in the following pages.

VETERANS

The veterans' pension and compensation increase bills enacted during this session will rank among the most significant ever enacted. The pension bill incorporates a major revision of the pension program designed to relate benefits more closely to need. As a result of this revision, more than 1 million persons will receive higher pension payments beginning next January. The compensation bill increases monthly compensation payments by $100 for totally disabled veterans and by 8 percent for veterans whose disability is less than total. At an annual cost of almost one-quarter billion dollars, this bill represents the largest increase in compensation payments ever voted by the Congress.

It should also be noted that the veterans' programs and services were specifically exempted from the expenditure limitation provisions of the Revenue and Expenditure Control Act of 1968—discussed below.

TRADE

The most significant legislation enacted in the trade area this year was initiated by the Finance Committee and involved a very basic question of executive-legislative relations.

Trade negotiations have typically been confined to areas where the Congress has delegated authority in advance. In June 1967, however, U.S. negotiators entered into an agreement modifying the administration of the Antidumping Act of 1921. The legislative history is clear: the Finance Committee report on the Trade Expansion Act of 1962 specifically excludes antidumping from the scope of authority in the act, and the Senate in 1966 approved a resolution expressing the sense of Congress that no agreement requiring the modification of any import restriction should be entered into except pursuant to authority delegated in advance by the Congress. Despite this history of congressional concern, the International Antidumping Code was agreed to by the United States at Geneva in June 1967.

There are many areas of significant conflict between the International Antidumping Code and our domestic unfair trade laws. These sharp differences weaken the effectiveness of the domestic law as a defense against predatory price fixing by foreign merchants. This is equivalent to changing domestic law by executive agreement—in violation of the constitutional provisions vesting in the Congress the sole power to assess taxes and duties.

The Finance Committee did not permit this flagrant violation of authority to go unchallenged. As a result of the committee's aggressive concern, the Congress approved and sent to the President legislation which limits the applicability of the International Antidumping Code only to the extent that, first, it is consistent with the Antidumping Act as applied by the agency administering the act and second, it does not limit the discretion of the Tariff Commission in its injury determination function under domestic law.

This legislative action should serve notice that the Congress does not intend to see its constitutional jurisdiction usurped by the executive branch.

Two other legislative proposals in the trade area should be mentioned.

The Finance Committee added to a House bill a section continuing U.S. participation in the International Coffee Agreement until September 30, 1970. Of particular significance was the committee's added provision for withdrawal of U.S. participation in the event that discriminatory shipping practices against U.S. shippers are not remedied by the U.S. Federal Maritime Administration.

Another major piece of trade legislation was not sponsored by the Finance Committee, but was added by the Senate as a floor amendment to the Revenue and Expenditure Control Act—discussed below. This amendment would have imposed import quotas on certain textiles if the President could not, within 180 days of enactment of the provision, obtain agreements from foreign countries to limit their textile shipments to the United States. The House conferees refused to accept the Senate provision, but Chairman WILBUR D. MILLS, of the House Ways and Means Committee, subsequently held extensive hearings on the entire subject of U.S. foreign trade. These hearings have set the stage for the 91st Congress' consideration of major trade legislation.

INCOME TAX SURCHARGE AND EXPENDITURE LIMITATION

Despite its rejection by a 9-to-8 vote in the Finance Committee, the Senate and the Congress passed the Williams-Smathers amendment providing a 10-percent surcharge on income tax coupled with an expenditure limitation $6 billion below the 1969 President's budget. Exempt from the ceiling are increases in Vietnam war costs, interest on the national debt, veterans' benefits and services, and social security trust funds. These two provisions represent the most significant portions of the Revenue and Expenditure Control Act of 1968, approved by the President June 28. The amendment also set a ceiling on Federal civilian employment.

It should be noted that since the enactment of the Revenue and Expenditure Control Act, several agencies have been exempted from the personnel limitation, and increases in two major uncontrollable programs—farm price supports and public assistance—have been added to the list of exemptions to the expenditure limitation.

OTHER REVENUE MEASURES

The Revenue and Expenditure Control Act contains other important tax legislation.

The act continues the 10 percent telephone excise tax and the 7 percent automobile excise tax until 1970, with provision for gradual reduction in the taxes until they are eliminated by 1973.

The act also generally makes taxable the interest on industrial development bonds. Interest on bonds in issues of less than $1 million, or which are used to finance certain kinds of projects—including airports, sewage facilities, water pollution control facilities, and a number of other kinds of projects specified in the act—will continue to be tax exempt. Another bill subsequently cleared for the President's signature permits, under certain circumstances, the tax exemption of industrial development bonds in issues of up to $5 million.

PUBLIC ASSISTANCE

The Revenue and Expenditure Control Act also contains important provisions affecting public assistance.

The 1967 Social Security Amendments placed a limitation on Federal participation in aid to families with dependent children which is related to the proportion of the child population under age 18 who receive assistance because of the absence of a parent from the home. The Finance Committee and the Senate voted to repeal the limitation; the House conferees agreed to postpone the limitation 1 year, and to make special provision for cases added to the rolls as a result of court decisions affecting State residency or "man-in-the-house" requirements.

Other provisions of the act, first, permit Federal participation in assistance payments to unemployed fathers during any week in which the father does not receive unemployment compensation, and second, allow States an additional 2 years to purchase supplementary medical insurance on behalf of medically needy persons without loss of Federal funds.

All the public assistance legislation was initiated by Finance Committee action through the amendment process.

RENEGOTIATION ACT EXTENSION

The Congress this year also extended the operation of the Renegotiation Act for another 3 years, until June 30, 1971. The conferees accepted certain important Senate modifications of the provisions of the act related to exemption of standard commercial articles and services from the renegotiation process.

Mr. President, at this point I ask unanimous consent to also insert into the RECORD the reports on bills acted on by the Senate Committee on Finance, hearings held and nominations acted on.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BILLS ACTED ON BY THE SENATE COMMITTEE ON FINANCE

(Prepared at the direction of RUSSELL B. LONG, chairman)

GENERAL

H.R. 15414. (Revenue and Expenditure Control Act of 1968) Provides 10% income tax surcharge effective for corporations January 1, 1968, and for individuals April 1, 1968, terminating June 30, 1969; provides speedup of corporate tax payments, with provision for "quickie" refunds; extends excise tax of 10% on telephone services and 7% on automobiles until January 1, 1970, with provision for gradual reduction until the taxes are eliminated by 1973; considers as a "timely deposit" any tax payments mailed at least 2 days before the prescribed due date; makes taxable interest on certain industrial development bonds in issues of more than $1 million; permits tax deduction for advertising expenses in a presidential convention program under certain limited circumstances; extends tax-exempt treatment to cooperative-type entities providing certain specified joint services solely to tax-exempt hospitals; in general, limits Federal full-time permanent employment to the June 30, 1966 level, permitting the filling of only 3 out of 4 vacancies until that level is reached; in general, limits Federal temporary and part-time employment by month to the number of similar employees in the corresponding month of 1967; sets fiscal year 1969 limitations of $180.1 billion on expenditures and $191.7 billion on new obligational authority (exempted are increases in Vietnam war costs, interest on the national debt, veterans' benefits and services, and Social Security trust funds); requires President to recommend new obligation authority rescissions totalling $8 billion; postpones until July 1, 1969 the effective date of the limitation on Federal participation in Aid to Families with Dependent Children (the "AFDC freeze"), with provision for children added to rolls as the result of a court decision with respect to the State's residency or "man-in-the-house" requirements; amends Social Security Act to permit Federal participation in assistance payments to unemployed fathers during any week in which the father does not receive unemployment compensation; and permits States an additional two years to purchase Supplementary Medical Insurance on behalf of medically needy persons without loss of Federal funds. P.L. 90–364 (6–28–68.)

H.R. 17324. Extends operation of Renegotiation Act of 1951 until June 30, 1971, with a modification of the provisions related to exemption from the renegotiation process for standard commercial articles and services; limits the applicability of the International Antidumping Code only to the extent it is consistent with the Antidumping Act as applied by the agency administering the Act and does not limit the discretion of the Tariff Commission in its injury determination function under domestic law; requires by August 1, 1969, a comprehensive report by the President on operations under the Antidumping Act; continues U.S. participation in the International Coffee Agreement Act until September 30, 1970, with withdrawal of U.S. participation in the event that discriminatory shipping practices against U.S. shippers are not remedied by certain powers granted to the Federal Maritime Administration; and permits under certain circumstances the tax exemption of industrial development bonds in issues of up to $5 million. (Awaiting President's signature.)

H.R. 7735. Continues temporary suspension of tariffs on alumina and bauxite until July 15, 1971; prospectively extends from 3 month to 6 months the period for filing a tax refund claim on distilled spirits withdrawn for certain nonbeverage uses; extends until June 30, 1970 the suspension of tariffs on certain forms of copper, unless copper prices drop below 36¢ per pound; and permits duty-free entry for certain filters used in artificial kidney machines, P.L. 90–615 (10–21–68).

H.R. 2767. House bill permitted farmers an amortized deduction from gross income for assessments levied by soil or water conservation or drainage districts attributable to the purchase of depreciable property. Senate amendments permitted, in pension plans qualified under the tax laws or in retirement practices, reasonable differentiation in retirement ages for men and women; authorized the Treasury Department to treat as qualified pension plans for tax purposes, union-negotiated pension plans with a single employer if the Secretary determines that the plans presently meet all requirements of law and that no disbursements in past years were made contrary to the provisions of present law; provided for insurance company loss carryovers for tax purposes where one type of insurance company is converted into another type; defers the so-called "phase three" tax for a life insurance company in certain cases when the life insurance company distributes to its holding company parent the stock of a subsidiary which it holds; extended from 10 to 20 years the period during which development companies (established to provide funds for new small businesses developing new products) which are taxed as regulated investment companies need not meet the generally applicable investment requirements of regulated investment companies if they dispose of stock in such companies (a significant portion of the excess stock holdings must be disposed of within 15 years); extended tax exemption to certain inter-vivos trusts created before 1951; permitted taxpayers to report crop insurance proceeds as income in the year following the year of damage; exempted from estate tax certain interests created by community property laws; exempted the Social Security Administration, the Division of Indian Health of the Public Health Service, and the Soil Conservation Service from the employee limitation provisions of the Revenue and Expenditure Control Act of 1968; exempted the Commodity Credit Corporation and the Soil Conservation Service from the expenditure and new obligational authority limitations of the Revenue and Expenditure Control Act of 1968; subjected to income tax interest on loans for water and waste disposal facilities insured under the Consolidated Farmers Home Administration Act of 1961; removed statutory interest limitation of 4¼% on government bonds; and extended work incentives through earnings exemptions for certain public assistance recipients working under certain programs under the Economic Opportunity Act and other Acts. (Passed Senate 10–11–68; Senate Conferees appointed.)

VETERANS

H.R. 12555. Liberalizes the veterans' pension program and the dependency and indemnity compensation program by increasing the income limitations and by relating pension payments more closely to need (with consequent pension increases); exempts the 1968 social security increases from consideration as income for pension purposes during 1968, 1969, and 1970. P.L. 90–275 (3–28–68).

H.R. 16027. Provides $100 increase in monthly compensation payments to totally disabled veterans, and an 8 percent increase in compensation payments to veterans with a service-connected disability rated at less than total. P.L. 90–493 (8–19–68).

RECIPROCAL TRADE AND TARIFF

H.R. 653. Restores to certain unfinished nonmalleable iron castings the tariff rate applicable immediately prior to August 31, 1963 as adjusted by Kennedy Round tariff reductions; closes certain loopholes that had developed in the tariff applicable to woolen fabrics when high-rate woolen fabrics were combined with other materials to make the fabrics dutiable under lower non-wool rates; and permits Utah State University to obtain refund of tariffs paid in importing a mass spectrometer in 1966. (Awaiting President's signature.)

H.R. 2155. Extends duty-free treatment to imported Chinese gooseberries. P.L. 90-564 (10-12-68.)

H.R. 15003. House bill prevented payment of multiple customs duties in the case of horses temporarily exported for the purpose of racing; Senate amendments permitted temporary duty-free entry of U.S.-produced films dubbed abroad in a foreign language, and provided duty-free treatment for curling stones and equipment and parts thereof. (Passed Senate 10-11-68; House disagreed to Senate amendment.)

H.R. 15798. House bill extended the temporary suspension of duties on certain classifications of yarn and silk for two years; Senate amendments (1) extended duty suspension for 3 years, and (2) provided temporary duty-free treatment for certain kinds of manganese. (Passed Senate 10-11-68; House disagreed to Senate amendment.)

H.R. 17104. Extends to July 15, 1969 the suspension of duties on electrodes imported for use in producing aluminium. P.L. 90-571 (10-12-68).

H.R. 18373. Implements U.S. accession to 5 international customs conventions given Senate consent March 1, 1967. (Awaiting President's signature.)

REVENUE

H.R. 7567. Excludes from railroad retirement taxation and coverage works performed by foreign nationals participating in cultural exchange or training programs. P.L. 90-624 (10-22-68).

H.R. 11394. Amends certain provisions of the Internal Revenue Code relating to distilled spirits; permits farmers an amortized deduction from gross income for assessments levied by soil or water conservation districts attributable to the purchase of depreciable property; and extends tax exemption to certain inter vivos trusts created before 1951. P.L. 90-630 (10-23-68).

H.R. 14095. Makes certain changes in the Internal Revenue Code to facilitate the production of wine. P.L. 90-619 (10-22-68.)

H.R. 17332. House bill extended the time for claiming a credit or refund of excise tax on gasoline used for certain purposes; Senate amendment made effective January 10, 1967 (rather than prospectively) the provision of H.R. 7735 extending from 3 months to 6 months the period for filing a tax refund claim on distilled spirits withdrawn for certain non-beverage uses. (Passed Senate, 10-11-68; House disagreed to Senate amendment.)

H.R. 18101. House bill provided that gain is not recognized to a corporation on the sale of property by it where, after it adopts a plan of liquidation, it completes its distributions within a 12-month period; Senate amendment exempted from the automobile truck tax concrete mixers where the mixing occurs in transit. (Passed Senate 10-11-68; House disagreed to Senate amendment.)

H.R. 18253. Makes clear that the new definition of earned income for purposes of pension plans for self-employed individuals (sec. 204 (c) of P.L. 89-809) applies to taxable years beginning after December 31, 1967. P.L. 90-607 (10-21-68).

H.R. 18486. Provides that foreign entities participating in the global communications satellite system are not to be subject to U.S. income tax on earnings derived from that system. P.L. 90-622 (10-22-68.)

H.R. 18942. Permits a corporation to acquire another in a tax-free statutory merger by giving in exchange for the stock of the acquired corporation the stock of the parent of the acquiring corporation. P.L. 90-621 (10-22-68.)

OTHER

H.R. 272. Extends for five additional years the period during which certain unemployment trust funds transferred to State accounts may be used by the States for administrative purposes. P.L. 90-430 (7-26-68.)

H.R. 15114. Authorizes banks and savings and loan associations to redeem savings notes and to be reimbursed for losses they incurred in connection with such redemption. P.L. 90-595 (10-17-68.)

HEARINGS HELD

H.R. 15414. Continues the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations. (Hearings held March 12, 13, and 14, 1968.)

H.R. 16241. Extends the tax on the transportation of persons by air and to reduce the personal exemption from duty in the case of returning residents. (Hearings held June 25 and 26, 1968); International Anti-Dumping Code (Hearing held June 27, 1968); Canadian Automobile Agreement (Hearing held July 19, 1968); Nominations of Will E. Leonard, Jr., and Herschel D. Newsom. (Hearing held in executive session on October 9, 1968.)

NOMINATIONS ACTED ON

Joseph M. Bowman, Jr., of Georgia, to be an Assistant Secretary of the Treasury, vice W. True Davis, Jr., resigned. (Favorably reported Feb. 28, 1968; Confirmed Feb. 29, 1968.)

John R. Petty, of New York, to be an Assistant Secretary of the Treasury, vice Winthrop Knowlton. (Favorably reported May 3, 1968; Confirmed May 9, 1968.)

William M. Drennen, of West Virginia, to be a judge of the Tax Court of the United States for the term of 12 years from June 2, 1968 (reappointed). (Favorably reported May 3, 1968; Confirmed May 9, 1968.)

William M. Fay, of Pennsylvania, to be a judge of the Tax Court of the United States for the term of 12 years from June 2, 1968 (reappointment). (Favorably reported May 3, 1968; Confirmed May 9, 1968.)

C. Moxley Featherston, of Virginia, to be a judge of the Tax Court of the United States for the term of 12 years from June 2, 1968 (reappointment). (Favorably reported May 3, 1968; Confirmed May 9, 1968.)

Charles R. Simpson, of Illinois, to be a judge of the Tax Court of the United States for the term of 12 years from June 2, 1968 (reappointment). (Favorably reported May 3, 1968; Confirmed May 9, 1968.)

Wilbur J. Cohen, of Michigan, to be Secretary of Health, Education, and Welfare, vice John W. Gardner. (Favorably reported May 3, 1968; Confirmed May 9, 1968.)

Pardo Frederick DelliQuadri, of Hawaii, to be Chief of the Children's Bureau, Department of Health, Education, and Welfare. (Favorably reported June 12, 1968; Confirmed June 17, 1968.)

Alice M. Rivlin, of the District of Columbia, to be an Assistant Secretary of Health, Education, and Welfare, vice William Gorham. (Favorably reported June 12, 1968; Confirmed June 17, 1968.)

Edward C. Sylvester, Jr., of Michigan, to be an Assistant Secretary of Health, Education, and Welfare, vice Lisle C. Carter, Jr. (Favorably reported July 24, 1968; Confirmed July 25, 1968.)

James E. McCrocklin, of Texas, to be Under Secretary of Health, Education, and Welfare, vice Wilbur J. Cohen. (Favorably reported July 9, 1968; Confirmed July 10, 1968.)

Samuel B. Sterrett, of Maryland, to be a judge of the Tax Court of the United States for the unexpired term of 12 years from June 2, 1958, vice John Gregory Bruce, retired. (Favorably reported Oct. 8, 1968; Confirmed Oct. 9, 1968.)

Will E. Leonard, Jr., of Louisiana, to be a member of the U.S. Tariff Commission for the remainder of the term expiring June 16, 1969, vice Dan H. Fenn, Jr., resigned. (Favorably reported Oct. 9, 1968; Confirmed Oct. 9, 1968.)

Herschel D. Newsom, of Indiana, to be a member of the U.S. Tariff Commission for the term expiring June 16, 1974, vice James W. Culliton, term expired. (Favorably reported Oct. 9, 1968; Confirmed Oct. 9, 1968.)

CONGRESSMAN RICHARD L. ROUDEBUSH, FIFTH INDIANA DISTRICT, REPORT FROM WASHINGTON

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. ROUDEBUSH. Mr. Speaker, under unanimous consent I submit my newsletter for inclusion in the CONGRESSIONAL RECORD, as follows:

CONGRESSMAN RICHARD L. ROUDEBUSH, FIFTH INDIANA DISTRICT, REPORTS FROM WASHINGTON, OCTOBER 1968

FARM PROBLEM TOP ITEM ON 91ST CONGRESS AGENDA

When the new 91st Congress convenes here next January, one of the top priorities of business, in my opinion, should be immediate attention to the problem of our rural families.

I believe that this segment of the economy has been overlooked in many respects during the past few sessions of Congress.

It is unfair to place all the blame for this neglect on one political party or one administration, but as a farm resident myself with close association to the livestock and farming industry, I do believe that some of the reasons for this lack of attention to our farm population can be fairly assessed.

During the past few years our beloved nation has been ripped and torn by a series of violent urban upheavals where racial riots and high crime rates have been all too common.

With the nation's attention directed to these city problems, the Federal Government through the administration and Congress has directed a lot of its legislation to the city dweller and his fantastically complicated life.

The emphasis has swung too far, and it should be realized that if the farm economy continues downward, it will affect the entire nation.

The farmer and the small and middle-sized towns in this country are still America's backbone, and I believe that the first order of business in 1969 when the 91st Congress convenes should be directed toward relieving the problems confronting our agricultural population.

Congress finally managed to whittle the huge administration foreign aid request this year down to $1.75 billion. I quite agree that this figure is still too high, and I would have preferred it be cut back further because past appropriations would have sustained the program if not one penny had been approved this year, but the downward trend is a good sign. I don't believe foreign aid has made us a single friend in the world and in a real showdown with the Soviets we have precious few allies we could count on despite the expenditure of more than $150 billion in foreign aid since World War II. More than 100 nations have received and are receiving American foreign aid. I thought perhaps newsletter readers might like to know the countries that *haven't had* their hand in Uncle Sam's pocket. The following countries *have not* received one thin dime in American aid: Andorra, Barbados, Bhutan, Bulgaria, Liechtenstein, Maldive Island, Mauritius, Monaco, Muscat and Oman, Nauru, Romania, San Marino, Southern Yemen, Switzerland, and the Vatican City. I don't know why these countries haven't received aid, but you can be sure I won't be asking the State Department lest they learn of these new opportunities for dispensing American tax dollars.

Several newsletter readers have written inquiries about the President's new armored limousine. It is a six-ton armored car built especially for LBJ and his successors at a cost of $500,000. Once inside, the President would be safe from bullets or any small scale armed attack. Described as more like a tank than an auto, the vehicle has about two tons of armor plate, fighter-plane type glass canopy and heavy duty truck tires. The inner wheels are designed to allow the car to continue at high speeds in case of blowouts. Three television sets; two radiotelephones and a public address system are built into the machine. Certainly no one can object to every safety precaution for our Presidents, but it seems a very sad commentary in our day and age when the Presidents of the U.S. need this type of protection before they can go out in public.

Quote of the month: "The foundation of our society is a respect for an observance of law and order. The mounting volume of crime and violence simply cannot be condoned or tolerated. The United States cannot have its citizens afraid to walk the streets of its cities, lest they be mugged or beaten or even killed. It cannot permit its cities to be devastated by looting and burning. It cannot allow its public leaders to face constantly the risk of being assassinated. We need to make respect for law and order the first priority in our national life, for the rule of law is paramount to this nation's continued existence."—*FBI Director J. Edgar Hoover.*

Write Congressman Roudebush.

CLEVELAND'S HALO OF THE WEEK IS AWARDED TO REV. JAMES REDDING

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FEIGHAN. Mr. Speaker, the halo of the week is awarded by the Cleveland Press, an outstanding Ohio newspaper, to an exceptional citizen who has been extremely helpful to the community. Reverend Redding has been an inspiration, a guiding light to the less fortunate.

Under leave granted, I include an item which appeared in Milt Widder's column of the Cleveland Press on Saturday, September 7:

> Next month's national conference of the Association of Halfway House Alcoholism Programs of North America Inc. in Cleveland gives this corner the opportunity to present this Halo of the Week to the Rev. James Redding. He is the founder and director of Cleveland's Helping Hand Halfway Homes at 1874 E. 82d St. It serves as an employment center and residence for convicts who are on parole. Rev. Redding, who became a Baptist minister at the age of 44, started this local project four years ago. Before he was a minister, he worked as a machinist. The establishment of the home was a culmination of Rev. Redding's efforts in behalf of convicts. Before that he preached to them and offered them hope for a living after they got out of penal institutions.
>
> His contact with the convicts was at the grass roots level.

RAIL REVIVAL

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. METCALF. Mr. President, early this month Senator MAGNUSON and Senator PEARSON called attention to the Interstate Commerce Commission's staff study of rail passenger service. The study, released early this month, concluded that "for the last 14 years passenger revenues exceeded the operating expenses related solely to passenger and allied service by $35 million."

The conclusion was based on a new method of computing, a departure from the ICC formula by which railroads have inflated deficits and justified passenger train discontinuances.

Whatever the merits of the formula, cries of protest from the rail industry greeted the ICC report, none was more anguished than that of Penn Central. Ignoring the industry's own acknowledgment—in the 1968 Association of Western Railways' Yearbook of Railroad Facts—that "the stated deficit does not necessarily represent an amount which could be saved by elimination of passenger service," Mr. Stuart T. Saunders, chairman of the board of Penn Central Co. vehemently disagreed with the ICC findings. He said that the railroads are "losing their shirts" in the passenger business, alleged misrepresentation of facts and urged the Federal Government to spend more money to help the railroads modernize their passenger service.

I think it quite proper that a subsidy should be considered. First, however, we have an obligation to determine precisely to what extent the railroads need help. I hope that the ICC will undertake the study called for in Senator MAGNUSON's letter of October 8 to Chairman Tierney which followed release of the agency's report.

I hope that Penn Central's laudable promise of "full cooperation" in the study will open doors heretofore locked which have concealed facts that bear on the passenger train discontinuances that flow from the claimed deficits.

First, we must answer the question, What is a deficit? We must agree on what expenses may properly be assigned to passenger service, we must know what can be saved by its discontinuance and weigh these factors against the economic losses and inconvenience to the residents of the communities affected.

Before authorizing Government expenditures to improve the rail service, there is the not unrelated question to be answered of what the industry itself is doing. The Penn Central announced in August that it wished to eliminate sleeping car service. If this is done, will its effect be to diminish or to increase revenues? Do railroads promote patronage by limiting the sale of their tickets to the station itself or a single, hours-limited ticket office? Is there dining car service and if so, what is the quality of the food? Are raliroads making efforts comparable to those of the airlines to sell their service or is rail travel actualy being discouraged, in the manner of Southern Pacific which was judged by the ICC to have engaged in the opposite of promotion to justify a discontinuance?

Finally, before responding to a cry for Government subsidy, we not only need to know if there are deficits, how big they are, and how they are come by. We need to know the extent of nonrail income.

An article on the effects of diversification entitled "Rail Revival" appeared in the June 19 issue of Financial World. Citing some of the activities of Penn Central resulting in a rise in stock the article said:

> In this and a number of other cases, the importance of non-rail income is increased by the availability of tax-loss carry-forwards and other sources of tax shelter (amounting for Penn Central to more than $500 million) which will obviously augment the contribution to final net from any new activity.

Mr. President, I ask unanimous consent to insert the article headlined "Rail Revival," in the RECORD.

In testimony given also for Senator MANSFIELD before the Senate Commerce Committee last summer, I expressed the hope that the bill then being considered be broadened to incorporate a study of nonrail income. With Mr. Saunders' suggestion of Government subsidy, it is imperative that the nonrail income of the conglomerates be examined if Financial World's evaluation is accurate. I ask unanimous consent to have printed in Extensions of Remarks the entire text of the article cited.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RAIL REVIVAL

> Railroad stocks are enjoying a new round of popularity—not because the industry's basic position has improved, but because more carriers are branching out into new fields.
>
> Earnings of the nation's Class I railroads declined from the near-record level of $906 million in 1966 to only $555 million last year. Except for 1960 and 1961 results, this was the lowest since 1949, and the performance was actually even worse than that. Excluding extraordinary income and items applying to previous periods, 1967 net was only $322 million, the poorest profit since 1946.
>
> This dismal showing would appear to be entirely inconsistent with any appreciable strength in the market for railroad shares, particularly in view of the uncertain business outlook for the second half, the strong possibility of a steel strike and the rising trend of rail labor costs. But rail issues have given an excellent performance over recent weeks. They almost entirely escaped the weakness which affected industrials during much of last month; at their recent top they were almost 30% above their early March low and in fact were quoted at the best prices ever witnessed except in early 1966.
>
> At various times over recent years selected rail stocks have forged ahead on the basis of mergers, either proposed or consummated. Strength in Penn Central, which has risen to a new peak around 85, is of course based in good part on final achievement of the long-delayed consolidation of Pennsy and Central, but another factor which has been in operation here and in other situations is

the prospect of further diversification into non-rail activities.

Both partners to this union already possessed large real estate interests whose potential addition to earning power hadn't yet been reached, and in addition there were other activities such as Buckeye Pipe Line and Strick Corporation, the latter a producer of aluminum trailer and container equipment. But management has made it quite clear that these various operations constitute only a beginning, with more extensive diversifications yet to come. In this and a number of other cases, the importance of non-rail income is increased by the availability of tax-loss carry-forwards and other sources of tax shelter (amounting for Penn Central to more than $500 million) which will obviously augment the contribution to final net from any new activity.

TO DIVERSITY FURTHER

Atchison, Topeka & Santa Fe is another major railroad planning to add to its already important non-rail operations. Last year, some $9.2 million of the $62.8 million net came from such activities, notably from Chanslor-Western Oil & Development. Now the company plans to form a parent holding organization, Santa Fe Industries, in order to diversify still more.

The railroad's common stockholders are being offered a share-for-share exchange, while its $10 par preferred would receive either an even swap into a new preferred stock convertible into 0.275 shares of common or $10 of 6¼% 30-year debentures convertible into 0.3125 shares of common. The latter offer is obviously more attractive—made so deliberately in order to encourage exchange into debentures, whose interest is tax-deductible by the company.

A similar plan has already been effected by Missouri-Kansas-Texas Railroad, 96% of whose shares have been exchanged share-for-share into stock of Katy Industries (although a suit has been filed seeking to annul this move). M-K-T has been consistently unprofitable in recent years, and has a tax-loss carry-forward of some $24 million. Bangor Punta Corporation has agreed to assist the holding company in diversifying into non-rail lines in return for a future stock interest.

The railroad which has been most active in broadening its earnings base is Chicago & North Western. In 1965, it acquired Velsicol Chemical and an interest (since raised to 80%) in Michigan Chemical; these enterprises contributed some 90% of 1967 operating income. Last year it formed a holding company, Northwest Industries through a share-for-share exchange of existing common and preferred stock (about 96% has now been exchanged) and two months ago it issued another preferred stock for 97% of the shares of Philadelphia & Reading.

The latter was itself a diversification-minded enterprise which abandoned the anthracite coal business in 1961 and has made a number of acquisitions. Last year, 52% of its $311 million sales came from apparel and boots and the remainder from Lone Star Steel (acquired in 1965 and 1966) and a producer of "ballast" for fluorescent lamps.

Some rail holding companies have been formed with the eventual objective of selling off the railroad operation, but this isn't true of Northwest Industries. In fact, the company is seeking to expand its scope in its traditional field through merger of Chicago Great Western (recently reaffirmed by the Interstate Commerce Commission and expected to be carried out July 1), Chicago, Milwaukee, St. Paul & Pacific and Chicago, Rock Island & Pacific.

Illinois Central and Kansas City Southern both formed parent holding companies in 1962 ("industries" in both cases) and these have made various acquisitions since then. Illinois Central took over Chandeysson Electric in 1965 and is also involved in Chicago real estate; in addition, the railroad is attempting to merge Gulf, Mobile & Ohio. Kansas City Southern owns 51% of a mutual fund management company, four television stations, a radio station and stock and convertible notes of Mid-America Pipeline.

OVERALL BENEFITS

A number of other railroads—notably Union Pacific, Canadian Pacific and Southern Pacific—have for many years derived significant portions of their earnings from non-rail activities. There seems little doubt that the industry will become less and less dependent on railroad operations in future. This prospect offers promise not only of larger total earnings but also of considerably greater cyclical stability in net.

INCREASING COFFEE SALES

HON. ERNEST GRUENING

OF ALASKA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. GRUENING. Mr. President, I wish to draw the attention of the Senate—and especially to those Members who, like myself, have a deep interest in the progress of the developing countries—to a new kind of a cry coming up from Latin America.

It is not the cry of dismay over the cut in aid funds. It is not the cry of protest over discriminatory trade restrictions. Instead, it is a cry to action.

This cry to action comes from Mr. Caio de Alcantara Machado, president of the Brazilian Coffee Institute, who insists that to overcome overproduction of coffee it is necessary to overcome underconsumption of coffee.

Mr. Machado asserts that Brazil and the other coffee-producing countries suffering from a surfeit of coffee should be eager to sell coffee anywhere, anytime, anyhow. And to give personal emphasis to his viewpoint, the Brazilian recently flew more than 10,000 miles from Rio de Janeiro to deliver a 132-pound bag of his country's beans to the Eskimo community at Point Hope, Alaska, well beyond the Arctic Circle.

Of course this flight was only a gesture, inasmuch as Alaskans are among the world's champion coffee drinkers, as persons visiting our State are quick to learn. But the gesture was meaningful because it pointed up symbolically what Mr. Machado is stressing:

> Let's get out and sell more coffee to more people, no matter how remote or small the market.

The new cry for self-action arises at an opportune moment. Recently Congress approved legislation to extend the operations of the International Coffee Agreement for 5 years beginning October 1, 1968. One purpose of the pact is to reduce surplus through production controls and crop diversification programs.

Mr. Machado would add one more dimension in attacking the world coffee surfeit problem. He would try introducing coffee to the two-thirds of the world which presently does not consume coffee.

Surely, this attitude and approach would be of value not only for coffee, but for other commodities overproduced by the developing countries.

OUR ENVIRONMENT AND PUBLIC POLICY

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. MILLER of California. Mr. Speaker, our colleague, the gentleman from California [Mr. COHELAN], recently presented the keynote address at a seminar at the Aspen Center for Environmental Studies sponsored by Thorne Ecological Foundation.

I present his remarks here for his thoughts on ecology and its meaning for public policy offer valuable insight into basic questions on our environment.

He told those assembled at Aspen that the science of ecology must be broadened to include more than simply those influences of a biological nature and must include the influence of government and politics. And he reminded them that those in government and politics must, also, take a total look at the environment and recognize the scientific limits we work with.

Mr. Speaker, I insert the remarks of my colleague at this point in the RECORD:

REMARKS OF CONGRESSMAN JEFFERY COHELAN AT ASPEN, COLO., AUGUST 25, 1968

Mr. Chairman, I wish first to extend for both myself and Mrs. Cohelan our warmest thanks and appreciation for the invitation to join you here in this magnificent mountain setting.

The surrounding grandeur should provide us with significant stimulation in the week ahead as we meet in our continuing efforts to further define the grave crises threatening many of the precious resources of our national environment, and to formulate creative action to preserve there resources for the generations which will follow.

To do so will first require that we know the ecology of that environment, then recognize the elements which are affecting it, and finally learn how to control those elements.

Webster defines "ecology" as "the branch of biology that deals with the relations between living organisms and their environment," we all know this definition to be scientifically accurate, but is it the truest meaning of the word? I think not.

It seems to me that the full scope and meaning of ecology must go well beyond the boundaries of scientific discipline to the whole nature and meaning of life in the modern world.

I find greater significance and accuracy in the words of Henry James, who urged on inspiring writers the quest for ". . . the power to guess the unseen from the seen, to trace the implications of things, to judge the whole piece by the pattern . . ." and finally to develop ". . . the condition of feeling life in general so completely that you are well on your way to knowing any particular corner of it. . . ."

Historically, we in public life and those of you in the fields of science have channeled our energies into understanding all the individual parts and only then to trying to comprehend the whole.

James offers us the thought that we cannot fully know the parts unless we first grasp the whole, I find both great interest and wisdom in that thought.

Ecology must include the political process and the forces which move our society. It must include recognition of the self-interest groups, and it must recognize the effects of these powerful interest groups as obstacles to the acceptance of public policy in the area of environmental management.

The science of ecology demands that we consider our natural resources in the context of the whole environment, but that whole environment must not be limited to science and technology alone.

For the science of ecology, or perhaps the ecology of science, to have full meaning today, the environment of which we speak must be broadened to include more than simply those influences of a biological nature.

I speak of the influences of government and politics, influences which if not fully understood and reckoned with, can invalidate your most sincere, industrious labors.

I do not mean to sound as though I envision a street with only one side. We in government bear as great a responsibility. We cannot expect you to incorporate our decisions and decisionmaking processes in your scientific ponderings unless we have validated our work through the development of an ecology of our own.

I have every hope that we in government are finally on the threshold of our own ecological development. It has been long in coming, as we all realize, but we also all realize that ecology as a discipline of science has only taken root in the last 75 years or so. I would hope that we have all come to realize what we must do and now can promptly begin to do it.

American ecologists have been accumulating a solid body of environmental knowledge for two-thirds of a century. For a long time, however, they were engaged in an unnecessary struggle for status.

Their fellow biologists were so engrossed in the study of the part of the living community—or even parts of the parts—that they could not be brought to focus on the functioning of the whole environment. The specialist in science found ecology to be vague and abstract and he could not perceive its target.

However, as we know, ecology slowly gained recognition—in the scientific community for what it was, and in the agricultural and conservation community for what it could do.

The first effort by Government to understand the significance of ecology came in the early 1900's when Teddy Roosevelt's inland waterways commission produced an epic report dealing with all the resources and influences of the river basin as an indivisible unit.

The report, unfortunately, was well before its time and largely went unheeded outside the scientific community.

It was not until the post-World War II period and even as recently as 1962 that ecological concepts began to significantly shape public opinion and policies.

President Kennedy recognized the diminishing quality of our environment and began reorienting Federal policies accordingly.

He recognized that the United States is an urban, industrial, dynamic Nation whose people have an incredible capacity for progress, production, and pollution, and an insatiable appetite for change.

The modern American, it was suddenly realized, was having a profound and not infrequently appalling impact on his environment.

We came at that time to yet another discovery. We became conscious of the fact that the great natural environment we had taken for granted for so long was undergoing often intolerable erosion that had to be stopped and, where possible, reversed.

I believe we have the social and political institutions, imperfect though they may be, to manage our environment much better than we have been.

We now know that the urgent need for more funding for research and training to develop adequate knowledge about the complexity of ecological relationships.

We now know the need for the formulation of a broader public policy which would guarantee that social, economic, and political decisions must not be made without regard for ecological knowledge and the protection of rare and fragile biological resources.

At the same time, however, there must be equal realization from the scientific community concerning the real and practical nature of decisionmaking in our Government institutions.

Let me assure you that I am fully aware of the difficulty this presents to the man of science, decisionmaking in Government often runs directly counter to the disciplines which confront the scientist in his deliberations.

Biologists are constantly faced with the law of limits and absolutes. A certain fish, for instance, cannot survive in water above 62 degrees fahrenheit, that is an absolute.

Decisions or changes or theoretical works pertaining to trout are considered invalid if they presume on water temperatures in excess of 62 degrees. There is no room for compromise.

On the other hand, the formulation of decisions in Government is often made in a framework of great tolerances and latitudes.

The differences between opposing forces in Government can be split and often are. The legislator deals with the public welfare and that often is "in the eye of the beholder." Compromise is the nature of the democratic process. After a decade of service in the House of Representatives, I am more convinced than ever that the public good is best served through that process. In short, the system works.

This is not to infer, of course, that we are unaware of environmental problems on which compromise is becoming impossible. This is clearly pertinent in our discussion tonight of many problems which America faces today.

The lessons of what has happened in this country in the last 100 years have not been lost on us. We know now of the mismanagement, ignorance, unconcern, and just plain greed that have afflicted our country. Our literature speaks of the "gilded age" and the "great barbecue" with both bitterness and contrition.

There are no words that I would consider too strong in describing what has happened to our country. "Destruction" might do, though I think "devastation" is immediately more suitable.

The great natural beauty of the United States has been, and continues to be, defiled. And further, because he is a product of that environment, man himself is also a victim.

In California, my own State, I need look no further than San Francisco Bay, the great virgin Redwood stands, and magnificent Lake Tahoe for vivid examples of how we have been despoiling our great natural treasures. In the process, we have demeaned and deprived ourselves and unborn generations.

We should all feel a deep sense of personal shame over what we have allowed to happen to these three jewels of the Golden State.

The desecration of San Francisco Bay, one of the world's best natural harbors, began over 100 years ago with the placer miners, who without restraint, stripped California's Sierra foothills of their precious gold through the relentless pounding of high pressure hoses.

The sluice runoffs poured down from the Sierra, silting in the agriculturally rich delta areas many miles away.

In the years since, raw sewage poured into the bay as the booming population ringed it with bustling communities.

In our great urge to send water to the southland, we threw up dams that stopped the fresh water runoff to the bay to a trickle, and now we watch in horror as the salt water of the ocean backs up, because of the relaxed stream pressure, into the deltas.

We have watched as the demand for land brought bumper-to-bumper traffic in trucks laden with rock and garbage and trash to fill in our bay and continue the shrinkage the miners began.

We watched the shrimp die and the beaches close and the big ships move further out into middle stream to dodge the ever-building ledges of silt.

We watched and we did little or we did nothing.

The miners didn't care; the land developers didn't care; the planners who gave the go-ahead on the dams either didn't care or didn't know.

We have watched the once blue emerald surface of Lake Tahoe being gradually transformed into a sluggish green cesspool and the land around it transfigured into a garish gambling land of giddy neon signs and hot dog joints.

We have watched lumbermen first nibble around the edges of our redwood forests and then wade in with their chain saws to deliberately hack down centuries-old virgin redwoods to satisfy the appetite for profit by under-financed or marginal timbermen.

At Lake Tahoe and San Francisco and in the redwoods and in a thousand other spots over the years, the men who did this to our country and those of us who let them get away with it have been posting the cost of all this destruction against the country's social account.

We were leaving the bill for our children to pay. But what we all now realize is that time is running out, and it is apparent that we—and not our children—may have to pay and pay dearly for our neglect.

Actually, we have stretched our environmental system to the breaking point.

We see it in the decay and blight of our cities.

We see it in the growing green algae in Lake Tahoe.

We see it in our once spectacular but now eroding California beachlands.

We see it in the detergent sludge and raw sewage of our rivers.

We see it in stump-covered hills laid barren by the chain saw.

I even see it in the sparkle of sunlight on a beer can in even our most remote, primeval forest glades.

Yes, it has indeed caught up with us. . . . The complacency and ignorance and neglect of all those years.

We have reaped our own harvest of the years when we put the special interest above all else and viewed the parts rather than the whole.

And perhaps the greatest of the tragedies is that we concurrently crippled our most precious resource—man himself.

For when we talk of conservation, we must speak not only of our physical resources but also of our human resources.

One need only walk through the urban inner core, as I do regularly in my own district, and reflect on the consequences to "man, the resource" of inadequate education, slum housing, broken families, chronic unemployment, pensions in dowdy downtown hotels, of hot plates and cold rooms. To see this is to understand what through blind neglect we have done to man, the resource.

You need only walk through the streets of Calcutta and Bombay, as I have often done, and choke in the press of the human mass, gag on the pungent aroma of human urine and feces, and watch the vultures and other carrion birds converge on a cow hobbled and brought to knee by disease and malnutrition to know the challenge we face to preserve man from himself and to preserve the environment from man.

This is the "boom" of the population explosion with all its terrible ramifications.

We all now know that man and his environment must command all our energies and attentions. We all must learn to live in harmony with all living things or else atrophy and perish.

Let me turn now to what we are doing in government and what you can do to influence what must be done.

First, as I stated earlier, the Government's awareness of the need for decisionmaking within an ecological process is on the upswing, but there is much still to be done.

Our present Government structure developed, over time, different agencies to assume responsibility over different programs.

In the context of ecological thought, we might say that separate agencies were assigned parts of the whole—forests, agriculture, reclamation, fisheries, wildlife, soil conservation, water resources, and power development, etc.

These agencies today are restricted by law to generally narrow avenues of concern and, in effect, have become agencies for separate resources.

Nowhere is there an agency for the whole, though there is now in the Senate a bill to establish a Presidential Council on Environmental Quality, and I am presently involved in drafting legislation along the same lines which I expect to introduce in the House when the 91st Congress convenes.

But traditions are not easily cast aside, nor law and administrative practice quickly amended.

The demands of our current situation are forcing upon our society and our country the necessity to look at the whole, at the same time, our Government institutions have not had much experience in that area.

Decisions unfortunately are still frequently made without full regard for all facts simply because the full facts are often not available.

One agency too often is unaware of the actions of another agency, though their actions may be working at cross-purposes. Only under the broadest terms does the President and perhaps the Bureau of the Budget exercise any board cognizance of the full scope of Government activities.

The need for a "committee of the whole" is apparent.

Further, the need for the sometimes suggested "early warning system" to safeguard our environment from the harmful effects of exponential acceleration of technology is equally apparent.

An industrial nation that has finally accepted responsibility for the education, health, safety and welfare of its citizens cannot escape the responsibility for the environment in which they live.

Choices once made on the basis of regional patronage or economic security are now starting to be made on a far broader basis more greatly concerned with the protection of man as the whole and his environment as the whole.

What can you do to effect those choices?

First, obviously, you must learn to recognize and identify the system's present shortcomings. We in Congress are trying to roll back, as are you, a hundred years of man's destructive nature and the devastation of his environment, and to move hereafter with at *least* an enlightened self-interest.

But special interest groups still hold great power over much of the decision-making process in the Government, these are the interests that continue to pollute our rivers and foul our air, these are the interests that continue to put off paying the full price of their particular form of production.

The Sierra Club, the Wilderness League, and other of the great conservation organizations, for all their noteworthy achievements, cannot alone reverse that trend, nor can I alone, nor can you.

What it will take is a new sense of awareness among all Americans that through silence or unconcern or simply ignorance we are slowly but surely corrupting the quality of the life we should cherish.

In the days ahead we must all labor at defining and refining the areas of most pressing need.

We must make every effort to understand the dynamics of the social and political process as it bears on the harmony of man and his natural environment.

We must translate that understanding into some meaningful political expression so that we may creatively mold and influence public policy.

We must achieve the zeal of the missionary and labor together so that the goals we set can come to fulfillment.

Never before in our history have we been confronted with so basic and fundamental a crisis.

The issues raised by Rachel Carson in the "Silent Spring" have never before been grasped by so many Americans.

With a statement of clear objectives and purpose and with united effort it should now be possible to stimulate the demand for those public policies needed to reverse the dangerous and destructive trends.

The demands for clean air and clean water and general resource planning have never been greater.

It remains for us to provide the leadership and guidance for a nation determined and ready to receive effective solutions.

What we do here this week can contribute enormously to this important and essential work.

NATIONAL PARK POSTSCRIPTS

HON. HENRY M. JACKSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. JACKSON. Mr. President, on June 26 and on October 8, 1968, I placed in the RECORD a series of 15 articles which first appeared in the Christian Science Monitor by Mr. Robert Cahn, the distinguished Washington correspondent for the Monitor, on the theme, "Will Success Spoil the National Parks?"

The final article in the series was entitled "How Would You Run the National Parks?" In that article, Mr. Cahn noted that while conservation groups are very effective in expressing their point of view on national park management policies, the point of view of the general public, the average park user, is seldom heard. To help fill this need and to give readers of the Christian Science Monitor an opportunity to express their views, a questionnaire soliciting opinions on a variety of policies and subjects involving the national park system was printed on August 7. By September 3, the Monitor had received more than 2,000 replies from all parts of the United States and from foreign countries. Mr. Cahn's final article in the series summarizes and analyzes the results of this questionnaire.

Mr. President, I ask unanimous consent that this article be printed in the RECORD at the conclusion of my remarks.

Between May 1 and August 7, 1968, the Christian Science Monitor also published a second series of articles on our national park system. This second series of articles was written by guest contributors and focused on specific units of the National Park Service areas and on typical enriching experiences various individuals had when they visited these areas.

In writing and in printing these two series of articles, Mr. Cahn and the Christian Science Monitor have performed a very significant public service by calling attention to the emerging problems which face our national park system and, at the same time, eloquently telling of the grandeur which makes the system's preservation and intelligent management an issue of major public concern.

Mr. President, I ask unanimous consent that this second series of 15 articles entitled "National Park Postscripts" be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor, Sept. 16, 1968]

WILL SUCCESS SPOIL THE NATIONAL PARKS? EPILOGUE

(By Robert Cahn)

(NOTE.—On August 7, the Monitor invited readers to comment on key issues confronting the U.S. national parks. More than 2,000 replied. Here is a summary of the results.)

WASHINGTON.—"How would you run the national parks?"

Slightly more than a month ago, The Christian Science Monitor posed this headline question to its readers. The ensuing full-page questionnaire concluded a 15-part series, "Will success spoil the national parks?" By Sept. 3, the deadline for replies, more than 2,000 of the completed questionnaire pages had arrived at One Norway Street.

Answers and comments poured in from all parts of the United States, from Europe, even from five GIs in Vietnam. Those responding ranged in age from a 16-year-old to a Neenah (Wis.) octogenarian who said he still enjoys going into the national parks "with sleeping bag and tent."

These and other readers—2,192 in all—made it clear that they want their national parks preserved, even at the cost of personal sacrifice or limitations on park use. And they want the quality of a park experience improved for all visitors. They expressed strong support for measures that would:

Drastically limit stays in park campgrounds, and charge for their use (in addition to entrance fees).

Provide only narrow, scenic-type roads, with a maximum speed limit of 35 miles per hour.

Ban automobiles from the parks entirely, and provide forms of public transportation.

Some questionnaires had answer boxes checked in red and black: Husbands and wives who could not agree used ink of different colors. A reader in Mansfield, Pa., noted that answers on his questionnaire represented views of 18 families who reached a consensus after a three-hour campfire discussion while on a National Campers and Hikers Association outing.

The questionnaire was not designed as a balanced statistical sample. Yet National Park Service officials and several private conservation leaders who have seen the results agree that the answers and suggestions of Monitor readers contain a wealth of material for careful study and analysis in considering future park policies.

A total of 1,548 of those submitting questionnaires said they had visited at least one national park during the past year. Most others said they had visited parks in previous years, and planned more visits.

While the vast majority appeared to be advocates of wilderness preservation, they did not seek to exclude those who see the parks via roads, campgrounds, or lodges.

Park service officials and conservation leaders said the replies seemed to represent a wide variety of park users and potential users. Some readers urged providing for those not able to take long hikes into wilderness areas. Others suggested finding ways to aid urban minority groups, especially those who might not have financial means or transportation to visit the parks.

"We do not yet need a single inflexible policy for all parks and recreation areas, but one that adjusts to demands," commented A. H. Gibson of Midland, Mich.

A number of readers suggested greater orientation and education for park users.

"Require campers and backpackers to pass a test to obtain a license for camping without despoiling the scenery," commented Mrs. Charles A. Eldon, of Los Altos, Calif.

"Government itself should devote more time to informing the public about problems of the parks while people are at the parks—people will understand these problems if shown while they are there," wrote Miss Vera K. Kuehne, of Manchester, Mo.

"Something similar to the colonial Williamsburg orientation film could be done in each national park to put a person in the right frame of mind for what he is to see," stated Mrs. Colson E. Carr of Alexandria Bay, N.Y. "And it should be run not once a night, but continuously."

According to National Park Service Director George B. Hartzog Jr., the number of questionnaires received made it the largest public survey conducted on national park policy.

"The answers show a sensitivity to the values that are preserved in the national park system, and that visitors are looking for a quality park experience," Mr Hartzog said.

"And the results are evidence the people know that in order to experience it they may have to accept some regulation of their freedom to use it."

Survey results "indicate strong support for a park-management policy highly protective of the wild areas and the native wildlife," commented Anthony Wayne Smith, president of the National Parks Association.

"The readers also approve of the solution of the problem of overcrowding through dispersing facilities into the surrounding public lands and even farther out into privately owned lands in the general region of parks."

Stewart M. Brandborg, executive director of the Wilderness Society, believes the results show that "the people, given decisions among alternatives, are far out in front of the average government land manager who resigns himself to the invasion by a flood of humanity that could destroy the natural areas."

Readers had been encouraged in the instructions to mark more than one square in each category if no single statement fully expressed their views on a subject. Most took advantage of the suggestion. Many went even further and amended our statements to reflect their own opinions more exactly.

The column for comments frequently overflowed onto additional sheets or letters. One reader, Mrs. George E. Lien of Port Washington, N.Y., sent a five-page, single spaced typewritten letter brimming with useful ideas gained from her family's recent 9,000-mile tour of national parks.

Following is a subject-by-subject résumé of survey results and selected comments. Numbers represent the total of options checked by readers (many of whom chose several options).

1. OVERCROWDING

The park service should:

A. Build more campgrounds, lodges, and roads to take care of more people	402
B. Start a reservation system for campgrounds	823
C. Limit the stay in a campground to the number of days it takes to see the major attractions, with a maximum of 3 days	950
D. Reserve most of the campground space and visitor facilities for those who live more than 200 miles away	387
E. Take all campgrounds out of the parks and encourage development of private areas or use of national forests on the park fringes	759
F. Establish a limit for entrance to each park, much as you would for a theater. When a certain capacity is reached, a park would be closed and reopened only to fill vacancies	801
G. Increase camping fees and entrance fees	404
H. Leave things as they are	42

Readers were especially selective on this subject. In Part A, many agreed on the need to build more campgrounds but crossed out "lodges" and "roads." In Part C, many suggested a limit on stays of 1, 5, or 10 days. Some readers, in checking Part E, deleted the first clause about campgrounds.

Four of the five choices involving restrictions received heavy votes. Reader's endorsement of a reservation system surprised some park officials who have been hesitant about starting such a system in crowded campgrounds.

Several readers noted that the best solution to overcrowding of parks was population control.

Mrs. Bradley Folsom of Hingham, Mass., suggested that "it might be feasible in the future to try a staggered method of vacations so that everyone would not be visiting the areas in July and August, especially if schools were to extend the school year."

Mrs. Floyanne Radzinski of Montecito, Calif., criticized the park service for mistakenly posting "Valley Camp Sites Full" signs at the Yosemite Park entrance. She added: "My husband and I, much to our delight, found many empty camp sites. We felt sorry for those who might have turned away at the main gate because of the sign. Better communication within the park system is needed."

One advocate of more campground and lodge development stated the park service should be ashamed of "boasting that 98 percent of Yellowstone is undeveloped."

A reader in Arlington Heights, Ill., was very much against having reservations systems in national or state parks. "The parks belong to all the people and should be on a first-come, first-served basis," the reader stated.

Dr. G. B. Moment of Goucher College in Baltimore pointed out the problem of a reservation system: Cancellations and the vicissitudes of travel often delay arrivals.

A California man offered an example of why stricter limitations are needed for campground use: "The campers next to us were set up for a six-week stay with three tents and a large 'lounging' area. They lived in a town 50 miles away and were enjoying a practically 'free' vacation—and had been doing so for years!"

2. SERVICES AND ATTRACTIONS

The park service should:

A. Provide for additional low-cost overnight lodging facilities with the help of government subsidies if necessary	304
B. Provide for more visitor services such as stores, restaurants, coin laundries, etc	132
C. Allow more entertainment such as concerts, movies, organized recreation, conventions, and special events	49
D. Reinstate the nightly firefall at Yosemite Valley that was stopped this year	339
E. Limit expansion of park or concession services to the basic needs of those who can be accommodated without overcrowding	1,844
F. Prohibit any entertainment that would tend to attract visitors to a central location	1,005

The views expressed on this subject contradict the common assumption that American travelers insist on "creature comforts" above all else. Only 6 percent of all those replying wanted more visitor services inside parks, and 84 percent would accept limiting the expansion of services to cover "basic needs." A number of readers favored low-cost lodging, but did not approve of government subsidies.

Some readers reacted vigorously against Part C, writing in "No! No! No!" to the idea of more organized recreation in the parks.

"Entertainment is not necessary—the park itself is the purpose of its being," commented E. E. Parsons, of Winslow, Ariz.

A reader in Playa Del Rey, Calif., noted at the end of Park F, ". . . but nature talks are O. K." Several other commended the park service interpretive program.

3. ROADS

I believe:

A. Absolutely no more new roads should be built in national parks	486
B. Any roads built should be of the primitive scenic type—narrow, low speed, and following rivers and the natural terrain	1,407
C. Interstate and other U.S. highways should be allowed to pass through national parks, with turnouts provided so that cross-country travelers can have easy access to parks	233
D. All U.S. highways should be removed from parks. Until this can be accomplished, fees should be charged on these roads to discourage through traffic	946
E. New transportation techniques, such as aerial tramways, rapid-transit systems, helicopters, monorails, and air-cushion systems, should be adopted for travel inside national parks	292
F. All automobiles should be left out of crowded parks, and minibuses or other types of public transportation be provided	642
G. A maximum speed limit of 35 miles per hour should be the law in national parks, with lower limits on narrower roads	1,204

Park service officials expressed satisfaction with the evidence of support for scenic roads and low speed limits in parks. The park service advocates this position, but it is opposed by the Bureau of Public Roads, which wants, for safety factors, to build wide, high-speed highways in parks.

"Visitors can't enjoy the parks if they can't see them, so they should slow down to the point where they can see them," said park director Hartzog. "If people are in too big a hurry, they should take some other route and come back to the parks when they have sufficent time."

Mr. Hartzog was encouraged by the large number of readers who voted to leave all automobiles out of crowded parks. Plans are being considered to carry out such a system at some parks.

"More people are traveling in camp trailers, so the parks should provide more connections for electricity, water, and sewage," commented Lt. Col. and Mrs. E. L. Massie, Eglin Air Force Base, Fla. A man on Bainbridge Island, Wash., suggested widening current roads for trailers and more traffic.

But Mr. and Mrs. Channing P. Newell of Grossmont, Calif., had a different view. "Visitors to the parks should expect to leave their mobile houses, so-called 'campers,' and house trailers outside the parks," wrote the Newells.

"The National Park Service should not and should not be expected to supply space, sanctuary, and facilities for such cumbersome personal paraphernalia."

A New Yorker suggested that when there are U.S. highways within parks, "the toll should be so high that one would think twice before using the highway just to get somewhere fast."

Some readers urged a total banning of motorcycles, "tote-goats," and trail bikes from all trails in parks.

Mrs. Sidney H. Baylor of Johnson, Vt., noted that "it is evident the vandalism in parks is restricted to those areas where automobiles are permitted. Very seldom is anything destroyed along the foot trails."

4. ROADSIDE BEARS

The park service should:

A. Leave the situation as it is. The visitors enjoy seeing the bears	272
B. Trap bears that have taken up residence in unnatural environments of highways and campgrounds and restore them to their natural habitats (even though this would mean many visitors might not see a bear); take away unnatural food sources by enforcing rules against feeding bears and by more frequent garbage pickups	1,003
C. Provide access points and lookouts where bears and other wildlife might be seen. Conduct prebreakfast and dinnertime ranger-guided tours to see wildlife at the best viewing hours	1,570

Another statistic that went contrary to many officials' previous theories was the one showing large support for eliminating the roadside food-begging bears at Yellowstone. Park officials always have assumed that visitors' desire to see bears along the roads was greater than any opposition to the practice.

A number of readers wanted stricter penalties for disturbing wildlife at Yellowstone and in other parks. They also urged giving more publicity to the dangers from bear feeding and to the fact that it is illegal. Fines would be levied against offenders.

Commented Miss La Verne Joiner Jackson of Palo Alto, Calif.: "It is the observing of the animals in their natural environment which brings the thrill, not disobeying the law."

Equally cogent was the terse statement of Mrs. Mary Carr Scales of Orinda, Calif.: "Teach people, not bears."

5. GRIZZLY BEARS

The park service should:

A. Eliminate grizzlies from all national parks	104
B. Leave things as they are. Grizzlies have as much right to be in Glacier as do humans	873
C. Prohibit hikers from using parts of the park known to be inhabited by grizzlies	935
D. Eliminate all refuse dumps (which attract bears) from chalets, lodges, and back-country campsites	1,558

Despite two fatal attacks on campers by grizzly bears last year at Glacier National Park, few survey participants suggested elimination of bears from the parks.

A resident from Ann Arbor, Mich., stated that although he once had been mauled by a grizzly bear, he still believes that grizzlies have the right to be in parks.

A Harvard University student commented that part of a park might be set aside for camping and part for the original animals, "perhaps closed off to people for safety and welfare of both."

The grizzly presents one of the most difficult of all problems for park officials. Elimination of refuse dumps used by bears and complete incineration of garbage might drive some bears into campgrounds. At Glacier, certain back-country trails frequented by grizzlies have been closed this summer for short periods of time. Much research on grizzly habits is needed, say park officials.

6. WILDERNESS

I believe:

A. All of the present wilderness-type area in a park should be preserved; there should be no additional development at all on these lands; and wilderness should extend to the edge of roads	1,033
B. There should be a buffer area of at least one-quarter of a mile between roads or permanent buildings and the wilderness areas	531
C. When designating wilderness areas, the park service should set aside sufficient land to provide for future developments such as new campgrounds, motor nature trails, or self-guided nature trails	737
D. In places of exceptional scenic beauty which are inaccessible except to experienced mountaineers or by several-day hikes, aerial tramways should be built to allow more people to share these vistas, or to be used as starting points for hikes in the midst of wilderness country	540
E. Sufficient area should be left out of wilderness designation in order to permit a few small, primitive chalet-type lodges and youth hostels	840

Replies on this subject provided a wide range of opinion, although most readers desired preservation of all the present wilderness-type area in a park.

The question of extending the wilderness provoked conflicting replies.

"The theory of saving millions of acres for a few hardy hikers is wrong," said a correspondent from Florence, Ore.

Commented David Lassiter, from Isle of Palms, S.C.: "The parks are practically 'sacred' areas, and should be preserved 'as is' as much as possible. Leave the wilderness areas 'wild.' Let private enterprise provide the necessary concessions, entertainment, and other public facilities outside the parks."

The subject of aerial tramways or other mechanized means of access into inaccessible areas also evoked spirited comment. Advocates, however, usually added an "if."

"I favor 6 D only if it can be shown that such tramways would not disturb the surroundings," footnoted D. M. Weible of Sherman Oaks, Calif.

Miss Rita E. Owen of Washington commented: "I would personally like to travel over parks by monorail; but only if a magic wand could be waved, and the monorail dismantled, or disintegrated, immediately afterward."

Several readers suggested that elderly people should have the benefit of lodges and tramways. "We should not be afraid of them, but resort more to aerial lifts, etc., where rugged terrain makes road-building expensive," said Perry J. Brown of St. Paul, Minn.

The idea of providing small, primitive chalet-type lodges and youth hostels in wild areas drew many favorable comments.

7. CHARGES

The government should:

A. Raise the Golden Eagle fee to $25	533
B. Charge nightly rates for use of public campgrounds in parks, in addition to the Golden Eagle fee	897
C. Turn campgrounds over to concessionaires for management and allow them to charge appropriate camping fees	81
D. Enter into partnership agreements with private companies and/or individuals to build public campgrounds and motels on the fringe of park areas	946

A theme running through many comments and substantiated by the results of the questionnaire is the large number of visitors willing to pay fees higher than the present $7 Golden Eagle permit, which covers a full year's visits to the national parks. Some people felt the Golden Eagle permit should cost more than $7, but not as high as $25.

On the other hand many opposed fees that were too high for the average individual.

"Relatively low cost makes national park camping very desirable for large families on low budgets," wrote a Claremont, Calif., reader.

A comment from Alamogordo, N.M. read: "During our stays in the parks we met many students, teachers, foreign students, etc., who were truly enjoying the parks and probably could not afford higher fees."

"We cannot now afford travel to national parks," commented a man in Lansing, Mich. "But it's nice to think that they will be there if ever we can."

Concern was expressed for the urban poor. Henry Abarbanel of Princeton University commented: "Visiting national parks and monuments is primarily a white person's adventure. The park service should bring the parks to the attention of poor people and ghetto dwellers and, if possible, organize and help fund visits of these citizens to their parks."

"The outdoors does not belong to the middle class," added a man from New York City.

Mr. and Mrs. Ralph C. Morse of Rockton, Ill., suggested there be a minimum fee for a three-night campground stay, together with a limitation on the Golden Eagle permit allowing no more than a 10-day stay in each park.

"A visitor would be both encouraged to stay at a campsite long enough to fully appreciate the glories all around him, and, yet be forced to move on after a reasonable length of time to provide room for others," wrote the Morses.

Another version of this idea came from a Hagerstown, Md., reader: "Entrance fees should be high. If a person hurries through the park using its roads only as a scenic highway, no refund. If he stays a sufficient time to enjoy the park, most of the entrance fee is refunded on exit. If he overstays—no refund."

Many readers opposed turning over campgrounds to concessionaires for management and charging of fees. Readers felt this would result in crowded, dirty, and overpriced campgrounds.

Park director Hartzog said that, because of a shortage of personnel, the park service is planning to turn some campgrounds over to concessionaires to "operate" and to perform the actual maintenance work. But the park service will continue to set high maintenance standards, determine the rates, design the campgrounds, and rehabilitate them every few years. Rangers and naturalists also will remain to help visitors.

8. BALANCE OF NATURE

The park service should:

A. Let nature take its course. If a species cannot adapt to modern conditions, there is very little man can do to save it	119
B. Remove excess elk (by trapping or shooting) when they exceed the capacity of the range	807
C. Provide food for the important species of wildlife, such as elk, moose, bison, and bighorn sheep, so that these populations can be maintained at the highest levels possible	670
D. Determine what human influences are causing wildlife problems, and develop park-management programs designed to offset man's adverse impact	1, 878
E. Eliminate nonnative plants and animals from park areas	356
F. Restore wolves, cougars, bears, and coyotes to park areas where they once were native	708

Park officials and conservation leaders expressed surprise at most readers' evident awareness of the complicated problems of maintaining wildlife in the parks. Eighty-six percent of those responding wanted the park service to develop management programs designed to offset man's adverse impact.

Also unexpected was the large number choosing the option of restoring predators to parks where they once were native. However, some readers objected specifically to reinstating wolves.

Doug Roberts of Pullman, Wash., advocated that the park service purchase more winter range to help with the wildlife food problem.

9. VISITOR INFORMATION

A. Within the past year 497 families reported visiting one park; 413 visited two parks; 638 visited three or more.

B. Replies showed that 392 families stayed one day; 317 stayed two days; 762 stayed three or more days.

C. For accommodations, 698 families camped overnight in public campgrounds accessible by road; 333 packed into primitive back-country camps; 372 stayed at lodges; 443 stayed outside the park.

D. For transportation to parks, 1,235 families traveled by automobile; 130 by camper vehicle; 155 by trailer; 77 by public transportation.

E. Of those answering the questionnaire, 541 said they had visited no national park in the past year.

That 60 percent of readers taking part in the survey had camped either in public campgrounds or the back-country was of great interest to park officials and conservation leaders as possibly indicating a trend away from use of lodges and motel accommodations inside the parks.

Another result of significance is that 638 of the 1,548 readers whose families had visited the parks, stayed three or more days. This will be helpful to the park service in making planning decisions.

"I am single, in the Army, and in Vietnam, so I can't answer No. 9," wrote 1st Lt. L. J. Pryor. "However," he added, "I hope some day to use the parks a great deal."

Many reader comments showed acute awareness that preservation of parks and conservation values requires continued citizen participation in making policy.

"We need a land ethic," wrote Joseph Papa of Los Gatos, Calif. "We need more leadership in government. I notice none of the candidates seem to be addressing the issue."

"I saved all the national parks articles in the series and wrote to my congressman, giving my sentiments," said Guy W. Griffith of Richmond, Va.

"The National Park Service is doing a good job but can do better if it is better informed on what people want," commented Emanuel Fritz of Berkeley, Calif.

Other comments pointed to the need for citizens to treat the parks and wildlife, as well as other visitors, with respect and consideration.

Mrs. Lewis F. Smith of Cheshire, Conn., wrote that "there are few places left where we can enjoy nature's beauty without man's ruining it with his noise and refuse. I guess we will have to change the people to make the parks better."

A reader in Salt Lake City noted: "Educate the public as to: (1) what to expect in the park; (2) how to conduct themselves regarding their fellow man, the wildlife, and premises; (3) obey the golden rule of life."

Roy H. Hessen, director of People for Conservation, a citizen organization in Merrick, N.Y., said that the Monitor park series had prompted his group to draft a series of policy proposals for improvement of national parks, and to send the proposals to the National Park Service.

Summed up Mrs. Edward E. Eschenroeder of Largo, Fla.: "The most important thing is the realization that we the people have a responsibility if the privilege of using our parks is to be continued."

[From the Christian Science Monitor, May 1, 1968]

LEARN AS YOU ROAM: SMOKY MOUNTAIN HISTORY IS GIST FOR CADES COVE MILL

(By George B. Hartzog, Jr.)

(NOTE.—In conjunction with the current Monitor series "Will Success Spoil the National Parks?" the Family Features Page is publishing 15 weekly "postscripts" on typical enriching experiences provided by visits to National Park Service areas. The first of these extra articles appears below.)

Some 10 years ago when I went to Great Smoky Mountains National Park as Assistant Superintendent, I was well aware that each fall almost the entire nation seemed to come to the Smokies to enjoy the fantastic color display.

I did not suspect, however, that one of our principal problems would involve locating sources of raw sorghum.

What does raw sorghum have to do with the 7 million people who visit the Great Smokies yearly? Although spring wild flowers and fall leaf coloring are enormous attractions, one of the truly memorable park experiences—especially for children—is to see demonstrations of traditional crafts which flourished a century ago in the Southern Appalachian highlands, and which have all but disappeared.

Among several interesting and informative demonstrations of "living history" in the park is the production of sorghum molasses at historic Cades Cove.

A staple grown by the pioneers for fodder, grain, and syrup, sorghum is squeezed through rollers by single horsepower (one yoked horse walking in a circle). The juice is boiled down to a thick molasses syrup in a furnace nearby. An adequate supply of raw cane must be available each week during the fall season in order that the thousands of visitors to Cades Cove would have the chance to see this unique farm activity.

From spring through fall, at the old water-powered grist mills, visitors can watch corn being ground into meal—and buy the product. "Shakes," or shingles, are also made by men skilled in the hand production of this now rare item.

Most visitors to the national parks are attracted by the inspiration received from these great scenic lands. To me, an equally important reason for visiting the parks is to enjoy their educational values.

In the unspoiled natural areas and historic places the visitor is exposed to a kind of learning superior in some respects to that of a classroom. As someone has said, to pay a personal visit to a historic site is to experience an excitement no written description could ever match.

The stratified face of Grand Canyon is really a living textbook, chapter by chapter, on the geologic history of the earth. In the quiet tidal pools of Acadia National Park's shoreline one can, with the help of the park naturalist, understand the ecology of marine life.

While we preserve the entire sweep of American history in the some 170 historic and archaeological sites of the National Park System, we make a special effort to present the story as "living history." From the glass-blowing demonstrations at Jamestown, site of the first English colony, to the uniformed "soldiers" patrolling the restored Fort Laramie, on the Oregon Trail in Wyoming, we try to give people a "feeling" for the great events of our nation's history.

For those parents planning family visits to any of the National Park System areas, I strongly suggest doing some "homework" in advance. While museum exhibits and pamphlets are available at the parks, along with the programs of the park rangers, your visit would be considerably more meaningful if you, and, particularly your children, took the time to read—and even discuss—in advance some of the literature easily available. One region may contain several areas of interest which are closely related.

If, for example, you plan your visit to the Smokies so that you can approach the park from the North along the Blue Ridge Parkway, you will have some opportunity to view the scenery as it once was and imagine life as it was lived by the highlanders whose settlements were found also in the Smokies. Primarily of English background, they settled along this mountain range, eking out a difficult existence almost entirely with their own hands, at the same time establishing a distinct highland culture.

At Mabry Mill on the parkway, you can see apple butter and sorghum molasses being made; Brinegar Cabin offers demonstrations of weaving on an old mountain loom. At the six visitor centers and at the Parkway Craft Center, the region's rich natural and human history is interpreted.

Along with the human history, our interpretive programs and museums provide visitors ample opportunity to become acquainted with the flowers and trees, the birdlife, and the other natural features of the Great Smoky Mountains.

In any case, you will frequently want to get out of your car, get away from the roads, and to sample the park at your own leisure—under your own power.

And I particularly recommend the rambling, leisurely, one-way loop road which winds its way into Cades Cove. We call this a motor nature trail, and you can stop as you desire to see the scenery, or to visit historic cabins and demonstrations. It's one of the pleasantest trips you can take in the national parks.

A number of publications can be helpful in preparing for a visit to the southern highland region.

Available from Great Smoky Mountains Natural History Association, Great Smoky Mountains National Park, Gatlinburg, Tenn. 37738:

Great Smoky Mountains National Park Folder (free).

"Our Southern Highlanders," by Horace Kephart, The Macmillan Company. 1963. Price $3.37.

"Smoky Mountain Folks and Their Lore," by Joseph S. Hall, 1960. Price $1.29.

"Mountain Makin's in the Smokies" (a cookbook). Price $1.29.

"Great Smoky Mountains National Park Natural History Handbook," by Arthur Stupka, 1961. Price 77 cents.

Available from Superintendent, Blue Ridge Parkway, National Park Service, Box 1710, Roanoke, Virginia 24048:

Blue Ridge Parkway folder, Virginia and North Carolina (free).

"Blue Ridge Parkway Guide," by Lord, Stephens Press. This guide comes in four sections:

1. From Shenandoah National Park, Va., to Roanoke, Va. $1.15.
2. From Roanoke, Va., to Boone-Blowing Rock, N. G. $1.15.
3. From Boone-Blowing Rock, N.C., to Asheville, N.C. $1.15.
4. From Asheville, N.C., to Great Smoky Mountains National Park, N.C. $1.15.

"Waterway to the West (The James River and the Kanawha Canal)," by James J. Kirkwood. Price 65 cents.

[From the Christian Science Monitor, May 8, 1968]

Towpath Travelers: Learn as You Roam—or Cycle Past the C. & O. Canal

(By John M. Kauffmann)

Washington.—A small army of conservationists and outdoorsmen, 850 strong, gathered recently to take an 11-mile hike up the old Chesapeake & Ohio Canal towpath from Weverton to Antietam, Md.

There were Boy Scouts and Job Corps youths, office workers and retired couples, high-school girls and parents with young children carried in backpacks. Some hikers had binoculars to search for a singing thrush. Others consulted wildflower guides to identify the Virginia bluebells, garlic mustard and other flowers growing beside the path. Dogwood and redbud were still in bloom, as were the papaws, found only in such bottomland areas. As the hikers walked along, they made way for a pack string of horses, their riders heading downriver on a different outing.

The canal hike was a ritual walk, really. For 14 years a group has done this to dramatize the value of the old canal as an historic and natural resource. They want to see its locks and aqueducts restored, and its property enlarged as a park.

But their mass hike served also to remind everyone coming to Washington and the Potomac Valley how much history and scenic beauty awaits them along the river and the canal on its Maryland shore. The C&O Canal constitutes a major chapter of American transportation and Engineering history, including 12 major stone aqueducts and even a 3,100-foot tunnel. Moreover, the canal will take you from present-day events in the national capital back through civil war days and frontier times to the French and Indian War and even to Indian pre-history.

And along the way you can see wildflowers, enjoy the huge trees along the river's edge, look for the 130 kinds of birds that nest in the valley, put a canoe in the river, or wet a line for bass.

You don't have to don boots and knapsack for a long hike. Take a couple of hours, in spring, summer or early fall, and ride on one of the National Park Service barges, mule-drawn like the canal boats of old. One trip starts in 18th-century Georgetown, with a trip through a hand-operated canal lock. The water rushes in, the barge slowly rises with the water level, the upstream gates open and you glide out and onward at a new water level. That is how the canal boats gradually climbed 600 feet as they traveled the 184 miles to the canal terminus at Cumberland, Md.

Another barge trip starts from Great Falls, where the Potomac makes a grand 75-foot plunge toward tidewater. There the main story is geological history. But a canal museum housed in historic Great Falls Tavern presents man's canaling past as well, when canal diggers raced railroad builders for transportation mastery, and to tie East to West across the Appalachians.

The canal has been restored and rewatered for the first 20 miles above Washington, an ideal stretch for canoeing or bicycling as well as for strolling, on a Sunday afternoon. The stone locks and lock tenders' houses seem built for the ages, and have an old-world charm. The masons who built them were proud of their skill and signed the stones. You can see their mason's marks on the huge blocks of red sandstone in the Seneca Creek Aqueduct. Even larger and more beautiful is the multiarched span across the Monocacy River farther up.

Many threads of history are woven into the length of the Potomac Valley.

Thomas Jefferson called the water gap at Harpers Ferry National Historical Park a scene "worth a voyage across the Atlantic." The old town remembers frontier days, John Brown's raid, and Civil War bombardment. Antietam furnace made cannonballs for an earlier conflict—the American Revolution. Shepherdstown, also on the river, recalls James Rumsey's successful steamboat demonstration, first in America. Lee's main Confederate Army crossed the Potomac at Williamsport, a canaling center once scouted by George Washington as a national capital site.

President John Quincy Adams turned the first spadeful of earth to begin the C&O Canal in 1828. Originally, it was envisioned as a water route to the Ohio River. After years of toil, labor wars, and financial crises, it reached Cumberland in 1850. But railroads had already pushed farther west, and canal builders gave up further western efforts.

Flood and failing business forced the canal to end operations in 1924. The federal government later purchased the derelict property and restored the lower 20 miles of canal.

In the early 1950's parkway advocates proposed the smooth canal gradient as ideal for a riverside parkway. Conservationists, led by Supreme Court Justice William O. Douglas, rallied to defend the old canal. To dramatize its historic values and importance as a quiet green place to get away from highways, they hiked the entire 184-mile length of the towpath.

They made their point. The parkway idea was dropped, and the canal was recognized not only as one of the finest relics of America's canal-building era, but also as an ideal place for walks with history amid green open space. In 1961 President Eisenhower proclaimed the canal a national monument.

The canal property is thin, often little wider than the canal bed and towpath, so there is little space for park use and development, and little protection from intrusions along the way. Ever since that first hike in 1964, Justice Douglas and the C & O Canal Association have staged a one-day annual hike to focus attention on the need to develop and enlarge the monument. Bills to create a national historical park have been introduced in Congress for a decade and twice have passed the Senate. But the canal has continued to languish, though some recreation development, towpath improvement and stabilization work have gone forward.

Now both the justice's cohorts and the concept of protecting the Potomac environment have grown. The record number of hikers joined the 14th anniversary hike this year shortly after a bill went to Congress proposing a 67,000-acre Potomac National River. The legislation would recognize and protect the canal as an historic entity within a larger recreation area preserving the entire riverscape—both banks, the islands between, and the canal—in a green sheath of parkland from Washington to Cumberland.

Among publications helpful to an understanding of the region are:

184 Miles of Adventure—Hiker Guide to the C&O Canal. It can be purchased for 75 cents from national capital area council, Boy Scouts of America, 1742 Connecticut Avenue, N.W., Washington, D.C. 20009.

A folder on the C&O canal can be obtained free from the Antietam-C&O Canal National Park Service Group, PO box 158, Sharpsburg, Md. 21782.

CHECKLIST FOR BIKES

Spring is the beginning of the bicycle-riding season.

Bicycle riders, like automobile owners, are responsible for the mechanical condition of their vehicles. Following are 10 checks points to assure a bicycle is in safe operating condition.

Check for loose nuts on the wheels, handle bars, and seat. Make sure that the seat is adjusted to fit the rider.

Check the tires for proper pressure, making sure they have not dried out and cracked over the winter months.

Coat the chain with a 30 weight oil, hang overnight, and then spray with graphite. Adjust so there is a moderate tension when installed.

Check lights to be sure they are visible for 500 feet to the front and rear with either a red light or 1½-inch diameter red reflector on the rear.

Pedals should be lubricated so they spin freely.

Make sure the chain guard is secure. Double check the handle grips to be sure they fit securely and will not pull loose. Check the wheels for wobble. Be sure they are well lubricated. Broken or loose spokes should be replaced.

Double check the brakes to be sure they work properly. If they are not perfect take the bike to a reliable repair shop to be certain they function correctly.

[From the Christian Science Monitor, May 15, 1968]

Learn as You Roam: Go Where the Real West Still Lives, Young Man

(By William C. Everhart)

I sometimes wonder if today's younger Americans (and maybe some not so young) when planning a trip to the West, imagine they will find the unfenced range of the legendary cattle barons, with a solitary cowboy loping across the enormous solitude of the short grass country. Driving along one of the historic western trails, now four-lane macadam, they may well be disappointed to find the remarkably few scattered cows encountered have short horns, that the last great trail herd followed the Indian and the buffalo into the far horizon a century ago, and that in Cheyenne, Wyo., the talk is of dude ranches, in El Paso, Tex., of cotton.

Raised on a fairly stiff diet of paperback westerns, and back-to-back TV cowboy heroics, their disappointment is understandable—indeed, we share it. But the many historic places and the very considerable evidence which does remain—adobe fort walls, ruts of the Oregon Trail, buffalo rifles, and beaver traps—will make today's trip an exciting one. Much of the Old West scenery hasn't really changed a great deal, and we attempt to make history come alive at historic sites administered by the National Park Service.

If I were asked to put a pencil on the map of the United States to mark the spot where the greatest number of explorers, fur traders, gold seekers, and settlers left civilization behind and headed west for a new life, it would be on the historic riverfront of St. Louis. Long known as the "Gateway to the West," St. Louis is the site of the Jefferson National Expansion Memorial, with its soaring tribute to the spirit of the pioneers, the 630-foot Gateway Arch.

In the museum beneath the arch are many interesting exhibits. They include a display of the weapons and equipment of the frontier soldier, the Indian, and the cowboy. And a ride to the top of this tallest American memorial is a thrill in itself.

But the history to which the memorial pays tribute took place in little-known and far-off places—along the overland trails, in the gold rush settlements, and in the high passes of the Rockies. The most significant and heavily traveled route was the Oregon Trail, the only method of overland travel to the vast Oregon Country, and the most important avenue to California's mother lode. Along this route are a number of historical parks; in most of these visitor center museums, audio-visual programs and ranger historians are available to help visitors appreciate this great chapter of our history.

Most famous and best known landmark of the Oregon Trail described in almost every trail diary is Chimney Rock, in western Nebraska. It is a thrilling sight to approach this spire of solitary grandeur, rising 500 feet from the North Platte River. The noted explorer, Capt. Benjamin Bonneville, wrote in 1832 that it was "a singular phenomenon, which is among the curiosities of the country. It is called the Chimney."

Among the strangely carved geologic features along the North Platte River, called by the immigrants the "Coasts of Nebraska," was Scotts Bluff, 25 miles west of Chimney Rock. The depression of the Oregon Trail, cut by the passage of some 250,000 immigrants and their wagons is still clearly visible.

For the wagon trains, Fort Laramie, in Wyoming, was the first great objective—and the first outpost of civilization after 800 long miles on the trail. Fort Laramie was a "panorama of frontier life: Indians, a few soldiers, immigrants, fur traders, a busy blacksmith's shop, an odor of stacked-up hay, the pungent smell of saddle leather, of horses, of unwashed humanity, and of rotgut whiskey."

The remains at Fort Laramie National Historic Site, with its restored buildings, constitute one of the nostalgic scenes of the West; "soldiers" in army uniforms patrol the parade ground and demonstrate the firing of frontier rifles.

As the pioneers neared the end of their tortuous journey, in southern Washington, they passed through Waiilatpu "The Place of the Rye Grass." Here, in 1836, the valiant pioneer missionaries Marcus and Narcissa Whitman established their ill-fated mission, laboring to bring Christianity to the Indians, but with little success. In the museum, a diorama depicts the massacre of the Whitmans by the Indians in 1847. Their tragic death spurred Congress to create the Territory of Oregon the following year.

Also in Washington, the Fort Vancouver National Historic Site preserves the former headquarters and depot of the Hudson's Bay Company west of the Rocky Mountains. The reconstructed stockade and museum exhibits recall the colorful fur trade story.

The westward movement which began at St. Louis, ends near the mouth of the Columbia River, at Astoria, Oreg. Here, at Fort Clatsop, Lewis and Clark and their intrepid band of explorers spent the winter of 1805–06, having reached the Pacific Ocean in one of the most brilliant feats of exploration in the history of our country.

The publications listed below—and many others—if obtained in advance of your trip could help to make your visit to any of these sites a most rewarding expedition into America's past.

Available from Jefferson National Expansion Memorial Association, Jefferson National Expansion Memorial, 11 North 4th Street, St. Louis, Missouri 63102:

Folder (free).

The Gateway Arch, $1.15.

Oregon Trail, by Francis Parkman, 75 cents.

From Oregon Trail Museum Association, Scotts Bluff National Monument, P.O. Box 427, Gering, Nebraska 69341:

Folders on both Scotts Bluff and Chimney Rock (free).

Scotts Bluff Historical Handbook, by Merrill Mattes. 45 cents.

Courthouse and Jail Rocks, by Earl Harris. 35 cents.

The Old West Speaks, by Howard R. Driggs, $7.25.

From Fort Laramie Historical Association, Fort Laramie National Historical Site, Fort Laramie, Wyoming 82212:

Folder (free).

Fort Laramie Historical Handbook, by David L. Hieb, 35 cents.

Fort Laramie and the Sioux Indians, by Remi Nadeau. Prentice-Hall, 1967. $8.30.

From Waiilatpu Historical Association, Whitman Mission National Historical Site, Route 2, Walla Walla, Washington 99362.

Folder (free).

Whitman Mission Historical Handbook, by Erwin N. Thompson. 60 cents.

From Fort Clatsop History Association, Fort Clatsop National Monument, P.O. Box 83, Astoria, Oregon 97103:

Folder (free).

Lewis & Clark at Fort Clatsop, by Lancaster Pollard. 60 cents.

Journals of Lewis and Clark, by Bernard DeVoto, Houghton. 1966. $3.

Lewis & Clark, Partners in Discovery, by John Bakeless. $3.

[From the Christian Science Monitor, May 22, 1968]

LEARN AS YOU ROAM: READING THE FACE OF THE HIGH SIERRA

(By Douglas H. Hubbard, National Park Service, Department of the Interior)

The stars seemed to scrape the High Sierra peaks as Dave and I sat around the campfire the night before starting the 60-mile hike. I was realizing a lifelong ambition in making the week-long High Sierra Loop Trail in Yosemite National Park. Dave, our 12-year-old, was born in Yosemite and it was the only home he'd ever known. But even he showed a trace of excitement for the adventure ahead.

Our trip began with a "get acquainted" campfire at Tuolumne Meadows, largest alpine meadow in the Sierra, some 45 miles from crowded Yosemite Valley. At the campfire we discussed the hike and the equipment we'd need to take.

Actually, this amounted to little more than a toothbrush and a change of socks, since the Yosemite Park and Curry Company, the National Park Service's principal concessioner in Yosemite, would provide for our needs at the camps where we would stop—each a comfortable day's walk from the others, and each with warm showers, good meals, and soft beds.

But Carl Sharsmith, the national park ranger naturalist who was to lead us, did warn about such hazards as shoes which were not well broken in, sunburn in the high altitudes, and the importance of starting off gradually to let one's body adjust to new elevations and exertions.

We got an early start the next morning following the Tuolumne river as it moved with increasing speed toward the beautiful fall at Glen Aulin, next to which our first camp was located.

The trail was never the same for very long. It went up and down mountains and across flower-filled meadows. Dr. Sharsmith set a comfortable pace. We paused frequently, especially on the tough climbs. Our guide could always find an excuse to talk about a tree or something related to the geology of the Sierra. It lay like an open book before us—a book we'd learn to read before our week was over.

A few years ago the National Park Service dropped the word "education" in favor of "interpretation," and our ranger-naturalist guide is one of the best interpreters in the business. Dr. Sharsmith has served more than 30 summers in the high country of Yosemite National Park. A botanist by profession and a natural teacher, Dr. Sharsmith's enthusiasm for his job inspires everyone he meets.

Along the trail the first day Dave picked up a fired .50-caliber machine-gun bullet. Had it been dropped by another boy? Had it been fired by a fighter pilot clearing his guns high above? We'll never know, though we've looked at it many times since. But it was a jarring return to the cares we were escaping for a few days.

At each of the High Sierra camps friendly hosts—usually a man and wife supported by a staff of college students—met our foot-dragging hikers with cool refreshments.

The water was too cold for me at Glen Aulin, but Dave took a dip in the pool at the base of the waterfall and said it felt good! After showers, a hot meal, campfire program, and a good night's sleep, we took off next morning, leaving the Tuolumne River to hike south to May Lake at the base of Mt. Hoffman.

May Lake is one of the most popular High Sierra camps since it is only a couple of miles from the Tioga road. People can drive from Yosemite Valley in the afternoon, have a leisurely dinner and a campfire program, and hike out by flashlight. Each camp we stayed at was filled to its limit. Dr. Sharsmith told us that the sites for the camps had been selected by Carl Russell, Yosemite's second Chief Park Naturalist, in the early 1920's.

Each camp lies in a different setting. Sunrise Camp overlooks Long Meadow, with high peaks at each end; Lake Merced Camp is near the large lake bearing that name; while Vogelsang perches in a high mountain pass from where we could look down on night lights of distant cities in the San Joaquin Valley.

Considering that these tent camps must be put up as soon as trails are free of snow, then taken down and stored at the end of each summer, and all food and supplies must be packed in by mule, $79.00 is a reasonable charge for the seven-day hike. Part of the fee goes toward paying the ranger-naturalist's salary.

In the face of rising demands to do more for more people, it was a soul-searching decision for the National Park Service to put a ranger-naturalist on this loop trail every week in summer to lead what seems like a small group—15 hikers. But the park service soon realized that the assignment involved more than leading. Dr. Sharsmith, for instance, visited and counseled and answered questions for dozens of other hikers we met each day, not to mention conducting the nightly campfires, programs to which everyone was invited, whether they were backpacking on their own, taking a saddle trip, or hiking in a group like ours. Above all, he saw to it that every day of the trip was a learning experience, and education in the lore of the high country.

We learned about the wildlife in this part of the Sierra close to 10,000 feet in altitude. Dr. Sharsmith told us that the small, gray, rabbitlike animals we saw scolding us from their rocky homes were conys. These little mammals don't hibernate like many other animals which live in the high country, he explained. Instead they live on a pile of grasses and other plants which they carefully dry in summer and store for winter.

We saw golden-brown marmots taking sun baths on the rocks. We were told these spaniel-sized rodents are called "whistlers" because of the shrill alarm notes which they send when an enemy is near.

We learned that the bold and colorful rosy finches that came within a few feet of us on the Sierra ice fields spend their lives in the high country, feeding on frozen insects and seeds found on the glaciers.

When we arrived back at Tuolumne Meadows at the end of the hike, Dave and I were refreshed rather than tired after our week-long walk. Refreshed and reassured that places like this still existed; warmed by our campfires and by the friendships of the hikers who had shared this unique experience with us.

Further information about these hikes can be obtained from the Yosemite Park and Curry Company, Yosemite National Park, Calif. 95389. Those desiring to read about the High Sierra country can consult the following publications, available from the Yosemite Natural History Association, P.W. Box 545, Yosemite National Park, Calif. 95389:

Going Light with Backpack or Burro. Edited by David R. Brower. Sierra Club, $2.80.

The Wilderness World of John Muir, by Edwin W. Teale. Houghton, Mifflin. $7.00.

Birds of Yosemite, by Cyril A. and Robert C. Stebbins. Yosemite Natural History Association. $1.15.

California Mountain Wildflower, by P. A. Munz. University of California Press. $3.35.

Code Bearing Trees, by James S. Cole. Yosemite Natural History Association. 85 cents.

The Incomparable Valley: A Geological Interpretation of the Yosemite, by François E. Matthes, University of California, $2.15.

The Yosemite, by John Muir. Doubleday. $1.55.

Topographic Map of Yosemite, $1.20.

Yosemite National Park minifolder. Free.

[From the Christian Science Monitor, May 29, 1968]

Learn as You Roam: Parks Where Once Fire Mountains Erupted

(By Freeman Tilden, consultant, National Park Service, U.S. Department of the Interior)

"Well, if you call this place beautiful," said a friend of mine as we made our way through the bizarre scenery of Craters of the Moon National Monument in Idaho, "all I can say is that you have a queer idea of beauty. I call this utter devastation."

"Devastation," I replied. "But not utter. Nature changed the landscape here, as is continually happening everywhere on the earth's surface. There were once trees here, and flowers. Molten rock—lava—found a weak zone in the solid crust and poured forth again and again, obliterating and expelling all living things. Maybe the outpouring ceased as recently as 1,600 years ago. But even if sparsely, the plant life has already returned, as you see, and with it the animals and birds. If you can wait a few thousands of years, it may be garden-like."

"Interesting, certainly. But you used the word 'beautiful.' "

"Yes, because I happen to feel that the most beautiful thing within man's cognizance is the order of nature."

Great displays of the effects of volcanic action present not only scenes of beauty, but they furnish outstanding opportunities for man to become aware of one of the most significant processes of natural history.

Lurking not far beneath the earth's crust, pools of molten rock and gases are waiting for a rift that will allow them to rise to the surface. They may come explosively, like the violent volcanic eruptions in Alaska at what is now Katmai National Monument.

They may maintain a constant caldron of fire as at Kilauea in Hawaii Volcanoes National Park. Or they may smolder for centuries and be known as "dead" volcanoes, as was Mt. Lassen, in California, until one day in 1914 when that peak became very much alive. The walls of the Yellowstone canyon, in our best-known national park, are the multicolored rhyolite that poured forth in that area. In fact, there are few areas of the national-park system where one cannot find evidences of volcanic action, dating from earth's earliest days down to the present.

Individuals seeking to learn more about the natural phenomenon we call volcanism can do so in many different settings within the United States national-park system. One can hike along trails or spend the night in a cabin inside the massive dormant crater of Haleakala in Hawaii. One can walk along the edge or ride in a boat across lovely, blue Crater Lake in Oregon, a crater formed after Mt. Mazama had spewed out its innards.

On the sloping walls of the large crater of Katmai National Monument can be seen an example of a glacier whose age is known—it started to form shortly after the eruption of 1912. Or one who visits Lassen Volcanic National Park can see the effects of the eruption of 1914 in the mud slides that uprooted large sections of virgin timber.

One national park area with a tremendous variety of volcanic forms is Craters of the Moon National Monument. Here is a comparatively small area is a miniature of most of the forms of volcanism.

It is a mistake for a visitor to try to rush through this fascinating area. One should spend at least a day in order to begin to understand some of the earth's forces. A start should be made at the visitor center with its exhibits. Then one can start out along the seven miles of roads, stopping frequently to explore points of interest.

Along the way can be seen two noticeably different kinds of lava: a smooth, ripply or ropy surface called pahoehoe, and the clinker, jagged-edge form called aa. One easily guesses that both words are of Hawaiian origin. The people of the islands should know their lava, since the very surfaces on which they live were formed of lava that boiled and spouted up through the ocean floor.

Here are cinder cones and spatter cones, the former being symmetrical piles of rock froth that was tossed into the air from fire fountains; here are strange tunnels or caverns known as lava tubes. In a literal sense they are not really caverns. One of these, Indian Tunnel, is more than 830 feet long. It represents a pahoehoe lava flow which was already rock-hard on its exterior while the molten interior continued to flow. Thus, literally, it drained itself. Great Owl Cavern is a tube of rock 500 feet long, 50 feet wide, and 40 feet high. The visitor can traverse it, but he will need a lantern.

I have said there was vegetation here when the lava began its onrush from the rift. Yes, and you find, though the actual tree was almost volatilized in a heat that exceeded 2,000 degrees F., there are perfect molds that show where the trees stood or where they lay when they fell. Teardrop "bombs" are scattered everywhere. Centuries ago they were thrown into the air as big blobs of lava which cooled quickly into bomb-like forms in various shapes.

The surges of molten rock—are they destroyers? Yes, as local short-term catastrophes, of course they are. But remember that the fertile, lava-ash Idaho soils, lacking only organic matter added to their lime and potash, are marvelously productive (as is proved by the world-famous Idaho potatoes).

Remember, too, the dramatic instance of Sunset Crater National Monument in north-central Arizona. Where this orange-and-red-topped cinder cone now stands, the prehistoric Indians used to raise meager crops in pockets of desert soil. The fire mountain drove them away in panic. But after the eruptions ceased, they returned to find that the ashes and cinders that had buried their homes had provided a new and better soil. The layer of ashes now held the scant moisture of the summer rains and winter snow.

As someone has remarked, "It started a prehistoric land rush." In the long-term processes of nature much is changed: nothing is lost.

Publications are available on these national parks:

From Craters of the Moon National Monument, P.O. Box 29, Arco, Idaho 83213:

Craters of the Moon pamphlet (free).

Geology of Craters of the Moon by Harold T. Stearns. Craters of the Moon Natural History Association. $1.

From Hawaii Volcanoes National Park, Hawaii 96718:

Hawaii Volcanoes pamphlet (free).

Volcanoes of the National Parks in Hawaii by Gordon A. Macdonald and Douglass H. Hubbard. Hawaii Natural History Association. $1.10.

From Distribution Section, Geological Survey, 1200 South Eads Street, Arlington, Va. 22202:

Volcanoes, by U.S. Department of the Interior Geological Survey (free).

Free pamphlets may be available from the following parks:

Lassen Volcanic National Park, Mineral, Calif. 96063.

Haleakala National Park, P.O. Box 456, Kahului, Maui, Hawaii 96732.

Crater Lake National Park, P.O. Box 7, Crater Lake, Ore. 97604.

Mt. Rainier National Park, Longmire, Wash. 98397.

Sunset Crater National Monument, Tuba Star Route, Flagstaff, Ariz. 86001.

[From the Christian Science Monitor, June 5, 1968]

Learn as You Roam: Parks Mark Sites of "War on the Western Waters"

(By Harold L. Peterson, National Park Service, Department of the Interior)

To most Americans the Civil War was a land war. The term conjures up mental images of blue- and gray-clad armies in massed formation struggling for control of the countryside between Washington and Richmond. Robert E. Lee, of course, commands the Confederate forces and Ulysses S. Grant the Union troops, and there are strategic hills, streams, bridges, and earthworks to complete the picture. Actually, as a thousand Civil War buffs will tell you at the least provocation, the Civil War was much more than this. Fighting was heavy in many states east of the Mississippi, and there were even scattered engagements in Arizona, New Mexico, Arkansas, and Texas.

One of the most interesting ways to recapture some of this history is to visit three National Park Service historical areas on or near the Mississippi River, where the ironclad gunboats fought the "War on the Western Waters."

As early as the spring of 1861, within weeks after the start of the war, Northern strategists began to realize that the Mississippi River would be a key factor in the conflict. Food and raw materials from the West, gold and manufactured goods imported through Mexico flowed into the Confederacy across the mighty river. If the Union forces could control the Mississippi and its tributaries they could cut off these necessities just as the blockaders intercepted ships from

Europe along the Atlantic and Gulf Coasts. The Confederacy would be starved and forced to yield.

Vicksburg National Military Park is the ideal place to begin your tour of the river war, for it commemorates one of the great sieges of the Civil War. Strongly fortified by the Confederate armies it was a key point for control of the Mississippi River. Remains of the massive earthworks mark the defense lines, and tour roads along both the Union and Confederate positions allow you to reconstruct the situation as it was in 1863, when the two armies faced each other for possession of this strategic citadel. Monuments and markers tell the story, and there is a visitors' center with exhibits, original objects, and an audio-visual program that offers a further chance to learn.

Outstanding among the objects in the visitor's center are the relics of the iron-clad Union gunboat Cairo, which, on Dec. 12, 1862, steamed up the narrow Yazoo River below Vicksburg with orders to find and destroy Confederate "torpedoes," as naval mines were called in those days. As it happened the Cairo "discovered" its first mines by striking two of them simultaneously and, in 12 minutes, sank. The muddy Yazoo rapidly covered the boat with silt, and the vessel became a veritable "time capsule" for the river war, with its contents preserved almost intact for more than a century.

In the last few years historians and salvage experts have raised the Cairo and its sunken treasures. The boat itself, lies in a shipyard at Pascagoula, Miss., awaiting restoration, but its contents are at Vicksburg, and there you can see a selection of unique objects. They include four-wheeled naval gun carriages, the ship's bell, mess plates scratched with men's names, watches, and sewing kits.

Just over the Mississippi line in Tennessee, about 300 miles northeast of Vicksburg, is Shiloh National Military Park. There Union and Confederate armies fought a fierce two-day battle in early 1862 that was the first major conflict in the Western campaigns.

Visitors cannot see earthworks here for this engagement began with a Confederate surprise attack against unsuspecting Yankees. But one can trace the course and progress of the battle along a tour road, see the cannon marking the positions of the Union army, and, at the visitors center, learn about the significance of the event.

There were gunboats at Shiloh, too. They drew up in the Tennessee River to support the final Union line in case the advancing Southerners should break through to the river. But they never got into action because Union reinforcements arrived in the nick of time.

Going north, 150 miles from Shiloh is Fort Donelson National Military Park on the Cumberland River at Dover, Tenn. Here General Grant first won national fame and gained his nickname "Unconditional Surrender." Visitors can learn of the part gunboats played in this first important northern victory of the war, in February, 1962. The Dover Hotel, which served as Confederate headquarters and contains the room where Grant received his surrender, is still standing.

These three areas will introduce you to the War on the Western Waters and hopefully add some new information to your knowledge of the Civil War as a whole. But they are by no means the only Civil War Parks administered by the National Park Service. Indeed there are a total of 26 parks, sites, monuments, and memorials that commemorate this important phase of United States history.

Nearby and easily included on your tour of the river war sites are Pea Ridge National Military Park in Arkansas and Wilson's Creek Battlefield National Park in Missouri.

The biggest collection of Civil War areas, of course, is related to the Virginia theater. They range from Gettysburg, Pa., and Antietam, Md., to Richmond, Va., and on east to Yorktown, N.Y. They include such well-known battlefields as Manassas or Bull Run, Fredericksburg, Chancellorsville, and the Wilderness.

A second group of areas that invite an interesting package tour begins with Stone River National Battlefield and Cemetery near Murfreesboro, Tenn., moves on to Chickamauga and Chattanooga National Military Park and concludes with Kennesaw Mountain National Battlefield Park at Georgia. By visiting them you can trace the campaign that brought Union control of Tennessee and concluded with Sherman's epic march to the sea that split the Confederacy and did much to end the war.

The battles are only part of a greater story, and they mean much more if you prepare for your trip with a little reading. The books listed below touch on various aspects of the river war sites.

Available from Vicksburg National Military Park, Box 349, Vicksburg, Miss., 39180:

Vicksburg interpretive folder (free).

Vicksburg historical handbook, by William C. Everhart. 30 cents.

Hardluck ironclad, by Edwin C. Bearss. Louisiana State University Press. $5.95.

From Shiloh National Military Park, Shiloh, Tenn., 38376. Shiloh National Military Park folder (free).

Shiloh historical handbook, by Albert Dillahunty. 30 cents.

From Fort Donelson National Military Park, Dover, Tenn., 37058.

Fort Donelson National Military Park folder (free).

[From the Christian Science Monitor, June 12, 1968]

LEARN AS YOU ROAM: PUEBLO MYSTERY IN RED CLIFFS OF ARIZONA

(By Robert F. Nichols, National Park Service, Department of the Interior)

After the short but pleasant walk beneath the hot August sun we entered the White House Ruin, a magnificent cliff dwelling in Canyon de Chelly National Monument, Ariz. In front of us were walls that once reached as high as five stories. We could see where white plaster that once covered many of the walls had mostly weathered away. Beneath our feet lay broken pieces of pottery and fragments of tools. Here and there were corn cobs and an occasional squash seed or bean, all that remained of a meal eaten by Pueblo Indians about 700 years ago.

Only after several minutes of silence did we begin to talk about what we saw in the rubble strewn around us. Why had the Indians chosen this location? Why did they abandon their homes? Were they driven out by an enemy people or a natural disaster? Or did they simply get tired of this place and decide to move to new land? No one knows; archaeologists are still seeking the answers.

This was my first visit to White House Ruin. Seven of us had spent the summer as students at an archaeological field school near Globe, Ariz., and had decided to explore several of the better-known archaeological sites in the Southwest.

You may enter White House Ruin, as we did, along a one-mile trail from the ruin. We saw unusual plants and geological formations and a hogan occupied during the summer by a Navajo family. Centuries after the Pueblos left, the Navajos moved into Canyon de Chelly (pronounced locally d'Shay). Don't be surprised if in the middle of a leisurely hike on this trail you suddenly are surrounded by a herd of sheep and goats being led between summer and winter fields.

The mouth of Canyon de Crelly and entrance to the national monuments is at Chinle, which has motel accommodations, restaurants, trading posts, gasoline stations, and a campground. You can follow a newly paved road along the canyon rim, stopping at a number of overlooks and climbing ever higher. The canyon is only 15 feet deep at Chinle but it increases gradually to about 1,000 feet 15 miles to the east.

Although Canyon de Chelly is an important archaeological area and is a must for anyone interested in Southwestern-American prehistory, everyone who visits the area is immediately overwhelmed by its great natural beauty. The canyon walls are deep red, changing continuously in hue as the sun moves from horizon to horizon; white sand, glaring bright on a sunny day, covers the canyon floor; brilliant green trees along the wash contrast vibrantly with the red cliffs above.

And if you are fortunate, as we were on our first visit to Canyon de Chelly, you might sit at dusk at the overlook above Spider Rock. Gazing down on a Navajo herder's flock of sheep 1,000 feet below, you would hear the tinkle of the leader's bell and the bleating of the lambs on the clear, quiet desert air. Few can help but be moved by such an experience.

To get the most out of your visit to Canyon de Chelly, do some reading before starting out. Once in the monument, spend some time looking at the exhibits in the visitor center and listen to scheduled ranger talks. You will learn, for instance, that White House was occupied from before A.D. 1000 until the entire area was mysteriously abandoned about the year 1300.

While in the ruin, examine the walls still standing. You can see that the more recent masonry dating from the 13th century was built directly on top of walls built in the 11th century.

Another ruin occupied during the same period is Antelope House. Both White House and Antelope House may be reached by scheduled commercial horseback or jeep trips that take you up the floor of Canyon de Chelly and the adjoining Canyon del Muerto. Or if you have your own four-wheel-drive vehicle, you may get a permit at the park service visitor center and hire an authorized Navajo guide to direct you on a canyon bottom trip. This quite spectacular excursion takes you over sands that are treacherous when dry and become quicksand when wet.

There are in the Southwest about 20 National Park Service areas with archaeological remains; many of them are on or near the Navajo Reservation. At Navajo National Monument, also on the reservation, you will have a choice of three main ruins to see: Betatakin Ruin, a short walk from the visitor center; Inscription House, a long difficult hike after a drive over the rough dirt road; and Keet Seel, reached after a half-day's hike or horseback trip.

A visit to Keet Seel is well worth the effort, for it is so well preserved that you can almost see the shadows of the ancient Pueblo Indians performing their daily tasks. You cannot help but be transfixed by its setting among sheer red cliffs; by the all-enveloping quiet, broken only by the canyon wren's call; and by the dust of centuries stirring silently in the desert breeze.

Undoubtedly the best known archaeological area in the Southwest is Mesa Verde National Park, Colo. In addition to many ruins, both in the cliffs and on the mesatop, Mesa Verde has excellent museum exhibits and a large staff of rangers to help the visitor become acquainted with the people who built these ancient dwellings.

But because of its great popularity, Mesa Verde's present development on Chapin Mesa is often quite crowded. To help alleviate this congestion, the National Park Service is working on the excavation and stabilization of another larger complex of ruins on nearby

Wetherill Mesa. These ruins when opened to the public in the next year or two, will be reached over a primitive road. Thus, it is hoped, Wetherill Mesa will provide some of the opportunity for the quiet contemplation of the ruins now generally available only at the smaller and more isolated national mounments.

For more detailed information on the prehistory of the Southwest, three books are available from Southwestern Monuments Association, Post Office Box 1562, Gila Pueblo, Globe, Ariz. 85501. They are:

Introduction to the Study of Southwestern Archaeology, by Alfred Vincent Kidder, New Haven: Yale University Press. (Paperbound $1.95).

Prehistoric Indians of the Southwest, by H. M. Wormington, Denver; the Denver Museum of Natural History, Popular Series No. 7. (Paperbound $2).

Indians of the Mesa Verde, by Don Watson, Cortez: Mesa Verde Museum Association. (Paperbound $1).

Also individual brochures describing each area are available free of charge from the Regional Publications Officer, Southwest Regional Office National Park Service, Post Office Box 728, Santa Fe, N.M.

[From the Christian Science Monitor, June 19, 1968]

LEARN AS YOU ROAM: DOWN A DUSTY EVERGLADES ROAD

(By Robert Cahn)

EVERGLADES NATIONAL PARK, FLA.—Turning off the Tamiami Trail (U.S. 41) about 35 miles west of Miami, I was frankly skeptical. I had been told that in an hour's time driving along the Shark Valley loop road I would see one of the greatest displays in the nation of wildlife in a natural state. As I drove slowly down the narrow road, it looked like nothing more than flat, vacant Everglades sawgrass with an occasional clump of bushes or trees.

Suddenly, 20 feet to the side of the road, a large bird took off from a tree. Slowly flapping his six-foot spread of wingpower, he swooshed across the front of the car and flew off across the glades. It was a great blue heron, largest of the dark herons, and a magnificent sight with his long yellowish beak, white head, and gray-blue body.

Three minutes later, the noise of the approaching car flushed another bird out of the brush and into clear view. This bird was only about half the size of the great blue, and had a blue neck and wings, and a white belly. It soared across the road with more grace than the great blue. A stop to peek in my bird guide and I knew I had seen a Louisiana heron.

As we drove on a hundred yards or so, another bird with immense wingspan flapped into view paralleling the road—unmistakably a great white heron, with pure white body and yellow legs and beak.

At a turnout, I pulled over and stopped. Sixty feet away a white-tailed deer munched grass, unconcerned about the human presence.

In the next few miles I saw a snowy egret, with its black legs and bright yellow feet; several little blue herons, a purple gallinule, two bitterns, a number of anhinga perched in tree crags drying their wings, and a red-shouldered hawk sitting on a dead spraggle of a cocoa plum bush.

Abruptly, the one-lane road came to an end at a modernistic curving ramp leading up to an observation tower completely surrounded by a wide moat. From the roadside level, the moat, as had the glades a few miles back, looked deceptively devoid of life. But as I walked up the ramp and looked down, I could see a 12-foot alligator slithering along underwater, then several large garfish. And as my eye became accustomed to the scene, I could view many alligators and fish of all sizes.

The Shark Valley road is a rough and unpaved 14 miles, seven miles to the tower and seven miles back, and is a one-way affair. There are frequent turnouts and parking areas. The turnoff from the Tamiami Trail Highway is marked only with a small state road sign reading "Shark Valley Observation Tower." The one-way road is not better publicized because the National Park Service as yet is without the funds to prepare interpretive signs along the way or to provide explanatory folders. It also lacks the manpower at present to assign a park naturalist at the observation tower at all times to assist the public.

Each year nearly a million people visit the Anhinga Trail in the southern section of the Everglades National Park to view wildlife from a boardwalk. But, so far, this Shark Valley "motor-nature" trail in the extreme north end of the park gets comparatively little visitor attention except during the heart of the winter tourist season. In my late-afternoon trip, I saw only five or six cars. Trailers are not allowed.

If possible, those planning to go on the Shark Valley road trip should stop first at the National Park Service visitor center in the more traveled part of the park, 50 miles southwest of Miami. There they can watch a short slide show, inspect exhibits, and purchase reading material. A ranger-naturalist is on hand to answer questions about the unique Everglades, one of America's greatest biological treasurelands.

A different kind of national park experience—without breath-taking mountain scenes or spectacular canyons—the Everglades is the only place of its kind on earth. The seemingly endless reaches of sawgrass (which gives the Everglades its name) hide from cursory view the fact that this watery wilderness is really a very wide, very shallow river. In summer, after the rains, it is a few inches deep; in winter it usually sinks below the ground surface.

Park naturalists will tell you that the green scum on the surface of the water is the most important form of life in the glades. It is made up of tiny plants (algae), the food for small creatures which, in turn, are food for the bigger ones.

The alligators that you see in the moat at the Shark Valley observation tower (or beside the Anhinga Trail) also play an integral part in the life-system of the Everglades. They feed almost exclusively on garfish. Without the 'gators, the garfish would multiply unchecked, consume many of the smaller fish, and ruin the entire ecology. The alligators also dig holes and create pools where fish, birds, and other animals can survive the dry season.

Small islands, called "hammocks," on which grow isolated stands of trees in the midst of the "sea of grass," also can be seen from the Shark Valley loop road. Although they support many plants and trees, they are only a thin ridge a foot or so above the usual water level.

Following are some publications that can be useful for home study before going to the Everglades:

From Everglades Natural History Association, Everglades National Park, P.O. Box 279, Homestead, Fla.:

Folder of Everglades National Park (free).

Everglades: The Park Story, by William B. Robertson, Miami: University of Miami Press, $1.15.

Man in the Everglades, by Charlton Tebeau. Miami: University of Miami Press. $3.45.

Everglades—A River of Grass, by Marjorie Douglas. New York: Holt, Rinehart & Winston. $3.30.

Guide to Field Identification, Birds of North America, Golden Press. $3.30.

Field Guide to Reptiles & Amphibians, by Roger Conant. Boston: Houghton, Mifflin. $5.40.

Golden Guide to Everglades National Park, by Herbert Zim. New York: Golden Press. $1.15.

Eighth of a series of 15 Wednesday articles.

[From the Christian Science Monitor, June 26, 1968]

LEARN AS YOU ROAM: TREES AREN'T JUST PART OF THE SCENERY

(By Devereux Butcher)

(NOTE.—Eminent naturalist, editor, and author, Devereux Butcher is director of the Hawk Mountain Sanctuary Association and John Burroughs Association, and was formerly executive secretary of the National Parks Association.)

ACADIA NATIONAL PARK, MAINE.—My wife pointing, said, "Look there!"

I had just taken a picture of Acadia National Park, Maine, from the 852-foot summit of Norumbega Mountain. The excitement with which my wife spoke might have led you to believe she had seen a rattlesnake or a bull moose about to charge.

But not so. While I was busy with the cameras, she had noticed a clump of jack pines. Why all the excitement? We had wondered for years why jack pines did not grow in the Mt. Desert Island part of Acadia, when they were abundant on the park's mainland area on Schoodic Peninsula, just across Frenchman Bay, a few miles away. We had searched the island for them and, now, at last, here was a little group, some hardly as tall as your head, growing in this unlikely spot, cold and windswept, on the nearly barren granite dome of one of the park's mountains.

I mention the incident to point out that trees are one of our hobbies, just as birds or stamp collecting are hobbies with many people. Oh, yes, we are birdwatchers, too.

Trees are thrilling, the more you find out about them. They add beauty to our national parks and to the world. They give shade, provide us with wood and paper, make summer weather cooler and winter weather milder Their roots hold the soil, prevent erosion and floods, allow rain to permeate the soil. Many trees are necessary to wildlife by giving shelter. Mammals such as raccoons, opossums, and squirrels use hollows for sleeping and raising young, as do woodpeckers, titmice, chicadees, and certain owls. Many other kinds of birds build nests in tree branches.

Trees supply food not only for man, but also for wildlife. For instance, the little flying and red squirrels of Acadia thrive on the seeds of white pine and red and white spruce. Gray squirrels eat acorns. They also bury them and many sprout into new forest trees. The handsome red and white-winged crossbills spend most of their lives in the green world of treetops searching for and eating the seeds of pine and spruce cones. Whenever there is an unusually large cone crop, they come to Acadia in abundance, and as you wander the park trails you will usually hear the birds before you see them.

Paper birch gives unique charm to Acadia's forests. From the trunks of the large specimens of this tree that once were plentiful in North America's northern forests, Indians made their birch bark canoes. Indians on the American Pacific coast make dug-out canoes from the trunks of the huge trees of the rain forest, a remnant of which you can see preserved today in Olympic National Park, Washington.

Besides the red and white spruces, the quite rare black spruce also is native to Acadia, best seen in the big heath, where it encircles the bog. In Acadia, too, is another white bark tree, the gray birch. Yellow birch is native to the park, as are red and pitch pines, red and sugar maples, and two smaller, less well-known mountain and striped maples. The latter are usually found in clumps of stems. Once we found a striped maple with a record-breaking trunk of nearly a foot in diameter and almost 35 feet tall.

Of course, the way to really see the trees is to take to the trails. Acadia has a network of foot paths that winds along ocean and lake shores and over the mountains. In the moist valleys, stands are tall and shady but as you climb, the trees become smaller until, on the summits, they are stunted. Picturesque, gnarled pitch pines, thickets of gray birch hardly half the height of man, and tiny, sprawling white cedars grow among beds of blueberries, huckleberries, withe rod, and other shrubs.

You can buy a map showing Acadia's trails at the park visitor center in Bar Harbor. The information-receptionist there can help you plan your visit and will give you a copy of the naturalist program.

Each U.S. national park has its special kinds of trees. In Big Bend, Texas, there are the desert dwellers; in Everglades (Florida) the subtropical palms, gumbo limbos, and mahoganies. But as you go from park to park, you sooner or later meet with old friends—trees you came to know well in other areas. For instance, in Isle Royale in northern Lake Superior, and in Glacier National Park, Montana, you will see paper birch, for the transcontinental range of that tree dips south around the Great Lakes and into northwestern Montana. In Great Smoky Mountains National Park (North Carolina and Tennessee), red spruce forms magnificent forests along the ridges from 5,000 to 6,000 feet above sea level. You may not at first recognize it as the tree you knew in Acadia. Nevertheless, it is the same grown taller. Here, too, is the rare Fraser balsam fir, a close relative of the balsam fire of Acadia and Isle Royale.

On Isle Royale, this tree was nearly wiped out. Some years ago, moose came to the island one winter, when the 15 miles of water between island and mainland froze solid. The moose found the island to their liking, and they increased to such numbers that they almost literally ate themselves out of house and home, and their favorite winter food was balsam fir. Young trees were destroyed and the foliage of older ones was eaten as high as the moose could reach; but today the firs are on their way back. Wolves some years later, came to the island over the ice bridge, and they, too, found the place to their liking, for here was an abundant supply of food for them—the moose. The wolves reduced the moose population, and if the wolves do not increase beyond the 20 or so animals now in the park, the moose should remain at approximately their present numbers also, allowing the balsam fir to recover.

When you learn about trees, you find that one of the fascinating phases of the study is where the trees grow—their ranges. For instance, red spruce is native to eastern Canada, northern New England, and New York, and then it skips down the Appalachian Mountains from high summit to high summit. But what about its companion in Acadia, the white spruce? Although growing side by side in the park, the white extends all the way across the continent to Alaska. So does black spruce, and both are native to Mount McKinley National Park. The paper birch has almost the same range as white and black spruce.

While on the subject, can you name the tree with the widest range? It, too, grows abundantly in Acadia. It is a gay little tree with smooth, pale green or almost white bark, nearly round leaves that turn brilliant yellow in the fall, and flutter in the slightest breeze because their stems are flattened.

As you may have guessed, it is the quaking aspen. This tree is as much at home in faraway Mount McKinley National Park as in Rocky Mountain National Park, Colorado. In fact, it covers practically the same country as paper birch, but it goes south down the Rockies and other western mountains to New Mexico and Arizona and beyond, along the Sierra Madre of Mexico. For contrast, take the range of foxtail pine (p. Balfouriana). This tree grows only on the eastern side of Sequoia and Kings Canyon National Parks, California, and in a half dozen small spots 300 miles to the north in Trinity and Siskiyou Counties in northwestern California. Some trees have even smaller ranges.

Of course, the trees of some national parks are world renowned, such as the California coast redwoods in Muir Woods National Monument and the big trees (Sequoia gigantea) of Sequoia, Kings Canyon, and Yosemite National parks. In Joshua Tree National Monument, California, the strange looking Joshua trees attract attention. Actually yuccas, they belong to the lily family.

The national parks and monuments offer grand opportunities to become acquainted with trees. Can you answer these questions? 1. What tree goes highest on the towering western mountains to brave snow and cold for most of the year? 2. What needle-bearing tree produces fruit resembling an olive instead of a cone? 3. In what park service area does the rare elephant tree grow?

Trees are exciting, and there is a lot to discover about them as you roam.

Answer to questions: 1. White bark pine. 2. California nutmeg. 3. Organ pipe cactus, National Monument, Ariz.

The following books or pamphlets can be helpful in preparing for a visit to Acadia or to other National Parks:

Available from Superintendent, Acadia National Park, Bar Harbor, Maine, 04609.

Trees, A Guide to Familiar American Trees, by Herbert Zim and Alexander C. Martin. New York: Golden Press. $1.

Acadia National Park and the Nearby Coast of Maine, by Grant Sharpe, New York: Golden Press, $1.

Folder of Acadia National Park (free).

Copy of naturalist program for summer, 1968 (free).

Field Guide to Trees and Shrubs, by George Petrides. Boston: Houghton-Mifflin.

Trees of the Eastern and Central United States and Canada, by William M. Harlow. New York: Dover. (Paper) $1.35.

Knowing Your Trees, by George Harris Collingwood. The American Forestry Association. $7.50. (Also available by mail from the American Forestry Association, 919 17th St., NW., Washington, D.C. 20006.)

[From the Christian Science Monitor, July 3, 1968]

LEARN AS YOU ROAM: BREATHTAKING BEAUTY AT CAPE PERPETUA

(By Edward P. Cliff, Chief, Forest Service, U.S. Department of Agriculture)

Gnarled spruces cling tenaciously to the cliffsides overlooking the Pacific Ocean. The sea batters relentlessly against the volcanic basalt, which for millions of years has been sculpted by the water into fantastic shapes. The beauty is breathtaking.

This is Cape Perpetua on the Oregon coast. Years ago, as a forest supervisor working in national forests, I had first discovered the unusual beauty of Cape Perpetua. But it was not until I dedicated the new visitor center at the Forest Service Recreation Area last August that I fully realized the opportunity the setting offered to provide an "outdoor classroom" to study the forces of nature where the forest meets the sea.

The recreation area in the Siuslaw National Forest is a mile-long strip of the Oregon coastline between Newport and Florence on scenic I–101. It is one of the few places in the United States outside Alaska, where the national forest reaches down to the ocean. It dramatizes the sculpture of seaside landforms and the struggle for existence by plants and animals against the often cruel forces of the sea.

Forest Service naturalists, with the assistance of exhibits, a diorama, and a movie, explain these processes at the Cape Perpetua Visitor Center as a prelude to personal explorations by the visitor.

These explorations may take him along any of six trails, all well signed to explain botanical, marine, and geological features. One of the favorites, "The Trail of the Whispering Spruce," winds through the Fog Forest with signed stops along the way to explain tree and other plant forms. Climaxing the short hike is a view from a headland some 800 feet above the ocean. On a clear day, it is estimated one can see 150 miles up and down the coast.

For a closeup of the ocean and its plant and animal life, "The Trail of the Restless Waters" is the choice. It leads to "Devil's Churn," the surface of which is whipped into perpetual foam as it washes endlessly at the basaltic basin the ocean has carved. Along the way tide pools can be examined for their array of sea palms, barnacles, anemones, mussels, hermit crabs, and starfish. While the visitor watches the sea at work, more signs explain to him the mechanics of the tides and the formation of waves.

Still other trails lead to rock formations that spout like whales, Indian shell mounds left by long-forgotten Indians who roamed the coast, agate formations, and even a sign telling of British explorer James Cook's landing there in 1778.

For the less athletically inclined, many of these same features can be sampled on a self-guided 22-mile motor tour, starting at Devil's Churn and leading inland where trees, sheltered from the wind and waves, stand straight and tall.

The lessons to be learned at Cape Perpetua are many. But they can be combined with play to enhance the experience. The 988-acre area contains a campground and picnic area; fishing for rock fish, perch, and greenling is allowed from the shoreline rocks. Other national-forest campgrounds and state parks are nearby, and the famous sea-lion caves are only a few miles away.

Cape Perpetua is a notable example of the growing number of forest-service projects designed to show the American public some of the forest's wonders and, at the same time, provide an enjoyable outdoor experience. They have become a permanent part of the Forest Service's multiple-use program.

Another type of earth force is interpreted by the forest service in Montana. The Madison River Canyon earthquake area near the western boundary of Yellowstone National Park is an outdoor classroom like none other in the world. Here it is possible to study the dramatic results of a jolt almost as strong as the 1907 San Francisco earthquake. This one, however, occurred within the past decade.

Self-guiding trails and an auto route, as well as a visitor center, explain the fissures, scarps, massive slide and the lake it formed by blocking the Madison River in 1959.

In the White Mountains of California, near Bishop, is the ancient Bristlecone Pine Forest botanical area, where the world's oldest living things can be seen. From the exhibit area in Schulman Grove, several trails lead through a venerable community of trees. One, the half-mile Pine Alpha Trail, leads to a tree which was found by scientific dating to be more than 4,000 years old. It was the first positively proved to exceed that age. Other bristlecone pines discovered since then are known to be 4,600 years old.

In the east, near Brevard, N.C., along the Blue Ridge Parkway en route to the Great Smokies, the visitor can see the cradle of scientific forestry in America.

Programs and displays at the visitor center reveal the evolution of forests and forestry and some of the tools and methods of managing the forests. Starting July 1, visitors will be able to take the self-guided "campus tour" through seven reconstructions of the 16 buildings which made up this country's first forestry school.

On the 187-million acres it administers, the Forest Service now has 16 major visitor information installations in a growing program to interpret the unusual in the out-of-doors. In addition, it has a host of self-guided routes through areas of historical, archaeological, botanical, and geological interest.

In most cases, recreational facilities are available nearby, since recreation has become a major Forest Service activity, coordinated with the many other uses of national forests.

Scattered across the nation are 6,025 national-forest campgrounds with a total capacity of 381,905 persons. Most of them are easily accessible by car.

Also, the Forest Service pioneered the preservation of wildernesses. It has the only areas so far officially included in the national wilderness-preservation system—56 of them containing more than 9 million acres.

For those who plan to visit Cape Perpetua, copies of the following free Forest Service publications may be secured by writing to District Ranger, Waldport Ranger Station, Waldport, Ore. 97394.

"Forces of Nature" (a brochure about the Cape Perpetua recreation area).

"Common Woody Plants and Shrubs" (dealing with the flora of the area).

"Exploring the Tidepools."

"The Cape Perpetua Tour," describing the 22-mile auto-tour route.

The Siuslaw National Forest recreation map folder.

Other publications which might be helpful include the following which can be obtained from Naturegraph, Healdsburg, Calif.:

"Exploring Pacific Coast Tidepools," by Ernest Braun, $1.95.

"Common Seashore Life of the Pacific Northwest," by Lynwood Smith, $1.75.

[From the Christian Science Monitor, July 10, 1968]

Learn as You Roam: Canyon Walls Chronicle Earth's History

(By Leslie P. Arnberger, National Park Service, U.S. Department of the Interior)

WASHINGTON.—Scattered across the arid expanse of northern Arizona and southern Utah is the greatest concentration of canyons and erosional features on the North American continent. Indeed, we would be hard pressed to find an equal to this geological wonderland anywhere in the world. The names of these scenic wonders have a familiar ring—Grand Canyon, Zion and Bryce Canyons, Canyon de Chelly, Arches, Monument Valley, and Canyonlands, our newest national park. Most of them have been included in our national park system as parks or monuments.

Individually each of these areas has a story to tell about a particular chapter in earth's history. Collectively their colorful rock layers span all of geologic time, forming a veritable encyclopedia covering billions of years from earth's beginnings to the present. Here in the rocks is the record of the landscape over the ages—the ebb and flow of ancient seas, the flood plains of meandering rivers, the arid wastes of sandy deserts, and the remains of ancient mountains. Here too is preserved the story of the progression of life from simple one-celled forms to the complex living things of today.

It is a rule of geology that the oldest rocks are on the bottom, so to find the first chapter one must go to Grand Canyon National Park where the Colorado River has cut a canyon a mile deep, 10 miles wide, and more than 200 miles long. The river today is confined within a 1,500-foot-deep inner gorge whose rocks are billions of years old—among the oldest on earth. They have been twisted, contorted and changed by tremendous heat and pressures so that they no longer resemble their original character.

Just above the inner gorge is a small remnant of the rocks deposited during the second chapter of Grand Canyon's geologic history. Geologists have theorized that the tilting layers that remain represent the roots of ancient mountains gradually eroded away to make way for the deposition of sediments in ages to come. It is in these ancient rocks that the first evidence of life is found in the form of fossilized algal reefs.

The layers of rocks forming the upper walls and rims of Grand Canyon were deposited during the Paleozoic era, or third chapter of local geologic history. They span a period of hundreds of millions of years. The sheer cliffs of the Redwall formation, a 600-foot-thick layer of gray to bluish limestone, tells of an ancient sea which once covered this now arid land. The deep red color of the Redwall is really nothing more than a surface stain deposited by water trickling down during rains from the deep red shales and mudstones of the Supai formation just above. The sediments of the Supai tell of a time when sluggish rivers were building deltas in northern Arizona. In the rocks are the footprints of ancient salamanders, the beautifully preserved imprints of insect wings, and the impressions of fern fronds and other leaves; they tell us of the plants and animals which thrived along that ancient stream.

One of the most prominent features of the Grand Canyon walls is the 300-foot thickness of Coconino sandstone forming a tan ribbon extending around the canyon just below the rims. Careful observation discloses the bedding planes of sand dunes from an ancient Sahara-like desert. Painstaking search has disclosed the fossil tracks of lizards which roamed the dunes hundreds of millions of years ago. The limestone forming the rims of the canyon contain preserved fossiles of corals, clams, and other sea life which once thrived in the Permian Sea. Today they are high and dry, 7,000 feet above sea level, a clue to the story of earth movement and mountain building which have occurred since these marine sediments were deposited.

Park visitors who want to learn more about the stories the rocks tell should stop at the visitor center at the south rim or the information station at the north rim. Displays are available, rangers are on duty to answer questions, and there are scheduled talks and guided walks. From either rim, venturesome hikers can follow trails to the bottom of the canyon.

In the geologic past there were additional layers of rocks of the Mesozoic era towering above the present rims of Grand Canyon, revealing a fourth chapter of earth history. The erosive action of running water, wind and weather has stripped them away. We can find them less than 100 miles to the north at Zion National Park in southern Utah. Here the Virgin River has carved a chasm as much as a thousand feet deep in the Navajo sandstone. One of the great wilderness experiences in the national parks is to hike through the famous Zion Narrows. For miles one follows the sandy, rock-strewn bed of the Virgin River as it twists its way down a canyon so narrow and deep that only at midday are its depths pierced by shafts of sunlight. The Zion Narrows tell the story of the power of running water slowly carrying away the sand and silt, and occasionally after summer cloudbursts, sweeping everything before it, including boulders and trees, in a solid wall of rushing water. The violence of the usually peaceful Virgin River is attested by logs and other flotsam lodged high on the walls of the canyon.

For the last step up the ladder of time one may visit Cedar Breaks National Monument or Bryce Canyon National Park. In soft sediments only a mere 60 million years old or less, the forces of erosion have carved a rainbow-hued fairyland of rocks. Spires, pinnacles, fins, and minarets in colors from red to purple fill bowllike canyons rimmed by high mountain forests of spruce, fir, timber, and bristlecone pine. So soft and fragile are these younger rocks that geologists suggest that the force of falling rain has played a major role in the shaping of this colorful landscape.

Thus, from the depths of the Grand Canyon through the sandstone walls of Zion to the erosional bowl of Bryce, one can trace in the rocks the story of geologic time.

Among other national park areas with unique erosional features are several national monuments—Canyon de Chelly in Arizona and Capitol Reef and Arches in Utah, and Glen Canyon Recreation Area in Arizona and Utah, Glen Canyon also provides access to Rainbow Bridge National Monument (Utah). Stops at visitor centers or ranger stations at all these areas can provide helpful information on the geology of the formations.

The newest of these canyon parks is Canyonlands in southeastern Utah. Established by Congress in 1964, it is our 32nd national park. It, too, is an open book on the forces of nature which shape the land. The master carvers have been the Colorado and Green Rivers and their tributaries, which merge their silt-laden waters in the heart of this greatest single erosional basin in our nation. The sheer rims of Wingate sandstone enclose more than a million acres of red-rock wilderness without a single permanent human habitation.

Canyonlands occupies only the scenic core. But within its boundaries is a variety of erosional forms, fascinating plants and animals, and archaeology of never-ending interest. To the southeast is the Needles with its famed Chesler Park, spectacular Angel and Druid Arches and the Salt Creek and Horse Canyons. These canyons are the sites of beautifully preserved Indian cliff dwellings and mysterious petroglyphs and paintings whose meanings vanished with their Indian creators a thousand years ago.

To the north the landscape is dominated by the Island in the Sky, a huge section of plateau jutting into the great canyon V between the Colorado and the Green. Here is Upheaval Dome, a tremendous geologic "bubble" whose upthrust rims enclose an eroded bowl hundreds of feet deep with a jagged core of contorted rock projecting from its floor.

To the west is the Land of Standing Rocks, a brooding, lonely vastness punctuated by massive formations such as Elaterite Butte, Candlestick Spire, Tapestry Wall, and Standing Rock.

Canyonlands is a park on three levels stair-stepped from the rim overlooks, which may be reached by auto, to the depths of the main canyons, best traversed by boat. The main features are in the erosional basins below the rims accessible by jeep trips or on foot. So new and vast is Canyonlands that sections of the map are still marked "unexplored," and many of the stories its rocks have to tell are yet to be discovered.

The following publications tell about the canyon country of the Southwest.

Available from Grand Canyon Natural History Association, Grand Canyon National Park, P.O. Box 129, Grand Canyon, Ariz. 86023:

Grand Canyon—the Story Behind the Scenery, by Merrill D. Beal. K. C. Publications, Flagstaff. $1.10.

Evolution of the Colorado River in Arizona, by McKee, Wilson & Breed. Museum of Northern Arizona, Flagstaff. $2.60.

Ancient Landscapes of the Grand Canyon Region, by Edwin D. McKee. 60 cents.

Folder on Grand Canyon National Park (free).

From Zion Natural History Association, Zion National Park, Springdale, Utah, 84767:

Your National Park System in The Southwest, by Earl Jackson. Southwest Monuments Association. Globe. $2.05.

This Is Zion, by Allen Hagood. Zion Natural History Association. $1.10.

Southern Utah's Land of Color, by Arthur F. Bruhn. Zion Natural History Association. $1.35.

Folder on Zion National Park (free).

Other free folders may be obtained by writing to the superintendents of the parks or monuments.

[From the Christian Science Monitor, July 17, 1968]

LEARN AS YOU ROAM: THROUGH UNDERWATER LOOKING GLASS OF THE CARIBBEAN

(By Patricia Lovelady Cahn)

"About 70 percent of the earth's land surface is under the sea . . . how vast the world under the sea." As I floated motionless, reading the words on the National Park Service plaque below me, a small, flamboyantly colored fish swam by, did a slight double take, and turned to stare at me. In a moment it darted off, satisfied—or perhaps horrified by the sight of me, a strange creature with a single cyclops-like eye (my diving mask) and an antenna (my snorkel) jutting out of the water.

As for me, it was my first experience in the exotic world that lies just beneath the Caribbean's surface. I was on one of the most unusual of all the park system's scenic trails.

In 12-to-15-foot-deep crystal clear water I floated easily on the surface, gazing through the rubber and glass mask that covered my eyes and nostrils, breathing fresh air through a tube that reached above the water. All around me brightly colored tropical fish, singly and in schools, swam among the coral and undersea vegetation. Sea fans, some purple, some yellow, swayed gently with the current; grotesquely graceful formations of antler coral spread their branches toward the surface.

A four-eyed butterfly fish darted by—a misleading little fellow with an extra pair of "eyes" painted near its tail, giving the appearance of swimming backward as it ducked behind a small dome of brain coral.

I looked up from the surface to locate my husband, who was some 20 feet ahead, at the end of the "trail." I caught up and we swam the 100 yards back to the beach to rest from our second trip around the trail.

Our underwater adventure had started a few hours earlier when we met with other park visitors on the beach at Trunk Bay in Virgin Islands National Park on the island of St. John. There a park naturalist and a lifeguard were to lead a group of some 15 of us along the underwater trail.

The previous night, most of us had sat around a campfire on the beach at Cinnamon Bay campground listening as a park-service naturalist showed color slides and talked of the major points of interest on the underwater trail. He pointed out the dangers—the spiny black sea urchins, the stinging fire coral, the manta ray and moray eel which can be dangerous if molested, and the very seldom seen barracuda. Mostly, though, he prepared us for the delights of the undersea world.

That morning on the beach, he showed us how to use mask and snorkel. He warned that the mask, along with the salt water, would give us a sense of buoyancy, making the snorkeling quite easy; but that we must guard against overconfidence and above all, we must observe the first law of the reef: Never swim alone.

We plunged in. The life guard towed a buoy, should any of us need to rest in midtrip. The ranger-naturalist kept up a running commentary, naming various fish and coral formations, sometimes diving deep to point out a sea urchin, a sponge colony, or a big blue parrot fish nibbling at coral.

The promised sense of buoyancy made the going surprisingly easy, even for me, a mediocre swimmer.

That adventure took place four years ago. It opened a new world to my husband and me. Throughout our lives we've been national park enthusiasts, visiting many of the sea, desert, and mountain parks. But for the past several years we have been drawn back each vacation time to Virgin Islands National Park to swim among the coral reefs, continuing to learn as we enjoy the beauty of the warm Caribbean.

A few months ago we returned once again, now thoroughly familiar with the art of snorkeling, and having read up on coral, fish, and plant life of the Caribbean. This time we felt ready to take on Buck Island Reef.

This meant a trip to St. Croix, the largest of the American Virgin Islands, 40 miles south of St. John. Buck Island Reef National Monument lies five miles off the eastern tip of St. Croix. The mile-long Buck Island is surrounded by a barrier reef of coral. At Buck Island's east end the reef forms an emerald green lagoon where snorkelers can follow a well marked trail and see an unparalleled natural display of tropical underwater life.

To reach the island we had to sign on to one of the five or six charter boats which make the trip daily to Christiansted. To our delight we were to sail in a party of eight on the Trice, a trimaran (three-hulled sailboat). Our captain was Bomba, best known of the native seamen.

The five-mile sail was an adventure in itself—a kind of impromptu regatta with the sailors vying to be first to the island. Captain Bomba's canny sailing got us there a full half hour ahead of the other boats. He dropped anchor in the lagoon a safe distance from the coral reef.

We splashed over the side, Bomba dragging along a large inner tube for the weaker swimmers.

Swimming the several hundred feet to the start of the trail, we could see ahead of us a veritable forest of antler coral rising like trees 12, 15, 20 feet from the white bottom. Domes of brain coral as big as automobiles rose here and there, and all about us swam fish in quantity and variety beyond imagination.

The open-sea water constantly spilling over the barrier reef and freshening the lagoon made the water even clearer than any we had seen before. It also gave the water more surge than we had felt in previous snorkeling. It carried us along to the first buoy, where we could rest while we read a plaque fastened to the sandy bottom: "Underwater trail begins here. Please leave marine life undisturbed. Follow signs."

The plaque's arrow led us some 50 feet to what seemed certainly too narrow a passage to swim through. But we followed Bomba, feeling that the great sharp arms of coral would surely close in upon us. As we swam through the narrow passage, the bottom fell away in a canyon some 40 to 50 feet deep; the canyon's walls were of yellow-brown antler coral mixed with bright yellow fire coral and a few huge domes of brain coral. I think I know how Alice felt when she stepped through the looking glass, or when she shrank to 10 inches high.

Overwhelmed, I grabbed the next buoy and lifted my face out of the water to regain my perspective. There, not too far away, was the Trice. Reassured, I pushed on.

When we reached the last buoy half an hour later, we were quite ready to return to the Trice for lunch and a nap.

By the time we were back aboard, most of the other boats had arrived, including the big Buck Island Ferry which carries some 40 passengers. The trail became a mass of flailing arms and legs, bobbing heads and an occasional sprey from a blocked snorkel as the 50 or 60 newcomers made the rounds. Some of the ferry passengers—an older couple and a small boy—did the trail by rowboat, a young native rowing while the passengers peered through a glass-bottomed box dragged from the dinghy's stern.

Once was enough for many of the tourists, and while the late-comers ate their lunch and rested, we had the trail to ourselves. My husband and I quietly slipped off together, making short excursions away from the marked trail as we followed a queen angelfish or a school of grunt into the forest of coral.

This time we were less awed by the great canyon and narrow passages and could begin to take in the detail, identifying fish we had heretofore seen only in our reference books. We felt the quiet majesty of the reef, realizing that the great "trees" of coral had been formed over the centuries by the skeletons of billions of tiny sea creatures. The sunlight sent shafts into the dark grottoes. We felt it a very special privilege to be looking in on this untouched natural world.

We returned to the reef two more days before our vacation ended. Now we're dreaming up future excursions.

Roger Allin, superintendent of Everglades National Park and Fort Jefferson National Monument, claims the underwater trail at Fort Jefferson, 70 miles west of Key West, is "better than Buck Island," and they say that the underwater views in the proposed Biscayne national monument in Florida are unsurpassed.

For those planning to do some snorkeling in the Virgin Islands the following advance reading may be helpful:

Available from Eastern National Park & Monument Association, Virgin Islands National Park, P.O. Box 1707, Charlotte Amalie, St. Thoms, Virgin Islands, 00801:

Park folders of Virgin Islands National Park and Buck Island Reef National Monument (free).

The Coral Reef, by Alfred Butterfield. Odyssey Press, Inc. 95 cents.

Edge of the Sea, by Rachel Carson. The New American Library, 75 cents.

Natural History of the West Indies, by Gonzalo Fernandez de Oviedo. University of North Carolina Press. $2.50.

[From the Christian Science Monitor, July 24, 1968]

LEARN AS YOU ROAM: ALASKAN PARKLANDS—WILDERNESS OF MANY MOODS

(By Neil J. Reid, National Park Service, U.S. Department of the Interior)

To the Indians of the Kuskokwim, the mountain was known as "Denali" (the High One). Rising 20,320 feet, it towers well over three miles above the surrounding lowlands of Mt. McKinley National Park. Not only is Mt. McKinley the highest point on the North American continent, but it presents one of the largest single mountain masses in the world.

One can readily understand the feelings of reverence and respect that the Indians of the region held for the mountain, for its great height and gleaming white beauty instill within us today those same feelings of awe. A mountain of massive strength, of isolated splendor and loneliness, Mt. McKinley is the physical symbol of a great wilderness.

It is a wilderness of contrasts: of jagged snow-capped mountains and broad, verdant valleys; of sluggish valley glaciers, and swift, silt-laden mountain streams; of deep spruce forests and expansive tundras; of long pleasant summer days, and violent, sub-zero winter storms; of icy barren rock deserts, and bountiful life. A wilderness of many moods, ever changing, and yet a wilderness that has remained essentially unchanged since the time of the Indian.

To most of us, a visit to Mt. McKinley National Park is an entirely new, once-in-a-lifetime experience—an adventure into subarctic North America. We come with our preconceived notions of what the park should look like, but most of us are totally unprepared for that first impression. It is an impression of vastness—of great distances that *stretch in every direction to far horizon.*

It is also an impression of endless daylight. Dawn breaks early on the Alaskan tundra. Indeed, during mid-June, sunset and sunrise are simultaneous events. Our time-tested concept of "day" and "night" does not apply here.

The best time for visiting Mt. McKinley Park is from June through August. Not all park roads are open before June. And by Labor Day, the first snows of winter fall; then most tourists leave rather than risk being trapped in a blizzard.

Nature has difficulty hiding her secrets from visitors at Mt. McKinley. The long days and open country provide opportunities for seeing wildlife activities that further south take place under the cover of darkness. After-supper walks conducted by naturalists may terminate at a beaver pond where you may watch and photograph a beaver family industriously repairing its dam, or cutting willow and cottonwood for its winter food cache. Or you may take the early morning bus tour from the McKinley Park Hotel to the Eielson Visitor Center.

Park visitors are active 24 hours a day in McKinley, and the park road is in almost continuous use. The major attraction is, of course, Mt. McKinley itself. Unlike most mountains, the great height of McKinley allows it to make its own weather. Updrafts of warm air usually contain sufficient moisture to form clouds, and even to drop heavy snows almost every day during the summer. No respecter of timetables and itineraries, Mt. McKinley often hides behind clouds of its own making. This playful behavior is the main reason why the tour bus leaves the hotel at 4 a.m.

Another reason to be out in the park at such an early hour is that this is the period of activity for the largest variety of wildlife. It is not unusual for bus-tour passengers to see several dozen moose, large bands of Dallsheep, four or five grizzly bears, and perhaps up to a thousand caribou. Wolverines and wolves are rarer, but are seen on occasion.

Alaska contains two other large units of the national park system—Glacier Bay National Monument in southeastern Alaska, and Katmai National Monument at the base of the Alaska Peninsula. Both of these national monuments are mountainous. As its name suggests, Glacier Bay is the home of huge glaciers that terminate in the sea. Visitors are generally content to visit Glacier Bay by ship, as the large fields of ice make cross-country travel extremely difficult. It is possible, however, to see many species of wildlife while cruising in the Glacier Bay fiords.

The Glacier Bay glaciers are not left over from the Great Ice Age, but are dynamic recorders of today's climate. Not only do the glaciers accurately measure snowfall, they measure evaporation, solar radiation, and the melting capacities of warm winds and rain. Generally we think of ice as being brittle. But the tremendous weight of ice causes it to become plastic and flow under the influence of gravity. The glaciers terminate as ice cliffs in Glacier Bay. Blocks weighing hundreds of tons break away in a deafening roar and fall into the water. Boats are well advised to stay a good distance back from the ice fronts.

A series of events known as the "little ice age" that occurred 200 to 300 years ago are recorded more completely in Glacier Bay than anywhere else in the world. In the *late 1700's Glacier Bay was completely filled* with ice. Since then the ice has steadily retreated over 60 miles to the faces of Grand Pacific and Johns Hopkins Glaciers. Beautiful U-shaped valleys, and new fiords have been uncovered by the retreating ice. The waters in places are over a thousand feet deep, and on clear still days the surface *reflects, between large icebergs, the images* of many towering mountain peaks including Mt. Fairweather, 15,320 feet high.

New forests are reclaiming the land exposed by the retreating ice. In a sense this is a new landscape, yet ageless. A succession of 14 fossil forests dating back to 7,000 years ago indicates that the glaciers of Glacier Bay have fluctuated many times before our visit.

Katmai National Monument, at the base of the Alaska Peninsula, also has glaciers. But it is best known for its active volcanoes and the Valley of Ten Thousand Smokes. The valley is relatively quiet today. But still we need little imagination while looking out over this sea of pumice to picture the scene as it must have been on that day in 1912 when several cubic miles of incandescent sand roared down the valley covering trees, streams, and even glaciers. There are a number of active volcanoes in Katmai and the fresh lava flows appear to compete with the glaciers for space on the mountain slopes.

Katmai is also known for its large fresh water lakes. Indeed, your visit to the monument will be water oriented. Arrival is by float plane from King Salmon, and most of your trip in the area will be by boat on the lake and river system. This is the home of the Alaska brown bear, largest of the grizzlies.

Most of the trails in the monument were constructed by the brown bear, and have unique designs. In open country the trails look much like miniature prairie roads—two parallel tracks leading to the best fishing spots.

No highways penetrate the wilderness surrounding this largest unit of the national park system. As a result visitation is small. The monument does have two excellent camps, boats, and even a tour bus on a primitive road from Brooks River to the Valley of Ten Thousand Smokes. At the falls along the Brooks River are the remains of an early Aleut village. These people knew Alaska, and gave it a proper name—"Al-ay-eshka"—(the Big Country).

The following publications will give you more information on these areas: they may be obtained from Mt. McKinley Natural History Association, McKinley Park, Alaska 99755.

Birds of McKinley, Alaska, by Adolph Murie. $1.63.

Mammals of Mt. McKinley, Alaska, by Adolph Murie. 75 cents.

The Wilderness of Denali, by Charles Sheldon. Charles Scribner's Sons. $6.73.

Folder on Mt. McKinley National Park (free).

Folder of Glacier Bay National Monument (free).

Folder of Katmai National Monument (free).

The following book can be obtained from the University of California Press, Berkeley, Calif.:

Landscapes of Alaska, by Howel Williams. $5.

[From the Christian Science Monitor, July 31, 1968]

LEARN AS YOU ROAM: WHERE "ONCE THE EMBATTLED FARMERS STOOD"

(By Benjamin J. Zerby, National Park Service U.S. Department of the Interior)

LINCOLN, MASS.—Twice on April 19, 1775, 700 British regulars traveled the road between Boston and Concord. In the morning they marched smartly, flushed with their success in an earlier clash with a small group of Lexington men. In the afternoon on the return march to Boston, a British lieutenant later wrote:

> "We were fired upon from all sides, but mostly from the rear, where people hid themselves in houses till we had passed, and then fired. The country was an amazing *strong one, full of hills, woods, stone walls,* etc., which the rebels did not fail to take advantage of, for they were all lined with people who kept an incessant fire upon us, as we did too upon them, but not with the same advantage for they were so concealed there was hardly any seeing them. In this way we marched between nine and ten miles, their numbers increasing from all parts, while ours was reducing by deaths, wounds, and fatigue. . . ."

This running battle, combined with the actions of Lexington Green and Concord Bridge, marked the opening day of the American Revolution.

Five miles of countryside along this road are being restored as part of Minute Man National Historical Park. Although the park is years away from completion, parts are open now. Being only 15 miles from Boston, the area was subject for many years to the relentless crush of suburban development. However, the backdrop of glacier-scoured hills, boulder-strewn fields, and occasional marshes still holds a resemblance to the 1775 scene through which the battle road winds. Summer's verdancy hides man-made scars such as gravel pits, trash dumps, and power lines. These latter intrusions are being gradually erased from the area.

Part of the original Battle Road is being restored as a walking tour; part of it (where highways already exist) will be a historic motor trail.

One area already available as a walking tour includes a section of the Battle Road near the bluff which was the scene of particularly heavy fighting as the British attempted to clear the colonials from this promontory. This area is a short distance from the National Park Service information shelter along Highway 2A about two miles west of Lexington Common.

Along the highway sections of Battle Road you will see some of the dozen or more historic houses that were standing here in colonial times. Some of the houses were homes of minutemen who played important parts in the action of April 19. Several house sites also are to be found; these foundations are being archeologically investigated as part of the National Park Service research program.

For help in locating some of these less obvious points of interest, visitors should plan to stop at the information shelter in Lexington or at the temporary park headquarters in Lincoln. Here you will find exhibits on the political events as well as the military action.

Few visitors miss seeing the Old North Bridge about one-half mile north of Concord Center. Throughout the summer, National Park Service historians give talks at the bridge on the Concord fight. This engagement between several companies of minutemen and militia and about 100 Redcoats has been called the "first forcible resistance" of the revolution.

The National Park Service has restored and opened a portion of the Battle Road west of Concord Bridge. Visitors can follow this road up the hill on foot toward the muster field, retracing the steps of the provincials and the British regulars. The restored road enters the gardens of the former Buttrick estate. The brick mansion, built in 1911, has been converted to a visitor center with informational exhibits and a slide-sound program on the battle of April 19. In the gardens on weekend afternoons, various companies of the Middlesex Council of Minutemen provide musket-firing demonstrations.

Intensive restoration work is under way on "The Wayside," a park service property between the two major limits of the park. This house has a wide span of historical interest. The colonial portion of the building was the home of Samuel Whitey, a prominent Concord minuteman. But the house is best known for its connections with *Concord's literary age. It was occupied by* Bronson Alcott, Nathaniel Hawthorne, and Margaret Sidney (author of the "Five Little Peppers" books for children). When open next summer, The Wayside will reflect the flow of history from revolutionary times to the passing of Margaret Sidney in 1924.

The Wayside is but one of a cluster of historic places dealing with Concord authors. Other properties operated by private associations are the Orchard House of the Alcotts, the Ralph Waldo Emerson House, the Old Manse of Hawthorne, and the Concord Antiquarian Society.

The park area was plucked from the jaws of burgeoning suburban and industrial development by a concerned Congress in 1959. Today, land acquisition is 75 percent complete and legislation has been introduced to authorize funds for purchase of the remaining lands.

A cluster of National Park Service areas dealing with the revolution in the mid-Atlantic states includes Federal Hall National Memorial in New York City, Morristown National Historical Park in New Jersey, and Independence National Historical Park, Philadelphia.

Several national park areas commemorate the activities of the revolution in the southern states. These are Moores Creek National Military Park, Cowpens National Battlefield Site, Kings Mountain National Military Park, and Guilford Courthouse National Military Park, all in North Carolina. These can be combined with a culminating visit to Yorktown Battlefield, Virginia, the site of the colonists' final victory and the surrender of Cornwallis. Yorktown is a part of Colonial National Historical Park.

If you contemplate a visit to one or several Revolutionary War parks some advance reading on political events and overall sequence of the military action would be helpful.

Selected readings available from Minute Man National Historical Park, Post Office Box 160, Concord, Massachusetts 01742, include:

Park folders: small (free); large, 10 cents.

The Lexington-Concord Battle Road, by E. W. Small. 50 cents.

The American Revolution: 1775–1783, by John Richard Alden. New York: Harper and Row. $1.95 (paperback).

Lexington and Concord, Arthur B. Tourtellot. New York: W. W. Norton and Company. $1.75 (paperback).

National Park Service Historic Handbook Series:

Morristown. 30 cents.
Independence. 25 cents.
Yorktown. 25 cents.

[From the Christian Science Monitor, Aug. 7, 1968]

LEARN AS YOU ROAM: VISIT THE PRIVATE WORLDS OF EDISON, T. R., AND F. D. R.

(By William T. Ingersoll, National Park Service, U.S. Department of the Interior)

EDISON NATIONAL HISTORIC SITE, N.J.—About 10 years ago, a gangling 15-year-old began showing up day-after-day at the Edison Laboratory in West Orange, N.J., although he lived in a suburban town 20 miles away. The youth would get a ride to the National Park Service historic site, pay his 50-cent admission, take the 90-minute tour, and then stay around asking questions.

All the guides began to take an interest in "Willie." After he had made 27 visits, park-service officials decided he did not need to pay any more admission fees. They gave him the run of the place, allowing him to study books in the library and examine many of the inventions of Thomas Alva Edison. Willie took a special interest in the many old phonographs made by Edison, and soon knew more about them than the guides did. To*day, Willie is finishing his law studies at* Syracuse University and looking forward to a career as a patent lawyer (Edison received more than 1,000 patents).

The National Park Service administers 167 historic sites, many of which contain historic buildings such as the Edison house and laboratory buildings. Very few people have the run of these places. But millions of people visit them to learn more of the private world of the men who lived or worked at the sites, and who made them famous. When such a trip "takes," the results are sometimes unexpected. It could be anticipated that Edison's influence might help stimulate a youngster to become a scientist. Inspiring someone to go into patent law comes as a surprise. But you can't tell about these things.

The Edison laboratory is about two miles west of the Garden State Parkway in West Orange. Edison built it and used it for the last 44 years of his life. After his death the laboratory was closed down and kept for the historical value it had because of its intimate association with him. The six original buildings and some of the sheds and vaults Edison added later are still standing.

Edison's library there is filled with books for scientific reference. He used them to keep abreast of the latest developments which he might want to incorporate in his inventions. He discovered early in life that he was working in fields which made rapid progress. Avid reading was the only way to keep himself thoroughly informed of changes which affected his work.

Visitors on the tour can see Edison's library, which also served as his office. His desk sat before the fireplace and here he managed his laboratory, conferred with guests and employees, and carried out the paper work which was an important part of the "invention factory" he was operating. In the chemical laboratory and machine shop, the bottles of chemicals and laboratory glassware and the rows of lathes and milling machines exercise a special fascination for young people.

A mile from the laboratory stands Glenmont, the home which Edison purchased in 1886 and where he lived for the remainder of his life. The working library in the living room of the house is of particular interest. (A formal library came with the establishment, but Edison rarely used it.) In his later years, Edison made some additions to Glenmont, which could be described as a gentleman's home of the period.

Advance reservations are usually required for visits to Glenmont. Only 100 visitors a day are permitted on the home tours.

A two-hour drive north of here—at Oyster Bay, Long Island, N.Y.—is another National Park Service historic home very much like Glenmont. It is Sagamore Hill, built by Theodore Roosevelt in 1884. Less elegant and plush than Edison's home, it shows TR's individuality.

TR had a very positive personality. An apostle of the strenuous life, he delighted in his home and filled it with memorabilia reflecting his character. Although there are no guided tours, a guidebook describes the rooms. The walls are hung with his hunting trophies. The north room with its elephant tusks, bronze rhino, and presidential flag seems to capture the spirit of the place and the man.

Imagine yourself as a guest in TR's dining room. He was a genial host who talked fascinatingly and would put a guest at ease instantly. His conversation was full of excitement and interest, the record of a very full life. He reflected on his ranching days in the Dakotas, on life as Police Commissioner in New York City, Assistant Secretary of the Navy, Colonel of the Rough Riders, or President of the United States.

Another Roosevelt house open to visitors as a national park historic site is that of *Franklin D. Roosevelt at Hyde Park, N.Y.* FDR, like his cousin Theodore, had a rich life as private person and public servant. In the Roosevelt library are vast files of his personal papers and White House correspondence. They are available only to scholars. But a great many of the gifts, photos, and personal objects associated with his career and his hobbies are displayed in the exhibit rooms.

Shortly before her passing in 1962, Mrs. Roosevelt made a tape recording reminiscing about each of the rooms in the house. You can rent a tape recorder and, as you go, listen to her comments about her family's life together. As you stand looking into the living room and library she tells you about the time the King and Queen of England visited Hyde Park.

The National Park Service also administers a number of other historic houses. Robert E. Lee's is in Arlington National Cemetery, just across from Washington. The home of Presidents John Adams and John Quincy Adams is in Quincy, Mass. The home of John Muir, the naturalist, is in Martinez, Calif.

For those doing advance study before going to the Edison, Theodore Roosevelt or Franklin D. Roosevelt sites, the following publications are available:

From the Eastern National Park & Monument Association, P.O. Box 126, Orange, N.J. 07051:

Folder on Edison National Historic Site (free).

Edison, by Matthew Josephson. McGraw-Hill. $2.50.

From the Hyde Park Historical Association, Home of Franklin D. Roosevelt National Historic Site, Hyde Park, N.Y. 12538:

Folder on the Home of Franklin D. Roosevelt (free).

Franklin D. Roosevelt and Hyde Park, by Eleanor Roosevelt. 15 cents.

From the Theodore Roosevelt Association, Sagamore Hill National Historic Site, M.T.D. Route, Box 304, Oyster Bay, Long Island, N.Y. 11771.

Folder on Sagamore Hill (free).

The Free Citizen, Ed. by Herman Hagedorn. Macmillan. 50 cents.

TR Round-up, by Herman Hagedorn. 50 cents.

Guide to Sagamore Hill, by Herman Hagedorn. $1.

TR's Letters to His Children, by Theodore Roosevelt. Signet. 75 cents.

NIKOLA PETKOV

HON. ED REINECKE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. REINECKE. Mr. Speaker, September 23 marked the 23d anniversary of the judicial murder of the Bulgarian national hero, Nikola Petkov, the brave postwar fighter on behalf of a free Bulgaria. Nikola Petkov struggled valiantly to preserve Bulgaria from Communist rule, working at first from within the Government he helped to found, and later, in open opposition to the Soviet threat. That he paid for his valor with his life is testimony to the depth of his love for, and commitment to, his homeland.

After the Nazis had been driven from Bulgaria, Nikola Petkov helped to form a ruling coalition of Communists, Socialists, intellectuals, and other political groups which ruled the nation during the last days of World War II. Internal tension brought about the dissolution of the coalition, followed by Petkov's increasing opposition to the Communist dictatorship which threatened the nation. This opposition culminated in the 1946 election of 101 representatives of the people, under the leadership of Petkov, to the Grand National Assembly. As a result of his continuing attacks upon the Communists, however, Petkov was arrested inside the Parliament Building, despite constitutional guarantees for his safety, and sentenced, on August 16, 1947, to die on the gallows. In the early morning of September 23, at 15 minutes past midnight, he was secretly executed.

Nikola Petkov was a man of principle and idealism, who loved freedom as much as he loved his homeland. His career was a model of self-sacrifice for the objects of his devotion. His memory serves eternally to remind the world that the universal human passion for liberty cannot be extinguished by the crude method of armed repression. Nikola Petkov stands, by his example, as a symbol of hope for all of those who yet must live in captivity to Communist tyranny; his brave example is an inspiration for future generations throughout Eastern Europe.

FOREIGN POLICY DIFFERENCE

HON. GALE W. McGEE

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. McGEE. Mr. President, one of the subjects of great national concern at the present time is the proposed nuclear nonproliferation treaty. And the discussions over the implications of this treaty have not been limited to the Senate, but have become very much a part of the dialog in the present presidential political campaign.

The suggestion is often made, that there really is very little difference in the position of Vice President Humphrey and the position of Richard Nixon on this matter. But as the French say, Mr. President, viva la difference.

The Vice President believes in prompt ratification of the treaty, and that you attain security not by amassing arms, but by controlling arms.

Mr. Nixon, apparently, would postpone ratification, at the risk of forfeiting the treaty, until we regain American arms superiority.

Mr. President, Vice President Humphrey's position is a thoughtful one and one which we should all weigh heavily as we attempt to come to grips with this issue. An editorial in a recent issue of the Washington Post discusses this in some detail and I ask unanimous consent that it be made a part of the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Foreign Policy Difference

Mr. Humphrey and Mr. Nixon accept in common the generally activist internationalist implications of the United States' being a great power, they both see an American interest in many farflung areas and feel it appropriate to apply American power and influence on a global scale. They both view the foreign policy arena as one dominated by the two great powers, an outlook leading to a heavy emphasis on Soviet-American cooperation as the keystone of peace. Both also anticipate an era of intensive Soviet-American diplomacy, which they propose to conduct at the summit—the differences between Mr. Nixon's "series of summits" and Mr. Humphrey's "annual working meetings at the highest level" do not seem large.

This is not to say, however, that it's six of one, half a dozen of the other. Putting aside judgments as to which would have more poise in a crisis, which more prescience between crises—judgments in which a subjective factor is unavoidable—there remains, we believe, a significant difference in regard to nuclear affairs. Mr. Nixon expresses a certain confidence that American power and his own leadership can be counted on to assure the national security. Hence his repeated emphasis on maintaining American nuclear "superiority" and on negotiating with the Russians from "strength." Mr. Humphrey, on the other hand, has what might be called the insight of alarm.

Out of a career's immersion in the subject, certainly not out of inexperience or lack of courage, he has developed a deep and respectful fear of the world's weaponry becoming the master of the world's fate. This attitude inclines Mr. Humphrey to see American security as inseparable from Soviet security, and to pursue it not by amassing arms but by controlling arms. Hence his plea, for instance, for prompt ratification of the nuclear nonproliferation treaty; Mr. Nixon would postpone ratification, even at the risk of the treaty's demise. Hence Mr. Humphrey's concern for a quick start on missile-limitation talks with Moscow, without pausing—as Mr. Nixon would—to "regain" American "superiority." It is Mr. Humphrey's view, and ours, that a quest for "superiority" would be futile, impossibly expensive, and destabilizing, and that an arms control agreement, to be effective and lasting, must register the interests of both countries, not just one.

"No addition of weapons, either by the Soviets or ourselves, can give either of us one iota more of security," Mr. Humphrey forthrightly declares. "Each new weapon only brings nearer the day when we will be unable to stop the plunge into nuclear war."

PROBLEMS OF COMMUNITY AND THE HOME

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mrs. KELLY. Mr. Speaker, in recent years I have had the privilege of appearing twice before a national commission to express my personal concern and the concern of my constituents on the problems of the community and the home. On September 8, 1967, I testified before the National Commission on Urban Problems and most recently, I was happy to have had the opportunity to testify at the first public hearing of the National Commission on Product Safety. I wanted to aline myself, as I have in the past, with my concern for the number of problems related to the consumer with particular emphasis on product safety. As a woman as well as a Member of Congress, I have always been particularly concerned with safety in the home. During the course of my testimony, I reviewed congressional action in this field and made certain recommendations which I hope in some way will prevent the estimated 20 million injuries and 30,000 deaths resulting annually from environmental hazards in American homes. I pointed out that these are a "shame to the know-how of America." I offered one suggestion which I feel merits the attention of the 91st Congress regarding product safety, and that is omnibus legislation—a comprehensive rewriting of our consumer laws instead of piecemeal amendments to them to meet some emergency situation. Based on past experiences I believe this would be looking ahead and eliminating the dangerous beforehand, rather than adopting preventive legislation after the damage has been done.

Mr. Speaker, I welcomed the opportunity to testify before the National Commission on Product Safety and I was particularly pleased that officials of the city of New York availed themselves of the opportunity to testify before the Commission. I was happy to appear at the same session with Dr. Edward O'-Rourke, commissioner of health, city of New York, Department of Health, and Dr. Timothy W. Costello, deputy mayor-city administrator, New York City.

At this point I wish to insert in the Record my testimony before the National Commission on Product Safety:

Statement of Hon. Edna F. Kelly, 12th District of New York, Before the National Commission on Product Safety at Their New York Hearing

Chairman Elkind and members of the National Commission on Product Safety: I appreciate this opportunity to appear before you. As some of you may know, I have represented the Twelfth District of Brooklyn in the Congress for many years. As a woman as well as a Member of Congress, I have always been particularly concerned with safety in the home. The creation of your Commission represents a great opportunity for increasing the safety of the American home with respect to potentially hazardous products. Such a Commission is long overdue.

But I must warn you that Congress had delegated to you an arduous and complicated task, for there are thousands of products within your area of concern. Technological advances are continually enabling new products to be introduced on the market. The best method of insuring the safety of one of these products may not be the same as the best method of insuring safety in another. You may find it necessary to recommend adoption of a different approach in different areas.

However, it is critical to the public welfare that you succeed with your difficult task. The estimated 20 million injuries and 30,000 deaths resulting annually from environmental hazards in American homes are a shame to the know-how of America. Existence of such figures—even though they are just estimates—establishes the need for action. Although the estimates may not be exact, we know enough to recognize that something must be done and it is your substantial task to recommend exactly what.

Of course, I would not—nor could I—tell you how to go about doing your job. But out of many years of public service I would offer you one suggestion for an approach to this problem of product safety, and that is omnibus legislation—a comprehensive rewriting of our consumer laws instead of piecemeal amendments to them to meet some emergency situation. For instance, the Food, Drug, and Cosmetic Act was written in 1938 as a very good law for its time, and has been amended many times since then, but it needs a complete overhaul such as the bill I have cosponsored with Congresswoman Sullivan. It took us 61 years to rewrite the Meat Inspection Act of 1906. The Federal Trade Commission Act should be rewritten, and our other consumer laws which have been on the books for many years should all be reevaluated from beginning to end and redrafted. This is a job I believe your Commission was set up to undertake.

Of course, I would not—nor could I—tell you how to go about doing your job. But out of many years of public service I would offer you one suggestion for an approach to this problem of product safety, and that is omnibus legislation—a comprehensive rewriting of our consumer laws instead of piecemeal amendments to them to meet some emergency situation.

Like so much of our legislation at all levels, and in all areas, our Federal, State and local legislative efforts toward product safety have been a patch here and a patch there, often resulting after a catastrophe or calamity rather than before. Normally, Congress and state legislators react to specific tragedies by introducing specific legislation. More than a decade ago—in 1956—the entrapment of children in abandoned refrigerators spurred Congress to enact the Refrigerator Safety Law. Similarly, the flammable sweaters, which led to burns and deaths among girls and women wearing them, spurred Congress to legislation to prevent such tragedies, and we enacted the Flammable Fabrics Act.

In 1960, when Congress recognized the inadequacy of existing Federal legislation governing poisons used in the home, and learned that almost 50,000 adults and children were poisoned annually by detergents and waxes and cleaners and soaps and other common household items while some 2,500 Americans were killed annually by such substances, we enacted the Federal Hazardous Substances Labeling Act.

So we enacted three pieces of legislation because of three specific kinds of problems. Yet children are still being trapped in refrigeration devices, clothing still ignites leading to burn tragedies, and people are still being poisoned by hazardous substances.

The Refrigerator Safety Law I mentioned earlier does not apply to home freezers. Nor does it, as we have sadly discovered, even apply to refrigerators manufactured before 1958, the very refrigerators which are now being abandoned and causing tragic consequences to unsuspecting children. Freezers, too, now present the same kind of entrapment problem that refrigerators presented. The freezer problem just didn't exist at the time the Refrigerator Safety Law was passed.

We've come a long way in our packaging practices, too, since butter came in tubs, crackers came in barrels and wholesomeness of foodstuffs was a chancy thing. Packaging has become an advertising art as well as a container for a product. Yet the Hazardous Substances Act does not grant the Secretary of Health, Education, and Welfare authority to set packaging standards which would make hazardous substances less attractive and less inviting to children. Today youngsters can spray themselves with poison simply by pushing a button, because the Hazardous Substances Act fails to give HEW's Secretary the power to require safety closures on household poisons. While the Child Protection Amendments of 1966 grant the Secretary power to issue regulations banning hazardous substances from the market, they do not give him power to set safety standards in advance. He must await the evidence of specific preventable tragedies which might come to the attention of Federal officials.

Mr. Chairman, at the present time there is:

1. no Federal agency with comprehensive authority or responsibility to set safety standards for potentially hazardous household products used in the American home;
2. no Federal agency with authority or responsibility to maintain adequate testing facilities capable of evaluating any potential hazard to American consumers;
3. no Federal agency with authority or responsibility to test new products coming on the market (such as color television sets) prior to their marketing to insure that they are safe for use in the American home; and
4. no Federal agency with authority or responsibility (except in limited areas) to compel the recall of products which are determined to be lethal and hazardous to American consumers.

Your Commission must consider some or all of these gaps in present legislation in determining what sort of action is necessary to protect American consumers from hazardous household products. Yours will not be an easy job. Nevertheless, I urge you to do your job well and thoroughly so that those estimated figures I mentioned earlier will show a sharp and swift decline.

Thank you and good luck.

LINCOLN'S "CAMPUS ON A COMPASS" COMPLETES TOUR OF NINE COUNTRIES

HON. JOSEPH S. CLARK

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. CLARK. Mr. President, early this summer, a group of 22 students from Lincoln University in Pennsylvania, led by Dr. and Mrs. Martin M. Weitz, embarked on a summer study mission to nine countries on three different continents. One of the purposes of this mission was to meet and talk with other young people throughout the world in an effort to develop good will among nations. I am delighted that these fine young students undertook such a mission, and I applaud Dr. and Mrs. Weitz for their role in organizing the program. Recently I received a letter from Dr. Weitz enclosing a copy of a report on his most successful trip. I ask unanimous consent that the full text of this report be printed in the Record at this point.

There being no objection, the report was ordered to be printed in the Record, as follows:

Lincoln's "Campus on a Compass" Completes Tour of Nine Countries on Three Continents, Summer 1968

Lincoln University's "Campus on a Compass" has returned from a nine country tour of three continents this past summer.

The twenty-two students and Dr. and Mrs. Martin Weitz, leaders, left the United States June 28 abroad the *Aurelia* with 1,000 students from twenty countries and arrived in LeHarve, France, after a nine-day voyage. While on board the Lincoln group was active with forums, classes in Swahili, interfaith services featuring the Lincoln Choir Quartet and Dr. Weitz held two Jewish services.

After a four-day stay in Paris, in which many of the students explored the sources of student unrest as well as the artistic pleasures of the city, the Lincoln group made a two-day stay in Copenhagen in which they were guests of individual Danish families and had an opportunity to share a service for their hosts and experience the magic of Copenhagen. The group next visited Hamburg, Berlin and Munich, Germany. In Hamburg, they were on three television programs for West Germany and vicinity and were guests of individual families under the sponsorship of Dr. and Mrs. Rolf Ahlers of the University of Hamburg, and brother, The Reverend Jurgen Ahlers of the Jugenheim. Berlin was a high-point of the German visit since it included East Berlin for a day and West Berlin for nearly a week. They visited the "Wall" and were guests of Dr. Heinrich Grüber, world-renowned German Bishop of the Lutheran Church who was imprisoned in Dachau during the Hitler era. (The Ventnor Foundation of New Jersey helped with the visit to Berlin.)

In Munich, a special welcome was given the group by Herr Erwin Lauerbach, President of Bavaria and Baron Phillipp Von Brand, friend of Rabbi Weitz and Dr. Anton Fingerle in the Ministry of Education.

While in Munich, two programs were presented over Radio Free Europe including the Lincoln Quartet and Dr. Weitz, which reached an estimated audience of sixteen million behind the Iron Curtain.

Rome was the next point of the itinerary and probably the high-point of the trip. A People-to-People program was arranged for the Lincoln group for almost a week in which bus-tours of ancient and modern Rome, with opera, discussions, several TV programs and other activities available through the sponsorship of a Citizens Committee, Comitatio Civico Romano, chairmaned by Dr. Silverio Boccetti and Antonio Ricca of Rome.

An outstanding experience for all was an exclusive Papal audience for the Lincoln group when all were welcomed at Castle Gondolfo, summer residence of His Holiness, Pope Paul VI. The Lincoln students talked with the Pope for forty-five minutes, Sunday, July 28. Paul VI spoke warmly and shared a message in English in which he showed remarkable knowledge of the story of Lincoln University. He cited Lincoln in his greetings in two languages to thousands of foreign visitors in the courtyard, previous to the private audience. He gave each student his personally blessed medallion and spoke his thoughts on a world free from violence and prejudice and for justice and peace. The entire message was recorded by members of the group. He then lead the group to view the beautiful gardens and its magic lake, after he graciously accepted a gift from Lincoln in the form of a special record of its University Choir.

After flying to Athens, the group then spent a day on the Acropolis, following the session with the Pope. A guide retold the story and glory of Ancient Greece. They then were guests of the University of Athens' School of Journalism. A special sign in English was flown over a major street of Athens, welcoming the Lincoln group. (Host for Athens was Mr. Costas Vournas.)

A ten-day study-mission of Israel followed. The group arrived in Tel Aviv by plane July 30, and was immediately headquartered in Jerusalem. The ten-days were arranged especially by Mr. Yissakhar en Yaacov, Consul General for Israel in Philadelphia as a result of his visit to Lincoln University last year under the sponsorship of the Center for Interfaith Studies. Three days were spent in Jerusalem with a visit to the Western Wall and other archeological sights. The group visited Hebrew University, Israel Museum and saw the world renowned Dead Sea Scrolls. It visited the John F. Kennedy Memorial Forest where many members of the group planted trees in memory of Martin Luther King, Jr., John F. Kennedy and Robert F. Kennedy.

August 2 the group rose before dawn to make the ascent of Masada, a bleak mountain fortified by Herod and defended by the Zealots who defied Rome for three years and preferred group-suicide to surrender to slavery in the year 73 A.D. Only three survived who were taken to Rome to tell their gory story to Josephus, who made it a world-famous historical documentary. The entire setting was rediscovered by Yigael Yadin, world-noted archeologist and former Chief of Staff of the Israeli Army.

The next day the group visited a number of new cities with old names, as Ashdod, Beersheba, Ceasarea, Bethlehem, Hebron, Nazareth, Tiberias, Capernaum, and many other sites significant as sacred places in Christianity and Islam as well as Judaism. Features included an evening with Shieh Yusuf Mulla in Kfar Yirka, near Acre, a Druze village in the Galilee district. They saw also the Dome of the Rock and sacred shrines of the three great faiths in Jerusalem.

Visits with Hebrew University students, tours of Tel Aviv and Haifa, special visits to a Moshav, small-holders cooperative village, and Kibbutz, a collective village, and a tour of the Golan Heights, occupied territory won from Syria, was a visible reminder of the June, 1967 Six-Day War with its countless bunkers, spent shells, wrecked armament and war debris.

The Sea of Galilee, the Mount of Beatitudes, the Holy Seplechre, the home of Joseph and Mary in Nazareth and the setting of the Nativity in Bethlehem and numerous other sacred sights, were a day-long pilgrimage, where the old and the new, the national and the international, the Jewish-Christian and Mohammedan milieus all blended into a living landscape. The Lincolnians travelled from Acre in the North via Jerusalem in the center to Beersheba, Negev, in the South; from the heights of Carmel on the Mediterranean to the depths of the Dead Sea, lowest level on the surface of the earth, all gave the Lincoln pilgrims perspective on the ancient world. Singular projects in the ten-day stay as guests of the Ministry of Foreign Affairs, were a program for the Haifa Rotary Club and a conference with Golda Meier, until recently Foreign Minister of Israel and leading architect of Israel's program of cooperation with new nations of the world. The sojourn in Israel was arranged by Consul-General Yissakhar Ben Yaacov of Philadelphia.

August 8 by El Al Airline, the group went directly to Nairobi, Kenya, and Dar Es Salaam, Tanzania. While in Tanzania for four days, the group was hosted by the Honorable J. E. F. Mhina, an uncle of a Lincoln student and who serves in the Ministry of Education. While there they were residents at Ngulani, a complex of native-like huts. The Tanzanian stay included a visit to the new and modern university, an invitation to the State House, the President's Palace which dates back to the German occupation, the National Museum, a carving village, a visit to a museum of native housing patterns. Features in the stay included a discussion and reception at the home of the Israeli Ambassador, the Honorable I. Pondek, and a conference with Mhina. About seven of the group included a trip to Zanzibar as a side-trip.

Final setting for the Lincoln "Campus on a Compass," August 12–14 was a visit to Nairobi, Kenya—a beautiful modern city, and mile-high capital of Kenya. The students were met at the airport by a dozen or more families who took them directly to their homes and who escorted them for the events scheduled for Nairobi.

Tuesday was a highlight, not only for Kenya but for the entire trip when the students were welcomed by a special committee of their hosts, the National Council of the Women of Kenya, which included, among others, Miss Margaret Kenyatta, daughter of President Kenyatta. A tea tendered them in Municipal House by the Mayor of Nairobi who shared an hour's visit in which forthright dialogue was exchanged with the students. Of special significance was his answer to an inquiry, "How do we get freedom for our people in America and what do you advise us to do?" He emphasized: (1) Do not hate—our wise teacher, Kenyatta, even now inspires us to regard *all* our people as citizens in our emerging nation whether they be Indian, European or African." (2) "Unite for common objectives for help of all and the harm of none. These principles have helped Kenya become a nation of integrated peoples, useful not only for us but a model for others too."

Most of the group visited the Nairobi National Park where thousands of animals were native to the country and they gave a program for the United Kenya Club, which featured musical numbers, dramatic presentations and an address by Dr. Weitz. They were guests of the Club, chairmaned by Sir Derek Erskine. The Lincoln contingent left for America in what is considered to be the world's largest transport plane, with two hundred and fifty passengers on a Super DC8 and with stopovers in Accra, Ghana, Dakar, Senegal and Bermuda enroute to Bradley Field, near Hartford, Connecticut. They were twenty-two hours in the air from East Africa to America.

A compilation in the format of a booklet will contain impressions by a number of the students as well as special chapters by Dr. Weitz and may be issued some weeks hence under the title of "Campus on a Compass."

As leader of the group, Dr. Weitz writes a "running commentary" for the entire itinerary. Since three great cities—ancient and modern, all on hilltops of history, give perspective to the total tour across space and time, Dr. Weitz writes this interpretive summary for the spiritual "stopovers"—three major citadels of culture—they made enroute. His conclusion to the Booklet will be as follows:

"KNOW, CONTROL, GIVE SELF

"(By Dr. Martin M. Weitz, director of Center for Interfaith Studies at Lincoln University, Pa.)

"More than ever, we look for a more meaningful experience and a helpful understanding of the world in which we find ourselves. The world is discovered anew in test-tube and in star-dust. Now, science and religion bow before each other in common reverence for one and another, so that we share the wonders of the soil and soul and learn to find our world the blossoming of life's beauty and the ripening of experience's wisdom.

"Answers may come from the past, so that they may help the future. We wish more how to guide our lives rather than what to make of them, how to blend the quest for living with the pursuit of earning a living.

"An answer may be found in the past if we but seek for it diligently and search for it intelligently. The answer itself may become a 'Threefold Benediction' as it emerges from distant hills of three ancient cities of the Mediterranean world.

"The first of these came from the setting of Athens, capital of culture for the world of Greece. In Athens was a sculptor, a poor one financially, perhaps artistically. It is said that he brought more notoriety than bread to his wife and children.

"He was a man of ungainly figure, baldness of head, deep-set eyes, thickened lips and a snubbish nose. He believed himself guided by an inner voice, and turned his attention exclusively to the study of man.

"In his day, Athens was filled with many gods and about this character, Voltaire puts into one of his plays, 'There goes an Atheist, he believes in only one God!' This Greek may have given up his last words through his disciples, but his most living words are still quoted daily, if not hourly, for he was a philosopher in the maturity of centuries and contributed a mint of thought with a mite of words. The man was Socrates and his singular words, were 'Know Thyself.'

"In the mid-Mediterranean world was another city with its hilltops ringed with pageantry and beauty. This was not merely the capital of a culture, but the very heartbeat of the ancient world. In Rome, too, lived a character. He was a philosopher primarily, even though he was an emperor of Rome. He was a strong warrior who repelled invasions, extended imperial frontiers and crushed rebellions. He was also a great builder, but his love of learning was never satisfied, and included metaphysics, jurisprudence, music, poetry and painting. He is best known neither for his imperial armies, his colossal structures, his vast victories or extensive domains, as he is for his simple 'Meditations.' He is none other than Marcus Aurelius, Emperor of Rome, who from all his dominions of peoples and domains of thought contributed to his world and ours, a simple, yet summary statement, 'Control Thyself.'

"In the area of the crescent of fertile land that is touched by the rim of the desert on the one side, and the shores of the Mediterranean on the other, and that is crowned by a Capital of a spiritual world, is another saga, a guidepost for the Twentieth Century, as well as for its early days. In ancient Judea, crowned by a quest of spirit and gowned by a starlit horizon, lived a shepherd who was later a king. He was greater as a writer, and he drew more nourishment for his people from his shepherd musings than his kingly decrees and his princely wars. He is said to have been a generous spirit; he is known to have become a great warrior and a national hero. He founded a dynasty, established a crown-city, and left his imprint on anything he touched, not only for his life, but for the life of Israel.

"His name was David and his occupations were soldiery, poetry and kingship. It is not David, but the Psalms that speak to us. It is not Israel's king, but Israel's sweet singer to whom we hearken when he pleads, 'Judge the poor and the fatherless; do justice to the afflicted, rescue the poor and the needy.' That it is in so many words. In a word, he pleads, 'Give Thyself.'

"When we learn, 'Know Thyself,' we may practice 'Control Thyself,' and are prepared for 'Give Thyself.' A philosopher's last words, and probably his last moments are 'Know Thyself.' An emperor's finest words in his fullest luxuries, are 'Control Thyself,' and a poet's best notes in his greatest songs are 'Give Thyself.' Simple statements indeed: 'Know thyself;' 'Control Thyself;' 'Give Thyself,' but they were gathered from three of the 'four corners of the earth,' Athens, Rome, and Jerusalem."

BIRTHDAY GREETINGS TO ZAMBIA AND UGANDA

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. O'HARA of Illinois. Mr. Speaker, on October 24, the fourth anniversary of the independence of the Republic of Zambia will be observed. Under the wise and able guidance of President Kenneth D. Kaunda, this cooper-rich nation is seeking to realize its full potential in all fields of human endeavor. Although the House will not be in session at that time, President Kaunda and the people of

Zambia may know that on the anniversary of their independence they will not be forgotten by the people of the United States for whom I now give a salute of congratulations and good wishes.

On November 2, Ambassador and Mrs. E. Otema Allimadi of the Republic of Uganda will entertain at a reception celebrating Uganda's sixth anniversary of independence. For the Subcommittee on Africa of the Committee on Foreign Affairs, and myself personally, I would say to the Ambassador and his charming wife that the progress of Uganda since the attainment of its independence has been a source of happiness to the members of the subcommittee and to the American people generally.

Uganda is a beautiful country, one of the most interesting in all of Africa in every way. I shall not forget even the thrill that filled me when first I saw Lake Victoria and that thought has returned to me on the occasion of later visits. Back perhaps as long ago as 1949 or 1950 a young man just graduated from the University of Chicago in the district I have the honor to represent visited me in Washington on his way home to Uganda. I took him to lunch in the House restaurant, had spread before him some of our famous bean soup, and, of course, signed the menu in his honor. When I visited Uganda some years later and was entertained at a reception at the home of the American Consul General a young man passing in the reception line showed me a menu from the restaurant of the House of Representatives of the Congress of the United States and asked me if by chance I recognized the handwriting in the inscription on it. It was a happy reunion. The young man who had taken his college work in my district in Illinois was then a teacher in the schools of his native Uganda. If perchance these remarks of mine should come to his attention, I do hope that he would take the time to write me. It would be interesting to me to know his experiences as a teacher as independence came to his own beloved Uganda.

To the government and the people of Uganda and to the able and popular Ambassador Allimadi go my warm congratulations and very good wishes.

WHO WILL DOMINATE THE STRATEGIC INDIAN OCEAN AREA IN THE 1970'S?

HON. ROBERT C. BYRD

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD an article which appeared in the September issue of Navy magazine, titled "Who Will Dominate the Strategic Indian Ocean Area in the 1970's?"

The article was written by Dr. James D. Atkinson, professor of government at Georgetown University and the author of many books and articles on defense subjects. In this article, Dr. Atkinson examines the recent penetration of the Soviet Navy into the Indian Ocean, Red Sea, and Persian Gulf areas and offers some conclusions of long-term Russian aims.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE SOVIET NAVY MOVES IN AND ACQUIRES BASES IN THE VACUUM BEING LEFT BY THE BRITISH, AS THE UNITED STATES HESITATES

(By James D. Atkinson)

Little more than six months ago the then Secretary of Defense, Robert Strange McNamara, told a congressional committee that "in the 1960's the simple bipolar configuration which we knew in the earlier post-World War II period began to disintegrate. Solid friends and implacable foes are no longer so easy to label, and labels . . . such as free world and Iron Curtain, seem increasingly inadequate as descriptions . . . of the *new bonds of common interest being slowly built across what were thought to be impenetrable lines of demarcation.*" (Italics supplied.)

As the gunfire from Soviet tanks reverberates through the streets of Prague, one may well ask whether this analysis will prove as illusory as the former Defense Secretary's view that the Soviet Union would be unable to achieve even nuclear equality with the United States before the early 1970's.

For the plain fact is that the Soviets are striving mightily to attain not parity, but strategic superiority over the United States. And the unfolding evidence suggests that the major thrust of this search for strategic superiority is taking place on the high seas.

The Soviet effort at sea is a total one. It embraces naval combatant ships both undersea and on the surface, long-range aircraft under naval control, major research and development efforts in oceanology, and a vast merchant marine program.

FIVE-YEAR CLIMB

When it is recalled that the great authority on sea power, Rear Admiral Alfred Thayer Mahan, had dismissed Russia's merchant navy with the observation that "Russia has little maritime commerce . . . her merchant flag is rarely seen," the Soviet climb in but five years (1963–1967) from number twelve to number six rank in world merchant tonnage is hard evidence of Soviet capabilities and intentions alike.

Equally significant is the fact that the Soviet merchant fleet, unlike the merchant shipping of non-Communist countries, is a totally controlled instrument of state power and is habitually used as a politico-diplomatic weapon. The relationship of the Soviet merchant marine to Soviet naval forces and the developing countries of Africa, Asia and the Middle East is, therefore, related to the over-all mix of maritime power: bases, facilities-agreements, industrial-technological assets, merchant shipping, and naval (including naval-air) forces.

Soviet ambitions on the oceans are underscored by current Soviet efforts directed towards the Red Sea-Persian Gulf-Indian Ocean complex, a vast, strategic area of the world's seas and an area quite new to the hammer and sickle flag of the U.S.S.R.

AFRICAN-INDIAN OCEAN STRATEGY

The Soviet maritime thrust in the Red Sea-Persian Gulf-Indian Ocean complex is, like Soviet expansion in the Mediterranean, an attempt to gain maximum exploitation from three increasingly related factors:

(1) The Soviet goal of attaining military-technological superiority over the United States.

(2) Soviet exploitation of tensions, political instability, and ethnic or other rivalries in the developing countries of Africa, Asia and the Middle East through the technique which the Soviets call "national liberation movements."

(3) The power vacuum created through the British withdrawal East of Suez.

As the military-technological power of Russia continues to rise, the Soviet leadership believes that this power can be used to support—psychologically and diplomatically—the revolutionary process in the new and developing nations. This strategy is stated frankly as follows in the May, 1968 issue of *Kommunist,* the authoritative official journal of the Communist Party of the Soviet Union:

"The growth of the political influence and the economic and military might of the world socialist system exerts a powerful influence on the course of the struggle between labor and capital on the international scene; it ties the hands of the imperialists and creates increasingly favorable conditions for the development of the world revolutionary process."

These are not idle words. They are being put into practice through Soviet politico-economic support for socialistic-revolutionary forces in Egypt, Sudan, Iraq, Yemen and other countries in the Red Sea-Persian Gulf-Indian Ocean complex.

SOVIETS ACQUIRE BASES

The Soviet Union is acquiring base facilities in Hodeida in the Yemen and is also using Port Sudan on the Red Sea. A guerrilla campaign has been organized against Mozambique (on the Indian Ocean across from the strategic island of Madagascar) from Soviet-sympathizing Tanzania and these guerrillas have both Soviet and Chinese Communist equipment. In this regard it should be noted that however sharp the propaganda attacks the Soviets and Chinese Communists mount against one another, they seem to be able to cooperate on the tactical level in East Africa when they face what they regard as the common enemy.

Soviet "national liberation warfare" techniques are being employed wherever possible throughout Africa, but it would appear that the Red Sea-Indian Ocean coast of Africa has been given major attention because of its strategic role in developing Soviet strategy. The Soviets are also attempting to link the African and Middle Eastern liberation warfare movement to their exploitation of Arab national feeling.

Thus when the two Soviet warships paid an eight-day visit—for the first time in Soviet naval history—to the Persian Gulf in May 1968, they were greeted in the Iraq port of Umm Qasr with a gun salute and with thanks "for supporting the Arab cause." Not without interest is the fact that Iraq has now been equipped with Soviet-type Styx missiles such as was used to sink the Israeli destroyer *Elath.*

It may not have been accidental that about the time of this Soviet naval visit in the Persian Gulf leading Soviet newspapers devoted a good deal of attention to the national liberation movement in Africa. The official Communist Party newspaper *Pravda* stated on May 25:

"The formation of a world system of socialism, which stands, as a mighty stronghold of all antiimperialist struggles in the world, the growth of the revolutionary struggle of the international working class and the rapid upsurge of the liberation movement of (the) African peoples . . . predetermined the collapse of the gigantic colonial prison in Africa."

"The present national liberation movement of the peoples of that continent has become an organic integral part of the world revolutionary process," said Pravda.

Equally important was a statement the same day in the official government newspaper, *Izvestia.* This emphasized Russia's "consistent policy for supporting national liberation movements." It went on to say that the Soviets had "accumulated rich experience in the defense of revolutionary movements," and that the Soviet solidarity Committee of Asian and African Countries was giving practical, physical support to the revolutionary forces of "Angola, Guinea (Bisau), Mozambique, and Zimbabwe (Rhodesia)."

EFFORTS IN INDIA AND CEYLON

On the other side of the Red Sea-Persian Gulf-Indian Ocean complex, the Soviet Union has been most active in both India and the great island of Ceylon. A Soviet naval squadron visited the Indian sub-continent in the spring of 1968, another first in Soviet naval history. Calls were made in Pakistan and in India and later on in Ceylon.

The visit to India is especially significant since that the Soviet Union has said it will supply the Indian Navy with "F" class submarines, escorts of the *Petya* class, MTB's of the *Poluchat I* class, a submarine supportship and additional auxiliary craft. Press reports say one submarine and some other craft have been delivered. This may be in order to lay the groundwork for a Soviet naval air presence in that part of the world since the Soviets have had talks with India looking towards an Andaman Island base. These islands are in the Bay of Bengal, strategically located not only with reference to the Indian Ocean generally, but also in relation to the seacoast of Burma, Malaysia, and Thailand.

They would be advantageous bases for the new Soviet helicopter and/or VTOL carriers and for Soviet land based aircraft, many of which come under the control of the Soviet Navy. It is also not without interest that *Pravda* announced June 1, 1968, that the scientific research ship *Ogon* was "carrying out hydrographic work in the Pacific and Indian oceans." The Soviets understand quite well that the search for strategic superiority is not military alone, but military, scientific, technological and psycho-political.

The psycho-political element of the overall strategic effort blending with the military is well illustrated by the Soviet naval visit to Ceylon. A Soviet naval squadron cruising in the Indian Ocean paid a five-day visit to the Ceylonese port of Colombo, July 7–11, 1968. Just prior to this Soviet naval visit, *Moscow Radio* announced on July 3 that the Communist Party of the Soviet Union had sent a congratulatory telegram to the "Communists of Ceylon, who are celebrating the 25th anniversary of their party." The telegram hailed "the Communist Party of Ceylon, the fraternal solidarity of the two parties, and the friendship of the Soviet and Ceylonese peoples."

Conjointly, *Moscow Radio* reported that a Soviet news agency representative had interviewed Pieter Keuneman, Secretary General of the Communist Party of Ceylon. He said that the Communist Party of Ceylon "was the first to demand the elimination of the British military bases on the island and the establishment of diplomatic and trade relations with the socialist [that is, the Communist-bloc] countries." Keuneman went on to say that the Ceylonese Communist Party "fully supports the convening of the international conference of Communist and workers parties in November in Moscow."

THE BRITISH WITHDRAWAL

For almost a century the vast Red Sea-Persian Gulf-Indian Ocean complex was an area of relative stability. This was so because Great Britain—and associated friendly powers—controlled the perimeter boundaries. Whether it was the East African coast (Kenya, Tanganyika); key bases (Aden, Mombasa, Colombo, Singapore); or important islands (Mauritius, Andaman, Nicobar). British forces were on hand throughout these sea spaces and able to respond quickly for any needed police actions.

What of today? The British have announced that they will complete their withdrawal East of Suez by 1971. That this will likely be irreversible is shown by the fact that early in 1968 the withdrawal from Aden became a finality.

The power vacuum already exists. The potential, strategically, is alarming.

Australia, that great and good friend of the United States, is vitally dependent on the Indian Ocean. In the 1965–1966 period, for example, more than half of all Australian imports and almost half of all exports came by way of the Indian Ocean.

India, Pakistan, and the countries of East Africa depend on Indian Ocean routes for all but a little of their imports and exports. South Africa, at the Cape of Good Hope (more significant than ever with the closure of the Suez Canal), is vitally interested in the Indian Ocean. And the Red Sea-Persian Gulf oil routes are so well known as to require but passing mention.

Writing in the New York Times, Dec. 4, 1963, C. L. Sulzberger perceptively forecast the strategy stakes in this oceanic complex. "In the vast area extending from the Red Sea across the Indian Ocean to the Pacific inlets one finds today's main thrusts of both Russian and Chinese dynamism," he said. "They frequently compete with each other but ultimately work in tandem to weaken Western influence."

Looking ahead to 1969–1970, it can be seen that the Soviets will try to continue the forward momentum they have begun in 1967–1968. Will theirs be the power that fills the vacuum left by the British withdrawal? Or will the United States build up its naval forces so as to be able to deploy real strength for peace and stability in the Indian Ocean rimland?

SOUTH BEND, IND., POLICE DEPARTMENT, HUMAN RELATIONS AND FAIR EMPLOYMENT PRACTICES COMMISSION, AND NEGRO YOUTH SHOW LEADERSHIP IN COMMUNITY RELATIONS

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BRADEMAS. Mr. Speaker, at a time when every thoughtful American is concerned about the problems that arise from relations among people of different races, I am pleased to call to the attention of my colleagues an indication of some positive and constructive steps that are being taken in my own home community of South Bend, Ind.

Over a year ago, some troubles occurred in South Bend in which both members of the South Bend Police Department and some young Negroes were involved.

Since that unfortunate incident, efforts have been made on the part of a number of persons and groups in South Bend to improve race relations and, hopefully, to prevent similar occurrences again.

Among the steps undertaken has been a series of softball games between young Negroes and members of the South Bend Police Department.

Among those persons who are due credit for what has proved to be a most successful effort in improving relations between the police and the members of the young black community are: Lt. Ralph Wolfe of the South Bend Police Department's Community Relations Division and his colleague, Sgt. Skip McGee; Fermon Thomas, a young Negro leader; and Winston Vaz, executive director of the Human Relations and Fair Employment Practices Commission, who also served as the umpire for the softball series.

Mr. Speaker, I believe that an article published in the October 1968 issue of the journal, Focus Michiana, by Jim Bowman, entitled "Cooling It in South Bend," and another article by Dolores Liebler from the South Bend Tribune of September 9, 1968, entitled "Police, Negro Youth Series Reaches Desired Goal," represent excellent descriptions of the efforts I have been describing.

I want to salute not only the persons whose names I have already here mentioned, but all of those persons in South Bend who in any way have contributed to the progress made in improving race relations in our community.

I was myself most pleased to have been helpful in obtaining for the South Bend Police Department's community relations division a grant of $15,000 from the Department of Justice which the police plan to use for a store-front neighborhood office to enable the police to communicate more effectively with residents of minority neighborhoods.

I do not for one moment wish to suggest, Mr. Speaker, that we in South Bend have solved all our problems in this area. I do want to suggest, however, that the kind of efforts I have here described represent, at least in part, the kind of leadership that I would hope would be developed in other cities throughout the country.

The text of the two articles to which I refer follow:

[From Focus Michiana, October 1968]

COOLING IT IN SOUTH BEND

(By Jim Bowman)

(NOTE.—There has been no major racial violence in South Bend for over 14 months. Why not? These interviews and this story try to get at the heart of the matter, to find out who and what contributed to South Bend's relatively peaceful year.)

On May 6, 1967, Fermon Thomas, 20, native of South Bend, Indiana, received 140-millimeter rocket shrapnel in his shoulder and left hand and an M–1 rifle round in his groin while fighting as a soldier in the U.S. Army. Less than three months later, on the night of July 26, 1967, back home in South Bend, he received minor wounds in his back from shotgun pellets fired by the South Bend police.

A year later, almost to the day, Fermon Thomas came out of the army for good and met Sgt. "Skip" McGee of the South Bend Police Department at a meeting connected with peaceful protest marches by black youth from the West Side. Ex-soldier Thomas had been in touch with Sgt. McGee regarding job chances in an IBM training program. In their conversation about Thomas's getting set up in South Bend, McGee learned that the younger man's baggage was stranded in his disabled automobile on the highway between South Bend and St. Louis. The car had broken down on the last leg of his final move back home to South Bend. Sgt. McGee offered to drive Fermon Thomas to where his car was left and pick up the man's luggage. This he did, and Thomas was able to complete his re-settling in his home town.

In the obvious differences between these two South Bend receptions for black man Fermon Thomas coming home from war, lie as near as can be determined the reasons why: (a) South Bend had a relatively cool summer in 1968; and (b) cool summers (and winters) are very precarious achievements—and will be for a long time.

Fermon Thomas was born 21 years ago in South Bend, has lived all his life in the LaSalle Park area. He had all his schooling in South Bend, graduating from Washington High School in 1965 with four-year performances behind him in football, basketball, and track, and athletic scholarships offered him to Florida A. and M., Kansas State, Marshall University, Lincoln University, and Tennessee State. He didn't take any of them because he had to make money to help support his grandparents who had raised him. A year later, before he could go to college with the year of work behind him, he was drafted.

"My whole life was ruined," he says.

He entered the service in July of 1966; by January he was in Viet Nam, one of the black men who together make up 20 per cent of American troops there. By May he was wounded and headed for a hospital in Japan.

"There's a need for leaders in South Bend," he said. "God wants me here in this work helping my people. It's beautiful to work with your people."

The work is walking the streets all day long, talking to black kids, organizing them for everything from softball with the South Bend police to future protection of the new athletic center being built in LaSalle Park.

"I'm trying to get kids not to judge a person as a white man but as an individual—but don't let any white man misuse your people.

"If we don't help ourselves, no one will. But they [white people, the people 'downtown'] have the dollars, the responsibility, the ability to help.

"Some of our leaders have sold out and have moved out—we made them move out. They are 'Negroes.' We are Afro-Americans. We have our customs and our ways, like every group. We're just a little longer finding ourselves.

"Why was the summer cool? Not because of dogs. We're not afraid of being shot. The summer isn't over yet either. And there is the winter too, you know. It's important that no one goofs downtown. The streets are still a powder keg. One of 'em goofs downtown, and it will explode.

"The *Tribune* attacked black leaders last year. If it does again, there will be a riot in the wintertime. If someone goofs.

"We're all together now. We fight together. I always wanted to speak up for myself. My mother and others said, 'You're too little.' But I been around the world and seen poverty and fought and bled for my country, and now I'm helping my people.

"I hate—not dislike, hate—a Negro who has money and won't recognize his own people, who has not respect for his own people.

"I'm ready to die, to shed my blood, I've already shed it fighting for the white man. I hope it doesn't come to that. But if it does, I'm ready to die. We won't put up with the things our parents put up with. We're ready to die."

What about the police?

"They are just doing what they are told. They have their jobs to do. They have wives and kids to support, and they have their jobs to do. It's the great white fathers downtown, the city council or department of works or whoever it is decides when we get streets paved, for instance. I've lived here twenty years, and we just got paved streets this year. The people marched and got their picture in the paper, and after twenty years they got paved streets. It's the great white fathers downtown who buy their kids Corvettes and build swimming pools in their back yards.

"I don't believe in marches. I believe in going and taking what you need. The only way people pay attention is when you make trouble.

"Tell it like it is. Don't be like some *Tribune* reporters who come around and then end up making you look like an Uncle Tom."

The biggest single incident stuck in the craw of the South Bend black community is the shoot-up at the LaSalle Neighborhood Center, on Western Avenue, on the night of July 26, 1967. The night of Tuesday the 25th had been South Bend Negroes' initial act of resonance with Newark, just recently quiet, and with Detroit, still smoldering. The West Washington Street and Western Avenue areas had erupted in rock-and-bottle-throwing and arson; and police had been out in riot-control force, including the K–9 dogs.

On the following evening, seven of the South Bend city councilmen and St. Joseph County Sheriff Elmer Sokol met with black youth and others at the LaSalle Center. About 150 people, including women and children, attended the meeting, those who couldn't get in spilling out onto the side walk outside. Police action of the night previous came under heated discussion, along with the perennial "Lake" area problem of unpaved streets and sidewalks and recreational needs of more young people.

A combination of fire alarms, rock-throwing at automobiles, a car-burning, and crowd of mob formation in front of the center (after the councilmen and sheriff had left) led finally to the firing by police (who said a shot had come from inside the center) into the center at about 9:45 p.m. The *Tribune* reported "about ten police blasts" into the center and inside the center a submachine blast at the ceiling and "some additional shotgun blasts." The article noted that the crowd in the center included women and children.

The shooting of Melvin Phillips, 21, of 728 S. Illinois Street, by the police was a part of the fury of street action outside the center. The *Tribune* account tells of his resisting arrest and running from the police, of a dog being sent after him, and of his being shot in the groin just as the dog was about to get him. Thomas Pulliam, 18, and Roscoe Jackson, 17, are among those mentioned as wounded by shotgun blasts, in the head and thigh respectively. Melvin Williams, the center director, was reported as saying that all shots were fired by the police, that none had come out of the center.

Fermon Thomas offers a more detailed account of the July 26th shooting. Melvin Phillips was a member of the Task Force, Thomas says. He was trying to get across the street to the kids to do his job as a Task Force member.

"He broke from the police," Thomas says, "and ran for the center. He got shot in the hip on an angle, fell bleeding, with his ribs showing. 'I've been shot,' he said. Then the dogs went at him, three or four of them.

"After the shooting of Melvin Phillips, one of the policemen said, 'Oh, oh, we've really done it now.' "

But all this was quite a bit different from another scene the following summer. This time Melvin Phillips, the young man who had been shot and bitten by dogs, was the pitcher in a softball game that brought together the police and the black youth of South Bend. Playing first base for the police was the same Captain Stachowicz who had shot the submachine gun inside LaSalle Center. Melvin Phillips at this time wore a wooden leg.

He pitched for the "Black Is Beautiful" team against the "Blue Isn't Bad" squad. In the stands a clown went around giving candy to kids. The bleachers were full of maybe 200 people. Chief umpire was Winston Vaz, executive director of the South Bend Human Relations Commission. Another umpire was Charles Maxwell, whose son was involved in the South Bend school difficulties of the previous spring (Val Maxwell had had his shirttail out and had been arrested for that by one of the off-duty policemen hired by the schools to keep order).

Among those watching from the stands was Fr. Daniel Piel, pastor of St. Augustine's Church, who had this to say about what made the summer cool:

No. 1, the young people turned their energies to various non-violent methods of turning the city on. Marches to City Hall led by Mel Easton and engineered entirely by him and other West Side youths resulted in the Mayor's coming one night to the Washington Neighborhood Center and hearing the young people out. Sit-ins this spring in the schools had been conducted with some degree of success and had remained non-violent.

No. 2, there had been some completion of the urban-renewal programs in the LaSalle Park area. Some streets had been paved which previously had not been. (In fact, one of the main complaints of meetings leading up to the LaSalle Center shoot-up, was the yet-unpaved streets which were becoming quagmires in the rainy weather.)

No. 3, more jobs had been made available this summer in South Bend.

A college-age Negro girl in the stands had something else to offer in explanation of why the summer had remained relatively cool. The police had been "acting a little bit better," she said. "Now only a few go in when there is trouble. There was a fight reported at the Washington Center the other night, and only two policemen came, not thirteen cars, as happened earlier this summer.

"It was outside the Natorium after a dance that the 13 came," she said. "Semi-automatic weapons were held by the policemen at this time, and kids were cleared off the streets. There was strict curfew enforcement. Then the marches happened, and this kind of thing didn't happen any more."

She said that one young black man, Sylvester Fleming, of the Washington Center, had gotten in the Mayor's car to wait for him after the second march to City Hall and had told the Mayor he wanted to go to the center. So they went together, and this is how the mayor came to the West Side this summer.

Why the coolness of summer '68 in South Bend? "The turning point was when the youth and the police got together," Charles Maxwell said, walking off the field toward the Potawatomi Park picnic grove where police and black youth and adults were joining in a hot-dog and Polish-sausage feast after the game. Maxwell is a rehabilitation officer with the South Bend Department of Rehabilitation and was an umpire at the game. "This program was drawn up in June," he said. But later, under the trees, when asked who brought about the softball games, of which the fifth, an all-star contest, had just been played, he said, "Fermon thought this up." He meant Fermon Thomas.

"When the kids said they would march on the mayor's office, I marched with them," he said. "But it was their idea."

Maxwell is the father of six children and lives in a small bungalow on Washington Street. Of an evening, his children are urged in no uncertain terms to get their lessons ready for the next day. He is a heavy man of strong speech, a father-image of the old school. He gave a quick estimate of why policemen who last summer went to a neighborhood center with loaded guns could this summer play softball with formerly rock-throwing young men: "They have wives and kids and they saw that it could happen to them—with black men holding the guns."

As an official worker-for-urban-renewal in South Bend, Maxwell could tell what has been done in the past year: 55 individual grants of $3,000 each to homeowners and 22 loans of up to $13,500. The total in grants and loans in the LaSalle Park area this past year comes to over $300,000, he said. Added to this amount is the $225,000 for the LaSalle Park recreation center, which will include gymnasium, showers, meeting rooms, and other facilities. One-third of this is city money, two-thirds is federal.

Fermon Thomas talked in the Potawatomi grove that day also. He told about his proposal that all Washington High School students be counseled by neighborhood people or by a park-hired professional counselor if need be.

While this talk progressed, a white-aproned (white) retired fireman named Augie served hotdogs and sausages to the people. It was Sample St. grocer Louie Horwath's idea to have this post-game feast, Maxwell explained, and after every one of the five games, the police gathered with the kids for eats. This happened in locations like the Washington Neighborhood Center, in the heart of the West Side black neighborhood, where police had gathered for "soul food" after one of the five games this summer.

SOUTH BEND POLICE DEPARTMENT'S COMMUNITY RELATIONS PROGRAM

Lt. Ralph Wolfe of the South Bend Police Department's Community Relations bureau can tell something of how this ball-game idea took hold among the police. He discussed the matter in the company of Sgt. Mike Borkowski, who with Sgts. "Skip" McGee and Bob Miller form the police community-relations unit.

"For the first game, we got 15 policemen. For the second, 35. For the third, there was a waiting list of policemen who wanted to play." (Charles Maxwell had talked about a crowd of 600 spectators that came to watch the first game.) "I'd have bet myself a dollar it wouldn't have worked," Lt. Wolfe said. "It's hard to sensitize policemen after many years of doing things a certain way. And it's hard to make the public see he's human. But in these softball games, the cops have gotten to know kids, and the kids' main hostility has been wanting to beat the cops in softball.

"We have other plans along these lines, like getting a swimming group going and basketball games—we've got the state championship team here, you know," he said, referring to the South Bend Police.

Lt. Wolfe and Sgt. Mike Borkowski both referred to Fermon Thomas's role in getting up the games. The idea had come, Lt. Wolfe said, from Fermon, Sgt. McGee, and Sgt. Borkowski. "You have to give credit to the Negro youth," he added.

The South Bend police department's community relations division was founded only last summer. The division's tasks have included some recruiting duty along the "sensitizing" lines mentioned by Lt. Wolfe. Thus two Notre Dame professors have come and talked to the recruits as part of their eight-week training program. Three eight-hour days were taken from the program to inculcate community-relations-type ideas in the recruits. "They know they're not supposed to say 'nigger,'" said Lt. Wolfe, indicating a bare minimum of accomplishment.

There is also, for all the men on the force, an inservice training program. "The cop will be a professional in five years," said Lt. Wolfe; and Sgt. Borkowski agreed. "A college degree will be required in the future, and the pay will be good, too."

"Some departments, like Oakland," Lt. Wolfe said, "have raised their pay scales and will begin to compete for police who have an education." Both Wolfe and Borkowski are presently getting their bachelor's degrees. At the present time, they estimated that the 20-year retirement opportunity is used by 90-to-95 per cent of the men on the force.

Lieutenant Ralph Wolfe is 39 years old, was born and raised in South Bend. A 1947 graduate of Riley High School, he worked at first for Studebaker and in 1950 was drafted. In the service he attended the University of California for a while and spent 13 months in Korea. Out of the army and considering college, he decided instead to be a policeman and in 1955 joined the force. He was a patrolman till 1962, when he joined the juvenile bureau. In January of this year he was made lieutenant and placed in charge of the community-relations division.

Mike Borkowski is 32, has been on the force since December of 1963.

THE BALL GAMES

What do the policemen of the community-relations division do in an ordinary day? Well, there isn't an ordinary day for them. They respond to tight situations, sometimes spending all night in a car checking rumors. Where trouble has occurred, they go afterwards (not on the spot: with rocks flying and guns out, there is little room for the inquisitive community-relations cop) and ask what caused the trouble, later possibly making recommendations to the chief on the basis of what they discover.

They have gotten kids jobs; up to a dozen kids now come back to the station well-dressed and driving their own cars to see the policemen who helped them get the job. This kind of success is the result of community-relations officers walking up to kids on street corners, introducing themselves, and asking them (Negro youths idling on a summer day) what was on their minds. They do not wear uniforms, of course; but they are known as cops. They present not just a new image but a new reality in the way of policemen to ghetto youth.

They sound like social workers, Wolfe and Borkowski were told. Well, they weren't trying to be anything but policemen, they said—but it was clear that here was a new kind of policemen, maybe just the kind of combination-performer that our society is looking for.

The community-relations policemen walked with Fr. Groppi, they said. How did they know Fr. Groppi and his Commandos were coming? "By talking to people." They are pretty much continually in the Negro community, talking to people, going to "soul food" dinners, talking to kids on street corners, helping arrange softball games—in the process gaining for themselves an increased understanding of the oppression, sometimes subtle but still pervasive, that weighs down on the black community and especially on its youth.

At the time of the school sit-in this spring, they were in constant contact with the students and other demonstrators; they made recommendations to the chief as to how to handle the situation. From the demonstrators they got pledges of non-resistance. From the chief they got promises of arresting patrolmen without nightsticks, without dogs. (The c-r men in fact were able to turn back some of the arresting patrolmen and send them back to deposit their clubs in their cars.) The kids wouldn't have come peacefully otherwise, and the escalation of force-response would have taken the customary rounds with which people are too drearily familiar.

The c-r men go around giving speeches, and they even pass out balloons to little kids that brightly urge them to "Say 'hi' to a policeman." "It throws a cop to have a little kid to say 'hi' to him the first time," said Wolfe with a grin.

About the black-youth-white-cop ball games Wolfe says, "You can't understand all there was to that first game. Mel Phillips, who lost his leg in the police charge on LaSalle Center, pitched; and Captain Stachowicz, who led the charge, played first base for the police. First there was tension, or fear of tension. But when the game was over, they all got together in that very LaSalle Center for a chicken dinner. Who would have believed that possible a year ago?

"The police played on their own time, too," he said. "And that was in some cases time they had left over for vacation or for long weekends with their families.

"At first we had the idea of just playing the games for fun. But things like the *unprecedented* television coverage made a public things of it, plus the crowds that came to watch the games."

The community-relations division has received a $15,000 federal grant, of which $1,200 is set aside for a store-front neighborhood office where policemen can meet neighborhood people who come in with their problems. But Lt. Wolfe could see that arrangement causing some problems in South Bend, which could afford only one such office. "People would say on the Southeast Side, 'What are you doing only on Washington Street with your storefront?' And we'd be in dutch half the time with half the city.

"So I called up Washington [D.C.] and asked them if we could use $1,200 instead to buy a trailer-office that could be set up in different neighborhoods at different times. And so we've got a mobile store-front, air-conditioned in summer, heated when we need heat. We take it with us to situations where we think it is useful. Next week we're going to Goshen, where there's a demonstration that we want to be close to."

People come in with complaints about the electric wiring in their house, for instance, and the c-r police tell them where they can call with the problem. Or they make the call themselves. One day there was a complaint about trees that had been cut down and left to rot somewhere in the LaSalle Park area. The people complaining didn't know what number to call. Once they made the call, the tree were moved. It was all in knowing who to call about it, he said.

"Skip" McGee, the policeman with Fermon Thomas mentioned at the beginning of this story, was born and raised in South Bend, is 39 years old. He graduated from John Adams High School in 1946, entered the Navy Air Force V–5 Program and attended Central State College in Stevens Point, Wis. He joined the South Bend Police Department in 1951. At this point, he is finishing his work toward a bachelor's degree at Bethel College.

He speaks of taking Negro youth on educational trips as part of his community-relations work. These field trips of an educational nature have taken him and the young people to Chicago on several occasions, to the Black Arts Museum or to the "Wall of Respect" on the South Side, on which are written Negro leaders' sayings. He has gone on preliminary scouting trips with Melvin Easton, director of the Washington Neighborhood Center. In fact, he and Easton and Fermon Thomas have gone just recently together to Chicago to make this kind of exploration of black-culture possibilities.

More groups will be going, in carloads at first, with expenses minimal and handled by each of the participants. Other officers will make the trips, and the contacts that result from this sort of thing cannot help but have a lot to do with attitudes of black youth and police toward each other.

Melvin Easton is 24 years old. The Washington Neighborhood Center of which he is director is operated by St. Augustine's Church (Fr. Daniel Piel pastor), with the help of a community board of consultants. As such, it is different from the other centers, which have state charters, according to Easton, and are not "private" in the sense that Washington is.

Easton spoke of two marches this summer protesting police treatment. The police, he said, used to come into the black neighborhoods armed to the teeth, as if to practice riot procedures there. The protest marches were orderly, he said. He was spokesman for the black youth on both occasions. The mayor and chief were invited on both occasions, but did not come to meet the marchers.

On the occasion of the first march, the chief sent a "messenger boy" who said he "had no indication that a problem existed between Negro youth and the police department."

Easton went to Central High School in South Bend, then moved to Indianapolis, where he finished high school. He worked at Inland Steel in Gary for six months, up to eight months ago, when he came to South

Bend. It was during this past summer that he became involved in Washington Center activities.

He is very hard on the local NAACP. "Not particularly effective," he said, "mostly administrative in its activities. They don't communicate with people." He has an "immense lack of faith" in them. "They work from behind a desk." He said the same about the Urban League, which he called a white organization with black puppets in it. G.O.T. (Get Ourselves Together) just sponsors dances, he said. Action, Inc. produces "some miniature job programs," gets kids to keep the streets clean.

WINSTON VAZ

One man who would have to be singled out in any discussion of why the recent South Bend summer was cool is Winston Vaz, the 39-year-old former South Bend school teacher who took over as executive director of the Human Relations Commission on June 10th. Mr. Vaz taught at Central High School for ten years before taking his present position. Before that he worked for Campbell Friendship House in Gary, and before that he did the work to which he most attributes his own education as a worker with youth, namely his two years as a physical-education instructor at the Illinois State Training School for Boys in St. Charles, Illinois.

Vaz was born in Monroe, Louisiana, had high shcool in Little Rock, Arkansas, and moved to South Bend at 18. He has his bachelor's degree in physical education and social studies from Indiana University, Bloomington, class of '54.

His first week on the job this summer was marked by a shooting incident at Colfax and Main in downtown South Bend. At this time he helped disperse the young people that gathered and after the incident investigated to find out just what had happened, talking among others to the black youth who had been there. Another incident was the accidental shotgun-shooting of a black youth at the Super Par filling station on South Michigan Street. Mr. Vaz arranged for the young man who had been shot to go on television and explain that the shooting was accidental, not racially motivated.

Then he got fifty men together to form a "task force" to help out in young people's activities, such as dances or movies—men who knew youth and who could be expected to react rightly to a tough situation. Identification for Task Force members was made more thorough than it was for the task force of the previous summer, the one whose members got summary treatment from the police at the LaSalle neighborhood center. The 1968 group carried pictured i.d. cards. In addition to having improved i-d, the group was publicized in the paper ahead of time. They wore arm bands, another i-d improvement, and were mixed racially.

Asked where the Task Force men came from, Vaz said there were "a lot I knew" and that some others, having heard about it, simply came in and offered their services. "Some of the best have come an and volunteered." The men are teachers, factory workers, insurance salesmen, executives, etc. At last count, the total number came to 56.

There is also a youth task force that works along with the adults. Twenty-eight young men form this "strong and effective" group. The West Side dances this summer were policed by these task-force young men.

Another important innovation for this past summer was the rumor-control center—an idea that Vaz picked up at a federally-sponsored conference in Chicago. Located at the Urban League, phones are manned 10 to 10, 6 days a week, and on Sunday only during time of emergency. On at least two occasions, this rumor control center has helped avert trouble in South Bend this summer.

The most important single incident, in Vaz's estimation, in averting trouble this summer not surprisingly had to do with police action. A patrolman had simply made too many enemies among black youth; and at Ohio and Kesey Streets on the Southeast Side one night, a boy was attacked by this policeman's dog, the same policeman who had also been mentioned by name in regard to the LaSalle Center trouble the previous summer. This man was simply relieved of his dog and put to work in the detective bureau—evidently out of harm's way (whether to give or receive it).

Vaz also cites the fifty-to-sixty jobs gotten for teenagers this summer, the series of meetings at the West Side centers, and, of course, the human-relations plum of the season, the softball games between black youth and police. For these games Vaz was one of the regular umpires. Expenses connected with the games, as for equipment and for food after the games, were taken care of by local merchants, maybe fifty in all, contacted by Vaz who pounded the cement to make the contacts. In fact, he talked hours with these people. But there was "no selling job" with them, he says. Whether from the neighborhoods, downtown, or the shopping centers, unions, trucking firms, banks, or industry—he was reluctant to name any one of them because of the need he would then feel to name them all—they came through.

"All my life I've worked with youth," Vaz relates. "I try to see the other side. That's what youth wants and needs, adults who do that. You have to ask yourself, 'How does youth want to be treated?' You can't let your education get between you and the kids, either. You've got to be always able to see youth's point of view."

In Vaz's office after this conversation, Fermon Thomas came in to see Vaz, bringing with him two young black men, one of whom was an 18-year-old dropout, threatened with the draft and wanting to get back into school. "You don't just want to get in because of the draft, do you?" Vaz asked the young man, whose family he knew ("How's your brother?" he asked. "Fine"). Vaz looked like he had mumps for all the tongue in his cheek. "No, sir," said the young man.

Vaz sat back in his chair eyeing the youths, sizing up the situation. They listened, respectful and expectant. Fermon Thomas, liaison man now between young black and adult black, said something about this kind of thing being a test of "the program." Vaz asked how Fermon was doing, how the house was that Fermon lives in with his young wife and child. Take a look out such-and-such way, Vaz told the younger man. "Look into that place. They might have something for you."

"I asked out there," Fermon said.

"Ask again," Vaz said. "They should have something for you."

"You think you can help him get back in school?" Fermon asked, nodding in the direction of the younger man.

"Call me tomorrow," Vaz said, making a note.

"Can you help him?" Fermon asked.

"We can help him," Vaz said.

ASSISTANT CHIEF LOREN BUSSERT

Assistant Chief Loren Bussert is 36 years old, was raised in South Bend. He spent ten years going part-time to Bethel College, got his bachelor's degree in 1967. (This pattern of the part-time-college-student policeman shows through continually in talking to these police who are most concerned about community relations.) He went straight to New York City, shortly after the LaSalle Center incident, in fact, to attend John Jay College of Public Administration of the City University of New York, on a Department of Justice fellowship which he was awarded along with seven other policemen from all parts of the country. (This fellowship is the result of the Law Enforcement Assistance Act of 1965. This is federal money getting through to the local law-enforcement level, as it got through to Winston Vaz through the Chicago conference that led to a rumor-control center for South Bend by means of another federal law.) On Bussert's educational agenda now is a Ph.D. from Notre Dame's Department of Sociology and Anthropology.

Why was it a cool summer? Well, no one man or program can get all the credit, of course, Chief Bussert said. Nor can one side of the racial fence either, for that matter. The community-relations division of the police are important, of course. He was in on the beginnings of that division, and then he went to New York to school. He was at that time quite aware of the tensions in the total community between black and white. When he came back, he found a tremendous change in attitudes. He found most of all a realization of the problems of the black community and a sense of the need for communication.

He puts a great deal of emphasis on communication. "There's a song popular with the kids," he says, " 'Reach Out in the Dark,' where the singer talks about 'a man I didn't like,' with whom he or she talks on the phone. Then they become friends. Everybody deserves credit in South Bend," he says. "The colored for waiting things out, giving whites time to listen and come to realization. If I don't talk to you, you know, I don't know you."

Bussert sees a "great change" among the police, a realization that you can repress crime in one of two ways: violent, with possible injury a part of that picture; or nonviolent, that is, preventative. "And by the way, talking about police relations with black or white in the community, may we talk about police-community relations? Just police with the total community?"

He feels that South Bend is small enough to achieve the communication necessary to solve the black-white problem. In other, bigger cities, for instance—and he draws heavily for this judgment on his experience in New York this past year, going to school with policemen who were all from cities much bigger than South Bend—you just don't get to the mayor or the police chief. You talk to middle men, with all the perils to real communication that that entails. "We're small enough to be able to afford to care about each other, and so our problems are not insurmountable here."

Maybe 3 per cent of the total black community riot, he says. The other 97 per cent have deep feelings about their situation which don't express themselves in this way. Of policemen, he said, "We hope that less than 3 per cent—that would be six out of 200—are bad cops. I don't want a bad policeman—anywhere in the ranks. The first thing to do is to admit it," he says (that there are bad policemen). "We didn't admit it before."

"There's no question that police could put riots down with force alone. But there is a balance to be achieved that keeps only the proper amount of force in action. This need for balance has existed for years and years: it's the question of appropriate force. This sometimes has to be determined very quickly by the arresting policeman. Too much or too little force is bad.

"Now the problem exists in handling groups. To avoid the greater harm, is the point. The problem is, how do you shoot Phillips and a year later say you were sincere when you did it? How do I convince you I'd rather not—if I mash you in the mouth in a bar [where you were causing trouble]?

"The child with a drunken father who gets violent when police are called and is dragged out of the house—police become the villian in this case. We say to the child, the policeman is your friend. But he saw you beating on his father.

"The police at LaSalle Center last summer—they are men who attend church, lead normal lives, have a job that puts them in that situation. If after the fact our guys can stand on their actions [according to the norms here given], then O.K. There's not a man here who wants to go through LaSalle Center again, submit himself to that danger. It's not the danger of a submachine gun, of course, but it still can be fatal. Panic can come.

"There was the rumor and fear of snipers . . ."

On the screening of police recruits Bussert says, "Give us the best and we'll take the best of them. But now we are taking the best of a middle group. In five years the best will be offered. A wider range to choose from. A lot of departments have lessened their requirements as needs have increased and the supply of recruits has gone down. But we have resisted this, and will continue to do so."

Patrolmen start with the South Bend Police Department at $6,000. That will be $6,300 by the first of next year. Top patrolman's pay, after 9 years, will be $7,700 by the first of next year. Sergeants will get $8,050. A captain will also get a raise to $9,000. The assistant chief's position will be eliminated—three division chiefs will each get $9,800. The chief will receive $12,000. If the patrolman of the future is to be the best of the best, it stands to reason that a department's true intent in that matter will be judged to a great extent by the pay offered.

Regarding internal discipline of police, assistant chief Bussert said there have been more dismissals from the South Bend Police Department in the last five years than in many, many previous years—about 15 policemen. What other professional organization, such as boards of education, can offer that kind of disciplinary record, or that kind of evidence of discipline being administered? What industry can?

Regarding civilian-review boards, the problem is like creating citizen groups to handle law enforcement in general. Who wants vigilante groups? asked Bussert, in a rapid handling of the problem. Lt. Wolfe had asked the question earlier: "When you are sick, do you go to a citizens' group or to a doctor? Do citizens' groups decide if a doctor or teacher is qualified, or do their peers?"

A COOL SUMMER

Mayor Lloyd Allen had some things to say about why it was a cool summer. The situation, he says, probably reflects some change in attitude by the community. A variety of things could contribute to this, including a recognition by government that there is a problem. Passing of the city's open-housing ordinance, the School Corporation's study of needs and presentation of its five-year plan, and the work of the police department's community-relations division all have helped.

To begin to meet housing needs, the Greater South Bend Housing Corporation, a not-for-profit corporation, was formed by churches and others to get federal loans for housing rehabilitation and construction. The South Bend Housing Authority (the public-housing authority for South Bend) has 186 new units in the planning and construction stage, 443 other units already in use, and 75 units that are leased, i.e. rented from their owners by the city at the going rate and re-rented to people eligible for public housing at public-housing rates.

The city's human-relations commission has its new look in its new executive director, the mayor noted. An employment program involving the human-relations commission, the Chamber of Commerce, the state employment service, union, and employers has been operated, in addition to some private programs.

"Something visible in our worst ghetto" has come in the urban-renewal achievements in the LaSalle Park area, after "frustrating delays," he said. Also, the city council has passed a model-cities program-proposal, even before South Bend was designated as a model-cities recipient.

"And I wouldn't belittle at all the softball programs," Mayor Allen said.

Regarding the part he played in talking to the marching West Side youth of this summer, he says he was at city hall when one of the marches had been concluded and some of the young men in the march hailed him and asked for a ride back to the Washington Neighborhood Center. He did so, and stopped in there to chat with the young men who had just been on the march. "It is hard to identify the problem" that the marchers were presenting, he said.

The current urban-renewal program for South Bend is the second such program. The first called for total demolition of the designated area and was rejected by the people of the neighborhood, he said. "It's my impression," the mayor said, that this present program is "most acceptable."

COMMUNICATIONS

Success stories in race relations can generally be held suspect. Anyone who has read Charles Silberman's *Crisis in Black and White* or Malcolm X's *Autobiography* or Robert Conot's *Rivers of Blood, Years of Darkness* (account of the Watts riot) or any one of hundreds of other books published in this country in the past ten or even fifty years can discover something of what living in a white society means to black people. Whites who live and/or work in the ghetto have invariably come away disturbed and depressed over what they saw and felt.

Much is made in this article of good communication as necessary for racial peace, and so it is. But of course, to communicate by ways subtle and devious that it is still right to be white and that you should step back if you're black is hardly going to make a difference. Police and city officials interviewed in this article have not given the impression of trying to con the black community into further acceptance of their grim plight, and this is good.

The article itself seems only barely acceptable as an overview of what has happened in South Bend, and it is acceptable only as long as it is understood as a tentative effort at sounding out the community on the why of its past relatively cool summer. Many people have been overlooked who could have shed more light on the question. Let us take all this as a beginning of understanding of not just why there was a cool summer, but why there may not be another one just as cool; what must be continued and expanded as programs and trends.

[From the South Bend Tribune, Sept. 9, 1968]

POLICE, NEGRO YOUTH SERIES REACHES DESIRED GOAL

(By Dolores Liebeler)

The goal of the softball series between Negro youths of the community and the South Bend Police Department was to strike up a better relationship between the two, and this was accomplished "without a question," according to Sgt. Michael Borkowski, captain of the police team.

"In fact, we are now working on forming basketball and swim teams," he added.

Both groups are looking ahead to next summer and another softball series.

"However, next year we hope to form a league, involving 10 to 12 teams," said Sgt. Borkowski.

This summer's 4-game series terminated Saturday at Potawotomi Park with the police winning the All-Star game 7–0.

USE FAST PITCH

The police and four Negro teams, representing the LaSalle Neighborhood Center, the West Side, East Side and the South Side, had agreed to slow pitch during the regular games. The Negro youths won three of the four games.

On Saturday Patrolman Ralph DeMeyer, pitcher for the Mishawaka B.K. Club softball team, was allowed to use his fast pitch, and it proved too much for the young athletes. DeMeyer chalked up a no-hitter to his credit.

DeMeyer also was voted by the Negro team members as the best sportsman.

Melvin Phillips, 21-year-old pitcher whose right leg was wounded during last summer's racial disturbance, was picked by the police as the winner of the best sportsman award Both men received trophies.

LESSENS TENSION

Phillips pitched in Saturday's All Star game. He also pitched the first game of the series, which was won by the LaSalle Neighborhood Center by a score of 7–6.

Members of both teams have called the games South Bend's greatest move in human relations.

"The games, without a question, lessened the tension between the two," said Borkowski.

Winston Vaz, executive director of the Human Relations-Fair Employment Practices Commission, and the umpire for the softball series, will be instrumental in forming teams for future athletic events.

INTERSTATE TAXATION ACT

HON. ABRAHAM A. RIBICOFF

OF CONNECTICUT

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. RIBICOFF. Mr. President, it is regrettable that the 90th Congress is adjourning without final action on legislation to provide some uniformity in the application of scores of State and local tax laws affecting interstate business.

The wide variety of these spreading State and local tax laws and the lack of uniformity in their application and enforcement is one of the most pressing problems confronting interstate business.

On February 15, 1967, I introduced S. 968, the Interstate Taxation Act, a bill to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce. This bill was a companion bill to H.R. 2158, which was developed by the special House Judiciary Subcommittee on State Taxation of Interstate Commerce after a full-scale study covering a period of about 6 years. This study was ordered by an act of Congress and, by agreement with the then chairman of the Committee on Finance, the House special subcommittee was delegated the responsibility for conducting it.

As a result of suggestions from the business community, including many from my own State of Connecticut, H.R. 2158 was improved by amendments before it passed the House by an overwhelming majority in May of this year, with the unanimous support of the Connecticut House delegation. The House also added an amendment which attempts to prevent double taxation of individuals by the many States which levy income taxes.

Therefore, I am making available as part of these remarks a new draft bill which includes all of the changes made by the House prior to passage, plus two additional amendments which I believe would make for greater equity in this complex area, so that interested parties will have an opportunity to study it before the 91st Congress convenes next January. I also urge the distinguished chairman of the Committee on Finance to schedule consideration of this important legislation as early as possible in 1969.

This new draft, like the original, would establish uniform jurisdictional rules for State and local taxes of all types. For income tax purposes, companies would be subject to tax only in those States in which they have a business location, that is, States in which they own or lease property, or have one or more employees, or regularly maintain a stock of goods for sale in the ordinary course of business. It would also continue the jurisdictional protection of Public Law 86-272, which provides that mere sales solicitation is not a sufficient factor to give the State or locality jurisdiction to tax.

One of the amendments I have included would eliminate what I consider a discrimination in the House bill regarding the application of these jurisdictional rules by making a distinction between large and small corporations. The House bill would have applied the new income tax jurisdictional provisions only to corporations with $1 million of average annual income or less. This distinction between large and small corporations was made partly in light of the suggestion of tax administrators who, during the hearings of the House Judiciary Subcommittee on State Taxation of Interstate Commerce, said they wanted more time to resolve the problem of the large corporations. However, considerable time having elapsed since then without action having been taken by the States to remedy the problem of double taxation, it now seems appropriate for the Congress to eliminate the distinction between large and small corporations and to treat them with the same jurisdictional rules. It makes increasing sense as time goes on to include the large corporations as well as smaller ones in the jurisdictional sweep of Federal legislation. It is relevant to note that the proposed multistate tax compact suggested initially by many State tax administrators does not include provisions on income tax jurisdiction for large or small corporations. Although the proposed compact has not been approved by the Congress, it illustrates how unrealistic it is at present to expect the State tax administrators to agree on jurisdictional limitations that will apply to all taxpayers. Incidentally, one of the great improvements in the direction of achieving jurisdictional uniformity was made on the House floor where the bill was extended, in the words of its sponsor, "to give the individual the same kind of protection a corporation receives." He pointed out that some individuals are being taxed twice on the same income and the bill as it passed the House would protect against this possibility for both individuals and corporations. The Finance Committee should give particular attention to the perfecting and strengthening of this provision.

The new draft, however, would continue to provide substantial relief for smaller businesses, those whose average annual income is $1 million or less, by providing the option of using a standard two-factor formula based on property and payroll for apportioning their income among the States in which they are subject to tax.

It also provides guidelines for State sales and use taxes. No State or local government could require collection of sales or use taxes unless the seller has a business location in that State, or regularly makes household deliveries in the State.

In any event, the seller would be relieved from collecting sales and use taxes on sales to business purchasers who are already registered with the State to collect sales and use taxes themselves.

A gross receipts tax could be levied only on those sellers having a business in the State.

Out-of-State audit charges would be prohibited and there would be an amnesty of unassessed back liability where no business location was maintained in the State.

Further, the draft would provide for a continuing evaluation by the Congress of the progress made by the States in resolving any remaining difficulties.

The second major amendment contained in the draft relates to what is called the unitary business concept of applying State income taxes. This practice requires a company within the taxing jurisdiction of a State to include in the measure of its tax income from an affiliate which is not itself subject to the jurisdiction of the taxing State. The unitary business concept has been used extensively by the State of California and, in fact, has become commonly known as the California practice. In my opinion, the unitary concept is open to question for many reasons—economic, as well as those in the legal and constitutional realm.

A major objection to the unitary concept is based on the fact that the California practice requires the inclusion in the unapportioned tax base of "foreign source income" which is earned in countries outside of the United States, and which is not even included in the measure of the Federal income tax imposed by the United States. For example, under the California practice, a Connecticut corporation—with an affiliate in California and other affiliates in such countries as Holland, France, Japan, and so forth—is required to include in the measure of the California tax the income of the California affiliate and the Connecticut corporation. As well as being highly inequitable, this practice conflicts directly with international tax policies of the Federal Government and, if permitted to continue, can result in a situation in which various States of the United States are formulating their own international tax policies without taking into account the international trade policies of the Federal Government.

Still another objection to the California practice is that it clearly departs from the present practice of an overwhelming majority of the other States of the United States. As was brought out in the cross-examination of the California tax administrator at the hearings held by the Special Subcommittee on State Taxation of Interstate Commerce—pages 132 to 136 of volume 1 of the hearings on H.R. 17798—the State of California clearly intends to continue the practice despite the fact that the State legislature has enacted the Uniform Division of Income and Tax Purposes Act, which was incorporated in the multistate tax compact. Since the other States which have enacted this act do not apply the unitary rule, there is, in fact, an extraordinarily high degree of nonuniformity between the California practice and the records required by it and the practice of the other States. At the same time, if each of the other States were conceivably to adopt the unitary practice, the result would be complete chaos, since each tax administrator of each State would be called upon to exercise his own individual discretion with respect to the circumstances in which the unitary rule would be applied, as well as the manner of applying the rule to the complex relationship that exists among multicorporate enterprises. Indeed, the only practical way in which the unitary concept could be applied in a manner that is uniform among all of the States would be for the Federal Government to establish a single Federal authority for making administrative determinations regarding the taxation of multicorporate enterprises. The establishment of such an authority is strongly opposed by both the State tax administrators and the overwhelming majority of taxpayers.

When I introduced my original bill, S. 968, I pointed out that in my own State of Connecticut the problem is reaching critical proportions. I continue to receive pleas for congressional action from many Connecticut businesses of all sizes. Products manufactured by small Connecticut companies—many with fewer than 20 or 25 employees—end up in every State and every county of the United States. But the present system of State taxation is so chaotic and unwieldy that these businesses simply do not have the ability to comply with the taxing requirements of every locality in which their goods are sold. They clearly cannot be expected to assume the role of tax collector for every State and locality into which they send their products. It is imperative that small companies in Connecticut—as well as those throughout the entire United States—be allowed to have free access to the single national market which is common to all the States. Early action by the 91st Congress would help Connecticut get on with the job of building the American economy—and free it from the morass of rules, regulations, and redtape which now threatens the freedom of interstate commerce. I firmly believe that the Congress must provide rules to strike a balance between the legitimate needs of the States and our growing national economy.

Mr. President, this draft legislation would provide reasonable and commonsense rules. Each State and locality would legitimately tax those businesses within their borders and would also tax interstate business, but under uniform rules.

It should increase taxpayer compliance and thereby State revenues. By reducing the cost of compliance to our Nation's businesses, it should increase their ability to pay these State and local taxes. Dollars spent on compliance problems rather than on taxes are wasted to our society.

This legislation has long had the support of many major national organizations. A representative list of some of these national groups follows:

National Association of Manufacturers.

National Association of Wholesalers.

International Ladies' Garment Workers Union.

U.S. Chamber of Commerce.

National Council of Salesmen's Organizations.

American Society of Nurserymen.

Magazine Publishers Association.

American Textile Manufacturers Institute.

Direct Mail Advertising Association.

Manufacturing Chemists Association.

National Small Business Association.

Printing Industries Association.

National Food Brokers Association.

Automotive Services Industries Association.

Financial Executives Institute.

Apparel Industry Association.

National Frozen Food Association.

North American Heating and Air Conditioning Wholesalers Association.

National Candy Wholesalers Association.

Laundry and Cleaners Allied Trades Association.

National Equipment Distributors Association.

National Association of Electrical Distributors.

Wholesale Stationers' Association.

National Association of Sporting Goods Wholesalers.

Southern Industrial Distributors' Association.

Association of Institutional Distributors.

National Building Material Distributors Association.

American Movers Conference.

Movers' and Warehousemen's Association of America.

Society of American Florists.

Point-of-Purchase Advertising Institute.

Automotive Wholesaler Trade Association Executives.

Farm Equipment Wholesalers Association.

National American Wholesale Lumber Association.

Air Conditioning and Refrigeration Wholesalers.

Screen Process Printing Association.

Food Services Equipment Industry Association.

American Advertising Federation.

National Electronic Distributors Association.

American Institute of Supply Associations.

Manufacturers Agents National Association.

American Textbook Publishers Institute.

National Kitchen Distributors Association.

Laundry and Cleaners Allied Trades Association.

National Sash and Door Jobbers Association.

In addition, it has the support of scores of State and local groups, including the Manufacturers Association of Connecticut, Inc.

I urge that this important and pressing problem be made a priority matter early in the 91st Congress.

I ask unanimous consent to have printed at this point in the RECORD a draft bill covering the points I have discussed.

There being no objection, the draft bill was ordered to be printed in the RECORD, as follows:

S. —

A bill to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Interstate Taxation Act".

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TITLE I—JURISDICTION TO TAX

Sec. 101. Uniform jurisdictional standard.

No State or political subdivision thereof shall have power—

(1) to impose a net income tax or capital stock tax on a corporation other than an excluded corporation unless the corporation has a business location in the State during the taxable year;

(2) to require a person to collect a sales or use tax with respect to a sale of tangible personal property unless the person has a business location in the State or regularly makes household deliveries in the State; or

(3) to impose a gross receipts tax with respect to a sale of tangible personal property unless the seller has a business location in the State.

A State or political subdivision shall have power to impose a corporate net income tax or capital stock tax, or a gross receipts tax with respect to a sale of tangible personal property, or to require seller collection of a sales or use tax with respect to a sale of tangible personal property, if it is not denied power to do so under the preceding sentence.

TITLE II—MAXIMUM PERCENTAGE OF INCOME OR CAPITAL ATTRIBUTABLE TO TAXING JURISDICTION

Sec. 201. Optional two-factor formula.

A State or a political subdivision thereof may not impose on a corporation with a business location in more than one State, other than an excluded corporation or a corporation which has an average annual income in excess of $1,000,000, a net income tax (or capital stock tax) measured by an amount of net income (or capital) in excess of the amount determined by multiplying the corporation's base by an apportionment fraction which is the average of the corporation's property factor and the corporation's payroll factor for the State for the taxable year. For this purpose the base to which the apportionment fraction is applied shall be the corporation's entire taxable income as determined under State law for that taxable year (or its entire capital as determined under State law for the valuation date at or after the close of that taxable year).

Sec. 202. Property factor.

(a) IN GENERAL.—A corporation's property factor for any State is a fraction, the numerator of which is the average value of the corporation's property located in that State and the denominator of which is the average value of all of the corporation's property located in any State.

(b) PROPERTY INCLUDED.—The corporation's property factor shall include all the real and tangible personal property which is owned by or leased to the corporation during the taxable year, except—

(1) property which has been permanently retired from use, and

(2) tangible personal property rented out by the corporation to another person for a term of one year or more.

(c) EXCLUSION OF PERSONALTY FROM DENOMINATOR.—The denominator of the corporation's property factor for all States and political subdivisions shall not include the value of any property located in a State in which the corporation has no business location.

(d) STANDARDS FOR VALUING PROPERTY IN PROPERTY FACTOR.—

(1) OWNED PROPERTY.—Property owned by the corporation shall be valued at its original cost.

(2) LEASED PROPERTY.—Property leased to the corporation shall be valued at eight times the gross rents payable by the corporation during the taxable year without any deduction for amounts received by the corporation from subrentals.

(e) AVERAGING OF PROPERTY VALUES.—The average value of the corporation's property shall be determined by averaging values at the beginning and ending of the taxable year; except that values shall be averaged on a semi-annual, quarterly, or monthly basis if reasonably required to reflect properly the location of the corporation's property during the taxable year.

Sec. 203. Payroll factor.

(a) IN GENERAL.—A corporation's payroll factor for any State is a fraction, the numerator of which is the amount of wages paid by the corporation to employees located in that State and the denominator of which is the total amount of wages paid by the corporation to all employees located in any State.

(b) Payroll Included.—The corporation's payroll factor shall include all wages paid by the corporation during the taxable year to its employees, except that there shall be excluded from the factor any amount of wages paid to a retired employee.

(c) Employees Not Located in Any State.—If an employee is not located in any State, the wages paid to that employee shall not be included in either the numerator or the denominator of the corporation's payroll factor for any State or political subdivision.

(d) Definition of Wages.—The term "wages" means wages as defined for purposes of Federal income tax withholding in section 3401(a) of the Internal Revenue Code of 1954, but without regard to paragraph (2) thereof.

Sec. 204. Zero denominators.

If the denominator of either the property factor or the payroll factor is zero, then the other factor shall be used as the apportionment fraction for each State and political subdivision. If the denominators of both the property factor and the payroll factor are zero, then the apportionment fraction for the State where the corporation has its business location shall be 100 percent.

Sec. 205. Capital account taxes on domestic corporations.

The State in which a corporation is incorporated may impose a capital account tax on that corporation without division of capital, notwithstanding the jurisdictional standard and limitation on attribution otherwise imposed by this Act.

Sec. 206. Local taxes.

The maximum percentage of net income (or capital) of a corporation attributable to a political subdivision for tax purposes shall be determined under this title in the same manner as though the political subdivision were a State; except that the demoninators of the corporation's property factor and payroll factor shall be the denominators applicable to all States and political subdivisions. For this purpose the numerators of the corporation's property factor and payroll factor shall be determined by treating every reference to location in a State, except the references in sections 202(c) and 203(c), as a reference to location in the political subdivision.

TITLE III—SALES AND USE TAXES

Sec. 301. Reduction of multiple taxation.

(a) Location of Sales.—A State or political subdivision thereof may impose a sales tax or require a seller to collect a sales or use tax with respect to an interstate sale of tangible personal property only if the destination of the sale is—

(1) in that State, or

(2) in a State or political subdivision for which the tax is required to be collected.

(b) Imposition of Use Tax.—A State or political subdivision thereof may not impose a use tax with respect to tangible personal property of a person without a business location in the State or an individual without a dwelling place in the State; but nothing in this subsection shall affect the power of a State or political subdivision to impose a use tax if the destination of the sale is in the State and the seller has a business location in the State or regularly makes household deliveries in the State.

(c) Credit for Prior Taxes.—The amount of any use tax imposed with respect to tangible personal property shall be reduced by the amount of any sales or use tax previously paid by the taxpayer with respect to the property on account of liability to another State or political subdivision thereof.

(d) Refund.—A person who pays a use tax imposed with respect to tangible personal property shall be entitled to a refund from the State or political subdivision thereof imposing the tax, up to the amount of the tax so paid, for any sales or use tax subsequently paid to the seller with respect to the property on account of liability to another State or political subdivision thereof.

(e) Motor Vehicles and Motor Fuels.—

(1) Vehicles.—Nothing in subsection (a) or (b) shall affect the power of a State or political subdivision thereof to impose or require the collection of a sales or use tax with respect to motor vehicles that are registered in the State.

(2) Fuels.—Nothing in this section shall affect the power of a State or political subdivision thereof to impose or require the collection of a sales or use tax with respect to motor fuels consumed in the State.

Sec. 302. Exemption for household goods, including motor vehicles, in the case of persons who establish residence.

No State or political subdivision thereof may impose a sales tax, use tax, or other nonrecurring tax measured by cost or value with respect to household goods, including motor vehicles, brought into the State by a person who establishes residence in that State if the goods were acquired by that person thirty days or more before he establishes such residence.

Sec. 303. Treatment of freight charges with respect to interstate sales.

Where the freight charges or other charges for transporting tangible personal property to the purchaser incidental to an interstate sale are not included in the price but are separately stated by the seller, no State or political subdivision may include such charges in the measure of a sales or use tax imposed with respect to the sale or use of the property.

Sec. 304. Liability of Sellers on Sales to business buyers.

No seller shall be liable for the collection or payment of a sales or use tax with respect to an interstate sale of tangible personal property if the purchaser of such property furnishes or has furnished to the seller—

(1) a registration number or other form of identification indicating that the purchaser is registered with the jurisdiction imposing the tax to collect or pay a sales or use tax imposed by that jurisdiction, or

(2) a certificate or other written form of evidence indicating the basis for exemption or the reason the seller is not required to pay or collect the tax.

Sec. 305. Local sales taxes.

No seller shall be required by a State or political subdivision thereof to classify interstate sales for sales tax accounting purposes according to geographic areas of the State in any manner other than to account for interstate sales with destinations in political subdivisions in which the seller has a business location or regularly makes household deliveries. Where in all geographic areas of a State sales taxes are imposed at the same rate on the same transactions, are administered by the State, and are otherwise applied uniformly so that a seller is not required to classify interstate sales according to geographic areas of the State in any manner whatsoever, such sales taxes whether imposed by the State or by political subdivisions shall be treated as State taxes for purposes of this Act.

TITLE IV—EVALUATION OF STATE PROGRESS

Sec. 401. Congressional committees.

The Committee on the Judiciary of the House of Representatives and the Committee on Finance of the United States Senate, acting separately or jointly, or both, or any duly authorized subcommittees thereof, shall for four years following the enactment of this Act evaluate the progress which the several States and their political subdivisions are making in resolving the problems arising from State taxation of interstate commerce and if, after four years from the enactment of this Act, the States and their political subdivisions have not made substantial progress in resolving any such problem, shall propose such measures as are determined to be in the national interest.

TITLE V—DEFINITIONS AND MISCELLANEOUS PROVISIONS

Part A—Definitions

Sec. 501. Net income tax.

A "net income tax" is a tax which is imposed on or measured by net income, including any tax which is imposed on or measured by an amount arrived at by deducting from gross income expenses one or more forms of which are not specifically and directly related to particular transactions.

Sec. 502. Capital stock tax; capital account tax

(a) Capital Stock Tax.—A "capital stock tax" is any tax measured in any way by the capital of a corporation considered in its entirety.

(b) Capital Account Tax.—A "capital account tax" is any capital stock tax measured by number of shares, par or nominal value of shares, paid-in capital, or the like, not including any tax the measure of which includes any element of earned surplus.

Sec. 503. Sales tax.

A "sales tax" is any tax imposed with respect to retail sales, and measured by the sales price of goods or services sold, which is required by State law to be stated separately from the sales price by the seller, or which is customarily stated separately from the sales price.

Sec. 504. Use tax.

A "use tax" is any nonrecurring tax, other than a sales tax, which is imposed on or with respect to the exercise or enjoyment of any right or power over tangible personal property incident to the ownership of that property or the leasing of that property from another, including any consumption, keeping, retention, or other use of tangible personal property.

Sec. 505. Gross receipts tax.

A "gross receipts tax" is any tax, other than a sales tax, which is imposed on or measured by the gross volume of business, in terms of gross receipts or in other terms, and in the determination of which no deduction is allowed which would constitute the tax a net income tax.

Sec. 506. Excluded corporation.

(a) In General.—An "excluded corporation" is any corporation—

(1) more than 50 percent of the ordinary gross income of which for the taxable year—

(A) is derived from regularly carrying on any one or more of the following business activities:

(i) the transportation for hire of property or passengers, including the rendering by the transporter of services incidental to such transportation;

(ii) the furnishing of—

(I) telephone service or public telegraph service, or

(II) other communications service if the corporation is substantially engaged in furnishing a service described in subdivision (I);

(iii) the sale of electrical energy, gas, or water;

(iv) the issuing of insurance or annuity contracts or reinsurance; or

(v) banking, the lending of money, or the extending of credit;

(B) is received in the form of one or more of the following:

(i) dividends;

(ii) interest; or

(iii) royalties from patents, copyrights, trademarks, or other intangible property and mineral, oil, or gas royalties (but not payments of the type described in section 543 (a)(5)(B) of the Internal Revenue Code of 1954); or

(C) consists of ordinary gross income described in subparagraph (A) and other ordinary gross income described in subparagraph (B); or (2) which is a "personal holding company" as defined in section 542 of the Internal Revenue Code of 1954 or a "foreign personal holding company" as defined in section 552 of such Code.

(b) Ordinary Gross Income—The term "ordinary gross income" means gross income as determined for the taxable year under the applicable provisions of the Internal Revenue Code of 1954, except that there shall be excluded therefrom—

(1) all gains and losses from the sale or other disposition of capital assets, and

(2) all gains and losses from the sale or other disposition of property of a character described in section 1231(b) of the Internal Revenue Code of 1954 (determined without regard to holding period).

Sec. 507 Average annual income.

(a) A corporation's "average annual income" with respect to any taxable year (in this subsection referred to as the "computation year") shall be determined as follows:

(1) The period to be used in making the determination (in this subsection referred to as the "averaging period") shall first be established. Such period shall consist of the 5 consecutive taxable years ending with the close of the computation year; except that if the corporation was not required to file a Federal income tax return for 5 consecutive taxable years ending with the close of the computation year, its averaging period shall consist of the 1 or more consecutive taxable years, ending with the close of that year, for which it was required to file such a return.

(2) (A) The amount of the corporation's Federal taxable income for each of the taxable years in its averaging period shall then be determined. Such amount for any year shall be the corporation's taxable income for such year for purposes of the Internal Revenue Code of 1954 (determined without regard to any net operating loss carryback from a taxable year after the computation year), except as otherwise provided in subparagraphs (B) and (C).

(B) If for any portion of its averaging period the corporation's income was included in a consolidated return filed under the Internal Revenue Code of 1954, the corporation's Federal taxable income for that portion of such period shall be considered to be the total consolidated Federal taxable income included in such return (and the corporation's Federal taxable income for any portions of its averaging period to which this subparagraph does not apply shall be determined under the other provisions of this paragraph as though the corporation had no income for any portion of such period to which this subparagraph applies).

(C) If any taxable year in the corporation's averaging period is a period of less than 12 calendar months (and its taxable income for such year is not otherwise annualized for purposes of the Internal Revenue Code of 1954), the corporation's Federal taxable income for such taxable year shall be placed on an annual basis for purposes of this subsection by multiplying such income by 12 and dividing the result by the number of months in such year.

(3) The amounts determined under paragraph (2) for the taxable years in the corporation's averaging period shall be added together, and the total shall be divided by the number of such years. The resulting sum is the corporation's average annual income with respect to the computation year, unless paragraph (4) applies.

(4)(A) If the corporation is affiliated at any time during the computation year with one or more other corporations, its average annual income with respect to the computation year shall be the total of its own average annual income and the average annual income of each of the corporations with which it is so affiliated, as determined under paragraph (3) (with respect to such year) subject to subparagraph (B) of this paragraph.

(B) If two or more of the corporations to which subparagraph (A) applies with respect to any computation year included their income in the same consolidated return filed under the Internal Revenue Code of 1954 for any portion of the applicable averaging period, the total consolidated Federal taxable income included in such return shall be deemed to be their aggregate Federal taxable income for that portion of such period for purposes of subparagraph (A), and paragraph (2)(B) shall be disregarded to the extent that its application would result in a larger aggregate Federal taxable income.

(b) Affiliated Corporations.—For purposes of subsection (a), two or more corporations are "affiliated" if they are members of the same group comprised of one or more corporate members connected through stock ownership with a common owner, which may be either corporate or noncorporate, in the following manner:

(1) more than 50 percent of the voting stock of each member other than the common owner is owned directly by one or more of the other members; and

(2) more than 50 percent of the voting stock of at least one of the members other than the common owner is owned directly by the common owner.

The fact that a corporation is an "excluded corporation" shall not be taken into account in determining whether two or more other corporations are "affiliated".

Sec. 508 Sale; sales price.

The terms "sale" and "sales price" shall be deemed to include leases and rental payments under leases.

Sec. 509. Interstate sale.

An "interstate sale" is a sale with either its origin or its destination in a State, but not both in the same State.

Sec. 510. Origin.

The origin of a sale is—

(1) in the State or political subdivision in which the seller owns or leases premises at which the property was last located prior to delivery or shipment of the property by the seller to the purchaser or to a designee of the purchaser, or

(2) if the property was never located at premises owned or leased by the seller, in the State or political subdivision in which a business location of the seller is located and in or from which the sale was chiefly negotiated.

Sec. 511. Destination.

The destination of a sale is in the State or political subdivision where the property is delivered or shipped to the purchaser, regardless of the f.o.b. point or other conditions of the sale.

Sec. 512. Business location.

(a) General Rule.—A person shall be considered to have a business location within a State only if that person—

(1) owns or leases real property within the State,

(2) has one or more employees located in the State, or

(3) regularly maintains a stock of tangible personal property in the State for sale in the ordinary course of its business.

For the purpose of paragraph (3), property which is on consignment in the hands of a consignee, and which is offered for sale by the consignee on his own account, shall not be considered as stock maintained by the consignor; and property which is in the hands of a purchaser under a sale or return arrangement shall not be considered as stock maintained by the seller.

(b) Exception.—If a corporation's only activities within a State consists of the maintenance of an office for gathering news the corporation shall not be considered to have a business location in that State for purposes of paragraph (1) of section 101, to own or lease real property within that State for purposes of section 202, or to have an employee located in the State for purposes of section 203.

(c) Business Location in Special Cases.—If a person does not own or lease real property within any State or have an employee located in any State or regularly maintain a stock of tangible personal property in any State for sale in the ordinary course of its business (or in a case described in the last sentence of section 204), that person shall be considered to have a business location only—

(1) in the State in which the principal place from which its trade or business is conducted is located, or

(2) if the principal place from which its trade or business is conducted is not located in any State, in the States of its legal domicile.

Sec. 513. Location of property.

(a) General Rule.—Except as otherwise provided in this section, property shall be considered to be located in a State if it is physically present in that State.

(b) Rented-Out Personalty.—Personal property which is rented out by a corporation to another person shall be considered to be located in a State if the last base of operations at or from which the property was delivered to a lessee is in that State. If there is no base of operations in any State at which the corporation regularly maintains property of the same general kind for rental purposes, such personal property shall not be considered to be located in any State.

(c) Moving Property Which Is Not Rented Out.—Personal property which is not rented out and which is characteristically moving property, such as motor vehicles, rolling stock, aircraft, vessels, mobile equipment, and the like, shall be considered to be located in a State if—

(1) the operation of the property is localized in that State, or

(2) the operation of the property is not localized in any State, but the principal base of operations from which the property is regularly sent out is in that State.

If the operation of the property is not localized in any State and there is no principal base of operations in any State from which the property is regularly sent out, the property shall not be considered to be located in any State.

(d) Combination or Consolidation of Income.—A State or political subdivision thereof may not require a corporation with a business location in the State to combine or consolidate its income for income tax purposes with any other corporation which does not have a business location within that State. However, if a corporation with a business location in the State has entered into any non-arms length transactions with a corporation which does not have a business location in that State, nothing in the preceding sentence shall prohibit the taxing State from requiring that adjustments be made with respect to such transactions so as clearly to reflect the income which would have been earned by the corporation with a business location in the taxing State had such transactions been conducted at arms length.

(e) Meaning of Terms—

(1) Localization of operation.—The operation of property shall be considered to be localized in a State if during the taxable year it is operated entirely within that State,

or it is operated both within and without that State but the operation without the State is—

(A) occasional, or

(B) incidental to its use in the transportation of property or passengers from points within the State to other points within the State, or

(C) incidental to its use in the production, construction, or maintenance of other property located within the State.

(2) Base of operations.—The term "base of operations", with respect to a corporation's rented-out property or moving property which is not rented out, means the premises at which any such property is regularly maintained by the corporation when—

(A) in the case of rented-out property, it is not in the possession of a lessee, or

(B) in the case of moving property which is not rented out, it is not in operation.

regardless of whether such premises are maintained by the corporation or by some other person; except that if the premises are maintained by an employee of the corporation primarily as a dwelling place they shall not be considered to constitute a base of operations.

Sec. 514. Location of employee.

(a) General Rule.—An employee shall be considered to be located in a State if—

(1) the employee's service is localized in that State, or

(2) the employee's service is not localized in any State but some of the service is performed in that State and the employee's base of operations is in that State.

(b) Localization of Employee's Service.—Service of any employee shall be considered to be localized in a State if—

(1) the service is performed entirely within that State, or

(2) the service is performed both within and without that State, but the service performed without the State is incidental to service performed within the State.

(c) Employee's Base of Operations.—The term "base of operations", with respect to an employee, means a single place of business with a permanent location which is maintained by the employer and from which the employee regularly commences his activities and to which he regularly returns in order to perform the functions necessary to the exercise of his trade or profession.

(d) Continuation of Minimum Jurisdictional Standards.—An employee shall not be considered to be located in a State if his only business activities within such State on behalf of his employer are either or both of the following:

(1) The solicitation of orders, for sales of tangible personal property, which are sent outside the State for approval or rejection and (if approved) are filled by shipment or delivery from a point outside the State.

(2) The solicitation of orders in the name of or for the benefit of a prospective customer of his employer, if orders by such customer to such employer to enable such customer to fill orders resulting from such solicitation are orders described in paragraph (1).

This subsection shall not apply with respect to business activities carried on by one or more employees within a State if the employer (without regard to those employees) has a business location in such State.

(e) Employees of Contractors and Extractors.—If the employer is engaged in the performance of a contract for the construction of improvements on or to real property in the State or of a contract for the extraction of natural resources located in the State, an employee whose services in the State are related primarily to the performance of the contract shall be presumed to be located in the State. This subsection shall not apply with respect to services performed in installing or repairing tangible property which is the subject of interstate sale by the employer, if such installing or repairing is incidental to the sale.

(f) The term "employee" has the same meaning as it has for purposes of Federal income tax withholding under chapter 24 of the Internal Revenue Code of 1954.

Sec. 515. Household deliveries.

A seller makes household deliveries in a State or political subdivision if he delivers goods, otherwise than by mail or by a common carrier, to the dwelling places of his purchasers located in that State or subdivision.

Sec. 516. State.

The term "State" means the several States of the United States and the District of Columbia.

Sec. 517. State law.

References in this Act to "State law", "the laws of the State", and the like shall be deemed to include a State constitution, and to include the statutes and other legislative acts, judicial decisions, and administrative regulations and rulings of a State and of any political subdivision.

Sec. 518. Taxable year.

A corporation's "taxable year" is the calendar year, fiscal year, or other period upon the basis of which its taxable income is computed for purposes of the Federal income tax.

Sec. 519. Valuation date.

The "valuation date", with respect to a capital stock tax, is the date as of which capital is measured.

Part B—Miscellaneous Provisions

Sec. 521. Permissible franchise taxes.

The fact that a tax to which this Act applies is imposed by a State or political subdivision thereof in the form of a franchise, privilege, or license tax shall not prevent the imposition of the tax on a person engaged exclusively in interstate commerce within the State; but such a tax may be enforced against a person engaged exclusively in interstate commerce within the State solely as a revenue measure and not by ouster from the State or by criminal or other penalty for engaging in commerce within the State without permission from the State.

Sec. 522. Prohibition against geographical discrimination.

(a) In General.—No provision of State law shall make any person liable for a greater amount of sales or use tax with respect to tangible personal property, or gross receipts tax with respect to tangible personal property, by virtue of the location of any occurrence in a State outside the taxing State, than the amount of the tax for which such person would otherwise be liable if such occurrence were within the State (subject to section 523). For purposes of this subsection, the term "occurrence" includes incorporation, qualification to do business, and the making of a tax payment, and includes an activity of the taxpayer or of a person (including an agency of a State or local government) receiving payments from or making payments to the taxpayer.

(b) Computation of Tax Liability Under Discriminatory Laws.—When any State law is in conflict with subsection (a), tax liability may be discharged in the manner which would be provided under State law if the occurrence in question were with the taxing State.

Sec. 523. Applicability of act.

Nothing in section 101 or in any other provision of this Act shall be considered—

(1) to repeal Public Law 86-272 with respect to any person;

(2) to increase, decrease, or otherwise affect the power of any State or political subdivision to impose or assess a net income or capital stock tax with respect to an excluded corporation; or

(3) to give any State or political subdivision the power to impose a gross receipts tax with respect to a sale of tangible personal property if the seller would not be subject to the imposition of such a gross receipts tax without regard to the provisions of this Act.

Sec. 524. Prohibition against out-of-state audit charges.

No charge may be imposed by a State or political subdivision thereof to cover any part of the cost of conducting outside that State an audit for a tax to which this Act applies, including a net income or capital stock tax imposed on an excluded corporation.

Sec. 525. Liability with respect to unassessed taxes.

(a) Periods Ending Prior to Enactment Date.—No State or political subdivision thereof shall have the power, after the date of the enactment of this Act, to assess against any person for any period ending on or before such date in or for which that person became liable for the tax involved—

(1) a corporate net income tax, capital stock tax (other than a capital account tax imposed on corporations incorporated in the State), or gross receipts tax with respect to tangible personal property, if during such period that person did not have a business location in the State; or

(2) a sales or use tax with respect to tangible personal property, if during such period that person was not registered in the State for the purpose of collecting tax, had no business location in the State, and did not regularly make household deliveries in the State.

(b) Certain Prior Assessments and Collections.—The provisions of subsection (a) shall not be construed—

(1) to invalidate the collection of a tax prior to the time assessment became barred under subsection (a), or

(2) to prohibit the collection of a tax at or after the time assessment became barred under subsection (a), if the tax was assessed prior to such time.

Sec. 526. Effective dates.

(a) Corporate Net Income Taxes and Capital Stock Taxes.—Title II of this Act, and the provisions of section 101 and this title (except section 525) insofar as they relate to corporate net income taxes or capital stock taxes, shall apply in the case of corporate net income taxes only with respect to taxable years ending after the date of the enactment of this Act, and in the case of capital stock taxes only with respect to taxes for which the valuation date is later than the close of the first taxable year ending after the date of the enactment of this Act. Any corporation shall be permitted to adjust its reporting period for net income tax purposes to the extent necessary to comply with this Act, effective for the first taxable year to which title II applies.

(b) Other Provisions.—The remaining provisions of this Act shall take effect on the date of the enactment of this Act.

TITLE VI—TAXATION OF INDIVIDUALS

Sec. 601.

(a) No State or political subdivision thereof shall have the power to impose for any taxable year ending after the date of the enactment of this Act an income tax on the income or to establish the rate of taxation on the income of any individual—

(1) which was earned or derived during any period while the individual was not domiciled in the State except to the extent the income was earned from sources within the State, or

(2) which was earned or derived from sources without the State during any period while the individual was domiciled in the

State except to the extent the tax exceeds any income tax paid on such income to the State (or political subdivision) in which the income was earned or derived.

(b) For purposes of this Act—

(1) the term "State" shall include the District of Columbia, and

(2) "earned" means to acquire by labor, service, or performance and does not include the mere receipt of interest or dividend payments which are merely a return upon an investment and are not paid as a result of labor, service, or performance rendered.

REPORT TO THE PEOPLE OF NORTH DAKOTA'S SECOND DISTRICT

HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. KLEPPE. Mr. Speaker, under leave to extend my remarks in the Record, I include the following text of "Kleppe Comments," a newsletter report to the people of North Dakota's Second District:

The 90th Congress

This is another in a series of reports I have made to the people of North Dakota's West District over the last two years. I have sought to cover major legislative developments, together with a report on my own voting record.

The 90th Session of Congress is now history. I believe it made some notable accomplishments, although there were shortcomings, as well. On the positive side, it seems to me that this Congress restored a better balance of power between the executive and legislative branches.

Congress faced up to the fact that there must be restraints on nondefense expenditures at a time when the country is engaged in a major war. The executive branch of the government had been sidestepping this reality, as the $25.4 billion budget deficit for Fiscal 1968 attests. In recent years, non-defense spending had been increasing even more than military spending.

The 90th Congress inherited a tremendous stack of IOU's bequeathed by a spendthrift 89th Congress which rubber-stamped the President's "Great Society" programs with no apparent concern for how they were to be financed. The 10 per cent income tax surcharge, which I voted against, was one result of these prior commitments. Cuts and freezes in some educational, agricultural and highway construction programs were ordered by the White House to offset increasing costs of the "Great Society" programs which the President has consistently refused to trim.

Congress made large and long overdue reductions in foreign aid. It passed anti-crime legislation which should make the streets of America's cities safer. But this legislation, of itself, won't work without strict enforcement.

A one-year extension of the Food and Agriculture Act was approved. This will give the new Congress and the new President time to develop an improved program to bolster farm income. With farm production costs reaching a new peak, month after month, and with agricultural prices sagging badly, there is an urgent need for a more effective program.

It seems to me that an essential part of the new program should be a Strategic Grain Reserve. I have introduced legislation which would lock up in the hands of farmers themselves a stockpile of 300 million bushels of wheat, 500 million bushels of feed grains and 75 million bushels of soybeans. These reserves could not be called back into the market place at less than 100 per cent of parity. This would, I am convinced, give immediate strength to farm prices. It would effectively prevent the government itself from selling inventories against farmer marketings, as it has all too often in the past.

There remains another area in which immediate government action could be undertaken to protect domestic farm prices. In recent years, heavy imports of meat, dairy products and wool have placed additional downward pressure on prices American farmers receive for their commodities. I believe that tighter restrictions on such imports are clearly needed and I have introduced legislation toward that end.

I strongly believe the new Congress will take positive action on this. International trade, whether in agricultural products or manufactured goods, must be a two-way street. For too long, the United States has been giving trade concessions without receiving a reciprocal return.

I have long believed that the most productive investment government makes—whether at local, state or national levels—is in the education of our young people. I also think we must recognize the importance of local control and administration of educational programs.

The record of the 90th Congress in the field of education is outstanding. For the U.S. Office of Education, the Fiscal 1969 appropriation amounts to $4.6 billion—an increase of $532 million over the past year.

For Junior College grants, there will be $83 million available in the current year, as compared with $67 million in Fiscal 1968. For student financial aid there will be $538 million in new appropriations, an increase of about $70 million. For the National Defense Student Loan Program, there will be $193.4 million, an increase of $6 million. This will provide for 204,000 new awards.

Altogether, the Department of Health, Education and Welfare estimates that under the various higher educational facilities programs there will be assistance in this Fiscal Year for about 800,000 students, including 310,000 new students. Educational benefits for war veterans and their orphans were increased.

I strongly supported the action of the House of Representatives in restoring a $91 million appropriation for aid to impacted schools. Congress had earlier approved this assistance but the President froze 20 percent of the appropriated funds.

The President has indicated he will now make the funds available. This amounts to an additional $582,665 in aid to North Dakota school districts with substantial Federal installations. For Minot's public school alone, the additional assistance will be $168,000.

The Government has a clear obligation to help local schools meet the added educational costs created by enrollment of large numbers of children of Federal employees. Congress has voted to meet this obligation.

The 90th Congress was heavily involved in consumer legislation. I voted for "truth in lending" legislation which requires that credit costs be spelled out, so the buyer knows what he is actually paying.

The 20-year battle over distribution of the waters of the Colorado River was finally resolved, with approval of a $1.3 billion project dividing it among the Southwestern States. Two new national parks were authorized—the Redwoods in California and the North Cascades in Washington. The Scenic Rivers Bill, to preserve many stretches of water in their natural state, was passed.

The item which provoked the most controversy—and drew the most mail from my constituents—was gun control. Congress finally agreed upon legislation which essentially restricts mail order sales of firearms but does not require registration and licensing of all weapons. Most of the several thousand people who wrote to me in connection with this issue strongly opposed Federal licensing and registration of firearms but there was considerable sentiment for stricter controls over sale and distribution of guns. I consistently voted against the licensing and registration provisions.

If there is need for stricter gun controls than those which have now been enacted, it should be a matter for state and local, rather than Federal, decision. The problem is not uniform. It is not the same in the large cities as it is in our District.

Reform of the Electoral College system of choosing the Nation's President evoked considerable interest but the question of a Constitutional Amendment to change this will go over until next year. Bills to regulate mutual funds and to fix industrial safety standards were left to the 91st Congress.

Congress approved legislation to provide four three-day holiday weekends by shuffling the dates of Washington's Birthday, Memorial Day, Veterans Day and Discovery Day. It perhaps had its greatest difficulty in agreeing upon a date to adjourn.

How I voted. Since my last report of Sept. 25, here is how I voted on major bills: *FOR* the conference report on the Food Stamp Program. (Adopted). Previously, I had voted to recommit the bill to obtain changes which the Agriculture Committee, of which I am a Member, had recommended unanimously when the legislation was before it. (Recommittal rejected). *FOR* the conference report extending the Food and Agriculture Act one year. (Adopted). In earlier House action I voted for a four-year extension of the bill, which was rejected, and for a $20,000 limitation on payments to individual farmers. Although the House adopted this limitation, it was deleted in conference. *FOR* the HEW appropriations bill. (Passed). *Against* the conference report on Foreign Aid. (Report was approved 196 to 150 votes).

Crime rate grows. The incidence of violent crime throughout the country casts a frightening shadow ahead. The FBI reports violent crime during 1967 increased 16 per cent over the previous year. During the first 6 months of 1968, there was a further additional increase of 21 per cent over the same period a year earlier.

ASTHMA RESEARCH

HON. LISTER HILL

OF ALABAMA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. HILL. Mr. President, the Children's Asthma Research Institute and Hospital—CARIH—of Denver, Colo., is a unique institution, combining facilities for residential rehabilitation, medically supervised treatment, intensive care, and clinical and basic research. These facilities are staffed by a highly qualified team of dedicated health personnel to combat asthma, a disease that afflicts 6 million Americans. Earlier this year Dr. P. Gregg Rhodes, of the Georgetown Medical Center, addressed the national auxiliaries convention of CARIH in Denver. I ask unanimous consent that his informative address regarding asthma and the need for asthma research be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Keynote Speech Presented by P. Gregg Rhodes, M.D., Assistant Professor, Georgetown Medical Center, and Consultant to the Chief of the U.S. Public Health Service Chronic Respiratory Disease Control Program, Presented at the 1968 National Auxiliaries Convention of the Children's Asthma Research Institute and Hospital (CARIH) in Denver

My job in the Public Health Service is to help hospitals across the Nation set up intensive care units for the treatment of respiratory failure. The occurrence of respiratory failure—the gasping agony of a human being when he can no longer perform one of the most essential functions to life, that of breathing—means that our present knowledge has simply not enabled us to stop diseases such as emphysema, chronic bronchitis, and asthma, at an earlier stage.

If the need to develop, establish, and refine intensive respiratory care units disappeared, it would mean we had made a dramatic breakthrough in the cure and prevention of one of the greatest causes of suffering, disability, and death known to man—chronic respiratory disease.

And people such as *you* will one day do this.

Chronic respiratory diseases come in many varieties, but they all have one thing in common—they all impair the normal exchange of oxygen for carbon dioxide within the body. Unlike many body functions, this exchange must take place constantly.

The body does *not* have to ingest food constantly. Nor does it have to discharge solid and liquid waste products constantly. When these functions are impaired, the patient does not necessarily feel an immediate, urgent need to restore them. Physicians have hours, even days, to work on the problem. Treatment of respiratory diseases, on the other hand, involves working against minutes, even seconds, because a person has to breathe all the time. The body cries for oxygen, the lungs heave to dispel carbon dioxide.

Asthma, one of the most common respiratory diseases, does not produce mortality rates as high as some of the others—even though the children who died from asthma last year numbered in the thousands—but mortality rates do not allow or show the every day suffering, fear, trauma which occurs in millions of homes across the country.

And asthma, unlike emphysema and chronic bronchitis, strikes children.

In my work at Georgetown University Hospital in Washington, I see every day the tragedy of persons who have been stricken by respiratory diseases in their peak *earning* years. But here you have patients who are stricken in their peak *learning* years. And this may be the greater tragedy.

A child who has to struggle for breath, who feels he has some invisible hand clasped over his nose and mouth, isn't going to be a good learner. Even if his asthmatic condition disappears in time and chances are good that it will, it will leave its mark on him for life, because while he suffered with asthma he wasn't capable of concentrating on learning to read, or learning to play, or learning to love.

He was concentrating on *breathing*. Just breathing. While his world was growing up around him, he was spending most of his time worrying about moving air in and out of his body:—wondering—afraid of when the next attack would strike.

The fears and discomforts of the child are manifested in his parents. What parent of an asthmatic child does not know well the road to the nearest emergency room; has not witnessed the rush for oxygen, needles, fluids in an attempt to break the attack which has their child gasping, suffocating, turning blue? What parent does not live in the constant shadow of a coming attack and does not die a little when that attack comes?

Certainly the condition does not breed a normal home life at a time when the home plays such a vital role in shaping the future of a child.

It is easy to understand how the effects of asthma go far deeper than just the physical—how the asthma can disappear without a single lingering physical impairment, and still leave a child with emotional scars.

And we don't even known what asthma is!

We know it isn't contagious. Asthma *does* seem to run in families but does not follow the classic patterns of inheritance formulated by the Monk, Mendel. We *know* it often seems to stem from an allergic reaction of some type. But trying to find some particular allergen or group of allergens is frequently unrewarding. We do know that asthma causes contractions and mucous secretions in the bronchial tubes, those tiny passages which lead to the sacs in the lungs where oxygen and carbon dioxide are exchanged. We also know that when it affects young children we can't point to smoking as a factor the way we can in respiratory ailments which generally affect older people. But we can all too often point to the respiratory ailments in adults, particularly emphysema as the result of chronic asthma that started in childhood.

We don't know who gets it, or why, or how to cure it, or how to prevent it.

For these answers we have to look to research.

And for research, we look to *you*.

Research, unfortunately, is not like putting up a building. You can't see an orderly flow of progress from the foundation to the girders to the walls to the roof. Research is more like searching through unrelated, ill-fitting parts to do a jigsaw puzzle, making what sometimes seems like no progress at all, and then suddenly having all the parts fit together.

Persons suffering from chronic respiratory diseases have already benefitted greatly from the fruits of research. Because of research, tuberculosis sanitariums across the country are either empty or have been converted to other uses—a thing, as I stated on the outset, I would very much like to see happen to intensive respiratory care units. Because of research, we have penicillin and a host of newer antibiotics in our arsenal to fight disease.

Did you know that before penicillin up to twenty percent of the children who contracted pneumonia died? And today pneumonia is treated almost routinely—many of the cases are even treated at home! That's what research can do!

And *someday* research will do this with *asthma*.

I see research on chronic respiratory diseases concentrating in three areas—finding ways to combat respiratory failure, or break the attack—finding ways to prevent these attacks—and finding ways to prevent the diseases which cause the attacks.

In my work with intensive respiratory care units, most of our research is concentrated in the first area, breaking the attack. Be it asthma, emphysema, bronchitis—the problem is basically the same when the attack comes—suffocation! The medicines which we have today to break an attack do not take effect immediately. Work is being done to find faster working medicines. To buy time while our present-day medicines take effect, we are working on developing newer and better respirators, and devising ways to use the respirators we have more efficiently.

We are also working on developing more sophisticated monitoring equipment, so we can see the bad attack coming earlier. In intensive care units we monitor, among other things, heartbeat, breath volume, and oxygen and carbon dioxide content of the blood. We are working on better ways to arrange this monitoring equipment so one nurse can constantly watch several patients, thus helping to meet the critical manpower shortage in the medical profession. When I listed breaking the attack as the first of three areas for research, perhaps I should have listed it as the last, because from the standpoint of the patient suffering from chronic respiratory disease, that's just what it is.

You must realize that the patients we work with are very sick people. Anyone with respiratory failure is a very sick person. And while I hope, and honestly feel, that we are going to find better ways to take care of these people, better ways to treat their attacks, lessen their attacks, and maybe someday even get them to a point where they are no longer in danger of recurring attacks, they still will have been very sick people.

It's going to be a great medical advance when we finally find the ultimate way to handle these cases of acute respiratory failure. But it will be a medical breakthrough, a great breakthrough, when we can eliminate the causes of respiratory failure.

It's nice to have a good fire department, but it's much better not to have any fires.

And for this breakthrough we are looking to people like you—to the Children's Asthma Research Institute and Hospital—for the cure and prevention of at least one of the causes of respiratory failure.

We are looking to you to *cure* asthma before the patient ever gets to an intensive respiratory care unit, or even to the emergency room of a local hospital.

We are looking to you to *prevent* asthma so that not one single child will lose even a day of his precious learning years struggling for breath.

It's going to happen, and when it does, you will have been part of it. Through your efforts, the breakthrough may well come here, at CARIH, the final falling together of the jigsaw puzzle. But even if it doesn't, you will still have been part of it.

Every case, every bit of information will hasten the day this breakthrough comes, when the intensive respiratory care units start to meet the same fate as the tuberculosis sanitariums, when I'll be looking for another job.

And when this breakthrough comes, it will come as the result of a lot of work done in a lot of places by a lot of people.

And you will have been part of it.

On behalf of the U.S. Public Health Service I thank you—and I personally thank you.

TRIBUTE TO SENATOR LISTER HILL

HON. TOM BEVILL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BEVILL. Mr. Speaker, the Congresses of the future will sorely miss the tireless energy and ceaseless dedication of Senator LISTER HILL, who, as you know, announced earlier this year his intentions to leave public life.

But while Senator HILL may leave the corridors and halls of this Capitol, his presence will be felt in other halls and other corridors. Nearly every hospital and every health facility have benefited from the landmark legislation which he coauthored some 22 years ago—the Hill-Burton Act of 1946.

New medical schools and other educational institutions which train health personnel have been aided through programs which Senator HILL has helped to write and enact.

He has supported every program to combat heart disease, cancer, cerebral palsy, mental illness, and other crippling diseases. He has been instrumental in the enactment of nearly every piece of health legislation for over a quarter of a century. In short, Senator Hill has truly become "Mr. Health" in the United States.

Senator Hill's entire life has been devoted to improving the state of the Nation's health by improving the health and well-being of its people.

In tribute to the outstanding achievements of this great American and Alabamian, the House and Senate passed and the President signed into law a bill designating the National Center for Biomedical Communications the Lister Hill National Center for Biomedical Communications.

Perhaps more than any other man, Lister Hill has worked to establish and support the efforts in medical research; research which directly benefits the lives of us all. The National Institutes of Health embody the very philosophy of this great Senator who said at the White House Conference on Health in 1965:

> Let exploration and innovation be our bywords as we dedicate our efforts to a healthier people.

We can do no better justice to this humble man than to hew this philosophy into the name of an institution whose missions are to map the horizons Senator Hill has long envisioned.

EFFECT ON THE ENVIRONMENT OF THE ELECTRIC POWER INDUSTRY

HON. EDWARD M. KENNEDY

OF MASSACHUSETTS

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. KENNEDY. Mr. President, recently the Electric Utility Industry Task Force on Environment, a joint industry-citizen-government group which has spent close to 2 years studying the subject, issued a significant report containing a series of recommendations to enhance the quality of our cities and land areas affected by electric power facilities.

I want to congratulate the task force for its initiative in studying these problems and for its observations and suggestions as to what needs to be done. The effect on the environment of electric power systems—generating plants, bulk transmission lines, and local distribution lines—is an increasingly major problem in this modern era when the demand for electric power is doubling every decade. The potential for positive contribution to safeguard the environment is equally large.

In this session of Congress I have strongly supported three critical bills to meet environmental problems involving the electric utility industry, and I fully intend to continue pressing for their early enactment next year. Reports such as the study of this task force emphasize the urgency of foresighted planning and action.

The Electric Reliability Act of 1968 which I sponsored contains a proposal to establish a National Council on the Environment, appointed by the President, to pass on all licensing and other actions of the Federal Power Commission from the point of view of their effect on the environment. The bill also would require the FPC to make a study of the social and economic impact of overhead high-tension lines and towers in order to determine the extent of their adverse effects on long-range land-use planning and on environmental, esthetic and conservation considerations.

I am proud to have developed the "Electric Power Plant Siting Act of 1968," which calls for the Federal Power Commission to make a 2-year study and comprehensive plan of potential sites for large electric and nuclear powerplants. Among important criteria to be analyzed and considered are the effects on scenic beauty, on air and water pollution, on thermal pollution from heat discharged into cooling water, on potential recreation facilities, and on other environmental factors.

I also cosponsored and supported a bill which, in addition to providing all utilities fair participation in nuclear generating and transmission systems, would require the Atomic Energy Commission in issuing licenses to assure that "the proposed facility will be best adapted to a comprehensive regional plan for the use and development of the power, water, and related land resources for the region to be served by such facility."

Because of my strong interest in the field, I am delighted that the Citizens Advisory Committee on Recreation and Natural Beauty developed this task force to make such a constructive study. The task force has identified many of the critical problems in the area, and has offered several suggestions which are a solid start in finding solutions. I would like to submit the main text of the report for insertion in the Congressional Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

Effect on the Environment of the Electric Power Industry

1. GENERAL CONSIDERATION

Current efforts to protect and enhance the environment

Studies conducted by the Task Force have made it clear that all sections of the country do not have equal concern for environmental improvement, and this fact is reflected in the ways in which individual utilities approach environmental projects and problems. In some areas, public officials do not regard beautification as importantly as economical operation, and the public is not particularly concerned or active in environmental improvement programs. In such areas, utilities have not been encouraged to step up their commitments, and may even have been discouraged in the interests of economy. In general, along the east and west coasts, communications media, local public officials, effective influences from Washington, conservation groups, and other active forces have made beautification and scenic preservation major concerns. In these latter geographic areas, state regulatory agencies have demonstrated a liberal view toward beautification expenditures, making it possible—and in the State of California, making it a policy—for utilities to invest in more environmental improvements.

There are various types of utilities

The term "Electric Utility Industry" suggests an integrated group of power producers organized, like most industries, into comparable corporate entities, serving their markets under similar rules, and operating under uniform economic conditions. This is not the case with the utility industry. It differs from other industries because it consists of several widely different categories of entities, each operating within different sets of rules, economies and controls.

The investor-owned companies comprise the largest group. They distribute about 80% of the power used in the United States, and are subject to certain controls by the Federal Power Commission, and by the Atomic Energy Commission in connection with nuclear generating stations. These utilities are subject to state or local regulatory agencies which are primarily concerned with assuring the supply of reliable service at reasonable rates. Therefore, they have a large measure of jurisdiction over expenditures of the companies, including sums spent for environmental purposes. A substantial number of state regulatory authorities also have significant powers over facility location.

There are several general types of non-investor-owned power systems. Some of these systems are responsible to federal agencies whose interest in environmental enhancement can have a commanding influence on the activities of the individual utilities. In the case of others, such as public utility districts and municipal systems, environmental policies are subject to local influences and budgets.

These differences demonstrate that important steps toward environmental improvement cannot as easily be taken by this industry as by many other industries, where the unilateral decision of management is enough to get the job done. In spite of this, significant contributions have been made in recent years in the field of environmental improvement.

Technological limitations

Difficult problems sometimes face both the industry and those concerned with natural beauty where the construction of transmission lines—those operating at 50,000 volts or more—is involved. Controversies concerning their routing and effects they may have on the environment sometimes cause critical delays in construction. On at least one occasion, such a delay seriously threatened the reliability of a state's power supply.

At the very time when opposition to high voltage lines is most serious, the need is mounting at an accelerated pace for more lines, operating at higher voltages and capacities, to serve growing demands for electric power and to interconnect electric systems for increased service reliability.

High-voltage lines and the towers necessary to support them, are a visual obstruction, and elimination of them, if it were possible, would contribute to the environment.

Undergrounding, however, is not the answer at the present time. Underground transmission lines are many times more costly and are feasible today only in special areas, such as metropolitan centers having huge demands for power. A significant economic problem develops as a result of underground lines requiring more facilities to attain the same level of reliability as overhead lines since an underground failure takes much longer to repair, and therefore extra facilities must be available.

II. TRANSMISSION LINES

The Federal Power Commission's Advisory Committee on Underground Transmission reported in 1966 that in suburban areas underground lines cost about nine times as much as overhead lines at 138,000 volts and 16 times as much at 345,000 volts. In rural areas the difference averages 14 to 26 times. In places it may go to 40 times, due to special situations.

The electric utility industry is sponsoring extensive research on underground transmission which will require an estimated $17 million by 1971. The first phase already has been launched with a $5-million underground cable testing station. Even with such intensive work, however, there is unlikely to be a practical solution to extensive transmission line undergrounding soon.

Underground transmission lines would have the advantage of freedom from aboveground weather problems, and would have fewer interruptions than overhead lines. However, there are a variety of failures that do affect cables, and interruptions underground may last from a few days to several weeks while the fault is found, and the cable exposed and repaired under the very exacting conditions necessary. Outages on overhead lines usually are very short-lived, sometimes measured in seconds.

Thus underground transmission today is generally neither practical nor technically adaptable to the task of transporting bulk power with dependable reliability over long distances.

Interim measures

The Task Force urgently suggests that industry groups and suppliers continue to seek important breakthroughs which would make underground transmission lines feasible. It also suggests that proposals submitted to Congress (so far without result) for the federal government to join in this research in an important way be supported. The federal government should contribute to the research in this field now underway by the Electric Research Council.

The Task Force takes the position that in the meantime a special burden is justifiably placed on the industry to do whatever is possible to alleviate the environmental problems caused by transmission line construction and routing.

The Task Force commends the Edison Electric Institute for commissioning the services of the noted industrial designer, Henry Dreyfuss, to develop a series of aesthetic designs for transmission structures. Utilities should be encouraged to consider these and other design alternatives in an effort to utilize structures that will accommodate the environment.

It is agreed that forested areas should be given special attention and spared as much as possible by selective clearing and construction by specialized methods.

Routes should be chosen to cause the least impairment of natural beauty, using existing rights-of-way where possible. This would prevent multiplying rights-of-way and the use of unnecessary land. Scenic areas such as parks, monuments and historic sites should be avoided unless the economic penalty is excessive.

Support by regulation

Adequate local controls over new transmission lines to protect community interests without delaying construction of necessary facilities are seriously needed.

To this end, the Task Force recommends that state legislatures be encouraged to extend to their regulatory agencies the right to review the routing proposed for new transmission lines by utilities under their jurisdiction where that power does not now exist.

Further support by advisory committee

The Task Force further suggests that, where desirable, there be a competent state committee appointed by the governor to advise and counsel on matters involving utilities and the environment.

Such committees might be composed of (a) knowledgeable individuals concerned with environmental improvement; (b) individuals representing consumer interests; and (c) individuals experienced in the technical problems of power supply. The committee's function would be solely advisory. However, the prestige, influence and informed deliberation of such a committee would be sufficient to resolve most controversies and thus avoid long, costly litigation, which can create dangerous delays.

As an additional advantage, an advisory committee, of the character suggested, would provide utilities within a state (whether or not they are under the jurisdiction of the state regulatory agency) with a single point of reference when important new developments or expansions are contemplated which might involve environmental considerations. Such an advisory committee could formulate guidelines for utilities to follow in dealing with questions concerning environment or natural beauty. Where there is no regulatory agency, the committee could operate independently or be advisory to another appropriate department or agency of the state.

It should be noted that official planning organizations may already effectively serve this purpose in some states.

III. DISTRIBUTION LINES

The problem

Distribution lines carry energy into homes, stores and industrial plants. When constructed overhead, they are an environmental factor that affects nearly everyone. A growing percentage of these lines, as they are added to the system, are being undergrounded by utility companies, especially in new residential subdivisions and redevelopment areas.

Conversion of the millions of miles of existing overhead distribution lines to underground is a vastly more complicated matter. The cost of undergrounding all existing lines would be enormous. The present investment in these lines is estimated at $18 billion, and to underground all of them would cost in the order of $150 billion. The funds needed to accomplish even a significant portion of the task are simply not available today, and new methods of financing would have to be developed. For the present, therefore, priorities must be assigned in any contemplated program.

In those areas where undergrounding will be delayed for many years, utility companies in many cases are making efforts to improve the appearance of overhead distribution lines. This should be encouraged everywhere.

Undergrounding in new residential developments

In new residential areas and shopping centers, and particularly in large residential subdivision tracts, undergrounding of distribution lines has progressed rapidly. Progress has been expedited by the requirements of the Department of Housing and Urban Development (HUD) that distribution lines be undergrounded in new subdivisions financed with mortgage guarantees from the Federal Housing Administration (FHA). Where an underground electrical distribution system in a new subdivision is not specified, the sponsor is required to prove to the satisfaction of the FHA that underground service is not economically feasible. The Task Force believes that these measures adopted by the FHA exert an important influence in prompting underground distribution, and should be rigidly enforced. The Task Force suggests that private financing institutions might be encouraged to adopt similar measures as a requirement for obtaining mortgage funds.

The National Bureau of Standards, sponsors of the National Electric Safety Code, as well as local zoning authorities and developers, should recognize the advances in undergrounding technology which make possible lower cost installations. There is a tendency for the electric codes and the construction standards of some state and local authorities to lag behind the technological advances. This lag acts to impede the progress of undergrounding as it can be a contributing factor to unnecessarily high cost construction.

With the development of new techniques and equipment, it is expected that the cost differential between underground and overhead distribution in new developments will narrow, and in some cases disappear. Where difficult geological conditions exist, or where there are widely separated customers, however, the economics of undergrounding even in new areas may be impractical. More intensive research and development is called for, and should be coordinated by a joint committee of the industry and its suppliers, joined possibly by the telephone industry, which has similar problems.

The industry generally supports the movement to place all new residential subdivision distribution lines underground. The Task Force expects that by 1975, no more new overhead distribution lines will be constructed in new urban and suburban residential subdivisions. The Task Force recommends that utilities, regulatory agencies, municipalities and developers cooperate fully in achieving this target date.

Undergrounding in redevelopments

The undergrounding of electric distribution systems simultaneously with urban redevelopment projects can lower the costs of undergrounding. This cost reduction is largely due to the elimination of traffic control requirements, street repair and difficult working conditions. Under existing policies of the Department of Housing and Urban Development, under specific conditions, municipal utilities can recover the costs of relocation or undergrounding either in cash or as a non-cash credit for the community's share of the project cost. The investor-owned utility, on the other hand is subject to several conditions relating to reimbursement potential. In addition to these policy considerations, the laws of several states and, on occasion, local ordinances require utilities to relocate lines at their own expense thus prohibiting compensation.

The unavailability of reimbursement for the cost of undergrounding in redevelopment projects is a serious deterrent in the states involved, and the Task Force recommends that local ordinances and laws in such states, and the existing policies of the Department of Housing and Urban Development be reviewed, and changed to encourage undergrounding in redevelopments.

Conversion of distribution lines

Conversion of all existing distribution lines from overhead to underground, because of the magnitude of the job, would prove virtually impossible. It is unrealistic to expect that it can be accomplished in its entirety. Certain of the lines, however, should be undergrounded as soon as possible. The effort must be directed at areas of primary consideration, which are generally within urban and suburban areas.

The Present Situation

Most utilities budget funds each year for conversion of overhead distribution lines to underground. These funds generally cover situations where (1) additional overhead lines create severe operating and maintenance problems and (2) relocation and/or redevelopment work for which the utility will not be reimbursed.

Under a new regulation of the California Public Utilities Commission, investor-owned companies (others are not under their jurisdiction) are asked to budget an amount that they consider appropriate annually for environmental conversion. The Task Force views this as an imaginative and forward-looking experiment which, in effect, establishes conversion of distribution lines as a state policy. Other states are moving in the direction of establishing policies of this sort, and this should be encouraged.

Need for Additional Funds

In view of the magnitude of the job of converting millions of miles of overhead lines to underground and recognizing existing economic limitations, additional funds must be made available if any really significant progress is to be made.

Possible Sources of Additional Funds

The Task Force examined five possible alternative sources of additional funds:

1. Budgeting of additional funds by the utility within the existing rate structure.
2. A general rate increase.
3. District rate increase or surcharge.
4. Contributions-in-aid of construction.
5. Federal cost-sharing and incentive plans.

1. Budgeting of funds by the utility within the present rate structure

Limited funds could be provided toward the conversion of overhead to underground if existing rates are to be maintained, since the additional costs of conversion must, sooner or later, come from revenue. This means that only those utilities with a margin of income over what is required to maintain the system according to regulatory agencies' formulas could budget further funds for this purpose. In view of present inflationary pressures, it is unlikely that most utilities would be able to designate more than a modest additional amount for this purpose—certainly not enough to make a significant contribution to the conversion of their existing distribution plants—and under these circumstances, consumers would probably have to forgo future rate reductions in order to divert funds to the expansion of conversion programs.

2. General rate increase

A general rate increase for all customers of a utility, specifically for the purpose of financing conversion of overhead distribution lines to underground, might be considered under certain circumstances. However, this method would have several undesirable aspects. Utilities traditionally supply the growing demands for power at continuously lower rates, and this is a matter of great importance not only to the consumer, but to the economy generally. At the same time, growth has helped to permit increasing economies and to accelerate advances in technology which accrue to the benefit of all consumers.

3. District rate increase or surcharge to specified users

Residential customers occasionally organize portions of the community into a district for the purpose of financing the conversion of overhead distribution to underground in their areas. Special charges for making the conversion are added to the electric bill in the form of a flat monthly rate or a one-time surcharge.

Although this approach enables the group or district to obtain the special service they wish, it is extremely complex, and is not likely to be widely adopted.

4. Contributions-in-aid of construction

There are many advantages to lump-sum payments to the utility by the customers affected for the cost of converting to underground. Such a program has the flexibility of serving the desires of one customer or a whole improvement district.

Several states have enabling legislation that makes the local government a party to the arrangement by providing ordinances requiring all customers within an area designated for improvement to accept the cost of undergrounding. Some states have legislation permitting conversion in situations such as this to be financed by the issuance of bonds, the funds then being remitted to the utility in the form of a contribution-in-aid construction.

Contributions-in-aid of construction are not considered as revenue for federal income tax purposes. Accordingly, the utility could make such funds available exclusively to expedite undergrounding. This system, as in the case of #3 above, has the advantage of bringing underground service to those who specifically ask for it and are willing to pay for it.

5. Federal participation in the cost of undergrounding

The preceding four methods of financing conversion may produce only limited progress in terms of the total task. Recognizing that overhead lines have been accumulating for many decades, only federal assistance in massive amounts could make possible significant results within any reasonable period of time, even if only priority areas are considered.

Owing to government commitments at home and abroad, it may not be desirable to allocate federal resources to support conversion programs at this time. However, if and when such assistance is considered desirable, the following methods may be appropriate for consideration:

a. Federal grants-in-aid to appropriate agencies or local governments.

b. A special tax credit.

c. An increase in the investment tax credit for utilities from 3% to 7%.

(a) Grants-in-aid to Appropriate Agencies for Environmental Improvement

The precedent for this type of arrangement in connection with environmental enhancement has been established in the cases of encouraging recreation area development, alleviating air and water pollution, highway beautification, etc. It is contemplated that existing formulas for such grants would be used.

Under this plan, cities, districts, or other public agencies whose objectives include environmental improvement, would coordinate with local utilities in developing long-range plans for conversion of overhead facilities to underground. These governmental agencies would apply for federal assistance in accordance with these plans.

This arrangement, if employed, would have several interesting aspects:

1. It provides equitable subsidies among all utility sectors.
2. It provides for joint industry-wide and community support for appropriation requests from the federal government.
3. It lifts the burden of public pressure for environmental improvement from utilities and their customers, and appropriately places it upon the local public agency having governmental responsibility for the area.
4. It permits creation of criteria which recipients of funds must meet, thus insuring that public purposes are carried out.
5. It is susceptible to periodic review to insure compliance and to ascertain its continuing value.
6. It places in the same hands the source of the funds and the direction of the program.
7. It provides that annual participation by the government could increase or decrease, depending upon availability of funds and upon the priorities assigned to the task.
8. It provides a source of funds to aid municipalities to underground their own lines for police and fire lines, etc. This would eliminate a present hurdle which already is deterring progress of conversion in California.

Obviously, the decision as to when and if such a grant-in-aid program should be set up is one for the federal government to make, and any recommendation should come from the Citizens Advisory Committee.

(b) Special Tax Credits

If a special income tax credit amounting to a percentage of the book cost of existing distribution plant were to be allowed annually, large sums of money might be made available for conversion programs of investor-owned utilities. Cooperation of state legislatures, regulatory agencies and communities would be needed to support such a program through appropriate legislation and local ordinances.

For purposes of illustration, if an annual tax credit amounting to 4% of the book value of, or investment in existing distribution plant were allowed, a company having a $200-million distribution plant would be entitled to a credit of $8 million in its first year for conversion. Based upon the FPC's estimate of the book cost of existing distribution plant, for class A & B electric utilities, a 4% credit eventually would produce approximately $1 billion per year for conversion. Credits of this magnitude might permit conversion of urban and suburban residential overhead distribution in 23 to 30 years, although utilities operating primarily in highly-developed metropolitan areas, because of the added complications of working in such areas, could have problems in meeting such a timetable. It is also important to note that consumers would be required to contribute to such a program by bearing the cost of adapting their facilities to receive underground service, and the localities involved also would have expenses of some magnitude.

Under such a formula as this, the size of the credit as well as the base to which it might be applied could be varied depending on the assessment of need and on the ability of the federal government to bear the revenue sacrifice.

(c) Expanded Investment Tax Credit

The investment tax credit for utilities is held at 3% as compared with 7% for all other industry, as the result of Congressional opinion that the level of utility investment normally would not be favorably affected by the tax credit in the same way as investment by other industries. If the credit for utilities were increased to the normal 7% and the additional credit devoted wholly to conversion, there would be an assurance of new investment, not otherwise possible, making direct contributions to the quality of national life. Such recognition would most easily be accomplished if the tax legislation included a specific requirement that such credit be used exclusively for the conversion of overhead facilities to underground.

In the event that an additional investment tax credit should be adopted, recognition must be given by the regulatory authorities in states where flow-through is used to assure that the tax saving resulting from the additional credit will not flow through to the rate structure, but will be available totally for the conversion of overhead to underground.

NOTE.—*Neither the special tax credit nor the increased investment credit would provide similar funds for conversion to non-investor-owned segments of the industry, which are not subject to federal income tax. Legislation would be needed to provide comparable assistance to these other entities of the industry. This would involve annual appropriations; and the tax credits should be available only if such appropriations are provided.*

Determining Areas for Conversion

If a federal grant-in-aid program were adopted, either alone or in conjunction with special tax credits, it must be recognized that the selection of areas for conversion is a matter in which local governmental authorities would have a direct concern, and in which their cooperation would be essential. Once conversion areas have been delineated, all users within the chosen area would be required by law to accept underground service and adapt their facilities to receive it.

IV. URBAN SITING OF NUCLEAR PLANTS

Public concern over the quality of the environment in an increasingly urbanized society has focused new attention on the possible siting of nuclear powerplants in metropolitan areas. Such plants could make at least three definite contributions to environmental enhancement:

Advantages

First, they will prove most helpful in the abatement of air pollution, since they do not emit the products of combustion associated normally with the generation of electricity in fossil-fuel plants.

Second, they will reduce the number and length of overhead transmission lines when compared with the requirements of plants located in areas remote from load centers. Since it will be technologically impossible to bury any important percentage of high-voltage transmission lines in the foreseeable future, this could prove to be an environmental gain of great importance. One contemplated urban plant, for example, which could not be licensed at the present time, had to be moved to a location approximately 60 miles distant from the load area, with a resultant increase of tens of millions of dollars in the cost of overhead transmission lines and rights-of-way.

Third, contribution will result from the fact that nuclear power plants tend to be more attractive than other industrial plants, and often far more attractive than the usual fossil-fuel plant. They are compact, they lend themselves to a modern, pleasing design, and do not require objectionable stacks.

Some current AEC requirements for a nuclear power plant demand considerable surrounding space, there is a growing tendency to develop parks and recreation facilities for the benefit of the community at large.

The present situation

In the mid-1950's, when commercial nuclear power plants were first being considered, it was decided that initially they should be located in remote areas. Eight years have elapsed since the first large-scale commercial nuclear plants went into service. During this period, these plants have compiled a remarkable record of safety and reliability.

With respect to urban siting, the following observations are worthy of particular note:

1. The trend to nuclear power has reached a level well above that of the most optimistic estimates of a few years ago. At the end of 1967, the capacity of nuclear power plants in operation was almost one third more than the nuclear capacity at the end of 1966, growing from about 1,235,000 kilowatts to about 1,742,000 kilowatts according to the estimates of the Atomic Energy Commission, in the year 2000, one-half of all installed thermal capacity will be nuclear, and all thermal capacity installed after that date will be nuclear?

2. Expanding metropolitan areas in some cases are reaching out toward nuclear power plants which, when originally licensed, were considered to occupy rural sites. In the foreseeable future, we may have urban-sited nuclear plants as the result of the growth of cities.

3. The Task Force questionnaire which was sent to utilities across the nation brought responses which indicate that the vast majority (87%) of the companies operating, building, or considering nuclear plants are interested in siting plants in metropolitan areas. Underlying this interest is the confidence of utilities in the safety and reliability of nuclear power plants, and the feeling of the utilities that there is an increasing willingness on the part of the public to accept siting of these plants in or near urban areas.

4. Some companies within the industry have already done extensive research in connection with urban siting of nuclear plants under ground, under water, or on man-made islands in the vicinity of cities. Any of these possibilities my prove feasible under certain circumstances.

The Atomic Energy Commission is deeply involved in the development of safety devices and improved engineering, looking toward the time when nuclear plants will be licensed in urban areas. The Commission has this objective clearly in mind. In a recent statement, James Ramey of the AEC said:

"Our siting criteria recognize the principle that adequate engineered safety features can compensate for distance from population centers, and this principle has been reflected in the approval of some sites closer to urban centers than was the case in the early days of nuclear power. The trend toward seeking locations closer to metropolitan areas has continued . . ."

The question of public acceptance

Urban siting proposals in the past have met with serious public opposition.

The Task Force—and apparently much of the industry, judging from the results of the industry survey—generally feel that this situation is changing. Some utilities have experienced a warm welcome for urban plants under discussion, and genuine regret has been expressed when the project failed to materialize. In any case, efforts should be undertaken promptly to educate and prepare the public for the time when the AEC will feel secure in issuing licenses.

The attention of the Task Force has been called to an opinion survey of California revealing that 60% of the people questioned would favor a nuclear power plant in their general area, and only 21% would oppose. It is interesting also that utilities have discovered through questionnaires that the people living nearest to operating nuclear plants are generally the least concerned or worried about them.

But the Task Force is aware that while clear majorities are often willing to accept projects of this sort, there is sometimes a minority—usually about 10% to 15%—that disapproves, and is so effective that new developments are stopped. Knowing that this is the case, it becomes obvious that public education should begin as soon as possible.

The Task Force further notes with interest that some scientists are changing their positions on urban siting. Dr. Edward Teller, who for years was most cautious, has publicly and firmly recommended urban-sited underground nuclear plants because of the contribution they could make to reducing air pollution in metropolitan areas, which he sees as a serious health hazard.

Specifically, the Task Force Recommends:

1. That all research oriented toward the early licensing of urban-sited nuclear plants, on the part of the industry, its suppliers, and the federal government, be intensified and coordinated.

2. That steps be taken to keep the public informed concerning the progress made in the safe operation of nuclear plants, and their desirability in reducing urban air pollution.

3. That while the Task Force clearly does not take the position that the AEC should immediately begin to license nuclear plants in urban areas, desirable as they would prove from an environmental improvement standpoint, it wishes to encourage the AEC to proceed as rapidly as feasible to license experienced operators to construct plants on suitable sites. When nuclear plants are licensed to be built in urban areas, the Task Force recommends that they be built and operated first by utilities with nuclear plant experience.

4. That the utilities, along with state and federal governmental agencies, increase and coordinate research in a concentrated effort to find solutions to the problems of water quality control; and that all interested agencies and groups cooperate in finding productive uses for the excess heat generated in nuclear plants.

V. OTHER ENVIRONMENTAL CONCERNS

As indicated at the outset of this report, the chief immediate concerns of the industry and of persons and groups involved with the quality of the environment are related to overhead transmission and distribution lines. There are, however, several other areas where the industry, faced with the necessity of constant growth, becomes intimately associated with the environment.

Beautification of facilities

Fortunately, there has been a general trend among utility companies to beautify their facilities. Structure design, architecture, landscaping, and general appearance have been improved in most places during recent years.

Plants have been carefully sited, thoughtfully designed, and often surrounded by parks and picnic areas.

Substations have been located where they are unobtrusive.

Distribution sub-stations have been vastly improved, in some instances being contained within structures indistinguishable from others in the environment.

New types of poles have been developed and transformers have been removed from sight.

It is not unusual for large utilities to have or retain architects, decorators, and landscape artists, a practice that is gaining, and is doing much to give utilities a leadership role in the field of industrial beautification. Sixty percent of those replying to the questionnaire state that they use outside consultants.

Unquestionably, there is much more to be done, but the progress already made would indicate that the industry generally assumes a large measure of responsibility and further programs can be anticipated. Two of the most important areas where problems still exist are *plant siting* and the *control of air and water quality.*

Plant siting

In the past, plant siting has raised environmental questions in several sections of the country. Effects on wildlife, fish, plant life, air and water quality and the aesthetic concerns of the region are but a few of the questions to be considered in selecting a plant site.

Increasing problems may arise in the future as a result of the observation by the Federal Power Commission that generation in nuclear power plants, with auxiliary pumped storage hydro-plants to accommodate peak demands, will be the trend of the future. The adaptation of pumped storage hydro-plants to the environment will require great imagination and ingenuity on the part of utilities.

The continuing need for additional generating sources and increasing limitations of available sites makes the possibility of critical power shortages one of mounting concern. Nevertheless, the Task Force takes the position that the industry will provide all accommodation to scenic requirements in connection with the construction of its generating facilities which do not seriously or critically interfere with reliability, or do not unreasonably place financial burdens on consumers.

The Task Force believes that the establishment of advisory committees to state regulating agencies (as recommended) may be able to serve an excellent purpose by investigating environmental problems that arise—or better still, by reviewing on a voluntary basis plans for expansion before they are firmly set.

Water quality control

The effects of discharging heated water from nuclear power plants into lakes and streams are subject to considerable discussion and concern on the part of the industry as well as governmental bodies and persons particularly concerned with the environment. There is no problem here of radiation: the discussion centers around and is generally limited to the effects of heat rise on bodies of water into which condenser cooling water is discharged. This situation is not new with nuclear plants, but has recently come to the fore because a greater amount of heat is involved with nuclear plants than with fossil-fueled plants of the same size. The Atomic Energy Commission, the Department of the

Interior, and several utilities are deeply involved in research to ascertain the ecological effects of this discharge water. Efforts are being made to improve cooling towers and to find ways to put the excess heat to practical use. It seems reasonable to assume that advancing technology will find solutions to whatever problems are found to exist.

Air quality control

The industry has long recognized its responsibilities in alleviating air pollution resulting from burning fossil fuels at generating stations. In recent years, new generating units have been equipped with devices capable of removing most of the ash and other particles that would otherwise escape into the air, and in many cases, older installations have been equipped with facilities for this purpose. Additionally, some urban utilities are using special high-grade fuels to further eliminate possible pollution. Some devices are very expensive; it is significant that a great deal of research is under way to reclaim sulphur dioxide—one of the most harmful and difficult pollutants—for sale to acid plants, where it is needed. Success in this endeavor would virtually eliminate this pollutant in plants properly equipped, and would make installation of the equipment self liquidating.

Difficult air pollution problems sometimes arise from the fact that some urban-based plants are old and consequently inefficient. Often these are used only part-time, and the firing up of such plants causes a temporary surge of pollution. As new generating capacity is added at sites outside metropolitan areas, older urban-based units are being retired from service, thereby contributing to the quality of the air. The transition, however, will take time because of the difficulties of siting replacement plants, equipment delays, financial limitations, and because of the mounting problems encountered in transmitting power to load centers inside the city.

HOW THE STRATEGIC BALANCE IS SHIFTING

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. HOSMER. Mr. Speaker, the October issue of Air Force and Space Digest magazine contains an excellent article by Dr. James H. McBride of the Georgetown University Center for Strategic Studies, in which the author clearly shows how the strategic balance between the United States and the Soviet Union has been shifting in the past 7 years.

Dr. McBride illustrates how the U.S. strategic effort has leveled off until we are now in danger of falling well behind the Soviet Union in military power. There is no doubt, the author says, that the strategic balance is rapidly shifting to the Soviet side.

Because of the importance of this article to people concerned with the future of their country, I want to bring it to the attention of the Congress, the administration, and the public. The article follows:

HOW THE STRATEGIC BALANCE IS SHIFTING—1961–72

(By James H. McBride)

(NOTE.—Dr. McBride is Director of Special Projects and Research Principal at the Georgetown University Center for Strategic Studies. A 1946 graduate of the US Military Academy, with a B.S. in Military Science and Engineering, he has seen duty as a Regular Army officer in Alaska, the Far East, and Korea. After leaving the Army in 1961, he was associated with the Center for Strategic Studies as a Research Fellow and later with the Office of National Security Studies, Bendix Systems Division, as Senior Politico-Military Analyst. Dr. McBride holds a Ph.D. from Georgetown University. He is the author of numerous studies, pamphlets, articles, and books, including U.S.-Japanese Political Relations: The Critical Issues Affecting Asia's Future and The Nuclear Test Ban Treaty: Military, Technological, and Political Implications.)

In their publication, *Strategic Survey 1967*, the prestigious Institute for Strategic Studies noted:

"Perhaps the most striking phenomenon of the year was the revelation of the growing divorce between American physical power and American political authority in the world."

While this phenomenon may be striking, it should not be surprising. Political authority is closely related to military power. In this day and age the most vital component of military power is the strategic nuclear forces.

Quite obviously the United States has been slipping badly these past few years. We need only recall the *Pueblo* incident, Vietnam, the failure to blockade the Gulf of Tonkin, and constant harassment along the demilitarized zone in Korea. The situation today is a far cry from the days of the Quemoy-Matsu crisis, the landing in Lebanon, and the Cuban crisis of 1962. Today the United States is eating Soviet-baked humble pie all over the world. The reasons for this volte-face are myriad and most certainly include the various internal and financial problems of the United States. The most important factor, however, is the ominous trend in the strategic nuclear balance. Indeed, this trend may well be a basic cause of our internal and financial problems. There is a distinct, though complex, interface between these aspects of national power.

There is no doubt that the strategic balance is rapidly shifting to the Soviet side. In testimony released on July 7 by the Senate Preparedness Investigating Subcommittee, the following colloquy sets the problem:

"Senator STUART SYMINGTON (D.-Mo.): Are you not beginning, as Chairman of the Joint Chiefs, to become apprehensive about the survival capacity of the United States, if things continue along these present lines?"

"Gen. EARLE G. WHEELER: The answer is 'Yes,' Senator. You put your finger on what I believe to be the key point, if these trends continue. . . ."

In the same series of hearings, Adm. Thomas Moorer, Chief of Naval Operations, said:

"We believe that currently programmed force levels will place U.S. security interests worldwide at increasing risk, and that strategic forces need to be improved both in size and in composition to ensure the accomplishment of their missions."

The missions of the strategic nuclear forces are: first, to deter war at all levels; second, should deterrence fail, to terminate hostilities on terms favorable to the United States, with a minimum of damage to the United States and its allies.

It is against the fulfillment of these missions and indeed against the very survival capacity of the United States, that current trends in the strategic balance are working.

ASSURED-DESTRUCTION FORCES

Let us review the balance of strategic nuclear forces between the United States and the Soviet Union from 1961 to the present, and project the trends to 1972.

Before getting into actual numbers, we must determine what we mean by a strategic nuclear weapon. Former Secretary of Defense Robert McNamara's count consistently confused the issue because his statistics on Soviet weapons included only heavy bombers (the Bear and the Bison), intercontinental ballistic missiles (ICBMs), and submarine-launched ballistic missiles (SLBMs) launched by nuclear-powered submarines (SSNs). To be realistic we must add medium bombers (The Badger and the Blinder), medium-range ballistic missiles (MRBMs), and submarine-launched cruise missiles (SLCMs) as well as SLMBs carried by conventionally powered submarines.

It is true that the Soviet MRBMs cannot reach the United States, but there are some 750 of them in the Soviet Union targeted against Western Europe and Asia. If indeed the United States intends to defend Europe, Japan, and Korea, then these missiles are strategic weapons. If the United States has no intention of defending its allies, then the former Defense Secretary was correct; the MRBMs are not strategic. Yet must we not assume that our political leadership intends to live up to its commitments, since this is one reason consistently put forward for the bloody and costly war in Vietnam? Further, even from the point of view of purely national self-interest, the United States cannot afford to leave these allies naked in the face of Soviet and Chinese threats.

The same logic applies to the medium-range bombers, with the added consideration that they *can* reach the contiguous forty-eight states on one-way refueled missions. Of course, they can reach Alaska on round-trip missions from forward bases in Siberia. Thus, whether or not the United States intends to defend Europe and our allies in the Pacific, the medium-range bombers are strategic weapons.

As for the submarine-launched cruise missiles and SLBMs carried by conventional submarines, some analysts will contend that these are primarily intended for use against ships or Eurasian targets. But there is nothing to prevent their use against US coastal cities. They are just as deadly as any other missile launched from any submarine. When we include these types of weapons, which the former Secretary of Defense omitted, the picture changes completely.

Now let us turn to specific types of weapons. First, ICBMs. (*See Chart I.*) [Not printed in RECORD.] In 1961, the United States probably had a few more ICBMs than did the Soviet Union. As the Minuteman program built up, the US quickly outstripped the Soviets. The United States now has reached its planned peak of 1,054 ICBMs, and this total will drop to 1,000 at the end of 1972 when the Titan IIs are scheduled to be phased out. In the meantime, the Soviet Union has begun rapidly to deploy new weapons. Estimates range from 200 to 400 per year. General Wheeler confirmed that the Soviet Union will have approximately 1,000 ICBMs by the end of 1968. This would indicate a deployment rate of 330 per year over the past two years. At this rate, they could have 2,320 at the end of 1972, compared to 1,000 planned for US forces. Additionally, a considerable proportion of the Soviet ICBMs carry twenty-megaton warheads—twenty times the power of the US Minuteman. This considerable lead in payload (megatonnage) affords the Soviets both greater flexibility and greater destructive power.

In the United States' strongest area, submarine-launched missiles (*see Chart II*), [Not printed in RECORD], we see that in 1961 the United States already was well ahead of the Soviet Union. The programmed peak was reached early in 1967 with forty-one Polaris submarines carrying 656 missiles. The Soviet Union has continued to produce both ballistic and cruise missiles for submarine launch at a fairly steady rate. If the current rate of deployment continues, they will surpass the United States in terms of numbers, though not in quality, by the end of 1972.

As for MRBMs, the United States has never attempted to keep pace. In 1961 the Soviet Union was well ahead and remains so today. (*See Chart III.*) [Not printed in RECORD.] The score is 750 to nothing. The United States has no MRBM and plans none, while the Soviet Union has had 750 such weapons targeted against Western Europe and parts of Asia since the end of 1963 and probably will continue this posture for the foreseeable future. The dictates of geography make this type of weapon most useful to the Soviet Union but of little value to the United States under present conditions. The US may well need a shipborne MRBM, however, to lend support to allies in times of tension and to increase the flexibility and survivability of the strategic forces.

Turning now to strategic bombers, in 1962 the United States far surpassed the Soviet Union. (*See Chart IV.*) [Not printed in RECORD.] But with the retirement of the B-47s and the earlier models of the B-52, the size of the U.S. force declined rapidly and, as the B-58s are phased out, will continue to decline until the FB-111A comes into the force structure. At the end of 1971 the U.S. bomber force will consists of 255 B-52G and -H models and 210 FB-111s. The Soviet force has remained fairly stable since 1962, consisting of the Bear and Bison long-range bombers and the Badger and Blinder medium-range bombers.

Their force strength will probably continue at about the present levels since the Soviet Union has not been in the habit of retiring or discarding strategic weapons as was the American policy under Mr. McNamara. The Soviets seem to be replacing aircraft lost from the inventory for one reason or another. The result is that the Soviet Union has a larger strategic bomber force than the United States, and the disparity will probably continue to grow until our force strength levels off in 1971.

The Soviet Union has introduced no new long-range bombers into its inventory but is slowly replacing the subsonic Badger with the supersonic Blinder. The United States is not ready to build a new long-range bomber. The FB-111 represents only a substitute for the earlier model B-52s. It is in no way a substitute for the AMSA, which the JCS and the Secretary of the Air Force have requested.

Let us now compare total strategic delivery vehicles over the period 1962-1972. (*See Chart V.*) [Not printed in RECORD.] This comparison represents simply the sums of the various types discussed. It should be noted that the projections—that is, the figures for 1968 to 1972—are more firm for the United States than for the Soviet Union. U.S. figures are based upon existing plans. Soviet figures represent straight-line projections of trends. This pattern, of course, could be changed any time either side so desired.

It is apparent that in 1961 the United States held a substantial lead over the Soviet Union: 1,866 to 1,350. In 1967 the Soviet Union led by 2,842 to 2,407. The projection to 1972, based on trends, shows the Soviet Union startlingly ahead, by more than two to one. The figures are 2,190 for the United States and 4,720 for the Soviet Union.

I should say at this point that I do not think that the Soviet trends will persist to 1972. If they do, the Department of Defense will be forced to deploy more weapons. The Joint Chiefs and the individual services are already pressing for more Polaris/Poseidon submarines, a ballistic missile ship, an underwater long-range missile system (ULMS), an advanced ICBM, super-hardened silos, and a follow-on strategic bomber. It is interesting to note, however, that the 1967 to 1972 slope of the Soviet line is only slightly steeper than that of 1961 to 1967. The Soviet buildup of strategic delivery vehicles has been rapid and consistent over the past six years. The slope of the US line demonstrates clearly that US emphasis has been on replacing delivery systems considered obsolescent rather than upon accumulating a large number of delivery vehicles. In fact, United States plans call for fewer delivery vehicles in 1972 than at present.

I do not wish prematurely to sound the tocsin on the basis of numbers of delivery vehicles. There is much truth in former Secretary McNamara's contention that we should bear in mind that it is not the numbers of missiles that is important, but rather the character of the payloads they carry: the missile is simply the delivery vehicle. This statement, too, is an oversimplification, but it suggests a different index of power than numbers of delivery systems, an index worth examining.

The accompanying chart (*Chart VI*) [not printed in RECORD] compares total delivery capability in terms of megatonnage for the period 1962 to 1971. The data were compiled for the House Armed Services Committee from unclassified sources and therefore cover quite a range of estimates. The striking point is that everyone agrees that the United States was far ahead in 1962, and that the Soviet Union will be far ahead in 1971. In fact, the lowest estimate of Soviet capabilities in 1971 (30,000 megatons) is twice that of the highest estimate of US capabilities. It is, perhaps, not at all surprising that this chart and the previous one show very similar curves.

Neither chart, singly or even in combination, proves that the Soviet Union holds strategic superiority now, or will in 1972. What these charts cannot show is quality of weapon systems—such factors as survivability, reliability, accuracy, penetration, reaction time, and command and control.

It is clear, however, that since the Soviet Union is being permitted to take the lead in terms of numbers of delivery vehicles and deliverable megatonnage, the United States must make sure that we lead in terms of *quality*, and that this quality is *apparent* both at home and abroad. This may be an impossible task. As Senator Stennis stated during recent Preparedness Investigating Subcommittee hearings:

"As these hearings have progressed, it has become increasingly clear that the policy of the United States is to counter the buildup in numbers of Soviet ICBMs and other strategic weapons by improving the quality of our own strategic forces.

"With the very survival of our country depending on the quality of the weapons they produce and on their ability to outthink and outperform the Soviets on the technological battlefield, this puts an enormous responsibility on our scientists and the policy-makers who guide their efforts. In a very real sense they are in the front lines of the strategic cold war."

But there is no possible way of ensuring technological superiority, or for that matter of even knowing with any degree of certainty which side will be ahead a few years hence. The most sophisticated reconnaissance satellite cannot see inside Soviet laboratories. Usually a new or improved weapon is not seen until it is tested. Even then there are often great doubts, uncertainties, and unknowns. Gen. Joseph J. Nazzaro, until recently Commander in Chief of the Strategic Air Command and now Commander in Chief of the Pacific Air Forces, made the point succinctly in testimony before the subcommittee on April 30. He said:

"There are two concerns I have. One is the lateness with which we get intelligence on their offensive forces, and it applies also to their defensive forces. That is one.

"Second, the time it takes to develop a weapons system we may need should our intelligence be wrong. "An example—it is my understanding, if you go to contract definition for the AMSA today, you don't get it until eight years later. Now, if this time can be compressed a great deal, we may have, in my opinion, more reason to say we can exercise an option. But if our intelligence is inaccurate, then the long development time does not favor having options."

Before leaving assured-destruction forces, mention must be made of the Soviet orbital weapon. On November 7, 1965, the Soviet Union announced it had a new weapon, described as "an orbital missile whose warheads can deliver their surprise blow on the first or any other orbit around the earth." Two years later Mr. McNamara announced that the Soviet Union will be able to put a nuclear weapon into orbit in 1968. He described the weapon as a fractional orbit bombardment system (FOBS), said that he was "not concerned," and that it is not a violation of the Outer Space Treaty.

A few days later Dr. John Foster, Director of Defense Research and Engineering, explained to the Joint Atomic Energy Committee that this weapon is only a poor substitute for an ICBM. At the same time, both he and Deputy Secretary of Defense Paul Nitze stoutly defended Soviet integrity against Senator Jackson's charges that the orbital weapon violated at least the spirit of the Outer Space Treaty. They gave the impression that they were convinced that the Soviet Union is wasting time, money, and resources on this weapon, hence were delighted with the turn of events and didn't want to do anything to discourage them.

If indeed the orbital weapon is useful only as a substitute for an ICBM, they may be right. But official thinking also may be woefully short on imagination. An orbital weapon is infinitely more flexible than an ICBM. One can imagine ways in which it might revolutionize the techniques of deterrence just as the ICBM did a decade ago. Let us suppose a crisis in Europe in which the Soviet Union makes certain unacceptable demands. Could the FOBS be orbited over a key ally to intimidate it? What would the United States do? Could the orbiting weapon be shot down if it did not approach U.S. territory? Would the President dare to do so?

At best the credibility of the American nuclear umbrella would be shaken. At worst it would be shattered—unless the United States held a clear and exploitable nuclear superiority. Presently planned strategic forces provide neither the superiority nor the flexibility to cope with such a contingency.

DAMAGE LIMITATION

Thus far we have discussed only "assured-destruction" capabilities, or strategic offense. Now let us turn "to damage limitation," or strategic defense.

In the 1950s, when the primary threat to the United States was long-range bombers, the Department of Defense lost no time in erecting the best possible bomber defense. This provided the United States with a real damage-limiting capability. As Soviet missile strength began to grow, the United States adopted a "counterforce strategy" as a means of limiting damage from a Soviet missile attack. Counterforce was officially announced by Mr. McNamara in his Ann Arbor speech of 1962. It envisioned attacking Soviet ICBM launching sites as soon as the first signs of a Soviet attack on the United States were observed. It was of some validity because (1) Soviet ICBMs at that time were emplaced above ground and hence were vulnerable, and (2) Soviet command and control would not permit the launching of very many missiles in a coordinated salvo. It was felt, then, that by retaliating quickly against Soviet missile sites, many mssiles could be caught on the ground.

This idea had merit in 1962, but it is useless today. Soviet missiles are too well hardened and dispersed for our current missile force to destroy. Further, in a spasm war or a first-strike attempt, they can probably launch too many missiles in a first coordinated volley to make much difference anyway. There is no sense in wasting warheads on empty holes. Until the United States deploys a time-sensitive hard-target-killer, there is only one means of damage limitation so far as Soviet ICBMs are concerned and that is ballistic missile defense. Unfortunately, the Soviet Union holds the lead in this field, at least in terms of deployed systems. This may not have been the case if the advice of the Joint Chiefs had been followed, but over the past two years, and to the present, this has not come about, except for a start on a limited Sentinel system.

In November 1966, Secretary McNamara announced that the Soviet Union was deploying an ABM system. The extent and capability of the deployment is still controversial. There is agreement that one type of system is being deployed around Moscow. There are three other systems, however, which are controversial. One is the so-called Tallin Line across northwestern Russia, another is just east of the Urals, and a third is in southwestern Russia. About these, former Secretary McNamara said:

"They are also deploying another type of defense system elsewhere in the Soviet Union but the weight of the evidence at this time suggests that this system is not intended primarily for antiballistic missile defense."

But General Wheeler, presenting the unanimous opinion of the Joint Chiefs of Staffs, said:

"There is a divergency of view as to the second system. I find the view of some, that this system is primarily an air-defense system, difficult to accept, despite the gaps in our intelligence.

"Basically, my reasoning is that the Soviets know very well that our offensive forces are increasingly dependent upon missiles, not strategic bombers."

The disagreement has not yet been resolved, although there appears to be increasing agreement that the system, as currently structured, has only a limited capability against ICBMs.

As for American ballistic missile defense, former Secretary McNamara argued against the deployment of the Nike-X, while for over two years the Joint Chiefs of Staff have urged that it be deployed as soon as possible. The Joint Chiefs recommended a thin defense of long-range Spartan missiles to provide an area coverage for the entire nation and the point defense of some fifty cities by the shorter-range Sprint missiles.

Mr. McNamara countered that this would not only be valueless, it would also precipitate a dangerous and costly arms race with no gain in security. He said:

"The Soviet Union would be forced to react to US ABM deployment by increasing its offensive nuclear force with the result that, the risk of a Soviet nuclear attack on the United States would not be further decreased, and, second, the damage to the United States from a nuclear attack, in the event deterrence failed, would not be reduced in any meaningful sense."

Again the Joint Chiefs of Staff disagreed with the Secretary of Defense's evaluation. In testimony before the Senate Armed Services Committee, General Wheeler commented:

"The Joint Chiefs of Staff feel that this judgment assumes that Soviet reaction to Nike-X deployment will be equal, opposite, feasible, and possible. We don't think that it gives sufficient weight to the important interactions associated with deploying Nike-X."

General Wheeler put his finger squarely on the flaw in Mr. McNamara's thinking. The chances are at least as good that the Secretary was wrong as that he was right. The Soviet Union has a gross national product only about half that of the United States. They have resource allocation problems at least as great as ours, and they are currently engaged in a tremendous military, naval, maritime, and commercial air transport buildup. In all probability the Soviet leadership itself has not yet decided how it would react to a major US ABM deployment. They have hinted that their orbital weapon may be the answer. Mr. McNamara went so far as to ridicule the Soviet Union for being obsessed with defense and to call for a moratorium on ABM deployments. The Soviets not only showed no interest in such a moratorium, but their public statements on ballistic missile defense seem to uphold the Joint Chief's criticism of Mr. McNamara's assumption. On February 9, 1967, Soviet Premier Kosygin said:

"What heightens military tension in the world more: an offensive or a defensive system? A system that serves to ward off an attack does not heighten the tension but serves to lessen the possibility of an attack that may kill large numbers of people."

And General Nicolai Talenski, a leading Soviet authority, said:

"Only the side which intends to use its means of attack for aggressive purposes can wish to slow down the creation and improvement of antiballistic defense systems. For peace-loving states, antimissile systems are really a means of building up their security."

It is hard to refute the Soviet logic if ballistic missile defense can save lives and property. At any rate, the Soviet stand is more in accord with the Golden Rule of International Politics—it is more blessed to defend than to attack—than that of the former Secretary of Defense. This would seem embarrassing to a nation that has traditionally placed such emphasis on international virtue and the security of the lives and property of its citizens.

But one can take another, more positive, view of Mr. McNamara's stand. If he had come to believe that the past emphasis on détente, arms control, and technological restraint was a mistake and that the resultant superior Soviet experience and knowledge is critical to ballistic missile defense, then his position was very logical. If the Soviet Union can deploy a reasonably effective ballistic missile defense while the United States cannot, the former Secretary was unquestionably doing the right thing in dragging his heels on BMD and making every effort to thwart the Soviet effort.

If this explanation is correct, then Mr. McNamara was primarily addressing the Soviet Union in his public statements on BMD, and only secondarily the American people. He may have been making a last desperate effort to stall the Soviet deployment while our scientists worked furiously in the laboratories in an effort to overcome our disadvantage. After all, one could hardly expect an Administration to publicly admit that its policies had proved counterproductive and that our atmospheric nuclear testing in 1962 and 1963 had been woefully inadequate. This information would be the most secret of political secrets.

There is a third view often voiced of Mr. McNamara's stand on the ABM question: that his position is simply straightforward, correct, and the whole truth. This view is not entirely persuasive. In the first place, there is no way of validating his prediction of Soviet behavior or the supposition that they could deploy offensive systems any more rapidly than they already are. In fact it is difficult to understand how the Soviet Union can build up its military strength as rapidly as it is. Secondly, the United States has programmed the Minuteman III and Poseidon missiles for deployment in 1969 and 1970, respectively. They will largely replace the current Minuteman and Polaris forces. According to Mr. McNamara, the sole reason for developing and deploying these new weapon systems is the Soviet ABM threat to our assured-destruction capability. He presented the military requirement for these new weapon systems this way:

"We must, for the time being, plan our forces on the assumption that they [the USSR] will have deployed some sort of an ABM system around their major cities by the early 1970s."

This would hardly be the U.S. reaction to a system deployed to defend only Moscow. On the contrary, there is every evidence that intelligence analysts have been very much concerned about the extent and effectiveness of the Soviet ABM, while Mr. McNamara and many of his civilian assistants seem to have placed little confidence in the American efforts to build effective missile defenses. For example, in one speech Mr. McNamara said:

"There is no point whatever in our responding by going to a massive ABM deployment to protect our population, when such a system would be ineffective against a sophisticated Soviet offensive."

This position, of course, completely ignores the psychological essence of deterrence as well as the uncertainties that U.S. deployment of a Soviet-oriented BMD would inject into Soviet calculations.

On the other hand, the Joint Chiefs have more confidence in the effectiveness of the BMD system. Nevertheless it is clear that the deployment now authorized will not be effective against the Soviet Union. Further, since it will take at least five years to complete this thin line, it will be a long, long time before we can look forward to any significant measure of defense against a Soviet attack unless the Sentinel program is reoriented and expanded.

EFFECTIVENESS OF THE TWO SYSTEMS

The central question in the long run is: "How effective are the two opposing systems?" At this stage, no one in the US defense establishment seems to know. It is also likely that Soviet authorities do not know. Because of their greater experience with relevant types of nuclear testing in space and in the atmosphere, they probably have a better idea than anyone in the United States, but until the systems are tested no one will ever know for sure just what their capabilities are.

So long as the Test Ban Treaty remains in effect, neither system will be fully tested, and the impact of the Soviet and US ballistic missile defenses on the strategic balance will be essentially psychological and theoretical. Of course, so long as the United States makes no effort to defend against the Soviet missile threat, the psychological impact of the Soviet efforts will be enhanced. This situation cannot continue indefinitely without further loss of prestige and influence for the United States. Obviously it would have been better for the Secretary of Defense to have followed the lead of the Joint Chiefs and to have presented a more positive position on BMD. It is still not too late to change.

While it is true that as of today a BMD is the only means of damage-limitation available, the concept of counterforce may not be eternally dead. The reason lies in the multiple individually targeted reentry vehicles (MIRV) designed for the Poseidon and Minuteman III missiles. It is believed that the Poseidon will carry ten nuclear warheads and the Minuteman III three. Further, it is expected that these warheads will be extremely accurate, perhaps with circular errors probable (CEPs) measured in hundreds of feet rather than in kilometers as was the case a few years ago. Even though the warheads are small (ranging from perhaps fifty kilotons to a megaton), their extreme accuracy may enable them to kill hardened targets such as missile silos, direction centers, etc. If this proves to be true, then counterforce may once again enter the deterrence equations as a damage-limiting strategy.

There are, however, two critical uncertainties about MIRV at present. First, MIRV has not yet been thoroughly tested; so far the calculations as to its accuracy are purely theoretical. Secondly, the Soviet state of the art with the MIRV is not known. While Department of Defense officials express confidence that the United States holds a substantial lead over the Soviet Union, it is by no means clear how they arrived at their conclusion. Soviet security is so impenetrable that US intelligence usually doesn't uncover a new development until it is tested or exhibited in a Moscow parade. Since it is uncertain that either side has flown a MIRV, it would seem difficult to say with confidence that the US is well ahead.

If both sides obtain comparable MIRV capabilities, then the trends in numbers of ICBMs and the superior Soviet warhead weight will give the Soviet Union a substantial increase in their projected advantage. In fact, the currently planned US ICBM forces in their fixed, hardened sites would be sitting ducks. The land-based second-strike capability would be seriously threatened unless protected by a credible ABM system. Fixed-site missiles may become either obsolete or uneconomic or both.

The obvious way to hedge against this contingency is to either develop and deploy new mobile strike systems or to expand the fixed-site ICBM force by adding more missiles but locating them outside of the contiguous forty-eight states. Alaska and the Aleutian chain would provide a good location. Ideally any new system should have an interent damage-limiting capability on four counts. First, it should be capable of carrying a hard-target-killing warhead. Secondly, unlike the current and programmed Minuteman force, it should draw counterforce fire away from the contiguous forty-eight states. Thirdly, the appearance of a new type of threat to the Soviets would force them to allocate a portion of their limited resources to countering it, thus leaving less for the destruction of the United States and its allies. At the same time, of course, US defenses should be improving. Fourthly, in the case of the mobile system, its very mobility makes it much more difficult to target.

Possible candidates for a mobile system might include: (1) a revival of the Skybolt air-launched ballistic missile idea, based on improvements in technology; (2) an orbital weapon; (3) an ICBM based at sea, either on a submarine or on a surface ship.

Both the advanced ICBM based in Alaska and the mobile ICBM are long-range projects. The best short-range, or interim, solution would be to retain the B-58s and the older model B-52s in service and equip the G and H models of the B-52 with the SRAM. This would considerably augment US penetration and striking power in the event of doubt as to the survivability of the Minuteman force. At the same time it would afford US forces the flexibility needed to cope with a wide range of stratgic war scenarios short of spasm war.

CONCLUSIONS

The United States should continually strive for the kind of politically exploitable nuclear superiority it enjoyed from the end of World War II up to the past few years. This kind of superiority would bring many benefits, not only for the American people, but for the entire world. It would give an added measure of security and confidence to the American people; it would add fresh cement to bind together our loosening alliance system; it would effectively support American foreign policy objectives; it would help to contain the dangers of nuclear proliferation far better than any treaty; it would lend indirect and silent support to despot-ridden peoples who are struggling to break through to freedom; it would hasten the day when the Party elite loosens its chains on the people of the Soviet Union and the eastern European satellites; it would even afford a better environment in which to negotiate meaningful arms-control measures. These are but a few of the many benefits conceivable.

It is clearly evident, however, that if current Soviet trends persist and the United States does not drastically alter its currently programmed force levels, there will be no question of the United States enjoying a politically exploitable nuclear superiority. On the contrary, the Soviet Union will probably enjoy such superiority, and the concept of parity or stable deterrence will be out the window together with the constructive and progressive possibilities enumerated above.

It is, therefore, imperative, not only for the security and well-being of the United States, but also in the name of humanity, that the United States employ its technological, economic, and political resources to alter its current strategic nuclear programs and reverse the trends.

In essence, three basic tasks must be accomplished: first, the military research, development, test, and evaluation program must be reinvigorated and infected with a new sense of imagination and urgency; second, on the short-term basis (that is, up to 1972), current plans for discarding many weapons systems must be reversed; and third, the current emphasis on assured-destruction forces only must give way to a more realistic balance of assured-destruction forces and damage-limitation forces.

HON. BOURKE B. HICKENLOOPER

HON. JACK R. MILLER

OF IOWA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. MILLER. Mr. President, the end of the 90th Congress brings with it the close of 24 years of distinguished, dedicated service by our colleague and my fellow Iowan, BOURKE B. HICKENLOOPER.

The greatness of the Senate lies in the willingness of so many of its Members—from both the majority and minority parties—to work together for the best interests of our country and its people. The clashes of keen minds and strong wills here are more distinguished by their genuine philosophical differences than by their partisanship; and always behind them will be found respect for other viewpoints and a desire to cooperate to bring these viewpoints together if at all possible.

No Member of the Senate, whether in committee or on the Senate floor, epitomizes this greatness more than my senior colleague, BOURKE HICKENLOOPER. Throughout his long Senate career he has held to his principles, while at the same time demonstrating a breadth of vision which manifests understanding for other points of view and a willingness to work hard to achieve our common goals. In my 8 years here, I have never heard his integrity questioned once, and my senior colleagues affirm that is the way it has been for these 24 years.

In 1954, as a member of the majority, he authored the monumental Atomic Energy Act with Congressman Sterling Cole, of New York—legislation which opened the door for the private development of atomic energy. As a member of the loyal opposition and the ranking Republican on the Senate Foreign Relations Committee, it was to him that President Kennedy and President Johnson turned for advice in times of national crisis.

The Washington Post took note of his leadership when it said:

> Although he and Chairman J. William Fulbright (D-Ark.), who both entered the Senate the same day, were poles apart on the Vietnam War and the Dominican intervention, they managed to create what bipartisanship there has been in recent years on the Foreign Relations Committee.

There are many who profess to put country above party. No one has ever questioned BOURKE HICKENLOOPER's devotion to the Republican Party; but his actions consistently bespeak his devotion to his country first.

Throughout these 24 years, he has never forgotten the people who sent him here and whom he has so faithfully served. His love for the people of Iowa transcends any desire for personal gain and comfort. It has been a long record of service above self—commencing in the Iowa House of Representatives, then the lieutenant governorship, then the governorship, and then the ultimate, the U.S. Senate.

His has been a record of shared trust and confidence—between him as an elected public official and the people who elected him. It has been a true partnership between him and his people in the cause of justice, progress, and peace within the family of nations.

Iowa's BOURKE HICKENLOOPER has respected the traditions of the U.S. Senate. He has always taken on his full share of hard work and responsibility in his committees, not to mention his conscientious attendance at meetings of the Senate. Additionally, he has served with effectiveness and distinction at many international meetings where his wise counsel has helped greatly in productive—albeit long and difficult—sessions.

BOURKE HICKENLOOPER is one of those rare public servants who shuns dramatics in favor of hard work and reasoned influence in accomplishing his objectives. In line with Benjamin Franklin's wise advice, he receives more inner satisfaction from results than from credit for them. Our association with him and the opportunity to feel his quiet, inner strength clearly brings the recognition that we have been privileged to serve with a statesman, whose retirement we understand, but whose absence the U.S. Senate will deeply miss.

OCTOBER 1968: A SPECIAL REPORT TO INDIAN AMERICANS OF THE SEVENTH DISTRICT, VOLUME X—SPECIAL EDITION

HON. ODIN LANGEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. LANGEN. Mr. Speaker, as a way of keeping my constituents as informed as possible I regularly issue a newsletter as one vehicle for this purpose. Because a significant percentage of the Indian-American population in Minnesota resides in my district, I have this year prepared a special report to the Indian Americans in my district and have made this report a special edition of my regular news letter. I felt that the many things of importance and interest to our first Americans warranted a communication that would speak directly to their problems and concerns. I wish today to share this report with my colleagues:

DEAR FRIENDS: Now that the 90th Congress has adjourned, I would like to take this opportunity to make a special report to you, the Indian American citizens of the 7th District. Because I believe it important to communicate with you directly, I have devoted one issue of my regular newsletter to this purpose. With the news seemingly dominated by such things as the war in Vietnam, riots and violence in the streets of the large cities, the Presidential campaigns and urban problems, I'm sure it is easy for those of us in the minority, whether it be as farmers, rural businessmen, or Indian people, to wonder if we have been forgotten. I can assure you that not only has your Congressman not forgotten you, but we have had occasion several times during this session to work with and answer requests and correspondence from a great number of Indian citizens and officials regarding their various problems and projects. We have also been privileged to greet and discuss matters of mutual concern with a number of visitors from your people who have traveled to Washington from the 7th District. This report is to take specific note of a few items and accomplishments of benefit to your people in the 7th District of Minnesota.

During my ten years in Congress, and as a member of the important Appropriations Committee, and formerly a member of the Interior Committee, I have been grateful for the opportunity to have been in positions which made it possible for many of these projects and programs to become a reality.

SOME OF THE IMPROVEMENTS DURING THE LAST 10 YEARS

Improved roads, hospital improvements and additions, doctors' residences constructed, new housing starts on the reservations.

Improved water facilities, park improvement, tourist programs started, educational facilities and programs improved and expanded, projects and programs to improve economic conditions.

OPERATION "BOOTSTRAP"

My proposal, "Operation Boot Strap" was the first to illustrate to the Congress the need to develop the economies of our Indian Reservations. Many proposals have now evolved from these suggestions.

GOVERNMENT EXPENDITURES FOR INDIAN PROGRAMS

In the past 2 years, 1967 and 1968, the total expenditures by the Federal Government for programs to assist in improving conditions and opportunities for our Indian citizens in the 7th District would amount to over $7.5 million.

HOW DOES THE SEVENTH DISTRICT FARE?

It is natural to ask how much one's district receives in comparison to others. The statistics compiled are for 1967 and the 1st half of fiscal year 1968. This information is from the Summary of Federal Program Outlays prepared for the Office of the President by the Office of Economic Opportunity. Expenditures in the 7th District were:

For Indian Children's Social Services—$415,681, or 73.3% of the total outlay in Minnesota.

Indian Hospital and Medical Facilities—$506,891, or 78%.

Sanitation Facilities—$233,780, or 94%.

Indian Educational Financial Assistance—$56,955, or 53.7%.

Indian Direct School District Loans—$360,475, or 71%.

Indian General Assistance and Social Services—$253,186, or 93%.

Indian Summer School Program—4,500, or 72%.

In other programs such as Vocational Training, Credit Finance Programs, Direct Employment Assistance, Industrial Development, Adult Education, and Public Housing, the 7th District received a total of $202,540.

This is about $2 million in an 18-month period for specific Indian programs, not including programs of OEO. 47% of the Indian population in Minnesota resides in the 7th District, so it is apparent we not only receive our fair share, but in many instances, more, if it is to be judged according to a population ratio.

RECENT LEGISLATION

Some significant legislation passed during this session included an additional $10 million for expanded Vocational Education and $3.4 million for sanitation facilities. Also passed was a law permitting the acceptance of gifts for the benefit of Indians. I am pleased to see bills which provide incentive to encourage support by private organizations and individuals. There have been tax incentive bills introduced to encourage industry to move to the reservations, which I am hopeful will receive favorable consideration in the near future. The Civil Rights Act of 1968 which was passed included several provisions affecting Indian Americans.

In referring to Civil Rights legislation, I am reminded of the following quote which I made as part of a statement to the House in support of consideration for Indian Americans during Civil Rights debate in 1964:

"We again find the Indian Americans being deserted and left out of consideration by this House . . .

"Yes, for the past 10 years we have heard debate in this House concerning civil rights, educational opportunities, employment and all other things which we have been endeavoring to establish in some kind of equity and I hope for all citizens of this Nation."

Since that statement supporting equal consideration for Indian Americans, I am glad to see that additional provisions and programs have been provided in the past four years.

INDIAN CLAIMS BILL

A second Indian Claims Bill, which I introduced, was passed during this Congress and was signed into law on 9/27/67. I am pleased that Congress responded favorably to this much deserved and long overdue entitlement. Some have inquired about the delay in receiving their payment. In following the processing the Department advises us that because it requires the completion of a roll of several thousand individuals, it is of necessity taking time to complete, but they hope it will be completed shortly.

MINNESOTA WILD RICE

We always try to promote the 7th District and its products on every occasion possible. Each year Lillian extolls the virtues of the 7th District at the annual Congressional Wives Club Bazaar here in Washington with various products from the 7th District. One of the products which is always popular and which we proudly promote is the Wild Rice harvested by your people. This is an industry which should be maintained and promoted for the economic benefit of our Indian citizens.

INDIAN ART IN WASHINGTON

Mrs. Langen and I had the pleasure last year of viewing a distinctive collection of Indian American art on display in the Smithsonian Institution. We were pleased to discover that three artists from the Red Lake Reservation in Minnesota's 7th District had paintings on display. They were Reginald Beaulieu of Redby, Leo Downwind of Redby and Melvina Johnson of Red Lake. The exhibit was most enjoyable, and again confirmed the great talent among our Indian friends.

POSTER CONTEST

We are reminded from the above of a recent announcement of a travel poster contest for American Indian students attending high schools run by the Bureau of Indian Affairs, which will offer top prizes of $150, $100 and $50 and expense-paid trips to art school and art museums in major cities. The poster theme will be "Discover America with the First Americans." Qualified entries must be received by the Central Office of the Bureau of Indian Affairs, Washington, D.C. by January 10, 1969.

A TRIBUTE TO YOUNG INDIAN AMERICANS

In conclusion, I would like to quote in part from Commissioner Bennett's column "Commissioner's Comments," which appeared in the September 1968 bulletin Indian record, published by the Bureau of Indian Affairs, and which reads as follows:

"In the past few weeks, it has been my pleasure to meet with several groups of Indian young people. It is apparent that they wish their voices to be heard—not so much in protest as in their concern for their future and the future of other Indians. These meetings have been held in a friendly atmosphere and the young people have been courteous and considerate, as I knew they would be. The traditional courtesy and kindness of Indian people has not been lost in the young people. They have also been positive in their views and opinions, and it has been apparent to me they want action. They must be provided a forum for expression of their thoughts. . . . They are being educated and trained so that society generally and Indian society in particular may benefit from their contributions. . . . Over half of the Indian population is under 18 years of age . . . and they will be better prepared than you and I for their leadership role and to cope with the challenges of the future. We can help in their preparation by providing advice and counsel rather than by ignoring them or downgrading them . . . their voice will not be stilled; indeed, it would be tragic should this happen. . . .

"So, we face the future with a new-found strength and vitality—young Indian America. Youth can become a force for our good if we take them into our confidence and into our councils. With all of our people united in the cause of Indian Americans . . . we can make our future a part of the great future of this—our country."—Robert L. Bennett

In quoting the preceding, I do so to amplify this recognition of young Indian America, and to say that I agree with the sentiments expressed. Further, I believe, as your representative in Washington, that your government and private institutions and organizations in America should continue to join hands to cooperate with our first citizens, the Indian Americans, in their pursuit of progress and opportunity. Primary concern should be in areas of Education, Health, Job Training and Economic Development, and Housing. Not only will it be that through these come the greatest opportunity for our youth, but these are also the greatest concern to all of us now.

I am pleased that significant progress has been made in these areas through various programs in the past several years.

And finally, I wish to say that the door to my office is always open, or wherever I am, I am always willing to listen to your needs, ideas and concerns, whether I talk to you in person or by letter.

Sincerely, Your Congressman,
ODIN LANGEN.

RECENT ADDRESS BY SECRETARY OF STATE DEAN RUSK

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. COOPER. Mr. President, on October 6, Secretary of State Rusk was interviewed on the ABC television program "Issues and Answers."

In the course of the discussion, Secretary Rusk reviewed various current problems in foreign affairs and the approach of the State Department in dealing with these problems in light of changing circumstances.

I believe that Members of Congress and the public will find Secretary Rusk's comments both timely and informative.

Mr. President, I ask unanimous consent that a transcript of the program "Issues and Answers" be inserted in the RECORD at this point.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

TRANSCRIPT OF AN INTERVIEW WITH HON. DEAN RUSK, SECRETARY OF STATE, ON THE ABC TELEVISION PROGRAM "ISSUES AND ANSWERS," OCTOBER 6, 1968

ANNOUNCER. The Honorable Dean Rusk, Secretary of State of the United States here are the Issues: Is the American political campaign hurting the Vietnam peace talks in Paris? Will President Johnson stop the bombing before Election day? Does Russia's crackdown against Czechoslovakia foreshadow a return to the cold war?

(Music.)

ANNOUNCER. "Issues and Answers," The Race To The White House, brought to you from New York City by the American Broadcasting Company and Sentry Insurance.

(Commercial.)

ANNOUNCER. Our guest on "Issues and Answers," Secretary of State Dean Rusk, will be interviewed by ABC News Commentator Frank Reynolds, and by ABC State Department Correspondent John Scali.

Mr. SCALI. Mr. Secretary, welcome to "Issues and Answers."

Mr. RUSK. Thank you very much. I'm glad to be here again.

Mr. SCALI. Does Vice President Humphrey's pledge to end the bombing of North Vietnam represent a break with the Johnson Administration which might create complications in the Paris Peace Talks?

Mr. RUSK. Well, our problem here is not whether the President or I, or the candidates make identical speeches. The problem is whether Hanoi is willing to do anything to move towards peace. The delegation at Hanoi has rejected what Vice President Humphrey said. We have the impression that the North Vietnamese look upon all of us in this country as just a bunch of imperialist rascals. So I think that any debate among ourselves is somewhat irrelevant because Hanoi says "no" to everything.

Now, President Johnson is President until January 20th. He was elected by an overwhelming majority of the American voters in 1964. He and I are responsible for trying to get peace now. The candidates are talking about what their general attitude and their approach will be in January. In January the situation will be different, in important respects, because it changes from time to time.

I do not myself believe that the problem is here among ourselves. We have a great habit in this country of tearing ourselves to pieces in ways which are irrelevant to the problem. The problem for all Americans is what Hanoi is going to do. Is Hanoi interested in peace? Is it willing to do, as President Johnson once put it, almost anything as a step towards peace? Now, we can quarrel among ourselves, but much of this quarreling is irrelevant to the problem of making peace in Southeast Asia.

Mr. REYNOLDS. Mr. Secretary, is it your view then that the American political campaign is not having any effect on the Paris negotiations? That the North Vietnamese regard it as irrelevant?

Mr. RUSK. I think the North Vietnamese watch public discussion in this country very closely. They, from time to time, quote to us the most obscure statements made by somebody in this country. They put great weight on the demonstrators and the signs of dissent in this country. It is not my impression that they attach that importance to the election campaign as such, or to the difference among candidates. They are hoping, I have no doubt, that the American people will abandon Southeast Asia and we will grow tired, that we will grow disillusioned, that we will turn to isolationism, that we will give up the effort.

Anything in this country, that points in that direction undoubtedly gives them hope. One of our problems, quite frankly, Mr. Reynolds, is that Hanoi may be confused. You and I would be confused if we were on the other side listening to the great diversity of statements coming out of this country. Hanoi may not clearly understand the nature of the American political system. They may not understand that debate is not the full answer to decisions. That responsibility for decisions in this country rests with the President and with the Congress.

Now, for example, if we heard that 50,000 demonstrators were marching around the headquarters in Hanoi crying for peace we would say the war is over. Now when they hear that 50,000 demonstrators a few months ago were out in front of the Pentagon in Washington they can be misled, you see.

So, a part of our problem is to be sure that they understand the basis on which the United States makes decision so they do not misunderstand or miscalculate, or come to the conclusion that somehow the United States is going to abandon Southeast Asia, because we are not going to abandon Southeast Asia, whoever is elected in November. And Hanoi should understand that, and get down to the serious business of making peace.

Mr. SCALI. But does a suggestion such as that by Mr. Humphrey add to this confusion and make it even more difficult for the North Vietnamese to decide?

Mr. RUSK. Oh, I don't think so. I think that if you look at the entire speech made by the Vice President, the context, his discussion of peace in Southeast Asia and Vietnam, and his references to readiness to accept free elections, with all of those participating who would accept constitutional process, and who would accept the very idea of an election in Vietnam, if you look at the entire speech that he made, this is not a problem. Hanoi says no. They've already said no to what the Vice President said. He did refer to the demilitarized zone. Now, the point is in Paris we have laid before the Hanoi delegation a very considerable number of points on which some progress might be made. We have talked about the DMZ, we have talked about the level of forces, we have talked about the attacks on the cities, we have talked about negotiations with the South Vietnamese, we have talked about the Laos agreements of '62, we have talked about respect for the neutrality of Cambodia. We talked about all sorts of things.

The point is that they have not picked up any of them. They have not come in with counter proposals that make any sense except stop the bombing and get out of Vietnam. They have not really knuckled down to the point of discussing in detail any of the steps that would move toward peace.

Mr. REYNOLDS. Well, Mr. Secretary, what do you think will impel them to get down to the business of discussing steps that will lead to peace?

Mr. RUSK. Oh, I think the realization that they are not going to succeed in South Vietnam, and the realization that the American people are not going to abandon Southeast Asia. Then in looking at the alternatives in front of them they may be impelled toward making some sense and making some peace.

Mr. REYNOLDS. What do you think would happen now, sir, if you did stop the bombing? What would happen on the ground in Vietnam?

Mr. RUSK. The point is that no human being anywhere in the world can tell us what would happen if we stopped the bombing, no human being. Hanoi refuses to do so. And therefore, no one else is able to do so.

Now, we are prepared, as President Johnson has made it clear, over and over again, to stop the remainder of the bombing if it is a step toward peace. But we have no reason to know that stopping the bombing would not be an increase in killing.

Now, remember, on March 31st President Johnson stopped the bombing of four-fifths of North Vietnam where 90 percent of their people live at a time when there was not one square mile in South Vietnam that is free from bombing.

Now, we had hoped that after March 31st some steps would be taken to move this matter toward peace. Those steps have not been taken. We are prepared to stop the bombing, but what would happen? No one can tell us. No one can tell us. We think that we are entitled to some answer to that question, from some source, through some channel, so that we can have some confidence that stopping the bombing would be a step toward peace. Thus far we have nothing. This is not just a a question of curiosity. This is a question of moving toward peace. We would like to turn down the scale of fighting, we would like to have both sides engaged in a process of stopping the killing. And resolving these problems by political discussions at a conference table. This is a fundamental obligation under the United Nations Charter. It's a traditional view of the United States toward problems all over the world.

These men in Hanoi are not men from Mars. They are not different from other human beings. Every crisis that has been resolved since 1945 has been resolved by discrete and private contacts in which both sides agree that it is in the interest of both sides to resolve the problem peacefully, to move toward peace. These things could be done directly or indirectly, publicly or privately through a whisper behind the hand. Mr. Scali has had some experience in what can be done by indirect contacts, in one way or another, in other crises.

This process is available. We are prepared to participate. We do not insist upon any particular method of procedure or type of contact. We are flexible about what the diplomats call the modalities. But we are interested in the substance. We are neither fools nor cowards. We want to move toward peace, and if the other side will help us move toward peace we are more than ready to do so. But the point is we have not been able to get them to join in that move, and it does take two to make peace.

Mr. SCALI. Mr. Secretary, at this point we must pause for a moment. We will be back in just a moment with more issues.

(Commercial.)

Mr. SCALI. Mr. Secretary, I don't want to belabor this point, but am I right then in concluding that you are not particularly upset or unhappy over Mr. Humphrey's position on ending the bombing?

Mr. RUSK. That's correct. I listened to his full statement on the matter, the full context of it. Our problem is with Hanoi, it's not with Vice President Humphrey. Our problem is with the representatives of Hanoi, who won't say anything about any questions. So, no, if you ask me if I'm upset, of course I'm not.

Mr. SCALI. There are some Republicans who suspect that regardless of what the President has said in the past that he will make some dramatic move on the Vietnam problem such as stopping the bombing in advance of Election Day. Do you detect any such sign?

Mr. RUSK. Well, let me say that a question which is so serious and so vital to peace is not a question which is going to be dealt with as a political maneuver. In the main, the foreign policy of the United States has not been a partisan affair in this postwar period. I have now had an opportunity to meet with hundreds of committees of Congress and subcommittees in executive session. Not once in my eight years have I seen differences on foreign policy questions divide on party lines. There are differences of views, as there would be among the three of us on these difficult borderline, razor-edge decisions that test human judgment to the limit of the ability of the human mind. But these differences are not partisan in character.

Now these issues of war and peace go beyond questions of partisan maneuvering in this country. Now, I think all the candidates would like to see President Johnson able to move this thing toward peace as soon as possible. What man would like to face the prospect of being President in January with this war on his hands, if there's any possibility of making peace before he gets there? So I have no doubt at all that the candidates have a common interest in President Johnson's being able to do everything that he can to make peace now. That is my preoccupation, this is the President's preoccupation. So I would discount very much, I would discount completely, the notion that you could use such a grave question for day-by-day or trivial party advantage, or something of that sort. You do not make such decisions on such a basis. It would not be consistent with the grave responsibilities carried by any President, whatever his party, or whatever the situation here at home.

Mr. REYNOLDS. Mr. Secretary, we keep reading reports that just about everybody in the Administration except the President, you, and Mr. Rostow are in favor of stopping the bombing of North Vietnam. We understand that Ambassador Harriman, Mr. Vance and others believe that this is a step that should be taken. What is your reaction to all this?

Mr. RUSK. Well, first, let me say that you do us a disservice when you excluded the President, and myself and Mr. Rostow. We would like to stop the bombing. But we would like to stop it as a step toward peace. Now, I have seen some press stories in the last few days about our delegation in Paris, stories that indicated that Ambassador Vance came flying over here with his shirttail out because he wanted to make major new proposals to the President about negotiations in Paris.

The truth is that before last Wednesday's meeting I personally had one of my colleagues call him on the phone and say if it is convenient please come on back after the Wednesday meeting so that we can have a review of where we stand and what the situation is. We have done that every, what, ten days, two weeks, with Ambassador Harriman or Ambassador Vance. They have not made—I saw a story this morning that they recommended we stop the bombing, period. This is not true. The delegation in Paris, as does the President and myself, wants to move this matter toward peace. You do not move it toward peace by stopping the bombing under circumstances that would increase the killing, and no one in the world, let me repeat it again, no one in the world has been able to tell us that stopping the bombing would decrease the killing and move this toward peace. So, byline writers and people who make their living by speculating can speculate all they please. The truth is that the President is prepared to stop the bombing if it can be a move toward peace. No one has been able to tell us that it will be a move toward peace, and I don't know of any high official in the Administration who thinks that we ought to stop the bombing without its being a move toward peace.

Mr. SCALI. Do you think then, Mr. Secretary, that there is a united front on the part of key administration officials in support of the President's position on bombing?

Mr. RUSK. I have no question about it.

Mr. SCALI. Well, how about these reports that last August there were important administration officials who thought the pause at that time should be interpreted as a signal from Hanoi which warranted our stopping the bombing?

Mr. RUSK. Well, there was plenty of evidence that the pause was a regrouping for a new offensive. That was signaled by the other side in communications to their own people, captured documents, prisoners. And the people in Hanoi did not say to us, "Look, now we've taken a decision, we're going to cut down the fighting, what can you do about it?"

They did not say that to us. They haven't said that to other governments. There's speculation, but remember that the levels of fighting during the so-called lull were the same levels that were in existence a year before. The only reduction was a reduction in relation to the Tet offensive, and the May offensive. And with the prospective offensive in August and September.

So that in the first place it was not all that much of a lull. Secondly, Hanoi did not say to us that this was deliberately being done as a step toward peace; and there has been some very severe fighting for the last two months. And the North Vietnamese and Viet Cong forces have received very heavy casualties in the last two months. So that we don't see in the de facto situation a political move toward peace in Southeast Asia.

Mr. REYNOLDS. Mr. Secretary, the Vice President's statements about stopping the bombing captured most of the attention, but he also pledged to sit down with the South Vietnamese leaders and work out a specific timetable for the withdrawal of American forces from Vietnam. Do you think this sort of thing might possibly be encouraging to the North Vietnamese in Paris, to know that there is a Presidential candidate who has now pledged to withdraw American forces?

Mr. RUSK. Well, he has not pledged to withdraw American forces regardless of the situation, so I think that Hanoi doesn't get much comfort from this.

President Thieu in South Vietnam has himself commented publicly about his hope that South Vietnamese forces could be strenghtened and developed in such a way as to make it possible for the United States to withdraw some of its forces in 1969. We have taken dramatic steps in the last six to eight months to increase the capacity, the strength of the South Vietnamese forces. About 75% of the members of their regular army are volunteers, by the way; they are drafting the 18 and 19-year olds to fill in the rolls. We have equipped them with better equipment such as the M–16 rifles. They are taking a very active part in the present campaign.

Some of their units are showing extraordinary capability. Our corps commander in the First Corps up in the northern part of South Vietnam says that the First South Vietnamese division is as good as any division in Vietnam.

Now, let us continue that process; let us build up South Vietnamese forces. They are taking more and more of the responsibility. 1969 will be 1969, and judgments could be made on that, on that basis. My only problem is that I cannot myself put any date on this process because it depends on the situation; it depends on what Hanoi does; it depends on the state of affairs in diplomatic contacts such as the Paris talks. But President Thieu has had this in mind all along.

Mr. SCALI. Mr. Secretary, again we must pause.

(Commercial.)

Mr. REYNOLDS. Mr. Secretary, you said at the very beginning of this program that you believed it would accomplish our goal in Vietnam when the North Vietnamese realized the American people are not going to abandon South Vietnam. Yet here we are in the midst of this political campaign with both candidates indicating almost a pledge to end that war in Vietnam. The Vice President talking about drawing a specific timetable. Is it not reasonable to expect the North Vietnamese to believe that the American people are about ready to abandon South Vietnam and are fed up with that war?

Mr. RUSK. Well, I think they would make a great miscalculation if they were to come to that conclusion. You may have seen some of the recent polls, for example, on this matter of stopping the bombing. Sixty-one to twenty-four, or sixty-four to nineteen, indicating that the American people are opposed to the idea of stopping the bombing unless there is some action by the other side.

Now, we have to decide what kind of people we are. We have to decide what we think about collective security. Some of us are 23 years beyond World War II. It may be that some of these central ideas that gripped us in 1945 to 1950 about how you maintain peace in the world are not as compelling because we have gotten 23 years beyond it, we are a little indifferent, perhaps. They don't look like life and death questions to us.

And half of our people are young people who have had no chance to remember any of these things. When I go to a university campus, as I still do, despite some of the things you hear, it startles even me to realize that half the young people in front of me were in the 5th and 6th grade when I became Secretary of State. They don't remember much about the Berlin crisis of '61–'63, or the Cuban missile crisis.

Now, the question before the nation is what America's role is going to be in what kind of a world situation? Now, we drew the lessons from World War II when we wrote collective security into the Charter of the United Nations. And we reinforced that with certain great mutual security treaties in this hemisphere, across the Atlantic and across the Pacific. Now, maybe there's a better answer. But I'm deeply convinced myself that if we find an answer it must be better, and not worse. If this country retreats into isolationism my fear is that we're dead. Because peace will not be organized in the world unless this country participates in the process of organizing a reliable peace. And support to the United Nations, and support for our mutual security treaties are the principal means by which we keep the world situation reasonably stabilized.

If I could say one thing, Mr. Reynolds, that I hope no one will ever forget it is that we shall not have any chance to draw the lessons from World War III. There won't be enough left. So we have got to think long and hard, and prayerfully and responsibly about how you organize peace in a world in which people don't agree with each other. So that if we find a different answer to collective security.

Mr. Scali. Mr. Secretary, Ambassador George Ball, your former Deputy, announced when he quit his post at the United Nations that one of the reasons that compelled him to take this action was his view that Mr. Nixon was a man of few settled principles and should be defeated, because he would pose great international problems. Now, that was his view. How do you feel about it?

Mr. Rusk. Well, let me say, John, that as a private citizen I will go into the polling booth in November and express a strong preference which I have as a citizen. In carrying out the duties of my office as Secretary of State I have determined to do that without regard to partisanship. This has been the tradition since World War II. This is the way the President wants it. Foreign policy problems involve us all, we are in the same ship. We get through the rough waters together or we go down together. So that I hope you will forgive me if I don't get involved in the directly partisan aspects of it. As a citizen I have some views, but I'm not going to involve those views with the Office of the Secretary of State in carrying out my present duties.

Mr. Scali. But you're a Democrat. Do you support Hubert Humphrey?

Mr. Rusk. Oh, yes.

Mr. Scali. And you will vote for him?

Mr. Rusk. Oh, yes.

Mr. Reynolds. Well, that apparently means you will vote against Mr. Nixon, so you've expressed your view.

Mr. Rusk. I didn't say that. I said that as a citizen I will vote for Hubert Humphrey.

Mr. Reynolds. Mr. Secretary, you're going to meet tonight with Mr. Gromyko. What are you going to talk about this time?

Mr. Rusk. Well, Mr. Gromyko and I usually have one or two meetings when we get together here at the United Nations. What we usually do, and I think we'll do this tonight, is to review a good many points. There are very important questions these days in disarmament, in the Middle East, in Vietnam, in Central Europe, and as we review those we will try to see whether there is any point at which we can make some progress. In other words, our meetings are somewhat like scouting expeditions. We sort of sniff around to see whether there are points worth developing further, whether we can do something to improve the general situation.

Now, this year the atmosphere is not easy. It's a very troubled atmosphere.

Mr. Scali. Mr. Secretary, I'm sorry. At this point we must pause.

* * * * *

Mr. Scali. Mr. Secretary when you meet with Foreign Minister Gromyko tonight will you discuss Vietnam and seek more active Soviet cooperation in helping end this war?

Mr. Rusk. Well, I would hope that Mr. Gromyko would not see on television an exposition of everything that I might raise with him tonight. I have no doubt that Vietnam will come up. It usually does when we meet, and of course we will be glad to see them take a responsible part in helping to move the situation toward peace.

Mr. Scali. The Soviets appear to have enunciated in the past few days a new doctrine which they are talking about to justify their intervention in Czechoslovakia, namely, that almost any communist country within reach of their military power should be exempt from any other rule except that which Moscow decides on. How do you regard this?

Mr. Rusk. I commented extensively on this in my address to the General Assembly. That was not the part of my address that appeared on television. I referred to a Pravda article in which they had enunciated this new doctrine. It was new in recent history, but it went back to some doctrines that they have espoused, many, many years ago. They in effect said that the law of the class struggle is above the United Nations Charter, and above international law. That such notions as sovereignty and self-determination are abstractions and that these are subordinate to the law of the class struggle. They quoted Lenin as saying that it's necessary to solve the problem of small power narrowmindedness. That presumably means that a small power that wants to retain any independence is simply narrowminded. So this was a very far-reaching doctrinal base for the type of action taken in Czechoslovakia. This, I think this is a very grave development in world affairs. So that in the General Assembly I asked a series of questions about this: Are you really saying that the interests of the class struggle as determined in Moscow are superior in your mind to the United Nations Charter or the general principles of international law? Are you prepared to apply the doctrine of peaceful coexistence to your own allies and to nations with the same social system? Are you prepared to fulfill your promises to withdraw your forces from Czechoslovakia? These are very far-reaching matters on which all the members of the United Nations are concerned, particularly the some 115 so-called smaller nations whose attachment to the notion of independence and self-determination is very great, because their national existence depends upon it. So I think there's been perhaps too little attention paid in this country to the far-reaching implications of the assertion of this new doctrine in Pravda, and I was disappointed that Mr. Gromyko did not respond to it in more detail in his own remarks to the General Assembly. He did say in his speech that socialism has solved the problem of nationalism. Now, what does that mean? Does that mean that other states, including other communist states have no right to make any decisions on their own that are not entirely embraced by Moscow or directed from Moscow?

These are very grave developments, and we should not underestimate their significance.

Mr. Scali. Does it look as if the Soviet Union is asserting the right to crack down perhaps on Rumania and Yugoslavia, other parts of their empire?

Mr. Rusk. Well, the doctrine would seem to indicate that within what they call the socialist commonwealth, which is a very strange use of an ancient and honorable word, that they have the right to make the decisive decisions for all those inside the socialist commonwealth. Now, the rest of the world is not going to accept that, and my guess is that members of the socialist commonwealth will not accept it, over time. Now there is a very serious crisis as far as Czechoslovakia is concerned. But human beings are human beings, and I have no doubt that this doctrine is in for some very rough water.

Mr. Reynolds. Well, if they really mean it, though, Mr. Secretary, as they seem to at this point anyway, what can be done about it? I mean, is there really anything we might have done to prevent them from moving into Czechoslovakia?

Mr. Rusk. Well, I think that in the first place the determination of the Czech people to maintain the Czech character of their country has been manifested in many ways. Despite some of the major compromises that have had to be made with the Soviet Union. I think the deep division inside the communist world must serve as a kind of brake on the further expansion and development of this policy. I think the major interruption to East-West relations is a price which the Soviets cannot feel is in their interests in the long run. And I think the strong and practically unanimous condemnation of this action by the world, by the governments of the world as reflected in the United Nations, and by the world public opinion as expressed through all the media, must give serious concern to the authorities in the Soviet Union.

Now, I doubt very much that they will negotiate these problems with non-communist countries. But this is not a matter on which the going is easy for them if they expect to pursue the interests of the Soviet Union as a state in world affairs in the next ten years. So we will just have to see.

Mr. Reynolds. Mr. Secretary, what do you think, in light of Czechoslovakia, et cetera, and the doctrine that they seem to be enunciating now, of the Senate's decision to delay ratification or approval of the Non-Proliferation Treaty?

Mr. Rusk. I gather that Senator Mansfield is still considering what the situation might be in the Senate on this matter. We were very sorry indeed to see a development like Czechoslovakia that would create an atmosphere in which the Non-Proliferation Treaty gets into trouble. Solely from our point of view, if there were no Soviet Union, this treaty would be in the national interests of the United States.

As you remember, Mr. Reynolds, we tried in 1946 to bring about a situation in which there would be *no* nuclear powers, in the Baruch proposals. It was a tragic thing for the entire human race when those proposals were turned down, because forever more now the number one problem before the human race will be to keep this nuclear beast in its cage. So we believe that the further spread of nuclear weapons not only creates radically new problems in maintaining the peace, but would be highly adverse to the national interests of the United States. We would hope the Senate would proceed to ratify it. Now, they are trying to get out of town and get back to the elections and do other things. I gather they are hoping to be in Washington for another week, perhaps. Whether they will be able to act upon it or not, I don't know. The leadership knows that the President and I would hope very much that they could act. But in these matters you have to count noses among your Senators and see whether action is possible, or whether the general atmosphere created by Czechoslovakia has proved to be a major obstacle.

Mr. Scali. Secretary Rusk, United Nations Secretary General U Thant has recommended a four-power summit meeting to prevent international relations from reverting back to the coldest days of the cold war. Why not have a summit conference?

Mr. Rusk. Well, there is a little dilemma on this, John. One does not want to exclude as a matter of doctrine any diplomatic procedure or any type of meeting or arrangement that might improve the situation. But summit meetings are more complicated than that. When the court of last resort is in session it is very important to know that there would be some constructive outcome. Now, I recall the summit between Mr. Khrushchev and President Kennedy, in Vienna, in June, 1961. On that occasion it was possible to reach what appeared to be an agreement in principle on Laos. But also on that occasion a major crisis over Berlin developed.

The Glassboro talk between President Johnson and Chairman Kosygin I think was constructive. Mr. Kosygin was here for the United Nations General Assembly; this was not as much of an occasion in one sense as was the meeting in Vienna, and it was possible for the two to sit down and go over a good many questions together. I think some understanding was reached, some advance and understanding was reached on some questions like disarmament; but on questions like Middle East and other questions, no real progress was made.

I think on the one side I would say that there are no present plans for a summit. One cannot exclude this as a matter of doctrine. One should not exclude it as a matter of doctrine, but it would be very important when a summit meeting occurs to have some reasonable confidence that something constructive would come out of it, because if that did not happen tensions could be increased and differences could be exaggerated. So this is a matter of judgment about how and when and under what circumstances, and in the light of what kind of preparations such meetings might occur.

Mr. Reynolds. Was there not a summit meeting in the works, Mr. Secretary, just prior to the Soviet-Czechoslovakia. . . .

Mr. Rusk. That was one of the possibilities, but no arrangements had been made. And this is something that one has to keep in mind always as a possibility. But the present atmosphere I must say is rather difficult.

Mr. Scali. Well, the Soviets seem to be pressing, Mr. Secretary, for a specific date on when we and they could begin missile talks. We seem to be dragging our feet on this. Why?

Mr. Rusk. Well, there are two or three reasons why this is more complicated than it sounds. One is that if these talks occur it would be very important that the general atmosphere be such as to give them a chance to succeed, or to make some important headway. Now, the general atmosphere at the moment is not very good. Look at the problem with the non-proliferation treaty in our Congress. And on a matter of such grave importance as offensive and defensive missiles it would be important that such an effort have the support generally of the American people and the Congress, and other authorities that might be involved. So these are not easy questions. I think it is fair to say that both sides have done some important work on this question. I think that we're not completely unfamiliar with each other's approach to it. I think there has been some encouragement in the seriousness with which both sides approach this problem.

But when you get around to naming specific times and specific places, that requires some further thought. I will be meeting, for example, with some of our NATO foreign ministers on Monday. This is a matter that concerns NATO, as well as the United States. I'm not in a position today to say anything specific about time and place on these matters.

Mr. Reynolds. Mr. Secretary, I know you have imposed on yourself strictures about talking about domestic politics, but there was a rather interesting development this week when General LeMay accepted the vice presidential slot on the ticket with Mr. Wallace and said he regarded nuclear weapons as just another weapon in the arsenal. What is your comment on that?

Mr. Rusk. Well, if you would rephrase your question to ask me about nuclear weapons rather than what General LeMay said about it——

Mr. Reynolds. Do you regard nuclear weapons as just another weapon in the arsenal?

Mr. Rusk. Not at all. Nuclear exchanges are something qualitatively different from anything else the human race has ever experienced. These are questions that affect the survival of man. They affect the possibility of hundreds of millions of lives in the first hour. Since the middle of the 1950's, President Eisenhower in his second term, President Kennedy, President Johnson, have had to think about questions that no other American president has ever had to think about, because a nuclear exchange now is not a theory, it's a fact. It's a possibility. It is an operational question before governments. This phrase, the survival of man, is not just a phrase for the poets or the philosophers. It's a serious problem for the governments of the world. So I must say war by nuclear weapons is a thing apart from any other wars that the human race has ever experienced.

Mr. Reynolds. And yet, part of the dissent in this country, Mr. Secretary, as you know, is based on the feeling that we are not in this war, as General LeMay said, with both feet, that we are kind of dragging our feet, and there is this impatience in the country to get it over with, have it done.

Mr. Rusk. I fully understand this impatience. It is a tragic thing, Mr. Reynolds, that after all that has happened since 1945 it should be necessary once again for young Americans to be sacrificing their lives because somebody is trying to grab somebody else's country. One would suppose that so many lessons have been learned on this in the last three or four decades that it wouldn't be necessary again; so I understand that impatience. But, on the other hand, those who carry responsibility have to take into account that the purpose from the United States point of view is to organize a peace. It is to allow these smaller nations of southeast Asia to live their own lives. It is not to generate a big war. Now, in all of our crises since 1945, whether you talk about the Greek guerrillas or the Berlin blockade, the Korean War, or any of these crises, it is very easy to allow it to slide down the slippery slope into general war. This is the easiest thing to think about. And if you just turn your back on the problem for a little while it would go in that direction.

Now, the problem is not simply to destroy anybody, or to destroy the human race. The problem is to organize a peace, so that violence, the use of force, from the point of view of those who are trying to do something about the human race, is somewhat like police action internally in a country. The problem is to restore and maintain the peace, not simply to give full vent to one's anger or fury or feelings on this subject. So we have to deal with these matters carefully and show patience, even though impatience is easy to understand. Of course we are all impatient, angry, frustrated, because this whole thing should not have been necessary. There's no reason why Laos could not live under the agreements of 1962; there is no reason why the two parts of Vietnam should not be pulled apart militarily so that they could solve their differences by a peaceful means. There is no reason why guerrillas have to be trained in North Vietnam to get mixed up in the northern parts of Thailand. The reasons are that Hanoi says no, and that is the tragedy of it.

How do you deal with it? You have to deal with it with firmness, with patience, and a readiness to move to peace as promptly as the other side will permit.

Mr. Scali. Mr. Secretary, again we pause. (Commercial.)

Mr. Scali. Mr. Secretary, Richard Nixon is known to speak very highly of you in private as a very capable and dedicated Secretary of State. One very high Republican has told us also in private that Mr. Nixon would be willing to have you stay on indefinitely as Secretary of State. Would you be willing to stay on?

Mr. Rusk. No. I appreciate any kindly references made to a Secretary of State. I have a traditional interest, along with fifty-three other secretaries of state in that sort of reference, but I shall be leaving office in January under any circumstances whatever. Eight years are a long time, and it's time for somebody else to step in as the 55th Secretary of State.

Mr. Scali. What are your private plans, Mr. Secretary?

Mr. Rusk. Well, I haven't decided yet. I thought that I would wait until I lay down the seals of my office before I made any firm decisions. Once again, I'll leave government unemployed, and then I'll look around and see what I should do. I have some ideas about it, but if, for example, we're going to think long and hard about what the structure of the world ought to be in terms of organizing a peace, and what America's role in its should be, maybe in some small way I can take some part in studying that question and helping with the discussion of it.

Mr. Reynolds. Are you looking forward to leaving the State Department?

Mr. Rusk. Well, I very much enjoyed this service under two very great presidents, President Kennedy and President Johnson. I think one thing that surprised me a bit before I got into it this time was the mass of business that is conducted by the Department.

I understand that since I have been Secretary of State two million telegrams have gone out of the Department signed Rusk. Now this means a thousand cables on every working day, and it means the work of organizing a peace is represented by many, many efforts every day, on small questions as well as large questions. And it's a very exciting thing to take part in it, and to work with such two tremendous human beings as John Kennedy and Lyndon Johnson.

Mr. Reynolds. Did the job surprise you, though, the magnitude of it?

Mr. Rusk. Well, you see, I've been in the State Department, in and out for a number of years before that. I think the two things that I had not fully appreciated is that there's been a great increase in the complexity of the conduct of foreign affairs. When the architects were given the task by the United Nations to build the present headquarters over there in 1946 they were told to prepare for sixty members with a possible expansion to 75. Well, just recently, we took in our one hundred and twenty-fifth member. Before World War II you could deal with four or five governments, and you covered the continent of Africa. Now, you deal with forty governments. So I think we underestimated the impact of the explosion of states on the actual techniques of conducting diplomacy.

And then also I think the impact of the nuclear equation is something that one only deeply and fully understands if you live with it twenty-four hours a day, and that is a matter which took on a new form when a full nuclear exchange became possible in the 1950s, mid-1950s. I think that is something that has added a new dimension to the consideration of all questions. It doesn't mean we give away our interests or that we are indifferent to aggression or anything else, but it does mean that there must be a sobriety in thinking about conflicts and world problems that was not there before.

The first glandular reactions to a situation are not good enough. Every ounce of intelligence, every depth of moral commitment, every scrap of experience that anyone can bring to bear who holds a position of responsibility in this and other governments are now required.

Mr. Scali. Mr. Secretary, as you sit back in the closing months of your tenure as Secretary of State and look back at some of the major decisions we've made, particularly on Vietnam, do you in restrospect, with twenty-twenty hindsight, see any important mistakes or miscalculations?

Mr. Rusk. Well, it's very hard to speculate in detail because you never have a chance to live these things over again.

For example, when President Kennedy and we discovered in June, 1961, in Vienna, that although there appeared to be an agreement on Laos, there was no agreement at all on Vietnam, should we have taken larger measures at that time to demonstrate beyond any peradventure of doubt that we were serious about Vietnam and that the other side must understand that? These are hard questions to answer in retrospect because you don't have a chance to do it over again. I think the thing that has been the greatest disappointment to me has been that despite efforts in every capital, despite and extraordinary number of demonstrations of a readiness to make peace, it has not been possible to bring Hanoi to a serious discussion of peace in Vietnam.

Mr. SCALI. But you're not giving up yet?

Mr. RUSK. Not giving up. We are going to press it every day, every week, until peace comes.

Mr. SCALI. Thank you, Mr. Secretary, for being with us on "Issues and Answers." Again, it was a pleasure, and good luck.

Mr. RUSK. Thank you very much.

LEGISLATIVE REPORT, ACTION DURING 90TH CONGRESS ON CRAMER-SPONSORED LEGISLATION

HON. WILLIAM C. CRAMER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. CRAMER. Mr. Speaker, I place in the RECORD for the information of my colleagues my legislative report for October summarizing for my constituents the action taken on the major bills and amendments which I sponsored during the 90th Congress. In my report I also discuss certain subjects of particular interest to me and to my constituents. This report is placed in the RECORD in the belief that it will be of interest to my colleagues as well.

The report follows:

Believing that my constituents are entitled to a full report on legislative action taken during the 90th Congress on bills and amendments introduced by me, a tabulation of my principal efforts is reported to you in the analysis that follows. This report covers action only on the major bills and amendments which I sponsored individually as space limitations do not permit a report on all legislation on which I voted.

ANTIRIOT AND ANTICRIME

H.R. 421, making it a Federal crime to travel or use any facility in interstate commerce to *incite a riot or other violent civil disturbance*—Cramer bill, H.R. 421, passed by House; became Chapter 102—Riots of Public Law 90–284; [This measure, if enforced by the U.S. Attorney General, would be instrumental in restoring domestic tranquillity in our cities. To date, despite repeated requests by Cramer, Attorney General Clark has refused to enforce the Act.]

H.R. 16981, the Gurney-Cramer bill to *prohibit the use of federally owned property for demonstration purposes*—favorably reported by House Public Works Committee;

H.R. 13030, to protect members of the *Armed Forces while engaged in riot duty*—Justice Department, on September 27, 1968, submitted report recommending enactment.

CRAMER ANTICRIME PROPOSALS INCORPORATED INTO PUBLIC LAW 90–351, OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968

H.R. 10037, Electronic surveillance legalized under court order during investigation of certain serious crimes—Title III of Public Law 90–351;

H.R. 6053, to permit compelling of testimony with respect to serious crimes and granting of immunity to facilitate prosecution—*immunity of witnesses*—Section 2514 of Public Law 90–351;

H.R. 3055 [introduced in 1963], to overcome Supreme Court decisions outlawing use of certain confessions—*Admissibility of evidence, voluntary confessions*—Title II of Public Law 90–351;

H.R. 6052, to establish *National Institute of Law Enforcement and Crime* in the Department of Justice—Section 402 of Public Law 90–351.

FURTHER ANTICRIME LEGISLATION

H.R. 6051, Obstruction of criminal investigations in the United States—making it illegal to obstruct investigations—became Public Law 90–123;

H.R. 6054, to establish a *Joint Committee on Organized Crime*—similar proposal passed House July 12, 1968—no further action;

H.R. 14373, making the use of any facility in interstate commerce to promote *loan sharking* a Federal offense—incorporated into Title II of the Truth in Lending Act of 1968, Public Law 90–321.

SENIOR CITIZENS LEGISLATION

H.R. 6908, to prohibit discrimination in employment because of age—*Age Discrimination in Employment Act*, Public Law 90–202;

H.R. 6905—Proposed *increase in outside earnings limitation* under Social Security to $2400 [increase limited to $1680 due to Administration opposition to more liberal increase]; proposed to restore right to income tax *deduction of total medical expenses* incurred by persons age 65 and over [amendment defeated in conference—opposed by Administration]; *Supported Public Law 90–248*, providing across-the-board increase in Social Security benefits. Also proposed *legislation to benefit other retirees*, including civil service, railroad, and military—however, Administration opposed this legislation and no action was taken.

VETERANS

H.R. 14227, to increase *rates of disability compensation* paid to service disabled veterans—proposal included in Public Law 90–493;

Public Law 89–630, the Cramer *War Veterans Memorial Park proposal* of 1966—Cramer is continuing his efforts to get the Park under way at the Bay Pines site in Pinellas County.

PUBLIC WORKS COMMITTEE

Highway legislation

H.R. 2303, to designate the *Tampa-St. Petersburg to Miami highway* a part of the Interstate system—became Section 14 entitled "Interstate System Adjustments" of Federal-Aid Highway Act of 1968, Public Law 90–495, authorizing addition of 1500 miles to Interstate system;

H.R. 13933, authorizing modifications and adjustments in Interstate system, including *extension of interstate-4* from 13th Avenue South to the Sunshine Skyway—authorized by Public Law 90–495;

H.R. 2779, to establish an *advance acquisition of rights-of-way* revolving fund of $300 million on a national basis to reduce costs of acquiring rights-of-way and inequities that result therefrom—incorporated in toto by Cramer amendment as Section 7 of Federal-Aid Highway Act of 1968, Public Law 90–495;

H.R. 10549, highway *relocation assistance* to provide fair and equitable reimbursement for property taken for highway purposes—incorporated with Cramer amendment as Section 30 of Federal-Aid Highway Act of 1968, Public Law 90–495;

H.R. 2304, providing that *no toll road* can be constructed on the Interstate system unless approved by the Secretary of Transportation—incorporated as Section 28 of the Federal-Aid Highway Act, Public Law 90–495.

Cramer amendments to highway laws

Prohibition against diversion of funds from the highway trust fund to prevent use of those funds for other than highway purposes—Section 15(d) of Federal-Aid Highway Act of 1968, Public Law 90–495;

Functional highway classification study required by January 1970 in order to provide state recommendations and relating to long range planning of future highway programs—Cramer amendment became Section 17 of Federal-Aid Highway Act of 1968, Public Law 90–495;

Introduced bill to eliminate or minimize roadside hazards [H.R. 12633] as result of hearings following enactment of Highway Safety Act of 1966.

Water pollution control legislation

H.R. 8380, to require the Federal government to control *water pollution caused by Federal installations*—incorporated as an amendment to the Water Quality Improvement Act of 1968 (this bill died in the Senate after 2 unanimous favorable votes in the House);

Cramer demands for oil pollution control and clean up of oil polluted beaches—included as an amendment to the Water Quality Improvement Act of 1968 (which bill died in the Senate).

Rivers and harbors, flood control and beach erosion legislation

Amendments to the River and Harbor Act of 1968, Public Law 90–483, included *Cramer amendments* to authorize projects for missing link of Intracoastal Waterway, *Tampa-St. Petersburg to St. Marks*, and to deepen the *Tampa Bay to Anclote River Channel* from 9 to 12 feet; *Cramer* amendment to authorize the additional water storage project at *Lake Okechobee* in the Central and Southern Flood Control District to store water for flood control area and Everglades National Park; *Cramer* amendment to provide reimbursement, where project cost does not exceed $1 million, for *beach erosion control and water resources development projects* on which advance construction is accomplished under sections 215 (a) and (d). Also acquired U.S. Corps of Engineers' approval for the dredging of the *Pithlachascotee River* in Pasco County.

FURTHER LEGISLATIVE EFFORTS

H.R. 9255, to raise certain positions in the *Postal Field Service*—incorporated into Section 205 of the Postal Revenue and Federal Salary Act of 1967, Public Law 90–206;

H.R. 419, to establish an independent *Federal Maritime Administration*—cleared for the White House prior to adjournment of the 90th Congress as H.R. 159—not signed into law by "press time";

Cramer amendment to Independent Offices HUD Appropriations bill to *prohibit withholding of Federal funds in all Federal-aid programs* in order to force areawide planning, contrary to local desires, under Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, Public Law 89–754—A similar amendment was included by the House in this year's authorization bill; however, the amendment was deleted in conference.

GUN CONTROL ACT OF 1968

Cramer spoke out on the Floor of the House against the conference committee's failure to adopt what he termed "the best gun control method which is providing a strong penalty for those who use guns in the perpetration or attempted commission of a crime." Cramer supported the Poff amendment in the House and expressed grave concern over the conferees failure to provide for mandatory jail sentences for the first offense. Cramer stated that only a mandatory sentence would provide a strong deterrent in assassination cases such as those of President Kennedy, Senator Kennedy and Dr. King. Cramer pledged a continuing fight to provide strong mandatory criminal penalties for the use of firearms in the commission of crimes.

THE 231ST TRANSPORTATION COMPANY

Upon complaints of inadequate training given members of the 231st Transportation Company, called to active duty last April, Cramer asked for a thorough investigation of the facts. The House Armed Services Committee has assured Cramer through its Chairman, Congressman Mendel Rivers, that the matter is being thoroughly investigated.

HURRICANE AND FLOOD DAMAGE INSURANCE

Cramer, who co-sponsored the Southeast Hurricane Disaster Relief Act of 1965, Public Law 89–339, was instrumental in having $1.5 million included in the Supplemental Appropriations Act for the purpose of implementing this program. He has advised Florida State authorities to prepare the necessary applications to have the "flood prone" areas of Florida included in the nationwide surveys to be undertaken with these funds. The first step necessary for inclusion of any area is that a survey be conducted to determine the need for a Federally guaranteed insurance program to cover water damage in such "flood prone" areas.

BUSING OF STUDENTS AND EDUCATIONAL GUIDELINES

Cramer, who has been a long time opponent of unreasonable educational guidelines and of the busing of students, supported the unsuccessful effort to write language into the HEW appropriations bill to prohibit the Commissioner of Education from forcing the busing of students and the establishment of educational plazas for primary and secondary school children, thus destroying the neighborhood school concept. Cramer was the author of the anti-busing amendment to the Civil Rights Act of 1964 to prevent the use of withholding of funds for the busing of students.

CUBA—THE CONTINUING MENACE

Your Congressman placed in the Congressional Record a report by the American Security Council calling attention to the continuing threat that Cuba poses in this hemisphere. In that report, it was pointed out that J. Edgar Hoover, in recent testimony before the House Un-American Activities Committee, stated:

". . . Cuban intelligence personnel are carrying out sophisticated operations in the United States of recruiting Cuban agents in this country. The methodical, persistent and highly specialized approach being used bears the indelible stamp of Soviet cunning and is geared to provide Cuba's intelligence service with a large pool of agents needed to fulfill its increasing demands. The stepped-up Cuban espionage program has been able to draw from the large reservoir of Cuban refugees who, between December, 1965, and December, 1967, have entered the United States at the rate of over 3,700 a month. Although the vast majority of refugees are disillusioned and disgusted with Castro's Communism, the Cuban regime has redoubled its efforts to utilize this humanitarian refugee channel as a means of infiltrating trained agents into this country."

The Council further points out that Stokely Carmichael, the black power advocate, arrived in Havana during the Latin American Solidarity Organization meeting in July, 1967. This meeting was called for the purpose of promoting "hemisphere terrorism." There Carmichael met with some 200 terrorists from all parts of the United States, at Santiago de Cuba and at La Estrella, an old Spanish army camp, to view and train in guerrilla warfare.

Cramer has repeatedly called for the prosecution of Stokely Carmichael under the Antiriot Act of 1968 and he repeated this demand on the House Floor recently when Stokely Carmichael made a public speech calling for the killing of "honky cops" in Washington. Cramer also recalled the activities of Stokely Carmichael during the April Washington riots, at which time Carmichael, during the early hours of the riots, raised his gun over his head and cried for everyone to "go home and get your guns."

PROPOSED DEPLETION REGULATIONS TO CERTAIN HARD MINERALS

HON. THRUSTON B. MORTON

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. MORTON. Mr. President, pursuant to authority already granted, I submit to have printed in the Extensions of Remarks the text of a letter from Mr. Stanley S. Surrey, Assistant Secretary of the Treasury Department, in reply to chairman RUSSELL LONG, of the Senate Finance Committee. The letter confirms certain statements made in executive session of the committee by Mr. Jerome Kurtz, Tax Legislative Counsel, Treasury Department, on October 9, 1968.

Recognizing that the subject letter is dated subsequent to the final adjournment of this Congress, its content is, nevertheless, necessary to confirm information in response to inquiries initiated by members of the Senate Finance Committee well before adjournment.

The letter follows:

TREASURY DEPARTMENT,
Washington, D.C., October 24, 1968.

Hon. RUSSELL B. LONG,
Chairman, Committee on Finance,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: In your letter of October 18, 1968, you asked that I confirm to the Committee statements made in executive sessions by Jerome Kurtz, Tax Legislative Counsel, concerning the application of the proposed depletion regulations to certain hard minerals.

Senator Carlson (at Senator Bennett's request) specifically asked about the cut-off point for computing percentage depletion for certain crushed and broken stone. As Mr. Kurtz told Senator Carlson, we have decided that the final regulations on depletion will classify as mining processes those processes named in Revenue Ruling 62–5 for the minerals named in that Revenue Ruling (which includes limestone) with one minor exception to the screen test discussed below.

The basic processes allowed will be crushing and grinding, but not fine pulverization, all size classification processes applied to the production of allowable crushing and grinding, and processes necessary or incidental thereto (which may include washing and drying). These size classification processes will affect the depletion allowance only as to that portion of the mineral production to which they are actually applied and will not affect the constructive price for stone which is processed beyond the mining cut-off point. This is in accordance with our understanding with Messrs. John Sapienza and Jay Glasmann representing various associations of lime and limestone producers.

The open question referred to above concerns the screen test applied to define "fine pulverization." The test in the proposed regulations is somewhat different from the test in Rev. Rul. 62–5. We would prefer to use the test in the proposed regulations but have agreed that we will go back to the one set forth in Rev. Rul. 62–5 if the representatives of the industry can show that the change adversely affects taxpayers' depletion allowances.

Our decision as to stone is based on the fact that the processes named above were apparently allowed administratively by the Internal Revenue Service on a consistent basis for all years through 1960, and that at the hearings on the legislative proposals leading to the Gore amendment, Treasury representatives, in answer to questions posed by the Ways and Means Committee, asserted that the proposed amendment was not intended to change long-standing administrative practice. The final regulations will recognize this commitment.

Senator Curtis asked how the final regulations would treat sand and gravel. Mr. Kurtz stated that sand and gravel, unlike stone, was not specifically covered by Revenue Ruling 62–5 and, therefore, involved different consideration. He stated that there is some question as to exactly what the practice had been prior to 1960. Because of these problems we are unable to state at this time how sand and gravel might ultimately be dealt with. However, as Mr. Kurtz had stated, we are conducting a survey to determine exactly what the past field practices were. Consistent with the reasoning leading to our conclusion concerning crushed stone, and final regulation will allow those processes for sand and gravel which we find were consistently allowed under long-standing, well-established pre-1960 administrative practice if we find such practice.

Senator Morton inquired about the cut-off point of ball clay.

The ball clay industry has argued that they should be allowed, as mining processes for purposes of computing percentage depletion, all processes through air flotation. The proposed regulations would not have allowed all of these processes. However, after considering the taxpayers' arguments and the testimony of their representative at the public hearings, we have concluded that the final regulations will allow those processes which the taxpayers have claimed.

Again, this decision is based on the fact that these processes were allowed administratively by the Internal Revenue Service on a consistent basis for all years through 1960.

A question was also raised as to the cut-off point for china clay. Here, too, the final regulations will allow those processes which the industry has claimed on the basis of the long-standing, well-settled pre-1960 administrative practice.

I am sending copies of this letter to Senators Carlson, Hartke, and Morton who asked at the executive session for written confirmation of Mr. Kurtz's statements.

Sincerely yours,
STANLEY S. SURREY,
Assistant Secretary.

WHAT'S TO BECOME OF STEEL?

HON. DONALD E. LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. LUKENS. Mr. Speaker, I respectfully place the following editorial in the RECORD under Extensions of Remarks as the content is of definite national interest:

[From Fortune, Sept. 1, 1968]

WHAT'S TO BECOME OF STEEL?

This is the season of economic politicking and the steel industry in particular would seem to have had more than its fair share. Doubtless the country has much to be thankful for in the final outcome of the steel wage settlement and the subsequent imbroglio over price increases. After all, the crippling effects of a strike was avoided, and the new three-year contract (granting a 6 percent increase in wages) falls within the general pattern set in automobiles and aluminum. Moreover, Bethlehem Steel and other companies were forced to back off from their original 5 percent across-the-board price hike, accepting the more selective rise of 2.5 percent finally made by U.S. Steel. President Johnson, who had attacked the steel industry hip and thigh, could claim a famous victory and his chief economic adviser, Arthur Okun, could talk about having saved "the consumer a half-billion dollars in inflation."

Yet in more important ways, the end result in steel was not really a victory for anybody. While a strike was avoided, the country was once again put through an excruciating exercise wherein the mere threat of a strike caused heavy overstocking of inventories and increased already large foreign imports. As a result, steel production, which was artificially stimulated in the first half of the year, will turn sharply down in the second half, and this turndown will adversely affect steel employment—which is already in secular decline. Finally, in the face of steadily mounting wages, the moderate rise in steel prices has done nothing to restore steel's profitability or to answer the question of what is to become of this basic U.S. industry.

For the fundamental fact is that steel is rapidly becoming a kind of poor cousin in the U.S. industrial structure. Wall Street, which has a nose for such developments, has clearly got the message. In 1960 U.S. Steel was selling around $75 per share but is now down to around $40. Bethlehem Steel, which was selling at $40, is now down to around $30 per share despite a 40 percent advance in the Dow Jones industrial averages. So poorly, indeed, do investors evaluate the future of the economy's No. 2 steel producer that the market value of Bethlehem's 46 million shares now runs to around $1.3 billion, *or far less than the $2.2 billion that Bethlehem spent on new plant and equipment over the past decade.* This incredible write-off of future prospects by the Big Board says a lot more about the steel industry's ability to "absorb" prevailing wage increases than do the minute calculations of the Council of Economic Advisers.

THE FACTS ABOUT PROFITS

In fact, the industry has not "absorbed" wage and cost increases to anything like the degree that Washington figures. Massive expenditures on new oxygen furnaces and the like increased steel's productivity by less than 2 percent per year between 1957 and 1967. But employment costs in steel rose at an average rate of well over 3 percent while prices rose by only about 0.5 percent on average per annum. The payoff, when all the admittedly complex and disputed cost factors are in, is a decline in profitability.

In 1967 the steel industry's return on sales ran only to about 5 percent as against 6.2 percent in 1958. Its return on total capital has declined from about 8 percent a decade ago to 6.8 percent last year, a miserable showing as compared to the industrial average of 11 percent return reported in Fortune's 500 list. In that list U.S. Steel, to take a single crushing example, still ranks in ninth place in terms of investment. But last year Big Steel all but fell off the list (457th place) when it came to return on shareholder's equity.

In view of this record, the charge that the steel masters are putting "profits above patriotism" in their attempt to raise steel prices, and the President's initial statement that all is well with steel because its sales were temporarily up in the first half of 1968 represent demagoguery and politicking of a high order. From the point of view of profits, the industry needs any price increases it can get—and whether these are made "selectively" or "across the board" is really irrelevant, for both amount to the same thing in the long run.

Unhappily for the industry, what the market will bear by way of price increases is limited by rising steel imports (see "Japan's Competitive Cutting Edge," page 90), which now run to some 13 percent of steel used in the U.S. In the face of this development, many steelmen as well as the United Steelworkers now favor imposition of a quota on steel imports, but this would seem to be a counsel of despair, which scarcely solves the industry's problem. U.S. Steel's Board Chairman Roger Blough, now a reluctant protectionist, put the matter succinctly back in 1958 when he dismissed trade restrictions as mere palliatives and stated that "American workmen today are pricing themselves out of the market" and that steel in particular is costing itself out of the market.

THE HOPE OF DIVERSIFICATION

The question remains how in fact steel can get out of its present cost-price and profit bind. One possible exit door is increasing diversification into complementary lines of production where profit margins are higher. U.S. Steel, which has long sold chemical byproducts of its coking ovens, recently acquired Armour Agricultural Chemical Co., maker of fertilizers, and is also branching out into fabrication of aluminum. National Steel is now building a $116-million primary aluminum plant in Kentucky in partnership with Southwire Co. Allegheny Ludlum now derives some 25 percent of its sales through nonsteelmaking operations, including sales of True Temper Corp., maker of garden tools and sporting goods. Armco and Carpenter Steel have both branched out into titanium, and Armco in particular is looking around for other sidelines. While steel companies diversify, outsiders are figuring how they can put the cash flow of steel companies to better use. Colt Industries is now consolidating with Crucible Steel and Ling-Temco-Vought has acquired control of Jones & Laughlin.

Thus the steel industry is not exactly sitting on its hands in the matter of trying to restore profits, but there are limits beyond which diversification and conglomeration cannot go—the more so because the Justice Department is always suspicious of antitrust infringement and actually quashed Bethlehem's attempted merger with Cerro Corp. Some analysts see hope of rising productivity as new facilities shake down, and some in the steadily mounting wage costs of foreign competitors. But so far as governmental action is concerned, the healthiest thing that could happen for steel—and for all internationally competitive industries—would be better control of fiscal and monetary policy. The article on page 75 documents the case against the Johnson Administration for letting its politics run away with its economics, and starting the wage-price spiral that has whirled steel into its latest inflationary confrontation. As Roger Blough puts it: "Price increases cause inflation like wet streets cause rain."

HON. HORACE KORNEGAY

HON. GEORGE M. RHODES

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. RHODES of Pennsylvania. Mr. Speaker, I want to pay my respects to a dedicated and able colleague, who, like me, is retiring from Congress at the end of this year.

I speak of the Honorable Horace Kornegay who has served with distinction in the House for the past 8 years as Representative of the Sixth District of North Carolina.

Horace is an outstanding attorney who served his country during World War II. He has an impressive record in the Congress and has served his constituents well.

In the House he served on the Interstate and Foreign Commerce Committee and on the Committee on Veterans' Affairs.

As he retires from this body he leaves many good friends. I wish to extend my best wishes to him and his family.

LIBERTY AND JUSTICE

HON. GALE W. McGEE

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. McGEE. Mr. President, in these days when everyone seems so preoccupied with the issue of law and order, Mr. President, there is a danger that the equally important questions of liberty and justice are not impaired in the process.

The ramifications of that proposition are articulately spelled out in a recent editorial in the Washington Post, and I ask unanimous consent that that editorial be made a part of the Congressional Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Standard Brand

All the major candidates—and perhaps some of the minor ones as well—are now on record as being against crime and violence. Mr. Nixon has made it the dominant theme of his campaign and has promised to give the country courts which will not coddle criminals. Mr. Wallace has promised to run down demonstrators who lie down in front of his automobile and to unleash the full power of the police. And on Saturday evening Mr. Humphrey, not to be outdone by anybody in his fervor for law enforcement, promised to propose to the Congress in January a tenfold increase in funds available under the Safe Streets Act.

Mr. Humphrey's approach to the crime and violence problem is more comprehensive than that of his competitors. He wants not only to strengthen police forces—by improving their pay, their training, their education, their equipment and their numbers—but also to strengthen the courts by enlarging their manpower, strengthen correctional facilities, strengthen youth facilities, strengthen family ties. He even wants to strengthen the means of keeping guns out of the hands of criminals, drug addicts and the mentally ill.

All of this is necessary. All of this seems sound and right. We applaud every bit of it. We also applaud his outspoken assertion that "We need order—and if I am President, we will have order. But we also need individual liberty and justice—and if I am President we will have liberty and justice, too." In point of fact, Mr. Humphrey said this twice in the course of his Saturday night speech.

No one in this campaign has made any effort, however, to rally Americans to the support of "liberty and justice." The emphasis has all been on "law and order." And perhaps this is why, on the day following Mr. Humphrey's speech, the all-Negro National Committee of Inquiry—which includes such prestigious Negro leaders as Rep. John Conyers and Mrs. Martin Luther King—declined to endorse a presidential candidate. To many Negroes, "law and order" is a phrase which, when taken by itself, conjures up a specter of a jaywalker shot down in the street by a policeman.

There is a dangerous disposition in the land to give "law and order" precedence over "liberty and justice." It is easier, perhaps, to appeal to men's anxieties than to their ideals. It could well be, nevertheless, that there would be great enthusiasm for a candidate who reminded Americans of their own best values and traditions, who explained to them why the founders of their country placed rigid restraints on the police and who roused them to an understanding of the real meaning of a free society as contrasted to a police state.

An interesting and eloquent speech could be written for a candidate who wanted to tell his fellow-citizens about the long, hard struggle of his forebears to achieve freedom from arbitrary arrests and from random searches—writs of assistance and general warrants, the Declaration of Independence called them—about the ordeal endured by John Lilburne to establish the idea that a man need not be a witness against himself, about the importance of having a lawyer when one is accused of crime by his government. These "technicalities" are the very essence of liberty. They are in peril today. A candidate who chose to champion them—without in any way downgrading the urgent need for more effective control of crime—might well be elected President.

NEWSLETTER TO CONSTITUENTS

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. ROUDEBUSH. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter to my constituents:

REPORTS FROM WASHINGTON

(By Congressman RICHARD L. ROUDEBUSH)

RISE IN LIVING COSTS HURTS ALL AMERICAN FAMILIES

One of the crucial economic issues of the year is the persistent rise in living costs.

Inflation is the most cruel tax of all because it affects most deeply the poor and elderly who live on fixed incomes, annuities and savings.

The chief culprit which causes the inflationary spiral is chronic deficit spending by the Federal Government.

Sharp increases in food prices have hurt the budgets of many American families, and these food price increases have not gone into greater profits for the farmer, who often has found the prices he receives for his crops going down, and his costs going up, so that he has been locked in a price-cost squeeze.

One of the first jobs of the 91st Congress will be to reverse this runaway Federal spending and thus dampen the inflationary fires to lower the cost of living.

My research shows the national cost of living for the average city family has now increased nearly 11.6 per cent since the Johnson-Humphrey administration took office on January 20, 1965.

The administration spending policies, which have produced an uninterrupted chain of deficits, have created the following:

Your dollar of January, 1965, is now worth less than 90 cents.

A $10 bill acquired in January, 1965, is now worth $8.96.

A $100 paycheck in January, 1965, is now worth $89.63.

A $500 savings account in January, 1965, is now worth $448.15, a loss of nearly $52.

A $10,000 insurance policy in January, 1965, is now worth $8,962.90, a depreciation of $1,037.10.

Retirement income of $2,500 a year in January, 1965, is now down to $2,240.73, a loss of $259.27.

Veteran Congressional military experts and Pentagon officers fear that former Secretary of Defense McNamara's veto of recommended programs by the Joint Chiefs of Staff may someday give Russia a commanding lead in military ability.

The Senate Preparedness Subcommittee reports that McNamara scrapped the following suggestions by our best military men:

1. Full scale development of new, super-sized ICBM.
2. A prototype of a new ballistic missile ship.
3. Air-to-ground missiles for late-model B–52 bombers.
4. Full development of an advanced strategic bomber.
5. Further improvement of Polaris A–3 missile system.
6. Deployment of Nike X anti-missile defense for cities.
7. Production of F–12 jet interceptors.

The degree with which the Johnson-Humphrey administration has larded the public payroll in the last four years is reflected in figures made available to me by the Joint Congressional Committee on Reduction of Federal Expenditures. This Committee's study shows that the Federal payroll has increased by 570,000 since Johnson-Humphrey took office. And, the present federal civilian payroll totals $23.2 billion annually, compared with $16.2 billion just four years ago.

Senate investigators have also revealed that the administration wasted $20 million in purchasing the M–16 rifles for use in Vietnam. Contracts for the rifle were let under McNamara's regime and point up the fact that tighter competitive bidding practices are needed to be installed at the Department of Defense which spends nearly 45 per cent of the total federal budget.

The Johnson-Humphrey administration insisted until the last days of Congress that Federal control of guns was needed. They never did explain what would happen if all the law-abiding citizens registered their guns and the criminals didn't.

The so-called war on poverty has turned out to be a monumental failure and this is evidenced by the fact that despite the expenditure of billions by the administration in the poverty war, more people are getting welfare now than in 1960, and costs have mounted astronomically. In 1960, there were 7.1 million people on welfare. After eight years of heavy expenditures, there are now 9.5 million people on welfare. In 1960, the programs cost the taxpayers $3.8 billion. This year the costs will hit $9.7 billion.

Write Congressman ROUDEBUSH.

TO SAVE THE SOIL

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. METCALF. Mr. President, since I have been a Member of Congress, and even before that, I, among many others, have expressed a continuing concern with the problems of air and water pollution. That these problems are current and hazardous to public welfare, I feel cannot be denied as fact. A look at air pollution studies in our major cities, along with studies of pollution in our major waterways, would quite adequately verify that this is fact. During the past years, I have requested and received studies from Federal agencies within my own State, concerning the extent of Montana's problems with air and especially water pollution. We have learned that in Montana alone, pollution of waters by Federal installations is so extensive that at least $1.6 million will be required to correct it.

Upon further investigation, I have found that a major contributor to water pollution in Montana comes from sediment deposited in our waters from soil erosion.

Early in January of this past year, I made a formal request to the Soil Conservation Service to assemble a report on the current status of soil erosion and sediment damage that occurs on, or may come from, federally managed lands in Montana. On June 18, I received an excellent report from Mr. A. B. Linford, State conservationist of the Soil Conservation Service in Montana. I wish to call attention to some important facts that are revealed in this report.

The total land acreage in Montana is 93 million acres. The Federal Government owns 28 million acres of land in Montana. Eight million acres are in need of management or structural treatment for soil erosion. There are 65 million acres of land in private ownership and of this, 41 million acres need similar treatment. This would indicate that almost 52 percent of the land area in Montana suffers from soil-eroded areas which are in need of treatment.

The greatest source of sedimentation deposit in Montana waters comes from streambank erosion. The report estimates that 20 percent of the stream pollution and sediment damage from streambank erosion comes from federally managed lands and 80 percent comes from adjacent privately owned lands. Thus, the most immediate target for soil conservation programs would be in the prevention of streambank erosion. The report states that costs for adequate protection of streambank erosion is extremely high and prohibitive for most farm and ranch operators without some outside assistance.

The report explicitly states that most of the erosion problems are not located on federally managed lands. This is in good part due to control measures already in practice on Federal lands, but it must also be noted that most of the federally owned lands in Montana are at the higher levels and the streams there are not as susceptible to soil deposit as they are in the lower areas which are privately owned.

Yet, I think the question is not of exonerating one and blaming the other for not meeting the demands of soil conservation. The question is rather of conserving soil wherever erosion occurs.

Indeed, as the report clearly states:

> The application of conservation treatment practices on both private and Federal lands should be brought into balance simultaneously in order to adequately meet the problem. Our soil and water resources are much too valuable to permit further abuse and deterioration on either private or Federally managed lands for the protection of the other.

In the final analysis, the report observes that public assistance from State or Federal sources is needed if we expect to reduce the stream load and keep sediment pollution at an acceptable level. I strongly concur in this view.

Mr. President, I have spoken at length on the problems of water pollution through soil erosion. This is not to say that I am singling out this area of conservation as the most urgent or needy. The primary aim of those who wish to curb pollution—and I would hope that includes all of us—is to remedy those conditions no matter where they occur. Existence of pollutants in our natural resources is becoming a serious threat to the health of the people of our country. Safeguarding air, water, and soil should be the primary goal of conservationists.

Moreover, I am speaking not only for Montana. I would hope that the Montana survey I have mentioned today may be of interest and use to my colleagues who recognize similar problems in their States and to the various branches of our Government to whom is entrusted the responsibility of conserving natural resources.

The survey is entitled "Soil Erosion and Sedimentation on Federal Lands, Montana 1968."

FINAL REPORT TO THE PEOPLE OF THE THIRD CONGRESSIONAL DISTRICT OF INDIANA

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BRADEMAS. Mr. Speaker, I wish to insert in the Record at this point the text, along with the photo captions of my final report to the people of my congressional district summarizing the accomplishments of both sessions of the 90th Congress:

The Record of the 90th Congress

Congress of the United States,
House of Representatives,
Washington, D.C., October 1968.

Dear Friend: This is my final report on the activities of the 90th Congress.

Naturally it is not possible to list all the hundreds of bills enacted into law during 1967 and 1968.

This brief report, therefore, summarizes and highlights the major legislative achievements of both sessions of the 90th Congress. I have also indicated some of the bills that, as your representative in Congress, I have sponsored or cosponsored and which have been passed during the last two years.

Although the 90th Congress has certainly not solved all the problems facing the nation—and it shouldn't try!—we have made solid, constructive advances in a wide variety of fields in the interest of the American people.

Cordially,

John Brademas,
Member of Congress.

CRIME CONTROL

The 90th Congress enacted more measures to stem crime than any Congress in history. The new laws include measures that provide:

Funds for upgrading the crime-fighting capacity of state and local police forces.

Special support for organizing and equipping law enforcement agencies to prevent and control riots.

College loans and tuition grants to attract better law enforcement officers and improve their education.

Grants to states and local communities to prevent juvenile delinquency and rehabilitate young offenders.

Federal death and disability benefits to state and local policemen killed or injured while helping to enforce Federal laws.

Penalties for mailing motor vehicle master keys across state lines to curb auto thefts.

Congress also voted to:

Make it a Federal crime to travel in interstate commerce to incite a riot.

Make it harder for criminals, narcotics addicts, minors and mentally retarded persons to acquire firearms. (Note: Congress did not vote to require registration of guns or licensing of gun owners.)

Streamline judicial administration in the Federal courts.

The primary responsibility for law enforcement in the U.S. has traditionally been and, I believe, should remain with local and state police agencies. But the Federal government must help these agencies do a better job. The 90th Congress has taken important steps in establishing such needed Federal support.

CONSUMER PROTECTION

The 90th Congress passed a record number of laws to protect the American consumer. They include: truth-in-lending; auto insurance investigation; strengthened meat and poultry inspection; protection against flammable fabrics; natural gas pipeline safety; and establishment of a National Commission on Product Safety to identify household products that may be dangerous.

EDUCATION

Although the 90th Congress unfortunately reduced funds for certain key school aid programs, nevertheless Congress did take some important strides forward in the field of education. These bills became law:

The Education Professions Development Act of 1967, aimed at increasing the nation's supply of well-trained teachers at all levels of education. It extended two measures I originally sponsored: the Teacher Corps, which brings young teachers to work with disadvantaged children in rural and urban areas; and the program of graduate fellowships for school teachers.

The Elementary and Secondary Education Act Amendments of 1967, which authorized $9.3 billion over two years to continue major programs to help the nation's schools.

The Public Broadcasting Act, creating a non-profit public corporation to strengthen educational radio and TV broadcasting.

The Higher Education Act of 1968, which expands Federal assistance to higher education including student aid, college facilities construction, research and library expansion.

The Adult Education Amendments of 1967, extending Federal programs to assist the states in educating 24 million illiterates and undereducated adult Americans.

The Vocational Education Act of 1968, a landmark measure providing major new support for strengthening and modernizing vocational schools across the country.

The Handicapped Children's Early Education Assistance Act, which will establish model centers for pre-school training of handicapped youngsters.

For those who believe, as I do, that President Kennedy was right when he said, "Education is the keystone in the arch of freedom and progress," the record of the 90th Congress in education has been encouraging.

CONSERVATION

The 90th Congress passed some significant measures to protect America's natural resources.

Redwoods Park: establishes a national park of 58,000 acres in northern California, to preserve for future generations some of the oldest and most magnificent redwood trees in the country.

Wild and Scenic Rivers: begins a national system of scenic rivers to be preserved in their natural state for aesthetic and recreational purposes.

Land and Water Conservation Fund: increases money available to buy and develop park land by diverting a share of the Federal government's royalties from off-shore oil deposits.

National Trails: establishes a system of national recreation trails near urban areas and in more remote regions of the country.

HOUSING

The Housing and Urban Development Act of 1968 launches the most ambitious housing program in the nation's history, providing $5.3 billion for a three-year period and establishing several new programs to help low and moderate income families buy or rent decent homes at prices they can afford. The bill seeks to engage private industry in nearly every phase of the housing effort.

OLDER AMERICANS

The 90th Congress enacted several significant measures to improve the lives of older citizens. Congress voted to:

Increase social security benefits by 13 percent, largest boost in history.

Prohibit age discrimination in employment.

Expand hospital and medical benefits under Medicare.

Insure senior citizens, under the Older Americans Act, new chances for usefulness through community service.

ECONOMIC GROWTH

Our free enterprise economy continues its unparalleled strength and vitality. Since 1961 the nation has experienced 91 months of uninterrupted economic growth: a 50 percent cut in unemployment (from 7 percent to around 3.5 percent); a 25 percent increase in the living standard of the average American; a 65 percent increase in the Gross National Product (from $520 billion in 1961 to an estimated $858 billion in 1968).

The 90th Congress has sought to continue this record of unprecedented economic growth. Among measures designed to maintain a strong and expanding economy:

Public Works and Economic Development Amendments, extending the original 1965 law to stimulate economic development in depressed regions of the country.

Continuation of the *Manpower Development and Training Act,* the program for training the chronically unemployed and retraining workers with obsolete skills. This legislation originated in the House Select Labor Subcommittee, of which I recently became chairman.

The Johnson Administration's tax increase proposal was enacted after long debate in the House. I voted *against the measure* because I felt it unfair to lower and middle income taxpayers.

NOTE: I also voted this year against some $6 billion for several Federal spending programs that I thought were unnecessary and unjustified.

HEALTH

Since 1963, the infant death rate in the United States has declined 12 percent and 4,000 new first-year places have opened up in our medical schools. These statistics may seem unrelated, but they represent the fruits of five years of innovative Federal health legislation. America's investment in better health for her citizens is beginning to pay dividends. The 90th Congress has continued this investment.

The Health Manpower Act of 1968 strengthens programs for training more doctors, nurses and medical technicians.

The Partnership for Health Amendments of 1967 provide grants to help states develop comprehensive health planning and services.

The Child Health Act of 1967 expands health care for children and infants and continues the fight against child diseases.

The Mental Health Amendments of 1967 extend matching grants for construction of community mental health centers.

The Air Quality Act of 1967 steps up efforts to combat the increasing health hazard of air pollution.

HUMAN RIGHTS

The Civil Rights Act of 1968 provides safeguards for persons exercising their rights of voting, jury duty, school attendance, employment or the use of public facilities. The measure prohibits discrimination in housing. Another law bars discrimination in Federal jury selection.

AGRICULTURE

The Food and Agriculture Act of 1968 extends major farm programs for one more year (unfortunately, a $20,000 ceiling on farm payments to any individual recipient was knocked out of the bill).

Other farm legislation enacted by the 90th Congress:

Safeguards against fraud and manipulation in commodity exchanges.

International Grains Agreement to provide added insurance against falling wheat prices and to coordinate efforts in attacking worldwide hunger.

Authorization of loans to family farmers to develop farm-based small businesses that will add to their incomes.

Two further measures will aid the farm economy by increasing demand for food products:

Expansion of the food stamp plan to enable needy families to purchase food at local grocery stores.

Continuation of the Food for Freedom program to help meet world food needs through the export of surplus farm goods.

DEFENSE AND FOREIGN POLICY

The Second Session of the 90th Congress voted the biggest defense appropriations measure in history, $71.9 billion for the current fiscal year. The war in Vietnam unfortunately continues to drain a large share of the nation's resources.

At the same time Congress approved the lowest foreign aid funds ($2.4 billion) in the 20-year history of the program.

Among other foreign policy actions by this Congress:

Inter-American Development Bank: increased by $50 million the U.S. contribution to this fund for economic and social development projects.

Peace Corps: extended this highly effective program which has sent 15,000 volunteers to 59 countries this year.

Arms Control and Disarmament Agency: continued the life of this important agency for two more years.

BRADEMAS BILLS ENACTED IN 1967–1968

Following are some of the bills enacted by the 90th Congress which I either sponsored or co-sponsored:

HR 6236, to strengthen and improve *elementary and secondary education.*

HR 8313, to extend Headstart, Upward Bound and other *anti-poverty programs.*

HR 10809, to extend the *Older Americans Act of 1965.*

HR 10923, to authorize the Secretary of the Interior to convey the *Argos National Fish Hatchery* to the Argos Chapter of the Izaak Walton League.

HR 10943, to consolidate and strengthen programs for *training teachers* and other education personnel.

HR 11265, to extend *adult education programs* for two years.

HR 11308, to continue programs of the *National Foundation for the Arts and Humanities.*

HR 11835, to provide grants to local law enforcement agencies to assist in *prevention and control of riots* (part of Omnibus Crime Control and Safe Streets Act of 1968).

HR 13054, to restrict *age discrimination* in employment.

HR 15138, to extend and strengthen Federal *higher education programs.*

HR 15398, to amend the *National School Lunch Program* and extend its benefits to needy pre-school children.

HR 15827, to reauthorize and improve *vocational rehabilitation programs.*

HR 16461, to extend and strengthen Federal programs in support of *vocational education.*

HR 16849, to prohibit and provide criminal penalties for mailing *motor vehicle master keys* across state lines.

HR 17829, to establish *pre-school and early education programs* for handicapped children.

HR 17721, to continue and expand the *Food Stamp Program.*

House Joint Resolution 1371, to establish a *White House Conference on Aging* in 1970.

PHOTO CAPTIONS

Senator Edward M. Kennedy of Massachusetts and Congressman Brademas discuss the Teacher Corps and Teacher Fellowship Programs which they co-sponsored in the Senate and House respectively in the 90th Congress.

Congressman Brademas tells Third District workers of his recent appointment as chairman of the Select Labor Subcommittee of the House Committee on Education and Labor.

AMBASSADOR JOHN GORDON MEIN, 1913–69

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. COOPER. Mr. President, on August 28, Ambassador John Gordon Mein, the U.S. Ambassador to Guatemala, met an untimely and tragic death by assassination in Guatemala City.

Ambassador Mein was a native of Kentucky. He was born in Cadiz on September 10, 1913, and graduated from Georgetown College located in Georgetown, Ky. He received a bachelor of law degree from George Washington University and did graduate work at the American University.

Prior to his assignment to Guatemala in September of 1965, Ambassador Mein served with distinction in foreign service positions in Rio de Janeiro, Rome, Oslo, Djakarta, Manila, and Washington. In paying tribute to Ambassador Mein, Mr. John M. Steeves, Director General of the Foreign Service, stated:

> I have had the opportunity to observe first hand his depth of moral goodness, his wisdom as a counselor, his fidelity to duty and his ability to inspire great personal affection.
>
> Gordon Mein is the first Ambassador of our country to die at the hand of an assassin while on active duty abroad. Our distress and sense of loss are great. He leaves a void which it will be hard to fill, but in the true spirit of the Service and in conformity with the precepts by which he ordered his life, it is good and appropriate for those of us who remain, and who are yet to follow, to reap inspiration and achieve new dedication from the examples he has left us.

Mr. President, I ask unanimous consent that an article appearing in the State Department Newsletter of September 1968, describing Ambassador Mein's career and the circumstances of his death be included in the RECORD at this point.

There being no objection the article was ordered to be printed in the RECORD, as follows:

[From the Department of State News Letter, September 1968]

AMBASSADOR MEIN ASSASSINATED IN GUATEMALA

Ambassador John Gordon Mein was assassinated by unknown terrorists in Guatemala City on August 28.

The veteran diplomat was the first U.S. Ambassador ever assassinated.

A career Foreign Service Officer, Mr. Mein had served in Guatemala since September 1965.

The 54-year-old diplomat was shot and killed while attempting to escape from kidnappers who had forced his limousine to a halt in a residential section of the capital.

The shooting occurred about 3 p.m., local time. The Ambassador—who was struck down with seven bullet wounds—died instantly.

In Washington, President Johnson and Secretary Rusk expressed shock and grief at the slaying.

In a statement issued shortly after the murder, the Department noted:

"The President, the Secretary and all his colleagues in the Department of State are shocked and grieved by the slaying of Ambassador John Gordon Mein in Guatemala City today. He was one of our finest career officers and had been serving in Guatemala with great distinction and dedication.

"The Department will request the Government of Guatemala to conduct a full investigation of all the circumstances of the tragedy."

President Mendez Montenegro expressed shock at the tragedy. He offered the Ambassador's widow and family his deepest sympathy and extended condolences to the Government and people of the United States.

The Guatemalan President, accompanied by the entire Cabinet, members of the Supreme Court, the Mayor of Guatemala City and members of the Guatemalan Congress, paid their respects to the slain Ambassador at the funeral home where his body lay in state.

The President ordered the Guatemalan flag at the National Palace to remain at half-mast for three days "as a sign of mourning."

He eulogized the slain Foreign Service Officer as "a distinguished diplomat."

"Because of his ability as a diplomat," President Mendez Montenegro said, "his qualities as a friend of Guatemala, always respectful of our sovereignty, (he) won the esteem and sympathy of the Government and people of Guatemala . . ."

Following the slaying, the Guatemalan Ambassador in Washington, Francisco Linares Aranda, called upon Viron Vaky, Acting Assistant Secretary for Inter-American Affairs, to offer his country's "profound sympathy" to the United States.

To aid in the intensive manhunt for the terrorists, the Guatemalan Government ordered a state of siege throughout the country for 30 days.

The decree provided for the suspension of certain guarantees under the Constitution and allowed the Government extraordinary powers of investigation.

The Guatemalan Government also announced a series of drastic measures to aid its efforts to apprehend the assassins. These included the establishment of a 9 p.m.-to-5 a.m. curfew and the sealing of frontiers with neighboring countries.

Security forces patrolled the roads throughout the nation. In Guatemala City, house to house searches were undertaken. Guerrilla suspects and leftist extremists were detained and questioned.

Ambassador Mein had given a luncheon at his residence on August 28 at which Guatemalan Foreign Minister Emilio Arenales Catalan was a guest.

Following the luncheon, Ambassador Mein and his chauffeur had driven only three blocks from his home when two carloads of terrorists forced the car to stop. The Ambassador was en route to the U.S. Embassy.

Two men forced the limousine to the curb and a small red truck drove up in back and blocked any escape. One of the men, armed with a machine gun, ordered the Ambassador and his chauffeur out of the limousine.

The Ambassador opened the door on the side away from the gunman and began to run back in a southerly direction.

A gunman fired a burst of shots. Ambassador Mein fell about 15 yards behind the limousine. The chauffeur was unhurt.

According to Guatemalan police, the assailants hoped to kidnap Ambassador Mein.

Born in Cadiz, Kentucky, on September 10, 1913, Ambassador Mein was a graduate of Georgetown (Ky.) College. He also received an L.L.B. degree from George Washington University. He later did graduate work at American University.

He was appointed to the Foreign Service in 1942.

His assignments included service as Director of the Office of Southwest Pacific Affairs in the Department.

Ambassador Mein served in Rio de Janeiro, Rome, Oslo, Djakarta, Manila and Washington.

In 1953–54 he was detailed to the National War College.

From 1960 to 1962 he was Counselor, with the personal rank of Minister, at the U.S. Embassy in Manila. On January 20, 1963 he was assigned to Rio de Janeiro as Minister-Counselor and Deputy Chief of Mission.

Ambassador Mein received the Department's Meritorious Service Award in 1959.

Hundreds of Guatemalans gathered to pay their respects to the late Ambassador at the Reforma Funeral Home. A memorial service also was held at the Union Church in Guatemala City.

The U.S. Embassy's Marine Security Guard Detachment acted as an Honor Guard for the casket, alternating in pairs around the clock. Special Masses were said in many Guatemalan churches.

The body was placed in a Presidential plane on August 30 and flown to Andrews Air Force Base, near Washington.

Guatemalan Air Force planes escorted the American transport to the nation's frontiers.

Before the plane left for Andrews Air Force Base, the Minister of Foreign Affairs, Emilio Arenales Catalan, told Mrs. Mein that his government "will leave no stone unturned to clarify the assassination and punish the guilty."

At Andrews the plane was met by Secretary and Mrs. Rusk, Guatemalan Ambassador Francisco Linares Aranda and Mrs. Linares Aranda, Department officials, members of the Diplomatic Corps, and other friends and colleagues.

The solemn graveside service was conducted by Dr. Clarence W. Cranford, Pastor of the District's Calvary Baptist Church, where Ambassador Mein had worshipped and taught religion classes.

Dr. Cranford eulogized the Ambassador as a gentle man, a man who lived by principles, a devoted servant of the state, and a devoted Christian.

"The man had an integrity about him," Dr. Cranford continued, and "a gentle love of people." He had been a "good servant of humanity."

"If the world ever gets out of its problems, it will come into the kind of spirit Gordon embodied in his life."

Following graveside services, Ambassador Mein was interred in the Foreign Service Section in Rock Creek Cemetery, in the Nation's Capital.

An evening Memorial Service for the slain Ambassador was held on September 8 at Calvary Baptist Church, in Washington.

The veteran diplomat was eulogized by many friends and colleagues, including Covey T. Oliver, Assistant Secretary for Inter-American Affairs and U.S. Coordinator of the Alliance for Progress. Mr. Oliver also read a translation of a tribute to Mr. Mein from the Guatemalan Foreign Minister.

The Foreign Minister had cited the late Ambassador for his "extraordinary qualities as a diplomat who always respected the rights of others, for being a sincere friend of Guatemala and for the interest that he always demonstrated in the democracy, stability and progress of Guatemala and its people."

Ambassador Mein leaves his wife, the former Elizabeth Ann Clay, and three children—David Gordon, Eric Allan, and Marilyn Elizabeth.

Other survivors include a sister, Margaret DaCosta, of New Orleans, and three brothers, Dr. Robert Mein, of Jacksonville, Fla., the Rev. David Mein of Recife, Brazil, and William Carey Mein, of Monterey, Calif.

Mrs. Mein will reside at the family home, 4834 Drummond Avenue, Chevy Chase, Maryland.

In Washington, the Board of Directors of the American Foreign Service Association announced that the Association has established a Scholarship in memory of the slain Ambassador.

[From the Department of State News Letter, September 1968]

TRIBUTE TO AMBASSADOR JOHN GORDON MEIN

The cruel assassin's bullet that struck down Ambassador John Gordon Mein in the prime of his career while he was serving as Ambassador to the friendly Republic of Guatemala took from the country and the Foreign Service one of their noblest sons, Gordon Mein, as we all knew him, whether viewed as a devoted and upright husband and father, career officer in the Service he loved or as a beloved and faithful friend, leaves us with a sense of grief and irreparable loss.

I have had the opportunity to observe first hand his depth of moral goodness, his wisdom as a counselor, his fidelity to duty and his ability to inspire great personal affection.

Gordon Mein is the first Ambassador of our country to die at the hand of an assassin while on active duty abroad. Our distress and sense of loss are great. He leaves a void which it will be hard to fill, but in the true spirit of the Service and in conformity with the precepts by which he ordered his life, it is good and appropriate for those of us who remain, and who are yet to follow, to reap inspiration and achieve new dedication from the examples he has left us.

JOHN M. STEEVES,
Director General of the Foreign Service.

RESULTS OF CONSTITUENT OPINION POLL

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. PODELL. Mr. Speaker, I have taken a poll of my constituents on various significant issues of public concern, and I am happy to bring to the attention of my colleagues the views on these issues of the people of the 13th Congressional District in Brooklyn, N.Y.

The questionnaire was prepared prior to the time that President Johnson dramatically announced that he would not stand again for election to the Presidency. However, the replies to the questionnaire were made after the President's announcement. Accordingly, the votes for Vice President HUBERT HUMPHREY were write-in votes. The votes cast for former Gov. George C. Wallace also were write-ins.

For a breakdown of responses to my poll, submitted by my constituents, is the following percentage analysis:

[Results in percent]

Do you want Congress to pass legislation to prevent discrimination in the sale or rental of housing?

Yes	66.3
No	33.7

Do you favor celebrating national holidays (except Christmas and New Year's) on Mondays and Fridays?

Yes	69.5
No	30.5

In your opinion, should we observe daylight saving time on a year-round basis, so we could have an extra our of daylight in the evening during the winter?

Yes	64.3
No	35.7

Would you like to see the voting age lowered to 18?

Yes	36.8
No	63.2

Do you think there should be a law to limit the total amount of money spent by or for a candidate running for public office?

Yes	84.0
No	16.0

Do you feel that the major financial responsibility in solving the problems of our cities should be met by—

1. The Federal Government	43.2
2. The State government	25.4
3. Local government	19.9
4. Private enterprise	11.5

Do you feel the United States has an obligation to support Israel in the Middle East conflict—

1. Through moral encouragement	15.7
2. Through diplomatic support	33.9
3. With military assistance	33.7
4. By direct U.S. involvement	10.3
5. No support	6.4

In Vietnam, do you think that the United States and her allies are—

1. Losing ground	31.5
2. Standing still	40.5
3. Making progress	20.3
4. No opinion	7.7

What kind of policy do you think the United States should follow in Vietnam?

1. Withdraw immediately	23.0
2. Hold only populated areas	6.3
3. Stop all the bombing of North Vietnam	18.7
4. Maintain present diplomatic and military efforts	27.4
5. Bomb Hanoi and the port of Haiphong	11.0
6. Wage an all-out attack on North Vietnam and if necessary, Red China	13.6

Do you think that the program you have advocated above would—

1. Lead to immediate peace in Vietnam	18.9
2. Lead to a negotiated settlement excluding the Communists	12.7
3. Lead to a negotiated settlement including the Communists	39.5

4. Lead to a general cease-fire 18.4
5. Lead to a Communist takeover 4.9
6. Other 5.6

Do you think the United Nations can be helpful in the Vietnam dilemma in—

1. Moving for negotiations 18.2
2. Negotiating a peace 18.8
3. Providing a peacekeeping force to enforce a negotiated settlement 27.4
4. No help at all 35.6

Do you think that the peace demonstrations will—

1. Lead to peace 9.5
2. Contribute to better communication in our society 19.9
3. Make no contribution, but are not harmful 9.4
4. Contribute to confusion and discontent in our society 28.1
5. Lend encouragement to the enemy 33.1

How do you feel about age discrimination in employment? Do you think this problem is—

Check 1:
1. A serious one 34.5
2. Not very important 65.5

Check 1:
3. One that can be solved by private interests outside the Government 16.7
4. One that can be solved by Federal legislation 9.9
5. One that needs efforts by all government levels and private enterprise 73.4

SHOULD THE GOVERNMENT SPEND MORE, LESS, OR THE SAME FOR THE FOLLOWING PROGRAMS?

	More	Less	Same
Vietnam	18.0	60.0	22.0
General defense	24.8	36.8	38.6
Foreign aid	6.5	73.0	20.5
Agriculture	54.5	15.7	29.8
Education	79.6	7.4	13.0
Health	76.4	5.8	17.8
Pollution	81.7	8.6	9.7
Transportation	60.0	14.5	25.5
Aid to cities	67.2	14.6	18.2
Job training	61.7	18.6	19.7

Beyond any cuts you may have advocated above, do you think Congress ought to—

1. Legislate the proposed 10-percent surtax on personal and corporate incomes 31.0
2. Legislate a surtax above 10 percent 2.6
3. Legislate a surtax below 10 percent 6.9
4. Not legislate any surtax 32.0
5. Need to know more about it 27.5

Would you favor wage and price control as—

1. An alternative to the above-mentioned steps 26.6
2. An additional step to the above-mentioned steps 20.7
3. Under no circumstances 52.7

Age:
18 to 29 29.0
30 to 45 23.5
46 to 59 30.0
60 and over 17.5

Which of the following Republican presidential candidates do you prefer

1. Richard Nixon 30.0
2. Nelson Rockefeller 70.0

Which of the following Democratic presidential candidates do you prefer?

1. Lyndon Johnson 35.9
2. Robert Kennedy 14.3
3. Eugene McCarthy 42.2
4. Hubert H. Humphrey 6.9
5. George C. Wallace .7

WHAT DID CONGRESS DO ABOUT CRIME IN AMERICA?

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. SCOTT. Mr. President, shortly after this 90th Congress convened, I said in the Senate on March 9, 1967, that a most serious failure in our society was its inability to maintain law and order and to provide justice for all its citizens.

Now, 2 years later, as the 90th Congress adjourns we must ask the question:

What did Congress do about crime in America?

We have taken some important forward strides—particularly in the Safe Streets and Crime Control Act, which I cosponsored and helped draft—but we still have to go quite a distance to reverse the rate of crime in America, which continues to rise at an alarming rate.

The Safe Streets Act is the most comprehensive legislation enacted in recent years for a war on crime. It provides $400 million to strengthen State and local law enforcement.

I am especially pleased that on August 31 Pennsylvania was awarded $240,524 to be used for riot control and on October 21 an additional $176,330 was awarded to Pennsylvania in planning funds. I am informed that these awards are part of more than $2 million that has been earmarked for Pennsylvania.

Law enforcement is the responsibility of local and State governments and must remain in their hands. We want no national police force. But the Federal Government has a responsibility to provide financial assistance, know-how, and encouragement to those agencies—and above all to fight such crime that originates on the national level or crosses State boundaries.

ORGANIZED CRIME

Among the most insidious conspiracies in America are the national crime syndicates. These syndicates, the purveyors of organized crime, operate nationally and across State lines, and penetrate deep into the fabric of our society.

They are responsible for much of the street crimes in America.

They are the narcotics importers and distributors, the loan-shark chieftains, the men behind prostitution, gambling, and hijacking. They set up situations that trigger off street crime.

To feed his addiction, a narcotics addict must steal. I understand that in several studies more than 50 percent of crimes in urban areas were traced to people who were hooked on drugs. A man in debt to a loan shark must somehow find the money to repay the loan. When people steal they often turn in their loot to a "fence" who is part of the national organized crime syndicate.

The crime syndicates strike at the heart of our way of life. In the words of the President's Crime Commission:

> They preach a sermon that all too many Americans heed: the Government is for sale; lawlessness is the road to wealth; honesty is a pitfall, and morality a trap for suckers.

The Safe Streets Act provides a new and important weapon to break the barrier of secrecy behind which the crime syndicates operate. It permits authorized Federal and State law enforcement officials to use electronic surveillance, such as wiretapping, under strict court order and supervision. This is a tough measure, but it is designed to fight tough criminals. It balances individual rights and privacy with the public good. For the first time, it prohibits wiretapping by all private persons and limits it only to public officials who get the required court order. So while law enforcement officers have a new weapon, private snoopers, such as divorce investigators, are deprived of a method of privacy invasion which they have been using for many years.

Loan sharking is now a Federal crime as the result of a new provision in the Truth-in-Lending Act. It thus removes an important source of income from the crime syndicates and protects many low-income people from this form of usury.

It is now a crime to obstruct a criminal investigation. Previously, it was illegal to obstruct a court room proceeding, but not an investigation. Thus, various forms of intimidation were used to insure that a case never got to court.

The U.S. Attorney General now can grant immunity from prosecution to a witness who could provide testimony essential to the conviction of a criminal. This is another important weapon in the fight against organized crime, where it is often difficult to gather the necessary information needed for a conviction.

HELP FOR POLICEMEN

The Local Law Enforcement Officers' Compensation Act, which I cosponsored, provides compensation to any local policeman who is disabled, or to his survivors if he is killed, while apprehending persons suspected of having committed a Federal crime.

The job of a policeman is difficult at best. Imagine the feelings of his family every time he leaves home for a day's hazardous duty.

On April 7, 1967, Chief Marvin Foltz of Lancaster County, Pa., was killed while preventing a bank robbery, which is a Federal crime. He left a widow and a daughter. If this law had been in effect at that time they would have qualified for compensation.

This law is an act of simple justice on behalf of those who continually risk their lives to ensure our safety. It also provides compensation to those who supplement the activity of the Federal law enforcement officers and reduce the need for a larger Federal force.

CONFESSIONS

The Safe Streets Act permits voluntary statements made by a defendant to be admitted into evidence at his trial where the judge determines that such statements were truly voluntary under all circumstances.

When the late Pennsylvania State Supreme Court justice Michael A. Musmanno testified before the Senate Subcommittee on Criminal Laws and Procedures, on which I sit, he said:

All this leads me to recommending to this distinguished Committee that it approve of legislation which will have only one criterion with regard to confessions; namely, voluntariness.

This is legislation suggested in the recent Supreme Court decision in the Miranda case. That decision which showed a proper concern to protect a defendant's constitutional rights seemed, however, to overlook the responsibility of Government to protect the public safety. The new law contains the necessary safeguards to enable the judge and jury to search for the truth within the bounds of constitutional guarantees.

RIOTS

The Safe Streets Act gives special emphasis to programs aimed at preventing, detecting and controlling riots and other violent disorders. Another measure enacted into law by Congress makes it a crime to travel around the country to incite a riot or to instruct persons in the making and using of weapons of violence for use in a riot. This act also makes it a crime to interfere with law enforcement personnel or firemen during the course of a riot.

As noted earlier, Pennsylvania has already been awarded $240,524 for riot control.

FIREARMS

The Safe Streets Act prohibits the mail order sale of handguns and their over-the-counter sale to nonresidents of the seller's place of business. The Gun Control Act extends those prohibitions to rifles and shotguns. It also places controls on the distribution of ammunition.

This legislation provides a valuable weapon against gun crimes by specifying tougher sentences when firearms are used to commit a Federal crime.

The legislation does not include any provisions for the registration of firearms or the licensing of firearms users.

Those laws will not disarm law-abiding citizens nor unduly interfere with their legitimate rights. It exempts antique firearms and the collectors of firearms and ammunition from its coverage. It also allows the purchase of rifles and shotguns in a neighboring State and the rental or temporary loan of a firearm to any person for lawful sporting purposes.

JUVENILE DELINQUENCY

An alarming number of crimes are committed by young people. The FBI reports that arrests of juveniles for serious crimes increased 59 percent in the past 7 years. The sharpest increase was for crimes against the person. There is a phenomenally high percentage of "repeaters" among young offenders.

The Juvenile Delinquency Prevention and Control Act assists courts, correctional systems, and community agencies to prevent, treat, and control juvenile delinquency. The major stress is on rehabilitation.

FIGHTING DRUG ABUSE

This Congress moved forward on a drug abuse law which provides criminal penalties for the possession of illegally obtained drugs such as LSD, barbiturates, and pep pills.

Since drug addiction is especially a problem among young people, the law authorizes judges to set aside convictions for first offenders after a probationary period, but it toughens the penalties against drug pushers.

EXIT U.S. COMMISSIONERS

The Federal Magistrates Act, which I cosponsored, will help speed up criminal justice. It should not be confused with the antiquated magistrates system in Philadelphia. A U.S. commissioner is the Federal officer who issues search and arrest warrants, fixes bail and holds preliminary hearings. The new law provides that these officers, now called Federal magistrates, have increased responsibilities, are placed on salary, are trained for the job, and must be attorneys. A Federal magistrate can perform many important functions for the Federal courts and thus free judges for trials and more complex courtroom procedures.

OTHER CRIME-FIGHTING AIDS

The Auto Theft Prevention Act was enacted to regulate the mail order sale of master keys to fit automobile locks and ignition switches. I introduced this type of legislation when I learned that any criminal could purchase a master key through the mail. That was an open invitation to auto thieves.

The Housing and Urban Development Act included a provision similar to a bill I introduced to provide insurance for small businessmen in riot-torn areas.

The Bank Protection Act directs Federal agencies having responsibility over banks and savings and loan institutions to require security devices that would discourage robberies and burglaries.

STILL TO BE DONE

But Congress left undone a number of tasks that are necessary to make more effective the war on crime.

First. Court decisions defining the limits of the powers of investigative officers in searches and seizures should be clarified. We need legislation that authorizes a police officer, who is making a lawful arrest, to search both the person and the immediate presence of that person. Law enforcement officers need that authority to prevent the suspect from escaping, to protect the officer from attack, and to seize property used in the commission of the crime.

Second. A Federal enforcement official, armed with the appropriate court order, should be allowed to make forceful entry without "knocking" if so authorized. This is important to prevent criminals from swallowing numbers tickets or flushing drugs down a drain when they get any warning that a policeman is about to enter the premises.

Third. We need tougher laws on perjury and false statements. The Attorney General can grant immunity to certain witnesses. We now have to be sure the witnesses are not lying. This is particularly a problem in organized crime prosecutions.

Fourth. We need swifter justice, both to guarantee the accused his constitutional right to a prompt trial and to protect society from criminals turned back onto the streets. The court dockets are so overloaded and the bail system so encumbered that many arrested criminals are almost guaranteed several more months of freedom during which too many commit more crimes.

Legislation that I cosponsored created a Federal judicial center to conduct research in all aspects of Federal judicial administration and to conduct programs to train court personnel. We should expand the program to assist State and local courts to improve their methods. We also need legislation to permit the higher courts to consider appeals on sentences alone. Today, when an appeals court determines that a sentence is excessively high, it can only reverse the conviction itself. Many students of the courts point out that appeals judges reverse a decision, which requires a new trial, only because they believe the sentence is excessive. If legislation would permit appeals judges to deal separately with the sentences there would be fewer reversals of cases where the defendants are obviously guilty.

Fifth. We need a better system to choose Federal judges. I propose a Judicial Service Commission to recommend to the President the most qualified men from which he should choose one to fill each Federal court vacancy. This would go far toward improving the caliber of judges selected for the Federal bench and reassure the American people in their respect for the law and the people who help shape the law.

Sixth. We should look further into the possibility of compensating the victims of crime.

Seventh. We need legislation to fight organized crime's infiltration into legitimate businesses.

The war against crime will not be won overnight. Neither will it be won by panaceas, by any one weapon, by any magic combination of words. But it must be won if our society is to survive.

We need to strike at the economic and social ills that build frustration and often trigger criminal behavior. We need to write our legislation so that all our citizens have a fair chance to become proud and productive members of society.

But I reject the idea that poverty and injustice alone are the causes of crime. If so, there would be no crime in the middle and upper class suburbs—and crime in those areas is increasing rapidly. We must act vigorously and promptly to prevent and control crime and we must proceed swiftly against those who violate the law.

The Congress, the executive branch of the Government, and the courts must share in the responsibility to wage this war on crime. But the ultimate responsibility rests with the individual citizen and how much he is willing to devote to this effort.

I am confident that Americans, working together with dedication and compassion, will succeed in making our land safe for liberty and justice for all.

THE "PUEBLO"—HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. SCHERLE. Mr. Speaker, this is the 280th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

NEWSLETTER TO CONSTITUENTS

HON. WAYNE L. HAYS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. HAYS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include my October Newsletter to my constituents:

NEWSLETTER TO CONSTITUENTS

From time to time people write in and ask to be put on my newsletter list. I am therefore doing a general mailing in this final letter for this, the 90th Congress. If you would like to get a monthly newsletter on a regular basis, drop a post card to me at Box 45, Flushing, Ohio, and we'll put your name on the list.

The accomplishments of this Congress, I suppose, depend on your point of view. I'll therefore quote the Wheeling Intelligencer of Monday, the 14th of October, page four. The Headline says, "Congress' 68 Record Shows Productive Year." The article goes on to list the "Truth in Lending Bill," "The Pipeline Safety Bill," "The Clean Meat Law," "The Clean Poultry Law," "The Omnibus Crime Bill," the law to protect the public against radiation, such as color T.V. sets. The article concludes with a paragraph on conservation which says, "Congress wrote its most productive record in years in the field of conservation." I quoted the above mentioned paper because it is strongly Republican, so if it says anything kind about a Democratic Congress: well, it has to be better than good.

Law enforcement is usually as good as the people in a given locality want it to be. You might be interested to know that the latest F.B.I. report on Crime shows that Phoenix, Arizona, has a crime rate of 2,810 per 100,000 population. This figure is twice as high as Cleveland (1,351) and higher than Chicago (2,172) and several other major metropolitan areas. Still another city with a Republican mayor, Baltimore, has a crime rate of 2,690—also higher than Cleveland, Chicago and many other U.S. cities.

I don't believe that these two cities have this high crime rate because they have Republican mayors. Nor do I think that crime is exclusively the responsibility of the Democratic party, contrary to what some people have been saying publicly. We had all better decide to do something about this together and leave politics out of it.

I believe I can say safely and proudly that we can walk the streets of any town in the six county 18th District without fear. I take no credit for this, but I do think the parents, the teachers and the police departments ought to have a salute.

I have been getting a good deal of mail regarding a series of articles which were run in a newspaper on the subject of piping sewage waste from Cleveland into the 18th District. You can be sure this office is watching this very carefully and if the experiment shows that this can be disposed of in the strip pits and covered up and helpful in reclamation, that will be fine. On the other hand, if it indicates that we are about to become a dumping ground for Cleveland sewage, which will create problems, then you can be sure that I will do all I can with the Federal and State Government to see that this does not happen.

The amount of money in Federal grants and loans that I have been able to bring into the 18th district during the two years of the 90th Congress total $24,096,159.00, excluding money for highways. A complete list of the projects is available. If you are interested, I will be glad to send you one.

Many people here in the area have asked me why, over the years, the Wheeling papers have given me such a bad press. I do not know the answer unless they do not want Ohio to progress and they think I am doing too much. Personally, I look at the Ohio Valley as an economic unit, and certainly, what is good for the 18th District of Ohio is good for West Virginia, because many Ohio people shop there. What do you think?

I received a lot of mail about a speech I made on national television at the Democratic Convention in Chicago. The mail has been about ten to one favorable, but the unfavorable mail has beeh extremely abusive, and wrongly misinterpreted what I said. Because I spoke extemporaneously, I did not have a copy of the speech, but I was able to secure a tape from CBS which we have had transcribed, and which is exactly what I said except for one sentence in the middle of it which was when I was interrupted for a commercial, and which we filled in from notes with exactly what I said. I thought you might like to see what I did say, so we are reproducing it below. May I say that I just as well could have been speaking to the Republican Convention, as far as the contents of the speech are concerned, because I would have said exactly the same thing. In other words, this was not a Democratic speech or a Republican speech, but an American speech. However, I do not want to belabor this point, and will let you judge for yourself if you will take the time to read it.

The following is the speech I gave at the Democratic National Convention in Chicago:

"Mr. Chairman, distinguished delegates, fellow Americans:

"When I was a boy in high school, I walked into my first history class one day in September, and the teacher, who was a very great teacher, and although she's in a wheel chair today, I hope she's listening to this, had written on the blackboard the following definition of history: 'History,' she said, 'is a record of the past, a guide to the present, and a forecast of the future.' With this definition in mind, I hope this great party of ours is not trying to turn the clock back to 1938 to seek another Chamberlain, to go to another Munich, to surrender to the people who last week managed the rape of Czechoslovakia. That word hasn't been mentioned today, Czechoslovakia, but it's on my mind and it's on the mind of the American people. And there are 600,000 Soviet troops in that unhappy land today. In my visits to American colleges and universities, I get the impression that more than ninety-five percent of the students are dedicated to getting an education and making a contribution to this country. There's a minority among us represented over in Grant Park, and let me say that the police department, Mayor Daly, must all be related to Job; they've shown that much patience with this mob. This is a minority—a minority of a minority who would substitute anarchism for ambition, they'd like to substitute beards for brains, license for liberty, they want pot instead of patriotism, they like sideburns instead of solutions, they want slogans instead of social reform and they would substitute riots for reason. Neither the Minority nor the Majority in this Convention can write a plank for the Democratic Party tailored to the views of this minority of a minority, and if we try to do it, we invite disaster for the candidate, for the party, for the Nation, and for the free world."

WATER CARRIERS IN THE COMING TRANSPORT EXPANSION

HON. FRANK M. CLARK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. CLARK. Mr. Speaker, a reminder of the importance of transportation to the economy comes to us from a useful forum conducted by the Laurel Mountain Traffic Association in the beautiful western mountains of Pennsylvania. John A. Creedy, president of the Water Transport Association of New York, goes back to the early history of our Nation to the Whiskey Rebellion of 1794 to be precise, to emphasize the role of freight rates in the Nation's history. He suggests that with the cooperation of barge and rail modes a new milling industry could be created in Pittsburgh, echoing the dream of the late Arthur Longini of the Mellon National Bank.

Under unanimous consent I submit Mr. Creedy's remarks for inclusion in the CONGRESSIONAL RECORD, as follows:

WATER CARRIERS IN THE COMING TRANSPORT EXPANSION

(Remarks of John A. Creedy, president, Water Transport Association, before the Laurel Mountain Traffic Association, Greensburg, Pa., October 10, 1968)

A great many of the serious students of transportation policy have difficulty from time to time persuading their friends, wives and relatives that transportation has a significance for the economy a notch above other industries in the country.

Perhaps it is fitting for a water carrier representative speaking in Western Pennsylvania to suggest that the problems and achievements of transportation can have a fateful influence on the life of the nation. Only a few minutes from our meeting place in Greensburg, as the modern auto performs, is McKeesport which Richard Bissell identifies as the center of that local disturbance, target practice and barn burning known as the Whiskey Rebellion of 1794.

It was the first serious challenge to the authority of the Federal government. Farmers in Western Pennsylvania could not get their excess crops to market in Philadelphia and other eastern cities because of the high cost of transporting grain by wagon across the Alleghenies. But if they made the grain into whiskey, the more valuable whiskey would stand the cost of the transport. As a result better than sixty per cent of all the stills in the nation in the late 18th Century were located here in Western Pennsylvania. When the Congress decided to tax whiskey it therefore seemed a direct challenge to the livelihood of the western Pennsylvanians and resistance to the revenuers who came out from Pittsburgh was violent. Troops from five states hiked across the mountain to put down the insurrection.

They arrested two of the leaders, charged them with treason, and afterwards let them go. But the Federal Government had survived the first domestic challenge to its authority. So if anyone ever asks you if transportation is important you can say that high freight rates on grain led to the first challenge to Federal authority, which in turn led to the establishment of a strong Federal government, which meant that the United States, made up of 13 poor and struggling states strung along the Atlantic Coast, would, in the end, dominate the north American continent.

The Western Pennsylvanians were suppressed by overwhelming military forces, but they were not happy. The steamboat, when it came along, gave them a cheap outlet via New Orleans and revenge on the wagoners. Listen to a Cincinnati editor on April 15, 1816, commenting on the fact that the East was only then aroused enough to consider a National Turnpike across the mountains to give the westerners better communications: "Mississippi steamboats work every miracle; form roads, dig canals, enlighten committees of Congress, polish eastern manners, connect by mutual interest the east with the west, make western members of Congress feel and know their consequence.

All this effected by the power of steam and above all, the great interests of the Union strengthened and consolidated."

By 1841 another westerner was writing: "Of all the elements of the prosperity of the west, of all the causes of the rapid increase in population, its growth in wealth, resources and improvement, its immense commerce, and gigantic energies, the most efficient has been the navigation by steam."

It may be a little unexpected in a forum devoted to the theme "Transportation in Transition" to go so far back in history, but I do so for a purpose. The transport accomplishments of the long ago seem spectacular enough, but they are no less spectacular than those which will be expected of us in the very near future. A great deal of our history in the past has been influenced by dull old freight rates. And more of it will be in the future.

Transportation in recent years, has been the favorite target of the critics; there are those who would turn it inside out and start again. My thesis today is that the system is basically sound and will be able to produce the miracles expected of it in the future provided the magic cycle of healthy competition, growth, technological innovation, improved efficiency, adequate earnings and reinvestment of earnings is maintained. Most of us in transportation are used to hearing dire warnings of catastrophe, fears of government ownership, proposals for radical legislative change, and advice that whatever it is we're doing we should do something else. The years since World War II have, indeed, been years full of the sound of controversy, but in my view, the sound has been that of healthy competition. To those who would prematurely dig the grave of a competitive profit-oriented and therefore efficiency-oriented transportation industry I ask this question. What other major industry has been more successful in resisting the powerful upward spiral of wage and equipment costs? True, some rate increases are now being proposed, but these recover only in part the rate reductions of the past two decades.

In the common carrier barge line segment of the transportation industry average rates have declined since 1960 about 10 per cent and are now on the same level as they were in the 1920's. Very few industries can match that performance. There are those who believe the transportation industry is a chaotic mess. They mistake, I think, healthy diversity and vigorous disagreement for signs of ill-health. In fact, I believe, they are the only signs of rapid growth and change.

We took the trouble some months ago to make the rounds of various industries and of agriculture to collect some of the forecasts of future production in the next 10 years. I won't recite here the results of our survey. I think it can be more easily summarized by saying that if the current real growth rate of the economy continues at its present level of 4½ per cent a year, the nation's economy will double in 15 or 16 years. We have already been warned that transport capacity may have to double within the next 13 years if proper service is to be provided for the economy.

I suggest that the most urgent question today is not how to steal the other fellow's traffic—though that is always an absorbing issue—but where is the money coming from to finance the enormous expansion and improvement in capacity that will be demanded of all of us in the next few years?

Those who take the short-run view of transport competition, who would like to see a series of transport rate wars, are going to have to think again. The wise shipper and the wise regulator will not want to interrupt the cycle of earnings, growth, innovation and investment in efficiency. Any break in that cycle inevitably will lead to a flight of capital from transportation, a failure to meet the needs of the economy, an end to technological innovation and an irreversible trend to higher rates.

It is technological innovation and economies of scale that should concern us as we review the performance of transportation. Investment in technological improvement is the surest way of containing the insistent pressures of rising labor and material costs. On the rivers in the past decade, there has been a lot of progress. First the barge has been greatly improved. In recent years, the railroad freight car has increased in capacity from 40 tons to 120, in the same period the barge has increased in capacity from 500 tons to about 1,800 tons. The specialized barge has become increasingly common—commodities requiring a constant heat or a temperature level of 28 degrees below zero can now be accommodated. New unpronounceable chemicals with special transport requirements are being added to river traffic at frequent intervals. The hull designs of the barges have been modified for improved efficiency.

More dramatic has been the technological improvement in the towboat. A combination of new reduction gearing, more reliable engines and an ingenious combination of rudders for better steering control has made possible the introduction of the larger capacity towboat. The 3200 horsepower towboat has been replaced by towboats having between 6,500 and 9,000 horsepower capable of pushing upwards of 40,000 tons in a flotilla of 30 to 40 barges.

Advanced electronic aids make possible day and night operation.

The sum total of these improvements can be translated into productivity advances. Only 10 years ago a 3200 horsepower towboat would produce about 1,000,000 ton miles per boat operating day. Today, the newest 6,500 horsepower boats have more than double that capacity. They can produce over two and a half million ton-miles a day.

Of course, they cost five times as much as the old towboats.

But higher investment resulting in greater efficiency is the current trend in every mode of transportation.

Where do we go from here?

First of all, more of the same. Economies of scale have resulted from larger barges, larger tows and more powerful towboats. Still more powerful towboats are being considered as engine improvements are developed. A towboat of 12,000 horsepower capable of pushing 60,000 tons at a time is thought to be a possibility.

Second, a new river. Last week they dedicated a new dam and lock which shortly will open navigation on the Arkansas River as far as Little Rock. In a year or two navigation will reach as far as Tulsa and is expected to provide a major stimulant to the economy of eight states and 8,000,000 people.

Third, a new dimension to the old rivers. Changes are gradual on the Mississippi-Ohio river system which drains the entire nation between the Alleghenies and the Rockies. The master river-development plan has evolved over the past 100 years and in important ways represents the basic economic under-pinning of many regional economies. The multi-purpose water resource development program may be delayed because of other national priorities, such as the Viet Nam war, but it is never diverted for long. Flood control, recreation, pollution control, maintenance of stream flow, power, irrigation, reserves of water for drought control, and navigation represent an economic development package of immense bipartisan popularity.

The next decade of this program is going to bring in the 12-foot channel, replacing the nine-foot channel that has been standard for many decades. It will come first on the Ohio River and then be extended down to New Orleans and then probably up the Mississippi from Cairo. When it comes, it will represent the most powerful single weapon in the economy for containing transport cost increases. An increase of one third in available depth for barges and towboats will revolutionize the economics of barging.

Fourth, the barge industry is giving more and more attention to improved coordination between river and ocean services. Ships are being built which are nothing more than huge barge ferries. They will be able to connect the highly developed waterways of the U.S. with the river-oriented interior markets of Europe and the Far East. A barge load of manufactured products from Pittsburgh may once more find New Orleans the best port for reaching world markets as they did in the early 19th century.

Fifth, the barge lines are working to create a new and more friendly climate of cooperation with the railroad industry. They enjoy highly cooperative relationships with truck lines and are now seeking to improve coordination of services with railroads. Recent studies of proposed rail-water movements show an indicated saving of from 10 to 25 per cent in overall transport costs by matching the most efficient rail service to efficient barge service.

We have been encouraged by the publication of two new rail-barge joint rates on corn from Iowa origins. The first was with the Chicago and North Western Railroad. This tariff was later joined in by the Norfolk and Western Railroad. We believe we can demonstrate that in some circumstances a railroad can make equal or higher earnings by connecting with a barge line than another railroad. Certainly, great improvement in utilization of rail equipment can be achieved. It is only about nine months since we started our campaign to persuade railroads to become "willing partners" of barge lines. The response so far has been friendly and we are hopeful that the joining of mutual business interests will be productive of substantial savings in the public interest.

Inland river barge lines handle about nine per cent of inter-city freight. For wide areas of the economy they have become the determining factor in the setting of rates. Water transport is a standard against which the rates of land modes are measured. The barge level of efficiency—ever-improving—is a powerful influence which stimulates efficiency throughout the transport industry.

A friend of mine at the Mellon Bank in Pittsburgh some years ago had an interesting dream which he did not live long enough to see develop. I repeat it here because it might still come true if we could find another local Arthur Longini to promote it. It was simply that the Ohio River leads directly from the great agricultural heartland of the midwest and that cheap grain could be brought to Pittsburgh by barge to create a milling industry. Arthur used to say that the people in the Pittsburgh area paid the second highest price in the country for fresh meat and that the hills and valleys of western Pennsylvania could support great herds of cattle for local consumption. He did not mention whiskey distilling but I suppose that might have been in his mind too and would have brought us back in full circle to 1794.

Such an issue of course required barge and rail cooperation—barge for cheap transportation and a "willing partner" in those mechanized tran-Allegheny wagons—the rail roads for grain products. There was a snag—there always is. Buffalo, although further from the teeming millions on the Atlantic seaboard than Pittsburgh had lower rates—if I remember 37¢ a cwt versus 49¢ from Pittsburgh. Buffalo argued they should keep that margin because they had the New York state barge canal and no one had had the foresight to build a canal from Pittsburgh east, though some valiant efforts were made in the last century. However, that case was fought out and Pittsburgh won. There is now a parity of rates between Pittsburgh and

Buffalo. But in the meantime Arthur Longini died and the mill he had in hand to start the ball rolling couldn't wait and located in Harrisburg.

My point is not that we should go out and steal today's traffic. But that the mills are moving east—closer to market. The new capacity that will be built anyway over the next 10 years might just as well—should in common sense—be built in Pittsburgh. But some body or some local group has to get competitive about it and get to work on it. So what if it takes 10 years. Once established the mills will be here a hundred years.

It is the vision to see a milling industry where one never was which makes a community great: the capacity to stand back from any one mode of transportation far enough to see the proper role of each and to be able to put them together in one cooperative pattern. One sees more and more Arthur Longinis and through them the influence of transportation on the efficient performance of the economy is growing more important rather than less as the years go by.

ANNIVERSARY OF THE HUNGARIAN REVOLUTION

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mrs. KELLY. Mr. Speaker, 12 years ago today the world witnessed an event which may be regarded as both a triumph and a tragedy. The Hungarian Revolution of October 23, 1956, was a triumph of the human spirit in man's age-old struggle for individual freedom and dignity. It was a triumph because thousands of courageous Hungarians exhibited a willingness to risk death in order to free themselves from a regime they could no longer tolerate by silent consent. They made known their fierce protest of rule by terror and by secret police. They proved that the Iron Curtain was not invincible. Its inherent weaknesses were dramatically revealed to the outside world. Nonetheless, the Hungarian Revolution was a tragedy because the forces of despotism were able by overwhelming military might to crush this popular revolt against oppression and subservience to a foreign power. The Hungarian people—men, women, and children—fought bravely against great odds while a brief hope flickered that their revolution might succeed. Many, armed only with personal courage, engaged in hand-to-hand combat in what proved to be a hopeless cause against heavily armored Soviet troops. As chairman of the Subcommittee on Europe of the Foreign Affairs Committee of the House of Representatives I went to Europe on April 18, 1957, and in June 1957 issued a report, H. Rept. 531, "Policy Toward the Satellite Nations," in which we declared:

> The Hungarian revolution which broke out October 23 was catastrophic in nature and caught the free world totally unprepared. The nature of its rapid development likewise came as a surprise. Its tragic finale left a feeling of bitter disappointment and regret that the governments of the free world were not ready to take effective action. Conversely, it appeared that the Soviet Union is determined to go to any and all lengths to maintain her empire of enslaved peoples by the most brutal forms of armed subjugation and repression, when permitted to do so. It also appeared that when the Soviets felt their own vital interests were involved, as in the case of Hungary, they were willing flagrantly to flaunt the public opinion of the peoples of the free world who, it should be added, were far more willing for dramatic action than their governments . . . The failure of the free world and of the United Nations under the leadership of the United States to take the positive action expected and impliedly promised in Hungary constitutes, in the judgment of the study mission, the lost opportunity of our generation.

This set the precedent that the United States could not or would not intervene in any uprising in Eastern Europe; thus our Government's policy during the Czechoslovakian Revolution was understandable.

In the case of Hungary, the Soviet Government at first justified the entry of Russian troops into that nation in October 1956 by stating that the Hungarian Government had requested its assistance in establishing order. However, on November 1, the President of the Council of Ministers of the Hungarian People's Republic cabled the Council's protest to the entry of Soviet troops on Hungarian soil to the U.N. Secretary General. He further informed the Secretary General that Hungary was repudiating its membership in the Warsaw Pact Treaty and declared Hungary to be a neutral nation. The Soviet Union feigned an initial withdrawal of its troops at the end of October. But by November 3, when it became evident that the revolution was succeeding, it launched a lightning military attack against Hungary. Masses of Russian troops, accompanied by thousands of tanks, poured into the country and then ruthlessly destroyed the Hungarian Revolution in cold blood.

Many Hungarians who were fortunate enough to flee their country immediately following the suppression of the revolution came to the United States and have made outstanding contributions to our Nation in varied walks of life. Those who remained in Hungary have been the victims of an even more repressive rule than that which preceded the revolution. We can be certain, however, that the dreams and ideals which made the Hungarian uprising possible can never be extinguished. They live on in the hearts of the Hungarian people and shall one day come to fruition.

SESSION SUMMARY, 1968

HON. ODIN LANGEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. LANGEN. Mr. Speaker, it is my custom to regularly keep my constituents as informed as possible on legislation and events here in Washington which affect their lives or are of special interest to them. At the close of this session of the 90th Congress, I have attempted to summarize briefly my observations of the session and in this Extension of Remarks, I would like to share these with my colleagues:

SESSION SUMMARY, 1968—VOLUME X, No. 8

DEAR FRIEND: This is my last newsletter for the 90th Congress, since we have now adjourned.

Congress met this year in an atmosphere of mounting crises. At home, inflation eroded the value of the dollar, crime and racial unrest posed grave internal threats, and the nation was divided bitterly over foreign policy. Abroad, the war in Vietnam ground on, our European alliances were in a state of disarray, and the dollar was threatened by a chronic deficit in the balance of payments. As Congress packed up to go home, most of these problems remained with us.

CRIME

While the population increased 10% in the last 7 years, crime increased 88%. No community is immune to the increase. Congress moved to combat the growing crime menace. An omnibus anti-crime bill was enacted, providing bloc grants to the States to assist their local communities' law-enforcement efforts. These grants will be utilized to develop law-enforcement programs to deal effectively with crime and violence. My riot control bill was also enacted as part of the omnibus measure. It extends Federal jurisdiction to cases involving the disruption of interstate commerce by acts of disobedience.

TAXES AND INFLATION

When the legislative package calling for a 10% surcharge on the income tax and a $6-Billion reduction in federal spending was before the House earlier this year, many argued there should be a sharp reduction in federal spending rather than a tax increase. The entire package became law, however, and taxpayers are now paying the surtax. However, there is doubt that the government will reduce spending by the $6-Billion required by law. Many Departments and Agencies have already been exempt from the law's provisions. Spending for the fiscal year that ended last June 30 exceeded income by over $25-Billion and another huge deficit is expected this current year unless realistic efforts are made to balance our budgets. The resulting inflation from deficit spending hurts the pocketbooks of all Americans, especially those on fixed incomes such as Senior Citizens.

It was my honor this past month to have been the recipient of the "Watchdog of the Treasury" award, presented to me by John C. Mason, President of National Associated Businessmen, Inc., for my economy voting record for the 90th Congress, 1967–68.

Mr. Mason said: "Your outstanding economy voting record indicates to your constituents and to our membership that you have a keen realization of the problems of fiscal responsibility."

Made up primarily of small business firms, the NAB is a non-partisan organization with headquarters in Washington. Its goals include fiscal responsibility in government and the elimination of the Federal Government from competition with private business.

AGRICULTURE

During 1968 there was a minimum of new, major farm legislation. The existing Food and Agriculture Act of 1965 was extended for one year after divided opinions were compromised.

A number of other actions affect our farm population. The landmark housing act includes provisions for expanding rural housing as well as urban. Successful efforts were made to provide more needed credit to farmers, and we obtained temporary funding for the Farmers Home Administration's Emergency Credit Revolving Fund when many farmers were in desperate need.

Public Law 480, the Food for Peace program, was extended, and Congress voted to modernize the Grains Standards Act and update the Commodity Exchange Act.

My bill to control unfair trade practices affecting producers of agricultural products and associations of such producers was also adopted by Congress.

My efforts to get the Agriculture Department to take actions under Section 22 of the Agricultural Adjustment Act were somewhat successful, especially in the area of mounting dairy imports. And we saw some needed changes in policy relative to Commodity Credit sales on the open market.

I am continuing my efforts to gain enactment of my Fair Farm Price Achievement Act to give our wheat and feed grains farmers full parity, and my Countryside Development proposal to bolster the economy of Rural America.

THE CONSUMER

Congress enacted a number of laws aimed at protecting the American consumer. A truth in lending bill was passed that provides for full disclosure of interest rates in dollars and cents as well as percentages on loans and revolving charge accounts. Congress also voted to establish a Commission to investigate rising automobile insurance costs. Other consumer legislation included the Pipe line Safety Act and inspection programs for meat and poultry.

VIETNAM

Congress had no meaningful opportunity to express itself on the war except to vote on funds necessary to wage the battles and supply the men in Vietnam. Congress supplied over $72-Billion to the Defense Department for the next fiscal year.

The peace negotiations have been going on since May 13, and it is still hoped that they will produce constructive results. Meanwhile, the war continues, with over 200,000 American casualties.

A $1.6-Billion *foreign aid* appropriation was approved by Congress. This is the lowest foreign aid appropriation in the history of the program.

VETERANS

Disabled veterans and railroad retirees will receive increased benefits due to Congressional action this year. Also, Government employees and military personnel received the second step of a three-stage pay bill. Veterans were also voted improved educational, medical and rehabilitation services. For the first time, widows of veterans were voted educational benefits, enabling them to pursue their education efforts.

My bill to liberalize the classroom instruction requirement for veterans who wish to enroll in Farm Cooperative Training was incorporated into a measure that passed Congress. It now permits a student to enter on a ¾ time (9 clock hours per week) or a ½ time basis (6 clock hours). This should enable many more farmers to participate in the program while engaged in farming.

My proposal to amend the income limitations provisions applicable to veterans and widows of veterans receiving disability pensions became law. The purpose is to prevent decreases in pensions when Social Security benefits are increased.

EDUCATION

A *vocational education* bill was enacted. It provides 90 per cent Federal assistance for planning and construction of area vocational educational schools. It also encourages training in relevant fields so that assured job placement becomes a reality.

The *Higher Education* Assistance programs were extended, consolidated and refined to meet increasing student needs. It includes provisions of special services for disadvantaged students, enabling them to overcome their previous educational deficiencies.

The *National School Lunch* program was bolstered to improve distribution of adequate lunches to the more than 4½-million school children who do not now receive adequate lunches.

The *Manpower Training* program was extended and improved by devising new methods for delivery of training services. Vocational rehabilitation services were extended and improved, which should enable handicapped individuals to receive better training.

MRS. LANGEN'S CORNER

Lillian returned to the District a couple of weeks before Congress adjourned, while I commuted back and forth. She is happy to be home and is enjoying the opportunity of traveling throughout Northwestern Minnesota and greeting so many of you. As you know, Lillian has always been a great promoter of Minnesota, and she has joined me in the promotion of a new venture for our State. In order to attract new attention to Minnesota and its products and opportunities, the Minnesota State Society of Washington, D.C., has announced plans to hold a Minnesota Quality of Life Festival this coming March in the Nation's Capital. The Festival will provide an international showcase for Minnesota agriculture, commerce, science, culture, education, industry, medicine, recreation, theology, and transportation. Incidentally, a nationwide Quality of Life survey conducted last year determined that Minnesota is second only to California in its contributions to our nation—contributions ranging from culture to industry to medicine. The Festival in March will call world-wide attention to our State. If you're a businessman, your products could be exhibited. If you're active in civic organizations, perhaps your club can do much to help the Minnesota State Society tell the Minnesota story. For further information, write to Minnesota Quality of Life Festival, 1040 Shoreham Building, Washington, D.C., 20005. Lillian and I are delighted to support this activity.

Many persons have asked me about the Electoral College, and the possibility of the House of Representatives deciding a Presidential election.

The Constitution says that each State be represented in the Electoral College by electors equal in number to the State's representation in Congress. Each set of electors votes for the Presidential candidate with the majority of votes in their State, and they do not assemble in one place for the voting. There is but one round of balloting. If no candidate receives a majority of the electoral votes, the House of Representatives elects the President and the Senate elects the Vice President. This can happen if a third-party candidate carries enough States to make it impossible for the other candidates to get a majority. If the election goes to the House, each State has but one vote, regardless of its size. Thus, it's possible for 26 States representing 30-million people to elect a President, outvoting 24 States with 148-million people. If neither the Electoral College or the House agrees on a majority, a grave Constitutional crisis could ensue. It's never happened, but it could, which is a strong argument in favor of revising our electoral system. Twice in our history, however, the House has elected the President. In 1801 Jefferson was selected over Aaron Burr, and in 1825, John Quincy Adams was elected, although Andrew Jackson had more Electoral College votes but lacked the majority. But never has the House failed to agree.

And on that note, I bid you Godspeed at the conclusion of my 10th year as your Congressman.

Sincerely,

ODIN LANGEN.

HAS UNITED STATES SETTLED FOR NO. 2 IN SPACE?

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. TEAGUE of Texas. Mr. Speaker, Dr. Wernher von Braun, one of the giants of space exploration and leader of the Marshall Space Flight Center which is playing a major role in the Apollo program, recently gave a provocative interview to U.S. News & World Report on the national space program. This important commentary goes far to explain the position of our country in space today and what the future may hold. I recommend the reading of this interview to all those who are concerned about the future of our country:

HAS UNITED STATES SETTLED FOR NO. 2 IN SPACE?

(Interview with Wernher von Braun, Director, Marshall Space Flight Center)

(NOTE.—With Project Apollo about to resume at full tilt, the big question is: Can U.S. still beat Russia to the moon? And what happens after that? Here are answers from Dr. Wernher von Braun, a driving force in the space program. In this interview, held in the conference room of "U.S. News & World Report," he warns of grave shocks ahead.)

Q. Dr. von Braun, is the U.S. going to beat Russia to the moon?

A. I am beginning to doubt that we will. It is very important that we are there first, but in view of the spectacular performance of the Soviet spacecraft Zond 5, in late September, I am beginning to wonder. It will undoubtedly be a photo finish.

Q. Where are we behind?

A. We haven't done certain things that they have already demonstrated with their flight around the moon. On the other hand we have flown a more powerful rocket, our Saturn V. It won't be long, however, before the Russians have a more powerful rocket flying, too. So, as I said, it will be nip and tuck.

Q. People wonder why, after we've spent billions of dollars on space, we are still lagging. What is your answer?

A. All our information indicates clearly that the Russian program is richer than ours. To put it bluntly, the Soviets are spending more money than we are. They are spending approximately 30 to 50 per cent more in terms of man-hours per year than we spend. You cannot possibly translate from dollars into rubles very directly, but when you ask the question, how many people are on the job there and how many people are on the job here—it's between 30 and 50 per cent more in Russia. Or to put it still another way: They are spending almost 2 per cent of their gross national product on space, while we spend less than 1 per cent.

Q. Are there important defense implications in space? Is that what is motivating the Russians?

A. There are defense implications, yes. Space, just like air or water or land, is a place rather than a program, and you can conduct military activity in a place. However, I would say that defense is by no means the most important motivation. The peaceful use of outer space for both scientific and economical applications will turn out to be far the more important.

Q. What is likely to be the effect of the recent cutbacks in the U.S. civilian space budget?

A. We have gone down and down and down for the last three years. I see very great danger in it, because there is no indication whatsoever that the Russian program is undergoing similar cuts. On the contrary, there is every indication that for the last few years it has gained at least 10 per cent a year, probably more. So, while we are virtually scrapping much of the capability that we have built up as a result of the lunar-landing program, for instance, the Russians are continuing to build up.

Q. Does the U.S. have no program beyond a moon landing?

A. It may surprise you to hear this, but for the last two years my main effort at the Marshall Center has been following orders to scrub the industrial structure that we had built up at great expense to the taxpayer, to tear it down again. The sole purpose seems to be to make certain that in 1972 nothing of our capability is left. That's my main job at the moment. And we haven't even put a man on the moon yet.

Q. How do you account for the diminishing support for the space program?

A. The first is, of course, conflicting trouble areas in the world. There is a war in Vietnam, there are riots in the cities, and so forth. All these things have detracted from interest in space. Another equally important thing is that we haven't flown any astronauts since the last Gemini flight nearly two years ago. If they don't read about something for two years, people just forget about it. We've been out of the headlines for a long time. In addition, the Russians also have not flown people for a long time, so this feeling of being in a race with them has disappeared. I think a vast majority of people in this country believe that we are way ahead in this game anyway, so why run if we're ahead? That just isn't so. We aren't ahead.

Q. Does it really matter who is first on the moon?

A. The fact as to who will be there first will not go unnoticed on earth. The respect for the scientific status and the technological quality of the two countries will be compared in these terms for many years, perhaps for generations to come. After all, who remembers the *second* man to fly the Atlantic Ocean?

Q. What might this country have done over the past few years to have insured being first?

A. From my own point of view, I can only say this: It is an awfully difficult thing for anybody participating in our lunar program to try to run as fast as he can if the environment is one of building down rather than building up. It is like being ordered to disarm while the war is still on.

Q. In practical terms, what are you doing—laying off workers?

A. Yes. By the thousands. Let me give you some figures: At the peak, the Apollo program employed approximately 300,000 people throughout the industry. We are now down to little more than one half that figure, which means something like 135,000 people have already been laid off. And by the end of 1969, we will be down from our original 300,000 to 162,000 for that program.

Where the thing really begins to hurt is when the engineers, the scientists and the special skills—when they are laid off also, because you just dissipate the capability that you have built up, and as a result you are depriving yourself of the real payoff of your initial investment.

I must agree with the statement of Mr. James Webb, the chief of the National Aeronautics and Space Administration, when he said: "The Soviet Union will retain a commanding lead in space exploration for years to come because of repeated budget reductions."

Q. You seem to be warning that this country may be heading for a great shock, greater than the first Soviet Sputnik. Is that so?

A. Yes. I'm convinced that, unless something dramatic happens, the Russians are going to fly rings around us in space in a period of five years.

Suppose the Russians establish—which they undoubtedly will—an orbital station manned by a couple of dozen people to do all kinds of activities in outer space. They may use such a station for all kinds of research—astronomy, meteorology, biology, medicine, space manufacturing techniques. But they may also use it for earth-related activities, such as oil and mineral prospecting from orbit, crop surveys, navigational aids to shipping and aviation, and for communications purposes ranging from entertainment to educational TV and political propaganda. They may also use it for military applications.

I'm not necessarily talking of orbiting H-bombs, but, for instance, for military observations. From such a space platform, they could keep an eye on the entire world. We will have a situation within a decade where such big Russian space stations are, as a matter of routine, flying over United States territory. If we keep cutting back our own space effort, all we'll be able to do is just sit here and say, "Well, we are not participating in the space program."

It would mean, to all intents and purposes, our abdication as a first-class power. I don't mean this solely in military terms. We would be abdicating our role as leader in world technology by not responding to the greatest technological challenge of our times. It would be comparable to not participating in aviation 50 years ago.

Q. What must be done?

A. What must be done? Some of my friends have told me: "Apparently, you can get the best performance in this country only if everybody realizes we are No. 2 and we had better run like hell."

The trouble is that most people seem to think that in space we are No. 1, which we aren't.

What we really need is sustained support of this space program over a great number of years. We must stop blowing hot and cold. This thing is for the long haul.

Q. Will it require a lot more money?

A. A program on the order of 5 to 6 billion dollars a year, sustained over a number of years, would at least enable us to pull even with the Russians. Programs on the order of 3.5 to 4 billion dollars—which we have this year—simply guarantee our falling back. I stress not only remaining in second place, but falling further behind.

Q. What has the U.S. received for the money spent in space in the past decade?

A. I would say that if 30 billion dollars has been spent in this decade, about 60 billion dollars has been returned to the economy in one way or another.

It is, of course, not possible to put a price tag on each single contribution that space makes to the economy, because the process is also one of enriching science and enriching technology, and the spin-offs are, in many cases, not quite that visible.

Let me give you an example: When we negotiate a contract with industry, the requirements for our space program are usually so stringent that they are always moving at the edge of our technology. In other words, we have very demanding requirements and we continuously move into the unknown, into new areas, in order to meet our basic requirements. As a result, space has become a kind of cutting edge for progress in many of the related sciences and technologies. This progress then flows back into the rest of the economy.

If we need a material that can stand conditions that no known material can stand, and finally a company comes up with such a material that meets our requirements, then other applications for that same material will soon be found in commercial goods. We end up with better commercial goods that are either more durable, require less maintenance or can take conditions that previous materials could not. In other words, it spins off back into the economy. There is no way to put a price tag on that.

U.S. TIMETABLE IN SPACE

Q. Exactly what is the status of the moon race? What is our timetable—and that of the Russians?

A. I will tell you our plan first.

On October 11, we will have sent up three men for the first time in an Apollo spacecraft. It has flown several times on unmanned missions, and we have felt it ready for a manned flight. The rocket is the Saturn I-B. That has been tested several times also. The plan has been to put this Apollo spacecraft into an orbit around the earth where it would stay, hopefully, for something like 10 days, slightly more than the equivalent period of a flight to the moon and back.

The purpose of the fight? To have the crew tell us that there's nothing wrong with flying this vehicle with three men. They will have tested all spacecraft systems after three days, but it will also be good to know how things go for the full 10 days.

Then in December we have another flight planned, the same Apollo spacecraft on our big Saturn V rocket. The Saturn V is big enough to push this spacecraft, plus the lunar module—a separate lunar-landing vehicle—all the way to the moon with enough fuel to get back.

This bigger Saturn V rocket has already flown twice, unmanned. The first mission was flawless, and on the second mission we had a few anomalies that we are quite confident have been straightened out. So we now want to fly the same spacecraft on this bigger rocket.

Q. Is it possible that the shot in December will make an orbit of the moon with three men aboard?

A. We are providing several options for this flight in December, which we may take up if the flight in October is judged very successful. One of the options is what you might call an all-out option, which means we would, indeed, drive the spacecraft all the way out to the moon and into an orbit around the moon in which it can then stay for a day.

Then it would drive itself out of orbit for a return flight. The hardware has the capability of doing that. It would be, however, very premature to say that this is our firm plan. It is far more likely that a less ambitious mission profile will be selected for the December flight.

Q. If all goes well, what are the next steps?

A. We would then have another Saturn V flight in the first quarter of 1969, a manned flight around earth, with the entire equipment—the command and service module, and the lunar module—and we would fly a simulated profile of a landing on the moon and a takeoff for home.

Then we will probably have another flight farther away from earth, with another set of activities simulating certain phases of the moon flight.

The fifth manned shot—again a couple of months later—would go with the same complete Apollo "stack," carried in the nose of a Saturn V, into an orbit around the moon. We would actually have two men transfer into the lunar module to fly a kind of simulated landing on the moon in the lunar environment. They would sweep down to a few miles above the lunar surface but make no landing, and finally rendezvous again with the moon-orbiting Apollo spacecraft and return home.

Q. Does that mean our first American on the moon would not land until the sixth manned shot?

A. That's right. If this whole program clicks as presently planned, we could make a lunar landing in the fall of 1969. But it could just as well be the very end of 1969.

Q. There doesn't seem to be much margin for error——

A. There may not be much of a time margin, but there's more margin for error for equipment failure than most people realize. For example, there are very few of what we call single-point failure sources in this entire Saturn-Apollo system. By that, I mean if any one component fails—say, a switch or a relay or even a valve—this will not jeopardize the entire mission. We have redundancy in the system, just like in an airplane with several engines and several sets of navigation instruments. If you have a failure in one system you can always go to another. We have spent a great deal of effort removing as many single points of failure as possible. Of course, there are always some left. But then you have some left even in an airplane. If an airliner loses a wing, then that's a single-point failure. But if it loses an engine, it isn't.

SOVIET MAN ON MOON: WHEN?

Q. What is Russia's timetable to the moon, as you see it?

A. There is, of course, quite a bit of speculation in this, but I would expect the following: My guess is that the Russians will fly a crew on a loop around the moon before this year is over. They will not deboost their spacecraft into an orbit around the moon and stay in that orbit for any length of time, as we plan to do. They will simply fly a loop around the moon, just like they did with the Zond 5, on a so-called free-return trajectory.

In other words, they will fly a kind of slingshot trajectory around the moon, and use the lunar gravitational field to throw them back toward the earth. Their Zond 5 launch rocket seems to limit their spacecraft weight to a relatively modest deep-space propulsion capability—not enough to go into orbit around the moon, but enough to make mid-course corrections, so that they can reenter the atmosphere under the proper conditions for safe aerodynamic braking and landing. All this they have done with Zond 5, and I expect them to repeat this with a crew before the year is out.

Zond 5 was clearly a dress rehearsal for a manned operation. Had the Soviet's sole purpose been to recover a film cassette from a loop around the moon, they would have chosen a steep re-entry into the atmosphere with a bone-crushing 40 or 50-G deceleration [placing a pressure equal to 40 or 50 times the force of gravity on objects in the capsule]. That's a much simpler task.

Instead, they selected a shallow, low-G re-entry which requires extremely precise approach guidance and very extensive recovery preparations over a large potential landing area.

My guess is that if all goes according to plan, both sides will finish this year in essentially an even position. We may have, under the very best of circumstances, orbited the moon with men; they will, with a higher probability, have looped it with men.

Carrying the Russians into 1969, I think that they might land a man on the moon in the summer, possibly before us. I don't believe that anyone can predict clearly who will definitely be there first because we need a lot of good luck, and so do they. In a race of this kind, a lot depends on details. I mean, a single man who errs can foul up the entire timetable.

WALTER KRAVITZ

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. RUMSFELD. Mr. Speaker, Walter Kravitz, a specialist in American National Government in general for the Library of Congress, and a specialist in the operations and procedure of the U.S. Congress in particular for the Joint Committee on the Organization of the Congress, for our Republican task force on congressional reform, and for many students of the legislative process in the political science community, the press, and others, has labored consistently beyond the call of duty to produce information needed by all of us who are working to enact legislation to give the American people a modern Congress.

I want to add my personal appreciation to that expressed earlier by my colleague from Missouri [Mr. CURTIS]—see CONGRESSIONAL RECORD of September 26, 1968, page 28482, mistakenly listed under remarks of Senator CURTIS of Nebraska, corrected in the daily CONGRESSIONAL RECORD of September 27, page E8325—and, for the benefit of all Members of the House, I would like to call attention to the following articles by Mr. Kravitz inserted in various issues of the CONGRESSIONAL RECORD during our recent struggle to bring the congressional and election reform bills to the floor of the House before adjournment:

First. "Congressional Reform: Proposed Legislative Reorganization Act of 1967," RECORD of September 26, pages 28482–28483.

Second. "The Reorganization of Congress: A Comparison of the Efforts of 1946 and 1967," RECORD of September 26, 28483–28487.

Third. "A Short History of the Development of the House Committee on Rules," RECORD of September 26, 28487–28489.

Fourth. A comparative analysis of the Legislative Reorganization Act of 1967 as passed by the Senate with suggested revisions introduced in the House in 1968 by Representatives MADDEN, of Indiana, and SMITH of California, RECORD of September 26, 28489–28498.

Fifth. "The Legislative Calendars of Committees in the House of Representatives as of 1969: A Comparative Analysis—A Draft Report Prepared According to the Instructions of the Honorable JOHN DOW," RECORD of October 8, 30105–30111.

Sixth. "The Joint Committee on the Organization of the Congress: A Chronological and Legislative History," RECORD of October 11, 30780–30783.

Seventh. "Congressional Reform Actions Attributable to the Joint Committee on the Organization of the Congress as of June 24, 1968," RECORD of October 11, 30783–30784.

THE LAYMEN'S NATIONAL COMMITTEE AND NATIONAL BIBLE WEEK

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. KUPFERMAN. Mr. Speaker, under the auspices of the Laymen's National Committee, Inc., and the American Bible Society, in the grand ballroom of the Hotel Pierre in my district, there was held the annual luncheon inaugurating National Bible Week.

National Bible Week chairman is Wallace E. Johnson, of Tennessee, president of Holiday Inns of America, Inc., and he and Mrs. Johnson, together with the president of the Laymen's National Committee, my good friend and constituent, Kenneth S. Giniger, presided over this fine gathering.

The guest speaker was Dr. Norman Vincent Peale, minister of Marble Collegiate Church in my district, who, together with Mrs. Peale—Ruth Stafford Peale, founder of the Foundation for Christian Living—received citations for outstanding contributions to the Bible cause.

Others receiving awards were: W. Clement Stone, president, Combined Insurance Co. of America; Rabbi Marc H. Tanenbaum, director of department interreligious affairs, American Jewish Committee; Mrs. James F. Loorma, chairman of the motion picture department of the International Federation of Catholic Alumnae; Doubleday & Co., publishers of Jerusalem Bible, accepted by John J. Delaney, senior editor in charge of the Catholic department.

Presentations were made by: Myron L. Boardman, executive director, Foundation for Christian Living; Judge Julius Isaacs, retired New York City judge, and practicing attorney; Mrs. Walter V. Magee, president of the General Federation of Women's Clubs; Charles G. Raphael, Esq., attorney for the Greek Orthodox Church in North America; Capt. M. M. Witherspoon, chaplain, USN, retired.

I am pleased to serve as a member of the board of directors of the Laymen's National Committee, Inc. Other officers and members of the board are: K. S. Giniger, president; M. L. Boardman, vice president; Charles G. Raphael, vice president; Capt. M. M. Witherspoon, treasurer; Mrs. Lillian Claibourne, secretary; A. Raymond Seaman, executive director; Mrs. Dexter Otis Arnold, Mrs. Rome G. Arnold II, Brig. Gen. Robert Cocklin, Claire Cox, Howard E. Hassler, Hon. Julius Isaacs, M. V. Macfarlan, Martin Quigley, Jr., Paul Rutheiser, Charles R. Sligh, Jr., Dr. Albert C. Stewart, Robert J. Wentworth, and Elton Whisenhunt.

Its council includes: Earl Bunting, Walter F. Carey, W. Howard Chase, Mortimer H. Chute, Bud Collyer, Harry L. Dalton, Roscoe C. Edlund, Fred R. Esty, Frank M. Folsom, Mrs. William H. Hasebroock, Hon. Walter H. Judd, Mrs. Julia S. Krafft, Rowland V. Lee, Nathaniel Leverone, Julius Manger, Jr., T. M. Martin, Kenneth G. Olsen, W. W. Overtin, Jr., Thomas M. Peters, Vice Adm. W. F. Raborn, Edw. R. Schuster, Spyros P. Skouras, Ford Stewart, Dr. Charles J. Turck, and Ben H. Willingham.

Mr. Speaker, my colleagues, I know, and their constituents throughout the country will be very much interested in this energetic group, whose office is at 71 West 23d Street, and their espousal of National Bible Week, and their determination that throughout the year, the Bible should be at hand at all times as a source of pride and inspiration.

FALL REPORT FROM CONGRESSMAN RICHARD D. McCARTHY

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. McCARTHY. Mr. Speaker, I have just completed a Fall Report which will be sent to all homes in the 39th District of New York. This report summarizes legislative activities during the second session of the 90th Congress which would be of interest to my constituents. Since this newsletter may be of interest to some of my colleagues, under unanimous consent, I submit the report for inclusion in the CONGRESSIONAL RECORD, as follows:

FALL REPORT FROM CONGRESSMAN RICHARD D. "MAX" McCARTHY

Water Pollution—Four years ago, the Secretary of Health, Education, and Welfare, at my request, convened a Federal Enforcement Conference to save Lake Erie. At the same time, we were acting here in Congress to enact a stiff new anti-pollution law. At that time, I observed that Lake Erie was regarded by experts as a "chemical tank" and a "dying lake." I stressed the urgent need for the federal government, Canada, states, municipalities and industries to work together to end pollution and save our lake.

I'm happy to report that this plea for action is now becoming a reality. All around the lake, governments and industries are moving ahead to restore Lake Erie to its former purity. And this activity all dates back to the first Federal Enforcement Conference in 1965. As a result of it, polluters were ordered to end pollution by 1972.

Erie County is moving to implement a $186,000 Comprehensive Sewerage Study to end pollution of area waterways by 1972. This plan calls for consolidation of the 41 existing treatment plants into 16 facilities within 11 sub-regions in Erie County. The price tag on this plan including capital costs, operation and maintenance will run approximately $9.4 million annually.

Life Magazine recently reported on what is happening in other areas around the lake.

Cleveland has plans to construct one huge waste plant, renovate two others and mold a 900 acre refuse basin in Lake Erie.

Detroit, which daily dumps the nearly raw sewage of three million people into Lake Erie and is the worst municipal polluter, will install a $112 million treatment plant by 1972.

U.S. Steel Corporation has invested nearly $100 million in water purifying equipment.

Republic Steel Corporation will spend $15 million on water purification.

Bethlehem steel is spending $32 million to stop pollution at its Lackawanna plant.

Building on the original legislation I cosponsored in 1965, Congress has acted to channel millions of dollars into the fight and to attack such vexing problems as oil pollution and pollution from ships.

Much, much more must be done but with continued public support we will save our greatest natural resource.

Social Security—I've had a great deal of mail in recent months regarding rumors that there was a bill in Congress which would deprive most persons of their Social Security benefits and divert the money for use in welfare programs. Handbills which have been circulated in offices and plants throughout the country stating that H.R. 5710 would take all the money one paid into Social Security since it was established thirty years ago are completely false and untrue. The Buffalo Courier-Express published an article about these charges recently and called them "false" and a "hoax."

H.R. 5710 contained the Social Security Amendments of 1967 and it never proposed to deny benefits to those who had paid for them. What the amendments did was to provide the largest increase in total cash benefits in the history of Social Security.

In view of the misconceptions surrounding these amendments, I'd like to summarize for you the more significant changes in Social Security and Medicare that are now going into effect.

The new law:

Increased cash benefits by at least 13% making the minimum benefit for those retiring at age 65, $55 instead of $44.

Increased payments to persons 72 and older who had little or no past earnings under Social Security from $35 to $40 for an individual and from $52.50 to $60 for a couple.

Provides that widows and divorcees who are mentally or physically disabled and whose husbands were covered under Social Security may now claim benefits as early as age 50.

Provides benefits for workers disabled between the ages of 24 and 31 by reducing the number of Social Security credits needed.

Raises the amount of total earnings for someone receiving Social Security benefits from $1500 to $1680 per year.

Covers clergymen and provides better benefits for servicemen and their families.

MEDICARE

The new law:

Changes the method of payment so that now, one does not have to pay the doctor first and then apply to medicare for reimbursement but can send in the unpaid bill directly to Medicare.

Adds a "lifetime reserve" of 60 additional days to your hospital insurance so that if a spell of illness runs longer than the 90 days allotted, you can use part or all of this 60 day reserve.

Pays for pathologists and radiologists services to hospital patients.

Provides that your medical insurance now can help pay for outpatient physical therapy services at your home or elsewhere, under the supervision of a participating hospital, clinic or public health agency.

Provides that hospital outpatient services whether for diagnosis or treatment will be covered by medical insurance.

Provides that your medical insurance can help pay for either rental or purchase of medically necessary equipment.

All of these changes are a step forward in making Social Security and Medicare benefits more in line with the needs of the people and with our changing economic situation. However, that is not to say that this is all that can be done. I am hopeful that in the next Congress, we will be able to provide better and wider coverage to all those under Social Security and that we will make continued progress in this field.

Scajaquada Creek—Since my election to Congress in 1964, I have been involved in trying to find a solution to the problem of flooding along Scajaquada Creek.

Congress originally authorized a study of Scajaquada Creek by the Army Corps of Engineers in 1956. However, no money was ever appropriated until fiscal 1965 to get the study in operation.

Since 1965, I have consistently pushed for funds to complete the study and in February, 1968, I learned that the preliminary report on the Creek was completed.

I have kept in close touch with the Corps of Engineers on this matter and was informed on September 20 that the Chicago Division of the corps has made final recommendations for a $2 million program to alleviate flooding along Scajaquada Creek. Following review by the Chief Army Engineer, the plan will be sent to Congress and to the House Public Works Committee on which I serve.

In the meantime, I have written to General William F. Cassidy, Chief of the Army Engineers, informing him of the urgent nature of this project and urging his final approval as soon as possible.

I shall continue to do all I can to see that this project is approved and that Congress will respond favorably to the Corps' proposal.

Tonawanda and Ellicott Creeks—Flooding conditions along Tonawanda and Ellicott Creeks have also been among my major concerns since being elected to Congress.

Recently, I contacted every member of the House Appropriations Committee requesting them to favorably consider the inclusion in a Public Works Appropriations Bill of a $25,000 appropriation to complete the study of flooding conditions along Tonawanda and Ellicott Creeks. The amount was included in the bill; the bill was approved by the House and Senate during this past summer and was signed into law by the President.

This $25,000 appropriation will enable the Army Corps of Engineers to complete its study and to make recommendations as to feasible methods of controlling the flooding. I understand from the Corps that the study should be completed by next June at the latest. And I shall continue to do all within my power as a federal legislator to see that the federal government acts as expeditiously as possible on this matter.

It should be emphasized that zoning and building permits are strictly local matters. And all interested citizens should make their voices heard against home and other building in areas clearly subject to flooding.

GRANTS AND CONTRACTS

During recent weeks, my office has announced the following grants and contracts:

A grant for $357,761, to State University of New York at Buffalo for the first year of a three year operational program to improve the quality and availability of diagnoses and treatment of heart disease, cancer, stroke, and related diseases in the area of Buffalo and seven surrounding counties.

A contract from the Defense Supply Agency to the Chase Bag Company for sand bags. The total amount of the contract is $2,343,540 of which $630,000 will be spent at the Buffalo plant.

A grant from the Federal Water Pollution Control Administration to Erie County Sewer District No. 1, (Cheektowaga and West Seneca) in the amount of $6,080, as requested, for construction of an intercepter sewer.

A training grant to the State University of New York at Buffalo Dental School for $60,000 from the Department of Health, Education and Welfare, for a study of Dental Training.

A grant from the Office of Economic Opportunity to the Erie County Community Action Organization for $192,829 for the Legal Aid Bureau.

A grant from the Office of Economic Opportunity to SUNY at Buffalo in the amount of $50,995 to recruit students for an Upward Bound Project.

A contract from the Department of the Air Force to Sierra Research Corporation for $1,310,000 for the development of airborne navigation aids.

A grant from the Department of Health, Education and Welfare to the Niagara Frontier Vocational Rehabilitation Center for $44,865 to develop a comprehensive rehabilitation program for the blind and visually handicapped.

Conference Report on Gun Bill—In my last newsletter, I explained the new gun control provisions included in the recent gun control bill passed by the House of Representatives. Since the Senate version of the bill differed from that of the House, Senate-House Conferees met to resolve the two versions. Because of the extensive interest shown in this legislation, I would like to outline the main provisions agreed on by the House-Senate Conference Committee:

1. Provides that each *mail order* purchaser of a long gun within the same state would have to file an affidavit stating that he had never committed a felony and that he satisfied age and other qualifications.
2. Prohibits importation of all military surplus firearms.
3. Brings destructive devices under the 1934 gun control act. This would mean federal registration of sawed-off shotguns, machine guns and other devices susceptible to criminal use such as bombs, grenades, mines, rockets, missiles and mortars, anti-tank guns and bazookas.
4. Provides for up to 5 years imprisonment or a $5000 fine for any violation of the act. Provides mandatory penalties of from 1 to 10 years for a first offense for persons convicted of a federal offense in which a firearm was used. However, the offender would be eligible for probation and the sentence for possession of a firearm could be served concurrently with the sentence for the original offense.
5. The gun law will become effective December 16, 1968 except in the case of imports of surplus military arms which will be halted as soon as the bill is signed into law.

The Conference Report on gun legislation has been approved by the House and Senate.

Sincerely,

RICHARD D. MCCARTHY,
Member of Congress.

SECOND DISTRICT CONFERENCE ON LAW ENFORCEMENT AND CRIME CONTROL: FINDINGS AND RECOMMENDATIONS

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. CULVER. Mr. Speaker, all of us are aware that crime has become a commanding national problem. The rates of crime are rising everywhere. Further we are all, in some degree, the victims of crime, whether in the more than $8 billion yearly gross profits accumulated by organized crime, or the theft of property, or attack in the streets, or the rise in the costs of theft insurance. Above all, we sense the costs of crime in a growing climate of fear, which increasingly makes people afraid to walk in the streets after dark, reluctant to talk to strangers, eager to purchase firearms, alarm systems or watchdogs for self-protection, and inclined to be suspicious of youth. These costs in the loss of freedom, in the openness of our society, and in our associations with other men are too heavy.

But we do too little to alleviate the problem. Too often our response is emotional and cast in political rhetoric instead of positive and constructive action. Nor are there simple, magic formulas which will make the crime problems disappear. If the volume and intensity of crime is to be reversed, it will only occur because of the determined will and the patient skill which local communities and citizens apply to the treatment of the roots of crime, and to the design of first-rate law enforcement.

It is on this premise that I sponsored a Conference on Law Enforcement and Crime Control at the Area 10 Community College in Cedar Rapids. Its purpose was to secure a broader understanding of our own problems and of promising techniques to meet this common crisis.

FORMAT OF THE CONFERENCE

We tried to organize this meeting to present the broadest possible range of experience and views. Our panelists included local, State, and Federal law enforcement and corrections officials, judges, a member of the clergy, educators, and attorneys. To assure a meaningful exchange of views, time was provided for questions and discussion after the presentation of each panel.

There were three panels. To learn the facts about what the law enforcement and particularly the crime problems are, their roots, and what is and/or should be involved in law enforcement and crime control, the members of the first panel, Mr. Philip Mause, assistant professor of law at the State University of Iowa and Mr. Joseph Coughlin, deputy commissioner of social services and former director of correction in the State of Iowa, discussed the topic, "A Profile of Crime Today."

Our second panel addressed the question of juvenile crime, youth delinquency, and rehabilitation. The panelists, the Honorable David Halbach, municipal court judge in the city of Clinton; Mr. Vern Feldman, former probation officer and presently an official of the Iowa Catholic Conference; Mr. Anthony Travisono, superintendent of the Boys Training School at Eldora, and Father John Barnes, chaplain of the Men's Reformatory at Anamosa, discussed among others the problems of our corrections and probation agencies and the capacities of our juvenile and regular courts.

As the solutions to crime must and do lie locally, our final panel directed itself to the question of police-community relations. While all sectors of the criminal justice system must have our attention if crime is to be truly reduced, it is the policeman—in relationship to his community—who stands on the grinding edge and in the exposed front of this attack on crime. Discussing the role and problems of the policeman as well as the rights and responsibilities of the community were Mr. John Oberthein, public safety commissioner for the city of Cedar Rapids; Mr. Kenneth Fuelling, U.S. commissioner for the northern district of Iowa, and Mr. Jim Hayes, former head of the Iowa Crime Commission and former deputy commissioner of public safety.

Our luncheon speaker, Mr. Paul Estaver, Acting Deputy Director of the Law Enforcement Assistance Administration of the Department of Justice, discussed the role of the Federal Government in the efforts to improve our present system of law enforcement. He focused in particular on the Safe Streets and Crime Control Act which we enacted in the Congress earlier this year and which is a beginning by which policemen particularly will have better support, pay, and techniques of enforcement.

Each panel presentation was followed by a question and discussion period with Mr. George Matias, chief of police for the city of Cedar Rapids and master of ceremonies for the conference as moderator. Welcoming the more than 100 persons attending the conference was Dr. Selby Ballantyne, superintendent of Area 10 Community College.

Although the focus of the conference was on the State and local law enforcement and crime situation, I think that the problems we identified as well as the suggestions and proposals offered, are relevant to the national picture. I would like to share, therefore, with my colleagues in the House some of the findings of the panels as well as some general conclusions and recommendations to be derived from them and the ensuing discussion.

I hope that this report will help to further a broad basis of understanding and shared appreciation by all of us of what is required to meet this complex, emotion-laden and far-reaching problem of maintaining in a free society, law and order with justice.

FINDINGS

First. Crime control must involve every segment of law enforcement and every area of crime prevention and it must address itself to organized crime as well as to lawlessness in the streets.

Crime control must run the full span of law enforcement—the police, the courts, and corrections—for crime statistics reveal two central facts: that the unprecedentedly high rates result most markedly from the rise in youth crime between the ages of 15 and 20 and that we suffer heavily from crimes committed by the repeater. While the building of a highly professional police force is a vital task, it is equally important to develop, for example, the capacity of the correctional system to rehabilitate the youthful offender and to insure his rehabilitation through a well supervised parole so that he will become a law-abiding, participating member of society rather than remain a burden.

Further, crime control must concern itself as much with fighting organized crime as with combating crime in the streets. Public opinion was viewed as a key element in defeating organized crime. However, there seems to be more purposive public concern about street crime than organized crime which usually operates far away from the pleasant suburbs. Yet organized crime is most flagrantly active precisely in those areas where we are also very concerned about lawlessness in the streets—in our inner cities and ghetto areas. Efforts to encourage the ghetto youth to respect the law are not likely to meet with much success, if he sees organized crime flourish unchallenged.

Finally, the most effective means of crime control is crime prevention. Crime prevention involves both the alleviation of the just economic and social grievances of certain groups in our society and the positive countering in individuals of tendencies and problems that might lead to the development of a life pattern of crime and delinquency.

Some of the more specific findings were as follows: Needs in the area of crime prevention range from school programs on criminal justice, alcoholism, drug addiction, and the like to the creation of a community social service center where youths with adjustment problems can seek help and where adults and youths could be brought together to consider the community's juvenile delinquency or other problems.

Another need frequently cited was the lack of opportunities to employ a "family treatment" approach in handling juvenile delinquency problem and to reach the underprivileged youth with adjustment problems before he commences on a life of delinquency and crime. It was noted, for example, that while society has found more adequate ways to deal with the adjustment problems of the economically secure, the less advantaged lack the money and knowledge to obtain the treatment services that exist. Consequently, the reformatory population consists primarily of poorer persons. However, the existing facilities cannot even accommodate the needs of those able to pay.

Second. Our approach to law enforcement should be one which seeks to obtain a sound balance between the claims of order and the claims of justice. A society without order soon decays and crumbles. But a society in which order is the only object becomes brittle, dehumanized, and suffocating. If needed change and self-expression are throttled, then order alone achieves nothing. Therefore, no efforts should be spared to seek to understand how the twin needs of justice and order mesh.

We must look into the causes of crime as they are derived from conditions existing in the society, from a family situation and from the individual's psychology. We must seek to provide law enforcement that is objective, reasonable, and compassionate. We must in turn provide every segment of law enforcement and the social services active in crime prevention efforts with adequate pay, greater career and staff development opportunities, the most modern techniques available, and the respect and cooperation they deserve in recognition of the very difficult tasks they have to perform.

Third. There are significant discrepancies between the theory and the practice of law enforcement and crime prevention. While we must concern ourselves with developing better theories and techniques, the essential need at present is to carry out what we already know.

To cite some of the discrepancies in the field of corrections: the theory calls for a treatment oriented disposition of offenders, however, its full implementation is rare, given the realities of corrections. What are the realities? Correction is impeded by organization, education, coordination, and communication deficiencies.

Thus in corrections jurisdictions overlap, they duplicate each other, and they do not maximally use the available manpower. Why should the work day for a probation officer be from 8 a.m. to 5 p.m. when his charge is likely to be most active from 5 p.m. to 11 p.m.? Why must there be a numerically balanced caseload, if some cases require much more time? How much dedication can be expected on low pay?

Similar discrepancies exist between the proposed educative standards and reality. Theory suggests that parole and probation jobs require graduate degrees, yet few people in the jobs actually do have such degrees. Top and middle administrators often lack the necessary public administration training. And a person wanting a career in corrections can often not get the necessary undergraduate preparation because no one has clearly conceptualized and implemented what should be taught at this level; that is, how to get a proper correctional content into sociology, psychology, education, and social services courses. Theory, too, suggests the importance of staff development but only a small percentage of the correctional staff persons are in training programs. Consequently, the people in corrections are often not currently informed on the law, on new community relations programs, on better management techniques.

There is also a serious lack of coordination and communication as to the priority of goals and the desirability and effectiveness of programs. Goals should be clearly stated and there must be a shared understanding among all corrections personnel from the administrators to the line workers as to what the goals are. If there is, for example, lack of consensus as to the need for action in the community, the programs directed to that objective are not likely to be enthusiastically implemented.

The meaning of these discrepancies between theory and practice can be easily comprehended when one notes that the recidivism rate conservatively estimated is 50 percent.

What are the reasons for this failure to translate into practice what we know to be necessary according to theory? Some of the suggested explanations were: lack of effective communications, particularly with the public; insufficient material and human resources; lack of innovation and proper planning.

Communications: There is a lack of adequate public relations as measured by the inadequate public understanding of the nature of the job and the consequent training and skills required of a policeman, judge, or probation officer. Few citizens seem to be aware, for example, that only a small percentage of the duties of most members of the police force directly involve the apprehension of criminals and the enforcement of law and that the remaining time is devoted to the performance of an extraordinary number of services and range of duties from directing traffic to adjudicating marital disputes. Yet few policemen have received training in sociology, psychology, law or public relations. It was argued that if the public had a greater understanding of what was involved in law enforcement, the result would be greater and better public support.

Responsibility for this lack of public understanding was assigned to both the insufficient public relations efforts of the various law enforcement sectors and to a lack of constructive public interest in the process of law enforcement. While there is, for example, a great deal of public concern about the law enforcement and crime control problem in the aggregate, there is actually little interest in what occurs within the individual areas of law enforcement. In corrections this lack of constructive public concern actually jeopardizes the chances for the offender's rehabilitation. For one of the most serious problems facing the released offender is a lack of community acceptance and sometimes even community hostility as is often seen in his difficulty to find employment.

Yet corrections often helps the offender least in his efforts to gain community acceptance either in terms of giving him special attention or in developing programs that counter the old myths, prejudices, and stereotypes and make the community realize that often it drives the offender back down the road to crime. A greater public relations effort is needed that informs and points out to the public those aspects of success stories that can be attributed to proper community attitudes and constructive community assistance.

This lack of communications and isolation also exists among and within the various law enforcement segments. At present, this is most noticeable between the courts and the police. There has been a lack of accurate dissemination of information to the police as well as to the lower courts and the public at large about the meaning and requirements of the recent Supreme Court decisions regarding the admissibility of evidence in criminal proceedings which was obtained unconstitutionally.

Consequently, the overall impact of the Court's decisions has been to further substantiate the public's opinion that the courts favor the criminals. Yet it was pointed out by one conferee that more thought might be given to the development of a civil remedy to replace the Court's exclusionary rule.

Financial and human resources: The lack of personnel and funds in every area of law enforcement and crime prevention was cited by everyone as a fundamental problem. There was a general concensus that little can be done until the public is willing to pay for good law enforcement. Eighty-two uniformed police officers covering a city the size of Cedar Rapids, 50 square miles inhabited by 110,000 people, could only do so much. Likewise, a heavy emphasis on career and staff development is likely to meet with inadequate results, if the pay scale is too low to attract qualified persons. Although imagination can do a great deal for improved program design, the fact remains that it costs money adequately to train law enforcement personnel, to staff corrections institutions, to provide the police with the necessary modern equipment and techniques, to develop juvenile programs that reach the potential delinquent.

Innovation and planning: There were repeated calls for more innovation, particularly in planning programs. The tendency is to develop programs based on last year's efforts and appropriations. Yet there are many areas where a great deal could be accomplished even with little additional money. Staff development could be furthered through staff exchange programs at little extra cost, particularly if local groups such as service clubs or churches can be asked to put up travel funds. Staffs could be more fully utilized through improved scheduling, altered work hours, and workloads adjusted in the case of the probation officer to the difficulty of his cases. To strengthen the public relations program the aid of the local communications media can be sought for the most widespread dissemination of success stories; police officers could be asked to school and community functions to discuss their jobs or the consequences of crime.

Fourth. While all sectors of the criminal justice system must have our attention, it is the policeman who is constantly at the pressure points of modern life, and, therefore, we must do much more to assist him in his vital and delicate mission. Putting a bumper sticker that says "support your local police" is not enough to overcome police frustration. What is needed is better pay, better equipment, and better training. Only then will we be able to keep the competent men we already have in this critical profession and recruit the new ones that we need.

Consideration should also be given to structural and procedural changes in police work. Certain practices such as requiring every rookie to start as a foot patrolman should be examined. Equally, police duties should be reduced and refined. For example, why should the police be responsible for bringing drunks to jail, and traffic control, and parking violations might be made the responsibility of another kind of officer.

Fifth. The congestion of our courts seriously impedes the effective administration of justice. More thought needs to be given to how this congestion might be alleviated—perhaps by relieving the courts of drunkenness cases and some kinds of traffic violations, by better calendar scheduling. Consequences of delayed justice create many unfairnesses and may be a stimulant to higher crime rates. Everyone agrees that the backlog in the courts is one of the most serious obstructions to justice.

Sixth. Two major research needs were identified: research for "proven standards," that is, operationally oriented research, and the revision of antequated laws. It was also noted that while consideration of revisions or repeal of laws is a function of the State legislatures and the Congress, a great deal of the initiative in proposing solution must come from the private sector. Universities, colleges, professional organizations, churches, welfare organizations, must share with and disseminate to the legislators their ideas and proposals.

Seventh. Finally we must recognize that the quest for ordered justice must derive principally from the communities themselves. Although our Federal Government plays a larger role in providing some of the measures and policies which help to relieve the just economic and social grievances of various groups in our land, even here a climate of hope and a sense of fairness derives principally from the community itself. Equally, the communities share the primary responsibility for insuring an effective and just system of law enforcement. This means concrete support in terms of funds and active interest, a constant concern for constitutional rights and utmost respect for the law enforcement person who guards freedom as zealously as he upholds order.

RECOMMENDATIONS

This conference was primarily educational in its purpose and no effort was made to either gain or record a consensus of views. However, this final section includes a series of recommendations covering the whole broad spectrum of issues on which there was either an articulate expression of views or a wide measure of agreement.

GENERAL PROBLEM AREAS

MANPOWER AND TRAINING

Educational requirements for certain law enforcement segments such as corrections should be defined more clearly so that colleges and other training institutions can develop sound curriculums.

Entrance requirements into the profession should be set so as to stimulate an upgrading of the caliber of personnel without being so inflexible as to discourage qualified people of high motivation who do not meet all the educational requirements from applying. Vietnam veterans, for example, who could well make excellent police officers might, however, lack some of the more formal prerequisites.

Career ladders should be designed so as to encourage the educated young person to choose law enforcement as a career and to assure his remaining through sound promotion and seniority policies, in-service educational opportunities, and good pay.

More emphasis should be given to staff development, particularly in the areas of administration-management and public relations. Law enforcement and crime prevention agencies should seek to inform their legislators, the private sector and the public of their staff development problems and make specific recommendations as to how these needs can be met, that is, travel funds, training centers, staff exchange programs, grants and scholarships, course development, lecturers, and the like.

There should be more systematic manpower planning on the basis of accurate data. Consideration should be given to the following questions when developing a manpower policy in a law-enforcement area: is there sufficient and accurate data on the manpower supply for existing and planned programs; what kinds of people will be needed to carry on the work more successfully, particularly in view of expanding programs? How can they be recruited? How many kinds of personnel needs are there? Where can they get trained? Can jobs be redefined so that professionals are not doing work that could be performed by technicians and nonprofessionals? What job dissatisfactions are there, such as low pay, and how can they be alleviated?

PUBLIC EDUCATION AND COMMUNICATION WITHIN THE LAW ENFORCEMENT SYSTEM

Public relations efforts should be improved. The public must be better educated as to the goals of the several segments of law enforcement and crime prevention, the knowledge and skills necessary to achieve these goals, and the programs required to implement them. This means informing the public candidly about both the success stories and the shortcomings. It means challenging community misconceptions about the nature of jobs in law enforcement, about the causes of crime, about the goals of various law enforcement agencies, and about the community's rights and responsibilities.

Consideration must be given, for example, to a comprehensive program of law education in our public schools, to seminars sponsored by local civic, religious and educational groups on various aspects of criminal justice, and to community gatherings to discuss problems they might have in terms of juvenile delinquency, racial tensions and the like. The aid of the communications media should be much more actively solicited by the various law enforcement and crime prevention agencies in this educational effort. While this may well stimulate further criticisms of the law enforcement and crime prevention efforts, it should also lead to greater public awareness of the immensity and complexity of the crime control problem and to more informed and purposive public concern and action. This kind of educative effort seems to be particularly needed in the fight against organized crime.

The public must also be more involved in the fight against crime and lawlessness. For example, when developing training programs the various sectors such as labor, industry, professional groups, the churches, educators and lay groups should be asked to assist. And responsible community participation in the law enforcement effort could be encouraged through appropriate volunteer programs.

Coordination within the law enforcement system should also be improved. Insufficient communication and coordination is most evident between the courts and the police forces with respect, for example, to the recent Supreme Court decisions on the use of unconstitutionally obtained evidence in criminal proceedings. However, even within the court system there is sometimes a lack of systematic explication of these decisions to the lower court judges. For example, if there are future controversial decisions, statewide seminars could be held for the affected law enforcement groups and open to interested citizens who wish to observe.

There was widespread recognition that the present and potential resources provided by recent Federal legislation and by private initiative have not been sufficiently disseminated unto local communities. For example, there appears to be little appreciation of the flexible ways in which the Omnibus Crime Control Act may be adapted to State and local needs in the coming years. While the Federal Government should make every effort to disseminate this information, the local law enforcement agencies have the responsibility to inform the appropriate persons of their need for more information and explanation.

PROBLEM AREAS IN THREE LAW ENFORCEMENT SECTORS

POLICE WORK

While all sectors of the criminal justice system should have our attention, the particular focus of our concern at this time should be the job of the policeman.

The most basic improvements that are required are: better salaries, better training, better techniques and equipment, and better recruiting.

Techniques: As the proper taking and preservation of physical evidence has become even more important, we need better State and regional, and where possible, local crime laboratories. The most modern communications and transportation facilities and techniques should be made available to our police forces and budget allocations need to be increased in this area. Promising beginnings have been made in the use of the computer and data processing via terminal access to the National Crime Information Center of the FBI and this access should be extended further.

Police professionalism: Consideration should also be given to reducing and restructuring police duties. A partial solution to our overworked police forces, especially in larger communities, might be to split the policeman's job in three different ways. While it would be ideal to have everyone on the police force equally well trained in the law, crowd psychology, community relations, family counseling, management, crime investigation and the like, this is an impossibility.

Therefore, the following split might be considered: a "community service officer" who could be a younger person charged with performing the many social services that are part of every policeman's daily routine, conducting the routine minor investigative efforts, and keeping informed about the feelings and disposition of the communities he serves; a "police officer" to control traffic, keep friendly crowds at bay and investigate more serious crimes; and a "police agent," the most highly trained and best-educated man, to handle the most dangerous and the most delicate situation, such as patroling the high-crime areas, responding to charged racial situation and tense confrontations with crowds and individuals. Some have recommended that a fourth type of position be created, a "police juvenile officer" to take over the handling of juveniles that have been brought to the police station.

Police-community relations: A variety of activities are needed: programs must be developed where they do not already exist to gain public awareness of the obligations and duties of a police officer and of their responsibilities as citizens to communicate with the police department; if communications with a specific group such as the youth or a minority group are strained, then programs should be devised that at least open up channels of communication; activities should be initiated or expanded whereby the policeman can better reach into the community in other than an adversary relationship.

JUVENILE DELINQUENCY PREVENTION AND CORRECTIONS

PREVENTION

Prevention: Counselors and social workers should be provided in the public schools so that tendencies toward delinquency in a youth can be countered early; desires to drop out of school because of lack of interest and poor performance can be combated through remedial reading and vocational education programs; where possible, an effort should be made to provide for more intensive family treatment of the potential offender through home-oriented juvenile care programs.

Community youth commissions: To improve planning and coordination of all the private and public activities directed to countering juvenile delinquency, community youth commissions might be established. Also a State youth committee associated with the State crime planning agency might be created to serve as a source of expertise for juvenile court judges, and juvenile probation and parole officers.

Community Youth Centers: Consideration should be given to the building of youth centers where the community youth can occupy themselves responsibly and where a part-time social worker or clergyman would be available to the youth in need of advice or assistance.

Juvenile officer: Police departments should have a juvenile officer, or if the size of the town warrants, a juvenile bureau.

Youth education: More educational programs, particularly at the junior high school level, about various aspects of juvenile delinquency and the consequences of crime.

CORRECTIONS

Training and staff development: Correctional personnel must receive more in-service training, particularly in law, community relations, and in management. This will, however, require more staff or funds for overtime payment, so that persons can be released to get such training. More administrative training seems to be needed for judges and probation officers.

Job dissatisfaction: Workloads need to be eased and made more flexible, pay must be raised, and a sound basis for promotion developed.

Public education: There is a serious lack of public understanding and support for probationary and correctional techniques such as half-way houses, work release programs, and the like. Juvenile court judges, probation and parole officers, and others in the corrections field must take the initiative in informing the community about the problems that exist, the goals of correction, and the effect of community attitudes and conditions on crime and delinquency. There must also be better coordination between the field of corrections and local and State governments.

Professionalism: As in the police department, more thought must be given to alleviating the professional of tasks that can be performed by "technicians." The problem of corrections is more than one of recruiting detention officers.

Probation: Ways must be found to increase the frequency and length of contacts between the probation officer and his charge. This applies to the parole situation as well. There simply are not enough probation officers to assure adequate supervision. While the basic need is for more money to hire additional staff certain changes could be made at little extra costs such as altering the working hours so far as possible and putting the probation officer in the community rather than in the courthouse.

Juvenile institutions: The needs here too are basic: more and better trained personnel, public education as to problems and needs, and money.

THE COURTS

The court congestion which is a serious obstruction to the proper implementation of justice, must be alleviated through better calendar scheduling, through the removal of drunkenness cases and certain traffic violations, and the like.

Our prosecution system should be reduced and consolidated.

Judges, particularly in the juvenile courts, must be provided with more adequate staffs and, if they so desire, with training in public administration so they can make maximal use of their staff.

OTHER PROBLEM AREAS

Organized crime: The fight against organized crime needs to be further intensified. This is an area where Federal leadership and responsibility is greater than in many other areas of crime control. However, ways must be found to get more purposive public concern.

Research: More operationally oriented research is needed, particularly in the area of program evaluation; needed also are centralized data collection systems with communications channels that assure the widespread dissemination of the data collected.

Research into youth crime is a particular need.

CONCLUSION

A conference such as this one is no substitute for action. The success of our efforts to balance law and order against freedom will be judged by our deeds not words. We face no greater challenge, for what is at stake is the quality of American democracy and the character of our society for years to come.

HON. JAMES C. CLEVELAND—THE TIGER FOR REFORM

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. RUMSFELD. Mr. Speaker, on October 3, 1968, a number of my colleagues, including the gentleman from New Hampshire, joined me in paying a richly deserved tribute to the Honorable THOMAS B. CURTIS for his outstanding work in the U.S. House of Representatives over the past 18 years. Many of us spoke particularly about his work to modernize the Congress. In the House, TOM CURTIS has been the lion of reform.

I want to take this opportunity to talk about the tiger for reform in the U.S. House of Representatives. JIM CLEVELAND entered Congress 6 years ago, in the class of the 88th. Previously, he had served with distinction in the Senate of New Hampshire, with improvements in the State legislative process included in his credits.

As a freshman Congressman, the gentleman from New Hampshire immediately entered two reform battles whose echoes may still be heard in these Halls. One involved a contested election case—and I would remind my colleagues that reform of our contested election machinery is still a pending issue—and the other—which I am glad to say was successful—brought the critical issue of minority staffing before the American people.

The choice of JAMES CLEVELAND to chair the newly appointed House Republican task force on congressional reform and minority staffing in the 89th Congress was a natural one. As a review of his far-reaching decisions and actions as task force chairman, I call attention to the legislative history of the reorganization bill which we have placed in the RECORD on several occasions, most recently on September 10, 1968, page 26242.

This history, unfortunately, does not begin to show the complete log of the gentleman's remarks in the House for reform. I daresay a compilation of these would stretch the length of the Rayburn Building if laid end to end.

When my good friend and former colleague in the House, the Senator from Michigan [Mr. GRIFFIN], moved to the other body, the choice of a Representative to fill the vacancy on the Joint Committee on the Organization of the Congress was again a natural one: the gentleman from New Hampshire.

In the 90th Congress, CLEVELAND became a member of the Committee on House Administration and thus added "clean elections" legislation, as well as additional housekeeping matters under the general heading of congressional reform, to his sphere of activity. JIM CLEVELAND was now the only Member of the U.S. House of Representatives to serve on both committees which sponsored the congressional reorganization and election reform bills.

On September 10, 1968, JIM CLEVELAND was unable to be with us during the press conference at which we announced our intention to do everything possible in the closing days of the 90th Congress to bring congressional and election reform legislation to the floor of the House before adjournment. It was the gentleman's primary election day in New Hampshire, and one of the very few times that he has been absent from a scene of action on reform. However, his spirit was there, and the following day, and each day since, he has been his usual unstinting and unrelenting self on the floor of the House, as well as behind the scenes.

It was fitting that on October 10, just before adjournment of the 90th Congress, the gentleman from New Hampshire would manage a special order under the wry title of "The Last Hurrah." It was one of his finest hours, speaking as he did without any pretense of concealing a deeply felt disappointment over the failure of this Congress to take action on these two most significant bills.

Mr. Speaker, I know I speak also for many outside the Congress who have watched this battle for reform over the years when I salute the courage, far-sighted vision, and tireless energy of the gentleman from New Hampshire. He is a tiger for reform in the House of Representatives.

If there are still any Members in this body who believe that we are going to continue to operate the 91st Congress with 1946 machinery, let them remember that while the 91st Congress will convene, regrettably, under the creaking hood of yesterday, there will be a tiger in the tank of the old model.

RICHARD M. NIXON ADDRESSES AMERICAN LEGION CONVENTION

HON. E. ROSS ADAIR

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. ADAIR. Mr. Speaker, on Thursday, September 12, the Honorable Richard M. Nixon delivered an address to the 50th Annual National Convention of the American Legion in New Orleans, La. It was particularly fitting that Mr. Nixon's address be nonpartisan in view of the fact that the American Legion is a nonpartisan organization. This address, on the subject of the world in which we live, is a particularly timely one and I commend it to my colleagues. The address follows:

ADDRESS BY HON. RICHARD M. NIXON, REPUBLICAN CANDIDATE FOR PRESIDENT, BEFORE THE 1968 NATIONAL CONVENTION OF THE AMERICAN LEGION, NEW ORLEANS, LA.

Commander Galbraith, Delegates to The American Legion Convention, Madam President, Delegates and Guests of The American Legion Auxiliary, and all of our guests at this great convention, I first want to say to the Commander how deeply grateful and honored I am for his very generous introduction. As I stand before you my thoughts go back many years, because he mentioned the fact that I am a Life Member of Post No. 51, in Whittier, California. Having been a member of the Legion for twenty-two years, it has been my privilege and honor to attend twelve Legion conventions and to address eleven of them.

I want you to know that the one I remember the best is the first one which I did not speak to. I did not have to address it. You wonder why I remember it so well? I attended it with Lynn Peterson from California, and all I can say is that those of you who do not have to speak and who can spend this time ont only attending the sessions but also the after-hour sessions—it's a lot more fun to get stoned in a Legion convention than in Caracas.

And also, as I stand here today, I don't think in my whole career I have ever had so many Legionnaires behind me. I guess they have a better view, from what I hear.

Nevertheless, I have heard some other things during the years that I have attended these conventions, and one of those that I have heard, a message that has been indelibly left on my mind and heart and conscience, is this: There is a lot of politics in the Legion. Show me a good Legion politician and I will show you a potential governor, Congressman, Senator—who knows, even a potential President.

But I also know that in this Legion and in the Auxiliaries that are Republicans and Democrats, but that when we are here we are Americans; and I speak to you as an American and not as a Republican or as a Democrat.

Others have every right to address you in a different vein, but my years go back so far, and my memories are so pleasant, that I feel it is very important that we at this particular time in our history speak above the partisan din from time to time and speak to what is best for America. I trust that I can do that, and consequently in opening my remarks I want to say something about the office which I held and the man who currently holds it, and the office which I seek and the man who currently holds it.

I disagree with both of those men, as I will indicate on other occasions than here. And they of course disagree with me. But I respect both of those men, having known them for many years, almost as long as I have known the Legion, as being loyal Americans, hard-working Americans who have given most of their lives to public service. And whatever my disagreements with them are, my disagreements with those who demonstrate and make violent personal attacks on them is greater.

I say to you that the President of the United States, whoever he is, deserves respect wherever he travels throughout this land of ours.

That brings me to a comment on the subject of great interest in this great convention—the war in which we presently are engaged in Vietnam. You have noted my comments; you have noted the comments of others. I naturally want to win this election. I want to say those things, if they are appropriate and responsible to say, that will win votes; but I can assure you I will not say anything to win votes that will cost us lives in Vietnam—and that is the stand I propose to take.

I have expressed in the past many disagreements with the conduct of that war. At the present time negotiations are going on. I hope they are successful. I know that any chance for their success, however, would be destroyed in the event the enemy in Hanoi got the impression that a candidate for President, who might be President, might come into power and thereby give them an opportunity which they could not get from the present negotiations.

And as far as I am concerned, I do not intend to say anything—I do not intend through a mouthful of words—to destroy any chance for negotiations for peace in the United States. Let the President of the United States have a chance to negotiate. We have one President, one Commander-in-Chief at a time. That is my attitude on that particular subject.

Now let me move from that subject to what is related to it, and what of course can only be considered if we are to remember why we are in Vietnam and how we avoid more Vietnams.

Comrade Commander and delegates to this convention, it seems to me that at times in a great convention like this it would be well for us to stand aside from the current subjects that plague us, those that are in the news every day, to stand aside and look at the great world in which we live and the nation in which we live—look at our problems in an objective way so that we can, in making the decisions in the future, in adopting for example the resolutions that will come out of this convention—so that we can act responsibly with the perspective of history and the perspective of the world rather than simply reacting to the emotions of the moment.

That is why I have selected as my subject today not simply a current problem, but what I have selected is a problem that I have discussed on virtually every occasion when I have addressed The American Legion—the world in which we live.

What kind of policies the United States can adopt which will preserve peace not only now but in the future and for the balance of this century. And it is that subject that I want to discuss; and I suggest that for the next few moments we look at that world. And I would suggest we begin by comparing the world as it is today with the world as it was when I joined The American Legion along with most of those in this group immediately after World War II, twenty-two years ago.

A generation ago the world we all know was a very different world from what it is today. Twenty-two years have passed, and what has happened? In the past twenty-two years half the nations of the world have been born. It is a world of new nations.

In the past twenty-two years half the people presently living in the world have been born. They weren't here twenty-two years ago.

In the past twenty-two years the great power balances in the world have changed. Let's take a five-minute run around the world by superjet, Mock III, call it whatever you like. What do we find around the world?

We begin, for example, with Western Europe. Twenty-two years ago Western Europe was drawn together in a great alliance—an alliance that had bipartisan support. That alliance was kept together by the fear of the threat from the East and by the economic dependence that those in the alliance had upon the United States of America.

But it was strong and vigorous twenty-two years ago. Today, as we look at that great alliance, we find that because the fear until very recently had been so substantially discounted, and because the countries of Western Europe as a result of our assistance and also their own efforts are so much stronger economically, the alliance has been coming apart at the seams.

We turn to our friends in Latin America. Twenty-two years ago all of the nations in Latin America were considered to be solidly on our side, with no serious problems. Castro was a nobody. Today what we find is that Castro has the strongest military force in the Western Hemisphere next to the United States—stronger, for example, than Canada—stronger than Brazil. And he is exploiting revolution all over the Hemisphere.

And when we look at deeper problems, problems even more significant than what Castro is doing, what do we find? Here are friends and neighbors to the South, those in which we have the greatest interest because of their proximity and because of our common backgrounds.

We find that in Latin America, despite the fact that we have poured $9 billion into Latin America through the Alliance of Progress in the last six years, here is where they stand:

The rate of growth is lowest, lower than any major portion in the world; lower than communist Eastern Europe; lower than non-communist Asia. We find that unless there is a change, a real revolution in terms of institutions in Latin America, our friends and neighbors in the South by the end of this century will be destined to be a permanent depressed area of the world, with their per capita income one-fifteenth of that of the people of the United States of America.

And so, you see the seeds of revolution that are there potentially in the future unless new policies are developed.

We turn to the Mid-East. The Mid-East was a troubled place then. It is a troubled place now; but there are differences; the new dimension that has been added to that struggle. Then, the Soviet Union was not stirring up the trouble, and today it is. But for what the Soviet Union did before the June war, there would not have been a June war. But for what the Soviet Union has done since the June war in rebuilding the forces of the UAR in Syria, there would be no serious threat of another war in the next two or three years.

What do we find as far as the Soviet Union is concerned—and I do not state this belligerently but only as a matter of observation and fact: We find that not Soviet or communist but Russian imperialism is finally realizing one of its long-term objectives. It has now diplomatic and economic power all the way from Iran to Morocco, and it has a naval presence in the Mediterranean, not as great as ours but significant and growing.

We turn to Africa, the continent of the future. In the last ten years thirty-six new nations have come into being in Africa. Twenty years ago Africa was primarily colonial; and yet, despite the fact that all of these nations have independence, not one of the new nations in that part of Africa—in the thirty-six of them—not one of them has what we would call a representative democracy that even approaches the standards that we have appropriately insisted upon for South Vietnam. And there isn't much hope certainly that any of them will acquire that status in the foreseeable future.

We turn now to the situation in Asia. And here, ironically, while we have the immediate problem of a terrible difficult war, when we look around the perimenter of communist China, it is one of the more hopeful areas of the world because all the way from Japan clear around to Thailand we find a higher rate of growth, we find stronger countries politically and economically than there were twenty years ago.

Non-communist Asia at the present time probably offers, in terms of the comparison of twenty years ago, the greatest area of progress and the greatest area of hope for the future. That is the world—the world other than the world we occupy and that the Soviet Union and communist China occupy.

That brings us now to the big question. Let us look at the communist world and let us look at our world, because only in this way can we determine whether our policies are correct or whether they need to be changed.

The communist world has changed too. It is hard for us to remember now that twenty years ago the communist world was monolithic, with one central power. Today the communist world is split in half—communist China and the Soviet Union vying for the position of top leadership. And as far as the western half of the communist world is concerned, there are rumblings—more than that—of discontent, not only in Hungary in 1956 and Czechoslovakia in 1968, but you see it as you visit Poland and all the other Eastern European countries. And within the Soviet Union it is in areas like the Ukraine. So, the Soviet Union has its policies too within the communist world.

And then we look at the balance of power in the world—and here we must face a fact that I know has always been faced by this convention in its resolutions and I trust will be again in this convention.

We find that twenty years ago the superiority of the United States was unquestioned. We had a monopoly on nuclear weapons. That of course has changed. We find that even eight years ago, when General Eisenhower left office, the superiority of the United States was in question. Seven to one in our favor would be a conservative estimate insofar as missile deliverable capability is concerned.

We find today that the balance of power in the world has shifted. We are probably equal in terms of deliverable capability as far as quantity is concerned, and we find that when we consider first-strike capability the danger to the United States is becoming very significant.

Some experts believe within a matter of two years the Soviet Union will catch us and pass us if we do not change our policies.

Within a matter of five to six years communist China will have the significant nuclear capability outside the nuclear club.

And so there is the world—the world in which we live today. And that brings us now to the United States of America and what we can do in this kind of a world to awaken us to the responsibilities of leadership which are ours.

I want to make one thing very clear: The world has changed in another way. Those of you here who are veterans of World War I will remember that what determined whether peace and freedom survived in the first third of this century depended on decisions made in capitals like London and Paris and Berlin. And those of you who are veterans of World War II in the second third of the century remember that whether peace and freedom survived depended on decisions made again in Berlin and in London and in Paris and in Tokyo.

But today, my friends, all the action is right here, as far as the free world is concerned, not because we asked for it but because of the weakness of others and our own strength. Whether peace and freedom survive in the last third of this century depends on the United States of America, our strength; and I say we will meet that responsibility, and meet it as Americans.

And so I address myself now to that great responsibility. It is not one that we shirk. And particularly as Legionnaires and those who are wives and friends of Legionnaires, we will not shirk it. We welcome it, because greatness comes from stepping up to great events, and not sitting on the sidelines while history is made by others.

We are going to step up to these events, and as Americans we will find the policies that can preserve peace and also preserve freedom not only for ourselves but even the hope of freedom for others around the world.

But we have to start with some priorities. We must first examine those who threaten the peace of the world, not belligerently but quite objectively and quite coolly, because this is a time when belligerent talk could blow up the world. This is a time when we need the coolness and the judgment, the firmness, the spine, to do what is right, and say what is right in the proper tone.

And so we look at the Soviet Union first. And we ask ourselves this question: Have they changed? Have their leaders changed? The answer is yes. Kosygin and Brezhnev are different men from Khrushchev; they don't take their shoes off and bang them on the table when they come to the United Nations.

But when we look at that change—and this is the significant point that I wish all of you would remember, if you forget everything else I say—changes have occurred in the leadership of the Soviet Union, but the change has been one of the head and not one of the heart.

The men in the Soviet Union, you see, still are communists. They have every right to be, if that is their conclusion as to what their country should have and what the world should have. And we have a right to be what we want to be, too, and to stand for what we believe in.

But, my friends, as we look at the Soviet Union, why is it that their policies toward the United States, their willingness to negotiate in certain areas, their cooling down until the Czechoslovakia incident—what would appear to be the cold war semantics—why have they changed? The answer is the head rather than the heart.

These are the factors that have caused the change: First, the threat of communist China on the East. They don't want a two-front threat. They need friends in the West.

Second, problems within the Soviet Union and in Eastern Europe. Communism has not been working as well as it should. There is discontent. They need trade with the West.

Third, the power of Western Europe until recently—so strong, so great, economically, politically and militarily—there was no hope of expanding through traditional conventional armed aggression.

Fourth, perhaps most important, the Soviet leaders looked down the nuclear gun barrel at the time of the Cuban confrontation in 1962. There is one great view that they share along with us, and it is this:

They know what a nuclear war would do to them, as we know what it would do to us. They may want to expand, and they do want to expand communism; but they do not want a confrontation with the United States. They do not want a nuclear war. So, we begin with that proposition.

Since they do not want a nuclear war, and since we do not want a nuclear war, what then are those things that we can negotiate in order to reduce the tensions around the world?

And now I come to some fundamental propositions that have to do with changes in American policy that I feel need to be made.

Up until quite recently we have had the assumption in Washington, D.C. that as between the United States and the Soviet Union where military power was concerned, parity or equality was enough. I think that now we must re-examine that assumption, and I will tell you why.

Their goal in the world is not simply to keep what they have, but to expand throughout the world. Our goal in the world is peace. We do not want to expand our power over anybody else, and we are not being aggressive toward anybody else.

Consequently, I say that when a negotiation takes place, and the negotiator on one side of the table wants peace, and the negotiator on the other side of the table wants expansion, let's always make sure that the one that wants peace has superiority over the one that wants expansion. That is what we need.

President Kennedy, in one of the most eloquent of many eloquent statements made during his Presidency, in his first Inaugural said: "Let us never fear to negotiate, and let us never negotiate through fear." That is the principle we must all remember at this time.

So, we must restore the strength of the United States so that the next President of the United States, whoever he is, goes to the bargaining table always from a position of strength and never from a position of weakness. That is what we must have, and that is what you are going to support.

And that brings me, in my talk about strength and weakness, to a current problem I have already alluded to—the problem of the Western European alliance. All of us in this room, I know, share the heartbreak that came from the invasion of Czechoslovakia, in snuffing out that little bit of freedom that was beginning to show itself among those proud people in the heart of Eastern Europe.

But I can say to you today that it has to be an unqualified reversal for us, there could be a dividend from what happened to Czechoslovakia. Let me tell you what it is.

Those same Soviet tanks that rumbled over the frontier less than a month ago woke up the slumbering Western alliance out of its complacency toward the repression of the expanding freedoms in Czechoslovakia.

While it was a genuinely tragic blow to that unfortunate people, perhaps the witnesses to the tragedy in Western Europe will draw lessons that will enable them to preserve their own freedoms in the future years.

Despite what has happened in Central Europe, peace in the world must ultimately depend upon an understanding between the United States and the countries of Western Europe with the Soviet Union. This is our goal, and we trust it is theirs.

This understanding will require negotiation. And as I have already indicated, successful negotiations depend not only on patience and skill but upon Western unity and Western strength. And if Czechoslovakia has taught the world nothing else, it has taught us that weakness is an invitation to aggression—that military inferiority in the face of an ambitious power is a threat to world peace.

America's response to the Soviet against Czechoslovakia is not rash, and should not be rash; but it must be realistic. And a realistic appraisal of the assumptions and promises that underlie American policy toward the Soviet Union, a policy of realism toward the Soviet today, will be a policy that is directed toward their prudence and not just toward their good will. That kind of policy holds the prospect of peace.

And I say to you today that America should seize upon this moment of European awareness and European concern to re-forge the ties that bind the Western World.

Now, in candor let's face it: One of the reasons that the alliance is in trouble is that the United States has gone around it in talking to those who might be our potential opponents. And before we talk to our opponents let's talk to our friends in the future. Let's begin that right away.

This moment of crisis in Central Europe can be made the moment of opportunity for the Western World. And the rebuilding of NATO, rebuilding it in a new way, a different way, a way that will live in the future, that speaks to its time, should be placed at the top of the agenda of American national business.

Just as NATO was in the past the instrument of deterrents, today it can be the bridge. It can be the West's best potential principal for *detente*. So we begin with the proposition that if we are to have peace we must negotiate. If we are to negotiate we must negotiate from strength. We must restore the strength of the United States, and we must also restore the strength of the Western alliance. But more than that is required.

We must re-examine our policies of trade. Trade is a great weapon for the United States—a weapon that we want used for peace. We welcome trade—peaceful trade—with any nation. But, my friends, I think we have been somewhat naive in some of our trade policies toward Eastern Europe, communist Europe and toward the Soviet Union. I shall put it directly this way:

What happened in Czechoslovakia should have awakened us with regard to those trade policies. And before Czechoslovakia there was a lot of talk about the fact that we should extend export-import bank credits not only to countries of Eastern Europe, the communist countries there, but to the Soviet Union. That we should help them, for example, in the construction of a Fiat automobile plant, and so on down the line.

This is my view: My view is peaceful trade, yes. Trade provided there is a *quid pro quo*. But, my friends, I say there should be no increase in trade as far as strategic items are concerned that might increase the war-making capability of the Soviet Union or other communist countries. And there should be no aid and no credits of any kind with any country, including the Soviet Union, that aids the enemy in North Vietnam.

This does not mean we will not eventually trade, because trade is a great weapon to be used for peace. But let us not have our trade and wealth and credits used for war. It is exactly that kind of realistic policy we are talking about and that we need.

Then we turn, if we are going to have peace in this world, not only to our policies of military strength and our policies of trade, but we turn also to the problems at home. I will address myself only briefly to those problems. Others, I understand, have also addressed themselves to them.

Everybody in this room is for re-establishing respect for law and respect for order. Everybody in this room is for justice. Everybody in this room is for progress. We as Americans want a country in which we can have progress with order, in which we can have order with justice. I stand for that, and you stand for that. The question is: How do we best do it?

I think on this particular point I have a project—a project of education that I would urge upon those members of The American Legion and the Auxiliary as you go back to your communities across this land.

My friends, I think a lot of our young people—not the majority but some of them—have overlooked and in some way have not received the education they might have received in our schools, as to what the principle of the American system is all about.

You often hear it said, "Why, this country was born in revolution. Why then is it not correct, if you believe in a cause, to take it to the streets?"

Do you know the answer? The answer is in the history of America. Sure, America was born in revolution. But the genius of our founding fathers was that they set up a system of government that provided a method for peacefully changing those things you did not like. That is what we must remember.

And I know that it is fashionable these days for some opinion-makers and some politicians and some church leaders and others to say that if the cause is great enough, it justifies breaking the law and resorting to violence. I say this: I say that any country that provides a way for peaceful change—there is no cause that justifies violence in the United States of America; and let's get that straight.

On the other side of the coin, if you say to those great numbers of people who want change that there is no hope, then no matter how many police we have, no matter how well trained they are, no matter how strong our laws are—and I would make many changes in all these respects to strengthen the peaces forces in this country, as you know if you have been reading my remarks—my friends, let us remember that you cannot have order in this society unless you light the lamp of hope in millions of homes in this country where there is no hope today.

And that is why the Legion along with other Americans across this land stands for progress as well as order. That is why, as we look over America today, we recognize that there are things that need to be changed.

But we also recognize that if America is going to be great, truly great, greatness is not going to come from what government does for people but because of what people do for themselves. That is what we need to recognize.

And so I say, America can be saved today. It can be saved not only by its President and by its leaders but by its people—people who are committed to the great cause of re-establishing respect for law in this land as it needs to be reestablished.

People who are committed to the cause of dealing with the problems in our own communities, of what is wrong, but changing those things that are wrong without destroying those things that are right.

My friends, I conclude on one final note: You are going to hear from me and you are going to hear from the other potential candidates a lot about what is wrong with America in these next two months. But I want you to know that as I have traveled around this world—and I probably done more traveling than any public figure in the past twenty years—I have been in most of the major nations in the world and in most of the communist nations, and I have seen great people and great leaders and great sights.

But, my friends, when they talk about what is wrong with the United States, just remember the traffic is all one way. Anybody who has a choice is coming this way; they are not going to the other way. This is a great country.

My friends, believe it. This is a great country. America is a great country because of its people. It is a great country because of its ideals. It is a great country because at this particular time in our history, when we are called upon to take the leadership for peace and freedom, listen to what we stand for as distinguished from other nations and other peoples who have had their great destiny in the past.

In the past others who have had the responsibility that we have had wanted to expand. They wanted colonies. They wanted economic exploitation. That was another time. But the United States of America today has what I called a very admirable and, in the best sense of the word, a hopeless idealism. Woodrow Wilson—you remember what he said, you World War I veterans: The war to end all war; the war to make the world safe for democracy.

Franklin Roosevelt said, you World War II veterans will remember, "The American frontier is on the Rhine."

Harry Truman said the war in Korea was not just about Korea—it was about Japan and the Pacific.

And Lyndon Johnson and I said that the war in Vietnam is not just about Vietnam.

We want no concessions in Vietnam. We don't want Vietnam. It is about peace in the Pacific. It is to make sure that the boys who are in Vietnam—those 19- and 20- and 21-year-olds—that they can be brought home as quickly as possible, but in an honorable way, so that their 14- and 15-year-old brothers won't be out fighting some other war in some time in the future. That is the kind of peace we want.

And so, my friends, I say to you of The American Legion that we are fortunate to be meeting at the greatest time in the history of this country. Here is where the action is. Here is where the responsibility is. Here is our opportunity to be great or to be small, to recede from the responsibilities that are ours or to accept them. And I say we shall accept them, and we shall accept them in this spirit, knowing that America through this century has been engaged in war never for itself alone but because we wanted for others what we have the right to choose.

We like our system, but we aren't trying to impose it on anybody else. We think other countries may not want our system; it may not fit them; and many countries certainly would not be able to operate under our system, and we recognize it.

How is it all summed up? I can perhaps put it best in a shorter speech—one that was made 150 years ago at a happier time in Britains' history. Immediately after Nelson's great victory at Trafalgar, William Pitt, the Prime Minister of England, was toasted at a great dinner in London's Guildhall as "the savior of Europe." He responded to that toast with a few words that have been described as one of the great masterpieces of English eloquence. Listen to him:

"I return you many thanks for the honor you have done me. But Europe will not be saved by any single man. England has saved herself by her exertions, and will, I trust, save Europe by her example."

I say to The American Legion today: The world today will not be saved by any single nation; but America can and will save herself by her exertions, and will, we trust, save the cause of peace and freedom in the world by our example.

NEWSLETTER OF HON. BILL DICKINSON, OF ALABAMA

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. EDWARDS of Alabama. Mr. Speaker, I want to call to the attention of the readers of the CONGRESSIONAL RECORD a newsletter issued by my colleague, the Honorable BILL DICKINSON, of Alabama's Second Congressional District:

DEAR FOLKS: Congress has finally adjourned. The Ninetieth Congress, as contrasted with the Eighty-Ninth, was not quite so much the rubber-stamp to the President's wishes. Still, we must look to the next Congress and the next Administration for true moves of economy, and an actual responsiveness to the will of the people.

On the last page of this newsletter, I give a rundown of my voting record on some of the major legislation acted on by the present Congress.

Every Thursday, the Alabama Congressional Delegation, House and Senate, meets for lunch in the Capitol Restaurant without outside guests, for the purpose of discussing Alabama Congresssional business. The newspaper clipping below is self-explanatory, I believe.

Herbert Hoover promised a chicken in every pot; and now that we've got it, Betty Furness wants to inspect it.

Preparations are now being made for the Presidential Inauguration ceremonies in January. The congressmen will stand on the platform (hopefully, I shall be among them), and the spectators will be seated below. As you can well see, the beginning and the planning of the Inauguration starts months in advance.

Sorry . . . all the 1965 Agriculture Yearbooks are gone.

NO GOOFING OFF

Owens Bailey, popular 70-year-old waiter in the House restaurant who was rushed to the hospital after a recent heart attack, has the staff on edge.

Ignoring a doctor's warning, he lifted his oxygen tent and phoned the House restaurant with instructions: "The Alabama Congressmen are lunching together today. Some of them will want grits."

This is a copy of a United Press International news release. At this date, one month later, there is still no reply. I wonder if the Attorney General could possibly be playing politics.

"WASHINGTON.—Rep. William L. Dickinson, R–Ala., today asked the Attorney General why a grand jury has not acted yet on its investigation of the activities of former Congressman Adam Clayton Powell while he served as chairman of the House Education and Labor Committee.

"Dickinson noted in a letter to Atty. Gen. Ramsey Clark that the Federal grand jury has been considering the case for more than a year and he asked for an explanation of 'Why the grand jury has not been presented this matter to vote upon for 13 months.'

"Dickinson said a special House committee 'found many apparent criminal and illegal acts' by the Harlem Democrat. The House voted in January, 1967 not to seat Powell for the current 90th Congress. Powell easily won a special election called because his seat was vacant but he has not appeared before the House to claim the victory.

"The special investigating committee accused Powell of mishandling funds of the Education and Labor Committee when he served as chairman of that panel."

There are those who would have us believe that most crime springs from poverty. If this is true, why is there less poverty in America than ever before, yet more crimes? At a time of widespread poverty, the 1930's, the incidence of crime was at a record low. Why?

In Washington, D.C., the level of employment and average income is far above the national average for cities of comparable size. Yet Washington, D.C. is a seething bed of criminal activity. Why?

This "cause" of crime has been grossly overstated by apologists for the most outrageous form of misconduct spreading among some minority groups!

Let's overhaul the tax laws. If yours is a moderate-income family, you will probably pay at least one month's wages in taxes this year—plus the new ten per cent income tax surcharge. Outside of having a lot of dependents, there is not much you can do to reduce your taxes. (Incidentally, the $600 exemption for each dependent hasn't been changed in twenty years.)

The proposed Magnolia Airfield expansion by the Navy caused much concern recently to residents of Magnolia Springs, Ala. As a result of their complaints, I arranged for Captain Paul, USN, to attend a mass meeting in Magnolia Springs and explain the Navy's plans. I have also gotten the Navy to stop all activity concerning the Magnolia Springs expansion and to restudy a plan to locate some place else.

In the photo at right, Theo Deal, President of Magnolia Springs Community Association, is shown with me and Capt. Paul.

Many, many people from the Second Congressional District have contacted their District Congressional Office or the Washington Office to ask for assistance in cutting red tape and solving individual problems. For instance:

VETERAN LETTER

"My husband has been ill for quite some time. . . . He filed a claim for a pension last month, but it doesn't look like he will get it. . . . Is there anything you can do to help him get this pension?"

After our inquiry, a complete review was made of the gentleman's records. He was then awarded a pension retroactive to the date he requested reconsideration of his claim.

MILITARY LETTER

"Our daughter . . . has received orders assigning her to Vietnam. Our son will complete his training . . . at which time he, too, in all probability, will be assigned to Vietnam. Is there a current policy that would permit the Army to assign him to a less hazardous area until . . . his sister is rotated back. . . ?"

We explained to her that two members of the same family do not have to serve in a combat zone at the same time.

SOCIAL SECURITY LETTER

"My mother has been a widow. . . . She . . . has been disabled . . . since 1931. . . . the Social Security Administration apprised my Mother that in their opinion she was not eligible for social security benefits."

We contacted the Social Security Administration and within 20 days had a favorable reconsideration of the widow's claim for social security benefits.

If there is anyway that I may be of service to you by cutting government red tape, please feel free to call on me; it's my job. Remember that I have district offices both in Montgomery, telephone 263–7521, and Bay Minette, telephone 937–8818.

DICKINSON VOTING RECORD

I have voted on more than 300 bills. Some of the most important bills that have come up are as follows:

Voted for

Expenditure Reduction Amendments to Appropriation bills.
Truth-in-Lending.
Extension of School Lunch Program.
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Money for Corporation for Public Broadcasting.

Rent Supplements.

With best wishes,

BILL.

This newsletter is partially paid from donations. Thank you.

HOW NASA LOOKS 10 YEARS LATER

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. TEAGUE of Texas. Mr. Speaker, Neal Stanford, staff correspondent of the Christian Science Monitor, reviews the contribution to our Nation of the Apollo program in an article in the Christian Science Monitor of October 5, 1968. He cites the strong basis on which we have built a national space program and points to the need to assure its continuance for the good of this country and the world. This brief, but significant, summary goes far to provide a clear discussion of the national asset that has been developed in the past decade.

Under unanimous consent I submit the article for inclusion in the CONGRESSIONAL RECORD, as follows:

HOW NASA LOOKS 10 YEARS LATER—$32.4 BILLION INVESTED

(By Neal Stanford)

WASHINGTON.—Just 10 years and $32.4 billion dollars ago the National Aeronautics and Space Administration was formed. Some $24 billion of that decade's budget has been for the Apollo program to land men on the moon.

That is a heap of money to spend even in 10 years. What did the country get for it? Here is what those billions bought:

A manned-spacecraft program that should put men on the moon within a year, give them a day or so on the moon's surface, and bring them back to earth with actual samples of lunar soil.

An unmanned-satellite program of 234 major launches, that has produced spacecraft for direct commercial use in such fields as communications and meteorology, and has sent spacecraft to Mars, Venus, and around and beyond the sun.

A stable of space rockets ranging from the workhorse Scout with a thrust of 88,000 pounds, to the Saturn 5 with 7,500,000 pounds of thrust.

Facilities at NASA's 15 installations around the country worth over $2,500,000,000 that include the John F. Kennedy Space Center at Cape Kennedy, Fla.; the Manned Space Center at Houston; the George C. Marshall Spaceflight Center at Huntsville, Ala.; the Langley Research Center at Hampton, Va.; the Jet Propulsion Laboratory at Pasadena, Calif.; and the Goddard Space Flight Center at Greenbelt, Md.

A staff of 35,000 NASA employees, including some of the nation's top scientists, physicists, engineers, experts in aerodynamics, propulsion, structures, electronics, biotechnology.

An industrial work force that peaked at more than 400,000 (now down to about 200,000) and which has produced the hardware for the space program with thousands of firms in all parts of the country contributing.

A global tracking network stretching around the world that can track, receive telemetry, control, and communicate with vehicles as far away as the other side of the sun.

An aeronautics program—largely unpublicized but constantly growing—which is involved in such research and development projects as noise abatement, flight safety, supersonic and hypersonic aircraft, lifting bodies, VSTOL (vertical short takeoff and landing) craft.

Advances in technology that have developed new electronic parts, new long-life power sources, new alloys, new adhesives, new lubricants, valves, pumps, filters, and switches that function with a reliability never before achieved.

INVESTMENT RETURN CITED

This is just a bare-bones receipt for the American taxpayers' $32 billion. But it represents an investment that is already producing a civilian "spinoff" of incalculable value—particularly in connection with the last two items.

This spinoff comes in two forms: startling new scientific data and actual economic gains.

The scientific data includes such discoveries as the Van Allen radiation belts around the earth, a mighty magnetosphere sheath surrounding the earth with a tail going millions of miles into space, and a pear-shaped instead of a round earth.

Communications and weather satellites are and have been doing valuable duty carrying data on incipient storms and giving instant worldwide TV programs, radio reports, etc.

It is these science satellites and the new technology developed that are counted on to return to the tax-paying public the dividends that some say will make space the best investment man ever made.

DOLLAR VALUE INCALCULABLE

There is no way of putting a dollar figure on what this "spinoff" is worth or will be. But industry is already using some of the new concepts developed in the space program. Here are only a few of the more than 2,500 technical innovations now finding application in industry, medicine, and other nonaerospace activities:

The technique developed to clarify space pictures of Mars and the moon are being used to clarify medical X-rays.

NASA's studies of airline landing accidents on wet runways is being used by state highways to reduce accidents on rainy days.

A 24-ounce, battery-operated TV camera no bigger than a small transistor radio, was developed to photograph the separation of the Saturn 5 rocket stages.

Man has already entered the space age. How fast and how far he will go depends on how successfully he solves his problems back on earth.

REV. FREDERICK M. MORRIS OF ST. THOMAS' ON RESOLVING THE URBAN CRISIS

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. KUPFERMAN. Mr. Speaker, Rev. Frederick M. Morris, rector of St. Thomas Church in my district, in a sermon to his parishioners—who include my good friend and constituent, Max Chopnick—gave careful thought and mind to the subject of great concern to all of us in metropolitan areas, "Resolving the Urban Crisis."

I know that my colleagues will be very much interested, not only in the subject matter, but in the analysis and conclusion of this fine spiritual, yet practical, teaching by an outstanding man of God.

The sermon follows:

RESOLVING THE URBAN CRISIS

From every direction and by every means of communication, we are bombarded these days with the phrase "urban crisis." We are told by responsible experts in the fields of sociology and economics and politics that the urban crisis is the major problem of the contemporary world and upon its resolution depends the stability of the nation if not the peace of the world. Although I believe some of this propaganda barrage is presented in an intemperate and inflamatory manner and often by people less than well-equipped to be constructive, I do agree that the situation is critical. I believe that every national resource, both public and private, must be enlisted for the alleviation of the intolerable and explosive conditions. I do believe that the accelerating decay of housing, the unjustifiable poverty, the exploitation of the ignorant and inconspicuous by unscrupulous landlords and merchants, the inequality of opportunity for employment and education, the race prejudice and discrimination, combined all too often with blindness if not complacency on the part of the more privileged, threaten our society to an unparalleled extent.

The crisis is, in effect, the nation's belated discovery that these forces and conditions, long present, have been growing and accelerating under the surface to a far greater extent than most of us realized and it is no longer possible to sweep them under the rug or to expect that they will gradually be eliminated or brought under control in what we had come to regard as the normal processes or national and economic development. We have discovered that what the majority of citizens had formerly supposed was gradually getting better and better was, in reality, getting worse and worse.

Even most churchpeople, although committed inevitably to the principles of brotherly compassion and social concern and equality of opportunity at least in theory, supposed that such forces were sufficiently at work already to win the day in due course. Now the Church has been severely jolted into the realization that it too, along with the rest of our society, has been nowhere near enough aware or alert or involved and that it has not been living up to its claims or its responsibilities in regard to this crisis, which, incidentally, is not limited to urban life. The poverty and despair, the depth of the blind alley from which there can be no unaided escape, the waste of human resources and the cruel pathos of it all have blighted vast rural areas as well as urban ghettos. And the Church has reacted to the new and insistent revelation of the extent of it all with an acute sense of guilt. This is quite right provided we can prevent the sense of guilt from becoming pathological, thereby frustrating rather than aiding the cause to be served.

It is elementary Christianity to believe in the sovereignty of God which inevitably includes belief in the eventual triumph of righteousness, if not in this world, then in the next. And it is also elementary Christianity to accept the assignment to work conscientiously and lovingly to the limit of one's abilities and opportunities to bring to pass that triumph of righteousness in this world and not to be content to wait complacently for it to happen in heaven.

We are awakening with new and sharper perception to the realization that the religion we profess began first and most ardently among the common people who listened to Jesus more readily and more responsively, by and large, than did the privileged and the well-to-do in the days of His earthly ministry. And it is to the shame of the Church that it has come to appear to the common people in our day so generally as an association of the privileged and the powerful. Although this is most dramatically and tragically evident in such areas as the South American nations, it is also true, far more than it ought to be, right here in the United States. All this must be acknowledged before going on to take a closer and more analytical look at the Church in relation to this urgent situation which we call the urban crisis.

The emergence of this new national awareness, and of the resulting sense of guilt among churchpeople, has given rise to what seems an over-preoccupation in the life of the Church with sociological matters to the exclusion of equally and often preeminently important aspects of our religion. Although I would not want for one moment to even appear to belittle or to underemphasize the importance of the Church's obligation to be deeply concerned and greatly involved in all these critical problems, I believe it is urgently important to proclaim insistently certain truths of which we are in danger of losing sight. The nature and purpose of the Church are far from being properly defined or served in terms of social service or social welfare alone or even chiefly. We cannot set aside, even temporarily, the more strictly spiritual and religious emphasis of the Church's teaching and practice in order to be exclusively or chiefly concerned with social activism. The two must go together. To be exclusively concerned with personal piety and the inner life of the spirit is to become effete and in due course useless. But to be exclusively concerned with social activism is to sever the tap-root which alone can keep healthy the proper motivation and the necessary strength for such action.

When the cancers of rivalry, fear, prejudice and hatred between classes and races have been excised; when mutual concern and cooperative effort have come to be the rule rather than the exception; when justice and equality of opportunity overwhelmingly prevail, there will still remain profound and critical needs of human life to be met in the realm of the spirit. When unemployment ceases to be a serious problem; when housing and education are equally and freely available to all sorts and conditions of men; when air and water pollution are no longer permitted and no longer occur, there will still be profound deficiencies to be supplied and tremendous capacities to be realized in the make-up of human beings about which the Christian Religion has a great deal to say. When war between nations has ceased and the prospect of it is no longer serious enough to darken the whole world; when international commerce has begun to flow freely and beneficially for all nations, great and small, East and West, developed and undeveloped; when communism and freedom have attained a mutually acceptable detente by which to live together, there will still be a message of glory to be preached in the name of the Prince of Peace and the Lord of Life, a message of incalculable importance to the well-being of this world and of the individuals who inhabit it.

It is often said by well-intentioned persons that the Church's business is to go out of business as soon as possible. By that they mean it is the Church's business to make men so good and society so just that there will be no further need to proclaim God's truth or to call men to repentance or to stimulate idealism or to point out eternity. The theory seems to be that it is the Church's business to build up such a head of steam or such a power for momentum that the world could coast along indefinitely without refueling or recharting or renewal. If the main business of the Church is to be a sort of spiritual policeman or a promoter of ethics or a guardian of morals or a bogie man to frighten people into behaving themselves, then this idea of working itself out of a job might have some semblance of truth. But policing society and promoting ethics and guarding moral standards and reminding of God's righteous indignation are at best only secondary aims or consequences of the Church's purpose. And to talk about the Church's business being above all else to go out of business is really quite silly and superficial, isn't it?

I believe that when all the necessary laws have been passed and established and accepted for the protection of righteousness, both social and personal, and that when the vast majority of people have decided to obey them without qualification, there will still be an undiminished and vital need for the message and ministry of the Church. Birth, love, suffering, death and idealism still prevail with unabated demand for interpretation and meaning. After everyone is fed and clothed and housed and employed to the fullest extent that human dignity requires; after free enterprize and economic rivalry have been sufficiently harnessed and controlled; after the inflationary spiral of ever-rising wages and prices has been replaced by a sober and cooperative method of dispute-mediation, men and women are still going to need and long for the assurance of love and acceptance, for release from fear and aimlessness and for a sense of purpose and meaning above and beyond the mere feeding, clothing, housing and occupation of the body. They are still going to need comfort in bereavement and strength in tribulation. They are still going to need motivation and power from outside themselves for carrying the burden of existence with gallantry and idealism. They are still going to need the perspective of eternity in order to endure the mystery of the human tragedy on this earth. Man shall not live by bread alone and the message of the Word made flesh will continue to be the Bread of Life. Man is not content to believe he is no more than a squirrel in a cage to be succeeded by his children who will continue to spin the same stationary wheel and, in turn to raise the next generation for the same footless purpose. Not only does man need a sense of purpose beyond what he can see in this life, but also a leader and a sovereign in whom he can put his whole trust and to whom he can look with uninhibited reverence and adoration—a leader who is above the unreliability and the unpredictability and the mortality of even the best of human heroes—a leader who can rightfully lay claim to total commitment and who can offer redemption from sin and futility and death. And that will remain man's greatest and highest need when 'urban decay' is the only phrase in history books and when 'black power' has became an admirable idea instead of a threat and when war has become a phrase too horribly absurd and obscene to be taken seriously even by stupid tyrants. Jesus Christ is the same yesterday, today and tomorrow and He remains the last and highest word which has been spoken or will be spoken so long as this creation endures.

This is God's world and His will is supreme. Jesus Christ is the Son of God and He remains the final answer to life's meaning and the perfect pattern for human living at its highest and holiest. Man was made for God and he remains unfulfilled until he has entered into relationship with his God. God will not be content to settle for less than the fulfillment of man's highest spiritual capacities and we cannot be permitted to settle for less than love of God going hand and hand with love of our brethren and looking for the eternal things that are not seen with just as much urgency as for the temporal things that are seen.

REFORM BILLS—PRESS COMMENT

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. RUMSFELD. Mr. Speaker, under leave to extend my remarks, I include below an index of press comments inserted in the daily CONGRESSIONAL RECORD from September 10 through October 14, 1968, concerning our struggle in the closing days of the 90th Congress to bring congressional and election reform legislation to the floor of the House:

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Anderson, Jack. See Denver Post.

Arizona Republic. Oct. 10, H9806–07 (Cole, 9/15).

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Cleveland Plain Dealer. Oct. 10, H9812 (editorial, 9/29).

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Colebrook (N.H.) News & Sentinel. Oct. 10, H9799 (full text of Group Statement on Sept. 10).

Concord (N.H.) Daily Monitor. Oct. 10, H9798–99 (editorial, 10/1).

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Denver Post. Oct. 10, H9805 (Anderson, 9/9); Oct. 21, E9416 (Gruenberg, 9/29).

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Huntington (W. Va.) Advertiser. Oct. 10, H9803 (story).

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Milwaukee Sentinel. Oct. 7, E8695–96 (editorial, 10/7).

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Salamanca (N.Y.) Republican-Press. Oct. 10, H9808 (editorial, 9/26).

San Francisco Chronicle. Oct. 11, H9937 (editorial, 10/7).

San Francisco Examiner. Oct. 10, H9810 (story, 9/10).

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Sinclair, Ward. See Louisville Courier-Journal.

Springfield (Ill.) State-Register. Oct. 10, H9812 (editorial, 10/4); Sept. 10, H8474–75 (Vawter, 8/11).

Springfield (Mass.) Television-Broadcasting Corp. Oct. 10, H9799–9800 (Three Special Reports, Dec. '67, June '68, March '68).

Steif, William. See Washington Daily News.

Stottrup, Erik. See Evanston (Ill.) Review.

Strout, Richard L. See Christian Science Monitor.

United Press International. Oct. 21, E9418 (story, 10/9).

Vawter, Richard. See Springfield (Ill.) State Journal Register; Elgin (Ill.) Daily Courier News.

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Wanniski, Jude. See National Observer.

Washington Daily News. Sept. 25, H9131 (editorial, 9/14); Sept. 17, H8363 (Steif, 9/12).

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Wilmette (Ill.) Life. Oct. 10, H9801 (story, 9/30); Oct. 10, H9812 (story, 10/3).

Yuenger, James. See Chicago Tribune.

APOLLO SHOTS MAY PRESAGE MOON LANDING

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. TEAGUE of Texas. Mr. Speaker, Howard Benedict, of the Associated Press, in an article in the Arkansas Gazette on September 8, 1968, discusses the role of the Apollo 7 and the future of the Apollo program. Mr. Benedict points to the achievements of today and the needs of the future in our national space program. This article, which was written well before the Apollo 7 flight, points out not only the importance of our national space effort but the need to pursue a vigorous space program in the future so that our country will be strong in space. It follows:

APOLLO SHOTS MAY PRESAGE MOON LANDING

(By Howard Benedict)

CAPE KENNEDY.—America's astronauts are ready once more to challenge space in an atmosphere of quiet confidence that 1969 will be the "Year of the Moon."

The United States has marched a long road back from the Apollo I fire that killed the first three Apollo astronauts on a Cape Kennedy launching pad in January 1967. Management, hardware and safety procedures have been overhauled, and the program today pulses with a tremendous momentum as manned space flight is about to resume after nearly two years.

A towering, powerful Saturn 1B rocket stands on a launch pad here, awaiting an October signal to blast a three-man Apollo crew into earth orbit for the first flight test of the spaceship that one day may transport a team of astronauts on an historic voyage to the moon.

If the October mission and a series of subsequent manned flights are successful, American astronauts could plant the Stars and Stripes on the moon late next year, fulfilling President John F. Kennedy's dramatic 1961 pledge that United States spacemen would be on the lunar surface in this decade.

But enthusiasm for reaching this grand goal is dampened by an underlying concern that the first landing on the moon could be a dead end for the great capacity developed in the American space program.

With the Vietnam war and domestic problems demanding more and more money, few new funds are available to establish another national space goal—or even to start significant new unmanned space projects.

Congress gradually has sliced the budget of the National Aeronautics and Space Administration—NASA—from a high of $5.9 billion in fiscal year 1966 to an anticipated level of below $4 billion for 1969. In the same period, the number of persons working on the program throughout the country has dropped rapidly from 420,000 to just over 200,000.

As more and more people are laid off in industry and in NASA, skilled engineers and technicians are seeking jobs in other industries before they, too, get the axe. The losses of key personnel are leaving big holes in the competence of the space flight team.

NASA Administrator James E. Webb, who has fought hard for space funds, said: "These are uncertain and unusual times, not only for the space program and for our work in aeronautics but also for almost every other important national activity. The war in Vietnam, the peace talks in Paris, the problems faced by our cities, the economic problems of inflation, of balance of payments, and the uncertainties of an election year—taken together and interacting—place us all in a position from which it is most difficult to chart a clear and certain course for the future."

Especially hurt by the budget cuts were NASA's plans to have a continuing series of manned flights to the moon and in earth orbiting space stations at the rate of several launchings a year well into the 1970's, with the possibility of an eventual astronaut landing on Mars.

Webb now foresees large gaps of several years between astronaut missions after the initial moon landing.

"Out of fiscal 1969 funds, we'll accomplish the lunar landing after a reasonable number of preliminary manned flights," the administrator said.

Meanwhile, he said, NASA slowly and steadily will prepare for three flights involving a three-man space station called a workshop. The first launching, originally scheduled this year, has been delayed three years because of the money pinch.

"Presently," Webb said, "we have no money for additional workshop flights. So after the first three missions we'll sit back and consider the next step. We could go to an interim step like the Saturn 5 workshop or we could begin planning for a multiman space station, once again depending on money available."

A Saturn 5 workshop, also for three men, would be outfitted on the ground and would be launched by the larger rocket. The earliest possible launching date would be 1975, three years after the last Saturn 1B workshop mission. If a decision is made to proceed to the large station which would be assembled by astronauts in orbit, civilian man-in-space launchings could have a gap of perhaps five years, until 1977.

The Defense Department, meanwhile, will commence astronaut flights in 1971 or 1972, sending its two-man Manned Orbiting Laboratory—MOL—into orbit to determine if man can conduct useful military tasks in space. The pilots will evaluate their ability in such fields as reconnaissance, communications, navigation and satellite inspection and interception.

The MOL program envisions between three and five flights before decisions can be made to move to an operational military man-in-space system. The program already is three years behind schedule and some officials are concerned it may be too little and too late to match a strong Soviet effort.

There are critics, many in Congress, who contend the workshop and MOL have duplicating features and that they should be combined. Some suggest that NASA should stick to unmanned exploration of space and let the Defense Department develop a military man-in-space force.

Nevertheless, Webb said he and Secretary of Defense Clark Clifford have met to discuss common interests in space. Emphasis has been on development of a new, relatively inexpensive space rocket that could be used by both agencies.

The two big rockets in the NASA stable are the Saturn 1B, which can place 40,000 pounds in earth orbit, and the mammoth Saturn 5, which can hoist 280,000 pounds into orbit or send the 101,000-pound Apollo combination to the moon. Both of these liquid-fueled giants are expensive, with a single Saturn 5 costing more than $200 million.

Webb already has ordered a halt to production of the 1B model after the 14th vehicle and is considering stopping Saturn 5 production after 13 vehicles instead of the presently planned 15. Four 1B and two 5 models have been launched.

"We've got to reduce the cost of putting a pound of payload in orbit," the administrator said. "To that end I've been working with Secretary Clifford on a booster to see how we can both make use of it. We need an interim booster with an earth orbit capability of about 100,000 pounds."

The Air Force, which has been using a Titan 3C rocket capable of orbiting about 30,000 pounds, has conducted studies on what it calls a "Big Dump Booster" which might provide the basis for a common NASA-Defense rocket. It derives its name from the fact that it is a very simple rocket, based partly on solid fuel technology, which lacks the sophisticated plumbing and electronics of the Saturn series.

Some government officials feel a logical extension of the rocket discussions would be consideration of a common space station. One NASA concept could accommodate up to 100 men, many of whom could have military assignments.

Another worry over the reduction in space flights is a resulting slowdown in technological advancement—which has made galloping strides in both the United States and Russia as a result of space exploration.

Webb believes the technological loss can be reduced through the use of computers and ground-based simulators to conduct tests with information gained from specialized space flights.

Russia, also recovering from a 1967 man-in-space tragedy, is expected soon to resume cosmonaut flights and may try to send a crew around the moon and return it to earth this year.

Many experts who analyze the Soviet program believe that from the first it has been oriented toward developing a military capability to dominate space.

Dr. Edward C. Welsh, executive secretary of the National Aeronautics and Space Council, said the Russians "see clearly the practicalities of space as a builder of national prestige and as a supplier of useful technology.

"The Soviets," he continued, "have been accelerating the tempo of their space investment and their space performance. They are continuing to make major investments in space resources—particularly, in manpower and facilities. There is almost a technology cult that has developed in the U.S.S.R. these days, and much of its attention is focused on aerospace projects.

"They do not seem to be handicapped by fluctuations in their budgetary thermometer, as we sometimes are. Regardless of the speed with which the United States pursues its space goals, the U.S.S.R. will continue to expand its space effort."

For the first year since 1957, the Soviet Union this year is expected to launch more successful space rockets than the United States—accelerating its program as the United States launching curve drops. Most of the unmanned Russian probes launched in 1968 have had military assignments, mainly reconnaissance.

Webb, who has directed NASA with a firm hand for eight years, may not be at the helm when astronauts finally land on the moon. He is eligible for retirement at age 62 in October and expects to be on the sidelines at the end of President Johnson's term.

"I feel a new president has the right to select the administrator he wants," Webb said. "If he asks me to stay on. I'm not sure right now what I'd say."

Despite the budget problems, optimism runs high throughout NASA that the moon landing goal is within reach, although many hurdles lie ahead.

Charles Mathews, former director of the Gemini program and now deputy associate administrator for manned space flight, feels there is a "fighting chance" to make the moon next year.

"There is a definite feeling of confidence in the program," Mathews declared. "After the Apollo I fire we were forced to stand back and look at where we stood and to correct our deficiencies. In the last year I've seen the momentum build up. To my mind, this kind of spirit in organization and positive thinking is very characteristic of what I've seen in the Mercury and Gemini programs as we approached the manned launching dates."

Kenneth S. Kleinknecht of the Apollo spacecraft program office in Houston is slightly less optimistic.

"I'd like more confidence that we'll make the very difficult lunar landing in this decade," he said. "I think it's do-able if there are no major problems. It's not going to be easy."

The pace of the program will be determined by two Apollo launchings scheduled in the next few months—Apollo 7 in October and Apollo 8 in December or January.

A veteran spaceman, Navy Capt. Walter M. Schirra Jr., heads the three-man team that is to take Apollo 7 up for the mooncraft's first orbital checkout. Riding with him will be Air Force Maj. Donn F. Eisele and civilian astronaut Walter Cunningham.

Schirra said the basic goal of the flight, scheduled for 10.8 days, "will be to qualify the spacecraft for a lunar mission by exercising all its systems in earth orbit."

Apollo 8, commanded by Air Force Col. Frank Borman, will employ the 36-story-tall Saturn 5 monster on a manned mission for the first time.

Air Force Lt. Col. James A. McDivitt will be commander of the Apollo 9 crew which, about next March, is to fly out to 4,000 miles from earth to fully qualify the spacecraft and the lunar module which two men eventually will ride to the surface of the moon. Originally, NASA had hoped to fly the lunar module on Apollo 8 but recently changed plans because of problems with the lunar ship's rendezvous guidance system.

Conceivably, United States astronauts could be ready to attempt the moon shot if there are no major diffculties.

However, there are many NASA officials who believe a manned moon orbit flight should be attempted first to provide full confidence.

Among them is Christopher Kraft, flight operations director of the Manned Space Center in Houston, who said: "It would be valuable for obtaining experience in sending a spacecraft out to that quarter-million-mile distance and operating it in lunar orbit."

Kraft said he tends to be conservative at this stage of the game and that after some earth orbit experience with the Apollo system he might change his mind about a moon orbit flight. Presently, NASA is preparing for such a flight in case it's needed "and as long as we have the prerogative to plan both ways we have no complaint with the management," Kraft said.

Kraft's group also is looking beyond the moon and has done preliminary analysis for manned missions to Mars and Venus, which Kraft is convinced will come some day despite the present problems.

"It's inconceivable to me," he said, "that this country will give up the exploration of space. We just can't give up the legacy of pushing on with research and exploration that has had such a sound beginning in the manned space flight program."

NEWSLETTER TO CONSTITUENTS

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. ROUDEBUSH. Mr. Speaker, under leave to extend my remarks in the Record, I include the following newsletter to my constituents:

Congressman Richard L. Roudebush, Fifth Indiana District, Reports From Washington

INTEREST ON THE PUBLIC DEBT TOPS $15.3 BILLION

An item in the latest Federal budget escaped great attention but its significance affects every American household.

I refer to the $15.3 billion interest on the public debt for the current 1969 fiscal year.

This latest estimate means that there is now in effect an interest charge of about $76 a year against every man, woman and child in the United States, and $304 a year against every family of four persons. This, of course, is a charge against American taxpayers.

This heavy interest obligation is one measure of the impact of the extravagant spending policies of the present administration.

Two major factors in the interest obligation are the increase in the public debt due to deficit financing, and the rise in interest rates to the highest level in nearly a century. A basic cause of the rise in interest rates has been the heavy borrowing by the Federal Government.

Deficit financing has boosted the public debt $70 billion since the 1961 fiscal year, and the interest on the public debt has increased nearly 90 per cent.

To gain an idea of how much the Federal Government is now spending in interest on the public debt, consider these examples of what an interest charge of $15.3 billion a year would do if applied to other uses.

It would pay a salary of more than $100 a week to all of the 2.8 million persons reported to be unemployed in August.

It would build every two years a $25,000 house for 1.2 million families.

It would provide more than $125 a month to all of the 10 million persons who, according to some accounts, are said to be undernourished in the United States.

It would buy $40 worth of food at the grocery each week for 7,355,000 families.

It would buy two $75 suits a year for half the population of the country.

***Washington comment:* "The difficulty in accepting Humphrey's thesis is that his party**

has been in power for 28 of the last 36 years. If the country is beset by all the troubles Humphrey talks about—and it is—and if some party has to be assigned the blame, it would seem logical that the party that has been in power most of the last third of a century would have to bear the primary responsibility. Humphrey's campaign is primarily an anti-Nixon crusade because to be otherwise, he would have to admit failings of his own party. And Humphrey is not ready to take that step with President Johnson still in the White House and ready to chop him off at the knees the first time he suggests the administration might have done something wrong in the past five years. So Humphrey will continue, and no doubt step up, his personal attack on Nixon."—Paul Hope, Washington (D.C.) Evening Star political analyst, September 23, 1968, reproduced in the CONGRESSIONAL RECORD, September 25, 1968, Page 28217.

In 1960 there were 2,992 military and civilian employees in the Office of Secretary of Defense. Eight years later, in 1968, there are 89,293 in the same category.

Who said what: "The public utterances of Attorney General Clark bring on complete exasperation. Is the Attorney General totally without the most elementary understanding of the function of the office which he holds? Has the Attorney General ever heard of the Justice Department, which is supposed to bring criminals to justice? Has the Attorney General read the sign on his door? He is not head of the Department of Beautification or executive secretary of the Flower Protective Association. He is the Attorney General of the United States, and I wish he would act like one."—Senator Fannin (R-Ariz.), CONGRESSIONAL RECORD, September 19, 1968, Page 27598.

IMPROVED LOCAL SERVICE

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, once the Congress has adjourned and completed the legislative business of the session, it has been my practice to move the files from my Washington office to the district office. By so doing and retaining a smaller staff in Washington, I find that our office is able to give better service on the local level to the citizens of the 27th Congressional District.

Usually, to advise the residents of my district of this change in address and telephone number, I send out a letter which reads as follows:

[Government system phone number 644–2876]

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C.

DEAR FRIENDS: U.S. Congress is closing its 2nd Session, which began on 15 Jan. 1968. We have been continuing in Session all year, meeting many serious challenges that have come up during 1968. As the House of Representatives is elected for two years, this is really adjournment.

The new 91st Congress, to be elected on Tuesday, 5 Nov. 1968 will begin sessions the 1st week of January 1969.

Altho we have almost 435,000 people in our District, to you people on my office lists, I am writing to let you know personally, that we are closing our Washington office on adjournment. We are moving our office files to our Pittsburgh office, New Federal Bldg. Liberty Ave. where our competent and experienced office girls, will be of help to you, your family, or friends. Your letter, telegram, or phone call, will come to my personal attention.

We have worked hard to keep our Country safe, and to support with most modern equipment, our U.S. Servicemen in Vietnam, and around the world—and to insure progress and better living for all our people.

Let me hear your ideas and suggestions on policy—or when I can help—as it is a pleasure to be of service.

In fact, I *like* being your Congressman.

Best wishes,

JAMES G. "JIM" FULTON.

HON. GEORGE V. HANSEN

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. McCLURE. Mr. Speaker, when the 91st Congress convenes, one of the faces missing in the House of Representatives will be that of my Idaho colleague, GEORGE V. HANSEN. It would be a grievous error on my part to let this session adjourn without expressing the gratitude of the people in my State for the fine service GEORGE has given them and the Nation.

One of the youngest Members of Congress, GEORGE HANSEN's record of public service is already of such high caliber that it can be matched only by a handful of our citizens.

While serving as mayor of Alameda, his town received the Idaho City of the Year award. Later, when GEORGE was Pocatello city commissioner, that city also received the City of the Year award.

It soon became obvious to all that the citizens of the Second District would choose him to represent them in the House of Representatives. And so, in 1964, he was the only Republican outside the Deep South to defeat an incumbent Democrat. Since that time his endless ability and tireless energy plus his work on the Agriculture and Interior Committees have won him the high esteem of his colleagues and his constituents.

I personally am indebted to GEORGE and his family for the many courtesies they extended to Louise and myself when we first came to Washington last year. As you all know, the first few days for a freshman Congressman can be trying ones. But the assistance the Hansens gave the McClures made our transition to a new way of life much easier.

Although GEORGE HANSEN will not be back with us in the House next year, I am confident that we will be seeing a great deal of him just the same as he assumes new responsibilities on the other side of the Capitol.

In the meantime, on behalf of the people of Idaho and my colleagues in the House, I want to extend to GEORGE and Connie and their five wonderful children, our gratitude for distinguished service in the past and our best wishes for the future.

BEN IDEN PAYNE RECEIVES CONSULAR LAW SOCIETY AWARD FOR SERVICE TO THE THEATER

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. KUPFERMAN. Mr. Speaker, recently Dr. Ben Iden Payne, of the College of Fine Arts of the University of Texas, received the Award of Merit of the Consular Law Society, whose office is in my district, at the University of Texas in Austin.

The award of the Consular Law Society is presented from time to time to outstanding leaders in world affairs. Members of the Consular Law Society have included Justice of the International Court at The Hague such as Prof. Manley O. Hudson, Sir Hersch Lauterpacht, and Sir Benegal N. Rau, as well as outstanding world citizens such as Judge Rene Cassin, recipient of the Nobel Peace Prize.

Mr. Speaker, I have been privileged to serve on the awards committee, whose chairman is Bernard A. Grossman, who, among other things, is the chairman of the committee on the laws of the theater of the Federal Bar Association of New York, New Jersey, and Connecticut, and counsel to Actors' Equity Foundation's Division on Extending Theatre.

The reasons for the award to Dr. Ben Iden are legion and best expressed in the citation by Mr. Grossman, which follows:

PRESENTATION OF THE CONSULAR LAW SOCIETY'S AWARD OF MERIT TO BEN IDEN PAYNE FOR HIS DISTINGUISHED SERVICE TO THEATER

The College of Fine Arts of the University of Texas, and the Consular Law Society, whom I have the honor to represent, are engaged in a common enterprise. We each of us have Theatre as an important activity.

For those of you who are not yet acquainted with the Consular Law Society, I pause to explain that it is composed of lawyers who represent the embassies, and the consulates of the world, not only in matters of diplomacy, but as well, in matters of culture. I dare say it is the smallest law society in the world, presently limited to one hundred, but that membership has included five Justices of the International Court of Justice, one of whom this year was awarded the Nobel Peace Prize. I am the incumbent Chairman of its Board of Trustees.

It has often fallen to the Consular Law Society to promote theatre as a way of promoting good international relations. For theatre gives color to life, and life without color is not livable.

To stimulate this objective that we have in common, and to encourage it, the Consular Law Society periodically presents its Award of Merit to a person in the field of theatre who has contributed notably to this desired result, in the expectation that in this manner the objectives we each have will thereby be reached in ever growing and greater measure.

Thus, over the years, this Award has become a mark of distinction, that honors itself, the giver, simultaneously that it honors the talents and achievements of the recipient.

Our designee this year is Dr. Ben Iden Payne.

We are not the first to recognize, and to salute him. He holds the Southwest Theatre Conference's Award of Merit, and that of the American Educational Theatre Association, and the Rogers-Hammerstein Award for Distinguished Service to the Theatre; and that of the American Shakespearean Festival Company and Academy for especially Distinguished Service to Shakespeare, that greatest poet in any language, and the supreme dramatist of all time, who has provided the world with language that is, and has been acted, and read, and rated as the greatest literature of the world of all time, and discussed wherever civilization extends. And for this, too, the University of Alberta, Canada, has awarded him its degree of Doctor of Laws, causa honoris.

Very few men in our generation, and in those of our fathers and grandfathers have bridged the world of theatre as he has.

He has directed, and produced, and taught or lectured at his beloved Drama School, at the University of Texas, and at the Carnegie Institute of Technology, and the State Universities of Colorado, of Washington, of Iowa, of Missouri, and of Michigan, and the School of Fine Arts, at Banff, Canada.

He is the author of *Directing the Verse Play*, and of *Theatre Training in England and America, and of Youth and the Fine Arts, and of The Liberal Arts vs. the Drama Major*, and of *Shakespeare Was An Actor*.

He lectured on *The Meaning of Drama*; and on *Training For the Drama*; he presented 26 broadcasts on *Theater Themes*; and did reviews on Stauffer's Shakespeare's World of Images, and of Sprague's Players and Performances.

In directing and producing, he averaged two Shakespeare plays a year, from 1948 through 1964, in addition to other attention to the theatre.

And before he turned to the satisfying career of educational theatre, he had directed the John Galsworthy play *Justice,* in which John Barrymore had his first success in a serious part; he was the General Stage Director for Charles Frohman, whose Company included such wonderful stars of the theatre as William Gillette, Maude Adams, Ethel Barrymore, Elsie Ferguson and Otis Skinner; and he spent 8 years as a director at the Shakespeare Memorial Theatre, at Stratford-on-Avon.

Whatever he has done, he has done with grace, character and originality. And he has taught those who studied under him to be, and to do likewise, adding to it the wisdom necessary to make possible their own continuing progress toward solid achievement in the theatre.

For his dedicated life in Theatre, and for his achievements in it, the Consular Law Society now presents to him this Certificate, as a symbolic expression of its respect, and esteem.

Dated: New York, N.Y., U.S.A., October 1968.

BERNARD A. GROSSMAN,
Chairman, Board of Trustees.

MAJOR ACCOMPLISHMENTS OF REPUBLICAN MEMBERS OF THE COMMITTEE ON PUBLIC WORKS OF THE U.S. HOUSE OF REPRESENTATIVES

HON. WILLIAM C. CRAMER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. CRAMER. Mr. Speaker, the Republican members of the Committee on Public Works are justly proud of their accomplishments in perfecting and improving legislation referred to the committee. Although outnumbered 19 to 15, the Republican members of the committee were able to shape legislation by insisting upon full committee study and analysis, by pointing out defects, and by insisting upon the Republican position in matters of policy. Some of the major accomplishments of the Republican members of the committee are as follows:

FEDERAL-AID HIGHWAY ACT OF 1968

Federal-aid highway legislation is ordinarily handled in a cooperative, bipartisan manner, and the 1968 act was no exception. Republican Members can take justifiable pride in the many improving amendments offered by them and accepted by the committee and by the House.

One of the most gratifying accomplishments by Republican Members was the substantial reduction in highway beautification funds. The administration's proposal, and the Senate-passed bill, would have made no substantive changes in the Highway Beautification Act, but would have authorized the appropriation of $255 million for the three fiscal years 1969, 1970, and 1971—$85 million for each year—to administer and carry out the program.

Because of the adoption of amendments offered by Republicans in committee and on the floor of the House to this presently unworkable program, the House-passed bill authorized no additional program funds; made billboard control entirely a voluntary program; eliminated the existing 10-percent penalty on Federal-aid highway construction funds for failure to effectively control billboards; and substituted a requirement that a State's eligibility for landscaping and scenic enhancement funds, at 100 percent Federal cost, be dependent upon its effective control of junkyards.

The House conferees were not able to sustain the position of the House in the Senate-House conference on the bill. The conferees were able, however, to limit the authorization of funds to $25 million program funds for fiscal year 1970 only, plus $1.250 million for administrative expenses for each of the fiscal years 1969 and 1970.

The final result of Republican efforts was to reduce authorizations for this nonessential program by $227.5 million, thus lessening to that extent the critical pressures on our presently overburdened economy.

Other Republican-sponsored amendments, as described in minority views on H.R. 17134—House Report 1584, 90th Congress—are as follows:

ADDITIONAL FUNDS FOR IMPROVEMENT OF RURAL PRIMARY AND SECONDARY HIGHWAYS

The administration proposed a new program for traffic operation projects in urban areas. The Republican members of the committee recognized the need for action to help correct the strangling traffic congestion in urban areas. At the same time, however, the Republican members recognized the fact that our rural primary and secondary highways are in serious need of repair and reconstruction. Providing adequate rural highways is an effective means of providing urban-rural balance and, by helping to improve the economic situation in rural areas and small towns, can assist in improving conditions in large metropolitan areas by slowing or reversing the trend of migration to these large metropolitan areas. Accordingly, Mr. Don H. Clausen offered an amendment which would authorize additional appropriations for Federal-aid primary and secondary highways in rural areas, and the committee adopted this amendment.

ADVANCE RIGHT-OF-WAY ACQUISITION

For several years, minority members of the Committee on Public Works have urged the adoption of legislation which would create a fund to permit the acquisition of highway rights-of-way well in advance of highway construction. Such a program will produce substantial benefits both in the saving of public funds and the reduction of inconvenience, loss, and hardship by the persons displaced by highway construction. The administration's proposal incorporated in H.R. 17134, as introduced, included an advance acquisition right-of-way program. After examination of the proposal, however, it became apparent that it had a number of serious deficiencies. Accordingly, the committee substituted an advance right-of-way acquisition revolving fund program substantially identical to that provided in H.R. 16622, introduced by Mr. William C. Cramer for himself and the other minority members of the Committee on Public Works.

PROHIBITION AGAINST IMPOUNDING APPORTIONED FUNDS

On two occasions during the last 4 years, the administration has withheld apportioned Federal-aid highway funds from obligation by the States, allegedly as an anti-inflationary measure, even though funds were and are available in the highway trust fund to meet expenditure resulting from the obligation of such funds. It is essential that the Federal-aid highway program, including the interstate program, be conducted in an orderly, planned fashion. Frequent cutbacks and threats of other cutbacks disrupt the program, make it impossible for the highway departments, highway contractors, and suppliers of material and equipment to make adequate plans, and increase the ultimate cost of the highways. On January 16, 1968, Mr. William H. Harsha introduced H.R. 14641 to prohibit the impounding of any portion of the Federal-aid highway funds or withholding the same from obligation unless amounts available in the highway trust fund would be insufficient to defray the expenditures required to be made from such fund. Several other members of the committee, including Messrs. Cramer, Clausen, Denney, and McDonald, have introduced the same or similar legislation. The text of H.R. 14641 is contained in H.R. 17134, as reported by the committee.

PROHIBITION OF DIVERSION OF HIGHWAY TRUST FUND RECEIPTS

During recent years, there have been increasing efforts to use receipts in the highway trust fund for purposes not related or only remotely related to the Federal-aid highway program. The highway trust fund is being asked to contribute a disproportionate amount (approximately 88.5 percent) of the administrative expenses of the entire Federal Highway Administration, including the Bureau of Motor Carrier Safety, the National Highway Safety Bureau, and the Federal Highway Administration regional offices which are no longer subject to the supervision and control of the Bureau of Public Roads. In addition to this, we have been informed that substantial amounts of highway trust fund receipts have been used and may be used in the future to pay the administrative expenses of other agencies and instrumentalities through the guise of contracts for research and other services. We do not believe that this is in accordance with the intent of Congress when it limited expenditures from the highway trust fund to "obligations of the United States heretofore or hereafter incurred under the Federal-Aid Road Act approved July 11, 1916, as amended and supplemented, which are attributable to Federal-aid highways (including those portions of general administrative expenses of the Bureau of Public Roads payable from such appropriation)." Accordingly, Mr. William C. Cramer offered an amendment to prohibit such diversion, which was adopted by the committee and appears as part of section 14 of H.R. 17134. The amendment, as it is contained in the bill, simply reaffirms and strengthens the limitations on the use of highway trust fund revenues established by section 209(f) of the Highway Revenue Act of 1956.

CONSTRUCTION CONTRACTS

Within the last few months, the Office of Federal Contract Compliance of the Department of Labor has issued regulations designed to promote equal employment opportunities. Among other requirements established by these regulations is the requirement that after the low bidder on a Federal-aid construction contract is determined, but before the contract is awarded to such low bidder, the low bidder must submit an "acceptable affirmative action program" for the employment of members of minority groups. As this requirement has been administered, the advertised specifications contain no detailed description or specifics of what will be acceptable as an affirmative action program. This has been left to negotiation after the bids are opened and before the contract is awarded.

Mr. William C. Cramer asked the Comptroller General of the United States if this requirement violated the competitive bid requirements of the Federal-aid highway laws. In a letter opinion dated May 22, 1968, the Comptroller General held that the procedure would, in fact, violate the competitive bidding requirements, and stated, among other things, that—

"We believe that the basic principles of competitive bidding require that bidders be assured that award will be made only on the basis of the low responsive bid submitted by a bidder meeting established criteria of responsibility, including any additional specific and definite requirements set forth in the invitation, and that award will not thereafter be dependent upon the low bidder's ability to successfully negotiate matters mentioned only vaguely before the bidding."

There is considerable reluctance on the part of the Office of Federal Contract Compliance and perhaps certain offices or officials of the Department of Transportation to comply with this opinion of the Comptroller General of the United States, despite the fact that it simply states a principle which is elementary and basic relating to open competitive bidding. Because of this, Mr. William C. Cramer offered an amendment, which was adopted by the committee, to incorporate the effect of this ruling of the Comptroller General into the Federal-aid highway laws, to require resolution of the problem of equal employment programs before the bidding.

AMENDMENTS TO RELOCATION ASSISTANCE PROGRAM

Minority members of the committee offered, and the committee adopted, a number of correcting and clarifying amendments to section 23 of H.R. 17134, which would create a new program of "highway relocation assistance." Only one of those amendments needs to be mentioned here. The new highway relocation assistance program provides for substantial financial payments to persons displaced by the construction of Federal-aid highways. There was considerable concern that providing these additional benefits in Federal law would be interpreted by some courts as creating new elements of "just compensation," as that term is used in the Constitution of the United States and the several States. This was not intended by the committee. Accordingly, Mr. Robert V. Denney offered, and the committee adopted, an amendment which would preclude such an interpretation.

FEDERAL SHARE OF THE COST OF PROJECTS ON THE FEDERAL-AID PRIMARY AND SECONDARY SYSTEMS

For many years, Federal-aid highway laws have provided for an increased Federal share of the cost of Federal-aid highway projects in those States which have substantial areas of "nontaxable Indian lands, individual and tribal, and public domain lands (both reserved and unreserved)." This formula for determining the Federal share of the cost of highway projects would not permit an increase in the Federal share because of large areas of national forests and national parks and monuments. There seems to be no logical reason why a State should be given an increased Federal share on account of Indian reservations and public domain lands, but not be given the same treatment on account of national forests and national parks and monuments. Accordingly, Mr. James C. Cleveland offered, and the committee adopted, an amendment which would permit the inclusion of national forests and national parks and monuments (including acquired lands, but not including privately owned lands within national forests, parks and monuments) in determining the Federal share payable on highway projects under the so-called sliding scale provision.

APPALACHIAN REGIONAL DEVELOPMENT ACT AMENDMENTS OF 1967

In 1965, when the Appalachian Regional Development Act was being considered, Republican members of the Committee on Public Works opposed its preferential treatment to one part of the Nation, and the discrimination against all parts of the United States not within the boundaries of the region. Despite Republican opposition to this discrimination, when the Appalachian Regional Development Act Amendments of 1967 were being considered, it was recognized that it is an ongoing program which had been underway for over 2 years, and had 4 more years to run before its termination on July 1, 1971. Under the circumstances, the Republican Members exerted every effort to improve and perfect the bill, and were gratifying successful.

A large number of improving and perfecting amendments offered by Republicans were accepted by the committee. In addition, a number of important policy changes were effected at Republican insistence.

The Appalachian Regional Development Act of 1965 contained a controversial section entitled, "Land Stabilization, Conservation, and Erosion Control." The Republicans opposed this section because it was particularly unfair and ill advised in that it would have authorized the Secretary of Agriculture to enter into agreements to pay up to 80 percent of the costs of improving privately owned land. The 1967 act, as reported, would have authorized the appropriation of an additional $19 million to carry out this section. Because of strong Republican opposition to this additional authorization of funds, the proponents of the bill were forced to withdraw the authorization when the bill was debated on the House floor.

The bill, as reported by the Committee on Public Works, would have authorized the appropriation of $220 million for the 2-fiscal-year period 1968 and 1969 for Appalachian programs other than the development highway and access road program and administrative expenses of the Commission. Authorizing this amount for fiscal years 1968 and 1969 would have permitted a level of spending in 1969 almost 50 percent greater than in 1968, and almost three times the average annual level of commitments during the first 27 months of the program. During the debate on the bill on the floor of the House, the Republicans were successful in reducing the authorization by $50 million—from $220 million to $170 million—and were also successful in maintaining the position of the House in the House-Senate conference.

SECURITY OF U.S. CAPITOL BUILDINGS AND GROUNDS

Until fairly recently, existing law of the United States and the District of Columbia appeared to be sufficient to cope with the occasional breach of peace which occurred on the Capitol Grounds or within Capitol buildings. However, during the past few years, there has been an increase in the number of incidents of excessive disruption or disorderly conduct. While recognizing that people with strong feelings must be assured of freedom of expression, the right of assembly, and the right of petitioning their Government, under no circumstances should guarantee of these rights be extended to a license for relatively small groups to delay, impede, or otherwise disrupt the orderly process of the Legislature which represents all Americans.

To correct deficiencies in existing law, the Honorable WILLIAM C. CRAMER, ranking minority member of the committee, authored and cosponsored H.R. 13178. With the support of both political parties, the bill was passed by the Congress and has become law—Public Law 90–108.

NATIONAL VISITORS CENTER FACILITIES ACT OF 1967

Washington, D.C., has become not only the Capital of the United States of America, but a world capital as well, and attracts thousands of visitors from all of the United States and all corners of the earth who come to the city for either business or pleasure. These visitors enter a city which may be strange to them, and yet, when they come to Washington to enjoy its treasures, they can find no organized program to provide them with information about the Nation's Capital. Legislation was proposed to authorize an arrangement whereby Union Station could be converted into a National Visitors Center. While the Republicans were in favor of the objectives of the act, the proposed legislation was unacceptable. By working closely with the members and staff of the majority, an acceptable substitute bill was produced, reported by the committee, passed by the Congress, and has become law—Public Law 90–264.

PUBLIC GROUNDS AND DISTRICT OF COLUMBIA: PROHIBITING CAMP-INS FOR DEMONSTRATION PURPOSES

In May of 1968, the Department of the Interior issued a permit for the exclusive use of public grounds within the District of Columbia as a campsite for some 3,000 persons. The public buildings and grounds of the United States are the property of all of its citizens, and in no area of the country is this more true than within the District of Columbia. Clearly, access to these buildings and grounds cannot be limited for any extended periods to any citizen or group of citizens, great or small, however lofty their aims may be or however idealistic their purpose. Under the permit issued by the Department of the Interior, over Republican objections, a campsite, generally referred to as "Resurrection City," was erected adjacent to the Reflecting Pool between the Washington Monument and the Lincoln Memorial. The intolerable conditions existing at this campsite are well known. Despite this, the Department of the Interior could give no assurance that the permit would not be extended for a longer period.

Under these circumstances, Republican Members of the Congress introduced H.R. 16981 to prohibit issuing any such permit in the future and to prohibit renewing and extending any existing permit. This bill was reported favorably by the Committee on Public Works. Following this, the Department of the Interior officially refused to renew the permit for Resurrection City, and the campsite was evacuated and dismantled. While H.R. 16981 did not become law, it is certain that its introduction and favorable consideration by the Committee on Public Works was a strong, if not controlling, influence on the decision of the Department of the Interior. Republicans will press for enactment of similar legislation in the 91st Congress to prevent any future "Resurrection Cities."

AUTHORIZATION FOR EXTENSION OF NEW SENATE OFFICE BUILDING SITE

In June 1968, the Committee on Public Works reported S. 2484, a bill which would have authorized the appropriation of $1,250,000 to acquire land to permit the future construction of an extension to one of the existing Senate Office Buildings. Republican Members seriously questioned the wisdom of spending money on land acquisition at a time when funds are clearly needed for so many more urgent projects and at a time when our Nation's financial resources are already seriously strained. It was the position of many Republican Members that passage of this legislation and acquisition of the land—admittedly not needed for construction at this time—should be delayed until some of the Nation's more pressing fiscal problems have been resolved.

The Republican-led opposition to the bill resulted in its defeat on the floor of the House.

WATER QUALITY IMPROVEMENT ACT OF 1968

Republican members of the committee and of the Congress have amply demonstrated their support of Federal water pollution control and have worked diligently and accomplished much in recent years. For example, both the Water Quality Act of 1965 and the Clean Rivers Restoration Act of 1966 were bipartisan measures strongly supported by Republican Members and passed by the House without a dissenting vote.

Republican members of the committee supported S. 3206, the proposed Water Quality Improvement Act of 1968 but made their position clear in supplemental views set forth in the report on S. 3206. Their position was as follows:

> 1. It is inexcusable that the committee did not schedule the consideration of this bill at an earlier date and bring it to the floor of the House under the regular procedures.
>
> 2. The bill is necessary because of the failure of the present administration to give high priority support to the water pollution control program.
>
> 3. Faced with a bill already passed by the Senate, which contained numerous unworkable features, we believe we have again been able to accomplish, through many hours of staff work and bipartisan effort, a bill that should become law.

With Republican support, S. 3206 was passed by the House of Representatives without a dissenting vote. While it did not become law because the Senate did not take final action before its adjournment, the bill will probably be reintroduced during the first session of the 91st Congress.

Some examples of improvements over the administration's initial proposal, which were insisted upon by Republican members of the committee, are as follows:

The administration's proposal included a provision whereby the Federal Government would guarantee payment of the principal and interest on bonds or other obligations issued by a State or local government to finance both the Federal and non-Federal shares of the cost of a sewage treatment facility, but would require that the interest on such bonds or obligations not be exempt from Federal income taxation. This provision was eliminated because of the obvious problems which would arise with a Federal guarantee of local obligations and the adverse effect it would have had on the marketability of bonds issued by States, counties, and municipalities.

As originally proposed, there was no ceiling on the amount of authorized funds which could be used for the 30-year contract proposal, and the existing grant program, under which Federal cash payments are immediately available, could have been entirely eliminated by substitution of the contract program. At Republican urging, the proposal was modified so that the grant program is preserved, and in fiscal 1971, under the formula now in the bill, the grant program will be required to be financed at a higher level than the contract program.

S. 3206, as passed by the Senate, would have provided that sums allotted to a State for contracts would be withdrawn and reallotted to other States if not obligated within 6 months following the end of the fiscal year for which they were allotted. This provision, which is presently applicable to funds allotted for the grant program, has no relevancy to the contract program. In the case of the grant program, funds are made available immediately to pay the Federal share of the cost of sewage treatment works, and ordinarily the States and communities can utilize such funds within the 18-month period of their availability. This situation may be entirely different in the case of the contract program, where funds for the Federal share are not immediately available but are to be paid over a period of up to 30 years. A State or community may not be able to issue or sell bonds to provide the Federal share of the costs of sewage treatment works and, therefore, not be able to participate in the contract program during the period of availability of sums for obligation by contract. If such unobligated funds were reallotted to other States and obligated by such other States, these contract obligations would have prior claim upon funds available in future years for financing the sewage treatment works construction program. Thus, not only would the States and communities which cannot utilize the contract program be deprived of Federal assistance under that program, but would also suffer if lesser amounts are available in future years for the grant program because of the necessity of the Federal Government to first meet obligations previously incurred under the contract program. This provision was deleted at the insistence of the Republican Members.

Under section 8(c) of the existing Water Pollution Control Act, local communities can undertake construction of sewage treatment works before Federal funds are made available and obtain reimbursement at a later date when funds become available. The use of this important provision was cut off on June 30, 1968, under the administration proposal. It has been restored in S. 3206 as reported by the committee. Furthermore, the new contract authority has been made available to reimburse the States under existing law.

As written initially, the bill would have made it possible for a State or local government to make a profit at the expense of the Federal Government. It would have been possible for a State or local government to obtain Federal payments in excess of the amounts needed to meet current principal payments on bonds and to invest the excess amounts. This possibility is precluded by a Republican-sponsored amendment.

It was initially recommended that vessels owned and operated by the United States, a State, or a foreign nation, be exempt from the criminal and civil penalty provisions of the section of the bill pertaining to oil and other hazardous polluting matter from vessels. No exemption was provided for vessels owned by a political subdivision of a State. Under a Republican-sponsored amendment, the bill now exempts such vessels.

As originally written, the authority to administer and enforce the provisions relative to removal of oil and other matter tending to pollute waters, was vested in the Secretary of the Interior, but it was acknowledged that the major responsibility for this work would rest upon the Coast Guard. It seemed entirely improper to do this since, if the Coast Guard is to bear this responsibility it should, in fact, be in charge of it. At the urging of Republican members, an amendment was adopted which requires the Secretary of the Interior to delegate his authority in this matter to the Secretary of the Department in which the Coast Guard is operating.

H.R. 18896: A bill to provide for a study of the need for increased expenditures for public works in smaller urban areas as a means of reversing the migratory trend toward large metropolitan areas.

This imaginative effort to solve some of the problems of metropolitan areas by improving the attractiveness of small urban areas was authored by the Honorable **Don H. Clausen**, and introduced by him for himself and a number of other Members, both Republican and Democrat. The committee ordered the bill favorably reported, but adjournment of the Congress prevented further action.

CONSTRUCTIVE MEASURES CONTRIBUTING TO THE NATIONAL WELFARE

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. MINISH. Mr. Speaker, this 90th Congress draws to an end as the thrilling flight of Apollo 7 begins. The success of this test in space, with its promise of a moon landing within months, emphasizes how less skillfully we earthlings manage our affairs on our own planet. The genius of man that can conquer space, split the atom, comprehend the mysteries of science and medicine, devise all sorts of technological advances, is somehow still unable to shape an environment fit for people, assure all of sufficient food, clothing, and shelter, and learn how to dwell in peace and harmony with each other.

This is truly a time of paradox, of reaching for the moon when our own affairs are in such disarray on earth, and this has been reflected in the record of this 90th Congress. While lacking the innovative and energetic thrust of the admirably productive 89th Congress, this Congress has nonetheless enacted a number of constructive measures contributing to the national welfare and has forged ahead in such major areas as civil rights, housing, and consumer protection. Against this positive side had been the blind refusal to provide sufficient funds for our urgently required social programs and for education. Where is the economy, what are the savings, in allowing the problems of our cities to fester and grow ever worse and thus compound all the ills and afflictions that plague us now?

To review briefly some of the legislative highlights of these 2 years:

Housing: It is most gratifying to me that two of the most notable achievements of the Congress came out of my Banking and Currency Committee—the landmark Housing Act of 1968 and the historic Truth in Lending Act.

Contrary to our success in space, we are still far from achieving our goal of "a decent home and a suitable living environment for every American family" as set forth in the Housing Act of 1949. Our FHA and VA housing programs alone have aided some 17 million families to obtain suitable housing but these have not reached down far enough to help those who need housing the most. In the correct meaning of the phrase, a man's home is his castle, a place of privacy and refuge, the expression of his solicitude and care for his family. Every American should enjoy that right even though he is weighed down, not by shining armour but by a mortgage and crabgrass. As recognized in the open housing guarantees of the Civil Rights Act of 1968 and the Housing Act, no artificial or arbitrary barriers should deny that right to any citizen. The new program of interest subsidies for low- and moderate-income families to purchase new of existing homes which they could not otherwise afford will provide dignity and pride to the individual family and stability and improvement for the community. This and other programs of this far-reaching law can eliminate substandard housing within 10 years—provided, of course, we do not gut it through lack of funding

Among the numerous other programs authorized in this law are new programs for Federal reinsurance for private insurance companies to encourage them to write property insurance in areas threatened by riots and civil commotion, and of Federal assistance to private insurance companies to encourage them to provide property insurance coverage for flood hazards. Many residents of the 11th District have been hard hit by their inability to secure or continue insurance for these reasons, and I am most gratified at the approval of these salutory programs sponsored by me.

Consumers: Homeowners, apartment renters, and everyone else are consumers. The title "Consumers Congress" which has been applied to the 90th Congress may seem rather pedestrian in the face of our earth-shaking problems but, in fact, the health, welfare and pocketbook of practically every citizen will be better protected by the following measures: Consumer Credit Protection Act—truth in lending—Clinical Laboratories Improvement Act of 1967, Flammable Fabric Act Amendments of 1967, Fire Research and Safety Act, National Commission on Product Safety, Wholesome Meat Act, automobile insurance study and investigation, Interstate Land Sales Full Disclosure Act, Wholesome Poultry Products Act, Natural Gas Pipeline Safety Act of 1968.

I am particularly proud of the key role played by the Democratic members of my Consumer Affairs Subcomittee in securing the first Federal truth-in-lending law in history—and a strong and effective one at that.

I shall continue to fight to make every consumer dollar count. Incidentally, it is a curious fact that many who have much to say about the cost of Government, which they wrongly equate with the cost of living, have nothing to say about excessive consumer prices or the exploitation of consumers.

Civil rights: The exercise of specified federally guaranteed rights, such as voting, employment, use of public facilities, are safeguarded in the major Civil Rights Act of 1968 which also prohibits discrimination in the sale or rental of about 80 percent of all housing. Legislation was also enacted to prohibit discrimination in the selection of Federal juries on grounds of race, color, religion, sex, national origin or economic status.

Conservation: Another highly creditable record was made in the essential field of conservation. The 1968 Land and Water Conservation Fund Act doubles the previous size of the fund for parks and recreation areas to provide more room in the outdoors for a growing population.

As a sponsor of the Redwoods National Park bill, I am immensely heartened by the approval of a 58,000-acre park that ends the long battle to preserve in significant numbers some of the oldest and tallest trees in the world. In my own State, the legislation sponsored by the whole New Jersey delegation to preserve the Great Swamp as wilderness was also, happily, enacted.

In our satisfaction at our conservation achievements, I was somewhat taken aback, Mr. Speaker, to read in the Christian Science Monitor a letter from a man who has lived all his life on farms and in the forest. Commenting on an editorial "Peace and Quiet" in the Monitor which said that men "need the renewal which comes from an uninhibited enjoyment of nature" the gentleman wrote:

> All my life has been spent smack-dab in the middle of nature. It is not quiet. Many times the coyotes, the foxes, the snuffling porcupines, raccoons, and other small animals have kept us awake all night. By contrast I spent a week at Boston's lovely Prudential Center. I drew strength and calmness from the knowledge that previously I was not aware of the fact that my fellow man could express the intelligence, the ingeniousness, the engineering know-how to build a complex such as this for the comfort, safety and economy of his fellow man.

Perhaps the nights in the cities may be quieter but the days are indisputably noisier, and I am hopeful that the new law requiring the Federal Aviation Administration to establish and enforce regulations to control aircraft noise, including sonic boom, will lead to a real attack on the problem of noise pollution.

Pollution: The Air Quality Act of 1967 expands programs for air pollution control and provides for designation of air quality regions. However, as with so many essential needs, insufficient funds have been granted for an all-out fight on the very real threat to our health and well-being posed by air and water pollution.

Crime: A more direct threat to every citizen is the lawlessness that afflicts our land. In our democracy, of course, crime is basically a State and local responsibility: 94 percent of all law enforcement officers work at those levels. It is rather baffling, Mr. Speaker, that many who inveigh against the encroachment of Government, against the centralization of power, still demand that the Federal Government assume what are State and local law enforcement responsibilities. J. Edgar Hoover has warned that a unified national police force could easily lead to a police state. Of course, the Federal Government must assist the States and local communities in crime prevention and control but it cannot take over for them. Over the past 8 years a number of significant steps have been taken to meet the challenge of crime in our society. The major anticrime bill enacted this year, the Crime Control and Safe Streets Act, authorizes $100 million in Federal aid the first year and $300 million the second year to help State and local law enforcement agencies develop methods and equipment to strengthen law enforcement procedures; improve recruitment and training of police officers; construct law enforcement facilities; and create statewide planning agencies to develop statewide law enforcement plans.

When one considers that the entire increase in the crime rate since 1960 is caused by those under 18, it is obvious that the problem will not be solved merely by building more penitentiaries or hiring additional police. A more constructive approach to the serious problem of youthful offenders is envisioned in the Juvenile Delinquency and Prevention Control Act which will assist courts, correctional systems and community agencies to prevent, treat, and control delinquency.

One contributor to juvenile delinquency and crime is the misuse of drugs. The drug abuse amendments are designed to curb the spreading use of narcotics and dangerous drugs by sharply increasing penalties for illegal trafficking in LSD and other drugs and making illegal possession of dangerous drugs a misdemeanor subject to fine and imprisonment.

Gun controls: One tremendously important step in the war against crime and violence on our streets is the enactment of gun controls. Congress voted a mail-order ban and other sales restrictions on handguns, rifles, and shotguns although it did reject the registration and licensing provisions that in my judgment are also required. The State of New Jersey's strong law is being subverted by mail-order sales of firearms into the State and hence the interstate prohibitions will be a valuable supplement to our enlightened efforts to protect the public safety. The fact that there are 39 States where any criminal can still buy a concealed weapon, no matter how frightful his criminal record may have been, underscores the need for registration and licensing provisions. I shall continue to fight for the adoption of comprehensive safeguards against the gun peril which is literally a matter of life and death to our people, particularly in crowded urban areas. The frontiersmen had to turn in their guns when they reached the outskirts of Dodge City but today, with the frontier gone, we have 200 million weapons loose in the land.

The assassination of three brilliant national leaders in 5 years and the death of some 20,000 persons in 1 year alone—1966—from guns are a heavy toll to exact for an aroused national conscience against the traffic in firearms, but we can be grateful that decisive, albeit limited, action has finally been taken.

It should be emphasized that the objective of the controls is not to deny guns to honest, law abiding, responsible adults but to keep them out of the hands of criminals, the deranged, and juveniles.

Obscene mail: A source of concern to parents in particular is the flood of material of a pandering nature sent through the mail to many areas, including my district. To curb this objectionable traffic, Congress authorized the Postmaster General to order the sender to discontinue mailings if the addressee so requests or face court action.

Congress also created a Commission on Obscenity and Pornography to study this complex issue and come up with recommendations for regulation that will be effective without infringing upon constitutional rights.

Education: A more pleasant youth problem lies in providing quality education to all. As the Apollo 7 flight indicates, man will probably set foot on the moon before this decade closes. And before the decade closes, the curriculum and organization of our schools will be considerably changed. Both of these events illustrate that the past is gone forever and the future will always bring change. Ralph McGill, publisher of the Atlanta Constitution, summed up the correlation between change and education in a sentence:

> We cannot, any more than could past generations, see the face of the future, but we know that written across it is the word education.

This Congress continued the outstanding record of the "Education 89th" Congress. In addition to extending the splendid Elementary and Secondary Education Act and the Higher Education Act, Congress approved a sweeping Vocational Education Act Amendments of 1968 that emphasize training designed to staff an advancing technological society. Another laudable measure provides for the development and implementation of preschool and early education programs for handicapped children.

To promote excellence in teaching standards Congress authorized continuation of the program of graduate fellowships for elementary and secondary school teachers, established new training programs for teachers and other educational personnel, and extended the Teachers Corps, a program under which teams of interns headed by experienced teachers serve in poverty areas.

Social security-medicare: Like our youth, age was served by the 90th Congress. The Social Security Amendments of 1967 provide most welcomed, although inadequate, increases in benefits and other improvements in the old-age and survivors program and the medicare program. Valuable as are these programs, much remains to be done to make them fully responsive to the right of our senior citizens to live their hard-won leisure years in dignity and tranquillity. Among the improvements that must be made are coverage of prescription medicines under medicare; liberalization of the "retirement" test; permitting working couples to combine their credits and draw benefits on the basis thereof; entitlement of dependent sisters and brothers to survivors benefits upon the death of the family member who was their source of support and who was covered under social security.

Health: Congress made a significant response to the challenge of providing better health care for all age groups. The Health Manpower Act of 1968 extends and revises major health manpower laws. It provides: grants to medical and nursing schools for construction of new facilities and rehabilitation of old ones; grants to improve educational programs; incentives to increase enrollments in medical and nursing schools; extended and enlarged scholarship and loan programs, including a new nursing scholarship program.

Another important measure is the Child Health Act of 1967, which expands services to reduce infant mortality, authorizes support for dental care for poor children, and more vigorous efforts to screen and treat children with disabling conditions.

The Community Mental Health Centers program, extended and enlarged in 1967, the Partnership for Health Act Amendments of 1967, and other measures will help our States and local communities provide better health care to their citizens.

All these programs will carry forward our objective of insuring to every American the benefit of first-rate health services so that we may be the healthiest as also the wealthiest Nation, and, hopefully, the wisest Nation, too.

Other achievements: Other noteworthy programs approved by this Congress include extension of the highly useful Manpower Development and Training Act which in fiscal year 1967 enrolled 176,500 in institutional training and 109,000 in on-the-job training. People who are self-sufficient are tax producing, not tax-eating people, and the more tax producers there are, the less the burden on each. The same is true of the antipoverty programs which have helped America's poor with jobs, work-training, education, and specialized services from Headstart age on. These programs were extended as was the most worthwhile food stamp program which increases the food buying power of low-income families. I am pleased that this legislation, which I sponsored, will enable my own Essex County to be included in the program during this fiscal year.

The needs of our servicemen and our veterans and their dependents were recognized in measures to augment their richly deserved benefits.

The designation of Columbus Day as a Federal holiday is also most gratifying to me since I have worked vigorously for this legislation during my 6 years of service in the House of Representatives.

Economy: If, as the foregoing indicates, our problems are great, so are our resources. Consider the Nation's record 8-year economic expansion during which the real purchasing power of the after-tax weekly earnings of the typical worker has grown twice as fast as it did in the preceding 8-year period of three recessions and many weeks without work. The actual average annual family income has increased 20.7 percent since 1960, resulting in greater purchasing power for the American people than at any previous time in our Nation's history. Our real gross national product in these 8 years has grown 45 percent, or $264 billion.

Yet, despite our prosperity and resources, too many citizens still approach our problems in the spirit of the controversy over the water supply in Saginaw, Mich., many years ago. A speaker holding two glasses of water, one clear and the other muddy, asked. "Which do you want for your children, pure water or sludge?" Responded one stalwart, "Hold on. How much will it cost?"

Mr. Speaker, it is my hope that the electorate will choose this November a President and Congress opposed to that worthy citizen's philosophy, committed to the repair of the fabric of our society, to the reforms so urgently needed. Among these, I would suggest, are the revision of our cumbersome tax structure in the interests of equity and justice such as elimination of the loopholes that favor the wealthy, the increase in exemption from $600 to $1,000, the correction of the disproportionately high rates imposed upon single taxpayers, and so on; reform of our obsolete welfare system that now fails the disadvantaged and helpless members of our society and imposes an undue burden upon our hardpressed urban taxpayers, particularly property owners; overhauling of our costly agricultural programs that benefit the corporation-type farmer at the expense of the family-type and the tenant farmer and of the urban consumer; modernization of our archaic legislative and election machinery; correction of the inequities that still prevail in our immigration policy; establishment of rational priorities in Federal programs; reassessment of military manpower resources; and all the other flaws and defects that prevent our society from realizing the objectives of our Founding Fathers to assure "life, liberty, and the pursuit of happiness" to all our members.

In his last letter to Members of Congress from the North Pacific Sea, that authentic heroic figure of our times, Adm. H. G. Rickover, wrote:

> As a reminder of man's dependence on God, I present a bronze plaque to each submarine Captain as he completes his training in nuclear power. On it is inscribed the prayer which has been used by Breton fishermen for hundreds of years: Oh God, Thy sea is so great and my boat is so small.

That can be the prayer of all earthlings in this critical year 1968.

SILVER

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. McCLURE. Mr. Speaker, as you know, I have seldom found myself in agreement with the silver policies of the Johnson administration. My criticisms have been based not so much upon the fact that I represent the largest silver mining area in the country, but on the belief that the Treasury Department has deliberately depressed silver prices in order to make its gold policies work. In doing so, they are trying to manage our economy beyond anything we have ever seen before, and the consequences, should they fail, are dire indeed.

To many Members it must sound strange to hear me say that in taking these actions against silver, the administration is really concerned about gold. But the truth is that historically the price of gold and silver have always borne a close relationship. When one went down, it was not long before the other followed suit.

Recently, another element has entered the picture. As I traveled through the northern part of my district, I heard mining officials openly accusing the Treasury Department of collusion with silver users. They refer to the weekly sales of Government-owned silver by the General Services Administration.

These sales began in August 1967. Many of us felt they were a mistake right from the beginning. For one thing, the sales would force prices down and thereby deter mining activity. For another, it seemed to me that once silver stocks were depleted, the Treasury Department would only turn around and buy more silver, to meet its own needs, at a far higher price.

Recently, the Department has again offered for sale the commercial grade silver—0.999 fine—and in doing so, sought to give silver users the impression that the supply is inexhaustible. The effect on the market has been as expected—the price of silver tumbled. In truth, the Treasury had only 10.5 million ounces of 0.999 silver left, as of August 31, and no matter how they may try to stretch it out—by accepting bids for partial amounts of what is offered in the weekly sale—the day is fast coming when there will be no more. The end is in sight.

Over the past few weeks, the Treasury has revealed its hand. On August 20, the Government rejected bids of $2.181 an ounce for commercial-grade silver, but during the following week bids as low as $2.1705 suddenly became acceptable. On October 1, bids of $2.07 were refused, although the following week, some of the 0.999 silver went for $2.0513.

If the Treasury has not been trying to manipulate the silver market these many months—and you know only too well the fate of any private citizen who tries to do the same thing—then the only alternative answer is either sheer stupidity or, as the miners see it, collusion with silver buyers.

During the first year of these weekly sales, the Government sold over 100 million ounces of silver. One of the largest purchasers was Engelhard Minerals & Chemicals Corp., who bought roughly one-third of it. The chairman of this corporation is Charles Engelhard, personal confidant of the President's. This is the same Mr. Engelhard who was invited by President Johnson to accompany him to Australia and then to Rome for an audience with Pope Paul last December.

Then, in March, Senator WILLIAMS of Delaware called to our attention the fact that the Johnson administration was rushing through Congress a bill to sell 115,000 troy ounces of platinum at $12 million below the prevailing market price. The administration wanted authority to dispose of the platinum by negotiation rather than by sales through competitive bidding. One of the two companies earmarked to receive nearly all of it was Engelhard Minerals & Chemicals Corp.

Regardless of who wins the coming election, a new administration will assume office next January, and in change there is hope. The first postelection event, as far as silver policy is concerned, will be the meeting of the Joint Commission on Coinage in November.

That would be the most appropriate time for a reappraisal of the Government silver sales. As a result of their discussion it is my hope that the weekly offerings will be phased out. With the end of the Treasury's stock of 0.999 clearly in sight, it would appear that the longer they continue depressing silver prices, the more violent will be the upswing when they run out of it. If there is to be an orderly transition, we must begin paving the way now.

It would be wise of the Coinage Commission to ask the newly elected President—especially if it is Mr. Nixon—to send a representative to their November meeting. This could also be meaningful as far as an orderly transition within the Department itself is concerned.

The Commission is also scheduled to discuss the fate of the 50-cent piece. Since the half dollar is becoming about as extinct as the whooping crane, a decision as to its silver content will have little impact one way or the other on the silver industry. But I would remind you that throughout our monetary system, the 50-cent piece—and only the 50-cent piece—bears any relationship to precious metal backing. As such, it has become symbolic of the struggle to maintain at least a small measure of fiscal integrity in the Nation's financial affairs. To recommend the minting of a silverless half dollar would only serve to demoralize the mining industry that much further.

Instead of kicking more sand in the American taxpayer's face, the Commission could strike a mighty blow for stability by ending the weekly GSA silver sales and by recommending the continued minting of 50-cent pieces with silver.

Silver policy has raised a sufficient number of questions to justify a congressional inquiry. But, with new men heading our Government, there will be an inclination to forgive and forget. On the other hand, many of us have no intention of letting a Nixon administration be blamed for the policies of the past.

OIL IMPORT PROGRAM IN PUERTO RICO

HON. SANTIAGO POLANCO-ABREU

RESIDENT COMMISSIONER FROM PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. POLANCO-ABREU. Mr. Speaker, the operation of the mandatory oil import program and, specifically, its application to the petroleum and petrochemical industry in Puerto Rico has been raised several times in this Congress. Quite often critics of the program have been somewhat less than satisfied about the treatment accorded Puerto Rico. However, until recently I have never heard the allegation that the petrochemical industry in Puerto Rico resulted from political kickbacks. I find such a charge grossly unjust and entirely unacceptable. It implies bad faith and unethical conduct on the part of the Commonwealth government. It is the Commonwealth government which must endorse petroleum and petrochemical proposals before import quotas for these projects will be considered by Federal authorities. I have personally testified before no less than three committees of Congress on the operation of the import program in Puerto Rico. I have tried to point out how vital these new petrochemical industries are to Puerto Rico's intense effort to develop its economy and end unemployment. I have also tried to point out that the administration of this program, insofar as Puerto Rico is concerned, has never been a partisan political matter. Both Republican and Democratic administrations have administered the program in Puerto Rico. Indeed, it was under the Eisenhower administration in 1959 that Puerto Rico was given the status of a separate importing district. Since that time, Puerto Rico has abided by the rules laid down by the White House and Interior Department and in full recognition of the national security objectives of the program.

I think that an understanding of the administration of the import program in Puerto Rico is essential. There being no objection, I would like to submit the following articles on the subject appearing in San Juan papers:

[From the San Juan (P.R.) Star]

POLANCO CHALLENGES REPRESENTATIVE PRICE ON REFINERY-KICKBACK PROOF

(By Harry Turner)

WASHINGTON.—Resident Commissioner Santiago Polanco-Abreu Thursday challenged a fellow congressman to offer proof, if he has any, that the Commonwealth acted improperly in helping bring refineries and petrochemical plants to Puerto Rico.

In a letter to Rep. Robert Price, D-Tex., Polanco criticized as "entirely false" Price's earlier charge that there were "political kickbacks" involved in bringing the plants to both Puerto Rico and the Virgin Islands.

Price made the statement on the floor of the house on Oct. 3. He never explained what "political kickbacks" meant.

Polanco, in his letter, told Price that persons unfamiliar with the matter would interpret Price's remarks as meaning that Puerto Rico's actions had been "improper and unethical."

Polanco added: "If you feel, as I do, that this interpretation is unwarranted and unjust, I hope you will set the record straight at the earliest opportunity."

Price's criticism was aimed generally at the nation's oil import program, administered by the Interior Department, under which the refineries and petrochemical plants were given quotas to bring foreign oil into the mainland.

Price, whose district includes many domestic oil producers, is one of several congressmen from the southwest who have repeatedly attacked the oil import program.

"Even the severest critics of the oil import program have never alleged 'political kickbacks' or partisan administration of the program in Puerto Rico," Polanco said.

He said both Republican and Democratic administrations have dealt with the island on a non-partisan basis and reminded Price that it was in 1959, during a Republican administration that Puerto Rico was established as a separate importing district.

[From the San Juan (P.R.) El Mundo]

(By David E. Anderson)

WASHINGTON, D.C.—The Resident Commissioner of Puerto Rico Santiago Polanco-Abréu said yesterday that the description made by Texas Republican Robert D. Price of the Puerto Rican petroleum situation "might be damaging for Puerto Rico." Addressing the House of Representatives on October 3rd, Congressman Price said that the oil refinery and petrochemical projects of Puerto Rico and the Virgin Island were converted into "political kickbacks" granted to those local governments.

Polanco-Abréu in a letter to Congressman Price and publicized by his office in Washington said that "persons familiarized with the import program can only interpret his remarks condemning the standards and actions of Puerto Rico as improper and lacking in ethics."

The Resident Commissioner said that he expected Price to correct the record at the first opportunity.

The remarks of Mr. Price on October 3rd were part of an address in which the Texas Representative attacked the proposed establishment of a Foreign Commerce Zone in Machiasport, Maine.

In his letter to Price, Polanco-Abréu said that "Puerto Rico has no interest in or opinion on the Machiasport project."

The establishment of a Foreign Commerce Zone in Machiasport would cover a refinery which could process up to 200,000 oil barrels a day.

The proponents say that the refinery would substantially review the price of fuel for heating and industry for New England consumers. Polanco-Abréu said that Price's accusations over political kickbacks lack any basis and "in my opinion they are totally false."

"The implication of such a remark is that the Government of the Commonwealth of Puerto Rico acted improperly when it supported various proposals for the establishment of petrochemicals in the island," Polanco-Abréu said.

He said that "the approval of the Commonwealth Government is required for any project before the said authorities review the petition of any company for an important quota." He asked Price to present "any evidence that the Commonwealth acted in bad faith" before the proper Committee in Congress.

The Resident Commissioner pointed out that not even the most severe critics of the oil import program have claimed "political kickbacks or favoritism in the Puerto Rican program."

[From the San Juan, (P.R.) El Mundo, Oct. 9, 1968]

It is very important for Puerto Rico that the fact that there are no politics involved in the establishment of a petrochemical industry, be maintained and clarified.

The Texas Congressman, Mr. Price, wanted to use us as an excuse to thwart the Governor of Maine's proposal to establish there a Free Zone with market purposes. This would include a zone of supertanks and refineries. As was expected, Maine's proposal caused an uproar in mainland petroleum circles and Puerto Rico's case was discussed.

The Administrator of the Economic Development Administration, Mr. Sergio Camero, has done well by intervening in the debate, because it is most important for Puerto Rico that the record remain clear.

As Mr. Camero states, logic for the control of oil imports is simple. It is based on the national security. If free foreign imports were allowed, the country's petroleum industry would be unable to exist.

For that reason Puerto Rico asked to be included. However, it was decided that Puerto Rico constitutes a separate importing district, taking into account our scarce natural resources, our geography and our economic conditions.

Now, the fact that Puerto Rico was declared a separate importing district has resulted in many benefits to our economic development. It has allowed Puerto Rico, and only Puerto Rico, to import limited quantities of foreign oil. Based on this capacity, a substantial petrochemical industry is developing along with great hope toward eliminating part of our unemployment and poverty.

All this according to Congressman Price, has been a kind of "political gift" to Puerto Rico. The Congressman is wrong. This has been a wise decision by the federal government. What the Congressman does not understand is that everything that helps Puerto Rico to solve its poverty and unemployment will also be of great benefit to the entire nation.

[From the San Juan (P.R.) El Mundo, Oct. 8, 1968]

SAN JUAN.—Mr. Sergio Camero, Administrator of the Economic Development Administration, said yesterday that the establishment of a petrochemical industry in Puerto Rico is justified and is not in response to any national political favor.

Mr. Camero's statement came in reply to charges by Rep. Robert Price (R-Tex.) that the establishment of petrochemicals and quotas in Puerto Rico were the result of political favors of previous federal administrations.

In a statement to "El Mundo," Mr. Camero said that he did not know if the Texas Congressman's statements were realistic in the sense that the authorizing of the proposal of establishing a "free foreign zone" in Maine would constitute a "political favor."

Mr. Camero was referring to a proposal by Maine's Governor, Kenneth N. Curtis, to establish in his state a free market zone, including a zone for oil supertanks and refineries. This has brought about controversy within the nation's petroleum circles, in which the petrochemicals established in Puerto Rico and its quotas were mentioned.

Mr. Camero told "El Mundo" that "what is evident is that the quotas which permitted the establishment of a petrochemical industry in Puerto Rico are completely justified under the special economic conditions applicable to the island and have not been in response to any political favor.

Answering Congressman Price's statements, published yesterday in "El Mundo", Mr. Camero made the following declarations:

"I do not know whether Mr. Price's charges that a proposal authorizing a free trade zone in Maine involves a 'political favor' are real or not. What is evident to me is that the quotas permitting the establishment of a petrochemical industry in Puerto Rico are completely justified under the special economic conditions applicable to our island and they are not in response to any political favor.

"The Mandatory Oil Import Program was extended to Puerto Rico by Presidential Proclamation No. 3279 the 10th of March, 1959. The previous Volunteer Oil Import Program, initiated July 1, 1957, did not include Puerto Rico, but did include the then territories of Alaska and Hawaii.

"The logic of oil import control is so simple that some have considered it simplistic. In any case, it can be explained in a few words.

"United States security requires adequate oil reserves within the national frontier. The exploration and extraction of oil are so costly in the United States that, if free foreign imports were permitted specially from the Near East, the petrochemical industry of the United States would not be able to survive.

"Consequently, justification of the Oil Import Program is national security. This was recognized in 1958 and 1959 during the negotiation period between the Federal Government and Commonwealth officials before imposing mandatory controls.

"Puerto Rico agreed that, due to the security program objective, the island must be included. But it was also agreed that, due to our scarce natural resources, our geography and our economic conditions, Puerto Rico must be a separate import district, apart from the United States.

"This was done with the approval of the then Secretary of the Interior, Fred A. Seaton, and President Dwight D. Eisenhower.

"This differentiation for Puerto Rico in the Oil Import Program has never been a political matter, neither in the United States nor in the relations between the Government of the Commonwealth and the Federal Government.

"The objective of the national security program continues to be the same and it has been accepted, without reservations, by the

Government of Puerto Rico. Amendments made to Presidential Proclamation No. 3279, from 1959 until the present, have always been made within the context of the Commonwealth's recommendations to the effect that in these the national security objective must be recognized and maintained. At no time has the objective of the oil import control been overlooked by the Commonwealth Government."

[From the San Juan (P.R.) El Mundo, Oct. 7, 1968]

(By David E. Anderson)

WASHINGTON.—Robert Price (Texas-R) yesterday declared that the petroleum projects of Puerto Rico and the Virgin Islands compromise "political favors to the local government."

Price's comments were part of an address that he delivered last week at the House of Representatives, in which he attacked the establishment of a "Foreign Trade Zone" in Machiasport, Maine, that will have "exclusive rights" to market some 200,000 barrels daily of that oil in the United States.

Price states that President Johnson should order the Foreign Trade Zones Board to cancel its October 10th hearing related to the proposal for Maine.

If he does not, said the Texas Congressman, that Board is submitting (itself) to political pressure and to usury, unprecedented, although the national security purpose of the oil import program has been subjected to many powerful pressures in its short history.

Other examples are the refinery and petroleum chemical projects in Puerto Rico and the Virgin Islands compromising also political favors to the local governments.

Price said "that Maine's project makes these ones look almost insignificant."

CLARIFYING AMENDMENT

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. MOSS (with whom Mr. GEORGE P. MILLER and JEFFERY COHELAN, of California, join). Mr. Speaker, the Committee on Interstate and Foreign Commerce submitted H.R. 17865 to the House on August 2, 1968. This bill was designed to clarify and validate the Civil Aeronautics Board's award of inclusive tour charter authority to the supplemental air carriers. The necessity for the enactment of legislation arose because the Board's grant of such authority had been challenged by the scheduled carriers in two different circuit courts of appeals and in the Supreme Court without effective resolution. At the time H.R. 17865 was considered by the House, a clarifying amendment was proposed by the gentleman from Texas [Mr. PICKLE] and adopted by the House. The bill with such amendment was subsequently accepted by the Senate, signed by the President, and on September 27, 1968, became Public Law 90-514.

We wish to associate ourselves with the understanding set forth by the Senator from Oklahoma, concurred in by the distinguished Senators from New Hampshire and Washington, with respect to the meaning of the so-called clarifying amendment offered by Mr. PICKLE. A similar point of view was also recently expressed by the gentleman from Maryland [Mr. FRIEDEL], chairman of the Subcommittee on Transportation and Aeronautics of the House Committee on Interstate and Foreign Commerce. It was not our intention in supporting the clarifying amendment to issue a mandate to the Civil Aeronautics Board that it grant or withhold from any particular category of carrier inclusive tour charter authority. Rather, it is our understanding that Congress intended to permit the Civil Aeronautics Board as the expert administrative agency in the field of aviation to authorize such air services as it finds to be required by the public convenience and necessity and upon such proof as is customarily required by it. In short, it was not our intention to alter in any manner the authority of the Board or its discretion in dealing with these matters.

A LIFETIME OF SERVICE

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. ASHBROOK. Mr. Speaker, on August 29, 1968, Maj. Gen. Ulysses S. Grant, 3d, grandson of the 18th President of the United States and Commander in Chief of the Union Forces in the Civil War, Gen. Ulysses S. Grant, passed away at his home in Clinton, N.Y. Thus ended a career of dedication and generous service motivated by a deep reverence for country which marked the many contributions of General Grant.

In both war and peace General Grant served his country well. A graduate of West Point in 1903, he had many important assignments both here and abroad, including the Cuban Pacification in 1906, the Vera Cruz Expedition in 1914, in Mexico in 1916, in World War I and II, as well as serving as Chief of the Protection Branch, Office of Civil Defense, from 1942 to 1944.

In peacetime his efforts were no less extensive and enthusiastic. General Grant helped effect legislation creating the National Capital Park and Planning Commission and later became its executive officer. He was prominently identified with the Arlington Memorial Bridge, the George Washington Memorial Parkway, the Fort Drive, extensive changes in the Mall, and the development of Meridian Hill Park. From 1946 to 1951 he served as first vice president of George Washington University and was at one time president of the American Planning and Civic Association.

These are briefly just a few of the contributions General Grant made to both the defense and general welfare of the land of his birth. On Sunday, September 29, a memorial service was held for General Grant at Washington Cathedral at which his lifetime of service was reviewed more fully. The eulogy in memory of General Grant was delivered by a close friend of longstanding, Mr. Conrad L. Wirth. In recognition of his long membership and as first vice president for 13 years, the Washington National Monument Society approved a resolution on September 12 honoring General Grant for his tireless service.

In these days of crisis, when some in our land seek to foment strife and dissension, we need dedicated leaders fully in love with the history and traditions of this unique Nation. The life of Maj. Gen. Ulysses S. Grant, 3d, serves us well as a model to emulate.

I am including the resolution of the Washington National Monument Society, the address of Mr. Conrad L. Wirth, and the memorial service program in the RECORD at this point:

RESOLUTION IN MEMORIAM: MAJ. GEN. U. S. GRANT, 3D

Whereas the Officers and Members of the Washington National Monument Society have lost the valued and distinguished services and leadership of their First Vice President, Major General U. S. Grant, 3rd, who died at his home in Clinton, New York, on August 29, 1968; and

Whereas General Grant was a member of the Washington National Monument Society for 42 years and its First Vice President for 13 years; and

Whereas General Grant's dedicated services to the Nation in war and peace have been distinguished by an extraordinarily conscientious sense of duty and have contributed vastly to the Nation's strength and security and to its stately beauty; and

Whereas General Grant had the profound respect and admiration of his fellow members of the Society and the Nation's leaders and citizens who regarded him as an exemplary patriot, statesman, soldier, and historian in the finest traditions of the United States of America; and

Whereas his colleagues in the Society knew General Grant to be a man of the highest principles, a natural leader—the grandson of General Ulysses S. Grant, 18th President of the United States of America and Commander in Chief of the Union forces in the Civil War—strong of conviction, and firm in his view of right and wrong, yet always gentle and warm in manner, unfailingly kind and considerate;

Now be it resolved, That we rise to express our lasting respect for this ideal public servant who will always be remembered for his life-long service to our Nation; and

Resolved, That we remember his devotion to the integrity of the design of Washington as emanating from the L'Enfant Plan of 1791 his solicitous care of the Washington Monument and its setting during his years as Director of Public Buildings and Public Parks, as Chairman of the National Capital Park and Planning Commission, and as the First Vice President of the Washington National Monument Society; his advancement of Washington's dream of a great university in the Nation's Capital as he served as Vice President of George Washington University; and for his constant affection for the city of Washington as manifested in numerous achievements which helped to make the city one of the most beautiful of the world's capitals; and be it further

Resolved, That the members of the Washington National Monument Society express their deep appreciation for his devotion to the Society and his outstanding contributions to the city of Washington and to the Nation; and be it further

Resolved, That the members of the Society extend to his family heartfelt sympathy in the passing of their beloved—this illustrious man whose friendship was cherished by all who knew him. We and our country are richer because of him; and be it further

Resolved, That this resolution, as approved on this 12th day of September, 1968, be signed by the members of the Washington National Monument Society for presentation to his family and a copy be made a part of the permanent record of the Society.

Attest:

LYNDON B. JOHNSON,
President ex officio.

SIGNERS

John Lord O'Brian, Cloyd Heck Marvin, Charles Carroll Glover, Jr., Charles S. Dewey, Corcoran Thom, Jr., Frederick M. Bradley, Benjamin M. McKelway, George E. Hamilton, Conrad L. Wirth, Samuel Spencer, Melville Bell Grosvenor, Earl Warren, Harry F. Byrd, Jr., George B. Hartzog, Jr., David E. Finley.

IN MEMORIAM: GEN. ULYSSES S. GRANT, 3D, SEPTEMBER 29, 1968

(Address by Conrad L. Wirth)

I am greatly honored to deliver the eulogy to one so greatly admired and loved by so many, one who has contributed so much to his country, this city, our capital and the well-being of all our citizens. This is especially true for me for I am greatly indebted to General Ulysses S. Grant, 3rd for his warm friendship, his wise counsel and the opportunity that he gave me and my family. It was the opportunity that made my lifetime career possible. Our gratitude and love are so deeply rooted in our hearts that any words I may utter will seem shallow and greatly inadequate.

The character of General Ulysses S. Grant, 3rd, was marked by a devotion to truth and duty, a warmth of love and kindness to all men, and a quiet but firm insistence on imaginative planning of man's entire environment with special emphasis on the social and cultural values in the development of their cities. These high moral principles and objectives enabled him to achieve many things which the world recognizes as successes as well as many successes that remain locked in the hearts of men, known but to them and their creator.

In applying high moral principles of human conduct in achieving recognized accomplishments, General Grant did so, armed with broad knowledge in the fields of interest he pursued and determined courage to stand by personal convictions and, above all, principle.

His determination to stand for what he sincerely believed to be the right course, tempered always by a respect for the human feelings of others, inescapably takes our thoughts back more than 100 years to a small courthouse at Appomattox, Virginia—the year 1865, and the man his grandfather General Ulysses S. Grant. General Grant had fought the war with dogged determination and courage, and now he met with General Robert E. Lee to accept the surrender. Now that the course he had pursued was victorious, there remained no rancor in his heart. As he spoke to an old friend his heart opened and he saw perhaps the higher aspirations of man—those that supersede the battlefield and the market place. The officers' swords were returned—the valiant soldiers of the South would also need their horses. Can we not see some of the same qualities of courage and human love in the departed grandson we honor today?

One of the major projects which he directed was the design and construction of the Arlington Memorial Bridge. This project, itself, was a memorial dedicated to the men of the North and the South. It must have given him a feeling of inner satisfaction in witnessing the dedication of that memorial by President Herbert Hoover. That majestic bridge across the Potomac symbolizes the joining North and South in one nation.

General U.S. Grant, 3rd, who died at his home in Clinton, New York, on August 29, 1968, left many legacies. A patriot, statesman, soldier, and historian, he earned the profound respect and admiration of all who came to know him.

It would be impossible to list all of his accomplishments as a soldier and as a public official, but in this memorial tribute in the nation's capital, we shall mention a few of those accomplishments that are visible in this city and across this land lest we forget.

In an era when city and park planning was young, General U.S. Grant, 3rd, was a pioneer and leader and served as the Executive Officer of the National Capital Park and Planning Commission and later as its Chairman.

He played an important role in the passage of the Capper-Crampton Act which made possible the Park and Recreation System of the nation's capital as we know it today and it helped to provide for the acquisition of lands in the nearby States of Maryland and Virginia for the Regional Park Systems. Few people today realize the strong stand he took and the influence he exercised to prevent the building of a flood control dam in the gorge of the Potomac.

He strongly defended aesthetics and effectiveness of the original L'Enfant Plan of 1791 and its 1902 counterpart, the McMillan Committee Plan. Those were stormy days for the young Planning Commission, but General Grant and his associates never faltered.

General Grant was President of the American Planning and Civic Association from 1947 to 1960—and consequently his sound judgment and creative ability strongly influenced planning and park development throughout the nation.

General Grant expressed a lifelong interest in the preservation of the National Parks and the enlargement of the National Park System. He was a firm supporter of the human values of body, mind, and spirit to be derived from nature's greatest masterpieces, and no doubt he always remembered that Yellowstone National Park—the first National Park in all the world, heralding a new federal policy—was signed into law on March 1, 1872, by President Grant.

General U.S. Grant, 3rd, was a man of many parts—his work and interests spanned planning, design, construction, and with a special interest in historic preservation. He served as Chairman of the National Trust for Historic Preservation. He was President of the Columbia Historical Society in this city. His direction saw the Society's headquarters firmly established and during his presidency, valuable historic papers on all facets of the history of this great Capital City were prepared and now fill six volumes of the Society's records—a visible monument to historical research.

But for all his achievements in the planning of structures, parks, and the places in which people live and work, General Grant's underlying interests were the people themselves—their well-being and their personal aspirations. That is why he undertook so zealously and conscientiously his important duties as Vice President of George Washington University, giving greatly of himself in advancing that seat of higher learning in the District of Columbia.

It was this same deep underlying interest in people that caused him over forty years ago to bring together the welfare and recreation societies of the various government departments to form Government Services, Incorporated, a non-profit distributing organization to better provide warm meals for government employees and to assist in providing recreation facilities and programs in the parks.

He was a member of the Washington National Monument Society for 42 years, and just 20 years ago, on behalf of that Society he delivered an address at the base of the Washington Monument. General Grant closed his eulogy to Washington with these words:

"He stands as the great first example of a ruler, who, brought to power by popular choice, still himself meticulously observed the laws and limited his exercise of power by his devotion to the public interests and by his own principles and the moral law * * *."

Like Washington, General U.S. Grant, 3rd, followed these principles during his own life.

We gather to pay our lasting respects to a man who took large strides and cast long shadows. He fought for his country when arms were called for. In peace, he worked for a more beautiful nation and a more fulfilling quality of life for his fellow citizens. Gentle in manner, but strong of conviction, and firm in the right as God gave him to see the right, he has left indelible marks upon this nation.

General U. S. Grant, 3rd, will be remembered by the many visible structures, buildings, parks, and parkways which he helped to build. To quote Sir Christopher Wren's epitaph in St. Paul's Cathedral in London, "If you would see his monument, look around"—but somehow for those of us here gathered, he will be remembered most for what he was to us, a kind, gentle friend who always had a helping hand and a word of encouragement.

By his high principles, his adherence to the moral law, and his true love of his fellowmen, General U. S. Grant, 3rd, has done more than his part to make this world a better place—and our lives have been enriched for having known him. There is no end to the good he has done.

MEMORIAL SERVICE FOR ULYSSES S. GRANT, 3D, SUNDAY, SEPTEMBER 29, 1968, 2:30 P.M., WASHINGTON CATHEDRAL, MOUNT SAINT ALBAN, WASHINGTON, D.C.

ORDER OF SERVICE

Organ prelude.

Opening sentences: Canon C. Leslie Glenn, sub-dean, Washington Cathedral.

Rollcall of organizations: Brig. Gen. Louis J. Fortier, president, Sons of the American Revolution.

Remarks: Conrad L. Wirth, formerly director of the National Park Service.

Benediction: Chaplain (Maj. Gen.) Luther D. Miller, Chief of Chaplains, U.S. Army (ret.).

Hymn 430, "Lux benigna":

"Lead, kindly Light, amid the encircling gloom,
Lead thou me on;
The night is dark, and I am far from home;
Lead thou me on:
Keep thou my feet; I do not ask to see
The distant scene; one step enough for me.

"I was not ever thus, nor prayed that thou
Shouldst lead me on;
I loved to choose and see my path; but now
Lead thou me on.
I loved the garish day, and, spite of fears
Pride ruled my will: remember not past years.

"So long thy power hath blest me, sure it still
Will lead me on
O'er moor and fen, o'er crag and torrent, till
The night is gone;
And with the morn those angel faces smile
Which I have loved long since, and lost awhile. Amen."

Organ postlude.

ULYSSES S. GRANT III 1881–1968

Major General Ulysses S. Grant III was the son of Major General Frederick D. and Ida Grant, and the grandson of President U.S. Grant. After study at the Theresianum in Vienna and Columbia University in New York, he was graduated from West Point in 1903, the U.S. Engineer School in 1908, and the Army War College in 1934. In 1907, he was married to Edith Root, daughter of Elihu Root, Secretary of State under Theodore Roosevelt. Commissioned in the Corps of Engineers, he advanced to major general in 1943.

General Grant first came to Washington

for the McKinley inauguration in 1897. "What a delightfully homey village Washington was in those days," he said, "and how country-like after coming from New York. My grandmother (widow of the President) was living at 2100 Massachusetts Avenue and everything was country beyond. In 1906, when I was first stationed here, the Long Bridge at the foot of the 14th Street Bridge was still standing and West Potomac Park (Hains Point) was being reclaimed by dredging."

During his military career he had many important assignments in the U.S. and abroad including the Cuban pacification in 1906, the Vera Cruz expedition of 1914, in Mexico in 1916, in World War I and II, and was chief of the protection branch, Office of Civil Defense, from 1942 to 1944. He assisted Frederic A. Delano in securing legislation for creation of the National Capital Park and Planning Commission, and succeeded him as executive officer. The Commission provided the most thorough planning studies ever undertaken to coordinate the transportation, parks and recreation systems of Washington with those of neighboring Virginia and Maryland counties.

General Grant took a leading part in postwar government planning, which involved the selection of sites for new government buildings outside the District and developing new federal employment centers. He helped secure enactment of the Capper-Cramton Act under which NCPPC bought additional acreage for developing the Parks system and District playgrounds. Among the public works with which he was prominently identified were the Arlington Memorial Bridge, the George Washington Memorial Parkway, the Fort Drive, extensive changes in the Mall, and the development of Meridian Hill Park. For many years he was charged with superintending the White House and its grounds. The Titanic Memorial, the D.C. World War Memorial, and the Ericsson, Cardinal Gibbons and Francis Ashbury statues were under his supervision.

President Truman awarded General Grant the Legion of Merit in 1945 for his service as director of civilian protection and chief of the protection branch of the Office of Civilian Defense. During World War I he had been awarded the Distinguished Service Medal. He was first vice president of George Washington University from 1946 to 1951, president of the American Planning and Civic Association and of Government Services. At the time of his death he was chairman of the latter. He was chairman of the Civil War Centennial Commission from 1957 to 1961 and commander in chief of the Military Order of the Loyal Legion. The general was a trustee of the National Trust for Historic Preservation and president of the Columbia Historical Society for many years. He received decorations from six foreign countries and belonged to many veterans and military service organizations.

SLOVENIAN FESTIVAL DAY

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. ANNUNZIO. Mr. Speaker, in accordance with their long-established tradition, the Slovenian people on October 26 will hold a festival to commemorate the 50th anniversary of Slovenian independence and the centennial of the death of Bishop Frederic Baraga, Slovenian missionary among the American Indians.

In Chicago, a special program on October 26 will mark this important occasion. Sponsored by the Slovenian-American Radio Club, the program will begin at 7 p.m. at the St. Stephen gym hall, 1852 22d Place, Chicago, Ill. The folk dances of Slovenia will be performed by 30 young and spirited dancers from Cleveland, Ohio, who will be making their first Chicago appearance. Known as the Kres folklore group, they will perform characteristic folk dances of the various provinces of Slovenia and will be dressed in authentic native costumes.

The program will also include singing by the small children of the Slomsek Slovenian School and folk songs by the France Preseren male chorus.

Presentation of the Slovenian Day proclamation issued by Mayor Daley will be made by "Gospodichna" Barinka Rebrica, 2048 22d Place, Chicago, who will reign as Miss Slovenian Day.

Mr. Anton Udovich, 2623 South Springfield Avenue, Chicago, will be announced as the winner of the 1968 Slovenian Award. This award has been given annually for the last 15 years to an outstanding Slovenian American for his work and achievements in the community.

Last year's winner of the award was Frank A. Schonta, president of the American Slovenian Civic Alliance of Illinois, whose headquarters are located at 2032 West Cermak Road in the Seventh Congressional District which I have the honor to represent.

The Slovenian Americans, over 400,000 strong in the United States, have much of which they can be proud. Through hard work, dedication, and loyalty, they have achieved high and honored positions in public life. Among such individuals are Senator FRANK LAUSCHE, of Ohio, who is retiring from public service this year after a distinguished and outstanding career in the U.S. Senate; Congressman JOHN A. BLATNIK, of Minnesota; and Ludwig J. Andolsek, Commissioner of the Civil Service Commission.

Not only as public servants, but as artisans and artists, as laborers and tradesmen, as men of letters and of science, and in many other occupations and professions, the Slovenian Americans have contributed so much to our American way of life.

On this special occasion, I want to congratulate Ludwig A. Leskovar, president of the Slovenian-American Radio Club, which sponsored the Slovenian Day program, as well as the hundreds of other Slovenian Americans who reside in my district, in the city of Chicago, and throughout our Nation.

The alderman and ward committeeman of the 25th ward, Hon. Vito Marzullo, where hundreds of Slovenians reside, joins me in extending best wishes to the Slovenians on the occasion of Slovenian Festival Day.

It gives me great pleasure to participate in this celebration, and I would like to include at this point in the RECORD the resolution of our outstanding mayor of Chicago, Hon. Richard J. Daley, proclaiming October 26, 1968, as Slovenian Day in Chicago. The resolution follows:

SLOVENIAN DAY RESOLUTION AND PROCLAMATION

Whereas, Thousands of Americans of Slovenian descent, living in this City for generations have served its economic growth; and have formed hundreds of active civic, fraternal, religious and patriotic organizations, and,

Whereas, Slovenians of Chicago have contributed to our American culture, notably in the field of folk-polka music and the Slovenian Radio Program under the direction of Dr. Ludwig A. Leskovar is celebrating eighteen consecutive years of radio broadcasting, and,

Whereas, This year Slovenians throughout the world are observing the 50th Anniversary since the Slovenian nation gained independence from the Austro-Hungarian Empire, and,

Whereas, It is the 100th Anniversary of the death of Slovenian missionary among the American Indians, Bishop Frederic Baraga, whose life is recorded in many chapters of early American history,

Now therefore, I, Richard J. Daley, Mayor of the City of Chicago, do hereby declare Saturday, October 26, 1968 to be Slovenian Day in Chicago and urge all citizens to join with the neighbors of Slovenian descent in observance of the day and participate in the programs presented by the Slovenian Radio Hour of Chicago.

AID AND THE TRADE ACCOUNT

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BINGHAM. Mr. Speaker, I have recently received a very thoughtful letter from one of my constituents on AID and the Trade Account. I would like to share it with my colleagues and other readers of the RECORD. The letter is as follows:

AID AND THE TRADE ACCOUNT

Recently, both in the press and even in Congress, a curious question has been raised: Can the United States, with its high wages and rapid growth rate, compete successfully in international markets?

A few years ago the question would have been absurd on the face of it. American business was generating huge merchandise trade surpluses. When, for a combination of reasons, including the Vietnam War and inflation, these trade surpluses narrowed and even gave way to some monthly trade deficits in mid-1968, the whole question of American businesses' ability to compete internationally was raised, and a corollary question: Did those huge, earlier trade surpluses ever exist? Or were we just counting foreign aid and foreign military assistance as "exports" and pretending to have a trade surplus?

The answer, in brief, is that the surpluses did exist and they were enormous—our surplus of exports over imports was more than $70 billion from 1946–1958.

To explain this figure, since the issue is one of bookkeeping, it is necessary to go back to the records and to admit that any figure is subject to error one way or another. The numbers were never collected in a way to show precisely how foreign aid influenced our exports. Nevertheless, new statistics are now available and the circumstantial argument is strong enough to leave little doubt.

We can readily identify exports during the postwar period that were generated by PL 480 (farm products) and loans made by the Export-Import Bank. The total exports under PL 480 amount to $15.3 billion. Those financed by Export-Import Bank loans account for $9.8 billion. These latter loans are, of course, repaid in dollars and the terms are no more generous than those offered by other industrialized countries, so even with such financing our producers had to meet the competition to sell abroad.

It is possible to identify the exports financed by economic aid programs only after 1961 when such aid was tied to purchases in the U.S. The calculation, even then, is not exact since some goods would be exported even without aid, and some cash exports resulted from aid. However, excluding such considerations, the total figure of aid-financed exports for these years is approximately $8.0 billion.

Exports financed by military assistance over the entire postwar period amount to little more than $23 billion. Other forms of military assistance, such as the purchase of local currencies, may have indirectly contributed to U.S. exports, but, as in the case of early economic aid that was not tied to purchases in the U.S., it is impossible to tell to what extent this actually happened. Like the early economic aid, the recipients were free to spend the funds wherever they chose and our exporters had to meet the competition to get any benefit from this form of aid.

The arithmetic is now no problem.

Here are the figures in table form.

Our official trade surplus (source: U.S. Department of Commerce, Bureau of Census FT99) were as follows:

[In billions of dollars]

Exports (f.o.b.)	430. 6
Imports (f.o.b)	312. 7
Total	117. 9
Deduct exports due to military aid	−23. 0
Total	94. 8
Deduct exports due to tied economic aid	−8. 0
Total	86. 8
Deduct exports due to Public Law 480	−15. 7
Total	71. 1

It can be argued that the $9.8 billion in exports financed by the Export-Import Bank should also be deducted from the total but if we accept the contention that these exports were competitive, the $70 billion plus figure will stand.

There is no question that if the United States had not followed a policy of economic assistance and economic cooperation, world trade would not have increased four-fold within the postwar period and our exports surplus would have been much lower. All countries would have been worse off today. Nevertheless, the figures also show that U.S. exports have met the competition very well during the period and the surplus of more than $70 billion represents the sum of thousands of transactions where American goods won out in the marketplace over those offered by others.

Sincerely,

Mrs. Wendy Greenstein.

JUDGE PAUL J. KILDAY

HON. E. C. GATHINGS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Saturday, October 12, 1968

Mr. GATHINGS. Mr. Speaker, one of the outstanding men of our times was lost to the Nation on October 12 with the passing of our former colleague, Judge Paul J. Kilday, of the Court of Military Appeals.

Paul and I came to the 76th Congress together, and my wife, Tolise, and his devoted wife, Cecile, worked together in the 76th Club. Over the years our lives have been enriched by the friendship of Paul and Mrs. Kilday.

In the House of Representatives it was my pleasure to serve with him on the Committee on Military Affairs. He was a senior member of that committee and handled much of the intricate and complicated military legislation that was required to enable this Nation to successfully prosecute the war in Europe and the far Pacific.

Early in his career he devoted himself to the problems of the servicemen of this Nation and it was a fortunate selection when he was chosen to serve as a judge on the Court of Military Appeals.

Paul Kilday came to Washington from Texas. His family is one of the outstanding pioneer families that settled south Texas and worked to make it great. He loved his State and he loved his Nation. His devotion to the military endeared him to the men who were called from their civilian tasks to serve in the mighty armies, naval forces, and air armadas that swept our enemies into defeat and gave freedom and liberty a new chance in the world.

Other great and good men will serve in his place in the Congress and take his place on the bench on the Court of Military Appeals but none shall exceed his ability and his talents. None will match his splendid record of achievement.

And none shall take his place in the hearts of all who knew him. He was a fine American.

To Mrs. Kilday and Paul's two splendid daughters, our deepest sympathies—a great and good man has passed from the scene.

PRESIDENT CHIANG KAI-SHEK'S MESSAGE ON THE INDEPENDENCE DAY CELEBRATION OF THE REPUBLIC OF CHINA

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. AYRES. Mr. Speaker, I would like to bring to the attention of my colleagues a speech made by Generalissimo Chiang Kai-shek, President of the Republic of China, on Free China's Double 10th National Day celebration.

My good friend, Dr. Diosdado M. Yap, a well-known writer and lecturer on Far Eastern affairs and author of "What Now for Free China," informs me that "Double 10th"—10th day of the 10th month—commemorates the day in 1911 when the successful revolution against the Manchu dynasty began at Wuchang in central China. The Republic, first in Asia, was established on January 10, 1912. Dr. Yap explained:

> Today, October 10, 1968, fifty-seven years later, free China is still resolutely striving to reach the goal of the democratic great society envisage in Dr. Sun Yat-sen's Three Principles of the People, namely, Nationalism, Democracy and Social well-being. Dr. Sun himself compared these principles with Lincoln's "government of the people, by the people, and for the people."
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> Following the fall of the Chinese mainland to the Communists in 1949, the Nationalist government under President Chiang Kai-shek moved its temporary seat to Taiwan (Formosa). This island fortress has become a symbol of freedom and a torch of hope for Chinese everywhere. With a fast-growing and prospering economy, Taiwan has become a proving ground for projects and policies to be undertaken on the mainland when China is free once again.

In view of the strategic importance of the Republic of China in the current critical situation in Southeast Asia, I commend to every Member of Congress and to the American people this most informative message of an outstanding spokesman of democracy and freedom in Asia. I append hereto the full text of this message in the Extensions of Remarks of the Record:

President Chiang's National Day Message, October 10, 1968

My Fellow Countrymen: Today marks the 57th anniversary of the advent of the Wuchang Revolution that overthrew the despotic rule of the Manchu dynasty and established the Republic of China.

The Republic was established by Dr. Sun Yat-sen, revolutionary martyrs and all the people of our nation, military and civilian alike, including your parents and grandparents. They shed their blood freely and thus gave a full measure of their revolutionary morale and justice for the nation. During these 57 years we have been engaged in battle during the Northward March, the periods of rebellion suppression, the war of resistance against Japan and the Communist usurpation. This ceaseless shedding of blood in connection with our deadly but righteous struggle signifies the awakening of the nation and testifies to confidence in the National Revolution. It further demonstrates the unswerving revolutionary spirit and dauntless character of a people who have been nurtured and steeled by our elite culture and the country's long span of history. This has made the Republic of China a pillar of peace and justice for the free world.

Unfortunately, the protracted and recurring rebellion of the Chinese Communists has lasted more than 40 years and has brought greater danger and deeper sorrow to our people and our nation. Today, however, the anti-Mao, anti-slavery great revolutionary struggle of the Chinese mainland is unfolding with the roar of mighty winds and the massing of storm clouds that exceed those on the eve of the Wuchang Revolution of 1911. This is the natural fruition of the sense of justice and morality to be found in the cultural and historical inheritance of our 700 million people. Our National Revolution continues, perseveres and develops; it has brought Mao Tse-tung to realization that his rule of violence and despotism is doomed. He has been forced into open admission that all Communist cadres "are Kuomingtang in their thinking", that "there are many Kuomingtang representatives in the Chinese Communist armed forces" and that "it is more difficult to fight against Kuomingtang agents waving the red flag today than it was to fight the Kuomingtang armed forces in the past".

KMT STRENGTH

Mao Tse-tung's evil thought runs contrary to our Chinese historical and cultural tradition, contrary to the thinking of the times, and even contrary to Marxism-Leninism. This wicked thought has not been accepted by the Chinese people during the last 19 years and is, in fact, completely incompatible with Chinese thinking. The Chinese people, including members of the Chinese Communist military and the party cadres, are reaching out for the thought of *San Min Chu I* (Dr. Sun Yat-sen's Three Principles of the People). The thundering torrent of the anti-Mao movement on the mainland represents a concrete embodiment of *San Min Chu I* as well as of Chinese culture. This is a struggle against Communism and despotism as well as against Mao. The people of the mainland are actually engaged in an advance offensive action on behalf of the National Revolution. They demand a final settlement of accounts; they are engaged in a total war and all-out attack against Mao Tse-tung, the traitor.

Fellow countrymen: Our confident pledge to suppress Mao and assure the nation's salvation involves world security and the sorrow or happiness of mankind as well as the life or death of the Chinese people and the future of our country. The development of the complex and ominous international situation is reaching the critical point.

We are certain that the free world's survival depends upon resolution of the China problem. The Mao regime is the principal perpetrator of subversion and aggression in the world and especially in Asia. This regime seeks absolute global hegemony and must be extirpated before the Vietnam war can be brought to an honorable end and also before the continuing crisis of the Korean war can be dispelled. Only then will Asia and the Pacific area be relieved of the subversion, violence and nuclear threat posed by the Chinese Communists.

Humankind can survive the danger and find well-being only by advocating and practicing the *San Min Chu I* of our Founding Father. When racial equality is achieved, no one can be bullied. Development of democracy will lead to equality in human rights and all peoples will be freed of oppression. The economic equality provided by the Principle of the People's Livelihood will obviate the necessity for measures that lead to class struggle. It is *San Min Chu I* that affords a new orientation and an inspiration that propels mankind forward in the direction of the Great Commonwealth.

REVOLUTIONARY MARTYRS

All of our compatriots should be prepared to follow the example of the revolutionary martyrs in their struggle and willingness to sacrifice their lives. We should solemnly pledge ourselves to implement *San Min Chu I* and to frustrate Mao's ambition to attain an "absolute hegemony". This will eliminate the danger of national calamity and extinction resulting from Mao's militancy. After solving the life-or-death problem of China, we can proceed to solution of the life-or-death problem of the world and assure man of a choice between happiness and tragedy.

Fellow countrymen: We all know that in the past Mao Tse-tung took an oath to follow the leadership of the Kuomintang, the teachings of *San Min Chu I* and the movement of the National Revolution initiated by Sun Yat-sen. Mao did so in an attempt to conceal his mass line, to instigate the people and to lure Kuomintang members into helping his proletarian struggle of treason against the Kuomintang and the government and the sell-out of the people.

Now let us consider Mao's attitude toward the workers and peasants. He falsely promised "rule by the workers" and "dictatorship of the workers' proletariat". The workers were caught in his death trap of "self-effacing labor", of increased work hours, of a tighter squeeze on hard-earned rewards and of lower wages. They also have lost all the freedom they were promised in the workers' proletariat. He told the peasants that their status would be raised, that they would be eligible to own land and could become "as prosperous as any rich family". Instead, the peasants have lost all the land they tilled and even their farm tools have been confiscated by the regime. Workers and peasants are now serving in Mao's "people's commune" as slaves and serfs and all of them have lost even their homes. Senior members of the Chinese Communist Party and the "People's Liberation Army" presumably should be Mao's "close comrades-in-arms". Instead, they are being criticized and struggled against, one after another, as the members of a "privileged Red class" and of a "Red aristocracy" and because they have become such "ghosts and demons" as "old warlords", "bandit "chieftains", "Chameleons" and "small reptiles". Mao has called them "bandits", "renegades" and "factionalists of self-interest". Their monthly security check "equates to the "monthly purge". The Red Guards were the "young generals"—new favorites of Mao and his wife, Chiang Ching. These "young generals" were instigated to threaten "those in authority", to beat up "cadres" and to start a "rational revolutionary movement". But when the Red Guards ran out of surplus value, Mao and his wife kicked them out. The Red Guards were accused of contemplating a "spiritual aristocracy superior to the workers and peasants and of committing this or that mistake. Mao and his wife then compelled the armed forces to oppress and violently attack the Red Guards and to kill those who resisted. Workers and peasants were instigated to occupy the schools and to "transform the schools and the young intellectuals". The purpose was to turn the whole of the mainland into a battlefield where peasant-worker groups and young intellectuals attacked and killed each other.

PLIGHT OF MAINLANDERS

This, then, is the current situation of the "workers", "peasants", "soldiers", "party", "government", "military", "cadres", "close comrades-in-arms", "young generals" and so on. As a reward, they are paraded through the streets for recognition by the people, for mass trial and struggle, and even for plunder, persecution and massacre. They have lost their families, land, rations, freedom and their lives.

On the mainland today, is there a single bona fide worker or peasant who again is willing to let Mao become the head of his family, let Mao cheat and squeeze him and surrender to Mao the harvest of his hard work in return for a meager and insufficient ration and coupons for cloth that is not adequate to cover his body?

Is there a single cadre or soldier of Mao's who considers it reasonable and just that his "close comrades-in-arms" should be criticized, struggled against, paraded through the streets and then put to death? I ask the people on the mainland: Is there any one of you who can be called Mao's "close comrade-in-arms"? Do you think your life might be better than the lives of all the other "close comrades-in-arms"?

Is there any young intellectual who believes that his participation in the "revolution" on behalf of Mao is "reasonable"? Does anyone think that he has seized power for Mao and gained power for himself? Does anyone still consider himself a "young general" loyally attached to Mao and his wife? If so, must he not be inwardly ashamed of what he has done to destroy his country's history and culture and the nation itself?

I ask you on the mainland to stop and reflect: Before Mao plundered the mainland 19 years ago was your free life dark and painful as is your life today? Was your human dignity insulted by "send-down" and "public trial" as is the case today? Were you totally and cruelly deprived of freedom of speech and action as you are today? Were your families broken and separated as they are today? Was your life as an individual subjected to continuous and unwarranted persecution as it is today? Is Mao Tse-tung not solely responsible for those unprecedented tragedies and this plundering of the mainland?

Those of you on the mainland have been living under Maoist tyranny and persecution for 19 years, leading a life that is worse than that in hell. You can not choose even between life and death. Nineteen years have passed since I left you. Here on this bastion of Taiwan my sad and heavily burdened heart is always with our compatriots on the mainland. Never for a moment have I failed to search my heart for the way to deliver our compatriots from their agony and distress. I have not yet fulfilled my duty of saving the nation and the people. I cannot face God and our compatriots in good conscience. As a consequence of your agonizing physical experiences, your response must be puissant and you must share my feelings of burning indignation. In your indignation and desperation you certainly have made your own plans and preparations. Fellow countrymen: With the bandit Mao more iniquitous than ever and increasingly isolated, his regime is facing total collapse. Now is the moment for you on the mainland to cast off the bloody hand of Mao Tse-tung. This is the time to save your parents, your children, your country and your compatriots.

SUPPORT PLEDGED

Our Founding Father, Dr. Sun Yat-sen, said: "Those who are loyal to the Republic of China are our friends; those who are not are our enemies." I, too, pledged: "Those who are not our enemies are comrades." I want to tell you that "those who raise red flags high in order to struggle against the red flag are really holding up the national flag of blue sky and white sun in opposition to the walking corpse of Mao Tse-tung". All of you should know that participation in our National Revolution is the duty of every citizen. Anti-Maoists and all who oppose Mao—young or old, regardless of party or creed, wherever they may be—are revolutionaries. All those who oppose Mao or who are opposed by him are revolutionaries and patriots. An anti-Mao comrade or an anti-Mao youth group on the mainland is our sentry and revolutionary fortress. All awakened Communist military forces and anti-Mao party organizations are our revolutionary detachments deployed all around Mao and taking a stranglehold on his throat. I want to reiterate and confirm my pledge that every anti-Mao military action for national salvation, whenever and wherever it may be carried out and especially those in the coastal provinces, will receive support and reinforcements from the naval, air and ground forces of our National Revolution within six hours of the time that a radio message or any other communication is received by our frontline troops. Commanders of defecting anti-Mao Communist forces will be assigned as administrative chiefs of the areas they recover.

Fellow countrymen: Torches of revolution are burning in every corner of the Chinese mainland. Those in the coastal provinces are many and especially bright. The Chinese people at home and abroad should understand that the anti-Mao war of national salvation may break out at any time. The exact moment is contingent upon the determination of all the people of our country, military and civilian alike. Although this moment cannot be exactly forecast, every one of you can predict his own determination, the exercise of his responsibility and his preparedness. The government on our island bastion of Taiwan is ready to provide timely support for the uprising of our mainland compatriots. Those of you on the mainland are not alone and we shall never fail to seize the opportunity to send reinforcements to help you regain your freedom.

Fellow countrymen: Frenzied behavior will not enable the bandit Mao to escape the punishment he deserves and which the universe has ordained as the natural result of his conduct. Our mainland compatriots have pledged their lives to his destruction. Shining through the 20th century, our *San Min Chu I* illumines the path by which our 700 million people will march forward. Armed in national righteousness, all of you should unite with other dedicated and benevolent people of the mainland and overseas under the banner of the Anti-Mao and National Salvation United Front in the taking of concerted although differing actions to restore freedom. I shall follow you, do all that I can and devote the rest of my life to eliminating the traitor Mao and delivering the people of the mainland from the darkest hell in which they now seek to survive. We shall join together in recovering the mainland and accomplishing the third phase of the National Revolution, thus consoling the spirits of our Founding Father and the martyrs in heaven.

ANNUAL REPORT TO CONSTITUENTS

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. PICKLE. Mr. Speaker, as I have done every year in the past I have written an annual report to my constituents about my activities in Congress this year.

Under unanimous consent I submit the report for the past session for inclusion in the Congressional Record, as follows:

Washington Report From Congressman J. J. Pickle

ANNUAL REPORT FROM CONGRESS

Once again, we find that another Congresional year has drawn to a close, and it has been an eventful and productive one.

THE NATIONAL ECONOMY

There is a popular feeling that the rising cost of living has stifled our economy to the extent that crash remedies are needed.

That prices are rising is not hard to see. That they have risen during recent years is not hard to document. But it is vital that the problem be seen in perspective, that its causes be understood, and that it be viewed in relation to other developments in the economy.

We must be careful that the cures applied do not kill the patient, especially when the patient is otherwise in such robust health.

The fact that our economy is growing is vividly shown in the figure, computed by the President's Council of Economic Advisors, that per capita annual disposable income, after correction for rising prices, increased by one-fifth from late 1963 to mid-1968. For a family of four, this is equivalent to $2,070, or approximately the basic cost of a low-priced new car.

I think it is important to realize that of every four increased dollars earned in the last 7 years, only one has been taken by inflation. The other three represent real increases for use in investment, for buying new appliances, or for sending a son or daughter to college.

This aspect of the picture responds to the working man and his family. But what about the person living on savings or on a fixed income?

This front is being approached on two counts. First, positive steps are being taken to stop the increase we have seen in prices. The best and quickest way to do this is the two-pronged approach of reducing spending and increasing taxes temporarily. This was done in Congress this year, and I supported it. If some in the Congress had not used delaying tactics this step would have been taken much earlier in the year and with much better results.

In mentioning the spending reduction, I would note that good progress was made by Congress in bringing about the $6 billion spending reduction. At the close of business, Congressional actions accounted for about $4 billion with the remaining $2 billion to be brought about later in the year through administrative actions. The largest single Congressional cut was seen in the foreign aid bill which was trimmed from $2.9 to $1.6 billion—a reduction I voted for.

Another way to help the fixed-income family is to make the adjustments necessary to meet the changes seen in prices. In the Social Security Act, we saw increases put into effect early in the year, and these new rates took the cost of living into account.

DOMESTIC ORDER

This year, Congress passed what is probably the greatest milestone ever seen in the field of law enforcement.

The Omnibus Crime and Safe Streets Act of 1968, H.R. 5037, for the first time, provides Federal aid to local law enforcement agencies. In line with the philosophy I have strongly supported, this program is administered by making funds available to a State agency, such as our Texas Department of Public Safety. This agency, then, will determine where, within the State, the greatest efforts are needed and where the emphasis will be made. This approach reflects a good Federal-State partnership in the fight against crime.

Funds from this program will be used to recruit and train new and more highly qualified policemen. They will be used to equip them with the best type of crime-fighting equipment available, and they will be used to promote improved technology in the investigation of crime. For example, we have already seen some steps designed to make instant computer investigations available to the policeman at the moment a suspect is stopped.

I have sponsored a number of other bills which address different aspects of crime. A measure I co-sponsored, H.J. Res. 698, was enacted to create in Congress a Joint Committee on Crime. The purpose of this committee will be to consolidate research works already done in this field, and come up with concrete legislative proposals for implementing them.

Another bill I co-sponsored, H.R. 14096, was passed to make it a Federal crime to possess or sell LSD. This measure provides stiff penalties for anyone who trafficks in LSD.

Finally, a bill I sponsored, H.R. 15935, was enacted to make it a Federal crime to commit assaults on postal workers performing official duties. This law frees the local U.S. attorney to prosecute an offense when the local law fails to provide the necessary protections.

By far the most controversial crime issue before Congress this year was firearms control. Restrictions were enacted on the interstate mail order sale of pistols, rifles and shotguns, and ammunitions. There simply was no proof that Federal licensing or registration in itself, would stop killing and no federal licensing or registration provision was included.

I opposed registration provisions but feel that the mail-order bans will provide adequate protections without infringement on the right to bear arms.

The real impact of these laws is to bring the question of firearms regulation into the control of the States. Our States will now have the assurance that any firearms control bill they may pass will not be circumvented through interstate commerce shipments—an area over which States are powerless.

The firearms control bill did contain a modified Casey amendment to provide penalties on those using guns in connection with other crimes. I feel this step is needed to assure that the real impact of the law will be felt by the criminal, and not by the law-abiding citizen.

MY COMMITTEE WORK

The House Interstate and Foreign Commerce Committee is one of the oldest standing committees in Congress, and its jurisdiction touches almost every Federal activity.

I have worked for your interests in the Committee this year through the day-to-day process required in getting legislation prepared for Floor consideration.

One of the major activities of the Committee this year dealt with health legislation. A comprehensive review of the Regional Medical Health Centers Act was completed, with important new extensions for health care for migratory agricultural workers, and rehabilitation of alcoholics and drug addicts.

This same bill included the substance of a measure I introduced last year to help increase the number of nurses. Expanded assistance is given to the hospital's diploma schools of nursing—the one's source from which we can most quickly increase our now-short supply of nurses. In connection with this proposal, it was an honor for me to work closely with representatives of the Texas Medical Association, and with members of medical, hospital, and nursing groups.

The Hill-Burton hospital construction program—one of the best health measures on the books—was extended for one year, and the new Congress will have the opportunity to give this program detailed evaluation next year.

Probably one of the toughest issues before my Committee concerned the suspension of the equal time requirement in order to permit TV debates among the Presidential candidates. I was successful in having the bill amended in Committee to say that if debates were permitted, they would have to include all three major candidates. I felt it was only fair to include all three candidates, but this bill was blocked in the Senate.

Other major items which I worked on in Committee and which were enacted by the Congress include:

The Health Manpower Act: To continue assistance to our medical schools and to students attending them.

The National Eye Institute: To create a national center for research in ways to cure and prevent eye diseases.

The Aircraft Noise Abatement Act: To allow the Federal Aviation Agency to establish methods for making commercial aircraft less noisy.

The Pipeline Safety Act: To maintain the quality and safety of high-pressure gathering and transmission lines in order to prevent pipeline explosions.

The High-Speed Ground Transportation Act: To extend the program to allow research and testing of high speed projects. I was able to obtain important amendments in my Committee on this measure and am hopeful that a demonstration project might be placed in Texas in the near future.

TOWARD PEACE IN VIETNAM

During the year, I believe we have seen one of the most important peace moves to this date in the war. The bombing restriction announced at the end of March was successful in bringing the North Vietnamese to the conference table, and we are all prayerful that those efforts will be successful.

Recognizing that events in Vietnam and negotiations in Paris might affect the points I recommend, I do support our government in the following steps:

—Negotiate with Hanoi an immediate end or strict limitation of hostilities and the withdrawal from South Vietnam of all foreign forces, including Allied Forces as well as those infiltrated from the North;

—Stop all bombing of North Vietnam when this action will not endanger the lives of our troops in the field; this action should take into account the response from Hanoi;

—Encourage parties and political factions to agree that the choice of the postwar government of South Vietnam should be determined by fair and safeguarded elections, open to all major political interests which are prepared to accept peaceful political processes.

Until the fighting can be stopped, we should accelerate our efforts to train and equip the South Vietnamese army so it can defend its own country, and allow cutbacks in our own military manpower.

HOUSING

One of the developing areas of major national interest is housing. I believe that if we can improve the quality of housing, and bring homeownership within the grasp of most families, we will be a long way toward the goal of having all our people share in the success of America.

There has been considerable activity on

this subject, both in Washington and in Austin.

The Housing Act of 1968 as passed to provide some of the greatest expansions ever seen in housing programs. This bill revamps both the traditional FHA loan program for financing homes costing up to $17,500 and the relatively newer low-cost and public housing programs. It stretches to serve the very low income up to the moderate income, and lays a good foundation for providing the 26 million new housing units which will be needed in the next 10 years.

In Austin, we were fortunate this year to learn that the Fish Hatchery on Town Lake has been selected as the site for an experimental project to determine what method of construction will best provide durable comfortable homes for a price of about $5,000 to $7,000. This project will attract national attention, and I believe it is a tribute to the ingenuity of our builders and our construction workers. Work on the project is underway right now!

Under existing housing programs, we were fortunate to see new projects across the district. In Georgetown, La Grange, Smithville, Austin, Lockhart, San Marcos, Johnson City, Granger and Wimberley, to mention only a few, we have housing projects either underway of completed.

It is my hope that public housing and other forms of low-rental housing will always be regarded as a stepping stone for the low-income family to achieve homeownership.

PICKLE BILLS

In addition to the bills mentioned in connection with crime, there are many other bills I have introduced. The current status of some of them is:

H.R. 12893. To create a National Visitors Center in Washington, D.C. Passed. I was the original sponsor of this measure and worked for its approval this year.

H.J. Res. 1379. To have the Federal Communications Commission conduct a study on the impact of violence in television. Pending. This bill will be considered by my Committee.

H.R. 15153. To assure that man-and-wife taxpayers in community property states such as Texas are not unfairly assessed for Federal estate tax purposes. Pending. The need for this measure arose after rulings adverse to a community property State were issued.

H. Con. Res. 632. To commend the Boy Scouts of America for serving all the youth of our country. Passed. I was the original sponsor of this bill in the House.

H.R. 17950. To grant to nursing homes providing services to VA patients exemption from the Service Contract Act and its wage provisions. Passed.

H.R. 19569. To allow non-profit organizations, such as the USO and the Red Cross, which provide aid to the American servicemen to receive surplus farm commodities. Pending. I am proud to have been the original author of this bill.

H.R. 19113. To prohibit the assignment to Vietnam any member of the Armed Forces who suffered the loss of a father or brother in Vietnam. Pending.

H.R. 19655. To improve the organization of the Executive Branch and find ways to promote a stronger partnership between State and Federal governments. Pending.

LEGISLATIVE HIGHLIGHTS

Taxes. Passage of the Revenue and Expenditure Control Act of 1968, H.R. 15414, worked to help keep the economy on an even footing. I supported this bill and, as mentioned, was pleased at the progress at bringing about the $6 billion spending cut. I think it is important to note that, even taking the new tax rates into consideration, Federal income taxes are lower today than when I came to office five years ago.

Agriculture. I supported a one-year extension of the Farm Bill. This measure did pass and leaves Congress all of next year to formulate the changes in the program which will best meet with the approval of most farmers. I also supported a bill to permit employees of the county ASCS to transfer jobs to the USDA without losing seniority or accrued leave. I was able to help kill H.J. Res. 263, a bill which could have abolished Texas' historic producer rice allotment. This was vitally important to the rice producers of our District and though it is surprising to some, we are one of the largest rice-producing Districts in the country. On peanut crops, we passed H.R. 11565, which will allow intra-county transfer of peanut acreage allotments.

Consumer protection. The Truth-in-Lending Act, H.R. 11601, was given final approval this year, and it will require that the total financing cost of any loan or installment purchase be fully disclosed. Also, the Poultry Inspection Act, H.R. 16363, was passed to provide safeguards for poultry products similar to those already seen in the Meat Inspection Act passed last year. I supported both of these measures which allow the States to have primary jurisdiction when they so choose.

Civil rights. I voted for consideration of the Omnibus Civil Rights Act of 1968. This bill, which was enacted, prescribed penalties for violating a person's rights to fair employment and equal education, created a fair housing law, and made it a crime to incite a riot, or to teach others how to riot. I voted against final passage of this bill because I felt that the Federal government should not impinge on an individual's free choice in the sale of his property.

Education. Final action was seen on extensions to the Higher Education program (H.R. 15067); the Vocational Education Act (H.R. 18366); and the Adult Education program (H.R. 11276). Also, in the appropriation bill for the Department of Health, Education and Welfare, there was included a specific prohibition against the use of any Federal funds for bussing students or teachers. I supported all of the above measures.

WORKING FOR THE PEOPLE

Since polls are much in the news around election time, I thought you might be interested in what some of the pollsters says about my over-all voting record.

My cumulative average under the Americans for Democratic Action (ADA) is 43 percent, and for Americans for Constitutional Action (ACA) the figure is 32 percent.

A straight 100 percent under ADA represents what is generally considered to be a "liberal" voter, and under ACA a 100 percent rating represents a "conservative".

Realizing that polls are restrictive since they look only at the type of vote deemed important by that poll, I think you will see that my "record" shows I have been responsive to the specific issues involved—voting not by party or label, but taking into consideration each issue separately and judging each bill by its own merit.

I hope you will agree with my philosophies. It has been a distinct pleasure to represent you in Washington.

I welcome your suggestions and comments and I hope that as the new session gets underway you will find the opportunity to give me your views.

REPORT TO THE PEOPLE OF THE THIRD DISTRICT OF PENNSYLVANIA BY CONGRESSMAN JAMES A. BYRNE

HON. JAMES A. BYRNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BYRNE of Pennsylvania. Mr. Speaker, as the 90th Congress completes its work and prepares for adjournment, I would like to take this opportunity to report to the people of the Third District of Pennsylvania on some of the outstanding legislative accomplishments of these past 2 years.

We have not succeeded in all of our objectives—no Congress ever has done so. But the volume of achievements in this Congress is truly impressive, including the enactment of several landmark bills which rate among the most important ever passed by Congress. And, compared to any Congress in recent decades other than the 89th Congress—which had a far larger Democratic majority and greater strength in the passage of bitterly contested measures—this Congress would be considered one of the very best.

This is the Congress which passed the Consumer Credit Protection Act, assuring, for the first time in Federal law, full information to the consumer on the cost of borrowing money or buying goods or services on time.

This is the Congress which closed gaps in our civil rights legislation, assuring full and equal rights under law to every citizen regardless of race, creed, or color.

This is the Congress which made it a Federal crime to engage in interstate activities intended to promote or cause riots or civil disorders, and which cracked down on the mail order trafficking in guns sold to criminals, juveniles and mental defectives, and on traffic in pornography.

This is the Congress which established a program to assure free access to property insurance for every small businessman or homeowner, no matter where his property is located.

This is the Congress which saved the mighty Redwood trees of the Pacific coast by creating a Redwood National Forest; and it is the Congress, also, which took giant steps to save for future generations the great heritage of America in natural beauty by passing a series of conservation measures.

PRIVATE OWNERSHIP OF HOUSING

This Congress enacted the most comprehensive private homeownership bill ever written into law in any Congress, developing new and better programs for assuring every American family an opportunity to purchase its own home under mortgage terms suited to its resources and earning ability. More American families own their homes today than at any time in our history—thanks to the FHA program begun under President Franklin D. Roosevelt more than 30 years ago, and vastly expanded and liberalized under the VA and other mortgage guarantee programs enacted since then, and particularly this year.

We have voted every cent necessary for the security of our forces in Vietnam while, at the same time, encouraging every effort toward reaching a negotiated settlement of the conflict in order to enable our troops to come home.

And mindful of the sacrifices made by our forces in Vietnam, and by our servicemen in all parts of the world, we have broadened what was originally known as the cold war GI bill to assure an opportunity for a 4-year college education to any veteran who has served 2 years. The Nation made one of the best investments of all time in the educational benefits of the GI bills for World II and Korean war veterans—providing us with millions of college educated or technically trained men and women whose skills and knowledge are essential to our present astounding level of economic activity and who have advanced the degree of excellence of all of the medical, academic, business, and other professions.

PROMOTING HUMAN VALUES

This Congress also:

Vastly expanded the successful food-stamp program to assure nutritious diets for millions of Americans not otherwise able to buy sufficient food to assure nutrition;

Expanded the school lunch program to guarantee a good lunch to every child, regardless of ability to pay;

Developed a new program to find better ways to assure equal educational opportunities for handicapped children at the preschool, kindergarten, and elementary levels;

Expanded Federal aid to all categories of education, from kindergarten through college and graduate school;

Called for greater emphasis—and provided Federal assistance—toward reducing the number of school dropouts by establishing a goal of attainable vocational and job training for those who have not found the regular school curriculum stimulating or meaningful;

Mounted a greatly enlarged battle against the dope pusher and the whole illicit drug trade;

Assured for the first time since passage of the Meat Inspection Act of 1906—more than 60 years ago—the wholesomeness of every pound of beef, veal, pork, ham, or other red meat products and of all poultry sold in this country by establishing a Federal-State program for compulsory inspection of meat products sold within a State similar to the inspection requirements long in effect for meat products sold across State lines;

Continued the experimental program and increased appropriation authorizations for the solution of mass transit problems and the improvement of intercity passenger rail traffic;

Moved to control the noise nuisance—the noise hazard—from commercial aircraft, including the prevention of sonic boom damage in built-up areas;

Struck a heavy blow at the stolen automobile racket by prohibiting the advertising or mail order sale of master keys capable of unlocking doors or trunks of many makes of cars;

Devised new security requirements for banks and other savings institutions to curb the alarming increase in bank robberies;

Passed legislation to protect the public from gas pipeline explosions by setting safety standards for the underground transportation of natural gas, particularly through residential and industrial areas; and

Strengthened our laws against water pollution and air pollution.

This is only a partial catalog of the hundreds of public laws enacted in this Congress to protect the public from injury, disease, and death, and to expand economic opportunities, improve educational attainment, conserve our natural resources, raise living standards, and otherwise achieve a better life for all Americans.

THE CONSUMER CREDIT PROTECTION ACT

By far the most important consumer measure enacted in this Congress was Public Law 90–321, signed into law on May 29, 1968, which will end the worst abuses in the consumer credit field and provide all customers with clear and exact information on every fee or cost associated with a consumer credit transaction.

This bill had been before Congress in one form or another for 6 years, prior to the start of this Congress, but was successfully blocked during all of that period by segments of the credit industry which did not want the customer to know the truth about the cost of consumer credit.

Beginning next July 1, however, thanks to passage of Public Law 90–321, any consumer entering into a credit transaction—from borrowing money to buying a home—will have to be told, before signing anything, how much he is being charged for the privilege of obtaining credit.

He will have to be given an itemized list of every fee or service charge, and the total of all of them, and also the annual percentage rate of the interest or other finance charges. Thus, if he is charged 6 percent a year on the original amount of an installment credit debt, he will have to be informed that the true annual rate is between 11 and 12 percent, not 6 percent—taking into account the fact that he is reducing the indebtedness each month.

Furthermore, there will be an end to the false or deceptive advertising of credit terms.

And if a credit deal involves a refinancing of his home mortgage or taking out a second mortgage on his residence, he must be advised of that fact and be given 3 days after signing the agreement to cancel the obligation, if he decides it is not a good deal.

The abuses in the consumer credit field have been tragic, particularly for the poor and uneducated who are frequently tricked into signing installment deals at exorbitant and unconscionable interest rates or involving hidden charges or a "balloon note."

The law also makes it a Federal crime to engage in extortionate extensions of credit—loan sharking—where the debtor knows, or is led to believe, that if he does not pay the illegal charges his life or property will be jeopardized. Loan sharking, backed by violent collection methods, is one of the prime sources of income for organized crime. This law should help to stamp out this miserable and misery-causing racket.

TOWARD A SAFER, BETTER AMERICA

All decent citizens, particularly those who live in our crowded cities, are deeply worried over the alarming increase in crime—the murders, muggings, assaults, robberies, holdups, and gyp activities. Most of these crimes are of a purely local nature, subject to the jurisdiction only of local authorities. The President of the United States and the U.S. Department of Justice do not administer local criminal statutes. Our police and municipal and State officials must do that.

But Congress, through the enactment of the Omnibus Crime Control and Safe Streets Act of 1968, moved to assist the States and localities to do a better job of catching criminals—and prosecuting them—by providing funds for improved training of State and local police forces and by curbing interstate sales of guns to unauthorized persons—criminals and children.

And the Department of Justice was authorized to develop new techniques for coping with organized crime engaged in interstate activities and the crossing of State lines for fomenting riots.

In the meantime, we strove to find ways to eliminate the causes of social unrest which sometimes lead to violence and riots. We passed legislation to help our cities eradicate rats; we have cracked down on the credit racketeers; we have opened new job opportunities and training for jobs for those whose lack of job skills makes them susceptible to the temptations of crime.

Most Americans are working at well-paying jobs and enjoying what we have come to regard as the American way of life. But others feel left out—they envy those who can afford to live decently, but they have no skills of their own to offer an employer who is willing to pay good wages. We must find ways to motivate these people—particularly youngsters who have dropped out of school—to take advantage of job training opportunities so that they can take a self-respecting place in society as workers and as earners and taxpayers. No youth is beyond reach in job training if he wants to learn a skill. This is a problem which must be solved. I intend to continue my efforts in the Congress to find practical answers for this social problem.

OFFICE DOOR ALWAYS OPEN

In the meantime, I would like to express to the people of the Third Congressional District of Pennsylvania, in the city of Philadelphia, my gratitude for the privilege I have enjoyed for these past 16 years in representing them in the House of Representatives of the Congress of the United States.

My office is open to them at all times to help in any way I can on any matter involving Federal Government activities. In addition to my Washington office at 2412 Rayburn House Office Building, Washington, D.C. 20515, I maintain offices in Philadelphia at 114 U.S. Customhouse Building, 239 East Girard, and at 710 Snyder Avenue. I am interested at all times in the views of my constituents on legislation and promise always to weigh those views in the consideration of bills which come before me in the Congress.

The Federal Government touches our lives in so many different ways, for good or for ill, that a Member of Congress who cares about the problems of his constituents finds it extremely useful to him as a legislator to know how these issues are affecting the lives or happiness of individual citizens in his district. Often, these problems can be resolved by an investigation into the facts in a particular case or, if necessary, by amendments to the law. Therefore, letters to me from constituents describing their problems can be extremely helpful to me in doing my job better.

REPORT TO THE PEOPLE OF MISSISSIPPI

HON. JOHN STENNIS

OF MISSISSIPPI

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. STENNIS. Mr. President, during the 1968 session of the Senate it has been my privilege to be active in many fields of legislation and governmental operations that directly affect the daily lives, the well-being and livelihood of the people of Mississippi. Such legislation and operations is of interest to the people of my State, and I believe a summary of the progress of these items in Congress in 1968 and some of my activities here in connection therewith will be of interest to the people of my State.

Let me emphasize that what has been accomplished has not been due to my work alone. I have had the full cooperation of the entire Mississippi delegation. I have also had the active assistance of many of my fellow Senators from other States as well as the fine work and cooperation of my own staff as well as the staffs of the committees of which I am a member. I not only want to acknowledge this assistance, but publicly thank those involved.

Mississippi has a vital interest in flood control, rivers and harbors improvement and upkeep, watershed projects, and related activities. As a member of the Senate Appropriations Committee, I have direct contact with all of these Federal activities as well as a chance to do some constructive work thereon each year. In 1968, I have directed my special efforts toward the following projects in their special fields, which, due in part to those efforts have moved forward to an appreciable degree.

PUBLIC WORKS PROJECTS

This year I have also been active with local interests and the highest officials in the Corps of Engineers, the Budget Bureau, and other Federal agencies and departments; I testified before the Senate Public Works Committee and conferred often with its members in order to get congressional approval of two major and urgently needed new public works projects in Mississippi. One of these, the Yazoo River navigation project, will provide a 9-foot, year-round navigation channel from Greenwood to Vicksburg. The other project authorizes the construction of a multi-purpose dam and reservoir on the Tallahala Creek near Laurel for flood control, water supply, and outdoor recreation. I consider these two projects of far-reaching value and shall push them to the limit next year and until they are completed.

As a member of the Senate Appropriations Subcommittee on Public Works I was able to insure that the necessary funds were made available to begin work on several new public works projects in Mississippi and to continue many existing projects. This year's public works appropriations bill, which provides the funds for flood control and navigation improvements, carried more than $6 million for Mississippi projects. Among the items included in this bill was $45,000 to study the need for deepening and widening the Gulfport Harbor channel, $708,000 for the construction of improvements to Biloxi Harbor, $50,000 to study the expansion of Greenville Harbor. The bill also included $44,000 for the study of additional flood control measures on Town Creek at Jackson, $485,000 for planning on the Tennessee-Tombigbee Waterway, and $621,000 for flood control construction on the Tombigbee River and tributaries. Also we have the large projects for the Mississippi River and its tributaries as well as smaller projects for maintenance and to complete construction. As a member of the Appropriations Committee I shall actively sponsor funds for these projects from year to year.

WATERSHED PROJECTS

Since the adoption of the Watershed Protection and Flood Prevention Act of 1954, almost $60,000,000 in Federal funds have been allocated to Mississippi for watershed protection projects throughout the State. I have regularly been one of the most active supporters of this highly beneficial program, and this year we were able to get four additional Mississippi watershed projects approved by the Senate. These were the $3,619,000 Browns Creek project in Prentiss, Itawamba, and Tishomingo Counties, the $940,000 Box Creek project in Holmes County, the $4,982,000 Silver Creek project in Humphreys, Sharkey, and Yazoo Counties, and the $6,497,000 Whitesand Creek-Greens Creek project in Jefferson Davis and Lawrence Counties. There are still many pending applications that cannot be approved because of a lack of funds. Despite the urgent need for more funds for this program, there was a substantial drive this year to cut the program almost in half. As a member of the Senate Appropriations Committee I strongly supported the full program and was finally able to get a practical sum approved to carry on this highly beneficial work. I shall again support the program next year. Other members of our Mississippi delegation are active in these worthy projects that are an investment in land protection and conservation.

RURAL WATER AND SEWER SYSTEMS

During the last fiscal year the Farmers Home Administration insured loans in excess of $20,000,000 for 177 water and sewer systems in rural Mississippi. The FHA also made direct loans of $2,541,850 to 18 communities and made grants totaling $929,160 for 35 water and sewer projects. Applications for almost double this amount are still pending and cannot be approved for lack of funds. To relieve the extreme shortage of funds for this exceedingly popular and useful program, I cosponsored legislation which was enacted into law this year greatly increasing the funds authorized for rural water and sewer systems. This legislation removed completely the ceiling on insured loans, tripled the funds authorized for comprehensive planning grants and doubled the funds authorized for development grants from $50,000,000 to $100,000,000 a year. Also, as a member of the Senate Appropriations Committee, I vigorously opposed efforts by the Budget Bureau to reduce the grant funds for this urgently necessary program below the already inadequate level of last year's appropriation of $28,000,000. I am proud indeed of this program that I helped originate and shall continue my active support. It holds more hope than any other for improving our rural communities and makes available added sources of jobs for our rural people through establishing small industries. This is the way for our rural communities to survive.

AGRICULTURE

The farm program which is vitally important to many Mississippi families has been under severe attack this year and I have taken a leading part in defending it. Strong attempts were made, when the bill to extend the Agriculture Act and the agriculture appropriations bill were under consideration, to place arbitrary limits on payments to farmers under the agricultural stabilization and conservation program. Mississippi farmers receive more than $146,000,000 a year through this program and to place artificial restrictions on the amount of individual payments would severely hurt the program and throw our agricultural economy out of line, bringing hardship to many farmers and ultimately higher prices to all consumers. I joined vigorously in the debate against these unwise limitations and voted against them, of course. Others did the same and they were finally defeated.

A shortsighted effort was also made to cut in half the appropriations for the agricultural conservation program which shares with the farmer the cost of conserving and improving the land, one of our most valuable resources. This program provides more than $6 million a year in matching funds for conservation practices in Mississippi, and I strongly opposed the drastic reduction attempted and it was defeated.

An equally grave threat to the soundness of our agricultural economy comes from abroad in the form of cheap foreign imports which undercut the American markets and disrupt our farm program. To protect Mississippi farmers from this unfair foreign competition, I have sponsored and supported various measures to restrict agricultural imports. We managed to pass legislation in the Senate imposing quotas on cotton and other textile imports but unfortunately it was voted down in the House where States with large cities dominate in such matters. A dairy import bill which I cosponsored was only narrowly defeated when offered as an amendment to another bill in the Senate. This was one of the few votes I missed during the entire year and was very much to my regret as well as embarrassment. Bringing it up as an amendment to another bill was without notice and therefore totally a surprise to me. The bill failed to pass the House. We shall all try again next year to pass the dairy import bill as well as the meat import bill that I am also sponsoring.

FIRE ANT ERADICATION

Another item of primary benefit to agriculture and of deep interest to all Mississippians is the imported fire ant eradication program. In years past I have vigorously supported an expanded program to control these dangerous pests. This year I supported a Senate amendment to the agricultural appropriations bill to increase the funds for this program by more than $2 million, to provide a $6 million eradication program. Although this amendment was later reduced in the Senate-House conference to $5 million, it still represents a substantial increase in efforts to eliminate the fire ant in the South. Our State commissioner of agriculture, the Honorable Jim Buck Ross, was an effective helper in getting this expanded program. Money spent in this way is an investment that yields untold millions in returns during future years.

APPALACHIAN PROGRAM

As a member of the Senate Appropriations Subcommittee on Independent Offices, I was in a position to oversee the appropriation of funds for Mississippi's Appalachian development program and intervene effectively with Appalachian officials in Washington to speed up approval of specific Mississippi projects. The Appalachian program provides extra Federal assistance to 20 counties in northeast Mississippi for roads, vocational training centers, health centers, timber and water resources development, soil conservation, and various other Federal programs. Mississippi has already received more than $2.8 million in Federal grants for almost a score of worthwhile projects since it began participating in the program last year, and the bill for this year provides over $3,000,000 for Mississippi. Included among the Appalachian grants that I have actively supported which have been approved this year are funds for the Lagrange water system in Choctaw County, money for the West Point Industrial Park access road in Clay County, a sizable sum for Itawamba Junior College at Fulton, funds for the northwest Kemper County water system at Preston, an additional grant for the Golden Triangle Vocational-Technical Training Center at Columbus, funds for a library building at MSCW, and a grant for the Golden Triangle Regional Airport. Grants for projects I actively supported also include the following: Classrooms and administration building at Mississippi State University; East Pontotoc water system; Pontotoc Ridge Area Vocational-Technical Training Center; Northeast Mississippi Junior College at Booneville; Northeast Regional Library at Corinth, Iuka, and Ripley; New Albany Central Junior High School industrial arts shop; Cadaretta water system in Webster County; Yellow Creek water system in Winston County. Others, of course, supported these projects and I worked on additional projects that were not approved this year for lack of sufficient funds. These are truly investments with permanent value. I hope we can rapidly get funds for many more projects, including a great number of the medium size and smaller ones. This Appalachian program is, I believe, one of the best and most constructive of all Federal-State programs.

ECONOMIC DEVELOPMENT PROJECTS

I have always strongly supported the Economic Development Administration program and have taken an active interest in getting Mississippi projects approved. This year EDA approved grants of more than $5 million to over 30 towns and communities in Mississippi for the development and improvement of public facilities necessary for industry to build and expand. In addition, business loans in excess of $3 million have been approved for Mississippi industries. As a member of the Senate Appropriations Committee I have been able also to give this sound program the strongest support through the appropriations bills and will continue to do so. This program is by no means a giveaway but gives continuing strength to our State's economy and is a sound investment in the future.

INDUSTRIAL DEVELOPMENT BONDS

One of the main supports of Mississippi's economic development program has been the issuance of industrial development bonds which a ruling of the Treasury Department this year would have virtually prohibited. To save our economic development program I promptly joined in sponsoring an amendment to reverse this ruling and took an active part in the Senate debate on this legislation. We were able to get the amendment passed in the Senate suspending this ruling but were unable to prevent passage of a later measure that would have had the same effect as the Treasury ruling. However, we followed up on the matter and worked closely with the Senate Finance Committee. With others helping we were successful in getting a further amendment to the bill in conference which permitted the issuance of bonds under $1 million. This exemption protected many of the industrial development bond issues in Mississippi; and to save those over this amount which were pending at the time, I was able to get special language added to the conference report which exempted them from the sudden change in the law. Later in the session we were able to get further legislation through the Senate which raised the exemption from $1 to $5 million and this provision was finally approved. The exemption up to $5 million will help our small towns, small counties, and all small industries tremendously. The fight over this matter lasted almost 6 months.

AIRPORTS

Mississippi's rapid economic growth has brought an urgent need for improved air transportation facilities, and, as chairman of the Senate Appropriations Subcommittee on Transportation, I have been in a unique position to be of assistance on this matter of widespread interest. I handled the Transportation appropriation which carries all the funds for airport grants and the FAA, and this puts me in close touch with the Secretary of Transportation and the Director of the Federal Aviation Administration. From this position, I can keep a close watch on the Nation's airport needs and give personal attention to projects within the State. This year the FAA approved $1,033,050 in grants for airport facilities at Brookhaven, Columbus, Greenwood, Jackson, McComb, Oxford, Raymond, and Eupora. Airports are essential in developing growth and expansion in modern business, and modern travel. This subject will continue to be a specialty of mine.

EDUCATION AND TRAINING

No matter is more important to the people of Mississippi nor has a higher priority with me than education. I vigorously opposed the school guidelines and their extreme application, but I realize that Federal aid in modern education has become a part of the necessary financial side of public education. This year the Senate has passed legislation to extend and expand the Higher Education Act, the Higher Education Facilities Act, the National Defense Education Act, the National Vocational Student Loan Insurance Act, and the Vocational Education Act. This legislation is a part of the comprehensive program of Federal aid to education at all levels through which Mississippi received more than $38,000,000 last year in Federal grants. With the aid of these programs, Mississippi is steadily enlarging its libraries, building new schools, expanding its colleges and universities, acquiring the most modern equipment, developing better methods of instruction, and above all making it possible for more and more of Mississippi's young people to obtain the kind of education they need to prepare for the technical and electronics age in which we live.

I have helped get approval of many worthwhile job training programs in Mississippi under the Manpower Development and Training Act. My membership on the Senate Appropriations Subcommittee which passes on all these funds has enabled me to come in close contact with the problem and thus aid my State in presenting its case. As of July of this year, Mississippi has received more than $18,000,000 under the MDTA program for training unemployed persons in need of industrial skills which will enable them to obtain useful and well-paying jobs. Since that time, additional new projects, totaling $932,685, have been approved in Mississippi. In most every project these funds are being put to good use and I shall continue to support the program of manpower development and training and urge its proper application.

TAX INCREASE AND INFLATION

Over 2 years ago I warned that we could not fight the war—which I then predicted would grow—and yearly add billions of dollars on the so-called Great Society, and at the same time avoid both a tax increase and inflation. I advised we should greatly limit the Great Society; concentrate on the war and get it over with as soon as possible. Instead, the administration recommended increased funds for the Great Society, and Congress agreed. The war cost rapidly rose in both men and manpower. Deficits and inflation followed. By June 30, 1968, we had a $24 billion deficit. The American dollar was in serious trouble in world markets. Something had to be done.

Some advocated a tax increase; some advocated a reduction in expenditures. I said in a Senate speech that we must do both. I therefore strongly supported, against my wishes, a surtax increase and pushed for substantial money savings; the bill passed. I withstood the requests and drives later to make exceptions for various departments, but uniformly voted for my original position except on one matter. I did originate an exception to provide additional controllers for the towers and control centers that supervise air traffic safety.

The financial affairs of the Nation have been greatly strengthened and the American dollar is now restored as a worldwide standard of value.

MILITARY PROCUREMENT PROGRAM

This year I held the hearings on the military authorization bill during February and March. The items included in the bill were primarily the major military hardware, tanks, airplanes, submarines, missiles, ships, and also the research and development for the Department of Defense. The total amount requested was $22,385,052,000. We denied some of the requested funds and added other funds to more rapidly produce certain advanced weapons, including planes and submarines. I had charge of the bill on the Senate floor for the committee, but other Members took a major part in the debate and we passed the bill with only slight change. In conference with the House, after prolonged sessions, we agreed on a bill that then passed the House and the Senate and became law.

In the Senate debate on this bill we had the first challenge to the anti-ballistic-missile system and other weapons programs. I was really privileged to conduct the hearings on this huge bill as well as serve as chairman of the conference committee that drafted the final form of the measure.

MILITARY CONSTRUCTION PROGRAM

As a member of the Senate Armed Service Committee I have a special responsibility to see that our Armed Forces, and particularly those stationed in Mississippi, are provided with adequate training and facilities. Accordingly, I actively supported legislation to authorize new military construction at several facilities in Mississippi and among the projects approved this year were $5,791,000 for Columbus Air Force Base, $1,204,000 for the Meridian Naval Air Station, $919,000 for Keesler Air Force Base, $400,000 for Camp Shelby, $281,000 for the Meridian Air National Guard operational facilities, $167,000 for the Hattiesburg Army Reserve training facilities, and $94,000 for the Magnolia Army National Guard Armory. I also supported legislation authorizing $165,000 for new Coast Guard facilities at Greenville, and $128,000 for a new Coast Guard mooring facility at Natchez. These facilities, of course, strengthen the security of our Nation and also aid greatly in our local economy. I expect to continue my special support for proper added facilities at Camp Shelby at Hattiesburg until Shelby has become one of the best equipped National Guard and Reserve training centers in the Nation. It is already numbered among the best and most desirable.

TRANSPORTATION APPROPRIATIONS BILL

As chairman of the Appropriations Subcommittee on Transportation I conducted the hearings on the Transportation appropriations bill, which contained requests for $6,202,032,000 to cover the Federal part of our vast transportation system of highways, airports, air safety, and a number of other programs related to transportation. After considering the testimony we reduced the requests by $196,321,000 and brought the bill to the floor of the Senate. Due to the extra hazards of air travel and a shortage of controllers in the towers and the control centers that direct the airway traffic, I proposed a Senate floor amendment to increase the number of employees to be trained for air controllers to relieve the acute shortage, as well as additional funds for additional air safety equipment. These two amendments were accepted by the Senate on a rollcall vote. I served as chairman of the conference committee where we carefully examined all items in the House and Senate bills, and finally emerged with a unanimous report in favor of a bill which included all of the Senate increase for the controllers and most of the funds for the new equipment. This final bill was passed. It is of vital interest to our State and to the Nation.

During the August Senate recess I checked air safety and related problems from New York to San Francisco. The high quality of service and the dedication rendered by the men who served in the airports and the controller centers, all under the direction of the Federal Aviation Administration, is most impressive. The terrific increase in air travel will continue for many years. I am pressing for attention to our added needs for better airports in Mississippi, for better safety equipment to insure safety for the airways, and, of course, am pressing for better air schedules for our airports. I believe that our schedules will improve from year to year, but of course they have to be based in large part upon the volume of traffic. This position gives me a fine opportunity both to know and do something about our State's needs with reference to airports and related matters, and I am fulfilling this obligation the very best I can, with emphasis, too, on our small cities and larger towns which are dependent on air service in obtaining industrial plants.

PREPAREDNESS

In 1967, I continued my services as chairman of the Preparedness Investigating Subcommittee of the Senate Armed Services Committee. We went into a great number of matters concerning the Reserves, the National Guard, the manpower problem and a number of items relating to individual military installations. Our major work, though, for 1968 was conducting hearings in three primary fields that have to do with our safety and really our survival as a nation. After extensive work by a highly competent staff, we took a great amount of testimony from competent witnesses concerning our needs in the field of submarines, tactical airpower, and strategic air power. This involves appraisal of the effectiveness of what we have and the probable need for the foreseeable future. This involves an appraisal of what Soviet Russia has and is likely to have, as well as what Red China has and is likely to have. After reviewing all the testimony, the members of the subcommittee worked for weeks in getting out three reports, published within the last 30 days, that I believe will supply the background and foundation for the consideration by Congress in 1969 of a new program of effective weapons in these essential fields.

These reports are not scare stories, but deal with the very basic requirements of an effective defense through modern weapons. The cost is very high in dollars and we are conscious of this dollar cost. But at the same time, it is a great blessing to have the know-how, the raw materials, and to be able to provide the financial support for whatever is necessary to make our Nation secure. In the meantime, I strongly advocate every step that will lead toward an effective peace and also I will support any nuclear weapons treaty that I think has adequate safeguards for our protection. I believe that to be well prepared and strong from the military standpoint is the best way to get the proper kind of a treaty.

ETHICS

This year, for the first time in its almost 200-year history, the Senate adopted a written code of ethics for its Members and for staffs of its Members. I pointed out in Senate debate on my motion for the adoption of the code that it was not a finished product but that it was a substantial beginning. I believe the measure adopted was both sound and necessary and will elevate standards of conduct because it gives Senators and staff members a definite guide to follow and also it provides certain punishment if anyone fails to comply. This code was the product of many months of intense study by the members of our Ethics Committee. It was a great privilege to serve as chairman of this committee and assist in writing these standards of conduct and presenting them on the floor of the Senate. The end result was approved by the Senate with only one dissenting vote, and was accepted by the country at large. Good will come from the adoption of this code.

CRIME BILL

This year Congress passed a major crime bill. I was greatly interested in the subject and did not think that it went far enough, but I do think that the amendments offered and ably presented by Senator JOHN MCCLELLAN, of Arkansas, were the most valuable provisions in the bill. These amendments sought to overrule certain decisions of the Supreme Court of the United States in criminal procedure and in criminal evidence, as well as other phases of criminal law wherein the Court rendered decisions that went far beyond reason in protecting the person charged with crime at the expense of the general public, which the Court left unprotected. These decisions also handicapped the police to the extent that they are always on the defensive and never know exactly where they are. These amendments were condemned by a considerable portion of the press and by several major segments of the thought of this Nation, but at the same time, in the end they passed the Senate by sizable majorities. It was widely predicted that the amendments would not be accepted by the House of Representatives and that the bill would not be signed by the President with these provisions in it. Nevertheless the amendments were accepted by the House of Representatives and the bill was signed by the President of the United States. This was a step forward in the curtailment of crime, and also it was a new start by the country and the Congress in helping restore judicial restraint to our Federal judiciary.

Several amendments were offered to this crime bill concerning gun regulations. I voted for the milder one which prohibited the shipment of handguns in interstate commerce and in the mail, but I voted against the provisions that would have required registration and licensing of all firearms and other extreme regulations. We were able to defeat that amendment, and I also voted against another more extreme firearms registration bill when it came up later in the session. I am as interested in the protection of the public from an armed criminal as a man could be; but at the same time, with the rate of crime that we have now and with that rate increasing, and with the turbulence and disorders and marches which turn into mobs, I think the people must not be denied the privilege of protecting themselves. This is especially true of the rural areas and the villages and small towns and small cities, where the extra police, the firemen, the National Guard and the Army cannot be sent in time to meet a situation which might develop suddenly and require immediate protection. I think every person in Mississippi had a direct interest in this matter.

NOMINATION FOR CHIEF JUSTICE

This year the President submitted to the Senate the nomination of Justice Abe Fortas to be Chief Justice of the United States, the second most important office in the Government. Mr. Fortas is an able man and well trained in the law. I made no attack upon him as a person and did not attack the right of the President of the United States to make the appointment because that is a power directly given him by the Constitution. I did vigorously attack the qualifications of Mr. Fortas to be Chief Justice because of the uniform trend of his decisions which went far beyond the power of the Court, as I saw it, in its interpretation of the Constitution of the United States. I felt that Mr. Fortas would follow directly in the footsteps of Mr. Warren, and that under him the Court would render many decisions wherein they undertook to announce the law based on what they thought the law should be, rather than on a reasonable interpretation of the constitutional provisions as written.

I thought there would be a tendency in the Court under Mr. Fortas' leadership to continue to interpret the amendments to the Constitution, many of which have broad, sweeping language, so as to bring the end result in line with what a majority of the membership thought the language should mean rather than what the Constitution actually provided. Thus, they would usurp the power to amend the Constitution which belongs solely to the Congress, to the State Legislatures, or to the people. I was vigorous and persistent in my opposition from the beginning. The opposition grew to such proportions as evidenced by the first vote that Mr. Fortas asked that his name be withdrawn. This action in the Senate will be felt in the Supreme Court of the United States, in the lower Federal courts; it will be felt throughout the executive departments in Washington and in the Congress itself for many years to come. Certainly it lets all branches of the Government know that the Senate is still a power in national affairs and can assert itself effectively.

Further, in the way of legislative activity, it was my privilege to serve as a member of the conference committee that wrote the final version of the HEW appropriations bill, and also the final version of the military appropriations bill. I was on the subcommittee that wrote the original version of many more of the appropriations bills that came to the floor of the Senate.

There are many other legislative activities to which I gave my attention and in which I had an interest. I have an excellent staff; together we try to see that anything pertaining to Mississippi has full and adequate attention.

FREE CZECHOSLOVAKIA'S 50TH OBSERVANCE

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, July 26, 1968

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise and extend my remarks, I include therein a speech given by Mr. Joseph J. Suk, 11 Edwin Street, North Quincy, Mass., a devoted advocate of Czech freedom, at the Cathedral of the Pines in Rindge, N.H., on October 6, 1968, at a very impressive ceremony, which I had the great honor to address and which observed the 50th anniversary of free Czechoslovakia.

I also ask that the permanent RECORD be amended to include Mr. Suk's inspiring remarks, following my previous remarks and insertions made on the floor of the House with reference to the great Czechoslovakian celebration at the Cathedral of the Pines, one of the most impressive spiritual centers of the world, whose famed founder and leader, Dr. Douglas Sloane, on the occasion, eloquently accepted a Czech flag to be flown at the cathedral, with the flags of many other nations.

The remarks follow:

SPEECH BY JOSEPH J. SUK UPON THE PRESENTATION OF A CZECHOSLOVAK FLAG TO BE FLOWN AT THE CATHEDRAL OF PINES, RINDGE, N.H.

We came here today to present our flag to Cathedral of Pines and to assure this humanitarian and esteemed institution of our devotion to it and also to the only defender and protecter of small nations and democracy, the United States of America.

Czechoslovaks are these days celebrating 50th anniversary of resurrection of Czechoslovakia, that is of free Czechoslovakia.

History of Czechoslovak people was continuous struggle for existence and freedom ever since they settled in central Europe in fifth century because it was the most beautiful spot in central Europe, but also most dangerous being at the cross road of Europe.

When in fifteenth century they became pioneers in reformation, they also became target of fury that spread all over central Europe and were all but wiped out. Four crusades were sent against them and although outnumbered 10 to one each time, they came out victors every time.

After burning John Hus at stake, leader in reformation and director of Prague university, Czechs rose in open revolt against Germans and having outstanding military leader Ziska who never was defeated although always outnumbered were able to survive and spreading reformation and preserve Protestantism.

However the price Czechoslovaks had to pay for survival was very high during the so-called Husite wars and by keeping up the defense against the odds, weakened them to such extent, that finally Nov. 8th 1620 they were defeated after short but fierce battle at White Mountain, not far from Prague.

Following 300 years were 300 years of persecution and suffering for Czech people. Thirty six thousand families had to leave the country, among them Commenius, founder of present way of teaching in schools—called teacher of nations. During those 300 years Czechs were reduced from more than 3 millions to 750,000. Czech language was prohibited in school and Czech students were physically punished whenever caught speaking Czech.

But the danger Czechoslovaks facing now is by far worse than ever before. They are not only in danger of being destroyed physically but also spiritually, enslaved to Russia way of life and give up everything that is worth while to live for. They can be starved into submission, destroyed economically and forced to slave labor.

Yet they are not asking for help nor begging for mercy, they are ready to fight their own fight and shed their own blood if necessary and continue either to bitter end or final victory.

MICHIGAN'S SLEEPING BEAR DUNES NATIONAL LAKESHORE

HON. PHILIP A. HART

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. HART. Mr. President, in preparation for the 91st Congress, when an intensified drive will be made for passage of the legislation establishing in Michigan the Sleeping Bear Dunes National Lakeshore, I want to call the attention of my colleagues to an excellent article by John Peterson, editor and publisher of the Benzie County Patriot, Frankfort, Mich. This article appeared in the August issue of Parks and Recreation, published by the National Recreation and Parks Association.

There being no objection the article was ordered to be printed in the RECORD, as follows:

SLEEPING BEAR DUNES—TIME IS RUNNING OUT TO PRESERVE THIS FINE NATURAL LAKESHORE AS A NATIONAL AREA

(By John Peterson)

(EDITOR'S NOTE.—The proposed Sleeping Bear Dunes National Lakeshore has been identified as one of the most beautiful, natural areas on the shores of the Great Lakes. The National Park Service with donated funds made the survey that identified the national Lakeshore potentialities of the Sleeping Bear Dunes area and called it to the attention of the people of the United States.

(The proposal posed no threats to any home owners in this scenic area because the proposed legislation, first introduced by Senator Philip A. Hart of Michigan contained provisions authorizing the government to purchase home properties only if the owners wished to sell. Enactment of the proposed legislation would have permitted the government to purchase undeveloped lands and provide public access and public use facilities so that natural attractions of this extraordinary scenic area could have been protected and preserved.

(Probably no public park bill was ever more misunderstood or more misinterpreted by a local faction than was this one. Six years have gone by since the proposal was first made and as the accompanying article written by John Peterson points out, the superb qualities of the area are being impaired by exploitative development.

(The opportunity to enact legislation to protect the Sleeping Bear Dunes area still remains, although both the time and the constructive opportunities are diminishing.

(Mr. Peterson's article is herewith printed, with the hope that it will serve to alert the American people to the opportunity to provide an exceptionally fine natural lakeshore in a part of our country where it is greatly needed.)

The Chippewa Indians of Michigan cherished a tragic legend explaining the presence of a sandy, wooded mound nestled atop a high bluff overlooking Lake Michigan in the state's northwest lower peninsula.

They called it Sleeping Bear. According to their tribal story tellers, a mother bear and her two cubs began swimming eastward across the great lake to escape a raging Wisconsin forest fire. As they neared the Michigan shore the mother bear arrived safely, climbed the huge bluff and lay down to watch and wait for her two cubs. The offspring failed to make the tiring swim and became what are now the offshore North and South Manitou Islands, but the mother bear continues to watch and wait.

This sad primitive legend was intended to explain part of a geographical area that presently ranks among the most picturesque in the midwest. Its breathtaking scenery, consisting of bays and beaches, jewel-like lakes and heavily timbered hills, fascinating flora and fauna and endless dunes of clean, sun bleached sand, is potentially one of the greatest recreation areas in the nation but can once more become the scene of tragedy much more real and much more devastating than that of the Indians' mythical bear.

The prevailing winds of the past centuries have had an eroding effect upon the bear and the thousands of acres she overlooks but this has been nothing compared to the eroding effects of the so-called "winds of change."

HUMAN EXPLOITATION DESTROYING A NATURAL AREA

The natural erosion, as is so often the case, has brought character and beauty to this land which in turn is in danger of being destroyed by the unnatural erosion brought about by human exploitation.

Cottages, carelessly built roads, indiscriminate lumbering practices, water pollution, wasteful farming practices and some poorly maintained commercial establishments have taken their toll.

The region is far from spoiled, however, and it must be admitted that the property owners in the area have done a much better than average job of preservation. Most have taken pride in their property and a number of them have as strong an interest in the conservation of the natural charm of the land as professional park and recreation planners.

PROTECTIVE LEGISLATION INTRODUCED

In order to make sure this area might be forever preserved for the use and enjoyment of the many, Senator Philip A. Hart (D-Michigan) six years ago introduced a bill which would establish a National Lakeshore Recreation Area, composed of 54,000 acres.

Many hearings, field inspection trips and subsequent bills have greatly changed the boundaries of the proposed park and the latest proposal includes the bear's two cubs, North and South Manitou Islands. The bill, like the mythical mother bear, is still waiting.

Thanks to a woeful lack of preliminary education and constructive public relations, the proposal was greeted with violent opposition from many property owners who immediately organized to meet what they considered a distinct threat to their property rights.

They formed what they called "The Sleeping Bear Dunes Citizens' Council," retained legal counsel and hired a professional press agent to protect themselves against "federal encroachment."

The Citizens' Council was composed of local residents and summer resorters and was able to raise several thousand dollars for its war chest.

Success of their efforts may be accurately measured by the fact that Sleeping Bear is still without the protection that national lakeshore status would provide, and still being eroded by ever increasing private development.

During the six years since the original introduction of the bill to make a park of the "Bear," many changes have taken place in the proposed legislation. Compromises have been made, efforts to appease irate property owners have been put forth and assurances of property rights have been given.

BEAR STILL REMAINS IN PRIVATE HANDS

All of this has had some effect. Some of the originally strong opponents of the legislation have modified their positions, others have become neutralized, while a few have completely changed their minds, but opposition still exists and the Bear area remains in private hands with much of the choicest recreation areas closed completely to the public.

At the present time legislation is pending in the U.S. House of Representatives and the Senate which would establish Sleeping Bear as part of the public domain.

If it is to be passed this session, it will have to overcome the concerted, dedicated, well financed and militant opposition of the Sleeping Bear Dunes Citizens' Council, apathy on the part of the public and the tendency of an economy-minded Congress, presently concerned with the war in Vietnam, to curtail all conservation appropriations.

If it is not passed this session there is a strong possibility that it will be permanently dropped as a national project, because unless it is brought under federal control in the very near future there will be little left of the original wilderness character of the area to preserve.

Building is going on at an ever increasing pace within the planned boundaries and Platte River, which once offered a delightful wilderness canoe trip to Lake Michigan, and is now so completely developed that it's much like taking a ride down a busy residential street.

The bear still lies atop the bluff watching and waiting but whether she will be doomed forever to view her lair surrounded by private development or whether she will soon see thousands of happy visitors enjoying the beauty she has so long surveyed remains to be decided in faraway Washington where our lawmakers have the power to rewrite a tragic Indian legend giving it a happy ending.

BUSINESS AND GOVERNMENT COOPERATION IN ACHIEVING SOCIAL GOALS

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BELL. Mr. Speaker, I have the great privilege of representing a truly outstanding constitutent, Herman H. Rappaport. Mr. Rappaport is a man whose creativity at any given moment is about a generation ahead of everyone else's. Shortly before Congress adjourned, Mr. Rappaport addressed a meeting in which he covered the very vital subject of business and Government cooperation in achieving social goals. I believe his remarks are extremely relevant to those of us who are struggling to find answers to urban dilemmas. Following is Mr. Rappaport's speech:

BUSINESS AND GOVERNMENT: FRIEND OR FOE?

(By Herman H. Rappaport)

I'm told the members of this organization are the leaders of the community. Not only the bright ones, but the most civic-minded. I won't challenge that observation—I can see this is true just by looking at you. I'm also told that some 90% of you are Republicans. I was going to say that some of my best friends are Republicans, but Mr. Humphreys stopped me by exposing my real Republican interests. Nevertheless, I still hope I can shake you up by being the Devil's Advocate, because we're all in trouble—whatever our politics. We can't afford the luxury of sitting on the sidelines and letting others carry the ball. There's been too much expensive fumbling.

My good friend, Owen Powell, here, some months ago, told me a bit of your freeway problem. Here in a small city, where land is scarce and growth potential limited, a freeway threatens to cut the town, take property off the tax rolls. It contributes nothing except to autos going through the city. What do you propose to do about it? Fight to maintain the staus quo? Bow your heads and submit? Or can you direct the change to benefit your town? It may be that our Space City Mall approach to a similar situation in Beverly Hills might apply here, even if the details might be different.

Just remember, we can't expect the government to provide everything we need. I'm reminded of the farmer who came over from the old country and after many years here, finally decided to apply for his citizenship papers. As usual, he was asked a number of questions. One was, and what could the government do for you? After scratching his head at this unexpected question, he hesitatingly said—Like to see more rain?

But, there is a limit to what government can do even with *your* "unlimited" tax money. Government needs business savvy. Government *is* business; the biggest business in the world. Why shouldn't it need business operation techniques and intelligence. Do you know that in 1965 the government's net administrative budget receipts exceeded $93 billion, and exclusive of Armed Forces, it employed over 2½ million civilians—General Motors had 735,000 employees—what about municipal, county and state administrations. We must admit government is big business.

I know that some of you are businessmen, others are in government. I'll bet that almost everyone here considers himself a specialist. Why is this so gratifying? Of course, the specialist is considered by the public to be more expert, more important, than the jack of all trades. Then, too, I suspect it is easier to put blinders on and look at one type of problem. I'm told that this makes for efficiency. Well, we've become so efficient that we can't communicate with anyone except an identical specialist. We use only a small part of our intelligence, and we completely distrust anyone who doesn't speak our language; and the worst offenders are the specialists in Business and Government.

Each of us is tied up with his own personal activities. Maybe it is easier to face only a small part of the world and let the rest go hang. But they won't let us, and the problems we face today don't fit neat compartments. They lap over into other areas. Maybe our society needs less specialists, and more general practitioners who will look at the whole body. The social body is too dependent, one organ on another, to permit us the luxury of specialization. We can't transplant a heart and ignore the lungs. The transplant may work, but the patient might die.

I hope any doctors here will forgive me for lecturing on medicine without a license. On the other hand, I've had many doctors teach me how to pour concrete and buy real estate. Maybe I can talk about heart transplants, equally expert.

But the analogy, I believe, fits. Our specialists in government and business must look beyond their immediate spheres of influence. It's going to take a composite intelligence to solve our civic problems, and this team effort won't be easy. Business and Government will have to work together, to understand each other, and above all trust each other.

We businessmen, of course, can take the easy way out of letting Big Daddy in Sacramento or Big Brother in Washington, take our money and do the job. Do you honestly believe they know what South Pasadena needs better than you do? Really, they're not that smart and we're not that dumb! But that's an easy way out. To get involved means work!

Government looks for easy approaches too. Take a poll! I'm told that a sampling of only 1200 people can tell us what the entire American public likes. Maybe so, but I was exposed to statistical analysis many years ago and it isn't that easy. I won't discuss the difficulties of sampling, but even if polls do show us what we like, is that automatically the right answer for our children? What a way to lead, take a poll! I for one, resent being averaged out with anyone else, whether from Kansas, Connecticut or California; whether for television or politics.

Polls are a very efficient leveling agent. They dampen out all ideas, all new solutions. Anything new must by definition be non-typical. You know, the worst crime our children can face is to be "different." So let's be "average," of middle quality, neither very good nor very bad. Let's be ordinary, commonplace. Incidentally, that's the dictionary's definition of *mediocre*.

It may be easier to duck our head into the crowd and not get involved. Those who stick up are quickly seen. Maybe, but if blondes have more fun—so do those who stick their neck out. I have to tell you of the fun this businessman has had with one idea, that of air rights. Remember, no specialist's talk, no systems engineering concepts, no gobble-de-gook, just every day, good business, which means making a profit and paying its own way; and at the same time providing a necessary public service.

It shouldn't be necessary to emphasize this, but government must remember that "profit" is not a dirty word. Without profit to pay taxes our government couldn't exist. This suspicion of profits is a dangerous, vote-getting practice that must stop.

Now as to air rights, this concept offers us an opportunity to develope the space above the ground level. The concept certainly isn't new—from the Pan Am Building above the New York Central to a number of Chicago office buildings built years ago. Why not use our air rights above the freeways to help solve our urban problems?

If I might digress, for a moment, if ideas are to work they must be practical. We must know who will pick up the tab. With air rights, we have a prime economic force emanating from the land. No one piece of land is like any other. Its location is all important. We all know that Wilshire Boulevard land is more expensive than Simi Valley land. Therefore, it follows, that while a single use, one-level freeway might do for inexpensive farmland, it's criminal waste for expensive downtown routes. We must get full value from our freeway investments and I don't mean only dollar return.

At a time when headlines demand the rebirth of our urban centers with intelligent planning, very little attention is being paid the dominant forces of air rights, and especially air rights above a freeway. As an engineer now concerned with land and its uses, I've seen the tremendous economic forces that a freeway can generate. Property values can change abruptly, sometimes they go way up when an area is made accessible, sometimes values drop when a freeway cuts off streets and disrupts a neighborhood.

A few years ago a freeway through Beverly Hills was proposed. I live and have offices in Beverly Hills and, of course, am aware of some of our local growing pains. Our one time bedroom community has the usual difficulties—lack of parking—too many automobiles—increasing taxes—everything associated with the pressures of more and more people. And when the city is only six square miles and completely surrounded by Los Angeles, the pressures can't be relieved by running away from the downtown core; there just isn't any place to go. This begins to sound like your town, too, doesn't it?

There seemed to me an opportunity in the freeway cutting through the heart of Beverly Hills. If we could create values by introducing business practices into a pure government project, maybe the difference might pay for some civic improvements—maybe even pay its own way and throw off a profit. Remember, I'm still a Republican!

As an engineer, it was obvious that there was only one practical route, that along Santa Monica Boulevard, alongside of the old Pacific Electric Railroad tracks. So we jumped the gun and designed our project on this 19 block strip, between Doheny and Wilshire Boulevard. We used the air rights above a strip about 200 feet wide by some 2 miles long. Fortunately, the State engineers agreed with our conclusions and selected the same route—otherwise I'd sure be quiet here today.

Everyone agreed that this freeway had to be depressed below ground level, because it was routed through valuable downtown land. But our City Council demanded that it be covered at a cost of $12,000,000. Who should pick up the tab? The State very properly thought that the extra charges should be borne by the City. Our Council insisted that the State pay for the cover. Question, if Beverly Hills gets a covered freeway, why shouldn't you in Pasadena have the same right of special treatment, too? Fortunately, the location is valuable. Not as it's used today as a railroad right of way, but valuable if developed properly. Why not use the cover to support developments that Beverly Hills needs? And that's where air rights come in—and that's one area where Government and Business can either join forces for the benefit of the community or sit back and watch the pieces fall.

Now what developments can we put into air rights that benefit the City and show a profit? Here was a unique location not being developed to its potential—the community had needs the people would pay for. Could a project be economically sound, both profitable and self-sustaining.

What we proposed to do was manufacture prime land, and put it back on the tax rolls. Instead of an ugly right of way, a valuable development became possible through the use of the freeway's air rights. And the key to the whole plan was the profit motive; putting together commercial and civic so that the combination paid its own way. This became a practical joint effort of business and government for the benefit of all concerned. It needed business to make a profit and pay taxes, and government to assemble the right of way and, of course, build the freeway.

Our Space City Mall plan was simple. We offered $12,000,000 for the air rights, which pays for the cover now under dispute. The total project cost is $100,000,000. The manufactured land values come to about $25 per sq. ft. The height of the buildings, their type, etc. are strictly limited to a maximum of 6 stories. Some 80% of this strip will be devoted to public facilities and gardens, and the other 20% will be commercial in nature. The commercial buildings will throw off sufficient profit to carry the public facilities and pay the way for the entire program. While our plan is limited to the two mile stretch in Beverly Hills, the same approach, of course, can be applied wherever freeway land is expensive and the community needs to manufacture land.

I'm only going into the details of our Space City Mall very briefly, because it may be an approach that might fit your town, too. First, we turned our attention to the traffic and parking problem. Our commercial buildings and Civic Center along Santa Monica Boulecard need parking between 8:00 in the morning and 6:00 in the afternoon on week-days. The churches on the other side of the Boulevard need parking on Sundays. If we include a theatre and convention hall, both of which Beverly Hills needs, the parking facilities will be used during the evenings and week-ends. We now have parking structures that don't have to be subsidized because they are in constant use, almost round the clock, every day.

Other proposed segments of our Space City Mall were a passenger station and a bus terminal, which were tied into parking facilities for 6,000 cars. Remember, auto parking is needed if passengers are to use these facilities. In addition to the 1,500 seat theatre and 30,000 sq. ft. convention hall, the Space City Mall provided for a much needed school building.

Incidentally, I named the convention hall, Eisenhower Hall. Remember, this was several years ago, when it wasn't as popular to be a Republican. Two councilmen thought the plan would be received more favorably if it were named Kennedy Hall. Two others liked the name. The third sat on the fence.

Now for the profit motive; the Space City Mall provided for a complete shopping center, a private club, medical and professional building and assorted shops and offices. These will pay the taxes and provide the profit to make up any possible deficiencies of cultural projects. The center won't have to come to the taxpayer each year, hat in hand. It will pay its own way.

Using past tax ratios, the Space City Mall can return an estimated property taxes of $1,231,000, sales taxes of $849,000, and business licenses of $32,000 per year. The entire project wouldn't cost the people of Beverly Hills or the State, one thin dime,—no bonds—no taxes.

The Space City Mall's use of air rights is, of course, a specific proposal for less than two miles of one small link in our California freeway system. Nevertheless, it still is a $100,000,000 civic development that pays its own way and benefits its community. Certainly, other air right opportunities exist.

Senator Randolph Collier, the Chairman of the Senate Committee on Transportation and Public Utilities, set up a public hearing on our plan. The full Senate Fact Finding Committee came down from Sacramento and took over the City Council Chambers in

Beverly Hills and heard our proposal. I feel that our project was well received. One thing did disturb me at the hearing. I was shocked to hear an objection from a city father that the project would be profitable! What an objection from a councilman of one of the richest cities in our country. As if a project that pays its own way and shows a profit, must be suspect! The Senate Committee made short work of the objection and Sacramento is busy assessing these new found potentials. In the interim, the air rights above the freeway have been shown to be too valuable to waste.

I saw the Mayor of Pasadena at the hearing and was delighted to see his quick pick up of our ideas. I just hope he's brought in businessmen to help him.

Here's another thought—Air rights for Watts. Why not examine the air rights above the proposed Century Freeway through South Los Angeles. The Century Freeway should not be built as a one-level auto track to move cars to and from the airport. Why extend our slums if a multi-level system can benefit the area.

Our air rights are worth nothing if we don't use them. Why not donate the Watts air rights to the local negro businessman. Instead of objectionable subsidies and doles, show him how these property rights can produce a profit. The business world will be only too happy to let him join us in paying taxes as soon as he shows a profit.

But it will take more than one interest to develop air rights; neither business nor government can do it alone and metropolitan problems don't stop at the City limits. We just can't solve broad-spectrum problems with a simplistic approach. We need a team effort to solve our urban problems, instead of a rear-guard action to maintain the status quo, whatever that is.

Talk about the leverage of real estate. You should see the leverage of a few loud, well-organized votes in Beverly Hills. I'm sure it's the same here. I sympathize with anyone's desire to live in the past, but it can't be done.

And we have to look ahead a few years to the consequences of our actions or lack of actions.

You know, we have so many people who would vote the town dry and then move away, because they couldn't get a drink. That sounds funnier than it really is.

I have to admit a personal change of viewpoint. I took pride in working outside of government agencies and with as little government help as possible (I'm not sure I didn't use the words "help" and "interference" interchangeably). From a purely selfish point of view, the rugged individualist can make out very well, but haven't we a responsibility that goes beyond our personal interest?

The distrust between business and government that grew out of the depression cannot be permitted to continue—there is too much at stake.

I hate to date myself, but I remember the depression days only too well. Business had fallen flat on its face and there was a credibility gap between Business and Government that makes today's gap look narrow indeed. Unfortunately, Roosevelt's and the public's distrust of business still continues, even today, and we businessmen sit on the sidelines, damning the government and yet hesitating to work out our own problems, and they are "our" problems.

I suggest *you* do something. Don't wait for Sacramento engineers or Washington politicians to come up wtih the answers. If I were to say—with your money and my brains we'll find the answers, every man here would be real upset with me. Well isn't that about what's happening? Or does calling the money "taxes" make it easier to swallow?

As Henry Ford stated so well some time ago "Government does well when it works in harmony rather than at cross purposes with the dynamic forces of free enterprise—when it sets the broad rules of the game. It does poorly when it seeks to control business activities in detail".

What he might have gone on to add, is that when both Government and Business work together the joint effort is very much greater than the individual efforts.

Last Fall President Johnson came up with his proposal to cut bureaucratic red tape in urban redevelopment through the use of a "turn-key" businessman's approach. This concept calls for a developer to come up with a concept and carry it from start to finish. We were called back to Washington to discuss the approach used on our downtown Los Angeles projects and were encouraged to continue our efforts.

One of Vice President Nixon's strongest planks concerns the combined efforts of free enterprise and business with government to solve urban blight. The political climate for joint venture has never been more favorable, as well as non-partisan.

I suspect that there are men in this audience today, men retired from government and business. If you're bored planting azaleas, why not put your brains and experience to work again?

Let me tell you that when our motives are questioned not only by our government, but by our very children, we'd better wake up. The stakes are too high to let the game go by default. Our society needs all the talent it can get to solve its problems—above all, it needs business and government to work together, as friends, not foes. If not, we really will have lost the ballgame.

FEDERAL ASSISTANCE TO LIBRARIES

HON. WALTER F. MONDALE

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. MONDALE. Mr. President, as an enthusiastic and consistent sponsor of legislation to encourage quality library services of all types, I am pleased to learn that the President's Committee on Libraries recently presented to the President the report of the National Advisory Commission on Libraries. One of the points that the Commission brings out is that there is a strong element of social benefit awareness, a service orientation that pervades every existing and conceivable library and information function. In its report the Commission states:

> We should look at the value to our people and our culture that accrues from the activities of the user whose functions are to be enhanced by improved availability of library and information services. A library can be understood only as it enhances a socially valuable function, one of which—and one that all libraries can enhance—is the personal intellectual and ethical development of every individual in our society. The variety of the other socially valuable functions determines the need for variety in kinds of libraries.

In this spirit of social awareness, the National Advisory Commission on Libraries developed its recommendations for a National Library Policy:

> That it be declared National Policy, enunciated by the President and enacted into law by the Congress, that the American people should be provided with library and informational services adequate to their needs, and that the Federal Government, in collaboration with State and local governments and private agencies, should exercise leadership in assuring the provision of such services.

In the same spirit of social awareness and as author of the proposal for a Full Opportunity and Social Accounting Act, which is designed to give us a clear picture of how well we are doing in our efforts to provide a decent life and full opportunity for all Americans, I want to congratulate the Commission on its report and commend this document to my colleagues.

At this time, I would like to call attention to what accomplishments we have already made in developing and improving library programs and to state that this is only a beginning in terms of the future needs of library users in an increasingly sophisticated and complex society. In this connection, I insert in the RECORD a letter from Vice President HUMPHREY to the president of the American Library Association:

THE VICE PRESIDENT,
Washington, July 22, 1968.

Mr. FOSTER E. MOHRHARDT,
President, American Library Association,
Washington, D.C.

DEAR MR. MOHRHARDT: As you point out, the federal government has increasingly recognized the need for assistance to libraries of all kinds during the last few years. I take considerable pride in that record because, as a Senator and as Vice President I have promoted federal funding for libraries, both separately and as an important corollary of federal aid to education.

I strongly supported the Library Service Act of 1956 which made funds available to states to extend free library services. I sponsored the 1960 amendment which strengthened and extended that Act. In 1961, I worked for a program to purchase foreign books and documents for distribution throughout the country by the Library of Congress.

The great education acts of the 1960's—the Elementary and Secondary Education Act of 1965, the Higher Education Act of 1965, and others—have provided millions of dollars in federal funds for more books, more audio-visual material, more librarians, new and improved libraries, better library service and more efficient inter-library exchanges.

All of this, however, is no more than a beginning. The demand for library services will radically increase in the years ahead, as will the number of publications and the complexity of storage and retrieval techniques.

I believe we need to press forward particularly hard on two fronts:

First, we need to see that our library techniques and services keep up with the sophisticated scientific and technological demands of our times.

Second, we have to use our libraries—and the creative human contact of our librarians—as a channel for introducing disadvantaged Americans to the world of books and learning. I have called for a New Education Policy for America which would aim to provide a truly full education for every child, with special compensatory training for those from disadvantaged backgrounds. Part of that compensatory training must be in the form of specially planned library programs and services.

Excellence in education will require considerably more federal, state, and local funds for schools and libraries than we are now spending. I believe, however, that America must make up its mind now to invest in a truly first-class educational system—and that its investment will rapidly be repaid.

Sincerely,

HUBERT H. HUMPHREY.

FOREIGN TRADE ZONE

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. HATHAWAY. Mr. Speaker, in recent weeks public support for the foreign trade zone proposal of the State of Maine has been building rapidly. A number of newspapers have endorsed the project. I would like to call the attention of my colleagues to recent editorials which have appeared in the Wall Street Journal, Boston Globe, and Boston Herald Traveler.

Also, I would like to insert in the RECORD the statement of the executive vice president of the New England Council, Mr. A. Thomas Easley. This statement was made in support of Maine's application for a foreign trade zone when hearings were held in Portland, October 10 and 11, 1968.

The material referred to follows:

[From the Wall Street Journal]

REVIEW AND OUTLOOK: OIL IN TROUBLED WATERS

Oil import controls, now nearly 10 years old, were undesirable from the start. And, as a current controversy indicates, they certainly aren't looking any better.

The excuse for the system is that it protects domestic oil producers from the competition of cheaper foreign petroleum. Without this protection, the reasoning runs, domestic firms won't find and produce as much oil and, if war shuts off foreign sources, the nation will be in dire straits.

The argument overlooks several factors, such as the large and growing petroleum resources of friendly neighbor Canada. Even if it were necessary for the Government to subsidize domestic oil output, however, it would be much better to do so directly.

The troubles with the present system don't stop with the fact that they force consumers to pay a subsidy through higher oil prices. Like just about any Governmental effort to manage a segment of the economy, the control setup has led to charges of chicanery in high places.

Consider, for example, Occidental Petroleum Co.'s application for permission to import oil to be processed in a refinery it plans in Maine. The project would be good for New England, an area that has had more than its share of economic woes.

It would of course be good for Occidental too. When the Government gets involved in this sort of program, it must decide who shall receive official favors. And that's one reason that trouble often starts.

Other oil companies naturally oppose Occidental's application, and some of them allege the firm is "buying" support by proposing to channel funds into the New England Marine Resources Foundation, a nonprofit research outfit that would have all six New England governors on its board. A Congressman from oil-producing Texas charges that approval of Occidental's plan would "make Teapot Dome look like Alice's tea party."

So far there is no proof whatsoever that anyone has done anything illegal or even improper. Since the oil import quotas make so little sense on other grounds, though, it's surely foolish for the nation to go on inviting public scandal.

[From the Boston Globe]

THE MACHIASPORT PROJECT

Interior Secretary Stuart Udall is expected to rule by late next month on a controversial proposal that has been extolled as a boon to fuel oil users, and excoriated as a potential Teapot Dome.

The Occidental Petroleum Corp., of Los Angeles, is seeking to build a $150 million oil refinery at Machiasport, Me., which would process 300,000 barrels a day of foreign crude oil at a cost of about $1.25 less per barrel than domestic crude oil.

Three distinct Federal government approvals are necessary for the project, involving decisions by the Departments of Commerce, Interior, and Treasury.

Hearings are under way in Washington this week before the Commerce Department's Foreign Trade Zones Board on the first phase, designation of Portland as a foreign trade zone and Machiasport as a subzone.

A foreign trade zone, while actually located within the United States, is considered for trade and customs purposes to be outside the country, and thus is exempt from duties and other restrictions.

The next step is the issuance of a license by the Interior Department permitting the import of crude oil to the foreign trade zone.

Most critical will be Secretary Udall's decision on whether to grant special quotas of 100,000 barrels per day, enabling the refinery to ship 90,000 barrels of home-heating oil to New England, as well as 10,000 barrels daily of gasoline.

Virtually all of the New England congressional delegation favors the proposal.

The petroleum industry, itself the beneficiary of the oil depletion allowance, is extremely critical of the proposal, claiming it is an attempt to skirt the import control program that could ruin the domestic oil economy.

Rep. Hale Boggs (D-La.) has charged that three Occidental executives attempted to bribe him to stop his opposition to the project. The company denied the charge.

The New England Council estimates that the Occidental plan would save New England consumers $50 million a year, provide jobs in the area, and cause no air pollution problems.

The oil companies fighting the plan do not appear so far to have made a very convincing case. The benefits accruing to New England consumers—70 percent of them in the area heat with oil—seem to make a good argument for approval.

[From the Boston Herald Traveler]

NO FUEL YET, BUT HEAT APLENTY

At a hearing before a U.S. Commerce Department board this week, members of the New England congressional delegation—including Sens. Edward M. Kennedy and Edward W. Brooke of Massachusetts—rallied behind the proposal to create a foreign trade zone in Maine. If the application is approved—and if oil import permits are granted—a refinery would be built at Machiasport, serving New England.

The congressional backing is welcome, because the project will need all the support it can find. The developing battle clearly is going to be intense and sometimes bitter.

For example, Rep. Hale Boggs (D-La.) has charged—but has not proved—that he was offered campaign contributions if he would not go to Portland to oppose the project at a Foreign Trade Zones Board hearing last week. He also claimed that "Republican politics" had prevented him from making his accusations on the House floor.

By contrast, Rep. Robert Price (R-Tex.) sees Democratic politics at work in the controversy, contending that the administration will approve the trade zone as some kind of political reward. Meanwhile, Reps. Peter Kyros and William Hathaway, both Maine Democrats, have criticized the Commerce Department for refusing to allow them to testify at this week's continuation of the Trade Zones Board hearing in Washington. Even if the refinery never produces a gallon of fuel oil, it has already generated plenty of heat.

Occidental Oil Co., which wants to build and operate the refinery, makes no secret of the fact that it expects to make a profit on the project, and we see nothing wrong with that. Other proponents—including the New England Council and six northeastern governors—make it plain that they're interested not only in lower oil prices for consumers but also in the economic growth possibilities, and this is a reasonable attitude.

On the other side, the opposition of domestic oil companies and representatives of oil-producing states is understandable. But their charges that permitting import of foreign oil, to be refined and sold in New England, would disrupt the oil industry and the government's import program is not totally convincing. Competition is usually a healthy thing in an industry, and there are plenty of critics of the oil import quotas who think they should be disrupted.

In all the controversy over the Machiasport proposal, we hope that one basic fact—the plight of the New England consumer—does not get lost. In the words of the Massachusetts Consumers Council, which supports establishment of the foreign trade zone, ". . . the policies of the federal government and the domestic oil refiners are levying an overcharge or, in effect a tax of over $42 million a year on No. 2 fuel oil . . . to the grave detriment of the consumers . . ."

The Council estimates that 75 per cent of the households in Massachusetts use heating oil; all of New England burns some 800,000 barrels of oil products a day. Yet not one of the nation's more than 290 refineries is located in this region. This curious situation, more than outcries of the oil industry, deserves the attention of the government.

APPLICATION OF THE MAINE PORT AUTHORITY TO ESTABLISH A FOREIGN TRADE ZONE AT PORTLAND, MAINE, AND A SUBZONE FOR THE PURPOSE OF OIL REFINING AT MACHIASPORT, MAINE

(Statement of A. Thomas Easley, executive vice president, the New England Council for Economic Development, at public hearing before the examiner's committee of the Foreign Trade Zones Board, Portland, Maine, October 10, 1968)

In the petroleum economy, New England is a remote tight island. Tight in the sense of the discipline of the present marketers and remote in that there are 291 refineries in the United States and not one—mind you, not one—is located to economically serve New England. The northern terminus of the pipeline is at Newark, New Jersey; thus, we are solely dependent upon medium and small tankers, barges and tank trucks to deliver our fuel. Sad experience vividly points out the dire consequences and the substantial extra cost burdens borne by New Englanders when world or other situations restrict or interrupt this limited delivery ability to New England; for example, the Suez crises, the Israeli-Arab war, the Vietnam conflict.

Mr. Chairman, the Machiasport refinery project, for which an affirmative decision on the Maine Port Authority's application is prerequisite, will in this context permit New England to rejoin the other 44 States and share with them the benefit of efficient production, strategically located to serve our important market and thus be freed of the frigid and lonely status of the remote island that we now are.

On being informed that the State of Maine had developed a plan for alleviating this critical condition the New England Governors unanimously approved the plan through their conference group, as did the New England Regional Commission. The appropriate committees of The New England Council then convened. These committees after thorough independent study recommended to the 18 member Executive Committee of the Council, immediate support of the Maine proposal. The Executive Committee strongly approved action by the Council to support the project.

The reasons for this support are many. No proposal to give the people of New England a fair share of the benefits of oil products in adequate supply and at a reasonable cost has ever been presented which provides the relief now available. Indeed, few proposals hold greater promise for strengthening the New England economy and the national interest. I would particularly like to address myself to those aspects of the project which The New England Council believes have broad regional implications and will contribute significantly to the well-being of the New England economy.

1. BENEFITS TO THE NEW ENGLAND CONSUMER

The proposed free trade zone in Portland, and sub-zone and refinery in Machiasport, Maine, for the first time in a decade assures the New England consumer of adequate supplies of No. 2 home heating fuel at reasonable prices.

The Council has long been concerned about the unusually high prices charged New England consumers for fuel. For example, The New England Council vigorously sought the removal of residual fuel oil controls first imposed in 1959 under the Mandatory Oil Import Program. Modification of these controls in 1966 has resulted in significant savings for the New England consumer. Unfortunately, these savings were accomplished seven years later than should have been the case.

Similarly, over the last several years, the Council has increasingly been concerned with the availability of an adequate supply of No. 2 home heating fuel at reasonable prices to New England consumers. New England last winter experienced great uncertainties and difficulties in securing an adequate supply of reasonably priced No. 2 distillate fuel oil. The availability of reasonably priced No. 2 oil has lagged behind demand as domestic producers have shifted production to more lucrative fuels. Prices to the consumer for No. 2 heating oil have increased substantially over the past two years.

The unfortunate impact of these developments on the New England consumer cannot be over-emphasized. More than 80% of all homes in New England heat with oil. The rising price of this fuel affects almost every family directly. It has been estimated that the last couple of heating seasons, New England consumers paid approximately $50 million more to heat their homes than during previous winters. In other words, the home owner has been paying $25 a year more to heat his home than in 1966. It is estimated that for the year ending July 1968 the price of #2 oil had increased an average of 8.7%. Over the last three years prices have risen over 1.9¢ per gallon, or a total of some $80 million in higher prices to New England consumers. The simple fact is that at the moment prices of home heating oil in New England are at an all-time high.

Two factors have contributed to this crisis.

(a) The fact that the present mandatory oil import program has in substantial measure served to close off foreign imports of home heating oil;

(b) Proportionately less #2 fuel is being produced in the United States. The reason is clear. Refiners are producing more profitable products such as gasoline, jet fuel and diesel oil from crude oil, which, in turn, creates a shortage in the domestic supply of #2.

With prices rising and the supply situation deteriorating, action must be taken to increase the available supply of #2 oil. To be sure, there are adequate reserves of #2 home heating fuel available at present, just as was the case at the beginning of the last heating season. This did not prevent severe problems from developing last winter nor does it for the future. The Maine refinery will assure a reasonably priced supply.

There will also be direct savings of approximately $4 million annually to consumers of gasoline. The new refinery is expected to supply 10,000 barrels a day at 2½¢ a gallon below the major companies' postings.

This new source of supply will enable unbranded dealers to continue to offer low price fuel to New England motorists. In the past, these dealers have relied on the major companies for their supply. They have become increasingly vulnerable, however, as the majors have expanded their retail marketing. This situation may well explain the 1.0¢ per gallon price hike by the major companies in New England in July-August. Based on today's gasoline consumption in New England, this price increase will cost New England motorists some $40 million a year. A secure supply of gasoline, even if small, should help stabilize gasoline prices and prevent a series of price hikes.

Let us not forget that resistance comes from the domestic oil industry which is strong and healthy with profits at record levels as evidenced by their own published statements. The future outlook for the petroleum industry is excellent. Surely action should be taken *now* to approve the Maine plan. The effect on the profits of the large oil companies would be inconsequential as compared to the benefits to the New England consumer.

2. INJECT COMPETITION INTO THE SUPPLY SIDE OF THE NEW ENGLAND OIL BUSINESS

The independent distributors in New England have found it increasingly difficult to find a sufficient supply of No. 2 fuel oil at reasonable prices to serve their customers. As a result, the independents have been forced to pay premium prices on the market and also seek relief from the Oil Import Appeals Board on the ground of exceptional hardship. The Board gave urgent consideration to a request for allocations of No. 2 fuel oil in the winter of 1967–8 and found that the distributors faced a choice of losing customers or losing money even though the market for light fuel oil was expanding. As a result, the Board granted allocations as an interim measure.

Obviously, emergency measures of this kind cannot be adequate. What is really needed is immediate action to create competitive balance in the New England oil market. At present, the independents, comprised of 3,940 businesses, the overwhelming majority of which are small businessmen, in the six New England States, must rely on a few large oil companies for supplies. It is a regrettable and startling fact that these same independent businesses must obtain their supplies from the large oil companies. At the same time, the major oil companies have their own retail outlets. In short, the supplier of the independent is also his competitor.

The failure to create a situation of competition has had a deeply serious impact on the pricing of #2 home heating fuel to the ultimate consumer. Unfortunate as the situation has been for the independents, we are particularly concerned about the unhealthy economic situation imposed on the New England consumer.

Our concern for this lack of competition is not an abstract one. We deeply care about the public interest and we cannot stand idly by while disproportionate and inordinate cost is imposed on the people of our region, as compared to other areas.

We have been advised, and believe the figures to be reliable, that New England consumers of #2 fuel oil will save, by virtue of the fact that this proposal will create competitive factors, approximately $60 million per year if the pending project is approved now. Of course, there is no way to compensate these same consumers for the hundreds of millions of dollars in excess costs which they have paid in the past to the large companies which oppose this exciting opportunity to reverse the past injustices. You will be told that reduced prices made possible by the present application will cause "market disruptions." The big oil companies have said, and it has been parroted in Congress, that this project is a "give-away." In fact, it is a "take-away"—a "take-away" from the "bigs" to the benefit of the people of New England whose interests have been flagrantly disregarded for too long.

We must simply repeat that it is intolerable that the upwards of 12 million consumers, who live in the New England region, should be unable to find relief from a failure to create a competitive balance in the region's oil market.

3. STRENGTHENING THE INDUSTRIAL BASE OF THE NEW ENGLAND REGION

The establishment of foreign trade zones in other parts of the United States has made it possible for a number of United States companies to benefit from the important advantages provided by such a zone. New England, as a region, is on the threshold of important new efforts to expand exports. Our balance of payments situation is serious, and developments which aid United States exports must receive the highest priority.

It is estimated that from the first year's output of the proposed refinery, favorable trade balance of $50 million will be generated, and this amount is expected to increase in future years. The capital investment will remain in the United States and U.S. labor will be used for the construction and operation of the refinery.

By providing facilities for loading and unloading, handling, storing, processing and exhibiting goods from all over the world, the Portland foreign trade zone will assist New England businessmen engaged in manufacturing, export-import, re-export and transshipment. The entrepreneurship, technology, management, labor and equipment capabilities now residing in New England can be exercised by our businessmen to make important progress in the export market.

Preliminary discussions with New England businessmen makes it clear that they are considering ways to make imaginative use of the zone and develop it into an important tool for the marketing and distribution of goods to markets both in the United States and overseas.

The unique possibilities available under the Foreign Trade Zone Act have gone unexploited far too long in New England. Immediate steps should be taken to open up this new area of opportunity for New England business. The entire region's economy will benefit immeasurably by strengthening its industrial base by means of a foreign trade zone.

4. DEVELOPMENT OF A NEW ENGLAND DEEP WATER PORT

There is no need to document the well-known fact that seaports make a major contribution to the American economy. The region's economy will be strengthened by the establishment at Machiasport of a deep water port with a 90-foot minimum depth which will permit vessels of any size to make use of the facility. By facilitating the movement of raw materials and goods which are important to the region's economy, the new port will aid in the further development and improvement of commerce in the region.

It is especially noteworthy that the proposed port could handle the super-tankers now in operation with a minimum hazard to densely populated areas along the New England seacoast. This new port as a producer of employment and income and as an essential link in the transportation network in New England, will provide substantial impetus to economic development in the region.

5. NATURAL RESOURCES FOUNDATION

The project will make $7.3 million available annually to fund the operation of a New England Natural Resources Foundation. The Foundation is expected to engage in research and development work designed to stimulate the development of natural and marine resources in the region.

The Council has strongly supported programs, such as the Sea Grant Act, which have contributed to the growth of ocean-related resources. In the last few years, there has been a remarkable growth in New England-based oceanographic industries. The Foundation can provide important help in this field.

6. AIR POLLUTION

In order to avoid duplication of testimony, I simply want to note with approval the testimony of James L. Dallas, registered professional engineer, appearing tomorrow on behalf of the New England Conference of State Public Health Officials and the New England Staff for Coordinated Air Use Management (NESCAUM) regarding the importance of the pending proposal in combatting air pollution in New England. I have first-hand knowledge of the thrust of this statement as this is one of the conference groups served by The New England Council.

I have also received an unsolicited letter from Professor Richard S. Morse, Senior Lecturer, Sloan School, M.I.T., in connection with this subject. Professor Morse is recognized as an outstanding scientist and authority in environmental control matters. Amongst his many distinguished contributions, he serves as a member of the Commerce Department's Technical Advisory Board, serving as Chairman of the Committee on Interdepartmental Study: Automobile and Air Pollution; member of the Advisory Board of the Air Forces Systems Command; consultant, Army Scientific Advisory Panel; and immediate past-Chairman of the Council's Applications of Science and Technology Committee. (Professor Morse's letter of October 7 was read into the record.)

One final point needs to be made. Canada enjoys similar opportunities to establish deep water ports and refineries. Under the leadership of Prime Minister Trudeau, such projects have been accorded a high national priority. Establishment of a Canadian refinery would inevitably delay realization of a New England refinery. Yet it would not afford real benefits to the New England consumer of #2 home heating fuel because of the prohibitions under the Mandatory Oil Import Program on importation of finished products. It would seem inconscionable to fail to act NOW to lift the economic burden from the New England consumer. This project is the only real hope for a deep water port and refinery on the East Coast that will solve the high energy costs of our forgotten region. It puts competition to work in an important region of the United States and gives the consumer a fair shake for a change.

All Americans should welcome the opportunity to take constructive action to help twelve million of their fellow citizens who happen to live in the northeast part of the country which, by the accidents of geography and geology, is an oil-poor and high-energy cost area.

I would like to conclude by restating the platform and approach of the Council to this issue. We do not wish to be involved in the controversy raised by the large oil companies who would like to preserve the preferential position they now enjoy and which their adversaries call a monopoly.

We approach this problem from the viewpoint that we are eager to accept a competitive factor through a foreign trade zone which will make possible, at long last, a fair break for the millions of citizens of the large New England area.

We urge this Board to cast aside hypothetical contentions and look at the reality of a supply of petroleum products not previously available and at costs commensurate with all other regions of the United States. We are motivated not only by a desire to improve the economy of the New England region, but to look directly from a householder's viewpoint at a large supply of heating fuel in one of the coldest areas of the country and at costs that will not impose upon the individual millions a hardship which they should not have had to bear the last ten years and which will be their destiny for the indefinite future should this application not be approved.

We commend Governor Curtis, of Maine, for undertaking this project and appreciate the strong support of the five other New England Governors, the Congressional Delegation; also, Federal Co-Chairman John J. Linnehan and Governor King, State Co-Chairman of the New England Regional Commission, which has brought this project to the fore. We applaud the aggressiveness of Occidental Petroleum Corporation in the true American free enterprise tradition for pushing this project forward and for sharing its possible profits from this major undertaking by passing on annually $26 million to the consumers in reduced prices; $6½ million to the Defense establishment for military products at lower cost; and $7.3 million to a non-profit Natural Resources Foundation for the betterment of the region's resources; and for the substantial additional cargo which will be carried by American flag vessels on all shipments from the zone to other U. S. ports; for the utilization of U. S. labor for the construction and operation of this $140 million project.

It was inferred this morning that supporters of this project had referred to Occidental Petroleum Company as a small independent. At no time has Occidental been referred to as small. It is indeed very large and possesses the know-how and the financing to undertake this project and get the job done. The emphasis insofar as Occidental is concerned is on its independent status.

We have studied such objections as have been made available to us and see them as nothing more than smoke screens or transparently self-serving statements in an attempt to preserve the status quo of the New England oil market. They are spurious in their endeavor to create fears with reference to our national security whereas indeed, this project will materially enhance our national security posture by

(1) providing a 16 million barrel storehouse in a strategically-located remote area of our country

(2) disbursing a substantial unit of oil refining capacity to a remote area

(3) greatly facilitate the abatement of air pollution which endangers the health of our citizens by the availability of low sulphur content fuels at reasonable cost.

These are just a few of the many compelling reasons which will be presented to this Board.

For forty-four years The New England Council has been dedicated to the development of a sound and dynamic region through the full utilization of all human, natural and material resources. We respectfully and strenuously, with all the persuasion and vigor that we can command, submit that the fruition of this project, with all its attendant benefits will substantially advance The New England Council's responsibilities and objectives, both moral and by charter, as regards the energy economy of New England.

SPORTSMEN SUPPORT GUN CONTROL

HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. TYDINGS. Mr. President, throughout the national debate over firearms control, newspapers throughout the Nation assisted us with helpful and informative articles and columns. Perhaps most helpful were the many editors and writers of sports pages who, in their dedication to the shooting sports, understood the importance of reasonable firearms control.

One such journalist is James B. Sullivan, sports editor of the Daily News of Minot, N. Dak. Mr. Sullivan told me in a letter:

> After such absurdities as confiscation and defenses of the frontiers are answered, the only excuses left seem to be inconvenience and expense. And I venture that the program need not be complicated or costly.

Mr. Sullivan wrote five columns on gun control. I ask unanimous consent that his final one be inserted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE INSIDE

(By James B. Sullivan)

More Americans will have a sporting chance to live if the U.S. Senate and House smooth out their slight differences and the President signs the gun control bill.

Amazing progress has been made since last spring. The Senate last week passed the mail-order ban on long guns (with other important features) by a vote of 71 to 17. In May the long-gun provision in the anticrime bill was defeated in the Senate 53 to 29.

Sen. Joseph D. Tydings of Maryland, a leader for licensing and registering, called the new bill meaningful but limited. He attributed defeat of his measures to the election year and misinformation.

The mail-order ban was a major advance but the battle must be resumed, said the Chicago Daily News. The bill is relatively good but the fight must continue, said the New York Times.

Other bodies have acted. The Council of State Governments advocates a central state registry for guns and identification cards for qualified gun owners and users. The six New England governors have a compact under which a card would be issued to purchasers not involved in felonies, narcotics or mental illness.

The Attorney General and the FBI Director will be able to reiterate their strong-control stands. Hubert Humphrey, by federal statute, and Richard Nixon, by state law, want registering and licensing.

Senators with large cities in their constituency supported the whole works last week. Others had their heads in gopher holes. Unwittingly, Sen. Frank Church of Idaho voiced the problem: "To some, guns connote crime; to us in Idaho, guns connote sport."

Later, Sen. Mike Mansfield urged his colleagues to put aside regional considerations and accept controls to curb crime and violence in urban areas. "We should remember we all wear two hats, one as a Senator from our state and the other as a Senator of the United States," said the Senate leader from Montana.

An adopted amendment that bars the U.S. Government or any agency from confiscating a firearm legally held or used silenced the cry of the National Rifle Association and its members. Now, the militiamen or minutemen in the woods will be able to repel the invader.

Sen. Roman L. Hruska of Nebraska still was warning about a police state although New York does not have one with such controls, as the Post pointed out. He also saw no connection between crime and availability of guns, apparently unaware of European rates.

He repeated a theme of the anti-control addicts, that the paper work would be an inconvenience to sportsmen. It would be a greater inconvenience to criminals, noted the

Minneapolis Star. I might add that death is mighty inconvenient to homicide victims, too.

Repeaters are responsible for many crimes. Convicted felons will not be able to buy guns over the counter under the new law, though it would be tougher under licensing.

The control critics claim the underworld would be unchecked, contrary to Ramsey Clark's view. But the Attorney General gave an amazing statistic: only 15 per cent of the gun deaths are committed by strangers.

Yet assassins finally stirred the country and Congress to action. The rifle murder of Dr. Martin Luther King led to a mail-order ban on pistols. The pistol murder of Sen. Robert Kennedy led to the ban on rifles.

JUSTICE DEPARTMENT RELUCTANT TO ACT ON EVIDENCE OF FRAUD

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. GROSS. Mr. Speaker, I have previously called attention to the reluctant fashion in which the Justice Department has handled evidence of possible criminal fraud against the Government on the part of officials of the Rand Development Corp. of Cleveland, Ohio, and the Universal Fiberglass Corp., of Two Harbors, Minn.

I say reluctant because, for 7 months now, the Department has been sitting on such evidence.

It is possible that this reluctance may have something to do with the fact that the top officials of Rand have powerful connections in the Johnson-Humphrey administration and one of them, George H. Bookbinder, has served as a fundraiser for Vice President Hubert H. Humphrey.

Of course, it is possible that the Department does not believe it has enough evidence. In that case, I am sure the Attorney General's men would be interested in an audit report prepared in 1966 by the General Services Administration in connection with the ill-advised, ill-fated, and politically motivated contract with Universal Fiberglass to produce mail trucks for the Post Office Department.

This is the contract that was approved by one of Vice President Hubert Humphrey's former aides—Eugene P. Foley—against the advice of all the Government experts who surveyed this company.

The GSA audit to which I call the Attorney General's attention is entitled "Selected Items of Ineligible Costs Included by Universal Fiberglass Corp., in Support of Progress Payments Made."

The audit points out that Universal billed the Government for $194,870 in ineligible labor costs; billed the Government twice for manuals and parts price lists; included the cost of warranty and replacement parts as direct material costs; billed the Government twice for items purchased from six different suppliers; billed the Government for rejected materials that had not been returned to the suppliers; charged the Government for the deposits on returnable containers; charged the Government for direct labor costs during the period when its plant was closed because of a fire.

Mr. Speaker, the GSA has known for 2 years that these selected items of overpayments made to Universal amounted to more than $271,000. I can only presume the Justice Department has known about this for some time.

If it has not, I suggest that Attorney General Clark pick up his telephone and ask the GSA for a copy of this audit before another day goes by.

DOMESTIC TRANSPORT EFFICIENCY

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. SCOTT. Mr. President, this Nation's success in the search for international markets and a more favorable balance-of-trade position must depend inevitably to a large degree on the transportation efficiencies of our domestic economy. That this fact is recognized, especially by the bargelines operating in the industrial and agricultural heartland of America, was demonstrated in a speech which Mr. Charles E. Walker, president of the Union Barge Line Corp. of Pittsburgh, Pa., gave recently to the Propeller Club's annual convention, held this year in St. Louis, Mo.

Mr. Walker argued that the basically competitive and profit-oriented nature of our internal transportation system has been directly responsible for continued improvements in efficiency. In so doing, he focused attention on the adverse impact which could result from basic changes of public policy which there may be pressure on future sessions of Congress to consider.

So that all Members of Congress may familiarize themselves with these important issues, I ask unanimous consent that Mr. Walker's address, "Maintaining and Improving Domestic Transport Efficiency," be printed in the Record following my remarks.

Mr. President, in the continuing struggle to improve the Nation's balance of trade, no issue is more important than the maintenance of the productive efficiency of the United States. Mr. Charles E. Walker, of Pittsburgh, president of the Union Barge Line Corp., has just given an outstanding address on the relationship of transport efficiency to the Nation's economy. He points out that healthy competition between the different transport modes over the past two decades has significantly lowered the transport element of production costs and helped make and keep the United States competitive in world markets. I would like to share this important statement with my colleagues and ask unanimous consent to place it in the Congressional Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Maintaining and Improving Domestic Transport Efficiency

The warm welcome you have all received from the river members of the Propeller Club in St. Louis has, I hope, given you some indication that those of us who work primarily in domestic water-borne commerce have a deep interest in the problems and opportunities of other branches of the marine business, particularly those concerned with foreign trade.

All of us are admonished, from time to time, that we do not give enough attention to the nation's foreign trade. The barge lines operating through the industrial and agricultural heartland of America are perhaps more conscious than most of the volume and importance—and beyond that the potential growth—of the nation's international commerce. We are giving more and more attention to the efficiency of our water-borne connections with the world.

The U.S. economy is today unquestionably the most productive the world has ever seen. With six per cent of the world's population, we produce one third of the world's total gross product. But everywhere the struggle is intense to imitate our methods and our results. In some areas, indeed, we have been surpassd in the rivalry for markets, at least temporarily. There is, therefore, no cause for complacency.

Looking out over an increasingly competitive world, it is clear that the challenge we all face is to continue to improve the efficiency of our own production. There are, of course, many avenues to increase efficiency in the economy. As you are all aware, however, 10 per cent of our gross national product—about $70 billions in dollars—represents the cost of freight transportation. Any major new transport efficiency is quickly felt throughout the economy and, of course, in international trade. The reverse is also true. Any impairment in the efficiency of transportation weakens the position of the nation as a contender in world markets.

It is my thesis today that healthy competition among the different transportation modes over the past two decades has significantly lowered the transport element of production costs and helped make and keep the U.S. competitive in world markets.

There will be little dispute that there have been major upheavals in transportation since World War II. The pipelines have expanded dramatically. Most of that traffic has probably disappeared underground for good. But the water carriers, the railroads and the truckers have been in constant conflict during this period and the Congress has heard millions of words of testimony as to what's right and what's wrong about the present organization of transportation. I am sure that before long it will be hearing a lot more of the same.

But boiled down to its essence all the commotion has been centered on one fact: there has been a rebirth of vigorous, healthy competition in the transportation industry. Competition has produced new efficiencies in all modes of great significance for the economy and for our international trade. Preservation of this vital force is of concern to every investor, industrialist, farmer, grain merchant, consumer group, regulatory body and labor union in the country. It would not be too much to say that perhaps the most important advantage the United States has in world trade is its system of free enterprise competition.

On the low cost end of the scale of transportation charges, in large measure due to the barge lines, price competition has developed strongly. Barge transportation, at an average of 3/10ths per cent ton-mile has been available to compete with rail transportation at an average of 1.3 cents per ton-mile. This comparison is of course an oversimplification because the rail average includes all types of traffic. There are also additional gathering and distribution charges for both modes which have to be taken into account. But the total effect of the revival of river traffic in the mid-America region, as the railroads themselves often say, has been a long series of rail rate reductions. These reductions have been mainly to those shippers with access to alternative water service. Reductions by rail have sometimes been as much as 60 per cent. The fine print in hundreds of railroad tariffs specifically includes a phrase which says it more eloquently than I can: "This tariff published to meet water competition."

On the high side of the scale of transportation charges, service competition has developed very strongly. For smaller-sized shipments, truck transportation offers overnight, door-to-door service for a premium, a completeness of service very difficult to match.

Price and service competition have shaken the transportation industry to the core. In the relatively short period since World War II, we have witnessed more technological innovation, more new economies of scale, more new rate ideas, more actions independent of the rate bureaus, and more new efficiencies of organization than in any period in the nation's transport history.

These developments have served to put the economic spotlight on the transportation industry and to elevate the function of transport planning in large corporations. Where once the man in charge of routing the company's traffic was little more than a rate clerk, today that job has grown in importance until he is a key officer of the company, skilled in putting together the best efficiencies of the various modes and often charged with planning the location of plants so that the best transport efficiencies may be obtained.

I think we can now identify two very important elements in the U.S. transport system which support the U.S. advantage in foreign trade. Our system of transport is basically competitive and it is profit oriented. If it is profit oriented and competitive, it follows that it has to be directed toward continued improvement in efficiency.

In any competitive situation, of course, anti-competitive forces lie just below the surface. Vigorous, healthy, aggressive competition means higher risks, rapid change and rapid reaction to change. Not everyone is comfortable with this climate.

The barge line experience of the last 15 years is a demonstration of the favorable public benefits which result from healthy competition. It has been a period of continual challenge which has produced new technology which could be and was translated into major new economies of scale. A downward trend in average rates has resulted, 10 per cent over the past decade. The individual unit of production, the barge, has been fundamentally changed. Capacity has almost tripled and the hull design of the barge has been improved to reduce resistance. Specialized barges have been built enabling exotic new chemicals and other products to take advantage of barge transportation. At the same time, improvements in reduction gearing have permitted the use of more powerful engines providing more speed and more push for the towboat. This has been combined with greatly improved steering control of barge flotillas. The result is that barge flotillas of 40 barges—upwards of 40,000 tons—can now be handled safely and efficiently.

In 1940, Union Barge Lines' 750 hp towboat, the Peace, produced an average of 250,000 ton-miles per towboat operating day. Ten years ago, a 3,200 horsepower boat performed about a 1,000,000 ton-miles a day. The recently christened 6,400 horsepower towboats have averaged 2,269,000 ton-miles per towboat operating day, more than double the productivity of only a decade ago.

Still greater efficiencies are being considered. The reliability of engines has reached a point at which automation is increasingly productive. These huge engines will soon need little more attention than the engine in a tractor. A 12,000 horsepower towboat capable of pushing 50 to 60 barges in one flotilla of 60,000 tons seems possible.

There is, however, a potential legislative snag. An obsolete rule, if applied, would forbid the mixing of regulated and unregulated freight in a single tow, preventing the accumulation of optimum-size towloads and defeating the technological advances of the past decade. The Congress now has before it a bill to cure this problem. Since it is enthusiastically supported by shippers, farmers, ports, government agencies, state industrial development departments, and labor, we are optimistic for its passage. We doubt that the Congress will wish to permit impressive technological improvements developed by the barge lines to be lost to the economy.

More efficient interchange at the sea ports seems just around the corner. The barge that can go up the river to St. Paul, Minnesota with a foreign cargo loaded somewhere on the Rhine and return with farm machinery to be loaded on an ocean-going barge ferry will soon be operating. It will open new markets for inland producers and receivers.

Let me give you one example of the powerful influence of the new efficiencies of low cost barge transportation. The economies of scale resulting from the technological improvement of the past 10 years has helped stimulate the nation's exports of corn. This story is an interesting demonstration of the interplay of improving transportation efficiency and improving agricultural productivity. The details have recently been put together and published by the Water Transport Association in a special report.

The efficiency of the great corn producing farms in Illinois and Iowa is matched nowhere else in the world. This is well known. What may not be so well known is the fact that efficiency is improving faster than anywhere else in the world. Fertilizers, increased sizes of farms, better strains of corn, weedkillers, and other factors have all brought about this result.

At the same time, in Europe and Japan, increased prosperity has resulted in demands for a better diet, for an increasing proportion of meat in their diet, than formerly. This, in turn, results in a greatly improved demand for animal feed. U.S. exports of corn to satisfy this market have risen from 108 million bushels in 1955 to about 600 million bushels in the 1968 crop year.

In the same period of time, a market trend has developed to increasing use of the Mississippi River Gulf ports for the export of corn. In 1958, less than half of the corn exported was loaded at Gulf ports. In 1967, Gulf ports accounted for 70 per cent of that total. Barge deliveries of corn to the Gulf ports are now 87 per cent of all deliveries, compared to 64 per cent only four years previously. The rail-arrived corn, of course, is transported at water-competitive rates.

Thus the trend to use of the Gulf ports, the increasing dependence of the ports on barge deliveries, and the rising total of U.S. exports of corn are all related. Efficient transportation of corn combined with rising efficiencies of production represent a major advantage for the U.S. Exports of 1 billion bushels of corn by 1972 or even earlier are regarded as possible with a contribution to the balance of payments running at over 1 billion dollars a year. Not only can barge transportation help stimulate these exports, but since the Mississippi River and its tributaries serve the most efficient corn producing areas in the country, barge lines can bring world markets to areas which previously never enjoyed such markets.

As in industry generally, vigorous competition exerts a continuing pressure for increasing efficiency and lower costs. While competitive pressures are often far from comfortable, in the last analysis one must agree that they have been good for all of us. The trend has been to higher investment, towboats costing over a million dollars instead of a quarter of a million, the infusion of capital to improve productivity, and, inevitably, higher risk. But as far as the Mississippi and Ohio River Valleys is concerned, barge, rail and truck lines have flourished. A recent study of railroads shows that freight revenues for River valley railroads increased 25.6% in the past 10 years while those of all other railroads increased by only 2.2 per cent. Low cost barge services and water-compelled rail rates have resulted in a flowering of industry along the river banks and this, in turn, has meant greatly expanded traffic for the truck lines, barge lines and river-competitive railroads.

The interplay of competition and efficiency in transportation in the 27-state Mississippi River Valley is of such transcendent importance both to domestic production and foreign trade, that its preservation deserves our attention.

There are two proposals currently being debated which, if adopted, can have an adverse effect on the quality of competition. The first is the "common ownership" proposal that the law be changed to permit railroads to own trucking companies and barge lines. The second is that a railroad be permitted to set rates at levels below its full costs on that part of its traffic where it faces barge competition, while maintaining its rates on other traffic where it is free of such competition at rates at or above its full costs. Both of these proposals are frequently rationalized as promoting competition. Let me explain why, in fact, I believe they both go against the mainstream of American competition policy.

The first proposal, common ownership, would, I believe, result in the elimination of the very price competition among modes which has accounted for so many improvements in efficiency and reductions in cost. Today, the transportation industry is composed of a very large number of relatively small companies and a few big ones, all of them railroads. But if railroads absorb barge lines at one end of the price scale and truck lines at the other, we will soon have only a few large transportation companies. Wherever in the economy the field is restricted to a few large sellers, the result has been the deterioration of price competition. A few sellers are in a position to administer prices and the old incentives, which have operated so clearly since World War II to reduce costs, foster innovation and improve service, will be gone or seriously impaired.

There have been many efforts to rationalize "common ownership" with sensible-sounding phrases such as transport diversification, or transport integration or a department store of transportation, but by whatever name the idea is called, the main question about common ownership remains. Would it not result in complete domination of transportation by a few very large companies and the consequent disappearance of the continual spur to progress provided by meaningful competition? It is our industry's position that such dire risks as these need not be taken. All the benefits of common ownership can be achieved by voluntary coordination.

The second proposal is one which is also put forth in the name of competition and which requires even closer scrutiny to detect its true anti-competitive character. The essence of this proposal is that the railroads be permitted to subsidize selective rate reductions on that part of their traffic on which they face barge competition with the revenues derived from traffic on which such competition is absent.

This has long been a controversial issue. Anyone objecting to a lowered price usually complains of the monopoly intent of the competitor. Similarly everyone with monopoly intent usually claims his lowered price simply represents hard competition. And those who look only as far as the lowered price wonder why anyone has a basis to complain.

A landmark test case involving the movement of a steel product, ingot molds, on the Ohio River was recently completed and provides some useful insights. The central issue, in the view of the Interstate Commerce Commission and the Supreme Court, was and is how to preserve the most efficient means of transportation from destruction by overwhelming economic power.

Why does it serve the public interest for the court to curb a railroad rate reduction even when the railroad can make the reduction "without incurring an out of pocket loss," to use the ICC's words? The answer is in three parts.

First, the I.C.C. and the Courts found there was discriminatory selectivity in the reduction. The only reduction was on traffic which had barge competition. Traffic for other customers remained at the higher level.

Second, the barge service was found to be clearly more efficient. Measuring comparative efficiency on the basis of only part of the rail costs instead of all was found to be meaningless.

Third, the railroads were found to be economically more powerful than the barge lines. The court said, and I quote, "In any rate war the railroads would be able to outlast their competitors" and, in the end, this "would deprive shippers of cheaper water transportation."

Now this decision seems to me to be in the mainstream of sound competition policy because efficiency and not the fate of a particular competitor is the issue. It is recognized that a reduced price made selectively to a favored segment of the business is not usually the result of improved efficiency, but reflects simply the abuse of superior economic power. If that were generally allowed in the economy, no small efficient producer could expect to survive in competition with a large, powerful corporation.

To lose out in the struggle for traffic because one is less efficient and therefore less competitive is understandable. But to be excluded from the market despite a demonstrated and acknowledged superiority of efficiency, simply because one is less powerful economically, is intolerable. The Interstate Commerce Commission and the Supreme Court have repeatedly sustained this view. Any other view would lead quickly and inevitably to the creation of monopoly.

The key challenge for the future is to preserve healthy competition among different segments of the industry so that future improvements in transport efficiency have a chance to emerge. The prime measure of the ability of an industry to remain and grow continually more efficient, of course, is that it generates earnings sufficient to pay for expanded and improved equipment. In a period in which we are told that the transport industry may have to double its capacity in the next thirteen years to keep ahead of the transport needs of the economy, the earning power of the industry is of urgent concern.

There are some who take a short-run view and would try to interrupt the cycle of earnings, growth and investment in efficiency by encouraging debilitating rate wars. But the wise shipper and the wise regulator is concerned with maintaining the dynamics of this vital cycle.

Any break in that cycle inevitably will lead to a flight of capital from transportation, a failure to meet the needs of the economy, an end to technological innovation and an irreversible trend to higher rates.

A UNIQUE EDUCATIONAL PUBLICATION

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. ST. ONGE. Mr. Speaker, not so long ago a public opinion poll revealed that half of our population does not know the names of the legislators elected to represent them in Congress, and that more than three-fourths of our people are not aware of how their Representatives voted on major bills coming before the Congress.

The tragedy of this situation has certainly become evident at this time when the Nation is once again experiencing an important election. Lack of knowledge regarding the operations of our Government can certainly not insure judicious use of democracy's basic and most precious tool—the vote.

Fortunately, there are many who are deeply concerned about this situation and who realize the importance of a well-informed electorate. They also believe it is high time to insure that the citizens of our country do not fall into greater apathy and cynicism, and that education must play a dominant role in keeping our electorate informed.

In this connection, I wish to draw attention to a unique publication entitled "Selections From the CONGRESSIONAL RECORD and Review," which is dedicated to "The Youth of Today—Citizens of Tomorrow" and whose avowed aims are: to stimulate student interest in good government; promulgate greater understanding of current issues of concern to our Nation; evoke participation in U.S. Government through selected comments, and meet all these challenges by presenting opposing views.

"Selections Review" has already been accredited in a number of States. The commissioner of education of my own State of Connecticut, the Honorable William J. Sanders, has informed me that he considers it an excellent service and that his department will call the attention of the social studies department heads in high schools throughout the State to its availability. And the Honorable Owen B. Kiernan, commissioner of education in the State of Massachusetts, has written that though his department does not issue an official list of State recommended or approved textbooks, this publication will be suggested for purchase as a journal to supplement and enrich printed materials on history, social studies, and government.

Because of the nature of its contents, I feel that this excellent publication should indeed reach the attention of educators throughout the country. They will find it most helpful. In conclusion, I wish to insert in the RECORD the text of a letter by an attorney in Oregon, written to the Governor of that State, giving a fine description of the publication and its contents, as well as brief comments by leading Members of Congress:

HILLSBORO, OREG.,
May 3, 1967.

GOV. THOMAS MCCALL,
State House, Salem, Oreg.

DEAR GOVERNOR MCCALL: Recently friends drew my attention to "Selections' Review," a publication aimed at stimulating greater student interest in good government. In common with many others, and as an active member of the Oregon State Bar, I believe that our government at all levels could be improved. One way of achieving this, it seems to me, is to arouse a more direct and active interest and concern in our young people in the operation of our government and in the law-making process itself.

Judging from its contents, I believe "Selections Review" could not only stimulate the intellectual curiosity of students in the democratic processes and hence make them more responsive and effective citizens later on, but also provide a basis for simulated sessions of congress in the classroom, the students reading the very words of our statesmen.

The issue I saw contained excerpts, fairly balanced both pro and con, on water pollution, air pollution, beautification, immigration, and medicare. It also contained material on the arts and humanities, a profile on the Dean of the Senate, Carl Hayden of Arizona, a lawmaker who has served his State since 1912, and a fine article on the Library of Congress.

"Selections' Review" is well edited and unbiased. Its standards are high, its tone positive. I understand copies of it have been sent to the school superintendents of the fifty States.

I might add that other than to promote good government, I have no interest, direct or indirect, in this publication. But I do feel strongly that our people should be more concerned and more interested in governmental problems. I am goaded on in this by the knowledge that very many of our people seem ignorant not only of the workings of the legislatures and Congress, but even—fantastic as it seems—of the very names of the men selected to represent them.

It is for these reasons that I invite your attention to "Selections' Review." I feel sure you will agree that this publication can, in addition to helping librarians, teachers and other educators in Oregon present effectively some of the problems facing the nation's lawmakers, enlarge the vision of the students whilst instilling in them a fervent and abiding desire for good government.

Sincerely,

JOHN M. SEUS.

EXCERPTS: COMMENTS ON THE NEW EDUCATIONAL PUBLICATION "SELECTIONS' REVIEW"

Vice President HUBERT H. HUMPHREY. "This will be an excellent teaching tool for bringing the legislative process to our young people."

Senator WALTER F. MONDALE, Minnesota. "Selections' Review certainly offers a wealth of information about the Congress and important public issues for the enterprising student."

Senator WAYNE MORSE, Oregon. "The publication is a most interesting one which, I am sure, will be welcomed by educators as a teaching tool."

Senator FRANK E. MOSS, Utah. "(It) brings together information contained in the CONGRESSIONAL RECORD in a way that should be impressive to our young people and most helpful to them in understanding the course of government and the thinking of the leaders of the Congress. I hope that this publication will become permanent and will be widely used."

Senator EDMUND S. MUSKIE, Maine. "It is my hope that the publication will reach the library of each institution of higher education in our country. I believe your presentation will indeed stimulate student interest in government and the issues before our nation."

Senator **Gaylord Nelson**, Wisconsin. "This publication will, I am sure, be of immeasurable value to young people in providing them with a knowledge of our legislative process."

RAIL PASSENGER SERVICE

HON. WARREN G. MAGNUSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. MAGNUSON. Mr. President, the Chairman of the Interstate Commerce Commission, Paul J. Tierney, addressed the Railway Progress Institute and spoke about rail passenger service. Chairman Tierney has demonstrated leadership in the effort to preserve and promote needed rail passenger service. As he points out in his remarks, the present passenger situation is openly unsatisfactory to the carriers and to the public. I join Chairman Tierney in thinking that the investigation he has advised me the Commission will undertake into the costs of intercity rail service will provide a meaningful first step in rationalizing Federal rail passenger policies. I ask unanimous consent to share with my colleagues Chairman Tierney's speech, and his recent letter to me advising of the Commission's investigation, by inserting them in the Congressional Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Rail Passenger Service

It is a real honor for me to have the opportunity to join with the members of the Railway Progress Institute in celebrating your 60th anniversary. Longevity and progress are not synonymous. In fact, many of our nation's younger generation are telling us that tradition and maturity are natural enemies of progress and change. Certainly, Railway Progress Institute has not let age stifle its growth. Nils Lennartson informs me that your membership has grown by more than 35 percent in the past two years. But more importantly, your association has become an active and aggressive spokesman for the railroad industry, particularly in Washington. Through this partnership with RPI, the railroad industry has greatly enhanced its ability to emphasize both its accomplishments and its needs.

The sharp cyclical fluctuations that have regularly plagued railroads are no strangers to the equipment and supply industry. If anything, you have had to survive even more severe ups and downs and absorb the heavy toll such changes produce in the losses of skilled labor. Right now, you are in the throes of a major decline in orders while the general economy is advancing strongly. The No. 1 question in the minds of most of you is, "When are the railroads going to start increasing equipment orders?"

I do not have the answer to that question, although I can assure you that the case for more freight cars never appears any stronger than right now during the peak of the harvest season.

Rather than try to predict when or how orders can be increased, I will leave these matters to the rail spokesmen who are here today. But I would like to talk about another major rail problem—its image. This industry, like others, actually presents two images. One image is comprised of the impressions held by the technicians involved in transportation—the shippers, the financiers, the academicians, and the industry's employees. The second image is based on impressions held by the general public.

Only the foolhardy in the industry would dare ignore the technicians' evaluations of his product—particularly those of the shippers who buy the product. Let's take a look at what changes have taken place in the past decade from the standpoint of this image.

In the late fifties and early sixties, I doubt that the "technical" image of railroads could be equated with growth, modern technological advances or prosperity. The industry appeared to be the forgotten stepchild of an otherwise dynamic economy. Financially and competitively, the railroads seemed to have assumed an unshakable place at the low end of the totem pole. Their main savior appeared to be the mounting demand for freight transportation which provided enough business for all modes.

In 1958 rail plant and equipment were showing signs of physical wear. Even more important, equipment in sound operating condition was failing to provide the specialization and flexibility in service that shippers were seeking and demanding. In addition to the growing spector of physical and technological obsolescence, the industry was paying a high price for another burden—the excessive duplication of unnecessary facilities.

Changes in production and consumer demands seemed to be backing the railroads farther into a corner. New products required specialized handling. New industries required readjustments in traffic routes and rates. Tighter inventory control also demanded reorientation of ingrained transport practices. Still saddled with heavy and sometimes nonproductive investments in the past, the railroads were confronted with too much of the old and too little of the new.

The times have changed. The investment community has renewed its interest in railroads. Shippers have found that motor carriers have no monopoly on specialized services and new equipment. Although the problems of ten years ago have not disappeared, they have been losing their stranglehold on the railroads.

The changes in the national car fleet are one example of this movement. The level of capital investment in car modernization in the past five years has doubled the 1958–1962 levels. Today, for instance, some railroads can boast that they have about 300 varieties of freight cars to meet specialized shipper needs. The accent also has been placed on better use of rail facilities. In 1967 with 14 percent fewer cars, Class I railroads originated 18 percent more revenue tons and carried 30 percent more revenue ton miles than in 1958. Despite the decline in number of freight cars, total capacity has remained nearly the same because of the advent of larger cars.

What the technicians see is an amalgam of ten years of progress achieved by new equipment, modern plants, specialized services, and economical rates. The industry has taken the seemingly insuperable problems of the late fifties and begun to trim those challenges down to size. The seed for a return to higher profits has been sown, but the attainment of the goals charted five and ten years ago will require an intensification of these efforts. For instance, the maximization of plant and equipment is still plagued by relatively poor utilization, particularly in control of freight cars.

It seems fairly clear that the railroads have achieved progress in improving their image to the shippers who buy their services, to the financiers who supply their capital, and to economists who evaluate their future.

On the other hand, the railroads' general public image leaves much to be desired and the situation seems to be deteriorating. Without going into a long dissertation on the reasons for what can only be termed a deplorable lack of public empathy for railroads in general, one might fairly ask, "Is this state of affairs the result of neglect and miscalculation?"

Many railroads have considered the general public to be an inconsequential force which is obdurately concerned only with passenger service. Revenues from rail passengers in 1967 amounted to only five percent of total rail operating revenues, and the vast majority of travel—98.5 percent—is handled via other modes. The volume of passenger service is being reduced at a rapid rate but the unprofitability of these services is rising even faster. The statistics appear to confirm to the industry that the intercity train is doomed to extinction in most areas. To many carriers, the public represents an unwanted customer who drains profits and makes irrational demands.

While the railroad industry sees passenger service as an unfair and basically wasteful obligation, the public sees clogged highways and air congestion at our largest terminals. At a time when the need for improved national passenger facilities is undeniable, too many people feel that the railroads are deliberately trying to make their passenger services so bad that no one will use them. There is a place for passenger trains according to these people, and the present plight of rail service today, including the low patronage levels, is the result not of economic forces but of the railroads' policies.

Some of these people may be termed emotional, nostalgic, unrealistic, or just uninformed. They may be accused of ignoring those carriers which have developed responsive passenger operations and unfairly damning the whole industry on the basis of a few failures. But they do represent a large segment of public opinion which will play a vital role in shaping future public policies.

The fact that existing passenger policies may be consonant with private economic interests and the present legal standards has not legitimized the industry's actions in the public mind. Frankly, I believe the legislative "package" proposed by the Commission last summer would have gone a long way toward the development of realistic federal and private policies for passenger service which would have gained public acceptance. Too few people are ready to buy the railroads' explanations for their actions without an impartial review of the situation. In the long run, the carriers may well find that the price of continuing their present passenger policies is an even greater loss of public favor.

Although I think the industry made a mistake in failing to lend its full support to passage of this legislation, I am heartened by the recent pledges by Thomas M. Goodfellow, President of the Association of American Railroads, and Stuart Saunders, President of the Penn Central, to cooperate fully with the Commission in the investigation of the costs of providing intercity rail service. Senator Warren G. Magnuson, who requested us to undertake this study, has also indicated that he believed the western railroads would cooperate in this venture.

Some initial discussions have already been held both at the staff level and with outside groups. Further communications with the carriers, labor, the National Association of Railroad Utilities Commissioners, and the Department of Transportation will take place during the next two weeks in order to crystallize the scope of this project. Even with the severe time and monetary limitations placed on this study, I am confident that some of the more elusive questions concerning the costs of rail service and the burden that this service places on the railroads can be substantially resolved and that this study will help to lay the foundation for a broader study of the future role of rail passenger service in this country.

I think the proposed cost study will provide a meaningful first step in rationalizing federal rail passenger policies. The present passenger situation is openly unsatisfactory to the carriers and to the public. Tossing disparate figures back and forth will accomplish nothing and will only add fuel to the fire. Recent indications of carrier cooperation will, in my opinion, herald the beginning of the development of an improved public image for the rail industry based on a fuller understanding of mutual responsibilities and needs of both the public and private sectors.

While it is gratifying to see that the AAR has sought to improve the industry's image through a series of television commercials, no amount of prime time advertising has the image building force that would result from the resolution of the present rail passenger dilemma.

In the September 23rd edition of *Railway Age*, "Viewpoint" summed up the situation in the following words:

> It's not easy for any industry to accept the influence which the public may have—especially when the public is so often emotional in its judgments . . . a stirred-up public is, to an increasing extent, making its opinions known. These opinions are being heard.

Can the "public" really get action? Can the "public" really be reached? Will the "public" move? Ask the automobile industry about a man called Nader.

Again, may I express my gratitude for your invitation to speak here this afternoon. The Railway Progress Institute, representing the nation's suppliers of freight cars, and the Interstate Commerce Commission, representing the public interest, have a common purpose—a progressive, efficient and economically sound railroad industry.

INTERSTATE COMMERCE COMMISSION,
Washington, D.C.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MAGNUSON: After reviewing your request that the Commission investigate the actual net costs of intercity rail passenger service and the methods of reducing or meeting such costs, the Commission has authorized the prompt initiation of preliminary steps in this study to begin as soon as possible after consultation with the Department of Transportation, the National Association of Regulatory and Utility Commissioners, and carrier and labor representatives.

Since refined cost data pertaining to the savings attributable to the cessation of rail passenger operations are not maintained by the carriers on a comprehensive and uniform basis, it is unlikely that precise answers can be developed for all the many questions involving rail passenger costs. Nonetheless, we consider that the initial phase of the study can produce beneficial results for presentation to the Congress in approximately six months. Our efforts will also be limited by the lack of any special funds to conduct this endeavor. We will therefore attempt to concentrate on those areas which can be completed within the present budgetary and time limitations.

The considerable controversy about the avoidable costs of rail passenger service (the money which the railroads could actually save by abandoning all passenger operations) has intensified following the release of the current edition of *Transport Economics* by the Commission's Bureau of Economics. The publication compared the revenues from passenger and allied services with passenger operating expenses related solely to passenger operations for the period 1954 through 1967. These data were erroneously construed by some as indicating that rail passenger service actually showed a slight profit during many of those years. Such a conclusion is not supported by the facts, and it was not the Bureau's intent to foster the impression that the passenger operations were, in fact, profitable.

Our accounting regulations require the railroads to show passenger expenses by first listing those expenses for items such as labor, equipment and structures which are incurred exclusively for passenger operations. These expenses are termed solely related expenses and they can not be equated with out-of-pocket, variable, direct or other familiar costing terms. Then those common expenses incurred for items used for both freight and passenger service are allocated under our accounting rules between the two services. The total of common expenses allocated to passenger service is combined with the solely related passenger expenses and subtracted from revenues of total passenger and allied services to produce the railway passenger deficit. In 1967 this full expense procedure showed a deficit of $485 million for all U.S. Class I railroads.

While this procedure allocates all expenses between passenger and freight service, it was not designed to show how much the railroads could save by ceasing all passenger services. However, as the railroads have generally increased attempts to eliminate much of the remaining intercity passenger service, some spokesmen have stated both directly and by implication that cessation of all losing passenger service would have allowed the railroads to save the full passenger deficit of $485 million in 1967, even that the entire sum would have been available for other rail expenditures such as the purchase of freight cars.

The common expenses allocated to passenger operations in 1967 amounted to $347 million. In our opinion, a significant portion of these allocated expenses could not be saved by the total cessation of passenger operations, but would have to be continued to support the remaining freight services. In short, we believe the railway passenger deficit overstates the amount of money the carriers could save by eliminating all passenger service. National data on the actual savings that might be achieved have never been available.

There is little doubt, however, that expenses related solely to passenger services could be eliminated upon total cessation of passenger service. The actual savings would also include what is presently an unknown portion of the common costs allocated to passenger service. In view of the uncertainty of the avoidable portion of common costs, passenger revenues less the solely related operating expenses, taxes and rents, do constitute a non-debatable level for evaluating the relationship of passenger revenues to expenses. For this reason, the railway passenger deficit and the deficit related solely to passenger and allied services were discussed in the Commission's report to Congress, "Intercity Rail Passenger Service in 1968," at pages 29 and 30 and in Appendices G and H. Appendix G has been updated and is attached for your information.

Unlike the report and the attachment, the edition of *Transport Economics* did not include solely related rents and taxes, which are not technically considered to be "operating expenses" but which could be saved upon cessation of service. All of these presentations show the recent deterioration in national rail passenger revenues and the growing losses absorbed by railroads. The data therein represent the net effects of national and regional operations; they do not imply that all trains or even all carriers incur avoidable losses.

We are hopeful that the ensuing study will receive the full cooperation of all interested parties, including the railroads, so that additional information can be presented to the Congress in order to facilitate the early development of improved national policies for rail passenger service.

Sincerely,

PAUL J. TIERNEY,
Chairman.

RAILWAY PASSENGER DEFICIT BY CLASS I RAILROADS (1958-67)

[Aggregates in thousands]

Year	United States	Eastern district	Southern district	Western district
1958	$610, 424	$206, 391	$92, 150	$311, 883
1959	543, 820	177, 716	78, 509	287, 595
1960	485, 170	156, 029	70, 041	259, 100
1961	408, 208	137, 531	65, 843	204, 834
1962	394, 277	133, 643	70, 459	190, 175
1963	398, 875	126, 329	77, 884	194, 662
1964	410, 195	130, 652	85, 371	194, 172
1965	420, 647	133, 162	88, 543	198, 942
1966	399, 645	126, 782	87, 536	185, 327
1967	485, 051	162, 799	102, 877	219, 375

RAILWAY PASSENGER DEFICIT RELATED SOLELY TO PASSENGER AND ALLIED SERVICES (1958-67)

[Aggregates in thousands]

Year	United States	Eastern district	Southern district	Western district
1958	$82, 262	($7, 822)	$20, 337	$69, 747
1959	37, 815	(22, 288)	10, 915	49, 188
1960	10, 262	(29, 978)	6, 279	33, 961
1961	(17, 184)	(25, 274)	3, 809	4, 281
1962	(12, 383)	(21, 920)	6, 180	3, 357
1963	8, 787	(24, 409)	16, 597	16, 599
1964	17, 938	(18, 047)	18, 696	17, 289
1965	43, 706	(9, 480)	22, 179	31, 007
1966	30, 942	(16, 757)	23, 837	23, 862
1967	138, 236	25, 080	41, 411	71, 745

Note: Figures in parentheses—Not a deficit.

Source: "Transport Statistics in the United States," pt. I, Railroads.

PUBLIC HEALTH PROBLEM

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise and extend my remarks in the RECORD, I include therein a significant address by Hon. James L. Goddard, M.D., former Commissioner of Food and Drugs.

These able remarks outline some of the problems involved in protecting the public health, and securing prompt, essential cooperation in promulgating regulations designed to safeguard the people against fraudulent, improper, and harmful practices relating to the manufacture, sale, and distribution of food and drugs.

Quite evidently, there is a great deal of work that remains to be done in this important field on the part of Congress and the Government to make sure that the health of the American people is zealously protected, and that they are treated fairly, and honestly with respect to quality and price of many products used so widely, and needed so urgently, to provide proper nutrition for men, women, and children, without the evils of fraud, misrepresentation danger to health, or exploitation of the people concerned.

The above-mentioned address follows:

HEALTH AND THE CONSUMER

(An address by James L. Goddard, M.D., Commissioner of Food and Drugs)[1]

"The American public today has an obsession on the question of health—health foods, health fads, health exercises. In the lingo of the day, the public is 'health conscious.'"

Those are not my words. They were spoken in January, 1930—more than 37 years ago—by Dr. Paul Dunbar, then Assistant Chief, and later Commissioner, of the Food and Drug Administration. How far have we come since then? What progress has been made?

Well, at least the lingo of the day has changed. Not that we aren't health conscious anymore. We are—and more so than ever. Doctor Dunbar's statement of nearly four decades ago has held up well—too well. The health foods and the health fads are still very much with us.

But I did not join you here tonight to commiserate about a lack of progress. We have moved forward and I believe we will continue to do so. I was happy to accept your invitation because I recognize that the Nutrition Foundation and your Food Industries Advisory Committee have long been concerned with nutrition research and education. I am pleased to be able to share with you my views, as Commissioner of Food and Drugs, on these important concerns, particularly as they relate to the consumer.

I said a moment ago that there has been progress in the field with which we are mutually concerned. Let me return, once again, to the same speech I quoted from earlier. Doctor Dunbar also said on that occasion:

"The public is only too prone to believe what it wants to believe. In its ignorance of the present limitations of scientific knowledge, it has been disposed to accept, without reservation, the most extreme—and, in some cases, the most ridiculous—claims for the wholesomeness and health-giving qualities of various products."

Note that Doctor Dunbar was concerned that the public was open to deception *because of* the "limitations of scientific knowledge" which so closely confined the nutritionist in 1930. But our concern today is that the public can still be bewildered, *in spite of* the much broader base of scientific knowledge which we possess today. I will not pretend that we have achieved a full and complete understanding of the biochemical processes involving all vitamins and minerals, but certainly nutritional science has carried us far beyond the limitations that existed in 1930. Are we making the best possible use, the most rational use, of this larger body of knowledge which is now ours? This, it seems to me, is the question which we must ask ourselves now. We must ask it because our contemporary society demands rational answers to a greater degree than ever before.

The public is considerably more sophisticated in its "health consciousness." There is today a persistent demand for quality health care for all of our citizens, whoever and wherever they may be. Again, it just isn't rational that this affluent society of ours should lag behind other nations in reducing infant mortality rates and in providing adequate health services for the aged.

This is not to say, of course, that we have suddenly become a Nation of health experts, where each and every citizen is capable of diagnosing the difference between fact and fallacy. Nutritional quackery is still part of our national diet, I'm sorry to say.

I am under no illusion that we will never again be troubled with fraudulent misrepresentations in the nutritional field. I try to be a realist. I'm sure there will always be a market somewhere for royal jelly and similar products. And we will continue to hear that our soil is depleted to a near nutritional zero and that modern food processing chokes off whatever vitamins remain.

This kind of nutritional nonsense will always require our patient and persistent efforts to make the real facts more visible and available. But let us look beyond the problem of quackery and faddism to a challenge which is much greater, at least in terms of the number of people concerned. Let us consider the case of the consumer who has a commonsense concern about nutrition, a healthy desire to maintain a healthful diet. Let us consider, if we may, the new regulations on special diet foods and supplements which have been published by the Food and Drug Administration. As you know, the regulations were promulgated last June. We allowed them to be stayed in December for a public hearing, which we now anticipate will begin probably after Labor Day. If I had had any doubts about industry's deep and abiding interest in nutrition, they certainly have been dispelled by the reaction to these regulations.

I think it might be useful, at this point in time, to reflect upon the reason that new regulations were considered necessary. In essence, it was to provide the consumer with a more rational basis for making judgments about the products offered for special dietary purposes.

The average shopper, after all, is not a nutrition expert. He should not have to be. He probably knows from reading cereal boxes that thiamine is a good thing to eat; but chances are that he does not know that thiamine pyrophosphate functions in carbohydrate metabolism as a coenzyme in the decarboxylation of alpha-keto acids. And he might have some difficulty in deciding whether he should ingest .3 mg per 1,000 calories or twice or triple that amount.

And this is just one nutrient. What is this same consumer to conclude when confronted with a vitamin-mineral pill that includes 75 or more ingredients? How is he to guess which of these ingredients may be useful—especially since the guessing odds are against him because only a few have any real value as food supplements? But perhaps the consumer will decide to forego the pills and capsules and rely on enriched foods as a nutritional backstop. Again, there are difficult questions. Which nutrients? In what amounts? In which foods?

The purpose of the regulations which are now in abeyance is to help this consumer—and the millions of other consumers—to make fractional choices in the marketplace. The regulations are based upon the best scientific knowledge available in the field of nutrition. They provide a logical system of utilizing that knowledge.

Standards of identity would be established for vitamin and mineral supplements and for nine classes of vitamin- and mineral-fortified foods. More detailed and specific information would be required on the labels of foods promoted for special dietary use.

I might point out that the kinds of problems at which these regulations are aimed are not really new. The potential for nutritional confusion stemming from the promotion of special diet foods was foreseen more than two decades ago. That was when—and why—the standard of identity for enriched flour was established. The issue at that time was whether millers should be free to add to their products whatever nutritive elements they desired, regardless of whether that choice was based on nutritional, economic, or merchandising considerations. Had that view prevailed, the consumer would have been given the burden of bungling his way through advertising and labeling claims to pick the vitamin of his choice. But the Supreme Court, in 1943, upheld the FDA's standard on the ground that it would promote honesty and fair dealing in the interest of consumers, providing the benefits of a vitamin-mineral enriched product without the confusion of conflicting nutritional claims.

Now, 24 years later, we are again concerned with this same, fundamental issue. What food products should be fortified with vitamins and minerals and in what amounts?

As the criterion for establishing standards of identity for fortified foods, the FDA has adopted the 1961 joint policy statement of the Food and Nutrition Board of the National Academy of Sciences-National Research Council and the Council on Foods and Nutrition of the American Medical Association.

What foods should be fortified? These two distinguished panels agreed that there should be evidence that the supplemented food "would be physiologically or economically advantageous for a significant segment of the consumer population." They should be foods that are widely and regularly consumed or those which have lost nutritive value in the processing. And the nutrients added should be the kinds and quantities normally associated with the class of foods involved.

These criteria are reasonable and workable. Vitamin-fortified caviar might provide a novel merchandising appeal for those prone to long cocktail hours, but it really wouldn't serve "a significant segment of the consumer population." And retaining a relationship between fortified-food products and normally occurring nutrients prevents the profusion of enrichment formulas that brings confusion to the consumer.

The new regulations include nine classes of foods to which specified amounts of specified vitamins and minerals could be added to improve nutritive value. These include processed cereals, fruit or vegetable juices and drinks, various milk products, salt, frozen desserts, milk fortifiers, and meal substitutes.

This is not intended to be a listing of fortified foods that will serve us for all time. The 1961 policy statement adopted by the FDA recognizes the fact that all things change—and I might add that this kind of change is particularly rapid in our society. If I may quote from the statement embodied in the regulations:

"Scientific evaluation of the desirability of restoring an essential nutrient or nutrients to the diet is necessary whenever technologic or economic changes lead to a nutritionally significant reduction in the intake of a nutrient or nutrients."

This may occur when there is a marked decrease in the consumption of an important food—or when there is a marked increase in the consumption of foods of diminishing nutritive quality. And it may also occur when advances in nutritional science and in food technology make possible the preparation of fortified food products likely to make important contributions to nutrition.

We may anticipate changes in the future, then, and they can be accommodated. But our task now is to establish a rational system for food fortification that will not only be of nutritional benefit to the consumer, but will make sense to him as well.

If we can concede that there is, at the least, a potential for confusion in the area of fortified foods, I don't know how we can best describe the current situation of vitamin and mineral supplements. We may *already* have achieved an optimum of *mis*understanding about the nature and value of these products. I alluded earlier to the so-called "shotgun" preparations with 50, and 75 and more ingredients, few of which have any demonstrated use as supplements to the human diet.

The advantage of hindsight tells us that we all may have erred in our adoption a quarter of a century ago of the concept of Minimum Daily Requirements of vitamins and minerals. We know now, of course, that these quantities constitute neither a "minimum" nor a "daily requirement." And we discovered over the years that nobody wants to skimp along with a mere minimum of anything that is supposed to be good for him.

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[1] Presented at the annual meeting of the Food Industries of the Nutrition Foundation at Skytop, Pennsylvania, on Thursday, June 8, 1967.

The new regulations, as you know, substitute the more accurate phrase, "Recommended Dietary Allowances." We have listed allowances for 17 vitamins and minerals, including separate categories for four age groups and for pregnant or lactating women. These Allowances were adopted from the data included in the most recent report of the Food and Nutrition Board of the National Academy of Sciences-National Research Council.

These Recommended Dietary Allowances are utilized in establishing standards of identity for the first time for the vitamin and mineral supplements, whether sold singly or in "multi" products. A Multi-Vitamin Supplement would include six mandatory ingredients—vitamin A, vitamin D, ascorbic acid, thiamine, riboflavin, and niacin—and could optionally include vitamin E, vitamin B_6, folic acid, pantothenic acid, and vitamin B_{12}. A Multi-Mineral Supplement would have to include calcium and iron, and could also include phosphorus, magnesium, copper, and iodine.

The regulations also require that dietary supplements intended for general use carry this statement on the label:

"Vitamins and minerals are supplied in abundant amounts by commonly available foods. Except for persons with special medical needs, there is no scientific basis for recommending routine use of dietary supplements."

The law requires us to provide regulations that will fully inform consumers about the value of foods for special dietary use.

This label declaration has created a certain amount of controversy, and I can understand that. What is the controversy about? Well, some objectors concede that it may be true enough that vitamins and minerals are abundant in commonly available foods, but they go on to contend that many people simply don't eat these nutritional foods. Certainly, we all recognize that there are families that cannot afford a diet adequate for good nutrition. But in these cases we believe that other solutions—surplus food distribution, expansion of employment opportunities, the raising of living standards in depressed areas—these training programs and other assistance to upgrade income levels would seem to be better solutions to upgrading family diets than vitamin pills, which, after all, are not distributed free. If we had to have a label that would tell a strong man the value of vitamin-mineral pills to him, we would have to say that they can meet his dietary needs.

But the poor are not the only group for whom this concern is generally voiced. Another group includes the businessman who is too busy for lunch and may even skip dinner as well. Then there's the teen-ager whose diet may be all fad and fancy, and everyone else whose eating habits are haphazard, so far as good nutrition is concerned. I do not believe that large numbers of people neglect themselves to this extent. But for those who *do* prefer pills and capsules to meat and vegetables, they will not be deprived by our regulations. The products will still be there, they will contain all the nutrients demonstrated to be of value as diet supplements, in amounts equivalent to the Recommended Dietary Allowances. They would be for sale over-the-counter, as they are today. Trade would hardly be restrained; but it might be more rational. And some label statement has to be developed to fully inform the consumer of the value of the special dietary foods.

Of course, we also have heard protests from those who feel that their nutritional needs call for greater amounts of certain vitamins and minerals than those specified in the Recommended Dietary Allowances. I think we have to remember, in considering such objections, that we are concerned with regulations for food supplements—not therapeutic dosages of vitamins and minerals. There is a rather significant difference. In the case of the food supplements, we are within the limited area of all patterns of dietary needs—"Recommended Dietary Allowance," if you'll forgive the repetition, are designed to cover all variable patterns of a dietary need. If there is a medical need for higher levels of certain vitamins or minerals, then we are discussing drugs, not dietary supplements, and we are talking about a problem that demands professional diagnosis, not a "shotgun" over-the-counter preparation.

It's true, of course, that many people use vitamin-mineral products as a form of self-medication. They do not really think of these preparations as food supplements. And this is the root cause of much of the misunderstanding concerning the dietary regulations. If the vitamin-mineral products were treated as drugs, rather than food supplements, then the law would require that the label describe the conditions which they are intended to cure or prevent or alleviate. This would be an interesting exercise. What indications would *you* suggest for thiamine or vitamin E or folic acid that are susceptible to self-medication?

It is interesting to note that Canada's Food and Drug Directorate has just proposed changes in its own regulations on vitamins and minerals as foods. Among the revisions, the FDD proposes to bar from advertising any assurances regarding results to be obtained from the addition of a vitamin and mineral to the diet or the use of any testimonial concerning the action of any vitamin or mineral in food. The Canadian agency also proposes to cut back on other advertising claims for vitamins, including the use of such phrases as "essential to health."

The scope of the FDA's regulations do go beyond standards for dietary supplements and fortified foods. I will touch only briefly upon the labeling requirements, which are also designed to give the consumer the information he needs to make sound judgments about special dietary foods.

In the case of those products promoted for use in weight reduction, for example, the label would have to state the number of available calories in a serving—and the number of calories in an equivalent serving of the same food in non-diet form. Without the comparison, calorie declarations are of little value to the shopper. In fact, they invite unscrupulous promoters to deceive the consumer by such declarations out of context. In addition, any claim for usefulness of a product in calorie-restricted diets would have to be based on a reduction in calories of at least 50 per cent. A low-calorie product, after all, should be just that.

The issues on which the hearing will be conducted cover practically every aspect of the new regulations.

Will standards of identity for vitamin and mineral supplements and fortified foods promote honesty and fair dealing in the interest of consumers? Should such standards limit the nature and quantities of nutrients in these products? Should there be a restriction on the kinds of foods that may be fortified? These are only a few of the questions that will be considered at the hearing.

I would not be so rash as to say that the regulations as they stand now provide the perfect answer to every problem facing the consumer in coping with special dietary products. The very purpose of the hearing is to determine what sensible revisions of the regulations should be made. We are not going through this procedure with closed minds.

But I earnestly hope that all those who may be a party to the hearing will share a common interest in moving forward—now—toward a more rational basis of regulation. The consumer deserves no less. And he should receive no less from us.

Let me say that I am aware of some rather disturbing comments made on our proposed regulations. These comments do not treat with the substance of the regulations, but with the possibility that they may be delayed—held unresolved—for many, many months, possibly years.

We cannot operate in such an atmosphere. Neither industry nor science nor Government can seek to use delay as a tool, in place of rational science. The hour grows late for each of us, in the field of nutrition, to answer as best we can the questions raised by today's consumer. Even as we discuss our matters here at Skytop, around the Nation and, indeed, around the world there are new developments in food production, processing, distribution, and new patterns of consumption that will demand our closest attention tomorrow.

We can be negligent—and I use that word advisedly—we can be negligent in our professional duty and substitute petty quarrels for substantive evidence. We can sit back and watch time and history pass us by. We can abdicate our responsibilities to the consuming public.

But I sincerely hope we will not take that course. I admit that our proposals have controversial elements in them. And I admit that these controversies can be resolved, possibly not as I might now predict—and I won't predict a thing at this point, I assure you. But controversy can be an engine of progress. And it is in that spirit—the spirit of making progress along a broad front—that I hope everyone in this audience and all our colleagues in this vital field of nutrition will join us in developing the final form of our regulations, so that we can move on to other and equally significant matters affecting the health of all our people.

Thank you.

YOUR ALL-AMERICAN COLLEGE SHOW

HON. GEORGE MURPHY

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. MURPHY. Mr. President, the television industry has been harshly criticized in recent months—and in some measure justifiably so, in my opinion—for an exaggerated emphasis on violence, so-called sex humor, the sickness of our society and an overemphasized depiction of the troublemakers on our college campuses.

I believe this image of American youth is not an entirely accurate one and is, in fact, offering to world opinion a negative picture which is not truly representative of the Nation's youth.

Therefore, Mr. President, when the television industry takes a positive step to correct this false image, I believe that step should be publicly applauded.

It is such a step to which I direct your attention at this time. "Your All-American College Show," produced in Hollywood and released in prime time each week on 50 independent television stations, is a deliberate attempt to present wholesome, intelligent, clean-cut American college students to the American public as a showcase of outstanding talent.

Mr. President, this program is carried in prime time on independent stations, not on any of the three regular networks. It is sponsored by the Colgate Palmolive Co., who so far has invested several millions of dollars as a public service to present this true image of the vast majority of America's college students.

I believe the producers, the sponsors and the independent television stations which carry the program should be heartily commended for this positive picture of our youth. In addition to the most laudable motives behind it, Mr. President, I must also point out that "Your All-American College Show" is first-rate entertainment.

HEROISM BY CAPITOL POLICE

HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. TYDINGS. Mr. President, sometimes we take for granted the services performed by Capitol employees. Perhaps the people most taken for granted are the Capitol Police who, day after day, act as guides, law enforcers, first aid specialists, and who perform innumerable services to all of us.

Recently I received a letter from a constituent who told of a truly heroic act performed by Officers Gerald Williams and William Kennedy. They saved a 10-year-old boy from being seriously injured, or perhaps killed. I am especially proud because Officer Kennedy's wife serves on my staff.

I ask unanimous consent that this letter from Mrs. Harold L. Esten, of Silver Spring, be inserted in the RECORD so that my colleagues will know about the rescue of Hugh Esten.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SILVER SPRING, MD.

Senator JOSEPH TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: This letter should have been written two months ago, but the subject of it is so painful for me to remember, and its implications so tragic, that I have put it out of my mind as much as possible.

On July 9, to satisfy my young son's most ardent desire for his approaching tenth birthday, I took him and his sisters to visit the Capitol. We took the Capitol subway to the Senate Office Building where we visited your office and obtained passes to attend the Senate. We then went to the basement to take the return trip. We had boarded a subway car and found that it was too crowded and that one of my daughters had not been able to get on, so I decided that we should get off the car and wait for the next train. My son, Hugh, was nearest the door and got off first; he had one foot on the ground when the door closed on his ankle. His sister, who was on the platform, rushed to help him, I screamed for help, and a Capitol policeman, Officer Gerald Williams, immediately tried to free him, but we couldn't get the door open or his foot out, and then the train started moving. As I tried to hold him up and screamed for the train to stop, Officer Williams supported him as the train moved, and another policeman, Officer Kennedy rushed up to help. After agonizing moments the train stopped, and while Officer Kennedy still tried to free him, and I screamed for help, the train started to move again. Officer Kennedy ran along with the train holding the boy up, and even somehow managed to climb over a barrier and lift Hugh over it. This nightmare, in which it seemed my son was to be killed or mangled, ended when the train stopped again, and Officer Kennedy somehow pulled Hugh's foot out of his canvas shoe and freed him.

The officers carried him to their office where they cared for him with great concern and relief while we waited for a nurse and then the doctor. The doctor thought there was no fracture, but suggested an X-ray, which proved negative when we had it taken that afternoon. Hugh had bruises and abrasions to his foot and ankle, but was walking normally within two days.

The point of this complete recital is to tell you what a near tragedy occurred that day, and how it was averted by the actions of Officer Kennedy and Officer Williams. I am quite sure that if necessary and possible Officer Kennedy would have run the length of the subway track holding my son, so great was his determination to save him.

This accident was recorded by the Capitol Police of course, and it was reported in the Evening Star and on Station WGMS. I thanked the officers, of course, and thanked them again when Officer Kennedy phoned to inquire about Hugh, but how can I ever thank them adequately for saving my son's life, or for saving him from possible horrible injury?

I have only recently brought myself to tell my husband the complete story of this accident, and he of course shares our gratitude to the officers.

So I am writing to you, finally, to ask if there is any official recognition which could be given to these wonderful men. And, as our Senator, I thought that you might care to congratulate them. To our family, they are honored heroes.

I understand that ways of avoiding any such accidents in the future have been considered; I would like to urge that greater control over the number of persons who board each car, and greater communication between the driver and the platform officers should exist.

I also wish to thank you, Senator Tydings, for the excellent representation you are giving us in the Senate. We agree with most of your views and appreciate your efforts very much.

Yours very truly,

ALICE L. ESTEN.

LAW DAY ADDRESS BY AMBASSADOR T. C. ACHILLES TO THE KINGSPORT, TENN., BAR ASSOCIATION

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FINDLEY. Mr. Speaker, Ambassador Theodore Carter Achilles, counsellor to the State Department and Ambassador to Peru under the Eisenhower administration, delivered the annual Law Day address before the Kingsport, Tenn., Bar Association this May. In his address he presents a detailed analysis of the plight of the Atlantic community and the need for new avenues to revitalize that institution.

Ambassador Achilles since his retirement from the State Department has served as vice chairman of the executive committee of the Atlantic Council and as vice chairman of Federal Union, Inc., two organizations deeply committed to developing new institutions for this Nation's involvement in the creation of a true Atlantic community.

His address merits our particular attention. Under unanimous consent, I include his remarks in the Extensions of Remarks.

Thank you very much, Mr. Chairman—Shelburne. I'm going to have to begin with an apology for the fact that this is the first time that I have ever been in Tennessee. I can only say as an extenuating circumstance that I have spent most of the last 35 years abroad. But I see now that I have missed a great deal. I don't know when I have seen so many attractive ladies in the same room. I wish I had come here thirty years ago.

I also have to apologize for not being a lawyer. I'm not quite sure why someone who is not a lawyer is asked to address a law day gathering unless it be that no two lawyers that I have known can ever agree on anything. As a layman who never even took a law course in college, I can only try and give you an outside point of view. It may disturb some of you; I hope not too badly.

It seems to me that law is basically just the organization of human relationships. It may be unnecessary in heaven, but unfortunately man inherited some pretty bad aggressive and predatory instincts. He also has acquired faith in God and belief in the values of faith, hope and love. We have come a long way, but as Chief Justice Charles Hughes once said, "There will never be an honest horse race until there is an honest human race."

Obviously, law is the basis not only of order but of freedom and opportunity. The absence of law, or anarchy, certainly provides for neither freedom nor opportunity. It seems to me that there are really five basic requisites for law. One is its moral and ethical basis: a knowledge of what is right, in wisdom and enlightenment. It requires justice. It requires authority to enforce it. It requires self-discipline, and it requires adaptability to change. The higher society becomes, the more self-discipline can take the place of outside discipline. Even as early as tribal times man has recognized, especially in times of danger, that the common interest was something deeper than individual interest. It's just as true today as it was then, although sometimes it takes danger or serious trouble to make us realize it. It does require participation in the making of the laws and self interest in their enforcement. I think that is where Communism fails most seriously. Although Communists claim to be democratic and the Soviet constitution is a very democratic-sounding document, there is really no basis in fact for either.

You may have heard the story about the person visiting a factory in the Soviet Union and asking who the factory belonged to. He was told it belonged to the workers. There was a car outside and he asked who that belonged to, and they said, "Oh, that belongs to the manager." He said, "In the United States the factory belongs to the boss and all those automobiles out there belong to the workers." But even if the workers do own the factory in the Soviet Union there is nothing they can do about it nor, actually, is there anything the manager can do about it. Gradually, as is happening in the Soviet Union and in the Eastern European countries, people are beginning to understand, especially as education spreads, that their government is not serving either the individual or the common interest. Basically, communism is just too contrary to human nature. Naturally the more astringent the authority of the government, the more violent the reaction is apt to be.

All over the Soviet and Communist world, the people are demanding more freedom and the governments are trying to allow a little steam to blow off so that there won't be an explosion. But once the elements of freedom begin to germinate in a country there is practically no way to stop it. We saw it happen some years ago in Yugoslavia, when Yugoslavia was a renegade from Communist domination. It's now happening in Czechoslovakia but within the Communist party itself and it's no wonder that Moscow is seriously worried about it.

But here and elsewhere in the free world, we have cause for worries too. For a very long time, Moscow has been on the offensive, trying to weaken respect for law and authority and order everywhere in the free world. In Latin America, where I was serving a few years ago, it was apparent that they were trying to tear down established authority, wreck the economy and create chaos as a basis for revolution. They naturally capitalized on the revolution of rising expectations there where a great majority of the population has very little but has been exposed to movies and radio and to the outside world and wants a great many things and wants them quickly.

One of the more serious causes of trouble down there was the universities. The universities have always been immune from civil and police jurisdiction. They have always been hotbeds of agitation, of protest against everything. A great deal of the time the students are on a strike against something—against a professor, against a course, against a law that's been passed, against someone who's been elected—on strike *against* something. And the leaders are ones who have been trained to organize such disorders and who go on as professional students up until practically middle age. There is no discipline, no entrance requirements, no requirements for staying in.

In this country we have developed a certain lack of discipline and respect for law ourselves. I think it began here largely during prohibition. In a good many countries, especially in Latin ones, it begins with lack of respect for the tax laws and widespread tax evasion.

In London during the war, the British, who are ordinarily a very law-abiding people, began to chisel on rationing. Everybody had some new scheme for getting a little more gasoline or a little more beef, or a little more butter or sugar. In this country as we have gotten increasingly affluent, we have also gone too far on the permissive side in raising our children. We give too little parental guidance and authority; too little discipline; too little inculcation of what is right in basic Christian ethics—inculcation of the advantages of doing right and disadvantages of doing wrong.

Perhaps a good many of us haven't set as good examples as we would like to have. Again, even at a Bar Association dinner, I am going to be a bit critical of law and of our judicial system. It seems to be an over-solicitude for technicalities at the expense of justice. It seems to me that law cases drag out in this country for years while similar cases are settled or thrown out of court in a week in British courts. I know that is good for the legal profession but I think it retards justice.

Also in recent years it seems to me that decisions, including those of the Supreme Court, have been excessively solicitous of the rights of the accused rather than those of the victim and the general public. We have seen a decline in the morale of the police force and an amazingly cowardly unwillingness of people to help when they see a robbery or see some other act of violence. We have seen a wave of draft dodging. We have seen condolence of draft dodging. I have a son in the Army who is taking off in a couple of days for Vietnam and he is home on leave. He was at a dance the other night and he was horrified to hear two of his friends say, "My father has got pull with the draft board so I don't have to worry about anything." That is the kind of thing that really bothers us.

We have seen growing civil disorder. I wish I could have been here to hear the panel last night. We have growing racial protests, certainly with some justification. They started out non-violently, but sometimes they erupt in violence. I don't think that that violence is necessarily always spontaneous. In the recent riots we had in Washington I understand that fires were breaking out at the rate of about 25 an hour. That did not just happen without some direction and organization. On racial disturbances, there seem to be two answers: one is to do everything possible to remove justified grievances; the other is to be very tough on the organizers and instigators of violence.

I am more concerned by the student disturbances than by the racial ones. The grievances behind racial unrest are obvious and we can do something to remove them. Student protests are different in many ways.

I understand that various religious and other groups have been encouraging draft dodging and protests of various kinds. But there obviously is a sense of direction in a good many of these demonstrations and the old Communist technique of training a small group to organize and control such protests. They are not spontaneous when you have a so-called "spontaneous" demonstration outside the United States Embassy in London participated in by busloads of students who have come over from France, Holland and Belgium to take part. Student riots in Germany last week coincided with riots in New York in sympathy with them. Riots in Germany and in Italy and in various other places have coincided with anti-Vietnamese student protests in this country.

A friend of mine who talked recently with one of the leaders of the Students for a Democratic Society asked him what they were really for. The chap said, "I don't know. I've got a long list of things to protest about, beginning with food in the cafeteria and lack of parking space and a good many other things. Sure, we've got a long list of things to protest, but what we're for I don't know and I don't care." That is really terrifying because it gets down to nihilism and anarchy. They know of various things they are against, but they're not *for* anything.

At least we can take some comfort from the fact that this is not just an American phenomenon. God knows it's worldwide now in Italy, Spain, France, England, Germany and even behind the Curtain. It does seem to be anti-Establishment everywhere and that in itself may be some cause for hope. I am confident that there is a great deal of idealism in these students and that on most campuses it is a very small minority who are causing the trouble.

The movements this year of Students for McCarthy and for some of the other candidates are very encouraging. It gives a chance for these students to get out and work in an active way *for* something. Will those who are now giving trouble grow up to be sound citizens? I think that undoubtedly most of them will, and that the generation as a whole will. But I don't think we can afford to be complacent about it.

Last January when the President delivered his State of the Union message, I was invited to listen to it at a reception at the National Press Club. There were several hundred newspaper and press and magazine people and their wives present and the only portion of that speech that got prolonged and wholehearted applause from the group was the statement that law enforcement was now our number one priority. I think that is certainly true. On these student demonstrations, I think we've got to have confidence in youth, help the majority to organize, but go after the ring leaders.

When I was speaking a week or so ago at Utica College of Syracuse University, a professor told me that he had given his students the problem of studying the organization and structure of student protests. One of the students happened to be the local vice-president of the Anti-Vietnam War Council. She had an inside track. She investigated, found that her local Council was getting funds and instructions from the state headquarters and that the state headquarters was getting funds and instructions from a national headquarters. She resigned and then denounced the Council publicly. It is an excellent technique to teach students to look into the act—who is organizing these protests? Where is the money coming from? Where are the orders coming from? Who is doing it?

Turning to the broader scene, the world in the last fifty years and especially in the last generation has become more inter-dependent than it has ever been before. It is crowded, complex, scientific, technological, accelerating, more and more interwoven and demanding larger and larger units in business and government to cope with today's problems. I think it's true that the nation-state just doesn't work today in the fields of science or technology or trade or agriculture or transportation or communications. Just to give one concrete example which applies to practically all business; wages are determined by local or national factors; prices are determined by international ones. Think about the implications of that.

The interdependence of the world today is basically a matter of the crowding of population. In ancient times when there were tribes and city-states, they were far apart, they had little or no contact with each other and wars didn't matter too much. As the world began to fill up we had feudalism and then gradually the nation-state evolved.

I remember a few years ago looking up an article on gunpowder in the Encyclopedia Britannica. It began by saying that few inventions had had a greater impact on civilization than gunpowder. The coming into general use of gunpowder had not really revolutionized the art of warfare but gradually permeated and changed the whole fabric of society. I don't think it's any coincidence that the nation-state evolved in Europe shortly after gunpowder came into use there. Now twenty-three years ago nuclear weapons were used for the first time. We are still groping and groping hard for what will serve the individual as well in the nuclear age as the nation-state has served it in the age of gunpowder. The basic responsibilities of government, of free government, have always been to assure the individual of "life, liberty and the pursuit of happiness." That's just as true today as it ever was, but how can governments do it in the nuclear age? Tribes and city-states were never subject to anyone. Nation-states are not yet subject to anyone. Certainly we have what is called international law, a great deal of it. But we have no authority to enforce it. The United Nations helps but it has no authority. It can help to maintain order but only with the consent of the parties to a dispute, and it can't do it at all in the case of disputes between major nations. Certainly an orderly world is a long, long ways away, but since the end of World

War II in our groping way we have made a certain amount of progress.

The International Monetary Fund with its weighted voting, its competent, career international staff, and a small board of executive directors, most of them representing several governments, has developed a great deal of competence in the monetary affairs of many countries. Monetary affairs were always previously considered strictly domestic matters.

In NATO we have developed an integrated command and logistic system but those are far from perfect. France has withdrawn and forced NATO to move its pipelines, storehouses and munitions depots out of France. NATO has never had enough troops in peacetime. The European common market has developed a customs union and was expected to go on and develop an economic union and a political union. But I think the chances of that have become dim. The United States has consistently pushed for unity in Europe. I happen to believe we have been unwise in doing that; that we haven't shown adequate regard for basic U.S. interests. If unity is as good for the Europeans as we've been telling them it was for twenty years, why shouldn't we go after some of it ourselves, to see in what ways it would be to our interest and to the European interest for them to unite with us rather than to unite without us.

In groping for these new ways of solving problems which respect no national frontiers today, it's well to remember that throughout history there have only been three ways of extending political authority over broader areas. The first and oldest and simplest was simply discovery of new areas of settlement. That's gone. The second one was conquest and occupation. Now that is gone for all practical purposes. The third one is federalism, which the Swiss first invented and which we took over. We were followed by Canada and Australia and Germany. Federalism in the world today is basically an American invention. It's simply the free and voluntary agreement of free men to delegate authority to deal with certain specific questions with which no existing authority can deal adequately.

I think it is generally recognized that the United States Constitution is probably the greatest contribution to political science the world has ever known. Most of you recall the preamble, "We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America." Note that it begins, "We, the people"; that the individual American is sovereign. This federal system of ours has been tried for nearly two hundred years and has showed its adaptability. It works just as well today in a population of over two hundred million as it did when we had a population of only four million. When we adopted it we had thirteen recently liberated colonies along the eastern seaboard; now 50 states extend across the continent and beyond.

In our groping we've got to learn from experience and particularly our own American experience. President Eisenhower in December, 1960 said in his farewell message to NATO: "Together we must build a community which will best safeguard the individual liberty and national values of our respective peoples and at the same time enable us to deal adequately with those problems with which no nation today can deal adequately alone."

President Kennedy went a little further when, paraphrasing words which most of you will recognize, he said, "Acting by ourselves we cannot establish justice throughout the world. We cannot insure its domestic tranquility or provide for its common defense or promote its general welfare or secure the blessings of liberty to ourselves and our posterity. But joined with other free nations, we can do all this and more. We can assist developing nations to throw off the yoke of poverty. We can balance our worldwide trade at the highest possible level of growth. We can mount a deterrent powerful enough to deter any aggression, and ultimately we can help to achieve a world of law and free choice, banishing the world of war and coercion."

Governor Rockefeller has gone even further in urging the inter-continental adoption of the principles of federalism. In lectures at Harvard three years ago, he said, "The challenge of our times urgently requires that the United States take the leadership among all free peoples to make the underlying concepts and aspirations of national sovereignty truly meaningful through the federal approach." Conditions in the world today are naturally far different than they were among the thirteen newly undeveloped colonies in the 1780's, vastly different, but those federal principles which we have proved through the years are just as sound as ever. The individual is the sovereign one and it is he who must decide what authority to delegate to whom.

What will emerge in the future is not going to be a duplicate of the United States Constitution or anything else. It will be something new, something practical and realistically adapted to the needs of today and tomorrow. It may go beyond federalism.

Business today is far ahead of governments in dealing with problems across national frontiers and despite national rivalries. Our great multi-national corporations are getting more and more multi-national not only in their operations and their location, but in their management and ownership. We have at least two international ones here in Kingsport: Tennessee Eastman and St. Gobain.

A great deal of the expansion in the world trade to which our prosperity owes so much is due to that great Tennessean, Cordell Hull, under whom I had the honor of serving as a young man in the State Department for twelve years. I think he has probably done more than any other single American to give us the prosperity we know today. Under the federal principles it is the individual who is sovereign. He is the one that counts. It's his life, his liberty, and his opportunity. It's the dignity of the individual and his divine soul and his belief in order under law, law which has those five elements of moral and ethical basis, justice, authority, self-discipline and adaptability to change.

I think we could all, as Vice President Hubert Humphrey has been saying the last two days, have faith in the American people, in youth, in human nature everywhere, in divine guidance, in human progress, in the goodness of man and faith in God. I think we can have faith that the next generation which is going to have to cope with these problems is idealistic and is seeking to find the right answers.

My friend, Bruce Shine, is organizing a youth committee in our Atlantic Council of the United States and bringing together the leaders of youth organizations of all fields in the United States, the Young Democrats, Young Republicans, Junior Bar Associations, Young Presidents, the Junior Chambers of Commerce, to work with us in trying to find the answers to these problems as the younger generation sees them. I have confidence that youth today as much as any generation we have ever seen does have an instinctive realization that what is right is best for him. That is the challenge of our coming generation and I think all of us who are somewhat older can merely do all we can to help them find the answers.

TRIBUTE TO LISTER HILL

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. MORSE. Mr. President, at the close of this 90th Congress one of the greatest of U.S. Senators will retire. Lister Hill, of Alabama, is completing his last term in the Senate, after 46 years in the Congress of the United States.

What a magnificent career he has had. What a monument of public service for all our people he has built. What a void his departing will leave in our lives.

I am proud and grateful to have had the privilege of serving with Lister Hill since I first came to the Senate in 1945. We have served together, then as now, on the Committee on Labor and Public Welfare. He has been my chairman on that committee for the past 14 years—a period of our legislative history never equaled in progress and productivity.

In my 23 years of experience in this body I have not known a greater master of the legislative art, a more knowledgeable statesman, a more gracious colleague, a more successful committee chairman, a more loyal friend.

The record of accomplishment of the Committee on Labor and Public Welfare under his chairmanship is beyond compare.

I doubt, Mr. President, that there is a man, woman, or child in this Nation who has not benefited or is not now benefiting, directly or indirectly, from programs established as a result of action by Lister Hill's committee.

The concern of Lister Hill's committee has always been people: patients in Hill-Burton hospitals and their medical staffs; pupils and teachers in elementary and secondary schools; recipients of railroad retirement benefits; veterans of the armed services educated under the GI bills or receiving VA medical care; working men and women protected by Federal wage and hour laws, welfare and pension laws, and other labor legislation on the books; undergraduate and graduate students at colleges and universities; migratory workers now more sheltered from ruthless exploitation; workers guarded from injury and death in mines and factories; consumers defended by Federal food and drug laws; citizens who enjoy better health and a longer lifespan because of the wide ranging research programs of the National Institutes of Health; unemployed workers and youths now put gainfully to work through manpower training programs; and millions whose opportunity for a better life are being enhanced by the antipoverty program.

The enormous impact of the actions undertaken while Lister Hill has been chairman of the committee since 1955 is literally impossible to evaluate. As I have said so often before, he has guided and shaped his committee until it has become the greatest instrument of human progress in our legislative history. The permanent and pervasive effect of the programs established during his career will do more to shape the future of our Nation than the works of any other single American.

I shall deeply miss this wise and generous friend. I shall be eternally grateful for the trust he has placed in me over these many years. I shall never forget the personal assistance he has given me in attaining whatever legislative achievements I may have made. The Senate will never again be the same.

Mrs. Morse joins me in wishing for him and for his beloved wife, Henrietta, a long, happy, and always fruitful life together.

CONGRESSIONAL AND ELECTION REFORM

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. RUMSFELD. Mr. Speaker, under leave to extend my remarks, I include below an index to issues of the daily CONGRESSIONAL RECORD since September 10, 1968, containing remarks and other information relevant to our recent struggle in the 90th Congress to bring congressional and election reform legislation to the floor of the House before adjournment:

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(*1*) *Tuesday, Sept. 10:*

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(*2*) *Wednesday, Sept. 11:*

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E7864—Railsback on reform.

(*3*) *Thursday, Sept. 12:*

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H8549—John Anderson on reform.

H8549—Rogers Morton on reform.

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(4) Friday, Sept. 13. Dark.

(5) Monday, Sept. 16. Dark.

(*6*) *Tuesday, Sept. 17:*

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E8010-12—Curtis on Kerner Commission Report.

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E8041-42—Roth on Federal aid programs (under Steiger).

(7) Wednesday, Sept. 18. Dark.

(8) Thursday, Sept. 19. Dark.

(9) Friday, Sept. 20. Dark.

(10) Monday, Sept. 23. Dark.

(*11*) *Tuesday, Sept. 24:*

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(*12*) *Wednesday, Sept. 25:*

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H9096-97—Taft on election reform.

H9168—Cleveland on New S.O.B.

(*13*) *Thursday, Sept. 26:*

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H9192-98—Cleveland defeats New S.O.B. bill.

H9203—Rees on discharge petition.

E8244-61—Kravitz on Congressional reform: (under Curtis*).

Background, Legis. Reorg. Act of 1967, E8244-45.

Comparison of reform efforts in 1946 and 1967, E8245-49.

Short history of House Rules Committee, E8249-51.

Sectional analysis and comparison of S. 355 as passed by Senate with bills introduced by Rep. Smith and Rep. Madden, H8251-61.

(*14*) *Friday, Sept. 27:*

(5) Monday, Sept. 30. Dark.

(*16*) *Tuesday, Oct. 1:*

H9366-67—Hechler on Post Office.

(17) Wednesday, Oct. 2. Dark.

(*18*) *Thursday, Oct. 3:*

H9466-67—Rumsfeld queries re legislative program for following week.

H9467-80—Tribute to Hon. Thomas B. Curtis.

(*19*) *Friday, Oct. 4:*

E8618-20—Hanna on Congressional reform.

(*20*) *Monday, Oct. 7:*

E8692—Meskill on reform.

E8695—Press Comment (under Steiger).

(*21*) *Tuesday, October 8, "The Long Day":*

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E8720-26—Kravitz study of House committee calendars (under Dow).

(*22*) *Wednesday, Oct. 9, "The Long Day," continued:*

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S12343—Mansfield on reform efforts in the House.

E8821-22—Ford and Rumsfeld, explanatory statements (under Rumsfeld).

E8780-81—Reinecke on Election Reform Act.

E8840-41—Rumsfeld report to his constituents.

(*23*) *Thursday, Oct. 10:*

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H9821—Foley, continued from Special Order.

M9817-19—Roth on Federal aid programs.

H9770-77—House Republican Policy Committee statements, 90th Cong. (under Rhodes).

(*24*) *Friday, Oct. 11:*

H9876-78—Hall on Congressional reform.

Kravitz history of Joint Committee on Organization of Congress, chronological and legislative, H9878-81 (under Hall).

Kravitz compilation of reform actions taken since Senate passage of Legislative Reorg. Act of '67, H9881-83—(under Hall).

Revised bill introduced by Rep. Smith, H9883-94 (under Hall).

A bill to create a Commission of the Congress, H9894-95 (under Hall).

H9937—Press Comment (under Taft).

H9836—Adams on adjournment sine die.

H9865-66—O'Hara on adjournment sine die.

(*25*) *Saturday, Oct. 21:*

H9982—Randall on Congressional reform.

E8969-70—Moorhead introduces bill to establish a Legislative Data Processing Center.

(*26*) *Monday, Oct. 14:*

H9994-95—Adjournment sine die of the 90th Congress.

H10037—Cleveland report to his constituents.

E9052-53—Press Comment (under Rumsfeld).

Monday, Oct. 21:

E9413-18—Press Comment (under MacGregor).

FUTURE TRANSPORT DEMANDS

HON. WARREN G. MAGNUSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. MAGNUSON. Mr. President, in the day-to-day competition among the various modes of transportation it is easy to overlook the need for developing a transport system for America in the years to come. A recent editorial appearing in the Journal of Commerce entitled "A Semblance of Sanity?" discusses a new dialog among rail, truck, and water carrier executives as to what will be needed to meet future transport demands. I ask unanimous consent to share this editorial with my colleagues by inserting it in the CONGRESSIONAL RECORD.

There being no objection the article was ordered to be printed in the RECORD, as follows:

A SEMBLANCE OF SANITY?

To the constant observers of transportation arguments, particularly those over freight rates, the greatest difficulty has always been that the arguments are conducted in a language unfamiliar to the average businessman. Transportation, it is said, is an industry apart from the rest of the economy and has a special economics all its own.

That may well be so, but some remarkably clear and understandable statements are now being made by transportation executives which suggest that the same economic laws apply to rail, water and motor carriers as apply to the rest of the economy.

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*E8325—Correction of previous day's Record (see above).

In fact, William B. Johnson, president of the Illinois Central Railroad, said very specifically recently: "I have very little patience with those who say the railroad industry is somehow unique—some how different than all other industry, that its pricing techniques should be based on accumulating experience and modal tradition rather than rational application of standard economic theory and market facts."

Mr. Johnson complained that "it is apparent that traditional railroad pricing methods have failed to produce an adequate return on investment. . . . Return on investment unfortunately is not a normal criterion in making a rail rate. One rarely hears of a report from the pricing group of a railroad that informs management just how much return on investment may be expected in any given pricing situation, much less the degree to which changes in prices will affect return on investment."

A barge line executive, J. W. Hershey, president of American Commercial Lines, carries the point a step further. "Clearly the most important factor in the pricing of transportation today is the investment imperative. A sound pricing policy must encourage the use of capital to make necessary investment in expanded and improved facilities. Since all investment is underwritten by earnings, the level of earnings is inevitably of critical importance. If proper pricing policies are not adopted and earnings are insufficient to underwrite capital outlay in a period of rapid expansion, a serious lag will develop between transport capacity and the economy's needs. . . ."

Motor carriers are attacking the same issue from a slightly different point of view. In a little noticed but highly provocative article in the Transportation Journal, J. Herman Fles, president of Associated Truck Lines of Grand Rapids, said that motor carrier profits goals must be guided by economic growth and inflation. "The replacement cost of these (truck) assets on a gradually increasing price level will require more cash than you are developing out of depreciation and amortization. Where will this extra money come from? It must come from reinvestment net income. . . . The rise in price levels of the assets purchased by the trucking industry caused by inflation must be taken into consideration in judging the amount that the carriers need over and above operating expenses."

From another inland waterway executive comes praise of competition among the different modes which, he said, "has significantly lowered the transport element of production costs and helped make and keep the U.S. competitive in world markets." Charles E. Walker, president of Union Barge Line, comments: "Price and service competition have shaken the transportation industry to the core. In the relatively short period since World War II we have witnessed more technological innovations, more new economies of scale, more new rate ideas, more actions independent of the rate bureaus, and more new efficiencies of organizations than in any period in the nation's transport history."

He warns that there are some who take a "short run view and would try to interrupt the cycle of earnings, growth and investment in efficiency by encouraging debilitating rate wars. But the wise shipper, and the wise regulator are concerned with maintaining the dynamics of this vital cycle. Any break in the cycle inevitably will lead to a flight of capital from transportation, a failure to meet the needs of the economy, an end to technological innovation and an irreversible trend to higher rates."

The new note sounded by rail, barge and truck executives alike is that priority must be given to provision for the demands of the future. Earnings are discussed in terms of the use that will be made of them, which is, perhaps, a slightly more sensible approach to the subject than usually heard in the rest of the economy. Stressing the role of earnings in providing needed service is a new idea in transportation and should at last bring a semblance of sanity into rate policy arguments.

DEVELOPMENTAL EDUCATION

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. PRICE of Texas. Mr. Speaker, the president of the University of Plano, Plano, Tex., Robert Morris, a distinguished Texas educator, has called my attention to an excellent editorial that appeared in the September 19, 1968, issue of the Pampa Daily News on the subject of human development.

Under unanimous consent, I insert that editorial along with a most revealing article on developmental education by President Morris that appeared in Human Potential:

DEVELOPMENTAL EDUCATION

(By Robert Morris)

Traditionally, man has been viewed as a creature with a soul, a mind and a body. Consequently, education has been concerned with ministering to these three aspects of the human personality. With the recent pressures toward secularization of all education, there has been a diminishing attention to the spiritual content but otherwise these three classical objectives have been observed.

This paper now suggests that a whole new zone or dimension be added to the purview of educators. That zone is the neurological.

The hard fact of the matter is that a student may be a spiritual exemplar, a superlative athlete and have an intelligent and contemplative mind and yet be an academic failure.

Such a student may be one who cannot read either in short spurts or sustain a reading posture over the period demanded by present day curricula. In either event, even though he may excel in seminars or in class discussions, he will become a casualty of the English literature or history course which demands sustained studying, even cramming, and then a concentrated three or four hour examination under great reading and writing pressure.

This inadequacy in human development is only now coming to light in dramatic tragedies. Failure in highly competitive college courses now means that the student does not gain admission to the ranks of today's elite and might even become restricted or confined to a non-glamorous and even stultifying avocation.

The University of Plano, therefore, is attending to this fourth dimension—the neurological zone—in higher education. It believes that this must be reckoned with. Not only is it evaluating students to determine if the individuals involved have failed to achieve their development but it is providing a framework of teacher education whereby students can become human developmentalists with a bachelor's degree. These in turn will go forth to extend the exciting concept into all education.

As for the underachieving students with a good mind, a simple formula has been evolved.

The neurological content of such a student is evaluated, assessed and remedied with a program that we are finding is the essence of simplicity.

There are three main pathways to the brain, the visual, tactile and the auditory. Through these channels enter the elements of outside reality that develop the brain and enable it to communicate its vital decisions to its environment.

The fact of the matter is that the perceptual content or the functions of seeing, touching and hearing and their corresponding performances must be recognized and developed as assiduously as the mind and the body.

We are finding that these three channels should be physically developed by the student traversing nature's developmental pathway in the first four or five years of life. Since this development, though physical in nature, concerns the neurological media, it is essentially a neurological experience and distinctly different from the mere physical. Physical development may take diverse forms but the neurological must be natural, sequential and, above all, orderly.

To get back to our athletic, intelligent and spiritually robust student who fails because he is not neurologically developed, we have in him a specimen who today is plaguing our academic community.

His principal shortcoming is that he reads poorly and without concentration. He may also speak hesitantly, react belatedly to the brain's judgment or have poor coordination but, by and large, his problem is most often a reading problem.

This reading problem is basically of a dual origin. Eyes, if properly developed by nature's regimen, should fuse on their target, whether it be in space or whether it be in a line of print. A child does not come into the world with the capacity to converge or fuse his eyes. He must develop it. This capacity is developed naturally by a young child when he creeps on his hands and knees. This experience takes place from about the age of six months to a year.

This creeping is a highly beneficial experience and if one is deprived of it he is considerably bereft.

While creeping a youngster develops stereoptic capacity as he watches his forward hands alternate before him. He develops his tactility as he brushes with the floor. He develops his depth perception as he measures distance on his journey. He acquires balance. But, above all, he is developing one of the vital layers of the brain—the mid-brain.

The other aspect of reading that often bedevils is the capacity of the two eyes to move in coordination. This takes place when one half of the brain achieves a natural predominance over the other and sets in motion a corresponding performance that permeates every part of the student's performance.

We call this desirable neurological success, cortical hemispheric dominance. One hemisphere of the brain decisively leads the other, thus averting the wavering, the resitance or even the conflict that is immediately reflected in corresponding wavering, hesitation and conflict of the eyes, the speech or the mobility of the student.

If eyes do not move in tandem, after they have converged on a printed line, then reversals, retrogressions and other conflicts in the performance of the eyes bedevil the struggling student.

When such a condition exists, the act of reading is disagreeable, onerous and distasteful. The inclination is to discard the book for other than academic pursuits.

An unknowing or imperceptive teacher will improperly diagnose the malfunction and conclude that the student has a short interest span or is interested in things other than the academic. This is, of course, nonsense. The fact of the matter is that the eyes are tricking or deceiving or the pressures necessary to read in a sustanied fashion are overwhelming.

When a baby flails in his cribe, crawls on his stomach, creeps on his hands and knees and walks in cross pattern, he sequentially develops the respective layer of the brain and then goes on to achieve the cortical hemispheric dominance that, with the spiritual content, distinguishes man from animals.

Nature's ukase is that you must traverse this development pathway or else you will sustain a degree of underdevelopment commensurate with the omission or deprivation.

However, bountiful nature gives a reprieve. If you miss the developmental experience, the first time around, you can perform belatedly and with good results.

It may seem incongrous that grown men in their twenties are subjected to this experience, but, as a matter of fact, it is taken in stride by virtually all the students. They understand the rationale, see the improvements wrought and go about the task often with dedication. We had one student this last semester whose age is 62. He too showed improvement.

In the very first pilot study back in 1965, over the 12 week period of the experiment, the IQ scores of the students increased, on the average, by 10.4%. Actually, this meant that the real IQ of the student was beginning to assert itself after it had been submerged for years by underdevelopment.

Motor activity is not by any means the only ingredient of Developmental Education. An organized program of training the movement of the eyes, occluding them and encouraging them to move in the proper performance is part of the regimen. Included too is the attention given to accelerating the academic and social virtues that often lagged because of the existence of the underdeveloped neurological condition.

A corollary that may be encountered is the attention that must be given to an emotional or psychological problem that sometimes flows from neurological inadequacy.

But this whole developmental regimen is accompanied by a carefully planned academic fare that takes into account not only the degree of the lapse but also the goal to be achieved. In most cases, the bachelor's degree represents the goal but in some cases a certificate or qualification in a vocational skill is the consolation goal.

Properly this work should be called neurological organization or development. But since we are living in a world where many people do not look beyond slogans and names, we must choose our nomenclature with a tactical eye toward general response and reaction. "Neurological Development," I am afraid, in today's world would cause most people either to recoil from its implications or reject it as being beyond their or their families' sphere of interest. Actually, by its very nature it is universal in application and its neglect has been the cause of great distress since the beginning of time. I truly believe this oversight has been the greatest shortcoming of man, barring spiritual inadequacies, in his groping for higher achievement.

The effort on the part of educators to plan, organize and program a curriculum that reorganizes this basic principle of neurological maturation is known as Developmental Education. It is a phase of education that has not been reorganized. It is almost universal in its application since not only can lagging students become average by its application but average students can become superior in the great diapason of achievement.

[From the Pampa (Tex.) Daily News, Sept. 19, 1968]

A Prophet in His Time

It is not necessary to turn very far back into history to be reminded that great innovators and discovers in science, medicine and education have faced ridicule and rebuff. Sometimes the rebuffs have been cruel. But each generation has had its entrenched establishment which scorned change and it is no different in our own time.

Despite the fact that there are literally thousands of grateful parents across this land who have raised their voices in praise of Glenn Doman and Carl H. Delacato and the Institutes for the Achievement of Human Potential in Philadelphia, spokesmen for the entrenched withhold their acceptance and pronounce petty dissenting opinions. Never mind that those opinions ignore the fact of thousands of youngsters who have benefited from the Doman and Delacato programs.

For years these two men have been treating brain-injured children. They have demonstrated that their concepts will work, also, in solving such rampant ills as poor reading ability and other perpetual shortcomings. In recent years some institutions of higher learning, such as the University of Plano, here in Texas, have applied their theories to higher education with great success.

The essence of their solutions is that a child, or student, develops neurologically in the first four or five years of life. An injury, premature birth, or environmental deprivation, may deter the youngster from traversing the inexorable pathways of development that every child must experience. When this happens, even though the boy or girl has good native intelligence and a sturdy body, he or she becomes a poor student, ill-adjusted to complex modern life.

Doctors Doman and Delacato go to the cause and let the symptoms fall away. If the student missed the developmental necessities in those first four or five years, he is taken over the pathway now. Nature permits this. There are strident voices in the established medical and related hierarchies which refuse to accept the testimonials of students, and ignore the successes that have enthused families in virtually every community in our land. Instead of heralding the breakthrough, they minimize, impugn, disparage and deter.

One wonders how long the innocent brain damaged children of this generation must wait for this hurtful contrariness to subside.

CRIME AND VIOLENCE IN THE DISTRICT OF COLUMBIA

HON. ROBERT C. BYRD

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the remaining volumes, reports Nos. 7, 8, 9, 10, and 11 of the transcript of the hearings be printed in the Record in order that the work may be complete.

There being no objection, the volumes were ordered to be printed in the Record, as follows:

[Volume 7]

The U.S. Senate: Report of Proceedings, Hearing Held Before the Subcommittee on the District of Columbia of the Committee on Appropriations

U.S. Senate, Subcommittee on the
District of Columbia of the
Committee on Appropriations,
Washington, D.C., May 11, 1968.

The subcommittee met, pursuant to recess, at 10:00 a.m., in Room 105, the Old Senate Office Building, Senator Robert C. Byrd of West Virginia (Chairman of the Subcommittee) presiding.

Present: Senator Byrd (presiding).

STATEMENT OF WITNESS MR. S.

Senator Byrd. How long have you been in business in the District of Columbia?

Mr. S. You mean self-employed?

Senator Byrd. Well, in the District of Columbia.

Mr. S. How long have I been?

Senator Byrd. In business.

Mr. S. I was only in business for a short time.

Senator Byrd. What did you do prior to that time?

Mr. S. Prior to that time I was the operator of another jewelry store.

Senator Byrd. Mr. S, what is your age?

Mr. S. My age is 44.

Senator Byrd. What do you consider to be the single most pressing problem confronting you as a businessman in the District of Columbia?

Mr. S. Well, confronting me mostly I would say is the thieves and the violent type of people that don't work and don't want to work.

Senator Byrd. Have you ever had any crimes of violence committed against you?

Mr. S. Since I was in business I have not had much. There were a few articles that were swiped, not too much, in such a short length of time, but the other store where I will be operating there was quite a bit.

Senator Byrd. During the seven years when you were managing the business for someone else, were you ever held up?

Mr. S. No, I was never held up.

Senator Byrd. Was the store burglarized?

Mr. S. Yes, it was burglarized quite a few times.

Senator Byrd. Quite a number of times?

Mr. S. Yes.

Senator Byrd. How many persons were employed in that business?

Mr. S. In that business it was only myself, the properietor.

Senator Byrd. Was there much thievery other than the buglaries? Did people come into the store and pick up merchandise?

Mr. S. Quite a bit, yes, sir, quite a bit.

Senator Byrd. Now, let's talk for a moment about your own place of business. Was that business burglarized at any time?

Mr. S. No, it was never burglarized, but there was what you might call shoplifting, quite a bit of that.

Senator Byrd. You were never held up in your business?

Mr. S. No, sir.

Senator Byrd. Did you have any employees?

Mr. S. No, sir.

Senator Byrd. Was your store looted during the riot?

Mr. S. Yes, sir, it was.

Senator Byrd. Was it set fire too?

Mr. S. No, sir, it wasn't burned, but the whole front was smashed. The door was busted, and all of the showcases.

Senator Byrd. Were broken?

Mr. S. Smashed, broken.

Senator Byrd. Was there any difference in the selling price of your merchandise as between white customers and colored customers?

Mr. S. I tried to average about the same, the same minimum, as the white merchants.

Senator Byrd. Did you put the same price on it? When you sold to a Negro, did you sell at the same price as when you sold to a white individual?

Mr. S. That is correct, the same thing.

Senator Byrd. Can you estimate the dollar loss to your business as a result of the recent riot?

Mr. S. As close as I could estimate offhand, I would say between $18,000 and $20,000.

Senator Byrd. Was this inclusive of the merchandise that was lost?

Mr. S. Yes, sir.

Senator Byrd. And does this figure also include the damage to the property?

Mr. S. No. I would say damage to the property was, I would say, about $3,000.

Senator Byrd. Did you own the building?

Mr. S. No, sir, it was rented.

Senator Byrd. Did you own the equipment in the building?

Mr. S. Yes, sir.

Senator Byrd. So the total loss of merchandise and equipment would be about what?

Mr. S. I would say close to $24,000.

Senator Byrd. Have you reopened your business?

Mr. S. No, sir.

Senator Byrd. Why have you not reopened?

Mr. S. Well, for me it was just a total loss. I had just begun and every penny that I had taken in was a turn-over paying the bills, and therefore I have nothing to go back with.

Senator Byrd. Did you have any insurance on your merchandise and equipment?

Mr. S. No, sir, I had tried about a half dozen insurances. It would have taken just about all I would have made to get insurance.

Senator Byrd. So you had no insurance on it?

Mr. S. No, sir.

Senator Byrd. This represents a total loss, then, to you?

Mr. S. Yes, sir.

Senator Byrd. With no hope for recovery of any of the loss?

Mr. S. That is true.

Senator Byrd. Was all of the merchandise taken or was there anything left in your store?

Mr. S. All excepting just a very few small articles. I think there were about four small cartons with very cheap, I would say, beads and a few earrings and sun glasses, small things like that.

Senator Byrd. Can you recover any value from the remaining equipment in your building, in the business?

Mr. S. I would say it would add up to about $600 or $700 at the most.

Senator Byrd. Do you own this equipment?

Mr. S. Yes, sir.

Senator Bryd. Is the store locked?

Mr. S. Yes, it is locked now.

Senator Byrd. Do you hope to reopen?

Mr. S. I do, by all means. That is the only way I can make a living. There is no other place to get a job.

Senator Byrd. Are you married?

Mr. S. Yes, sir.

Senator Byrd. Does your wife work?

Mr. S. Yes, sir. She is employed.

Senator Byrd. Where is she employed?

Mr. S. She is employed at a small department store on Georgia Avenue. The store where she also worked before, it was also looted, but her proprietor at that time got her this job about three weeks ago.

Senator Byrd. The proprietor did what?

Mr. S. The man that she did work for before got her this job about three weeks ago.

Senator Byrd. Do you have children?

Mr. S. No, sir.

Senator Byrd. Did your wife help you in the business?

Mr. S. Part time. She was almost fully employed. On her days off she helped me in the business.

Senator Byrd. The money that you lost in your business, did this represent savings that you had accumulated over the years?

Mr. S. Yes, sir, and I had also borrowed a bit of money to go along with it.

Senator Byrd. How much was borrowed?

Mr. S. $5,000.

Senator Byrd. Do you still owe the $5,000?

Mr. S. Yes, sir.

Senator Byrd. And the remainder was your savings that you had been able to accumulate over the years?

Mr. S. Yes.

Senator Byrd. Do you own your home?

Mr. S. No, sir, I am renting.

Senator Byrd. You say that you intend to or that you hope to get back into business. How do you hope to launch your business again, in so far as the money is concerned which you will need?

Mr. S. Well, at the present I am in the process of making application for a government loan, a small loan.

Senator Byrd. What kind of loan is this?

Mr. S. It is called the Small Business loan.

Senator Byrd. You have applied for a loan?

Mr. S. I do have application.

Senator Byrd. In what amount?

Mr. S. $25,000.

Senator Byrd. Would you go back into business in the same location?

Mr. S. If there are enough other merchants there. I wouldn't want to open alone by myself, because I wouldn't feel as though it would be a good idea. But if it is enough, the location is a good location, I would like to be back there in the same place.

Senator Byrd. Do you feel that there is adequate police protection?

Mr. S. I believe so, because with the police protection there just hardly were enough policemen. I believe it was adequate but it wasn't enough to stop all the looting that was going on.

Senator Byrd. Do you feel that this looting and rioting might occur again?

Mr. S. Well, it would be a hard question to answer. With this march I am afraid that is what a lot of people are waiting to try to see what is going to happen behind that. Me, myself, I am hoping that it doesn't really happen again. That is the only thing I can say.

Senator Byrd. Were you in your store when it was looted?

Mr. S. No, sir, I was not. I just happened to have taken my wife home, and someone called me on the phone that knew me that was a customer, and told me that they were smashing my store, and I was back there at 10 o'clock the same Thursday night, but before I had gotten back it was all gone.

Senator Byrd. Had you had any windows smashed in your store prior to the riot?

Mr. S. No, sir, none at all.

Senator Byrd. Had you been threatened?

Mr. S. No, sir.

Senator Byrd. Have you been threatened in the event you go back in business?

Mr. S. No, sir, I haven't.

Senator Byrd. Are you afraid as a merchant to operate in that area?

Mr. S. No, I am not afraid, but I wouldn't like to open up with just one or two stores. I am afraid in that manner that there perhaps might not be enough safety.

Senator Byrd. Did you have any white customers?

Mr. S. Yes, sir, by all means.

Senator Byrd. Was the greater part of your trade white or colored?

Mr. S. I would say not quite half. Almost half, half white and half Negro.

Senator Byrd. What about the population make-up in the area? Was it mostly Negro or mostly white?

Mr. S. It was mostly Negro. I would say there was a little over half Negro population.

Senator Byrd. Did you do any credit business to amount to anything?

Mr. S. No, sir. I hadn't gotten to that point to start credit.

Senator Byrd. Were you bothered with young hoodlums in your business?

Mr. S. A few had come in. Some of them come in and pick up articles, things, and what not, but not too much.

Senator Byrd. Were you put in fear by them when they came into your store?

Mr. S. No, sir, I was never afraid. I just didn't like the idea.

Senator Byrd. All right, Mr. S, I certainly thank you for coming in today. I hope you haven't been inconvenienced too greatly. I appreciate your testimony. I hope you will have an opportunity to get back in business.

Mr. S. Thank you, sir.

(Discussion off the record.)

STATEMENT OF WITNESS NO. 27

Senator Byrd. No. 27, at the time of the recent civil disturbance in Washington, without identifying yourself, can you tell us something of your activities, where you were located, and some of the problems that you encountered in fighting fires in the District of Columbia during this period?

No. 27. Well, sir, Thursday night, the night the fires broke out, we had several legitimate fires, and they had put plan F into effect that night, so we were scheduled to work night work as it was. Friday night we changed our apparatus to a bar and grill up the street. You know, it was just too busy. Traffic had blocked up the fire house and everything. We were dispatched from ———. As we crossed an intersection citizens broke out a liquor store and hurled Miller's High Life bottled beer at us, pint bottles. It has got a good handle and they can throw them. We were on H Street from——

Senator Byrd. Who was the "we" that you referred to?

No. 27. My engine company.

Senator Byrd. Your engine company?

No. 27. Yes.

Senator Byrd. Could you describe the people that were throwing the beer bottles at you?

No. 27. They were Negroes anywhere from 15 to 25 years old, boys and girls, and we were really traveling at a high rate of speed, because when we saw them come out, we knew that they would probably hurl objects at us, so we accelerated the engine and we got by them all right. I think they only hit the engine with one bottle.

Senator Byrd. None of the men on the engine were hit?

No. 27. Not as far as I know, no, sir. Then we got to the rear of a warehouse in an alley, and we fought fire there for approximately three, three and a half hours, until it started getting dark. Then we was ordered out of the alleys, because the alley was used as a freeway for looters. You know, they just kept coming through the alley with all kinds of merchandise, television sets, clothes, radios, anything.

Senator Byrd. You saw this while you were engaged in fighting the fire?

No. 27. Oh, yes, sir.

Senator Byrd. And in what proximity? How close were you to these individuals that were engaged in looting?

No. 27. Well, sometimes from here to there, because you have to run back and check the hose, you know, you have to straighten out your lines and stuff. Then you go back to the engine. Then when we were ordered out of the alley and it was getting dark, we had to take up our hose and back out and they kept coming through.

Senator Byrd. Why were you ordered out of there?

No. 27. It was getting dark. It was getting dangerous. There just wasn't enough policemen to protect us.

Senator Byrd. Was the fire extinguished?

No. 27. No, sir, we couldn't extinguish the fire. As a matter of fact, the house that we had saved was lit off after we had saved it. We put a water curtain in between it to save the house. We knocked all the fire out of the partition, knocked it out of the window sills and everything. The Chief then ordered all of the men he was over out onto the main street, H Street, where we could be in plain public sight of police and the soldiers when they got there.

From there we went to a store about half a block away, two stores that was completely involved. We put our heavy duty devices in and stayed there until approximately 12 o'clock at night.

Senator Byrd. Back to the original location before you go ahead, you left that location after fighting fire for what period of time?

No. 27. About three hours.

Senator Byrd. The building was still heavily fired?

No. 27. Yes, sir.

Senator Byrd. Approximately how long would it have taken in your opinion to have extinguished the blaze?

No. 27. Normally I think it would have gone to a second alarm fire. I think we could have put the whole thing out with engine companies and everything and just lost the department store, maybe not completely lost it, I think maybe two and a half to three hours, maybe, if not quicker.

Senator Byrd. But the difficulty in fighting the fire was not an extreme difficulty with the fire itself, other than the size, but your withdrawal was occasioned by the presence of looters?

No. 27. Looters and the shortage of engine companies. We only had about one engine company per city block. As I say, a little later when we moved down the street we had two stores completely involved. Normally two stores would at least go to a task force and a box now under the new system, which is approximately 8 engine companies, two truck companies, a chief and a squad.

Senator Byrd. Did the looters actually hinder the fighting of the fire other than their presence there? Did they interfere with the letting out of the hose?

No. 27. Not in our case, no, sir. I mean there was just too much loot to grab. I don't think they were too interested in ruining, you know, breaking our hoses while there was loot to be had.

Senator Byrd. All right. Now, proceed with your duties in the course of the riot.

No. 27. Then we went as I said down the street half a block to these other two stores, and we stayed there until about 12 o'clock, and that was the first time we got anything to eat. It was around 11:30 we got a caramel bar and a couple of bags of pork rinds. The police came around and gave it to us, and a can of diet soda apiece, five cans of soda. Finally we extinguished that blaze. We took up our hose again, and they dispatched us to another location where the smoke and tear gas was approximately a foot off the ground. You could only see for about a half a block, three-quarters of a block. There were one or two fire engines maybe to a city block. It was anarchy.

There were no police, there were no soldiers, just firemen on that street is all I could see. But there were no looters. Everything had been looted. Everything was burning. The smoke was rising, I don't know, 200 feet in the air, and it was laying in the street. Some engine companies had these new army gas masks, some didn't. They just didn't have enough to go around. I don't think that anybody expected the scope of this emergency, what it was. You know, maybe they had similar things in Newark and Detroit.

Senator Byrd. Did you have a gas mask?

No. 27. Yes, sir, in the compartment of our engine we did. We had gas masks.

Senator Byrd. Sufficient for everyone?

No. 27. The only trouble with the army gas mask, is they are good for tear gas but they are not good for regular fire smoke. In other words, if you go into a fire with a tear gas mask on, you can get seriously injured if not killed, because it doesn't filter that kind of smoke. It is only used for this new CS gas, anti-personnel gas and stuff like that. At least that is what we were told. I never even tried it in a fire. And then if you are wearing it, while you are fighting fire, you just can't do it. It restricts your breathing and everything. It restricts your field of vision. So most of the men didn't wear them. The police wore them but we didn't wear them.

Senator Byrd. Proceed to tell us now about your whereabouts.

No. 27. Well, we fought fire there until around 3 o'clock in the morning, and then they dispatched us to another location which is an alley where there is a four-story warehouse. It was completely enveloped from stem to stern. The only way that this could have got off like that, it had to be gasoline poured from the top down through the floors and all through the second floor, because the whole structure was just like a chimney. It was just going. We had one engine company, one truck company in the rear, one engine company in front. Finally the volunteers came from various Volunteer Fire Departments. If it weren't for them, we might have lost the whole city block. There were just not enough engine companies, sir.

Senator Byrd. Were there any problems in working with fire departments?

No. 27. No, sir.

Senator Byrd. From other municipalities or jurisdictions?

No. 27. No, sir, excellent cooperation. They did one hell of a job, the volunteers.

Senator Byrd. Had there previously been training in working with these other units, in the event of a major emergency of this type?

No. 27. Not to my knowledge, sir. I don't know.

Senator Byrd. But in working with them, there were no attendant problems?

No. 27. No, sir. We got along just great. As a matter of fact, a lot of the fellows I saw out there were under 21 years old, the volunteer firemen. They really went at it.

Senator Byrd. During your whole tour of duty, other than the one instance that you related about the throwing of bottles of beer, were there any efforts made by individuals to restrict your movement or hamper your activities in fighting fires during the time of the riot?

No. 27. No, sir, but what happened to me, the officers sent us back one at a time to get dry, so I was sent to the fire house. The gasoline tank truck was sent back to the fire, from the fire house. I got a ride on it. We—I don't even remember what street it was, this was around 4:30 in the morning at this time. I could see the fire. There was a call over the radio saying, "We are out of gas. We need some gasoline. We can't pump any more." When one of the apparatus runs out of gas you can't pump water through it any more.

So I said, "Look, I get off here. I can walk through here." I could see it. I came down the alley, and they said, "There goes one. Get that Whitey."

Senator Byrd. They said what?

No. 27. "Get that Whitey."

Senator Byrd. Who said this?

No. 27. This group that jumped me.

Senator Byrd. A group of white boys?

No. 27. No, a group of Negroes, sir.

Senator Byrd. And they said; "Get that Whitey"?

No. 27. You know that term.

Senator Byrd. Give the initials.

No. 27. MF. That is what I heard.

Senator Byrd. Get that white MF?

No. 27. Yes.

Senator Byrd. All right, go ahead.

No. 27. I turned around. The alley was dark. They blend in with the darkness, that is all I can say.

Senator Byrd. Did you have on your uniform?

No. 27. I had my helmet, my boots on and my running coat on, and the next thing, the minute they hit me I fell down to the alley.

Senator Byrd. Hit you with what, their fists?

No. 27. The police said a razor blade, they said these are razor marks here. I don't think it was a razor blade. I think a razor would have done much more damage. But when I came out of the alley, the police car was there. Apparently it looked real bad to them because my face was full of blood.

Senator Byrd. Approximately how many individuals were engaged in the attack on you?

No. 27. I would say 5 to 7. There were more boys than girls.

Senator Byrd. There were girls as well as boys?

No. 27. Yes. As a matter of fact they were worse than the boys, because they screamed, "You ain't gonna leave him here, are you?"

Senator Byrd. They screamed what?

No. 27. "You ain't gonna leave him here, are you?"

Senator Byrd. Were you lying on the ground?

No. 27. Yes, sir.

Senator Byrd. Did you attempt to fight back?

No. 27. No, sir. I attempted to cover up as best I could.

Senator Byrd. Did they hit you with their fists?

No. 27. Well, when I was on the ground they kicked me, punched me, I guess. I was lucky I had that heavy running coat on because I would have been hurt, you know, much worse than I was. But once they ran off, I came out of the alley and the police car was there.

Senator Byrd. What caused them to run off?

No. 27. I guess they got panicky. I guess they got scared. I don't think they are the bravest individuals. As a matter of fact, I think if I had been with one more fireman they wouldn't have attempted it. I think if there were two or three of us, they wouldn't even try.

Senator Byrd. Were they pretty good-sized individuals?

No. 27. They were my size, some of them. I didn't try and measure them, sir, but it takes a lot, I think, to knock me down.

Senator Byrd. And they knocked you down?

No. 27. Well, I kind of went down on my own. I wanted to cover up like that, you know. So they transported me to George Washington. An ambulance came, transported me to George Washington Hospital Center. They put one stitch up here in my forehead and they have this new stuff, it is a plastic bandage they spray on. It freezes it. I talked to the chief of the ambulance. He said, "How do you feel?" I said, "O. K.," and he said "You want to go off sick?" I said, "No," and he said "O. K., go back to your unit."

Senator Byrd. Is it a common occurrence for you and your brother firemen to be harassed with bottles and bricks being thrown at you?

No. 27. I can only tell you from hearsay. Like out at Deanwood, 27 engine, they have had their windshields busted out. The chief's buggy had the bottom ripped out by rocks and stuff thrown.

Senator Byrd. On prior occasions?

No. 27. Yes, sir. This has been going on I would say since the last two summers.

Senator Byrd. How do you feel about your career in this city?

No. 27. Well, sir, if something isn't done about this arson they are going to have someone killed. Last night we almost lost a whole squad of men. We were on 14th Street fighting a second alarm fire in a previously burned building. They put the inch and a half hose on. These fellows were on the third story, a ledge, the fire came out and luckily it reeled up. It didn't come out. Otherwise they would have been knocked over that ledge and cremated. Someone is either going to be killed, young people, babies or old people, the ones that can't get out of the way.

Senator Byrd. When you go out to fight fires in this city, do you increasingly feel that you are in danger from bottle throwers, brick throwers?

No. 27. I will give you a good example. About a year or two years ago, we went down to school and had lectures on civil disturbances. We were told not to say anything to the citizens. If they curse at us or throw rocks at us or something, abandon the apparatus, do this, do that. But like our last tour of duty, last night's tour, we went to a fire on 11th Street. They climbed all over the fire engine. When I first came on the job five years ago we could tell them to get off.

It is dangerous up there. There are axes and everything. They might actually cut themselves. Then they come a little older. They are 15 or 16. By the time you are in there 45 minutes or an hour the big ones are there glaring at you. You can't say to them, "What are you looking at." You can't say anything to them. If you say anything and they punch you in the face, what can you do? You can't do anything. You can't expect the police to come in every alley for every fire apparatus. Otherwise, the holdup men, I guess, would go wild.

Senator Byrd. Are these Negroes?

No. 27. Yes, sir, all through there.

Senator Byrd. Do you have this problem in dealing with whites?

No. 27. We very seldom go to a white fire, sir.

Senator Byrd. I have only about three more quick questions. One, do you think the troops were brought in soon enough?

No. 27. No, sir.

Senator Byrd. Two, do you think troops should be in here now?

No. 27. Yes, sir.

Senator Byrd. And three, have you had any additional equipment brought in since the riot which would indicate that you might be a little better prepared in the event there are further disorders?

No. 27. Well, sir, I think we learned a lot during these riots. I think that we found out we can contain a lot more fire than we ever expected. Our policeman told me, that on Thursday night if they had let the police handle the situation on 14th Street they had sufficient police to contain them.

Senator Byrd. But, I ask, have you had any additional equipment brought in, any additional gas masks and so on?

No. 27. No, sir.

Senator Byrd. Are you any better prepared now than you were before the riot, to cope with disorder?

No. 27. Sir, let me tell you something. I don't think this riot ever stopped. We are out every night. We didn't get any sleep last night. We had a second alarm fire, we had three legitimate fires. This is every weekend, weekday nights and everything, major fires in this city. So in my opinion, sir, this riot hasn't stopped. All that it has done is given these people a chance to burn. That is all. They saw they could get away with it the first time and they are going to keep right on getting away with it. That is my opinion, sir.

Senator Byrd. Thank you, Mr. 27.

No. 27. Thank you, sir.

STATEMENT OF WITNESS NO. 28

Senator Byrd. How long, Mr. 28, have you been a fireman in the District of Columbia?

No. 28. Thirteen years.

Senator Byrd. Could you tell us something about your activities during the time of the recent civil disorder, with particular reference to any manner in which you were restricted by people or traffic in carrying out your duties?

No. 28. Yes, sir. At about 1:00 p.m. on the 6th, that was Friday, we responded up on 14th Street, and we had already put a blaze out at 14th and Girard in a drugstore, and of course there were numerous fires up and down the block, and we proceeded up the block. And while we were taking up our hose the looters were coming out of a liquor store in the area and one of them broke a bottle of gasoline in a window and set it on fire. So we extinguished that fire and as we were starting to take the hose up and it started again.

Senator Byrd. What started again?

No. 28. The fire and this time it was more severe so we started working on that fire again and extinguished that fire. Then we moved up the street to another building on fire. The company took a hose line and I was assisting the pumping man to make the connections, and they were calling for water when a gang of Negro males come across the street and they pushed and shoved the pumper man and told him not to hook up the hose, that they didn't build the God-damned fire for any white people to put out.

Senator Byrd. Who said this, now?

No. 28. A Negro male. There was a crowd of them. We ignored them, which we had been doing all morning, just ignoring the harassment.

Senator Byrd. Had you been subject to other taunts?

No. 28. Verbal.

Senator Byrd. Verbal abuse.

No. 28. Verbal abuse, yes.

Senator Byrd. Such as what?

No. 28. Most of them, do you want the actual words?

Senator Byrd. If it is profane and vulgar you might use the first letters in the word.

No. 28. They called us MF said, "Don't worry about it, you will all be dead before the night is over. We are going to kill all you white MFs". And we just ignored them.

Senator Byrd. Were these Negro males?

No. 28. Yes, sir, Negro males. They varied in age from maybe 19 to 20, young men and some older. This one in particular, he was getting pretty insistent that we don't hook up the hose, and the men were screaming for water and we just ignored them.

Senator Byrd. You ignored whom?

No. 28. The colored man that was bothering us, because our main thing at this time was to get water in the hose line so the men wouldn't burn up.

Senator Byrd. How close was he to you?

No. 28. He was right beside me.

Senator Byrd. What did he do or say?

No. 28. Finally he grabbed me and he said, "I am talking to you MF," and he grabbed my coat and pulled me across the street and I wrestled away from him and tore my coat. And he said, "I told you not to put water in that hose. I'll kill you, you white MF." So I saw some police and I figured I would get their attention, they would take care of it, so I turned to go to the policeman and they threw a large plastic mannequin at me which broke across my ankle.

Senator Byrd. The same individual?

No. 28. Yes, sir. The other ones in the crowd, they didn't go along necessarily with what he was doing. They kept telling him "let the firemen alone, they aren't bothering you. They aren't bothering anybody." But they didn't do anything to assist or help us or to restrain him other than with words.

Senator Byrd. This is other individuals in the area?

No. 28. Yes, sir.

Senator Byrd. Other than policemen?

No. 28. Yes, sir. Basically most of the Negroes showed no animosity towards firemen at all but there were some in the crowd that did and when they did, the other ones weren't responsive at all. They didn't take up or help.

Senator Byrd. Did the police come in to help you?

No. 28. Yes, sir, I went up the street to get a police officer, and when I turned around and looked there were two already coming to their assistance and they moved them on.

Senator Byrd. Were the police able to apprehend this particular individual?

No. 28. Not to my knowledge, no, sir.

Senator Byrd. Did he continue to stand around?

No. 28. No, sir. He just went on with the crowd. There were so many of them, it was hard to identify any particular one. We had our hands full putting out the fires, and to be pursuing matters like that, because if these fires got away, it would quite possibly burn the whole city down. There were homes and apartment buildings on top of the stores and right behind it were heavy tenement sections and the fires were raging out of control.

Senator Byrd. Is it a common practice for you to be attacked in this way?

No. 28. Not myself, no, sir. I have never run into trouble myself.

Senator Byrd. Are you commonly the target of bricks and thrown bottles?

No. 28. Not myself, no, sir. I have two brothers that are also firemen, and they have been subjected to it.

Senator Byrd. Are there any other instances that you would like to relate that happened to you during the course of the riot?

No. 28. No, sir.

Senator Byrd. Do you feel that the Metropolitan Fire Department is better prepared today for fires of the size and frequency of those that occurred during the riot?

No. 28. Definitely. I think we have all gained by experience.

Senator Byrd. How about the adequacy of your equipment?

No. 28. During the riots there was not enough, and of course it would be physically impossible to get enough, unless they called on the suburban companies to give us a hand.

Senator Byrd. Auxiliary type equipment like masks, do you have a sufficient number on the trucks?

No. 28. No, sir. We ran into a problem with the army gas masks. We didn't have sufficient numbers to go around to the extra units that they put in service.

Senator Byrd. Did you have any problem with the gas that was being utilized by the police and by the military troops?

No. 28. It was very disturbing. It bothered me personally for a whole day. My eyes watered from the tear gas. But it had to be used, I realize it, so we just put up with it.

Senator Byrd. Were military troops called into the area in which you were working?

No. 28. Yes, sir.

Senator Byrd. At a later date.

No. 28. The whole time of the riot I would imagine the only thing that really kept me going was the fact that I fully realized that eventually the military police would come and stop it, but as the day wore on, it didn't look like they would ever get here, and I think this was approximately 7:20 in the evening that I first saw them. I was surprised it took that long.

Senator Byrd. Did you encounter any problems personally with crowds as to taunts or threats after the arrival of the military personel?

No. 28. No, sir, not myself.

Senator Byrd. What has been your experience since the time of the riot with reference to other than normal fires?

No. 28. I have only been to a few normal fires. I have been to quite a few fires that were of suspicious origin, rekindles, not rekindles, but fires that have been reset, and there is always a lot of verbal taunting, nothing physical since that one incident, such as, "Don't bother, Whitey, we'll just burn it all down later, we'll get it again," such as that. Of course an awful lot of vulgar and obscene language, which is sort of commonplace. You get used to it. You just don't pay too much attention to it after awhile.

Senator Byrd. In your personal opinion is there a need for military troops to be present in the city at the present time? Would it assist you in your work?

No. 28. Yes, definitely, because the following day, I probably should have made this clear, the following day we went to quite a few fires. In my mind the only reason we were allowed to extinguish the fires was because of the presence of the National Guard there. To prove this, one fire in particular at a storage company, and we fought for a couple of hours extinguishing the blaze, and the military personnel were there, and they were having trouble with the citizens. I didn't see exactly what took place but I know they were having difficulties holding the crowds back. And later that evening I found out as I was going home that they had built that fire again and demolished the building. So they were determined to burn it out.

Senator Byrd. Was the incident in which you were assaulted an isolated incident or do you know or have you heard of other incidents of this nature from other firemen?

No. 28. I have heard of incidents where hose lines have been cut and where rocks and bottles have been thrown. This is the only one that I have first-hand knowledge of as far as physical contact with the person. But I know there is a great deal of animosity with an element in the race. It doesn't seem to be the people in general.

Senator Byrd. Is this the white race you are speaking of?

No. 28. No, sir, the Negro race.

Senator Byrd. How do you view your career as a fireman in the District of Columbia? Were you subjected to this type of treatment and were firemen harassed in that manner five years ago in this city?

No. 28. No, sir, not at all.

Senator Byrd. How do you view this situation as you look down the road?

No. 28. Personally, I have always enjoyed being a fireman, and one of the things that makes it a good vocation is the feeling of accomplishment that a fireman gets when he extinguishes a fire. It is very heartbreaking when you spend a couple of hours of physical torture and just bull work, mentally and physically, extinguishing a blaze to save something and you are proud that you have extinguished the fire and saved the building and then find out two or three hours later that an element comes back and burns it down again. You feel like it is down the drain. You get a feeling of frustration.

Senator Byrd. What steps may you take to protect yourself from brick and bottle throwers?

No. 28. We have canopies to put over the top of the driver compartment on the apparatus but that does not protect the men on the back step that hang there. It is a very bad situation, really, because they are hanging on. They are standing on the back holding onto a bar in going over the road, and if they were even as much as stunned it is quite possible they would be knocked off the back and hurt. I feel if something isn't done to correct the situation the way it stands today, that no doubt that firemen will lose their lives either through fire or through violence, and it worries me. It worries my family. I know it is a tough problem.

Senator Byrd. Are you instructed not to act in your own defense if you are attacked?

No. 28. Yes, sir, I am instructed to ignore it, to try not to provoke an incident, which we did. At times it seems like it was the best approach, at times.

Senator Byrd. In other words, the policy is nonviolence?

No. 28. Yes, sir.

Senator Byrd. In the case of an individual who takes hold of you as this particular party did and threaten you, are you instructed not to defend yourself?

No. 28. No, sir. As a matter of fact I don't know how I would stand it if I hadn't struck back.

Senator Byrd. You don't know what?

No. 28. I don't know where I would have stood legally or what my rights would have been. I know police officers that have this problem, they get in more trouble than if they ignore it.

Senator Byrd. Thank you very much, Mr. 28. We appreciate your coming.

No. 28. It is nice talking to you.

(Discussion off the record.)

STATEMENT OF WITNESS NO. 29

Senator Byrd. How long have you been a fireman in the District of Columbia?

No. 29. Eleven years.

Senator Byrd. How old are you?

No. 29. 33.

Senator Byrd. Are you married?

No. 29. No, sir.

Senator Byrd. Can you tell us something of your activities during the recent civil disturbance in the City of Washington, particularly as to any efforts that might have been made to restrict your movement or your duties in the fighting of fires during this period?

No. 29. There wasn't any time that I noticed anyone particularly tried to restrict our movement. There were two incidents that were directed towards stopping our activity after we were set up to more or less work at a fire.

Senator Byrd. Could you relate those?

No. 29. Yes. One incident where there was a market on a corner. There were several small fires in there. So we went in and we put them out, and what not. We wet the whole inside down. As we were coming out preparing to go across on the southwest corner of the street, there was another building there that was on fire, taking the hose lines out, another fellow and myself, I came out first and he was behind me pulling hose, and I was I guess——

Senator Byrd. This is another fireman?

No. 29. Yes, another fireman. I guess I was 25 or 30 feet away from him. I had my back turned to him at the time. I heard him make some noise like, "Don't do this," or say something of that nature. When I turned around there were some people walking away from him. So he came over to me and he said, "They cut the hose," and he had this section of hose in his hand. At that time there wasn't any water in it because we were moving it out to go to another building.

Senator Byrd. Did you see the individuals that cut the hose?

No. 29. I saw them as they were walking away. I didn't actually see the cuts.

Senator Byrd. Were they juveniles?

No. 29. Yes, I would say in their late teens or early twenties, around that age.

Senator Byrd. Were they white or were they colored?

No. 29. They were colored.

Senator Byrd. What did they use to cut the hose with?

No. 29. A knife. They used knives to cut the hose.

Senator Byrd. Did you see their knives?

No. 29. No, not at that time. I saw some knives later on. Not at that particular incident, I didn't.

Senator Byrd. Proceed.

No. 29. A little while later we were fighting this other fire on the southwest corner of the street, and I was in charge of the unit that was making an attempt to control this fire, and the fellow that was operating the fire engine, the truck, came over to me and said, "They are cutting our hose."

Well, he was white and I am colored, so I told him to stay over there with the other fellows and I would go back to the fire apparatus, because he was really isolated from us at that time, so I figured that they wouldn't bother me as much as they would him. So I went back. I saw where they had punctured the hose that was leading from the fire truck over to the device that we had, we call it a monitor pipe to shoot water up to the top part of the building. They had punctured the hose with an icepick, he said.

Shortly after that, this juvenile came over with a long butcher knife. It looked like he had just gotten it out of some place. It was brand new. And he made an attempt—where they had punctured the hose before there was a stream of water spurting out. So he walked over towards where this stream of water was spurting out, and he leaned over as though he were going to enlarge the hole. It was just a small hole with the water spurting. So I looked at him and he looked at me and he sort of gave me the aside, "Is it all right," you know, like should he do it or shouldn't he do it and I told him no, go away and just leave it alone. Just get out of here. So he sort of looked at me and smiled. As I said, he had this long, wavy-edged knife, apparently something he had taken out of one of the stores because it was very new.

Under his coat I saw a holster. I didn't see a gun, but saw under his coat that he had a holster. I couldn't see back far enough to see whether there was a gun in it or not. But I did see a gun holster, and so then he just walked on away.

Senator Byrd. Did he call you any names, say anything to you?

No. 29. No, he didn't. There were several others who did though, later on, and before that, too.

Senator Byrd. What did they call you? If it is a word you don't care to repeat, you can just use the first letter.

No. 29. I don't really care. White man's nigger, Uncle Tom.

Senator Byrd. Is this a common thing, a common experience for you?

No. 29. It wasn't before this disturbance. It hasn't been too common since then, but on that particular day it was very common.

Senator Byrd. You mentioned the situation that confronted another fireman who happened to be white, and mentioned that you thought it would be less of a problem for you than for him to tend the truck. Why did you say that?

No. 29. Well, to be perfectly honest, I thought because of the situation there they would be more hostile towards any white person than they would any Negroes. And then, secondly, I have been exposed to Negroes all my life, and I think I am more or less in a better position to know what to say and how to handle them than maybe some white person would.

Senator Byrd. This is a type of situation that has occurred before? You said it occurred with less frequency before the time of the fire. Are firemen either white or colored normally harassed as they go about their duties?

No. 29. Prior to this disturbance I had never been harassed or known of anyone else who really had.

Senator Byrd. This was something new to the Washington Fire Department, to be subjected to taunts and threats and verbal abuse?

No. 29. Yes.

Senator Byrd. And to have their efforts, to have the fire hose cut and punctured?

No. 29. Yes.

Senator Byrd. Would it not be difficult to puncture a fire hose with a knife?

No. 29. No, it isn't. It isn't very difficult.

Senator Byrd. Is it easier to puncture it without water in it or with water in it?

No. 29. I would say it would be easier to puncture it with water.

Senator Byrd. Easier you say with water?

No. 29. With water.

Senator Byrd. How do you view your future as a fireman in the District of Columbia? Do you think this has been an isolated instance or do you think it is likely to recur?

No. 29. I don't think it is going to recur on such a scale as it did when this disturbance first started. I think they might have maybe sporadic and small incidents, but I don't think there is going to be anything, in my personal opinion, on any such large scale as that.

Senator Byrd. Since the time of the fire have you encountered any fires of a suspicious origin?

No. 29. Well, I would say practically any fire that I have been to since that time has been of a suspicious nature—I would say 75 percent.

Senator Byrd. What do you term this type fire, is that a rekindled fire?

No. 29. No, a rekindled fire isn't of a suspicious nature.

Senator Byrd. It starts of its own self?

No. 29. This is true.

Senator Byrd. In the normal course without any outside interference?

How do you categorize suspicious type fires?

No. 29. Well, most of these fires that we have had lately have been in buildings that have been burned and looted before. After so many days, there is almost no possibility that this fire can rekindle. I mean you would say within a day or so perhaps, maybe two days, but not within a week or two weeks or three weeks. These fires just don't rekindle after that much time. If they are going to rekindle, they rekindle, I would say, within 24 to 48 hours.

Senator BYRD. Why would anyone start a fire in a building that had already been burned and looted?

No. 29. I honestly couldn't tell you. In my opinion I don't see why they would want to start one anyhow, to start with. I don't see why anybody would want to start a fire in any building. I couldn't say.

Senator BYRD. Were military troops present at locations where you were fighting fires during the course of the disorder?

No. 29. Not until the second day on a Saturday afternoon. That was the first time that I saw any troops.

Senator BYRD. Were they helpful in your efforts?

No. 29. Very much so. I felt a whole lot better and I think everybody else did that you could do your work and not have to worry about what somebody else might be doing to you, because it is awfully difficult to try to do your job when you don't know what is going to happen next. You feel tense.

Senator BYRD. With the high incidence of fires, all of which you have attended since the time of the riot, and are of a suspicious nature, do you regard the presence of military troops as something that would be desirable? Would they be helpful to you in your day-to-day efforts at the present time?

No. 29. Well, if not military troops, some type of law authority, police or military troops.

Senator BYRD. Are you getting sufficient police protection at the present time?

No. 29. I think the police are doing the best that they can, but I don't think that they really have enough men. They are doing the best job that they can under the circumstances. I don't think they have enough policemen to give us adequate help.

Senator BYRD. I wasn't asking you to speak about adequacy of policemen. I was asking you whether or not, as you go about your day-to-day business of fighting fires, you feel that there is sufficient protection of you in your efforts, with reference to traffic, with reference to taunts and threats.

No. 29. Since the riots, yes, since the first big incident.

Senator BYRD. You think there is adequate protection?

No. 29. Yes, now.

Senator BYRD. Has the police force in your area been beefed up since the riot?

No. 29. Not that I know of.

Senator BYRD. Were there any particular problems in working with fire departments of surrounding jurisdictions that were called in to augment the Washington Fire Department?

No. 29. I am sorry, I didn't understand.

Senator BYRD. Did you work with fire departments from Montgomery County, from other areas that came in to back up the Washington Fire Department?

No. 29. No, I didn't.

Senator BYRD. Do you anticipate any trouble, any additional trouble, over and above the normal, when the people camp in, when the camp-in gets underway here, the march?

No. 29. I think there is a good chance that there will be.

Senator BYRD. Will be?

No. 29. More trouble.

Senator BYRD. Have you heard anything to this effect in listening to people talk, in overhearing conversations by juveniles and so forth?

No. 29. No, I haven't, but I think I am pretty familiar with the type of people that do these types of things, and I think that they are just waiting probably for some excuse, some other excuse, or some other reason for some feeling that they have got some security or something to hide behind or some reason, excuse to get started.

Senator BYRD. Were you born in the District?

No. 29. Yes.

Senator BYRD. Mr. 29, I certainly thank you for coming here today. I appreciate your testimony. You keep on doing a good job.

No. 29. Thank you.

(Discussion off the record).

STATEMENT OF WITNESS NO. 30

Senator BYRD. No. 30, how long have you lived in the District of Columbia.

No. 30. For 45 years.

Senator BYRD. How long have you been a fireman in the District of Columbia?

No. 30: 22 years.

Senator BYRD. How long do you have to go before you will be eligible for retirement?

No. 30. It will be five years.

Senator BYRD. Are you married?

No. 30. Yes, I am.

Senator BYRD. Do you have children?

No. 30. Yes, sir.

Senator BYRD. Mr. 30, can you tell us something of your activities during the time of the recent civil disturbance in the District of Columbia, with particular reference to any manner in which your efforts as a fireman might have been restricted, either by individuals or by traffic, any problems, particularly unusual type problems that you had in fighting fires during the recent civil disturbance.

No. 30. We had a fire on H Street. It started in two small buildings on the south side of the street. And we had those buildings just about under control when a large building next door was ignited with the use of a fire bomb.

Senator BYRD. Would you describe a fire bomb?

No. 30. Well, this particular bomb I am talking about was apparently gasoline. We saw the bomb ignite, but we didn't see who used it or brought it into the building.

Senator BYRD. Gasoline in what type of container? How would you describe it?

No. 30. I assume it was a bottle carried into the building under someone's jacket because at the time there were maybe hundreds of people going in and out of the building taking stuff out, and I know this because we were in the building right next door, and we saw everything that was going on.

Senator BYRD. Would it have a fuse to it, normally a fire bomb when you refer to it——

No. 30. I really believe that it was probably a bottle with a rag in it, and it was ignited and thrown and that is the way it appeared to ignite.

Senator BYRD. It was gasoline poured in a building and then it ignited, would you refer to that as a fire bomb?

No. 30. It would be practically the same, yes, sir.

Senator BYRD. Almost any fire that is of incendiary origin is a fire bomb?

No. 30. That is the way we describe it.

Senator BYRD. Fine. Proceed.

No. 30. Anyway, after that incident, another fire was ignited on the north side of the street, and that was the only time that night, April 5th, that the firemen were harassed, I guess you would call it. There were some bottles thrown and some stones, which prevented us from getting to the rear of the building to extinguish the fire. That is where it was started. Most of these fires were ignited or started in the rear of the building: Other than that, we had no incidents, a few threats, probably.

Senator BYRD. Threats of what nature?

No. 30. Well, one time at another fire we were told that there was going to be some more arson jobs, and that they were going to burn the city down. We were blocked by automobiles and traffic deliberately one time that I know of.

Senator BYRD. How do you know you were blocked deliberately?

No. 30. The car would not move. I would say there were about four people in the automobile, and we were on a crowded street with a lot of traffic and he just sat there.

Senator BYRD. Was he a white person?

No. 30. Colored.

Senator BYRD. What are your instructions when a vehicle of this type obstructs your passage?

No. 30. My instructions to the men is just bide your time and wait awhile. There is no way that we could go forward or backward, and I was thinking to myself if they didn't move within—They didn't stay permanently. They only blocked us temporarily, I should have said.

Senator BYRD. Temporarily? Five minutes, 10 minutes?

No. 30. I would say about two minutes, just delayed us, in other words. They weren't trying to keep us from getting to the fire entirely, but they did delay us. I had no intentions of doing anything else but just wait until they moved. You couldn't crash into them. There is no way we could get around them. There was too much traffic.

Senator BYRD. You were on your way to a fire?

No. 30. This one I am talking about was the next day. That particular night we didn't go to any other fires because we spent the whole night on one block. This was the next day.

Senator BYRD. You were not on the way to a fire at the time you were blocked?

No. 30. Yes, sir. It was the next day. We were on the way to another fire that was ignited. They burned down a storage building and they ignited a grocery store which in turn ignited the fire to which we were dispatched. This was the next day.

Senator BYRD. But you were then actually on the way to a fire at the time?

No. 30. Yes, we were.

Senator BYRD. And did I understand you correctly to say that you would have done nothing, had the automobile remained there, but would have waited to see if it would be moved?

No. 30. Well, as far as I could see, there was nothing that we could do, because there were maybe in the area, I would say, 50 automobiles, people who were driving to witness this fire.

Senator BYRD. Were there any policemen in the area?

No. 30. Yes, sir, but the policemen had their hands full as far as I am concerned. There were too many automobiles and too many people, especially on the through street. There were just too many. There were hundreds of people looting the place, and they just couldn't handle the situation.

Senator BYRD. But the place being looted was not on fire at that time. It was the building adjacent to it?

No. 30. Yes, it was another building.

Senator BYRD. Were there any other instances of an unusual nature that you would like to relate?

No. 30. No.

Senator BYRD. Do you believe that in carrying out your day-to-day assignments at the time of the riot, you had adequate police protection?

No. 30. No, not if the crowd wanted to be hostile, we didn't.

Senator BYRD. At what time did troops arrive at your unit's location?

No. 30. We started fighting the fire about 4:00. It was evening, late evening before they got there.

Senator BYRD. Late evening on Friday?

No. 30. That is right. I would say about 9 o'clock.

Senator BYRD. Did the presence of troops assist you in your efforts to fight the fire?

No. 30. Yes, they did.

Senator BYRD. In the control of crowds or traffic, or what?

No. 30. Control of crowds and traffic. They did a fine job.

Senator BYRD. What has been your experience with fires since the time of the riot? Has the incidence of fires gone up greatly?

No. 30. Increased, yes, very much so, especially in the area of where I am stationed. We are the first company supposed to report to a fire in the area between 4th and 15th, and we have had, I would say, 7, 8, or maybe 10 fires have been set since the riots.

Senator BYRD. Are they set by fire bombs, gasoline?

No. 30. Really, I have no evidence of that. Of course most of them have been set in the evening hours, 10 o'clock, 12 o'clock, 2 o'clock, and when we get there it is just a roaring fire.

Senator BYRD. Do you feel at the present time that you have sufficient police protection in the control of crowds?

No. 30. At the present time, yes, under the normal circumstances. We have had no problems. The only problem we had was the night of April 5th, when there were so many people on the streets, and there were only, say, five policemen for a block, and there were hundreds of people. I don't see how the police could have done a better job under those circumstances. I think the troops, had they shown up sooner, could have prevented much of what happened. I think everybody said that.

Senator BYRD. Do you feel that there should be a troop presence in the area now?

No. 30. Yes, sir.

Senator BYRD. You think it would be helpful to you as a fireman?

No. 30. I think so, yes, sir.

Senator BYRD. Is this problem of harassment from hoodlums and onlookers an increasing one?

No. 30. Yes. I have been stationed where I am now going on three years, and it has increased in the last three years.

Senator BYRD. Are you allowed to protect yourself from any individual who attempts to assault you when you are out fighting a fire?

No. 30. We are given instructions not to use hose streams, and other devices that might stir trouble up.

Senator BYRD. How do you feel about your profession of fighting fires in the District of Columbia, as you look down the road?

No. 30. To tell you the truth, I enjoy fighting fires. I mean it is the job that I selected as a young man, 22 years, right after I was discharged from the service, and I am still happy with the job. I know myself and other younger men, they are looking forward to many hard years of endeavor and work, because it is getting them. Like last month we had 305 responses. Now, on an average month we get, say, from 190 to 200 responses, so it has increased. And we expect it to continue increasing, the work load, in other words.

Senator BYRD. Are you having more than the normal number of false alarms?

No. 30. I think the number of false alarms has increased. For the last three, four, or five years, the number of false alarms has been tremendous.

Senator BYRD. Do you feel that the dangers from brick and bottle throwers and individuals who would attempt to interfere with your work is increasing?

No. 30. Yes, sir, it certainly has.

Senator BYRD. How does this affect your outlook concerning your work in the days and months and years ahead?

No. 30. Well, we have more anxiety, for instance, when we respond to a fire. Several years ago if we went out, our main purpose was to extinguish the fire. We didn't worry about anything else. I think now, when we respond in the neighborhood where there are large amounts of people, we are a little anxious about what is going to happen.

Senator BYRD. Are these white people or colored people?

No. 30. Only colored people live in my neighborhood, 99 percent, I think, in my neighborhood.

Senator BYRD. I suppose of the great majority of the colored people in the area you feel that you have their support in your efforts?

No. 30. I think not the great majority. I think that a large majority of them support you, but I think that they sympathize, some people, although they don't do anything directly to harm you, I think a lot of people sympathize with the ones who do.

Senator BYRD. With the hoodlums?

No. 30. I believe so.

Senator BYRD. A lot of the people who don't activate themselves to harass you?

No. 30. They don't do anything to prevent it. For instance, when they were looting, maybe it was taking place by 100 people, and there might have been another hundred people watching them, and they were very happy about it.

Senator BYRD. Thank you very much.

No. 30. Yes, sir.

(Discussion off the record.)

STATEMENT OF WITNESS MR. T

Senator BYRD. Mr. T how long have you been in business in the District of Columbia?

Mr. T. 33 years.

Senator BYRD. Mr. T, what do you consider to be the most pressing problem confronting you as a business man in the District of Columbia?

Mr. T. I think the restoration of a climate in which normal peaceable life can be carried on.

Senator BYRD. Is the type climate that you refer to something that stopped with the riot, or is it something that deteriorated over a period of years? You have been in business in the District of Columbia for a long time. When did this climate start to change, in which a man couldn't carry on a peaceable business? What are its root causes, as you see it?

Mr. T. I think up to the riots, we were able to carry on a business, and I think we may have had problems, but I think anybody who goes into a business in an area where there is widespread poverty has a great deal of these problems. But since the riots, of course, there is a growing sense of difficulty in carrying on.

Senator BYRD. Then in your view, beginning with the riots, there was a rapidly changing for the worse of the business climate in the City of Washington?

Mr. T. I think the riots effected a complete rupture of the fabric of law and order.

Senator BYRD. Over the past several years what was the history of crimes of violence against your person or your business or your employees? You say this was not a controllable problem. Was it a problem out of proportions, that you would have considered out of proportions?

Mr. T. You know, sometimes we have suspected or feared that it was, but our measure of these difficulties is usually in our shortage figures, our annual shortage figures, and they have been consistent over the last 10 years or so, our shortages. This is a clear statistical measure. Our people have expressed increasing concern, but there is nothing that we can indicate that actually occurred in our business that changed.

Senator BYRD. Mr. T, could you tell us how the recent civil disorder has affected your employees, and could you give us some idea as to the breakdown of your employees as between white and colored?

Mr. T. It has caused considerable discharging, I was going to say unemployment of our employees. I don't know if they have been reemployed. We tried to keep a good part of our staff.

Senator BYRD. Have you encountered any unusual problems in obtaining and keeping an adequate working force over the last several years? Have you had much turnover, an unusual turnover?

Mr. T. No, I haven't.

Senator BYRD. Mr. T, could you indicate the percentage of your employees that were Negro?

Mr. T. About three quarters of our employees are Negro.

Senator BYRD. Speaking in percentile terms, how would you classify your customers as between white and colored?

Mr. T. I would say 90 percent, 85 percent.

Senator BYRD. Mr. T, this problem that has come up within the last 30 days, large-scale rioting, looting, burning of business establishments, this rapid decline in the business climate, where businessmen can't even carry on legitimate business without great fear for their lives and the lives of their employees, what is our solution to this problem that has come upon us?

Mr. T. I know all the questions. It is the answers that I don't know. The solution is a restoration of an orderly society.

Senator BYRD. The statement that has been determined by others is the availability of enforcement powers. Is it limited to enforcement powers or is it a greater problem than that? Have we had an adequate police force? If we had available troops in the street, if there was no concern about security as such, would this eliminate the problem? Is this the total problem?

Mr. T. No. This is not the total problem, unfortunately. It would treat symptoms for awhile, but my feeling is that in an era of such unprecedented social change, we have got to find better answers than just more and stronger policing.

Senator BYRD. Mr. T, it has been said that some of the causes of the recent civil disorders have been "exploitive retail merchants." Do you think that this has been a substantial contributing factor in the foment of strife within the city of Washington?

Mr. T. I think publicity about exploitive merchants has been a substantial factor, but it has been pointed out to me that in a row of stores on 14th Street, most or all of which were looted or burned out, the greatest part of the dollar volume by far was done by national chains like the Lerner stores, F. W. Woolworth, G. C. Murphy, Hahn Shoe Store, which is a local chain, Crosby Shoe Store and several others, all of whom were selling at the same prices as in their suburban stores and I hope giving the same kind of service as in their suburban stores.

Senator BYRD. May I ask you this question. Was there any distinction to be made between the prices of merchandise to Negro customers and the prices of merchandise to white customers in your business?

Mr. T. In my business? Absolutely not.

Senator BYRD. Mr. T, after so long a time of carrying on business in the District of Columbia and in building a business, and then seeing it largely destroyed by looting and rioting, what was your feeling the weekend after the riot? How can you sum up your feeling as to what we must do to restore this climate of business activity in the District of Columbia?

Mr. T. I think we still have the same social problem we have always had. I think that if we are going to live together in our large cities with Negro minorities or majorities, we must find some way to give the Negro a larger stake in the economy and society generally. I think short of this, there just won't be any peace.

I think this will not, however, make much difference for tomorrow or next month. I think in the interim some method must be devised for law-abiding, forward-looking people in the inner city itself perhaps to participate in the preservation of law and order, because law and order really must prevail or society goes down the drain.

Senator Byrd. There has been some comment within the last few days regarding the rebuilding of the business establishments in the burned-out areas, the riot-ravaged areas, and there have been suggestions that Negroes be the new owners of these buildings. I suppose one might infer from what has been said, particularly by some individuals and groups, that unless the new buildings are owned by Negroes, or at least by a majority of Negroes, the effort to rebuild will go for naught, because the buildings will just be burned down again. Do you feel that a partial solution to this problem that is confronting us in this city would be to encourage and finance Negro ownership of the new businesses which will replace the destroyed facilities? Do you think Negro ownership is the answer?

Mr. T. In the long-run I think Negro ownership is an important answer. Negro ownership would be, as I say, participation in the whole society, and Negroes would have something more to protect, a greater benefit from their citizenship.

In the context of burning out Mr. A, and replacing him with Mr. B, I would like to hear about some compensation for the man who is burned out.

Senator Byrd. What percent of your loss do you feel you might be able to recoup from insurance?

Mr. T. I feel we can recoup about 80 percent of our present loss. Of course there is no insurance for the many years of profit we could be taking out of a successful business which no longer exists.

Senator Byrd. Have insurance rates been going up recently?

Mr. T. I understand there is a new rate coming out now. I am not aware of any insurance rate rises. We have generally up to fairly recently had no great difficulty with insurance.

Senator Byrd. Mr. T, what proportion of your colored employees would you state have lost their jobs as a result of the riot?

Mr. T. Oh, about a third, I would think. I want to make it clear that I don't think that our employees, any of them, would have wanted to see these riots occur, and I don't think that very many of our customers would have wanted to see these riots occur. I must say, however,' that since the riots a philosophic rationale has developed to justify these riots, and people who would have found it abhorrent before the fact, today are looking on it as a very praiseworthy thing.

Senator Byrd. Mr. T, during the course of these hearings a great number of merchants have testified, and as I try to recall, I would imagine that the overwhelming majority of these merchants have been men and women of the Jewish faith. You have been in this city quite a long time, and you probably know certainly a great number of these people by name. Do you feel or do you have any evidence that there is any Negro antisemitism in this city? The thing that motivates this question is this. I am wondering whether or not the looters and rioters could perchance have been taking something out on the Jewish merchants?

Mr. T. I don't think that antisemitism was at all the cause of the riots. I think that after the fact people reach for reasons why the thing was done, just as people pick up statements of Betty Furness such as "the retailers were exploitive," and with no knowledge or real experience of this as the reason. So they pick up popular concepts like antisemitic concepts to justify what is happening.

The fact is that historically a great number of Jewish people who have been unable to take ordinary jobs have been fairly energetic and have had access to a small amount of money, have opened little stores in Negro areas, and so the Negro has had a large exposure to the Jewish businessman, and just as the Negro feels a resentment against the larger society because of a history of ill-treatment, and I agree that the Negro has been treated badly, he finds the outpost of that white society in his own community very often in the guise of the Jewish merchant, and his resentment against society as a whole is expressed where he can express it, against the local Jewish merchant.

Senator Byrd. Is there any evidence of organized antisemitism in the community?

Mr. T. I think not. I think there is a superficial kind of mouthing of antisemitic propaganda on the part of the Black Muslims, but I don't believe there is any conviction in it, and I think it is only because many people identify the Jew with the white man that any feeling at all occurs.

Senator Byrd. What would be the source of this? Why would the Black Muslims be particularly active in this regard?

Mr. T. This has been a mystery to me, Senator. I don't know. I know that they have been using Arab publicity, for instance, but why they should want to generate any antisemitism, I don't know.

Senator Byrd. I certainly thank you, Mr. T. for your time and for your fine statement.

(Discussion off the record.)

STATEMENT OF WITNESS MR. U

Senator Byrd. Mr. U, how long have you been in business in the District of Columbia?

Mr. U. Our firm has been in business for over seventy years. I have personally been connected with the business for almost fifty years.

Senator Byrd. What do you consider to be the single most pressing current problem confronting you as a businessman in the District of Columbia?

Mr. U. Protection.

Senator Byrd. What has been the history of crimes of violence against your person or the person of your employees and/or your place of business?

Mr. U. May I give you a chronological answer to that?

Senator Byrd. If you like.

Mr. U. It is a little lengthy.

Senator Byrd. That is perfectly all right.

Mr. U. On Thursday night, the 4th of April, our windows were broken. We were notified of that late Thursday night and we came down and they had taken four pairs of shoes out of the window, and as our men started to remove the other merchandise from the window, about four or five people came up and said, "Oh, they got here already." The burglar alarm had alerted us. "They got here already," and they reached in and took a couple of other things while the men were still there and they were helpless to do anything.

Then I had heard, of course, what was going on uptown Thursday night, and I felt rather secure that in view of all of the history of things that had been going on all over the country that the situation was in hand. I had been assured by Mr. Murphy just four weeks ago, at an important meeting of about 100 interested parties at which we were questioning the officials about their feelings on the upcoming march, that the police were well trained; they had the situation in hand; and we would not have any trouble.

The next morning I told my men to get windows replaced, but the glass people said they weren't replacing windows downtown. There were 14 or 16 instances in the downtown area. I insisted and insisted finally the glass people put our windows in. We retrimmed our window, because I felt rather secure that what Murphy had said was true, and that they would contain it and they would not allow it to get out of the area, where unfortunately it started.

About 9:30 someone called us and told us that the looters and the arsonists were moving south. I called another of our stores located on a prominent downtown corner, and told them what was happening, and to please get out as much merchandise as they could and put it down in the basement.

Well, I guess it was 1 o'clock or around there, I am not too sure on that, the manager called and said that they were beginning to break the windows and doors in the store, so I called the police immediately and two police responded. I sent my vice president up there and the two police said, "We can give you five minutes." He observed that five minutes would not do us much good with this crowd there. The police said, "That is all we can give you." He said, "If you will just stay long enough for us to get this merchandise out." They said, "No, five minutes." So in about three or four minutes the police said, "So long, Buddy," and they got in their car and rode away and that was the end of our protection. We had nothing. These gangsters or animals, whatever you call them, you couldn't understand it unless you saw the looks on the faces of these people, because that is what they are, and they picked up glass that they had broken and so forth, and they were just threatening my people in there. I had to tell them to abandon the place, which they did, and then somebody backed up a truck across the sidewalk right to the store and they loaded that truck up with merchandise. This went on until they had the place completely looted.

Senator Byrd. Were you people still in the store at that time?

Mr. U. No. My men had abandoned it.

After they looted it, a car drove up and one guy got out and poured gasoline all over the rug and set it on fire. I gave the license number of the car to the police.

Senator Byrd. Did you observe them doing this?

Mr. U. No, I was in the main store, but somebody called me and told me about this. Quite a few people observed what was going on. This is a very, very busy corner. In fact, there was a policeman directing at an intersection near my store and he was told what was going on and he said, "Well, it is going on all over town."

Then they got downtown to the main store a little bit later and I told everybody to get out. I loaded up as many of our records as I could and put them in the trunk of the car and told everybody to get out. Then they looted the store downtown. They didn't burn it. And you can imagine, I am sitting home with my wife terrified, watching television and on the screen is our store, and seeing people coming out of the windows and doors carrying arms full of merchandise, the sidewalk lined up with merchandise, cars circling.

Senator Byrd. You saw your store being looted on television?

Mr. U. Yes, I did. It made us cry, but we couldn't do anything about it?

Senator Byrd. It made you literally cry?

Mr. U. No question about it. I still do when I talk about it. But there wasn't anything I could do about it. And just to think that these things were going on in the downtown area. I was Chairman of the Council of Human Relations of the District of Columbia for five years and I got the award for equal opportunity employment. As President of the Merchants and Manufacturers Association I was the first one to put in integrated employment about 12 years ago in Washington. All of these things made me terribly disappointed in what had happened. But I realized one thing, and I will say this to you, Senator.

The nice people are nice people, but these aren't the people we are dealing with, I am convinced. I saw them. I saw them yesterday and I saw them this morning. They are about just the same only worse because they were told by a man bigger than the United States that they could do these things and get away with it and they did it and they got away with it, and they are more vicious now than I have ever seen them before, and I have been there a long time.

Senator BYRD. They were told by whom?

Mr. U. By Mr. Carmichael, who they idolize. There is no question about it. He said to the United States, "The hell with you," and it stands, and this type of mentality idolizes people of that type, and as a result there is no question about it, no one can control them. They only know one thing and that is force. I say this and I never thought I would ever say this. But this is true, because yesterday 12 or 15 of them came into our place. We were not open, but we were accepting payments because we have a very large accounts receivable. We have got to exist. Seven, eight or nine at one time came in and looked around. "Haven't got much stuff yet. Well, we'll be back in a week or ten days. We'll get what we want, don't worry about it."

This goes on all day long. Groups come in and start laughing. The guy says, "I have got that green suit over here." It is just a jungle, you don't realize. If somebody refers to the downtown area, you assume they are talking about ghettos, but this harassment is going on downtown in the finest establishments.

Now, we probably created too good an image; as a result we have fine fashion goods. They couldn't buy it so they came and got it. And it hasn't diminished. We have put in a mechanical steel door, 18 feet wide inside our store, electronically controlled, so if we get into trouble we have a little bit of chance. At night we lower this door and make a bastile out of it, lock our doors, and go home, not knowing what is going to be there tomorrow. But it is just a complete disregard by this group. I don't know how large they are. I don't know how small they are. But I know they are the most vicious looking and vicious acting people I have ever seen in my life.

Senator BYRD. Are these white persons?

Mr. U. No, they are not. They are Negroes.

Senator BYRD. Prior to the riot, were you troubled with lootings of holdups or burglaries?

Mr. U. No, we never had any of that. We were troubled with gangs of shoplifters, this same element, and everybody in town, including the Police Department, know that these gangs were roving. They weren't doing anything. They would come, eight, or nine or ten of them, would fan out, you see, and one would say, "Let me see some sports shirts." Then one would look at these and the first thing you know, one would grab something and run out and the others seemingly didn't know anything about it. Half of our attention was required in watching these people and the other half was serving our trade. And we have fine trade, fine trade. They were intimidated by these gangs that would come in. We would be in our clothing department selling people $150, $200 or $250 suits; they would come walking through there like they were on the street.

Senator BYRD. The trade was intimidated?

Mr. U. Oh, no question about it. My employees and the trade, both.

Senator BYRD. What percent of your employees were Negroes?

Mr. U. Over 50 percent.

Senator BYRD. What percent of your trade was Negro?

Mr. U. I would say probably 50 percent.

Senator BYRD. Have your employees lost their jobs?

Mr. U. No, sir.

Senator BYRD. Did any employees lose their jobs?

Mr. U. I have kept all of my employees. They are all on the payroll, because it has taken me so many years in this employee market to build up an organization that I just live in hope that maybe we can get open soon again. The type of goods we have isn't the type of goods we can get quickly, but I just hope that we can get open and maintain the business.

Senator BYRD. What would you estimate your loss to be from the riots, in merchandise, in equipment, et cetera.

Mr. U. The building and so forth?

Senator BYRD. Yes.

Mr. U. Oh, I would say at least a half million dollars. I lost a complete branch building with new fixtures and new front which we just put in a couple of years ago; and downtown we lost 80 percent of our merchandise, all of our window fixtures, plate glass, et cetera.

Senator BYRD. Do you feel that a half million dollars would cover it?

Mr. U. I estimate this. I have no idea. The accountants are still working on it.

Senator BYRD. What percent of the loss will be recoverable through insurance?

Mr. U. I think we are pretty well covered as far as insurance. This is my opinion now. I don't know until the accountants and everybody else works on it. This is my opinion. But you see, your question is a question that so many people have asked me, Senator, but there are certain things you can never recover from the insurance. I can't recover the 49 years that I have built up this business. I can't recover the pride of having accomplished this. I can't recover the good will that we have built up. In other words, we had a valuable thing one day and we had something that nobody wants the next day. This is not insurable. The emotions that I have or the hopes that I had for my organization or for my son (who is an ex-infantryman, who served in Korea, and who taught school in Montgomery County) and who is now with me—these things are all broken up. Those are things you can't insure.

Senator BYRD. Have you reopened for business?

Mr. U. No, sir.

Senator BYRD. Do you intend to reopen?

Mr. U. One I am definitely going to reopen, Pennsylvania Avenue. The other place I am very doubtful about.

Senator BYRD. Why?

Mr. U. Well, because I haven't been assured by one public official that they are going to enforce law and order, and I am not sure that it couldn't happen next week or next month, and nobody has given me any assurance. I would like to say this. I not only don't have any assurances, but the thing that I want to know is who is the person who is going to call the shots if we have trouble next week? The same people who called the shots before, who didn't recognize danger? If they are, and they can have 50 million troops around here, but if they wait until all of the disorder is over and then Mr. Murphy says to Mr. Washington, "Shall I do so and so" and Mr. Washington says to the White House, "Shall I do so and so," and the White House says, "What do you think" and Rome is burning while they are playing around, I want to know who is going to do anything. If the same people are going to do it again, I am in trouble the same as I was before. I am in no different situation than I ever was. Who is going to see that we are protected?

I heard on the radio that they are training 200,000 Reservists and in the District they have the perimeter all protected, but who is going to call these people in and when? Afterwards?

Senator BYRD. Do you feel that there should be troops in the city now?

Mr. U. I feel that somebody should take this group that are wandering all around the city and put them somewhere. Not decent people but these damn gangs are going all over the place and intimidating everybody, and are causing all this trouble. Let them explain how they provide for their existence, what their intentions are, and then let's eliminate from the streets those who are solely interested in making trouble. If we can't handle a few people within our laws, then there is something wrong with our laws. I don't want anything done outside of the laws of this nation, but I sure want it done within them.

Senator BYRD. Would you feel, Mr. U, that you as a businessman would have greater security at the moment in your business if there were troops in the area?

Mr. U. Yes.

Senator BYRD. Around your business place now?

Mr. U. Yes, I certainly do. I think the mere presence of these troops is a deterrent, and I don't know but I have been told that the stores that had armed guards in them were not bothered because these people are cowards and they are not going to bother anybody with arms.

Senator BYRD. Mr. U, in your opinion do you think that the new Director of Public Safety has improved the situation with reference to crime in the District of Columbia since his appointment?

Mr. U. I have lived here all my life. I was born here and my wife was born here. I have never seen morale so low in the Police Department as I have in this situation right now. When officers of the law who are trained to protect people are told they can't protect them, and when this guy says that if he has to order the policeman to shoot he is going to resign, that is carte blanche for a thief to steal.

Senator BYRD. The group that you mentioned earlier, that met with Mr. Murphy several weeks before the riot.

Mr. U. Yes.

Senator BYRD. Was it the general understanding of the group that Mr. Murphy felt that he had the means at his disposal to meet any situation that would occur?

Mr. U. He gave us every indication, every indication. There was only one person who said he didn't. At that meeting were all of the top, most of the top business people, people from the Coalition, people from the Board of Trade and so forth, and also some of the militants, and one of them, Mayfield, got up after Murphy did and he said, "You haven't got anything. We don't like the police and we don't this and we don't that." And he is the only one that disagreed with Mr. Murphy.

Senator BYRD. Mr. U, it has been said that white racism is essentially responsible for the explosive mixture that produced riots in the ghettoes. What is your understanding of white racism, and do you attribute this as being a cause of the recent disturbance?

Mr. U. No, I don't. I know what white racism is. I think it has been demonstrated in the past many years. I don't think white people have demonstrated that they won't assist the well-intentioned Negro and they have. But I think these riots are the result of, well, I hate to use the word.—No, I don't hate to use the word—"Communist," but I think it is the result of idolatry of the principles of some of the men who are leading them.

Senator BYRD. It has also been said that exploitive retail merchants of the city's leading institutions and the District's liquor industry——

Mr. U. I know what that is and I can answer it before you ask me any further.

Senator BYRD. Go ahead.

Mr. U. Mrs. Furness—you are referring to, I think, some of her remarks where she said that this destruction was selective and that the disadvantaged were taking their vengeance on merchants who had exploited them and so forth. This is a lie and a terrible thing. Because banks have to charge 8 percent doesn't mean that they are exploiting the poor. There are some poor that just don't deserve credit because they have no jobs and if people aren't working they just can't be given everything. But the fact is that this was a terrible public statement to make from the White House. I don't think it is fair. At the White House level it attempted to justify all of this rioting and it was really resented very much by the business community.

We immediately went to work on this injustice. Finally I got a call from Mrs. Furness' secretary, whoever she was, that they didn't mean it, that they knew my fine stores and so forth, but this was worse because she was just trying to salve me and not anybody else. But the fact was these remarks were totally uncalled for and very inflammatory, I think—very inflammatory.

I got a call today, just this morning, from an individual in the publishing field who was telling me how sorry they were for the merchants and what had happened, and the breakdown in the local government. They were putting out a Memorial Day issue, and they would like to have me take an ad in there to support their work against lawlessness and the failure of government officials and so forth.

I told him that if he would call our advertising agency they would be glad to talk to him; but this is nothing but extortion, I know.

I talked to a very close friend of mine at a local university. He called me this morning. You know what happened out at the University where they burned their building. He said that they have instigated now—he said all they do out there is pray and teach but they have instigated a roving car now, and all that car does is answer calls of looting and arson. I am just wondering if in the District of Columbia, if we had a fleet of police cars and their only job was to answer riot calls and not traffic calls and so forth, if we wouldn't have a little more protection.

Senator Byrd. Mr. U, do you think the City of Washington is more riot-prone now, if I can use that word, than it was before the recent civil disturbance?

Mr. U. Yes, I think it is, because they have found out that they can do it and get away with it, of course. Children are that way, too, aren't they? If a child can get something and nobody slaps him, he is going to do it all over again. These people have done the most terrible thing there is. They have set fires. I know in the service if anybody looted they would shoot them right on the spot. But here these people have looted and they have burned and they have raped and they have done everything else, and nobody bothers them. Sure, we are more riot-prone. These people are stronger than they have ever been, in their own minds.

Senator Byrd. Mr. U, it is possible that some of the looters and arsonists were directing their feelings toward merchants who are of the Jewish faith because of feelings of antisemitism?

Mr. U. No, I really don't. I feel that there is not any antisemitism in this at all. I don't think these people have any feelings. I don't think they know what antisemitism is any more than they know who Martin Luther King is. I just think they only know how to steal and loot, and I don't think this was directed at any religion or anything except the things that they wanted. I saw a Salvation Army Thrift Shop that was looted and burned on Seventh Street. Certainly this is nothing that normal people with feelings would attempt to do.

Senator Byrd. What percentage of your employees would you say are of the Jewish faith?

Mr. U. Maybe 10 percent.

Senator Byrd. Just one further question. Mr. U, do you feel that the press has fairly and accurately reported the situation that exists in this city today?

Mr. U. I think some of them have, but one of the papers has not—no question about it, that they have distorted the facts, hidden the facts and so forth. I think there have been some excellent editorials from the Scripps-Howard newspaper. I mention that. I think they have done a fabulous job, from the beginning, not from the end, but from the beginning. I think some of the papers picked it up in the mdidle and some probably feel maybe a little economic squeeze, and they may be coming along a little bit here and there, but when it began, no. I don't think it was fairly reported at all.

Senator Byrd. Thank you very much, Mr. U.

Mr. U. Thank you, sir.

(Discussion off the record.)

STATEMENT OF WITNESS MR. V.

Senator Byrd. Mr. V, how long have you been in business in the District of Columbia?

Mr. V. Our company? Since 1905.

Senator Byrd. And how long have you been associated with the company?

Mr. V. Since 1923, 45 years.

Senator Byrd. What do you consider to be the single most pressing problem currently confronting you as a businessman in the District of Columbia?

Mr. V. Crime.

Senator Byrd. Mr. V, it has been said that white racism is essentially responsible for the explosive mixture that produced the recent riots in the ghettoes in the City of Washington. What is your opinion of this statement?

Mr. V. I have no evidence of it.

Senator Byrd. Mr. V, could you tell us exactly what problems confronted your particular business in connection with the recent riot, and the extent of damage to your business.

Mr. V. I have here the chronological happening. I could give you that and you could ask questions from that. This is the report that was made to our Board of Directors.

Senator Byrd. This is a history of the riot itself?

Mr. V. As far as the company was concerned. You may want to ask questions from this.

Senator Byrd. Mr. V, have you encountered any problems since the time of the riot in carrying on your normal business activities in the District of Columbia?

Mr. V. Yes, just about the same as before the riot.

Senator Byrd. How many of your locations are not now in business?

Mr. V. Three.

Senator Byrd. As a result of damage?

Mr. V. Three.

Senator Byrd. Your company expects to reopen these locations?

Mr. V. One.

Senator Byrd. And two will remain closed?

Mr. V. That is right.

Senator Byrd. Have you encountered a problem with reference to your employees, any threats that have been made against them? Are they working with some measure of fear?

Mr. V. Oh, yes.

Senator Byrd. At all locations?

Mr. V. Both prior to and since the riot.

Senator Byrd. Is this generally true in the downtown stores or is it restricted to certain locations?

Mr. V. It is more of what you would call uptown, that is, between downtown and the District Line stores that I guess get the greatest amount of that.

Senator Byrd. Over a long period of time, your particular business has been subjected to various types of crimes and thefts. Have you noted any sharp increase in this over the past five years?

Mr. V. I can give the chronological order on that. You may have seen this article. The letter to the President on February 9, 1967. This was published in the newspapers.

Senator Byrd. I will put this in the record if you have no objection.

Mr. V. No. That was the report to our Board of Directors.

Senator Byrd. The report which you have submitted to me is one which relates the events which occurred during the riot, and relates them in chronological order, and this report will be placed in the record with addresses of business establishments deleted and with names of persons to whom and from whom the report came, and also with the identification of the particular business establishment being deleted.

(The material referred to is in the files of the committee.)

Mr. V. This is the letter to the President. This is the letter to Senator Bible.

Senator Byrd. Let me read from the report which I have just mentioned.

On Thursday, April 4, Stokely Carmichael entered the place of business with 20 associates and told the manager to close the store in respect to Dr. Martin Luther King, Jr., or they would do it for him. The store was closed and Carmichael's group proceeded to another business location. Thirty minutes later a store at the second business location was closed. Thirty minutes thereafter, there was a report of fires, rioting and looting in the vicinity.

The following day, April 5, there were reports of fires, rioting and looting on 14th and Seventh Streets, Northwest, Georgia Avenue, Northwest and H Street, Northeast.

At 2:45 p.m. building facilities were closed and vehicular equipment was taken to the suburbs.

At 9:00 p.m. military troops entered the city.

Senator Byrd. Mr. V, you have handed me various correspondence and records and other memoranda. If you have no objections I will insert these memoranda in the record.

Mr. V. That is all right, yes.

(The material referred to is in the files of the committee.)

Senator Byrd. Mr. V, you have just handed to me a Xeroxed copy of a story which appeared in the Wednesday, April 3 Evening Star title "Seized in Disturbance at Drugstore in District." Accompanying this you have supplied a report of some nature. Would you please describe this report. Identify it, please.

Mr. V. The report is from our store manager at 14th an U relating to us the incident involving his store and Stokely Carmichael's appearance at that store.

Senator Byrd. Do you have any objection to my placing this report in the record?

Mr. V. That is O. K.

Senator Byrd. All right, the newspaper article and the report will be placed in the record.

(The information referred to is in the files of the Committee.)

Senator Byrd. Mr. V, with the long history of violence against your business at its several locations, how would you view today the problem with which we are confronted and what in your opinion is the solution?

Mr. V. I would view it as getting worse.

Senator Byrd. In your opinion do you believe a police force of 3,000 men is adequate to deal with crimes of violence in this community?

Mr. V. Not with the bond law such as it is, the Bail Bond Act, no, I don't think 3,000 would materially affect the trouble.

Senator Byrd. Would you characterize this as a breakdown of law and order in the City of Washington?

Mr. V. A demonstration of it, yes.

Senator Byrd. Where do you fix responsibility for it? Is it with the police? Do the police have sufficient authority? Do we have sufficient laws? Is it in the courts or is it a combination of all of this.

Mr. V. Combination of all.

Senator Byrd. What has been the policy of your company with reference to the employment of armed security guards to augment the police protection that you have been able to receive?

Mr. V. We do have a service contract with

Seaboard Services System, Limited. They operate as a shopping service, but they do also provide us with armed guards. They are special police officers and are so licensed by the District of Columbia. We use them in our various stores during daylight hours and we also now are being forced to use them in the evenings after we close our store.

Senator Byrd. In any store where an armed guard was present, have you encountered the problem with reference to felony type offenses other than petty pilferage?

Mr. V. I am not certain I understand.

Senator Byrd. Does the presence of an armed guard act as an effective deterrent to major crime in your stores?

Mr. V. There is some indication. However, perhaps it is mainly a psychological benefit that we derive, but I think certainly the presence of a uniformed and armed guard does perhaps abate some possibility of a crime. We used them during the riots in some of our stores.

Senator Byrd. At any store where you had the presence of armed security guards, did you have a problem with rioting, looting or burning?

Mr. V. Yes, even in their presence, yes. We found a great deterrent was the use of tear gas. We were forced in some instances, where we knew a guard could not defend himself with the riots going on, that we would flood a store with tear gas, and before we did this, we had found out from the Food and Drug Administration and the Department of Public Health that there is no harmful residue from tear gas, once it leaves the premises. You may have some difficulty in airing the premises and the merchandise, but there is no residue. So we would flood a store with tear gas, and this certainly cut down on the looting, because they couldn't go in the store and stay in there any great length of time. Our biggest trouble, as we see it, is the roving gang that causes practically all of the trouble.

Senator Byrd. Are these primarily juveniles?

Mr. V. Yes. With some adults. I say adults, 20 or 22 years of age and then the majority of them juveniles, all the way down.

Senator Byrd. Both white and Negro?

Mr. V. No, mostly Negro, and they seem to worship these adults.

Senator Byrd. These adults are they the leaders?

Mr. V. Yes.

Senator Byrd. Like the ones that get in the papers?

Mr. V. Yes, but no names that we would recognize. They come in and first insult.

They come in, gangs, roving gangs, and they start out by insulting the personnel and the customers. They announce they are going to take a lot of merchandise.

Senator Byrd. In what manner do they insult your personnel?

Mr. V. They have got one word, ———. They start by creating a disturbance, insulting anyone in the store. You call the police and they seem to have it timed so they have just left by the time the police get there. But in the case where arrests are made, they usually go back in the store and they then threaten the personnel or whoever reported them, and in many cases they have mugged the person reporting them or the manager, or they have cut his tires on his car or they have attacked him on the parking lot, and the police tell us that some of these people that they have arrested are out on bond as many as 25 times, the same people, and that is just night after night after night, after night. That has been for the past five years.

Incidentally, these same groups that caused the damage in the riot, they were the arsonists, the looters, and they are still active.

Senator Byrd. Are these white individuals?

Mr. V. Colored, and this might be parenthetic. I was very active, going to our stores all during the riot, and there was one thing quite noticeable. These gangs that were looting and causing trouble were more in contempt of the army. They said they have no power, they can do nothing, so pay no attention to them. And it was so obvious that the military was merely there as a decoration. They stopped nobody from looting or burning. I saw the military standing there. I saw them loading trucks and bringing them out. They would make no arrests.

Senator Byrd. You saw who loading trucks?

Mr. V. The looters.

Senator Byrd. In the presence of the military?

Mr. V. In the presence of the military, yes.

Senator Byrd. You saw this with your own eyes?

Mr. V. I saw this with my own eyes.

Senator Byrd. Did you see it repeatedly or was this just an isolated instance?

Mr. V. I saw it at Seventh and G Streets, the first instance; I saw it on 14th Street near Irving. I saw it on Georgia Avenue near Sheridan. I saw it at Benning, 48 and Benning. I saw it at 8th and H Streets, Northeast, and I saw it at 14th near Eye, and the comments were, the military had no power to do anything.

Senator Byrd. The rioters, the looters themselves were saying this?

Mr. V. That is right, and bystanders.

Senator Byrd. Bystanders also.

Mr. V. Also. And while I was in our store at 48th and Benning Road, Northeast. It was badly damaged. I went in, one of my associates and I went to that store with two armed guards. The army was there. It was a parking lot with a Safeway grocery store and ourselves. I suppose that there were 50 military trucks and what not on the parking lot guarding the grocery store which was being boarded up. Our people were in the store trying to straighten up some of the damage that was done the night before, which was the 5th. They broke the glass and walked in and threatened us, and so we asked the military to come down to help us get back in our car. I suppose 150 people in gangs were knocking the windows in and the boards and calling us white S.O.B.s. During this time the military were lined up, but they made no effort to break it up. So after having been in there about an hour we said to ourselves that we were going out. We had a driver and they grabbed his coat and pushed him up against the car. We walked and got in the car while the military made no effort whatever to help.

Senator Byrd. Was this a white driver?

Mr. V. A colored driver.

Senator Byrd. And the crowd seized him and pushed him up against the car?

Mr. V. They stole his coat. He had a coat over his arm standing out there.

Senator Byrd. They took his coat?

Mr. V. Yes, a raincoat.

Senator Byrd. And this was all in full view of the troops?

Mr. V. That is right, no police were there at all.

Senator Byrd. But it was in full view of the troops?

Mr. V. In full view of the troops.

Senator Byrd. How many troops were there, approximately?

Mr. V. I'd say 50.

Senator Byrd. 50?

Mr. V. Yes.

Senator Byrd. They didn't do a thing?

Mr. V. No, sir. We got in the car and ran the gauntlet. The two guards had guns and we had tear gas. We got in the car. They did no damage to us but threatened us.

Senator Byrd. They were threatening you?

Mr. V. Threatened. We told our employees within the store to get out just as soon as we did.

Senator Byrd. Were they colored employees?

Mr. V. Yes. So we then just forced our car right out and left, and then I suppose in an hour they just absolutely wrecked the store, everything. All while the military was there.

Senator Byrd. The troops were there?

Mr. V. That is right. I have inquired a number of times since then from authorities as to what if any legal power does the military have in such a situation, and I am sure they have none whatever. They can't make arrests, civil arrests, I understand. They cannot appear in court, as I understand it, in civil court. So certainly the people on the street that were doing it seemed to have that knowledge, that the military had absolutely no power whatever.

During the looting in some of the incidents I have mentioned, there were police, but they couldn't, some informed me make arrests until they got a station wagon. They had nothing to do with these people. I asked the question couldn't the military hold them and they said no. So the police said, "We can only attempt to make an arrest because we have nothing to do with them after an arrest. It creates such a bad situation when we have no wagons to take them away."

Senator Byrd. Are you referring to events that occurred on——

Mr. V. On the 5th.

Senator Byrd. Friday the 5th.

Mr. V. Yes.

Senator Byrd. Before the curfew was instituted.

Mr. V. That is right, and of course, Senator Byrd, I really toured our stores in the District of Columbia, it was on a Saturday morning. This Saturday morning that I am telling you about, not Friday——

Senator Byrd. The 6th.

Mr. V. Yes. This is the shopping center at Benning Road where we have almost complete Negro personnel.

Senator Byrd. Was the curfew in effect at that time?

Mr. V. Yes, but not that day.

Senator Byrd. During the morning.

Mr. V. No, it didn't go in until I believe around 4 o'clock, I believe it was, in the afternoon. This was Saturday morning.

Senator Byrd. Was it instituted on Friday? It was, wasn't it?

Mr. V. Yes.

Senator Byrd. Friday evening.

Mr. V. It started at about 1:30 or 2:00.

Senator Byrd. And then it was lifted the next morning?

Mr. V. Yes.

Senator Byrd. On Saturday.

Mr. V. On Saturday. It went in at 4 oclock Friday and it was lifted at 6 the next morning, and this is when I was out to all of the damaged stores.

Senator Byrd. Do you think the curfew should have been lifted?

Mr. V. Yes.

Senator Byrd. On Saturday morning?

Mr. V. Yes. I might say in passing the two most effective things that I saw and that my associates saw was the curfew and the tear gas. They were the two most effective.

Senator Byrd. If the troops had used tear gas on the crowd that was looting and breaking windows and damaging your equipment, and which was about to assault you, your armed guards and your driver, and did assault your driver, do you think the tear gas would have been effective in getting rid of the crowd?

Mr. V. Yes, because in other places I went that same day, as groups got there the police, when they refused to move on and they used tear gas it was effective, so I will answer it that way. We used, Senator, tear gas in many of our stores. We actually flooded the stores with tear gas. We saved many of them. We did this after we determined, I think I mentioned earlier, that there was no harmful residue from tear gas, so that we did flood our stores with tear gas and seal them.

Saturday we took our own guards, policemen to as many stores as we expected to get damaged, and then when a store was broken into we put in the tear gas and by doing this we saved quite a few.

Senator Byrd. I thank you for coming over. (Discussion off the record.)

STATEMENT OF WITNESS NO. 31

Senator Byrd. No. 31, how long have you served with the Metropolitan Police Department?

No. 31. I am in my seventh year now, going on eight.

Senator Byrd. In your judgment what is the greatest single problem confronting you as a policeman in your efforts to enforce the law in the District of Columbia?

No. 31. Well, the lack of cooperation with the citizens.

Senator Byrd. Does the majority of the citizenry support you in your efforts?

No. 31. No, not the majority, no.

Senator Byrd. Are you saying that the majority of the citizens do not support the police?

No. 31. That is correct. When you ask them something about an incident that happened, they say, "We don't want to talk to the police," and this is the majority of the people in the area in which we work. They will not talk to you.

Senator Byrd. How long have you worked in your particular precinct?

No. 31. Ever since I have been on the police department, seven years.

Senator Byrd. Have you seen a difference then in the attitude of the community over this period of years? Has it always been this way?

No. 31. Well, I guess about the last couple of years there has been a little change. They have been trying to lean towards it but not to the point that they want to talk freely, because most of them fear reprisal from the people they know who did the offense, you see, so they won't say anything. So if a kid in the neighborhood commits a crime, the people next door see him, they are reluctant to tell you about it. They say, "I know the kid, but I don't know his name. I don't know where he lives." But they don't exactly point the kid out to you.

Senator Byrd. They are afraid of reprisals.

No. 31. Right.

Senator Byrd. What do you think should be done to improve this situation?

No. 31. Well, they have a class they give to the policemen. It is the Emerging Role of the Professional Policeman in the Urban Community. Now, I think if they had these neighborhood counselors, I think they should designate a couple of them from each one of these councils and have them attend this class along with the policemen. As it stands now, it is only policemen there, and policemen are telling their gripes and their beliefs and disbeliefs. I think the citizen should be there to hear just what the policeman has to say. In this way they understand how we feel about the situation and what we expect them to do to help us, you see. I think it would make for a better relationship.

Senator Byrd. Do you as a colored police officer feel that the community resents your being a policeman?

No. 31. Not all of them. Mostly, I would say in the last year or so, these Black Power advocates, the first thing they say, "You are a brother, you are not supposed to arrest us." But as I tried to explain to them, you are a policeman with a job to do, regardless of your race or anything else, you have to enforce the law. This is all there is to it.

Now, there are a lot of people who resent you being a policeman outright, regardless of what color you are. They resent a policeman, period. Then there are a lot of them that respect you as an officer, you see. It is a kind of a toss-up situation, sir.

Senator Byrd. What is the make-up of the population, racially speaking, in your precinct?

No. 31. Well, it is predominantly Negro.

Senator Byrd. Do you feel that you have the respect and confidence of your fellow white officers in the precinct?

No. 31. I sure do.

Senator Byrd. Are you called an Uncle Tom by any of the Negro people?

No. 31. Never.

Senator Byrd. Do they cast aspersions upon you for being a policeman?

No. 31. Well, not me, in general. Everyone, every police officer regardless of who he is. They resent you for trying to do a job, you see.

Senator Byrd. During the recent riot, did you feel that you were restricted in making arrests of looters?

No. 31. No. I wasn't restricted. In one instance I know about a liquor store, the owner was on the scene, and I stood right in the front of the store after the store was burning, you see. This was before they looted the store. And a bunch of Negro teenagers and middle-aged people were standing around.

They wanted to go in the store while the firemen were there. This I prevented. After the firemen left, they wanted to still go into the store. The owner was on the scene. So he in turn left. He made no attempt to secure his building you see. So I stood there. They told me that because I was a brother they weren't going in the store, but as soon as I left they were going in the store. So naturally we had to run somewhere else to another fire so I had to leave and they went into the store.

Personally, I felt, that with two officers working in a scout car and about 50 or 60 people looting the store it is kind of hard to lock up 50 or 60 people. As far as the restraint of using firearms, we were always taught in school that you only use these in cases of life or death. So at no time did I see any police use force. But as far as being restricted we weren't restricted because a lot of arrests were made of looters.

Senator Byrd. Are you under a duty to shoot a fleeing felon to prevent his escape after all other means have been exhausted?

No. 31. I am, sir. This is in the manual.

Senator Byrd. Is a looter a felon?

No. 31. In an aspect, yes, but an aspect no. You have to weigh a life against a material thing like shirts or a television. A television isn't worth that man's life.

Senator Byrd. That is not what the manual states.

No. 31. Yes, I know that, sir, but I still——

Senator Byrd. It speaks of a fleeing felon.

No. 31. Right.

Senator Byrd. And if an individual commits burglary, he is a felon.

No. 31. True, but in a situation like this, if a shot had been fired, chaos would have broken out in this town. So I think most of the policemen used good judgment by not shooting because I think if they had——

Senator Byrd. How do you know chaos would have broken out?

No. 31. Because here is a man that was killed in another state, and I have talked to little kids and I have talked to teenagers, and they have come out and told me this looting and burning wasn't because of King. It would have been any other situation. They just wanted an excuse, that is all it was, an excuse.

Senator Byrd. Don't you as a police officer, though, have the duty to enforce the law?

No. 31. Right, sir.

Senator Byrd. And if the police manual places upon you a duty to shoot a fleeing felon, to prevent his escape when all other means have been exhausted, unless you have to shoot into a crowd or shoot a child, isn't your duty to carry out the manual's instructions?

No. 31. Yes, it is, sir, and still if someone had gotten shot out there, and it was citizens out there who were doing looting, they had guns, too. This was told to us and it was information that we received, they were only waiting for somebody to fire a shot, and they were going to retaliate.

Senator Byrd. Well, then, is it the function of the Police Department to retire from the scene and let the citizenry take over, simply because the citizens are carrying weapons?

No. 31. No, sir. We didn't retire from the scene. We stayed on as many places as we could with the men we had, until the troops came in. We were undermanned, and this is a known fact that we were undermanned. We were working 12-hour shifts. Some of the people that were working day work were called back at 2 o'clock that morning, and they didn't get off until that night. Some guys pulled some 80 hours overtime. I think we did the best we could with what we had.

Senator Byrd. You are saying you were undermanned and that there were just too many people there to cope with.

Mr. 31. Yes, sir.

Senator Byrd. And that had you as a policeman attempted to shoot a fleeing felon in this kind of situation, where there are scores of people on the streets, that you might have shot an innocent bystander and you might have shot a child, and are you also saying that you would fear to do this, that you would hesitate to do this, out of fear of recriminations from the crowd which carried weapons?

No. 31. Yes, sir in a respect, and also we figured that if anyone had been shot accidentally by trying to shoot at a looter, this would probably create more disturbance, because as it is now there is a lot of tension in the area as far as the citizen is concerned.

Senator Byrd. Suppose after the curfew was instituted you saw an adult looter fleeing and you tried to catch him and you couldn't make the arrest. Then how would you feel about shooting him?

No. 31. I don't think I would have shot him, sir.

Senator Byrd. You are not going to follow the instructions in the manual?

No. 31. Well, for an offense like that? I don't think I would have.

Senator Byrd. It is a felony.

No. 31. Yes, I know that, too.

Senator Byrd. Why not change the manual if we are not going to shoot felons? What are your instructions? Are your instructions to shoot them or are you instructed not to shoot them?

No. 31. On any major felony, a stolen automobile can be a felony, but when you take it to court it is broken down to a misdemeanor.

Senator Byrd. Which it shouldn't be.

No. 31. Right, sir. I feel like if a man has stolen something out of a store, and at a time of tension like this, no one told us anything about shooting these people, and they said it was best that we did not.

Senator Byrd. Who said that?

No. 31. This was from the officials, it was best that we not shoot these people.

Senator Byrd. What officials?

No. 31. In the precinct.

Senator Byrd. The precinct officials?

No. 31. Right, sir. And as far as locking them up for looting, there were no hands tied locking them up. They were locked up, as many as they could keep. But a lot of times you were at one end and they were at the other end. It was on Saturday or Friday of this incident, we spent five hours on one fire just keeping people away from the apparatus.

Senator Byrd. What do you think will be the attitude of the looters if disorders break out again? Do you think they will feel that they can loot and so on without fear of being shot?

No. 31. Well, I'll put it this way. If it breaks out, I hope they bring the troops in before it breaks out.

Senator Byrd. Do you think they were brought in soon enough in this past incident?

No. 31. No, sir. I understand the thing broke out Thursday night. If them troops had been brought in Friday morning early, I don't think we would have had all these fires.

Senator Byrd. Do you think the troops should have been removed when they were taken out?

No. 31. When they were taken out? They could have stayed four more days or a week more, because there is still burning going on out there.

Senator Byrd. Do you think that a troop presence would be helpful now in the area where you work?

No. 31. I think it would.

Senator Byrd. You think it would?

No. 31. I think it would.

Senator Byrd. In talking with the people in the community, do you observe any indication of further disorders in connection with the march?

No. 31. No. In the section I work in, most people over there think the whole thing was a disgrace, the whole thing, and they say, from talking to them, the ones that I have talked to, they said they hoped this thing doesn't break out again, but there is no indication that it was actually going to happen. So it is hard to say one way or the other what is going to be.

Senator Byrd. What do you recommend as a policeman as you look down the road and view your career in the years ahead? How do you look at police work in the District?

No. 31. Well, it is a proud profession, but it is a thankless job. Until we get more men and they eliminate the one-man scout cars. With two men in the car I think you would get more work done but with one man in a scout car they say that one man is only tied up, one car is out of service. If you have a one-man car, and you go in on a holdup, then they have to send a back-up car. Now you have got two men in two cars out of service, where if you had a two-man car, you only have two men and one unit out of service, and you need more men.

Senator Byrd. Do you feel that your life is in greater danger today in your precinct than it was prior to the riot?

No. 31. No. I think it is about equal.

Senator Byrd. Do you feel that police work is becoming more difficult in your precinct than it was two or three, or four years ago?

No. 31. Yes, sir.

Senator Byrd. To what do you ascribe this?

No. 31. Well, as I say, when I first got to this precinct in which I was born and raised, you could talk to people. The laws you had, failing to move on, kept the street clean, kept the sidewalks open. Now, since they have this about failing to move on removed, some streets you can't walk down.

Senator Byrd. Some streets you can't walk down?

No. 31. That is right, sir. This creates tension with people milling around. It creates tension. Like 14th Street, narcotics are passed back and forth in a huddle.

Senator Byrd. Narcotics?

No. 31. Yes, sir. You have your prostitutes on 14th Street. At one time we kept the street clear by failing to move which cost them $25.00. Too many people can't stand this $25 fine, you see. Now they stay on the street knowing the policeman can't tell them to move or charge them with failing to move on. If you are incommoding the sidewalk, sure, you can tell them to move on, but two people are not incommoding. This creates tension. It creates problems for the Police Department. You have more muggings on that street, because people are standing around doing nothing.

Senator Byrd. What is a mugging?

No. 31. Well, this is when a person is attacked, yoked, beat up, robbed. This is called a mugging.

Senator Byrd. What is a yoking?

No. 31. Yoking is when you walk behind a person, put your arm around his neck, pull him down. This is when he is yoked.

Senator Byrd. And the mugging?

No. 31. This is when a person is beat up, caught on the street and beat up by three, two, even one person. This is created by people just standing around.

Senator Byrd. What about women who have to go to the grocery store and do other chores in your area?

No. 31. That is another thing.

Senator Byrd. How do they get this done?

No. 31. 14th Street mainly from T Street to U Street, there is some people that live around there that don't complain because they are out there, too, you see. But a lot of people complain they can't walk up the street because you have your junkies out there, you have your prostitutes on the street. They are all milling around. They cross the sidewalk and you can hardly get past. People have to go to other parts of the neighborhood to go to the stores because they are afraid of walking up and down the street.

Senator Byrd. Are these Negroes who are afraid to walk up and down the street?

No. 31. This is everybody, Negro or white, everybody. You can't even walk up and down the street. Then you have people, you have your transients, a lot of your servicemen and other professions that come down 14th Street that patronize these prostitutes. So the only thing you can do, if you keep them off the street, keep them moving, then you don't have this transient stopping and picking girls up in a congested area. 14th Street is a congested area. If we can't have that law back as far as failing to move on, I think it is almost hopeless.

Senator Byrd. How would you describe the police morale at the present time?

No. 31. Sort of low.

Senator Byrd. What do you think of Chief Murphy, or, rather, Director Murphy?

No. 31. I have talked to Mr. Murphy. He seems to be a pretty fair man. He seems to know what he is doing, but it doesn't all lie on one man's shoulders. Everybody has to pull together in this situation to get this thing organized to keep the morale up.

Senator Byrd. What is the opinion of your fellow officers concerning Mr. Murphy?

No. 31. Well, I haven't heard anyone talking bad about him.

Senator Byrd. Do they think he has been good for law enforcement or not?

No. 31. Well, it is hard to say, sir. It really is hard to say.

Senator Byrd. You can say anything you want.

No. 31. Yes, true. We can't see the change.

Senator Byrd. Pardon?

No. 31. We can't see the change in what he did. Maybe he knows about law enforcement, but from what I understand he was in New York, and when you get two different cities, you can't run the Police Department the same way.

Senator Byrd. Mr. 31, we appreciate your time and your statement.

No. 31. Thank you, Senator.

Senator Byrd. Mr. Y, how long have you been in business in the District of Columbia?

STATEMENT OF MR. Y

Mr. Y. Two and a half years.

Senator Byrd. What is your age?

Mr. Y. Twenty-eight.

Senator Byrd. What do you consider to be the single most pressing problem confronting you as a business man in the District of Columbia?

Mr. Y. I think my main problem is the same problem that confronts most business men no matter who they are or where they are, and that is the lack of financial capital to put your business on good grounds or to operate properly.

Senator Byrd. Is acquiring adequate capital a greater problem for you today than it was before the civil disorder?

Mr. Y. I would say only due to the fact that the loan funds for business men are frozen at the present time, and my only source of capital when I first started was an SBA loan under the Poverty Program, which had a limit of $25,000, and from the nature of my business, which is retail shoes, $25,000 is just a drop in the bucket, and after the completion of my first year of business, my figures indicated that I should have started off with at least three times that amount.

Senator Byrd. Do you do business as an individual or as a corporation?

Mr. Y. As an individual.

Senator Byrd. Was your SBA loan guaranteed by personal signature or was it guaranteed by your stocks, or both?

Mr. Y. It is guaranteed by my personal signature, my signature and my wife's, and they have a lien on my stock and merchandise.

Senator Byrd. What has been the history of crimes of violence against your person, your employees, and your place of business?

Mr. Y. My place of business has not been hit as far as any robberies or hold-ups at all. This is unusual for the area in which I am located. All the other businesses around me have been robbed and held up. But I think this is something unique, the reason mine was not hit.

Senator Byrd. Do you relate that to the newness of your business?

Mr. Y. No.

Senator Byrd. Lack of cash moneys kept in the business?

Mr. Y. No.

Senator Byrd. On the premises?

Mr. Y. The truth of the matter, I think, is the fact that I am a black business man and I think the majority of the people in my area are black Americans, and they do respect me to a certain extent.

Senator Byrd. Did you encounter any looting, burning, in connection with the recent civil disorder?

Mr. Y. During the civil disorder, yes. My shoe store was looted to a certain extent. I could not tell exactly how bad because the majority of my merchandise was kept on the second floor, and I was not able to investigate the second floor due to the fact that there was a fire that affected the ceiling. The ceiling fell down from the third floor. Now the burning was not started in my store. It spread from the store connected to me. The two stores connected to me.

The reason I feel that that happened was the fact that I did not have iron gates on my windows, and they could get in my store easily without getting upset and starting a fire, whereas my two neighbors, they did have iron gates and the only way they could get at these people was through setting fires and the fire spread over towards the building where I was.

Senator Byrd. Then were you also victimized by indiscriminate looting?

Mr. Y. Yes.

Senator Byrd. Or was the fire the only problem?

Mr. Y. No. They looted some. Like I said, I could not tell the extent because of the fact I was not able to investigate the second floor.

Senator Byrd. Do you think the looting followed the fire or the fire followed the looting, or do you have any means of telling?

Mr. Y. I would think that the fire followed the looting because I do not think anyone would have come in there after the fire started full force.

Senator Byrd. With reference to your reasoning as to why you had not been subjected to burglaries or loss of funds in the months that you had been in business prior to the riot, why would you think that your establishment would have been subjected to looting during the recent civil disorder?

Mr. Y. The civil disorder was a different thing altogether. It was not a racial issue at all. It was only an economic difference, and there were different elements, different people of different elements that took part in the civil disorder, and I did not see any racial overtones at all. This is why the Negro business men were hit as well as the white business men. It was not that they were trying to distinguish or trying to hurt the white man. This was not the problem at all. They were just trying to hurt the people that seemed to have most of the money which they thought were their enemies to a certain extent, that they had no money.

Senator BYRD. Why then would the day-to-day robberies and burglaries discriminate against the white man as opposed to the Negro business man?

Mr. Y. I would not say discrimination there either. Like I said earlier, I feel it was only because they respected me more so as a black man, more so than they did the white business man. They understand somewhat the problems of the black man. They understand that the black business man is no different from the average poor black man in the community, whereas that the average white business man does have more capital in his business is running on a more profitable basis than the black business man. They understand this to a certain extent.

Senator BYRD. Am I correct in my understanding though that there was a sizable number of Negro-owned business establishments in your area that were not looted or burned?

Mr. Y. There were only, I would say, approximately eight black business men in that three-block radius, and there were only two that were not touched.

Senator BYRD. Is there any difference in the selling price of your merchandise as between white and colored customers?

Mr. Y. Repeat that, please.

Senator BYRD. Is there any difference in the selling price of your merchandise as between white and colored customers?

Mr. Y. There is no difference between my retail prices, no.

Senator BYRD. Is this generally true of the merchants in your area?

Mr. Y. If you phrase that a little differently, would you phrase it this way. Do I feel that there have been many business men in my area that were exploiting the consumer. Could you word it that way?

Senator BYRD. Exploitation by business men in your area of their customers?

Mr. Y. I would say very few. Basically the area that I was located in, the retail prices were I would say fair, basically. There were a few. My feeling as a business man is that most of the exploitation as far as businesses are concerned is limited basically to one section of this city, and that is lower seventh Street, and you may have a few others scattered throughout the city, but basically I think this is a mistake as far as that the poor people feel that the average business man exploits them. I do not agree with this.

Senator BYRD. Have you received any threats or has there been any effort to intimidate you or your employees in any way with reference to the operation of your business or the reopening of your business?

Mr. Y. No, none whatsoever.

Senator BYRD. The only problem that you have at the present time then, the largest problem you have, is the acquisition of sufficient capital to reopen?

Mr. Y. That is right.

Senator BYRD. To what extent have changes in the availability or cost of insurance on your building or your stock, in the continuation of your business, affected your business since the time of the riot?

Mr. Y. The insurance company that I do business with is nationwide, and they are one of the, I would say, best insurance companies in the country. They have not indicated to me one way or the other of any increases or discontinuation of my policy whatsoever. They have settled.

Well, we are in the process of making settlement, and they are giving me 100 percent the coverage that I had, although I did not have enough coverage for the amount of merchandise and fixtures that I had in the store.

Senator BYRD. What would you estimate your percentage of coverage?

Mr. Y. My coverage was $40,000, and I had $56,000 worth of merchandise and fixtures, so I had a loss of $16,000. Now I guess I should insert here that I have been speaking mainly about the shoe store. I also have a third interest in another shop that was located right across the street.

Senator BYRD. Can you identify for us the number of employees engaged in the operation of your business?

Mr. Y. There are three full-time employees besides myself.

Senator BYRD. Were they black or white Americans?

Mr. Y. They were black Americans.

Senator BYRD. What was the racial makeup of your clientele?

Mr. Y. I would say 90 percent black Americans, about two percent white Americans, and I would say approximately eight percent embassy and foreign trade.

Senator BYRD. Would you employ whites in your business?

Mr. Y. I have no objections to employing whites in my business. I do not believe in discriminating. But I do feel that I have an obligation to employ as many black Americans as possible because they are the main ones that need the help and the employment.

Senator BYRD. Would your clientele object to white employees in your business?

Mr. Y. I do not think so, not really, other than the fact that I think that they would question to find out why would you give this man a job when you know that someone else in the black community needs the job worse. I am sure that they would question that.

Senator BYRD. Mr. Y, it has been said that white racism is essentially responsible for the explosive mixture that produced riots in the ghetto, such as the one that recently occurred in Washington. What is your opinion of that statement? And what does the term "white racism" mean to you?

Mr. Y. Let me answer the first part of your question first.

I think I would say I would agree with the statement. White racism to me means discriminating against the black community, and of course the discrimination against the black community today is different from what that it was 100 years ago or so.

I do feel as a black American that there has been a great deal of progress, but this progress has been much, much too slow, and therefore you can still say that there is a great deal of discrimination today. This is not done in outright ways where it is easily recognizable. It is done behind the door, let's say. To give you an example, I would like to use myself as an example as a black business man and explain how I feel that I have been discriminated against.

There are many ways that I feel I have not been discriminated against.

I have no trouble in obtaining the type of merchandise or some of the type of merchandise that I would like to sell in my store as a merchant. I have no real trouble with the white merchants in the area. I would say the main area where I have been discriminated against is in the area of trying to borrow, obtain the financial help to put my business the way it should be, run it on a profitable basis. In other words, what I am saying, the money-lending institutions are the only institutions that have been discriminating against me.

Any other white establishment that can make money from me does not discriminate against me. To give you an example of what I mean, one of my yearly figures was $153,000. Out of $153,000, only $26,000 to $28,000 of that money went into the black community. I would say the next time that that money was turned over, that about 80 percent of it went right back to the white community.

Senator BYRD. I am not sure I understand just what you are saying.

You speak of $153,000. What does this represent?

Mr. Y. That is the total intake, the gross sales.

Senator BYRD. In your business?

Mr. Y. Right.

Senator BYRD. What is the point you are making?

Mr. Y. I am saying that only between $26,000 and $28,000 of this money goes into the black communities. The people that are making the money off of my business are not myself or the black community. The people that are making money off of my business are the people that I do business with, which are basically white institutions.

Senator BYRD. In speaking of the $153,000, you are speaking of the wholesale prices you have paid?

Mr. Y. No, the $153,000 is the intake of the business.

Senator BYRD. Gross sales?

Mr. Y. Right.

And most of this money has been going to the wholesalers, and the $26,000 to $28,000 is only the amount of money as far as payroll is concerned to the black Americans on my payroll, plus myself.

Senator BYRD. Do I understand you to be talking about 20-odd thousand dollars that goes into the black community.

Mr. Y. Yes.

Senator BYRD. By virtue of the people who are employed by you?

Mr. Y. Right.

Senator BYRD. And the remainder of the money from the purchases and so on of merchandise goes into the white community, and you are attempting to relate this $130,000 as against $25,000. But do you not mean that only say ten percent of $130,000 or whatever it may be, I do not know what the profit may be, is actually profit, and that the other just covers the cost of goods of those persons who sell to you?

Mr. Y. Right.

Senator BYRD. So what does this really prove, what you have said?

Mr. Y. Well, this points out something that you asked me earlier about my employees, about having black Americans employees. The only way as a black American business man I can help the black community is through employing black personnel, because this is the only way that some of this money can go into that community, because the basic, I would say 75 to 80 percent of this money goes right back to the white community.

In other words, what I am saying is, my employees and myself do all of the work, but yet we only gain a small percentage of the money, and we are working for other people, although I own the business. I supposedly own the business, but I am working for someone else really.

Senator BYRD. Let me ask you this question—I do not do it for argumentative purposes: What about the $130,000 that is going into the white community? How do you know but that that is also employing a number of colored persons?

Mr. Y. Okay, let's talk along that level.

I would say a very small percentage of those companies, let's say that the employees of these companies, a very small percentage of them are black Americans. None of the salesmen for any of these companies I do business with are black Americans, and from my knowledge of their manufacturing operation and of the office operation and everything, there are very few black Americans employed by these companies.

Senator BYRD. So in your situation, in the situation of which you speak, you know, you personally know the identity of the people who receive the money?

Mr. Y. Right.

Senator BYRD. And you know that it does not go for the employment of colored people?

Although the $130,000 may be going to the white community, a good bit of that may be spent to employ nonwhite persons.

Mr. Y. Senator Byrd, to get back to the question of being discriminated against the fact of the matter has shown that once it gets down to developing a viable business, a business which can operate on a grand scale, on a larger scale than from the mom and pop stores, that financing has become almost impossible to obtain.

Now we do not know exactly what the reason is. Each bank, each lending institution has its own criteria, in which they are able to move it up and down, whichever way they see fit.

Now my problem has been starting out in business with an SBA loan of $20,000. This loan was to start the operation and assist it to move for at least one month, and three months before we started making payments on the loan.

Once we saw that we needed additional inventory, we had to buy the inventory on a cash basis. We established a line, somewhat of a line of credit, which gave us approximately maybe 30 days to make payments, and in bringing in the necessary lines which the people were buying meant we had to increase inventory, depleting our working capital, to the extent that we were operating on a shoestring.

When we went out to find additional financial assistance, it was impossible to obtain, because we had pledged our inventory to the Federal Government, the SBA. No lending institution would take a second. We could find no lending institution to take a second to the Federal Government, which made the situation where it was a day-to-day operation, and not one which could grow by any leaps and bounds, regardless of whether or not we recognized the shoe was going to sell. We could not get it because we did not have the money.

So I think this is really what we are talking about as far as discrimination in obtaining finances is concerned.

Senator BYRD. By lending institution, what do you mean?

Mr. Y. Lending institution? I mean——

Senator BYRD. The commercial banks?

Mr. Y. Commercial banks, as I have stated, the SBA only lends for the economic opportunity loan program $25,000, which is just enough to operate a mom and pop store, or to get a mom and pop store off the ground. But commercial banks, banking institutions are the real means by which a business can actually grow, unless they want to obtain short-term financing with high risk money.

Senator BYRD. You spoke earlier of second what, second mortgages, second liens?

Mr. Y. When I was speaking of that, if you apply for a loan, they want to take collateral, some type of collateral for protection of the loan. Well, if that collateral is tied up with a pledge to the Federal Government, very few lending institutions, banks, will take a second to the Federal Government.

Senator BYRD. Are you familiar with any lending institution that has with reference to white Americans taken second paper on stocks of goods in the City of Washington?

Mr. Y. We do not exactly work with the white establishments to be able to answer that question, but we do know that most blacks who have obtained that SBA loan have been hamstrung by the fact of having that loan.

Senator BYRD. The problems that we have been talking about relating to the black community would, from the files of congressional commitees, the files of the Small Business Administration, also be attributable to being the problems of small business across this country, small business as opposed to large business; chains of businesses have access to large amounts of capital. Small business establishments have traditionally and more acutely in recent years obtained money at greater and greater difficulty, under greater and greater difficulty.

So why is this a greater problem for the black business man than it is for the white business man? We are talking about small business now.

Mr. Y. Primarily because once a black business man, and this has been pointed out in the newspapers, and it is pointed out day to day, that once the black business man begins to get an idea, once they can move, he begins being measured by yardsticks and measurements which he has not seen, particularly one which was pointed out, the fact that Negroes traditionally have a high mortality rate as far as small businesses are concerned.

Granted that it has had a large mortality rate, this is primarily because of the fact that additional capital is inaccessible. I would say, and this is something that a banker will not tell you, that he does measure by difference. He pointed out to a person the other day I met that if you were white you would have no problems in getting this loan, but because you are colored, I cannot make this loan because my board would not approve of it.

Senator BYRD. We have been talking about things that have been termed "white racism". Have you seen evidence of black racism in Washington?

Mr. Y. Unfortunately, I would have to say it sounds—the black community is being interpreted and is giving the country the impression of black racism. But I think this is due to the fact that not only are they being interpreted wrong, but they are also expressing themselves to the extreme.

I think the element that is expressing itself this way is the element that has no other means of expressing themselves. When you get people like this that have been deprived so long, and people amongst the poor community that no one will sit down and talk to, like you and I are sitting down here and talking today, the only reason I am here today is because I am a business man, but if I was just an average black American, I would have never had the opportunity to be here to talk sensibly, to talk to someone with influence. But the average black man has no one of influence that will take the time and talk to him, and this is one of the things at this time that I think I might stress.

It is very important. This country will never get out of the trouble it is in now as far as this so-called black racism and so-called white racism is concerned until the so-called black militants can sit down and talk to gentlemen like you on an individual basis, talk man to man. Talking to me is not going to solve the problem. You have got to talk to them, these people that are talking radical, and you will find out that they are saying things that they do not really mean, but they are saying them in the heat of anger, which is also understandable.

(Off the record.)

Senator BYRD. Mr. Z, how long have you been in business in the District of Columbia?

STATEMENT OF MR. Z

Mr. Z. Eleven years May 8 of this year, continuously at one place.

Senator BYRD. What is your age?

Mr. Z. Sixty-two.

Senator BYRD. What do you consider to be the single most pressing problem currently confronting you as a business man in the District of Columbia?

Mr. Z. Right now I am completely out of business because of the complete destruction of my business. My place was gutted. I am at an age where starting a business of the same kind would not be feasible.

Senator BYRD. If you were to go back in business, in the same place, what would be the biggest problem confronting you?

Mr. Z. As it has always been since I have been there, police protection. My place has been broken into a number of times by teenagers and kids in the neighborhood. Kids that I ordinarily thought would not have done it. The police were called in, and kids were taken to the juveniles and that is all I ever heard of it.

What sort of punishment they received I do not know. The courts never give me information. And even the police give you only cursory information as to what has happened and what is done.

I have never been stuck up by guns since I have been there because I have had to be on the alert constantly. I have had to keep persons who might have done it in front of me, never behind me, always thinking that a stranger might do that sort of thing.

The day that I lost my place, which was the 5th of April, I left on midafternoon. I said I might as well close up because I am not in the mood to continue in business. So I put a sign on the outside of the door, "Closed out of respect for Dr. King". I went home and, hearing how things were going throughout the city, I called the lady who lives next door and asked her how things were. She said, "Your place is invaded already as well as the place across the street."

So I jumped in my car and went over and the place was just out of control, blazing. The police were there, but no fire equipment was there.

Well, about a half-hour later fire equipment did come, and what they did was just kept the fire from spreading, but my place was completely destroyed at the time. My losses would be, conservatively are estimated to be between eight to ten thousand dollars. That is my business, the equipment, the merchandise and miscellaneous items that were in the store. Cash as well as equipment went up in flames. So I just do not know what to do in that respect, whether to re-establish it. I won't re-establish that type of business because it was too taxing. The type of business was the mama-papa sort of thing. My wife and I ran the place exclusively. We did not have any help because help was hard to come by and there was too much red tape, so we worked seven days a week.

Are there any other questions you would like to ask?

Senator BYRD. What percentage of this loss do you feel you may be able to recover from insurance?

Mr. Z. I did not have insurance, because insurance was prohibitive, and I just went from day to day without insurance.

Senator BYRD. The insurance was too costly?

Mr. Z. Too costly. I was renting the place, that is the store, and an apartment above. But it belonged to somebody else. I am not certain that they had insurance. But I think they did, as far as the building itself was concerned. But the equipment was mine, and the merchandise was mine.

Senator BYRD. Was someone living in the apartment above the store?

Mr. Z. It was vacant.

Senator BYRD. You did not have any employees other than your wife and yourself?

Mr. Z. No.

Senator BYRD. Had you received any threats?

Mr. Z. No threats except it was hard to get along with people who come in from time to time. On several occasions I had to use force to eject them from the place.

Senator BYRD. You had to eject them yourself?

Mr. Z. That is right. I felt that I was more capable of doing that, after having experienced the type of help you got from the police that I had to be my own policeman. I was successful in doing that. But being in a place, in that type of neighborhood for eleven years, you are going to have difficulties.

Senator BYRD. When you say that type of neighborhood, what do you mean?

Mr. Z. It is a low economy neighborhood, a poorer class neighborhood, and generally the people were uneducated, but I did not stay in business because of the bad element. I stayed in business because of the nice element. I had candies, more than any other business in the neighborhood, and there were small fry and it was fine in that respect and I never had any idea that such a thing would take place, but it did.

Senator BYRD. Was most of your customer trade white or colored?

Mr. Z. Most of it was colored.

Senator BYRD. What is the population make-up in that area from a racial standpoint, would you say?

Mr. Z. I would say fully 90 to 95 percent are colored.

Senator BYRD. Has this changed over the years?

Mr. Z. Yes, it has.

Senator BYRD. What was it when you first went into it?

Mr. Z. You mean what was the ratio of colored to white?

Senator BYRD. Yes.

Mr. Z. Well, it was not too many white, but gradually they have moved out.

Senator BYRD. Did you establish your business or did you take over an established business?

Mr. Z. I took over from the predecessor.

Senator BYRD. Did you work in his business before taking it over as your own?

Mr. Z. No.

Senator BYRD. Have there been any threats against you, if you attempt to reopen?

Mr. Z. No, I have not been back in the neighborhood except on the first or second day to get mail from the lady who lives next door. Of course since then I have had the address changed.

Senator BYRD. Why would they burn your store do you think?

Mr. Z. Well, it is hard to tell.

Senator BYRD. Why would they loot you? The people who looted you knew you probably.

Mr. Z. They knew I was colored, and judging from what has happened, it was not a matter of just who it was. It is just a place where they had access to something that they could get for nothing, and on the spur of the moment. Mob psychology I think it is. One person would do it and then the others just fall in line. I would say most of the kids who did it did it on the spur of the moment.

Senator BYRD. Do you feel that the troops came in soon enough?

Mr. Z. It is hard to assess whether the troops came in soon enough, but the fact of the matter is what type of protection you are going to get from the troops after they get there. If they are just going to stand around and be something of a ceremonial nature, then they would do no good. But as I have said all the time, you just needed more force, as I have had to do in my particular business, to protect your own business. And generally more force is necessary to protect it.

Senator BYRD. Do you feel that the lawless element only respects force?

Mr. Z. That is right. That has been throughout civilization, and civilization is always maintained by force.

Senator BYRD. Is there anything additional you would like to say? I have no further questions.

Mr. Z. I don't know that there is anything that you could do personally as a senator, but I certainly would like to know whether there is going to be any compensation for any losses, which you couldn't say yourself apparently, but that is uppermost in my mind.

But our neighborhood, which is generally colored, has to be protected against itself. Naturally, all neighborhoods have to be protected, and we need the protection as well as all other neighborhoods. Like the Head Start, it is a fine thing, but Head Start has to be followed all the way up until the individual becomes an adult. If we can draft young men to go off to fight foreign wars, we can draft them for domestic services. They should all be registered, I would say, from the time they reach their teen age, and each individual has to be followed. His capabilities have to be taken care of and worked on, and he has to be channeled in the capacities for which he is most fitted.

You might call it regimentation, but it is a thing that is necessary. It has to be done.

Senator BYRD. Some of these people though do not want to work.

Mr. Z. That is true. They are accustomed to it. They are third generation people who have not had to really work, and the thing has to really be started from where they came from, providing work opportunities so they won't have to flock to the cities.

Senator BYRD. You were in business, you had accumulated some savings over the years, and you had plowed this into your business. I would venture to say you started out like a great many people, with nothing, but with a determination to work and sweat and save and get ahead.

Mr. Z. And that I have.

Senator BYRD. And nobody had to stand over you and make you do it. You did it because you wanted to do it.

Mr. Z. That is right.

Senator BYRD. And believed you could do it and you did do it. I assume this is true.

Mr. Z. That is true. My wife and I worked. In fact, we worked so hard that it was somewhat alienating her from me, because I was insisting on giving the public good service, and it was difficult, because we had to do all of the cleaning and just everything in the business.

Senator BYRD. You did not have the benefit of Head Start when you were coming up.

Mr. Z. I did not.

Senator BYRD. Yet you talk like you are a fairly well-educated man.

Mr. Z. I have had a college education, but I couldn't get placed in places where I would want to be, so I had to do that on my own, and I guess I would have done the same thing if the occasion arose again.

Senator BYRD. I would assume you would be one of the first to say that America is a place where any young man with an average amount of common sense and a will to work, who can work overtime and sweat a little bit, can get ahead if he will just do it.

Mr. Z. That is true. And opportunities have opened up greatly in the past few years, and I would expect things are going to be better, but as I have said, work has to be provided for all the people, and those that are not showing any visible means of support or employment should be given that opportunity or else, because they corrode the whole society.

Senator BYRD. And in the meantime, what has to be done about law and order?

Mr. Z. Well, I am not a professional in that respect, but all I say is that the professionals will have to take charge and bring some sort of order into being.

Senator BYRD. Do you feel that based on what you have seen and what you hear around the community and so on that there is likely to be a repetition of this?

Mr. Z. No one, I would say, could say whether there can be, but if the proper authority, police authority and the militia put in an appearance, I think it would stop things.

Senator BYRD. Do you feel that there should be a troop presence in some sections of the city now?

Mr. Z. I do not say that it is necessary to have troops at this time or at all times. I think the police that we have on hand plus plainclothesmen could take care of the situation, but troops should be held in abeyance until that time when things seem to be getting out of order, and they should be available immediately.

Senator BYRD. I thank you, Mr. Z, for your testimony and for your time.

Mr. Z. Thank you.

STATEMENT OF NO. 37

Senator BYRD. How long have you served with the Metropolitan Police Department?

No. 37. A year and two months.

Senator BYRD. What is the greatest single problem confronting you as a policeman in the District of Columbia?

No. 37. Mainly the attitude.

Senator BYRD. Attitude of whom?

No. 37. The citizens, most of them.

Senator BYRD. The citizens in general or the criminal element with which you deal from day to day?

No. 37. Well, it appears that the criminal element and the attitude of the individual citizen is more or less backing the criminal element than it is actually the police officer.

Senator BYRD. During the recent riot, did you feel that you were restricted in making arrests of looters?

No. 37. No, sir.

Senator BYRD. Did you in fact arrest looters?

No. 37. Yes, sir.

Senator BYRD. Did you feel that you were restricted in the use of your service revolver as provided on the Police Manual?

No. 37. No, sir, but the use of the service revolver is an extremely dangerous thing, especially at the time of looting, because you have, you know, many types of individuals. You have your watchers and your curiosity types, plus the criminal element.

As far as the use of the service revolver, my personal opinion is that it takes more than judgment to use it, because it is very easy to strike an individual with it who does not have anything to do with the crime, other than being a bystander.

Senator BYRD. Is it more difficult to enforce the law with respect to Negroes as opposed to whites?

No. 37. No, sir.

Senator BYRD. Are you more apt to be subject to abuse in arresting a Negro than a white for the same offense under the same circumstances?

No. 37. No, sir. I just arrest the criminal element which violates the laws. Their color or creed, this does not have any difference in my sight. My main job is to enforce the law.

Senator BYRD. Do you feel that you have any lack of backing from your superiors?

No. 37. Well, sometimes I could say yes. This is a difficult question to answer.

Senator BYRD. At what level do you feel that there is a lack of backing? Is it the precinct or above the precinct? Does it reach into the highest echelons of the Police Department?

Do you feel that the Director of Public Safety would back you in the event you were utilizing good judgment or acting within your authority?

No. 37. Yes, sir; I would hope so.

Senator BYRD. How would you describe police morale at the present time?

No. 37. Good. I believe I could say good.

Senator BYRD. How do you view your future in law enforcement?

No. 37. Well, I gave up an extremely good position for what I have now, mainly because I love the type of work I do, and I feel it gives me a sense that I have actually accomplished something.

My main goal in this department is to make sergeant. I don't particularly care or have the desire to go higher, because I feel when you are a sergeant, you are still able to work with your men and you have time to get to know your men, plus you can perform your regular duties.

Senator BYRD. Do you know of anything that could be done to develop a greater sense of pride within the police force?

No. 37. Probably better equipment.

Senator Byrd. Could you be more specific?

No. 37. Well, when I say better equipment, as far as uniform is concerned, scout cars. Many of our vehicles are six cylinders. Some of them barely even run halfway decent.

Senator Byrd. How many miles are on the vehicle that you came over to this building in?

No. 37. I believe it has about 49,000 miles. I am not personally assigned to this unit.

Senator Byrd. Thank you for coming in.

No. 37. Thank you very much.

(Off the record.)

STATEMENT OF NO. 35

Senator Byrd. Mr. 35, how long have you been with the Metropolitan Police Department?

No. 35. Eleven years, sir.

Senator Byrd. What is the greatest single problem confronting you as a policeman in your efforts to enforce the law in the District of Columbia?

No. 35. I guess to narrow it down to one would be the lightness of the sentences given to the criminals once we arrest them.

Senator Byrd. During the recent riot, did you feel that you were restricted in making arrests of looters?

No. 35. Well, I felt that we were inadequate to handle them properly, due to the fact that we were outnumbered.

Senator Byrd. Do you think the troops should have been brought in earlier?

No. 35. Much earlier.

Senator Byrd. Do you think the troops should have been removed when they were removed?

No. 35. I think the removal was timely, just about the right time.

Senator Byrd. Do you think there should be any troops in the District at the moment?

No. 35. If not within the District itself, close by so that they would be able to be mobilized and brought into the city within, at the maximum, a half-hour period.

Senator Byrd. Are there continued lootings and arsons in your precinct at the moment still going on?

No. 35. Yes, sir.

Senator Byrd. Do you feel that there are enough police in that precinct to handle this problem?

No. 35. At the present time, during certain periods, there are.

Are you aware of the program whereby men are put on the street for an extra four hours now?

Senator Byrd. Yes.

No. 35. During that period I think we have an adequate force. Before and after that period, I think it is inadequate.

Senator Byrd. How many hours during the day is this supplemental force on the street?

No. 35. Four hours that I know of, between 6:00 p.m. and 10:00 p.m.

Senator Byrd. They are not around the clock?

No. 35. Not in my precinct. The Special Operations Division has some men out there, but what their hours are I do not know.

Senator Byrd. Does this constitute about an additional 20 percent of force on the street during those four hours?

No. 35. I would say roughly about 20 percent of our force, the precinct force I mean.

Senator Byrd. In addition to your regular force?

No. 35. In addition to the regular force.

Senator Byrd. Are you under the impression that this additional 20 percent is on the street there around the clock, or is it just at certain times?

No. 35. As far as I know, just at certain times.

Senator Byrd. Are there continued lootings and arsons even in the face of this additional personnel?

No. 35. Since we have started this program, and it has been announced publicly, we have not had any additional arsons that I know of, since this was started. I think they have only had it a couple of days now.

Senator Byrd. How is this additional personnel supplied? Is it the result of working overtime?

No. 35. Yes, sir.

Senator Byrd. In other words, there are not additional men being poured into the area; it just results from additional work overtime on the part of personnel already there or on the part of personnel brought in from other precincts?

No. 35. It is on the part of personnel already there.

At the present time I think the system they use is that men working the 8:00 a.m. to 4:00 p.m. tour of duty will get off two hours and come back, and work from 6:00 p.m. to 10:00 p.m.

Senator Byrd. They will be paid overtime?

No. 35. Yes, sir.

Senator Byrd. Do they get additional pay for this overtime?

No. 35. Yes, sir.

Senator Byrd. I mean do they get time and a half or double time or the regular pay?

No. 35. It is paid at time and a half.

Senator Byrd. The regular time and a half rate?

No. 35. Yes, sir.

Senator Byrd. Are they required to do this or do they volunteer?

No. 35. It is strictly voluntary.

Senator Byrd. Have you volunteered for any of it?

No. 35. It has only been two days now and I had a previous plan for the weekend so I plan next week for a couple of days.

Senator Byrd. You plan to work some of the overtime next week?

No. 35. Yes, sir.

Senator Byrd. After you put in a normal eight-hour day, are you not already pretty tired?

No. 35. Well, it depends. Some days are light and some days are heavy. Normally with the load I have, I am somewhat tired, but I feel that actually this is to an extent a necessity.

Senator Byrd. Do you intend to volunteer in order to earn more money for yourself, or will you volunteer for some other reason?

No. 35. Well, mainly I would say because I feel that this is a necessity. I feel that I am needed at the precinct and I feel this will kind of help the precinct to a large extent.

Senator Byrd. Mr. 35, during the recent riot, were you instructed not to shoot looters?

No. 35. I don't recall the exact words.

As I recall, there was some mention to the effect that we were not to shoot people looting at that time. I got that impression. I don't know if the words were exactly, don't shoot them, but I had the impression that we were not to shoot them.

Senator Byrd. Were these words spoken by your superiors?

No. 35. Yes, sir.

Senator Byrd. What do you as a policeman think of Mr. Murphy?

No. 35. It is kind of hard to evaluate him. As far as being a leader is concerned, he has had some orders I thought were good and some that I kind of questioned the reasoning behind them.

Senator Byrd. Do you think he has been good or bad for the Police Department thus far?

No. 35. It is a little early for me to really give him a fair evaluation.

Senator Byrd. What is the opinion of your fellow officers concerning him?

You have probably heard them express their viewpoints.

No. 35. From what I have heard from the other officers, it runs about 50–50. Half are for him and the other half are against him and his policies.

Senator Byrd. Are you as a Negro officer discriminated against in the Department?

No. 35. To some extent, I would say. I cannot say whether it is a racial matter or personality. There is always personality in it when you are working. Some people are just better liked than others. I cannot say it is due to a racial thing. It could be personality. Some official you work for and he likes the way you work, you have no conflict. Other officials you work for and there is a conflict, why you have a little friction. But I won't say it is necessarily discrimination. I would just say it is a means of trying to please whoever is in charge.

Senator Byrd. What percent of the force at your precinct, if you know the answer, is white and what percent is nonwhite?

No. 35. I don't know the exact figure. I would say it runs something about, somewhere in the area maybe of 70 percent white personnel and about 30 percent Negro personnel.

Senator Byrd. Is the Negro personnel increasing in number in the last few months?

No. 35. I would not say to any appreciable degree. It remains just about the same.

Senator Byrd. What is the population make-up in your precinct, from the standpoint of race?

No. 35. From the standpoint of race I think the precinct runs about 70 percent colored population and about 30 percent white.

Senator Byrd. Do you find it any more difficult to enforce the law and make arrests with regard to the Negro violators as against white violators?

No. 35. That again depends on the location in the precinct. I do not know whether you are faimliar with my precinct, but we run the spectrum from the east side which is relatively the poor section, to the west side which ranges from the middle income to the higher income brackets. It depends in what section of the precinct we are enforcing the law as to how much difficulty we encounter, and the location. In certain locations we sometimes encounter a lot of difficulty in making arrests, because we have a lot of people in the area there who are not doing anything. Anything with the police involved it seems to draw almost an instant crowd. So if the person is belligerent and yelling and screaming, we might encounter some difficulties.

Senator Byrd. Do you normally encounter this type of difficulty in arresting a white individual, or is it normally in connection with the arrest of a Negro?

No. 35. I would say, my experience has been if I am arresting, say, Negroes anywhere from certain areas on the east side of the precinct, I would encounter some difficulty. We make very few arrests of the white population in the precinct, due to the fact they are mainly on the west side and we have few complaints from that side of the precinct.

Senator Byrd. Do bystanders appear to resent your making an arrest of a colored individual?

No. 35. It depends on how well-known that individual is, and who is making the arrest.

Personally, I have encountered very little difficulty in making arrests of anybody, regardless of whether they are in that area doing something illegal or whether they are doing something that is considered a normal job, mainly because I guess I know a lot of people in the area, and I have dealt with them and I try to be what I consider fair. But I have encountered a few where I have a lot of difficulty from the people standing by.

I have heard and witnessed incidents where a white officer might arrest a colored fellow in the neighborhood and bottles and rocks would start coming toward the scout car. The main thing with an experienced officer, is he knows that in a situation where you get a crowd together one should take the offender and get him out of the area as quickly as possible. That seems to deter them more than anything else.

Senator Byrd. Is a Negro officer as likely to run into this kind of trouble?

No. 35. It depends on the person himself. Some officers, be he a white officer or a Negro officer, have a terrible reputation as far as the community is concerned, and they always seem to encounter some difficulty regardless.

Senator Byrd. Do you feel that you have any lack of backing from your superiors?

No. 35. Well, I'd say for the most part we do have the backing of the officials in most of the instances where we are called on to perform our duty.

Senator Byrd. Do you feel that the police have the proper backing of Mr. Murphy?

No. 35. I think they do. It seems to be a policy whereby they state when you make an arrest that you are involved in an incident where you are right, where everybody is willing to back you when you are right in making an arrest, but the time when you need some backing is when you are on the borderline where it can go one way or the other, and that is where the difficulties seem to start. It depends on who the citizen is that was arrested and the circumstances and what have you.

Senator Byrd. How do you feel? Do you feel that in those marginal situations that you are going to get the backing of your superiors, or do you feel that you might be left on your own?

No. 35. I think you are more or less on your own. You are going to have to justify your actions.

Senator Byrd. How does this affect your attitude toward law enforcement?

No. 35. You always wonder, I guess subconsciously, when you are going to hit one of those situations where you are going to be called on to explain what you did and why you did it.

I personally feel that as long as you are out there enforcing the law and you are trying to do a good job, that there should be no question about your attempting to carry out your duty, and you should not be handicapped by wondering whether or not you are going to get the proper backing, in case you arrest one who might have a little influential position.

Senator Byrd. How would you describe police morale at the present time?

No. 35. Well, I would say over-all it is pretty good. I happen to be in a hard-working section, and I have not noticed them slowing down any, even though we have changed commands about two or three times in the last few months. But we have a pretty cohesive group, and most of the fellows work together. We have good cooperation between them.

Senator Byrd. Do you feel that you are any better prepared, in the event of another disorder, than you were in the last one?

No. 35. Truthfully, I never thought this city was prepared. Each disturbance they say we are prepared, and each disturbance there seems to be mass confusion, almost complete chaos before they finally realize what they are supposed to do and somebody takes some positive action.

In the years I have been in the Department I have never seen them adequately prepared in my estimate for any type of large scale disturbance.

Senator Byrd. Do you feel that in order to enforce the law and maintain order, that there has to be a respect on the part of the citizen for the police, and that there has to be an understanding that adequate force will be used if it becomes necessary?

No. 35. Yes, sir.

Senator Byrd. Do you feel that the criminal element respects force only, or do you feel that they are going to push their luck as long as they can push it and feel they can get by with it?

No. 35. Not necessarily.

I think that they recognize force for what it is. It is to a large extent a means to an end. But I also think they respect the fact that if they commit an offense, we make an arrest, they go to court and they realize the judge is not going to be lenient with them. I think this would act as much as a deterrent as the police force. I think this would balance itself.

Senator Byrd. Do you feel the courts are too lenient?

No. 35. Much too lenient.

Senator Byrd. Officer, I appreciate your statement. Thank you for coming.

(Off the record.)

Senator Byrd. Mr. W, how long have you been in business in the District of Columbia?

STATEMENT OF MR. W

Mr. W. Two months.

Senator Byrd. What is your age?

Mr. W. Thirty.

Senator Byrd. Were you born in the District of Columbia?

Mr. W. No. I was born in New York.

Senator Byrd. What do you consider to be the single most pressing problem confronting you as a business man in the District of Columbia?

Mr. W. Well, now the riot was the most pressing problem. Other than that, there was not any problem.

Senator Byrd. What has been the history of crimes of violence against your person or your employees or your place of business during the two months that you were in operation?

Have there been any burglaries?

Mr. W. No, I haven't had any trouble, no trouble at all.

Senator Byrd. Any difficulty with people loitering in the street in front of your establishment?

Mr. W. No. I am right there in front of a bus stop so people are standing there.

Senator Byrd. How many employees did you have?

Mr. W. Three.

Senator Byrd. Including yourself?

Mr. W. Four with myself.

Senator Byrd. Were they white or colored?

Mr. W. All Negro.

Senator Byrd. Is here any difference in the selling price of your merchandise as between white and colored customers?

Mr. W. No. All my merchandise is marked. All of it is a marked price. I have a price on everything.

Senator Byrd. Have you received any threats or have there been any efforts to intimidate you or your employees in any way with reference to the operation of your business or the reopening of your business?

Mr. W. No.

Senator Byrd. Is your business now in operation?

Mr. W. No, it is not.

Senator Byrd. Do you plan to reopen?

Mr. W. Yes.

Senator Byrd. To what extent has your insurance been changed or to what extent has the varying costs of insurance affected your business?

Mr. W. I don't know yet. I haven't settled the claim yet in the form of losses. If they are going to raise my rates, I guess it will be after they settle before they tell me.

Senator Byrd. Has your insurance been canceled?

Mr. W. No, it has not.

Senator Byrd. To what extent do you have reason to believe that the insurance will compensate you for your loss?

Mr. W. I should get full coverage. I may lose two or three thousand dollars.

Senator Byrd. What do you estimate to be the dollar loss as a result of the recent riot to your business?

Mr. W. You mean business?

Senator Byrd. Total loss, stock, fixtures. I am assuming you did not own the building. Did you own the building?

Mr. W. No. It was about $30,000.

Senator Byrd. And you expect to get that much back through your insurance?

Mr. W. I expect to, yes.

Senator Byrd. It has been said that white racism is essentially responsible for the explosive mixture that produced riots in the ghetto. What do you understand to be white racism and what would be your comments with reference to this statement.

Mr. W. I do not know if there is racism. I do not know if I would call it that. It is just that as Negroes we just want to be Americans, that is all, and we really have not been given that chance. We want to do, but we do not have the opportunity, and I think that is the reason for it basically. The basic reason is because we do not have the opportunities, and this is the way of getting back.

They know they are hurting themselves, but they think they are hurting the white man too.

Senator Byrd. You are a business man. You were in business. How were you hampered in carrying on your business?

Mr. W. During the riot?

Senator Byrd. Before the riot?

Mr. W. I wasn't hampered at all.

Senator Byrd. You indicated you did not have a substantial problem.

Mr. W. I did not, no. I did not have any problem.

Senator Byrd. Did you have any problem in entering business?

Mr. W. No. I worked in that same store for seven years.

Senator Byrd. And as a result of the skills you acquired and the knowledge that you obtained, you went into business for yourself?

Mr. W. Right, but everyone does not have the same drives. Maybe I pushed myself harder than another person might possibly push himself.

Senator Byrd. Can we ever equalize the drive of people?

Mr. W. No, but you can put the opportunities there. If they do not take the opportunities, that is something different.

Senator Byrd. If the opportunity was there for you, how is the opportunity denied to your neighbors and others in the Negro community?

Mr. W. Well, there are not enough store owners like the people that I worked for that would help the people that are working for them the way they helped me. They taught me how to do the books and they taught me everything about the business beginning after I was there two years.

Senator Byrd. Were they Negroes or whites?

Mr. W. They were white.

Senator Byrd. Did they help you in financing the business?

Mr. W. No. I got a loan from the Small Business Administration for that.

Senator Byrd. Was that an Economic Opportunity SBA loan?

Mr. W. Yes. But they taught me, and very few store owners will teach their employees that, especially the Negroes. They won't trust them the way they do the white employees.

When I was in the store, I ran the store. They were never there. Very seldom. They would come by maybe once a day, but they would leave. And there are not too many employers that would do that.

Senator Byrd. Were your employers white or colored?

Mr. W. They were Jewish.

Senator Byrd. Did you say there were a total of four employees?

Mr. W. I am sorry, they were colored, yes.

Senator Byrd. Would you employ a white man?

Mr. W. Yes, if he could fit in with the rest of the employees, and I have known quite a few that I would hire, but I don't have the room for them now anyway. I kept the same people that were working for the people that I was working for.

Senator Byrd. Were you looted?

Mr. W. Yes.

Senator Byrd. Was your business looted?

Mr. W. Yes. I was the first store in the District to get looted.

Senator Byrd. Was your store burned also?

Mr. W. Yes. Not entirely, but there were some burning.

Senator Byrd. It would seem to me that your example, having worked in this store, having learned the trade, that this is a perfect example of how Negroes might enter business. You state that there are altogether too few opportunities of this nature available to Negroes.

Mr. W. Yes.

Senator Byrd. Have you encountered a problem in connection with the financing of your business, or do you expect a problem in obtaining sufficient funds to reopen the business?

Mr. W. No, sir.

Senator Byrd. How long do you estimate it will take before you will be able to reopen?

Mr. W. August.

Senator Byrd. Did you encounter any difficulty in obtaining settlement of your insurance?

Mr. W. No.

Senator Byrd. Did you negotiate directly with the insurance carrier, or have you employed an insurance adjuster?

Mr. W. No. My accountant is negotiating with the insurance company's adjuster.

Senator Byrd. Have you had any problem in recruiting employees?

Mr. W. No, sir.

Senator Byrd. Have you had any problem with respect to Negro absenteeism?

Mr. W. In what way?

Senator Byrd. In connection with your employees.

Mr. W. You mean by not coming to work?

Senator Byrd. Yes.

Mr. W. No.

Senator Byrd. And have you had white employees?

Mr. W. No.

Senator Byrd. You were only in business two months?

Mr. W. Right.

Senator Byrd. And you say yours was the first business that was looted?

Mr. W. Yes.

Senator Byrd. To what do you ascribe this? Why would they want to loot you?

Mr. W. I don't know.

Seantor Byrd. They knew you employed colored people?

Mr. W. Well, there was a television program on during the riot on channel 4, and the news commentator asked one of the looters why did they hit my store, and they said Mr. ——— owns that store" and they said "Who is Mr. ——— and he said "He is a Negro". And they said "We didn't know he was a Negro. His stuff looked so good in there that we knew a brother couldn't own it", so they looted it.

Senator Byrd. They knew what?

Mr. W. They knew a brother couldn't own it.

Senator Byrd. What is the situation with reference to your SBA economic opportunitly loan? You are making monthly payments on it?

Mr. W. Well, my first month payment is not due until next month, and I am going to get an extension on that I believe. I have to write a letter and request it.

Senator Byrd. And if you get an extension on it, that will balloon your payments so that at the time you reopen or at some subsequent month, you will have to make several monthly payments or catch up with all the payments?

Mr. W. No. I think that instead of beginning in June they will begin, say, in September.

Senator Byrd. Will it not be necessary for you to make payments during this period?

Mr. W. I don't know.

Senator Byrd. Have you talked to the SBA?

Mr. W. Not in reference to interest.

Senator Byrd. Have you talked to them about obtaining this?

Mr. W. No.

Senator Byrd. You do not anticipate any problems in connection with it?

Mr. W. No.

Senator Byrd. What rate of interest does your loan carry?

Mr. W. Five and a half.

Senator Byrd. Over how many years?

Mr. W. Ten years, $279 a month.

Senator Byrd. What collateral were you required to have in order to get this loan?

Mr. W. I had to put up $4,600.

Senator Byrd. And how much was the loan?

Mr. W. $25,000.

Senator Byrd. Were you required to mortgage any property to secure this loan?

Mr. W. I did not have any property to mortgage, but I borrowed from my relatives, friends and anybody I could borrow from. When I borrowed I told them I didn't know when I would be able to pay them back.

Senator Byrd. So you borrowed a total of how much?

Mr. W. About $2,500.

Senator Byrd. About 2,500?

Mr. W. Yes.

Senator Byrd. So how did you acquire the additional $2,000? I understood you had to put up about $4,500.

Mr. W. Right. I saved it, my wife and I working.

Senator Byrd. So you had about $2,000 in your own savings?

Mr. W. Right.

Senator Byrd. You borrowed about $2,500?

Mr. W. Right.

Senator Byrd. And that made a total of $4,500. And then with this advance on your own part, the SBA loaned you the rest?

Mr. W. Right. They lent me $25,000. I had a total of $29,000.

Senator Byrd. Did they loan you this as cash?

Mr. W. No. It was in the form of a check and I had to give them a list of what I was spending it for, and the receipts of the merchandise that I bought to go in the store.

Senator Byrd. And you are attempting now to get a second loan?

Mr. W. No. I don't think I will need any additional money, because my business was going to be a success. My first two months' business, SBA, they were satisfied with it. In fact, they thought I did very well. So I was going to be successful. I still have money that I have in the bank from the business?

Senator Byrd. Did you sell only for cash?

Mr. W. Cash and layaway, Central Charge.

Senator Byrd. Have you encountered any difficulty in payments in connection with layaway other than Central Charge?

Mr. W. No.

Senator Byrd. Central Charge only is what you are saying?

Mr. W. Central Charge, yes.

Senator Byrd. You did not have a layaway in addition to that?

Mr. W. Yes, I had a layaway, layaway and Central Charge.

Senator Byrd. Have you encountered any difficulty in obtaining payments on your layaways?

Mr. W. Well, I don't have the merchandise. I have to give them a refund when I go back in.

Senator Byrd. Were your records destroyed?

Mr. W. No. I saved those, most of them. Some of them I didn't get.

Senator Byrd. You entered into business then with approximately $29,000?

Mr. W. Yes.

Senator Byrd. And how much did you pay for the stock of goods and how much for the good will of the business?

Mr. W. I paid $6,000 for the furniture and fixtures. They did not have any stock in it. I took an empty store.

Senator Byrd. The rest was new stock?

Mr. W. Well, $16,000 was in stock, and the rest was working capital. There were some fixtures, some other stuff that I added, that I put in, that I spent money on fixing the store up. I fixed it up over again the way I liked it.

Senator Byrd. Thank you, Mr. W.

Mr. W. Thank you, Senator.

(Off the record.)

Senator Byrd. Mr. 36, how long have you been with the Metropolitan Police Department?

STATEMENT OF MR. 36

Mr. 36. Five years.

Senator Byrd. What is the greatest single problem confronting you as a policeman in the District of Columbia, as you attempt to enforce the law?

Mr. 36. Well, I feel that even though you enforce the law, you don't have the backing from the higher echelon of the Police Department and the courts of the District of Columbia.

Senator Byrd. Is the breakdown in the backing that is given to the policeman on the beat, you make reference to, the higher echelon in the Police Department? Do you feel that you have adequate support at the precinct level?

Mr. 36. From the rank of sergeant and above, no.

Senator Byrd. It begins in the precinct house and it goes up to the upper echelon in the Department?

Mr. 36. It begins with the rank of lieutenant. The sergeants in the precincts are your main support in the Police Department. They give you more backing than any one person on the Police Department, the sergeants.

Senator Byrd. Do you feel that there is a lack of backing within the upper echelons of the Police Department? To what do you refer and to whom?

Mr. 36. Well, the latest one would be, I would say, Mr. Murphy.

Senator Byrd. How would you rate Mr. Murphy's performance since he was appointed Public Safety Director?

Mr. 36. I wouldn't. I think he has done a very bad job.

Senator Byrd. Do you think that your view is typical of other policemen?

Mr. 36. Yes, I do.

Senator Byrd. Does he have a large body of support within the various precincts?

Mr. 36. No, sir; I don't believe he does. I don't believe he has any support from any policemen that I come in contact with daily, and that would be mostly privates and sergeants. I don't believe he has any support from any of them.

Senator Byrd. Do you think there is any problem engendered by there being a Chief of Police and a Director of Public Safety?

Mr. 36. Oh, yes.

When Chief Layton was our boss, our commanding officer, we knew where we stood. We knew what we could expect from him and we knew what backing he would give us. Mr. Murphy we feel will give us no backing whatsoever. In some instances it has been shown where he——

Senator Byrd. What type instances do you refer to?

Mr. 36. Well, it is rather well-known in the Police Department.

The first day on the job at headquarters and an elevator with a certain motorman, the motorman asked a rookie who had just come on the job where his $50 bounty was for bringing this policeman on the job.

Senator Byrd. Someone earlier has related that incident. Do you recall of any others.

Mr. 36. Detectives. He stated he believed they were just overrated privates that were not of any use to the Police Department whatsoever.

Senator Byrd. Who made that statement?

Mr. 36. Mr. Murphy made that statement, and he corrected it. The Metropolitan Police Department meeting in the Health, Education, and Welfare Building, he stated that he actually thought that the detectives were a fine working organization within the Department and we did need them.

Senator Byrd. Do you recall when he made the original statement that he later corrected?

Mr. 36. No. It was shortly after he came on as Safety Director.

Senator Byrd. Do you remember the occasion of Mr. Murphy having made this statement?

Mr. 36. No. As I say, it was shortly before that. It was the first meeting that the policeman had with Mr. Murphy.

Senator Byrd. It was at the time he met with policemen?

Mr. 36. Yes.

Senator Byrd. Is it more difficult to enforce the law with respect to Negroes as opposed to whites?

Mr. 36. How do you mean that?

Senator Byrd. Are you subject to more abuse? Are you more likely to encounter some type of a charge?

Mr. 36. Well, when you make an arrest with a colored person involved, you are more apt to be charged with police brutality or prejudice and things of that nature, which then again would tie you up for two or three hours, possibly four hours answering the complaint that they have made against you. It does not do anything to boost your morale, as far as that goes.

Senator Byrd. Have you ever been subjected to verbal abuse in making the arrest of Negroes?

Mr. 36. Oh, yes, many, many times.

Senator Byrd. Have you ever been subjected to verbal abuse in making arrests of whites?

Mr. 36. Yes, but not quite as often, because the area that I normally run, not now but prior to a year ago, was 14th Street, Northwest. That was my beat. I ran that beat. People I came in contact with were 99 percent colored people.

Senator Byrd. How would you describe police morale at the present time?

Mr. 36. I would say it is just about at an all-time low.

Senator Byrd. Do you feel that in arresting a Negro today, you are likely to encounter more problems, more difficulties, than was the case two or three years ago?

Mr. 36. Yes, sir.

Senator Byrd. What makes you feel this way?

Mr. 36. Well, your officials. When a man is brought into the precinct he fights—I don't know why but it invariably happens that way. The man gives you some trouble on the street, but he will give you more trouble when he gets in the precinct.

Senator Byrd. Are you subjected to more harassment and abuse from colored people today than you were some years ago?

Mr. 36. Oh, yes. They can stand on the street and call you white honkey or white ——— or a no good this or a no good that. They can walk right up to your face and call you this, and there is nothing you can do about it. The disorderly statute in the District of Columbia states that a person cannot be disorderly to you as a policeman. He has to abuse the rights of others.

Senator Byrd. Suppose I as a white man, not as a senator—you might be constrained to let me get by with this simply because I am a senator—but suppose I was just an ordinary white individual who walked up to you out there and said "You big so-and-so, go to the devil," called you a dirty name; would you arrest me?

Mr. 36. No, sir.

Senator Byrd. Why?

Mr. 36. Because of the disorderly statute, you cannot become disorderly to me. Only to where you disturb the peace and tranquillity of others. That does not include the policeman.

Senator Byrd. Well now, if I walk up to you and start vilifying you and subjecting you to all manner of abuse, and there happens to be other people around me, some of them may resent my doing it, some of them, may agitate it and want me to do more of it, is this not a clear and present danger?

Would this not endanger the peace and good order?

Mr. 36. Well, any time there is a crowd around, I would say a crowd would be ten percent or more, our instructions are not to do anything, to leave.

Senator Byrd. If there is a crowd?

Mr. 36. Yes, because it may develop into some civil disorder. We are to leave, unless there are a sufficient amount of policemen there to cope with the situation at the time.

Senator Byrd. Are you told not to arrest Negroes?

Mr. 36. We are told not to arrest anyone that might create an incident.

Senator Byrd. Do you get any impression that you are to be more lenient with Negroes than with whites?

Mr. 36. Oh, yes, definitely, because this whole thing developed, as I said, most of the people we come in contact with in my Precinct are colored people, so they want us to be more lenient with them than we would with anyone else, because I know if I arrest a white person he can make any accusation that he wants to make. Because of me being a white policeman it won't hold up. But if a colored person makes an accusation, that is where all the difficulties are, because it seems like it draws more water. It holds more validity than anybody else's statement.

Senator Byrd. Do you feel as a policeman that the Negro troublemaker is getting by with more than the white troublemaker is?

Mr. 36. Oh, yes, most certainly. Stokely Carmichael, Marion Barry, any of them. Last summer we had incidents where Marion Barry would just go in and block off an entire street, and a warrant was obtained for his arrest for doing this, and we were given direct orders that we would not, under any circumstances, arrest this man, even though there was a warrant on file, we would not arrest him.

Senator Byrd. What is happening to law enforcement in this country if a particular segment of the people can violate the law with impunity and without fear of arrest?

Mr. 36. We as policemen, Senator, would like to know that also, because we feel that we are out there, and don't get me wrong, I like my job, I like it very much. It is the easiest job I have ever had as far as physical labor goes. But it is the mental part of it that really gets you. You start taking these things home to your family. It gets bad.

The Court of General Sessions in most policemen's eyes is a big joke.

Senator Byrd. Why is that?

Mr. 36. You take a charge down there, a housebreaking charge. Well, it is burglary now, a burglary charge, and it is broken down to attempted.

Senator Byrd. To attempted burglary?

Mr. 36. Attempted burglary. All the information that you have supplied on your forms that you may have spent two hours in the precinct making up and typing, getting ready for court, are really worthless, because how can you as a policeman testify in court to an attempted burglary charge when the only thing you know is the burglary itself? And these cases are thrown out of court. These people are released back on the street long before you are, because when you are done you have the papers.

Senator Byrd. Why do you think this is the case?

Mr. 36. Well, leniency in the courts for one, judges. It seems as though the policemen, when they go in a jury room or in a courtroom, they are subject to more abuse than the person who is actually on trial.

Senator Byrd. Do you know this to be a fact?

Mr. 36. Yes, sir.

I personally have taken ridicule from Judge Alexander to a point where I hesitate going to his court. I hesitate locking up anybody when he is on the bench.

Senator Byrd. What is the nature of the abuse to which you have been subjected?

Mr. 36. Most of the abuse would come in from the point, like I had a speeding case. There was two of us working in the scout car. I was riding shotgun, so to speak, on the passenger side of the car. My partner was driving. This car was speeding down the street, and I noticed the car going at an exceptionally high rate of speed. We fell in behind it. When I got on the witness stand to testify, the Corporation Counsel asked me what happened and I told him, and then Judge Alexander cross-examined me, which he does to most policemen. Instead of him—he was also under the impression that the judge was to rule on the evidence that was presented to him. And then he was to hand down a decision, if the evidence proved enough for him to be guilty he would be judged so. He would start asking such questions as "What position were you actually sitting in in the car? How did you see the exact speed on the speedometer due to the fact that you were looking at it from a side view?"

Then you would say, "Well, my partner told me that that was the speed."

"The case is dismissed because it is hearsay evidence."

Senator Byrd. That would not be abuse though, would it?

Mr. 36. It is ridicule. He would say "I don't want you coming in here with these stupid things."

Senator Byrd. He said that to you?

Mr. 36. Yes. Then he would say, on occasions he has said to policemen, "Is it possible if this had been a white man would he have been arrested?"

On vagrancy cases, because the U.S. Attorney, not the U.S. Attorney the Corporation Counsel's Office had drawn the papers up wrong, he would throw it out of court.

This leaves you wide open for a false arrest because you don't have any grounds to go on.

Senator Byrd. Do you have similar complaints against other judges on that court?

Mr. 36. Well, Judge Howlett sometimes. He tends to chew you out and threaten to throw you in a cellblock, and things of that nature. Judge Howlett goes overboard every once in a while too.

Senator Byrd. Which of the two seems to have the reputation for being more difficult.

Mr. 36. I would say Judge Alexander.

Senator Byrd. Insofar as policemen are concerned?

Mr. 36. Yes.

Senator Byrd. Mr. 36, we thank you. We appreciate so much your coming here today.

Mr. 36. Any time.

(Off the record.)

(Whereupon at 5:40 p.m. the meeting was adjourned.)

[Volume 8]

THE U.S. SENATE: REPORT OF PROCEEDINGS. HEARING HELD BEFORE SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA OF THE COMMITTEE ON APPROPRIATIONS

U.S. SENATE, SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA, OF THE COMMITTEE ON APPROPRIATIONS,
Washington, D.C., May 13, 1968.

The subcommittee met, pursuant to recess, at 6:00 p.m., in Room 105, The Old Senate Office Building, Senator Robert C. Byrd of West Virginia (Chairman of the Subcommittee) presiding.

Present: Senator Byrd (presiding).

Senator Byrd. I am not going to identify you on the record. You will be identified by number on the record. You will be No. 32.

STATEMENT OF WITNESS NO. 32

Senator Byrd. How long have you served with the Metropolitan Police Department?

No. 32. Two and a half years.

Senator Byrd. What is the greatest single problem confronting you as a policeman in your efforts to enforce the law in the District of Columbia?

No. 32. Failure to get cooperation from the courts.

Senator Byrd. Would you like to be specific with regard to a case in which you have had experience?

No. 32. Yes. I made an arrest on the 5th of April, 1968, of a man that I have known for the past two years, for carrying five gallons of gasoline up in the 4200 block of Wheeler Road. This was about eight hours after the whole shopping center in that particular area was wiped out by fire. And when I went to court I spent a total of 29 hours on this particular case and he got a $25 fine.

This was very discouraging to me and to all my friends and to my family that knew that I had this particular case, and this is just a minor case that I can think of right now.

Senator Byrd. What do you think he should have gotten?

No. 32. In the first place, I arrested him that Friday and he should have at least stayed in jail until the riots were over. But he was out of jail within a few hours after I arrested him and he could have gone out there and done some more looting and burning. He wasn't even held that long. As far as how much—he probably should have gotten six months to a year for carrying gasoline. This is a violation of the Mayor's proclamation, emergency regulations.

Senator Byrd. During the recent riot, did you feel that you were restricted in making arrests of looters?

No. 32. Yes, very much so.

Senator Byrd. By verbal instructions or by written instructions?

No. 32. Written, verbal, and through personal experience by working in the Police Department. I know that I can only go so far and I have seen too many of my fellow officers getting into difficult situations because they enforce the law as they were taught to do it in the Police Academy.

Senator Byrd. Is it one of your duties as a policeman to effect the arrest of felons?

No. 32. Yes, sir.

Senator Byrd. And is a looter not a felon?

No. 32. Yes, sir.

Senator Byrd. Why were you restricted and how were you restricted in arresting felons?

No. 32. Well, the policy as I understood it at the time of the riots was we were not to shoot anybody that was running away. We were not to shoot any looters. And we were hampered by the lack of——

Senator Byrd. At the present time let's not talk about the shortage of policemen; but let's talk about the policy that related to you arresting felons, namely, looters.

No. 32. Well, we had to protect—we had to stay within formation and we couldn't go out and chase looters into alleys.

If they were running away we had to stay within the formation that we had.

If we were standing guard in front of a particular store we had to stay there even though down the street there was somebody running away with loot.

Senator Byrd. If you had not been stationed at a specific location, and had seen an individual break and enter a business location and carry out an item, say a fur coat, would you have been at liberty to arrest that individual?

No. 32. Oh, yes. Yes. We did arrest looters; yes.

Senator Byrd. And you were not under any restriction with reference to arresting looters?

No. 32. No.

Senator Byrd. Other than when you were specifically assigned to a given location?

No. 32. That is correct.

Senator Byrd. Were you under any restriction with reference to the use of your firearms had an occasion arisen in which you would have needed to use it, your service revolver?

No. 32. To protect property there was a restriction. To protect my life or the life of another police officer or life of a citizen there was no restriction. And if the occasion would have arisen I would have used it.

Senator Byrd. It is my understanding that the police manual and the law provides that a police officer might use his police revolver to effect the arrest of a fleeing felon, lesser means to effect the arrest having failed. Is that not correct?

No. 32. Yes, sir.

Senator Byrd. Then would you not have been permitted to use your police revolver in stopping a fleeing felon?

No. 32. No.

Senator Byrd. That is what the manual provides.

No. 32. This is what the manual provides.

Senator Byrd. Is it not your duty as a policeman to stop a fleeing felon?

No. 32. Yes. But during the disorder my understanding was that there was a policy set up——

Senator Byrd. Whose policy was this and how was it communicated to you?

No. 32. Well, it was communicated to me through the Washington Post, which I read the following morning.

Senator Byrd. Wait a minute. The police officers in the Metropolitan Police Department are getting their official instructions through the Washington Post?

No. 32. Yes. I thought my instructions were supposed to come down through the channel but apparently somewhere along the line it didn't get to me or the officers that were working with me and we read about it the next day, there was a policy not to shoot looters. And I know a good friend of mine who did shoot a looter and today he is getting ready to be, his case is coming up in the grand jury. His family is suffering for this.

Senator Byrd. Could he have effected the arrest of this individual who was looting by apprehending him manually without resorting to his service revolver?

No. 32. I wasn't on the scene of this incident. But from what I heard—no, I couldn't give you first-hand testimony—but from comments that I heard he couldn't have done it any other way but to use his revolver.

Senator Byrd. Then if you read in the Washington Post during the time of a riot that all policemen were now to go home and go off duty, you wouldn't leave your station, would you, just because it appeared in the Washington Post?

No. 32. Naturally I would do some checking once I read it in the Post.

Senator Byrd. But you read in the Washington Post that you were not to use your service revolver in effecting the arrest of fleeing felons and so you and others with you decided this was the policy of the Washington Police Department?

No. 32. We checked into it. We discussed it with officials.

Senator Byrd. What officials did you discuss it with?

No. 32. I don't know offhand who exactly but with officials of the Police Department and we find out that this was in fact the policy.

Senator Byrd. But you had not heard about it previously either in writing or verbally, the first you knew about the policy was when you read it in the paper?

No. 32. That is correct.

Senator Byrd. Is it more difficult to enforce the law with Negroes as opposed to whites? Have you encountered any different type of problem?

No. 32. Yes, there is always the problem of the person thinking that you are arresting him for the mere fact that he is a black man and/or he is of the Negro race. So this is an additional difficulty which you never come across when you are working in the white community.

Senator Byrd. Does this occur with some degree of frequency?

No. 32. Very frequently.

Senator Byrd. Do you find yourself sometimes at the point of saying, "Oh, well, perhaps I won't arrest him, even though I would under other circumstances, because I might be subjected to this verbal abuse." Of course you don't ever decide that but do you find yourself——

No. 32. Yes, it crosses your mind. Because almost every police officer, like myself, has a family to support. I have got a mother and father to think about and I just don't want to see myself involved in a difficult situation where my parents or my wife will be harassed and this is the kind of things that comes about. So I think about it more than I do about what can happen to me. The worst that can happen to me would be get killed on the job and this wouldn't matter too much to me. But I think quite frequently about my family. If I do this, you know, how would this affect my family.

Senator Byrd. Are you more likely to have some type of charge brought against you in arresting a Negro as opposed to a white man?

No. 32. Yes, very much so.

Senator Byrd. How would you describe police morale at the present time?

No. 32. Very low.

Senator Byrd. What factors do you think are making police morale very low?

No. 32. Well, the lack of support we get from the courts. The lack of support we get from the community, which doesn't care if we are there or not.

Senator Byrd. You don't think that the community cares whether you are there or not?

No. 32. I don't.

Senator Byrd. Are you talking about the average law-abiding citizen or are you talking about the criminal element with which you deal?

No. 32. I am talking about the very low five percent which plays a very large part in the community. The way I see it in the community.

Senator Byrd. Are we talking about the criminal element or noncriminal element in that five percent? What five percent are we talking about?

No. 32. The criminal element, the five percent.

Senator Byrd. We know the criminal element would rather you wouldn't be there, but let's talk about the 95 percent.

No. 32. There is a five percent that makes up your criminal element. There is a five percent that is good citizens and 90 percent that doesn't care either way. And this 90 percent has too often let us down, have refused to come forward and speak up in favor of law enforcement and refused to speak in favor of upgrading the city, have refused to speak in favor of making our schools better. So we are concerned, we are letting the minority rule in the community.

Senator Byrd. This is the five percent we are talking about?

No. 32. That is right.

Senator Byrd. Which five percent?

No. 32. The criminal element and the radicals throughout the community.

Senator Byrd. When you talk about radicals, actually who are you talking about? You are not identified here. Are you talking about an organization?

No. 32. Yes, your Black Power advocates. Your Southern Christian Leadership Conference. Your SNCC. All your black radicals.

Senator Byrd. Do these organizations really cause a problem for the man on the beat?

No. 32. Yes.

Senator Byrd. How?

No. 32. Yes, they do.

Senator BYRD. How?

No. 32. Like I said, the man on the beat, he is not only responsible to himself and to the Police Department but also to his family. And if he is thinking about making a career out of the Police Department he must think about what these groups can do to a man.

Senator BYRD. This fear of harassment is something that is very real to you, isn't it? The average policeman that has a family and mother and father?

No. 32. Yes. Like I say, it is not fear for myself; the only thing they can do to me is kill me. But I am concerned about my family and the rest of my friends and other things. Speaking of the low morale, I think the riots had a great deal to do with the low morale and I know that a lot of my friends in the Police Department will be leaving the city pretty soon.

Senator BYRD. Your friends?

No. 32. Yes, my friends in my precinct and the rest of the Metropolitan Police Department. I have been talking to some of them on duty and off duty and we are going to see in the summer a lot of fellows will be leaving.

Senator BYRD. Why will they be leaving, because of pay, working conditions?

No. 32. Working condition—you pay a man to do a job and then you hurt him if he does it. We are supposed to come out here and enforce the law and arrest all these felons and yet, for example, during the riots there were people running up and down the street carrying clothes and things that they had stolen and we couldn't do anything, and I didn't think we had the backing that we needed.

Senator BYRD. Do you think you might get the public support that you have been talking about in some other community other than Washington?

No. 32. Yes.

Senator BYRD. You probably don't have any real information to base that on?

No. 32. No.

Senator BYRD. This would just be an opinion, wouldn't it?

N. 32. Yes, sir.

Senator BYRD. When you speak of your feeling that you don't have the backing of your superiors, specifically what do you have reference to—your immediate superiors?

No. 32. No. I think I will say our police headquarters. I would rather not name any names.

Senator BYRD. Name them. You are not going to be identified. State the facts as you see them, exactly as you would if you were talking to your fellow policemen.

No. 32. Well, I don't know how effective Patrick Murphy is. I am still very much in doubt. Back in February of 1968 I read in the paper where he stated in Congress that we are ready to curb all, any civil disobedience that was going to take place in Washington, and about six weeks later we had a riot, and from what I saw of the man or from what I read about him, I don't feel that he is going to back me up if I do anything wrong. I think the Police Department will throw me to the wolves. If I did something, even though I had the book behind me and I was following the law, as I say, the Police Department would throw me to the wolves in order to get the support of the community, in order to make themselves look good in the eyes of the public.

Senator BYRD. How do you feel about the presence of Federal troops in your precinct?

No. 32. It was great.

Senator BYRD. Were they brought in soon enough?

No. 32. No. They were brought in too late. By the time they came in all the damage was done.

Senator BYRD. You feel they were removed too early, or do you feel that they should have been removed at the time?

No. 32. They should have stayed longer and I think right now they should be in Washington learning about the city, learning about the community.

Senator BYRD. What is the population make-up of your precinct from the standpoint of whites and Negroes? People in the precinct, people in the community?

No. 32. About must be 95 percent Negro.

Senator BYRD. All right, Officer, I appreciate your giving us your time and your fine statement.

STATEMENT OF WITNESS NO. 38

Senator BYRD. You will be identified by number rather than by name.

Do you have any objection to my asking questions of you?

No. 38. No, sir, none at all.

Senator BYRD. Do you have any objection to your answers being taken down?

No. 38. No, sir.

Senator BYRD. You will not be identified by the record.

* * * * * *

Senator BYRD. How long have you served with the Metropolitan Police Department?

No. 38. Approximately 19 months.

Senator BYRD. What is the greatest single problem confronting you as a policeman in your efforts to enforce the law in the District of Columbia?

No. 38. The people themselves. Generally speaking the criminal element does not respect the law and does not abide by it.

Senator BYRD. Do you feel that there is a lack of respect on the part of the criminal element?

No. 38. Yes, one problem now, lack of respect, lack of communications between the policeman and the public and criminal element themselves.

Senator BYRD. So I assume that you really have reference to lack of respect toward the policeman on the part of the community, because we know that the criminal element doesn't have respect for you.

No. 38. Not only that but the community as a whole. They just don't for some reason, they have just been brought up so they don't believe in a police officer.

Senator BYRD. So your statement decrying the lack of respect for the policeman does not have reference to the criminal element so much as it does with reference to the public at large?

No. 38. The community in which I work.

Senator BYRD. The community. Because the criminal element probably has never respected—

No. 38. They never. So I wouldn't count on them.

Senator BYRD. So you are talking about the general public in your precinct?

No. 38. Yes, sir.

Senator BYRD. You don't feel that the police have their respect?

No. 38. Well, we have it but—would you rephrase that question again?

Senator BYRD. I think I was really summing up with a question of what you had already stated to the effect that you don't feel that the police really enjoy the kind of respect that they should enjoy from the public?

No. 38. No, they do not have it.

Senator BYRD. Would you name another problem that makes your job difficult to perform?

No. 38. Well, I think one of the most important is the court system itself. In other words, like I may lock up one person for a felony and he may go right back out on personal bond the next day and in most cases this is the case. I have locked up several known criminals for housebreaking or robbery and they are back out the next day on personal bond.

Senator BYRD. Are you saying the courts are too lenient on the criminal?

No. 38. Yes, compared with other states I think Washington is a haven for criminals.

Senator BYRD. Now, with respect to problems that confront you as a police officer in your efforts to enforce the law in the District of Columbia, you have mentioned, one, lack of sufficient support on the part of the community in your precinct; and, two, the leniency of the courts. Is there a third?

No. 38. Well, police morale is low.

Senator BYRD. Why is morale low?

No. 38. One factor, I think, is the surrounding counties. We are losing a lot of policemen to them because, well, the community out there is a better one to police in, to a certain extent. The uniforms, they look a lot better than ours. Prestige is a lot better being a police officer out there. You are respected. Morale is also low. Take, for instance, my precinct. It looks like it might be one hundred years old, compared to the other precincts.

Senator BYRD. You are talking about the stationhouse?

No. 38. Yes, looks like it is about one hundred years old.

Senator BYRD. How about the support of your superiors in the Department?

No. 38. Speaking of mine, in my precinct I think we have the best. I have nothing against our officials. I think we have the best. They back us, as far as I can see, one hundred percent.

Senator BYRD. You are talking about your immediate superior?

No. 38. Yes, on up to captain and inspector.

Senator BYRD. On above that into the top echelons how do you feel about the support you get?

No. 38. My opinion on that, I don't come in that much contact. Once it leaves my inspector I don't come in any contact whatsoever with any officials. Really I couldn't give you any opinion on that.

Senator BYRD. What is your impression of Director Murphy?

No. 38. Well, I hadn't really come to any yet. I would like to give him a little bit more time. I realize he is new to the job. I think he has wonderful ideas that I hope will get somewhere. I think he is for the Department and the city. But I think he needs a little bit more time so he can get himself together.

Senator BYRD. Do you feel that he is giving his backing to the police that they deserve?

No. 38. I think he is trying so far.

Senator BYRD. Do you feel that he is good for law enforcement in the District of Columbia?

No. 38. I think he has helped it some, yes.

Senator BYRD. What is the opinion of your fellow officers in this regard? Have you heard them express themselves?

No. 38. Some are for him and some are against. Some say that he is not doing enough. Some say that he is not for the Department. In other words, he can't do what he wants to do. He has to take his orders from Mayor Washington. He in turn takes his orders from President Johnson. In other words, he is just a middle man there.

Senator BYRD. How do you feel about Chief Layton?

No. 38. Chief Layton, well, it is hard to say. He is the only one I have worked under.

Senator BYRD. You feel that you have his backing?

No. 38. I feel to a certain extent, yes, because I have never been in any situation where it has shown different.

Senator BYRD. A moment ago you were speaking of the respect shown to the police by the public in your precinct. How do the Negro citizens in your precinct generally look upon you as a Negro police officer? Do they look upon you with pride or——

No. 38. Well, I think the majority of them appreciate me because I have seen cases where I have gotten something done where personally I don't feel that a white officer would have gotten it done. We have a certain low poverty area. I have known instances where white officers had gone in and got rocks thrown at them and personally I have walked down, walking the midnight to eight, walking the beat, and I have never had problems.

Senator BYRD. You feel you as a Negro officer are better accepted by the Negro citizens in the precinct than a white officer?

No. 38. Yes, I do feel that way.

Senator BYRD. Are you called an Uncle Tom by some Negro citizens?

No. 38. No, I have been called about everything else, the general curse words. M.F. and you ———, roller, the fuzz.

Senator BYRD. How do you as a policeman feel about being called these abusive names by the citizens?

No. 38. It doesn't bother me. I feel they would call me this anyway, if I were not a police officer, just someone out there trying to help them, the type, the caliber of people that would call me in the first place.

Senator BYRD. Would call you that anyhow?

No. 38. Yes, sir.

Senator BYRD. During the recent riot, did you feel that you were restricted in making arrests of looters?

No. 38. No, sir; I do not feel that I was restricted as far as my authority went. I do feel that there just weren't enough of us to do the job.

Senator BYRD. Were you restricted from using your service revolver as provided for in the police manual?

No. 38. Not restricted in the sense that I may use my revolver firing at a person that is fleeing from the scene of a felony. There are many times that I might have used it but better judgment made me feel that I just couldn't because, let's say, they were just taking liquor out of a store. Juveniles, maybe. Maybe 15 or 20 of them. I could have fired six times and possibly hit six times. But I didn't feel that the situation called for the use of the service revolver.

Senator BYRD. Well, now, what are your instructions? What were your instructions in regard to the use of your service revolver during the riots?

No. 38. Well, they said it was more or less use your better judgment. They didn't say that you couldn't fire. They didn't say to fire. They said to use your better judgment. If your life depends on it, use it. But they didn't say that I could fire at anyone. They didn't say that I was to fire at any looters.

Senator BYRD. The police manual authorizes you to shoot a fleeing felon to prevent his escape, if all other means have been exhausted, does it not?

No. 38. Yes, sir.

Senator BYRD. Is a looter a felon?

No. 38. Yes, sir.

Senator BYRD. And if it is an adult and you see that you are unable to make the arrest, he is going to get away, what are your instructions in that case?

No. 38. Sir, my instructions were still the same. Use your better judgment. I was not ordered to fire my revolver nor was I told that I could not.

Senator BYRD. What would your judgment be in a hypothetical situation such as I have described?

No. 38. If my life weren't in danger I don't think I would fire.

Senator BYRD. Why? If it is a fleeing felon and your police manual tells you to do this, why not?

No. 38. It doesn't say that I have to do it. It says you can do it. I still don't feel that I would fire. If I saw a person fleeing from a store with merchandise I do not think that I would fire my revolver.

Senator BYRD. How would you know that the person who is fleeing had not committed murder in the store?

No. 38. Well, this is true, sir. This is one of these things where I feel if I fired my revolver and maybe he was fleeing and had not been in the store, just saw me and ran, it is one of these things that I would have to live with.

Senator BYRD. Suppose you saw him come out of the store?

No. 38. Sir, during the riot there were quite a few occasions on which I observed maybe 15 or 20 coming out. I still did not fire. I don't think I would.

Senator BYRD. Suppose, as I stated, you saw one person, suppose you see tonight one individual, or tomorrow, running out of the store, running away from a store, he is carrying valuable merchandise, and you make an attempt to arrest him, you try to run him down and you can't, and he is an adult, let's say there is no danger of your shooting into a crowd, what is your policy going to be?

No. 38. Sir, I do not believe I would.

Senator BYRD. Why not?

No. 38. Fire on him.

Senator BYRD. Why not?

No. 38. I am one of these types of people who does not fire unless my life would be in danger or a felony has been committed such as armed robbery where he may be armed or homicide. Still during a burglary here he still may be armed but for burglary I don't think I would fire.

Senator BYRD. Where do you get this philosophy?

No. 38. I don't know, sir, it is one of these things.

Senator BYRD. The manual makes reference to a felony. It doesn't distinguish felonies.

No. 38. No, sir, it doesn't. I think they have a guideline there for your own judgment if you would fire or not. I still don't think I would fire just if he was running. If he made some other move, if I had reason to believe he had a weapon there is no doubt in my mind I would fire on him.

Senator BYRD. But how could you be sure that he hasn't slit the throat of the store owner in making his robbery and get away?

No. 38. That is something, sir, I just wouldn't know at the time.

Senator BYRD. But are you instructed to let an individual go in such a hypothetical situation?

No. 38. No, sir, I am not instructed to let him go. I am instructed to do everything that is in my power to apprehend him. Even to taking a life, if necessary.

Senator BYRD. Is it more difficult to enforce the law with respect to Negro citizens as opposed to white citizens?

No. 38. Yes, sir, I think it is.

Senator BYRD. Why do you say that?

No. 38. Well, from my own personal experience I have not come across that many white persons that have committed felonies, except for minor traffic violations during my course of duty. I run into more Negroes because of the population that is more Negro, about 95 percent. And the criminal element in my precinct is largely Negro. And I haven't had an opportunity to run across that many white persons except for maybe a drunk or disorderly. But the ones that I have run across, I think I have had more trouble with my own people, Negroes.

Senator BYRD. You mean they resist the arrest more?

No. 38. Yes, I think they do, the majority of them that I have arrested for major offenses, yes.

Senator BYRD. Do you find the making of the arrest of a Negro more difficult for other reasons than the one to which you have just referred, to-wit, that he resists the arrest more so than does the white?

No. 38. Well, I think this is general attitude. In the first place, he doesn't like police officers. I think I don't have any more trouble than a white officer in that case because in each case the white officer, he resents the white officer. And then in my case he resents me, too, because I am a Negro officer, see, and this makes him feel that I am turning my coat more or less.

Senator BYRD. How do you feel about the presence of Federal troops in your precinct?

No. 38. My personal opinion, I felt they came a little bit too late. It was nice to have them there but I think we could have used them a lot sooner. They could have prevented a whole lot of looting and everything, if we could have had them there about a day sooner.

Senator BYRD. Do you think their removal was timely?

No. 38. Well, as far as my point of view is concerned they could have stayed there another week or so. I mean it would have given us a sort of a break more or less, because right after they left, then the crime, the pocketbook snatching, the robberies picked back up.

Senator BYRD. Do you feel that there should be a Federal troop presence in your precinct now?

No. 38. Not at this time, sir. I feel that one should be close by in case we need them.

Senator BYRD. In connection with the poor people's campaign, have you heard any discussions in the precinct, in listening to the public, which would indicate that there might be a new outbreak of disorder?

No. 38. No, sir, not directly. Only what I have heard from the papers and different statements by Carmichael and a few who have said they will do something. But nothing directly to me that would make me feel that something is going to break out.

Senator BYRD. All right, officer. Thank you very much.

I appreciate your visit and your statement.

Good night.

STATEMENT OF WITNESS NO. 39

Senator BYRD. You will be identified on the record as No. 39. This will allow you to speak with complete candor and without any fear of your being identified as the individual who made whatever statement may appear on the transcript.

* * * * *

Senator BYRD. How long have you served with the Metropolitan Police Department?

No. 39. Two years.

Senator BYRD. What is the greatest single problem confronting you as a police officer in the District of Columbia in your efforts to enforce the law?

No. 39. I think depression.

Senator BYRD. Depression?

No. 39. Yes, sir.

Senator BYRD. You mean low morale?

No. 39. Yes.

Senator BYRD. What would be the most important reason for the state of low morale?

No. 39. I think it is lack of professional pride.

Senator BYRD. All right, on whose part?

No. 39. Well, I don't feel as though I have any pride in the fact that I am a law enforcement officer in the District.

Senator BYRD. Have you always felt that way?

No. 39. No, sir.

Senator BYRD. How long have you felt this way?

No. 39. Well, I think it is practically the appointment. My father was a policeman here for a long time and it seems to me that the city has changed radically.

Senator BYRD. In what way?

No. 39. Well, I don't feel that the policeman himself, acts as a policeman any more. He is too much of a social worker, friend of the community. He doesn't represent police to the community any more. Too much time spent on civil matters and not enough attention given to police work.

Senator BYRD. Do you feel that you have the complete backing of your superiors as a police officer?

No. 39. No, sir.

Senator BYRD. Are you speaking with reference to the precinct level?

No. 39. No, sir, I am speaking in reference to the whole chain of command. All orders seem to be rather ambiguous in my opinion. Seems to be no direction.

Senator BYRD. At what level do you feel that there is the greatest lack of support for good law enforcement in the District of Columbia?

No. 39. Well, I think it is at the issuance of the general orders that affect the Police Department.

Senator BYRD. And what person would be responsible?

No. 39. I imagine this is a collaboration of the planning and development and then I imagine they consult the parties concerned and then I imagine the Chief of Police and Director of Public Safety all have to approve the final format of any order.

Senator BYRD. Whom do you hold most responsible for this lack of support?

No. 39. I don't think it can be pinned on any one person. I think it is a disorganization within the higher command. I think everybody is trying to feel everybody else out up there. Indecision in the top.

Senator BYRD. Do you feel that this is something that has existed all the time you have been in the Department?

No. 39. Yes.

Senator BYRD. Has it accentuated as of late?

No. 39. I think so, yes, sir.

Senator BYRD. What is your opinion regarding Chief Layton as a chief who supports the police and who wants to see the laws enforced?

No. 39. Well, I don't think he is quite—he is not firm enough.

Senator BYRD. Well, how do you feel about Director Murphy in this respect?

No. 39. Well, I think Director Murphy has completely negative ideas, as far as I am concerned.

Senator BYRD. Negative ideas in what regard?

No. 39. Well, I heard or saw on television one of his statements to a recruit class that 95 percent of their time is going to be spent helping people and actually 5 percent of the time is going to be engaged in law enforcement—when crime is the biggest problem. People have always been able to solve their own problems if given enough direction. There are other people that they can seek. When it comes to an actual crime matter, they want a policeman, not a social worker, they want somebody that is positive. They don't want an indecisive man on the street as we have now.

Senator BYRD. You may or may not have understood Director Murphy exactly and he could be misinterpreted as any of us can be. But how does your image of Director Murphy affect your morale as a policeman in your efforts to enforce the law?

No. 39. I am indecisive. I also feel that it is useless to depend on the Department for any backing. I always feel any decision I make I am going to have to carry the majority of the weight and so therefore it leads me to go a little farther than probable cause in every case, almost to an absolute fact, and this makes the crime rate rise.

Senator BYRD. During the recent riot did you feel you were restricted in making arrests of looters?

No. 39. Yes, sir, I think so.

Senator BYRD. Were there any instructions which created doubt in your mind as to just how far you should go in attempting to arrest and apprehend looters?

No. 39. Yes, sir.

Senator BYRD. There were such instructions?

No. 39. Well, as far as I can interpret, any use of the service revolver, of course when you are chasing a felon you have to make that decision. But as far as I have been able to interpret the orders, I understand the connotative meaning to me you don't shoot fleeing felons.

Senator BYRD. Are there instructions to this effect?

No. 39. This is exactly what I got out of the training academy, is what I understood it to mean.

Senator BYRD. This is an impression you have received prior to the riots.

No. 39. Yes, sir.

Senator BYRD. And the impression was what, again?

No. 39. Not to shoot fleeing felons.

Senator BYRD. Not to shoot fleeing looters or fleeing felons.

No. 39. A looter, if he commits an act of burglary, if there was no other possible means to have effecting his arrest then according to the manual you may use your service revolver. But like I say, in that decision, I don't think I would shoot because I would have to carry that entire burden by myself.

Senator BYRD. And where was this impression ingrained into your understanding?

No. 39. At the police academy.

Senator BYRD. How long ago was this?

No. 39. I graduated from the police academy in 1966.

Senator BYRD. Was this feeling enhanced by any instructions issued to you during the riots?

No. 39. No. As a matter of fact, there were very few instructions given. There was a real breakdown as far as the orders. I hardly received any orders, you were left more on your own.

Senator BYRD. How would you describe police morale in your precinct at this time?

No. 39. Very low.

Senator BYRD. Now you have indicated why you personally have had your morale adversely affected. In listening to your fellow police officers, to what do you ascribe the low morale in your precinct at the present time?

No 39. They have no pride whatsoever in their profession. They are not proud to be a Metropolitan policeman. It is an eight-hour job to pick up a check every two weeks and I think that is as far as it goes. And most of the better fellows would go to another police department if they could make the same money. They would leave tomorrow if they could make this kind of money or if they could afford it.

Senator BYRD. What are their beefs as you listen to them, what do they complain about?

No. 39. Well, courts mainly. Of course they complain about the court system. But I think a lot of them don't understand that the court system here is independent of the wishes of the people. They blame the people for the courts. They say it is the people's fault that the criminal gets let go. Whereas they control the courts, whereas these are Federal appointees in the court system, they don't represent the people as elected judges do. When you make a good case you are as much on trial down there as the defendant. And any use of force in an arrest, there will be more time in front of the jury, the jury itself will hear more time on what force you used to make the arrest than they will actually in what the defendant's acts were in this case on which actually there is the trial. You are forced to make the arrest, if it is assault by the policeman, that is another case in itself.

Senator BYRD. Is there any particular court or any particular judge who has been abusive to or disrespectful to you as a police officer?

No. 39. No, sir. More trouble I have is with defense attorneys. Maybe the judge allows them too much latitude. But of course he is more qualified as to what the latitude of the law is in the case. But there has been a lot of reports from Judge Alexander. I have only been in front of him twice. Both times I had convictions and I took down everything he said.

Senator BYRD. You said there were a lot of reports concerning Judge Alexander. You mean reports from other police officers?

No. 39. Yes, sir.

Senator BYRD. Have they been treated disrespectfully by him?

No. 39. That is their indication, that he doesn't treat them as they feel they should be treated.

Senator BYRD. Have they indicated the identities of any other judges who are similarly disrespectful toward them?

No. 39. Well, I understand that had some problems back there about Halleck at one time, although I never have. I haven't been in front of him that much.

Senator BYRD. Other than complaints about the leniency of the courts, what other complaints do you hear from your fellow police officers?

No. 39. Well, they complain about the equipment, for one thing. Now, a lot of times there could be some real good cases made if we had the facilities that some other departments had.

Senator BYRD. What other beefs do they have?

No. 39. Just dislike of the citizenry in our precinct.

Senator BYRD. Why do they dislike the citizenry?

No. 39. The citizens over there, most of it, the contact we have is in the housing projects in the low-rent areas and people on the relief and of course reading the newspapers every day these people have the idea that the policeman out there is against them. And they don't want to cooperate because they are afraid if they open their mouth up they are going to be the one that is arrested. And, of course, you have to control the juvenile traffic because they don't watch them. They let them run the streets all hours of the night and you get a lot of trouble with juveniles. Here recently we have had incidents where you drive a scout car up to an area to take an accident in one of these projects and all you get is a hail of rocks and of course naturally the police resents the citizens and——

Senator BYRD. Resent the citizens for what reason?

No. 39. They don't control their children and they act out their aggressiveness against the Police Department when actually the Police Department didn't have anything to do with them being poor. The policeman is up there taking an accident report, and they are going to throw rocks. It is just they resent that symbol of authority. But like I say, you can't blame them, the newspapers, they completely play down the policeman where he is some kind of beast and so they feel all the policeman is up there to do is take a stick and beat them over the head rather than go out and arrest a criminal breaking into their house.

Senator BYRD. How do you feel about the presence of Federal troops in your precinct?

No. 39. They didn't get there fast enough to suit me.

Senator BYRD. Were they removed at the appropriate time?

No. 39. Well, I imagine that is hard to say, sir. It is a powder keg over there all the time.

Senator BYRD. Do you feel that they should have been removed at the time they were taken out or do you feel they should have been removed earlier?

No. 39. Well, I think when they were removed, they were removed at the proper time but I don't think they were called in quite soon enough.

Senator BYRD. Do you feel that they should have remained in the precinct longer?

No. 39. No, I don't think so. But I think they should be standing right by where we can get hold of them.

Senator BYRD. How easy is it to get hold of them if the traffic is highly congested at 3 or 4 o'clock in the day and a disorder has broken out?

No. 39. Well, I think that is a tactical plan, we have certainly got a lot of parks in the area where they could be air-lifted in with these helicopter maneuvers. I don't think that would be a problem. But it is getting them in there in time.

Senator BYRD. Do you feel that the troops should be in your precinct now.

No. 39. Advisable?

Senator BYRD. Yes.

No. 39. I think that would be just further agitation.

Senator BYRD. Why would it be agitation?

No. 39. Same symbolism as before, symbolism of authority. I think these people have been let go so far they feel at any time anybody shows authority they ought to react.

Senator BYRD. Didn't that presence of authority during the riots have a leveling and sobering and calming effect upon the citizens?

No. 39. Most of the juveniles that were causing all the trouble, they thought it was a big joke.

Senator BYRD. Why?

No. 39. They knew the soldiers weren't going to shoot at them. They knew that first night. How they got the word? They laughed at them. They knew that is what it was and they waited for them to walk down the street and they would jump in a place and wait for them to get a few feet away and they certainly could outrun them.

Senator BYRD. Have you overheard any discussions which would indicate, let us say, that the criminal element in your precinct is going to take advantage of the poor people's campaign to create further disorder?

No. 39. Have I heard any rumors?

Senator BYRD. Have you overheard any discussions or anything said by the juveniles or hoodlums in your precinct which would indicate that they are waiting just for a spark to—

No. 39. Yes, they say the riots are not over yet. We haven't seen the end of it at all. How much of that is talk and how much of it is actually organized resistance is unknown right now. As far as I am concerned, I think it could break out at any moment.

We have a mass of people over there. There is a lot more people over there than the census knows about.

Senator BYRD. Is it 20 percent additional saturation going to take place in your precinct?

No. 39. It is mostly going to consist, I understand, of plants. In other words, police officers are planted in a liquor store or some place where they hit regularly. I don't think it is going to be too much foot patrol or visible.

Senator BYRD. Is this effective in your precinct?

No. 39. They have started it already.

Senator BYRD. Now, how is this additional manpower provided, is it through the working of overtime?

No. 39. Yes, sir.

Senator BYRD. And are the men selected through their volunteering to work overtime?

No. 39. Yes.

Senator BYRD. Are you being asked to work overtime?

No. 39. Yes, sir.

Senator BYRD. Do you feel that you are being pressured into working overtime?

No. 39. No, sir, I don't. I am not working it myself. I just don't have time.

Senator BYRD. So it is left up to each individual as to whether or not he wants to work overtime.

What is the pay for the overtime?

No. 39. Well, from what I understand, this is another ambiguous order and it has been interpreted three or four ways. We all work our six days for pay.

Senator BYRD. Is that at regular pay?

No. 39. You are regularly paid for a five-day week and I think there is a congressional authorization for the sixth day.

Senator BYRD. Is it at the regular rate?

No. 39. Time and a half.

Senator BYRD. And is the same thing true with regard to the innovation that has occurred in your precinct?

No. 39. That is what I understand, time and a half today.

Senator BYRD. How long has this been in effect in your precinct?

No. 39. Just a few days.

Senator BYRD. Have you seen any good results from it thus far?

No. 39. No, sir. I don't think it is going to last too long. I think as soon as they plant one of these stores and a holdup man with a few friends get wasted in a gun battle that will be the end of the plant.

Senator BYRD. Are you subject to a lot of verbal abuse as a policeman?

No. 39. Yes, sir.

Senator BYRD. As a practical matter how does a policeman deal effectively with verbal abuse?

No. 39. Well, there is no way you can deal with it except to repress it.

Senator BYRD. At what point—in your training as a policeman in the regulations of the Metropolitan Police Department—can you effectively deal with someone that verbally abuses you while you carried on the duties of your office? Is there any name that he can call you that you would be authorized to take him into custody?

No. 39. Well, if he used a profane and indecent remark in a public place, and I imagine that the court would want that to be within the earshot of some other citizen to show that another citizen around there could have heard it or a woman down at the bus stop or something like this, you may make it under the unlawful assembly statute, which if you take it to the Corporation Counsel right now they can't handle because the judge has ruled that comes under the United States Attorney and they are not equipped to handle that many minor cases. So what is going to happen there is going to be no papers in the process.

Senator BYRD. Are you subjected to verbal abuse on a daily basis as a policeman?

No. 39. Yes, sir, physical abuse, too. You, if you go up to a certain area in my precinct tonight to recover a stolen automobile you are going to have rocks thrown at your scout car.

Senator BYRD. W are talking only about verbal abuse. Can you recall in the last three months an officer in your precinct, any officer, successfully taking into custody an individual for this verbal abuse, and successfully prosecuting the case, or as a practical matter or do they not do it because they know the courts will not back them up?

No. 39. No, sir.

Senator BYRD. No, sir what?

No. 39. I can't think of any. I imagine——

Senator BYRD. Can you think of any language so vile or so abusive that you think that the authorities in the District of Columbia would back you up as a police officer in effectively dealing with it to try to dissuade the individual that this is something he shouldn't do?

No. 39. No, I can't think of any.

Senator BYRD. How does your wife view your career as a police officer?

No. 39. She wants me to quit and go to Prince Georges County.

Senator BYRD. As you look down the road, how do you view your own career in the District of Columbia?

No. 39. Well, I think pretty soon something has to give. Something has got to give because we are losing too many good men and we are getting too many men that are not qualified. They are incompetent. And maybe this is because I am gaining more experience and they look more incompetent but it seems to me we are losing the good ones and gaining the incompetent ones where in that precinct that is the opposite of what you need. You need more competency over there because it is more of a problem. It is not the same as it would be over in some other precincts.

Senator BYRD. What would be your recommendation for better enforcement of the law in the District of Columbia?

No. 39. Well, I tell you, if it was up to me and if I was the administrator of this department, the first thing I would do is I would cut out responding to a lot of these civil matters. And I would come down here and try to get the money I could to provide some fast-moving equipment. I don't mean automobiles but I mean communications equipment, and I would try to get just as many laws as I possibly could available on a signed complaint basis. In other words, you have the form in the car if he wanted to sign a complaint against somebody and he could be taken into custody.

Senator BYRD. You are talking about the mechanics of enforcing the law. What would be your recommendation from the overall standpoint of better law enforcement in the District of Columbia? What is the thing you need most?

No. 39. I think the thing we need most is good sound administrators. We need—the policeman needs somebody he can trust because you are given a public trust to use your best judgment and if you use your best judgment and you don't have the backing of your administrators and your administration just doesn't seem to know what that good judgment is, then you are not going to make the judgment. That is exactly what we need.

Senator BYRD. In other words, you need better backing.

No. 39. Right. We need good sound people at the top.

Senator BYRD. Even with this recommendation, would that be sufficient, unless the courts gave their backing to better law enforcement?

No. 39. Of course that is eventually where it all ends up. We certainly need a better court system and I really would like to see the people of this town have a choice of who is going to be the judge down at the General Sessions and who is going to sit in the District Court in Washington, D.C.

Senator BYRD. Thank you, Officer. I appreciate your statement.

STATEMENT OF WITNESS B.D. 1

Senator BYRD. You will be identified on the record not by name but by a combination of letters and a number. This will enable you to speak frankly and with complete candor and without fear of recrimination. You will be identified as B.D. 1.

Mr. B.D. 1, what particular problems do you encounter, as you go about your work on a day-to-day basis here in the District of Columbia?

B.D. 1. Well, on a day-to-day basis, actually I run into two problems. I am a bus driver for D.C. Transit. And I have been robbed twice in the last two weeks. One time was a snatch theft, where they just snatched my change carrier and ran off the bus. And the second time was an armed robbery.

Senator BYRD. These both occurred within the last two weeks?

B.D. 1. Yes, sir.

Senator BYRD. You described one incident. Could you describe the other?

B.D. 1. Well, which one would you like me to start with?

Senator BYRD. You explained the change snatcher. Now, the other one that you relate.

B.D. 1. The other one took place last Friday night and these three boys, ages about 18, were on the bus, riding on the bus.

Senator BYRD. White or Negro?

B.D. 1. Negro boys. In both instances they were Negroes.

As I approached the end of my line the three boys came forward and one of them stood by the cash box and had a little silver pistol in his hand and he said to me, "You know what this is, don't you?" And I said, "Yes." He said, "You know what we want, don't you?" I said, "Yes."

And at that time he took my change carrier off, also taking my watch off my arm and——

Senator BYRD. This is one of the individuals?

B.D. 1. Yes, sir. One of the other men was standing beside me and to the right. And I didn't know at the time that he had a gun until he shot me. He shot me in the arm back here and the bullet coming out on the inside and hitting me in the ribs. And at that time after I was shot, I swung my left hand and hit the man that was standing by the cash box and knocked the gun out of his hand and then I looked around and I saw that it was this man behind me that shot me. I had thought first it was the man in front of me. He was the only one I saw at the time with the gun. And they demanded that I open the cash box and give them the rest of the money.

Senator BYRD. After they shot you?

B.D. 1. Yes, sir.

Senator BYRD. Did you refuse to give them the money before they shot you?

B.D. 1. No, sir, I hadn't.

Senator BYRD. Did you intend to comply with their request?

B.D. 1. No, sir, I complied with their request as far as the change carrier went. They took the change carrier. I said, "Go ahead and take it." But the other money, they made me open the box.

Senator BYRD. This is after they shot you?

B.D. 1. Yes, sir.

Senator BYRD. You had no intention of turning over your additional funds other than the change box to them?

B.D. 1. No, sir.

Senator BYRD. Is this company policy that you should resist with reference to turning over moneys, even though you are threatened?

B.D. 1. No, sir, it isn't company policy to resist. However, we don't give them anything they don't ask for.

Senator BYRD. As in this case the reason you hadn't given them the other moneys is because they had not asked for it?

B.D. 1. That is right.

Senator BYRD. And there were three individuals, one of which you saw had pulled a gun on you. You described it as a little silver gun.

B.D. 1. Yes, sir; the other gun that the man shot me with was a bigger revolver type.

Senator BYRD. This is the second individual standing toward the rear of the bus?

B.D. 1. Yes, sir.

Senator BYRD. Where was the third individual?

B.D. 1. The third man was standing down in the doorwell by the front door.

Senator BYRD. He was actually farthest to the front?

B.D. 1. Yes, sir.

Senator BYRD. And the first you knew of this incident were the individuals leaving the bus?

B.D. 1. Yes, sir. I had stopped the bus at the end of the line and they came from the back up toward the front as if they were going to get off.

Senator BYRD. Were there other individuals on the bus at that time?

B.D. 1. No, sir, there wasn't.

Senator BYRD. How long have you been a driver?

B.D. 1. I have been a driver for a little over three months.

Senator BYRD. And during this three months, during the last two weeks you have had two instances of this nature. Have there been others?

B.D. 1. No, sir, not of robberies.

Senator BYRD. How do you view this situation that such instances can occur with such frequency? How do you view your position with D.C. Transit?

B.D. 1. Well, I don't know exactly why the incidents take place. We have had many robberies. This particular line I was working on at the time of this last robbery has been robbed many times.

Senator BYRD. What in your opinion could be done to effectively deal with a situation like this that does appear to occur with greater and greater frequency?

B.D. 1. Well, really I think other than having a policeman on the bus would be to have the bus driver wear a gun. I think that would be the only thing that would stop it.

Senator BYRD. Would you be willing to wear a gun, if you were authorized to do so—do you believe the average operator would be willing to?

B.D. 1. Yes, sir.

Senator BYRD. Do you carry great sums of money with you? How does your change device work? Approximately what amount of money, I know it varies from time to time, but what amounts of money are actually involved?

B.D. 1. There is an amount each night, sir, of $87.75. This is in 200 tokens, 25 tickets worth 35 cents apiece and $29 in cash. This is what we start out with. As we sell tokens and tickets we naturally gain more cash money.

Senator BYRD. So at the end of the day you are likely to have several hundred dollars?

B.D. 1. No, just the $87.75.

Senator BYRD. And the money that you took in during the day, where did that go?

B.D. 1. That goes in the cash box, sir.

Senator BYRD. Do you have means of opening the cash box?

B.D. 1. No, sir.

Senator BYRD. Other than the change device, the other money, these individuals that robbed you later asked for, where was that?

B.D. 1. We have a little metal box, sir, that is approximately 8 inches long and 6 inches wide that is locked with a padlock where we keep our money, the greatest amount of it. We generally keep change for a $5 bill or something in our shirt pocket and then we have approximately $10 or $15 in our change carriers.

Senator BYRD. What do you think caused these individuals to shoot you? Do you think the gun accidentally went off or do you think it was done intentionally?

B.D. 1. I think it was done intentionally.

Senator BYRD. Did you menace them threateningly?

B.D. 1. No, sir, I didn't, and the one man that did shoot me, as he left the bus he threatened to shoot me again.

Senator BYRD. And you had complied with the order, request that he made?

B.D. 1. Yes, sir.

Senator BYRD. Why did he not shoot you again?

B.D. 1. I don't know.

Senator BYRD. Did you ask him not to?

B.D. 1. Yes, sir, I asked him not to.

Senator BYRD. How did you say it?

B.D. 1. Well, I said, "Don't shoot me again, you have already shot me once." At that time they were all three leaving the bus. I had gotten up out of the driver's seat when I knocked the gun out of this one man's hand. I had gotten up out of the driver's seat and to open the change box and after I had given them the money I just went back to a back seat behind the driver's seat and sat down there.

Senator BYRD. You could not, of course, determine the extent of your injuries at that time?

B.D. 1. No, sir, I couldn't.

Senator BYRD. Could you tell it was not a body wound?

B.D. 1. I thought it was more of a body wound because the only thing I felt was my ribs down here. I didn't feel the bullet penetrate my arm at all.

Senator BYRD. Were there other people on the bus at that time?

B.D. 1. No, sir, there weren't.

Senator BYRD. There was no one else who witnessed this?

B.D. 1. No, sir.

Senator BYRD. No one else upon whom you could rely for assistance?

B.D. 1. No, sir.

Senator BYRD. Did these individuals call you bad names?

B.D. 1. Yes, sir, they did.

Senator BYRD. What were their parting remarks, if you can recall them?

B.D. 1. I don't recall what they said as they left.

Senator BYRD. Were they all larger than you or smaller than you?

B.D. 1. One of them was about the same height as I was. I would say he was about 4′10″ and one was around 5′9″ and I think the other one was smaller, 5′8″.

Senator BYRD. What about the one out of whose hands you knocked the gun? Did he attempt to retaliate or did he strike you?

B.D. 1. No, sir, he didn't. He just bent over and picked the gun up again.

* * * * *

Senator BYRD. Were you continually subjected to harassment and abuse? Were you the objective of name calling on the part of these hoodlums during your entire employment thus far with the company?

B.D. 1. During my entire employment I have had rocks thrown at me. I have been shot at with slingshots from the back of the bus by kids. I have been called filthy names by kids on the bus. There have been firecrackers shot on the bus. Just about anything you can mention goes on on the buses.

Senator BYRD. Why would you keep a job like this?

B.D. 1. I am not keeping it, sir.

Senator BYRD. But I mean prior to your being shot. Why would you want to hold on to a job of this kind?

B.D. 1. Well, it is a job and it pays good money, sir.

Senator BYRD. When you speak of good money, what kind of money does it pay?

B.D. 1. It pays right now I believe we are making $3.59 an hour.

Senator BYRD. And how many hours a day do you work?

B.D. 1. I work a little over eight hours a day.

Senator BYRD. This would be something like $28 or $29 a day?

B.D. 1. Yes, sir.

Senator BYRD. Well, when one considers the abuse, and the danger, the harassment to which you are subjected, nerve wracking conditions under which you have to work, is this enough money to make an individual want to continue in a job like that?

B.D. 1. Not really, sir, it isn't.

Senator BYRD. Does this abuse come from both white and colored?

B.D. 1. No, sir, I have never been abused by a white person on the bus.

Senator BYRD. Never?

B.D. 1. No, sir. The line I work is mostly colored people.

Senator BYRD. Are they both juveniles and adults or are they mostly juveniles?

B.D. 1. Mostly juveniles.

Senator BYRD. And can you tell the approximate distance of the weapon from you at the time you were shot?

B.D. 1. It was approximately three or four feet, sir.

Senator BYRD. Do you think it was an intentional effort to wound you in the arm or was it just an indiscriminate firing?

B.D. 1. I think it was intentional.

Senator Byrd. To wound you in the arm rather than in the body?

B.D. 1. No, he intentionally fired at me. I think he was a bad shot when he hit me in the arm.

Senator Byrd. You think he would just as soon have killed you right there?

B.D. 1. Yes, sir.

Senator Byrd. Was the individual arrested?

B.D. 1. No, sir.

Senator Byrd. Was any one of the three arrested?

B.D. 1. No, sir.

Senator Byrd. Would you be able to identify them in any way by name? Do you know who they were?

B.D. 1. No, sir, I don't.

Senator Bryd. Did you describe them to the police?

B.D. 1. Yes, sir.

Senator Byrd. Do you know whether or not the police have made any arrests?

B.D. 1. I haven't heard, really, sir.

Senator Byrd. Have you been asked to identify any arrestees?

B.D. 1. No, sir.

Senator Byrd. How did you summon law enforcement officials?

B.D. 1. I left the end of the line, sir, with the bus. I drove the bus down to South Capital Street and Nichols Avenue. A service station manager there called the police for me.

Senator Byrd. How long did it take them to arrive?

B.D. 1. About 10 minutes.

Senator Byrd. Are you not afforded any protection at all on the bus?

B.D. 1. No, sir.

Senator Byrd. Do you think one policeman would be sufficient on each bus?

B.D. 1. Yes, sir, I do because that would mean there would be two people there, the driver and the policeman.

Senator Byrd. You are not authorized to put a passenger off the bus?

B.D. 1. No, sir.

Senator Byrd. One that subjects you to verbal abuse?

B.D. 1. No, sir.

Senator Byrd. Shoots you with a slingshot?

B.D. 1. If he shoots with a slingshot and I know who shot it.

Senator Byrd. Or fires a firecracker?

B.D. 1. If I know who did it I could put him off the bus.

Senator Byrd. But no amount of verbal abuse would authorize you to put the individual off?

B.D. 1. No, sir.

Senator Byrd. No name so filthy or dirty that he could call you that you would be authorized to put him off the bus?

B.D. 1. No, sir.

Senator Byrd. Is this in a written directive to you?

B.D. 1. This was told me when I took training as a bus driver.

Senator Byrd. Are most of the bus drivers white?

B.D. 1. I would say it is about half and half now, sir.

Senator Byrd. Do you know whether or not Negro drivers are subjected to the same harassment from Negro hoodlums?

B.D. 1. I don't know, sir. I have heard some of them tell stories and from the stories they tell they are getting the same harassment.

Senator Byrd. Is the company having difficulty keeping and employing drivers?

B.D. 1. I believe they are, yes, sir.

Senator Byrd. Is there much damage done to the buses by these hoodlums?

B.D. 1. We have a terrific amount of windows broken out of buses and seats cut up by knives and things of this nature.

Senator Byrd. Do you think the situation has become any worse since the riots?

B.D. 1. Yes, sir, it has. I definitely believe it has.

Senator Byrd. Do you feel that the company is going to be able to continue to operate buses and they will be able to continue to keep drivers on the buses, if the situation continues?

B.D. 1. No, sir, I don't.

Senator Byrd. I take it that you do not plan to continue in this employment here in the city?

B.D. 1. No, sir, I do not.

Senator Byrd. Thank you very much.

STATEMENT OF B.D. 2

Senator Byrd. You will be identified by letters and a number. You will not be identified on the transcript by your name. Thus you will be able to speak with complete candor, frankness and without any fear that someone might identify you with a particular statement.

So you will be identified as Mr. B.D. 2.

* * * * *

Senator Byrd. What is your present employment?

B.D. 2. Well, I was employed by D.C. Transit. Right now I am not working. I got several beatings on the bus and they stopped me from driving.

Senator Byrd. How long were you employed by D.C. Transit?

B.D. 2. 26 years.

Senator Byrd. Are you married?

B.D. 2. Yes, sir.

Senator Byrd. Do you have children?

B.D. 2. Four. All married.

Senator Byrd. You were employed 26 years?

B.D. 2. Yes, sir.

Senator Byrd. And you say you are no longer employed by D.C. Transit?

B.D. 2. I am still on sick leave. I might be retired, I guess, as of August, first of August. Sometime in July or August my sick leave will run out.

Senator Byrd. What is the nature of your sickness?

B.D. 2. Well, loss of memory. The doctor thinks it was caused, I got beat up on the bus two different times and I went back to work. The first one was March of '66. And then I was off six weeks that time. I went back to work and I worked then until, let me see, November of '67. Then I was off from November up until January, the second day of January, and I worked about two weeks and come down with this lack of memory. And I worked I guess part of my run I work on a split shift.

Senator Byrd. Who beat you up in the first instance?

B.D. 2. A colored man. Happened about 3:30 in the afternoon.

Senator Byrd. A colored man?

B.D. 2. Yes, sir. Got on the bus at the end of the line and I pulled down to the second stop, picked up passengers, and while I was making change he came up from the back and I just supposed he was coming up to ask a question or get a transfer, didn't pay any attention and he struck me across the head with I don't know what he had in his hand, but it broke my glasses, cut my eye, give me a concussion. And then this last time——

Senator Byrd. With reference to that instance, did he take your money?

B.D. 2. No, sir. He didn't knock me out the first lick and so I closed the door and grabbed my change carrier off the dash and he took a swing at me the second time and I ducked that and I turned around out of the seat and was able to kick him back in the bus, back against the seats, and by that time I was up out of the seat and of course somebody saw me coming back, saw the blood running, and they thought I was shot and they called the police. But I started after him and he run back and jumped out the back window. These new type buses have windows where you kick out the bottom and he run his shoulder through that and got away.

Senator Byrd. Was he arrested?

B.D. 2. Never did catch him.

Senator Byrd. You were not robbed on that instance?

B.D. 2. No, sir.

Senator Byrd. Did you get any assistance from other people on the bus?

B.D. 2. Only had one man on the bus. Didn't get any assistance from him.

Senator Byrd. Was he white or colored?

B.D. 2. Colored.

Senator Byrd. But he did call the police?

R.D. 2. No, there was somebody in a car outside come by and saw it and there was people. I was right at the High Ice Cream store and two colored children run in the High Ice Cream store and told them to call the police, some-body was beating the driver up.

Senator Byrd. The other rider on the bus didn't give you any help at all?

B.D. 2. No.

Senator Byrd. Was he white?

B.D. 2. Colored.

Senator Byrd. He didn't attempt to assist you?

B.D. 2. He didn't attempt to assist me or didn't attempt—I think he was scared as bad as I was. But he didn't.

Senator Byrd. What would you judge to be the age of your assailant?

B.D. 2. I judge him to be around about in the 25 to 30.

Senator Byrd. Now, with regard to the second instance in which you were more recently assaulted.

B.D. 2. That happened at Alabama Avenue and Stanton Road, Southeast, about 7:30 at night. There was a bunch of teenagers, they pulled into the stop and people getting off the back door, they came in the back door, about six of them. And I asked them to come up and pay their fare or get off, and they all got off the back door and got up and went out the back door very nicely, except one, and he got up. When the rest of them got off the back door I closed the switch on the back door so they couldn't reenter again and he came walking up to the front. He was like he was going to get off. When he got up to the front door to get off he reached over and made a grab for my change carrier and of course I was watching him and I grabbed, put my hand on the change carrier which we have a chain on. He didn't get that but he got the transfers and he throwed that out the door. And then I go up out of the seat because I was expecting something and he grabbed me and I had already closed the door then and he grabbed me and shoved me back over against the wheel and kicked off, put his foot up against the seat and just kicked himself right over and tried to open the door. By that time the others had kicked the glass out of the door. Some of them came around the side and tried to open the side door and I overpowered him then and so then they throwed the transfers back in and said, "Mr., let him go. We haven't got anything of yours now. Let him go." So I didn't know what the rest of them on the bus would do and there was the teenagers from, I would say, around 16 to 18, so I said, "Well, all right, I will. You boys shouldn't be doing this kind of thing," and I said, "I will let you go." So when I opened the door for him to go out they had a pipe or something solid and they struck me across the face with that and they went on out the door and left and didn't get any money or anything.

Senator Byrd. Did it knock you out?

B.D. 2. Didn't knock me out. Knocked me backward against the seat but not enough to—this time I wasn't unconscious or anything. I had four or five on the bus.

Senator Byrd. Did anyone offer assistance to you?

B.D. 2. No, sir, nobody.

Senator Byrd. Were they all Negroes or——

B.D. 2. One white person on the first side seat on the right and the rest were all colored.

Senator Byrd. And the white person didn't offer to assist you?

B.D. 2. No, sir.

Senator Byrd. Was he an elderly person?

B.D. 2. He was an elderly man. I would say he was in his fifties and he walked, when he did get off the bus, he walked with a limp. He said he was scared, as bad, I guess, as I was.

Senator Byrd. And you haven't worked since then?

B.D. 2. I worked two weeks. After I got better. My arm was hurt on that and I had—my head was hurt. But I went back and then after my arm got good enough they let me go back to work. I worked two weeks and then I came down with the amnesia.

Senator Byrd. Has the situation gotten progressively worse over the years since you have been working as a driver?

B.D. 2. My, yes. Up until the last 10 years it was I enjoyed it. I really liked it. It was something different. You always had different people and I worked right through the colored section of the city all the time. I worked in Southeast. We worked up there on one we had going up on the Berry Farms and around in there and from the Navy Yard, and I never had no trouble with them. They would get on the bus and say "Mr." and I would wait on them.

Senator Byrd. What has made the difference in the last 10 years in your judgment?

B.D. 2. It is a different class of people coming in I would say that is the biggest thing. Altogether a different class of colored people than it was. It is these younger and more arrogant than the older ones.

Senator Byrd. More arrogant?

B.D. 2. Yes. The older people still get on the bus that I had hauled years ago and they all speak to me and they will talk to me and tell me how they hate the way things are going.

Senator Byrd. Well, now, what is it like now to be a bus driver in those areas?

B.D. 2. You are just, well, I don't know hardly how to put it. From the time when you go on you are in a nervous strain expecting anything to happen. You never know what is going to happen. You are just sitting there. Every move that anybody makes in the bus you are looking in the mirror, you are expecting them to come up and hit you over the head or put a gun in you. It is nerve wracking.

Senator Byrd. When you go home at night, what do you think about?

B.D. 2. Well, you try to relax and get something off your mind, if you can. You try to find something else but most of the time when you lay down to sleep you are still seeing them coming and waking up at night with dreams or hear somebody hollering, "You white so and so," all this.

Senator Byrd. Do they call you names?

B.D. 2. Oh, yes.

Senator Byrd. What kind of names? You can initial the first letters.

B.D. 2. M.F. and Whitey and all that kind of stuff. And S.B.

Senator Byrd. Why continue in a job where you are under this constant harassment and your life is in danger?

B.D. 2. Well, it wasn't bad up until the last five years when it began to get worse, of course I could say 10 years ago, but not very bad. You just had areas and you could overlook it but the last five years it really began to get bad and of course by that time I had 20-some years in and my age was past going out into some other type of work.

Senator Byrd. How old are you now?

B.D. 2. 56. Will be 57 next month.

Senator Byrd. Are you eligible now for retirement?

B.D. 2. Yes, sir. I won't get very much but I will get some retirement. Our retirement is based on the amount of years you have in and the amount of money you have made.

Senator Byrd. How many years do you have to have to qualify?

B.D. 2. 25 years. You have to have 25 years in and——

Senator Byrd. Do you have to reach a certain age?

B.D. 2. With mine the doctor says I will be on disability. I can retire now on disability. But otherwise I would have had to be 62. If I would have had 30 years at the age of 60 I could have retired.

Senator Byrd. 30 years at the age of 60 or 25 years at the age of 62. But in your case you have a disability and you will be able to retire earlier?

B.D. 2. Yes, sir.

Senator Byrd. Were you not allowed to carry a gun?

B.D. 2. No, sir.

Senator Byrd. Had you asked for protection of any kind?

B.D. 2. Well, our union has asked for protection. I never made an individual request.

Senator Byrd. What kind of protection was requested by your union?

B.D. 2. We have asked for police protection. We have asked for guns and glass cages or something around the buses that we could have to put around us.

Senator Byrd. What is the name of your union?

B.D. 2. 689. That is Amalgamated Street and Electric Railway.

Senator Byrd. You have said that you were subjected to a great deal of verbal abuse during the last few years. Are there any conditions, any names, that you might be called that would have permitted for you to put that individual off the bus.

B.D. 2. Well, at one time.

Senator Byrd. At the present time.

B.D. 2. At the present time, no, because the Police Department just doesn't take anybody off the bus.

Senator Byrd. Would the company permit you to put an individual off the bus that was abusive toward you?

B.D. 2. Well, not as far as language is concerned, I don't believe they would.

Senator Byrd. There is no name, no matter how vulgar, he could call you, that you would be permitted to put him off the bus?

B.D. 2. If you got a complaint from the passenger. As long as they call us and the passengers don't complain about it they don't. But if your passengers complain to you then they ask you to have them taken off.

Senator Byrd. Verbal abuse of you as an operator, there are no conditions or no names that you would feel like you had such authority?

B.D. 2. They don't back us up. You have to take whatever they call you unless it gets too abusive, and the passengers complain.

Senator Byrd. I understand about the passengers.

B.D. 2. But as far as individually, no.

Senator Byrd. Under the law you are not allowed to remove such people from the bus?

B.D. 2. No, you have to have the police officer to and now you have to have a statement from one of your passengers besides yourself that they are using too abusive language to them and then you can have them removed but you have to have one of the passengers and officer back you up.

Senator Byrd. What is the attitude of your fellow bus drivers toward this situation?

B.D. 2. Scared. I will put it that way. Very scared. We have a lot of colored bus drivers come up here from the south, different places, we have had a lot of them to quit. They didn't mind the driving and they like the work but they are just scared to death and they said some of them their wives told them they could either make a choice between driving and a wife, or they were going to leave, they weren't going to put up with this, have them scared to death going out at night and don't know whether they will be back alive or not and a lot of them have quit. Can't blame them. They are young enough now when they start out they can go to something else.

Senator Byrd. I appreciate your coming to my office.

B.D. 2. That is the circumstances now with me. I guess I will have to be retired, I can't even drive my own car. The doctors won't even let me drive my own car.

Senator Byrd. This results from the assault?

B.D. 2. Yes. The doctor says the first one. They have given me all kinds of tests. They have had me in the hospital and run tests and brain waves and spinal taps and I have a spot on my brain and they said that that is caused from the one two years ago but it probably would have went on and wouldn't give me any trouble but the last one aggravated it and that is what caused it. Don't even trust me to drive my car.

Senator Byrd. I guess in a way you are glad to get out.

B.D. 2. I am glad to get out, I really am. Some of the times my memory don't work too freely.

Senator Byrd. I think you have done very fine. You have made a good statement.

STATEMENT OF WITNESS B.D. 3

Senator Byrd. I am going to designate you by a combination of letters and a number here rather than by name on the record because you might prefer it that way and you can speak freely and not feel that you will be identified in any way with any statements on the record.

B.D. 3. I don't mind that.

Senator Byrd. I will refer to you as Mr. B.D. 3.

Mr. B.D. 3, how long have you been a resident of the District of Columbia?

B.D. 3. Well, I am really not a resident. I hold my residence at Harpers Ferry.

Senator Byrd. You are from West Virginia?

B.D. 3. Yes, sir, and I own property there.

Senator Byrd. How long have you lived in the District of Columbia?

B.D. 3. I have lived here, it was 27 years May 2. That is when I went to work for the company.

Senator Byrd. How old are you?

B.D. 3. 58.

Senator Byrd. What company has employed you in these 27 years?

B.D. 3. D.C. Transit.

Senator Byrd. Are you presently employed by that company?

B.D. 3. No.

Senator Byrd. Have you been injured?

B.D. 3. I have been beat up twice. Once about 12 years ago, I was beaten by seven of them at Eighth and K. They held my feet and my arms and they beat my chest and had these big rings and left me with these bruised bones in the chest and my chest has bothered me ever since.

But anyway I went back to work. I was off for awhile because I got this eye damaged then, too. Busted blood vessel.

Senator Byrd. Who were these individuals upon that occasion?

B.D. 3. They were all colored and the same ones we have trouble with. The 17- and 18-year-old. They don't go to school, they hang around that corner there at 8th and K, wait for the girls to come there to transfer to go up to Garfield, Luke.

Senator Byrd. Were any arrests made?

B.D. 3. Yes, one boy, one of the boys was 19, I think, and he was sentenced to a year but said he was going in the army. So they let him go into the army. His name was Jones. And his brother was in it. And I don't know whether you read of the case but there was about 30 of them swore this boy wasn't in it. This one boy, there was no way for him to get out because when I hit him and knocked him out of the bus the policeman was there and grabbed him.

Senator Byrd. Mr. B.D. 3, you recited something about the first instance. Can you tell us specifically what happened and what lead up to your being held and beaten?

B.D. 3. Yes, sir. When you get a beating that bad you don't forget it.

There was some trouble on the bus in front of me and these boys come back and I was loading, I was right up behind the other bus and they come rushing in the doors and of course you don't try to collect a fare from them. If they don't pay you just forget it.

Senator Byrd. You mean if an individual doesn't volunteer the fare?

B.D. 3. Not that bunch, when there is six or eight of them together. Don't bother because you are asking for trouble. And they said, "There is no police"—can I use the language that they use?

Senator Byrd. Use the first letter of the word.

B.D. 3. They said, "Well, that white ———, there is no police coming and"——

Senator Byrd. Referring to who, you?

B.D. 3. No, somebody on the first bus. So they begin to use this ——— this and that.

Senator Byrd. They use that frequently, do they?

D.B. 3. Oh, yes. You live in Washington you hear it every corner. And so I made the mistake, I had all these girls from St. Cecilia Academy down there that were white at the time and I told them, "Watch your language." With that somebody hauled off and hit me and we were into it.

Senator Byrd. Hit you with his fist?

B.D. 3. Yes, and they tried to get me down in the aisle.

Senator Byrd. Could you identify who it was that hit you?

B.D. 3. Well, yes.

Senator Byrd. One of this group that you just referred to?

B.D. 3. Sure, because the police got there before they all got away.

Senator Byrd. They pulled you out of the seat?

B.D. 3. No, I hadn't gotten in the seat. I was relieving a man and my relief was standing outside.

Senator Byrd. You asked them to watch their language and one of them hit you and what happened?

B.D. 3. They all jumped me and tried to get me down on the floor. I knew what that was—I hit one and knocked him down and he grabbed me around the leg and another one did, too. They tackled me and I got around the stanchion with one arm and they tried to pull me down into the aisle and they just—well, I couldn't fight back. I had to hold on. I knew if they got me down they would kick me to death.

Senator Byrd. What did the girls from St. Cecilia Academy do?

B.D. 3. One got a broken nose.

Senator Byrd. They struck the girls, too?

B.D. 3. Yes. Another one got a black eye.

Senator Byrd. They were coming to assist you?

B.D. 3. No, indeed. Just because they were there.

Senator Byrd. And were there other adults on the bus?

B.D. 3. Yes.

Senator Byrd. What did they do?

B.D. 3. Nothing. They didn't come to my aid.

Senator Byrd. Didn't come to the girls' aid?

B.D. 3. No.

Senator Byrd. Were these white girls or colored girls?

B.D. 3. White girls. So, as I said, one man came up and kicked and then he run. But when he kicked this one colored fellow let loose. I made a grab for him and I pulled my foot back and the other one didn't realize I couldn't reach him and he let go of the other foot and I hit this one boy and knocked him out the door and he landed right at the foot of the policeman and he grabbed a brick out of the street and the policeman got him.

Senator Byrd. Had you summoned this policeman?

B.D. 3. No, somebody had.

Senator Byrd. This was at a busy intersection?

B.D. 3. 8th and K, 8th and Virginia Avenue, Southeast to be exact. And so they took me up to Episcopal Ear, Eye and Throat Hospital which was here, about 12 years ago.

Senator Byrd. This is the first instance. Would you relate the second incident in which you were beaten?

B.D. 3. Well, it was 5:30 in the evening, approximately. I stopped up at Ballou. It was Fourth and Nichols Aevnue. Ballou High School had had a football game that afternoon. And there was 300 or 400 there and I guess buses had been going by.

Senator Byrd. 300 or 400 passengers?

B.D. 3. Yes, and bus drivers were afraid to stop see. And they had these rocks. That is all. That is the only way I figure there could be that many there at one time, you know. Because at that time in the evening there should have been a bus going by there about every four minutes.

Senator Byrd. These were buses with facilities?

B.D. 3. This is an assumption on my part because I have been driving for years.

Senator Byrd. So just relate the part to which you are personally familiar.

B.D. 3. There was 300 or 400 there. And I stopped thinking that there would be an inspector or something there from the company or police, because after a football game you know there is always trouble and there wasn't one around. Well, they came in the front doors, back doors, they raised the windows on the right-hand side of the bus.

Senator Byrd. They surrounded your bus?

B.D. 3. They came in through the windows on the right-hand side.

Senator Byrd. These were juveniles, were they?

B.D. 3. Yes, sir, some of them could have been 18 or 19 years old.

Senator Byrd. White and colored?

B.D. 3. All colored. Not a white soul. I am the only white person there. So they had these Coca-Cola bottles, Pepsi-Cola and had rocks and I started down Nichols Avenue and they threw bottles, they threw rocks.

Senator Byrd. Out of the bus or in the bus?

B.D. 3. In the bus. At me. That shows you how crazy they are.

Senator Byrd. They threw the bottles in the bus at you, and the rocks?

B.D. 3. Yes.

Senator Byrd. Did they strike you?

B.D. 3. Some did. And I am driving 40 miles an hour. They reached up and got those metal things. Have you ever been on the bus?

Senator Byrd. Yes.

B.D. 3. That hold the signs up. They pulled those down and they threw those and I stopped at Sumner Road because I was afraid of catching one in the back of the head going that fast and kill us all. And when I did I turned around and one grabbed the change carrier as they went out. There were snatch chains on it and it held and none of the others made an effort to grab.

Senator Byrd. Boys or girls?

B.D. 3. There were boys and girls on the bus. But these were boys. Somebody must have thrown a Coca-Cola bottle and it hit me here and knocked all this bone out from under my eye. This is plastic. And I still have double vision and the company wouldn't put me back to work but they cut my compensation off. And it has been going on for 15 months.

Senate Byrd. Now, with reference to any other incidents while you were employed with the bus company, were you constantly subjected to harassment?

B.D. 3. It was only about three months before that I was going up Nichols Avenue and of course in a way I figured it was my fault because I have been driving on that line for 20-some years. 25 years or more at the time. And I made the mistake of opening that side window and if one of those jokers didn't cut loose with a rock and come in and hit me, just fortunately on the band of my cap, you know.

Senator Byrd. This was someone from outside the bus?

B.D. 3. Yes, one of the school kids coming from Ballou.

Senator Byrd. Were you ever assaulted other than the two times which you mentioned from passengers within the bus?

B.D. 3. Well, I had a colored man at 7th and—

Senator Byrd. The location is not important.

B.D. 3. Well, 6th and Constitution. He took one look at me and said, "You M.F., I am going to cut your head off." And I told him, "You had better go sit down," and I watched up in the mirror. He went back in the bus and he turned and reached up here and come out with a straight razor, white handle.

Senator Byrd. This was a Negro passenger or white passenger?

B.D. 3. Negro passenger. And he was drinking that wine, I guess, and he was crazy and he came at me with the razor and cut me right here and it shows up here, just a little scar when my face is dirty, but I kept kicking at him until I kicked the razor out of his hand. But he cut my pants leg, my shoes, and I beat him, I beat him, I tried to kill him.

Senator Byrd. Have you ever been subjected to abuse or assault by a white passenger?

B.D. 3. Never. You know, just somebody may argue a little about a transfer, but I never had a white person lay a hand on me, never.

Senator Byrd. Or threaten you?

B.D. 3. No.

Senator Byrd. Or put you in fear of being assaulted?

B.D. 3. No, indeed, never.

Senator Byrd. Or use profane language?

B.D. 3. Oh, maybe some of the fellows drinking during the war or something like that but——

Senator Byrd. Call you names on the bus while you were driving?

B.D. 3. Never filthy names like the colored people use.

Senator Byrd. And this was practically a daily occurrence, this verbal abuse?

B.D. 3. Yes, from the colored. And of course I——

Senator Byrd. And in recent years, did it tend to increase?

B.D. 3. Yes.

Senator Byrd. And under what conditions would you have been authorized to put a passenger, paying passenger off the bus for verbal abuse of you as the operator?

B.D. 3. You can't do that, you would be fired.

Senator Byrd. Under no conditions, no language so vile or so base that the passenger can use against the operator of a bus that you would be authorized or feel you could remove him from the bus?

B.D. 3. When Mr. Wolfson was here we didn't have to at that time. He said we didn't have to take abuse because we were bus drivers.

Senator Byrd. Is this something that occurred to you as an individual because of the particular run that you were on or is this something that is widespread in the bus company?

B.D. 3. It is widespread. Because I want to bring out that I had a good bit of seniority and I could have picked runs to get off earlier, better working runs but I picked runs so I wouldn't have to fool with the school children because there is where you got a lot of trouble with these teenagers.

Senator Byrd. You mean this abuse is worse with school children than adults?

B.D. 3. Yes, sir, sure. Between the ages of 14 to 25. Those are the dangerous ones.

Senator Byrd. All male? You don't have any problem with the female?

B.D. 3. Sometimes they are pretty loud but they don't attack you, but those between 14 and 25, you take 8 or 10 kids 12 years old, some of them are pretty good size, and they can do a lot of damage.

Senator Byrd. So with your seniority you could have selected other routes but you selected the routes that you had less fear on as the most preferable routes simply because fear was the controlling factor in the selection of your route?

B.D. 3. That is right. I could have gotten off 6:30 in the evening, but I picked runs that got off 7:00 or 7:30 at night to keep away from trouble.

Senator Byrd. Why does a bus driver continue to drive a bus under conditions such as these?

B.D. 3. You have to eat and your family has to eat. Just like this man Batty. He had had a heart attack when he got beat up but they told him either go back to work or "you are fired."

Senator Byrd. In the case of a hold-up, let's say you are held up and you are robbed of $23. Does that come out of your pay?

B.D. 3. Well, it is not supposed to. Here is the way they do it. They have got a money box with a lock on it, a padlock. You are only supposed to keep so much money in your thing and in your pocket. You are supposed to keep it locked up. And if you lose a wrist watch or something, it is an awful job, and you have to use a good watch because of the fact that you have to have the correct time. If you are caught six or seven times in one year ahead of time you are fired, you are automatically fired. So——

Senator Byrd. So you have to be right on time with your bus?

B.D. 3. Yes, you can't be ahead of time. You can be late but never ahead of time.

Senator Byrd. But loss of money by virtue of a hold-up is not taken out of your pay?

B.D. 3. Providing you don't have more in your pocket than what they say. But if you have more than that you are in trouble.

Senator Byrd. How much money are you allowed to have in your pocket?

B.D. 3. In the last two years it may have changed. I never worked at night so I know I wasn't allowed to have very much in there. But I want to tell you, I wanted to show you something here to show you how bad the company can be.

I got both pair of my glasses broken when they beat me up the last time and it cost me, that is what it cost, $49.00 for both pair of glasses, and look what the company sent to me and what they have on the back. And I could use that money but I am afraid to sign that and I asked them to give me another check for it and they wouldn't do it.

Senator Byrd. So this was in payment of your glasses?

B.D. 3. Yes, sir.

Senator Byrd. $49.

B.D. 3. $49.00. But you see how that reads on the back.

Senator Byrd. Endorsement of this draft by payee or payees is acknowledgment of the full settlement, satisfaction, compromise and discharge of claims and demands of every nature and kind.

B.D. 3. And I wouldn't sign it and cash it. My lawyer said I could but I am afraid to.

Senator Byrd. Well, I certainly thank you for coming in. I am just attempting to try to get a picture of the conditions under which our bus drivers have to do their work from day to day in this Capitol city.

B.D. 3. The company could help a whole lot if they were made to pay and take care of the men that got injured. That would hurt them and then they would do something. I would have never have got beaten up that evening if they had had an inspector after the football game. They have a two-way radio. They could call for police and could have seen what was happening. This would have never happened.

Senator Byrd. Mr. B.D. 3, I certainly want to thank you.

STATEMENT OF WITNESS B.D. 4

Senator Byrd. I am going to identify you on the transcript as B.D. 4. So you will not be identified by name and you can speak freely and openly and not be fearful that you will be identified in your statement.

Mr. B.D. 4, what is your age?

B.D. 4. 27.

Senator Byrd. Where are you employed?

B.D. 4. D.C. Transit.

Senator Byrd. Have you been employed on the same bus run throughout this time?

B.D. 4. No, I have worked practically every run they have in the division I work out of.

Senator Byrd. Are you married?

B.D. 4. Yes.

Senator Byrd. Do you have children?

B.D. 4. Two.

Senator Byrd. Have you ever been injured in this line of work?

B.D. 4. Once. I was struck by a bullet in April of 1965, in the elbow.

Senator Byrd. Mr. B.D. 4, what type of problem have you encountered in connection with the operation of a bus related to enforcement of the law? Have you had any particular problems other than this one incident which we were discussing a moment ago?

B.D. 4. I have had several.

Senator Byrd. Are you subjected to verbal abuse? Are you subjected to assaults? Are you subjected to robberies? Characterize the type problem that you have as you go about your day-to-day work?

B.D. 4. Speaking for myself, it is more verbal abuse and threats of assault.

Senator Byrd. Why should a bus driver be subjected to threats? Can you describe it for the record?

B.D. 4. It happens at least four days out of every week, if you are working night work, and a lot of times in the day. And why I don't have the slightest idea.

Senator Byrd. What type of abuse, describe it? A man gets on a bus, you are driving the bus, you have to collect a fare and you have to take him to his destination.

B.D. 4. That is the point.

Senator Byrd. What does he say to you?

B.D. 4. If you collect the fare you probably wouldn't work too long. You collect most fares.

Senator Byrd. You mean you let him ride free?

B.D. 4. You don't have any choice in a lot of cases.

Senator Byrd. Policemen and firemen?

B.D. 4. No, they are supposed to ride free if they are on duty. But just the average person.

Senator Byrd. You mean you let average people come on the bus and don't collect the fares?

B.D. 4. Certainly.

Senator Byrd. Is this the policy of the bus company?

B.D. 4. If they put up enough hostility you don't have enough chance.

Senator Byrd. If you get on the bus and act hostile you don't have to pay a fare?

B.D. 4. You are supposed to pay but lots of times you just have to let the passenger go, for your own safety and the safety of the others on the bus.

Senator Byrd. If he gets on the bus and acts hostile you don't collect the fare for understandable reasons and he goes and takes his seat, where does the problem come from? You haven't collected the fare and you are going to take him to his destination.

B.D. 4. That is what we can't figure out. Even though you do this, the person who does this will talk up anger, so to speak.

Senator Byrd. While he is riding free?

B.D. 4. Yes, and they will come up and attack you for no apparent reason. You have done all you can do. Unless you are going to take some money out of your pocket and give him.

Senator Byrd. When he gets on the bus he does this and rides free and stirs himself up with reference to his wrath, and comes up and attacks you, you have never been attacked but once?

B.D. 4. I have come close to it several times but usually I don't just sit there and give a guy a chance to grab me. I will always stop and be prepared for him. A lot of times this will sort of unnerve him.

Senator Byrd. Are we talking about juveniles or adults?

B.D. 4. Most of them are juveniles but there have been a lot of cases where there have been people older than I am who have performed these acts.

Senator Byrd. Most frequently they are juveniles that give most of the bus drivers their biggest problem?

B.D. 4. Yes, sir.

Senator Byrd. Mostly white or colored?

B.D. 4. Well, I haven't, just once, since I have been driving, have I been threatened by a white teenager, or white anybody.

Senator Byrd. Are you verbally abused by both white and colored?

B.D. 4. No, to be honest, it is 99 percent Negro.

Senator Byrd. You think it is directed toward you because of your race?

B.D. 4. I don't think so.

Senator Byrd. Do you think you are subjected to less or more abuse than a white driver?

B.D. 4. I would say as much as anybody else.

Senator Byrd. It seems to be directed toward the bus company?

B.D. 4. That is the whole thing I think. It is the bus company. They think that everything they do to the operator is taking it out on Mr. Chalk. Like when they break the windows they don't know that that is vandalism and the passenger is going to have to pay for it. They think it is breaking Chalk. Everything they do. That is the term they use. We are going to break Chalk.

Senator Byrd. Do they think the fare is unreasonable although you say the most that you have problems with don't pay anyway.

B.D. 4. I will tell you the people that we have problems with don't care if the fare is $1 or a dime.

Senator Byrd. You don't think it is related to that?

B.D. 4. No. The people that complain about the fare are the people who work daily. We pick them up in the morning and take them home in the afternoon but they don't give you any trouble.

Senator Byrd. The people that give you the most trouble, are they generally the ones that don't pay?

B.D. 4. Yes, sir, sure, people that are going to pay don't bother you.

Senator Byrd. Is this a sign that you can anticipate some trouble when an individual refuses to pay a fare?

B.D. 4. That is a good sign.

Senator Byrd. And he is usually running with someone else?

B.D. 4. Usually in a gang. Usually three or more. That is the way it usually is. Sometimes you will get a gang. We have five guys will get on and put a quarter in and say, "That is enough, we won't pay any more." What are you going to do? You are going to accept the quarter and go ahead.

Senator Byrd. What if you were to stop the bus and remove them from the bus or ask the police to remove them because they didn't pay the fare?

B.D. 4. As far as stopping the bus yourself and removing them, there is a provision in the contract that says you can do this if you are sure that you are able to do so. But there is just so much hardware out there in the street you don't do a thing like that. If you see a police officer you can stop him.

Senator Byrd. Have you ever done it?

B.D. 4. I have done it several times.

Senator Byrd. And asked the police officer to remove an individual who didn't pay the fare. Then what did he do.

B.D. 4. He removes them, true. But the next guy that comes alone, he is going to get the same bunch and that is what happened the night I got shot.

Senator Byrd. Would you describe the incident in which you were shot?

B.D. 4. Well, I was working the V–8 Wheeler Road line and I was pulled into the stand at Fifth and Nichols, Southeast when a bunch, about 30 teenagers, were jammed, were piling up at the door. But only three of them came on the bus. And neither three paid. Neither one of the three paid. One guy came up and took a handful of transfers. So I wasn't trying to take the transfers from him. I was simply telling him it is not nice to take other people's things unless they ask for it. And besides you shouldn't play with people you don't know. Anyway, you could get hurt that way. So, we had a good understanding. He didn't get hostile or anything. He gave me the transfers back and stepped off the bus. So they started to walk away. But one of the other fellows, not one of the three that got on the bus, came to the door and started shooting and that was it.

Senator Byrd. Started shooting?

B.D. 4. Yes, sir.

Senator Byrd. Had he been drinking?

B.D. 4. I think all of them happened to be drinking.

Senator Byrd. Did he shoot at you or indiscriminately in the bus?

B.D. 4. He was shooting at me because one bullet hit me in the arm and the other five somewhat of a circle, one here, one here, two in the back of me and one came straight across and hit the cross bar in the window.

Senator Byrd. You don't think he was firing to kill you?

B.D. 4. It definitely wouldn't have made any difference to him.

Senator Byrd. What did you do?

B.D. 4. Well, I got off the bus and a fellow, I didn't know his name, but he had been riding with me quite regularly, we flagged a cab and I went to the hospital.

Senator Byrd. Could you identify any individual involved in this incident?

B.D. 4. No, I didn't. Not definitely. There was one fellow that came on the bus I thought I could identify him. But I was told by a supervisor for D.C. Transit not to definitely identify anybody.

Senator Byrd. Not to definitely identify anybody?

B.D. 4. That is right. Say this looks something like the guy but don't put your finger on him. The detective over in No. 11, I think it was Detective Quinn, they got the gun but that is the last I heard of it.

Senator Byrd. As far as you know there were no arrests made in connection with this?

B.D. 4. As far as I know there weren't any.

Senator Byrd. Would you as an operator be willing to carry a gun if they were willing to issue a gun; do you think it would be helpful?

B.D. 4. I don't think it would be too helpful. Maybe for some people but not for me because when I am working a lot of times I don't even see my own friends. I don't notice people. I know the money and the traffic.

Senator Byrd. You think you have enough to do to watch the people that pay the fares and to watch the road?

B.D. 4. Yes, and if a guy wants to get you he can get the jump on you before you even know it.

Senator Byrd. You don't feel the presence of a gun or operator wearing a pistol would act as a deterrent?

B.D. 4. Not with these teenagers out on the street.

Senator Byrd. What names are you called by these people who harass you?

B.D. 4. I wouldn't want you to hear them.

Senator Byrd. Just use the first letters.

B.D. 4. I think the most common word is M.F. That is the most common word. Take when a guy gets on, well, when the gang gets on, they will always say, "We will give this man a quarter," or "we will not give him anything."

Senator Byrd. And ladies are on the bus?

B.D. 4. Oh, sure.

Senator Byrd. And hear this?

B.D. 4. Yes, sir, lots of times they will carry on conversations. I am not talking about grown-ups, I am talking about little kids. And it actually makes me feel bad, I hate to hear anybody use language like that.

Senator Byrd. Do they call you an Uncle Tom or anything because you happen to be a Negro who is working hard to do a good job?

B.D. 4. That happens, but it is rare. They will always say, "Well, you are trying to get money for Chalk." They don't come out and use the term, the word Uncle Tom, "but you ought to be giving me a break, I am your brother." I try to explain I can't do that. If I want to do that I will have to find another job. A lot of guys will say you ought to be giving me something instead of me giving you something, but I don't pay any attention to that.

Senator Byrd. Are you working as of now?

B.D. 4. Yes, sir.

Senator Byrd. Has your work become more difficult since the riots?

B.D. 4. No, for the past, well, say three years it has been about the same all the way. As a matter of fact the first couple of days of the riot people had a different type attitude towards the Negro bus driver. They were all, I guess, somewhat sorry but then after that blew over and things started up again. Of course that Saturday, I forget the day, I think it was the 6th or 7th, there were some teenagers cutting up and for the first time, probably first time since I have been working, certainly the second or third time, I had some grownups to stand up to them. I didn't have to say anything and that was unusual. But like I say, after a couple of days that blew over.

Senator Byrd. You are a young man, why do you want to hold onto a job that subjects you to this kind of harassment and abuse and danger of violence to your person?

B.D. 4. That is a good question. But I will tell you exactly why. Because of the money involved. I have a wife and two kids. And I remember when I first came to Washington I was working for $52 a week and we just couldn't make it and so I worked two jobs and I worked two jobs until the doctor told me I just had to stop because I was working seven days a week and 15 hours Monday through Friday and 12 on Saturday and Sunday. And we could barely make it then. And when I had the chance to get this job I was making more than both the others were paying. So, then the prices keeps going up so I guess I am stuck for awhile anyway.

Senator Byrd. What does this job pay?

B.D. 4. Well, it all depends on how much you want to work. You can make—usually, I will put it this way, the four years that I have filed income tax returns with this job it has been from $9,600 to $13,000. And I get a little more each year.

Senator Byrd. What do you get paid by the hour?

B.D. 4. $3.67½.

Senator Byrd. This is for how many hours a day?

B.D. 4. Well, it all depends. We will say eight hours. But you can work 10 or 12.

Senator Byrd. If you work more than eight hours do you get paid time and a half?

B.D. 4. Yes, sir.

Senator Byrd. Are there vacancies now?

B.D. 4. There are vacancies but I understand they aren't hiring.

Senator Byrd. They aren't hiring?

B.D. 4. Not at the present. I don't know for certain.

Senator Byrd. Is there right much of a turnover as far as you know?

B.D. 4. There is a tremendous turnover. As a matter of fact, I quit once for about three weeks and I had more difficulty in three weeks from the people that I was working for than I had since I had been with D.C. Transit. Not the public, I am talking about the supervisory staff. My brother worked for two years and he got robbed about seven times and he quit.

Senator Byrd. He worked as a bus driver?

B.D. 4. Yes, sir.

Senator Byrd. Why did he quit?

B.D. 4. He got robbed seven times and the last time they put a chain around his neck and beat him in the eye and he lost about three weeks work and had a lot of trouble with his eyes. He thought he would give it up.

Senator Byrd. Is he younger than you?

B.D. 4. Older.

Senator Byrd. What does your wife think of this type of work for you in this city?

B.D. 4. Well, she doesn't think a lot of it. She thinks that bus drivers and police are about the same. But since I have stopped working night work she doesn't fuss too much now.

Senator Byrd. Is night work more hazardous?

B.D. 4. More hazardous but you can make a lot more money.

Senator Byrd. How much does it pay per hour?

B.D. 4. The same thing but you have the opportunity to work more extra work. I used to work nights and you could double your pay working nights if you want to work.

Senator Byrd. What would be your recommendation as a bus driver as to what should be done to correct these conditions which make your job so difficult?

B.D. 4. That is another good question. I don't think carrying a weapon would help any and I don't think that putting an officer on the bus would help any.

Senator Byrd. You don't think it would help to put an officer on the bus?

B.D. 4. I don't think so.

Senator Byrd. Why?

B.D. 4. You get these guys coming in groups and more people are going to get hurt. The passengers would be more subject to injury than they are now. Because if the guy knows there is an officer on the bus, they are going to come prepared to deal with it, as it is now they take their spite out on the driver. If they get mad at any passenger they will come up and take it out on the operator. In my opinion, which probably doesn't amount to a dime, the parents probably have the biggest part to play in this thing.

Senator Byrd. How do you feel about your work when you go home at night?

B.D. 4. Well, I used to go home a little mad, half eaten, but you get used to it after awhile.

Senator Byrd. Do you feel under any strain or are you nervous?

B.D. 4. Sometimes. Like some runs you work and every time, especially late at night, every time somebody gets on the bus you find yourself drawing up, you really don't know what is coming until you get out of the boondocks and get downtown and there is more traffic and more people. At the end of some lines it is, gets you a little shook up, but I have gotten to the point now—I worked the night run Saturday—by the time I get off it passes over, I don't have that shaky feeling then.

Senator Byrd. Well, I thank you for coming in to my office. I appreciate your statement.

(Whereupon, at 8:35 p.m. the subcommittee adjourned.)

[Volume 9]

The U.S. Senate: Report of Proceedings, Hearing Held Before Subcommittee on the District of Columbia of the Committee on Appropriations

U.S. Senate, Subcommittee on the
District of Columbia, of the
Committee on Appropriations,
Washington, D.C., May 15, 1968.

The subcommittee met, pursuant to recess, at 6:00 p.m., in Room 105, The Old Senate Office Building, Senator Robert C. Byrd of West Virginia (Chairman of the Subcommittee) presiding.

Present: Senator Byrd (presiding).

Senator Byrd. We will designate you as XX.

STATEMENT OF WITNESS XX

Senator Byrd. Mr. XX, can you describe for me your activities or the activities of your particular unit to which you were assigned during the recent civil disorder in the District of Columbia?

Mr. XX. As you know, Senator, I was appointed as Commanding General of the D.C. National Guard upon another General's retirement on 30 November. So I have really only been with the Headquarters since 1 December.

In that time we have had a reorganization where we lost one battalion, like all states lost some units.

My Air National Guard was mobilized on January 23. When we were ordered to duty for this exercise we have just completed in April, the authorized or assigned strength of my command was around 1,911 individuals. Ever since I assumed command I have been very conscious of the civil disturbance aspects in Washington.

When I was appointed to the command of the D.C. National Guard last October, at that time I was made the commander of troops, both Army and Air for the operation in connection with the march on the Pentagon because during that operation the D.C. National Guard in a drill training status was on duty to assist the Metropolitan Police in the role of special policemen. In case of disorder we were assembled and we could have reacted.

Senator Byrd. Were all of your people designated as special policemen?

Mr. XX. Yes.

In the April exercise, because of the situation which was deteriorating in Washington, 5 April I asked for and received authority to assemble members of the D.C. National Guard in a training status so that they would be in being, so to speak, in case we were required for civil disturbance duty and Federalization.

Senator Byrd. At what time was this requested?

Mr. XX. Let me back up a little bit.

I was invited to a meeting in the Pentagon at 3:00 a.m., 5 April.

Senator Byrd. The authority that you previously referred to was requested prior to that time?

Mr. XX. At that time.

Senator Byrd. Or subsequent to that time?

Mr. XX. It was during that time. During this 3:00 a.m. meeting at which the Vice Chief of Staff of the Army and Mr. Murphy were present.

The concern was what might happen Friday night, inasmuch as the situation in this city appeared to have come under control in the early hours of Friday morning.

So I made the statement that if the D.C. National Guard was required Friday night I would have to have authority prior to noon to assemble them by that night.

At a subsequent meeting the next morning, I received authority at 12:35 p.m., on 5 April, to assemble my military police units. I then called my headquarters to order the two MP battalions, the M.P. group, my light maintenance company and my headquarters to assemble for a MUTA–5 training period.

Senator Byrd. We have reference here only to military police units of the National Guard?

Mr. XX. Yes, sir.

Senator Byrd. You had command or authority over no troops except the National Guard troops?

Mr. XX. I had no command over no units except my own National Guard.

Senator Byrd. There were other military police units from the regular army?

Mr. XX. Not at that time. They were not on duty at that time. So this is really the sequence of events.

I issued a call about 1:00 p.m. to those elements mentioned and then we implemented our alerting system, which is primarily a telephone alert, five people call five people. In responding my members were tied up in the traffic jams, the telephone system had a blackout and other disrupting activities were such that we were slow in assembling, through no fault of my members, but because of the circumstances.

While we were assembling, because the situation in the city appeared to be deteriorating, I ordered the remainder of the D.C. National Guard into a training status which was around 3:00 p.m. That was the Army National Guard and my two Air National Guard elements which I have left.

Senator Byrd. 2:00 p.m. on what date?

Mr. XX. 3 p.m. on the 5th. This is still 3:00 p.m. on April 5, Friday.

While we were assembling, I understood the President signed the Executive Order around 4:00 o'clock or thereabouts which then provided the authority for us to be placed into a Federal status. We came into a Federal status at 5:00 p.m.

Even though I had ordered the people to assemble in a training status we were called to active duty while we were assembling. In effect we never went into a training status. We entered into a Federal status at the same time authority for regular active army units to be committed based on the Executive Order and then the D.C. National Guard in accordance with prior plans became a subordinate headquarters, under Task Force Inside, which is the Military District of Washington. The code name for my command is Task Force Goblet Glass. I commanded Goblet Glass in the District during this period. During that time we were under Task Force Inside, which was commanded by General O'Malley.

As other outside troops were brought in overall command was at a higher headquarters called Task Force Washington, which was commanded by General Haines and then Task Force Inside became a subordinate headquarters to Task Force Washington.

Senator Byrd. What specific instructions were given to the members of your unit with reference to their authority, one, to make arrests, and No. 2, to utilize their weapons if the need arose?

Mr. XX. Instructions to our people being in a Federal status was that they should detain but turn over to the police authorities for the arrests and we were working with police. They rode in our jeeps or some of my members were in their staff cars. So we never in effect had to do any arrests.

Senator Byrd. Were all of your units stationed in proximity to the members of the Metropolitan Police?

Mr. XX. We worked directly with precincts and the Fire Department.

Senator Byrd. By predesignated plan?

Mr. XX. By predesignated plan, yes.

With respect to weapons, all men had ammunition in their ammunition belts, none in the weapon. Instructions on the use of weapons was this: We had to apply the principles of minimum force to accomplish an objective. And those principles are first, your rifle; second, your bayonet on your rifle; use of gas; the next step you had to go through was magazine in chamber, and then, round in chamber. That was the last step.

Senator Byrd. In referring initially to rifle, how did you mean rifle?

Mr. XX. Unloaded, with bayonet.

Senator Byrd. This would have been used as a physical hand weapon rather than for firing purposes?

Mr. XX. Yes, sir.

Senator Byrd. Did any member of your unit actually have occasion to place a round in his chamber under orders from an officer, and fire?

Mr. XX. We did not. We didn't fire any rounds. We didn't have to load. The authority to fire was delegated to my battalion commander protecting fire equipment. Inasmuch as we had small elements out with fire trucks that authority was delegated down to the officer in charge of that group as to when the individual would or would not fire. The other elements, would not fire unless there was an order—we had to go to higher authority for that order to fire—except to save their life or save the life of someone else.

Senator Byrd. Are you aware of any incident, during the time that your unit was acting under Federal authority, when individuals might have approached officers within your command requesting authority for them to police and remove looters from business establishments owned by them? This would have been units of some number in proximity to business establishments?

Mr. XX. I have no knowledge of that, no sir.

Senator Byrd. In the event the owner of such an establishment had approached one of your officers and requested him to designate members of his unit, in an area close to the business establishment, what would have been that individual's instructions insofar as how he should respond? Should he have designated individual members of his command to have removed the looters, detained them, or turned them over to the police? What action would he have taken had this occurred?

Mr. XX. This would be a matter of judgment again as to the mission of the soldier and the instructions for that post. If we were guarding a shopping center with patrols, which we did on a number of occasions, their instructions would have been to detain.

Senator Byrd. It is my understanding that some members of your unit were designated for the protection of firemen and that was their principal assignment?

Mr. XX. Yes, sir.

Senator Byrd. Other than these individuals designated for this specific purpose, what would have been the instructions of all individuals other than those protecting firemen, with reference to the arrest or detention of those engaged in looting?

Mr. XX. We would detain and the police would arrest. We were in communication by radio with police precincts.

Senator Byrd. Did members of your unit actually detain looters?

Mr. XX. Yes.

Senator Byrd. With some frequency?

Mr. XX. No.

Senator Byrd. In large numbers?

Mr. XX. Not in large numbers. It would have been a small number. I would say that our reports indicate that less than 15 were detained and turned over to the police.

Senator Byrd. A total of 15?

Mr. XX. Yes. sir.

Senator Byrd. You actually had how many men in your command throughout the city?

Mr. XX. I must have had—we had 1,833 that responded to the call. We had, I guess, 1,200 or 1,300 people in the streets. We have to look at our mission because the D.C. National Guard was placed under the operational control, in many instances, of active army units.

Senator Byrd. Did in fact the assignment to active army units alter the directions that you related earlier or the instructions?

Mr. XX. It should not have because we were all operating under the same instructions since we were all a Federal force.

For example, I had elements which were under the operational control of the 82nd Airborne Division. I had elements at one time that were under the operational control of the Sixth Armored Cavalry Regiment. I had elements under operational control of a Supply and Transportation Battalion. Other elements were sent to Lorton. So in the initial stages we were splintered off. One battalion had responsibility for securing all fire equipment that was dispatched to fires. This was handled by small security elements with each of the eight fire chiefs. As he responded to fires with equipment in his area, that element would go to protect the fire equipment.

About the fourth day General Haines, recognizing that my two M.P. battalions had the potential of the 503 M.P. active army battalion, which is one of their crack battalions, said we should be given battalion missions. So the 171 M.P. Battalion was placed under operational control of the 82nd and they assisted in the patrolling by jeeps of certain precincts for which the 82nd had responsibility.

Later on my 163 MP battalion was released from those other jobs and given a battalion mission of patrolling three precincts. So during the last five days of the exercise these two M.P. battalions were doing patrolling, one in precincts 14 and 11 and the other in three precincts, 8, 7 and 6, which are around the perimeter of Georgetown, American University and across Rock Creek Park, to Coolidge High School area. These units were operating as battalions rather than companies or platoons splintered off and attached to other commands.

Senator Byrd. Perhaps I misunderstood you. There were over something like 8,000 people arrested in the City of Washington during this period. You had something over 1,000 people operating in your unit for a period of four days. With the widespread looting there were only 15 people taken into custody by members of your particular activity?

Mr. XX. We wouldn't have detained many. We weren't in some of the hot areas. We were in 14 precinct across the Anacostia River. We were up on H Street, Northeast, where I had a company attached to the armored cavalry. We were extensively used in the western part of the city where there was no trouble, in the Georgetown area.

Senator Byrd. Mr. XX, do you consider your particular unit better prepared today to meet a civil disorder of the scope and size of the one that recently occurred in Washington?

Mr. XX. I certainly do. I will give you several reasons. Because of the manner in which the D.C. Guard carried out its missions during the April duty, the Department of the Army has brought both of the M.P. battalions to 100 percent in communications equipment. We are up to 100 percent in the new jeeps, M. 131. We are getting additional types of chemical weapons, like the M. 42 grenade launcher which will lob a grenade into a window in an apartment or a high office building.

Based on the problems we had in alerting our people at work, at lunchtime on a Friday, I have revised our training schedule so that instead of half of my units training one weekend and the other half another weekend, we have revised the training schedule so that a company size unit trains at the armory every Wednesday and Friday night and a battalion size unit every weekend and this will continue throughout the summer.

I have also revised the annual field training program so that instead of everyone going away at one time in August, the two M.P. battalions have split so that half a battalion will go for a two-week period and the other half will go for two weeks, all training at Fort Belvoir. We can give eight weeks of coverage that way with M.P. battalions in being so we can put our hands on them immediately. The Evacuation Hospital will be training at Fort George G. Meade two weeks after that. So we have continuous coverage with somebody on duty status every weekend. We have the radios mounted on jeeps and the jeeps stored in the basement of the armory. We don't have to take the radios off.

Senator Byrd. Mr. XX, your two, if you will, less than full-strength military police battalions at the time of the disorder fielded how many men for the two?

Mr. XX. Out into the field?

Senator Byrd. Attached to those two M.P. battalions? You said they were less than full strength.

Mr. XX. 93 percent strength.

Senator Byrd. At the time of the recent riot.

Mr. XX. Yes, I had about 1,200 M.P.'s.

Senator Byrd. Stationed in the city at one time?

Mr. XX. Group and two battalions. One of them 550 and the other 600 strength.

Senator Byrd. Out of the 1,200 individuals, how many of them would have carried a set of handcuffs?

Mr. XX. We have all the accoutrements of an M.P. battalion. So there would have been handcuffs with the individuals.

Senator Byrd. How many of the individuals would have had a set?

Mr. XX. I can't answer that.

Senator Byrd. 50 percent, almost all?

Mr. XX. Let me say 25 percent.

Senator Byrd. Mr. XX, you indicated that not many of your troops which were attached to various and sundry different units and different missions during the course of these events, but not many of them were stationed in heavily damaged or heavily infiltrated areas. Could you tell us something else about the areas in which you were specifically assigned such as the H Street area?

Mr. XX. I think we have gone back a little bit to the point that there is continuous planning for civil disturbance operations in Washington by the active army and we are one element of the 8,000 or 9,000 troops in the plan. The missions assigned to the National Guard, because we are a small organization in numbers and our primary units being the M. P. battalions, the type of mission that we have under that plan are primarily in the area of static type security. We are responsible for the security of certain bridges, for power plants, utilities building and the Fire Department headquarters and McMillan Reservoir. And we have security of the Municipal Building. These missions under the plan were "prepared-to-do" type of missions.

When this operation started, therefore, some of the missions we had did not materialize. Consequently, we were available for these other type of missions. That is the reason that in the original plan we would not be committed as battalions but we had static type security of installations and other types of active army elements had operational control in the other areas like 14th Street and 7th Street. We were not therefore committed except as we had troops available. These other preplanned missions did not develop. We were put under operational control to assist some of the other elements.

Senator Byrd. Is it not envisaged that military police battalions would be equipped and prepared and perhaps preferentially assigned to areas where wide varying type police activity or police need existed?

Mr. XX. I agree.

Senator Byrd. Do you think your military police units were effectively utilized as they might have been?

Mr. XX. Let me put it this way. I believe that they were effectively utilized based on the circumstances at the time. However, based on the lessons learned and capabilities the missions of these two M.P. battalions have now been changed to the extent that in another civil disturbance one of these M.P. battalions has a precinct for which it is responsible for going into and operating directly with the police. That to me is a real true mission. The 503 M.P. battalion will be in an adjacent precinct so that the new mission shows the capability of the guard now that we have been equipped and brought up to allowances with our communications. We can operate as an M.P. battalion. The other battalion still has the fire fighting protection that only takes one company because we assign 12 people each to the eight fire chiefs. The other M.P. battalion has fire equipment protection, bridges, certain predesignated facilities and a mobile reserve that can instantly respond where needed.

Senator Byrd. Is it not true, however, that prior to July 1 of 1967, over half of the individuals assigned to these two M.P. battalions had never participated in any M.P. training, that they were not designated as military policemen, they were transferred in from other units when the question of civil disturbance first arose and was assigned as an army?

Mr. XX. I wasn't commanding in July 1967 but the troop basis that they had then was units organized, at 55 percent strength. They had the two M.P. battalions, an engineer battalion and another detachment the Military Police Interrogation Center, all at 55 percent. When we had to reorganize on 31 December into the new troop basis, we lost the M.P. interrogation center, and an engineer battalion. Those members were then assigned to M.P. units and had to be retrained as M.P.'s. So we have had to retrain the engineer types to make military police out of them.

I would say, though, that these two battalions can be employed effectively. I hope that if—I don't hope—if we have another civil disturbance I hope that the D.C. National Guard is the first military unit on the street and I hope that we are the ones that can combat these citizens and that was the attitude of my people. They were upset because they felt they should have been the ones on the street first to combat the citizens because they live and work here and they wanted to be on the street. And I am doing my best to see that they are the first ones on the street.

Senator Byrd. Mr. XX, in your opinion, the operational directives to your individual troops with reference to the use of the weapon, had that need arisen, and you have earlier stated that the occasion did not arise in which any individual needed to load much less utilize his weapon, had this situation developed otherwise, are you satisfied that the authority delegated down only to a battalion level would be satisfactory to cope with a situation that you might envisage?

Mr. XX. The delegation we had went to the battalion. I gave it down to the battalion and had the responsibility redelegated so that the Lieutenant out with the group of men could have——

Senator Byrd. Delegated it down to all the officers?

Mr. XX. Down to the officer in charge of the group protecting the equipment.

Senator Byrd. As a practical matter the officer to whom a platoon is assigned, do you feel in your opinion that is as far as the authority to load and utilize a weapon should be passed?

Mr. XX. No, I don't think so. My reason is that some of my seasoned noncommissioned officers may have better judgment than a new lieutenant. I think a noncommissioned officer sees the situation and a noncommissioned officer has the judgment as to when you should and should not use it. We never faced crowds that had a situation that gas wouldn't move them. One of my units, a company, had to clear an area because of a large fire and the crowd appeared a little hostile but they went into their riot formation and cleared the street with no incidents.

Senator Byrd. Do you think that your troops might have been utilized more effectively had they been in the streets earlier than they were?

Mr. XX. I think they could have but the circumstances prevented their being there. As I said, I am not satisfied that——

Senator Byrd. With the notification procedure, yes.

Mr. XX. Yes.

Senator Byrd. Which you say you have improved.

Mr. XX. Yes, sir, we already have a message with radio and TV stations when one of seven names whom I have given to these stations properly authenticated, give them the word, they will go out with the announcement that all members of the Guard are hereby ordered to the armory without delay. I have made all of my men conscious of the fact to keep a close ear to the ground this summer by radio and TV and newspapers, kind of get a feeling of what is going on and use some judgment. If they think they might be needed get in touch with their next superior and see if he knows of anything.

We have also stored our ammunition and chemicals at locations where we are ready to go when the men assemble. We didn't have that before. We had a series of incidents that hindered us. One thing is that armory is used by other than military. We train two weeks a month and it is used for shows two weekends a month. When you have a show in the armory they use the floor and basement. I have to move my equipment to Fort Sims, four miles away on Alabama Avenue and Nichols Avenue. This happened to be a sports show that occupied the basement and the armory floor. When my first men arrived I sent them down to Sims to get the vehicles and they were involved in terrific traffic jams, one at Suitland Parkway and the Beltway. When we got up to Camp Sims the shopping center next to it was being looted and burned so I had a frightening moment that I might not be able to get to my equipment. But we got in there to overcome that. As a member of the Armory Board I have proposed a fence around the parking lot with barbed wire on it so at any time the armory basement is used my vehicles can go into the parking lot. Then when the show is over the vehicles move indoors. I am not going to put them at Camp Sims any more. We also have our chemicals and ammunition broken down to company size packets. All the units have to do is draw them. We have already constructed the windshield covers to stop breakage. We are ready to go. I think we will respond much more rapidly next time than we have at this time. The attitude was terrific.

Senator Byrd. What do you mean?

Mr. XX. Attitude of my men. Morale was high, esprit was high.

Senator Byrd. What is the attitude of your men now toward the performance during the recent disorder in the light of the restrictions under which they were working?

Mr. XX. Their attitude hasn't changed. I think they are a little more sober to the extent that they may not have as many free weekends as they hoped this summer. That they are kept more on a semi-alert basis because we do have the weekends to cover. Also I obtained authority for some additional drills around the 30 May area so we will have units on duty the 20th, 30th and 31st of May.

Senator Byrd. Let me ask you this question. Do you feel that once the men were on the street and the impact of their appearance had worn off, and the looters had come to the conclusion that they were in no danger of being shot and they could do pretty much as they pleased, and that the troops weren't going to interfere, that the efficacy of troop presence had just about shot its wad? How do you react to that question?

Mr. XX. I think you have to stop the looting.

Senator Byrd. Let me ask you this question. Do you feel that the use of the troops in this instance, considering the restrictions under which they were working, really amounted to just a "show" of force without any substance there, without any substance, and I don't say this in criticism of the men. I know there is plenty of substance there if they are allowed to use it. But under the conditions under which they were performing, in your honest, sincere judgment, was this just a show of force, did it have any real impact upon the people, and once the curfew was instituted, which was pretty effective, was there any real benefit derived from the presence of the troops on the street?

Mr. XX. I would think so, yes, sir. We never had the feeling that we were restricted in our operations or that if a situation arose that required a great amount of force up to maximum, that we wouldn't and couldn't have received authority to use the maximum. I personally think that we never saw any large crowds together that we had to break up in operation of my troops. We never saw any large crowds we would have to disperse like we have been trained to do in civil disturbance operations. We had more or less scattered groups. We never got to a confrontation with a large crowd so therefore it is my opinion that these were small groups that were going around doing the hitting and looting and running and they had the advantage of selecting the time and place. I never felt that we were restricted in our operations and I do think that the troops in here had a sobering effect on some of these criminal elements. I also had the fear personally when the troops pulled out we might have an outbreak again and it has been kind of spotty ever since.

Senator Byrd. Do you feel that the troops were pulled out too soon?

Mr. XX. No, I personally feel we may have held them a day too long.

Senator Byrd. Why?

Mr. XX. I got a real sinking feeling myself. I used to go around every night. Every place I had troops stationed, I used to visit them. We worked with precincts and for about the last two to three days I got the real distinct impression that we might be helping police with normal police work. And that was a little dangerous, too, to this extent. To give you an illustration, sir. We worked different concepts with different precincts. In some precincts we would have patrols going through areas directed by the precinct captain and in some we might have one of our men riding in their police car and they might have a policeman riding in one of our jeeps. In Precinct 11, which is Anacostia, they had developed a concept which concerned me a little bit when I learned of it of a patrol car and a jeep team. In the latter stages of this operation there was a case where this police car took off like a shot and my member tried to follow him in a jeep. Some of these new jeeps will flip over pretty easily and what the police car was running down was a report of a stolen car and he was taking off after him. So when I ran across that incident and then talking to others I felt we were more or less helping the police with their normal police work. And I was glad when we were released from duty because my men were at a high peak at that time and they were starting to sense they were helping the police with normal police work. If we had kept them any longer the morale would have gone down. We let them off at the right time.

Senator Byrd. In talking to various merchants and businessmen here in the city, I find that the impression was pretty clear among the hoodlums and looters and the troublemaking element that the troops were just on display, that they weren't going to shoot, had no fear of the troops, and that being the case I am wondering just how beneficial the use of the troops actually was. I think the curfew itself was probably the most effective single factor.

Mr. XX. That was the best factor, get them off the street.

Senator Byrd. In the whole equation. Got them off the street. But the presence of the troops didn't seem to awe them, if I understand the people to whom I have talked, these hoodlums would make the remark they are not going to shoot you.

Mr. XX. But they never tested that. They may have said that but they never tested it. And to my knowledge—

Senator Byrd. What do you mean they didn't test it?

Mr. XX. They didn't go in and try to loot to see if anybody would shoot.

Senator Byrd. From my conversations with various merchants these hoodlums would walk into the stores and bring out things and show them, hold them right up in front of the troops and the merchants themselves would ask the troops to interfere and they didn't. Then the looters caught on to this pretty fast.

Mr. XX. You are talking about in the early stages of this.

Senator Byrd. All throughout.

Mr. XX. As I say we may have been in the position from our view in the D.C. Guard of not being in areas where that happened, because there the hard hit areas were precincts 13 and 2, and then 9th precinct and 14 to some extent. We worked in 14. We didn't run into that situation.

Senator Byrd. I am not trying to find fault with you or your men, I am just trying to establish whether or not the use of all these troops working under the policies which governed their actions really amounted to a heck of a lot.

Mr. XX. I believe that it did, sir, and I sincerely believe this that if I would have had my people in being earlier Friday than we were able to get together we could have done some good up on H Street, because that it not too far away from our armory.

Senator Byrd. Mr. XX, what is your feeling as to the actions the troops should be allowed to take in any future disorders here in the city, if those actions go beyond what you were permitted to take in the recent disorder?

Mr. XX. I personally feel that the principle of application of force that we used—we don't go down and try this before. You can go down through the various stops and decide this is the thing you should do—no use going out with the rifle or bayonet or gas, you have to do something else. I think the rules of application of minimum force allow you to go quickly through the choices. I think also that because of last summer's situation where there was so-called wild firing, spraying bullets all over, that there should be some control on when you can fire a bullet.

Now, we have gone into this. We are training our people in antisnipers technique—I think the term sniper is used very loosely. A sniper will hit you. Being from West Virginia you know if a man wants to hit you and he is a sniper he will hit you. A lot of it may be gunfire. A lot of it is noise that sounds like a sniper. And if you didn't have control somebody could start firing back to sounds with bad results.

Senator Byrd. Do you feel that possibly the reaction was too much in the other direction during the disorders here in Washington. And that there was an overtimidity, there was too much timidity, if I might use that word?

Mr. XX. I don't know whether it was timidity or restraint.

Senator Byrd. Too much restraint. Because the crowds run amok until the curfew took them off the street and they had no more fear of the troops appearing than I do of you, sitting here. I know you are not going to shoot me but I am not doing anything. But they didn't have fear of the troops and they got away with it and maybe perhaps some lives were spared but what does this do by way of encouraging this. I fear that by exercising too much restraint in the face of problems, those people may be encouraged to try it again and to even go farther with it the next time.

Mr. XX. I would think this, sir, that with an M. P. battalion fully mobile where we can put four men to a jeep we can be more effective in stopping looting that way because we can move rather than be a stationary post at a cross street or a stationary guard at several corners. Because they are pretty well limited on static posts. They may have certain missions there. If they left that post to go to stop a looter something else could take place down here which would be even maybe worse.

I would say that with the motorized patrols, I think the 503 MP Bn was a very effective, active army battalion, with motorized patrols up in precincts 2 and 13, in bringing a lot of this to a halt. So I am led to believe. I didn't observe the operation.

Senator Byrd. There has been a great deal of patting one's self on the back around here since this thing took place as though the matter was handled in a great way and there was a great loss of life that didn't occur and so on. But I think the fact is overlooked we are just now in May and we may have some more of this before the summer is over.

Mr. XX. It is going to be a long hot summer.

Senator Byrd. And I am wondering if possibly there was too much restraint used and that if it occurs again, if you don't feel that in the interest of law and order and in the interest of protecting the law-abiding citizens of this community, that the troops ought perhaps be under a little less restraint if such disorder should break out again.

Mr. XX. They are free to use this gas as much as they want and that has proved to be very effective and anybody who gets a whiff of the gas will drop whatever they have and move. And then the idea is that you can detain them without shooting them. If there is some way you can bring up gas and stop the looting and then detain the individuals this would have a big effect.

Senator Byrd. You certainly can't detain them if not over 25 percent of your military police units have handcuffs.

Mr. XX. We have got more. We are getting more handcuffs. You asked me how many did I think I had.

Senator Byrd. How many do you think you have at the present time?

Mr. XX. I can give you an answer on that. I will find out and let you know.

Senator Byrd. You have gotten additional handcuffs?

Mr. XX. Yes, sir. I want to bring us to 100 percent on all military police accoutrements. I have gotten the red flashing lights on every jeep, sirens on every jeep, so that in itself will have a psychological effect.

Senator Byrd. Mr. XX, if your men saw an individual about to heave a Molotov cocktail into a building, what policy should govern the actions of the troops? Should they shoot that would-be arsonist to prevent his firing the building?

Mr. XX. It gets to be a matter of judgment again and what is around that individual.

Senator Byrd. Were they under any inhibitions or instructions not to fire in such an instance?

Mr. XX. The only inhibition we had on firing, we had to get authority from higher headquarters; and that is a little late when the man is right there.

Senator Byrd. How long would it take a man on 14th Street to get an instruction from headquarters to fire?

Mr. XX. It would take a pretty long time. It takes too long. It would take too long.

Senator Byrd. Do you feel this is the policy that should govern the actions of men out on the street when they are fighting a war—and this is a war.

Mr. XX. I would say with that would-be arsonist, if his arm is poised, that he should be stopped.

Senator Byrd. And whatever force has to be used should be used?

Mr. XX. That is right.

Senator Byrd. But were they working under instructions contrary to this kind of policy?

Mr. XX. None that I know of, sir.

Senator Byrd. I thought you just said they would have to.

Mr. XX. Well, the thing is that the authority was held up high. I would say it should be down at the commissioned officer, senior noncommissioned officer level.

Senator Byrd. We earlier discussed the delegation of this authority I thought down to——

Mr. XX. I got authority.

Senator Byrd. Down to the junior officer level.

Mr. XX. I went up to higher headquarters to get authority for personnel with fire equipment because the rationale I used which was approved, I have 12 men sitting out there with a piece of fire equipment and somebody shooting at them. He doesn't have time to try to get all the way back up through channels. And I got authority and delegated it down to those soldiers.

Senator Byrd. The men not assigned to protection of firemen did not have authority even delegated down to the battalion commanders?

Mr. XX. We had to go to higher headquarters to get it.

Senator Byrd. Didn't your men have these little plastic cards as the regular army troops had?

Mr. XX. Yes.

Senator Byrd. And didn't that card state——

Mr. XX. To save their life or save somebody else's life.

Senator Byrd. Did it not also state an officer having command over them could give them authority?

Mr. XX. To fire on authority of an officer.

Senator Byrd. But your officers did not have the authority?

Mr. XX. But that authority was not down——

Senator Byrd. It was not present?

Mr. XX. It was not delegated down.

Senator Byrd. In other words, the authority was off somewhere else?

Mr. XX. The authority was at a higher level.

Senator Byrd. And that source was located somewhere else?

Mr. XX. That is right. My headquarters did not have that authority.

Senator Byrd. Now, Mr. XX, at the present time is there a mission of more importance than the control of civil disorders, to be prepared for the control of civil disorders, assigned to the National Guard?

Mr. XX. That is our most important mission and we are training, I am putting 100 percent of our training effort on that one job.

Senator Byrd. One hundred percent of your training effort toward civil disorders and civil disturbances?

Mr. XX. Yes, sir.

Senator Byrd. Is it not an unreal or unrealistic situation for a senior command to hold authority to utilize the most effective weapon of that unit or that individual, at some level far removed from the scene?

Mr. XX. I personally think it should be delegated down to the lowest level possible. The decision has to be made and judgment made as to when you use that amount of force.

Senator Byrd. Even you did not have authority to order this. Had you considered it necessary you would have had to request authority?

Mr. XX. I would have had to go up higher. And realizing what some of my firefighters might be facing, I had gotten authority for that. I didn't see the need for the rest of my people and the types of mission they were on to have such authority.

Senator Byrd. If you had seen it, you would have had to go to what level to request it?

Mr. XX. My next higher headquarters.

Senator Byrd. Did your next higher headquarters have the authority or would they in turn have to go to a higher authority?

Mr. XX. That I don't know.

Senator Byrd. Your men were operating on the streets with less authority than were the policemen. You couldn't make arrests. All you could do was detain. You could only shoot if fired upon or to save the life of another individual. So actually the troops out there were acting under greater restrictions than were the police. Is that a fair statement?

Mr. XX. Except that I am not too sure we didn't have authority to make arrests. But we tried to do the detaining and turn over to the policeman for the arresting because he knew the procedures for forms and photographs and witnesses and all other administrative details. So we would gather and hold and call a policeman because we were all working jointly in there together. I think that the retention aspects were all that we really needed. The arrest was not a needed function, although I think we could have done it if the need had arisen.

Senator Byrd. Well, I am sure that the presence of your men was to some extent beneficial and helpful.

Mr. XX. I would think this, for our Nation's Capital, Senator, this has disturbed me a little bit. I am more convinced than ever we don't have enough National Guard troops in the District, in the Nation's Capital of 800,000 or 900,000 people, with Washington being the focal point of every grievance against the Federal Government and always some element coming in here, not the local people but outside element coming in and trying to stir us up, and I am firmly convinced if I had two to three more battalions and that I had two to three more armories spread out in these areas of Washington, like Northeast, Northwest, that if I could use that armory as a means, a catalyst for the young people in this community as a youth program, armory type thing, I would gain support of the Guard in these local communities where you may have trouble. I would have my units disbursed in case of trouble and we wouldn't get into a bottleneck going to one armory and I think it would be beneficial, you then have more troops than the two small battalions to keep depending upon, and I am a firm believer in the National Guard system. Whenever there is a disturbance in the community the Guard should be the first unit in with the police and the active forces shouldn't come in until such time as the police and Guard couldn't contain the situation. With a city as large as Washington, geographic-wise and population-wise, 1,900 people from the D.C. Guard will not beef up the Metropolitan Police to a great extent. So you almost have to have the active come in in anything of this magnitude. I hope at some time to pursue that a little further.

Senator BYRD. That is all probably true. But if the hoodlum element is now permitted to believe, certainly with ample justification, that the presence of troops on the street means nothing, as long as you don't shoot at them, then the effectiveness of the troops on the street is greatly reduced. Of course, as I said a moment ago, the presence might have been helpful to some extent, but I think your effectiveness must have been greatly reduced by virtue of the fact you couldn't do anything but detain them, if you could catch them. Man for man you could probably detain them and handle them that way. But you are never going to be able to do that.

Mr. XX. Thay have the advantage of time and place on you. Like we discussed, they can always pick the time and the place.

Senator BYRD. I will ask this one final question.

Do you not believe that a tougher policy should be followed in dealing with rioters than was utilized in the past disorders, considering the possible future disorders, too? If that was the only one and you were sure that there were going to be no more it might be one thing. But you are dealing with realities. Here you are dealing with an element that feels if they can test you this time and get by they will try again.

Mr. XX. One of the things that disturbs me most about this whole type of operation is the young kids and women. Unfortunately they seem to be in the forefront. Whether they are being egged on by their elders or doing this on their own—and to me it is something really distasteful if you have to try to draw down on youngsters, where we have to isolate the youngsters and they are so mixed up in the crowd. Sometimes we have felt the gas would stop and break up the group and then if we could grab the ringleader and detain him. That is what we are taught to do, to go in and grab the ringleader. He may be standing back getting all the kids to break the windows. He is the fellow we are trying to look for and grab.

Senator BYRD. I would never recommend shooting a child unless the child had a gun on you or was about to take your life. But it seems to me that a policy, a tough policy in dealing with adult felons, people who are destroying property, would have a sobering effect and beneficial effect not only upon other adults but upon the children and the women, too.

Mr. XX. Yes sir, I would say, sir, that if we had a trained sharpshooter, marksmanship unit in each platoon whose sole job was that, then I think you could control them because he could isolate and aim and hit without hitting innocent bystanders. He wouldn't be shooting——

Senator BYRD. Children, and not shooting into a crowd.

Mr. XX. He would know how to place himself to hit the individual he was looking for instead of saying there is a fellow with a woman and injure people on the other side.

Senator BYRD. Institute a curfew and go on television and warn the public if the criminal element persist.

Mr. XX. There is a sharpshooting element that is going to pick him out.

Senator BYRD. Would you recommend that kind of policy?

Mr. XX. I would recommend that if I had a platoon. A platoon is about 40 or 50 people. If you had a squad, which is 8 to 10 people, trained as marksmen with sharpshooting antisniper weapons, with the telescopic sights they could hit a dime. If you knew you had such people there ready to do that to the man who is in the act of doing this, that might have a sobering effect. I would hesitate, if everybody in the unit had authority to shoot, because we have a lot of young kids in there. The sharpshooter is disciplined to firing properly.

Senator BYRD. Yes.

Mr. XX. That is not a bad technique. It is the same technique we use for antisniper operation where we have an antisniper group go into a place to get him out of there and we are not spraying the building with bullets and killing a lot of innocent people. We try to get the group in close to the structure so we can go in through the window or up the steps.

Senator BYRD. Thank you for your time.

STATEMENT OF WITNESS MRS. BB

Senator BYRD. You will be identified as Mrs. BB.

Mrs. BB, what in your opinion is the greatest problem confronting you as a businesswoman in the District of Columbia?

Mrs. BB. One of the problems is, I guess, the competent help to stay with us.

Senator BYRD. Have you encountered a problem in retaining competent help over the past several years or over the past several months?

Mrs. BB. Really obtaining, I mean holding them ever since we have been there. We find that people will come and stay for awhile and then they won't stay. They leave.

Senator BYRD. Do you believe your salary levels are competitive in your particular activity?

Mrs. BB. With the other type of work.

Senator BYRD. How long have you been in business in the District of Columbia?

Mrs. BB. Since 1962.

Senator BYRD. Did you encounter a particular problem with reference to the recent civil disorders in carrying on your business?

Mrs. BB. I did.

Senator BYRD. Would you tell us the extent to which your business was damaged? Was it looted? Was it burned?

Mrs. BB. It was looted completely. Everything in the shop was taken and all the windows were broken. Anything that you could pick up and carry out was taken. You know, like the adding machine, the cash register, and the fire extinguisher and the radio and some of the utensils.

Senator BYRD. Were you physically present in your place of business at the time this looting began?

Mrs. BB. No.

Senator BYRD. Had you been closed or were your employees there?

Mrs. BB. It was closed.

Senator BYRD. And how was entry obtained?

Mrs. BB. All windows were broken.

Senator BYRD. Over what period of time did this take place? Did it occur all in one night or——

Mrs. BB. All in one night. On a Friday night, the 4th.

Senator BYRD. What has been the history of crimes of violence against your person or your business, or your employees?

Mrs. BB. We have two shops. This smaller one was broken in about seven or eight times and this is the second time for the larger one, the plant.

Senator BYRD. Broken in and items obtained other than money, or money?

Mrs. BB. Well, money, two times, small amounts, and items, the other times.

Senator BYRD. And all three of these occasions, the two different locations, were while no one was physically present in the establishment?

Mrs. BB. One time somebody was in the establishment. The others, no one was there.

Senator BYRD. Was there any harm to the person that was there?

Mrs. BB. They didn't harm her at that time but they left her very nervous.

Senator BYRD. Have you received any threats or has there been any effort to intimidate you or your employees with reference to the reopening of your business?

Mrs. BB. No.

Senator BYRD. Have you reopened one or both places of business?

Mrs. BB. Yes, both of them are open now.

Senator BYRD. Can you give an estimate of the dollar loss to your business or to your customers and to your customers?

Mrs. BB. Somewhere around $30,000 I would estimate it.

Senator BYRD. And this loss, what percentage would you estimate would be or could be recovered through insurance?

Mrs. BB. I don't know. We have put in claims, but I don't know just what they are going to cover, how much.

Senator BYRD. Has your insurance been cancelled as a result of the recent civil disorders?

Mrs. BB. Not the recent one but the one before. You know, the time before that it was broken in.

Senator BYRD. As a result of earlier burglarizing of your place?

Mrs. BB. Yes, sir. One insurance cancelled.

Senator BYRD. Have you had any loss of business as a result of the disaster which befell you resulting from the riot?

Mrs. BB. We may have lost some of the customers we had before. But by being one of the first to reopen in the area we have gained some of the others, you know, some new customers.

Senator BYRD. Well, earlier I asked you your greatest problem as a business person in the District and you talked about the problems of maintaining and keeping adequate help. Now, in reference to a reopening after the recent civil disturbance, what has been your biggest problem, help again, or something other than help?

Mrs. BB. No, we have our same help but a lack of money. We hadn't been able to, you know, catch up on the bills and also pay the employees. We had to have them for awhile without paying them, with a promise to pay them later.

Senator BYRD. Have you made application for additional financing?

Mrs. BB. I have not actually made application but I have talked with one or two people about it.

Senator BYRD. Is it now your intention to do so?

Mrs. BB. Well, I want to. This depends on what the insurance covers. If the insurance pays us enough we won't have to. But if not, then I will. I hesitated because I didn't know. At least we didn't know about paying it back, how business was going to be.

Senator BYRD. How do you view the present situation in the District of Columbia? Are you fearful of a recurrence of this type? Are you not fearful? Do you feel that you are adequately protected by the District of Columbia?

Mrs. BB. Well, not quite. We feel a little fearful. We are not sure of what is going to happen.

Senator BYRD. Uncertainty about the future?

Mrs. BB. Yes.

Senator BYRD. Do you feel that you have adequate police protection, riot patrols, street patrols? What would you like to see the District of Columbia do to insure your safety and a business climate in which you can operate?

Mrs. BB. More police protection, I think, and maybe punishment of some of the people. Put forth greater effort to catch some of these people that, you know, are threatening and causing the uncertainty.

Senator BYRD. You stated that your business was burglarized, robberies occurred there three times over the last several years. To your knowledge have any of the three individuals that perpetrated these crimes been arrested?

Mrs. BB. No.

Senator BYRD. Do you know that they have not been arrested?

Mrs. BB. I don't know if they have, no, because we were told if you find out anything let us know and if we find out anything we will let you know. So we have not heard.

Senator Byrd. Mrs. BB, do you believe that the climate facing the business community in your particular area would be encouraging to businesses similarly situated to yours to reopen? You opened almost right away. Would there be a hesitancy on the part of other people in your line of business to reopen in the face of the uncertainty of insurance cancellation. Is there a hesitancy even on your part? How do you feel about it?

Mrs. BB. I feel if it happened again I wouldn't want to try it, you know, to try to go back into this same type of business. There is a bit of uncertainty about whether you would be able to make it.

Senator Byrd. You have a feeling of uncertainty as to the future and misgivings as to going back in?

Mrs. BB. Yes, sir.

Senator Byrd. You are fearful that this might happen again?

Mrs. BB. Yes, without more policemen around and something done to stop it.

Senator Byrd. I certainly appreciate your coming.

STATEMENT OF WITNESS MR. CC.

Senator Byrd. We will designate you as Mr. CC on the record.

Mr. CC, can you summarize the problem confronting your company in carrying on its business here in the District of Columbia with reference to the lawlessness and disorder with which we are confronted? Is it a growing problem? How has it developed over the last several years?

Mr. CC. It is a continuing problem and it has been on the rise for the last four or five years.

Last year, 1967, the total number of incidents was 331. This is equal to the combined total for 1964, 1965 and 1966.

Senator Byrd. There was a substantial increase in 1966 to 1967.

Mr. CC. Yes, there was an increase in 1966 to 1967. In 1964, there were 82 incidents. In 1965 it increased to 92. 1966 it increased to 109. And in 1967 to 331.

Senator Byrd. And to date this year?

Mr. CC. To date this year we are very close to the same figure at this point, 331.

Senator Byrd. At the present rate this year it will more than double the number of incidents last year?

Mr. CC. Yes, sir.

Senator Byrd. At the present rate?

Mr. CC. Yes, sir.

Senator Byrd. How do you describe an incident? When you speak of an incident, what is an incident?

Mr. CC. In describing an incident, I am referring to robberies, taking by violence, a larceny, or an assault. The reason for separation is a matter of semantics, I believe, at the Police Department. My figures will not actually coincide with what they term a robbery.

Senator Byrd. Is it my understanding as a practical matter there are frequent occasions in which groups of people enter buses and refuse to pay the individual fare? This happens with some frequency and there is very little the operator, as a practical matter, again there is very little he can do about it?

Mr. CC. This is a situation that occurs quite often.

Senator Byrd. This is not an incident, though?

Mr. CC. No. This is not an incident.

Senator Byrd. Classified as such.

Mr. CC. It is not classified as an incident.

Senator Byrd. That is what I want to determine. When we speak about incidents, we are talking about these crimes of violence, and assault, a robbery.

Mr. CC. A larceny.

Senator Byrd. A larceny.

Mr. CC. Or an attempt. Any one of these.

Senator Byrd. Or an attempt. Major type crimes.

Mr. CC. That is right.

Senator Byrd. Do you maintain any statistical reporting with reference to forced entry onto your vehicles?

Mr. CC. No, we do not.

Senator Byrd. But in your position is it an event that occurs with some regularity?

Mr. CC. It occurs with regularity and maybe I could best explain by pointing out a situation where you would have a group of juveniles or school children at a busy bus stop. An example would be at 24th and Benning Road, which is opposite, I believe it is Spingarn, and the other two schools in that particular area.

They will hold a back door open and then they will go in the back door, or if they feel brave enough and in sufficient number, the first one will lead the way in through the front door, ignoring the operator, and none of them paying their fare.

This is a matter of discretion with the operator, as far as he is concerned, in my opinion.

If there are no police available, I believe there is not much he can do about it.

Senator Byrd. While this is a problem for your company, it is not, may I assume, a problem of the proportions of the major crimes of violence that have been skyrocketing over the past several years, as you have described.

Mr. CC. No; this is not included in any figures that I have given you.

Senator Byrd. Speaking now about the crimes of force and violence, the major type crimes that occur on your vehicles, what in your opinion is the solution to this problem?

Mr. CC. Well, I have been trying to figure out the answer for a long time.

Senator Byrd. It has been suggested that your operators be issued permits to carry weapons. In your opinion would this solve the problem?

Mr. CC. This has been proposed a number of times. We do not permit our operators to carry weapons with or without a permit.

Senator Byrd. In your opinion, if the company policy changed, would it substantially reduce the number of incidents, would it act as a deterrent?

Mr. CC. In my opinion I don't believe it would.

Senator Byrd. As a practical matter, would it be possible to cage by glass or plastic or some other means a driver's section of the vehicle?

Mr. CC. This has been proposed and I believe there are safety violations or safety measures involved which would prohibit such a form.

In referring to my previous answer, I believe that if the operator were armed and it is known that he is armed, there is a greater possibility of a person who has a gun and intends to rob him shooting him first rather than take a chance on the operator drawing his gun.

Senator Byrd. Then as a practical matter we come down to some other individual on the vehicle as a protective agent. Various proposals have been made with reference to this. What is your own view?

Mr. CC. I am sure if we had authorized police officers trying to assist on the bus it would be of help.

Senator Byrd. Would uniformed or un-uniformed police officers, in your opinion, be most effective?

Mr. CC. A uniformed officer would be a preventive measure. This would be a deterrent.

Senator Byrd. Has your company ever utilized a uniformed company supplied guard of this type? Has it been considered?

Mr. CC. No, we have not used them on the buses. We have considered them not necessarily as our own, maybe from other agencies. The cost is prohibitive and we also feel from a standpoint of claims against the company that if a private agency were involved in an altercation we actually would be a part of it and consequently would be available to be sued.

Senator Byrd. Have you requested either uniformed or not uniformed officers to be assigned to your buses, particularly on the most troublesome routes?

Mr. CC. Not in recent years.

Senator Byrd. In your opinion would the presence of uniformed or not uniformed officers be helpful in restricting the number of incidents?

Mr. CC. Yes, it would be in my opinion, definitely.

Senator Byrd. Has this problem with reference to the greatly increased number of violent crimes presented a problem with reference to the retention of personnel to operate your company's vehicles?

Mr. CC. We have had over the last four years a continuous training program for new operators.

Senator Byrd. Has it been more difficult to retain them under present circumstances?

Mr. CC. To obtain them and retain them, because of the situation. I mean retain as employees.

Senator Byrd. Do you find that your passengers are fearful of utilizing your conveyances because of a fear of bodily harm or of being involved in an incident of the type that you relate?

Mr. CC. We have noticed a drop in revenue in some areas which we would attribute to this particular factor involving the crimes against the operator.

Senator Byrd. Mr. CC, you have stated that in your opinion the presence of police officers on your conveyances would act as a deterrent to major type of crimes. Why, then, has your company not made a request for the assignment of police officers? These incidents are occurring at the rate of three to five to six to eight a day.

Mr. CC. Well, in correcting the record so far, a request was made to Mr. Murphy in the middle of March and we were advised that it was not possible to put uniformed men on the buses.

Senator Byrd. Oh, there was a request made?

Mr. CC. Yes, there was one—an informal conference of which there were no notes and it was between Mr. Murphy and Mr. Fox and our president with two other members of the Police Department.

Senator Byrd. And the request was made and rejected?

Mr. CC. Yes, it was rejected.

Senator Byrd. Was there a reason given for the rejection?

Mr. CC. It was, I believe, they did not have sufficient men to try to cover the entire area.

Senator Byrd. Have there been requests subsequent to that date?

Mr. CC. No, there have not.

Senator Byrd. Have there been similar requests prior to that date?

Mr. CC. Not in the recent past.

Senator Byrd. How far back would one have to go to the request prior to the last time?

Mr. CC. I explained before, the company had requested the National Guard, I believe it was in 1965, when the number of crimes had doubled from the prior year.

Senator Byrd. Is there some area that we could cover that you think would be helpful in understanding your problem?

Mr. CC. First, I think I ought to call your attention to what we term vandalism for 1967. The full year 1967. The cost of this amounted to $178,089.69. This includes glass, material for seats that have been slashed, labor, and painting supplies.

Senator Byrd. Has any estimate been made as to the loss of revenue attributable to fear on the part of your passengers?

Mr. CC. I believe that this would be entirely guesswork. I couldn't put a figure on it.

Senator Byrd. What would you guess?

Mr. CC. I am not familiar enough with the revenue to make a statement on that.

Senator Byrd. Did you have a dollar loss for the past five years as a result of all of these items, vandalism, robbery?

Mr. CC. I do not have a total dollar loss. I believe '67 was the first year in which we really kept close track of it.

Senator Byrd. What was your estimate for the total losses to your company as a result of vandalism of various sorts and vicious crimes including robbery of your operators, for 1967?

Mr. CC. That would be the figure I gave, plus the $17,000 and some odd dollars total amount of money taken from the operators. We did not have a full figure on vandalism for the prior years.

Senator Byrd. For the record, then, could you state what your company designates as its equipment loss from January 1 to May 9 of this year? Could you give us a dollar estimate? We are now talking about equipment losses.

Mr. CC. The dollar estimate is $4,980.

Senator Byrd. And the loss of man hours for the same period?

Mr. CC. Loss of man hours for the same period is $18,000.

STATEMENT OF HUDSON MOSES, PRESIDENT, HOTEL ASSOCIATION OF WASHINGTON; ACCOMPANIED BY LEONARD HICKMAN, EXECUTIVE VICE PRESIDENT; AND CLARENCE A. ARATA, WASHINGTON CONVENTION BUREAU

Senator Byrd. Mr. Moses, what, in your opinion, is the greatest problem confronting the businessman in the City of Washington, the hotel owners?

Mr. Moses. From a hotel standpoint, of course, the riots, which are now history and which received obviously headline press all over the United States, all over the world; as well as now the continuing threat of possibly more riots and the march which is at our doorstep now, and we don't know where this is going. It has just about dried up the tourist, what we call the tourist, the man, his wife and children who annually come to Washington in thousands and occupy thousands of hotel rooms and spend millions of dollars here. They are not coming into Washington nor are they staying in our hotels. If they do come to this area they are staying out in the outling areas in motels or other facilities. But they are not coming into Washington.

It has seriously affected the convention attendance, though a convention might carry on and might arrive, which might be planned for 500 rooms it only requires something less than that. Then you have complete cancellations of conventions.

Senator Byrd. Let's save conventions to later and now talk about average family tourists which make up a great percentage of the tourism in the City of Washington.

Mr. Moses. He has read in his local paper that Washington has been severely burned, he thinks to a much greater extent than it has. He reads that there is little or no law enforcement here. And he is very concerned with the very safety of him and his family. And so he is simply not coming here. He is putting off his trip.

In April the hotel industry suffered approximately $2 million drop in revenue. In May we estimated it will be at least a million and a half. And probably repeating that in June.

I find in my particular shop, I operate my own hotel here, the Burlington, and I am also president of the Hotel Association here and have been for nine terms now, I find rather than a lessening of this fear, a broadening and a strengthening of it. This is a brush fire, grass fire, situation that is spreading.

Senator Byrd. You think this results from the initial riot or this follow-up of the march on Washington?

Mr. Moses. I think it is both. I think it is the fact that we did in fact have riots which people said will never happen in Washington, but they did happen, we did have them. So this is a proven fact that we can have them and if you can have one, you can have others. And they read of the lack of law enforcement here and they read that police were ordered not to shoot and they saw pictures of policemen standing while looters were going in and out of stores and they feel that there has been a complete breakdown of law and order and they tell us this in correspondence. They tell us this.

I saw a letter from a lawyer cancelling a reservation and he said exactly why, and exactly the reasons that you or I would give. The breakdown of law and order, law enforcement. And because of these things, I do not feel safe to come to your city and to bring my family to your city.

Senator Byrd. Without identifying the individual, for the record would you submit the statement with reference to his reason for cancelling?

Mr. Moses. I would have no hesitance about that.

Now, I had a cancellation today, for instance, of a contract which called for nine rooms a day, 365 days in the year. You say this is very small. When you say 365, it gets pretty big. This was an air line—and it is no secret—it is Lake Central. They cancelled their contract with me as of this afternoon on the basis that they were fearful of further trouble due to the march. And they just felt that they had better move their crews out into the suburbs where they knew that they could get back and forth to the airport.

I have contracts with eight different air lines and all of them were locked in and locked out of the downtown hotel situation. They were locked in the hotel, they couldn't get out on the street in their limousines to get to the airport. They had loaded airplanes sitting on the pads at Dulles and couldn't get crews to fly them because they couldn't get out in the street because of the traffic jam. So every air line cancelled with me Friday night of the riots and they stayed out for a solid week. I lose in my little shop, a 300-room hotel, $20,000 in five days.

Senator Byrd. Obviously these air lines serving Washington maintain their personnel in or around the city so I assume that they then go to the suburbs.

Mr. Moses. They are going out to the suburbs. They are trying to see if they can live better with the suburban hotels.

Senator Byrd. Airlines traditionally stayed in downtown hotels because of convenience?

Mr. Moses. That is right. I actually lost one today specifically for that reason.

Senator Byrd. We were speaking earlier of a letter you had received from an individual outlining the reasons why he cancelled. Was he a family-type Washington visitor?

Mr. Moses. This man is an attorney from Louisiana. He had his reservation at the Hay-Adams.

Senator Byrd. Would you read us an excerpt from his letter?

Mr. Moses. "I have reservations beginning Sunday, May 19. According to the press the 'Poor People's March on Washington' is to reach its climax on May 20. I cannot expose my wife to the possibility of another outbreak of brutal violence, arson, rape and theft, as your city recently witnessed. Particularly in view of the recent public statement of its Police Commissioner Murphy that he would resign if given orders to shoot to kill arsonists and shoot to maim looters who continued despite warnings and who resisted arrest. Nor do I feel I should leave my wife alone here at such a time when criminals are running amok all over our country under the guise of the 'right of civil protest and disobedience'."

He goes on to say that because of these reasons he is cancelling his reservation.

Senator Byrd. Is this a typical type of cancellation or is this an isolated incident from those you have seen and heard about?

Mr. Moses. This is typical. Many of our reservations have not cancelled. They simply have not appeared. You have 200 reservations and 50 or 75 show up and the others just dry up.

I had one army group, for instance. You would think the army, they are not afraid of anybody. We had an army group in here, officers in here for special training, at my hotel, following the riots and they moved it up to two or three days and then finally cancelled. They said they had no wish to come to Washington because of the disturbance.

Senator Byrd. This is active duty military personnel?

Mr. Moses. Yes, sir.

Senator Byrd. We spoke a few minutes ago about dollar losses and the dollars lost figures were impressive indeed. But talking in terms of individual rooms or individual parties, now we are leaving aside for the moment conventions, can you give us a comparison of some meaningful indicator or of the percentage of rooms occupied in April and May of last year and the percentage of rooms occupied in April and May of this year?

Mr. Moses. For instance, in the nonconvention hotels, such as I operate, and such as you have here with the Continental, which is a very well-run operation, the manager of the Continental told me yesterday that Monday night he ran 53 percent occupancy. He should have run about 95, 96, 97 percent. He is that badly off because his school tour business has vanished. This is not convention business. That is the student tours. That has simply gone. I don't suppose there is 20 percent here that should be here, that would be here at this time of this year normally.

Senator Byrd. But we have heard so much about the Daughters of the American Revolution having gone forward with their convention immediately following the riot. Surely if this group had gone ahead with their convention, it would seem that army groups and school groups might not have as much reservation as those people feel.

Mr. Moses. I must say I don't agree with them but this is their reaction.

In the case of student tours, I am sure this comes from the parents who say, "I am not going to let our little boy or our little girl take this risk in this city," from what they have read and heard. Adults make their own decisions.

Percentage-wise we are down 20 percent, roughly, in occupancy overall. Some hotels are only down 10 but others are down 30 and 40.

Senator Byrd. This is convention, nonconvention and individual tours?

Mr. Moses. Yes, sir.

Senator Byrd. Mr. Arata, what has been your experience?

Mr. Arata. I would like to inject one thing you were questioning about, and this does have to relate to conventions versus tour business.

Conventions are more controllable than the tour type of business that comes into this community. They are governed by an executive director or by an executive committee that determines what course this particular convention is going to follow. Whereas the tour type, tourist type of person or tour groups are just basically purely situations that are controlled by no one except their own wishes and own desires of what they want to do. And we must admit that the great bulk of our business visitor-wise in this community is tour business. Like about 7 or 8 to 1, in terms of numbers of people and dollars spent in this community are spent by the tourist as versus the convention delegates. Again your example of the DAR. It wasn't the mass of the DAR that made the decision to retain their convention here. It was a small executive committee headed by the President General that made the decision that they would retain their convention in Washington. And this is true of the conventions that are occurring day by day now. The individual, as Hudson said, may not come in as strongly as we might have anticipated. The attendance might be as great but individual conventions are not being cancelled per se and I think there is the big difference on who controls the thinking on the part of the convention as opposed to the individual tours. There is no way in the world we have been able to find out except go through solid promotion, as the Senator well knows, to get to the average tourist, the family, the tour group, except by general promotion. And when you don't know how it is falling, when you read these stories such as we have all read in the papers recently and they are going all over the country, the individual just has a terrible reluctance to come into this city under the circumstances we find ourselves now.

Senator BYRD. Mr. Moses spoke earlier that there was perhaps a greater hesitation on the part of tourists to come to Washington today than several weeks ago.

Mr. MOSES. Yes, sir.

Senator BYRD. Is this evidenced in the cancellation of individual families and groups?

Mr. MOSES. Very definitely. And not only the cancellations but lack of mail, lack of inquiries. For instance, in my operation—I have to use that as an example—the first four days of April I had a typical four days of April I ran 97 percent occupancy. I went from there to 5.

Senator BYRD. Five percent?

Mr. MOSES. Five percent. To five percent. They couldn't get out fast enough. I went to five percent for six nights. And then it started to build up again but it has never gotten back to 97 and we ended up the month of April at 67 percent, as I recall, which was a world record breaking April for a business that has existed in that location for over 50 years. We never had such a poor time, never in our history. And we still have employees, old-time employees off our payroll because we are still not back. We are still not back to normal. And when you hear of a hotel Monday night in April, a good, well-run hotel, and I cite the Continental as a good, well-run hotel, and I am not just handing out bouquets, it runs a very high occupancy, 53 occupancy on a Monday night in May, April, May or June, it is all the same thing—53 percent on any Monday night it is shocking. I said the other day and I mean it, that if we have another riot condition in this city I will venture to say and I am the granddaddy of the hotel men here, I will venture to say 50 percent of the hotels in the city won't be able to pay their bills.

Senator BYRD. Mr. Moses, you have been in the hotel business in this city for a long time. Is it possible for a wave of violence like this city suffered in the early part of April to stigmatize a city? How long does it take it to overcome it at its best?

Mr. MOSES. I think at its best it could be overcome promptly if you stopped the threat of the further problem such as this camp in, this march that we have now that everybody in the world knows that those people are here. And I guess the man out in Timbuktu knows more about it than we do or he thinks he does, but then come out with some real fact that everything is normal. We have been asking for just this from the White House at the proper moment as soon as we get the threat of this march thing over with and potentially hopefully no riot from that, get that behind us and then have the White House and the world say Washington is again the beautiful, gorgeous, interesting, historical place to come and visit, I believe they will throng back here. I really do. I believe they will come running. But people out far from here still believe we are on fire. They still believe we are burning. They call up and say, "Are you there? You mean you are there? You are in business? You haven't been hurt? Really? Don't kid me now. I want to come to Washington. Can I make it? Can I find a place to stay?"

Senator BYRD. These people are not joking?

Mr. MOSES. No, they are shocked to find that three-quarters of the city isn't burned to ashes the way they have heard that it was.

Senator BYRD. Mr. Arata, this is the middle of May and you generally have about 8 million or 9 million visitors a year here.

Mr. ARATA. It is up to 16.8 now.

Senator BYRD. What has been the impact on your visitors of the recent disorders here?

Mr. ARATA. Taking a different approach than Mr. Moses took, Senator, we translated this loss of business in April and May into dollars for the whole area and as you well know that the total 1967 volume of tourist business in this community was $531 million. On the basis of all the information we have been able to gather the cancellations that took effect in April and May amounted to a $40 million loss in this area, in the Washington, D.C. area. And again another important factor I believe that I know you are interested in is that in our best estimate we can make, and we have this verified to some degree by people in the District Building, that the District revenues, tax revenues direct out of this visitor spending was about a million and a half, will be about a million and a half dollars in two months.

Senator BYRD. What is your normal visitor load here, let's say, from April 1 through May 15?

Mr. ARATA. Well, we figured April 1 to May 30, Senator, and it was about 30 percent of our annual total dollar volume and visitor volume occurs in those two months.

Senator BYRD. So about 5 million visitors?

Mr. ARATA. That is right.

Senator BYRD. In those two months.

Mr. ARATA. That is right.

Senator BYRD. How, if you can project yourself two weeks beyond where we are today. to the end of May, how will it stack up? How much off the 5 million will you be?

Mr. ARATA. We would be off about close to a million and a half.

Mr. MOSES. People.

Senator BYRD. You are off about a third?

Mr. MOSES. That is correct.

Senator BYRD. I can tell the difference around over just walking through the Capitol here.

Mr. MOSES. Just look out the window.

Mr. ARATA. Look at the base of the Washington Monument any day recently and it breaks your heart.

Senator BYRD. I have heard some talk about problems with reference to insurance of school groups having been a factor in the cancellation of some of these school tours. Have any of you gentlemen heard this was a factor?

Mr. MOSES. I have not heard that.

Mr. HICKMAN. No, I have not.

Mr. MOSES. I don't know that to be true or false?

Senator BYRD. Most of them have group insurance when they come to Washington, one type or another.

Mr. MOSES. I am sure they do. That in itself I have heard many times.

Senator BYRD. I realize you are not in the insurance field.

Mr. MOSES. I have handled student tours for years, up until a few years ago when I dropped them and took in the air line contracts. And any time a child was sick or hurt there was an insurance form immediately made out.

Senator BYRD. Was there an exclusion form in the contracts you were familiar with with reference to riot or civil disorder?

Mr. MOSES. I don't think so. I think this is the same policy, actually, that they have before they ever leave home. It is the school insurance that they live with all year, isn't it?

Senator BYRD. I understand there was some specialized insurance. Mr. Arata, had you heard of this?

Mr. ARATA. There was a firm in business for awhile here that did attempt to specifically insure convention groups and school groups. I haven't heard of it recently so I don't know whether they are still in effect or not.

Senator BYRD. If it has an exclusion with reference to physical injuries occurring or incident to a riot or civil disorders, you are not familiar with it?

Mr. ARATA. No.

Senator BYRD. Have you seen a newspaper report that this has been a factor in the cancellation of groups?

Mr. ARATA. Only this.

Senator BYRD. Now, coming back to convention business; have you received any reports, Mr. Arata, indicating that the recent riots or the present march on Washington is going to have or has had a deterring effect on groups planning future conventions in the city of Washington?

Mr. ARATA. Less effect on those which are immediately concerned with coming in. By that I mean in the month of May, I will give a for instance, we had 69 conventions booked for the city for the month of May. There were only five literally that cancelled. Five conventions and only one of those had been of any major consequence. But I will tell you something that follows up with what Hudson said before. Our convention solicitation program extends into the future anywhere from two to five to six to seven years from now, the conventions we are trying to get to come to the city. I was up to New York yesterday talking to a lot of convention association people.

The apprehension that we have talked about, that those who designate where a given group will come for a convention, because of the recent situation that we have had here, it does tend to project itself or affect conventions for future years. It does tend to isolate itself around the early months of this summer and the late months of the spring. It is projecting itself from this point on forward. We are trying to book conventions into the city.

Senator BYRD. You mean there is an uneasiness about the ability of this city to retain its peacable atmosphere in years to come?

Mr. ARATA. At any time in the future.

Senator BYRD. And this is coming on for as much as three or four years?

Mr. ARATA. Five years, four or five years. I mentioned one in 1973 that we hope to get. But they are delaying their decision until they see how this thing is going to settle down.

Senator BYRD. This has been a factor in their delaying their decision?

Mr. ARATA. Definitely. I think I can say this to you: If we had had the April riots and that is all there was, and things were over and the riots were over, we could live with it. I could go ahead, as Hudson said, we could go out and barrel the daylights out of this place in promotion. But it is this hanging on of this present situation we have with the poor people's march here with no terminal point known or no terminal point known as to what the after-effects of this thing might be that is giving a lot of people concern in the convention business.

Senator BYRD. Then from what you say, I detect the present situation with which we are confronted, namely, the poor people's march, is perhaps a greater deterrent to tourism and future tourism as the riot incident in early April.

Mr. ARATA. I don't think there is any question about it.

Senator Byrd. And the continued uneasiness that prevails permeates practically every area of this city's life as much or greater a problem than the five or six days of rioting that was so widely recorded.

Mr. Arata. I think that is correct. I very, very definitely believe that.

It is like, I guess, all of us fear of an unknown thing, unknown quality or uneasiness or unknown situation in the future that is getting in the minds of these people that we are talking to.

Senator Byrd. You spoke earlier about an incident that was reported widely here—I didn't realize it had been reported throughout the country—with reference to a statement attributed to the Police Commissioner here. Was this an isolated incident or have you gentlemen heard of this as another factor?

Mr. Moses. It is a definite factor. And here is a man in Louisiana who obviously has read it in the press.

Senator Byrd. You have heard it from other people?

Mr. Moses. Yes, sir.

Senator Byrd. How do they view this? Do they view this as inability or unwillingness to deal?

Mr. Moses. It is unquestionably an unwillingness, not an inability, an unwillingness.

Senator Byrd. Well, we spoke earlier of a situation confronting the troops. I guess this was also an unwillingness, not an inability to deal with a situation. But it was widely reported on the television.

Mr. Moses. In the case of the troops, they were following orders—so I am told. They had orders not to do this, not to do that, and only do certain things. I talked to troops who said, "I can't do a thing. I have been assigned to guard the firemen and I can't do another thing but guard the firemen."

Senator Byrd. Specifically what must we do in this city to remove this image that the rest of the country has about Washington at the present time? Is it a false impression?

Mr. Moses. Oh, no, I don't think it is a false impression. I think it is a justified fear.

Senator Byrd. Based on what?

Mr. Moses. Based on the greatest increases in crime.

Let's go back to the riots now. The greatest increase in crime of any city in the nation, I believe is the true statistical fact, if I remember correctly. And then come the riots. Probably the worst in the history of this country. And then comes a man who says "I am going to turn Washington upside down and right side up and shake it and bounce it and we are going to camp there until we get a guaranteed annual wage, until we get everything we want." Do you think I'm crazy? I am not going to Washington. Of course I am not. And to answer your question, there isn't a bit of use in even suggesting that that man come to Washington until you have cleaned up this whole city and gotten people like Mr. Abernathy under control, and get the campers out of here and get the threats of riots out of the way. And then tell the world that Washington is safe again and control crime.

Senator Byrd. Are there other individuals other than Mr. Abernathy that people seem to have heard of that have been active in the city of Washington?

Mr. Moses. Are there other people? Individuals? You mean such as Mr. Carmichael and Mr. Rap Brown and Mr. Marion Barry? They know about them a thousand miles away. They can name them faster than you and I can.

Senator Byrd. People from the far west, or far north and far south?

Mr. Moses. I have a farm operation down in Alabama. I go down there. I have friends. I go there and they say, "Well, how is old Rap Brown getting along?" "Have you seen Carmichael lately?" They can name them faster than I can think of them. And they say, "I will never come to your city until you get it cleaned up."

Senator Byrd. It is my understanding of your belief that we can do something about it in short order if there is a willingness on the part of the responsible officials of this city to do it.

Mr. Moses. You named it right there. You named it right there. Let's go back one hundred years and start enforcing law and tipping your hat to the law-abiding citizen and put the law breaker in jail where he belongs.

Senator Byrd. Leaving the domestic scene for a moment, we have heard so much about gold loss. Have you been able to detect that there has been a loss of foreign tourists visiting Washington as a result of the disturbance?

Mr. Moses. This is something I wouldn't be able to answer. There are few of our hotels that specialize on that. You have opened a pretty deep subject and I am not sure that anyone could give you a reaction yet to that.

Senator Byrd. A lot of these individuals that have tours of the United States planned can obviously come to Washington or they can go to Valley Forge or they can go to——

Mr. Moses. Let me answer you this way. I do have a case. I for years in my operation have catered to an Australian group that comes every summer, several tours, about 50 to 100 each tour, adult group. They wiped the whole thing out for 1968.

Senator Byrd. What reason did they give?

Mr. Moses. The crime situation, riot situation in Washington.

Senator Byrd. Now, you spoke a moment ago about fear, you used the word fear. Recently the Mayor of Washington was reported to have stated essentially that he had been out in the streets of the city and he didn't find this fear. I don't know whom he may have had reference to. But he indicated that they ought to come out from under the beds. I am quoting from the Washington Post of Tuesday, May 14, 1968. The Post reports the Mayor as having said, "Some people are yelling from the roof tops and hiding under the bed while some of us carry the load. They are going to pull this city apart if they are not careful." And another paragraph:

"I am out on the streets day and night. The city doesn't look like a city gripped in fear. Don't misunderstand me, we have tensions, we have problems, we have potential for trouble. But it is time to come out from under the bed, stop listening to false rumors and build a city."

He says this city doesn't look like a city gripped in fear and you have just used that word and your use of it recalled this story to my attention.

Mr. Moses. The fear I refer to, Senator, is the stated fear on the part of the citizens of this country, all over this country, who have read and heard about all of this disorder and the uncontrolled, if you please, disorder in their Nation's capital and they fear to come here for their spring vacation with their children in the droves that they have in the past.

Senator Byrd. You are a citizen of the city and you have friends and acquaintances whom you talk to every day, who are citizens of the community. Do they express any fear? The Mayor has indicated he doesn't find this fear here.

Mr. Moses. This is secondhanded that I give this to you—I am sure you have heard it more than I. The people who are being threatened if they reopen their shops and just told flatly, "You had better get out or you will be a dead man like so and so and like so and so," and they are being frightened to death to even consider as the paper tonight of the hardware store man who was killed. And I think within the citizenry of here, of local citizenry, there is a great deal of fear. Now, we who do not have our shops on Seventh Street, in the Northeast sections and so forth, I personally have no fear. But in some sections if I had my facilities or my home in some sections I certainly would be living in fear, to be sure.

Senator Byrd. Do you have any assurance that your place of business will be spared the next time?

Mr. Moses. Not at all. In fact I discussed this with the Mayor just on Friday and reminded him that we had thousands of human lives in our buildings in our hotels in Washington, that we needed very heavy protection if any such emergency would ever arise again which we did not have. We lucked out on it. We didn't have anything they wanted. But even if they burn our properties, forget that, because they can be rebuilt. But those human lives can't be put back on this earth. We just hope such a thing of course would never happen. We don't seem to have the thing that appeals to these mobs who are looting and burning. They want the whiskey stores and clothing stores and the pawnshops and the gun shops and the sort of thing that they can pick up and run with and they want to destroy these credit records that are in these stores, I suppose.

Mr. Hickman. I really don't have too much to add to what Mr. Moses has said. We have been in meetings constantly for the past two or three weeks and he has said everything I would say.

Senator Byrd. You mentioned a meeting you had earlier today or yesterday with one of the Assistant Secretaries of Commerce. Did this bear any fruit?

Mr. Moses. Mr. Samuels was very receptive and was very kindly and gave us his time and heard our story and I was impressed by the fact that he admitted that they had not given any thought to this at all, that they were not aware of the fact that the hotel industry had been so badly hurt here. He said, "We have been working day and night on these shopkeepers who have been burned out. And we are glad to have this information and he asked us to deliver to him at the earliest possible moment figures, facts and figures. And we also asked him if he could get the President at the proper time to make a desirable announcement in this regard.

And we are also asking him to see if there is any possibility of Federal funds that could be put into the convention and visitors' bureau to reestablish this tourism and convention business on which we have lived and thrived for many years.

Senator Byrd. What do you think of the suggestion that Negro businesses replace the burned-out businesses?

Mr. Moses. Well, is this not just the reverse of what they have been fighting? And I don't mean to answer your question with a question. But this is segregation in reverse, is it not? I don't believe that any man because of his color should have preference. I don't ask for preference over a colored man and I don't think a colored man should ask for preference over me. I think time and education and training of anyone will qualify him for running his own business in his own shop and I think everybody needs help and it seems to me there are facilities here existing in the Federal Government today with the SBA and so forth to help any businessman starting out. And I think the banks are very liberal and always have been on lending money to a man who has the brain and the desire to start a business and make it go. But simply to hand a man a business and a facility simply because he is a colored man, no, I don't agree with it, or simply because he is a white man, I don't agree with it.

Senator Byrd. Do you think this would be the answer to lootings and riots and arsonists, if Negro businesses replaced the businesses that have been owned by white proprietors?

Mr. Moses. I really don't know the answer to that. I don't know that anyone does. It might help to quiet some of the element but——

Mr. Arata. Didn't General Southward tell us one of his troops out on duty as a National Guardsman stood in front of his own establishment and watched it burn down—a colored man—and his home? He lived up above his shop.

Senator Byrd. What percent of the business establishments in Washington are Negro-owned?

Mr. Arata. I have no idea.

Mr. Moses. Very small.

Senator Byrd. Where would one get these figures? I think you have them, where would one get these, do you know?

Mr. Arata. I don't think I can intelligently answer that.

Senator Byrd. Can you get this for us?

Mr. Arata. Yes, sir.

Senator Byrd. Supply it to us so we can put it in the record.

Mr. Arata. Yes, sir.

Senator Byrd. In your opinion, is there a discriminatory policy with reference to loans to Negro-owned business establishments, and homes?

I was reading from a particular section in the City Council report on rebuilding and recovery of Washington, D.C. from the civil disturbance of April 1968, and I quoted the first paragraph of the chapter on financing in which it is stated, "Indeed there is substantial evidence indicating that the major local financial institutions, especially the banks, use a double standard in their credit policies affecting Negro and white entrepreneur and home purchasers."

Mr. Moses. Let me answer that not as a hotel man. I am a member of the board of directors of the District Building and Loan Association, located at No. 1 Thomas Circle, and have been for a number of years. I daresay that the majority of our loans are to Negro families on Negro homes and nice Negro homes, and to Negro-owned small apartment houses and businesses of various types. And the Board never asks whether this is a Negro or a white man. They simply ask to hear the appraisers' report who gives his estimate of the value of the land and the value of the improvements and the potential of the neighborhood. And we approve it or disapprove it and no one ever states or asks whether it is white or Negro.

Senator Byrd. Mr. Moses, are you aware of support from the business community which has solicited support for the so-called march on Washington and the construction of the so-called Resurrection City?

Mr. Moses. Not for the construction of the city itself, sir, but what was it a week ago Friday?

Mr. Hickman. Two.

Mr. Moses. Two weeks ago Friday we were called into an emergency meeting by Mr. Danzanky, an executive of Giant Foods, who had been asked—

Senator Byrd. We being who? The Hotel Association?

Mr. Moses. We, the Hotel Association representatives were asked to attend a meeting. The others there were mostly food people, restaurant associations and the wholesale food suppliers, teamsters, churches, union officials. There was a group mostly those tied one way or another to the food industry. All the chain grocery store people were there, Safeway, Giant, Acme, Grand Union and so forth. And we were called upon to, as it was expressed, to meet the human needs of these people while they were here. It was estimated it would take $100,000 to feed them for one month. Figuring that it would start slowly and peak up to 4,000 and then taper off for a one-month period.

And the Hotel Association or Hotel industry has been asked to subscribe $5,000 to this cause. No threats of blackmail or anything. Don't misinterpert that.

Senator Byrd. Just an opportunity for you to participate in this?

Mr. Moses. It was stated, and I make no criticism of this, it was stated we are not discussing whether you believe in this program or why they are here or if they are here or if they shouldn't be here. The only thing we are saying is we know they are coming and they are going to get hungry and hungry people get mean, and in order to avoid any further rioting, or trouble, we feel that it would be a very wise move to meet the human needs and I quote this, "the human needs of these people." And this committee's sole duty was to obtain, raise the money with which to buy the food with which to feed them.

Senator Byrd. Do you know how the particular figure on which you were approached was arrived at?

Mr. Moses. How? No. sir.

Senator Byrd. Related to dollar volume or——

Mr. Moses. No. No. Everyone knows that the hotel industry is a substantial part of this community and we are always asked for a substantial part such as our contribution to Mr. Kennedy's Junior Village. We gave $7,500. And then the Board of Trade Coliseum program this summer, to keep these kids off the street, we gave $5,000. So we are pretty substantial givers and we feel we are pretty substantial in the community and we are not ashamed of that position. This I must say we have disagreement in our own group on this feeding.

Senator Byrd. You haven't arrived at the decision as to what participation if any you will accord them?

Mr. Moses. The Board approved it subject to the approval of the membership which will be done or not done tomorrow.

Senator Byrd. Do you feel that the contributions that are made will be voluntarily made, entirely voluntary in there.

Mr. Moses. Yes, sir, I see no pressure whatsoever. I have known Mr. Dananksy for many years and he is a very great citizen of this community and he would have no part of anything that would be a pressure operation.

Senator Byrd. Would giving some cash of this nature be tax deductible?

Mr. Moses. I would assume it would.

Senator Byrd. Because it would be made payable to what organization?

Mr. Moses. H. W. C., which is the money handling unit of the U.G.F., United Givers Fund. In other words, they involved their good offices to funnel the money and the funds.

Mr. Arata. I think there was one other thing we were talking about outside not only affecting this community that is being felt, we know of tour directors in our cities whose livelihood depends in a large degree on bringing tours to this community. I had a friend of mine from Cincinnati, Seniorama Tours from Cincinnati. He says he is going bankrupt by cancellations of school groups and other tourist groups he had had scheduled to come to the City of Washington. There is another fellow, I know this by hearsay, that I know from a fact because I talked to the fellow on the 'phone. By hearsay there is another chap who, Bill Groul, who constantly brings large groups of Catholic girls in here every weekend to the Shoreham Hotel. They haven't seen him in five weeks up there. This is a substantial business with the Shoreham and with this fellow Groul who operates out of New Jersey. This is multiplied, I am just giving you two specific.

Senator Byrd. And it affects Negro citizens in Washington as well as whites.

Mr. Arata. It affects Negro citizens in Washington to a greater extent than it does the white community because of the jobs that are involved in the city. I don't know what the percentage of Negro employees in the hotel association, for instance.

Mr. Moses. Probably, what was the last figure—something around 63 percent?

Mr. Arata. Any time the business dries up the opportunity for a job dries up.

There is another figure that the District of Columbia estimated by the same study that was made for us before. There are 38,000 jobs in this community directly related to servicing the needs of the visitors, the tourists and convention delegates.

Senator Byrd. 30,000?

Mr. Arata. 36,000.

Senator Byrd. And you have no estimate of the number of these that will be Negro?

Mr. Arata. No.

Senator Byrd. Would it be substantial?

Mr. Arata. Well, since the hotel industry is a substantial part of this 3,800.

Mr. Moses. About 63 percent of our employees over the total hotel industry-wide in Washington, about 63 percent Negro.

Mr. Arata. That is a pretty sizable chunk, then.

Senator Byrd. Then a rough guess would lead one to believe it is not less than 50 percent, perhaps?

Mr. Moses. Overall total? No, I don't think so.

Mr. Arata. I would guess that is so.

Senator Byrd. Have any of you been the recipient of threats of any nature?

Mr. Moses. I had a strange one just yesterday. I was in my apartment at the hotel at lunchtime and the phone rang and a male voice asked for Mrs. Moses. She picked up the phone in the other room and I hung up the extension I had answered and I recognized right away that she was in trouble with this man. So in her view I picked up the phone again, the other extension which I had originally answered, and I heard this man say, "Do you believe in communism?" And my wife said, "Well, I don't know what you mean." And I said, "Keep talking." And she said, "I don't know what you mean." She said, "What do you mean do I believe in it?" He said, "Do you believe in it?" And she said, "Well, frankly, I haven't given it much thought. What about it?" Well, he said, "You had better give it some thought." He said, "Would you make the supreme sacrifice for America?" And she said, "Well, I don't know what you mean." "You know what I mean, the supreme sacrifice, would you make the supreme sacrifice for America?"

She said, "Well, I don't know." She said, "Who are you and how did you get my name?" He said, "Never mind who I am," he said, "I have your complete life history in front of me and I know all about you. I know all about your husband. I know all about your son. And I know where he is going to school. And you had better give my question some serious thought."

She said, "Would you like to talk to my husband, he is right here." He said, "Yes, put him on." So I waited a few moments and said, "Hello." Click. That was the end of it.

I want to tell you, you are all married men, I am sure. My little gal came apart. She wanted me to go right to the school immediately and get him and bring him home. He is 14 years old.

Senator Byrd. You do have a boy in school?

Mr. Moses. Yes. This was an implied threat, "Of course we know all about your son and where he goes to school."

Mr. Hickman. We have had two other hotels threatened that I know of. I will just put that in the record.

Senator Byrd. What type threats were they?

Mr. Hickman. One threat was the Manger-Hamilton and the manager was called and asked how many Negro waitresses or waiters he had in the lounge. Whatever that number was, he said, "I have more in my dining room and restaurant." And he said, "Well, you had better get more than that unless you remember if you remember what happened to D. J.

Kaufman's, meaning the threat of burning him down and he identified himself and I don't have his name with me but that name has been given to the Intelligence Office of the Police Department but they were not aware of him.

Senator Byrd. Was it a name of an individual or organization?

Mr. Hickman. Name of an individual.

Senator Byrd. And the other incident?

Mr. Hickman. The other incident was a housekeeper of the Ebbitt Hotel who was threatened by a note that was slipped under her door saying, "We are going to get you," whatever her name is. I have forgotten her name.

Mr. Moses. "We are going to beat," or "We will get you?"

Mr. Hickman. She has been there for years and known by quite a few people.

Mr. Moses. At the Continental a note was left with the manager and it said, "Remember the fire you had on the third floor. Well, the next one is going to be worse." Or words to that effect.

Mr. Hickman. We have had a few other hotels that have had fires they have been hard put to come by an explanation on them.

Senator Byrd. Was it in the past 60 or 90 days—since the time of the civil disorders?

Mr. Hickman. Yes, sir.

Senator Byrd. How many, less than half a dozen?

Mr. Hickman. Yes, sir.

Mr. Moses. And small. At least they were able to extinguish them. No fire bombs or anything like that. Our housekeeper was threatened with a beating and there was a person connected with this and we had the person picked up by the police and taken down to the Corporation Counsel's office and given a good talking to. And that has been the end of that.

Senator Byrd. Do you have any identity to the person who called your wife?

Mr. Moses. No, I do not. Indicating by the man's voice I would say that he was a well-educated colored man of 35 or 40 years of age.

(At 9:02 p.m. the subcommittee adjourned.)

[Volume 10]

THE U.S. SENATE: REPORT OF PROCEEDINGS, HEARING HELD BEFORE SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA OF THE COMMITTEE ON APPROPRIATIONS

STATEMENT OF WITNESS MISS NO. 41

Senator Byrd. Miss 41, do you view crime as a substantial problem in the District of Columbia?

Miss 41. I consider crime probably the major problem in the District.

Senator Byrd. Is crime as it relates to juveniles a particularly difficult type of a problem in the area in which you work?

Miss 41. Yes, indeed, it is. If you wish to ask me how often I have been to the Precinct serving my area I will tell you it is often, and I have had eight burglaries where I live, three purse snatchings. Sometimes I must take on two instead of one. That is not fair.

Senator Byrd. Two instead of one?

Miss 41. Sometimes there are two people who want my purse at the same time and I want it also. You can imagine what that looks like.

Senator Byrd. What is your occupation?

Miss 41. I am a teacher.

Senator Byrd. Tell us something about the disciplinary problems that you are being confronted with, in your school work.

Miss 41. I think in our particular school building, having had a rapid turnover of principals in the building, there is a lack of general building organization. This encourages poor discipline in the corridors during the lunch hour, before and after school.

I would also suggest, and this concerns the budget, this is the first year that our school has had a full-time music teacher, science teacher, physical education teacher, and librarian. It appears that of these persons that have been appointed to our school, perhaps one is really competent.

I escort my classes from the third floor to the first floor to have half an hour with these various special teachers. I am supposed to have that time for planning period. I have not ever been able to have a planning period because the teacher is not able to conduct the class because of discipline problems.

In most cases the teachers had no previous teaching experience, or has not been trained to teach children at all. Therefore, if she is going to teach anything, I must sit there and be the disciplinarian. It gets ridiculous sometimes, because my master's degree is in music education and I escort my children to have a class with a teacher who has had no training in music education. I am the glorified babysitter, so that she can teach, and very frequently the lesson has not really been prepared. Therefore, the children are much more difficult for me after this lesson is over, once I get them back upstairs.

Senator Byrd. Miss 41, how do you deal with these discipline area problems? What are your instructions? Do you deal with them as a teacher? Do you take them to the principal?

Miss 41. For the most part I handle them as a teacher. The principal has enough as it is. In the case where the child is so unruly that we cannot conduct class with him in the class, he is sent to the counselor, to the principal's office. That usually means that I can't leave the classroom to go all the way to the first floor to escort the unruly student. Therefore I send the unruly student, and a note accompanies him with some other student, for the simple reason that we are not ever sure that the boy or the girl will arrive where sent.

Senator Byrd. Are there problems that are so aggravated that they can't effectively be dealt with either at the classroom level or at the principal's office level?

Miss 41. Yes.

Senator Byrd. What courses do these take?

Miss. 41. Since the Judge Skelly Wright decision, we have had in the regular classrooms students that are mentally retarded or students that are severely emotionally disturbed, and we have no special arrangements for placing these children. They are in our classrooms, and the size of the classroom is the same as before. This complicates the problem. I think most of us teachers say that we are working a lot harder and accomplishing a lot less.

Senator Byrd. What else could you tell us about the length and the breadth of this problem of discipline as you confront it as a teacher in the District of Columbia schools? Compare it to the other schools in which you have taught?

Miss 41. I hardly knew what discipline problems were until I came to teach in the public schools of the District of Columbia. As a teacher I wasn't known to have discipline problems before that. I had superior ratings, and in matters of discipline I was considered to be one of those teachers without that problem.

However, I think this is important in the considering the problem. As a white teacher, I am the only one in my building, and as long as I had even two or three white children in the class, that kept the children from drawing the color line. Last year and this year both my one white child transferred in either October or November. I noticed an increased difficulty immediately for the children that will draw the color line between themselves and myself as a teacher.

I find I feel like going out and hunting up some white child somewhere to put in my class, because it makes the workload very much simpler. I am placed often on the defensive, that is, I may have to wait until the whole class can observe what the problem is before I will have the class support to solve the problem.

If I act too soon, I will create more problems than I had to begin with.

Senator Byrd. So you never knew the disciplinary problem as such until you came to this particular school or to the District schools?

Miss 41. To the District schools. I taught in Anacostia five years. Because I felt for my own safety I decided to transfer across the river into the community in which I presently live. I deliberately chose to live in a depressed area, for this is my interest in teaching, to work with people who are having a hard time. I do enjoy it. I feel much safer in my own community, for I work in the civic association, and our local community council, and I have ties with my neighbors that help me with the school problems, and it has been better in that respect. At the same time I don't have to chase buses, either.

But when I first began teaching and traveling, I taught in Massachusetts, Iowa, Kentucky, Michigan, New York, and my concerns were much more intellectual than we will say academic. Now my concerns are just how to maintain order and get a little learning in.

By the end of the year I think I made quite a bit of progress. The children that I have in the fifth grade, when they do get into sixth grade, they seem to do well and always have done well, but I will admit to anyone that I have had some long-suffering moments as a fifth grade teacher. But I am bent on teaching them critical thinking, how to look at facts, reason with the facts, and come up with something like a rational solution. This is much better, I think, than just sticking with rote learning. And by fifth grade, the children are eager for this. We study American History. There are many opportunities if you study American History, to think about why something happened and to relate it to current experiences.

Senator Byrd. Have you ever been threatened by any of your students?

Miss 41. Oh, yes, a common experience.

Senator Byrd. Pardon?

Miss 41. That is a common experience. I am threatening, too. I am a very dangerous woman. Usually I stare them down.

Our school lacks playground regulations altogether, and I like to see clean and neat playgrounds. I go around with a little box and I take up chewing gum and candy that children have on the playground, put it in the trash can. I have never yet had a student decline to give me what he is chewing on, but I am the only teacher I know of that does do this. Generally speaking, the teachers feel too threatened to attempt it.

My own principal, I think feels this way. He tends not to establish regulations that he is not sure he can enforce, and for a long, long time at the noon hour the children ran all over the building, for simple reason they didn't feel secure enough in enforcing any regulations to tell them where they should be and what they should be doing. It was the faculty demanding organization that brought this about. And it was the Washington Teachers' Union Organization within the building that accomplished it.

We have a long way to go. We know it. But we had a very difficult time just establishing a lunch period for the teachers.

Senator Byrd. Do you have a feeling of fear in your classroom work?

Miss 41. Within my own classroom?

Senator Byrd. Yes.

Miss 41. I am cautious. I am sometimes challenged. However, I have this much security with my students. If there is one child in the room who, let's say, loses control of himself, I can very well count on the rest of the class taking care of me.

Now, in the school where I taught last

year, I couldn't count on this. There were some several occasions in the corridors when a mob scene would develop and I would discover myself in the middle, trying to mediate between the custodian and a very angry sixth grade boy, and we would be surrounded by youngsters hoping to see a fight. As a teacher, one can't let the mob keep collecting. You have just got to go in there and break it up. That happened several times. I got rather accustomed to that.

Senator Byrd. Did the problems of maintaining discipline increase during and subsequent to the riots?

Miss 41. Very much so. The children were very confused. They had been excited. In retrospect to the children themselves it was a thrilling time. It is bringing to life what they see on television. There it was in their own streets. Just a block from our school stores were burned out, looted. They saw it all. In fact, the first day of school after the riots, they tried to wear some of it, but conscience hit them at the front door. I had children who looked at me and said, "I just can't keep these clothes on. I have to go home and put on my own things."

Senator Byrd. What was the lesson they drew from the riots?

Miss 41. When they wrote essays, they had a great deal to say about Dr. King. They hadn't known anything about him before in a personal way. All of them except one had a great deal of admiration for him. I had one boy who could only think of how wonderful all the looting was, and we brought him around by the end of the day to see that many people suffered because of the riots, lose their jobs, lost their homes.

At the same time I have to say we haven't recovered yet.

Senator Byrd. Has this had any effect upon the attitude of the youngsters which manifests itself in disciplinary problems?

Miss 41. Well, for that first 10 days after the riot, I ceased to be myself—I was "whitey."

Senator Byrd. Your own students called you "Whitey."

Miss. 41. Someone would do that in a fit of temper, but I mean in their concept of me. I had security among those people who knew me well, you see, but out on the street if I were walking by persons who did not know me, I was "Whitey," and that is when I heard so much that no lady should ever hear.

Within my own classroom I think my children think of me as a person, but they were still under this terrific pressure from home influence or oftentimes from people visting in their homes, to think through all of this as black versus white and they had to reason through it. It took them a long time before they could really reassure themselves that I am their friend, and that they can count on me to help them when they need me. They reached that point, but it was a real struggle, for there are many other influences that they have in addition to mine. I am just one person.

Senator Byrd. Do you have any fear insofar as your after work hours are concerned?

Miss 41. No, I have grown out of that. I used to have. I have lived there since '61.

Senator Byrd. Do you feel that you have the support of the Negro parents in disciplining their children?

Miss 41. I think I have fewer complaints than most teachers do. The constant thing I hear is that the parent doesn't support the teacher, but I work for this. I work very hard for it. My telephone is busy most evenings talking to parents.

Senator Byrd. I appreciate you and I appreciate your fine statement.

STATEMENT OF MR. GEORGE E. STOREY, PRESIDENT OF BUILD BLACK, INC.

Senator Byrd. Mr. Storey, what in your opinion is the most serious problem confronting the Washington business community?

Mr. Storey. It is the non-involvement of the business community in the community in which they make their money.

Senator Byrd. What do you mean by the non-involvement by the business community in the community in which they make their money?

Mr. Storey. Well, I mean that it is such whereby they are nine to five people who do not exert their economic power, nor do they exert their power per se as individuals towards keeping the community safe. When you have an economic power base, then you get police protection for the citizens of the community, you can give the citizens of the community more services citywide, you can give the people of the community all the benefits of the whole, entire city structure.

But now, when you have an economic power base, when you have economic power in terms of stores and all that sort of thing, and you effectively take the money out of the community, are nine to five, you see, you only stay eight hours a day; then you leave the people to the wolves in the community for the rest of the time. Saturdays and Sundays become nothing but pure hell.

Senator Byrd. What is Build Black's proposal to change the existing situation? How would you change it? How would you go about changing it?

Mr. Storey. Well, Build Black at this moment tentatively is interested in two giant cooperative shopping centers in which the residents of the community could buy stock and turn the rest of the area into housing, mall and parks.

Senator Byrd. This would be which area?

Mr. Storey. The Cardozo area, one on Seventh Street and one on 14th Street.

Senator Byrd. Would this entire effort be a cooperative effort or would there be other entities interested in it?

Mr. Storey. Well, there would be other entities interested in it who would like to have a shop in this shopping mall, but the basic idea is to get the people off this welfare thing and get them to begin to do something for themselves, and I am sure if somebody owns something, they are sure not going to tear it up.

Senator Byrd. Is it the Build Black feeling that at this time there are sufficient financial resources available to carry this plan through within the community or would it be looking for any financing outside the community? Would it be governmental involvement, or have your plans progressed that far?

Mr. Storey. Our plans haven't progressed that far, but we do envision involvement, financial involvement outside of the community, people who are interested in carrying on this program and this idea. I don't know if there would be governmental involvement at this moment, as yet, because we haven't sent any proposals to the government.

Senator Byrd. How far have your plans progressed?

Mr. Storey. They have progressed to the point where we have an architect drawing them up and all that sort of thing, and that is about all as to where we are at this moment.

We are asking the community really "what do you want here?" and we are getting the wishes and the feeling of the people rather than drawing up plans and saying, "This is what we have got."

Senator Byrd. What do the people say to you when you go out and seek their views? What are you hearing? What is Build Black hearing? You mentioned to me on the telephone some of the sessions that you have been having.

Mr. Storey. This is called Rap and Suds. I mean "talking" and "beer" translated.

Senator Byrd. Could you tell us something about what you hear? You have been feeling the pulse of the public in the area in which you operate. What do the people say? What is it they want Build Black to do? What is it they want the Government to do?

Mr. Storey. What they want is a decent Georgetown type community. They want fewer liquor stores. That mess up on 14th Street, like it was before; now they don't want that. And they want to breathe, and they want homes, and they want better jobs and safe streets for their children and themselves.

Senator Byrd. What do they say about the ownership of these establishments? Do they have some interest, desires, as to who should be the controlling owners?

Mr. Storey. They are speaking in terms of black ownership. I mean a resident black ownership, not a black exploiter, a resident black owner who is interested in the community. I mean they decry black exploitation as well as they decry white exploitation.

Senator Byrd. You have heard it said that white racism caused the recent disturbance in the City of Washington. Is there such a thing as black racism?

Mr. Storey. I don't know. I couldn't answer that. I think most people are genuinely interested in just living rather than considering the race thing. I think they are interested in having an identity and being themselves rather than being what someone wants them to be.

Senator Byrd. But in your opinion as you understand the term white racism, this would not have been a substantial contributing factor to the situation that developed here in early April, or would it?

Mr. Storey. I think that you have to understand the frustrations and fears and the total alienation people feel in the ghetto from the entire city, being stacked like a bunch of cards. The feeling of alienation, it is like, if you put someone in a corner long enough, eventually, he is going to explode. I mean the combustible human material is there. You see, it is actually almost genocide of one's self to stay there, the killing of each other. There are too many people piled into one area without adequate living conditions.

Senator Byrd. Has Build Black gone into this situation far enough, or has it been in existence long enough, for you to be able to comment on a charge that has been made that there is a dual standard in the lending policies of financial institutions with reference to Negro and white borrowers?

Mr. Storey. Of course.

Senator Byrd. Could you illustrate what you mean by that?

Mr. Storey. Well, most black owners, and I know several of them in the Cardozo area, find that they must get a second mortgage on their properties. The maximum they will give them is 65 percent, so they always have to get a second mortgage irrespective of the amount of down payment. And a down payment usually has to approximate $3,000 or $4,000. I have several white acquaintances and white friends who have borrowed money up to 85 percent, 85 percent for the first mortgage, and have put $800 down.

Senator Byrd. In this same area?

Mr. Storey. In the same area.

Senator Byrd. And what was their situation with reference to second trust financing?

Mr. Storey. Second trust financing was relatively easy for them.

Senator Byrd. With commercial banks?

Mr. Storey. Of course. I mean it doesn't make any difference. Were I a white fellow, I could go and borrow easily now $50,000, but being black, I can't.

Senator Byrd. When you say you could borrow $50,000, what makes you say that?

Mr. Storey. Because it is true.

Senator Byrd. But what kind of collateral do you have?

Mr. Storey. At this moment? Well, I own a home, I own a house. I have some stocks and bonds.

Senator Byrd. How much is your house worth?

Mr. Storey. My house is worth $12,000. For the type of business I would propose to open, I could do it if I were white.

Senator Byrd. What kind of business would you propose?

Mr. Storey. The type of business I would propose would be a combined operation, such as auto mechanic, car wash, Simonize, general maintenance situation, in terms of tires, the whole bit. This is a good automotive thing.

Senator Byrd. Can you tell us something else with reference to Build Black proposals for bringing these things about, rectifying these wrongs, changing the area in which you are primarily interested?

Mr. Storey. Our proposal in what way? What are you speaking about? Are you saying what is Build Black philosophy? What is Build Black trying to do? Is that what you want to know?

Senator Byrd. Let's see if we can begin at the beginning here. Were you born in the District of Columbia?

Mr. Storey. No, I was born in Ohio.

Senator Byrd. How long have you been in the District of Columbia?

Mr. Storey. Seven years.

Senator Byrd. Have you been a businessman in the District?

Mr. Storey. I have never been a businessman.

Senator Byrd. What kind of work have you done in the District?

Mr. Storey. I am a chemist.

Senator Byrd. And with whom have you worked?

Mr. Storey. I have worked for only one office, the Federal Government.

Senator Byrd. Do you now work for the Federal Government?

Mr. Storey. That is what I do.

Senator Byrd. What branch of the Federal Government?

Mr. Storey. I work for the Food and Drug Administration.

Senator Byrd. How long have you worked for the Food and Drug Administration?

Mr. Storey. Seven years.

Senator Byrd. And you work as a chemist?

Mr. Storey. Chemist.

Senator Byrd. From what educational institution did you get your degree?

Mr. Storey. Ohio State.

Senator Byrd. What was your degree?

Mr. Storey. B.S. in pathology, biological science, and a B.S. in chemistry.

Senator Byrd. Are you married?

Mr. Storey. I am single.

Senator Byrd. Have you been married?

Mr. Storey. Never.

Senator Byrd. What is your salary?

Mr. Storey. My salary now?

Senator Byrd. What is your present salary?

Mr. Storey. $11,981 a year.

Senator Byrd. What is Build Black and how did it originate? Where did it originate?

Mr. Storey. It started three years ago under the name of Upper Cardozo Men's Council. A group of volunteer men decided to make the area better because they didn't like the way it was, and they began to put out a thing called a six month report, which was sent to all the agencies and all the people who were interested, who said they were interested via the newspaper, trying to get them to understand the tremendous explosive possibilities of the whole area and what the residents of the area felt.

There was no response to this. In fact, we were pooh-poohed. The idea basically was to get the people in the area to stand up and be counted and demand some of the services from the city, and demand that the city begin to move forward in creating and making this a better place to live. And that is our philosophy at this moment.

Senator Byrd. Is this organization incorporated?

Mr. Storey. Incorporated? Yes, it is.

Senator Byrd. Does it have charter members?

Mr. Storey. It has three members, three incorporators.

Senator Byrd. Who are the three?

Mr. Storey. Myself, Mr. Nelson and Mr. Hart.

Senator Byrd. How was the name "Build Black" decided upon?

Mr. Storey. After kicking it around, I don't know, this came out spontaneously, I think.

Senator Byrd. Has this organization been formally incorporated?

Mr. Storey. It is incorporated; it has been incorporated as of May 23. What does that mean, "formally" being what?

Senator Byrd. Well, in the State of West Virginia, if a corporation is formed, the Secretary of State of course has a record of the incorporated entity, and the stockholders and so on. Are you incorporated under the laws of the District of Columbia?

Mr. Storey. Yes, we are.

Senator Byrd. Counsel for Mr. Storey responds. [Landon Gerald Dowdey, Washington, D.C. attorney.]

Mr. Dowdey. I think as long as we have been interrogated about Build Black, I don't see why there is any reason to keep Mr. Storey's identity a secret or mine, for that matter. The only thing I would suggest, as counsel to Build Black, I am not really concerned about what use you make of this. We haven't any secrets. We would like a chance to maybe look over the transcript so we can make any corrections.

Senator Byrd. Gladly.

Mr. Dowdey. Because, as you know, we might be a little more relaxed here if we weren't too concerned about a slip of the tongue.

Senator Byrd. We will be glad to make a copy of his testimony available to you.

Mr. Dowdey. All right, and only for the purpose of making corrections of any misstatement.

Senator Byrd. Surely.

Mr. Dowdey. Build Black was incorporated. We have here a little package that Mr. Storey asked me to get together for you before coming up here, with some of the basic things about Build Black. We have this little package which I give to the Senator. You will notice that in there we have as an exhibit, I think, the cover page, or at least the first page of the articles of incorporation. Senator, I noticed in coming into your office that you went to American U., and I assume you are fairly familiar with District of Columbia law. As you probably know, the rest of the articles of incorporation are pretty much boiler plate, internal revenue data, names and things of that nature; but the first page is here, and it was incorporated. I don't recall the date.

Mr. Storey. May 23.

Mr. Dowdey. No, it must have been long before that. It was incorporated three or four weeks ago, something like that. And also in that package there is some other detailed data. None of this has been published previously, Senator. This has been for internal use within the organization. But I don't see any reason to make it a secret. We have no secrets. I think it might be interesting to you. Certainly as far as the community attitude, there is a detail, as you can see, appendix A, Survey Results Detail, which not only gives general conclusions as a result of the survey, but also gives a very extensive group of quotations, which I think will probably merit your attention, because I don't think that people have been very honest in conveying the feeling of a large segment of the Cardozo area.

I think there is a tendency for most groups to go to churches and civic organizations and so forth, which tend to kind of ameliorate the harshness of some of these opinions, and I think this has led to some very serious difficulties, such as Mr. Storey described a moment ago. But anyway, there is here, I think, a lot of basic data about Build Black.

(The material referred to is in the files of the committee.)

Senator Byrd. Where are you from, Mr. Dowdey?

Mr. Dowdey. I am a native Washingtonian, a rare bird. I have been practicing law here in Washington for about 20 years. My firm is Dowdey, Levy and Cohen.

Senator Byrd. Mr. Storey, the statement "This land is your land, you have the right and you have the power to say who uses it for what," what does Build Black mean by that statement? Is that referring to land in general land or some land in particular?

Mr. Storey. It refers to the fact that black people have a heritage and a status in America. It refers to the fact that they can make a decision as to what they would like to have in this community. What they would really like to have. They can say what they would really like to have without fear of reprisals. It refers really to the fact that they can to a great degree determine what they would like to have in the community, and how they would like it to be done.

Senator Byrd. The term "land," then, refers to the land of the United States. It doesn't refer to any specific tract of land such as the tracts of land we have referred to previously, or any lands that may be owned under individual ownership?

Mr. Storey. I think it refers to the fact—that is a double question, I think it refers to the fact if you are in a white community, if they don't like a liquor store in a place, they get together and petition that it should not be there. This is the same sort of process, you understand? I mean like if they don't like a whole lot of shops, dress shops up and down the street in the area which is congested with housing, they can petition the government and get together and petition the government to have these things removed, to change the zoning.

Senator Byrd. But it is through these channels that Build Black——

Mr. Storey. These are the only channels we can work through.

Senator Byrd. These channels are available to members of the white community or the black community.

Mr. Storey. That is exactly right.

Senator Byrd. Groups composed of both the black and white community.

Mr. Storey. That is right.

Senator Byrd. There has been some reference to the problem existing at a given theater and that Build Black intervened in connection with this problem and some changes were made.

Mr. Storey. That is right.

Senator Byrd. Could you tell us something about how Build Black went about this?

Mr. Storey. Well, what had happened——

Senator Byrd. What was the problem?

Mr. Storey. The problem was that there had been an altercation with the manager of a theater with regard to some fellows in a gang. They had gone to the point where they wanted to fight, and so he had put him out or spoke harshly to him, so they had decided to destroy the theater, that is all, as simple as that.

We intervened in the person of our vice president who went in. He knew the fellows, met with the gang and got them over to our office with the manager, together, and ironed out the difficulties; and so when it ended up they said, "O.K., we won't say anything, we will let it go," just like that.

Senator Byrd. Is it Build Black's opinion that the changes which you propose could be brought about with less difficulty as a result of the recent civil disorders than prior to the civil disorders? How have the civil disorders affected Build Black's plans?

Mr. Storey. I don't know. That is quite a question. What do you mean how has it affected our plans? Would this presume that we had plans before the civil disorders?

Senator BYRD. No, no, I mean you envision changing the face of sizable areas of the city.

Mr. STOREY. Right.

Senator BYRD. Was this plan conceived before the civil disorders or after it?

Mr. STOREY. Well, I think it was conceived during the height of the civil disorders. I mean the vice president and I were walking the streets all that night when the troops moved in.

Senator BYRD. When you saw all this devastation, your view of it was "what are we going to do to move out of all of this?"

Mr. STOREY. Yes, into something beautiful.

Senator BYRD. Into something that is better?

Mr. STOREY. Yes.

Senator BYRD. How have your plans been received by the people with whom you have discussed them? You have talked to us about individuals in the community. How about others that you have enlisted to support you in your plans for the community?

Mr. STOREY. They think it is beautiful.

Senator BYRD. Are these people outside the City of Washington?

Mr. STOREY. People outside the city and inside the city of Washington.

Senator BYRD. Have you made substantial headway in securing the funds that you will need to carry on the program?

Mr. STOREY. We have them in the hopper. The only time I believe we have made headway is when we have the money.

Senator BYRD. This vision of things to come and this proposal is relatively new, having been brought on only six or eight weeks ago. May I assume that your plans are not by any means complete, just in the formative stages?

Mr. STOREY. You can assume that.

Senator BYRD. Have you come to any conclusion in initial talks with your architects and engineers as to the total amount of funds that would be needed to bring about the changes in the areas that you refer to? You referred to it as the Upper Cardozo?

Mr. STOREY. Right. Dollar-wise you are speaking of? I don't know. I would think it could be in terms of maybe as much as a billion dollars.

Senator BYRD. $1 billion?

Mr. STOREY. Right.

Senator BYRD. And did I also understand from a previous question that you had not come to any conclusion as to whether there would be a need for governmental participation?

Mr. STOREY. We are getting up a proposal for our planning stage, which will take at least six months, something like that, where we will investigate many areas of possible funding, of sources of moneys to carry out our final planning.

Senator BYRD. But at least at this time you have not eliminated the possibility of being able to finance the entire operation from private sources?

Mr. STOREY. That is right, that is exactly right.

Senator BYRD. Mr. Storey, are you the Vice President of Build Black?

Mr. STOREY. No, I am the President.

Senator BYRD. You are the President?

Mr. STOREY. Yes.

Senator BYRD. Are you the President and founder?

Mr. STOREY. Founder.

Senator BYRD. Are you president by election of a board of directors or by what virtue are you president of this organization?

Mr. STOREY. Well, I am president by virtue of the fact that the few people who founded it decided I should be president.

Senator BYRD. And the other two founders were whom?

Mr. STOREY. Were Hart and Nelson.

Senator BYRD. In looking at the memoranda which has been handed to me, I see this statement: "During the last several weeks, the staff of Build Black has conducted an informal survey of opinion in the Upper Cardozo area."

What is meant by "the staff of Build Black."

Mr. STOREY. We have a staff, people who work for us.

Senator BYRD. How many people?

Mr. STOREY. Eight.

Senator BYRD. Are they paid?

Mr. STOREY. Yes, they are.

Senator BYRD. Are they paid full time?

Mr. STOREY. Eight hours a day, sometimes 16 hours a day.

Senator BYRD. The paper from which I am reading states as follows: "At least three things are unmistakably clear from the survey. One, the community does not want the devastated area rebuilt as it was."

What is meant by this, "rebuilt as it was"?

Mr. STOREY. As it was before the holocaust.

Senator BYRD. But specifically what is meant here?

Mr. STOREY. Well, rows and rows of shops, beauty parlors, pig feet places, all the mess, the menagerie, and a liquor store on every corner.

Senator BYRD. Is it meant more particularly that they don't want the businesses to be owned by white persons?

Mr. STOREY. I think there is a lot of it in there.

Senator BYRD. The memorandum goes on to say: "If this is attempted, they will burn it down again." Why do you say that?

Mr. STOREY. Because that is what they said.

Senator BYRD. Did the survey show that?

Mr. STOREY. Right.

Senator BYRD. Reading further: "The community wants the area, both the devastated portion and that part as yet unharmed built along entirely new and modern lines. They want large areas devoted to parks and recreational uses and the replacement of substandard houses by new and modern facilities which they can afford."

My question is how will you raise the money?

Mr. STOREY. That is a good question. The only thing I can say to you is, I do believe big as this country is and as powerful and as affluent as this country is, if it wanted to do something like this, it could do it.

Senator BYRD. What is the estimate of cost?

Mr. STOREY. To do all of this, I mean we are going into billions of dollars. I don't know what the final figure would be on this whole thing, but I think Washington could be beautiful all over Washington.

Senator BYRD. But you have no specific suggestions as to how the money would be raised or how much would be needed?

Mr. STOREY. If I start with $10 million——

Senator BYRD. This is just a figure you pull out of the air?

Mr. STOREY. That is what I am saying at this moment.

Senator BYRD. But you don't have any estimates that are based upon any dependable statistics?

Mr. STOREY. Not at this moment, no, I don't.

Mr. DOWDEY. Could I interrupt for a moment, Senator?

Senator BYRD. Yes.

Mr. DOWDEY. Part of the proposal calls for a planning stage in which this would be gone into. I think also as far as private/public funds are concerned, perhaps I might have a little bit more knowledge in respect to this than Mr. Storey.

I don't think that it is a matter that can be done by private financing alone. Certainly a mixture. I would like to make this observation, if I may, on that subject.

Senator BYRD. Surely.

Mr. DOWDEY. I think that many landowners in this area—as distinguished from the merchants—know that the value of their land depends very much on its being usable for commercial purposes, and I don't think that they care to do business at gunpoint or anything like that.

It would occur to me that many landowners—I am not talking about small merchants, but about landowners—would probably see opportunities to cooperate with a building program which would utilize their land in a commercial way; and so that suggests, to a certain extent, part of your capitalization coming from that source. But I do not think that planning will eliminate government assistance or some kind of assistance at least in lending. I just wanted to make that clear.

Senator BYRD. Yes. Mr. Counsel, when you say that they would not want to do business at gunpoint, what do you mean by this?

Mr. DOWDEY. Well, as the survey here indicates, and as Mr. Storey has said, going back two or three years, they have been trying to present this truth to business and government, that there is a tremendous hostility in the area, and this survey bears it out.

Now, for our purposes, it is not necessary to go into all of the rightness and wrongness of this feeling, or how much is truth and how much is fantasy, or justified or unjustified. The point is very obviously that hostility exists, and if business is going to be conducted in that area, we are going to have to find some way to ameliorate the hostility, so we can do business in that area in a peaceful way, such as is done in most other parts of the city and in other parts of the United States. It is just a fact, as we see it, that must be dealt with, and which, up until now, has not been dealt with adequately.

Senator BYRD. When you make reference to doing business the way it is done in other parts of the United States, it isn't done at gunpoint.

Mr. DOWDEY. No, that is right, absolutely. And I don't think any merchant is going to want to do that. The point is that as of right now, nobody can get insurance, can't get loans, can't operate in the area, because nobody wants to start a new business or build up a new business now and then have it torn down next week or next month, or at least be under the shadow of this threat.

Senator BYRD. What assurance is there to any businessman that he will not be torn down or burned down?

Mr. DOWDEY. I didn't——

Senator BYRD. What assurance is there to any business man who may wish to go into the area?

Mr. DOWDEY. As of now there is none.

Senator BYRD. Yes.

Mr. DOWDEY. As of now there is none, and until such time, as Mr. Storey pointed out, that a better kind of rapport with the community is established, especially I would say, with those more alienated elements in the community, business will not be possible. Build Black, I think, is concerned with developing that kind of rapport.

Senator BYRD. Are you employed by Build Black as counsel?

Mr. DOWDEY. I haven't been paid yet. One day I hope my bill might be honored. I am counsel.

Senator BYRD. At this point yours is voluntary work?

Mr. DOWDEY. I am counsel. If they had money, I am sure they would pay me.

Senator BYRD. But you expect to be paid?

Mr. DOWDEY. I would hope so one of these days, that they might have some money and they might pay me.

Senator BYRD. Did you graduate from a Washington university?

Mr. DOWDEY. No. I graduated from Georgetown Law School.

Senator BYRD. That is what I meant, a law school in Washington, D.C.

Mr. DOWDEY. Yes.

Senator BYRD. If they can pay staff, if they can employ staff, and Mr. Storey indicated that they were employing, I believe, eight persons, 8 hours, sometimes 16 hours, why can't they pay you?

Mr. Dowdey. I think that is a very good question. I certainly have found a friend here.

Senator Byrd. That is all right. I don't want to create any problems in the family.

Proceeding, I read from the memorandum: "The second point of the Build Black program is to educate businessmen and landowners in the neighborhood, so that they can make intelligent judgments about whether they want to continue business as usual."

Now, what is meant by the word "educate"?

Mr. Storey. Tell them what the community sentiment is.

Senator Byrd. [Continuing to read:] "In direct opposition to overwhelming community sentiment, or whether they want to take immediate steps to accommodate their activities to the facts."

Now, what is meant by the word "accommodate"? In other words, what will the businessmen have to do?

Mr. Dowdey. Are you addressing this to me?

Senator Byrd. Either of you.

Mr. Storey. Well, actually they would have to understand what the hostility is and how they can best accommodate themselves to the fact that there is a tremendous amount of hostility. I don't know, when you say accommodation, this implies so many things that I don't know really what the full meaning could be. What you mean by it could be different from what I mean by it. What I mean is that people, the businessmen who are in the area, or who intend to come into the area, should be cognizant of the fact of, really, what they are coming into. And so, therefore, when they take the step like an assigned risk thing or something like that, they realize that this is a tremendous boiling situation, a cauldron. I think that is basically what we mean by that.

Mr. Dowdey. A practical example might be this, if you are interested. People are very conscious of the fact that here in a city where 70 percent of the people are black, for the most part business is being operated largely by white people; and so when they go to a Safeway store, for example, there is a white manager. They would like to see a black manager. There are other kinds of community tensions that are not being reckoned with and accommodated.

The problem is that because of this lack of communication, lack of understanding of attitudes, which are basically hidden, people are not coming out with this. They don't go to a church meeting and stand up and say these things. These attitudes are hidden, and people don't find out about them until there is a brick through the window. So the only way people are learning—well, that is a very unreasonable way to learn. There certainly should be a better way to understand community attitudes than that.

Senator Byrd. Am I to understand from this phraseology that in order to accommodate their activities to the facts, the facts being that if they don't accommodate they are going to get a brick through the window, that in order to accommodate they are going to have to knuckle under to whatever the demands of the community may be?

Mr. Dowdey. I don't know that it is "knuckle under." I would object to that word. They would have to reckon with community attitudes just as any merchant.

Senator Byrd. Let's say they would have to accede, then.

Mr. Dowdey. They would have to accommodate themselves. That doesn't mean knuckling under and surrendering to every demand or anything like that. It means what every merchant, any businessman knows. This is the reason merchants advertise at all the church socials and everything else. They are trying to cultivate the good will of the community.

Senator Byrd. Were you employed by the organization after its incorporation or did you advise the organization during its incorporation?

Mr. Dowdey. I guess during its incorporation, probably. I was called in fairly early, as I recall.

Senator Byrd. Were you first introduced to this organization by Mr. Storey?

Mr. Dowdey. Was I what?

Senator Byrd. Were you first introduced to this concept by Mr. Storey or did you help in originating the embryo of this organization?

Mr. Dowdey. Well, you know, there was a discussion with many people. I don't think this is a new idea.

Senator Byrd. In other words, it is not part of your creation?

Mr. Dowdey. I have no control over it. I have certainly participated in discussions as a certified member of the establishment in Washington. They were very interested in my point of view. And since most of my work has been in economic areas, they were interested in that.

Senator Byrd. "In this connection Build Black does not intend to employ violence or threats of violence. It does intend to point out in this day and age business activities cannot be conducted in direct opposition to community desires without inducing a variety of destructive responses in various segments of the community"

Is not this second sentence—doesn't it imply a threat of destruction?

Mr. Storey. I don't think so.

Senator Byrd. Even though the first sentence gives assurance that Build Black does not intend to employ or threaten violence?

Mr. Storey. No, it does not.

Senator Byrd. You don't think it does?

Mr. Storey. No.

Mr. Dowdey. I would say this. You know people don't want to hear the facts. They really don't want to hear the ugly truth, and this is the problem. If somebody acquaints you with the truth of a matter, you may feel emotionally threatened, but that would certainly not be a threat. As a lawyer, I tell people painful facts every day, but I am sure they don't feel "threatened." They may be nervous and upset, and they don't want to hear it, but it is the truth. And it is not as if, you know, Build Black is going out to threaten somebody "unless you do what we want" or "unless you do this, that or the other thing."

Senator Byrd. Let's pose a hypothetical question here. Suppose I were a businessman over in the area and you were attempting, or the organization was attempting to have me accede to whatever its demands were. I am not saying that some of the demands might not be very justifiable. Some might not be. That is not the point of the discussion here. Suppose you showed me this memorandum and you said, "All right, Mr. Businessman, we don't intend to employ violence or threats of violence, but if you don't get a black manager in your shop, why, there might be a variety of destructive responses induced."

What would this mean to me? What is this supposed to mean?

Mr. Dowdey. I would imagine it means just exactly what you said.

Senator Byrd. Does this mean I might find my store burned down?

Mr. Dowdey. Let's just translate it back to two or three years ago, just as Mr. Storey said. Mr. Storey was saying this before we had all this destruction. All through the community, not simply to businessmen, but to government and everybody else, and it happened. It happened. He was right. I don't know what conclusion you would draw from that except that perhaps if we listened a few years ago, things might be a little better right now. And I think if, as is the case, businessmen are now coming to Build Black, and they tell them the painful truth again, perhaps they will have the wisdom to listen more carefully.

Senator Byrd. All right. Continuing: "For example, yesterday Build Black"—this memorandum is not dated.

Mr. Dowdey. I don't know what the date was.

Senator Byrd. What does the word "yesterday" refer to?

Mr. Dowdey. I would imagine sometime last week. I don't know what the date of the memorandum is.

Mr. Storey. I think that was on a Thursday, Thursday evening, something like that, or Tuesday, that is right.

Senator Byrd. The conference took place on Tuesday of last week?

Mr. Storey. Something like that.

Senator Byrd. "Between the theater manager and a neighborhood gang that threatened to destroy the theater. The net result of this talk changed some of its policies and the gang was satisfied."

Now, what policies were changed?

Mr. Storey. This I think you will have to get from the theater manager and Mr. Hart. Mr. Hart is sick at the moment.

Senator Byrd. Did Build Black have anything to do with the neighborhood gang?

Mr. Storey. Build Black talked the neighborhood gang out of doing what they said they were going to do.

Senator Byrd. Did Build Black encourage the neighborhood gang to make threats prior to the conference?

Mr. Storey. No. Fortunately, Mr. Hart was on the scene and he heard about it.

Senator Byrd. "On the other hand, Build Black has been picketing Safeway stores demanding a black manager. The demands have been ignored. The rumor is that neighborhood gangs are planning destruction of the store. Build Black hopes to avoid this, but stores like Safeway, which refuse to meet legitimate demands, cannot possibly be protected."

Is there not an implied threat here?

Mr. Storey. No, it isn't. The simple facts are that they have a manager there, a white manager and an assistant manager. People don't like the assistant manager because he has caused a tremendous amount of altercations with many of the young kids, and they consistently say they don't need a white manager. They want to get a black manager and get rid of the white manager, so it is a hostility directed per se at two people at the store.

Senator Byrd. Both the white manager and the assistant are white?

Mr. Storey. No.

Senator Byrd. Both the manager and assistants are white?

Mr. Storey. No, the manager is white and the assistant manager is black.

Mr. Dowdey. And they dislike both?

Mr. Storey. Yes, equal vigor.

Mr. Dowdey. With complete objective equality.

Mr. Storey. That is right.

Senator Byrd. Now, let's say that Build Black is asked by the owner of the store to produce a qualified black manager. Can Build Black do this?

Mr. Storey. The management of the store can produce a qualified black manager. They have black managers, people who can go into the managerial role.

Senator Byrd. Where are they working?

Mr. Storey. They are working in other stores as assistant managers.

Senator Byrd. How do you know that they are qualified to serve as manager of this particular facility?

Mr. Storey. Well, because there are two of them I know who are out of work from one of the stores burned out in the Northeast, and one walks around being a PR man at this moment. I know he is a manager because he was manager of a store in Northeast.

Senator Byrd. You don't expect the businessmen to employ a black manager if a qualified black manager cannot be produced, do you?

Mr. STOREY. The point is there are qualified black managers. No, I don't expect anyone to employ anyone for any reason unless they are qualified.

Senator BYRD. Would you consider the possibility that the Safeway Stores may need these particular black people in the jobs that they are presently employed in?

Mr. STOREY. The point is, Senator Byrd, that we do not want the area to explode again. We would like to create a better area, not destroy an area, and if we can somehow or other address ourselves to its small irritations and remove them, then I think that we are doing a good job, and I think that we are going in a direction whereby we can help the community to become stable.

Senator BYRD. If it is the black assistant manager who is providing the irritation, though, to the community——

Mr. STOREY. Why——

Senator BYRD. Why not ask that he be removed.

Senator BYRD. Then would it not be pos-

Mr. STOREY. And the white manager is also providing irritation.

sible for the store to bring in another white manager who might not be an irritant to the community?

Mr. STOREY. Somehow or another I get the impression that you do not understand the feeling at all.

Senator BYRD. No, it is not that. I am just simply trying to probe here to see if really what you want——

Mr. STOREY. What I want?

Senator BYRD. To see if really what Build Black wants is a Negro as manager or whether indeed they really want someone who will not be an irritant to the community, and that that someone might be either white or black?

Mr. STOREY. Well, the only thing I know is what they say. They say they want a black manager.

Senator BYRD. I can understand if there is someone there who is an irritant to the community, I can understand their wanting him to be removed, but it would seem to me that as long as an individual came in, regardless of his color, if he were a different individual and if he got along well with the people in the community, that would seem to me to solve your problem.

Mr. STOREY. It simply doesn't solve the problem, and I think that somehow you are missing the nuances of what we have spoken about. I think you are missing somehow the tremendous amount of feeling that has been generated in the area. I think you are missing all of that. It is a question of black people being in commanding positions.

Senator BYRD. That answers my question. What you want is not necessarily a white individual who would be qualified and who would treat the community well, but you want a black man in the position?

Mr. STOREY. That is right.

Senator BYRD. Is this to be interpreted as a threat:

"The rumor is that neighborhood gangs are planning destruction of the store."?

Mr. STOREY. No.

Mr. NELSON [Charles D. Nelson]. Senator, I would like to say something.

Senator BYRD. Mr. Nelson, before you comment, what is your capacity with Build Black?

Mr. NELSON. I am a director of Build Black.

Senator BYRD. How many directors are there?

Mr. NELSON. Three. They have been enumerated before.

Senator BYRD. All right, you proceed.

Mr. NELSON. I would like to clarify the last point in your question relating to what Build Black wanted. Does it want black dominance or black people in commanding positions?

I think that you must separate two things, what Build Black wants and what Build Black has determined that the community wants.

Now we are certainly not in a position to be arbiters of who should control a business, who should control a community. What Mr. Storey, I believe, was trying to convey to you, are the results of the survey, the feeling that he has gotten from the community, and, in particular, the feeling that he has found about this particular Safeway store, about which they have done an extensive bit of research.

Build Black is in no position to say that anybody should control anything, what is right or what is wrong. We don't try to set ourselves up in judgment of what is right and what is wrong vis-a-vis black versus white. We do try to find out what the feeling of the community is, and what the ramifications of this feeling are upon the future of the community, and to get this information to the people who can make best use of it.

Mr. DOWDEY. I would like to say something on this, too.

Senator BYRD. Let me just, before you say something there, Mr. Counsel, ask this. Were you approached by Mr. Storey with this idea of incorporating Build Black?

Mr. NELSON. I think I was first approached by Mr. Hart, who is not here today.

Senator BYRD. Are you a native of the District?

Mr. NELSON. I have lived in the District for 33 years.

Senator BYRD. Are you presently employed?

Mr. NELSON. Yes, I am.

Senator BYRD. With whom?

Mr. NELSON. With the government, Department of Labor.

Senator BYRD. In the Department of Labor.

Mr. NELSON. Yes.

Senator BYRD. In what branch of the Department?

Mr. NELSON. Office of the Solicitor.

Senator BYRD. Are you a lawyer?

Mr. NELSON. Yes, I am.

Senator BYRD. Did you graduate from a D.C. school?

Mr. NELSON. Howard University.

Senator BYRD. How long have you been with the Department of Labor?

Mr. NELSON. 13 months. Prior to that I worked in the Poverty Program.

Senator BYRD. Were you in the Office of Economic Opportunity?

Mr. NELSON. No, I was working with Bonabond.

Senator BYRD. Mr. Counsel, you wanted to say something.

Mr. DOWDEY. I would just say it seems absolutely incredible to me that you could have a merchant in business in a community who had to be persuaded, in any way, to respond to overwhelming demands in the community. It is a fact which, in and of itself, attests to the complete alienation of community and merchant. If that persists, of course we are going to have just one piece of destruction after another.

Senator BYRD. How do you know this to be the case?

Mr. DOWDEY. Well, we know this to be the case if you look at survey results which were, I would say, highly predictable in terms of past experience, and you find out that these businesses are not responding.

For example, just to take something entirely apart. The history of American business, of course, and especially in retailing, is replete with the employment of various ethnic managers in ethnic neighborhoods. I mean this is a very fundamental kind of retail technique. Why doesn't that happen in black areas? To me there is something very strange about that.

Senator BYRD. Several references have been made to the survey. Do you have a copy of the questionnaire form that was distributed?

Mr. DOWDEY. I don't know. I tried to get up everything.

Mr. STOREY. No, I don't think so.

Mr. NELSON. We will supply you with one.

Mr. DOWDEY. I guess I failed. It was a very simple questionnaire. There were few questions employed. One was "What would you like to see changed"?

Mr. STOREY. "What would you like to see changed in Washington, D.C.?"

Mr. DOWDEY. Something like that.

Mr. STOREY. "Is your rent too high?" "What skills do you have if Build Black were to call upon you to help build the Cardozo area?" "What skills do you have." So we have the black skills. Then the last one was reactions. There were two closed-end questions and three open-end questions with a big space at the bottom, called "reactions," and this is where the people wrote a lot of things.

Mr. DOWDEY. And also there is one thing, do you want to tell about the Rap and Suds Session with the tapes?

Senator BYRD. Before you treat that aspect, was this questionnaire mailed out?

Mr. STOREY. No. Doors were knocked on. People were talked to on the streets. Generally those were the two avenues. People were asked to sign their names on the questionnaire, and the majority of them signed their names, and all that sort of business, and they said what they wanted to say.

Senator BYRD. How did you go about analyzing and evaluating the contents of the responses to reach the conclusions here?

Mr. STOREY. Well, it is unmistakably clear that if you look on a statement that says, "We don't want these businesses here," that you catalogue all the pepole who said that, you get the number of people who said that. They say, "I need a better job, I need more money," you find the number of people that say that. It is a simple one-to-one correspondence between data observed and the number of the people who wrote or said it. It is not a question of statistically making this evaluation and all that sort of thing. It is just a statement of what they said, and counting the number of people who said this one particular thing.

Senator BYRD. Wouldn't your compendium of the survey results indicate the percentage of those who responded who answered in a particular way?

Mr. STOREY. The point is, it is not complete yet. We are still surveying.

Senator BYRD. I see, but you have reached certain conclusions already.

Mr. STOREY. Out of 3,000 people. I think it is stated here, 3,000 residents.

Senator BYRD. Let me ask you this question. Let's say I am a doubting Thomas and I don't believe the survey says what you say it says. Now, how can you convince me? What proof do you have that your survey said this? Maybe two percent said thus and so. You have only shown me what your conclusions are.

Mr. STOREY. Well, I think that we have two aspects of this survey, and I think that the one important one which might make you believe it would be the tapes that we have of what people have actually said.

Senator BYRD. I think I would also have to have the questionnaire, because these may be leading questions, you see.

Mr. NELSON. I would like to point out that the questionnaire, of course, may have a built-in bias. I doubt that, but it is possible. But the tapes are a result of an open microphone session, that is, we opened the door and people were free to come in and talk about what they wanted to talk about, so I don't think there can be any possible bias in that.

Mr. DOWDEY. If I may say something. I know what the Senator is thinking about in terms of questions and answers. The difficulty with questions being asked is, of course, that many times they do suggest an answer, or they suggest a certain area of answer. Actually, what has been done in these survey questionnaires is that they are deliberately vague. And the open sessions where people get up and talk are completely unstructured. In other words, in essence there is no questionnaire, or at least the question is so broad that people can give vent to the way they feel about something, without the restrictions of questions. It is the kind of freely related discussion which is best calculated, you see, to get at basic attitudes as opposed to specific recommendations and things like that. The data is quite fascinating. I have not been through it all, but I have heard some tapes, and it is remarkably free, I would say.

Mr. Nelson. Senator, if you are really interested in determining how free or how unstructured or undirected the comments are, I would like to invite you up for a Rap and Suds Session, you and any or all of your staff, and you can see just how it does develop.

Senator Byrd. I wish I had the time.

Mr. Nelson. Or any members of your staff you would like to send. They are perfectly welcome. As a matter of fact, anyone is welcome.

Senator Byrd. I appreciate that. We might take you up on that one of these days.

Mr. Nelson. Any Friday.

Senator Byrd. Every Friday you hold them?

Mr. Nelson. Every Friday.

Senator Byrd. For you I proceed to read: "The shopping center should be cooperatively owned by residents of the area." What is meant by this "cooperatively-owned by residents"? A moment ago this gentleman indicated that the cost of this enterprise would run into something like ten figures. How do you propose to get the initial finances?

Mr. Nelson. We will have to admit that this is certainly in the planning stages, and we are in no position at this time to make a concrete proposal as to how it should be done. One thing Mr. Dowdey alluded to was the fact that the land increases in value as the business on it increases in value.

One thing we have considered is a lease-build arrangement, assuming that a minimum amount of cash could be raised to begin an operation. I don't know if that answers your question, but that would limit the initial outlay of cash, much more so than buying land and buying the structure that goes on it, too.

Senator Byrd. But you would expect to get this cash from the Federal Government to begin with?

Mr. Nelson. Not necessarily.

Mr. Dowdey. Not necessarily. As a matter of fact, if you would just like an example, no serious negotiations have begun yet, but there are a few people that own rather large and extensive areas up there, and there have been some overtures, discussions about this kind of thing. Cooperatives. I think Mr. Nelson and Mr. Storey have been in touch with the Greenbelt people. I would think that there would be a good possibility, where you could deal immediately with a large block of land, to make arrangements for new construction or remodeling and long-term leasing.

The real difficulty up there is where you have a whole block of, you know, 30 different owners. As a practical matter it is impossible to deal with so many people on such a thing. In the not-too-distant future, we may have a practical testing of what you are talking about with some large landowners in the area. I would say, as a general proposition, that, if you have control of the land, that is, if you have the cooperation of the landowner in financing, probably, assuming lending institutions were reassured of the stability of things in the area, you would be able to do a lot of building on that basis.

Now of course, the heart of the matter is, as you have pointed out in the past, how does a lending institution, how does an insurance company, how are they really assured that there is going to be stability? And I think this is the critical question because until such time as there is that assurance, I don't think there could be any private financing, despite the cooperation of some landowners. I know that some landowners, certainly the gentleman who leased the Build Black office, Mr. Lebowitz, is quite anxious to cooperate in any kind of rebuilding program.

Senator Byrd. Which Mr. Lebowitz?

Mr. Dowdey. Morton Lebowitz. Unfortunately, since I am being so handsomely paid by these gentlemen, I haven't gotten around to talking to Mr. Lebowitz. But I know that he is favorably disposed, as are many of the larger businessmen there.

Senator Byrd. Do you have these gentlemen under contract for your employment?

Mr. Dowdey. No, I don't. I have no arrangements whatsoever, but I think I ought to do something here.

Senator Byrd. Perhaps this gentleman would like to say something inasmuch as we have opened this to the general discussion. Would you like to contribute anything?

Mr. Green. Not right now.

Senator Byrd. What is your name?

Mr. Green. John William Green.

Senator Byrd. Are you on the Board of Directors?

Mr. Green. No, I am on the staff.

Senator Byrd. You are one of the staff members. You are one of the individuals who is getting paid for your work. How long have you been employed?

Mr. Green. Since Build Black opened up.

Senator Byrd. How long has that been?

Mr. Green. Four weeks this coming Friday.

Senator Byrd. What did you do prior to your employment with Build Black?

Mr. Green. I am one of those who made the survey.

Senator Byrd. I mean prior to your employment with Build Black, what was your type of employment?

Mr. Green. I don't understand what you mean.

Senator Byrd. Before you were employed by these gentlemen?

Mr. Green. I am a painter .

Senator Byrd. You are a painter?

Mr. Green. Yes.

Senator Byrd. Have you been in business on your own as a painter?

Mr. Green. Yes.

Senator Byrd. You paint houses?

Mr. Green. Right.

Senator Byrd. Has the organization been paying you?

Mr. Green. Yes, they have.

Senator Byrd. You have collected?

Mr. Green. Right.

Senator Byrd. Is it a fair question—you don't have to answer it—is it a fair question to ask you what your salary is? I want to know how well financed this organization is.

Mr. Green. $100 a week.

Senator Byrd. How much?

Mr. Green. $100 a week.

Senator Byrd. Is that about the average salary for the employees?

Mr. Storey. It is about that. Some of them get less than that.

Senator Byrd. Did you indicate the total number of persons employed was eight?

Mr. Storey. Right.

Senator Byrd. You say "Most businessmen and landowners in the area do not want to continue doing business if they must do so at gunpoint." Let's say they accede to whatever the demands are at the moment. They put up a self-serving market of the most modern kind. They employ Negro managers. They are still going to be operating at gunpoint, aren't they?

Mr. Nelson. I don't understand your question.

Senator Byrd. What assurance do they have that they won't have their stores burned if they don't hire all Negro employees? Perhaps the initial demand will be a black manager, or 10 percent of the employees or half or 51 percent. How do they know they are going to be able to protect this large investment of money which they have made? That they are not going to be asked next to have all their employees Negro? And how do they know then, following that, that they won't be asked to divvy up the profits, because that gun is still pointing at them? Go ahead.

Mr. Nelson. The answer I think lies in the problem. The problem is basically the alienation of the community, the feeling the community has towards the people that they deal with on a day-to-day basis. The community feels that it is misused. It has no stake in anything that goes on that makes a profit in the community.

We feel that the solution to this is to give the community a stake in the business and let the community rebuild the business, where possible to form co-ops, so that the community owns a portion of the business; to let the community get jobs, both in building and in operating the business; so that it is their business in the sense that a worker for a big company says "our company", the community can say "our stores" or "our business," so that they no longer feel alienated. They no longer feel that they are being used by the business, but that they and the business are cooperatively working together.

Senator Byrd. Let me ask you this. What incentive is there for any businessman to invest a portion, probably a major portion of his life savings, in a facility, if under the point of a gun, to use the term, he finally sees his business owned by the community? As I understand what you have just said, the community is going to own this business before it is over.

Mr. Nelson. You are speaking in more specifics than I did. I didn't mean to imply that the community would own the entire area, or all businesses, or that the original owner would have no stake in it. Certainly it is a big community. There is room for all kinds of businesses. I think the community would like to see the businesses responsive to the needs of the community. The landowner's profit or incentive is the profit he makes from the land. The best use the land is put to the more profit he makes. The more profitable that business is, ordinarily, the more money he makes. So certainly there is a great incentive for a landowner to invest in a going business that is embraced by the community.

Senator Byrd. I got the impression a moment ago, though, that the community was going to be cut in on the profits?

Mr. Nelson. Well, in a cooperative. I am trying to separate the business from the land. In a cooperative, the community is not cut in on the profits. Well, it could be. Ordinarily the advantage to the member of the cooperative is the saving he gets on what he buys, which, of course, has a great community impact in a community like the upper Cardozo area, because there is so little money available to buy things.

The landowner gets his profit no matter if it is a cooperative, a complete laisse faire business, or whatever voluntary association. No matter what is on the land, the landowner makes his profit, so he has an incentive to go in.

Mr. Dowdey. Maybe I can get in on that.

Senator Byrd. Yes, go ahead.

Mr. Dowdey. Many landowners already have a substantial investment in that area, and their problem at the moment is to protect that investment rather than enter into a new investment. The obvious thing is a sale to a cooperative, for example, a sale at a fair price, a certain market value; so this is a chance for a businessman to salvage his investment in the area.

I really don't know to what extent I might go into the details of this. Frankly, I think the cooperative idea is terribly important in this situation, to ameliorate the hostility of the community, the community feeling.

Senator Byrd. But you are getting away from the concept of free enterprise. Where do you get your money? We get back to the question where do you get the money? If the individual can feel that under a system of free enterprise he is entitled to whatever profits he can honestly make, he is encouraged to make investment. But if it is going to develop into a co-op, why will the investor want to risk his money.

Mr. Dowdey. If you take Mr. Lebowitz, for example. I don't have any detailed knowledge about it at all—but Mr. Lebowitz obviously owns about a block on 14th Street.

Mr. Storey. Half a block.

Mr. Dowdey. Half a block, whatever it is.

The value of that investment depends very much on what use can be made of that property. If that property can't be used for any business purpose, why, then of course its investment value is completely destroyed. On the other hand, if it can be used for a business purpose, it is still quite valuable.

If Mr. Lebowitz makes a deal with a cooperative corporate set-up to purchase this land, he will realize, presumably, a good part of the value of his current investment, and the corporation, with the benefit of controlling that land, would, assuming the good intentions of the community, be able to finance many other things on the strength of that kind of an arrangement.

Now, whether that is possible in the present context, that is in the present situation, I don't know, but that would not be an unusual way of doing business in this city, a sale to a cooperative.

The cooperative idea puzzles me considerably, Senator. I am from a very hard-headed school of business. I graduated from the Wharton School of Finance, and we were not overly polite to these concepts. I am not a true believer in cooperatives. I think that cooperatives do not produce, generally, a substantial enough economic advantage in marketing, for example, to justify themselves. As a matter of fact, we have immense numbers of cooperative efforts around here. The mutual insurance companies, of course, are classic examples. Most building and loans are in effect cooperatives. The merchandising cooperatives and so forth. I do think it is an important thing, though, in relationship to the psychology of the community at this time, because the trust that you ordinarily have has deteriorated to a point where, perhaps, this is the only kind of thing that might salvage it.

Senator Byrd. I can understand the cooperative idea, if the people were providing the investments themselves.

Mr. Dowdey. Well, there has never been a cooperative founded——

Senator Byrd. It seems to me that here the businessman who has worked for his profits and savings is being asked to make the investment, and at some future time, and it may not be long, with that gun pointed at him, the people may be the owners of this and participants in the cooperative taking the profits.

Mr. Dowdey. We are apparently talking about two different things. I am talking about cooperative buying from the owner. The only thing you would be asking the owner for is perhaps favorable credit terms.

Mr. Storey. For the land.

Mr. Dowdey. For the land. At that stage of the game he is out of the profit business. He has made his profit presumably in the sale of the land.

Mr. Nelson. Are you talking about what we discussed earlier, the lease-build arrangement, where the landowner undertakes to build and lease back to the cooperative? Is that what you are talking about?

Senator Byrd. No. I was just trying to develop precisely what this concept of cooperative is, as it is envisioned by Build Black.

Mr. Nelson. It is fairly fluid at this point, because there are a number of situations which could solve the problem. There is no one set solution.

Senator Byrd. By the way, alluding to the survey which I understand was in the upper Cardozo area——

Mr. Storey. That is right.

Senator Byrd. I also understand that you are continuing to conduct a survey. Where is this survey?

Mr. Storey. Still in the upper Cardozo area.

Senator Byrd. Still in the same area?

Mr. Storey. Yes.

Senator Byrd. Why do you feel it is necessary to continue the survey?

Mr. Storey. Because there are 55,000 people there, and we would like to get 25,000 people's reactions.

Senator Byrd. If you conduct a random, a scientific random sample, you can pretty well tell what the feeling of the entire community is on, say, a five percent sample, can't you?

Mr. Storey. That has been done before, and this thing of random sampling might be good in theory, but it is certainly not good when you are dealing with the types of feelings and attitudes permeating the upper Cardozo area.

Senator Byrd. Has Build Black actually made any proposals to land owners or owners of business establishments at this time?

I understand there is some discussion about to occur with one landowner, with Mr. Lebowitz, is that correct?

Mr. Dowdey. You mean a purchase arrangement?

Senator Byrd. Are you already moving into discussion states with landowners or business owners?

Mr. Dowdey. They have been very tentative, really.

Senator Byrd. We spoke earlier of the inability of one segment of this community to understand another. It almost amounts to hostility although I don't think hostility was the word that we used.

Mr. Dowdey. I think that is the word that you should use.

Senator Byrd. We were talking about residents of a given section of the city, the inability of the merchants to understand the citizens or the citizens to understand the merchants. Now we have had in Washington a number of wholly-owned Negro business establishments during the time of the recent riots that were looted and burned and the papers relate that some of them have since been threatened in one way or another. How do we explain this when we talk about Negro ownership, Negro employment, and we have the case of the wholly-owned Negro establishment that is operated by Negroes, the employees all Negroes, and this particular establishment suffered the same fate as the white establishment.

Mr. Dowdey. As a white man I am reluctant to answer it but I will go ahead. The point is exploiters are not necessarily identifiable by their color, and certainly some of the largest and grossest exploitations I have ever seen of black people has been by black people. I can identify one man here. I had better not mention his name. Some of the worst slum property, and usury, sir, right in this city is extensively controlled by one or two black people.

Senator Byrd. Then it is important at least somewhere in the course of this conversation to say that black ownership in and of itself is not the solution to all of the problems of the black community?

Mr. Storey. Exploitation.

Mr. Dowdey. It is the exploitation of the black community.

Mr. Storey. Of the black community, period.

Mr. Nelson. The solution is to have businesses which are responsive to the needs and wishes of the community just as in any other community.

Senator Byrd. Exploitation can come as well, and it should be in this record if it hasn't been heretofore, from black or white.

Mr. Dowdey. Absolutely.

Senator Byrd. Business establishments.

Mr. Dowdey. And as a matter of fact, I can tell you something else. People are very sensitive to this. One of the black businessmen that was burned out was burned out because he represented, or at least the community thought he represented, I don't think in fact he did, but he represented to the community the efforts of a white man to exploit the black community through putting a black man out front as the ostensible manager of the store.

Senator Byrd. When in fact it was owned by someone other than the man who was out front?

Mr. Storey. That is right, walking back and forth in front of the store.

Senator Byrd. Does picketing not create an apprehension on the part of the business community? This is in effect what it is intended to do, is it not, with reference to those business establishments that are being picketed?

Mr. Nelson. I think it is what is called in the labor movement as information picketing; that is, if there is a grievance in the community, you carry a sign which tells what that grievance is, and gives the public information on which it can decide whether or not it wants to do business with the business.

Senator Byrd. In the use of information picketing, is it conducive to the raising of funds in the billions and tens of billions of dollars?

Mr. Nelson. You mean do you think that this is going to inhibit the raising of funds?

Senator Byrd. Yes. Will it inhibit it or will it enhance it?

Mr. Nelson. We are in no position to answer that since we haven't raised the funds as yet.

Senator Byrd. In your opinion, obviously you believe that the use of this device is not going to inhibit the raising of large amounts of funds from the private sector of the country.

Mr. Nelson. Well, I don't think the two things are necessarily directly related. I think that the picketing is a necessary thing. It is done because it is a necessary thing, to give information to the community, and it is just not related to raising funds.

Senator Byrd. I just have a few more questions. I read from the memorandum: "Build Black does not propose to prevent further destruction generally but it does hope to preserve those businesses which are useful and cooperating and to prevent injury and harm to human life." Isn't this an implied threat?

Mr. Dowdey. Senator, you keep using the word "threat."

Senator Byrd. Doesn't this indicate to the businessman who resists whatever demands are made, doesn't this indicate to him that he may be subject to some disruption?

Mr. Storey. What we are saying is we have nothing to do with destruction now nor have we before. In other words, we are saying clearly that we have not been involved in that which has preceded. I think that is the statement.

Senator Byrd. But if it is not to imply that something may result in the nature of destruction, why mention it? Why make reference to it?

Mr. Storey. Well, I think, Senator, what we are saying is what we feel is the community attitude, from our surveys and from our Rap and Suds Sessions, and all the information we have gathered. And we think it is such an important thing for people to know and to remember and to realize, if it is brought up over and over again, it is because we feel so strongly that people should become cognizant of what is going on. I think that is it.

Mr. Nelson. I think it is even more than that, Senator. If you will indulge me for a second, may I have the page.

Senator Byrd. Yes, this is page 3, the paragraph denominated "1".

Mr. Nelson. The last sentence.

Senator Byrd. Yes, the last sentence.

Mr. Nelson. Yes, the last sentence.

I think generally it is a commitment on the part of Build Black to do all it can to inform the community of what a business does for the community. Now, it is also a statement that we are not in control of the community by any means, and we cannot give guarantees of what will happen and what won't happen, but it is a commitment, and I don't think there is anyone else who has ever made this commitment to go into the street and inform the community of those businesses which are operating in the interest of the community. Rather than a threat, it is a promise.

Senator Byrd. What is meant by "businesses which are useful and cooperative"? Isn't the business useful if it is employing a number of Negroes?

Mr. Nelson. I certainly would think so.

Senator Byrd. Then why were certain businesses destroyed which were employing a number of Negroes in the city?

Mr. Nelson. I think that Mr. Storey stated before, I am not certain it was Mr. Storey, that the community felt that these businesses were exploiting them even though they were black businesses.

Senator Byrd. Reading the last paragraph on page 3: "Tinderbox neighborhood conditions will soon be aggravated by thousands of people coming to Washington in the Poor People's Campaign within the week, and at the end of May thousands of students will arrive for the Free University." What is the purpose of this paragraph in the memorandum? It seems to me to be irrelevant.

Mr. Storey. It is not irrelevant, Senator.

Senator Byrd. That is what I would like to know.

Mr. Storey. In fact it is germane.

Senator Byrd. What makes it relevant?

Mr. Storey. The relevance is the fact that conditions in the Cardozo area, which are at a high at this moment, plus the conditions brought about by the Poor People's Campaign, and all the agitation in the air, will create, will be fuel for the fire, to ignite the entire city.

Senator Byrd. But why do you make reference to something here which is, according to the paragraph, to develop within this week or perhaps the next week, in connection with the program which you are espousing, of changing the economic complexion of the Cardozo area or certain other areas? I am assuming that this march is going to last two or three weeks or a month or six weeks or two months, but I am also assuming that your plan of operations is going to last presumably years.

Mr. Dowdey. If I may direct your attention to the paragraph in which that statement appears, I believe it appears in the paragraph headed "emergency state of the program." We are only talking about this in terms of the current emergency, and I think it must be taken in that context. Yes. It says "the present emergency program," and I think it is to emphasize that this has to be related to other things that are happening in the city.

Senator Byrd. My question derives from the fact, as I see it, you are talking about an emergency program. Suddenly you inject another factor which seems to me to be unrelated. You don't tie it in. You don't say therefore.

Mr. Dowdey. It isn't a "therefore." It is just an "and also."

Mr. Nelson. That is part of the emergency.

Senator Byrd. We would hope that emergency, though, would not be everlasting.

Mr. Nelson. As Mr. Dowdey pointed out, this is under the present emergency program, and that is the first emergency to be coped with.

Mr. Nelson. We don't expect it to be permanent, no, sir.

Senator Byrd. I can see it as the present emergency, but I can't see it as the part of any program.

Mr. Dowdey. It isn't. It is just in explanation of why the situation is so emergent. To give a practical example, the attitudes, and I have not been in the neighborhood, but just as I have noticed them in some of these tapes, the people are saying, "Why do they have to bring poor people to the city of Washington? We have got poor people all over the place." And the witnessing of poor people that is going to take place here is naturally going to excite them about their own condition more and more, and it simply makes the situation that much more difficult.

Senator Byrd. You speak—by the way, have you established any contact with the Poor People's Campaign?

Mr. Storey. We have a man who is a liaison with the Poor People's Campaign. Two men are liaison people.

Senator Byrd. Are they employees of Build Black?

Mr. Storey. They are volunteers.

Senator Byrd. What is their function, if I may ask?

Mr. Storey. They try to do all they can to help, give information, rooms where people can stay, help cook the food, help carry the food down to the places, and generally try to be helpful basically. That is all.

Senator Byrd. Reference is made to a survey of community skills which "has already begun." Why do you have to have a survey of community skills? It seems to me that the community has been surveyed already many times, I suppose by poverty workers, perhaps by the Labor Department, et cetera. Why wouldn't the information developed in these various surveys be sufficient?

Mr. Storey. Because it is inadequate.

Senator Byrd. Why is it inadequate?

Mr. Storey. Because they didn't do the surveys.

Senator Byrd. You mean they spent the taxpayers' money and didn't make the survey?

Mr. Storey. Senator, you are not naive at all.

Senator Byrd. How do you know they are inadequate?

Mr. Storey. They don't really relate to the community at all.

Senator Byrd. Then what is it about your survey that is going to be different from the surveys that have been conducted?

Mr. Storey. We ask them what can you do to help build in this area. That is all that we ask them. Their surveys were based upon people coming to them. We go to the people.

Mr. Dowdey. The survey is related to an element of the program I think that we haven't really discussed too much, which I think is very important, and that is obviously the city has to be built and there has to be building done. The rubble has to be cleared away and so forth and things put up. It would occur to me in a very simple, naive way, that if people in the area are actually engaged in building, if as you walk down the street you see your neighbors and people like that actually putting up a building, then its destruction in the future is not nearly as likely, because they will have seen their own participation.

Now, the community in the survey says over and over and over again, "We have the skills. We can do it. We can do the building," and so forth. Well, the question is then, "Is that true?" Is the opinion of the community that they can do this, is it really based on fact or is it fiction? I have just a guess that it is probably based on a little of each. It is probably true to a certain extent and probably more hopeful than true, but the survey is a way, I think, of getting the community to think more affirmatively about, "Do we have the skills? Can we do it?"

Senator Byrd. The "of the three things that are unmistakably clear from the survey" begins with this sentence: "The community wants the area, both the devastated portion and that part as yet unharmed, built along entirely new and modern lines."

Now, is it your expectation that individuals who have business houses that are not yet harmed and which constitute "that part as yet unharmed" are going to be willing to tear down those buildings and build anew long the lines that are suggested in this memorandum?

Mr. Dowdey. I don't know.

Mr. Nelson. I do know that there is a large proportion of slum housing there which has failed to meet housing codes for many years, and that if the District means what it says about its new enforcement program, will probably be torn down anyway, and that would take care of a great portion of this.

Mr. Dowdey. You know nobody can really predict how businesses will react. If I was in the liquor business, however, up there, I wouldn't make any hopeful predictions about my future at all. It is remarkable to me that the businesses that are most often accused are the liquor dealers, and I think it would be very difficult to muster any kind of community support behind any of those stores. I think the problem is to mobilize the community behind building, rather than destruction, and to preserve important community services. I think, that is the problem. But there are certain kinds of business that I don't think anybody could mobilize any community sentiment in favor of. I was quite surprised that the liquor stores were one of those most frequently mentioned. If you stop to think about it, it really is a terrible exploitation. I mean they say, "A liquor store on every corner." It is almost true out there. It is incredible.

Senator Byrd. Have you had any expression of interest from Mr. Carmichael?

Mr. Storey. Expression of interest from him in what Build Black is doing?

Senator Byrd. Yes.

Mr. Storey. Yes, he came several times and asked what we were doing. We told him what we were doing.

Senator Byrd. Did he say he supported you?

Mr. Storey. He didn't say anything at all. He just said he wanted to know what we were doing, that is all.

Senator Byrd. He didn't indicate his support of the idea?

Mr. Storey. No. It wouldn't make any difference anyway.

Senator Byrd. But did he? He did not indicate his support.

Mr. Dowdey. Nor his opposition.

Mr. Storey. No.

Senator Byrd. Pardon?

Mr. Dowdey. Nor his opposition.

Senator Byrd. Has he talked with you more than once about this?

Mr. Storey. No. The first time he came up he asked me what we were doing, who we were, and I told him that we were people that started two years ago here in this area and now we were going to try to build up this area, or help build it.

Senator Byrd. What does this sentence mean? "Send Mr. Charlie home." What does that mean?

Mr. Storey. Exactly what they said.

Senator Byrd. Who is Mr. Charlie?

Mr. Storey. The white man.

Mr. Nelson. Let's make that clear. Mr. Charlie is a term which refers to, it is actually a plantation term, it refers to the exploitive white man, the white man who uses the Negro for his own purposes, exploitively.

Senator BYRD. Does this mean that the individual who invests his money there and who cooperates with you, to use the word that I read earlier in the memorandum, is going to be Mr. Charlie, and after he gets the business built for you, are you going to send him home?

Mr. NELSON. Let me tell you this way. A little over 100 years ago Mr. Charlie was the slave owner. Now I can't equate a businessman who has an interest in the community with a slave owner, so I would doubt that this would be Mr. Charlie.

Senator BYRD. I have seen the term a number of times. I just wondered what was meant by it. Does that mean any white man?

Mr. NELSON. Any slave owner.

Mr. STOREY. Any white man who exploits.

Mr. DOWDEY. Any white man in a dominant position over you.

Mr. NELSON. In the position of a master.

Mr. DOWDEY. I would have to say in defense of white men that I am fairly pale, my hair is black, and they apparently haven't sent me home. But I think my relationship has always been one that never sought dominance or never sought to exploit for my own ends or aims. What I think it means, "to send Mr. Charlie home"—the way I would interpret that is, they want to send the colonialist home, or the exploiter, or the person who is there to dominate and run their lives.

Senator BYRD. What do you mean by exploiting? Every individual who is in business hopes to make a profit. Do you mean that by his making a profit he is exploiting, by virtue of that fact?

Mr. DOWDEY. Let's just take a concrete example. Let's take these liquor stores. Why are there four liquor stores on a corner? Why is that? I don't think you and I have any question about the fact that they are certainly exploiting. There is something there to be exploited and they are in fact exploiting. They are exploiting to this extent: that they cater to my weaknesses, for example. And all of us have weaknesses. You have weaknesses, I have weaknesses. I can deal with you on the basis of trying to control you through your weaknesses, or I can deal with you honestly and fairly on the basis of your strength and mine and combining them.

Now, if I go around and I am dealing with the psychological dependencies of a community in selling half pints and all this stuff to people, I would say that I am an exploiter.

Senator BYRD. Is the Negro business owner an exploiter?

Mr. DOWDEY. He could be an exploiter if he is doing that, yes, indeed.

Senator BYRD. He sells cigarettes to the gentleman over there, he sells cigars to me. This is a weakness on my part perhaps that I smoke cigars. He is taking advantage of that weakness. Is he an exploiter?

Mr. DOWDEY. Senator, do you really think that that is a weakness of such magnitude that it has social dimensions?

Senator BYRD. No.

Mr. DOWDEY. Your dependence on tobacco?

Senator BYRD. No, and I don't think the drinking of a cocktail is such a weakness, either, or the drinking of a half glass of wine.

Mr. DOWDEY. Well, if you would consider the social significance, recently recognized by the courts in this city, of all the winos and what not, I would say that that would tend to expose an exploitive situation.

Senator BYRD. All right, grant that. I don't attempt to make any defense for that particular industry, but let's take the grocery man or the individual who sells TV sets.

Mr. NELSON. Along that line let me give a more concrete example, less social and more economic. I have a lot of faith in government surveys myself, and I am sure you are aware of FTC's——

Senator BYRD. Contrary to Mr. Storey's opinion of them?

Mr. NELSON. No comment. I am sure you are aware of FTC's recent survey and report on pricing and credit practices along the Seventh Street area, and I think the average mark-up on goods was somewhere in the neighborhood of 50 percent as contrasted to a much smaller mark-up in the downtown stores. Some goods they cited I think the mark-up was well over seventy or eighty percent. Now, I don't think you or I can quibble. This certainly is exploitation. This practice is common in the ghetto.

Senator BYRD. I can appreciate the fact that there can be exploitation and there is exploitation. I can't put my finger on it, but I am sure that it goes on. But when you say "send Mr. Charlie home," it seems to me that you are lumping every white man.

Mr. NELSON. Well, no.

Senator BYRD. Into the category of Mr. Charlie, the exploiter.

Mr. NELSON. That is if you understand Mr. Charlie to be every white man. I am certain that the Negro in the Cardozo area doesn't feel that way. Mr. Charlie is the man he relates to the slave owner of his grandparents or great grandparents.

Mr. DOWDEY. You know, Senator, this thing about Seventh Street is so deep, I am a native Washingtonian, and you know the courthouse gossip here for years is that Seventh Street has actually been using an agency of government, the courthouse down there, largely as a collection agency. It has been a scandal in this city, and I can tell you there are an awful lot of Mr. Charlies. And there are many white men who, when they saw the destruction of Seventh Street said, "By golly, that is certainly no loss to the city," because they are a disgrace, an absolute disgrace to any community, and that is, again, trading on people's weaknesses. The fact that you are poor and you are desperate for some nice looking things in your home. Taking advantage of people that way.

Mr. STOREY. I would like to say that we are not saying this. These are excerpts from the tapes or from the surveys, and we are not saying send home Mr. Charlie. This is what the people are saying.

Senator BYRD. But the memorandum on which this appears doesn't carry that explanation, does it?

Mr. STOREY. Yes, it does. Where are you?

Senator BYRD. Right here.

Mr. STOREY. No, it doesn't say that on that, no, but there are excerpts from these other things.

Senator BYRD. Yes, but they are not in quotes, and when you hand this out as a piece of literature, you are saying it yourself. Build Black is saying it. This is Build Black saying it.

Mr. NELSON. I think that Build Black will go on record any time as being against exploitation of the community.

Senator BYRD. I want to go on record to that extent, too.

Mr. DOWDY. I think the Senator would certainly be with us on that.

Senator BYRD. "No more mom and pop stores." What is wrong with a mom and pop store?

Mr. STOREY. I can tell you what is wrong with them. They are horrible. Simply because the man does not have enough stock or have enough volume buying in order to make his prices comparable to other existing stores in the area, he has to charge exorbitantly high prices. Now, let me give you an illustration. The P and G Market, which is up the street from us, this fellow was nasty, period. There had been a lot of resentment built up about him for a long time. One day we sent out for a can of coffee, and this for one pound can of Maxwell House coffee, he wanted $1.98 for it. It just struck us as the best thing to do is to go up and picket this man's store before they burn him down. He came in right after the holocaust occurred and immediately began to do business hand over fist. We said we will have another incident right up here if we don't go and picket this man's store. Now, mom and pop stores are stores which effectively cannot compete in the open market so their prices are outrageously high. A man who gets home at 7 o'clock in the evening who can't meet the regular store hours, he goes in there, he is jacked up. A lot of them carry books, and the prices are outrageously inflated.

Senator BYRD. There are a lot of mom and pop stores though that perform a real service to the community.

Mr. STOREY. There is one store on Newton Street. This fellow has been there for how many years? Do you know how many years? He has been there for almost all his life, I think, and he does all he can, but he is not a mom and pop store in the average sense. He relates totally to the community.

Senator BYRD. But aren't his prices higher than those of the chain stores?

Mr. STOREY. Two or three cents.

Senator BYRD. What about the mom and pop store that conducts a delivery service? The chain stores don't do that. He has to charge a little more for this.

Mr. STOREY. I don't know anyone in the area who does that.

Senator BYRD. There may not be. I used to operate a little grocery.

Mr. STOREY. When was this, Senator?

Senator BYRD. In Sophia, West Virginia. I would assume you would call it a mom and pop store, because there was nobody in it but myself and my wife, and we perhaps had, I believe one employee, and there was a time when we had two. But we had to conduct a credit business. A good bit of our business was credit. Well, there were some losses involved in that credit business. We naturally had to price our goods a little higher than the chain store would price them, because they needed credit. I think we would have to allow that additional service. That was a service to my clientele which they couldn't get at the chain store, and when the strike came in 1950, that long strike, when the chain stores wouldn't feed the coal miners, a lot of them were my Negro friends, Robert Byrd fed them, fed their children. They couldn't get credit anywhere else, but I gave it to them. I let them have their groceries during that strike, and they couldn't get that at the chain store. And most of them paid me. Grant you they paid me. It took them a long time. Some of them never did pay me. But I am just stating the position of a lot of little mom and pop stores. They perform a service to the community sometimes that the big stores won't perform.

Mr. STOREY. I ask you this, Senator. How big was that town?

Senator BYRD. The town was about maybe 3,000.

Mr. STOREY. That is much different than Metropolitan Washington or upper Cardoza where you have got 55,000 people congested in one small area.

Senator BYRD. Let me say this to you. The distance from where my store was to Krogers, A and P and Carolina Supermarket, the big chain stores, was five miles on modern highways. In 10 minutes they could go to the supermarkets, you see.

Mr. DOWDEY. I hate to take the side of the chain stores, because a good part of my career has been defending small business. But I think in the city today it is a little different than it once was.

(Discussion off the record.)

Mr. DOWDEY. I was just talking about some personal experiences with the type of store you are talking about. My grandmother and mother here in Washington always dealt with the kind of store you are talking about. Call up on the phone, tell them what you want, and so forth, and it cost more money, but it was used extensively there. I would say, however, in the more affluent section of the city that I live in now, this would be considered an anachronism. I know of hardly anybody that does that today, because the fact of the matter is that, whether we like it or not, the mom and pop store or the small merchant like that is a marginal operator today, and he can only operate in a community whose needs are not for additional services, like delivery or credit, but whose needs are almost hourly needs. If you would observe the facts about ghetto living, people don't buy ahead a week in advance the way my wife does or anything like that. They will buy for the next meal, and these poor people who are operating these small stores are every bit as much victims of this current situation as the people that are being exploited. It is an unfortunate thing. It is just not economically a sound kind of business in the city of Washington today.

Senator Byrd. What do you mean by the word "honkey," no more honkey owners. What does this word honkey mean?

Mr. Nelson. I think there is an explanation.

Mr. Dowdey. They specified what they meant. A honkey union is a union——

Mr. Storey. Excludes black.

Mr. Dowdey. Where black people are substantially excluded.

Mr. Nelson. It is set off by dashes right afterwards.

Senator Byrd. But where does the word "honkey" derive? From what does it derive? What is the definition of honkey? I note that this is a word that Carmichael has used a good bit. What does this mean?

Mr. Nelson. If you are going to put us to the task of giving you the derivations and etomology of all of the slang words currently in the Negro ghetto, we are just going to have to surrender, because most of the conversation there is in slang and phrases which have a very local meaning, and a person living on the other side of town very often can't understand what is being said.

In regard to the word "honkey" in these two sentences, the definition or the thought they mean to convey is set off in dashes, the first is "unions that discriminate against membership" and the second is "owners and contractors who prohibit black people from participating in any manner."

Senator Byrd. That does not carry an evil connotation that is to be implied to all white persons?

Mr. Dowdey. I wouldn't say so. I feel like I am kind of living proof perhaps of what you are talking about. I do think that I may be over-identified. The other day in a meeting somebody told me to "Shut up, Nigger." Maybe I have been overly accepted, but I don't know. I just think we are kind of talking in an atmosphere that doesn't relate to the context. For example, during the American Revolution I am sure that there were some terrible things said about King George, Englishmen and so forth—to the extent that people felt they were exploited by them. But at the same time, as you will recall, in much of our literature of that time we spoke quite frequently of the "rights of Englishmen." So you know, if somebody by his exploitation and by his hostility in a situation places himself on the other side of a bitter controversy like that, his identity certainly becomes part of the rhetoric of that controversy. I don't think it imports any philosophical absolutes at all.

Senator Byrd. So you don't think it applies to every Caucasian?

Mr. Dowdey. Apparently not. It hasn't applied to me. I think that I am received in that neighborhood if not with warmth, at least with friendly tolerance.

Senator Byrd. Gentlemen, I appreciate your time and your cooperation in answering the questions. I hope I haven't kept you too long. It has been a very interesting discussion.

Mr. Storey. Senator, you will let us have a copy of this?

Senator Byrd. I will let this gentleman have a copy. He is your counsel. I naturally can't let everybody have one, but I will let him have a copy of our transcript, let him go over it, and if he wants to make any grammatical corrections, et cetera, and so on.

(Discussion off the record.)

STATEMENT OF WITNESS NO. 43

Senator Byrd. Mr. 43, how long have you been a policeman in the District of Columbia?

Mr. 43. It will be 10 years this July.

Senator Byrd. In your judgment how would you assess the morale of police in this city at the present time?

Mr. 43. I feel that the moral at this time overall is better than it has been in several years.

Senator Byrd. Have you talked with the men in No. 13?

Mr. 43. I have talked to some of the men in 13.

Senator Byrd. Have you talked with men in No. 9?

Mr. 43. Nine.

Senator Byrd. Have you talked with the men in No. 2 recently?

Mr. 43. Yes, sir, some of them.

Senator Byrd. Have you talked with the men in No. 10 recently?

Mr. 43. Ten.

Senator Byrd. And is it the consensus of those with whom you have talked in those four precincts that the morale is higher now than it has been in a long time?

Mr. 43. There are individual cases where certain police officers feel that their particular morale is not high, but as I say, the overall I think has expressed it that their morale is higher at this time.

Senator Byrd. What is the basis for their expressions to you that their morale is high? Did you say high or higher?

Mr. 43. Higher.

Senator Byrd. Higher than at what previous time?

Mr. 43. I would say the previous year.

Senator Byrd. The previous year. All right, on what basis do they make this judgment?

Mr. 43. The forthcoming pay raise that we are looking forward to, retroactive clause staying in the pay bill. Every police officer was skeptical that it would stay. Praise by the citizens for the job that the police officer did on the street during the civil disturbance. The backing that we seem to be now getting from the general public.

Senator Byrd. Are you getting more backing now from the public than you have been receiving heretofore?

Mr. 43. I think finally the majority is speaking up.

Senator Byrd. Do the police officers with whom you work and associate express this same viewpoint, to-wit, that the public is now giving the Police Department the backing that it should have in its efforts to enforce the law?

Mr. 43. I would say the majority of them do.

Senator Byrd. What is the feeling of the men with whom you talked, and I have reference to the officers in the department, concerning the backing that they receive or should receive or do not receive from their superiors?

Mr. 43. The majority of them seem to feel that their superior officers are giving the backing necessary. There are incidents in different precincts or with different officials that many of the officers feel they are not backing them for one reason or another.

Senator Byrd. Your name isn't on the record, and you can speak just with absolute candor and complete frankness. How do you feel about the backing you are receiving from your superiors? Do you feel that the policemen in the District of Columbia are receiving the solid support, the kind of backing that a policeman should receive, in his efforts to enforce the law in the District of Columbia?

Mr. 43. Could you define superiors for me, what do you mean by superiors? I classify superiors from the Sergeant up the line.

Senator Byrd. Let's take that definition.

Mr. 43. Very well. I feel that the majority of the sergeants, being privates and just recently promoted to a sergeant, you could go back to 10 years being a sergeant, know the problems of the men because they are closest to the men. I think the majority of the sergeants back the men all that is possible, and even go to a great extent numerous times to helping them in any way possible. I think that the majority of lieutenants do the same. I don't know about every captain in every precinct or jurisdiction. I do know that of some of the precincts you asked me, No. 1, prior to the civil disturbance, the captain there backed his men as far as I know 100 percent.

Senator Byrd. What about the backing in the higher eschelons of the department and the D. C. Government and the Federal Government?

Mr. 43. The D.C. Government, I will go back to the higher echelons of the Police Department, I have the utmost admiration for my Chief of Police. I have the same for the Assistant Chief. I will again say the majority of the deputy chiefs are backing the men, although there are several that I feel don't actually back the men. I don't know whether they are looking for a better position in the Police Department or not. The government officials, we only basically deal with one, and that is our Public Safety Director, which I don't think at the time when he was appointed, I think the majority of policemen believed that he was going to be a good thing for the Police Department to obtain a person of that caliber in the Mayor's office to assist the police officers in getting equipment, better pay, more men on the department to coordinate with the chief and the men, to take our grievances or what have you to the Mayor's office and to the council. This was our impression or at least mine, and I think the majority of the men feel this didn't come about. It seemed to do a complete reverse. The Safety Director chastized the men, which were supposed to be his own men, tried to take the men's favor away from our Chief of Police, made many statements prior to investigating particular situations and also broke the chain of command which has been contrary to every police officer's teaching that you use the chain of command whenever you communicate up and down the line. These things at that time were damaging to the entire Metropolitan Police Department.

The Mayor, the majority of men I feel respect our Mayor. They have the utmost admiration for him, realize that he is trying to do a difficult job, and possibly feel that maybe he just has a little bit bigger job than actually he can handle.

Senator Byrd. What is your feeling with respect to the support that you can get from your Federal Government?

Mr. 43. The Federal Government? Are you speaking of the——

Senator Byrd. The Congress and the executive branch.

Mr. 43. I feel that they are the biggest supporters and the best that we have had and that we have always had. The majority of the Congress, the legislative or the Senators have always thought of this city, being from other states, as their city and their police department and have classified us many times as the finest in the nation, which I believe we are, and I don't think there is a policeman on the force that doesn't respect the majority of the Federal, I would say the Congressmen and the Senators, and the majority of those are on our side.

Senator Byrd. Mr. 43, what in your opinion is the greatest single problem confronting police of the District of Columbia at the present time?

Mr. 43. Single problem? I think it is restrictions that we have, lack of respect by certain citizens of the community.

Senator BYRD. What type of restrictions are you now talking about?

Mr. 43. I am talking about the terms that the police officers think of themselves sometimes or question themselves—are they second rate citizens, that they can be chastized or tried for certain things that other people wouldn't. They have to say "sir" to people, not say "sir" but they can't say "boy," that is a derogatory remark, or other words to certain people. Not that they would use those terms normally anyhow, but they put these down in writing. Each police officer has what is known as a code of ethics. He takes an oath when he comes on the police department, and I don't see the necessary need to define all these words in an order or pamphlet when you have taken a code of ethics to keep your conduct above reproach, things like that.

Senator BYRD. When you speak of restraint, are you talking about too tight a rein being held on the average officer? Is this a good way to describe it?

Mr. 43. I think that is a good way.

Senator BYRD. Too much supervision?

Mr. 43. Not too much supervision.

Senator BYRD. Holding him too strict to account for every act?

Mr. 43. For everything. Like I said, is a police officer a second class citizen where he can be cussed out on the street openly or spit upon and what have you, and can take no action. If a citizen was to cuss another one out or spit upon him, I don't think they would act as they expect the police officer to act.

Senator BYRD. Let's talk a little bit about verbal abuse. Is it true that at the present time the average officer would be hesitant about taking into custody an individual that used against him language that was as base and vile as any that you could imagine? What recourse does the officer have?

Mr. 43. I would say the majority of the officers would.

Senator BYRD. What recourse then does he have? As a practical matter does he have any?

Mr. 43. He doesn't have any recourse, just let it go by and walk on down the street and more or less turn around, and this, I would say, turns the officer's insides in a sense. He is not able to do the job.

Senator BYRD. Is this a real, constant, ever present thing with the police officer?

Mr. 43. I would say it is in those certain precincts that you named.

Senator BYRD. Why has this change within the department come about? There is no statute. There is no appellate court decision restricting the actions of the police officer as compared to two years ago or three years ago.

Mr. 43. There are orders that came about on disorderly conduct—orders that have come out from the department telling you how.

Senator BYRD. It is my understanding that this is presently up for adoption by the District of Columbia—certain recommended practices of the Department of Justice although these have not as yet been implemented. Is this true?

Mr. 43. Well, we have received orders on the old incommoding orders and failing to move on and things like that have been, I don't know how to say, watered down or cut down where certain precincts or certain areas are told not to bother these people that are standing on the street or break up the crowds, which years ago you didn't have this type of thing.

Senator BYRD. Is it not true that the police manual has no prohibition against an officer taking into custody an individual that uses vile language against him?

Mr. 43. No, it is up to each individual officer.

Senator BYRD. Then why is the average officer so hesitant to take into custody an individual that uses this abusive language against him?

Mr. 43. Because I think that the average is afraid that he might not receive the backing that he should on this, and he would be chastized for this type of thing.

Senator BYRD. No. 43, am I correct in thinking that this is almost a daily occurrence guage and the police officer were present?

Mr. 43. It is a 24 hour a day thing, sure.

Senator BYRD. And to your knowledge has there been any case successfully prosecuted in this city by any police officer in any area within the last 12 months for using vile, disparaging language against him, the police officer, when only the person using the language and the police officer were present?

Mr. 43. Not to my knowledge. I recall about a year or so ago where the Court of Appeals or someone—I read an article in the paper—the Court of Appeals said that the police officer didn't have to, wasn't a second rate citizen, and could arrest a man for cussing him out, but I don't know.

Senator BYRD. Is it not true that the Court of General Sessions in this jurisdiction has repeatedly taken on, so to speak, police officers who sought to prosecute a charge of this nature?

Mr. 43. Several times, many times.

Senator BYRD. And is this not actually the reason why the average officer on the beat is hesitant to bring such a charge, namely, because he is going to be held up to ridicule and the courts are not going to stand behind him?

Mr. 43. Some feel it is a waste of time to do this and take them down there and then have them set free or be chastized yourself for doing it. Others don't.

Senator BYRD. But the fact that there hasn't been successful prosecution of this very common occurrence in the last 12 months to your knowledge is indicative of the fact that it is virtually impossible to obtain the backing of the courts and prosecution of such a charge, is it not?

Mr. 43. It would make many officers hesitate to make this type of arrest, although not all.

Senator BYRD. And in talking about this situation concerning verbal abuse, is this the heart of what you were talking about in the beginning as being one of the most serious problems confronting police officers?

Mr. 43. I think it is.

Senator BYRD. It is a very common problem.

Mr. 43. It is a common problem. It is a 24 hour a day problem, especially in the precincts you named, 13, 10, 2 and 9, which are considered, I would say, the most hard core precincts.

Senator BYRD. Do you feel that the police were under any undue restriction with reference to arresting of looters during the recent riot? Were you in a riot area during the recent riot?

Mr. 43. Yes, sir. I am a member of the civil disturbance unit and I was called out at 1:00 a.m. on Friday morning.

Senator BYRD. At any time while you were on duty, were you under any verbal or written restriction with reference to the arrest of looters?

Mr. 43. No, sir, not in the area that I was in.

Senator BYRD. Do you feel that the presence of troops was helpful and beneficial to the police in connection with the recent riots?

Mr. 43. The troops, I will say that they were called in too late, about a day too late, and without them, we wouldn't have contained the amount of the city that we did contain.

Senator BYRD. Would they have been more beneficial had they themselves not been under restrictions as to the use of force or the taking into custody of violators of law?

Mr. 43. I think they would have been more beneficial, and in the area that I was in, which was the Ninth Precinct area, after the first couple of days, they did at that time hold people and call for the police and then they were turned over to the police officer using the soldier's name that apprehended the subject.

Senator BYRD. If during this period you had, if an occasion had arisen in which you would have needed to use your service revolver under conditions specified in the police manual in the general orders of the department, would you have felt free to do so.

Mr. 43. Yes, sir, I was in a squad of 12 men and a three-man car CDU unit. We had no orders not to shoot or no verbal or written, other than the memorandum order 28, which has been in effect since 1954 and which every police officer should know, because it is read to us, to most of us every Saturday at roll call. We have service revolver inspection. And had I felt that I had to resort to my service revolver to protect myself or another person's life, then I would have used my service revolver.

In the Eighth Street area, Northeast, the first riot units on the scene, and we dispersed the crowds with gas.

Senator BYRD. What is the greatest problem affecting troop morale? We have talked earlier about backing. We mentioned something about the backing in courts. What other factors do you view as having an adverse effect on police morale?

Mr. 43. Well, there seems to be a big shift in the department where they are shifting all the precinct captains and everybody around. I think this would affect the morale of a lot of those men in the precincts who have had a previous captain that they felt was 100 percent behind them, and then all of a sudden they would be, within the matter of two days, they receive a new commanding officer. Changes come about almost overnight in the whole precinct or command, and I think this would have an adverse effect on the morale of any such particular precinct.

Senator BYRD. Is there a feeling within the Police Department that these frequent changes are being dictated by the Chief of Police or by the Director of Public Safety?

Mr. 43. I think the feeling is that they are being dictated by the Director of Public Safety down through. I don't know if they are even going through the Chief of Police, but they are coming through in the first few changes we had several months ago, they were announced by Deputy Chief Wilson. I have noticed from press reports now the Chief of Police is promoting instead of Mr. Murphy and Wilson.

Senator BYRD. Does this situation with reference to having both a Director of Public Safety and the Chief of Police involved in the operations of the Police Department create confusion down through the ranks?

Mr. 43. I would say it does. I don't think the majority of men still know the actual job of the Public Safety Director.

Senator BYRD. You spoke earlier of the hopes of the Department at the time a director of public safety position was instituted in the District Government. Have these hopes materialized?

Mr. 43. No. As I stated previously, they haven't materialized. The men don't feel that actually at this time now, since they have seen the type of administration that is brought about, that his job is necessary.

Senator BYRD. There has been considerable discussion within recent days as to whether or not there is a sense of fear by the citizens of the District. As you go about your duties do you detect a sense of apprehension or a sense of fear by the citizens and by the business community in the city of Washington?

Mr. 43. There definitely is a sense of fear because they don't know what the next day or the next week or month is going to bring in the city of Washington. From talking with businessmen or officers on the beat, I know the majority of the businessmen in talking with them or the officers on the beat know that the officers did everything possible that they could to protect their property and the lives of the people in that area. Particularly the biggest problem is protecting our own firemen and our own selves. I think every officer during the civil disturbance first was protecting life and then property. When I say protecting life, they were protecting the firemen who were trying to protect the property and trying to keep the firemen from being rocked, hit at or shot at, protecting ourselves, and then trying to save the property and arrest looters at the same time.

Senator BYRD. In your opinion does the Metropolitan police have the capability to restore public confidence with reference to the maintenance of public safety?

Mr. 43. I think we have the capability.

Senator BYRD. In having capability what action is necessary to give to the citizenry of this town the confidence to which they are rightfully entitled?

Mr. 43. I would say complete backing. Let the police officer do the job that he took the oath to do.

Senator BYRD. Do you feel that the police have the backing of the community with which they come in contact in their daily work?

Mr. 43. I think that they have the backing of the majority of the upstanding citizens in the community, both white and colored businessmen, white and colored, that the Police Department has their backing.

Senator BYRD. Do you feel that that backing is made manifest by the people in the community?

Mr. 43. I don't feel that it has been made manifest as much as it could have been prior to the riot, but since the riot I think that it is being publicized more. The citizens, the groups, the individuals in the area, are making it plain to the city government and to the legislators that they are behind the police officers.

Senator BYRD. Let me ask you just one more question. Do you feel that the police have the support of such organizations as the NAACP, SNCC, Act, Core and so on?

Mr. 43. I have never felt that we have had their support.

Senator BYRD. Would you say that the police in Nos. 10, 2, 13 and 9 feel that they have the support of the community in those precincts?

Mr. 43. I think they have in those precincts that I consider hard core precincts. I think as I stated earlier, the policemen have the support of the substantial number of law-abiding respectable citizens. There is only a minority in those groups, in those precincts, that do all the speaking or blasting towards the police, different things like this, and that. The news media plays these minority groups up to where they are listened to. If the majority of the citizens that live in these areas and which are law-respecting citizens would start now as some of them have been doing, speaking out, they would drive these minority groups out and they would let the officers really know that they are behind them, which many are doing at this time.

Senator BYRD. Mr. 43, I want to thank you for giving your time and for being so patient and cooperative. It is now 15 minutes of 11 o'clock in the evening and you have been very agreeable in waiting as you have, your turn. I want to express my gratitude to you. I want to also express my gratitude to the police for the job they are doing or trying to do.

(Whereupon, at 10:45 p.m. the subcommittee adjourned.)

[Volume 11]

THE U.S. SENATE: REPORT OF PROCEEDINGS, HEARING HELD BEFORE SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA OF THE COMMITTEE ON APPROPRIATIONS

U.S. SENATE, SUBCOMMITTEE ON THE
DISTRICT OF COLUMBIA, OF THE
COMMITTEE ON APPROPRIATIONS,
Washington, D.C., May 22, 1968.

The subcommittee met, pursuant to recess, at 6:00 p.m., in Room 105, The Old Senate Office Building, Senator Robert C. Byrd of West Virginia (Chairman of the Subcommittee) presiding.

Present. Senator Byrd (presiding).

STATEMENT OF WITNESS NO. 44

Senator BYRD. Mr. 44, how long have you been in business in the City of Washington?

Mr. 44. Personally, sir, I have practiced law for 28 years, and then came with this firm that I am now associated with just four years ago.

Senator BYRD. In your judgment what is the greatest single problem confronting the merchants in the District of Columbia at the present moment?

Mr. 44. At the very present moment I would say the uncertainty of the presence of the Poor People's Campaign and what possible effect that might have on possible additional civil disturbances. This is somewhat from my own feeling and also from having talked with others.

Senator BYRD. Do you feel that there is a measure of apprehension in the business community and the climate surrounding business in Washington, brought about as the result of the Poor People's Campaign?

Mr. 44. I think that the apprehension was brought about by the events of April 4 and subsequent events in connection with our past civil disturbance. I think the Poor People's Campaign, if it had come to our town without this background of this civil disturbance, would not have caused any apprehension.

I think in connection with the unknowns about the campaign and the people that may have come into our town or may be in our town, who might want to create problems, I think this is where the apprehension comes from, not directly from the campaign itself.

Senator BYRD. We know something about the reaction of the business community and the statistics that we read in the paper about bookings and hotel reservations and numbers of tourists that are not appearing in Washington as they do normally during this time of year. What other ways has this apprehension manifested itself in the business community, particularly among those who were not directly involved in the civil disturbance of early April?

Mr. 44. I can't put my finger on anything other than the fear of the unknown that is associated with it.

Senator BYRD. Do you detect whether there is any uncertainty about the adequacy or the willingness of the city authorities to furnish adequate protection of established businesses?

Mr. 44. I am prejudiced along those lines, I have to tell you. I think that our city government has acted with dispatch, and I think properly. I think the only possible criticism, in my mind, would be that perhaps the troops weren't brought in quickly enough in the first instance. I think that if that was the fact, I am satisfied that they are prepared to remedy that in the event of any future problem.

Senator BYRD. We have talked about the general concern in the business community, but coming back to our own particular situation, how do you view the future of the march on Washington? How do you believe it will develop?

Mr. 44. First, I will give my hope and then I will tell you what I think.

I would hope that by June 16, they would have received sufficient assurances and that they will leave town hopefully feeling and being able to report that enough action was taken or discussed so that there will be some hope for the poor of our nation.

Now, as to what I think, I think it is going to go beyond the 16th.

Senator BYRD. Are you familiar with the arrangements that have been made to feed this large number of people that have appeared in Washington, and could you comment about some of the efforts of our business community to insure that they will be peaceable while they are in our midst?

Mr. 44. Yes, sir, I am familiar with it and I would be happy to comment on what I know. I know that there was a group of people convened by the Urban Coalition, and that those people consisted of various church groups, business organizations, and labor unions. They passed a resolution stating that they felt that the humane needs of the people in the city, visiting in the city, should be met. One of these was appointed chairman of an ad hoc food committee, and one was chairman of an ad hoc shelter committee, and there was I believe a clothing committee, but I can't be sure of that. I know that it was done under the supervision of the Health and Welfare Council, which is a United Givers Fund agency, that they were the only people present at the convening of that ad hoc committee who had staff, and they undertook to staff the activities of these various subcommittees. I know that the food industry, for example, has given considerable dollars as an industry to the purchase of foods. I know that the baking industry of Washington is giving bread. I know the milk industry is giving milk, and I know that various national-oriented food organizations are giving food in kind. Other people are gving dollars. I know that it was estimated that it would cost $4,000 a day to feed these people, or $1 a day apiece. That is when they were expected to have 4,000. That has now been pared to 3,000, hopefully. For 30 days, which was the commitment of this ad hoc committee, that would be $90,000 to $120,000 in dollars or in kind.

I know further that some Federal surplus is being used in connection with the feeding of these people.

Senator BYRD. Could you be more specific on that point?

Mr. 44. Yes, there is a surplus commodities organization within the Department of Agriculture, and I understand they have food for distressed situations. I understand that they are giving this food for the use of the ad hoc committee.

Senator BYRD. Is this committee concerned also with the preparation of the food or just furnishing of the food?

Mr. 44. Originally they were concerned only with the furnishing of the food, but they have gotten somewhat into the preparation, because there are people like one of the fine restaurant chains in our town, who have loaned to the committee a vice president who is in charge of their cafeteria services. He immediately saw that what was being done was very inefficient and would in fact have wasted food and perhaps would have caused some illness, because the SCLC people were really not organized to handle the problem. So as a consequence, the ad hoc food committee has also gotten unwittingly and unwillingly, I understand, involved in the preparation of the food, in the planning of the menus.

Senator BYRD. On this point, do you know whether or not the Federal Government is supplying anything other than surplus commodities?

Mr. 44. I do not know that they are supplying anything else.

Senator BYRD. With some 9 or 10 days experience now in dealing with the food needs of these people, how do you view the adequacies of the effort that has been made? Are they being fed to your satisfaction or to their satisfaction or to the ad hoc committee's satisfaction. Is it better than it was?

Mr. 44. I think it has been relatively good from the start. I think that an excellent job has been done by the volunteer people of the ad hoc committee, and in cooperation with the SCLC, and I think the people are being very adequately fed.

Senator BYRD. Have all of the contributors to this effort been willing contributors, or has there been some assessment made against them?

Mr. 44. I think so. I think that everyone went through every possible mental machination that is possible from both sides of the spectrum, and I think that after we tossed it all on the scale, I think we made up our minds that the humane needs, as long as they were in our town and were nonviolent, should be met, and I think we arrived at that conclusion independently, and, I know speaking in my own case, without any pressures.

Senator BYRD. Everyone views violence and nonviolence somewhat differently. What is your understanding of the point at which this group becomes violent and ceases to become nonviolent? We have read within the past several days of some acts within the camp community itself which one might not consider nonviolent. Where has the committee decided to draw the line?

Mr. 44. I don't think we have a definition. I may have one for myself that I haven't even really thought through, but I would guess that I would consider an act of violence anything that would disturb the peace or the property of our town.

Senator BYRD. Do you feel that the criminal element within the Washington community, leaving now those who have come in with the poor people's community, feel a greater sense of, for want of a better word, license, as a result of the disorders of early April, and that perhaps some of them would be willing to use the presence of the poor people's marchers here to further some type of a violent action against the community, to reinstitute looting, or to continue acts of arson?

Mr. 44. I have that fear, yes. I don't necessarily have the feeling that they will be permitted to do it, if in fact they would start it.

Senator BYRD. From your knowledge of the effort that has been made to bring these people here and to restrain their activities, is it your feeling that they can be kept within the nonviolent area for a protracted period of time, or will the passage of time intensify the probable confrontation with those who seek to retain a nonviolent stance by the demonstrators?

Mr. 44. I think this would be a good time for me to say that I would wish with all my heart that they were not here. I would wish that they would have changed their minds, in view of the previous experience which we had here in early April. But now that they are here, I think that they themselves must police themselves and keep their activities nonviolent. Otherwise, it is the death of their segment of this whole campaign and their organization. So I really don't fear the campaign. I do fear that criminal elements could latch onto it. But I am also hopeful that our city and Federal Government would move quickly and with dispatch, if any such activity were indicated.

Senator BYRD. Do you have a feeling that the welcome the Poor People's Campaign has received, the efforts that are being made to care for their needs while they are in the city, have and will temper the elements within it that would perhaps tend to nonviolence?

Have you seen some evidence that this has been effective?

Mr. 44. If you are referring to evidence of gratitude, no, I haven't seen any of that. I am not going to say that they have expressed ingratitude, for whatever efforts our committee has made, but I don't think that our doing something or not doing anything either tends to make them more or less violent. No, I think that they would have found other means to be fed, if we hadn't stepped in to feed them.

Senator BYRD. On what do you base that feeling, that they would have found other means?

Mr. 44. Well, number one, I don't think that our government would have sat by and permitted them to starve.

Number two, I am sure that they have friends throughout the country that would have seen to it that they got adequate dollars to make their own purchases, if not feed them with actual foodstuffs.

Senator BYRD. Have you any indications whatsoever that merchants were under pressure—you have answered this as to overt pressure—have you any indications whatsoever that merchants were under some kind of covert pressure, pressure which perhaps you would be unable to identify, but where there was a feeling on their part that they either had to contribute or perhaps find their businesses endangered?

Mr. 44. Not as far as this campaign is concerned, Senator. I think actually I haven't heard even a rumor that there is pressure in connection with this particular campaign. There have been other pressures that I have read about in the newspapers for contributions to other things.

Senator BYRD. Have you any knowledge of threats, aside from the Poor People's Campaign, to yourself or to other merchants on the part of criminal elements in the city?

Mr. 44. No, sir. All I know is what I have read in the newspaper. I know it exists in some of the burned-out sections. I have heard the Mayor speak about it. I have heard Mr. Murphy speak about it, and I know that it exists, and I decry it. I think it is horrible.

Senator BYRD. Do you feel that a military presence in the city at this point would be a healthful thing? I am not talking about any particular number. I am not saying 15,000 troops, 10,000 troops or 5,000 troops, just a military presence in being in sight, certainly within the higher crime-infested areas.

Mr. 44. I would love to see it, yes.

Senator BYRD. Would this engender some confidence on the part of merchants to the effect that they would then feel that they definitely are going to receive assistance and on time, in the event something should erupt?

Mr. 44. I think the merchants would feel comforted with the military presence, yes.

Senator BYRD. What impact do you think such a military presence would have upon the criminal element?

Mr. 44. I would have to say that the military presence, and my only experience with the military presence was during the last civil disturbance in April, had a very good effect for the benefit of the community on the criminal elements.

Senator BYRD. Do you feel that the Congress has acted responsibly in statements that have been made in connection with the recent riots, and in connection with crime, the crime situation that confronts the merchants of this city?

Mr. 44. I have read several statements that have been made by Congressmen, and I certainly don't question anyone's motives, and I am sure that when they spoke they spoke out of a knowledge of circumstances that gave them the right to say what they said. I am really not qualified, Senator, to be specific about what any one Congressman said.

Senator BYRD. We have earlier indicated that original estimates of the feeding of the Poor People's Marchers was, in round figures, $1 a day, or for 3,000 people for a period of 30 days it would be approximately $90,000 to $100,000. Do you foresee any difficulty in raising this original target amount or meeting the needs of the marchers which this particular group is undertaking to meet?

Mr. 44. We are sort of like the ancient Hebrews as they were fleeing Egypt. The manna fell day by day, and we are sort of looking at this on a day-by-day basis. As a matter of fact, our own contribution is contingent on the three items that I mentioned to you earlier, which were nonviolence, authority to be where they are camping, and the obligation to last a month.

Now, we are making our donation in one-fourth of the total donation each week of that month, so that each week we take a look at it, to see if they in fact are living up to these criteria.

Senator BYRD. But by living up to these three criteria, you don't envision any difficulty in meeting the needs which this particular group has accepted?

Mr. 44. Up to this point we have had none. Now, it can take one of two turns. It can either mushroom, as it appears to be doing—I got a call from two large national concerns just gratuitously offering large amounts of food, just because they wanted to be involved and felt as though it was a national concern rather than a local concern, and thanking me very profusely for having done this, as they said, for the national food industry.

Senator BYRD. Mr. 44, how long do you feel that you can continue to contribute? You have indicated that if this mushrooms, if this camp-in mushrooms, this is going to pose a problem. Let's say that it does not mushroom. Let's say that it remains about the size of what it is at present. How long do you feel that you and your associates can continue to make the kind of contribution you are making?

Mr. 44. We are committed only for a month, and they know it, and one in these times can't very well say whether one will change one's mind at the end of a period, but right now it is firmly made up to last for one month only, and I want to say to you also that I have urged whatever leadership of the SCLC that would listen to me, and the leadership of our own Washington community, that no additional space be allotted to them other than Resurrection City, under any circumstances. I think they can make their point very clearly and very well with the people what Resurrection City will house, and our obligation as far as the ad hoc committee is concerned, exists only insofar as the present Resurrection City is concerned. I am hoping that they don't bring any more people in.

Senator BYRD. Would it also extend to individuals not in Resurrection City, but in neighboring environs over and above the 3,000 or is 3,000 the cut-off?

Mr. 44. 3,000 was the cut-off. Now I know that there are church groups that are involved that also are interested in meeting the human needs, and whether they would pick up the slack, I don't know.

Senator BYRD. Perhaps some of the industries and agencies that are also cooperating with your group are also supplying milk and bakery goods to church groups outside.

Mr. 44. I think not. I honestly think not. As a matter of fact, I think that church groups are just about phasing out; that until Resurrection City was built to its capacity, I think they took the people in. That is my information. I could be wrong.

Senator BYRD. And where is this food being prepared at the present time? Originally it was at Howard University kitchens.

Mr. 44. Yes. There are three meals. The breakfast and lunch meals are cold meals so they require no preparation. They require some refrigeration, and there is refrigerated equipment on the site. The only meal that requires preparation is the evening meal, and that is still being prepared in toto at Howard University.

Senator BYRD. And is SCLC personnel engaged in the preparation of the meal?

Mr. 44. I don't know. I don't know whether it is SCLC personnel or Howard personnel or volunteers. I know that a labor union was providing them with cooks or was attempting to provide them with volunteer cooks.

Senator Byrd. Do you know whether or not Howard personnel are engaged in the preparation? You know Howard facilities are being used.

Mr. 44. I do not know that they are. I have a feeling that they are, but I do not know.

Senator Byrd. Mr. 44, in your estimation will the willingness of the Washington business community and food distributors to underwrite the costs and the needs of the present march, will this raise a question as to an obligation in connection with future marches of this type or some other type?

Mr. 44. I would certainly pray not. I think that part of the rationale that got on this scale that I talked about before that tipped it in favor of meeting human needs was the fact that the merchants of Washington have profited through the years by visitors coming to our city and spending dollars, and a good part of our local budget is based on the visitors' dollars. So we have been getting the benefit of it.

Now, along come some visitors that don't have the dollars, and I think that the merchants sort of wish they hadn't come. We are sort of putting back into the economy what we have taken out as a result.

Senator Byrd. One engaged in this feeding effort and doing so on the premise that the dollars do not exist for the feeding of them otherwise must have a strange feeling when he reads about the costs involved in underwriting other areas of the march, the travel costs, and the costs of the tent city itself.

Mr. 44. I have been too busy on the food side, but certainly those other costs are there. I know that they are there. I don't know that any local merchants have been asked to underwrite that. As I said, our funds are being administered by the Health and Welfare Agency and are used exclusively for food.

Senator Byrd. Were you or your group ever directly or indirectly approached by any government official with reference to underwriting the costs of this march?

No. 44. No, sir, and we didn't undertake to underwrite it in this instance either. What we did was our resolution said we will do what we can to meet the needs of our visitors.

Senator Byrd. Since making this most generous offer, have you been approached by officials of the Federal Government with reference to your present endeavor?

Mr. 44. No, sir.

Senator Byrd. May I repeat the same question with regard to the officials of the District Government?

Mr. 44. We have been in touch with officials of the District Government, to discuss with them problems that exist in connection with the march, and the fact that we as business people and church people, too, just in trying to undertake the underwriting of this thing, have limitations. We alerted the District Government to alert the Federal Government to that fact, that we weren't just in the business of feeding these visitors.

Senator Byrd. Did District officials approach you and your group to solicit support along these lines?

Mr. 44. No, I can't say that they solicited our support.

Senator Byrd. What reaction do you have to the increasing evidence to the effect that not all the people by any stretch of the imagination who are participating in this march and camp-in are poor people but rather people who have been encouraged to participate, and if we are to judge by the newspapers and other press media, they have been "trained," in nonviolent methods, and that many of them indeed appear to be college students. Some have been members of gangs from large cities.

Mr. 44. Was the question what was my reaction to that?

Senator Byrd. Yes.

Mr. 44. Well, of course I abhor the fact that members of gangs were here. I understand they have been sent home. I hope they have. I know for one night they were lost, when they were staying at one of the churches, and I know that everybody was in a tizzy about that. They just got up and left. But they were found the next day. I am referring to the Blackstone Rangers from Chicago.

As to my reaction to people camping there that are not poor, I am sorry about that, too.

Senator Byrd. My question really goes to this point. You and other business people in the community very kindly reacted to the so-called Poor People's March. You have indicated a willingness and even a desire to meet the people's needs while they are in the city, and of course what you have in mind is people who are indeed poor, and who may feel that their coming to the city will result in some way in a better life for themselves. Now, it is evident that not all these people by any means who are engaged in this visit to Washington are poor people, in the sense of the word as we have been discussing it.

Now, what is your reaction to this? You are still having to contribute to the feeding of these people.

Mr. 44. Well, I would wish they weren't there. I don't know that if a small percentage sneaked in, so to speak, that I would change my views as to the necessity for meeting the humane needs of the others.

Senator Byrd. You spoke earlier of having given some indication, either personally or together with the group with which you are working, that no further site be provided, and that if at all possible this group limit its stay within the city for a period estimated at 30 days. At what time was this view given and to whom, within the last several days?

Mr. 44. I would say it was within the last 10 days, and it would have been to the Reverend Fauntroy with whom I have fairly constant contact, because of the fact that he is associated with SCLC as well as with the city.

Senator Byrd. And was his response such that it would lead you to believe that there was some hope of maintaining it at its present level, at its present site, and not going beyond the original estimated date?

Mr. 44. They did indictate that they were holding busloads back so as not to overtax the facilities, but then I read in the paper that they are asking for other facilities, so I can't say that he gave me any indication one way or the other as to what his response was. I know that I haven't changed my mind. I would wish that they would limit it to this one facility, and I would pray that they would limit it to a month.

Senator Byrd. If another site was secured, and if the group doubled from 3,000 to 4,000 people but remained within the original time frame of 30 days, and your group should be asked to meet this additional need, is it your present opinion that it would be in a position to do so?

Mr. 44. I don't know. It wouldn't be in a position to do so with the present pledge of funds certainly, and I don't know what my own reaction would be or the reaction of the others that are involved, and I want you to know that while I am involved personally, because of the commitment to the community, that our company is not involved any more than is any other food chain. We are all giving like amounts in dollars.

Senator Byrd. Was any representation made by you to the other officials of the District of Columbia or to the Federal Government in the beginning urging that every effort be made to persuade these people not to go through with the planned campaign?

Mr. 44. Not to go through with it at all?

Senator Byrd. Yes.

Mr. 44. I think that by the time I got involved, it was already on the way, so that I know that I have expressed myself to anyone who would listen that I would hope that in view of the April problems they would defer the march at least, but I guess it was a presumptuous request on my part, and it was answered by their coming.

STATEMENT OF CHARLES F. HINES; ACCOMPANIED BY HARRY BREGER; LARRY ROCHON; WILLIAM BURKE; BARNEY LIPKIN; WILLIAM CULPEPPER; SEYMOUR SPELLMAN; AND M. S. TUPAS

Senator Byrd. Can one or several of you tell us about the problem that the employees at the Government Printing Office are confronted with as they go about their work?

Mr. Rochon. Yes, sir. I will read you a few letters here concerning various things that happened to people.

Senator Byrd. Without getting into reading the letters, could you perhaps more concisely tell us the general problem as it exists at the Government Printing Office? Then we can get into specifics or we can take your letters for further information.

Mr. Rochon. Perhaps I can break it down this way. At the Government Printing Office, the printers start work, the first start time on the night shift is 4:00 p.m. They start coming in at 4:00, 4:30, 5:00, 6:00, 6:30, 7:00, 7:30, 8:00, 9:00, 11:30 in the evening.

Now, on some of these, like on the earlier shifts, there is a small body of people coming in. I believe there are six people on the 4:00 o'clock start. They would on a normal night leave work at 12:30. So here you have six people walking down the street. They perhaps don't park in the same area, parking is a big problem down there. They park anywhere that they possibly can. They have a GPO parking lot. For the 4:00 o'clock shift and the 4:30 shift it is just about impossible to get on the lot because the day side people are still there when they come in. This leaves these few men out there on the street and they are just vulnerable for anybody to get at them.

Then the 4:30 shift, that is a fairly small shift, maybe overall in the whole building about 100 people.

Senator Byrd. Coming now to specifics, have any one of you gentlemen been subject to a crime of violence as you went about your work at the Government Printing Office, or are you personally familiar with any crime of violence that has taken place?

Mr. Breger. We are representing the many that have given us affidavits.

Mr. Rochon. Personally, nothing ever has happened to me.

Senator Byrd. Is it a frequent occurrence?

Mr. Rochon. Oh, yes.

Mr. Burke. When you say crime of violence you mean just to the person or to property also, like automobiles?

Senator Byrd. To person or to property.

Mr. Burke. Well, myself, I have had my car broken into innumerable times. It is on record with the Metropolitan Police Department.

Senator Byrd. This is a fairly common occurrence in almost any urban area. We are trying to talk now about an aggravated problem at the Government Printing Office. What sets this particular area apart? We talked about the parking problem. We have talked about small groups of people. Now let's talk about specific acts of violence, and how you best illustrate the magnitude of the problem. I see you have letters and affidavits. Without reading each and every one of them into the record could you tell us how many letters you have?

Mr. Rochon. Approximately 150 letters.

Senator Byrd. What do they generally make reference to?

Mr. Rochon. Automobiles broken into, batteries stolen, tires stolen, cars stolen, personal property stolen out of the vehicles. There are naturally a few letters here about people that were held up. There is a man here was held up in midafternoon in 1966, and the thief was scared off. This was reported to the police and a suspect was apprehended, charged in court. The sentence this man received for this was a 7-year probation.

There is a letter here, a man had a new automobile. He had to have it repainted because of vandalism. Then he had to have his newly painted automobile repainted again because of vandalism.

There is a letter here from an assistant foreman of the night section, a '64 Buick stolen sometime during the evening of October 10, 1967. It was recovered by the police several weeks later.

Senator BYRD. It was my understanding that this probably has existed in some proportion for several years.

Mr. ROCHON. That is true.

Senator BYRD. But that in the last several months it has grown in intensity to such a point that it was extremely doubtful that the Government Printing Office could continue to carry on its operations unless there was some cessation of this crime. It was also my understanding that a plea from the Government Printer and from various union groups and employee groups had been directed to the executive officials of the City of Washington. Has this action been taken? What has been the response you have received?

Mr. ROCHON. Because of the union sending these telegrams out, I received numerous letters from people that have had something happen to them, and I think what really brought it to a head the other day, this man has been out sick quite awhile, his wife came down, she was jumped at 10:00 o'clock in the morning, had her purse stolen, had a fractured shoulder and bruises, and that is what really started everything really boiling. That was the end of it right there. It happened at 10:00 o'clock in the morning.

Mr. BREGER. We feel we are on the same annual leave setup as the day but the problem is when we want to take off at 12:30 or 1:30 in the morning to get home it is a big problem to get our cars. We can't walk safely in the streets. You have got to look behind you, alongside of you, and everywhere. If you happen to walk into a gang you are going to be taken. If you get to your car safely you still have to look around before you get your key in the car and open it up. There has been violence in the day time but you have a better chance in daylight to get in your car. That is why we feel we don't want sort of like double protection. We just want plain protection so we can come and go as we please. We can't. We are spokesmen now for a lot of people, several thousands of people. Anyone who starts from 7:00 o'clock on in the evening has the best average because when they work half a night they can leave at 11:00 o'clock if they want to go home.

I was called home for emergency several times because something happened at home. I had to leave at 12:30, and I was afraid to go to my car.

Senator BYRD. It is my understanding that there are only 7,500 total employees at the Government Printing Office.

Mr. BREGER. Yes.

Senator BYRD. In this neighborhood.

Mr. BREGER. Yes.

Senator BYRD. And how many of them are working staggered or night shifts?

Mr. BREGER. I would have to give you an approximate figure but several hundred print the Congressional Record; they set the type to go to press that sends the record to you people.

Mr. BURKE. It is a complete operation. Of course I think one thing I want to point out here is that we individuals are only representatives of the Printers Union. There are other crafts there. Now, a lot of this documented evidence that Larry has here only because we as a group will meet and discuss these when we have our various chapel meetings, our members hear of this and send the evidence to him, but there are other crafts where these same acts happen. I know pressmen, offset pressmen, letter pressmen, bindery men and what not over there where there have been acts of violence which possibly he would know about, because I work on a different floor than he does. He is more confined to a certain area of the building.

Senator BYRD. Coming back again to the specifics of this inquiry, there is hardly an area in this city that is immune to acts of violence, from acts of vandalism, from roving gangs. This has become generally true throughout a large part of the city. But what we are trying to determine here is what is the unusual nature of the Government Printing Office location and its personnel?

Now, we know that there is a parking problem. We know that the staggered shifts present somewhat of a problem. Is there absolutely no police protection? What efforts have been made to obtain adequate police protection from the Police Department, from the Mayor's office? What have you done? What has the Government Printer done?

Mr. BURKE. Well, personally, we were involved in a campaign including the union's chairman, maybe three years ago before Larry held that office, and letters were written I imagine to the Senator, Mr. Broyhill, and so forth, and to various people on the Hill and officials of the city, and what not, and they did promise us more police protection.

Senator BYRD. Who promised you?

Mr. BURKE. Well, I think Mr. Broyhill for one looked into it, and we got word directly from the Captain of the Second Precinct.

Mr. BREGER. I think it is the First Precinct.

Mr. BURKE. The First Precinct. He actually came into the office and had meetings with Mr. Taylor who at that time was the chairman. There was supposed to be an additional one or two plainclothesmen provided, a man with a K–9 dog plus a regular patrolman who was supposed to sign into the guard's office every hour.

Now, at that time these acts of violence and vandalism and so forth was on the upswing. So maybe it was a little safer. But the particular situation where the office is located is a bad neighborhood. I mean I understand that a lot of these same acts happen in other parts of the District, but it is just a bad neighborhood, and it seems as though possibly the type of people who want to commit these acts of violence will come all the way from another part of the city.

Senator BYRD. Mr. Hines, could you tell us something of the unusual nature of the problem confronting employees at the Government Printing Office, particularly with reference to crimes of violence?

Mr. HINES. Well, the unusual part about it is that they are on a definite upward surge, particularly in the last two months. The numbers and the types of crime have increased. We are having crimes now where concealed weapons are used. People are being held up with pistols. They are being severely beaten. They are being yoked, robbed, stabbed. Their cars are being stolen, parts of them, tires, batteries, broken windshields, paint destroyed with acid, tires slashed, punctured with icepicks.

Senator BYRD. Have you personally experienced any of these things?

Mr. HINES. I have about 150 letters here from people whose names I have given you that work at the Government Printing Office. They have all signed statements. We have signed documents.

Senator BYRD. But that doesn't answer my question.

Mr. HINES. No.

Senator BYRD. Have you personally experienced any of these things?

Mr. HINES. No, I haven't. I do not work for the Government Printing Office.

Senator BYRD. Oh, you do not?

Mr. HINES. No, sir. And you can also insert these in the record if you would like. They give you a vivid description of the things that are not reported to the Public Printer of the United States, because they have over the period of years just given it up as a hopeless cause. The Police Department of the City of Washington has been very cooperative. The Captain of No. 1 Precinct is very cooperative. It is a wonder he is not a raving lunatic with the amount of reports of violence and trying to track them down. Chief Layton has been very cooperative with us. And he was very concerned today. We got a phone call from his office expressing concern that we were in such a state of mind as we are right now, and we told him that the blame wasn't his, but on the lack of adequate help for his department.

Senator BYRD. Let the record show at this point that Mr. Hines for various employees of the Government Printing Office has turned over to me some 50-odd letters——

Mr. HINES. About 150.

Senator BYRD. About 150 letters and affidavits with reference to acts of violence perpetrated against employees of the Government Printing Office. Also there was produced a telegram directed to the President of the United States under yesterday's date, with copy to the Public Printer signed by Mr. Charles F. Hines as president of the Columbia Typographical Union No. 101, AFL–CIO.

Also a copy of the reply to this telegram from the White House signed by Mr. Joseph A. Califano, dated May 22.

Mr. HINES. That other information contains facts and figures showing you a breakdown of crimes that have officially been reported to the Public Printer. This will give you a description, from the Director of Personnel and all of the different types of crimes that have been officially listed in the Government Printing Office going all the way back to 1963 and 1964.

Senator BYRD. Also to be included in the files of the committee a list of crimes officially reported to the District of Columbia police authorities against employees of the Government Printing Office.

Mr. HINES. Through the Public Printer.

Senator BYRD. As of what date?

Mr. HINES. That brought us up to April 2, 1968, and then the chart picks up a little bit further back here to show you the more recent crimes. This last chart goes all the way up to April 2, 1968. We have incidents of car wheels being stolen, a complete wheel, this is 3. You have cars stolen, 3, batteries stolen, numerous, assaults physical, 5, hold-ups and robberies, 2, incidents of batteries stolen, 2, assault, 11. It goes on in there. It shows you how it increases.

Senator BYRD. These statistics will be included in the files of the committee.

In your opinion has this situation become more aggravated as a result of the civil disorders of early April?

Mr. HINES. Yes, very definitely.

Senator BYRD. Why do you feel this?

Mr. HINES. Because the type of incident that takes place is aggravated by the statements to some of the people that have been physically assaulted, using terms to say that, "You won't come down into our district any more," or to the extent that, "This is our area. You don't belong down here."

Senator BYRD. Who makes these statements?

Mr. HINES. The people that are doing the hold-ups and the physical threats and the physical violence that takes place.

Senator BYRD. In your opinion from the experience of your people is this a large number of people or is it a relatively small group of people?

Mr. Hines. It is hard to say.

Senator Byrd. Are they juveniles or are they adults?

Mr. Hines. Mixed.

Senator Byrd. Are they white or are they colored?

Mr. Hines. Colored.

Senator Byrd. And among your employees at the Government Printing Office you have a sizable contingent of female employees?

Mr. Hines. Yes. I would say in the typographical union maybe two percent, in the women's bindery we have quite a few. We would have several hundred.

Senator Byrd. The total then of several hundred or a thousand or more?

Mr. Hines. In a total out of 7,800 I would say you have at least 1,000 women employees.

Senator Byrd. The type of crimes that predominate in the vicinity of the Government Printing Office, are they perpetrated by individuals or by roving gangs?

Mr. Hines. Well, you have your gangs, but the individual hold-ups and so forth are by individuals. The beatings and so forth are by groups of individuals.

Senator Byrd. Has this resulted in any slow-down on the part of the work of the Public Printer or has there been some evidence that the employees are afraid to come to work as a result of these?

Mr. Hines. Yes. They are having problems with people in the Government Printing Office. There is a letter indicating that 54 people resigned, and over half of them resigned because they wouldn't live in the Metropolitan Area of Washington, with the type of environment that they have to go to work and return to work from.

Senator Byrd. Is it a requirement of the Government Printing Office that its employees live within the confines of the District of Columbia?

Mr. Hines. No, it is not. We are requested as a union locally to contact our international, which we have done. We have contacted over 900 local unions asking for skilled help because of the shortage of skilled help in the Government Printing Office, particularly in our field, and this request was made by the Public Printer and we honored it. But we are now facing a stone wall because the printers who were coming to Washington have quit, have gone back home and are spreading the word not to come into Washington.

Senator Byrd. This situation that you have described has existed in some proportions for some period of time?

Mr. Hines. Several years.

Senator Byrd. When did it actually get to unmanageable proportions?

Mr. Hines. This last six months.

Senator Byrd. What efforts has the Public Printer made to secure adequate police protection for the area surrounding the Government Printing Office?

Mr. Hines. I know he has worked very closely with the Vice President of our union, Don Taylor, in trying to elicit more policemen with dogs, walking the beats within the surrounding areas of the Government Printing Office and the parking lot where the employees park their cars. Don Taylor, our Vice President, has been over to see Chief Layton. He has talked to the Captain of No. 1 precinct, many, many times.

Senator Byrd. We are talking now for the present about the efforts of the Public Printer. Has he in writing requested additional police protection?

Mr. Hines. The Director of Personnel tells me he has. I requested copies of the correspondence. I was refused that, with good reason. I would say it is good reason. Personal correspondence is not always available between two people that you are not involved with.

Senator Byrd. But it is your understanding that the Public Printer did make such a request?

Mr. Hines. Yes.

Senator Byrd. Within the past six months?

Mr. Hines. Yes, and the Director of Personnel told us yesterday, I believe he said that this could be obtained by the proper authorities, if necessary.

Senator Byrd. And do you have any information as to the response that was received?

Mr. Hines. From what we are told, that everything is being done that is humanly possible.

Senator Byrd. Has there been any beefing up of police patrols in the area of the Government Printing Office in the last six months?

Mr. Hines. There has been and there hasn't been. I think you have a copy there of some documents that will show you. Let me have it and I can read it to you a little better.

November 25, 1964, notice was put out by the Vice President of our union, who is an employee of the Government Printing Office, notifying them that the Police Department has agreed to double the police protection in the area near the Government Printing Office. The District Government has reinstalled the street lights on Myrtle Street, the north side of the Government Printing Office lot. Special attention will be given to the times of departures every hour and on the half hour by the patrol cars. Patrol cars will also drive through the GPO parking lot every half hour "and in time I believe other improvements will be made as well."

Senator Byrd. From whom was this information obtained?

Mr. Hines. This came from our Vice President who had been in touch with the Chief of Police, and the Captain of No. 1 Precinct.

Senator Byrd. And the date of that correspondence?

Mr. Hines. November 25, 1964.

Senator Byrd. And from your personal knowledge, were police patrols doubled?

Mr. Hines. Some were added, but not doubled.

Senator Byrd. Were the street lights installed?

Mr. Hines. In some places but not in others.

Senator Byrd. Were patrols through the parking lot obtained?

Mr. Hines. Yes, and then they disappeared.

Senator Byrd. What about the street lights. Did they disappear also?

Mr. Hines. They were broken out in most cases.

Senator Byrd. Were they replaced?

Mr. Hines. Repeatedly.

Senator Byrd. Were the police dogs put on the street?

Mr. Hines. They were put on the street and then all of a sudden they disappeared.

Senator Byrd. Are they on the street now?

Mr. Hines. They are now because we got them back.

Senator Byrd. When?

Mr. Hines. It was several months ago that they took them off. Somebody hollered police brutality but Don Taylor made a special effort to go see the Chief of Police and the Captain of No. 1 Precinct, and told them of the peril to the printers, and they were put back on the beat again.

Mr. Rochon. About four or five months ago.

Senator Byrd. Are they on now?

Mr. Hines. They are on now, but as of today I have word from the Captain of No. 1 Precinct that there will be at least six more patrolmen added and the police dogs will be doubled. That will make a sizable crew.

Senator Byrd. Beginning when?

Mr. Rochon. Starting tonight as a result of our telegram.

Senator Byrd. As a result of what?

Mr. Rochon. Of our telegram.

Senator Byrd. Your telegram to whom?

Mr. Rochon. To the President, to the Mayor, to the Attorney General, to the Senators in charge of the legislative and appropriations committees, and to the Representatives in charge of the House legislative and appropriations committees, and also to Congressman Broyhill, Senator Byrd and Representative Burleson, who is the Vice Chairman of the Committee on Printing, and I think we also sent one to Senator Hayden.

Senator Byrd. In your opinion have the steps that have been announced today by Chief Layton of the Police Department been sufficient to deal with this problem?

Mr. Rochon. No, sir.

Senator Byrd. What in addition in your opinion do you think should be done to adequately deal with the problems confronting GPO employees?

Mr. Rochon. The biggest problem is adequate parking facilities for employees coming to and going from work. The parking lots that the employees presently use are not United States Government Printing Office parking lots. These are parking lots that were acquired through the persistence of the printers and the employees in the United States Government Printing Office, with the Redevelopment Land Agency.

Senator Byrd. What other than adequate parking facilities?

Mr. Rochon. You need some safeguard to see that these people can get to and from the parking lot and to and from the bus stops into the Government Printing Office.

Senator Byrd. Is there a safety factor involved in the need for additional parking space? Why is there a need for additional parking space? Is it primarily because the way it is now, it contributes to the hazards?

Mr. Hines. The hazard of going to and from work. Most of these people come long distances, and they come from areas where bus service is not in plentiful supply, and the number of buses on the routes are not as many as you would have in an ordinary Metropolitan Area.

Senator Byrd. So is the need for additional parking space so much a need for the space per se, but a need for space which will be so located as to insure greater safety to the employees?

Mr. Hines. Greater safety to the employees. That is what we need. The biggest problem with this parking is the fact that the parking areas are spread over a wide distance. In the statement that I have given you, I have asked for adequate protection for a 12-block area surrounding the Government Printing Office. These parking lots are not centrally located, so a man parks his car within four blocks or five blocks from the Government Printing Office, he has got that distance to walk, and this is where the trouble begins. Then when he leaves the building, he has no assurance that when he gets to his car it is going to be there or in fit condition to run. He doesn't know whether he is going to have any wheels on his car, whether he is going to have any windshield, and so forth. And as I say, these violations have been so repeated and so numerous they don't even bother reporting them to the Public Printer any more.

Senator Byrd. What is your understanding as to the availability of police patrols, either foot or motorized from Precinct No. 1, today as compared to prior to the disorder of early April?

Mr. Hines. Well, as of two days ago the Captain at No. 1 did not have adequate men to supply the needs of his precinct.

Senator Byrd. Has he so stated to you?

Mr. Hines. He has so stated to our Vice President, and indicated that he was very definitely undermanned.

Senator Byrd. Did he state to you the number of people that he was undermanned?

Mr. Hines. I thought it was a figure of about 100, about 100 men, and that he hoped that this problem would be corrected, if they could hire more overtime for the police or get more police to accept jobs in the District of Columbia, but he had no assurance of it.

Senator Byrd. Have the police dogs been reinstituted in this 12-block area that you refer to?

Mr. Hines. Yes.

Senator Byrd. Approximately how many foot patrolmen or police dog teams would you estimate are working in that area during the hours of darkness?

Mr. Hines. I would say four, and there will be eight tonight as I understand it.

Senator Byrd. In your opinion is there some reason for the greatly increased incidence of crime in this area, beginning with the period of the civil disorders? Do you feel the criminal elements have moved into this particular area?

Mr. Hines. I think they have moved in for one particular reason.

Senator Byrd. Why?

Mr. Hines. By word of mouth, with the laborers that work in the Government Printing Office and the other people that work in there, the criminal element understand that the printers, the pressmen, bookbinders, and photo engravers all make a very good salary. They know that these people, when they leave the Government Printing Office, have a large amount of overtime that has piled up and the paychecks are really fat, and when they rob one of them, they get a pretty good haul.

Senator Byrd. Is the incidence of crime seemingly related to payday?

Mr. Hines. Luckily most of the people at night are paid by check now. It used to be that everybody in the building was paid by cash. But most of the men have requested in recent years to get paid by check. We are suffering the type of things now that are nagging, with the exception of the ones of physical violence, where people's arms are broken or shoulders or teeth knocked out.

Senator Byrd. Speaking about those particular crimes of violence against personnel at the Government Printing Office, for the purpose of this record could you state the most recent, most vicious crimes? Are there several that you could illustrate as to the condition that exists there at the present time within the past week?

Mr. Hines. Yes. We had a lady that was visiting the office Director of Personnel in the Government Printing Office, for her husband, delivering some papers, at 10:00 o'clock in the morning on North Capitol Street. She was jumped, beaten and robbed, her shoulder broken, and severely bruised and left lying on the pavement. That is one.

Senator Byrd. Were there any arrests made in connection with this assault?

Mr. Hines. None.

Senator Byrd. Was she able to identify her assailant?

Mr. Hines. That I don't know, whether she has or not.

Senator Byrd. Has she been able to identify anybody?

Mr. Rochon. Not that I know of.

Mr. Hines. We had three men held up at gunpoint going home from work at 1:00 a.m.

Senator Byrd. On what date?

Mr. Hines. The day before yesterday, on the 20th, and this was an armed robbery. He stole wallets, watches and any personal possessions that were of value.

Senator Byrd. And where was this? Was this in proximity to the Government Printing Office?

Mr. Hines. This was within a block and a half of the Government Printing Office, L and North Capitol.

Senator Byrd. That is within a block and a half of the Government Printing Office?

Mr. Hines. Yes.

Senator Byrd. Were the victims able to identify their assailant?

Mr. Hines. They haven't found him yet.

Senator Byrd. Were they able to describe him?

Mr. Hines. They knew he was Negro but that is all.

Senator Byrd. A single Negro male?

Mr. Hines. A single Negro man with a gun.

Senator Byrd. Are there other instances that you can recall?

Mr. Hines. Well, we have had beatings where men have been going home, one of the oldest men in the night section had been jumped, knocked on the pavement, kicked. He was severely beaten in this incident. We have had bookbinders leaving going out to lunch who have been jumped by juveniles in groups, and they have been beaten. Some have been hospitalized. This whiskey store that is directly related to the Government Printing Office has been robbed at least four times in the last month or month and a half. The man has said, "You can have it. You can run it. I am getting out of business."

Senator Byrd. Are these crimes perpetrated against Negro employees in the Government Printing Office as well as white?

Mr. Hines. Yes, black and white. They don't distinguish. They just hope they are rich enough that they can get money.

Senator Byrd. What percent of the employees at the Government Printing Office are Negro?

Mr. Hines. I would have to guess at that. I would say at least 20 percent.

Mr. Rochon. 35 to 40, I would say.

Mr. Hines. They have increased quite a bit, mostly in the laborers unions, in the binderies, we have increases in the typographical union, half of our apprentice class in this last graduation I think was Negro. They have increased in numbers over the past years.

Senator Byrd. A moment ago you indicated that the hoodlums, by word of mouth, from "laborers" in the Government Printing Office learned that most of the employees have fat pay checks and so forth.

Mr. Hines. Sure.

Senator Byrd. What do you mean when you use the world "laborers" there, and the fact that by word of mouth the hoodlums get this information?

Mr. Hines. You have people that are in the lower pay groups that would live in what is termed today I guess as a ghetto area, and just their discussions with their next door neighbors, how many hours they work, how much money that printer up there makes that I work with.

Senator Byrd. You were not implying then that the laborers——

Mr. Hines. No.

Senator Byrd. —in the Government Printing Office are—

Mr. Hines. In cahoots.

Senator Byrd. Are working with these men?

Mr. Hines. No.

Senator Byrd. Or are giving them encouragement in any way?

Mr. Hines. I would think they would be just as careful of their lives as we are of ours going and coming from work.

Senator Byrd. Have they so indicated?

Mr. Hines. Yes. They are very upset over the same type of situation that we are.

Senator Byrd. The colored employees are also upset?

Mr. Hines. Yes, definitely.

Senator Byrd. You know this to be a fact?

Mr. Hines. Yes, sir. We plan to have one of the presidents of their union to meet with Representative Broyhill tomorrow, and he will so state that fact.

Senator Byrd. Have they been victimized also by the hoodlums?

Mr. Hines. I would say definitely yes. Their automobiles have been destroyed as much as ours have.

Senator Byrd. Do you feel that there is a need for troops in the area?

Mr. Hines. In my statement I have said, at the tail end of it, that I think that the only solution to this is if we can't get enough police then armed forces of the United States should be brought in, their guns should be loaded, and they should be used to protect the decent taxpaying citizens of the United States.

Senator Byrd. Let me say amen to that privately and publicly.

Let me ask you this question. In addition to those areas of the problem of crime in the vicinity of the Government Printing Office, is there anything further that you would like to add?

Mr. Hines. Yes. I would like to state that I am vitally interested in seeing that the United States Government Printing Office move its building to the suburbs, into either Maryland or Virginia, to give our employees a chance to come and go in the peace that they should have. What is particularly disturbing is that in discussions with the Director of Personnel at the Government Printing Office on May the 21st, he informed us that the plans for the area surrounding the Government Printing Office are such that parking is going to become more critical than it is now. For one, they plan to build a visitors' center adjacent to the Union Station Plaza, which will house approximately 4,000 cars. This is fine. We think it is wonderful for the District of Columbia. But we are definitely opposed to building anything for the visitors until they take care of the working people that have to work and live in this Metropolitan Area. We would be honored to say in writing that we would encourage the Public Printer of the United States to move the Government Printing Office, but we have some jurisdictional problems that we have to iron out first, and then we will definitely give him that statement in writing.

Senator Byrd. Would I be correct in assuming that the workers at the Government Printing Office are widely dispersed throughout the area of Washington?

Mr. Hines. I would say 75 percent of your Government Printing employees live in the suburbs.

Senator Byrd. And a location in the downtown area would be probably preferable to all of the employees rather than to any location in the suburbs.

Mr. Hines. Yes, preferable, if we could get adequate protection.

Senator Byrd. Then the question of protection brings about a desire for a change insofar as the employees are concerned?

Mr. Hines. Yes.

Senator Byrd. This is paramount in their thoughts?

Mr. Hines. That is right.

Senator Byrd. In desiring the Government Printing Office to be moved to a suburban location?

Mr. Hines. They are not unhappy with where the building is located now. They are unhappy with the surrounding environment that they have to work in.

Senator Byrd. What impact upon absenteeism has this crime situation had?

Mr. Hines. On the night of the civil disobedience that we had in the District of Columbia, I would say that 75 percent of the employees stayed home.

Mr. Rochon. About 98 percent.

Mr. Hines. 98 percent.

Senator Byrd. I am aware of that. I am aware of the fact that the Congressional Record of April 5 was not delivered to Senators until April 9. But what is the impact upon absenteeism of the continuing high crime rate?

Mr. Hines. Well, I would say that your reasoning behind your absenteeism, which has increased according to the Director of Personnel, is that whenever there is a broadcast on the radio or television of a civil disturbance of some nature, people stay home. They are not going to come into the downtown areas.

Senator Byrd. But what is the impact upon your day-to-day absenteeism?

Mr. Hines. I would say that it has just doubled.

Senator Byrd. Since when?

Mr. Hines. I would say in the last two months.

Senator Byrd. When you say doubled, can you substantiate this?

Mr. HINES. No.

Senator BYRD. Is this just a guess?

Mr. HINES. No, this is from what I hear from the men who are union officials working in the Government Printing Office. These are the reports that I get.

I would also like to add for the record that this problem in the Government Printing Office does not single out the problem that we have had with our members in the union. The book and job employer, the commercial printing industry of Washington is really suffering tremendously. Their work has dropped off tremendously, and, according to the employers, and I think they have stated so directly, their customers are fearful of their lives to come down into the areas where the shops are located. The amount of overtime, and I can tell this by the amount of dues the members turn in, has dropped considerably in the last two or three months. The employers are very concerned. One employer was told by his insurance company in the area where they are located that if you don't brick up your windows and put bombproof, fireproof doors on your building, we will not carry your insurance.

We have had one plant here in town which was burned completely to the ground. He has since moved out to Fairfax County. The Evening Star area is a disgrace for people to have to go to and come from work. It is so bad that they have a garage set up in the basement of the Evening Star where, when men come out to their cars, parked in the surrounding streets and find a wheel missing or a battery missing, they can go to the garage of the Evening Star and be loaned the necessary equipment to get their vehicle running again. Then when they come back, they are expected to replace it. This is an everyday occurrence, not just once a week. This is every day. And the employees at the Evening Star are just as adamant about their position as we are about the position of the Government Printing Office employees. So it is city-wide. It is not just in one place. It is bad enough at the Government Printing Office, but it is twice as bad, I think, at the Evening Star.

Senator BYRD. Mr. Hines, is there widespread evidence of apprehension on the part of the employees at the Government Printing Office with reference to the present Poor People's Campaign?

Mr. HINES. Most of the people there believe that this Poor People's Campaign is going to invoke another civil disturbance similar to or worse than the one of April 5. They are very apprehensive about it. The opinions of people that I have heard that are in the great majority are that these people should be returned to their states where they belong, and that nobody in this country ever got anything for nothing.

Senator BYRD. This includes white and colored employees?

Mr. HINES. White and colored.

Senator BYRD. Thank you very much.

Mr. HINES. Thank you.

STATEMENT OF WITNESS NO. 45

Senator BYRD. Mr. 45, are you acquainted with an unusual situation that exists in the District of Columbia and has existed since the time of the recent civil disorders?

Mr. 45. Yes.

Senator BYRD. Particularly with reference to groups advocating violence in the District of Columbia?

Mr. 45. Yes, sir; I am, and I have personal experience.

Senator BYRD. Could you tell us something of your knowledge?

Mr. 45. Yes. My wife is a resident manager in one of the large apartment houses here. The place is integrated, but the majority, I would say, are white people living there. About some two weeks ago there was a disturbance and a lady called her up to come up to the fifth floor. Upon investigation, she found that one lady was utterly drunk and really disturbed the other tenants. She was very noisy. My wife told her, that was 11 o'clock at night, to be quiet because other tenants are living in the building and they also have a right to their quietness and privacy.

The lady in turn became very abusive and told my wife that she had no right to tell her or her friends—there were five people involved—to tell her anything as to what she can do, that this is now a colored city, and the whites have no more rights any more in this city.

Senator BYRD. These tenants, were they male or female?

Mr. 45. Male and female.

Senator BYRD. Were they colored or white?

Mr. 45. They were colored.

Senator BYRD. All of them were colored?

Mr. 45. Those who were involved in the incident.

Senator BYRD. In this incident?

Mr. 45. Then my wife went down to her office and then those people followed her.

Senator BYRD. Followed her out of their apartment into her office?

Mr. 45. Yes, into the office, and then they put this pamphlet called "Build Black" under her door.

Senator BYRD. She saw them put it under her door?

Mr. 45. Yes, she saw it, and she put the names on it of the people who put it under the door. By the way, this is a copy of that pamphlet. Originally I gave it to another authority who was interested.

Senator BYRD. Are these the people who threatened your wife?

Mr. 45. No. Let me continue. Then my wife, when she saw them putting the thing under the door, she talked to them and she told them that she is not going to take any nonsense. She was told she would see what was going to happen to her. That was Thursday night.

Senator BYRD. Let me ask one question right there, if I may. You said the people followed your wife to the office.

Mr. 45. Yes.

Senator BYRD. After she had asked them to be quiet?

Mr. 45. Yes.

Senator BYRD. Are the names on this memorandum the names of those same people?

Mr. 45. Yes, the same people.

Senator BYRD. It is my assumption that a disorder of this nature, in which tenants become loud and disorderly, is not an uncommon occurrence in a large apartment building. What made this different from other disturbances?

Mr. 45. What made it different? Because they immediately put racial overtones to it. For instance, she said that a woman who I understand is on welfare, she is about 40 years old or something, said, "You remember what happened to Washington a few weeks ago. That will be nothing when we get through with you people."

Another thing is that they put this literature under all the white people's doors and threatened them to get out, in other words.

Furthermore, this incident was Thursday night. Saturday morning a terror-stricken young lady came to the apartment and the same gang molested and knocked at the door, threatening, and she was really upset.

Senator BYRD. Then as a result of this activity of this particular group in the distribution of pamphlets, which you have described, it has tended to disquiet other occupants?

Mr. 45. Right.

Senator BYRD. Namely, the white occupants of this particular apartment building?

Mr. 45. As a matter of fact, it has disquieted them to that point that a 75-year-old man who lived in the building for 42 years, maybe he is not 75, but he is beyond 70, who lived in the building, he came down two days later with tears in his eyes and he said he is moving out. He said he loves this building, he hoped to die in this building, but he said, "I am an old man. My wife is old, and we are really afraid of what is going on."

Now, Saturday morning that woman came and said she was terrorized all night, she and my wife finally in desperation called the police. The police didn't do anything. And finally more disturbances occurred of that nature, where that gang threatened everybody. My wife finally in desperation called the police again. That was Saturday morning. Two officers came, and we explained that those people are apparently doing nothing else but trying to cause disturbances between the white and colored tenants, and that is really what it was. It is a deliberate gang who is either in the employment of those people or I don't know what their motives are, just to cause trouble. And the police then said, "All right, let's go up and talk to the leader." And they were so meek. They didn't even talk. They said, "Well, the resident manager wanted us to talk to you.

Senator BYRD. Is this the particular pamphlet to which you have reference?

Mr. 45. This is a copy of the pamphlet.

Senator BYRD. Let the record show that a copy of the pamphlet was retained in the files of the Committee.

Mr. 45. She puts this pamphlet outside the door in the corridor. My wife sent the engineer up, and she said to the engineer to tell the tenant to remove this pamphlet because it is highly inflammatory and an insult to many people who live in the building.

Senator BYRD. Who told the resident manager that?

Mr. 45. My wife told the engineer to go up to see one of the tenants and order her to take this pamphlet off the wall.

Senator BYRD. Did she then take it off the wall?

Mr. 45. She refused to take it off. As a matter of fact, she opened the door and she called her cohorts and said, "You see what they want me to do, those honkies? They want me to take 'Build Black' off the door."

Senator BYRD. Are there vacancies in this apartment building at the present time?

Mr. 45. Just two or three, practically none.

Senator BYRD. Is there a waiting list of either Negroes or whites waiting to move in?

Mr. 45. Yes, people are willing to move in because it is a nice apartment house and it is very reasonably priced.

Now may I continue with what else happened?

She of course refused to take it off. In the afternoon, that was Saturday afternoon, suddenly a fire broke out in the basement. The canvas cot was on fire. Sunday morning, on the fifth floor in the incinerator room, in the room where they put their garbage to throw it in the incinerator, fire broke out. Papers were on fire, not in the incinerator but outside. The gentleman who lived there for 40 years, this intimidated him enough and he is now going to move out because he said he is too old and he cannot stand that any more. There are little children. Sunday evening——

Senator BYRD. This past Sunday evening?

Mr. 45. No, that was about two weeks ago. This all was within a period of about three or four days. This Sunday evening, the same evening, in the washroom, the laundry room, the dryer burned up, and the man who repaired it said he had seen many fires but this one he is sure this was set fire to. So there are at least three fires in the building, small fires. My wife called the police. The police said, "Well, did you see who did it? Next time watch who is doing it and then report to us and then we will investigate, or call the Fire Department." She got absolutely no help from the police. Finally she had to hire a guard, who is very firm and keeps very good control over the situation.

Also the company then started eviction proceedings against the tenant who would not remove the pamphlet from the wall.

Senator Byrd. On what grounds?

Mr. 45. On what grounds? Complaints from tenants of terrible behavior, causing trouble, and she of course collected signatures. She is now writing a petition from her friends that she is a real good tenant and an outstanding young lady.

Senator Byrd. Has this particular apartment building followed in the past the policy of not accepting individuals because of race, creed or color?

Mr. 45. No. The policy has been to comply with the law, to accept anybody who comes in. As a matter of fact, even the white people we talk to, who are molested, they knew that there are colored people living there. There is no animosity towards them.

Senator Byrd. Do you have new whites moving into the building?

Mr. 45. Yes. We have some whites moving in now, and we explained. It is not a situation that the colored people were held down or had any grudge. As a matter of fact, they were equally treated, and my wife treated everybody alike.

Senator Byrd. And with the exception of this particular group, there was no unusual activity on the part of other colored tenants?

Mr. 45. No. As a matter of fact, one of the colored tenants came to my wife, that was Sunday night or Saturday night when the trouble was. She said, "I pray for you, but be very careful, because this is just a small gang of people, and they are very, very bad and all they want is just to make trouble between white and colored."

Senator Byrd. Are you and your wife in fear of these people?

Mr. 45. Well, let me say this. I have been in the U.S. Army for 10 years and I am not running.

Senator Byrd. Are you reluctant to leave your wife when you leave the apartment building to go to work?

No. 45. Yes, I am. I am worried. But yet I feel running away from problems never solves anything.

Senator Byrd. Has she actually been threatened with bodily harm by these people?

Mr. 45. Yes. This one colored lady, who is a friend of that one said, "They are going to hang you. Be very careful when you walk down the corridors."

Senator Byrd. She said this to your wife?

Mr. 45. To my wife. She warned her.

Senator Byrd. "They are going to hang you"?

Mr. 45. Yes, hang you. "They are going to hurt you. They may break into your apartment. Be extremely careful when you walk down the corridors." But my wife is also a stoic. I am a stoic myself. We try to do the right things, and those people are drunkards. They are hoodlums. They are troublemakers. It has absolutely nothing to do with civil rights. This I can tell you.

Senator Byrd. Thank you very much, Mr. 45, for your statement. You have been very helpful.

STATEMENTS OF WITNESSES NOS. 46 AND 47

Senator Byrd. No. 46, how long have you been a bus driver in the District of Columbia?

Mr. 46. Ten years.

Senator Byrd. And No. 47.

Mr. 47. 19 and a half.

Senator Byrd. Mr. 46, can you describe the situation confronting bus drivers in the District of Columbia, particularly as it relates to your situation? Have there been crimes of violence directed against you?

Mr. 46. Me personally? Yes. On two separate occasions, one time at Eastern Avenue and Kenilworth Avenue, when I was robbed by two teenagers whom I could not identify.

Senator Byrd. Were they armed?

Mr. 46. Oh, yes, very definitely.

Senator Byrd. Both of them armed?

Mr. 46. No, just the one, and to say what they looked like was impossible.

Senator Byrd. Were they armed with a knife?

Mr. 46. No, a gun, small caliber. The first question the police usually ask is "What did they look like," which is unfortunate because you don't look at the man. You look at the gun, and hope that he doesn't use it. But no violence at this point. No witness, no one on the bus.

Senator Byrd. And the second incident?

Mr. 46. Trinidad and Simms, Northeast, when a man while I was loading the bus came over to the side of the bus. I do not think robbery was the intent, but hit me alongside of the head with what, I don't know, broke my glasses, gave me two black eyes, put me out of work for about three weeks. These are the only two items that I have been involved physically in.

Senator Byrd. Do bus drivers live in fear at the present time?

Mr. 46. At the present time? Yes, constantly.

Senator Byrd. What in your opinion is the solution to the present problem confronting both the transit company and the drivers?

Mr. 46. Well, at the present time we are confronted with the money situation. As you know, the man lost his life because of money, and I think first and foremost is to remove the bait as we have been doing for the past several days, and the proof of the pudding, so to speak, is in the eating, because there have been no robberies to my knowledge, I don't know definitely in other parts of the system if there were, but the men that are operating the buses now, at the meeting that was held just the other evening, have stated that in complete trips from one end of the city to the other they have not lost any fares because of the lack of change on the buses.

Senator Byrd. Did they have any change at all?

Mr. 46. The people that were boarding the buses all had the exact change. There was no need to make change. And everyone that boarded the bus either had bought tokens earlier in the daytime or had the correct 27 cents to deposit in the fare box. So we think if the money was removed or an armed guard put on the bus to protect us, it would be more than a deterrent to keep these people away from us.

Senator Byrd. Undoubtedly there is a wider understanding of the problem confronting the bus driver in the action taken by the bus driver and those acting for him in his organization. However, to your knowledge, is there any public transit system anywhere in the world that is unable to make change for small bills, for its customers?

Mr. 46. None that I know of.

Senator Byrd. This is a situation, then, unparalleled in modern times in any place in the world?

No. 46. Yes, sir.

Senator Byrd. That exists in this town at the present time?

Mr. 46. I believe all transit companies are being plagued with this same problem of these people harassing them physically, mentally, and robbing them and beating them because they are handling this money. I think that if several places throughout the city were constructed to dispense tokens or make change, whichever the case may be, as the post office is on F Street, as a parking meter is when you go some place to do something you must put a dime in it, telephone, cigarettes, whichever the case may be, these are all automatic dispensary machines.

Senator Byrd. This is undoubtedly true but it is a last resort type measure, because it is recognized as being an inconvenience.

Mr. 46. We understand this is an inconvenience, but don't you think a man losing his life is quite an inconvenience also?

Senator Byrd. Certainly so, but directing ourselves back to the problem of maintaining law and order in the District of Columbia, is this not the problem rather than the amount of change?

Mr. 46. Agreed.

Senator Byrd. Or the closing of the operator's stand?

Mr. 46. If I may say something on this, I don't think that there need to be any more laws enacted. Goodness know we have got enough laws to take care of everything that is being done if it were taken care of; but once these people are picked up, they are taken downtown and they are either juveniles released to the custody of their parents or let go on personal bond. If a good stiff sentence was imposed on the people that are picked up and proven guilty, then I think this thing would slow down or stop.

Senator Byrd. Mr. 46, is it not a fact that juveniles in this city, over the past several years, have come to believe that if they enter a public transit bus in groups of three, or four, or five or six, and refuse to pay their fares, that they just could ride free?

Mr. 46. Oh, that is a definite plan of theirs. They do this deliberately. You will have one man get on and say, "He will pay." And another one, "He will pay," and they will go right down the line and five will walk by and I for one am not going to the back of the bus to try to collect the fare. I will tell them as the company requests us to tell them that they owe a fare, but we are not under any circumstances obligated to go back and force them to pay a fare.

Senator Byrd. And how often would this occur in a normal working day? Would it happen once a week?

Mr. 46 Oh, no.

Senator Byrd. Twice a week?

Mr. 46. If you went one way, just one destination to the other you would have this happen at least twice in one trip, not completing a round trip. If you made a round trip I would say four times at least.

Senator Byrd. You mean this would happen in the course of your day 10 or 12 times?

Mr. 46. Very, very easily, very easily, at least 10 or 12 times.

Senator Byrd. Can you recall a single day in which you have operated on a regular shift when it hasn't happened a single time?

Mr. 46. In the daytime, yes. I would say let me put it into a particular area of the city. The Northeast section, I worked Benning Road for a number of years, and up until the past two years this problem never did arise. We had problems with the kids hitting the back doors and the like, but never forcing their way on the bus. We have now school children that have 10-cent school tickets who will push their way right by you.

Senator Byrd. Is this a problem with both adults and juveniles?

Mr. 46. No, no, this is more so with juveniles.

Senator Byrd. Is it also true with white juveniles?

Mr. 46. No.

Senator Byrd. And colored juveniles?

Mr. 46. I have yet to run into a white juvenile, regardless of where he was that if he didn't have a school ticket he paid the full fare and no questions asked. Maybe a little noise but never a problem physically.

Senator Byrd. And how long have you worked with the D.C. Transit?

Mr. 46. Ten years.

Senator Byrd. And you mean to state that in a period of ten years, the last several of which you frequently encounter juveniles who refuse to pay entering your bus in gangs——

Mr. 46. Right

Senator Byrd. As many as 12 to 20 times a day, in a single day you cannot recall a white juvenile refusing to pay?

Mr. 46. Never one time, and we have gone into some areas such as the Mount Pleasant area where there are a lot of young white juveniles, 16th Street, 14th Street, I have yet to run into a problem with any of them. I honestly haven't.

Senator Byrd. In your opinion is it feasible or indeed is it possible to so construct a plastic enclosure to your driver's position that it will furnish protection and yet not restrict your vision and your maneuverability?

Mr. 46. Oh, very definitely. We have had people measure up—I shouldn't say measure up, I should say figure up a system where they could enclose the driver and still leave him room to operate his change carrier, if we are handling money, or issue transfers or even collect transfers if it be necessary. I think in banks, tellers have portions where they can drop the coins in and they come right out in the chute where they don't even have to lay a hand on it or have anything to do with the people at all.

Senator Byrd. Then, No. 46, if the problem of crime on buses could be removed, do the drivers have any objection to carrying change for small bills?

Mr. 46. None whatsoever.

Senator Byrd. Then the opposition to the carrying of change is solely related to the problem of crime on buses?

Mr. 46. I would say nothing but, right.

I would like to say the Police Department in the city, as far as their foot patrolmen or detective department are just excellent as far as we are concerned. Every time you ask them to do something, they will cooperate 100 percent. They will take these people off the bus or take them downtown, whichever the case may be, but this is where the end comes. When they get them downtown, they are gone.

Senator Byrd. In your opinion is the permissiveness that starts with letting juveniles ride free perhaps a contributing factor to the degree of license they feel in taking cash moneys from the D.C. transit?

Mr. 46. I don't quite follow you.

Senator Byrd. The problem with reference to violence against bus drivers, and the taking, illegal taking of money from the drivers, could that not have its beginning in permissiveness toward riding free?

Mr. 46. I sort of understand your question, but I am not quite sure. You are asking me if the people were permitted to ride free, then this gives them an incentive to take money from the driver? Is this the point you are getting at?

Senator Byrd. Not necessarily incentive, but is it likely that an individual who thinks that he can ride for nothing——

Mr. 46. Yes.

Senator Byrd. When everybody else pays.

Mr. 46. Right.

Senator Byrd. Will also take the money from the bus driver.

Mr. 46. Right. These are the people who will come up and while one is talking to you the other will slip his hand around and if not take your change carrier, snap the barrel and you wind up short in the next day because they have crowded around you so bad that you can't watch them all and this is what happens.

Senator Byrd. No. 47, have you encountered crimes of violence against your person during the 19 or 20 years that you have served with the District Transit?

Mr. 47. Only once, a robbery at Burns and G Street, Southeast.

Senator Byrd. Could you describe this incident?

Mr. 47. Yes, I was yoked and robbed, hit on the back with a sharp instrument that I cannot identify, but I believe it to be a utility knife—carried by I guess tile layers or paper hangers or someone that would have use for such a knife.

Senator Byrd. Could you describe your assailants? Were you able to?

Mr. 47. No. It is like looking in a pot of beans. You can't pick one out of the others.

Senator Byrd. Were they juveniles or adults?

Mr. 47. Yes, they were juveniles.

Senator Byrd. Were they white or colored?

Mr. 47. No, they were black.

Senator Byrd. During the course of your 19 years as a bus driver in the District of Columbia, do you frequently encounter individuals who ride on your bus but refuse to pay the fare?

Mr. 47. Not frequently at this time. I work in the upper Northwest, and over in the Northeast part that I work in, we are not bothered with this particular type of crime at this time, because they are more concentrated in areas out on Benning Road, over in Southeast, Alabama Avenue, Congress Heights area, Nichols Avenue, and the Anacostia area.

Senator Byrd. Have you worked in areas where this was a problem?

Mr. 47. Yes, I have.

Senator Byrd. Is it a common occurrence?

Mr. 47. Yes, it is.

Senator Byrd. How many times would you estimate that it happens in the course of a normal eight-hour work day, when in fact an eight-hour work day is the late evening shift?

Mr. 47. I wouldn't like to estimate now because it has been getting worse for the past I would say five years or more, and at the time that I was working in these areas, well, it wasn't unusual to run into these incidents five or six times a night, in an eight-hour course of work.

Senator Byrd. And were they largely juveniles or adults?

Mr. 47. Mostly juveniles.

Senator Byrd. Were they largely colored or white?

Mr. 47. In nearly 20 years with the company, I have never had any trouble out of white children, so that would make them all colored, yes.

Senator Byrd. Are you stating that in 20 years of service with D.C. Transit, you can not recall a white juvenile entering your bus refusing to pay the fare on demand from the bus driver?

Mr. 47. I can swear that I have never had a white juvenile enter my vehicle and refuse to pay a fare.

Senator Byrd. And in your period of service, you have stated that it has been a frequent occurrence with reference to the total number of passengers that you haul?

Mr. 47. Yes.

Senator Byrd. When a Negro Juvenile gets on or anyone gets on the bus and refuses to pay, what action do you take or did you take, or are you authorized to take?

Mr. 47. We are instructed by the company to suggest to them or let it be known to them that they owe a fare. This is all we are obligated to do. We are not demanded to go back and collect the fare or insist that if they don't pay a fare they will be removed from the bus. There enters a problem there, too, with having them removed from the bus.

Should you summon a policeman for this, they will cooperate. They will come. They will have the man pay a fare or get off the bus. Nine times out of ten the man, or I should say the boy, or two or three, whichever the case may be, they will pay a fare, and when the driver gets off, this is when the harassment starts. They are up and down the middle of the bus.

Senator Byrd. You mean after the policeman leaves?

Mr. 47. After the policeman leaves, right. This is when they start at you. They deliberately stay to the end of the line and just wait for a chance. Now, it doesn't always happen where they will go completely to the end of the line, especially if you are going downtown, but if you are going out to the other end, it is always advisable to look for the second policeman you see either to follow you out or ride your bus with you because these people are going to give you trouble nine times out of ten. If they don't smack you alongside of the head, they give you a punch in the mouth just on general principles. I made a mistake there. You asked about these two incidents. I had one more. At 55th and East Capital going downtown, four punks boarded my bus and they were drunk. They couldn't be any more than 16 years of age, but all four of them were drunk. And I told them when they were standing there that they owed a fare. And this one with his favorite language that he uses to refer to white people——

Senator Byrd. You can use the first letter.

Mr. 47. White ——— that they refer to, they came up alongside me, and I'll never forget it. The man had a green ring on his second finger, and when he hit me, he hit me right here. It didn't break my glasses. It was the very last night at Trinidad Division when we closed the Trinidad Division and moved to Bladensburg. He hit me right here but I swear I had the most beautiful shiner you ever did see. Got to 53rd Street, when I pulled the hand brake and stood up, the four ran out the door. That is the last I saw of them. When I got down to the precinct and reported it the policeman asked if I was robbed and I told him no, and he said, "We will investigate," and that is the last I heard.

Senator Byrd. When he hit you, what happened then?

Mr. 47. This is when I pulled the hand brake up and started to get up out of the seat because I wasn't going to take a second slap in the mouth sitting down. I would have taken it standing up more than likely.

Senator Byrd. They hit you and ran?

Mr. 47. Right. They refused to pay a fare first and when I mentioned to them that they owed a fare this is when they started with their favorite language. There wasn't anyone else on the bus. Of course you couldn't get any witness. And I will never forget that. He hit me with that ring right there, and boy, I'll tell you that light went on just like you turn that one on. That is the third time. No witness, no indictment, no nothing. No pickups because I couldn't identify them or know who they were.

Senator Byrd. It is my understanding that the company within recent days has made an announcement that drivers will not carry personal weapons onto buses. Is there widespread desire on the part of operators to carry guns?

Mr. 47. Definitely not.

Mr. 46. I don't think so.

Senator Byrd. Why is it that some drivers have in the past carried guns?

Mr. 46. I think they are a little afraid.

Mr. 47. Out of fear.

Mr. 46. Guns aren't the only things that these people carry. A lot of them carry straight razors, and some of them have knives.

Senator Byrd. We are talking about drivers now.

Mr. 46. Right, drivers.

Senator Byrd. You mean the drivers carry straight razors?

Mr. 46. You can bet inside their jackets some have a special slot that they fit that thing right down in there, no problem at all.

Senator Byrd. Are these generally Negro drivers or white drivers?

Mr. 46. No, white drivers, many that I talk to carry guns. The Negro ones either carry a knife or a razor.

Senator Byrd. Negroes are trying to protect themselves, too.

Mr. 46. Definitely so, oh, yes. We have them that are hit, not quite as frequently as white drivers but nevertheless we have them that have been hit by these people.

Senator Byrd. Isn't the bus driver who carries a gun at a disadvantage if he attempts to use it?

Mr. 46. Senator, let me say this. If a person who does not know how to drive an automobile is at a disadvantage when he is behind the wheel so I think if a person isn't man enough to know how to use a gun he is definitely at a disadvantage.

Senator Byrd. I mean if he has a gun and reaches for it, the other fellow who has a gun drawn on him has the advantage.

Mr. 46. Definitely, so I wouldn't even attempt to do this were I one of the people that carried it and I am deathly afraid of them myself. I think they are liable to hurt you. But nevertheless for a man to have, so to speak, the drop on him and go for his gun, this isn't even a sane thing to my way of looking at it, absolutely not. If he were a man that had somebody outside shooting at him, and he had the ability to get to his gun and know how to use it, then I would say it would be to his advantage.

Senator Byrd. A bus driver is not authorized to carry a gun.

Mr. 46. Under no circumstances, no. I think if they were to deputize us, and give us the authority to carry one, this would be a different story.

Senator Byrd. Is it your understanding that the late Mr. Talley suffered a beating sometime prior to this?

Mr. 46. I think it was about two weeks ago.

Mr. 47. He was off for at least two weeks with a beating, from work. He hadn't been back to work very long. It must have been three or four weeks previous to the shooting.

Mr. 46. But he had been beaten quite severely.

Senator Byrd. What we have said is that carrying a gun is something that bus drivers do of necessity?

Mr. 46. Right.

Senator Byrd. Unwillingly.

Mr. 46. Right.

Senator Byrd. And probably with some measure of concern as to it being within the law and within the policies of the bus company.

Mr. 46. I shouldn't say that. It is against the policies of the bus company. They absolutely forbid you to carry any protection at all. They don't want you to carry it.

Senator Byrd. In short, when a man arrives at the conclusion that he must carry a gun in order to protect his own life, he does so at his own peril, in violation of the regulations of the D.C. Transit.

Mr. 46. True.

Senator Byrd. And in violation of the law of the District of Columbia?

Mr. 46. Right, no license to carry the gun; yes, sir. The company makes it a very firm point of saying that when a robbery is being transacted, you give him everything that he asks for. Do not hesitate one bit. Just give him everything that he asks for.

Senator Byrd. In your opinion is the decrease in the incidence of violence against bus drivers, the decrease over the last several days since the death of Mr. Talley attributable to the bus drivers carrying no change or to the presence of police on the buses or a combination of both?

Mr. 46. I think it would be a combination of both. I think there are police around although we don't see them. They tell us there are plainclothesmen more so than uniform policemen but I do think the removal of the money from the bus is the reason why these people have not—there is nothing to go after.

Senator Byrd. And it is my understanding that you have heard that there has been no loss of fares as a result of the noncarrying of change by bus drivers over the past several days?

Mr. 46. To any great extent, I would put it. I would not say completely that this is true in all cases. We are just taking this as an average in our lines and what we have heard.

Senator Byrd. Have you lost a customer?

Mr. 46. No, I haven't worked since last Friday.

Senator Byrd. Mr. 47, have you lost a customer?

Mr. 47. I haven't worked since last Friday. I am a union officer and we have been on union business, so I couldn't say.

Senator Byrd. Do you feel that the policy against carrying of change by the bus drivers is in and of itself sufficient to curtail crimes of violence against bus drivers?

Mr. 46. I believe it is, yes.

Senator Byrd. Without the police protection?

Mr. 46. Well, if we don't have the money, we don't have a reason for robberies, and if we don't have a reason for robberies there is no need for the police.

Let me say this. I think anything that would pertain to money, as far as the company is concerned to protect the driver, this is not feasible. They don't want to spend anything to do this. This is my opinion why we don't have them. I think if the city were to put them on or the union were to pay for them they would be glad to do it but if we have to have the company do it, I don't think they will do it.

Senator Byrd. In your judgment is this problem with respect to crime and its effect upon the business of the Transit Company going to get worse or is it going to be solved in your judgment? What is the outlook as you attempt to view the remaining weeks and months of the summer and fall?

Mr. 46. With the summer approaching us, Senator, I would say it would be getting worse. When the children get out of school, the juveniles, this is the time that they are going to be out in the streets, and this is the time they are going to harass us, figuring we are easy pickings, twice as quick.

Senator Byrd. Is the bus company going to be able to continue——

Mr. 46. To sustain this?

Senator Byrd. To operate, in your judgment.

Mr. 46. I read an article the other day that the bus company had 232 robberies in comparison to 376 as of last year. These are just approximate figures. The amount of money was not stated, but I think if the company were to prosecute some of these people when they got them downtown, when they have a very sure case of putting these people away that are doing this, I don't think this would last too long. Senator, I honestly don't. They don't want to just go ahead and prosecute anybody. Why I don't know.

Senator Byrd. Well, they may feel that it is an exercise in futility.

Mr. 46. Yes, but the thing keeps increasing and the amounts keep getting larger. Now, how long they can sustain these losses, I don't know. Not only is there loss in revenue but there are man hours involved in this, too. You have got men that have got to make out reports. You have got drivers not making trips to the end of the line, which is a loss in the revenue route, and if the people that decide to tear up the buses, they will smash windows, this is man hours where that bus is off the line to be repaired, and I don't know how long they can go along without doing something. I honestly don't.

Senator Byrd. I think it is about to the point where the average citizen doesn't feel that there is any point in prosecuting.

Mr. 46. Could you tell me why, Senator?

Senator Byrd. Yes, because the courts turn these people out on the streets before the policeman can get back out on the street himself.

Mr. 46. Right. You make a round trip, you take him downtown and this same character is liable to come back with a token and ride your bus back home, just picked up by the police. As I said before about the police, in my opinion they are doing an excellent job in apprehending these people because you can give a fair description and within two or three hours they will call you downtown to look at mug shots and they will have the man sitting in the next room. They know who he is. Nine times out of ten it will be a boy who has done this previously. They are released to their parents if you can find out who his parents are or he is turned out on personal bond. Are we lacking judges or are we lacking judges with backbone?

Senator Byrd. Well, you are lacking both. You have some judges who don't lack firmness and who have a comprehension of just what this is all about and what we are up against but you have some who seem to be in sympathy with the hoodlums.

Mr. 46. I don't think there is that kind of organized crime in here where there would be a reason for them to sympathize with them. I don't think it is that. I just think it is a lack on their part of prosecuting the people that are coming up with these problems.

Senator Byrd. Thank you, Mr. 46 and 47.

(Whereupon, at 8:45 p.m. the subcommittee adjourned.)

SUMMARY OF RECORD AND ACCOMPLISHMENTS OF THE COMMITTEE ON WAYS AND MEANS DURING THE 90TH CONGRESS

HON. WILBUR D. MILLS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. MILLS. Mr. Speaker, the Committee on Ways and Means' legislative record in the 90th Congress reflects one of the busiest and most productive periods in the committee's history. The jurisdiction of this committee, as is well known, is exceedingly broad and complex, and it encompasses matters that have significant effect on the day-to-day activities and well-being of all of our citizens.

The nature of the measures falling within the committee's jurisdiction is such that we must necessarily proceed with the utmost caution, responsibility, and prudence. Laws on the subject of taxes, tariffs, social security, and fiscal matters generally, have a great impact on the economy of the Nation and on its citizens.

To illustrate the breadth and depth of the committee's work in this Congress, one needs merely mention some of the major measures which were reported by the committee and which were enacted into law.

In the field of social security, the most significant legislative enactment which was reported by the committee and which has had a very considerable beneficial impact on the lives of our citizens was the Social Security Amendments of 1967, which, among other things, as finally enacted, provided a 13-percent increase in cash benefit payments for all beneficiaries on the social security rolls; increased the amount of earnings a beneficiary may have without having any benefits withheld; provided benefits for workers who become disabled while young; and many additional changes in the old age, survivors, and disability insurance program. This measure also provided changes in the health insurance provisions and practically all of the other titles of the Social Security Act, as well.

In the field of internal revenue taxation the committee reported bills which became law in most of the principal areas of this important part of its jurisdiction. The major piece of legislation in this field in the 90th Congress was the Revenue and Expenditure Council Act of 1968, Public Law 90-364, approved June 28, 1968. The Committee on Ways and Means held extensive hearings on the President's tax surcharge proposal in both sessions of this Congress and insisted that any increase in taxes be accompanied by meaningful Federal expenditure cuts. The legislation as agreed to by the conferees and finally approved contained both of these elements and is designed to reduce the Federal budget deficit, lessen inflationary trends in the economy, strengthen our balance-of-payments position and the dollar, and to assist in decreasing the pressures on financial markets and interest rates.

In the field of trade and tariffs the committee reported a number of miscellaneous bills dealing with various commodities in international trade. The committee's major activity in this area was the holding of very broad and extensive public hearings covering the general subject of the balance of trade between the United States and foreign nations. These hearings encompassed practically all of the subjects under the overall topic of foreign trade, and involved the testimony of some 344 witnesses testifying in the 18 days of public hearings and compiling a record of 5,099 printed pages. This record will be of great benefit to the committee in its future consideration of proposals in the trade field.

The committee also held public hearings and reported legislation during this Congress to revise and extend the Renegotiation Act for a 3-year period. In addition, it was necessary for the committee to consider and report legislation in the area of the public debt, specifically, to extend it and to establish a new level for the permanent debt ceiling.

Mr. Speaker, these major measures indicate the extensive activity of this committee in the 90th Congress, but they by no means tell the full story. Many less significant but still quite important measures were considered and reported by the committee.

As I have pointed out in the past, and can again state without reservation, the members of the Committee on Ways and Means have devoted themselves diligently and conscientiously to the heavy work of the committee. The members of the committee have been assiduous in pursuing their responsibilities and in the attendance of the meetings of the committee almost daily throughout the two sessions. Because of the nature of the work of the committee it was again necessary to conduct many executive sessions for the consideration of the complex measures which the committee had before it. While we as individual members of the committee have of course not always agreed on all of the measures considered by the committee, certainly every member can be justly proud of the work which he has done and the record which he has established.

It is abundantly clear that the nature of legislation falling within the jurisdiction of the Committee on Ways and Means is quite complex and is of vital importance to each and every American citizen and to our Nation as a whole. It is therefore necessary that our committee must always proceed with great care and statesmanship in carrying out the legislative responsibilities which we have.

During the course of this Congress the Committee on Ways and Means held public or executive hearings on a total of 73 days, exclusive of executive sessions, and has directly received testimony from more than 699 individuals during those hearings. In addition, comments, recommendations, and statements of views were received for the printed record from many hundreds of other interested persons and organizations. The hearings are printed in 28 volumes covering approximately 11,250 pages of testimony. Table 1, which follows, shows the subject and the details of these hearings:

TABLE 1.—HEARINGS HELD BY COMMITTEE ON WAYS AND MEANS, 90TH CONGRESS

1ST SESSION

Subject	Number of days	Number of witnesses	Number of pages	Number of volumes
Temporary increase in debt ceiling	2	5	201	1
Interest Equalization Tax Extension Act of 1967	2	11	214	1
Written statements by interested individuals and organizations on H.R. 642, H.R. 644, H.R. 5039, and H.R. 5060, withholding city income taxes on Federal employees			61	1
Restoration of investment credit and rapid depreciation (with Secretary of Treasury and written statements from interested individuals and organizations)	1	1	207	1
President's proposals for revision in the social security system	18	187	2,454	4
Public debt ceiling	2	4	286	1
President's 1967 tax proposals	11	54	835	2
President's 1967 surtax proposal: Continuation of hearing to receive further administration proposal concerning expenditure cuts	2	3	200	1
2D SESSION				
President's surtax proposal: Continuation of hearing	2	4	166	1
Administration's balance-of-payments proposals	12	73	1,180	3
Extension of Renegotiation Act	2	12	226	1
Foreign trade and tariff proposals	18	344	5,099	10
International coffee agreement, H.R. 18299	1	1	121	1
Total, 90th Cong	73	699	11,250	28

In addition to the public hearings, during the course of the 90th Congress the full Committee on Ways and Means met in executive session 131 times.

Of the 24,227 public and private bills and resolutions introduced in the House during the course of this Congress, there was referred to the Committee on Ways and Means a total of 3,806 bills and resolutions in addition to the 53 executive communications. In addition, 27 messages of the President of the United States were on subjects within the jurisdiction of the committee. Of the total of 3,806 such bills and resolutions, there were 1,791 tax bills, 1,084 tariff bills, and 744 social security bills, in addition to some 187 bills of a miscellaneous character falling within the committee's jurisdiction. This represents more than 15 percent of all the public bills and resolutions introduced in the House of Representatives in this Congress. Table 2, which follows, sets forth the breakdown of the measures referred to the committee:

TABLE 2.—*Bills and resolutions referred to the Committee on Ways and Means, 90th Congress, by category*

Tax	1,791
Social security	744
Tariff	1,084
Miscellaneous	187
Total	3,806

During this Congress, the committee favorably reported to the House of Representatives a total of 60 bills and resolutions, which breaks down as follows: 23 tax measures, 27 tariff bills, three social security bills, and seven bills in other categories. It should be noted in this connection that it is the practice of the committee to report from time to time omnibus legislation which, statistically, appears as one bill but which in fact may combine the provisions or subjects covered in a large number of individual bills which were pending before the committee. For the further information of the Members, I shall insert at this point table 3 which sets forth the statistics on the status of the bills reported by the committee during this Congress:

TABLE 3.—STATUS OF BILLS AND RESOLUTIONS REPORTED BY THE COMMITTEE ON WAYS AND MEANS DURING THE 90TH CONGRESS

	Tax	Social security	Tariff	Other	Total
Reported to House	23	3	[1] 27	7	60
Passed House	22	3	[1] 24	5	54
Reported to Senate	18	3	[1] 22	5	48
Passed Senate	17	3	[1] 22	4	46
Enacted into law	14	3	[1] 20	4	41

[1] Includes 7 private bills.

Table 4, below, lists the numbers of the public bills and resolutions reported by the committee in each of the subject categories reflected in table 3

TABLE 4

TAX	
H.R. 1282	H.R. 14095
H.R. 1326	H.R. 15023
H.R. 2767	H.R. 15414
H.R. 4765	H.R. 16241
H.R. 6056	H.R. 17325
H.R. 6058	H.R. 17332
H.R. 6097	H.R. 18101
H.R. 6098	H.R. 18253
H.R. 6950	H.R. 18486
H.R. 7567	H.R. 18942
H.R. 11394	H.J. Res. 1223
H.R. 11408	

TARIFF	
H.R. 664	H.R. 7735
H.R. 286	H.R. 13419
H.R. 653	H.R. 15003
H.R. 1141	H.R. 15798
H.R. 2155	H.R. 16552
H.R. 3349	H.R. 16654
H.R. 3652	H.R. 17104
H.R. 4880	H.R. 18299
H.R. 5615	H.R. 18373
H.R. 6909	S. 1578

SOCIAL SECURITY
H.R. 272
H.R. 12080
H.R. 13026

OTHER	
H.R. 4573	H.R. 15114
H.R. 4890	H.R. 17324
H.R. 10328	H.R. 18985
H.R. 10867	

Mr. Speaker, for the further information of the Members, there is presented below a summary of each of the public bills reported to the House of Representatives by the Committee on Ways and Means in the 90th Congress, listed in numerical order and showing the status of each bill at adjournment, followed by a table—table 5—listing the seven private bills reported by the committee in the 90th Congress:

SUMMARIES OF BILLS AND RESOLUTIONS REPORTED BY COMMITTEE ON WAYS AND MEANS IN 90TH CONGRESS

PUBLIC BILLS

[In numerical order]

H.R. 272 (Mr. Boggs); Public Law 90–430; app. July 26, 1968: The purpose of this legislation, as unanimously reported by the Committee on Ways and Means, was to extend for an additional 5 years the period during which States may obligate, for administrative purposes, certain funds transferred from excess Federal unemployment tax collections. The funds that have been transferred under this authority have been used by the States primarily to buy the necessary land and construct buildings for use in operating the employment security program. The bill thus extended a method of financing a part of our employment security program that experience has shown to be both useful and effective. The administration supported the legislation, and it was enacted into law without amendment.

H.R. 286 (Mr. Boggs); Public Law 90–14; app. May 5, 1967: The purpose of this bill was to authorize the President to eliminate the duty on imports of dicyandiamide, which were subject to a duty of 10½ percent ad valorem, pursuant to his trade agreement authority. The Committee was advised that dicyandiamide is not produced in the United States, but is obtained principally from a Canadian plant which is the only producer of dicyandiamide in North America. The bill as unanimously reported by the Committee on Ways and Means and passed by the House in essence authorize the elimination of the duty (or reduction to a rate under 50 percent of the July 1, 1962, rate) without staging.

The Senate in passing the bill adopted amendments (1) incorporating the provisions of H.R. 1141, which was passed by the House on March 14, 1967, permitting duty-free treatment of limestone when imported to be used in the manufacture of cement, and (2) in effect, waiving the prenegotiation procedures which would otherwise be required in the case of both these items. Under the conference agreement, these amendments were accepted by the House, and the bill was enacted into law in this form.

H.R. 653 (Mrs. Griffiths); Public Law 90–638, app. Oct. 24, 1968: The purpose of this bill was to restore to certain unfinished nonmalleable cast-iron parts the tariff rate which was applicable to such parts immediately prior to the effective date of the Tariff Schedules of the United States, i.e., August 31, 1963. The general provision for cast-iron castings previously applicable (under which such castings were dutiable at the rate of 3 percent ad valorem) was not continued in the TSUS because it was ambiguous in certain respects, and special provisions for such products were created in order to continue the substance of the past tariff treatment. However, no special provision was created to cover the parts covered by this bill and they became dutiable under items providing a higher rate of duty. The bill as unanimously reported by the Committee on Ways and Means and passed by the House restored the 3-percent rate to such products. The Senate in passing the bill made certain technical amendments in the provisions of the House bill which were agreed to by the Conference Committee as being consistent with the intent of the original House-passed bill.

The Senate also added other provisions to the bill, which are described briefly with their disposition indicated below:

(1) A new section was added under which fabrics provided for in parts 3 and 4 of schedule 3 of the tariff schedules—relating to woven fabrics and fabric of special construction or for special purposes—in chief weight of wool whether or not in chief value of wool would be dutiable at the applicable wool fabric rate. The amendment also made provision for wool fabric rates of duty being made applicable to certain fabrics of wool which have been laminated or coated with rubber or plastics or with other textile fabrics. This section was included in the conference agreement, with an amendment providing that the chief weight of wool test would not apply to fabrics provided for under item 337.50 of the tariff schedules, relating to wool-silk fabrics, if valued over $2 per pound.

(2) The Senate amendment relating to trade in tax-free liquor was not agreed to by the Conference Committee and was omitted from the bill as enacted into law.

(3) A provision was added by the Senate providing duty-free entry for (a) a mass spectrometer for Arizona State University, which was not agreed to by the conferees; (b) a mass spectrometer for Utah State University, which was agreed to by the conferees; and (c) four hydraulic operating tables for use in the Hospital for Crippled Children in Newington, Conn., which was not agreed to by the conferees.

The conference agreement was adopted by both bodies and the bill was enacted as thus modified.

H.R. 664 (Mr. Gubser); Public Law 90–234, app. Dec. 30, 1967: The purpose of this bill, as unanimously reported to and passed by the House was to amend the Tariff Schedules of the United States to make duty free the importation of bagpipes and parts thereof. The Committee on Ways and Means was advised that there is no known commercial production of bagpipes in the United States, and favorable departmental reports were received on the bill.

As passed by the Senate and enacted into law, the "free" rate is treated as a proclaimed, rather than a statutory, rate.

H.R. 1141 (Mr. Pelly); Public Law 90–240, app. Jan. 2, 1968 (*See also* Public Law 90–14 (H.R. 286, *supra*)): The purpose of this bill, as unanimously reported to and passed by the House, was to permit the duty-free treatment of certain limestone (limestone chips and spalls and crushed and ground limestone imported under item 513.34 of the Tariff Schedules of the United States) imported to be used in the manufacture of cement, by authorizing the elimination (or reduction) by the President of duty under the provisions of the Trade Expansion Act of 1962, without the staging that would otherwise be required. Imports of the limestone involved are localized along the Canadian border, principally in the region of the Great Lakes and the State of Washington, and do not move in significant quantities any great distances inland (the cost of transportation restricting its movement to short distances). These provisions, amended to waive the prenegotiation procedures which would otherwise be required, were adopted by the Senate as an amendment to H.R. 286, and became law as a part of that bill.

In passing H.R. 1141, the Senate amended the bill to strike the provisions of the House bill (they having been enacted as a part of H.R. 286) and adding several other provisions, as follows: (1) the provisions of H.R. 13830 (which had been ordered reported by the Committee on Ways and Means), to continue for two years, through December 31, 1969, the existing suspension of duty on gifts not exceeding $50 in retail value from members of the Armed Forces serving in combat zones; (2) the provisions of H.R. 14366 (which had been ordered reported by the Committee on Ways and Means), relating to the income tax treatment of amounts set aside by insurance companies in certain reserves for mortgage guarantee insurance losses; (3) the provisions of H.R. 6058, *infra;* and (4) a provision to permit the Secretary of the Treasury to designate private carriers as carriers of bonded merchandise which has not been finally released from customs custody. These amendments of the Senate were accepted by the House, and the bill was enacted into law as passed by the Senate.

H.R. 1282 (Mr. Sisk); Public Law 90–73; app. Aug. 29, 1967: As unanimously reported to and passed by the House, this legislation provided for the tax-free withdrawal from bonded wine cellars of wine and wine products, containing not more than 21 percent alcohol, when rendered unfit for beverage use. Under prior law a drawback of all but $1 of tax per gallon was permitted in the case of distilled spirits rendered unfit for beverage use, but with no comparable provision in the case of wines. Wines withdrawn in such cases are used for salted cooking wines, in medicinal preparations or in food flavoring products, etc.

In addition to a minor perfecting amendment moving up the effective date of the House-passed bill, the Senate added provisions making technical perfecting amendments to the interest equalization tax as extended and amended by Public Law 90–59 (H.R. 6098, *infra*), which had been requested by the Treasury Department. The House accepted the Senate amendments, and the bill was enacted in this form.

H.R. 1326 (Mr. Talcott); passed House Mar. 14, 1967: As unanimously reported to and passed by the House, this bill would exempt from the 11-percent excise tax on the sale by the manufacturer, producer, or importer of shells, cartridges and firearms (other than pistols and revolvers) shells and other devices which contain delayed-action explosives and are chiefly used for frightening or herding birds without injuring them. Such shells and cartridges are used by farmers and others to protect crops from wild birds, for herding wild birds into sanctuaries, and for other purposes, and are not useful for hunting purposes. The Committee on Ways and Means was of the opinion that such shells or cartridges are not of the type Congress had in mind when it imposed this tax. At adjournment, the bill was pending in the Finance Committee.

H.R. 2155 (Mr. Ullman); Public Law 90–564; app. Oct. 12, 1968: The purpose of this bill, as unanimously reported to and passed by the House, was to provide for the tariff treatment of fresh Chinese gooseberries at a rate equivalent to the general tariff level applied to berries rather than the level applied to "other fruits." This had the effect of changing the applicable rate of duty for fresh Chinese gooseberries from 17.5 percent ad valorem to 0.75 cents per pound. The Committee on Ways and Means was advised that imports of these berries, which are now primarily from New Zealand, are small in volume and relatively high in price, and do not directly compete with any domestic product.

The Senate in passing the bill adopted amendments to assure that the adjustment assistance and escape clause provisions of the Trade Expansion Act will apply with respect to Chinese gooseberries, and to treat the new 0.75-cents per pound rate as a proclaimed (rather than statutory) rate. The House accepted these amendments, and the bill was enacted into law as so modified.

H.R. 2767 (Mr. Battin); passed Senate with amendments October 11, 1968 (Public Law 90–630; see H.R. 11394, *infra*): The purpose of this bill, as unanimously reported to and passed by the House, was to amend the Internal Revenue Code of 1954 to provide that if a farmer pays an assessment, levied by a soil or water conservation or drainage district, which is attributable to the acquisition by the district of depreciable property, the amount can be deducted for income tax purposes on an amortized basis over a 10-year period. However, if the taxpayer's share of the assessment for the depreciable assets is more than 10 percent of the total amount assessed against all members, his deduction is limited to 10 percent of the total assessment.

Numerous amendments, unrelated to the original House-passed bill, were adopted by the Senate in passing the bill, on which the House took no action prior to adjournment. The provisions of the House-passed bill, however, with minor technical improvements, were added as a Senate amendment to H.R. 11394, *infra* and became law as a part of that bill.

H.R. 3349 (Mr. Burke of Massachusetts); Public Law 90–48; app. July 7, 1967: The purpose of this bill was to continue through September 30, 1967, the existing suspension of duties on feronickel, unwrought nickel, and nickel powder. The duty on these forms of nickel was suspended through June 30, 1967, by Public Law 89–204, and that Act authorized the President to grant an extension of the duty-free treatment beyond June 30, 1967, in a trade agreement. The bill continued the temporary suspension for a period of time thought to be sufficient to allow the President to proclaim the permanent duty-free treatment of these products without a break, the continuation being at that time under active consideration in the Kennedy round. The bill was enacted into law as reported by the Committee on Ways and Means.

H.R. 3652 (Mr. Rostenkowski); Public Law 90–49, app. July 7, 1967: As unanimously reported to the House, the purpose of this legislation was to continue for 3 years, through June 30, 1970, the existing suspension of duties on certain manganese ores. The Committee on Ways and Means was advised that there is little production of manganese ore in the United States, and that in many respects the characteristics of the domestically mined ore render it noncompetitive with imported ore. The committee was of the opinion that continued suspension of duty of these ores will aid in reducing costs to domestic producers of ferromanganese and other manganese alloys enhancing the competitive position of the domestically produced alloys. Favorable departmental reports were received on the bill, and no opposition to its enactment was made known to the committee.

The bill was enacted into law as reported by the Committee on Ways and Means.

H.R. 4573 (Mr. Mills); Public Law 90–3; app. Mar. 2, 1967: As reported by the Committee on Ways and Means, and as enacted into law, this legislation provided a temporary debit limitation of $336 billion from the date of enactment through the remainder of fiscal year 1967 (through June 30, 1967). The Senate had amended the bill to provide an increase in the permanent debt limit to $336 billion; the Senate receded on its amendment in conference, and the conferees on the part of the House stated in the Conference Report that they would recommend that an increase in the permanent debt limitation be considered by the Committee on Ways and Means in connection with its "next review of the debt limitation, which must occur prior to July 1, 1967." (*See* H.R. 10867, *infra*.)

H.R. 4765 (Mr. Multer); Public Law 90–225; app. Dec. 27, 1967: As unanimously reported to and passed by the House, this bill extended the tax-free treatment originally provided with respect to distributions required as the result of the Bank Holding Company Act of 1956, to distributions of property acquired on or before April 12, 1965, which must be made as a result of the 1966 amendments to that Act. The treatment is made available only if all of the distributions made in kind are made on a pro rata basis to all shareholders.

The Senate adopted several amendments to the bill, and under the conference agreement and as the bill became law, in addition to the provisions of the House bill described above, provisions were included (1) permitting an unused investment credit arising by reason of a net operating loss carryback to be subject to the 3-year carryback and 7-year carryforward rule, (2) providing a 5-year carryback and 3-year carryforward (instead of 3-year carryback and 5-year carryforward) of net operating losses sustained by a domestic corporation meeting certain qualifications, and (3) relating to distributions of stock of a controlled life insurance company in a tax-free reorganization.

H.R. 4880 (Mr. King of California); Public Law 90–36; app. June 29, 1967: This bill, as unanimously reported by the Committee on Ways and Means, continued from February 4, 1966, through June 30, 1967, the time in which importers may file requests for reclassification of imports under certain lower tariff-rate provisions of the Tariff Schedules Technical Amendments Act of 1965. That Act had provided for the restoration of lower rates of duty with respect to certain articles, and further provided that these changes in rates would be retroactive to August 30, 1963, if the importer would file his request for such changed tariff treatment within 120 days after the Act was approved by the President. The Committee was advised that the time provided was not sufficient for the processing of all the entries, and believed that an extension of the filing period was justified.

The Senate in passing the bill amended the provisions of the House bill by extending to September 30, 1967, instead of June 30, 1967, the time for importers to file their requests. Due to the passage of time since passage of the bill by the House, this amendment was considered to be appropriate. The Senate also added to the bill a provision not related to the original House bill, but incorporating the provisions of a bill (H.R. 11169) which had been unanimously ordered favorably reported to the House by the Committee on Ways and Means and which provided for a one-year extension, through June 30, 1968, of seven temporary provisions of the Social Security Act that otherwise would have expired on June 30, 1967. All of these temporary provisions were subsequently dealt with in H.R. 12080, the "Social Security Amendments of 1967". The House agreed to all the amendments of the Senate and the bill was enacted into law with these provisions included.

H.R. 4890 (Mr. Mills); reported to Senate with amendments Nov. 1, 1967: The purpose of this bill, as unanimously reported to and passed by the House, was to provide an improved method of financing, managing, and accounting for certain administrative service operations provided by the Department of the Treasury to its bureaus and offices, by establishing a working capital fund for that Department. The fund would be a revolving fund of working capital employed to finance administrative service operations servicing more than one appropriation or activity and meeting the test of being more advantageous and economically performed as central services. A $1 million limitation would be placed on the capital in the working fund.

In reporting the bill to the Senate, the Finance Committee made no change in the House-passed provisions, but added new sections entitled "The House Elections Act of 1967". At adjournment, the bill was pending in the Senate.

H.R. 5615 (Mrs. Griffiths); Public Law 90–45, app. July 3, 1967: As unanimously reported to and passed by the House, the purpose of this bill was to continue for two years, to the close of June 30, 1969, the existing suspension of duties on metal waste and scrap. The bill also continued to the close of June 30, 1969, the existing tariff exemption on copper waste and scrap and copper articles, imported to be used in remanufacture by melting. Favorable departmental reports were received on the bill, and the Committee on Ways and Means was advised that the conditions which prompted the initial suspension of duty on metal scrap have not changed.

The Senate amended the bill to delete the provision extending the suspension of duty on copper waste and scrap from June 30, 1968, to June 30, 1969, because of certain information that had become available subsequent to House passage of the bill. The House accepted this amendment of the Senate, and it became law in this form.

H.R. 6056 (Mrs. Griffiths); Public Law 90–78; app. Aug. 31, 1967: This bill amended the Internal Revenue Code of 1954 to provide specific rules designed to facilitate the determination of entitlement to the $600 deduction for personal exemptions for dependents in the case of children of divorced or separated parents. Under the provisions of prior law, this determination had become a source of annoyance to taxpayers and created a serious administrative burden on the Internal Revenue Service, which the bill was designed to alleviate. The Treasury Department supported the bill, and the Committee was unanimous in reporting it to the House.

H.R. 6058 (Mr. Herlong); reported to Senate Dec. 11, 1967 (Public Law 90–240; see H.R. 1141, *supra*): The purpose of this bill, as unanimously reported to the House by the Committee on Ways and Means, was to amend the Internal Revenue Code to provide that in determining the ordinary retail price of a cigar in its principal market for the purpose of assessing the Federal excise tax on cigars (which is based on the ordinary retail price of a cigar in its principal market), the amount to be excluded from the retail price on account of a State or local tax which is not an even number of cents shall be rounded up to the next highest full cent, except where rounding would result in reducing the Federal excise tax to a level below that which would be imposed in the absence of a State or local tax.

This provision was adopted by the Senate as an amendment to H.R. 1141 and became law as a part of that bill.

H.R. 6097 (Mr. Ullman); passed House Mar. 14, 1967: The purpose of this bill as unanimously reported by the Committee on Ways and Means and passed by the House was to amend the provisions of existing law relating to the income tax treatment of casualty losses to provide that if property is destroyed or damaged by a storm, flood, or other casualty which is designated by the President of the United States as a major disaster then, if the losses exceed the gains, both the losses and the gains will be treated as ordinary for tax purposes.

Under present law, uninsured business losses (or those from property held for the production of income) arising from a fire or other casualty are treated as ordinary losses without regard to any gains the taxpayer may have. This rule is not changed by the bill. In the case of major disasters, the bill supplements this rule of existing law to provide substantially similar loss treatment for partially insured business property (or property held for the production of income). This loss treatment also is provided in the case of major disasters for losses of personal assets held for over 6 months (such as a personal residence), whether or not it is covered by any insurance.

At adjournment, the bill was pending in the Finance Committee.

H.R. 6098 (Mr. Mills); Public Law 90–59, app. July 31, 1967: This legislation extended for 2 years, through July 31, 1969, the interest equalization tax, and provided discretionary authority for the President to vary the tax within a range from 0 to 150 percent of the previously existing rate. The bill also made modifications in the provisions of this tax. The interest equalization tax, which first became effective in 1963, is an important segment in the broad balance-of-payments program, serving to moderate the outflow of private capital abroad by raising the cost to foreigners of obtaining capital in U.S. markets.

(*Note:* Certain technical perfecting amendments to these provisions were enacted as a part of Public Law 90–73 (H.R. 1282, *supra*).)

H.R. 6909 (Mr. Delaney); passed House Sept. 30, 1968: The purpose of this bill, as unanimously reported by the Committee on Ways and Means and passed by the House, was to provide that the rate of duty on parts of stethoscopes be the same as the rate of duty on stethoscopes. At adjournment, the bill was pending in the Finance Committee.

H.R. 6950 (Mr. Mills); Public Law 90–26, app. June 13, 1967: The purpose of this bill was to restore the investment tax credit and the use of methods of accelerated depreciation with respect to certain real property, these provisions having been suspended in October 1966. The Committee on Ways and Means was of the opinion that the extraordinary economic pressures which necessitated the suspension had abated and that it was therefore appropriate to restore these provisions.

The Senate amended the bill in several respects. Under the conference agreement and as the bill was enacted into law, the investment credit and allowance of accelerated depreciation methods are restored with respect to property ordered (or construction begun) during the suspension period (October 10, 1966, through March 9, 1967) and acquired (or construction completed) after May 24, 1967. Property ordered (or construction begun) after the suspension period is eligible regardless of the date acquired or completed. The 50 percent limitation (of tax liability in excess of $25,000) is effective March 10, 1967. The provisions of prior law were amended to provide that aircraft registered with the Federal Aviation Agency and operated outside the United States pursuant to a contract with the Government are to qualify for the investment credit. The amendment of the Senate providing that the Presidential Election Campaign Fund Act of 1966 shall be implemented only after adoption by law of guidelines was agreed to in conference and included in the bill as it became law.

H.R. 7567 (Mr. Poff); Public Law 90–624, app. Oct. 22, 1968: The purpose of this legislation was to amend the railroad employment provisions of present law (the Railroad Retirement Tax Act, the Railroad Retirement Act of 1937, and the Railroad Unemployment Insurance Act), in general, to exclude from the scope of those acts services performed by a nonresident alien individual who is temporarily in the United States as a participant in a cultural exchange or training program. The exclusion is applicable only to nonresident alien individuals who are in the United States in a nonimmigrant status under subparagraph (F) or (J) of sec. 101(a)(15) of the Immigration and Nationality Act. Moreover, it is applicable only with regard to services which are necessary to carry out the purpose of the alien's visit to the United States.

The general employment provisions of present law (the Federal Insurance Contributions Act, the Federal Unemployment Tax Act and the Social Security Act) already exclude the services performed by these nonresident alien individuals from their scope.

The bill was enacted into law as unanimously reported by the Committee on Ways and Means.

H.R. 7735 (Mr. Boggs); Public Law 90–615, app. Oct. 21, 1968: As unanimously reported to the House by the Committee on Ways and Means, this bill provided for the permanent duty-free treatment of calcined bauxite, bauxite ore and aluminum hydroxide and oxide (without regard to end use). The duties on calcined bauxite, bauxite ore and aluminum oxide (when imported for use in producing aluminum) have been suspended for many years by virtue of successive temporary suspensions. The interested Departments and agencies reported favorably on this legislation.

The Senate amended the provisions of the House bill to provide a temporary (two-year) continuation of the existing duty suspension and by adding several provisions to the House bill. Under the conference agreement, and as the bill was enacted into law, the legislation:

(1) Provides a three-year (through July 15, 1971) extension of the existing suspension of duty on calcined bauxite, bauxite ore, and aluminum oxide (when imported for use in producing aluminum).

(2) Amends sec. 5134(b) of the Internal Revenue Code of 1954 (relating to claims for drawbacks of distilled spirits taxes on account of certain nonbeverage uses) to permit such claims to be filed within the 6-month period (instead of 3 months) next succeeding the quarter in which the spirits are used for nonbeverage products, with respect to such claims filed on or after the date of enactment of the bill.

(3) Provides a temporary continuation of the suspension of duty on certain forms of copper (*see* H.R. 16654, *infra*).

(4) Provides for the duty-free treatment of certain cellulosic materials imported for use in artificial kidney machines (*see* H.R. 13419, *infra*).

H.R. 10328 (Mr. Mills); failed of passage by House June 7, 1967: The purpose of this legislation was to provide an increase, to $365 billion, in the permanent debt limitation set forth in section 21 of the Second Liberty Bond Act. The bill provided that the face amount of Federal National Mortgage Association participation certificates issued during fiscal year 1968 is to be taken into account, as long as they are outstanding, in determining the debt subject to the limitation. The bill also would permit the Treasury Department to issue Treasury notes with a maturity of up to 7 years (instead of 5 years). The bill was rejected by the House, and the Committee on Ways and Means subsequently reported a revised bill (see H.R. 10867, *infra*).

H.R. 10867 (Mr. Mills); Public Law 90–39, app. June 30, 1967: This bill, which was enacted into law without amendment, provided an increase in the permanent debt limitation to $358 billion, effective July 1, 1967. The bill also provided, beginning with fiscal year 1969, an additional $7 billion in the debt limitation to be effective during the course of each fiscal year except for the last day (June 30) of each fiscal year, on which day the debt limit will fall back to the permanent $358 billion. The bill also contained the provisions described above (H.R. 10328) regarding FNMA participation certificates and with respect to the maturity of Treasury notes.

H.R. 11394 (Mr. Watts); Public Law 90–630, app. Oct. 23, 1968: As unanimously reported to and passed by the House, this bill made three amendments in the provisions of the Internal Revenue Code of 1954 relating to distilled spirits with corresponding amendments to two provisions of title 19 of the United States Code, to (1) allow the abatement of tax after the packaging of the distilled spirits but before their removal from the distilled spirits premises in the event of a disaster loss, (2) simplify the exportation procedures, permitting the stamping and marking of the spirits for export after they have left the premises of the plant where they were originally bottled, and (3) make available to all imported distilled spirits in bulk containers the privilege to be transferred from customs custody to internal revenue bond without the payment of the internal revenue tax at the time of this transfer.

In passing the bill, the Senate made no change in the provisions of the House bill, but added two provisions. One of the provisions added by the Senate incorporated, with minor technical improvements, the provisions of H.R. 2767, dealing with assessment for depreciable property in the case of soil and water conservation districts, as passed by the House previously. (*See* H.R. 2767, *supra.*)

The second Senate amendment provided, that the provisions of existing law denying tax-exempt status to otherwise tax-exempt organizations, and denying unlimited charitable contribution deductions for trusts, because of an unreasonable accumulation of income is not to apply in the case of income from property transferred to trusts before 1951 if the trusts were irrevocable at that time and income under the terms of the trusts was required to be accumulated. This provision was designed to deal with a situation that arose in connection with the Duke Endowment Trust and may well have other impact as well.

The House concurred in these amendments of the Senate, and the bill was enacted into law as thus amended.

(A provision relating to the tariff classification of invert or high-test molasses (*see* H.R. 16552, *infra*) which had been added to the bill by the Finance Committee in reporting it to the Senate, was not included in the bill as passed by the Senate, the bill having been recommitted to the Finance Committee and reported back to the Senate without this amendment.)

H.R. 11408 (Mr. Machen); reported to House Sept. 10, 1968. As unanimously reported to the House, this bill was designed to provide for the establishment of a voluntary State income tax withholding system for certain officers and employees of the legislative branch of the U.S. Government who are subject to the income taxes imposed by Maryland or Virginia. Under the bill, Members of the House, employees whose compensation is disbursed by the Clerk of the House, and employees under the jurisdiction of the Architect of the Capitol would have the option to have Virginia or Maryland income tax withheld from their pay. A similar voluntary system presently exists for employees of the executive branch of the U.S. Government and employees of the Library of Congress and the Government Printing Office who work in the District of Columbia and who are residents of Maryland or Virginia.

At adjournment the bill was pending on the House Calendar.

H.R. 12080 (Mr. Mills, cosponsored by Mr. Byrnes of Wisconsin); Public Law 90-248, app. Jan. 2, 1968: This legislation, the "Social Security Amendments of 1967," made major improvements and reforms in the provisions of the Social Security Act relating to the Old-Age, Survivors, and Disability Insurance program, the hospital and medical insurance programs, the medical assistance programs, the aid to families with dependent children and child welfare programs, and the child health programs. A brief summary of the major provisions of the bill is set forth below.

OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE

First, the bill increased the social security benefits of the more than 23 million elderly and disabled people, widows and orphans receiving benefits and improved the protection of the old-age, survivors, and disability insurance provisions of the social security program by providing—

(1) An across-the-board benefit increase of 13 percent for persons on the rolls, with a minimum monthly primary insurance amount of $55;

(2) An increase in the earnings base from $6,600 to $7,800 and, reflecting the higher payments made by people at the upper earnings levels, the retirement benefit of a man 65 and his wife would generally be at least 50 percent of his average earnings under the social security program;

(3) An increase from $35 to $40 ($60 for a couple) in the special payments now provided for certain people age 72 and older who have not worked long enough to qualify for regular cash benefits;

(4) An increase in the amount an individual may earn and still get full benefits;

(5) New guidelines for determining when a disabled worker cannot engage in substantial gainful activities;

(6) An alternative insured-status test for workers disabled before age 31;

(7) Monthly cash benefits for disabled widows and disabled dependent widowers at age 50 at reduced rates;

(8) A new definition of dependency for children of women workers;

(9) Additional wage credits for military service; and

(10) Other improvements in the social security cash benefits program.

HEALTH INSURANCE

Second, the bill improved the health insurance benefits provided to the aged under the medicare legislation of 1965, extended the protection of health insurance, and simplified its administration, by providing—

(1) Coverage of additional days of hospital care;

(2) Elimination of the requirement that a physician certify to the medical necessity of admissions to general hospitals and of outpatient services;

(3) For payment of benefits provided under the supplementary medical insurance program where the patient has not paid the bill for the services on the basis of an unreceipted itemized bill;

(4) Simplified billing for hospitals by transferring coverage of outpatient hospital diagnostic services to the supplementary medical insurance program and eliminating the coinsurance provision applicable to inpatients for pathology and radiology services, and permitting hospitals to collect charges from outpatients for relatively inexpensive services (subject to final settlement in accordance with existing reimbursable cost provisions);

(5) Authority for experiments to achieve greater economy and efficiency, without reduction in quality of care, through various alternatives for reimbursement of hospitals and other providers of health services; and

(6) Other miscellaneous improvements.

FINANCING THE SOCIAL INSURANCE PROGRAM

The cost of the changes is met through the existing financing and through an increase in the earnings base from $6,600 to $7,800 and through a small increase in the tax rates.

AID TO FAMILIES WITH DEPENDENT CHILDREN

Third, the bill made reforms in the aid to families with dependent children programs:

(1) To give greater emphasis to getting appropriate members of families drawing aid to families with dependent children (AFDC) payments into employment and thus no longer dependent on the welfare rolls, the bill requires the States—

(*a*) To have plans for each adult and child 16 or over who is not in school which will stress the development of their work potential, provide basic education and vocational training, and provide day care for children of AFDC working mothers;

(*b*) To exempt a portion of earned income for members of the family who can work so that they will have an incentive to seek employment;

(*c*) To modify the optional unemployed parents program to provide uniform eligibility requirements throughout the United States.

A new work incentive program is established under which appropriate individuals referred by welfare agencies to the Department of Labor would be located in employment or training programs, utilizing the facilities of the State employment security agencies. In order to enable the States to implement these requirements, the Federal Government would supply more favorable Federal matching for the services (including child welfare and day care) and training which the States would be required to furnish under the aid to families with dependent children program. Similar matching would be provided for training, supervision, materials, and other items and services which were previously not matched by the Federal Government under the community work and training program.

(2) To aid in the reduction of illegitimate births, and to prevent the neglect, abuse, and exploitation of children, the bill requires the States—

(*a*) To provide family planning services that are offered on a voluntary basis in all appropriate cases;

(*b*) To institute protective payments to an interested person to assure that the child rather than an incompetent or irresponsible parent or relative receives the benefit of assistance, or to provide direct vendor payments where it is determined that cash payments to the parent or relative would be detrimental to the welfare of the child;

(*c*) To bring unsuitable home conditions of children to the attention of the courts or law enforcement agencies; to develop a program through a single organizational unit to establish paternity of illegitimate needy children (in order to get support payments from the fathers); to utilize reciprocal support arrangements with other States to enforce court support orders for deserted children; and to enter into cooperative arrangements with the court to carry out these arrangements.

In order to enable the States to carry out these requirements, Federal matching is provided for family planning services and child welfare services under the AFDC matching formula. The bill provides more favorable Federal matching and broadens eligibility for foster care for children removed from an unsuitable home by court order. Moreover, certain requirements that have restricted the use of protective payments would be removed and vendor payments would be authorized for the first time in the cash program. Finally, a new program optional with the States would authorize dollar-for-dollar Federal matching to provide temporary assistance to meet the great variety of situations faced by needy children in families with emergencies.

To further stimulate the States to carry out these new provisions effectively, the bill provides that the largest and most rapidly increasing recipient category in this program (children qualifying on the basis of the absence of a parent from the home) will be frozen (insofar as Federal participation is concerned) at its present proportion of the child population of the State.

CHILD WELFARE AND PUBLIC ASSISTANCE

Fourth, to expand and improve the operation of the child welfare and public assistance programs, the bill—

(*a*) Increases the authorization for child welfare services and combines them administratively within State and local agencies with welfare services under the aid to families with dependent children program;

(*b*) Extends and expands the public assistance demonstration grant program;

(*c*) Initiates a program of grants to educational institutions to expand undergraduate and graduate social work training; and

(*d*) Provides Federal matching for essential home repairs of a limited nature for public assistance recipients.

MEDICAL ASSISTANCE (MEDICAID)

Fifth, to modify the program of medical assistance to establish certain limits on Federal participation in the program and to add flexibility in administration, the bill—

(*a*) Imposes a limitation on Federal matching at an income level related to payments for families receiving aid to families with dependent children;

(*b*) Allows States a broader choice of required health services under the program;

(*c*) Exempts from the requirement of "comparability" for all recipients the benefits "bought-in" for the aged under the medicare supplementary medical insurance program;

(*d*) Allows recipients free choice of qualified providers of health services;

(*e*) Allows at the option of the States, direct payments to medically needy recipients for physicians' and dentists' services; and

(*f*) Establishes an Advisory Council on Medical Assistance to advise on administration of the program.

CHILD HEALTH

Sixth, to improve programs relating to the health of mothers and children, the bill—

(*a*) Consolidates separate earmarked authorizations, now in a confusing set of separate sections under the law, into three broad categories under one authorization: formula grants to States, project grants, and grants for research and training, with project authority to be assumed by the States in their formula grants and eliminated as a separate category in fiscal year 1973;

(*b*) Increases total authorizations by steps, with such increases directed particularly to expanded screening and treatment of children with disabling conditions, family planning, and dental health of children; and

(*c*) Amends the research and training authority to emphasize improved methods of delivering health care through the use of new types of personnel with varying levels of training in order to give added emphasis to the training of medical assistants and health aides and the strengthening of training at the undergraduate level.

H.R. 13026 (Mr. Mills); Public Law 90-97, app. Sept. 30, 1967: As unanimously reported by the Committee on Ways and Means, and as enacted into law, the purpose of this legislation was to extend through March, 1968, the first general enrollment period under part B of title XVIII of the Social Security Act (relating to supplementary medical insurance benefits for the aged). Under prior law, the enrollment period, which began on October 1, 1967, would have ended on December 31, 1967. The bill also extended through December, 1967, the time within which the Secretary of Health, Education, and Welfare is required to announce the premium rate for the supplementary medical insurance program for the period beginning April 1, 1968 and ending December 31, 1969 (instead of January 1, 1968 through December 31, 1969).

H.R. 13419 (Mr. Blackburn); passed House Sept. 30, 1968 (Public Law 90–615; see H.R. 7735, *supra*): As unanimously reported to and passed by the House, the purpose of this bill was to provide for the duty-free importation of cellulosic plastics materials imported for use in artificial kidney machines. The Committee was informed that the most efficient cellulosic materials for such use are currently available only under the trade name of Cuprophane from Germany. Favorable reports were received on the bill from the Executive Branch.

A similar amendment was adopted by the Senate in passing H.R. 7735, *supra*, and under the conference agreement on that bill, and as it was enacted into law, duty-free treatment is accorded such cellulosic materials when imported for use in artificial kidney machines or apparatus by a hospital or by a patient pursuant to the prescription of a physician.

H.R. 14095 (Mr. King of California); Public Law 90–619, app. Oct. 22, 1968: This legislation, which was reported unanimously by the Committee on Ways and Means and enacted into law as reported, amended the provisions of the Internal Revenue Code of 1954 relating to the production of wine so as to simplify and permit greater leeway in the use or application of certain treatment processes, both in terms of the nature of the processes and the geographic places where they are conducted.

H.R. 15003 (Mr. Burke of Massachusetts); House concurred in amendment of the Senate with amendment agreeing to section I and disagreeing to sections 2 and 3 of the Senate amendment, Oct. 14, 1968: As unanimously reported to the House, the purpose of this bill was to prevent the payment of multiple customs duties in the case of horses temporarily exported for the purpose of racing. Racehorses are ordinarily dutiable at 6 percent ad valorem, and under present customs practices, racehorses imported from abroad, on which the duty has been paid, when exported for the purpose of racing and subsequently reimported, are dutiable despite the initial payment of duty at the time of original importation. Favorable Departmental reports were received on the bill, which would amend the Tariff Schedules of the United States so as to prevent such payment of multiple customs duties by U.S. owners of racehorses purchased outside the United States when temporarily exported for the purpose of racing.

Sec. 1 of the Senate amendment to the bill, to which the House agreed, was technical in nature and designed to carry out the intent of the House bill. Secs. 2 and 3 of the Senate amendment, relating to the temporary admission free of duty of certain motion picture films and extending duty-free treatment to equipment used with curling stones, involved matters which had not been considered by the Committee on Ways and Means and for that reason were not agreed to by the House.

No further action was taken with respect to the bill prior to adjournment.

H.R. 15023 (Mr. Curtis). passed House Sept. 30, 1968: The purpose of this bill was to amend the Internal Revenue Code of 1954 to provide a longer period of time for disposition of certain assets in the case of regulated investment companies furnishing capital to development companies. The bill was reported unanimously by the Committee on Ways and Means, and was approved by the Finance Committee in the Senate. The substance of the bill, however, was adopted by the Senate as an amendment to H.R. 2767, and the House took no action on the Senate amendments to that bill prior to adjournment.

H.R. 15114 (Mr. Mills); Public Law 90–595, approved Oct. 17, 1968: The purpose of this bill, which was enacted into law without amendment, was to extend to savings notes the provisions of the Second Liberty Bond Act that pertain to the redemption of savings bonds and the payment of losses incurred in connection with such redemption. Enactment of this legislation was urged by the Treasury Department, and the Committee on Ways and Means was unanimous in reporting it to the House.

H.R. 15414 (Mr. Mills); Public Law 90–364, app. June 28, 1968: This legislation, the "Revenue and Expenditure Control Act of 1968", as originally reported by the Committee on Ways and Means and passed by the House, provided for the continuation until Dec. 31, 1969, at present rates of the excise taxes on passenger automobiles and certain telephone services. These taxes had been scheduled to drop on Apr. 1, 1968, to 2 percent (from 7 percent) and 1 percent (from 10 percent), respectively (see H.J. Res. 1223, *infra*). A gradual reduction and eventual elimination of these taxes was provided after Dec. 31, 1969. The House-passed bill also provided for the acceleration of estimated income tax payments by corporations to place these payments of tax on a comparable basis to that applying in the case of individual taxpayers, including sole proprietors. A provision was also contained in the bill establishing that a deposit of tax will be considered to be paid on time if it is mailed to a depositary at least by the second day before the due date.

Numerous amendments were adopted by the Senate in passing this bill, including provisions for: a 10 percent income tax surcharge on corporations and individuals, coupled with a $6-billion expenditure cut in the budget proposed for fiscal year 1969; amendments to the corporate speed-up in payments of estimated tax and quick refund provisions of the House bill; revision in the tax treatment of interest on industrial development bonds; exemption from tax of advertising revenue from periodicals published by tax-exempt organizations; tax exemption of certain joint enterprises servicing tax-exempt and governmentally-owned hospitals; income tax deduction for advertising expense in national political convention programs; quotas on imports of textile articles; a requirement that the Secretary of the Treasury make demand for payment on countries which are more than 90 days in arrears on debts to the United States; a requirement that the President submit to Congress a comprehensive tax reform package by Dec. 31, 1968; and several amendments to the AFDC (Aid-to-Families-with-Dependent-Children) and medicaid provisions of the Social Security Act.

Following is a brief summary of the provisions of the bill as agreed to by the Conference Committee and as enacted into law:

The principal revenue provisions are:

1. An income tax surcharge at an annual rate of 10 percent is provided. Generally, this is effective for corporations beginning Jan. 1, 1968, and for individuals Apr. 1, 1968. In both cases the surcharge applies until July 1, 1969.

2. Provision is made for a speedup of corporate tax payments by increasing from 70 to 80 percent the percentage of estimated tax which a corporation must pay currently and by gradually eliminating (over a 10-year period) the present $100,000 corporate exemption from estimated tax. In addition, provision is made for "quickie" refunds of overpayments of estimated tax; and the requirement for corporations to file a declaration, at the time of making the first estimated tax payment, is eliminated.

3. The excise tax rates on new passenger automobiles and telephone services are to continue at the May 1968 levels of 7 percent and 10 percent, respectively, until Jan. 1, 1970. Thereafter, these excise taxes are to be gradually reduced until they are eliminated on Jan. 1, 1973.

4. Taxpayers who mail a deposit of tax (such as withheld income tax, estimated tax, or excise tax) 2 or more days before the prescribed due date are to be considered as having made a timely deposit even though the deposit is received after the due date.

5. Interest on so-called industrial development bonds generally is to be taxable with respect to issues on or after May 1, 1968 (unless specified commitments were made prior to that time). An exception to this rule, however, was made for bond issues of less than $1 million and also for certain specified categories which are to continue to be exempt. (See H.R. 17324, *infra*.)

6. Deductions are to be available for advertising expenses in a presidential convention program under certain limited circumstances. (See H.R. 17325, *infra*.)

7. Cooperative-type entities providing joint services solely for tax-exempt hospitals are to be treated as tax-exempt organizations where only limited, specified (data processing, purchasing, warehousing, billing and collection, food, industrial engineering, laboratory, printing, communications, record center, and personnel) types of services are provided.

The principal expenditure control provisions are:

1. In the case of full-time permanent employees in the executive branch only three out of four vacancies in agencies or departments may be filled during any month when the employment level for the executive branch exceeds the June 30, 1966 level. Temporary and part-time employees in any department or agency generally are limited to the number of similar employees on the rolls in the corresponding month of 1967. In keeping with the June 30, 1966 date, the provision is carefully designed so that it can be operated in such a fashion that whenever any agency has reached its June 30, 1966 level, then it can be in a position to resume full appointment. To this end, the conferees believe that the more efficient operation of the Government means that the Director of the Budget generally should reassign vacancies to any agency which has reached its June 30, 1966 level. For example, in applying this provision in the case of the Veterans' Administration (including all such employees working in veterans hospitals), no reduction should be required in employee levels below that of June 30, 1966, in the case of permanent or full-time employees.

2. Federal expenditures and net lending in the fiscal year 1969 are to be reduced by $6 billion, from the level of $186.1 to $180.1 billion except for increases which may occur for expenditures related to Vietnam operations, interest on the debt, veterans services and benefit payments, and payments from social security trust funds.

3. Total new obligational and loan authority provided for the fiscal year 1969 is to be reduced by $10 billion, or from $201.7 to $191.7 billion, with the same exceptions as referred to above.

4. The President is to make a report including specific recommendations for legislation rescinding not less than $8 billion of unobligated balances at the time he sends up the 1970 budget.

The public assistance amendments included in the Act are:

1. The limitation on Federal financial participation in the AFDC program applicable under present law is postponed for 1 year from July 1, 1968, to July 1, 1969. The allowable level for any State under the AFDC program is to take into account any addition in the average monthly number of dependent children in a State who come within this category as a result of a court decision with respect to the State's residency or "man-in-the-house" requirements.

2. The prohibition under present law on payments of assistance with Federal participation to a family when the father receives unemployment compensation during any part of the same month is modified so that the family may receive assistance during any weeks that the father does not receive unemployment compensation.

3. The period in which the Federal Government is to continue making payments under title XIX coverage for medical services to aged medically needy persons in a State which has not purchased supplementary medical insurance on their behalf is extended from Jan. 1, 1968, to Jan. 1, 1970.

The bill as enacted also provides that not later than Dec. 31, 1968, the President is to submit to the Congress proposals for a comprehensive reform of the Internal Revenue Code of 1954.

In deleting from the bill the provision added in the Senate relating to foreign nations indebted to the United States, the conference committee stated that it expects the Secretary of State and the Secretary of the Treasury to make a study of appropriate and practical terms and conditions for payment of the amounts of indebtedness of foreign countries to the United States which are past due and unpaid, and to report the results of this study to the Congress.

Following is a table showing the estimated revenue increase that will result from the excise tax and surcharge provisions of the "Revenue and Expenditure Control Act of 1968":

[In billions of dollars]

	Fiscal year	
	1968	1969
Excise taxes, extension of present rates:		
Automobiles	0.2	1.5
Telephone service	.1	1.2
Total, excise extension	.3	2.7
Corporations estimated taxpayments [1]	0	1.0
Surcharge: [1]		
Individuals	0	7.8
Corporations		3.8
Total surcharge	0	11.6
Total revenue increase	.3	15.2

[1] Assumes enactment of this bill too late for Treasury receipts to reflect much, if any, increase in the case of the individual or corporate income taxpayments in the fiscal year 1968.

Note: Detail may not add to total due to rounding.

Addendum: The surcharge; a full year liability at 1968 income levels:

	Billions
Individuals	$6.8
Corporations	3.4
Total	10.2

H.R. 15798 (Mr. Sikes, for himself and Mr. Herlong); House concurred in Senate amendment No. 1 and disagreed to Senate amendment No. 2, Oct. 14, 1968: The purpose of this bill, as unanimously reported to and passed by the House, was to continue for an additional temporary period the existing suspension of duties on certain classifications of spun silk yarn. These duties have been suspended continuously since 1959, the purpose of the suspension being to enable domestic producers of fine yarn fabrics to import fine silk yarns free of duty in order to make it more economical to produce fine yarn fabrics in competition with imported similar fabrics.

Amendment No. 1 of the Senate, in which the House concurred, was a technical amendment in the House bill made at the request of the House in order to provide a three-year continuation of the duty suspension as originally intended. The second Senate amendment involved a tariff classification problem of roasted or sintered manganese ores and concentrates which the Committee on Ways and Means had not had an opportunity to consider, and for that reason the House did not agree to the amendment. No further action was taken on the bill prior to adjournment.

H.R. 16241 (Mr. Mills, for himself and Mr. Byrnes of Wisconsin); passed House Apr. 4, 1968: The two principal provisions of this legislation, as reported by the Committee on Ways and Means and passed by the House, were (1) an extension of the tax on the transportation of persons by air to include substantially all air transportation purchased in the United States, and (2) revision of the customs rules to reduce the personal exemption from duty in the case of returning U.S. residents generally to $10 until Oct. 16, 1969, at which time the exemption would be raised to $50 on a permanent basis. For persons arriving from the Virgin Islands and other insular possessions during this temporary period, the exemption would be reduced to $100 and thereafter would revert to the permanent level of $200. No change would be made in the $100 exemption for residents returning from Canada and Mexico. A 10 percent of fair retail value rate of duty would be applicable to articles accompanying an arriving resident where the aggregate value does not exceed $500. The bill also would reduce the exemption for gifts arriving by mail from $10 to $1, and provided a flat rate of 10 percent of fair retail value in the case of noncommercial importations where the shipment does not exceed $250 in wholesale value.

The legislation was developed pursuant to the Administration's overall program designed to alleviate our balance-of-payments difficulties, and contained provisions in two of the three areas recommended by the Administration. The Committee on Ways and Means temporarily deferred consideration of the third recommendation, that dealing with a tax on travel expenditures of American tourists abroad, for several reasons which are set forth in the Committee's report on the bill. The report also states: "It is important to emphasize that your committee has not concluded its consideration of the expenditure travel tax proposed by the administration. * * * Nevertheless, your committee would like to take this opportunity to encourage American travelers to restrict their spending abroad as an aid to their country in balancing its international accounts. The extent to which voluntary efforts in this regard prove successful may well be an important factor in determining what other measures may have to be taken."

At adjournment, the bill was pending before the Finance Committee.

H.R. 16552 (Mr. Watts); reported to House July 31, 1968: The purpose of this bill, as unanimously reported by the Committee on Ways and Means, was to amend item 155.40 (relating to molasses, including dried molasses, for use other than the commercial extraction of sugar for human consumption) of the Tariff Schedules of the United States by broadening the article description to make certain other products derived from sugarcane and sugar beets are dutiable at the existing rate (0.012 cent per pound of total sugars) imposed by such item. Further, the bill would establish a procedure for making such duty treatment applicable to such products which were entered after Aug. 30, 1963, and before the date of enactment. Finally, H.R. 16552 would provide for the liquidation or reliquidation of certain specified entries of sugar at Philadelphia at the rate of 0.012 cent per pound of total sugars.

Invert or high-test molasses, the principal product covered by this bill is usually used for other than human consumption or commercial extraction of sugars, its primary uses being for the distillation of alcohol, as livestock, feed, and other industrial uses.

At adjournment, this bill was on the House Calendar. (*See also* Finance Committee action on H.R. 11394, *supra.*)

H.R. 16654 (Mrs. Griffiths); reported to House May 22, 1968 (Public Law 90–615; *See* H.R. 7735, *supra.*): The purpose of this bill was to extend for 2 years, through June 30, 1970, the existing suspension of duty on imports of unwrought copper (except nickel silver), copper waste and scrap, and copper articles imported to be used in remanufacture by smelting. The bill also extended for the same period the existing suspension of duties applicable to the copper content of certain copper-bearing ores and materials. Enactment of this legislation was requested by the administration, the Secretary of Commerce having stated: "* * * the continued suspension of duty will provide savings to domestic copper mills. We know of no adverse effect from the present suspension on the overall interests of domestic copper producers, and none is anticipated if the suspension period is extended to June 30. 1970."

The Senate adopted an amendment to H.R. 7735, *supra*, providing for the continuation of the duty suspension on copper, and under the conference agreement on that bill, and as it was enacted into law, the provisions of H.R. 16654 were included. A provision was also included increasing the "peril price" (i.e., the price at which the duty suspensions would be terminated) from 24 cents to 36 cents per pound.

H.R. 17104 (Mr. Fulton of Tennessee); Public Law 90–571, app. Oct. 12, 1968: The purpose of this legislation, as unanimously reported to the House by the Committee on Ways and Means and enacted into law, was to extend for 1 year, through July 15, 1969, the suspension of duties on electrodes imported for use in producing aluminum. In passing the bill, the Senate added an amendment providing permanent authority to permit the Secretary of Health, Education, and Welfare during the last quarter of a fiscal year to "borrow" funds from the following year's appropriation for public assistance. However, the Senate later receded from this amendment and the bill became law as originally passed by the House.

H.R. 17324 (Mr. Mills, for himself and Mr. Byrnes of Wisconsin); Public Law 90–634, app. Oct. 24, 1968: The purpose of this legislation, as reported to and passed by the House, was to extend (for three years) and amend the Renegotiation Act of 1951, which in the absence of legislation was to expire on June 30, 1968, and under which the Government is authorized to recapture excessive profits on certain Government contracts and subcontracts. The bill reported by the Committee on Ways and Means made certain changes in the exemption provided for standard commercial articles and services, designed to provide assurance that items qualifying for the exemption are, in fact, of a commercial nature. The Senate in passing the bill made certain modifications in the provisions of the House bill regarding the exemption for standard commercial articles, and adopted other amendments adding provisions not related to the original House bill. As agreed to in conference and as enacted into law, the bill, in addition to extending the Renegotiation Act of 1951 for three years, to June 30, 1971, and redefining the terms "standard commercial article" and "standard commercial class of articles" for renegotiation purposes, contained the following provisions:

(1) Antidumping—It is provided that nothing contained in the International Antidumping Code, signed at Geneva on June 30, 1967, shall be construed to restrict the discretion of the U.S. Tariff Commission in performing its duties and functions under the Antidumping Act, 1921, and that the Secretary of the Treasury and the Tariff Commis-

sion shall resolve any conflict between the new Code and the 1921 Act in favor of the Act as applied by the agency administering the Act, taking into account the provisions of the International Antidumping Code only insofar as they are consistent with the 1921 act as so applied. The President is required to submit to the Congress, by August 1, 1969, a report covering the year ending June 30, 1969, regarding determinations made under the 1921 Act and antidumping actions taken by other countries against United States exports in that period, together with such recommendations as he may determine to be appropriate concerning the administration of the Antidumping Act, 1921.

(2) International Coffee Agreement—Authority is provided for implementation of the International Coffee Agreement, 1968 (*see* H.R. 18299, *infra*).

(3) Industrial development bonds—The provisions of section 107 of the Revenue and Expenditure Control Act of 1968 (*see* H.R. 15414, *supra*) are amended with respect to the exception provided from the new treatment of industrial development bonds in the case of certain issues where the aggregate authorized face amount is $1,000,000 or less. In general under the amendment, the $1,000,000 limit is raised to $5,000,000 where a governmental unit which is the issuer of the bond issue elects to have the $5,000,000 limit apply to the issue in lieu of the $1,000,000 limit. In determining whether the issue comes within the $5,000,000 limit, there must be taken into account not only prior outstanding issues but also certain capital expenditures made during the 6-year period beginning three years before the date of issue of the issue in question and ending three years after such date.

H.R. 17325 (Mr. Mills, for himself and Mr. Byrnes of Wisconsin); Public Law 90–346, app. June 18, 1968: This legislation, as reported by the Committee on Ways and Means and subsequently enacted into law, provides that provisions of existing law which disallow deductions for certain indirect contributions to political parties are not to apply to any amount paid or incurred for advertising in a convention program of a political party distributed in connection with a convention held for the purpose of nominating candidates for the offices of President and Vice President of the United States, if certain conditions are met. As reported and enacted, the bill was designed not to amend the Internal Revenue Code, in order to avoid a duplication in the Code upon enactment of H.R. 15414, *supra*, the conference agreement on which contained a substantially identical provision amending the Internal Revenue Code. The earlier enactment of this separate legislation was deemed advisable in view of the imminence of the national political conventions to be held in August.

H.R. 17332 (Mr. Battin); House disagreed to amendment of the Senate, Oct. 14, 1968: The purpose of this bill, as unanimously reported by the Committee on Ways and Means and passed by the House, was to extend the time for claiming a credit or refund of excise tax on gasoline or lubricating oil used for certain nonhighway purposes. Generally, the bill would make the time for filing these claims similar to the time presently available for claiming other income tax credits.

The Senate agreed to the provisions of the House bill without change, but added an amendment making retroactive (to claims filed on or after Jan. 10, 1967) the application of the provision extending the period for filing certain claims for drawbacks of distilled spirits which was included in the conference agreement on H.R. 7735, *infra*. The House disagreed to the amendment of the Senate, and no further action was taken on the bill prior to adjournment.

H.R. 18101 (Mr. Herlong, for himself and Mr. Conable); House disagreed to amendment of the Senate, Oct. 14, 1968: As unanimously reported by the Committee on Ways and Means and passed by the House, this bill dealt with improvements in the provision of present law (sec. 337 of the Internal Revenue Code of 1954) which provides that gain is not recognized to a corporation on the sale of property by it where, after it adopts a plan of liquidation, it completes its distributions to its shareholders within a 12-month period. The bill was designed to correct an unintended oversight in this provision which denies the benefit of the provision to "collapsible corporations" which have held "constructed or produced" assets where the construction or production has been completed for 3 years or more, and to close a loophole wherein losses attributable to the sale of property in a liquidation were taken before the 12-month liquidation period against other income, while the gains attributable to the liquidation were not recognized.

The Senate made no change in the provision of the House bill, but added an amendment dealing with the excise tax on trucks in the case of concrete mixers. The House disagreed to the amendment of the Senate because the Committee on Ways and Means had not had an opportunity to consider the amendment, and no further action was taken on the bill prior to adjournment.

H.R. 18253 (Mr. Watts); Public Law 90–607, app. Oct. 21, 1968: The purpose of this bill was to amend Public Law 89–809 (which amended the provisions of the Self-Employed Individuals Tax Retirement Act of 1962 in certain respects) to make clear that the new definition of earned income provided therein for purposes of pension plans of self-employed individuals applies to taxable years beginning after Dec. 31, 1967, and to provide that, in applying the 3-year averaging provisions in determining whether excessive contributions have been made to such plans, the new definition is to be applied as though in effect for years beginning before Jan. 1, 1968.

The Treasury Department had no objection to this legislation, and the bill was enacted as unanimously reported by the Committee on Ways and Means to the House.

H.R. 18299 (Mr. Mills); reported to House July 11, 1968 (Public Law 90–634; see H.R. 17324, *supra*): The purpose of this legislation, the "International Coffee Agreement Act of 1968", was to authorize the President to carry out and enforce the provisions of the International Coffee Agreement, 1968, signed at New York on Mar. 21, 1968. The Senate had previously given its advice and consent to ratification of the Agreement, which extends for a period of five years, with certain modifications, the International Coffee Agreement of 1962, which expired on Sept. 30, 1968. In order to permit the United States to carry out fully its obligations under the new treaty, legislation was necessary to replace the implementing legislation of 1965, which lapsed with the termination of the 1962 Agreement. As reported by the Committee on Ways and Means this bill continued, with some revisions, through Sept. 30, 1973 (the termination date of the 1968 Agreement), the International Coffee Agreement Act of 1965.

The provisions of the bill, with modifications, were adopted by the Senate as an amendment to H.R. 17324, *supra*, and as agreed to by the Conference Committee and as enacted into law as title III of that bill, the authority conferred on the President to carry out and enforce the International Coffee Agreement, 1968, will terminate on September 30, 1970. The President is required to submit to the Congress an annual report on the operation of the Coffee Agreement, the report to include full information with respect to matters pertaining to the transportation of coffee from exporting countries to the United States. Additionally, should the President determine that there has been an unwarranted increase in the price of coffee, he is to request the International Coffee Council and the Executive Board to take appropriate action, reporting such determination to the Congress and in the event the Council fails to take appropriate action, transmitting to the Congress his recommendations. A provision is also included relating to the prevention of discrimination against U.S.-flag ships in the shipping of coffee to the United States.

H.R. 18373 (Mr. Burke of Massachusetts); Public Law 90–635, app. Oct. 24, 1968: The purpose of this bill was to implement U.S. accession to five international customs conventions, to which the Senate gave its advice and consent on Mar. 1, 1967. The customs conventions concerned are: (1) Customs Convention on the Temporary Importation of Professional Equipment; (2) Customs Convention on the ATA Carnet for the Temporary Admission of Goods; (3) Customs Convention regarding ECS Carnets for Commercial Samples; (4) Customs Convention on Containers; and (5) Customs Convention on the International Transport of Goods under Cover of TIR Carnets. These conventions share the purpose of simplifying and facilitating the movement of goods in international trade so as to make the carrying on of business by nationals of one contracting country easier in the territory of another.

The Committee on Ways and Means was informed that these customs conventions will be of direct benefit to American business interests in the territories of other parties to the conventions, and was unanimous in reporting the bill to the House.

H.R. 18486 (Mr. King of California); Public Law 90–622, app. Oct. 22, 1968: This bill, which was enacted into law as unanimously reported by the Committee on Ways and Means, amended the Internal Revenue Code of 1954 with respect to the treatment of income from the operation of a communications satellite system. The bill provided that foreign entities participating in the global communications satellite system, in which the United States participates pursuant to the Communications Satellite Act of 1962, are not to be subject to U.S. income taxation on earnings derived from that system, thus eliminating the possibility that some foreign participants in the existing International Telecommunications Satellite Consortium, or a successor organization, might be subject to U.S. income taxation on their share of the consortium's earnings. (The taxation of the U.S. participant in the consortium, the Communications Satellite Corp., is not affected by the bill.)

H.R. 18942 (Mr. Mills); Public Law 90–621, app. Oct. 22, 1968: The purpose of this bill, which was enacted into law as unanimously reported by the Committee on Ways and Means, was to amend the Internal Revenue Code of 1954 to permit a corporation to acquire another in a tax-free statutory merger by giving in exchange for the stock of the acquired corporation the stock of the parent of the acquiring corporation (instead of the stock of the acquiring corporation itself). The bill also amended the tax laws to state the same basis rules for the properties or stock acquired with the stock of the parent corporation in a tax-free reorganization as those which apply when the acquisition is made with the stock of the acquiring corporation itself.

H.R. 18985 (Mr. King of California); reported to House July 31, 1968: The bill would modify the employee limitation relating to full-time permanent civilian employees in the executive branch of the Government contained in sec. 201 of the Revenue and Expenditure Control Act of 1968 (*See* H.R. 15414, *supra*). The modification permits the Director of the Bureau of the Budget to authorize the filling of up to 14,000 positions in addition to those which may be filled under sec. 201 (in addition to positions which may be filled under any other provision of law). The House took no action on this measure.

H.J. Res. 1223 (Mr. Mills, for himself and Mr. Byrnes of Wisconsin); Public Law 90–

285, app. Apr. 12, 1968: This resolution which was passed by the House and the Senate without amendment, extended through Apr. 30, 1968, the 7 percent excise tax rate on automobiles, and the 10 percent excise tax rate on communication services. This action was made necessary because of the delay in enactment of H.R. 15414, *supra*.

S. 1578 (Mr. Fulbright); Public Law 90-569, app. Oct. 12, 1968: The purpose of this legislation was to authorize the annual appropriations of such sums as may be necessary for the payment of the United States' share of the expenses of the International Union for the Publication of Customs Tariffs and of the Bureau established to carry out the functions of the Union. The authorization is limited to 6 percent of such expenses per annum. Favorable departmental reports were received on the bill, and the Department of Commerce advised the Committee that "the work of the International Bureau is considered by the Department to be of major benefit to U.S. export expansion efforts. The International Customs Journals published by the Bureau are often the only available English translations of foreign tariffs, and their availability considerably lessens the cost to the Department of supplying tariff information . . . to the U.S. business community and to other Government agencies. Translations of foreign tariffs are a valuable tool to U.S. firms in efforts to determine their competitive position and to locate potential markets for their products abroad. The information is also of use to Government agencies in such tasks as analyzing trade patterns and in planning trade policies. * * *"

TABLE 5.—PRIVATE BILLS

[7 private bills providing for the duty-free entry of certain items (scientific instruments, etc.) for the use of specified educational or religious institutions have been reported during this Congress by the Committee on Ways and Means]

Private bill No. and author	Date enacted and law No.	Item for which duty-free entry provided	Institution or organization involved
H.R. 1566; Mr. Conte	Private Law 90-65; approved Aug. 11, 1967	4-octave carillon	Northfield and Mount Hermon Schools, East Northfield, Mass.
H.R. 1886; Mr. Thompson of New Jersey.	Private Law 90-66; approved Aug. 11, 1967	Mass spectrometer and rheogoniometer	Princeton University, Princeton, N.J.
H.R. 2470; Mr. McCormack	*Private Law 90-82; approved Aug. 28, 1967*	*(1) Rheogoniometer* (2) Automatic digital polarimeter (3) Gas-liquid chromatograph mass spectrometer.	*Tufts University, Boston, Mass.* Mount Holyoke College, South Hadley, Mass. Massachusetts Division of the American Cancer Society.
H.R. 3029; Mr. Minshall	Private Law 90-67; approved Aug. 11, 1967	Ship model	Lutheran Church of the Covenant, Maple Heights, Ohio.
H.R. 3737; Mr. Tunney	Private Law 90-68; approved Aug. 11, 1967	Cavillon	University of California at Riverside, Calif.
H.R. 4934; Mr. Bray	Private Law 90-69; approved Aug. 11, 1967	Mass spectrometer	Indiana University.
H.R. 4977; Mr. Rumsfeld	Private Law 90-70; approved Aug. 11, 1967	Triaxial apparatus and rheogoniometer	Northwestern University, Evanston, Ill.

JEWISH CHILD CARE ASSOCIATION OF NEW YORK DEDICATES YOUTH RESIDENCE CENTER

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. KUPFERMAN. Mr. Speaker, I had the pleasure of participating in the dedi*cation of the new youth residence center in my district at 217 East 87th Street, of* the Jewish Child Care Association of New York.

Unfortunately, Mayor John V. Lindsay, due to the pressure of a labor crisis, *could not be present, but filling in for him* was Administrator Mitchell I. Ginsberg of the human resources administration.

Norman Rosow, president of the Jewish Child Care Association, in a moving address gave "The Why of a New Youth Facility." I know that my colleagues will *be interested, and I am pleased to bring* this to their attention.

President Rosow's speech and the program for the dedication follow:

ADDRESS BY MR. NORMAN ROSOW, PRESIDENT, JEWISH CHILD CARE ASSOCIATION OF NEW YORK, AT DEDICATION OF JCCA YOUTH RESIDENCE CENTER

At long last, an image comes to life, a dream becomes a reality—a collective dream in which the trustees and the staff of JCCA, as well as outside experts and consultants, shared.

This brain child was produced—or so it often seemed—by one of the longest and most aggravating pregnancies on record. But I think you will agree that the three years of sweat, struggle, toil and some tears have been richly rewarded.

The boys and girls who will live here tomorrow and in the years to come will little know nor long remember what we say here today, but they will never forget what has been done here to give them the skilled service and help they need in a setting they need.

This inviting and imaginative Youth Resident Center is a residential treatment center for troubled young people—the 16 to 21 year olds all too often overlooked in mental health planning. This residence center will replace two JCCA facilities in buildings now obsolete—the Girls Club in Brooklyn and Fellowship House in Manhattan. Each of these units represented enlightened planning for youth when they were initiated. The Girls Club *was established in 1925 by a philanthropic group of women concerned for the welfare of* young girls discharged from the Brooklyn Hebrew Orphan Asylum and needing a halfway house—a decent residence—until they were ready to stand on their own. The two leaders in its establishment were Mrs. Julia *Coblens, whose generous bequest has helped* to make possible the girls wing—or Julia Coblens Residence for Girls—of this new Youth Residence Center—and Mrs. Nina Sonnenstrahl, whose daughter, Mrs. Beula Kahn, is with us today. Girls Club became a JCCA facility when the Jewish Youth Services of Brooklyn merged with JCCA in 1960.

Fellowship House was established in 1949 as a residence for boys of the same age group; it took its name from the aftercare service for young people discharged from foster care which was developed 35 years earlier. Instrumental in the development of *the Fellowship House Residence were Mr.* Samuel Schneierson, Mr. Edwin Levinsohn and Mrs. Irving Heldell who to this day remain leading members of our board of trustees.

As the population they served changed, *both Girls Club and Fellowship House* changed. They became residential treatment centers for troubled young people—some from the community, some from other agency facilities—who needed supervised living, in a therapeutic facility within the community, where they could work out some of their major problems while attending school or college, or holding a job.

We have a special concern for these older adolescents and young adults. They face the sharpest pressures in our world today, as I know Dr. Zwerling will tell you later, and we feel this service to them is a kind of crucial "last chance" service—a chance to help them face and learn to cope with their emotional problems and handicaps before they must finally stand on their own as self-sustaining adults in a difficult world—a last chance to arm them for the challenges and tensions they must meet.

One of the major new features of this new treatment center is that it is coeducational—unlike the two facilities it replaces. Well, if Vassar and Colgate and Williams can go coed after generations of traditional "apartheid", I guess it is hardly startling that the Jewish Child Care Association decided a couple of years ago that this is right for our youngsters too.

Actually, leading professionals feel that it *is far healthier for young people to live in a setting which prepares them for reality—* and for healthy adaptation to it—and that a setting which offers daily contact with both sexes in a relaxed living environment is a truly therapeutic setting. The values, it is felt, are so important that they far over*shadow the possible problems.*

Our youth center has two separate wings of living quarters for boys and for girls—but they share a common dining room (this room in which you now sit), and recreation areas on this floor and the floor below.

Another important aspect of the center is *its creative design—its feeling of openness and space (sorry it doesn't feel very spacious* in here right now) in an urban setting—its provision of privacy—each youngster has a room of his own—along with the opportunity for relaxed group living—both of which young men and women deeply need. Our architects conferred long and hard with our *professional staff and other experts to make* an effective, appealing setting for youth and I think they have.

I have been asked by some why we chose one of our city's most desirable neighborhoods—why we provided design and decor so *lovely and inviting—for this kind of a facility.*

The answer? First, many of these youngsters have creative promise. This area is rich in access to the city's cultural treasures—the museums, the galleries, the park concerts and special events, the diverse and exciting programs and resources of the 92nd street Y. It is convenient for transportation everywhere youth may want to go—schools, jobs, recreation. And above all in its location, its design and its interior—this youth center says to our young people, many of whom have had sad, chaotic, meager lives, and who have a poor, depressed self-image—"you are valued individuals; you are our future; you deserve the good things in life"—and it gives them a standard, a stimulus, a goal to strive for.

Another major innovation of this new youth residence center is its provision of a day care program. There will be an educational, recreation and vocational program, staffed by qualified personnel, to serve those youngsters going through temporary periods of crisis and unable for a time to attend school or work. A full therapeutic day care program is being planned for young people from the community who may need it—who can benefit from all the services offered by this residence center—but who do not need residential care. You will see the day program area when you visit the floor below.

The overall operation will be directed by Mrs. Adeline Strongin, now director of girls club, and by Dr. Wilbert Sykes, a member of JCCA's psychiatric service, as clinical director.

I think one of the exciting things about this Youth Residence Center is the fact that its whole program and set-up are aimed to re-enforce the strengths and capabilities in the young people it serves—rather than to focus on their handicaps and weaknesses. Don't misunderstand. Many of the youngsters have serious problems; some come to us straight from a period of hospitalization in a psychiatric hospital; some literally could not make a go of it in the community if they did not have this kind of facility to care for them.

Yet, believe me, they look very much like any other group of young men and women in our community—far less bizarre than many. They have a self-governing set-up—and within the overall framework of house rules—their own rotating committees run things. Many of them are talented and promising youngsters.

Here in the Youth Residence Center, they learn many things. They learn for example that asking for—and receiving—professional help is a sign of strength not of weakness. As Mr. Rabinow, JCCA Associate Executive Director and head of our group residence division, of which the Youth Residence Center is a unit, says: "Over and over we have seen that the acting-out youngster is not only susceptible to help, but is actually crying out for help in the only way he or she knows how—attracting attention through unacceptable behavior. If we can recognize this, recognize their great hunger for acceptance, help them to ask for—and use—therapy in a realistic, acceptable way, we can keep many a life from being wasted."

It will be of interest to those of you who are parents of youngsters that one of the important aspects of the center's work is with parents. . . . and with the young people's parental relationships. It is a triumphant moment when a girl who had been unrelentingly hostile to her family, says to her caseworker: "For the first time, I'm beginning to see my father as a human being, not a monster. I'm even beginning to have some respect for him." And another triumph when a mother tells the caseworker: "You are the first person who ever made my husband and me feel that it isn't all our fault. For once, we feel some comfort in what we tried to do, instead of only blame for what we failed to do."

We of JCCA's board and staff are proud that this new youth residence center represents the best of professional thinking on how to serve effectively our troubled, sometimes damaged, youth.

I want especially to thank our architects Horace Ginsbern & Associates and staff members Irving Rabinow, associate executive director, and director of our group residence division, and above all, Sidney Smith, director of business affairs, who burned the midnight oil and forgot the 5-day week to do an outstanding job of supervision.

I want to acknowledge too the generous gifts of Judge Milton Pollack, his family and many friends in memory of our esteemed trustee Lillian Pollack, a former leader of the girls club board; this memorial fund was a most welcome gift to the youth residence building fund, as were other generous gifts. But the residence center, it must be said, has cost $1,400,000—and we are still a million dollars away from that goal. This is—please believe me—no fund-raising speech—but we hope that trustees and friends of JCCA—particularly those with access to foundation funds or to the philanthropic giving of corporations—will be interested in this unique new venture—and will want to sponsor some part of this very, very substantial investment in youth.

In conclusion, a special word of thanks to the chairman of our arrangements committee, Mrs. Nathan Gordon, her co-chairman, Mrs. Alfred Rosenberg, and to their hardworking reception committee. Our thanks also to a gifted sculptress, Pearl Lamberg, for the handsome bronze figure which distinguishes our girls' lounge.

I take pleasure now in introducing our next speaker—a distinguished psychiatrist and authority on the newer concepts of community psychiatry. Dr. Israel Zwerling, president of Bronx State Hospital and professor of psychiatry at the Albert Einstein College of Medicine of Yeshiva University.

Dedication Program of the JCCA Youth Residence Center and its Julia Coblens Residence for Gifts

Invocation: Rabbi Harvey M. Tattelbaum, Village Temple.

Remarks: Percy Sutton, President, Borough of Manhattan.

Address: John V. Lindsay, Mayor of the City of New York.

"The Why of a New Youth Facility," Norman Rosow, President, Jewish Child Care Association of New York.

Address: Dr. Israel Zwerling, Director, Bronx State Hospital, Professor of Psychiatry, Albert Einstein College of Medicine.

Tribute: Morton L. Deitch, Chairman of the Board, Jewish Child Care Association.

Remarks: Jacob L. Trobe, Executive Director.

Installation of the cornerstone box; Herman L. Block, Hon. Chairman of Board.

Guided tours of the Youth Residence Center will follow ceremonies.

ATTORNEY GENERAL RAMSEY CLARK: HIS JUDGMENT AND LEADERSHIP ON CRIME AND EQUAL RIGHTS

HON. EDWARD M. KENNEDY

OF MASSACHUSETTS

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. KENNEDY. Mr. President, a campaign year is a time of exaggeration and hyperbole, of evasions and pap, and occasionally of truth and insight. This year's best example of truth and insight has come from a man who has himself been the object of much of the demagoguery of recent weeks, Ramsey Clark, the Attorney General of the United States. His record as Attorney General has, I believe, been outstanding, and as a nation we can be thankful for his judgment and leadership in the fields of crime and equal rights. His recent remarks before the Women's National Press Club well represent his courage and his dedication to facts, and I think they should be required reading for everyone in public life. I therefore ask that they be inserted in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Address by Attorney General Ramsey Clark to the Women's National Press Club, Washington, D.C.

You may have noticed there is a Presidential election campaign in progress—if progress is the right word.

Two of the major issues are crime and civil rights, although the two are not carefully distinguished by all candidates.

Because I have been involved for a number of years in crime control and the quest for equal justice, a few comments on these subjects as political issues and on their merits are in order. Then, too, I believe my name has been mentioned. Like Lincoln's friend if it wasn't for the honor of it, I'd just as soon walk.

We are told these are the best of times and these are the worst of times. We've been told that before, as have all people through history. Rarely have we been told that both conditions prevail at the same time by the same man. This is part of the particular confusion of our times.

In fact, these are neither the best nor the worst of times, though they are more better than worse. Times are what people make them, if man has control of his destiny. It is imperative that we seek leaders who will bring the best of times.

We live in days of turbulence, of change, of instability, of population explosion and technological proliferation, of doubt and mistrust, of incredible peril and unimaginable opportunity. Institutions are fragile midst such dynamics. Those who love ours must rally to their defense.

Politicians can lead, or follow. They can appeal to the best in people, or to the worst. They can divide, brutalize and mislead, or they can unite, humanize and give confidence.

The great need of this moment is for unity, humanity and truth. Shaw says that nothing is worthwhile if one's own actions aren't honest. This should be the creed of every politician. It is America's need. Our young people, the best educated, best motivated, most idealistic generation yet produced, demand it. They will not be fooled.

America has real problems—immense and stubborn. One is crime with its many faces; another, the long denied equality of justice for all.

The question this year—the question the whole world waits with future generations of American leaders to see answered—is whether we will address our problems outright and end them or becloud the issues in fear evoking generalities, turn our backs on the task at hand and seek to return to a past that never was and never will be.

If we but have the courage to face these very difficult and very real problems, our capability to overcome them is clear. Never was a contest more unequal; never a capacity so abundant. We need only the will.

What of crime? How is it controlled and reduced? Not by exhortations to "law and order" which may mean many things but to most today signify force, order as an end in itself, repressiveness. It nurtures fear by conjuring terrible crimes. It fires anger by implying authoritarian power. It divides black from white, young from old, rich from poor, educated from ignorant. It speaks of the horror of the criminal act, overlooking the greater tragedy: the innate capability of our people to commit crime. It somehow calls for force to prevent the act of crime while ignoring the heart prepared to commit it.

Besides dividing, the demagogic phrase misleads or leads not at all. Crime is a very practical and pervasive problem. Practical, pervasive and specific programs are required if crime is to be arrested. But the phrase "law and order" offers no program. It states an end with the inference that it should be reached by any means.

"Support your police," too, often means only have the police and the mob fight and cheer for the cops. There is no surer way to widen division. Police work requires a bundle of professional skills exceeding those demanded in any other calling of modern society. Police need more than a cheering section, urging conflict and increasing emotion in what is already an immensely difficult role. Anyone truly interested in supporting police should not add to their problems by epithets. He should deal with clear and specific programs.

If Mr. Nixon wants to serve the public interest, he will state his views on crime control rather than misstate mine, I say advisedly that he misstates my views because my views are a subject with which I am intimately familiar. As Will Rogers said, we are all ignorant, just on different subjects. One reason Mr. Nixon resorts to trigger words and misstatements on the crime issue is that he does not know enough about the subject for all his coaching to talk at length on the merits. Another is that he finds it his style of politics to appeal to fear and hatred and emotionalism—the worst in us, rather than to build constructively with confidence, goodwill and reason.

We are all concerned about crime. Differences on the issues are the nutriment of the political process. It is on these differences the public should judge. We must state positions on the issues clearly, not fabricate false issues. But the public never sees the issues when Mr. Nixon speaks. Can a man who deliberately misleads be trusted to lead?

When Mr. Nixon criticizes the administration's handling of the narcotics problem, does he tell you there were at least 250,000 addicts in 1900 when our population totaled 76 million, compared with 63,000 today when we are more than 200 million? Does he say opium and opiate derivatives seized by federal agents increased from 128,953 grams in fiscal year 1967 to 327,750 grams in fiscal 1968, an increase of more than 150% and an all time high? Does he tell you marihuana seizures by federal agents increased from 12,148,126 grams in fiscal year 1967 to 31,834,628 grams in fiscal 1968, an increase of more than 160% and an all time high? Does he tell you of great expectations for breaking the habit under new programs authorized by the administration-sponsored Narcotics Addiction Rehabilitation Act of 1966? Does he mention the new Federal Bureau of Narcotics and Dangerous Drugs created in 1968 through administration initiative which doubles federal enforcement, education and research capability for dealing with dangerous drugs?

When Mr. Nixon speaks of the "prodigious growth in organized crime," does he document his case? Does he mention the existence of organized crime in this country throughout this century? Does he say fewer than 20 of more than 70 major cities surveyed in 1966 reported the presence of organized criminal elements? Does he point out that only 19 individuals were indicted in cases handled by the Department of Justice's Organized Crime and Racketeering Section in 1960, the last year of the administration he served as Vice President? Does he compare that 19 with 1,166 in fiscal 1968, a record high? Does he mention the fierce energies Bob Kennedy brought as Attorney General to the eradication of organized crime? Does he refer to the record number of convictions obtained in federal cases last year; the record level of manpower currently devoted to the investigation and prosecution of organized crime? Does he speak of the "Strike Force," the most effective federal technique yet applied to organized crime? Does he say that half of all known members of La Cosa Nostra convicted in federal prosecutions since 1955 have been convicted since I became Acting Attorney General, October 1, 1966, a record of eleven years equaled in two? Does he point to convictions of organized crime and gambling figures resulting from FBI investigations rising steadily from 64 to 281, more than 435%, between 1964 and 1968? Was his voice heard when I pleaded time and again with the Congress for 75 additional specialists to increase our "Strike Force" capability and got none?

While the Department of Justice fought through the years for gun control, did Mr. Nixon speak out? Guns are the principal weapon of the criminal. They are used in 63% of all murders, 25% of all violent crimes. When a major effort was made to secure meaningful controls following the assassination of Dr. King and Senator Kennedy and the matter hung in the balance before the United States Senate—who was silent? Who was asked to help and gave none? Richard Nixon.

It is not too late for Mr. Nixon to tell us what he stands for, if anything. We know who he stands against. He tells us every day. But isn't it more important to know what a man stands for than who he stands against?

I'm for the registration and licensing of firearms; raising police salaries; setting high standards for police candidates; a thoroughly professional local police; a tenfold increase in funding for the Crime Control Act of 1968; vast new educational and training opportunities for police which have doubled since 1965 through the leadership of the Johnson Administration; new emphasis on corrections where we still spend 95% of every dollar on mere custody, knowing four of five felonies are committed by repeaters and knowing recidivism is the hard core of crime and that it can be cut in half.

I'm for the expansion of the Juvenile Delinquency Prevention Act of 1968 to lead kids to lawful lives before they fall into patterns of crime, realizing nearly all the increase in crime as recorded by arrests is among minors, and believing our young can be reached before developing habits of crime; a major increase in the National Institute of Criminal Justice, founded in 1968 and funded at 30% of the level sought by the Johnson Administration at a time when research is essential to professionalization of police and the modernization of criminal justice; vitalized police-community relations between police and every element of the public it serves, the basis of effective law enforcement, the most important and difficult criminal justice problem of this and the next several decades; definitive efforts in mental health, alcoholism and narcotics addiction as major aspects of the many faces of crime. The specific development and enumeration of scores of such programs can be traced back through five years ardent effort by the Johnson Administration. They cannot be meaningfully summarized in a phrase—law and order—or any other.

Difficult questions must be dealt with sensitively. Nor can we ever be ashamed to speak of humaneness, of rehabilitation, of justice: these are essential to the spirit of mankind as to his progress.

When the history of freedom and justice is written, one of its greatest chapters will be of the progress toward equality for the American Negro these last eight years.

We have never been a people given to fear. Fear paralyzes. Action is America's strength. A nation of builders, of doers—none has equaled us in our capacity for action—for facing a task and performing it.

Always restless, on the move, these last few years we have lengthened our stride as the times demand. No period in history has witnessed greater progress toward economic and legal justice. In four years, seven million Americans have crossed the poverty line. Federal contributions to education—our most important enterprise—have tripled to 12 billion dollars. Seven million have received medicare benefits and 31 million children have been immunized from diphtheria, polio, tetanus and whooping cough. The number of people participating annually in federal manpower development programs—offering jobs, self-support, independence, the chance to better his condition—rose nearly 20-fold to 1.3 million.

Because our laws, our purpose as a people, intend equal justice for all, we created more new rights and remedies in four years than in the preceding four score: opening hotels, motels, restaurants, parks, libraries to all; prohibiting discrimination in employment on account of race; seeking conciliation and strong community ties to unite our nation; providing techniques to speed school desegregation; assuring the right to register and vote; requiring fair jury selection in federal courts; protecting citizens exercising federal rights from assault; assuring all Americans, regardless of race, the equal right to buy or rent a home to raise a family.

Our senior generation was raised to be sentimental about Old Black Joe—the gentle voices—head bending low. They hardly noticed the lynchings that averaged more Negroes killed every year for half a century than all the dead in all the riots of any year in the 1960's. They were shielded from photos of their bodies hanging from trees with broken necks, 5,000 in fifty years. Back of the bus; separate water fountain; segregated school; inferior job if any; don't vote, stay in your place.

Then it came, as justice will, and the American Negro, victim of the one huge wrong of the American nation, emerged from the shadows and into the sunlight. He will never return to darkness. Schools are desegregating, public accommodations serving, jobs slowly becoming available, voting possible, housing opening.

Racial barriers were not easily broken. George Wallace, who speaks of law and order, stood in the doorway at the University of Alabama proudly defying the supreme law of the land while the whole world watched. George Wallace resisted token desegregation of schools when he blocked the doorway. When Richard Nixon, speaking in the South said, in equal defiance of the mandate of the supreme law, that he would not enforce the HEW guidelines which define deliberate speed in school desegregation, he was opposing substantial desegregation. Does America draw the line with Mr. Nixon: token desegregation, yes; substantial desegregation, no?

The guidelines are controversial because they work. In nine years of litigation of school cases, 1% of the Negroes in southern public schools were admitted to desegregated schools. In four years under the guidelines which have the force of law, 20% of the Negro children in southern schools have been admitted to desegregated classrooms.

Verdi said "Let us return to the past, that will be progress." But there is no road back. Desegregated schools, full equality of job and promotion opportunity, open housing—all of these must come.

When Mr. Nixon, as a campaign promise, says he will reduce federal aid to rebuild central city, he may be appealing to the passing selfish interest of the majority, but he is denying hope to a minority. All will suffer. Our cities must be rebuilt—houses, schools, jobs, health—and we must have the courage to face up to it.

When he says he will reduce both programs for the urban poor and public scrutiny of stock transactions with Wall Street's rich, Mr. Nixon has offered his whole thing.

When Mr. Nixon attacks the Supreme Court, he may appeal to the fleeting prejudices of a majority, but he assaults our greatest champion of those who suffer most. He undermines our confidence in our system. He attacks the one branch of government that has moved unfalteringly toward equal justice under law.

When Mr. Nixon calls Washington, D.C. one of the crime capitals of the world, he misstates the fact. Washington stands 16th among metropolitan areas, far below other major cities, well below his Los Angeles or New York City, where he doesn't choose to offend the voter; below Spiro Agnew's Baltimore. He exults in the success of a racist effort of many decades to deny the right of self-government to the capital of history's greatest democracy. He condemns our Nation's capital and those who have labored for years to bring it good government, self-government and beauty. But he has never been heard to offer a constructive suggestion. He uses the Nation's capital as his doormat.

We would be badly deceived if we thought an election could turn a seething Chicago into a glittering Miami Beach. Vacations are fine, but we must always come home. There is a real world out there. It will not go away. Cinderella's coach will be a pumpkin again when the ball is over.

Four years is a desperately long time in an epoch of profound change. Each year will have its summer, its new school term, its longing for justice, its crime control actions, its anxieties and unrest. More Negroes will move to the cities, more segregation will occur, buildings will age, opportunities fade. If we in America do not do all within our might to prove black and white can live together with respect, in social stability, with progress, and love; if we do not succeed, then where does this world with its emerging billions of blacks, browns and yellows go from here? Time is of the essence.

When we abandon our quest for equal justice, we abandon the last best hope of man on earth.

We need a man of vision, of balance and compassion; a builder not a wrecker; a man with a sense of history, not one who moves from one personal crisis to the next, measuring only what is important to him personally. We need a man who can give us unity and humaneness; a man in whom we can believe.

With such a man, we can race to greet the future; to assure a safe America as we build a new and just America. The road is always better than the inn. America must go forward.

CITIZENS' SUPPORT FOR VIETNAM

HON. THOMAS J. DODD

OF CONNECTICUT

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. DODD. Mr. President, while the world press has been focused on acts of opposition to the Vietnam war, there has, regrettably, been little or no news about the numerous manifestations of citizen support for our boys in Vietnam.

One such organization is the American Friendship Committee for South Vietnam, an organization which was set up in my home State by a group of public-spirited citizens. This organization has collected funds with which they have purchased gifts for wounded Vietnamese and American servicemen. As a small indication of the kind of work it has been doing, of the great impact this work has had, I ask unanimous consent to insert into the RECORD the following documents:

First. A letter from Mrs. Olga Arnold, U.S. Information Agency, Washington, dated June 18, 1965, to Mr. Anthony Ustjanauskas.

Second. A letter from Gen. W. C. Westmoreland dated December 29, 1966, to Mr. Anthony Ustjanauskas.

Third. A letter from Vietnamese Ambassador Bui Diem, dated February 28, 1967, to Mr. Anthony Ustjanauskas.

Fourth. A letter from Mr. George H. Foster, information activities officer, dated January 23, 1968, to Mr. Anthony Ustjanauskas.

I know that there are other efforts similar to this in other parts of the country. But I take pride in the fact that the citizens of Connecticut, through the American Friendship Committee for South Vietnam, have taken these steps to let our soldiers know and to let the Vietnamese people know that America stands by its commitment to freedom.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

U.S. INFORMATION AGENCY,
Washington, June 18, 1965.

DEAR MR. USTJANAUSKAS: I am sending you two photographs, which were forwarded from our post in Saigon. They will tell you how deeply your gift of transistor radios was appreciated by the wounded Vietnamese and American soldiers in Can Tho Hospital, south of Saigon.

And may I add the congratulations of the U.S. Information Agency? Your generous action helps greatly to spread good will for America in that troubled area.

As you know, USIA has posts in 106 countries to win support for United States policies and to give the world a true picture of the American people. Your contribution helps make that picture clearer.

With warm regards,
Sincerely,
(Mrs.) OLGA ARNOLD,
Office of Public Information.

U.S. MILITARY ASSISTANCE COMMAND, VIETNAM,
December 29, 1966.

Mr. ANTHONY USTJANAUSKAS,
Secretary, American Friendship Committee for South Vietnam, Hartford, Conn.

DEAR MR. USTJANAUSKAS: Your letter, picture, and the package of gifts for the Vietnamese soldier who detonated the floating VC mine are appreciated. I share your admiration for this feat of bravery and alertness which undoubtedly saved many lives and valuable munitions.

There were two individuals responsible for detonating the VC mine, Private Tran Truong Hia, 286634, and Private Nguyen Van Trung, 213975. The award of the American Bronze Star has been approved for them for their joint efforts in saving the bridge.

Your gifts have been forwarded to our American RF/PF Advisory Detachment for appropriate presentation to Private Hia and Private Trung.

Please accept my heartfelt thanks for your interest and generosity. Best wishes for a happy and successful new year.

Sincerely,
W. C. WESTMORELAND,
General, U.S. Army, Commanding.

FEBRUARY 28, 1967.

Mr. ANTHONY USTJANAUSKAS,
Hartford, Conn.

DEAR MR. USTJANAUSKAS: Mrs. Thu Van has brought to my personal attention the articles and the copies of the letters containing an account of your activities in marshalling assistance for the wounded South Vietnamese in providing transistor radios which were distributed in Can Tho Military Hospital.

It is difficult for me to express in words the deep gratitude which I feel when I read about your work in sowing the seed of goodwill in helping to alleviate the human suffering of the Vietnamese soldiers.

I know of no greater service that men can give in this world than that of commuting human suffering and bettering the existence of the less fortunate.

To each and every one of you and to all in Hartford who devoted their time and efforts toward making the drive successful, on behalf of my country, I wish to express my deepest gratitude.

I would like also to thank you for keeping this Embassy informed of your activities and those of the American Friendship Committee for South Vietnam.

If there is anything that we at the Embassy can do to facilitate your work, please do not hesitate to get in touch with me.

Looking forward to having the pleasure of meeting you, I am,

Sincerely yours,
BUI DIEM,
Ambassador.

DEPARTMENT OF THE ARMY, WALTER REED ARMY MEDICAL CENTER,
Washington, D.C., January 23, 1968.

AMERICAN FRIENDSHIP COMMITTEE FOR SOUTH VIET NAM.
Attn: A. Ustjanauskas, Secretary,
Hartford, Conn.

DEAR MR. USTJANAUSKAS: Your beautiful cake and gifts arrived Friday, January 12, afternoon in excellent condition and in time for the evening meal for our patients. Your continuing concern for our gallant veterans of Viet Nam is most reassuring.

The enclosed photographs were taken at the presentation of the cake and gifts. On behalf of the patients, the staff of Walter Reed General Hospital, we wish to extend our sincere thanks. I remain,

Sincerely yours,
GEORGE H. FOSTER,
Cpt., MSC Information Activities Officer.

MARINE'S WIDOW GETS TOP MEDAL—GRAHAM FIRST MARYLANDER HONORED IN VIET WAR

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. LONG of Maryland. Mr. Speaker, Capt. James A. Graham, a fine young marine, who was killed in Vietnam, has been selected to receive the Nation's highest award for valor: the Congressional Medal of Honor. It will be presented to his widow, Mrs. Janice Graham. I should like to pay tribute to this outstanding American soldier by including the following article in the CONGRESSIONAL RECORD:

WIDOW OF MARYLAND MARINE TO RECEIVE MEDAL OF HONOR

The first Congressional Medal of Honor to be awarded a Marylander in the Vietnam war will be presented in Washington to the widow of Capt. James A. Graham, a Marine.

Mrs. Janice Graham will be presented with the nation's highest award for valor on the battlefield by Paul R. Ignatius, Secretary of the Navy.

Her husband a career marine, was killed in action June 2, 1967, in South Vietnam's Quang Tin province after he refused to leave a severely wounded comrade. He was 26 years old.

MAKE HOME IN FORESTVILLE

Mrs. Graham and the couple's two children now live in Forestville, Prince Georges county. Captain Graham grew up in Accokeek in the same county. He graduated from Frostburg State College in 1963.

The Defense Department said Captain Graham "personally accounted for an estimated fifteen enemy killed" during a battle which raged for an entire afternoon.

He was commanding a company which fell under heavy enemy fire. The Pentagon said Captain Graham led his unit during a counter-assault in an attack on a machine gun position.

He suffered minor wounds in this action, the Defense Department said.

When the marines ran out of ammunition, the captain ordered his men to withdraw while he remained with one man so seriously wounded that he could not be moved.

"The last radio transmission from Captain Graham reported that he was being assaulted by a force of 25 enemy," the Pentagon said. "He died while protecting himself and the wounded man he chose not to abandon."

When he was killed, Captain Graham had been in Vietnam for just over six months. After his tour of duty there, he was scheduled to study applied mathematics at the Naval Graduate School in Monterey, Cal.

When she was notified of her husband's death, Mrs. Janice Graham said he wanted to go to Vietnam "because he would have felt less a marine had he not gone."

Captain Graham was commissioned in the Marine Corps in 1964. While in college, he had enlisted in the Marine Reserves.

He first enlisted in the Army at the age of 15, only to be discharged when his age was discovered two years later. He completed his high school equivalency in Brandywine, Md., continuing on to college.

In 1965, he was sent to the Dominican Republic. His military background included Ranger and paratrooper training.

The Medal of Honor to be given his wife will be the fifty-fifth awarded for action in the Vietnam war.

ACTIVITIES OF THE SENATE COMMITTEE ON THE DISTRICT OF COLUMBIA, SECOND SESSION, 90TH CONGRESS

HON. ALAN BIBLE

OF NEVADA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. BIBLE. Mr. President, I submit to the Senate a report of the activities of the Senate Committee on the District of Columbia for the second session of the 90th Congress. This presentation provides a report of the committee's activities for that period of time, plus a statistical report for the entire 90th Congress.

In the conduct of its legislative responsibilities, the Senate District Committee is not unlike a State legislature and city council combined, by virtue of the great variety of problems and proposals that come before it. I wish to express to my colleagues on this committee my appreciation for their helpfulness and assistance in our work. I believe they are deserving of the gratitude of the entire Congress, and the people of the District of Columbia and the whole country for the hours they spend in tending to the business of the Nation's Capital City while carrying on their other activities incident to their service in the Congress.

I would also like to express my deep appreciation for the cooperation I have received as chairman from the Honorable JOHN MCMILLAN, chairman of the House District Committee, and the members of his committee. Likewise, I wish to commend the cooperation that the staff members of the House District Committee have extended to the staff members of my committee during the 90th Congress.

During the second session of the 90th Congress, the District of Columbia Committee considered a number of highly important bills. The Fiscal Affairs Subcommittee reported a revenue authorization bill (H.R. 16361) that, as agreed on in conference, provides approximately $43 million in new revenue for fiscal year 1969 through increased District taxes and an increased Federal payment authorization. The additional revenue is needed to defray the increasing operating expenses of the District government and to enable the District to have many additional policemen patrolling the streets to combat crime. The bill increases the Federal payment from $70 million to $90 million; increases the individual income tax by amending the present rate and bracket structure; increases the tax rate on taxable income of corporations and unincorporated business associations from 5 to 6 percent; and increases the general sales and use tax from 3 to 4 percent and removes the sales tax exemption for local telephone service. Other provisions of the bill limit the expenditure of District funds for transporting schoolchildren and promoting demonstrations; eliminate from the Alcoholic Beverage Control Act the statutory prohibition against the sale of alcoholic beverages on Sundays; and amend the ABC Act to permit the issuance of licenses to noncommercial clubs if a majority of the officers are U.S. citizens. Public Law 90–450.

Final congressional approval was given during the second session to the District of Columbia Elected Board of Education Act (H.R. 13042). The act, as agreed to by House and Senate conferees, gives residents of the District of Columbia their first opportunity to elect their own school board, which is a step toward the ultimate goal of home rule for the Nation's Capital. The first election is to be held on November 5, 1968, with succeeding elections held in November of odd-numbered years. The elected school board will consist of 11 members, eight elected from individual wards, and three elected at large for terms of 4 years on a nonpartisan basis. The bill also establishes the qualifications to hold office, compensation, and procedures for submitting nominating petitions. The act provides also for permanent voter registration in the District. Public Law 90–292.

Another bill receiving final approval was S. 1999, to permit the Federal City College to qualify as a land-grant college. This enables the Federal City College to qualify under various Federal laws for Federal grants and to participate as a land-grant college in several programs administered by the Federal Government through the land-grant colleges. The Federal City College and the Washington Technical Institute are now in operation. Public Law 90–354.

Both the Senate and House passed a bill (S. 1941) to protect the health, general welfare, and property of the residents of the District of Columbia from the effects of air pollution. Though the specific language of the Senate and House bills differed, the basic idea of the Senate bill—that broad regulatory authority must be delegated to the District government for the control and prevention of air pollution—was mirrored in the bill passed by the House and subsequently adopted by the Senate. The act recognizes the need to adopt similar control measures in all the political subdivisions of the metropolitan area and thus facilitate controlling air pollution on a uniform regional basis. Such a regional approach is fully in line with the purpose and provisions of the Air Quality Act of 1967. Public Law 90–440.

During the first and second sessions of the 90th Congress, the Subcommittee on Business and Commerce held 6 days of hearings on the problems of consumers in the District of Columbia. These hearings made clear that large numbers of consumers in the Washington metropolitan area were being systematically victimized by a small number of retail merchants in the area, especially in connection with retail installment sales. As a result of the hearings, the committee reported out two bills to protect consumer interests. S. 2589, the District of Columbia Retail Installment Sales Act, regulates numerous aspects of retail-installment Sales Act," regulates numerous aspects of retail-installment sales transactions and establishes a Department of Consumer Protection within the District of Columbia government with a broad mandate to protect consumers against fraudulent or deceptive retail practices. The many aspects of retail installment contracts that would be regulated include:

First. Broad and detailed disclosure of the terms of consumer credit contracts.

Second. Elimination of the "holder in due course," doctrine, so that buyers could assert defenses against the finance companies to whom contracts are assigned.

Third. Prohibition of several types of contract clauses which have been used to take advantage of consumers, including provisions for "balloon payments," waivers of rights, and confessions of judgment.

Fourth. Repossession after default, including limitations on the right to repossess collateral and collect a deficiency judgment.

S. 2589 passed the Senate but was not acted on in the House.

S. 2592, a second consumer protection bill passed by the Senate, provides that security interests in real property, such as deeds of trust, can be foreclosed only after advance notice to the owner of the property and to the District of Columbia government of intent to foreclose. This bill is intended to stop the practice whereby homeowners are misled regarding the effect of documents they may sign in connection with installment sales or home improvement contracts. Sometimes the purchasers may unwittingly sign a mortgage or deed of trust on his home, and then, when he fails or refuses to pay pursuant to the agreement he signed, he awakes to find he has signed away his home. By requiring advance notice of foreclosure sales, this bill will permit the District government to advise the homeowner that he may be about to lose his home and will enable him to defend his ownership. Public Law 90–566.

S. 3527, prohibiting extortion and threats to kidnap or injure any person or physically damage property of any person, was retained in the full committee for consideration. The committee tabled the bill because of the inclusion of legislation of a similar nature in the Omnibus Crime Control and Safe Streets Act of 1968. Public Law 90-351.

The committee also acted on 14 nominations, all of which were approved by the Senate.

In addition to the bills already discussed, the committee took action on several other bills during the second session.

The Fiscal Affairs Subcommittee reported several bills that were passed by the Senate, in addition to the revenue bill discussed above.

First, S. 3883, to authorize the District of Columbia to convey certain District-owned land in Prince William County, Va., to the county. The District would retain the right to use part of the property for sanitary land-fill purposes. The county intends to use part of the land for a water-pollution control plant and for recreational purposes. The bill was not passed by the House.

Second, H.R. 827 amends the Presidential Inaugural Ceremonies Act to authorize the District government to employ sanitarians from other jurisdictions to assist in supervising the preparation of food during the inaugural periods, to provide meals for District government employees who are unable to leave their posts at regular mealtimes, and to issue special motor vehicle license tags for use by the Inaugural Committee. Passed the Senate with amendments in the first session; amendments accepted by House and final action taken to the second session. Public Law 90-251.

Third, H.R. 9606 exempts from District taxation certain real property of the National Society of the Colonial Dames of America. The 81st Congress has granted a tax exemption for Dumbarton House, the national headquarters of the society. H.R. 9060 exempts from taxation some recently acquired vacant land adjacent to the headquarters building. Public Law 90-459.

Fourth, H.R. 12019 exempts from taxation certain property of the B'nai B'rith Henry Monsky Foundation in the District of Columbia. This bill exempts from taxation some newly acquired property adjacent to the B'nai B'rith headquarters building, which was exempted from taxation in the 85th Congress. Private Law 90-214.

Fifth, H.R. 14098 authorizes District inspection, on a voluntary basis, of motor vehicles not registered in the District of Columbia. The fee for such voluntary inspections will be set by the District government commensurate with the cost of making the inspection. Public Law 90-567.

Sixth, H.R. 15131, as agreed to in conference, provides a two-stage salary increase for police and firemen in the District of Columbia. The average increase of 10 percent raises the entrance salaries for policemen and firemen to $8,000; the first stage increase to $7,800 was retroactive to October 1967, and the second stage became effective in July 1968. The bill agreed to by the conferees contains other provisions affecting the jobs and advancement opportunities of policemen and firemen. Senate conferees receded from Senate amendments that included salary increases for teachers and school employees in the police and fire salary legislation. Instead, the Senate amended the House bill for teacher salaries (H.R. 16409) as described below. Public Law 90-320.

Seventh, H.R. 16409 as amended by the Senate and concurred in by the House, provides an average increase of 19.2 percent in salaries for teachers and school officers in the District of Columbia. The bill provides a two-stage increase, with the first increase retroactive to October 1967, and the second stage effective in July 1968. Starting salaries for teachers are raised from $5,840 to $7,000. With the new salary scale, District teachers have the highest minimum salary in the Washington metropolitan area, and among the highest when compared with other large cities in the country. The bill also liberalizes the law with regard to step placement credit allowed for prior experience outside the District school system; and makes several other changes beneficial to teachers. The bill also eliminated the restrictions on the number of teacher aides that may be hired and permits the Board of Education to establish qualifications for the position. Public Law 90-319.

Eighth, H.R. 18248 amends the law relating to the payment of the cost of transporting schoolchildren to and from school within the District to provide that the cost of transportation over and above the authorized reduced school fare shall be borne by the general public and not solely by transit users. The bill provides a formula under which the District would pay to each common carrier required to furnish transportation to schoolchildren at a reduced fare, the difference between the reduced fare and the lowest adult fare chargeable for regular route transportation. Thus, the cost is spread over the entire population, rather than being reflected in higher fares charged bus riders to provide a fair rate of return to the transit companies. Public Law 90-605.

Several bills were acted upon by the Judiciary Subcommittee during the second session.

First, S. 1227 provides that a judgment or decree of the U.S. District Court for the District of Columbia shall not constitute a lien until filed and recorded in the Office of the Recorder of Deeds of the District of Columbia. The effect of the bill is to establish the same recordation requirements for final judgments, decrees, and forfeited recognizance of the District Court and the Court of General Sessions. S. 1227 passed both Houses in the first session, but with amendments. Final approval was accorded in the second session. Public Law 90-263.

Second, S. 1514 amends the Narcotic Addict Rehabilitation Act of 1966 to insure that the benefits of the act will be available to defendants in criminal cases in the District of Columbia Court of General Sessions. The act provides for confinement and treatment of narcotic drug addicts charged with or convicted of criminal activity who are likely to be rehabilitated and returned to society as useful members. The Senate passed this bill; the House took no action on it.

Third, S. 1628 authorizes suits in the courts of the District of Columbia for collection of taxes owed to States, territories, or possessions, or political subdivisions thereof, when the reciprocal right is accorded to the District. Under this bill, the District would be able to sue for delinquent District taxes and obtain judgments in the courts of the States. Forty States provide for bringing tax suits in their courts on a reciprocal basis. This bill would enable the District to proceed in State courts under the reciprocal authority granted by those States. The bill passed the Senate, but was not acted upon in the House.

Fourth, S. 2015 amends the District of Columbia law relating to the duties of the coroner. The bill simplifies procedures for inquests in cases where the cause of death is not already known to be accidental or from natural causes. The bill also dispenses with hearings where criminal action has already been instituted and probable cause to charge homicide has been judicially established. S. 2015 was passed by the Senate, but was not acted on in the House.

Fifth, S. 2017 authorizes the District of Columbia government to enter into contracts for the inspection, maintenance, and repair of fixed equipment such as heating, air conditioning, and plumbing systems in District-owned buildings for periods up to 3 years. Until now, such contracts had to be executed annually. Public Law 90-573.

Sixth, S. 2439 provides salary increases for the judges of the local courts of the District of Columbia, and authorizes two additional judgeships for the District of Columbia court of general sessions. S. 2439, as originally passed by the Senate, increases the salaries of judges by $4,000 each: District of Columbia court of appeals chief judge from $25,000 to $29,000, and associate judges from $24,500 to $28,500; court of general sessions and juvenile court chief judges from $24,000 to $28,000, and associate judges from $23,500 to $27,500; and the judge of the District of Columbia tax court from $23,500 to $27,500. This bill also authorized the expansion of the court of general sessions from 20 associate judges to 25 associate judges and the juvenile court from two to four associate judges. The Senate bill also authorized the court of general sessions to appoint legal research assistants for the court.

The House amended the bill to authorize only the salary increases and two additional associate judges for the court of general sessions. The Senate agreed to the House amendments. Public Law 90-579.

Seventh, S. 2496 authorizes the District of Columbia government to enter into reciprocal agreements with governmental units in Maryland and Virginia to provide mutual police aid when emergencies threaten or occur. The District Commissioner will be in command of all policemen coming into the District pursuant to reciprocal agreements, and he may vest in policemen coming into the District the same power as is exercised by the Metropolitan Police. Public Law 90-587.

Eighth, S. 3456 authorizes the Corporation Counsel of the District of Columbia to prosecute the offenses of disorderly conduct and lewd, indecent, or obscene acts, rather than the U.S. attorney. Although this has been the practice for several years, a decision of the U.S. Court of Appeals for the District of Columbia Circuit held that existing law required that such prosecutions must be conducted by the U.S. attorney. The effect of the bill is to transfer jurisdiction over the offenses to the District of Columbia Corporation Counsel. Public Law 90-441.

Ninth, H.R. 3931 amends the charter act of the Conference of State Societies in order to change its name to "National Conference of State Societies." The society promotes cooperation between the various State societies, acts as contact agent with the States for carrying out State and National programs, and encourages educational, cultural, and patriotic activities, Public Law 90-382.

Tenth, H.R. 5799 amends the District of Columbia Uniform Gifts to Minors Act so as to provide that monetary gifts to minors in the District may be deposited in savings and loan associations, credit unions, and related institutions, as well as in banks. Public Law 90-290.

Eleventh, H.R. 7417 provides an Administrative Procedure Act for the District of Columbia. The act meets a longstanding need in the District for the improvement of administrative process and the achievement of uniformity and full disclosure of administrative rules and rulemaking procedures of District government agencies comparable to those required of Federal agencies under the Federal Administrative Procedure Act. The act makes mandatory the establishment, by the Commissioner of the District of Columbia and the District of Columbia Council for themselves and for all subordinate agencies of the District government, of rules governing the formal and informal procedures prescribed or authorized by the act, and likewise requires that each independent agency of the District establish such rules for itself. Public Law 90-614.

Twelfth, H.R. 8581 permits the U.S. Court of Appeals for the District of Columbia Circuit to approve an increase in the selling price for the reports containing its opinions from a maximum of $6.50 per volume to a maximum of $12 per volume. Public Law 90-380.

Thirteenth, H.R. 14330, the District of Columbia Alcoholic Rehabilitation Act, revises the District of Columbia laws governing public intoxication and rehabilitation of alcoholics. The bill eliminates simple public intoxication as a criminal offense, but permits arrest if the intoxicated person endangers the safety of himself or of any other person or of property. The act substitutes for the criminal process detoxification and appropriate emergency care for citizens found drunk in public. The act requires the District to establish a modern comprehensive program for the treatment of intoxicated persons and alcoholics. The treatment program revolves around a continuum of detoxification, inpatient, and outpatient services. Public Law 90-452.

The Subcommittee on Public Health, Education, Welfare, and Safety completed action on several bills that will be of significant benefit to the residents of the District of Columbia. In addition to the legislation already discussed providing for the elected school board and establishing the Federal City College as a land-grant institution, the following bills received Senate approval in the second session:

First, S. 1224 establishes a register of blind persons in the District of Columbia and provides for the mandatory reporting of information concerning such persons, so that statistical and factual information can be accumulated in order to plan facilities, assistance, guidance, and vocational rehabilitation for the blind. Public Law 90-458.

Second, S. 1228, the District of Columbia Medical Facilities Construction Act of 1968, authorizes supplementary Federal assistance for modernization of public or nonprofit private hospitals, and for the construction or modernization of public health centers, long-term and extended care facilities, diagnostic or treatment centers, rehabilitation facilities, community mental health centers, and facilities for the mentally retarded in the District of Columbia. The act authorizes Federal project grants not to exceed $40,052,000 in addition to those now available under various programs provided by the Medical Facilities Acts. It also authorizes $40,575,000 in Federal loans at 2½ percent per annum, for up to 50 percent of the cost of any project for which a grant is made under the act, to recipients who do not have the matching funds available and are unable to obtain the funds at reasonable rates of interest from other sources. Public Law 90-457.

Third, S. 1864 defines and regulates the practice of psychology in the District of Columbia. Its purpose is to provide for the protection of the public from the unqualified practice of psychology by requiring all persons who offer psychological service to the public for a fee to obtain a license from the District government. The bill passed the Senate but was not considered in the House.

Fourth, S. 2012 amends the District of Columbia Public School Food Services Act to authorize direct appropriations to pay the cost of salaries of employees of the school lunch program, and thus eliminate the practice of paying salaries from income to the school lunch fund derived from sales of lunches and other sources. Because the fund will be relieved of its greatest expense, it will be better able to provide lunches at low cost to schoolchildren and give free lunches to children who cannot afford to buy lunch. The bill passed by the Senate in the first session would have authorized appropriations only for the Office of Central Management, Department of Food Services, but the House amended this bill to include all personnel of the Department, because wage increases and other operating costs not foreseen when the Senate considered the bill would have substantially depleted the fund. The Senate concurred in the House amendments. Public Law 90-640.

The Subcommittee on Business and Commerce acted on several bills that are of great importance to residents and businesses in the National Capital area. In addition to the consumer protection and air pollution control legislation already discussed, the following bills were acted upon in the second session:

First, S. 944 seeks to provide an effective method for dealing with the present and future need for motor vehicle parking in the District of Columbia. The bill creates a Parking Board and Advisory Council to carry out the purposes of the act, and authorizes the board to acquire property for the operation of off-street parking facilities—including a limited power of eminent domain—to construct and lease or sell facilities or lease property for development of parking facilities, or to operate parking facilities if the board determines that to be in the public interest. The board would have the authority to issue nontaxable obligations to finance its operations, but these obligations would not be obligations of the Federal or District government. S. 944 passed the Senate in the first session of the 90th Congress, but was amended in the House to authorize the Administrator of General Services to provide for construction of parking facilities for Government employees, tourists, and persons having business with the Federal and District governments, to be operated by private parking operators. Conferees agreed to a substitute bill that retained most of the essential provisions and substance of the Senate bill. The Senate agreed to the conference report on the final day of the second session, but the House failed to take up the report in the closing minutes of the session.

Second, S. 1246, the District of Columbia Public Space Utilization Act, authorizes the District to use or rent space over or under the public streets other than freeways. The act will permit more efficient use of available space in the downtown area for municipal, governmental, or private purposes by permitting construction utilizing the airspace over and under the streets. The act contains numerous safeguards to prevent excessive use of the airspace. S. 1246 passed the Senate in the first session, and was amended and passed by the House in the second session. The Senate agreed to the House amendments, which did not change significantly the substance of the Senate bill. Public Law 90-598.

Third, S. 1247 is the District of Columbia Public Space Rental Act. The act authorizes the District government to fix and collect rents for private use of public space on, over, or under the streets. It permits the District government to charge for the use of vaults under the streets and sidewalks, as well as to police the maintenance of this space. It also permits the District to charge rent for business use of public space at street level for such activities as sidewalk cafes and motor vehicle parking. The bill, which passed the Senate in the first session, passed the House during the second session, with amendments subsequently approved by the Senate. Public Law 90-596.

Fourth, S. 1532 requires that contracts for construction of public work be accompanied by a performance bond protecting the District of Columbia and by an additional bond for the protection of persons furnishing material and labor.

The bill provides the same bonding requirements for District construction as are required for Federal construction under the Miller Act. The bill passed the Senate in the first session and the House in the second. Public Law 90–455.

Fifth, S. 1534 amends the Street Readjustment Act of the District of Columbia so as to authorize the District of Columbia Council to close streets in accordance with the requirements of approved redevelopment or urban renewal plans without regard to the notice provisions of that act. The bill eliminates redundancy and duplication of efforts regarding street closings in urban renewal areas without depriving property owners of notice regarding proposed closings. The House took no action on this Senate-passed bill.

Sixth, S. 1739 prohibits the business of debt adjusting in the District of Columbia except as an incident to the practice of law. Debt adjusting involves an agreement by a debtor to pay money periodically to the adjuster who agrees in return for a fee paid by the debtor to apportion the money among the creditors of his client. The business has been prohibited in 21 States and the city of Baltimore, and is regulated in 10 other States because of deceptive practices by some adjusters that have worked against the best interests of the clients. No action was taken by the House subsequent to Senate approval of this bill.

Seventh, H.R. 10213 amends the Life Insurance Act of the District of Columbia to permit alien life insurance companies, which by law maintain assets held in trust in the United States, to use their total financial condition in advertising their operations in the District of Columbia. In this respect, these companies are, because of this legislation, able to represent themselves on the same basis as other life insurers with regard to their complete financial condition, not just as to their operations in the United States. The legislation affects eight Canadian insurance companies. Public Law 90–467.

Eighth, H.R. 13402 amends the Chancery Act of 1964 to authorize the use of certain buildings in the District of Columbia for chancery purposes by foreign governments. The Chancery Act prohibits the location of a chancery in a residential area unless the property had been used as a chancery under the law prior to the effective date of that act. This bill provides an additional exception to cover cases wherein negotiations were begun prior to the effective date of the 1964 act, and which culminated in a contract of sale prior to June 1, 1965. Public Law 90–412.

Ninth, H.R. 13480 amends the Motor Vehicle Safety Responsibility Act of the District of Columbia to limit the requirement for proof of future financial responsibility to those cases involving the serious offenses of driving when the license has been suspended or revoked. Under the law prior to this legislation, proof of financial responsibility had to be posted whenever a person was convicted of or forfeited bail or collateral for driving a vehicle without being licensed to do so under District law or driving car that was not registered in the District when D.C. law required such registration. Under that law, such proof had to be posted for such minor violations not related to safety, as driving on an expired license or registration, or with a license or registration from a State after the reciprocity period had expired. Public Law 90–589.

Tenth, S. 3556. The District of Columbia Insurance Placement Act, was designed to assure the availability of basic property insurance to businesses and property owners in the District of Columbia, and to enable the District to participate in Federal programs for reinsurance for losses resulting from riots and civil disturbances. The bill directed the insurers writing property insurance in the District to establish an Industry Placement Facility to apportion insurance among all participating insurers in accordance with a plan for fair access to insurance requirements (FAIR) as approved by the District Commissioners. The bill also authorized the creation of a joint underwriting association which would spread the risk among all participating insurers. The Business and Commerce Subcommittee, after a hearing on S. 3556, amended the bill in several respects. Before any further action by the committee, the bill as amended by the subcommittee was incorporated into the Housing and Urban Development Act of 1968 as title XII of that act by the House of Representatives. Public Law 90–448.

STATISTICAL SUMMARY OF THE SENATE COMMITTEE ON THE DISTRICT OF COLUMBIA, 90TH CONG.

	Total	1st session	2d session
Number of bills, acts, resolutions, and nominations referred to committee	215	175	40
Number of bills, acts, resolutions, and nominations reported to the Senate	96	55	41
Number of bills, acts, resolutions, and nominations on which hearings were held	156	98	58
Number of bills which have become public or private law	47	16	31

Subcommittee hearings (1st and 2d sess.):	
Bills	90
Acts	26
Total	116
Full commitee hearings (1st and 2d sess.):	
Bills	1
Acts	1
Nominations	35
Total	37
Total	153
Bills becoming public law	46
Bills becoming private law	1
Total	47
Studies and investigations	3
Subcommittee executive meetings:	
1st sess.	11
2d sess.	9
Total	20
Full committee executive meetings:	
1st sess.	5
2d sess.	6
Total	11

BUSINESS COMMITTEE FOR SOCIAL PROGRESS

HON. CHARLES H. PERCY

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. PERCY. Mr. President, David Rockefeller, the distinguished and able president of Chase Manhattan Bank, recently presented a proposal to establish a Business Committee for Social Progress. As usual, Mr. Rockefeller has been forward-looking in his approach to a difficult and complex problem—how the business community can best mobilize its resources behind new solutions to urban problems for the betterment of all of our society.

As a Member of the Congress, I was particularly interested in his suggestion that such a committee would play a constructive role in legislative matters. It would help to make the business community's views felt at the very start of the legislative process. Nothing could be more helpful than to have the expertise and know-how of the business world assist and counsel us here in the Congress when we are beginning to put our ideas into legislative form. Too often, these two groups do not communicate until a particular bill has been drafted and is before a congressional committee for public hearings. At that late date, points of view have hardened and real communication and cooperation is sometimes difficult. A Business Committee for Social Progress would attempt to overcome this unfortunate lack of communication.

These and other suggestions by David Rockefeller deserve wide attention and consideration by all concerned Americans. I commend the speech to my colleagues and ask that it be printed in the RECORD at this point.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE SOCIAL RESPONSIBILITIES OF BUSINESS TO URBAN AMERICA

(Address by David Rockefeller, president, Chase Manhattan Bank, at 37th Annual Conference of Financial Executives Institute, New York)

A few years ago, it would have been a rare occasion when a banker would meet with such a group of distinguished financial executives to discuss urban problems and social responsibility.

Today, however, businessmen everywhere are speaking out on the need for positive participation by the private sector in meeting the challenges that face our nation. In a remarkably short time, there has been a dramatic and heartening change in the prevailing mood of American corporations and the men who head them. By no means all have accepted the principle of corporate social involvement and the task ahead remains immense, but the rapid response by leading companies across the country is increasingly impressive.

Indeed, the scope and variety of this business involvement is now encouragingly wide. We at Chase have seen some evidence of this in the Action Report bulletins which we publish from time to time as digests of new corporate approaches to public problems. Sent to businessmen and leaders in government and other sectors of our society, the first four Action Reports have described exciting programs by scores of companies throughout the nation in job training, employment, investment, community development and technical assistance.

The programs we have been able to mention are but a small part of a massive commitment that ranges from establishing day-care centers for working mothers to launching a war on Indian poverty which has inspired corporations such as General Dynamics and Bulova Watch to build plants expressly designed to provide employment for the long-neglected members of America's oldest ethnic minority. Moreover, many corporations are deeply active around the world in developing creative programs to solve problems of health, hunger, housing and education in the developing nations.

Properly enough, however, business has focused most of its social attention on what is, by common agreement, the overriding threat to the future stability of this nation—that tangled complex of problems summed up in the phrase "the urban crisis." I would like first to touch briefly on some of the areas of corporate action reflecting this concern with urban America. Then I would like to suggest to you a means by which I feel business might further assure that it will achieve a true role as a creative leader in ministering to America's social ills—a means that might help businessmen in better coordinating their efforts and influence, so as not only to react to social problems but to anticipate them.

Of course, the urban crisis is not a single problem. Rather it is a kind of witches' brew blended from all the major ills of our country—inadequate educational systems, hard-core unemployment, hazardous pollution of natural resources, antiquated transportation, shameful housing, insufficient and ineffective public facilities, lack of equal opportunity for all, and a highly dangerous failure of communication between young and old, black and white. All of these are problems which cry out for immediate action—and all of them are areas in which U.S. corporations are applying new imagination and energy.

Industry, for example, is currently providing 80 per cent of the funds spent in this country to combat air pollution. The auto and oil industries alone expect to invest $8 million in the air pollution research programs they have undertaken with the Department of Health, Education, and Welfare. Technical achievements through intensive, independent research are rapidly expanding, and include such safeguards for our environment as a new chemical developed by Jersey Standard to reduce by 95 per cent the amount of oil pumped overboard by tanker fleets. Still another representative program is aimed at reducing automotive air pollution in Los Angeles County by the year 2000 to the level prevailing there in 1940.

Yet the most complex problems are those which directly involve the lives of people. These are the infinitely complicated *human* challenges posed by America's disadvantaged areas—challenges involving a suitable place to live, decent schools, meaningful employment and a richer cultural experience. In these areas, especially, the response of business is of utmost urgency.

In housing, for instance, corporations everywhere are joining in extensive endeavors to replace or rehabilitate the estimated six million substandard housing units in America. I am sure you are all aware of the insurance industry's pledge of $1 billion to improve urban slums and finance job-creating enterprises. So far, commitments under this program have been made to provide some 45,000 new or rehabilitated housing units.

In New York, our own bank has joined with other financial institutions in creating a special $100 million mortgage pool for Bedford-Stuyvesant. The passage of the Housing and Urban Development Act of 1968 has also opened many avenues for business action in this field. I was gratified recently to be asked to serve with Edgard Kaiser as an incorporator of the new National Housing Partnership which hopes to mobilize private resources to build 50,000 additional low- and moderate-income housing units annually.

Another promising venture is the New York State Urban Development Corporation in which the state government will initiate and plan large-scale community projects, and, in some cases, handle land acquisition and demolition. Then private enterprise will be brought in to acquire the vacant land and develop the various elements of the project, except in instances where additional public funds may be required for subsidized low-income housing.

Education and cultural enrichment may seem to be less obvious for corporate participation, but here too business is playing an increasingly active role. The Chrysler Corporation is just one company that went far beyond normal business considerations when it started working with a primarily Negro high school in Detroit's central city, undertaking to provide curriculum advice, laboratory equipment and corporate executives as guidance counselors. Business involvement in similar projects ranges from the development of new teaching techniques to sponsoring plays and art exhibits. At Chase, one of our projects has been the establishment of a mobile library service for children and adults in a disadvantaged area of Brooklyn. We and other corporations in our city are also sponsoring community Street Academies under an Urban League program to prepare drop-outs for college. I am sure you will understand my own delight recently when one of the many young men benefiting from this program was graduated, as The New York Times phrased it, "From Heroin in Harlem to the Halls of Harvard."

Of course, a most pressing and central problem with which business is uniquely qualified to deal is poverty itself—the economic deprivation which still affects millions of citizens of the most prosperous nation in the world. Those people now excluded from the mainstream of our economic life must be equipped to hold productive jobs and to gain a true stake in our society—a meaningful "piece of the action." Every American must have the assurance that both jobs and opportunities for ownership and management are available to all.

These are areas in which business is uniquely qualified to act, and it is doing so more and more. Most of you are surely familiar with the fine work of the National Alliance of Businessmen headed by Henry Ford. On the strength of its record so far, there seems little reason to doubt that the National Alliance will meet its long-term target of finding full-time jobs by 1971 for half a million of America's hard-core unemployed, mostly Negroes. No less important, the attitude of the business community that these will not be make-work jobs, but rather jobs supplemented with educational and technical training for advancement. Hopefully, most of those employed will agree with one frank young man in New York City who commented: "This isn't cool-it work like some people want to give you so you don't burn the town down. This is real stuff."

There are, of course, an almost infinite variety of techniques for helping unskilled men and women to enter the work force. We at Chase Manhattan have a program we call Job Opportunities in Business, or JOB for short. We hire high school drop-outs, and offer them an intensive six-week training cycle in reading, language skills and computation. If they make the grade, we move them into permanent jobs and continue their training on a part-time basis. We've been so encouraged by the program to date that we're planning to train more than 1,000 of the so-called "hard-core" unemployed over the next three years.

If I have dwelt at some length upon these examples of corporate social action, it is because I think the business community itself too often fails to appreciate the full magnitude of its efforts to remedy our nation's ills. All of us as businessmen have reason to be proud of President Johnson's observation that never, except possibly during World War II, has he seen so effective a discharge of business responsibility as is now visible in corporate efforts to aid disadvantaged Americans.

But pride must be limited as long as poverty exists to the extent that it does today. We must squarely face the inescapable question: Are we doing enough? Have we now reached the point in the exercise of our social responsibilities as businessmen where all that is needed is more of the same?

To my way of thinking, the answer is that more of the same will *not* be enough. As General James Gavin observed recently: "The domestic crisis is too immense and time too precious for us to prescribe once again yesterday's medicines for today's ills."

The moment has arrived, I believe, when the American business community must become a leader rather than a follower in the identification and solution of our nation's challenges. We must meet our social responsibilities sooner, more massively and more aggressively than we are doing at present.

We must do this, in part, because of what is sometimes termed "enlightened self-interest." We must realize that our efforts are essential if we are to maintain the healthy social and economic environment so vital to the very existence of our corporations. We must demonstrate our conviction that our democratic society and free market system depend on our assurance that all people enjoy the full opportunity to participate.

We must act, too, because those who own our businesses expect it of us. A recent poll by Opinion Research Corporation shows that 65 per cent of American stockholders believe that business should play an active role in the war on poverty. Indeed, stockholders as a group are more insistent upon business involvement than are people who do not own stock.

Beyond all this there is the fact that no other American institution can do so much as business to alleviate the nation's pressing problems and meet the rising aspirations that underlie the discontent of many members of both minority groups and the younger generation. As Dr. Kenneth Clark, one of America's outstanding Negro scholars, has said: "Business and industry are our last hope. They are the most realistic elements of our society. Other areas in our society—government, education, churches, labor—have defaulted in dealing with the Negro problem. It is now up to business."

Finally, we must act dramatically if we are to make sure that business has a constructive voice in the future social evolution of America. In the past, I am afraid, too many of us have delegated to others, especially to government, the task of dealing with social problems. Then we have complained about what these others were doing. In the years ahead, unless we take a positive stance, unless we thoughtfully participate, we may well be unable to influence or help programs that will shape our nation's destiny.

What, specifically, can business do to meet its social responsibilities more effectively?

The indispensable first step, I believe, is to find a device which will enable businessmen to coordinate their efforts, talents and influence in a way that will give them major national impact. Clearly, no single corporation, however large or brilliantly managed, can do more than make a dent in problems such as environmental pollution or urban renewal. Indeed, it is doubtful that even the whole business sector can finally solve these problems without the strong support and cooperation of the public sector. But American businessmen, acting in concert, could move mountains in terms of both independent projects and positive influence on public programs and policies.

Some coordination of business efforts in the social realm already exists in several areas. I have mentioned the fine work of the National Alliance of Businessmen in the field of employment, and the potential of the National Housing Partnership. John Gardner's Urban Coalition, though still in the formative stage in many cities, is already functioning as the spearhead of a national attack on the urban crisis. The Urban Institute, headed by Arjay Miller, is also getting underway with a number of valuable research projects.

In addition, there are several well known and highly respected organizations involving businessmen, such as the Committee for Economic Development, the United States Chamber of Commerce, the National Association of Manufacturers, and others, which have made studies and recommendations in the field of urban affairs.

But even these, outstanding as they are, do not quite fill the function I have in mind. What is needed additionally, in my view, is an organization which can mobilize the opinions and resources of the business community behind workable approaches to urban problems, and then persuade the new Administration and Congress to do the things that must be done. The influence and ideas of businessmen are needed now as never before, and we should not be reluctant to use them.

To accomplish these objectives successfully, the organization must reflect quite specifically the point of view of the business community, and it must be prepared to bring political pressure to bear to accomplish its objects. Organizations like the National Urban Coalition are prepared to take political stands but they represent such a broad spectrum of opinion that meaningful consensus is often difficult. On the other hand, strictly business-oriented organizations, such as the ones to which I have referred, are reluctant to press for political action, especially when it relates to programs in the social and urban fields.

Thus, without an organization having the characteristics of the one I have suggested, I fear that a business program aimed at helping to solve the problems of urban America will never get off the drawing board. Business will continue to occupy a "me-too" role in the public mind—the role of a laggard giant which moves into belated action on social problems only after incessant prodding from politicians or special interest groups. So while I generally deplore any proliferation of committees, it seems to me that the time is ripe for the formation of a new body, national in scope and grassroots in nature.

Such a group might be called the Business Committee for Social Progress. It would be a policy-making group which would unify and coordinate the otherwise isolated efforts of the business community of this field. It could perform a highly useful function by enlisting wider public and legislative support for constructive proposals to encourage and reinforce national, state and local efforts to cope with urban problems. It could also help, on Capitol Hill, to promote the aims of the Urban Coalition.

In this respect, it would occupy essentially the same supportive and educational role as was played some years ago by the Citizens Committee for the Hoover Report which succeeded in winning Congressional approval of many far-reaching government reforms. Unlike the Hoover Committee, however, this one ought to be a continuing and innovative body.

Drawing upon the superb research of groups like the Committee for Economic Development, the National Industrial Conference Board, the N.A.M. and the Chamber of Commerce, the proposed new Committee should make explicit efforts to shape social legislation. These efforts should be just as determined as those which business has made, in the past, on issues such as tax and tariff legislation.

The mechanics could be handled in a number of ways. One possibility would be to have interested members submit proposals to a relatively small steering group which would then formulate policy for the Committee as a whole. At the same time, the Washington representatives of a few corporations could be assigned to familiarize Congressmen with the Committee's proposals and to keep the Committee informed of the progress of all pending social legislation.

To play such a constructive role in this legislation would admittedly not be a simple matter. But it would, I think, have overriding advantages. In practical terms, it would help to make the business community's views felt at the very start of the legislative process. Thus it would reduce the number of occasions on which businessmen—often without sound prior knowledge of the issues and laws involved—find themselves abruptly presented with measures which they consider ineffective or unfair. Beyond that, such lobbying for constructive social change would serve to demonstrate that business has a very real concern for the public interest.

I believe the Business Committee could perform a valuable long-term service by establishing the closest possible contact with academics and intellectuals—that creative minority of advanced thinkers who do so much to mold the views the public will hold on social problems years hence.

Such a means of communication could do much to moderate the traditional antagonism between businessmen and intellectuals in this country. In all honesty, I think we must admit that at least one reason so many intellectuals believe in government regulation of business may lie in the fact that, until recent years, they have had scant success in influencing corporate behavior by any other means. I am afraid this lack of communication is also largely responsible for the hostility to business we witness in many of our young people.

Equally important, this direct liaison with academics and intellectuals could help business to identify looming social problems before they reach such proportions that they can be remedied only by expensive and often inefficient "crash programs." Advanced thinkers will not always tell us what we may want to hear, and social prediction is a chancy art. But let's face an awkward truth: had the businessmen of 20 years ago heeded the voices of sociologists concerned with the lot of the Negro in America, much might have been done to forestall the racial tensions that currently torment the nation. Equally, had business listened more closely to conservationists and ecologists in decades past, we might not now find ourselves waging quite so desperate a battle against pollution.

Certainly establishing a Business Committee for Social Progress along the lines I have suggested will be neither easy nor universally popular. Any organization aimed at influencing social policy and action, however constructively, is sure to arouse some controversy. But whatever the difficulties and challenges, it seems to me imperative that such a group be established soon.

As businessmen, we are prone to claim that much of the strength of our society derives from the effective functioning of free enterprise. That claim, I believe, is demonstrably true. But we cannot, in logic, accept credit for the strengths of American society while at the same time disavowing responsibility for its weakneseses. For great as our progress toward acceptance of our social responsibilities has been, it seems to me undeniable that if we wish to insure the survival of free enterprise in the United States, we must become more responsive yet to social forces.

In 1770, the British statesman Edmund Burke wrote a paper called, "Thoughts on the Cause of Present Discontent"—a title that could be as appropriate today as it was nearly 200 years ago. Among his remarks was a statement that also has dramatic relevance today. "The only thing necessary for the triumph of evil," he said, "is for good men to do nothing."

In the past, American businessmen have done immense good for mankind. The task now, as I see it, is to combine prudence and imagination to do even greater good in the future.

REGULATIONS ON PERCENTAGE DEPLETION

HON. RUSSELL B. LONG

OF LOUISIANA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks two letters relative to several aspects of the proposed, and even the final, regulations on percentage depletion.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

Hon. STANLEY S. SURREY,
Assistant Secretary of the Treasury, Washington, D.C.

DEAR MR. SURREY: Concern has been expressed to the members of the Finance Committee relative to several aspects of the proposed, and even the final, regulations on percentage depletion. Some, but not all, of the problems were dealt with by Mr. Jerome Kurtz, Tax Legislative Counsel, Treasury Department, in the executive sessions of the Finance Committee. Let me turn first to the problems raised in the executive sessions on Tuesday and Wednesday, October 8 and 9.

During executive session of the Committee, Senator Carlson (at Senator Bennett's request) and Senator Curtis raised questions concerning the cutoff point for computing depletion allowance on crushed and broken stone and on sand and gravel under proposed regulations issued by the Treasury Department.

In response to the inquiries from Senator Carlson and Senator Curtis, Mr. Kurtz advised the Committee that in the case of stone covered by Revenue Ruling 62–5, the final regulations will allow those processes for minerals which 62–5 allows. Such processes, it is understood, include sorting, concentrating, crushing, grinding, and all size classification processes of the product of allowable crushing and grinding and processes (including washing and drying) if necessary or incidental to the above-named processes (whether or not also needed for nonallowable processes), but not including fine pulverization or any process subsequent to fine pulverization. It is further understood allowance of these processes will be authorized in the final regulations on the basis of recognizing administrative practice and in the light of testimony by Treasury at the time of the hearings on the Gore amendment that long-standing, well-established administrative practice was not to be changed. However, Mr. Kurtz also reported that Treasury plans to allow size reduction only to the point where 5 percent is retained on No. 30 mesh screen unless taxpayers can show they are hurt by not allowing the No. 45 mesh screen cutoff on allowable grinding included in Revenue Ruling 62–5.

Mr. Kurtz stated that he felt sand and gravel involved other considerations. He pointed out that these minerals were not named in Revenue Ruling 62–5. And, there was some question in his mind as to exactly what past practice has been and whether there was a consistent practice for pre-1960 years. Because of these and other problems, Mr. Kurtz was unable to state how sand and gravel might ultimately be dealt with but he said the Treasury had begun a survey to determine what past practices had been and their final decision would be to authorize in the final regulations those processes which have been allowed under long-standing, well-established administrative practice.

During the executive sessions Senator Morton also raised questions as to china clay and ball and sagger clay. It is understood that in the case of these clays, processes will be allowed which were treated as mining processes under pre-1960 established administrative practice. In this connection Mr. Kurtz indicated that the problems recently raised in these cases by representatives of these industries would be met under the revisions in the regulations. In the case of ball and sagger clay it is understood that this means the following processes will be included in those treated as mining; shredding, drying, air flotation, and loading for shipment as well as any others allowed by prior administrative practice. In the case of china clay it is understood that this will recognize and adopt settled administrative practice with the result that the processes which the china clay industry claims as "mining" in the protest to the proposed regulations filed on behalf of the major producers of china clay under date of September 16, 1968 will be allowed under the final regulations.

While the references above have been to specific minerals, it is understood, from what Mr. Kurtz said, that the Treasury is prepared to follow pre-1960 settled administrative practice with respect to all minerals. This presumably will include such processing as pelletizing in the case of iron ore.

He also advised the Committee that Treasury would submit a written acknowledgment of the above. The Committee on Finance would appreciate your confirming the above commitments given the Committee by Mr. Kurtz.

Although the above discussion has dealt exclusively with the hard mineral industry, I believe the Finance Committee is at least as concerned with the application of the percentage depletion regulations to the oil and gas industry. W., of course, know of the industry group you have had working with you to see that the regulations do not change present administrative practices in the area of oil and gas. There apparently remains a number of issues which have not been satisfactorily resolved. Among these are:

(1) Absorption in a gas cycling plant which should be treated as a production process rather than as a conversion process. Two court case decisions in the 5th circuit have in fact so held.

(2) Bona fide posted prices should specifically be accepted as the representative market or field price.

(3) The Service should not reverse its position (published in 1960) that net operating loss deductions do not reduce taxable income from the property for purposes of the 50 percent limitation. The reversal of this rule would only hurt the small operator. It would have little, if any, effect on the large integrated producer.

(4) When there is no market or field price at the cutoff point and an operator is working back from converted products, the operator as a matter of right should be able to use the Fiske formula rather than the proportionate profits method. The use of the Fiske formula is necessary to give proper recognition to the value of the oil or gas in ground.

(5) In computing taxable income from the property, bottom hole or dry contributions should reduce the amount of intangible drilling cost, since only the taxpayer's actual costs should be taken into account.

(6) Since the Supreme Court has agreed to review the *Shelly* case, the regulations should not for the first time take a position on a point soon to be decided by the court.

The issues described above are important isues and I do not believe you should change settled administrative practices by regulatory action. I am particularly concerned that you not finalize regulations without letting those of us who are interested in these areas known in advance, not only the positions to be taken, but also the reasons for taking them, and I hope that it will be possible for the industry to have at least two months to analyze and consider the various proposals before any atttempt is made to issue final regulations in this area.

On still another matter, I am happy to be advised that you plan to change your position with respect to purchased transportation applicable especially in the case of the cement industry to remove a problem in the existing regulations.

Sincerely yours,

RUSSELL B. LONG.

TREASURY DEPARTMENT,
Washington, D.C.

Hon. RUSSELL B. LONG,
Chairman, Committee on Finance,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: In your letter of October 1968, you asked that I confirm to the Committee statements made in executive sessions by Jerome Kurtz, Tax Legislative Counsel, concerning the application of the proposed depletion regulations to certain hard minerals.

Senator Carlson (at Senator Bennett's request) specifically asked about the cut-off point for computing percentage depletion for certain crushed and broken stone. As Mr. Kurtz told Senator Carlson, we have decided that the final regulations on depletion will classify as mining processes those processes named in Revenue Ruling 62-5 for the minerals named in that Revenue Ruling (which includes limestone) with one minor exception to the screen test discussed below.

The basic processes allowed will be crushing and grinding, but not fine pulverization, all size classification processes applied to the production of allowable crushing and grinding, and processes necessary or incidental thereto (which may include washing and drying). These size classification processes will affect the depletion allowance only as to that portion of the mineral production to which they are actually applied and will not affect the constructive price for stone which is processed beyond the mining cut-off point. This is in accordance with our understanding with Messrs. John Sapienza and Jay Glasmann representing various associations of lime and limestone producers.

The open question referred to above concerns the screen test applied to define "fine pulverization." The test in the proposed regulations is somewhat different from the test in Rev. Rul. 62-5. We would prefer to use the test in the proposed regulations but have agreed that we will go back to the one set forth in Rev. Rul. 62-5 if the representatives of the industry can show that the change adversely affects taxpayers' depletion allowances.

Our decision as to stone is based on the fact that the processes named above were apparently allowed administratively by the Internal Revenue Service on a consistent basis for all years through 1960, and that at the hearings on the legislative proposals leading to the Gore amendment, Treasury representatives, in answer to questions posed by the Ways and Means Committee, asserted that the proposed amendment was not intended to change long-standing administrative practice. The final regulations will recognize this commitment.

Senator Curtis asked how the final regulations would treat sand and gravel. Mr. Kurtz stated that sand and gravel, unlike stone, was not specifically covered by Revenue Ruling 62-5 and, therefore, involved different considerations. He stated that there is some question as to exactly what the practice had been prior to 1960. Because of these problems we are unable to state at this time how sand and gravel might ultimately be dealt with. However, as Mr. Kurtz had stated, we are conducting a survey to determine exactly what the past field practices were. Consistent with the reasoning leading to our conclusion concerning crushed stone, the final regulation will allow those processes for sand and gravel which we find were consistently allowed under long-standing, well-established pre-1960 administrative practice if we find such practice.

Senator Morton inquired about the cut-off point of ball clay.

The ball clay industry has argued that they should be allowed, as mining processes for purposes of computing percentage depletion, all processes through air flotation. The proposed regulations would not have allowed all of these processes. However, after considering the taxpayers' arguments and the testimony of their representative at the public hearings, we have concluded that the final regulations will allow those processes which the taxpayers have claimed.

Again, this decision is based on the fact that these processes were allowed administratively by the Internal Revenue Service on a consistent basis for all years through 1960.

A question was also raised as to the cut-off point for china clay. Here, too, the final regulations will allow those processes which the industry has claimed on the basis of the long-standing, well-settled pre-1960 administrative practice.

I am sending copies of this letter to Senators Carlson, Hartke, and Morton who asked at the executive session for written confirmation of Mr. Kurtz's statements.

Sincerely yours,

STANLEY S. SURREY,
Assistant Secretary.

SEARCH FOR THE POWER OF TOTAL INVOLVEMENT

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. MURPHY of New York. Mr. Speaker, recently I had the privilege of speaking before the Lambda Chapter, Lambda Kappa Mu Sorority, Inc., in Staten Island, N.Y. Also speaking on that occasion was the Honorable Margaret A. Haywood, councilwoman, District of Columbia Council. Under leave of Extensions of Remarks, I include Mrs. Haywood's speech in the RECORD:

SEARCH FOR THE POWER OF TOTAL INVOLVEMENT

Lambda Kappa Mu, at its 1968 conclave last July, achieved a status in its outreach to public interest, for which the planners of that meeting can be quite proud. In the public seminar which occurred, there was, to my mind, a veritable galaxy of informed opinion, projected by persons eminently qualified to interpret the need for our concern with our communities. It is a happy privilege for me, albeit an awesome challenge, to appear here in the role of one who would help make suggestions to Lambda chapter and its community on implementation of the intent and purpose of the theme, bidding for total involvement.

The aspect which you have chosen is exciting. I hope it is safe to say that after the hysteria and speculation, sometimes, wild, on the meanings of "black power", and the follow-up of similar hysteria, injecting, as though it were something new, the meanings of "white power", on through the exhortations for "green power", we now have arrived at a consensus. I say, I *hope* we have. I would hope that we have settled into a steady, consistent, but vital drive for "total power". I must take this attitude when looking at the national scene, in spite of the events in my own city in the last week, with bands of juveniles, mainly, roving the streets, blocking traffic on main arteries through the northeast section, and breaking and looting, without any apparent good reason.

In the broad spectrum of the frantic upheaval and social revolt, as it took place across the Nation and ran its course during the past few months, we may not recognize at once that a new level of understanding really is evident upon examination. It is unfortunate that destruction and disaster were the means chosen, because everyone suffers the economic pinch which has developed. But one wonders, for instance, why did relatively intelligent, highly successful, otherwise astute business people never before recognize a certain economic factor. Why did not these people recognize a market potential which is at one and the same time a potential for good, solid human relations?

I mean this: Did not these people know, as Dick Gregory, I think it was, said, that Negroes perspire or have headaches? Didn't they know that Negroes use and pay for Princess Line telephones; that the beauty of a Negro woman, in the eyes of the black community, makes real for her the need for jewelry, fashions, services? Didn't they know that the latest thing in automobiles is an attraction to a significant portion of the minority, and that that attraction is heightened by seeing oneself represented on the TV "tube" as a buyer? Now, after all the trouble, we actually can see ourselves in ever increasing numbers, in store windows, in newspaper ads, on the television, as inducements to the consumer. Isn't it ironic that heretofore our dollars were acceptable while our image stood for naught? It *is* ironic that it was never realized that complete integration of *images* of all races negates that probability of a buying boycott by some, and that this same kind of inclusive recognition of our existence among the populace could have worked so successfully long ago!

This whole line of thinking can be extended to the gamut of interpersonal, race, and human relations, and it answers rather well, I think, the question: "What do Negroes want?" They want, quite simply, to be seen as people, whose lives are accorded the same dignity, worth and opportunity as those of any other culture. At least, I cling to the belief that this is what most of us want, and that most of us are not looking toward a separatist society.

It is the lack of recognition and the concomitant frustration which has brought not only the social upheaval, but a far lower than ideal degree of national and international progress which is our lot today as a total community. It is the lack of recognition which has reversed the trend toward unification and created the bid for separation, or, I prefer to think in terms of the acceptance by some of the bid for separation. For me, it is not a genuine call. It is a false premise upon which a seemingly logical case is built. For me, pride in myself as a person does not require that I adopt the dress, culture, or mores of another country. As a product of more than one culture, I prefer to absorb the best from each, and maybe some from those of which I am no part!

At any rate, it is obvious that the time is long past for asking *whether* or *if* one should be involved. The day is beyond recall for debating the question of *when* one should become involved. Much is said today in every quarter on *how* to involve oneself, and I bring no special expertise for your community, since I am not of it. But we know the problems are all around us, in every community, and they rear their heads in exasperating and frustrating numbers. They are like the story about a half intoxicated man whose mother-in-law told him he was irritating, aggravating and exasperating. He was lamenting on this with his favorite bartender, who was then in process of cleaning up for the night, about 1:30 a.m. Our imbibing friend said, "I don't even know what all those big words mean." The bartender said that if he had three dimes, he would show him what they meant. With the first dime the bartender went to the pay telephone on the wall and dialed a number . . . any number, maybe yours. A sleepy, male voice answered "hello?" The bartender: "Hello, is Peabody there?" Voice, still sleepily, but showing irritation: "Nobody named Peabody lives here." "O.K.", said the bartender and hung up. He waited approximately 15 minutes and went back to the phone, dialed the same number. Voice, still sleepily, but now more sharply: "Hello!" Bartender: "Hello, Peabody there?" Voice, in aggravation: "I just told you a few minutes ago that nobody named Peabody lives here!" Bartender, "O.K.". Exactly 10 minutes later, with the third dime the bartender dialed the same number again. Voice: No longer sleepy, and now very sharply: "Hello!" Bartender: "Hello, this is Peabody, anybody call me?"

I believe that to gear ourselves to work, in unity, toward the power of total involvement requires first that we face up to our failures, and accept mutual blame for abandonment of our own proper sense of drive, white, black, rich, middle class, poor. Together, we must call upon the resources and creativity of all our people, and utilize the best in all of us to derive the best from what we have and can do.

Wherein, then, does this power lie:

It is in the improvement of our educational systems and in the continued drive for the quality of excellence in education. There will be no achievement of black power, nor green power, nor even of white power to its fullest potential, without education of all our children in all that formal education implies. No pupil nor student is well educated in a one-sided society that teaches from slanted texts. Black America will not be satisfied any longer to indulge white America in this.

Wherein does it lie: It lies in proper distribution of employment for men and women, and not just white men and women. In equality of employment, given the opportunity to learn, every individual can more readily perform quality service and merit advancement, and there will be no excuse that qualified workers cannot be found. The economic development of our national community has potential never before realized and impossible of attainment without full use of all its human resources.

It lies in elimination of sub-standard and inadequate housing. Shelter, as a basic need is an ingredient of progress, and to the extent that we perpetuate poor housing, by so much do we decrease the degree of total progress.

It lies in the quality of services for health and welfare. It waits beyond the horizon where bodies and minds, well and strong, reach for something to do and for the feeling of being needed. It is a fact of human nature that satisfaction comes with service. Here in New York City, your social services commissioner is quoted as predicting that one of every eight residents will be receiving public assistance by the end of 1968, at a cost of $1.3 billion, and the *Times* has noted that as more funds and civic energy are poured into welfare, less is available for rebuilding the cities' rotting slums and deteriorating schools. These expenditures must be looked at to eliminate waste, and to see that programs are geared to free the dejected, ill housed, ill clothed, ill fed, ill educated from the degrading experience of total dependency. More money needs to be spent on programs which lead to work experience and ultimate absorption into the labor market. And I do not mean temporary programs, with funding running out and pitching people back into the abyss of frustration!

Perhaps you should start from the top down, begin with your government and end with the private sector. Inject yourselves into the processes and find out what is being spent where and for what. Find out whether new and innovative ideas are being tried, as a means of upsetting the status quo. Find out whether there may be duplication of services, or fragmentation, and question whether elimination of this can free funds for new programs. And above all, find out whether and where human resources are neglected in the perpetuation of musty, old ideas, simply because someone either deliberately or subconsciously refuses to accept change.

Here is how you will be able to get your point across: Say that change is upon us, and resistance to it, knowingly or unknowingly, is asking for deep, serious trouble. Say that the blindness of the last two decades, prejudice, complacency, and a tendency to ignore the existence of a segment of the human race, are exposed today for the economic waste they are and that ignoring this fact of life merely postpones a more rude awakening.

Many historians today point to the fact that while we keep deploring violence (and I do deplore it), we nevertheless have a history of being a violent people. Revolutionary tactics have a thread in the fabric of this country, and the Boston tea party is only one such instance. Therefore, in proper perspective, we must recognize that freedom of speech is vital to the functioning of a democratic society. The right of dissent is a precious commodity, and protest remains as a standard for articulation of basic disagreement with things as they are, even if it is not polite disagreement.

Demonstration on campus, within the confines of nonassaultive behavior, is a recognizable right, even if, among the demands of the students involved, there may be those which are completely unreasonable and/or unrealistic. And, one does not have to agree with protestors against laws, of whatever nature, to acknowledge that the right to protest nevertheless is there.

Thus, it is better that we try to unify the sense of direction, acknowledge among ourselves the need for change at a more swift pace, and join the efforts toward creation of a position of dignity and worth for every individual. In this way, perhaps we can stem the tide of violence, while we work diligently at convincing those whose protests result in destruction, that every man's right is proscribed by the responsibility to exercise it without trampling the rights of others. Wherever we can, we must try to utilize the energy and enterprise and creativity of the young, and this involves getting down to facts with them, because the trust is not there now, and unless we earn it back, unity is impossible. Young people are not looking for our smug advice. We have been trying to teach them to think and they are doing just that. Now we are startled to find ourselves in our middle-age, middle-class arena, thought of as being expendable. Surely, then, it is essential that we demonstrate our intention to move in the direction of progress in its truest sense, so that we, not hate mongers and those who call for violence, will be their leaders. All this, I say, is the message you will tell if you will set out to bring about an awareness where it counts most.

We must look at our police-community relations. In this area, I commend to you the movie: "Not All Cops, Not All Kids", for those who have not seen it. It depicts the results of an opportunity given some teen age ghetto boys from your own Bronx section, along with the policemen in that area, to sit down in a recreation area, away from the suggestion of authority, and talk to each other. The kids learned to understand better the reason why the policeman has to do his job, and the officers learned to understand why the kids have problems. Better police-community relations are an absolute essential if we are going to provide the safety and peace for everyone, including the rabble-rousers.

As a final thrust, look at the church in your community. Examine it for its relevance to life, as opposed to a function limited to Sunday morning behind four walls. If it does not relate, there too, is a point of departure. The church should be a mission, and the mission today in with the people. There might be fewer bigots if this expansion of religion to meet needs had come sooner, because the exposure to human suffering surely would have reached some hard hearts!

And finally, Ladies & Gentlemen, I commend to you these men and women to whom Lambda Chapter pays tribute today. They are being honored because they are involved and have been involved in this community. I can offer you no finer example than these in the search for the power of total involvement.

I am grateful to have had the pleasure of sharing this memorable occasion with you. Thank you.

HOLY TRINITY CHURCH: 100 YEARS OF PHYSICAL AND SPIRITUAL GROWTH

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. CONTE. Mr. Speaker, Holy Trinity Roman Catholic Church, of Greenfield, Mass., celebrated its 100th anniversary on Sunday, October 13. Festivities marking the occasion included a concelebrated Mass, confirmation ceremonies, and an anniversary banquet.

Holy Trinity Church, which is often referred to as "the mother church of Franklin County," has diligently fulfilled its pastoral function to its parishioners for an entire century. Holy Trinity has aided in the formation of 10 additional parishes in Franklin County; there are presently five additional mission churches in the area under its care.

Founded in 1868, when it was not always easy to be a Catholic in New England, Holy Trinity Church has been fortunate in having a long succession of dynamic, progressive pastors and curates. Under their guidance, the many loyal Catholics of the area erected, and subsequently renovated, the church, making it a local landmark and an architectural beauty. Holy Trinity School was created, providing a firm foundation of faith, and a basic education, for hundreds of area children.

In an age when critics wail about the decline of religious faith in our country, we of western Massachusetts can point with justifiable pride to churches like Holy Trinity—churches with a long tradition, and a bright future, grounded in a steadfast faith in Almighty God. God has blessed Holy Trinity with clergymen of insight and imagination, parishioners full of determination and religious commitment, and facilities possessing beauty and dignity. Greenfield, and all of Franklin County, has benefited greatly from Holy Trinity Church. Its present pastor, Father William F. Fahey, and its 4,000 current parishioners embody the same courage and solid religious belief that has made Holy Trinity a shining example of the Christian way of life.

My sincere congratulations, and warmest best wishes, go to Father Fahey and the members of the Holy Trinity Church congregation on this momentous, and very joyous, occasion.

CHRISTMAS IN A HAPPY PLACE

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. JAVITS. Mr. President, the casualties in the Vietnam war are not all military. There are also the children—homeless, orphaned, and too often neglected and forgotten.

The October issue of the Saturday Review features an editorial describing the work of one American whose conscience and compassion moved her to do something personally in behalf of these unfortunate youngsters floundering in the backwaters of the war. Since this young lady, Betty Moul, is my New York City secretary, I am particularly pleased to bring this item to the attention of the Senate, and ask unanimous consent to have it printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CHRISTMAS IN A HAPPY PLACE

Life in an orphanage is seldom joyous. But life in a South Vietnamese orphanage in wartime is at best harrowing and at worst unimaginable—at least, unimaginable to an American girl of comfortable background.

When Betty Moul first visited Saigon's An Lac orphanage, during a vacation tour of Asia in 1961, she found the place at once appalling and inspiring. She was appalled, particularly, by the fearful emotional and physical attrition evident among the babies at the 400-child institution.

"Where a two-month-old American baby would have been alert and smiling," Miss Moul says, "the underfed An Lac foundlings just lay there. They didn't smile, hold up their hands, or kick off the covers. And, of course, a high percentage of them died. Ironically, I was told by one of the youngsters that the name An Lac means 'Happy Place.' "

What Betty Moul found inspiring was the high morale among An Lac's severely underfed but vivacious older children—a morale evidenced in the way the bigger ones looked after the toddlers and pitched in to keep the orphanage buildings bright and clean.

Almost without willing it, Miss Moul found herself being drawn into the daily routine of the sparsely equipped institution: up at 4:30 a.m., down on her knees with the children scrubbing floors, doling out skimpy rations of watery rice-gruel, and bucketing back and forth perilously, in an ancient jeep, between the old orphanage buildings in Saigon and the equally woebegone orphanage annex in NLF-infiltrated farm country, 20 miles out of Saigon.

Betty Moul never did complete her leisurely tour of Asia. She stayed on at An Lac as long as she could, then went back to her job as an executive secretary in Manhattan, determined to spend all her spare time raising money and finding clothing and medical supplies for An Lac.

For six years now, she has given slide-lectures on An Lac to church and civic groups, and has spent all her vacations (two of them at Christmastime) working at the orphanage. "There," she says with a twinkle, "the children call me Co My ('Miss America') and Co Ngoan ('Miss Sweet')."

The thousands of dollars she has raised over the years have played a major role in keeping the orphanage going. Meanwhile, American military doctors and other personnel have helped significantly by giving their off-duty hours to An Lac. One result is that infant deaths have been cut down sharply—in part, because the American doctors found that several of the orphanage's casual employees were disease carriers, and had for some time been innocently, but systematically, infecting the infants.

The founder and moving spirit of An Lac orphanage is, Miss Moul explains, Madame Vu Thi Ngai, a beautiful, brilliant North Vietnamese aristocrat who fled south when Vietnam was partitioned. The late, legendary Dr. Tom Dooley, who worked closely with her in setting up an earlier orphanage, wrote:

"Madame Ngai was a proud Tonkinese woman who had been wealthy. She was lovely, with fine-textured skin, jet-black hair . . . and an olive coloring that was exquisite. . . . With women like this in a nation, faith and hope in it will persist, whatever the temporary chaos."

When Madame Ngai arrived in the South, she sold what remained of her jewelry and other valuables, set up An Lac, and began gathering up homeless children from Saigon's streets and countryside. There was no dearth of such children, then or now. Nor has there been any abundance of funds to care for them: The government gives An Lac (irregularly) an allowance of 26 cents per child per month. The rest of its $2,000-a-month running expenses must be made up from private sources—e.g., Miss Moul's contributions and service help from the New York chapter of the Tom Dooley Foundation.

Now in her sixties and in ill health, Madame Ngai refuses to close down the orphanage and surrender "her" 400 children to the mercies of street life in Saigon. Amid dirt and danger, Madame Ngai insists that the orphanage be kept clean, and that her children study hard and observe the highest standards of decorum. Many have won scholarships to local colleges.

Not all the children fare so well. During her last visit to An Lac, Betty Moul asked about one of her favorites, a pretty eleven-year-old girl named Le. The child had been, Madame Ngai grimly explained, suddenly reclaimed by her mother, then "sold" to a well-to-do Saigon businessman.

But is An Lac really all that important? After all, there are underfed children in orphanages all across the world. Why is An Lac so special? "Well," Miss Moul says, "because I think it's important that these otherwise homeless kids live under Madame Ngai's compassionate guidance. Unlike many people in similar work, she's highly educated and cultivated, encourages the children to adhere to the highest educational and personal standards imaginable, and is, in general, preparing them to be outstanding citizens of a stable future Vietnam."

In a month or so, Miss Moul will be leaving her Park Avenue office to go spend Christmas at An Lac. There she will present to Madame Ngai the contributions sent to her at The An Lac Orphanage, Inc., 185 Lexington Avenue, New York, N.Y. 10016. There will be gifts for all the children from U.S. Army personnel. Though Santa Claus won't come floating down in a helicopter, as he did several Christmases ago at the now-abandoned farm annex, chances are that the spirit of Christmas will be very much in evidence this year at "The Happy Place."

HUMPHREYISM NO. 17

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. SCHADEBERG. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

From a collection of Representative HENRY C. SCHADEBERG'S (R. Wisc.):

"I think you'd have more trouble than you have had already because I've got enough spark left in me to lead a mighty good revolt under those conditions." (National Association of Counties, New Orleans, Louisiana, July 18, 1966.)

"A Presidential candidate should be saying and doing things to promote respect for law." (Press Conference, Huron, South Dakota, September 11, 1964.)

EIGHTH MARINE CORPS DISTRICT

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BOGGS. Mr. Speaker, I am very proud of the outstanding performance of the U.S. Marine Corps, Headquarters, 8th Marine Corps District in New Orleans, La. In this connection, I include a letter addressed to me by Col. C. B. Redman, director:

U.S. Marine Corps,
8th Marine Corps District,
New Orleans, La., October 23, 1968.

Hon. Hale Boggs,
Member of Congress,
New Orleans, La.

Dear Congressman Boggs: I enjoyed my visit with you yesterday and thank you for allowing Lieutenant Colonel Unger and me the opportunity to call upon you.

In response to your questions and request regarding the successes of Marine Corps recruiting in Louisiana, the following is offered:

"Quota Busters" seems to be the unofficial title dubbed on Marine Corps recruiters in the State of Louisiana. They have been exceeding their quotas as set forth by the Commandant of the Marine Corps for so many years that no one is quite sure when it all began.

The Marine Corps Recruiting Station, New Orleans whose area encompasses the whole state is commanded by Captain Jimmy D. Fitzpatrick and the Station Sergeant Major is Sergeant Major Lloyd A. Hogue. Louisiana is the most productive state in the most productive Marine Corps District (The 8th Marine Corps District comprises Arkansas, Louisiana, New Mexico, Oklahoma, and Texas) and has received more than a score of awards for recruiting excellence including the first National Recruiting Award during the 1st Quarter, Fiscal Year 1958.

One of the major contributors to the high standards of performance held by the Louisiana Marine Corps Recruiters was Sergeant Major Nelton J. Dartez, a native son of Louisiana. Sergeant Major Dartez spent over thirteen years of his twenty-eight year Marine Corps career as a "Cajun Recruiter". He was the Station Sergeant Major and chief recruiter for two tours and participated in a ninety-nine month period of quota attainment, missing his quota only once during this whole period. That was the month after Hurricane Betsy in 1965. He also pioneered the high school mail-out program that is now a primary recruiting tool of all the armed forces.

The effect of Hurricane Betsy on the recruiting climate in Louisiana was shortlived. The call to arms for Vietnam gained instantaneous response. During Fiscal Year 1967, the Marine Corps Recruiting Station, New Orleans led the nation with 117.47% of quota attainment; during Fiscal Year 1968, our Louisiana recruiters enlisted the most voluntary applicants since World War II and set a new record with 124.6% of their assigned quotas; and lastly, these same hard working Marines have enlisted 130.8% of their quotas during the first three months of Fiscal Year 1969.

The state is relatively untouched by demonstration and dissent; and our young men have continued to show their exemplary patriotism and the fibre of their dedication to American ideals. The American spirit is truly alive in the great state of Louisiana.

I might add that our 8th Marine Corps District has also led the nation for the past three years in all phases of personnel procurement: Enlisted recruiting, Women Marines, Officer Procurement and Woman Marine Officer Procurement.

I am very proud of the record achieved by these recruiters. And I am well aware it could not have happened without the dedicated patriotism shown everyday by every citizen of this state. Captain Fitzpatrick is leaving next week for a second tour of duty in Vietnam and will be leading and serving with the same type men he has recruited into our Corps while here.

With warmest personal regards,
Sincerely,

C. B. Redman.

THE PENSION TRUST FUND

HON. WAYNE MORSE

OF OREGON

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. MORSE. Mr. President, for some years, I have been the public member of the pension trust fund managed jointly by management and the union. Management is the National Electrical Contractors Association, and the union is the International Brotherhood of Electrical Workers.

The report on the pension trust fund, present on June 9, 1968, deserve the consideration of readers of the Congressional Record, and I ask unanimous consent that it be printed in the Extensions of Remarks.

There being no objection, the report was ordered to be printed in the Record, as follows:

Report on the NECA Pension Benefit Trust Fund by the Board of Trustees

This report of the Trustees of the Pension Benefit Trust Fund is being presented at Lake Ozark, Missouri, June 9, 1968. It is issued in accordance with the provisions of Article III–A, Section 3, Paragraph (g) of the Employes Benefit Agreement by which the Pension Benefit Trust Fund was created and under which it operates. This section of the agreement states that the Trustees shall "make a full and complete report to the National Board" every year.

Once again we call to the attention of all who may read this report, that the Trustees could fulfill their obligation, by merely presenting an audit with necessary remarks as to the operation of the Pension Benefit Trust Fund. Your Trustees, however, for the past 15 years, have endeavored to expand their report to include information concerning our electrical industry in general, and in particular, stressing the areas where a high degree of cooperation exists between the National Electrical Contractors Association and the International Brotherhood of Electrical Workers. We believe that by so doing, the report actually becomes "full and complete," and moreover it becomes a testimonial to the fact that labor-management cooperation "pays off." It provides more profits for employers, better wages for union members, more security for both, and safer, better service to the public.

Because this report reaches many new readers every year, we have found it necessary to repeat sections of our report from previous years so as to provide a comprehensive picture. Annually, nearly a million copies of this report are circulated, not just to members of NECA and IBEW but also to members of Congress, every major library and college in the country, to Government agencies, employers, various international and national labor unions, state labor departments and unions and schools in foreign countries. Many persons are seeing a Trustees Report for the first time in 1968, and for their benefit we ask regular readers to accept the repetitions with patience.

THE ELECTRICAL FUTURE

A dominant motive for the effort put forth by the employers and the union in the electrical industry, is the keen interest which both have in that industry and its future. Our groups recognized many years ago that by cooperating and pulling together both could prosper. We believe that NECA and IBEW have always been "ahead of the times" in their forward-looking efforts in the labor management field.

And what of that future in the electrical field? It grows brighter every year. The latest figures issued by the Federal Power Commission on worldwide electric energy production, show the United States leading the world with 1.158 trillion kwh, nearly three times as much as her nearest competitor, the U.S.S.R., with 480 billion kwh. According to Mr. Charles Avila, President of Edison Electric Institute, generation of electric energy in the United States in 1968 is expected to reach 1.297 trillion kwhrs, a growth of 7 percent over 1967. Also during 1968 it is expected that utility companies will install 21.1 million kilowatts more of generation capacity, an increase of 8.4 percent over this past year. And in the next five years an additional 98 million kilowatts of new capacity will be placed in service.

Now we might ask, what do these utility generation figures mean to those in the construction game? Every growth for the electric power business brings corresponding growth to the electrical construction field. For it is construction contractors and workmen who will be building the new power facilities and bringing in the electrical current to all the new factories, office buildings, schools and homes which are to consume the rise in generated electricity. Recently a national magazine published a thought-provoking article entitled "Tomorrow's New Worlds." Your Trustees were keenly interested in this article because it talked of products and services that we can expect to be using in a few years or months—perhaps tomorrow. The article spoke of electrical capacity, of atomic energy, of isotopes and laser beams. It projected the type of fantastic communications systems we will have in the future. The article told of meeting man's growing economic needs from the wealth of the seas. There was much more, but throughout the article, one fact became increasingly evident. Electricity and electronics and the men who control them, will be the dominant figures in the world of tomorrow. Electricity is progress. Progress is electric.

In the immediate future we see the tremendous sales potential of electric heat (20 million homes by 1980); the electric car; the advance of nuclear power; pollution control; the outlook for urban renewal—the immediate job picture is bright and the long range view is most promising.

OUR APPRENTICESHIP PROGRAM

However, a slogan has grown up in our industry: "The future belongs to those who prepare for it." As a result, we of NECA and IBEW joined forces long ago in training men for our changing, growing industry, and developed what many educators call the best apprenticeship training program in the nation. While we have attained one of our greatest goals in our joint Apprenticeship and Training program, this field also presents our greatest challenge.

We are proud to say that more and more local Joint Apprenticeship and Training Committees are bringing their programs into conformity with the requirements of law and good practices. They are securing adequate financing through contracts, and are investing in good teachers and keeping accurate records.

The employers and the union in the electrical construction field have always agreed on two points—one, that an adequate force of apprentices should constantly be added to employment rolls in order to insure a constant supply of trained workmen to meet the needs of a growing industry. And two—that training of apprentices and journeymen be thorough and kept up to date.

We are proud that there has been a marked increase in the number of apprentices being assigned to classes and on-the-job training annually. And while we have not lowered our standards we have made a successful effort to have more members of minority groups admitted into our programs.

The step-up in our apprentices-in-training figure, however, is not adequate to meet the growth of our industry and we urge IBEW unions and NECA chapter managers alike to continue to work on apprentice increase.

The National Joint Apprenticeship and Training Committee for the Electric Industry (NECA and IBEW) has its headquarters in Washington under the direction of L. B. Baker and assistants Robert L. McIntyre and A. J. Phillips. Under the policies set by the National Committee, these men have developed a National Course for Apprentice Inside Wiremen and Apprentice Linemen. They have also produced several journeyman short courses and developed visual aids used in instructing apprentices and journeymen. All of these materials will be updated and improved as they are used, revised, and reprinted from year to year. The National Committee will continue to gather statistical data so the industry can be informed as to the trends in the nation.

JOURNEYMAN TRAINING

We mentioned in a previous paragraph a NECA–IBEW goal of keeping our apprentices well trained and our journeymen up to date. We are proud to report on the continued success of our journeyman skill improvement training. It is extremely gratifying to have thousands of journeymen, both recent apprentices and "graybeards" eagerly taking advantage of the "post graduate" courses being offered them. The courses are many and varied. Atomic Energy, Industrial Electronics, Motor Control, National Electrical Code, Cable Splicing, Blueprint Reading, Electrical Heating and others are titles which come to mind. These courses are helping Electrical Workers to continue to give top performance as their electrical world constantly changes. Specialized work generally presents no problem to specialty contractors for NECA and IBEW have taken the steps to keep men capable of doing *any kind* of electrical work.

COUNCIL ON INDUSTRIAL RELATIONS

Except perhaps for our Pension Plan, our Council on Industrial Relations for the Electrical Construction Industry has always been our most outstanding example of success in the labor-management field. Next year we reach an important milestone in the history of our Council. It will be 50 years old. Again for the benefit of those reading this Trustees Report for the first time—the CIR is the NECA–IBEW joint organ for settling disputes in the electrical construction industry.

The Council is made up of 12 members, six from the Contractors and six from the Union. The Council handles those cases in which the normal collective bargaining processes between local contractor and local union have bogged down and became dead-locked. This is the electrical industry's answer to strikes and lockouts. The Council decisions must be unanimous. Only once in its 49-year history has it ever had a decision violated.

Today many labor and management groups are exploring the possibility of trying to set up an arbitration and mediation organ, in an attempt to eliminate strikes and bring more stability into their respective fields. It is amazing to educators, writers, arbitrators, to learn about our Council for the first time. Our set-up is being widely recommended today in an effort to bring the same kind of peace we have known for nearly half a century, to other industries, their employers and employes.

For the last five years, the CIR has averaged a workload of 100 cases per year. Cases have been presented from all 50 states of the Union and the District of Columbia, with the exception of Hawaii.

There are approximately 500 construction locals in the IBEW. This means that approximately one out of every five locals and corresponding contractor groups, is using the Council each year. Of course, there are some contractors and local unions which never employ the CIR to settle their differences. However, the very fact that it exists—a Supreme Court—has been an impetus to many employer-employe groups to resolve their differences at home.

The Council on Industrial Relations is very much a part of the Electrical Industry as we know it.

Of course, as with every man-made organ, there are those who will be dissatisfied with its operation. Our CIR is no exception. Therefore at every IBEW and NECA Convention we find it necessary to oppose efforts to eliminate the Council and also to seek means to strengthen and preserve it.

The Council has worked well for nearly half a century. However, there is never a human organ of any kind that cannot be improved. Last year NECA and IBEW reviewed the policies and procedures of the Council, considered recommendations made by a committee created by resolution of IBEW's 1966 Convention in St. Louis, and made revisions in the CIR rules. The Council booklet, setting forth procedures, was revised and brought up to date. A number of minor changes were effected and one major source of dispute was dealt with in the following addition:

"XV SUBMISSIONS PRIOR TO ANNIVERSARY DATE OF AGREEMENT

"The Council recognizes that the customer relationship with the electrical contracting industry for the most part precludes retro-billing to compensate the employer for retroactive wage increases due the employe. By a like token, the employe has an equal right to expect the benefits of collective bargaining will become effective as of the date following the expiration of the previous period of contract. In view of these axioms, the Council reserves its inherent right to accept and adjudicate issues submitted prior to the anniversary date of an agreement so that the changes may become effective when due.

"The Council will decline to accept cases involving proposed changes in the agreement until such time as the parties have exhausted all efforts to resolve the issues on the local level. Where 60 days or more of the negotiation period as defined in the agreement remain prior to the pending Council session, the parties shall continue to negotiate on the local level and resubmit the unresolved issues to the following meeting of the Council.

"The Council reserves the right to render a decision which will become effective as of the anniversary date of the agreement, even though the anniversary date may have passed. In this connection, the Council may adjust the anniversary date to eliminate the necessity of making retroactive awards in the event of deadlocked negotiations in the future.

"The local parties are urged to request assistance through their District or Regional offices."

ADDITIONAL AREAS OF COOPERATION

Our two associations have continued to cooperate in other areas during the past year. There has been a steady exchange of ideas through interchange of speakers at NECA and IBEW business meetings and social gatherings.

The National Electrical Contractors Association has always been active in promoting the industry in annual National Electrical Week celebrations. In the past five years, more and more IBEW local unions have joined with NECA district chapters and local contractors in promoting National Electrical Week. This past February, we believe, was outstanding in number and quality of joint NECA-IBEW presentations.

Representatives of our industry, both NECA and IBEW have been active in the field of Urban renewal in the past year. We have offered our assistance and our "know-how" both in an effort to improve living conditions in our country and to help our members through increased job opportunities.

Another innovation in NECA-IBEW relations has been the fine effort being made in the "Know Our Industry" program, developed by the public relations office of NECA. The pay-check "stuffers"—the small pamphlets designed to inform and create pride in the industry, have been very well received and their influence has been increased by references to, and reprints of the articles, in the *Qualified Contractor* and *Electrical Workers' Journal*.

An additional area of cooperation has come through the AFL–CIO Union Industry Shows, held annually in large cities of the United States, to promote the goods and services of union members and fair employers. The IBEW has sponsored a large booth at this show each year for some 15 years. Originally the booth emphasized IBEW's manufacturing operations, but in recent years, our electrical contractors and their services have also played a prominent part in the display.

SCHOLARSHIP PROGRAM

Our most recent cooperative effort has come in the field of general education. A few days before this report went to press NECA and IBEW issued a press release. Here are excerpts from that release:

"Students entering many junior high schools all over the United States this coming fall, will be studying a new program, entitled 'Industrial Technology.' This program is not only new in title but new in its entire concept. It will replace the old 'Shop Course' training of drafting, wood working and metal working and will attempt to teach the young people of today more about the technological world in which they live, with special emphasis on the processes which go into building a modern city in a 20th century world.

"Dr. Edward R. Towers of Ohio State University is head of a team of educators from Ohio State and the University of Illinois who have been working under a Government grant to develop this new program. Three years have gone into the preparation of the program rationale which was introduced into a number of communities in various parts of the country in September 1967. Within a five-year period it will be a required course in every junior high school in the United States.

"Because the course is new and different special training is needed by teachers to instruct students in the 'World of Construction' and later for a second course, 'The World of Manufacturing.' Therefore a completely new program to prepare teachers of construction technology will be inaugurated at Ohio State University starting this fall.

"To assist in this vital educational program, the International Brotherhood of Electrical Workers (IBEW) and their employer group in the construction field, the National Electrical Contractors Association (NECA), have pledged $80,000 in undergraduate scholarships to Ohio State to attract students to the construction technology teacher-training program.

"The construction technology teacher-training program is the first of its kind in the entire history of education, and the IBEW-NECA Scholarship program is also a first.

"The Union and Contractors have agreed to support 20 students per year over the next four years. Each student will get a four-year, $4,000 scholarship to cover tuition, fees and other expenses.

"In addition, a work-study summer job for degree credit is part of the scholarship program. The IBEW and the Contractors will work together in placing each student in a ten-week job in some phase of construction work, usually in or near his hometown. . . .

"NECA and IBEW have set up this teacher-training scholarship program in honor of the 50th Anniversary of their joint voluntary arbitration organ, the Council on Industrial Relations, which will celebrate its 50th year of successful operation in 1969.

"IBEW and NECA have cooperated in other ways to guarantee a successful program, by assisting in the writing of the electrical section of the construction course and in providing two motion pictures which are part of the visual aids so essential to an educational program of this type."

The above-described program was undertaken by our respective organizations chiefly as a public service to the young people and the school system of our country. However, we believe the public relations value and the benefits which will accrue to the electrical industry will serve us well.

We now come to the final area of labor-management cooperation to be covered in this report.

THE PENSION BENEFIT TRUST FUND

For the benefit of those reading about the Pension Benefit Trust Fund for the first time and as a review for all interested, we again present a brief history.

The first Pension Plan covering workers in the Electrical Construction Industry was developed by the IBEW and applied to beneficial members of the union. It was established by the 1927 Convention of the Brotherhood and the first pension payments began in 1928. In the beginning a member with 20 years membership could retire at age 65 and receive a pension of $40.00 monthly. The pension was financed by a 37-cent-per-month payment by each beneficial member.

The IBEW plan was carried on without change for some 20 years. On January 1, 1947 the benefit was increased to $50.00 monthly.

Until 1946, these benefits were financed entirely by an apportionment of the monthly dues (except for earnings on the fund) payable by "A" (beneficial) members, to the Pension Benefit Fund administered by the IBEW.

About 1945, the IBEW employed a firm of consulting actuaries who told them that the IBEW Pension Plan was in trouble and that considerably more money would have to be brought in if the plan was to survive. In fact the actuaries said that the 37-cent monthly contribution would have to be increased to about $5.00. It was then that the IBEW turned to the Contractors' Association to ask for help in continuing to provide pensions for its members.

EMPLOYES' BENEFIT AGREEMENT

In 1946, NECA and IBEW reached an agreement whereby the Contractors in the Association would put 1 percent of their total payroll into a special fund (The National Electrical Benefit Fund—NEBF). Another fund was set up called the Pension Benefit Trust Fund (the PBTF). At the start, the contractors' 1 percent payments were put in the NEBF and then out of the NEBF each year, an amount which matched the total IBEW members' contributions to their own pension fund was put into the Pension Benefit Trust Fund. All pensions for the IBEW members were then paid out of our pension fund (the PBTF). Pensions were then running $50.00 monthly.

In 1952, the IBEW changed the plan so that 30 years of membership was required for the $50.00 pension. Members with 25 to 29 years would get a $40.00 pension and members with 20 to 25 years membership would get a $30.00 pension. This change did not apply to any of the members already in the plan—in other words IBEW members initiated or reinstated before 1952. About the same time the Contractors agreed to take out the whole 1 percent from the NEBF and put it into the Pension Benefit Trust Fund (instead of just matching the IBEW contributions).

Until 1957, the combined resources of the PBTF and the PBF were considered as applicable to meet the liabilities of the IBEW Members' Pension Plan, although somewhat less than half of the total beneficial membership of some 300,000 were actually working for contributing contractors. In fact, after establishment of the PBTF, the payment of all pension benefits for existing pensioners was shifted from the PBF to the PBTF, and the benefits for all new pensioners were paid from the PBF until 1957.

NLRB RULING CHANGES SET-UP

In 1957 the National Labor Relations Board ruled that the provision of the Employes' Benefit Agreement which required 20 years of membership in the IBEW in order to qualify for pension was illegal.

As noted, prior to this ruling, all pension disbursements were made from the PBTF, and the PBF was kept fully invested, with the combined funds applicable to the Plan liabilities. The effect of the 1957 amendment was to create two separate funds, each with their respective liabilities.

As a result of this amendment, there now exists a separate plan covering all *employes* (not necessarily Union members) covered by the agreement between IBEW and NECA. The Contractors (or covered employers) still contribute 1 percent of gross labor payroll of covered employes to the NEBF, which pays operating expenses and transmits the balance of the payroll assessments to PBTF.

The PBTF continued to pay pension benefits (at the rate of $50.00 per month) to all surviving pensioners who retired prior to June 1, 1957. The 1957 NLRB ruling also changed the existing arrangement to provide pensions for eligible employes in the electrical industry instead of only to "A" members of the Brotherhood.

Until more recent amendments effected a change, with respect to all employes who retired after June 1, 1957, the PBTF, provided a pension benefit based on years of service in covered employment, a sum which was generally equal to 50 percent of the pension benefit to which an "A" member of the IBEW would be entitled under the IBEW members' Pension Plan with a corresponding period of membership.

AMENDMENTS TO AGREEMENT

The NECA Plan has counted only "covered employment" with a contributing employer. Initially "covered employment" was restricted to employment with an employer during that period of time which the employer was obligated to continue 1 percent of payroll to the NEBF. Since 20 years of "covered employment" is required for retirement, and since contributions (and consequently covered employment) did not commence until 1946, no employe (except for the closed group retired prior to 6/1/57 has been eligible for a benefit from the NECA Plan.

On September 26, 1964 the definition of covered employment was amended to permit the recognition of up to 5 years of past service credits, for service with an employer prior to the date the employer became obligated to contribute. These past service credits count as years of service in covered employment and were made retroactive to employes who retired, prior to 1/1/65.

This amendment allowed employes retired after 1962 to receive benefits from the PBTF.

Today as the full audit presented to all members of the National Board will show, the Pension Benefit Trust Fund has assets amounting to more than $149,000,000. A recent study of the plan by actuaries proved it to be fully funded. The fund is in excellent shape for two reasons—good return on investments; and the fact that pension benefits are flat dollar amounts while contractors have been paying 1 percent of payroll which has continued to rise. Because of this advantageous position, the change indicated above, whereby employes retiring after 1962 began to draw pension from the Pension Benefit Trust Fund took place. If this amendment had not been put into effect, 1966 would have been the year for such change. The pensions added as a result of this change resulted in a net increase of some 2800 receiving pension in 1965.

Because of the report of the actuaries and the soundness of the fund, the Employes Benefit Agreement was amended October 23, 1965 (Effective January 1, 1966) as follows:

"The purpose of the amendment is to provide for pension payments on a graduated scale with a base of $2.00 per month per year of covered employment for each year of credited service. Consequently, an employe with a minimum required twenty years of covered employment would receive $40.00 per month and an employe with twenty-one years, $42.00; twenty-two years, $44.00, etc. Although this formula applies to all employes who commenced receiving retirement benefits from the National Electrical Benefit Fund on or after January 1, 1965, the amendment takes effect on January 1, 1966."

LATEST AMENDMENTS

Three additional changes in the National Electrical Benefit Fund agreement went into effect on January 1st of this year.

Two changes were approved by the NECA Board of Governors at the annual convention in San Francisco last fall. They are:

1. Change of the name from Board of Trustees of the International Brotherhood of Electrical Workers' Pension Benefit Trust Fund to National Electrical Contractors Association Pension Benefit Trust Fund.

2. Increased pension benefits for all covered electrical workers retiring after January 1, 1968. The benefit for them will be $3 per month for each year of credited service. Workers retired before January 1, 1968 will continue to receive $2 per month for each year of service.

The third change was approved by a mail ballot of the NECA Board of Governors last December. This third amendment permits an extension of coverage to superintendents and estimators and provides that IBEW NECA and IBEW locals which represent employes covered by the agreement, NECA chapters and joint industry committees, may contribute on behalf of their employes who were at one time covered by the agreement, with these employes subsequently being awarded pensions.

SUPPLEMENTAL INFORMATION

At the conclusion of this report appears our Statement of Receipts and Disbursements and a statement showing the number of members on pension for the year 1967.

Your Trustees met monthly in conformity with Article III-B of the Employes Benefit

Agreement to approve applications for pension.

We call attention to the fact indicated above that because of the amendment put into effect January 1, 1965, which allowed for five years of past credited service to employes engaged in the electrical industry for periods prior to their employer being subject to the agreement, that the NEBF commenced paying pensions to some 2800 additional employes.*

The amendment effective January 1, 1968 which liberalizes pensions being paid to Electrical Workers, is another giant step in the field of labor-management cooperation. As we stated in our report of last year, at its latest Convention, held in September 1966 in St. Louis, the IBEW introduced amendments to stabilize and liberalize its own IBEW Pension Plan.

The amendments met with considerable opposition because of the substantial increase of payment by IBEW members of the plan. However, on rollcall vote the amendments did pass by a considerable majority. Pensions were increased and disability, vesting and insurance clauses were incorporated into the improved plan.

Now, IBEW members working for Electrical Contractors covered under the Employes Benefit Agreement, receive pensions from both funds. These payments added to Social Security will enable Electrical Workers to live out their senior years in security and dignity.

Your Trustees would like to point out in the final paragraphs of this report that all present at this annual meeting have played a part in the progress and growth experienced by our electrical construction industry. We have played, and continue to play each day, a part in developing our industry's bright future. We can take pride in this fact and also in the knowledge that other men who helped to bring our industry to the position it occupies today, have also been remembered. The pensions they receive make a tremendous difference in their way of life, giving them security and modest comfort. This is NECA-IBEW cooperation carried to its highest goal.

Henry S. Owens and Company, Certified Public Accountants, have audited the books of the Trustees for the year 1967 and a copy has been furnished to all members of the Board.

In closing, your Trustees wish to express thanks to all members of the National Board and to the officers of the National Electrical Contractors Association and the International Brotherhood of Electrical Workers, especially to NECA President Richard W. Osborn and IBEW President Gordon M. Freeman. We extend our sincere thanks also to Wilfred D. Howell, Executive Secretary of the Pension Benefit Trust fund for the efficient execution of his duties and his willing cooperation with us, and also to Leo S. Woolls, IBEW Comptroller for his cooperation.

Finally, we wish to extend our warm appreciation to Senator Wayne Morse, the Public Member of our Board, for his work with respect to our Pension Fund and his continued interest in the labor-management policies of NECA and the IBEW.

Respectfully submitted.

JOSEPH D. KEENAN,
Trustee.
ROBERT L. HIGGINS,
Trustee.

Statement of receipts and disbursements

Cash on hand Jan. 1, 1967	$1,093,048
Cash receipts:	
Contributions from NEBB	17,025,000
Payment—real estate loans	11,323,040
Interest:	
Real estate loans	$4,790,387
Securities	1,691,837
Sale and redemption of securities	54,680,424
Dividends	375,906
Rents	249,549
Commitment fees and discounts	159,980
Other	11,698
Sub total	90,307,821
Total	91,400,869
Cash disbursements:	
Pensions paid	4,674,304
Securities purchased:	
Real estate loans	21,320,322
Securities	18,117,955
Time deposits	41,900,000
Stocks and bonds	3,942,448
Real estate purchased	24,976
Postage and supplies	16,957
Investment expenses	481,690
Other	29,106
Total	90,507,758
Balance Dec. 31, 1967	893,111
Cash Dec. 31, 1967:	
American Security & Trust Co.:	
Checking account	687,382
Agency	37,194
Bank of Nova Scotia:	
In transit	9,400
Checking account	40,750
American Fletcher National Bank	118,385
Balance Dec. 31, 1967	893,111

STATEMENT RE NUMBER OF MEMBERS ON PENSION, 1967

Date	Admitted	Returned to trade	Deaths	Pension received
Dec. 31, 1966				7,457
1967				
January	327	15	68	7,701
February	190	13	50	7,828
March	127	13	56	7,886
April	205	14	62	8,015
May	177	19	58	8,115
June	149	21	54	8,189
July	179	30	41	8,297
August	170	23	53	8,391
September	127	24	58	8,436
October	129	18	45	8,502
November	49	38	43	8,470
December	27	13	47	8,437

1967

Total admitted	1,856
Returned to trade	241
Deaths	635
Net increase	980

Comparative analysis—members going on pension

1966

Total admitted	1,069
Returned to trade	245
Deaths	597
Net increase	297

1967

Total admitted	1,856
Returned to trade	241
Deaths	635
Net increase	980

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* N.B. The total number of IBEW members on pension as of May 1, 1968 was 32,748.

THE ELECTORAL COLLEGE

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. O'NEILL of Massachusetts. Mr. Speaker, there has been a great deal of speculation about what might happen this year if no candidate receives a clear majority of the electoral college vote. It has become almost a game to predict what might happen, and a mathematical challenge to discover how few people could be responsible for naming the next President of the United States.

However, this is too serious to become a game or an intellectual exercise. There have been major questions raised about our system of electing presidents, questions that have not been answered in the past and will not be answered before this election is over.

David Wilson, a reporter for the Boston Globe, has written an excellent series of articles about the electoral system. It is a clear and explanatory description of the constitutional method of electing a President. Mr. Wilson suggests the need for reform of the system and his projections of possible deadlocks make those suggestions almost mandatory.

I would like to include all five of Mr. Wilson's articles in the RECORD at this time. I believe my colleagues would benefit from the information and should give serious consideration to reforming the electoral system.

The articles follow:

[From the Boston Globe, October 8, 1968]

ELECTORS CAN PICK ANYONE—EVEN LBJ AGAIN

(NOTE.—This year, for the first time in more than a century, Americans may wake up the morning after election day and not know who their next President will be. The candidacy of George Wallace makes it possible that the next President will be determined by an obscure and little-known system provided in our Constitution. Globe reporter David Wilson today begins a five-part series describing the intricacies of that system and the bizarre results it could yield.)

(By David Wilson)

Lyndon B. Johnson could again succeed himself in the White House.

Either Spiro T. Agnew or Edmund S. Muskie is a far-from-remote possibility to serve as chief executive through 1972.

The United States, conceivably, could wind up without a President next year—although the chance of such an outcome to the American process is infinitesimal.

However remote it may be, it is there, implicit in the U.S. Constitution. Four weeks from Election Day is too late to change that document.

A nation at war in a nuclear age, intimately involved in the Middle East and Central Europe, its cities seething with racial hatred, faces the awful possibility of confusion and even vacancy in its executive power.

Thomas Jefferson once called the Electoral College "the most dangerous blot on our Constitution—and one that some unlucky chance will some day hit." His prophecy could be fulfilled within the next few months. Here's how it could happen:

Four weeks from today, on Tuesday, Nov.

5, George C. Wallace of Alabama could capture the electoral votes of 13 Southern and Border states—a total of 149 of the 538 electoral votes.

(The college consists of one elector for each member of the House of Representatives (435); one for each senator (100); and three representing the District of Columbia.)

Such a Wallace sweep of the South would leave only 389 electors from which either Hubert H. Humphrey or Richard M. Nixon would have to accumulate the 270 required to elect a President. If the Democratic and Republican candidates split the Northeast, the Midwest and the West Coast—a probability at this point—then no candidate would have the required 270 votes.

It is also within the realm of possibility that when the popular vote is counted, one or the other of the "major party" candidates may run third—particularly if there should be a major urban outbreak on the Detroit scale between now and Nov. 5.

It is important here to remember that the electors are not forced by anything more substantial than conscience and custom to vote for their parties' candidates. In 1956, a Democratic elector voted for one Walter B. Jones; and in 1960, Sen. Harry F. Byrd of Virginia received 15 votes—14 Democratic and one Republican.

This legal and Constitutional independence of the electors provides the opportunity for all sorts of shenanigans between Nov. 5 and Dec. 16.

On the later date, in each of the 50 states, the electors assemble by delegations in their respective capitals to ballot for President. But in the almost six weeks intervening, should there be no clear majority, the pressure to deal among Wallacites, Republicans and Democrats would be enormous.

Assume, for the sake of the illustration, that the electors vote Dec. 16 in accordance with the instructions of the voters in the several states.

On the following Jan. 6, at 1 p.m., a joint session of the Senate and House will convene in the House chamber in Washington. And the votes will be counted by the president of the Senate.

The president of the Senate will, of course, be the Democratic candidate for President, Vice President Humphrey, who will proceed to count his own votes and those of the other candidates.

If there is no majority, the Constitution provides that the House convene "forthwith" (which means immediately) and choose from the three candidates with the most electoral votes, a President-elect.

Simultaneously, the Senate is to meet and choose, from the first two finishers, a Vice President-elect, probably either Muskie or Agnew.

There is an important distinction here. The House under these circumstances votes by states, with control of each state delegation determining where the states' votes go. The senators vote as individuals.

In the House, the votes of 26 states are necessary to elect a President. In the Senate, the votes of 51 senators elect a Vice President.

The Democrats now have majority control in 29 states and the Republicans in 18, with three split evenly. The Senate lineup, with the replacement of the late Robert F. Kennedy, Democrat, by Republican Charles E. Goodell in New York, is 63 Democrats and 37 Republicans.

However, the entire House of Representatives and 34 senators are up for election in 1968. The balances of power could shift substantially. More states' House delegations could be deadlocked between Republicans and Democrats. The Senate, although this is a very long chance, could split 50–50 between the majority parties.

It is helpful to remember that on Jan. 6, 1969, Lyndon B. Johnson will still be President, but that the Congress will be the one sent to Washington by the Nov. 5, 1968, election. Mr. Johnson does not leave office until noon on Jan. 20. Congress takes office Jan. 3.

Suppose enough delegations in the House split evenly as a result of the November election to deprive either the Democrats or the Republicans of majorities in 26 states. (Twenty-seven states have an even number of congressmen.) Under these circumstances once again the pressure for a bargain, not improbably between southern Democratic conservatives and Republicans, would exist.

However, if the House should fail to agree on a President under the 26-state rule, the Constitution provides that the Vice President-elect assume the office of acting President, with full powers, at the end of Mr. Johnson's term.

But if the Senate should be deadlocked 50–50 on the choice of Vice President at noon on Jan. 20, then Mr. Johnson would vacate his office without a qualified successor.

The Constitution also provides for this highly unlikely contingency. Here is the language:

". . . and the Congress may by law provide for the case wherein neither a President-elect nor a Vice President-elect shall have qualified, declaring who shall then act as President, or the manner in which one is to act shall be selected, and such persons shall act accordingly until a President or Vice President shall have qualified."

In this situation, the Congress' one, sure practicable move would be to make President Johnson acting President pending the qualification of a successor.

However, if the Republicans wind up in control of the House of Representatives, they might well prove unwilling to take so simple a step. And the language of the Constitution clearly empowers Congress to name someone else, appoint a committee to hold the executive power or provide some new political machinery to break a deadlock. The Congress might succeed. And it might not.

In the meantime, the possibility of a power vacuum in the White House after next Jan. 20 alarms thoughtful observers of the American political process at home and abroad.

[From the Boston Globe, Oct. 9, 1968]

How Your 1968 Electors Were Picked

Massachusetts' slates of Republican and Democratic electors were chosen by the state committees of the respective parties. The Independent (Wallace) slate was chosen by petition from the people.

In the Republicans' case, the 14 electors were dealt out by agreement in an orderly fashion to the party leadership.

The Democrats picked their slate in an overt and sometimes uproarious rebellion against their leadership.

The case of the Wallace slate is more obscure.

Last July 30, Atty. Charles H. McGlue of Boston filed with the State Elections Division acceptances of 14 qualified voters as candidates for nomination as Independent electors.

McGlue, who since has become chairman of the Wallace organization in Massachusetts, then proceeded to obtain the signatures of some 120,000 voters on petitions to nominate the 14. About half were thrown out, but enough (4810 more than the 61,236 required) were filed, enough to assure the Wallace slate a place on the printed ballot.

Atty. John C. DiCarlo, an assistant district attorney from Birmingham, Ala., told a reporter early in August that the individuals on the Wallace slate were contacted by the Alabama organization after they had written national Wallace headquarters to express interest in the candidate. DiCarlo headed up the national Wallace effort in this region.

First on the Independent list is Col. Laurence E. Bunker of Wellesley Hills, a member of the National Council of the John Birch Society and chairman of the New England Rally for God and Country.

The other Independent (Wallace) electors include, according to Col. Bunker, George B. Fowler of Blandford, retired head of the Valley Paper Co. of Holyoke; Mrs. Ruth Wood of Tewksbury, wife of a Birch Society staff member; and Mrs. Laura Jean Davidson, operator of a rooming house in South Boston.

The others are John D. Robertson of Dighton, Joyce T. Erickson of Palmer, Helen Irene Milinazzo of Waltham, Thomas P. DePalo of Mendon, Harold R. Collins of Gloucester, Anna F. Cummings of Arlington, George Hagigeorges of Somerville, Alton F. Caswell of Middleborough, Jean Murphy of Dedham and Ronald James Hogg of Bridgewater.

Some are widely known ultra-conservatives, some are Birch Society members; some are relatively obscure. All signed valid acceptances which are on file at the State House.

The Republican State Committee nominated its electors under a different section of state law. The actual nominations were made Aug. 27 at Motel 128 in Dedham by unanimous vote of the membership.

Long before the meeting—indeed, before the selection of Richard M. Nixon and Spiro T. Agnew by the G.O.P. National Convention in Miami Beach—it was agreed to give each state constitutional * * * the other choice to the State Committee.

Sen. Edward W. Brooke chose retiring State Sen. Leslie B. Cutler of Needham and H. Ladd Plumley, Worcester financier and former state finance chairman.

Gov. John A. Volpe chose his chief counsel, Atty. Joseph L. Tauro, and Julian D. Steele, commissioner of the new Department of Community Affairs.

Lt. Gov. Francis W. Sargent named one of his campaign coordinators, Marcel J. Brien, a Lawrence oil dealer, and Roger Williams, president of S. S. Pierce Co.

Atty. Gen. Elliot L. Richardson's choices were Rudolph Sacco, a state committee member, and Mrs. Richard Southgate of Manchester, both campaign workers and fund raisers.

The committee's own choice was Barnett Samuels, a longtime Republican loyalist, tireless worker and organizer whose services to the party go back to the Bradford Administration.

The Congressional choices were as follows: Margaret M. Heckler, Joseph E. Fernandes, supermarket owner contributor and G.O.P. candidate for treasurer in 1966; Hastings Keith, Thomas L. P. O'Donnell, attorney with Ropes & Gray and a Richardson campaign strategist; Silvio O. Conte, Robert C. Sprague Jr., senior vice president of the Sprague Electric Co. of North Adams; William H. Bates, Mrs. Stasia D. Roman, a former state committee member and active Republican worker in Essex County; and Bradford Morse, Rudolph Ouellette, a state committee member and Morse's Lowell coordinator.

The Democratic Party exhibited its traditional friskiness when, last Sept. 7 at a boisterous, five-hour meeting, its state committee, or a portion of it, rose up against dictation or even suggestion from Chairman Lester S. Hyman to nominate as electors one personal friend of House Speaker John W. McCormack and 13 of its own members. The meeting was largely closed to the press.

With some 42 of the 80 members present at the outset of the meeting, Hyman announced that he personally did not wish nomination as an elector, that Sen. Edward M. Kennedy waived any personal choices and that the Speaker had expressed the wish that Joseph J. Mulhern, a longtime political associate and personal friend, be given one of the 14 spots. This was agreed to unanimously.

Hyman then proposed that former Senate President John E. Powers of South Boston and Mrs. Mary Fantasia of Somervile, national committeeman and committeewoman, be nominated without opposition. An amendment from the floor added the names of the officers of the state committee—excluding Hyman—to those of Powers and Mrs. Fantasia.

The amendment was howled down. And the committee, by a narrow but convincing margin, also rejected Powers and Mary Fantasia, neither of whom was present at the meeting but both of whose names have been synonymous with the party in this state for some years.

The committee next adopted a course suggested by Member George J. Moran of Somerville that the nominations be made from among those members present. The motion carried, with the result that 39 of the 42 had their names placed in nomination.

From that list of 39, by secret ballot, the members then chose 13—none of whom received as much as a third of the eligible state committee vote and only one of whom received as many as half the votes present.

A good proportion of the 13 are regarded as allies either of Boston Mayor Kevin H. White or of former Lt. Gov. Francis X. Bellotti, the Democrats' standard-bearer for governor and attorney general in the last two elections.

In alphabetical order, they are Mrs. Anna P. Buckley of Brockton, an aide to Auditor Thaddeus Buczko and secretary of the state committee; Mrs. Ida Cabral of Fall River, an Endicott Peabody worker in the 1966 Senate campaign and a trustee of Southeastern Massachusetts Technological Institute; and Mrs. Alice B. Connolly of Roslindale, an officer of the Retail Clerks Union.

Also Henry Correia, a New Bedford city assessor; John T. Dias of Framingham, an employee of the Massachusetts Turnpike Authority and ally of its Chairman, John T. Driscoll.

Also Mrs. Claire Buckley Dwyer of Woburn, a clerk in the East Cambridge District Court; Mrs. Mary J. Lally of Dorchester, a state employee; Mrs. Louise M. Marshall of Quincy; John F. Murphy of Brockton, an aide to Mayor White; Mrs. Geraldine B. Pleshaw of the Back Bay, wife of a state employee; Mrs. Doris M. Raciot of Southbridge, who is in the real estate business; Joseph F. Toomey Jr., of South Boston, successor to John E. Powers' seat on the committee; and Carlton Viveiros of Fall River.

Traditionally, the title "the Honorable" is conferred for life upon those chosen as Presidential electors. There is no compensation other than the distinction of participating in the process. Traditionally the vote is automatic. This year there may be great pressure on electors to switch their votes away from their party Dec. 16 if no candidate appears to have a clear electoral majority as a result of the vote of the people Nov. 5.

None of these names will appear on the ballot. Nor will the names of the electors for the Prohibition and Socialist Labor candidates, whose names are omitted here for the sake of brevity.

But remember, the electors, not the people, will cast Massachusetts' vote for President.

[From the Boston Globe, Oct. 10, 1968]

THE HAYES-TILDEN PRESIDENTIAL STEAL

(By David B. Wilson)

Rutherford B. Hayes turned out to be a pretty good, if not great, President—but history has judged his election as a steal effectuated by a corrupt bargain.

Hayes was one of the 14 United States Presidents to be elected with less than a majority of the popular vote. Democratic (small "d") purists must at least be given pause by the fact that the others include Thomas Jefferson, Abraham Lincoln, Woodrow Wilson and John F. Kennedy.

But the election of 1876, in which Samuel J. Tilden, Democrat, clearly defeated Hayes, is particularly instructive this year in its illustration of the stresses the American political process can survive.

The concern and anguish felt by many people today about the Vietnam war, the generation gap and the racial crisis must be regarded as trivial when compared with the national agony of 1876–1877.

Something very much like civil war raged in Lousiana and South Carolina while in Washington an Electoral Commission awarded their fraud-tained electoral votes to the Republican candidate. President Ulysses S. Grant was assured of the loyalty of the Army. The Republican governor of Louisiana was shot in the knee by a would-be assassin who also threatened Hayes. The police stations of New Orleans were occupied by "rifle clubs" supporting the Democratic governor (South Carolina had two governors, too, for a time).

Now there is no question but that Tilden, who was governor of New York, won the election. The popular vote was 4,284,757 for Tilden to 4,033,950 for Hayes.

Indeed, on March 3, the day Hayes took the oath of office, the House of Representatives—controlled by the Democrats—passed a brave but ineffectual resolution declaring Tilden to have been elected.

All through January, February and March of 1877, the Presidential crisis was the lead story in The Globe. Only a little more than a decade after the Civil War, which remains to this day the bloodiest conflict in American history and was at the time the bloodiest in human history, the United States was threatened with recurrence.

When the popular vote was counted in November of the previous year, Tilden had 184 uncontested electoral college votes while Hayes had 163, with 185 needed for the majority required to elect.

For Hayes to win, then, he needed every one of the 22 votes of Florida, Louisiana, Oregon and South Carolina. Had Tilden been given just one of the 22, he would have been elected.

All four contested states had sent in two sets of electoral ballots. The Democrats controlled the House, but the Republicans controlled the Senate, and the branches could not agree on how to count the vote and on which vote to count.

"The dispute," says Prof. Edward S. Corwin in his definitive "the President," "was eventually put in the way of settlement by what is undoubtedly the most extraordinary measure on American Legislative history."

The electoral commission was comprised of five senators (3–2 Republicans), five House members (3–2 Democratic) and five Supreme Court justices. These last were supposed to have been two Republican, two Democratic and one non-partisan, but, as it turned out, the fifth justice, Joseph P. Bradley of New Jersey, turned out to be a Republican and the key vote in the 8–7 majorities which, with monotonous regularity, returned decisions favoring Hayes.

Bradley's position was that neither the Congress nor the commission as an instrument of the Congress was empowered to go into the question of fraud and misconduct. He said the commission was required to rely upon proper certification of electors by state officials.

His ultimate and clearly politically-inspired inconsistency came in the case of a disputed Oregon elector in which he ignored the certification of one Cronin in order to declare one Watts, the Republican, properly elected.

This was the 185th vote, and the Congress then began the count in February. Presidential terms in those days before the 20th Amendment ended on March 4.

For a time, a filibuster by the Democrats threatened to halt the count, and President Grant expressed concern lest his term end in a vacancy in office.

The price Hayes and his party paid for an end to the filibuster and Democratic acquiesence to his election was the withdrawal of Federal troops from the still-occupied South, the creation of the Democratic "Solid South" that lasted, with rare exceptions, until this current election of 1968 and an end to Federal enforcement within the states of the statutes enacted by the post-Civil War Republican Congress to protect the civil rights and liberties of former slaves.

At the same time, conditions in the nation in 1877 threatened a renewed dissolution of the states that had been united only by the bloodshed of Shiloh, Gettysburg and Antietam. Most historians agree that it would have been difficult for Tilden to end the occupation of the South, an act inevitable in the long run although the nation still reaps the harvest of its consequences for its black citizens.

Tilden took it well. An Associated Press reporter found him working out in a gymnasium "too busy keeping fit to read the newspapers." But the crisis was a sorry chapter in American history, which may explain why so little attention is devoted to it today.

ONE-SIXTH OF HOUSE COULD NAME NEXT PRESIDENT

(By David B. Wilson)

Under the U.S. Constitution, voters do not directly elect Presidents. Electors, chosen by voters in 50 States and the District of Columbia, elect Presidents.

Furthermore, the electors are entirely free to disregard the voters' instructions and choose, say, you, dear reader, if you are over 35, a native-born citizen and free of a felony record such as to deprive you of your civil rights.

It does not happen that way. But under the law and the Constitution, it could. James Russell Lowell of Massachusetts, urged to desert his party and vote for Samuel J. Tilden in the disputed election of 1876, delivered this classic exposition of the duties and obligations of an elector:

"I was nominated and elected by my fellow citizens of the Republican Party to give effect to their political wishes as expressed at the polls, and not to express my own personal views.

"I am a delegate carrying a definite message, a trustee to carry out definite instructions; I am not a free agent to act upon my own volition; in accepting a place on the Republican ticket I accepted all its limitations and moral obligations.

"My individual sympathies and preferences are beside the matter; to refuse to comply with the mandate I received when I accepted my party's nomination would be treacherous, dishonorable and immoral."

Lowell's eloquence and standards of loyalty and duty notwithstanding, he could have argued on the other side that his party was aware of the legalities and Constitutionalities when he was placed on the slate and that his conscience required him to vote against Rutherford B. Hayes because, as history has since affirmed, Tilden really won the election.

It is possible, but hardly likely, that the Lowell standards of morality are generally held among all of the electors who will be chosen in the 50 states this Nov. 5. The pressure to deal will be ferocious.

Should no candidate receive the necessary majority of electors to elect on the basis of November returns, a number of fascinating and, to thoughtful observers, deeply disturbing situations could develop. Already, it has been proposed, and rejected, that the Republicans and the Democrats agree to support whichever candidate proves the stronger between them in order to deprive George C. Wallace of bargaining leverage in the Electoral College.

But suppose, for example, the Congressional returns show the Republicans to have control of more than 26 state delegations to the House of Representatives. Suppose that at the same time both Richard Nixon and Hubert Humphrey are close to, but short of a majority in the electoral college.

The stakes could not be more dazzling.

Under such circumstances, no price, monetary or otherwise, and no threat, physical or otherwise, would be too great for the major party candidates to pay for electors who ran on the Wallace label.

Suppose the Nov. 5 finish is Nixon-Wallace-Humphrey, in that order, with the Democrats retaining control of the necessary 26 House delegations to elect and no majority in the Electoral College. Could the Wallace electors be persuaded to cast their votes for Nixon in order to deny Humphrey a Presidency he surely would gain if the choice should, under these circumstances, be left to the House?

These speculative possibilities are not far-fetched by any means. The prospect of a race riot on the Detroit scale between now and Nov. 5 haunts Republican and Democratic strategists with its potential for ballooning the already flourishing Wallace votes.

In addition, the situation in the House provides little comfort. Three states presently have delegations split evenly between Republicans and Democrats, thereby neutralizing their vote in the event of a House contest. The Democrats dominate 29 and the Republicans 18.

Illinois, Oregon and Montana are the evenly split states in which the balance could shift by a single seat. Kentucky, Pennsylvania, Tennessee and Nevada are Democratic by one vote each. Arizona, Indiana, Wyoming, Vermont, Delaware and Alaska are Republican by one vote each.

If this is going to be a Republican year—and the Republicans and plenty of Democrats believe that it is—the GOP needs one-seat switches in only eight states, with no losses, to achieve control of the 26 delegations needed to elect in the House.

A complicating factor is that in 30 states the delegations contain even numbers of House members, with the resulting possibility of 27 evenly split and thereby neutralized delegations for purposes of picking a President.

The Constitutional crisis that could give the choice of an acting President to a majority of the Senate would result if enough delegations should be neutralized to deprive any candidate of the opportunity to win the votes of 26 states.

The Constitutional proviso that the House votes by states rather than by members raises the possibility that a small minority of the population could choose a President against the wishes of a vast majority.

Theoretically, using projected population figures from the current Congressional Directory, 26 states with a total population of about 33,295,000, all of them with fewer inhabitants than Connecticut could elect a President in the House.

It would make no Constitutional difference if the other 24 states, with a total population of 163,781,000, preferred another candidate. In the House, Vermont equals California and Alaska equals New York.

The 26 smaller states have a total of 76 House members of the 435 to be elected. Considering the number of votes for the losing presidential candidates in such states, one recognizes how tiny a fraction of the national electorate by great indirection could be responsible for the choice of a President.

The Senate picture is somewhat less hectic. Sixty-three Democrats and 37 Republicans now hold Senate seats, with only 34 senators up for re-election. Remember, it is the Senate that will choose the Vice President-elect if the House should deadlock, and the Vice President-elect would be acting President if the House deadlock remained unbroken after the end of President Johnson's term at noon on Jan. 20.

Only the most optimistic Republicans expect to take control of the Senate next year. For this reason, the most likely acting President should these crisis circumstances occur, would be Edmund S. Muskie of Maine.

[From the Boston Globe, Oct. 12, 1968]

THERE MUST BE A BETTER WAY

(By David B. Wilson)

Alexander Hamilton, in The Federalist, No. LXVIII, called the mode of appointment of the President the only part of the proposed U.S. Constitution "of any consequence which has escaped without severe censure or which has received the slightest mark of approbation from its opponents."

"I venture somewhat further, and hesitate not to affirm," he went on, "that if the manner of it be not perfect, it is at least excellent."

Even allowing for the excesses of political polemics, Hamilton's words of 1788 provide, in the light of history, a perfect example of how an intelligent and capable man can make a fool of himself.

Twelve years later, Hamilton found himself sacrificing his own strength in the Electoral College to his old adversary, Thomas Jefferson, in order to prevent the election of Aaron Burr, whom he correctly regarded as a rogue and a demagogue and who later killed him in a duel.

No question before the Constitutional Convention pestered the delegates more during that long, hot Summer of 1787. Since then, five of the 24 amendments to the basic instrument of government have dealt with what Hamilton called "the mode of appointment of the Chief Magistrate of the United States." And more than 100 attempts have been made in Congress to overhaul or to abolish the Electoral College.

Three times in United States history—Jackson-Adams in 1824, Tilden-Hayes in 1876 and Cleveland-Harrison in 1888—the runner-up in the popular vote has won election in the Electoral College. Fourteen times the system has operated to elect a President who received less than half the popular vote.

Since early in the 19th Century, as a result of the party politics which the Founding Fathers feared and attempted to guard against, slates of electors have been returned by the states, with the states receiving the most votes, but not necessarily majorities, prevailing.

The system actually has much to recommend it in terms of stability and insurance of continuity in office during times of party formation and disintegration, when the two-party system disintegrates in a time of change. Some analysts believe that the United States is now going through such a time, viz., the Wallace and McCarthy movements.

After all, in the absence of a clear majority (remember that John F. Kennedy in 1960 received a few hundreds of a percentage point less than half the vote) it is necessary to fill the office of the Presidency by legitimate Constitutional means. The system has operated to do so, quite effectively.

Until recently, very few Americans were aware that the popular vote for President is essentially customary rather than prescribed by Federal statute or by the Constitution.

The Constitution says merely that each state "shall appoint, in such manner as the Legislature thereof may direct," a number of electors equal to the number of senators and House members to which that state is entitled.

In theory, although the outcry can only be imagined, the Massachusetts Legislature could provide by statute that the electors from this state be appointed by the incumbent governor from a list of 50 submitted by the Massachusetts Bar Association or the Harvard Corporation or one with the approval of the other.

In the most widely quoted United States Supreme Court case on the subject, McPherson vs. Blacker (1892), the Court reported that electors have been chosen:

"By the Legislature itself on joint ballot; by the Legislature through a concurrent vote of the two houses; by vote of the people for a general ticket; by vote of the people in districts; by choice partly by the people voting in districts and partly by the Legislature; by choice by the Legislature; by choice by the Legislature from candidates voted for by the people in districts; and in other ways, as, notably, by North Carolina in 1792, and Tennessee in 1796 and 1800."

It is unlikely that any of the above methods will ever be reinstituted by any Legislature. But when you recall that James Wilson of Pennsylvania proposed to the Philadelphia Convention both 1, direct popular election of a President; and 2, selection of electors by lot from among members of the Congress, you get some idea of the difficulties presented.

Hamilton liked the idea of electors as suiting his aristocratic leanings, and one doubts he would give the time of day to some of those who will be chosen Nov. 5, 1968. Virginia and New Jersey wanted Congress to elect the President, but the example of George III's domination of Parliament militated against this idea. Roger Sherman of Connecticut was so concerned about the abuse of monarchical-executive power that he preferred the idea of a committee to that of a chief magistrate. Gouverneur Morris saw the Presidency as the people's safeguard against the legislative power.

The upshot of the matter was that the convention borrowed a little from each point of view to research a compromise. Most delegates expected that most Presidential elections after George Washington would be decided in the House.

To talk of reform of the system in October of a Presidential election year is to indulge in idle chatter. The next President will be elected under the Constitution as it stands today.

Clearly, in an age of instantaneous mass communications, the theory of Hamilton that the elite electors, meeting separately in the several states, would be insulated from demagogic chicanery, is as obsolete as the firelock was in Hamilton's time.

Possibly, the Electoral College should be abolished and direct popular election substituted. On the other hand, retaining the institution imparts a certain continuity to public affairs and remains attractive to traditionalists. Despite the anguish of the partisans of "maximum participation," the political game is played to win, and only one man can be President.

Clearly, if the threat of impropriety or worse that now hangs over the Electoral College is to be avoided, the Constitution should be amended to require the electors to vote for the candidate with whom their names are associated on the ballots in the various states.

Chances are they will, anyway, but it doesn't do to take anything in politics for granted in 1968.

ARTS-HUMANITIES ACT ENRICHES MINNEAPOLIS

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FRASER. Mr. Speaker, Federal support for the arts in recent years has brought considerable cultural enrichment to my home district of Minneapolis.

All areas of culture in our State have benefited from the National Foundation on the Arts and Humanities Act of 1965 which I am proud to have cosponsored.

Several grants have been made to Minneapolis groups from the Arts and Humanities Foundations during the last 3 years. These are $25,000 for an inner-city arts program that was part of the 1968 Minneapolis summer youth program; $67,500 to the Tyrone Guthrie Theater; $20,000 to the Center Opera Company; $12,000—in matching funds—for a poetry-reading program in the public schools; and $20,000 for an AFL-CIO arts program—Minneapolis was one of four cities to receive money.

This legislation is a mark of enlightenment for the Federal Government. It is a recognition of the need to nourish a previously neglected but essential part of everyone's life.

AMERICAN MOVERS CONFERENCE

HON. WARREN G. MAGNUSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. MAGNUSON. Mr. President, Paul J. Tierney, Chairman of the Interstate Commerce Commission, spoke at the annual meeting of the American Movers Conference. Chairman Tierney urged the movers to improve their service to the public, and advised them that the Commission intended to vigorously utilize its regulatory powers to protect the moving public. The Commerce Committee will be watching closely what is done by the moving industry and by the Commission to protect consumers moving their household goods. I ask unanimous consent to share chairman Tierney's remarks with my colleagues by inserting them in the CONGRESSIONAL RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF PAUL J. TIERNEY, CHAIRMAN, INTERSTATE COMMERCE COMMISSION, BEFORE THE 1968 ANNUAL MEMBERSHIP CONVENTION OF THE AMERICAN MOVERS CONFERENCE, STATLER-HILTON HOTEL, WASHINGTON, D.C.

I am honored and grateful for the opportunity to again appear before members of the American Movers Conference. This is the Conference's 25th annual assembly—your silver anniversary. I would think it an appropriate occasion indeed not only for reflection on the amazing growth and progress made by your industry during the past quarter century, but, more importantly, for an objective dispassionate assessment of those shortcomings which seem to persist over the years.

During this, the year of your silver anniversary, the spotlight is on the moving industry not because of its growth and progress, not because some 13 million moves have been handled efficiently without complaints from your customers—but rather because a relatively small percentage, but still far too many moves involving failures and omissions have reflected against the industry.

All of us here today are aware of the problems which are inherent in your operations. You deal with your patrons usually at a time when they are under extreme emotional strain. You are plagued with the problem of seasonal peaks which have become more aggravated.

Wide dispersion of your drivers makes supervision and control difficult. The freight you carry has a broad range of value. It is peculiarly susceptible to damage. Difficulties stem from the use of local agents in an atmosphere of intense competition. Unfortunately Mr. John Q. Public is little concerned with those problems. His primary interest is good service.

It is the position of your industry vis-a-vis its customers which is most unique. Many people who move are unsophisticated, inexperienced, often under emotional stress, and therefore peculiarly vulnerable. Under these circumstances, yours is indeed a special responsibility—one that is recognized by the great majority of the members of this Conference. And it is that unique relationship plus the steady growth of interest in consumer protection and the tremendous increase in our country's mobility, that has served to place your industry in the glare of the spotlight.

One-fifth of our country's population relocates every year, and one-third of these, or over 13 million in 1967, involved interstate moves. This growing mobility is stimulated by the shifting of corporate personnel which now occurs so frequently that moving employees has become a prime corporate expense. The results of this Country's industrial development and concomitant affluence have been both good and bad for your industry.

On the good side—in the last ten years, the number of Class I motor carriers of household goods subject to Commission regulation has increased by 17 carriers or over 70 percent. The extent of increased operations conducted by these household goods carriers in this ten-year period is reflected by an 85 percent increase in intercity vehicle-miles and a 110 percent increase in tons of revenue freight carried in intercity service.

This growth is more dramatically represented by the ten-year increase in total operating revenues, from $208,138,000 in 1957 to $525,215,000 in 1967, or about 152 percent. In the last five years, revenues increased about 51 percent. However, operating expenses amounted to about 149 percent over the ten-year period and 50 percent over the five-year period. This is reflected in the now lower operating ratio for Class I household goods carriers as a group, as compared to prior years. The operating ratio slowly improved for these large carriers during the last several years and held at its best level of 96.8 for both 1966 and 1967.

The health of your industry is revealed to better advantage by the net income before and after income taxes. In the last ten years both net income figures have increased almost 350 percent. The increase in net income has been generally continuous. In other words, the dollars available to stockholders or owners after deducting operating expenses, operating taxes and licenses, depreciation and amortization, and other miscellaneous items but not income taxes, amounted to over $15 million each year in 1966 and 1967. Even after paying income taxes in these two years of about $7 million, over $8 million was available.

Turning now to the problem area—the shortcomings.

Since carriers of household goods have been under the regulatory jurisdiction of the ICC, informal complaints received have exceeded three times the number received as to other carriers. Over the years this has required the Commission to exert a great deal of investigative effort, to initiate rule-making proceedings, and to issue special regulations governing certain practices of the industry. Through Ex Parte MC-19, which is familiar to all of you, the Commission initially prescribed rules in 1939, and from time to time thereafter it has been necessary to reopen that proceeding and to strengthen those rules and regulations which did not seem to be accomplishing their purpose. Our most recent rules which became effective January 1, 1967, were the strongest and most pervasive promulgated in that area. As you know, we permitted the carriers a period of six months, that is until July 1, 1967, to adjust their operations to the new rules. Regretfully, I am unable to report to you that these most recent regulations have resulted in any measurable progress.

Between July 1, 1967, and September 15, 1968, we have received over 5,000 complaints, the great bulk of them in the same three categories as in the past—claims for loss and damage, underestimations, and failure to meet specified pickup and delivery dates.

By far the greatest number of complaints are in the loss and damage area which we label nonjurisdictional since the Commission has no power to decide loss and damage claims. However, as you know, we did prescribe some quite modest regulations which simply require that the carriers at least acknowledge receipt of loss and damage claims within 30 days and take some disposition action within 120 days. Those claims which remain unsettled after 120 days must be reported every 30 days to the Commission.

I find it difficult to understand why your customers, and I am talking particularly about the individual customers—the neighbor down the street, should have to write letters to Congress, the ICC, or the president of your companies in order to get fair and courteous attention.

In processing the thousands of letters we receive annually on the subject of loss and damage, the Commission through its Bureau of Operations tries to be of some assistance to the public, despite the fact that we cannot settle such disputes at present. We are aware that carriers are sometimes subject to false and baseless claims; however, the increasing volume of complaints which we are receiving indicates that either your service is deteriorating or the Commission's efforts are becoming better known. The only alternative which is now available to this informal procedure is suit by the complaining party in the courts. The fact that most of these complaints are for less than $250, however, makes resort to the courts impractical in most cases.

It is because of this situation you have been reading in the press that the Senate Commerce Committee is considering recommending a system of settling loss and damage claims similar to that of the small claims court.

Loss and damage is a most acute area comprising upwards of 75 percent of the complaints. Clearly a greater concentration of effort here would go a long way in reducing the intensity of the glare of that spotlight.

I am sure you are aware of the breadth of the Commission's responsibilities respecting all the surface carriers under its regulatory jurisdiction and the fact that we have an extremely limited staff to implement those responsibilities. Perhaps the most effective way in which I can convey the Commission's seriousness of purpose in the enforcement and compliance of household goods regulations is the fact that at times almost 80 percent of our manpower in the field is being expended in this area. In short, we engaged in a greatly stepped-up program with the objective of prodding you to exert greater effort to reduce the number of unfortunate instances of bad business practices which are now receiving such notoriety.

For example, during the period July 1, 1967, to June 15, 1968, our field staff completed 533 compliance surveys which consisted of an examination of a carrier's entire operation. These surveys disclosed violations of nearly all the new rules in varying degrees but the usual pattern developed, that is, violations predominantly in three areas—underestimation of charges, pickup and delivery, and loss and damage.

As a result of information developed through the surveys, the Bureau of Enforcement has taken the following action:

Eleven criminal proceedings have been or shortly will be filed in federal district courts charging a number of household goods carriers with the violation of various regulations. Civil forfeiture claims have also been made against some carriers for the violation of certain household goods regulations. A proceeding has been instituted looking to suspension and revocation of the certificate of a household goods carrier for numerous violations. In addition to these enforcement activities, we are currently conducting a detailed analysis of the results of our compliance surveys looking toward the possibility of further strengthening of our rules and regulations.

Quite obviously there are limitations as to what the Commission can do to bring about an improvement in operating practices. In the final analysis, an effective solution depends essentially on your efforts and I am referring particularly to the efforts of each individual company as distinguished from those of your Conference.

We are not unaware of the series of actions that have been taken by the industry in an effort to resolve these problems, such as:

A step-up in your informal efforts during recent years so that the public will be better prepared in the experience of moving.

Training materials and seminar meetings to train carrier personnel on better methods of handling customers and freight. One carrier has even held a forum for traffic managers to gain a better insight into the views of this particular group.

Some of you have suggested the concept of a year-round education system to strike a better balance of volume during the off-season months.

One household goods carrier proposed reduced rates during the off-season months from October 1 to May 31. While finding that this proposal would result in unjust discrimination, Division 2 specifically stated that their action was without prejudice to the publication of an amended rule which would make available to all shippers reduced distance commodity rates during the carriers' chronic slack season.

These measures aimed at alleviating operating difficulties of your industry—such as the summer crush—are worthy of exploration and discussion. However, I would emphasize—as of today, in the eyes of the general public, appreciable progress is not being made. Quite obviously, more has to be done. For example, during the past several years, the Commission has sent to the American Movers Conference a copy of each complaint which we have received concerning a household goods carrier. We have seen your quarterly and yearly tabulations showing a breakdown of these different complaints but I am unaware of any other action that you yourselves have taken to investigate and resolve any of these allegations.

The future for your industry looks bright. By 1980, increases in population and industrial expansion should push revenues over the $3 billion mark. Those who fail to recognize the growing importance of customer service are tampering with that future. Those who emphasize that aspect of their operations will give meaning to your conference theme "Pride Demands Quality."

THE NEED FOR NEW LEADERSHIP IN THE DEMOCRATIC PARTY

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. RYAN. Mr. Speaker, on January 19, 1968, I held a press conference at which I proposed a three-part strategy for the achievement of new leadership in the Democratic Party. At that time I urged Senator Robert F. Kennedy to become a candidate for the Democratic nomination for President of the United States. As far as I know, I was the first elected public official publicly to urge him to challenge the President. At the same time I supported the courageous effort of Senator EUGENE MCCARTHY to seek a national referendum on the administration's policy in Vietnam. The response of the people of this country to the primary campaigns of Senator MCCARTHY and Senator Kennedy vindicated the position which I took last January and has encouraged millions of American citizens to continue our fight to forge a new coalition of forces to end the war in Vietnam and to achieve racial reconciliation and social reconstruction. That is the challenge facing the Democratic Party. Let us hope it will be responsive to the mandate for change expressed through the primary victories of Senator MCCARTHY and Senator Kennedy.

I include at this point in the RECORD the full text of my press conference statement of January 19, 1968.

STATEMENT OF CONGRESSMAN WILLIAM F. RYAN, JANUARY 19, 1968

As the new session of Congress and the President's State of the Union Message invite reflection on our country's course, it is appropriate to discuss national politics, the Democratic party, and America's future.

During the past three years, I have not hidden my conviction that the Administration's policy in Vietnam has been a disastrous error. I do not wish here to rehearse all the arguments which have brought me to that belief and to the view that our neglect of domestic problems—the inevitable by-product of Vietnam—is threatening a national crisis matched only by the Civil War and the Depression. The consequences of all this upon our diplomacy, our domestic tranquility, upon our disadvantaged and oppressed, upon our youth, indeed upon the entire national spirit—all these, by now, are commonly noted and discussed.

In Congress I have consistently expressed opposition to the Administration's policy in Vietnam through my votes. I have proposed policies which I believed could help end the war and meet our domestic needs. I have urged the House Foreign Affairs Committee to hold open hearings on the war. Failing that, I convened hearings of my own for my constituents and other New Yorkers. I participated in a two-day conference on Vietnam with colleagues and noted experts, the report of which was issued in February 1966 containing proposals still relevant to our current situation. I have called for a halt to the bombings in numerous letters and joint statements, and have set forth what I felt were realistic conditions for political settlement.

I have also argued again and again that we should respond adequately to our very grave crisis in the cities of this nation. I have offered legislation and amendments, and spoken out on the urban situation. My duty as a Congressman has required nothing less.

In short, I have sought to do whatever I could as a legislator. Still, crisis and suffering, here and in Vietnam, grow more acute each day. And as they do, in this election year, I feel I must speak as a Democrat.

I wish to suggest, therefore, that the Democratic Party, pursuing its present course under its present leadership, can no longer offer itself to the American electorate as the party of peace and progress, and thus is in danger of forfeiting political power and opportunity in the elections of 1968.

I offer this view reluctantly. I am proud to be a Democrat, and it does not please me to find our party disunited. I believe that what the Democratic Party has stood for, and what it stood for in the election of 1964, is ultimately what America should strive to achieve. Nevertheless, those ideals have been violated by the war and its consequences. That violation I feel compelled to protest. Yet my principal concern is to do what I feel is necessary in order to end this devastating war. In 1968 such action ultimately must be political.

I had hoped that as the stalemate, the costs, and the consequences of Vietnam grew more clear, as indeed they have to many Americans, President Johnson would have found reason to seek a new policy and reorder our national priorities. Yet his State of the Union Message and the Administration's failure to pursue seriously the latest initiative from North Vietnam leave little doubt that President Johnson will continue his present course. That course will deepen our national crises and diminish the Democratic Party's chance eventually to resolve these crises and the deeper confusions of which they are product and expression.

We are facing a turning point in our history, and we are turning in a tragic direction. The 1968 Presidential election may well be a watershed.

For all these reasons, I feel compelled to urge that the Democratic Party seek a strategy to find new leadership in 1968.

The need to do so, for our country and our party, seems clear. The opportunity to do so, while less apparent immediately, is no less real.

Senator Eugene McCarthy's campaign to bring the issues before the public in a series of presidential primaries represents a crucial beginning for this strategy. Thus, I want to express my complete and enthusiastic support for Senator McCarthy's campaign. I have wired the Senator offering to assist him anytime, anywhere, and in any way he considers useful and appropriate.

Eugene McCarthy is a forthright and thoughtful United States Senator. I believe he can make a strong presentation of the issues to the American people. His task is a difficult one. For Senator McCarthy has assumed the responsibility of assuring that national sentiment against the war and its consequences receive its true and full representation. That is a grave responsibility indeed. For all these reasons, therefore, I believe Senator McCarthy deserves strong support.

Senator McCarthy's campaign, important in itself, is crucial as part of a larger strategy for new leadership in the Democratic Party. That strategy might also involve the favorite son candidacies of several other leading critics of the war. Senator Vance Hartke of Indiana, for one, has indicated that he is considering such a role. I believe there are other highly respected Senators, critical of the war, who might consider taking the same course.

Such favorite son candidates could help open an otherwise closed Democratic National Convention. They might be the basis for a serious attempt to write an enlightened party platform. They could provide powerful influence for new policies in Vietnam and at home. Most important, they could contribute substantially to the search for new leadership.

Many of these Senators face difficult elections in their own states. And their return to the Senate is a matter of high urgency. The greatest contribution to their re-election, however, would be new strong leadership at the head of the ticket.

These steps, which are part of a larger strategy to open the way for a new leadership in the Party, and in particular a vigorous and effective campaign by Senator McCarthy, can raise issues and new ideas before the nation and the Democratic Party with legitimacy and effect.

Our concern, however, is not merely to see new policies proposed and discussed. What is important is to see these policies implemented. And it now seems they can only be implemented by a new Democratic President. I, therefore, urge Senator Robert F. Kennedy to seek the Democratic nomination and election as President of the United States.

Senator McCarthy, in his campaign announcement of December 1, 1967, and at other times, has suggested that a candidacy by Robert Kennedy for the nomination would be acceptable to him. Senator Kennedy has taken leadership in serious and responsible critique of our nation's course in the past several years. He has offered proposals which could lead to a prompt and honorable end to the war. He has shown feeling and vision about the crisis of our cities and the oppressed of our nation. He has great experience.

Most important, Senator Kennedy has the respect and the national following, among all Americans as well as Democrats, which will enable him to win the nomination in August and lead the party to victory on all levels in November.

I do not underestimate the enormous problems of the course I recommend today. Yet there is reason for encouragement and belief that this strategy may appear increasingly viable during the coming months. I am encouraged that so many Americans have already spoken out against the war and its consequences. I am encouraged by signs that many who have not done so actively nevertheless are anxious to find alternative policies. I believe that as the failure of our Vietnam policy and the inadequacy of our domestic programs become more apparent, many more Americans will seek new leadership.

Nonetheless, in urging Senator Kennedy to become a candidate for President, I am aware, and others should be, of the enormous burden upon him as he weighs the effects of any course of action on the future of the nation. That is a trying duty. I cannot project the full consequences or results of his candidacy. However, it is clear that neither the Republican Party nor the present leadership of the Democratic Party is prepared to implement policies to end a brutal war abroad and the immoral neglect of oppression at home. If there is any realistic hope for that, it lies with Robert Kennedy.

I urge him to run, therefore, with respect for the difficult path ahead of him. I hope he will take that path. For these are dark times when personal risks must be taken if we are to find better days for ourselves and the world.

SAVINGS BONDS TRIBUTE TO PRESIDENT JOHNSON

HON. WALTER F. MONDALE

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. MONDALE. Mr. President, for many years the people of the State of Minnesota have supported the Treasury's savings bonds program which, for more than a year and a half, has been under the direction of a fellow Minnesotan, Glen R. Johnson. President Johnson has shown a keen interest in the program. In the vital area of payroll savings, his personal leadership has brought about increased participation in Government and in industry. And he has stimulated interest in savings bonds, and their companion freedom shares, on the part of Americans in all walks of life. Recently the Treasury's Savings Bonds Division and its corps of volunteers presented the President with a unique branding iron to add to his historic collection. The business end of this gold-plated iron bears a minuteman"—traditional savings bonds symbol. The presentation took place at a special White House ceremony and, at this point, I ask unanimous consent that the proceedings of that ceremony be printed in the RECORD—the introductory remarks by the Secretary of the Treasury, Henry H. Fowler; the presentation by Reno Odlin, chairman of the Executive Committee of the Volunteer State Chairmen for Savings Bonds; chairman of the board of the Pugent Sound National Bank, Tacoma, Wash., and a former president of the American Bankers Association; and the President's response.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SECRETARY FOWLER'S INTRODUCTORY REMARKS

Mr. President, it is my very great pleasure to present to you the Executive Committee of the Volunteer State Chairman for Savings Bonds who are specially gathered here to honor your participation—as President—in the successful ventures of our Savings Bonds Program.

Reno Odlin, Chairman of the Board of the Pugent Sound National Bank in Tacoma, Washington, and former president of the American Bankers Association, is Committee Chairman and spokesman of the group.

Mr. President, Mr. Reno Odlin.

CHAIRMAN ODLIN'S PRESENTATION REMARKS

Mr. President, we come here with an expression deep from the heart to you—from Secretary Fowler and the entire Treasury family; from National Director Glen Johnson and his Savings Bonds staff—and from me and my associates, the State Chairmen for Savings Bonds, representing the Corps of Bond Program volunteers everywhere.

No other President in the history of Savings Bonds has so effectively and so genuinely put his brand on our program.

Characteristic of your concern and conviction about what is good and right for the people of our country—you have made Savings Bonds and Freedom Shares come alive with prudent and patriotic meaning for millions of Americans—through your personal interest in the promotion and performance of the program.

The Savings Bonds Division and its elite corps of leadership volunteers throughout the 50 states wish to honor you and recognize your great service by way of this "going-away-gift".

This memento of our happy days together—as your associates in Savings Bonds—is a specially forged and finished gold branding-iron, with the traditional "Minute Man" as the brand.

We know of your historic collection of branding-irons at "The Ranch" and we can think of no more fitting way to be remembered by you—and for us to remember you always—that through the addition of this iron to your renowned collection.

The imprint of the brand is burned on the rack that holds the iron, as well as on a framed miniature calf's hide—and both carry a gold plaque bearing these words—"The Minute-Man Brand—forged with appreciation and presented with affection to Lyndon Baines Johnson—commemorating his devotion to Savings Bonds as President, by his friends and colleagues of the U.S. Savings Bonds Division and its Corps of Volunteers in banking, business, industry and labor."

And, I might add, Mr. President, that this brand is now a matter of record in the Courthouse in Tarrant County—through a Certificate of Registration of Marks and Brands. I have the certificate here for your future safe-keeping.

Mr. President—I am proud to be the one to make these presentations to you in behalf of all of us who have been privileged to be your partners in such a glorious and gratifying undertaking.

THE PRESIDENT'S RESPONSE

Chairman Odlin, Secretary Fowler, Director Johnson:

I am very grateful to all of you for your kind words and for this magnificent gift. We will have a conflict in registration, because we no longer use the branding iron in our country except as ornaments or in our museums. But we now write the numbers on the horns of our cattle instead of placing the brand on their hip.

I have collected some of the irons dating back to my grandfather's day, when he used to drive the cattle up the trail from Johnson City to Abilene. I don't think there was any particular significance to that in those days. But it is interesting that they went from Johnson City to Abilene and I now go out to Walter Reed to see the gentleman from Abilene a good deal.

There is a great deal of iron beneath the gold of your gift—and I find that symbolic of the purpose that we all share. All across this Nation of ours, there are people—good people, prudent people, patriotic people—who know what it means to work and to save and to get ahead.

Those people buy savings bonds and Freedom Shares. They hold on to them, because they know it is good for them and good for their country.

For 27 years now, we have seen the people's prosperity and the savings bonds program grow hand in hand. So as we meet here this morning, we see a remarkable total of more than $52 billion outstanding that is owned by millions of Americans in all walks of life.

Now, I do have a personal problem. I made a commitment to myself to buy a savings bond every month as long as I could, for my grandson. Now I have another grandchild coming up. And I am going to have to make another commitment. That is going to involve some problems, because I am going to be out of a job on January 20.

I will be out of a job, but I will have another commitment. So I may have to go see Secretary Fowler, who handled monetary problems so well for me, to get his help and judgment on how I can keep up my commitments.

But I am going to keep them up, because I believe that you business and labor leaders and professional men who have made your own commitments are delivering a great service for this country.

We ask some 4½ million people to serve us in the Defense Establishment of this Nation to give their all—and a good many of them give their lives. I just saw a story about a young Marine lieutenant, a son of a general, out at Danang, who lost both legs in a booby mine while he was there protecting your freedom and trying to serve your national interests.

If they can go through the horrors of hell in order to protect freedom in our land, the least we can do is to sacrifice enough to try to make a little investment in a Freedom Share or savings bond.

I wish that not only every one of those 4½ million people in the service—and I believe incidentally that they have about the best record of any group of buying savings bonds—but I wish every one of the 200 million Americans could, not only for their country's sake but their own sake, arrange a systematical method of saving and investing to help their Nation and its financial problems.

To each of you individually, I express my personal appreciation and my gratitude. I hope I won't have to sell that iron to keep up my commitment.

But it seems like it would buy several baby bonds itself. I thank you for giving me a very delightful memento before I leave.

BOSTON'S WBZ AND WBZ-TV URGE THAT A START BE MADE NOW IN PLANNING FOR THE POSTWAR ECONOMY

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. REUSS. Mr. Speaker, over the past several months, WBZ-TV and WBZ radio, the Westinghouse Broadcasting Co. stations in Boston, have aired a number of provocative editorials on the crucial subject of our post-Vietnam priorities, three of which I have included:

START PLANNING FOR PEACE NOW

(Delivered by Lamont L. Thompson, area vice president, WBZ/WBZ-TV; Perry B. Bascom, general manager, WBZ radio)

It's going to be a long, hard road from the current Vietnam talks in Paris to real peace in Southeast Asia. But at last there's some hope for de-escalation, and it's none too early to start planning new uses for the resources now going to the military. The last flirtation with peace back in 1964 caught the government and industry unprepared. Here and elsewhere there were employment layoffs and economic hardships. We must do better this time.

There's no one simple answer to this problem. A lot depends on private initiative and inventiveness. But a great deal will also depend on public policy and thus on public opinion. We feel that much of the money from defense cutbacks will have to be taken up by other government programs. Here's the one real hope of tackling the urban crisis, of following through with the recommendations of the Kerner Commission and other key government study groups.

It's estimated that the cost of just two basic programs, full employment and some sort of general income supplement, will be upwards of $20 billion a year. There's going to be a real scramble for resources for a whole range of important programs—better housing, education and transportation, cleaner air, water and streets, improved law enforcement and health facilities.

Some of these tasks will require physical manpower. Others will use the scientific and technical skills this area has in such abundance. But all involve government funds—federal, state or local. And the money will have to be held and spent in the face of public clamor for tax cuts and reduced spending. The first essential for a successful postwar economy will be an important change in public thinking. America has to put away old prejudices towards government and give these civilian projects the same urgency we've been giving to military spending.

THE FACTS OF FINANCIAL LIFE

(Delivered by Lamont L. Thompson, area vice president, WBZ/WBZ-TV)

State and local governments in Massachusetts are on the financial rocks. The state reportedly needs 100 million dollars more next year to keep up with its commitments. The open-ended property tax keeps going upward. And still many key needs go unmet.

This problem isn't unique to Massachusetts. It exists in states and communities across the country. A lot of improvements must still be made in local and state tax structures. But the long-range answer to the problem must also include some form of federal tax sharing. That's out of the question at the moment. With war-time expenses and now an economy drive, there's no money to share. Sometime, though, the war must end. And the federal government with its massive tax resources will have more than it needs for its own programs.

Planning for that time should be started now. It's essential to start establishing priorities for the money available. The interim period should also be used to consider ways of making this new federal aid a tool for state and local government reforms. One of the tax sharing plans, put forth two years ago, called for making grants depend on modernization of state and local administration.

There's no doubt this structural reform job is needed. And past experience shows that state and local officials will be painfully slow in acting without some prodding. Wise use of federal tax sharing is in line with a technique we've talked about many times—speaking softly and carrying a big carrot. It offers real hope of solving financial and administrative problems at the same time.

THE FACTS OF FINANCIAL LIFE

(Delivered by James R. Lightfoot, general manager, WBZ radio; Winthrop P. Baker, general manager, WBZ-TV)

Our editorial series on government finances has made some people think we're simply advocating a limitless tax and spend binge.

Granted, we do feel that government will have to pump far more money into solving the overall race, poverty and urban crisis. But we also recognize the fact that a taxpayer revolt is brewing across the country. It's not going to be easy to get massive amounts of new tax revenue. So a good part of the answer must lie in a redirection of the money now being spent.

The biggest single breakthrough here depends on the eventual outcome of the War in Vietnam. But the time has already come to start asking hard questions about our priorities on the domestic scene. For example, how can we put so much money into highways, space and supersonic planes when pressing human needs go unmet?

An effort must also be made to get a greater return from each tax dollar. The surface has barely been scratched on the job of reorganizing and streamlining local, state and federal government. Over the years a whole array of health, education, housing, welfare and public works programs has been launched. Many of these have not panned out. Others overlap. Why shouldn't a major drive be started now to weigh the merits of these programs and weed out the failures? Since every government program depends on personnel, the public must at last wake up to the need for reform of the Civil Service system.

Taxpayers rightly sense that a lot of their money is going down a series of rat holes. The job now is to get them to understand why and to demand those holes be plugged.

UPGRADING UPWARD BOUND

HON. CHARLES E. GOODELL

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. GOODELL. Mr. President, significant steps toward equal opportunity are taken when concentrated efforts are aimed at providing and improving educational programs for our disadvantaged.

Upward Bound aims at the education beyond-high-school needs of our disadvantaged youth. What has this program accomplished to date and what are its prospects?

Sar Levitan, well known for his interest in and examination of our poverty programs, has completed an excellent study on Upward Bound. His focus is on the crucial issue: is the program operating to serve the neediest in the best way?

Because of the value of this analysis and its interest to the Members and the people of the Nation, I am pleased to ask unanimous consent to include it in the RECORD.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

UPWARD BOUND: FIGHTING POVERTY WITH A SHEEPSKIN

(By Sar A. Levitan,* Center for Manpower Policy Studies, George Washington University)

The Economic Opportunity Act emphasizes the needs of young people. A substantial proportion of the budget is for teenagers, with most of the programs setting such modest horizons as encouraging youth to stay in high school or providing school dropouts with elementary training and work experience. However, as the antipoverty warriors strove to raise their sights, they sought to provide institutional arrangements which would enable youths with potential to gain entry to higher education. OEO named this ambitious program Upward Bound.

THE DEVELOPMENT OF AN IDEA

The origins of Upward Bound can be found in an *ad hoc* committee of the American Council on Education, established prior to the passage of the Economic Opportunity Act and concerned with "expanding opportunities in higher education for disadvantaged youth." In October 1963, a subgroup of this committee formed an organization to design curricula and teaching materials for experimental pre-college programs to be launched at Negro colleges in the summer of 1964.[1]

Several colleges and universities—including Brandeis, Dartmouth, Princeton and Yale—were meanwhile attacking the same problem by setting up special educational programs that would motivate and prepare poverty-area high school students for college. Aided by grants from the Rockefeller, Carnegie, and other foundations, these programs concentrated on basic skills needed for a college education, especially improved reading and mathematics.

In the academic year following the inauguration of the Economic Opportunity Act, a number of schools submitted proposals to OEO for similar programs, and OEO funded 17 pilot projects. These projects underscored the feasibility of a major program for disadvantaged and "under-

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Footnotes at end of article.

motivated" teenagers and were utilized by CAP to formulate a program to help prepare low-income high school students for a college education. Though conceding the desirability of such a program, some thought it would be better handled by the Office of Education and the Higher Education Act of 1965 authorized establishment of a program akin to Upward Bound.

The modest effort mounted in the summer of 1965 to help 2,000 youths was announced with usual OEO fanfare as a "war on talent waste."[2] No doubt, influenced by the public support of Head Start, OEO sought to identify the new Upward Bound program as a "Head Start for teenagers." Top OEO officialdom thought enough of Upward Bound to include it as one of their "national emphasis" efforts—programs prepackaged by the Washington office without benefit of local initiative. Upward Bound received statutory recognition when it was incorporated into the Economic Opportunity Act amendments of 1967 (Section 222 of Title II). As expressed in the legislation, the goal of Upward Bound was "to generate skills and motivation necessary for success in education beyond high school among young people from low-income backgrounds and inadequate secondary school preparation."

NEEDS AND RESOURCES

Given Upward Bound's broad aims and vague eligibility criteria, a precise estimate of the number that could be helped by the program is not available. Many youths from poor homes reach college on their own, but few would claim that college education is a function of ability only. Forty percent of all children who enter high school enroll in college, but OEO has estimated that only 8 percent of poor children do so. OEO also estimates that more than 500,000 high school students could benefit annually from Upward Bound or similar programs.[3] These figures do not indicate how many "underachievers," Upward Bound could "reach," but it is assumed that a substantial portion of the total fall into this category. The President's Commission on Civil Disorders suggested that Upward Bound could benefit 600,000 such students.[4]

As with practically all OEO-sponsored programs, Upward Bound's available resources fell far short of need (Table 1). Remedial education is expensive: the annual cost of maintaining a student in Upward Bound is about twice the average public high school expenditure per student. The $30 million that OEO invested in Upward Bound during fiscal 1968, for example, was enough to enroll 26,000 students in the program—or about one of every twenty who could have benefitted by the program (if the estimates of OEO and the President's Commission on Civil Disorders are anywhere near the mark).

TABLE 1.—UPWARD BOUND FUNDS AND ENROLLMEN T, FISCAL 1965-68

Year	Funds	Number of projects	Number of students
1965	$2,500,000	17	2,061
1966	25,044,000	216	20,337
1967	28,161,000	249	23,000
1968	30,100,000	295	26,200

Source: Office of Economic Opportunity, community action program.

Although cost per student varies from project to project, OEO estimates for planning purposes that the annual cost per enrollee is about $1,250, ranging from $800 to $2,100. Because most Upward Bound students enroll in their second or third year of high school (37 and 47 percent, respectively), they usually participate in the program for two to three years. The actual cost of preparing a student for college through Upward Bound therefore ranges from about $2,400 to $3,600, depending upon the length of time spent in the program.

To provide maximum individual attention to enrollees, Upward Bound favors small classes and encourages utilization of the tutorial system. During 1968, the program employed one teacher for every eleven students. Teachers' salaries have amounted to 45 percent of the yearly budget with summer residential facilities and stipends accounting for another 30 percent. Other budget items include medical and dental care, travel (including field trips), instructional materials, as well as administrative costs amounting to 5 percent of the total budget.

Because need outruns by far the available funds, one object of controversy has been the relatively costly residential facilities for students who live within commuting distance of the colleges they attend. Having initiated the dormitory component as an integral part of the program, administrators proceeded on the assumption that enrollees had to be separated from their home environment during the summer. Some consultants, engaged by Upward Bound to appraise project performance, questioned the value of dormitory life in motivating students. Upward Bound officials have reiterated their "gut feeling" that residential programs are essential to achieve the goals of the program, but have not produced hard data to support their position.

Another possible way of reducing per capita costs would be to raise the number of students for each instructor. Again, educational authorities do not have a party line on the desirability of small classes and the impact of a higher student to teacher ratio upon student learning. Aside from these possible savings—from room and board for summer students and an increased teacher-student ratio, there appears to be little fat in the Upward Bound program.

THE ADMINISTRATIVE DESIGN AND OPERATIONS

OEO established a unique administrative arrangement for Upward Bound. The arrangement violated OEO's cardinal maxim that, wherever feasible, funds made available to the agency should be channeled through community action agencies. For all practical purposes, OEO, in October 1965, turned over administration of Upward Bound to a private nonprofit organization, an off-shoot from the American Council for Education Committee established in 1963. In April 1967, a group of individuals associated with the organization formed Educational Associates, Inc.; and on July 1, 1967, this single-purpose agency was awarded the Upward Bound contract on a cost-plus-fixed-fee basis. The contract was renewed a year later.

Spokesmen for Upward Bound have defended the separation of Upward Bound from Community Action Programs on the grounds that this action was necessary to sell the program to colleges and universities. Upward Bound officials have argued that contracting out administration of the program relieved them from adherence to bureaucratic regulations and permitted maximum flexibility in dealing with educational institutions. Obviously, the same argument could be applied to comprehensive neighborhood health centers involving hospitals and other medical organizations, to Legal Services projects which deal with local bar associations or to Head Start projects which are normally operated by school systems. Carried to its logical conclusion, the Upward Bound argument could justify the contracting out of most, if not all, CAP operations.

This is a simpler and more persuasive explanation for OEO's departure from its normal administrative stance: it seems that the first administrator of Upward Bound believed that it was a good idea to separate Upward Bound from CAA's and his views prevailed. Once the initial contract was let, inertia prevailed and OEO apparently did not question the issue until it was raised by Members of Congress who felt that Upward Bound belonged in the Office of Education. Because Upward Bound was not an integral part of community action agencies, OEO officials then could hardly defend keeping the program as part of CAP. Moreover, the Office of Education already administered a small program ($4 million in 1968–69), Talent Search. Set up in 1965 under the Higher Education Act, Talent Search is an information and counseling program designed to "identify, motivate and encourage youngsters to go to college."[5] Congress decided in October 1968 to transfer Upward Bound to the Office of Education, effective July 1969, and thus combine Upward Bound with Talent Search.[6]

Under the terms of OEO's contract, Educational Associates, Inc. was assigned responsibility for screening and selecting applicants, making funding recommendations, providing technical assistance to applicants, preparing guidelines, assembling operational data, and evaluating projects. CAP retained the final authority to approve projects and to determine "policy." Since OEO's total Upward Bound personnel consisted of a director and three staff members, it seems quite clear that for all practical purposes Upward Bound was run by EAI.

There is nothing novel about a federal government agency's contracting out part of its activities. One can only conjecture whether OEO got its money's worth or whether Upward Bound could have been operated more efficiently in some other fashion. The concern here is not with the administrative cost, which was not excessive in comparison with other OEO programs; the issue is whether the program was operated to serve the neediest in the best way.

The record is, however, clear that Upward Bound bypassed community action agencies. Only 6 percent of all Upward Bound projects in fiscal 1968 were funded through CAA's, with selection of students left to the project administrators in the grantee colleges and universities. According to Upward Bound rhetoric, the higher educational institutions are urged to "involve" CAA's in the projects and to include representatives of local CAA's on public advisory committees to assist in the planning of the programs. Since professors have not achieved a reputation for accepting advice from outside sources, one can wonder whether project administrators paid attention to the exhortations of Upward Bound. Most Upward Bound grants were awarded directly to accredited two- or four-year colleges and universities. Once they obtained the funds, the grantees had considerable autonomy in administering the program—though they were required to form a public advisory committee composed of CAA members, local groups, parents and other residents of the area from which the students are drawn.[7] Neither Upward Bound nor EAI, however, could supply any data about CAA's role in planning or implementing Upward Bound projects. For many projects the contracting universities discharged their obligation to establish advisory committees merely by preparing lists of members.

The guidelines instruct academic institutions operating projects to recruit Upward Bound enrollees through community action agencies, neighborhood and community groups, high school personnel and other local agencies or individuals. A study of 1967 enrollees found that over three-quarters of the students were told about the program by high school personnel or friends and were recommended by them.[8] The same study also found that one-half of Upward Bound enrollees were Negro, indicating that projects

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Footnotes at end of article.

reach minority groups (Table 2). However, little is known about the enrollees' prior interest in, or plans for, attending college. In selecting students, colleges probably do what comes naturally to them and pick the best available students, presumably from poor homes, who are interested in the program because they were already motivated to attend college.

CHARACTERISTICS OF UPWARD BOUND ENROLLEES AND HIGH SCHOOL STUDENTS, 1967

	Percent	
	Upward Bound	High school
Age:		
Under 16	15	34
16 years old	35	31
17 years old	34	27
18 years old	13	5
Over 18	3	3
Sex:		
Male	49	51
Female	51	49
Ethnic composition:		
Negro	51	13
White	33	84
Spanish-American	8	2
American Indian	5	0. 3
Other	3	0. 6
Size of community:		
Urban	74	67
Rural	26	33
Size of family:		
Less than 6	46	70
6 to 8	34	25
9 or more	19	5
Family composition:		
Both parents	48	81
Mother only	31	8
Father only	2	2
Other	19	9
Education of parents:		
High school graduates:		
Mother	27	33
Father	19	22
Median family income (1966)	$3, 341	$7, 518

Source: David E. Hunt and Robert H. Hardt, "National Profile of 1967 Upward Bound Students," Syracuse University, Youth Development Center, Oct. 31, 1967, p. 7. High school estimates based on Census Bureau data.

Program components

The Upward Bound program consists of a six to eight-week residential summer session on a college campus, with follow-up during the academic year to provide academic support and motivate them to pursue higher education.

The summer course of study and extra curricular activities are designed by each sponsoring institution. While allowing wide variation among projects, the guidelines establish a general pattern to be adhered to. In addition to an academic curriculum, programs are to provide athletics, social recreation, and exposure to a variety of "cultural enrichment" activities. These might include visits to theatres, exhibits and museums. For planning purposes, Upward Bound allocated an annual expenditure of $70 per student for field trips.

The teaching staff is composed of college and high school teachers (supposedly at least one-third), in addition to art, speech, or other specialists as deemed fit. Instructors and other staff members, who are chosen by the project director, are to be selected for their interest in students from poor homes and their ability to relate to them in and out of the classroom. Classes frequently consist of small discussion groups. Some project directors prefer a program with a high degree of casualness and flexibility, with the students setting the pace. Others, such as Yale's Upward Bound director, believe in a rigorous academic atmosphere: "We've got a short time to instill in these youngsters a love of learning. It's too easy to be impressed by what you think you are doing for them and to offer them what amounts to one pleasant summer."[9] Similarly, Thomas Billings, the national director of Upward Bound, stresses the importance of finding novel ways to display the basic tools with which to build the knowledge necessary for college.[10]

Most of the students enter the program after the 10th or 11th grade, thus having the opportunity of attending two summer sessions and at least one full academic year follow-up program. Many of the colleges have at least one teacher who spends part of his time, and perhaps weekends, with the students, who are generally brought from their homes or schools to the campus. In many urban areas the students travel to the college at least once a week for tutoring sessions, guidance, or outings with teachers. This is more difficult in rural areas, where students may find it expensive or difficult to visit the campus. Some experiments are being conducted in sending a tutor-counselor to the rural areas; others use local high school teachers to provide extra tutoring and guidance.

Each college is expected to form an Upward Bound academic policy group from its facility, regular students, and Upward Bound staff. This group serves as the policymaking body for the program and, according to OEO's instructions, should (for some unexplained reason) "be broadly representative of the academic institution's own competencies."[11]

College admissions and retention

In view of Upward Bound's goal—to prepare enrollees to gain admission to college and remain until graduation—it would appear that the program has been remarkably successful in achieving its mission. OEO has claimed that of the nearly 5,000 who participated in the program during 1967 and who graduated from Upward Bound, nearly 80 percent entered college. A follow-up study found that nine out of every ten were still enrolled in college during the spring of 1968. Similarly, eight of every ten of Upward Bound participants who graduated from high school in 1966 were in college two years later. The record of former Upward Bound enrollees was about the same as that of other students who entered college in 1966.[12]

More careful scrutiny of the record of former Upward Bound enrollees neither supports nor refutes OEO's success claims. Not only has EAI failed thus far to gather reliable follow-up data on former Upward Bound enrollees, but the available information concerning students who are admitted into the program leaves much to be desired. A sample survey conducted for Upward Bound showed that the grade distribution of enrollees conformed closely to the grades of other students in their high schools. However, since the majority of Upward Bound students come from poor and nonwhite homes, the chances are that they have attended poorer high schools, whose average achievement scores as measured by American College Testing Service are appreciably below average.[13]

The retention of Upward Bound students in colleges should not be surprising, even assuming the results of the sample studies released by OEO are accurate. Many colleges which operate Upward Bound programs pledge to accept a certain number of students, provided they satisfactorily complete the summer program. OEO states that 46 percent of all Upward Bound students attend the host institutions. But while the "prestige" colleges do accept Upward Bounders, it is often mainly a token gesture of admitting one or two students. Thus, many students enroll in community or junior colleges, teachers colleges or similar institutions which maintain relatively low admission barriers and do not impose excessively rigorous standards About 80 percent of the black Upward Bound students enrolled in Negro colleges.

The high college admission and survival rate of Upward Bound students may be due to careful screening, which lessens the risk of accepting poorly-motivated or underachieving students. A random selection of EAI consultants' reports shows that at least some projects seek students who are already getting good grades and are likely to go to college even without benefit of Upward Bound. Several consultants of mid-western and western college projects (a majority in the sample) criticized the projects for failing to recruit high-risk students.

Based on the available fragmentary data, it would appear that Upward Bound improves the chances of participants to enter college and to motivate some students to continue with their education. In addition, some colleges have lowered their admission standards to accept Upward Bound students.

FINANCIAL ASSISTANCE

An obstacle to college attendance encountered by Upward Bound graduates is securing financial help. EAI has estimated the average yearly financial need of an Upward Bound student to be $1,800. Of the nearly 5,000 Upward Bound students who entered in the fall of 1967, three of every four received financial assistance to complete the year of schooling.

Based on the 1968 level of operations, OEO has estimated that approximately 10,000 Upward Bound students would enter colleges during the year. A crucial problem, according to Upward Bound officials, is securing financial assistance to support them during the year. Aside from numerous private and state scholarships available to poor students, the federal government operated in 1968 three major programs to help college students:

1. The college work-study program, administered by the U.S. Office of Education through grants made to colleges, is designed to supplement other types of scholarships, grants and loans. The student may work up to 15 hours per week at the federal minimum wage ($1.60) or more, depending on the college's wage scale and the duties performed. Recipients of this and most of the other assistance programs must be full-time students and in good academic standing. In fiscal year 1967, approximately 370,000 students received help from this program.

2. Educational Opportunity Grants (USOE) of $200 to $800 per year are available to students who show both financial need and promise. In fiscal year 1967 about 134,000 awards, averaging $430, were made to students. These grants must be matched equally by financial aid from the student's college.

3. National Defense Education Act loans are made to students attending classes at least half-time, for a maximum of $1,000 per year, repayable at 3 percent interest within 10 years of leaving college. About 400,000 students received such loans in fiscal year 1967.[14]

Despite the considerable expansion of federal assistance to college students during the past decade, the available programs were inadequate to provide for an expanded college enrollment of students from poor homes. Upward Bound students have to compete with numerous others for available resources. The work-study program, originally enacted as part of the Economic Opportunity Act, no longer restricts its clientele to youths from impoverished homes and serves middle-class students as well. The loan program, according to the EAI, is not suitable for students from slums who "have grown up in a world where loans represent merely another kind of exploitation, and the store-front loan shark is the only lender they know."[15]

EAI has not revealed the basis for the

Footnotes at end of article.

above claim, which has the earmarks of "instant sociology" rather than documented fact.

Whatever the merits of these claims, EAI has argued that additional financial assistance must be provided to former Upward Bound students if they are to complete their college education. Several private corporations have assumed the responsibility of supporting Upward Bound students in college. More of this support is being encouraged by OEO, and efforts are being directed toward establishing a national Upward Bound foundation supported from private sources to provide assistance to students for at least one or two years.

AN ASSESSMENT

Given the fragmentary data available on the operations of Upward Bound, only an impressionistic judgment can be passed about the program.[16] The best available study of the program was undertaken by the Syracuse University Youth Development Center and covered a 10 percent sample of 1966 Upward Bound enrollees. The study concluded that participation in the program increased motivation to attend college and successfully complete a degree course. The findings were qualified by this statement:

"Whether or not these increases in academically relevant areas will be sustained and transformed into increases in academic accomplishment remains to be seen, but they give considerable encouragement in terms of the effects produced by a relatively short program." [17]

Original plans to limit Upward Bound to summer sessions were discarded when it was found that the six to eight-week program was inadequate. The full-year follow-up program was established to expand and extend the impact by providing for weekly sessions of counseling and tutoring.

Despite the tenuous contact between Upward Bound and other CAP activities, OEO has maintained (as it has in the case of other programs) and Upward Bound will influence the participating institutions to adopt admission standards more "relevant" to disadvantaged youth and to develop new curricula and teaching methods.[18] Yet it is not clear how the enrollment of some 26,000 students on a part-time basis during the year will affect the course of higher education in the United States. OEO has made similar claims about the impact of Upward Bound upon high school education. The agency hopes that participating high school teachers, as well as the students, will persuade their schools to pay greater attention to the needs of poor students. In practice, the role of secondary schools is limited to recommending enrollees; few high school officials had any chance in shaping or directing Upward Bound projects. It is difficult to visualize Upward Bound affecting the attitudes of very many secondary school educators.

Specuation about Upward Bound's impact on the course of education in the United States may be irrelevant, for it can hardly be expected that a $30 million program will have any discernible impact upon a multi-billion dollar "industry." For the purpose of evaluating Upward Bound, therefore, OEO's rhetoric and exaggerated claims can happily be ignored. The effort makes sense if the mandate specified by Congress is implemented and participants in the program are properly screened and only children who cannot make it to college on their own are selected for participation in the program. Upward Bound brings to the surface the need of providing a remedial program for students who possess intellectual capacity but who nevertheless have failed in school. A simple explanation of the costs of Upward Bound shows that such a remedial effort is far more expensive than providing the right kind of education within the school system in the first instance. As much as any other OEO program, Upward Bound reflects a change in social attitudes in offering youths a second chance to acquire a college education. They are not being handed the better life, but they are offered some tools with which to make it.

FOOTNOTES

*This paper is part of a chapter from the author's forthcoming volume, *The Great Society's Poor Law: A New Approach to Poverty,* a study devoted to the Economic Opportunity Act. The project is financed by a grant from the Ford Foundation. Mrs. Judy LaVor collaborated in the preparation of this paper. This paper is scheduled to appear in *Poverty and Human Resources,* Institute of Labor and Industrial Relations, University of Michigan, November-December 1968.

[1] Office of Economic Opportunity, "Upward Bound Program Launched," Press Release 65–1250, October 6, 1965.

[2] Office of Economic Opportunity, "Shriver Opens War on Talent Waste," Press Release 65–573, June 16, 1965.

[3] U.S. Congress. House. Committee on Education and Labor. *Hearings on Economic Opportunity Amendments of 1967,* 90th Cong., 1st Sess. (Washington: Government Printing Office, 1967), p. 1117.

[4] *Report of the National Advisory Commission on Civil Disorders* (Washington: Government Printing Office, 1968), p. 250.

[5] Higher Education Act of 1965, Title IV, Section 408.

[6] Representative Edith Green, *Congressional Record* (Daily Edition), July 24, 1968, p. H7414 and October 1, 1968, p. S11746.

[7] Office of Economic Opportunity, Community Action Program. *Upward Bound Guidelines, 1968–69,* p. 8.

[8] David E. Hunt and Robert H. Hardt, *National Profile of 1967 Jpward Bound Students,* Syracuse University, Youth Development Center, October 31, 1967.

[9] Jerrold K. Footlick, "Upward Bound Brings Unusual Type of Student to the Campus," *The National Observer,* August 15, 1966.

[10] Thomas Billings, Remarks to American Educational Research Association, *Congressional Record* (Daily Edition), March 5, 1968, p. E1565.

[11] Office of Economic Opportunity, Community Action Program, *Upward Bound Guidelines, 1968–69,* pp. 10–11.

[12] Office of Economic Opportunity "Upward Bound Graduates Prove Their Worth," Press Release 68–42, April 19, 1968.

[13] Educational Associates, Inc., *Upward Bound, 1967 Class Profile Report* (Washington: EAI, 1968), pp. 40–1.

[14] U.S. Department of Health, Education, and Welfare, *1967 Annual Report* (Washington: Government Printing Office, 1968), pp. 161–2.

[15] Educational Associates, Inc., "Financial Assistance for Upward Bound Students," June 1968, p. 10 (mimeographed).

[16] U.S. Congress, Senate. Committee on Labor and Public Welfare, Subcommittee on Employment, Manpower and Poverty. *Examination of the War on Poverty* (Washington: Government Printing Office, 1967), Vol. III, p. 825.

[17] David E. Hunt and Robert H. Hardt, *Characterization of 1966 Summer Upward Bound Programs,* Syracuse University, Youth Development Center, January 1967.

[18] Thomas Billings, *supra,* pp. E1565–6.

TWO ITEMS OF INTEREST

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BOGGS. Mr. Speaker, I would like to call to the attention of my colleagues two items of interest from the New Orleans newspapers—the first, an article by Mr. Bert Hyde from the New Orleans States-Item and the second, an editorial from the Times-Picayune of September 28, 1968:

[From the New Orleans (La.) States-Item]

Louisianian Helped Jefferson Win—Livingston Played Big Election Role

(By Bert Hyde)

History records that it was a brilliant young New York attorney and congressman, later to become a vast Plaquemines Parish sugar planter, New Orleans attorney and political leader, who played one of the leading parts in the first presidential election of this nation to be decided by the U.S. Congress.

His name was Edward Livingston and the man he helped elect by his steadfast support and leadership was Thomas Jefferson, the nation's third president and its greatest champion of democratic government.

Another early Louisianian, who played a significant part in Jefferson's election was Louisiana's first governor, William C. C. Claiborne, then congressman from Tennessee.

Today, 168 years later, many observers of the national scene believe that this year's presidential election could again be determined by the congress.

Should this occur, modern day Louisianians, more significantly, Plaquemines Parish political figures, will have played a leading part in this newest drama.

These Louisianians are Congressman F. Edward Hébert of the First Congressional District, which is a part of Plaquemines, and Plaquemines Parish political leader Leander H. Perez Sr. of Idlewild Plantation.

Hébert will cast Louisiana's important vote in the presidential election, if the election should end in the Congress because Hébert has the distinction of being Louisiana's senior congressman.

It was Plaquemines Parish's cigar-smoking Judge Perez who organized the Southern leadership for George Wallace in the hopes of amplifying the South's voice in national affairs.

But who was Edward Livingston?

According to Plaquemines Parish historian J. Ben Meyer, Livingston was one of Plaquemines' early plantation owners, and sugar mill operators, a Louisiana political leader who has never been fully recognized by historians of our time.

Edward Livingston, according to the records, was a native New Yorker, a graduate of Princeton University who set himself up in the practice of law in New Orleans shortly after he helped elect the famous Mr. Jefferson.

Edward Livingston was the brother of Robert R. Livingston, the man who consummated the Louisiana Purchase and who with Fulton was linked with the first steamboat.

Probably few Louisianians know that it was Edward Livingston who as aide-de-camp and interpreter to Andrew Jackson in the Battle of New Orleans, was one of the men who bore the momentary flag of truce at Chalmetter to arrange the exchange of prisoners with English General Cochrane, permitting the English to bury their dead and the Americans to regroup their forces.

Probably few Louisianians know that it was Edward Livingston who as cocounsel to Jean Lafitte advised and persuaded that infamous Louisiana pirate to join forces with Gen. Andrew Jackson in the war of 1812.

Edward Livingston was instrumental in obtaining the decision by which the Roman Law was retained as the foundation of Louisiana jurisprudence thus entitling Louisianians always the benefits of a writ of habeas corpus, and trial by jury.

Few know that the Louisiana "Batture Case" was authored by Livingston with

Daniel Webster, perhaps the first state sovereignty case involving states' rights.

Edward Livingston later wrote for the Louisiana Legislature its first code of criminal law, a work divided into a Code of Procedure, a Code of Evidence, a Code of Reform and Prison Discipline. This code was acclaimed by educators and men of prominence throughout the world as a masterpiece. However, the Louisiana Legislature failed to adopt it.

"But Mr. Livingston could not remain here to support his work. Beginning with the session of 1823 he was now to serve Louisiana in the U.S. Congress of six years without interruption," said one historian.

The Louisiana Legislature later elected Livingston a United States senator. He began this service in 1829, serving a single term under President Jackson. President Jackson in 1832 appointed Livingston U.S. Secretary of State and he served this office for one term.

President Jackson later selected Livingston as minister to France and he served that office with distinction before his retirement to his native home, Montgomery Mansion House on the Hudson, N.Y.

Before coming to Louisiana early in 1800, Livingston served New York as its mayor, the district of New York as United States attorney, and the state of New York as a congressman.

It was during Mr. Livingston's service in Congress in 1800, says historian Carleton Hunt, that Livingston "kept up throughout the great struggle for president between Jefferson and Burr his confidential relationship and continued support which ultimately ended with Jefferson's election."

Mr. Livingston is credited by Hunt with having held the New York electoral college to a 6–4 vote for Jefferson through 36 consecutive ballots, and to have continuously acted as adviser to Jefferson although he was a former college mate of Aaron Burr.

"Mr. Livingston retired from Congress with the contest for the presidency between Jefferson and Burr, and accepted the United States attorney position on the 24th day of August in 1801."

[From the New Orleans (La.) Times-Picayune, Sept. 28, 1968]

OCEANOGRAPHY'S DISCOVERIES

An oil stratum some 472 feet beneath the Gulf bottom in the two-mile Middle Deep between Louisiana and Yucatan; living-coral Gulf-bottom mounts southeast of Galveston, 500 miles north of the previously known "coral contour"; a core taken within the Mid-Atlantic Rift that may or may not represent either a Mohorovicic Discontinuity "outcrop" or a crystallized segment of the earth's supposedly plastic mantle:

These are some of the year's more startling products of oceanographic research, conducted by various vessels equipped with position-finding, position-fixing, long-stem coring, and other sampling and measuring devices growing in part from the abandoned or suspended "Mohole Project."

Of these discoveries, the oil showing, fantastic in its contradiction of theoretically plausible "locations," represents to Dr. William E. Benson, head of earth sciences for National Science Foundation, "the opening up of Deep Gulf prospecting." If so, it underlines also the necessity of speeding international progress toward formation of a Law of the Ocean Bottoms, beyond those of the continental shelves.

The "coral gardens" of the Northern Gulf were verified by divers (at about 60- to 150-foot depths) working from a Navy destroyer obtained from New Orleans. The mounts in the Gulf, like those of the Atlantic, etc., long intrigued researchers who were able to prove from dead coral dragged from the aprons of the slopes that the Gulf type represent in part at least this familiar formation. The hard, jagged nature of the reef-tops strengthened the finding but at the same time defied topside sampling and led to the inference (false in some cases) that the coral died out before attaining island growth.

The NSF explorations employed the Glomar Challenger, a research ship with fore and aft thrusters for position-fixing (in the sense of remaining, in decent weather, in the same sea-surface spot). The Challenger was launched last April and the first leg of its sampling voyage took in also the Atlantic floor east of San Salvador, where cores evidenced existence of an ocean 150 million rather than 100 million years ago.

Another vessel dedicated primarily, at about the same time, to Gulf floor exploration is the 300-foot Elisha Kane, of the United States Geological Survey and Naval Oceanographic Office. This "wonder ship" diverted initially, it appears, to a patrol of one of the fractures or escarpments that extend nearly ocean-wide between the offshore United States (Bermuda meridian) and North Africa. This geological feature is associated with and crosses the Mid-Atlantic Rift (deep trench between lava-made ridges) and it was at their juncture the Kane brought up glass and quasi-glass cores of unique character and important significance. The Mohorovicic Discontinuity underlies the earth's crust and overlays the mantle: It was through the "Moho" that the "Mohole" was to be drilled (in the Pacific).

Evidence has been swiftly accumulating to bolster the long-held theory of an ancient land mass that somehow split up and, in sections representing the continents of today, somehow "drifted" to positions which today delineate the global map, broken by a number of oceans and gulfs in contrast to the "one big ocean" that previously prevailed.

WCAO: GENEROUS BALTIMORE RADIO STATION

HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. TYDINGS. Mr. President, WCAO, one of Baltimore's oldest radio stations, recently undertook a campaign to collect transistor radios for shipment to our servicemen in Vietnam. They were enormously successful.

In the hope that other radio stations and other organizations will want to undertake similar campaigns, I ask unanimous consent that a report from WCAO's public service director, Charles Purcell, be inserted in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

RADIO BALTIMORE, WCAO,
Baltimore, Md., September 26, 1968.

Senator JOSEPH TYDINGS,
Senate Office Building,
Washington, D.C.

DEAR JOE: WCAO Radio Station has just completed a campaign whereby our listeners were asked to send us transistor radios, either workable or repairable, and we in turn purchased and supplied new batteries and, in many cases, repaired the radios and sent them through the U.S.O. to our fighting forces in Viet Nam. Thus, they might have a little radio entertainment via Armed Forces Radio; in other words to give them a little bit of home away from home. We are pleased to report over 1800 radios were received.

I am taking the liberty of asking you to write an official letter to the manager of our station for his outstanding efforts in making this campaign successful. Your letter will be used in our Public Service Report. Please address your remarks to Mr. Byron Millenson, Vice President and General Manager, WCAO, 40 West Chase St., Baltimore, Maryland, 21201. Thanking you for your cooperation.

With kindest personal regards,
CHARLES PURCELL,
Public Service Director.

ABRAHAM MANDEL, ESQ., COMMENTS ON LAW AND ETHICS

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. KUPFERMAN. Mr. Speaker, Abraham Mandel, Esq., my friend and constituent, who was official observer for the Federal Bar Association of New York, New Jersey, and Connecticut at the Eichmann trial in Israel, has written on the subject, "Law Must Be Based On Ethics," published in the Jerusalem Post.

I believe that his analysis would be of interest to my colleagues, and I am pleased to bring it to their attention, as follows:

EICHMANN'S TRIAL IN ISRAEL IS DUTY TO CIVILIZATION: LAW MUST BE BASED ON ETHICS

(By Abraham Mandel)

The legal system of totalitarian Germany was bereft of ethics, morals and humanity. Under such a system of law the decivilization of the German people was inevitable and the Nuremberg and Eichmann trials are the direct result of it.

The principal aim of a sound legal system should be to order the life of man by raising the moral standards of his conduct, as may be seen from the Ten Commandments which are the foundation of Jewish Law, as well as of the English and American criminal law, and systems of jurisprudence generally. Study of ancient laws of the Sanhedrin and the modern law of the Knesset of Israel discloses that they are rooted in ethics, morals and fairness.

Not only in its inherent nature should law be ethical but the power lodged in a government to enforce law and the method of its administration and execution should be ethical. The basic difference between the law of states and the law of the nations is that generally the former are codified, and the latter in a fluid state and uncodified. International Law tribunals are frequently called upon to decide cases on a practical basis wherein the *fait accompli* is the principal rationale of the decision. Thus, in "Brazil-Great Britain, Arbitration Under the Treaty of November 6, 1901," it was decided:

"That, however, the right of the British State as the successor to Holland, to whom the Colony belongs, is based on the exercise of the rights of jurisdiction by the Dutch West India Company, which furnished with sovereign power by the Dutch Government, performed acts of sovereign authority over certain places in the Zone under discussion, regulating commerce carried on for a long time there by the Dutch, submitting it to discipline, subjecting it to the orders of the Governor of the Colony, and obtaining from the natives a partial recognition of the power of that official;

"That like acts of authority and jurisdiction . . . were afterwards continued in the name of the British sovereignty when Great Britain came into possession of the Colony belonging to the Dutch . . .

"That in virtue of this successive development of jurisdiction and authority the acquisition of sovereignty on the part of Holland first, and Great Britain afterwards, was effected over a certain part of the territory in dispute."

The foregoing state of facts is analogous to sovereignty exercised by Jewish Palestine under the League of Nations Mandate to Great Britain which afterwards continued in the State of Israel. Under the Mandate, Jewish Palestine discharged all the functions of a normal government. It had its army, police force, laws, educational system, commerce, industry, immigration, agriculture, colonization, land transactions, financial agencies, etc.

RIGHT TO ISRAEL

In legal effect the Jewish people never ceased to assert its right to Palestine during the 1900 years of its dispersion. Their right thereto is clearly set forth in the Declaration of the Establishment of the State of Israel.

The Land of Israel was the birthplace of the Jewish People. Here their spiritual, religious and political identity was shaped. Here they first obtained statehood, created cultural values of national and universal significance and gave to the world the eternal Book of Books.

After being forcibly exiled from their land, the people kept faith with it throughout their Dispersion and never ceased to pray and hope for their return to it and for the restoration in it of their political freedom.

Impelled by this historic and traditional attachment, Jews strove in every successive generation to re-establish themselves in their ancient homeland. In recent decades they returned in their masses. Pioneers, immigrants, and defenders, they made deserts bloom and created a thriving community, controlling its own economy and culture, loving peace but knowing how to defend itself, bringing the blessings of progress to all the country's inhabitants, and aspiring towards independent nationhood.

In the year 5657 (1897), at the summons of the spiritual father of the Jewish State, Theodor Herzl, the First Zionist Congress convened and proclaimed the right of the Jewish people to national rebirth in its own country.

This right was recognized in the Balfour Declaration of the 2nd November, 1917, and reaffirmed in the Mandate of the League of Nations which, in particular, gave international sanction to the historic connection between the Jewish people and Eretz-Israel and to the right of the Jewish people to rebuild its National Home . . .

In the course of the present trial, one of the objections raised by Dr. Servatius was directed at the sovereignty of Israel at the time the alleged crimes were committed. In the light of the foregoing there is no validity under international Law for this objection.

Another function of law is to invest government with the power to enforce law. Government, in turn, has the duty and responsibility of protecting the personal and property rights as well as the lives of its nationals, internally among themselves, and externally from attack by foreigners. This is elemental if mankind is to achieve order and peace. The Nuremberg trial is an example of how this function is discharged under International Law where a whole nation was guilty of perpetrating crimes. It is likewise to be expected that the Law of the Nations makes provision for dealing with criminals who cross state boundary lines to perpetrate wrongs. To illustrate, the Treaty on International Penal Law signed at Montevideo on March 19, 1945, reads, in part:

"TITLE I. OF JURISDICTION AND THE LAW APPLICABLE THERETO

"ARTICLE 2. Crimes affecting two or more States and committed by one or more offenders . . .

"If the crime was perpetrated in more than one country it shall come under the jurisdiction of the tribunals of the first state to take judicial cognizance thereof, and the laws of that State must apply." (International Legislation, Hudson, V. VIII, pp. 484–5, pub. by Carnegie Foundation for International Peace.)

The jurisdictional basis fixed in the foregoing illustrations is sound in principle, otherwise civilized governments would be powerless to defend their nationals. (See, Ehrlich, Grundlegung der Sociologie des Rechts, p. 8.)

Israel has a right and owes a duty not only to the Jewish people and mankind, but to civilization, to prosecute Eichmann under international law.

NO BASIS IN LAW

The objection on the ground of the court's prejudice, raised by Dr. Servatius, has no basis in law. The trial judges are under a legal duty to try the defendant according to the rules of evidence, even if they disagree with them and even if they dislike the defendant. The objection attempts to pre-judge the state of mind of the tribunal without any basis in fact. That the heart of a judge may be sore does not necessarily preclude him from dispensing justice fairly to the defendant. Under the circumstances, the trial judges will bend backwards in giving the defendant a fair trial, as the eyes of the whole world are on the trial. If the objection aforementioned were legally sound then no citizen of the United States could ever sue the government, nor could the government ever prosecute a criminal case in a Federal Court.

The American colonies did not become a sovereign *de jure* union until the Declaration of Independence on July 4, 1776, and the subsequent ratification of the Constitution, but they exercised all the functions of sovereignty and fought the French and Indian War and had their legislative body called the First and Second Continental Congress. The Irish Free State functioned as a sovereign power long before De Valera issued the proclamation declaring her a free and independent State.

In ancient times Abraham sent a contingent of his men to assist Lot and his followers who had been attacked by enemies on their way to Canaan, and Moses and Joshua prepared an army from among the Hebrew slaves in the desert which successfully fought off all attackers who sought to prevent their re-entry into Canaan. The Bible gives numerous other precedents of the ancient Hebrews fighting in defence of their land and in support of their right to self-preservation when the situation demanded.

To suffer Nazis to cross international lines to perpetrate atrocious crimes, and to deny organized society, through constituted authority, the right to apprehend and try them for their crimes on the ground that the fugitive criminals have geographical immunity, would make a mockery of law administration and enforcement. Extradition treaties are the normal method by which nations deal with criminals who have run away to other countries, but in the case of the Nazis, it was not a lone criminal. Under Hitler's Germany, law was administered in such a way that even decent Germans were subjected to the criminal level of the Nazis and the whole nation was lawless and devoid of morals, ethics and humaneness. It was necessary to create a new international tribunal to deal, for the first time in history, with such a widespread criminality never before heard of, in the nature and extent of crime that was perpetrated by them. As of the present, no International Court has yet tried such fugitives as Eichmann for the grave charges set forth in the indictment on which he is being tried. It is understandable that the trial will prove embarrassing to post-war Germany headed by such a noble and wise statesman as Adenauer. But history teaches that an unjust nation pays for its mistakes, sooner or later. The errors of King George III cost England the loss of the American colonies.

Might is not a substitute for right today any more than it was in the days when the Ten Commandments were issued. Then, too, a mighty nation sought to drown the weak and defenseless slaves by driving them into the Red Sea. Since then many mighty nations, powerful on land and sea, have disappeared because they did not conduct themselves justly. History will record a similar fate for contemporary nations who threaten to use their might towards unjust ends. The patriarch Abraham taught that there is only one God who stands for righteousness and justice and avenges injustice, and history teaches that those who deny Him and do not follow His teachings inevitably come on evil days.

TRIBUTE TO SENATOR BOURKE B. HICKENLOOPER

HON. WINSTON L. PROUTY

OF VERMONT

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. PROUTY. Mr. President, I want to pay tribute to a great American who has contributed significantly to the national interest through his dedication in performing his job as a U.S. Senator with integrity, foresight and determination. Indeed, BOURKE HICKENLOOPER, has spent his life serving his fellow citizens.

During the 1930's Iowa was not exempt from the effects of the great depression which challenged the basic foundations of our democratic society. BOURKE HICKENLOOPER challenged the false prophets who viewed the depression with despair and offered himself for public service. Elected as State representative from Linn County in 1934, he was reelected in 1936 and was elected as lieutenant governor for Iowa in both 1938 and 1940. In 1942 he was elected governor of Iowa and exhibited his faith in the American system of free enterprise by forcefully convincing a special session of the Iowa Legislature to cut the 100-percent income tax rate. BOURKE HICKENLOOPER's foresight helped provide Iowa with its first $100 million surplus by 1947 in spite of the reduced tax rate.

Elected to the Senate in 1944, Senator HICKENLOOPER brought to this body the conviction that fiscal responsibility in Government was possible and in the best interests of the United States. Often outvoted with respect to Government programs, his honesty, sincerity, and well-documented skepticism served as a conscience and restraint on those who institute expansive programs inspired by emotion rather than reason.

To BOURKE HICKENLOOPER, reason demanded well-documented facts as a basis for evaluating individuals or Government programs. Once hearing charges of Communist leanings concerning a presidential appointee, Bourke Hickenlooper stated:

> Unless substantial and reliable proof of its authenticity is produced, I will absolutely dismiss it from my mind.

As an honest man of reason, Bourke Hickenlooper both could and did.

As coauthor of the Atomic Energy Act of 1954 Senator Hickenlooper enhanced mankind for generations to come by opening the door for private development of atomic energy without jeopardizing the national security of the United States. His dedication to reason again provided the ways and means for progress within the best interests of his country.

We shall all miss Bourke Hickenlooper's presence in the U.S. Senate in the years to come but he has left all of us the example of an exemplary career from which we can all become better servants to the public.

JOB GAINS OF MEXICAN-AMERICAN MEN

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. YARBOROUGH. Mr. President, the October issue of the Monthly Labor Review, published by the U.S. Department of Labor, contains a very interesting article by Prof. Walter Fogel on the job gains in recent years which have been made by Mexican-Americans as their jobs have changed from mainly agricultural to include other occupations. I believe that this article should be read by every Member of Congress. It shows that with programs like the Bilingual Education Act, which I had the honor to author, there is hope that in future years these members of our community will be able to achieve the job status which they deserve.

I ask unanimous consent that the article entitled "Job Gains of Mexican-American Men" be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Job Gains of Mexican-American Men

(By Walter Fogel)

Mexican Americans have received little attention in studies of occupational gains, yet they are the Nation's second largest disadvantaged minority group. This location is concentrated—87 percent of the Mexican Americans in the United States live in the Southwest. The Census of Population for "Persons of Spanish Surname" for the years 1950 and 1960 estimates that 90 percent of all Spanish-surname persons in Arizona, California, Colorado, New Mexico, and Texas are Mexican American.[1]

Since 1930, certain changes have taken place in the occupational position of Mexican-American men. This article will discuss these changes and attempt to explain the differences in the rates of occupational gain which took place during two subperiods between 1930 and 1960. The differences in timing of the gains from State to State, and some comparisons with occupational gains made by Negroes living in the Southwest, will also be examined.

There are a few aspects of the data which should be mentioned before beginning the discussion. All but 10 percent of the Mexican Americans in the region were included in the Census Spanish-surname tabulation for 1950 and 1960. No occupational data pertaining to the Mexican-American population were reported by the 1940 Census of Population, but the 1930 census provided information on the Mexican population, describing it as "all persons of Mexican origin who were not definitely white, Negro, Indian, or Japanese."[2]

In addition to this definitional ambiguity, the 1930 data presented two problems. First, the major occupational categories now used for the Census of Population were not introduced until 1940. Earlier data show a mixture of occupational and industrial categories. By using the comparability tables developed by E. P. Hutchinson,[3] it was possible to reclassify the 1930 data on industry and occupation into the major occupational titles used in 1950 and 1960, though in a few cases comparability was not clear and judgments had to be made.

Second, the 1930 census used the "gainful worker" concept which included all persons, age 10 and over, who "usually" worked for pay, regardless of when they worked.[4] Thus, some unemployed persons and some who were not seeking work were counted in 1930. The 1950 and 1960 Mexican-American data, on the other hand, were collected on employed persons, age 14 and over. For purposes of comparison, it is assumed that the relative occupational position of Mexican-Americans was not significantly affected. In fact, the 1930 definitions may have included a slightly larger proportion of Mexican-Americans, 10 to 14 years old, than of general population persons in this age group because of the greater attachment of Mexican-Americans to agriculture where persons age 10 to 14 were most likely to be employed. However, definitional changes probably did have some effect on the occupational distribution of Mexican-Americans, chiefly by eliminating, in 1950 and 1960, some persons who were counted as farm laborers in 1930.

The data used for this study provide a picture of Mexican-American occupational gains over the years. The general observation is correct, though there may be inaccuracies in some of the components of that picture.

OCCUPATIONAL DISTRIBUTIONS

The number of Mexican-American men employed in the Southwest rose from 372,000 gainful workers in 1930 to 737,000 workers in 1960. The group's proportion of all male employment in the region rose from 8.6 to 10.5 percent during this period. Like the general population, they have been shifting from the eastern to the western States of the Southwest. Slightly more than half of the employed Mexican-American men were in Texas in 1930, and 30 percent were in California. By 1960, 46 percent lived in California and 38 percent were in Texas.

Between 1930 and 1960, Mexican-American men moved from the unskilled labor classifications (farm labor and laborer) to the operative and craft group, as shown in table 1. Almost 65 percent of them were employed in unskilled jobs in 1930; 30 years later this proportion declined to 32 percent. Over the same period, the proportion employed in the operative and craft groups rose from 16 to 41 percent. The nonmanual share—including professional, manager, sales, and clerical categories—of Mexican-American employment more than doubled by 1960. This sharp increase, however, added only about 10 percent of Mexican-American employment to the nonmanual sector.

TABLE 1.—OCCUPATIONAL DISTRIBUTIONS AND RELATIVE CONCENTRATION OF MEXICAN-AMERICAN MEN IN THE SOUTHWEST, 1930–60

Occupation	Percent distribution			Relative concentration [1]		
	1930	1950 [2]	1960 [2]	1930	1950	1960
Professional and technical	0.9	2.2	4.1	0.18	0.25	0.33
Managers and proprietors	2.8	4.4	4.6	.28	.35	.36
Sales	2.4	[3] 6.5	3.6	.29	[3] .48	.47
Clerical	1.0	----------	4.8	.18	----------	.69
Craft	6.8	13.1	16.7	.47	.67	.81
Operative	9.1	19.0	24.1	.92	1.16	1.35
Service	4.0	6.3	7.5	.68	.98	1.15
Laborer	28.2	18.7	15.2	2.50	2.22	2.12
Farm managers	9.8	5.1	2.4	.59	.65	.61
Farm labor	35.1	24.7	16.8	2.62	3.87	4.16

[1] The figures for these columns were obtained by dividing the proportion of Mexican-American men employed in each occupation for the years given by the corresponding proportion of all men in that occupation. Thus, the figure of 0.33 for the professional group in 1960 indicates that the fraction of Mexican-American employment which was in this category in 1960 was just ⅓ as large as the fraction for the total population.

[2] Computed on a base which omitted employed persons who did not report an occupation.

[3] The 1950 Census of Population combined the sales and clerical occupations into 1 category for the purpose of reporting occupations of persons with Spanish surname.

Source: Census of Population: 1930, 1950, and 1960 (U.S. Bureau of the Census).

The occupational changes shown in table 1 occurred in the context of population movements from rural to urban areas.[5] The data do not permit isolation of the changes which took place solely within urban areas. Also, the broad occupational categories used in this research include jobs which vary widely in skills required and compensation provided. Detailed analysis of the 1960 data shows that Mexican Americans and other disadvantaged minorities hold a disproportionate number of the lower skilled and lower paid jobs within most of the broad categories.[6]

RELATIVE CONCENTRATION

The kind of occupational shifts observed among Mexican Americans also occurred in the general population between 1930 and 1960. The more important subject of comparison of relative occupational change between them and the general population is shown in table 1.

A sizable increase occurred in the concentration of farm laborers and a smaller increase took place in the service group. Annual earnings in both categories are relatively small. Though the farm labor share of Mexican-American employment declined sharply from 1930 to 1960, the general population moved even more rapidly out of this kind of employment.[7]

With the exception of the manager categories, significant increases took place in the relative concentration of Mexican Americans in nonmanual occupations. Desirable changes are also shown by concentration increases in the craft and operative groups and by the decline in the nonfarm laborer group. Nevertheless, in 1960, the relative employment of Mexican-American men was still very slight in the high earnings professional

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Footnotes at end of article.

and managerial occupations, and very great in the low wage classifications.

OCCUPATION INDEXES

Changes in the relative occupational position of Mexican-American men are shown in table 2. Generally, a substantial improvement took place during the 1930–60 period. A good part of the group's occupational gains resulted from their movement out of agriculture. In fact, almost 60 percent of the increase in this relative occupational position can be attributed to the relative decline among farm managers and laborers in this group.[8] For example, the 1959 earnings of male farm laborers in California were $1,932, while those of nonfarm laborers—the lowest paid nonfarm workers—were $3,826. Since these earnings were used to weight employment in the two occupations, movement from farm labor to laborer and other occupations pushed up the Mexican-American occupational index substantially. This effect almost certainly overstates the actual gains in welfare obtained by Mexican Americans when they move out of agricultural employment. The earnings used to weight this employment do not include food and lodging which are important components of the compensation of many farm workers. In addition, weighting employment by earnings alone does not take into consideration the noneconomic satisfactions which workers receive in rural and urban environments. There is no sound basis on which to make a judgment about the relative size of the costs and benefits associated with worker adaptation to an urban environment.

As occupational gains were taking place, a significant amount of immigration was also occurring. In the 1950's immigration from Mexico to the United States averaged 30,000 persons a year.[9] Most immigrants from Mexico have relatively little formal schooling and must accept employment in low-skilled occupations.[10] Despite the immigration, Mexican Americans in the Southwest did raise their median school years completed from 5.4 to 7.2 years between 1950 and 1960; during the same period, median educational attainment of Anglos and nonwhites rose from 11.3 to 12.1 and 7.8 to 9.0 years, respectively.[11] Though comparable data for earlier years are not available, it is likely that schooling progress contributed to the occupational gains which were made.

TABLE 2.—OCCUPATIONAL POSITION INDEXES OF MEXICAN-AMERICAN AND ANGLO MEN, SOUTHWESTERN STATES, 1930–60

State	Indexes								
	Mexican-Americans			Anglos			Relative position, Mexican-Americans/Anglos		
	1930	1950	1960	1930	1950	1960	1930	1950	1960
Southwest	36.4	42.5	46.3	50.6	55.7	57.5	0.72	0.76	0.81
Arizona	30.0	34.5	35.4	45.0	48.3	49.8	.67	.71	.71
California	35.8	43.3	46.9	53.3	56.6	57.9	.67	.77	.81
Colorado	28.2	36.0	40.1	42.3	46.5	48.9	.67	.77	.82
New Mexico	28.5	35.5	39.9	36.7	47.4	50.0	.78	.75	.80
Texas	23.8	28.0	33.0	34.7	41.5	43.9	.69	.69	.75

Note: The calculation form for each population group was Σi (Xi Yi)/100, where X is the proportion of employed men of the group in the "ith" occupation and Y is the corresponding 1959 annual earnings of all men as reported in the U.S. Census of Population, 1960. Detailed Characteristics.

Source: Census of Population, 1930, 1950, and 1960 (U.S. Bureau of the Census).

COMPARISON WITH NEGROES

In contrast to Mexican Americans, the relative number of Negroes in the Southwest declined between 1930 and 1960. In 1930, 7 percent of the gainful workers in the region were Negro; by 1960, the proportion dropped to 6 percent. Like Mexican Americans, Negroes have been moving from Texas, where in 1930 over half of the employed Negro men were in farm occupations, to California. In 1930, 87 percent of all Negro male workers in the Southwest lived in Texas but by 1960 this proportion had fallen to 55 percent.

Table 3 compares the occupational progress of Mexican-American men with that of Negro men. In the professional and managerial occupations, Mexican-American gains were greater than Negro advancement, though neither group experienced very significant advances. In the sales and clerical occupations, the reverse was true. By 1960, the two groups had roughly equivalent representation in the professional and clerical categories, but Mexican-American representation was substantially better in the managerial and sales groups. In the manual sector, Negroes shifted out of farm labor and into laborer, operative, and craft occupations.

The net effect of these movements is summed up by the Mexican-American occupational position as a proportion of the Negro position. In Texas and the Southwest as a whole, the change in the comparative occupational position of these two groups between 1930 and 1960 was not significant. In California, however, Mexican Americans experienced greater progress than Negroes. This improvement is largely attributable to a shift out of farm occupations. Negroes in California were never employed in farm work in very large numbers. Consequently, their occupational position in California was superior to that of Mexican Americans in 1930, but most of that advantage had disappeared by 1960, as shown in the following tabulation:

	Occupational position [1] of Mexican-American men as a proportion of the occupational position of Negro men.		
	1930	1950	1960
Southwest	1.00	0.98	1.00
California	.82	.64	.97
Texas	1.07	1.03	1.08

[1] Computed in index form as given in table 2.

Source: Census of Population, 1930, 1950, and 1960 (U.S. Bureau of the Census).

It should be noted that Negroes within all but the laborer category hold jobs which are inferior in terms of earnings to those held by Mexican Americans.[12] Whether the relative inferiority increased or declined over the 1930–60 period is not known.

TABLE 3.—CONCENTRATION OF MALE EMPLOYMENT BY OCCUPATION, MEXICAN-AMERICAN RELATIVE TO NEGRO, THE SOUTHWEST, 1930, 1950, AND 1960.[1]

Occupation	Year		
	1930	1950	1960
Professional and technical	0.49	0.81	1.00
Managers and proprietors	1.90	1.82	2.11
Sales	4.58	1.60	2.62
Clerical	1.76		.88
Craft	2.04	1.65	1.48
Operative	1.54	1.06	1.63
Service	.27	.31	.37
Laborer	1.12	.66	.64
Farm managers	.52	.65	1.14
Farm labor	1.27	2.90	3.05

[1] These figures were computed as follows: Mexican-American males employed in occupation i/Mexican-American male employment ÷Negro males employed in occupation i/Negro male employment.

Source: Census of Population: 1930, 1950, and 1960 (U.S. Bureau of the Census).

STATE DISTRIBUTION

Mexican-American men made considerable occupational progress in the Southwest between 1930 and 1960, with the gains spread rather evenly over the two subperiods. The amounts and timing of the gains, however, differ sharply among the five States.[13] By examining general labor market conditions for the separate States—especially California and Texas, which together contained almost 85 percent of the Southwest's Mexican-American population in 1960—we can learn more about the nature of the occupational improvements.

Of the relative occupational improvement occurring in California between 1930 and 1960, almost three-fourths of it took place before 1950. Since it is known that the Great Depression of the 1930's greatly hindered occupational upgrading of minority groups, we may conclude that most Mexican-American occupational gains in California occurred in the 1940's when there was a great expansion of employment because of World War II. Occupational progress continued between 1950 and 1960, but at a much slower rate than in the preceding decade.

War production needs very quickly brought huge increases in the demand for labor in California. During the 1940's, 1.3 million jobs were added in the State as total employment increased by nearly 60 percent.[14] Perhaps even more important is the fact that almost all of the new jobs were added in a very short period, between January 1941 and mid-year 1943.[15] Labor shortages, resulting from the very large increases in demand, were prevalent throughout the war years. The demand for labor in the State was so great that much of the ethnic discrimination in hiring had to give way. Under the circumstances, even selectivity on economic productivity criteria was not always possible. Many low-skilled people had to be hired and trained. Thus, the severe labor shortages brought a relaxation of ethnic discrimination in hiring and a lowering of job qualification standards, especially with respect to formal schooling.[16] Both of these changes in employment policy aided Mexican Americans and nonwhites, enabling them to substantially improve their occupational status.

Increases in California employment were smaller during 1950 to 1960, 48 percent, and were spread more evenly over these 10 years than in the previous decade. Mexican Americans gained from this growth, but rapid upgrading, similar to that in the 1940's, did not take place.

The experience in Texas is not easily explained. Some progress by Mexican Americans in the 1940's associated with overall job growth in the State had been expected. But apparently the 30-percent increase in employment during the decade was not sufficient to bring this about; or, at least, it was not sufficient to do more than offset the retardation of growth during the 1930's. Actually, nonagricultural employment increased by 57 percent, but a decline of 200,000 agricultural jobs held down the gains in total employment.

In the 1930's, there was much underemployment in agriculture. During the 1940's, as the Nation's economy began to stir, many of the underemployed in rural Texas took industrial jobs. These shifts sharply raised the occupational position of the total male population in Texas. Mexican Americans were not able to improve their relative occupational position because the position of others rose so sharply.

DECLINE IN AGRICULTURE

Between 1930 and 1950, the distribution change of Mexican-American men employed in Texas from farm to nonfarm jobs was 19 percent, but in the same period 30 percent of the employed Anglo men underwent this shift.[17] These changes left Mexican Americans with 40 percent of the farm jobs in 1950, compared with a little over one-fourth in 1930.

Mexican Americans in Texas did achieve a gain in their comparative occupational posi-

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Footnotes at end of article.

tion in the 1950's, even though employment in the State did not expand as much as in the previous decade; total employment in Texas increased by 20 percent from 1950 to 1960. The gain took place because Mexican Americans were able to move out of farm jobs more rapidly than the rest of the population. Agricultural employment in Texas continued its decline in the fifties when 150,000 jobs were eliminated, but now the effect was greater on Mexican Americans than on Anglos. Thirteen percent of employed Mexican-American men shifted to nonagricultural jobs between 1950 and 1960, compared with 8 percent for Anglos.

The Mexican-American experience in New Mexico was similar to that in Texas. Their relative occupational position was better in 1930 in New Mexico than in any other State, probably as a result of the early Spanish settlement of New Mexico. In the next 30 years, the Mexican-American occupational position rose markedly, but the relative position of this group changed very little because the Anglo index also rose sharply. During the 1940's, Mexican Americans lost ground relative to Anglos despite sizable employment increases in the State. Federal Government construction and operation of defense and atomic energy installations provided many new jobs but Mexican Americans failed to shift rapidly enough from agricultural to the new industrial employment.[18] The reason for this failure is not certain. There are several possibilities, however. Government employment policies encouraged migration of Anglos to the State and to the new jobs; many Mexican Americans were unable to qualify for the relatively skilled nonagricultural jobs available; and generally, the response of Mexican Americans to nonagricultural employment opportunities was slow. In the next decade, however, there was a 60-percent decline in the proportion of Mexican-American men employed in agriculture so that they did make relative occupational gains.

The experience in Colorado of the small number of Mexican Americans there parallels that of the group in California. Occupational gains in Arizona cannot be clearly determined because 1960 data include a relatively large number of Mexican contract workers who were temporarily employed in agriculture.

EXAMINATION OF PROGRESS

While the general population was shifting rapidly from agricultural to nonagricultural employment, Mexican Americans were not able to make comparative occupational gains. Mexican-American movement out of agriculture lagged behind the general population movement. The reasons for this are no doubt complex, but involve, among other factors, comparative occupational preferences and qualifications and discrimination by the majority population.

Though they lagged behind the general population in leaving agriculture, Mexican-American men did make occupational progress during the 1930–60 period through shifting to nonfarm employment. The gains made in this way, however, may be overstated for all populations by the usual index method of measuring occupational change.

By far, the most rapid improvement in Mexican-American occupational position occurred in California and Colorado during the 1940's. Perhaps the concentration of very large increases in labor demand in a short period of time in these States forced employers to use existing labor supplies. This situation especially benefited those workers who were most frequently unemployed and underemployed before the employment growth occurred; Mexican Americans and other disadvantaged minority workers formed the largest part of this group. Then, in the 15 years after the war, until 1960, employment growth proceeded at a pace which more readily permitted reliance on migrating Anglo workers to fill semiskilled and skilled job openings. The skill composition of Mexican-American workers who moved to California, mostly from southern Texas, was probably lower than that of Anglo workers who moved to California.

"... The greatest problem in the Mexican-American community is education, not racial discrimination. The sheer wall of racial feeling between Anglo-Americans and Mexican Americans has substantially melted, though discrimination still has deep roots in some areas. For many Mexican Americans, what has not melted as fast as racial discrimination is a cultural difference which impedes education and economic advances. It is in this cultural difference, not in racism, that we are most likely to find the prime barriers to the achievement of equal participation of Mexican Americans in the industrial economy."—Lamar B. Jones, "Education and Training of Mexican Americans: Problems and Prospects," *The Education and Training of Racial Minorities.*

FOOTNOTES

[*] Visiting Associate Professor, Industrial Relations Research Institute, University of Wisconsin.

[1] An estimate of the 1960 Mexican-American population of the United States, based on data in the *Census of Population: 1960* (U.S. Bureau of the Census), has been prepared for the Mexican-American Study Project, University of California at Los Angeles. The estimated number is approximately 3,850,000, distributed by area as follows: Arizona, 210,000; California, 1,290,000; Colorado, 140,000; New Mexico, 270,000; Texas, 1,450,000; and the rest of the United States, 500,000. These figures are cited with permission of Leo Grebler, Project Director.

[2] Comparison of the number of persons so classified to the Mexican foreign stock (foreign born and native born of foreign or mixed parentage) counts of 1930 and with the Spanish-surname enumerations of later years shows that most persons of Mexican origin living in the United States in 1930 were classified as Mexican. It appears, however, that a large proportion of the descendants of the Spanish-Colonial population of New Mexico were omitted. See *Census of Population: 1690, Subject Reports,* "Persons of Spanish Surname" (U.S. Bureau of the Census), pp. viii–xi. It is impossible to determine the effect of these omissions on the New Mexico occupational data presented in this article. Their possible effect on the data for the Southwest is very slight since the Spanish-American population of New Mexico in 1940 was less than 15 percent of the total Spanish-American population of the Southwest.

[3] E. P. Hutchinson, *Immigrants and Their Children* (New York, John Wiley & Sons, Inc., 1956), appendix C.

[4] For a more detailed description of this concept, see Alba M. Edwards, *Comparative Occupation Statistics for the United States, 1870–1940* (U.S. Bureau of the Census, 1943), pp. 7–10.

[5] In the Southwest, this urbanization process proceeded at roughly the same rate for Mexican Americans, Negroes, and Anglos, and by 1960 approximately 80 percent of all three groups lived in urban areas.

[6] See Walter Fogel, *Mexican-Americans in Southwest Labor Markets* (Los Angeles, University of California, Mexican-American Study Project, 1967), Advance Report 10, chapter VII.

[7] Contract farm laborers from Mexico, or braceros, swelled the number of Spanish-surname persons employed in agriculture in 1960. Despite the elimination of the contract farm labor program in 1964, a large relative concentration of Mexican Americans among farm laborers undoubtedly continues even today.

[8] This figure was obtained by computing indexes for Mexican Americans and Anglos from their 1960 occupational percentage distributions, with the 1930 farm manager and farm labor percentages substituted for the 1960 percentages and the 1960 percentages in all other occupations reduced in proportion to their relative size. The 1930–60 change in the Mexican-American relative occupational position, with the 1960 position computed in this manner, was then compared with the 1930–60 change given by the figures in table 2 for the Southwest.

[9] *Statistical Abstract of the United States, 1967* (U.S. Bureau of the Census), p. 96.

[10] Leo Grebler, *Mexican Immigration to the United States: The Record and Its Implications* (Los Angeles, University of California, Mexican-American Study Project), Advance Report 2, chapter V.

[11] Leo Grebler, *The Schooling Gap: Signs of Progress* (Los Angeles, University of California, Mexican-American Study Project), Advance Report 7, p. 4.

[12] Walter Fogel, *Mexican-Americans in Southwest Labor Markets,* loc. cit.

[13] Differences among the five States in the Mexican-American relative occupational position are brought about by the State occupational earnings structures which were used to weight occupational employment as well as by the occupational distributions (relative) of Mexican Americans. Thus, State comparisons in terms of a pure measure of occupational position cannot be made from the data in table 2. However, comparisons can be made of changes in Mexican-American occupational position. For State comparisons of the pure occupational position of Mexican Americans, see Walter Fogel's *Mexican-Americans in Southwest Labor Markets,* op. cit., chapter III.

[14] Except as noted, all figures on employment change in this section are based on the *Census of Population, 1950 and 1960* (U.S. Bureau of the Census).

[15] *Estimated Number of Wage and Salary Workers in Nonagricultural Establishments by Industry, California, January 1939–December 1962* (San Francisco, Department of Industrial Relations, 1963). Mimeographed.

[16] For related discussions, see Robert Weaver, *Negro Labor* (New York, Harcourt, Brace & Co., 1946), chapters VII and XI.

[17] Between 1930 and 1950, the percentage of Mexican-American men employed in agriculture declined from 51 to 32; the decline for Anglos was from 47 to 17 percent.

[18] The slow movement of New Mexico Mexican Americans out of agriculture in the 1940's cannot be documented quantitatively becaues of the Census underenumeration described earlier. Nevertheless, the information available infers that the movement was slow.

NATIONAL COUNCIL IN NOISE ABATEMENT

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. KUPFERMAN. Mr. Speaker, in the CONGRESSIONAL RECORD of June 10 and October 12 I presented my concluding remarks as a Congressman on the subject of "Noise Abatement."

I know that my colleagues will be interested in the fact that arrangements have been made for a new National Council on Noise Abatement on which I shall be pleased to serve as a member of the advisory committee.

The initial directors for this nonprofit corporation organized under the laws of the District of Columbia are William D. Hurley, Esq., Thomas C. Barry, and Anthony P. Flask, all of Washington, D.C. Mr. Hurley serves also as president and treasurer.

On the advisory committee, in addition to myself, are: Walter Soroka, Sc. D., professor of acoustical sciences, University of California, Berkeley, Calif.; Dr. Leo Beranek, president of Bolt, Beranek & Newman, Inc., Cambridge, Mass.; Mr. Kenneth M. Morse, director of industrial hygiene, United States Steel Corp., Pittsburgh, Pa.; Mr. Marion F. Gregory, senior vice president of Cuna Mutual Insurance Society, Madison, Wis.; Mr. John D. Tyson, assistant director of government relations, International Paper Co., New York, N.Y.; and James E. Fricke, Ph. D.

The national council will provide a forum for the exchange of information relative to the problems of in-plant noise and noise generated by products produced in the plants of its members. A periodic newsletter will be sent to the members in an effort to keep them abreast of developments in the field of noise abatement, and seminars will be convened annually so that the members may hear directly from experts in the field.

Membership in the council is open to any organization or individual interested in the area of noise abatement.

TRIBUTE TO SENATOR THOMAS KUCHEL

HON. WINSTON L. PROUTY

OF VERMONT

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. PROUTY. Mr. President, the time will come when each of us must leave the Senate. It will not be a happy time for any of us when it does come. But, while some of us will yet remain here, we will share a sense of loss of the talents of those who precede us.

I think at the moment of the minority whip, TOMMY KUCHEL, who will not be with us at the beginning of the 91st Congress in January. That, Mr. President, will be a great loss to the Senate, as well as to our party.

In actual age, TOM KUCHEL is still a very young man. In his ideas and in the exercise of his duties, TOM KUCHEL is even younger yet. His pursuit of the business of the Senate has always been energetic—almost electric—and this approach to things has been of great encouragement to me.

I am sorry to see him leave us, for his absence will be felt considerably by all of us. His work in the Senate during the past 16 years has been as able, as dedicated, as serious, and as productive as any citizen could expect and as any constituency could hope for.

The people of California have been well represented by TOM KUCHEL. The people of the United States have received great benefit from his service. The membership of the Senate owes him gratitude, for his legislative skill has been of considerable help to each of us.

RYAN REPORTS

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. RYAN. Mr. Speaker, throughout my service in the Congress I have endeavored to maintain two-way communications with the people of New York in a variety of ways. One way is through my periodic newsletter, "Ryan Reports," in which I comment upon the issues confronting us at home and abroad. I include at this point in the RECORD the October issue of "Ryan Reports":

RYAN REPORTS FROM WASHINGTON TO NEW YORK (VOL. IV, NO. 24, OCTOBER 1968)

(By Congressman WILLIAM F. RYAN)

DEAR FRIENDS: We have come a long way over the last eight years, from great promise and accomplishment to destruction and near despair.

And now the 90th Congress and the Vietnam War have destroyed the hopes that were raised by John F. Kennedy, and they have gutted the promises of his successor.

In 1961 President Kennedy summoned us from years of lassitude and drift. He said, "Let us begin." But the Conservative Coalition of Republicans and Dixiecrats stalemated the programs of the New Frontier. The Conservatives refused to begin.

An assassin murdered President Kennedy, and a new President called on the nation. He said, "Let us continue."

With a landslide election, Democrats from the North, Midwest and West had enough votes in the House to overcome the Conservatives—for the first time since the days of the New Deal.

The 89th Congress began to carry out the hopes of President Kennedy and the promises of the Democratic Party—Federal aid to education, Medicare, civil rights, new housing programs, anti-poverty, urban aid, a Department of Housing and Urban Development. But in spite of these accomplishments, in the 1966 elections progressive Democrats lost some 47 seats in the House. In the 90th Congress, the Conservative Coalition returned to power—supporting escalation of the war, cutting domestic programs and destroying our hopes for a New America.

GUNS, NOT CITIES

Early in the Congress nine Representatives joined me to warn that our nation faced "continued stalemate in Vietnam, greater violence in our cities; and in increasingly reactionary response to that twin prospect."

We said that the problems of our citizens were more urgent than the war in Vietnam. We called for an immediate end to the war, which I had opposed from its inception, and the beginning of a real "Marshall plan for the cities."

But the Conservative Coalition put the war first. In 1967 we spent $20 billion on the war. This year we are spending more than $30 billion.

The House abdicated any critical role in foreign policy and any responsibility in the Vietnam War, routinely voting all military appropriations.

Using the war as an excuse and civil disorders as justification, the Congress cut back previously authorized programs in education, Medicaid, antipoverty, housing and other essential domestic areas.

As I said last year on the Floor of the House, "Virtually without substantive debate, the Congress decided that continued escalation of the war was worth destruction of critical domestic programs."

Escalation of the war continued. We have lost 25,000 Americans killed in Vietnam; 153,000 wounded. We have spent $100 billion on the war.

This increasing destruction, and the continuous efforts of a few of us in Congress, achieved increasing national opposition to the war. Senator Eugene McCarthy courageously took the issue to the primaries.

In January, I became the first public official to urge Senator Robert F. Kennedy to challenge the President. From New Hampshire to California the issue was joined by both Senators McCarthy and Kennedy, and the overwhelming mandate was for change. Then another assassin murdered Senator Kennedy.

Now the 90th Congress and the Vietnam War have faced the nation with one of the greatest crises since the Civil War.

AGAINST THE WAR

I believe America is facing the fact that the war underlies our growing economic and social problems.

Since the beginning I have fought against Americanization and escalation of the war. Seven years ago I warned that Vietnam was a matter for the United Nations. In June, 1964, I outlined specific proposals to neutralize Southeast Asia.

I have continually emphasized the need for a political solution to what is still fundamentally a war between Vietnamese. In the words of President Kennedy, "It is their war . . ."

I have time and again called for a bombing halt. As the Secretary of Defense testified, bombing of the North does not stop operations in the South. But it is the opinion of U.N. Secretary-General U Thant, of former Ambassador Arthur Goldberg and of other experts that a bombing halt could get peace talks moving.

As a Representative and a combat veteran of World War II, I have noted there is a difference between supporting our fighting men and escalating the war. Thus since the beginning I led votes against funds for escalation.

Early in the 90th Congress, last year, eighteen of us joined in support of an amendment to prevent further bombing in North Vietnam. In August we issued a formal statement warning that the Vietnam War had thrown our nation into a crisis. In September we voted against appropriation and construction bills to escalate the fighting.

In October, 29 Congressmen joined me in a letter to the President asking an end to the bombings in the North. Later, the Secretary of State called me at the President's direction to ask for a meeting. At that meeting, we urged the Secretary of State to cease the bombing and negotiate with the National Liberation Front.

In November, I took the Floor of the House to warn of the dangers of increasing military domination.

And in December, President Johnson went on nationwide television to insist that "some Senator or Congressman Ryan" did not have the solution to Vietnam.

Early in the second session, this year, I introduced a resolution expressing the sense of Congress that our armed forces in Vietnam should not be increased. One week later I introduced another resolution calling for a Congressional review of the entire Vietnam situation.

And on March 31, as you know, President Johnson changed course and moved toward some of the same policies which he had previously rejected.

For a time the Administration's partial bombing restraint and the Paris talks muted public debate. But they did not stop escalation of the war. In May, 1968, for instance, we lost more American lives than in any previous month. In June, the House put up $6.1 billion more to pay for increasing costs of the war.

Thus in August I drafted a formal statement in which ten other Congressmen joined. We called again for an end to the bombing of the North and an "acceptance of NLF direct participation in negotiations." And we warned that the Administration, or its successor, would have to accept the political realities "to finally bring this disastrous war to an end."

CONSUMERS

With all its frustrations and failures, the 90th Congress did pass some historic legislation—in Social Security, civil rights, consumer protection and in housing.

Perhaps the least known was the consumer protection package, which includes measures to ensure the safety of some 800,000 miles of gas pipelines and to establish Federal inspection of most meat and poultry.

After eight years, the Congress also passed one of the strongest consumer protection bills ever written—Truth-in-Lending. Senator Paul Douglas sponsored it in the Senate, and I introduced it in the House, in 1961.

The Act requires lenders to tell consumers the real cost of credit and the true interest rate. It also restricts garnishment of wages, cracks down on loans sharks and provides other protection.

SOCIAL SECURITY

In one of its major achievements, the Congress increased Social Security benefits for some 23 million Americans, almost all of them elderly and most of them poor.

We increased benefits 13 percent across the board, putting the new minimum monthly benefit for an individual at $55 and for a married couple at $82.50.

The Amendments partially carried out two of my major Social Security improvements.

In the last four Congresses I have introduced and worked for a bill to increase to $3,600 the amount of outside earnings a Social Security recipient could receive without penalty. Under the Amendments, the ceiling was increased to $1,680 without loss of benefits and up to $2,880 with loss of some benefits.

In my first term in Congress I had also introduced legislation to include tips as earnings for the computation of benefits. The Amendments provide for including tips.

Although improved, Social Security benefits are still inadequate. They must be greatly increased and tied to the cost of living if our senior citizens are to be able to live in dignity.

I have introduced measures not only to further lift the earnings ceiling, but also to subtract from outside earnings the full amount of an individual's medical, dental and related expenses; to extend Social Security to Federal employees and to include aged dependent parents and relatives under Social Security.

Unfortunately, and despite our opposition, the Congress weakened some of the newer aspects of Social Security—particularly the Federal contribution to State Medicaid programs designed to help "medically needy" persons. These inexcusable cutbacks, when we are spending billions on war, means less Federal aid and less medical care for thousands of needy citizens right here in New York City.

INCOME

In an increasingly affluent nation, Social Security and welfare benefits are not enough to ensure minimum standards and to engender our national growth and strength.

Thus this year I drafted what I believe will become an historic economic measure—the first income maintenance bill introduced in the Congress.

Leaders of every segment of our society have endorsed the concept of income maintenance, which has been called a guaranteed annual income or negative income tax.

Income maintenance would cut welfare migration, ease local tax burdens and supplement low incomes of those on Social Security and public assistance. It would improve the lives of some 22 million poverty-stricken Americans who now get no public assistance benefits at all.

Benefits would be $50 a month for the head of the family plus $39 a month for each dependent. The maximum annual benefit of $3,408 would go to a family with no income and six dependents.

The present welfare system generally prohibits recipients from working to earn money. But income maintenance would provide financial incentive to work. For every dollar earned the total benefit would be reduced by just 50 cents. A family of four, for instance, could receive an annual benefit of about $2,000. If the family earned $1,000, the benefit would be reduced to $1,500 for a total income of $2,500.

The benefits would not be high. But they are above subsistence and higher than welfare payments in the States with the worst poverty.

And by lifting millions of families and children to new standards, and new hope, the plan would strengthen our society and our economy now and for future generations.

Yet the total cost of the proposed initial program would be only about $4 billion a year—far less than the cost of two months of the war.

CIVIL RIGHTS

It took the murder of the Rev. Dr. Martin Luther King, and a shocked nation, to move the 90th Congress to act on this year's civil rights legislation.

Dr. King was a great American, with a vision of a truly equal, free and democratic America. Years ago I joined him in Albany, Georgia. I supported his leadership in Birmingham, Alabama, and I saw the force of his vision during my work with the civil rights movement throughout Mississippi in the summer of 1964. I joined him again early in 1965 in Selma.

Early this year, after his moving funeral, 21 Congressmen joined me in a formal statement calling on Congress to redeem our nation's promise and Dr. King's goals for all Americans—"full equality before the law, effectively enforced."

Within weeks we passed the Civil Rights Act of 1968—setting up a nationwide, antidiscrimination in housing law similar to the law we have long had in New York City.

For years I had fought for a Federal antiviolence statute. The Act of 1968 included just such a law—prohibiting anyone from interfering with, or intimidating, a person who exercises such rights as voting, working, using public facilities or attending school.

JOB DISCRIMINATION

More than anything else, job discrimination and employment lie at the core of our racial problems. In the words of the National Advisory Commission on Civil Disorders, "Employment is the key problem."

Early this year, after a major investigation, I took the Floor of the House to call for action in enforcing laws against job discrimination.

I pointed out that more than six different kinds of laws now prohibit job discrimination, but neither Federal, State or local governments have adequately enforced the laws. Despite economic growth, the black unemployment rate has continued at double that for whites. The problem is not lack of laws but failure of enforcement.

For instance, a Federal Executive Order prohibits giving government contracts to firms that discriminate. The order theoretically covers firms employing one-third of the workers in the country, some of them notorious for discrimination. Yet not one contract had been cancelled for noncompliance with the regulations.

My investigation and report stirred some action. Within weeks the Federal government told five major firms they would have to end their discriminatory practices—or they would actually lose government contracts.

HOUSING

Perhaps the major achievement of the 90th Congress was the Housing and Urban Development Act of 1968 aimed at assuring all Americans a decent place to live.

The measure authorized $5 billion to provide new and rehabilitated homes for more than 1.7 million low income families over the next three years. However, the Conservative Coalition later refused to appropriate the funds to meet the authorization.

The original bill specifies a goal of six million low and moderate income housing units over the decade. That is what the National Advisory Commission on Civil Disorders recommended to save our cities. It is ten times the rate of construction of the last decade.

At the heart of the Act are two new programs providing Federal aid to meet mortgage costs paid by low-income owners and paid by nonprofit apartments renting to low-income tenants.

The Act can have a direct effect on housing in New York City. As you may know, mortgage costs have been forcing up rents and cooperative carrying charges of New York's Mitchell-Lama middle income housing. Because of high mortgage costs, for instance, one recently-approved project scheduled rents of $48 per room per month—hardly a moderate-income rental.

Early in the Congress I had introduced two amendments to provide Federal funds to meet Mitchell-Lama mortgage costs and rents.

As I said later on the Floor, I was very pleased that Congress agreed to include in the Housing Act my amendments "to make Mitchell-Lama housing eligible for assistance under the new interest-subsidy program . . . and also eligible for the rent supplement program."

I also noted on the Floor my pleasure that the Congress had agreed to include in the Act another measure which I co-sponsored and for which I have long been fighting—"jobs in housing."

The original idea and work for the measure was carried out by the National Committee for a Confrontation with Congress—a grass roots group of Harlem construction workers who understood the connection between a massive housing program and jobs.

Now Federal housing law provides that—"to the greatest extent feasible"—lower income persons and businesses located in the areas of housing under construction will be given employment and contracts on the housing.

THE MIDDLE EAST

After a long battle, we finally forced the Administration to take steps toward selling jet aircraft to Israel. They are essential for her defense and for peace in the Middle East.

In the last Congress I was able to get passage of my amendment prohibiting aid to Egypt.

Early in this Congress, in 1967, I called on the Administration to "oppose any aggression against Israel." Within a month the six-day war broke out, and I took the Floor to speak against the State Department's "grotesque" declaration of neutrality.

But the State Department continued to pursue its short-sighted policies.

On April 30, 1968, 21 Congressmen and I joined in sponsoring a resolution calling on the Administration "to sell Israel a quantity of Phantom jets adequate to her defense."

I and other Congressmen spoke out publicly and privately against the State Department's decision to rearm Jordan. In the House, we gathered enough support to incorporate our resolution to provide jet aircraft to Israel in the Foreign Aid Act.

As I said on the Floor, "We must make certain that Israel has the strength to repel any renewed attack."

When he signed the Foreign Aid Act, the President directed the State Department to begin negotiations with Israel for sale of the jets. I am continuing to press the State Department to complete the sale, carrying out our Congressional mandate.

GUN CONTROL

The assassinations of Dr. King and then of Senator Kennedy outraged the nation, and got gun control legislation moving in the Congress.

But the gun lobby proved stronger than the majority of citizens or their outrage. The lobby defeated any truly meaningful legislation.

In the House I introduced the Gun Crime Prevention Act, drafted and introduced in the Senate by Senator Joseph Tydings. It was the strongset gun control legislation put before Congress, and it would have required registration and licensing of all firearms.

I said, "As the President's Crime Commission long ago pointed out, and as hundreds of experts have noted, the way to bring firearms under control is to require registration of all guns and the simple licensing of all gun owners."

But many rural Congressmen, and the National Rifle Association, opposed strong control.

Congress finally accepted legislation restricting interstate and mail order sales of handguns, rifles, shotguns and ammunition. But the gun lobby and Congress refused to approve any form of gun registration or licensing.

AIR POLLUTION

Both in and out of Congress I have been fighting for control of air pollution—which is still shortening our lives and damaging our property.

In the first session, although it was not as strong as my bill for national standards, I supported the Air Quality Act to provide funds and new Federal enforcement powers.

In 1967 and again this year, I testified before the New York—New Jersey Air Pollution Abatement Conference. In September I testified before a consultation held in New York by the Department of Health, Education and Welfare to consider borders of a metropolitan air control region.

At these conferences I have noted that New York City still has the "most polluted air of any major city in America." I made specific recommendations to achieve abatement.

However, as I reported in the Congressional Record, the New York City Administration has failed to carry out its promises and its own programs in air pollution abatement, has failed to make prompt use of available Federal grants, and has itself become the City's worst lawbreaker and worst polluter through its failure to upgrade municipal incinerators.

ISSUES AND BATTLES

Because of limitations of space and time I have been unable to report on many issues, battles and efforts of the 20th Congressional District Office.

Let me touch on a few of them:

—I fought against the 10 percent surtax, which is really a war tax aimed at paying the cost and controlling inflation caused by the war.

Instead of a surtax, as I said on the Floor, we could have raised the same revenue by taxing excess corporate profits and by closing tax loopholes that now allow some millionaires to pay no taxes at all. And instead of slashing essential domestic and urban programs, Congress could have cut subsidies for projects like the supersonic airliner and swollen areas of the military budget.

Increasing numbers of Congressmen are supporting my bill to give aliens serving in the Armed Forces the means to achieve early citizenship. The legislation would be similar to that which gave naturalization benefits to alien servicemen of World War II and the Korean Conflict.

Although Congress originally passed the Bilingual Education Act, which I co-sponsored and for which I testified, it appropriated only $7.5 million, not enough to help just New York's Spanish-speaking children. I introduced a bill to appropriate the full $30 million.

After a long battle, the House Interior Committee, of which I am a member, agreed to enlarge the Redwood National Park in northern California, thus preserving more redwood trees from the lumberman's axe. The Committee, and the Congress, accepted my proposal to add irreplaceable acres of timber along the Emerald Mile. Now the park will encompass 58,000 acres.

More than a dozen Representatives have now joined me in sponsoring my bill to construct a nuclear desalting plant in Israel. Under the bill, the United States would share construction costs and provide technical and other assistance.

I co-sponsored legislation which the House passed in September setting up a Commission on Negro History and Culture. As I pointed out in the House, this vital part of our American heritage has been too long neglected.

The 20th Congressional District Office has helped launch and has worked with a number of local antipoverty programs, including Headstart and Community Action Programs. One of the most exciting is the West Side Neighborhood Health Service Program to provide medical service to thousands of the poorest residents in the areas between 86th and 110th Streets.

I have added another measure to the Ryan Housing Program. Under the new bill, the Department of Housing and Urban Development would set up a revolving loan fund to help slum residents acquire and renovate their buildings.

After a long fight, I still have high hopes for legislation which I have introduced to correct inequities in the Immigration Act of 1965. My bills would make immigration easier for Irish applicants and Italian brothers and sisters of American citizens.

In the 90th Congress I blocked a bill to name a hospital at Jackson, Mississippi, after the late Congresman John Rankin, one of the worst bigots in American history. For five years I had prevented Southerners from slipping the bill through. Once they brought it out in the open, I rounded up the votes to stop it. They withdrew it—hopefully forever.

It has been a difficult Congress, and I have had to spend just about all week every week in Washington while meeting with civic and community groups on the weekends.

I have found great support in what I like to call two-way communications on our wonderful West Side, Harlem, Washington Heights and Inwood—meetings with you at civic groups, synagogues and churches, on walking tours, bus tours; your response to the annual questionnaire, your participation in the annual West Side Community Conference, these Ryan Reports, and your wonderful letters.

I hope I have the pleasure of seeing you sometime soon.

Sincerely,

BILL RYAN.

HARTSELLE HOSPITAL DEDICATES NEW MEDICAL COMPLEX

HON. JOHN SPARKMAN

OF ALABAMA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. SPARKMAN. Mr. President, the growth of modern hospitals and the increase in the number of hospital beds in Alabama has been a source of great satisfaction to me. I am glad to recognize one such institution, the Hartselle Hospital. Early in September of this year Hartselle Hospital opened the doors of its completely renovated medical complex, with its capacity now up to 135 beds and its payroll over $70,000 a month, and on its way up still further.

The Hartselle Hospital is a fine example of a privately owned hospital, built without public funds, dedicated to good medical service for its chosen community, and paying taxes like any other business venture in the community.

Hartselle is a town of about 9,000 population. Over 1,000 of its citizens turned out for the weekend open house and saw the new facilities for inhalation and physical therapy, a new labor and delivery suite, and a wide range of modern medical equipment. The hospital, for example, is one of two in north Alabama that is equipped with an intensive-care unit. A registered nurse is on duty 24 hours of every day, and from her desk she can monitor the pulse and heart rate of six patients under intensive care.

Before modernization is complete, a bond issue of almost $2,000,000 will have been created. The additions cost over $825,000, and improvements within the hospital over $250,000. Aside from this there is a new medical arts clinic, as well as a licensed practical nurses school where an average of 15 trainees undergo a year's training for their new responsibilities.

Hartselle Hospital has done everything possible to make its facilities attractive. It has used rich color in its decoration, and has created a splendid addition to Hartselle's health program, and to the community in general. This is one of some 800 hospitals throughout the United States that are privately owned, as against the other 90 percent that are nonprofit or institutional. Together, they make an important contribution to the Nation's program of better care for the sick and the elderly, and they have responded with imagination and vision to our country's health needs.

The three-story hospital is a fine addition to the business community of Hartselle. It is an even more important addition to the welfare of that community. Its staff, numbering more than 200, play an important role in community life. Through its membership in the Federation of American Hospitals it works toward national recognition for proprietary hospitals. The FAH, which combines over 300 of the proprietary hospitals in common cause, acts as the spokesman for this important group of hospitals.

I am very proud that Hartselle Hospital has been able to complete its new and modernized facility, and I am certain that it will play an increasingly important role in the future of its community.

WATER QUALITY IMPROVEMENT ACT OF 1967

HON. ED REINECKE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. REINECKE. Mr. Speaker, the two previous Congresses have been rightfully called conservation Congresses by an appreciative Nation.

As the 90th Congress grew older, the faces of many conservationists grew longer as additions to the record of achievement in natural-resource husbandry were sparse. In the closing weeks of this session, however, a wealth of sound conservation measures have been reported, debated, passed, sent to conference, accepted, and signed into law. To the earlier land and water conservation fund amendments we have recently added the creation of two exceptional national parks in the redwoods and the North Cascades, the latter accompanied by wilderness and recreation areas. Nationwide systems of scenic trails and rivers were given their foundation in law.

In light of these important, albeit tardy, actions, this Congress too, may feel it has earned the sobriquet of "conservation Congress."

These accomplishments in the recreational and esthetic domain are equaled, and perhaps surpassed, by our efforts to insure adequate quantities of pure water throughout the Nation. The record of the 90th Congress in this regard is a strong one also.

We have approved the Colorado River Basin project which will allow the growth of a dynamic region of this country, the southwest and southern California, and we have acted to allow this growth without sacrificing beauty and grandeur of the Grand Canyon of the Colorado River.

The long-growing awareness of the need for a sense of national perspective on water problems and plans was rewarded by our approval of a National Water Commission. This act carries with it the potential to establish a new benchmark in resource management. As I stated on September 5, 1968:

> There are now 38 Federal agencies involved in some aspect of water resource activities. It is almost certain that there is duplication, overlapping, and a working to cross-purposes, and that many crucial problems exist. The National Water Commission study would reveal these, and after consideration, in depth, of alternative means of development of our precious water resources, provide to the President and the Congress the basis for a considered judgment and decision as to the most efficacious and desirable means of development.

As a sponsor of this measure since 1965, it is with great pride and expectation that I now view its acceptance.

On Monday, October 7, Congress took additional action on a very attractive and vital package of water pollution control legislation. The House Committee on Public Works had combined a group of clean water bills passed by the other Chamber. Included in this package, designated S. 3206, are provisions which facilitate and accelerate construction of local water waste treatment facilities; which extend the essential Federal program in research on water pollution control; which act to afford protection from pollution to those lakes of our Nation that constitute a valuable resource for numerous purposes including municipal and industrial water supply, scenic grandeur and recreation; which continue research and demonstration projects dealing with acid mine drainage; which act to cut down the pollution of our waterways due to the discharge of untreated wastes from vessels; and to substantially reduce the threat of ecological disasters, such as that which accompanied the *Torrey Canyon* and *Ocean Eagle* oil tanker wrecks, by controlling oil discharges and holding owners responsible for damages caused by spills and discharges.

My privilege to serve on two of the committees most directly related to conservation—the Interior and Merchant Marine and Fisheries Committees—has allowed me an outstanding opportunity to review many resource problems. Few have impressed me more than the catastrophic ravages which have resulted from oil spills. The $2.5 million revolving fund which would be established by S. 3206 to clean up any such spills or discharges will provide us with some insurance. Our goal, however, must be to prevent such incidents from developing.

Similarly, the provisions to control sewage discharges from all but recreational and commercial fishing vessels under 45 feet in length are essential. Our rivers, harbors, coasts, and estuaries are threatened not only by the scenic blight but by the health hazards and the possible elimination of aquatic life forms as well. We know, for example, that a very high percentage of our commercial ocean fish species spend their early life in the waters of estuaries. If these waters are polluted or destroyed there is no way to maintain quantities of the fish which are dependent upon such waters.

This is an impressive array of tools provided by S. 3206 to be used in the fight against foul water. The unanimity which the Water Quality Improvement Act of 1968 was accorded in this body bears mute testimony to our appreciation of its nationwide importance.

S. 3206 is not the ultimate answer to all our water quality problems. All of my colleagues are of course aware of this. It does represent a significant improvement over the existing statutes, however.

In the future we shall have to strengthen nationwide our water quality standards so as to ultimately eliminate the discharge of pollution into our rivers. Treatment plants must be provided with the technology and the funds to meet this goal at the earliest possible date.

Legislation specifically, and the Federal Government generally, do not comprise the entire solution to water resource problems.

The vast private industrial sector of this Nation stands able, as always, to make monumental contributions toward the resolution of the growing water crisis.

Kaiser Steel in California provides an excellent case in point. By combining a recognition of the true value and importance of water with imaginative use of engineering and technological talent Kaiser has been able to recycle and reuse water several times in their plant before discharging it. This allows them to produce a ton of steel by using 1,400 gallons of water in the process. Recent comparable figures for the industry as a whole are in the range of 20,000 to 25,000 gallons per ton.

Achievements such as this have obvious importance. Those industry leaders responsible for such innovation are deserving also of recognition as conservationists.

I share the hope expressed by numerous of my colleagues that our counterparts in the other body will share in cooperative conservation action; that they too will recognize this modified bill as a meaningful attempt to mount a broad-scale attack against a serious national problem.

We all recognize that allowing this legislation to die with adjournment would not be an irreparable tragedy but it would be a serious mistake. We cannot afford such mistakes.

"CREDITABLE CHAPTER" WRITTEN BY CONGRESS IN CONSERVATION

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FRASER. Mr. Speaker, one of the lasting accomplishments of the 90th Congress has been our passage of laws to preserve some of the greatest scenic and recreational areas in the United States.

Most important of these measures, from the standpoint of my home State of Minnesota, was the wild and scenic rivers bill. I was a cosponsor of this legislation.

The bill that was finally approved, after a long struggle and several near-defeats, is essentially the one approved by the House in September.

The upper St. Croix and its tributary, the Namekagon, will immediately become part of a national system of wild, scenic, and recreational rivers. There are eight rivers in this category.

Later the lower St. Croix—below Taylors Falls—is likely to be added to the system. It is one of 27 rivers in the "study" category.

During debate on the wild and scenic rivers bill, I told this body:

> The St. Croix is unique; it is the only clean, free-flowing, relatively undeveloped stream of its kind that is so close to a major metropolitan area.
>
> It offers a water playground only minutes away from Minneapolis and St. Paul. And, because it is in the center of the country, it provides recreational pleasure for other population centers in the Midwest.

RAIL-BARGE COOPERATION AND THE TERMINAL GRAIN MARKETS

HON. A. S. MIKE MONRONEY

OF OKLAHOMA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. MONRONEY. Mr. President, John A. Creedy, president, Water Transport Association, made an important address on October 14, 1968, before the Kansas City Traffic Club entitled "Rail-Barge Cooperation and the Terminal Grain Markets." The concepts for increased intermodal cooperation in the transportation field advocated by Mr. Creedy are essential to the continued growth and smooth functioning of our national transportation system.

With the opening of the Arkansas River Waterway in 1970, Tulsa, Okla., will be in a position to serve as a terminal grain market and utilize the same type of rail-barge transportation mentioned by Mr. Creedy.

I believe his remarks should be studied carefully by every member of this body, and I therefore ask unanimous consent that his address be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Rail-Barge Cooperation and the Thermal Grain Markets

(Address of John A. Creedy, president, Water Transport Association, before the Kansas City Traffic Club, October 14, 1968)

The last time I was in Kansas City for a visit I spent a great deal of time going over the Trans-World Airlines training and maintenance base here and observed the landing of those monster airplanes in a training simulator. Many of you have experienced or have heard about the realism of those simulated landings. The hair rises on the back of your neck as the engines fail one by one and the plane falters and the alarm bells begin to ring, and the cockpit sways and the sweat stands out on the face of the pilot. And then it's over and the instructor explains that the simulated airplane has been spattered over hundreds of acres of airport. And there follows a highly technical analysis of the outer limits of pilot and plane performance and how easy it is to catch a dangerous development long before it becomes a threat.

I read the other day of the development of a railroad locomotive simulator. Throughout our complicated technological civilization we have reduced to a science the simulation and anticipation of trouble and danger.

I am going to talk today about the need for a different kind of simulation for transportation and I am glad to be doing it in Kansas City. Very few cities in the country have such an acute appreciation of the importance of transportation. I have been reading the publications of the Kansas City Chamber of Commerce on transportation and see there a lively appreciation of the importance of the combination of the different modes of transport. Most of us in the transportation industry think barges or airplanes, or railorads, or ships, or trucks or pipelines. The Chamber of Commerce, in its publications, thinks of all of them. And this of course makes sense. Each has its role and the inter-relation of the modes, the competition and cooperation of all, make possible the successful trade and commerce of the region. Healthy competition between the modes assures maximum efficiency from each mode and maximum efficiency in transportation is a major asset in a region's ability to reach markets with its products and receive supplies at the lowest possible cost.

All that is well and good. But what of the future? We are increasingly aware of the pressures of economic growth and the increasing need for all of us to think ahead. The sensible approach is to do what TWA does with its pilot training, try to simulate future conditions so as to anticipate the rough spots and avoid them where possible.

If this nation's economy continues to grow at a real rate of 4½ per cent a year it will double its production in 15 or 16 years. Speaking to the Mississippi Valley Association not long ago, Secretary of Transportation Alan S. Boyd said he thought it possible that the capacity of the transportation industry might have to double by 1980 if it is to serve the economy properly. We must therefore begin to think about the implications of trying, in effect, to build as much new capacity as we have in place now.

An important element in the process of simulating the future is now being undertaken by the Transportation Association of America. This is an organization in which shippers, the financial community, railroads, water carriers, truckers, airlines and pipelines meet to discuss mutual problems. A major study is underway to determine the future capital requirements of the transportation industry over the coming decade. As we begin to simulate future capital needs, we can bring into clearer focus just how we expect to raise the capital to build the transport plant needed to serve the country.

I believe we have all been taking too narrow, too "channel-minded" a view of the future. Some of my friends in industry have been popularizing a $25 word with which they have been impressing their friends. The word is synergism, but when you look it up the concept is about as common as a dime—by working together, cooperating, more can be achieved than by working separately.

As we take a look at the mountainous capital investments which lie ahead in the next decade, I think the transportation companies are going to be taking a much harder look at the most efficient way of accomplishing a given job through intermodal cooperation. If it is running trailers on railroads, or coordinating barge and rail service they are going to do it. If they are unwilling, because of past tradition, their bankers and stockholders are going to make them do it. Equally important, all modes must be increasingly concerned that their pricing policies are realistic enough to statisfy what some have called the investment imperative. The key question increasingly is not how low can the rate go in the short run, but will a new rate buy freight cars or barges or trucks or airplanes?

To the extent the nation's transport plant is harnessed to the driving force of healthy competition which continually requires improving efficiency, to the extent its various elements cooperate, the total job can be done with less additional investment and less consumption of resources. In the Water Transport Association, we have made some preliminary studies of combinations of rail rates and barge rates and we can see possibilities of from 10 to 25 per cent savings, under the proper circumstances. This can either be passed on to the shipper or used by the transport companies to reinvest in expanded and improved capacity, or shared.

The competitive struggles of the past 10 years have produced remarkable changes in both rail and barge technology. Larger freight cars, longer trains, increasingly efficient utilization of equipment have produced the economies which can usually be expected to result from increasing the scale of the operation.

Barge lines too have the same story to tell. Barges are larger—in fact have tripled in capacity—and hull designs have been improved to increase efficiency. A number of technological breakthroughs in engines, reduction gearing, steering control have combined to make possible larger flotillas of barges, particularly on the lower Mississippi. A rising trend in rates was reversed in 1960 and the barge rates, on the average, are now about 10 per cent below the 1960 level—and, perhaps more startling, they are down to the same levels of the 1920's.

There is an obsolete section of the Interstate Commerce Act which must be modernized in the next session of Congress. Under one construction of the law, barges carrying regulated and unregulated commodities cannot be mixed in the same flotilla. If this is ever applied, the barge lines could not use the full capacities of the new 6,500 horsepower towboats. Every shipper, river development association, industrial, farm and grain dealer group, most of the State industrial development departments along the river, and all the relevant government departments are whole-heartedly for a modernization of the law and for preserving the savings produced by the new technology. The only source of opposition is the railroad industry and we are hard at work trying to develop some accommodation of their objections.

I think there is some evidence that the railroads are beginning to think more cooperatively about transportation problems. Last January at a farm conference in Illinois and, separately, at a transportation conference in New York, members of our Association launched a program to identify rail-water movements which would lend themselves to cooperation. We urged our railroad friends to establish the same kind of business-like relationship with us which we enjoy with the trucks. We called our proposals "willing partner" rates. We were looking for rail-barge movements which would provide the railroads with equal or higher divisions than they were now getting, where savings would absorb the transfer costs and a terminal allowance for the railroad as appropriate and still would result in a meaningful saving to the shipper. We examined steel pipe, synthetic rubber, salt and skelp, the steel plate used for making pipe. Our analyses showed an indicated saving of over $600,000 for the four movements, varying from 10 to 25 per cent of the all-rail movement.

We have been pleased with the amount of discussions these examples have produced and the willingness of railroads to consider combinations of services. Within a remarkably short time, the Chicago and North Western Railroad agreed to and published joint rates on corn from Iowa origins to the Gulf. This tariff has since been joined in by the Norfolk and Western Railroad. More work needs to be done in simplifying this tariff, but at least a start has been made.

Looking to the future, after this first experience, we decided we needed to know much more about the business of our farmer and grain dealer friends than we did if we were to be able to anticipate their needs.

The Water Transport Association therefore employed the former Vice President—Transportation of the Chicago Board of Trade, Carl J. Lessing, to do a study for us on changes in corn marketing. We intend to follow this up with another study on soy beans and still another on wheat. Mr. Lessing put together in one place for us a history of the remarkable increase in productive efficiency of the corn farmer which has resulted in a doubling of production per acre in recent years. He demonstrated that, while domestic use of corn was growing at a steady rate, exports of corn had increased very rapidly in a little more than a decade. For example in 1955, the U.S. exported about 108 million bushels of corn. In the 1968 crop year, the total was about 600,000,000 bushels. More interesting to us as barge lines was the run of figures which demonstrated that corn exports were increasingly going out via the Mississippi River Gulf ports. As recently as 1958 only 48 per cent of the corn exports were loaded at the Gulf ports. In 1967 about 70 percent of all corn exports were loaded at Gulf ports.

More interesting still was the fact that 87 per cent of all corn loaded for export at Gulf ports arrived by barge, dramatic confirmation of the efficiency of water transport. The rest arrived at water-compelled rail rates.

Looking ahead to world demand for corn in the future, Lessing pointed out that about 80 per cent of our corn exports go to Japan and Europe, the prosperous countries which need increasingly huge quantities of corn to feed to chickens and livestock. Their very prosperity means a steadily increasing demand for meat in the diet, a repetition of the experience in the U.S. A future world demand of over a billion bushels by 1972 and even earlier seems possible.

Looking further at U.S. efficiency in production, the study showed that increasing use of fertilizers, weed killers, better seed strains and other techniques make the U.S. farmer the most efficient in the world and that he is growing more efficient year by year, with no real ceiling placed on his improvement. A key factor in his ability to reach world markets has been the increasingly efficient barge transportation.

But increasing efficiency on the farm, particularly changes in technology such as the automatic picker-sheller, will produce profound changes in handling the crop. Corn on the cob is a storable commodity; shelled corn is perishable and has to be processed within a few hours. Mr. Lessing said he thought that huge new "agri-centers" would be needed at the country level to process and store shelled corn. The new centers will require many billions in investment throughout the corn belt.

At the same time, the study showed a dramatic change in the railroad rate structure. More and more "bare bone"-type rates are becoming available by rail in multiple car and unit train loads bypassing such traditional terminal markets as Kansas City, St. Louis and Chicago. Grain people are beginning to refer to the terminal elevators and markets as having out-lived their time.

Their drawing radius, it is said, will increasingly be limited to the range of the truck. Big "agri-centers" accommodating millions of bushels will replace the small country elevator and grain will begin to move—indeed is already moving—direct from the country to the port or the mills and storage facilities.

But for corn—and even more so for wheat—perhaps it is possible to have the best of both worlds. We can have "unit train" economies and save on new facilities. In the light of the tremendous growth in production ahead and the need to spend billions on new storage and processing capacity—they are talking of two billions in new agri-centers in Illinois alone—wouldn't it make sense to take a new look at what might be accomplished if railroads and barge lines cooperated to help conserve the millions invested in capacity at Kansas City, St. Louis and other such traditional markets? The advantages of rail-barge cooperation could be reduced transportation costs, a reduced need for investment in new facilities, more alternative markets for the farmer, and a solution to the problem of being locked into one mode of transportation.

Let us approach the problem as if we were trying to save present facilities and use as little additional capital as possible and at the same time keep our transportation services earning sufficient amounts to provide the economy with needed expanded and improved capacity. What would we do?

I suggest we would try to persuade the railroads to develop a pattern of rates that would extend the gathering area of the Kansas City market beyond the truck gathering range. A pattern of such rates has been proposed by the Norfolk and Western Railroad to provide a gathering service into Champaign, Illinois, where one of the first new agri-centers is being built. For shipper-owned or leased cars the rates are as low as 7¼ cents a cwt for 175 miles and 9½ cents a hundred for railroad-owned cars.

By building up Kansas City, as an example, the farmer or the grain dealer would have more options, more possible markets, and a much more competitive outbound transportation setup.

Many experts take the view that the railroad volume rates have bottomed out with the Rock Island 36¢ a hundred rate on corn from Central Iowa to Houston. This rate has been attacked by other railroads as uneconomic. Rail- or truck-water over Chicago, St. Louis or Peoria can meet it with better earnings for truck, rail, and water. The recent cancellation of the 20-car rates to the Gulf by the Illinois Central and the GM&O is another straw in the wind. Many believe long haul rail rates on grain will trend upward in the future. But rail-water cooperation could develop savings and at the same time provide other benefits.

The construction of multi-million bushel agri-centers—we hope at places on the water like Omaha—will cost billions. That money has to be raised in the long run out of earnings of those in the grain economy, out of the profits made by the farmer, the feed dealer, the grain merchant and the elevator operator. To the extent use can be made of the already existing facilities of the terminal market, the need for additional investment capital can be reduced and every part of the system benefits. Key to this, however, is the cooperation of the railroads and key to that cooperation is a showing that, through better utilization of equipment, or for other reasons, healthier earnings can be made from gathering into Kansas City than from a division of a very low rated all-rail haul to the Gulf.

The advantage of Kansas City is that many of the railroads serving the surrounding grain growing areas terminate in Kansas City and can achieve their longest hauls by building the Kansas City market. From Kansas City to the Gulf and to the Southeast there are competitive rail and water highways, and this guarantees the most efficient barge and rail service to a wide range of domestic and foreign markets.

There are some in the industry who have a ready answer to any suggestion for improved rail-water coordination. They say that carriers have always had conflicting economic interests and cannot be persuaded to work together in their joint self-interest. I am more optimistic, and if traditional ways of thinking are not on my side, I am convinced that common sense thinking about the future surely is.

This is a period of rapid change in transportation as in every industry. New ideas and new approaches are forcing their way to the surface. One idea is coming back to us from all segments of the industry: where are we going to find the money to invest in new barges, new trucks, new freight cars, new pipelines and new airplanes we will need if the economy continues to expand at its present rate?

The more efficiently we can use the nation's transport capacity the smaller will be the mountain of new capital expenditures required. The more cooperation we can achieve in stimulating the most efficient use of resources, the more resources every mode will have to use for the jobs it can do best.

Perhaps I have spent too much time on this theme of rail-water cooperation. But I see unit trains carrying millions of tons of grain direct to the domestic markets and the ports. I see, as well, more millions of tons travelling part-way by truck and part by barge as it does today. I also see new efficient rail-water routes opening up.

We are in a time of rapid change. The improvement of the Missouri itself is continuing. Larger and more powerful towboats are being planned to improve still further the efficiency of the water routes to a variety of markets. Sioux City and New Orleans Barge Line has a long record of service on the very difficult Missouri River. One possibility it is studying is a direct connection between the cities on the Missouri and Mississippi and the interior markets of the river-oriented economies of Europe and the Far East. Lykes Brothers is pioneering the idea of carrying barges on ships. It may soon be possible to load vending machines and pre-fabricated houses made in Kansas City on board barges on the Missouri and have them delivered without rehandling on the Rhine.

No force in the economy has quite the creative power to expand and create markets as does efficient transportation. Of course there are problems with new ideas, but you never know what can be done until you try. One area of transport saving that has hardly been explored at all is improved rail-water coordination. We believe it is worth a try.

REMARKS BY GEN. LEONARD F. CHAPMAN, JR., COMMANDANT OF THE MARINE CORPS, GREATER NEW ORLEANS COUNCIL OF THE NAVY LEAGUE OF THE UNITED STATES, NEW ORLEANS, LA.

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BOGGS. Mr. Speaker, Gen. Leonard F. Chapman, Jr., Commandant of the Marine Corps, recently spoke before the Greater New Orleans Council of the Navy League. It was a very lucid speech and I commend it to the attention of my colleagues:

Congressman Hébert, General Duchein, distinguished guests, ladies and gentlemen: It is indeed an honor to be in New Orleans and to be with you for Navy Day. I wish to thank you for your welcome.

In fact, I think it is entirely appropriate that we are here in New Orleans for a Navy Day observance. I can think of no other city which has so enriched the history of this country as New Orleans and whose early history is so intimately a part of our naval history.

My welcome here today was certainly much warmer, though, than the reception you provided another Washington contingent earlier this fall.

I'm a Washington Redskin fan, you know—and we thought earlier that our football team was headed for an undisputed championship. Then we came down here—Sonny Jurgensen and the rest of the Redskins were two weeks in recovering from the treatment at the hands of your New Orleans Saints.

My aides tell me that they were even longer recovering. I had no idea until then how much I suffered with the Redskins.

But we Marines feel quite at home here. Your Navy League president, Charlie Duchein, is a very active major general on the Marine Corps Reserve rolls and has taken time from his busy schedule to serve on active duty on a number of occasions. We have sought—and appreciated—his help in many instances.

Our 8th Marine Corps District headquarters, directed by Colonel Chuck Redman, is located here in New Orleans—and this headquarters serves as the focal point for all Marine Corps Reserve and recruiting activities in Louisiana, Texas, Arkansas, New Mexico and Oklahoma.

One of your city councilmen, Jim Moreau, is a retired Marine Reserve colonel.

And there are many more here in New Orleans who greet us warmly.

I feel at home—and among friends.

But I cannot proceed here today without touching upon one of the most tangible points of evidence which link New Orleans and the Marine Corps. Your Jesuit High School is a Marine Corps-oriented Navy junior ROTC institution.

It is the first high school approved for activation under the junior ROTC program, and it is by far the largest high school of the seventeen now under Marine Corps sponsorship. We in the Marine Corps are pleased by our association with Jesuit High School—and proud of its accomplishments.

Congressman Hébert's sponsorship of the reserve revitalization legislation that established that junior ROTC program is ample evidence of the fact that he and the citizens of this area are concerned citizens, that they are aware of the world situation and the necessity for constant preparedness that it demands.

Perhaps my words today will remind you of the priest, or minister, who periodically exhorts his congregation on the value of attending services. The fact that they are there signifies that they accept its importance. His problem is to reach those who are not there.

And I would hope, in this instance, to impress upon you of the Navy League that I appreciate your presence as evidence of the league's continuing concern over our Navy's and our Nation's state of readiness. Through you, however, perhaps others who should be concerned can be reached and made more aware.

It is in this vein that I'd like to speak with you. And, on the occasion of Navy day, I feel that the Navy-Marine Corps team is a most appropriate topic.

It is appropriate, because this team in Vietnam today is now demonstrating a specific application of U.S. strategy. There is one fact—often obscured, but nevertheless fundamentally true—about the war in Vietnam, and it is this: The Vietnam conflict is a demonstration of American sea power.

Over 98 percent of the tonnage moving to that troubled nation is moved in surface shipping.

We are able to support more than one-half million U.S. fighting men—plus the majority of those of the other free world military forces and the South Vietnamese—because we can maintain surface supply lines from U.S. ports to Vietnamese ports—Saigon, Cam Ranh Bay, Da Nang, and others.

The Air Force and the Army deserve unstinting praise for their efforts and accomplishments in Vietnam—it goes without saying that their presence is essential—but that presence is dependent upon the freedom of movement—or freedom of the seas.

It is freedom of the seas that makes their support possible, freedom of the seas maintained by the United States Navy.

To put all U.S. efforts and that Vietnamese struggle in the proper context, however, we must recognize that this country is engaged in a larger strategic struggle; and although attention focuses on Vietnam, that larger struggle also depends on the maintenance of freedom of the seas.

The larger struggle is containment of communism—either of the brand exported by the Soviet Union or by Red China, if there is any difference—and success in that struggle will rest on the ability to support our Allies and our own forces in any area of the globe—in Europe as in Asia.

If further evidence be needed of the importance of sea power, let us imagine for a minute that one of those supply ships carrying material to Vietnam were to be damaged or sunk by a mine, a torpedo, by aerial attack, or by any other weapon selected by a hostile nation.

How would the dimensions of the war change?

To maintain that flow of vital material, we would have to protect our convoys from attack by air, surface, or subsurface means.

The burden of this protection would rest wtih the U. S. Navy—the carrier strike force, the antisubmarine warfare force, and the escort ships.

Upon the ability of these components would rest the ability of this nation to provide the support needed to continue the war in Vietnam.

But getting the support to Vietnam, as in the present circumstance, is only part of the job.

There will always be a requirement to put that support ashore against opposition.

This capability is the chartered mission of the Navy-Marine Corps team.

The successful, forcible lodgement of U.S. Forces will be essential to pursuance of our ultimate objectives and our national strategy.

That Navy-Marine Corps team is at work in Vietnam today. We are engaged primarily on the littorals or coastal plains where our lodgements have made possible the delivery of supplies and munitions through secure ports.

From there, using those supplies, we have pressed the battle to whatever point our national policy decisions and the local situation have dictated.

At frequent intervals, Marine battalion landing teams of the special landing force, embarked in amphibious shipping of the 7th Fleet, provide additional flexibility and tactical options by landing at critical points to influence the campaign.

Then, mission accomplished, the Marines back-load into the amphibious shipping—ready again to provide those tactical options.

The activation of the battleship *New Jersey* and its arrival in Vietnamese waters to furnish naval gunfire support for marines and soldiers ashore is further evidence of the continuing requirements and the validity of the concepts developed by the Navy-Marine Corps team.

Now I have spoken so far about the Navy-Marine Corps team. But I want to stress one point: my emphasis here tonight is really upon the word "team." And that team includes people.

And so, for awhile, I want to tell you about some of the people on that team—and if I happen to be talking about marines, it's because they are the people I know best.

You know, we are experiencing here in the United States a series of incidents and events which has shaken the moral values and the behavior patterns long established in this country.

All of us know about student demonstrations—or revolts, if you will—and we have read about draft cards being burned and draft board records being destroyed.

We are, all of us, disturbed by reports of desertions by our servicemen to other countries—though the reports are grossly exaggerated.

And we are reading more and more about antiwar groups within our Armed Forces and we see more and more instances of reserve groups of servicemen who question the legality of the orders calling them to duty or the orders directing their next assignments.

We could ask ourselves: Is the major threat to our country the freedom of the seas and our continued existence—or is the major challenge right here at home?

Well, it could be said with much justification that our major challenge is social, not military—and that it is here at home.

And the quick way out, the easy way, would be to blame the younger generation who seem to be so intensely involved.

Now, I know that young generation. I work with them everyday. I can't defend a great many of their actions, nor do I choose to.

But if the marines and the other young servicemen who are in Vietnam are any indication, it's a much better generation than we think.

Maybe some of the values and behavior patterns here at home are being severely tested; but I can assure you that the marines in Vietnam have a true sense of values.

I have been to Vietnam twice since I became Commandant, and a number of times prior to that, and I have talked to literally hundreds of marines under practically every situation and in virtually every frontline.

I have talked with marines who carry rifles, and I have talked to marines who fly jet aircraft. I have talked to them in bunkers deep underground—and I have talked to them in hospitals.

In every instance, I have noted a quiet confidence about them that speaks more than words. They are tough—and yet their compassion for a wounded friend or their concern for a village elder is obvious and touching. They are reliant and they are resourceful.

They live in a world of violence—and they are on intimate terms with fatigue and noise and dirt. And of course, there is always the realization that life can end suddenly.

But their morale is tremendous. And their deeds are legend.

And if you were to read their letters—and sometimes parents send them to me or write to me about what their boys have said—you would know that they have trouble expressing what is in their hearts. However, they know why they are in Vietnam, and they know what they are trying to accomplish is right.

And if you want tangible proof, let me tell you this: Since July 1966, just a few months over two years, a total of 26,237 marines have voluntarily extended their tours of duty to serve another six months in Vietnam.

That means that nearly 1,000 young marines each month—riflemen, pilots, cooks and bakers, aircraft mechanics, machinegunners, and truck drivers—have voluntarily elected to stay in Vietnam for another six months of fatigue and noise and dirt and danger.

There is one point which is apparent to them, and they shrug off their sacrifice by simply saying, "Well, if we don't stop them here, we'll just have to stop them somewhere else."

In one of my earlier speeches before a group such as this, I said:

"Today we are fighting for every nation in the free world, for our own national security, and for a world of freedom.

"We are fighting to prevent future, more serious aggression. We have proved to our enemies and to our Allies alike that we have the collective fortitude and the collective resolve to halt aggression."

Well, I was proud of that statement. But I'm not sure that the statement that is in their letters, however, that we have to stop aggression in Vietnam or be forced to stop it later somewhere else, isn't more eloquent. And more to the point.

And it certainly bears out my contention that they have a true sense of values.

And I think I can tell you that they hope and pray for peace as fervently as anyone here in the United States—but they do not want peace at any price.

They have the determination to stick it out.

And their resolve, I am sure, is typical of all U.S. servicemen in Vietnam.

There is no question that we are in the dominant military position in Vietnam. In every way, in every area, we are improving our position, month by month.

We have, in Vietnam, adequate forces to maintain and continue this dominance; and these forces are highly mobile, hard-hitting units backed up by the best logistical pipeline in our history.

We are in a type of mobile offense/defense posture there, no longer tied by strong enemy attacks to major strongholds.

And for some time, our intelligence about the enemy, his organization, his movements, his morale, and his supply caches has shown increasing improvement.

Right now, however, we are in the midst of a lull. Enemy action has dwindled and contact with enemy forces is less frequent. But our intelligence informs us that his guerrilla infrastructure is being eroded by our pacification or revolutionary development progress; he has suffered terrible casualties; he is losing more people through defections and desertions. And he faces the coming monsoon season with dwindling supplies and equipment.

I have stated before, in other talks, that much hard fighting is ahead. I think the enemy has no choice but to assume the offensive again if he wants to achieve the objectives he set for himself years ago.

He must attack, he must keep on attacking, if he is to disrupt the progress we are making in Vietnam.

I have said that the U.S. serviceman in Vietnam does not lack determination. He does not lack resolve.

But what of the determination of the people of the United States? There are great differences of opinion here at home.

There are as many who are as impatient for haste and quick victory as there are those who want to see an end to our efforts in Vietnam.

I think we are now involved in a great test of national wills with Hanoi, and that the issue is hanging in the balance right now.

Who's going to back down?

Who's going to crack first?

Do we have the determination to stick it out, to see our own objectives accomplished after we have done so much?

If we stand firm, if we do not back down, I think there will be a real military turn in the war, and I think we will be able to gain our objectives of peace and freedom for South Vietnam.

We have the upper hand. A generation of young Americans is standing firm in Vietnam. We must stand firm here at home, too.

We must continue to be proud of the traditions of this great country. And we must continue to stand up for the things in which we believe.

Our task here at home is to set the example. Being with you here today has given me increased confidence that the challenge will be met.

A TRIBUTE TO SENATOR THRUSTON B. MORTON

HON. WINSTON L. PROUTY

OF VERMONT

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. PROUTY. Mr. President, it was with deep regret that I learned of the impending retirement of Senator Thruston B. Morton of Kentucky. He is a man who has long and devotedly served his counrty, his State, and his party in many capacities. He deserves some years of leisure, yet his wise counsel will be sorely missed in the Senate of the United States.

I feel a deep sense of personal loss at his retirement since I considered Thruston Morton to be not only a colleague, but a friend. We first served together during the 82d Congress in the House of Representatives. He came to the Senate in 1957 and, since 1959, we have both represented our respective States in the Senate. Senator Morton and I have had many opportunities to work together during the past 10 years and have served together on the Committee on Commerce and the District of Columbia Committee. I have often sought and valued his opinion on committee, national or international issues.

Thruston Morton has not only had a full career as an elected representative of the people of Kentucky. In addition, he simultaneously performed arduous duties for our party. As chairman of the Republican National Committee from 1959 to 1961 and as head of the Senate Campaign Committee from 1963 to 1966, he campaigned hard for all Republican candidates. I for one owe him a vote of gratitude for his remarks about my service in the Senate during the campaign in 1964.

The work of Senator Morton will not soon be forgotten in the U.S. Senate.

I have every confidence, however, that Thruston will continue to make many and valuable contributions to the people of the United States.

We may very well find it desirable to seek his counsel in the future. When we do, Thruston Morton's contribution will be equally impressive with those he has already so ably made.

REPORT TO THE PEOPLE OF THE FIRST DISTRICT, MASSACHUSETTS

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. CONTE. Mr. Speaker, I wish to insert in the Record at this point the text, along with photo captions, of my final report of the 90th Congress to the people of the First Congressional District of Massachusetts:

Dear Friends: As our holiday season approaches, this newsletter summarizes the activities of the 90th Congress, as well as some of the legislative actions that I have taken during this period. This season has always been an appropriate time to reflect upon America's past successes and the challenges confronting our nation today and in the years to come.

The holidays commemorating Christ's birth and welcoming the new year enshrine the principles of peace and harmony we have yet to truly realize. With an abiding faith in our country and in Our Lord, I believe that man can live in peace with his brothers. We will achieve a just and honorable peace in Southeast Asia; we will develop sound solutions to our pressing domestic problems; our nation will continue to grow in prosperity and greatness. We must remain true to the motto, "In God We Trust."

To each and every one of you I send my warmest personal regards. Corinne and the children join me in wishing you a very happy holiday season, and, looking ahead, a peaceful and prosperous, 1969.

Cordially yours,

Silvio O. Conte,
Member of Congress.

BOX SCORE: 90TH CONGRESS

Tax surcharge and spending limit.

Omnibus Crime Control and Safe Streets Act—assists state and local officials in war on crime.

Social Security—increased benefits for older Americans.

Civil Rights Act of 1968—open housing provisions and anti-riot.

Education—strengthened assistance to schools, colleges and universities.

Omnibus Housing Act—six million units of new and rebuilt housing over the next ten years.

Consumer protection—truth-in-lending and other measures aim at safeguarding the American consumers.

Conservation—milestone session; four major measures enacted.

Agriculture—1965 Act extended for one year; assistance programs must be revamped.

Gun Control—Limited mail order and over-the-counter sales of all guns.

Appropriations—$3.5 billion of the required $6 billion budget cut was accomplished by the Congress.

CONTE SPONSORED

Foreign aid amendments to limit weapons races in Latin America and Africa—passed.

Agriculture amendments to limit wasteful and inequitable farm subsidy payments—passed by House. Defeated by a conference committee.

National Home Ownership Foundation Bill—became part of the Omnibus Housing Act—passed.

Amendments to strengthen the Vocational Education Act—passed.

National Trails System Act—includes Appalachian trail which runs through the Berkshires—passed.

Measure to speed up citizenship for war widows—passed.

Spending cuts—additional reductions in public works, post office, agriculture and legislative budgets—defeated.

Bill to extend medicare for older Americans to include cost of drugs—no action.

Legislation denying tax benefits to slumlords—no action.

MILESTONES IN CONSERVATION—CONTE ATTENDS SIGNING OF FOUR MEASURES AT THE WHITE HOUSE

On October 2nd, President Johnson signed into law four major conservation measures. The *Christian Science Monitor* called it "perhaps one of the greatest" days in the history of American conservation efforts. I was honored to be invited to the signing ceremonies, in recognition of my longtime efforts to further the cause of preserving our natural resources.

I was a sponsor of one of the bills, the National Trails System Act, which established our own Appalachian Trail as a national trail.

GASOLINE GAMES: FAIR OR FRAUD

Do you play those giveaway games that a number of oil companies use to sell gas? My Small Business Subcommittee on Regulatory Agencies investigated these games after receiving numerous complaints from consumers and local gas station dealers. I led this investigation along with Subcommittee Chairman John Dingell (D-Mich.).

Testimony at our hearings disclosed such practices as pre-selection of winners, directions to gas station dealers to give certain prizes only to stated classes of customers, and cancellation of leases when the dealers refused to utilize the game sponsored by their oil companies. We also saw examples of games where the winning tickets could be recognized in advance by those distributing them.

I brought out at the hearings just how unfair it was to consumers such as those in Massachusetts for the oil companies to be spending tens of millions of dollars per year on promoting these questionable games at the same time they are continually raising the price of the No. 2 fuel oil needed to heat our homes.

In light of our findings we have referred the record of our hearings to the Justice Department and the Federal Trade Commission for their consideration and action. If no action is taken by them, I intend to hold further hearings and consider introducing legislation to deal with the problem.

PICTURE CAPTIONS

Your Congressman in action

Hearing testimony as ranking Republican on the House Committee on Small Business.

Addressing a labor group in Westfield.

Marching in Worthington parade.

Discussing arms limitations, food and populations problems with the Ambassador from India.

President's pen for Mrs. Hallett of Greenfield

On October 11, I presented Mrs. Margaret Hallett with the pen used by President Johnson to sign legislation which enabled her to become an American citizen. I had introduced the bill which made Mrs. Hallett, the widow of an American soldier, finally eligible for citizenship.

HON. E. C. "TOOK" GATHINGS

HON. J. W. FULBRIGHT

OF ARKANSAS

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. FULBRIGHT. Mr. President, it is a privilege to pay tribute to the Honorable E. C. "Took" Gathings, one of Arkansas' most beloved Congressmen, who is retiring at the end of this session after 30 years in the House of Representatives. He has dedicated his entire adult life to public service; and those of us who have had the pleasure of sharing our years in Washington with him will long remember his unfailing graciousness and charm—qualities which characterize "Took" as a true southern gentleman.

Within 5 years after receiving his law degree from the University of Arkansas, "Took" was elected to the Arkansas State Senate. He served there only 4 years before his election to Congress, where he took his seat on January 3, 1939. His constituents in the First District sent him back 14 times.

Mr. President, not more than a dozen Members of the present House of Representatives can look back on a record of continuous service since the 76th Congress, and few, regardless of their tenure, can take with them the memory of a career so distinguished in accomplishments, personal integrity, and loyal dedication to the best traditions of this country. Arkansas has every reason to take pride in being represented by "Took" for so long, and we Arkansans on the Hill will remember him fondly as the "dean" of our delegation, a thoughtful and considerate friend whose presence will be sorely missed.

Despite the diversity of "Took's" interests, he made his major contributions as a member of the House Committee on Agriculture, to which he was appointed in 1944. He has risen to the ranking position on that committee, and in addition has served as chairman of the Subcommittees on Cotton and on Farm Labor. Throughout his career he has shown himself to be a friend of rural America; and may I say, Mr. President, that in a time such as this, when the country is being told that it must focus all its attention, all its energies, toward the healing of its urban sickness, rural America needs its friends. It needs friends of the caliber and determination of "Took" Gathings, whose actions in Congress have been guided by the knowledge that our urban problems are due, in part, to the disenchantment of millions who have trekked to our cities in search of a better life, and that those problems can be solved, in part, by legislation which will reverse this migration by nourishing the vitality and appeal of life in our rural areas and smaller towns. "Took" Gathings' steady, thoughtful concern for agricultural problems is not as unrelated to the searing domestic issues of our time as it might at first appear.

Mr. President, I should like to mention briefly several of the many legislative enactments which bear "Took" Gathings' name, or for which he deserves much of the credit. Among them are the following:

His 1965 bill to swap cotton allotments for rice allotments.

Those portions of the comprehensive agricultural acts over the years that have related to cotton and rice.

Public Law 86-172 providing for the preservation of acreage history and reallocation of unused cotton acreage allotments.

The Gathings bill to provide for the release and reapportionment of unused rice acreage.

The Eastland-Gathings bill which made it possible for manufacturers and processors of cotton to buy a season's requirements in future contracts.

The Water Facilities Act providing for loans to farmers for the purchase of irrigation equipment.

Price-support legislation for cotton seed and legislation to bring soybeans under the price-support program.

There is, moreover, one item of legislation for which I feel a special sense of personal gratitude toward "Took." I refer, of course, to the Gathings amendment to the Surplus Disposal Act, which made funds available for use in student educational exchanges under the Fulbright-Hays Act. This program has grown and prospered beyond the expectation of any of us, a fact due in no small measure to the assistance of those who, like "Took," helped make its birth auspicious.

Mr. President, "Took" Gathings has served his district, his State, and his country well; and he has done it not just for one term, or two, but for a mature lifetime. He has earned a rest and the thanks of us all for a job well done. I wish him many more years of service and happiness.

THE OUTER CONTINENTAL SHELF: ITS PROMISE AND ITS PROBLEMS

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. JOHNSON of California. Mr. Speaker, Under Secretary of the Interior David S. Black has prepared for presentation before the 18th annual convention of the Gulf Coast Association of Geological Societies, a very comprehensive discussion of the Outer Continental Shelf, its promise and its problems.

Since I believe that these remarks shed new light on this subject, I include them in the Congressional Record at this point:

THE OUTER CONTINENTAL SHELF: ITS PROMISE AND ITS PROBLEMS

We have recently passed some significant milestones in the history of Federal management of the Outer Continental Shelf—so it is a good time for reflection. But we also appear to be at a major turning point in that history—so it is an equally good time for projection.

Fifteen years ago last spring the Committee on the Judiciary of the House of Representatives reported out a bill with this introductory comment as to the need for legislation:

"In this almost interminable debate over the disposition of these submerged lands, one area of agreement shines like a beacon in this sea of debate—that is the acute and vital necessity of the immediate enactment of legislation to promote the exploration and development of the petroleum deposits known to be located in these areas."

And a few sentences later, the Committee said:

"In view of such conditions and circumstances, it is the opinion of the committee that to perpetuate this intolerable delay in the improvement of these lands because of the absence of legislation must not be continued."

The legislation being reported in these terms became the Submerged Lands Act of 1953 a few short weeks later. Within a couple of months it was complemented by the Outer Continental Shelf Lands Act which provided for development under Federal ownership and control of those offshore lands beyond the area conveyed to the states.

Thus ended one chapter in the history of the topic we discuss today. It is a history of conflicting claims dating back to the 1930's, followed by a Federal proclamation of jurisdiction and ownership, then litigation which confirmed the Federal claim. Legislative efforts to reverse this determination had failed to survive Presidential vetoes as late as 1952.

The Submerged Lands Act has been a low-key political issue since its enactment. Whether it was, in fact, an incident in a "give-away" period is not open for discussion here. It is clear, however, that in 1953 the Congress had ultimate confidence that a problem of long standing had been resolved with finality. * * *

For at least the fourth time since 1953, the Supreme Court is asked to determine where the line between Federal and state jurisdiction under the Act should be drawn.

To an assembly primarily concerned with the physical nature of the lands underlying our marginal seas, their mineral content and geologic structure, this may seem a dismal three decades of legalistic persiflage. But there is an optimistic side on several counts:

First, this seems to be the last major ownership issue to be resolved, absent any radical changes in the legislative pattern. The last chapter in a long history of claim and counter claim, litigation and legislation is approaching its end.

Second, the Outer Continental Shelf Lands Act made wise provision for the eventuality that actually came about. That provision permits development to go forward if jurisdictional controversy arises, with royalty income to be held in escrow until the issue is resolved. That development has proceeded in disputed areas is amply evidenced by the fact that escrow income from bonuses, rents and royalties has now exceeded $1.1 billion.

Third, comparatively little time was lost in terms of meaningful development. Prior to 1953, our limited technological capability represented an effective constraint on mineral exploration and development at the depth typical of most of the Outer Continental Shelf.

Our concern today is less with historical perspective, although this is essential to real understanding, than with present conditions and future prospects. But even a statement of present conditions can best be presented in terms of past development.

The first Federal lease sale was conducted in 1954. In 1955 Outer Continental Shelf leases produced 7 million barrels of crude oil and 81 billion cubic feet of natural gas. This represented about 4½ percent of the crude oil and 19 percent of the gas produced on all leases under Federal jurisdiction, including the public domain, acquired and Indian lands. In the last year of record, 1967, the Outer Continental Shelf share of production was nearly 222 million barrels of crude and just under 1.2 trillion cubic feet of gas. As a percentage of hydrocarbon production on Federal lands, offshore oil had increased more than tenfold, to 47 percent, and natural gas nearly tripled, to 49 percent of all production on Federal leases.

The dramatic progress of offshore development can be illustrated by a couple of other significant milestones. Two years ago, in 1966, the total value of products extracted from the Outer Continental Shelf exceeded that of production from the upland public domain for the first time in our history. And this year, also for the first time, the total product value from the Outer Continental Shelf will exceed a billion dollars.

So, from a standing start a decade and a half ago, the effort to extract mineral wealth from our marginal sea has escalated into a billion dollar a year enterprise. The coming of age of the Outer Continental Shelf can also be measured in another, even more dramatic way.

As you all know, leases are granted on the basis of competition—to the bidder offering the highest acceptable bonus payment for the privilege of developing a tract. In the period from the first lease sale in 1954 through the year 1966, a total of 1,037 tracts covering more than 4.6 million acres were leased for oil and gas. These sales covered coastal areas of all three Pacific Coast states, as well as Louisiana, Texas and Florida on the Gulf. The total bonus payment income in those 12 years was $1.3 billion, or $282 per acre. And this included five so-called drainage sales in the proven Louisiana area where the average bid per acre ranged from more than $1,800 to over $2,700.

Contrast this, if you will, with the twelve-month period that ended last May. In that one year, three lease sales off Louisana, California and Texas returned over $1.7 billion in bonus payments for 1.6 million acres—an average of $1,037 per acre.

As we look to the future of Outer Continental Shelf resource development our interest goes beyond its hydrocarbon potential to the other minerals needed by a modern industrial society. Geologically speaking, we have ultimate confidence that many such minerals exist, awaiting the technological advancement that will make their recovery economic.

To date, of course, this effort has been limited largely to salt and sulphur which can be extracted through drilling methods. As a general proposition, the development of these deposits has not met with outstanding success. Until this year there was only one deep water sulphur mine in production in our offshore province; now there are two. But lest we be tempted to discount progress in this area too much, that first offshore mine was responsible for 15 percent of all the domestic sulphur production of the United States in the past couple of years.

The purpose of this review is to set the stage for some of the issues that are now before us. Clearly the Outer Continental Shelf has already emerged as a major factor in the national mineral economy. As a factor in our energy supply picture, it produced 6.8 percent of domestic crude oil in 1967. Based upon the Gulf industry alone, it is predicted that by the critical period of 1980 the Outer Continental Shelf will be providing 20 to 30 percent of the national liquid petroleum output and 30 to 40 percent of the natural gas production. In terms of dollar values, it attracted nearly two billion dollars in leasehold investments in a single year. And as a focal point of exploration interest, the footage of exploratory drilling has increased threefold over a decade when onshore drilling was declining steadily.

The reasons for this trend provide a fascinating field of speculation. But they are too involved and too lacking in factual basis to consume our time today. It is enough to say that in the energy field alone, the Outer Continental Shelf is today recognized as involving tremendous values and as offering great promise for meeting the challenge of our future reserve requirements.

These developments have required us, as managers of the resource and as trustees for the American public, to initiate a thorough and fundamental review of the leasing system, its objectives and policies. Because the Outer Continental Shelf area was a virtual unknown a decade ago, the leasing system had to rely heavily on the experience gained in the upland exploitation of public oil and gas resources. That system has been obviously successful in encouraging exploration and development. The royalty return from successful development is larger than that ordinarily claimed by an upland resource owner. In general, these policies encourage efficient producers, assure sound conservation practices and permit the public, as resource owner, to share in the value of the products extracted.

But are these policies and practices adequate now to meet the rapidly enlarging responsibility of present and potential production? Are the resources being developed at the rate and in the manner that will yield maximum benefit to the total economy, to the regions affected, to national security, and to the public in its proprietary role? These are questions that transcend dollar values alone. They run to matters of industry stability, consumer welfare and public and private investment in resource exploration.

We can use one small segment of the total problem to illustrate how deep these questions can run. In the first five lease sales of 1954 through 1959, the Government offered a total of 775 tracts covering more than 2.7 million acres. Bids were received on 409 tracts and accepted on 393 or 96 percent. While some of these tracts invited substantial bonus bids, the highest average for any sale (except one drainage offering) was less than $400 per acre—and the lowest was less than $13 per acre.

Considering that so few bids were rejected and that some of the tracts later became heavy producers, does this mean that the public interest was inadequately protected? Surely not, I think, if we take into account these factors:

First, except for a few Louisiana areas adjacent to state lands already in production, the Outer Continental Shelf was wholly in the wildcat category.

Second, the state of exploration and development technology dictated caution for the buyer and a desire to stimulate interest on the part of the seller. Whether deposits existed five or ten miles from shore and, particularly, whether they could be recovered economically, were matters of serious question, if not doubt.

Third, the opening policy mandate of Congress in Section 8 of the Outer Continental Shelf Lands Act clearly stated its purpose to be that of meeting "the urgent need for further exploration and development" of the area.

Thus in the early years the emphasis was on encouraging development efforts. We may question now whether so large an area was needed for this purpose. But at least two factors suggest its wisdom: (1) a great portion of the area proved barren, at least for the technology of that period, and (2) the incentive offered at that time has produced an industrial expansion whose viability we have already demonstrated.

The current issue is whether such empirical methods are appropriate for 1968. Should we be working in the dark as to resource evaluation and industry capability to absorb large blocks of new territory? With only a few reservations, we think the answer is clearly in the negative.

To be sure, only a small fraction of the total shelf area has been mapped in a systematic way. Yet we know a great deal about the geological characteristics that indicate resource potential. This knowledge is practical as well as theoretical. Over 6,500 wells have been drilled on the Federal Outer Continental Shelf, and over half of them completed for production.

Drilling technology has followed a similar pattern. As recently as 1965, nearly all drilling had been done in water depths of 150 feet or less. Only 15 leases were even planned for development at that time in excess of 250 feet of water, all in the Gulf area. But recent reports tell us that the depth factor is giving way to capability at a dramatic rate in the Santa Barbara Channel. A test well at 640 feet proved out in June of this year, a new hole is proceeding at 994 feet, and a 1,300 foot effort is in process. All of these developments suggest that discounting for depth needs to be reassessed in a very critical way.

I wish I could tell you and discuss the nature of policy changes that might result from this reevaluation of Outer Continental Shelf management practices. Unfortunately and despite our earlier plans, this is not possible, for the issues are complex and in the extreme and the alternatives almost endless. What started out as a quick review of current practices has assumed much larger and longer term proportions.

But two things have become crystal clear, whether or not any major policy changes eventually emerge and steps have already been taken along these lines:

First, as custodians of what has become an immensely valuable public trust, it is absolutely essential that we become far better informed about the physical nature and content of the Outer Continental Shelf than has been the case in the past. Although no one company has comprehensive intelligence in this area, the fact is that private parties possess more cumulative knowledge of these public resources than does the Government. Much of this information is available, but needs to be compiled and evaluated in comprehensive terms. As an initial step, therefore, resources have been made available for an intensive program of Outer Continental Shelf mineral evaluation.

Second, the frequency of lease sales, the factors involved in deciding the size of offerings, availability and cost of investment capital and development equipment and a host of related economic determinants play a large part in fixing what industry will pay. Just as with compilation and evaluation of geologic knowledge, these elements must be subjected to sharp scrutiny if we are to have assurance that the public is receiving a fair, if not the maximum possible, return for the resource involved. This effort has also been supplemented substantially within the last year.

On this point, let me make it clear that the Government's interest in marketing the resources of the Outer Continental Shelf is not radically different from that of any other royalty owner. We want the maximum return from our property that is consistent with conservation and reasonable development incentive. In the past we have relied almost exclusively on the competitive market to set the values. To the extent that competition has been vigorous, this reliance has undoubtedly produced good results. But where competition proves thin, it is our obligation to know why and whether the resultant bid or bids represent a fair return, considering all the objectives we seek to serve. Our immediate effort, therefore, is to combine geologic and economic evaluation techniques into a more competent, and hopefully more sophisticated, method of determining minimum fair market value of resource potential.

Now let us turn to some aspects of the Outer Continental Shelf program that are less susceptible of historical or factual treatment. I want to bring into this discussion some of the forces that are at work which may have an influence on future developments.

As we have seen, primary interest in offshore resources has centered on petroleum and sulphur. There has been one abortive effort to expand into ocean bottom phosphorite deposits. Interest is presently being expressed in gravel deposits off the Atlantic Coast on the premise that the market in metropolitan areas along the seaboard will support an economically feasible operation. We are fully aware that economic exploitation of tin deposits is occurring off Malaysia and diamonds off South Africa. We know that placer deposits of many metallic minerals in our own waters, especially gold and manganese, have a high potential for becoming economically important in the near term.

In these efforts, we are in a posture not unlike that of petroleum development two decades ago. The catalysts of technology and incentive are needed to bring about the desired reaction. Quite apart from its Outer Continental Shelf custodianship, the Interior Department is making its contribution to that end through two programs. Incentive is being assisted through financial assistance to exploration for minerals in short supply and by our own exploratory efforts in the heavy metals program. In the field of technology, substantial effort and resources have been allocated to the Bureau of Mines program in marine mining methods.

Progress in this area awaits a major breakthrough in our ability to work efficiently in an underwater environment. Where drilling is not the indicated technique and where water depths make dredging impractical, both exploration and development must rely on radical innovation. Many are at work on this facet of our national resource base and your profession has a unique opportunity to participate.

Experience has demonstrated that offshore petroleum development is substantially more expensive than on an upland field—roughly three times as costly. In the early period, at least, this is likely to be even more aggravated in the case of marine mining for hard minerals. One of our real challenges, therefore, is to devise some formula that will encourage exploration investment—an incentive that will give the prospector reasonable assurance of developing what he discovers.

Some adaptation of the prospecting permit system applied to leasable minerals on the public lands seems a logical course to follow. But this approach has not been uniformly successful, and we want to avoid the uncritical assumption of the past that solutions to earlier problems are necessarily suited to the relatively unexplored province of the Outer Continental Shelf. These questions of technique and incentive are therefore high on the agenda as we look forward to the exciting era of discovery in the ocean's depths.

On quite another and perhaps more immediate front, we need to become more perceptive, and at an earlier stage, of public attitudes toward development of our coastal waters. This generation has become acutely aware of the fragile quality of our natural environment—the landscape, air and water surrounding us. Pollution or degradation in any form attracts critical attention. Far from finding fault with this emerging national conscience, we applaud it and our Department has probably done as much as any organization to focus public attention on the issues.

In this context, resource development is suspect. The average citizen knows that we are spending millions each year to control mine fires in Appalachia, that over two million acres of abandoned and unreclaimed surface mines scar our land, and that acid drainage from mines of all kinds fouls our streams long after mineral production was abandoned. He also recalls the early days of the petroleum industry, with a well on every acre that would hold a derrick, with the physical and economic waste and the eyesores that resulted. I don't know that our aesthetic sensibilities have improved that much in the past decade, but mobility and communication have and an articulate part of our population is aroused.

In some cases, the conflict between development and the status quo is much more tangible than mere civic interest. Many in this room can recall the opposition that petroleum development in the Gulf encountered from the fishing industry. That process is being repeated in New England even before specific proposals are developed. Our leasing activity in Santa Barbara Channel was strenuously opposed and effectively postponed by those in the locality who foresaw a forest of platforms and pollution of their beaches. Only significant compromise permitted us to proceed and even this did not satisfy some elements.

This leads to a related point of needed emphasis. The Outer Continental Shelf is an area of many uses. It cannot be usurped by any one use or any one industry. What occurs there can have a devastating effect on its shoreside neighbors, both physically and aesthetically. What this all means is that those who want to develop the area have a serious obligation to:

1. Manage their activities in such a way that all possible uses can be accommodated with the least possible restrictions;

2. Exercise maximum care within the framework of existing technology to assure that environmental pollution is avoided;

3. Support research and development in methods and techniques that offer even further security against polution; and

4. Keep the public honestly informed as to the true state of the area, so that its reactions will be based on fact rather than rumor or imagined threat.

In this regard, I think our Department has played a leading role and perhaps carried a disproportionate part of the burden. The record on the Outer Continental Shelf so far as pollution is concerned is a good one. Surveillance against blow-outs is effective in drilling and work over operations, and little pollution has resulted from blow-outs. Ship collisions, equipment failure, facility design and operating error are a more frequent cause of oil spills, though less extensive and severe. They are also subject to human control and therefore avoidable. We want to tell the public that safeguards are fully adequate, but we can do so only to the extent industry makes that an accurate story.

We have also been in a position to do some educational work with industries that compete for use of the Outer Continental Shelf. For example, the Bureau of Commercial Fisheries which functions as a part of the Department has ready access to the fishing industry. When opposition to mineral exploration on Georges Bank erupted, that Bureau cooperated with the Geological Survey and others in the Department to present a full and factual report to the New England fisheries community. If all objections were not satisfied, at least the area of dispute was sharply narrowed.

By and large and for the long pull, however, it will be incumbent on the mineral industry to conduct more effective community relations programs if premature and unfounded opposition is to be avoided.

We have not yet reached a very high point in the frequency of conflict among competing uses on the Outer Continental Shelf. But this will occur most certainly as more and more developmental activities become feasible. The most obvious is the potential impact of placer mining on the fishing industry and especially on th sedentary species of marine life, the oysters, mollusks, abalone, etc., that occupy the sea floor. When these become totally incompatible, even on the basis of thorough scientific investigation, a program of zoning may be the only solution.

Returning now to an area that has more immediate implications for existing Outer Continental Shelf operations, a few thoughts are in order on the general subject of production regulation and conservation controls.

Since this matter has been the subject of much comment and criticism over the past two years, it may be useful for me to set forth a few very clear principles that serve as our operating guidelines:

First, there is no doubt whatever concerning the legal authority to regulate Outer Continental Shelf operations, including production. The Outer Continental Shelf Lands Act makes it perfectly clear that this is a matter of Federal jurisdiction. Departmental publications have so maintained and the formal declaration to the same effect last year was essentially an official response to those who had expressed a contrary view. This issue is simply not debatable.

Second, we recognize that there is substantial merit in utilizing the procedures and standards prescribed by the states, so long as they are compatible with the Federal interest and public policy and so long as Federal lands are treated equitably in the assignment of production allowables. This does not, however, restrict in any way the Federal authority to create its own production control system and criteria for Federal leases should this become necessary or desirable at any time.

Third, we fully and sincerely recognize a responsibility to avoid any action that would create chaos in a basic industry in the United States. Nor do we think that sudden and total decontrol of production on Federal lands would necessarily be in the best interest of the consumer, particularly if its ultimate effect is so disruptive as to discourage future exploration and production.

Finally, and notwithstanding the last point, we have a solemn obligation to examine production controls critically. If their real and substantial effect is to conserve an essential resource from waste, whether physical or economic, there can be no question that they should be retained. But if persuasive evidence convinces us that conservation is not served, that regulation forces uneconomic production practices, or that the added cost of deep water development is not given equitable treatment, then I think we have a clear and public duty to prescribe a regulatory regime that serves the resource, the consumer and the public more effectively.

We have not acted to implement this facet of Federal jurisdiction. Without conceding an iota of authority, we have thus far continued as a matter of convenience and orderly administration to have Federal lessees regulated by state standards. When or how this determination might be modified or abandoned, I cannot say. Certain it is, however, that this is an area that will continue to receive searching scrutiny in the over-all interest of Federal resource conservation management, national economic efficiency and fair treatment for both consumer and producer.

I started this discussion with a recital of ownership and boundary disputes within our domestic family. Let me close with but another, and mercifully brief, reference to a similar development on the international horizon. This relates to the establishment of the outer boundaries of the continental shelf, as contrasted with the inner boundaries that seem close to resolution.

As you are well aware, perhaps more intimately than I, the future management of the ocean depths has been under discussion in the United Nations and other international forums for several years. This focusing of world attention has a number of laudable objectives. Above all, it would develop a set of agreed principles and an organized regime to supplant the legal vacuum that now exists with respect to ownership, exploration and exploitation of the sea bottoms. As to this, President Johnson in 1966 set the general framework of American policy in these words:

"Under no circumstances, we believe, must we ever allow the prospects of rich harvest and mineral wealth to create a new form of colonial competition among the maritime nations. We must be careful to avoid a race to grab and to hold the lands under the high seas. We must ensure that the deep seas and the ocean bottoms are, and remain, the legacy of all human beings."

In short, what we have achieved in the peaceful use of Antarctica and outer space should be extended to the sea bottoms beyond the limits of national jurisdiction. This issue was last taken up a decade ago in a reverse context—defining the continental shelf from the shoreline out. The 1958 Convention on the Continental Shelf defines that area as extending to a water "depth of 200 metres or, beyond that limit, to where the depth of the superadjacent waters admits of the exploitation of the natural resources of the said areas."

While there is a respectable body of opinion that regards this definition adequate for present purposes, I think we can all agree that it lacks a great deal in the way of precision. The indefinite and gradual encroachment on the sea bottoms by technologically advanced nations could easily result in a new era of conflict over frontiers and spheres of influence.

Thus national interest is deeply involved in this international issue. By defining with certainty the boundaries between national and international jurisdiction, we can know with equal certainty where we may devote our development efforts in peace and security. The detailed position of the United States on the numerous facets of this broad question are still in process of formulation, including the exact terms of redefinition of the area within national jurisdiction. As a general principle, however, we feel that this area should be described in physiographic terms that will have a common applicability in separating the ocean floor from continental extensions throughout the world.

If we need any proof that the time for resolution of these questions is close at hand, let me remind you that we are now drilling at nearly three times the 200 meter depth set forth in the 1958 Convention, that permits have issued for exploratory drilling on the Continental Slope from the Gulf of Mexico to Cape Cod and Georges Bank, under which the Joint Oceanographic Institutions research expedition penetrated the Sigsby Knolls in mid-Gulf this past summer at a water depth well in excess of 3000 meters.

So while our immediate concern is with the orderly and efficient development of the Outer Continental Shelf areas whose values we are coming to know, the future lies on a frontier of deeper water. That future offers a great challenge to ingenuity and daring—not only in technology, but in the development of legal institutions and the commitment of economic resources. Freedom of scientific exploration and innovation must be an indispensable element of future planning if our nation and the world are to realize fully the great potential of the vast marine wilderness of our globe.

DEVELOPMENT OF THE INDIVIDUAL—PRIMARY GOAL OF EDUCATION

HON. SPESSARD L. HOLLAND

OF FLORIDA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. HOLLAND. Mr. President, my State of Florida continues to grow with a dynamic forward thrust. New industries, new permanent residents, and new challenges are becoming commonplace in the Sunshine State.

One of the greatest explosions taking place in Florida today is that of education at all levels. In the realm of higher education, the State university system has been expanding to keep pace with this great growth and progress. It was not many years ago that the only State universities were: the University of Florida at Gainesville, the present Florida State University, formerly a woman's college, at Tallahassee, the State capital, and Florida Agricultural and Mechanical University, predominantly a Negro college, also in Tallahassee.

Today, the State university system is composed of seven great universities. The newest one, Florida Technological University, officially opened its doors for the first 1,500 charter freshmen and junior students, near Orlando, October 7, 1968. The previous day, between 12,000 and 15,000 central Floridians crowded the roads leading to FTU to attend a highly successful open house. Strategically located near the National Space Science Center at Cape Kennedy, and Orlando, this new university, in addition to its primary function, will readily serve as a center for continuing education of the many technicians and scientists employed by the many contractors and the Government at the Cape.

Dr. Charles N. Millican, first president of Florida Tech, is a distinguished and totally dedicated educator, scholar, writer, and leader. He seeks the very best there is in every person and looks forward with enthusiasm to every challenge. One indication of this can be noted from the FTU motto on the university's official seal, "Reach for the Stars."

I am glad to note that Dr. Millican is stressing two main themes at Florida Technological University, accent on the individual and accent on excellence. The individual student and the individual faculty or staff member are the key people on the new FTU campus says Dr. Millican. The full growth potential of each and every individual is the goal toward which this outstanding educator is aiming. The other key element of the philosophy at FTU is accent on excellence. As Dr. Millican has put it, nothing will be undertaken on the FTU campus unless a total commitment to excellence is present. This is reassuring in an age sometimes too well-known for sloppy or nonprofessional attitudes.

Monday, October 7, 1968, was a great day for the people of central Florida and the "action center" of the State. That was the official convocation and dedication of the university. The principal speaker for the occasion was the Honorable Chester H. Ferguson, chairman of the Florida State Board of Regents. I would like to call the attention of my colleagues to the remarks of Chairman Ferguson as well as those of Dr. Millican and some of the news media reaction to the opening of the State's seventh major State university, as follows:

DEVELOPMENT OF THE INDIVIDUAL—PRIMARY GOAL OF EDUCATION

(Remarks by Hon. Chester H. Ferguson, Chairman, Florida Board of Regents, at dedication of Florida Technological University, Orlando, Oct. 7, 1968)

It is a real pleasure for me to participate in this first convocation and dedication of Florida Technological University. It is particularly satisfying for me and for the other members of the board of regents to be with you on this occasion because we have personally witnessed the progress which has taken place here. We have seen the transformation of this undeveloped land covered with pines and oaks into a vibrant campus where more than 1,000 students are enrolled this fall. We have been in on the initial planning. We appointed your outstanding president, Dr. Charles N. Millican, and we have noted the evolution of this institution from its embryonic stage into full maturity.

The members and staff of the board of regents share with the faculty, the staff and the students of this new university in the pride over the opening of this new institution which will contribute so much to the cultural, intellectual, and economic life of this region and the State of Florida.

This is a time to pay tribute to all of those in the community, in the legislature, on your county commission and other public bodies, and to those leaders from throughout east central Florida who played such prominent roles in bringing this new institution into being. This university could never have been realized without the untiring efforts of many people.

As chairman of the Florida Board of Regents I would like to take this occasion to express appreciation on behalf of the people of Florida for your contributions toward this outstanding accomplishment.

The founding and growth of a university where there has been none before can be very moving. Men and women who have never known opportunity come to see the university as a symbol of hope. They see clearly that a new university represents the door they could never enter now opened to their children. For many of you in this audience, Florida Technological University represents the fulfillment of aspirations that a great center of learning be located in your midst. From this university will emerge trained and educated young men and women to lead this region and the State of Florida into new paths of progress in the years ahead.

The activity which will be generated by the opening of this new university may be less dramatic than the launching of a space vehicle at Cape Kennedy, but its impact upon the lives of the people of this section will be immeasurable and its duration will be not only for the people of this generation but for all generations to come.

The American university is one of the most impressive social institutions devised by modern man. It has demonstrated a remarkable ability to maintain a continuity with its own past and at the same time keep up with our society's rapidly changing needs.

Scarcely more than a generation ago, its major concerns were to provide preprofessional training for the technical elites needed to keep our society operating and a gentleman's liberal education for the sons and daughters of the well to do.

But since the end of the second world war, colleges and universities in this country have assumed responsibility for offering post-high-school education to almost everyone who desires it. At present, almost half of our high school graduates in Florida are or have been enrolled at a college or university, and the goal of college for every man who can profit by it is rarely exposed to serious challenge.

Whether he realizes it or not, the college has a major effect upon the development of the whole human personality for the student between the ages of 17 and 25.

His interaction with teachers, his encounter with the social structure of the college administration, the friendship groups in which he becomes involved, the values he acquires from student culture, the atmosphere of flexibility and rigidity which permeates the school environment, the playfulness or the seriousness—all these have an immense if not yet precisely measured, impact on the evolution of the young person's self view and world view. The university cannot escape the fact that it does have such an impact, that the quality of the life on the campus does shape the personality of its young people. By the very fact that it presumes to inform the minds of the young, the university becomes involved in the development of the whole person, of which the intellectual faculties are but a part. The time has come for the college to realize the extent of its power to influence personality development and to take full responsibility for the way this power is executed.

The philosophy of this university has two basic tenets: First, an accent on the individual, and second, an accent on excellence.

I was pleased to note this pledge in the university's statements of purpose and philosophy: "The individual worth of the student, his vitality, and his character will be given an opportunity for development to their fullest potential."

There is a great need in this day of increasing complexity in our society, and in our educational system to restore the student to his rightful place at the center of the college's activities. Individual development must be the primary aim of education, and I am pleased to note that here at Florida Technological University the total resources have been organized to achieve this.

In the face of increasing enrollments, expanding knowledge, and climbing expenses, many of our colleges and universities across the country are less eager to question what they are doing than simply to find ways to do more of it.

Merely enlarging the system and providing more and more classrooms, laboratories and libraries will not suffice to meet the educational challenges being posed by changes in technology, in politics, and in society.

After finding room for the student at the university, we must ask what kind of world he will later inhabit, what it will demand of him, and how can we prepare him for it.

In our highly organized world, the student needs a broad education not only to keep pace with change but also to resist the pressures of specialization—pressures that now begin earlier than ever. He must have an education general enough so that he can lead a meaningful life apart from his occupational role. He is also a father, an educator, a civic leader, and probably, if he is in the middle class, an all-around do-it-yourself man.

The truth is that the whole meaning of work is changing. It is increasingly difficult for a man to make his vocational role the primary basis of self-respect or to teach his son the traditional values with respect to work. Having grown up in a society which raised hard work to the status of a moral virtue he now must learn to play and to use constructively his spare time. In this sphere a liberal-arts education can show him the pleasure of using his mind in a way more broad and speculative than his work may call for. Such education can also further his physical and aesthetic development and refine his tastes as a consumer.

Most important, education can help to restore the responsible individual, who is vanishing into a tangle of organized social roles and group memberships.

I am afraid that most colleges in America—and certainly most graduate schools—are worried more about whom they turn out than about how much they have done for him. They want to upgrade themselves in the academic world and expect to do so by recruiting "brighter" students. They can raise standards, attract a better-known faculty, and gradually acquire more academic glamour.

Instead of judging a college's success by who goes there and how well they are expected to do, I recommend that we focus on what happens at the college, on what kinds of change it induces. If after four years it turns out students who are flexible, imaginative, discriminating and capable of self-expression, the college is undoubtedly a success. It would be a success even if none of its teachers were ever heard of outside its own locality and the level of accomplishment of its students at the time of graduation were not as high as that found in better-known institutions.

In order to plan an educational program for encouraging change, we must know more about the entering student and about the factors in the college environment that can influence him. Then we must have a theory and plan which relates all these factors. Once the program is set, we must be able to measure various changes in individual students.

Despite our limited behavioral knowledge, the university must recognize that even its instructional goals cannot be effectively achieved unless it assumes some responsibility for facilitating the development of the total human personality.

A student listens, reads, thinks, studies and writes at the same time that he feels, worries, hopes, loves, and hates. He engages in all these activities not as an isolated individual but as a member of overlapping communities which greatly influence his reactions to the classroom experience.

Therefore, I endorse wholeheartedly the statement of purpose of this university to accent on the individual, and particularly the *responsible individual.*

What benefits will this region derive by reason of the opening of this university?

The primary benefit will be the opportunity for many young people to attend college who might not otherwise have been privileged to do so. The earning potential of these young people will be increased tremendously by reason of the fact that more of them will be provided new opportunity to attend college. There will result a more enlightened citizenry which will be more responsive to the needs of government and the cultural educational opportunities of this area.

Beyond that, there will be many other tangible benefits which will come in direct proportion to the interest which you citizens display in the university.

Now that this university has been formally opened, we should not relax and rest upon our accomplishment. We must redouble our efforts to see that this new institution born of so much effort and so much promise will grow and mature into a distinguished university of national prominence which will result in ever increasing contributions to the future of this region and the State of Florida.

Remarks of Dr. Charles N. Millican, President of Florida Technological University, at the Convocation and Dedication

The Orlando Evening Star carried an editorial on Friday, October 4, 1968 which I believe says some of the things that we need to be reminded of this morning.

"The birth of a new university is like the bursting forth of a bubbling ball of wisdom from which will flow manifold blessings for the present and future generations. Florida Tech will open its doors on Monday with about 1,500 students and will be a great university from the beginning.

"The university has built a sound organization and assembled a strong faculty. The university has laid a solid foundation for an institution of higher learning which in a decade will probably have about 15,000 students and a faculty and staff of close to 3,000. All of us here in central Florida are delighted with the opening of Florida Tech, which has long been hoped for and dreamed of. And now it is a reality. Its future impact on the area and the state will be tremendous in educational opportunities and in cultural, social and economic enrichment."

I am grateful for the commendation contained in this editorial, and I assure all of the citizens of Florida that we at FTU shall continue to work hard in order to provide the finest of educational opportunities for the people of Florida. And may I repeat a statement which I have made during the orientation sessions for our students and for our faculty. We may never have the biggest university, but we can, and we must, build the finest university in America.

Today, we reach the first milestone. This is the launching. Our course has been laid out, some of our tentative goals have been determined and the university is on its way. The official seal of the university carries the motto "Reach for the Stars." This is an admonition for each of us to set our goal and then strive for the best that it is possible for us to attain. There is a single star in the center of the seal, and it has been deliberately left unnamed, unidentified, so that each person might decide for himself which goal or star he will strive to reach.

Some months ago, Judge Andrews, our FTU Foundation's first President, mentioned to me a song that he had heard and liked a great deal. Then I heard it again just the other night, and I think the words of the song, "The Impossible Dream" say in better language than I could ever put together part of what I feel today. The words go like this:

"To dream the impossible dream
To fight the unbeatable foe
To bear with unbearable sorrows
To run where the brave dare not go
To right the unrightable wrong
To be better far—than you are
To try when your arms are too weary
To reach the unreachable star . . .
This is my quest. To follow that star . . . no matter how hopeless . . . no matter how far
To be willing to give . . . when there's no more to give
To be willing to die so that honor and justice may live . . .
And I know if I only be true to this glorious quest . . .
That my heart will lie peaceful and calm when I'm laid to my rest.
And the world will be better for this . . . that one man scorned and covered with scars . . . still strove with his last ounce of courage
To reach the unreachable star. . ."

From the beginning of FTU, we have said that one of the basic tenets of our philosophy is that of Accent on the Individual, with an added emphasis on the Responsible Individual for responsible leadership in the America of tomorrow.

When our thoughts turn toward this Convocation and Dedication it seemed most appropriate that something be done to indicate to each person working in the University his or her importance as a charter faculty and staff member and to serve as a momento of this day. So we have had a medallion struck commemorating this day and there is one for each of the faculty and staff of the university. In the interest of time, and in the interest of retaining the proper atmosphere at this occasion, it seemed advisable that one of you be selected personally to receive a medallion as a representative of the entire university family. And I trust this will symbolize a personal representation or presentation to each of you. There will be an identical one for each of you available from your supervisor before the end of work today.

We have a wonderful group of support people and that is the only real way you can build a university. We have asked the academic area to designate someone to be representative of the group. The person selected for this presentation is Dr. Ernest Lytle, Professor of Mathematical Sciences. Dr. Lytle, will you please come forward to receive the medallion.

Also, as our thoughts turn toward this occasion, it seemed appropriate that something be done to indicate to each student in the university that we consider each of you a vital and significant part of the university community. So we have had additional copies of the original printing of the official seal of the university especially made for you. Again, we thought it best to present a copy of this seal to one of you as representative of a personal presentation to each of you. There is an identical one for each of you available in the office of the Vice President for Student Affairs. The person selected for this presentation is William Ronald Studdard, who is one of our charter freshmen. Ronnie, will you come forward and receive this presentation.

The gentleman who is to introduce our main speaker today has an M.D. degree and is a general practitioner of medicine who sincerely receives satisfaction in helping people. He is the immediate past President of the Orange County Medical Association, and has been Chief of Staff at the Mercy Medical Center of Orlando. In addition to this, he has rendered distinguished service in many other professional and community organizations in the community and in the state. As a member of the Florida Board of Regents, he has been a constant friend of FTU and the other state universities of Florida. I want to pause just a moment to say that he and other members of the Florida Board of Regents spend far more hours and days in devotion to the university system in Florida than anybody outside ever realizes. And this responsibility takes them away from their work and away from their families and all of these have made tremendous sacrifices in order to serve the people of Florida. During the early planning and development days at FTU, this gentleman has been an unfailing friend to me personally as President of the university, particularly during times of stress, problems and perplexities. And so it is with a great deal of pleasure, ladies and gentlemen, that I present to you the Honorable Louis C. Murray who will introduce our speaker for the morning. Dr. Murray.

VOTING RECORD OF CONGRESSMAN CLARK MacGREGOR

HON. CLARK MacGREGOR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. MacGREGOR. Mr. Speaker, I believe that every citizen of Minnesota's Third Congressional District has the right to know how his Representative in the U.S. Congress voted on legislative issues. Therefore at the end of each Congress I insert in the CONGRESSIONAL RECORD a list and brief explanation of my actions on the record votes taken during that Congress.

The following is my voting record for the 90th Congress:

VOTING RECORD, CONGRESSMAN CLARK MacGREGOR

90TH CONG., 1ST SESS.

Date	Measure, question, and result	Vote
1967		
Jan. 10	Election of Speaker (McCormack 246, Ford 186, present 2)	Ford.
Jan. 10	H.Res. 1. A resolution relating to the seating of Representative Adam Clayton Powell (Democrat, New York). On ordering previous question. Failed. (Yea 126, nay 305.)	Nay.
Jan. 10	H.Res. 1. A resolution temporarily denying a seat to Adam Clayton Powell, and providing for an investigation and report by a special committee of 9 members. (Yea 363, nay 65.) (Congressman MacGregor was later appointed to serve on this committee.)	Yea.
Jan. 10	H.Res. 7. A resolution providing that the rules of the 89th Cong. be the rules of the 90th Cong. with an amendment to strike the 21-day rule. On ordering previous question. Failed. (Yea 196, nay 225.)	Nay.
Jan. 10	H.Res. 7. A resolution providing that the rules of the 89th Cong. be the rules of the 90th Cong. with an amendment to strike the 21-day rule. (Yea 233, nay 185.)	Yea.
Feb. 8	H.Res. 226. A resolution providing that H.R. 4573, to increase the national debt limit, be considered by the House of Representatives under a limited closed rule, severely limiting amendments. On ordering previous question. (Yea 223, nay 183.)	Nay.
Feb. 8	H.R. 4573. A bill to increase the national debt limit. On recommittal motion designed to include certain Government obligations (participation certificates) under the debt limit and to permit the issuance of long-term bonds. Failed. (Yea 155, nay 261, present 1.)	Yea.
Feb. 8	H.R. 4573. A bill to increase the temporary national debt limit ceiling from $330,000,000,000 to $336,000,000,000, the 9th increase during the Johnson-Humphrey and Kennedy-Johnson administrations. (Yea 215, nay 199, present 1.)	Nay.
Feb. 20	H.R. 2. A bill to strengthen the Reserve components of the Armed Forces, and clarify the status of the National Guard technicians. (Yea 325, nay 13.)	Yea.
Feb. 21	H. Res. 83. A resolution providing investigatory authority for the House Agriculture Committee. On ordering previous question. (Yea 230, nay 85.)	Yea.
Feb. 21	H. Res. 83. A resolution providing investigatory authority for the House Agriculture Committee. (Yea 306, nay 18.)	Yea.
Mar. 1	H. Res. 278. A resolution reported by the special committee to investigate Adam Clayton Powell (Democrat, New York). The resolution provided that Adam Clayton Powell be seated, that he be publically censured by the Speaker of the House, that he pay the Government $40,000, that he lose his House seniority, and that he be excluded from the House if he did not present himself to take the oath of office on or before Mar. 13, 1967. On ordering previous question. Failed. (Yea 202, nay 222.)	Yea.
Mar. 1	H. Res. 278. A resolution regarding Powell. On ordering previous question on an amendment to exclude Adam Clayton Powell from the House of Representatives rather than apply the special committee's penalties to Powell. (Yea 263, nay 161.)	Nay.
Mar. 1	H. Res. 278. A resolution regarding the seating of Powell. On an amendment to exclude Powell from the House of Representatives rather than provide the special committee's penalties to Powell. (Yea 248, nay 176.)	Nay.
Mar. 1	H. Res. 278. A resolution to exclude Powell (Democrat, New York) from the 90th Cong. (Yea 307, nay 116.)	Yea.
Mar. 1	H. Res. 278. A resolution to exclude Powell (Democrat, New York) from the 90th Cong. On ordering previous question on the preamble to the resolution. (Yea 311, nay 9.)	Yea.
Mar. 2	H.R. 4515. A bill providing supplemental authorization for military procurement. On motion to recommit the bill to provide that none of the funds authorized in the act would be used to carry out military operations in or over North Vietnam. Failed. (Yea 18, nay 372.)	Nay.
Mar. 8	H.R. 4515. A bill providing supplemental authorization for military procurement. On adoption of the conference report. (Yea 364, nay 13.)	Yea.
Mar. 9	H.J. Res. 267. A joint resolution to support emergency food assistance to India. (Yea 312, nay 63.)	Yea.
Mar. 9	H. Res. 376. A resolution authorizing the Speaker of the House of Representatives to appoint special counsel to represent the House in litigation filed by Adam Clayton Powell. (Democrat, New York.) On a motion to move the previous question. (Yea 254, nay 85.)	Nay.
Mar. 15	H.R. 6098. A bill extending for 2 years the special tax on the purchase of most foreign stocks, bonds, etc. (Yea 261, nay 138.)	Nay.
Mar. 16	H.R. 7123. A bill making supplemental appropriations for the Department of Defense. (Yea 385, nay 11.)	Yea.
Mar. 16	H.R. 6950. A bill to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property. (Yea 386, nay 2.)	Yea.
Mar. 20	H.R. 2068. The Veterans' Pension and Readjustment Assistance Act of 1967. (Yea 360, nay 0.)	Yea.
Mar. 20	H.R. 2513. A bill to establish a Commission on National Observances and Holidays. (Yea 315, nay 35.)	Yea.
Mar. 21	H.R. 5277. A bill to authorize funds for the civil government of the Pacific Trust Territory. (Yea 371, nay 15.)	Yea.
Mar. 22	H.R. 7501. Treasury-Post Office Appropriation Act, 1968. On amendment to eliminate 15 positions from the Office of the Secretary of the Treasury. (Yea 211, nay 175.)	Not voting, paired for.
Mar. 22	H.R. 7501. The Treasury-Post Office Appropriation Act, 1968. On recommittal motion to limit spending to 95 percent of 1968 budget estimate. Failed. (Yea 168, nay 217.)	Not voting, paired for.
Mar. 22	H.R. 7501. The Treasury-Post Office Appropriation Act, 1968. (Yea 372, nay 7.)	Not voting (CQ yes).
Mar. 22	H.J. Res. 428. A joint resolution relating to the Alliance for Progress. On recommittal motion regarding the meeting of the chiefs of state of the members of the Organization of American States at Punta del Este, Uruguay, Apr. 12 to 14, 1967. Failed. (Yea 147, nay 210).	Not voting (CQ no).
Mar. 22	H.J. Res. 428. A joint resolution relating to the Alliance for Progress. (Yea 234, nay 117, present 1)	Not voting (CQ yes).
Apr. 5	H. Res. 364. A resolution providing funds for the House Committee on Science and Astronautics to hire minority staff employees. On recommittal motion designed to increase funds by $30,000. Failed (Yea 176, nay 216).	Yea.
Apr. 5	H. Res. 221. A resolution providing funds for the House Committee on Un-American Activities. On ordering previous question. (Yea 305, nay 92.)	Yea.
Apr. 5	H. Res. 221 A resolution providing funds for the House Committee on Un-American Activities. On recommittal motion requiring open hearings to be held on the justification of additional funds. Failed (Yea 92, nay 304.).	Nay.
Apr. 5	H. Res. 221. A resolution authorizing funds for the House Committee on Un-American Activities (Yea 350, nay 43.)	Yea.
Apr. 6	H. Res. 413. Rule for House consideration of H.R. 2512, revising the copyright law. (Yea 347, nay 42.)	Yea.
Apr. 6	H.R. 2512. A bill providing a general revision of the copyright law. On motion to strike the enacting clause, thereby killing the bill. Failed. (Yea 126, nay 252, present 2.)	Nay.
Apr. 11	H.J. Res. 493. A joint resolution adding 20 additional days to the 60 day "cooling off period" provided in the Railway Labor Act, thereby postponing a possible railway strike for 20 days. (Yea 396, nay 8.)	Yea.
Apr. 11	H.R. 2512. A bill providing for the general revision of the copyright law. (Yea 379, nay 29, present 1.)	Yea.
Apr. 11	H.R. 5404. A bill to amend the National Science Foundation Act of 1950. (Yea 391, nay 22.)	Yea.

VOTING RECORD, CONGRESSMAN CLARK MacGREGOR—Continued

90TH CONG., 1ST SESS.—Continued

Date	Measure, question, and result	Vote
1967		
Apr. 13	H. Res. 418. A resolution establishing in the House of Representatives a Committee on Standards of Official Conduct. (Yea 400, nay 0.)	Yea.
Apr. 20	H. Res. 443. A resolution expressing the sympathy of the House of Representatives at the death of Konrad Adenauer. (Yea 357, nay 0.)	Yea.
Apr. 20	H.R. 207. A bill authorizing the financial participation of the Department of the Interior in constructing and operating a large water desalting and nuclear powerplant in southern California. (Yea 315, nay 38.)	Yea.
Apr. 27	H.R. 9029. Department of Interior and Related Agencies Appropriation Act, 1968. On recommittal motion to limit spending to 95 percent of 1968 budget estimate. Failed. (Yea 158, nay 231.)	Yea.
Apr. 27	H.R. 9029. The Department of Interior and Related Agencies Appropriation Act, 1968. (Yea 377, nay 11.)	Yea.
Apr. 27	H. Res. 442. Rules for consideration of H.R. 2508, establishing Federal standards for congressional redistricting. On ordering previous question. (Yea 284, nay 99.)	Yea.
Apr. 27	H.R. 2508. A bill to establish Federal standards for congressional redistricting. On a recommital motion to require New Mexico and Hawaii which now elect 2 Congressmen each at large, to elect them by districts starting in 1968 rather than starting in 1972. Failed. (Yea 161, nay 203.)	Yea.
Apr. 27	H.R. 2508. A bill establishing Federal standards for congressional redistricting. (Yea 289, nay 63, present 1.)	Yea.
May 1	H.J. Res. 543. A joint resolution providing an additional 47 days to the "cooling off period" under the Railway Labor Act to further postpone a possible railway strike. (Yea 302, nay 56.)	Yea.
May 3	H.R. 9481. The Second Supplemental Appropriation Act, 1967. (Yea 391, nay 6.)	Yea.
May 9	H.R. 9240. A bill authorizing funds for defense and military procurement. (Yea 401, nay 3.)	Yea.
May 11	H. Res. 161. A resolution providing additional funds for official office expenses of Members of the House of Representatives incurred in their home districts. (Yea 189, nay 157.)	Yea.
May 11	H. Res. 464. A resolution authorizing the hiring of additional Capitol Policemen. (Yea 334, nay 16.)	Yea.
May 17	H.R. 9960. The independent Offices and Department of Housing and Urban Development Appropriation Act, 1968. On amendment designed to prevent a $10,000,000 expansion of the rent supplement program. (Yea 233, nay 171.)	Not voting, paired for.
May 17	H.R. 9960. The Independent Offices and Department of Housing and Urban Development Appropriation Act, 1968. On recommittal motion designed to cut $225,000,000 from the demonstration cities program, leaving $12,000,000 in planning funds for the program. Failed. (Yea 193, nay 213.)	Not voting, paired for.
May 17	H.R. 9960. The Independent Offices and Department of Housing and Urban Development Appropriation Act, 1968. (Yea 347, nay 56)	Not voting, paired against.
May 17	H.R. 6431. A bill to amend the public health laws relating to mental health. (Yea 355, nay 0.)	Not voting (CA yes).
May 24	H.R. 7819. Elementary and Secondary Education Act Amendments of 1967. On amendment to improve the formula for distribution of title I funds to school districts with needy children. (Yea 222, nay 194.)	Yea.
May 24	H.R. 7819. Elementary and Secondary Education Act Amendments of 1967. On amendment providing that Federal funds for supplementary educational services, centers, projects go to State departments of education, instead of the present practice of bypassing the State departments. (Yea 230, nay 185.)	Yea.
May 24	H.R. 7819. Elementary and Secondary Education Act Amendments of 1967. On recommittal motion with instructions to hold further hearings. Failed. (Yea 180, nay 236)	Yea.
May 24	H.R. 7819. Elementary and Secondary Education Act Amendments of 1967. (Yea 294, nay 122.)	Nay.
May 25	S. 1432. The Military Selective Service Act of 1967. (Yea 362, nay 9, present 1.)	Yea.
May 31	H.R. 10345. The Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act, 1968. On amendment to place a specific limit of $1,350,000 on the amount of funds that would be available to the Small Business Administration to pay interest on deficiencies on the sale of participation certificates on SBA loans. (Yea 186, nay 144.)	Yea.
May 31	H.R. 10345. The Departments of State, Justice, and Commerce, the Judiciary and Related Agencies Appropriation Act, 1968. On recommittal motion to limit spending for every agency covered by the bill, except the FBI, to 95 percent of the amounts estimated in the 1968 budget. (Yea 171, nay 156.)	Yea.
June 5	H.R. 10226. A bill expanding the mailing privileges of certain members of the Armed Forces. (Yea 316, nay 0.)	Yea.
June 6	H.R. 10509. The Department of Agriculture and Related Agencies Appropriation Act, 1968. On recommittal motion to limit spending to 95 percent of the budget estimate except in the school lunch program and the school milk program. Failed. (Yea 175, nay 222.)	Yea.
June 6	H.R. 10509. The Department of Agriculture and Related Agencies Appropriation Act, 1968. (Yea 357, nay 38.)	Yea.
June 7	H. Res. 504. Rule for House consideration of H.R. 10328, a bill to increase the public debt limit from $285,000,000,000 to $365,000,000,000. On a motion to order the previous question. (Yea 291, nay 99.)	Nay.
June 7	H.R. 10328. A bill to increase the public debt limit from $285,000,000,000 to $365,000,000,000. Failed. (Yea 197, nay 211.)	Not voting (CQ no).
June 8	H.R. 9029. The Department of Interior and Related Agencies Appropiation Act, 1968. On adoption of the conference report. (Yea 321, nay 49.)	Yea.
June 8	H.R. 1318. A bill to amend the Food Stamp Act of 1964. On amendment to require the States to pay 20 percent of the cost of the program. Failed. (Yea 173, nay 191.)	Yea.
June 8	H.R. 1318. A bill to amend the Food Stamp Act of 1964. This bill authorized $195,000,000 for the food stamp program, but provided for no State financial contributions to the program. MacGregor felt the States should also be required to contribute to the food stamp program. (Yea 230, nay 128.)	Nay.
June 12	H.R. 7476. A bill to authorize adjustments in the amount of outstanding silver certificates. (Yea 234, nay 109.)	Nay.
June 13	H.R. 10738. The Department of Defense Appropriation Act, 1968. (Yea 407, nay 1.)	Yea.
June 19	H.R. 6111. A bill to provide for the establishment of a Federal Judicial Center. (Yea 230, nay 97.)	Yea.
June 19	H.R. 10730. A bill to extend the Older Americans Act of 1965. (Yea 333, nay 0.)	Yea.
June 19	H.R. 480. A bill relating to the acquisition of wetlands for the conservation of migratory waterfowl. (Yea 329, nay 8.)	Yea.
June 19	H.R. 482. A bill relating to hunting stamps for the taking of migratory waterfowl and other migratory birds. (Yea 238, nay 97.)	Yea.
June 20	S. 1432. The Military Selective Service Act of 1967. On adoption of the conference report. (Yea 377, nay 29.)	Yea.
June 20	H.R. 10480. A bill to prohibit desecration of the flag. (Yea 387, nay 16.)	Yea.
June 21	H.R. 10867. A bill to increase the public debt limit from $285,000,000,000 to $358,000,000,000. On a recommittal motion to reduce the limit to $336,000,000,000. Failed. (Yea 191, nay 223.)	Yea.
June 21	H.R. 10867. A bill to increase the public debt limit from $285,000,000,000 to $358,000,000,000. This was the 10th increase in the debt limit ceiling during the Johnson-Humphrey and Kennedy-Johnson administrations. (Yea 217, nay 196, present 2.)	Nay.
June 26	H.R. 8582. A bill to increase the number of associate judges on the District of Columbia Court of Appeals from 2 to 5. (Yea 335, nay 6.)	Not voting (CQ yes).
June 26	H.R. 10783. A bill relating to crime and criminal procedure in the District of Columbia. (Yea 355, Nay 14, present 1.)	Not voting (CQ yes.)
June 27	H.R. 10943. A bill to amend and extend title V of the Higher Education Act of 1965. On recommittal motion to strike the Teachers Corps from the bill. Failed. (Yea 146, nay 257.)	Nay.
June 27	H.R. 10943. A bill to amend and extend title V of the Higher Education Act of 1965. (Yea 312, nay 88.)	Yea.
June 28	H.R. 10340. A bill authorizing funds for the National Aeronautics and Space Administration. On recommittal motion designed to cut $135,700,000 from the bill and provide for an Aerospace Safety Advisory Panel. (Yea 239, nay 157.)	Yea.
June 28	H.R. 10340. A bill authorizing funds for the National Aeronautics and Space Administration. (Yea 342, nay 53.)	Yea.
July 11	H.R. 10805. A bill to extend the life of the Civil Rights Commission. (Yea 284, nay 89.)	Yea.
July 12	S. 20. A bill to provide for a comprehensive review of national water resource problems and programs. (Yea 369, nay 19.)	Yea.
July 13	H.R. 10595. A bill to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities. On recommittal motion designed to kill the bill. Failed. (Yea 135, nay 257, present 2.)	Nay.
July 13	H.R. 10595. A bill to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities. (Yea 271, nay 111, present 1.)	Yea.
July 17	S.J. Res. 81. A joint resolution providing for settlement of the railway labor dispute. On motion to concur with Senate amendment providing for a binding determination of special board. (Yea 244, nay 148.)	Nay.
July 18	H.R. 11456. The Department of Transportation Appropriation Act, 1968. On recommittal motion to limit spending to 95 percent of the 1968 budget estimates. (Yea 213, nay 189.)	Not voting, paired against.
July 18	H.R. 11456. The Department of Transportation Appropriation Act, 1968. (Yea 393, nay 5.)	Not voting, paired against.
July 19	H.R. 421. A bill making it a Federal crime to travel or use any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance. (Yea 348, nay 70.)	Yea.
July 20	H. Res. 749. Rule for consideration of H.R. 11000, the Federal Rat Control bill. Failed. (Yea 176, nay 207.) (See also Sept. 20 vote on H.R. 6418.)	Nay.
July 25	H.R. 11641. The Public Works and Atomic Energy Commission Appropriation Act, 1968. On amendment to delete funds for the Dickey-Lincoln Hydroelectric Dam. (Yea 233, nay 169.)	Yea.
July 25	H.R. 11641. The Public Works and Atomic Energy Commission Appropriation Act, 1968. On recommittal motion designed to reduce the total appropriation by 5 percent. Failed. (Yea 166, nay 239.)	Yea.
July 25	H.R. 11641. The Public Works and Atomic Energy Commission Appropriation Act, 1968. (Yea 376, nay 26.)	Nay.
July 26	H.R. 9547. A bill to amend the Inter-American Development Bank Act. On recommittal motion to limit the U.S. contribution to the Fund for Special Operations to the present level of $750 million instead of increasing the level to $900 million. Failed. (Yea 185, nay 217.)	Yea.
July 26	H.R. 9547. A bill to amend the Inter-American Development Bank Act. (Yea 275, nay 122, present 1)	Yea.
July 27	H.R. 8630. A bill to extend the authority of the President to grant exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States. (Yea 309, nay 66.)	Yea.
July 31	H.R. 6098. A bill extending for 2 years the special tax on the purchase of most foreign stocks, bonds, etc. On adoption of the conference report. (Yea 224, nay 83.)	Nay.
Aug. 1	H.R. 11722. A bill to authorize certain construction at military installations. (Yea 394, nay 2.)	Yea.
Aug. 8	H.R. 5037. Law Enforcement and Criminal Justice Assistance Act of 1967. On Republican amendment providing block grants to State law enforcement agencies and providing that the highest priority would go to programs for the detection, prevention, and control of riots and organized crime. (Yea 256, nay 147.)	Yea.
Aug. 8	H.R. 5037. The Law Enforcement and Criminal Justice Assistance Act of 1967. (Yea 378, nay 23.) (This bill later became the Omnibus Crime Control and Safe Streets Act of 1968.)	Yea.
Aug. 9	H. Res. 512. A resolution expressing the disapproval of the House of Representatives of a Presidential plan to reorganize the government of the District of Columbia. Failed. (Yea 160, nay 244.)	Yea.
Aug. 10	H.R. 7659. A bill authorizing a mid-decade census in 1975 and every 10 years thereafter. (Yea 255, nay 127.)	Yea.

VOTING RECORD, CONGRESSMAN CLARK MacGREGOR—Continued

90TH CONG., 1ST SESS.—Continued

Date	Measure, question, and result	Vote
1967		
Aug. 14	H.R. 43. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the San Felipe division, Central Valley project, California. (Yea 235, nay 83, present 1.)	Nay.
Aug. 14	H.R. 6279. A bill to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data. On amendment to limit to $1,860,000 the fiscal year 1968 authorization for this program. (Yea 320, nay 2.)	Yea.
Aug. 15	H. Res. 856. Rule for consideration of H.R. 2516, a bill to prescribe penalties for interference with civil rights. (Yea 330, nay 77.)	Yea.
Aug. 16	H.R. 2516. A bill to prescribe penalties for interference with civil rights. (Yea 327, nay 93.)	Yea.
Aug. 17	H.R. 12080. The Social Security Amendments of 1967. (Yea 416, nay 3.)	Yea.
Aug. 17	S. 16. The Veterans' Pension and Readjustment Assistance Act of 1967. On adoption of the conference report. (Yea 404, nay 0.)	Yea.
Aug. 21	H.R. 12257. A bill to amend and extend the Vocational Rehabilitation Act. (Yea 340, nay 0.)	Yea.
Aug. 21	H.R. 11565. A bill to authorize the transfer of peanut acreage allotments failed under suspension of the rules (⅔ favorable vote required for passage). (Yea 208, nay 146.)	Nay.
Aug. 22	H.R. 12474. The National Aeronautics and Space Administration Appropriation Act, 1968. (Yea 312, nay 92.)	Yea.
Aug. 24	H.R. 12048. The Foreign Assistance Act of 1967. On amendment to prevent the Export-Import Bank from financing arms sales to foreign nations. (Yea 236, nay 157.)	Yea.
Aug. 24	H.R. 12048. The Foreign Assistance Act of 1967. On recommittal motion to cut $33,000,000 from technical assistance grants. (Yea 234, nay 163.)	Nay.
Aug. 24	H.R. 12048. Foreign Assistance Act of 1967. (Yea 202, nay 194, present 1.)	Yea.
Aug. 28	H.R. 8965. A bill to increase the amount of the Federal contribution to the cost of the Potomac interceptor sewer. (Yea, 118, nay 109.)	Not voting (CQ no).
Sept. 11	H.R. 11816. A bill providing payment of benefits to law enforcement officers not employed by the United States who are injured while apprehending violators of Federal law and to the survivors of such officers who are killed while apprehending such violators. (Yea 311, nay 0.)	Yea.
Sept. 11	H.R. 8654. A bill providing for an appeal by the United States from court decisions sustaining motions to suppress evidence. (Yea 311, nay 1.)	Yea.
Sept. 11	H.R. 8775. A bill increasing the authorization for continuing work in the Missouri River Basin. (Yea 225, nay 83.)	Yea.
Sept. 12	H.R. 10738. The Department of Defense Appropriation Act, 1968. On adoption of the conference report. (Yea 366, nay 4.)	Yea.
Sept. 12	H.R. 10738. Department of Defense Appropriation Act, 1968. On motion to concur with a Senate amendment which would allow construction in foreign shipyards of certain U.S. naval vessels. Failed. (Yea 145, nay 232, present 1.)	Nay.
Sept. 14	S. 602. A bill to revise and extend the Appalachian Regional Development Act of 1965 and to amend title V of the Public Works and Economic Development Act of 1965. On amendment to reduce the authorization by $50,000,000. (Yea 199, nay 161.)	Yea.
Sept. 14	S. 602. A bill to revise and extend the Appalachian Regional Development Act of 1965 and to amend title V of the Public Works and Economic Development Act of 1965. On recommittal motion altering the amount of certain authorizations in the bill and providing that the funds would go directly to the Federal agencies involved rather than through the President. Failed. (Yea 178, nay 184.)	Yea.
Sept. 14	S. 602. A bill to revise and extend the Appalachian Regional Development Act of 1965 and to amend title V of the Public Works and Economic Development Act of 1965. (Yea 189, nay 168, present 1.)	Nay.
Sept. 18	H.R. 4451. A bill regarding the unlawful seizure of fishing vessels of the United States by foreign countries. Failed under suspension of the rules. (Two-thirds favorable vote required for passage.) (Yea 147, nay 175.)	Nay.
Sept. 18	S. 1657. A bill extending for 1 year the authority of the Secretary of Agriculture to make indemnity payments to certain dairy farmers. (Yea 320, nay 7.)	Yea.
Sept. 18	H. Res. 938. A bill authorizing the Judiciary Committee to conduct various investigations involving overseas travel by members and employees. (Yea 262, nay 52.)	Yea.
Sept. 19	S. 953. A bill to amend the Food Stamp Act of 1964. On acceptance of the Senate conference report amendments which provided $200,000,000 for fiscal 1968 and $225,000,000 for fiscal 1969, but did not provide for State financial contributions to the program. (See also June 8 vote on H.R. 1318.) (Yea 196, nay 155.)	Nay.
Sept. 20	H.R. 9547. A bill to amend the Inter-American Development Bank Act. On motion to recommit to the conference committee with instructions that the House conferees insist on retaining sec. 1 of the House bill which provided for an audit of the Bank. (Yea 274, nay 126.)	Yea.
Sept. 20	H.R. 6418. The Partnership for Health Amendments of 1967. On an amendment to increase the authorization by $40,000,000 for grants for special health problems, such as rat control. (Yea 227, nay 173, present 1.)	Yea.
Sept. 20	H.R. 6418. The Partnership for Health Amendments of 1967. (Yea 395, nay 7.)	Yea.
Sept. 20	H.R. 6430. A bill to amend the public health laws relating to mental retardation to expand and improve them. (Yea 389, nay 0.)	Not voting (CQ yes).
Sept. 21	H.R. 6736. The Public Broadcasting Act of 1967. On recommittal motion designed to delete provisions for a public broadcasting corporation and to add provisions authorizing $5,000,000 to be distributed among educational TV and radio stations. Failed. (Yea 167, nay 194.)	Yea.
Sept. 21	H.R. 6736. The Public Broadcasting Act of 1967. (Yea 266, nay 91, present 1)	Yea.
Sept. 25	H.R. 13042. A bill to provide for the election of members of the Board of Education of the District of Columbia. (Yea 327, nay 3)	Yea.
Sept. 25	H.R. 13025. A bill to permit the District of Columbia Council to make rules and regulations under the Alcoholic Beverage Control Act. Failed. (Yea 153, nay 182)	Nay.
Sept. 26	H.R. 12120. The Juvenile Delinquency Prevention and Control Act of 1967. On Republican amendment providing block grants to the States instead of grants administered through the U.S. Department of Health, Education, and Welfare. (Yea 234, nay 139.)	Yea.
Sept. 26	H.R. 12120. The Juvenile Delinquency Prevention and Control Act of 1967. On amendment prohibiting receipt of funds under this act by agencies administered, funded, or contracted by OEO. (Yea 242, nay1 32.)	Yea.
Sept. 27	H.J. Res. 849. A joint resolution making continuing appropriations. On motion to recommit the bill to the Appropriations Committee in hopes that a spending limitation would be added to the bill by that committee. (Yea 202, nay 182.)	Yea.
Sept. 28	H.R. 478. A bill to amend the Fair Labor Standards Act of 1938 to establish procedures to relieve domestic industries and workers injured by increased imports from low-wage areas. (Yea 340, nay 29.)	Yea.
Sept. 29	H.R. 10673. A bill to amend the Packers and Stockyards Act of 1921. (Yea 234, nay 6)	Yea.
Oct. 2	H.R. 4903. A bill to amend the act providing for the economic and social development of the Ryukyu Islands. (Yea 284, nay 80.)	Yea.
Oct. 2	S. 223. A bill to authorize the sale of certain Government-owned communications facilities in Alaska. (Yea 357, nay 1.)	Yea.
Oct. 2	H.R. 9796. A bill to extend the authorization for loans of certain naval vessels to foreign governments. (Yea 321, nay 42.)	Yea.
Oct. 3	H. Res. 938. Rule for House consideration of H.J. Res. 853, a joint resolution making continuing appropriations. On ordering previous question on H. Res. 938. (Yea 213, nay 205.)	Nay.
Oct. 3	H.R. 11722. A bill to authorize certain construction at military institutions. On adoption of conference report. (Yea 377, nay 33.)	Yea.
Oct. 4	H.R. 10196. The Departments of Labor, and Health, Education, and Welfare and Related Agencies Appropriation Act, 1968. On motion to recommit to the conference committee with instructions that the House conferees insist on disagreement to Senate amendments which exceed the budget requests. (Yea 226, nay 174.)	Yea.
Oct. 4	H.R. 1411. A bill to prevent the use of the mails to obtain money or property under false representations. (Yea 353, nay 32.)	Yea.
Oct. 10	H.R. 10509. The Department of Agriculture and Related Agencies Appropriation Act, 1968. On motion to disagree with Senate conference report amendment No. 43 and thereby deny the administration authority to enter into 1968 contracts totalling as much as $52,000,000 to pay for removing cropland from production. (Yea 377, nay 8.)	Not voting (CQ yes).
Oct. 10	H.R. 10509. The Department of Agriculture and Related Agencies Appropriation Act, 1968. On motion to disagree with Senate conference report amendment No. 56 and thereby lower the ceiling on FHA farm operating loans from $325,000,000 to $300,000,000. (Yea 362, nay 24.)	Yea.
Oct. 10	H.R. 10509. The Department of Agriculture and Related Agencies Appropriation Act, 1968. On motion to disagree with Senate conference report amendment No. 63. and thereby limit to $1,400,000,000 instead of $3,000,000,000 the reimbursement for Commodity Credit Corporation losses. (Yea 391, nay 3.)	Yea.
Oct. 11	H.R. 7977. The Postal Revenue and Federal Salary Act of 1967. On recommittal motion to strike the 2d and 3d stage pay raises and the section regarding the Commission on Executive, Legislative, and Judicial Salaries. (This motion, in effect, would leave responsibility for pay raises in the hands of the Congress instead of shifting that responsibility to a Federal commission appointed by the President.) Failed. (Yea 199, nay 211.)	Yea.
Oct. 11	H.R. 7577. The Postal Revenue and Federal Salary Act of 1967. (Yea 319, nay 89, present 1.)	Yea.
Oct. 16	H.R. 13048. A bill amending the Library Services and Construction Act. (Yea 351, nay 0.)	Yea.
Oct. 16	S.J. Res. 112. A joint resolution extending the time for filing the report of the Commission on Urban Problems. (Yea 344, nay 10.)	Yea.
Oct. 17	H.R. 11456. The Department of Transportation Appropriation Act, 1968. On motion to recommit the bill to the conference committee with instructions to the House conferees to insist on disagreement with Senate amendments proposing spending in excess of the budget requests. (MacGregor favored spending more for air safety than had been requested in the budget.) Failed. (Yea 124, nay 268.)	Nay.
Oct. 17	H.R. 11456. The Department of Transportation Appropriation Act, 1968. On adoption of the conference report. (Yea 368, nay 22.)	Nay.
Oct. 17	H.R. 11456. The Department of Transportation Appropriation Act, 1968. On motion to concur with a Senate amendment to permit funds previously appropriated for Libby Dam to be used to build an airport near Kelly Flats, Mont. Failed. (Yea 161, nay 222.)	Nay.
Oct. 17	H.R. 159. A bill to create an independent Federal Maritime Administration. (Yea 326, nay 44.)	Yea.
Oct. 18	H.J. Res. 888. A joint resolution making continuing appropriations. On amendment limiting spending by the various agencies to the 1967 levels and making certain other limits on spending. (Yea 238, nay 164.)	Yea.
Oct. 18	H.J. Res. 888. A joint resolution making continuing appropriations. On a motion to recommit. (Yea 158, nay 244.)	Nay.
Oct. 18	H.J. Res. 888. A joint resolution making continuing appropriations. (Yea 254, nay 143.)	Yea.
Oct. 19	H.R. 13178. A bill strengthening the laws against various types of disorders within the U.S. Capitol or on its grounds. (Yea 336, nay 20, present 1.)	Yea.
Oct. 19	S. 676. A bill to prohibit the obstruction of criminal investigations of the United States. (Yea 276, nay 47.)	Yea.
Oct. 20	H. Res. 241. A resolution to transfer jurisdiction over military and national cemeteries from the Committee on Interior and Insular Affairs to the Committee on Veterans' Affairs. (Yea 226, nay 0.)	Yea.
Oct. 20	H. Res. 947. A rule for consideration of H.R. 10442, a bill to facilitate acquisition of Forest Service land for public school use. (Yea 221, nay 1.)	Yea.
Oct. 20	H.R. 10442. A bill to facilitate acquisition of Forest Service land for public school use. On recommittal motion with instructions that money received from school districts to pay for Forest Service land go into the Treasury general fund. (Yea 30, nay 191.)	Yea.
Oct. 23	H R. 11627. A bill authorizing the State of Maryland to build various bridges and tunnels. (Yea 344, nay 9, present 1.)	Yea.
Oct. 24	H.R. 9960. The Independent Offices and Department of Housing and Urban Development Appropriation Act, 1968. On motion to recommit to the conference committee with instructions that the House conferees insist on disagreement with Senate amendments raising the allowance for participation sales from $881,000,000 to $3,240,000,000. Failed. (Yea 184, nay 208, present 5.)	Yea.
Oct. 24	H.R. 9960. The Independent Offices and Department of Housing and Urban Development Appropriation Act, 1968. On motion to concur with a Senate amendment to increase proposed funds for the model cities program from $237,000,000 to $537,000,000. Failed. (Yea 156, nay 241.)	Nay.
Oct. 24	H.R. 9960. The Independent Offices and Department of Housing and Urban Development Appropriation Act, 1968. On motion to concur with a Senate amendment providing $40,000,000 for rent supplement new contract authority. Failed (Yea 151, nay 251.)	Nay.
Oct. 24	H.R. 13606. The Military Construction Appropriation Act, 1968. (Yea 362, nay 26.)	Yea.

VOTING RECORD, CONGRESSMAN CLARK MacGREGOR—Continued

90TH CONG., 1ST SESS.—Continued

Date	Measure, question, and result	Vote
1967		
Oct. 25	H.R. 11641. The Public Works and Atomic Energy Commission Appropriation Act, 1968. On motion to recommit the bill to the committee of conference for further study. Failed. (Yea 117, nay 278).	Yea.
Oct. 25	H.R. 11641. The Public Works and Atomic Energy Commission Appropriation Act. On motion to concur with an amended version of a Senate amendment providing $875,000 in planning funds for the Dickey-Lincoln power project in Maine. Failed. (Yea 162, nay 236, present 1.)	Nay.
Oct. 25	H.R. 11641. The Public Works and Atomic Energy Commission Apropriation Act, 1968. On motion to concur with an amended version of a Senate amendment to provide funds for the Corps of Engineers without any funds for the Dickey-Lincoln project. (Yea 284, nay 111.)	Nay.
Oct. 26	H.R. 9960. The Independent Offices and Department of Housing and Urban Development Appropriation Act, 1968. On motion to recommit to the conference committee with instructions that the House conferees insist on knocking out $10,000,000 for new rent supplement contract authority. Failed. (Yea 184, nay 198.)	Nay.
Oct. 26	H.R. 9960. The Independent Offices and Department of Housing and Urban Development Appropriation Act, 1968. On adoption of the conference report. (Yea 297, nay 88.)	Yea.
Oct. 26	H.R. 13510. The Uniformed Services Pay Act of 1967. This bill provided an average pay increase of 4.5 percent for members of the Armed Forces. (Yea 386, nay 2.)	Yea.
Oct. 26	H.R. 2508. A bill to establish Federal standards for congressional redistricting. On motion to recommit to the conference committee with instructions that the House conferees insist on previously House-passed congressional districts standards after the 1970 census including provision to allow no more than a 10-percent population deviation between the largest and smallest districts in a State and to insist on a ban on at-large congressional elections in 1968 and 1970 except in single member States. Failed. (Yea 82, nay 283.)	Yea.
Oct. 26	H.R. 2508. A bill establishing Federal standards for congressional redistricting. On adoption of the conference report. (Yea 241, nay 106.)	Nay.
Oct. 30	H.R. 10915. A bill to abolish the import quotas for extra-long-staple cotton from Sudan and Egypt with the effect of allowing American growers to increase their production. On motion to recommit to the House Agriculture Committee. Failed. (Yea 101, Nay 244.)	Yea.
Oct. 30	H.R. 10915. A bill to abolish the import quotas for extra-long-staple cotton from Sudan and Egypt with the effect of allowing American growers to increase their production. (Yea 276, nay 63.)	Yea.
Oct. 31	H.R. 12144. The Wholesome Meat Act of 1967. (Yea 403, nay 1.)	Yea.
Nov. 2	S. 870. The Clean Air Act of 1967. (Yea 362, nay 0.)	Yea.
Nov. 3	H. Res. 966. Rule for consideration of S. 2388, the Economic Opportunity Amendments of 1967. (Yea 262, nay 39, present 1.)	Not voting (CQ, yes
Nov. 6	H.R. 11565. A bill to authorize the transfer of peanut acreage allotments. (Yea 256, nay 57.)	Nay.
Nov. 6	S.J. Res. 33. A joint resolution to establish a new Federal agency (the Commission of Product Safety) to identify types of household products which may present hazards to consumers and study the effectiveness of present laws controlling such products. (Yea 206, nay 102.)	Nay.
Nov. 6	H.R. 9639. The Animal Drug Amendments of 1967. (Yea 317, nay 0.)	Yea.
Nov. 6	H.R. 13165. A bill to provide Secret Service protection for a widow and minor children of a former President. (Yea 302, nay 11, present 2.)	Yea.
Nov. 6	S.J. Res. 114. A joint resolution extending the duration of copyright protection in certain cases. (Yea 309, nay 6.)	Yea.
Nov. 6	H.R. 3982. A bill providing greater reimbursement to servicemen for costs of moving their house trailers on change of duty station. (Yea 319, nay 0.)	Yea.
Nov. 6	H.R. 13669. A bill to amend title 10, United States Code, relating to military claims. (Yea 318, nay 0.)	Yea.
Nov. 6	S. 1552. A bill to amend the Highway Safety Act of 1966. (Yea 252, nay 65.)	Yea.
Nov. 6	S. 423. A bill to authorize certain construction at Manele Bay, Lanai, Hawaii. (Yea 291, nay 25.)	Yea.
Nov. 8	S. 1872. The Foreign Assistance Act of 1967. On motion to recommit to the conference committee with instructions regarding countries which trade with North Vietnam. Failed. (Yea 196, nay 200.)	Nay.
Nov. 8	S. 1872. The Foreign Assistance Act of 1967. On adoption of the conference report. (Yea 205, nay 188.)	Yea.
Nov. 9	H.R. 11641. The Public Works and Atomic Energy Commission Appropriation Act, 1968. On motion to concur with a Senate amendment proposing $875,000 in planning funds for the Dickey-Lincoln School power project in Maine. Failed. (Yea 118, nay 264.)	Nay.
Nov. 9	H.R. 8569. The District of Columbia Appropriation Act, 1968. On adoption of the conference report. (Yea 354, nay 6, present 1.)	Yea.
Nov. 15	S. 2388. The Economic Opportunity Amendments of 1967. On amendment to prohibit poverty program funds or personnel from being used to organize or assist in organizing any unlawful demonstration or civil disturbance or for defending persons who participated in organizing them. (Yea 332, nay 79.)	Not voting (CQ yes).
Nov. 15	S. 2388. The Economic Opportunity Amendments of 1967. On recommittal motion to cut the poverty authorization by $460,000,000. (Yea 221, nay 190.)	Not voting (CQ no).
Nov. 15	*S. 2388. The Economic Opportunity Amendments of 1967. (Yea 283, nay 129.)*	*Not voting (CQ yes).*
Nov. 16	H. Res. 978 Rule for consideration of H.R. 13893, the Foreign Assistance and Related Agencies Appropriation Act, 1968. On ordering the previous question on H. Res. 978. (Yea 200, nay 190.)	Not voting. (CQ no).
Nov. 17	H.R. 13893 The Foreign Assistance and Related Agencies Appropriation Act, 1968. On motion to recommit. Failed. (Yea 135, nay 177.)	Not voting (CQ no).
Nov. 17	H.R. 13893. The Foreign Assistance and Related Agencies Appropriation Act, 1968. (Yea 167, nay 143, present 2.)	Not voting, paired for.
Nov. 17	H. Res. 509. Rule for consideration of H.R. 8, a bill providing Federal penalties for certain types of aid to North Vietnam or for obstructing our troops or military supplies. (Yea 212, nay 37.)	Not voting. (CQ yes).
Nov. 20	*H.R. 13933. A bill to authorize modification and extension of the Interstate Highway System (Yea 361, nay 1.)*	Yea.
Nov. 20	H.R. 12010. A bill to grant the consent of the United States to the Wheeling Creek Watershed Protection and Flood Prevention District compact between West Virginia and Pennsylvania. (Yea 356, nay 2.)	Yea.
Nov. 20	H.R. 9063. A bill to provide for the timely determination of certain claims of American nationals against foreign governments. (Yea 349, nay 10)	Yea.
Nov. 20	H.R. 11527. A bill regarding land conveyance to the University of Maine. (Yea 327, nay 24.)	Yea.
Nov. 21	H.R. 6430. The Mental Retardation Amendments of 1967. On adoption of the conference report. (Yea 354, nay 0.)	Yea.
Nov. 21	H.R. 6418. The Partnership for Health Amendments of 1967. On adoption of the conference report. (Yea 348, nay 3.)	Yea.
Nov. 21	S. 1031. A bill authorizing funds for the Peace Corps. On recommittal motion with instructions to reduce the proposed authorization by $10,700,000 and to deny pay to any Peace Corps official or employee who tries to obtain a draft deferment on account of Peace Corps service of any volunteer, leader, or trainee. Failed. (Yea 141, nay 204.)	Nay.
Nov. 21	*S. 1031. A bill authorizing funds for the Peace Corps. (Yea 312, nay 32.)*	Yea.
Nov. 27	*H.R. 12603. The National Visitor Center Facilities Act of 1967. (Yea 317, nay 34.)*	Yea.
Nov. 27	S. 1003. A bill to amend the Flammable Fabrics Act to provide additional protection to consumers. (Yea 345, nay 0.)	Yea.
Nov. 28	H.J. Res. 936. A joint resolution making continuing appropriations. (Yea 368, nay 13.)	Yea.
Nov. 28	H. Res. 985. Rule for consideration of H.R. 2275, a private bill which had been extraneously amended in the Senate to contain provisions regarding at large congressional elections. On ordering previous question on H. Res. 985. (Yea 202, nay 179, present 4.)	Nay.
Nov. 28	H.R. 12601. A bill to redefine the function of the Subversive Activities Control Board. (Yea 269, nay 104.)	Nay.
Nov. 29	H.R. 12144. The Wholesome Meat Act of 1967. On motion to force the House conferees to accept the Senate amendments to the bill without giving consideration to the legislative work done by the House of Representatives. Failed. (Yea 166, nay 207.)	Nay.
Nov. 29	H.R. 13706. *A bill to amend the Federal Farm Loan Act and Farm Credit Act of 1933. On recommittal motion to remove certain interest limitations for a 2-year period instead of 1 year.* Failed. (Yea 102, nay 269.)	Nay.
Dec. 4	H.R. 11276. A bill to authorize appropriations to carry out certain Federal adult education programs. (Yea 352, nay 0.)	Yea.
Dec. 4	H.R. 13054. A bill designed to eliminate employment discrimination because of age against persons aged 40 to 65. (Yea 344, nay 13.)	Yea.
Dec. 4	H. Res. 996. A resolution agreeing to a conference with the Senate on S. 2171, a bill to redefine the function of the Subversive Activities Control Board. (Yea 287, nay 59.)	Yea.
Dec. 6	H.R. 6111. A bill to provide for the establishment of a Federal Judicial Center. On adoption of the conference report. (Yea 231, nay 126.)	Yea.
Dec. 6	H.R. 12144. The Wholesome Meat Act of 1967. On adoption of the conference report. (Yea 336, nay 28.)	Yea.
Dec. 11	S. 2388. The Economic Opportunity Amendments of 1967. On adoption of the conference report. (Yea 247, nay 149.)	Yea.
Dec. 11	H.J. Res. 888. A joint resolution making continuing appropriations. On ordering the previous question on a conference amendment in order to cut off debate and prevent presentation of amendments to add more stringent spending limitations to the resolution. (Yea 213, nay 183.)	Nay.
Dec. 11	H.J. Res. 888. *A joint resolution making continuing appropriations.* On motion to concur with a conference committee amendment which provided for limiting most of 1968 Federal spending to less than budget estimates. (Yea 368, nay 26.)	Yea.
Dec. 11	H.R. 7977. The Postal Revenue and Federal Salaries Act of 1967. On motion to concur with a Senate amendment and thereby accept the conference report. (Yea 327, nay 62.)	Yea.
Dec. 12	H.R. 14397. A bill making supplemental appropriations (containing primarily the appropriations for the Office of Economic Opportunity). (Yea 305, nay 79, present 1.)	Yea.
Dec. 12	H.R. 4765. A bill extending preferential tax treatment to certain activities and companies. On adoption of the conference report. (Yea 274, nay 104, present 1.)	Nay
Dec. 12	H.R. 10595. A bill to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities. On adoption of the conference report. (Yea 289, nay 74, present 1.)	Yea.
Dec. 13	H.R. 12080. The Social Security Amendments of 1967. On adoption of the conference report. (Yea 390, nay 3, present 1.)	Yea.
Dec. 13	S. 2171. A bill to redefine the function of the Subversive Activities Control Board. On adoption of the conference report. (Yea 276, nay 114.)	Nay.
Dec. 14	*H.R. 13893. The Foreign Assistance and Related Agencies Appropriation Act, 1968. On motion to recommit to the conference committee. (Yea 196, nay 185.)*	*Not voting* (CQ, no).
Dec. 15	H.R. 13893. The Foreign Assistance and Related Agencies Appropriation Act, 1968. On adoption of the 2d conference report. (Yea 198, nay 158.)	Yea.
Dec. 15	H.R. 4397. A bill making supplemental appropriations (containing primarily the appropriations for the Office of Economic Opportunity). On motion to recommit to the conference committee. Failed. (Yea 108, nay 255.)	Nay.
Dec. 15	H.R. 7819. The Elementary and Secondary Education Amendments of 1967. On adoption of the conference report. (Yea 286, nay 73.)	Nay.
Dec. 15	H.R. 12555. A bill to liberalize the provisions relating to payment of veterans' pensions. (Yea 354, nay 0.)	Yea.

VOTING RECORD, CONGRESSMAN CLARK MacGREGOR—Continued

90TH CONG., 2D SESS.

Date	Measure, question, and result	Vote
1968		
Jan. 22	H.R. 10337. A bill to amend the District of Columbia Minimum Wage Act. (Yea 283, nay 9.)	Yea.
Jan. 23	H.R. 8696. A bill providing for the registration, examination, and regulation of savings and loan holding companies. Failed. (Yea 156, nay 198, present 1.)	Yea.
Jan. 25	H.R. 14563. A bill to increase benefits under the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act. (Yea 321, nay 0.)	Yea.
Feb. 1	H.R. 11601. The Consumer Credit Protection Act. On amendment to make loan sharking a Federal offense. (Yea 383, nay 5.)	Yea.
Feb. 1	H.R. 11601. The Consumer Credit Protection Act. (This act was commonly called the truth-in-lending bill.) (Yea 383, nay 4.)	Yea
Feb. 5	H.R. 4282. A bill to eliminate certain requirements with respect to effectuating market orders for cherries. Failed under suspension of the rules. (⅔ favorable vote required for passage.) (Yea 180, nay 168.)	Nay.
Feb. 5	S. 974. A bill to convey certain lands to the city of Glendale, Ariz. Failed under suspension of the rules. (⅔ favorable vote required for passage.) (Yea 202, nay 138.)	Yea.
Feb. 7	H.R. 6649. A bill to amend and extend the Export-Import Bank Act. On recommittal motion designed to reduce by $1,000,000,000 the Export-Import Bank's lending authority. Failed. (Yea 164, nay 232.)	Yea.
Feb. 7	H.R. 6649. A bill to amend and extend the Export-Import Bank Act. (Yea 376, nay 19.)	Yea.
Feb. 8	H. Res. 926. Rule for House consideration of H.R. 11284, the Fire Research and Safety Act of 1968. (Yea 332, nay 21.)	Yea.
Feb. 8	H.R. 11284. The Fire Research and Safety Act of 1968. (Yea 269, nay 78.)	Yea.
Feb. 21	H.R. 14743. A bill to eliminate the reserve requirements of Federal Reserve notes and for U.S. notes and Treasury notes of 1890. On recommittal motion designed to kill the bill. Failed. (Yea 188, nay 206, present 1.)	Yea.
Feb. 21	H.R. 14743. A bill to eliminate the reserve requirements of Federal Reserve notes and for U.S. notes and Treasury notes of 1890. (Yea 199, nay 190, present 4.)	Nay.
Feb. 26	H.R. 15131. A bill to amend the District of Columbia Police and Firemen's Salary Act to increase salaries. On recommittal motion with instructions to add recruitment incentives for District of Columbia police and firemen. (Yea 124, nay 235.)	Nay.
Feb. 26	H.R. 15131. A bill to amend the District of Columbia Police and Firemen's Salary Act to increase salaries. (Yea 353, nay 2.)	Yea.
Feb. 26	S. 989. A bill to improve the procedures for selection of Federal juries, and to prohibit discrimination in the selection of prospective jurors. (Yea 307, nay 45.)	Yea.
Feb. 27	H.R. 11308. A bill to amend the National Foundation for the Arts and Humanities Act. On amendment to provide a 1-year authorization of $11,200,000. (Yea 262, nay 130, present 1.)	Yea.
Feb. 27	H.R. 11308. A bill to amend the National Foundation for the Arts and Humanities Act. (Yea 273, nay 122.)	Yea.
Feb. 28	H. Res. 1070. A resolution to authorizing travel by members of the House Committee on Agriculture. (Yea 301, nay 92.)	Yea.
Mar. 4	H.R. 15147. A bill to amend the Immigration and Nationality Act to provide for the naturalization of persons who have served in combat areas in active-duty service in the Armed Forces of the United States. (Yea 335, nay 0.).	Yea.
Mar. 5	S. 889. A bill to designate the San Rafael Wilderness, Los Padres National Forest, in the State of California. On motion to recommit to the committee of conference. Failed. (Yea 156, nay 238.).	Nay.
Mar. 5	H.R. 15398. A bill to amend the National School Lunch Act to strengthen and expand food service programs for children. (Yea 398, nay 0.)	Yea.
Mar. 6	H.R. 14940. A bill to authorize funds for the Arms Control and Disarmament Agency. On recommittal motion to authorize $20,000,000 over a 2-year period. (Yea 241, nay 162.).	Yea.
Mar. 6	H.R. 14940. A bill to authorize funds for the Arms Control and Disarmament Agency. (Yea 305, nay 96.)	Yea.
Mar. 13	H. Res. 1042. A resolution authorizing funds for the House Committee on Un-American Activities. On recommittal motion with instructions to hold open hearings on the request for funds. Failed. (Yea 78, Nay 305.).	Nay.
Mar. 13	H. Res. 1042. A resolution authorizing funds for the House Committee on Un-American Activities. (Yea 343, nay 45.)	Yea.
Mar. 13	H.R. 14933. A bill to authorize payment of premium pay on an annual basis to cover irregular unscheduled overtime, night, and Sunday duty of certain postal employees. (Yea 370, nay 14.)	Yea.
Mar. 18	H.R. 15004. A bill to extend certain programs under the Federal Civil Defense Act of 1950. (Yea 319, nay 1.)	Yea.
Mar. 19	H.R. 15364. A bill to increase U.S. participation in the Inter-American Development Bank. On motion to recommit to the House Committee on Banking and Currency. Failed. (Yea 126, nay 271.)	Nay.
Mar. 20	H.R. 10790. A bill to amend the Public Health Service Act to provide for the protection of the public health from the radiation emitted from electronic products. (Yea 382, nay 0.)	Yea.
Mar. 21	S. 2029. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 relating to the application of certain standards to motor vehicles produced in quantities of less than 500. (Yea 344, nay 2.)	Not voting (CQ yes).
Mar. 25	H. Res. 1094. Rule for consideration of H.R. 13541 to prohibit unfair trade practices affecting producers of agricultural products. (Yea 272, nay 39.)	Not voting (CQ yes).
Mar. 25	H.R. 13541. A bill to prohibit unfair trade practices affecting producers of agricultural products. (Yea 232, nay 90.)	Not voting (CQ yes).
Mar. 26	H.R. 10477. A bill to increase the amount of Veterans' Administration home loan guarantee entitlement from $7,500 to $10,000. (Yea 367, nay 12.)	Not voting (CQ yes)
Mar. 27	H.R. 11816. A bill providing payment of benefits to law-enforcement officers not employed by the United States who are injured while apprehending violators of Federal law and to the survivors of such officers who are killed while apprehending such violators. On adoption of the conference report. (Yea 376, nay 0.)	Yea.
Mar. 27	H. Res. 1103. Rule for consideration of H.R. 4282, to eliminate certain requirements with regard to effectuating marketing orders for cherries. (Yea 316, nay 45.)	Yea.
Mar. 27	H.R. 4282. A bill to eliminate certain requirements with respect to effectuating marketing orders for cherries. (Yea 197, nay 185.)	Nay.
Mar. 28	H.R. 15344. A bill to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury. (Yea 358, nay 5.)	Yea.
Apr. 1	H.R. 15198. A bill to permit employer contributions for joint industry promotion of products in certain instances or a joint committee or joint board empowered to interpret provisions of collective bargaining agreements. Failed under suspension of the rules. (⅔ favorable vote required for passage.) (Yea 219, nay 138, present 1.)	Yea.
Apr. 1	H.R. 15979. A bill to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and pesticides. (Yea 333, nay 25.)	Yea.
Apr. 1	H.R. 15190. A bill extending the life of the Atlantic-Pacific Interoceanic Canal Study Commission for an additional year with an additional authorization of $6,500,000. Failed under suspension of the rules. (⅔ favorable vote required for passage. (Yea 216, nay 137.)	Nay.
Apr. 2	H. Res. 1101. A resolution expressing the disapproval of the House of Representatives toward Reorganizational Plan No. 1 to combine the Bureau of Narcotics of the Department of Treasury with the Bureau of Drug Abuse Control of the Department of Health, Education, and Welfare, to create the Bureau of Narcotics and Dangerous Drugs in the Department of Justice. Failed. (Yea 190, nay 200, present 2.)	Yea.
Apr. 3	H. Res. 1099. A resolution making the Committee on Standards of Official Conduct a permanent standing committee of the House of Representatives, and approving a code of official conduct for Members of the House. (Yea 406, nay 1.)	Yea.
Apr. 4	H.R. 16241. A bill to extend the tax on transportation of persons by air and to reduce the personal exemption from duty in the case of returning residents. (Yea 279, nay 102.)	Nay.
Apr. 4	H.R. 16324. A bill to authorize appropriations for the Atomic Energy Commission. (Yea 381, nay 14.)	Yea.
Apr. 4	H.R. 15399. The Urgent Supplemental Appropriations Act, 1968. On amendment to Senate conference report amendment appropriating $20,810,000 in supplemental funds for Federal aid to schools in federally impacted area. (Yea 200, nay 189.)	Yea.
Apr. 9	H.R. 16489. The Treasury-Post Office-Executive Office Appropriation Act, 1969. On recommittal motion with instructions to reduce the postal operations appropriations by $121,200,000. Rejected. (Yea 102, nay 250.)	Not voting (CQ yes).
Apr. 9	H.R. 16489. The Treasury-Post Office-Executive Office Appropriation Act, 1969. (Yea 342, nay 10.)	Not voting (CQ yes).
Apr. 10	H. Res. 1100. A resolution providing that the House accept the Senate amendments to H.R. 2516, the civil rights bill, including open housing provisions. On ordering the previous question. (Yea 229, nay 195.)	Yea.
Apr. 10	H. Res. 1100. A resolution providing that the House accept the Senate amendments to H.R. 2516 the civil rights bill, including open housing provisions. (Yea 250, nay 172, present 1.)	Yea.
Apr. 22	H.R. 16409. A bill to amend the District of Columbia Teachers' Salary Act. On amendment providing that the school board set the educational requirements of District of Columbia teacher's aides. (Yea 146, nay 140.)	Yea.
Apr. 22	H.R. 16409. A bill to amend the District of Columbia Teachers' Salary Act. (Yea 255, nay 32.)	Yea.
Apr. 23	H.R. 13738. A bill to increase the maximum rate of per diem allowance for employees of the Government traveling on official business. (Yea 289, nay 65.)	Yea.
Apr. 24	H.R. 15986. A bill to authorize appropriations for the Corporation for Public Broadcasting. (Yea 241, nay 133, present 1.)	Yea.
Apr. 25	H.R. 16703. A bill to authorize certain construction at military installations. (Yea 346, nay 14, present 1.)	Yea.
Apr. 29	H.R. 15688. A bill to extend for 2 years the authority of the President to reorganize Federal agencies, subject to veto by either House of Congress. (Yea 258, nay 51.)	Yea.
May 1	H.R. 16913. The Department of Agriculture and Related Agencies Appropriations Act, 1969 (Yea 317, nay 71, present 1.)	Yea.
May 2	H.R. 15856. The National Aeronautics and Space Administration Authorization Act, 1969. (Yea 262, nay 106, present 1.)	Yea.
May 6	H.R. 13016. A bill to provide cost-of-living allowances for judicial employees stationed outside the continental United States or in Alaska or Hawaii. Failed under suspension of the rules. (⅔ favorable vote required for passage.) (Yea 206, nay 132.)	Yea.
May 6	H.R. 15345. A bill directing Federal agencies to set standards with which banks and similar institutions must comply in regard to security devices and procedures. (Yea 235, nay 98, present 3.)	Nay.
May 6	*H.R. 16819. The Vocational Rehabilitation Amendments of 1968.* (Yea 335, nay 0)	Yea.
May 7	*H. Res. 1149. Rule for House consideration of H.R. 15951, a bill to provide for uniform annual observances of certain legal public holidays on Mondays.* (Yea 350, nay 27.)	Yea.
May 7	H.J. Res. 958. A joint resolution to authorize the Secretary of Transportation to conduct a comprehensive study and investigation of the auto insurance system. (Yea 363, nay 3, present 1.)	Not voting (CQ yes).
May 8	H.R. 17023. The Independent Offices and Department of Housing and Urban Development Appropriations Act, 1969. On recommittal motion with instructions to limit total expenditures to approximately $15,500,000,000. Failed. (Yea 173, nay 217, present 2.)	Not voting (CQ yes).
May 8	H.R. 17023. The Independent Offices and Department of Housing and Urban Development Appropriation Act, 1969. (Yea 353, nay 37, present 2.)	Not voting (CQ yes).
May 9	H.R. 14940. A bill to extend the life of the Arms Control and Disarmament Agency for 2 years. On adoption of the conference report. (Yea 269, nay 90.)	Not voting (CQ yes).
May 9	*H.R. 16729. The Higher Education Act Amendments of 1968. On amendment to withhold funds from persons causing disruption of university or college administration.* (Yea, 306, nay 54.)	Not voting (CQ yes).
May 9	H.R. 16729. The Higher Education Act Amendments of 1968. (Yea 349, nay 5.)	Not voting (CQ yes).

VOTING RECORD, CONGRESSMAN CLARK MacGREGOR—Continued

90TH CONG., 2D SESS.—Continued

Date	Measure, question, and result	Vote
1968		
May 9	H.R. 15951. A bill to provide for uniform annual observances of certain legal public holidays on Mondays. On recommittal motion with instructions that George Washington's Birthday be observed on Feb. 22. Failed. (Yea 141, nay 153.)	Not voting (CQ yes).
May 9	H.R. 15951. A bill to provide for uniform annual observances of certain legal public holidays on Mondays. (Yea 212, nay 83.)	Not voting (CQ yes).
May 10	H. Res. 1169. Rule for House consideration of H.R. 16911, the Special Drawing Rights Act. (Yea 231, nay 9.)	Not voting (CQ yes).
May 10	H.R. 16911. The Special Drawing Rights Act. (This bill provided for U.S. participation in the creation of special drawing rights within the International Monetary Fund to alleviate the international gold crisis.) (Yea 236, nay 15.)	Not voting (CQ yes).
May 13	S. 3033. A bill to increase the authorization for continuing work on the Missouri River Basin. (Yea 296, nay 18.)	Yea.
May 14	H.R. 16165. A bill to extend the Agricultural Trade Development and Assistance Act of 1954. On amendment to prohibit the financing of sales of commodities to North Vietnam. (Yea 370, nay 21.)	Yea.
May 14	H.R. 16165. A bill to extend the Agricultural Trade Development and Assistance Act of 1954. (Yea 346, nay 42.)	Yea.
May 20	H.R. 15387. A bill relating to assaults on postal employees. (Yea 334, nay 5.)	Yea.
May 21	H.R. 17354. The Department of Interior and Related Agencies Appropriation Act, 1969. On recommittal motion with instructions to limit total spending to approximately $1,400,000,000. Failed. (Yea 174, nay 207.)	Yea.
May 21	H.R. 17354. The Department of Interior and Related Agencies Appropriation Act, 1969. (Yea 364, nay 14.)	Yea.
May 22	H.R. 2158. The Interstate Taxation Act. (Yea 286, nay 89.)	Yea.
May 23	H. Res. 1093. A resolution authorizing travel for certain members and staff of the House Banking and Currency Committee to investigate the operations of U.S. military credit unions in the European and Pacific Commands. (Yea 186, nay 173.)	Not voting (CQ no).
May 23	H.R. 8578. A bill to provide increased income for the land and water conservation fund by assigning to it revenues from Outer Continental Shelf oil and gas leases. (Yea 336, nay 13, present 1.)	Not voting (CQ yes).
May 27	H.R. 16948. A bill to direct the Commissioner of the District of Columbia to remove, at the expense of the District of Columbia, buildings destroyed or damaged in riots or other civil disorders. Failed. (Yea 142, nay 185.)	Yea.
May 27	H.R. 15280. A bill to amend the District of Columbia Public Education Act so as to make Federal City College a land-grant college. On amendment to, in effect, increase tuition at the Federal City College and at the Washington Technical Institute. Failed. (Yea 159, nay 177.)	Nay.
May 27	H.R. 15280. A bill to amend the District of Columbia Public Education Act so as to make Federal City College a land-grant college. On motion to recommit. Failed. (Yea 84, nay 254.)	Nay.
May 28	H.R. 17522. The Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act, 1969. On recommittal motion with instructions to reduce spending by all agencies except the FBI. (Yea 223, nay 154.)	Yea.
May 28	H.R. 17522. The Departments of State, Justice, and Commerce, Judiciary, and Related Agencies Appropriation Act, 1969. (Yea 348, nay 28.)	Yea.
May 29	H.R. 15414. The Revenue and Expenditure Control Act of 1968. On motion to instruct House conferees not to agree to any cut in Federal expenditures larger than $4,000,000,000. (The conference report called for expenditure cuts of $6,000,000,000.) Failed. (Yea 137, nay 259.)	Nay.
June 5	H.R. 11308. A bill to amend the National Foundation on the Arts and Humanities Act. On adoption of the conference report. (Yea 194, nay 166.)	Yea.
June 5	S. 2349. A bill to provide for the appointment of additional circuit court judges. (Yea 357, nay 13, present 2.)	Yea.
June 5	H.R. 5037. The Omnibus Crime Control and Safe Streets Act of 1968. On motion to disagree with Senate amendments to the bill and to request a conference with the Senate, thereby, delaying enactment of the bill. Failed (Yea 60, nay 318.)	Nay.
June 6	On motion to adjourn, thereby further delaying consideration of H.R. 5037, the Omnibus Crime Control and Safe Streets Act of 1968. Failed. (Yea 70, nay 301.)	Nay.
June 6	H.R. 16027. A bill increasing the rates of compensation for veterans with service-connected disabilities. (Yea 389, nay 0.)	Yea.
June 6	H. Res. 1197. A resolution providing that the House of Representatives agree to the Senate amendments to H.R. 5037, the Omnibus Crime Control and Safe Streets Act of 1968. On ordering the previous question. (Yea 349, nay 40, present 1.)	Yea.
June 6	H. Res. 1197. A resolution providing that the House of Representatives agree to the Senate amendments to H.R. 5037, the Omnibus Crime Control and Safe Streets Act of 1968. (Yea 369, nay 17, present 1.)	Yea.
June 6	Motion to adjourn the House of Representatives in respect for the late Senator Robert F. Kennedy. (Yea 357, nay 0.)	Yea.
June 10	H.R. 3400. A bill to authorize aircraft noise abatement regulations. (Yea 312, nay 0.)	Yea.
June 11	H.R. 17734. A bill making supplemental appropriations. On amendment to add $91,000,000 for aid to impacted school areas. (Yea 226, nay 133.)	Nay.
June 11	H.R. 17734. A bill making supplemental appropriations. (Yea 324, nay 33, present 3.)	Yea.
June 12	H.R. 16489. The Treasury-Post Office-Executive Office Appropriation Act, 1969. On motion to recommit to the conference committee with instructions that House conferees insist on a spending limit of $7,460,000,000 for agencies covered by the bill. Failed. (Yea 159, nay 216.)	Yea.
June 12	H.R. 16489. The Treasury-Post Office-Executive Office Appropriation Act, 1969. On adoption of the conference report. (Yea 371, nay 10.)	Yea.
June 12	H. Res. 1187. A resolution authorizing the Speaker of the House of Representatives to appoint delegates and alternates to attend the International Labor Organization Conference in Geneva, Switzerland. (Yea 259, nay 120.)	Yea.
June 12	H.R. 16162. A bill authorizing the extension of certain loans by the Export-Import Bank. On amendment to place a $100,000,000 ceiling on U.S. Treasury liability for losses sustained by the Export-Import Bank. (Yea 218, nay 163.)	Yea.
June 13	H.R. 16363. The Wholesome Poultry Products Act. (Yea 352, nay 17.)	Yea.
June 13	H.R. 15087. A bill authorizing funds for the Peace Corps. On recommittal motion to reduce the authorization for the Peace Corps from $113,000,000 to $97,000,000. Failed. (Yea 179, nay 187.)	Nay.
June 13	H.R. 15087. A bill to authorize funds for the Peace Corps. (Yea 293, nay 61.)	Yea.
June 17	H.R. 6589. A bill to insure that public buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped. (Yea 302, nay 0.)	Not voting (CQ yes).
June 18	S. 1028. A bill to extend certain benefits to former employees of county committees established pursuant to the Soil Conservation and Domestic Allotment Act. On recommittal motion with instructions to place employees of Agricultural Stabilization and Conservation Service county committees under the civil service system. Failed. (Yea 136, nay 228.)	Yea.
June 18	S. 1028. A bill to extend certain benefits to former employees of county committees established pursuant to the Soil Conservation and Domestic Allotment Act. (Yea 353, nay 13.)	Yea.
June 19	H.R. 17903. The Public Works for Water and Power Resources Development and Atomic Energy Commission Appropriations Act for 1969. On amendment to strike the planning funds for the Dickey-Lincoln project in Maine. (Yea 266, nay 132.)	Yea.
June 20	H. Res. 1220. Rule for consideration of the conference report on H.R. 15414, the Revenue and Expenditure Control Act of 1968. (Yea 321, nay 86.)	Nay.
June 20	H. Res. 1222. A resolution providing for the return of H.R. 15414 to the Senate with the objection that the House of Representatives considered the Senate amendments (providing for a tax increase and spending limitations) to the bill contravened the U.S. Constitution. On motion to table H. Res. 1222 (Yea 257, nay 162.)	Yea.
June 20	H.R. 15414. The Revenue and Expenditure Control Act of 1968. On adoption of the conference report. (Yea 268, nay 150, present 3.)	Yea.
June 24	H.R. 3136. A bill to authorize the Secretary of Commerce to make a study to determine the advantages and disadvantages of increased use of the metric system in the United States. (Yea 271, nay 42.)	Yea.
June 26	H.R. 18037. The Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1969. On amendment to provide an additional $46,900,000 for education professions development activities. (Yea 228, nay 172.)	Nay.
June 26	H.R. 18037. The Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1969. On amendment to cut the appropriation for the Office of Economic Opportunity by $100,000,000. Failed. (Yea 181, nay 220.)	Nay.
June 26	H.R. 18037. The Departments of Labor, and Health, Education, and Welfare Appropriation Act, 1969. On ordering the previous question on a recommittal motion with instructions to place additional limitations on spending. (Yea 275, nay 126.)	Yea.
June 27	H.R. 18038. The Legislative Branch Appropriation Act, 1969. (Yea 362, nay 22.)	Yea.
July 1	H.R. 17872. A bill to provide funds and authorities to the Department of Agriculture for the purpose of providing free or reduced-price meals to needy children. (Yea 274, nay 78.)	Yea.
July 1	H.R. 17873. A bill to clarify responsibilities related to providing free and reduced-price lunches and preventing discrimination against children. (Yea 352, nay 0.)	Yea.
July 1	S. 2837. A bill to establish the Cradle of Forestry in America in the Pisgah National Forest in North Carolina. (Yea 280, nay 71.)	Yea.
July 2	H.R. 17734. The 2d Supplemental Appropriation Act, 1968. On concurring with Senate amendment appropriating $13,000,000 for a Neighborhood Youth Corps summer program. (Yea 287, nay 82.).	Yea.
July 2	H.R. 17734. The 2d Supplemental Appropriation Act, 1968. On concurring with Senate amendment to appropriate $5,000,000 for the Headstart program for preschool children (Yea 265, nay 106.).	Yea.
July 2	S. 1166. The Natural Gas Pipeline Safety Act of 1968. On committee amendment placing emphasis on State enforcement of safety standards. (Yea 247, nay 125, present 1.).	Yea.
July 2	S. 1166. The Natural Gas Pipeline Safety Act of 1968. (Yea 351, nay 14, present 1.)	Yea.
July 3	H.R. 17134. The Federal-Aid Highway Act of 1968. On amendment to cut back funds for the highway beautification program. (Yea 211, nay 145.)	Not voting, paired for.
July 3	H.R. 16361. The District of Columbia Revenue Act of 1968. On recommittal motion. Failed. (Yea 102, nay 122.)	Not voting (CQ no.).
July 10	H.R. 17989. The Housing and Urban Development Act of 1968. On amendment limiting eligibility for the federally assisted homeownership program to families whose incomes do not exceed 130 percent of the income ceiling for public housing in their area. (Yea 271, nay 137.).	Not voting, paired for.
July 10	H.R. 17989. The Housing and Urban Development Act of 1968. On recommittal motion with instructions to delete sections of the bill on upgrading management and services in public housing projects and on interim assistance for blighted areas. (Yea 217, nay 193.)	Not voting, paired for.
July 10	H.R. 17989. The Housing and Urban Development Act of 1968. (Yea 295, nay 114.)	Not voting, paired for.
July 11	S. 3293. The Defense Procurement Authorization, 1969. (Yea 363, nay 15.)	Yea.
July 12	H.R. 15758. A bill to amend and extend the Public Health Service Act. (Yea 327, nay 1.)	Yea.
July 12	H.J. Res. 1. A joint resolution to create a Joint Committee To Investigate Crime. (Yea 319, nay 12.)	Yea.
July 12	H.R. 14096. A bill to prescribe penalties for the possession of LSD and other hallucinogenic drugs by unauthorized persons. (Yea 320, nay 2.)	Yea.
July 12	H.R. 16824. A bill to extend the authorization of appropriations under the State Technical Services Act of 1965. (Yea 310, nay 2.)	Yea.
July 15	H.R. 18366. A bill to amend and extend the Vocational Education Act of 1963. (Yea 390, nay 0.)	Yea.

VOTING RECORD, CONGRESSMAN CLARK MacGREGOR—Continued

90TH CONG., 2D SESS.—Continued

Date	Measure, question, and result	Vote
1968		
July 15	S. 3710. A bill to authorize $1,600,000,000 for rivers and harbors, beach erosion, flood control, river basin work, etc. (Yea 307, nay 86.)	Nay.
July 15	S. 2515. A bill to authorize the establishment of the Redwood National Park in the State of California. (Yea 389, nay 15, present 2.)	Yea.
July 15	H.R. 163. A bill to prevent the shipping of U.S. military cargoes on ships built or rebuilt outside the United States or on ships of foreign registry. (Yea 370, nay 30.)	Yea.
July 15	S. 1418. A bill making several changes in the passport laws presently in force. (Yea 324, nay 71.)	Yea.
July 15	H.R. 5117. A bill authorizing the construction, operation, and maintenance of stage 1 of the Palmetto Bend reclamation project in Texas. (Yea 295, nay 104.)	Nay.
July 15	H.R. 4865. A bill to establish a nationwide system of scenic and recreational trails. (Yea 378, nay 18.)	Yea.
July 15	S. 6. A bill authorizing the construction, operation, and maintenance of the initial stage of the Oahe unit, James division, Missouri River Basin project, South Dakota. (Yea 264, nay 128.)	Yea.
July 15	S. 752. A bill to adjust the amount of non-co-op membership tonnage hauled by farmer cooperative trucks in exemption from some Interstate Commerce Commission regulations. (Yea 273, nay 106, present 1.)	Yea.
July 16	H. Res. 1240. Rule for consideration of H.R. 15263, the Foreign Assistance Act of 1968. (Yea 283, nay 118.)	Yea.
July 18	H.R. 15263. The Foreign Assistance Act of 1968. On recommittal motion to cut an additional $145,000,000 from the foreign aid authorization. (The authorization had already been cut in the House to a level nearly $1,000,000,000 below the administration's budget request.) (Yea 268, nay 150.)	Nay.
July 18	H.R. 15263. The Foreign Assistance Act of 1968. (Yea 228, nay 184, present 5.)	Yea.
July 22	H.R. 15678. A bill to increase the salaries of certain judges of the District of Columbia. (Yea 340, nay 44.)	Yea.
July 22	S. 1228. A bill to authorize project grants for construction and modernization of hospitals and other medical facilities in the District of Columbia. On recommittal motion designed to kill the bill. Failed. (Yea 108, nay 290.)	Nay.
July 22	H.R. 18248. A bill relating to certain carrier operations in the District of Columbia. (Yea 205, nay 84.)	Nay.
July 24	H.R. 17735. The State Firearms Control Assistance Act. On MacGregor amendment to exclude .22 caliber rimfire ammunition shotgun shells, and metallic ammunition suitable for use only in rifles from the provisions of the bill. (Yea 218, nay 205.)	Yea.
July 24	H.R. 17735. The State Firearms Control Assistance Act. On amendment making it a crime to use or unlawfully carry a firearm during the commission of a Federal felony. (Yea 412, nay 11.)	Yea.
July 24	H.R. 17735. The State Firearms Control Assistance Act. On amendment to exempt people, organizations, and institutions engaged in competition and military training under certain conditions from the provisions of the bill. (Yea 225, nay 198.)	Nay.
July 24	H.R. 17735. The State Firearms Control Assistance Act of 1968. (Yea 305, nay 118.)	Yea.
July 25	H.R. 15067. The Higher Education Amendments of 1968. On amendment requiring colleges to cut off Federal funds to students participating in serious campus disorders. (Yea 260, nay 146.)	Yea.
July 25	H.R. 15067. The Higher Education Amendments of 1968. (Yea 389, nay 15.)	Yea.
July 25	H. Res. 1234. Rule for consideration of H.R. 15198, a bill to permit employer contributions to certain joint industry activities. (Yea 290, nay 100.)	Yea.
July 25	H.R. 15198. A bill to permit employer contributions to certain joint industry activities. On amendment providing for equal contributions and control by management and unions for certain product promotional activities. Failed. (Yea 156, nay 217.)	Nay.
July 25	H.R. 15198. A bill to permit employer contributions to certain joint industry activities. On amendment to delete from the bill provisions authorizing employer contributions to joint labor-management committees for resolving issues from disputes regarding the interpretation of collective bargaining agreements. (Yea 192, nay 177.)	Nay.
July 25	H.R. 15198. A bill to permit employer contributions for joint industry promotion of products in certain instances or a joint committee or joint board empowered to interpret provisions of collective bargaining agreements. (Yea 201, nay 196, present 1).	Yea.
July 26	S. 3497. The Housing and Urban Development Act of 1968. On adoption of the conference report. (Yea 228, nay 135.)	Yea.
July 26	S. 3418. The Federal-Aid Highway Act of 1968. On motion to recommit to the conference committee with instructions to the House conferees to insist on the House amendment limiting funds for the Highway Beautification Act. Failed. (Yea 166, nay 168.)	Yea.
July 29	H.R. 18785. The Military Construction Appropriation Act, 1969. On recommittal motion. Failed. (Yea 32, nay 350.)	Nay.
July 30	H.R. 18249. A bill to amend and extend the Food Stamp Act. On amendment to remove all financial limitations on the authorization and extend the unlimited authorization for 4 years. (Yea 227, nay 172.)	Nay.
July 30	H.R. 18249. A bill to amend and extend the Food Stamp Act. (Yea 315, nay 83.)	Yea.
July 30	H. Res. 1218. Rule for House consideration of H.R. 17126. To extend the Food and Agriculture Act of 1965. (Yea 317, nay 73.)	Yea.
July 31	H.R. 17126. A bill to extend the Food and Agriculture Act of 1965. On recommittal motion with instructions to limit to $20,000 the total of various kinds of Federal farm payments (not including price-support loans) to be paid to any one farmer in any one year. (Yea 230, nay 160.)	Yea.
July 31	H.R. 17126. A bill to amend the Food and Agriculture Act of 1965. (Yea 213, nay 176.)	Yea.
Aug. 1	H.R. 15387. A bill relating to assaults on postal employees and exempting certain sections of the Post Office from the employment limitations contained in the Revenue and Expenditure Control Act of 1968. On adoption of the conference report. (Yea 345, nay 24.)	Yea.
Aug. 1	H.R. 15757. The Health Manpower Act. (Yea 350, nay 0.)	Not voting (CQ, yes).
Aug. 1	H. Res. 1247. A resolution to grant additional travel authority to the House Committee on Public Works. (Yea 218, nay 109.)	Not voting (CQ, no).
Sept. 5	H.R. 15045. A bill to extend the expiring provisions of the Manpower Development and Training Act of 1962. (Yea 315, nay 0.)	Yea.
Sept. 9	H.R. 10564. A bill regarding marketing orders on pears for canning or freezing. Failed. (Yea 111, nay 164, present 1.)	Nay.
Sept. 10	S. 3293. The defense procurement authorization bill. On adoption of the conference report. (Yea 322, nay 15.)	Not voting (CQ, yes.)
Sept. 10	H.R. 15681. The Foreign Military Sales Act. (Yea 312, nay 29.)	Not voting (CQ, yes).
Sept. 11	On motion to dispense with further proceedings under the call of the House. (Yea 285, nay 71.)	Nay.
Sept. 12	H.R. 18707. The Department of Defense Appropriation Act, 1969. On amendment providing that none of the funds in the bill will be spent outside the United States for purchase of aircraft or major components of aircraft. Failed. (Yea 73, nay 268.)	Nay.
Sept. 12	H.R. 18707. The Department of Defense Appropriation Act, 1969. (Yea 333, nay 7.)	Yea.
Sept. 12	S. 2515. A bill to authorize the establishment of the Redwood National Park in the State of California. On adoption of the conference report. (Yea 329, nay 1.)	Yea.
Sept. 12	H.R. 18260. A bill to provide for a national scenic rivers system. (Yea 267, nay 7, present 1.)	Yea.
Sept. 16	H.R. 551. A bill to authorize the establishment of the Biscayne National Monument in the State of Florida. (Yea 235, nay 92.)	Nay.
Sept. 16	H.R. 2567. A bill to grant the Secretary of Labor power to make and enforce rules and regulations regarding certain labor conditions in all Federal and federally financed or federally assisted construction projects. Failed under suspension of the rules. (2/3 favorable vote required for passage.) (Yea 197, nay 136.)	Nay.
Sept. 16	S. 1440. A bill to prevent the use of travelers checks with forged countersignatures. (Yea 327 nay 4.)	Yea.
Sept. 16	S. 3030. A bill relating to the development of fish protein concentrate. (Yea 218, nay 103.)	Nay.
Sept. 16	H.R. 12962. A bill to provide for the establishment of a Commission on Negro History and Culture. (Yea 262, nay 45.)	Yea.
Sept. 16	H.R. 16771. A bill to designate certain lands in the Great Swamp National Wildlife Refuge, Morris County, N.J., as wilderness lands. (Yea 271, nay 22.)	Yea.
Sept. 16	H.R. 19136. A bill to provide for the payment of overtime and standby pay for certain Federal air traffic safety workers. (Yea 316, nay 2.)	Yea.
Sept. 17	H.R. 16187. The omnibus private bill. On motion to strike title III, for the relief of the law firm of Patterson, Eagle, Greenough & Day. (Yea 276, nay 67.)	Yea.
Sept. 17	H.R. 16187. The omnibus private bill. On motion to strike title IV, for the relief of Charles B. Franklin. Failed. (Yea 39, nay 303.)	Nay.
Sept. 17	H.R. 16187. The omnibus private bill. On motion to strike title VIII, for the relief of Mr. and Mrs. John F. Fuentes. Failed. (Yea 139, nay 212.)	Yea.
Sept. 17	H.R. 16187. The omnibus private bill. On motion to strike title IX, for the relief of Puget Sound Plywood, Inc. Failed. (Yea 115, nay 236.)	Yea.
Sept. 17	H.R. 16187. The omnibus private bill. On motion to strike title X, for the relief of Pedro Irizarry Guido. Failed. (Yea 132, nay 211.)	Nay.
Sept. 17	H.R. 16187. The omnibus private bill. On motion to strike title XI, for the relief of 2d Lt. Allan L. Shooler. Failed. (Yea 127, nay 203.)	Not voting, (CQ yes).
Sept. 17	H.R. 16187. The omnibus private bill. On motion to strike title XIV, for the relief of Rochester Iron & Metal Co. (Yea 224, nay 100.)	Not voting (CQ yes).
Sept. 17	H.R. 17126. A bill to extend the Food and Agriculture Act of 1965. On motion to send the bill to the House-Senate conference committee. (Yea 223, nay 85.)	Not voting.
Sept. 18	H. Res. 1253. Rule for consideration of H.R. 15890, a bill to provide for additional supergrade positions in certain executive agencies. Failed. (Yea 135, nay 221.)	Nay.
Sept. 18	H. Res. 1241. Rule for consideration of H.R. 17682, a bill relating to the financing of the civil service retirement fund. (Yea 290, nay 67.)	Yea.
Sept. 19	H.R. 15263. The Foreign Assistance Act of 1968. On adoption of the conference report. (Yea 196, nay 151.)	Yea.
Sept. 19	H. Res. 1308. Rule for consideration of H.R. 19908, the Foreign Assistance and Related Agencies Appropriation Act, 1969. On motion to suspend the House rules and consider H. Res. 1308. (Yea 293, nay 58.)	Yea.
Sept. 19	H.R. 19908. The Foreign Assistance and Related Agencies Appropriation Act, 1969. On motion that the House of Representatives resolve itself into the Committee of the Whole House for consideration of H.R. 19908. (Yea 270, nay 64.)	Yea.
Sept. 19	H.R. 19908. The Foreign Assistance and Related Agencies Appropriation Act, 1969. (Yea 174, nay 138, present 1.)	Yea.
Sept. 25	H.R. 17854. A bill authorizing the construction of parking facilities in the District of Columbia. On motion to recommit. Failed. (Yea 127, nay 226.)	Nay.
Sept. 25	H.R. 17126. A bill to extend the Food and Agriculture Act of 1965. On adoption of the conference report. (Yea 189, nay 172.)	Yea.
Sept. 25	S. 3068. A bill to amend the Food Stamp Act of 1964. On motion to recommit the conference report with instructions that the House conferees insist on a House provision that students and strikers be ineligible to receive food stamp assistance unless eligible for such assistance prior to striking or entering school. Failed. (Yea 159, nay 187.)	Yea.
Sept. 25	S. 3068. A bill to extend the Food Stamp Act of 1964. On adoption of the conference report. (Yea 245, nay 98)	Yea.
Sept. 26	S. 945. The Federal Magistrates Act. On motion to recommit with instructions to limit the number of magistrates to 250 and to provide for Presidential appointment of the magistrates. Failed. (Yea 64, nay 258.)	Nay.
Sept. 26	S. 2484. A bill to authorize $1,250,000 to acquire certain properties in Washington, D.C., for the expansion of the New Senate Office Building. Failed. (Yea 144, nay 161)	Nay.
Sept. 26	H.J. Res. 1461. A joint resolution making continuing appropriations until Oct. 12 for the Departments of Labor, Health. Education, and Welfare, and Defense and for foreign aid. On motion to limit the continuing appropriation to the Department of Defense. Failed. (Yea 136, nay 162.)	Yea.
Sept. 26	H.J. Res. 1461. A joint resolution making continuing appropriations until Oct. 12 for the Departments of Labor, Health, Education, and Welfare, and Defense and for foreign aid. On recommittal motion with instructions to include only the Department of Defense in the bill and to limit the extension to Oct. 5. Failed. (Yea 135, nay 148.)	Yea.

VOTING RECORD, CONGRESSMAN CLARK MacGREGOR—Continued

90TH CONG., 2D SESS.—Continued

Date	Measure, question, and result	Vote
1968		
Oct. 1	H.R. 15758. A bill to extend and amend the Public Health Service Act. On adoption of the conference report. (Yea 317, nay 0.)	Yea.
Oct. 1	H.R. 14935. A bill to regulate the mailing of master keys for motor vehicle ignition switches. On adoption of the conference report. (Yea 252, nay 62, present 1.)	Yea.
Oct. 3	H.R. 18037. The Departments of Labor and Health, Education, and Welfare, and Related Agencies Appropriation Act, 1969. On motion to concur with an amendment to Senate amendment No. 10, relating to funds for the impacted aid program. (Yea 199, nay 146.)	Yea.
Oct. 3	H.R. 18037. The Departments of Labor and Health, Education, and Welfare, and Related Agencies Appropriation Act, 1969. On motion to concur with an amendment to Senate amendment No. 63, relating to the busing of students. Failed. (Yea 167, nay 176.)	Nay.
Oct. 3	H.R. 18037. The Departments of Labor and Health, Education, and Welfare, and Related Agencies Appropriation Act, 1969. On motion to concur with Senate amendment No. 63, relating to the busing of students. (Yea 330, nay 7.)	Yea.
Oct. 3	H.R. 18037. The Departments of Labor and Health, Education, and Welfare, and Related Agencies Appropriation Act, 1969. On motion to concur with Senate amendment No. 64, relating to the busing of students. (Yea 167, nay 155.) (Note: The conference report on H.R. 18037 was adopted by the House Oct. 3 by a voice vote. MacGregor voted for adoption.)	Yea.
Oct. 7	H.R. 15990. A bill to amend the Manpower Development and Training Act relating to seasonal unemployment in the construction industry. (Yea 265, nay 0.)	Yea.
Oct. 7	S. 3206. The Water Quality Improvement Act of 1968. (Yea 277, nay 0.)	Yea.
Oct. 7	H.R. 15151. The Guam Development Fund Act of 1968. (Yea 279, nay 0.)	Yea.
Oct. 7	H.R. 18205. A bill to provide for the continuance of civil government for the Trust Territory of the Pacific Islands. (Yea 278, nay 0.)	Yea.
Oct. 7	H.R. 19910. The Federal Milk Marketing Order Amendments. (Yea 201, nay 76.)	Yea.
Oct. 9	On motion to "lay on the table" a motion to overrule a ruling of the Speaker not to recognize Congressman Taft for the purpose of offering a motion that those Members of the House answering present on the last quorum call "be permitted to leave the House freely at their own desire." (The Speaker had earlier locked the doors to the House Chamber so that the Members could not leave.) (Yea 136, nay 102, present 1.)	Not voting (CQ no.).
Oct. 9	On motion to "lay on the table" a motion to reconsider the above vote. (Yea 137, nay 104.)	Not voting (CQ no.).
Oct. 9	On motion to adjourn. Failed. (Yea 93, nay 149.)	Not voting (CQ yes).
Oct. 9	H. Res. 1315. Rule for consideration of S.J. Res. 175 regarding equal-time requirements for the 1968 campaign. On ordering previous question on H. Res. 1315. Yea 162, nay 111.)	Nay.
Oct. 9	H. Res. 1315. Rule for consideration of S.J. Res. 175 regarding equal-time requirements for the 1968 campaign. (Yea 284, nay 1.)	Yea.
Oct. 9	S.J. Res. 175. A joint resolution regarding equal-time requirements for the 1968 campaign. On motion that the House of Representatives resolve itself into the Committee of the Whole for consideration of S.J. Res. 175. (Yea 286, nay 0.)	Yea.
Oct. 9	S.J. Res. 175. A joint resolution regarding equal-time requirements for the 1968 campaign. On recommittal motion with instructions designed to provide for equal but separate time for the 3 major presidential candidates instead of a debate. Failed. (Yea 112, nay 204, present 1.)	Yea.
Oct. 9	S.J. Res. 175. A joint resolution to suspend for the 1968 campaign the equal-time requirements of section 315 of the Communications Act of 1934 for the 3 major party candidates for the offices of President and Vice President. (This bill was not a general equal-time bill; it set numerous specific conditions for any debates and gave the networks almost the entire say on format and performance.) (Yea 280, nay 35, present 3.)	Nay.
Oct. 10	H.R. 17735. The State Firearms Control Assistance Act. On adoption of the conference report. (MacGregor stated that the adoption of this conference report "will be pleasing to the criminal element in America and will anger many shopkeepers, duck hunters, and trapshooters.") (Yea 160, nay 129.)	Nay.
Oct. 10	H.R. 17324. The Renegotiation Act Amendments of 1968. On adoption of the conference report. (Yea 196, nay 44.)	Nay.
Oct. 10	H. Res. 1304. A resolution relating to the investigation and study of housing, new town and community development, and government financial institutions and central banks. (Yea 152, nay 66.).	Yea.
Oct. 10	H.R. 19908. The Foreign Assistance and Related Agencies Appropriation Act, 1969. On adoption of the conference report. (Yea 125, nay 93.)	Yea.
Oct. 11	H.R. 20300. The Supplemental Appropriation Act. On adoption of the conference report. (Yea 209, nay 12.)	Yea.
Oct. 11	H.R. 18707. The Department of Defense Appropriation Act, 1699. On adoption of the conference report. (Yea 213, nay 6.)	Yea.

Note: Not voting (CQ yes)—registered a "yes" vote with Congressional Quarterly; not voting (CQ no)—registered a "no" vote with Congressional Quarterly.

LEGISLATIVE REPORT OF SENATOR RALPH YARBOROUGH: SECOND SESSION OF THE 90TH CONGRESS

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. YARBOROUGH. Mr. President, it is my privilege to report to the people of Texas upon the activity and accomplishments of the second session of the 90th Congress. In this crucial and challenging period of history, I am aware of the responsibility that rests in the hands of those of us who participate in making the laws of our country.

Our Nation has encountered social and political division at home and numerous difficulties abroad during the past 9 months, and Congress has reflected this diversity as it grappled with the compelling issues of our time. Few periods of American history have been as difficult and complex as these past few months. This period has been marked by great unrest, and, for many Texans and many Americans, 1968 has been a year of anxiety.

It is within this difficult and challenging context that we of the 90th Congress have sought to carry out our legislative responsibilities. It is for this reason that the accomplishments—as well as the failures—of this session of Congress are vitally important to all Americans.

The second session of the 90th Congress has seen the passage of 91 major bills, many of which are legislative landmarks. I believe that many important steps have been taken toward solving our multiple and demanding problems. There is, of course, much work yet to be done. In many areas we have barely begun to move in a creative direction; in others, we have yet to act at all. Nonetheless, numerous constructive steps have been made during the 90th Congress.

EDUCATION

Throughout the 11½ years I have served as U.S. Senator, education has been one of my major interests. The first session of the 90th Congress saw the passage of my bilingual education bill, as title VII of the Elementary and Secondary Education Act. This bill is of particular significance to Texas because of the great number of Spanish-speaking Mexican-Americans in our State who need special programs in order to obtain an education. In the closing days of the second session, Congress appropriated the first $7.5 million for this program with the passage of H.R. 18037, the Labor-HEW appropriation bill. Though this marks a 50-percent increase over the $5 million recommended by the Bureau of the Budget, it is far short of the needed amount which I fought for. Therefore, I have requested that the $40 million authorized by Congress for this legislation in fiscal year 1970 be approved by the administration in order that this vitally important program can be carried out effectively.

The Higher Education Amendments of 1968 greatly expanded existing programs for financial assistance to students, and loans and grants to institutions. It also included provisions for assistance to law schools, special programs for disadvantaged students, who are admitted to college but who otherwise have a difficult time graduating, and a provision for the establishment of "Networks for Knowledge," a program that encourages colleges and universities to group together in common efforts and ventures.

Other important additions include my professor emeritus program, which will alleviate the shortage of qualified professors on our college and university campuses, and the new title X, which calls for improvement in quality in graduate school programs; and a significant section dealing with increased educational opportunities at the post-secondary level for all Americans. I have long been a proponent of free universal educational opportunity and it is my hope that our next President will address himself to this highly urgent national issue in education.

H.R. 18366, the Vocational Educational Amendments of 1968, represents a major step forward in this Nation's approach to vocational education. The legislation is broad in scope, establishing National and State advisory councils on vocational education, giving more authority to the States to conduct vocational education research, setting up a new section for exemplary programs and projects, providing training and development programs for vocational education personnel. This important legislation includes an effective approach to consumer and homemaking education, and the training and research in new careers section, which I offered during the committee's consideration of the bill.

On another level of education, I have waged a long, hard-fought, and finally successful congressional battle to pay the full amount of money to which our impacted local school districts are entitled under Public Law 874. These are local school districts that are asked to educate the children of parents who work and/or live on an adjacent Federal installation—such as a military base, an Indian reservation, or some installation such as NASA.

The Bureau of the Budget has refused to make available some $91 million to which these schools were entitled. This cut would have curtailed seriously the school programs in most of these impacted school districts. In Texas, some 285 local school districts, educating some 1.25 million children, would have suffered a total cut of over $5 million. I am pleased to report that we were successful in our efforts to protect these entitlements, and I pledge my continuing support to this important educational program.

DRAFT REVISION

One of the pressing issues of our time revolves around the Selective Service System. I have joined in the fight for draft revision, having been the cosponsor of three separate bills that would create needed changes in our system of induction. S. 3052, which I cosponsored with Senator EDWARD KENNEDY, proposed a broad-based revision of the Selective Service System for amending the Selective Service Act of 1967. S. 3394 would provide for a more equitable system of selecting persons for induction into the Armed Forces, and S. 3303 would permit attorneys to represent young men before the local selective service boards. Fundamentally, no democracy can afford to lose sight of the fact that any system of conscription is, after all, a limitation of individual freedom and choice. At best, a draft law is a necessity to be temporarily tolerated by a free people.

I do not consider any draft system short of total mobilization to be equitable, but if conscription is necessary, a draft law must be drawn to select men in the fairest, most equitable way possible. That is what I have sought in my cosponsorship of these bills, and I will continue to work in the 91st Congress for a more equitable draft.

VETERANS

The passage of the amendments to the GI bill on the next to the last day of the 90th Congress was a great victory, not just for me, but for 6 million American veterans of the cold war and the war in Vietnam who are already discharged and eligible for readjustment education. These amendments have established the most liberal educational benefits in history for veterans, including some 300,000 Texans already discharged who will benefit from this legislation.

I have worked for nearly 11 years to bring this about, and I feel that this legislation is truly a milestone in veterans benefits. My new amendments to the cold war GI bill provides that once a veteran has completed a minimum of 18 months in the service, he is automatically entitled to 36 months of educational benefits. Also, schooling is provided for children of all veterans who were killed or disabled after the beginning of the Spanish-American War. The new bill also included—for the first time—educational opportunities for widows of servicemen. For many years we have had Government pensions for military widows. But we have never given them an opportunity to return to school and become better prepared to support themselves.

Public Law 90-301, passed during the second session, increased GI home loans from $7,500 to $12,500 and eliminated the $7,500 ceiling which had been in effect since 1960. My position as ranking member of the Veterans' Affairs Subcommittee of the Senate has enabled me to overcome opposition from various sources to make this legislation possible. By passing the veterans vocational rehabilitation bill and the veterans pensions amendments bill, the second session of the 90th Congress has liberalized educational and other benefits to veterans to a degree never achieved before.

HEALTH AND WELFARE

As the ranking member of the Senate Subcommittee on Health, I am able to work for the passage of many valuable bills that promote the health and welfare of our people. The Health Manpower Act passed this session extended and strengthened programs of training, construction of facilities, and student aid programs for health manpower. This important bill will have great effect on the future development of an effective nationwide program of health benefits. The Alcoholic and Narcotic Addict Rehabilitation Act, which was part of the health services amendments, provides grants for the construction and staffing of community facilities for the treatment and rehabilitation of alcoholics and narcotic addicts.

The protection of the general public has long been a concern of mine, and I am glad to say that this session of Congress has made major gains for the American consumer. I worked for the passage of the Radiation Control for Health and Safety Act of 1968, which directs the Secretary of Health, Education, and Welfare, to protect the health and safety of the public from the dangers of radiation from electronic products. The benefits of this valuable legislation will be felt for years to come. The Wholesale Poultry Act was passed as a companion to the Meat Inspection Act of last session. This bill provides for extended mandatory inspection to poultry products in interstate commerce. I supported both of these bills. The truth-in-lending bill, of which I was an original cosponsor several years ago in the Senate, has finally become law, providing for disclosures of finance charges in consumer credit transactions.

I have worked long and hard in the areas of health and welfare, having been a cosponsor of the early attempts to pass a medicare bill and other significant measures. I will continue to use my position to best advantage and work for the passage of bills that will contribute to the health and well-being of our people.

POVERTY AND HUNGER

There is poverty in America. Many of us never have to come in contact with it, except perhaps to pass through a bad area on our way to and from work. But, there can be no denying that there exists another America. Even accepting the official figure that a family of four making over $3,350 a year is not poor, there are 29.7 million Americans—some 3 million of them Texans—who try to live on a family income below that.

Among our rural poor and within our stifling urban ghettos, there is not simply a poverty of economics, but a poverty of spirit as well. The latter is far more difficult to alleviate. Congress has made some important strides; through the Headstart programs, through VISTA, through Job Corps, and through other creative efforts we have sought to deal with poverty at its source. This year, we appropriated $1.948 billion for the Office of Economic Opportunity.

New initiatives must be made, and a firm commitment must be maintained. We must continue to seek ways to involve the poor in our efforts. We must take a hard look at systems of income maintenance in order to replace our inadequate and degrading welfare system. Private enterprise must begin to fulfill its responsibilities, not only from a motive of immediate profit, but from a motive of human concern and a realization of their own long-range self-interest as well.

It is my hope that we will not turn our backs on those who are trapped in the shadows of American affluence. On the governmental level, on the private level, and most importantly, on the personal level, we must seek new channels to bring the poor into the mainstream of American abundance.

Millions of Americans are poor. There is depressing evidence that millions of the poor are hungry. For this, there can be no excuse. We cannot continue to allow the paradox of hunger in the wealthiest Nation in the history of man—a nation with the most productive farm system in the world. Emergency measures are called for. Congress finally provided an increase in the food stamp authorization: $315 million was authorized for fiscal year 1969—though only $265 million of this was appropriated—and $340 million for 1970. Also, the Children and School Breakfast Program Extension Act authorized Federal assistance for certain child feeding programs in nonschool situations and extended the school breakfast program for 3 years.

Both of these legislative efforts are absolutely essential in our attempt to cope with the hunger and malnutrition that exists among our people. I supported these measures, and I am hopeful that the next Congress will move finally to eliminate the shame of hunger from our land. We have the capacity; having the capacity, we have the responsibility.

During this session of Congress, I cosponsored with Senator GEORGE McGOVERN, Senate Resolution 281, to create a select Senate committee to study the unmet basic needs of Americans and to make recommendations as to how we might meet these needs. It was my honor to be named as a member of this Select Committee on Nutrition and Human Needs, and I am hopeful that our work next year will be productive.

CIVIL RIGHTS

I have supported—and I will continue to support—legislation that will enable all of our citizens to enjoy the full benefits and privileges of life in our country. No American can be satisfied as long as millions of Americans live in extreme poverty and are held down by artificial barriers of various types. This Congress has made major strides toward the actual realization of the goal of equality, boldly proclaimed some 200 years ago by Thomas Jefferson and a freedom-loving people soon to form a nation.

The fair housing section of the civil rights bill passed in this session prohibits discrimination in the sale or rental of housing. By January, 25 percent of all public housing will come under the jurisdiction of this bill, making it a valuable and important legislative accomplishment. The Jury Selection and Service Act of 1968 assured that Federal juries will be selected without discrimination as to race, color, religion, sex, national origin, or economic status. This improvement in the machinery for the selection of Federal juries was badly needed, and its enactment is crucial to our system of fair and equal justice under law.

Although we have made significant advances in recent years, there is still much to be done if full equality of opportunity is to be achieved. Clearly, legislation and government are not competent to deal with this alone. We in Congress can remove legal barriers, but we cannot legislate personal lives.

A final end to hatred and violence, mistrust and fear, will not come from a statute book, but from the hearts of us all. We must realize our common destiny in this matter. As the late Senator Robert F. Kennedy said last spring in Indiana after the slaying of the Reverend Martin Luther King:

> What we need in the United States is not violence or lawlessness, but love and wisdom, and compassion toward one another and a feeling of justice toward those who still suffer within our country.

CRIME IN AMERICA

Congress has sought, through the passage of the Omnibus Crime Control and Safe Streets Act of 1968, which I cosponsored, to stem the tide of lawlessness that seems to have increased so drastically in our country. This bill authorized planning and action grants to improve law enforcement at the State and local levels of government. A gun-control bill was also passed this session which provides control over interstate sales of firearms, ammunition, and destructive devices. It also provides higher standards and licensing for dealers, manufacturers, and importers of firearms. Congress also passed a juvenile delinquency control bill which will aid in the prevention and treatment of juvenile delinquency, one of our Nation's most serious crime problems.

There is one aspect of crime in America to which Congress has devoted little attention. That is the need to protect the innocent victim of crimes. In 1965, I introduced the first bill ever put before the Congress of the United States to provide compensation to innocent persons injured by criminal acts. I am disappointed that the Congress has not moved faster on this very important measure, but I am hopeful that we will have action on my bill in the 91st Congress.

The importance of this bill cannot be read alone in the dollars and cents which it would provide to the victims of crimes of violence—important as this goal is. This bill would stand as a milestone in the quest for humane and socially responsible treatment of innocent people who are brutalized by acts of violence. With this bill we can demonstrate that a wealthy nation which can spend millions to bring to justice the perpetrators of crime, is not indifferent to the plight of their victims.

In the area of crime control, Congress should devote increasing attention to the strengthening and professionalization of our local police departments. We must see to it that policemen are better paid, better equipped, and better educated, so that we can develop a police force that is responsive to the unique and complex demands of our modern society.

In September of 1789, George Washington wrote to Edmund Randolph that he was impressed "with the conviction that the due administration of justice is the firmest pillar of good government." I share that conviction, and I shall continue to seek legislative action that can contribute to a just and stable society.

URBAN AFFAIRS

The problems of the city continue to plague our Nation. In an attempt to offer new solutions for our urban problems, Congress has passed the Housing and Urban Development Act of 1968, which provided for major new programs and broadened existing programs of aid to our cities. I have repeatedly expressed my concern over other related problems such as transportation and air pollution, having cosponsored with Senator MUSKIE bills which attempted to stop the increasing flow of trash and filth into our air and water.

Also, Congress has shown a growing awareness of the interrelationship between urban and rural development. During this session I fought to obtain a $55 million authorization for HUD's program of urban planning grants. This important program makes available to rural counties, towns, and small cities, money to develop plans for their orderly growth. This is the direction that we must take if we are to stem the tide of urbanization and to develop our less populated areas.

Our Nation is increasingly urbanized. Already, Texas has become an urban State. Seventy-five percent of our people live in urban territory, with 23 percent of all Texans living in only three cities—Houston, Dallas, and San Antonio.

More and more of us will live in a metropolitan environment—either urban or suburban. We must realize our common interest in solving the problems of this environment. We must make a total effort against problems of crowding, of traffic, of slums, of noise, of crime, and of poverty.

But, in making these efforts, it is important to realize that the problems of urban life are as much spiritual as they are physical. Our urban renewal program of the 1950's showed us that we do not eliminate the deprivation and degradation of the ghetto simply by tearing down dilapidated dwellings and erecting chrome buildings in their place.

Our future efforts to make the city a place for a productive and rewarding life must emphasize human values. We must seek to restore to the urban American—whether he lives in a fashionable suburb or in a stifling ghetto—control over those technological and bureaucratic forces of urbanity that threaten to engulf him.

AGRICULTURE

The second session of the 90th Congress passed legislation that is directly related to the 625,000 Texans who live on farms and ranches, and is vitally important to all of us. It was my privilege to serve on the Senate Appropriations Subcommittee that shaped the 1969 Department of Agriculture and related agencies appropriations bill.

This legislation provides $329 million for the Rural Electrification Administration. Since Texas is the largest REA user in the Nation, this bill was especially important to me. The sum of $146 million was also made available for agricultural research, much of which will go for work in Texas. A further effect of the bill would be to make $16 million available for low-interest loans for farmers and ranchers participating in the Great Plains conservation program. Finally, funds have been included for the continuation of voluntary acreage control and price ceiling programs which have become so vital to our Nation's agricultural strength.

Increasing attention must be paid to our rural areas. The family farm and the farm towns, which once were so much a part of American life, are being eaten up by the giant, agribusiness corporations, which grow, harvest, package, and deliver the great bulk of our farm produce today. The result is widespread rural poverty and economic deterioration of our rural areas.

In the next Congress, we must give greater attention to rural housing, rural unemployment, and rural development. In this session of Congress, I supported a successful effort to authorize a new program of grants and loans for self-help housing in rural areas. A special effort must be made to gain the appropriations needed for vital and creative programs such as this one.

CONSERVATION

Many significant conservation measures were passed by the 90th Congress. Of primary importance to the people of Texas is the appropriation of funds for the continued procurement of lands to make the Padre Island National Seashore a reality. I originally sponsored this bill in 1958. It was signed into law by President Kennedy in 1962, and we are at least obtaining the land necessary for the final protection of this beautiful, natural shoreline on the coast of Texas.

Also, the scenic grandeur of the Guadalupe Mountains received some attention from this Congress. I sought $1.4 million to help purchase the land for the Guadalupe National Park which was authorized in 1966. The House of Representatives was willing to appropriate only $200,000 of this needed amount. Nonetheless, this is an important beginning, and I am at work already to obtain the rest of the money for this great, west Texas park.

My bill, S. 4, to establish a Big Thicket National Park has yet to be acted upon. I will therefore introduce it again next January and will continue to press for its immediate passage. There is increasing and widespread support for the protection and preservation of this unique east Texas forest area. Conservation groups and citizens organizations in Texas and across America are working with me to help save the beauty and mystery of the Big Thicket for future generations to enjoy.

Also, my bill to protect many of the rare and endangered species of fish and wildlife was not brought to a vote in the Senate, even though it was voted out of committee shortly before adjournment. The House had previously passed H.R. 11618, a companion bill to my S. 2984, endangered species bill, and numerous organizations and individuals have notified me of their support for such legislation. I believe that such protective measures are imperative if we are to prevent the extinction of many of our rare and beautiful species, and I will continue to work for passage of this legislation in the 91st Congress.

A major conservation battle in this session of Congress focused on the Federal-Aid Highway Act of 1968. The House version of this bill contained a section that would remove from the Secretary of Transportation his authority to veto any Federal highway project that proposed to cut through a park, historic site, or wildlife refuge. Those of us in the Congress who are concerned about the protection of these vital and irreplaceable areas moved quickly to oppose this insensitive move against the public interest.

Because of our adamant opposition, compromise language was written into the bill. During the Senate debate preceding final passage of this measure, I questioned the manager of this bill, Senator JENNINGS RANDOLPH, very closely on the exact meaning of the compromise language. He assured me that, if anything, the Secretary of Transportation now had even greater authority to protect our park lands and historic sites.

This Congress also moved to protect other of our irreplaceable natural wonders. During the second session, the Redwood National Park and North Cascades National Park were established. A Scenic Trails Act, provides for a national trails system to preserve and develop certain natural, scenic, and historic recreation areas. Also, the wild and scenic rivers bill will afford protection for many of our beautiful and historic rivers. The Land and Water Conservation Fund Act amendments and the Saline Water Act are other important conservation achievements of this session of Congress.

STATUS OF TEXAS PROJECTS

The State of Texas has benefited greatly from this session of the 90th Congress. The public works appropriations bill, H.R. 17903, designated nearly $40 million for 25 construction projects in Texas, many of which concern badly needed hurricane and flood protection.

The Rivers and Harbors Flood Control Act of 1968 was passed in this session, authorizing funds for such projects as the Corpus Christi ship canal—$19,042,000—and the Aquilla Dam and Reservoir project in the Brazos River Basin—$23,612,000. I expect appropriation of these amounts early in the 91st Congress.

The public works appropriations bill of 1969 earmarked $35.7 million for public works in Texas. Under this appropriation, $850,000 will be utilized for the construction of bridges on the Trinity River, as part of this long-range project to develop barge traffic on the river.

Additionally, I am most pleased that I was able to obtain authorization in the omnibus rivers and harbors bill for the Millican Dam project on the Navasota River in Brazos County. The bill provides authorization of $119 million for the project. It is my hope that during the next Congress we will be able to appropriate these funds to get this project underway.

I am also pleased to announce that Congress authorized construction and the acquisition of land for the Palmetto Bend reclamation project. I will continue to work for this badly needed legislation, and will seek the appropriation of the full amount of funds alloted for the project.

VIETNAM

The Vietnam war continues to drain America of our resources—most valuably, our youth. As of mid-October 1968, over 33,000 Americans—nearly 2,000 of them from Texas—have died in this war-torn land, 10,000 miles from our shores and perhaps as far removed from our national interest. In addition, a great portion of our national brainpower is being diverted from the solution of crucial problems here at home to the making of war in Vietnam.

In terms of money, we are paying an intolerable price for our Vietnam adventure. The gold drain is vastly increased and the dollar is dangerously weakened by our enormous expenditures there: This year alone, we will pour between $30 and $40 billion worth of destruction into this small, Southeast Asian country. Because of this tremendous financial burden, many of our badly needed domestic programs must suffer.

Nor can we lightly put aside the great spiritual cost of Vietnam—our country has paid a heavy price in terms of national unity. Where once we were united in common efforts toward national goals, we are now dangerously and sometimes bitterly divided.

Because of the great human, spiritual, and material costs of our involvement in Vietnam, America must finally begin to ask the hard question about this war—a war which is now the longest of America's history, though it is still an undeclared war. Perhaps that question was best phrased back in April of 1967 by the Reverend Dr. Eugene Carson Blake, a Presbyterian minister, when he asked:

> But when the swamps of the Mekong Delta are filled up with dead Vietnamese, and when the flower of our youth lies dead with them, what victory will have been won?

The situation in Southeast Asia is difficult and complex and will not be solved by a unilateral withdrawal of all of our forces. However, it is certainly possible that various viable alternatives to our present policy exist. We must first agree that the most important issue at stake is bringing this tragic, costly, and morally ambiguous war to a quick end. To achieve this purpose, we must be willing to take "acceptable risks," such as stopping the bombing of the north altogether, which can lead to stability and peace at last for the Vietnamese people.

All of us have been buoyed in recent days by hopeful signs that our President is moving in this direction and that an honorable solution may not be too far off. It is my hope and my belief that the administration will use every diplomatic and political means at its disposal to gain an early peace in Vietnam. I pledge to do whatever I can to facilitate that long-desired peace.

INTERNATIONAL CONCERNS

My overriding concern in international affairs is that we have no more Vietnams. The United States must have a foreign policy that is aware of the international realities, that acts on a basis of real national interest, and that reflects the broad will of the American people.

This does not mean isolationism. It means a realization that our unparalleled military might is not to be brandished about the world anytime there is an international flap that directly or indirectly involves the United States. It means a realization that social and economic and political reforms today can prevent any need for a military confrontation tomorrow.

While many Americans devoted themselves to carefully scrutinizing and picking at every detail of our foreign assistance program, which has received an appropriation of $1.974 billion this year, they stood by passively and uncomplainingly while the United States backed into a land war in Vietnam which will cost between $30 and $40 billion this year.

We must be concerned by the increasing dominance of the military in our foreign policy. We must seek a foreign policy that will lead the social, economic, and political revolutions—the revolution of rising expectations—that are occurring and will continue to occur throughout the world. Rather than deploy our military and our intelligence forces to frustrate the expectations of aspiring peoples, the United States might better employ creative, cooperative measures earlier in the struggle, so that the direction of their movement might be toward economic, social, and political development rather than violent revolution.

None of this denies the need for a position of military strength. In this age, constantly shadowed by the horror of thermonuclear war, a strong military machine, capable of quick and flexible response, is essential. But, for the very reason that our military power is overwhelming, we have a special responsibility to employ it with great restraint and under careful civilian control.

Besides Vietnam, one of the most important international concerns of the Senate this session was ratification of the Nuclear Nonproliferation Treaty. This is a matter of great importance to every single American, and I was disappointed that the Senate failed to act on the treaty this session. If President Johnson does not call a special session of the Senate this fall to ratify this essential treaty, then I hope it will be a matter of first priority next January, when the 91st Congress convenes.

Probably the greatest disappointment in international affairs this year was the shocking and brutal invasion of Czechoslovakia by Russia, her own ally. For a brief moment, free men everywhere saw hope in this small, East European nation, but the democratic spirit that flowered there was obviously too much for the Kremlin to take. The Soviet Union's aggression in Czechoslovakia raises serious question about its intention in the rest of Europe and points up the necessity of strengthening NATO. The national interest of the United States in Berlin, in Germany, and in Europe is evident, and we will tolerate no Soviet aggression against our friends there.

Of special concern to the United States is our great neighbor to the south—Latin America. I was gravely disappointed in this Congress by an apparent willingness to slacken our commitment to these friends who share our hemisphere. We all were shocked in recent days by the brutal military coups in Peru and Panama. Yet, at a time when economic development and social reform are most needed in Latin America, the United States has cut back on its aid.

In his inaugural address in January of 1961, President John F. Kennedy spoke to our sister republics in Latin America and pledged:

> To convert our good words into good deeds, in a new alliance for progress, to assist free men and free governments in casting off the chains of poverty.

This was a bold commitment and clearly a step in the right direction. Yet, 8 years later, Congress has appropriated only $306.5 million out of $469.3 requested for the Alliance for Progress. It is not that these cuts will ruin these Latin American countries, but that the cuts will ruin the good faith that had been properly extended and hopefully received. Once again, our deeds do not fully back our words.

Latin America is important to Texas and to America. I will continue my efforts in the Senate to strengthen the bonds of friendship to the great people of these republics, and I will help them wherever I can to realize their democratic and economic expectations.

THE CALL OF THE FUTURE

Though the 90th Congress has accomplished much, I cannot rest content, Even as we chronicle the records of these last 2 years, I feel an impatience to get on with the task ahead.

The Senate will need to act and act swiftly to ratify the Nuclear Nonproliferation Treaty as soon as the 91st Congress convenes in January. Failure to participate in this vitally important agreement threatens to jeopardize its future effectiveness, for the signators of the treaty—some 80 nations—look expectantly and hopefully to the United States for leadership in this matter.

We will need to continue to seek realistic, practical programs to meet the tremendous crisis in the cities of our Nation. The problems of housing, transportation, local economic and political control, slum clearance and urban renewal, and many others continue to grow.

Also, we must seek a coordinated development of our rural areas. If the population flow to our already crowded cities is to be stemmed, we must develop our rural economies and once again install the farm, the town, and the smaller city, as realistic and attractive alternatives to megalopolis.

I have certain personal goals which I plan to pursue in the 91st Congress. I will continue to work for the establishment of a Big Thicket National Park in southeast Texas. Also, I will seek to achieve passage of an endangered species bill during the next session, knowing how important immediate consideration and passage of such legislation is.

The draft continues to be a major problem to our young people, and I hope that my efforts at reform of our Selective Service System will bear fruit during the early days of the 91st Congress.

During the coming year, I expect to focus great attention on the area of educational technology. During the closing days of the 90th Congress I introduced the Educational Technology Act of 1968—a bill to further the use of new technologies in our elementary and secondary schools and in our colleges and universities. In its present form, the bill is meant to encourage discussion by informed and interested citizens across the country. The bill will be reintroduced in the early part of the 91st Congress. It is my hope that with widespread support it will be passed swiftly into law.

Also, I am hopeful that the 91st Congress finally will move to protect the innocent victims of crime. Next January, I intend to reintroduce my bill to provide for compensation to innocent persons injured by criminal acts, and I intend to devote special attention to the passage of this measure in the coming Congress.

My position of seniority and my years of experience on the Labor and Public Welfare Committee, the Post Office and Civil Service Committee, and the all-important Appropriations Committee continue to enable me to introduce and pursue needed legislation. I hope to continue to contribute, not only to the bills that come before my committees, but to all significant legislation that comes before the Congress.

I am grateful for the opportunity I have to serve the people of Texas as their senior U.S. Senator. The rapport established among the Texas delegation has been extremely valuable in enabling us to work as a team, and we are able to accomplish a great deal for our State as well as our Nation. Texas will benefit from the work of this session of the 91st Congress, and I sincerely believe she will continue to benefit from the work done on her behalf. There is still much work to do, and I pledge my continued efforts to help provide the leadership in Congress that is needed to meet the many needs of our time.

THE HONORABLE CHARLES H. SILVER, PRESIDENT OF CONGREGATION B'NAI JESHURUN, SALUTES DR. ISRAEL GOLDSTEIN ON HIS DOUBLE 50TH ANNIVERSARY

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. RYAN. Mr. Speaker, on October 3 the House of Representatives enjoyed the privilege of having the invocation delivered by Dr. Israel Goldstein, Rabbi Emeritus of Congregation B'nai Jeshurun of New York City. At that time he made an eloquent plea for peace which was reminiscent of his words to the House in 1960 on the occasion of the 100th anniversary of the first prayer delivered in the House of Representatives by a rabbi—Dr. Morris J. Raphall, also of Congregation B'nai Jeshurun.

The words of Dr. Goldstein in 1960 are more appropriate now than ever:

> In a hundred years the inventions of destruction have left us no alternative to peace. Grant us the will to pursue peace relentlessly and the inventiveness to surmount the obstacles in the way.

Dr. Israel Goldstein is observing his 50th anniversary in the rabbinate, and on September 14, 1968, Congregation B'nai Jeshurun celebrated that 50th anniversary as well as the 50th wedding anniversary of Dr. and Mrs. Goldstein.

At the historic ceremony marking the double 50th anniversary an inspiring address was delivered by the Honorable Charles H. Silver, president of Congregation B'nai Jeshurun. I include the address of Mr. Silver at this point in the RECORD and rejoice with him and Congregation B'nai Jeshurun in the stroke of good fortune which brought Dr. Israel Goldstein to them as their rabbi 50 years ago.

ADDRESS BY HON. CHARLES H. SILVER, PRESIDENT, CONGREGATION B'NAI JESHURUN, AT CEREMONY CELEBRATING 50TH ANNIVERSARY OF DR. ISRAEL GOLDSTEIN'S ASSOCIATION WITH THE CONGREGATION AND 50TH WEDDING ANNIVERSARY OF DR. AND MRS. GOLDSTEIN, SEPTEMBER 14, 1968, CONGREGATION B'NAI JESHURUN, NEW YORK CITY

In September 1966, delivering his 70th birthday sermon, Dr. Israel Goldstein remarked:

"I stood on this pulpit with my bride a short time after I became your Rabbi—and Professor Kaplan united us in marriage. Thus, the bond between our personal lives and the life of the congregation began—and it has run like a silken thread through my ministry."

We have come together to express our love and felicitations to Dr. and Mrs. Goldstein on their Golden Wedding Anniversary and to pledge renewed gratitude and devotion to this inspired spiritual leader who preached his inaugural sermon from the pulpit of B'nai Jeshurun half a century ago.

He addressed a congregation which was to grow, in time, into the eagerly listening hearts of all nations. He said, on that first day, of his new responsibilities as our Rabbi:

"When Solomon ascended the throne of Israel, he uttered a prayer to God, saying 'Oh Lord, My God, I am young and still lacking in knowledge of all that must be done. Grant thy servant a grateful and understanding heart. . . .'"

Time has turned many momentous pages

since the young Rabbi echoed that humble prayer. The world has rolled through blood and flame, tragedy and triumph.

It seems only yesterday, when the nightmare of Hitler finally ended, that we sat with tears streaming, ears almost unbelieving and hearts torn with pity.

Dr. Goldstein had been among the first to visit scenes of human tragedy that had cut our people down like a plague. He returned to report what he had seen in the Ghettos of Warsaw . . . shreds of bloody garments still clinging to walls . . . mute evidence that bare hands had struggled hopelessly against tanks and machine guns.

He described the burned-out homes, the barren fields, the mass graves, the scorched villages. And they seemed to be listening with us in the synagogue . . . six million slaughtered men, women and children . . . risen from the gaping ovens, the screaming racks, the torture chambers, the piles of blackened bones . . . ghastly outposts of horror where mankind lost its mind.

These things he reminded us to remember . . .things the world must never forget . . . humanity must never forget! And then he told us how—on the seething, sterile sand of the desert—our redeemed land of promise had bloomed into the nation of Israel.

Those fifty years of Dr. Goldstein's ministry were the most anguished and glorious since the dawn of man.

Yes . . . magnificent and terrible years . . . blessed by the counsel, friendship and leadership of the young man who came and prayed for an understanding heart. And they have been better years for all of us who belong to the great B'nai Jeshurun family because he was here beside us.

Israel Goldstein, you who spoke in the words of Solomon so many years ago . . . you have lent glory to Israel and greatness to the name of Rabbi. You have given strength and solace to your congregation with gentle words of counsel while your voice thundered in the chambers of history.

Our homeland owes much to your determination that her light among the nations shall not be dimmed despite constant, desperate enmity. The people of Israel—and I mean our people everywhere, dispersed throughout the world—owe much to your warm compassion, to your deep concern for those forsaken in the upheaval of our times. For the wandering, the lonely, the hungry and unwanted.

How many times have I myself been unburdened of oppressive care by the calm and wise counsel of Rabbi Goldstein in the quiet of his study! How often have we all been moved by his plea for the plight of our brothers abroad—and stirred to exaltation by his message of courage to rise above adversity, to surmount enmity and despair, to fight off any foe!

The task of guiding a congregation, in times of turmoil and doubt, is not an easy one. The upheaval of nations is reflected in restlessness at home. Parents and children have need of mutual understanding. Families whose loved ones are taken from them require solace. The aged, the sick, the suffering—these, too, must be comforted. In hours of joy and of sorrow, our Rabbi was always with us, drawing on the wisdom of ancient tradition to ease the tensions of today.

But he has also served in the highest places of international affairs, lifting his voice for the welfare and destiny of Israel—and his words echo and re-echo down the corridors of time.

Few, indeed, have rendered such unfaltering and varied service to the cause of humanity. It is difficult to believe that one man could put so bright a stamp of brilliance in so many high places, so deep a mark of magnificent personal stature in so many fields of endeavor, in such far corners of the earth.

I can think of no one else who has done so much, so ably, for so many deserving people and so wide a range of worthy causes.

Dr. Goldstein has always regarded B'nai Jeshurun not only as a holy place where man communes with his Maker, but as the dynamic center of the community from which radiates the highest expression of brotherhood and service. He has impressed upon all of us that we owe an obligation to man as well as to God . . . a debt of common interest that must be paid in terms of compassion and material assistance.

One phrase of his, above all, has found an eternal place in my heart, and, I know, in yours: "Charity may begin at home; but it must not end there."

These are the words of a great man and—more than that—a good man . . . A man of God and a man of our people . . . a man of the hour and a man for the ages.

To tell what you have meant to us, Rabbi . . . to convey the depth of love in our grateful hearts . . . there are no adequate words.

What can we say of fifty memorable years together except simply "Thank you?" Thank you for being humanity's champion . . . for being Israel's protector . . . statesman and leader of our people everywhere . . . citizen of the world and builder of a better one for our children.

Thank you for all of this . . . and thank you most for the many years of simple everyday duties you performed so well as our beloved Rabbi.

What manner of man is this . . . who can do so much . . . ask so little . . . and symbolize the manifold blessings of the Creator in the eloquent choice of an unforgettable phrase?

Man of many talents, educator, author, scholar, diplomat, humanitarian, rabbi and friend . . . what an impressive saga of service to our Creator and to every human being, has been your glorious career as spiritual leader of B'nai Jeshurun!

As you have gone on to greater things, and to your abode in our ancient homeland, something of B'nai Jeshurun has always gone with you—and you will always remain with B'nai Jeshurun.

Indeed, we look forward to your presence at least once each year. The High Holy Days would lose some of their lustre if you did not continue to share our pulpit in these richly traditional hours of joy and remembrance.

Our spirits are lifted as we mark this sacred milestone of your marriage to Bert—which is also the golden half century of your wedding to B'nai Jeshurun.

We say "Happy Anniversary" in the proud knowledge that. . . "from Israel to Israel—there is none like Israel!" For you have been faithful to both your great loves.

As a servant of God and of man, Israel Goldstein, you have sanctified the days of all whose lives you have touched in the tasks of your ministry and your mission for mankind.

You have lived as you have preached. You have fulfilled the humble prayer you uttered in that first sermon so many years ago:

"Give me strength; give me knowledge; give me zeal to live and work for Israel and B'nai Jeshurun." God gave you strength and knowledge.

You have lived for Israel and your people.

May God grant you and your lady many, many more years of life and good work—and health—and happiness—years without end. Amen.

HON. ROBERT T. ASHMORE

HON. WILLIAM M. McCULLOCH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. McCULLOCH. Mr. Speaker, after 15 years of public service to the people of the Fourth Congressional District of South Carolina and the Nation, Bob Ashmore's many friends bid him farewell.

His long career as a lawyer and legislator has earned him the respect of his colleagues both in and out of government. Those of us who have known Bob for his entire term of congressional service will miss his wise counsel and keen intellect in the Halls of Congress. His contributions and leadership in the Judiciary Committee are widely recognized and serve as an outstanding example to the younger men on the committee. Among those of us on the committee, he was well known and admired as one of our ablest lawyers. Bob's analytical and perceptive mind and his legal acumen were helpful to us in all of our deliberations. We shall miss him.

But there was another and equally admirable side to Bob Ashmore. It was best seen in his role as a judge of equity. As chairman of the Judiciary Subcommittee on Claims, he was called upon to exercise the proverbial wisdom of Solomon in recommending the granting of relief to those citizens with financial claims against our Government and who had no alternative avenues for relief or compensation. As was the hallmark of Bob Ashmore's labors as a legislator, his performance of that responsible duty was distinguished by reasoned judgment and compassionate solicitude. He was judicious and fair.

As Bob heads home to South Carolina to enjoy the golden years of a full and rich career, I join his many colleagues and friends in wishing him farewell and Godspeed.

TRIBUTE TO SENATOR FRANK J. LAUSCHE

HON. WINSTON L. PROUTY

OF VERMONT

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. PROUTY. Mr. President, when the new Congress convenes on January 3 next year, the senior Senator from Ohio will no longer be with us. There is always a feeling of sadness when one of our colleagues leaves us, and Frank Lausche will certainly be missed in the Senate.

Senator Lausche has had a long and distinguished career of public service, including service as a municipal and common pleas judge, mayor of the city of Cleveland, and five terms as Governor of his great State of Ohio, culminating in his 12 years here in the U.S. Senate.

His political life has often been stormy and controversial, yet the courage, personal integrity, and dedication to beliefs which have marked his path can well serve as an example for all of us.

Frank Lausche will always be remembered and admired as a man of great independence. In striving for a greater and better America for all, he never hesitated to put country ahead of party or to give the national interest priority over narrow political considerations whenever his conscience dictated to him that such action was required, despite the personal risk and sacrifices which following this course entailed.

In taking leave of the senior Senator from Ohio we should also remember with gratitude the contributions he has made to protect the balanced relationship between Federal and State Governments envisioned by the drafters of our Constitution.

As a five-time Governor, he knew the dangers of excessive Federal bureaucracy and the strategems by which States could slowly be deprived of authority and control over their legitimate functions. His unceasing efforts to prevent domination of State governments by an all-powerful Central Government and to preserve and implement a true Federal-State partnership in all areas of mutual concern will long be remembered with gratitude.

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OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

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Mr. THURMOND. Mr. President, it is appropriate at this critical moment in the history of our Nation that a 381-year-old Bible should remind us of the spirit that moved the pilgrims to come to America. Perhaps it is a religious omen having similar significance to that experienced in English history when the Breeches Bible marked a period of needed reform.

It signified a period in history then as it does now that government under God exists for the people. In English history the Breeches Bible was the only Bible possessed and cherished by the oppressed common people. Perhaps today, as one of the earliest copies is placed in the Smithsonian Institution for posterity, it marks a turning point in our history when a return to constitutional government for the people is possible.

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Mr. President, Mr. Stahlman's contribution to remind us of our heritage was made possible by Wing Comdr. Cowan Douglas Stephenson, of the British Royal Air Force, retired, a native of Hickman County, Tenn. His prized volume and printer's masterpiece which was published in 1587 will now remain a priceless possession of all Americans. We are grateful to him and our Nation will cherish this link to English history which inspired the faith of those aboard the *Mayflower*.

May we rededicate ourselves to the spirit of our forefathers who founded this great Nation under God in search of freedom. Let us not break the faith by foresaking the rights of our citizens.

Mr. President, the full American significance of this historical volume of the Breeches Bible was printed in the Nashville Banner on October 9, 1968. We ought to read it carefully to remind us not to steer the ship of state off course.

Mr. President, I ask unanimous consent that the article be printed in the Extensions of Remarks.

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It was what the translators chose to say, and they were Biblical scholars living in Geneva, Switzerland, the city of free thought and free religious belief while the half-Spanish Mary Tudor sat upon the throne of a troubled England.

The boy-king, Edward VI, had favored the placing of English Bibles in the churches.

Now he was dead. Mary was Queen.

She was Edward's halfsister, but her views were very different. She stood for Latin Bibles, among other things.

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In that darkness flickered the Smithfield fires of martyrs burning at the stake.

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In Geneva they would prepare a Bible in English as they thought it should be, the Breeches Bible—and it would become the Bible of Shakespeare, John Bunyan, John Knox, John Milton and Oliver Cromwell; of the Pilgrim Fathers and of very early Virginia.

TWO ON "MAYFLOWER"

Two copies would be brought to America aboard the Mayflower. One, actually read aboardship, is preserved at Harvard University.

The best known of three copies owned by the Plymouth Society, Plymouth, Mass., is one which belonged to the colony's second governor, William Bradford (who, after receipt of a snakeskin filled with arrows from threatening Indians, threw out the arrows and sent back the snakeskin filled with powder and ball).

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Stahlman's gift to the Smithsonian was published in London in 1587, when young Shakespeare was holding horses outside London theaters and middle-aged Good Queen Bess, in the 29th year of her reign, was hoping Sir Francis Drake would be able to hold off the Spanish Armada. He would strike it magnificently, at Cadiz, before the year was out!

PRINTER'S MASTERPIECE

Perfectly preserved from binding to binding, the volume is a masterpiece of printing for its time, embellished with beautiful woodcuts, maps of The Holy Land, musical scores for the metered Psalms and numerous typographically artistic features.

It contains the Book of Common Prayer for the Anglican Communion, the Psalms in translation as commonly used in the churches, the entire Bible, both Old and New Testaments, the Apocrypha, and the Psalms collected into English meter by Thomas Sternhold, John Hopkins and others.

Sternhold, Oxford-educated, had been "groom of the robes" under Henry VIII, and he held a similar position under Henry's son, the boy-king.

Hopkins has been called Sternhold's "principal coadjutor" in the "versification of the psalter."

The biblical section was printed in London by Christopher Barker, printer to Queen Elizabeth, while the metered Book of Psalms was printed in London by John Wolfe, for the assigns of Richard Day.

The black leather binding has a gold design imprinted with the initials "M. W.," on front and back covers, presumably indicating original ownership by some member of the Wolfe family.

TREASURED GIFT

The prized volume was a Christmas gift to Stahlman from Wing Commander Cowan Douglas Stephenson, RFC, RAF (Ret.), a native of Hickman County now living in London.

"Actually, the Smithsonian is more indebted to Mr. Stephenson than to me," Stahlman wrote Richard H. Howland, chairman of the Smithsonian's Department of Civil History where the Breeches Bible will be preserved and exhibited.

Wing Commander Stephenson taught Stahlman at Webb School, Bell Buckle, Tenn., in the days of "Old Sawney"—William R. Webb, the founder.

There, Stephenson taught a junior Latin course from 1909 till 1912—long before he was decorated at Buckingham Palace by King George V for heroism in World War I.

Stephenson also was the source of the famous "Cadiz letter" written by Drake, also in 1587, describing Sir Francis' decimation of the pre-assembled Armada of King Philip of Spain, in Cadiz harbor. Stahlman purchased the letter and presented it in a formal ceremony to the Smithsonian on Nov. 17, 1965.

Stephenson between wars was a prominent London industrialist. He was a distinguished squadron leader of World War II, commanding the fighter pilot aerodome at Biggin Hill, Kent.

"DUKE OF BEAR CREEK"

Following World War I, in which Stephenson was a member of the British Royal Flying Corps, he became a naturalized British citizen. He still reminds friends he is "a native of Bear Creek," near Centerville, Tenn.—which has caused Stahlman to dub his British friend, "the Duke of Bear Creek."

Among Stephenson's kin still residing in Centerville are two sisters, Mrs. Joseph Lovell and Miss Elizabeth Stephenson. A brother Judge Claude B. Stephenson, died several months ago. Another brother, Guy Stephenson, is a resident of Goshen, N.Y.

Dr. Howland called the "Breeches Bible a magnificient gift and an exceptionally fine specimen of the second edition," a very rare book which the Smithsonian has long been seeking.

"It will have an honored position as the pivot of our forthcoming permanent display concerned with the early colonization of America by the English colonists on the Eastern seaboard," Dr. Howland said.

"This Bible had a profound influence on the consciences and motivations of the early settlers, who were religious dissenters looking for a haven in the New World."

Dr. Howland, said the new exhibit will be in "an introductory room in our great panorama, 'The Growth of the United States,' a prominent display in the museum of History and Technology."

He said the gift "parallels" the Sir Francis Drake letter which the Banner publisher gave the Smithsonian.

The Bible was accepted by Dr. S. Dillon Ripley, Smithsonian secretary.

Dr. Ripley told Publisher Stahlman:

"This is a wonderful gift to your interest and concern in the growth of America. We are thrilled to have it. As a descendant of William Bradford, I am fascinated to hold this Bible. This is a fine example of the spirit that moved the Pilgrims to come to America."

Following today's presentation in the reception suite of the Museum of History and Technology, Mr. and Mrs. Stahlman were honored by the Smithsonian at an informal luncheon in the same building.

In recognition of Wing Commander Stephenson's part in the two priceless gifts which Mr. Stahlman has made to the Smithsonian, the historic institution had requested Mr. Stephenson's presence at today's ceremonies.

The noted flyer expressed regret, however, that he was unable to attend.

The presentation took place before a small group including Mrs. Stahlman; Vice Admiral Paul F. Foster, USNR (Ret.), who is former Inspector General of the U.S. Navy, and also former American representative to the International Atomic Energy Agency, Vienna; Dr. Howland, other Smithsonian dignitaries, Ed Huddleston of the Banner staff, and Frank Van Der Linden, chief of the Banner's Washington Bureau.

It is not known exactly how many copies of this 1587 printing of the Breeches Bible are in existence, but authorities on antique publications estimate they are few in number.

At least 140 editions eventually appeared, variously published, and for 80 years it was the favorite family Bible of the English-speaking world.

Some estimates of the number of printings range as high as 200, and all editions are also known as the Geneva Bible, from the tolerant city of the homeless translators.

HISTORICAL BACKDROP

How things had changed since their hopes had soared, on a happy Oct. 12, in 1537, when church bells had pealed across the length and breadth of England, as word spread that a legitimate prince had been born to Henry VIII and his newest queen, Jane Seymour Tudor.

England rejoiced, for with his birth the shadow of civil war seemed to fall back. The day of religious reform seemed near.

"Give thanks to God!" cried the mayor and aldermen of London. They rode through the streets. "Give thanks to God!"

The future Edward VI would become a God-fearing lad who would order the Great Bible carried before him wherever he went, and his policy would favor reform.

His birth had seemed to settle things, for he had two half-sisters in the background, Mary and Elizabeth, children of different mothers.

A lot had been said about their religious faiths.

Each had her adherents. Could war have erupted had not this brilliant, good-hearted prince been born to still the growling factions?

Which daughter should rule? Which faith?

With Edward had come the prospect of religious peace, with prayers and hopes that under him, England would become a "golden land."

It wasn't to be—for long. His health began to fail.

It is April 11, 1553. The boy-king, 15 years old, is ill. He is leaving London for the last time. He is heading for Greenwich.

London shudders. Will he return—under a cloth of gold? A corpse?

As he left the city, despair deepened. If he dies, will the sisters be at each other's throat?

Is civil war just waiting—for this good little boy-king to die? Already, with startling suddenness, a brilliant maturity seemed rushing at him. . . .

A storm was gathering over England, a storm of religious differences.

"I summon you to the judgment of God, for it is at hand!" cried a preacher at Paul's Cross.

The news about Edward was growing worse Strange tales began.

There were stories of monstrous births.

Was it not true that two gentlemen, on their way to a bear-baiting at Paris Garden, had been drowned?

Out on Ludgate Hill, people said a dog had been seen with a piece of a dead child in its mouth.

And did you ever? A school of dolphins, in the Thames? A whale, 'tis said, at Gravesend. . .. .

O God, behold your England! For direful things art at hand. . . .

It is July 6, 1553. Dusk is settling.

Edward VI, the boy-king, is dead—three months before his sixteenth birthday.

Men have written that the heavens opened. In London rain came down in torrents. Houses were washed away. Trees crashed to the ground, uprooted.

Lightning struck a church steeple. It fell to earth and shattered. Hail hammered the gardens along the Thames. There were stories that the hail was red. . . .

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Stahlman's gift to the Smithsonian was published in London in 1587, when young Shakespeare was holding horses outside London theaters and middle-aged Good Queen Bess, in the 29th year of her reign, was hoping Sir Francis Drake would be able to hold off the Spanish Armada. He would strike it magnificently, at Cadiz, before the year was out!

PRINTER'S MASTERPIECE

Perfectly preserved from binding to binding, the volume is a masterpiece of printing for its time, embellished with beautiful woodcuts, maps of The Holy Land, musical scores for the metered Psalms and numerous typographically artistic features.

It contains the Book of Common Prayer for the Anglican Communion, the Psalms in translation as commonly used in the churches, the entire Bible, both Old and New Testaments, the Apocrypha, and the Psalms collected into English meter by Thomas Sternhold, John Hopkins and others.

Sternhold, Oxford-educated, had been "groom of the robes" under Henry VIII, and he held a similar position under Henry's son, the boy-king.

Hopkins has been called Sternhold's "principal coadjutor" in the "versification of the psalter."

The biblical section was printed in London by Christopher Barker, printer to Queen Elizabeth, while the metered Book of Psalms was printed in London by John Wolfe, for the assigns of Richard Day.

The black leather binding has a gold design imprinted with the initials "M. W.," on front and back covers, presumably indicating original ownership by some member of the Wolfe family.

TREASURED GIFT

The prized volume was a Christmas gift to Stahlman from Wing Commander Cowan Douglas Stephenson, RFC, RAF (Ret.), a native of Hickman County now living in London.

"Actually, the Smithsonian is more indebted to Mr. Stephenson than to me," Stahlman wrote Richard H. Howland, chairman of the Smithsonian's Department of Civil History where the Breeches Bible will be preserved and exhibited.

Wing Commander Stephenson taught Stahlman at Webb School, Bell Buckle, Tenn., in the days of "Old Sawney"—William R. Webb, the founder.

There, Stephenson taught a junior Latin course from 1909 till 1912—long before he was decorated at Buckingham Palace by King George V for heroism in World War I.

Stephenson also was the source of the famous "Cadiz letter" written by Drake, also in 1587, describing Sir Francis' decimation of the pre-assembled Armada of King Philip of Spain, in Cadiz harbor. Stahlman purchased the letter and presented it in a formal ceremony to the Smithsonian on Nov. 17, 1965.

Stephenson between wars was a prominent London industrialist. He was a distinguished squadron leader of World War II, commanding the fighter pilot aerodome at Biggin Hill, Kent.

"DUKE OF BEAR CREEK"

Following World War I, in which Stephenson was a member of the British Royal Flying Corps, he became a naturalized British citizen. He still reminds friends he is "a native of Bear Creek," near Centerville, Tenn.—which has caused Stahlman to dub his British friend, "the Duke of Bear Creek."

Among Stephenson's kin still residing in Centerville are two sisters, Mrs. Joseph Lovell and Miss Elizabeth Stephenson. A brother Judge Claude B. Stephenson, died several months ago. Another brother, Guy Stephenson, is a resident of Goshen, N.Y.

Dr. Howland called the "Breeches Bible a magnificient gift and an exceptionally fine specimen of the second edition," a very rare book which the Smithsonian has long been seeking.

"It will have an honored position as the pivot of our forthcoming permanent display concerned with the early colonization of America by the English colonists on the Eastern seaboard," Dr. Howland said.

"This Bible had a profound influence on the consciences and motivations of the early settlers, who were religious dissenters looking for a haven in the New World."

Dr. Howland, said the new exhibit will be in "an introductory room in our great panorama, 'The Growth of the United States,' a prominent display in the museum of History and Technology."

He said the gift "parallels" the Sir Francis Drake letter which the Banner publisher gave the Smithsonian.

The Bible was accepted by Dr. S. Dillon Ripley, Smithsonian secretary.

Dr. Ripley told Publisher Stahlman:

"This is a wonderful gift to your interest and concern in the growth of America. We are thrilled to have it. As a descendant of William Bradford, I am fascinated to hold this Bible. This is a fine example of the spirit that moved the Pilgrims to come to America."

Following today's presentation in the reception suite of the Museum of History and Technology, Mr. and Mrs. Stahlman were honored by the Smithsonian at an informal luncheon in the same building.

In recognition of Wing Commander Stephenson's part in the two priceless gifts which Mr. Stahlman has made to the Smithsonian, the historic institution had requested Mr. Stephenson's presence at today's ceremonies.

The noted flyer expressed regret, however, that he was unable to attend.

The presentation took place before a small group including Mrs. Stahlman; Vice Admiral Paul F. Foster, USNR (Ret.), who is former Inspector General of the U.S. Navy, and also former American representative to the International Atomic Energy Agency, Vienna; Dr. Howland, other Smithsonian dignitaries, Ed Huddleston of the Banner staff, and Frank Van Der Linden, chief of the Banner's Washington Bureau.

It is not known exactly how many copies of this 1587 printing of the Breeches Bible are in existence, but authorities on antique publications estimate they are few in number.

At least 140 editions eventually appeared, variously published, and for 80 years it was the favorite family Bible of the English-speaking world.

Some estimates of the number of printings range as high as 200, and all editions are also known as the Geneva Bible, from the tolerant city of the homeless translators.

HISTORICAL BACKDROP

How things had changed since their hopes had soared, on a happy Oct. 12, in 1537, when church bells had pealed across the length and breadth of England, as word spread that a legitimate prince had been born to Henry VIII and his newest queen, Jane Seymour Tudor.

England rejoiced, for with his birth the shadow of civil war seemed to fall back. The day of religious reform seemed near.

"Give thanks to God!" cried the mayor and aldermen of London. They rode through the streets. "Give thanks to God!"

The future Edward VI would become a God-fearing lad who would order the Great Bible carried before him wherever he went, and his policy would favor reform.

His birth had seemed to settle things, for he had two half-sisters in the background, Mary and Elizabeth, children of different mothers.

A lot had been said about their religious faiths.

Each had her adherents. Could war have erupted had not this brilliant, good-hearted prince been born to still the growling factions?

Which daughter should rule? Which faith?

With Edward had come the prospect of religious peace, with prayers and hopes that under him, England would become a "golden land."

It wasn't to be—for long. His health began to fail.

It is April 11, 1553. The boy-king, 15 years old, is ill. He is leaving London for the last time. He is heading for Greenwich.

London shudders. Will he return—under a cloth of gold? A corpse?

As he left the city, despair deepened. If he dies, will the sisters be at each other's throat?

Is civil war just waiting—for this good little boy-king to die? Already, with startling suddenness, a brilliant maturity seemed rushing at him. . . .

A storm was gathering over England, a storm of religious differences.

"I summon you to the judgment of God, for it is at hand!" cried a preacher at Paul's Cross.

The news about Edward was growing worse Strange tales began.

There were stories of monstrous births.

Was it not true that two gentlemen, on their way to a bear-baiting at Paris Garden, had been drowned?

Out on Ludgate Hill, people said a dog had been seen with a piece of a dead child in its mouth.

And did you ever? A school of dolphins, in the Thames? A whale, 'tis said, at Gravesend. . .. .

O God, behold your England! For direful things art at hand. . . .

It is July 6, 1553. Dusk is settling.

Edward VI, the boy-king, is dead—three months before his sixteenth birthday.

Men have written that the heavens opened. In London rain came down in torrents. Houses were washed away. Trees crashed to the ground, uprooted.

Lightning struck a church steeple. It fell to earth and shattered. Hail hammered the gardens along the Thames. There were stories that the hail was red. . . .

ENTER MARY TUDOR

Half-Spanish Mary Tudor, disguised as a dairy maid at a manor-house called Swanson, soon was on her way to London to become Queen of England.

The dawn of the English Reformation had ended.

And so the flight of the refugees had begun, toward the Channel, toward Europe, toward the free city of Geneva.

That was the way the Breeches Bible began.

As the reformers fled, Mary Tudor sent her men into the English churches, to remove the English Bibles, many of which had been placed there by the boy-king.

He was gone now.

In his library at the Palace of Westminster, his Prayer Books lay where he had left them, bound in red velvet, with clasps of gold and silver and pearls.

Not far away was his New Testament—and six red velvet dog-collars with white leather leashes . . .

Mary let them be.

She had suffered. Now others would suffer.

And so the fires were lighted . . . and in far-away Geneva, candles burned beside the desks of the learned refugees. They were translating, for the Breeches Bible that was to be.

Their translation would please the people, rather than the prelates.

William Whittingham was chief translator. Later Dean of Durham, he was an able scholar who had distinguished himself at Oxford. Whittingham succeeded John Knox as head of the English church at Geneva.

Two of his best aides were Anthony Gilbey (or Gilby) and Thomas Sampson.

Sampson, also an Oxford man and a good scholar, later became Dean of Christ Church. Gilbey was a Cambridge man.

And famed Miles (or Myles) Coverdale, Bishop of Exeter, may have helped them for a short time.

They worked "two years and more, day and night," and the Bible they produced has been called "unquestionably the most satisfactory and scholarly" up to its time.

The work and the printing were financed by the congregation at Geneva, "such as were of the most ability." One of the members was John Bodley, father of the founder of the Bodleian Library at Oxford.

THEN CAME BESS

Then Mary died, and Elizabeth was crowned Queen of England in November, 1558.

The refugees returned, excepting Whittingham. He would remain a year and a half in Geneva, attending to final publication plans.

The English people were ready for it. There was a simple dedication to Queen Elizabeth, who quietly permitted its introduction into England.

Eventually it would become the first Bible published in Scotland, and an Act of Parliament would require all householders above a specific income to buy a copy.

The law wasn't needed. Here was a Bible people wanted to buy.

It was the smallest Bible they'd ever seen, although it weighed four and a half pounds.

Earlier Bibles had been ponderous tomes, seen only in churches or on the great table of a manor-house or castle.

Now an average man could afford one. It was small enough to handle conveniently. He could take it to the shop, the village, the field; to the home of a friend.

Its Roman type was large and clear, unlike the hard-to-read Old English letters of the past.

No longer were strong young eyes required to read it, in a day when spectacles were expensive (except in Germany).

There had been a time when no woman (unless she were noble or a gentlewoman) was permitted to read the Bible. But now—even if you couldn't read—anybody! anybody! could read it to you.

If you were quite erudite, you might notice that it followed Hebrew more closely than its predecessors.

And it would please Good Queen Bess if the hearers would "listen quietly." Perhaps she'd heard enough of religious bickerings.

NEVER-FAILING LIGHT

From the Breeches Bible, the Word of God would illumine England and Scotland (and eventually America) with a light that would not fail.

It would continue to be published in England until 1616. Afterwards, about 150,000 copies were imported from Holland where the last edition appeared in 1644.

The translators had done their work well. The full bloom of Elizabethan English was at hand.

Among the beautiful and felicitous expressions inherited by us from the Breeches Bible are:

"Remember now thy creator in the days of thy youth." "At the name of Jesus Christ every knee shall bow." "A little leaven leaveneth the whole . . . ," ". . . smote them hip and thigh," ". . . in a glass, darkly," "swalloweth up the ground," ". . . childish things" and "for we know in part and we prophesy in part."

Too, the Breeches Bible had numbered verses for the first time in a whole English Bible. It had marginal notes to point up the meaning.

Some of the notes caused a degree of ecclesiastical unease in England. But the man on the street seemed to find them helpful.

Avoiding the controversial but otherwise choosing at random, here are some of the notes from Genesis:

"Then the serpent said to the woman, ye shall not die at all."

The marginal note then comments: "This is Satan's chiefest subtil lie, to cause us not to feare God's threatenings."

After Adam and Eve discover their nakedness, the side notes say: "They began to feel their miserie but they sought not God for remedie."

Is there little wonder such plain talk helped to make the Breeches Bible popular with the average man?

He cherished it for his household use, even though it was never authorized for use in English churches.

In Elizabeth's reign alone 60 editions would be printed, and by the middle of the 17th century, the number would double.

The Breeches Bible would never replace the Great Bible for ecclesiastical use. But it would prevail for three generations as the favorite Bible of English-speaking Protestants.

It has also been written that the Great Bible and the Breeches Bible were often seen side by side until 1568, when the Bishops' Bible appeared—an authorized translation by bishops.

The plan came from the Archbishop of Canterbury, Matthew Parker. So the Bishops' Bible at once superseded the Great Bible.

BIBLE IN THE HOMES

The Bishops' Bible would remain largely in the churches, the Breeches Bible in the homes. Therein was a great difference. It was this:

The Bishops' Bible, even though backed by power, failed to overturn the people's devotion to the Breeches Bible.

It went into "five times as many editions" as the Bishops' Bible, only yielding in popularity years later, to the even newer King James Version, which was published in 1611 to solve a problem:

Because the Puritans were using one Bible and the Church of England another, a newer Bible was needed which the whole church could approve.

King James in particular (Elizabeth's successor) disliked the Breeches Bible because of some of its notes.

They just weren't in accord with all his ideas as to the divine right of kings. His motive in thinking of another Bible was political, but it served a good purpose.

The result was the King James Version of 1611 to which neither party could well object, and now familiar to all.

To over-simplify:

The Great Bible, too big for practical moving, had kept its message largely within the churches.

The Breeches Bible went into homes. But it was unauthorized.

The Bishops' Bible was authorized, although never accepted by the people. It left them cold. It has been said the Bishops' Bible had "too many cooks."

The King James Version achieved its purpose. It was both authorized and accepted.

Long years have passed.

The ancient struggle has lost its bitterness.

Perhaps none of the players in the fiery drama, by the light of the day in which they lived, would change their role one whit.

Certainly not Mary. Nor the Geneva refugees. Nor Edward the boy-king, whose startling surge of maturity near the end had almost unmasked betrayers.

As they took his body to Westminster Abbey, 23 banners fluttered.

The drums are beating above the clopping of hooves. There goes the Welsh dragon, St. George, the Seymour arms, Tudor roses, Plantagenet greyhound, the Angevin lion.

REQUIEM FOR A KING

With it all goes a choir. They're singing one of Sternhold's rhyming psalms. And could it have been this one, the Twenty-third Psalm, as it would appear (after Mary's rule) in the Breeches Bible?

"My shepheard is the living Lord,
  Nothing therefore I need:
In pastures faire with waters calme,
  I set me forth to feede.

He did comfort and glad my soule,
  And brought my minde in frame:
To walke in pathes of righteousnesse,
  For his most holie name.

Yea though I walke in vale of death,
  Yet will I fear none ill:
Thy rod, thy staffe doth comfort me
  And thou art with me still.

And in the presence of my foes,
  My table thou shalt spread:
Thou shalt O Lord fil ful my cup,
  And eke, anoint my head.

Through all my life thy favour is
  So frankly shewed to me:
That in thy house for evermore
  My dwelling place shalbe."

STUDENTS' PLEA FOR BIAFRA

HON. FLOYD V. HICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. HICKS. Mr. Speaker, following is a resolution adopted by the Associated Students, University of Washington, Seattle, regarding the plight of millions of starving Nigerians and Biafrans.

The concern expressed on the campus of the University of Washington is something none of us should ignore, both for its urgency and its timing—many of us are now caught up in our individual campaigns. Life for us has switched focus from the Capitol's wider scope, to the local world of our respective districts.

But the Biafran situation continues and grows steadily worse. More and more children are starving, more and more are to be counted among the dead.

The resolution follows:

A RESOLUTION ADOPTED BY THE ASSOCIATED STUDENTS UNIVERSITY OF WASHINGTON, BOARD OF CONTROL, AT THE 67TH REGULAR SESSION

Be it resolved by the Associated Students University of Washington, Board of Control, That the BOC on behalf of the students at the University of Washington in reaction to the plight of millions of innocent Nigerians and Biafrans urges the support of all relief organizations now attempting to stop the starvation of over 6,000 Biafrans a day.

We furthermore deplore that silence and inaction of the United States Government and its leaders to this disaster and urge them to exert pressure on the United Kingdom and the USSR to halt arms shipments to Nigeria, to bring pressure to bear on the UN, the OAU, the Nigerian Government, and all others concerned to affect a cease-fire, to urge Nigeria to permit an immediate and effective airlift of food and supplies to Biafra under international supervision, and

We urge that these steps be taken, not through any political motivation on behalf of any interest, but solely as a result of the human suffering that is presently occurring.

NEWSPAPERS THROUGHOUT THE UNITED STATES ENDORSING RICHARD M. NIXON FOR PRESIDENT

HON. KARL E. MUNDT

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. MUNDT. Mr. President, a majority of the Nation's most influential newspapers have given editorial endorsements to Republican presidential candidate Richard M. Nixon. To date, 200 newspapers have expressed their support.

Among those endorsing Richard Nixon, thus far, is the New York Daily News, the largest newspaper in the United States with a daily circulation of 2.2 million and a Sunday circulation of 3.1 million. The News said:

> In our opinion the American people would be well-advised to elect Richard M. Nixon President and Spiro T. Agnew Vice President on the Republican ticket.

Highlights of other editorial endorsements from representative newspapers throughout the United States reflect the need for change in national leadership and the conviction that Richard Nixon is the best man to be President.

I ask unanimous consent that highlights of editorials from representative newspapers throughout the United States be printed in the RECORD; also the names of newspapers endorsing Mr. Nixon.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

HIGHLIGHTS FROM REPRESENTATIVE NEWSPAPERS

AMERICA'S OUTRAGED CRY FOR A CHANGE

The Philadelphia Inquirer: "It has been said that there is a sickness in our society, but the sickness is not so much in the irrational behavior of demonstrators and militants and acid-heads as in the feebleness of a Government that has seen a prosperous and progressive country become a victim of division, distress and distrust.

"There is a spirit of desperation in our land in its fervent cry for a change: for a change in Government and Government policies, and for a chance to restore our Nation to health and honor.

"It is America's good fortune that it has another choice in Richard Nixon, a man who can and will stop the corrosion and corruption that have disfigured our country; and will help us with strong new leadership, as President, to regain our stature and dignity with equal justice for all, and with a future that we can face with confidence and security."

The John H. Perry Newspapers: "America cannot afford to follow that dark and perilous road another four years. Former Vice President Richard M. Nixon offers an alternative: a road that leads back to political, fiscal and diplomatic sanity.

"Believing that there are great and fundamental differences in his governmental philosophies and those of his Democratic opponent, this newspaper endorses and urges the election of Mr. Nixon."

The Scripps-Howard Newspapers: "When we choose a new President we choose not only a man who will be our leader the next four years; we choose the trend of our future—for four years, and likely for more years to come.

"For such are the power and influence of the Presidency, bearing down as they do on our economy, our international relations, and even our personal welfare.

"And so it becomes the responsibility of the voter to use the judgment of his mind, not simply his emotions; to apply all the foresight he can command.

"In this light, the editors . . . choose to support Richard Nixon."

Fairbanks, Alaska, News-Miner:

"The nomination of Richard M. Nixon as the Republican candidate for President of the United States is a break of the first magnitude for Alaska. His election as President in November would be a cause for rejoicing.

"Nixon is by far the best qualified man in public service today to lead this country out of the mess, and how else would you describe it, that we are in today."

The Hartford (Conn.) Courant:

"He (Richard Nixon) is a man whom his party and his country can follow with a confidence and hope in these most trying of times. We are happy to express our support of his candidacy and our hopes for his election."

NIXON'S THE ONE WHO CAN BIND UP THE NATION'S WOUNDS

The Copley Newspapers:

"Abraham Lincoln faced problems threatening to destroy the Republic . . . problems in many ways comparable to those of today.

"We believe Mr. Nixon can, in the traditional American way, 'bind up the nation's wounds.' We believe that the Republican Party can administer 'with malice toward none' and 'with charity for all' and we believe that 'with firmness in the right, as God gives us to see the right,' Mr. Nixon's leadership will implement the intentions of the platform to 'cherish a just and lasting peace among ourselves and with all nations'."

STARVING FOR NEW LEADERSHIP

The Los Angeles Times:

"The Times strongly urges the election of Richard M. Nixon as the 37th President of the United States.

"The simple fact of the matter is . . . that Nixon possesses the qualities of leadership which will be surely needed during the next four years. . . . The country faces a crisis which is unique in its history.

"We suffer from malaise of the spirit, a cancer of fear, frustration and self-doubt which threatens to turn us into a people at war with each other—unable and unwilling to cope with the very real problems which afflict us both at home and abroad.

"The American people then are starving for new leadership which can bridge their differences, bring out the best instead of the worst in them, and restore their confidence in themselves and their country."

Wilmington, N.C., Star: "The Capital-Journal believes that Richard M. Nixon is the man before the voters best fitted to tackle the multitudinous tasks. We believe he is the one presidential candidate who can assure a change in the perilous direction this country has taken—and do it without further splitting the nation.

"We believe that, as President, Mr. Nixon can lead the country to peace—with itself and with the rest of the world."

Topeka (Kans.) Capital-Journal: "Most of all Nixon has shown himself to be a man of poise, one who keeps his head under stress This is vital. Moreover, he is an optimist. Though the burden is heavy, his outlook is that it can be carried . . ."

The Miami (Fla.) Herald: "Richard Nixon is . . . the man we think who can put an aching Humpty-Dumpty back together again and lead the country from its present path of self destruction."

BEST MAN FOR PRESIDENT

The Nashville Banner: "It is our conviction, after following closely the careers of all three candidates and evaluating their political and personal qualifications, that Mr. Nixon is best fitted by training, experience and ideology to restore a very considerable measure of unity to our country.

"Mr. Nixon has clearly demonstrated in this campaign that he is moving on from unifying politics to unifying statesmanship. He has pledged that he will form a national administration 'made up of Republicans, Democrats and independents' from all the pertinent spectrum of endeavor and thought.

"The times call for leadership of vision, candor, conviction and courage; vision clear in its assessment of realities, candid in confrontation of them, and courageous in the conviction that comes to grips with them. They are the qualities of character descriptive of Dick Nixon.

"America knows where he stands—on issues both domestic and international—not only because he has stated it, but because he has lived it."

Cleveland Plain Dealer: "The Plain Dealer keeps its faith in the future. We try to support those who we hope will direct their energies and their abilities toward new solutions to our many problems. Richard Nixon is the only candidate for President of the United States in a position to take a new course. He has offered no easy solutions. His campaign has been directed toward unity, order, and hope for a better world.

"The alternatives make it clear that 'Nixon's the one.' "

Spokane, Wash., Spokesman-Review: "While Mr. Nixon's administrative capacity has never been truly tested—no potential President is ever so tested until he assumes the responsibilities of chief executive—his extensive national experience as lawmaker and vice president has qualified him to a degree rarely attainable in this country.

"He deserves sincere and enthusiastic support. He should be elected President . . ."

BUT STILL DEMOCRATIC

The Dallas Morning News: "Evidence is compelling that the people want, and the nation needs, a drastic change from a course which has led to political, social and economic instability.

"Nixon is the candidate of the only major party capable, politically, of effecting the change which so obviously is necessary.

"The News' endorsements today of the Nixon-Agnew ticket does not change the historic affiliation of this newspaper since its establishment in Dallas 83 years ago. We are still Independent Democratic. We lean toward those Democrats who remain firmly faithful to constructive and progressive policies of their party . . ."

Pueblo, Colo., Chieftain: "His (Nixon's) appearance before the American Society of Newspaper Editors . . . convinced most of them that they were listening to a dynamic activist whose policies and principles would promote constructive action toward solving many of our domestic ills which have plagued the nation during the past four years.

"We have no reservations in endorsing wholeheartedly and supporting the candidacy of Richard M. Nixon . . ."

The Richmond, Virginia, News Leader: "He understands better than most persons the reasons behind the shattering of American society and the dishevelment of our national life. He knows that the United States is in more trouble in more places than at any time in its history; many of the country's problems will not wait another four years. He knows that society is not sick, but rather is frustrated and massively confused. He knows that the primary agent of that frustration and confusion is the current regime of irresponsible, and unresponsive, Federal managers. And he knows that to prevent total shambles, the dreary . . . Administration policies of error and indecision must be scrapped . . ."

COMEBACK CANDIDATE

Columbia, S.C., State: "The selection of Richard M. Nixon as the Republican candidate for President not only marks the political comeback of a former Vice President . . . but heralds the prospect of a comeback for orderly and responsible government in the nation.

"While he is prepared to move with the times to meet new conditions and challenges, he embodies in his political philosophy those fundamental values which appeal to Americans who yearn for more decentralization, more decency, and more devotion to God and country than we have had in recent years.

"Nixon presents Americans with an opportunity to set the nation aright. It is an opportunity which must not be lost—through apathy or through provincialism."

A MAN TO FOLLOW

Yakima, Wash., Herald Republic: "We believe the American people are fed up with eight years of trying to solve every problem by throwing federal money at it; fed up with creeping escalation of the Vietnam involvement with no sign of victory; fed up with the steady whittling of state and local government powers by an insatiable federal structure; fed up with fear in the streets and no action to curb crime; fed up with racial hate, and fed up with cities choked by the smoke of pollution and the flame of rioting.

"We believe Richard Nixon and his running mate Spiro Agnew do, most certainly, offer the American people a 'clear choice'. And we believe they'll make that choice a clear, decisive one for the Nixon team."

Atlanta Daily World: "He would best fit the needs and wishes of the country . . . Because of Mr. Nixon's unusual experience, we believe he can best meet the issues confronting our country at home and from abroad.

"We believe he will end the war honorably. We believe he and the large and fine group of Republican officials and leaders who are supporting him will stabilize the domestic economy and stop this deadly inflation.

"We believe he will restore the prestige of our country in the sight of all foreign powers.

"Last but not least the election of Mr. Nixon will be effective in reuniting our country at this most critical point since 1860.

"This election will strengthen the essential need of a two-party system in the South. Conversely it will greatly slow down the development of the third party effort . . . This is a critical hour for all Americans. We hope our readers will stop, look and listen before they cast their important vote on November 5th."

The St. Louis Globe-Democrat: "Nothing could be more starkly obvious than that new, able leadership is critically needed for the United States, whose prestige abroad has fallen to a wretched, dangerous low and whose domestic life has been crippled by crime, street rioting and frenetic fiscal programs in Washington.

"Richard M. Nixon, Republican Candidate for President, can furnish the competent direction so sorely needed in the White House.

"After a close study of the records, proclaimed policies and campaigns of the other candidates, The Globe-Democrat is convinced Mr. Nixon is the only one who can lift the nation out of the quagmire."

The Oakland (Calif.) Tribune: "Rarely in our history have we faced a time of greater crisis. Our cities are caught in a paralysis of frustration, fear and racial tension. Lawlessness is spreading ominously. In Southeast Asia, America is bogged down in bitter war which the Democratic administration can neither explain nor end. And looming above all is the financial insecurity caused by constant inflation and staggering public debt.

"The Republican ticket of 1968—Richard M. Nixon and Spiro T. Agnew—offers the Nation a change of leadership in the White House and a change of direction for a troubled America."

The Chicago Tribune: "We do not say that the election of Mr. Nixon and Mr. Agnew will bring the millennium overnight. The country has been so woefully mismanaged that it will take time to get its affairs straightened out and point it in the direction of a future of hope and promise. But if any party and any man can do the job, a Republican administration and Mr. Nixon are the right combination."

AMONG MANY OTHERS

New York Daily News.
Houston Post.
Buffalo Evening News.
Dallas Times Herald.
Augusta, Ga., Chronicle and Herald.
Jacksonville Times-Union.
Columbus Dispatch.
Shreveport Times.
Roanoke Times.
Topeka Capital-Journal.
Madison, Wis., State Journal.
Boise Statesman.
Aurora, Ill., Beacon-News.
Moline, Ill., Dispatch.
Birmingham World.
Fort Wayne, Ind., News-Sentinel.
Knoxville News-Sentinel.
Lowell, Mass., Sun.
El Paso Times.
Saginaw, Mich., News.
Grants Pass, Oreg., Courier.
Meridian, Miss., Star.
Wellsboro, Pa., Gazette.
St. Joseph, Mo., News-Press and Gazette.
Joplin, Mo., News Herald.
Scottsbluff, Nebr., Star-Herald.
Philadelphia Tribune.
Memphis World.
Dayton Journal Herald.
Birmingham World.
Birmingham News.
Tuscaloosa Graphic.
Birmingham Post Herald.
Phoenix Republic.
Little Rock Democrat.
Pasadena Independent & Star News.
Fort Collins Coloradoan.
Pueblo Chieftain and Star Journal.
Denver Blade.
Fort Myers News-Press.
Florida Times-Union and Jacksonville Journal.
Tampa Tribune & Times.
Lake City Reporter.
Eustis Lake Region News.
Tavares Lake County Citizen.
Columbus Enquirer and Ledger.
Valdosta Times.
Marietta Journal.
Boise Daily Statesman.
Joliet Herald-News.
Rock Island Dispatch.
Rock Island Argus.
Fox Lake Press.
Portland Commercial Review.
Abilene Reflector-Chronicle.
El Dorado Times.
Hutchinson News.
Iola Register.
Lawrence Journal-World.
Wichita Eagle and Beacon.
Reading Chronicle.
Detroit News.
Yazoo City Herald.
Rolla News.
Cape Girardeau Southeast Missourian.
Grand Island Independent.
Lincoln Journal.
Scottsbluff Star-Herald.
Claremont Eagle.
Burlington County Times.
Park Ridge Local.
Jamestown Post-Journal.
Newburgh-Beacon News.
Dunkirk Observer.
Canastota Bee Journal.
Long Island Post.
Rome Sentinel.
Syracuse Post Standard.
Fayetteville Eagle Bulletin and DeWitt News Times.
Ticonderoga Sentinel.
Asheville Citizen.
Wilmington Morning Star & News.
Columbus Dispatch.
Mount Vernon News.
Napoleon Northwest-Signal.
Warren Tribune Chronicle.
Clermont Courier.
Wooster Record.
Oklahoma City Oklahoman and Times.
Grants Pass Courier.
Portland Oregon Journal.
Homestead Messenger.
The Suburban and Wayne Times.
Columbia Record.
Elizabethton Star.
Knoxville Journal.
Memphis Commercial Appeal.
Memphis Press Scimitar.
Memphis World.
Bristol Herald Courier & Virginia-Tennessean.
Fort Worth Press.
Gainesville Register and Messenger.
Houston Post.
Lubbock Avalanche Journal.
Oak Cliff Tribune.
Dallas Texas Methodist.
Culpeper Star-Exponent.
Richmond Times Dispatch.
Staunton Leader.
Petersburg Progress Index.
South Boston Gazette.
Madison Wisconsin State Journal.
Casper Star-Tribune.
The San Diego Union and Evening Tribune.
The Sacramento Union.
Aurora Beacon-News.
Daily Courier-News.
Illinois State Journal.
Illinois State Register.
The State Journal-Register.
Alhambra Post Advocate.
Burbank Daily Review.
Culver City Evening Star-News.
Glendale News-Press.
Monrovia Daily News-Post.
South Bay Daily Breeze.
San Pedro News-Pilot.
Venice Evening Vanguard.
Westchester Star-News.
Rocky Mountain News.

Washington Daily News.
Evansville Press.
Covington Kentucky Post.
Albuquerque Tribune.
Cincinnati Post and Times-Star.
Cleveland Press.
Columbia Citizen-Journal.
Pittsburgh Press.
The Stuart News.
Knoxville News-Sentinal.
El Paso Herald-Post.
Forth Worth Press.
Hollywood Sun-Tattler.
West Palm Beach Post.
West Palm Beach Times.
West Palm Beach Post-Times.
De Land Sun News.
Fort Walton Playground Daily News.
Leesburg Commercial.
Jackson County Floridan.
Melbourne Times.
Ocala Star-Banner.
Palatka Daily News.
Palm Beach Daily News.
Panama City News.
Panama City Herald.
Panama City News-Herald.
Pensacola Journal.
Pensacola News.
Pensacola News-Journal.
Fort Pierce News Tribune.

BURTON B. ROBERTS: EVERYBODY'S D.A.

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. RYAN. Mr. Speaker, I include in the Congressional Record for the benefit of my colleagues a recent profile by Ron Hollander, which appeared in the New York Post, entitled "Everybody's D.A." It captures the fighting heart and spirit of Burton B. Roberts, my former colleague as an assistant district attorney on the staff of New York County District Attorney Frank S. Hogan.

Burton Roberts has recently been nominated for district attorney of Bronx County, and his election is assured.

The article follows:

Everybody's DA

(By Ron Hollander)

The smoke from Burton Roberts' 6-cent cigar lazied up from his desk, clouding the view of the white balustrade of Yankee Stadium where—now that the Polo Grounds are gone—he would like to be playing second base were it not for his coming unopposed election as Bronx County DA.

"Huey Critz, Giant second baseman, was my hero," the 46-year-old Chief Assistant DA said. "We'd sit on Coogan's Bluff where we could see a scoreboard in right field and part of the outfield."

Son of Alfred and Cecilia Roberts—he is a Washington Heights real estate broker, she is a substitute teacher in a Harlem elementary school—Burton Roberts traces his great-great grandparents to "somewhere around Odessa."

Throughout childhood and "maybe even later" law came after baseball and via De Witt Clinton, NYU Uptown (second base; "good field, no hit"), the Army at Anzio (Purple Heart, Bronze Star with Oak Leaf) and Cornell Law School (GI Bill). But if Huey Critz came first, Paul Muni as defense counsel was soon a close second.

"The greatest thing I ever saw was Paul Muni in 'Counselor at Law,'" the red-haired Roberts said. "It was terrific. From then on being a lawyer meant being a trial lawyer. If I were a doctor I'd want to be a surgeon."

So on the day he was admitted to the bar in June, 1949, he joined the staff of Manhattan DA Frank Hogan ("He'll always be Mr. Hogan"), where he remained for 16 years, rising to senior trial assistant for the Supreme Court bureau and, naturally, second baseman for Hogan's Hooligans, the DA's softball team.

His rise included a won-lost record like the old Yankees, several threatened contempt of court citations, being KOd in court by an irate defendant ("sneak punch"), calling defense counsel a "skunk" and prosecution of the $1.5 million city parking meter scandal.

"Who's Hogan getting in this trade?" a court wit quipped when it was announced in December, 1965, that Bronx DA Isidore Dollinger had picked Roberts to be his chief assistant to give his office a new image.

"Nobody believes this story, but Dollinger just called me and asked me if I wanted the job," Robert said, tilting back in his plain green government chair. "I asked if I would be given a free hand and if I could eliminate moonlighting by assistant DAs, hire from outside the Bronx on merit only, and he said yes."

Now, with Dollinger nominated for a judgeship and Roberts, a Democrat, endorsed by all four parties ("Hogan—Mr. Hogan—is the only other DA with such endorsement"), Roberts will move from his linoleumed, austere office and its $25,000 salary to the sixth floor of the Bronx County Court House and a $12,000 raise.

He is already in command. To a complaining, threatening attorney on the phone: "Mr. F, Mr. F, go to the complaint bureau."

To a witness in the waiting room: "Now be good," chucking man under the chin. "I don't have any bodyguard on you because I like you, so stay out of crowds."

Always a prosecutor, Roberts feels that "law and order is not a fascist phrase. People should develop enough confidence in public officials so that implicit in the phrase is the word 'justice.'"

"Like the way we handled the Bronx NYU trouble—firmly," the voice loud now, the jury awake, "but," the voice drops, the jury leans forward, "with a velvet glove."

A bachelor ("with prospects"), Roberts likes golf, tennis and squash. "But the job doesn't call for taking extended vacations."

NEW DIRECTIONS IN WELFARE POLICY

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. JAVITS. Mr. President, I have been concerned about the increasing numbers of welfare recipients in this country and with seeking innovative reforms for the current system of public assistance. After studying the problems confronting the present welfare system, I have developed some ideas for such reform. I want to draw the attention of my colleagues to my proposals and I ask unanimous consent that they be inserted in the Congressional Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

New Directions in Welfare Policy

Criticism of the welfare system is nothing new. Demosthenes phrased the problem more than 2000 years ago in terms so applicable to the present situation that we must wonder if public speakers ever say anything new; he said:

"Like the diet prescribed by doctors, which neither restores the strength of the patient nor allows him to succumb, so these doles that you are now distributing neither suffice to ensure you your safety nor allow you to renounce them and try something else."

But within the last year or so, criticism of the welfare system has reached a bitterness new to our time. The welfare crisis is at the storm's eye of the larger crisis of values that has emerged so clearly in this election year—the conflict over whether the secure majority really wants to pay the price to give the disadvantaged and restless minority a full and equal opportunity to compete for the blessings of American life.

In the context of the welfare system, the confrontation comes down most basically to a conflict between two instincts—the feeling that people should work to support themselves, and the feeling that, in a country as rich as ours, we cannot abandon families to deprivation and starvation under any circumstances.

Both feelings are right. Both instincts are surely a fundamental part of human nature. And they are a part of the emotional equipment of all races. The so-called Puritan ethic is not the property of the white race as opposed to the black, or the well-to-do as opposed to the poor. For example, a survey of welfare mothers in New York City in 1966 showed that the poor share the same values: seven out of ten said they would prefer to work than stay at home; seven of ten agreed that "a lot of people are getting money from welfare that don't deserve it;" and more than eight in ten agreed that "people should be grateful for the money they get from welfare."

What has provoked the welfare crisis has not been any noticeable shift in public morality as between the work ethic and the charitable ethic. Rather, the phenomenal growth of the system itself has forced the confrontation.

Massive welfare roles have not always been the case in this country. In 1824, when the Secretary of State of New York reported to the Legislature on the relief of the poor, he was able to count only 6,896 "permanent paupers," as he called them, in the state, and only 15,215 "occasional paupers." In proportional terms he reported that, "In this state there is one permanent pauper for every 220 souls, and one for every 100 occasionally."

Those days, and those proportions, are gone forever. To put our present situation in its starkest terms, one of every five children in New York City is receiving public assistance. There are more children on welfare in New York City than there are people in Newark, N.J. And if we look at particular communities within the city, rather than averaging out the figures city-wide, the situation becomes even worse. In 1965, the New York City Youth Board calculated that the welfare rate per 1,000 population under 18 in Brooklyn ranged from 1.8 per 1,000 in one health area to a fantastic 781.1 per 1,000 in another.

Under these conditions, certain neighborhoods are reduced to little more than vast almshouses.

But what is most distressing is not the absolute numbers of welfare recipients but the tremendous growth in their ranks in recent years. While the number of people with incomes under the poverty line dropped by almost 25 percent between 1959 and 1966—from 38.9 million to 29.7 million—the number of recipients under the major welfare program—Aid to Families with Dependent Children (AFDC)—went from 2.9 million to 4.6 million.

In New York City, the growth has been proportionally even greater—and the city's experience may be only a harbinger of things

to come for other major cities. Between September, 1962, and September, 1967, the number of persons receiving public assistance in the city increased by 115 percent. Between April, 1966, and March, 1968, there was a rise of 250,000 persons on AFDC in New York City, bringing the total to 900,000. This duplicates in two years a numerical rise that has previously taken 18 years to accomplish. And over 10,000 persons a month are being added to the New York City caseload!

The cost of this tremendous growth has been crushing, and has fallen most heavily on the wealthiest states. Of the combined federal-state-local welfare cost on a nationwide basis of $8 billion, almost half that amount is spent in California, Illinois, New York, and Pennsylvania. In New York State, the AFDC bill is over $1 billion, and between 1962 and 1967 has increased by 176 percent. In New York City, the cost of the AFDC program alone has increased in this period by 380 percent.

The effect of this cost explosion has been to stretch state and local tax bases and taxpayer tolerance to the breaking point. As more and more funds are automatically drawn off from city budgets to meet mandatory welfare cost increases, other municipal services suffer.

The pinch is particularly tight on the middle-income city dweller who, quite rightfully, wants to know why he must work for his living while so many others can receive incomes close to his and stay idle at home. The pressures for change are in the system now building where, I hope, they can no longer be ignored. In one sense, the welfare crisis is to be welcomed, for it presents an opportunity for immense improvement and progress if we use it well.

But if we are to use the potential of the occasion, liberals and conservatives alike must face issues squarely and without relying on the old shibboleths. For example, we must avoid the politically popular conclusion that jobs are the prime answer to the welfare problem.

While jobs are an important ingredient, approximately 80 percent of the 4 million AFDC children live in homes without fathers. And of the 1.1 million mothers, it is estimated that only about 300,000 have some skills or could become self-supporting with some training and could work outside their homes if they had suitable day care facilities.

Moreover, as Daniel Patrick Moynihan has noted, the correlation between unemployment rates and the rate of increase of new AFDC cases has tended to disappear in recent years—that is, the AFDC roles have been rising despite stable or declining unemployment rates.

Jobs will help greatly, but an analysis of the case load profile shows other factors that must be considered. And in this case, there are hard questions to be answered.

First, what do we really know about the effect of the availability of relief, especially at fairly substantial levels, on a person's motivation to work? Remember, in New York City an AFDC family of four can now receive as much as $4,100 per year from welfare. Surely it must be concluded from the phenomenal growth of the AFDC caseload, even while the number of persons living below the poverty line is dropping, that welfare is becoming a more socially acceptable program among the poor. That, of course, is desirable and reflects the success rather than the failure of the system. However, I believe we must have some answer to this question before we can fully appraise any of the proposals—such as family allowances and negative income tax—which are now being discussed.

Second, we must face and admit the inequity involved to the lower- and middle-income wage earner as we raise welfare payment levels. As I have said, a family of four—husband, wife, and two children—can now receive about $4,100 annually in AFDC payments. Considering what it costs to live in New York City, there is nothing at all out of line with the need for that amount, except that someone working at the $1.60 per hour minimum wage would earn only $3,300 annually, with an even smaller take-home pay.

Third, we must face the extremely serious question of family stability and absentee fathers. In 1940, only 30 percent of AFDC children had absent fathers, whereas that figure rose to 71 percent by 1966. In New York City in 1966, a survey showed that fathers were absent from AFDC families in almost three-fourths of the cases, and that separation or desertion accounted for the absence in over forty percent of the families, divorce in 5 percent, and that nearly twenty percent of the mothers had never been married.

This kind of abandonment is general among all races and ethnic groups, and I do not wish to be taken as suggesting that black fathers are bad fathers, while white fathers are good. It is true that the "desertion, divorce and unmarried mother" category is somewhat larger among black welfare recipients than whites, and the difference is even larger still when the figures on all black versus all white families are compared, but the differences can easily be accounted for by the extra pressures to which the black male is subjected by reason of a heritage of discrimination, and to family patterns tracing to the rural South and the cruel practices of slavery.

What is much more relevant than racial distinctions is a conclusion based on economic class—namely, that *urban poverty, at least as measured by the characteristics of families on welfare, is increasingly characterized by family instability and desertion.* We don't even begin to have the answers as to why this is so. Many have refused to face the question squarely for fear of being taken as expressing anti-black sentiments; here the problem has simply got to be faced and studied to help everyone concerned, including the black communities.

Finally, we have got to face a question closely related to family instability—the politically taboo question of illegitimacy and how to deal with it. Illegitimacy has increased greatly in this country over the last 25 years. The illegitimacy rate—the number of illegitimate births per 1,000 unmarried women between the ages of 15 and 44—has increased from 7.1 in 1940 to 23.5 in 1965. Among welfare recipients, the figures are even more dramatic. As already noted, about 20 percent of the AFDC families in New York involved mothers who have never been married. Illegitimacy also occurs, of course, when a woman who is separated from her husband gives birth. In New York City, where over 40 percent of AFDC mothers have separated from or been deserted by their husbands, over 50 percent of those women have children after the time of separation. And as with the desertion and separation rates, the illegitimacy rates are substantially higher among the urban poor than the rural poor. Again, what is involved is apparently a phenomenon associated especially with urban poverty.

I believe that some of the solutions to the paralysis of the welfare system are available to us. To this end I wish to suggest a four-point program for welfare reform. I believe it is a program which takes into account the hard questions of motivation and financial and social reality which I have raised.

First, we must see to it that jobs with dignity and a chance for advancement in both the public and private sectors are available to all welfare recipients where job-holding is possible, with a preference for male heads of households. Although we do not know all the answers, it does seem that jobs at decent incomes for men is one important way to deal with the problem of urban family instability.

But, there is nothing new about calling for job creation programs as a means of easing the welfare crisis. What I suggest is a new practical approach to finance such programs in the light of our budgetary restraints and the conservative mood of much of the nation.

Until now, it has been impossible to generate a sufficient priority for job programs to produce the needed appropriations from the Congress. Ironically, appropriations have not been much of a problem for the welfare system, since an initial Federal commitment was made to finance that program whatever its size. In other words, the size of the welfare program was not geared to the amount of money available, but rather money was made automatically available to match the growth of the program. The welfare budget does not have to go through the appropriations process every time costs go up.

I propose that this kind of financing should also be applied to funding new job training and employment programs and that welfare funds themselves be used for this purpose. *I would give Federal and local authorities the right to utilize funds now made mandatorily available for relief checks into job programs for the same welfare recipients.* Thus, where a welfare recipient could be trained or placed into a job, the program administrator could apply that recipient's relief money for up to a given period of years, to fund a new slot in a training program or to pay a portion of his salary in a public service job. Alternatively, the relief funds could be used to reimburse private employers for the extra expenses of hiring and training a welfare recipient, including a subsidy for the amount between the man's productivity and his actual wage. There are already Federal programs which do this, and the welfare funds could be switched into these on-going efforts. Through this relatively simple discretionary technique, we could greatly increase the amount of job money available without using new funds.

Second, new techniques to motivate recipients to train for and to hold jobs must be developed. Until last year, there was little financial incentive for an AFDC mother or father to seek employment, since for every dollar that was earned there was an equal deduction from the welfare check, with no net increase in family income. Under the 1967 amendments, a welfare recipient will now be allowed to keep $30 a month plus 30 per cent of the remainder of his earned income without deduction from his welfare payment.

It is widely felt that the few extra dollars a month which this would normally involve is not a sufficient incentive to increase or to trigger the motivation to work. New York City, for example, is now seeking to raise the amount to $85 per month, plus 30 percent of the remainder. But increasing this financial incentive to work only deepens the confrontation with the lower income wage earner for it raises the net income of the welfare recipient still further—well above the $4,100 figure I have already mentioned.

Hence, we find ourselves in the dilemma of trying to devise an earnings incentive which will have a powerful impact on motivation without increasing the confrontation and inequity felt by the lower-income wage earner. I propose that we can resolve much of this problem by creating what I call an "income bonus."

Under such an approach, a welfare recipient would be allowed to retain as much as one-half (two thirds?) of his welfare payment, over and above the first $30 and 30 percent incentive amount, in the form of bonus credits which can be used for remedial services, rather than as cash. In other words, as *job earnings replace welfare income, a major part of the recipient's welfare payments* *would be placed in escrow for him to draw against to buy social services for himself and his family members.* He would have what amount to a checking account, vested in him, with which he could purchase from accredited sources such things as Headstart or "Follow Through" education, day-care, adult basic education, job training and health care. By allowing an earnings incentive in the form of in-kind services, rather than cash, the confrontation on financial income grounds between the lower-income wage earner and the welfare recipient, who is moving toward a job is lessened. Moreover, the provision of an "income bonus" to be used for remedial services, rather than cash, ensures that much of the increase in family-income will go to purchase services designed to prevent future dependency and to improve chances for the next generation.

Quite beyond the use of the income bonus system as a motivational device, though, it offers a possibility for important innovations in the delivery of remedial services. First, because the credit is vested in the consumer of the service, rather than in the program operator (as where a Federal grant for Headstart is given directly to the program sponsor), an element of market competition is introduced. The welfare recipient can shop for the services among all those who offer them, and can make up his own mind about the best program. The program sponsor no longer has a captive audience but would have to compete with other groups for clients, hopefully with a consequent improvement in the quality and effectiveness of the services offered.

Moreover, in terms of avoiding the stigma of relief and providing services in a manner designed to maximize the dignity of the individual, giving the consumer the choice is obviously preferable. And because the credits are to be vested in the recipient, we are able to avoid the pitfalls of the old protective payments system which demeaned the recipient by depriving him of freedom of choice.

The credit device could also have an important impact in promoting community controlled and owned business enterprises to deliver the relevant services. A great deal of attention is being given these days to promoting minority entrepreneurship, and by creating a market for remedial services by vesting people with this purchasing power, we would automatically create opportunities for profitable businesses.

Third, in order to deal with those for whom jobs and job motivations are not the answer, we must have a Federal takeover of welfare payments in order to establish equitable and uniform standards. The present hodge-podge of differing payments levels—varying for a dependent child from $8.35 per month in the lowest benefit state to $60.15 in the highest state—and the crazy quilt pattern of eligibility criteria have got to be ended. They only tend to encourage further migration from rural areas into the swollen cities and subject what is really a national problem to varying abilities of local jurisdictions to pay for solutions.

I have advocated for some time that the Congress enact Federal minimums for various welfare payments made by the states. But I now feel that we must consider the alternative of going a step further and Federalizing the payments system.

In establishing minimum standards, the Federal government would in any case have to pick up most of the tab for the amount between what the States are now paying and the Federal minimum. So the major change would be to relieve the states and localities from paying their present matching shares. I would propose that that be done on condition that states and localities take over and pay for services and remedial activities directed at welfare recipients and relieve the Federal budget of these payments.

In this way, I think that we can move toward a correct division of labor between the Federal government and state and local governments. The Federal government would do what it does best, namely, act as a paymaster raising and dispensing funds on a nationwide basis for the income support aspect of the system. This, the Federal government now does very efficiently under the Social Security system. The states and localities on the other hand, would design and operate supportive service programs, something which they are equipped to do and which allows us to avoid establishing a major Federal service bureaucracy.

The great advantage of such a Federal takeover of the payment function, aside from freeing state and local funds for remedial and service programs, would be that it would allow us to institute a series of nationwide reforms which have long been overdue. For example, under a system where the Federal government can set national standards we could abolish the damaging man-in-the-house rule still in effect in 28 states. Under that rule, an unemployed husband must desert his home if he wants his family to be eligible to receive welfare. Also, I believe that we should move towards substituting a simple affidavit on declaration of need in place of the present system of eligibility determinations: establish client advisory groups at the local level; and move toward the establishment of an eligibility test based on the single criterion of need, doing away with the present bureaucratic system.

Fourth, there is a category of reforms which must be pursued outside the welfare system itself. One of our first principles must be to recognize that we cannot attempt to accomplish too much, or expect too much, from welfare reforms themselves.

For example, much of the answer to the confrontation between the welfare recipient and the low-income wage earner lies outside the welfare system: we must raise the minimum wage and the career opportunities available to able working people. Special attention must be given to research and development of programs to deal with problems of urban family instability—we simply do not now have the answers to deal with that problem.

In this regard, we should examine ways to strengthen the legal remedies, such as support suits and criminal actions, that a wife or a local government can bring against a run-away father to see if some greater deterrent effect on desertion cannot be produced.

And, lastly, we must step up our efforts, through education, decentralized health services, and counseling to deal with the problems of illegitimacy by making birth control information and equipment more widely available.

I think that these proposals offer the beginnings of a way out of our welfare crisis. The problems are not so intractable that we cannot deal with them—the answers are not in the stars, but in us.

ALL MEN'S GOOD

HON. HARLEY O. STAGGERS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. STAGGERS. Mr. Speaker—

Ah! when shall all men's good
Be each man's rule, and universal peace
Lie like a shaft of light across the land,
And like a lane of beams athwart the sea,
Thro' all the circle of the golden year?
—TENNYSON.

Fate has brought Lyndon Baines Johnson to the Presidency at a most critical hour. He stands at Armageddon. On one side, the forces of good have been gathering momentum for a century. Science and industry threaten to banish hunger and pain and injustice and the other age-old enemies of man from the face of the earth. At the same time, a spirit of good will has swept over the Western World, yearning to embrace all humanity within its benevolent cloak. Arrayed against the good is the evil so aptly described in the Apocalypse—the "unclean spirits like frogs come out of the mouth of the dragon, and out of the mouth of the beast, and out of the mouth of the false prophet, to gather them together to the battle" against all that seemed so promising in a developing civilization. And it has been the Herculean task of the President to put to confusion the insensate forces of evil, and at the same time to maintain the onward surge of the good. How well he has kept the faith will be the decision of time. And both we and the President may await the verdict with confidence.

Caught in the clash of elemental forces, a lesser man than Mr. Johnson may well have cowered in dismayed confusion.

Before Virtue—

Said the Greek philosopher—

> the immortal gods have put the sweat of man's brow, and long and steep is the way to it, and rugged at the first.

The President has found it so. The "unclean spirits" of the Book of the Revelation, and whose modern names are, among others, communism and lawlessness and disaffection and greed and prejudice, have attacked with the fury of desperation. A weak man might be persuaded to adopt the policy of compromise, that burying ground of all lost causes. But thanks to the unflinching courage of President Johnson, the forces of evil are themselves in confusion.

The flood of communism has not broken out of Asia on the east, nor out of central Europe on the west. The precious heritage of freedom in this country has not been disfigured by savage repression of dissent, and the American ideal of liberty under law stands intact. Meanwhile the genius of American productive ability goes on satisfying the wants of humanity, whether they be physical or mental or spiritual, with an ever-increasing volume of goods and services.

I hold that man is in the right—

Said Ibsen—

> who is most closely in league with the future.

The future which President Johnson sees for this Nation is one in which all men's good shall be each man's rule. To the attainment of that future he holds our course with a steadiness that only future generations can truly appreciate.

As schoolboys, many of us read "Caesar's Gallic Wars." Our young imaginations were stirred by the thrilling exploits of his Roman legions. In paying tribute to the courage and steadfastness of the famous 10th Legion, Caesar used the word "virtus," time and again. With that fierce pride which only a boy can feel in his heroes, we translated the word, "valor." It is the highest praise that can be bestowed on mortal man. It is a word inscribed on a Congressional Medal of Honor today. It is a word that fits seemingly on the career of Lyndon B. Johnson.

COMMEMORATION OF AMERICANISM

HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. WAGGONNER. Mr. Speaker, the Shreveport Journal recently called attention to the 11th annual observance of United States Day in an editorial titled, "Commemoration of Americanism."

Because I believe so intently that this annual day set aside for our personal rededication to the principles of Americanism is one of the red-letter days of the calendar year, I would like to submit that editorial for all my colleagues to read.

COMMEMORATION OF AMERICANISM

Tomorrow Shreveport will take the lead in the Louisiana observance of the 11th annual United States Day, which is not a holiday but a commemoration of the principles of Americanism. The occasion here, as in other communities over the nation, will remind patriotic citizens of their own responsibilities in maintaining constitutional government and a free society.

Although United States Day is a relatively new national event, it holds profound meaning for Americans and its significance is certain to be recognized by greater numbers with each succeeding observance. The purposes of the commemoration, as set forth by its founders, a group of Tulsa, Okla., citizens are to enlist all Americans in the preservation of the sovereignty of the United States and the preservation of individual liberty, even to protecting it from governmental intrusion.

The distinguished persons, serving on the national committee that promotes the commemoration, attest to the purely patriotic character of the event. The United States Day Committee, Inc., is non-sectarian, non-profit and non-partisan and it is a member of the American Coalition of Patriotic Societies, reserving the right to operate as a completely independent organization. Louisiana's representative on the advisory board of the committee is Rear Admiral Arthur de la Houssaye of New Orleans. Mrs. Alice Murphy of New Orleans is serving as chairman of the Louisiana state-wide observance this year. Dr. James W. Middleton, pastor of the First Baptist Church here, is chairman of the committee in charge of the Shreveport observance.

Both Gov. John J. McKeithen and Shreveport Mayor Clyde E. Fant have issued proclamations, urging citizens to participate in the commemoration and to rededicate themselves to the support of the U.S. Constitution. As these officials point out, Americans enjoy the greatest advantages of all peoples of the world, because our form of government has afforded unparalleled freedom for individual citizens to pursue their interests and to better themselves.

Shreveport's observance will culminate in an inspiring program, beginning at 7:30 p.m. in the First Baptist Church, 543 Ockley Drive. The Americanism Forum, veterans' organizations and other patriotic groups are to be commended for jointly sponsoring the program. Their usual cooperation for furthering appreciation of our national heritage is a credit to the community.

Princess Catherine Caradja of Rumania, a refugee from communism, will be the principal speaker. Shreveporters, who have heard her on past occasions when she has lectured here, know her to be a forceful advocate of constant vigilance against subversive forces. Surley she is eminently qualified to discuss "The Worth of Freedom" as she knows from her own bitter experience what it means to lose liberty first through Nazi invasion and then through Red aggression. Since 1955 she has made her home in the United States and she is not content just to enjoy the benefits. Princess Caradja feels an obligation to continue her personal fight against the enemy of all democratic societies by warning Americans of the danger in complacency and appeasement. Princess Caradja will be introduced by Allen Penniman, chairman of the Americanism Forum.

Our nation is going through a critical period; from without and within it is subject to strain. Good citizens, manifesting their devotion to the principles of constitutional government, reveal the true strength of the nation. United States Day is an appropriate time for that spirit to be much in evidence.

LISTER HILL OF ALABAMA—STATESMAN FOR HEALTH

HON. WINSTON L. PROUTY

OF VERMONT

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. PROUTY. Mr. President, it is with a deep sense of personal loss that I rise to pay my respects to Lister Hill upon his retirement from the Senate, after nearly 46 years of service in the Congress. I say quite humbly that it has indeed been a privilege for me to have served with this great humanitarian in the Senate of the United States and upon our Labor and Public Welfare Committee of which he is chairman.

The qualities and values possessed by the gentleman from Alabama—and I use the word "gentleman" in its finest sense—are ones which I have seen combined in one man but a few times during my life, and never exceeded. His honor and personal integrity, his humility, compassion, and understanding, have been appreciated by all his colleagues and have been an inspiration to me.

Senator Hill entered the U.S. Senate in January 1938, and in the 31 years that have followed he has done more than any other single person to help shape the health future of our Nation's people. He once said:

> We stand at the threshold of a golden age of medicine.

If so, and I am sure he is right, we have approached it in great part because of his unfaltering vision, courtly eloquence, and tireless leadership. It is often difficult for me to find the words to express my thoughts, but newspaperman William S. White put it this way:

> Countless millions owe their lives to Lister Hill. He has done more for the public health than any American in history.

In the United States, he is perhaps best known for his sponsorship of the Hill-Burton Act of 1946, which has helped to provide over 350,000 beds in hospitals and nursing homes, and over 9,000 other projects throughout the Nation, including hundreds of health centers, laboratories, and other medical facilities.

Lister Hill has been honored many times for his contributions to the health of the Nation, including receiving the Albert D. Lasker Award in 1959, one of the highest honors in the health field.

Despite the many honors and awards which have come to him, I have a feeling that one he may quietly treasure the most is that bestowed upon him by innumerable organizations—"Lister Hill, Statesman of Health."

REPORT ON THE ACTIVITIES OF THE COMMITTEE ON MERCHANT MARINE AND FISHERIES

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. GARMATZ. Mr. Speaker, it is my privilege to call to the attention of the House some of the outstanding activities of the Committee on Merchant Marine and Fisheries during the 90th Congress. This has been a tremendously productive Congress and one in which we can all take pride.

During the 90th Congress the Subcommittee on Merchant Marine carried on its traditional role of striving to strengthen the American merchant marine to enable it to better serve our national interest in its dual capacity as a vital link in our transportation system and as a military and naval auxiliary in readiness for emergencies. In furtherance of this role much of this session was devoted to consideration of legislation designed to provide for a new, long-range program for the revitalization of our American merchant marine. Comprehensive hearings were held on H.R. 13940, and 15 identical or similar bills introduced by many Members of the House, to meet the urgent needs of our merchant fleet. Its purpose and scope made it one of the most important pieces of legislation to be considered by the committee in over 30 years. Not since the Merchant Marine Act of 1936 has there been such a desperate need for swift and positive congressional action to aid America's maritime industry and America's national security. The record of hearings held during 17 days in April and May 1968 is reflected in 768 pages of printed testimony and supporting documents.

Based on the extensive record and study by your committee, the bill was reported to the House on July 3, with amendments. Regretfully, the pressure of other business in the House prior to the recess for the national conventions precluded floor action prior to adjournment. Nevertheless, the committee hearings and report serve as a thorough record of the need for congressional action to establish a long-range maritime program. This subject will probably be one of the first orders of business to be considered by the committee in the new Congress.

However, the committee reported two pieces of legislation which, I think, take sound constructive steps in the right direction toward revitalizing our ailing maritime industry. The first of these measures was H.R. 158, which would place major activities of the Maritime Administration on a basis comparable to that now in effect with regard to the principal activities of the U.S. Coast Guard. This legislation—similar to the 1963 legislation pertaining to the Coast Guard—provides that only such sums that the Congress may specifically authorize by law may be appropriated for the use of the Maritime Administration for carrying out its major program activities. It will prove to be of great value to the Congress in pointing up our maritime requirements and assist in their solution without unduly burdening the legislative process.

Another very important piece of legislation reported by the Committee on Merchant Marine was H.R. 159. This legislation—which was cosponsored by 106 Members of the House—would create an independent Federal Maritime Administration. The committee felt that past experience had demonstrated conclusively that the type of organization provided by this measure would be the most effective way in dealing with the myriad problems of our maritime industry.

Other matters of considerable importance were accomplished by the Subcommittee on Fisheries and Wildlife Conservation, such as the estuarine study legislation, H.R. 25; the fish protein concentrate legislation, S. 3030; the endangered species bill, H.R. 11618; and the extension of the Commercial Research and Development Act, S. 3866.

Perhaps one of the most significant pieces of legislation reported out of the Committee on Oceanography was H.R. 13781. In the 89th Congress, legislation was passed which would provide for the first time the development, encouragement and maintenance of a comprehensive long-range and coordinated national program in marine sciences. Subsequently, the 89th Congress passed legislation which would amend the act to authorize the establishment and operation of sea grant colleges. H.R. 13781—which became Public Law 90-477—provides more flexibility in the administration of the sea grant college program. Also, it authorizes to be appropriated in fiscal year 1969, $6 million, and in fiscal year 1970, $8 million to support schools and programs in the marine sciences.

Other important measures were considered relative to the Panama Canal and maritime education and training. In the 88th Congress, the committee reported legislation to create a commission to make a full and complete investigation and study of the most suitable site for the construction of a sea-level canal connecting the Atlantic and Pacific Oceans. The commission was required to complete the study by June 30, 1968, and $17.5 million was authorized to be appropriated for the work of the commission. The delay in the appointment of the commission and the subsequent delays in obtaining exploration agreements not only shortened the time available to the commission for study leading to its final report but resulted in extra expenditures. After careful study by the Panama Canal Subcommittee, the committee reported and the Congress passed H.R. 15190—which became Public Law 90-359—to extend the time in which the commission would make its final report—until December 1, 1970—and, also to authorize an additional $6.5 million with which to complete its work.

In addition to several important pieces of legislation considered by the Subcommittee on Coast Guard, Coast and Geodetic Survey, and Navigation, lengthy hearings were held in Washington, D.C., by the subcommittee on H.R. 15223, to provide for a coordinated national safety program to reduce boating accidents, and deaths and injuries resulting therefrom. The subcommittee planned to aid its study of ways to reduce water accidents by scheduling hearings in various boating centers of the United States. Some of those already scheduled include Toledo, Ohio; New London, Conn.; Detroit, Mich.; Newport News, Va., and Long Beach, Calif. Although no legislative action was taken on the legislation, the hearings are expected to produce a comprehensive bill which will be considered early in the next Congress.

I have attempted to mention only some of the highlights of the constructive record of the 90th Congress. In addition to legislative activities—where outstanding results have been achieved—your committee has been actively engaged in investigations, studies, and other matters of interest within its jurisdiction. The committee staff is now preparing a detailed report of these activities which will be printed as a committee print in the near future.

Finally, I wish to take this opportunity to express my sincere thanks to all of the members of the committee on both the majority and minority sides who gave so generously of their time to carry forth the committee programs. I sincerely believe they are deserving of the gratitude of the entire Congress for devoting untold hours to the business of the committee, while carrying on their heavy everyday duties of their congressional offices.

THE SPONG REPORT

HON. WILLIAM B. SPONG, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. SPONG. Mr. President, at the conclusion of the 90th Congress, in order to keep my constituents informed of my activities as a U.S. Senator and of matters of importance to them in Congress and the Federal Government, without objection, I am sending to them the following report in hopes that it will be helpful and informative.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

SOVIETS TAKE HARD LINE IN EUROPE

The invasion of Czechoslovakia, Soviet threats toward West Germany and the presence of Soviet troops along its border, the continuing build-up of Russian naval power in the Mediterranean, and Soviet harassment of NATO naval maneuvers—all are cited by Senator Spong as "provocations which reflect the most serious hardening of the Soviet line in Europe since the building of the Berlin wall."

Taken together, "these events require that we exercise a new vigilance and maintain great strength," the senator warned. "At the same time, caution and restraint are equally vital to our hopes for world peace and security."

CZECH INVASION

He cited the invasion of Czechoslovakia and the continued Soviet insistence on reversal of the Czech reform movement as indications of Russian determination to maintain the European communist bloc intact.

"And, while this communist alliance is being held together by force, we see our allies in Europe more and more frequently pursuing independent courses of action. Hopefully, in light of Czechoslovakia, these allies will reconsider their obligations to the maintenance of security in Western Europe."

The Soviet Union is continuing a naval build-up in the Mediterranean which it began four years ago, the senator observed. "In significant respects they have achieved a naval superiority which constitutes an active challenge to us in an area of the world in which we have been dominant for more than 20 years."

The senator also called attention to harassment of NATO maneuvers in the North Atlantic by Soviet forces—similar to harassment of the American Mediterranean fleet last year—as "another provocation which we must consider in a total assessment of Soviet policy in Europe.

"Although some of these actions, taken individually, might indicate no basic hardening of Soviet policy," the senator stated, "their cumulative implication is one of a basic, perhaps long-term return by the Soviet Union to Cold War policies in Europe."

SUMMARY OF RECENT SPEECHES

(NOTE.—In the past two months Senator Spong made a number of appearances in Virginia. Highlights from his major speeches are given below.)

THE GENERATION GAP

DANVILLE.—Senator Spong told a convocation of Stratford College students that "chasms between the older and younger generations" have always existed. "The older generation, by nature, is more conservative, more likely to resist experimentation and change," he said, "whereas youth lack the experience which so often is necessary to evaluate a proposal and discern the motives of those who seek to lead. Working together, generations can achieve a compatible balance."

BOOST RURAL AREAS

JARRATT.—Speaking at "Community Day" observances in Southside Virginia, Senator Spong called for new efforts to slow down and eventually reverse the migration of Americans from rural areas to the cities. "If rural areas are to attract new industry and thereby hold their population," he said, "they must be willing to put forth the effort to provide first-rate educational systems, public libraries, modern housing, hospitals and other community services." Also, the senator stated, agricultural interests must be strengthened "if rural areas are to be assured viable and growing economy."

SOVIET CONFRONTATIONS

WILLIAMSBURG.—Speaking at the annual conference of the Virginia Employment Commission Senator Spong warned that "the U.S. and other western nations today are confronting the Soviet Union on more and more fronts, thereby increasing the chances of an incident or accident." These confrontations, he said, illustrate the importance of maintaining "strength, restraint and communication in our efforts to secure world peace and security."

CHALLENGE TO NEWS MEDIA

GUNSTON HALL.—Addressing members of the Sigma Delta Chi national journalism society at a meeting at Gunston Hall in Fairfax County, Senator Spong cited major challenges to the news media this year in its efforts to give the public fair and accurate coverage of news events. "Most prominent at the moment," the senator said, "is the question of the news media's role in reporting the disorders which have plagued our nation in the past several years." Although the public needs to be informed of events, he noted dangers develop "when the news media become the creators or enhancers, rather than the reporters and analysts."

CZECHOSLOVAKIA

NORFOLK.—Speaking at ceremonies at the Norfolk Naval Air Station in early September Senator Spong said that the "tragic" invasion of Czechoslovakia by the Soviet Union was motivated by "a fear of a spirit of nationalism which has been gradually manifesting itself in Soviet satellites. The lesson the Russians must learn from this and other exercises of crude military might is that individual thought cannot be stifled. It will surface against the most overwhelming odds."

URBAN PROBLEMS

VIRGINIA BEACH.—Addressing the presidents of eastern U.S. metropolitan Jaycee chapters, Senator Spong said that "the problems of the cities will not be solved without the attention, concern and involvement of every sector of our population. The job will not be done by government alone. It will require private investment and, of equal importance, genuine public concern and involvement on the part of many whose only daily contact with the city is as a place to work."

CITY ROAD PROGRAMS

RICHMOND.—Senator Spong told a gathering of state highway officials that urban area automobile traffic is increasing twice as fast as urban area population and that federal roads programs, which now concentrate on building highways between cities, must start helping to build roads within the cities. "It seems obvious," he stated, that large transportation investments will be necessary if we are to keep pace with this growth." He said that the Senate Roads Subcommittee, of which he is a member, is planning hearings next year which may lead to increased emphasis on urban road programs.

AIR AND WATER POLLUTION

VIRGINIA BEACH.—In a speech prepared for delivery at the fall meeting of the Air Pollution Control Association, Senator Spong urged that the fight against air and water pollution be made "a part of a balanced and comprehensive program to protect and enhance environmental quality." Due to late votes in the Senate he was unable to appear at the meeting, and his speech was delivered by a staff aide. In his remarks the senator called for "cooperative action at the federal, state and local levels with the state and local agencies having the primary responsibility for rolling back the blight which has become a part of everyday life in American cities."

A PERSONAL MESSAGE FROM SENATOR WILLIAM B. SPONG, JR.

Elsewhere in this issue of our newsletter I have outlined several of the most important measures passed by Congress during the session which ended last month. Here, I would like to mention enactment of another, less sweeping measure which was particularly gratifying to me.

Last spring I had the privilege of introducing to the Senate Education Subcommittee an amendment to the National Defense Education Act designed to provide a more equitable distribution of graduate fellowships under NDEA programs. This fall the amendment was enacted into law. The significance of the NDEA fellowship programs should not be underestimated—they enable students, many of whom are planning teaching careers, to pursue necessary graduate studies. Ultimately, those who benefit under the programs go on to teach hundreds and thousands of students, many of whom, in turn, become teachers, at college or lower levels.

As these programs have been administered in the past, the large, well-established centers of graduate study, chiefly in the North East and on the West Coast, have profited by a disproportionate allotment of fellowships. Last year, Virginia, with 2.3% of the national population, received only 1.5% of the fellowships. The amendment passed this year will require that distribution of fellowships be made in light of regional and population considerations and should improve opportunities for graduate students in those parts of the country which most need to accelerate their educational efforts.

A major piece of legislation—of special interest to many Virginians—fared less well. A bill to promote control of water pollution throughout the nation died during the closing hours of the session. I was particularly disappointed that existing statutory provisions on the subject of oil pollution were not strengthened, as they would have been if a Senate-passed version of the water pollution control bill had been accepted by the House of Representatives. During the past two years we in Virginia have witnessed several major oil spillages and know first-hand of the need for revision and up-dating of the law in this area.

Senator EDMUND MUSKIE, who is chairman of the Senate Air and Water Pollution Subcommittee, has indicated that a new bill will be introduced shortly after the Ninety-First Congress convenes in January. As a member of the subcommittee I look forward to participating in the formulation of this legislation and hope that effective measures can be enacted.

The Federal Aviation Administration opened hearings in September on proposals for new regulations on air traffic at high density airports in the Washington, New York and Chicago areas. I gave testimony on the first day of the hearings and recommended a reduction in the number of air carrier operations at National Airport and increased use of Dulles International Airport.

The FAA is to be commended for its efforts to deal with the increasingly serious problem of air congestion, but their proposed limit of forty commercial air operations per hour at National is too high. In order to cope with the delay, noise, air pollution and safety problems which are caused by the extreme congestion at National, a lower limit must be set. Such a lower limit would encourage diversion of flights to Dulles, which, after all, was designed and built to serve Washington in this jet age.

The Senate defeated an amendment intended to change Navy ship repair policy so that such work would be opened to competitive bidding to shipyards up and down both the East and West Coasts in cases where the work would not be performed at a ship's home port. Under present policy, such work must be done by competitive bidding within the same naval district in which the ship involved has its home port.

While the amendment had initial appeal because it dealt with competitive bidding, I joined in efforts to defeat it because there were no exceptions for ship repairs in emergency situations or for nuclear-powered ships requiring special repair facilities and because the Senate Committees involved had taken no testimony from the Navy on the implications of this far-reaching proposal.

SENATOR CITES HIGHLIGHTS OF SESSION

A number of significant measures received favorable action during the last session of Congress, including the Omnibus Crime Bill, a code of ethics for the Senate, a unique new housing bill, and long-awaited truth-in-lending legislation. Because of their importance, I have discussed each of them below. I would welcome any comments or questions.

CRIME CONTROL

One of the most important measures enacted this year is the Omnibus Crime Control Act. Perhaps its key feature is a program of direct federal aid to the states to promote improved law enforcement at the local level. Virginia has already acted under this program to establish a sixteen-man State Law Enforcement Planning Council composed of law enforcement officers and other officials who have worked to secure better crime control in the state. The Council is receiving an initial $81,000 to hire a director and permanent staff, and it is estimated that an additional $1,000,000 will become available during the current fiscal year for local and state law enforcement agencies.

Also included in the Crime Control Act are provisions which authorize wiretapping by federal, state and local law enforcement officials in connection with suspected crimes. The Act requires, however, that court approval be obtained prior to such wiretapping. Another section broadens the discretion of trial judges in determining the admissibility of certain confessions in federal criminal trials, thereby removing obstacles to successful prosecution of a number of criminal cases.

CODE OF ETHICS

Public confidence in elected officials—weakened by several cases of wrong-doing and dubious conduct in recent years—has undergone a serious decline. This loss of faith is particularly disturbing, coming, as it has, at a time when the American people are divided on so many issues and confidence in their leaders is so essential. To regain this confidence the people must have the opportunity to judge for themselves whether their officials are serving personal ends rather than meeting the high obligations of public trust. For this reason, in my campaign I pledged to make an annual public report on my assets and income and promised to introduce a bill requiring public disclosure by all members of Congress.

The Senate Ethics Committee, to which my bill was referred, considered it and other proposals for a code of ethics, and last spring it made its recommendations to the full Senate. The code of ethics was adopted as recommended by the Committee. Although it does require that Senators report their incomes and assets to the Secretary of the Senate, it does not require that these reports be made public. Other Senators and I supported unsuccessful efforts at the time to amend the Committee's version of the code and require public financial disclosure. Although I regard this as a serious defect, the code passed last spring is good in many respects and constitutes a substantial improvement in regulation of the conduct of public officials.

HOUSING ACT

In the early summer Congress passed a housing bill, extending existing housing programs and establishing several very significant new ones. As a member of the Committee on Banking and Currency, which considers housing measures, I had an opportunity to participate in the development of this legislation. Provision of adequate housing is one of this country's most important domestic needs. The new housing act incorporates two features which promise much.

First, the new programs are designed to draw on the managerial talent and capital resources of the private sector of the economy. They recognize that government alone cannot, and should not, resolve the nation's housing problems, and they seek to broaden our approach to these problems by placing increased reliance upon private enterprise.

Secondly, the new programs should promote greater homeownership on the part of moderate and low income families. When families attain homeownership they gain new pride, identification and responsibility as members of their communities.

TRUTH-IN-LENDING

Another major piece of legislation which came from the Banking and Currency Committee this year is the Truth-in-Lending Bill. For the ordinary citizen the intricacies of many financing methods and devices are difficult to understand. It has been too easy in the past for disreputable persons and organizations to take advantage of public ignorance in the complicated field of financing.

This Truth-in-Lending Law seeks to give the ordinary citizen the opportunity to judge, in terms he can understand, the financial commitments he makes. Proposals in this area have been considered and debated for a number of years, and final action has been long due.

District of Columbia Parking, Prince William Land Bills Pass Senate, Die in House

As a member of the Senate Committee on the District of Columbia, Senator Spong went to conference with members of the House of Representatives and later guided through the Senate a District Parking Bill, which would have established a parking authority for the District of Columbia to serve the parking needs of visitors, federal employees, and area residents.

The compromise conference bill was satisfactory to most persons who had been deeply involved in efforts to obtain a parking bill, but the House was unable to act on the measure before adjournment, and it died in the closing hours of the session.

As chairman of the Fiscal Affairs Subcommittee of the District Committee, Senator Spong held hearings on and later guided through the Senate a bill to permit the District government to sell to Prince William County a large section of land along the Potomac River for use as a sanitary landfill and future recreation area.

Both the County and the District approved of the bill. Again, however, time ran out in the House of Representatives. Senator Spong plans to present the bill to the Senate next year and, hopefully, the House can act on the bill under parliamentary procedures which were not used in the last days of the 90th Congress.

Impacted Aid Fund Released

Following months of maneuvering and continued pressure from Congress, the Administration in late October finally released funds which it had withheld from the impacted areas aid program of direct grants to local school systems with high concentrations of federal dependents.

Release of the money will mean an additional $5.4 million for some 53 Virginia school districts—more than in any state other than California. The action came under provisions of an amendment sponsored by Senators Spong, Abraham Ribicoff and Karl Mundt.

Under the impacted areas aid program appropriations have always come close to the full authorization, and school districts have come to anticipate almost 100% of their entitlement in their budgeting procedures. Without this amendment the affected schools would have received only 80% of their entitlements.

High Attendance

When the final figures on attendance and votes in the Senate were compiled following adjournment, they again showed Senator Spong ranking close to the top. He was present and voted on 94% of the 281 roll call votes—a record topped by only six of his colleagues. The Senate as a whole averaged less than 76% this year. The Virginia senator's record during the second session actually bettered his high standing of the first session in 1967, when he ranked eighth with an attendance rate of 93%.

SUPPLEMENTAL REPORT OF SENATE MINORITY LEADER, EVERETT McKINLEY DIRKSEN

Hon. EVERETT McKINLEY DIRKSEN

OF ILLINOIS

IN THE SENATE OF THE UNITED STATES

Monday, October 14, 1968

Mr. DIRKSEN. Mr. President, I ask unanimous consent that a summary of laws and treaties of general interest be published as a part of my remarks in the Record, and I ask also that it be published as a document.

There being no objection, the material was ordered to be printed in the Record, as follows:

Agriculture

Amendment of Commodity Exchange Act (Public Law 90–258; approved February 19, 1968): This law (H.R. 13094) amended the Commodity Exchange Act, as amended, to (1) require that futures commission merchants meet specified minimum financial standards, (2) increase the penalties for certain law violations such as manipulation and embezzlement, (3) add livestock and livestock products to the commodities regulated under the act, (4) authorize the issuance of cease-and-desist orders, after full opportunity for hearing and appeal to the courts, in cases where persons have been found guilty of violation of the law, (5) require contract markets to endorse their rules relating to trading, and authorize the Secretary of Agriculture to disapprove rules made or proposed which violate or would violate provisions of the act, regulations, or orders of the Commission, and (6) spell out in detail certain administrative procedures which have long been followed, and which are clearly for the purpose of accomplishing the original intent of the act.

Agriculture Fair Practices Act of 1967 (Public Law 90–288; approved April 16, 1968): This law (S. 109) provided for control of unfair trade practices affecting producers of agricultural products and associations of such producers and protection of the agricultural producer's right to decide, free from improper pressures, whether or not he wishes to belong to an association of producers. The law prohibited such practices as coercion, discrimination, intimidation, bribery, falsehood, and conspiracy. It contained a disclaimer of intention to prohibit normal dealing between producers and handlers or to compel dealings between handlers and associations.

The law provided for enforcement by injunctive action on application of the aggrieved party or the Secretary of Agriculture through the Attorney General, or by civil action for compensatory damages. The law stated that its provisions were not to be construed to change or modify existing State law.

Emergency Farm Loan Funds (Public Law 90–328; approved June 4, 1968): This law (S.J. Res. 168) authorized and directed the Commodity Credit Corporation to make advances not to exceed $30 million to the Emergency Credit Revolving Fund, such advances to be repaid later with interest out of appropriations to the fund.

Farm Credit Administration Amendments (Public Law 90–345; approved June 18, 1968): This law (H.R. 16674) amended the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, to improve the capitalization of Federal intermediate credit banks (FICB's) and production credit associations (PCA's) by: (1) increasing the debt-to-capital ratio of the Federal intermediate credit banks from a 12-to-1 ratio to 20 to 1, thereby permitting them to borrow more funds from investors; (2) permitting each FICB to issue and sell participation certificates to other financing institutions; (3) authorizing each FICB to equalize the ownership of the PCA's in its reserve account in reasonable proportion to the business done during the previous 3 years; and (4) permitting the cancellation and retirement of class B stock of PCA's under Farm Credit Administration rules.

Federal Employment Conditions for Former Agricultural County Committee Employees (Public Law 90–367; approved June 29, 1968): This law (S. 1028) amended title 5, United States Code, to extend certain benefits to and facilitate the hiring of qualified personnel in positions in the Department of Agriculture by removing certain impediments to the recruitment of experienced county committee employees of the Agricultural Stabilization and Conservation Service (ASCS).

Lease and Transfer of Certain Tobacco Acreage Allotments (Public Law 90–387; approved July 5, 1968): This law (H.R. 17002) amended the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938 to remove the statutory requirement for consent of the lienholder to a 1-year lease of a fire-cured, dark air-cured, or Virginia sun-cured tobacco allotment.

Extension and Amendment of Public Law 480, 83d Congress (Public Law 90–436; approved July 29, 1968): This law (S. 2986) amended the Agricultural Trade Development and Assistance Act of 1954, as amended, to extend Public Law 480 for 2 years to December 31, 1970, and to authorize total appropriations not to exceed $1.9 billion per year for title I (sales) and not to exceed $600 million per year for title II (donations). The law also provided for encouragement of voluntary programs to control population growth; broadened existing use of foreign currencies to extend it to all cultural and educational exchange programs; made it mandatory that the President require immediate payment by recipient countries where needed in dollars or foreign currencies for payment of U.S. obligations; required the President to take steps to assure that this country receives a fair share of any increase in commercial purchases of agricultural commodities by participating countries; required the President to assure convertibility of foreign currencies for payment of wages earned in development of works of public improvement and for procurement of materials or commodities in the purchasing countries; authorized use of foreign currencies for rodent, weed, insect, and other plant and animal pest control; limited barter to bilateral contracts in addition to offshore procurement; reduced the size of the advisory committee and required four meetings each calendar year; and prohibited financing of exports by persons engaged in commerce with North Vietnam.

Amendment of Consolidated Farmers Home Administration Act of 1961 (Public Law 90–488; approved August 15, 1968): This law (S. 1504) amended the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for loans for enterprises to supplement farm income and for farm conversion to recreation, remove the annual ceiling on insured loans, increase the amount of unsold insured loans that may be made out of the fund, raise the aggregate annual limits on grants and establish a flexible loan interest rate.

Wholesome Poultry Products Act (Public Law 90–492; approved August 18, 1968): This law (H.R. 16363) amended the Poultry Products Inspection Act to authorize establishment of a Federal-State cooperative inspection service for poultry products comparable to that provided under the Federal Meat Inspection Act, as amended in 1967. The law sought to encourage the States to enact and administer effective mandatory inspection programs under State administration or joint administration with the Federal Government through development of trained staffs and provision of funds by the Government. It allowed 2 years for the States to implement such a system and extended Federal inspection and regulation to poultry processed for shipment within the States where the States do not enforce requirements at least equal to Federal requirements after the 2 years.

It was estimated that additional Federal costs would be $5 million for the first full year of operation and about $10 million annually when all 50 States were cooperating and paying 50 percent of the total cost.

APPROPRIATIONS

Bureau of Employment Security Supplemental Appropriation, Fiscal 1968 (Public Law 90-286; approved April 12, 1968): This law (H.J. Res. 1229) made supplemental appropriation for fiscal 1968 of $28 million for unemployment compensation for Federal employees and ex-servicemen. This action was necessitated by delay in congressional action on H.R. 15399, Urgent Supplemental Appropriation Act of 1968.

Treasury-Post Office Departments Appropriations, Fiscal 1969 (Public Law 90-350; approved June 19, 1968): This law (H.R. 16489) made appropriations of $1,780,653,000 for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for fiscal year 1969.

The Treasury Department total was $1,007,960,000. The Post Office Department total was $750,176,000. For the Executive Office of the President the total was $18,596,000, including the emergency fund for the President and expenses of management improvement. The total for independent agencies was $3,921,000, including funds for the Tax Court of the United States and the Advisory Commission on Intergovernmental Relations.

Continuing Appropriations, Fiscal 1969 (Public Law 90-366; approved June 20, 1968): This law (H.J. Res. 1368) provided for financing continuing Government functions with respect to which annual appropriations bills had not been signed into law prior to July 31, 1968.

Second Supplemental Appropriation Act, 1968 (Public Law 90-392; approved July 9, 1968): This law (H.R. 17734) provided $6,295,831,408 in supplemental appropriations for various departments and agencies for fiscal 1968. The largest items went for the Department of Defense military activities, welfare, and increased pay costs. (Funds transferred or released brought the total available for expenditure to nearly $9 billion.)

Legislative Branch Appropriations, Fiscal 1969 (Public Law 90-417; approved July 23, 1968): This law (H.R. 18038) made appropriations in the amount of $298,151,396 for the legislative branch for fiscal 1969. The Senate total was $47,082,247; the House, $85,039,420.

Other agencies for which appropriations were included in this law were the Library of Congress, the Office of the Architect of the Capitol, and the Government Printing Office.

Interior Department Appropriations, Fiscal 1969 (Public Law 90-425; approved July 26, 1968): This law (H.R. 17354) made appropriations of $1,284,989,300 for the Department of the Interior and related agencies for fiscal 1969.

The Interior Department total was $829,261,300. For related agencies the total was $455,728,000, including funds for the Forest Service, the Public Health Service, the Indian Claims Commission, the National Capital Planning Commission, the National Capital Transportation Agency, and the National Foundation on the Arts and the Humanities.

Continuing Appropriations, Fiscal 1969 (Public Law 90-447; approved July 31, 1968): This law (H.J. Res. 1420) provided for financing continuing Government functions with respect to which annual appropriations bills had not been signed into law prior to September 30, 1968.

Department of Agriculture and Related Agencies Appropriations, Fiscal 1969 (Public Law 90-463; approved August 8, 1968): This law (H.R. 16913) made appropriations of $5,581,296,650 for the Department of Agriculture and related agencies for fiscal 1969. The total included $1,828,772,650 for general activities of the Department; $553,635,000 for REA and FHA; $3,148,889,000 for the Commodity Credit Corporation, the Federal Crop Insurance Corporation, Public Law 480, and bartered materials for the supplemental stockpile. The total of funds available for the food stamp program was $225 million. The total loan authorization (electrification and telephone) for REA was $449 million.

Department of Transportation Appropriations, Fiscal 1969 (Public Law 90-464; approved August 8, 1968): The law (H.R. 18188) made appropriations of $1,634,266,000 for the Department of Transportation for fiscal 1969.

Included in the total were funds for: Salaries, expenses, and research, $15,800,000; Coast Guard, $532,000,000; Federal Aviation Administration $857,554,000; and Federal Railroad Administration, $17,900,000.

Further, the total included, under Federal Highway Administration, $1 million for the highway beautification program; $26,500,000 *in new funds for expenses to discharge the* functions of the Secretary with respect to traffic and highway safety; $175 million for urban mass transportation; $30 million for grants-in-aid for airports; and $13 million for high-speed ground transportation.

State-Justice-Commerce Departments Appropriations, Fiscal 1969 (Public Law 90-470; approved August 9, 1968): This law (H.R. 17522) made appropriations of $1,986,721,500 for the Departments of State, Justice, and Commerce, the judiciary, and related agencies for fiscal 1969.

Of this appropriation, the State Department total was $389,802,600; the Justice Department, $505,754,000; the Commerce Department, $758,777,000; the judiciary, $103,229,500; the Commission on Civil Rights, $2,650,000; the Equal Employment Opportunity Commission, $8,750,000; and the U.S. Information Agency, $173,168,000.

District of Columbia Appropriations, Fiscal 1969 (Public Law 90-473; approved August 10, 1968): This law (H.R. 18706) appropriated for the District of Columbia for fiscal 1969 a total of $540,178,998.

Public Works and Atomic Energy Commission Appropriations, Fiscal 1969 (Public Law 90-479; approved August 12, 1968): This law (H.R. 17903) made appropriations of $4,608,421,000 for water and power resources development, including certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, Interstate Commission on the Potomac River Basin, the Tennessee Valley Authority, the Water Resources Council, and the Atomic Energy Commission, for the fiscal year ending June 30, 1969.

Of this total appropriation, the Defense Department total was $1,267,457,000; the Interior Department, $711,111,500; the Atomic Energy Commission, $2,570,874,000; and independent offices, $2,037,547,000.

Appropriations for Military Construction, Fiscal 1969 (Public Law 90-513; approved September 26, 1968): This law (H.R. 18785) made appropriations of $1,758,376,000 for construction at military installations in the United States and abroad, including $583,700,000 for military family housing projects, for fiscal 1969.

Continuing Appropriations, Fiscal 1969 (Public Law 90-541; approved October 1, 1968): This law (H.J. Res. 1461) provided for financing continuing Government functions with respect to which annual appropriations bills had not been signed into law prior to October 12, 1968.

ATOMIC ENERGY

Atomic Energy Commission Appropriation Authorization, Fiscal 1969 (Public Law 90-289; approved April 19, 1968): This law (H.R. 16324) authorized appropriation of $2,618,301,000 for fiscal 1969 for the Atomic Energy Commission. For operating expenses, $2,174,550,000 was authorized, and for plant and for plant and capital equipment, $443,751,000.

CIVIL RIGHTS

Interference With Civil Rights (Public Law 90-284; approved April 11, 1968): This law (H.R. 2516), among other things, strengthened existing law regarding interference with certain civil rights, provided for fair housing and further rights of Indians, and added antiriot and weapons control provisions to the Criminal Code.

The law provided penalties ranging from a $1,000 fine and a 1-year imprisonment to a $10,000 fine and 10 years' imprisonment (possible life imprisonment in case of a death) for persons who, for racial or other discriminatory reasons, interfere with civil rights workers and others trying to exercise federally protected rights, including voting, schooling, employment, union membership, use of public accommodations and transportation, jury service, and participation in federally aided programs.

It provided Federal penalties up to a $10,000 fine and 5 years' imprisonment for persons traveling between States or using interstate communications with intent to incite or organize riots.

It created a "bill of rights" for Indians on reservations, directed the Secretary of the Interior to prepare a model judicial code for Indian courts on reservations, and required that such a code preserve all basic rights accorded all U.S. citizens. It also provided that a State, with the consent of the Indian tribes, could assume civil and criminal jurisdiction over Indian cases.

It prohibited discrimination because of race, color, religion, or national origin in the sale, rental, financing, or advertising of a great percentage of houses and apartments. On enactment, it would apply to federally owned or operated dwellings and federally financed dwellings built since November 20, 1962. It would cover sale or rental of other housing after December 31, 1968, except for specific exemptions, and most private as well as public housing after December 31, 1969. The most important exemptions would apply to the owner-occupant of a single-family dwelling if he handled the sale or rental of that dwelling himself instead of through a real estate agent, "Mrs. Murphy" rooming houses, and religious organizations or private clubs which furnished housing to members. Penalties were the same as those provided for violations respecting interference with federally protected rights (enumerated above), and individuals and the U.S. Attorney General could file civil suits in Federal district courts.

Federal penalties up to a $10,000 fine and 5 years' imprisonment were provided for persons transporting or manufacturing firearms, explosives, or other incendiary devices for use in a riot or civil disorder, persons teaching use of such weapons or devices, or interfering with policemen or firemen at the scene of a civil disorder.

EDUCATION

Extension of Higher Education Student Assistance Programs (Public Law 90–460; approved August 3, 1968): This law (H.R. 16729), in order to continue the guaranteed student loan program to enable students to attend colleges and universities in the fall of 1968, amended the Higher Education Act of 1965 and the National Vocational Student Loan Insurance Act of 1965 to maintain the status quo of the insured loan program until October 31, 1968. It also increased the interest rate to 7 percent through October 31, 1968, but included a provision which would permit an equivalent of the 7 percent to be incorporated into the agreements with those States which have legal impediments to a 7-percent interest factor.

Sea Grant College Authorization (Public Law 90–477; approved August 11, 1968): This law (H.R. 13781) amended title II of the Marine Resources and Engineering Development Act of 1966 (administered by the National Science Foundation) to extend the program for 2 years and authorize appropriations of $6 million for fiscal 1969 and $15 million for fiscal 1970.

Handicapped Children's Early Education Assistance Act (Public Law 90–538); approved September 30, 1968): This law (H.R. 18763) authorized the development and implementation of preschool and early education programs for handicapped children and enabled the Commissioner of Education to make grants or contracts to public and private, nonprofit agencies for these experimental programs in both rural and urban areas. The law also authorized appropriation of $1 million for fiscal 1969, $10 million for fiscal 1970, and $12 million for fiscal 1971 for these projects.

FINANCE AND TAXATION

Savings and Loan Holding Company Amendments of 1967 (Public Law 90–255; approved February 14, 1968): This law (S. 1542) amended section 408 of the National Housing Act, as amended, to provide further regulation of the operations of holding companies which control capital stock savings and loan associations whose accounts are insured by the Federal Savings and Loan Insurance Corporation, by tightening up and further restricting holding company acquisitions and requiring divestiture of some unrelated but legal business activities, by requiring prior written approval by the Federal Savings and Loan Insurance Corporation to incur or renew company debt above 15 percent of the holding company's consolidated net worth, and by providing criminal penalties for violations.

Export-Import Bank Act Amendments of 1967 (Public Law 90–267; approved March 13, 1968): This law (S. 1155) amended the Export-Import Bank Act of 1945, as amended, to (1) change the name to Export-Import Bank of the United States; (2) extend the life of the Bank for 5 years to June 30, 1973; (3) increase the limitation on the amount of loans, guarantees, and insurance permitted to be outstanding at any one time to $13.5 billion; (4) increase the authority to issue export credit insurance and guarantees to $3.5 billion; (5) express the policy of Congress that the Bank should not assist exports to Communist countries, or exports which the Bank knows are principally for use in or sale to a Communist country, except when the President determines that such assistance would be in the national interest and so reports to the Senate and the House of Representatives; (6) prohibit the extension of military credits to less developed countries except when the President finds it in the national interest; (7) restrict the outstanding insurance, guarantees or credits to 7½ percent of the total loan authorization; and (8) permit the Bank to pay allowances to its Advisory Committee members comparable to that paid other consultants.

Removal of Gold Cover (Public Law 90–269; approved March 18, 1968): This law (H.R. 14743) eliminated the requirement that each Federal Reserve bank maintain reserves in gold certificates of not less than 25 percent against its Federal Reserve notes in actual circulation and also the $156 million gold reserve requirement for U.S. notes and Treasury notes of 1890, in order to support the U.S. position in international trade and finance.

Extension of Auto and Communication Services Excise Taxes (Public Law 90–285; approved April 12, 1968): This law (H.J. Res. 1223) continued until May 1, 1968, the expired excise tax rates on autos (7 percent) and communication services (10 percent). This action was necessitated by delay in congressional action on H.R. 15414, Tax Adjustment Act of 1968.

Extension of Federal Reserve Direct Purchase Authority (Public Law 90–300; approved May 4, 1968): This law (H.R. 15344) amended section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years, to June 30, 1970, the authority of the Federal Reserve banks to purchase U.S. obligations directly from the Treasury in amounts not to exceed $5 billion outstanding at any one time.

Revenue and Expenditure Control Act of 1968 (Public Law 90–364; approved June 28, 1968): This law (H.R. 15414) provided for increased revenues, limitation on expenditures and new obligational authority, and Social Security Act amendment.

Major provisions of Title I (1) provided an income tax surcharge of 10 percent annually, effective for corporations January 1, 1968, and for individuals April 1, 1968, to apply to both until July 1, 1969; (2) made provision for a speedup of corporate tax payments by increasing from 70 to 80 percent of estimated tax which a corporation had to pay currently and by eliminating over a 10-year period the present $100,000 corporate exemption from estimated tax, provided for "quickie" refunds of overpayments of estimated tax, and eliminated the requirement that corporations file a declaration with the first estimated tax payment; (3) continued the excise tax rates of 7 and 10 percent respectively on new passenger automobiles and telephone services to January 1, 1970, and provided for their gradual reduction and elimination by January 1, 1973; (4) stipulated that deposits of estimated taxes mailed by taxpayers at least 2 days before the due date be considered as received on time, even if the deposits were received after the due date; (5) provided that interest on industrial development bonds generally would be taxable with respect to issues on or after May 1, 1968, unless specified commitments were made before that time (except for bond issues of less than $1 million and of specified categories); (6) provided deductions for advertising expenses in a presidential convention program under certain circumstances; and (7) exempted from Federal taxation facilities operated jointly by tax-exempt hospitals.

Title II provided that (1) only three out of four vacancies for full-time permanent employees in the executive branch could be filled in any month the employment level for that branch exceeded the June 30, 1966, level and temporary and part-time employees in the executive branch were limited to the number on the rolls in the corresponding month of 1967; (2) Federal expenditures and net lending in fiscal 1969 be reduced by $6 billion from the 1969 budget level of $186.1 billion, except for increases which might occur for expenditures related to Vietnam operations, debt interest, veterans' services and benefit payments, and payments from social security trust funds; (3) total new obligational and loan authority for fiscal 1969 be reduced $10 billion from the 1969 budget figure of $201.7 billion, with the above exceptions; and (4) the President make a report with specific recommendations for legislation rescinding not less than $8 billion of unobligated balances with the 1970 budget.

Title III provided that (1) the limitation on Federal financial participation in the aid to families with dependent children (AFDC) program applicable under present law be postponed for 1 year to July 1, 1969, and the allowable level for any State under the program take into account any addition in the average monthly number of dependent children in a State coming within this category as a result of a court decision with respect to the State's residency or "man-in-the-house" requirements; (2) payments under AFDC unemployed fathers program during those weeks in which the father received unemployment compensation payments be prohibited; and (3) the period which the Federal Government was to continue making payments under title XIX coverage for medical services to aged medically needy persons in a State which had not purchased supplementary medical insurance on their behalf be extended from January 1, 1968, to January 1, 1970.

Bank Protection Act of 1968 (Public Law 90–389; approved July 7, 1968): This law (H.R. 15345), in order to safeguard the financial integrity of the Federal Savings and Loan Insurance Corporation (FSLIC) (which provides savings account insurance for federally chartered savings and loan associations and for 2,400 State-chartered associations), directed the Federal supervisory agencies—Federal Home Loan Bank Board, Federal Reserve Board, Comptroller of the Currency, and Federal Deposit Insurance Corporation—to promulgate within 6 months of enactment rules establishing minimum standards with which each institution must comply with respect to the installation, maintenance, and operation of security devices and procedures, reasonable in cost, to discourage external crimes and to assist in the identification and apprehension of persons committing such acts. Civil penalties up to $100 for each day of noncompliance would be imposed upon banking institutions held to be in violation of the regulations.

The law directed the supervisory agencies to consult with companies which offer insurance against external crime against banks, and State insurance supervisors, to determine the feasibility of premium rate differentials based on compliance with security requirements of the law, and to report to Congress the results of their consultations not later than 2 years after enactment.

In addition, the law amended the National Housing Act (1) to empower the Federal Home Loan Bank Board to appoint the FSLIC as receiver for State savings and loan associations under certain stated circumstances, and (2) to apply to State associations in FSLIC receivership, the provisions which authorize the Board to adopt regulations for associations in receivership; for the conduct of receiverships; and for the exercise of functions by members, directors, or officers of an association during a receivership. The Board also was authorized to enforce the section including rules and regulations issued thereunder. In addition, the Board was permitted to act in its own name and through its own attorneys. The FSLIC as receiver was empowered to buy at its own sale subject to the approval of the Board. Prompt judicial review of the Board's appointment of the FSLIC as receiver was provided for.

Extension of Margin Requirements to Over-the-counter Securities (Public Law 90–437; approved July 29, 1968): This law (S. 1299) amended the Securities Exchange Act of 1934 to permit the Federal Reserve Board to issue regulations extending margin requirements to those over-the-counter (OTC) securities which are actively traded and where there is sufficient market liquidity, in order to enable brokers and dealers to extend credit subject to the Board's margin requirements and to limit the amount of credit that banks may extend on such securities.

Effect of Institutional Investors on the Securities Markets (Public Law 90–438; approved July 29, 1968): This law (S.J. Res. 160) amended the Securities Exchange Act of 1934 to authorize and direct the Securities and Exchange Commission to study the purchase, sale, and holdings of securities by all institutional investors in order to determine the effects of such transactions upon the maintenance of orderly securities markets. It also directed the Commission to report results of the study to Congress by September 1, 1969, and authorized appropriation of $875,000.

Full Disclosure of Corporate Equity Ownership (Public Law 90–439; approved July 29, 1968): This law (S. 510) amended the Securities Exchange Act of 1934 to provide for full disclosure of corporate equity ownership of securities under the Securities Exchange Act.

Extension of Interest Rate Controls (Public Law 90–505; approved September 21, 1968): This law (S. 3133) extended for 1 year and broadened the authority for the financial regulatory agencies (the Federal Reserve Board, the Federal Deposit Insurance Corporation, and the Federal Home Loan Bank Board) to control interest rates or dividends, reserve requirements, and open market operations in agency issues. It also provided the Federal Reserve Board with new authorities for stabilizing the flow of mortgage credit during periods of tight money and gave the regulatory agencies authority to regulate advertising to assure such advertising is not misleading.

GOVERNMENT

National Visitor Center Facilities Act of 1968 (Public Law 90–264; approved March 12, 1968): This law (H.R. 12603), in Title I, authorized the Secretary of the Interior, in consultation with the Administrator of the General Services Administration, to make agreements and leases with The Washington Terminal Company for the use of its property, the Union Station in the District of Columbia, for a National Visitor Center and a 4,000-vehicle parking facility in connection therewith, the leases to be for not more than 25 years and not to exceed a total annual cost of $3,500,000. The Company would construct a new railroad passenger station in the area, and make such alterations of the Union Station as the Secretary determines necessary, the total cost of all alterations and construction not to exceed $16 million (except total cost of such alterations shall not exceed $5 million). A Government-owned heliport at the National Visitor Center parking facility was authorized. The Secretary would make a continuing study of the needs of visitors to the Washington metropolitan area and recommend acquisitions, alterations, or construction of needed facilities.

Title II established a National Visitor Facilities Advisory Commission to conduct a continuing review of the National Visitor Center and continuing studies regarding additional facilities.

Title III authorized the Architect of the Capitol, in consultation with the House Office Building Commission and the Senate Office Building Commission, to provide space and facilities in the Capitol Building for an educational and informational center and information and distribution stations for visitors to the Capitol Building.

Jury Selection and Service Act of 1968 (Public Law 90–274; approved March 27, 1968): This law (S. 989) provided new judicial machinery for the selection, without discrimination, of Federal grand and petit juries by providing for random selection of juror names from the voter lists of the district or division in which court is held; by stating ineligibility conditions; by defining the roles of judges, clerks, and jury commissioners in the selection process; by eliminating certain statutory vagueness; and by raising juror and witness fees. The law also made specific provision for the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, and the Canal Zone.

Abusive and Harassing Telephone Calls (Public Law 90–299; approved May 3, 1968): This law (S. 375) amended the Communications Act of 1934 to make it a Federal offense to make obscene or harassing telephone calls in interstate or foreign commerce or within the District of Columbia. It provided for a fine of not more than $500 nor imprisonment for more than 6 months, and cited certain specific offenses.

Automobile Insurance Investigation (Public Law 90–313, approved May 22, 1968): This law (S.J. Res. 129) authorized and directed the Secretary of Transportation, in cooperation with other Federal agencies, to conduct a comprehensive 24-month study and investigation of the existing compensation system for motor vehicle accident losses. The Secretary, not later than 24 months after date of enactment, was required to submit to the President and the Congress a detailed statement of his findings, conclusions, and recommendations. The law authorized appropriation of not to exceed $2 million to carry out the provisions of the law.

Protection of Major Presidential or Vice Presidential Candidates (Public Law 90–331, approved June 6, 1968): This law (H.J. Res. 1292) authorized the United States Secret Service to furnish protection to persons determined by the Secretary of the Treasury, after consultation with an advisory committee composed of the Speaker of the House of Representatives, the minority leader of the House, the majority leader of the Senate, the minority leader of the Senate, and another member selected by the committee, as being major presidential or vice presidential candidates. The law also appropriated $400,000 for the fiscal year ending June 30, 1968, for carrying out the provisions of the law.

Amendment of Federal Voting Assistance Act of 1955 (Public Law 90–343, approved June 18, 1968): This law (S. 2884) amended the Federal Voting Assistance Act of 1955 by recommending that the several States take immediate legislative or administrative steps to provide that absentee registration and voting procedures be extended to all citizens temporarily residing abroad.

Amendment of Federal Voting Assistance Act of 1955 (Public Law 90–344, approved June 18, 1968): This law (S. 1581) amended the Federal Voting Assistance Act of 1955 by recommending to the States that they modify their absentee registration and absentee voting laws to enable military personnel and their dependents and for civilian members overseas to vote when they are absent from their place of residence.

Additional Circuit Judgeships (Public Law 90–347, approved June 18, 1968): This law (S. 2349) provided additional circuit court judgeships, as follows: Third Circuit—added one permanent judgeship; Fifth Circuit—made four temporaries permanent and added one permanent; Sixth Circuit—added one permanent; Ninth Circuit—added four permanent; Tenth Circuit—added one permanent.

Amending the National Foundation on the Arts and the Humanities Act of 1965 (Public Law 90–348, approved June 18, 1968): This law (H.R. 11308) amended the National Foundation on the Arts and the Humanities Act of 1965 to extend funding of general arts, humanities, and State arts programs for 2 fiscal years, 1969 and 1970.

The law authorized appropriation of $16 million for fiscal 1969 and $18 million for fiscal 1970, plus funds to match private gifts and necessary administrative funds. It also provided that the aggregate of funds appropriated to match private gifts for fiscal 1969 and fiscal 1970 cannot exceed $13.5 million.

Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90–351; approved June 19, 1968): This law (H.R. 5037) provided for assistance to State and local governments in reducing the incidence of crime, and for an increase in the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government.

Title I authorized planning grants, law enforcement assistance grants, and grants for training and research. It authorized appropriation of $100,111,000 for fiscal 1968 and 1969, $300 million for fiscal 1970, and for succeeding fiscal years such sums as the Congress might authorize, the funds to be allocated generally in block grants to the States rather than in direct grants to local communities (funds would be given to the States for allocation to communities in each State under a statewide plan to be administered by a planning agency appointed by the Governor). For fiscal years 1968 and 1969, the law authorized $25 million for planning grants and, among other things, provided that $100,000 be allocated to each State, the remainder of the appropriation to be allocated among the States according to population; authorized $50 million for law enforcement assistance grants (85 percent to be allocated among States on a population basis—block grants) for such things as (1) methods, devices, and equipment, (2) recruitment and training, (3) public education, (4) construction, (5) combating organized crime, (6) riot control, (7) recruitment, etc., of service officers, and (8) salaries; and authorized $25,111,000 for training, education, research, and demonstration projects and established within the Department of Justice a National Institute of Law Enforcement to encourage research and demonstrations in law enforcement methods. The programs would be administered in the Justice Department by a three-member Law Enforcement Administration under the general authority of the Attorney General.

Title II provided that a confession by a defendant be admissible in evidence in a Federal court if it were voluntary, the trial judge to determine voluntariness on specified circumstances surrounding the confession; permitted the police to hold a suspect in custody for up to 6 hours (or more in certain circumstances); and provided for the admissibility in evidence of eyewitness testimony in any Federal criminal trial.

Title III prohibited all wiretapping and electronic surveillance by persons other than duly authorized law enforcement personnel who engaged in the investigation or prevention of specific types of serious crimes and who obtained a court order (but with no limitation on the constitutional power of the President to take such measures as he deems necessary to protect the Nation, and with limited exceptions for FCC and communications common carrier employees); required police to get a warrant before setting taps or bugs except in emergencies; provided penalties for unlawfully intercepting wire or oral communications; permitted contents of wire and oral communications intercepted in accordance with the standards contained in this law to be used in judicial proceedings; and established a National Commission for the Review of Federal and State Laws Relating to Wiretapping and Electronic Surveillance which would make a comprehensive 6-year study of such laws and of the effectiveness of this law and to report within 1 year thereafter.

Title IV prohibited shipment in interstate or foreign commerce of handguns and ammunition to individuals and sale to nonresidents of a State of handguns (rifles and shotguns were specifically excluded); banned transportation in interstate or foreign commerce by an individual of destructive devices (such as a bomb or hand grenade), machineguns, or sawed-off shotguns; prohibited sale of handguns to persons under 21; required dealers to keep records; prohibited sale of firearms to felons, fugitives, and persons indicted as felons; required importers, manufacturers, or dealers to obtain Federal licenses and set license fees; set penalties for violations; and repealed the Federal Firearms Act of 1938.

Other titles provided disqualification for Federal or D.C. employment for 5 years of persons convicted of engaging in riots and/or civil disorders; required appointment by the President and confirmation by the Senate of all future FBI Directors; made possession or receipt of firearms by certain specified categories of persons unlawful and provided penalties; permitted the Federal Government to appeal a successful motion by a defendant to suppress evidence; authorized issuance of search warrants to search for and seize property constituting evidence of a criminal offense in violation of U.S. laws; made extortion and threats to persons and property in the District of Columbia a felony; and provided if any part of this law were held invalid the rest of the law would not be affected.

Monday Holidays (Public Law 90–363; approved June 28, 1968): This law (H.R. 15951) provided for uniform annual observances of certain legal public holidays on Mondays (Washington's Birthday, Memorial Day, Labor Day, Columbus Day, Veterans Day).

Payroll Savings Deductions for Federal Employees (Public Law 90–365; approved June 29, 1968): This law (H.R. 6157) amended section 3620 of the Revised Statutes to authorize a disbursing officer of a Federal department or agency to make payment in the form of one, two, or three checks by sending to each financial organization designated by an employee a check for credit to the checking account, for deposit of savings, or for purchase of shares for such employee.

Technical Assistance to State Correctional Institutions (Public Law 90–371); approved July 1, 1968): This law (H.R. 15216) authorized the Federal Bureau of Prisons to provide technical assistance to State and local governments in improving their correctional institutions.

Federal Credit Union Act Amendments (Public Law 90–375; approved July 5, 1968): This law (H.R. 14907) amended the Federal Credit Union Act to: Increase the time ceiling on secured loans from 5 to 10 years; increase the unsecured loan limit up to $2,500; permit investment in the shares of State central credit unions; permit the delegation of borrowing authority; require semiannual instead of quarterly audits; and authorize the Bureau of Federal Credit Unions to conduct consumer credit counseling programs for low income persons. The law also made a number of technical changes, and authorized supplementary appropriations for audit and consumer counseling of not to exceed $300,000 for fiscal 1970 and not to exceed $1 million for fiscal 1971.

Penalties for Desecration of the Flag (Public Law 90–381; approved July 5, 1968): This law (H.R. 10480) made certain public acts of desecration of the American flag subject to a fine of not more than $1,000 or imprisonment for not more than one year, or both.

National Science Foundation Act Amendments of 1968 (Public Law 90–407; approved July 18, 1968): This law (H.R. 5404) amended the National Science Foundation Act of 1950 to make changes and improvements in the organization and operation of the Foundation and the National Science Board by (1) broadening the Foundation's mission and giving statutory effect to reorganization plans in regard thereto; (2) strengthening and adding to the functions of the National Science Board; (3) unifying and augmenting the operational authority of the Foundation's Director; and (4) adding a requirement for annual authorizations by the Congress. It also authorized appropriation of $525 million for fiscal 1969.

Extending the Duration of Copyright Protection in Certain Cases (Public Law 90–416; approved July 23, 1968): This law (S.J. Res. 172) extended to December 31, 1969, the renewal term of any copyright subsisting on the date of approval of this legislation, or the term as extended by Public Law 87–668, by Public Law 89–442, or Public Law 90–141 where such term would otherwise expire prior to December 31, 1969. This was the fourth such interim extension of copyrights.

Changes in Passport Laws (Public Law 90–428; approved July 26, 1968): This law (S. 1418) made changes in the passport laws to provide: that a passport shall be valid for 5 years without renewal, unless the Secretary of State limits it to a shorter period; for a uniform fee of $2 for the execution of a passport application and a fee of $10 for the issuance of the passport; for a technical change in categories of persons eligible for no-fee passports; and for elimination of the necessity of successive personal appearances by individuals who have already been issued passports.

USIA Foreign Service Personnel System (Public Law 90–494; approved August 20, 1968): This law (S. 633) provided for establishment of a permanent career system for the Foreign Service operation of the U.S. Information Agency by creating the category of Foreign Service information officer to parallel the State Department Foreign Service officer, by authorizing Foreign Service staff personnel of the Agency with more than 10 years of service to participate in the Foreign Service retirement system, and by limiting the appointment of Foreign Service Reserve officers in the State Department and the USIA to a maximum period of 5 years.

HOUSING VA AND FHA HOUSING AMENDMENTS HOUSING

VA and FHA Housing Amendments (Public Law 90–301; approved May 7, 1968): This law (H.R. 10477) amended existing law with respect to the veterans' home loan program, and amended the National Housing Act with respect to interest rates on insured mortgages.

Among other things, the law increased the maximum amount of the guarantee of VA-guaranteed home loans from $7,500 to $12,500; provided that, until October 1, 1969, the Secretary of Housing and Urban Development could set the maximum interest rates for certain mortgage insurance programs after consultation with the Administrator of Veterans' Affairs, who could establish the VA rate no higher than that prescribed by the Secretary; raised the FHA statutory interest rate for regular rental housing, cooperative housing, housing for the elderly and handicapped, and condominiums program to 6 percent; established a commission to study mortgage interest rates and make recommendations to assure availability of an adequate supply of mortgage credit; and provided for aid to distressed homebuyers who, after relying on VA or FHA construction standards, find structural defects in their properties.

Housing and Urban Development Act of 1968 (Public Law 90–448; approved August 1, 1968): This law S. 3497) authorized a $5.3 billion, 3-year housing program to provide more than 1.7 million units of new and rehabilitated housing for low- and moderate-income families. Major provisions of the law were as follows:

It authorized new programs of subsidies to reduce mortgage interest rates on behalf of lower income families to as low as 1 percent in order to assist them in purchasing or renting new or existing housing which they could not otherwise afford. Eligibility for both the homeowner's and rental programs generally would be limited to families with annual incomes of $3,000 to $6,500, with exceptions possible for high-cost areas and unusually large families.

The law established a special high-risk insurance fund in FHA to encourage FHA to approve home-loan applications from buyers who cannot meet full standards and to make insured loans available in neighborhoods which do not meet present mortgage insurance requirements.

It authorized interest-free loans to cover preconstruction expenses of nonprofit housing sponsors and created a National Homeownership Foundation to provide grants or loans to housing sponsors.

The law authorized HUD to guarantee borrowings of private developers of new communities and to make supplementary grants to States and localities in connection with federally aided water, sewer, and open-space land projects that assist the new community development.

It authorized an alternative form of urban renewal under which a community could elect to carry out a project on the more flexible basis of annual increments of planned renewal activities over the period required for completion in place of the present lump sum commitment for an entire project fully planned in advance.

It increased the maximum rehabilitation grant from $1,500 to $3,000, and extended the provisions of the rehabilitation grant and loan programs for definitely planned rehabilitation or code enforcement areas or where such assistance is needed to bring properties up to reasonable underwriting standards under applicable statewide property insurance inspection plans.

The law required that a majority of the housing units provided in the future in each community's new urban renewal projects redeveloped for residential purposes must be for low- and moderate-income families, including at least 20 percent of all units for low-income families except that under certain conditions the 20-percent requirement can be waived.

It placed FNMA's secondary market operation in a new privately owned corporation. FNMA's special assistance and management and liquidating functions would be retained in HUD, administered by the Secretary through a new Government National Mortgage Association.

It authorized the Farmers Home Administration to make direct and insured loans available to low-income families in rural areas and small towns with interest rates as low as 1 percent, and also authorized a new program of grants and loans to aid self-help housing.

The law authorized a new program of Federal reinsurance against loss from riots and civil disorders for private insurance companies to encourage their writing property insurance in threatened areas. It required compliance of participating companies with a plan designed to secure for all owners of insurable property access to basic lines of property insurance.

It authorized a new program of Federal assistance to private insurance companies to encourage them to provide property insurance against flood hazards.

The law made it unlawful for any developer to sell or lease, by use of the mail or by any means in interstate commerce, any lot in any subdivision of 50 or more lots offered as part of a common promotional plan unless the subdivision is registered with HUD and a printed property report is furnished the purchaser before signing of an agreement for sale or lease.

It authorized a new program of FHA mortgage insurance to cover construction and equipping of nonprofit hospitals.

It authorized an additional $1 billion for fiscal 1970 for the model cities program and an additional $12 million for fiscal 1969 for planning funds for the third round of model cities.

The law supplemented the existing program of 3-percent direct loans for college housing by a new program of interest subsidies for privately financed college housing to reduce the effective rate to the college to 3 percent.

It provided for establishment of national housing partnerships to encourage greater use of private financial resources in increasing the supply of low- and moderate-income housing throughout the country.

INTERNATIONAL AFFAIRS

Increased Participation by the United States in the Inter-American Development Bank (Public Law 90–325; approved June 4, 1968): This law (H.R. 15364) amended the Inter-American Development Bank Act of 1959 to authorize the U.S. Governor of the Bank (the Secretary of the Treasury) to vote for a $1 billion increase in the authorized callable capital stock of the Bank and to agree on behalf of the United States to subscribe its proportionate share of the increase—$411,760,000. The law also authorized appropriate, without fiscal year limitation, of the $411,760,000.

Special Drawing Rights in the International Monetary Fund (Public Law 90–349; approved June 19, 1968): This law (H.R. 16911) authorized the President of the United States to accept the amendment to the Articles of Agreement of the International Monetary Fund to provide for establishing a facility based on Special Drawing Rights in the Fund and giving effect to certain modifications in the rules and practices of the Fund. It also authorized the President to participate in the Special Drawing Account established by this amendment and gave congressional approval.

Peace Corps Act Amendments (Public Law 90–362; approved June 27, 1968): This law (S. 2914) amended the Peace Corps Act, as amended, to authorize appropriation of $112,800,000 for Peace Corps activities in fiscal 1969.

Export-Import Bank Loans (Public Law 90–390; approved July 7, 1968): This law (H.R. 16162) enabled the Export-Import Bank of the United States to approve extension of certain loans, guarantees, and insurance in connection with exports from the United States in order to improve the balance of payments and foster the long-term commercial interests of the United States. The law provided that $500 million of the Bank's present authorization would be set aside as a separate fund, or category, for loans, where there was sufficient likelihood of repayment.

The law also provided that the Bank shall bear any loss up to $100 million and any loss beyond $200 million and that the U.S. Treasury bear only the loss between $100 million and $200 million. It also provided that the Board of Directors of the Bank must submit quarterly reports to Congress of all actions taken under this law.

International Claims (Public Law 90–421; approved July 24, 1968): This law (H.R. 9063) amended the International Claims Settlement Act of 1949, as amended, to provide for disposition of funds received under the terms of claims settlement agreement concluded with the Governments of Bulgaria, Rumania, and Yugoslavia, and to reopen the Italian claims program in order to pay claims of American nationals not previously compensable. It also made several housekeeping provisions felt desirable by the Foreign Claims Settlement Commission.

Prohibiting Fishing in Territorial Waters of the United States (Public Law 90–427; approved July 26, 1968): This law (S. 1752) amended sec. 1 of the act of May 20, 1964 (Public Law 88–308) to make it unlawful for any vessel except a vessel of the United States, or for any master or other person in charge of such a vessel, to engage in activities in support of a foreign fishery fleet within the territorial waters of the United States, or within any waters to which the United States has the same rights in respect to fisheries as it has in its territorial waters, with an exception for rights accorded by international agreement.

Mobile Trade Fairs (Public Law 90–434; approved July 27, 1968): This law (H.R. 18340 amended sec. 212(B) of the Merchant Marine Act, 1936, as amended, to promote the use of U.S.-flag vessels and aircraft and the foreign commerce of the United States through the use of mobile trade fairs, and to extend the program for 1 fiscal year and authorize appropriation of $166,000 for fiscal 1969.

Unlawful Seizure of U.S. Fishing Vessels (Public Law 90–482; approved August 12, 1968): This law (S. 2269) amended the Fishermen's Protective Act of August 27, 1954, to authorize the Secretary of the Interior to enter into cost-sharing agreements with fishing vessel owners covering economic losses including (1) reimbursement for all actual costs incurred as a result of an illegal seizure such as damage to vessel and equipment; (2) the market value of fish caught before seizure of the vessel and equipment; (2) the market value of fish caught before seizure of the vessel and confiscated or spoiled during the vessel's detention; and (3) not to exceed 50 percent of the gross income lost as a direct result of such seizure and detention. It also directed the Secretary of State to collect on such claims by making a mandatory deduction of foreign assistance funds from those nations which illegally seize American-flag vessels on the high seas.

LABOR

Amendment of the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act (Public Law 90–257; approved February 15, 1968): This law (H.R. 14563) amended the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act to provide for increase in railroad retirement benefits.

Title I provided an increase in railroad retirement benefits for persons (including retired employees, wives, widows, parents, children) who will not receive an increase in either their railroad retirement or social security benefits as a result of the recent amendments to the Social Security Act. Title I also made eligible certain disabled widows and widowers and certain additional family members, provided for an increase in the credit for future military service, and liberalized the earnings test for persons eligible for disability annuities under the Railroad Retirement Act. Financing would be from increases in the income of the railroad retirement fund due to recent Social Security Act amendments.

Title II increased by $2.50 per day unemployment and sickness benefits, and provided some restrictions on eligibility.

NATIONAL DEFENSE

Arms Control and Disarmament Act Amendments, 1968 (Public Law 90–314, approved May 23, 1968): This law (H.R. 14940) amended the Arms Control and Disarmament Act, as amended, to authorize appropriations for fiscal years 1969 and 1970 of $18.5 million for the Arms Control and Disarmament Agency and to limit external research, during these years, to $7 million.

Coast Guard Authorization, Fiscal 1969 (Public Law 90–334; approved June 8, 1968): This law (H.R. 15224) authorized appropriations of $136 million to the Coast Guard for fiscal 1969 for vessel and aircraft procurement and construction of shore and offshore establishments, and for bridge reconstruction.

Extending Certain Civil Defense Authorities (Public Law 90–336; approved June 10, 1968): This law (H.R. 15004) amended the Federal Civil Defense Act of 1950, as amended, to extend for 4 years to June 30, 1972, the following authorities: (1) assistance to States for personnel and administrative expenses; (2) procurement maintenance and donation to the States by loan or grant of radiological equipment; and (3) reimbursement for travel and per diem expenses of civil defense students.

The estimated cost for fiscal 1969 would be $22.43 million; 1970, $28.35 million; 1971, $30.24 million; and 1972, $31.74 million.

Extension of the Defense Production Act (Public Law 90–370; approved July 1, 1968): This law (H.R. 17268) extended the Defense Production Act of 1950 for 2 years, to June 30, 1968, and increased the amount available for appropriations for the Joint Committee on Defense Production from $85,000 to $100,000 in any fiscal year.

Congressional Alternate Appointments to Service Academies (Public Law 90–374; approved July 5, 1968): This law (H.R. 13593) amended title 10, United States Code, to increase from five to nine the number of congressional alternates who may be nominated by Members of Congress for possible appointment to the Military, Naval, and Air Force Academies for each vacancy.

Military Construction Authorization, Fiscal 1969 (Public Law 90–408; approved July 21, 1968): This law (H.R. 16703) authorized the Secretaries of Defense, the Army, the Navy, and the Air Force to establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, with total authorizations of $1,800,219,000, including total new authorization of $1,782,844,000 and increase in prior years' authorizations of $17,375,000. This authorization provided $207,104, 000 for Southeast Asia support and $586,700,000 for military family housing.

Authorization for Maritime Programs (Public Law 90–471); approved August 9, 1968): This law (H.R. 15189) authorized appropriations for fiscal 1969 for certain Maritime Administration programs of the Department of Commerce, as follows: (a) acquisition, construction, or reconstruction of vessels and construction-differential subsidy and cost of national defense features incident to the construction, reconstruction, or reconditioning of ships, $200 million; (b) payment of obligations incurred for operating-differential subsidy, $206 million; (c) research and development expenses, $10,960,000; (d) reserve fleet expenses, $5,279,000; (e) maritime training at the Merchant Marine Academy at Kings Point, New York, $5,177,000; and (f) financial assistance to State marine schools, $2,035,000.

Reemployment Rights of Persons Who Perform Military Service (Public Law 90–491); approved August 17, 1968): This law (H.R. 1093) amended the Universal Military Training and Service Act to protect reservists and guardsmen from being disadvantaged in employment because of their military obligations, to extend the court enforcement provisions to the newly protected reservists and guardsmen, and to provide reemployment rights for servicemen who, at the request and for the convenience of the Government, voluntarily or involuntarily serve their country for a period beyond the present 4-year period for which reemployment rights are normally given.

Authorization for Aircraft, Missiles, Naval Vessels, and Tracked Combat Vehicles, Fiscal 1969 (Public Law 90–500; approved September 20, 1968): This law (S. 3293) authorized appropriations for fiscal 1969 of $21,625,750,000 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces. The authorization would also support procurement for the Vietnamese and other free world forces in Southeast Asia. The law extended for 1 year, to June 30, 1969, the authority of the President to order the Ready Reserve to active duty.

Hostile Fire Pay for Members of U.S.S. *Pueblo* (Public Law 90–510); approved September 21, 1968): This law (H.R. 17780) authorized and directed the Secretary of Defense to pay the hostile-fire pay ($65 per month) provided by sec. 310 of title 37, United States Code, to each member of a uniformed service (six officers and 75 enlisted personnel) who was aboard the U.S.S. *Pueblo* at the time of her capture by the military forces of North Korea, for the period beginning January 1, 1968, and ending 1 month subsequent to the repatriation of the crew member concerned.

Military Claims Act Amendment (Public Law 90–522; approved September 26, 1968): This law (H.R. 10482) amended sec. 2733, title 10, United States Code (Military Claims Act) to permit settlement of meritorious claims against the United States by the application of local law to determine whether the negligence of the claimant, his agent, or employee, bars recovery in whole or in part, and clarifies procedure for appeal from the claims determinations made by delegees of the Secretary of the military department concerned.

NATIONAL ECONOMY

Development of Cargo Container Vessels (Public Law 90–268; approved March 16, 1968): This law (S. 2419) amended the Merchant Marine Act of 1936 to prohibit Government interference with free market development of cargo container dimensions or cargo container cell dimensions of cargo container vessels, except when required by military necessity.

Consumer Credit Protection Act (Truth in Lending Act) (Public Law 90–321; approved May 29, 1968): This law (S. 5) provided for safeguarding the consumer in connection with the utilization of credit by requiring full disclosure of the terms and conditions of finance charges in credit transactions or in offers to extend credit; by restricting the garnishment of wages; and by creating the National Commission on Consumer Finance to study and make recommendations on the need for further regulation of the consumer finance industry.

Title I (Truth in Lending Act) required creditors to give the consumer in writing certain specified information, such as periodical and monthly rates of interest and credit insurance, about the extension of credit before the credit was extended. Exemption from the disclosure requirements was provided for small specified amounts.

The law required that advertisements for credit provide enough information to be meaningful.

First mortgages generally came under the disclosure requirements and new restrictions were imposed aiming at ending fraudulent second mortgage practices.

The law imposed restrictions on the amount of money a creditor could garnish from the paycheck of a consumer in debt to him, but the States could avoid Federal regulation by enacting substantially similar legislation.

Creditors violating the law would be subject to civil penalties—in amount equal to the amount of the finance charge with a minimum of $100 and a maximum of $1,000.

The Federal Reserve Board would promulgate rules and regulations applicable to all segments of the credit industry.

The law also made extortionate extensions of credit ("loan sharking") (where the debt is legally uncollectible under State law, is at an annual rate exceeding 45 percent, exceeds $100, and the debtor believes the creditor used extortionate means or the creditor has a general reputation for using extortionate means to enforce repayments) and extortionate means of collecting a Federal offense subject to penalties of $10,000 and/or 20 years imprisonment.

The law provided that disclosure requirements would take effect July 1, 1969; restrictions on credit advertising, July 1, 1969; garnishment requirements, July 1, 1970; and all other provisions upon enactment of the law.

Extension of the State Technical Services Act of 1965 (Public Law 90–422; approved July 24, 1968): This law (S. 3245) extended for 3 years the State Technical Services Act of 1965 providing a matching grant program to the States in furtherance of the effort to promote wider diffusion and more effective application of the findings of science and technology throughout American commerce and industry. It also authorized appropriation of $6,600,000 for fiscal 1969, $10 million for fiscal 1970, and $10 million for fiscal 1971.

NATURAL RESOURCES

Saline Water Conversion Program Amendment and Authorization (Public Law 90–297; approved April 29, 1968): This law (S. 2912) authorized appropriation of $24,556,000 for fiscal 1969 for the saline water conversion program. The law also amended the basic Saline Water Conversion Act to curb the foreign activities of the Office of Saline Water in the Department of the Interior, to continue the program through 1972, to eliminate the overall ceiling on appropriations, and to require annual appropriations authorizations for the program.

Watershed Project Contract Procedure (Public Law 90–361; approved June 27, 1968): This law (S. 2276) amended the Watershed Protection and Flood Prevention Act to permit the Secretary of Agriculture to contract for the construction of works of improvement upon request of local organizations.

Effects of Pesticides Upon Fish and Wildlife (Public Law 90–394; approved July 11, 1968): This law (H.R. 15979) amended the act of August 1, 1958, as amended, to authorize appropriation of $3.5 million for each of fiscal years 1969, 1970, and 1971 to continue the comprehensive continuing study of the effects of pesticides on fish and wildlife resources.

Land and Water Conservation Fund Act of 1965 Amendment (Public Law 90–401; approved July 15, 1968): This law (S. 1401) amended the Land and Water Conservation Fund Act of 1965, among other things to (1) provide that, for a 5-year period, if funds from the sources provided in the Land and Water Conservation Fund Act plus direct appropriations authorized in the law do not total $200 million a year, enough receipts from oil and gas leasing on the Outer Continental Shelf shall be covered into the fund to bring it to the authorized $200 million; (2) repeal the provisions which established a uniform system of admission and user fees for all Federal recreation areas, effective March 31, 1970, and insure, meanwhile, that fees continue to be covered into the fund; (3) authorize the Secretary of the Interior to enter into option contracts for acquisition of lands within national park system areas with expenditures limited to $500,000 a year; and (4) authorize the Secretary of the Interior to accept title to non-Federal lands within a unit of the national park system or miscellaneous area and in exchange therefore to convey land under his jurisdiction that is located in the same State as is the property to be acquired.

Estuarine Areas (Public Law 90–454; approved August 3, 1968): This law (H.R. 25) authorized and directed the Secretary of the Interior, in cooperation with the States, the Secretary of the Army, and other Federal agencies, to conduct a study and inventory of the Nation's estuaries and the waters of the Great Lakes and their natural resources for protection, conservation, and restoration balanced with the need for development of the Nation. The law also authorized appropriation of not to exceed $250,000 for fiscal 1969 and $250,000 for fiscal 1970, such sums to remain available until expended.

Mountain Park Reclamation Project, Oklahoma (Public Law 90–503; approved September 21, 1968): This law (H.R. 9362) authorized the Secretary of the Interior to construct, operate, and maintain the Mountain Park reclamation project in Oklahoma, under Federal reclamation laws, for storing, regulating, and furnishing water for municipal, domestic, and industrial uses, conserving and developing fish and wildlife resources, providing outdoor recreation opportunities, and controlling floods. The law authorized appropriations of $19,978,000 for construction and also authorized appropriation of such sums as may be required for operation and maintenance of the project.

Comprehensive Review of National Water Resource Problems and Programs (Public Law 90–515; approved September 26, 1968): This law (S. 20) established a National Water Commission of seven members appointed by the President to conduct a comprehensive review of national water resource problems and programs and to make its final report thereon to the President and to the Congress within 5 years from the date of the act. The law also authorized appropriation of not to exceed $5 million to carry out the purposes of the law.

Flaming Gorge National Recreation Area (Public Law 90–540; approved October 1, 1968): This law (S. 444) provided for establishment of the Flaming Gorge National Recreation Area in the States of Utah and Wyoming. The estimated costs were expected to average approximately $2.3 million annually for the next 5 years.

National Wild and Scenic Rivers System (Public Law 90–542; approved October 2, 1968): This law (S. 119) provided a threefold classification of the wild and scenic rivers system to be known as wild rivers, scenic rivers, and recreational rivers. It designated eight rivers in the "instant" category of the system, as follows: Clearwater, Middle Fork, Idaho; Eleven Point, Missouri; Feather, California; Rio Grande, New Mexico; Rogue, Oregon; Saint Croix, Minnesota and Wisconsin; Salmon, Middle Fork, Idaho; and Wolf, Wisconsin. Twenty-seven designated rivers or parts of rivers were to be included in the study category.

Important limitations on the powers of the Secretary of the Interior and the Secretary of Agriculture to acquire land within a national wild, scenic, or recreational river area included provisions that fee title might be acquired for an average of no more than 100 acres per river-mile on both sides of the river and that State-owned land might be acquired only by donation. Mining would be allowed to continue, although claims located after the effective date of the act might be subject to regulation to conform to the system.

The law authorized appropriation of $17 million for land acquisition.

National Trails System Act (Public Law 90–543; approved October 2, 1968): This law (S. 827) instituted a national system of trails and provided that the system be composed of three classes: (1) national recreation trails, to be in or reasonably accessible to urban areas; (2) national scenic trails, to be established in parks, forests, and other recreation areas; and (3) connecting or side trails, to provide points of access to national recreation or scenic trails.

The law established the Appalachian Trail and the Pacific Crest Trail as the initial components of the system; prescribed the methods and standards by which additional trails may be included in the system and provided for the study of 14 trails as potential additions, these studies to be made in cooperation with the Federal agencies administering the lands and the interested State and local governments, public and private organizations, landowners, and land users concerned; and provided that the administration and development of the system be in accordance with the established multiple use plans and minimize the adverse effects upon adjacent landowners and users. It limited the acquisition of rights-of-way to 25 acres in any one mile as the trail width, and provided for the reservation of rights-of-way in conveyances under the public land laws.

It also authorized appropriation of $5,000,000 for the acquisition of lands and interests in lands for the Appalachian National Scenic Trail and $500,000 for the inclusion of the

Pacific Crest Trail as an initial component of the national trails system.

Public Welfare

Fire Research and Safety Act of 1968 (Public Law 90–259; approved March 1, 1968): This law (S. 1124) amended the Organic Act of the National Bureau of Standards to authorize, in Title I, the Secretary of Commerce to conduct directly or through contracts or grants a 2-year comprehensive fire research and safety program and authorized appropriation of $5 million for the period ending June 30, 1970. Title II established the National Commission on Fire Prevention and Control to make a thorough study of the national fire problem and to make recommendations for future action in a report to the President and the Congress to be made within 2 years of its establishment. Title II authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary.

Extension of School Lunch Program and Child Nutrition Act (Public Law 90–302; approved May 8, 1968): This law (H.R. 15398) amended the national School Lunch Act to extend, through grants-in-aid and other means, its coverage to institutions providing day care and other nonresidential child care for children from areas in which poor economic conditions existed, areas in which there were high concentrations of working mothers, and areas which provided day-care services for handicapped children (public or private nonprofit institutions such as day-care centers, settlement houses, recreation centers). It authorized appropriations of $32 million annually for fiscal 1969, 1970, and 1971 for the program.

The law also amended the Child Nutrition Act of 1966 to extend, through grants-in-aid and other means, the pilot breakfast program. For this purpose, it authorized appropriations of $6,500,000 for fiscal 1969; not to exceed $10 million for fiscal 1970; and not to exceed $12 million for fiscal 1971.

Vocational Rehabilitation Amendments of 1968 (Public Law 90–391; approved July 7, 1968): This law (H.R. 16819) amended the Vocational Rehabilitation Act to extend the authorization of grants to States for rehabilitation services and broaden the scope of goods and services available under the Act for the handicapped.

The law authorized appropriations of $355 million for fiscal 1969, $565 million for fiscal 1970, $675 million each for fiscal 1971 and 1972, and $565 million for fiscal 1973 and each succeeding fiscal year. Ninety percent of these funds were for grants to States for basic vocational educational programs, and 10 percent for research and training in vocational education. It also authorized $40 million each for fiscal 1969 and 1970 for the disadvantaged and handicapped, and such sums as necessary to pay for development and administration of State plans, advisory councils, evaluation, and dissemination. It required the Commissioner of Education to reserve up to $5 million each year for transfer to the Secretary of Labor for studies of national manpower needs.

The law established a National Advisory Council on Vocational Education; required each State desiring grants to establish a State advisory council and prepare short- and long-range plans.

It authorized grants to the States to assist in conducting vocational education programs for persons of all ages in all communities.

The Commissioner was authorized to use 50 percent of sums available under research and training to make grants to and contracts with institutions of higher education, public and private agencies and institutions, State boards, and local education agencies to support research and training in vocational education, experimental and demonstration programs, and to meet special vocational education needs of new careers and occupations; the remaining 50 percent to be used by the State boards for paying up to 75 percent of costs of the State research coordinating unit and grants to colleges and universities, and other public or nonprofit private agencies and institutions to pay 90 percent of costs of programs for research and training, experimental and pilot programs, and for dissemination of information about the results of the programs.

The law authorized the Commissioner to use 50 percent of sums available to the States for exemplary programs and projects to make grants to or contracts with State boards or local education agencies (or other suitable institutions) for all or part of the costs of bridging a gap for young people between school and earning a living, and for promoting cooperation between public education and manpower agencies. The remaining 50 percent could be used by the State boards for grants to or contracts with local educational agencies or other agencies and organizations to pay all or part of costs of developing and operating exemplary occupational education programs. The law authorized appropriation of $15 million for fiscal 1969, $57.5 million for fiscal 1970, and $75 million for each 1971 and 1972.

For construction and operation of residential schools to provide vocational education for youths fifteen to twenty-one, the law authorized appropriation of $25 million for fiscal 1969, $30 million for fiscal 1970, and $35 million each for fiscal 1971 and 1972, for the Commissioner to make grants to State boards, colleges and universities, and public education agencies; for residential vocational education facilities, the law authorized appropriation of $15 million each for fiscal 1969 and 1970. It also provided the Federal share for planning, construction, and operating cost was not to exceed 90 percent of costs in any fiscal year.

To reduce the cost of borrowing funds for construction of residential schools and dormitories, the law authorized such sums as necessary for the Commissioner to make annual grants to State boards, colleges and universities, and public education agencies.

The law authorized appropriation of $25 million for fiscal 1970, $35 million for fiscal 1971, and $50 million for fiscal 1972 for State programs of education which would encourage home economics to give greater consideration to social and cultural conditions and needs, encourage preparation for professional leadership, prepare youths and adults for the role of homemaker or contribute to their employability as homemaker and wage earner, include consumer education programs, be designed for homemakers, and include ancillary services such as teacher training, curriculum development, and experimental programs.

It authorized appropriation of $20 million for fiscal 1969, $35 million for fiscal 1970, $50 million for fiscal 1971, and $75 million for fiscal 1972 for grants to States for vocational educational programs designed to prepare students for employment through cooperative work-study arrangements. It also authorized appropriation of $35 million each for fiscal 1969 and 1970 for State programs to provide work-study arrangements for students in vocational education.

To promote the development and dissemination of vocational education curriculum materials, the law authorized appropriation of $7 million for fiscal 1969 and $10 million for fiscal 1970 to enable the Commissioner to make grants to or contracts with colleges and universities, State boards, and other organizations.

The law amended the Higher Education Act of 1965 by including a new Part F to title V (Education Professions Development Act). It authorized appropriation of $25 million for fiscal 1969 and $35 million for fiscal 1970 to enable the Commissioner to give Leadership Development Awards to vocational education personnel to attend institutions of higher education which have approved vocational education leadership development programs, including a cost of education allowance payment to the institution of up to $3,500 per year. It also authorized the Commissioner to make grants to State boards to pay the cost of cooperative arrangements for training or retraining experienced vocational education personnel, including exchange of teachers with skilled technicians in industry, inservice training programs, special institutes, and familiarizing teachers with new curricular materials.

The law authorized appropriation of sums necessary for the Commissioner to collect and disseminate complete information on programs of Federal assistance to education; to provide technical assistance to rural schools and institutions of higher education. It required the Commissioner to prepare an annual catalog of all Federal education assistance programs to submit to Congress.

It is also required the Commissioner to study the feasibility of consolidation of education programs, and the means by which Job Corps facilities and programs might be transferred to State or joint Federal-State operation.

The law required the President to make a study of whether the Head Start program should be transferred from the Office of Economic Opportunity to another agency of the Government.

Animal Drug Amendments of 1968 (Public Law 90–399; approved July 13, 1968): This law (H.R. 3639) amended the Federal Food, Drug, and Cosmetic Act to consolidate in one place in the law all of the principal provisions relating to premarketing clearance of new drugs for administration to animals, either directly or in their feed and water.

Aircraft Noise Abatement (Public Law 90–411; approved July 21, 1968): This law (H.R. 3400) amended the Federal Aviation Act of 1958 to authorize and require the Federal Government to establish and apply noise reduction standards to the issuance of certificates under title VI of the Federal Aviation Act, and to prescribe and amend such rules and regulations as are necessary to provide for the control and abatement of aircraft noise.

Juvenile Delinquency Prevention and Control Act of 1968 (Public Law 90–445; approved July 31, 1968): This law (H.R. 12120) authorized the Secretary of Health, Education, and Welfare to make grants of up to 90 percent of matching Federal funds to States, local subdivisions, or nonprofit organizations for planning a comprehensive delinquency prevention and control program; to make grants of up to 60 percent of matching Federal funds to law enforcement agencies, courts, and other correctional institutions for improving the treatment of delinquents under their care, both to improve the use of existing community resources and services and to develop new methods or new institutions for rehabilitating delinquents; and to make grants of up to 75 percent of matching Federal funds to local governmental or nonprofit agencies for improving community based preventive services and for operating special diagnostic treatment or rehabilitative programs for delinquents and potential delinquents.

The law authorized the Secretary to make grants of Federal funds available for research and development pertaining to improving techniques and methods of delinquency prevention and pertaining to treatment and rehabilitation of delinquents, including techniques and practices for training of personnel; and authorized the Secretary to render technical assistance to States, subdivisions, and other crime fighting agencies relating to delinquency prevention or control and to collect and publish information pertaining to the control of delinquency.

It also authorized the Secretary to appoint a committee to advise him regarding the administration of this law and authorized appropriation, for grants and contracts under the act, of $25 million for fiscal 1969, $50 million for fiscal 1970, and $75 million for fiscal 1971.

Design and Construction of Buildings Financed With Federal Funds To Be Accessible to the Physically Handicapped (Public Law 90-480; approved August 12, 1968): This law (S. 222) authorized the Administrator of General Services, in consultation with the Secretary of Health, Education, and Welfare, to prescribe such standards for the design, construction, and alteration of buildings as may be necessary to insure that they will be accessible to and usable by physically handicapped persons; authorized waiver of such regulations where appropriate; and required that grants or loans made by the Federal Government for financing construction of public buildings be made upon the condition that design and construction of such buildings shall comply with the regulations.

Natural Gas Pipeline Safety Act of 1968 (Public Law 90-481; approved August 12, 1968): This law (S. 1166) directed the Secretary of Transportation to establish within 24 months minimum safety standards for gathering, transmission, and distribution of gas by pipeline or its storage, and for pipeline facilities used in the transportation or treatment of gas.

It required each person engaging in transportation of gas or who owns or operates pipeline facilities to: (1) comply with these standards; (2) file and comply with a required inspection and maintenance plan; and (3) permit access to records, make reports, and permit entry or inspection as required.

The law provided for enforcement of these standards: (1) as to pipeline facilities and transportation of gas subject to jurisdiction of the Federal Power Commission, by the Secretary; and (2) as to all other pipeline facilities and transportation of gas either by the Secretary or by delegation to a State agency through either: (a) an effective certification by the State agency to the Secretary; or (b) an effective written agreement between the State agency and the Secretary.

Also, it provided for establishment of a technical pipeline safety standards committee; judicial review of orders; cooperation with the Federal Power Commission; civil penalties; injunctions and jurisdiction; research; and reports to Congress.

The law authorized appropriations of $500,000 for fiscal 1969; $2 million for fiscal 1970; and $4 million for fiscal 1971.

National Eye Institute (Public Law 90-489; approved August 16, 1968): This law (H.R. 12843) amended the Public Health Service Act to provide for the establishment in the National Institutes of Health of a National Eye Institute, which would be responsible for the conduct and support of research for new treatment, cures, and training relating to blinding eye diseases and visual disorders.

Health Manpower Act of 1968 (Public Law 90-490; approved August 16, 1968): This law (S. 3095) amended the Public Health Service Act to authorize appropriations of $531 million for fiscal 1970 and $645.8 million for fiscal 1971 for continuation of the following programs:

Title I extended for 2 years the program for expansion and improvement of the training capacity for physicians, dentists, veterinarians, pharmacists, podiatrists, optometrists, and professional public health personnel, and the program for construction grants, basic improvement grants, special improvement grants, student loans, and scholarships.

Title II extended for 2 years the program for expansion and improvement of Federal financial assistance in increasing the supply of well-trained professional nurses through colleges, junior colleges, and hospitals, and the program for construction grants, project grants, formula grants, student loans, scholarships, and traineeships.

Title III extended for 1 year the allied health professions program of grants for traineeships for graduate or specialized training in public health for physicians, engineers, nurses, and other professional health personnel, and of project grants to schools of public health and other public or nonprofit institutions providing graduate or specialized training in public health for strengthening or expanding such public health training.

Title IV extended for 2 years the health research facilities matching grant program, under which grants are made for construction of health research facilities.

White House Conference on Aging (Public Law 90-526; approved September 28, 1968): This law (H.J. Res. 1371) declared it the sense of Congress that a White House Conference on Aging be called by the President of the United States in 1971, to be planned and conducted by the Secretary of Health, Education, and Welfare, in order to make recommendations for further action and research in the field of aging. It also authorized appropriation of $1,900,000 to carry out the purposes of the law.

PUBLIC WORKS

Appropriation Authorization for Continuing Work in the Missouri River Basin (Public Law 90-315; approved May 24, 1968): This law (S. 3033) authorized appropriations for fiscal years 1969 and 1970 of $59 million to continue the program of the Bureau of Reclamation for investigations and construction of the going comprehensive plan for the Missouri River Basin project. The authorization prohibited appropriation of funds to initiate construction of any new unit of the project.

Oahe Unit, James Division, Missouri River Basin Project, South Dakota (Public Law 90-453; approved August 3, 1968): This law (S. 6) authorized the Secretary of the Interior to construct, operate, and maintain the initial stage of the Oahe unit, James division, Missouri River Basin project, South Dakota, for irrigation of 190,000 acres, municipal and industrial water supply for 17 towns and cities in the project area, fish and wildlife conservation and development, provision of outdoor recreation opportunities, and provision for flood control in the project area. The law also authorized appropriation of $191,670,000 for construction and authorized appropriation of such additional sums as may be required for operation and maintenance of the unit.

Rivers and Harbors, Beach Erosion Control, Flood Control, and River Basin Preservation (Public Law 90-483; approved August 13, 1968): This law (S. 3710) authorized a total appropriation of $1,669,894,000 for 73 navigation, beach erosion control, and flood control projects, plus 13 river basin continual preservation plans.

Central Arizona Project—Colorado River Basin (Public Law 90-537; approved September 30, 1968): This law (S. 1004) authorized construction of the Central Arizona project without any hydroelectric dams on the Lower Colorado River; established a Lower Colorado River Basin development fund to assist in the repayment of the costs of water resource development in the basin; authorized construction of five Upper Colorado River Basin projects, conditionally authorized one more, and provided for a study program leading to future development in the Upper Basin; provided needed financial assistance and authorized additional appropriations for the Dixie project in Utah; established guidelines for the operation of existing storage reservoirs on the Colorado River; provided for water supply studies of the long-range problems of the Southwest and simultaneously established a moratorium on importation studies which threatened the water resource potential of other regions; and made the satisfaction of the requirements imposed upon the Colorado River by the terms of the treaty with Mexico a national obligation, subject to important safeguards concerning the timing and extent of that obligation.

Specifically, among other things, the law provided California a priority of right to water of the Colorado River over the Central Arizona project in perpetuity or unless augmentation works are in operation which insure that 7.5 million acre-feet of water annually are available in the Lower Colorado River for use in California, Arizona, and Nevada.

It authorized the Secretary of the Interior to enter into arrangements with non-Federal utilities to acquire by prepayment of costs the right to capacity in large thermal-electric powerplants. (Pumping power required for the Central Arizona project would be obtained in this manner to eliminate the necessity for the construction of hydroelectric dams on the Lower Colorado River.)

The law provided that, in the event augmentation is implemented, the Secretary is directed to the extent possible to make 7.5 million acre-feet of water available to the Lower Colorado River Basin water users at the same cost and terms as if main stream water were available to supply all of this consumptive use.

It also provided that any affected State may institute suit in the U.S. Supreme Court, and the United States may be joined as a party, in the event that any Federal officer or agency fails to comply with the provisions of the act or with the laws, treaty, interstate compacts, and court decree named in the law.

The law authorized appropriation of $832,180,000 for construction of the Central Arizona project plus $100,000,000 for distribution systems, and $392,000,000 for construction of five Upper Basin projects.

SPACE AND AERONAUTICS

National Aeronautics and Space Administration Authorization Act, 1969 (Public Law 90-373; approved July 3, 1968): This law (H.R. 15856) authorized appropriations of $4,013,073,000 to the National Aeronautics and Space Administration as follows: (a) Research and development, $3,370,300,000; (b) construction of facilities, $39,600,000; and (c) administrative operations, $603,173,000. For the moon shot (Apollo) program, $2,025,000,000 was authorized.

TRANSPORTATION

Loan Insurance Under Merchant Marine Act of 1936 (Public Law 90-341; approved June 15, 1968): This law (S. 3017) amended the Merchant Marine Act of 1936 to change the provision with respect to the maximum rate of interest permitted on loans and mortgages insured under title XI and to give the Secretary of Commerce the authority to approve such interest rates as he determines to be reasonable.

Amendment to the Act Creating the Atlantic-Pacific Interoceanic Canal Study Commission (Public Law 90-359; approved June 22, 1968): This law (H.R. 15190) amended the act authorizing an investigation and study to determine a site for the construction of a sea-level canal between the Atlantic and Pacific Oceans, by extending the time for a report for an additional year to December 1, 1970, and by authorizing an increase in the amount of expenditure for the study from $17.5 million to $24 million.

High-Speed Ground Transportation Extension (Public Law 90-423; approved July 24, 1968): This law (H.R. 16024) extended for 2 years, through June 30, 1970, the act of September 30, 1965, authorizing the Secretary of Transportation to undertake research and development, and demonstrations in high-speed ground transportation. It also authorized appropriation of $16,200,000 for fiscal 1969 and $21,200,000 for fiscal 1970.

Federal-Aid Highway Act of 1968 (Public Law 90–495; approved August 23, 1968): This law (S. 3418) authorized appropriation for the Interstate System of $4 billion for each fiscal 1970 and 1971 and $1.1 billion for the ABC program for the Federal-aid primary and secondary system and their urban extensions for each fiscal 1970 and 1971.

The law also provided authorization of funds for the highway beautification program for fiscal 1970; for advance acquisition of rights-of-way; for urban area traffic operations improvement programs; for fringe parking facilities; for inclusion of an additional 1,500 miles for Interstate System adjustments; for a special effort to preserve the parklands (beauty of the countryside, public park and recreation lands, wildlife and waterfowl refuges, and historic sites); for continuation of the highway safety programs; for establishment of a relocation assistance program for aid in reestablishing homes, farms, and businesses; for extension of Davis-Bacon prevailing wage rates to the entire Federal-aid highway program; for persons to be trained under the equal opportunity program; and required commencement of work on certain bridge and highway projects in the District of Columbia.

Supplemental Air Transportation (Public Law 90–514; approved September 26, 1968): This law (S. 3566) amended the Federal Aviation Act of 1958 to give specific statutory authority to supplemental air carriers to conduct inclusive tour charter trips. The law also validated and ratified existing certificates of public convenience and necessity and statements of authorization issued by the Civil Aeronautics Board for supplemental carriers to engage in this business, notwithstanding any contrary determination by any court that the Board lacked power to authorize the performance of these charter trips.

TREATIES

CHARTER AMENDMENTS TO ORGANIZATION OF AMERICAN STATES

These amendments made substantial revisions in the structure of the Organization of American States and in the powers of certain OAS organs with a view to increasing the capacity of OAS to function more effectively.

The principal value of the amendments was the more rational organization of the principal organs of the OAS, the provision for regular annual meetings of Foreign Ministers, and the clarification and modest extension of the authority of the Permanent Council and the Secretary General. (Ex. L, 90th Cong., 1st sess. Ratified April 10, 1968.)

INTERNATIONAL EXHIBITIONS CONVENTION

The convention established the Bureau of International Expositions, the purpose of which was to provide basic rules regarding international exhibitions.

The basic purpose of the convention was to prevent a state of anarchy in the holding of international expositions. It was hoped and expected U.S. adherence would help regulate international expositions so as to increase their effectiveness and that of Federal participation in them.

As a member, we also hoped to insure that no international exposition would be approved by the Bureau that might in any way prevent the United States from staging one itself on the occasion of the bicentennial of the Declaration of Independence. (Ex. P, 90th Cong., 1st sess. Ratified April 30, 1968.)

INTERNATIONAL HYDROGRAPHIC ORGANIZATION CONVENTION

This convention would give treaty status to an existing international organization of 41 members known as the International Hydrographic Bureau.

The Bureau's purpose was to make navigation easier and safer throughout the world by improving nautical charts and documents.

The convention would correct the primarily administrative difficulties encountered by the Bureau (Ex. O, 90th Cong., 1st sess. Ratified May 13, 1968.)

AMENDMENTS TO INTERNATIONAL CONVENTION FOR SAFETY OF LIFE AT SEA

These amendments to the 1960 Safety of Life at Sea Convention (SOLAS) were all designed to improve ship safety standards.

The objectives, while highly technical, were quite simple, viz., improving the ship safety standard features of the 1960 convention. The spur to the most important of these amendments—annexes III and IV—was the tragic fire aboard the Yarmouth Castle 2 years earlier. (Ex. C, 90th Cong., 2d sess. Ratified May 13, 1968.)

TAX CONVENTION WITH BRAZIL

The convention was designed to eliminate double taxation resulting from the taxation of the same item or items of income by both countries, and to establish procedures for mutual assistance in the administration of income taxes. (Ex. J, 90th Cong., 1st sess. Ratified June 6, 1968.)

TAX CONVENTION WITH FRANCE

The convention would replace the income tax convention with France of 1939.

Action was made necessary by fundamental changes in 1965 in the French income tax structure and reflected changes made in U.S. law by the Foreign Investors Tax Act of 1966. (Ex. N, 90th Cong., 1st sess. Ratified June 6, 1968.)

TAX CONVENTION WITH THE PHILIPPINES

The convention provided neither the U.S. nor the Philippines would discriminate in imposing such taxes on the citizens or corporations of the other country; added another situation which would give rise to a permanent establishment; viz., an agent who regularly secured orders for the resident or corporation; and provided the use of an independent agent did not give rise to a permanent establishment by providing that an agent who acted exclusively or almost exclusively for a resident or corporation would not be considered to be of independent status. (Ex. D, 89th Cong., 1st sess. Ratified June 6, 1968.)

INTERNATIONAL GRAINS ARRANGEMENT OF 1967

The Wheat Trade Convention resembled and essentially replaced the last International Wheat Agreement. It was designed to stabilize the commercial world wheat trade at prices which would reflect current higher production costs.

The convention also differed from the old agreement in that it established a price range for major export wheat types of U.S. gulf ports instead of basing prices on Canadian export prices for Manitoba No. 1. The use of U.S. gulf port prices was represented to have several advantages for the United States. (Ex. A, 90th Cong., 2d sess. Ratified June 13, 1968.)

INTERNATIONAL COFFEE AGREEMENT OF 1968

The agreement extended the 1962 International Coffee Agreement for a period of 5 years with certain modifications.

The new agreement would make possible a more selective adjustment of export quotas among the principal types of coffee in order to prevent distortions in traditional price relationships. It also contained more rigorous provisions for the control of production, leading to a better balance between world supply and demand.

The agreement's most important innovation was the establishment of a coffee diversification fund to be financed by compulsory contributions from producing countries which would be used to promote the production of crops other than coffee. (Ex. D, 90th Cong., 2d sess. Ratified June 28, 1968.)

CONVENTION ON FOREIGN ARBITRAL AWARDS

The convention applied only in those cases where the persons involved had voluntarily accepted arbitration. In this connection, article II specifically required a written agreement under which the parties undertook to submit their differences to arbitration. In addition, article V contained certain guarantees in the nature of due process, and provided that an American court could refuse recognition or enforcement of an award as contrary to the public policy of the U.S. Changes in the Federal Arbitration Act (title 9 of the U.S. Code) would be required before the U.S. became party to the convention. Accordingly, the U.S. accession to the convention would be executed only after the necessary legislation was enacted. (Ex. E, 90th Cong., 2d sess. Ratified October 4, 1968.)

CONVENTION ON TRANSIT TRADE OF LAND-LOCKED STATES

This convention was designed to give countries having no seacoast free access to the sea on equal terms with coastal states. The U.S. was not directly affected by the convention, but there were benefits which the American trading community might derive from it by supporting measures tending to lessen bureaucratic difficulties encountered in international trade. (Ex. I, 90th Cong., 2d sess. Ratified October 4, 1968.)

CONVENTION ON CUSTOMS COOPERATION COUNCIL AND PROTOCOL

The Council, which met at least twice a year, was the only international organization created to study problems of tariff classification, evaluation, and customs administration. It attempted to achieve the highest possible degree of harmony and uniformity between the customs systems of member countries, but its actions were in the form of recommendations which were not binding upon members. Article XIII of the convention went beyond customary U.S. practices regarding privileges and immunities accorded by this country to international organizations.

In view of this the following reservation designed to make U.S. domestic law applicable in matters relating to privileges and immunities was adopted.

"The United States of America accepts the obligation of article XIII of the convention and the annex to the convention only to the extent the United States of America generally affords privileges and immunities to designated public international organizations under its law." (Ex. G, 90th Cong., 2d sess. Ratified October 4, 1968.)

PROTOCOL TO GENEVA RADIO REGULATIONS

This Partial Revision amended the 1959 Radio Regulations with respect to matters relating to the maritime mobile service with particular reference to radiotelephony and radiotelegraphy. (Ex. F, 90th Cong., 2d sess. Ratified October 4, 1968.)

PROCOTOL RELATING TO REFUGEES

This protocol incorporated those provisions of the 1951 Convention Relating to the Status of Refugees (to which we were not a party) dealing with the freedom of religion for refugees, the right of free access to courts of law, the right to hold gainful employment, to acquire property, to move freely, and to participate in the benefits of public education, relief, social security, unemployment compensation, and other programs.

It was understood the protocol would not impinge adversely upon the Federal and State laws of this country.

Any disputes that could not be settled by other means would be referred to the International Court of Justice at the request of any one of the parties to the dispute. (Ex. K, 90th Cong., 2d sess. Ratified October 4, 1968.)

AGREEMENT ON RESCUE AND RETURN OF ASTRONAUTS

This agreement represented a detail implementation of articles V and VIII of the 1967 Treaty on Outer Space, which contemplated that a treaty would be negotiated on assistance to astronauts and their safe return, as well as the return of space objects.

It anticipated many contingencies and all were for the purpose of assuring the safety and well-being of our astronauts, and guaranteeing that if it were at all possible U.S. space objects and their component parts would be returned to us. (Ex. J, 90th Cong., 2d sess. Ratified October 8, 1968.)

VETERANS

Veterans Pension and Survivor Compensation Programs Amendment (Public Law 90–275; approved March 28, 1968): This law (H.R. 12555) amended title 38, United States Code, to liberalize the provisions relating to payment of pensions and the dependency and indemnity compensation program (DIC) by: (1) increasing the monthly amounts payable under the new law pension and DIC programs; (2) expanding the income limitations of these programs as well as "old law" pension; and (3) phasing in recipients of the 1967 social security increases to a new multilevel income program.

The law also assured that increases in the income of the VA recipient, regardless of the source, or changes in the corpus of a VA recipient's estate would not decrease or terminate a VA benefit until the beginning of the next calendar year. (Under present law this type of deferral applied only with respect to increases in retirement benefits.) It provided for establishment of a long-range system to protect veterans from disproportionate pension losses that could result from increases in other income, particularly retirement income subject to periodic increases such as social security.

Nursing Home Care for Certain Veterans (Public Law 90–429; approved July 26, 1968): This law (H.R. 7481) amended sec. 620, title 38, United States Code, to authorize the Veterans' Administration to increase the reimbursement rate to community nursing homes for care of certain veterans from one-third to 40 percent of the VA general hospital per diem rate.

Part-time Vocational Rehabilitation for Veterans (Public Law 90–431; approved July 26, 1968): This law (H.R. 14954) amended title 38 of the United States Code to improve vocational rehabilitation training for service-connected veterans by authorizing pursuit of such training on a part-time basis.

Care and Treatment of Veterans in State Homes (Public Law 90–432; approved July 26, 1968): This law (H.R. 16902) amended title 38 of the United States Code to increase the payments by the Federal Government to the State homes for domiciliary and hospital care of veterans from $2.50 to $3.50 a day; to increase the nursing home rate from $3.50 to $5 a day; and to extend for 5 additional years (at $5 million each year) the matching grants for States to construct nursing homes.

Retired Serviceman's Family Protection Plan (Public Law 90–485; approved August 13, 1968): This law (H.R. 12323) liberalized various provisions of the retired serviceman's family protection plan (RSFPP) so as to encourage greater participation in the program by retiring service personnel, as follows:

(1) Make restoration of full retired pay automatic when an eligible beneficiary no longer exists.

(2) Increase from 18 to 19 years of service, the point at which immediately effective elections to participate may be made.

(3) Reduce from 3 to 2 years the delay in the effective date of subsequent elections, modifications, or revocations of elections.

(4) Liberalize the current withdrawal procedures for retired participants.

(5) Permit certain modifications and reductions by retired participants in their elected options.

(6) Eliminate possible abuses resulting from so-called deathbed retirements.

(7) Provide annuities for children at least 18, but under 23 years of age pursuing a full-time course of study or training in a recognized educational institution.

(8) Simplify methods of computation to reflect dollar amounts for monthly costs and survivor annuities.

(9) Eliminate delays between date of completing requirements for Reserve retired pay at age 60, and effective date of retired pay and RSFPP election.

Service-connected Compensation Increase for Veterans (Public Law 90–493; approved August 19, 1968): This law (H.R. 16027) amended title 38, United States Code, among other things, to provide an 8-percent cost-of-living allowance for veterans with service-connected disabilities which are not totally disabling, to provide a $100 a month increase for veterans who are totally disabled from service-connected causes, to provide for furnishing medical devices on an outpatient basis to totally disabled service-connected veterans, and to terminate the $67 a month statutory benefit for arrested tuberculosis.

OPPOSITION TO FAA RULE ON HIGH DENSITY TRAFFIC AIRPORTS

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FRASER. Mr. Speaker, the regulation proposed by the Civil Aeronautics Board in docket No. 9113 has several weaknesses.

First. By discriminating against other aircraft in favor of scheduled airlines, the proposal destroys the public basis upon which government assistance in establishing airports and operating airways has been founded over the years.

If the airport-airway program had been justified as exclusively commercial airlines, it is safe to say that much less public money would have been invested or the airlines would have been required to reimburse the Government for this cost.

Second. Eliminating part of the public from the airport and airspace for certain periods would completely shake the foundation for public support for the future.

Third. The failure of the airport-airway system to serve all of aviation is largely a Government responsibility. To shift the full cost and inconvenience of this failure to one segment of aviation is unjust.

Fourth. Giving exclusive priority to airlines insulates them from the cost and inconvenience arising from the current congestion.

To justify such action the FAA must establish clearly that congestion is in no way the fault of the airlines. This would involve proving that the airlines are not creating the problem themselves by their selection of schedule times, passenger incentives, frequency, competitive advertising, and such other devices wholly under their control. Certainly if it were the airlines that were being excluded and general aviation given the exclusive use of the airport for certain periods, a very substantial justification as to the purpose, passenger load, alternative times or destinations would have to be established. The airlines and the FAA share a similar burden under a proposal that is so one sided in favor of the airlines.

Possible alternative action by the FAA must be thoroughly analyzed. Are there procedures and equipment and change in manpower that could minimize the delays without the adoption of this drastic proposal?

THE FEDERAL EXECUTIVE INSTITUTE

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. MARSH. Mr. Speaker, it was my pleasure to participate yesterday in the dedication of the Federal Executive Institute at Charlottesville, Va. This Institute, in which the U.S. Civil Service Commission and the University of Virginia will cooperate, represents a notable advance in the in-service training of career officers of the Federal agencies.

It has been a particular pleasure for me to work with the Commission and the university on this project, as I am convinced that, within a few years, its operations will pay back the taxpayers manyfold for its cost in improved efficiency in Federal operations.

In this connection, as of possible interest to other Members of the House, I include a statement of greeting by the President, and the texts of addresses by Chairman John W. Macy, Jr., of the U.S. Civil Service Commission, and Dr. Edgar F. Shannon, Jr., president of the University of Virginia:

EXECUTIVE PREPARATION FOR CONTINUING CHANGE

(Address by Chairman John W. Macy, Jr., U.S. Civil Service Commission, at the dedication of the Federal Executive Institute, Charlottesville, Va., October 13, 1968)

President Shannon, Dr. Sherwood, distinguished guests, ladies and gentlemen: welcome to the Federal Executive Institute.

Today we are not dedicating a great temple of learning. We are not indulging ourselves in a magnificent dream come true. No—instead we are dedicating a most respectable beginning; we are bearing witness to the first real evidence of a dream that, through our mutual efforts, is beginning the transformation into reality. This is also President Johnson's dream, for he gave us the leadership and the means to bring it to fulfillment on this significant day.

The President, though not with us here today, has sent us the following message which I shall read:

THE WHITE HOUSE,
Washington, October 11, 1968.

I am delighted to congratulate all who took part in the creation of the Federal Executive Institute at the University of Virginia. You have indeed made a great and meaningful contribution to our Government.

This new civilian academy for the nation's public service will offer highly useful advanced study for executives in the upper echelons of our civil service.

At a time which severely tests even the most established of our Federal institutions, it is well that we look to the future by training today's executives to effectively face tomorrow's challenges.

I know that under the able guidance of its Director, Dr. Sherwood, the Institute will quicken the responsiveness of our complex Federal structure in the implementation of both national policy and needed change.

I want to express our gratitude to the University of Virginia for its willingness to become a partner in this promising national project. And I look forward to sharing with all of you the good that will come of it.

LYNDON B. JOHNSON.

I will personally thank President Johnson for his inspiring message. I will convey to him our deepest appreciation for his significant part in making this Institute, and this day, possible.

ANOTHER PRESIDENT'S VISIONS

As we gather on this hill, we can look to the surrounding hills and see monumental evidence of another President's visions and his hopes for the future. It is indeed fitting that we pay tribute to some of the dreams that he, in an earlier day, launched on the long road to reality in behalf of all Americans.

As Thomas Jefferson divided his time between Washington, Charlottesville, and his beloved Monticello, he envisioned for this Nation the single most sweeping change since the Day of Independence. He saw a Nation—not of tightly clustered colonies along this eastern seacoast—he saw a continental Nation that would surely stretch from coast to coast.

And though intensely censured for what his critics termed an excessively frugal administration, he nonetheless made the daring decision to consummate the Louisiana Purchase. This purchase from France expanded our boundaries to include America's great heartland from Canada to the Gulf of Mexico and from the Mississippi westward to the Rocky Mountains.

This was only Jefferson's first giant step. With it, America ended at the mountains—not at the Pacific Ocean. And so, he commissioned the Lewis and Clark expedition to explore and stake out all the lands from the Rockies to the Pacific.

In taking these two mighty steps, he initiated perhaps the greatest change ever experienced by any Nation on this earth. He claimed the West and opened up its vast domain for pioneer settlement.

He did many other wondrous things that changed our Nation in its first days of initial testing. He swept from the pioneer mind the concept of Government as the province of the wealthy aristocracy. He set into motion the forces that led to an educated citizenry capable of self-government, forces that made the government the true servant of the people.

A NATURAL ARISTOCRACY AMONG MEN

In a letter to John Adams, he said: "There is a natural aristocracy among men. The grounds of this are virtue and talents. . . . There is also an artificial aristocracy, founded on wealth and birth, without either virtue or talents; for with these it would belong to the first class. The natural aristocracy I consider as the most precious gift of nature, for the instruction, the trusts, and government of society. And indeed, it would have been inconsistent in creation to have formed man in the social state, and not to have provided virtue and wisdom enough to manage the concerns of the society. May we not even say, that that form of government is the best, which provides the most effectually for a pure selection of these natural aristoi into the offices of government?"

Today, in our new Executive Assignment System, we have endeavored to design a system "for a pure selection of these natural aristoi"—people of virtue and talent—"into the offices of government."

Even though Jefferson launched enormous changes, he did not see many of them fulfilled. In those days change was rarely an overnight surprise. A full century after his Presidency, statehood still had not completely claimed the West. Arizona and New Mexico were still out. Alaska and Hawaii were still on a distant horizon.

A WORLD WITH RAPID CHANGE

I need not draw the contrasts in change between Jefferson's day and our own. You are all experts on today's supersonic rate of change. You have furthered the collapse of space and time. You seek the measure of revolutionary change in our social and economic environment.

In 1961, we launched our first man into the dark realm of space. Today, just seven years later, we are on the threshold of walking on the moon.

Prior to World War II, we had never split our first atom. Today, in some of our cities, the power of the atom is no further away than the nearest wall socket or light switch. And today, we have given specific names to more than 100 of the particles that spin off when the atom is split. We are in hot pursuit of that basic unit that must surely be the key to the whole atomic puzzle. Who knows what we will do with it when we find it? No one can give an answer now. But I am sure it will change our lives.

A world without change would be dismal and untenable to the modern mind. A world with rapid change—the kind of world we know today—is certainly exciting, but it is also frightening, especially to those who find themselves outstripped by a psychedelic cyclone of events swirling around them.

I do believe that in many areas of our national endeavors, the best that is being done to meet the hard challenge of change is being done by the Federal executive and professional—that thin but talented layer that spreads across the top of Government.

Through their ideas, professional skills, and experience flow the intellectual resources from which many of the new policies relating to change can be generated. This resource is drawn upon by the Chief Executive and the Congress in their formulation and articulation of ultimate policy direction for our Nation.

To these talented men and women, the challenge of change is that of translating new public policies into efficient programs that produce desired results. This is simple, relatively speaking, when the desired result is simple—such as a new highway—but it gets exceedingly complex when the desired result has to be achieved through technology that itself must be advanced inch-by-inch along with program implementation.

More and more, the dynamics of public policy are meshed with technology that only *promises*—rather than guarantees—to deliver the goods. During this decade we have witnessed a new phenomenon in public policy formulation: that of policy anticipating technological breakthroughs that are *expected* but have not *occurred*.

When we made a national commitment to land on the moon by the end of this decade, we did not have a rocket ready and waiting. In fact, we hardly knew what kind of rocket we would need. And certainly we did not know what our flight path to the moon would be. The policy—the commitment—came first, based only on the promise of a technology that could *probably* be made to produce the desired result.

When we committed ourselves to build a supersonic transport, we did not have ready-made technology to do the job. Again, we had the *promise*, which, coupled with the goal and the determination, will somehow enable us within a few years to fly to San Francisco in 90 minutes.

POLICY OF FORCED CHANGE

This phenomenon of policy preceding capability might well be called a policy of "forced change." I need not dwell on how such forced change has been a contributor, if not the primary one, to the pace of change we know today—to the high state of our advanced technology.

If de Tocqueville was astounded at the optimism and industrious nature of Americans during our pioneer days, think how astonished he would be today with our sheer audacity in committing ourselves nationally by playing the odds of the technological race!

We might ask: Is this phenomenon evidence of national irresponsibility? Indeed not! It is part of the American makeup that in yesteryear was expressed by "California or bust." It is a desire, as Jefferson wrote, "to promote the general welfare." It is an eagerness, an expectation, and an impatience, as President Johnson has said, to "improve the quality of American life."

In short, this is how we do it—and it works! Only today's commitments force change in vast, complex, and diverse forms which challenge our capacity as well as our resources.

One reason it will continue to work is that the Federal program manager will *make* it work. When policy precedes enabling technology, the manager has to exhaust all resources to fill in the gap. He has to keep the technological fires lit, so that spin-off sparks can quickly light other fires. He has to choose between imperfect alternatives when no computer and no operations research model can point the way to guaranteed success. In short, it is up to him to *program*—and to overcome—the technological lag. In closing that gap he meets one of his most difficult challenges.

Today's executive is struggling to meet the challenge of improving the quality of life; of assuring equality and justice; of cleaning up our air, rivers, and streams; of rebuilding our urban cores; seeking a cancer cure; controlling our Nation's airways; harnessing the atom's energy; eliminating poverty and unemployment; and he is engaged in a host of other pursuits from a base of knowledge that is developing rapidly and imperfectly.

TOMORROW'S PUBLIC POLICIES

But what of tomorrow's public policies? Tomorrow's programs?

I am sure we will continue in much the same direction until these universal goals, one by one, are fully met and satisfied. But I think we will see *more* of policy preceding capability—*much more* of forced change.

Tomorrow, then, will be even more challenging.

Tomorrow we will come face-to-face with a population that threatens to outstrip our national capacities to sustain our standard of living. Already we find two-thirds of the world living at or below minimum levels of subsistence. Today's problem is that of developing and redistributing our global resources. Tomorrow's will hinge on the exercise of sufficient human restraint to avert the disaster of worldwide overpopulation.

We will come to grips with the sociology, psychology, and even the theology, of altering life forms and probably creating new ones.

We will begin to see concrete evidence of a looming planetary crisis we are creating by constantly disturbing the balance of nature. We will have to initiate worldwide programs to restore that delicate balance on which all life depends.

As we cure old diseases we will be attacked by new ones, for even the one-celled microbe has the ability to adapt in order to survive.

We will have new problems—and new programs—because the promise of democracy must be fulfilled for each citizen in the terms and conditions of his day.

We are already wrestling with the challenge of social change that pervades our public and private institutions.

We are experiencing new and insistent demands for equal participation by those who previously had little or no influence in effecting change.

We must continue to seek an equitable balance between destructive protest and constructive dissent, between individual rights and individual obligations. Our executives, program managers, and institutional leaders must press diligently for reason and balance, for justice and equity—not just in the legal sense—but in the full sense of establishing the most democratic and humane social order. Indeed the old order does change. We have already entered a new realm of continual reappraisal and adjustment of our human values.

In this new realm, we will discover that new and altered relationships among people, between their institutions, and between nations will present new benefits as well as new dilemmas.

On a more comforting front, we will have new and improved hardware and software to make our lives better and longer. We will have new capabilities in education, training, transportation, sociology, recreation, medicine, agriculture, and industrial production.

We may be able to impart a highly advanced education by the time a child reaches adolescence. Already we are discovering chemical keys to human memory. We know the key to accelerated education is improved absorption and retention of knowledge. The so-called memory pill, if it ever comes, will be revolutionary.

If we can learn to harness the fantastic energy released by atomic fusion—the power released in a nuclear hydrogen explosion—we would literally have an abundance of cheap energy that could be extracted from sea water and transported anywhere in the world or out of it. It could be used to make our deserts bloom, to feed our starving, to rebuild nations, to remake the face of this earth, and to conquer new worlds in the outer realms of space.

The whole world spins today in a whirlwind of change, but somehow, I believe, the world of tomorrow—five, ten, twenty years from now—will be changed to a degree that we may think impossible today. Let us keep in mind that the year 2000 is only a generation away.

The Federal executive—the manager of much of today's change—will not only be the manager of more than his full share tomorrow—he will be the developer of much of it.

MANAGER OF THE FUTURE

But what of the manager himself? The executive? Will he be different? Will he have to change—or be changed? The answer, of course, is an obvious "yes." Certainly he will be different.

Let me touch on ten ways in which I believe he will be different.

1. He will be more broadly educated. Instead of being well-versed in one primary discpline and conversant in one or two secondary ones, he may have to be the master of two or three primary disciplines and conversant in several others.

Some of today's executives and professionals are already hybridized by program need and individual preparation. Most of tomorrow's will be.

In addition to being more broadly educated, tomorrow's executive will be more continually educated. The Federal Executive Institute will provide some of this continuing education for those of highest leadership responsibility. But the universities and other centers of knowledge must be our partners in this quest of learning. It may well be, as Warren Bennis says in his new book, "The Temporary Society," that "a dropout should be redefined to mean anyone who hasn't returned to school."

2. Tomorrow's executive will be far more mobile. Less and less will he rise—a career rung at a time—on the ladder of his own organization. He may spend portions of his career in State and local governments, in universities, foundations, research centers, businesses, and industries. In short, he will be moved by a rising trend, already advancing toward us, known as executive interchange. Already we see the joining of forces, the joining of heads and hands, between the Federal Government and State and local governments—a joining that is not a mere gesture of friendship and good will, but rather mutual cooperation, a sharing of resources, born of necessity. President Johnson has set new standards in what he calls "creative federalism."

He has fostered the beginnings of a new era in intergovernmental cooperation—a mutual effort to join forces and share resources in solving our common problems.

Such cooperation is already a fact in some areas, in some programs—and I believe it will expand greatly in the next few years and will be highly causative in increasing the mobility of the Federal Executive.

3. He may lose much of his current identity as a Federal executive. We may well borrow from the title of CPA and designate tomorrow's executive a CPE—Certified Public Executive. Though federally based, he will be trained and conditioned to serve where needed.

4. Tomorrow's executive may be less committed to his parent organization and less committed to specific programs and their own special methodologies. But, he will be more committed to a specific public policy, regardless of where he may be working at any given time, in the interests of carrying out that policy.

5. He will identify more with his constituency—the people to be served by his programs. In spending part of his career at the local level, he will see that the people as well as program results are highly visible.

Roger Jones, writing recently about the changing role of the Federal career executive, said very simply but very pointedly: "The Federal career executive should be just as much a representative of the people as a legislator." Tomorrow, perhaps, he will be.

6. He will have new and sharpened tools with which to work. He will be more facile with systems analysis, program evaluation, manpower planning, operations research techniques, computer programming, cost effectiveness, and PPBS. And, of course, there will be new tools as yet unknown to us.

7. He will be more carefully—even scientifically—selected for training, assignment, and reassignment.

The new Executive Assignment System, established by President Johnson two years ago, has already told us something we never knew before: what kind of executive talent we already have. This is only the beginning of a system that promises to revolutionize executive manpower programs.

This System is our best hope for solving the mushrooming problem of providing capable executives for changing programs in a new era of public management and intergovernmental cooperation.

It will form an operating base on which we can build executive personnel programs. These new programs will have marked effect on all personnel operations down to the lowest level.

Already we have hitched computers to the star of executive search, selection, education, training, and assignment. This has triggered new program goals in identifying what tomorrow's executive must be and which of today's executives and professionals have the best foundation on which to build through advanced training and education.

8. Tomorrow's top career official will have greatly expanded career opportunities. There will be great demand for leadership in all of our changing institutions, both public and private. Men and women trained in a variety of Federal positions of increasing responsibility will be in demand to play leadership roles in many theatres of American life—in business and labor, education, and in the professions.

Tomorrow's executive will most certainly find abundant opportunities in the public service at the highest levels of government. A principal source of future Presidential appointees will be the top career element in the executive branch. President Johnson, more than any other President, has tapped this source of unexcelled talent. Already we are seeing public service careers that include both career and non-career appointments, to the mutual satisfaction and benefit of all concerned.

9. Tomorrow's executive will have greater recognition and prestige. He will, especially through interchange, become better known and better appreciated throughout the Nation. Additionally, the President is seeking ideas for a special program of honors and awards for outstanding career executives and professionals.

10. The executive and professional of tomorrow will discover and enjoy many new personal interests and satisfactions. Freed of his old-style commitments and career boundaries—and projected into new arenas of endeavor—he will meet many more interesting and stimulating people. This will do more than enlarge his circle of friends and professional associates. It will enlarge his *thinking* and his own interests and satisfactions in what he and others are doing for the benefit of mankind. He will find new excitements, new challenges, and new rewards.

And with these elements of change must be preserved and nurtured a sense of individual dignity and creativity for each man or woman who accepts public responsibility of such great magnitude. With higher capacity to contribute to the public good, this Federal leader must enhance his personal life, and that of his family, his friends, and his community, through the benefits of learning and experience. While his development may be programmed and guided, his freedom of choice and range of options must be sustained. His talents in full bloom should aid and abet the pursuit of happiness as well as the governance of public programs. Though he may never achieve the enlightened versatility of Jefferson, he should be sufficiently liberated from the stern demands of public life to cultivate his private talents in many fields.

The mission of this new Institute is to stimulate these managers of change to new heights of public performance and personal achievement. It is intended to provide a new and continuously innovative experience in advanced learning for the government's leadership potential. It is a thoughtful refuge from the tyranny of daily operations, a congenial place for penetrating thought, provocative conversations, and broader program vistas. It is a center for the exploration of the forces of change and for the trial formulation of strategies for the mastery of change. It is a hilltop from which the total public landscape can be observed in all its motion and its contrast, its problems and its promise.

This is a mission worthy of the Jeffersonian tradition and the challenge of tomorrow's world. May what we start here today match that tradition and challenge in both "the promotion of the general welfare" and "the improvement of the quality of American life."

Remarks by Edgar F. Shannon, Jr., President, University of Virginia, at Opening of the Federal Executive Institute, Charlottesville, Va., October 13, 1968

Dr. Sherwood; Congressman Marsh; Chairman Macy and members of the Civil Service Commission; distinguished faculty, fellows, and guests of the Federal Executive Institute, it is a great honor and pleasure for me, as President of the University of Virginia, to welcome you to this academic community and join personally in the opening of the Federal Executive Institute. This event results from the efforts of many people, who conceived a new kind of educational institution, lent support at critical moments, worked for its establishment in Charlottsville, assembled an outstanding staff, and labored to prepare the excellent facilities that we see about us. To those who have brought the Institute to this stage of development, I extend congratulations; to those who will guide its future, I convey the best wishes and the support of the University of Virginia and of the surrounding community.

I am told that those responsible for planning the Institute decided very early that it should be placed in a university setting, so that the Institute's own facilities and staff would be augmented by the diverse educational resources of a thriving university, and so that the studies of the participants might be facilitated by the atmosphere of inquiry and reflection that go with an academic environment. This decision I am confident was a good one for the Institute and for the University of Virginia. The able faculty and distinguished men who come to lecture at the Institute will be important additions to our own academic community; our faculty and students of the University will have much to learn from the Institute's students—every one of whom will be a person of experience, maturity, and marked achievement in public life.

Arrangements already have been made for the Institute to use some of the University's physical facilities; for University faculty to give special lectures at the Institute; and for University faculty members and students to have access on proper occasions to events here at the Institute.

We intend that these cooperative relationships shall be expanded as time goes on. The University will not be possessive of the Institute, for we are well aware that it is an enterprise of the Federal government, with a responsibility to the entire nation. But we hope that by assisting the Institute in appropriate ways the University of Virginia can extend its own service to the nation; and we are sure that the presence of the Institute will advance the University's goal of becoming a national center for study and research in public affairs.

In the coming year 1969 we shall celebrate the 150th anniversary of the founding of the University of Virginia. One of the themes of our sesquicentennial year is "The University in Public Service"—a simultaneous recognition of the University's past contributions to the public life of the state and nation and a rededication to future efforts in that sphere. Here in Charlottesville we cherish the memory of Thomas Jefferson, who fathered the University, designed its buildings, and planned the first curriculum; of Presidents Madison and Monroe who served on the Board of the University in the early days; of President Wilson who studied here; and of many others in every generation who have provided outstanding service and leadership in the United States. I am proud and happy to see distinguished living representatives of that leadership here at these exercises this afternoon.

It is highly appropriate that a new institution intended to foster and develop the leadership resources of the nation be established where, we like to think, the spirit of Jefferson still lives. May those who study, teach, and learn here absorb of that spirit and be enhanced in the qualities of imagination, intellect, and courageous devotion to the public interest that he so eminently exemplified.

STATEMENT OF VIRGINIA MANUFACTURERS' ASSOCIATION ON OCCUPATIONAL SAFETY LEGISLATION

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BRADEMAS. Mr. Speaker, earlier this year, the Select Subcommittee on Labor, of which I subsequently became chairman, held very detailed hearings on the administration's proposed bill for an Occupational Safety and Health Act. Scores of organizations and individuals testified or submitted statements both in favor of and in opposition to this legislation, which was eventually reported to the House as H.R. 17748, but on which, at this very late stage in the session, it would appear no action will be taken.

The hearings were printed, and subsequently my predecessor as chairman, the late Elmer J. Holland received a letter from Mr. Charles Taylor of the Virginia Manufacturers' Association, pointing out that that organization's statement had not been printed in the hearing record.

Without wishing to comment on the substance of the views expressed by the Virginia Manufacturers' Association, I do regret that, through an inadvertent error, their statement did not appear in the hearing record, and under unanimous consent in fairness to the association, I place their statement as submitted to the subcommittee, at this point in the RECORD:

VIRGINIA MANUFACTURERS ASSOCIATION, RICHMOND, VA., STATEMENT ON H.R. 14816, OCCUPATIONAL SAFETY AND HEALTH ACT OF 1968, MARCH 12, 1968

Mr. Chairman and Members of the Committee, the Virginia Mfrs. Assn. is strongly opposed to H.R. 14816. Such legislation is clearly not in the public interest. It would result in unneeded and undesirable duplication of effort, waste of public funds, and would produce unnecessary frustration and harm to the cause of improved occupational safety.

All of the elements of occupational safety are fully identified and are being successfully handled by our State agencies responsible for occupational safety and health. Furthermore, there is no technology or service available to the U.S. Department of Labor to be applied to the field of occupational safety that is not now available to the states. Except for direct federal agency responsibility in maritime operations and mining operations, there are no other substantial overriding implications of interstate commerce in the field of occupational safety.

The Virginia Division of Industrial Safety is organized and fully staffed with qualified safety personnel to handle field safety inspections and to provide guidance and safety training schools across the State. The Virginia Safety Codes Commission is fully empowered with the authority to issue the necessary rules and regulations in all fields of occupational safety. The State Department of Health and the State Fire Marshall are fully staffed and equipped to handle problems dealing with occupational health and fire hazards in cooperation with the Virginia Division of Industrial Safety as directed by law. The Safety Code of Virginia gives to the Virginia Department of Labor and other related State agencies broad authority to deal with all aspects of occupational safety and health.

In the face of rapid population growth and industrialization, injury frequency rates of Virginia workers in all categories have been steadily lowered. Work sites have become the safest of all places where individuals spend their time. Virginia's record in the field of occupational safety compares favorably with that of federal installations.

For more than fifteen years, the Virginia Department of Labor and Industry has conducted a continuing series of occupational safety courses for supervisors and safety personnel of commercial establishments and local government operations across the State which are sponsored by the Virginia Manufacturers Association. The positive effort toward building the broad base of local cooperation and the affirmative action aimed at improving occupational safety has accounted for much of the success enjoyed in our State.

The Virginia Department of Labor and Industry has repeatedly emphasized its willingness and readiness to cooperate with the U. S. Department of Labor in effecting safety inspections for Walsh-Healey contractors. We have carefully verified that such offers of cooperation have been firmly tendered to the U. S. Department of Labor.

In 1962, the U. S. Department of Labor canceled working agreements with state labor agencies for handling Walsh-Healey safety inspections without complaint, consultation or prior notice. It was alleged by the U.S. Department of Labor at that time that no additional safety personnel would be needed, when, in fact, the necessary safety personnel to handle the required safety inspections were not on the rolls of the federal agency. The Virginia Department of Labor and Industry informed us that state labor agencies subsequently requested conferences with U. S. Labor Department officials to learn the reasons for the precipitous and capricious cancellation of these agreements. We were further advised that state labor agencies asked for reinstatement of these agreements and were encouraged to submit petitions for their renewal. It is our understanding that the U. S. Department of Labor has not responded to the petitions submitted—affirmatively or negatively.

It would appear that this legislation is the U. S. Labor Department's answer to the state labor agencies' pleas for cooperation in the field of occupational safety. We urge you to firmly reject this unnecessary legislation and, in so doing, we hope that Congress will make it clear that the U. S. Department of Labor shall cooperate with the state agencies in the discharge of their responsibility for occupational safety, and shall cease and desist from further attempts to frustrate the efforts of the states in this field. (This legislation is similar to the Occupational Safety Act of 1962, H. R. 11192, sought by the U. S. Department of Labor to gain control of and responsibility for occupational safety, which Congress rejected).

The people are clearly entitled to the most effective, uncluttered, and efficient approach to occupational safety. If the several states do not, in fact, retain the responsibility for a function so basic and clearly identified as occupational safety, it could be said that they lack the ability to assume the responsibility for any basic public welfare need. The law, the regulations, the technology, and the manpower requirements to deal with occupational safety are all clearly identified and well within the level of basic responsibility of state government. As in public education and police protection, there exists within the states all of the requirements of responsibilities of responsibility and local relationships to deal

> directly and effectively with occupational safety. To pile on an unwarranted level of far-removed national bureaucracy would be to duplicate and dilute the effort toward improved occupational safety. It would be costly in terms of wasted effort, frustration, and unnecessary expenditure of additional public funds.
>
> The consideration of this measure affords us the opportunity to urge you to refuse this kind of legislation again and to direct the U. S. Department of Labor to cooperate fully with state labor agencies in the discharge of their responsibility with respect to occupational safety.

THE BRAMLETT CO. OF MIAMI AND NEW YORK

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BRASCO. Mr. Speaker, this Nation's unprecedented prosperity has its finest demonstration in the leisure time activities in which its citizens engage. With abundant time and income to enjoy social and athletic pursuits, our citizens have inspired the greatest boom in the building of hotels, sports arenas, stadiums, and racing facilities that the world has ever known.

Central to this form of entertainment is the vast technology of feeding the multitudes that throng to our public places. Never before have Americans away from home been so efficiently served in this capacity as they are today.

The science of mass feeding is best exemplified by the activities both at home and abroad of the Bramlett Co., of Miami and New York, a leading designer and contractor of food service and allied facilities for America at play. Under the leadership of its president, Jack Fishman, this specialized consulting service has pioneered memorable achievements in the vast and complex undertaking of supplying palatable meals and snacks at busy public facilities.

Bramlett is to be commended for the many award-winning food service projects it has planned, designed, and installed in leading sports stadiums, hotels, motels, restaurants, and institutional facilities, such as hospitals and schools. Aside from this significant social contribution, the company's activities have been instrumental in creating new job opportunities, particularly within the unskilled sector which normally supplies a large number of kitchen and related staff workers.

As this Nation's away-from-home activities burgeon, so does the demand on the architectural profession to satisfy its basic needs. Insofar as the creation of feeding facilities is a highly specialized task, the food service consultant is becoming an early participant with the architect in planning for the efficient use of public spaces.

Several outstanding examples of such teamwork were recently demonstrated when the Bramlett Co. completed the vast food service networks within New York's new ultramodern Madison Square Garden Center and the new Belmont Race Track on Long Island, N.Y. The major developments represent the highest accomplishments in designing and integrating major restaurants, snack stands, vending stations, and serving kitchens for the convenient and fast service of quality foods to hundreds of thousands of people annually.

The success of all kinds of public entertainment rests in great measure on the extent in which today's food service consultant can aid the designer and owner of a public facility to serve his patrons. Bramlett's Jack Fishman, who has dedicated 25 years to this specialty, predicts a growing need for this kind of support as Americans continue to enjoy the growing numbers of entertainment and sports facilities rising throughout the country.

PROHIBIT THE USE OF DRAFTEES IN UNDECLARED WARS

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. GONZALEZ. Mr. Speaker, I recently introduced H.R. 19748 to amend the Universal Military Training and Service Act. It states:

> No person inducted for training and service in the Armed Forces . . . shall be required, without his express consent, to serve in any area of armed conflict unless Congress has declared a state of war to exist in that area.

I have felt keenly about the fundamental inappropriateness of conscripting citizens to fight in undeclared wars, ever since Korea. This unaddressed issue was a principal reason I was one of nine who voted against the extension of the draft last year. I believe the issue is at the root of much of the travail in this country.

The use of draftees in Vietnam is a prime constitutional question that must be eventually confronted by the American people and the Congress. Executive fiat should not displace the constitutional prerogative placing the responsibility for the declaration of war on Congress.

I favor the concept of a volunteer army. We should upgrade military service to the point that the draft is not needed during peacetime. But during a shooting war, some draft system would still be required. It remains incumbent upon us, therefore, to revise the draft and levy its burdens fairly.

But even with a volunteer army and an equitable draft, a fundamental injustice still remains. How can we send out reluctant warriors to a large-scale foreign war on which there has been no declaration of war as required by the Constitution? I believe the framers of our Constitution intended that only Congress should initiate wars, after formally debating the threat of aggression to our national security, after weighing the national interest in war, and after assessing the burdens of war upon our people.

The Senate Foreign Relations Committee concluded in 1967:

> A careful study of the Constitution and of the intent of the framers as set forth in the extensive documentation which they bequeathed to us leaves not the slightest doubt that, except for repelling sudden attacks on the United States, the founders of our country intended decisions to initiate either general or limited hostilities against foreign countries to be made by the Congress, not by the executive.

This is the intention of the Constitution, but declarations of war were not obtained in Korea or Vietnam. Is the democratic decision on war anachronistic in our modern age, a clumsy relic of our extinct past? Are only the experts in the deep recesses of the executive departments now able to decide the national interest in even drawn-out, massive wars? I think not. The constitutional requirement of a declaration of war by Congress is still the wisest course. I think many of our young men today are reacting to the difference between being drafted to fight a war of executive edict and being drafted to fight a war declared by his elected Representatives after open debate.

I also think our young men realize the vast disparity between the legal standings and the appeal rights of the men whose material is procured for our war machine and those of our men whose bodies are conscripted to man the machines. In a sense, the cannon fodder has less rights and privileges than the cannon.

Other nations seem to recognize the injustice of sending unwilling soldiers to foreign wars. The French Parliament had a long-standing law prohibiting the use of draftees in any but French territories. Consequently, the French could not use draftees in Vietnam. The British had a professional army and did not resort to the use of conscripts to defend the empire. They employed the draft only when the homeland was attacked in World Wars I and II.

It is difficult to say, even after years of involvement, at what stage Congress should consider a formal declaration of war in Vietnam. But it is clear that the war has gone through major changes since the Gulf of Tonkin resolution. Bombing of the North that began at a tit-for-tat retaliation for terrorist raids in the South has become an integral part of our military strategy. First our ground troops were advisers, then they became reinforcements holding government positions along to the coast in order to free the South Vietnamese for offensive operations, and now they carry out the bulk of the fighting under the tactics of search and destroy.

I recognize that Congress has declared war in only five of the 11 major conflicts of our history, and then in response to the urging of the Chief Executive. Certainly the President, as Commander in Chief, has wide powers and duties in the conduct of foreign affairs. But only Congress can stamp a conflict with the character of war, thereby engaging certain legal consequences of a state of war and, I assert, effectively engaging the national will.

We have backed into a major armed conflict which is testing out national character, by steps largely outside the constitutional process. I feel strongly that somewhere along the line Congress must reaffirm its constitutional duty to decide whether a state of war is justified.

Several facts seem uppermost. First, our country is greatly divided over whether the effort of slugging out a ground war in Asia is securing our vital national interest. Our youth facing the draft is understandably alienated. Extremes on both the right and the left have rejected the politics of the possible for the disruptions of anarchy.

Second, the war in Vietnam has changed greatly since the Gulf of Tonkin resolution of August 10, 1964. We jumped from 21,000 soldiers in the war zone at the end of that year to over 550,000 now, with as many as 562 American fatalities a week. My studies show that the incidence of Vietnam casualties among Texans of Spanish surname is more than twice their incidence in the general Texas population. The majority of my constituents who have been killed were draftees.

Most significantly, although doubts about the war have spread across the land and although the war has been greatly expanded, the debate on the course of the war has not gained any measure of relevance since 1964. Neither is this presidential election going to provide a clear resolution of the Vietnam issue. Neither the hawks, the doves nor the myriad of honorable-withdrawers will be satisfied.

I cannot say with certainty what is the proper stage of hostilities after which a democratic assembly should formally declare war, but I wish to suggest that it might be when conscripts are needed to wage the hostilities. I cannot say with certainty that a congressional debate on a declaration of war would silence any of the dissent rampant in our Nation, but I wish to suggest that it would provide a valuable forum which is within our democratic system. It is for these reasons that I introduced my bill to prohibit the use of draftees in undeclared wars.

TRIBUTE TO CAPT. HAROLD GROW

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. SIKES. Mr. Speaker, it gives me great pleasure to join the citizens of Pensacola, Fla., in paying tribute to Capt. Harold Grow who has worked more than 40 years for peace, brotherhood, and understanding among men and nations. For years, he traveled extensively through Peru, demonstrating his friendship for the people of that nation, and acting as a voluntary ambassador of good will, an embodiment of American concern for all mankind.

In recent years, under Captain Grow's leadership, Pensacolans have taken an active part in the people-to-people campaign of individual and community efforts at international understanding. The people-to-people movement is dedicated to promoting friendship and understanding among ordinary citizens. More than 200 American communities are engaged in sister-city programs with communities of foreign nations. Supported by private citizens, and organized in 1956 under the leadership of General Eisenhower, the organization promotes contact, in person or by mail, between individuals in the United States and abroad.

This program, and the long years of devoted effort by Captain Grow, are testimony that the individual citizen can make his contribution to the cause of world peace and brotherhood, however complex and crowded this world has become. Mutual trust, understanding, and affection have been established between Americans and Peruvians largely through the selfless labors of Capt. Harold Grow.

BRAZIL COFFEE CAMPAIGN

HON. JACK H. McDONALD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. McDONALD of Michigan. Mr. Speaker, the International Coffee Agreement is a means of bringing stability to the world coffee market in the face of a huge global surplus of the beans, which are a major source of revenue for the developing countries.

I am happy to note, in an article that recently appeared in the Shreveport Times, that Brazil, the largest coffee producer, is urging an all-out attack on underconsumption of coffee, as another approach to resolving the overproduction problem. Surely this approach is worth trying. The article referred to follows:

BRAZIL COFFEE CAMPAIGN COVERS THE WORLD

(By Victor Lawrence)

WASHINGTON.—There's a new sound coming out of Brazil that might be music to the ears of Congressmen now besieged with the wails and woes of diplomats from those developing countries whose U.S. foreign aid has just been cut back.

This new Brazilian sound has a distinctly American rhythm reminiscent of the enterprising Yankee pot-and-pan peddler who knocked on every door and never lost an opportunity to latch on to a customer.

Here we have the voice of Caio de Alcantara Machado, 42-year-old head of the Brazilian coffee industry, who insists that the way to lick Brazil's coffee surplus is to knock on every door. Machado wants Brazil and the other major coffee-producing countries of Latin American and Africa to sell and deliver their coffee to the two-thirds of the world that rarely or never drinks a cup of coffee.

COFFEE TO ESKIMOS

Machado literally is taking to the road with his sales pitch. He recently flew from Rio de Janeiro to Point Hope, Alaska, to deliver coffee to an Eskimo village deep in the Arctic Circle. He currently is on a swing through various African countries to encourage coffee producers in these areas to open new markets and develop new consumers for coffee.

Machado, who is president of the Brazilian Coffee Institute, was named "Salesman of the Year" in Brazil in 1963 and is one of Sao Paulo's leading businessmen.

Stopping off in New York after visiting the Alaskan Eskimo village he told reporters he is convinced that the problems of the world coffee producer stem as much from underconsumption as from overproduction. He is a strong advocate of the proposition that Brazil and the other coffee-growing nations should be willing and ready to sell and deliver their coffee anywhere, anytime, especially to new and little developed markets.

Brazil, which produces and exports about 40 per cent of the world's coffee, wholeheartedly supports the International Coffee Agreement established in 1962 to help stabilize the world coffee market through export and production controls, according to Machado.

"To be sure, coffee surplus is still a problem, despite the remarkable stabilizing achievements of the coffee pact, and strenuous efforts are being made by the producing countries to cope with overproduction through a program of crop diversification," he says. (Brazil has already reduced production by some 20 per cent annually through its own cut-back program.)

THE SURPLUS PROBLEM

"However, I feel that underconsumption of coffee is as pressing a problem as overproduction, and that more should be done to stimulate consumption of coffee, especially in those areas of the world where people drink little or no coffee. Brazil and the other major coffee-producing countries must find and innovate fresh sales techniques to make coffee a popular beverage in more countries over the globe. We could wipe out the world's coffee surplus overnight."

Tea-drinking Japan is a good example of what can be done. It has doubled its consumption of coffee during the past five years as a result of an energetic promotional campaign.

The new international coffee agreement, which the United States has just ratified, has given the coffee producers a green light to push coffee in some 30 countries—from Russia to Thailand—which constitute "new markets" and would not violate export rules in the agreement.

Today's surplus coffee supply is estimated at some 65,000,000 bags (132 pounds each) or the equivalent of more than a year's supply to meet current demands of coffee drinkers. Machado has a big selling job on his hands.

LAMENT OF THE PUBLIC SERVANT

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise, I extend my remarks in the RECORD and include therein a very interesting article from the Boston Herald-Traveler by Jim Morse entitled "Lament of the Public Servant."

This article is exceptionally well done and is an accurate reflection of some of the people in public office and I can commend it to my colleagues and others in elective positions.

The article follows:

LAMENT OF THE PUBLIC SERVANT

(By Jim Morse)

The public servant's lament: "If I express myself on a subject, I'm trying to run things. If I'm silent, I'm dumb or have lost interest . . . If I'm usually at the office, why don't I get out and learn what's going on? If I'm out when they call, why am I not tending to business?

"If I'm not home at night, I'm out carousing. If I am home, I'm neglecting important outside contacts and activities . . . . If I don't agree with them, I'm bullheaded. If I do agree, I don't have any ideas of my own . . . If I don't do what I'm requested, I'm a darn poor official. If I do, well, that's what I'm paid for . . . If I give someone a short answer, they want to cut me down in my budget. If I attempt to explain the pros and cons of an issue, I'm long-winded.

"If I'm well dressed, I think I'm a big shot. If I'm not, I'm a poor representative of my department . . . If I'm on the job a short time, I'm inexperienced. If I've been there a long time, it's time for a change."

FAIRER TREATMENT FOR WORKING WOMEN UNDER SOCIAL SECURITY

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FRASER. Mr. Speaker, in a recent speech to the Minneapolis Business & Professional Women's Club, I suggested that the social security system should be modified to provide fairer treatment for married women who work.

Existing law prevents married couples from drawing combined social security benefits. A retired working wife can draw benefits only as a wife—or widow—or as an individual worker. When both the husband and wife have worked, they often draw lower social security benefits than couples with identical earnings in which only the husband has worked. I have proposed legislation to permit working couples to pool their social security credits and to draw higher benefits on the basis of these combined credits if they choose to do so.

Further, study should be made of a proposal to provide head-of-household designation for tax purposes for single persons over 35 who maintain their own household. A head of household designation is now available only to single people who have dependents. The tax burden for single working women is heavier than for most other groups in our society, and this modification would distribute the tax burden more equitably.

The implementation of these proposals would continue the progress that has been made during the last 5 years in the areas of equal rights for women. The following major items of legislation enacted since 1963 have been of particular benefit to women:

First. The 1964 Civil Rights Act, which under title VII prohibits discrimination in employment on the grounds of sex, as well as color, race, religion, or national origin.

Second. The 1966 amendments to the Fair Labor Standards Act, which extended the minimum wage provisions of the law to about 10 million additional workers, many of them women.

Third. The Social Security Amendments of 1967, which enabled women to obtain family planning information and services and, provided benefits to certain disabled 50- to 62-year-old widows and widowers of deceased workers.

Fourth. The Manpower Development and Training Act and the Economic Opportunity Act which expanded vocational training opportunities for many women.

Fifth. The Nurse Training Act of 1964, which provided loans, grants, and traineeships to help meet the nursing shortage through improved and expanded training programs.

Sixth. The Maternal and Child Health and Mental Retardation Planning Amendments of 1963, which provided for expansion and strengthening of maternal and child health and crippled children services.

JAMES E. MERNA NAMED MARINE OF THE YEAR

HON. HERVEY G. MACHEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. MACHEN. Mr. Speaker, one of the outstanding residents of Prince Georges County, Md., has been named Marine of the Year. This honor was accorded Mr. James E. Merna of New Carrollton, Md., at the 45th annual national convention of the Marine Corps League in Bridgeport, Conn.

Mr. Merna, who was recently elected Maryland State commandant of the Marine Corps League, has distinguished himself in the past several years by establishing and carrying out programs to aid Marines returning from Vietnam, where they are defending our country, and to memorialize those who have given their lives. He truly is an outstanding American citizen.

At this point in the RECORD I include an article from the Prince Georges Sentinel of August 2, 1968, describing Mr. Merna's accomplishments:

NEW CARROLLTON'S MERNA NAMED "MARINE OF YEAR"

Dual honors at the state and national levels have recently been accorded a resident of Prince Georges County active in veterans affairs.

James E. Merna of New Carrollton has been named the "Marine of the Year" by the Marine Corps League at its 45th annual national convention held in Bridgeport, Conn. Earlier this month, Merna was elected state commandant of the Marine Corps League in Maryland.

The award was presented to Merna by Claude H. Downing of St. Petersburg, Fla., national commandant of the Marine Corps League. Assisting in the award presentation was entertainer Martha Raye.

A Korean combat veteran and 1957 graduate of the University of Maryland, Merna, 35, was cited for his leadership, meritorious service and significant contributions promoting the purposes of the Marine Corps League.

Merna has received the plaudits of many of the national, congressional, and military leaders in Washington for "Operation Appreciation," a program he devised and led providing more than 45 recreational, aid, and entertainment events for hospitalized military personnel. Judy Garland, Joe Garagiola of the NBC Today Show and the Washington Redskins Football Team are some of the leading personalities he arranged to visit wounded Vietnam Veterans at Bethesda Naval Hospital.

The president general of the Daughters of the American Revolution invited Merna in April to address the 4000 delegates at Constitution Hall attending their 77th Continental Congress. The topic of his address was, "Our Men in Vietnam—They're Doing their Part on the Battlefield—Let's Do Ours On the Homefront."

The highly successful July 6 "Welcome Home" Parade and Reception held in Colmar Manor in honor of Marine Cpl. Charles E. "Butch" Joeckel, Jr. was another event initiated and directed by Merna.

Merna presently is spearheading efforts of the detachment to raise funds to build a memorial in honor of all servicemen from Prince Georges County killed in Vietnam. To date, approximately 80 county servicemen have made the supreme sacrifice.

The memorial design has been completed by Thomas Kerley of Cheverly. Expected to cost approximately $35,000, it is the first significant memorial in the nation exclusively dedicated to Vietnam Veterans.

Merna, an Administrative Officer at the U.S. Patent Office, resides with his wife Suzanne and their three children at 5709 83rd Place in New Carrollton.

STATEMENT OF CONGRESSMAN CHARLES A. VANIK, OF OHIO: FINAL REPORT ON THE 90TH CONGRESS, SECOND SESSION

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. VANIK. Mr. Speaker, we have come to the end of another Congress. It was a Congress which had many shortcomings and disappointments. It was also a Congress which had moments of greatness and which enacted landmark legislation. All Americans will be affected by the legislation passed by this last session of the 90th Congress.

VIETNAM AND TAXES

The two most important issues facing America are war and inflation, and they are both related. My position on Vietnam is and has been on the record. I favored a trial halt of the bombing to test the position of the other side. I favor placing our troops in defensive enclaves to reduce exposure of American troops. I favor shifting the burden of the war to the South Vietnamese.

The spending of 30 billion nonproductive dollars a year in Vietnam is a prime cause of the rising price spiral which has been especially cruel to those of fixed income and the retirees. Only a reduction in war spending will put our country in fiscal balance and stem the tide of inflation, and put the country on a sane course.

During the past 90 months, the United States has seen high employment and economic boom. This was in sharp contrast to the 1950's when the country suffered two severe recessions and unemployment reached 6 percent and as much as 30 percent in certain areas. The growth rate declined to less than 2 percent—the lowest for any modern society.

But in the 1960's came the bitterly fought Kennedy tax cut, and the economy began to move forward. Then came the Johnson excise cut and the restoration of investment credit. The gross national product grew from $560 billion to over $850 billion—the largest economic spurt in American history, and that is on the record.

I have had disagreement with certain aspects of economic policy. When the excise tax was removed, I led in the efforts to see that the tax saving would reach the consumer. I fought against passage of the surtax because I felt that it was ill timed, that it would fuel inflation rather than curb it. My position is on the record; and, in many ways, it has been proven correct.

LAW ENFORCEMENT AND JUSTICE

Before election to the House of Representatives 14 years ago, I had the privilege of serving as a municipal judge for nearly 8 years. My experience on the bench taught me one thing in particular: no one group can combat crime alone. The struggle for safe streets requires the participation and help of every citizen. In addition, the basic job of law enforcement is—and must remain—the task of local government. We do not seek a national police force. Our liberty is based on local law enforcement responsible to locally elected officials.

Nevertheless, there are significant areas in which the Federal Government can assist local law officers. The 90th Congress, and particularly this year's session, did more than any other Congress to bring the assistance of the Federal Government to the policeman on the beat.

This Congress passed the Omnibus Crime Control and Safe Streets Act which will provide for vastly increased assistance to local police in the way of training and equipment. Yet this landmark legislation has not been adequately funded. Under its present level of appropriations it cannot hope to really turn the tide against increasing crime rates. The next Congress must provide truly adequate money for crime control. The Vice President of the United States has stated that Federal expenditures for law enforcement must be increased by at least 10 times. His call should be heeded.

In addition, the Omnibus Crime Control Act and legislation passed just before adjournment provide for new and stricter controls over the deadly flow of firearms into the United States and between the States. Under the new legislation, it will be more difficult for criminals to obtain weapons. The new laws will not affect or diminish the rights of the lawful sportsman, gun collector, and citizen. Nations and States with sound gun control laws show lower rates of violence and murders by all causes than States with weak and easily evaded gun laws. It is my hope that figures kept by the FBI will show a decline in firearms violence as the new laws come into effect. Proof of the effectiveness of these limited laws may encourage States and localities to enact their own gun-control ordinances.

In addition, this year saw the passage of a major Juvenile Delinquency Control Act. An appalling percentage of the Nation's crimes are committed by teenagers. It is a fact that 15-year-olds have the highest arrest rate of any single age group. The new legislation, though underfunded, will seek to prevent juvenile delinquency, and to rehabilitate those youngsters who find themselves in trouble.

CUYAHOGA COUNTY LAW ENFORCEMENT CONFERENCE

To acquaint local officials and law officers with the provisions of new crime control, juvenile delinquency, and narcotics legislation, my office, in cooperation with the Cuyahoga County Law Directors' Association, organized a conference in Cleveland on September 13 on the subject of law enforcement and justice. A number of Federal law enforcement officers were present, and, Mr. Speaker, the conference was, I believe, a model of how such exchanges of information can be utilized to strengthen local law enforcement agencies.

I was privileged to present a keynote address to the conference, at which time I recommended that law officers be made draft exempt, and that local police forces take greater advantage of the opportunity to recruit officers directly from the ranks of the military. In addition, I stressed the importance of local gun control as well as more convenient evening hours for sessions of magistrates courts.

VANIK BILL BECOMES LAW

In the field of education and educational services, I was very pleased that the House of Representatives considered and passed a bill of which I was the original sponsor. This bill extends the provisions of the very successful school lunch program to children attending preschool programs and summer educational activities. This bill, which the President signed on May 8, 1968, will utilize surplus commodities to provide nutritional meals for thousands of children at a minimum of cost.

HIGHER EDUCATION AMENDMENTS

This session of the 90th Congress extended a whole package of laws providing assistance to those seeking to go to college or vocational training schools. Although most of the assistance programs such as NDEA, guaranteed loans, work-study were basically unchanged, some of the requirements and repayment conditions have been changed and made more rigid. Those families which have been considering any of the various forms of Federal assistance for higher education should check with the schools in which they are interested concerning any changes caused by the recent amendments. The importance of these assistance programs to the Cleveland area can be seen by the fact that over the last several years they have meant $2.6 million annually for Cuyahoga County schools and students. In addition, $7.6 million has been spent in the last 2 years in the construction of facilities for area colleges and universities.

VETERANS LEGISLATION

This second session of the Congress made some significant changes in a number of Veterans' Administration programs of vital interest to many veterans in the Cleveland community. One law increased GI home loans from $7,500 to $12,500. This measure also eliminated a $7,500 ceiling which had been in operation since 1950, by authorizing 60-percent coverage on loans as high as $20,833, and 50 percent on $25,000 mortgages. In addition, veterans may be reimbursed by the VA for any cost required to make a home structurally sound and livable.

A second major piece of legislation in this area increased the basic compensation rate allowed for totally disabled veterans from $300 to $400 and adjusted compensation benefit rates for those less than fully disabled. This legislation was urgently needed in light of increases in the cost of living in recent years.

HEALTH

The principal legislation affecting health passed by the Congress this year was the Health Manpower Act which is designed to extend and improve programs for the training of nursing and other health professions. The legislation also attempts to provide more and better financial assistance to those students wishing to enter the various health occupations.

In addition, a Radiation Control Act was passed which will act against electronic products which have an unacceptable level of radiation emissions.

Congress also provided for the establishment of a National Eye Institute to concentrate an attack on blindness and its causes.

URBAN LIFE AND ENVIRONMENT

Perhaps the most far-reaching and significant legislation which the 90th Congress enacted was the Housing and Urban Development Act of 1968. I supported this legislation on the floor of the House of Representatives, and called special attention to the importance of title V which dealt with urban planning:

> One of the crucial needs of the communities I represent is the need for truly coordinated, advanced planning for urban development among Cleveland's suburbs. These communities have shown a fantastic and accelerating population growth over the last 15 years. As a result, they are today faced with major problems of insuring an adequate and healthy water supply, of obtaining and maintaining adequate sewage treatment and planning for future sanitary districts.
>
> Title V of the bill before us provides for supplementary grants for planned area-wide development. In the last several weeks, federal approval and financing was given to a planning agency composed of seven northeast Ohio counties, including Cuyahoga County in which Cleveland is located. Title V will help provide for continuing, strong support of this planning agency which is seeking to solve the problems of my area before they become critical. Title V also provides for advance acquisition of land and continuation of authorization of appropriation for water and sewer facilites grants, neighborhood facilities funds, and other programs vital for urban planning and development.

In addition, the new law provides for increased expenditures for urban mass transportation. In my mind, the need for a fully coordinated, areawide mass transit system is absolutely vital for the adequate and proper growth of the Greater Cleveland area. In 1946 there were 31 million motor vehicles in the United States. Two years ago the number had risen to 90 million, and in 7 more years it will have increased to 120 million vehicles. The question of where and how these cars and trucks, mostly concentrated in our urban centers, will find room to operate seems unanswerable.

All too often in urban areas, highways have divided communities in two, destroyed wide swaths of homes, ruined small businesses, and disrupted cultural activities. New and improved systems of rapid and mass transit seem to me to be the only solutions if we are to avoid turning our cities into massive parking lots and strips of asphalt.

Although recent Congresses have taken action to control air and water pollution, it is difficult to see any improvement yet in the quality of either our air or water. Years of heavy expenditures to control pollution and correct its effects—such as the disaster which is Lake Erie—will be required to correct the carelessness of the last century.

This session of the Congress did take action against a relatively new source of irritation in urban and suburban life—jet aircraft noise. A new law will provide standards for the measurement and regulations for the control and abatement of aircraft noises and sonic booms.

While not directly affecting metropolitan area residents, this Congress took major steps to provide for more parklands. Indeed, the last two Congresses have been among the most productive conservation Congresses in the Nation's history. The Wild and Scenic Rivers Act was passed and presently includes eight rivers. These rivers—mostly in the West, unfortunately, will be preserved in their natural state and used for esthetic and recreation purposes.

The second session of the 90th Congress should long be remembered for having finally acted on the creation of the Redwood National Park as well as the North Cascade National Park. These actions mean that the unimaginable beauty of these nature spots will be preserved for your family and mine—and for all future Americans.

CONSUMER AFFAIRS

The 90th Congress has been called the consumer Congress—and rightfully so.

For example, this spring, after nearly 8 years of intense legislative struggle, the Congress passed the Consumer Credit Protection Act. The provisions of this new law, which go into effect July 1, 1969, provide that charges for most consumer credit must be revealed both in dollars of cost and in terms of approximate annual interest rate on the declining balance of the loan. The disclosure of these items will have to be made to the consumer in writing before a sales or loan transaction is completed. I have supported this legislation over the years, and hope that now that it is enacted, it will encourage a greater degree of fairplay in the credit industry.

The Fire Research and Safety Act of 1968 establishes a program designed to cut down on the causes of fires among the materials and items commonly used in the home and on the job.

Another important piece of new legislation is the Wholesome Poultry Products Act of 1968 which extends the provisions of the Meat Inspection Act, which was strengthened last year, to the processing of fowl. Presently, some 1.6 billion pounds of poultry is slaughtered and processed each year without Federal inspection—and in most cases, without State inspection. Recently, a sample of 316 pieces of noninspected poultry sold intrastate in 16 different States was examined. Only 18 percent of the carcasses examined appeared satisfactory and one out of five should have been condemned outright as unwholesome. There were no problems with a similar testing of federally inspected poultry. It is shameful that meat in such condition should be sold in our marketplaces in the year 1968. The passage of the poultry inspection law was a must, especially since Ohio has no specific poultry inspection laws.

Another consumer protection bill which passed the Congress was the Gas Pipeline Act. The need for such legislation has long been highlighted by severe explosions in Indiana, a borough of New York City and, of course, in Cleveland many years ago. It is my hope that complete protection will be given the American public in the installation of all new pipelines and in the proper maintenance of existing lines.

THE 91ST CONGRESS

If the problems of the past have appeared overwhelming, the future which we face together will be no less a challenge. I will not change my ways; this I pledge. I will support positive, creative, and responsible approaches to the problems of our society in these times. I will endeavor to insure that every penny of your tax dollar is prudently spent in the national interest and not in the petty interests of the few.

The challenges of 1969 and the new decade demand the highest degree of courage and independence in the new Congress. This is indeed a time of testing. Partisanship and retreat would be the worst kind of medicine for a nation which is wrought with discontent and with passionate disorder.

Above all things, the new Congress must help establish the future course of America instead of abolishing direction. It must do needful and right things. It must give sustaining strength to a chief executive who is not likely to have the overwhelming mandate of the people to govern. It must unify America—not divide her.

In closing, I would like to say that it is always my intention that the services of my Cleveland and Washington staff and office be open and accessible to everyone. It is my hope that the constituents of my congressional district will always feel free to present me with their ideas and their problems. Exchange between citizens and their Congressman is the essence of democratic participation in our society. During my service in the Congress, it is my heartfelt goal to participate in that exchange to the fullest.

AIR TRANSPORTATION REGULATION

HON. HARLEY O. STAGGERS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. STAGGERS. Mr. Speaker, as you will recall, on August 2, 1968, the House had under consideration H.R. 17685, a bill amending section 101(33) of the Federal Aviation Act of 1958 to make it clear that the definition of "charter trips" performed in "supplemental air transportation" included "inclusive tour charter trips." This bill, with a floor amendment to section 401(e)(6), was unanimously passed on that day and the text substituted as an amendment to S. 3566. S. 3566 with the House amendments was subsequently accepted by the Senate on September 13, 1968, and signed into law on September 26, 1968, as Public Law 90–514.

The purpose of the legislation was to bring an end to the doubt regarding the authority of the Board to authorize supplemental air carriers to conduct inclusive tour charters that had arisen by virtue of recent conflicting lower court decisions. This was accomplished and it was our intention that there be no other change in the existing authority of the Board to regulate air transportation.

I had considered the matter closed, but I have been informed of later interpretations in the CONGRESSIONAL RECORD of what the action of the House was in accepting the floor amendment. The intent of the floor amendment, as set forth in the RECORD of the debate of that day, was that of making sure that by adding in section 101(33), applying to supplemental carriers, to the words "charter trips" the modifying phrase "including inclusive tour charter trips," we were in no wise altering in section 401(e)(6) applying to air carriers other than supplemental carriers, the interpretation of "charter trips."

The Board has always believed that under section 401(e)(6) it has the discretionary authority in the public interest, under regulations prescribed by the Board, to authorize charter trips by air carriers, other than supplemental air carriers, including inclusive tour charter trips by such air carriers. The Board's authority under this subsection has not been changed by this legislation through the addition of the same modifying phrase "including inclusive tour charter trips."

MY REPORT TO MY CONSTITUENTS

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mrs. KELLY. Mr. Speaker, with a rap of the gavel, you, the Honorable JOHN W. McCORMACK, Speaker of the House of Representatives, uttered these words:

> In accordance with the provisions of Senate Concurrent Resolution 83, the Chair declares the second session of the 90th Congress adjourned sine die.

Thus, on October 14, 1968, the 90th Congress came to an end. To what degree this Congress met the challenges of the times and those of the changing world rests with future historians. But I can personally attest to the fact that this was a hard-working, cautious and, of necessity at times a compromising one. It reflected the emotions and demands of our people in its attempt to solve the many problems and issues on which it legislated.

Because we could not meet the varying demands of all our citizens, there remain many problems for the next President and the next Congress to solve.

As the Representative for the 12th Congressional District, I am reporting briefly to my constituents the record of the 90th Congress. I will emphasize briefly the highlights of both sessions of this Congress.

As a final report I am also reviewing some of my work during the more than 19 years that I have served in Congress, as a member of the Foreign Affairs Com-

mittee and since 1955 as chairman of the Subcommittee on Europe.

Because of my long tenure on the Foreign Affairs Committee, I have been identified with many international causes and National situations, having not only a bearing on this country but also abroad. In all these matters, I have always worked faithfully and diligently for peace and justice.

The past 2 years have been strenuous, with the chaotic conditions in the world. With it all, I believe that we have accomplished some good legislation, although not entirely meeting our hopes and ambitions, due no doubt to the continuing emergence of new problems.

Disrespect for the laws of society is the new order of the day. The din of clashing arms fills the air. Violence and anger are having their day. Apparently, logic, reason, and understanding have lost their appeal in many areas of our society.

The fiber of our people—the fabric of our society—the power and the resolve of our Nation, are being severely tested both at home and abroad.

These times place heavy demands on each of us.

I am not an alarmist by nature.

Neither am I the permissive type who insists that a child, or an adolescent, will be permanently repressed unless you allow him to beat your brains out.

I stand some place in the middle—believing that we must move with the times—having faith in the good will and the intelligence of each succeeding generation—admitting to the wrongs of the past—yet insisting, and insisting with every ounce of conviction in my bones, that—you cannot have progress without some semblance of order; you cannot have freedom without responsibility; you cannot achieve a better society by destroying society itself—and the law which is the foundation of our freedom. I bowed my head in shame that my own Nation would witness the assassination of three leaders of our time in a single, brief period of 5 years.

But I have never condoned—and I shall never attempt to excuse or justify—those who, with mindless anger, tear at the very sinews of our society, attempt to set us against each other, defy the law which is their ultimate personal protection, and lead us down the path of violence and hate to the denial of everything that has been worthwhile in our country's past.

I believe that we must meet these disruptive forces with reasoned, controlled strength—or else, we shall reap the whirlwind unleashed by our own cowardice or indifference.

Whether we like it or not, we are a world power of the first rank.

We also live in an age in which the forces of revolution—stimulated, enticed, and guided by Communist ideology—are hell-bent on destroying the existing order and plunging the world into mass violence and disorder to be followed by an area of totalitarian, Communist regimes.

We have to stand up to these forces.

We must blunt their destructive purpose.

And we must allow change, and revolution, to occur within a framework of at least a modicum of order, freedom, and security.

We have been trying to do this in Vietnam. We have an interest in the security and stability of the Asian continent because we have a distinct and wanted contribution to make to its development, as we did in Europe in the late 1940's. We have thwarted a Communist takeover of Vietnam—we have given the South Vietnamese the opportunity to establish a viable government and a sizable defense force—and we have stood ready, at all times, to talk peace with the aggressors—but not to surrender.

Today the dividends of our policy and of our national resolve are beginning to appear on the horizon, judging from all indications, Hanoi and the Vietcong are on the verge of negotiation. If this is really the case—as I earnestly hope it is—then peace may soon come to Vietnam, freedom may come to be strengthened, and our forces will be able to return home.

With the challenge in Vietnam met—and, hopefully, resolved—we can start looking forward to the task of reshaping our priorities and reallocating our resources.

While doing this, we must remember—that we have to retain our strong strategic defense force—for without it, there will be no security for free men anywhere, either at home or around the globe.

HIGHLIGHTS OF THE 90TH CONGRESS

The cost of the administration of the U.S. Government in fiscal year 1968 was the astronomical figure of $178.9 billion. The revenue is $153.5 million, which leaves a deficit of $25.4 billion. This is in spite of the heavy cuts made, at the insistence of the Congress, in all department requests. The total amount includes the cost of past wars, the administration of departments, national defense, and domestic programs. However, it does not include the interest on the national debt which is $14.6 billion.

To keep our country prepared, Congress was forced to appropriate the huge sum of $71,869,828,000. This alone is the requirement for the support of our military forces, for military construction, and military procurement on all levels.

FOREIGN POLICY

The foreign policy and military strength of the United States are dedicated to the protection of our national security, preservation of the liberties of the American people and the maintenance of world peace. As you know, these objectives are costly to maintain and secure in this changing world, and especially with the renewed rise of aggressive communism and the rise of the newly independent countries of Asia and Africa—the new unalined third world.

Since World War II and the emergence of a number of powers possessing nuclear capabilities, the free world, of necessity, organized into a collective defense system of regional alliances: SEATO—Southeast Asia Collective Defense Treaty; NATO—North Atlantic Treaty Organization; ANZUS—security treaty between Australia, New Zealand, and the United States; CENTO—Central Treaty Organization; and the Rio Treaty—Inter-American treaty of reciprocal assistance. These are a part of the national defense system of the United States and the free world. The United States became the acknowledged leader of the free world. However, in more recent years and with the increasing economic strength evidencing itself in a number of other nations of the free world, the unity and control of these alliances have been weakened. A spirit of nationalism, though different in origin, has prevailed in both the free world and the Communist world. The division within the Communist bloc nations, for example, showed itself in the field of foreign affairs as individual nations sought greater independence from the previously directed decisions and policies of the Kremlin. Thus Red China and the nations alined with her have become still another force to be reckoned with in the New World.

The emergence of diverse nuclear capability and the resulting fear of a holocaust have brought about many changes. Determining what we had in common with Russia and her satellites, through cultural exchanges, easing of travel restrictions, in effect bridge-building between East and West—Eastern Europe and Western Europe and in turn Russia—became the new policy. This policy has been hindered by the aggressive action of North Vietnam and Red China in Southeast Asia and more recently by the aggressive and blatantly totalitarian move of Moscow into Czechoslovakia.

The cost of maintaining U.S. participation in the collective security of the world is incorporated in what is called the Foreign Assistance Act. As you know, this includes military cooperation, which was reduced to $375,000 for fiscal year 1969, in addition to economic cooperation programs such as the development loan fund, technical cooperation and development grants, the Alliance for Progress, international organizations and programs, supporting assistance and the contingency fund. The total amount authorized was $1,760,700, the lowest in the history of the foreign aid program.

Let no one tell you that we have not been successful in the field of foreign international cooperation. For example, the Peace Corps, which I sponsored in the House in 1961, promotes world peace and friendship at the grassroots by making available to developing countries men and women of the United States to assist peoples of these countries in meeting their needs for training manpower; by offering hope for a better life and encouraging struggling people to try new ways to advance themselves; while at the same time providing a more realistic and a true picture of the American people.

In addition, the important Arms Control and Disarmament Agency has played a central role in all the important advances toward peace which have been made over the last 7 years, including the Nuclear Test Ban Treaty of 1963, the Outer Space Treaty of 1966, and the Soviet Consular Treaty of 1967, and I was most fortunate to have played a major role in the Congress in its establishment.

LAW AND ORDER VERSUS ANARCHY AND CHAOS

I am disheartened by the soaring crime rate and the dangerous degeneration of respect for law and order in our country. While I feel that the elimination of certain social conditions and injustices which breed crime are essential, they are only a part of the task of the prevention and curtailment of crime. The majority of Americans are law-abiding citizens but despite this fact, crime and lawlessness are among the top domestic problems facing our Nation and city, as reflected in the actual crime rate which is going up nearly nine times as fast as the population.

Public order should be the first business of government. I believe that law enforcement is essentially a local problem and must be dealt with locally. However, when lawlessness reaches into every section of the country, then it becomes a national problem. Therefore, while the Congress has moved to meet some of the basic sources of injustice, frustration, and unrest, we have also reaffirmed our belief that lasting progress in America can only be achieved in a climate of stability, harmony, and conformity with law. Disobedience for law can lead only to chaos and anarchy, and then we are all the losers and progress is halted.

The 90th Congress enacted several pieces of important legislation in order to help meet the threat of anarchy. President Johnson made numerous recommendations on crime prevention and I introduced a number of bills in this field, and worked long and hard for their enactment. On June 19, 1968, the Omnibus Crime Control and Safe Streets Act became Public Law 90-351. This comprehensive bill which I sponsored has a dual objective: to help control the many aspects of interstate crime, and to assist and strengthen local law-enforcement agencies. It authorizes $100 million in Federal aid the first year and $300 million the second year to help State and local law-enforcement agencies develop methods and equipment to strengthen law-enforcement procedures; improve recruitment and training of police officers; construct law-enforcement facilities; to provide riotcontrol instruction, to improve techniques for combating organized crime; to create statewide planning agencies to develop statewide law-enforcement plans; and to purchase electronic equipment and nonlethal weapons. In addition the law allows the restricted use of wiretapping. The law also prohibits the interstate mail-order sales of pistols and revolvers and over-the-counter sales to persons under 21 years of age.

Subsequently, the Congress enacted the State Firearms Control Assistance Act—Public Law 90-618—extending the firearms provisions of the Omnibus Crime Control Act to include long guns, such as rifles and shotguns, and also ammunition. President Johnson signed this legislation into law on October 22, 1968, which bans over-the-counter sale of firearms to nonresidents of a State, and prohibits the sale of rifles and shotguns to persons under 18 years of age. The law which becomes effective on December 16, 1968, also regulates the sale of firearms by mail within a State by providing a 7-day waiting period and filing an affidavit of eligibility by the purchaser. I am sorry that amendments requiring the registration and/or licensing of firearms which had my support were rejected. In addition, at least some provision should have been included to prevent irresponsible and unfit persons from purchasing firearms. I hope the 91st Congress will see fit to enact such an amendment.

In view of disclosures that many persons were involved in rioting in different States, the Congress included provisions in the Civil Rights Act of 1968 making it a Federal crime to travel in interstate commerce for purpose of inciting a riot.

To help protect our younger people from those who would corrupt them I introduced H.R. 14299 which made it a Federal crime to illegally possess LSD. I am pleased that H.R. 14096—Public Law 90-639—the committee version of my bill was enacted.

In addition passage of the Juvenile Delinquency Prevention and Control Act—Public Law 90-445—assists courts, correctional systems, and community agencies to prevent and control juvenile delinquency.

CONSUMER PROTECTION

By its record the 90th Congress may well merit its designation as the Consumer Congress, because we enacted essential measures to help protect the health, safety, and welfare of all Americans. During my years in the Congress, I have consistently supported measures to protect the family and the individual from fraud and deceit in the marketplace and from dangerous products, because as a woman who does the family shopping, I appreciate the many problems faced when purchasing items for the family.

Therefore, I was happy to support and see enacted into law the Consumer Credit Protection Act—Public Law 90-321—which may be better known to you as the truth-in-lending bill. I worked many hours over the years with my good friend the Honorable LEONOR K. SULLIVAN, Third Congressional District of Missouri, chairman of the Subcommittee on Consumer Affairs of the Committee on Banking and Currency in urging the Congress to enact legislation requiring those who extend credit to give a clear statement of the costs of that credit to their customers. I introduced legislation to this effect for some years and was most happy that the 90th Congress finally enacted a strong and what I believe will be an effective Consumer Credit Protection Act. Effective July 1, 1969, the act requires the disclosures of credit, annual rates of finance charges on loans and installment credit, and annual as well as periodic disclosure of charges on revolving credit accounts. It also requires meaningful disclosure of interest on first mortgages and permits persons to exempt themselves from fraudulent second mortgages within 3 days of agreement, while garnishment of wages by creditors is restricted and penalties for loan sharking are provided.

In addition, the Flammable Fabrics Act—Public Law 90-189—was enacted, establishing new standards to provide protection against the sale of highly flammable wearing apparel and interior furnishing products, with protections for both consumer and manufacturer. The Federal Meat Inspection Act—Public Law 90-201—was enacted providing for Federal-State cooperation for intrastate meat inspection standards and a program to bring State inspection systems in line with Federal. A companion measure, the Wholesome Poultry Products Act—Public Law 90-492—was passed providing for cooperation with appropriate State agencies with respect to State poultry products inspection program.

The Fire Research and Safety Act—Public Law 90-259—authorizes a 2-year, $5 million Federal program of research on the causes of fires and methods of reducing loss of life and property from fire. It also established a National Commission on Fire Prevention and Control to study the problem and report its findings. Fires in our area have taken the lives of many children and their parents in the past year. This is of vast concern and more must be prevented.

For some time now the public has been complaining about the adequacy and cost of automobile insurance. Responding to this discontent, President Johnson requested Congress to authorize a study of the entire industry. The Congress enacted Senate Joint Resolution 129—Public Law 90-331—authorizing a 2-year study by the Department of Transportation, which will investigate all aspects of the automobile compensation insurance system, and to recommend legislation to correct any flagrant abuses.

The consumer's Congress established a seven-member National Commission on Product Safety—Public Law 90-146—appointed by the President to investigate and determine the extent to which consumer products used in and around the home contribute to accidental injuries or deaths. It will evaluate the effectiveness of industry's efforts to assure product safety through voluntary self-regulation and will determine how effective Federal, State, and local laws—including common law in States—are in protecting the consumer. The Commission will report to the President and the Congress within 2 years making such recommendations as it deems necessary to assure better protection in the future.

Therefore, I was happy to have the opportunity to testify at the first public hearings of the National Commission on Product Safety on October 22, 1968, in New York City. I wanted to once again aline myself with our concern for the number of problems related to product safety. As a woman as well as a Member of Congress, I have been particularly concerned with safety in the home. In my testimony, I reviewed congressional action in this field and made certain recommendations which I hope in some way will prevent the estimated 20 million injuries and 30,000 deaths resulting annually from environmental hazards in American homes. I pointed out that these are a "shame to the know-how of America." I offered a suggestion regarding product safety which I feel merits the attention of the 91st Congress and that is omnibus legislation—a comprehensive rewriting of our consumer laws instead of piecemeal amendments to meet some emergency situation. Based on past experiences I believe this would be looking ahead and eliminating the dangers beforehand, rather than adopting preventive legislation after the damage has been done.

EDUCATION AND HEALTH

The Elementary and Secondary Education Act Amendments of 1967—Public Law 90-247—offer programs of incentive grants for States which spend more money on education than the national average; funds for the acquisition of library resources; aid to children of limited English-speaking ability and of low-income families.

The Education Professions Development Act of 1967—Public Law 90-35—assists colleges in the recruitment of teachers; extends fellowships to teachers on preschool, adult and vocational programs, and authorizes funds for the Teacher Corps.

Since its inception in 1965, the successful college work-study program has provided part-time employment opportunities for an estimated 300,000 students, three-fourths of whom came from low-income families. Because of its inestimable value, this and other scholarship and loan programs of benefit to more than 1,000,000 college students have had my support. In August 1967, the original 90-10 percent Federal-State funding ratio was scheduled to drop sharply to 75-25 percent, but a compromise increased it to 85-15 percent for 1968 and 80-20 percent for 1969.

The Higher Education Amendments of 1968—Public Law 90-575—contain a new, major provision which had my support. This section denies Federal funds to students involved in certain disruptive activities on the campus. If an institute of higher education, after holding a hearing, in keeping with the individuals rights determines that a student has willfully refused to obey a regulation of the school or has contributed to the disruption of the administration of the school, then the school may deny payment to the student of grants under federally assisted education programs.

In the field of special education, funds have been made available to start construction on libraries in areas of our Nation which previously had inadequate facilities or none at all. In the summer of last year, I was happy to announce that Brooklyn College of the City University of New York had been awarded a $2.5 million construction grant by the Department of Health, Education, and Welfare. The grant is being used to help finance an addition to Ingersoll Hall, the college's science building. In addition, almost $40,000 in Federal funds were granted for library materials. In the field of special education due to the Adult Education Act Amendments of 1967 funds have been allocated for elementary education for the illiterate adult.

The Vocational Rehabilitation Amendments—Public Law 90-576—extends vocational rehabilitation services through fiscal 1970 through State grants. The Federal Government will help establish and/or maintain centers for deaf-blind children and adults.

The Radiation Control for Health and Safety Act of 1968—Public Law 90-602—compels manufacturers to limit radiation emanating from all products—such as televisions and ovens—to an unharmful, minimum amount. The bill is of benefit to all consumers, furthers safety in the home, and protects the health of all Americans.

With reference to physical and mental health programs, the Partnership for Health Amendments of 1967 authorizes $589 million for grants to the States for health planning and services, including $40 million for rat control projects. The Mental Retardation Amendments of 1967—Public Law 90-170—extend programs for construction of mental retardation facilities; authorize grants for staffing the centers and extends the program of training teachers of the handicapped.

HOUSING AND JOB OPPORTUNITIES

In spite of the inclination to cut social welfare measures, Congress passed the most far-reaching housing program in two decades.

Public Law 90-448, the Housing and Urban Development Act of 1968, authorizes a comprehensive program to finance lower income housing in both urban and rural areas with the best possible utilization of the private sector. The act also involves provisions for urban renewal, urban transportation, national flood insurance and a variety of other housing and urban programs. It provides 1.7 million units of new or rehabilitated housing for low-income families over a 3-year period at a cost of $5.3 billion. This comprehensive bill incorporates certain provisions of my bill, the Urban Housing Development Act.

Two bills which I introduced, the Urban Employment Opportunities Development Act and the Guaranteed Employment Act are designed to encourage the active participation of private enterprise in the establishment of training programs, employment opportunities and low-cost housing for those in urban poverty areas. In order to assist in solving some of our most pressing urban problems, I trust that the next Congress will give serious consideration to enacting this legislation.

The objectives of the Office of Economic Opportunity—OEO—are to eliminate welfare payments and to substitute a program of self-help which had my active support. Therefore, I opposed the drastic cuts in the OEO appropriations and I sponsored legislation to provide $200 million in supplemental appropriations for summer programs. I have repeatedly suggested corrective measures to eliminate any abuses in the program and to remedy the supervision of these funds.

I have also introduced the Urban Property Protection, Rehabilitation and Reinsurance Act which would, among other things, establish a national insurance development program to protect business and residential areas against fire, crime, rioting and other civil commotions, and would assist low-income property owners whose property does not meet reasonable underwriting standards. In addition, this legislation would encourage the small businessman and further job opportunities by protecting the shopowner's investments.

The rapid decline in living conditions and opportunities in the city of New York and the problems of local taxation, education, discrimination, poverty, housing, air and water pollution are critical problems which demand our immediate attention. These crucial matters were the subject of my testimony before the National Commission on Urban Problems on September 8, 1967. I stated before this commission, appointed by President Johnson and chaired by the former U.S. Senator Paul Douglas:

> It is self-help on the part of the individuals and self-determination which would make this city even more livable than it formerly was. No government nor any amount of money can do the job alone. What is needed is a combination of all forces in the community.

CIVIL RIGHTS

The Congress acted to extend the life of the Civil Rights Commission to January 31, 1973. This Commission has had my continuous support over the years, as have all civil rights laws. We also enacted the Federal Jury Reform Act—Public Law 90-274. Henceforth, Federal court jury panels must be selected at random from a "fair cross section of the community" in which they are empaneled. Specifically prohibited by this act is discrimination in jury selection on the basis of race, color, religion, national origin, or economic status. This will, I trust, insure that juries are not "loaded" against a defendant on any of these counts. In addition, passage of the Civil Rights Act of 1968—Public Law 90-284—takes its place alongside the 1964 Civil Rights Act and the Voting Rights Act of 1965, each of which is a milestone in the continuing effort to guarantee Negroes and other racial minorities a real stake in American life. The Civil Rights Act of 1968 includes the protection by the Federal Government of persons exercising their legal and civil rights; the establishment of national fair housing standards to prevent racial discrimination in the rental or sale of housing; the extension of Federal jurisdiction to riots and other acts of civil disobedience which threaten interstate commerce; and the protection of the basic rights of American Indians. A June 17, 1968, Supreme Court decision in the case of Jones against Mayer Co., which was argued before passage of the Civil Rights Act of 1968, quoted excerpts of my statement in the House of Representatives on April 10, 1968, in support of this legislation. During my statement I referred to the law which was enacted in 1866 and which is section 1982 of title 42 of the United States Code providing that "every citizen of the United States shall have the same right to acquire real property as is enjoyed by white citizens." The Attorney General argued the case, Jones against Mayer Co., in the Supreme Court on April 1, 1968. The case involved the question of whether a developer who is building homes can refuse to sell lots and houses in such a development to Negroes purely on account of race.

Nobody should think that because of the passage of this legislation, which includes fair housing, antiriots, and Indian rights provisions, problems are going to be solved overnight. For instance, with reference to one of the most controversial sections of the bill—the fair housing provisions—New York is one of the States which already has on its statute books laws prohibiting discrimination in all housing other than one- and two-family homes which are owner occupied. There are still enormous economic and social barriers which must be overcome to accomplish fully the purposes of this legislation. However, achieving man's recognition and acceptance of inherent rights of all persons is the ultimate answer and a fundamental principle of our Government.

With the many laws we have recently enacted in this field it is now up to each of us to carry them out in our daily lives.

TAXATION

A long debate preceded enactment of the 10-percent surtax requested by the administration to help reduce the budget deficit and curb impending inflation. As passed by Congress and approved by the President on June 28, 1968, H.R. 15414—Public Law 90–364—the Revenue and Expenditure Control Act of 1968 included the 10-percent surtax, required a $6 billion cut in Government spending for fiscal 1969, and called for the reduction of Federal employees to mid-1966 levels. I voted against the bill for several reasons, which I will briefly mention.

On September 22, 1967, I appeared before the House Committee on Ways and Means during their hearings on President Johnson's request for a 10-percent surtax on individual and corporate income taxes. While admitting the need for increased tax revenues, I noted that the proposed surtax not only overlooked inequities in our tax statutes—it increased them and would hit hardest those least able to pay. I stated that persons who should pay for this increase should be those with the ability to pay, when I testified:

> We know that there are loopholes in our present tax structure. In 1964, 482 tax returns reported income of over $1 million, and 19 of these multi-multi-millionaires escaped without paying one cent in taxes. A 10% surtax won't affect these people—10% of nothing is still nothing.

In addition, I stated that the surtax proposal simply increases the desirability of such well-known tax dodges as the exemption of State and local bond issues from taxes, depletion allowances in mining and the exclusion of one-half of capital gains from tax. I pointed out that these "avoided" taxes represent about $14 billion of income to individuals, and $9 to $10 billion for corporations and that none of this will be subject to tax. While on the same hand those in the lower- and middle-class tax brackets do not have the money to take advantage of the tax breaks, it has always been my contention that a heavier burden should fall on those in the higher brackets, those who are able to pay. Taxing statutes should tax fairly and tax benefits should be granted to those who truly deserve them. To that end, I have introduced legislation to extend the head of the household exemption to persons who are entitled to it but do not qualify under present law, individuals who may not file joint returns and individuals over 35 who have not married or who have been separated for over 3 years, or unremarried widows and widowers. I have also for many years introduced legislation for additional exemptions for the disabled; deductions to taxpayers sending sons and daughters or other dependents to college; and deductions for the transportation expenses of disabled persons who are unable to use public transportation.

Finally, I discussed in great detail our present tripartite tax structure, which was designed for a rural America and which is bankrupting urban centers such as our city of New York to the extent that cities can no longer afford to develop themselves, but also are forced to attempt revenue-raising measures which force industry to move out. The result is ever-increasing urban poverty.

For these reasons I believed the surtax proposal to be inequitable as it applies to individuals and thus to the community.

In addition, in a questionnaire to you last spring, I included a question on which fiscal policies the Congress should adopt. The majority of the replies, which ran into the thousands, preferred closing income tax loopholes.

I had presented the inequities to the Committee on Ways and Means in 1967 in hopes that they would take action to correct them before the bill was reported to the House for a final vote. No effort was made to correct them. Therefore, I voted against the Revenue and Expenditure Control Act as it was presented to the Congress.

SENIOR CITIZENS

Nearly 23 million Americans receive social security benefits. To help recipients live a better life, the Social Security Act Amendments of 1967—Public Law 90–248—were enacted. Some provisions of the act are controversial and have been criticized, but the benefits far outweigh the areas of dispute. Therefore, its passage was of vast importance to all our citizens and the majority of my constituents. If the controversial sections prove detrimental, they should be amended.

The law provides a 13-percent increase, the largest in the last 32 years; raises the amount of outside earnings to $1,680; and increases special payments to uninsured individuals aged 72 and over.

In addition to this legislation, the Congress enacted two other measures important to senior citizens, which I cosponsored. The Older Americans Act of 1967—Public Law 90–42—which extends the original law 5 years, and appropriates funds for special community projects for the aging. Enactment of the Age Discrimination in Employment Act of 1967—Public Law 90–202—which prohibits discriminatory practices against workers between the ages of 40 and 65.

VETERANS AND SERVICEMEN

Some 677 bills and resolutions, including some I sponsored, were introduced and referred to the Committee on Veterans' Affairs, during the 90th Congress. I would like to discuss briefly some of the most important legislation which was finally enacted in this field.

Public Law 90–77, the Veterans Pension and Readjustment Assistance Act of 1967, provides an overall cost-of-living rate increase of 5.4 percent for all veterans, their widows, and children; an 8.5-percent increase for widows and children in the lowest income categories; an increase to veterans' widows who require constant nurses care; and many additional benefits for veterans of the Vietnam era; eligibility for pensions is extended to Vietnam veterans, widows, and children on the same basis as veterans of World Wars I and II and the Korean war; Vietnam veterans were awarded benefits to aid their readjustment to civilian life, such as increased housing loans, and educational and job training benefits.

Public Law 90–275 was enacted to adapt veterans' pensions to the social security increase of 1967. Without the enactment of this legislation, the social security amendments would have caused the reduction or termination of benefits to veterans and their dependents. This law increases the overall maximum income limitation by $200. While I supported this legislation because it was necessary, it falls short of the purpose of my bill, H.R. 4756, which provides that social security payments shall not be considered as income in determining eligibility for veterans pensions. I trust the 91st Congress will enact legislation similar to mine.

The veterans guaranteed and direct loan programs—Public Law 90–301—increases the maximum VA guarantee on home loans to eligible veterans from $7,500 to $12,500, and permits veterans to pay more than the VA-assessed value for their homes while still qualifying under the VA guarantee program.

The Part-Time Vocational Rehabilitation Act—Public Law 90–431—authorizes funds for job training to restore employability to disabled veterans. The law includes allowances for subsistence, tuition, fees, books, supplies, and equipment.

Almost 2 million American veterans will receive an 8-percent increase in compensation for service-connected disabilities under this law which became effective on August 19, 1968. This law authorizes the VA to furnish invalid lifts, therapeutic and rehabilitative devices.

It is interesting to note the number of VA medical services which are estimated for the year 1969. A record number of 802,500 patients will be treated at VA facilities, and approximately 6.5 million outpatient visits will be made to VA clinics or to private physicians at Federal expense.

During my years of service in the Congress, I have been personally contacted by many veterans of our district who required emergency assistance with Veterans' Administration problems, for example, in obtaining admission to the VA hospital in Brooklyn. I have tried to do all within my power to come to their aid and it has been very gratifying to me to have successfully helped them. I wish to express my appreciation to Dr. Philip R. Casesa, director of the hospital, for all of his gracious cooperation.

POSTAL REVENUE AND FEDERAL EMPLOYEES BENEFITS

A major accomplishment of the first session of the 90th Congress was enactment of the Postal Revenue and Federal Salary Act of 1967—Public Law 90-206. I introduced legislation "to adjust the rates of basic compensation of certain employees of the Federal Government" which is incorporated in this act. The law brings postal rates more closely in line with the cost of postal operations; makes good on a 5-year-old guarantee that postal salaries be placed on a par with pay in private enterprise; and increases postal rates equitably across the board. Much of the revenue will go to streamlining the U.S. postal service which each year handles as much mail as the rest of the world combined. In addition, some 730,000 postal workers and 1.1 million classified Federal workers benefited from this pay raise. The goal is to make Government salaries more equal to pay for comparable work in private industry and to assure that we are able to recruit and retain competent people in our public service.

In the spring of 1968, I introduced three bills to amend the Civil Service Retirement Act. H.R. 17123 authorizes the retirement of employees after 20 years of service at the age of 50 without a reduction in annuity. H.R. 17124 provides increased annuities on a graduated scale so that the most money is put where the most money is desperately needed. H.R. 17125 modernizes certain provisions of the Civil Service Retirement Act by permitting the inclusion of premium and overtime pay in the computation of annuities, and increasing the pitifully low benefits for surviving children by $120 annually, for example. No final action was taken on these bills and I urge the 91st Congress to do so.

For our military personnel, Congress enacted the military pay bill—Public Law 90–207—increasing the monthly pay of servicemen and women by 4.5 percent, effective October 1, 1967. Provision was also made for automatic military pay raises in the future to correspond to salary increases for Federal civilian employees.

IMMIGRATION LEGISLATION

During my service in the House of Representatives and because of the many problems I have encountered involving relatives of U.S. citizens who have been my constituents, I have constantly worked to enact legislation to facilitate the immigration of those who want to start a new life here in the United States but who are discriminated against by our immigration laws.

The Immigration and Nationality Act Amendments of 1965, which had my support in the Congress, became fully effective on July 1, 1968. The abolition of the national origins quota system, the imposition of fixed ceilings, exclusive of spouses, parents, and children of citizens, on the Eastern and Western Hemispheres, respectivesly, became operative on that date. Also immigrants must now compete on a worldwide basis for visa issuance and visa applications which will be processed on a first-come, first-served international basis in their preference category. The 1965 immigration amendments eliminated the national origin quotas which were deemed unfair, and based immigration on two principles: the reuniting of families and the attraction of immigrants with needed skills.

In practice, however, certain areas, have created problems which should have been anticipated, especially by the Committee on the Judiciary. In addition to supporting the good facets of the 1965 immigration amendments, we were forced to accept provisions such as labor certification which resulted in unintended inequities. I foresaw many of these problems and many have been corrected by administrative action; others have been corrected by legislation which I also sponsored.

On February 8, 1968, I introduced H.R. 15274, a bill to amend the Immigration and Nationality Act by granting "special immigrant" status to nuns, brothers, sisters, and missionaries of a bona fide religious organization. This bill would correct one area of the discrimination emanating from passage of the 1965 Immigration Act amendments by expediting the entrance of these persons into the United States. "Special immigrant" status has long been accorded to ministers of religious denominations. Therefore, enactment of this legislation would merely extend this status to religious workers, whose services help maintain schools, orphanages, hospitals, and other educational and health institutions.

I was pleased that H.R. 15450, a committee version of this legislation, which I originally sponsored in the House, passed this body on September 16, 1968, and an amended version passed the Senate on October 10. The Senate struck the word "missionaries," as being too broad and hard to define. The bill was again taken up on the House floor on October 14 but the House insisted on its version of the bill and sent it back to the Senate. Unfortunately, Congress adjourned before any final action could be taken.

Enactment of this legislation would have been a necessary first step toward correcting some of the unforeseen, temporary inequities resulting from the passage of the 1965 Immigration Act amendments. Because of these same amendments, Western European nations which have not established long waiting lists for visa issuance experience an inordinate delay in receiving visas. I trust the 91st Congress will enact this legislation and thereby reestablish the historically major contribution of immigration to this country by peoples of Western European nations.

In the final hours before adjournment we were able to obtain approval of a bill which I sponsored to permit naturalization of aliens presently serving in our Armed Forces, similar to legislation passed for World War II and Korean war alien servicemen. The final bill, H.R. 15147—Public Law 90–633—amends the Immigration and Nationality Act so as to provide for the expeditious naturalization of persons who have served in active-duty service in the Armed Forces of the United States beginning on February 28, 1961, until such time as the Vietnam hostilities are terminated.

FEDERAL MARITIME ACT

A total of 92 percent of our waterborne commerce is carried aboard foreign-flag vessels. To improve our Nation's maritime industry by expanding and modernizing the American-flag fleet and to make our maritime industry first class, I sponsored legislation to create an independent Federal Maritime Administration, and to return our Nation to its former prominence on the seas by revitalizing the industry through operating and construction subsidies, tax-deferred construction reserve funds, and fair and equitable carriage of Government-generated cargoes.

There is no question in my mind that our balance of payments would be greatly improved if American foreign trade was carried in American ships manned by American crews, instead of transported by foreign-flag vessels. Therefore, I was gratified that the Congress took the necessary first step toward revitalizing this American industry. Our President in his message to the Congress on transportation on March 2, 1966, recommended that all executive functions of the transportation agencies be consolidated "in a single coherent instrument of Government." While the President vetoed H.R. 159 because it established a Federal Maritime Administration as an independent agency, I hope that the Congress will continue to work on legislation to create a thriving merchant marine for our country, by means of coordinating the various agencies of our Government which are concerned with transportation and extending Federal support for our merchant fleet to all ships that fly the U.S. flag.

CONGRESSIONAL STANDARDS OF OFFICIAL CONDUCT

I had the honor of being elected, by my colleagues in the House, to serve on the committee which drafted the code of conduct and related provisions for the House. Although I have discussed my election to this bipartisan committee in previous newsletters, and in recent speeches in the House of Representatives on October 1, 1968, page 29107, and on October 11, 1968, page 31443, I would like to briefly summarize the committee's recommendations, their adoption in the House and some subsequent developments in this report.

The permanent Committee on Standards of Official Conduct is a truly bipartisan committee, consisting of six Democrats and six Republicans. Any action on individual cases must be voted on by seven members of the committee. This wise precaution was written into our rules to prevent any purely political harassment.

While on the whole Congress has maintained a high average in the matter of conduct, a few highly publicized cases of wrongdoing, or suspected wrongdoing, began to generate a demand a few years ago for the establishment of an enforceable code of standards for the conduct of Members, officers, and employees of Congress.

As a result, our committee worked diligently through the last half of 1967 and the first 3 months of 1968 to produce the Code of Official Conduct and the House on April 3, 1968, passed by a vote of 405 to 1, a resolution, House Resolution 418, outlining the standards of conduct which our committee felt should be minimal for a Member of Congress.

The committee's recommendations as adopted by the House, Report No. 1176, included the following: to continue the committee as a permanent standing committee of the House; vesting of legislative, investigative, enforcement, and advisory powers—subject to certain limitations—in the committee; amendment of the rules of the House to provide for a two-part system of financial disclosure; modernization of the Corrupt Practices Act to tighten controls on campaign contributions and expenditures; and elimination of any abuses in the use of counterpart funds; as well as a Code of Official Conduct for Members, officers, and employees of the House.

The provision for financial disclosure, which is separate from the code, requires Members, officers, and highly paid employees of the House to file by April 30 of each year a report available to the public listing certain assets, outside income and capital gains. It is mandatory to file a more detailed, sealed report which may be opened only if the committee determines by a majority vote that this information is pertinent to an official investigation.

This two-part system of financial disclosure was devised by the committee in order to remind the Member or employee, when he prepares his report, of areas in which he may have a potential conflict of interest; and to acquaint a Member's constituents with areas of potential conflicts.

In my 19 years in the Congress, I have known many of my colleagues, from both sides of the aisle. I have a very high regard for the overall integrity of the Congress.

However, it was necessary for us to set up guidelines for the conduct of Congress, not because of widespread delinquency among our membership, but because a very few flagrant cases made it necessary to assure the citizenry that we were sincere about creating certain standards. I believe we have made a significant step forward in creating a legal basis on which we can take action against the few Members who abuse their privileges.

Finally, the recent public disclosure in regard to the voting irregularities in the House is but another occurrence through which this body could be further depreciated in the public eye. While an investigation of the voting irregularities by the Committee on Standards of Official Conduct will undoubtedly uncover where the fault lies, it is more important that there be a complete overhaul of voting procedures so as to eliminate, for all time, unhealthy practices and loose procedures.

In this age of electronic wonders, it might be wise to install an electronic voting system. It is my understanding that many State legislatures use electronic voting systems which provide a more accurate permanent record and save countless hours which are now taken up by our lengthy and frequent rollcalls. Moreover, such a system, if properly designed, would prevent absent Members from being recorded as present and voting.

Any revision of the manner of voting in the House should also include the elimination of the pairing system by which absent Members attempt to indicate their views on legislation even though they are not present and voting. The pairing system is clearly a voting abuse, not provided for by any rule of this House. I hasten to point out that a pair is not a vote and for legal verification I refer to Cannon's Precedents of the House of Representatives, volume 8, section 3076, and to my speech in the House of Representatives of October 11, 1968.

My service on this committee was, of course, in addition to my continuing service on the House Committee on Foreign Affairs.

SPECIAL LEGISLATIVE ACCOMPLISHMENTS
INTERNATIONAL CLAIMS

A bill to amend the International Claims Settlement Act of 1949, H.R. 9063, which I introduced, guided through the Foreign Affairs Committee and the House of Representatives, and managed on the part of the House in the House-Senate Conference Committee, was enacted into law—Public Law 90–421—and brings to an end three international claims programs. It also provides for the processing and termination of several others.

In each particular case, this law deals with claims by U.S. citizens against foreign governments for property or other losses suffered in foreign countries.

The settlement of these claims is not a burden to the U.S. Treasury. The programs with which this legislation deals are self-financing. The claims are settled with funds obtained from foreign governments; these funds also pay the cost of administering our claims programs.

Following World War II, thousands of American citizens had claims against foreign countries for the taking or destruction of property, for personal injuries, or for loss of income. Certain citizens of those countries owned property in the United States. Our Government vested such properties and used the proceeds to compensate American citizens who sustained losses in the countries concerned.

That compensation was subsequently distributed to the eligible claimants who justified their claims and received awards from the U.S. Foreign Claims Settlement Commission.

With the exception of Italy, these amounts did not satisfy the claims in full and so in some instances the United States made agreements with Rumania, Bulgaria, Poland, and Yugoslavia to pay additional sums to increase the settlement of the claims of U.S. citizens. I am proud to say that my subcommittee has brought to fruition the best settlement possible after 20 long years. I regret, however, that there will be a delay in the distribution of these awards, due to the refusal of the Appropriations Committee, particularly the Subcommittee on State, Justice, Commerce, Judiciary, and Related Agencies, to approve the full amount of the appropriation needed for the administration of the Foreign Claims Settlement Commission. With the cutback of personnel, there will be no commission staff to work on the programs authorized by Public Law 90–421 in fiscal 1969. This is unfortunate since as I stated above, these claims are self-financing and the awards involved will not cost the United States one penny. Our American citizens will thus be forced to wait until 1970 for the further processing and distribution of money earmarked for them.

AIRCRAFT NOISE ABATEMENT ACT

As a Representative from a very large urban area and because many of you have complained about the bothersome noise and booms from commercial aircraft in our area, I sponsored legislation to authorize aircraft noise abatement regulation. I am happy to report that the Congress passed the Aircraft Noise Abatement Act—Public Law 90–411—authorizing the Federal Aviation Administration to set aircraft noise and sonic boom standards for commercial aircraft.

DESECRATION OF THE FLAG

The Congress enacted H.R. 10480—Public Law 90–381—prescribing penalties for desecration of the American flag. The purpose of the legislation, a version of which I sponsored, is to prohibit and punish by Federal law public burnings of the flag along with other contemptuous acts of destruction. Enactment of this legislation was occasioned by a number of public flag-burning incidents in various parts of the United States and in foreign countries by American citizens.

COLUMBUS DAY

After many years of struggle the Congress finally enacted legislation in the 90th Congress declaring October 12 to be a legal holiday. In addition the law—Public Law 90–363—provides uniform annual observances for the following holidays: George Washington's Birthday, Memorial Day, Columbus Day, and Veterans Day. This law becomes fully effective in 1971. Although I had introduced separate legislation declaring October 12 to be a legal holiday, I supported the final legislation and I am proud to have played an active role in this successful effort.

AIR QUALITY ACT 1967

Air pollution is a threat to the health and well-being of all the American people, but particularly to those who reside in large metropolitan areas such as our city of New York. Recognizing this situation the Congress enacted the Clean Air Act of 1963, which marked the beginning of a new and much more hopeful era in air pollution control. For the first time, authority was provided for Federal regulatory action to abate interstate air pollution problems and for the awarding of Federal funds to encourage the development of regulatory control programs at the State and local levels. In addition, we enacted the Clean Air Act Amendments of 1965 and 1966, and some encouraging progress toward better control of the air pollution problem was made. However, the fact remained that accelerated efforts were needed if the Nation was to overtake the rising tide of air pollution, which is worsening in direct proportion to the Nation's economic and urban population growth and its continuing technological progress.

While there were differences of opinion on what the new legislation would provide, there was no disagreement on the fundamental question of whether greater Federal participation in the fight against air pollution was needed. It was generally agreed that polluted air respects no boundaries and had become a national problem of great proportions.

In line with this belief, President Johnson urged the Congress to enact additional legislation to cope with the increasing problem. On November 21, 1967, as an original sponsor of the Air Quality Act of 1967, I was in attendance at the White House when the President signed this act into Public Law 90–148. Basically the law is intended primarily to pave the way for control of air pollution problems on a regional basis in accordance with air quality standards and enforcement plans developed by the States. In part the law amends the Clean Air Act of 1963 by planning grants to air pollution control agencies; expanding research provisions relating to fuels and vehicles; providing for interstate air pollution control agencies or commissions; and authorizing the establishment of air quality standards.

On the eve of adjournment, the Congress did not take action on water pollution control legislation, and I urge the 91st Congress to give this matter top priority.

ESTUARINE AREAS

On August 3, 1968, a bill similar to one I introduced, authorizing the Secretary of the Interior in cooperation with the States to preserve, protect, develop, restore, and make accessible estuarine areas of our Nation which are valuable for sport, commercial fishing, wildlife conservation, recreation, and scenic beauty became Public Law 90–454. This law provides for the necessary protection and conservation of our Nation's estuaries and directly affects 16,000 acres of Long Island wetlands, 29 percent of which have been destroyed since 1954.

The dwindling away of many of the picturesque areas of our country and the gradual depletion of our natural resources are problems of great concern to all Americans and have long interested me. This act will effectively, I hope, combat the loss of one of America's natural areas.

YEARS 1949–68

In line with my background as a student of history and economics, I was fortunate to be elected to serve on the Committee on Foreign Affairs of the House of Representatives shortly after beginning my service in Congress in 1950. In 1955, I was appointed chairman of the Subcommittee on Europe and also serve as a member of the Subcommittees on National Security and Scientific Developments Affecting Foreign Policy; State Department Organization and Foreign Operations; and the Special Subcommittees on the Middle East Crisis and Review of Foreign Aid Programs.

In the succeeding years, I became identified with all the legislation of this important committee. I will simply note some of the bills and progressive amendments which I offered and which are now law:

The Mutual Defense Assistance Act of 1951—Battle Act—prohibits the export of strategic materials to Red China and Russia, and controls exports to Soviet-dominated nations by countries to which the United States supplies assistance.

A Kelly amendment to the Mutual Security Act of 1958 brings annually more than $1 billion of business to the United States; pays for a large portion of the foreign aid program; has been a major factor in helping to stem the outflow of gold from the United States; and makes it possible for nations of the free world to purchase more of their military supplies in the United States.

Since 1962, the U.S. Government can no longer act as purchasing agent for foreign governments for items ranging from jet aircraft to nylon stockings. These operations were in direct competition with private enterprise.

Since 1962, all aid must be terminated to foreign governments which owe moneys to American business firms for goods or services and refuse to make payment, if the President does not find such action to be contrary to the national security.

My amendments in 1965, 1966, and 1967 encourage homeownership and the creation of savings and loan associations and credit unions in Latin America; provide $1 million in Israel pounds for the Hadassah Hospital in Israel and improve the military sales program; set aside $1 million for the Or-Hachayim Girls College in Bnei-Brak, Israel, and additional funds for the Israel Training Institute for Boys; cut off U.S. aid to countries which have severed diplomatic relations with the United States—Arab countries; and strengthen the prohibition on assistance to countries which permit ships or aircraft under their registry to carry goods to or from North Vietnam.

My appointment in 1963, as a delegate to the 18th General Assembly of the United Nations by our late beloved President John F. Kennedy was a singular honor. The months that I spent serving at the U.N., with the late Ambassador Adlai Stevenson while continuing my service in the Congress, will long be remembered by me as a high point of my public service.

The experiences I gained at the U.N. reinforced my view that this organization could be a most important instrument in keeping peace in the world. On November 19, 1963, I addressed the U.N. on the "Peaceful Settlement of Disputes" and pointed up the importance of the concept of a peacekeeping force under the command of the United Nations. To insure the effective continuance of the United Nations, we must, as I recommended in my report, "United Nations in Crisis," House Report No. 1103, 88th Congress, first session, make certain that all members of that body promptly pay any assessments levied against them.

Support of the United Nations has been a key factor of U.S. foreign policy since the founding of that organization. There is not a place on the globe that does not feel the impact of what the United States does or fails to do. It is a problem the people of our Nation must face. The United States must continue to play a constructive role in the evolution of all human affairs.

My sponsorship of an amendment to the Mutual Security Act in 1951, providing for U.S. participation in the Intergovernmental Committee on European Migration—ICEM—has resulted in the resettlement of over 1 million homeless persons. This legislation facilitated a cooperative international effort to resettle the countless innocent persons dislocated by World War II. I am indeed proud that I had some small part in helping to find new homes and opportunities for useful life for more than 1½ million displaced persons.

One of the responsibilities of serving on the Foreign Affairs Committee is to study, first-hand, situations which require the scrutiny of the committee and the Congress, in order to legislate on them with greater competency. The study mission trips in which I was proud to participate focused on Europe, in my capacity as chairman of that subcommittee.

The "Report of the Special Study Mission to Germany and Certain Other Countries," House Report 1834, 82d Congress, second session, is the result of my first assignment abroad, in 1951, under the chairmanship of Congressman CLEMENT ZABLOCKI. Our committee studied the effects of our foreign aid to Germany, Austria, Yugoslavia, Italy, and Spain with four objectives in mind: to determine whether the spending of this money was resulting in the attainment of our objectives; to view the amount of cooperation of the Europeans; to weigh future action of the United States in assisting these nations; and to estimate the degree of success U.S. aid would have upon the objectives of the free world and the security of our country. I view this study mission as one of my most important missions. It helped me to understand the problems and issues of the European nations and their relationship to the U.S.S.R. and all other nations. It emphasized to me that the world is a family of nations, inter- and intradependent.

In 1955, I assumed the chairmanship of the Subcommittee on Europe and in the fall of that year conducted a fact-finding trip to eight countries of Europe and to Israel. In addition, I accompanied several members of the subcommittee to Geneva to observe the Foreign Ministers Conference and to meet personally with then-Secretary of State John Foster Dulles and members of his staff. Our purpose, as contained in "Study Mission to Europe," House Report 1683, 84th Congress, second session, was to facilitate an evaluation of the effectiveness of U.S. foreign policy since World War II in the countries visited, as well as to assist in appraising further U.S. action, with four basic questions in mind:

First. Will further U.S. aid be required?

Second. What is the attitude of the country toward the U.S.S.R.?

Third. Is the country implementing its defense program?

Fourth. Is the country cooperating with the United States in dealing with major international problems?

The 1956 Hungarian revolution and the uprising in Poland was the subject of a report of the Subcommittee on Europe entitled, "Policy Toward the Satellite Nations," House Report 531, 85th Congress, first session. In this report, the committee declared the lack of free world action in defense of Hungary as "the lost opportunity of our generation." As a result of our on-the-spot study and investigation, we recommended that there should be a definite policy established toward the Eastern European nations. Had this been done, a Czechoslovakia might have been prevented.

The "Special Study Mission to Europe" in 1959—House Report 1226, 86th Congress, second session—is one of my most noteworthy reports, because it involves two very important separate reports.

Part I comprises a complete review of our many-sided assistance programs and makes vast recommendations, some of which have been achieved and others so timely they need repetition and implementation:

(1) The original economic goals of our foreign aid program in Europe have in most instances been achieved. The program must now be reexamined in the light of Europe's economic recovery.

(2) Quota restrictions imposed by foreign countries at a time when their dollar reserve position was in jeopardy should be progressively reduced and removed.

(3) A continuing study must be undertaken of the impact on the American economy of the investment of U.S. firms in Europe to determine the extent to which new markets are being found, the extent to which those firms are looking to third markets, and the extent to which the products of such firms are produced for export to the United States.

(4) The industrialized countries should give high priority to assistance to underdeveloped countries.

(5) Our administrators should watch the fiscal position of borrowing countries to determine whether loans repayable in local currency can be repaid in dollars. Where it is determined that repayments can safely be made in dollars, every effort should be made to secure repayment in that currency. (*This has been accomplished.*)

(6) Control of local currencies by the industrial nations should be consistently reviewed.

(7) Greater use of local currency by the U.S. should be authorized. (*This has been done.*)

(8) Our Government must take the lead in helping American industry abroad negotiate with foreign governments concerning problems created by Russia's economic offensive.

(9) The confirmed and intensified Soviet economic drive to surpass the free world demands an evaluation as to whether new economic opportunities afforded by the nations of the free world are assisting the Soviet Union in reaching its objectives.

(10) Our NATO partners must assume a greater share of the cost of the common defense efforts. (Had this been done, NATO would not be weakened as it is today.)

(11) Firmness in our demand on the Soviet Union for settlement of the $2.6 billion of World War II lend-lease will provide a tangible test of the depth of Soviet intentions.

(12) A single administrator in the Executive Branch should coordinate all phases of our foreign aid programs now.

Part II of the report, entitled "A Study of European Economic Regionalism," is a comprehensive study of the origins, the development and the prospects of the European Common Market. The economic integration of key countries of Western Europe, envisioned in the Treaty of Rome, was a development of paramount importance to the United States since Western Europe provides the largest single market for the products of American firms and industries. This report pointed up the necessity of a viable economic relationship between the United States and the Common Market, in order to assure America full access to the consumers of Western Europe.

Under my leadership, the Subcommittee on Europe took note of the economic offensive by Russia in 1959, and in 1962, when Russia's economic gains continued, I observed the situation first-hand in Europe. "The Soviet Economic Offensive in Western Europe," House Report 32, 88th Congress, first session, the report of my official trip, documented the extent and nature of Soviet trade with Western European nations, with great emphasis being given to the manner in which the Soviets were attempting to project their sphere of influence through the sale of their oil.

Recently, almost 10 years later, the increasing military and economic offensive by Russia in the Middle East was brought to the attention of Congress in a speech I gave in the House on September 26, 1968—CONGRESSIONAL RECORD, page 28663. I warned in this address of the explosive situation in that area:

> Why is there so little reference to the long-range objectives of the U.S.S.R. with respect to the Middle East? The goal of the Soviet Union is to control the military, economic, and political destiny of that crucial region. The Russians make no bones about it. They want to play the same role in the Middle East as they do today in Eastern Europe.

In light of this evidence, should the policy of the United States revolve around the question of sending a handful of planes to besieged Israel, or should we rather face up to the increasing Soviet penetration of the Middle East and try to cope with the real threat to peace and Israel's security? Unless we put an end to the Communist exploitation of the age-old conflicts, animosities, and insecurities prevalent in the Middle East, we will never see lasting peace in that region.

"Recent Developments in the Soviet Bloc," House Report No. 1442, 88th Congress, second session, called attention in 1964 to growing nationalism in the Iron Curtain countries and the possibility of certain defections.

"Antireligious Activities in the Soviet Union and Eastern Europe," House Report No. 532, 89th Congress, first session, was issued by the Subcommittee on Europe in June 1965. The report indicated that the persecution of persons because of their religion has not ceased in the Soviet Union or in other countries in Eastern Europe. While specific antireligious programs and activities vary from country to country, active propagation of the concepts of atheism and government-sponsored interference with religious freedom are common to all of them. The latter activities clearly contravene specific provisions of the constitutions of those countries, which guarantee their citizens freedom of conscience and of religion.

We on the committee requested that our Government demand that these nations adhere to the provisions of their constitutions.

"The Crisis in NATO," House Report No. 2051, 89th Congress, second session, was reported in 1966 by the Subcommittee on Europe and also in previous and succeeding reports. The crisis in NATO did not come upon us unheralded and the forces precipitating the crisis have been in evidence for some years. The subcommittee expressed concern about the difficult challenge confronting the NATO Alliance and continually emphasized the need to remodel this collective security arrangement in order to give recognition to the desire of the European states to shape their own destiny, make adequate provisions at a cost which free Europe is willing and able to bear for Western European security, and provide effective insurance against the repetition of a disaster borne of unchecked nationalistic ambitions. This warning was given to alert Europe to attain its own self-defense for fear of any future action from the East. In light of the present aggressive action by the U.S.S.R. in Czechoslovakia and the threats to Western Europe, a complete review of NATO and of U.S. involvement in NATO is a necessity.

This situation in Europe and NATO now poses new and dangerous military threats, as the desire for freedom grows in the Eastern European areas. What of a threat by Russia to East Germany, Rumania, Yugoslavia, or Austria? What should the United States policy be? The real issue is disarmament. Some way must be found to stop the competitive build-up not only of nuclear arsenals but also of armaments in all areas of the world. The armament problem, test ban, and nuclear proliferation treaty to control the slowdown of the arms race, is the most serious foreign policy program to confront our Nation. I trust the 91st Congress will give this subject top priority.

During 1968, the European Subcommittee, under my chairmanship, conducted a thorough review of U.S. statutes, regulations, and policies relating to East-West trade. The startling change in the Soviet posture, manifested by the brutal military invasion of Czechoslovakia in August of this year, made this a timely undertaking. In concluding the hearings, I urged a complete restructuring of U.S. legislation on East-West trade, much of which I deemed to be "obsolete and ineffective."

"Our Changing Partnership With Europe" was the subject of a subcommittee report in 1967—House Report No. 26, 90th Congress, first session. The committee concluded, on the basis of a study mission trip made in late 1966, that changes taking place in Europe compel the United States to apply our energies to the task of fashioning a new pattern of relationships in the North Atlantic Community. It was our view that this task should apply as well to U.S. policies directed at Eastern Europe. We strongly endorsed continued U.S. participation in NATO and pointed out that preservation of unity in the Atlantic Community is of vital importance to the security and well-being of the free countries on both sides of the Atlantic.

Because Canada and the other Commonwealth Nations are within the scope of my subcommittee on Europe, and realizing the need for closer cooperation with our northern neighbors, I initiated the concept of and sponsored legislation which created the Canada-United States Interparliamentary Group in 1959. I served as the first Chairman of this Group, composed of legislators from the Canadian Parliament—including the present Governor-General of Canada, the Right Honorable Roland Michener—and the U.S. Congress.

Over the years, the Group has made recommendations concerning boundary disputes, mutual defense matters, pollution on the Great Lakes, and pilotage on those waters.

Because various security agencies of the Government deal with worldwide intelligence matters on a piecemeal basis, with no overall evaluation or coordination by the Congress which appropriates funds for these agencies, I was the first to introduce in 1953 a concurrent resolution to establish in the Congress a Joint Committee on Intelligence Matters, which has become the famous CIA resolution. With each ensuing Congress, I have introduced this same resolution. At present, well over a hundred of my colleagues have introduced similar legislation. Therefore, I trust the 91st Congress will finally succeed in enacting this measure.

In another field, deductions of child care expenses for working widows and widowers was first sponsored by me. This allows working widows and widowers to deduct specified expenses of child care from taxable income. Considering the inadequacy of the amount deductible and incorporated in the 1954 tax law, I have continued to press for greater deductions and I trust Congress will increase this exemption, along with income tax deductions for dependent children for their higher education.

Beginning in 1951 and continuing in subsequent Congresses, I introduced legislation to establish the principle of equal pay for equal work by women. Finally, sufficient support was gathered and on July 25, 1962, this legislation passed the House of Representatives. It was my honor to serve at that time as the Presiding Officer of the House during debate on this bill and to be presented with a pen by President Kennedy when he signed the Equal Pay Act into law on June 10, 1963.

The ocean and its resources has had my interest for many years, going back to my early days of living on the ocean front on the eastern end of Long Island. In addition to its obvious importance as the medium for carrying goods between the various areas of the world and for the operation of our naval forces, I foresaw the oceans' possibilities as a source of food and minerals. Therefore, in 1961, I initiated an amendment to the Mutual Security Act, authorizing the United States to support a program of international cooperation in oceanography, oceanwide surveys, and research into the economic exploitation of ocean resources. I felt that the planned development of the oceans' resources would be vital to the survival of mankind and would assist in the development of the economies of the world's underdeveloped nations.

Last year, Malta proposed to the U.N. General Assembly that the oceans be internationalized. The United Nations Ad Hoc Committee To Study the Peaceful Uses of the Seabed and the Ocean Floor Beyond the Limits of National Jurisdiction was created to study this proposal and to make recommendations to the U.N. General Assembly. During this session of Congress, the Subcommittee on International Organizations and Movements of the House Foreign Affairs Committee held hearings to analyze the findings of the ad hoc committee and made a number of important recommendations—House Report No. 1957, 90th Congress, second session. I am gratified that at long last, this matter is receiving the attention it deserves. We must not wait until our food supply reaches dangerously low levels before we begin to develop the resources of the sea to their fullest benefit for mankind.

With respect to agriculture, I have consistently recommended direct payments to farmers, in place of the present system of agricultural subsidies. And as you have seen, I have constantly supported and/or introduced progressive legislation beneficial to the laboring man, veteran, civil service and postal employee, consumer and social security recipient.

On a more local level, in addition to my many other undertakings, I have for the past several years devoted a considerable portion of my efforts to opposing the proposed Cross-Brooklyn Expressway and Linear City, which would wreak havoc in Brooklyn. I am firmly convinced that the destructive aspects of this road and the air pollution it would cause far outweigh any possible benefits. This road and Linear City can still be stopped. I urge my colleagues to take up the fight which I have carried almost single-handedly to prevent this ribbon of concrete from encroaching into and destroying the most residential areas of Brooklyn. The public hearings on this project, which must be held under the law, must be used as a vehicle to expose the fallacy of this proposal. A complete engineering and cost plan should be aired at that time.

CONCLUSION

Thus I have rendered an account of my stewardship.

There is no greater honor, no greater opportunity, that could have come to me than this service to my community and our Nation, in this, the greatest legislative body in the world.

Being a Member of Congress is a unique experience. It is not, in spite of what some people think, an easy task. The hours are long and irregular, the travel back and forth to the District tiring, the constituents' problems demanding.

During my 19 years here, I have had the honor to serve in the Congress with some of the most outstanding people, and the most inspiring leaders, that our country has ever produced.

I have seen more personal courage, more dedication to the public good, more honesty here than I have encountered any other place.

And I have also seen here a lot of patience, a lot of willingness to compromise, a lot of wisdom—the qualities which are really necessary if a diverse nation like ours is to reach a decision on the important issues and to enjoy continued progress.

I feel proud and humble to have been a part of this House, where I have tried to the best of my ability to fulfill the highest ideals placed on me by God and country.

During my service, I have attempted to solve the personal problems of my constituents. In 19 years, I have received and replied to well over 1 million individual pieces of mail.

As time draws near for me to take leave of this position, which you entrusted to me these many years, I want you all to know that I look to the future with great hope and continued faith in America and her people. May God be kind to our country and may He give us renewed strength and dedication to continue to work for a better and a more peaceful world.

The words of my late and great friend and colleague in Government, Adlai Stevenson, seem to be most appropriate at this time:

> When an American says that he loves his country, he means not only that he loves the New England hills, the prairies glistening in the sun, the wide and rising plains, the great mountains, and the sea. He means that he loves an inner air, an inner light in which freedom lives and in which a man can draw the breath of self-respect.

VOYAGEURS BILL OFFERS UNIQUE, WATER-BASED NEW NATIONAL PARK

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FRASER. Mr. Speaker, within a few years, I hope, Minnesota will be the home of Voyageurs National Park, the country's first park to be centered chiefly around water instead of land.

A bill has been introduced in both Houses of Congress, cosponsored by all 10 of us in the Minnesota delegation, to establish a 211,000-acre park on the State's northern border.

The acreage would include 139,000 acres of land and 72,000 acres of water on the Kabetogama Peninsula, Kabetogama Lake, parts of Rainy, Namakan, and Sand Point Lakes and lands and waters north of—but not including—Crane Lake.

The purpose of the bill, as summed up in its opening paragraph, is "to preserve, for the inspiration and enjoyment of present and future generations, the outstanding scenery, geological conditions, and waterways system which constituted a part of the historic route of the Voyageurs who contributed significantly to the opening of the Northwestern United States."

Introduction of the bill—under the leadership of Congressman JOHN A. BLATNIK, of the Eighth District—culminated years of effort and numerous studies by State and Federal Governments.

Statewide public opinion polls have shown broad support for the park. My mail from Minneapolis has been overwhelmingly in favor of it.

That is not to say there has not been opposition. There has—mostly from resort owners and the lumber industry in the park area.

But, as written, the bill exempts from acquisition the great majority of private property owners in the area. And provisions are made for private, State, and Federal land exchanges that would assure the lumber industry of cutting areas accessible to its mills.

There undoubtedly will be revisions and improvements as the proposal moves through the legislative channels.

At this point, though, the important thing is that a concrete proposal actually has been submitted. The bill is in public view, open to preliminary discussion between now and the start of the next Congress in January.

Establishing a new national park is a long and complicated process. Even if Congress approves the bill next year, several more years will lapse before the Interior Department has acquired enough land to begin major work on the park itself.

It is an exciting project, one that will bring great and enduring benefits to Minnesotans and to all Americans interested in enjoying and protecting one of the most scenic and historic sites in the Nation.

I am looking forward to helping make Voyageurs Park a reality.

"BUTCH" JOECKEL'S DAY TO REMEMBER

HON. HERVEY G. MACHEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. MACHEN. Mr. Speaker, I was proud to have been a participant in the ceremonies on July 6, 1968, for "Butch" Joeckel Day in Colmar Manor, Prince Georges County, Md.

Many of us gathered to pay tribute to a brave and dedicated American, Marine Cpl. Charles Edward "Butch" Joeckel who was severely wounded defending his country in Vietnam. This young Marine was awarded the Bronze Star for bravery as a result of his heroism.

The citation accompanying his Bronze Star states:

> For meritorious service in connection with operations against insurgent communist (Viet Cong) forces in the Republic of Vietnam while serving as a Fire Team Leader with Company A, First Battalion, Seventh Marines, First Marine Division from 23 October 1967 to 23 January 1968. During this period, Corporal Joeckel, then a Lance Corporal performed his demanding duties with exceptional professional skill and dedication.
>
> Upon joining his unit, he displayed outstanding leadership, initiative and courage in the performance of his duties. Constantly striving to maintain the highest standards of military proficiency, he worked tirelessly to improve himself and his team. Participating in Operation Baxter and numerous lesser operations, Corporal Joeckel dauntlessly exposed himself to enemy fire on countless occasions while aggressively closing with the enemy. Utilizing his wide range of technical knowledge, he frequently exposed himself to the additional hazards of enemy mines and booby traps as he voluntarily cleared paths for his companions through mined areas. Whenever contact was made with the enemy, he unhesitatingly maneuvered his men to exploit the contact and, regardless of the danger to himself, moved to positions where he could most effectively direct his men's fire.
>
> On the afternoon of 23 January 1968, Corporal Joeckel was serving additionally as a Radio Operator as he led his team on a patrol of the Song Yen River. While searching out a suspected enemy position, one of his men inadvertently detonated an enemy explosive device.
>
> Although seriously wounded by the explosion, suffering traumatic amputation of both legs below the knee, he exhibited outstanding fortitude as he directed his companions in administering first aid to other casualties.
>
> Ignoring his own painful wounds, he maintained exceptional presence of mind and great stamina as he called for a medical evacuation and directed the clearing of a helicopter landing zone. His extreme bravery and concern for the welfare of his fellow Marines inspired those who observed him and undoubtedly were instrumental in saving several Marine lives.
>
> Corporal Joeckel's superior professionalism, inspiring leadership and selfless devotion to duty contributed significantly to the accomplishment of his unit's mission and were in keeping with the highest traditions of the Marine Corps and of the United States Naval Service.

Mr. Speaker, in order to make a permanent record of this young man's bravery and sacrifice, and the ceremonies held to honor him, I would like to include at this point in the RECORD the following articles from the October 1968, Leatherneck magazine, "A Day To Remember;" and two articles from the July 11, 1968, edition of the Prince Georges County News:

[From Leatherneck magazine, October 1960]

A DAY TO REMEMBER

(NOTE.—"Butch Joeckel Day" was by no means just another parade through the rustic community of Colmar Manor, Md. It was an elegant show of appreciation to a home town boy—a Marine corporal—for what he had done for his country.)

(By S. Sgt. Bruce Martin)

When Cpl Charles E. Joeckel, Jr., came home from the Vietnam war in a wheelchair, his country gave him the Bronze Star Medal. His home state bestowed its highest honor on him. And his home town welcomed him back with a tribute he'll never forget.

Around Colmar Manor, Md., Cpl Joeckel was known as "Butch" before he enlisted in the Marine Corps two years ago. He was a jovial young man with an effervescent personality. The loss of both legs in the war hasn't changed his warm and outgoing personality a bit.

When you find a man like Butch, you naturally want to do something for him to show your gratitude. That's exactly what the citizens of Colmar Manor did. They helped the Marine Corps League and the American Legion stage "Butch Joeckel Day."

Butch Joeckel Day was by no means just another parade through the rustic Maryland community of 2,000 citizens which borders the District of Columbia. It was an elegant show of appreciation to a Marine for what he had done for his country. Butch chose to share the day unselfishly with all Americans who have served in the Vietnam conflict.

"The way I feel," Butch recalled after the day-long fete, "it wasn't just a day for me, but it was a big day for the Corps, the United States and all of our men in Vietnam. It proves that there's still a lot of patriotism left in this country. I just hope that all the fellows over there (Vietnam) hear about it."

The commemorative occasion began with a reception in Colmar Manor's American Legion Post 131. It was attended by local, state and national notables who had come to honor Butch. Among them were Assistant Commandant of the Marine Corps, LtGen Lewis W. Walt and his aide, Medal of Honor winner Capt Harvey P. Barnum.

After the morning reception, more than 125 marching bands, color guards from surrounding veterans' organizations and other participants were spearheaded by a Marine Corps Band from Quantico, Va. Cpl Joeckel led the procession aboard a colorful float, from which he dismounted at a reviewing stand to be joined by General Walt and other dignitaries. For the next three hours, Butch reviewed the parade as it wound past him, covering a two-mile route lined with more than 5,000 spectators.

During post parade ceremonies at the American Legion Post, Butch received a Certificate of Distinguished Citizenship from the State of Maryland, signed by Governor Spiro T. Agnew. The award was presented by James E. Merna, Commandant, Prince Georges County (Md.) Detachment. (Mr. Merna created and organized Butch Joeckel Day.)

The Certificate lauded Butch's ". . . distinguished and gallant personal accomplishments and . . . outstanding service rendered to our County and our State in Vietnam . . ."

Mayor Bob Yost of Colmar Manor added the town's own citation of "Citizen Extraordinaire" and the American Legion Post presented Butch with a television set which he will share with other Marines in his ward at the Philadelphia Naval Hospital.

The keynote speaker for the ceremonies was General Walt, who said that Butch was typical of the American fighting man in Vietnam. ". . . his spirit, courage and initiative in taking the war to the enemy and beating him at his own game prove that this is the best generation of fighting Americans we've ever produced."

Near the end of the ceremonies, Butch stood on his new artificial legs, assisted by General Walt and Capt. Barnum, and stirred the spectators by expressing his own feelings: "About Vietnam . . ." Butch said, fighting back his own emotions as he had all during the special occasion, "many of you ask me if it's worth it. I can only say that if it weren't, we wouldn't be there."

The festivities ended with Butch's remarks, and the crowd thronged around him, seeking autographs, handshakes and expressing their gratitude and best wishes. When it was over, a tired but still smiling Butch said ". . . it's beautiful! It's one of the most beautiful things I've ever seen."

For Butch, the day had recalled many memories of his brief career in the Corps. It was not unlike many other Marine careers.

Butch had joined the Corps because "the training was the influencing factor." He felt that if he were going to fight a war, he wanted to be in "the best-trained outfit in the world."

After boot camp, which Butch—wearing a knowing grin—claimed was "fun," he volunteered to go to Vietnam, but the Marine Corps sent him to Camp Lejeune. A few months of training with the Second Marine Division in the Caribbean and the jungles of Panama were credited by Butch with whetting his hopes of getting in his "licks" in Vietnam.

When orders finally did come for Butch, he was delayed on Okinawa where he was sent to a Vietnamese language school. He was the top man in his class and soon joined the Seventh Marines "where the action was."

According to his former company commander, Capt. John L. Bailey, Butch immediately displayed outstanding leadership traits. Butch would assist Marines going into combat for the first time by keeping them in the rear of his unit and telling them to "mostly observe the action until they became accustomed to what was happening.

"He was one of the few lance corporals who was a permanent squad leader," related Capt. Bailey.

Butch continually volunteered for patrols, and can't remember too many nights when he didn't make at least one patrol. It was on one of these patrols that he lost both his legs.

Butch was a patrol leader with 15 men assigned to him. The patrol was embarked aboard river barges on the Song Yen River, near Da Nang.

"We had just beached the craft and were going ashore when the first man off the barge stepped on a mine," Butch explained.

Cpl Joeckel was the second man in the patrol and caught the force of the exploding mine. The Marine who detonated the mine escaped with less serious injuries than Butch.

"I knew my legs were gone when I looked down at them," Butch said, "and I thought that there was a pretty good chance that I wouldn't make it myself."

Butch was carrying the radio for his patrol and, despite his extremely painful injuries, he called in medical evacuation helicopters for himself and five other Marines wounded by the same mine. He remained conscious throughout the evacuation and doesn't recall crying out, even when the doctors at Da Nang's Naval Support Activity Hospital were examining his legs.

"They kept talking with me, asking my name and serial number," said Butch. "I guess they were afraid I was going into shock, so I played their 'game' to keep them from being any more concerned than they had to be."

The doctors didn't tell Butch what they were going to do when they wheeled him into the operating room. But, he knew.

"I came out of the anesthetic for a couple of hours the next day when Captain Bailey visited me," he recalled. "Then the chaplain told me my legs had been amputated at the knees—which I already knew—and that I had infection in both stumps."

Butch drifted back into sleep and when he woke up again, he learned he was in an Army hospital in Japan and had again undergone surgery. He also discovered that he had seven pounds of traction on his left leg and 20 pounds on his right one.

"My right leg from the knee up was broken in three places and my right hip was dislocated," Butch explained.

There were other wounded servicemen in the hospital with Butch and he was quick to observe their injuries.

"When I saw how badly some of the guys were hurt—a leg and an arm off one man, both hands gone from another, one permanently blind—I actually felt that my wounds and problems were pretty light, compared to theirs," smiled Butch.

Not for one second has Butch ever felt sorry for himself since the first moment on the river bank where he realized he was going to lose his legs.

"My spirits never sagged," Butch said, "but when I got to Philadelphia and saw Marines working out with their new artificial limbs, I really perked up!"

At the Philadelphia Naval Hospital, Butch joined 37 other Marines and one corpsman—all of whom are amputees from Vietnam—on Ward "K". Immediately, he fitted in with the group and began helping pick up the spirit of those Marines who seemed—understandably— depressed.

After a few months in the hospital, Butch got his new legs and received word that Colmar Manor was planning a big homecoming for him.

"I decided that I just had to learn to walk right away," grinned Butch, "and in a little over a week, I was getting around okay with just one crutch."

A Navy doctor at the hospital, LtComdr J. Case, praised Butch's unparalleled feat as "amazing!" (Almost a month later, Butch danced with his fiancee, an accomplishment not easily mastered with artificial limbs.)

"Not too much amazes us about Butch any more," said Hospitalman 3d Class Mike MacArthur, who accompanied Butch home from Ward "K" and remained by his side throughout the homecoming festivities.

"He's got spirit, enthusiasm and a town to be proud of," said MacArthur. "He gets to the amputee patients as soon as they come in and it doesn't take long for a little bit of his spirit to rub off on them."

Butch has plans for the future, just like any Marine who's pulled his share of the load during his career, and wants nothing to stand in his way in carrying them out.

"I'm getting 150 per cent disability retirement from the Corps," explained Butch, "and I'm going to go to the University of Maryland to study engineering. I've already received several job offers, so that's no problem. I'm going to find time to work with the Marine Corps League and the Marine Corps and visit high schools in the area to see that they get the word on what's really happening in Vietnam."

Butch was asked if he had advice for Marines who find themselves in a situation similar to his. He pulled out a well-worn book of quotations and opened it to a page he keeps marked in case he runs across a Marine who feels the world owes him something for his personal losses.

"This is something Theodore Roosevelt said to a group of Spanish-American War veterans when he was President," said Butch as he began to read: ". . . a man who is good enough to shed his blood for his country is entitled to a square deal afterward. More than that, no man is entitled to, and less than that, no man shall have!"

The citizens of Colmar Manor feel the same way. . . .

[From the Prince Georges (Md.) County News, July 11, 1968]

Red Carpet Treatment Started at the Airport

(By Phyllis O'Neil)

A welcome befitting a hero was given to Cpl. Charles E. Joeckel Jr. when he arrived last week for a visit to his home in Colmar Manor. The young marine, a wounded Vietnam veteran arrived at the Friendship Airport with Hospital Corpsman Mike McArthur aboard a big Astro Jet, compliments of Mrs. Marjorie Merriweather Post.

This was only the beginning for nice things to happen for the 20-year-old marine, who lost his legs while on duty in Vietnam.

As the big plane taxied to the pier, members of Butch's family, reporters, and members of the Prince Georges Marine Corps League waited.

From the moment the door of the aircraft was opened, the red carpet treatment began.

Other passengers abroad waited for Butch and the corpsman to descend and the proud and excited youthful marine was pushed up the red carpeted ramp in his wheelchair to the terminal.

Then B. V. Campbell, passenger service manager for American Airlines, took over.

With the microphone in hand, Campbell announced, "American Airlines is proud to welcome Cpl. Butch Joeckel home."

Almost immediately, Butch was surrounded with people smiling, shaking his hand or in some other way saying thank you to the young man who sacrificed his legs. Butch lost his limbs above the knees while leading a patrol along the Sog Yen River only three months after arriving in Vietnam.

He was returned to the United States and has been a patient at the Philadelphia Naval Hospital, where he will continue with his rehabilitation. Last week, he was fitted with temporary artificial legs.

When James E. Merna of New Carrollton, commandant of the Prince Georges Marine Corps League, heard about the spunky young marine, he made plans to welcome him home with an "old fashioned patriotic parade." As Butch progressed in the Naval Hospital, his sister, Sharon, made plans to be married. When it was learned Cpl. Joeckel could come home for the wedding, Merna arranged to have the parade at the same time.

From the airport, the caravan that greeted Butch on his arrival proceeded to Colmar Manor.

Butch admitted that he was excited and had not slept much the night before he was to come home. And the morning he was to come home, he said, he was up at 9 a.m. practicing walking on his new limbs.

Butch's hometown was still busy "sprucing" for its hero's return. Curbs were being painted a bright yellow at the ends of the blocks in Colmar Manor. Neighbors and other residents as well as his own family, were flying Old Glory.

Lawns were cut and sidewalks were swept more than usual, and everyone waited. This was to be the first return home since last October.

While everyone waited, the Colmar Manor-Cottage City Volunteer Fire Company had two of its trucks going over the parade route practicing making the turns with the big pieces of equipment.

As the crowd grew on his street in Colmar Manor, sirens sounded and whistles blew and Butch's car and the rest of the caravan that had come from the airport was escorted to the Joeckel home.

Butch was helped out of the car and stood on his new legs. Neighbors kissed him, shook his hand and flanked him as he walked on his limbs, with the aid of his corpsman and crutches, the 15 feet from the car to his house.

Butch was home at last and there was more red carpet treatment to come the next day.

This Saturday, Butch will be the best man in his sister's wedding.

Butch is very proud, but he has one regret. Says the young marine, "There are many young men like me, some worse off than me. I wish they could have a welcome home like this."

[From the Prince Georges (Md.) County News, July 11, 1968]

Colmar Manor Gives "Butch" Hero's Welcome—Thousands View 3-Hour Parade

(By Kenneth V. Duncan)

There was a big lump in his throat Saturday when Butch Joeckel began his brief remarks . . . and he had plenty of company.

Tears welled in the eyes of many of those in the crowd standing on the pavement in front of the platform at the Colmar Manor American Legion Post 131. Some of those sharing the platform with Butch also were visibly touched.

Recovering, the 20-year-old Marine, who lost both of his legs in Vietnam last January and was later decorated with the Bronze Star for heroism, expressed his deep gratitude for the reception, parade and speeches in his honor.

Then he said:

"Now Vietnam today . . . I would just like to say this: Older men declare war, but it is the young men who must fight and die. And it is our families who feel the sorrows and anxieties of war, and it is our country that feels that great pain called grief.

"If you ask me if Vietnam is necessary, I will answer, 'If it weren't, we wouldn't be there'."

His several hundred listeners applauded and cheered loudly, and Butch was probably as overwhelmed by their reaction as he was by the presence of the "marine's marine," Lt. Gen. Lewis W. Walt, at the "Butch Joeckel Day" festivities.

It was Gen. Walt, assistant commandant of the Marine Corps, and Sgt. John Clements of Cheverly, who himself suffered serious leg wounds in Vietnam, who helped steady Butch on his artificial legs as he stood speaking at the rostrum.

Moments before, Gen. Walt—speaking into network radio microphones and with television cameras focused on him—praised Joeckel and all of the nation's fighting men, and denounced their counterparts who burn draft-cards in protest against the war.

Leaving little doubt that he had enjoyed every minute of the 5½-hour program, Gen. Walt began:

"I have never spent an afternoon where I've had warmer hospitality than I have had this afternoon."

Referring to Joeckel, whose proud parents, Mr. and Mrs. Charles E. Joeckel Sr., were on the front row near their son, Gen. Walt said, "It takes a man like that to bring people together sometimes.

"To me he represents not only Cpl. Joeckel, but also thousands of Marines who have served in Vietnam, and some who haven't come back. I am tremendously impressed by the morale they have.

Cpl. Joeckel has sacrificed a great deal. He is a tremendous credit to the Marine Corps and to his country. He has fought in a war that is the most controversial one we've ever been in.

"But if he were able, I'm sure he would want to go back. I know I would like to go back."

A number of dignitaries shared the platform with Joeckel, his parents and Gen. Walt. Among them were State Sen. Edward T. Conroy, D-P.G., "veteran of the year" in Maryland who was master of ceremonies; State Comptroller Louis L. Goldstein; State Sen. Fred L. Wineland, D-P.G.; Art Brown, WWDC personality who presided at the reviewing stand during the parade; County Commissioner Francis J. Aluisi; Del. Frank Santangelo, D-P.G.; Capt. Harvey Barnham, an aide to Gen. Walt and a Medal of Honor winner; Colmar Manor Mayor Robert A. Yost; James E. Merna of New Carrollton, chairman of the Butch Joeckel Day committee; and Jack Master, parade chairman.

Rep. Hervey G. Machen, D-Md., and Mrs. Machen attended the 11:30 a.m. reception and rode in the parade that followed. Ingrid Larson, Miss Maryland of 1968, also rode in the three hour parade, which wended its way along Bladensburg Rd. from the Peace Cross and under a huge "Welcome Butch Joeckel" banner stretched across the four-lane highway in the heart of Colmar Manor.

The Prince Georges Detachment of the Marine Corps League, which Merna heads, and the Colmar Manor American Legion Post co-sponsored "Butch Joeckel Day." Together these organizations gave him a portable television set for his room in Philadelphia Naval Hospital, to which Butch will return July 23 after a 20-day leave. The TV set was presented to him by Robert Frick, commander of Post 131.

Butch also was presented a plaque by Lance Billingsley, president of the Prince Georges Jaycees; a savings bond by the Mothers Club of Colmar Manor, and proclamations by the Mayor and City Council of Colmar Manor and the County Commissioners, and a certificate of Distinguished Citizenship from Gov. Spiro T. Agnew.

Several thousand persons—estimates ranged from 5,000 to 20,000—watched the some 130 bands, marching units and color guards from veterans organizations taking part in the parade.

At the head of it was a float decorated in red, white and blue which carried Butch, his 18-year-old fiancee, Jeanne Porter of Lanham, and Butch's 8-year-old brother, Ronnie, to the reviewing stand.

Following the parade, some 2,000 persons gathered at the American Legion Post at 4103 Lawrence St. and enjoyed free hotdogs, soft drinks and beer.

Almost everyone had a tiny American Flag, including Butch and the U.S. Marine Corps Band, which also had taken part in the parade, played the National Anthem and the Marine Corps Hymn during the ceremonies at the post home.

Celebrity treatment of Joeckel didn't subside following "Butch Joeckel Day." Early this week, he continued to receive calls from persons in all parts of the country who saw him on network television Saturday night.

This Sunday, he will speak at his church and Saturday he will be the best man at the wedding of his sister, Sharon.

Joeckel's father, who said Butch expects to study engineering at the University of Maryland after his discharge from the Marine Corps, was deeply touched by the honors accorded his son.

"What a turnout!" the elder Joeckel said. "It's quite a tribute and shows that people still have feeling. It kinda got to me. We should have more of these patriotic things for these boys."

Merna, who conceived the idea of "Butch Joeckel Day" and led the effort, said the purpose of the program was "simply to express appreciation for all that he had done" for his country.

"There are plenty of Butch Joeckel's all over the county and we hope this will have the effect of getting communities around the country to hold similar programs."

Merna described Butch as "quite a guy," adding: "It was just something to see this tough, young marine get up and speak. He had been on his artificial legs only one week. It has been a struggle for him."

Merna said Butch became very angry with himself the night before the parade when, during a visit to the legion post, he tripped and broke one of his artificial limbs.

Although unhurt in the fall, Butch "was angry because he wanted to be able to stand up to make his speech" the next day, Merna said.

A call was made to Walter Reed Army Hospital in an effort to get a new limb, but officials there could do nothing for him in time for the Saturday festivities.

"We went through the yellow pages and looked under Artificial Limbs," Merna said. Finally, a shop in Washington was reached and the proprietor waited for Sgt. Bob Richards of Bowie, Marine Corps recruiter in Hyattsville, to arrive with the broken limb.

"He worked about 45 minutes and patched up the leg as good as new," Merna said, "but before that Butch was really upset."

Joeckel, who will undergo extensive therapy before he returns home from the hospital for good, will eventually be fitted with a permanent set of limbs.

After "Butch Joeckel Day" had ended, State Comptroller Goldstein wrote Merna a letter in which he said he had never attended any event that had stirred people as much as the Saturday "welcome home" affair and called it "a great Day for America."

The several thousand persons who attended, and perhaps millions of other who saw news coverage of the festivities on television, would agree.

CONGRESSMAN WHALEN COMMENTS ON THE PENDING RETIREMENT OF AN OUTSTANDING DAYTON AREA CLERGYMAN, REV. DR. FAY LE MEADOWS

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. WHALEN. Mr. Speaker, one of the outstanding clergymen in my district, Rev. Dr. Fay Le Meadows, has announced that he will retire as pastor of Shiloh Congregational Church on December 31 after 36 years of devoted service. I have known Dr. Le Meadows for many years and join with the multitude of others who already have expressed themselves in extending him best wishes.

During the more than a third of a century of his pastorate, Reverend Le Meadows has overseen and directed the tremendous growth of his congregation. Once a country ministry of some 100 souls, his church has grown to 3,300. It is now the third largest Congregational church in the Nation.

A native of Nebraska, Dr. Le Meadows attended Nebraska State Teacher College, the University of Nebraska, the University of Toronto, and the University of Chicago.

His impact on both the church and community has been substantial. His oratorical skill is well known in the greater Dayton area since he has conducted a radio program over radio station WHIO for over 30 years, the longest continuous program on any Dayton radio station. I might add that his speaking talent would engender the envy of many Members of this House, Mr. Speaker.

In the area of community service, Reverend Le Meadows has served as president of the Ministerial Association of Greater Dayton, as a member of the Board of Trustees of Miami Valley Hospital, past president of the Dayton Downtown Lions Club, and a member of the board of the Family Service Bureau and the Mental Hygiene Association.

I could say many things about Dr. Le Meadows, Mr. Speaker. But perhaps the greatest tribute I can pay is to say that he is a Christian and has been an example to all who have had the good fortune to come into contact with him.

GEN. WILLIAM C. WESTMORELAND'S ADDRESS TO THE AMERICAN LEGION NATIONAL CONVENTION

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. HAGAN. Mr. Speaker, last month the American Legion held its 50th national convention in the city of New Orleans. At that time a great American and soldier, Gen. William C. Westmoreland, was presented the highest honor that organization bestows for distinquished service, the American Legion's Distinquished Service Award.

General Westmoreland's acceptance speech to the Legion contains a timely message for all Americans, and I, under unanimous consent, include it in the Extensions of Remarks:

ADDRESS BY GEN. W. C. WESTMORELAND, CHIEF OF STAFF, U.S. ARMY, 50TH ANNUAL NATIONAL CONVENTION, THE AMERICAN LEGION, NEW ORLEANS, LA., SEPTEMBER 10, 1968

Commander Galbraith, distinguished guests, Legionnaires, ladies and gentlemen: I am deeply honored that I have been selected to receive The American Legion's Distinguished Service Award. I accept it with great humility and pride, for to me it has a very special meaning . . . it is your recognition of the sacrifices and hardships that our Nation's sons have endured on the battlefield. I was there—for a long time, and I saw their courage—their gallantry—their willingness to fight and die—so that our freedoms shall endure.

I am grateful to each one of you. This award clearly expresses your personal concern for all of the dedicated men in our Army-Navy-Air Force-Marines and Coast Guard. Your deep concern for us and our Nation is what I think the American Legion is all about. It is clear proof that you have accepted the responsibilities for protecting the freedom we enjoy. In so doing, you have set the example for all to follow . . . and I wish there was some way I could personally pin a medal on each one of you—because you are the kind of American who did not set aside responsibility for national defense the day you took off your uniform.

The American Legion's untiring interest in our national security is well known. Equally well known is your interest in the youth of America. Therefore, tonight I should like to talk briefly about two things: first, about our military operations in South Vietnam—a matter of prime concern to each of us interested in the security of our Nation—and, second, about those remarkable young men and women who—this very night—continue to fight and stand guard for you and me in far-away lands . . . and who tomorrow become new veterans in our communities throughout the Nation!

We often hear the fighting in Vietnam called "the unpopular war." I am always struck by the inconsistency of such reasoning. Is war ever popular? Has any war ever been welcome? Could it ever be?

Certainly not! Not to us as Americans . . . not to us as parents . . . not to us who have experienced war firsthand—with all of its destruction, pain and misery.

It is my personal view that the war in South Vietnam is only a part of man's continuing struggle to be free. The South Vietnamese are freedom loving people—they are our friends—they asked us to help them so they could choose their own destiny. A destiny the Communist leadership in Hanoi planned—and still plans—to control.

I am pleased to tell you that we are still on course in South Vietnam and getting that job done.

A truly outstanding soldier and combat leader is carrying forward the programs that he and I formerly worked on together. Our Nation can be thankful for such a man as General Creighton Abrams. His battle successes are being forged by our American fighting men—and our Free World allies—and those gallant South Vietnamese whose military forces continue to grow stronger each day.

Allied military operations in South Vietnam are going well. In my judgment, Hanoi's hope for success off of the battlefield is what is prolonging the war. Hanoi must now fully realize that it cannot achieve its goal by military action.

When we came to the assistance of the South Vietnamese in 1954 and committed our troops in 1965, we did two things. We spoiled the chances for a communist victory in South Vietnam and we gave the exhausted South Vietnamese our assurance of a future. The first link in our chain of successes was forged then—and Hanoi knows it. As a passing comment, all of Southeast Asia also understood the impact of our actions.

Because of our battlefield successes and the great progress made by the Vietnamese Armed Forces, today, the enemy seeks to achieve politically what he has failed to achieve militarily—even though he has not altered his ultimate goal of subjugation of South Vietnam.

Our military objectives have not changed. They were—and still are—to block invasion . . . and to bring about a degree of security so that the South Vietnamese can live their own lives—so that the people and their government can decide their own future—without coercion through terror and intimidation.

The strategy we chose to attain these objectives has not changed either. As I visualized the situation early in the conflict, the principal task was one of working with the South Vietnamese to inflict the maximum damage on the enemy—go grind him down. It is important to understand that the enemy has consisted—and still consists—of a spectrum of elements. From the underground leaders of a covert government—local guerrillas, local military formations to large units of the North Vietnamese Army. Further, all of these enemy elements work in concert under the orders and direction of the Communist leadership in Hanoi.

Our operations had to be fully flexible and have taken many forms—each complimentary to the others:

We secured our own bases, airfields, ports, logistic complexes.

We focused on controlling the populated and productive areas of South Vietnam.

We conducted operations to destroy or neutralize the enemy's base and supply areas, usually situated in very difficult terrain.

We ran other operations to force him away from the South Vietnamese people—both to protect the people from terrorism and to deny the enemy the opportunity to prey on the people. You will recall that Communist "national liberation"—as preached by Mao Tse-tung, the self-appointed grand master—speaks of the people as the water and the Communist insurgents as the fish. This means that the fish—the insurgents—must be caught or the water—the people—separated from the Communist leaders and forces. There are cases where the South Vietnamese Government has properly displaced population to remove them from easy Communist influence.

Next, we took steps to disrupt the infiltration of enemy troops and supplies. This had to be done by air and naval power since national policy has been not to broaden the ground war.

Finally, we conducted operations to inflict the maximum damage on the enemy's ranks.

Throughout, the U.S. Mission has assisted the South Vietnamese Government to build a constitutional democracy. In this regard, remarkable strides have been made.

During the entire conflict we have sought to strengthen the South Vietnamese Armed Forces to the point where they can assume more and more of the military burden as time goes on.

During 1967, we saw these seeds of endeavor begin to sprout. South Vietnamese forces took on greater responsibilties . . . we had developed a military and pacification posture that would permit us to give them greater help and support . . . confidence in themselves grew as they received better equipment, became stronger and won more battles . . . a general forward movement throughout the country was clearly visible—so visible, in fact, that Hanoi's worries also became visible.

The year 1968 has seen the South Vietnamese steadily improve on all fronts . . . more and more they have come into their own. The enemy's Tet offensive was in effect their Pearl Harbor and actually became the proving ground for the South Vietnamese—confidence was built and weaknesses were exposed and are being progressively corrected in their armed forces as well as in the field of public administration and service The scope of their current manpower mobilization plans are comparable to ours of World War II.

The past two years have seen the South Vietnamese make great strides—and progress steadily continues.

Although tactics of the American soldier is a subject on which I could speak at length—and with great enthusiasm—I will be brief. Our fighting men with their equipment have adapted readily to the tough, torturous countryside and climate. We have actually written a new chapter in warfare, but I only want to emphasize one point here tonight. Our troops took the classic guerrilla tactic of the ambush away from the enemy and turned it against him. Our fighting men in South Vietnam today have taken the battle to the enemy's home ground—day and night—and have made him the hunted instead of the hunter.

Although our objectives and our strategy have not changed, one thing has changed. It is our capability to defeat this sort of aggression on people's lives and their future. Our capability has improved with each passing day—at the same time, performance of the Communists shows signs of deterioration.

Capability is, of course, the sum total of many factors—the most important one being those courageous men and women I mentioned earlier. These people are also the veterans of tomorrow. I know that you are also proud of them. Let me give you my thoughts about these fine youngsters who are doing their jobs to the best of their ability—and without complaint.

The greatest privilege ever given to me has been the opportunity to lead your sons and brothers. The greatest hope that I hold for the future of our Nation—of the whole Free World—lies in these remarkable young people.

These young people can return to civilian life and be proud . . . they can stand tall with their heads high and look every man squarely in the eye because they have done their duty in support of national policy. They have a running start on their contemporaries because they have matured under the trying conditions—their characters have been tested and tempered in the tough, demanding—and often dangerous—real world. They have acted while others dreamed.

Our country, too, has reason—and the right—to be proud of these new veterans. Although they have proved their mettle, they have been the benefactors of good preparation. Parents, churches, teachers, Boy Scout leaders, friends, and dedicated organizations such as yours have each helped to prepare these young adults to meet the challenges of that real world.

We hear a great deal about those very few young Americans who don't want to assume their obligations and serve in our Armed Services. We hear more about those who demonstrate their opposition to national policy.

But we hear so very little about the thousands of young Americans who—without fanfare—take that "step forward" when their names are called.

Ironically, those who take that step have gained—mentally, morally, and physically. They are bigger people in character . . . they will make productive citizens . . . They know that they have earned the right to be fully participating citizens . . . they have demonstrated their concern for the future—by their deeds—not by carrying a sign.

What sort of a veteran is this man?

For one thing he has fought a different kind of war. He has been a fighter and a builder at one and the same time. He has the capacity to be aggressive in the face of the enemy . . . but to show compassion and give comfort to those in sorrow and need.

This new veteran will find it hard to accept many of the pat answers and parochial images he may have known as a child—he will find it hard to accept many of the misunderstandings associated with the social changes taking place within America. This is because he has worked, lived, and fought alongside of men of every race, color, and creed. He may owe his life to a man of another race or color . . . he may have been counselled and comforted by a chaplain of a different faith. He will look at another man for his real worth—for what he can do rather than for what he might be by birth or upbringing.

These young Americans whom I regard so highly have performed great deeds—individually and as members of a skilled team led by able and dedicated men. They know the value of teamwork . . . they will be better team workers because they have seen what big things a team can do. They also have respect and admiration for the skill of the other members of the team.

The team in Vietnam has been and is a unified and harmonious organization. It is a great team of soldiers, sailors, airmen, Marines, and Coast Guardsmen.

Let me tell you about those Coast Guardsmen. Small service . . . yes . . . but they do a big job working with the Navy on coastal surveillance. And they have made it more and more difficult for the enemy to get men and supplies to the South. In fact, the Navy with their help has done such a thorough job that the enemy has had to take the more torturous inland routes through Laos because we have virtually sealed the coastline.

The rifleman—be he soldier or Marine, American, Australian, Korean, New Zealander, Thai, or South Vietnamese—has high regard for those Air Force, Navy, and Marine pilots. He counts on them for the big firepower. And this same high regard has been earned by the Army helicopter pilots—both those who carry our men and supplies and those who the doughboy knows as "Dustoff"—that medical evacuation helicopter that stands ready to get our wounded rapidly into the skilled hands of our doctors and nurses. These helicopter crews have saved many thousands of lives. As you can see, our men are team players . . . and they will be good players on our national team as new veterans and citizens.

Yes, I hold this new veteran in high regard. The American Legion will be ready for him when he changes into civilian clothes. You have the means and leadership to help him put his potential to work for the benefit of himself, the Legion, and most importantly—our country.

You know what I am talking about because you are doing it. Your youth and adult programs are among the finest in our country. I recently had the pleasure of talking with the splendid young men in your Boy's Nation Program when they came to Washington. I also know at first-hand of your excellent programs in Vietnam—and let me say here and now these are much appreciated.

What I am trying to say is keep up the good work, and, if possible, do more.

Our new veteran needs you . . . and our country needs his contribution. The new Veteran wants to contribute . . . he will contribute.

Together . . . you and he will start another fifty years of achievement for The American Legion . . . another fifty proud, productive years of dedication to a stronger nation.

THE PATH OF DECEIT ACROSS THE GRAVES OF THE DEAD

HON. JOHN M. SLACK

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. SLACK. Mr. Speaker, on August 1, 1968, it was necessary for me to direct the attention of the membership of the House to a deplorable sequence of events which had arisen out of an ill-starred promotion titled "Midway Airport," which has been the cause of great confusion among the people and public organizations of southern West Virginia. At that time I pointed out that this is an unattainable public works objective in its present posture, lacking both the required quantities of local support funds and eligibility status under terms of pertinent Federal law and fiscal procedures.

I hoped, by my August 1 statement, to lay at rest a source of unnecessary rivalry and distrust among the leadership of several communities involved, and to cause the promoters of this proposition to reconsider their position and perhaps begin to move on a more realistic course toward an aviation facility goal which could enjoy overwhelming local support and which could be brought within the criteria established for a grant of Federal funds.

My hope was in vain, and more recent developments make it necessary for me to trespass on the patience and understanding of the membership once again in connection with this matter. I do so with regret, not pleasure, but I feel that the RECORD must be corrected, and that this statement will contain points of interest to every Member who is committed to upholding the dignity and good repute of the Congress and its committees.

On pages 31345–31349 of the RECORD there is contained a statement by my colleague from the Fourth West Virginia District who serves as chairman of the Subcommittee on Advanced Research and Technology of the Committee on Science and Astronautics. In that statement my colleague reports on a series of special hearings held by his subcommittee on September 24–October 3 covering the general field of the "aeronautical research and development needs of the Nation."

In that statement my colleague reports some of the language contained in two press releases which I issued on October 8 and 9 and uses the phrase "unprecedented personal attack." If there had been any "personal attack," I would acknowledge it, and if it were unjustified, I would apologize publicly in the RECORD.

However, there was no "personal attack," because:

First. No press statement from my office mentioned the name of my colleague from the Fourth West Virginia District. Some members of the press chose to make that connection, but I have no control over that factor.

Second. I do not know—and do not wish to know—enough about my colleague's personal life to know whether it merits "personal attack" from any quarter.

No; there was no "personal attack" involved, and his statement to that effect is merely an effort to cover up what really happened, a very old device brought into the foreground by those in public life whose official activities are perilously close to unforgivable impropriety.

Now, why should the press take a statement of mine on the hearings before a subcommittee and place it before the people in terms of criticism of my colleague? The answer is simple. He has been one of the ringleaders of the abortive effort to promote the "Midway Airport" proposition in defiance of suggestions and advice from numerous informed quarters who warned repeatedly that suitable sponsorship and funding would be difficult and perhaps impossible to achieve.

During a 2-year, high-pressure publicity campaign the Midway promoters promised the people that the Federal Government would pay "50 percent of the cost" of construction or $10,000,000." These funds have not materialized, and my colleague now finds himself in the uncomfortable position of trying to explain why. The people who heard these promises repeated over and over are disgruntled, and begin to wonder if there was more to this whole Midway proposition than just an ordinary public improvement under terms of an established Federal grant-in-aid program.

Although this whole affair has lapped over into my congressional district, and has caused much misunderstanding among my constituents, I have been willing to let the Midway proposition lie dormant, and concentrate on upgrading the airport in my home city of Charleston, W. Va., to meet the immediate needs of the airlines as best we can while we develop a new and untainted approach to long-range airport plans.

My colleague has not been willing to follow this course, however, but has instead seized on every desperate thread of possibility which might be magnified into a barrier to improvement to the existing airports at Huntington and Charleston, W. Va., even though the "Midway" proposal cannot be realized. His motives I must leave to the public judgment.

So much for the background. The balance of this statement is in the nature of a chronology which I have compiled and verified. Consider this chain of events:

On August 1 my statement in the RECORD summarized the status of the Midway Airport proposal and described some highly undesirable side effects of the activities of my colleague from the Fourth West Virginia District.

On August 10 there was a fatal airline crash at the Charleston, W. Va., airport in which 35 persons lost their lives. The cause was unknown, but a two-engined aircraft was involved, and runway length had no bearing on the accident since the plane struck the side of a hill and failed to reach the runway at all.

On August 14 my colleague wrote the Air Line Pilots Association and requested statements from pilots relative to the safety of air carrier operations at the Charleston airport.

On August 22 he received a letter from the Federal Aviation Administration stating the requirements to be met if the Midway proposal were to receive Federal funding. He has never publicly acknowledged receipt of that letter or announced its contents and advices.

On September 5 Chairman MILLER of the House Astronautics and Space Committee advised his staff that he had approved hearings by the subcommittee headed by my colleague, said hearings to cover research and development subjects within the purview of the committee's work.

On September 9 my colleague asked the subcommittee staff to begin to organize the hearings.

On September 11 a memorandum was issued by the committee to its members, noting the forthcoming hearings set for September 24–October 3.

On September 17 my colleague announced in the House that the hearings would cover the "aeronautical research and development needs of the Nation."

On September 18, the following day, my colleague was present when a group met in the office of Senator JENNINGS RANDOLPH, and the Governor of West Virginia read a letter he had received from FAA which described the criteria which must be met by a Midway Airport proposal if Federal funds were to be obtained.

On September 20 my colleague received a letter from the Air Line Pilots Association which contained seven sentences, clearly labeled as opinion but unidentified as to source, which were critical of the present airport at Charleston and plans to upgrade it. There was no public mention made of the contents of this letter.

On September 24–October 3 the subcommittee hearings were held. There is no mention in the record of testimony of these hearings of any airport in West Virginia, in any context whatsoever.

On October 2 my colleague conducted a "television interview" with three members of the Air Line Pilots Association during which critical remarks about the airport, similar to those in the earlier ALPA letter were elaborated upon. They were expressions of opinion, neither more nor less.

On October 4 the following press statement released by my colleague received prominent display:

> "A new regional airport is the only answer to getting first class air service for the Charleston-Huntington area," said former Piedmont Airlines pilot Howard Kelly, who learned to fly at Charleston in 1935.
>
> Speaking before Rep. Ken Hechler's House Space Subcommittee which ended hearings on the Nation's aeronautical research needs, Mr. Kelly said he helped select the site for Kanawha Airport "and if I had known then what I know now, I would have, as a pilot, objected strenuously."

On October 5 a second press release received equally prominent display:

> Washington.—Because of the hazards of weather, terrain and poor visibility, almost all airline pilots using Kanawha Airport strongly support the construction of a new regional airport midway between Huntington and Charleston, according to a spokesman.
>
> His testimony and that of others was presented as a House space subcommittee headed by Rep. Ken Hechler, D-W. Va., ended hearings on national aeronautical research needs.

On October 8 it was necessary for me to call his hand, since these were gross misstatements of fact, and they had been spread broadside, including saturation of the Third District which I serve. I did indeed state that the main objective of these hearings had been headline-hunting to cover up false promises of Federal funds. I further pointed out that there was no pending legislation before the committee on this subject, and that the committee had no jurisdiction over airport construction or safety legislation, which remain in the jurisdiction of the Interstate and Foreign Commerce Committee.

On October 9, after reading the transcript of testimony, I issued a second release pointing out that these opinions by airline pilots were just that, and were not testimony. I was frankly critical of the deliberate corruption of the congressional committee function to spread fear propaganda about the safety quotient of an existing airport.

On October 9 also the Associated Press transmitted a general story on the subject which contained these interesting quotations:

> "My God, there wasn't any testimony before the Committee about Kanawha," said Dick Leonard, a Hechler aide. "It wasn't even brought up."
>
> And Hechler emphasized that his committee's hearings had "nothing whatsoever to do with the Kanawha Airport." He said ALPA's criticism was "made to news media after the hearings were over."

On October 10, however, numerous weeklies were published, and several in my district contained the release issued by my colleague on October 5 as noted above. He had issued them before he was caught in the trap of truth and could not recall them. He had become a self-made and self-defined prevaricator.

So ends the chronology. And again there is no personal attack involved. I do not criticize the committee, or its staff, and certainly not Chairman Miller, for whom I have high regard. And I am sure the witnesses all appeared in good faith, with the understanding that their time was being given to the advancement of our strenuous efforts to conquer the mysteries of space. None of these fine people could have known that their appearances were meant only to create a springboard from which would be launched misleading press statements in which opinion was conveniently given the cloak of "testimony."

But I do protest most vehemently the contempt displayed for Congress and its committees, and by extension, the casual contempt for the people and their political institutions.

I protest the usurpation of committee jurisdiction.

I protest the calculated dishonesty of the statements issued to the press. I protest the broad distribution of these materials among the publications in my district.

I protest the attempt to traffic in fear, and the bald and unforgivable use of a great tragedy to further confuse the people about a virtually defunct airport proposal. The path of the Midway Airport "insiders" has been long and devious, ranging from vague promise to outright deceit, but it has taken its final turn across the graves of 35 dead Americans.

Yet even this series of actions, contemptible as they may be, are not without public benefit. As I stated on October 9:

> If this whole dirty business proves one thing to the people, it is the fact that whatever long-range airport facility is planned for southern West Virginia should be approached with no reliance on the statements or promises of those who have been sabotaging air facilities progress for over two years by promoting a proposition they couldn't finance.

My colleague from the Fourth District, by his actions, has erased himself as a factor to be considered during the planning and realization of the long-range airport program which will one day be realized.

THE HONORABLE BARRATT O'HARA

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. PATMAN. Mr. Speaker, it is rare indeed that one man can combine 18 years of faithful representation of his congressional district with so many other notable achievements and it may well be that the career of the Honorable Barratt O'Hara of Illinois is unique in the annals of this House. The record of his achievements starting with combat service in the Armed Forces of his country during the closing years of the 19th century is an amazing chronicle that rivals the feats of the greatest of American heroes. It is remarkable that a life filled with so many dramatic episodes also encompassed meaningful and sober legislative years. We shall sorely miss our distinguished colleague whose sage advice has for so long a time steadied the Nation's course in the turbulent currents of international affairs. I join with his great host of friends and associates in wishing Barratt O'Hara every conceivable happiness in the years ahead—he has fulfilled his duty to his country in overflowing measure—he has created a legend of loyal and true friendship which each Member is deeply privileged to share.

ANTIGUN LEGISLATION

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 11, 1968

Mr. SIKES. Mr. Speaker, the subject of antigun legislation is not a new one. Few topics have been more controversial due to efforts in an atmosphere of hysteria to secure enactment of legislation which in final analysis would take guns away from law-abiding American citizens with but little effect on criminals.

A special report has been issued on an antigun book which was timed to contribute to this atmosphere of hysteria. It was written by Carl Bakal, who has little or no background knowledge of the subject about which he writes. I submit for reprinting in the Congressional Record a special report on this book:

Antigun Book Bears New Title, Little Else

(Editor's Note.—Books have at times affected the course of American events dramatically, even crucially. Harriet Beecher Stowe's *Uncle Tom's Cabin* was credited by President Lincoln with helping to start the Civil War. *The American Dilemma*, by Swedish sociologist Gunnar Myrdal, influenced a U.S. Supreme Court decision changing the pattern of American public schooling. Now another book is being liberally quoted by U.S. officials and others who would saddle American gun owners with registration and licensing in the name of crime control. Neither the book itself nor its author is important. What is important is the way material from the book is being used to urge drastic firearms restrictions across the Nation. That is why we devote space to it here.)

(By American Rifleman Staff)

A reviewer of Carl Bakal's anti-gun book once referred to it as "incredible." It has become more so in the new paperback edition published Aug. 1, although not in the approving sense that the reviewer meant.

The incredibility becomes pronounced with the very first paragraph of Bakal's 15-page "Introduction to the new edition." There he flatly asserts that Charles Whitman perpetrated *"the worst mass murder in our Nation's history"* at Austin in 1966 by shooting 16 persons on the University of Texas campus. Passing over reports that 2 of these were killed elsewhere, one with a knife, the Austin toll is far smaller than one of 44 that Bakal himself lists on page 65 of his own book.

As if that were not enough, the author completely ignores 4 other mass killings in which fatalities exceeded those at Austin. Bombs planted in airliners took 44 lives with one blast in 1955, 34 in another in 1960, and 45 in a third—the "worst mass murder" in official U.S. records—in 1962. A presumably suicidal motorist, ramming a crowded bus, killed 19 persons this year. In every instance, the toll surpassed Bakal's "worst" *without the use of a gun.*

All of this could be charged off casually as an oversight on the part of an obscure author were it not for the quasi-official use to which Bakal's book is being put. From President Johnson down, those who would impose gun registration and owner licensing on millions of Americans quote Bakal's errors as if they were gospel fact.

The very first page of the paperback edition bears the imprint of approval of U.S. Sen. Thomas J. Dodd (Conn.) in the form of an official letter saying his committee has "worked closely" with the author for years, and that Bakal's well-balanced and outstanding . . . encyclopedia of information . . . was widely quoted by witnesses before our recent hearings on firearms legislation."

Presumably Dodd's blessing covers not only the contents of the book, but the new foreword in which Bakal mercilessly flays Congress and other lawmakers. Commenting on the Austin tragedy, the author says: "Even this massacre in Austin 2 years ago failed *to stir Congress from its customary state of stupor and inaction regarding gun control measures*." (Italics added.)

That, however, pales besides Bakal's "point 2" of a 6-point program freshly proposed to whip through repressive gun laws. After urging the public to support only lawmakers who favor total gun registration and the fingerprint-photograph licensing of gun owners, the author continues:

"Let your legislators tell you exactly how they stand on gun controls. *If one should tell you that he is for crime control but not for the most stringent gun controls, his is the voice of hypocrisy, cant and cavil.*" (Italics added.)

The author of those dogmatic lines has been quoted as high authority by the U.S. Department of Justice in a brief filed in the U.S. Supreme Court (Haynes v. U.S.) and by the same department in drafting a speech that President Johnson delivered several months ago demanding drastic gun controls. Because of that, The American Rifleman felt that the public was entitled to know more about him. Its inquiry to the Department of Justice and the department's reply, published herewith, speak for themselves [at end of article]. Still searching for some basis for Bakal's elevation to the status of a Government expert on firearms matters, the magazine sent a staffer to interview him. Results of that interview are published here.

Meanwhile, documentation assembled independent of the interview gives a fairly clear picture of the author and his war against guns.

Bakal, not quite 50, is a native New Yorker whose parents emigrated before World War I from Kishinev, capital of the then Czarist Russian province of Bessarabia. Except for periods overseas, he has been essentially a Manhattan apartment dweller with a summer place on Fire Island.

As a student at the College of the City of New York, he took a pre-med course but soon preferred photography and writing. Pearl Harbor found him single and under 23. On Sept. 29, 1942, he entered the Army Enlisted Reserve Corps. He was called to active duty 9 months later in his specialty, photography, and served until June, 1945, as a motion picture cameraman at Army facilities at Monmouth, N.J., and Long Island City, N.Y.

Commissioned a second lieutenant, he went overseas in July, 1945, and served in the Philippines and Japan until October, 1946, as a photo assignment officer. Recalled to active duty during the Korean war, he spent a year at the Signal Corps Depot at Hanau, Germany, as a "scenario writer." His commission was terminated April 1, 1953.

At no time, according to Army records, did Bakal find himself directly involved in combat. There is nothing to show that his Army service contributed to his expertise on firearms, which apparently is scanty.

Yet his Army service has been played upon as if it had endowed him with a special knowledge of guns.

Harper's for December, 1964, publishing a magazine preview of his book, pointed out in an editor's note that "Carl Bakal, long a student of America's firearms customs and laws, served 2 tours of duty as an officer in the U.S. Armed Forces."

The *New York Post*, in serializing his book in 1966, mentioned his "tour of duty in the Army from 1942 to 1946."

Bakal himself, stating his qualifications before the Dodd Committee April 12, 1967, said he testified "as a veteran of 2 tours of duty as a U.S. Army officer."

Recent reports have shown more imagination.

Columnist Bob Considine, for example, recently referred to Bakal in a syndicated piece of emotionalism about firearms as an author "who got to know a lot about guns and their uses and misuses in the Army."

Possibly a word in the title of one of Bakal's 2 previous books caused some confusion. The title was *How to Shoot for Glamour*. The book appeared in 1963 complete with photographs of glamour undraped. A previous book, also on photography, was more prosaically called, *Filter Manual, Including Filter Dictionary*.

This, then, was Bakal's background as an author when he began work on his gun book in 1964. While connected with a public relations firm, he managed to dictate on the book every night.

Although Bakal says that nobody financed his book, the editor's note with his anti-gun article in *Harper's* stated that this writing was financially aided by the Beinecke Foundation by a grant, amount unspecified, made through the Society of Magazine Writers.

(The $4 million Beinecke Foundation was established principally with funds contributed by 4 members of the Beinecke family, all officers of Sperry Hutchison Company, the trading stamp firm, to further higher education, hospitals, libraries, medical research, care of the handicapped, and religion. In 1964 expenditures, presumably including the Bakal grant and much else, came to $296,943.)

Except for a previous assault on firearms ownership in *McCall's* magazine in 1959, when he first got interested in the gun issue. Bakal possessed no known expertise in either firearms or criminology at the time that he received the Beinecke Foundation grant. But he quickly proved himself in adroit anti-gun propaganda. In his book, he evolved or enunciated much of the misrepresentation which has since become doctrine in the widespread campaign against private firearms ownership. Instances:

The arbitrary argument that any claim of law-abiding individuals to a right to bear arms—a point on which the U.S. Supreme Court never has squarely ruled—is a "fundamentalist, out-of-context reading of the Second Amendment."

The unfounded libel that the American people are by nature "violent."

The contention that the NRA ought to register as a lobby, although it is clearly *not* a lobby by accepted legal and legislative definition.

The "guilt by association" with guns theory that all firearms owners somehow share blame for tragedies such as President Kennedy's assassination.

The concocted and extremely misleading figure, now bandied about nationally, that 750,000 Americans have been killed with guns since 1900—a statistic lumping homicides, police and self-defense killings, suicides and fatal accidents since 1933, with a broad guess for 1900–1933, as if all were sheer murder.

(This is the figure that President Johnson quoted in a speech drafted by the Department of Justice. It has been further garbled by anti-gun claims that all the lives were taken by "private guns in private hands." The U.S. Department of Health, Education and Welfare and J. Edgar Hoover both say they cannot authenticate any such thing.)

Several of the author's publicity statements in behalf of sales of his book have been as intemperate as his blazing criticism of lawmakers in his latest foreword.

He charged that the NRA, because of its stand on gun controls, should be blamed "as accomplices in the murders in Austin" by Charles Whitman, according to *The New York Post* of Aug. 8, 1966.

He asserted on the air that the NRA is heavily financed by the gun industry and is "very close to the position of the Minute Men, the John Birch Society, and other such groups."

Through a fellow press agent, he issued a dramatic appeal, neatly timed for the Sunday press, for "the Nation's 30 million hunters, target shooters and other gun owners . . . to lay down their guns . . . as a silent tribute" on the anniversary of President Kennedy's death in 1966. Three paragraphs of the paragraph release plugged his hard-cover edition, just on sale.

As of this summer, Bakal would say only that the hardcover edition sold well. A spokesman for the publishing firm, McGraw-Hill, would say nothing of the kind. She maintained that sales figures were not available. Others "in the trade" believed the book was distinctly less than a success. The paperback edition represents a fresh try along the same lines, updated with a new introduction by Bakal and a scattering of footnotes. Otherwise it is the same glib, fast-moving shock treatment of the facts in such a way that anti-gun sentiment always wins, often by a technical knockout of intelligence.

In a typical exaggeration, Bakal asserts on Page 260 that, "Indeed, some people literally get away with murder." His substantiation of this consists of 2 Texas cases, in both of which the defendants had committed like killings before. Evidence of this nature is not commonly submitted to American juries lest it influence justice. In these cases, Bakal says, "a 34-year-old strawberry blonde former rodeo queen" fatally shot her second husband in 6 years and a 56-year-old house painter gunned down his second son-in-law in 10 years. Each was convicted and given 5 years. While the author may perhaps have wished them sent to the electric chair, the 2 juries, like most other people, evidently saw some difference between 5-year sentences and "literally getting away with murder."

Limitations on the author's knowledge of firearms are reflected in such ways as his unqualified reference to a proposed 1926 handgun regulation covering "any firearm with a barrel length under 12 in." Bakal quotes with apparent endorsement a statement that such a regulation "could be completely evaded by having a pistol 13 in. in length." So it could, if the statement referred to barrel length. But no manufacturer regularly produces handguns with barrels longer than 12 in. Yet Bakal evidently did not know that.

Perhaps the most honest thing about the paperback edition is that it has changed its name. The original book was entitled, *The Right to Bear Arms*. This edition is *No Right to Bear Arms*. The publisher, Paperback Library, insisted on the change. It wasn't Bakal's idea.

National Rifle Association of
America,
Washington, D.C., May 31, 1968.

Mr. Fred M. Vinson, Jr.,
Assistant Attorney General, Criminal Division, U.S. Department of Justice, Washington, D.C.

Dear Mr. Vinson: Another firearms publication reported recently that the President obtained his figure that guns have killed "an estimated 750,000 Americans" from the Department of Justice, and quotes you as saying "sources of the Administration's statistics relating to the incidence of death attributable to the use of firearms" came from "Carl Bakal's recent book, 'The Right to Bear

Arms' . . . ." You are then quoted as saying, "at least, a high number of deaths have occurred . . . ."

Meanwhile we find the Carl Bakal book quoted in a brief filed by the Department of Justice in the case of Haynes vs. United States, No. 236 372F 2d651. Although in no sense an official document or finding, nor a juridicial decision, the Bakal book appears to have been cited as high authority of some kind.

A number of our readers have asked who Bakal is, whence he emerged to this sudden prominence, and what his qualifications are. We note the biography on his book jacket, which divulges little or nothing that would adequately answer inquiries. In view of the Department of Justice's repeated reliance on this book as a source of reference, we would appreciate it if you will be so kind as to tell us:

1. The authors qualifications as an expert on firearms, be they from a technical, practical, or criminological viewpoint.

2. Whether or not the author is or has been employed by a firm retained to take a stand on firearms legislation.

3. Whether the writing of his book, obviously a long and exhaustive task, was as rumored financed by some foundation or grant-in-aid; and, if so, by whom.

While our right to raise these questions derives only from the broad right of free inquiry, the Department of Justice has conferred a quasi-official or expert status on this author and presumably knows his background and bona fides in view of the use made of his book. We feel that the public is entitled to share whatever information you can give us on him.

Cordially,

Ashley Halsey, Jr.,
Director, Office of Publications.

Department of Justice,
Washington, July 18, 1968.

Mr. **Ashley Halsey, Jr.,**
Director, Office of Publications, The American Rifleman, Washington, D.C.

Dear Mr. **Halsey**: This refers to your letter of May 31, 1968, which made inquiries relating to the book entitled *The Right To Bear Arms*, and its author, Carl Bakal.

You referred to the statement in Mr. Bakal's book that since the turn of the century, the astonishing total of more than 750,000 Americans have been killed in the United States by the use of firearms.

The primary source of such statistics is "Vital Statistics of the United States and Mortality Statistics," compiled by the National Center for Health Statistics, Public Health Service, U.S. Department of Health, Education, and Welfare.

We note that the portion of the book captioned "Acknowledgments, Notes and Sources" (pages 364–377), Mr. Bakal mentions that among those from whom he received information were Mr. Frank C. Daniel, Jr., and Mr. Louis Lucas of the National Rifle Association. Perhaps Mr. Daniel and Mr. Lucas might be of further assistance concerning the inquiries in your letter.

Sincerely,

Fred M. Vinson, Jr.,
Assistant Attorney General.

[From the American Rifleman]

"I Did Have a BB Gun for Awhile"—NRA Interviews Antigun Book Author Bakal

(By Alan C. Webber)

Q. What prompted the new paperback edition of *The Right to Bear Arms,* now out as *No Right to Bear Arms?*

A. After the assassinations of Martin Luther King and Sen. Robert Kennedy, interest in the subject increased tremendously. A number of paperback publishers went to McGraw-Hill, publishers of the 1966 hardback edition, and asked to bring out a paperback edition. It's as simple as that.

Q. Your title change from "The Right . . ." to "No Right . . ." suggests you feel no Americans should be allowed to shoot as sport. Is that correct?

A. No. I haven't changed my views at all. In the original edition, I made it clear that citizens do not have an absolute right to bear arms. The title change was prompted by the publisher because many people apparently were under the impression that the book did have the thesis that there was a right to bear arms.

Q. What gave you the idea for a book on guns and gun legislation?

A. One day back in 1958, when I was scanning the New York newspapers for possible feature material, I saw 3 or 4 incidents, involving misuse of guns. In one, a 14-year-old boy who had been regarded as normal suddenly got up from his stamp collection, took a .22 rifle from his closet and killed his mother, his sister, and himself. On another page I saw an item describing how a 17-year-old girl had shot her parents to death. The next day I saw several more items of the same sort. This perked my curiosity and I wondered how many incidents like these took place across the country. After checking Vital Statistics in Washington, I wrote an article published in *McCall's* in July, 1959 called, I believe, "This Very Day A Gun May Kill You."

Q. After the *McCall's* article, did you write others?

A. I did a second for *Harper's* inspired by the assassination of John F. Kennedy. It was published in December, 1964.

Q. Did this article lead to your writing the book?

A. When I had finished the *Harper's* story, but before it was published, McGraw-Hill expressed interest in doing a book on the gun question. They asked around to see who would be interested and they learned I had just completed something on the subject. I had probably done more on the subject than any other writer; I have 10 filing cabinets full of material on this.

Q. At that time you had written just the 2 articles on guns?

A. Yes.

Q. No more?

A. No.

Q. McGraw-Hill approached you on the basis of the 2 articles?

A. Yes. Actually the first article was more than anyone had ever done before on the subject. Two articles was certainly more. They approached me and asked me to expand the *Harper's* article into a book.

Q. Before writing the 2 articles you weren't aware of the legislative battles over gun legislation?

A. Not really. Prior to that time I had edited a number of men's magazines, such as *Real* and *See*. We did publish articles on hunting and other aspects of the shooting sports. I do remember once discussing with my shooting editor the possibility of doing an article on what could be done to cut down on hunting and other shooting accidents. He disabused me of the notion. He said the gun industry doesn't like people to be reminded of the fact that there are accidents.

Q. As a boy, were you interested in hunting, target shooting or any aspect of guns?

A. I was brought up in New York City so I didn't have the opportunity to do as much shooting as a boy who lived in the country. But I believe I did have a BB gun for a while, as many boys do. My interest in guns in that sense started at a rather early age.

Q. During your military service, were you ever under fire?

A. In the Philippines after World War II there were still pockets of enemy resistance. Vehicles I was in were fired on from time to time. I never saw anybody killed or wounded.

Q. When and why did you join the NRA?

A. I joined the NRA when I did the article for *Harper's*. I did so to test NRA rules which supposedly screen out undesirable applicants. According to these rules, you have to be endorsed by a member, or a police officer or some city official, which is commendable. But I got my application form signed by a relative who was not an NRA member, not a police officer, not a public official. I sent it in with the membership fee and 10 days later got my membership card, which proves, at least to me, that applications were not very carefully checked.

Q. Did you maintain your NRA membership?

A. I kept paying my dues, but curiously, after the *Harper's* piece appeared The American Rifleman stopped coming. So, I imagine that someone had lifted the card from my files.

Q. Haven't you received The American Rifleman since then?

A. Yes. I joined again.

Q. You joined again?

A. Yes. This time, instead of using a relative as a reference. I just plucked a name out of thin air, picked an address in the middle of the Hudson River. This still to test the protestations of the NRA that the membership screening procedure had been tightened up. In spite of their protestations, I sent in my application, my $5, and 10 days later the membership card arrived.

Q. You joined twice within one year, then?

A. Yes.

(*The NRA Membership Division reports that its files show Bakal carried as an American Rifleman subscriber, but not a member.*)

Q. The issue here is essentially one of laws, and there are already thousands of gun laws on the books. Why is it that people like yourself—people who feel the need to reduce illegal traffic in guns—don't say more about the enforcement of the laws which exist?

A. The laws that exist are meaningless. I know the figure commonly quoted is that there are 20,000 gun laws on the books. There could be 200,000 gun laws on the books. All we need is one good gun law.

Q. That would have to be a Federal law?

A. Yes, I would say that it has to be a Federal law because there have been countless attempts for decades to pass uniform State laws, and many States simply will not go for them. The reason it has to be a Federal law is that I, in New York, am threatened by a gun in undesirable hands in Colorado or anywhere else in this country. For this reason there has to be a Federal law.

POLICE NEED OWN LEGAL STAFFS

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FRASER. Mr. Speaker, at a League of Women Voters meeting in Minneapolis recently, I recommended that police departments have their own lawyers.

Police departments, in my view, need their own legal staff to develop policies that make use of the vast store of departmental experience and, at the same time, anticipate future legal decisions.

It seems ironic that an agency so centrally involved with the law does not have its own house counsel to advise it.

The response of Minneapolis police officials to this proposal has been enthusiastic.

Under our system of government, the courts are the primary agency for determining the scope of police powers.

The courts must continue to lay down general guidelines, but police departments themselves should have a greater role in developing specific regulations in keeping with these guidelines.

In the past, police departments have

been hampered in developing and systematizing internal policy because they do not have adequate legal and planning staff.

At present, city attorneys give legal advice to the police. Any legal counsel program should be worked out in consultation with city attorneys.

Police forces should have the same kind of legal staff that is available to any corporation, it seems to me. This staff has to be within the department and responsible to the police chief to operate as a house counsel.

This function cannot be served as well by a lawyer who is outside the department and not responsible to the department's administrators.

Mr. Speaker, the FBI has its own legal counsel. The President's Crime Commission recommended counsel for local police departments.

A police legal counsel program should qualify for Federal funds under the new Law Enforcement Assistance Act.

FOUR PROPOSALS TO HELP REDUCE AIRCRAFT NOISE

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FRASER. Mr. Speaker, I favor the issuance of Federal grants to help cities with large airports establish independent and effective noise abatement councils.

The problems raised in my home district of Minneapolis in the attempt to finance a noise abatement council prove the need for small Federal grants that would permit independent local action on this national problem.

Three other steps would also be useful:

First. Immediate adoption of aircraft noise standards by the Federal Aviation Administration—FAA—for both present and future aircraft—in accordance with the noise control law we passed last summer. I am pleased to have cosponsored that bill.

The FAA reportedly has the standards in draft form. They should be issued as promptly as possible.

Second. Expedited research by the National Aeronautics and Space Administration to develop quiet jet engines.

I am glad we have not had to cut back on the quiet engine research program.

But the space agency and the Budget Bureau must recognize the need for expediting the $50 million program so that present aircraft can be retrofitted with engines treated with soundproofing and new aircraft can be outfitted with engines using every modern technique of sound suppression.

Third. Use of a portion of Federal grants to airports for noise suppression activities.

This money could be used to meet 90 percent of the costs of major airports in zoning and purchasing land.

It also could be used for equipping airports with necessary facilities and for making tax credits or 30-percent incentive grants available to companies that will install noise-suppression devices on their aircraft right away.

I introduced the "Noise Control Act" containing this proposal in the last Congress and testified before the House Commerce Committee on the bill.

I plan to reintroduce the measure in 1969 and seek additional sponsors for it.

REID REPORT FROM WASHINGTON

HON. CHARLOTTE T. REID

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mrs. REID of Illinois. Mr. Speaker, during my service in the House of Representatives, it has been my policy to send a periodic newsletter to the people of the 15th District regarding the work of the Congress. Under leave to extend my remarks in the RECORD, I include herewith my final congressional newsletter for this session:

REID REPORT FROM WASHINGTON

DEAR FRIENDS: At long last it appears as though this 90th Congress is drawing to a tumultuous close—and this letter is being written following a marathon session lasting some 32 hours during which I answered 46 roll calls in a "last ditch" Republican effort to have the Democrat leadership take action on the Clean Election and Congressional Reform Bills so essential to good government.

The closing days of a Congress are a time for assessment of the accomplishments and the failures. Once again—as I did at the end of the 88th and 89th Congresses, during which it was also my privilege and honor to represent the 15th District of Illinois—I pause to review and reflect.

During this 90th Congress, we have already been in session 324 calendar days—approximately 39,000 bills and resolutions have been introduced—and some 900 public and private bills have been enacted into law. I have been recorded on 98% of the grand total of 872 roll calls and have spent hundreds of hours in Committee hearings and personal study of legislation and National problems. I have attempted, through my personal correspondence, newsletters, press releases, radio reports, and speeches, to keep you advised of my stand on major legislation and issues at the time of action, so will confine this final report to a brief résumé of four of the major issues.

CRIME

All law-abiding and loyal citizens of all races, creeds, and nationalities share my deep concern over these frightening facts: crime has increased 89% in the last 8 years in sharp contrast to a population increase of only 10%—the risk of becoming a victim of serious crime increased 15% in 1967 alone—there is terror in the cities with the number of riots increasing from 13 in 1964 to over 125 in 1968—and there is also widespread rioting on our college campuses. The cost in fear, death, injury, heartbreak, destruction, and dollars is inestimable.

It is absolutely essential that everything possible be done to restore law and order throughout the land—and I have exerted every effort in this regard. Bills which I have introduced during this 90th Congress and which have been enacted into law provide: Federal penalties for persons crossing state lines to incite riots—prohibition of obstruction of Federal criminal investigations—Federal penalties for desecration of the American flag—and admissibility in evidence of voluntary confessions in Federal criminal prosecutions. I have also supported and voted for other bills providing: certain restrictions on interstate shipment of firearms in an effort toward making it more difficult for criminals to obtain guns while still protecting the Constitutional right of law-abiding citizens to bear arms—special mandatory penalties for anyone using or carrying a gun while committing a Federal crime—necessary help for local law enforcement agencies while retaining local control—denial of Federal aid to students involved in riots—juvenile delinquency prevention and control—and penalties for the possession of hallucinogenic drugs.

As you know, however, the Congress can pass Federal laws but cannot enforce them—and the fact is that the present Attorney General has been negligent in the area of enforcement. I have repeatedly called upon Attorney General Ramsey Clark to enforce to the fullest the recently enacted anti-riot law as well as all other Federal laws. I am convinced that law and order can be restored to the benefit of all people of all races if the proper leadership is provided by the Federal Government with the aid of all private citizens, churches, schools, and local and state governments working together—and with a return to the philosophy of holding each individual responsible for his own acts. We must continue to remove all existing inequities and imperfections in our society—but to my mind, there is no grievance great enough to excuse the breaking of a law and infringing on the safety and rights of others.

EDUCATION

Because of my great interest in giving the opportunity to every American to be educated to the fullest extent of his abilities and my conviction that many of our problems—including discrimination and poverty—can best be solved through education, I have supported the overwhelming majority of education bills considered during my 3 terms in the Congress. In this 90th Congress, I voted for passage of the 13 major education bills providing aid in connection with vocational education and rehabilitation, library services, health professions, manpower development and training, handicapped and mentally retarded children, and adult education. In contrast, I voted against only one education bill—the Elementary and Secondary Education Amendments of 1968—and I cast a negative vote in this instance not because I lack interest in this area of education but only because the legislation itself is so imperfect with entirely too much Federal control and bureaucratic red tape.

At the same time that I have supported these various education bills, however, I have constantly urged the substitution of block grants, tax credits, and tax sharing so as to eliminate the danger of Federal control and the waste of taxpayers' dollars due to duplicate and overlapping administrative expenses and programs. I have, in fact, personally introduced legislation providing tax credits to individuals paying for their own higher education and to private industry for job training programs. I have also introduced a bill which would permit teachers to deduct expenses for higher education to improve their skills.

FISCAL RESPONSIBILITY

To my mind, the need for Members of Congress and officials in the Executive Branch who will exercise fiscal responsibility was never greater than at present. The last balanced budget was in 1960. During the last 8 years the Federal deficits have totalled over $65 billion—the interest alone on our National debt has increased to over $15 billion—and the purchasing power of your dollar has decreased by 12 cents, causing particular hardship for the retired and the poor. As a result of the tremendous number of new aid programs instituted during the past 5 years there are today some 1,271 separate aid programs administered by 21 Federal Departments and Agencies, 150 Washington Bureaus and 400 Regional Offices. There is tremendous waste, inefficiency, ineffectiveness, and duplication. For example, there are now approximately 112 programs providing help to the poor and yet, despite the fact that well over $100 billion has been spent for this purpose in the last 8 years, the plight of the poor has become worse and the number of people on welfare has increased by about 34%. Farm costs have risen 31% in the last 8 years and prices are the lowest since the depression despite the billions spent on the farm program.

As you know, I have been in the forefront, with my one voice and my one vote, during my entire period of Congressional service, in seeking economy in government operations—the elimination of programs which have proven ineffective, wasteful, and unnecessary—the rejection of new programs which will overlap and duplicate efforts already being carried on through other programs—and the establishment of priorities in spending. I have also consistently opposed increases in the National debt limit since I felt such action merely encouraged still more deficit spending. As a member of the Committe on Appropriations during this 90th Congress, I have fought unceasingly to reduce the budget requests and have supported mandatory cuts in nonessential spending. I have also introduced and sought action on legislation which calls for essential reorganization and reform in the Executive Branch to achieve sound economies and more effectiveness in operation.

FOREIGN AFFAIRS

I continue to express my concern over the Administration's handling of the Vietnam war and to call for all necessary sound action to secure the safe return of the men of the Pueblo held captive in North Korea for all too long. To my mind, signs of weakness on our part can only lead to increased acts of harassment and aggression. In July, I called for a National "Fly Your Flag Day" as a tribute to the men of the Pueblo and members of our Armed Forces everywhere. I have also called for an end to aid to and trade with Communist bloc countries supplying the armaments used against our men in South Vietnam as well as economic and political sanctions against the Soviet Union and her satellites following their invasion of Czechoslovakia. My thoughts and my prayers continue to be with our servicemen—and I hope and pray that the negotiations in Paris and Panmunjom will be successful for the cause of freedom and that our men in Vietnam and the crew of the Pueblo will be home soon.

I hope this report will emphasize the great importance for every citizen to take an active interest in the affairs of government and that you will express this interest by voting on election day. Remember—your vote on November 5 will determine the future course of your government for years to come.

Sincerely,

CHARLOTTE T. REID,
Your Member of Congress.

SUPPLEMENTAL AIR CARRIERS

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. SPRINGER. Mr. Speaker, on August 2, 1968, the Committee on Interstate and Foreign Commerce unanimously presented for the consideration of the House, H.R. 17685 which was a bill to amend the Federal Aviation Act of 1958 in order, among other things, to define the term, "supplemental air transportation." This bill, with one amendment, was accepted by the House; subsequently accepted by the Senate, and signed into law by the President.

As I stated to the House in support of H.R. 17685, the purpose of this legislation was to avoid further confusion and to grant to the CAB authority to license inclusive tour charter trips in the same fashion as had been done prior to the litigation that gave rise to the need for this legislation and with sufficient authority to be flexible in determining the details of such charter trips. It was the committee's intention that there be no change in the authority of the scheduled carriers with respect to continuing such inclusive tour charter trips. We intended neither to add nor detract from such authority and the purpose of Mr. PICKLE's clarifying amendment was to remove any doubt concerning the Board's right to license scheduled carriers to perform such service if and when it decided such action was in the public interest.

"MR. CREDIT UNION" PAYS VISIT TO SHREVEPORT

HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. WAGGONNER. Mr. Speaker, recently the distinguished chairman of the House Banking and Currency Committee, the Honorable WRIGHT PATMAN, spoke in Shreveport to the Shreveport Credit Union Chapter. It was my privilege to have introduced Chairman PATMAN who is fondly called in the credit union movement, the "Godfather of Credit Unions."

WRIGHT PATMAN has done a great deal for the more than 23,000 credit unions in this country and has introduced every piece of Federal credit union legislation that has become law since the Federal Credit Union Act was passed in 1934. Thousands of credit union people throughout the country visit Congressman PATMAN each year and he receives each one as he would a constituent from his own district.

Mr. Speaker, after hearing Chairman PATMAN's speech to the Shreveport Credit Union Chapter and hearing the fine tributes paid to him at the affair, I clearly understand why he holds such a position of great esteem in the credit union movement.

His remarks to the group show not only what the 90th Congress has done to assist credit unions but also provides a glimpse into the future. For this reason, I am including a copy of Chairman PATMAN's remarks so that everyone may benefit from the knowledge of the "Godfather of Credit Unions":

REMARKS OF HON. WRIGHT PATMAN, CHAIRMAN OF THE BANKING AND CURRENCY COMMITTEE OF THE HOUSE OF REPRESENTATIVES, BEFORE THE SHREVEPORT CREDIT UNION CHAPTER

Distinguished guests, ladies, and gentlemen: The past two years, and particularly the past several months, have been banner times for credit unions. During this time, more favorable credit union legislation has been enacted by Congress than at any time since Federal credit unions came into existence in 1934.

Four credit union bills were enacted into law during the 90th Congress and there has been a great awareness on the part of the Congress of the importance of credit unions in our society.

The first of these bills, which originated in the House of Representatives as H.R. 9682, would allow directors and members of the supervisory or credit committees of Federal credit unions to obtain loans up to $5,000 or in the amount of their shareholdings, whichever is greater. This is now Public Law 90–44.

The second bill, H.R. 13489, which became Public Law 90–188, allows the loan committee to delegate any of its authorities to a loan officer and, in addition, allows credit unions to pay quarterly dividends in place of semiannual dividends and to pay a full month's interest on deposits received by the 10th of the month instead of the 5th of the month as was previously the law.

The two newest credit union laws were signed by President Johnson within the past four months. The first of these, Public Law 90–365, which originated as H.R. 6157, would permit Federal employees to purchase shares in either Federal or State-chartered credit unions through voluntary payroll allotments.

The fourth law, P.L. 90–375 (H.R. 14907), is one of the most far-reaching pieces of credit union legislation in the history of Federal credit unions. The bill extends the maturity of secured loans from 5 to 10 years; allows Federal Credit unions to invest or become members of State-chartered central credit unions; allows Federal credit unions to purchase notes of members of any liquidating credit union; permits the executive committee of the credit union to borrow funds rather than requiring the approval of the entire board of directors; reduces the number of internal supervisory committee audits from 4 to 2; and, perhaps most importantly, increases the unsecured loan limit from $750 to $2,500. This would not be an across-the-board increase but rather would be a stair-step arrangement so that the liquidity of smaller credit unions would be protected. Although the increase in the unsecured loan limit applies only to Federal credit unions, it was the superb safety and liquidity record of both State and Federal credit unions that led the Congress to vote for such an increase. Although credit unions have lent multi-billions of dollars throughout their existence through both State and Federal credit unions, the overall loss ratio on these loans is less than twenty-five one hundreds of one percent. It should also be remembered that when the Federal credit union act was passed, the unsecured loan limit was only $50 and in only 34 years that unsecured loan limit has been increased to $2,500. This is an increase of 5,000 percent. Such a huge increase certainly indicates the strong faith that Congress has in our Nation's credit unions. I am happy and proud to have been the author of all four of these bills because, as I have said so many times in the past, next to the church, the credit union does the greatest good for humanity.

However, I cannot help but wonder if our Government is providing the service to credit unions for which they are entitled.

As all of you know, the regulation and supervision of Federal credit unions is delegated to the Bureau of Federal Credit Unions This is an agency that is charged with overseeing the Nation's more than 12,000 federally chartered credit unions. In addition, it is the only spokesman for all credit unions, both State and Federal on an official and unofficial basis in the executive department of our Government. It should also be pointed out that there are more credit unions, some 24,000, than all other financial institutions combined, in addition, there are more federally chartered credit unions than all other federally chartered financial institutions. For instance, there are some 14,000 commercial banks in this country, with roughly one-half of them national banks. However, there are three full-time Government agencies devoted to the supervision and regulation of commercial banks in the Federal level alone. These agencies not only perform a supervisory and regulatory role but they also make certain that commercial banks are at the head of the line when it comes to legislative efforts. Two of these agencies, the Federal Reserve System and the Federal Deposit Insurance Corporation, operate on their own. That is, they are not branches of other departments. The third agency, the office of the comptroller of the currency, is centered in the Treasury Department. Although the comptroller of the currency reports directly to the Secretary of the Treasury, it is, for all intents and purposes, an independent agency that relies on the Treasury for little more than housekeeping support. This fact was made abundantly clear when James J. Saxon served as comptroller of the currency in recent years and turned the comptroller's office into one of the most powerful banking forces in Washington.

Thus, the Nation's 14,000 commercial banks are represented by three agencies and three powerful Government spokesmen in Washington.

But, what of our Nation's nearly 24,000 credit unions? The Bureau of Federal Credit Unions lies buried in the Department of Health, Education and Welfare, which is bad enough, but to compound the situation, the bureau has been placed under the direction of the social security administration. Under this arrangement, the director of the bureau does not report directly to the Secretary of H.E.W., but rather reports to the head of the social security administration. In short, the bureau occupies a third-tier position in the Government and has become a stepchild of H.E.W.

It is not fitting nor fair for the Bureau of Federal Credit Unions to be charged with the broad responsibility of supervising the greatest number of federal financial institutions and at the same time to be denied the status that it needs to perform an effective job.

The Bureau does not even have a full-time legal staff but rather must share a lawyer with the Children's Bureau of the Social Security Administration. I have never been quite certain as to whether that lawyer is an expert in Childrens' Bureau work with a smattering of background in credit union affairs or whether the opposite is true. But one thing is clear, that our Nation's credit unions deserve a far better setup than is presently provided for by our Government. To this end, I have introduced legislation, H.R. 14030, that would provide for the creation of an independent Federal Credit Union Administration to be called the National Credit Union Administration. I was extremely pleased that eighteen other members of the Banking and Currency Committee joined me as co-sponsors of this legislation which was introduced on November 15, 1967.

I do not contend that this initial draft of the legislation contains all of the answers. The legislation was originally introduced for discussion purposes so that a feeling among credit union members could be gained for the general concept of the legislation.

Between now and the convening of the 91st Congress, I expect to hold meetings with credit union officials from throughout the country to discuss the legislation and to consider methods of improving it. When the 91st Congress convenes in January, I plan to introduce a clean bill that hopefully will meet all of the criteria for such an agency developed during the study period.

Basically, the legislation would upgrade the existing Bureau of Federal Credit Unions to an independent agency status that would be run by an administrator appointed by the President and confirmed by the Senate. The administrator would be assisted in his task by a national credit union advisory committee consisting of 23 persons appointed by the President for a two-year term. Five members of the committee will be appointed at large with two appointed from each credit union region, one representing federal credit unions and the other representing State credit unions.

Some credit union members are not happy with the provision of the legislation that calls for State-member credit union representation on the board. There are some who feel that this is an invasion upon the State's rights and others who contend that State credit unions should have no interest in Federal credit union affairs.

I do not feel that the inclusion of State credit union representation on the board will, in any way, hinder the overall credit union movement but will be of assistance both to State and Federal credit unions. What is needed is an agency that will fight for credit unions and will not be limited in its powers solely because it is buried in the depths of a larger agency. Both the Federal Reserve System and the Federal Deposit Insurance Corporation are composed of State and national bank members and there is no problem caused by the mixing of the two types of banks. State credit union membership on the board of the National Credit Union Administration will add a great deal of value to the board and I can assure you that it will not be a situation in which the tail wags the dog. I firmly believe in the dual credit union system but at the same time the philosophy of the credit union movement is the same, whether it be on the State or the Federal level. Credit unions are dedicated to serving their members and the fact that one credit union may be chartered by a State and another by the Federal Government does not alter the basic purposes of the credit union.

The advisory board will serve only as an advisory board and its decisions will not be binding on the administrator but by having a cross-section representation of all credit unions through the advisory board, the administrator will be in a far better position to reach decisions affecting credit unions. The National Credit Union Administration will not, in any way, usurp the power of State credit union authorities but rather the administration will assist the States if, and I want to repeat, only if the States request such assistance. In short, the administration will, in part, act as a clearinghouse of credit union information which would be vital to State credit union authorities.

There may be times when the States will have to call upon the National Credit Union Administration for assistance. This is perhaps best illustrated by the Federal Reserve Board's recent revision of regulation G that for the first time covered credit unions. This regulation deals with stock purchase margin requirements and loans secured by registered stocks. A number of State credit unions were affected by this ruling and had there been a National Credit Union Administration, that agency could have presented the State's credit union case to the Federal Reserve Board and since such an argument would have the backing of a governmental agency, it would carry great weight. It has been suggested by some that there is no need to alter the present setup of the Bureau of Federal Credit Unions. I sincerely wish that this were the case. It should be made crystal clear that my independent agency bill was not introduced because of a feeling that the Bureau of Federal Credit Unions was not doing a good job. But rather the legislation was introduced because the Bureau, by its placement in the Government hierarchy, is not its own spokesman and does not have the freedom to make its own decisions. In view of the restrictions placed on the Bureau, it has done an excellent job but it can perform an even greater and more effective service if it becomes its own master.

Recently, when the House Banking Committee was considering the so-called 1968 omnibus credit union bill, there were amendments to the bill that the members of the committee had offered. However, the Bureau of Federal Credit Unions could not comment on the amendments because its remarks had not been cleared by the Department of Health, Education, and Welfare, and, when the committee writes to the Department for its comments on credit union bills, it is months before we receive an answer.

Perhaps the best illustration of this concerns the independent agency bill. On November 20, 1967, I wrote to the Department of Health, Education, and Welfare asking for their comments on the bill. More than 11 months have passed since I wrote that letter, yet I have not received an answer from the Department. I think this clearly shows how concerned the Department of Health, Education, and Welfare is with the Bureau of Federal Credit Unions.

One other question that has been raised concerning the independent agency bill is that of costs. It has been suggested by some that fees paid by individual credit unions would have to be raised in order to cover the cost of the new agency. I do not foresee any major increase in fees as a result of this bill. This point was brought home when the Director of the Bureau of Federal Credit Unions, Mr. Deane Gannon, testified before the committee last spring. Mr. Gannon pointed out that the operations of the bureau are entirely supported by the fees paid by credit unions and that they receive no free services from the Government. This would seem to refute the claim by some that the creation of an independent agency would remove the free services that are now being rendered by the Federal Government to the Bureau of Federal Credit Unions. In short, as Mr. Gannon has said, the Bureau pays for everything that it gets.

As I stated in the beginning of my talk, much progress has been made in the credit union movement in recent months and I feel that passage of the independent agency bill will signal the beginning of even further strides in credit union legislation. Credit unions need an uninhibited spokesman in the executive branch of the Government, particularly since the banking industry has three powerful Government agencies working for it.

I hope I can count on your support to bring about the independent agency concept for the Bureau of Federal Credit Unions so that credit unions can receive the recognition that they have earned and deserve.

Every year, the question of Federal share insurance or FDIC type of insurance for credit unions is raised and, unfortunately, the subject of such insurance is given more consideration than it merits. A look at the loss record of Federal credit unions for the past quarter of a century confirms the belief that Federal credit union insurance is not needed by credit unions. From 1956 to 1965, commercial bank losses on insured accounts amounted to more than $12 million, while losses in insured savings and loan accounts were slightly more than $11 million. Of course, these figures do not accurately depict the losses to the banking and savings and loan industries because they do not include the losses on accounts that were in excess of the insurance ceiling, nor is consideration given to the losses suffered by stockholders of failing institutions. Since credit union members are, in a sense, both stockholders and depositors, it is quite remarkable that the loss figure is so low. If the stockholder losses were added to the figures for other financial institutions, many more millions of dollars would have to be added to their totals.

What would a program of Federal share insurance have cost Federal credit unions if it had been in effect in the past ten years? By using a premium of one-twelfth of one percent of shares annually, Federal credit unions would have paid, during the last decade, nearly $25½ million for share insurance. The premium figure approximates the rates imposed by the Federal Deposit Insurance Corporation on commercial banks and the Federal Savings and Loan Insurance Corporation on savings and loan associations.

Thus, credit unions would have paid $25½ million to cover a $1.2 million loss. And, the insurance might not have covered all of the losses since shares in excess of the insurance maximum would not have been covered. I cannot help but wonder what might have happened to the credit union movement if

$25 million were pulled out over a 10-year period.

In addition, Federal share insurance would bring red tape to the credit union operation. Credit unions have long prided themselves on their non-bureaucratic methods of operation. But, Federal share insurance would require a mountain of paperwork, a constant audit of every share account and needless expense. The simplicity of the credit union cannot be overlooked as a prime reason more than 19 million Americans have become credit union members.

The provision in the recently passed credit union bill providing for the investment in central credit unions by Federal credit unions will also help to negate the need for share insurance. The central credit union, working in conjunction with league stabilization funds, will offer a pool of ready reserves designed to help any credit union that needs financial assistance.

Credit unions have built a reputation for safety because of their neighbor-lending-to-neighbor philosophy. If one credit union member gets behind on a loan repayment, all members of the credit union have an interest in that delinquent loan and they can get after the poor payer with a sharp stick. But in an insured institution, there is no interest on the part of the depositors as to whether or not a borrower repays a loan. In addition, I am certain that credit union borrowers feel a far deeper sense of responsibility for repaying loans than do borrowers from insured financial institutions. In short, the best insurance that credit unions have is their lack of Federal share insurance.

Ladies and gentlemen, thank you very kindly for allowing me to address you this evening.

REPORT OF THE ACTIVITIES OF THE COMMITTEE ON PUBLIC WORKS IN THE 90TH CONGRESS

HON. GEORGE H. FALLON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FALLON. Mr. Speaker, as chairman of the Committee on Public Works I report herein on its activities during the 90th Congress. There are, one, a list of measures considered and approved by the committee and enacted into law; second, a bill approved by the Senate and House but not enacted into law; third, bills approved by the Senate and reported by the House committee but not acted upon by the House; fourth, a bill approved by the Senate, reported by the House committee and failed to pass the House; fifth, a House bill reported by the committee but not acted upon by the House; and sixth, a bill ordered reported by the committee.

These lists are followed by summaries of the principal provisions of the major laws of national interest and effect. Finally, there are contained herein reports on the activities of the Special Subcommittee on the Federal-Aid Highway Program and the Special Subcommittee on Economic Development Programs.

On January 31, 1967, the committee was formally organized into a structure consisting of five standing subcommittees, as follows: Rivers and Harbors, Flood Control, Roads, Public Buildings and Grounds, and Watershed Development; and the Special Subcommittee on the Federal-Aid Highway Program—investigating—the Ad Hoc Subcommittee on Appalachian Regional Development, and the Special Subcommittee on Economic Development Programs.

The committee had 636 bills for consideration during the first and second sessions of the 90th Congress dealing with such subjects as navigation improvements, flood control, water pollution, beach erosion, hurricane protection, disaster relief, highways, public buildings, land conveyances, watershed development, water supply, public works and economic development, and Appalachian regional development.

Reported by the committee were 24 bills, 19 of which have been enacted into law. In addition, the committee adopted 38 river and harbor survey resolutions, seven beach erosion survey resolutions, and 35 flood control survey resolutions. These resolutions authorized survey studies by the Corps of Engineers, Department of the Army, that will ultimately result in the submission of project reports to Congress.

The major bills reported by the committee are:

River Basin Monetary Authorization Act of 1967: This act provides increased authorization for the prosecution of river basin plans for flood control and related purposes under the jurisdiction of the Secretary of the Army and the Chief of Engineers.

Revise and extend the Appalachian Development Act of 1965 and amended the Public Works and Economic Development Act of 1965. The Appalachian Regional Development Act provides public works and economic development programs for the States of the Appalachian Mountain region of our Nation. The Public Works and Economic Development Act is designed to provide new industry and permanent jobs in areas where they are most needed. Unlike the Appalachian Regional Development Act, it covers the entire country and is not confined to one portion. It also differs from the Appalachian Regional Act in that it is limited to areas which are burdened with persistent unemployment or low family incomes. The act is intended to create a climate conducive to the development of private enterprise in America's economically distressed communities, particularly in harnessing the economic potential of areas that have too long been outside the mainstream of the Nation's prosperity. These two acts were further amended by action of the committee in the 90th Congress.

Safety of Capitol buildings and grounds: This legislation strengthens and increases the existing authority covered both by the general laws of the United States and the District of Columbia to provide still further control and safeguards for all those, both citizens as well as legislators, in the use and operation of the Capitol, its grounds, and immediate facilities.

Interstate System modifications or revisions: This legislation enacted into law authorization for an additional 200 miles of the Interstate System to be used in making needed modifications and revisions in the system but at no additional cost in construction.

The National Visitor Center Facilities Act of 1968: This authorizes the Secretary of the Interior in consultation with the Administrator of General Services to enter into a lease with the Washington Terminal Co. for the use of the Union Station property in the District of Columbia for a center for the use and information of visitors to the Nation's Capital. This legislation finally enacted into a law a much-needed authority for the Secretary of the Interior to bring about a creation of a visitor center where hundreds of thousands of people who visit the Nation's Capital each year may be provided with proper facilities and information for a full understanding of as well as a history and background of the Nation's Capital.

Additional National Gallery of Art building: This legislation provides for the authorization of a new and much-needed additional building for the use of the National Gallery of Art.

Design and construct public buildings to be accessible to the physically handicapped: This legislation is the first major step to insure that public buildings financed by Federal funds are so designed and constructed as to be accessible to the physically handicapped. It follows in essence the chief recommendations of the report of the National Commission on Architectural Barriers to Rehabilitation of the Handicapped.

River and Harbor, Flood Control, and River Basin Monetary Authorization Act of 1968: This legislation authorized the Army Corps of Engineers to construct, modify, or otherwise participate in the provision of 73 flood control, navigation, water conservation, and other water resources projects and provide increased monetary authorization for 13 river basin plans.

The Federal-Aid Highway Act of 1968: This overall comprehensive act is the most important legislation affecting the Federal-aid highway program since 1956. In addition to authorizing funding for the Interstate System and the ABC program, this act introduced a number of new concepts for the development of the highway program including the TOPICS—traffic operations program to increase capacity and safety—program, fringe parking, and a new and more advanced form of relocation payments to individuals and organizations forced to relocate as a result of Federal-aid highway construction. The committee feels the relocation program contained in the Federal-Aid Highway Act of 1968 is the most progressive program of its type enacted by the Congress in this particular field and will stand as a landmark and a guide for other types of programs of the Federal Government which require necessary relocation assistance.

Amendment to the Tennessee Valley Bridge Act: This legislation amends the Tennessee Valley Bridge Act to permit the TVA's share of the cost of alteration or relocation of certain bridges to come from appropriations.

Amending Tennessee Valley Authority Act of 1933: This legislation provides that the issue of just compensation may be tried by a jury in cases involving the condemnation of real property by the Tennessee Valley Authority.

International Center for the Nation's Capital: This legislation authorizes the establishment of an area in the Nation's Capital where chanceries may be constructed for the use of foreign governments. It also resolves a building problem of many years' standing affecting the operation of the Organization of American States.

FURTHER COMMITTEE ACTIVITIES

The committee approved 49 watershed protection and flood prevention projects transmitted to Congress by the Secretary of Agriculture through the Bureau of the Budget pursuant to the provisions of section 2 of Public Law 566, 83d Congress, as amended.

During the 90th Congress the committee approved 69 projects, which includes construction, alterations, and purchases under the Public Buildings Act of 1959. These are public building projects to house Government agencies and facilities, including post offices, courthouses, customhouses, immigration quarters, warehouses, Federal office buildings, and so forth.

The committee held hearings and executive sessions almost continuously from the beginning of the Congress. In addition, subcommittees made three special inspection trips to investigate disastrous floods in the States of West Virginia, Ohio, Alaska, and Texas, and conducted an inspection of the St. Lawrence Seaway and particularly the Eisenhower lock in the vicinity of Massena, N.Y.

In addition to this, the committee reported legislation which included name changes in Army water resource projects which is now Public Law 90–46. Legislation for additional bridges and tunnels in the State of Maryland became Public Law 90–144. Legislation designating the Federal office building in Detroit, Mich., as the Patrick V. McNamara Federal Office Building is now Public Law 90–186. Additional funding for a small-boat harbor at Manele Bay, Lanai, Hawaii, is now Public Law 90–142. An amendment to the Highway Safety Act of 1966 increases by six the membership of the National Highway Safety Advisory Committee and is Public Law 90–150. H.R. 13833 provides that the post office and Federal office building in Bronx, N.Y., be named the Charles A. Buckley Post Office and Federal Office Building after the former chairman of the Committee on Public Works and is now Public Law 90–232. H.R. 16629 provides that the U.S. customhouse at Providence, R.I., be named the John E. Fogarty Federal Building, in honor of the late, beloved Member of the House of Representatives and is Public Law No. 90–372.

My sincere appreciation for their splendid cooperation goes to the committee members, particularly the subcommittee chairmen. Congressman JOHN A. BLATNIK, chairman of the Subcommittee on Rivers and Harbors and the Federal-Aid Highway Program Subcommittee; Congressman ROBERT E. JONES, chairman of the Subcommittee on Flood Control, and Ad Hoc Subcommittee on Appalachia; Congressman JOHN C. KLUCZYNSKI, chairman of the Subcommittee on Roads; Congressman KENNETH J. GRAY, chairman of the Subcommittee on Public Buildings and Grounds; Congressman JIM WRIGHT, chairman of the Subcommittee on Watershed Development: and Congressman ED EDMONDSON, chairman of the Special Subcommittee on Economic Development Programs.

To Congressman WILLIAM C. CRAMER, of Florida, the ranking minority member of the committee, as well as the other able members of the minority side who have done much to further the work of the committee, I wish to extend my deep and sincere appreciation also.

To all the staff of the committee and subcommittees may I thank you sincerely for a job well done.

In commending the staff, I would be remiss if I did not pay particular tribute to an outstanding staff member who retired this year after 12 years of exemplary work for the Public Works Committee and the Congress. I refer to our engineer-consultant, Joseph R. Brennan, who not only was a fine staff man, but I am happy to say, is a friend of mine. Joe's service to the committee and to the Congress epitomizes the highest type of service that could be given on a Federal level by a staff individual.

In closing, may I point out that this is but a brief summary of the extensive activities of the Committee on Public Works during the 90th Congress, and a complete and detailed history of the committee's activities can be found in committee print No. 42, published by the committee.

UNHERALDED ADVANCES IN RIGHTS BEING MADE

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FRASER. Mr. Speaker, great but unsung progress in civil rights has been made during the last few years under the Democratic administration.

Public emphasis is almost always on the continuing problems of discrimination—and these unquestionably continue to be serious problems.

But in our concentration on problems we often overlook the regular and accelerating solutions that are being found.

For example, the Office for Civil Rights of the Department of Health, Education, and Welfare gives these statistics on school desegregation:

Since January 1965, nearly 700 school districts have voluntarily eliminated discriminatory dual systems.

As of last August, 1,172 districts were still in the process of desegregating their schools under voluntary plans. Another 349 districts were under court desegregation orders.

Federal funds were terminated to 96 school districts and enforcement proceedings to terminate funds were under way against 112 districts. And 82 other districts were being reviewed for possible enforcement action.

These are only a few of the strides that are being taken in civil rights, but they are indicative of a broader pattern. We are moving forward.

These figures from the Civil Rights Division of the U.S. Justice Department also point to civil rights progress made under several laws:

At the close of fiscal year 1968—last June 30—the Division had 341 cases before the courts.

The first suit under the fair housing section of the Civil Rights Act of 1968 was filed in July. An expanded enforcement program is scheduled by 1970, when the great majority of dwellings sold and rented will be covered by the law.

Employment: 30 employment discrimination suits have been filed since 1965, when the 1964 Civil Rights Act became effective. Twenty of the 30 have been filed since January 1, 1968.

Public education: During fiscal 1968, desegregation efforts have been expanded outside the South. Suits have been filed in three non-Southern States.

MARINE COMMANDANT SPEAKS IN NEW ORLEANS

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. HÉBERT. Mr. Speaker, the Greater New Orleans Council of the Navy League of the United States was privileged to have as its guest speaker the Commandant of the Marine Corps, Gen. Leonard F. Chapman, Jr., for Navy Day ceremonies.

His remarks were extremely well received, and as always, were timely and informative. I am deeply grateful to General Chapman as are the Navy Leaguers of New Orleans for taking time out from his busy schedule to help make the Navy Day observance a tremendous success.

So that all may benefit from General Chapman's remarks, I am enclosing them at this point in the RECORD:

REMARKS BY GEN. LEONARD F. CHAPMAN, JR., COMMANDANT OF THE MARINE CORPS, TO GREATER NEW ORLEANS COUNCIL OF THE NAVY LEAGUE OF THE UNITED STATES, NEW ORLEANS, LA.

Congressman Hébert, General Duchein, distinguished guests, ladies and gentlemen: It is indeed an honor to be in New Orleans and to be with you for Navy Day. I wish to thank you for your welcome.

In fact, I think it is entirely appropriate that we are here in New Orleans for a Navy Day observance. I can think of no other city which has so enriched the history of this country as New Orleans and whose early history is so intimately a part of our naval history.

My welcome here today was certainly much warmer, though, than the reception you provided another Washington contingent earlier this fall.

I'm a Washington Redskin fan, you know—and we thought earlier that our football team was headed for an undisputed championship. Then we came down here—Sonny Jurgensen and the rest of the Redskins were two weeks in recovering from the treatment at the hands of your New Orleans Saints.

My aides tell me that they were even longer recovering. I had no idea until then how much I suffered with the Redskins.

But we Marines feel quite at home here. Your Navy League president, Charlie Duchein, is a very active major general on the Marine Corps Reserve rolls and has taken time from his busy schedule to serve on active duty on a number of occasions. We have sought—and appreciated—his help in many instances.

Our 8th Marine Corps District Headquarters, directed by Colonel Chuck Redman, is located here in New Orleans—and this headquarters serves as the focal point for all Marine Corps Reserve and recruiting activities in Louisiana, Texas, Arkansas, New Mexico and Oklahoma.

One of your city councilmen, Jim Moreau, is a retired Marine Reserve colonel.

And there are many more here in New Orleans who greet us warmly.

I feel at home—and among friends.

But I cannot proceed further here today without touching upon one of the most tangible points of evidence which link New Orleans and the Marine Corps. Your Jesuit High School is a Marine Corps-oriented Navy Junior ROTC institution.

It is the first high school approved for activation under the Junior ROTC program, and it is by far the largest high school of the seventeen now under Marine Corps sponsorship. We in the Marine Corps are pleased by our association with Jesuit High School—and proud of its accomplishments.

Congressman Hébert's sponsorship of the Reserve revitalization legislation that established that Junior ROTC program is ample evidence of the fact that he and the citizens of this area are concerned citizens, that they are aware of the world situation and the necessity for constant preparedness that it demands.

Perhaps my words today will remind you of the priest, or minister, who periodically exhorts his congregation on the value of attending services. The fact that they are there signifies that they accept its importance. His problem is to reach those who are not there.

And I would hope, in this instance, to impress upon you of the Navy League that I appreciate your presence as evidence of the league's continuing concern over our Navy's and our Nation's state of readiness. Through you, however, perhaps others who should be concerned can be reached and made more aware.

It is in this vein that I'd like to speak with you. And, on the occasion of Navy Day, I feel that the Navy-Marine Corps team is a most appropriate topic.

It is appropriate, because this team in Vietnam today is now demonstrating a specific application of U.S. strategy. There is one fact—often obscured, but nevertheless fundamentally true—about the war in Vietnam, and it is this: the Vietnam conflict is a demonstration of American sea power.

Over 98 percent of the tonnage moving to that troubled nation is moved in surface shipping.

We are able to support more than one-half million U.S. fighting men—plus the majority of those of the other Free World military forces and the South Vietnamese—because we can maintain surface supply lines from U.S. ports to Vietnamese ports—Saigon, Cam Ranh Bay, Da Nang, and others.

The Air Force and the Army deserve unstinting praise for their efforts and accomplishments in Vietnam—it goes without saying that their presence is essential—but that presence is dependent upon the freedom of movement—or freedom of the seas.

It is freedom of the seas that makes their support possible, freedom of the seas maintained by the United States Navy.

To put all U.S. efforts and that Vietnamese struggle in the proper context, however, we must recognize that this country is engaged in a larger strategic struggle; and although attention focuses on Vietnam, that larger struggle also depends on the maintenance of freedom of the seas.

The larger struggle is containment of communism—either of the brand exported by the Soviet Union or by Red China, if there is any difference—and success in that struggle will rest on the ability to support our allies and our own forces in any area of the globe—in Europe as in Asia.

If further evidence be needed of the importance of sea power, let us imagine for a minute that one of those supply ships carrying material to Vietnam were to be damaged or sunk by a mine, a torpedo, by aerial attack, or by any other weapon selected by a hostile nation.

How would the dimensions of the war change?

To maintain that flow of vital material, we would have to protect our convoys from attack by air, surface, or subsurface means.

The burden of this protection would rest with the U.S. Navy—the carrier strike force, the antisubmarine warfare force, and the escort ships.

Upon the ability of these components would rest the ability of this Nation to provide the support needed to continue the war in Vietnam.

But getting the support to Vietnam, as in the present circumstance, is only part of the job.

There will always be a requirement to put that support ashore against opposition.

This capability is the chartered mission of the Navy-Marine Corps team.

The successful, forcible lodgement of U.S. forces will be essential to pursuance of our ultimate objectives and our national strategy.

That Navy-Marine Corps team is at work in Vietnam today. We are engaged primarily on the littorals or coastal plains where our lodgements have made possible the delivery of supplies and munitions through secure ports.

From there, using those supplies, we have pressed the battle to whatever point our national policy decisions and the local situation have dictated.

At frequent intervals, Marine battalion landing teams of the special landing force, embarked in amphibious shipping of the 7th Fleet, provide additional flexibility and tactical options by landing at critical points to influence the campaign.

Then, mission accomplished, the marines back-load into the amphibious shipping—ready again to provide those tactical options.

The activation of the battleship New Jersey and its arrival in Vietnamese waters to furnish naval gunfire support for marines and soldiers ashore is further evidence of the continuing requirements and the validity of the concepts developed by the Navy-Marine Corps team.

Now I have spoken so far about the Navy-Marine Corps team. But I want to stress one point: My emphasis here tonight is really upon the word team. And that team includes people.

And so, for awhile, I want to tell you about some of the people on that team—and if I happen to be talking about marines, it's because they are the people I know best.

You know, we are experiencing here in the United States a series of incidents and events which has shaken the moral values and the behavior patterns long established in this country.

All of us know about student demonstrations—or revolts, if you will—and we have read about draft cards being burned and draft board records being destroyed.

We are, all of us, disturbed by reports of desertions by our servicemen to other countries—though the reports are grossly exaggerated.

And we are reading more and more about antiwar groups within our armed forces and we see more and more instances of reserve groups of servicemen who question the legality of the orders calling them to duty or the orders directing their next assignments.

We could ask ourselves: Is the major threat to our country the freedom of the seas and our continued existence—or is the major challenge right here at home?

Well, it could be said with much justification that our major challenge is social, not military—and that it is here at home.

And the quick way out, the easy way, would be to blame the younger generation who seem to be so intensely involved.

Now, I know that young generation. I work with them everyday. I can't defend a great many of their actions, nor do I choose to.

But if the marines and the other young servicemen who are in Vietnam are any indication, it's a much better generation than we think.

Maybe some of the values and behavior patterns here at home are being severely tested; but I can assure you that the marines in Vietnam have a true sense of values.

I have been to Vietnam twice since I became commandant, and a number of times prior to that, and I have talked to literally hundreds of marines under practically every situation and in virtually every frontline.

I have talked with marines who carry rifles, and I have talked to marines who fly jet aircraft. I have talked to them in bunkers deep underground—and I have talked to them in hospitals.

In every instance, I have noted a quiet confidence about them that speaks more than words. They are tough—and yet their compassion for a wounded friend or their concern for a village elder is obvious and touching. They are reliant and they are resourceful.

They live in a world of violence—and they are on intimate terms with fatigue and noise and dirt. And of course, there is always the realization that life can end suddenly.

But their morale is tremendous. And their deeds are legend.

And if you were to read their letters—and sometimes parents send them to me or write to me about what their boys have said—you would know that they have trouble expressing what is in their hearts. However, they know why they are in Vietnam, and they know what they are trying to accomplish is right.

And if you want tangible proof, let me tell you this: since July 1966, just a few months over two years, a total of 26,237 marines have voluntarily extended their tours of duty to serve another six months in Vietnam.

That means that nearly 1,000 young marines each month—riflemen, pilots, cooks and bakers, aircraft mechanics, machinegunners and truck drivers—have voluntarily elected to stay in Vietnam for another six months of fatigue and noise and dirt and danger.

There is one point which is apparent to them, and they shrug off their sacrifice by simply saying, "Well, if we don't stop them here, we'll just have to stop them somewhere else."

In one of my earlier speeches before a group such as this, I said:

"Today we are fighting for every nation in the free world, for our own national security, and for a world of freedom.

"We are fighting to prevent future, more serious aggression. We have proved to our enemies and to our allies alike that we have the collective fortitude and the collective resolve to halt aggression."

Well, I was proud of that statement. But I'm not sure that the statement that is in their letters, however, that we have to stop aggression in Vietnam or be forced to stop it later somewhere else, isn't more eloquent. And more to the point.

And it certainly bears out my contention that they have a true sense of values.

And I think I can tell you that they hope and pray for peace as fervently as anyone here in the United States—but they do not want peace at any price.

They have the determination to stick it out.

And their resolve, I am sure, is typical of all U.S. servicemen in Vietnam.

There is no question that we are in the dominant military position in Vietnam. In every way, in every area, we are improving our position, month by month.

We have, in Vietnam, adequate forces to maintain and continue this dominance; and these forces are highly mobile, hard-hitting units backed up by the best logistical pipeline in our history.

We are in a type of mobile offense/defense posture there, no longer tied by strong enemy attacks to major strongholds.

And for some time, our intelligence about the enemy, his organization, his movements, his morale, and his supply caches has shown increasing improvement.

Right now, however, we are in the midst of a lull. Enemy action has dwindled and contact with enemy forces is less frequent. But our intelligence informs us that his guerrilla infrastructure is being eroded by our pacification or revolutionary development progress; he has suffered terrible casualties; he is losing more people through defections and desertions. And he faces the coming monsoon season with dwindling supplies and equipment.

I have stated before, in other talks, that much hard fighting is ahead. I think the enemy has no choice but to assume the offensive again if he wants to achieve the objectives he set for himself years ago.

He must attack, he must keep on attacking, if he is to disrupt the progress we are making in Vietnam.

I have said that the U.S. serviceman in Vietnam does not lack determination. He does not lack resolve.

But what of the determination of the people of the United States? There are great differences of opinion here at home.

There are as many who are as impatient for haste and quick victory as there are those who want to see an end to our efforts in Vietnam.

I think we are now involved in a great test of national wills with Hanoi, and that the issue is hanging in the balance right now.

Who's going to back down?

Who's going to crack first?

Do we have the determination to stick it out, to see our own objectives accomplished after we have done so much?

If we stand firm, if we do not back down, I think there will be a real military turn in the war, and I think we will be able to gain our objectives of peace and freedom for South Vietnam.

We have the upper hand. A generation of young Americans is standing firm in Vietnam. We must stand firm here at home, too.

We must continue to be proud of the traditions of this great country. And we must continue to stand up for the things in which we believe.

Our task here at home is to set the example. Being with you here today has given me increased confidence that the challenge will be met.

A TRIBUTE TO DR. TRUMAN DOUGLASS

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. CURTIS. Mr. Speaker, on December 31, of this year 1968, Dr. Truman Douglass will retire after having served 25 years as executive vice president of the United Church Board for Homeland Ministries of the United Church of Christ.

At the annual meeting of the board being held this week in Hartford, Conn., Rev. Otis Young, of St. Louis, who is the president of the United Church Board for Homeland Ministries, will deliver a tribute to Dr. Douglass on behalf of the board. In view of Dr. Douglass' long and outstanding service, the tribute should be drawn to the attention of the Members of this body.

The tribute follows:

Today October 30, we pass an important milestone in the work of the United Church Board for Homeland Ministries as we honor Dr. Truman Douglass as he prepares to retire as Executive Vice President of this Board. We honor him for his creative and prophetic leadership, not only to the United Church of Christ, but for his leadership in our nation.

During the past 25 years of service to this Board, Dr. Douglass has had an impact not only on the work of our denomination, but his leadership has made a real and positive contribution in the work of the church throughout our nation. In fact, Dr. Douglass has been an outstanding Ecumenical leader, not only on the American scene but throughout the world. His insight and vision will be greatly missed by all of us.

SUPERMARKET PRICE DISCREPANCY STUDY

HON. CLARENCE J. BROWN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BROWN of Ohio. Mr. Speaker, in response to numerous charges of higher prices for lower quality products in chain supermarkets in low-income areas than in higher income areas, the Department of Agriculture issued a report earlier this year which concluded that the evidence collected during their study in 1967 of the situation did not support the charges.

The Government Operations Committee, on which I serve, submitted a report—House Report No. 1851—of the same situation on August 7, 1968. This report, compiled from hearings, meetings, panels, and so forth, conducted by the Subcommittee on Special Studies and its panel on Special Inquiry on Consumer Representation in the Federal Government, decided that the conclusions of the agriculture study were wrong and that there was supermarket price discrimination against the poor. This effort at refutation, some of us feel, was a rather distorted deduction. Where testimony had been heard that supermarkets maintain price integrity by having periodic checks by supervisors on prices and where testimony had been heard that such management policies are in operation throughout the entire chain, regardless of area in which the individual stores are located, the committee contends that such policies are breached in practice. The testimony, that human error accounts for a great deal of any price discrepancy and lower quality products, seemingly went unnoticed by the committee in drawing its conclusions.

The editorial staff of station WKRC in Cincinnati, Ohio, has also conducted its own study of the allegations of supermarket price discrepancy between high- and low-income areas. I insert for the information of my colleagues of this body a copy of a release issued following WKRC's investigations. It will be noted that the WKRC editorial not only challenges the conclusions of the Government Operations Committee report, but, further, can be understood to uphold the findings of the Agriculture Department report:

The editorial follows:

FOOD PRICING

The Agriculture Department made a detailed study recently of food prices in chain supermarkets throughout several cities across the United States. The purpose of the survey was to determine the validity, once and for all, of the complaint that poor people pay more for food. In each case, the Department noted no discrepancy in food prices, and this seemed to put a hole in the argument that the poor were being "taken".

But just to play it safe, WKRC conducted a similar survey here in Cincinnati. Several stores of a local food chain were investigated twice—in the middle of June, and again a few days following the mailing of welfare checks the first of the month. It was discovered that there was no perceptible price variation on items checked, although stores in the lower income areas did have a larger selection of the less expensive meat cuts which were priced accordingly.

In the bulk items, such as potatoes, Avondale area stores, of all the stores checked, were the only ones where it was possible to buy the economically priced Maine potatoes. In other stores, selection was limited to the more expensive Idaho brand.

After the mailing of welfare checks, there was not only NO boost in prices, but on many items, such as soup and eggs, prices had actually been reduced.

This first-hand observation certainly bears out the nationwide study that food prices are no higher in lower income areas. People living in distressed neighborhoods have a lot to complain about, but distorted food prices, at least in chain supermarkets, is a complaint we weren't able to verify.

STATEMENTS IN SUPPORT OF S. 725 AND H.R. 7711

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. SIKES. Mr. Speaker, the following statements were made in hearings before the Senate and House Committees on the Judiciary in 1967 in support of S. 725 and H.R. 7711. I submit them for reprinting in the CONGRESSIONAL RECORD at this time:

STATEMENT OF HON. EDWIN C. JOHNSON, FORMER U.S. SENATOR AND GOVERNOR OF COLORADO, BEFORE THE COMMITTEE ON THE JUDICIARY, U.S. SENATE, WASHINGTON, D.C.

(Re S. 725 (90th Congress) by Senator Hart and Senator Scott. To waive certain limitations upon claims under Public Law 88–519 (78 Stat. 699).)

Mr. Chairman and members of the Special Subcommittee of the Senate Judiciary Committee, please accept my warm greetings and give me a few minutes of your time.

For the record: My name is Edwin C. Johnson. I reside at 901 Sherman Street, Denver, Colorado. It has been my privilege to serve 18 years in the United States Senate. During World War II, I was the ranking member of the Senate Military Affairs Committee and, at frequent intervals, I was the Acting Chairman.

I am most grateful for the privilege of presenting to you for your consideration a recommendation that a grave injustice illegally imposed upon a relatively small group of American War-time patriots be set aside.

I seek for them simple justice—nothing more—nothing less.

In line with this objective, may I say that I am personally indebted to the Honorable Philip A. Hart and to the Honorable Hugh Scott for sponsoring in Congress a very pertinent bill which if enacted will give these injured patriots their day in Court. This legislation is identified as S. 725.

Other than that, this very timely and important legislative bill does not award anything to anyone. Actually, it seeks only to open the doors to delayed justice to a relatively small group of war-time patriots who have been discriminated against wantonly by the U.S. Court of Claims.

Just how the Reserve officers of the United States military forces got under the jurisdiction of the Claims Court I cannot say. Instead of having "claims", these Reserve Officers have "rights", and these rights have been sanctioned in laws enacted by Congress. The purpose of S. 725 is to get these Reserve Officers before a Federal "Court of Law and Equity" where their rights, already established and authorized by Congress and the President of the United States, can be determined on pertinent basic facts, just as other laws encated by Congress are adjudicated.

Honorable Members of Congress, I am here knocking on your door, and with great respect suggesting that you should object to the Claims Court mutilating an important Act of Congress affecting the Armed Services. Our Army is and has always been a Civilian Army established and operated under laws enacted by Congress. Only Congress and the Federal Courts of Law and Equity can straighten out the "mess" that Claims Court bungling has imposed upon these honored Reserve Officers. This has happened in an area where I personally have had grave responsibility. Accordingly, it is my duty to come to you in their behalf.

I was the Chairman of the Senate Subcommittee that sponsored and handled the Pay Readjustment Act of 1942. In fact, I was the author of this legislation. Furthermore, I was the Chairman of the Senate-House Conference Committee which re-wrote the very paragraph which was mangled to death by the inept Claims Court.

Should any Member of this Committee feel that I am too harsh in expressing my judgment respecting the stupid action of the Court of Claims, please have him review the straight-forward language of the "Pay Readjustment Act of 1942" and then have him review the Court of Claims contradictory opinion. Anyone doing this will be shocked out of his boots!

Frankly, in my humble opinion, the Claims Court interpretation of paragraph 4 of section 15 of this Act is so unreasonable and so shocking, that it might well have been a bold attempt by them deliberately to set aside action by Congress on a high military policy question, and to impose their own views, in lieu thereof. It is generally known that it is the duty of the Comptroller General and the Court of Claims to discover, expose, and correct fraudulent and illegal claims which may be filed against the Government of the United States. But these very necessary agencies cannot modify, alter or repeal an Act of Congress affecting a policy decision with respect to the military. This matter must be reviewed by a Federal Court of Law and Equity in the name of National Security.

With the bombing of Hawaii, World War II burst wide open and hit with frightful and staggering suddenness. Among other embarrassments, there was a tragic shortage of Army Officers. On June 16, 1942, the day the Pay Readjustment Act became a law, 90% of the military officers then on duty were Reserve Officers!

By illegally limiting lawful retirement compensation to certain officers, the Court of Claims set aside the judgment of Congress, and therein committed a vicious and wicked act. Congress in its wisdom had recognized the great debt and obligation due Reserve Officers for their faithful and responsible action in a time of war and dire emergency. But the Claims Court, accustomed to dealing with cheats and chiselers, threw the worthy Reserve Officers' retirement pay, authorized by Congress, out the window along with the fictitious claims of swindlers. How do you like that?

In Carroll vs. US, (117 Ct. Cls. 53, 1948), the Claims Court, referring to this very wording of the Pay Readjustment Act of 1942, said that it was "clear and unambiguous." But in Abbott vs. US (152 Ct. Cls. 798, 1961) that Court reversed itself and said exactly the opposite.

That the Claims Court was on sound ground in 1948, and wholly in error in 1961, is made evident by a simple reference to the wording of para. 4 of section 15 of the Pay Readjustment Act of 1942, which says, clearly and unambiguously:

"The retired pay of any officer of any of the services mentioned in the title of this Act who served in any capacity as a member of the military or naval forces of the United States prior to November 12, 1918, hereafter retired under any provision of law, shall be 75 per centum of his active duty pay at the time of his retirement."

Most respectfully, may I suggest that my "Pay Readjustment Act of 1942" expressed clearly and deliberately what later and once again was written into the law by Section 277, Title 10, of the US Code, which reads:

"Laws applying to both Regulars and Reserves shall be administered without discrimination (1) among Regulars; (2) among Reserves; and (3) between Regulars and Reserves."

This is the law. It has always been the law. Since the Court of Claims had no authority to alter a law enacted by the Congress, it has never been repealed. It was simply made ineffective. The Court of Claims had no authority to single out and remove Reserve Officers from the benefits Congress had planned and provided for all of its war-time officers, including its Reserve officers.

Congress is the exclusive policy making authority of the United States. It was the clear intent of Congress when the "Pay Readjustment Act of 1942" was written that there would be no discrimination in retired pay between and among Regulars, Reserves or National Guard officers. All had served shoulder to shoulder in the same war and all had faced the identical hardships and dangers. Reserve officers were separated from their families, their professions and their businesses, just as were the Regulars. War is War, a soldier is a soldier, and an Officer is an Officer!

When a question arises respecting the interpretation of an Act of Congress whose enactment occurred some years previous, the intent of Congress at the time of enactment becomes very important. I know exactly and I recall distinctly what the intent of Congress was, when the Pay Readjustment Act was enacted in 1942. I was in a position to know, and I did know, and I do know now.

I would be glad to state the following under oath, as I state it now:

"It was the clear and practically the unanimous intent of Congress when the Pay Readjustment Act was enacted in 1942 that there would be no discrimination in the matter of retired pay between and among Regular, Reserve or National Guard Officers."

The wording of the Pay Readjustment Act of 1942 is clear and unambiguous. The expression "any officer of any of the services" which I put in there myself, in para. 4 of section 15 of that Act, is to the point and meaningful. It expressed the precise intent of my Conference Committee and of the Congress in 1942. The Court of Claims has singled out military officers to be rewarded, and other military officers to be denied. That is neither legal, wholesome nor fair under our democracy nor under the justice we boast. To permit such a vile miscarriage of justice, mars our good name and our good record. The Congress of the United States should remove this blemish, and not tolerate such an injustice to remain uncorrected. S. 725 when enacted will allow the Federal Courts to enforce the law we wrote in 1942.

STATEMENT OF DOW W. HARTER

My name is Dow W. Harter. I was a Representative from the 14th District of Ohio from March 4, 1933 to January 3, 1943, the 73rd through the 77th Congresses. During this period I was a member of the House Military Affairs Committee and during the last four years of my tenure served as a House Conferee on all bills assigned to the Military Affairs Committee which went to conference with the Senate. This included the Selective Service Act, commonly known as the Draft Act of 1940, and the Pay Readjustment Act of 1942, the fourth paragraph of section fifteen of which Act is intimately related to S. 725, the bill now before you.

The United States was at war with both Germany and Japan when this was enacted. Those of us in Congress at the time, and particularly those who had served for years on the Military and Naval Affairs Committees of the House, had realized for several years before Pearl Harbor that War threatened, and that steps must be taken to increase our military forces by large expansion thereof. Hence the Draft Act, enacted nearly two years before, and mentioned above. We well realized that our Regular Army and Navy personnel could not fight a war of the magnitude which then threatened the United States.

By the time of the passage of this 1942 Pay Readjustment Act, hundreds of thousands of young Americans had been called up and were in various stages of training and service. The number of Regular officers was totally inadequate to officer this tremendous civilian army, and in large part it was officered by Reserve officers, some of whom were those who had served in World War I, and to whom this Bill applies. Many more were young officers from the expanded Officers Training Schools and Camps.

It was the intention of those of us in Congress at the time of the enactment of this law in 1942 to treat Reserve officers exactly the same as those in the Regular forces. Is it likely that Congress, representing all the people of the United States, would pass a bill to benefit regular officers only? Reserve officers of experience, to help train and officer the citizens army made up of hundreds of thousands of young men from all walks of life, were needed desperately.

Both Senate and House passed bills upon the subject, which were reconciled in conference. The Senate conferees were Senators Reynolds, Thomas, Johnson, Austin and Gurney. Those of the House were Representatives May, Thomason, Harter, Andrews and Short. The report of this Joint Conference Committee was approved by Senate and House, and became the Pay Readjustment Act of 1942.

Senator Johnson, one of the above conferees, has prepared a most thorough and factual statement of his recollection of the conference and the passage of this 1942 Act. I have read this carefully and concur in what he has said. It is my understanding that the Senator's statement has been, or is to be, offered for inclusion in this record.

The Court of Claims held against Reserve officers in several cases tried in that Court. But it said in Carroll vs. U.S., 117 Ct. Cls. 53 (1948):

"The language of . . . (Par. 4, Sec. 15, 1942 Act) . . . is clear and unambiguous as to officers who had served in the military or naval forces prior to November 12, 1918."

Had the Court of Claims followed its foregoing pronouncement in its decisions, these Reserve officers would not be seeking the relief this bill would afford them. Moreover, by its decisions it has overridden the clear and unambiguous intent and language of Congress.

Finally, in *Abbott et al. v. U.S.* No. 235–59 (decided March 1, 1961) the Court of Claims came up with a most preposterous statement. It said:

"We think it would not be realistic to impute to Congress an intent to afford the same benefits to Reserve Officers as were intended to be given to Regular Officers."

Congress understands the necessity of the maintenance of a modest, well-trained Regular Army in this Country. It also knows that in any major war our standing Army is totally inadequate and such a war must largely be fought by men from civilian life, including Reserve officers. That there should be any difference in the treatment of regular personnel and civilian soldiers called up for the emergency is unthinkable.

During the consideration of S. 2025, which became the Pay Readjustment Act of 1942, a floor amendment was offered by Rep. Maas of Minnesota, then a Reserve Colonel in the Marine Corps Reserve. The purpose and the ultimate disposition of that amendment, though perfectly clear to us who handled the bill in the 77th Congress, seem to have left much confusion in the minds of many, including the Court of Claims. In *Danielson vs. U.S.* (121 Ct. Cls. 533) that Court in 1952 decided that the "Maas Amendment" was *not* included in the final enactment. In *Berry vs. U.S.* (123 Ct. Cls. 530), later in 1952, the same Court decided that the amendment *was* included in the final Act. This seemingly convinced the Court that para. 4 of sec. 15 of the 1942 Act was limited in its intent to equating the Navy with the Regular Army, which granted its World War I officer/retirees 75% retired pay irrespective of time on active duty provided they had served in the earlier war.

Factually, the "Maas Amendment," which had earlier been proposed by the Navy through its representative Cdr. Hopwood, was intended to equate as to retired pay all Naval officers, Regular and Reserve, who might retire after World War I service, with officers of the Regular Army. In the Navy, both Regulars and Reserves had been granted non-disability retirement under two 1938 laws, a fact which the Court of Claims either ignored or of which it may have been uninformed. Had the Congress, therefore, enacted into law the amendment as proposed by Maas and adopted by the House, the 75% retired pay provision would have been limited to officers of the Regular Army and of the Regular and Reserve components of the Navy.

Faced with this anomaly, so utterly out of harmony with the desire of the Congress to erase all discrimination between and amongst the Services, the Conference Committee, of which I was a member, struck down the restrictive "Maas Amendment," and substituted the all-inclusive wording of the law as enacted, and as re-enacted in the Career Compensation Act of 1949. That wording is exactly as follows, and as such is still the law:

"The retired pay of *any* officer of *any* of the services mentioned in the title of this Act who served in *any* capacity as a member of the military or naval forces of the United States prior to November 12, 1918, hereafter retired under *any* provision of law, shall, unless such officer is entitled to retired pay of a higher grade, be 75 per centum of his active duty pay at the time of his retirement."

The services mentioned in the title of the Act are "Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service."

I underline the word *"any,"* which we employed four separate times, to make it abundantly clear that there was to be no exception to the provision whatsoever.

Thus the comments of the Court of Claims in both the Danielson and the Berry cases were beside the point in each instance. The "Maas Amendment" was neither included as proposed, as they seem to have assumed in Berry; nor was it excluded, as they seemingly assumed in Danielson. It was, on the contrary, simply taken as a starting point, and expanded to refer to *"any* officer of *any* of the services."

Such was, in fact, the only possible and justifiable action which the Congress could have taken under the then existing war circumstances.

I respectfully submit that these Reserve officers, who served with distinction in both of this Country's World Wars, are entitled to have access to Federal District Courts to endeavor to receive the same treatment intended by Congress for all officers, regular and reserve.

STATEMENT OF REPRESENTATIVE ROBERT L. F. SIKES

It is my privilege to appear before you today in support of S. 725, a bill introduced by Senators Hart and Scott, and entitled "A Bill to Waive Certain Limitations Upon Claims Under Public Law 88–519 (78 Stat. 699)." With your indulgence, I would like to recite briefly sufficient history to make clear the aims which are conceived to be the inspiration of Senator Hart's bill.

In the 88th Congress, Senator Hart was one of the sponsors of S. 2842, along with a number of other Senators, and there were several bills introduced in the House identical with it, of one of which I was myself the sponsor. These bills had a dual purpose. First, they proposed to confer jurisdiction upon U.S. District Courts to hear and render judgment on the claims of a small group of retired officers of the armed services who had served in World War I, maintained their competence and availability between Wars, served again in World War II, and subsequently retired "under any provision of law," in the words of the 1942 Act. The military service of these men correspond precisely with the terminology of the still effective portions of the Pay Readjustment Act of 1942, which provided that their retired pay should be 75% of their base pay at the time of their retirement. This retired pay has been denied them by administrative rulings and by decisions of the Court of Claims. Those rulings and decisions are felt to be in error, and it was the aim of all of these bills to provide an opportunity to this small group, of possibly a few more than a thousand persons, who have now an average age of approximately 74 years, to present their claims in District Courts where those claims could be adjudicated and justice rendered them with the promptitude justified under the circumstances. To accomplish this, a measure was signed into law by President Johnson on 30 August, 1964, when it became Public Law 88–519, and is codified as 78 Stat. 699, which gave U.S. District Courts jurisdiction in all Federal pay cases.

In practical effect, therefore, one of the two major purposes of the bills sponsored by Senator Hart and the other Senators and by a dozen or more others in both Houses of the Congress, was effectively accomplished, in that the essential jurisdiction sought by those bills was in fact conferred on District Courts by P.L. 88–519. Therefore, the group of elderly military retirees on whose behalf our measures were initiated in Senate and House have become empowered to bring their claims to District Courts anywhere in the United States. The second purpose of our bills in the 88th Congress, however, was a waiver provision, necessary in a substantial number of the cases of the more elderly intended beneficiaries, to enable them to get into District Courts with their claims irrespective of statutes of limitations. Such a waiver is still needed, and is a clearly desirable corollary to P.L. 88–519. Such is the purpose of the bill before you now, Senator Hart's bill S. 725.

Permit me also to point out that the basis of the claims of these elderly two-World-War military retirees received emphatic endorsement in the 89th Congress by the enactment of P.L. 89–395, which was signed into law by President Johnson on April 14, 1966. While the waiver provisions of that law applied only to a very limited number, perhaps 100 odd military retirees in this same two-World-War category, the principle enunciated by the Congress in enacting this law applies directly to the entire group on whose behalf Senator Hart's bill was introduced. In enacting P.L. 89–395, the Congress made it unmistakably clear that retired reserve officers are entitled to the same treatment under the 1942 Pay Readjustment Act as are regulars, when both are similarly situated; and when, in Senator Mansfield's words, they equally "fall within the stated criteria of the act." As a matter of fact, the statement made by Senator Mansfield to the Senate in regard to P.L. 89–395 summarized concisely the entire basis for the claim of these two-World-War military retirees for equal treatment under equal circumstances of service. Endorsement of this principle by unanimous action of Senate, House and the President leaves only the enactment of the bill S. 725 as the one remaining factor needed to open the door to a long-neglected group of the most deserving of our wartime military defenders.

And, finally, let me add that it is already too late to extend this measure of justice to most of those who should have received it. The large majority of them, due to the passage of time and the toll of age, have gone on to a higher reward. The Hart-Scott bill will not automatically provide any benefits whatsoever. It will merely give those so minded, and especially those most in need, a forum in which to present their claims. This Congress, furthermore, is no doubt the last occasion on which we will have the opportunity, as we unquestionably have the obligation, to render to these men the justice so long overdue them.

MODEL CODES AND THE PUBLIC INTEREST

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. DINGELL. Mr. Speaker, one of the most sacred traditions of this House is its jealous concern that witnesses who have appeared before House committees be effectively protected from any reprisal or retaliation which might result therefrom. If the House cannot do this, then the House is severely handicapped in its constitutionally appointed legislative function.

On the other hand, the history of lawmaking provides many examples of those heroes in the public interest who have come forward when the welfare of their country beckoned. Leaving aside every other consideration, and treading underfoot the possibility of reprisals and recriminations to follow, they have spoken the truth forthrightly in the hearing rooms of our House committees and subcommittees and thus contributed to the enlightenment both of the House and the general public. Today, I feel it my duty to inform this august body concerning a witness who testified last year before a subcommittee of the Select Committee on Small Business. Mr. Speaker, it would be an unworthy thing indeed to allow this witness to stand alone and unsupported against the vengeful indignities and the vilifying taunts of those who would discredit his person, his professional standing, and his reputation in his community.

On July 18 of last year, during the first session of this current Congress, there appeared as a witness before the Subcommittee on Activities of Regulatory Agencies of the Select Committee on Small Business, Mr. Joseph F. Cannon, director of zoning of Lake County, Ill. Cannon's testimony treated, among other things, of the efforts of the Building Officials Conference of America, Inc.—BOCA—in the model plumbing code field.

The subcommittee was studying the effect upon small business of voluntary industrial standards. While the clear distinction between a "standard" and a "code" has been established in our hearings, the model building, plumbing, electrical, and similar codes for the regulation of the building industry have been generally looked upon as voluntary industrial standards in the sense that they are developed by private or nongovernmental agencies.

Mr. Cannon had some very interesting things to tell us about events that transpired at the 51st annual conference of BOCA which met in Toronto, Ontario, Canada, May 29–June 3, 1966. At that time, BOCA had not developed a plumbing code, but rather had incorporated, with certain exceptions and amendments, a different model plumbing code, the National Plumbing Code of the United States of America Standards Institute—USASI—into its own basic building code. What Mr. Cannon told our subcommittee was admittedly not calculated to enhance BOCA's reputation as a fair and responsible forum for the development of model codes. He told us that, at a fairly representative business meeting with some 300 people present, a proposal to approve plastic pipe for sewers, storm sewers, and water service lines uses was overwhelmingly defeated. On the following morning, following the annual banquet of the evening before, and at a time when most delegates were checking out of their convention hotels, a small group of about 20 persons held another business meeting and reversed the decisive action taken by the more representative body the day before. As I say, this account did not impress the subcommittee to view the convention atmosphere as an appropriate climate for the approval of model and related building codes which are so easily adopted in thousands of local communities across the country as an almost automatic corollary of their approval by the code body. Mr. Cannon's testimony tended to support the view, as has so much other testimony before our subcommittee, that the Congress may very soon have to provide by law for the internal regulation of code-making and standards-making bodies in order to assure some minimal guarantee of due process to the small businessmen and other members of the general public who can be adversely affected by the decisions of these code-making bodies to the tune of millions of dollars.

By way of parentheses, let me explain that BOCA has just recently published—or attempted to publish, depending on your point of view—its basic plumbing code, and so has joined the ranks of private, or nongovernmental organizations which develop model plumbing codes. Already in the field were the United States of America Standards Institute—USASI—with its National Plumbing Code, the International Association of Plumbing and Mechanical Officials—IAPMO—with its uniform plumbing code, and the Southern Building Code Congress—SBCC—with its Southern standard plumbing code.

Let me return to our subcommittee witness, Mr. Cannon. Subsequent to his appearance before the subcommittee, BOCA officials decided to terminate their sponsorship of the USASI project to revise and update the 1955 national plumbing code and to come out with their own basic plumbing code. This decision was to provide further occasion for Mr. Cannon's opposition toward BOCA, and likewise BOCA's public opposition and antagonism toward him. It was also to provide the occasion for some amusing and often childish rivalry between BOCA and USASI as to which would be firstest with the mostest in the model plumbing code field.

Cannon felt strongly that BOCA should get out of the mechanical code field. In an appearance before the national conference of the plumbing-heating-cooling industry on March 27, 1968, Cannon called the BOCA draft a "resurrected, slightly modified copy" of a draft revision of USASI's national plumbing code dated November 17, 1966. Still worse from the BOCA point of view, Cannon told his audience:

> The last thing we need in the mechanical industry today is another second-rate plumbing code. Rather than inflict an inferior code upon the population, such as the proposed BOCA plumbing code, what would stop HUD or anyone else from hanging onto the framework of ASA A40.8 (another name for the USASI National Plumbing Code) and recommending intelligent amendments to be adopted as they are necessary at the local level. It seems to me the drafting of a model amendment to ASA A40.8 would serve a much more useful purpose. Most important to me, as a member of BOCA, it would get the building official out of the mechanical code business for he never did belong there.

Subsequently, BOCA did announce during its 53d annual conference held June 8–13 of this year in St. Paul, Minn., that it had approved and would soon publish the first edition of the BOCA basic plumbing code.

This approval, however, was voted only by the executive committee of the organization, whereas many of those who opposed the code thought that BOCA was required by its corporate bylaws and established practice to bring the matter to a vote of its entire membership.

On December 1, 1967, the executive director of BOCA sent out a notice to members of BOCA of a public hearing on the proposed code at Kenner, La., on January 11, 1968. The notice stated:

> The purpose of the hearing will be to give all interested parties an opportunity to express their views to the Plumbing Code Committee. . . .
>
> BOCA Active Members will vote on adoption of the BASIC Plumbing Code at the annual business meeting in St. Paul, Minnesota, June 13, 1968.

Several of the parties in opposition petitioned an Illinois State court in a case known as County of Lake, Ill., and others against Building Officials Conference of America, and others, to enjoin BOCA from further publication and dissemination of the code chiefly on the grounds of improper approval procedure. It is not my intention here today to discuss the merits of the case. Suffice it to say that thus far the plaintiffs have won every round they could win, and having obtained first a temporary restraining order and then, on October 2, a preliminary injunction.

On October 6, the executive council of BOCA adopted a resolution condemning the suit and sent it off 2 days later to Mr. Cannon's superiors in Lake County as well as the city council of Waukegan.

Mr. Speaker, under unanimous consent I submit both the resolution and the letter referred to for inclusion in the CONGRESSIONAL RECORD. The letter happens to be the one received by the city council of Waukegan. An identical letter was sent to the board of supervisors of Lake County.

The material follows:

BUILDING OFFICIALS CONFERENCE
OF AMERICA, INC.,
Chicago, Ill., October 8, 1968.

CITY OF WAUKEGAN,
City Council,
Waukegan, Ill.

GENTLEMEN: The Cast Iron Soil Pipe Institute, the City of Waukegan, Illinois (County Seat of Lake County), and Lake County, Illinois, have instituted legal action which temporarily restrains the Building Officials' Conference of America, Inc., a not-for-profit, professional service organization composed of local government officials, from further dissemination of a Basic Plumbing Code.

The enclosed resolution speaks for itself.

The vested interest of the Cast Iron Soil Pipe Institute in opposing any code that will permit the use of competitive materials is obvious. However, the rationale of public officials who climb into bed with this vested interest escapes us.

No other units of local government in the entire country have objected, either verbally or in writing, to this organization about the publication of the Basic Plumbing Code.

Sincerely,

RICHARD L. SANDERSON,
Executive Director.

A BUILDING OFFICIALS CONFERENCE OF AMERICA, INC., RESOLUTION, OCTOBER 8, 1968

Whereas, the Building Officials' Conference of America, a not-for-profit corporation of public officials, has published a Basic Plumbing Code and made it available for adoption by local governments without obligation; and

Whereas, the Basic Plumbing Code permits the use of new materials and techniques that may be employed in the installation of plumbing systems and thereby substantially reduces the cost of housing for low-income families; and

Whereas, the President of the United States and the United States Congress have officially recognized and emphasized the need for millions of units of housing for low-income families, and for codes that will aid in filling this need; and

Whereas, the legal action instituted by the governing body of Lake County, Illinois, to restrain the Building Officials' Conference of America, Incorporated, from disseminating the Basic Plumbing Code is a deterrent to meeting the housing needs of low-income families in the United States as officially recognized and emphasized by the President and the United States Congress, and is an action depriving all other local governments of their right to economically adopt a plumbing code that recognizes new construction materials and techniques now available that will assist in providing low-income families with safe and sanitary homes;

Now therefore, be it resolved, that the governing body of Lake County, Illinois, the Department of Housing and Urban Development, and the Commission on Urban Problems be provided copies of this resolution and asked to support the efforts of the Building Officials' Conference of America, Incorporated, to recognize new construction materials and techniques now available that will assist in providing low-income families with safe and sanitary homes.

RAYMOND X. GRUENINGER, R.A.,
President, Deputy Public Works Director, St. Louis County, Mo.
BERNARD T. ASCHENBRAND,
First Vice President, Chief Building Inspector, Bergenfield, N.J.
BUELL B. DUTTON,
Second Vice President, Director of Buildings, Evanston, Ill.
JOSEPH E. BARTELL,
Secretary, Chief Building Inspector, Prince Georges County, Md.
VINCENT DI MASE, P.E.,
Treasurer, Director, Department of Building Inspection, Providence, R.I.
WILLIAM R. WOFFORD, P.E., R.A.,
Immediate Past President, Building Official, Atlanta, Ga.
RICHARD L. SANDERSON,
Executive Director.

Mr. Speaker, the "public officials who climb into bed with this vested interest" are identified as Mr. Cannon and also Mr. John Elasarian, building commissioner for the city of Waukegan, Ill.

Several aspects of the BOCA letter and resolution are worthy of close examination in the light of public interest in the activities of model code bodies.

The rationale of plumbing codes has traditionally been that materials and methods of installation must pass muster on the score of public health, safety, and welfare before they are entitled to compete in the marketplace. This is obviously a most important function which must be preserved. There is much talk of late of the need for more low-cost housing and the role which building and plumbing codes have played in making this impossible or difficult. I am an ardent supporter of bringing new technology to consumers and of providing the vitally needed low-cost housing which our people must have. This is not to say, however, that this should be achieved at the price of depriving individuals or groups of voice and vote, of due process and, of their right to full participation in the code-writing process. Because of their limited resources, this is, of course, particularly important to small business interests. In the fight between plastic pipe and traditional materials, I take no position. The superiority or inferiority of any material in the building field is for the technicians to decide. Those of us who are not technicians cannot speak with authority on such questions as strength, durability, modulus of elasticity, and similar questions.

I do believe, however, that those of us in the Congress have an affirmative duty to insist that in these quasi-legislative fields which I am discussing here—the promulgation of building codes and voluntary industrial standards—that all materially affected parties have a right to be heard and to participate. The needs of the moment can never be allowed to suppress or eliminate that right.

The plaintiffs in this legal action are not—contrary to the BOCA contention—depriving local governments of any right they now possess to economically adopt a plumbing code that recognizes new construction materials and techniques. None of the plaintiffs have tried to prevent, nor can they prevent, the smallest municipal corporation or the least populous county in the United States from undertaking a course of public hearings and study leading to the development of a low-cost plumbing code. If by "economically" is meant "without need for such hearings and such study in each locality," then one can only say that any person or group of persons has every bit as much right as BOCA to draft and circulate their own model plumbing code. The whole issue here is not whether localities are to be deprived of their right to adopt a code, but whether BOCA shall enjoy a right to disseminate a code bearing the BOCA name and trading on the prestige and goodwill of BOCA in a given set of circumstances. The question of whether and under what circumstances certain low-cost plumbing materials should be permitted is a much broader question than BOCA's private concern with the success of its plumbing code venture. If the sun is destined to rise and set upon the national campaign for a larger supply of low-cost housing to the degree the BOCA plumbing code effort prospers, then it is national housing policy which requires to be examined and not the BOCA plumbing code.

Further, BOCA has stated, both in the letter and resolution quoted above, and in other public relations efforts following institution of the suit, that the metallic pipe versus plastic pipe controversy is the chief source and fountainhead of all the opposition.

Mr. Speaker, the little designation "et al" in the caption of a legal action often conceals some very interesting facts, and such is the case here. In this case, two of the "et al" are the Laborers' International Union of North America and the National Utility Contractors of America, both of whom have been complaining loudly about cost consideration regarding economic work performance—considerations which have nothing to do with the metallic-plastic pipe issue. BOCA has tried to blame all its troubles on "vested interests" who stand in opposition to cost-reducing features of its code; but it has conveniently omitted to mention the very considerable opposition from those interests who contend that it has not cut costs as much as it could or should have cut them.

While Mr. Cannon and Mr. Elasarian are accused of "climbing in bed" with certain vested interests, it so happens that they are coplaintiffs in a law suit with some other "vested interests" who think that BOCA could have done a much more commendable job of cutting construction costs in the public interest than it has done.

Cannon and Elasarian have both expressed vital concern that the BOCA letter and resolution might prejudice their request for more than $10 million of urban renewal funds presently pending before the U.S. Department of Housing and Urban Development. And this, Mr. Speaker, is ground for concern on the part of Congress as to just what BOCA is up to.

Mr. Cannon was a very helpful witness to the subcommittee of which I am chairman, to the considerable embarrassment of BOCA. It is not enough for the protecting arm of this distinguished body to extend out to the witness personally, if it does not also extend—when the witness is a public official—to the government he represents and to those people whose welfare he is appointed to protect and foster. Mr. Speaker, need I emphasize that this is most particularly the case when the people in question are poor people.

If Mr. Cannon stands up like a man to the blustering threats of the BOCA hierarchy, and if he is backed up by his superiors, and if responsible officials within HUD should do what BOCA wants them to do, then the inevitable loser will be the poor people of Lake County on whose behalf the county and Mr. Cannon have requested urban renewal grants from HUD. The same incidentally holds true in the case of Mr. Elasarian and the poor people of Waukegan.

Testimony before the subcommittee included several unrefuted examples wherein HUD attempted to force or require certain municipalities to amend their existing plumbing codes in several instances as a precondition for obtaining approval of their workable program for urban renewal. The BOCA code happens to be one of the codes "approved" by HUD for governmental units seeking urban renewal funds.

The question of whether BOCA complied with its own procedures in promulgating the code is currently being litigated. It is already questionable practice when a Federal agency tells a city or county agency that it must make one of its ordinances conform to what some private, nongovernmental body has published as a condition for obtaining public moneys for urban renewal or any other purpose. You have a far more serious case when a model code body such as BOCA appeals to HUD to support its code, broadly suggesting that HUD could help out very effectively by withholding urban renewal funds or some other form of Federal assistance. This to me is the meaning of the BOCA resolution. Otherwise an appeal to HUD for support has very little meaning.

What we have here then is a case where a city and a county as a duly established city government and a duly established county government, acting through their responsible officials, have determined to take legal action against BOCA, a private organization, upon the belief that BOCA has denied certain rights and privileges to the delegates or representatives of the two local governments. In this case, the right in question is a right to voice and vote in the adoption of a model plumbing code. We have a case where the plaintiffs to date have been as successful in the suit as they could possibly be, and BOCA as unsuccessful as it could possibly be, up to the present moment. We have a case where BOCA retaliates by charging that the plaintiff officials have "climbed in bed" with a vested interest. We have a case where BOCA broadly and publicly suggests that if HUD wants to help, it can do so effectively by denying forms of public assistance largely to benefit the poor in the two communities.

This type of conduct on the part of BOCA is intolerable. A few years ago, the Congress was faced with the need of supplying protection for individual members of labor organizations who had instituted legal action against their unions. Congress supplied that protection in the Landrum-Griffin Act, making it illegal for a union to retaliate against individual members who had sought relief against the unions in the courts.

This, if I am correct, the Congress did for the reason that the public interest is vitally affected by labor unions.

To say that BOCA and similar model code bodies are affected by a large public interest is to understate their real nature as even they conceive it. They are quasi-legislative in nature. They perform a governmental function in adopting their codes, and in this sense alone, the evident BOCA attitude about the suit, and the statement of effects to follow if the BOCA code is judicially blocked, are very much in point.

The BOCA code is not merely a piece of writing that HUD would have examined for the first time upon its initial publication. From the very beginning of this model code effort, BOCA announced that it was developing a code for use by municipalities seeking Federal funds. BOCA literature announced that early drafts of the code were furnished to HUD code experts for advice and suggestions.

The final paragraph in the above-quoted letter of October 8 suggests another large problem in the model code picture. The writer of the letter, Richard L. Sanderson, executive director of BOCA, is apparently trying to imply that because "no other units of local government in the entire country objected" to the publication of the BOCA Basic Plumbing Code, the responsible officials of Waukegan and Lake County are very much odd men out whose "rationale escapes us."

Mr. Speaker, the subtle psychological pressures found within the three branches of government at any level are very real indeed and their efficacy for both good and evil is undeniable. This much at least can be said for them. They are the pressures utilized by lawfully appointed practitioners of government in government affairs.

What is noteworthy is that when governmental affairs are transferred to nongovernmental assembly halls, subtle psychological pressures will be found operating there also, but so far out of reach of the general public and the affected parties that they have little if any fighting chance to protect and defend their own interests.

BOCA is an association of governmental officials, mainly local, which meets in a conference during the summertime for 1 week each year. Such organizations have a way of breeding their own spirit of "do not rock the boat." The annual trip to the convention is something which many look forward to with eager anticipation. It is a time for renewing old acquaintances and making new ones. It is a time for days filled with lectures and exhibits and business and for evenings filled with fun and pleasure. Day and night alike, many conventioneers feel they have their own axes to grind. Does not experience of human affairs teach us that he does not grind his own ax well who tries to rock the boat? It is not easy for a building official to rock the BOCA boat.

I do not find it surprising that only two members of BOCA were willing to take on that establishment; nor do I find it surprising that the two who did decide to take it on have thus far been successful.

Far from this circumstance forming an argument that bodies such as BOCA require no regulation, they tell me instead that they do require regulation.

Mr. Speaker, BOCA does not stand alone among the model code bodies in its general intolerance to opposition and sense of angry frustration when its plans go awry.

On June 6 of this year, Donald L. Peyton, managing director of USASI, in a letter to Representative WILLIAM A. STEIGER of Wisconsin, complained bitterly about opposition encountered in his organization's efforts to revise the 1955 National Plumbing Code. Mr. Peyton said in part:

> This A40 case is unfortunately a classic example of use of procedural mechanisms and delaying tactics to enhance the position of a single material industry. Fortunately, under our democratic procedures they have every right to object. We must, however, consider the true public interest in areas such as standards which eventually find their way into laws and codes. The real victim in this instance is the public which, because of some less than objective actions over the span of many years, has been denied the *choice* of materials for plumbing installations. CISPI action will *not* stop plastic soil pipe or any other competitive material. Plastic, for example, is simply too good and too much less expensive to install and maintain to be denied the national market for which it should be able to *compete*. What will happen in all probability is that there will not be a "national" plumbing code (which would enable mass production at less ultimate cost to the consumer), but rather a series of fractionated codes such as that developed by BOCA.

Assuming now that USASI will develop a new National Plumbing Code which will be approved by Federal agencies for various public purposes, the views of Mr. Peyton regarding provisions for procedural due process are very interesting indeed. He is mightily disturbed that a single material industry is using "procedural mechanisms and delaying tactics" to enhance its position. And this, he says, they have every right to do. At the same time, though USASI has "fortunately" adopted such "democratic" procedures, it would seem that the "true public interest" is somehow served by the procedures not being used; and that when they are used, the "real victim" is the public.

This, Mr. Speaker, I submit is a "classic example" of how one can give short shrift to burning issues of procedural due process by placing the "true public interest" in a certain concrete result to be obtained right now, no matter how.

The natural habitat for procedural due process is the court of law. If, in the judicial process, the true public interest is measured solely by the result obtained and not by the fact that litigants are guaranteed certain procedural rights, then all our history and all our traditions of due process had better be washed down the drain. The error in this point of view seems to be that procedural rights exist solely to serve the private and selfish purposes of the litigants. I say that either the public interest is served by litigants enjoying such procedural rights, or the procedural rights ought to be abolished.

Thus, I would consider it to be a procedural right of producers of materials competitive to plastic pipe that the staff director of USASI refrain from stating publicly—or even thinking in such a way as to unbalance his official decisions—that "plastic is simply too good and too much less expensive to install and maintain to be denied the national market for which it should be able to compete."

Whether plastic in point of fact is "simply too good" and "too much less expensive" to not be placed on the list of acceptable material is, indeed, the main question before USASI in this respect.

If USASI is to represent itself to the public as a fair and impartial sponsor of a revised National Plumbing Code, I should think the proper position for USASI as between plastic pipe and competitive materials would be one of dispassionate and detached neutrality.

The characterization of the BOCA code as "fractionated" is neither the first nor perhaps the most fragrant bouquet tossed by the one side or the other as the two model code bodies have contended with each other in somewhat spirited strife. During the months since the spring of 1967 when BOCA withdrew as one of the three sponsors of the USASI project to revise the 1955 national plumbing code, we have heard many menacing growls emitted by one side or the other. Neither USASI nor BOCA has allowed its respective vexation with common opponents to disturb its readiness to take a poke at the rival code body.

On January 11 of this year, the BOCA Plumbing Code Committee held a hearing in Kenner, La., on its proposed basic plumbing code. One of the witnesses was C. T. Mahaffey, of the Building Research Division, National Bureau of Standards, long active in and identified with USASI plumbing code activities. Mahaffey told BOCA:

> By turning away from a national standards activity and developing their own model code, (BOCA had) done a disservice to the national standards program in this country.

Mahaffey continued:

> I could understand very well BOCA's dissatisfaction with the requirements of (USASI) A40.8 as a committee operation. The committee has been in existence for over 12 years and has yet to produce the revision that was demanded of them. However, BOCA must assume some of the responsibility for

the activities of that committee as an administrative sponsor.

Mahaffey said that if BOCA had exerted USASI the effort it had put into the basic plumbing code, "you could have solved the problems of A40.8, and you would have found it necessary to produce a document which is in competition with the group that we are sponsoring."

On the same day as the BOCA hearing, the National Association of Plumbing-Heating-Cooling Contractors—PHCC—one of the two remaining sponsors of the USASI code revision effort after the BOCA pullout, was holding a board of directors meeting in Atlanta, Ga. Byran R. Eplett, chairman of the PHCC Code and Sanitation Division, presented the directors with a letter sent 2 days previously to Richard A. Schnarr, chairman of the BOCA Plumbing Code Committee. Mr. Speaker, under unanimous consent I submit the letter for inclusion in the CONGRESSIONAL RECORD, as follows:

NATIONAL ASSOCIATION OF PLUMBING,
HEATING, COOLING CONTRACTORS,
Washington, D.C., January 9, 1968.

Mr. RICHARD A. SCHNARR,
Chairman, Plumbing Code Committee, Building Officials Conference of America, Chicago, Ill.

DEAR MR. SCHNARR: The National Association of Plumbing-Heating-Cooling Contractors wishes to have the following comments recorded concerning the Proposed BOCA *Basic* Plumbing Code:

1. The small size of the BOCA Plumbing Code Committee and the lack of direct plumbing experience of any of the committee members raise a question of the usefulness of this work.

2. The text is very close to that of the latest USASI A40.8 revised, but no reference is made to this fact.

3. The arrangement is not the same as A40.8 revised, adding to the confusion which NAPHCC has been attempting to reduce by going back to the arrangement and format of A40.8–1955.

4. The Table of Contents shows an article P118.0, Licensing and Bonding of Plumbers, but no such article appears in the text.

5. In Article I, there is no indication that permits will be granted only to Master Plumbers. Although the sample ordinance (Appendix B) clearly states so, it would be better to have this spelled out in the text of the code itself.

6. The appearance of yet another code is a disservice to the public, because it can only add confusion to a troubled subject.

Sincerely,

WILLIAM C. RASCHER,
President.
RICHARD E. WHITE,
Chairman, Research-Standardization Division.
ROBERT W. LEICHNITZ,
Chairman, Technical Department.
BYRON R. EPLETT,
Chairman, Code and Sanitation Division.

Mr. Speaker, Eplett discussed PHCC's own plans for the future, including the possibility of printing and circulating a volume authored by Vincent T. Manas entitled "Plumbing Code Illustrated," and keyed to the USASI National Plumbing Code.

The PHCC Board of Directors then adopted a motion unanimously to consult legal counsel, if necessary with a view toward restraining BOCA from putting out a plumbing code in competition with the USASI code which they were co-sponsoring.

At the March 27, 1968, meeting of the national conference of the plumbing-heating-cooling industry, already referred to above in connection with Mr. Joseph F. Cannon, PHCC code expert Vincent T. Manas leveled a sharp criticism at the proposed BOCA code in the following words:

> The Building Officials Conference of America (BOCA) is planning to come out with something called a basic plumbing code, but this has no industry support and it is actually a re-hash of the purported revision of the National Plumbing Code dated November 17, 1966 with a few changes. Clearly this code, if approved by BOCA this coming June, can lay no claim to being uniform or national plumbing code or a successor of the unbroken tradition of efforts to produce code uniformity.

Later Manas charged:

> BOCA should cooperate toward code uniformity and quit trying to compete with the National Plumbing Code—which is not the way to produce uniformity.

On April 8, 1968, William R. Wofford, then president of BOCA, dispatched a letter to Roy P. Trowbridge, chairman of the USASI Member Body Council. Mr. Wofford includes a lengthy quotation from Mr. L. Glenn Shields, former chief plumbing inspector of the city of Detroit, who was then serving as chief technical consultant to the BOCA Plumbing Code Committee. Mr. Shields relates in detail how he and a certain Joe Wolff guided USASI—then known as the American Standards Association or ASA—plumbing code efforts during the early years.

Mr. Speaker, under unanimous consent I submit Mr. Wofford's informative letter, in its entirety, for inclusion in the CONGRESSIONAL RECORD, as follows:

BUILDING OFFICIALS CONFERENCE
OF AMERICA, INC.,
Chicago, Ill., April 8, 1968.

Re: USASI A 40 Project.

Mr. ROY P. TROWBRIDGE,
Chairman, USASI Member Body Council, Engineering Staff, General Motors Corp., General Motors Technical Center, Warren, Mich.

DEAR MR. TROWBRIDGE: Your letter of April 1, 1968, in reply to mine of March 11, 1968, has been received.

It is clear to me that you have not been apprised of all of the factors involved in the A 40 project and I am positive that you have not arrived at your lofty position, in the automobile industry by making decisions based on inadequate or totally biased information.

It is my purpose now to present you with some information from my personal knowledge, that you probably do not have.

The National Plumbing Code (A 40.8) exists because of the efforts of one of the past presidents of this organization, Joseph P. Wolff, former Building Commissioner of the City of Detroit.

One of the authors of the code, L. Glen Shields, P.E., Chief Plumbing Inspector (retired) for the City of Detroit, and our plumbing code consultant, has outlined the history of A 40.8 for us and some key excerpts follow:

"I helped set up the Coordinating Committee for a national plumbing code. Joe Wolff and I went to Washington and persuaded the heads of FHA and HHFA to finance the office and staff of the committee and pay the necessary away-from-home expenses of the Coordinating Committee delegates from U.S. Department of Commerce funds. We began action in late 1947, and by the end of 1949, the main sections of the proposed code were prepared.

"While the Coordinating Committee was working, ASA in 1949, after some 20 years of tiptoeing through the tulips, adopted the ASA A 40.7 plumbing code.

"This failed to bother the Coordinating Committee who simply picked this timeworn series of compromise and used it in our deliberations. It had been decided that the report of the Coordinating Committee would submit its work to ASA for the updating of the A 40.7 code.

"All of a sudden, the activities of this committee were attacked by Canton, Ohio, Congressman Bow, a member of the House Appropriations Committee. Our appropriation for the following year was deleted from the budget and Mr. Vincent T. Manas' position as a Civil Service Employee with the Department of Commerce was abolished. Ohio is the home of many vitrified clay pipe manufacturers. Could this drastic action have been brought up because of the Coordinating Committee's permission that asbestos-cement and bitumastic fibre pipe be used as building sewer pipe? You draw your own conclusions, as we drew ours.

"The Coordinating Committee had enough funds left to finish the report, leaving the unfinished chapters to be entered as appendices and submitted our report to ASA as a proposed revision of A 40.7 plumbing standard in late 1950.

"All of the organizations who had assigned delegates to the Coordinating Committee, endorsed the report; for example, ASSE accepted the model plumbing code in September of 1951, and BOCA in June of 1952.

"When HEW offered its services to help in updating the ASA a 40.8 National Plumbing Code, much as the U.S. Department of Commerce had served the Coordinating Committee, *Mr. Malcolm Hope was designated as Chairman of the Technical Committee,* as Task Force to prepare the A 40.8 revision.

"The original NAPMCC delegate, Mr. Harry Stevens, initiated the much discussed change of format. He was opposed to any cross-referencing within the code. I voted NO on his idea. *He wanted a plumbing code for plumbing contractors. If problems of enforcement and administration occurred as a result of his fixation, he couldn't have cared less.*

"This gained the enmity of Mr. Manas, and disagreement by many others was proven, when, after Mr. Stevens died, some efforts were made to return to the format of A 40.8.

"In 1961 at the NAPHCC Convention in Detroit, their new delegate, Mr. Keith Clotz, set up a panel discussion on the work of the Technical Committee. *Mr. Hope presented a mimeographed report which he claimed was the completed work of the Technical Committee. No vote had been requested or given from the Technical Committee, but he claimed the sponsors knew about it. The other members of the committee were in complete disagreement with Mr. Hope.*

"November 17, 1966, Mr. Hope, as Chairman of the Technical Committee and Secretary of the Sectional A 40.8 Committee, produced the 'Final Draft' of the proposed revision of the USASI A 40.8 1955. Upon this document ASA reported no consensus.

"BOCA withdrew as a sponsor and announced it would develop its own version of a national plumbing code.

"As you heard in reports in the Contractor and in the code changes hearing on the code in New Orleans in 1968, some of the 'Movers and Shakers' chose to chastise BOCA as if they had, like rats, deserted a sinking ship. Others indicated that we had 'made off' with the proposed code like thieves in the night, as if there was but one copy available.

"Regardless of the straw man set up by opponents to a national code in any form, BOCA is justified in this bold move. They entered the plumbing field in good faith, they contributed time, experience, effort and money to both the development of A 40.8, 1955, and to the proposed revision of A 40.8."

> This organization has been dedicated to securing uniform building regulations in the United States since 1915.
>
> We have recently joined the Member Body Council of USASI and we are directly responsible for bringing the International Conference of Building Officials and the Southern Building Code Congress into the USASI camp.
>
> Our withdrawal as a sponsor of A 40.8 was an admission on our part that we had made a mistake. We should never have attempted to treat a code as a standard.
>
> A code is not a standard. Webster defines "code" as: Any systematic body of law, especially one given statutory force; and "standard" as: Something established by authority as a rule for measuring quantity, weight, quality, etc.
>
> There are many standards in code requirements, in fact standards are essential to codes, that is the reason we have joined the Member Body Council of USASI.
>
> A Plumbing Code is a systematic body of law, which at the enforcement level has statutory force. It must be viable. It must be easily modified to recognize new materials and techniques even though special interest group stand to gain or lose.
>
> The consensus processes of USASI cannot accommodate the diversity of interests embodied in the scope of a plumbing code.
>
> I am not saying that nation-wide standard plumbing code requirements cannot be achieved. They can, but they will be achieved step by step as individual standards until we have complete package that can be labeled "Standards for Use in Plumbing Codes" and published in one volume.
>
> If this approach is used, the individual standards can be easily updated without involving those who do not have a legitimate interest.
>
> You are probably aware that this organization has held a public hearing on a proposed "Basic Plumbing Code", which we have every reason to believe will be adopted by our membership at our Annual Conference in June of this year.
>
> This action will correct the mistake that we made in attempting to treat a code as a standard and it will enable us to offer to the cities of this nation a model plumbing code that they can adopt by reference and have a voice in updating.
>
> I urge you to recognize, as we have, that the A40 project is a proven failure and join with us in securing a complete set of "Standards for Use in Plumbing Codes."
>
> Sincerely yours,
>
> WILLIAM R. WOFFORD,
> *President.*

Mr. Speaker, spurred on perhaps by the BOCA rivalry, the Executive Standards Board of USASI on January 24 of this year, just 13 days after the BOCA code hearing in Kenner, suspended from sponsorship of the USASI code revision project the two organizations that remained after the departure of BOCA, that is, PHCC and the American Public Health Association. USASI named its own Construction Standards Board as sponsor pro tem and directed it to proceed full steam ahead on an "emergency basis."

The emergency procedure finally resulted in the scheduling of a 3-day meeting of the A40 Standards Committee for New York on May 7–9, 1968. Meanwhile, BOCA, though it had withdrawn as a sponsor of the project, retained its seat on the A40 Committee and also on the Construction Standards Board, the new sponsor pro tem and the body which would have to pass on anything developed within the A40 Committee.

If I may be permitted to reverse a metaphor not infrequently heard on the floor of this august assembly, the weightier part of the BOCA camel had backed out of the USASI tent but the nose remained behind.

The BOCA representative on the construction standards board was Bernard T. Aschenbrand. On April 26, he circularized his fellow board members demonstrating a commendable solicitude for the welfare of the two sponsors which had remained after BOCA had departed. He charged that USASI had suspended them "arbitrarily and capriciously." He charged that the scheduled May 7–9 meeting of the A40 Committee had been called "ostensibly by the Construction Standards Board but in fact without the knowledge of that board." The Board, he said, had never discussed the new sponsorship nor been polled to determine if it wished to accept sponsorship. He demanded that the "high-handed modus operandi cease and that the scheduled May 7–9 A40 Committee meeting be canceled.

In a followup memorandum dated May 9, when the A40 Committee had not been canceled but was actually drawing to a close, BOCA Executive Director Richard L. Sanderson charged:

> Any plumbing standards activity which does not enjoy the sponsorship of the Building Officials Conference of America, the International Association of Plumbing and Mechanical Officials, and the Southern Building Code Congress is worthless because the support of these organizations is essential in promoting the local acceptance of plumbing standards.

The BOCA representative pressed his argument before the executive standards board of USASI on May 14 and the construction standards board 2 days later, but both efforts were to no avail.

The A40 Committee had already been roused to action by the threat of competition from "somebody else."

On May 9, the final day of the A40 Committee meeting, George Prince, representing the National Association of Sanitarians, addressed his fellow committee members as follows:

> I would suggest this, that if we don't get together and present a united front to the other members involved with acceptance of this thing, that somebody else is going to get together and they are going to be united and they are going to tell us these things and I think we ought to start singing the same tune in this group.

A letter from R. L. Sanderson of BOCA to R. P. Trowbridge of USASI on August 6 of this year indicated that even yet all was not peace and harmony between the two model code bodies. There was a proposal that USASI adopt a procedure for approving "provisional standards." Sanderson commented:

> Ten persons can railroad a standard. There is no committee voting required. . . . USASI just changes its procedures all the time to offset their difficulties. Each time the result is "less of a consensus". The public and other interests have less and less "say".

Mr. Speaker, a primary objective in the investigation into voluntary standards-making and code-making bodies has been to ascertain the kind and degree of procedural due process available in those bodies for small businessmen who will be affected by decisions made therein.

The subcommittee's concern has not lessened or diminished in any way because of what we have seen and learned. Instead it has greatly increased.

The code bodies, as I have said, perform a governmental function. If parties affected by decisions of the bodies cannot get their day in court within the code bodies, there will be thousands of instances in which they do not get it at all.

The question we must ask is whether organizations like BOCA and USASI are suitably structured to act, in this one particular instance, as a government.

I greatly fear that they are not. I have spoken at length today of a series of instances which tend, I believe, to one conclusion. The two groups, at least as regards their model plumbing code efforts, have shown themselves exceedingly short tempered. They want results and they want them now. They have manifested a low frustration tolerance. They are exceedingly eager to beat each other to the draw. They have appeared most intolerant of the positions of opponents.

These characteristics, I submit, are not the hallmark of good administration when a body is faced with the necessity of deciding justly and wisely in the public interest and when the decision will necessarily mean a victory for some private interests and a defeat for others. Admittedly, there are times when Government must get the job done as well as private industry. The post office must deliver the mail and deliver it as quickly as possible.

The same does not hold true for the functions of legislating and administrative rulemaking in which, if the process is to be fair, all sides must be heard and all capricious and arbitrary manner of acting must be avoided.

TEN BILLION DOLLARS COULD BE CUT FROM DEFENSE BUDGET

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. FRASER. Mr. Speaker, $10 billion can be cut from the Defense Department budget without impairing U.S. defense or combat capabilities.

Authorities consulted by Congressional Quarterly have agreed that fat should be trimmed from the following areas: The new Sentinel anti-ballistic-missile system, unnecessarily sophisticated equipment in both Air Force and Navy aircraft, an expensive air defense system employed against what many experts see as a weak and outmoded Soviet bomber force, and the antisubmarine carrier task force of high cost and dubious combat effectiveness.

The ABM is a prime candidate for budget cuts. On September 12 I joined with a group of Congressmen in unsuccessful efforts to delete $387 million earmarked in the fiscal 1969 appropriation for development of the Sentinel ABM. Distinguished scientists and Defense experts such as Jerome Weisner, provost of the Massachusetts Institute of Technology and former Special Assistant to the President for Science and Technology, agree that ABM is an unnecessary military expenditure.

Indications are that even after Vietnam, military spending may not be decreased. Military planners are developing new projects that they will want funded after Vietnam. These new projects could very well take up any slack in a post-Vietnam Defense budget.

Last year we spent $80 billion for our Military Establishment. If you add to that interest on national debt and funding of veterans programs, the total rises to $100 billion. We only took in about $115 billion in general revenues and we spent $100 billion or 85 percent of our total budget on defense-related activities. One of the reasons so many of us despair about our capacity to solve problems at home is that we have such a small proportion of our budget available for domestic programs. The long-range problems of the appropriate level of our Military Establishment is an issue that needs more attention from Congress. Too often we have not adequately reviewed the Defense budget.

We have to find a way to turn the arms race around and see if we can begin to build a U.S. role in the international community which puts its emphasis on constructive and forward-looking, nationbuilding activities as against production of military hardware.

THE 50TH ANNIVERSARY OF CZECHOSLOVAKIA AT BOSTON

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. PHILBIN. Mr. Speaker, I was recently privileged to attend an outstanding program celebrating the 50th anniversary of free Czechoslovakia, which was celebrated at the Harvard Club, Boston, Mass.

A large enthusiastic audience, including many leading citizens from many walks of life, was in attendance, and the program was most impressive in every respect.

The chairman of the evening was the esteemed spiritual leader, Dr. Dana McLean Greeley, and the principal speaker was the famed author and lecturer, Mrs. Marcia Davenport.

Mrs. Davenport's remarks, denouncing the recent invasion of Czechoslovakia by the military forces of the Soviet Union and deploring inaction by world statesmen, national leaders in the United Nations, and the free world generally, were strong, vigorous, and enthusiastically received by those present.

This is the second time within the past month that I have attended celebrations in behalf of free Czechoslovakia. The first was held at the famous Cathedral of the Pines in Rindge, N.H., and like the one held at the Boston Harvard Club, to which I refer today, touched and impressed me very deeply for the depth of feeling, the articulate expressions of loyalty for their oppressed homeland of Czech leaders and others who joined them in demanding liberation and freedom from aggression.

Many times in this House and elsewhere, I have denounced the unfortunate diplomatic concessions following World War II which have consigned so many free people like the Czechs and other small nations like them to dictatorial Soviet rule, and the suppression by brutal force of their human and personal rights.

The latest invasion of Czechoslovakia is outrageous, illegal, immoral and violative of international law and the charter of the United Nations. It must not only be protested, but it must be condemned on the additional ground that it is a gross violation of basic, human, God-given rights that must be guaranteed in this chaotic world, if personal liberty, freedom and the rights of man are to survive, as we Americans are determined they will at all costs.

While our Government has made some protests and interventions against this cynical, defiant, naked assault upon a helpless people, whose only crime is that they desire to be free, this Government cannot stop with mere formal protests.

It must strike out boldly for freedom and justice. Some persistent, internationally organized action is urgently required now, and I again urge the executive arm of our Government, and the State Department, to consider various alternative measures that can be taken to bring the question of the lawless invasion of Czechoslovakia before the governments and peoples of the free world and the United Nations, so that we may be in a position to take strong, collective, effective steps to prevent cold-blooded aggressions of this kind in the world, and also pave the way for the release from bondage of millions of people held captive by mailed-fist Communist dictators, who by force and violence have trampled upon their human rights without even a shadow of legal or moral justification.

The invasion of Czechoslovakia must not be overlooked. It must not be taken lightly and be brushed off by this Government, or by the leaders of the free world and the United Nations.

Some way must be found, some way will be found to stop illegal aggression, and to restore these unfortunate people to their former lot as citizens of a free country and members of a free world community.

The violation of territory, or of persons, is no less justified in the case of one nation than in another, and such illegal conduct must be checked and prevented by the United Nations and the law-abiding members of the society of nations, or in time there will be no respect for law and no freedom in the world.

Under unanimous consent, I insert as part of my remarks the program of the 50th anniversary of free Czechoslovakia at the Harvard Club of Boston, to which I have alluded above, and also an excellent article on the occasion by the gifted, feature writer of the Boston Globe, Marjorie Sherman.

Slavonic music and singers were very effectively presented as part of the program and Czechoslovakian evening songs by the lovely, featured soprano, Chloe Owen, were rendered.

This historic celebration lighted the candles of freedom once again, and sounded the bells of personal liberty.

Let those of us who love and cherish human freedom for all awaken before it is too late.

Let us hold up the torch of liberty for all true lovers of liberty to follow, with firm determination, fresh resolution and high purpose to end aggression, and restore the free way, for all nations, who love and seek it, without fear or retreat from tyranny.

The above-mentioned article follows:

PROGRAM

You are cordially invited to a dinner and cultural evening commemorating the Fiftieth Anniversary of Free Czechoslovakia at the Harvard Club of Boston.

Guest speaker, Marcia Davenport, noted author and lifelong friend of Czechoslovakia.

Auspices, Masaryk Club of Boston, American Czechoslovak Society of Boston, Czechoslovak Academy of Arts and Sciences in America, Boston Chapter.

Reception 5:00 P.M.

Dinner 6:00 P.M.

Dress optional.

Dinner $10.00—By reservation only.

National costumes welcome.

ANNIVERSARY COMMITTEE

Miroslav Kerner, Chairman.

Mrs. Ilka Williams, President, Masaryk Club.

George Pavlik, President, American Czechoslovak Society.

Vaclav Mostecky, President, Boston Chapter, CSASA.

Charles Kalina, Co-Chairman; Milo Benicek, Treasurer; Mrs. Marie Dolanska, Secretary; Mrs. Helen Miller, Corresponding Secretary; Dr. Edith Vogl-Garrett, Music Chairman; Mrs. J. Philip Lane, Dinner Chairman; Mrs. Malcolm Donald, Dinner Co-Chairman; Josef Suk, Honorary President, Masaryk Club; Mrs. Jarmila Jaffa, Mrs. Iva Mostecka, Helen Prochazka, Mrs. George Stacho, Mrs. Vera Vida.

Commemorative events in New England

The Boston Symphony Orchestra will dedicate its program of October 4th and 5th to the music of Czechoslovak Composers.

The Czechoslovak flag will be presented to the Cathedral of the Pines, Rindge, New Hampshire at a special service on Sunday, October 6th at two o'clock.

There will be Exhibits at the Boston Public Library, Copley Square, Winchester Public Library and at other cultural and educational centers.

Television and Radio Broadcasts.

PROGRAM

Welcome

Master of Ceremonies: Dr. Dana McLean Greeley, President, Unitarian Universalist Association.

National Anthems.

Introductions and greetings

Vlasta Vráz, President, Czechoslovak National Council of America; "Czechoslovakia: Their Tragedy and Ours."

Marie Provaznik, Czechoslovak Sokol.

Jan Veen Dance Group, Boston Conservatory of Music: "Slavonic Dance No. 9"—Dvorák; Milca Mayerová, Choreographer.

Béla Nagy, Piano; Roman Totenberg, Violin; Leslie Parnas, Cello; Boston University Department of Music.

Guest Speaker: Marcia Davenport.

Chloe Owen, Soprano: "Vecerni pisne," Smetana.

FIFTIETH ANNIVERSARY OF FREE CZECHOSLOVAKIA

Presentation of Colors: Honor Guard, Marine Barracks, Boston, Massachusetts.

National Anthems.

Welcome: Mrs. Ilka Williams.

Invocation: Dr. Dana McLean Greeley.

DINNER

Address: Gov. John A. Volpe.

Greetings: Mrs. Marie Provaznikova.

Slavonic Dance No. 9: Antonin Dvorák; Jan Veen Dance Group, Boston Conservatory of Music, Milča Mayerová, Choreographer.

"Czechoslovakia Today": Mr. Miroslav Kerner.

Report of the American Fund for Czechoslovak Refugees: Mrs. J. Philip Lane.

Dumky Trio, Op. 90: Antonin Dvorák; Béla B. Nagy, Piano; Roman Totenberg, Violin; Leslie Parnas, Cello.

Guest Address: Mrs. Marcia Davenport.

Večerni Pisne (Evening Songs): Bedrich Smetana.

1. Kdo v zlaté struny zahrát zná. (He who knows how to play the golden strings.)
2. Nekamenujte proroky (Stone ye not the prophets).
3. Z svych pisni trun Ti udelám (A throne of songs I build for thee).

Chloe Owen, Soprano, Dr. Edith Vogl-Garrett, Piano.

RETREAT OF COLORS

(Checks made out to American Fund for Czechoslovak Refugees may be sent: American Fund for Czechoslovak Refugees, % International Institute of Boston, 287 Commonwealth Avenue, Boston, Massachusetts 02115.)

[From the Boston Globe]

BOSTON SALUTES CZECH JUBILEE

(By Marjorie Sherman)

Marcia Davenport: "West becoming as indifferent to humanities as Russia itself."

It was the 50th anniversary of free Czechoslovakia and Boston marked history at the Harvard Club.

Two young sisters looked with shining eyes at their new country last night. Hours ago they had been homeless refugees standing with their parents in line at an airport in Vienna, waiting, hoping.

Mr. and Mrs. Charles Raidl and Jitka and Alena, their 11 and 15-year-old daughters, are the first four refugees to reach Boston since the Russians occupied Czechoslovakia. They left a lifetime of friends and possessions behind them in Prague and are staying in Wayland with Mrs. Raidl's brother and his family, the Victor Peseks.

Mr. Pesek escaped during the 1948 purge and had not seen his sister again until Sunday night's reunion.

Christina Pesek could show her cousins posters she made for Sunday's refugee donations as well as the clothes they'll wear as American youngsters.

These new Bostonians saw a remarkable gathering in Harvard Hall and if there were no faces that they knew, there were the familiar folk dress and friendly hands and voices in old time greetings.

One of America's greatest men, Dr. Paul Dudley White, sat only a table away and with him was Czechoslovakia's Dr. Kamil Neuman. Dr. White was hailed by Dana McLean Greeley, Unitarian Universalist Assn. president and master of ceremonies, as "a foremost liberator in training Czech doctors of two generations."

Standing with Dr. Greeley to receive the United States Marine presentation of the flags of the two nations were author Marcia Davenport, life-long friend of Czechoslovakia and Jan Masaryk; Mrs. Ilka Williams, president of the Masaryk Club; George Pavlik, president American-Czechoslovak Society; Mrs. J. Philip Lane, dinner chairman and one of Boston's outstanding workers for Czech freedom; Dr. Edith Vogl-Garrett; anniversary chairman Miroslav Kerner; Josef Suk; and Erwin Canham.

A telegram from Gov. Volpe proclaimed today as Czechoslovakian Freedom Day in Massachusetts, and there were telegrams from Sen. Brooke, Sen. Kennedy, and from candidates Nixon and Humphrey.

The portraits of Harvard's presidents and Czechoslovakia's Thomas Masaryk shook in their gold frames as the dynamic Miss Davenport attacked "the cynical lethargy of the world's so-called statesmen toward the crime committed in August of this year against people twice before robbed of their freedom."

The long-time friend of Jan Masaryk compared the August crime to that of Munich and pointed out that the "irreparable damage" and "Communistic consequences" will afflict a whole generation of people.

The daughter of Alma Gluck who has spent the greater part of her life writing best sellers in Europe feels that the Western powers are "irresponsible and becoming as indifferent to the humanities as the Soviet Union itself."

"We can not call ourselves a free people when we run scared because of something called the bomb," the author said, and her audience rose and shouted. In the big crowded room were Harvard and MIT professors, graduate students from the world's universities, and guests from Europe as well as Washington and New York.

TRIBUTE TO CONGRESSMAN EDWIN E. WILLIS, OF THE THIRD DISTRICT OF LOUISIANA

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1968

Mr. HÉBERT. Mr. Speaker, as dean of the Louisiana delegation, I am saddened by the fact that one of our senior Members, and an old friend, will not be with us when the 91st Congress convenes in January.

EDWIN E. WILLIS represented the Third Congressional District of Louisiana for 20 years, and his legislative record is one of the most outstanding in the history of the Congress. His accomplishments have been many—both for his district and his country.

I can remember when ED WILLIS first came to this body. He possesses one of the finest legal minds in the Nation, and I know that Congress has reaped the benefits of his talents through the years.

ED was a dedicated, zealous Member, and devoted himself enthusiastically to his work. He served on many committees and subcommittees.

This, we know, is a tremendous burden and requires many, many hours of hard work. No one committee or subcommittee was neglected, though. ED WILLIS performed tirelessly and magnificently on all of them.

I leaned heavily on ED WILLIS' legal talents as I am sure many other members of the Louisiana delegation did. He spearheaded Louisiana efforts in the Tidelands controversy and made significant progress. He was the Louisiana delegation's spokesman on this issue.

As chairman of the Committee on Un-American Activities, his first concern was the well-being and security of our country. He gave stature and respect to a committee which has seen many turbulent times, and was an example for those who follow him to the chairman's throne.

ED WILLIS could have retired, but he felt too much concern for the welfare of his country to do so. He placed his devotion to duty above his personal welfare, and the Congress and Nation should be grateful to this dedicated American.

I know ED will miss not being here in January, but his colleagues, and particularly the Louisiana delegation, will miss him more.

ED WILLIS can take consolation in the fact that we recognize the magnitude of his efforts and the impact he has left on this body. He will not soon be forgotten.

To Estelle, his devoted wife, and to ED, I wish all the happiness and joys humanly possible in the years to come.

As dean, ED, I want to thank you for all you have done to enhance this delegation, and all of us are eternally grateful to you.

Mr. Speaker, under unanimous consent I include the members of the Louisiana delegation's remarks with mine in order that they may all appear together in the RECORD:

HOUSE MAJORITY WHIP, HON. HALE BOGGS, SECOND DISTRICT

Mr. BOGGS. Mr. Speaker, permit me to join my colleagues in paying a well-deserved tribute to my good friend and fellow Louisianian, Congressman ED WILLIS.

ED WILLIS' record speaks for itself—there is no reason to embellish it, reason only to recount it. For 20 years now, ED WILLIS has served in the House, and we are richer for his having been here.

During these past 20 years, I have come to admire and respect this man whose district adjoins my own. Today, I am honored to join in saying how very much I will miss him.

In 1948, the people of the Third Congressional District of Louisiana elected ED WILLIS to represent them in this House of Representatives, and, in their good judgment, they returned him here nine times.

I know of no Member of this body with greater dedication, greater devotion to the people of his district than ED WILLIS. His has been a record of genuine public service.

The late Speaker Sam Rayburn used to say that "service" is the most beautiful word in the English language. I believe that is true, and I would like to add that ED WILLIS' career indicates that he shares that belief.

Just as we have been richer for ED WILLIS' having been with us, we will be a little poorer when he departs.

But in a larger sense, ED WILLIS leaves us with something of considerable value; he leaves us with an enduring example of the kind of representative we should all try to be. In his two decades as a Member of this body, he brought honor and credit not only to himself, but also to his party, the Congress, his district, his State, and his Nation.

So to you, ED, I express my continued admiration, my affection, and my very best wishes for the future.

HON. OTTO E. PASSMAN, FIFTH DISTRICT

Mr. PASSMAN. Mr. Speaker, I should like to join with other members of the Louisiana delegation in expressing regret that my personal friend, Edwin E. Willis, will not be a Member of this House during the next Congress.

It has been my privilege and great pleasure to serve with Ed since January 1949 when he first assumed duties as the Congressman from the Third Congressional District of Louisiana. I have never served with a Member who was more devoted to the general welfare of his constituents or to the people of this Nation as a whole, or who has rendered more effective and worthwhile public service.

Ed's accomplishments and influence for good as a Member of this House will be well recorded in history. Not only do Americans today owe him a debt of gratitude for his unselfish efforts in our behalf, but those of future generations will enjoy the fruits of his conscientious and patriotic labors. This world is indeed a better place in which to live because of Ed Willis having lived in it.

My warm personal friendship with this great statesman is one that I shall always cherish, and I shall always be grateful for Ed's wise counsel and cooperation. He will indeed be missed by his personal friends and colleagues.

To Ed, and his charming wife, Estelle, I extend my very best wishes for success and contentment in the future.

HON. JOE D. WAGGONNER, JR., FOURTH DISTRICT

Mr. WAGGONNER. Mr. Speaker, again we are saddened, as in every Congress, by the departing of friends and colleagues whom we have known so well. The realization that they will not be returning to this body next year leaves a void that is not lightly accepted nor easily filled. This is especially my feeling today as one of the most capable Members of the House, Edwin E. Willis, of my home State of Louisiana, returns to private life after 20 years here. When a man has contributed as much to the general welfare of his constituents, his State, and his Nation as has Ed Willis, I count it an honor to pay tribute to him in this manner. Ed could have retired from public life long ago, content with the knowledge that he had diligently discharged whatever obligation each of us has to serve the public. And, had he put his own physical well-being and comfort first and foremost, he would have retired; but his unsurpassed dedication and devotion to duty would not let him stop short of that extra mile.

I am proud to say that from the time I was the freshman of the Louisiana delegation, Ed Willis' advice and counsel has steered me on the steady course. I have always sought his advice on many things, and all too frequently on legislation coming from the Un-American Activities and Judiciary Committees, and have always found that his judgment is remarkably sound and can always be relied on by any Member.

Ed, you leave an enviable record—one for the other Members to aspire to. I will sincerely miss your steadying influence here, and fervently hope that our personal friendship will continue throughout our lifetimes.

HON. EDWIN W. EDWARDS, SEVENTH DISTRICT

Mr. EDWARDS of Louisiana. Mr. Speaker, during the 20 years Congressman Edwin E. Willis has served in the House of Representatives, he has attained a record that few men achieve in a lifetime.

As chairman of the House Committee on Un-American Activities, he distinguished himself as one of our Nation's most vigorous, relentless foes of communism and other un-American elements in our Nation. Despite the demanding duties of that chairmanship, however, he very capably served as a ranking member of the House Judiciary Committee. His knowledge of constitutional law earned for him the well-deserved reputation as an authority on constitutional law and one of the most knowledgeable in that area who has ever served in the U.S. Congress. Still, he has always been genuinely concerned with the problems of the individual.

I personally have been an admirer of Ed Willis for many years, not only as an outstanding public official but as an attorney who commands the respect and admiration of all of us in the legal profession.

During my 3 years as a member of the Louisiana congressional delegation, Ed Willis has become my close personal friend. His helpful counsel and wise leadership has benefited me greatly and I know that my feeling of gratitude is shared by the many people to whom he has so generously given a helping hand during his distinguished career in Congress.

We will miss his steady hand, but our great State of Louisiana, our Nation, and the U.S. Congress is better for having had the benefit of his wisdom and valuable services which I know he will continue to render even during his retirement.

I know I speak for everyone in extending congratulations to Ed Willis on his outstanding record of service and best wishes for many happy years ahead.

HON. SPEEDY O. LONG, EIGHTH DISTRICT

Mr. LONG of Louisiana. Mr. Speaker, permit me to express my deepest regrets that Ed Willis will no longer serve with us in the House of Representatives, where he has worked so diligently these 20 years. He has meant a great deal to each of us individually and collectively. His counsel was always wise and timely and his actions honorable.

No one who knew Ed Willis will be surprised that I cannot find adequate words to properly pay tribute to his life and works. Such tribute can only be measured by our respect for him. We respected his expertise in the law. We respected his experience in the legislating process. We respected his faithfulness to the people he served. We respected his love for the Nation. And we respected his loyalty as a friend and colleague.

His absence here in the years ahead will be a loss to the House of Representatives, where his calm, deliberate presence and thoughtful counsel smoothed the rough passage of much legislation.

HON. JOHN R. RARICK, SIXTH DISTRICT

Mr. RARICK. Mr. Speaker, it is a privilege to pay tribute to the Honorable Edwin E. Willis, my colleague of Louisiana's Third District.

Mr. Willis has served his constituents in a noteworthy manner during his long tenure in the U.S. House of Representatives. He has compiled an outstanding record—not only for the people in the district—but also for the Nation as well.

Mr. Willis, as chairman of the House Un-American Activities Committee, has brought recognition and honor to his district and home State—and more importantly—has helped America.

Under his outstanding leadership the committee has done much to eliminate the subversive Communist threat to our Nation.

Despite scorn and criticism by some elements within our country Edwin E. Willis has never wavered in his determination to perform his duty to his nation in time of need.

He has served well.

MASS TRANSIT: A NEEDLESS HIGHWAY CASUALTY

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BINGHAM. Mr. Speaker, shortly before Congress adjourned, I submitted a paper for presentation at a later date at the annual Transportation Engineering Conference sponsored by the American Society of Mechanical Engineers. For the benefit of our colleagues and other readers of the Record, I insert the full text at this point:

MASS TRANSIT: A NEEDLESS HIGHWAY CASUALTY

(Paper prepared for delivery by Congressman Jonathan B. Bingham, 23d District of New York, before the 1968 Transportation Engineering Conference, sponsored by the American Society of Mechanical Engineers)

From the perspective of history, our patterns of public expenditures for transportation will be difficult to comprehend.

America is an urban society: about 70 percent of its population resides in metropolitan centers. The complex of suburban communities ringing a core city on which the cultural and economic vitality of the area depends requires regular daily movement of millions of people within each area. Land within the core cities is at a premium. Residential communities in both the suburbs and the core city struggle to achieve and maintain neighborhood character. Auto exhaust adds to air pollution which is at the crisis point. Persons of scant means are unable to commute at reasonable cost to areas where employment opportunities exist. Mass Transit is far less expensive than highway travel, better able to move large numbers of people and does not dislocate communities. Its propensity to pollute the air is markedly lower.

In the face of these facts, it is incredible that we have a federal policy that mandates a primary reliance on highways and private cars to move these millions of daily commuters. The costs, both in dollars and in communities dissected by asphalt rivers, are enormous. In this period, when education, poverty, health research and housing funds are subjected to deep cuts as the defense budget mounts, the federal government will pay out twelve and a half billion dollars over the next four years—to be supplemented by state and local government funds—to build more highways. Contrast this with federal mass transit aid: $175 million for the next year.

These lop-sided subsidies fairly compel state and local governments, hard-pressed to raise funds for essential government services, to tailor their transportation systems to the highway aid program. The destruction of community values, as neighborhood is isolated from neighborhood and thousands of housing units are razed, is only one of the prices paid for this undue emphasis on highways for commuter transportation.

Why, one may ask, does this federal policy to encourage highways in preference to mass transit exist? Why, one may equally well ask, does our federal government find it in the national interest to spend so much on highways when more urgent social programs go begging?

One answer lies in the power of the highway lobby. From the manufacturers of automotive products, through the trucking companies that rely heavily on highways, down to the road-building construction industry, there is an alliance that brings its weight to bear at every level of government.

The very structure of governments favors the highways in contrast to mass transit. Every major city and every state has its highway or roads department. It has its civil engineers working on highway programs and its land planners find allies in the highway departments. The real estate developers pressure road builders to extend highways to new subdivisions and to put new exits on beltways. The only even remote equivalent in the field of mass transportation is pressure which may be applied to extend a bus line or to improve service. However, even these pressures tend to come from residents rather than from the builders who are more skilled in securing government action.

The influence of the highway lobby is very obvious in the Congress. The freeway program and the mass transit program in Washington, D.C. provide a case in point.

As neighborhood after neighborhood saw its cohesion and character ignored in the seemingly inexorable expansion of the roads, pressures started mounting for a mass transit system. The more affluent communities were relatively skillful in preventing the road routes from isolating them, and gradually the poverty groups also became aware of the expanding trend of highway building and rose up in protest. Mass transit, on the other hand, met with little community resistance. In fact, there was a competition to have the subway lines service rival communities.

The Congress then showed that its predisposition for highways was not simply a function of inertia. Money for the subways was withheld by the Congress. The mass transit system was held hostage for a highway and bridge complex not acceptable to municipal Washington, D.C., officials or the people ostensibly to be served by the roads. As this paper is written, an impasse has been reached as the highway advocates in the Congress exercise their power. A high-ranking member of the House Public Works Subcommittee on Roads was quoted as saying: "The District won't get a dime for a subway until it does what we want it to do to highways."

The essential case for mass transit can be seen in the following picture. If all present railroad commuters were to drive into Manhattan in private cars we would need 50 additional lanes of tunnels or bridges at an estimated cost of more than five billion dollars. New York State bought the failing Long Island Railroad for $65 million when it discovered that the cost of replacing its capacity with highway capacity would be more than $2 billion for the 26 additional highway lanes in one direction that would be needed. A rail line uses only one fourth of the land required for a six-lane expressway, but it can carry five times as many people.

It is intriguing to note that I have secured these figures from materials prepared by Governor Rockefeller in support of the transportation bond issue ratified by the New York voters last year. Despite this recital, his proposal provides 25% less money for mass transit than it does for highways! This disproportionate allocation of the bond revenues is made despite the fact that the largest source of non-State money for transportation is the federal highway aid. Moreover, this is done in a State where more than 50% of its population lives in the New York City metropolitan area and at least an additional 15% live in the metropolitan areas around Buffalo, Syracuse, Rochester, and Albany-Schenectady.

In 1965, I put forth a proposal that the favoritism of the federal government for highways be abandoned in deference to local decision-making. I suggested that the federal highway subsidy law be amended to permit local communities to divert part of the federal highway bounty to mass transit if a locality found that its need for mass transit so required. My proposal was attacked by the highway lobbies, the American Automobile Association and many others. The traditional supporters of states rights, whose avowed hostility to federally-established principles would lead one to look to them for support, were uniformly silent.

False claims were advanced in opposition to permitting localities to have a more effective voice in the ratio of highways to mass transit. Highway supporters claimed that the users of the federally-supported roads paid the whole cost of the roads via gasoline taxes and taxes on tires, etc. In fact, studies have shown that, though the federal bounty does come mainly from taxes on gasoline and automotive products, the actual users of the federal roads pay only about a third of the costs of the roads. Much more of the cost is borne by those who drive their cars on non-subsidized roads and city streets but who are taxed for the interstate roads.

Another claim by the highway lobby is that there is something immoral about using tax monies derived from gasoline sales for purposes other than highway construction. This argument, taken to its logical conclusion, would have required tax revenues from amusements to be used for the performing arts, and I shudder to think of what use would be made of alcoholic beverage tax revenues.

The poets tell us that "beauty is in the eyes of the beholder." For the highway lobby, the beauty lies in miles of concrete. Mrs. Johnson's program for highway beautification, barely squeezed through the 89th Congress, has been virtually killed by the highway lobby. The Federal Aid Highway Act of 1968 recently enacted into law provided less than 10% of the money requested for highway beautification. This was the only cut in the amount requested for the roads program—except for the requests for state-local traffic safety programs and safety research.

When my local option proposal was first submitted in 1965 I was asked how long I thought it would take before it might become law. I said then that if we worked very hard, we might be successful within a few years. I am beginning to think this was an optimistic view.

At the time I first offered this proposal, the Federal Aid Highway program was scheduled to end in 1972. We anticipated that, as the termination date of that program neared, there would be a review of the federal role in assisting transportation. It appeared unlikely that we could get any revision before the completion of the scheduled highway mileage. The adoption this year of authorization for an additional 1,500 miles of federally-aided highways suggests that waiting for completion of scheduled construction could mean deferring reforms indefinitely. Therefore, I believe it to be imperative that we launch and maintain a campaign without further delay to demand a redress of the pattern of federal aid.

We will not be successful until a people's lobby becomes as effective as the highway lobby. We need more mayors talking to the Congressmen who represent their cities. We need masterplans for coordinated transportation, including mass transit and highways, that will have such compelling logic behind them that the facts cannot be obscured.

We need research that is not aimed so much at moving people between cities, for example, from Boston to Richmond in a Northeast Corridor, as moving people within cities, for example, across Bronx County, New York; research on flexible mass transit systems backed by city planners and cost accountants for metropolitan areas; metropolitan planning that is as alert to the values of mass transit as it is to the ease with which a ribbon of concrete from one jurisdiction can be attached to a ribbon of concrete from the adjoining jurisdiction so that the federal funds will be available to pay 90% of the cost of the roads.

Power steering, air conditioning and a premium on aesthetics have increased the comfort and ease factors of private cars as contrasted to mass transit. Today's commuter is given the option of sitting behind the wheel of a decorator-trimmed, chrome-clad, air-conditioned vehicle that fairly "drives itself" or, in too many instances, fighting for standing room on a hot, smelly subway or bus. It is a small wonder that the commuter elects the private car despite its higher cost in preference to mass transit.

If the commuter is to have a fair choice, mass transit vehicles must be provided with more of the "creature comforts." Air-conditioning, better lighting, sufficient vehicles to avoid dehumanizing crowding and some attention to noise abatement must be built into the mass transit system. In addition, we must find a way to compete with the convenience of the "car at your door" rather than the bus line that runs blocks away from the house or the subway and bus transfers that mean several changes (and too often several fares.)

One of the most frequent arguments made in support of highways instead of mass transit is the claim that highways are "flexible" but rail mass transit is rigid. Translated into everyday terms, the suggestion is that roads can be built, altered or replaced on alternative routes while a rail line is fixed in route and not so easily modified. The challenge is there for the engineers: can we establish a rapid rail system that can be so conceived and constructed that it can accommodate feeder systems (perhaps with jitneys) and which is less permanent in route than the present railroads? Monorail manufacturers suggest that they have the answer; the manufacturers of vehicles with rubber tires suggest an alternative. This engineering problem may well be the key to breaking out of the rigid mold of highways into the flexible world of a balanced transportation system.

In the final analysis, mass transit's future is assured. Sooner or later, the costs of highways will become intolerable and the need for mass transit will be too obvious to be ignored. The question is whether we must await the crisis that would make metropolitan areas as unsuitable for modern life as most of the core cities have become. I think that, if those who do planning, those who do the research which underpins planning and those who make policy in the cities, the states and the Congress work together, we can move before the task is to undo chaos—while there is still time to avert it.

PRIVATE ORGANIZATION IS SUCCESSFUL IN HELPING YOUTHS FIND JOBS

HON. CLARENCE J. BROWN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BROWN of Ohio. Mr. Speaker, there is an organization in Springfield, Ohio, in my congressional district, I am proud to say, which deserves recognition and commendation for the services rendered the youth of the Springfield community.

This organization, known as Help-a-Youth, was founded 3 years ago under the sponsorship of Mr. Harry Ritoff, chairman of the board of David's Gloves, Inc., Springfield, and is now administered by Mr. Carl Trautman, a 25-year veteran of the Ohio State Employment Office.

Privately financed and privately administered, Help-a-Youth has been successful in finding over 1,100 jobs for young people in its 3 years of existence.

I would certainly hope that successful programs such as Help-a-Youth will stimulate more private individuals and organizations to launch similar projects to help the hard-core and poverty-stricken youths who can be found in most cities across our Nation.

For the further information of my colleagues in this body, I am inserting a copy of an article on the Help-a-Youth project which was in the Springfield Daily News on September 3 of this year:

TWO AGENCIES FIND SUMMER WORK FOR 500 YOUNG PEOPLE

Two agencies concerned with finding and creating jobs—one privately operated and one financed by the government—have combined to employ over 500 Springfield youths this summer.

Help-A-Youth, a three-year-old program sponsored by Harry Rittoff, chairman of the board of David's Gloves, Inc., and the Neighborhood Youth Corps (NYC), a work-training program established in the Economic Opportunity Act of 1964, both report success in coping with a lack of available jobs for hard-core poverty-stricken youths.

Over 400 jobs, most of them part-time, have been found by Help-A-Youth, with a backlog of some 3,000 applicants yet untouched. Neighborhood Youth Corps administrators placed 110 youths with 26-hour weekly jobs this summer and have a waiting list of 200.

Federal funds provide for an additional 56 NYC workers to be hired part-time during the school year as office and teacher's aides in area high schools.

The Help-A-Youth program is administered by Carl Trautman, whose 25 years of experience with the Ohio State Employment Office has made him invaluable as a liaison between local employers and job-hungry youngsters.

"I spend my mornings checking employers for available jobs and my afternoons studying applications," says Mr. Trautman, whose efforts have provided over 1,100 applicants jobs with 225 employers.

"They (employers) know they can trust my judgment," Mr. Trautman says. "When I send them an applicant, they know he's been checked out and will do the job."

Help-A-Youth has two prime objectives: to keep youngsters who might otherwise have to drop out of high school employed in part-time jobs, and to provide counsel for those "who for some reason cannot find a place in society."

Mr. Trautman is assisted in his work by an advisory committee made up of community leaders, including Clark County Common Pleas Judge Ben J. Goldman and Probate Division Judge Glenn E. Detling, who sometimes refer juveniles they meet in court to Help-A-Youth.

The program began with age limits placed at 16–25 years, but Mr. Trautman chuckles when asked if the boundaries have held.

"Well, at first we had some people over 25 who were in just as bad a shape as those 16–25. So we let them in. Then, we realized that kids younger than 16 could do a lot of part-time jobs like cutting grass and babysitting.

"Now we even have 12 and 13-year-olds hired to pass out cosmetics samples at shopping centers."

The program's success is directly attributable both to Mr. Trautman's work and to the fact that the program, privately financed, can also be privately operated.

"If we get a call that a girl needs a uniform before she can go to work in a restaurant, we can buy her the uniform without asking anyone if it's all right," says Virginia McCumber, executive secretary to Mr. Rittoff.

Neighborhood Youth Corps is a federally funded operation organized to find or create jobs for youths from limited-income families.

Like the Help-A-Youth program, this operation's primary goals are to encourage youth to stay in school through graduation, and to fill the gaps in basic social and economic needs of limited-income families.

According to NYC program director Robert Shoop, the operation "opens up jobs, income and work experience for high school students."

To qualify for Youth Corps employment, an applicant must be 16–21 years of age, a resident of Clark County, and come from a family which falls within a federally established scale of income.

Applicants must also exhibit a willingness to work, Mr. Shoop adds, although no specific job skills are required.

Although he reports few troubles with employers and Youth Corps workers, Mr. Shoop lists 18 terminations from this summer's crew, for reasons ranging from apathy to discoveries that applicants gave false information on their applications.

Both job programs offer a diversity in jobs they offer.

Help-A-Youth workers have mowed lawns, loaded groceries, and have been scattered from banks to retail stores, from business to industry.

Youth Corps employes have conducted a rat infestation survey, assisted in the construction of Cliff Park amphitheater, and, aided the Springfield Recreation Department in playgrounds.

Others were trained to assist in the city print shop, operate the switchboard in the City Bldg., and assemble engines at the City Garage.

Youths interested in further information on either agency can contact Mr. Trautman at David's Gloves, Inc., 27 W. Pleasant St., or Mr. Shoop or Stanley Dickerson at the local Neighborhood Youth Corps office in the City Bldg.

L. B. J.: A GREAT PRESIDENT AND A GREAT LEGACY

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. PATMAN. Mr. Speaker, when a great man leaves public office, there is a profound sense of sadness and loss among those who have followed him.

So it will be with those of us who have proudly followed President Lyndon B. Johnson into a new era of American greatness.

For me, the sadness and loss will be even greater. For I have known Lyndon Johnson since he was a boy. I have followed his career from the time he was an energetic and enterprising young man of 12 to the very top of the ladder.

Our relationship, therefore, goes back nearly a half a century—to the years when his father and I sat side by side in the Texas State Legislature.

So this is sort of a political farewell to the man and the boy. To the boy who looked up to me and perhaps was influenced somewhat by my philosophy. And to the man he became, whom I looked up to and was proud to follow.

The temptation is to talk about the kind of man Lyndon Johnson really is. God knows he has been maligned enough. I could talk about his great love of people and his great compassion for the poor and the dispossessed and the sick and the elderly.

But I think, Mr. Speaker, that Lyndon Johnson's record speaks far more eloquently on his behalf than I am able to do. And I think it will speak even more eloquently and convincingly to future generations of Americans who can view our times with more perspective and less passion than we are able to do.

First I would like to make the point that in some areas of Federal operations there is no statistically valid comparison between the record of President Johnson's accomplishments and that of any other President, for the reason that what he has done in certain fields far outweighs the total impact of all our Presidents combined. This is certainly true of education. There is no question that Lyndon Johnson has done more to improve the quality and to extend the availability of education than all our former Presidents.

Certainly Lyndon Johnson will be known as "the housing President." Not only did the Johnson administration accomplish more in its efforts to provide decent housing for low-income families than any previous administration, but perhaps even more important, it laid the groundwork for future administrations to completely eradicate substandard housing in America.

Consider some of these historic breakthroughs:

Creation of the new Department of Housing and Urban Development to spearhead the overall drive to meet our housing needs.

The rent supplement program to mobilize private builders to construct decent housing that low-income families—with the help of the Federal Government—can afford.

The model cities program, to enable cities to completely revitalize entire communities from the school to the hospital and to encourage coordinated planning for the future.

And finally, the Housing and Urban Development Act of 1968—the most comprehensive housing bill ever enacted by a Congress. This bill sets, for the first time, a national goal of 26 million new and rehabilitated homes over the next 10 years with 6 million federally assisted housing units to replace the substandard housing that 20 million Americans now call home.

Lyndon Johnson has also been called "the consumer President." And here, too, the facts speak for themselves.

He fought for broad measures to protect the consumer's health, safety, and pocketbook—measures which are now the law of the land:

The Wholesome Meat Act, to insure that the meat the housewife buys is safe and wholesome.

The Child Protection Act, to protect youngsters from dangerous toys.

The Traffic and Highway Safety Acts, to require safer cars and reduce deaths and accidents on the highways.

The Flammable Fabrics Act Amendments, to prevent tragedies from flammable fabrics.

The Fair Packaging and Labeling Act, to insure honest packaging and labeling so that the consumer knows what he is buying.

The Product Safety Commission Act, establishing a national commission to make sure that household appliances are not household hazards.

The Financial Institutions Supervisory Act, to increase insurance protection on savings accounts from $10,000 to $15,000.

The Fire Research and Safety Act, to reduce deaths and injuries from fires.

Automobile insurance study, to authorize the study of the operations of the automobile insurance industry.

Truth in lending, a major and long-sought consumer item to protect the borrower and the individual who purchases on the installment plan.

Pipeline safety, to protect the consumer and avoid pipeline explosions by providing Federal regulation and enforcement of pipeline safety.

Wholesome Poultry Act, to provide Federal inspection and enforcement of minimal standards in the interstate shipment on the sale of poultry.

Hazardous Radiation Act, to protect us in our homes and on the job against the perils of radiation produced by television sets, X-ray machines, and so forth.

To me, Mr. Speaker, one of the greatest achievements of all was truth in lending. Loan sharks and credit merchants have been bilking the American consumer for years with exorbitant interest rates that the consumer did not even know he was paying. The motto was always, "Let the borrower beware."

And, finally, Mr. Speaker, I believe that Lyndon Johnson should also be known as "the rural President."

During the past 5 years, under his leadership, the Nation has made remarkable strides in improving opportunity for people on farms and in villages and in towns throughout rural America.

For decades, there had been a deterioration in the quality of life throughout much of rural America. Farm and rural people have had far more than their share of the Nation's poverty—and of the Nation's bad housing; far more than their share of antiquated water and sewer systems; and far less of their share of doctors, dentists, nurses, hospitals, schools, and libraries.

Lyndon Johnson set out to remedy these failings. Declaring war on poverty, the Johnson administration brought more hope to hundreds of thousands of Americans on farms, and rural communities, on Indian Reservations, and in migrant camps.

Through Operation Outreach, the Department of Agriculture helps bring 90 Federal programs to rural areas. Millions of rural people now have easy access to the help of all Federal agencies, through Technical Action Panels organized at the local level.

Rural people are among the 2 million needy helped by Food Stamp programs. Rural schools are in school lunch programs which now reach 19.5 million children, 5 million more than in 1961.

More than 5,000 rural people received training and education in the last quarter of 1967 in Federal manpower projects.

During 1967, extension workers gave education and leadership services to 14,000 organizations in resource development programs involving 270,000 people.

In the last 6½ years, loans totaling $1.3 billion have been made to improve rural housing, compared with $182 million in the preceding 6½ years, a sevenfold increase.

This provided better housing for 630,000 rural people, including 20,000 senior citizens and 15,000 farm laborers.

This is just part of the remarkable record of the Johnson years, Mr. Speaker. In my opinion, no President has accomplished so much for the betterment of the Nation in so short a period of time.

Knowing the character of our President, it should be obvious to all Americans that the days of his usefulness to the Nation are far from over. He will remain the constructive, active, energetic, patriotic individual and leader of American thought that he has always been. He will certainly continue in the interest of our country to advance the causes and the programs which have engaged his mind, his imagination, and his total energies for these past decades when America achieved a plateau of economic abundance never before attained by any nation in the history of the world.

Our country has indeed been blessed with great Presidents, and in many instances there have been notable First Ladies whose presence in the White House has added greatly to the efficacy of the national administration. Few among them can equal the contributions made by Mrs. Lyndon B. Johnson, affectionately known to her friends and to millions of Americans as Lady Bird, who has inspired meaningful legislation in the areas of her special interest, and who has established before the entire world the image of a great American lady, the perfect partner of the President in the heavy responsibilities of his office, the perfect hostess in all the social demands of that position, and the perfect wife, mother, and companion in the many aspects of the fine, warm, and devoted family life that has so well sustained our President during his long and strenuous years of public service.

Mr. Speaker, I pay tribute today to Lyndon Baines Johnson and his beloved wife, Lady Bird, in the confident belief that history will pay tribute to them tomorrow, a great and noble President, a great and noble First Lady.

CHAIRMAN PATMAN, CHAMPION OF SMALL BUSINESS, ADDRESSES RETAIL DRUGGISTS ASSOCIATION

HON. WILLIAM A. BARRETT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BARRETT. Mr. Speaker, the leading champion in the U.S. Congress of small business and the man most knowledgeable of their problems and prospects, WRIGHT PATMAN, chairman of the House Committee on Banking and Currency, recently addressed the National Association of Retail Druggists. In this address Mr. PATMAN very eloquently sets forth our philosophy on small business. This Nation has always been, and I am confident will continue to be, dedicated to the preservation of the small businessman in our economy.

In addition, our esteemed chairman of the Committee on Banking and Currency in this speech briefly provides a summary of the many actions which the 90th Congress took to assist small business.

Mr. Speaker, this speech is an excellent document and one that all Members and the public should read. I commend it highly:

REMARKS OF HON. WRIGHT PATMAN, U.S. REPRESENTATIVE, FIRST CONGRESSIONAL DISTRICT OF TEXAS, TO THE NATIONAL ASSOCIATION OF RETAIL DRUGGISTS, OCTOBER 7, 1968, BOSTON, MASS.

Mr. President, members of the National Association of Retail Druggists, ladies and gentlemen: It is a great pleasure for me to be here with you today because I believe that community pharmacies—your Main Street and neighborhood drug stores—are among the lasting achievements of independent, small business in this country.

As one who has worked for several decades on small business problems, let me assure you that I appreciate absolutely your contribution to the health and welfare of our people. I certainly do not expect independent retail druggists to disappear from the national scene, either now or in the future.

No, ladies and gentlemen, you perform an important service. I see no end to the needs, the demands for your service. I do look for you to continue to improve your service through fair competition—right where you are doing business today.

What is more, I believe most members of the Congress see you in the same light. They, too, believe small businesses such as yours must be preserved and encouraged. They, too, recognize and appreciate your contribution to the health and welfare of America.

I realize that your experience in recent years may persuade some of you to be skeptical of the Congress. Some of you may ask, "Doesn't the Congress already have enough problems?" And I certainly can't quarrel with you for asking.

It is more than obvious that we have problems. There is the cold war, the crisis in the Near East, the actual warfare in southeastern Asia, the unrest in our cities, and many other matters of a pressing nature.

Why, then, does the Congress concern itself with the economic well-being of individual small businessmen? Why, then, does the Congress take steps to assist small business?

I believe the Congress acts because the nation's small businesses deserve the support not only of the Congress but of the public as well. An expanding, prosperous small business community is absolutely necessary to our national economy.

Small businessmen provide a diversity, a flexibility, an imagination that simply cannot be duplicated by mammoth corporations or chains of retail outlets whose decisions are centrally made.

Each of you knows the people of your community, of your neighborhood. You are familiar with their wants, their needs. You provide them better service because you know them and you care about them.

The alternative to a prospering small business community is greater economic concentration, the placing of greater power into fewer hands. This deprives the towns and cities across our land of the benefits of local ownership of the businesses serving their people. It places an increasing area of decision in the hands of centralized authority.

Nowhere is this more important than in the field of health services. Each of you is engaged in an ancient profession providing life-preserving goods and services to your fellow citizens. Each customer you serve is entitled to the very best of health care. This means the very best according to his individual needs—not what the New York office decided he should have—not what a bureaucrat has dictated he shall accept.

So it is that I am pleased to see you here today, banding together to seek mutual solutions to common problems. The National Association of Retail Druggists had a proud history as an effective spokesman for the nation's independent druggist. NARD is one of the most effective trade associations in America. Its voice is recognized, listened to and respected in Washington. I am pleased that much credit for your association's standing is given to the excellent work of my fellow townsman from Texas, your very able secretary, Willard Simmons.

I appreciate very much your invitation to speak here today. I would like, if I may, to discuss with you some of the issues which I feel are of importance to you in the months just ahead.

As you know, the House Small Business Committee, of which I am a member and former chairman, has held extensive hearings on "Small Business Problems in the Drug Industry." These hearings, held at my request, covered several of the topics I want to discuss with you. At the present time, the hearing report is being prepared. When it is issued later in the fall, I believe you will find much of help to you.

Many of us in the Congress are becoming increasingly concerned about the OEO neighborhood health centers. I suspect that your views and mine on this subject are somewhat similar.

I am not opposed to OEO's work in this area. I believe that every American is entitled to fully adequate health care. All of us, I know, want our aged and needy to receive the full benefit of modern medicine.

Certainly all of us were gratified by the enactment of that portion of the Economic Opportunity Amendments of 1966 which required "maximum feasible utilization of existing agencies and resources."

Unhappily, however, OEO has not been consulting local pharmaceutical associations. OEO has not been working with local community pharmacists within the area to be served by neighborhood health centers.

The independent druggists seeking to serve the people living in disadvantaged areas are being hindered in their work by OEO. Some of them are even being driven out of business. Yet, OEO is insisting upon setting up full-line, in-house pharmacies as integral parts of the neighborhood health centers.

As a result, the needy who are eligible for services under title 19 of the Social Security Act are forced to travel long distances and to wait long periods of time to receive their medication. Further, these individuals are being deprived of their right to obtain medication at the establishment of their choice.

Present OEO practice clearly deprives the Nation's needy of the benefits of receiving their medication from the one man, who through personal familiarity with their medical history, can ensure both full protection and adequate service—the community pharmacist.

I want each of you to know that the refusal of OEO to consider using independent druggists, who could contribute so much to their program and to their patients, will no longer be tolerated. At the opening of the next Congress I shall take such action as may be required to ensure that OEO's present practices are changed, that community druggists are fully involved as vendors with OEO neighborhood health centers, and that community pharmacists and their trade associations are consulted in the planning for all future health centers.

Many in the Congress and many in NARD, I know, are concerned that government programs will create government dispensaries and will drive the Main Street and neighborhood drug stores out of business.

It does not have to be, and I am determined that it shall not be. During the next Congress, I will urge my colleagues to help me seek ways to enlarge the role played by independent, retail druggists in the government programs. The independent druggists can help. They must have an opportunity.

As an example of what we might accomplish, I want to thank Willard Simmons for adapting an idea that has worked well on a related problem. Your secretary is suggesting that we set up a medicine stamp plan similar to the food stamp plan operated by the Department of Agriculture.

As I understand Willard Simmons' suggestion, needy patients would buy medicine stamps at less than cost. They would trade in the stamps for medicines at local retail drugstores at regular prices. I think it's a good idea: patients would get medicines at low cost, Main Street and neighborhood drug stores would get the opportunity to help, the government program would assist both patients and small business.

Much already has been done by the 90th Congress to help small business. This summer a Federal reinsurance program was enacted to spread the risk of insuring ghetto property among participating insurance companies. In the future an insurance company may not refuse to issue a policy on the basis of location. Starting this month, those of you in ghetto areas no longer need fear that a civil disturbance in your community will result in the insurance on your premises being cancelled.

During the 90th Congress I introduced legislation amending the Small Business Act, which after consideration in the House Banking and Currency Committee, passed the House and Senate. These new amendments will enable you, as small businessmen to obtain long term, low interest loans from SBA should your store be severely damaged or destroyed by a riot or civil disorder.

The Small Business Committee's hearings, to which I referred earlier, covered distribution practices and policies of the largest drug manufacturers. Pursuant to my request, these hearings focused upon the Robinson-Patman Act—"the Golden Rule in business." It was my belief that steps must be taken to obtain greater vigor in the enforcement of the Act. As a result, the Committee has been assured by Chairman Paul Rand Dixon that the Federal Trade Commission will keep closer watch to see that suppliers do not discriminate among independent drug retailers.

But much remains to be done.

We must find ways to equalize our tax burdens. The small businessman still does not get an even break under our tax laws.

We must find ways to expand the development of our rural areas and our small cities. Stronger economies in the small towns will provide new and expanding markets for the small businessman earning his livelihood there.

We must continue to press the Federal enforcement agencies to take action against price policies that discriminate against the retail drug store. There is no excuse for allowing hospital pharmacies to compete unfairly with community pharmacies. There is even less excuse for allowing a hospital pharmacy which does enter into such competition to obtain drugs at drastically lower prices than its independent competitor.

In testimony to the House Small Business Committee, a major drug manufacturer admitted that he cannot justify the tremendous spread between the price he charges to the retail druggist and the far lower price charged to hospitals, Government agencies and similar customers.

Despite such handicaps, independent druggists have done a truly remarkable job of keeping their prices down. This is the kind of benefit the consumer receives when there are many sources of competition. It is particularly impressive in light of the relatively high costs that you must pay for drugs. When compared to the increased costs of hospital care, physicians' fees, and nursing homes, it is truly amazing that your prices have remained so constant.

As we move ahead, we must strive to ensure that all Americans receive truly adequate health care at a cost they can afford. But the job can't be done unless independent retail druggists, working with wholesalers and drug manufacturers, can continue to provide service at convenient locations to the American people. Each of you must be able to obtain drugs from manufacturers or wholesalers at non-discriminatory prices. Only in this manner can the American public continue to receive the full potential of your services.

Let me assure you that I shall be watching the situation closely. I look forward to continuing my association with NARD, Willard Simmons, and his excellent staff. Working together we can ensure that the corner drugstore will continue to be a keystone of American health care.

Today I salute you as the best small business group in the United States.

THE CAPITOL HILL TOASTMASTERS CLUB

HON. WILLIAM HENRY HARRISON

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. HARRISON. Mr. Speaker, it is with great pleasure that I announce the imminent chartering of a Toastmasters International Club on Capitol Hill. This newest of the affiliates of the highly respected 36-year-old organization will receive its charter November 1 and be officially recorded in the rolls of the Toastmasters although the group has been meeting for several months.

Toastmasters International is unique to Capitol Hill in many respects, the principle being that it is nonpolitical.

It is devoted to the proposition that people who have the common objective of learning to speak in public and to think on their feet can help each other in attaining these goals.

The success of the program and the credibility of the premise is attested to by the fact that there are now 80,000 Toastmasters in 47 countries. About 1 million men have benefited from the Toastmasters program.

The Capitol Hill Toastmasters Club had its genesis in a series of meetings involving Earl Nishimura, legislative assistant to Senator HIRAM L. FONG; James Gallagher, research analyst, House Committee on Un-American Activities; Russ Miller, formerly press secretary to Congressman JOHN V. TUNNEY; Steve Haaser, chief clerk of the Senate Subcommittee on Patents, Trademarks, and Copyrights; and, Douglas Baldwin, formerly on the staffs of Wyoming Senators MILWARD SIMPSON and CLIFFORD HANSEN, and now special assistant to the gentleman from Wyoming [Mr. HARRISON].

Mr. Haaser and Mr. Baldwin are the club president and treasurer respectively, with terms that run through the calendar year.

The Capitol Hill Toastmasters Club has neared its full complement of 40 members, most of whom are employees of the various Members and committees of the Congress.

The new club meets the first and third Fridays of each month in a congressional dining room, and has become one of the most active organizations involving members of the staffs of Congress.

Mr. Speaker, I applaud the new Capitol Hill Toastmasters Club and extend my felicitations on the imminent occasion of its formal chartering.

I insert a brief history of Toastmasters International at this point in my remarks:

A BRIEF HISTORY OF TOASTMASTERS INTERNATIONAL

Toastmasters International has grown strong because it has successfully helped men to help themselves and then to apply their skills to help others. Its history of service spans three generations. The strongest testimonial to the success of its efforts is the steady expansion of our organization without the aid of paid promoters or advertising. There are approximately 80,000 Toastmasters in 47 countries and territories throughout the free world. Since its inception, approximately a million men have benefited from the Toastmasters program.

When the first club was formed in October, 1924, no one dreamed of an organization that would spread to its present size and importance. It began simply when a group of men met in the basement of the Santa Ana, California, YMCA to form a club "to afford practice and training in the art of public speaking and in presiding over meetings, and to promote sociability and good fellowship among its members." The meeting was called at the suggestion of Ralph C. Smedley, general secretary of the Santa Ana YMCA, and included businessmen, attorneys, a junior high school principal and the editor of the local newspaper. They took the name of "Toastmasters."

The following year a young businessman, J. Clark Chamberlain, from the adjacent town of Anaheim, visited the club. He became so enthusiastic that he started a second club in Anaheim, using the same procedures and materials. Soon a third club was formed in Los Angeles by J. Gustav White, an associate of Dr. Smedley in the "Y." Toastmasters was on its way.

By 1930, it became apparent that some type of federation was necessary to coordinate the activities of the clubs and to provide standardized methods of operation. Because there was at that time one club in British Columbia, the federation adopted the name of Toastmasters International.

Two years later the organization became a nonprofit corporation under the laws of the State of California. Prior to that time, Dr. Smedley had protected the published materials of Toastmasters by taking out copyrights in his own name. With the incorporation, he assigned his rights to Toastmasters International with the condition ". . . that Toastmasters International should operate as a nonprofit, noncommercial movement, for the benefit of its members." Dr. Smedley was made honorary president and a life member of the Board of Directors.

While the growth of Toastmasters was slow during the early years, the number of clubs increased steadily. In February 1941, Dr. Smedley resigned from the YMCA to become the first full-time employee of Toastmasters International. Up to that time, the work of the organization had been carried on by the voluntary, unpaid services of officers and members. A small office for Dr. Smedley was provided in Santa Ana, where he prepared and reproduced educational and procedural suggestions and provided guidance and counsel for the clubs. The *Basic Training Manual* was introduced in 1942. *Speechcraft*, a streamlined course in public speaking, followed a few years later, as did *"Speech Evaluation," "The Voice of the Speaker,"* and many other publications, which have now each passed the million mark in printing. *Beyond Basic Training*, designed for men who had completed *Basic Training*, was introduced in 1950. In 1963 this manual was revised, new material added, and published in two separate manuals. *"The Advanced Speaker"* and *"Leadership Through Speech."*

The first periodical publication of Toastmasters was a mimeographed booklet titled *"The Gavel,"* established in 1931. This later became *The Toastmaster* magazine. *The Toastmaster* magazine is mailed monthly to each member of a Toastmaster club, and has in addition a large and growing readership in industry and the professions. The magazine has received a number of honors, and many of its articles have been reprinted in national, industrial and professional publications.

Membership in Toastmasters increased rapidly after the end of World War II. Many men who had been introduced to Toastmasters while serving in the Armed Forces started civilian clubs following their discharge. Business and industry awakened to the value of incorporating the Toastmasters program in their employee training activities. The rapid increase of clubs necessitated the addition of a full-time executive director. In 1945, Ted Blanding, a former International President, assumed the post, leaving Dr. Smedley free to develop the educational aspects of the organization.

By 1946, Toastmasters had outgrown its office space and moved to the Santa Ana Community Center building. Modern, high-speed presses were installed to produce the training materials, and efficient inserting and mailing machinery sped them on their way to the clubs, now approaching the 1,500 mark.

Maurice Forley was appointed executive director of Toastmasters International in 1958. Under his direction the professional staff was enlarged and the departments of finance, public relations and membership services were added. The Toastmasters Reading Plan was developed. Encouragement was given to the formation of speakers bureaus within the clubs, providing members with an opportunity to widen their speaking experience. Although Toastmasters International as an organization does not endorse any cause or activity, members are encouraged to assist, as individuals, any project of their choice. Many national and international organizations, including The National Foundation, Boy Scouts of America, American Cancer Society, The National Association for Mental Health, Big Brothers of America, and the People-to-People organizations, have availed themselves of the services of Toastmasters in promoting their programs. National and international publicity, through newspapers, magazines, radio and television, has brought Toastmasters to the favorable attention of business and industry, professional societies, the Armed Forces. An article in The Reader's Digest, including many of its foreign language editions, brought greater world-wide recognition.

Gavel clubs were formed in 1958 for groups wanting Toastmasters training but not qualified for Toastmasters membership. The first Gavel Club was established at the California Institute for Men at Chino. Since 1958, more than 200 Gavel clubs have been chartered at hospitals, penal institutions, high schools, colleges and universities and in various governmental agencies.

Toastmasters International dedicated its new World Headquarters building in October, 1962. The 27,000 square foot building, located at 2200 North Grand Avenue, Santa Ana, provides production and office space for 33 headquarters employees who prepare the materials and provide services for the approximately 3600 clubs now in existence.

Dr. Smedley died at the age of 87 on September 11, 1965. He died knowing that, although Toastmasters International has spread throughout the world, the guiding purpose of the organization has remained unchanged since that October night in 1924 when a group of ambitious men met to create an organization dedicated to "better listening, thinking, speaking." As Executive Director Forley stated in an article in The Toastmaster magazine (December, 1962), "In the midst of international frustration and fear, here in Toastmasters men gain hope, confidence and ability to communicate with each other, to evaluate each other's words and ideas—in short, to eliminate misunderstanding. We are not large in terms of world population, but through our humble contribution and example it is not too much to hope that the day may come when men of good will in every nation may have so much in common, may understand each other so well that they will have no desire to destroy each other . . . Self-improvement is our common goal. Toastmasters International truly needs no other justification than to serve as the instrumentality of this, our collective aspiration."

REVENUE SHARING

HON. MELVIN R. LAIRD

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. LAIRD. Mr. Speaker, as an advocate of a new form of fiscal federalism between the States and Federal Government which would eliminate the complication of the present grant-in-aid system, I have received many requests from young men and women for information and explanations of both what revenue sharing is and what it hopes to achieve. Many of these requests have been in regard to research which they were engaged in. In answering these requests, I have often asked that these scholars send me either their thoughts on revenue sharing or the finished product of their research.

I have been pleased to receive many interesting papers from young scholars as well as from distinguished academicians. I have been especially pleased t learn that the young people are coming to realize some of the liabilities of the present categorical grant-in-aid system and have become aware of the potential of new forms of fiscal federalism such as revenue sharing.

At this time I would like to insert into the CONGRESSIONAL RECORD some of the papers I have received.

The first of these papers was done by Mr. Paul Schilling as a junior at Wisconsin State University, Stevens Point. Mr. Schilling is a political science major and is serving his second term as student body president at Stevens Point. He spent the last summer working as an intern with the House Republican conference.

Mr. Schilling's paper was done as a research assignment for his political science intergovernmental relations course at the university. The paper examines the history of revenue sharing, discusses the nature of present revenue sharing legislation, and makes predictions for its political future. Mr. Schilling's paper is entitled "Federal-State Revenue Sharing: A Historical Background and Progress Report."

The second paper by Mr. Cletus J. Gillman was done as a term paper for a graduate political science seminar at Harvard University.

Mr. Gillman's paper deals with the history behind revenue sharing and examines its various forms as legislation. Mr. Gillman's paper attempts to give us a look into the future of revenue sharing. Mr. Gillman's paper is entitled "Revenue Sharing: Political Hurdles in Its Future."

The third paper is by Edwin J. Feulner, Jr. Mr. Feulner formerly served as a Hoover Institution Public Affairs fellow on my congressional staff, and is presently employed as a research analyst at the House Republican conference.

Mr. Feulner's paper is a review of the Joint Economic Committee study, "Revenue Sharing and Its Alternatives." This book review originally appeared in the July 1968 issue of the Southern Economic Journal.

The papers referred to above follow:

FEDERAL-STATE REVENUE SHARING: A HISTORICAL BACKGROUND AND PROGRESS REPORT

(By Paul Schilling)

President Johnson's ninetieth news conference[1] was held in his office in the Federal Building at Austin, Texas, at 11:25 A.M. on Friday, December 2, 1966.

An alert reporter attempted to push the President into a public statement on a subject which originated in the Johnson administration as a creative reform in the area of fiscal intergovernmental relations, but had grown, due to popular appeal, into a bitter partisan issue.

The exchange was as follows:

"Question. Mr. President, the House Republicans have said that their big legislative goal of 1967 is sharing of Federal tax revenues with the States. Do you care to comment on that?

"The PRESIDENT. No."

In recent years there has been increased discussion on the nature of American federalism. It is the feeling of many scholars that our federal system as it exists today faces a dim future. Our republic is a federation of sovereign states combined into a sovereign nation. Due to this fact, healthy intergovernmental relations between the sovereign components of our republic lies at the heart of a discussion of the future of our nation. It is the feeling of many that healthy relations have broken down. Most attribute the problem either directly or indirectly to the amazing growth of the federal government.

In the last 40 years the federal government has assumed many responsibilities which were either never before governmental functions or were formerly regarded as state governmental functions. This can be regarded as a reversal from the situation 75 to 100 years ago where governing seemingly took place "at the grass roots" of the state and local levels, to a situation (ten constitutional amendments later) where the federal government has grown in size and influence to a point where its "long arm" is felt in virtually all aspects of American life.

The reason for this reversal of roles in our federal system has been attributed to many factors.

The two theories which we can be most concerned with (and are admittedly related) are: (1) the theory that the federal government has been forced to assume responsibilities which the states, for various reasons, have been unable to cope with; and (2) that the federal government through its assumption of responsibilities during crisis (i.e. the "Great Depression" and World War II) has failed to "return to normalcy" and thus has usurped many state functions which it is now unable if not unwilling to give up.

It is not the intent of this paper to debate the validity of the above mentioned theories (or others), but rather to discuss and evaluate a proposal (in varying forms) which claims to insure a "second wind", if not a bright future, for American federalism. The proposal I am speaking of is that of a system for the sharing of federally collected revenues.

In the words of Melvin R. Laird, Representative of the 7th Congressional District of the state of Wisconsin and Chairman of the House Republican Conference:

"A tax-sharing program that supplants rather than supplements many of the existing federal programs would both streamline and make more efficient our federal government while at the same time restoring a climate in which dynamic progress could be made at the state and community levels."[2]

HISTORICAL PRECEDENT FOR FEDERAL TAX SHARING

The concept of revenue sharing and even the term "revenue sharing" is not new. For many years the U.S. government has shared some percentage of revenues derived from the sale of Federal public lands, from grazing leases and permits, from the use of national grasslands, and so forth, with state and local governments. The term "revenue sharing" is also used to describe payments made by the federal government of mineral royalties from federally owned lands to state and local governments in whose boundaries the lands lie and also to payments in lieu of state and local property taxes to governments whose property tax bases are impaired by the location of tax exempt federal lands and installations.[3] In some instances no specific purpose is prescribed by law on the use of these shared revenues; in others, they are restricted to use for specified purposes, such as public education, roads or other internal improvements.

One historical precedent for the distribution of federal surplus funds among the states on an unconditional basis was the Surplus Distribution Act of 1836.[4] This legislation, which came during the administration of Andrew Jackson, was designed to eliminate a large Federal surplus which had accumulated as a result of substantial revenues received from the sale of public lands and from customs receipts derived from an expanding foreign trade. The public debt had been eliminated and a large surplus remained. The Surplus Distribution Act provided that all money in the Treasury on January 1, 1837, with the exception of $5 million dollars, should be deposited with the States in proportion to their respective representation in the Senate and the House of Representatives. These deposits were to be made in four installments—on January 1, April 1, July 1, and October 1. In return for these deposits the Secretary of the Treasury received certificates from the states which pledged that they would keep and repay the money if required to do so by the Secretary of the Treasury.

Three of the above stated installments had been made (totaling $28 million of the $37 million available) when the "Panic of 1837" wiped out the remaining surplus. Although these funds were extended only as loans, which were subject to repayment, the distribution was generally considered as an outright gift, and the money was never requested or returned. This act did not specify what use the states might make of these funds, but a large number of the states spent some proportion of their shares for educational purposes. Others used the money to pay current expenses, to reduce state indebtedness, to build roads, bridges, canals or to make other internal improvements. The State of Maine made a per capita distribution of its allotment.

STATE-LOCAL SHARING PRECEDENT: THE WISCONSIN EXPERIENCE

At the state and local level, the sharing of state tax revenues with local units is a common and widespread practice.

Perhaps Mr. Laird's early interest in instituting a revenue sharing plan at the federal level can be attributed to the success of the revenue sharing system utilized in the State of Wisconsin.

Wisconsin is said to be one of the "sharingest" states in the Union.[5] Currently some 50% of state collected taxes are earmarked for municipalities, about 45% of which is shared taxes. Thus one could conclude that municipalities are the principal function and concern of the state!

In exact figures; intergovernmental expenditures, in 1962, by the State of Wisconsin totalled 48.5% of its total general expenditures.[6]

While most intergovernmental expenditures involved grants and aids for specified functions (education, highways, public welfare, hospitals, health etc.) as in most other states, 31.9% was spent for general local government support.[7] This represented the local sharing of substantial sums of state taxes "without strings attached." Moreover, the most important unit in Wisconsin's shared tax system is the individual income tax.[8] Of the five states that share their individual income tax receipts with local units, Wisconsin's program is by far the largest.[9]

It can be said that the primary purpose for enacting the Wisconsin individual income tax law in 1911 was to replace the tax on personal property. According to the plan, legislative enactment of the income tax was accompanied by the exemption of most intangible property and several classes of tangible personal property from the general property tax.

The basic rationale behind the creation and continuance of the Wisconsin tax sharing system has been summarized ably by Harold M. Groves,[10] a professor at the University of Wisconsin. Mr. Groves cites two reasons: (1) that the state inaugurated these taxes (personal income and other shared taxes) in some degree to replace an existing or potential local source; and (2) that the state has superior powers of taxation, at least in terms of administration, and it here offers its service to municipalities to do better for them what they might have done for themselves.

Footnotes at end of article.

This rationale, though coming under increased criticism at the state level, is similar to the rationale which we will see later in this paper for tax sharing at the federal level.

FOREIGN PRECEDENT

The concept of sharing tax revenues with local governmental units is not an American innovation. Canada has experimented with varying forms of conditional and unconditional grants administered in a similar maner to what is proposed for the United States. Australia, Argentina and West Germany have all developed varying systems of sharing tax revenues with local governmental units.

From the above discussions we can see that revenue sharing has a rich heritage in the realm of state-local relationships, has enjoyed success in foreign countries and has, and is presently, being used even today in a limited sense by the federal government. In the past 10 years there have been proposals for tax sharing at the federal level which are designed to help states and local communities without expanding Federal power and responsibilities. Washington has never before seriously considered such a solution.

THE HELLER PROPOSAL

Although discussion of tax sharing at the Federal level has been increasing over about the last 10 years,[11] the catalyst for serious consideration came in June of 1964.

Before his retirement in July, 1964, as Chairman of the Council of Economic Advisors, Walter W. Heller (presently a Professor of Economics at the University of Minnesota) had formulated the main outlines of a plan to channel Federal revenues to the states; and had deeply interested the President in it.[12]

Dr. Heller, in one of his recent books, *New Dimensions of Political Economy*,[13] spells out in detail his Federal tax-sharing proposal. In brief, his proposal provides that a trust fund be established by the Federal government consisting of 1 to 2% of the federal individual income tax base (the amount reported as net taxable income by individuals). Applying a 2% rate to the 1966 tax base would provide an approximate yield of 5.6 billion dollars to be established for allocation in the trust fund. The trust fund would, in turn, be allocated among the states and possibly local governments based on a formula whose factors include an equal base share for each state, the tax "effort" of each state and the determined need of each state.

He believes that taxable income is superior to actual income taxes collected in determining the amount set aside for distribution to the states. He bases his opinion on the following reasons:

(1) Taxable income is somewhat more stable than revenues.

(2) Since the states' share would be independent of the level and structure of Federal rates, this approach would not create a vested interest in a particular set of rates (though it might do so in exemption levels).

(3) It (for the same reason as above) is less likely to interfere with federal use of the income tax in stabilization (fiscal policy) than a plan based on income tax revenues.[14]

Dr. Heller's proposal provides for an initial per capita sharing among the states of the major portion of the trust fund. This form of distribution would be more likely to allocate the fund on the basis of determined need rather than by a system (e.g. if the funds were allocated on the basis of origin of tax collections) which would return more to the higher income, higher revenue-producing states and thus less to the poorer states.

He also recommends that if it were advisable for a greater measure of fiscal equalization between the poor and rich states, perhaps 10 to 20% of the total amount might be allocated on the basis of per capita income (Laird's most recent proposal H.R. 5450 advocates 10% of the total to be allocated to the 17 states with the lowest levels of personal income. This would amount to approximately 310 million on the basis of total revenues for fiscal year 1966.[15]

Dr. Heller advocates a trust fund because it would make the funds available to the states "as a matter of right, free from the uncertainties and hazards of the annual appropriations process." [16] This device, he felt, would also be less apt to infringe on the flow of grants-in-aid.

The block grants (both the per capita allocation and, in the case of the poorer states, per capita income allocations) would be over and above amounts already received by the states in the form of grants-in-aid. Furthermore, these block grants, would be available automatically from year to year and not dependent on federal budgetary surplus levels. This would allow the states and local governments a continuing and dependable source of income and would enable them to plan their programs without fear of these funds being suddenly withdrawn.

Dr. Heller advocates that the states be given a "free hand" concerning the use of these funds. He does ask, however, that the states meet the usual standard requirements in accounting, auditing and reporting of the expenditure of public funds. He also stressed the importance of using revenues shared in such a way as not to violate basic federal law (e.g. title VI of the Civil Rights Act of 1964 which prohibits racial discrimination in federally financed programs). He also suggested the possibility of limiting the areas in which shared funds may be spent. An example would be restricting shared funds to be spent on highway programs which are already amply subsidized through grants-in-aid.

Dr. Heller has not proposed that his plan be put into effect immediately, but has urged that a plan be fully developed for consideration after the Vietnamese conflict is resolved. Although Dr. Heller's proposal doesn't seem to demand the major budgetary surpluses which the end of the Vietnamese conflict could conceivably create, the ending of the fighting and thus its tremendous costs would at least provide a more relaxed fiscal situation and seemingly substantial resources for reallocation which would be conducive to initiating his proposal.

Dr. Heller's proposal has been criticized in five major areas. Most of the criticism, however, has come from proponents of other federal tax-sharing plans.

Some feel his equalization plan is too meager to be effective. Many feel that as high as 30% should be allocated on the basis of per capita income rather than Dr. Heller's proposal of only 10%. Others have felt that the trust fund device would prevent Congress from annually reviewing and giving proper surveillance to such a program. (I would maintain that Dr. Heller intended the trust fund to do just exactly that!) Many have criticized that plan because they felt it lacks provision for gradually increasing the percentages of revenues which might be returned to the States over a period of time. Others believe that more Federal controls should be exercised over the distribution of these shared revenues and that more incentive should be included in such a plan for the reform of state and local governments. As Representative Henry S. Reuss has expressed it: "It encourages state and local governments to languish in archaic inefficiency rather than to demonstrate their initiative and thus could result in pouring federal money down a rathole." [17] Finally local authorities feel that it is weak since it makes no provision for distribution of the funds below the state level.

THE ISSUE BECOMES PARTISAN

The issue of Federal tax-sharing, though first sketched in a bill introduced by Representative Melvin R. Laird in 1958, was first fully researched by Walter W. Heller in June of 1960. At that time Dr. Heller was a professor of economics at the University of Minnesota.

In January of 1961, Walter Heller became chief economic advisor and chairman of the Council of Economic Advisers for President John F. Kennedy. In his original proposal Mr. Heller visualized tax sharing only in the advent of federal budgetary surpluses.

This proposal did not receive serious consideration until the spring of 1964 under the Johnson Administration. Earlier in the year, the Revenue Act of 1964 had been signed into law, and administration leaders were hopeful that the substantial reductions in income tax rates provided by this law would give the American economy the additional stimulus which was needed to enable it to operate at close to maximum productive capacity. It seemed that federal budgetary surpluses in the next few years were hopeful.

With such surpluses on the horizon attention could now be focused on Dr. Heller's proposal as a means for using federal surpluses as a means for alleviating the financial plight of many state and local governments.

The Democratic Party platform adopted in the summer of 1964 specifically recommended that the federal government should give consideration to the possibility of federal revenue sharing.

President Johnson, in seeking reelection, pledged that the Democratic Party would seek ways and means of providing additional financial assistance to state and local governments.

The Republican nominee, Barry Goldwater, recommended that a portion of federal income taxes be returned to the states, and that state governments be given a larger share of revenues derived from inheritance taxes.

President Johnson then appointed a task force composed of individuals from government and business and headed by Dr. Joseph A. Pechman, Director of Economics at the Brookings Institution, to study the possibility of setting aside a fixed percentage of federal revenues each year in a trust fund for distribution to state and local governments. A report was subsequently made by this task force and submitted to the White House, but the full details of its recommendations were never made public.

"The plan seemed an effective compromise between the advocates of more government spending and those who want stronger states. Or looking at it from the other end, it was likely to offend the planning-minded less than tax cuts and the states' righters less than new direct and tightly controlled federal grants." [18] In the words of Robert L. Heilbroner; "On its face, the tax-sharing plan seems to be a brilliant political move—and, one would think, very much in the typical Johnson style—a move to woo the states and to enhance the federal government's prestige at the same time." [19]

Not only did the proposal have a taint of the Johnson style, but "it combines into one unlikely package some of the pet ideas of liberal economists and conservative states' righters. For that reason, if President Johnson decides to include the plan in his legislative package of the coming year, it would seem to have at least a decent chance of winning congressional approval." [20]

The Democratic administration has now shelved, at least for the time being, this proposal for Federal tax sharing with state and local governments. Undoubtedly, the fiscal impact of acceleration of the war in Vietnam has been a primary factor in influencing the President to postpone making any specific legislative recommendation for adoption of some form of Federal tax sharing. Further, the administration prefers to rely on established programs of grants-in-aid. There is, reportedly, strong opposition

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Footnotes at end of article.

within the Government to such a proposal which would allocate Federal funds to political units with little or no strings attached. President Johnson, in his state of the Union message delivered at the convening of the 90th Congress on January 10, 1967, emphasized the extensive Federal assistance which is already being provided to State and local governments. He reported that "during the past 3 years we have returned to state and local governments about $40 billion in Federal aid. This year alone, 70 percent of our Federal expenditures for domestic social programs will be distributed by State and local governments."[21]

THE REPUBLICANS

While the Democratic administration is not at this time supporting this proposal, the Republican Party has made it one of its key issues and many of its spokesmen indicate they intend to press vigorously for some form of federal tax sharing legislation during the 90th Congress.

In the spring of 1966, the Republican coordinating committee submitted its own proposal that the federal government share some percentage of personal and corporation income tax collections with the states.

Republican Members of Congress in increasing numbers are stressing the urgency for enactment of federal tax-sharing legislation with a minimum of federal controls.

Representative Melvin R. Laird, of Wisconsin, chairman of the House Republican Conference, has criticized the grant-in-aid approach as a "second best method of attacking the problems in our society at the federal level" and proposes tax sharing as the "Great Republican alternative to the Great Planned Society."[22] He is hopeful that legislation will be enacted which will not supplement but which will eventually supplant many of the existing categorical grant-in-aid programs. As far back as 1958, he introduced federal tax-sharing legislation. Early in the 89th Congress he introduced H.R. 1562 which would return 5 percent of Federal income tax collections to the States from which they were derived with no strings attached. He introduced a new bill (H.R. 5450 see appendix no. 1) in the first session of the 90th Congress. In this bill he proposes a formula which will equalize the disparity in incomes among the various states. H.R. 5450 also establishes a system whereby categorical grants-in-aid would be systematically phased out in favor of his tax-sharing proposal. The only federal standards he would impose would be constitutional ones such as prohibiting use of the money for the programs that foster or advance racial discrimination.

Representative Charles E. Goodell (R. New York), chairman of the Republican Planning and Research Committee has introduced a bill (H.R. 4070) which is similar in many ways to Melvin Laird's H.R. 5450. The significant difference lies in the fact that Goodell's proposal provides a system whereby in allocating funds to the individual states, 50% would be available for purposes determined by the state; 45% would be turned over to local governments for use as they saw fit; and 5% would be available for state executive staff and management improvement purposes. Thus this proposal seeks not only to make addtional federal assistance available to state governments but also assures local political units that they will receive a significant share of the total state allotment.

Goodell's proposal has become very popular with Republicans (and others) from urban oriented states and from large city mayors. For many of these people, proposals such as the Laird bill were unacceptable due to the fear of rural dominated state legislatures. The fears of the urban leaders who favored the Goodell proposal were, indeed, once warranted. Since the increased enforcement of the *Reynolds* v. *Sims* decision (June 15, 1964), however, which applied "one man-one vote" apportionment to both houses of the state legislatures, much of the fear associated with rural dominated legislatures in regard to the Laird proposal has subsided.

The Republican strategy during the 2d session of the 90th Congress in regard to Federal tax-sharing was expressed by Melvin R. Laird, chairman of the House Republican Conference, and a leading advocate of Federal tax-sharing in saying:

"The Republican strategy on revenue sharing during this session of the 90th Congress will revolve around several aspects of the question. We will continue to press vigorously for early enactment of a general revenue-sharing measure to replace the existing grant-in-aid programs.

"If the Democratic **Members** of this body fail to see the wisdom of our proposal, however, we will advocate bloc grants in place of the specifically tied grant-in-aid funds."[23]

THE DEMOCRATS

It is difficult to measure the degree of support for Federal tax-sharing on the Democratic "side of the aisle" in the two houses of Congress. The administration has officially shelved the proposal for reasons such as: (1) the Vietnamese conflict has eliminated any hope of federal budget surpluses, at least for the present; and (2) the dissension in the bureaucratic ranks when the proposal was seriously considered in 1964.

Because of this, Democratic Congressmen can be certain to find little administrative or executive support for tax-sharing proposals. It is also a well known fact that the majority leadership of both houses will block any tax sharing bills until the President has changed his mind. Of the 50 some revenue sharing bills introduced into the 89th Congress (see appendix No. 3) none got out of Wilbur Mill's (Dem. Arkansas) Ways and Means Committee in the House nor Russell B. Long's (Dem. Louisiana) Finance Committee in the Senate.

The above mentioned factors make it risky if not foolish for a Democratic Congressman from either House to introduce a tax-sharing bill.

Some Democratic Congressmen have felt strongly enough, however, to introduce tax-sharing bills (Representative Henry S. Reuss of Wisconsin and Representative Dante B. Fascell of Florida). Needless to say their bills met with the same negtive response in the crucial committees.

If support can be measured in other than formal legislation, it seems safe to assume that support could be mustered from the states' rights minded Southern Democrats if conditions were ripe. Potential support could also be expected if the right bill were released out of the committee (e.g. the Goodell bill, H.R. 4070, which provides for direct allocation to cities) from the Congressmen from urban dominated states.

At the state level, Democratic mayors would surely support a bill providing allocations directly to cities. Their support would be questionable, however, for a bill which provided only allocation to the state legislatures.

STATE AND LOCAL SUPPORT

At the state and local level there has also been considerable and growing interest in revenue sharing. The National Conference of State Legislative Leaders, the National Council of Mayors, and many other similar organizations have spoken out. They have either endorsed revenue sharing in formal resolutions or have indicated, individually and jointly, their marked interest in this method of restoring state and local responsibility.

The National Governor's Association three years ago (1965) and again in 1967 overwhelmingly supported revenue sharing in formal resolutions. In the approval of 1965 all 50 governors approved of revenue sharing at the federal level. In 1967 only two governors failed to support the resolution calling for revenue sharing.

In addition to general endorsement of revenue sharing some instances of formal action have begun at the state level. (See table 1).

TABLE I.—STATE LEGISLATURES WHICH HAVE TAKEN FAVORABLE ACTION ON REVENUE SHARING[24]

State	Document	Reference
Florida	House memorial 180	Letter to M. R. L. dated Sept. 18, 1967.
Georgia	Resolution 96	Congressional Record, May 4, 1967, p. 11743.
Illinois	S.J. Res. 63	Congressional Record, June 28, 1967, p. 17634.
	S.J. Res. 40	Congressional Record, July 17, 1967, p. A 3588.
Iowa	H. Con. Res. 3	Congressional Record, Apr. 11, 1967, p. 8886.
Minnesota	Resolution 3	Letter to M. R. L. dated Oct. 2, 1967.
Missouri	H. Res. 74	Congressional Record, Apr. 5, 1967, p. 8451.
	Senate memorial 1	Congressional Record, Apr. 5, 1967, p. 8451.
New Hampshire	H. Con. Res. 18	Letter to M. R. L. dated Sept. 15, 1967.
New Mexico	Joint memorial	Congressional Record, Apr. 21, 1967, p. 10455.
North Dakota	H. Con. Res. M	Congressional Record, Apr. 18, 1967, p. A 1885.
Oregon	House joint memorial 4	Congressional Record, Mar. 21, 1967, p. 7498.
Pennsylvania	H. Res. 60	Letter to M. R. L. dated Oct. 17, 1967.
South Dakota	S. Con. Res. 1	Congressional Record, Mar. 22, 1967, p. A 1456.
Texas	S. Con. Res. 12	Congressional Record, June 28, 1967, p. A 3342.

ACADEMIC SUPPORT

Academia has debated the validity of revenue sharing at the Federal level for several years. One of the earliest theories advocating new fiscal intergovernmental relations came from Professor Roger A. Freeman (now with the Hoover Institution on War, Revolution and Peace at Stanford University) whose service with the U.S. Commission on Intergovernmental Relations—Kestnbaum Commission launched him on an unsuccessful advocacy of a form of Federal revenue-sharing during 1954–55.[25]

The prominent social critic Daniel P. Moynihan, Director of Joint Center for Urban Affairs at Harvard and M.I.T. has endorsed revenue sharing in these words:

"The Federal government is good at collecting revenues, and rather bad at disbursing services. Therefore, we use the federal fiscal system as an instrument for redistributing income as between different levels of government, different regions and different classes. If state and local government is to assume an effective role as an innovative and creative agent, it simply must begin to receive a share of Federal revenues on a permanent ongoing basis."[26]

A further point that Professor Moynihan, a former Assistant Secretary of Labor in the Johnson and Kennedy administrations, has made is that:

"A system has to be developed, therefore, under which domestic programs go forward regardless of what international crisis is preoccupying Washington at the moment. This in effect means decentralizing the initiative and the resources for such programs."[27]

Aside from the above mentioned support we must include the previously mentioned proposal (credited as being the original well-organized proposal) of Dr. Walter Heller,

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Footnotes at end of article.

Professor of Economics at the University of Minnesota and former Chairman of the Council of Economic Advisers under Presidents Kennedy and Johnson.

Another academic proponent of revenue sharing is Dr. Joseph A. Pechman who chaired the special Presidential task force to examine the Heller proposal in the fall of 1964. Both he and the Presidential task force were mentioned earlier in the paper.

PUBLIC SUPPORT

The basic support for revenue sharing at the federal level was tested in a Gallup Poll [28] in January 1967. People were asked if they favored a plan which would take 3% of what Washington collected in income tax and return it to the states and local governments to be used as they see fit. The results were as follows:

[In percent]

In favor	70
Opposed	18
No opinion	12

In a second question people were asked who they think spends the taxpayers dollar more wisely, the state government or the federal government. The results were as follows:

[In percent]

State	49
Federal	18
Neither	17
No opinion	16

In a third and final question people were asked what they considered to be the biggest threat to the country in the future—big business, big labor or big government. The results were as follows:

[In percent]

Big business	14
Big labor	21
Big government	49
Don't know	16

The obvious conclusion from this poll is that federal revenue sharing and its implications seem, on the surface, to enjoy considerable popular support.

CONCLUSION

The political and economic situation in the United States today is not ripe for federal revenue sharing. The Johnson administration has not achieved budget surpluses due to the Vietnamese war, and in fact, has found need for the 10% tax increase to pay for the war and check spiraling inflation.

The bureaucrats are firmly entrenched in their opposition to any significant changes in the present grant-in-aid system, as their reaction and eventual strong opposition to the revenue-sharing segment of the 1964 Democratic Platform exemplify. They played a significant role in ending President Johnson's early enthusiasm in developing a workable program.

The Republican's "positive reforms for creative federalism" are useless against the overwhelming Democratic majority in both houses.

Aside from the political and economic realities of the day, the proponents for Federal tax-sharing have far from lost their zeal for reform. They have not because the problems they seek to remedy are indeed as real as the Vietnamese war and inflation. The Federal government has usurped the overwhelming portions of feasible revenue sources. Resentment exists in state governments against the Federal government's direct dealings with the cities in such programs as the Model Cities Program. Wisconsin citizens are paying (according to Melvin Laird) $1.64 to the federal government for every $1.00 they receive in the form of federal programs. After the Vietnam war the possibilities are good for federal budgetary surpluses and (believe it or not) the "fiscal drag" problems that entails. But most important the states capabilities of remaining meaningful sovereignties are doubtful if the trend of their becoming administrative agents of the federal government continues.

The very fact that today we are seeking peace talks with the North Vietnamese and we will have a new president in 1968 promises to thrust the issue of federal revenue sharing to the forefront of future governmental deliberations.

Before however, any federal tax-sharing legislation can be adopted, some basic differences in the various proposals advocated must first be resolved. Should taxable income or actual taxes collected be the basis for determining the amount available for distribution to state and local governments? Should the money be set aside in a trust fund or be subject to annual Congressional review by Congress as an appropriation item? What formula should govern the distribution of the funds among individual states? How much equalization factor is desirable? What provision shall be made for allocation of the funds below the state level? What incentives should be included for the reform of state and local government? The dominant question and controversy, however, will probably resolve around just how much federal control and supervision shall be exercised over the disbursement of these federal revenues to the states and local government.

Footnotes at end of article.

APPENDIX 1

COMPLETE TEXT OF THE MOST RECENT LAIRD REVENUE-SHARING BILL

H.R. 5450

A bill to provide appropriations for sharing of Federal taxes with States out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures and to amend the Internal Revenue Code of 1954 to permit individuals to claim a credit against Federal income tax

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Revenue Sharing Act."

APPROPRIATIONS

SEC. 2. (a) In order to provide for a sharing with the States and their political subdivisions of receipts from Federal income taxes, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to the Secretary of the Treasury (hereinafter referred to as the "Secretary") for making revenue-sharing payments under this Act an amount for the fiscal year ending June 30, 1968, and each succeeding fiscal year, equal to 5 per centum of the total receipts from individual income taxes during the preceding fiscal year.

(b) For purposes of this Act, the term "individual income taxes" means the proceeds of taxes collected from individuals under subtitle A and the taxes collected under chapter 24 of the Internal Revenue Code of 1954. Determinations under this section shall be made pursuant to regulations prescribed by the Secretary, and his determinations shall be final.

REVENUE-SHARING PAYMENTS

SEC. 3. The revenue sharing under this Act shall be carried out by the Secretary through payments under section 4 to all qualified States, and through payments under section 5 to low-income States (as defined in section 5(c)). The aggregate of such payments to a State shall be the "revenue-sharing payment" for that State.

BASIC REVENUE-SHARING PAYMENTS

SEC. 4. (a) The Secretary shall each year make a payment to each State which, under section 6, is qualified for revenue-sharing payment in an amount which bears the same ratio to 90 per centum of the amount appropriated for that year under section 2 as the product of—

(1) the population of the State, and

(2) the State's tax-effort ratio (as determined under subsection (b)) bears to the sum of the corresponding products for all the States which are qualified for a revenue-sharing payment.

(b) The "tax-effort ratio" for a State shall be the ratio between the sum of all taxes collected in the State by the State and its political subdivisions and the total personal income for the State. Determinations under sections 4 and 5 of this Act shall be made by the Secretary on the basis of population estimates for the preceding calendar year and, in the case of other determinations, for the most recent fiscal year for which satisfactory data are available. His determination shall be final.

EQUALIZATION REVENUE-SHARING PAYMENTS

SEC. 5. (a) The Secretary shall each year make a payment to each low-income State which, under section 6, is qualified for a revenue-sharing payment which bears the same ratio to 10 per centum of the amount appropriated for that year under section 2 as the product of—

(1) the population of the State, and

(2) the State's income index (as determined under subsection (b)), bears to the sum of corresponding products for all the low-income States which are qualified for a revenue-sharing payment.

(b) The "income index" for a State shall be the population of the State divided by the aggregate personal income for the State.

(c) For purposes of this section, a State shall be deemed to be a low-income State if it is one of the seventeen States which had the lowest personal income per capita during the most recent fiscal year for which satisfactory data are available.

STATE UNDERTAKINGS

SEC. 6. In order to be qualified for a revenue-sharing payment under this Act a State shall undertake—

(1) to assume the same responsibility for the fiscal control of and accountability for revenue-sharing payments as it has with respect to State funds derived from its own tax resources;

(2) to use 5 per centum of the funds granted it under section 4 for executive management improvement to meet the particular needs of the State for (A) well-staffed State budget offices, (B) qualified executive planning personnel, and (C) salary increases for top-level management personnel; but the State may use such funds for other purposes if it determines, in its sole discretion, that there are areas of greater or more urgent needs;

(3) to furnish information and data to the Secretary in accordance with the rules and regulations of the Council on Revenue Sharing.

COUNCIL ON REVENUE SHARING

SEC. 7. (a) There is hereby established a Council on Revenue Sharing (hereinafter referred to as the "Council") which shall be composed of ten members appointed by the President without regard to the provisions of title 5, United States Code, governing appointments in the competitive service. Of the members of the Council, five shall be persons who are Governors of their respective States, not more than three of whom are from the same political party, and, of the remainder, not more than three shall be of the same political party. The Secretary shall designate a member of the Council as its Chairman. Six members of the Council shall constitute a quorum. Each member of the Council who is a Governor may appoint another person to act as his delegate in carrying out any of his functions under this Act.

(b) (1) It shall be the duty of the Council to prescribe by rule or regulation the information and data to be furnished by the States to the Secretary, and the manner and form in which such information and data shall be provided. In carrying out this duty the Council shall give emphasis to reducing to a minimum the administrative burden on States and their political subdivisions, consistent with the need of the Secretary and the Council for information and data to carry out their duties, and of the Congress to carry out periodic reviews of the general aid grant program. Reports and forms required under this Act shall be kept at an absolute minimum and in as simplified a form as is practicable.

(2) It shall also be the duty of the Council to prescribe, by rule or regulation, the manner in which computation under sections 4 and 5 shall be made by the Secretary.

(3) It shall also be the duty of the Council to make determinations under section 8 on withholding revenue-sharing payments from States.

(c) The Council may appoint and fix the compensation of a Director and such other employees as it may find necessary to carry out its duties. Members of the Council while serving away from their homes or regular places of business may be allowed travel expenses, authorized per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

WITHHOLDING REVENUE-SHARING PAYMENTS

SEC. 8. Whenever the Council, upon complaint of the Secretary, finds, after reasonable notice and opportunity for hearing to the Governor of a State, that there is a failure to comply substantially with any undertaking required by section 6, the Council shall notify such Governor that further payments under this Act will be withheld until it is satisfied that there will no longer be any failure to comply. Until the Council informs him that it is so satisfied, the Secretary shall make no further payments to such State under this title.

JUDICIAL REVIEW

SEC. 9. (a) If any State is dissatisfied with the Council's final action under section 8, such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Council. The Council thereupon shall file in the court the record of the proceedings on which it based its action as provided in section 2112 of title 28, United States Code.

(b) The findings of fact by the Council, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Council to take further evidence, and the Council may thereupon make new or modified findings of fact and may modify its previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(c) The court shall have jurisdiction to affirm the action of the Council or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

ADMINISTRATION

SEC. 10. (a) There shall be in the Department of the Treasury an Administrator of Revenue Sharing who shall be appointed by the President. The Administrator of Revenue Sharing shall have such duties as may be prescribed by the Secretary.

(b) The Council shall make an annual report to the President and to the Congress with respect to the operation of the revenue-sharing program provided for in this Act.

REVIEW OF REVENUE-SHARING PROGRAM

SEC. 11. It is the intention of the Congress to conduct a full and complete study and review of the revenue-sharing program during the fourth year of its operation with a view to determining the need for revision therein. To assist the Congress in making such a study and review, the President and the Council shall each submit to the Congress a comprehensive report on the program before the end of the third fiscal year during which the program is carried on.

REDUCTIONS IN APPROPRIATIONS

SEC. 12. In any year in which an appropriation is made under authority of this Act, the Committees on Appropriations of the Senate and the House of Representatives are hereby authorized and directed to reduce the aggregate amount which would otherwise be granted to the several States for health, education, and welfare or other grant-in-aid programs by an amount which does not exceed the amount the several States would receive under this Act for such year.

CREDIT AGAINST FEDERAL TAX ON INCOME INDIVIDUALS FOR STATE AND LOCAL TAXES

SEC. 13. (a) GENERAL RULE.—Subpart A of part IV of chapter 1 of the Internal Revenue Code of 1954 (relating to credits against tax) is amended by renumbering section 40 as section 41 and by inserting after section 39 the following new section:

"SEC. 40. STATE AND LOCAL TAXES.

"(a) ALLOWANCE OF CREDIT.—If an individual chooses to have the benefits of this section for the taxable year, there shall be allowed to such individual, as a credit against the tax imposed by this chapter for the taxable year, an amount equal to the applicable percentage of the State and local taxes paid or accrued by such individual for such taxable year. For purposes of this section—

"If the taxable year begins:	The applicable percentage is:
In 1968	10 per centum
In 1969	20 per centum
In 1970	30 per centum
After 1970	40 per centum.

"(b) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

"(1) STATE AND LOCAL TAXES.—With respect to any taxable year, the term 'State and local taxes' means those taxes—

"(A) imposed by a State, a possession of the United States, a political subdivision of a State or of such a subdivision, or the District of Columbia, and

"(B) which, but for an election under this section, would be allowable as a deduction for such taxable year under section 164.

"(2) CHANGE OF ELECTION.—The choice as to whether an individual shall elect to have the benefits of this section for any taxable year may be made or changed at any time before the expiration of the period prescribed for making a claim for credit or refund of the tax imposed by this chapter for such taxable year.

"(3) ADJUSTMENTS ON PAYMENT OF ACCRUED TAXES.—If accrued taxes when paid differ from the amounts used by an individual as the basis for claiming a credit under this section, or if any tax paid is refunded in whole or in part, such individual shall notify the Secretary or his delegate, who shall redetermine the amount of the tax for the year or years affected. The amount of tax due on such redetermination, if any, shall be paid by such individual on notice and demand by the Secretary or his delegate, and the amount of tax overpaid, if any, shall be credited or refunded to the individual in accordance with subchapter B of chapter 66 (section 6511 and following). In such redetermination by the Secretary or his delegate of the amount of tax due from such individual for the year or years affected by a refund, the amount of the taxes refunded with respect to which credit has been allowed under this section shall be reduced by the amount of any State or local tax imposed with respect to such refund; but no credit under this section, and no deduction under section 164 (relating to deduction for taxes), shall be allowed for any taxable year with respect to such State or local tax imposed on the refund. No interest shall be assessed or collected on any amount of tax due on any redetermination by the Secretary or his delegate, resulting from a refund to the individual, for any period before the receipt of such refund, except to the extent interest was paid on such refund by the State or local government for such period.

"(c) CROSS REFERENCES.—

"(1) For deduction of State and local taxes, see sections 164 and 275.

"(2) For right of each partner to make election under this section, see section 703(b)."

(b) DISALLOWANCE OF DEDUCTION.—Section 275(a) of such Code (relating to certain taxes not deductible) is amended by adding at the end thereof the following new paragraph:

"(6) State and local taxes, if the individual chooses to take to any extent the benefits of section 40 (relating to State and local taxes) for the taxable year."

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) The table of sections for subpart A of part IV of subchapter A of chapter 1 of such Code is amended by striking out the item relating to section 40 and inserting in lieu thereof the following:

"Sec. 40. State and local taxes.

"Sec. 41. Overpayments of tax."

(2) Section 37(a) of such Code (relating to retirement income) is amended by striking out "and section 35 (relating to partially tax-exempt interest)" and inserting in lieu thereof "section 35 (relating to partially tax-exempt interest), and section 40 (relating to State and local taxes)."

(3) Section 46(a)(3) of such Code (relating to amount of credit) is amended—

(A) by striking out "and" at the end of subparagraph (B);

(B) by striking the period at the end of subparagraph (C) and inserting in lieu thereof ", and"; and

(C) by adding after subparagraph (C) the following new subparagraph:

"(D) section 40 (relating to State and local taxes)."

(4) Section 703(a)(2) of such Code (relating to partnership computations) is amended—

(A) by relettering subparagraphs (D), (E), and (F) as subparagraphs (E), (F), and (G); and

(B) by inserting after subparagraph (C) the following new subparagraph:

"(D) the deduction for taxes provided in section 164(a) with respect to State and local taxes,".

(5) Section 703(b) of such Code (relating to elections of the partnership) is amended by striking out "the election under section 901" and inserting in lieu thereof "the election under section 40, relating to State and local taxes, and the election under section 901".

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1967.

DEFINITION

SEC. 14. For purposes of this Act, the term "State" includes the District of Columbia.

Footnotes at end of article.

APPENDIX 2.

STATE ALLOCATION TABLE FOR LAIRD REVENUE SHARING BILL

	Basic grant	Supplementary grants	Total grant
Alabama (47)	$45,931,540	$24,957,240	$70,888,780
Alaska (2)	3,043,656		3,043,656
Arizona (35)	26,562,820	14,042,280	40,605,010
Arkansas (49)	26,286,120	13,183,800	39,469,920
California (8)	319,030,490		319,030,490
Colorado (19)	30,713,260		30,713,160
Connecticut (1)	35,140,390		35,140,390
Delaware (3)	6,087,310		6,087,310
District of Columbia [1]	8,854,270		8,854,270
Florida (28)	83,285,500		83,285,500
Georgia (40)	59,212,940	35,473,620	94,686,550
Hawaii (12)	11,344,540		11,344,540
Idaho (34)	11,621,230	6,132,000	17,753,230
Illinois (5)	128,940,340		128,940,340
Indiana (14)	68,343,910		68,343,910
Iowa (24)	43,994,660		43,994,660
Kansas (20)	35,693,780		35,693,780
Kentucky (43)	41,781,100	24,528,000	66,309,100
Louisiana (41)	58,106,160	27,502,020	85,608,180
Maine (37)	14,941,580	8,431,500	23,373,080
Maryland (10)	44,824,750		44,824,750
Massachusetts (9)	74,431,220		74,431,220
Michigan (11)	119,532,670		119,532,670
Minnesota (23)	61,426,510		61,426,510
Mississippi (50)	37,539,600	13,735,680	51,275,280
Missouri (22)	53,679,020		53,679,020
Montana (29)	$11,067,840		$11,067,840
Nebraska (25)	18,815,330		18,815,330
Nevada (4)	6,364,010		6,364,010
New Hampshire (26)	8,577,580		8,577,580
New Jersey (6)	83,562,190		83,562,190
New Mexico (39)	17,155,150	$8,646,120	25,801,270
New York (6)	292,744,370		292,744,370
North Carolina (44)	66,960,430	37,619,820	104,580,250
North Dakota (36)	10,514,480	5,672,010	16,186,580
Ohio (16)	120,639,460		120,639,460
Oklahoma (38)	35,417,090	20,971,440	55,388,530
Oregon (17)	28,222,990		28,222,990
Pennsylvania (18)	148,862,450		148,862,450
Rhode Island (15)	12,451,320		12,451,320
South Carolina (48)	33,480,220	17,660,160	51,140,380
South Dakota (42)	12,174,620	5,457,480	17,632,100
Tennessee (46)	50,912,060	28,912,380	79,824,440
Texas (31)	138,071,300		138,071,300
Utah (32)	15,771,670		15,771,670
Vermont (32)	6,640,700		6,460,700
Virginia (30)	52,018,850		52,018,850
Washington (13)	45,654,840		45,654,840
West Virginia (45)	24,349,250	13,766,340	70,834,180
Wisconsin (21)	70,832,180		70,832,180
Wyoming (27)	5,257,220		5,257,220

[1] District of Columbia per capita income ($3,673) is the highest in the Nation.

Notes: The number in parentheses indicates the State's per capita income ranking. New Jersey and New York share the same rank of 6; Vermont and Utah share the same rank of 32. In order to have the lowest rank equal to the number of States presented, the numbers 7 and 33 are omitted. Total revenue sharing grants under Laird 5 percent formula equal $3,100,000,000. Formula based on budget projections, fiscal 1968.

APPENDIX 3

FEDERAL TAX-SHARING PROPOSALS INTRODUCED DURING THE 89TH CONGRESS [29]

I. BILLS PROVIDING FOR FEDERAL TAX SHARING ON THE BASIS OF AGGREGATE TAXABLE INCOME

S. 2619. Messrs. Javits, Hartke, Scott, and Mundt; October 11, 1965 (Finance).

H.R. 11535. Mr. Reid of New York; October 12, 1965 (Ways and Means).

H.R. 11553. Mr. Lindsay; October 12, 1965 (Ways and Means).

H.R. 11586. Mr. Halpern; October 13, 1965 (Ways and Means).

H.R. 11600. Mr. Ellsworth; October 14, 1965 (Ways and Means).

H.R. 11603. Mr. Morse; October 14, 1965 (Ways and Means).

H.R. 11633. Mr. Todd; October 18, 1965 (Ways and Means).

H.R. 11690. Mr. McDade; October 20, 1965 (Ways and Means).

H.R. 11735. Mrs. Dwyer; October 21, 1965 (Ways and Means).

H.R. 11770. Mr. Donohue; October 22, 1965 (Ways and Means).

Federal Tax-Sharing Act.—Establishes a tax-sharing fund and appropriates for fiscal year 1968 and each year thereafter an amount equal to 1 percent of the aggregate taxable income reported on individual income tax returns during the preceding taxable year.

Sets forth the formula for apportioning such funds to the States, 80 percent based on population and the revenue effort ratio (revenue of the State divided by the income of individuals) and 20 percent on the basis of the 13 States with the lowest per capita income.

Sets forth certain requirements for the use of such funds and provides for annual congressional studies of the operation of the fund and the services provided.

H.R. 12730. Mr. Gurney; February 9, 1966 (Ways and Means).

Law Enforcement Tax-Sharing Act.—Provides a system for the return of Federal income tax revenues to the States to be used exclusively for law enforcement purposes.

Provides for the appropriation to the law enforcement assistance account an amount which bears the same proportion to $700 million as aggregate individual taxable income for such year bears to aggregate individual taxable income for the fiscal year ending June 30, 1966.

Payments shall be made each year to States which have approved plans for expenditure and allocation shall be based on State effort and concentration of population.

II. BILLS PROVIDING FOR SHARING OF A CERTAIN PERCENTAGE OF FEDERAL TAX COLLECTIONS WITH THE STATES FROM WHICH DERIVED

A. On the basis of total Federal tax collections

S. 3405. Messrs. Miller, Allott, Fannin, and Scott; May 25, 1966 (Finance).

Federal Tax-Sharing Education Act.—Established a tax-sharing fund in the U.S. Treasury into which shall be paid an amount equal to 2 percent of the total Federal tax collected during the preceding fiscal year and from which moneys shall be distributed to the States for education purposes.

B. On the basis of income, estate and gift tax collections customs duties

H.R. 10696. Mr. Brock; August 26, 1965 (Ways and Means).

H.R. 10717. Mr. Talcott; August 26, 1965 (Ways and Means).

H.R. 11435. Mr. Wydler; October 5, 1965 (Ways and Means).

H.R.11441. Mr. Erlenborn; October 5, 1965 (Ways and Means).

H.R. 12259. Mr. Hall; January 24, 1966 (Ways and Means).

H.R. 12323. Mr. Edwards of Alabama; January 26, 1966 (Ways and Means).

H.R. 13066. Mr. Gurney; February 24, 1966 (Ways and Means).

H.R. 14926. Mr. Buchanan; May 9, 1966 (Ways and Means).

H.R. 17913. Mr. Cramer; September 22, 1966 (Ways and Means).

Tax Sharing for Education Act.—Declare it to be the purpose of Congress to return to the States certain portions of Federal tax revenues, which shall be used for educational purposes.

Creates an educational assistance trust fund and annually appropriates amounts equal to specified percentages of taxes paid on incomes, estates and gifts and customs duties collected. Provides that for fiscal year 1966, 1 percent of all such taxes paid and customs duties collected shall be appropriated to the fund, and that the annual percentage appropriated to the fund, and that the annual percentage appropriation shall increase until it reaches 5 percent for the fiscal year 1970. Sets forth a formula for payments to the States, based on the number of pupils enrolled in public schools, the gross personal incomes of the residents of the State, and the average amount expended for education in the State during the preceding fiscal year. Requires each State to submit a State plan to the Comptroller General, giving in detail proposed expenditures for education. Gives the Comptroller General power to disapprove any State plan and declare such State ineligible for assistance. Provides judicial review for any State which is dissatisfied with the Comptroller General's final action.

H.R. 15557. Mr. Andrews of North Dakota; June 8, 1966 (Ways and Means).

Tax Sharing for Education Act.—Declares it to be the purpose of Congress to return to the States certain portions of Federal tax revenues which shall be used for educational purposes.

Creates an educational assistance trust fund and appropriates funds to it from annual amounts paid in income taxes, estate and gift taxes, and customs duty collections. Provides that for fiscal year 1967, 1 percent of all such taxes paid shall be appropriated to the fund and that the annual percentage appropriation shall increase until it reaches 5 percent for fiscal year 1971. Sets forth a formula for payments to the States, based on the number of pupils enrolled in public schools, the gross personal income of the residents of the State, and the average amount expended for education in the State during the 3 preceding fiscal years. Requires each State to submit a State plan to the Comptroller General, giving in detail proposed expenditures for education. Gives the Comptroller General power to disapprove any State plan and declare such State ineligible for assistance.

C. On the basis of Federal income taxes

H.R. 10828. Mr. Multer; September 1, 1965 (Interior and Insular Affairs).

Payments to Local Governments Act.—Sets forth the purpose to provide for the comprehensive study to ascertain (1) the nature and extent of the need for Federal contributions to State governments to relieve hardship due to failure to raise sufficient revenue by local taxation, and (2) ways whereby such hardship may be alleviated effectively and economically. Establishes a Federal Board for Payments to Local Governments to conduct such study. Authorizes a rebate of one-fourth of 1 percent of the gross amount of income taxes collected from within territories of local governments at the

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Footnotes at end of article.

close of each fiscal year and sets forth application procedures.

H.R. 1078. Mr. Matthews; January 4, 1965 (Ways and Means).

Considers one percent of Federal income taxes collected on individual incomes as State revenue to be refunded to the State for educational purposes.

H.R. 1187. Mr. Teague of Texas; January 4, 1965 (Education and Labor).

Provides for the transfer of 1 percent of the income taxes collected in a State to such State to be used for educational purposes.

House Joint Resolution 83. Mr. Poff; January 4, 1965 (Ways and Means).

H.R. 1182. Mr. Teague of Texas; January 4, 1965 (Ways and Means).

H.R. 1653. Mr. Bow; January 6, 1965 (Ways and Means).

H.R. 6651. Mr. Berry; March 23, 1965 (Ways and Means).

Provides that one percent of all income taxes collected on individual and corporate incomes under Federal statutes shall be deemed to be revenue for the State or territory within which all of it is collected, for use, for educational purposes only, without any Federal direction, control, or interference.

H.R. 5567. Mr. Derwinski; March 1, 1965 (Ways and Means).

Provides for the transfer of 1 percent of all Federal income taxes derived from each State to that State. Requires 50 percent of such transferred funds to be used for educational purposes and the remainder to be used for general State purposes without Federal direction, control, or interference.

S. 1011. Mr. Cotton; February 8, 1965 (Labor and Public Welfare).

H.R. 6333. Mr. Pirnie; March 16, 1965 (Education and Labor).

Federal Aid to Education Act.—Gives financial assistance to the States for educational purposes by authorizing annual appropriations to each State equal to 1 percent of the Federal individual income taxes collected therein.

H.R. 10932. Mr. Matthews; September 9, 1965 (Ways and Means).

Returns to each State 1 percent of Federal income tax collected therein for use for the purpose of paying teachers' salaries.

H.R. 3914. Mr. Ashbrook; February 1, 1965 (Ways and Means).

Provides that 2 percent of all Federal individual income taxes derived from each State shall be given to that State for educational purposes free from Federal control.

H.R. 12083. Mr. Conable; January 17, 1966 (Ways and Means).

H.R. 15592. Mr. Derwinski; June 9, 1966 (Ways and Means).

H.R. 16205. Mr. Robison; July 13, 1966 (Ways and Means).

Tax Sharing for Education Act.—Appropriates 2 percent of the Federal income taxes collected to pay to the States for use for educational purposes; sets forth a formula for the allocation of such funds to the States based on population and income per person (2 percent allotted to Puerto Rico, Guam, American Samoa, and the Virgin Islands).

Sets forth fiscal requirements and procedures, including judicial review, enforcement.

H.R. 14200. Mr. Bates; April 5, 1966 (Appropriations).

Tax Sharing for Education Act.—Provides for the return of Federal income tax revenues amounting to 1 percent of the sum of the individual income taxes collected in a State to such State to be used exclusively for educational purposes.

H.R. 6181. Mr. Skubitz; March 11, 1965 (Ways and Means).

Authorizes 3 percent of the individual income taxes collected within a State or territory to be transferred to such State or territory to provide direct aid for educational purposes.

H.R. 16903. Mr. Berry; August 8, 1966 (Ways and Means).

Directs District directors of internal revenue to transfer to each State 4 percent of the Federal income taxes collected within each State.

H.R. 2192. Mr. Dorn; January 11, 1965 (Ways and Means).

H.R. 2859. Mr. Whitten; January 14, 1965 (Ways and Means).

Provides for the transfer of 5 percent of all Federal income tax collections to the State from which derived. Requires such funds to be used for educational purposes only.

H.R. 1562. Mr. Laird; January 5, 1965 (Ways and Means).

H.R. 16947. Mr. Battin; August 10, 1966 (Ways and Means).

H.R. 18052. Mr. Wyatt; September 28, 1966 (Ways and Means).

H.R. 18252. Mr. Gubser; October 7, 1966 (Ways and Means).

State-Local Financial Assistance Act.—Provides for the payment to each State of an amount equal to 5 percent of the Federal income taxes collected in such States during the preceding fiscal year. Declares it to be the purpose of the Congress that no vestige of Federal control shall attach to such funds.

H.R. 16784. Mr. Shriver; August 2, 1966 (Ways and Means).

Federal Tax-Sharing Act.—Provides for the sharing of Federal taxes with the States by establishing a tax-sharing fund in the Treasury and appropriating thereto percentages of Federal incomes taxes paid (not including tax on self-employment income) ranging from 2 percent for fiscal 1967 to 10 percent for fiscal 1975 and each fiscal year thereafter. The Secretary of the Treasury must transfer to this fund, at least quarterly, the appropriated sums. Ninety percent of the funds appropriated for each fiscal year must be paid out to the States at least quarterly according to a fixed formula, and 10 percent shall be paid to the 15 States having the lowest per capita income according to an allotment ratio. Tax funds so shared may not be used by a State to pay its debt-service, payments in lieu of property taxes, and to provide matching in connection with any Federal grant program. Provides for equitable distribution of tax reimbursements to local governments of each State. Improper use of shared taxes by a State will result in a reduction in its future allotments. Requires each State to assure the Secretary of the Treasury it will use its funds properly and to make reports to the Secretary, Congress, and the Comptroller General how the funds were used. Requires the Treasury Secretary to report annually to Congress each year of the operation of the tax-sharing fund.

D. On the basis of cigarette tax collections

H.R. 1527. Mr. Bray; January 5, 1965 (Education and Labor).

There is authorized to be appropriated for the fiscal year 1966 and for each fiscal year thereafter an amount equal to 25 percent of the Federal tax collected on cigarettes sold within the States during the preceding fiscal year. Such funds shall be used by the States for educational purposes only.

H.R. 1651. Mr. Bow; January 6, 1965 (Education and Labor).

There is authorized to be appropriated for the fiscal year 1966 and for each fiscal year thereafter an amount equal to 25 percent of the Federal tax collected on cigarettes sold within the States during the preceding fiscal year. Such funds shall be used by the States for educational purposes only.

III. BILLS PROVIDING FOR TAX SHARING ON THE BASIS OF INCOME TAX LIABILITY

H.R. 6470. Mr. Dowdy; March 18, 1965 (Ways and Means).

Provides for retention by District Directors of Internal Revenue in a State an amount equal to 2 percent of aggregate income tax liability less credits allowable. Sums retained shall be transferred to State treasurers and shall be used for public education purposes only.

IV. OTHER BILLS PROVIDING ALTERNATIVE MEANS OF ASSISTING STATE AND LOCAL GOVERNMENTS

H.R. 16269. Mr. Culver; July 14, 1966 (Appropriations).

State and Local Assistance Act of 1966.—Provides Federal financial assistance to State and local governments in an annual amount equal to a specified percentage ranging from one-half of 1 percent to 2 percent of the gross national product.

H.R. 17998. Mr. Fraser; September 27, 1966 (Ways and Means).

Revenue Sharing Act of 1966.—Provides financial assistance to State and local governments by establishing in the U.S. Treasury a State and local assistance fund and appropriating thereto an amount equal to a specified percentage of State and local tax revenues, ranging from 6 percent for the fiscal year 1968 and increasing to 25 percent for the fiscal year 1978 and each fiscal year thereafter. Payments are authorized to be made (on the basis of population) to those States which have had a plan approved for distribution of their share among taxing jurisdictions within their boundaries.

FOOTNOTES

[1] U.S., President, 1963—(Johnson), *Presidents News Conference in Austin, Texas December 2, 1966,* Public Papers of the President of the United States—Lyndon B. Johnson, Vol. II 1966 (Washington: U.S. Government Printing Office, 1966) p. 1425.

[2] U.S., Congress, Subcommittee on Fiscal Policy of the Joint Economic Committee, *Revenue Sharing and its Alternatives: What Future for Fiscal Federalism*, 90th Cong., 1st Session, 1967 Vol II p. 890.

[3] James L. Plummer, "Federal-State Revenue Sharing", *The Southern Economic Journal*, Vol XXIII No. 1 (July 1966) p. 120.

[4] Alan L. Otten and Charles B. Seib, "No-Strings Aid for the States", *The Reporter,* Vol. 32 No. 2 (Jan. 28, 1965) p. 33.

[5] U.S., Congress, Subcommittee on Fiscal Policy of the Joint Economic Committee, *Revenue Sharing and its Alternatives: What Future For Fiscal Federalism*, Vol. I, Harold M. Groves, "Innovation in Tax Sharing: The Wisconsin Experience", 90th Cong., 1st Session, p. 335.

[6] U.S. Bureau of the Census, *State Payments to Local Government*, Vol VI (Topical Studies). No. 2, October 1963. Wisconsin was exceeded only by New York with intergovernmental expenditures of 49.5%.

[7] U.S. Bureau of the Census, *Ibid*. The percentage for Wisconsin was exceeded only by Hawaii with 76.76%.

[8] Wisconsin has a large and complex system of shared taxes, perhaps more so than any other State. Besides the income tax, other shared taxes are those levied on public utility property, the licensing of motor vehicles, the sale of alcoholic beverages, gross receipts of telephone and rural electric companies, railroad terminal property, and forest crop land income.

[9] Other states with shared individual income taxes are Maryland, New Hampshire, South Carolina and Tennessee. *Tax Overlapping in the United States,* Advisory Commission on Intergovernmental Relations (Washington: U.S. Gov. Printing Office, 1964) p. 139.

[10] Groves, *op. cit.* p. 335.

[11] Representative Melvin R. Laird introduced the first tax-sharing bill into the House of Representatives in 1958. He has introduced at least one every Congress since. His most recent is H.R. 5450 (see appendix no. 1 for complete text).

[12] Otten & Seib, *op. cit.*, p. 34.

[13] Walter W. Heller, *New Dimensions of Political Economy,* The Godkin lectures at Harvard University, (Cambridge, Mass., Harvard University Press, 1966).

[14] Heller, Ibid., p. 146.

[15] "If U.S. Shares Taxes with States—Where Money Will Go," *U.S. News & World Report,* Vol. LXII No. 12 (March 20, 1967), p. 120.

[16] Heller, *op. cit.*, p. 146.

[17] U.S., Congress, Subcommittee on Fiscal Policy of the Joint Economic Committee, *Hearings, Revenue Sharing and its Alternatives: What Future for Fiscal Federalism,* "Statement of Hon. Henry S. Reuss, a U.S. Representative from the Fifth Congressional District of the State of Wisconsin", 90th Cong., 1st Session, 1967, p. 257.

[18] Otten & Seib, *op. cit.*, p. 34.

[19] Robert L. Heilbroner, "The Share—the Tax-Revenue Plan", *The New York Times Magazine, December 27, 1964, p. 8.*

[20] "Funds for the States", *The Commonweal,* Vol. LXXXI No. 14 (Dec. 25, 1964), p. 436.

[21] U.S., President, 1963—(Johnson), *State of the Union Message to the Joint Session of the 90th Congress, January 10, 1967,* Public Papers of the President of the United States—Lyndon B. Johnson, Vol. I 1967 (Washington: U.S. Government Printing Office, 1967).

[22] Melvin R. Laird, "Tax-Sharing with the States—A Way Out", (Keynote address given by Melvin R. Laird, Chairman of the Republican Conference, U.S. House of Representatives, before the National Conference of State Legislative Leaders, The Shoreham Hotel, Washington, D.C. Nov. 17, 1966), *Vital Speeches of the Day,* Vol. XXXIII No. 6 (January 1, 1967), p. 184.

[23] U.S., *Congressional Record,* "Strengthening the Federal System—The Case for Revenue Sharing", (Speeches of Hon. Melvin R. Laird of Wisconsin in the House of Representatives compiled by the Congressional Record and published at no government expense), 90th Cong. 1st Session p. 9.

[24] U.S., Congress, Subcommittee on Fiscal Policy of the Joint Economic Committee, *Hearings, Revenue Sharing and its Alternatives: What Future for Fiscal Federalism,* "Statement of Hon. Melvin R. Laird, U.S. Representative from the Seventh District of the State of Wisconsin", 90th Cong., 1st Sess., 1967, p. 292.

[25] U.S., *Congressional Record,* 90th Cong., 1st Sess., 1967, p. H 12499.

[26] *Ibid.*, p H 12500.

[27] *Ibid.*, p. H 1499.

[28] "Public Favor for Tax Sharing", *U.S. News & World Report,* Vol. LXII No. 2 (January 9, 1967), p. 83.

[29] Summary of these bills was derived from individual bills and the "Digest of Public General Bills and Selected Resolutions" published periodically by the Legislative Reference Service, Library of Congress. *No action was taken on any of these bills* by the 89th Congress.

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Revenue Sharing: Political Hurdles in Its Future

(By Cletus J. Gillman)

INTRODUCTION

"Now up, now down; a few weeks ago said to be at the head of the administration's proposals, now rumored to be in the ashcan; but sooner or later certain to command national attention and debate is that rarest of rarities—a really new idea in domestic economic policy. Very simply, it is a plan for the Federal Government to help state governments by regularly and systematically turning over to them a fixed portion of Federal tax revenues to be used as the states see fit." [1] This colorful paragraph written by Robert L. Heilbroner in December, 1964 was not only descriptive but destined to be prophetic. The concept of Federal revenue sharing had achieved a degree of national significance as a campaign measure in the 1964 Presidential election. Just as quickly it had faded into the background. But to many economists and government officials at that time the concept appeared to be a sound one which offered a solution for the growing intergovernmental fiscal problems. If the concept was sound and if we did have problems as believed, then the idea deserved further study and support. Such support was to be forthcoming.

Concern had been expressed at that time, and has been growing since, about the rapid increase in conditional grant-in-aid programs which the Federal Government use to supplement the revenues of State and local governments. At the same time there was a growing concern about the inability of States and cities to meet the public service demands even with the large increases in Federal aid. As a result of these concerns, subsequent actions have resulted in a flood of proposed bills by members of the 89th and 90th Congresses which specify various alternative plans for Federal aid to state and local governments.

It is my intent in this paper to examine the magnitude and the advantages and disadvantages of the present system of Federal aid, to review the alternative Federal aid systems which have been proposed (with specific emphasis on the arguments for and against revenue sharing and the history of revenue sharing proposals), and finally to determine the political forces necessary for enactment of a Federal revenue sharing act.

EXISTING FEDERAL AID SYSTEM

Federal aid to state and local governments in the last century has been almost exclusively of the categorical-type, commonly called conditional grants-in-aid. Though the earliest form of Federal aid to the states was basically unconditional, in the nature of land grants for broad purposes and later the Treasury surplus distribution program of 1837, this type of aid was short-lived.[2] The year 1862 was a major turning point in the development of Federal aids. In that year, the first Morrill Act was enacted, defining the objectives of Federal land grants more precisely than had previous statutes and introducing new conditions and supervisory procedures. This was the forerunner of the current categorical Federal grant-in-aid programs. Since that time there have been many new programs initiated, with the depression of the 1930's bringing forth a virtual explosion of new Federal aid policies.[3]

The New Deal-initiated rise in the number and magnitude of Federal aid programs, although interrupted during the World War II years, has continued under each administration since that time. The greatest surge in new programs and in the cost of the programs has taken place during the Kennedy and Johnson administrations. Federal aid to states and local governments has risen from $7.3 billion in fiscal 1961 to over $17 billion in fiscal 1968.[4] There have been many and varied estimates of the magnitude of these grants in the near future, with President Johnson suggesting that the 1967 figures might be quadrupled in five years, reaching approximately $60 billion.

The bulk of current Federal aid is paid to the states under grants-in-aid with Federal funds apportioned among the states according to a set formula. Formula-type grants may be for narrowly defined purposes or for use in broader functional areas but subdivided into specific categories. More recently a third grouping of formula-type grants has been authorized in which funds are provided for major functional areas with relatively few conditions attached. This latter move is in the direction of the recent proposals for nonconditional grants. The formulas, theoretically at least, provide for some equalization among states. The states are required to provide a certain percentage of matching funds in order to receive the Federal grants. Grant-in-aid programs are generally specified for purposes considered to be in the national interest.

ALTERNATE FEDERAL AID SYSTEMS PROPOSED

Many alternate methods have been proposed for utilizing potential increases in Federal revenues to aid state and local governments. There has been much confusion in terminology used to describe the various alternate methods, particularly between "tax sharing," "revenue sharing," and "block grants." I will group these together using the term revenue sharing. To simplify them we can list in addition to an expansion of the conditional grants-in-aid discussed above, four other general categories—direct Federal programs, revenue sharing, tax credits, and Federal tax reduction. Each system has certain advantages and disadvantages, and each has its own advocates.

The direct Federal program approach has probably been least advocated among the several alternate ideas. Under this method there would be stepped up expenditures for direct Federal programs such as river and harbor construction and new programs launched to deal with domestic problems of an interstate nature such as air pollution and mass transportation. This approach would call for the largest amount of Federal intervention, since no provision would be made for state or local participation. There would be indirect state and local benefits to the extent that facilities would be provided which otherwise would have to be financed locally.

Revenue sharing would return to the states (and in some plans to cities) a fixed portion of the Federal personal income tax revenues (and under some plans corporate tax revenues) or tax base on an unconditional basis, or with very limited strings attached. This approach would reduce the role of the Federal Government both in the national economy and in relation to state and local government action. It would also exercise an equalizing effect between high and low income states, but would not affect the overall progressivity of the tax structure. Variations of proposed plans will be discussed in more detail later in this paper.

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Tax credits would provide Federal income taxpayers a more generous write-off of their state and local taxes with an option plan permitting them either to deduct their state and local tax payments from taxable income (as they can do now) or to deduct some specified percentage of state and local tax payments from their Federal tax bills. Some advocate credit allowance only for state and local income taxes, while others advocate allowing credit on all state and local taxes. The major benefits would accrue to persons in the low and middle tax brackets who carry above-average state and local tax loads. This method could help local, as well as state, governments by reducing resistance to increases in state and local taxes. One major objection to this approach is that some states would be forced to levy new taxes or raise existing taxes in order to take full advantage of the credit. It is also believed to be administratively less efficient than other proposals.

Outright reductions in Federal taxes would be an indirect way of aiding state and local governments. This would permit them to increase their tax rates without increasing the total tax bill of the average taxpayer, but would emphasize questions of interstate rivalry. As a method of increasing state and local government revenues it would probably be unpopular with those governments. The overall national tax structure would become less progressive because greater reliance would be placed on regressive state and local property and sales taxes. The roles of the Federal Government, both in relation to state and local governments and to overall economic activity, would be diminished with a reduction in its fiscal resources.

REASONS FOR REVENUE SHARING

In discussing the various reasons forwarded for initiating Federal revenue sharing, I will present it in two parts. First I will cover the basic need for increased Federal aid to state and local governments. Admittedly this could be applied as reasons for other alternate methods covered in the previous section, but since the revenue sharing approach is the most frequently proposed today, and is probably the most politically feasible, I will relate the reasons only to that approach. Second I will cover the reasons why revenue sharing is preferred to the present system of conditional grants-in-aid only.

Expenditures of state and local governments have grown rapidly in recent years, and will continue to grow more rapidly in the foreseeable future. The rise in state-local spending reflects the demands of an expanding population for more and better public services. These demands have strained the fiscal resources of the state and local governments, and they have responded with an unprecedented tax effort. Dr. Joseph Pechman, Director of Economic Studies of The Brookings Institution, believes there is little doubt that without a substantial increase in assistance from the Federal Government, state-local revenues will fall far short of their expenditure needs. The basic problem is that needed state and local expenditures rise faster than gross national product, while state and local taxes, unlike Federal taxes, are relatively unresponsive to economic growth.[5]

Pechman's projections support his contention of need for increased Federal assistance: "The magnitude of the problem may be roughly illustrated by the following projection. Suppose gross national product grows at five percent per annum and state-local receipts (including Federal grants) keep pace with this growth. On these assumptions, state-local receipts would reach about $88 billion by 1970. But if needed state-local expenditures grow at seven percent per annum—which seems conservative in the light of past experience—they would reach $103 billion by 1970, leaving a gap of about $15 billion."[6]

Most economists and political scientists believe that it is very unlikely that state and local governments can or will raise their tax rates sufficiently to cover this gap. In spite of many arguments to the contrary, the economic base is probably sufficiently strong to support the needed increases, but there are good reasons why the state and local governments should not meet all of their foreseeable revenue needs from the revenue sources now available to them. From the standpoint of tax equity and economic policy it is undesirable to finance these long-run requirements almost entirely by regressive property and consumer taxes. Also, in almost every state and city, fear of driving industry to competing jurisdictions or discouraging the entry of new businesses restrains initiation of new and increased taxes. Defeats in recent elections in many states demonstrate the political hazards facing elected officials, particularly governors, who strongly support large tax increases.

By contrast with state-local receipts, Federal revenues rise rapidly as the economy expands (actually more rapidly than rate of gross national product) because they are based largely on personal income and corporate profits. With continued steady economic growth, Federal revenues will grow $6 billion or more per year during the next several years. With defense expenditures tapering off if the Vietnam war is ended, this increase in Federal revenues could be used for domestic purposes.

Looking at the Federal-state fiscal disparities in another way, the differences and future needs stand out in rather bold relief. In the decade from 1955 to 1965, state-local expenditures rose by 125 percent, nearly twice the Federal increase of sixty-five percent. Federal spending thus lagged behind the seventy percent growth in gross national product during the same period, while state-local spending grew eighty percent faster than gross national product. At the end of the period the state-local share in total civilian government spending was seventy-seven percent, the Federal share only twenty-three percent. Even if the Federal grants-in-aid are shifted into the Federal expenditure column, the ratio is still two-thirds to one-third.[7] With current Federal and state-local tax structures and without an increase in Federal aid, this gap can do nothing but widen.

At this point it would be well to mention revenue sharing in terms of what has become almost a side issue—the elimination of "fiscal drag" on the economy. Fiscal drag—a slowing down of the rate of growth of the economy—can be the undesirable effect of a budget surplus resulting from the high elasticity of the Federal income tax and the relatively slower rate of increase in Federal expenditures. In 1964, when revenue sharing was first strongly proposed, a Federal budget surplus appeared likely in the immediate future. Economists who supported revenue sharing at that time regarded the proposal as primarily a method of reducing fiscal drag and assuring continued economic strength.[8] Vast increases in Federal expenditure required by the Vietnam war have pushed this discussion into the background, and at the same time the revenue sharing issue has progressively become more political in nature.

In addition to the disparity in Federal versus state and local economic and taxable capacities, large disparities exist between states, according to Walter Heller, past Chairman of the Council of Economic Advisers and an early strong advocate of revenue sharing. This disparity leads to perverse ratios in both state-local service levels and tax efforts; the wealthy states enjoy higher levels with less effort than the poorer states. Total state-local expenditures per capita in 1964, for the five highest states averaged $512 compared to $252 for the five lowest states, a ratio of just over 2 to 1. Turning to the tax side, the richest states—even though they exert less "tax effort"—raise twice as much revenue per capita from their own sources as do the poorest states. In 1964, the five top states, in terms of per capita revenue collections, collected $396 per capita against $197 in the bottom five states. Yet tax effort in the poorer states is somewhat greater than in the richer: while the ten richest states realized their revenues with a tax burden of only twelve percent of personal income, the ten poorest states drew their meager revenues from a thirteen percent tax burden. "The general conclusion", Heller states, "that the poorest states are on the average making a greater effort in terms of tax-to-income ratios than the richer states—and getting a much poorer diet of governmental services for their pains—is a serious indictment of the workings of our fiscal federalism."[9]

We can summarize this part of this discussion by concluding that, with very few exceptions, there is general agreement among economists, political scientists, and government officials that there is a continuing need for increased Federal aid to state and local governments. The larger and more controversial question remains: What form should this Federal aid take? In the remainder of this section I will cover advantages of a revenue sharing system (either alone or in combination) over the present system of conditional grants-in-aid.

Some of the strongest and most frequent criticism of the present categorical grant-in-aid programs is leveled at the growing complexity in administering the programs. The Republican Coordinating Committee early in 1967 summarized it this way. "From the few dozen activities for which Federal funds were available not long ago, their number grew to a hundred, and an inventory by the Legislative Reference Service of the Library of Congress counted 239 separate authorizations in April 1964. By January 1965, their number had swelled to 283, and, by January, 1966, to 399. When classified by type of aid there were 479 separate authorizations of Federal aid in January, 1966, and several dozen were added during the second session of the 89th Congress. These programs cover virtually every field of state and local government activity . . ."[10]

John Gardner, then Secretary of Health, Education, and Welfare, in the fall of 1966 testified before the Senate Subcommittee on Intergovernmental Relations: "In almost every domestic program we are encountering crises of organization. Coordination among Federal agencies leaves much to be desired. Communication between the various levels of government—Federal, state, local—is casual and effective"[11] HEW's plight is evidenced by their publication of a 527-page book entitled "Grants-in-Aid and Other Fiscribes briefly the programs administered by the U.S. Department of Health, Education, and Welfare". This book merely lists and describe briefly the programs administered by this single department. In all, there are 190 programs listed. They account for expenditures of some $7 billion annually which represents less than half of the total Federal expenditures on such programs.[12]

In hearings before a Senate subcommittee in 1966, Charles Schultze, then Director of the Bureau of the Budget said: "(The) complexity and fragmentation of Federal grant program is and of itself creates major problems of administration and information flow, for both the Federal and local governments, and inhibits the development of a unified approach to the solution of government problems."[13] The grant-in-aid programs are obviously viewed as complex to administer by many Federal officials. As the demands for public services continue to increase, with no change in the system of Federal aid, new

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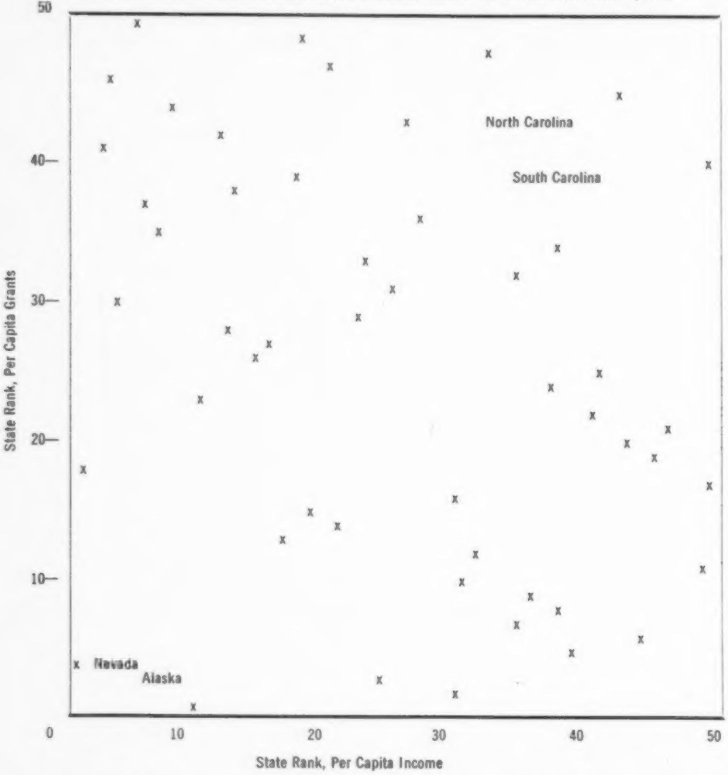
programs will be enacted. The administrative and intergovernmental problems will certainly get worse rather than better.

It has been observed by several students of intergovernmental fiscal relations that though efficiency of revenue collection improves at higher levels of government, the efficiency of expenditure decisions is greater at the lower levels. Supporters of revenue sharing believe that many of the severe administrative problems would be solved if some or all of the Federal aid funds were transferred to the state and local governments on an unconditional basis. Certainly the intergovernmental complexities would be eliminated and direct administration of the programs would be simplified.

There are many arguments that use of Federal grant-in-aid programs works a further hardship upon already hard-pressed low-income states and cities. Stringent matching requirements currently specified by the Federal Government on many of its programs make it difficult for some of these governments to take advantage of such aid, and if they do, frequently it must be at the expense of other vital services. That the present Federal aid system is non-equalizing, even though some individual programs may have an equalizing effect, is shown by aggregate data. For example, in 1964, Federal grants (including high Federal cost highway grants) to the ten lowest-income states averaged $58 per capita, but to the ten highest, $85 per capita.[14] This non-equalizing effect can be vividly shown on a graph on which is plotted the rank of states on a per capita income basis versus the rank of states on a per capita grant basis. Figure 1 illustrates this for incomes in 1962 and grants in 1963 (grant formulas would normally use income figures from previous years). Theoretically, if the grants had a maximum equalizing effect, all of the marks would lie along a diagonal line from the upper left corner to the lower right corner. This much equalization could not be achieved and should not be attempted, but Figure 1 readily shows that any degree of consistent equalization under the present system is just not being achieved. Advocates of revenue sharing believe that if funds were allocated on the basis of population and per capita income, needy areas would stand to benefit more than richer areas. Thus it would bring about a more equitable distribution of revenues among the states and localities.

FIGURE 1. STATES RANKED BY PER CAPITA INCOME, 1962 AND PER CAPITA GRANTS, 1963[13]



Finally, many of the critics of the present system of Federal aid insist that it is leading the nation rapidly down the centralization road with grave danger to our system of federalism. The term "creative federalism" has been used by leaders in Washington, who generally support the present Federal aid system, to describe the present approach to intergovernmental relations. Even they admit, however, that there must be some changes made in Federal aid programs to prevent them from becoming overburdening and self-defeating. But their efforts would be a piecemeal approach to achieve creative federalism, including improvement and consolidation of grants-in-aid, departmental reorganization and better coordination and interdepartmental cooperation on the Federal level, improved budgeting and decision-making capacity, more effective intergovernmental communications, and a more adequate Federal field structure. On the state level they would propose action to achieve better interagency cooperation, changes in state constitutions, laws and local ordinances, and correction of the manpower deficiencies.[16]

Advocates of revenue sharing, while admitting that all of the above improvements might be desirable, strongly disagree that this is the total solution. Congressman Melvin Laird in presenting the case for revenue sharing to the House of Representatives stated: "The problem, however, is that different proponents of different philosophies of government define 'creative federalism' in different ways. Those who presently guide our domestic and foreign destinies in Washington view creative federalism in such a way that the Federal Government, in effect, makes the ultimate judgments and establishes the governing criteria . . . Another way of putting it, perhaps, is that creative federalism as viewed by its present stewards in Washington is an attempt to substitute the activity of bureaucracy for the creativity of the individual."[17]

There is admission by the advocates of revenue sharing of weaknesses in many state and local governments, but they argue that these weaknesses are linked to financial inadequacies, and that they could be corrected by increased Federal aid which didn't have too many strings attached. Charles H. Percy in supporting a plan for revenue sharing stated: "Adequate state revenues could truly revitalize state government in this country. No longer would local political issues revolve around revenue problems to the point where other important issues are downgraded or ignored. No longer would state services be critically limited because of lack of adequate revenue. Unless we are willing to revitalize state government by restoring its independence, the Federal system itself is in danger. And certainly the current grant-in-aid programs tend to further curtail the independence of the states. The critical aspect of the Pechman plan is that the grants would be made with few strings attached as to how they would be spent. . . . The crucial question before us is whether state and local government is worth saving. Some are quick to answer negatively, for they see only the failure of the states to respond to the pressing needs of our time. But this is a shortsighted approach. The answer which I have offered is that we have it in order to encourage self-government, meeting needs close to the people, taking advantage of the principle of decentralization."[18]

Walter Heller is strongly in accord with Percy when he states: "A determination to strengthen the weak state-local link in our fiscal federalism must be anchored in the conviction that the states are here to stay, that they play an indispensible role in our Federal system government."[19] Heller and many others believe that the states do play such a role and that revenue sharing can strengthen the weak fiscal link. They believe also that creative federalism requires diversity and dissent and innovation, part of which must bubble up from below—from strong state and local governments.

REASONS AGAINST REVENUE SHARING

As certain as there are many reasons given in favor of revenue sharing there are many which have been stated against any such plan. It is somewhat indicative of the strength of the recent revenue sharing movement to note the large number who have spoken out in opposition to these proposals though no bill in Congress has yet progressed as far as a legislative committee hearing. I have already alluded to many of the objections to revenue sharing in the previous section where they were mentioned as counter-arguments, consequently less space will be devoted to these arguments in this section.

Basically the reasons given against revenue sharing or other unconditional grants group around one central theme—that state and local governments have shown that they lack responsibility. Sub-arguments under this would be: states will not carry out national purposes, they will reduce their own tax efforts which are already too weak, and they will not give equitable support to cities. One argument independent of the above is that the nation cannot afford such a program and that any surplus should go toward reduction of the national debt.

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In regard to the responsibility of state and local governments, critics charge that they are often inefficient, wasteful, and even corrupt. They believe that local governments are archaic in structure and will be slow to reform because of state constitutions which essentially prohibit responsible government. As a result the quality of people attracted to state and local governments is low and hence administration and management is destined to be poorer than at the Federal level. As stated in the previous section, advocates of unconditional grants admit to some truth in these arguments but counter that it is not true in all states and that in those in which it is true, greater financial resources and flexibility would be a big step toward overcoming these very weaknesses.

The critics frequently cite lack of innovation among states as another deficiency which would prohibit states from effectively handling the needs and demands of the future. This criticism, too, has much truth in it, particularly for the period since 1930. There have been notable exceptions such as the progressive social legislation in Wisconsin, the educational system and anti-pollution progress in California, and the interstate compacts for water use and transport. But too often, in the poorer states, the people since the 1930's have been looking to Washington for action.

Many Federal officials, backed up by interest groups throughout the nation, fear that turning revenues over to the states without Federal controls would sacrifice national purposes or priorities, drain funds away from high-priority education, urban renewal, and mass housing programs toward low priority uses. Nat Weinburg, Director of the Special Projects and Economics Analysis Department of the United Automobile Workers union put it bluntly: "But let us not embark on a program of general handouts which, at best, could only increase the multiplicity of uncoordinated and possibly conflicting programs, and, at worst, could mean the diversion of tax dollars to purposes which might serve no public interests."[20] Advocates of unconditional grants counter that the bulk of state-local expenditures already are being made for education, health, and welfare, which are considered by all to be among the more important public interests. They have little doubt that these programs would be heavy recipients of any increased available revenues.

Some misgivings have been expressed about revenue sharing on grounds that it contains no incentive toward a greater state-local tax effort and might even encourage the states to relax their fiscal efforts. Richard P. Nathan, in a special study of possible uses of proposed unconditional grants by low income states made extensive studies of Mississippi, Georgia, Maine, and South Dakota. His findings indicate that only South Dakota, based upon previous actions of the state government, might consider use of these funds to reduce their own tax effort.[21] Following this finding by Nathan, it is interesting to note a letter from Governor Nils A. Boe of South Dakota to Congressman Melvin Laird of Wisconsin concerning Laird's proposed revenue sharing and tax credit bill, in which Boe stated: "I feel the combining of a tax-sharing provision with a Federal income tax credit for individuals paying state and local taxes is most worthwhile and definitely will permit the state and local authorities to increase their tax levies to meet needed state and local problems."[22]

Finally, many local officials, governmental and non-governmental, fear that too much of the unconditional grants would be spent at the state level and would not be made available for local programs such as urban planning. City officials, in particular, conditioned by an ingrained belief in the traditional rural bias of state legislatures, hesitate to strongly support unconditional grants. Reapportionment of state legislatures should relieve this situation, but this will take time. Even then, it is argued, much of the gain in the legislatures will go to the suburban areas rather than to the central cities which have the greatest need. Most advocates of revenue sharing believe that it will be advisable to have a "pass-through" provision in any plan enacted which will require a certain percentage of the grants to be passed on from the state to local governments.

LOGIC OF A COMPROMISE SYSTEM

With the many strong arguments for either a continuation of the present conditional grants-in-aid system or the adoption of an unconditional grant system, it might appear that it is an all-or-nothing situation. Certainly this is not necessary, and in fact many advocates of revenue sharing stress that the two basic types of grants should be used to complement each other. In principle, conditional and unconditional grants serve two separate and distinct purposes. According to George Break, economist with The Brookings Institution, "Conditional grants are needed to optimize the allocation of resources to State-local spending programs with significant external benefits; and unconditional grants are needed to balance whatever basic fiscal deficiencies prevent the States from financing internal program benefits at reasonable tax rates. In practice, these distinctions are blurred by the lack of precise measures of the relative importance of external and internal benefits, but there is still much to be said for a Federal system that includes both kinds of grants."[23]

The case for functional or conditional grants rests on the existence of public benefits with "spill-over" benefits beyond the governmental unit operating the program in question. These externalities are important in various fields such as education, interstate highway systems, and some air and water pollution projects. Break cautions, however, that there are definite limits beyond which these grants-in-aid should not be pushed, and that well before these limits are reached, serious consideration should be given to use of unconditional grants.[24]

Many have stressed that unconditional grants would be more equalizing than conditional grants, and if used in combination they could go far towards enabling the poorer States and poorer local governments to bring their public service levels more in line with those prevailing in the rest of the country. James Maxwell perhaps best sums up this view when he states: "If equalization is to be emphasized, then the appropriate device is the unconditional grant; if stimulus to specific governmental functions, the conditional grant. Since Federal objectives in assisting State and local governments are manifold, there is no inconsistency in logical use of several devices."[25]

HISTORY OF REVENUE SHARING

Revenue sharing is not a new concept in the United States. There have been historical precedents. Perhaps the most dramatic was the distribution of Federal surplus funds among the states on an unconditional basis under the Surplus Distribution Act of 1836. For many years the Federal Government has shared, and continues to share, with state and local governments, some percentage of the revenues derived from the sale of Federal public lands, from grazing leases and permits, from uses of national grasslands, and from other minor sources. At the state and local level, the sharing of state tax revenues with local units is common, with forty-four states using some degree of revenue sharing by 1965. Wisconsin has for years been a leader in state-local revenue sharing and now devotes over twenty percent of its total expenditures to such a program.[26] Several foreign countries, including Canada, have varying arrangements for sharing tax revenues with local governmental units. Canada has had a history of use of a combination of unconditional and conditional grants. They have at times shifted the ratio between the two types of grants, and currently are using about a five to one ratio in favor of unconditional grants.[27]

Serious consideration of use of unconditional aid in any significant amounts by our Federal Government was slow in developing. Ideas on needed improvements in the grants-in-aid system emerged from the first Hoover Commission study. That Commission did not recommend unconditional grants, but they did suggest that "a system of grants be established based upon broad categories—such as highways, education, public assistance, and public health—as contrasted with the present system of extensive fragmentation."[28] Following this suggestion, limited moves were made toward greater uniformity of grants. More important, the recommendations of the Hoover Commission led to the subsequent enactment of new legislation setting up the Commission on Intergovernmental Relations (The Kestnbaum Commission). In this Commission's report to the President in 1955, though differing in details from the Hoover Commission report, broadening and standardization of the grant program was stressed. President Eisenhower's intense interest in the needed improvements led to his suggestion to the Governors at their annual conference in 1957 that the Governors and the Federal administration form "a task force for action" to seek ways and means of strengthening the federal system and the state governments. Thus was formed the Joint Federal-State Action Committee, which was to be replaced two years later by a new statutory agency, the Advisory Commission on Intergovernmental Relations.[29] This Advisory Commission is an active force today in studies and recommendations on intergovernmental fiscal relations.

It was in 1958, during this period of reawakened study of the federal fiscal system, that the first true revenue sharing bill was submitted to Congress—by Congressman Melvin R. Laird of Wisconsin. But the setting was not ready for action. In June, 1960, Walter W. Heller, then chairman of the Economics Department of the University of Minnesota, proposed that rising Federal revenues be distributed to state and local governments with few or no strings attached. But during the next few years, with consistent Federal budget deficits and a rather sluggish economic growth, this early Heller plan lay fallow. By 1964, however, with a more rapidly growing economy and the expected success of the 1964 tax cut in further quickening the economy, new interest stirred. Heller was then Chairman of the President's Council of Economic Advisers and in the spring of that year he again advocated consideration of revenue sharing.

The Presidential election campaign of 1964 intensified discussion on strengthened Federal aid to the states. Both the Republican and Democratic platforms included a plank on the subject, and the two nominees, President Johnson and Senator Goldwater, endorsed the idea in the latter stages of the campaign. Meanwhile the President had appointed Dr. Joseph Pechman of the Brookings Institution to head a special task force composed of individuals from government and business to study the possibilities of distributing a set percentage of Federal revenues to state and local governments. The Task Force report was submitted to the President in the early fall of 1964, but full details of its recommendations were never made public. On October 27, 1964 the White House issued a position paper that stated in part, "Intensive study is now being given to methods of channeling Federal revenue to states and localities which will reinforce their independence while enlarging their capacity to serve their citizens." This was commonly interpreted as a Johnson endorse-

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ment of the Heller plan, but at that point some proponent of the plan leaked the outline of the Task Force recommendations to the *New York Times*, along with the inference that the President had subscribed to it.

The *Times*, the next day, in a front page article headlined "President Favors Giving The States Share of Revenue", stated, "President Johnson endorsed in principle today a new plan for setting aside a fixed portion of the Federal income tax each year for automatic distribution to the states. The President's endorsement, the first he has given to the proposal, came in a brief and cautiously worded White House statement that gave no details. It was learned however, that he was highly receptive to the plan, which would require Congressional approval." [30] The *Times* went on to describe the details of a plan submitted by Dr. Pechman's Task Force as it was "likely to shape up". The details were very similar to those previously proposed by Heller.

What happened next is well stated by Alan Otten and Charles Seib in *The Reporter* on January 28, 1965: "The (leak) tactic boomeranged. The President, increasingly sensitive about news leaks that he does not himself generate, was annoyed. Opponents in and out of the administration, who had been wondering just how seriously to take the plan, decided to take it very seriously and jumped into action with a variety of objections. The ensuing controversy ended when the President, at a mid-December background session for newsmen, declared the premature disclosure of the task force recommendations had generated such opposition that he had decided to put the plan aside at least for a year." [31]

The Administration may have laid the plan aside, but the idea was not allowed to stay shelved. Editorial writers and columnists reminded the President of his campaign promises. Economists continued to plug for it. In March, 1965, the nation's Governors asked the President to permit a new study of the Heller plan. They were told that the idea was under review in the Bureau of the Budget. The Republican Governors Association and the Ripon Society, believing that revenue sharing should not be removed from the realm of public discussion issued a joint research paper in July.[32]

Late in 1965 a flurry of revenue sharing bills were introduced in both houses of Congress. By the end of the 89th Congress, 59 members of Congress had sponsored and cosponsored 53 such bills. The bills varied widely in detail, and ranged from no strings attached to specific controls. The bills were introduced by members of both political parties, though the vast majority were introduced by Republicans. Other than having been referred to the appropriate Congressional Committee for consideration, no action was known to be taken on any of these measures.[33]

Soon after the 90th Congress convened in January, 1967, a flood of new revenue sharing bills were introduced. By November eighty-three such bills had been introduced in the two houses of Congress. Again they had great variations. Again both Democrats and Republicans introduced bills, though most submitted by Republicans.[34] All bills were assigned to the appropriate committee, but no further action has been taken, nor is any anticipated during the remainder of the 90th Congress.[35] More details on actions being taken during the 90th Congress will be discussed in the final section of this paper.

VARIOUS PROPOSED PLANS

It would be well at this point, before discussing the forces at work and necessary for enactment of a revenue sharing act, to review a small sample of the proposed Republican and Democratic bills, as well as a review of the so-called Heller-Pechman plan. I have chosen the bills introduced by Goodell (Republican, New York), Laird (Republican, Wisconsin), Reuss (Democrat, Wisconsin), and Tydings (Democrat, Maryland). Each has significant differences from the others and it is obvious that any bill which may come out of committee in the future will be a much compromised bill.

Heller-Pechman plan.—This plan would have the government distribute to the states, with essentially no conditions attached, one to two percent of the personal income tax base. The money would be set aside in a trust fund for later distribution on a per capita and per capita income basis. Approximately ten to twenty percent could be used for the fiscal equalization (per capita income) distribution. In addition a tax effort factor could be included in the distribution formula.

Goodell bill.—The bulk of the Republican bills introduced in the 90th Congress are identical or very similar to H.R. 4070, the Goodell Bill. This Bill proposed that three percent of the preceding year's Federal personal income tax revenue be used for revenue sharing in fiscal 1968 and 1969, four percent for 1970, and five percent for 1971. The seventeen states with the lowest per capita income would first receive ten percent of the total funds as a form of equalization. The remaining ninety percent would be divided among the states and the District of Columbia on the basis of population and their tax effort ratio. A state would pass on to local subdivisions 45 percent of the money it received, and would establish how much should go to educational units and how much to political subdivisions. The remaining 55 percent could be spent as decided by the state government, with up to five percent allowed for use for strengthening its administrative staff.

Laird bill.—This Bill provides that five percent of the federal income tax collected during the previous year be distributed to states and political subdivisions. Ninety percent would be distributed on a per capita basis modified by a tax effort ratio. The remaining ten percent would be distributed to the lowest seventeen states on a per capita income basis. Up to five percent could be used to improve the administration of the state government. No pass-through provision is included. Appropriations for grant-in-aid programs would be reduced by the amounts of this revenue sharing. The most important distinction from the Goodell Bill is the provision for a credit to individuals on Federal tax based upon a percentage of the state and local taxes they pay. This credit would begin at ten percent in the first year and increase in ten percent annual increments to a maximum of forty percent in the fourth year. This tax credit would permit the states to increase their taxes with no additional burden on the taxpayer.

Reuss bill.—This bill would authorize $5 billion a year for three years to be distributed in block grants to states which had developed plans to modernize their state and local governments. The money would be distributed on a per capita basis, except that up to twenty percent would be set aside as supplements to states with low per capita income, high incidence of poverty or urbanization, and adequate tax effort. At least half of each grant would be passed on by the state to local governments. Otherwise the use of the block grants would be unrestricted. Modernization plans would be submitted to Congress, the President, and the Advisory Commission on Intergovernmental Relations for approval before block grants could be made.

Tydings bill.—This bill differs from the others primarily by authorizing some grants directly to large cities. One percent of the annual federal revenue from individual and corporate income taxes would be available for allocation to states and some cities on a per capita basis. At the request of local officials from a metropolitan area of 1.5 million persons, allotments could be made directly to the area on a per capita basis. Three-fifths of that sum would be deducted from the state's share. Thus the states would receive a bonus when a metropolitan area qualified for payments. Allotments to states would be reduced when the tax effort of a state fell short of the average tax effort of all states. The bill would establish a Commission for Federalism to receive plans and allot funds. Anti-discrimination and minimum wage requirement restrictions are included.[36]

FORCES NECESSARY FOR ENACTMENT

"The most important battle in the 90th Congress may well be about new legislation that everyone on Capitol Hill knows can't be enacted now: The proposal to give states a fixed share of Federal tax revenue." [37] This statement by Norman C. Miller in the *Wall Street Journal* in January, 1967 indicates that the concept which originated several years earlier as a proposed radical change in Federal fiscal policy had now become more of a political issue than an economic one. Miller continued, "For resurgent Republicans think a GOP tax-sharing plan, which will be emphasized by party Congressional leaders Gerald Ford and Everett Dirksen in tonight's 'Republican State of the Union' message, can be parlayed into the major domestic issue in the 1968 presidential campaign. Meantime, GOP leaders believe, stressing the party's commitment to tax-sharing will give Republicans an opportunity to project the positive party image they deem vital to success in 1968, while still opposing Great Society programs. Thus tonight's Republican pledge to press for tax-sharing, while doomed to immediate legislative failure by the Administration's present opposition, will launch a major GOP political offensive. And many Democrats fear they are vulnerable to the attack."

The revenue sharing issue had indeed moved to center stage in Washington. It seemed to be following reasonably close to the "life-history" of political decision as described by Bernard R. Berelson: "Typically introduced by a small vanguard normally toward the left end of the political spectrum, often aided by a circumstantial event. If successful, the issue wins its way slowly across the political field. At each point rejection turns to resistance, then to acquiescence, and finally to approval." [38] The revenue sharing idea had indeed been introduced on the liberal side of the political spectrum, by Dr. Heller and his fellow economists. But it didn't move slowly across the political field from left to right as Berelson may have expected. Because of rejection on the left, the issue, which promised to eventually become politically popular, leap-frogged all the way to the moderate right where it is now championed. Whatever its path, the revenue sharing issue has reached Berelson's "political gateway" [39] in the 90th Congress. It will not pass through the "gateway" in this Congress. That has been conceded. But will it win approval in the next Congress?

To try to answer this question, we will need to examine all of the political forces now acting on the issue and determine whether the right combination of forces will act in concert to achieve victory for their issue. These intertwined forces which need to be examined are the political parties, the executive and legislative branches of the Federal Government, state and local governments, organized pressure groups, and the American public.

In the revenue sharing issue the political parties and Congress stand out as the leaders in the struggle. The national leadership has been taken by Congress, and within Congress, the Republicans, as the minority party, have presented a rather solid policy front in pressing for revenue sharing legislation. Republican party leadership in both houses of Congress have united to press the issue in

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the 90th Congress. The Republican strategy called for a vigorous push toward early enactment of a general purpose revenue sharing measure. They fully recognize, however, that the Democrats can and will bottle up any comprehensive bill in committee.

Knowing this, the Republicans have devised a fall-back strategy. As administration bills calling for new or increased grant-in-aid programs are introduced, they will make motions to recommit with instructions to substitute block grants. They would be willing to accept block grants as a first step toward general revenue sharing. This would be a "piecemeal" approach to their long run objectives, but in the meantime, they believe, they could maintain a positive image as the 1968 campaign approaches.[40] They have had some measure of success in the House of Representatives where bills were passed to substitute block grants for categorical grants-in-aid in four separate programs. The chance of passage of these bills in the Senate is rather remote, though, where the Democrats still hold almost a two-to-one majority. Also in the Senate, though Minority Leader Dirksen "pays lip service to the tax-sharing plan of fellow-Republicans, his private opinion is less than enthusiastic." [41]

This firm policy stand by the Republicans in the 90th Congress, as previously noted, was to give the Party a positive image in the 1968 campaign and was to make revenue sharing the major domestic issue in the campaign. But strange things happen in a political campaign year, and the 1968 campaign may even be an exceptional one. President Johnson, who had cooled off on revenue sharing in the face of bureaucratic and labor pressure, and who was committed to heavy expenditures in Vietnam, has announced that he will not be a candidate for re-election. Senator Robert Kennedy, not bound by the commitments of the President, is a candidate for the Democratic nomination.

Senator Kennedy has previously been on record as advocating an overhaul in the Federal Grant system. Alert to the possible significance of the revenue sharing issue in 1968, he lost little time in stating his position. Campaigning in Utah on March 27, he told two applauding audiences that the Federal bureaucracy had stifled local initiative and he called for a new system of Federal aid that would give control of the funds to local communities. His plan would differ from the Republicans' in that he would favor the city and county governments rather than giving most of the control to the States.[42] *The New York Times* in reporting this noted that Senator Kennedy's strong emphasis on local controls pointed up the growing crisis that has developed in Federal-state relations since the enactment of many new social reforms from 1964 through 1966.

The Republican Party certainly will not alter their campaign strategy of making revenue sharing a major issue in 1968, though a little wind may have been taken out of their sails. What the Kennedy stand does mean (whether he is nominated or not) is that both political parties will probably include a stand on liberalized Federal aid in their party platforms. It also seems assured, by the early entry of discussion on the issue, that any successful presidential candidate will be committed to proposing or supporting some action on the issue early in his term of office. Some observers believe that strong administrative support will be necessary before any sweeping changes will be possible in the system of Federal aids.[43]

What pattern of strength has been demonstrated in the 89th and 90th Congresses on revenue sharing? First of all, strength is shown in the minority party, from the appointed leadership to the rank and file Congressmen. Congressman Melvin Laird, Chairman of the Republican Conference, has been the principal solidifying force behind the support for revenue sharing. Secondly strength is shown in the number of bills introduced and the number of Members of Congress sponsoring or cosponsoring those bills. The Congressional Quarterly in April, 1967 reported that roughly one in five Members of Congress had put his name on a bill relating to revenue sharing.[14] (This would include bills submitted in both 89th and 90th Congress). In the 90th Congress, by the end of the first session, eighty-three bills had been introduced, sponsored or cosponsored by 108 members.[45]

Another indication of broad-based strength of support is indicated by the states represented by these sponsoring Congressmen and Senators. A total of thirty-three states were represented, with principal strength in the Great Lakes region, the industrial Northeast, the deep South, the Great Plains states, and California. There was a scattering of support in all other regions of the nation. The deep South support came mainly from the newer Republican Representatives from those states.

The weakness within this seemingly broad support in Congress is that it is almost entirely Republican. Of the eighty-three bills introduced in the 90th Congress only ten were Democratic bills, two in the Senate and eight in the House. More strength must be gained in the majority party before any real hopes for success can be entertained. This added strength could be gained if the Administration supported the concept. The Johnson Administration currently doesn't, and isn't likely to change during the year. If this is to be the source of support, it will have to come from a new Administration.

There have been some noticeable changes in the bills introduced in the 90th Congress when compared to those introduced in the 89th Congress. There appears to be a greater tendency in the 90th Congress to prescribe more specifically the requirements which must be met in order for the states to qualify for revenue sharing assistance. Furthermore, strict accounting and reporting of the states' expenditures of these funds is required in many of the bills.[46] These moves toward attaching more "strings" is evidence of the compromising which is already underway.

Forces outside of the Federal Government have been and will be an influence on Congress and the Administration. State and local governments have taken an intense interest in the revenue sharing issue. Almost from the start the governors of the states were strong in their support of a program for unconditional grants. The Republican Governors' Association in 1965 issue a joint research paper with the Ripon Society strongly supporting a revenue sharing plan and lamenting the President's decision to set it aside. The National Governors' Conference in 1964 unanimously endorsed a resolution supporting revenue sharing. The same conference two years later signaled their approval with only two governors dissenting. These two, Governor Rampton of Utah and Governor Hughes of New Jersey were in favor of reducing categorical grants-in-aid and replacing them with block grants.

The National Conference of State Legislative Leaders endorsed revenue sharing. By October, 1967, thirteen state legislatures had passed resolutions favoring Federal revenue sharing.

With city governments the support has been less unanimous. They perhaps have a greater need for additional Federal funds with limited controls than do the states. But they are cautious about endorsing a program which would send these funds to the state government for distribution. There are indications that their support would be much stronger if they could be assured of either direct grants to the cities or a liberal pass-through formula. With these limitations imposed the National Conference of Mayors urged a revenue sharing program, and the National League of Cities in 1966 unanimously approved a resolution of support.[47]

In total the support from state and local governments is strong and broad based. The more recent strengthening of support from the cities may help influence the opinions of some of the Democratic Representatives from the metropolitan areas.

Pressure groups frequently mentioned as having a strong interest in revenue sharing are the labor unions, the National Association of Manufacturers, and various educational associations. In addition, what might be considered a pressure group, and probably the most influential on this issue, the various Federal executive departments, commonly called the Federal bureaucracy. Generally all of these groups, for varying reasons, are opposed to revenue sharing, and are credited with influencing the President's 1964 decision to shelve the issue.

Roger A. Freeman, in a 1965 study of alternatives to functional grants, noted, "Management and labor as represented by the NAM and the AFL–CIO agree on the Heller plan (and those groups are not very often on the same side of major policy proposals); they both are against it. The NAM believes that the pleasure of spending public money should be tied to the pain of raising it (as the State Governors once expressed it) and that in any case priority should go to cutting taxes and restraining public spending. The AFL–CIO feels that it wields more power in Washington than in some of the state capitols and that it can advance its goals better by a centralization of program decisions.[48]

Organized labor, though generally preferring to look to the Federal rather than state governments, is not opposed to the principle of revenue sharing if sufficient strings are attached. The significance of labor support in influencing an individual Congressman has been questioned by Harmon Ziegler in a study of interest groups in America. He found that the rank and file members of labor unions are quite apathetic to the political activities of labor leaders, and that "labor" support is really labor leadership support. He concludes that labor support, though a factor to be contended with, will not be considered a crucial question for the Congressman as he views the total support by his constituency.[49] The differences between labor leaders and members on the issue of revenue sharing will be evident when opinion of the general public is reviewed later.

Educational associations, like many other professional associations representing functional interest groups, at first opposed the idea of revenue sharing for fear of losing some of their functional aid. There is evidence of increasing recent support, probably because of two factors. One is concerned with red tape and delays in receiving approvals and then further delays in receiving funds under the grant-in-aid approach. The other factor influencing their opinion, I'm sure, is the number of revenue sharing bills submitted which specify education as the sole or principal recipient of the funds. Indicative of the change in attitude is the action taken at a legislative conference of national educational organizations, representing six of the major educational associations in America. Meeting on January 16–17, 1967, they recommended to the President and Congress that there be "federal participation in the financing of public education through substantial general support, with minimum limitations to its use, rather than through fragmentary categorical grants. . . ." [50]

The Federal departments administering major Federal grants—Labor, Commerce, HEW—have voiced strong objections to revenue sharing. They fear that the introduction of unconditional grants would lead Congress to reject new or expanded specific grant programs or even cut back on existing ones. These Federal departments certainly exert considerable influence with the Administration and with many of the leaders in Congress. As stated earlier in this paper, they recognize a need for change in the administration of Federal grants, but would prefer

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changes within the present system rather than a new system in which they would not have administrative responsibilities.

Special interest groups, or pressure groups, are having an influence on policy makers on the revenue sharing issue. In total effect they have probably been weighted against the proponents of the concept. Though these groups may have had limited direct effect on individual Congressmen, by influencing the Administration they have also influenced the actions of the majority party in Congress. This effect would be more noticeable on the initiative taken by individual majority members of Congress including action by committee chairmen, than it would be on the actual vote of these same members on a bill brought to the floor for a vote. It seems appropriate at this point to note remarks made by the late Congressman Sam Rayburn: "Parties and not pressure groups lead in the adoption of truly great measures. It is a custom of American politics that Congress enacts no heroic measure to remedy pervasive evils save over the violent protests of those to be immediately affected. The groups concerned predict dire consequences but ultimately learn to live with the new order." [51]

The popularity and wide-spread support of revenue sharing by the general public is possibly best shown by the results of three Gallup Polls on the subject. Public opinion polls today—the most widely known and respected of which is probably the Gallup poll—are followed by politicians and considered to be reasonably trustworthy in sampling the opinions of the general public.[52] The poll on revenue sharing asked a cross section of the adult population about the plan advanced by Congressman Goodell. The results of the first poll (see Table 1), released on January 1, 1967, show that 70 percent of the public favors revenue sharing, while only 18 percent oppose it. In April, 1967 the poll results indicated that again 70 percent of the population favored the idea. In August 1967, 72 percent indicated support for the proposal. The change is probably insignificant, but a rather strong consistency in favor of revenue sharing is clearly evident. Existence of general support for an issue creates what V. O. Key, Jr. terms a "permissive consensus" and which he adds is often "an antecedent to action once the technical problems have been ironed out and the anxieties of those most immediately concerned quieted." [53]

TABLE 1.—GALLUP POLL

TAX SHARING PLAN

Question. "It has been suggested that 3 percent of the money which Washington collects in Federal income taxes be returned to the States and local governments to be used by these State and local governments as they see fit. Do you favor or oppose this idea?"

[In percent]

	January 1967		
	Favor	Oppose	No opinion
National	70	18	12
Sex:			
Men	70	20	10
Women	69	16	15
Race:			
White	71	19	10
Nonwhite	X	X	X
Education:			
College	68	27	5
High school	71	18	11
Grade school	69	10	21
Occupation:			
Professional and business	69	23	8
White collar	65	24	11
Farmers	83	13	4
Manual	70	15	15
Age:			
21 to 29 years	66	20	14
30 to 49 years	70	20	10
50 and over	71	14	15
Religion:			
Protestant	72	16	12
Catholic	66	19	15
Jewish	X	X	X
Politics:			
Republican	72	20	8
Democrat	69	15	16
Independent	69	22	9
Region:			
East	64	20	16
Midwest	73	21	6
South	74	11	15
West	65	20	15
Income:			
$10,000 and over	68	25	7
$7,000 and over	70	21	9
$5,000 to $6,999	76	14	10
$3,000 to $4,999	67	15	18
Under $3,000	65	15	20
Community size:			
1,000,000 and over	57	20	23
500,000 and over	62	20	18
50,000 to 499,999	71	21	8
2,500 to 49,999	68	21	11
Under 2,500, rural	79	11	10

Footnotes at end of article.

The details of the polls indicate that the support is remarkably consistent among all of the sub groupings of the categories measured. (Note the manual labor figure of 70 percent favorable compared to previous stated opposition by labor leaders.) This same poll reveals (See Table 2) that over twice as many people believe that state governments can spend the tax dollar more wisely than the Federal Government. This opinion is contrary to the opinion of outspoken opponents of revenue sharing.

TABLE 2.—GALLUP POLL

GOVERNMENT SPENDING

Question. "Which do you think spends the taxpayer's dollar more wisely—the State government or the Federal Government?"

[In percent]

	January 1967			
	State	Federal	Neither	No opinion
National	49	18	17	16
Sex:				
Men	52	18	19	11
Women	47	16	16	21
Race:				
White	52	16	18	14
Nonwhite	X	X	X	X
Education:				
College	57	19	18	6
High school	51	17	16	16
Grade school	40	18	18	24
Occupation:				
Professional and business	56	15	17	12
White collar	52	20	16	12
Farmers	59	6	20	15
Manual	45	21	16	18
Age:				
21 to 29 years	49	23	14	14
30 to 49 years	49	17	17	17
50 and over	49	15	19	17
Religion:				
Protestant	52	15	16	17
Catholic	44	24	18	14
Jewish	X	X	X	X
Politics:				
Republican	60	11	17	12
Democrat	46	21	14	19
Independent	44	19	22	15
Region:				
East	37	27	19	17
Midwest	54	16	18	12
South	58	10	14	18
West	46	16	19	19
Income:				
$10,000 and over	53	18	18	11
$7,000 and over	50	18	19	13
$5,000 to $6,999	54	19	14	13
$3,000 to $4,999	44	16	16	24
Under $3,000	44	15	18	23
Community size:				
1,000,000 and over	36	24	19	21
500,000 and over	41	23	17	19
50,000 to 499,999	46	19	18	17
2,500 to 49,999	57	13	14	16
Under 2,500, rural	56	12	19	13

Many members of Congress have conducted polls of their Congressional districts and the overwhelming response of the constituents to revenue sharing proposals is favorable.[54] Congressmen are continuing during 1968 to take these polls of their constituents, listing the revenue sharing question as one of the principal issues being discussed in Congress at the present time. Though this type of poll is somewhat slanted to the person interested enough to answer by mail, it does, if properly phrased, give an indication of the opinion of this interested group.

The response of the general public in favoring revenue sharing is much closer to the current stand of Republican party leaders than it is to the stand of Democratic leaders. This is an interesting reversal of the findings of Herbert McCloskey in his very interesting study on "Issue Conflicts and Consensus Among Party Leaders and Followers".[55] McCloskey found that both Democratic and Republican followers, though usually falling on the spectrum between the two extremes of the party leaders, tended to agree much more closely with Democratic leaders. This was conspicuously true in almost all categories studied under the broad issues of "equalitation and human welfare" and "tax policy", the two issues studied which would most nearly include the changes involved in the revenue sharing concept. His findings did bear out the Gallup Poll results which showed Democratic and Republican followers very close together on this issue.[56]

McCloskey's studies would indicate support for the frequently mentioned belief that the revenue sharing concept would be more typcally thought of as a Democratic issue. If this is in fact true, then it could be important in the future shift of Democratic legislators toward support of revenue sharing. It should be pointed out again, however, that there is a basic difference between Republican and Democratic plans. Republican plans usually indicate either no increase or a cutback in grants-in-aid funds. Democratic plans on the other hand, generally place revenue sharing as supplementary to grants-in-aid, with no cutback or restrictions on the latter.

CONCLUSIONS

What conclusions can be drawn from all of this? What are the chances of an early enactment of a revenue sharing bill? Before attempting predictions of future actions let me summarize in capsule form the existing situation, starting with the economic and moving to the political, and staying away from any projections for the moment.

Demands for public services continue to grow. State and local financial needs to meet these demands are growing faster than their revenues. The national economy continues to grow. Federal revenues grow at a faster rate than rate of economic growth. But currently, with Vietnam war expenditures, Federal budget is in deficit. Federal aid to states, in the form of conditional grants-in-aid, is growing rapidly. Administrative complexity in carrying out these programs is growing and has brought forth widespread criticism at all levels.

The current revenue sharing concept was introduced in 1964 as an economic measure by the liberal side of the political spectrum. The present Administration chose to shelve the idea, but has supported increased aid through present system. The Democratic majority in Congress has followed lead of the Administration. Republican leaders in Congress have achieved solidified member support for revenue sharing. Many revenue sharing bills were introduced late in the 89th Congress, and an even greater number were introduced in the 90th Congress, mostly by Republicans. The Republican party has publicized their intentions to use the revenue sharing issue to give the party a "positive" image. The big influx of bills came immediately before the start of an election campaign year.

State governments are essentially unanimous in their endorsement of the revenue sharing concept. City governments are more cautious, but with some limitations, have currently been in accord in their support of the issue. Organized interest groups, with few exceptions, have opposed revenue sharing. The Federal bureaucracy is opposed to the proposed changes. The American public is strong in their support of revenue sharing.

Now, using this background data, what projections can be made into the future of the revenue sharing issue? First of all, it is a broad-based, popular issue. It will not fade from the scene. For the remainder of the second session of the 90th Congress, no official action will be taken. No legislative committee hearings will be held. This has already been conceded by the Republican leaders.

The remainder of 1968, however, will be of utmost importance on the future of the issue. Of significance during the year will be both economic and political happenings. This paper is being written as peace talks appear on the horizon and as an increase in income taxes tied to a domestic expenditure cut appears inevitable. If each of these actions takes place, the budget situation during the 91st Congress will offer a much more favorable climate for action on a revenue sharing plan. If economic growth continues, as fully expected, the budget will not have to be balanced at the time of action on this program.

From a political viewpoint, what occurs in the 1968 campaign and the results of the November elections should not be under-estimated. In my opinion, the revenue sharing issue can do nothing but gain in visibility and strength during the campaign. The question is more one of degree of strength gained. It has already been entered as an issue by one of the Democratic presidential candidates and has been announced by the Republicans as a prime domestic issue to be discussed. If sufficient debate is held, it will emerge as an issue which will command some support from the new Administration. This is also, of course, an election year for all of the Representatives and one-third of the Senators. The revenue sharing issue will be a leading one in many of the campaigns for these offices. The results of the elections will be of great importance to revenue sharing, if the balance of power is shifted in the House and if the Republican party gains in strength in the Senate. A Republican controlled House would essentially assure some sort of revenue sharing bill coming out of committee. The Republicans made significant gains in the House during the 1966 election and their leadership is expressing confidence of further strong gains in 1968.

But even without a Republican controlled House in 1969, and assuming no strong outward support from the new President, I believe that there will be legislative committee hearings on a revenue sharing bill in 1969. This will occur simply because of the increased visability and strength of the issue superimposed on a more favorable budget situation. The decision by the Chairman to hold hearings will further be influenced by a belief that a bill reported out would have more than a reasonable chance of being enacted. If there is no switch in majorities in the House, and if the new President does not openly support revenue sharing, the decision to hold committee hearings will be the critical hurdle to be cleared in 1969.

Once committee hearings are initiated, all of the barriers will not be removed, but the ultimate goal should be attainable. Committee hearings, in this case, would serve, as Harmon Ziegler has pointed out, to work out the rough points, to gain an idea of the intensity of support and opposition, and to locate the various coalitions which may have been formed.[57] There will still be strong opposition expressed by interest groups and some members of Congress, but the support will also be stronger. Any bill which is reported out of committee will be a much compromised bill, but both sides appear open to compromise. Newer bills have already drawn closer to a central position, and as Congressman Laird pointed out in introducing his last bill, "Some hesitation has marked my introduction of this revised revenue-sharing bill (H.R. 5450). This hesitation stems from the deep-held belief that the best possible formula for an effective and worthy revenue-sharing bill must await the full and detailed hearings that only the committees of Congress can provide."[58] And on a later occasion he re-emphasized that point, "I would like to make one fact very clear. There are certain provisions about my bill and about all of the other revenue sharing bills which have been introduced in this Congress, that will almost certainly have to be modified during the legislative discussion process. I am certainly not wedded to any particular formula in H.R. 5450."[59]

It is my contention, following this study, that the issue in the 91st Congress will still be drawn along party lines, but that enough Democratic support will have been gained to assure committee hearings and a compromise bill reported out of committee probably as an open bill. Other differences will be brought out and fought over on the floors of the House and the Senate, again largely along party lines, but these will be resolved in such a way that both sides can claim victory.[60] V. O. Key's "cumulative zones of consensus", though he was referring to the overall nature of the party system, would also apply here: "It is in the adjustments to the settlements made within this range that it may be said that parties . . . tend to move toward the same point between two extremes. Innovation often meets the bitterest challenge; it is resisted; it may be accepted grudgingly; it may finally become conventional."[61] Revenue sharing is an innovative measure. It has met a very strong challenge, but has continued to gain strength, and is now moving toward a center point between previous extremes. I believe that revenue sharing, during the 91st Congress, will pass through the "gateway" and win approval.

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[From the Southern Economic Journal, July 1968]

REVENUE SHARING AND ITS ALTERNATIVES

(By the Joint Economic Committee, U.S. Congress, 1967, Vols. I, II, and III, Pp. 1521)

This compendium maintains the tradition of the Joint Economic Committee as the most advanced educational forum of the Congress. In its three volumes one finds a complete anthology dealing with virtually every aspect of what has become known as "revenue sharing." The history is developed, the practice is examined, and the theory is debated, by politicians and economists, all masters in their fields. To attempt to discuss these three volumes in any detail in a limited review is obviously impossible. Thus, one must pick and choose, and any such arbitrary selection will differ from one individual to the next. A clear outline of the study is presented by the editor, Professor, Harley H. Hinrichs of the University of Maryland. Hinrichs has divided the three volumes into (1) "Lessons of Experience"; (2) "Range of Alternatives for Fiscal Federalism"; and (3) "Federal, State, Local Fiscal Projections."

Volume I treats of federal aid to State and local government: what it was, what it is, and how it got from one to the other. Professor James A. Maxwell, who contributes to the three volumes in four different sections (representing reprints of selected chapters from his several studies for the Brookings Institution), opens the compendium with an historical examination of revenue sharing between the federal government and the States. Discussing in some detail the Distribution Act of 1836, Maxwell points out how the United States' federal government shared some $28 million with the States on a "no strings" basis. The plan was carried out over President Andrew Jackson's objection; an objection which is still raised by many critics of a revenue sharing plan: that it is unwise to tax at one level of government and spend at another.

The system of governmental assistance to the States is discussed by several other authors, and is brought up to the present time. Richard F. Kaufman, a staff economist at the Joint Economic Committee, presents a summary analysis of the activity in this area, including the Hoover Commission, and the frequently-cited Kestnbaum Commission which operated under the Eisenhower Administration. Out of this latter body has come the Advisory Commission on Intergovernmental Relations, a permanent body consisting of representatives of the various levels of government, advising and discussing common problems, such as "fiscal federalism" or revenue sharing. The Commission only began to function in 1959, and its success, while limited, has resulted in the publication of a number of interesting and relevant monographs which are included in this Joint Economic Committee compilation.

The first volume also contains a description of the present system of grants-in-aid. It indicates the number of currently effective major grant programs which require some form of matching funds from the States and localities (162 in 1966, up from 116 in eighteen months), and the total number of authorizations in the various public laws (399 in 1966, up from 239 in eighteen months) (p. 161). One can also find the share of state revenue which is derived from the federal government—either 21.2% or 24.0% in 1964 depending on the source (p. 143 or 149).

The Joint Economic Committee also has the advantage of having available to it the services of the Legislative Reference Service of the Library of Congress. The L.R.S. has supplied several studies such as the very detailed outline of State-local tax sharing presently in effect in most of our States. It compares the States on the share which they each devote to unrestricted local aid (ranging from more than 20% in Wisconsin to none in neighboring Illinois) (p. 305), and shows that only five of the fifty do not have any unrestricted grant programs, but that of the forty-five which do, the tax revenues which are distributed in this manner range from the gambling revenue of Nevada to alcohol taxes in many of the States. If this is not enough to convince one that there is a strong pattern in State-local revenue sharing that might set the pace for a comparable federal-State split-up, we have the Wisconsin case discussed in detail by three Wisconsin academic economists. The main conclusion which they seem to agree upon is that the pass-through provisions of any federal revenue sharing plan—that is, the plan to see that the urban centers get their share of the pie—must be clearly and specifically detailed, and that the whole plan should be established so as to minimize dissension and disunity. Certainly this is a tall order for any tax plan. Further discussions center on New York, with its seemingly insoluble urban problems, and Indiana.

The final section of Volume I details the problems and difficulties encountered in revenue sharing in other countries. These nations range from the most industrially advanced (Canada and West Germany) to some of the least developed (India and Nigeria). They relate to no longer functioning political units (the Federation of Rhodesia and Nyassaland), and to non-nations (Wales). While interesting as historical and contemporary examples, their actual relevance to the American experience is not always clear, and certainly not as applicable to the United States as is the previous section on State-local relations.

The second volume considers the range of alternatives for fiscal federalism. Considering the alternatives, Professor Murray Weidenbaum points out that there are four basic routes which federal fiscal policy can follow in a normally expanding economy. Thus, (1) taxes can be reduced, (2) more can be spent on federal governmental services, (3) help can be given to the States and localities, or (4) monetary and fiscal policies can be adjusted (p. 652). These alternatives are basically the same throughout this section of Volume II, and are apparently derived from an Advisory Commission chart which was presented in December 1964 and which is reproduced in the present compilation (opposite p. 244). If we assume that the alternatives which are being most seriously considered come under the heading of either (2) or (3) above, we can find the battle lines clearly drawn in the next section of Volume II.

Academicians line up either for revenue sharing (Heller and Freeman) or against it (Ulmer). The politicians can also be divided into two groups (Javits, for; Mills, against).

In similar fashion, we can find every argument which has been raised either in favor of, or opposition to revenue sharing debated in great detail in this volume, and the preceding one. For example, the question of local priorities has been raised. Congressman Melvin Laird, as an outspoken advocate of revenue sharing, has stated that with a number of categorical grant-in-aid programs, all with their own matching requirements, the States are unable to set priorities which match the real needs of their own local areas. In other words, the States are bending their plans to take advantage of federal funds which are available under the multitude of federal categorical grant programs (p. 902f). On the other hand, the official view of the Administration is typified by William Robinson of the Bureau of the Budget (who speaks only as an individual here). Robinson says that this "distortion" really indicates only that the incentive to action in the State and local budgets is effective, and "that nationally defined goals are being pursued" (p. 71). It is a direct confrontation such as this which makes a compendium of views worthy of reading.

"Innovation" provides a similar contrast. Laird, and many others, applaud the diversity of the federal system as a laboratory for trying new ideas on a limited basis without making a universal mistake throughout the Nation. On the other hand, Robinson maintains that the national government "alone possesses the resources, proper time horizon, and geographical comprehensiveness which large-scale innovation requires" (p. 72). To this Laird and others have responded that the availability of resources is the very point at issue, that the "proper time horizon" is meaningless, and that geographical comprehensiveness merely implies that we are applying a second-rate universal solution to a wide variety of different situations throughout our highly diversified Nation.

The plea for a consolidation of grants into fewer, stronger block grants with less conflicting requirements, is echoed by all including the President whose 1967 message on the "Quality of American Government" is among the many items reprinted in this collection.

The basic theory of a revenue sharing plan is developed in some detail in these volumes, although the speeches by various members of Congress (particularly Javits, Laird and Reuss) are condensed, and nowhere does there appear a copy of a revenue sharing bill, even though almost 200 have been introduced in the 90th Congress. This notable omission is explainable however. The three volume compendium, while very comprehensive in terms of background information and reading and source material, is not meant as a legislative handbook. Intended to serve this purpose are the hearings which have recently appeared in printed form from the Committee's Subcommittee on Fiscal Affairs. Thus, the omission is not a serious one.

The third volume of the hearings is concerned with projecting the federal, State and local revenues. It includes selections from Selma Mushkin and her "Project 70" projections (Mushkin also appears four times in this compendium), the Committee for Economic Development, the Tax Foundation, the Joint Economic Committee staff itself, and virtually all private individuals who are interested in the subject of fiscal prognostication.

The Committee for Economic Development presents a comparative analysis of three of the most commonly cited recent studies in the area, by Netzer, Mushkin and the Tax Foundation. Volume III not only reprints the CED summary comparison but also the main bodies of each of these projections and several others as well. The Tax Foundation projects to 1975 and foresees total State and local expenditures of $142 billion (p. 1278) and revenues of $146.9 (p. 1282), which includes $30 billion from federal grants. With federal grants of this magnitude making up the potential deficit at the State and local levels, it is the position of the Tax Foundation that a plan such as revenue sharing is unnecessary, and consequently it plays no role in their projections and discussions.

Netzer's 1965 estimates projected the level of federal assistance at $19.9 billion in the year 1974–5, only two-thirds of the Tax Foundation, and in the range which Mushkin projects for 1970 ($18.5 to 22.1). (Mushkin's "Project 70", obviously, projects to 1970 and not 1975.) In fact, Netzer's goal for 1975 has almost been reached already with federal grant-in-aid programs presently running in excess of 717 billion a year. Of course, the mere growth of federal grants indicates to some observers that they should be in the form of block grants and revenue sharing payments to the States.

With regard to the tax credit provision which some legislators are including in their revenue sharing bills, the Committee for Economic Development gives them a partial blessing. The CED would limit any such credit to payments for State and local income taxes only, and not for all State and local taxes. But when it comes to projecting State and local revenues for the future, the CED is very conservative. The research staff of the CED (as opposed to the policy-making "Research and Policy Committee") stated the alternative projections compiled by others, examined them, and interpolated their own estimates in a separate column. No policy implication was to be derived from the inclusion of this material. The wide range of projections, all restricted by numerous caveats and warnings, would indicate that this projection business is probably less certain when dealing with fifty separate States and some thousands of units of local government, than when one is merely trying to determine what action the Congress will take on a federal income tax bill.

The entire anthology concludes with an extensive annotated bibliography, thus making this very worthwhile work of the Joint Economic Committee still more valuable as a research and policy-making tool.

NEW CAREERS PROGRAM

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. SCHEUER. Mr. Speaker, approximately 18 months have elapsed since the 1966 amendments to the Economic Opportunity Act were signed into law by President Johnson. For the past year and a half I have closely observed the administration of my own amendment to the OEO Act—the new careers program. It was a demonstration effort to test out some fundamental concepts about human resources development. I saw it then, and still do, as a major thrust in the development of manpower programs as well as an answer to the staggering demands nationally for more trained personnel and better public and human services.

There were several new ideas in the 1966 amendment. First, it was the first manpower program in the public sector stressing the reform and improvement of human services through improved manpower utilization.

Second, it gave the Federal Government and States and local communities funds to test out innovative methods of career development—specifically the creation of new or restructured positions for subprofessionals in public service and private nonprofit agencies.

Third, it developed entirely new and innovative occupations for the unemployed and underemployed. At the same time it had the potential to ease the strain on the already overburdened professional. Professions could become more professional and dedicated themselves more fully to their own unique arts of healing and educating, while other persons, with less than professional training could assume the lesser, more routine tasks, providing a double-barreled effect: better professional services and more extensive and improved subprofessional services.

Fourth, the New Careers Amendment of 1966 marked a significant step by Congress and the Federal Government toward breaking down many of the antique, outmoded, and negative aspects of educational qualifications as preconditions of work. New careers breathed life into the concept of tying together training, work, and continuing education.

Finally, we foresaw the opportunity to test out the "career" ladder concept with job positions structured into agency personnel schemes with sanctions from civil service, merit systems, certifying and accrediting bodies, and with endorsement and acceptance from professional associations, unions, and other national, regional, and local sanctioning bodies.

The above may well represent a legislative ideal. But this kind of program is decades overdue in answering a major crisis of our times.

Feeble public services to the poor, antiquated public education processes, colonialist attitudes rampant in the welfare establishment, monopolistic tendencies in the health services industry—these are continuing major dilemmas for the American people today, compounded and exacerbated by the terrible deterioration of our cities, by urban planning and housing that too often puts the human quotient last, by the alienation of growing numbers of the public from an often irrational and contradictory and self-defeating system of law enforcement, justice and corrections, and worst of all, by the apparent failure of the private economy and the Government to provide full-time employment for the poor, the disadvantaged, and the untrained. The social evils arising from these defective systems of human services are amply described in many private reports and articles, and are well documented in reports of the National Commission on Civil Disorders.

The language of the New Careers Amendment of 1966, and its 1967 offspring, still stronger in intent, is short and speaks for itself:

SCHEUER AMENDMENT TO THE ECONOMIC OPPORTUNITY ACT, 1966

COMMUNITY ACTION—ADULT WORK TRAINING AND EMPLOYMENT PROGRAMS

"SEC. 205 (e). The Director is authorized to make grants or enter into agreements with any State or local agency or private organization to pay all or part of the costs of adult work training and employment programs for unemployed or low-income persons involving activities designed to improve the physical, social, economic or cultural condition of the community or area served in fields including, but not limited to, health, education, welfare, neighborhood redevelopment, and public safety. Such programs shall (1) assist in developing entry level employment opportunities, (2) provide maximum prospects for advancement and continued employment without Federal assistance, and (3) be combined with necessary education, training, counseling, and transportation assistance, and such other supportive services as may be needed. Such work experience shall be combined, where needed, with educational and training assistance, including basic literary and occupational training. Such program shall be conducted in a manner consistent with policies applicable under this Act for the protection of employed workers and the maintenance of basic rates of pay and other suitable conditions of employment."

AUTHORIZING LEGISLATION FOR THE NEW CAREERS PROGRAM—ECONOMIC OPPORTUNITY ACT OF 1967

TITLE I

PART B—WORK AND TRAINING FOR YOUTH AND ADULTS

"SEC. 123. (a) The Director may provide financial assistance in urban and rural areas for comprehensive work and training programs or components of such programs, including the following:

"(4) special programs which provide unemployed or low-income persons with jobs leading to career opportunities, including new types of careers, in programs designed to improve the physical, social, economic, or cultural condition of the community or area served in fields including without limitation health, education, welfare, neighborhood redevelopment, and public safety, which provide maximum prospects for advancement and continued employment without Federal assistance, which give promise of contributing to the broader adoption of new methods of structuring jobs and new methods of providing job ladder opportunities, and which provide opportunities for further occupational training to facilitate career advancement."

It is gratifying to be able to report that important new career provisions have also now been included in many major pieces of social legislation, notably in the Vocational Rehabilitation Act Amendments of 1968, the Vocational Educational Act Amendments of 1968 and the new Juvenile Delinquency Control and Prevention Act of 1968. In other legislation, such as the Crime Control and Safe Streets Act, the Higher Education Act, the Education Professions Development Act, the Health Manpower Act, and the Elementary and Secondary Education Act, very major beginnings toward new careers programs have been undertaken. The Congress and especially the committees, which have initiated these advances, are to be congratulated.

Obviously, these new career programs are at an experimental stage meeting many problems and even obstacles along the way, as the best method of proceeding is being searched for. But most importantly, this early stage has demonstrated the soundness of the new career idea, that given the opportunity, rich new resources of manpower can be found amongst the poor and the disadvantaged who are either unemployed or underemployed.

Recently on September 11, I met with Secretary of Labor Wirtz to discuss the status of the new careers programs based on the Economic Opportunity Act which are administered by the Department of Labor. The following is the text of a letter which I sent to Secretary Wirtz as a background for our discussion:

TEXT OF LETTER TO SECRETARY WIRTZ

U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., September 10, 1968.

Hon. WILLARD WIRTZ,
Secretary of Labor, Department of Labor,
Washington, D. C.

DEAR MR. SECRETARY: I should like to outline briefly some thoughts which prompted me to suggest tomorrow morning's meeting.

It is now about two years since the enactment of the original New Careers amendment to the Economic Opportunity Act in 1966 and eighteen months since the Labor-OEO guidelines began the program's implementation. A new review of the status of the New Careers program is timely both because of gathering experience, and to make plans for a legislative evaluation of the program and for renewal and possible revision of the New Careers amendment and its funding.

There is much that I find encouraging, rewarding, even exciting, about the progress of the program to date.

I have been impressed by the dedication, interest, and commitment shown by a number of Department staff members who are working hard to help implement the program. I have been impressed with the fast-growing interest shown by local communities, and with the ability of your Department to move quickly in getting projects funded and under way, even though beset by multiple pressures and shortage of trained staff in the Department. I have been impressed by the willingness of your Department to use outside technical assistance and expertise in helping to develop and carry out the program.

I have been impressed by how well your staff members have received the new ideas implicit in this program, by how well they have shown real willingness to depart from established patterns to maintain the demonstration quality of New Careers. I have been particularly impressed by the excellent new guidelines issued for the program in January, 1968, and the June directive establishing the formal planning period. They truly embody the spirit and intent of the legislation.

I gather from discussions with people in the field that, predictably, we have had both successes and problems during this first eighteen months of the program. Among the most common successes are the enthusiastic responses to the program, the low dropout rate, the innovative approaches to training, and the program's affiliation with community colleges for education, credit, and advancement.

New Careers has also been well received by employing agencies that provide on-the-job training and employment and has won increasing interest from Labor Department staff on many different levels. In these areas I have the impression that Washington, Minneapolis, and Cleveland were particularly successful. Perhaps they should be examined closely to determine the elements which account for this success.

At the same time a number of urgent problems seem to have arisen in the administration of the program, and I would like to cite some of them here for your attention.

1. The New Careers program has become in too many instances subordinate to the Concentrated Employment Program with its pressures, wide scope, and priorities. The CEP and New Careers concepts collide, and quantity supplants quality. The merging of New Careers in the overall CEP program has resulted in undermining the integrity of numerous New Careers programs.

Indeed, the very limited New Careers funds in some instances have been co-mingled with CEP funds and diverted for CEP administrative purposes. The New Careers staff winds up toward the bottom of the CEP table of organization, resulting in low salaries and junior status. The program has trouble recruiting and keeping high quality professional staff. Policy decisions on New Careers have to be filtered through many layers.

2. The excellent January guidelines are not being consistently applied. This is particularly true in regard to training, obtaining prior job commitments, and developing realistic career ladders. Some New Career projects are seriously deficient, far beyond what might reasonably be expected even of new experimental programs, and are in fact operating in clear violation of the New Career legislative mandate and the Labor Department's first-rate guidelines.

3. BWTP seems to be hampered by a lack of centrally defined staff responsibility for the national New Careers effort; the consequence has been confusion, inefficiency, and broad scale deviation from the guidelines as described above. Authority seems to be scattered among national staff members in CEP, outside of CEP, and in regional offices.

4. The national review of proposals which seemed such a valuable part of the guidelines, has now been abandoned. It should be restored.

5. There is a dearth of training of both professionals and employed New Careerists. Both training of trainers and supervisors to work effectively with trainees, and continuing in-service training of employed New Careerists are inadequate.

6. Due to poor job development before training begins, a number of trainees have been stuck with menial deadend jobs, temporary status, little holding power, and no career possibilities—in jobs which in fact are not New Careers at all. Many "jobs developed" are soft jobs, not integrated into the stable human service employment structure. Many reported "job ladders" are not genuine or real. This Potemkin Village effect reduces the credibility of the program with predictably damaging effects.

7. Too many women and not enough men have been recruited for training slots, suggesting recruitment and selection biases. Target area men urgently need careers and the human services urgently need men.

I would like to make several positive recommendations based on these observations.

1. Although New Careers is part of the manpower effort, its clear pilot and demonstration identity should be maintained and reinforced. It would benefit from more materials, more technical assistance, more collaboration with national professional and technical associations, and unions.

2. Strict adherence to the January, 1968, guidelines should be required. This will do much to assure the benefits and the pilot project demonstration quality of the program. A national review for quality control as prescribed for in the guidelines would provide strength in the areas of greatest weakness: firm and permanent job commitments, realistic career ladders, structured quality training, accredited education, and supportive services.

3. Expert technical assistance to local communities in the implementation phase of the program must be assured. While it is difficult to write a proposal it is a good deal more difficult to implement it effectively. Local New Careers staff members need orientation, information, and continued support in this regard.

4. Clearly defined central authority should be preserved in BWTP for program development, control, monitoring, and mobilization of technical resources in order to maintain the quality and integrity of what is admittedly a small scale pilot project demonstration program.

5. Greater attention should be given to the development and use of evaluation of programs, including data on recruitment and selection policies, identity and background of trainees, progress and tenure on job, attitude of New Careerists, and degree of acceptance by educational institutions and employing agencies. These data should be fed back continuously to both national and local staff to stimulate improved program effectiveness.

Essentially, these questions and problem areas relate to the degree to which the Labor Department is currently implementing the New Careers legislative mandate as defined clearly in the BWTP guidelines. Hopefully, the necessary steps can be taken to permit the Labor Department to report to Congress that it has effectively administered the New Career amendment in the Economic Opportunity Act and to utilize experience to date as the basis for achieving an expanded and improved New Careers program.

My purpose in suggesting tomorrow morning's discussions with you and your staff is to assist in reaching this objective. I am grateful for the opportunity of meeting with you.

With every warm best wish,
Yours,
James H. Scheuer,
Member of Congress.

In addition, I would like to insert a speech I made in Detroit in June at the Founding Convention of the National New Careers Council.

The purpose of the Council is to:

First. Develop and advocate National, State, and local legislation that will strengthen and extend new careers programs;

Second. Monitor agencies responsible for the implementation of new careers legislation;

Third. Actively promote the new careers concept and expand its constituency through public education and information; and

Fourth. Provide a forum for the exchange of ideas and experiences with respect to the issues and policies of crucial significance to the new careers field.

The speech follows:

SPEECH AT FOUNDING CONVENTION OF THE NATIONAL NEW CAREERS COUNCIL, DETROIT

I think it is appropriate that the Founding Convention of the National New Careers Council is being held in Detroit, because what we have learned about the crisis which gripped this city a year ago can help us put the task of this conference into perspective.

In the aftermath of the violent destruction in the black ghetto which shook Detroit and the Nation last July, an astonishing "profile of a rioter" emerged. From interviews of 500 people jailed in connection with the riot, we learned that the typical prisoner was single, just over 30, finished the 11th grade, and had lived in Detroit for 15 years. But the most perplexing aspect of this composite picture of a rioter ran contrary to popular characterizations of the rioter as *chronically unemployed, desperately poor, and hopelessly alienated. The typical prisoner, we learned, was an employed blue collar worker who earned about $120.00 a week.*

We should not, of course, attempt to read the complex cause and meanings of the riot through this lens alone. Nevertheless at the very least, this profile begins to call into question the rather easy formulations that a job—any job—and an income above the poverty line will end riots or, more important, satisfy the legitimate demands of poor people, particularly minority groups, for full, personally satisfying participation in the life of this country.

This "profile of a rioter" is but another more recent, more dramatic item in a rapidly growing body of evidence that simply developing jobs—even permanent jobs that pay more than the minimum wage—is not enough. When we say that this Nation's problem is simply to develop jobs, we tend to assume that we just need to involve more people in the work that is being done in this country now. If our goal is simply "jobs now", we are not obligated to answer the most critical questions about jobs workers in our time: "How can jobs best meet the desperate needs of our society for quality education, for better health care, for humane communities?" And "what aspects of employment encourage a worker's personal growth and development and aspirations?"

All of us here have long shared the conviction that this country must provide a job for everyone who wants to work. But we are here tonight because we share the more specific conviction that these jobs must be meshed with the enormous social needs of our communities and at the same time must encourage the workers in them to grow and develop.

This conviction has grown out of our recognition of several powerful socio-economic forces which are beginning to influence our national life:

The shifting emphasis of our economy from the private to the public sector with education, health, and other public services becoming our nation's fastest growing "industries."

The accelerating need for manpower in public services and the current shortage of professionals in all areas of public service.

The stubborn persistence of unemployment with hard core, long term, jobless concentrated in the disadvantaged population.

The increasing militancy of the Civil Rights movement and new organizations of poor people in demanding decent employment opportunities, adequate incomes, dignity, improved social services, and a voice in determining the destiny of their communities.

A new appreciation, growing out of the philosophy and the experience of manpower and anti-poverty programs of the 1960's, of the feasibility and great potential of the poor's participation and their constructive contribution in our society.

An almost universal recognition that our social service systems: education, health, welfare, and corrections are failing to meet the needs of our people, and the necessity to re-examine their objectives and develop more adequate methods of delivering services and utilizing manpower.

It has been only four short years since we began to see how these trends could be reflected in a program which would give our national manpower policy a vital new element.

In 1964, the enactment of the Economic Opportunity Act with its emphasis on participation of the poor and on the provision of both new services and new jobs for poor people provided a hospitable and congenial environment in which new manpower ideas could be tested.

In 1965 Arthur Pearl and Frank Riessman published *New Careers for the Poor* which provided a philosophy and a structural system for solving employment and service delivery problems in terms of emerging socio-economic trends. New Careers called for re-organizing jobs in social service fields to produce better services and to allow disadvantaged people to perform useful work at new entry jobs with training and education provided to allow maximum advancement opportunities. New Careers suggested a new opportunity structure on the one hand, and an approach for re-organizing social service agencies to meet more adequately the needs of consumers on the other.

And at the same time reports of highly successful experimental and demonstration projects at Howard University, Lincoln Hospital, in California's prisons using non-professionals in such fields as juvenile delinquency, mental health, and corrections gave added credibility to the New Careers idea.

In a very short time, we had moved from a rather unformed sense of the problem, to an outline of a program, to some tentative findings on its feasibility.

It is satisfying to see so many of the early pioneers of the New Careers concept still running with the program and here tonight.

Without men like Frank Riessman, Arthur Pearl, Russ Nixon, Jay Fishman, Doug Grant, Eli Cohen, the New Careers program could not have been launched and would never have been developed.

I cannot praise too highly the contribution that each of them has made to the development of the New Careers program. I want to thank each of them publicly for the help, advice, and encouragement they have personally provided me in the last four years. I value their assistance as much as I treasure their friendship. No Congressman could hope to work with a finer team of legislative supporters and counselors.

In 1966 I introduced legislation to implement the new careers concept as an amendment to the Economic Opportunity Act (Title II, Sec. 205(e) to prepare unemployed or low-income persons to enter career jobs in public service as non-professional personnel. $35 million was allocated during fiscal year 1967 to fund new careers adult work training and employment projects.

In 1967 the new careers amendment was decisively strengthened by language providing for:

Maximum prospects for advancement . . . (giving) promise of contributing to the broader adoption of new methods of structuring jobs and new methods of providing job ladder opportunities . . ." and

Opportunities for further occupational training to facilitate career advancement.

With this amendment, the legislative mandate for new careers was strong and clear. The next step was to get strong and clear regulations and standards to govern the administration of the program so that the intent of the legislative mandate would not be violated or compromised.

We got what we needed. In January of this year the Bureau of Work and Training Programs of the Department of Labor issued guidelines for new careers programs designed to assure quality programs and genuine career opportunities. The guidelines reflect a remarkable grasp of the operational implications of new careers. Some of the responsibilities of applicants are to:

"Guarantee" that new career jobs will be continued and financed from local budgets at the end of the federal subsidy.

Develop in cooperation with both training and hiring agencies a career ladder for each occupational category with a minimum of three subprofessional levels in which enrollees will be placed.

Design job descriptions including responsibilities, skills, authority, duties, wage increments for each entry level job and for each step in the career ladder.

Arrange for career development training resources.

Provide linkages between training programs developed and requirements for advancement at different levels.

Develop supplemental education resources.

Arrange for accreditation of structured on-the-job work training and compensated time for other career advancement training.

Prepare curriculum for each category.

Specify work experience, education, etc. to be provided in each step of the ladder before the enrollee moves to the next step.

While the new careers concept has reached its fullest legislative and administrative expression in the new careers amendment to the economic opportunity act, complementary and promising beginnings have been made in a variety of public laws which open the door to the employment and training of sub-professionals in virtually all fields of public service. Substantial and important legislative inroads have been made in education, health, and welfare.

In education, for example, well over 100,000 education aides have been employed under the terms of title I of the Elementary and Secondary Education Act of 1965. In 1967, I sponsored an important amendment to title I which requires local education agencies which receive grants for the use of auxiliary personnel to design training programs for both aides and professional staff.

The recently passed landmark Education Professions Development Act mandates comprehensive training programs by providing money to colleges, State and local education agencies, and non-profit agencies to identify and assist capable youth in secondary schools who may be interested in careers in education, to utilize local community people in part-time or temporary teaching, and to provide training for teachers, teacher aides, and administrators.

In the field of welfare, the 1967 amendments to the Social Security Act include the important "Harris amendment" which makes it mandatory that welfare departments develop plans "to provide for the training and effective use of paid subprofessional staff . . ." by 1969.

In health, the 1967 "partnership in health amendments" to the Public Health Service Act authorized $20 million for research and demonstration including "new careers in health manpower and new ways of educating and utilizing health manpower."

In addition to these significant legislative thrusts, pieces and parts of the new careers idea have found their way into a host of other legislation such as:

The 1963 Vocational Education Act.

The Manpower, Development and Training Act (Title II-A, B, C).

The Adult Education Act (Title II).

The Vocational Rehabilitation Act (Sec. 4).

The Older Americans Act.

The Allied Health Professions Act.

These acts provide some funds for such essential elements of the new careers concept as training, research, demonstration or staff support.

It is true, of course, that most of these acts perceive non-professionals and their training through older manpower concepts. It is quite apparent that we have hard work ahead of us in relating these bits and pieces to a conceptualization of a new opportunity structure—a new careers system—as a vehicle for reorganizing and improving service delivery systems. But a tremendously impressive legislative beginning has been made, and I am happy to say that the number of legislators who are interested in pursuing this beginning is increasing steadily. Senator Harris of Oklahoma, Senator Nelson of Wisconsin, and, before his tragic death, Robert Kennedy, as well as Representatives James O'Hara of Michigan, William Steiger of Wisconsin, and Richard Ottinger of New York have demonstrated a grasp of our employment problems and moved toward new careers in various pieces of legislation which they have introduced.

I am particularly gratified that my colleague, Congressman Conyers, in whose city we are meeting, will be with us during this conference. The bill he introduced recently in the House to assure every American a full opportunity to have adequate employment, housing, and education, free from any discrimination on account of race, color, religion, or national origin, is precisely in line with our aims.

This chronicle of helpful legislation produced by the joint efforts of many forward-looking legislators indicates the importance of continuing to expand our base of congressional support and initiative.

As a result of many and continuing legislative efforts, we have New Careers programs in varying stages of development and effectiveness across the country. Although we don't have precise figures, we estimate that there are now some 300,000 non-professional workers employed in various public services.

Perhaps: 130,000 teacher aides in our schools; 120,000 non-professional aides in Headstart and Community Action programs, and 50,000 non-professionals in a variety of health and social welfare programs.

Although we have moved rapidly in a short four-year period toward translating the New Careers idea into operating programs, a number of serious problems have accumulated which now constitute a substantial impediment to the full realization of New Careers.

At a bedrock level we face problems arising from a complex and changing conceptualization of what New Careers is and what it can do.

Some see New Careers first as an anti-poverty strategy, a way to reduce poverty by providing poor people with jobs and income now and an opportunity to lift themselves out of poverty permanently. The need to provide unemployed poor people with jobs is an urgent one. The need to provide employed poor people with better jobs is equally important. The New Careers program is an ideal vehicle for providing disadvantaged Americans with both a job and opportunity of a better job.

But in recognizing the avenues of opportunity which the New Careers program opens up for the poor, we must zealously guard the purposes and principles of the program. With 30 million poor people in America, and the high unemployment rates in the urban and rural ghettos, it would be easy to fall into the same misguided approach of the concentrated employment program—a headcount approach in which the job structure, the opportunity for advancement, the stress on the reform and improvement of the human services in which the new jobs are being created and the various other distinguishing virtues of the New Careers program are forgotten in the scramble to create as many jobs for people as possible and to get as many unemployed, employed as soon as possible.

As noted earlier, we are all here because we believe America must do more than merely provide a job for everyone. But in the face of the degradation and despair of the unemployed in the ghettos there is obviously a great deal of pressure to grasp for the easiest and quickest relief. But to turn New Careers into an emergency manpower program with the emphasis on the number of jobs rather than the quality of the job, will provide neither relief nor solution to the long-term problem.

Another interpretation holds that new careers is simply an ingenious and timely variation on traditional manpower concepts—just a modern-day way of matching nonworkers or under-used workers with obvious manpower shortages. This view requires only that we fill existing vacancies and attempt to bring manpower supply more in line with manpower need, with as little tinkering with current agency staffing patterns as necessary. This interpretation contains the greatest danger for the creation of "dead-end" jobs and the institutionalization of a new segregated caste system at the lower reaches of a staff hierarchy.

An emerging interpretation which some advocates insist is best able to contain and order all the elements of the new careers idea is cast in terms of "reorganizing service systems," that is, subordinating the objectives of placing poor people in jobs and meeting manpower shortages to the overall goal of delivering a better service product to the consumer of services. This means reexamining the objectives of our service systems and re-organizing jobs and staffing patterns to best meet these objectives.

But for us to proceed from this interpretation, we must have a coherent, competently formulated rationale and strategy which describes specifically what part new careers plays in changing service systems and how we go about implementing programs to produce that change. We must begin immediately to refine and re-formulate our conceptualization of new careers to state specifically its intended goal and how it can accomplish that goal. Up to now we have been feeling our way, improving as best we can as we go, and our instincts, by and large, have been good. But we have had enough experience and we have learned enough to be able to chart our course more rationally. Based on what we know now, we must refocus and sharpen our conceptualization: The effectiveness of what we do in the next critical period of development in new careers depends upon it.

Some people have tended to view the three different interpretations of the program which I have just outlined as mutually exclusive. I believe this is a mistaken view. The interpretations are not so much separate, sequential and competitive conceptualizations as co-ordinated, complementary and developing interpretations.

Many of the poor, are in crying need of employment. The New Careers program must help them. The New Careers program was an outgrowth of traditional manpower programs. Granted, in principle and purposes there is very little similarity, but we share at least one common principle with the traditional manpower programs: That our country must provide a job for everyone. That the New Careers program starts from this principle, while the old manpower programs end with this goal, does not mean we should get too upset if people notice the single shared principle before they recognize the purposes which have been developed from that principle. As for the third conceptualization of the program, the reorganization and improvement of the service systems, this is indeed a cornerstone of the New Careers program. But we should not let this conceptualization overrun the need to help the poor and the disadvantaged.

OPERATIONAL PROBLEMS

In addition to conceptual problems, we have encountered stubborn operational problems. And here I intend to talk primarily about problems as I see them in the new careers program administered by BWTP because I know them more intimately. Stated in harsh and gross terms.

The staff charged with the responsibility of implementing New Careers have not had an adequate understanding of the New Careers concept.

There is poor understanding of what constitutes a genuine career ladder and what constitutes an adequate entry level job description.

There is little core training in many programs and little relationship between the remediation or GED programs and the jobs for which people are being trained.

There has not been adequate planning before new careers programs were launched.

Programs have been developed and funded which do not adhere to the guidelines.

There has not been wide or effective involvement of institutions of higher learning in designing training programs and curricula to facilitate the advancement of new careerists.

There has been too little effort and dialogue between the new careers job development staff and State and local civil service systems to legitimize entry-level jobs and successive promotion steps.

And there are abrasive problems growing out of poor communication between the local programs and the funding source.

There is one critical problem which I would like to underscore: Too little recognition and effort to generalize the benefits of the new careers concept to workers who are already employed in the systems which are now beginning to hire new careerists.

New careers—opportunities and assistance for job advancement—quickly becomes relevant and important to all the workers in the lower ranks of employment and pay. This is all to the good and reflects the wide importance and value of the new careers program. It does mean, however, that after the entry job has been developed and filled, the entire work force has to share in the job ladders created, the training and education provided, the special counseling and remedial services of the new career program. There can be no separate stream of opportunity within the working force that is reserved for a special group. Unions and the other workers will not stand for this.

What this means for the new careers movement needs to be thought out. It suggests the need for new methods and new resources to link *MDTA*—on-the-job training, institutional training, and other manpower services to the new careers program, to make it permanent, to make it continuous for each worker who desires advancement and to make it general for all workers, especially workers long stymied and underemployed at low pay, dead end jobs in our establishment public service systems—at Federal, State, and local levels.

To me, this growing dimension spells an exciting potential for the new careers program.

All these problems have been apparent since the earliest days of the program. But they have now been exacerbated by the merger and subordination of the new careers program in the concentrated employment program (CEP), a much larger and more traditional manpower program. The focus of CEP is on immediate job placement and training in existing entry-level categories. New careers is both more complex and difficult to implement than CEP and has meager resources in relation to it. As a result of its position of weakness in relation to CEP it stands in very real danger of losing its identity and its integrity.

These critical problems must be resolved if the program is to be saved.

I only wish the national administrators responsible for the present inadequacies of the program, could meet the trainees who have to suffer the consequences of the bad administrative decisions which have been made.

I have met or heard from a whole host of the trainees, particularly from New York City and my constituency in the Bronx, but also, from a good number of the other regions in the country. Many have a long laundry list of complaints. And, most of these complaints seem more than justified.

They have made me more determined than ever to seek to reform the present administration of the program.

Let me mention just two individuals among the hundreds of disillusioned new careerists across the country.

Mrs. Edna Satkin became a welfare trainee at a Manhattan welfare agency. With no formal qualifications, she had tried for years to obtain work without success. The story was always the same. No high school certificate meant no opportunity for meaningful work.

Then she heard of the New Careers program, and late last year was accepted into the training program. Her enthusiasm and expectations knew no bounds. At last, she felt she had an opportunity to prove herself. Not only did she have a guaranteed job, but, program supervisors assured her, she would receive training and an opportunity to advance up the promotion ladder.

Less than a year later, Mrs. Satkin is a bitterly disappointed and disillusioned woman. The training classes provided by the City University were stopped after six months. She has been told that there is little likelihood they will be restarted. Her work in the agency is routine and purposeless, needing little energy, initiative or intelligence. Her chances of being promoted to a true subprofessional job, such as assisting with case work, are virtually nil.

Then there is David Sard, who gave up teaching in the public schools for what he believed would be the more challenging and rewarding job of teaching New Career trainees in New York.

But since he joined the program he has received no co-operation from the city agencies; has had to work in inadequate classrooms with virtually no supplies or equipment; and, perhaps even more disappointing, has discovered that a loose selection procedure in his program, has resulted in the acceptance of a large number of trainees who had no real need for the program—a large number of individuals who could have made their own way in the world without the help of the New Career program.

TECHNICAL AND STRATEGIC PROBLEMS

Some of these operational problems must be faced as hard technical problems. Others must be approached as strategic problems. And here the scope and concept of the work ahead becomes clearer.

Designing jobs and careers, for example, is in large part a technical problem. If we are going to understand how a job engages a worker and promotes his growth, development, and satisfaction, we must learn to see all the elements that make up a worker's performance and describe those elements in a controlled, systematic way. Half a century of industrial psychology and industrial sociology has given us some tools for doing that. Because the tools come out of an industrial context they may need to be carefully examined and adapted, but we must master them and make them relevant to public service fields. It is both self-deceptive and a waste of valuable time to think that we must or can start from scratch and develop and refine radically new techniques and tools for the many areas we must treat.

While job design is a technical problem, getting agencies and professional associations and civil service to accept the New Careers philosophy is a problem of long-term strategy and short-term tactics. We must begin to move to pool and codify and disseminate our experience on whom and how to move to get maximum accommodation from agencies. Our programs show important successes in this area, and we should be able to duplicate these successes.

The same holds true for training and higher education programs: We must develop the technical competence to build sound curricula and workable strategies for putting them in use.

RESPONSIBILITY TO NEW CAREERISTS

There is a special group of problems to which I think it is highly important for us to address ourselves at this conference: Our responsibility to enrollees who have entered new careers programs with great faith in their promise. It is not only "right" that we offer strong support to them in attacking the problems they face in our programs, it is necessary if we want to continue to attract and hold those whose expectations have been so frequently frustrated by our national predilection for failure to deliver on our stated goals.

It is the new careerists themselves who bear the brunt of many of the conceptual and operational snafus in which our programs are mired. They must carry the anxieties and tensions which arise from—

Not knowing what they are supposed to do in the agency when they start training because there are no clear job definitions.

Being recruited and "held" in orientation programs because no jobs have been developed or the committed USE agencies are not ready to start training them.

Not knowing what will happen to them after training because in some cases there are no firm commitments for permanent jobs.

"Mixed messages" from a variety of supervisors because various components of the programs in which they are involved are not closely coordinated.

Wages that are incapable of producing an income above the poverty line.

Inadequate advocacy on their behalf from the new careers staff: no one to fight for and with them to insure that promises made are fulfilled.

Across the country new careerists are beginning to organize to protect their interests for job security, additional training, promotion opportunities, and adequate pay. Organizational forms range from informal, ad hoc groups pressing a specific grievance to city-wide associations and local unions to represent workers on a full range of issues. At the very least, this group should begin to discuss ways in which it can encourage and facilitate these attempts by new careerists to develop power from which to press for their interests.

THE FUTURE

It is easy to forget the real progress we have made; the catalog of problems we face seems long and discouraging; the work we must tackle seems difficult and tedious. But the problems we face can be solved. The quality of commitment and resources, and the number of supporters of New Careers is growing steadily. This group is a testimony to that growing strength and capability.

The formation of a national New Careers Council is a crucial next step in consolidating our many gains. I heartily endorse the objectives of this conference to provide a framework of organization and direction for the work ahead. From my vantage point in Washington I can see the vital importance of pulling together and coordinating at a national level the efforts of all groups interested in New Careers. This organization can advance our mutual cause by providing the means by which we can:

Pool and disseminate information on New Careers so that we will all know what is going on.

Coordinate efforts to promote and expand New Careers on all fronts and at all levels.

Provide professional technical assistance to operating programs.

Provide technical and lobbying support for pending legislation to expand and strengthen the legislative mandate.

Monitor the implementation of New Careers so that legislative purposes becomes administrative reality.

I have been in frequent contact with representatives of administrative agencies charged with the responsibility of implementing New Careers at all levels of government. And I'm highly gratified to find unqualified support for New Careers from Secretary of Labor Willard Wirtz and other Federal officials, to New York City Human Resources Administrator Mitchell Ginsberg, to the trainers of New Careerists in the Bronx.

At the same time it has been necessary for me to measure and report the distance between what new careers programs are now and what they should be. Within the next year I hope to be able to hold major review hearings to assess the actual state and development of new careers programs. The National Council of New Careers can be of decisive importance in focusing the problems that need examination, in making recommendations for their solution, and pressing hard for their adoption.

If the immediate future appears disconcertingly difficult and uncertain, we can take heart from indications that our instincts and our direction have been sound.

The "profile of a Detroit rioter" has been generalized and confirmed in the findings of the report of the National Advisory Commission on Civil Disorders. The Commission found that in 24 disorders in 23 cities surveyed:

"The typical rioter was a teenager or young adult, a lifelong resident of the city in which he rioted, a high school drop-out; *he was, nevertheless, somewhat better educated than his non-rioting neighbor, and was usually underemployed or employed in a menial job.*"

The violent discontent manifested in the disorders which have swept the country was expressed not by the jobless but by people who had low-level, dead-end jobs. This evidence confirms the essential thrust of the new careers movement—to provide a new opportunity structure, particularly for those segments of our population who have been systematically excluded from jobs in which they can grow and develop as individuals by arbitrary, sometimes phony, credentials and standards.

Our direction is right and our timing is good: We are pressing for new careers at precisely the time when the demand for greater quantities and improved quality to public services is growing more rapidly than our traditional man power policies and employment programs can accommodate.

No single program is going to create a new American but new careers can carry us towards a better America . . . a new society in which the disillusion and despair which is so widespread today is replaced by hope and optimism and involvement.

As John Ruskin said at the end of the last century: "When men are rightly occupied, their amusement grows out of their work, as the color petals out of a fruitful flower."

VOTING RECORD

HON. CLARENCE J. BROWN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. BROWN of Ohio. Mr. Speaker, under leave to extend my remarks in the RECORD, I include my report to the people of the Seventh Ohio District on my voting record for the second session of the 90th Congress.

The purpose of this report is to collect in one place a compilation of the votes I cast from the opening day of the second session, 90th Congress, January 2, 1968, until the sine die adjournment on October 14, 1968.

The descriptions of the bills, amendments or motions listed in the report are for the purpose of identification only. No attempt is made to describe the legislation completely or to elaborate upon the issues involved. The descriptions used are, for the most part, taken from the official titles of the bills, which do not always reflect the nature or true purpose of the legislation. However, upon request, I will be pleased to furnish more complete information concerning any particular bill and the reasons for my vote.

My voting record follows:

[NV—Not voting; NVA—Not voting, paired against; NVF—Not voting, paired for]

Roll-call No.	Date	Measure, question, and result	Vote
2	Jan. 22	H.R. 10337: To approve the bill which brings the District of Columbia minimum wage relative to hospital employees in line with other employees of the District. (Passed 283 to 9.)	NV.
4	Jan. 23	H.R. 8696 (S. 1542): On a motion to amend the bill relative to savings and loan holding companies in order to change the definition of the term "debt security." (Defeated 156 to 198.)	NV.
6	Jan. 25	H.R. 14563: To approve the bill providing an increase in benefits and other changes in the Railroad Retirement and Unemployment Insurance Acts. (Passed 321 to 0.)	NV.
12	Feb. 1	H.R. 11601 (S. 5): To amend the "truth-in-lending" bill to make it a Federal criminal offense for anyone engaged in interstate commerce to lend money at rates of interest illegal under the laws of the State where the transaction takes place. (Passed 383 to 5.)	Yes.
13	Feb. 1	H.R. 11601 (S. 5): On final passage of the "truth-in-lending" bill. (Passed 382 to 4.)	Yes.
15	Feb. 5	H.R. 4282: To suspend the rules and approve the legislation eliminating certain marketing orders for cherries. (Defeated 180 to 168; ⅔ vote being required.)	Yes.
16	Feb. 5	S. 974: To suspend the rules and approve the bill conveying certain lands to the city of Glendale, Ariz. (Defeated 202 to 138; ⅔ vote being required.)	Yes.
22	Feb. 7	H.R. 6649: To recommit to committee the bill relative to the Export-Import Bank in order to reduce the loan and guarantee authority from $13,500,000,000 to $12,500,000,000. (Defeated 164 to 232.)	Yes.
23	Feb. 7	H.R. 6649: On final passage of bill extending the life of the Export-Import Bank and expanding its lending authority. (Passed 375 to 19.)	Yes.
25	Feb. 8	H. Res. 926: To adopt the resolution (rule) under which H.R. 11284, the Fire Research and Safety Act, would be considered. (Passed 332 to 21.)	Yes.
26	Feb. 8	H.R. 11284 (S. 1124): On final passage of the Fire Research and Safety Act. (Passed 268 to 78.)	No.
30	Feb. 21	H.R. 14743: To recommit to committee the bill removing the 25-percent gold cover from U.S. currency. (Defeated 188 to 206.)	Yes.
31	Feb. 21	H.R. 14743: On final passage of the bill removing the 25-percent gold cover from U.S. currency. (Passed 199 to 190).	No.
33	Feb. 26	H.R. 15131: On a motion to recommit the District of Columbia Police and Fireman's Salary Act in order to provide recruitment and educational incentive proposals for police officials. (Defeated 125 to 234.)	No.
34	Feb. 26	H.R. 15131: On final passage of the District of Columbia Police and Fireman's Salary Act. (Passed 353 to 2.)	Yes.

[NV—Not voting; NVA—Not voting, paired against; NVF—Not voting, paired for]

Roll-call No.	Date	Measure, question, and result	Vote
35	Feb. 26	S. 989: To approve the Federal Jury Selection Act. (Passed 307 to 45.)	Yes.
38	Feb. 27	H.R. 11308: On a motion to recommit to committee the bill amending the National Foundation on the Arts and Humanities Act in order to reduce the authorization from $135,000,000 for 2 years to $11,200,000 for 1 year. (Passed 261 to 130.)	Yes.
39	Feb. 27	H.R. 11308: On final passage of the 1-year $11,200,000 authorization for the National Foundation on the Arts and Humanities. (Passed 272 to 123.)	Yes.
40	Feb. 28	H.Res. 1070: On approving a resolution authorizing the Committee on Agriculture to send 3 members and 1 staff official to the Foreign Agricultural Service European Attache Conference in Madrid in March. (Passed 300 to 92.)	No.
43	Mar. 4	H.R. 15147: To suspend the rules and pass the bill relative to the naturalization of aliens who have served in combat areas in active-duty service in the Armed Forces. (Passed 335 to 0.)	Yes.
45	Mar. 5	S. 889: To recommit to conference the bill designating the size of the San Rafael Wilderness, Los Padres National Forest. (Defeated 155 to 238.)	No.
46	Mar. 5	H.R. 15398: On final passage of the bill to expand and extend the school lunch program. (Passed 389 to 0.)	Yes.
49	Mar. 6	H.R. 14940: To recommit the bill amending the Arms Control and Disarmament Act in order to reduce the authorized appropriation from $33,000,000 for 3 years to $20,000,000 for 2 years. (Passed 241 to 161.)	Yes.
50	Mar. 6	H.R. 14940: On final passage of the amendments to the Arms Control and Disarmament Act as amended. (Passed 305 to 96.)	Yes.
53	Mar. 13	H. Res. 1042: To recommit to Committee on House Administration so that open hearings can be held on the request of the Committee on Un-American Activities for additional funds. (Defeated 78 to 305.)	No.
54	Mar. 13	H. Res. 1042: On final passage of the resolution authorizing an additional $425,000 to the Committee on Un-American Activities.	Yes.
55	Mar. 13	H.R. 14933: To approve the bill modifying the law relative to hours of work and overtime pay for certain employees in the Post Office Department. (Passed 369 to 14.)	Yes.
57	Mar. 18	H.R. 15004: To suspend the rules and pass the bill extending for 4 years certain civil defense authorities. (Passed 319 to 1.)	Yes.
60	Mar. 19	H.R. 15364: To recommit to committee that bill providing for increased participation by the United States in the Inter-American Development Bank. (Defeated 126 to 271.)	Yes.
62	Mar. 20	H.R. 10790: To approve the bill providing for the protection of the public health from radiation emissions from electronic products. (Passed 381 to 0.)	Yes.
63	Mar. 21	S. 2029: To approve the bill amending the National Traffic and Motor Vehicle Safety Act relative to standards for cars produced in quantities of less than 500. (Passed 344 to 2.)	Yes.
65	Mar. 25	H. Res. 1094: To adopt the "rule" under which to consider H.R. 13541, the Agricultural Fair Practices Act. (Passed 270 to 39.)	Yes.
67	Mar. 25	H.R. 13541: On final passage of the Agricultural Fair Practices Act. (Passed 232 to 90.)	Yes.
70	Mar. 26	H.R. 10477: On final passage of the bill amending the Veteran's Administration housing law. (Passed 366 to 12.)	Yes.
71	Mar. 27	H.R. 11816: To approve the conference report on the bill providing benefits for local or State law enforcement officers who are killed or injured while apprehending violators of Federal law. (Passed 375 to 0.)	Yes.
72	Mar. 27	H. Res. 1103: To adopt the "rule" under which to consider H.R. 4282 relative to marketing orders for cherries. (Passed 316 to 44.)	NV.
73	Mar. 27	H.R. 4282: To approve the bill eliminating certain requirements for obtaining marketing orders for cherries. (Passed 197 to 185.)	Yes.
75	Mar. 28	H.R. 15344: To approve the bill extending for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury. (Passed 359 to 5.)	Yes.
77	Apr. 1	H.R. 15198: To suspend the rules and pass the bill permitting employer contributions for joint industry promotion of products. (Defeated 219 to 138; a ⅔ vote being necessary.)	NV.
78	Apr. 1	H.R. 15979: To suspend the rules and pass the bill to prevent or minimize injury to fish and wildlife from the use of pesticides. (Passed 333 to 25.)	NV.
79	Apr. 1	H.R. 15190: To suspend the rules and pass the bill extending the life of the Atlantic-Pacific Inter-Oceanic Canal Study Commission for 1 year and authorizing an additional $6,500,000 for its use. (Defeated 216 to 137; a ⅔ vote being necessary.)	NV.
82	Apr. 2	H. Res. 1101: To disapprove Reorganization Plan No. 1, to combine the Bureau of Narcotics and the Bureau of Drug Abuse Control and place the new Bureau in the Department of Justice. (Defeated 190 to 200.)	Yes.
85	Apr. 3	H. Res. 1099: To approve the resolution making the Committee on Standards of Official Conduct a permanent standing committee and adopting a code of ethics. (Passed 405 to 1.)	Yes.
86	Apr. 4	H.R. 16241: To approve the bill extending the 5-percent tax on air fares to international flights and to reduce the amounts of goods to be brought in duty free. (Passed 279 to 102.)	Yes
87	Apr. 4	H.R. 16324: To approve the bill authorizing $2,600,000,000 for the Atomic Energy Commission in fiscal year 1969. (Passed 381 to 14.)	Yes.
88	Apr. 4	H.R. 15399: On an amendment to the conference report on the urgent supplement appropriation to reduce from $91,000,000 to $20,800,000 funds for federally impacted school districts and to establish rules for payment. (Passed 199 to 189.)	Yes.
92	Apr. 9	H.R. 16489: To recommit to committee the Treasury-Post Office appropriation bill in order to reduce the postal operations appropriations by $121,200,000. (Defeated 102 to 252.)	Yes.
93	Apr. 9	H.R. 16489: On final passage of the Treasury-Post Office appropriations bill. (Passed 342 to 10.)	Yes.
95	Apr. 10	H. Res. 1100: To order the previous question on the resolution providing for agreeing to the Senate amendments to H.R. 2516, the Civil Rights Act of 1968. (Passed 229 to 195.)	Yes.
96	Apr. 10	H. Res. 1100: To adopt the resolution agreeing to the Senate amendments to H.R. 2516, the Civil Rights Act, including the provisions on open housing. (Passed 250 to 171.)	Yes.
98	Apr. 22	H.R. 16409: On a motion to amend the District of Columbia teachers' salaries bill to provide that the school board set the educational requirements of District of Columbia teachers' aides. (Passed 146 to 140.)	NV.
99	Apr. 22	H.R. 16409: To approve the District of Columbia Teachers' Salary Act. (Passed 255 to 32.)	NV.
101	Apr. 23	H.R. 13738: On passage of the bill increasing the maximum rate of per diem allowance for Government employees on official travel. (Passed 289 to 65.)	Yes.
103	Apr. 24	H.R. 15986 (S. 3135): To approve the bill authorizing $9,000,000 for the Corporation for Public Broadcasting. (Passed 241 to 133).	No.
105	Apr. 25	H.R. 16703: On final passage of the bill authorizing construction at military installations. (Passed 345 to 14.)	Yes.
107	Apr. 29	H.R. 15688: To adopt the bill extending for 2 years the President's authority to submit reorganization plans to Congress. (Passed 258 to 51.)	Yes.
111	May 1	H.R. 16913: To approve the $5,500,000,000 appropriation bill for the Department of Agriculture. (Passed 318 to 70.)	Yes.
113	May 2	H.R. 15856: To approve the $4,030,000,000 authorization bill for the National Aeronautics and Space Agency. (Passed 262 to 105.)	NV.
115	May 6	H.R. 13016: To suspend the rules and pass the bill increasing the cost-of-living allowance for judicial employees stationed outside the continental United States. (Defeated 206 to 132; a ⅔ vote being necessary.)	NV.
116	May 6	H.R. 15346: To suspend the rules and pass the bill directing Federal supervisory agencies to promulgate rules for banks and savings and loan associations relative to security devices and procedures. (Passed 235 to 98.)	NV.
117	May 6	H.R. 16819: To suspend the rules and pass the bill amending the Vocational Rehabilitation Act. (Passed 335 to 0.)	NV.
119	May 7	H. Res. 1149: To adopt the "rule" providing for the consideration of H.R. 15951, the bill setting certain legal holidays on Monday. (Passed 350 to 27.)	NV.
120	May 7	H.J. Res. 958 (S.J. Res. 129): To approve the resolution authorizing the Secretary of Transportation to conduct a study of automobile insurance. (Passed 363 to 3.)	NV.
122	May 8	H.R. 17023: On a motion to recommit to committee the HUD-Independent Offices Appropriation Bill in order to set the expenditure ceiling for fiscal 1969 at $15,500,000,000. (Defeated 173 to 216.)	Yes.
123	May 8	H.R. 17023: On final passage of the HUD-Independent Offices Appropriation bill. (Passed 353 to 37.)	
125	May 9	H.R. 14940: To adopt the conference report on the Arms Control and Disarmament Agency authorization bill. (Passed 269 to 90.)	Yes.
126	May 9	H.R. 16729: On an amendment to the Higher Education Act denying funds to individuals causing disturbances and disruptions at the college or university. (Passed 306 to 54.)	Yes.
127	May 9	H.R. 16729: On final passage of the Higher Education Act amendments. (Passed 349 to 5.)	Yes.
129	May 9	H.R. 15951: To amend the bill relative to Monday holidays to set the observance of Washington's Birthday on February 22. (Defeated 141 to 153.)	Yes.
130	May 9	H.R. 15951: On final passage of the bill setting the celebration of 5 legal holidays on Monday. (Passed 212 to 83.)	Yes.
132	May 10	H. Res. 1169: To adopt the resolution relative to the consideration of H.R. 16911, the special drawing rights bill. (Passed 231 to 9.)	Yes.
133	May 10	H.R. 16911: To approve the bill providing for U.S. participation in the facility based on special drawing rights in the International Monetary Fund. (Passed 236 to 15.)	Yes.
135	May 13	S. 3033: To approve the bill authorizing appropriations to continue the work in the Missouri River Basin by the Department of the Interior. (Passed 295 to 181.)	Yes.
137	May 14	H.R. 16165: To amend the agricultural trade development bill to prohibit financing of sales of commodities to North Vietnam. (Passed 370 to 21.)	Yes.
138	May 14	H.R. 16165: On final passage of the agricultural trade development bill extending for 1 year the food-for-peace program. (Passed 345 to 42.)	Yes.
143	May 20	H.R. 15387: To suspend the rules and pass the bill relative to assaults on postal employees. (Passed 333 to 5).	NV.
145	May 21	H.R. 17354: To recommit to committee the Department of Interior and related agencies 1969 appropriations bill in order to cut $101,000,000 from the bill and set expenditures for the year at $1,380,000,000. (Defeated 174 to 207.)	Yes.
146	May 21	H.R. 17354: On final passage of the appropriations bill for the Department of Interior and related agencies for 1969 in the amount of $1,400,000,000. (Passed 364 to 14.)	Yes.
148	May 22	H.R. 2158: To approve the bill relative to the taxation of interstate commerce. (Passed 284 to 89.)	Yes.
150	May 23	H. Res. 1093: To authorize certain members of the Committee on Banking and Currency to investigate operations of U.S. military credit unions in the European and Pacific commands. (Passed 186 to 173.)	No.
151	May 23	H.R. 8578 (S. 1401): To pass the bill amending title I of the Land and Water Conservation Fund Act of 1965. (Passed 336 to 13.)	Yes.
152	May 27	H.R. 16948: To approve the bill authorizing the government of the District of Columbia to bear the expense of removing unsafe buildings damaged or destroyed during the April riots. (Defeated 141 to 184.)	No.
153	May 27	H.R. 15280: On an amendment to the bill qualifying the Federal City College as a land-grant college setting minimum tuition charges. (Defeated 159 to 175.)	
154	May 27	H.R. 15280: To recommit to committee the bill qualifying the Federal City College as a land-grant college. (Defeated 84 to 253.)	No.
156	May 28	H.R. 17522: On a motion to recommit the appropriation bill for the Department of State, Justice, and Commerce, and the judiciary in order to cut expenditures for 1969 by $69,000,000. (Passed 223 to 154.)	Yes.
157	May 28	H.R. 17522: On final passage of the $2,000,000,000 appropriation bill, as amended, for the Departments of State, Justice, and Commerce, and the judiciary. (Passed 347 to 28.)	Yes.
159	May 29	H.R. 15414: On a motion to instruct the House conferees to insist on an expenditure reduction of $4,000,000,000 for fiscal year 1969 instead of $6,000,000,000. (Defeated 137 to 259.)	No.
164	June 5	H.R. 11308: To adopt the conference report on the bill amending the National Foundation on the Arts and Humanities Act of 1965. (Passed 194 to 166.)	No.
165	June 5	S. 2349: To approve the bill providing for the appointment of additional circuit judges. (Passed 357 to 12.)	Yes.
166	June 5	H.R. 5037: On a motion to send the Omnibus Crime Control and Safe Streets Act to conference. (Defeated 60 to 317.)	No.
167	June 6	On a motion to adjourn the House. (Defeated 70 to 301.)	No

[NV—Not voting, NVA—Not voting, paired against; NVF—Not voting, paired for]

Roll-call No.	Date	Measure, question, and result	Vote
168	June 6	H.R. 16027: To suspend the rules and pass the bill providing increases in rates of compensation for disabled veterans. (Passed 389 to 0.)	Yes.
169	June 6	H. Res. 1197: On the motion ordering the previous question on the resolution providing for House agreement to the Senate amendments to H.R. 5037, the omnibus crime bill. (Passed 349 to 40.)	Yes.
170	June 6	H. Res. 1197: To adopt the resolution providing for House agreement to the Senate amendments to H.R. 5037, the Law Enforcement and Criminal Justice Assistance Act of 1967. (Passed 368 to 17.)	Yes.
171	June 6	H. Res. 1209: To approve the resolution adjourning the House out of respect to the memory of the late Senator Robert F. Kennedy. (Passed 357 to 0.)	Yes.
173	June 10	H.R. 3400: To approve the bill amending the Federal Aviation Act to authorize aircraft noise abatement regulation. (Passed 312 to 0.)	Yes.
176	June 11	H.R. 17734: On an amendment to the 2d supplemental appropriations bill providing $90,000,000 for impacted school areas. (Passed 226 to 133.)	Yes.
177	June 11	H.R. 17734: On final passage of the $6,200,000,000 2d supplemental appropriations bill. (Passed 324 to 33.)	Yes.
179	June 12	H.R. 16489: On a motion to recommit to conference the Treasury, Post Office, and Executive Office appropriations bill to insist upon House provision cutting the appropriation by $738,000,000. (Defeated 159 to 216.)	Yes.
180	June 12	H.R. 16489: To approve the conference report on the Treasury, Post Office, and Executive Office appropriation bill. (Passed 371 to 10.)	Yes.
181	June 12	H. Res. 1187: On a resolution authorizing the Speaker to appoint delegates to the International Labor Organization Conference in Geneva. (Passed 259 to 120.)	No.
182	June 12	H.R. 16162: To adopt the amendment to the Export-Import Bank. bill limiting Treasury liability on default on loans to $100,000,000. (Passed 217 to 163.)	Yes
184	June 13	H.R. 16363: To pass the bill clarifying and amending the Poultry Products Inspection Act. (Passed 351 to 17.)	Yes.
185	June 13	H.R. 15087: To recommit to committee the authorization bill for the Peace Corps in order to reduce the authorization from $112,800,000 to $97,000,000. (Defeated 179 to 187.)	Yes.
186	June 13	H.R. 15087: To approve the $112,800,000 authorization bill for the Peace Corps. (Passed 292 to 61.)	Yes.
188	June 17	H.R. 6589: To suspend the rules and pass the bill to insure that public buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped. (Passed 302 to 0.)	Yes.
190	June 18	S. 1028: To recommit to committee the bill relative to Federal employment conditions for former employees of agricultural county committees in order to bring all such present county employees under the Federal classified civil service system. (Defeated 136 to 228.)	Yes.
191	June 18	S. 1028: To approve the bill relative to Federal employment conditions for former employees of agricultural county committee. (Passed 353 to 14.)	Yes.
195	June 19	H.R. 17903: To strike from the public works-atomic energy appropriation bill the planning funds ($671,000) for the Dickey-Lincoln School Reservoirs project in Maine. (Passed 265 to 132.)	Yes.
197	June 20	H. Res. 1220: To approve the resolution agreeing to the consideration of the conference report on H.R. 15414, the tax increase, expenditure reduction bill. (Passed 321 to 86.)	Yes.
199	June 20	H. Res. 1222: On a motion to lay on the table the resolution calling for the return of H.R. 15414 to the Senate explaining that the Senate amendments are an infringement on the privileges of the House. (Passed 257 to 162).	Yes.
201	June 20	H.R. 15414: To adopt the conference report on the 10-percent surtax-$6,000,000,000 expenditure reduction, etc., bill. (Passed 268 to 150.)	Yes.
204	June 24	H.R. 3136: To approve the bill authorizing the Secretary of Commerce to make a study to determine the advantages and disadvantages of the increased use of the metric system in the United States. (Passed 269 to 42.)	NV.
210	June 26	H.R. 18037: To amend the Labor, and Health, Education, and Welfare appropriations bill in order to provide $46,900,000 in an additional amount for the education professions development activity. (Passed 228 to 172.)	No.
211	June 26	H.R. 18037: To amend the Labor, and Health, Education, and Welfare appropriations bill in order to set the appropriations for OEO in 1969 at the level of this year's expenditures, making a reduction of $100,000,000 in the committee's recommendation. (Defeated 181 to 220.)	Yes.
212	June 26	H.R. 18037: On the motion ordering the previous question on the motion to recommit to committee the Labor, and HEW appropriation bill in order to limit total spending to approximately $16,800,000,000. (Passed 275 to 126.)	Yes.
214	June 27	H.R. 18038: To approve the legislative appropriation bill in the amount of $247,000,000 (Senate items to be added). (Passed 36 to 22.)	Yes.
217	July 1	H.R. 17872: To suspend the rules and approve the bill providing an additional $100,000,000 for each of the next 3 fiscal years for expansion of the school lunch program. (Passed 274 to 78.)	NV.
218	July 1	H.R. 17873: To suspend the rules and approve the bill amending the National School Lunch Act. (Passed 352 to 0).	NV.
219	July 1	S. 2837: To suspend the rules and pass the bill establishing the Cradle of Forestry in America in the Pisgah National Forest in North Carolina. (Passed 279 to 71.)	NV.
222	July 2	H.R. 17734: To accept that item in the conference report on the 2d supplemental appropriation which sets the amount for the manpower development training program at $13,000,000. (Passed 287 to 82.)	Yes.
223	July 2	H.R. 17734: To accept that item in the conference report on the second supplemental appropriation which sets the amount for the Headstart program at $5,000,000. (Passed 265 to 106.)	Yes.
224	July 2	S. 1166: To approve the amendment to the Natural Gas Pipeline Safety Act offered by the House Committee on Interstate and Foreign Commerce as a substitute for the Senate act. (Passed 247 to 125.)	Yes.
225	July 2	S. 1166: To approve the Natural Gas Pipeline Safety Act as amended by the House. (Passed 351 to 14.)	Yes.
227	July 3	H.R. 17134: On the amendment to the Federal Highway Act limiting the highway beautification funds to administrative money needed to carry out a study of the program and striking out the $25,500,000 authorization for beautification. (Passed 211 to 145.)	Yes.
228	July 3	H.R. 16361: To recommit to committee the District of Columbia Revenue Act of 1968. (Defeated 100 to 122.)	Yes.
238	July 10	H.R. 17989 (S. 3497): On the amendment to the housing bill providing an income limitation in connection with low-income housing.	Yes.
239	July 10	H.R. 17989 (S. 3497): On a motion to recommit to committee the omnibus housing bill in order to delete upgrading management and services in public housing section and interim assistance for blighted areas section. (Passed 217 to 193.)	Yes.
240	July 10	H.R. 17989 (S. 3497): On final passage of the Housing and Urban Development Act of 1968. (Passed 295 to 114.)	Yes.
243	July 11	S. 3293: To approve the bill authorizing appropriations for 1969 procurement of aircraft missiles, naval vessels, and other purposes. (Passed 362 to 15.)	Yes.
245	July 12	H.R. 15758: To pass the bill amending the Public Health Services Act. (Passed 326 to 1.)	Yes.
247	July 12	H.J. Res. 1: To approve the resolution calling for the establishment of a Joint Committee to Investigate Crime. (Passed 319 to 12.)	Yes.
248	July 12	H.R. 14096: To increase the penalties for the illegal trafficking in, and possession of LSD and other drugs. (Passed 320 to 2.)	Yes.
249	July 12	H.R. 16824 (S. 3245): To approve the bill extending for 3 years the State Technical Services Act of 1965 and authorizing appropriations of it. (Passed 309 to 2.)	Yes.
252	July 15	H.R. 18366: To suspend the rules and pass the Vocational Education Amendments of 1968. (Passed 390 to 0.)	Yes.
253	July 15	H.R. 3710: To suspend the rules and pass the Public Works Authorization Act of 1968. (Passed 307 to 85.)	No.
254	July 15	S. 2515: To suspend the rules and pass the bill authorizing the establishment of a Redwood National Park. (Passed 388 to 15.)	Yes.
255	July 15	H.R. 163: To suspend the rules and pass the bill which would prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying government-generated cargoes restricted to American vessels. (Passed 370 to 30.)	Yes.
256	July 15	S. 1418: To suspend the rules and pass the bill changing the length of time a passport is valid and modifying the passport fees. (Passed 324 to 71.)	No.
257	July 15	H.R. 5117: To suspend the rules and pass the bill authorizing stage 1 of the Palmetto Bend reclamation project, Texas. (Passed 294 to 104.)	No.
258	July 15	H.R. 4865: To suspend the rules and pass the bill to establish a nationwide system of trails. (Passed 378 to 18.)	Yes.
259	July 15	S. 6: To suspend the rules and pass the bill authorizing the initial stage of the Oahe unit, James division, Missouri River Basin project, South Dakota. (Passed 264 to 128.)	Yes.
260	July 15	S. 752: To suspend the rules and pass the bill relating to exemptions from the ICC Act for motor vehicles operated by agricultural cooperative associations. (Passed 272 to 106.)	Yes.
262	July 16	H. Res. 1240: To adopt the resolution providing for the consideration of H.R. 15263, the Foreign Assistance Authorization Act. (Passed 282 to 118.)	Yes.
267	July 18	H.R. 15263: To recommit to committee the foreign aid authorization bill in order to reduce the amount by $370,000,000. (Passed 268 to 150.)	Yes.
268	July 18	H.R. 15263: To approve the foreign aid authorization bill in the amount of $1,900,000,000. (Passed 228 to 184.)	No.
271	July 22	H.R. 15678: To increase salaries of judges in the District of Columbia courts. (Passed 339 to 44.)	Yes
272	July 22	S. 1228: To recommit to committee the bill authorizing grants for construction and modernization of hospitals in the District of Columbia. (Defeated 109 to 288.)	No.
273	July 22	H.R. 18248: To subsidize the D.C. Transit System for the reduced fares granted to students. (Passed 205 to 184.)	No.
275	July 24	H.R. 17735: On an amendment to the gun control bill to exempt from the provisions of the act shotgun and rifle shells and any .22 caliber rimfire ammunition. (Passed 218 to 205.)	Yes.
276	July 24	H.R. 17735: On an amendment to the gun control bill to require mandatory prison terms as an additional penalty for those who use or carry firearms while committing a Federal felony. (Passed 412 to 11.)	Yes.
277	July 24	H.R. 17735: On an amendment to the gun control bill to permit the shipment of weapons and ammunition to rifle clubs and ROTC units without regard to the licensing provisions of the act. (Passed 225 to 198.)	Yes
278	July 24	H.R. 17735: On final passage of the State Firearms Control Assistance Act of 1968. (Passed 305 to 118.)	Yes.
280	July 25	H.R. 15067: To approve the amendment denying benefits under the Higher Education Act to those students guilty of disrupting the administration of a college or university. (Passed 259 to 147.)	Yes.
281	July 25	H.R. 15067 (S. 3769): On final passage of the Higher Education Act of 1968. (Passed 389 to 15.)	Yes.
282	July 25	H.Res. 1234: To adopt the resolution providing for consideration of H.R. 15198, relating to employer contributions for joint industry promotion of products, etc. (Passed 290 to 100.)	Yes.
283	July 25	H.R. 15198: To amend the bill relative to joint contributions for industrial promotion to provide that labor and management shall have a joint voice in determining how funds are to be spent. (Defeated 156 to 217.)	Yes.
284	July 25	H.R. 15198: To amend the bill relative to joint contributions for industrial promotion by removing from the bill the provisions relating to funds being used for committees to resolve disputes over the interpretation of collective bargaining agreements. (Passed 192 to 177.)	Yes.
285	July 25	H.R. 15198: On final passage of the bill relative to employer contributions for joint industry promotion of products, etc. (Passed 201 to 169.)	No.
287	July 26	S. 3497: To agree to the conference report on the Housing and Urban Development Act. (Passed 227 to 135.)	No.
288	July 26	S. 3418: To recommit to the conference committee the Federal Aid Highway Act to insist upon the House position deleting funds for highway beautification. (Defeated 166 to 167.)	Yes.
291	July 29	H.R. 18785: To recommit to committee the military construction appropriations bill. (Defeated 32 to 350.)	No.
293	July 30	H.R. 18249: To amend the bill extending the Food Stamp Act by removing the limitation on the authorization and providing for a 4-year authorization. (Passed 227 to 172.)	No.

[NV—Not voting; NVA—Not voting, paired against; NVF—Not voting, paired for]

Roll-call No.	Date	Measure, question, and result	Vote
294	July 30	H.R. 18249 (S. 3068): On final passage of the amendments to the Food Stamp Act as amended. (Passed 315 to 83.)	Yes.
296	July 30	H. Res. 1218: To adopt the resolution providing for the consideration of the bill to amend the Food and Agriculture Act of 1965. (Passed 316 to 73.)	Yes.
299	July 31	H.R. 17126: To recommit to committee the food and agriculture bill in order to place a limitation of $20,000 in subsidy payments to any 1 producer in 1 year. (Passed 213 to 160.)	Yes.
300	July 31	H.R. 17126 (S. 3590): On final passage of the bill to amend the Food and Agriculture Act of 1965. (Passed 213 to 176.)	Yes.
302	Aug. 1	H.R. 15387: To adopt the conference report on a Post Office bill which among other things exempted this Department from the provisions of the Revenue and Expenditures Act of 1968. (Passed 345 to 24.)	Yes.
303	Aug. 1	H.R. 15757: To pass the bill amending the Public Health Services Act. (Passed 350 to 0.)	Yes.
304	Aug. 1	H. Res. 1247: To approve the resolution granting additional travel authority to the Committee on Public Works. (Passed 218 to 107.)	No.
309	Sept. 5	H.R. 15045: To approve amendments to the Manpower Development and Training Act of 1962. (Passed 315 to 0.)	NV.
311	Sept. 9	H.R. 10564: To approve the bill adding pears for canning or freezing to the list of commodities for which Federal marketing orders may be made applicable. (Defeated 111 to 165.)	NV.
312	Sept. 10	S. 3293: To adopt the conference report on the bill authorizing military procurement. (Passed 312 to 15.)	Yes.
313	Sept. 10	H.R. 15681: To approve the bill relative to foreign military sales as amended. (Passed 313 to 29.)	Yes.
316	Sept. 11	On a motion to dispense with further proceedings under the quorum call. (Passed 283 to 71.)	Yes.
318	Sept. 12	H.R. 18707: To adopt an amendment to the Defense appropriation bill providing that no funds be spent outside the United States for purchases of aircraft or major components of aircraft. (Defeated 73 to 268.)	No.
319	Sept. 12	H.R. 18707: On final passage of the $72,000,000,000 appropriation bill for the Department of Defense. (Passed 334 to 7.)	Yes.
320	Sept. 12	S. 2515: To approve the conference report on the bill to establish the Redwood National Park. (Passed 329 to 1.)	NV.
321	Sept. 12	H.R. 18260: To approve the National Scenic Rivers Act of 1968. (Passed 265 to 7.)	NV.
323	Sept. 16	H.R. 551: To suspend the rules and approve the bill authorizing the Biscayne National Monument in Florida. (Passed 234 to 92.)	No.
324	Sept. 16	H.R. 2567: To suspend the rules and pass relating to safety regulations in connection with Federal or federally assisted construction projects. (Defeated 197 to 135; a ⅔ vote being necessary.)	No.
326	Sept. 16	S. 1440: To suspend the rules and approve the bill making it a Federal crime to transport in interstate commerce a traveler's check with a forged countersignature. (Passed 328 to 4.)	NV
327	Sept. 16	S. 3030: To suspend the rules and pass the bill authorizing up to $2,500,000 for the construction or leasing of an experiment and demonstration plant for the production of fish protein concentrates. (Passed 218 to 102.)	N.V.
328	Sept. 16	H.R. 12926: To suspend the rules and approve the legislation establishing a Commission on Negro History and Culture. (Passed 263 to 45.)	NV.
329	Sept. 16	H.R. 16771: To suspend the rules and pass the bill designating certain lands in the Great Swamp National Wildlife Refuge in New Jersey as "wilderness." (Passed 269 to 22.)	NV.
330	Sept. 16	H.R. 19136: To suspend the rules and approve the bill providing payment for overtime to certain persons in Department of Transportation who have responsibilities in aviation safety. (Passed 317 to 2.)	NV.
332	Sept. 17	H.R. 16187: To strike from the omnibus claims bill title II for the relief of Mrs. Raisla Stein. (Passed 275 to 67.)	Yes.
333	Sept. 17	H.R. 16187: To strike from the omnibus claims bill title IV for the relief of Charles B. Franklin. (Defeated 39 to 303.)	No.
334	Sept. 17	H.R. 16187: To strike from the omnibus claims bill, title VIII for the relief of Mr. and Mrs. John F. Fuentes. (Defeated 139 to 212.)	Yes.
335	Sept. 17	H.R. 16187: To strike from the omnibus claims bill, title IX for the relief of Puget Sound Plywood, Inc. (Defeated 115 to 236.)	Yes.
336	Sept. 17	H.R. 16187: To strike from the omnibus claims bill, title X for the relief of Pedro I. Guido. (Defeated 132 to 211.)	No.
337	Sept. 17	H.R. 16187: To strike from the omnibus claims bill, title XI for the relief of 2d Lt. Allan L. Schooler. (Defeated 127 to 203.)	No.
338	Sept. 17	H.R. 16187: To strike from the omnibus claims bill, title XIV for the relief of the Rochester Iron & Metal Co. (Passed 224 to 100.)	Yes.
339	Sept. 17	H.R. 17126: On a motion to send to conference the bill to amend the Food and Agriculture Act of 1965. (Passed 223 to 85.)	Yes.
341	Sept. 18	H.R. 15890: To pass the bill authorizing 365 additional positions in grades GS–16, GS–17, GS–18 (supergrades) in the executive branch of Government. (Defeated 134 to 221.)	No.
342	Sept. 18	H. Res. 1241: To adopt the "rule" under which to consider H.R. 17682, a bill relating to civil service retirement. (Passed 290 to 67.)	Yes.
343	Sept. 19	H.R. 15263: To adopt the conference report on the Foreign Aid Assistance Act, authorizing an appropriation of $1,970,000,000. (Passed 196 to 150.)	No.
344	Sept. 19	H. Res. 1309: To adopt the rule under which to consider the foreign aid appropriation bill. (Passed 293 to 58.)	Yes.
345	Sept. 19	H.R. 19908: To pass the motion that the House resolve itself into the Committee of the Whole House to consider the foreign aid appropriations bill. (Passed 270 to 64.)	Yes.
346	Sept. 19	H.R. 19908: To approve the foreign aid appropriation bill in the amount of $1,600,000,000. (Passed 173 to 139.)	NVA.
349	Sept. 25	H.R. 17854: To recommit to committee the bill authorizing construction of parking facilities in the District of Columbia. (Defeated 127 to 225.)	NV.
351	Sept. 25	H.R. 17126: To adopt the conference report on the amendments to the Food and Agriculture Act of 1965. (Passed 189 to 172.)	NVF.
352	Sept. 25	S. 3068: To recommit to conference the food stamp bill with instructions to insist upon the House provision that college students and strikers should not be eligible for food stamps because of their position as college students or strikers. (Defeated 158 to 187.)	NVF.
353	Sept. 25	S. 3068: To adopt the conference report on the bill amending the Food Stamp Act of 1964. (Passed 245 to 98.)	NVA.
355	Sept. 26	S. 945: To recommit to committee the Federal magistrates bill in order to limit the number to 250 and to provide for Presidential appointment. (Defeated 64 to 258.)	NVF.
356	Sept. 26	S. 2484: On the bill authorizing the extension of the additional Senate Office Building site. (Defeated 145 to 161.)	NV.
357	Sept. 26	H.J. Res. 1461: On the motion to substitute for the resolution extending the "continuing resolution" to Oct. 12, a provision applying the extension only to the Defense appropriation. (Defeated 136 to 163.)	NVF.
358	Sept. 26	H.J. Res. 1461: To recommit to committee the resolution extending the "continuing resolution" to Oct. 12 in order to set the date at Oct. 5. (Defeated 135 to 148.)	NVF.
360	Oct. 1	H.R. 15758: To adopt the conference report on the bill amending the Public Health Service Act. (Passed 316 to 0.)	NV.
361	Oct. 1	H.R. 14935: To adopt the conference report on bill relative to motor vehicle master keys, wage board surveys, and powers of postal inspectors. (Passed 251 to 62.)	NV.
363	Oct. 3	H.R. 18037: On a motion to delete from the conference report on the Labor-HEW appropriation bill a provision eliminating the exemption from the Revenue and Expenditures Control Act the payments to federally impacted school districts. (Passed 200 to 145.)	Yes.
366	Oct. 3	H.R. 18037: On a motion to concur in an amendment to a Senate amendment to the conference report on the Labor-HEW appropriation bill as follows: "No part of the funds contained in this Act may be used to force busing of student, abolishment of any school or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent." (Defeated 167 to 175.)	No.
367	Oct. 3	H.R. 18037: To agree to the Senate amendment to the Labor-HEW appropriations bill which would prohibit HEW from withholding funds for failure to correct racial imbalance in schools but will not prohibit withholding funds for failures to correct unconstitutional desegregation. (Passed 330 to 7.)	Yes.
368	Oct. 3	H.R. 18037: On a motion to accept the Senate amendment to the Labor-HEW appropriation bill relative to maintaining title VI of the Civil Rights Act of 1964. (Passed 166 to 155.)	Yes.
370	Oct. 7	H.R. 15990: To suspend the rules and pass the bill amending the Manpower Development and Training Act relating to seasonal unemployment in the construction industry. (Passed 265 to 9.)	NV.
371	Oct. 7	S. 3206: To suspend the rules and pass the Water Quality Improvement Act of 1968. (Passed 277 to 0.)	NV.
372	Oct. 7	H.R. 15151: To suspend the rules and pass the Guam Development Fund Act of 1968. (Passed 279 to 0.)	NV.
373	Oct. 7	H.R. 18205: To suspend the rules and pass the bill providing for the continuance of civil government for the Trust Territories of the Pacific islands. (Passed 278 to 0.)	NV.
374	Oct. 7	H.R. 19910: To suspend the rules and pass the bill relative to Federal milk marketing order amendments. (Passed 201 to 76.)	NVF.
408	Oct. 8	On a motion to "lay on the table" a motion appealing the ruling of the Chair which refused a Member the privilege of making a motion relative to requiring certain Members to remain on the floor. (Passed 136 to 102.)	NV.
409	Oct. 8	On a motion to "lay on the table" a motion to reconsider the vote by which the motion in rollcall 408 was approved. (Passed 137 to 104.)	NV.
410	Oct. 8	On a motion that the House adjourn. (Defeated 92 to 149.)	NV.
413	Oct. 8	H. Res. 1315: On the motion ordering "the previous question" on the resolution relative to the "rule" on consideration of S.J. Res. 175 suspending the equal-time requirement for presidential and vice-presidential candidates in sec. 315 of Communications Act of 1935. (Passed 162 to 111.)	NV.
414	Oct. 8	H. Res. 1315: To adopt the resolution providing for the consideration of S.J. Res. 175 suspending the equal-time requirement for presidential and vice-presidential candidates in sec. 315 of the Communications Act of 1935. (Passed 284 to 1.)	NV.
416	Oct. 8	S.J. Res. 175: On a motion that the House resolve itself into the Committee of the Whole House for the purpose of considering the joint resolution. (Passed 285 to 0.)	Yes.
418	Oct. 8	S.J. Res. 175: On a motion to recommit the joint resolution on "equal time" for presidential candidate debates in order to provide for equal but separate time for the 3 major candidates instead of a debate. (Defeated 112 to 204.)	Yes.
419	Oct. 8	S.J. Res. 175: To adopt the resolution as amended by the House providing for suspension of the equal time provision of sec. 315 of the Communications Act of 1935 in order to permit TV and radio debates among the 3 major presidential candidates. (Passed 280 to 35.)	Present.
422	Oct. 10	H.R. 17735: To adopt the conference report on the Gun Control Act of 1968. (Passed 160 to 129.)	No.
423	Oct. 10	H.R. 17324: To adopt the conference report on the Renegotiation Amendments Act of 1968. (Passed 196 to 44.)	Yes.
424	Oct. 10	H. Res. 1304: To adopt the resolution authorizing the Committee on Banking and Currency to send members and staff personnel abroad to investigate and study housing and new community developments and development lending activities. (Passed 152 to 66.)	No.
425	Oct. 10	H.R. 19908: To adopt the conference report on the foreign aid appropriation bill. (Passed 125 to 93.)	No.
426	Oct. 11	H.R. 20300: To adopt the conference report on the supplemental appropriation bill of $446,000,000. (Passed 209 to 12.)	Yes.
427	Oct. 11	H.R. 18707: To adopt the conference report on the Defense appropriation bill of $71,800,000,000. (Passed 213 to 6.)	Yes.

GREAT HONOR FOR JUDGE FRANK J. DONAHUE

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. PHILBIN. Mr. Speaker, upon the occasion of the annual Red Mass at St. Paul's Cathedral, Worcester, Mass., the cherished Silver Medal of the St. Thomas More Society of the Diocese of Worcester, was awarded to the Honorable Frank J. Donahue, distinguished, outstanding judge of the Massachusetts Superior Court.

Judge Donahue's great, lifelong career in the public service, stands out brilliantly in the history of the State of Massachusetts.

In 1912, when he was a very young man, he ran for secretary of state in the Commonwealth on the same ticket with the illustrious Senator David I. Walsh, then a candidate for Governor, was elected, later reelected, and served two terms in that very important constitutional State office.

Subsequently, in 1915, the then Governor Walsh appointed him chairman of the Massachusetts Industrial Accident Board, where he served until the year 1928 by reappointment of three succeeding Governors.

In 1928, he became chairman of the Democratic State Committee, and played a very effective role in carrying Massachusetts for the beloved "Happy Warrior," the great Alfred E. Smith.

In 1931, Judge Donahue was again highly honored by the very able, distinguished Governor, Joseph B. Ely, by appointment as chairman of the board of finance of the city of Fall River, then suffering from serious, financial problems arising from the effects of the great depression. Here again, Judge Donahue performed outstanding public service, by successfully leading the campaign to restore fiscal soundness to the city in 1 year.

In 1932, he was appointed as associate justice of the Massachusetts Superior Court where in the intervening time, he has served for 36 years with such great ability, dedication and mastery of the law as senior judge, that he is now recognized as one of the outstanding jurists in the Nation, honored and hailed by the bar, the bench, the American Law Institute and the public.

I have known Judge Donahue from my own early years, when I was first associated with my friend and Clinton neighbor, the great Senator David I. Walsh, and had the privilege of working with the judge in some of his political commitments, and enjoying the benefit of his wise counsel and warm, devoted friendship.

Judge Donahue has always been a man of great zeal and eagerness to serve our State and country. His entire inspiring career has been marked by that kind of selfless devotion to the public good that we seem to see all too infrequently in these days, when we need dedicated public servants more perhaps than at any time in our history.

This esteemed judge is a man of superb, legal aptitude and training. His background in the law began in early life, and included teaching very many law students at his own great Suffolk University Law School from which he holds several degrees.

During his long association with Suffolk University, he has contributed most significantly, not only in the role of gifted teacher and educator, but also as a dynamic leader and tireless worker in shaping the policy of the law school and the university in ways that have markedly increased the growth, contributions, posture and prestige of this famed university of higher learning of which we are so very proud.

Judge Donahue has brought to the historic Massachusetts bench a well-stocked, penetrating legal mind, profound understanding and knowledge of the law, admirable scholarship, experience, and wisdom and, of great value, a keen awareness and understanding of human problems, and a humane sensitivity that has prompted him to temper his judgments with mercy, compassion and sincere feeling for the unfortunate, the disadvantaged, and the weak.

This great American, while burdened with very demanding official duties, has nevertheless found the time to participate, to the extent members of the judiciary can, in worthy and commendable public services. Judge Donahue has in innumerable instances responded to the call of many praiseworthy causes.

Chairman of the judicial council of the Commonwealth, an activity closely associated with his own work, he has also carefully followed the progress and advancement of Suffolk University, and the activities of its alumni, which cover a very broad segment in community affairs, as well as constructive efforts for its alma mater.

His legal attainments have found broad expression, not alone on the bench, but in various legal and judicial organizations, as well as some devoted to the improvement of legal scholarship, legal research, and solving the challenging problems of the courts and judicial administration in the sense that these matters are tied in with the betterment and modernization of institutions designed to fortify, strengthen and improve the agencies concerned with justice, and thus emphasizing and moving toward the full realization of the "rule of law" in our society.

The St. Thomas More Award comes with special grace and appropriateness to one like Judge Donahue, who has devoted all of his adult life to the public service, and in the halls of justice where the laws are interpreted, and where even-handed justice must find practical support for all those who may seek it.

This great judge could never possibly be excelled for his sincere, long-continued, unabated devotion to the education of lawyers, judicial officers, and legal scholars to help with the great task of firming up the foundations of American constitutional government, and making the law a real, readily available, effective instrument for securing speedy justice for the citizens and residents of this Nation, regardless of race, class, or creed.

I am very proud of Judge Donahue, who has been a warm friend of mine since my youth. He is possessed of many amiable qualities, and he is motivated by patriotic principles and love of God and country. He is intense in his convictions and loyalties, and he stands steadfastly and courageously by his beliefs, his principles, and his objectives, just as he stands by his friends, and the fine causes he serves with such inspiring dedication.

I am very proud that the St. Thomas More Society of the Diocese of Worcester in which I am enrolled, should so wisely and fittingly confer this great honor upon a notable public servant, a talented lawyer, a highly respected, renowned judge, and great American, Hon. Frank J. Donahue, LL.B., LL.D., J.D.—esteemed and beloved judge of the Massachusetts Superior Court.

I join many dear friends and admirers in heartily congratulating Judge Donahue upon this great honor, and wishing for him and his devoted family choicest blessings of continued good health, success, happiness, and peace for many years to come.

Under unanimous consent I place the citation of this award which was presented so eloquently at the Mass by the esteemed chancellor of the Worcester diocese, Msgr. Edmund G. Haddad, and personally conferred upon Judge Donahue by the most distinguished and beloved bishop of Worcester, His Excellency, Bernard J. Flanagan, as part of my remarks:

CITATION

The Silver Medal of the Saint Thomas More Society of the Diocese of Worcester, for outstanding service to God and country, ideals exemplified by Saint Thomas More, is awarded for the year, 1968 to: Honorable Frank J. Donahue, LLB., LLD., J.D., Associate Justice of the Superior Court, for the Commonwealth of Massachusetts.

Born in Needham, Massachusetts you were elected at the age of twenty-one to the Board of Park Commissioners of that town for a term of three years.

In 1912 you were elected by the people of Massachusetts as Secretary of the Commonwealth, an office to which you were re-elected in 1913.

Governor David I. Walsh, in 1915, appointed you to be Chairman of the Massachusetts Industrial Accident Board, succeeding Honorable James B. Carroll in that important office. You continued to serve on that Board by re-appointment of Governors McCall, Coolidge, and Fuller, resigning in the year 1928 to become Chairman of the Democratic State Committee, during the campaign of Alfred E. Smith for President of the United States.

In 1931, you were appointed by Governor Joseph B. Ely as Chairman of the Board of Finance of the City of Fall River.

In the following year, Governor Ely appointed you an Associate Justice of the Massachusetts Superior Court where you have served continuously for thirty-six years, now being its Senior member.

Our patron, Saint Thomas More was renowned not only for his impartiality in dispensing justice, but also for his efforts to improve the administration of justice. During your judicial career, and during your twenty years as Chairman of the Judicial Council of the State of Massachusetts, you have been a faithful exemplar of his ideals, by your untiring efforts to improve the administration of justice, in this, our Commonwealth.

Your legal attainments have been recognized beyond the borders of your home state. You hold membership in the American Bar Association, the American Bar Foundation, the Institute of Judicial Administration, and a life membership in the American Law Institute. The Bar Association of your native county of Norfolk has conferred upon you an Honorary Life Membership.

Suffolk University, on whose faculty you served for a number of years, recognizing your judicial and legal qualities, conferred upon you the Honorary Degrees of Doctor of Laws, and Doctor of Jurisprudence.

The Saint Thomas More Society of the Diocese of Worcester, on the occasion of its thirteenth annual Red Mass, offered at St. Paul's Cathedral, Worcester, deeming you worthy, is pleased to award you its Silver Medal for the year, 1968.

THE PROPOSED DRUG COMPENDIUM

HON. CARLETON J. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. **KING** of New York. Mr. Speaker, under unanimous consent, I include the following articles by Dr. Joseph D. Cooper on the proposed drug compendium in the RECORD:

[From the Medical Tribune, Apr. 22, 1968]

THE PROPOSED DRUG COMPENDIUM, I—UNITED STATES SEEN AS "CONSULTANT" TO M.D.'S ON PRESCRIBING

(By Joseph D. Cooper, Ph. D., professor of government, Howard University; adjunct professor of government and public administration, the American University, Washington, D.C.)

(NOTE.—This is the first of five articles analyzing the proposal for a U.S. Drug Compendium. As a specalist in probing the relationships of public policy and medical care, Professor Cooper has written frequently for Medical Tribune.

(His earlier experience as a systems analyst on government communication projects gives him particular interest in the Drug Compendium. Professor Cooper is the author of *How to Communicate Policies and Instructions*, published by the Bureau of National Affairs, Inc., Washington, D.C., and designed the *Postal Manual, Foreign Service Manual*, and United Nationals Relief and Rehabilitation Administration *Manual*, among others.)

The Federal Government has taken a tentative step toward becoming consultant to doctors on what and how they should prescribe. This is one of many long-term implications of proposals to create the United States Drug Compendium.

Public discussion of the proposed Compendium has emphasized its informational role, although this is likely to be one of its less important purposes. President Johnson said it would assure that "every doctor, pharmacy, hospital, and other health care institutions" would be provided with "complete and accurate information about prescription drugs—use and dosage, warnings, manufacturer, generic and brand names, and facts about their safety and effectiveness."

The Administration proposal was announced officially by the President in his Health Message to Congress on March 4. A parallel proposal was introduced four weeks earlier by Sen. Gaylord Nelson of Wisconsin.

The official position is that the Compendium would tidy up the dissemination of drug information to doctors. The critical element in this, however, is that it would be accomplished by transferring primary responsibility from manufacturers to the Government. "The very abundance of drugs creates problems," said the President; ". . . the doctor is not always in a position to make a fully informed judgment. He has no complete, readily available source of information about the thousands of drugs now available."

To the same effect, Senator Nelson said: "The busy practicing physician can find—by using scarce and valuable time—important drug information through a careful reading of several volumes of drug texts, and from his colleagues, from doing a thorough reading of all available literature. He can also read various drug company advertising in the medical journals and in the trade publications. And he can listen to the pleadings of drug company detail men. He can then make his decisions based on what he sees and hears.

"In any case, no unbiased source of information for all drugs exists."

One may question whether the Compendium would or should replace all of these informational sources. This is not readily answerable, however, for little seems to be known—or, if known, published—about how doctors make prescribing judgments. Furthermore, one may ask whether doctors need a single, comprehensive source on all "drugs." Could such a Compendium be physically manageable? Why does a doctor need information on thousands of drugs when he typically prescribes from among a list so limited that full descriptions of their properties and attributes could be printed on material that could fit within his inner coat pocket with scarcely a discernible bulge?

COMPENDIUM WOULD BE "HUGE"

Presidential Assistant Joseph A. Califano, Jr., acknowledged that the Compendium would be "huge." A top official of the Food and Drug Administration had said it would be about 1,500 pages—more or less the size of a city telephone book. If it is to have the completeness described by the President and Senator Nelson, it would have to be about 5,000 pages *or more*.

The common talk is that the Compendium would put out of business the popular, industry-supported *PDR* (*Physicians' Desk Reference*)—which contains prescribing information covering well over 90 per cent of the drugs doctors presently prescribe (depending upon the statistical base used, to be further discussed later). At this time, however, the *PDR* should not be counted out. There might well be a good case for its continuance, as heretofore, with a new subtitle: "The Short List."

One possible explanation for the encyclopedic character of the Compendium proposal is that for the Government to impose controls over drug costs, it would need a complete catalogue of available products. Indeed, the proposal calls for a price supplement which would list wholesale prices for all drugs in all dosage forms, by both brand names and generic sources. Companion legislation submitted to Congress by the Administration would provide for establishment by the Federal Government of allowable wholesale price ranges for reimbursement under Medicaid, Medicare, and other federally supported medical programs.

The charge for an individual prescription would consist then of an allowable wholesale base cost for ingredients, to which would be added a "professional fee." The latter is favored by the General Accounting Office and by some people within the Department of Health, Education, and Welfare as an expedient means of budgeting, auditing, and otherwise controlling retail prescription charges. The fixed-fee system is favored by the American Pharmaceutical Association and by some academic pharmacists on both economic and professional grounds. The fixed professional fee would guarantee at least as much profit (if not more) to the pharmacist as he has heretofore earned through percentage markups on drugs dispensed in a market dominated by brand-name prescriptions. The amount of the fixed fee would, in effect, be an average of present markups. The matter of the professional fee is in itself a complex one. For this discussion, it is sufficient to note that its successful use depends on availability of a complete catalogue of drugs.

One of the first questions raised by this cataloguing approach was that of generic equivalency—whether competitive drugs with presumably identical active ingredients can be depended on by doctors to yield identical clinical or therapeutic responses. Instances have been cited in which this is not the case, although no one has ever established the extent of clinical nonequivalency among all available drugs. Most recently, chloramphenicol was added to the list after the FDA required the recall of so-called generic equivalents which did not afford the same biological availability as the original Parke-Davis product Chloromycetin. The FDA Commissioner, Dr. James L. Goddard, said the generic equivalency problem could be solved in the Compendium by putting a "dingbat" next to formulations which have had their effectiveness established through clinical trials, pending the development of more-sophisticated means of establishing biologic availability.

Thus, the effort on the part of some proponents of the Compendium to use it as a means of forcing generic prescribing coupled with Federal price controls on drugs must overcome the as yet unresolved problem of equivalency.

Looking ahead, one can foresee an interesting economic consequence of distinguishing in the Compendium between competitive drugs on the basis of whether they have had acceptable clinical trials. It is unlikely that doctors would prescribe products that have not been clinically tested when there are legally safer alternatives, having potential malpractice suits in mind. Furthermore, with growing emphasis on more sophisticated quality controls, costs are bound to rise, narrowing or eliminating the spread between the prices of the smaller manufacturer and those of the larger houses which manufacture brands or generics or both. Ironically, one of the consequences of the Compendium could very well be the shaking out of the industry to the point where only the larger houses could survive. Some people, not connected with the drug industry, privately acknowledged that this could be advantageous.

Another bit of irony is that the cost of the Compendium would be passed on to the drug industry on the assumption that this would be a trade-off for discontinuing the publication of package inserts, now required by the FDA as the officially approved media for describing individual drug products. The official estimate has been that the Compendium would cost about $6,000,000, roughly the cost of publishing package inserts. This figure is now coming into question. The Compendium might cost many millions of dollars more. At first it was thought it would be given free to all who might need or want it, but the Administration proposal now would give the Secretary of Health, Education, and Welfare authority to impose a charge in his discretion. Although at first many in the drug industry approved of the notion of a Compendium, they are beginning to have second and third thoughts as they suspect they would be called upon to support a device that would be used to cut sharply into their profits.

From the standpoint of the doctor, however, the most far-reaching implications of the Compendium proposal bear upon his cherished freedom to prescribe as he thinks best. Issuance of the Compendium could move the Government more directly into becoming the sole authoritative source of information on therapeutics and on the proper use of diagnostic and prophylactic agents.

This may not be official intent, presently, yet there is an inexorable stream of action in which each event contrives its own sequelae. Oddly, there has been hardly any discussion of this line of development or of the question "What does the doctor really need?" Both of these topics will be taken up in succeeding articles of this series.

MUST BE SEEN IN BROAD CONTEXT

Legislative hearings on the proposed Compendium will undoubtedly bring out many of the knowns and unknowns bearing on both feasibility and desirability. Thus far, public discussion has been in terms of rationalizing an informational untidiness. The Compendium proposal must be considered, however, within the broader context of the dynamics and politics of drugs, the rising cost of medical care, and public attitudes toward both the drug industry and physicians.

The Compendium started out as a proposal for doing away with package inserts which did not necessarily reach the physician. Instead, all package inserts were to be brought together between one set of covers. This idea began losing favor when it was realized that the *PDR* was itself a compilation, in the main, of package inserts already approved by the FDA.

The Compendium would probably serve over the long run, also, to facilitate a shake-out of a superabundance of drugs. In part, some shake-out is being accomplished through the drug efficacy review being conducted by the National Academy of Sciences—National Research Council. The mere act of bringing all drugs together under common classifications would focus additionally on the problem of drug redundancy.

Pressures for rationalizing the dissemination of drug information have been mounting. These stem within the medical profession mainly from doctors of the gown. The ultimate in rationality embraces generic nomenclature in prescribing, deemphasis of combination drugs, reliance on limited formularies, and the transfer to a consortium of governmental and academic interests of responsibility for disseminating drug information to doctors. Implicit in the last is the aim of eliminating private promotion of drugs—in particular, through discontinuance of detailing and advertising.

[From the Medical Tribune, Apr. 25, 1968]

THE PROPOSED DRUG COMPENDIUM II—INFORMATION ANOMALY POSED BY PATTERNS OF PRESCRIBING

(By Joseph D. Cooper, Ph. D., professor of government, Howard University; adjunct professor of government and public administration, the American University Washington, D.C.)

A stated purpose of the U.S. Drug Compendium is to serve all doctors as a reference tool containing prescribing information about all drugs other than those sold over the counter. Let us, therefore, so consider it.

First and foremost, will the proposed Compendium actually help doctors in the conduct of their medical practices? What do doctors really need as literature aids to prescribing? Should there be one major source of "official and scientific" information about drugs?

Obtaining information about the prescribing habits of doctors is indeed a challenge. The published information is less than meager. For purposes of these articles, I was able to draw from the limited sources available some indications of prescribing patterns which, while not adequately refined, may at least throw some light on the possible usefulness of a Compendium.

Over any given period, the average physician uses relatively few drugs. Among these are some he uses frequently with whose indications, contraindications, dosage forms, dose ranges, hazards, and other attributes he is quite familiar. His familiarity with these enables him to impute personal measures of predictability of response. Outside of his standby group, there may be drugs he prescribes less frequently for a variety of reasons. These may include drugs which are generically similar or are slight modifications of those which fall within his primary group. Obviously, as to those drugs which the doctor prescribes day in and day out, he does not have to consult any reference work and certainly not in front of his patient.

THOUSANDS OF ENTITIES

We have, therefore, a phenomenon of thousands of different drug entities available for prescription. In most of these, the average physician is not at all interested, since he self-restricts his list according to his practice. Furthermore, within the list of those—still a very large list—in which he may be potentially interested, he works with rather few products. This is the anomaly of the Compendium which contains much for all and very little for anyone. In exploring this, I will bring in two pertinent principles: (1) the principle of the vital few and the trivial many and (2) the principle of the supremacy of technique over purpose.

The number of different drug *entities* the doctor uses is not definitely known. Food and Drug Commissioner James L. Goddard estimated 40 for the average physician. In Britain a study of general practitioners made by J. C. McKenzie, of the Office of Health Economics, yielded retrospective estimates of 20 to 30, "but in the extreme cases doctors were talking of using something like 12."

The number of different drug *products*—different brands of single or combination entities that may or may not be generically equivalent—may be much greater.

CLUES FOUND IN SURVEY

Some clues are to be found in the continuing survey of actual prescribing practices of physicians conducted by R. A. Gosselin & Co., Inc. This survey, called Audatrex, derives its information from day-by-day records of actual prescriptions written by approximately 700 physicians. A study of Audatrex findings suggests that reference to "average" physician is not meaningful, unless further refined. Thus, the average physician prescribed 110 different drug products in all dosage forms, excluding injectables and other office-administered drugs. Again, these were different products—not different entities—so there was some duplication. By different types of practice, the figures were markedly different. The average for G.P.'s was 133, for the internist 102, for ob-gyn 73, and for pediatricians 62.

Now let us look at a single category of drugs—coronary vasodilators. For a three-month period ending December 31, 1967, 443 physicians out of 686 prescribed one or more different products in this category, including brand-named, branded generics, and nonbranded generic formulations, according to the pattern shown in the following table:

PRESCRIBING PATTERNS CORONARY VASODILATORS

Number of products	Number of M.D.'s prescribing	Percent of M.D.'s prescribing
1	115	26.0
2	116	26.2
3	84	19.0
4	68	15.3
5	24	5.4
6	18	4.1
7	10	2.3
8	3	0.7
9	1	0.2
10	4	0.9
Over 10		

One can see that more than half of the physicians got along with one or two coronary vasodilators; 86.5 per cent of the doctors prescribing vasodilators relied upon one to four products in their individual practices. Above four, one can see a sharp decline in the number and percentage of physicians who feel the need to prescribe greater numbers of products.

THIRTY-THREE VASODILATOR PRODUCTS

Now we need to look at the frequency with which different products are prescribed. There were 33 products in the coronary vasodilator group. As a whole, they accounted for 584 prescriptions. The top two accounted for a shade under 39 per cent of the prescriptions, while the top five accounted for somewhat more than 71 per cent of prescriptions. For the top 10, the percentage of use was 87, while for the remaining 23 the percentage of use was therefore only 13.

From an informational standpoint, the Compendium would simplify this somewhat by listing all drug products having the same common or generic name under single generic monographs. From the standpoint of drug availability, however, it is obvious that the national inventory is much greater than it need be. Some Compendium proponents hope that listing under common generic names would make this duplication more conspicuous, possibly leading to legislative or administrative action to simplify listings. My own belief is that other forces at work will spontaneously bring about great attrition in the lists.

PRINCIPLE IS WELL KNOWN

The statistical view brings out in its limited area the principle of the vital few and the trivial many, a principle well known to management engineers. It is that in any large mass or in any universe, a few items or categories of items will account for most of the universe. The data just presented bring out that a few drug products account for most prescribing of coronary vasodilators. This does not mean that the same pattern will be found among all other drug products. Let us look at broad- and medium-spectrum antibiotics. Here the physician is concerned with both invader and host, whereas with the vasodilators he is concerned solely with bio-ing table, taken from Audatrex statistics, one can see a pattern of prescribing broad- and medium-spectrum antibiotics that does not conform with the principle of the vital few and the trivial many. Many more doctors feel they need to prescribe from among a wider range of antibiotics. Presumably, this is attributable to bacterial resistance.

Frequency of prescribing broad-and-medium-spectrum antibiotics

Number of antibiotics prescribed:

	Percent of M.D.'s prescribing
1	10.5
2	11.2
3	9.9
4	10.1
5	9.0
6	5.6
7	8.7
8	5.6
9	4.9
10	5.4
Over 10	19.1

You can interpret this table variously: 31.6 per cent of doctors get along with one, two, or three broad- and medium-spectrum antibiotics; 24.7 per cent use four, five, or six different products. In the seven to nine range are 19.2 per cent; there are 24.5 per cent of doctors who felt they needed to prescribe 10 or more different antibiotic products. Consolidating these figures further, 56.3 per cent of the physicians prescribed one to six antibiotics, while 43.7 per cent prescribed seven or more. Obviously, the greater the number of products prescribed, the greater will be the need for reference information on the part of the doctor, especially as to dosage forms.

In summary, the principle of the vital few and the trivial many holds for doctors' prescribing habits, with some variations. In some therapeutic categories there is divergence from the principle; cardiovascular agents and antibiotics are cases in point. And for reasons which need elucidation, doctors feel it necessary to try different brands of the same agents.

CUT IN LISTINGS SUGGESTED

One solution to the problem of minimum informational needs of any one doctor, as compared to overwhelming completeness, is to cut down on the numbers of listings. This can be done at the sacrifice of flexibility needed for a minority of patients.

Another solution might be to have subcompendia by practice specialties. What a task that would be!!

[From the Medical Tribune, April 29, 1968]

THE PROPOSED DRUG COMPENDIUM, III—ALL-PURPOSE GUIDE CAN BURDEN MD'S WITHOUT ADDING A BENEFIT

(By Joseph D. Cooper, Ph. D., professor of government, Howard University; adjunct professor of government and public administration, The American University, Washington, D.C.)

To evaluate the proposed Drug Compendium only as an information tool (although it has other, probably primary, aims), some questions we must ask are:

"Considering the sources of information now available to the doctor, would enough advantage or value be added to justify the expense of the project?" "Would the Compendium add burden to the doctor, not offset by greater advantages?" "Would other publishing approaches serve physicians' information needs better?"

To answer these questions of value engineering, we would have to know more about the mind of the doctor at the moment of prescribing, on which only fragments of information have been accumulated.

One gets the impression that most doctors tend to stay with the same drugs for the same ailments, with exceptions for particular circumstances. This central tendency may be attributed in part to a combination of habit and timesaving as well as to the predictability which stems from familiarity. For his relatively few favorites, the doctor does not need to reach for a reference book. He is generally familiar with indications, contraindications, dosages, and adverse reactions.

The doctor may switch to other brands or products when the patient does not respond or shows some adverse reaction. The doctor might try another brand of the same product, or he might try something just a little different or something much more or much less powerful. Or he might prescribe an entirely different product. He might change drugs for psychological reasons or because of increasing tolerance and diminishing effect. Each patient, it is said, is in some measure an experimental subject. His signs and symptoms are subject to varying interpretations by different physicians—something no book of reference yet proposed can alter or standardize. Yet it is only for this minority of patients that a Compendium *might* serve usefully.

The proposed Compendium would offer an "official" description of each of about 7,000 different kinds of drug products, arranged alphabetically within diagnostic, prophylactic, or therapeutic class. Since it must necessarily be a ponderous reference work, subject to periodic revision, its use or even passive possession by the physician entails some considerable burden.

PDR HAS BEEN CRITICIZED

What would the Compendium add which is not now provided by *Physicians' Desk Reference (PDR)? PDR* has been criticized as being an advertising medium. It is published by Chapman-Reinhold, who also publish *Medical Economics,* a controlled-circulation magazine supported by drug advertising. Critics say that since the descriptions of drugs are paid advertisements, they cannot be relied upon as sources of impartial communication. The fact is, however, that whatever goes into *PDR* is subject to Food and Drug Administration review as "labeling." FDA's tightening of prescription drug advertising has had an impact on everything drug companies now put into print. Their general practice is to use the same language as in FDA-approved package inserts, set tight in nondisplay format. Nevertheless, purchase of space in *PDR* is entirely voluntary. Obviously, *PDR* does not list all available generic formulations by source. It would, however, accept space orders from generic suppliers. Also, *PDR* is proposing to add a common generic section.

PDR has been a highly successful reference tool. It is distributed free to all physicians in private practice and to hospital staffs, druggists, medical schools, and others. In 1967 almost half a million copies were distributed.

A study of physician usage of *PDR* was made in April, 1967, by Alfred Politz Media Studies, an independent survey organization. Some of the representative findings as to all physicians in private practice under age 65 (156,400) were:

FINDINGS OF SURVEY GIVEN

1. 154,000, or 98.5 per cent, sometimes use *PDR*.

2. 2,400, or 1.5 per cent, never use *PDR*.

3. 88,600 used *PDR* on their last regular workday, while an additional 33,200 used it within the previous two or three workdays; 87.5 per cent used it within the past workweek.

4. The highest prescribers used *PDR* most frequently, as did those in nonmetropolitan areas.

5. 95 per cent found the information sought in *PDR*.

6. 125,800, or 80.4 per cent, used *PDR* for dosage references, as compared to 27,800, or only 17.8 per cent, who used it to select a drug.

7. Other usages: composition 28 per cent, actions and uses 40.2 per cent, precautions and warnings 47.8 per cent, side effects 50.3 per cent, contraindications 47.2 per cent, how supplied 41.9 per cent, how to spell name of drug 13.9 per cent, to see if manufacturer made drug of type wanted 10.2 per cent, and to identify drug in color section 40.7 per cent. Obviously, some responses overlapped or were redundant.

8. 92 per cent of 971,300,000 brand-name prescriptions in 1966 were for products included in the white pages of *PDR*.

Some other statistics on coverage by *PDR* of most commonly used drugs came from R. A. Gosselin and Co., Inc. In 1966, the leading 200 products accounted for 65.7 per cent of 1,040,898,000 (over a billion) prescriptions. Most of the top 200 were listed in *PDR;* these accounted for 61 per cent of *total* prescription volume. The chance of finding one of the top 200 described in *PDR* was better than nine out of 10; actually, 92.7 per cent of the top 200 products were covered by *PDR* monographs.

Now, let's see how the doctor's informational needs are covered when the probabilities are extended to the top 1,000 products. These accounted for 94 per cent of all Rx's dispensed. The chance of finding one of the top 1,000 covered by *PDR* was 91 per cent.

We see here how a fraction of the total—the vital few—accounts for most activity. The burden should be on Compendium proponents to show value added as an offset to burden added.

Clearly, *PDR* satisfies most physicians. Clearly, also, it does not satisfy those critics who want physicians to prescribe generically and to learn about drugs from noncommercial sources. There is always the possibility, of course, of building a better mousetrap.

Under the Compendium proposal, if the doctor should want to look up Serpasil, a trade name, for any desired information, he would have to find its generic monograph through cross-reference listing, under the common name reserpine. Then he would find a standard description for all the reserpines, not individual repetitive descriptions under different brand names. He would also find at the end of the monograph a listing of all brand-name and generic formulations. The hope of Compendium proponents is that this would encourage physicians to prescribe generically.

Complicating this, of course, is the festering problem of generic therapeutic equivalency. The arguments hinge on whether and how minute differences in formulations might affect pharmacologic response. Eventually the issue may be resolved somewhere in the middle, possibly by pharmacologic classifications. By that time it might not make much difference, for the probability is that the *average* price of generics will rise up to the *average* price of brands (omitting extremes) while the average price of brands might edge up somewhat. Current thinking is that a "dingbat," or distinguishing mark, would be used to identify drug products that have undergone FDA-approved clinical testing. Considering malpractice implications, this could work against generic prescribing.

One thing to be considered is the added burden of doctors of having to keep current a 7,000-monograph publication by inserting revisions. As it is, with only 2,600 monographs, *PDR* studies show that among doctor recipients, only 23.4 per cent (or their nurses) inserted revisions as instructed—a very simple task. Another 47.1 per cent said they placed revisions loosely in the *PDR,* leaving almost 30 per cent who did nothing or filed revisions separately. Very few bothered to paste a red "revised" notice on old, superseded monographs. Collaterally, the American Society of Hospital Pharmacists found about a three-month lag in inserting revisions in the *American Hospital Formulary,* a generic reference guide which is widely distributed. It is an axiom of communication engineering that a noncurrent reference tool can be worse than none at all.

One may fairly conclude that as compared to existing media (*PDR* and *American Hospital Formulary*), the Compendium would not constitute a substantial added value for a doctor at random in finding needed information on drugs already in use by him, taking into account other elements of burden.

This leaves unresolved the matter of how to get better basis-of-choice information to the doctor. The *PDR* serves the purpose mainly of being a passive tool of reference. It does not aid the doctor directly in choosing one drug among many on relative merits. The Compendium is less likely to serve that purpose for reasons of bulk.

Of course, the best advisory sources for the doctor are other doctors with relevant experience. From a "desk-handy" standpoint, where guidance on choice is desired, the doctor might be served well by a work organized mainly according to therapeutic indications. Within such categories, the physician would find discussions of relative efficacy of different drug products used under varying conditions. For more detailed information on particular drugs, the doctor would still have to go to a package insert, the *PDR* or the Compendium, if published. A crude analogue would be the role of the *Syntopicon* in guiding the reader to the diffuse substance of the set of Great Books.

Such a key would be the work now being developed by the American Medical Association, entitled *A.M.A. Drug Evaluations,* which is slated to replace *New Drugs.* It is to include new and old drugs, selected according to priority lists, based on the National Formulary, United States Pharmacopeia, and the 500 most commonly used and prescribed drugs, including mixtures, according to surveys conducted by Lea Associates. Also, it would include new single-entity drugs marketed less than 10 years.

A.M.A. Drug Evaluations **is being prepared by a team of regular A.M.A. medical staff and over 100 out-of-office evaluators—nationally recognized experts. The commentaries will aim to show how a drug relates to others in its class in efficacy, toxicity, and over-all usefulness. As practicable, drugs will be described as agents of first choice, reserve choice, and last choice. Favorable and unfavorable comments will be included. Drug combinations considered irrational will be identified, with supporting reasons.**

As a matter of communication engineering, this new publication seems to offer more in rationality than a monstrous compendium. Yet even it cannot serve as an all-purpose tool. Do-all gadgets and machines have never had bright histories, for they excel in nothing except being cumbersome, complex, and costly.

[From the Medical Tribune, May 2, 1968]

THE PROPOSED DRUG COMPENDIUM, IV—FORM OF PRESCRIBING CONTROL BY GOVERNMENT CALLED ISSUE

(By Joseph D. Cooper, Ph. D., professor of government, Howard University; adjunct professor of government and public administration, the American University, Washington, D.C.)

Quite apart from the usefulness of the proposed Compendium as a reference tool, physicians should be concerned over its potential role in bringing about centralized control of prescribing.

Some clues to this can be found in the terms of reference for the Advisory Council on the United States Compendium of Drugs as proposed in the Administration bill, H.R. 15759, introduced by Rep. Harley O. Staggers. These provide that it study ways of improving drug communication; the problems of generic equivalency of drugs sold under various trade names; "procedures for assuring the quality of, and the uniformity and adequacy of prescribing information for, generically equivalent drugs"; and "recommendation of appropriate drug utilization review methods." An earlier draft of the bill, suggesting intent, called for the council "to study the medical needs of persons receiving benefits, services, aid, or assistance under Federal programs" and "to recommend means of controlling costs to these programs while serving the medical needs of recipients of benefits."

What this adds up to is greater Federal control not only of the kinds and sources of drugs which may be prescribed, but greater control of the purposes for which drugs may be prescribed. More control is inevitable, due to the increasing financial commitments of governments—Federal, state, and local. *The issue really is the form of control, not whether there will be control.*

The generic monograph in the Compendium would serve as the informational unit or module. Its first simplifying function would be to eliminate the redundancy of separate monographs for generic (although not necessarily therapeutic) equivalents offered by different manufacturers. A second simplifying phase would be to start squeezing down the approximately 7,000 entries of the first Compendium. Obviously, this is far more than is needed for the good practice of medicine. Yet, how to do so without rigidifying medical practices is the challenge.

OUTSIDE PANELS TO DECIDE

As presently contemplated by Food and Drug Commissioner James L. Goddard, professional decisions on what goes into the Compendium would be made by outside (extramural) reference panels, such as were set up under the auspices of the National Academy of Sciences—National Research Council. These would be new reference panels, not the same as those convoked by the NAS-NRC. Dr. Goddard said the FDA could have its own professional Compendium staff to service the outside panels—performing such duties as compiling data, drafting monographs for panel review, coordinating panelist comments, etc.

This is the only logical approach. Without being critical of the FDA, it is obvious that it could never hope to have on its own staff the diverse talents needed to make judgments on just about every aspect of medical practice, both to its own satisfaction and that of the medical profession.

The logic of this approach is not without problems. For all of their professionalism, select advisory groups tend to be conservative and doctrinaire. One criticism of the NAS-NRC panels has been that their judgments have been derived from a combination of self-knowledge and literature reviews. The relevance of the cliche that medicine is still more art than science is that review panels tend toward middling—conservative views that exclude both unwarranted practices as well as the unorthodox but useful. The history of science is footnoted with instances of progress achieved despite the resistance of prevailing authorities.

Hence, there is need for a mechanism of appeal not presently available. Under current legal and administrative interpretations, the FDA must make final determinations on safety and efficacy, including the validity of cited indications. If the FDA must go outside for the best in professional judgment, how is it able to exercise a superior review through its own intramural staff, with lesser endowments? Dr. Goddard has, in effect, admitted that it cannot, for he has already stated that he would expect generally to go along with NAS-NRC panel decisions. In short, both industry and the profession at large would have no channel of scientific appeal.

BRITAIN TO ALLOW APPEALS

In a parallel situation, Britain is moving toward creating a scientific appeal mechanism from decisions of her own Ministry of Health and of expert committees which advise the Ministry. The point is an important one, for the replacement of brand-name package inserts by generic monographs would shift much of the responsibility for description from drug companies to the Government.

Reliance on the literature has its pitfalls, among them being the possibility that an author might have committed an error that has gone unchallenged. Such an example is afforded by the history of a treatment for lead-poisoning invented by Dr. Samuel P. Bessman, now of University of Maryland School of Medicine. It involves the use of calcium disodium edetate. Dr. Bessman learned from Dr. Martin Rubin, of Georgetown University, of his success in removal of excessive radioactive metals from patients treated for malignancy with radioactive materials. Dr. Bessman thereupon tried it on a patient with lead poisoning who recovered. Using an arbitrary dosage of 1 Gm., he tried it on other patients with great success. He had no reason to justify more or less of a dosage. His work was published, with coauthors, in the *Medical Annals of the District of Columbia* in 1952 and in *Pediatrics* in 1954.

Since it was considered more scientific by some to relate dosage to body weight, a subsequent investigator took Dr. Bessman's patient data and from them calculated a mean dosage based on body weight. This value became the generally accepted basis of therapy even though no one ever verified its validity. An advisory panel today, relying on the literature, would use the weight scale as authoritative. Who in practice could afford to say the panel nay?

Let us take up now a problem of central decision making within the context of the political environment of action on drug matters. Chloramphenicol is a case at point. Its use has been linked to blood dyscrasias, notably to aplastic anemia. Yet independent scientific bodies have consistently refused to put any serious limitations on use.

Most recently, a report to the California State Assembly put the risk in the range of 1:40,500 for an average dose of 4.5 Gm. to 1:24,200 for an average of 7.5 Gm. These figures represent high probabilities, for they are based on numerators of 10 aplastic anemia cases in California associated with use of chloramphenicol, in seven of which other potentially toxic agents had also been used. The report, submitted by the California Department of Public Health, covering an 18-month period, concluded that in only two of the 10 cases was use of the drug questionable, that "this antibiotic is being administered in accordance with good medical practice, and the Risk/Use factor does not provide sufficient basis to single out this drug for special legislation."

LABELING CHANGE IS SOUGHT

This is at sharp variance with more recent development involving the U.S. Food and Drug Administration. The FDA has been negotiating to change the package labeling of Parke-Davis Chloromycetin to impose further restrictions on use. This came about, at least coincidentally, *after* Sen. Gaylord Nelson's Monopoly Subcommittee held a hearing on chloramphenicol which sought to bring out the hazards of its use, associated with overprescribing. The hearings made newspaper headlines, just as they did when the late Sen. Estes Kefauver covered the same drug in the same way. At the hearings, Dr. Goddard said he was at his "wit's end" to know what to do.

In effect, the inference has been drawn that other antibiotics are safe, while chloramphenicol is most hazardous. Without defending chloramphenicol, one must ask whether relative hazards of all antibiotics have been established scientifically for medical guidance. Data already available to the FDA might not support the severity of the indictment of chloramphenicol. A 1957 FDA paper listed penicillin first in hazard, while chloramphenicol was fourth. As many as 10 per cent of the population may be penicillin-sensitive. One such, whose life was saved twice by chloramphenicol, was a former FDA commissioner.

Now, relating all of this to a monograph in the proposed Compendium, what kind of panel would be convoked? Would it consist mainly of hematologists—the chief complainants—who would evaluate chloramphenicol in the light of the unusual cases referred to them? Would it have a broader representation of specialists in infectious diseases and antibiotic therapy? Would it examine the relative merits of all antibiotics comparatively? How far does one go in this approach without attempting to direct the practice of medicine generally? Should it be done through private or governmental bodies? What criteria would be used to govern panel selection, so as to assure balance and avoid predisposing decisions? Who would create these criteria, considering the political environment of drug decision making?

PRESS FOR GENERIC FORMULARY

Other tendencies toward central decision making can be identified. Senators Russell Long and Joseph Montoya have been pressing for a generic formulary, which could be derived from an initial compendium or created independently. Some in the Department of Health, Education, and Welfare have been urging the same. Dr. Goddard has expressed interest in limiting prescribing authorities of physicians within their spheres of professional competence (something physicians tend to do of themselves).

What is most notably absent in all of the debate on a Compendium (or Compendium-formulary) as end or means is the impact of neatness rationality on the quality of medical practice. An ultimate aim is to simplify through standardizing. This surely can be done as a matter of publishing mechanics, with enforcement assured through the damoclean threat of malpractice suits against

deviants. Standardizing the *practice* of medicine is another matter. How does one standardize the perceptions of the doctor? How does one standardize atypical patients having atypical available drugs and their officially approved indications and dosage? *Theoretically,* this will be accomplished one day through sophisticated electrochemical diagnoses, but that day is not yet on the calendar.

What is involved here is the conflict between technique and purpose. Also, there is the inherent negativism of a regulatory bureaucracy. The Government tends to protect the many from the few and, sometimes, the few from the many. Furthermore, for its own security, the bureaucracy—any bureaucracy—finds it safer and easier to say no than yes. Consequently, in the drug area, governmental involvement may be expected to emphasize proscription rather than prescription. Thus does the supremacy of technique over purpose assert itself.

At a meeting of the Royal Society of Medicine in England on January 17, 1968, on "Prescribing Habits in General Practice," Prof. John Trounce reported on a survey of recent graduates of Guy's Hospital. The consensus on one item was that the Ministry of Health's *Prescriber's Journal* should be less negative and should tell more often what to prescribe rather than what not.

[From the Medical Tribune, May 6, 1968]

THE COMPENDIUM—IDEAS ARE OFFERED FOR NEW START

(By Joseph D. Cooper, Ph. D., professor of government, Howard University; adjunct professor of government and public administration, the American University, Washington, D.C.)

This concluding article will offer suggestions for creating a Compendium which may help the medical profession. The proponents of the originally proposed Compendium are not likely to be satisfied. Yet, if what is truly desired is a good foundation of information, something new is needed. Otherwise, the proposed Compendium may be no more beneficial than the anachronistic United States Pharmacopeia and the National Formulary. These compendious works, to be found in most drugstores, are slightly more useful to pharmacists than decorative vases filled with colored water.

The officially proposed Compendium is more symptom than remedy. It is a means to other ends. Why else should there be such a big legislative push behind a book project? Who can recall any President who ever before devoted a major part of a message to Congress to a book, especially since the Government puts out many thousands of books and guides without specific legislative authorization?

Seemingly, the real issues are compulsory generic prescribing and control over drug prices. Yet these are only surface manifestations of deeper struggles between the drug industry and economic and political interests as to what constitutes a fair profit; the desperate search by professional pharmacists for professional identity; rising social expectations of the public coupled with indignation over reports of drug profiteering; the reach of the systems revolution and social revision into the drug area; and the flowering of bureaucratic opportunism within the Food and Drug Administration, among other contributory factors.

The assault on the drug industry is a deferred consequence of its glittering financial success achieved first during the Golden Decade of the 1950s. Overnight, the drug industry had become a glamour industry, literally making money hand over fist. Inevitably, the drugmakers drew the attention of economic reformers who, working through Congress and the press, exposed pricing based largely on the principle of charging what the market would bear. The assault was not enough to arouse the public. Hence, certain economists, whose broader interests lay in abolishing product patents and proprietary brand names, jumped on the drug safety band-wagon because this got headlines and because economic reforms could be linked to consumer protection.

Unfortunately for the drug industry, these adversary economists could find much to support them. There were and still are wide differences in prices for identical products made by the same manufacturer and sold in different markets. Unfortunately, too, the Golden Decade was one in which manufacturers sometimes made unsupportable claims for drugs and in which the consequences of misuse by inadequately informed doctors became increasingly evident.

SIEGE LAID BY KEFAUVER

The industry came under siege by the Kefauver Committee, which began hearings in the Senate in late 1959 and concluded with a law amending the Federal Food, Drug, and Cosmetic Act in 1962. Congressional committee economists, in league with certain journalists, together convinced that they were waging a righteous, holy war, confused ends and means in their public assault on the drug industry. It was a bitter time for the industry, but it lobbied effectively and saved itself from economic revision, mainly by having a tougher drug safety bill substituted for what Kefauver and his staff really wanted.

In the ensuing years, the drug industry, with notable exceptions, held to its *laissez faire* economics. It failed to eliminate conspicuous instances of fantastic pricing spreads not justified by differences in manufacturing and distribution costs, even when taking the research factor into account. Consequently, the industry has made itself vulnerable to continuing attack on brand-name promotion and pricing and to an erosion of its public esteem, which is probably at an all-time low. The Nelson hearings in the Senate, which have substantially played back much of the Kefauver hearings, have undoubtedly helped the public relations slippage of the industry.

With occasional exceptions among industry statesmen, the drug industry failed to realize that the public had, *in principle,* already nationalized its medical services. The notion that ability to pay should be a consideration in receiving medical care has been set aside by a public which is now willing to accept government intervention in matters of personal welfare.

This, briefly, is the culture medium in which the drug issue has been growing. It helps to explain why legislators have used formulary and compendium proposals to try to achieve generic prescribing and price control aims. Besides, a Compendium on surface seems like such a good idea.

LITTLE ISSUED FROM TASK FORCE

The Administration stand on drug economics inevitably is a consequence of the entry of the government into paying for medical care. Until this year, the Administration tried to do a political balancing act, arguing that industry research capabilities should not be impaired. The Administration, in the past, insisted that action without facts would be premature. It has had a Task Force on Prescription Drugs working on this problem, but very little of a public nature has come out of that task force.

One must look further for clues. Perhaps these are to be found in the situation of an Administration with embarrassingly few options in an election year darkly clouded by a war in Vietnam. The Administration has been scraping for goodies to offer at little or no cost. This, therefore, has become the year of the consumer in national politics. Public concern has been mounting over sharply rising medical costs. The Administration is either unable or unwilling at this time to tackle the problem of limiting doctors' fees. No one has yet figured out how to control hospital costs. Hence, the one remaining target is the drug industry—a good target for all seasons.

Deeply committed to the Compendium proposal, generic prescribing, and a change in prescription pricing is the American Pharmaceutical Association which, for its own reasons, has associated itself with political opponents of the drug industry. The A.Ph.A. sees in this situation an opportunity to recapture status for pharmacists who rarely do any compounding, who perform mainly an inventory-dispensing function, and who are expected, nevertheless, to be professional middlemen between doctors and patients. The A.Ph.A. has been particularly fearful of erosion of pharmacist income under the present markup system. The ultimate goal of the A.Ph.A. is for pharmacists to be responsible for prescribing in accordance with diagnosis made by physicians, particularly in the context of hospital medical care.

The FDA has its own bureaucratic stake in systems proposals such as the Compendium which it can urge in all sincerity. Describing the professional who believes in system or process, Alan Harrington, in his book, *Life in the Crystal Palace,* charged him with pursuing his craft as an end in itself. "I think those who believe in process are driven by a peculiar aesthetic sense. They delight in symmetry and system, the dovetailing of parts. . . . I have seen a man go into a sort of ecstacy over a new filing system. . . But process, finally, at two o'clock in the morning is a cheerless object of belief because it has no warmth, no human reference, and no objective other than its own continuation."

Ironically, there is no assurance that generic prescribing and pricing controls would bring any savings to the public. For one thing, there are those indirect new administrative burdens. But even more important, the technology of regulation will narrow the gap between brands and generics while eventually forcing both higher.

Then, while we may not have lower drug costs and we may not have much margin for industrial drug research, we will have an elaborate drug information system built around generic nomenclature. We will also have fewer drug manufacturers, simplifying control. The rationalists will be happier than ever, for they will have their system, which is really what the ecstacy would be all about.

So, while the drug industry has much to do to clean house, the current methods chosen by industry critics could bring on worse trade-offs than any benefits.

SUGGESTIONS ON COMPENDIUM GIVEN

As to the Compendium, I suggest the following:

1. A computerized National Drug Compendium should be established by informal administrative order, to be compiled by the National Library of Medicine in cooperation with the Food and Drug Administration and with intramural pharmacologists and other scientists of the National Institutes of Health. The NLM has substantial experience in drug information storage and retrieval. There is no justification for attempting to create a redundant competence within the FDA. Its sole function—under present law—should be to ratify the professional judgments of reference panels which might best be set up by the NIH or the National Academy of Sciences, neither of which would have any stake in the outcome of panel judgments. As much as possible, monograph preparation should be decentralized to the professions.

2. The computerized Compendium would serve as the foundation for any further informational innovations. Accordingly, monographs should not be limited in length, as would have to be the case with a book format. Tape copies of the National Drug Compendium could be filed at regional libraries and at all medical schools and teaching centers. Professional medical associations could

also have copies for their own reference and selective dissemination. The flexibility of the computer would make possible any kind of instantaneous search and selective printout. Subcompendia could be printed to order.

3. The status of the Compendium should be kept informal in order to preserve the prescribing freedom and flexibility of the physician in his patients' best interests. No law is needed (and, besides, a special tax on an industry to finance communications from the Government to doctors is a questionable precedent). Informal status would also lessen the hazard of unwarranted malpractice suits.

4. The role of the FDA in becoming arbiter of medical practice should be studied by the Congress. The FDA has moved in that direction without a specific mandate. Whether a police agency in a political environment should have responsibilities for standardizing medical practice is something to be considered very soberly. Such an appraisal should also take up the matter of scientific appeal from judgments of panels and administrators.

5. The medical professional should, at last, study the informational needs of the doctor. Isn't that what it's *supposed* to be all about?

EXCESSIVE WATER IN BREAD, AND A MYRIAD OF RELATED CONSUMER ISSUES

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mrs. SULLIVAN. Mr. Speaker, I have told my constituents many times that I never know where an inquiry on a legislative or related issue will eventually lead me, but frequently it leads me down the path toward the introduction of new consumer legislation. Sometimes, it helps to clarify the status of existing legislation or programs.

A good illustration is a letter I received recently from a retired foreman in a meatpacking plant who complained of what he believed was an excessive amount of moisture in bread, particularly, he said, after a price increase had occurred. He mentioned the fact that under meat inspection regulations, water is strictly limited as an ingredient in certain processed meats.

Following receipt of his letter, I wrote to the Food and Drug Administration for specific information on allowable moisture content in bread, and in other processed foods, and I also wrote to the Secretary of Commerce for information on the development of voluntary standards under the Fair Packaging Act, particularly to find out if it would be possible to undercut those standards by adding water or some other cheap ingredient to the product.

Because of the widespread consumer interest in these issues, an interest I know is shared by many of the Members, I submit for inclusion in the RECORD the following exchanges of correspondence on this matter:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 20, 1968.
Mr. ———,
St. Louis, Mo.

DEAR MR. ———: The enclosed two letters, one to the Commissioner of the Food and Drug Administration and the other to the Secretary of Commerce are direct results of your letter to me. I appreciate the fact that you thought of me when you had a question of this nature. You would be amazed how often I get into consumer issues as a result of a single letter from a constituent who had a question or was upset about some experience.

The Meat Inspection regulations are quite specific on the use of added moisture, as you know, but I do not think we have any comparable Federal requirements for other foods. Usually the States enforce laws and regulations on weights and measures and I know that some States impose the requirements that bread be sold in standard sizes. But you have raised a good question which I cannot answer and so I am going to get the answers and see where they may lead me—perhaps to the eventual point of introducing a bill or offering an amendment! I remember several years ago when the Department of Agriculture required that canned hams which had more than a limited amount of water added had to be labelled as "artificial ham." This caused an uproar and led me to prepare a bill extending Federal Meat Inspection to meat sold in intrastate commerce, because the firms in interstate commerce claimed that they had to add water to their hams in order to compete with canned hams not subject to Federal inspection.

On March 15, 1962—I still remember the date—when President John F. Kennedy sent his first Consumer Message to Congress, he mentioned the danger to public health from the 15% of our meat supply not subject to Federal inspection. I immediately introduced the bill I had been preparing, and it was the first bill anyone introduced in the Congress for Federal inspection of meat sold only in intrastate commerce. It took five years but we finally got such a law through in 1967.

So I never know where an idea leads me or what the result will be but I am always delighted to receive suggestions from constituents, and this explains why. Thank you very much.

Sincerely yours,
LEONOR K. (MRS. JOHN B.) SULLIVAN,
Member of Congress.

HOUSE OF REPRESENTATIVES,
CONGRESS OF THE UNITED STATES,
Washington, D.C., September 19, 1968.
Dr. HERBERT L. LEY, Jr.,
Commissioner, Food and Drug Administration, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. LEY: A constituent of mine who has been a plant foreman in a meat packing plant and is therefore familiar with the restrictions on the addition of water to meat products under the Federal Meat Inspection regulations asks me if there are any similar restrictions at the Federal level on the addition of moisture to bread. He mentions the fact that bread is now often sold by weight (typically in one pound or 1½ pound loaves) and he points out that in the absence of any restrictions the baker could sell a certain amount of water at bread prices.

I am under the impression that this is primarily subject to regulations at the State level. I imagine if there was a standard of identity for bread, this question would be covered in Federal regulations. I do not think the Packaging Law would have any effect, but I am not sure.

My purpose in writing to you is to ask whether there are any restrictions on the addition of water to bread, to any frozen foods, canned goods or other food items under your jurisdiction. Would you need special authority by law to impose such restrictions if you are not doing so now? What is your view on the need for or justification for Federal regulation? I know you have powers to deal with economic deception. At what point would added water in a food commodity lead to seizure under this power?

With best regards, I am,
Sincerely yours,
LEONOR K. (MRS. JOHN B.) SULLIVAN,
Member of Congress.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, FOOD AND DRUG ADMINISTRATION,
Washington, D.C., October 11, 1968.
Hon. LEONOR K. SULLIVAN,
House of Representatives,
Washington, D.C.

DEAR MRS. SULLIVAN: This is in reply to your inquiry of September 19, 1968, concerning restrictions at the Federal level upon excessive water in bread and other foods.

As you suggest, the Federal Food, Drug, and Cosmetic Act, rather than the Fair Packaging and Labeling Act, is the Federal statute most directly concerned. Its provisions apply both to the addition of water to foods in which it has no legitimate place, and the presence of excessive amounts of water in those foods in which water, in suitable amounts, is a legitimate and expected ingredient. The Act has no provisions referring specifically to misuse of water in foods, but its general adulteration and misbranding provisions, together with the standard making provisions of the Act, provide means to deal with the problem.

Under section 402(b) of the Act, a food is considered to be adulterated if, among other reasons, any substance has been substituted wholly or in part therefor, or if any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or to reduce its quality or strength, or to make it appear to be of greater value than it is. A food containing excessive amounts of water, or containing added water when added water has no place in that food, would be considered adulterated under these provisions of the Act. An example of such adulteration is the addition of water to orange juice. We have instituted legal actions under the Act in a number of instances involving the watering of orange juice.

Foods adulterated through the addition of water would generally also be considered misbranded under the Act. It would be considered false and misleading in violation of section 403(a) to label an article as a particular food when it consisted instead of the food diluted with water. Failure to declare added water as an ingredient of nonstandardized foods constitutes a misbranding under section 403(i) of the Act, whether or not the added water is a legitimate ingredient. When water is added to frozen foods as a protective ice coating or glaze, the stated net weight of the package should be that of the food, exclusive of the weight of the ice coating or glaze.

Section 401 of the Act provides for the establishment by regulation of definitions and standards of identity, quality, and fill of container for foods when such action will promote honesty and fair dealing in the interest of consumers. Foods for which standards have been established under this section, but which fail to conform to the standard, are considered misbranded. Standards of identity regulate the ingredients that may be used in the standardized food, and when needed, the relative quantities or proportions of ingredients, and the special characteristics of the finished food. Standards of identity have been established for many foods. Pamphlets containing some of the standards established under the Act are enclosed. Standards serve to prohibit the addition of water to those standardized foods in which added water has no legitimate place, or the addition of excessive amounts of water to those foods in which some added water is a needed and expected ingredient. For example, the standard of identity for tomato juice, in which added water has no place, does not permit any added water. In the case of bread, in whose preparation the ingredients necessarily must be moistened, the standard of identity rules out an excessively moist finished bread by requiring the finished bread to have a total solids of not less than 62 percent.

The standards of fill of container, which have been established for a number of canned fruits, canned vegetables, and other canned food in which water is a necessary and expected ingredient of the packing syrup, broth, or brine require the containers to be well filled with the food. In some instances, the standards of fill of container states that the food must constitute not less than a specified percentage of the total contents of the container.

From a practical standpoint, our problems in preventing the unwarranted addition of water to food arise largely from the technical aspects of demonstration that water has, in fact, been added, rather than from lack of legal sanctions which can be applied once the presence of the added water is demonstrated. Water, of course, is a natural constituent of most foods, and it is sometimes difficult to demonstrate, by the analytical methods and data now available, that water has been added. Where we can demonstrate that water has been added to food in violation of the Act, we have not hesitated to take regulatory action against both the food and those responsible for the violation. Our authority under the Act, of course, extends only to those foods in interstate commerce or being imported from abroad. Foods which are locally produced and distributed without entering into interstate commerce are subject to regulation under State and local laws rather than the Federal law.

If we can be of further assistance, please let us know.

Sincerely yours,
HERBERT L. LEY, Jr., M.D.,
Commissioner of Food and Drugs.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 20, 1968.
Hon. CYRUS R. SMITH,
Secretary, Department of Commerce,
Washington, D.C.

DEAR SECRETARY SMITH: A constituent of mine who has been a foreman in a meat packing plant and is familiar with the Federal Meat Inspection regulations restricting the addition of water to meat products asks me if there is any similar restriction on the addition of water to bread. He feels that some bread sold in one pound loaves contains an excessive amount of water.

Under the Packaging Act, in your efforts to achieve industry agreements on the reduction of the variety of sizes in which consumer products are sold, have you given any thought to the possibility of some firms agreeing to market their products in the specified sizes but stretching the commodity by the addition of very inexpensive but bulky or heavy ingredients, such as water where that might be possible?

In responding to this inquiry, would you please bring me up to date on the agreements which have been negotiated for the reduction of package sizes, any pending agreements, and any decisions which may have been reached within the Department for changes in the legislation.

A further question: Does soap packaging now come under your jurisdiction? According to the law it is not a cosmetic but apparently some soaps are drugs. What are those soaps which are not drugs?

With best regards, I am,
Sincerely yours,
LEONOR K. (Mrs. JOHN B.) SULLIVAN,
Member of Congress.

THE ASSISTANT SECRETARY OF COMMERCE,
Washington, D.C., October 1, 1968.
Hon. LEONOR K. SULLIVAN,
House of Representatives,
Washington, D.C.

DEAR MRS. SULLIVAN: This is in further reference to your letter of September 20 to the Secretary of Commerce which was acknowledged on September 23 by Mr. Redmond, Special Assistant to the Secretary. You request certain details regarding the implementation of the responsibilities assigned to the Secretary under the Fair Packaging and Labeling Act.

I think it reasonable to say that it is highly improbable that a packer would adulterate his product in order to conform to voluntarily developed simplified package quantities. (We have no evidence of such a practice in the packing industry, although loaves of bread have been standardized for many years under statutes of a number of States.)

The Food and Drug Administration has specific statutory and regulatory authority over product adulteration and would, I am convinced, move rapidly if such a practice should occur.

For your information, we are enclosing a copy of a progress report in the fair packaging field. This will give you information as to activities and accomplishments within the Department up to approximately mid-July.

You inquired as to whether soap packaging falls under the jurisdiction of the Secretary of Commerce. As we understand it, our role is to work for package quantity simplification with respect to any consumer commodity that, according to Section 5(d) of the Act, is unduly proliferated in the weights, measures, or quantities in which the commodity is being distributed at retail. The Act does specifically exempt certain commodities that are otherwise covered under existing Federal statutes; however, soap is not included among the exemptions.

Authority over the mandatory labeling of soap appears to be divided. The Food and Drug Administration would have authority if the soap is deemed to be either medicinal or cosmetic; the Federal Trade Commission would have jurisdiction over other soaps.

Sincerely yours,
JOHN F. KINCAID.

FPLA PROGRESS REPORT

The major role of the Department of Commerce under the Fair Packaging and Labeling Act is to determine whether the reasonable ability of consumers to make value comparisons of any packaged consumer commodity (or reasonably comparable consumer commodities) is impaired by the undue proliferation of the weights, measures, or quantities in which such a commodity (or commodities) is offered for sale at the retail level.

The first six months following the passage of the Act were spent in carrying out an education-information program. Our activities included the development of procedures to be followed in determining undue proliferation; a program of information, education, and persuasion to acquaint industry leaders with the law and its implications; and the implementation of product surveys to identify candidates for undue proliferation procedures. This report presents the accomplishments achieved by the NBS staff since that time.

NBS staff members, with the assistance of State and local weights and measures officials, have investigated, or have currently under investigation, approximately 140 different types of packaged consumer commodities for evidence of undue proliferation under the Fair Packaging and Labeling Act. These commodities cover the whole range of packaged consumer goods including both food and nonfood items, household supplies, toiletries, automotive supplies, hardware items, and proprietary medicines. Additional input has been obtained from other government agencies, including the Business and Defense Services Administration, the Census Bureau, the Federal Trade Commission, the Food and Drug Administration, and the U.S. Department of Agriculture. Further, significant help has been forthcoming from numerous trade associations and *ad hoc* industry groups established at our request.

The primary thrust of our effort has been to move to the identification and solution of those proliferation problems that received significant mention during the course of the hearings on the Act. Effort has also been made to establish priorities so that those consumer commodities having the greatest impact on consumer expenditures receive preferential treatment.

Our efforts to date have resulted in firm commitments from 36 major industries to reduce the number of packaged quantities in which their products are offered for sale at retail. These results include commitments from many of those industries identified as being particular problems in the legislative testimony. The list of commodities for which commitments have been obtained is as follows:

1. Adhesive Bandages.
*2. Breakfast Cereals.
3. Cans.
4. Candy.
5. Caulking Compound.
6. Cheese.
*7. Coffee.
8. Cookies & Crackers.
*9. Dry Detergents.
10. Frozen Fruits and Vegetables.
11. Glazing Compounds.
12. Green Olives.
13. Household Cleaners.
14. Ice.
15. Instant Potatoes.
16. Instant Tea & Tea Bags.
*17. Jellies & Preserves.
18. Macaroni.
*19. Mayonnaise & Salad Dressings.
20. Mouthwash.
21. Nuts.
22. Paper Napkins.
*23. Paper Towels.
*24. Peanut Butter.
*25. Peat.
*26. Peat Moss.
*27. Pickles.
28. Potato Chips.
29. Powdered Milk.
30. Pretzels.
31. Putty.
*32. Salad & Cooking Oils.
*33. School Paste.
34. Soft Drinks.
35. Syrups.
36. Toothpaste.

Those marked with an asterisk have made commitments not only to reduce the number of packaged quantities, but have established specific quantities in which the particular products will be packaged. The remaining industries on the list are nearing decisions concerning specific quantities.

Generally, the various industries have followed one of two possible courses of action. Primarily, the affected industries have reached intra-industry decisions to voluntarily reduce the number of package sizes. In other instances, the affected industries have requested the development of a standard through the established voluntary standards procedure of the Department of Commerce. The details concerning the particular method and a breakdown of specific results for each item can be found in Appendix I.

Additionally, industry committees have been established and are currently at work developing proposals to reduce proliferation in approximately 70 different types of packaged products. The number of committees will not equate the number of products under consideration, since many of the industry committees have several items under study. Moreover, many of the industry committees from which commitments have been obtained have moved on to the consideration of related products. On the other hand, there are several committees working on proposals for one product, such as the candy industry. Both the National Confectioners Association and the National Candy Wholesalers Association have established groups to work solely on packaged candy items.

Approximately 20 of the commodities investigated by NBS staff members have been found to present no proliferation problem to the consumer. Some of these products have been found to be offered for sale in readily comparable quantities. Others, because of their nature, do not lend themselves to standardization. An example of the latter would be cake mixes that are packaged in various sizes including many fractional ounce quantities. Investigation has determined that all of the various cake mix formulations are designed to yield standard size cakes. Additionally, cake tins currently on the market are standardized as to size in accordance with a voluntary standard developed through a private standards making body.

It is estimated that consumer expenditures for those products currently under investigation is $19 billion annually. Total annual consumer expenditures for all products that will receive consideration in our program is $30 billion. A listing of consumer expenditures for products that have received significant attention under our program is presented in Appendix II.

As can be seen, significant progress has been made in implementing our responsibilities under Section 5 of the Fair Packaging and Labeling Act. Certain constraints have impeded even greater progress. Most notable of these is the fact that, in some instances, numerous problems are found in one industry, such as the toiletries field. Our studies have shown that this particular industry has a whole host of products which appear to be proliferated. This situation has operated to prevent even more progress because of the necessity to work on a case-by-case basis. Effort is continually being made to speed up the process in those areas where relatively few firms produce a variety of related products—all of which have been found being offered for sale in a confusing array of sizes.

Another major impediment to speedier progress in reducing the number of package quantities in a particular field is packaging machinery capability. Any standard must, of course, be based on the package sizes capable of being produced. Bottled products, for example, are difficult to change rapidly because of the possible need to manufacture new molds that will produce bottles which fit existing filling equipment. Similar circumstances prevail in many industries, whether the packaging material is glass, tin plate, paper, plastic, or any combination of these.

Perhaps the most definitive example of this type of constraint is represented by our negotiations with the paper industry in developing a standard for packaged paper towels. Despite the fact that the industry was very willing to cooperate in this effort, the actual development of the final standard took a period of seven months. Much of the delay was occasioned by the necessity for determining packaging machinery capability. A detailed explanation of the process can be found in Appendix III.

APPENDIX I

Product	Effective date	Standard quantities	Impact	
			From	To
Adhesive bandages		Quantities presently being developed	33	
Breakfast cereals	Dec. 31, 1968 [1]	4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 20, 22	33	16
Candy				
Caulking compound		Quantities presently being developed		
Cheese				
Coffee	Jan. 1, 1969 [1]	2, 4, 6, 8, 10, 12, 14, 16	10	8
Cookies		Quantities presently being developed	66	
Crackers		do	42	
Dry detergents	When existing stocks of packaging materials are expended	20, 22, 49, 54, 84, 92	24	6
Frozen fruits and vegetables		Will update existing standard	14	
Glazing compound		Quantities presently being developed		
Green olives			50	
Household cleaners				
Packaged ice		Quantities presently being developed	19	
Instant potatoes			11	
Instant tea and tea bags				
Jellies and preserves	When existing stocks of packaging materials are expended	10, 12, 16, 18, 20, 24, 28, 32, 48, 64	16	10
Macaroni			16	
Mayonnaise and salad dressings	When existing stocks of packaging materials are expended	(Spoon type) 8, 16, 24, 32 (Pouring type) 8, 10, 12, 16, 32	5 7	4 5
Mouthwash		Quantities presently being developed	16	
Nuts				
Paper napkins			20	
Paper towels	Jan. 1, 1969 [1]	(Square feet) 85, 100, 120, 125, 140, 165, 170, 200	30	8
Peanut butter	When existing stocks of packaging materials are expended	6, 8, 12, 16, 18, 24, 28, 32, 40, 48, 64, 80	29	12
Peat		(Cubic feet) 0.2, 0.3, 0.5, 0.7, 1, 2, 4, 5.5, 6		9
Peat moss		do		9
Pickles	Immediate elimination of fractional ounce quantities	Additional standardization activities under consideration	19	
Potato chips		Quantities presently being developed	39	
Powdered milk		do	13	
Pretzels				
Putty		Quantities presently being developed		
Salad and cooking oils	Dec. 31, 1968 [1]	12, 16, 24, 32, 38, 48, 128	15	7
School paste		2, 4, 8, 16, 32, 128		6
Soft drinks				
Sirups		Quantities presently being developed	25	
Toothpaste		do	57	

[1] Effective date for production of standard quantities.

Note: Unless otherwise noted all quantities indicate ounces.

APPENDIX II

ANNUAL CONSUMER EXPENDITURES FOR COMMODITIES COVERED UNDER THE FAIR PACKAGING AND LABELING ACT

Raw data from which this report was compiled was obtained from "Expenditure Patterns of the American Family," prepared by the National Industrial Conference Board and based on a survey conducted by the United States Department of Labor in 1965.

PRODUCT CATEGORIES EXAMINED

Category	Average annual expenditure	Tota expenditure (thousands)
A. Food prepared at home	$1,006.00	$62,875,000
R. Household supplies	67.28	4,205,000
C. Personal care products	81.00	5,062,500
D. Alcoholic beverages	81.00	5,062,500
E. Tobacco	93.00	5,812,500
F. Nonprescription drugs and medical supplies	15.31	956,875
Total	1,343.59	83,974,375

PRODUCTS EXEMPT FROM PROLIFERATION PROVISION WITHIN CATEGORIES

Product	Reason exempt	Total expenditure (thousands)
A. Food prepared at home:		
(1) Meat	FPLA, sec. 10(a)(1)	$17,485,000
(2) Poultry	FPLA, sec. 10(a)(1)	2,762,500
(3) Meat and poultry dinners.	FPLA, sec. 10(a)(1)	195,000
(4) Fresh fruits	Sold in random packages.	2,600,000
(5) Fresh vegetables.	do	3,412,500
(6) Flour	Sold in standard quantities.	585,000
(7) Sugar	do	780,000
(8) Lard	do	162,500
(9) Ground coffee.	do	1,527,500
(10) Butter	do	942,500
(11) Margarine	do	617,500
(12) Eggs	do	2,535,000
(13) Ice cream	Sold in standard quantities.	$1,267,500
(14) Cream	do	277,500
(15) Fresh milk	do	6,467,500
(16) Evaporated milk	do	520,000
(17) Chewing gum	do	130,000
(18) Salt	do	97,500

PRODUCTS EXEMPT FROM PROLIFERATION PROVISION WITHIN CATEGORIES—Continued

Product	Reason exempt	Total expenditure (thousands)
B. Household supplies:		
(1) Bleach	FPLA, sec. 10(a)(2)	260,000
(2) Insecticides and fungicides.	do	487,500
D. Alcoholic beverages	FPLA, sec. 10(a)(4)	5,062,500
E. Tobacco	FPLA, sec. 10(a)(1)	4,907,500
Total		53,082,500

SUMMARY

[Dollar amounts in thousands]

Expenditure for product categories examined	$83,974,375
Expenditure for products exempt from proliferation provision	53,082,500
Expenditure for products within categories subject to proliferation provision	30,891,875
Expenditure for products listed in app. I	19,044,625
Remainder	11,847,250
Percent of consumer expenditure represented by 68 products currently under investigation	61.64

CONSUMER EXPENDITURES FOR COMMODITIES CURRENTLY UNDER INVESTIGATION

Product category	Average weekly expenditure	Average annual expenditure	Total expenditure (thousands)
I. Food at home:			
A. Cereals and bakery products:			
(1) Cereals, cold	$0.26	$13.52	$845,000
(2) Cookies	.25	13.00	812,500
(3) Crackers, soda and other	.15	7.80	487,500
(4) Macaroni	.12	6.24	390,000
(5) Other, refrigerated dough	.03	1.56	97,500
(6) Rice	.08	4.16	260,000
B. Milk, cream, and cheese:			
(1) Cheese	.46	23.92	1,495,000
(2) Dry milk items:			
(a) Nondairy creamers	.005	.26	16,250
(b) Powdered milk	.06	3.12	195,000
C. Fruits and vegetables:			
(1) Frozen fruits	.04	2.08	130,000
(2) Frozen vegetables	.19	9.88	617,500
(3) Frozen foods:			
(a) Frozen juices	.21	10.92	682,500
(b) Frozen dishes	.15	7.80	487,500
D. Other foods:			
(1) Mayonnaise and salad dressings	.14	7.28	455,000
(2) Peanut butter	.09	4.68	292,500
(3) Edible oils	.09	4.68	292,500
(4) Potato chips	.14	7.28	455,000
(5) Other snacks:			
(a) Pretzels	.02	1.04	65,000
(6) Instant potatoes	.02	1.04	65,000
(7) Sugar and other sweets:			
(a) Candy	.22	11.44	715,000
(b) Jams, jellies, and preserves	.10	5.20	325,000
(c) Syrups, table and dessert toppings	.07	3.64	227.500
(d) Puddings and pie fillings	.06	3.12	195,000
(8) Beverages:			
(a) Instant coffee	.17	8.84	552,500
(b) Tea, instant and bags	.13	6.76	422,500
(c) Soft drinks	.39	20.28	1,267,500
1. Food at home—Continued			
D. Other foods—Continued			
(9) Miscellaneous foods:			
(a) Olives	$0.03	$1.56	$97,500
(b) Pickles	.06	3.12	195,000
(c) Mustard	.02	1.04	65,000
(d) Nuts	.02	1.04	65,000
(e) Ice	.01	.52	32,500
II. Housing supplies:			
A. Aerosol starch	.03	1.56	97,500
B. Floor wax	.06	3.12	195,000
C. Household cleaners	.03	1.56	97,500
D. Paper and film wraps and bags	.08	4.16	260,000
E. Paper napkins	.04	2.08	130,000
F. Paper towels	.05	2.60	162,500
G. Paper plates and cups	.02	1.04	65,000
H. Writing supplies, stationery	.17	9.13	570,625
I. Holiday decorations	.12	6.07	393,375
J. Garden supplies, peat, peat moss	.005	.26	16,250
K. Other expenses: (1) caulking compound, (2) glazing compound, (3) household adhesives, (4) putty, (5) school paste, (6) tapes, (7) lighter fluid	.08	4.08	255,000
L. Fabric softeners	.08	4.16	260,000
M. Dry detergents	.19	9.88	617,500
III. Personal care products:			
A. Dental needs	.16	8.25	515,625
B. Shaving preparations	.10	5.12	320,000
C. Facial tissues	.12	6.30	393,750
D. Powder	.03	1.73	108,125
E. Face and skin creams and lotions	.07	3.83	239,375
F. Hair preparations and spray	.19	9.70	606,250
G. Mouthwash	.08	4.12	257,500
H. Toilet tissue	.15	7.80	487,500
I. Deodorants	.19	10.00	625,000
IV. Medical supplies:			
A. Adhesive bandages	.02	1.12	70,000
Total			19,044,625

APPENDIX III

A CHRONOLOGY OF EVENTS TO A PRODUCT STANDARD

The NBS initiated a survey of paper towels in packages as offered for sale at retail on October 5, 1967. A request was made to State and local weights and measures officials to conduct this survey. The analysis of the data obtained revealed the impossible task confronting a consumer in making a value comparison. It was found that paper towels were available in 21 different quantities, from 50 to 400, and 9 different individual towel dimensions, including such sizes as 11" x 9.03" and 11.1" x 10.8".

The mandatory labeling requirements for package content included the number of towels per roll, the dimensions of each towel, and the number of rolls per package. For a consumer to make a value comparison, it would be necessary to determine the square measure of each sheet by multiplying length and width; multiply the result by the number of towels per roll; multiplied by the number of rolls per package to obtain the area of paper toweling in the package in square inches; and divide by 144 to arrive at the total square feet per package.

An actual example of this is as follows:

Brand A: 2 rolls, 88 towels each roll, 11" x 9⅜"=103. 125" x 88=9,075 sq. in. x 2=18,150 sq. in.÷144=126.0416 sq. ft.

Brand B: 2 rolls, 75 towels each roll, 11.1" x 10.8"=199.88 sq. in. x 75=8991 sq. in. x 2=17,982 sq. in.÷144=124.875 sq. ft.

The final comparison confronting the consumer would be Brand A containing 126.0416 sq. ft priced at 45 cents or Brand B containing 124.875 sq. ft. priced at 42 cents. Is the additional 1.1666 sq. ft. worth the additional 3 cents?

The problem is further compounded by the fact that there are many other packages of paper towels to make comparisons with.

The American Paper Institute was contacted on November 9, 1967, and the survey information presented to Mr. Carey, Executive Secretary. Mr. Carey called a meeting of the Institute's Executive Committee on November 30 which resulted in the selection of an industry group to meet with NBS staff on December 18. The survey data were presented by NBS together with an explanation of the several methods available to bring about a reduction in package quantity proliferation.

An *ad hoc* committee of industry representatives was established and held a meeting on January 4, 1968. During that meeting, a fact finding sub-committee was established. This sub-committee met on January 20 and decided to conduct a survey among producers.

During a conference at NBS on February 7, a representative of the *ad hoc* committee was informed that a survey seemed unnecessary, since NBS had completed one. It was further suggested that the only true way a value comparison could be made would be with a quantity statement in square feet of towels per package.

The fact finding sub-committee met with the *ad hoc* committee on February 20, at which time the results of the February 7 meeting were discussed. It was decided that information as to machinery capability and flexibility be gathered and reported to NBS. At a meeting with a representative of the *ad hoc* committee and NBS staff on February 23, this information was presented. A tentative standard was suggested by NBS.

The *ad hoc* committee met again on March 5, and a proposal was developed. This proposal was presented to NBS on March 19 and temporarily approved pending further study by NBS.

NBS staff, with information presented by industry, visited a paper processing plant to determine whether the data concerning machinery capability and flexibility were accurately presented. The staff determined that there were many technical problems, that the machinery capabilities and flexibilities were varied, and that the proposal offered was a fair and proper one. With the immense, costly and varied machinery, it was determined that not only was it impossible to standardize by towel dimension, but that to produce a roll of paper towels in even square feet was also impossible.

It then became obvious that to provide a meaningful standard in terms of even square feet, limited to certain specific square foot areas, consideration would have to be given to a small amount of "minimum" contents labeling. If machine capability was such that it would produce a package of towels with an actual area of 171.88 sq. ft., this quantity would be labeled 170 sq. ft. This was the only practical solution to the problem and the industry then applied to FTC for approval of this process on April 18. This idea was not immediately acceptable to FTC and several meetings among NBS and FTC staff were held before a final determination of acceptance was made on May 10. On May 12, this intra-industry agreement was finalized, and on January 1, 1969, full compliance will be established in the marketplace.

This chronology of events, extending over a period of more than 7 months, illustrates some of the problems in establishing standards. Although it may seem a simple procedure, it is in fact quite involved. The fact that a standard must not only fit consumer needs, but fit existing manufacturing capability, and allow for innovation as well, compounds the problem.

EIGHTH ANNUAL WEST SIDE COMMUNITY CONFERENCE — "THE URBAN STRUGGLE FOR POWER"

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. RYAN. Mr. Speaker, one of the fundamental problems of our time is the role of the individual in government.

That role is particularly difficult for the individual in a huge, changing nation with a diverse and active government.

And even within our democracy, the individual's role seems to have become less as the Nation and the Government have become larger and more complex.

Today, more than ever, it is vitally important that every citizen participate in our Government and in the democratic process—the only political system which holds any hope of meeting the changes and the challenges of our modern world.

Elected officials, and particularly Members of Congress, have a special responsibility to increase citizen participation. I believe that the public and those who mold policy are obligated to one another for understanding and direction.

Thus every year of my tenure in Congress I have sponsored an annual daylong community conference in New York City. Reform Democratic Clubs of Manhattan's West Side and many individual citizens join me in presenting the conferences.

The conferences are free of charge and free of partisan orientation. They bring together leaders in the Government and the academic world with the citizens to whom they are responsible for an exchange and an interchange of views.

On March 2, 1968, we held our eighth annual West Side Community Conference on "The Urban Struggle for Power." More than 2,000 individuals attended and took part in the five panels and the plenary session at Columbia University.

Wollman Auditorium was not large enough for the people who attended the plenary session. Loudspeakers were set up in adjoining rooms to accommodate the overflow.

Sargent Shriver, Director, Office of Economic Opportunity; Roger W. Wilkins, Director, Community Relations Service, U.S. Department of Justice, and I addressed the plenary session.

The panelists included:

Guillermo Alonso, governing council, Two Bridges Model School District.

Joseph L. Brennan, president, Council of Supervisory Associations, New York City public schools.

Marilyn Gittell, director, Institute for Community Studies; professor, political science, Queens College.

Rhody McCoy, unit administrator, Oceanhill-Brownsville Demonstration District.

Albert Shanker, president, United Federation of Teachers, AFL-CIO.

Charles H. Smith, comprehensive program manager, Cities, U.S. Office of Education.

Leonard Buder, education reporter, New York Times.

Robert Lekachman, Chairman, Department of Economics, New York State University at Stonybrook.

Seymour Melman, professor of industrial engineering, Columbia University.

Willis H. Shapley, Associate Deputy Administrator, National Aeronautics and Space Administration.

Kenneth T. Young, president, the Asia Society; former Ambassador to Thailand.

Henry Foner, president, joint board, Fur, Leather & Machine Workers Union.

Richard Boone, executive director, Citizens Crusade Against Poverty.

Richard Cloward, director of research, Columbia School of Social Work.

Hulbert James, executive director, Citywide Coordinating Committee of Welfare Groups.

William E. Zisch, vice chairman of the board of directors, Aerojet-General Corp.; Chairman of the President's Five City Test Program for Job Development.

Manuel Diaz, Jr., Regional Director, Equal Employment Opportunities Commission.

Rev. Henry J. Browne, president, Stryckers Bay Neighborhood Council.

Jeanne R. Lowe, author, "Urban Renewal in Flux: the New York View," and "Cities in a Race with Time."

Roger Starr, executive director, Citizens Housing and Planning Council of New York.

George Sternlieb, professor; director research center, Rutgers Graduate School of Business Administration.

Ted Velez, executive director, East Harlem Tenants Council and Redevelopment Corp.

Franz S. Leichter, Democratic leader, 69th Assembly District.

James Farmer, professor of social welfare, Lincoln University.

Edward Gray, assistant director, region 9, United Automobile Workers of America.

Preston Wilcox, staff associate, education affiliate, Bedford-Stuyvesant D. & S. Corp.

Kenneth M. Wright, vice president, chief economist, Life Insurance Association of America.

Basil A. Paterson, New York State Senate.

I wish it were possible to acknowledge by name everyone to whom I am indebted for the success of the conference. I do want to thank the following people for the vital parts they played:

The chairman was Susan Cohn and the cochairman was Daniel J. Nelson, who organized and coordinated the entire conference, and who were assisted by the tireless efforts of the following members of the conference committee: secretary, Elaine Bernstein; treasurer, Ira Zimmerman; administrative coordinator, Judy Joseph; club coordinator, Judy Neale; arrangements, Betsy Eisner; assistant arrangements, Chauncey Olinger; press relations, Bob Aronson; publicity, Jack Rennert.

The panel coordinators were Betty Jo Bailey, Ada Bass, Sylvia Hunter, Carol Leimas, and Eva Popper.

The club representatives were Mary Adamson, Bob Aronson, Diane Bienstock, David Ginzberg, Judith Gottehrer, Roger Seasonwein, Elliot Shorter, Carolyn Stevenson, Israel Weinstein, and Beverly Ungerleider.

At all stages of the conference, Gil Raiford, a graduate student intern on my staff, was deeply involved in its planning and execution.

As in the past, Rita Breitbart, Philip Eisner, Virginia Horton, Barbara Jeffers, Rosemary Latimore, Anna Lou Pickett, Elizabeth Savels, and Selma Ziskin made major contributions to the success of the conference.

Other members of the conference staff were Leona Brin, Bob and Beverly Celotta, Anne Chaney, Doris L. Clark, Vivian Cohen, Michael Cohn, Rebecca Cooperman, Jose Delgado, Jean Faust, William Feyer, John Flores, Judy Harrow, Edrice Hutchinson, David Israel, Dianne Joffee, Sol Katz, Adrienne Kivelson, Rudy Lawrence, Jim Marker, Joseph Marshall, David R. McGregor, Ronald Pristin, Al Racklin, Rafael Rivera, Joyce Rowe, Barbara Silverstone, and Jacob Waldman.

To each and every one who participated in the work of the conference we are indebted.

I want to acknowledge the friendly cooperation of Dean Mark Flanigan, of Mr. Frank Safrin, associate director, and the entire staff of Ferris Booth Hall, particularly Elliot Kaback and Mia Leo. Our thanks also to Mr. Edward B. McMenamin, Secretary of Columbia University and his staff; to Mr. Edward Blair, catering manager, John Jay Food Services; to Miss Carolyn Wood, assistant to the dean of the Law School.

The participating clubs were: Ansonia Independent Democrats, Columbia-Barnard Democratic Club, Columbus Circle Democratic Club, Fort Washington-Manhattanville Democratic Club, Heights Reform Democrats, Manhattan West Democratic Club, New Chelsea Reform Democratic Club, Park-River Independent Democrats, Riverside Democrats, Village Independent Democrats, West Side Democratic Club.

I am also deeply grateful to the large numbers of community sponsors whose generous contributions enabled the conference to be held.

I opened the plenary session by noting that the struggle for power in the cities is a real and potentially explosive issue.

I pointed out that 32 experts had come to the community to share with local residents their knowledge of what is being done in such fields as schools, urban planning, and community action under the antipoverty program.

And I noted that the experts also sought to get from residents first-hand knowledge of community attitudes about problems and proposed solutions of the urban crisis.

Roger Wilkins, Director, Community Relations Service of the Department of Justice, reported a growing awareness among American leaders that local people must take an active part in determining their own destinies.

Sargent Shriver, who headed the antipoverty program from its beginning to 1968, said the Office of Economic Opportunity insists on the "full feasible" participation of local people in antipoverty programs. He noted that local poor people are successfully administering many important social welfare programs in many fields. For instance, he told how local people, many of them poor, are involved in more than 20 community health programs in the United States, including the West Side Neighborhood Health Service program, which our 1967 West Side Community Conference on "The Challenge of Health Care in the Cities" helped to create.

I include at this point in the RECORD my remarks at the plenary session:

REMARKS OF CONGRESSMAN WILLIAM F. RYAN BEFORE THE EIGHTH ANNUAL WEST SIDE COMMUNITY CONFERENCE, MARCH 2, 1968

We are gathered here today to talk about the Urban Struggle for Power. Fundamentally the struggle is to decide who should control essential activities; who should control in education, housing, planning, antipoverty.

Governor Rockefeller seems to have one answer, at least according to his proposed housing and transportation programs. He knows who should control. He says that the

State should control, preferably using Federal or City funds.

Many of us—and now the President's National Advisory Commission on Civil Disorders—have been battling to give the poor more power over programs aimed at helping them and more power over rehabilitation aimed at their communities.

Yet the State Administration continues its old Olympian view of our urban problems and the poor.

The State Administration's transit program would plan, allocate resources and organize the future of urban and suburban communities with minimal involvement of those whose future they organize.

The State Administration's Urban Development Corporation would take a similar Olympian view of housing. It would control rehabilitation from on high, able to override even city regulations and codes. Presumably, it would not want to say something about what is done to their particular homes and communities.

Whether we take part in it or not, and whether we like it or not, the struggle for power is going to affect every citizen and his family for generations.

It is taking place where we are creating the future of our nation—in the cities. The great majority of our citizens now live in urban areas. More of them will be living there in the future.

The struggle also will determine a lot about the future structure and pattern of our government. It is directly affecting the relationship between local and Federal government.

We have come far enough in the struggle to know that the old system is dead. Yet we cannot clearly see the future pattern.

And somehow, the struggle is going to affect the fundamental economic organization of our nation, and the economy of our future.

Because it is going to cost an enormous amount of money, either to solve the problems or to deal with our failures.

It has taken many, many years, and a horrifying amount of suffering and violence, for most of the country to come to realize that we must do something about our urban problems.

Now the nation and the Congress accept the fact that we must do something about our 30 million citizens still living in poverty.

We accept the fact that we must do something about increasingly unequal incomes. (In Harlem, the average income dropped from $3,997 in 1960 to $3,907 in 1966—a decrease of two and a half per cent. At the same time, consumer prices in the New York Metropolitan area rose 12 per cent.)

We must do something about those left behind by our increasingly affluent society—those who resorted to civil disorders in the streets last summer when 80 people were killed and half a billion dollars worth of property destroyed.

We must do something about our slums. In our splendid nation with spreading suburbs, we have more than seven million urban slum units—most of them completely debilitated. And the number is growing every day.

In education, we must do something about ghetto schools falling further behind all the time. We now know that those children—whom we do not accept the burden of educating today—they will be our burden tomorrow.

We have heard a great deal in recent months and years about how municipalities cannot meet these problems, can't do the job; how cities are helpless without Federal and State aid.

And we have heard a great deal recently from most cities in America, and particularly from New York, about how we need new organizations, new programs, new plans and committees.

Now these things are undoubtedly true. But the basic failures of our urban areas, and of our States and our Federal Government, are both simpler and more complex than that.

Our primary failure in dealing with our urban problems over the last decade and today is not simply programs but a failure of leadership, or hard, driving determined action.

If you want real insight into some of the questions we are discussing today, I suggest you read the front page of the New York Times any day of the week. Count two kinds of stories.

Count the number of stories and the space devoted to plans, programs and promises aimed at meeting our urban problems.

Then count the far fewer stories devoted to action actually underway and things now being done that are meeting the problems.

When that ratio changes in the Times or in other newspapers, when most front-page stories are about actions taken to meet urban problems, then you will know that we are making progress.

The President's Commission on Civil Disorders has reported that there was no conspiracy. The cause of the summer riots was more vicious than any conspiracy—discrimination, poverty, lack of education, slums, unemployment.

The Commission notes the only solution is for Americans to end their racial prejudices, and for us to make the financial investment to act to wipe out 300 years of discrimination.

If we are to end all racial prejudice in America, we must live up to our declaration that all men have equal rights. We need to pass the necessary laws and enforce them.

And we can make the necessary financial investment for action—vast as it is. We are affluent enough by far. The real question is not whether we can. The only question is whether we will.

And so long as we are pouring our resources into the Vietnam war, the President and the Congress have given an unequivocal answer. We will not.

The President has said, and I quote, "Faced with a costly war abroad and urgent requirements at home, we have had to set priorities. We cannot do everything we would wish to do. And so we must choose carefully among the many competing demands on our resources."

The Administration has decided to make a choice between the streets of Saigon and the streets of the United States. The proposed budget for Fiscal 1969 will allocate more money for destruction in Vietnam alone—not counting other defense expenditures—than for all our domestic educational and other major social programs.

Of the total projected expenditures, 14 percent would go for Vietnam. Eleven percent would go for education and other major social programs.

Programs aimed at the Great Society are virtually frozen.

As well as stopping progress, the Vietnam war has also had an effect on our society, and on how we are dealing with our urban problems.

It has twisted our priorities around, and it has pushed us to increasingly militaristic and reactionary responses to all our problems.

The Defense Department spends more for university-based research than the National Science Foundation, which was established for that purpose. It spends more for social science research than any other Federal agency.

Defense Department grants to universities for basic research now total nearly half a billion dollars annually.

Even more ominous, the military-industrial complex is increasingly active in domestic problem-solving. Because it is guaranteed almost any budgetary request from Congress, the Defense Department solicits funds for low-cost housing, for education for the disadvantaged, for basic research into the problems of poverty.

In Vietnam, the State Department says the trouble is outside aggression. At home, when the ghetto exploded, Washington and officials of riot areas said, "The trouble is caused by those outside agitators."

In Vietnam, we bomb the North to stop infiltrators. In Congress, the House passed an anti-riot bill to stop infiltrating agitators.

The State Department warned of the domino theory. At home, men of the same mentality have said, "If we don't stop them in Newark or Harlem today, they'll be in Plainfield or on Park Avenue tonight." That's the domestic domino theory.

In Vietnam, we sent in more troops, more force, more troops. At home, we have stockpiled arms and trained troops to put down next summer's riots.

Vietnam is Watts. Watts is Vietnam.

The President's Advisory Commission in its report has noted that these are the wrong responses at home, the wrong reasons, and they will bring about the wrong future for our nation.

The Commission noted three major objectives for national action.

It called for removing all discrimination and barriers to jobs, education and housing. It called for increasing communications.

It called for a resolution of the urban struggle for power in favor of the poor. The Commission said we must give the poor the means to deal with problems that affect their own lives. We must increase the capacity of our public and private institutions to respond to the problems.

We lack neither the money nor the means to carry through our struggle and to solve the urban crisis.

The President's Advisory Commission has pointed out that it would take considerable funds to begin to meet our ghetto problems. It also noted that there is no higher priority on the nation's conscience.

The fact, of course, is that we must end the war and change our priorities. We must put the Streets of the United States ahead of the Streets of Saigon.

Last year a number of Congressmen and I introduced the Full Opportunity Act which would do just this. It would devote about $30 billion dollars a year—what we are spending in Vietnam—to employment, education, housing and other urban needs.

Perhaps most fundamental to the whole urban problem is housing—slum housing. In calling for a massive attack on housing, the Commission recommended we establish an ownership supplement program to make home ownership possible for low-income families.

This is a fundamental goal for which I have long been fighting.

Last year I drafted and introduced a Cooperative Housing bill (H.R. 14034) to help tenants buy, renovate and convert their slum buildings into cooperatives.

Under the bill, the Secretary of Housing and Urban Development would administer a revolving loan fund and program to provide slum residents with technical assistance and capital.

The program would help tenant groups organize and acquire violation-ridden slum buildings. It would keep interest rates low so that average monthly payments by cooperators would be held to 20 per cent of their average income.

But more important, under the bill, tenants would become homeowners. At minimal cost, we could begin to give residents control and we could begin to drive the absentee slumlord out of the slums.

Last summer nine other Congressmen joined me in noting how our priorities had been turned about and how we had seen an increasingly reactionary response to the twin prospect of continued violence in Vietnam and in the cities.

We said it was time our Nation acknowledged that the crisis in our ghettos was more urgent than the war in Vietnam.

First, we said, the war must end . . . now.

Second, we said, we must begin a Marshall Plan for the cities, a redistribution of excess affluence and a new plan for the full participation of this nation's deprived in reconstructing every ghetto in every city of the country.

In the urban struggle for power, many new groups and people are taking part.

Business has found a new awareness of the ghetto. Last summer, after the Detroit riots, President William Day of Michigan Bell Telephone, apparently for the first time in his life, went out to look at the ghettos. He said, and I quote, "Absolutely terrifying. No wonder people riot."

Some experts are advocating a new role for business. But no matter how good the motives of the individual, business is in business to make a profit.

The Urban Coalition has generated many press releases but it has yet to come to grips with the problem. And I think it is fair to ask if business ever can or ever will—of its own volition—come to grips with the problems of the ghettos.

Or will the idea of involving private enterprise in the slum only divert government from its primary responsibility.

And if business is involved, will it—any more than the established political structure—give up power to the powerless. Yet more than anything else it is powerlessness which underlies our racial crisis.

The questions before our conference are basic. How they are resolved will determine the future of America—black and white—Puerto Rican, Mexican-American, Spanish-speaking and other minority groups.

The OEO Community Action Programs—under the leadership of Sargent Shriver, who foresaw the need to involve the poor—have stimulated new consciousness among the poor, who recognize poverty is not only economic but it is also the poverty of power.

Hopelessness and powerlessness have characterized the ghetto. Now there has been the discovery that meaningful involvement can bring hope.

The question is, will we make the commitment of resources and *will* to bring 30 million people into the main stream of American life?

The urban struggle for power can only be resolved by an end to the bloody Vietnam war, by a massive investment of money and by real community involvement—by you.

But it must be resolved if America is to find herself and her national purpose once again.

Volunteer student reporters of the Columbia School of Journalism and other talented citizens of the West Side generously gave of their time and skills to report proceedings at the conference. For their reporting, notes, and articles I am particularly grateful.

The morning panel on "Education: Who Shall Govern?" was moderated by Leonard Buder, education reporter, New York Times. Panel members were Guillermo Alonso, governing council, Two Bridges Model School District; Joseph L. Brennan, president, Council of Supervisory Associations, New York City Public Schools; Marilyn Gittell, director, Institute for Community Studies and professor, political science, Queens College; Rhody McCoy, unit administrator, Oceanhill-Brownsville Demonstration District; Albert Shanker, president, United Federation of Teachers, AFL-CIO; Charles H. Smith, comprehensive program managers, cities, U.S. Office of Education.

I include the report at this point in the RECORD:

EDUCATION: WHO SHALL GOVERN?

(By Rita Breitbart)

Professor Marilyn Gittell pointed out that there have been two major failures in New York City's educational system—educational and political.

She said that the educational achievement of students as measured by test scores and number of children receiving academic diplomas has been a failure.

The political failure is the closed nature of the school system resulting from its large, over-centralized bureaucracy.

The professor said that a corollary to over-centralization has been the growth of "professionalism," and the idea that professionals have all the answers. Over-centralization has affected all aspects of the City's government, she said, closing off the decision-making process.

The professor noted that for too many years reformers have been concerned with professionalizing government. Now, she said, we need new reforms to open the system to other points of view.

However, Professor Gittell noted that overriding both these problems is the change in the City's population—the inmigration of nonwhites and the outmigration of whites. The City's institutions are supposed to change to reflect changes in society, but the educational system has not reacted to this change in the City's population.

Professor Gittell suggested decentralization as a response to the political problem of a closed system. Decentralization, she said, would delegate power down to groups which have been excluded from the decision-making process. Although it would create a new political climate for education, it would not in and of itself offer an educational answer. It would, however, she said, create an environment for the parents and community to participate in decision-making, so that parents and students would understand that the schools are "run for them."

Professor Gittell noted a number of criticisms of decentralization:

First, critics say decentralization does not provide an educational solution. However, she said, this criticism is only partially valid. Decentralization would create an environment in which change could take place, and new solutions might be introduced. The present school system does not allow for change.

Second, critics say decentralization could permit loss of professionalism. However, she said this criticism does not make sense, because up to now professionals have not had all the answers. The system is failing despite the trend toward professionalism.

Third, critics say decentralization may set integration aside. However, she noted that despite great expenditure of energy in recent years, integration has not been achieved.

Fourth, critics say decentralization would increase the difficulty of ghetto schools in getting good teachers. However, she noted the same problem exists under the present system.

Fifth, Professor Gittell noted the critics claim decentralization would increase parochialism. She acknowledged this was a possible problem. But she said it is not an insoluble one.

Albert Shanker warned that decentralization would have no effect on student achievement, but it would have political impact.

He noted that many people say the old solutions will not work—money, training and retraining teachers, new materials and smaller classes. But Mr. Shanker said this is untrue. We have starved our school system, he said. The average stay of a teacher is three years.

Mr. Shanker pointed out that, instead of trying to improve the quality of schools, advocates of decentralization say, "Let's turn it over to the victims. Then they won't blame City Hall and the Board of Education any more."

He said that New York City does not have to wait for decentralization to find out what the consequences of local control would be. Thousands of small school districts across the country are now centralizing, he said, because they find they are too small to operate efficiently.

The V.F.T. president said that centralization or decentralization has no effect whatsoever on public achievement. In districts with the same average economic level as New York's, there is the same average academic retardation. But he said that decentralization would have a political impact.

Mr. Shanker noted that where large numbers of people in a district want local control they will get it. The question is how we should decentralize without destroying certain educational objectives. This, he said, is possible.

Finally, Mr. Shanker warned that decentralization has to be "real." He said the Lindsay proposals for decentralization were not "real," and only Mayor Lindsay would wind up with more power. He said that for real decentralization, everyone should vote for all members of the local school boards. Funds must be guaranteed to the local boards.

Joseph Brennan reported that the Bundy proposals for decentralization of New York City schools were based on very serious misconceptions and lack of knowledge.

First, he said, there is no analogy between small districts outside of New York, like Scarsdale, and small, decentralized districts within the City. District lines in New York will always be artificial.

Second, he said, small districts in New York will not have the budget-making powers of small school systems outside the City.

Thirdly, he noted that where small school districts do operate, school budgets are turned down year after year.

Mr. Brennan said that the idea that New York City's school system is in a spiral of decline is a fallacy. New York compares favorably with other school systems with similar economic conditions. He said the city does, however, need a massive effort to examine the problems of teaching disadvantaged children, coupled with more federal funds for education. Remedial reading is inadequate, he said, and the educational system must attack the problem in the first instance. Organized labor and the churches must cooperate in raising the aspirations of ghetto youngsters.

Mr. Brennan noted that critics of New York's public schools point to the number of academic diplomas awarded by the high schools. However, he said, the number of academic diplomas is unimportant. Colleges never see the diploma. The problem is rather, he noted, to prepare children for college.

We know, he said, that the City has not done a satisfactory or even a minimal job with underprivileged children. But school supervisors want the community's support, because they and parents have a common problem. However, he said, to change the type of "technical administrative set-up" of New York City's schools would only postpone the solution of the problems.

Guillermo Alonso noted, "We are talking about children" and our poor children have been neglected.

He said that middle class parents are more effective in dealing with school administrations because they are professionals and are respected when they complain. For years, he said, poor parents have been joining parents associations trying to get their ideas across, but the parents associations are controlled by middle income people who don't appreciate the needs of poor parents. They are more concerned with "cake sales and bus trips."

The parents associations, he said, have claimed that Negro and Puerto Rican parents don't want to participate because of their poor attendance at meetings. But the poor parents don't come only because they are disgusted with the parents associations' failure to deal with real problems.

Mr. Alonso said the poor parent who goes to complain to the principal walks into a stacked meeting. He reported he had seen parents virtually thrown out of the principal's office. He conceded that decentralization might not be an answer to the problems, but he said it is worth a try.

Rhody McCoy stated that parents are tired of listening to philosophical discussions of power; they want their children educated.

For the first time, he said, parents are getting a chance to see what is going on in the schools and to meet with educators to discuss priorities. The parents are concerned and are looking for information on the schools.

Mr. McCoy said the model decentralization project has introduced a fresh viewpoint in choosing principals. The demonstration district now has the first Puerto Rican principal in the City. The new principals were questioned by the parents weeks before they were hired.

Mr. McCoy noted that the present system wide method of choosing principals has been so inflexible that its effect on educating children has not even been considered. He gave as an example the fact that supervisors must choose one out of the first three assistant principals on the list. He told of a situation where all three were trained in social studies. None would therefore have met the immediate needs of his staff, which already had an assistant principal competent in this field. However, Mr. McCoy said, he had no choice but to hire one of the three.

Mr. McCoy said the decentralized demonstration project is headed in the right direction. However, he acknowledged its work cannot really be assessed because the governing board does not actually have control of the schools. He pledged the governing board would fight until it got real control.

Charles Smith reported that studies done on the school systems of Washington, D.C., Milwaukee, and Newark have all recommended decentralization. He said Philadelphia is currently developing the financial means for local-district autonomy. The whole thrust of Federal programs, he said, now requires citizen participation.

After the discussion members of the audience asked pertinent questions. Following are some of the questions and answers.

The panel was asked, "What can be done about the disruptive child?"

Mr. Alonso said the disruptive child might be a bright child who is bored with the curriculum.

Mr. Shanker said the problem of the disruptive child does not stem only from the home situation. He said decentralization would lead to the local community's being much stricter with students in terms of behavior permitted in the classroom than the central board is now. When the parents are governing the schools, he said, they will take this responsibility more seriously than the Board of Education now does.

The panel was asked, "What can the concerned student do to expedite decentralization?"

Mr. McCoy sad the Oceanhill-Brownsville Demonstration District has student representatives meeting with the governing board members to discuss their concerns. He said students should join with parents in demanding their rights.

The panel was asked the following question. "Under Title III of the Education Act there is a program for innovative educational programs. But the board has re-written community proposals. Is the United States Office of Education aware of the disparity between the ideas of the parents and the Board's version of these proposals?"

Mr. Smith said that parents should ask to become part of the sign-off procedure.

Mr. Smith was asked, "With reference to Judge Skelly-Wright's decision that tracking of schools was a violation of the basic rights of students, what has your office done about this?"

Mr. Smith said that, although the decision was subject to appeal, the tracking system has been eliminated.

Mr. Shanker was asked, "What will your union do to train teachers to work with decentralization?"

Mr. Shanker said that the union supports decentralization, but not as Mayor Lindsay proposed it. The union advocates a local board completely elected by the community and guaranteed funds for the local districts. Mr. Shanker said that power exercised by people who have not previously had power can be exercised in a nasty and arrogant way. He expressed the hope that both sides would learn to work together. Without mutual cooperation, he said, we could have "community control of a school system without any schools."

Mr. Brenner was asked, "Did you say that academic diplomas were not important, not prerequisite for college admission?"

Professor Gittell answered that diplomas were necessary. She said that the only reason this requirement may be relaxed is because of New York's tracking system which pushes Negro and Puerto Rican children into general and vocational diploma programs.

Mr. Brennan was asked, "Do you believe in parent involvement?"

Mr. Brennan said that school supervisors want parent involvement but not as Mayor Lindsay has proposed.

The morning panel on "Urban Needs and National Priorities" was moderated by Henry Foner, president, joint board, Fur, Leather & Machine Workers Union. Panel members were Robert Lekachman, chairman, Department of Economics, New York State University at Stony Brook; Seymour Melman, professor of industrial engineering, Columbia University; Willis H. Shapley, Associate Deputy Administrator, National Aeronautics and Space Administration; Kenneth T. Young, president, the Asia Society and former Ambassador to Thailand.

I include the report on this discussion:

Report on Urban Needs and National Priorities

Ambassador Young opened the discussion by warning that the United States cannot ignore the growth of the Asian community, which has as its goal a coalition that will include China.

He said Asia's peacekeeping machinery must be strong enough to maintain order. The United States must be prepared, over a long period of time, to help Asians build better nations, to assist them in their struggles for political reform and social justice, keeping in mind all the while the necessity for the gradual withdrawal of the power of the United States from Asian territory.

Professor Lekachman said that the United States is a conservative society. We can, if we want to, he said, spend from the national budget enough for the war and enough at the same time for the war on poverty. But, he said, we won't. When it was possible, after spending some of the national budget on anti-poverty projects, to have the remainder available for big business and big institutions, it was appropriated. But our society will not countenance spending, he said, for social benefit *and* financing a war.

Professor Lekachman said war poisons the atmosphere. He said there is a growing tendency to solve social ills by the use of force, and our society is slowly disintegrating. He said we can save our society only by revolting against the war in Vietnam.

Mr. Shapley said this country is able to, and must, spend the money required for the war and the money required for the maintenance of local programs. He said we cannot abandon our efforts in the areas where something must be done.

Professor Melman said escalation means using nuclear weapons, and the use of nuclear weapons will call for a response in like measure. Our cities may not exist much longer, he warned, much less have urban needs, if we cannot terminate the war.

The Professor charged we are maintaining a parasitic growth when we spend our resources for the military establishment, a nonproducing body. He said our economy suffers from a lack of productive workers.

Professor Melman estimated that to repair failing communities in the United States would cost $76 billion a year. In New York City alone the cost of economic development would be $5 billion a year for ten years. He charged that we pay $15 billion a year into the Federal budget, and $10 billion of that is used to support a parasitic body. He said, "Let us put the productive workers back to work."

After the panel discussion, members of the audience asked pertinent questions. Following are some of the questions and answers:

Professor Melman was asked, "Would it not cut the City budget requirements in half if there was a guaranteed wage?"

Professor Melman said that more than money was involved. A guaranteed wage would, indeed, help individuals. But he said it would not build schools, hospitals and decent housing.

Professor Melman was asked, "Do you suggest that we be the only nation to abolish the parasitic body, i.e., the military establishment?"

The professor noted that given the bomb, we could protect our borders and keep a mobile force for the maintenance of peace in the world, with a complement of only one million men, at a third of the present military budget.

Mr. Shapley took the Floor. He said, "nonsense, utter nonsense." He said, "Professor Melman devalued his own brilliant economic position when he entered the field of military budgeting. That should be left to those whose job it is, who certainly are as concerned about conditions as the rest of us."

Professor Melman said, "Military matters have become too important to be left to the military. Our leaders have not demonstrated their proficiency to our satisfaction."

Mr. Shapley was asked by Professor Melman, "Does the country really need supersonic air transport and the new anti-missile project?"

Mr. Shapley said that both the projects were debatable. But he said they have something to do with the balance of payments, and also the maintenance of our position in air craft production.

Professor Melman was asked by Mr. Shapley, "Other countries suffering from economic underdevelopment are not engaged in a war. How do you account for their condition?"

Professor Melman said it was the result of large military budgets of the past.

Mr. Shapley was asked by Professor Melman, "Aren't we being given too little information about military spending, in contrast to the outpouring of expose-type information on the anti-poverty program?"

Mr. Shapley said that was correct, particularly concerning the nuclear complement around the world. However, he said, this information is available, and it would be well if some people were interested enough to work with this material, aiming at publication.

The afternoon panel on "Antipoverty: Who Shall Govern?" was moderated by Manuel Diaz, Jr., regional director, Equal Employment Opportunities Commission. Members of the panel were Richard Boone, executive director, Citizens Crusade Against Poverty; Richard Cloward, director of research, Columbia School of Social Work; Hulbert James, executive director, Citywide Coordinating Committee of Welfare Groups; William Zisch, vice chairman of the board of directors, Aero-Jet General Corp. and Chairman of the President's Five-City Test Program for Job Development.

Notes for the report on the panel discussion were taken by Mary Adamson. I include the report on the discussion:

ANTIPOVERTY: WHO SHALL GOVERN?

(By Mary Adamson)

Manuel Diaz, Jr., Moderator, called the meeting to order and introduced himself and other members of the panel.

With the consent of the audience and at the Moderator's request, Betty Jo Bailey of the Conference Staff, presented three members of the Delano, California, United Farm Workers, AFL–CIO. They made an appeal for active support of the union in its strike in the vineyards of California by boycotting the growers, writing and calling Joseph Giumarra, Edison, California, and other company leaders, to ask negotiation with the union, and helping the strikers publicize their cause. Leaflets were distributed.

Mr. Diaz said that, as Director of Community Relations, Mobilization for youth, he had worked with the Puerto Rican people and others in the poverty areas of the Lower East Side.

"We are meeting today in the midst of crisis," he said. He noted that the Report of the President's Advisory Committee on Civil Disorders could be either a landmark or fade into history. As with all other national matters this year, he said, the war in Vietnam is the determinant.

He asked, "What is power and where does it come from?"

He said that there are three sources of power—the political establishment, the economic and social organization of the communities, and the corporate economic structure. The Office of Economic Opportunity, he said, must take into account welfare priorities and the employment of adults in order to make the second source of power a potent force in our nation.

Richard Boone noted that he is not "a New York City expert." Rather, he said, he lives in Washington with the "haves," but he was an early participant in organization of the war on poverty.

He said that power is seldom legislated for poor people, and they will not get it without a fight.

He said it was unprecedented that the Act creating the Office of Economic Opportunity had slipped into it, by the writers of the law, a clause on the rights of the poor and nonprofessional workers. However, he said, the poor have not reaped the benefits because of lack of organization and lack of organizers who would concern themselves with the political processes. Some organizations have been developed beyond the OEO. He gave as examples the welfare rights groups in Rochester, and the CDGM, child development program in twenty Mississippi counties.

William Zisch reported that following the Watts riots, Vice President Humphrey made an appeal to businessmen in the Los Angeles area to make a special effort to provide employment oportunities. As a result, by November, 1966, his committee had a new company going in the middle of the Watts area. Of 500 employees, he said, 60 per cent have "served time."

Mr. Zisch said the program is a test of what industry can and will do, and similar efforts are being made in five cities. He said the 120 companies have found jobs for 20,000 in three months. However, he insisted government must help solve the problem despite the complications and conflicts regarding management and financing. There has to be leadership in Washington, he said, and only profit will power the private sector.

Richard Cloward said that, as Director of Research for Mobilization for Youth, he had witnessed the welfare rights struggle. He asked, "Why is there special concern for the ghettos now?" The economy, he said, no longer has a stake in racism. With technology, wages are a less important factor in profits. Labor no longer regulates programming. The riots have been expensive to the corporate entity and now the government promises profits.

He said that the government is interested in the welfare struggle to ease its war conscience and the exclusion of black people from business.

Key to the problem, he said, is whether the municipal governments will be made ineffective in the next 20 years when the black people gain control of the cities. Wherever they are the corporations will profit, he said, with the government putting up the money.

Hubert James said he has been in the forefront of the organization of poor people, with some success as with Vista, in Kentucky. He warned that one cannot rely on the Report of the President's Advisory Committee to solve the problems. Another committee, he noted, said about the same thing 50 years ago.

Mr. James asked, "Why is Mr. Zisch's company making tents for the Vietnam war?" He said it is because the black people are being seduced into helping the war. He said, "It's all double talk we are getting now."

Mr. James said it was clear that the small businessman in the ghetto could not get a loan, but big business could get funds to further war in Vietnam. "Where are we in the United States?" he said. "Who are the lawless?"

Mr. James said that we need maximum "people participation," and that people were left out of the OEO except for some "payroll grassrooters." The whole school system has to be changed, he said, not just to get more "Upward Bound." He charged there was no citizenship participation in the health program planning.

He said that in 120 cities in 30 states, welfare clients are organizing because 80 percent of welfare clients are not up to the minimum standards set. The welfare rights movement is talking about survival.

Mr. Diaz asked for some positive suggestions. "What can we do?" he asked.

Mr. Zisch said there should be more evaluation of what constitutes a meaningful job.

From the floor came a strong call for self-determination for black people. Other members of the audience made the following points:

Aren't state governments capital instruments for starving cities?

We need clarification on the corporate groups' interests in the cities.

How can the conflict between union job discrimination and black scabs be solved?

Urban coalitions with poor people in leadership can bring reforms.

The following is a brief summary of the comments prepared by William E. Zisch for the panel "Antipoverty: Who Shall Govern?" at the Eighth Annual West Side Community Conference, March 2, 1968:

In November 1966 Aerojet-General Corporation established the Watts Manufacturing Company in Watts for the purpose of employing the hard-core unemployed. As of September 1967 approximately 500 hard-core were employed at the Watts Manufacturing Company. During the first few months after starting business, Watts Manufacturing had more than 7,000 applicants.

October 2, 1967 (in part based upon the experience of the Watts Manufacturing Company) the President announced a 5-City Test Program to test the willingness and ability of the private sector to establish meaningful jobs for the disadvantaged and to test the ability of the Federal government to be responsive to private industry problems by providing funds to offset the extra costs and added risks of such an undertaking. In January 1968 (on the basis of the findings of the President's Test Program) the President launched a 50-City Program under the leadership of the National Alliance of Businessmen headed by Henry Ford II.

During the test program more than 156 separate business firms in the 5-city test areas (Boston Washington, Chicago, San Antonio and Los Angeles) responded affirmatively. The business proposals were imaginative, unique and innovative and provide more than 20,000 meaningful jobs for the disadvantaged.

Generally, the business community did not really want to hire the disadvantaged because to do so demanded they discard elementary business principles and engage the least productive members of the labor force. This unwillingness was evident even among companies whose extra costs could be fully recovered under the limited forms of government assistance available to them from the test program. Almost without exception the members of the business community who responded to the test program did so as a result of exhortation.

A ranking executive of one of America's major corporations put it succinctly when he said, "Your program could be like the Investment Tax Credit—here today, gone tomorrow." They were fearful and suspicious of a government effort which could be terminated leaving them with a costly and uneconomic work force. Thus many firms were unwilling to participate in the test program. Instead they were devising limited efforts of their own to provide jobs and training for the disadvantaged without recourse to government subsidies. In such instances these private efforts are far too limited and superficial in character to even begin to attack the problem of hard-core unemployment.

To the extent that jobs in the private sector will help solve the program an appropriate profit incentive is required to fully attract the interest of the business community.

Immediate action should be undertaken to obtain reliable information on the actual scope of our nation's hard-core unemployment problem. There is no hard data available in the field or in Washington. Even the mayors of the test program's target cities could only guess the number of hard-core unemployed in their own communities.

As we go forward in an endeavor to solve the inner-city problem we must continue to recognize our serious lack of information about the problem and exhaust every avenue to encourage the private sector to provide meaningful jobs.

With Aerojet-General's experience at Watts Manufacturing, and the results of the President's Test Program there is sound basis to expect substantial contribution to the solution of the hard-core unemploymnet problem by the private sector provided the effort embraces fully the principles of America's free enterprise tradition.

The afternoon panel on "Housing and Planning: Who Shall Govern?" was moderated by Franz S. Leichter, Democratic leader, 69th Assembly District. Members of the panel were Rev. Henry J. Browne, president, Stryckers Bay Neighborhood Council; Jeanne R. Lowe, author, "Urban Renewal in Flux; the New York View," and "Cities in a Race With Time"; Roger Starr, executive director, Citizens Housing and Planning Council of New York; George Sternlieb, professor and director of the research center, Rutgers Graduate School of Business Administration; Ted Velez, executive director, East Harlem Tenants Council and Redevelopment Corp.

I include the report on the discussion:

Housing and Planning: Who Shall Govern?

(By Rita Bretbart)

Franz Leichter, the moderator, said the panel should deal with such issues as the following: Can there be any meaningful renewal without community participation? Does community participation spell the end to renewal? What about expertise and objectivity? What is the community, and how does it express itself? Will delay ensue from community participation? Has there been participation by the community in New York City of late? Has there been any change since the days of Robert Moses' Slum Clearance Committee? What are some of the new programs? Is the influx of state and federal money at variance with community participation?

Roger Starr said that community participation does not mean community control, but a diminution of control by government and large economic interests. In a monied society, he said, money makes most decisions. Community participation means a way to change the force of pure money and introduce other values.

Mr. Starr said the problem with demanding absolute control by the community is that we will never be able to agree on what constitutes the community. The way the City makes decisions has changed immeasurably since Moses' days, but we are still limited by funds available, and the fact that no decision made in any area will be fully pleasing to those living in the area unless the area is completely united. The community can only be one pressure group in the process of compromise which affects decisions. Mr. Starr said, "It is naive to demand anything else."

Father Browne said that power should be localized. The West Side Urban Renewal Area, he said, proves the possibility of developing local expertise and building moderate cooperative housing. The only way to house poor people is vest pocket, low-income housing. Middle-income housing, he said, is a gimmick and a fraud. Urban renewal has been a hoax on the poor. Model Cities, he said, is the same thing, with a bonanza thrown in for social workers.

George Sternlieb predicted that in the future the poor probably would take control of the City. But he said the City is rapidly becoming an empty shell. The bases for the City's strength, he said, are population concentration, job concentration and commercial leadership. All these are on the downtrend. He said that the question of power is power to what end? The future of poor people, he said, may not lie in the City.

Jeanne Lowe asked, "Who is to govern?" It is impossible, she said, for anyone but the government to govern. But we are not satisfied with the way the government operates renewal. In the government, no one gets fired who does nothing, and the result is a lack of initiative.

She said that those who lead in government do not usually know what the people want or care much about it. Where community participation is tried, there is a conflict, however, over priorities, and among different economic levels in the community. She said that poor people are not generally used to middle class community participation. They can't get out of the house as easily, and they are not used to speaking at meetings. Those who are most energetic and talk loudest are taken to represent the community.

She said that the main problem is how to make the government work more effectively, without the community's expecting the final say, since not just the community is affected by the way housing money and resources are expended.

Ted Velez said that elaborate plans and intellectualization have not yet made a real impact on the slums. Public housing tells the poor, he said, that they do not know how to live—glazed brick in the halls, wire reinforced windows, inspection of utilities whether or not the family is there. There must be some alternative to this system of institutionalization of people.

He said that today in the slums people do not really believe it is possible for them to live decently. Our society, he said, is not convinced that the problems can be solved.

Mr. Velez mentioned a low-income project in which he was involved which would prove the viability of liveable, low-rent housing for the poor.

After the panel discussion, members of the audience asked pertinent questions. Following are some of the questions and answers.

Mr. Velez was asked, "Do you have specifications for the housing you describe?"

Mr. Velez said the housing consisted of 458 units costing $18 million in 221(d)(3) monies—air conditioning, terraces, community facilities, some apartments as large as six rooms with rents of $78 to $114.

Miss Lowe and Mr. Starr were asked the following question: "The Community is a hand-picked group of the bureaucracy talking to themselves. We have not really tried community involvement yet. How do you know a really sincere effort to try community participation can not succeed?"

Mr. Starr said total anarchistic self-government is impossible. The government was elected, he said, and should therefore have the final say. As soon as government tries to decide what constitutes the community, it is subject to criticism of hand-picking the community.

Miss Lowe said government has the responsibility to seek the representation of all the community. Without government as referee, the community groups which take over will not be representative.

Father Browne said the City talks to whomever they want to talk to in order to push their particular program of that moment. Father Browne also expressed skepticism about Velez' figures, but agreed that public housing has been run like a plantation. He said the City should emphasize vest pocket housing because this creates a manageable community. It can be run as a cooperative where management works for the people.

The panel waas asked, "How are we going to provide sufficient housing to prevent riots?"

Mr. Sternlieb said that housing will not prevent riots. He said that housing as a basic amenity has been greatly exaggerated. New housing is generally small, in bad neighborhoods with bad schools, and it does not automatically provide jobs.

Mr. Starr said the only way to build sufficient quantities of housing is government ownership. Mr. Velez' project is small, he said. But public housing is criticized for having too many rules and restrictions. Rules in public housing are no worse than rules in fully tax-paying developments. Mr. Starr said that we have let public housing die on the vine because of our "bleeding sophistication" about aesthetics, what size housing is best, etc. He said that friends of public housing are not sufficiently vocal to push this program through.

Mr. Velez said that there is an experimental elite which argues that if we have not seen something, it cannot exist, and new ideas are squashed. He said the poor are systematically excluded because of social entry rules, private developers and government's insistence on dealing only with established social agencies, and government's willingness to consider only visible programs which can be seen right away.

The afternoon panel on the "Philosophy of Power" was moderated by Basil A. Patterson, New York State senator. Members of the panel were James Farmer, professor of social welfare, Lincoln University; Edward Gray, assistant director, Region 9, United Automobile Workers of America; Preston Wilcox, staff associate, education affiliate, Bedford Stuyvesant D. & S. Corp.; Kenneth M. Wright, vice president, chief economist, Life Insurance Association of America.

I include the report on the panel at this point in the Record:

The Philosophy of Power

Mr. Gray introduced a member of the Grape Workers Union, boycotting the California growers. The union member made a short plea for letters backing the union's position. Mr. Gray then began the discussion by saying it was tragic that unions, born because workers felt they must have economic justice, now engage in the same type of injustice they once fought. However, he said, many union leaders are interested in their communities and are working to correct past injustices. He said that we will not see progress in this, however, until the Vietnam war is over.

Mr. Wilcox said that stopping the war, though it should be stopped, will not guarantee help for the black man. He said that the black man has been taught to be a slave, and he feels inferior.

He said it is a condition of American society that people let those in positions of authority do their thinking for them. He said we live in a society which believes order is the normal condition. Tension, in actuality, is the normal condition. We have learned how to be masters and servants, but not how to respond to another human being. We have had no opportunity to practice being human.

Mr. Wilcox said that society's middle-class standards are stacked against anyone who is different, who doesn't honor these standards, and those who honor them least are the black people. Schools are embedded in our fascist society, he said. They carry on the old social differences of the past. But we are approaching another period of history when Americans will have the right to be in dissent and to be black.

Mr. Wright said a group of life insurance companies have pledged themselves to spend one billion dollars to erect low-income housing in deprived areas, creating jobs at the same time. They are concerning themselves, he said, only with urban communities. Other groups, such as savings banks are following suit.

Mr. Farmer said, "What is meant by power and how is it used."

He quoted Frederick Douglass, "Power concedes nothing without demand." He said that the civil rights movement hoped to change the world by appealing to conscience. It found conscience is moved only by a show of force.

The boycott and the vote, he said, have begun to bring changes. There is however, a mass called the "underclass" on whose heads we stand. Mr. Farmer said it is no longer an invisible mass. Now the rights of that mass have created tension, and this is the tension which will thrust us into a better world. Man cannot love his fellow man until he first loves himself.

After the discussion members of the audience asked pertinent questions. Following are some of the questions and answers.

Mr. Gray was asked, "Are unions engaged in training programs?"

He said that some unions are, but not enough.

Mr. Wright was asked, "To what extent are the communities involved in the insurance companies' plans?"

Mr. Wright said that the insurance companies only provide funding to local builders. The first money raised has already been put into FHA housing which was ready to start at once.

James Farmer was asked, "Is the question about jobs for the mass one of power or of opportunity?"

Mr. Farmer said, "Power makes decisions on education. Education in turn prepares one for a job, and there may be plenty of opportunity but without the necessary education, opportunity must pass by."

Mr. Gray was asked, "How are unions responding to Negro applications for Membership?"

Mr. Gray said that the doors are opening, some by conviction and some because other unions are using pressure to open the doors.

Professor Wilcox was asked, "When will workers be heard in government instead of just big business, big labor and big institutions?"

Mr. Wilcox said that we are moving toward that society where our young people will bring about the changes of which we dream. Society will be freer, he said, and one who is different will not automatically be branded "Communist." In that society, the people will be heard and government will respond.

Mr. Wright was asked, "In low-income housing, supplementary rental is not genuine low-income rental, is it?"

Mr. Wright said that the government guarantees that full rental will be paid. The cost of construction nearly makes genuine low-income rental impossible of achievement. The tenant pays according to his ability. As his income rises, so does the share he assumes of the rent.

Mr. Wilcox was asked, "Will we ever have decentralization of schools?"

Mr. Wilcox said that when it finally becomes demonstrably evident that our children are not being educated, the Board of Education will be branded as a failure. Ideally, he said, the school should be the center for solving community problems. To teach a Harlem child, he said, one must be involved in the total life of the child. Teachers will be employed who are pro-child, and not pro-system.

Mr. Wilcox was asked, "How can a teacher be pro-child and still be a part of the system?"

Mr. Wilcox said that "if a person wants to be a better teacher, if he wants to be a great teacher, the system can't stop him."

TO PROTECT THE AMERICAN PATIENT

HON. CARLETON J. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. KING of New York. Mr. Speaker, under unanimous consent, I include the article "To Protect the American Patient," by Dr. Walter Modell, in the RECORD:

TO PROTECT THE AMERICAN PATIENT

(By Walter Modell, M.D.)

The wide array of medication available to the American patient is a tribute to modern science.

But the very abundance of drugs creates problems.

In our society, we normally demand that the consumer be given sufficient information to make a choice between products. But when the consumer is a patient, he must rely exclusively on his doctor's choice of the drug that can best treat his condition.

Yet the doctor is not always in a position to make a fully informed judgment. He has no complete, readily available source of information about the thousands of drugs now available.

He must nonetheless make a decision affecting the health, and perhaps the life, of his patient.

To make sure that doctors have accurate, reliable, and complete information on the drugs which are available, *I recommend that the Congress authorize this year publication of a United States Compendium of Drugs.*

This Compendium would be prepared by the Secretary of Health, Education, and Welfare, in cooperation with pharmaceutical manufacturers, who would bear the cost of its publication, and with physicians and pharmacists.

It will give every doctor, pharmacy, hospital, and other health care institution complete and accurate information about prescription drugs—use and dosage, warnings, manufacturer, generic and brand names, and facts about their safety and effectiveness.—*From the President's Health Message to the Congress, March 4, 1968*

Here is a request made by President Johnson to the Congress which would seem to be beyond controversy. He asks the Congress to authorize the publication of a *United States Compendium of Drugs,* "To Protect the American Patient." Who could be unsympathetic with something which would help the sick and dying, assist physicians, clarify confusion about complex modern drugs, improve treatment, speed recovery, and provide cures through the best use of modern drugs? Especially if, as the President infers, it will not cost the taxpayer anything? It is proposed that the Secretary of the Department of Health, Education, and Welfare publish the book. We have every reason to believe that the Secretary of Health, Education, and Welfare will delegate this job to the Food and Drug Administration.

There is no evidence of any differences between this compendium and the *Therapeutic Compendium* which, for over a year, the FDA has been trying unsuccessfully to get the Pharmaceutical Industry to underwrite. Industry's reward for picking up the 5 or 6 million dollar tab was not only to be the satisfaction and image building such an outstanding public service would provide, but also the millions it would save in being spared the process of stuffing stuffers in drug packages and recalling packages of drugs containing stuffers which were found to have insufficient warnings, or to be misleading, or to have frankly dangerous statements printed on them (that is to say stuffed with a stuffer prematurely approved by the FDA because it did not know better at the time of the stuffing). This bait was apparently not attractive enough for the Pharmaceutical Industry. Therefore, the FDA tried a different tack, political pressure, which apparently led to the recommendation by the President to the Congress. If the Congress approves of the President's recommendation, does this constitute a *command* to the Pharmaceutical Industry?

The FDA has already publicly described what the *United States Compendium of Drugs* will be; it will be a collection of drug package stuffers, bound together as a book. The Compendium will therefore be another PDR. It will be a PDR with no prescription drugs omitted, a purged and sanctified PDR, but in the end nothing more than an alphabetized collection of stuffers. This bit of plagiarism will be legal, because authorization of a *United States Compendium of Drugs* by the Congress will be tantamount to orders for the execution of PDR and for its resurrection by the FDA in the form of the Compendium.

There will be some changes from the usual stuffers, however. It is absolutely certain that the paper used will not be so varied in color or so gay, and that the size and shape of all pages will be uniform. It can be hoped that it will no longer be printed on Bible paper or in microtype.

The strong public recomendation by the President at once brings the discussion from behind the closed doors of the professional groups most intimately concerned (physicians, the Pharmaceutical Industry, the FDA, the academic community) out into the open. The title of the section under which it comes in the President's Health Address, "To Protect the American Patient" makes it everybody's problem and it is appropriate, therefore, to open a forum on the issues involved.

Since the layman may inform his Congressman whether or not he wants a Compendium, it is more than ever important for those involved in drug investigation and in the teaching of therapeutics to establish, express, and publish their special and expert views. For the medical profession to delay its public expression might well end by having a Compendium published by the FDA and written with the collaboration of the Pharmaceutical Industry resting on the desk of every physician before other ways "To Protect the American Patient" are adequately explored.

The Drug Industry is understandably anxious to develop a beneficent public image. When there was no chance at all for direct financial gain, in 1963, it gave some 5 times as much as is now being asked, on 24 hour notice, to ransom a group of prisoners from Castro's dungeons. Why, then, is the PMA now reluctant to achieve glory in the way suggested so long and so ardently by the Commissioner of Food and Drugs? What are the unmentioned drawbacks? And is there some new understanding that led the President to suspect that the Drug Industry will yield this time if he gets the Congress to say it would like it? The original plan was for the Compendium to be given to all physicians. Now the President fuzzily suggests that pharmacists and physicians may also be asked to contribute (". . . *pharmaceutical manufacturers, who would bear the cost of its publication, and with physicians and pharmacists*"). In the end, of course, it will be the Protected American Patient who will pay for it, in taxes, or in drug bills, or in increased doctors fees.

If a *United States Compendium of Drugs* is presented by the government to every doctor in the land as an approved governmental document, what may its consequences be? What has led the President to believe that this is really all as simple as it appears to be in his address? Has he been fully informed?

How will the Compendium influence the practices of the American physician which, by clear inference in the President's speech, is defective (*"Yet the doctor is not always in a position to make a fully informed judgment"*).

How much will it speed the patient's recovery? How will it insure that the physician who turns to the Compendium (". . . prepared by the Secretary of Health, Education, and Welfare, in cooperation with pharmaceutical manufacturers . . .") will find unbiased information leading to the selection of the very best drug for the particular patient and for the special state of his disease?

Our gravest fear is that regardless of negligible legal status, any matter printed and distributed by the government as the result of an act of Congress inevitably acquires legal force, despite the fact that its actual writing will take place *after* congressional approval and that it will, in fact, be a collaboration of two disparate parties geared to work together only at tenterhooks.

We fear that a *United States Compendium of Drugs*, published by an agency of the Federal Government, authorized by the Congress at the express request of the President, and presented as the official FDA stand on drugs, sent without request or expressed desire (like an income tax form) to every physician in the land, will by virtue of this whole procedure be interpreted as the will of the Congress regarding the use of drugs, even though neither the Congress nor the President ever saw or approved of its actual contents.

We fear that this book will serve as an official directive on medical practice rather than as a source of simple descriptive information on prescription drugs. We fear that the aura with which it will have been invested will give it the appearance of a legal statute, which it does not have and which is not what it is and what it must never be permitted to assume. We fear that this collection of package stuffers will be treated by physicians as the Blackstone of therapeutic practice, as a code of law that the courts will use in malpractice suits (which will abound), that it will, in fact, become a Therapeutic Bible. We fear that physicians will be afraid to deviate from The Word.

Despite all the good intentions (and we do not doubt them) that led to this recommendation, the Compendium makes good sense only on the most superficial level. Arguments in its favor fail to even mention the more subtle dangers, the insidious and chronic ones. They fail to consider the fact that when law dictates medical practice, medical practice deteriorates and law becomes a barrier to medical progress.

We are against this Scripture, not because we disapprove of its avowed purposes, but because we believe it will have evil side effects and malevolent adverse reactions. We are afraid that as a quasi-legal publication on drugs it will reduce the science and art of therapeutics to a government-controlled routine in which each patient will be treated as if he were a plastic pressing out of the same mold, and his disease a pressing out of another mold. Individualized treatment, new ideas, and new approaches will be out. Yet uniformity in practice, the same for all, no exception, no variations, is bad medicine. It is as ill-suited for medicine as a single size of uniform is for an Army. But this is the medicine of the stuffer. Stuffer medicine does not deal with the basic principles of modern therapy or with the biomedical fact of the infinite variety of man and his diseases. Thus the Compendium will exert powerful restraints on original thinking, genuine therapeutics, and the search for the new and the better. Is this "Protection for the American Patient"?

The art and science of therapeutics teaches that each treatment is, in a sense, a new experiment and that by explorations the physician may be able to determine the dimensions of the disease, the drugs to which it will respond, and how the patient is likely to react to the drug: in short, how to tailor therapy to provide the best fit for patient and disease. Since the stuffers do not tell how to do this, neither will the Compendium.

The theory and practice of law, qua law, is for man to tailor his behavior and actions to conform to its precepts. To force this approach on the practice of medicine would require the physician to make his patient's disease conform to the statements in the Compendium so as to achieve a fit between drug and disease.

What hazards will this collection of stuffers create for the physician and for the American Patient? The physician will fear suit if he deviates from the Compendium. If the exigencies of the moment and the considerations of the patient's welfare tempt him to follow the best procedures, the physician's understandable concern for his own skin and pocketbook many make him stick closer to the Compendium.

How will the American Patient fare? Will he be protected? He will suffer even more than the physician in this dilemma, for unless he is that rare phenomenon, the average man with a classic case of his disease and textbook responses to drugs, he will be the most certain victim of regimented therapeutics: of the therapeutics of the stuffer, of the *United States Compendium of Drugs*.

Will it lead to better understanding of how to use drugs? It cannot possibly do so, because a Scripture provides no mechanism for change, no portal of entry for experience or discovery. We are certain that the Compendium will not lead to the exercise of better discrimination, greater over-all safety, greater effectiveness, or more authority in the use of drugs, because it will only stipulate what must be done, it will not explain or teach and it will therefore fail dismally to improve drug usage; it will merely routinize and rigidify it. It will make matters worse for all concerned, including the FDA, and, when the full implications of its effects are experienced, for the reputation of the President who so mistakenly recommended it.

It is still legal (according to the last official word from Mr. Julius Hauser of the FDA) for a physician to disregard advice in drug package stuffers, and for him to exercise his best judgment in the treatment of each American Patient.[1, 5] But, we repeat, if by an act of the Congress on the recommendation of the President, a United States Compendium of Drugs is authorized, these same flexible stuffers, when bound between hard covers, will take on the force and rigidity of a decree. By virtue of this misconception, the rights of the physician to exercise his own best judgment in the best interests of his patient will come to an abrupt end. Mr. William Goodrich will have finally accomplished what he had Mr. Hauser publicly disclaim for him on Febuary 16 last,[1] and what his JOURNAL quietly celebrated as a battle won against FDA censorship [3] will have been a Pyrrhic victory. We will have, therefore, an FDA dictatorship based on this Scripture in which physicians will, out of fear, do what Mr. Goodrich orders them to do, regardless of what they may think, say, or even write, on how "To Protect the American Patient."

And how will the Compendium affect the study of new drugs in man, and clinical investigation? Most investigators now complain that the FDA is far too restrictive, sometimes stupidly and even immorally so, and absolutely never progressive.[4] Many drug investigators may have justifiable fears that not all good work will be acceptable to the nonexpert stuffer specialists and will therefore be kept out of the Compendium. What a sacrilege, at a time when miracles in new medical discovery are possible!

What influence will a Compendium, distributed gratis to all physicians, have on medical writing? It may well make the publication of books on therapeutics financially unfeasible. It will make the reading of articles in journals of learned societies extremely confusing if they dissent from the Compendium. An FDA Scripture will have a deterrent effect on freedom of thought and discourse in medicine, as the early strict interpretation of the Word of the Holy Scriptures had on scientific writing. It will tend to brake the most important force in medical progress, the free exchange of new views and the trial of new approaches in therapy.

The Compendium will confuse further the recently publicized important question of generic equivalence. In the summer of 1967 the FDA organized a task force to open the bottleneck which prevents the free flow of generic drugs to the marketplace. How will this costly effort, which has hardly been started, be affected by the publication of a Compendium now?

Unless each trademark for a drug is a separate entry (and we understand that this will not be possible, if only because some drugs have as many as 50 trademarks, hence would necessitate 50 separate entries), the Compendium will have to be alphabetized on a generic name basis. This will strongly imply generic equivalence, even though the Commissioner himself testified before a Senate Subcommittee that generic equivalence cannot now be automatically assumed but must be proved in each instance. At this critical juncture in the attack on the problem of generic equivalence the Compendium will tend to confuse its readers. The President said that "*. . . it will give . . . complete and accurate information about prescription drugs . . . generic . . . names. . . .*" We do not now have an answer to the generic equivalence problem. It requires much more work and no book can pretend to have the answer. The answer certainly will not be found in any United States Compendium of Drugs within the next few years. The President has been misinformed.

No concern has been publicly expressed over the probability that if the *United States Compendium of Drugs* seems to provide official information on generic equivalence and drug dosage this will seriously undermine the *United States Pharmacopoeia*, the outstanding national pharmacopoeia of the world. Such an effect will shake the legal authority of the USP by competing with functions now the purview of the USP and seriously reduce its stabilizing effect on American Drugs and the Drug Industry. It may even destroy the USP.

If the USP goes down, then the critically understaffed, undermanned, underminded, underexpertised FDA will have no choice but to assume all the present functions of the USP, for we cannot get along without them. If the present USP dies and the FDA assumes its functions, we will not only have to mourn over the corpse of the USP, but we will have to support its dependent, The American Patient. For the 150 years of its existence the USP has done much that is tangible "To Protect the American Patient," its primary reason for being. Its loss would also be a serious blow to the Drug Industry, for much of our export business in drugs depends on the guarantees of quality in American Drugs provided to foreign buyers by the USP.

The USP does all of its spade work as a private organization. This I believe, is why it works so well and why I believe that it has the flexibility essential for the problems which lie ahead. After it completes its job of revision it presents the first bound volume of the new edition to the Congress for approval (unlike the FDA, which is right now asking for approval of a Compendium no word of which has yet been set down). Each of the 17 editions of the USP, published since 1820, has been approved by an act of Congress and incorporated (legally and not by inference, usage, or questionable interpretation) into the body of the law of the land. The USP achieves its legal status honestly and honorably.

It is the clear and obvious function of the USP to resolve the problem of generic equivalence so that the USP monographs on drugs fully establish standards for the drugs they describe. This need became apparent only relatively recently, when scientific investi-

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Footnotes at end of article.

gation into the nature of drug absorption exposed previously unknown features. If the USP is to continue in its historic role as the book of standards of the blue-ribbon drugs of modern therapy, the USP must assume the burden of the resolution of the problems of generic equivalence. If the *United States Compendium of Drugs* suggests to the doctors who get it that it has standards of generic equivalence of its own, this will encroach on what is now clearly the province of the USP. If the USP yields this function to FDA it seems to us that USP will have no modern reason for being. If there are two books of standards, what doctor will recall the *United States Compendium of Drugs* will have been written after Congressional action and therefore cannot have any legal status and, certainly so far as its contents go, neither congressional nor Presidential approval?

How good a book will the FDA Compendium be? A reading of drug stuffers provides a fair preview, since they will be cooked up in the same way during bargaining sessions between the FDA and the Pharmaceutical Industry.[2], [4] A few stuffers have turned out very well indeed, many are passable, some very bad. The President said that it ". . . *would be prepared by the Secretary of Health, Education, and Welfare in cooperation with pharmaceutical manufacturers* . . ." However, the only possibility for scientific standards and better teaching and higher quality is writing by a unbiased independent group of scientists and specialists.

Will the Compendium keep up with the progress in pharmacology and therapeutics or, in this country, will drugs have to slow down to the FDA's pace in dealing with the new and the original, as it has in the past with drug investigation and drug stuffers?[6] This will be the most difficult problem facing its authors.

At best, the FDA works very slowly.[6] In the hands of an efficient publishing house, under the usual operating conditions, from putting down the first word to mailing the last book, the job would take at least a year. How much longer it will take the FDA is anyone's guess. The Commissioner prides himself on efficiency and promptness. Yet it is an open secret that some vital documents have been resting on his desk without decision on sticky points for over a year leading to the suspicion that in some instances even he, like others in the FDA, is permitting time and human impatience to somehow resolve problems. How much delay will there be when the Compendium has to deal with its many sticky decisions? We will predict that, unless the whole job is farmed out by the FDA, the *United States Compendium of Drugs* will be out-of-date on publication day. It is said that it is planned to revise it only once every two years. But The Book will exert all its quasi-legal force on the treatment of the American Patient from publication day onward, no matter how out-of-date it becomes in the long intervals between revisions.

With Dear Doctor letters coming out at about the rate of one or two a month, and stuffers being altered or revolutionized about as frequently, the Compendium will need some remarkable new system to incorporate these frequent changes in it without publishing a whole new tome every few months. One needs only to recall the recent diphenidol (Vontrol) case, in which the drug was placed "off limits" for the doctor six weeks after it was freely put in his hands by the FDA, to realize how quickly stuffers may have to be revolutionized. This illustrates how important and difficult prompt revision of a Compendium will be. It will be a Scripture with very serious and unusual problems, unlike those of other Scriptures which have no problems at all because they do not have to keep up with current events.

The President's message says that the Compendium will provide the physician with a ". . . *readily available source of information about the thousands of drugs now available*" so that the physician can get information on the choice of drugs he needs to ". . . *make a decision affecting the health, and perhaps the life, of his patient.*" Many of us worked on this problem long before the President brought it to the attention of the Congress. The President, not being a physician but only a sometime American Patient, recognizes the need for protection along these lines, but he has been ill-informed. The Compendium will simply be an alphabetic list of drugs and descriptions, which will give no guidance on which drug to choose for a particular purpose, and will certainly not tell which of those in The Book is the best.

The physician will have to know which drug he wants before he can open the Compendium; he will have to come to a decision on what he wants and what is best for his patient without any help from the Compendium before he can use it for whatever "Protection to the American Patient" it affords. The Compendium is not planned or designed to be a guide to the choice of drugs; its purpose is to describe drugs. And while the FDA never specifically claimed or even inferred it would give information on the choice of drugs, it is nevertheless inexcusable that the President was allowed to make the assumption and to have suggested to the Congress that the Therapeutic Scripture of FDA would in any way assist the doctor in choosing the best drug for his patient. His advisors have served the President ill by permitting his misconception to go uncorrected, so that he promised the Congress that the *United States Compendium of Drugs* will determine the ". . . *doctor's choice of the drug that can best treat his* [*patient's*] *condition.*"

The Congressional charge to the FDA in the Food and Drug Act is to protect the public against mislabeling of drugs and (by amendments and extensive and broad interpretation) to insure public safety and drug effectiveness. This is a very substantial job and requires all the energy and talent the FDA has, and even more, to do the job adequately.

The FDA already has its hands full.[6] Unfortunately for all of us, the FDA does its job rather shabbily; its best excuse, and it is a good one, is that it is seriously overworked.[6] We do not see how the FDA can increase its work load. The FDA was never charged to assist the physician in the practice of medicine. Yet this is what is implied it will do in the President's opening sentence, *"The doctor is not always in a position to make a fully informed judgment."* It is given as the primary function of the Compendium: to give the doctor instant judgment, instant knowledge, instant expertise, instant wisdom, to "Protect the American Patient" in that way. We are afraid that the FDA cannot produce such a therapeutic wonder, but that it will, instead, give birth to a Frankenstein monster.

If all involved are agreed that there is a need for a therapeutic guide such as the President describes, that ignorance on the part of the physician is a real and present danger to the American Patient, then we would be derelict if we did not approve of the publication and distribution of such a book. But we are fearful of more arm of the law in the practice of medicine. A book on therapeutics cannot be a law book. The practice of the best medicine does not follow a set of printed rules or laws. But if a Compendium is needed and will, as the President believes, "Protect the American Patient," the book on how to do this should not be an armistice agreement between anonymous FDA stuffer specialists and anonymous Madison Avenue stuffer specialists but should be written by an outstanding body of recognized scientists, clinicians, and teachers: by those who are best equipped by knowledge and experience to write such a book. Above all, it should not be the result of a bargaining process with the FDA on one side of the table and Industry on the other.[4] After the former is written it can, as is now done with the USP, be properly presented to the Congress, or even to the FDA, for official approval.

What is needed is a Book of Knowledge. The stuffers should be stuffed right back where they belong. By law they are labels: "Let them be labels!"

FOOTNOTES

[1] Hauser, J.: FDA papers II, CLIN. PHARMACOL. & THERAP. 9:271–276, 1968.

[2] Letters to the Editor. FDA Papers, CLIN. PHARMACOL. & THERAP. 8:749–754, 1967.

[3] Modell, W.: FDA censorship, CLIN. PHARMACOL. & THERAP. 8:359–361, 1967.

[4] Modell W.: How to stuff a stuffer and cook a wolf, CLIN PHARMACOL. & THERAP. 8:775–781, 1967.

[5] Modell, W.: On speech and silence and in FDA, CLIN. PHARMACOL. & THERAP. 9:139–141, 1968.

[6] Modell, W.: How to HEW the FDA into shape, CLIN. PHARMACOL. & THERAP. 9:285–289, 1968.

HUGHES LOOKS TO FUTURE WITH HELICOPTER TRANSPORTATION

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. REES. Mr. Speaker, one of the most urgent problems facing this Nation is the development of an efficient mass transit capability. Helicopters will certainly play a prime role in the solution to this problem, just as they have advanced the state of the art in Vietnam where they have proven to be indispensable in a wide variety of tasks. I am convinced that as a result of our Vietnam helicopter experience, we have available for commercial use, a safe and dependable new mode of transportation which will have a tremendous impact on our domestic transit problems.

As in all previous conflicts, a cessation of hostilities in Southeast Asia will bring about an upswing in the availability of highly sophisticated technological advances needed for the civilian economy. The resultant benefits—increased productivity and the attendant reduction in operating costs—will be reflected in lower costs to the American consumer and increased profits for business.

One of the most urgent perplexing problems facing the public today is the lack of an efficient transportation system. Helicopters have proved themselves indispensable in Vietnam, and I am convinced that the perfection of helicopters as a safe, dependable means of transportation is going to make a tremendous impact on our domestic transit problem.

Let me cite one small but meaningful example of the great strides which have been made in this field. I refer specifically to the OH-6A light observation helicopter, which has in less than 1 year written an outstanding record for itself in Vietnam. This tough helicopter has already demonstrated operational readiness levels comparable with aircraft that have been in the inventory for 10 years or longer.

Pilots and unit commanders have praised the OH-6A's ability to withstand withering fire from enemy troops and get their crews back to base safely even when struck in vital components.

Visual observation is a major function of the OH-6A Cayuse light observation helicopter in Vietnam. In this capacity, the aircraft must fly over hostile territory at treetop level or below, and at speeds as low as 15 or 20 miles per hour. Working with larger and less maneuverable gunship aircraft which hang back and fly at higher altitudes, the OH-6A draws fire and/or marks suspected enemy positions. It then attacks. If its firepower is insufficient, the larger ships are ordered in for an attack.

In the face of enemy ground fire, the OH-6A can execute evasive action and be out of range in a matter of seconds. It is capable of accelerating from 0 to nearly 70 miles per hour in less than 5 seconds.

An article written by Cecil Brownlow, a highly respected member of the editorial staff of Aviation Week/Space Technology magazine highlights the Cayuse's accomplishments:

> The Hughes LOH, with its additional speed and maneuverability, its armament and the ability to carry a third crew member, probably represents a 100% improvement over earlier Bell OH-13 and OH-23 observation helicopters still in use by a number of Army Units in South Viet Nam, according to Major General Robert R. Williams. He is commander of the 1st Aviation Brigade, headquartered at Long Binh near Saigon. The Brigade, responsible for all non-division Army aviation units in the country, currently has approximately 300 of these helicopters in its inventory. The first LOH arrived in Viet Nam last Fall.

General Williams, a veteran Army aviator and helicopter pilot, recently told Aviation Week and Space Technology:

> The LOH is a very survivable aircraft. One of the main charges against it when it was first procured was that it was too fragile. It does bend easily, but any aircraft bends easier than a 2.5 ton truck. We gave up weight for performance, but we apparently didn't give up ruggedness while airborne. It will take one ——— of a lot of punishment and still fly home. It will stay flyable after it has been pretty well mauled . . . the principle used in its design was outstanding. It has a thin cover but a strong frame.

Typical of its effectiveness is a story from the Pleikon area of Vietnam. There, Army sources reveal, a Cayuse exposed and pinned down an entire battalion of enemy engineers until artillery and B-52 jet bombers could be brought in on the target.

According to the report, the OH-6A hovered directly above the enemy positions, sometimes only 15 feet overhead, providing aerial observation and target information for use by the ground fire power units. Besides marking the area for artillery and high-performance aircraft, the Cayuse used its own firepower to cover friendly ground reconnaissance troops landing in the area.

Use of the OH-6A was recently reported on an edition of the 25th Infantry Division's newspaper, Tropic Lightning News—June 17, 1968:

> The Cayuse crews direct air strikes and make damage assessments after bomb runs. All sightings by the Cayuse are radioed to the gunship for transmission back to the troop's headquaters. When infantry units begin operations in a new location, they know what their new geographic area consists of and what size enemy force to expect, thanks to the information from the Cayuse flights.

Another story from the 12th Combat Aviation Group shows how the Cayuse can be called upon for rescue work when necessary. In this case, one of the gunships flying cover made a precautionary landing in a rice paddy along the Saigon River to check out an electrical fire—the aircraft had to be abandoned. A Cayuse pilot landed his aircraft and picked up the four downed crewmen.

> The Cayuse is only made to carry two passengers—

Said the pilot—

> but I just couldn't leave anybody out there. I had to try and get them all out.

All the Huey crew scrambled aboard the Cayuse, bringing with them two M-60 machineguns. The pilot flew his heavily laden Cayuse safely, with seven people, back to his troop's base camp 20 miles away—May 1, 1968; Blackjack Flier.

With well over 100,000 hours of combat flying time to its credit since first being deployed in Vietnam last November, the Cayuse has amassed a glowing reputation in the area of survivability. For combat pilots the word is: "If you must crash—make sure you're in an OH-6A."

Time and again, the rugged ship's crash-safety feature—a unique A-frame construction and energy-absorbing crew compartment seats—has demonstrated that the OH-6A will "bring 'em back alive."

In one case, an OH-6A, evading enemy gunfire, struck a tree with such force that a large branch penetrated the canopy and lodged between the pilot and his observer. The right landing gear was shorn off. Nevertheless, the ship was able to fly back to its base "with the foliage intact" and land safely on an earth mound to compensate for the lost landing gear. The crew was uninjured.

Another ship, on a scout mission, was hovering 5 feet above the ground investigating an enemy position when a command-detonated mine was exploded under the aircraft. The pilot felt the ship was still flyable and continued the mission, flying 1 hour after the incident occurred. Returning to base camp, the ship was found to have 18 shrapnel holes in it. All damage was repaired within 24 hours and the bird was put back into action.

While screening an area for ground forces, a Cayuse's rotor wash set off two booby traps. The aircraft took hits in the main rotor blade, rotor housing, right fuel cell, and left engine access door. The aircraft was flown for about 45 minutes after being hit, then landed safely at a forward camp.

In another case, shrapnel entered the left engine access door and penetrated the ship's combustion chamber. The Cayuse flew for about 30 minutes after being hit before landing at a forward area where it was airlifted back to base and was operational again within 24 hours.

As a result of its built-in survivability, the Cayuse is experiencing an excellent record of availability in Vietnam. Reports from commanders in the field show that the OH-6A has an outstanding availability rate which exceeds 70 percent—a rate well above that anticipated.

Performance, ease of maintenance, and mission adaptability is continuing to win wide acceptance for the OH-6A from ground troops and pilots alike.

I am gratified that American technological excellence is being used to safeguard the lives of those young Americans who are called upon to place themselves in extreme personal jeopardy in Vietnam.

These advances in the state of the art of helicopter development promise great progress in an attempt to provide a safe and rapid transportation system for civilian use in the United States.

CONGRESSMAN LESTER L. WOLFF REPORTS

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mr. WOLFF. Mr. Speaker, under leave to extend my remarks, I am submitting for inclusion in the RECORD my most recent newsletter which is devoted entirely to a summary of major legislation acted on by the Congress during the past year, and includes my votes on the issues:

DEAR FRIEND: I am devoting this entire newsletter, as I do annually on the adjournment of Congress, solely to a summary of the major action taken by the Congress during the past year. Also included is a record of how I voted on those major questions.

First you might be interested in some facts and figures on the 90th Congress. During the two years we had a total of 875 Calls of the House, including both yea and nay votes and quorum calls. This is in addition to many hundreds of nonrecord votes on amendments, procedural motions and less important legislation.

The Calls of the House breakdown in the following manner: First Session (1967)—245 yea and nay votes and 202 quorum calls; Second Session (1968)—233 yea and nay votes and 195 quorum calls. This is a very high number of votes and quorum calls and is indicative of the long and busy sessions we held.

I hope you find the enclosed material of interest and would welcome your comments.

Sincerely yours,

LESTER L. WOLFF,
Your Congressman.

SUMMARY OF MAJOR LEGISLATION ACTED ON DURING THE SECOND SESSION OF THE 90TH CONGRESS, 1968

Gun control

Congress prohibited the mail order sale of long-guns and ammunition to supplement prohibitions on sales of handguns in the 1968 Crime Act. The Gun Control Law also restricts over-the-counter sales of firearms.

I voted for the Gun Control Law but want it extended to register all firearms and license those who own guns.

Crime control

I voted for the Omnibus Crime Control and Safe Streets Act to assist State and Local government in reducing the incidence of crime and to increase the effectiveness, fairness and coordination of law enforcement and criminal justice systems at all levels of government.

Consumer protection

Congress passed the following major laws for consumer protection and I supported all three measures: 1) Gas Pipeline Safety Act to control standards for transportation of natural gas; 2) Truth-in-Lending Act requiring lenders and retail creditors to provide full information about the cost of credit; and 3) Wholesome Poultry Products Act authorizing the Agriculture Department to establish poultry inspection standards.

Omnibus Housing Act

I co-authored and actively worked for passage of this historic legislation which authorized a $5.3 billion, 1.7-million-unit building program to meet our nation's needs in housing. Key features of this law will provide for home ownership among moderate and low income families and insure active involvement of the private sector in meeting our housing needs.

Transportation

Both of the following major laws had my support:

High-Speed Ground Transportation Research and Development Amendments with funds for demonstration programs.

Urban Mass Transportation Amendments to provide federal funds to states and localities for acquiring, constructing and improving facilities for mass transportation.

Conservation

The following conservation measures all had my support: Establishment of a 58,000 acre Redwoods National Park; a Scenic Rivers Act assuring conservation of eight interstate rivers and bringing an additional 27 rivers under federal scrutiny; creation of a 1,194,000 acre preserve including a 505,000 acre North Cascades National Park; and the Land and Water Conservation Fund Act authorizing grants to states for planning, acquiring and developing outdoor recreation areas and facilities.

Income tax surcharge

The ten percent federal income tax surcharge, which I opposed, is applicable from April 1, 1968 to June 30, 1969. It was combined with an unspecified cut of $6 billion in federal spending which I supported in a separate vote.

I opposed this package law for several reasons, including: 1) Taxpayers are already overburdened with state and local taxes; and 2) The solution to our economic problems is to cut non-essential, wasteful federal spending.

Civil rights

The 1968 Civil Rights Act, for which I voted, had the following provisions: 1) Prohibiting discrimination in 80% of the nation's housing; 2) Prohibiting crossing state lines or using interstate facilities to incite riots; 3) Providing protection for civil rights workers; and 4) Protecting firemen and policemen from attacks in civil disturbances.

I also supported the Federal Jury Reform Act requiring that federal juries represent a cross-section of the area in their jurisdiction.

Education and training programs

I supported all the following important measures:

The Higher Education Act providing $7.3 billion for college aid for three years through fiscal 1971.

A $21 million Teacher Corps appropriation, the largest annual appropriation to date for this vital program.

Manpower Development and Training Act Amendments to extend and expand programs to help the unemployed to learn new job skills.

Foreign aid

Congress reduced our foreign assistance appropriation to $1.7 billion, the lowest in the 20-year history of the program. The Foreign Assistance Authorization Act contained my amendment opening the door for the sale to Israel of sufficient jets to maintain peace in the Middle East. This sale will provide a deterrent to communist-inspired Arab aggression and arrangements are currently being made to comply with the Wolff Amendment.

Congressional ethics

I voted for establishment of the House of Representatives Committee on Standards of Official Conduct as a permanent Committee to help ensure that all Congressmen adhere to the highest ethical standards of public service.

During the past year I also continued my annual practice of making public my income from the previous year and the sources of that income. This is not required by law but is consistent with a pledge I have made.

Pollution controls

The 1968 Water Pollution Control Act, for which I voted, provided several specific requirements to reduce pollution of our waterways. Included in this law was a proposal I advanced some time ago in separate legislation to require the use of chemical disposal facilities on certain ships to guarantee a reduction in pollution.

MAYOR F. EDWARD BIERTEUMPFEL: MAYOR EXTRAORDINARY

HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 14, 1968

Mrs. DWYER. Mr. Speaker, at its annual fall meeting in Atlantic City, the New Jersey Conference of Mayors will honor two mayors of New Jersey communities who are believed to hold national records for the longest tenure in office—Mayor Bierteumpfel of Union Township and Mayor Arthur E. Armitage of Collingswood.

Mr. Speaker, I am proud to claim Mayor Bierteumpfel not only as a valued constituent, but as a good friend and political associate over a period of many years. But more important, together with thousands of my fellow New Jerseyites, I am honored to recognize Mayor Bierteumpfel as a distinguished public servant who has contributed immeasurably to his fellow citizens, his community, his country, and his State.

Mayor Bierteumpfel, Mr. Speaker, is known among other things, as the "architect of Union." And the designation is an apt one. Not only has his foresight and leadership guided the healthy and progressive development of his rapidly growing suburban community, but has given his people quality government for more than a generation. The physical monuments to his leadership, alone, are most impressive in the form of many modern public buildings, but the indication of his greatness is his responsiveness to those whom he serves, and his people have recognized the outstanding quality of his service in many ways and at many times, not the least of which is in the regularity with which they have continued their mayor in office.

Mayor Bierteumpfel was first elected to the Union Township Committee in June 1930, and he has served as mayor since 1939. But these are just the highlights of his extensive career. In the interim he served for 18 years, 8 of them as president, as a member of the Union County Board of Taxation. He has also served on the Union County governing body, the board of chosen freeholders, and the joint sewer commission. For 15 years, he was a member of the Union Township Board of Health, and has also served on the township's library board.

A longtime member of the Union Township Chamber of Commerce, Mayor Bierteumpfel has also been a member of the advisory board of the New Jersey League of Municipalities and the board of managers of the Bonnie Burn Sanitorium.

The mayor's political career includes the organization of the Regular Republican Club of Union, the vice chairmanship of the Union County Republican Committee, and election twice as delegate to the Republican National Convention.

He is an honorary member of many organizations, including the New Jersey State Firemen's Mutual Benefit Association, the Union Volunteer Fire Department, the International Association of Police, and the Union Junior Police.

Mayor Bierteumpfel has received many honors and tributes during his career, among them a formal tribute from the New Jersey State Legislature. Among the honors which will be paid him at the annual meeting of the New Jersey Conference of Mayors will be the presentation of an enrolled resolution signed by every member of the New Jersey congressional delegation, signifying his long and distinguished service as mayor of Union.

Mr. Speaker, Mayor Ed Bierteumpfel is an extraordinary public official and human being. Devoted to his people, unselfish in the giving of himself to public service, understanding, a forceful and imaginative leader, and a warm and loyal friend, he is, above all, an outstanding example of the quality of man the American people sometimes choose to lead them.